CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-EIGHTH CONGRESS, FIRST SESSION;

ALSO

SPECIAL SESSION OF THE SENATE.

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CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE FIFTY-EIGHTH CONGRESS.

SPECIAL SESSION OF THE SENATE.

SENATE.

THURSDAY, *March 5, 1903.*

The PRESIDENT pro tempore (Mr. WILLIAM P. FRYE, a Senator from the State of Maine) took the chair at 12 o'clock noon.

PRAYER.

Rev. F. J. PRETTYMAN, of the city of Washington, offered the following prayer:

Almighty God, Thy name is the measure of our present good, the promise and prophecy and realization of all our hopes and aspirations. We seek Thee not as a by-play in the midst of life's great drama, but as coming unto the one unchangeable and enduring and eternal substance of life. Times and seasons change in their constant ministrations of Thy providence, but Thou art the same. Life, and all the forms of it that we have known, is but a fleeting shadow. Thy years shall have no end. From everlasting to everlasting Thou art God. The path of duty and of a glorious destiny opens up toward Thee. Every other path is full of mystery and darkness and despair. But the way of the just shineth more and more even unto the perfect day.

We look out upon the vast field of human endeavor, with its contrast of opinions and conflict of interests, and we are overwhelmed with a sense of the greatness of human responsibility. Eighty millions can not establish justice; our highest and best thoughts can not adjust relationships so vast and varied, but our hope is in Thee. Grant us Thy continued favor, that all of our work begun, continued, and ended in Thee may find its justification in Thy will and its merit in the establishment of Thy purpose.

Grant Thy blessing upon the present session of the Senate of the United States, and may all of its deliberations secure to the people peace and prosperity and establish brotherhood among men and nations, for Christ's sake. Amen.

PROCLAMATION.

The PRESIDENT pro tempore. The Secretary will read the proclamation of the President of the United States convening the Senate in extraordinary session.

The Secretary (Mr. CHARLES G. BENNETT) read the proclamation, as follows:

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas public interests require that the Senate should convene in extraordinary session:

Therefore, I, Theodore Roosevelt, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Senate of the United States to convene at the Capitol, in the city of Washington, on the 5th day of March next, at 12 o'clock noon, of which all persons who shall at that time be entitled to act as members of that body are hereby required to take notice.

Given under my hand and the seal of the United States at Washington, the 2d day of March, in the year of our Lord 1903, and of the Independence of the United States the one hundred and twenty-seventh.

THEODORE ROOSEVELT.

By the President:
JOHN HAY, *Secretary of State.*

ORDER OF PROCEDURE.

The PRESIDENT pro tempore. The Secretary will call the names of the newly elected Senators.

Mr. HOAR. Mr. President, I ask unanimous consent, before the names of the newly elected Senators are called, to make a statement in behalf of the chairman of Committee on Privileges and Elections, which it is important to the public to understand. It will take but a moment.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that he may make a statement in behalf of the chairman of the Committee on Privileges and Elections. Is there objection? The Chair hears none.

Mr. CULLOM. I ask the chairman to allow me to present the credentials of Mr. HOPKINS, the Senator-elect from the State of Illinois.

Mr. HOAR. I should like to make a statement before that is done.

Mr. CULLOM. The credentials of all the other Senators-elect have been presented, and I should like to present the credentials at this time. It will take but a moment.

Mr. HOAR. I prefer to proceed with my statement.

Mr. CULLOM. Very well.

The PRESIDENT pro tempore. The Senator from Massachusetts will proceed.

Mr. HOAR. The Chairman of the Committee on Privileges and Elections, the Senator from Michigan [Mr. BURROWS], is obliged to be absent. He desired me to state in his behalf that he understands the orderly and constitutional method of procedure in regard to administering the oath to newly elected Senators to be that when any gentleman brings with him or presents a credential consisting of the certificate of his due election from the executive of his State he is entitled to be sworn in, and that all questions relating to his qualification should be postponed and acted upon by the Senate afterwards.

If there were any other procedure the result would be that a third of the Senate might be kept out of their seats for an indefinite time on the presenting of objection without responsibility, and never established before the Senate by any judicial inquiry. The result of that might be that a change in the political power of this Government which the people desired to accomplish would be indefinitely postponed.

I make this statement at the request of the Senator from Michigan [Mr. BURROWS].

CREDENTIALS.

Mr. CULLOM presented the credentials of ALBERT J. HOPKINS, chosen by the legislature of the State of Illinois a Senator from that State for the term beginning March 4, 1903; which were read and ordered to be filed.

SWEARING IN OF SENATORS.

The PRESIDENT pro tempore. The Secretary will call the names of the newly elected Senators whose credentials are on file, four——

Mr. LODGE. Is it not necessary first to call the entire roll to show the presence of a quorum?

The PRESIDENT pro tempore. It has not heretofore been done. The Chair examined the precedents in reference to that point this morning.

Mr. BACON. As the question has been suggested, I ask that the roll be called.

The PRESIDENT pro tempore. It will be the old roll call, all the newly elected members, of course, being left out. The Chair is of opinion that the proceeding he proposes is the correct one—to have the newly elected Senators first sworn in and then a roll call.

Mr. BACON. I have no disposition to press my individual view. I think, however, the suggestion of the Senator from Massachusetts is correct. The Senate certainly can not be in session for the purpose of administering oaths to new Senators unless there is a quorum of the Senate present. This is a continuing body. Still I will not press it if it is the sense of the Senate that it should not be done.

Mr. BLACKBURN. Mr. President, it occurs to me that the President is entirely correct in his construction on this matter. If you order a roll call it must be a roll call of Senators. One-third of this Chamber would be left out of that roll call, because one-third come in each two years.

So if a roll call is now had there must be a roll call of those who have already been sworn in as Senators. That is, you are going to require a quorum to be shown. A quorum of what? A quorum of men who have been sworn in as Senators, and you have only two-thirds of the membership of the Senate out of which to get that quorum. But if you will allow the Chair to proceed as he has suggested, the oath will be administered to the Senators-elect, and you will find that you have a quorum, I have no doubt.

Mr. TILLMAN. Mr. President, I should like to ask the Senator from Georgia, if a quorum did not appear, would we have to disappear from here and go and not swear in the newly elected Senators? That certainly would be the case, or we would have to sit here until we could send and get a quorum of those who have been already sworn in. My experience here has taught me that a quorum is always supposed to be present, unless some Senator makes the point that there is none.

The PRESIDENT pro tempore. The Senator from South Carolina, in the judgment of the Chair, is entirely right. The presumption is that there is a quorum present, and until a suggestion is made that there is no quorum present it is not necessary to have a roll call.

Mr. BACON. Mr. President, I stated that I would not press the suggestion. It was based exclusively upon the fact that the Senator from Massachusetts had already stated that there might not be a quorum present. It was upon that that I predicated what I said.

Mr. LODGE. I did not suggest the absence of a quorum. I merely made a parliamentary inquiry, which the Chair has decided.

The PRESIDENT pro tempore. The Secretary will call the names of the newly elected Senators whose credentials are on file, calling four at a time, and as their names are called they will present themselves and take the oath required by law.

The Secretary called the names of—

Mr. ALLISON, Mr. ANKENY, Mr. CLARKE of Arkansas, and Mr. CLAY.

Mr. FOSTER of Washington. My colleague elect, Mr. ANKENY, is at his hotel, in the charge of physicians, so that he can not be here to-day.

Mr. ALLISON and Mr. CLAY were escorted to the Vice-President's desk by Mr. DOLLIVER and Mr. BACON, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. DILLINGHAM, Mr. FAIRBANKS, Mr. FORAKER, and Mr. FULTON.

The Senators whose names were called were escorted to the Vice-President's desk by Mr. PROCTOR, Mr. BEVERIDGE, Mr. HANNA, and Mr. MITCHELL, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. GALLINGER, Mr. GORMAN, Mr. HANSBROUGH, and Mr. HEYBURN.

Mr. BURNHAM. I desire to state that my colleague [Mr. GALLINGER] is necessarily absent.

Mr. GORMAN, Mr. HANSBROUGH, and Mr. HEYBURN were escorted to the Vice-President's desk by Mr. MCCOMAS, Mr. WARREN, and Mr. DUBOIS, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. HOPKINS, Mr. KITTREDGE, Mr. LATIMER, and Mr. LONG.

The Senators whose names were called were escorted to the Vice-President's desk by Mr. CULLOM, Mr. GAMBLE, Mr. TILLMAN, and Mr. BURTON, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. MCCREARY, Mr. MCENERY, Mr. MALLORY, and Mr. NEWLANDS.

The Senators whose names were called were escorted to the Vice-President's desk by Mr. BLACKBURN, Mr. FOSTER of Louisiana, Mr. TALIAFERRO, and Mr. STEWART, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. OVERMAN, Mr. PENROSE, Mr. PERKINS, and Mr. PETTUS.

The Senators whose names were called were escorted to the Vice-President's desk by Mr. SIMMONS, Mr. KEAN, Mr. BARD, and Mr. MORGAN, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. PLATT of Connecticut, Mr. PLATT of New York, and Mr. SMOOT.

The Senators whose names were called were escorted to the Vice-President's desk by Mr. ALDRICH, Mr. DEPEW, and Mr. KEARNS, respectively, and the oath prescribed by law was administered to them.

The Secretary called the names of Mr. SPOONER, Mr. STONE, and Mr. TELLER.

Mr. SPOONER and Mr. TELLER were escorted to the Vice-President's desk by Mr. QUARLES and Mr. PATTERSON, respectively, and the oath prescribed by law was administered to them.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Depew,	Hopkins,	Overman,
Allee,	Dillingham,	Kean,	Patterson,
Allison,	Dolliver,	Kearns,	Penrose,
Bacon,	Dubois,	Kittredge,	Perkins,
Ball,	Elkins,	Latimer,	Pettus,
Bard,	Fairbanks,	Lodge,	Platt, Conn.
Bate,	Foraker,	Long,	Platt, N. Y.
Berry,	Foster, La.	McComas,	Proctor,
Beveridge,	Foster, Wash.	McCreary,	Quarles,
Blackburn,	Frye,	McCumber,	Simmons,
Burnham,	Fulton,	McEnery,	Smoot,
Burton,	Gamble,	McLaurin,	Spooner,
Carmack,	Gibson,	Mallory,	Stewart,
Clapp,	Gorman,	Martin,	Taliaferro,
Clark, Mont.	Hale,	Millard,	Teller,
Clark, Wyo.	Hanna,	Mitchell,	Tillman,
Clay,	Hansbrough,	Morgan,	Warren,
Cockrell,	Heyburn,	Nelson,	Wetmore.
Cullom,	Hoar,	Newlands,	

Mr. MCLAURIN. Mr. President, my colleague [Mr. MONEY] is absent from the Chamber because of sickness.

The PRESIDENT pro tempore. Seventy-five Senators have responded to their names.

SENATORS PRESENT.

The Senators-elect having been sworn and taken their seats in the Senate, the following Senators were present:

Alabama—John T. Morgan and Edmund W. Pettus.
Arkansas—James H. Berry.
California—Thomas R. Bard and George C. Perkins.
Colorado—Thomas M. Patterson and Henry M. Teller.
Connecticut—Orville H. Platt.
Delaware—J. Frank Allee and L. Heisler Ball.
Florida—Stephen R. Mallory and James P. Taliaferro.
Georgia—Augustus O. Bacon and Alexander S. Clay.
Idaho—Fred T. Dubois and Weldon B. Heyburn.
Illinois—Shelby M. Cullom and Albert J. Hopkins.
Indiana—Albert J. Beveridge and Charles W. Fairbanks.
Iowa—William B. Allison and Jonathan P. Dolliver.
Kansas—Joseph R. Burton and Chester I. Long.
Kentucky—Joseph C. S. Blackburn and James B. McCreary.
Louisiana—Murphy J. Foster and Samuel Douglas McEnery.
Maine—William P. Frye and Eugene Hale.
Maryland—Arthur P. Gorman and Louis E. McComas.
Massachusetts—George F. Hoar and Henry Cabot Lodge.
Michigan—
Minnesota—Moses E. Clapp and Knute Nelson.
Mississippi—Anselm J. McLaurin.
Missouri—Francis M. Cockrell.
Montana—William A. Clark and Paris Gibson.
Nebraska—Charles Dietrich and Joseph H. Millard.
Nevada—Francis G. Newlands and William M. Stewart.
New Hampshire—Henry E. Burnham.
New Jersey—John Kean.
New York—Chauncey M. Depew and Thomas C. Platt.
North Carolina—Lee S. Overman and Furnifold McL. Simmons.
North Dakota—Henry C. Hansbrough and Porter J. McCumber.
Ohio—Joseph B. Foraker and Marcus A. Hanna.
Oregon—Charles W. Fulton and John H. Mitchell.
Pennsylvania—Boies Penrose.
Rhode Island—Nelson W. Aldrich and George P. Wetmore.
South Carolina—Asbury C. Latimer and Benjamin R. Tillman.
South Dakota—Robert J. Gamble and A. B. Kittredge.
Tennessee—William B. Bate and Edward W. Carmack.
Texas—
Utah—Thomas L. Kearns and Reed Smoot.
Vermont—William P. Dillingham and Redfield Proctor.
Virginia—Thomas S. Martin.
Washington—Addison G. Foster.
West Virginia—Stephen B. Elkins.
Wisconsin—Joseph V. Quarles and John C. Spooner.
Wyoming—Clarence D. Clark and Francis E. Warren.

NOTIFICATION TO THE PRESIDENT.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee of two Senators be appointed to wait upon the President of the United States and inform him that a quorum of the Senate is assembled, and that the Senate is ready to receive any communication he may be pleased to make.

The PRESIDENT pro tempore appointed Mr. HOAR and Mr. COCKRELL as the committee under the resolution.

HOUR OF MEETING.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the hour of the daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

PERSONAL EXPLANATION—SOUTH CAROLINA STATE CLAIM.

Mr. TILLMAN. Mr. President, pending the report of the committee which has just been appointed, I desire to rise to a question of privilege.

The PRESIDENT pro tempore. The Senator from South Carolina is recognized for that purpose.

Mr. TILLMAN. In the second or continued part of the CONGRESSIONAL RECORD of March 3, which did not come from the Printer until late yesterday morning, I find a very remarkable speech, so remarkable——

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Alabama?

Mr. TILLMAN. With pleasure.

Mr. PETTUS. It is the universal custom, Mr. President, to transact no business until the President has been informed that the Senate is in session.

Mr. TILLMAN. If the Chair shall so rule, I will very quietly subside and wait until we get into working order. I simply wanted to save some time. It will take half an hour or more to go to the White House and return. I will await the decision of the Chair.

The PRESIDENT pro tempore. The Chair knows of no parliamentary rule which prevents a Senator from addressing the Senate under such circumstances.

Mr. PETTUS. It is not a parliamentary rule, I admit; but it is a custom of the Senate and a rule of courtesy.

The PRESIDENT pro tempore. The Chair thinks it is the custom of the Senate.

RECESS.

Mr. TILLMAN (at 12 o'clock and 35 minutes p. m.). Then I move that the Senate take a recess for half an hour.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock and 5 minutes p. m.) the Senate reassembled.

Mr. KEAN. I move that the Senate take a further recess for ten minutes.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock and 15 minutes p. m.) the Senate reassembled.

NOTIFICATION TO THE PRESIDENT.

Mr. HOAR and Mr. COCKRELL, the committee appointed to wait upon the President of the United States, appeared below the bar, and

Mr. HOAR said: Mr. President, the committee who were appointed to inform the President of the United States that the Senate is in session, that a quorum is present, and that the Senate is ready to transact business and receive any communication he may think fit to make, have attended to that duty, and the President replied that he would make to the Senate a communication in writing directly.

(Sundry messages in writing from the President were communicated to the Senate by Mr. B. F. BARNES, one of his secretaries.)

WORK OF THE SESSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and ordered to lie on the table and be printed:

To the Senate:

I have called the Senate in extraordinary session to consider the treaties concerning which it proved impossible to take action during the session of Congress just ended. I ask your special attention to the treaty with the Republic of Colombia, securing to the United States the right to build an isthmian canal, and to the treaty with the Republic of Cuba, for securing a measure of commercial reciprocity between the two countries.

The great and far-reaching importance of these two treaties to the welfare of the United States and the urgent need for their adoption require me to impose upon you the inconvenience of meeting at this time.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 5, 1903.*

PERSONAL EXPLANATION—SOUTH CAROLINA STATE CLAIM.

Mr. TILLMAN. Mr. President——

Mr. HOAR. I rose to move that the Senate proceed to the consideration of executive business; but if the Senator from South Carolina proposes to proceed I will withhold the motion.

Mr. TILLMAN. I wish to speak.

Mr. HOAR. Very well.

Mr. TILLMAN. Mr. President, I rise to a question of privilege. In the CONGRESSIONAL RECORD of March 3—the continued part, which only came from the Printer late yesterday morning, and which, therefore, I did not read, or I should have taken occasion to comment on it before the adjournment of Congress—I find a very remarkable speech. I do not know that there has ever been a similar one—certainly if there has been I have not read it—delivered in either branch of Congress. I quote:

Mr. CANNON. Gentlemen know that under the practice of the House and under the rules of the Senate the great money bills can contain nothing but appropriations in pursuance of existing law, unless by consent of both bodies. If any one of these bills contains legislation, it must be by unanimous consent of the two bodies; and the uniform practice has been, so far as I know, the invariable practice has been, with the exception of one amendment upon this bill, that when one body objected to legislation proposed by the other upon an appropriation bill, the body proposing the legislation has receded.

In this case the trouble in arriving at an agreement all clustered about one amendment. There were many amendments of a legislative character proposed by the Senate; there were many amendments, covering hundreds of thousands of dollars of claims, pure and simple, proposed by the Senate.

One by one the legislative provisions and the claims disappeared as the Senate receded, until we came to an amendment to pay the State of South Carolina $47,000. A word as to that. In May last, on the omnibus claim bill then passed, a basis was fixed for the adjustment of the accounts of Virginia and Baltimore and South Carolina with the United States, growing out of the war of 1812-1815.

The auditing officers of the Treasury, in pursuance of that law, adjusted the accounts of Virginia. An indefinite appropriation was made to pay the respective States whatever should be found due by the auditing officers. Upon that basis and under that legislation the sum of $100,000 in round numbers has been paid to the State of Virginia.

Under that same law, which is the law to-day, the auditing officers, in the adjustment of accounts, found due to the State of South Carolina the sum of 34 cents. Now, the Senate of the United States, notwithstanding the law to which I have referred, proposed legislation on an appropriation bill to the extent of granting to the State of South Carolina $47,000.

The House conferees objected, and the whole long delay has been over that one item. In the House of Representatives, without criticising either side or any individual member, we have rules, sometimes invoked by our Democratic friends and sometimes by ourselves—each responsible to the people after all said and done—by which a majority, right or wrong, mistaken or otherwise, can legislate.

In another body there are no such rules. In another body legislation is had by unanimous consent. In another body an individual member of that body can rise in his place and talk for one hour, two hours, ten hours, twelve hours. It is a matter of history that a Senator on the Republican side, in a former Congress, talked to death a river and harbor bill.

There comes a time constantly in the settling of bills when you must do so and so or so and so, else your bill can not pass, and this with reference to the great money bills. In my opinion, such a condition existed as to this bill and clustered about this one amendment. There was also an amendment put on the bill in that body involving legislation to the extent of granting to the State of Vermont $150,000 in adjustment of her war claims.

The Senate receded, but your conferees were unable to get the Senate to recede upon this gift from the Treasury, against the law, to the State of South Carolina. By unanimous consent another body legislates, and in the expiring hours of the session we are powerless without that unanimous consent. "Help me, Cassius, or I sink!"

Unanimous consent comes to the center of the Dome; unanimous consent comes through Statuary Hall and to the House doors and comes practically to the House. We can have no legislation without the approval of both bodies, and one body, in my opinion, can not legislate without unanimous consent. There was the alternative.

In my opinion this applied not only to the deficiency bill, but to the naval bill, an agreement as to the naval bill. Your conferees had the alternative of submitting to legislative blackmail at the demand, in my opinion, of one individual—I shall not say where—or of letting these great money bills fail. Now, what are we going to do about it? This bill contains many important matters—your appropriations for public buildings, legislation lately had all along the line of the public service to the extent of $20,000,000.

Now, I have taken the House into my confidence touching this matter, as it is my duty to do. I am getting to be a somewhat aged man. I pray God that my life may be spared until an intelligent and a righteous sentiment, North and South, East and West, pervading both of the great parties will lash any body into obedience to the right of the majority to rule—and majorities and minorities shift back and forth.

Ah, says somebody, did that work in reference to the matter of statehood, and did you believe in statehood? I did not believe in statehood, and I am putting now the strongest case against my own party, but a majority of the people, voiced in the Senate and the House, had the right to have its will expressed.

Gentlemen, I have made my protest. I do it in sorrow and in humiliation, but there it is; and in my opinion another body under these methods must change its methods of procedure, or our body, backed up by the people, will compel that change, else this body, close to the people, shall become a mere tender, a mere bender of the pregnant hinges of the knee, to submit to what any one member of another body may demand of this body as a price for legislation.

And the reporter states that there were "prolonged applause and cheers."

Mr. President, there are two issues involved here—one affecting the honor and dignity of this august body, which has been declared to be the grandest legislative assembly in the world, and the other affecting my official integrity, my official responsibility, and my personal character to some extent. I would that those of my elders here, so many of whom are far better equipped and abler than I to speak for the Senate, felt called on to do so in this connection; but I will endeavor, even in my humble way, to show that this speech which I have just read is wholly indefensible, is more or less indecent, and an outrage.

I will deal with the Senate's case first, because it is of so much more importance than my own. I find in Jefferson's Manual, on page 75, this language:

It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner.

Here we have the broad, general principle of parliamentary law and of that comity which this distinguished writer says must obtain between two branches of a legislature, and I ask Senators to say whether or not it has not been grossly violated. There is one remarkable, phenomenal utterance here which shows to what extent the power which has lapsed, or appears to have lapsed, from the hands of the representatives of the people into the hands of a few men has made those men drunk. They have grown so tyrannical—shall I say?—in their methods and in dealing with themselves and their own rights and privileges that the leader of the House,

the man charged with the great responsibility of the chairmanship of the Appropriations Committee, and who is booked to be the next Speaker, has seen fit in the House to use this language:

In my opinion another body under these methods must change its methods of procedure, or our body, backed up by the people, will compel that change.

"Our body," the House of Representatives, will compel the Senate, not after the people shall have acted, not in aid of the people, but will go ahead and lead and do the thing with the assistance of the people, and "compel" the Senate to adopt such rules as the Chamber at the other end of the Capitol sees fit to demand that we shall adopt. It appears to be a large exhibition of charity to allow the "people" to participate in this reformation!

There are other numerous disrespectful comments here upon the action of the Senate. The Senate as a whole is charged not only with dereliction of duty, but with surrendering to robbery, to "blackmail."

I could go on at length and comment on this utterance, but I will leave that phase of the subject, because I do not think it needs any further discussion. Senators all realize that a most outrageous thing has been perpetrated. I do not care to speak at any further length on the indignity put upon us. I feel sure, from my experience with the great men with whom I have the honor to associate, that any such talk as that will pass us by as the idle wind, and we will continue to do business in the constitutional way, after the manner of our fathers. The Senate which sits to-day is the lineal successor and the continuous successor of the first Senate, for the Senate never dies. It can say, with Tennyson's brook—

Men may come and men may go,
But I go on forever.

I will now address myself to the other phase which was the occasion of this outburst which relates to me personally. It is rather a long story, but Senators will pardon me if I go into it fully, because the occasion is one of such gravity. The charge against the Senate is of such a character, affecting its honor and dignity, and the charge against me as a Senator—while my name is not mentioned, I am too clearly singled out to permit me to pass it over lightly, and I must furnish the absolute and indubitable evidence of the error into which Mr. CANNON has fallen and the outrage which he has perpetrated in speaking of me in the manner in which he has.

I will begin with reading an extract from the act approved March 3, 1899, to amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and for other purposes. In that act I find this language, after providing for certain settlements:

Provided, That when such unsettled account is caused by a default in payment of principal or interest on any bonds or stock issued or guaranteed by any State, the ownership of which is vested in the United States, the Secretary of the Treasury be, and he is hereby, authorized and directed to institute any act or proceeding which he may consider advisable against such State or its representatives to secure the payment of the principal and interest of said bonds or stocks.

I now read from a letter of the Secretary of the Treasury:

Under the proviso in this section, demand was made by this Department, November 8, 1890, upon the State of South Carolina for payment of the indebtedness of the State to the United States on account of State stocks due and unpaid, amounting to $248,750, as follows:

State stock due and unpaid	$125,000
Interest thereon	123,750
Total	248,750

Then follows that which I will incorporate in the RECORD to save time, a letter from the Secretary of the Treasury, dated November 8, 1899, addressed to the Hon. William H. Ellerbe, governor of South Carolina, in which attention is called to this unpaid obligation of our State and a demand made that there shall be settlement.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., November 8, 1899.

SIR: I have the honor to invite your attention to section 4 of the act of Congress approved March 3, 1899 (30 Stats., p. 1356), entitled "An act to amend an act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," etc., as follows:

"SEC. 4. That the expenses incurred by the governors of States in carrying out the provisions of this act shall be paid to them, notwithstanding any unsettled accounts, claims, or indebtedness of the United States against their States, and without prejudice to such unsettled accounts: *Provided*, That when such unsettled account is caused by a default in payment of principal or interest on any bonds or stocks issued or guaranteed by any State, the ownership of which is vested in the United States, the Secretary of the Treasury be, and he is hereby, authorized and directed to institute any act or proceeding which he may consider advisable against such State or its representatives to secure the payment of the principal and interest of said bonds or stocks." * * *

I inclose herewith a statement of the matured South Carolina State stocks, due and unpaid, belonging to the United States, amounting to $125,000, with coupons attached for $123,750, a total of $248,750.

In pursuance of the foregoing provision of law, I have now to request payment of the indebtedness of the State of South Carolina to the United States, as shown by the inclosed statement.

Respectfully,
L. J. GAGE,
Secretary.

HON. WILLIAM H. ELLERBE,
Governor of South Carolina, Columbia, S. C.

Mr. President, as one of the representatives of the State at that time this communication was sent to me. I immediately began to investigate it, to look about and see the situation, and after a long and laborious search into the archives of the Government, delving into accounts, searching records, looking up statutes, and going into decisions, and doing other various and multifarious labors, many of which I performed myself, but most of which were performed by the Senate's assistant librarian, Mr. Baker, who is a South Carolinian and who pursued the investigation under my direction, I discovered that so far from South Carolina being in default and owing the United States anything, we were a creditor of the United States and that we were prepared to settle and pay $248,000, principal and interest of bonds in full, if we could get the same recognition that had been given to half a dozen other States under similar circumstances.

I therefore secured the passage by the Senate of a resolution instructing the Secretary of the Treasury to send an accounting between the State of South Carolina and the United States; called attention to this old claim of ours for the war of 1812, which had lain buried for these eighty years or more, and I have in my hands the report. I shall not read it, but will insert it in full.

[Senate Document No. 320, Fifty-sixth Congress, first session.]

ACCOUNT BETWEEN THE UNITED STATES AND SOUTH CAROLINA.

Letter from the Secretary of the Treasury, transmitting, in response to resolution of the Senate of April 17, 1900, a statement of account between the United States and the State of South Carolina. April 30, 1900.—Laid on the table and ordered to be printed.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 28, 1900.

SIR: I have the honor to acknowledge the receipt of the resolution of the Senate of the United States dated April 17, 1900, as follows:

"*Resolved*, That the Secretary of the Treasury be, and he is hereby, directed to adjust the accounts between the United States and the State of South Carolina on the following basis, and report what amount will be due said State June 30, 1900.

"First. Take the amount due the State of South Carolina on July 19, 1832, for moneys expended in the war of 1812, as shown in a letter from the Secretary of the Treasury of January 9, 1900; calculate the interest on same to date of the maturity of the bonds of South Carolina held by him as custodian of the Indian trust fund, to wit, January 1, 1881; deduct the amount due by the State, principal and interest, on bonds from the amount due the State by the United States, and calculate interest on balance to June 30, 1900, thus showing the amount, principal and interest, due the State at that date.

"Second. Add to this amount the sum due the State of South Carolina for moneys expended in the war of 1836 and 1837, as shown by the letter of the Secretary of the Treasury February 20, 1900, calculating the interest on said amount up to June 30, 1900."

In reply thereto I have the honor to report as follows:

Amount due the State of South Carolina, July 19, 1832, for moneys expended in the war of 1812, as shown in the report of the Auditor for War Department of January 9, 1900, transmitted to the Senate by the Secretary of the Treasury January 15, 1900 (Senate Doc. No. 232, Fifty-sixth Congress, first session)		$77,028.02
Interest thereon, at 6 per cent, from July 19, 1832, to January 1, 1881, the date of maturity of South Carolina bonds owned by the United States (formerly in the Indian trust fund)		223,910.96
		300,938.98
Deduct:		
Principal of bonds of South Carolina, matured January 1, 1881, owned by the United States	$125,000	
Add interest due thereon to January 1, 1881	123,750	
		248,750.00
Balance due January 1, 1881		52,188.98
Add interest on balance from January 1, 1881, to June 30, 1900		61,061.11
		113,250.09
Add interest to June 30, 1900, on claims of the State on account of Florida war, paid June 8, 1854, and September 30, 1855, in the sums of $17,786.05 and $1,583, respectively, on basis of report of Auditor for War Department of February 19, 1900, transmitted to the Senate by the Secretary of the Treasury February 20, 1900 (Senate Doc. No. 190, Fifty-sixth Congress, first session), as follows:		
Interest—		
On $17,786.05 from July 1, 1839, to June 8, 1854	$15,942.23	
On $1,583 from July 1, 1839, to September 30, 1855	1,543.42	
Taking these amounts as a principal, the interest thereon to June 30, 1900, is as follows:		
On $15,942.23 from June 8, 1854, to June 30, 1900	44,058.21	
On $1,543.42 from September 30, 1855, to June 30, 1900	4,144.18	
		65,688.04
Total due the State June 30, 1900, as called for in Senate resolution of April 17, 1900		178,938.13

Respectfully,
L. J. GAGE, *Secretary.*

The PRESIDENT OF THE SENATE.

I will simply state for the information of those who are doing me the honor to listen that it is shown therein by the records of the Government itself, not from anything which we brought, that an adjustment of the accounts of South Carolina with the United States for the war of 1812 and the war with the Indians of 1836 left the United States indebted to us $178,000. Upon that basis I introduced a bill, Senate bill 4697, first session Fifty-sixth Congress, which was reported by the Senator from Maryland [Mr. MCCOMAS] from the Committee on Claims, taken up in this

body and passed without opposition, because the reports showed indubitably to the mind of any decent, honest man that South Carolina was entitled to this amount.

The House would not pass it. We could not get them to even consider it under those liberal rules which appear to be in vogue over there and with which my friend the chairman of the Committee on Appropriations of the House is so much in love. Nothing appears to go except by the "unanimous consent" of a few of the leaders. The "unanimous consent" of the members has fallen into innocuous desuetude, so to speak, and the "unanimous consent" about which he speaks so affectionately is the unanimous consent of those who are in control. I am only saying that that appears to be the situation. I do not wish to criticise the House. I would not read a rule dealing with the comity between the two bodies and then turn around and transcend it, when I am endeavoring to show that it has been violated in a very improper manner by a member of the other body. I do not know what can be done. I suppose this will drop out of sight like a good many other contests between the two Houses and will go into the legislative record and disappear there. I would not discuss it but for the intemperate and angry words of the chairman of the House conferees.

Now, what about this claim of South Carolina? Why did I press the settlement. Here [exhibiting] is the only instrument of the kind, I imagine, in the whole world. Under the guise of a conference report there was brought into the Senate and adopted as a part of that report, without our knowing it, a provision in this act from which I have read authorizing the Secretary of the Treasury to have the Attorney-General sue the State of South Carolina and the State of Virginia to collect this debt due the Indian trust fund. I hold in my hand a document, from which I quote, "In the Supreme Court of the United States, October term, 1900. The United States of America, plaintiff, *v.* The State of South Carolina, defendant, W. H. Ellerbe, governor." I thought the Constitution had forbidden the States to be sued, but I suppose the question whether or not the United States was estopped from suing one of its component parts had never been determined by the courts, and the gentlemen who authorized this suit felt willing to have the United States Supreme Court pass upon it:

In the Supreme Court of the United States. October term, 1899. The United States of America, plaintiff, *v.* The State of South Carolina, defendant. No. —. Original.

MOTION.

Now come the United States of America, by the Attorney-General thereof, and moves for leave to institute an action in this court against the State of South Carolina upon the cause of action specified in the declaration hereto attached, and further moves the court to issue summons herein.

JOHN W. GRIGGS,
Attorney-General of the United States.
JOHN K. RICHARDS,
Solicitor-General.
GEORGE HINES GORMAN,
Special Attorney.

In the Supreme Court of the United States, October term, 1899. The United States of America, plaintiff, *v.* The State of South Carolina, defendant. No. —. Original.

DISTRICT OF COLUMBIA,
County of Washington, ss:

The United States of America, the plaintiff in this action, by John W. Griggs, the Attorney-General thereof, complains of the State of South Carolina, the defendant herein, which has been summoned to answer the said plaintiff in an action of debt; and thereupon the said plaintiff demands of the said defendant the sum of $248,750, good and lawful money of the United States of America, which the said defendant owes to and detains from the said plaintiff.

For that heretofore, to wit, upon the 1st day of January, in the year of our Lord 1856, by its certain 125 writings obligatory, sealed with its seal and duly issued under and by virtue of a statute of the said defendant, the said State of South Carolina passed and ratified on the 19th day of December, in the year of our Lord 1855, known as coupon bonds, now here shown unto the court, of each of which the following, in all things material, is a true copy, to wit:

UNITED STATES OF AMERICA,
State of South Carolina:

The State of South Carolina will pay to I. D. Ashmore, or bearer, $1,000, with interest thereon at the rate of 6 per cent per annum, payable semi-annually, on the first days of January and July, on the presentation of the proper coupons for the same hereto annexed, at the State treasury office in Charleston, where the principal sum will also be paid on the surrender of this bond on the 1st day of January, in the year 1881, and not before, without the consent of the holder of this bond, which is issued in pursuance of an act of the general assembly of the State of South Carolina, ratified on the 19th day of December, A. D. 1855.

In witness whereof the governor of the State has hereunto subscribed his name and caused the seal of the State to be hereunto affixed, the 1st day of January, A. D. 1856.

By the governor.

T. H. ADAMS,
Governor.
I. PATTERSON,
Secretary of State.

Countersigned by—

I. D. ASHMORE,
Comptroller-General.

[State of [SEAL] South Carolina.]

Whereby the said defendant acknowledged itself to be held and firmly bound unto the plaintiff in the principal sum of $125,000, payable at the said treasury office in the city of Charleston, in the State of South Carolina, on the 1st day of January, A. D. 1881, and in the sum of $123,750, interest on said principal sum at the rate of 6 per cent per annum, payable semiannually on the first days of January and July of each year, from the date of said bond until the maturity thereof, likewise payable at the office of the State treasury, in the city of Charleston and the State of South Carolina, as witness its certain 4,125 writings obligatory, each for the sum of $30, and attached to the said bonds, known as coupons. And whereas the said plaintiff at the dates when said bonds became due, as aforesaid, and upon the several dates when said coupons became due, as aforesaid, duly demanded of the said defendant the said sum of $248,750, yet the said defendant hath not paid the same to the plaintiff, either in whole or in part, but so to do hath wholly neglected and refused, and still doth neglect and refuse, to the damage of the plaintiff in the sum of $50,000, and therefore they bring this suit.

JOHN W. GRIGGS,
Attorney-General of the United States.
JOHN K. RICHARDS, *Solicitor-General.*
GEORGE HINES GORMAN, *Special Attorney.*

I recollect that, in endeavoring to get an adjustment of these claims which were pressed here by the Senator from Virginia and myself, I offered an amendment providing for an adjustment and an accounting, and it was ruled out on the point of order that it was legislation such as Mr. CANNON has spoken about, and we could get no redress. But the Senate did incorporate a certain proviso in one of its bills, I have forgotten which. Here [exhibiting] is the debate. I had endeavored earnestly to get the Senate to permit the State of South Carolina simply to have a settlement and let a report come as to what that settlement involved. The Senate said, "We can not do that, but we will order the Attorney-General to stop the suit." Then I protested in this language, which I read from the CONGRESSIONAL RECORD of May 31, 1900:

Mr. President, I shall object to anything except to the repeal of the provision—

The first proposition was to order that they should be suspended temporarily—

authorizing suits against the States, because, if we have to be sued, I prefer to trust the Supreme Court of the United States to recognize the claims of the States, which have been declared to be valid by the Secretary of the Treasury and by previous acts of Congress, rather than attempt to get justice here. I will not consent to anything other than a repeal absolutely of the provision authorizing the suits to be begun. Otherwise let the suits go on.

The authority to sue was repealed, and there it was dropped, but I did not stop trying to get the just dues for my State which had been shown to exist in regard to the war of 1812. For forty years South Carolina had been out of court, so to speak, a pariah, an outcast, with no voice here, with no one to speak for her, with nobody to ask that she should receive recognition or justice; and if this claim is old, older than almost any other claim on the book, you might say, it is because of that fact and the conditions growing out of the civil war.

But what about the claim other than the reports I have produced? I have the records here from the various bureaus of the Treasury, the Auditor for the War Department, and Secretary Gage. And how did it come that Mr. CANNON could say that the accounting officers found that they owed us 34 cents? I will explain. In the omnibus claims act, to which he has made allusion, after providing for an accounting between the United States and the States of Virginia and South Carolina upon the basis of the claim of the State of Maryland, which was settled in 1858, and the States of Maine and Massachusetts, which claims were settled in 1872, those States receiving, respectively, some $280,000, I think, in one case and six hundred and odd thousand dollars in the case of the other two, here comes in a proviso:

Provided, That in the settlement of these claims any bonds or other evidences of debt of either of the said States or of said city of Baltimore held by the United States on any account whatever shall be credited as offsets to the United States, as of the dates, respectively, at which the accounts will be completely or most nearly balanced, and the balance found due on such date, after deducting the principal and interest on said bonds or other evidences of debt to such date, shall be paid to or by said States and city of Baltimore, and the said bonds or other evidences of debt shall be returned to the States issuing the same.

That proviso was put in there at the instance of the Senator from Virginia [Mr. MARTIN] for the purpose of securing an adjustment which would be very liberal to Virginia. He did not know, and it was not his purpose, to have that provision of law work an outrage or an injury or a wrong to South Carolina; but such it did. The proviso which is here spoken of had this effect. In adjusting the accounts between the United States and Virginia for her claim in the war of 1812, it was found that Virginia's bonds became due, I think, in 1894, and that if the two accounts, both bearing interest, were brought down to that date even, Virginia would owe the United States a balance of more than $100,000.

But in order to adjust the account at that date when the two would "come nearest together," as the proviso specified, the accounting officers of the War Department adjusted the two accounts, went back of the date of the maturity of the Virginia bonds, brought the debt out even, declaring that Virginia owed the United States nothing and that the United States had received all due it on the bonds, and sent the settlement to the Secretary, and there it stays. It is now under advisement or revision by the Comptroller of the Treasury, who is waiting for some testimony or evidence.

I here submit a copy of the statement of settlement made by the Auditor for the War Department in the case of Virginia and in the case of South Carolina:

Clerk's statement of settlement.

TREASURY DEPARTMENT,
OFFICE OF THE AUDITOR FOR THE WAR DEPARTMENT.

The United States to State of Virginia.

For the amount found due under the provisions of the act of May 27, 1902 (Public, No. 124), as follows:		
Principal due the State		$298,309.74
Interest from July 1, 1814, to February 11, 1894		1,425,212.79
		1,723,582.53
From which deduct as follows:		
Principal of bonds held by United States	$594,800.00	
Interest from January 1, 1861, to February 11, 1894	1,181,669.33	
	1,776,469.33	
Less interest at 4 per cent for three years on $581,800	69,816.00	
	1,706,653.33	
Add as offset amount charged the State on Treasury settlement No. 7554 of 1869	16,923.70	
		1,723,577.03
Balance due State February 11, 1894		5.50

Clerk's statement of settlement.

TREASURY DEPARTMENT,
OFFICE OF THE AUDITOR FOR THE WAR DEPARTMENT.

The United States to State of South Carolina.

For the amount found due the State of South Carolina upon a readjustment of the claim of said State for and on account of advances and expenditures made during the war of 1812 to 1815 with Great Britain, as provided in the act of May 27, 1902, as follows:		
Principal due State July 19, 1832		$77,028.02
Interest from July 19, 1832 to February 19, 1899, at 6 per cent		307,726.94
Principal and interest February 19, 1899		384,754.96
From which deduct offsets against said State, viz:		
Principal of State bonds held by United States	$125,000.00	
Interest July 1, 1860, to February 19, 1899, less four years (July 1, 1867, to June 30, 1871)	259,750.00	
Principal and interest due United States		384,750.00
Balance due South Carolina February 19, 1899		4.96

From this decision I, as the State's representative in the Senate, having had charge of this matter from the beginning, appealed and asked for a rehearing, which was granted by the Secretary of the Treasury.

In our case, what was the situation? Beginning in 1832, when the last accounting was had with all the States, we found that South Carolina had a balance of $75,000 in round numbers due it then. Calculating interest on that of date 1881, when our bonds became due, we found that the United States had in its own Treasury money belonging to the State of South Carolina to the full amount of every dollar of the face value of the bonds and the matured interest, and that there was still a balance; and the figures are here to show it. I have the report of the Comptroller of the Treasury, sent to the Appropriations Committee, in which he states that if the accounts of South Carolina and the United States are adjusted as of the date of the maturity of the bonds, in 1881, the United States would receive full compensation, principal and interest, for its bonds, and that there would be this balance of $47,000 due us. Why could he not adjust it on that basis?

Mr. PLATT of Connecticut. Read it.

Mr. TILLMAN. The Senator from Connecticut asks me to read it. I was going to print it, but I will take pleasure in reading it:

Appeal No. 8724.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, February 21, 1903.

The SECRETARY OF THE TREASURY.

SIR: In accordance with your request of the 7th instant, I have reexamined the account of the State of South Carolina with the United States, settled by the Auditor for the War Department, per Certificate No. 21221, dated January 31, 1903. The certificate of the Auditor is as follows:

"I certify that I have examined and settled the claim of the State of South Carolina and find that there is due from the United States the sum of four dollars and ninety-six cents ($4.96), for this sum being the amount found due the State of South Carolina, upon a readjustment of the claim of said State for and on account of advances and expenditures made during the war of 1812 to 1815 with Great Britain, as provided in the act of May 27, 1902, as follows:

Principal due State July 19, 1832		$77,028.02
Interest from July 19, 1832 to February 19, 1899 (66 years, 7 months, at 6 per cent)		307,726.94
Principal and interest February 19, 1899		384,754.96
From which deduct offsets against said State, viz		
Principal of State bonds held by United States	$125,000.00	
Interest July 1, 1860, to February 19, 1899, less 4 years (July 1, 1867 to June 30, 1871), 34 years, 7 months, and 18 days	259,750.00	
Principal and interest due United States		384,750.00
Balance due South Carolina February 19, 1899		4.96

The settlement of the said claim was authorized by the act of May 27, 1902 (32 Stat., 235), which provides as follows:

"That the Secretary of the Treasury be, and he is hereby, directed to readjust and pay, out of any money in the Treasury not otherwise appropriated, all claims of the States of Virginia, South Carolina, and the city of Baltimore for and on account of advances and expenditures made by said States and the city of Baltimore in the war of 1812 to 1815 with Great Britain, and in computing interest on said advances the Secretary of the Treasury shall apply the following rule, as applied by act of Congress to the claim of the State of Maryland, namely, interest shall be calculated up to the time of any payment made. To this interest the payment shall be first applied, and if it exceeds the interest due the balance shall be applied to diminish the principal; if the payment fall short of the interest the balance of interest shall not be added to the principal so as to produce interest. Second, interest shall be allowed on such sums only on which the State either paid interest or lost interest by the transfer of an interest-bearing fund, or for such length of time only as the State or city paid or lost interest aforesaid: *Provided*, That in the settlement of these claims any bonds or other evidences of debt of either of the said States or of said city of Baltimore held by the United States on any account whatever shall be credited as offsets to the United States, as of the dates, respectively, at which the accounts will be completely or most nearly balanced, and the balance found due on such date, after deducting the principal and interest on said bonds or other evidences of debt to such date, shall be paid to or by said States and city of Baltimore and the said bonds or other evidences of debt shall be returned to the States issuing the same."

The State of South Carolina presented claims on account of the war with Great Britain aggregating $255,072.43. The accounting officers of the Treasury allowed the State as follows:

December 6, 1826, settlement No. 5928	$149,300.67
February 3, 1827, settlement No. 6115	9,333.71
July 18, 1832, settlement No. 12441:	
Principal	72,847.15
Interest	126,037.09
Total	357,518.62
The State was debited as follows:	
December 6, 1826, settlement 5928, to amount twice paid	$3,081.70
December 6, 1826, settlement 5928, to amount received from sales during war credited in accounts of State quartermaster-general	552.68
December 6, 1826, to warrant 8552, October 24, 1821	114,000.00
December 6, 1826, to warrant 8580, October 30, 1821	15,000.00
December 6, 1826, to warrant 9458, June 15, 1822	26,000.00
July 18, 1832, settlement 12441, warrant 1065, June 16, 1832	3,000.00
July 18, 1832, settlement 12441, ordnance stores issued in 1832	41,625.08
July 18, 1832, settlement 12441, balance (paid by warrant No. 1328, July 19, 1832)	154,259.16
	357,518.62

By the first two settlements above referred to the State of South Carolina was allowed the sum of $158,634.38. These settlements were unsatisfactory to the State, which claimed that certain items disallowed by the accounting officers should be allowed. Interest was also claimed by the State upon the ground that the money expended was drawn from bank where it would have produced an income for the State.

Whereupon the adjustment and settlement of the said claims of the State against the United States was authorized by the act of March 22, 1832 (4 Stat., 499), which provided as follows:

"*Be it enacted, etc.*, That the proper accounting officers of the Treasury be, and they are hereby, authorized and directed to liquidate and settle the claim of the State of South Carolina against the United States for interest upon money actually expended by her for military stores for the use and benefit of the United States and on account of her militia whilst in the service of the United States during the late war with Great Britain, the money so expended having been drawn by the State from a fund upon which she was then receiving interest.

"SEC. 2. *And be it further enacted*, That, in ascertaining the amount of interest to be paid as aforesaid to the State of South Carolina, interest shall be computed upon sums expended by the State for the use and benefit of the United States as aforesaid and which have been or shall be repaid to South Carolina by the United States.

"SEC. 3. *And be it further enacted*, That the following claims of the State of South Carolina against the United States, which have been heretofore disallowed, in consequence of their not coming within the regulations of the Government, shall be adjusted and settled, that is to say:

"First. The cost of certain cannon balls purchased or procured by the said State for her military defense during the late war, and rejected by the inspecting officers of the United States, in consequence of their not being conformable to the standard fixed by the Department of War: *Provided*, That the balls so rejected shall belong to the United States.

"Second. The amount paid by the State of South Carolina for the transportation of military stores, and of her troops, in the service of the United States, as aforesaid; or recognized by them as having been called out for that purpose, over and above the number of wagons allowed to each regiment in the Army of the United States.

"Third. The pay or compensation allowed by the said State to the paymaster and commissary-general, and other staff officers, whilst they were respectively employed in making or superintending disbursements for the militia in the service of the United States as aforesaid.

"Fourth. The sum of $7,500 for blankets purchased by the State for the use of a portion of her militia whilst in the service of the United States.

"Fifth. The value of the present contract price of the muskets purchased or procured by the State of South Carolina for her militia during the late war, when in the service of the United States: *Provided*, That said muskets shall become the property of the United States: *And provided also*, That any part of the said amount may be received in arms at the present contract price.

"SEC. 4. *And be it further enacted*, That the several items hereby allowed, and the amount of interest as aforesaid, shall, when ascertained, be paid out of any money in the Treasury not otherwise appropriated."

The last settlement above referred to (No. 12441 of July 18, 1832) was made in pursuance of the act just quoted. By this settlement the balance found due the State was found to be $154,259.16, which was paid to the State by warrant No. 1328, dated July 19, 1832. This amount included an allowance of $126,037.09 for interest. The total principal allowed the State on the three settlements was $231,481.53. Deducting from this last-named amount the sum of the first two items charged to the State, supra ($3,081.70+$552.68=$3,634.38), leaves $227,847.15 which was expended by the State from her own funds to aid the United States in the war with Great Britain.

The act of May 27, 1902, supra, providing for the readjustment of the claim of South Carolina on account of expenditures made by the said State, expressly provides that "interest shall be allowed on such sums only on which the State either paid interest or lost interest by the transfer of an interest-bearing fund, or for such length of time only as the State paid or lost interest aforesaid."

The State was not compelled to, neither did she, borrow any money for the purpose indicated. Her claim for interest rests on the claim that she lost interest by the transfer of an interest-bearing fund.

It appears from the evidence that the whole amount of the expenditures of the State of South Carolina on account of the war with Great Britain, for which remuneration was claimed of the United States, was taken from the amount of $276,289.87 drawn from bank in various sums from June 13, 1812, to January 6, 1818; $54,855 was drawn from the State Bank from June 13, 1812, to August 2, 1813; the remainder was drawn from the Bank of South Carolina from August 14, 1813, to January 6, 1818.

The State claims interest at the rate of 6 per cent from March 1, 1815, on her entire expenditures for aiding the United States in the war with Great Britain because had the funds so used not been withdrawn from bank, they would have produced an income for the State of not less than 6 per cent.

The Bank of the State of South Carolina was established on behalf of and for the benefit of the State by act of its legislature of December, 1812, and commenced operations the ensuing August. It was created as a department of the State, and was charged with the payment of the public debt of the State. The income of the bank was to be considered as a part of the annual revenue of the State, subject to the pleasure of the legislature.

It is shown that from 1815 to 1847 the State derived from 4 to 16 per cent profit on the average capital invested in the bank, and that from a period prior to the bank going out of existence the State had been paying interest at the rate of 6 per cent on a greater sum than remained due the State from the United States.

It thus appears that under the terms of the act of 1902, supra, the State is entitled to interest at the rate of 6 per cent on the amount actually expended from funds withdrawn from bank and expended for the benefit of the United States, namely, $227,847.15, the computation thereon to be made as required by the said act.

The account will therefore be stated as follows:

	Principal.	Interest.	Payment by United States.
Interest Mar. 1, 1815, to Oct. 24, 1821	$227,847.15	$90,873.04	
Payment by United States Oct. 24, 1821	23,126.96	90,873.04	$114,000.00
	204,720.19		
Interest Oct. 24, 1821, to Oct. 30, 1821		204.72	
Payment by United States Oct. 30, 1821	14,795.28	204.72	15,000.00
	189,924.91		
Interest Oct. 30, 1821, to June 15, 1822		7,122.18	
Payment by United States June 15, 1822	18,877.82	7,122.18	26,000.00
	171,047.09		
Interest June 15, 1822, to June 16, 1832		102,656.76	
Payments by United States June 16, 1832:			
Cash by warrant	3,000.00		
Paid in ordnance	41,625.08	44,625.08	44,625.08
Interest June 16, 1832, to July 19, 1832		58,031.68 940.76	
Payment by United States, July 18, 1832	95,286.72	58,972.44	154,259.16
Balance due State July 19, 1832	75,760.37		
Interest July 19, 1832, to Jan. 1, 1881	220,235.40		
Interest Jan. 1, 1881, to Dec. 28, 1896	295,995.77 72,692.07		
Total due State Dec. 28, 1896	368,687.84		

It is noted here that the Auditor for the War Department in his settlement, supra, starts with a principal due the State of $77,028.02 on July 19, 1832, instead of the sum of $75,760.37, as shown above.

This action of the Auditor is based upon a report from his office made to Congress. (See Senate Document No. 232, Fifty-sixth Congress, first session.)

The principal difference between the account as stated in said report and as stated above results from an error in said report in stating the interest allowed in settlement of July 18, 1832, supra, the amount being stated as $125,476.04, instead of the correct amount, as shown by papers with said settlement, of $126,037.09, with a corresponding error in the principal, the total amount allowed being stated the same with the exception of a clerical error of 5 cents.

The statement of the Auditor is followed in the above statement except as to the inaccuracies referred to.

The United States holds $125,000 in 6 per cent bonds of the State of South Carolina, which were dated January 1, 1856, and due January 1, 1881. Interest on these bonds was not paid after July 1, 1860, excepting four years' interest which was paid from July 1, 1867, to July 1, 1871.

After deducting the interest paid, the total interest due the United States at the maturity of these bends was therefore	$123,750.00
The principal of the bonds is	125,000.00
Total amount due on bonds January 1, 1881	248,750.00
Interest January 1, 1881, to December 28, 1896, on $125,000	119,937.50
Total amount due on bonds December 28, 1896	368,687.50

Had settlement been made on January 1, 1881, the date of the maturity of the bonds, the account between the State and the United States would have been as follows:

Total due the State January 1, 1881, supra	$295,995.77
Total due the United States January 1, 1881, supra	248,750.00
Balance due the State from the United States January 1, 1881	47,245.77

But by the act of 1902, supra, interest is required to be computed on these bonds as well as on the amount due from the United States to the date at which the accounts will be completely or most nearly balanced. The account will therefore stand as follows:

Total due the State December 28, 1896, supra	$368,687.84
Total due the United States December 28, 1896, supra	368,687.50
Balance due the State from the United States December 28, 1896	.34

The Supreme Court held in the case of United States *v.* North Carolina (136 U. S., 211) that a State is not liable to pay interest on its debts unless its consent to do so has been manifested by an act of its legislature or by a lawful contract of its executive officers.

Under this decision the State of South Carolina could not be charged with interest after the date of maturity of her bonds, that being the limit of time for which she had agreed to pay interest.

Neither could the United States be charged with interest from the time of the war of 1812 on the amount expended by the State for the benefit of the United States.

Therefore the interest allowed and charged the State in accordance with the act of 1902 is independent of contract. Congress authorizes the allowance of interest and specifies that interest is to be charged. The State, to receive the benefit of the allowance, must accept the charge. The whole statute must stand together.

The balance due the State of South Carolina under the act of May 27, 1902, supra, is therefore 34 cents, instead of $4.96 as found by the Auditor.

Upon examination and revision of the account above indicated, I find a debit difference of $4.62 as shown by certificate of difference of even date herewith, which will be forwarded to the Auditor for the War Department, who will restate the account in accordance therewith.

Auditor's certificate No. 21221, dated January 31, 1903, will be returned direct to him.

Respectfully,

R. J. TRACEWELL, *Comptroller.*

NOTE.—I desire to add for the information of Congress that the chief of the division of bookkeeping and warrants for the Treasury Department reports a balance due the United States from the State of South Carolina of $940,479.89, as appears by settlement No. 9249, dated October 6, 1900, now on file in the office of the Auditor for the War Department, which represents a charge raised against said State by said settlement on account of the value of ordnance, ordnance stores, clothing, camp and garrison equipage, taken from Frederic C. Humphrey, military storekeeper, by force of arms, by Colonel Cunningham, of the Seventeenth Infantry, South Carolina militia, December 30, 1860, while acting under orders of the then governor of South Carolina.

The above amount was not taken into consideration in this revision for the reason, among others which naturally suggest themselves, that the taking of these military stores was a tortuous and wrongful act by the State of South Carolina, and damages sustained thereby by the United States are not a proper matter to be used as a set-off in settling matters contractual in their nature.

However, as the whole matter of the respective claims of the State of South Carolina, and of the United States against the State of South Carolina, are now brought to the attention of Congress, it is suggested that such legislation be had as will forever put all these matters at final rest.

R. J. TRACEWELL, *Comptroller.*

I want Senators to see that not only was I fortified by equity and justice, but I was fortified by law. I hold in my hand the one hundred and thirty-sixth volume of the United States Reports, in which, on page 211, there is the syllabus in the case of The United States *v.* North Carolina, and I will read briefly. It was decided in May, 1890.

A State is not liable to pay interest on its debts, unless its consent to do so has been manifested by an act of its legislature or by a lawful contract of its executive officers.

On bonds of the State of North Carolina, expressed to be redeemable on a day certain at a bank in the city of New York, with interest at the rate of 6 per cent a year, payable half yearly, "from the date of this bond and until the principal be paid, on surrendering the proper coupons hereto annexed," and issued by the governor and treasurer of the State under the statute of December 22, 1852, chapter 10, which provides that the principal of such bonds shall be made payable on a day named therein, that coupons of interest shall be attached thereto, and that both bonds and coupons shall be made payable at some bank or place in the city of New York or at the public treasury in the capital of the State, and makes no mention of interest after the date at which the principal is payable, the State is not liable to pay interest after that date.

Now, the act of Congress, the omnibus claims bill, had the proviso requiring interest to be computed on both of these items, the debt which the State of South Carolina owed the United States and the debt which the United States owed us, until such time as they got "nearest together," and the same in the case of Virginia. In the case of Virginia that meant that the computation should be made before the bonds became due. In our case it meant that we should pay interest, contrary to the decision of the Supreme Court, eighteen years after the bonds became due. Virginia was treated with generosity and liberality; and she deserved it, God knows; she was cut up; her fields were desolated and destroyed; a large slice of her territory was taken off and formed into another State, and yet the State debt remained behind to be borne by the old Commonwealth; and if there is any State in the Union deserving of liberality it is Virginia. South Carolina does not want any liberality. We ask only justice according to law; and when Congress provided in this act that the accounts should bear interest after the bonds matured, and it was shown that the United States had money in its possession to settle in full, I contend it was not right or equitable to ask or require her to pay interest in that way.

The Committee on Appropriations examined it fully and were led to put upon the appropriation act the item to which Mr. CANNON objected so strenuously, simply because it meant to do a long-delayed act of justice to South Carolina and to undo the wrong which had been perpetrated upon her unintentionally by the chairman of the Committee on Claims or the Senator from Virginia, because neither of them was aware of it, and I did not know it. And that is the situation and the cause of all this outcry of blackmail, the cause for the charge that the Senate forced the House to make a "gift to South Carolina of $47,000."

Mr. President, I do not know that I care to say anything more, but I will say this: Of all the members of the other branch of Congress with whom I have come in contact, I know of no man for whom I have greater respect than I have for JOSEPH G.

CANNON. I have known of instances in which his watchfulness, his untiring energy, his grasp of our fiscal affairs have saved this country millions and millions of dollars. This is recognized so universally that he has become known throughout the country as the watchdog of the Treasury, and we all realize that it is necessary to have a watchdog there, because, from my limited observation around here, there are a great many schemes on foot to get somebody's hands into Uncle Sam's pockets.

Now, I am not complaining of Mr. CANNON that, with his numerous and necessarily arduous duties, overwhelmed as he was with the work of this committee of conference and that committee of conference, and the other, he should feel that he could not afford to take the time to investigate and must stand on the broad general proposition that new legislation on appropriation bills was unlawful, contrary to the rule, and that he would not submit to it.

He speaks here about the "unanimous consent of the two Houses," having, as I said, come to think himself, possibly, as the other House when it comes to dealing with appropriation bills. As I understand, the Senate conferees time and again offered in the deadlock the other night to have a disagreement reported and let them come to the Senate and see whether the Senate would recede by vote, and let the House conferees go to the House and see whether the House would demand that they should stick.

That is the orderly way of dealing with these matters, and whenever either House has voted to have its conferees fall down, so to speak, the Senate has always receded. It is very rarely the other House. Why did not the rule obtain Tuesday night? I have heard—I do not know whether it is true or not, and I would not like to assert it—that in the determination to secure the "unanimous consent of the House," I might say, through the instrumentality of three or four mouthpieces, and only three or four, the House had not only lost control of debate in a measure, but had lost control of the possibility of governing appropriation bills, and they had to adopt the report of the committee of conference or have the bill fail.

Now, that is what I have heard. I do not know whether it is true or not. I make no charges. But if the House, in its desire to do something with its own members, which it had a right to do, saw fit to gag itself, if it had been gagged—and I would not say it had—so that it could not speak, and decided to tie its hands and legs so that it could not walk or move, are we to be threatened and hectored and abused because of it? Surely Shakespeare's words apply here:

> Man, proud man!
> Drest in a little brief authority,
> * * * * * * *
> Plays such fantastic tricks before high heaven,
> As makes the angels weep!

I have been called a "legislative blackmailer." My "legislative blackmail" consists in this: In this very bill making appropriations to supply deficiencies there is claim after claim of States, and I find here the following items:

SEC. 4. For refunding to States expenses incurred in raising volunteers, certified to Congress at this session in House Document No. 304 and Senate Document No. 184, as follows:

To the State of Kentucky, $1,323,999.35.
To the State of Wisconsin, $458,677.90.
To the State of Maine, $228,186.94.
To the State of New Hampshire, $172,928.27.
To the State of Connecticut, $306,500.59.
To the State of New Jersey, $479,833.20.
To the State of Rhode Island, $31,289.71.

Then followed the Vermont item, which Mr. CANNON demanded should go out, and which the Senator from Vermont tells me was simply to permit an accounting and to pay sums like these to his State, due his State, acknowledged to be due, but which were held up by some technicality of settlement in the Department. But they went out. They will come back again. Then follows this item:

To pay the State of South Carolina for balance found due from the United States to said State, according to the computation made by the Comptroller of the Treasury up to January 1, 1881, as stated in his letter to the Secretary of the Treasury, dated February 21, 1906, $47,245.77, and interest upon the same at 4 per cent per annum until paid.

There Mr. CANNON felt that the honor and dignity of the House were involved to prevent South Carolina from receiving "a gift." In his speech he states that Virginia has already had $100,000. He is wholly in error. Virginia has not received a cent. Virginia does not want a cent. All Virginia asks is an exchange of receipts, and to get even. The rule applied in the Virginia case simply meant to give Virginia $150,000 in round numbers, and to take from us $100,000 in round numbers. That is about the sum and substance of it.

I convinced the Committee on Appropriations that a wrong was being done my State. I had no redress other than to put it on this appropriation bill or to go through the long and tedious and tiresome persuading process of begging somebody at the other end of the Capitol to recognize this just claim. The committee agreed that it was just and right and proper to put it on. Then the watchdog of the Treasury—tired out, weary, sleepless for hours—came in and shut his massive jaws down on this claim, and said, "Whenever you all get ready to rub that out we will agree."

Mr. HALE rose.

Mr. TILLMAN. The Senator will permit me. I am only speaking metaphorically.

Mr. HALE. Oh!

Mr. TILLMAN. I am only picturing to myself just what occurred, because I was not in the committee room, and I do not know.

Then what did I do? What ought I to have done? It has been eighty-odd years since South Carolina spent her money in defense of the national flag. Every other State in the same category has had its money and has gone—some of them fifty years ago. The Palmetto State was left out in the cold. I simply shut my jaws down on the proposition that I would have that money or I would have an extra session; and I was in a position under the rules of the Senate to enforce it, thank God. If the Senate changes its rules I may never get an item again; but, thank God, I have only one more, and that is for the reimbursement of money expended in the war of 1836 with the Indians. There are about $60,000 due South Carolina on that account. I ought to get that some day, but having levied "legislative blackmail," according to my distinguished friend, I suppose the State will have to wait until the eighty years come around. That is the limitation at which South Carolina may hope to get consideration, I suppose.

Now, while I am talking of State claims, I have a very interesting historical document right here [exhibiting]. It is a report prepared by the agent of the State of South Carolina in 1856-57-58, which was sent to Congress but not adjudicated, for claims due that State and proven to exist—clean, honest expenditures by South Carolina during the Revolutionary war, the State having spent more than $200,000. The book is so old that it is getting to be ancient. I have not had the effrontery to even let my friend the chairman of the Committee on Claims see it.

I am surprised that there should be such a disposition in the minds of some people to always use a microscope, or rather a telescope, when they look South. When any claims come up from that quarter you turn the little end right around that way and the big end to your eye; not here, as Senators are demurring, let me say, but at the other end of the Capitol. This body has always been liberal; when anybody could convince it that a proposition was just it went through. I am only speaking about what appears to exist at the other end of the Capitol.

I may misunderstand the temper of those members and it may be that I am doing them an injustice, but I am only speaking of what appears to exist and from my own experience. It would be unparliamentary for me to charge that they are sectional in their contemplation of such things. They are growing more liberal every day. The trouble about it is that all these good claims will disappear and be mixed up with bad ones and the taint of the bad ones will get on them all, so that when they have grown so old nobody knows anything about them some Congress will come along some day and take the good, bad, and indifferent, and they will all go into the pot and none of them will get paid. I only ask my good friend from Wisconsin and others over that way to examine this record to see. While I have never expected to present it, still they will see that the money is due and it is one of the equities involved in this case.

Now, there is another equity. I have shown that upon the letter of the law, the plain statute, the reports of the Treasury Department, South Carolina was justly entitled to this $47,000. I wish to call your attention to a phase of this question. These bonds which are held by the United States Government were bought in the open market in 1858. The Government at that time had money belonging to the Indian trust fund in the Treasury which was idle. South Carolina's credit was then the highest, or as high as that of any State in the Union. She had been able to get money in London and Amsterdam when very few American States could get credit. South Carolina had always paid its honest debts. At the time when the reconstruction acts went into effect our State had valuable assets, dollar for dollar, that were worth some six or seven million dollars. The reconstruction government of the carpetbaggers, I reckon I can say, stole it; it disappeared anyhow. Then they began to issue bonds—bonds for railroads, bonds to the moon, bonds for everything—until they brought the State's credit so low by the issue of twenty-five or thirty million of obligations that you could not have hawked its bonds about New York for three cents on the dollar.

Along in 1874 in their desperation, not being able to wring from us enough taxes to supply their saturnalia of robbery, they had recourse to an act of the legislature to refund the debt, to consolidate it; and they provided that such and such a class of

bonds of those that were legally issued should be received at the treasury and new bonds issued in place of them to the amount of 50 cents on the dollar. In other words, they repudiated half the State's obligation, ante-bellum and post-bellum. Along with their dishonest transactions, none of which was any benefit to the State, they repudiated every ante-bellum debt which was clean and honest and which we recognized and were anxious to pay. They put them all down to 50 cents on the dollar, including those bonds which the United States holds, which were issued to build our new statehouse in 1856. Every other creditor has been forced by the act of the reconstruction legislature to accept this settlement.

The white people, when they recovered control of the State government, found themselves bankrupt. They found the treasury empty, they found the State's finances in hopeless entanglement and confusion. We appointed a commission to go through the whole thing to sift out the dishonest and fraudulent issues of bonds from among the valid ones and to try to pay 50 cents on the dollar, principal and interest, for everything which was lawful. We have abided by that decision ever since.

Now, the United States is the only creditor of the State of South Carolina holding bonds that has ever received 100 cents on the dollar and interest since that carpetbag consolidation act. All the others had to take 50 cents. When these bonds became due in 1881 they demanded payment of our State treasurer. He notified them about the refunding act and sent them a copy of it, and said, "Send your bonds down here and we will send you new bonds to the amount of 50 cents on the dollar now selling so and so, or pay you in full, whichever you want."

Of course the United States was not going to take any 50 cents on the dollar, although its Government had been instrumental in disrupting and destroying the government which had issued those bonds, and brought about this chaos in our finances.

So there is an equity there if you want any excuse for a little "legislative blackmail." But I do not ask that. I simply want you to mete out the same justice to my State that has been given to all the others. Baltimore got her money, and Maine got hers and has forgotten it. Maryland had been here for hers for years about the time I was born. Virginia made a present, so to speak, of a clear receipt involving a gift of $150,000; that is all. If the Virginia account had been adjusted upon the basis of waiting until the bonds were due, the State would have had to pay the balance. But Congress said, "We want to be liberal to Virginia; we want her to get out of debt." The truth was, the Government got Virginia out of debt and made her a present, and brought South Carolina out even by taking from her $100,000.

Now, was I justified in threatening to filibuster? I do not know whether I was or not, but I am not sorry for it, and I thank God that I had the nerve to stand up for justice to South Carolina.

Now, apologizing to the Senate for trespassing so much on its time, I hope I have made it clear to everyone, even to Mr. CANNON, that he was in error, and that he did me an injustice personally, and that he has done the Senate a great wrong in speaking of it as he has. In his cooler moments, when he has had time to get over the excitement and strenuosity under which he had been laboring for a week, I know he will regret it. I hope it may make him less obstinate in the desire to have his own way.

So far as I am concerned, I have no malice or ill will. He called me bad names. He called the Senate bad names. He has cast an imputation upon all of us, but I reckon that we will survive it and that the Senate will continue to do business at the old stand long after Mr. CANNON has gone and long after all of us have gone, and I doubt very much whether this effort to stop legislation by "unanimous consent" will cause any change in our rules. Unanimous consent in this body means that each of 90 men must agree to a vote or speak. In the other end of the Capitol it means that 10 men must agree or nothing can be done, and the other 376 are voluntarily or involuntarily helpless to do anything. The people will have to decide which is the better way.

Mr. HALE. Mr. President, I shall take but a little of the time of the Senate. I should let this matter pass, disagreeable as it is, into oblivion, as it will pass, saying nothing, but from the fact that I had charge, by designation of the Senate, of the two appropriation bills that are referred to in this speech which was made Tuesday night in another body and which the Senator from South Carolina [Mr. TILLMAN] has quoted—the naval appropriation bill and the great deficiency appropriation bill, both bills of exceeding importance and dealing with very important branches of the Government.

So far as the naval appropriation bill goes, the conference upon it was conducted in good nature. There were great differences between the two Houses which had to be reconciled, and they were reconciled. Neither House got everything that it wanted. The House yielded in some things to the wishes of the Senate, and the Senate yielded to the wishes of the House; and on the main item upon which the conference came almost to a deadlock—the size and kind of the ships that are provided in the appropriation bill to be built for the United States Navy and the increase of officers—the compromise resulted in both classes of ships being placed upon the bill together with a large increase in officers. I do not know that out of that conference there was any element left of acrid temper or resentment. I do not suppose that either House felt that it had got its wish, but it felt that in fair conference the wisest thing to be done was done.

There was no "legislative blackmail" in the Committee on Naval Affairs by the conferees of the Senate or by the conferees of the House. It was what takes place every year upon the naval appropriation bill. The two Houses are at odds, and an adjustment is made that settles the differences in the interest of the country.

So there was no necessity whatever for that conference to be brought into the speech in another body that has been quoted from by the Senator from South Carolina.

As far as the deficiency appropriation bill goes, the Senator from South Carolina never visited the committee room in which the conference upon the deficiency appropriation bill took place. I think I am right in that. If not——

Mr. TILLMAN. Absolutely. I never went into the Appropriations Committee room.

Mr. HALE. The Senator from Iowa, who was one of the conferees, will bear me out in this. The Senator from South Carolina did not obtrude himself. If it is he who is alluded to in the speech to which I have referred, which was delivered in the House on Tuesday night, it is just and fair to say for him that the deliberations, and I may say the conflicts, which arose in the committee room upon the South Carolina and other items were not in any way disturbed, or added to, or subtracted from by anything which the Senator from South Carolina did in the committee room.

The Committee on Appropriations—the whole Committee on Appropriations—placed this item of $47,000, with interest from the time when the accounts for and against most nearly matched, upon the appropriation bill, and the Senate passed it. Many things in the last few days crowded upon the mind, so that the memory may be fallible, but I do not remember that any question was raised about it. We felt—when I say "we" I mean the whole committee and the Senate—that we had done by South Carolina what had been done for Maine, and Massachusetts, Maryland, and Illinois, and Connecticut, and Rhode Island, and other States, and that it was fair, even-handed justice.

Now, when we came to the deliberations of the conference room there were other things in controversy upon which we had conflicts. Yonder room, Mr. President, in the northwest corner of this Capitol, has been the scene of many an animated conference before now between the conferees of the two Houses. Time and again I have sat there with the Senator from Iowa [Mr. ALLISON], the Senator from Illinois [Mr. CULLOM], the Senator from Missouri [Mr. COCKRELL], and the Senator from Colorado [Mr. TELLER] and the House conferees until the morning sun shone upon the eastern front of this great building, in controversy over items. Often it has seemed as if a bill would fail, but it never has. There have been acrimonious discussions, feeling has been aroused, temper has been displayed.

I myself have done and said things in conference over which, when Congress ended and I went to my quiet place, I found nothing but the residuum of regret. I do not think any conferee has gone through with such conflicts without afterwards having that feeling. But we have always come out, Mr. President, and we have submitted to what has been agreed upon, and it has never been thought wise or prudent or desirable that because of it one House of Congress should arraign the other. It has never been thought and never been said before that the processes of one House are processes of "blackmail," that they have become so insufferable that the other House will preach a crusade against the House whom fault is found with, and will abolish the methods of the other House, with the threat that the people will stand behind the House that makes that threat.

I am glad to say, Mr. President, it has never taken place before. I read the speech delivered in another body Tuesday night with the greatest amazement and sorrow; all the more because it comes not as the impassioned and unconsidered utterance of some new man who has not had long service and whose feelings get the better of his judgment, but because it was said by a very distinguished man, a remarkably able man, who has served almost the lifetime of a generation in the House, who has earned every advancement that has attended his career, and who has the good wishes and the hopeful forecast in the greater future that will open before him, I venture to say, of every member of this body, and by none more than by me. I read the speech with all the more sorrow and surprise because such a man had delivered it.

Mr. President, there is not a man in the sound of my voice, there is no American citizen, who will read the debate and

acquaint himself with the facts who will not declare unreservedly that such language as this should not have been used. I quote from the speech:

> Your conferees had the alternative of submitting to legislative blackmail at the demand, in my opinion, of one individual—I shall not say where—or of letting these great money bills fail.

No man can read that and not say that it is improper and a breach of the privileges, which, if they are not in the written law, stand by practice and the judgment of all good men as the comity between the two Houses.

I quote again from the speech:

> I do it in sorrow and in humiliation, but there it is; and in my opinion another body under these methods must change its methods of procedure, or our body, backed up by the people, will compel that change, else this body, close to the people, shall become a mere tender, a mere bender of the pregnant hinges of the knee, to submit to what any one member of another body may demand of this body as a price for legislation.

Mr. President, I go further than this. I can not believe that the distinguished Representative who uttered these words is an exception to the regret which every man must feel when he reads these charges and this arraignment of the Senate. I can not believe that he is an exception to that feeling. I believe to-day, sir, that when on the next morning he took down the RECORD and read these words which he had uttered under more or less excitement he regretted it, too, and there I am willing to leave it.

Mr. President, the words will not remain; the speech will be forgotten. It will pass to the oblivion to which it should be consigned. The man who made it will go on to higher places, and in his life he will have a hundred things to which he can turn in pride, but he will never have anything but regret at having spoken as he did. The words will go out of our memories and the two Houses will remain; they will go on legislating. Each will have its methods and its rules. This body will not be compelled by the other body, and there will be no attempt to compel the other body. Comments now and then will be made, but each body will go on under its own rules. Out of it will continue the life and the prosperity of the Republic. Great measures will be enacted, measures for the benefit not of party, but for the whole people, for the present and the future. They will repose, Mr. President, in silence upon the statute books.

Their passage and their embodiment as a part of the accepted laws of the Republic will not be attended with threats and noise and tumult and clamor. There on the statute books they will stay; there they will receive the reverence of the people and the obedience of the people.

Speech is not everything—not by any means! It is evanescent. Intemperate speech is all the more fleeting. The great river of legislation will flow on silently, bearing upon its bosom beneficent results for the people. Intemperate speech will not arrest it nor disturb it. Its majestic strength can not be so ruffled.

> The shallows murmur, while the deeps are dumb.

Mr. ALLISON. Mr. President, I only wish to add a few words to what has been so well said by the Senator from Maine [Mr. HALE], the chairman of the conference committee on the bill about which this controversy has arisen, and also to commend and approve every word which has been said by that Senator respecting the remarkable speech made in the other House at the close of the last session.

I was a member of the conference committee on the part of the Senate on the deficiency bill, and so far as I can remember that bill was considered in the main by the conferees on the part of both Houses in good temper. The bill came to the Senate, as I remember, on the 24th day of February, when it was referred to the Committee on Appropriations. It was a very voluminous bill; it embraced many items, and it included, as nearly every other appropriation bill which has been presented to the Senate from the other House during this session included, legislation. The committee considered the bill as rapidly as possible and reported it to the Senate on the 28th day of February, only a few days before final adjournment. In my experience on the Committee on Appropriations we have never sought to go behind an appropriation bill as presented to us in order to inquire whether a certain item in the bill was passed by the other House in violation of its rules. We have always taken it for granted when an item of legislation appeared here upon an appropriation bill coming from the other House that it had been passed in accordance with their rules.

For illustration, in the sundry civil appropriation bill, which came here a few days ago, there was a legislative proposition involving an addition to the Capitol building costing two or three million dollars—a pure matter of legislation. We had no power, nor had we the disposition, to inquire whether that legislation was put on in the other House in violation of its rules or in accordance with its rules. It is always taken for granted here that the other House proceeds in accordance with its rules, because we read in this fundamental law of ours that these two Houses, respectively, shall make their own rules of procedure, and that neither House is to be lectured as to what its rules are or ought to be, much less is it to be supposed that one House can compel the other to make rules which are suited to the House which makes the complaint.

So, when I saw in the remarks which have been referred to, which were made in the other House in the closing hours of the last session, that we were notified that if we did not voluntarily change our rules of procedure the other House, composed of 386 members as against our 90 members, would force us to change our rules, and that that course would meet the approval of the American people, I thought such a statement was contrary to the comity that should prevail between these bodies. If I were to say here respecting the House of Representatives which is to convene here next December, that if they did not modify their rules of procedure we would raise an issue with them whereby they should be compelled to change their rules, I should think, Mr. President, that an utterance of that character would not be in accordance with that comity which should prevail between the two Houses, who coordinately, with the approval of the President, create the legislation which is to govern a great people.

The very essence of the organization of our Government in this particular was that Congress should consist of two Houses, and that those Houses by the spirit and the letter of the Constitution should be independent bodies; that they should each make their own rules and decide for themselves their course of procedure.

Mr. President, I think it is fitting that we should say not once, but always, that the rules of procedure of this body shall be settled by the body itself in accordance with its own best judgment. We are proceeding now under rules which have been practically the rules of this body since it was organized in 1789. Although we have modified and changed our rules in various particulars, the rule which was then established, and which is complained of in the speech to which reference has been made, is to-day the rule of this Senate, as it was when the Senate was first organized. We may change our rules, and perhaps we ought to change and modify them in some respects, but here they are; and this arraignment made in the other House is an arraignment of the rules we have established, because it is insisted that our jurisdiction over appropriation bills ceases when we cross the Rotunda of the Capitol or even perhaps when we get to the center of it.

As I understand our duty here, and as I understand the Constitution of our country, although it is within the province of the House of Representatives to initiate certain bills, namely, revenue bills—appropriation bills are not named in the Constitution, although by courtesy and by comity the House of Representatives has originated appropriation bills practically from the beginning of the Government—when those bills come here they are our bills as well as bills of the House of Representatives. There can not be a single claim passed without our assent and our consent. We can make amendments upon those bills as we choose to make them.

If we have rules which we do not strictly enforce, that is our business and not the business of any other body that I know of. Under our rules the Committee on Appropriations recommended to the Senate a great many changes and additions to the deficiency appropriation bill, as they make recommendations for additions and changes respecting all the other bills which come to them from the House of Representatives.

Among other changes we made in the deficiency appropriation bill were two respecting State claims; and I may say here, in passing, so far as those State claims are concerned they do not stand and ought not to stand upon any technicality as between the two Houses. There is a comity between this great Government of ours and the States of the Union whereby the proper adjustment of State claims should be made, and made as speedily as the situation and the circumstances will allow. We have been making appropriations for the payment of State claims year by year for more than twenty years, and during the last two years it has been sought to finally close up all such claims.

When the deficiency bill came to us from the House of Representatives it contained a large number of State claims. We inserted two State claims which were not included in the bill as it came from the other House, one of them the claim of the State of Vermont and the other that of the State of South Carolina.

We believed—I think I can say it was the unanimous judgment of the Committee on Appropriations—that the settlement proposed in the bill for the State of South Carolina was a just and proper settlement, and the Senate adopted the suggestion of the Committee on Appropriations.

When we got into conference on the deficiency bill we found these two items in dispute, as well as many other items. The differences between the two Houses were gradually narrowed down until finally the only two items in dispute were the two State claims to which I have referred.

I need not and will not discuss the arguments which were presented by the conferees on the part of the House regarding those claims. We could not agree to them. We said to the House

conferees, "If you are opposed to these claims, we will agree upon every other item in the bill which has been in difference, and we will disagree upon these two items." This has been the ancient custom of conferees of this body upon appropriation bills. I remember only two years ago we had five or six conferences upon contested questions on the sundry civil appropriation bill. It has been the custom to endeavor to bring the two Houses together as rapidly as possible, and then to deal as best we can with the items in dispute. Why do we do that? We do it in order that the two Houses, without the dictation of the conferees, shall have an opportunity of saying whether they will agree to the particular items in dispute or not.

The House of Representatives, when the deficiency appropriation bill went to them, disagreed to the Senate amendments en bloc, and did not consider any item in the bill. They at once appointed a committee of conference. When our conferees met the conferees appointed by the other House we said to those gentlemen, "We will close this bill in every item except the items which you disagree to; and we will take those items into the Senate and you may take them into the House of Representatives, and it is probable that one or the other House will recede; but let us not arbitrarily undertake to bind the two Houses upon items that are seriously in dispute."

The House conferees would not do that. Why not? Was it on account of the rules of the Senate? No; the primary cause, as I believe, was that they knew that under the rules of that House they were in such a situation as that they could not take this bill back with any item in disagreement; and, therefore, if this bill had failed, it would have failed not on account of the rules of the Senate, but on account of the situation in the House of Representatives, whereby they could not pass the bill. Therefore whatever constraint was put upon them was put upon them not by the Senate conferees, but by the House conferees themselves, knowing that under the situation in the other branch that great bill would fail.

It was said in the speech to which we are now alluding that the deficiency bill involved many items of great importance, and therefore they could not wait to submit the matter to the House of Representatives. Why could they not wait? We could have waited. We had more than twelve hours remaining of the session, and during a time as limited as that I have seen, as many of the older Senators have seen, appropriation bills pass. I have seen them pass even in the very last hours and moments of a session. It was my experience some years ago, as chairman of the Appropriations Committee, to receive the sundry civil bill about the hour of midnight of the closing day of the session. That bill was considered by the Committee on Appropriations in great haste between that time and the small hours of the morning; it was reported to this body, considered, and passed, and it was not finally enrolled until the very last moments of the dying hour of that Congress. Therefore, whatever was done about this bill was not done because of the rules of the Senate or because of the action of the Senate, for conference committees have over and over again made partial reports, agreeing as to certain items and disagreeing as to others, and they have come back and made other partial reports as to disagreed-to items many times before a final decision has been made.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. ALLISON. Certainly.

Mr. TILLMAN. In regard to the procedure on this bill especially, I want to recall to the Senator's attention a matter that occurred when the last section in relation to the appropriations for the Department of Commerce and Labor was put on at the instance, as we were informed, of members of the other House, who stated that they never otherwise would be able to get it through there, and we assisted them in facilitating legislation, necessary legislation, by adding those items as amendments when they were a change of existing law, or rather they were legislation pure and simple, and nobody objected to that.

Mr. CULLOM. That is true also in reference to the public-buildings bill.

Mr. ALLISON. The Senator from South Carolina [Mr. TILLMAN] is right as respects the new Department of Commerce and Labor, and the same thing was also true in relation to the public-buildings bill.

When we brought in here the general deficiency bill we inserted in it a general provision relating to appropriations for public buildings before the bill regarding them had passed either House. When we came to consider the details upon the deficiency bill it was necessary for us to expand that appropriation into just such provisions as we thought would meet the views of the conference committee on the part of the House Public Buildings Committee.

Mr. HOAR. I should like to ask the Senator a question. Is it not true that there were items put in the bill in the Senate at the request of the members of the other House or of the House conferees, which, after being put in at their request here, were disagreed to en bloc with the others?

Mr. ALLISON. That is true.

Mr. HOAR. So that this criticism comes as to the rules of the Senate when the House is in the attitude of dissenting to what is put in a bill on its own request.

Mr. ALLISON. They dissented to all our amendments.

Mr. HOAR. Yes.

Mr. SPOONER. That was pro forma.

Mr. ALLISON. You may call it pro forma. It was pro forma because that is the usual custom of the House.

Mr. WARREN. Mr. President, I wish to say that, in regard to the public-buildings bill, it was introduced in this body expressly on the suggestion of members of the other body because of their peculiar position, and they objected, too, to the items in that bill en bloc.

Mr. ALLISON. They asked us to put that on, which we did, and then adjust it in conference, but they changed it in many respects in conference.

Mr. President, I have made these recitals and this statement for the purpose of showing that the speech to which reference is being made placed the consent of the conferees upon the part of the House to the amendment relating to the claim of the State of South Carolina, not upon the ground stated as respects our rules and the repugnance of the House to them, for our rules would have permitted the orderly proceeding which has prevailed in this Chamber since my experience, at least, in the two bodies. Therefore whatever of dereliction there was in regard to this item—for it was finally the only item that was seriously disputed—whatever occurred concerning this item occurred because the House, for reasons of their own and for reasons not arising in this body, could not adopt the orderly and usual proceeding and the orderly and usual method of legislation by taking the item into the House and into the Senate and having the judgment of the two Houses upon it.

So, Mr. President, I am pained to see what seems to me to be a violation of the rules of the House itself, a statement made there as to what occurred here at that time, which influenced the House regarding these appropriations; and it is also stated in the report that at the conclusion of the speech there were "loud and prolonged cheers." Why? Because the Senate had been held up on the gibbet of public opinion as respects its rules compared with the rules of the House of Representatives, so saintly in their nature and character.

I wish to put the position of the Senate and its conferees where it ought to be in the RECORD. I regret as much as any Senator can regret that the House of Representatives, instead of being informed of the actual situation, was led to put the blame upon the rules of the Senate, which we have made and which we have acted under for more than a hundred years, and which, when they need change, if they do, will be changed by the Senate of the United States and not by any coordinate body.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. TELLER. I hope the Senator will withhold that motion, as I desire to say a word in regard to this matter.

Mr. CULLOM. I yield to the Senator from Colorado.

Mr. TELLER. Mr. President, I was one of the members of the conference committee on the deficiency bill. Soon after I came out of the committee a Senator said to me that he understood that the claim which had been put in the bill over which the controversy had existed was without foundation. I want to say that there was no question of controversy in the committee as to the validity of that claim. The members of the Senate composing that committee gave careful attention to that question, and asserted to the House conferees that they knew it was a just and valid claim.

I myself have had a good deal of experience with State claims, both as a member of the Committee on Appropriations and the Committee on Claims. No controversy arose as to the merits of this claim. The controversy was that it was legislation, and, therefore, it was against the rule of the House and the rule of the Senate that it should be placed on an appropriation bill. It was a question whether or not it was pure legislation; but if it had been it would have been entirely proper for this body to have incorporated the claim in the bill whenever it saw fit to suspend its rules in regard to putting general legislation on an appropriation bill. I have seen it done more than a hundred times in my service in this body. The House has the same right to contest that as it has any other action of ours, and no greater right. The House has a rule which says that legislation shall not be put on an appropriation bill, and we have a rule of the same kind. If we suspend our rule, the House of Representatives could contest that action, not on the ground that it was a violation of our rule or a violation of their rule—for it has nothing to do with

their rules—but on the ground that it was indefensible either in principle or policy.

I think I should not exaggerate if I should say that the House of Representatives in the last twenty-five years have sent to this Senate I presume from fifty to one hundred pieces of legislation in violation of their own rule. They violate it whenever they see fit. They do not violate it in the proper sense, but for the time being they suspend it.

I recall some occasions when the House sent here in appropriation bills important items involving controversies and which were carried on for many weeks, the Senate resisting them. The Senate did not resist them upon the ground that our rule or theirs provided against such items of legislation. While we might have invoked that principle, we resisted on the ground that it was improper legislation, and that the House was putting on an appropriation bill legislation that they did not believe they could otherwise pass, thus forcing the Senate either to let the appropriation bill be defeated or to permit the enactment of a law which the judgment of the Senate did not approve.

The danger of such an occurrence justifies the rule; but I have myself seen very many cases where there was a justification for the abrogation of the rule, temporarily at least, by either body, or by both bodies.

Mr. SPOONER. A failure to abrogate the rule might sometimes be vital to the Republic.

Mr. TELLER. As the Senator from Wisconsin suggests, a failure to abrogate the rule might be vital to the Republic. In the expiring hours of Congress, when we did not want an extra session—which is always to be avoided, I think, if possible—such an abrogation might be necessary. It has been necessary. I recall a number of cases where urgent demands were made for legislation that could not have been secured for many months in any other way. I recall, as the chairman of the Committee on Appropriations will recall, the occasion where there was a wrong decision as to a statute that we had enacted. It was enforced by the Interior Department in such a way as to be a great burden on the land seekers and home makers in the West. We made an attempt to repeal that act pro tanto, so as to remove the restriction, which had actually prevented the entry of homestead or preemption pieces of land in the United States. There were a hundred and forty or a hundred and fifty thousand complainants. The House resisted, because it was legislation. We continued the effort until the House yielded and the legislation was enacted.

Mr. President, the statutes are full of legislation on appropriation bills, originating here and originating in the House. If we should bind ourselves that under no condition whatever would we put upon an appropriation bill what might be called legislation, we would simply be without the full legislative power. The House must originate the appropriation bills. When they send them over here with legislation to which they adhere and we are powerless to prevent it unless we allow the bill to fail, the House ought not to complain if we sometimes exercise the same right.

Mr. President, I do not care to go into any question as to the remarks of the chairman of the Committee on Appropriations of the House. Enough has been said upon the subject. I have a very kindly feeling for the gentleman and I do not desire to say anything unfair, and I am sure, as far as I am concerned, I only feel that they were inappropriate and out of place. I presume it will not happen again, and very likely so, although since I have been in the public service I have heard things of the same kind, emanating sometimes from that branch and sometimes from this, which, if we desire to maintain the good relations that the two legislative bodies must maintain, ought never to have been said. Yet there is nothing to be done that I know of except to forget it as soon as possible.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

REFERENCE OF MEMORIALS.

Mr. HOAR. Mr. President, I move that the various remonstrances or protests in regard to the election of certain Senators who have been sworn in to-day—I have not all of them in memory just at this moment—shall be referred to the Committee on Privileges and Elections. I make this motion at the request of the chairman of the Committee on Privileges and Elections.

The PRESIDING OFFICER (Mr. BURNHAM in the chair). The question is on the motion of the Senator from Massachusetts.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, March 9, 1903, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 5, 1903.

COLLECTOR OF CUSTOMS.

William D. Crum, of South Carolina, to be collector of customs for the district of Charleston, in the State of South Carolina, in place of Robert M. Wallace, deceased. Mr. Crum was nominated for this position at the second session, Fifty-seventh Congress, but failed of confirmation.

DISTRICT JUDGE.

Page Morris, of Minnesota, to be United States district judge for the district of Minnesota, commencing July 1, 1903. An original appointment under the act of Congress approved February 4, 1903, entitled "An act providing for an additional district judge in the district of Minnesota."

UNITED STATES ATTORNEY.

William Michael Byrne, of Delaware, to be United States attorney for the district of Delaware. A reappointment, incumbent's commission having expired March 4, 1903.

ASSISTANT TO THE ATTORNEY-GENERAL.

William A. Day, of the District of Columbia, to be assistant to the Attorney-General, as provided in the act of Congress approved March 3, 1903, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes."

ASSISTANT ATTORNEY-GENERAL.

Milton D. Purdy, of Minnesota, to be Assistant Attorney-General, as provided in the act of Congress approved March 3, 1903, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes.

POSTMASTER.

MISSOURI.

Samuel J. Wilson, to be postmaster at Macon, in the county of Macon and State of Missouri, in place of Samuel J. Wilson. Incumbent's commission expired February 14, 1903.

SENATE.

MONDAY, *March 9, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

RUSSELL A. ALGER and JULIUS C. BURROWS, Senators from the State of Michigan; JOHN W. DANIEL, a Senator from the State of Virginia; CHARLES H. DIETRICH, a Senator from the State of Nebraska; JOHN F. DRYDEN, a Senator from the State of New Jersey, and H. D. MONEY, a Senator from the State of Mississippi, appeared in their seats to-day.

NAMING OF A PRESIDING OFFICER.

Mr. KEAN called the Senate to order, and the Secretary read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE,
Washington, D. C., March 5, 1903.

To the Senate:

I hereby name Hon. JOHN KEAN, Senator from the State of New Jersey, to perform the duties of the Chair during my absence.

WM. P. FRYE,
President pro tempore.

Mr. KEAN thereupon took the chair as Presiding Officer, and directed that the Journal be read.

The Secretary proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

SWEARING IN OF SENATORS.

Mr. LODGE. There are, I believe, several Senators-elect to be sworn in.

Mr. COCKRELL. My colleague, the Senator-elect from Missouri [Mr. STONE], the Senator-elect from Arkansas [Mr. CLARKE], and probably others have not yet been sworn in. I ask that their names be called and that the oath of office be administered to them.

Mr. LODGE. That is the point I made.

The PRESIDING OFFICER. The names will be called.

The Secretary called the names of—

Mr. ANKENY, Mr. CLARKE of Arkansas, Mr. GALLINGER, and Mr. STONE.

Mr. FOSTER of Washington. My colleague, the Senator-elect from Washington, Mr. ANKENY, is ill at his hotel, and can not be present.

The PRESIDING OFFICER. The Senators whose names have been called and who are present will present themselves at the desk.

Mr. GALLINGER and Mr. STONE were escorted to the Vice-President's desk by Mr. LODGE and Mr. COCKRELL, respectively, where they were joined by Mr. CLARKE of Arkansas, and the oath prescribed by law was administered to them.

EXECUTIVE SESSION.

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. CULLOM. In the absence of any business in legislative session, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: On my part I will open the discussion of this treaty with Colombia by stating that I will vote for a treaty with Colombia for the purpose of acquiring the right to construct a canal at Panama, and the right to the exclusive control of all possible canal routes across the part of the Isthmus that belongs to Colombia, and of all railroad routes across that Isthmus on the terms and conditions prescribed in the act of Congress approved June 28, 1902.

To be entirely definite and exact as to those terms and conditions, I will here copy that act. I insist on the terms and the spirit and purpose of this law.

ACT FOR CONSTRUCTION OF PANAMA CANAL.

[Public—No. 183.]

An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans.

Be it enacted, etc., That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding forty millions of dollars, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on the Isthmus of Panama, and all its maps, plans, drawings, records on the Isthmus of Panama and in Paris, including all the capital stock, not less, however, than sixty-eight thousand eight hundred and sixty-three shares of the Panama Railroad Company, owned by or held for the use of said canal company, provided a satisfactory title to all of said property can be obtained.

SEC. 2. That the President is hereby authorized to acquire from the Republic of Colombia, for and on behalf of the United States, upon such terms as he may deem reasonable, perpetual control of a strip of land, the territory of the Republic of Colombia, not less than 6 miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to use and dispose of the waters thereon, and to excavate, construct, and to perpetually maintain, operate, and protect thereon a canal, of such depth and capacity as will afford convenient passage of ships of the greatest tonnage and draft now in use, from the Caribbean Sea to the Pacific Ocean, which control shall include the right to perpetually maintain and operate the Panama Railroad, if the ownership thereof, or a controlling interest therein, shall have been acquired by the United States, and also jurisdiction over said strip and the ports at the ends thereof to make such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public health thereon, and to establish such judicial tribunals as may be agreed upon thereon as may be necessary to enforce such rules and regulations.

The President may acquire such additional territory and rights from Colombia as in his judgment will facilitate the general purpose hereof.

SEC. 3. That when the President shall have arranged to secure a satisfactory title to the property of the New Panama Canal Company, as provided in section 1 hereof, and shall have obtained by treaty control of the necessary territory from the Republic of Colombia, as provided in section 2 hereof, he is authorized to pay for the property of the New Panama Canal Company $40,000,000, and to the Republic of Colombia such sum as shall have been agreed upon, and a sum sufficient for both said purposes is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall then through the Isthmian Canal Commission hereinafter authorized cause to be excavated, constructed, and completed, utilizing to that end as far as practicable the work heretofore done by the New Panama Canal Company, of France, and its predecessor company, a ship canal from the Caribbean Sea to the Pacific Ocean. Such canal shall be of sufficient capacity and depth as shall afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also cause to be constructed such safe and commodious harbors at the termini of said canal, and make such provisions for defense as may be necessary for the safety and protection of said canal and harbors. That the President is authorized for the purposes aforesaid to employ such persons as he may deem necessary, and to fix their compensation.

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections 1 and 2 of this act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, and protection of a canal connecting the Caribbean Sea with the Pacific Ocean, by what is commonly known as the Nicaragua route, shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean.

Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal; and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereunder provided to be acquired by the United States, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall cause the said Isthmian Canal Commission to make such surveys as may be necessary for said canal and harbors to be made, and in making such surveys and in the construction of said canal may employ such persons as he may deem necessary, and may fix their compensation.

In the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

SEC. 5. That the sum of ten million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated by either route so selected.

And the President is hereby authorized to cause to be entered into such contract or contracts as may be deemed necessary for the proper excavation, construction, completion, and defense of said canal, harbors, and defenses, by the route finally determined upon under the provisions of this act. Appropriations therefor shall from time to time be hereafter made, not to exceed in the aggregate the additional sum of one hundred and thirty-five millions of dollars should the Panama route be adopted, or one hundred and eighty millions of dollars should the Nicaragua route be adopted.

SEC. 6. That in any agreement with the Republic of Colombia, or with the States of Nicaragua and Costa Rica, the President is authorized to guarantee to said Republic or to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

SEC. 7. That to enable the President to construct the canal and works appurtenant thereto as provided in this act, there is hereby created the Isthmian Canal Commission, the same to be composed of seven members, who shall be nominated and appointed by the President, by and with the advice and consent of the Senate, and who shall serve until the completion of said canal, unless sooner removed by the President, and one of whom shall be named as the chairman of said Commission. Of the seven members of said Commission at least four of them shall be persons learned and skilled in the science of engineering, and of the four at least one shall be an officer of the United States Army, and at least one other shall be an officer of the United States Navy, the said officers respectively being either upon the active or the retired list of the Army or of the Navy. Said commissioners shall each receive such compensation as the President shall prescribe until the same shall have been otherwise fixed by the Congress. In addition to the members of said Isthmian Canal Commission, the President is hereby authorized, through said Commission, to employ in said service any of the engineers of the United States Army, at his discretion, and likewise to employ any engineers in civil life, at his discretion, and any other persons necessary for the proper and expeditious prosecution of said work.

The compensation of all such engineers and other persons employed under this act shall be fixed by said Commission, subject to the approval of the President. The official salary of any officer appointed or employed under this act shall be deducted from the amount of salary or compensation provided by or which shall be fixed under the terms of this act. Said Commission shall in all matters be subject to the direction and control of the President, and shall make to the President annually and at such other periods as may be required, either by law or by the order of the President, full and complete reports of all their actings and doings and of all moneys received and expended in the construction of said work and in the performance of their duties in connection therewith, which said reports shall be by the President transmitted to Congress. And the said Commission shall furthermore give to Congress, or either House of Congress, such information as may at any time be required either by act of Congress or by the order of either House of Congress. The President shall cause to be provided and assigned for the use of the Commission such offices as may, with the suitable equipment of the same, be necessary and proper, in his discretion, for the proper discharge of the duties thereof.

SEC. 8. That the Secretary of the Treasury is hereby authorized to borrow, on the credit of the United States, from time to time, as the proceeds may be required, to defray expenditures authorized by this act (such proceeds when received to be used only for the purpose of meeting such expenditures), the sum of $130,000,000, or so much thereof as may be necessary, and to prepare and issue therefor coupon or registered bonds of the United States in such form as he may prescribe, and in denominations of $20 or some multiple of that sum, redeemable in gold coin at the pleasure of the United States after ten years from the date of their issue, and payable thirty years from such date, and bearing interest payable quarterly in gold coin at the rate of 2 per cent per annum; and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority: *Provided*, That said bonds may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, giving to all citizens of the United States an equal opportunity to subscribe therefor, but no commissions shall be allowed or paid thereon; and a sum not exceeding one-tenth of 1 per cent of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

Approved June 28, 1902.

I have prepared a substitute for this treaty, which I believe is a full, liberal, and almost a too indulgent or slack compliance with that law, on which I will ask the action of the Senate at a proper time.

TREATY AS PROPOSED TO BE AMENDED.

That my objections to the present treaty may be accurately stated and my proposed substitute may be distinctly understood, I will insert in my remarks a copy of the treaty before the Senate, in which the parts of it I object to are included in brackets and the new matter that I propose to insert is printed in italics.

[Confidential.—Executive.—Fifty-seventh Congress, second session.]

February 3, 1903.—Ordered to lie on the table and to be printed in confidence for the use of the Senate.

[Omit the part inclosed in brackets and insert the part printed in italics.]

Amendments proposed by Mr. MORGAN to the convention with Colombia for the construction of a ship canal to connect the Atlantic and Pacific oceans, signed January twenty-second, nineteen hundred and three.

The United States of America and the Republic of Colombia, being desirous to assure the construction of a ship canal to connect the Atlantic and Pacific Oceans and the Congress of the United States of America having passed an Act approved June 28, 1902, in furtherance of that object, [a copy of which is hereunto annexed,] the high contracting parties have resolved, for that purpose, to conclude a Convention and have accordingly appointed as their plenipotentiaries,

The President of the United States of America, John Hay, Secretary of State, and

The President of the Republic of Colombia, Thomas Herran, Chargé d'Affaires, thereunto specially empowered by said government,

who, after communicating to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

ARTICLE I.

The Government of Colombia authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions, as well as *its interests* in the Panama Railroad and all the shares or part of the shares of that company [; but the public lands situated outside of the zone hereinafter specified, now corresponding to, the concessions to both said enterprises shall revert to the Republic of Colombia, except any property now owned by or in the possession of the said companies within Panama or Colon, or the ports and terminals thereof.]

[But it is understood that Colombia reserves all its rights to the special shares in the capital of the New Panama Canal Company to which reference is made in Article IV of the contract of December 10, 1890, which shares shall be paid their full nominal value at least; but as such right of Colombia exists solely in its character of stockholder in said Company, no obligation under this provision is imposed upon or assumed by the United States.]

The Railroad Company and the United States [as owner of the enterprise] shall be free from the obligations *to Colombia* imposed by the railroad concession, excepting as to the payment at maturity by the Railroad Company of the outstanding bonds issued by said Railroad Company, *which may have been hypothecated by Colombia.*

ARTICLE II.

The United States shall have the exclusive right *in perpetuity*, [for the term of one hundred years, renewable at the sole and absolute option of the United States, for periods of similar duration so long as the United States may desire,] *and without further compensation or indemnity*, to excavate, construct, maintain, operate, control, own, and protect [the] a Maritime Canal *or canals* with or without locks from the Atlantic to the Pacific Ocean, to and across *any part of* the territory of Colombia, such canal to be of sufficient depth and capacity for vessels of the largest tonnage and greatest draft now engaged in commerce, and such as may be reasonably anticipated, and also the *same* rights for the construction, maintenance, operation, control, and protection of the Panama Railroad and of railway, telegraph and telephone lines, canals, dikes, dams and reservoirs, and such other auxiliary works as may be necessary and convenient for the construction, maintenance, protection and operation of the canal and railroads, *and for commercial uses and purposes.*

ARTICLE III.

To enable the United States to exercise the rights and privileges granted by this Treaty the Republic of Colombia grants to that Government the use and control [for the term of one hundred years, renewable at the sole and absolute option of the United States, for periods of similar duration so long as the United States may desire,] of a zone of territory along the route of the canal to be constructed, five kilometers in width on either side thereof measured from its center line, including therein the necessary auxiliary canals, not exceeding in any case fifteen miles from the main canal and other works, together with ten fathoms of water in the Bay of Limon *and the Bay of Panama* in extension of the canal *and the canal zone*, and at least three marine miles [from mean low water mark from each terminus of the canal] into the Caribbean Sea and the Pacific Ocean respectively. So far as necessary for the construction, maintenance and operation of the canal, the United States shall have the [*protection*, use, and occupation of] *right to protect, fortify, use and occupy* the group of small islands in the Bay of Panama named Perico, Naos, Culebra and Flamenco, [but] *and* the same shall [not] be construed as being within the zone herein defined [nor governed by the special provisions applicable to the same].

This grant shall in no manner invalidate the titles or rights of private land holders in the said zone of territory, nor shall it interfere with the rights of way over the public roads of the Department; provided, however, that nothing herein contained shall operate to diminish, impair or restrict the rights elsewhere herein granted to the United States.

This grant shall [not] include the cities of Panama and Colon, [except so far as lands and other property therein are now owned by or in possession of the said Canal Company or the said Railroad Company; but all the stipulations contained in Article 35 of the Treaty of 1846-48 between the contracting parties shall continue and apply in full force to the cities of Panama and Colon and to the accessory community lands and other property within the said zone,] and the territory [thereon] *thereof* shall be neutral territory, and the United States shall continue to guarantee the neutrality thereof, and the sovereignty of Colombia thereover, in conformity with the above mentioned Article 35 of said Treaty, *except as to the acts of citizens of Colombia, so long as this treaty shall continue in force.*

In furtherance of this [last] provision [there shall be created a Joint Commission by the Governments of Colombia and] *and as a matter of right* the United States [that] shall establish and enforce sanitary and police regulations.

ARTICLE IV.

The rights and privileges granted to the United States by the terms of this convention shall not affect the *permanent* sovereignty of the Republic of Colombia over the territory within whose boundaries such rights and privileges are to be exercised, *except to the extent that is otherwise especially provided in this treaty.*

The United States freely acknowledges and recognizes this *political* sovereignty and disavows any intention to impair it in any way whatever or to increase its territory at the expense of Colombia [or of any of the sister republics in Central or South America, but on the contrary, it desires to strengthen the power of the republics on this continent, and to promote, develop and maintain their prosperity and independence].

ARTICLE V.

The Republic of Colombia authorizes the United States to construct and maintain at each entrance and terminus of the proposed canal a port for vessels using the same, with suitable light houses and other aids to navigation, and the United States is authorized to use and occupy within the limits of the zone fixed by this convention, such parts of the coast line and of the lands and islands adjacent thereto as are necessary for this purpose, including the construction and maintenance of breakwaters, dikes, jetties, embankments, coaling stations, docks and other appropriate works, and the United States undertakes the construction and maintenance of such works and will bear all the expense thereof. The ports when established are declared free, and their demarcations shall be clearly and definitely defined.

[To give effect to this Article,] The United States will give special attention and care to the maintenance of works for drainage, sanitary and healthful purposes along the line of the canal, and its dependencies, in order to prevent the invasion of epidemics or of securing their prompt suppression should they appear. With this end in view the United States will organize hospitals along the line of the canal, and will suitably supply or cause to be supplied the towns of Panama and Colon with the necessary aqueducts and drainage works, in order to prevent their becoming centers of infection on account of their proximity to the canal.

The Government of Colombia will secure for the United States or its nominees the lands and rights that may be required in the towns of Panama and Colon to effect the improvements above referred to, and the Government of the United States or its nominees shall be authorized to impose and collect equitable water rates, during fifty years for the service rendered; but on the expiration of said term the use of the water shall be free for the inhabitants of Panama and Colon, except to the extent that may be necessary for the operation and maintenance of said water system, including reservoirs, aqueducts, hydrants, supply service, drainage and other works.

ARTICLE VI.

The Republic of Colombia agrees that it will not cede or lease to any foreign Government any of its islands or harbors within or adjacent to the Bay of Panama, nor on the Atlantic coast of Colombia, between the Atrato River and the western boundary of the Department of Panama, for the purpose of establishing fortifications, naval or coaling stations, military posts, docks or other works that might interfere with the construction, maintenance, operation, protection, safety, and free use of the canal and auxiliary works. In order to enable Colombia to comply with this stipulation, the Government of the United States agrees to give Colombia the material support that may be required in order to prevent the occupation of said islands and ports, guaranteeing there the sovereignty [*and* independence and integrity] of Colombia.

ARTICLE VII.

The Republic of Colombia includes in the foregoing grant the right without obstacle, cost, or impediment, to such control, consumption and general utilization in any manner found necessary by the United States to the exercise by it of the grants to, and rights conferred upon it by this Treaty, the waters of the Chagres River and other streams, lakes and lagoons, of all non-navigable waters, natural and artificial, and also to navigate all rivers, streams, lakes and other navigable waterways, within the jurisdiction and under the dominion of the Republic of Colombia, in the Department of Panama, within or without said zone, as may be necessary or desirable for the construction, maintenance and operation of the canal and its auxiliary canals and other works, and without tolls or charges of any kind; and to raise and lower the levels of the waters, and to deflect them, and to impound any such waters, and to overflow any lands necessary for the due exercise of such grants and rights to the United States; and to rectify, construct and improve the navigation of any such rivers, streams, lakes and lagoons at the sole cost of the United States; but any such water-ways so made by the United States may be used by citizens of Colombia free of tolls or other charges *for personal, agricultural, or domestic purposes.* And the United States shall have the right to use without cost, any water, stone, clay, earth or other minerals belonging to Colombia on the public domain that may be needed by it.

All damages caused to private land owners by inundation or by the deviation of water courses, or in other ways, arising out of the construction or operation of the canal, shall in each case be appraised and settled by a joint commission appointed by the Governments of the United States and Colombia, but the cost of the indemnities so agreed upon shall be borne solely by the United States. *And no part of the work on said canal or on the Panama Railroad, or on any auxiliary work relating thereto, shall be prevented or impeded by such proceeding, or pending such proceedings to ascertain such damages.*

ARTICLE VIII.

The Government of Colombia declares free for all time the ports at either entrance of the Canal, including Panama and Colon and the waters thereof in such manner that there shall not be collected by the Government of Colombia custom house tolls, tonnage, anchorage, light-house, wharf, pilot, or quarantine dues, nor any other charges or taxes of any kind shall be levied or imposed by the Government of Colombia upon any vessel using or passing through the Canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance and operation of the main work or its auxiliaries, or upon the cargo, officers, crew, or passengers of any such vessels; it being the intent of this convention that all vessels and their cargoes, crews, and passengers, shall be permitted to use and pass through the Canal and the ports leading thereto, subject to no other demands or impositions than such tolls and charges as may be imposed by the United States for the use of the Canal and other works. [It being understood that such tolls and charges shall be governed by the provisions of Article XVI.]

The ports leading to the Canal, including Panama and Colon, also shall be free to the commerce of the world, and no duties or taxes shall be imposed, except upon merchandise destined to be introduced for the consumption of the rest of the Republic of Colombia, or the Department of Panama, and upon vessels touching at the ports of Colon and Panama and which do not cross the Canal, *provided such vessels belong to nationalities other than the signatory powers to this treaty.*

Though the said ports shall be free and open to all, the Government of Colombia may establish in them such custom houses and guards as Colombia may deem necessary to collect duties on importations destined to other portions of Colombia and to prevent contraband trade. The United States shall have the right to make use of the ports at the two extremities of the Canal, including Panama and Colon, as places of anchorage, in order to make repairs for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the Canal and other works.

Any concessions or privileges granted by Colombia for the operation of light houses at Colon and Panama shall be subject to expropriation, indemnification and payment in the same manner as is provided by Article XIV in respect to the property therein mentioned; but Colombia shall make no additional grant of any such privilege nor change the status of any existing concession.

ARTICLE IX.

There shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the canal, the vessels that may use it, tugs and other vessels employed in the service of the canal, the railways and auxiliary works, store houses, work shops, offices, quarters for laborers, factories of

all kinds, warehouses, wharves, machinery and other works, property, and effects appertaining to the canal or railroad or that may be necessary for the service of the canal or railroad and their dependencies, *officers or employees*, whether situated within the cities of Panama and Colon, or any other place authorized by the provisions of this convention.

Nor shall there be imposed contributions or charges of a personal character of whatever species upon officers, employees, laborers, and other individuals in the service of the canal and its dependencies.

ARTICLE X.

It is agreed that telegraph and telephone lines, when established for canal purposes, may also, under suitable regulations, be used for public and private business in connection with the systems of Colombia and the other American Republics and with the lines of cable companies authorized to enter the ports and territories of these Republics; but the official dispatches of the Government of Colombia and the authorities of the Department of Panama shall not pay for such service higher tolls than those required from the officials in the service of the United States.

ARTICLE XI.

The Government of Colombia shall permit the immigration and free access to the lands and workshops of the canal and its dependencies of all employees and workmen of whatever nationality under contract to work upon or seeking employment or in any wise connected with the said canal and its dependencies, with their respective families, and all such persons shall be free and exempt from the military service of the Republic of Colombia. *But all immigration into said canal zone, with a view to settlement there, shall be subject to the exclusive control of the United States.*

ARTICLE XII.

The United States may import at any time into the said zone, free of customs duties, imposts, taxes, or other charges, and without any restriction, any and all vessels, dredges, engines, cars, machinery, tools, explosives, materials, supplies, and other things necessary and convenient in the construction, maintenance and operation of the canal and auxiliary works, also all provisions, medicines, clothing, supplies and other things necessary and convenient for the officers, employees, workmen and laborers in the service and employ of the United States and for their families. If any such articles are disposed of for sale within the zone [excepting Panama and Colon] and within the territory of the Republic, they shall be subject to the same import or other duties as like articles under the laws of Colombia [or the ordinances of the Department of Panama].

ARTICLE XIII.

The United States shall have authority to protect and make secure the canal, as well as railways and other auxiliary works and dependencies, and to preserve order and discipline among the laborers and other persons who may congregate in that region, and to make and enforce such police and sanitary regulations as it may deem necessary to preserve order and public health thereon, and to protect navigation and commerce through and over said canal, railways, and other works and dependencies from interruption or damage.

I. The Republic of Colombia may establish judicial tribunals within said zone, for the determination, according to its laws and judicial procedure, of certain controversies hereinafter mentioned.

Such judicial tribunal or tribunals so established by the Republic of Colombia shall have exclusive jurisdiction in said zone of all controversies between citizens of the Republic of Colombia [, or between citizens of the Republic of Colombia and citizens of any foreign nation other than the United States].

II. Subject to the general sovereignty of Colombia over said zone, the United States may establish judicial tribunals thereon, *or military courts or tribunals*, which shall have jurisdiction of [certain] *all other* controversies [hereinafter mentioned] to be determined according to the laws and judicial procedure of the United States, *with such rights of appeal and such powers of pardon, and with such power to enforce and execute all orders judgments and decrees, as shall be rendered by such courts or by the civil or military tribunals of the United States.*

Such judicial tribunal or tribunals so established by the United States shall have exclusive jurisdiction in said zone of all controversies between citizens of the United States, and between citizens of the United States and citizens of any foreign nation other than the Republic of Colombia; and of all controversies in any wise growing out of or relating to the construction, maintenance or operation of the canal, railway and other properties and works.

[III. The United States and Colombia engage jointly to establish and maintain upon said zone, judicial tribunals having civil, criminal and admiralty jurisdiction, and to be composed of jurists appointed by the Governments of the United States and Colombia in a manner hereafter to be agreed upon between said Governments, and which tribunals shall have jurisdiction of certain controversies hereinafter mentioned, and of all crimes, felonies and misdemeanors committed within said zone, and of all cases arising in admiralty, according to such laws and procedure as shall be hereafter agreed upon and declared by the two governments.

Such joint judicial tribunal shall have exclusive jurisdiction in said zone of all controversies between citizens of the United States and citizens of Colombia, and between citizens of nations other than Colombia and the United States; and also of all crimes, felonies, and misdemeanors committed within said zone, and of all questions of admiralty arising therein.]

IV. The two Governments hereafter, and from time to time as occasion arises, [shall agree upon and establish the laws and procedures which shall govern such joint judicial tribunal and which shall be applicable to the persons and cases over which such tribunal shall have jurisdiction, and also shall likewise create the requisite officers and employees of such court and establish their powers and duties; and further] shall make adequate provision by [like] *future* agreement for the pursuit, capture, imprisonment, detention, and delivery within said zone *to the authorities of Colombia, or of the United States, at any place required in the canal zone, or in Colombia*, of persons charged with the commissment of crimes, felonies or misdemeanors without said zone; and for the pursuit, capture, imprisonment, detention and delivery without said zone of persons charged with the commitment of crimes, felonies and misdemeanors within said zone.

ARTICLE XIV.

The works of the canal, the railways and their auxiliaries are declared of public utility, and in consequence all areas of land and water necessary for the construction, maintenance, and operation of the canal and other specified works may be expropriated in conformity with the laws of Colombia, except that the indemnity shall be conclusively determined without appeal, by a joint commission appointed by the Governments of Colombia and the United States.

The indemnities awarded by the Commission for such expropriation shall be borne by the United States, but the appraisal of said lands and the assessment of damages shall be based upon their value before the commencement of the work upon the canal.

ARTICLE XV.

The Republic of Colombia grants to the United States the use of all the ports of the Republic open to commerce as places of refuge for any vessels employed in the canal enterprise, and for all vessels in distress having the right to pass through the canal and wishing to anchor in said ports. Such vessels shall be exempt from anchorage and tonnage dues on the part of Colombia.

ARTICLE XVI.

The canal, when constructed, and the entrance thereto shall be neutral in perpetuity [, and shall be opened upon the terms provided for by Section I of Article three of, and in conformity with all the stipulations of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901].

ARTICLE XVII.

The Government of Colombia shall have the right to transport over the canal its vessels, troops, and munitions of war *in such vessels* at all times without paying charges of any kind. This exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Colombia or the Department of Panama, or of the police force charged with the preservation of public order outside of said zone, as well as to their baggage, munitions of war, and supplies.

ARTICLE XVIII.

The United States shall have full power and authority to establish and enforce regulations for the use of the canal, railways, and the entering ports and auxiliary works, and to fix rates of tolls and charges thereof [, subject to the limitations stated in Article XVI].

ARTICLE XIX.

The rights and privileges granted to the United States by this convention shall not affect the sovereignty of the Republic of Colombia over the real estate that may be acquired by the United States by reason of the transfer of the rights of the New Panama Canal Company and the Panama Railroad Company lying outside of the said canal zone, *but no right, privilege, or power, conceded to the United States by this treaty, shall ever be affected by this article.*

ARTICLE XX.

If by virtue of any existing treaty between the Republic of Colombia and any third power, there may be any privilege or concession relative to an interoceanic means of communication [which especially favors such third power, and] which in any of its terms may be incompatible with the terms of the present convention, the Republic of Colombia agrees to cancel or modify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention, and in case the existing treaty contains no clause permitting its modification or annulment, the Republic of Colombia agrees to procure its modification or annulment in such form that there shall not exist any conflict with the stipulations of the present convention.

ARTICLE XXI.

The rights and privileges granted by the Republic of Colombia to the United States in the preceding Articles are understood to be free of all anterior *debts, liens, trusts, or liabilities, or* concessions or privileges to other Governments, corporations, syndicates or individuals, and consequently, if there should arise any claims on account of the present concessions and privileges or otherwise, the claimants shall resort to the Government of Colombia and not to the United States for any indemnity or compromise which may be required, *and Colombia agrees to protect and indemnify the United States against all such demands.*

ARTICLE XXII.

The Republic of Colombia renounces and grants to the United States the participation to which it might be entitled in the future earnings of the canal under Article XV of the concessionary contract with Lucien N. B. Wyse now owned by the New Panama Canal Company and any and all other rights or claims of a pecuniary nature arising under or relating to said concession, or arising under or relating to the concessions to the Panama Railroad Company or any extension or modification thereof; and it likewise renounces, confirms and grants to the United States, now and hereafter, all the rights and property reserved in the said concessions which otherwise would belong to Colombia at or before the expiration of the terms of ninety-nine years of the concessions granted to or held by the above-mentioned party and companies, and all right, title and interest which it now has or may hereafter have, in and to the lands, canal, works, property and rights held by the said companies under said concessions or otherwise, and acquired or to be acquired by the United States from or through the New Panama Canal Company, *or the Old Panama Canal Company*, including any property and rights which might or may in the future, either by lapse of time, forfeiture or otherwise, revert to the Republic of Colombia under any contracts of concessions, with said Wyse, the Universal Panama Canal Company, the Panama Railroad Company and the New Panama Canal Company.

The aforesaid rights and property shall be and are free and released from any present or freversionary interest in or claims of Colombia and the title of the United States thereto upon consummation of the contemplated purchase by the United States from the New Panama Canal Company, shall be absolute, so far as concerns the Republic of Colombia, excepting always the rights of Colombia specifically secured under this treaty.

ARTICLE XXIII.

If it should become necessary at any time to employ armed forces for the safety or protection of the canal, or of the ships that make use of the same, or the railways and other works, the Republic of Colombia agrees to provide the forces necessary for such purpose, according to the circumstances of the case, [but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her Minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose; and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection, without the necessity of obtaining the consent beforehand of the Government of Colombia; and it shall give immediate advice of the measures adopted for the purpose stated; and as soon as sufficient Colombian forces shall arrive to attend to the indicated purpose, those of the United States shall retire] *at the request of the United States, and the United States shall have the right, at all times and in its discretion, to use its police and its land and naval forces for these purposes.*

ARTICLE XXIV.

The Government of the United States agrees to complete the construction of the preliminary works necessary, together with all the auxiliary works, in the shortest time [possible; and within two years from the date of the exchange of ratification of this convention the main works of the canal proper

shall be commenced, and it shall be opened to the traffic between the two oceans within twelve years after such period of two years. In case, however, that any difficulties or obstacles should arise in the construction of the canal which are at present impossible to foresee, in consideration of the good faith with which the Government of the United States shall have proceeded, and the large amount of money expended so far on the works and the nature of the difficulties which may have arisen, the Government of Colombia will prolong the terms stipulated in this Article up to twelve years more for the completion of the work of the canal] *that may be convenient.*

But in case the United States should, at any time, determine to make such canal practically a sea level canal, then [such period shall be extended for ten years further] *the United States shall make such changes in the plan of the canal without in any manner affecting any of its rights or powers under this treaty.*

ARTICLE XXV.

As the price or compensation for the right to use the zone granted in this convention by Colombia to the United States for the construction of a canal, together with the proprietary right over the Panama Railroad, and for the annuity of two hundred and fifty thousand dollars gold, which Colombia ceases to receive from the said railroad, as well as in compensation for other rights, privileges and exemptions granted to the United States, [and in consideration of the increase in the administrative expenses of the Department of Panama consequent upon the construction of the said canal,] the Government of the United States binds itself to pay Colombia the sum of [ten] *seven* million dollars in gold coin of the United States on the exchange of the ratification of this convention after its approval according to the laws of the respective countries, and also an annual payment [during the life of this convention] *for the period of sixty-two years* of two hundred and fifty-thousand dollars in like gold coin, beginning nine years after the date aforesaid.

The provisions of this Article shall be in addition to all other benefits assured to Colombia under this convention.

But no delay nor difference of opinion under this Article *or any other or provisions of this treaty* shall affect nor interrupt the full operation and effect of this convention in all other respects.

ARTICLE XXVI.

No change either in the Government or in the laws and treaties of Colombia, shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries that now exist or may hereafter exist) touching the subject matter of this convention.

If Colombia shall hereafter enter as a constituent into any other Government or into any union or confederation of States so as to merge her sovereignty or independence in such Government, union, or confederation, the rights of the United States under this convention shall not be in any respect lessened or impaired.

ARTICLE XXVII.

The joint commission referred to in Articles III, VII, and XIV shall be established as follows:

The President of the United States shall nominate two persons and the President of Colombia shall nominate two persons and they shall proceed to a decision; but in case of disagreement of the Commission (by reason of their being equally divided in conclusion) an umpire shall be appointed by the two Governments, who shall render the decision. In the event of death, absence, or incapacity of any Commissioner or umpire, or of his omitting, declining, or ceasing to act, his place shall be filled by the appointment of another person in the manner above indicated. All decisions by a majority of the Commission or by the umpire shall be final.

ARTICLE XXVIII.

This convention, when signed by the contracting parties, shall be ratified according to the laws of the respective countries, and shall be exchanged at Washington within a term of eight months from this date, or earlier if possible.

In faith whereof, the respective plenipotentiaries have signed the present convention in duplicate and have hereunto affixed their respective seals.

Done at the city of Washington the 22d day of January, in the year of our Lord nineteen hundred and three.

(Signed) JOHN HAY. [SEAL.]
(Signed) TOMÁS HERRÁN. [SEAL.]

ADDITIONAL AMENDMENTS.

Additional amendment 1.

ARTICLE —. It is agreed between the high contracting powers that nothing that is contained in this treaty shall be held or construed in any manner to alter, amend, modify, repeal, or change the proper legal construction of the act of Congress approved June twenty-eighth, nineteen hundred and two, entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," under which act an agreement is authorized to be made with the New Panama Canal Company and treaties are authorized to be made with Colombia and with Nicaragua and Costa Rica.

Additional amendment 2.

ARTICLE —. It is agreed by the high contracting powers that respect for the rights of the citizens of the United States under their Constitution and for the present humane state of the Christian religion, in which the ordinances and prescriptions of the Spanish Inquisition have no place or tolerance, that the provisions of the concordat of 1888, between His Holiness Pope Leo XIII and the Government of Colombia, and the laws enacted by Colombia, or that shall be hereafter enacted in furtherance or execution of said concordat, shall not apply to any citizen of the United States in Colombia, or to any person who shall be in the service of the United States, or to any officer, agent, or servant of the United States who is in any way engaged in the construction or operation of a canal or the Panama Railroad under the provisions of this treaty.

In this way I have set forth the language and provisions of each separate article of the treaty to which I object and the full text of a treaty for which I am willing to vote, so that there can be no misunderstanding as to my personal attitude on this subject, and that the misconceptions and injurious and false statements as to my attitude and purposes that I have suffered may cease.

I voted for the canal law of June 28, 1902, which gives a certain preference to the Panama route over the Nicaragua route, because the Senate had declared such a preference in adopting the Spooner amendment. I did not believe that an appropriation to construct an isthmian canal could be obtained on any other terms, and I did not see or believe that it was my duty to set up my individual judgment against that of a majority of the Senate on the question of the choice of canal routes.

ACT NOT COMPLIED WITH IN TREATY.

I now consider that choice as being settled if the conditions upon which it is based, in the express language of the statute, can be substantially complied with in a reasonable time. As those terms and conditions are not complied with in this treaty in good faith, but are disregarded and reversed or abandoned, neither my sense of duty nor my self-respect will permit me to support it.

I trust that I am not stating a principle of action that is new or strange in the Senate, or one that is not deserving of the respect of the Senate, when I say I feel constrained to do what I believe to be right, rather than what a majority may think is expedient.

In yielding my judgment to that of the slight majority of six in the Senate, as to the choice of canal routes, I did not and can not yield my own conviction that a grave mistake, if not a fatal one, has been made in the selection of the Panama route. Yet, I yield that judgment without reserve, but with great reluctance, for the purposes of a fair treaty with Colombia.

In this belief I am well assured that I have the earnest support of a vast majority of the American people, and I know that, almost without exception, I am sustained by the large number of the ablest engineers and canal constructors of the entire world.

SUPERIORITY OF NICARAGUA ROUTE.

As to the superiority of the Nicaragua route over that of the Panama there can be no dispute in respect of our sea power, in the operations of our war fleets, and as to the coastwise trade of the United States; and also as to our commerce between the oceans in sailing vessels, and as to length of voyages and the difference of time between our North Atlantic coasts and our North Pacific coasts, and as to the economy of sail power over steam power in the transportation of grain, timber, ores, and, indeed, all the coarser and cheaper articles of ocean-borne commerce. As to the climate and healthfulness of the Panama and Nicaragua routes, and as to their capacity for local contributions to commerce, the advantages of the Nicaragua route are so great and so conspicuous that it is a most serious disadvantage to the commerce and the health of all commercial nations to force them to traverse the Panama route with their ships of commerce.

INFERIORITY OF PANAMA POPULATION.

As to the population of the respective countries which these routes traverse, we have the opportunity to fill up the canal zone in Nicaragua with a population, whether native or foreign, of our own selection, which will be orderly, industrious, thrifty, peaceable, and easy to control, while in Panama we have the desperate problem of getting rid of a large element already there who are as degraded, dissatisfied, turbulent, mixed, and filthy and as dangerous to the peace requisite for a canal zone as can be found in any place in the world.

As to political conditions involving the peace of the country, Costa Rica and Nicaragua are far the safest States on the American Isthmus, as they are the most commercial, the best educated, and most civilized people of all those States.

As to the element of safety for a canal, with reference to popular outbreaks or the smoldering fires of insurrection and political jealousies, I claim, with entire confidence, that at no place in the world can such security be found for an interoceanic canal as exists in the San Juan basin and on Lake Nicaragua; that region, for two-thirds of the length of the line of the canal, being the practical boundary line between Costa Rica and Nicaragua.

Neither of these States will have any ownership or control of the canal or the zone set apart for it, nor of any rental arising from it; yet they are both perpetual beneficiaries of the commerce, industries, capital, and population that it will pour into these States in rich abundance. Both of these States are therefore the interested protectors of the canal as against each other; and the United States, as the owner of the canal in perpetuity, is bound by its own interests as well as by necessity, and will be bound by treaty obligations if this route becomes the alternative, to protect the sovereignty of both these States against all foreign powers and against each other. We will stand between them as a powerful umpire of all disputes that involve the canal and as the chosen guardian of their national peace and security, and, above all, to see that justice is done.

Such guaranties, when compared with those we must give, for the sake of self-protection among the warring factions that exist and have always existed and will continue to exist in Panama, are as the word of friendly advice and admonition in a contented household to the work required to suppress a vendetta in a community of lawless and revengeful combatants.

COLOMBIA'S INTEREST IN CANAL PURELY MERCENARY.

Colombia has fourteen departments, thirteen of them on the continent of South America, among the Andean range of mountains, and the other, Panama, on the Isthmus, which is as distant from Bogota as Juneau, in Alaska, is from San Francisco, and much more distant in point of time for a journey by land or sea. Colombia proper has no commerce with Panama, and will have none that is ever to be a matter of profit to either.

Colombia's interest in the canal will consist almost exclusively in the price she is to get for the concession and the annual stipend we are to pay her, and her natural policy and design will be to find occasions and excuses for an increase of that income, by new agreements, as she has done with the Panama Canal and the Panama Railroad Company. If we give her any actual power or control in the canal, whether it is police power, military power, hygienic control, or judicial authority, it will be used not only in a partisan way, but as an impediment to our free and rightful use of the property, with a view to an increase of the profits of her bargain counter, out of which she made $5,000,000 out of the Frenchmen in sales of extensions of canal and railroad concessions that were being worked, at enormous expense, for her sole ultimate benefit.

These considerations, with others of still greater importance, have convinced me of the advantages of the Nicaraguan route over the Panama route, and I have not in the least changed my opinions, though I have yielded my judgment to the majority in the Senate upon the conditions prescribed in the canal law of June 28, 1902, as I believe it to be my duty to do.

COMPARATIVE COST OF THE TWO ROUTES.

As to the cost of the canal on the respective routes my opinions are already fully vindicated.

The Isthmian Canal Commission, headed by Admiral Walker, following its preliminary report to the President, made six months earlier, made its final report in favor of the Nicaragua route on November 16, 1901. In that report, on page 261, they sum up the cost of the two canals as follows:

The cost of constructing a canal by the Nicaragua route and of completing the Panama Canal, without including the cost of acquiring the concessions from the different Governments, is estimated as follows:

Nicaragua	$189,864,062
Panama	144,233,358

For a proper comparison there must be added to the latter the cost of acquiring *the rights and property of the New Panama Canal Company. This Commission has estimated the value of these in the project recommended by it at $40,000,000.*

The project so recommended by the Commission is stated in the following words:

After considering all the facts developed by the investigation made by the Commission and the actual situation as it now stands, and having in view the terms offered by the New Panama Canal Company, this Commission is of the opinion that "the most practical and feasible route for an isthmian canal to be under the control, management, and ownership of the United States" is that known as the Nicaragua route.

When the Commission, composed of nine wise men—the pick of the country—among whom was an ex-Senator who was a lawyer, stated in their final report that they had "estimated the value of these (the rights and property of the New Panama Canal Company) in the project recommended by it (as above copied) at $40,000,000," I understood them to mean that they would adhere to their recommendation of the Nicaragua route, if the canal company should be willing to take the $40,000,000 for their rights and property.

I respectfully submit that this language does not admit of any other construction, and when the Hepburn bill passed the House and did not provide for an Isthmian Canal Commission, I concluded that the Commission changed front on their recommendation without any change of the facts or any change of their recommendation in favor of the Nicaragua route as made in their final report, following their preliminary report made to the President.

It was beyond question that the estimated value of the canal property and rights of the Panama Canal Company, at $40,000,000, *was included as an element in their recommendation of the Nicaraguan route*, and its subsequent offer to the United States at the at sum by the French company could not, logically or rationally, change their recommendation from Nicaragua to Panama.

The facts were not changed, but the recommendation was entirely reversed, without assigning any new fact or reason that they had not already reported to the President on two occasions.

Instead of recommending an offer of $40,000,000 to the canal company for their rights and property, they "estimated the value of these in the project recommended," which project was the Nicaraguan route.

When the canal company offered to take $40,000,000 for their rights and property, the Commission should have said to the offer of Monsieur Bô, if they meant to adhere to their reports and to the facts stated in them,

We have estimated this $40,000,000 in our report to the President and have decided to recommend the Nicaragua on the basis that your rights and property would cost $40,000,000, and that closes the incident. We have advised the President that the Nicaragua route is the preferable one, even if you should be willing to sell your rights and interests for $40,000,000.

The estimated cost of the Panama Canal is put by our Commission at	$144,233,358
Add, for the cost of the property	40,000,000
Total	184,233,358

Deduct this sum from the estimated cost of the Nicaragua Canal, which is estimated at $189,864,062, and the balance in favor of the Panama route is $5,630,704.

Three million dollars of this supposed advantage is swept away by the increase of the price of the concession, from $7,000,000, which Colombia agreed to take for it when the canal bill was pending in the Senate, and the rest of it has disappeared in the more than $3,000,000, which is the value of the lands "outside the canal zone," which we give to Colombia in the first article of the treaty.

On page 103 of the final report of the Isthmian Canal Commission is the following statement, which is remarkable for its obscurity and the looseness of it. It is as follows:

The maps, drawings, and records are unusually complete, and their value is great, though not capable of accurate estimate. In the judgment of the Commission, a fair allowance for these would be $2,000,000.

Summing up the foregoing items, the total value of the property is found to be:

Excavation already done	$27,474,033
Panama Railroad stock at par	6,850,000
Maps, drawings, and records	2,000,000
Total	36,324,033

to which add 10 per cent to cover omissions, making the total valuation of the Panama Canal $40,000,000.

This account does not "add up" by $43,564, but it allows for "omissions" $3,324,033.

Admiral Walker, in his deposition before the Committee on Interoceanic Canals, testified as follows:

ADMIRAL WALKER'S STATEMENT.

The CHAIRMAN. In some part of your final report you state that the value of the work, excavation and embankment, whatever work has been done there, the value of it at present, to be used in the completion of the canal, is $21,000,000.

Admiral WALKER. It is about $40,000,000.

The CHAIRMAN. No; you say $21,000,000.

Admiral WALKER. The total value of the Panama Canal property we sum up at $36,324,033, to which we add 10 per cent, making it practically $40,000,000.

The CHAIRMAN. Before that, in the same report, you say that the value of the work done there in the way of removal of earth, etc., as it stands at present, is $21,000,000.

Admiral WALKER. $27,474,000.

The CHAIRMAN. But at a previous place you stated that $21,000,000. I want to find that place.

Admiral WALKER. If it is here we can find it.

The CHAIRMAN. Yes; it is here.

Admiral WALKER. I think what you refer to is on page 101.

Canal excavation	$21,020,386
Chagres diversion	176,186
Gatun diversion	1,398,456
Railroad diversion (4 miles)	300,000
Total	22,895,028
To which is added for contingencies the usual 20 per cent, or	4,579,005
Making the aggregate	27,474,033

The CHAIRMAN. The value of the items of actual work done there is summed up here on page 101 at $21,020,386 for canal excavation and $176,186 for the Chagres diversion, $1,398,456 for the Gatun diversion, and for the railroad diversion, 4 miles, $300,000. That railroad diversion does not mean a diversion that has already taken place, does it?

Admiral WALKER. Yes, sir; it has already taken place. That is a part of the cost of the canal. They were obliged to divert the railroad in order to carry on the work of excavation through the Culebra cut.

The CHAIRMAN. But, as I understand it, we are not trying to find out what it cost the French to build the canal or any part of it, or the railroad or any part of it, but we are trying to find out what it is worth to us.

Admiral WALKER. Yes; exactly.

The CHAIRMAN. Well, why should it be worth $300,000 to us to divert that railroad?

Admiral WALKER. Because it was necessary to divert it, and it has been diverted, and the cost of diverting it is estimated at $300,000. The reason for that, Senator, is that the great Culebra cut comes through like that, we will say [indicating]. Now the railroad comes along down here on the right-hand side and goes around this hill, and then, crossing this cut right here [indicating], goes on here.

It had to be gotten out of the way, so they have brought the railroad down here [indicating] and carried it off, still on the right-hand side of the canal, away down to the westward, to cross lower down. It was in the way of the canal and had to be taken out of the way.

The CHAIRMAN. When that canal is completed, your plan is to return the railroad to that berme or bench?

Admiral WALKER. Probably; yes. That has been suggested; the railroad would probably be run through the cut.

The CHAIRMAN. So that we would pay for having diverted it $300,000, and then we would have to put it back at our own expense.

Admiral WALKER. Any changes or improvements we make after we own it, of course, we would have to pay for; but it is necessary to divert it here now and it has been diverted. The work has already been done.

The CHAIRMAN. Now, including that and these other diversions, the whole sum of value to us of this canal, as you estimate it, is $22,895,028.

Admiral WALKER. Plus the contingents.

The CHAIRMAN. Now, I want to get at the "plus the contingents." Why, after appraising the property at its actual present value, do this Commission put on that $4,579,005 for contingents?

Admiral WALKER. Because in making an estimate on a great piece of work it is not an exact statement of the cost, but it is an estimate. That is, it is an opinion, and it is customary among engineers, in estimating on all engineering work, to add to their estimates a percentage for unforeseen things—forgotten things, all kinds of things—that may turn up in the future.

Senator MITCHELL. Is there not a great difference, though, Admiral, between estimating on a great work to be done and estimating the value of a work already done?

Admiral WALKER. If we could get at the exact figures of all the work that had already been done, of course we should not have to estimate on it at all. We could give the exact figures.

Senator MITCHELL. But is not that the fact here? Here is a certain plant which you find there, which it is suggested that the United States buy.

Admiral WALKER. We made no estimate whatever on the plant. This is the work done.

Senator MITCHELL. I mean the property, the work that has been done there.

Admiral WALKER. Remember that the work which they have done has been done on a plan different from ours, and we are obliged to estimate its value under our plan.

The CHAIRMAN. I understand that the Commission were trying to arrive at the present value of the work already done.

Admiral WALKER. Yes; the value to the United States of the work already done; that is, its value on the plan recommended by the Isthmian Canal Commission.

The CHAIRMAN. Very good; that is what I understand. Now, that being so, and you having already estimated that that work is worth, including the railroad diversion, the Chagres diversion, and the Gatun diversion, is worth $22,895,028, how do you increase it above that by adding something for contingencies?

Admiral WALKER. We put on the same contingencies that we put on everywhere in our estimates all through, for errors of human judgment.

The CHAIRMAN. But that, as Senator Mitchell suggests, is for work that is to be done, and this is work that is already done.

Admiral WALKER. We put it on for the work that is done, because we are trying to value this work upon our plan, trying to get its value for our plan.

The CHAIRMAN. Now, I notice here, Admiral, in estimating these contingencies you put on 20 per cent, amounting to $4,579,005, and make a total aggregate of $27,474,033. I notice that on page 101. And then you put in that entire sum on page 102—$27,474,033?

Admiral WALKER. Yes.

The CHAIRMAN. And you put the contingencies on again at 10 per cent, so that there is a double contingency on the same work.

Admiral WALKER. You will find the reason for that in the supplemental report, Senator.

The CHAIRMAN. I should like to have you state the reason, whatever you think it is; but that is evidently a doubling of the contingencies. You make it first on the $27,000,000, and then make it again on the $8,850,000 added.

Admiral WALKER. In this supplemental report it states, referring to the 10 per cent:

"The last item being intended to cover any buildings, machinery, railroad shares, additional excavation to date of purchase, and other assets which may be of value to the United States that have not been included in the other items."

Now, one of these items, you will notice, is additional excavation to the date of purchase. We calculated on the excavation back a year and a half or two years. Suppose we purchase this; there will certainly be two years' additional excavation, which is included in that 10 per cent; and that two years' work would be valued. I should estimate that it would be worth about $2,000,000.

The CHAIRMAN. If the last estimate, on page 103, of 10 per cent on $8,824,033 covers buildings and machinery and the like of that, what does the first estimate of the 20 per cent, amounting to $4,579,005, cover?

Admiral WALKER. That covered errors of judgment and unexpected things of all kinds.

The CHAIRMAN. Errors in whose judgment?

Admiral WALKER. Our own judgment.

Senator HARRIS. Is it not possible, Admiral, that the contingency would be just as great that this work would not be quite as advantageous to the Government as that it would be more advantageous to the Government?

Admiral WALKER. My experience is that it is not. My experience is that one would be much more likely to underestimate than to overestimate on a great work.

Senator HARRIS. That is as to the original cost; but here we are estimating as to its value to the Government.

Admiral WALKER. Referring to these questions of contingencies, I will say now: I do not know whether the members of the committee know or not that the French offered us their property for $40,000,000, according to the estimate of the Commission made in this report.

Senator HARRIS. When was that offer made?

Admiral WALKER. It was made on the 9th of January.

Senator HARRIS. Was any definite offer ever made before that?

Admiral WALKER. No. In addition to what we estimated for specifically they turn over to us under this $40,000,000 their hospitals on the Isthmus, which they value at a little less than a million dollars. I can not tell you the exact amount; I should have to look that up; and they turn over to us what they call their private estate. The value of the two they estimated to be $2,000,000. They also turn over to us all their plant on the Isthmus, which they say has cost them, first and last, a very large sum, and which will probably be of considerable value in constructing the canal, although not estimated for by the Commission. Nobody can tell its value until it is put into use. It would be necessary to have their hospitals, of course, and from their plant, the hospitals, and what they call their private estate we would undoubtedly get property worth five or six million dollars, covering our contingent estimate.

Senator KITTREDGE. What is meant by the word "plant" in this connection?

Admiral WALKER. "Plant" means machinery, locomotives, cars, and railroad tracks—all the implements for carrying on their work.

Senator KITTREDGE. Independent of the Panama Railroad Company?

Admiral WALKER. Yes; independent of the Panama Railroad Company.

Senator HARRIS. Any of this plant belong to contractors?

Admiral WALKER. No.

Senator HARRIS. It all belongs to the company?

Admiral WALKER. Yes; they have an enormous plant there, but no man can now tell what its value is.

Thus it appears that we are required to give Colombia, in the first article of the treaty, lands that cost the United States $3,624,033.

The account, with the preference in cost in favor of the Panama Canal, stands thus:

Difference in estimate of cost	$5,630,704
Addition to cost of concessions, on the demand of Colombia	3,000,000
Cost of lands given to Colombia	3,624,033
Total	6,624,033
Making, under this treaty, the actual cost of the Panama Canal as estimated	144,233,358
With the items above added	6,624,033
Total	150,857,391
Cost of property added	40,000,000
Total	190,857,391

And the cost of the Nicaragua Canal is $189,864,062, which is $993,329 in favor of the Nicaragua route, if we ratify this treaty.

THE WAY SOME OF THE FIGURES ARE OBTAINED.

In the estimate of the value of the work actually done on the Panama Canal, as stated on page 101 of the report of the Isthmian Canal Commission, the sum of $4,579,005 is added for "Contingencies, 20 per cent." Questions asked Admiral Walker, when giving his depositions before the committee, developed the fact that this sum was added to the value of the work because that would be a fair allowance to the Panama Canal Company for its cost to them. This queer plan of adding the cost of the work to its money value is accounted for as being "an engineer's method" of valuing such property.

It is only padding the actual value by adding to it a contingent cost of 20 per cent.

When this sum of $4,579,005 is added to $2,000,000 for maps, drawings, and records, the conjectured cost of $6,579,005 is added to the cost of the Panama Canal, because it is not deducted from the $40,000,000 we are to pay to the Panama Canal Company, above the actual value of the property we are to get from that company. These items of cost are of no value to the canal and constitute a mere bonus for the contract.

As we will pay this sum for nothing that is of value, it should be added to the cost of the Panama Canal, and would run it up to $191,812,363, which is $2,948,301 more than the cost of the Nicaragua Canal.

The difference between the actual cost of the Panama Canal and the Nicaragua Canal, as estimated by the Isthmian Canal Commission, instead of being $5,630,704 in favor of the Panama Canal is $2,948,301 against that canal, as the cost is fixed by this treaty—a difference in actual cost for which we are so eagerly grateful that one who claims the time to show the facts to the Senate is denounced all over the country as a traitor and in the Senate as a filibuster—the one man who obstructs the public business.

RENT FOR RIGHT OF WAY.

In the first one hundred years of the lease, under this treaty, we are to pay Colombia $25,000,000 for the rent of the right of way for the canal and the railroad. In the same period we would have to pay Nicaragua $2,500,000 and Costa Rica $1,000,000, or $3,500,000—a difference in favor of the Nicaragua route of $21,500,000 for the use of the right of way for one hundred years.

We are required to pay Colombia and the canal company $50,000,000 spot cash for the property and the concessions. The interest on this sum, at 3 per cent, for one hundred years, is $150,000,000; total, $200,000,000.

We will pay Costa Rica and Nicaragua $7,000,000 spot cash, the interest on which, at 3 per cent, for one hundred years, is $21,990,000; total, $28,090,000.

The difference in favor of the Nicaragua route on account of right of way for one hundred years is $171,910,000, or about enough to build the canal if it was owned by private persons.

These figures can neither be disproved nor explained away, and they justify all that we can do to save the country from this bondage to Colombia and the fraud-infected and fever-cursed Panama Canal.

SPOONER AMENDMENT REPEALED BY TREATY.

When the Spooner amendment was adopted a state of facts had been settled between the United States and Colombia that made this blackmail apparently impossible, and it is impossible if that law is obeyed and enforced.

HONEST AND RESPECTFUL OBEDIENCE TO LAW.

I know of no personal or official obligation that is higher than honest and respectful obedience to the law. This is especially to be required at the hands of the President, both for the benefit of a high example and because of his official duty to see that the laws are enforced.

It is a duty to Congress also that Colombia should not be invited by the President, with the advice and consent of the Senate, to assist in repealing the canal law of June 28, 1902, by a treaty with Colombia. That power was not given him for that purpose.

That act was not passed with even the remotest reference to such a possibility. Surely it was not intended that party discipline should be employed to coerce the Senate to enter into such a raid upon that nonpartisan act of Congress, or that the President would decide to chide and reprimand the Senate for taking due time to deliberate upon his unprecedented effort to enact a supreme law, with the help of Colombia, which would necessarily repeal the canal act of June 28, 1902.

Such a repeal would be surreptitious, in the opinion of Congress, and the Senate should carefully shun such a possible imputation.

In several radical particulars this treaty repeals that act of Congress and is so intended. At this moment I will only state some of these repealing provisions found in the treaty:

First. The first section of that law authorizes the President, as

the agent of the Government, to purchase all the property of the New Panama Canal Company, situated in Panama, of every kind and character, whether it is real, personal, or mixed.

GRANT OF REVERSIONARY RIGHTS TO COLOMBIA.

Instead of obeying this law, the President agrees in this treaty that the land granted by Colombia to the railroad company and to the Panama Canal Company, in absolute right, which is outside of the canal zone, about 6 miles wide and 46 miles long, shall revert to Colombia.

Not having the power to make this agreement, under the law of June 28, 1902, he asks the Senate and Colombia to give him that power, which is a repeal of a most important provision of the statute, and a clear excess of the powers conferred on him.

CANAL ZONE 46 INSTEAD OF 150 MILES LONG.

Second. The act of June 28, 1902, requires a canal zone to be obtained by treaty with Colombia, that extends from ocean to ocean. Instead of that, the President employs the special power to make such a treaty, granted by Congress on his application, to obtain a canal zone that extends only across the terra firma of the Isthmus, and is not more than 46 miles long, instead of being more than 150 miles long, as is required by that act of Congress, and he excludes from it the cities of Panama and Colon, which are included by the act of Congress.

CONTROL INADEQUATE.

Third. The act of June 28, 1902, requires the President to obtain by treaty with Colombia the perpetual control of the canal and the canal zone, which control is exclusive in its character, as defined in the act, and is fixed by the settled public policy of the United States as declared by all our Presidents and Secretaries of State since Lincoln.

Instead of this, the treaty before the Senate only provides as matter of right on behalf of the United States the control of the canal for a term of one hundred years, as a lessee and not as owner, and the privilege to exercise joint control with Colombia in the administration of the laws by courts of local and maritime jurisdiction, which courts must act under the laws of Colombia, no other laws being provided for in the treaty as being of force in the canal zone to regulate the jurisdiction or the proceedings in the courts, or to enforce their judgments or decrees.

UNITED STATES DENIED RIGHT TO PROTECT OR DEFEND CANAL AGAINST AN ENEMY.

Fourth. A joint control with Colombia in matters relating to police and the preservation of the health of the canal zone is also created by this treaty contrary to the act of Congress. This treaty violates that act of Congress which provides for the protection of the canal by refusing to the United States the right to protect or defend it against any enemy, or against the soldiery of Colombia, so long as Colombia shall choose to exercise that power; and it forbids the presence in the canal zone of any military forces of the United States, except in the event of extreme necessity, and then only until Colombia shall undertake that duty with her own forces.

This provision violates the spirit of the entire act of June 28, 1902, and the letter of every provision of that law that relates to the protection and defense of the canal, or of our people engaged in its construction and operation, and of our ships and commerce passing through the canal.

Other flagrant violations of the act of Congress above referred to are found in this treaty, which will be pointed out further on in my remarks.

Any one of those I have mentioned repeals the act of June 28, so far and so effectually, and to substitute this treaty in its stead as the supreme law of the land, and, so changed, the money appropriated in the act can not be paid out by the President for these new and different purposes.

ATTORNEY-GENERAL PROMISES TO PAY THE $40,000,000.

It is not to be supposed that any public officer will so far transgress the law as to pay or apply money drawn from the Treasury on his warrant to purposes essentially different from those that are stated and defined in the act of Congress that makes the appropriation.

Yet the public prints contain what is alleged to be a promise of the Attorney-General made to the New Panama Canal Company that the President will pay the $40,000,000, appropriated upon certain conditions, for the purchase of certain property of that company when this treaty is ratified. The alleged letter of the Attorney-General has not been sent to the Senate, but it appears in the public prints as follows:

WASHINGTON, D. C., *February 16, 1903.*

M. BÔ, *President of the Council of Administration of the Compagnie Nouvelle du Canal du Panama, No. 7 Rue Louis-le-Grand, Paris, France:*

By direction of the President of the United States I have the honor to say that the offer of the new Panama Canal Company, as contained in your telegrams of January 9 and 11, 1903, through Admiral Walker, to sell the property and rights of the company on the Isthmus of Panama and in Paris, to which offer M. Gautron, liquidator of the Universal Interoceanic Panama Canal Company, assented, with the approval of the civil tribunal of the Seine, is hereby accepted, subject to modifications of articles 21 and 22 of the concessionary contract by the ratification by both countries and the going into effect of the pending treaty concerning the Panama Canal between the United States and Colombia, now signed and awaiting ratification. The President desires that the proceedings necessary to the transfer of the title and possession of the property be forwarded as soon as possible to end that when the pending treaty is ratified and goes into effect nothing will remain to be done but to consummate the transaction by the delivery of possession and the payment of the consideration.

P. C. KNOX, *Attorney-General.*

NOT AUTHORIZED TO DO SO BY TREATY.

Now, I firmly insist that no provision is in this treaty, and none can be made in it, whereby that appropriation can be diverted to the purpose stated by the Attorney-General in his letter, because that act of appropriation can not apply to the contracts that are proposed to be made by this treaty.

Colombia can not unite with the President and the Senate in making a law appropriating money in the Treasury of the United States for any purpose, and any money to be drawn from the Treasury for any purpose can only be drawn out or paid in pursuance of an act of the Congress of the United States.

It is a dangerous and reckless promise that the Attorney-General has made to the New Panama Canal Company in the letter I have quoted. It is an open defiance of the act of June 28, 1902, which strictly prescribes the conditions on which the President can draw the money from the Treasury on his warrant.

Moreover, it was a needless promise, made to prevent the New Panama Canal Company from withdrawing its offer to sell what it claims as its property after March 4, 1903, for $40,000,000. A company that would lower its offer of this property from $109,000,000 to $40,000,000 as suddenly as a stone would drop 100 feet can not be taken seriously as to any bluff its lawyer may make at our Attorney-General.

This false play that has caused such apparent consternation at the White House has only created merriment throughout the world. This alarmed condition seems to have been quieted by some arrangement of which the Senate has no official information. We are advising and consenting to an arrangement that is expressly provided for in the first article of the treaty now before the Senate, and is permitted by the act of June 28, 1902, without being informed as to its terms or being allowed to know whether it conforms to that law.

THE TREATY-MAKING POWER OF THE PRESIDENT AND SENATE.

Having in this brief way stated some of the reasons why I can not support this treaty, and having prepared a substitute for it, by way of amendment, which accepts the Panama route and attempts to secure the rights that every American demands for his country, to which I respectfully ask for criticism or amendment, I will now proceed to state some objections to the manner in which this treaty is brought before the Senate and to the refusal of the President to reply to the request of the Senate for information touching the advice and consent he requests of the Senate, and which the Constitution requires this peculiar and powerful tribunal to give the President on such occasions.

I am well aware that some Presidents have regarded such advice and consent as intrusions upon some fancied prerogatives they have supposed that they possessed in virtue of the office. I have read our constitutional history amiss if there is a shred of the prerogatives of the English kings left to taint our constitutional system with the virus of this baneful pretension, and I hope our President is immune from that illusory imagination.

The special tribunal, composed of the President and the Senate, which has exclusive jurisdiction of the making of treaties under our Constitution, has the immense power of enacting supreme laws for the United States.

These laws repeal statutes with which they are in conflict, even by construction.

A foreign government must concur in these laws to make them operative in the United States, and they must receive the affirmative vote of two-thirds of a quorum of the Senate. They are not still operative until there is an exchange of the ratifications of the treaty between the two governments, and until the President of the United States has publicly proclaimed such ratification and the exchange of the evidences thereof by the respective powers. The exchange of the ratifications is a mere verification of the records containing the enactments by the two governments, and the proclamation, like the exchange, is a ministerial act.

If a treaty ratified by one power is amended by the other, there is no enactment, but only a negotiation that is not concluded. In such a case the President can decline to continue the negotiation.

When the question of ratification is submitted to the Senate its right to advise the President begins, and when it votes on the question of ratification, with or without amendment of the treaty, its consent is finally expressed. The President has no veto on the vote for the ratification of a treaty, or for its rejection.

The "advice and consent" of the Senate is a limitation on the power of the President, which in monarchic governments is a

prerogative of the Crown, and has no need of assistance from any other department of the government.

The President may be present and participate in the deliberations of the Senate on a treaty, and must therefore be bound to give the Senate full information as to any matter of fact or of opinion that relates to the question of ratification, with or without amendment. Any other rule would annul the constitutional right of the Senate to advise the President, and he can have no right, on grounds of public policy, to refuse to give such information to the Senate, his coordinate department in this joint constitutional tribunal.

Whatever the President may have the right to withhold from the Houses of Congress, on grounds of public policy, he can not withhold from the Senate, when it is considering a treaty submitted by him, such information as he may possess, and especially such as is in the custody of the heads of departments and is found in the archives of the Government, when information is called for by a resolution of the Senate, without committing a distinct and grave breach of the privileges of the Senate.

INCREASE IN PRICE OF CONCESSION.

In this case a question of serious importance, that affects the honor of our dealings with the hostile factions in Colombia as well as the correct policy of the Government, has been raised by two undisputed facts, namely, that the price of the concession provided for in the treaty before the Senate is greater by $3,000,000 than the sum which Colombia agreed to accept, in diplomatic notes exchanged between our Secretary of State and the minister of Colombia on the 18th, 21st, and 23d of April, 1902, which are as follows:

LEGACION DE COLOMBIA,
Washington, D. C., April 18, 1902.

SIR: Confirming the conclusions reached as the result of the conference held between yourself and Mr. Cromwell and adopting, as far as practicable, your valuable suggestions, I beg leave to hand you the concessionary convention or treaty (in Spanish and in English) embodying the amendments agreed upon in the conference referred to.

My previous communication of March 31, 1902, proposing the concessionary convention or treaty in behalf of my Government, and the expository communications of myself and Mr. Cromwell, under the same date, apply equally to the inclosures.

Awaiting the pleasure of your excellency, I have the honor to renew the assurances of my high consideration.

J. V. CONCHA.

Hon. JOHN HAY,
Secretary of State of the United States, Department of State.

DEPARTMENT OF STATE,
Washington, April 21, 1902.

SIR: I have the honor to acknowledge receipt at your hands of a communication dated the 31st of March, 1902, and another of the 18th of April, inclosing a proposal of the Republic of Colombia for a concessionary convention or treaty between the Republic of Colombia and that of the United States of America respecting the completion, maintenance, operation, control, and protection of an interoceanic canal over the Isthmus of Panama.

I am directed by the President to inform you that I shall be ready to sign with you the proposed convention as soon as—

First. The Congress of the United States shall have authorized the President to enter into such an agreement; and

Second. As soon as the law officers of this Government shall have decided upon the question of the title which the New Panama Canal Company is able to give to all the properties and rights claimed by it and pertaining to a canal across the Isthmus and covered by the pending proposal.

Accept, sir, the renewed assurances of my highest consideration.

JOHN HAY.

Señor DON JOSE VICENTE CONCHA, etc.

[Translation.]

LEGATION OF COLOMBIA,
Washington, D. C., April 23, 1902.

SIR: I have the honor to acknowledge the reception of your excellency's communication of the 21st instant, by which you are pleased to inform me that you are authorized by the President of the United States to sign with the Republic of Colombia the treaty relative to the opening of the Panama Canal, and the other details connected with the said work, in accordance with the draft I submitted to the Government of the United States on the 18th instant, and that you will proceed to do so as soon as permission shall have been given by the Congress of this Republic and as soon as the official lawyers shall have given their opinion regarding the title of the new canal company for the transfer of its rights.

When the occasion to sign the above-mentioned treaty shall arise, I will present, according to usage, the full powers authorizing me to do so.

Accept, excellency, the sentiments of my high consideration.

JOSE VICENTE CONCHA.

Hon. JOHN HAY,
Secretary of State of the United States,
Department of State.

The treaty thus agreed to offered the concession to the United States, in Article XXV, for $7,000,000, and the present treaty demands $10,000,000 as the price.

PROMISE TO PAY $3,000,000 TO INSURRECTOS.

Another fact is alleged—that at the capitulation of the insurrectos in Panama, the promise was made by the Colombian Government to pay them $3,000,000 of the money to be paid, as provided by this treaty, as the reward for their pacification. Those statements were in the newspapers of Colombia soon after the capitulation. No editor would have dared to print them without the permission of the Government.

Recently there came to me by mail, and without any accompanying letter, a Costa Rican newspaper, which I hold in hand, that contains letters that passed between General Herrera, who is, practically, the dictator of Colombia, while Marroquin nominally holds that bad eminence, and General Vireros, who was one of the rebel victors at the then recent siege of Agua Dulce.

EVENTS IN COLOMBIA.

BENJAMIN HERRERA.

Messrs. G. VARGAS SANTOS, FOCIÓN SOTO, MODESTO GARCÉS, LUCAS CABALLERO, ROGELIO LÓPEZ, B. CAMACHO, F. F. NORIEGA, Y C. RODRIGUEZ, O. D. S. H.:

In view of the hyperbolical and even inexact eulogies with which you have courted Gen. Benjamin Herrera, which are published in La Republica of the 7th instant, I take the liberty of transcribing the letters which passed between your honored Herrera and Gen. Cupertino Viveros, hoping that after having read same you will be so good as to tell me where lies the boasted honor of this miserable gentleman, and how you can to-day sustain the eulogies of yesterday.

Notice must be taken of the fact that all the inhabitants of the Isthmus of Panama are witnesses of the statements of General Viveros, and his principal victims, the ladies Candanedo, of David, will not permit me to lie.

"ON BOARD OF THE BOYACÁ, *December 15, 1902.*

"Gen. CUPERTINO VIVEROS:

"I know that before various personal friends, members of the united army, under the guise of confidence you confirmed the calumny that the treaty of peace which has put an end to the war was obtained by money.

"It is your duty, if you in any wise esteem your honor, to say why you make yourself responsible for such a vile statement—why make a statement which would morally equally dishonor the contracting parties. If you do not do so, I must be left to believe that you are the author of this infamy, fit only for cowardly characters.

"Yours, truly,

"B. HERRERA."

"PANAMA, *December 23, 1902.*

"Gen. B. HERRERA:

"With reference to the letter which you directed to me on board the *Boyacá*, dated the 15th instant, the invective to which you refer has had its origin in the revolutionary camps, where, as is obvious, you have enemies who have thought it opportune to deprive you of the credit of all sentiments which may have moved you to conclude the peace.

"If they have calumniated you, I ignore it, because I know no more about the matter than what has been published; but I am inclined to doubt the truth of any imputation in this respect, because in order to disgrace you it would not have been necessary to show you up as a mercenary man before the Government after having been master and arbiter of the public wealth of the Isthmus under circumstances where, in order to take away from the proprietors the fruits of long years of honorable labor, you make use of oppressions from which you do not expect venerable and respectable matrons, infamies which could not be inspired but by the most cowardly characters.

"Yours, truly,

"CUPERTINO VIVEROS."

I now conclude this debate for various reasons: Firstly, because my object to defend Gen. Uribe-Uribe is accomplished; secondly, because it is a matter entirely offensive to the country; and, thirdly, because I lack the means of getting my publications through the press, a most disadvantageous fight against those who possess the fruits of the depredations made by Herrera on the Isthmus.

Besides, these interesting panegyrics will not bear analysis and to be confronted with accomplished facts, nor will succeed in disinfecting this whited sepulcher.

ULPIANO B. SENCIAL.

SAN JOSE, *February 10, 1903.*

Whichever of these prominent men may be correct, the fact is established that the military camps in Panama were rife with the assertion that this $3,000,000 we are to pay in addition to the $7,000,000 agreed to by Colombia in April, 1902, was promised to the insurgents for their capitulation.

As $3,000,000 is not provided for in the act of June 28, 1902, to purchase the ascendancy of the Marroquin church party in Colombia, I offered a resolution in the open Senate, which was adopted, with an amendment, that respectfully requests the President to send to the Senate any reports that are in the Navy Department, from our officers who were in Panama in 1901 or 1902, touching that capitulation and the condition of the civil war in that region.

The resolution offered by me is as follows:

MILITARY OCCUPATION OF BAYS OF PANAMA AND COLON.

Resolved, That the Secretary of the Navy is directed to send to the Senate copies of all reports and of all correspondence in the Navy Department with naval or other officers of the United States on duty in the bays of Panama and Colon since April, 1902, which relate to the military occupation of said bays and the regions between them, and the cities of Colon and Panama, by the forces of the United States, or that relate to the operation of military or police forces of Colombia or of any insurgents that were in arms against the Government of Colombia in that region of country since April, 1902; or that relate to any measures of any officers of the United States to bring about the pacification of that region or any intervention by such officers to that end; or that relate to the terms and conditions of the surrender of insurgent forces in that quarter to the forces or authorities of the Republic of Colombia.

It can not be assumed that because the President has paid no respect to the request of the Senate his silence is proof that the records of the Navy Department contain no reports on that subject. On the contrary, it must be in the nature of things that our officers who were then exercising military surveillance and command over the Panama Canal and railroad lines did report the terms of the surrender of the insurrectos, which was largely influenced by the friendly intervention of Admiral Casey. I hoped,

for the honor of our country and the permanent peace of Colombia, that these reports were unfounded, for we see from the recriminations of these generals in their correspondence at the time that this was a very sore subject.

If the President needs the advice of the Senate on that point, or if it is the constitutional right of the Senate to give it, he should furnish these facts, or the refutation of their false assertion, on the request of the Senate.

Ample time has elapsed for a reply and none has come, so that this respectful request of the Senate must be considered as being either impertinent or idle.

"THE KING CAN DO NO WRONG."

It will not do to permit this matter to be drawn into precedent, or the Senate will become the mere passive register of the edict of the President, that when he submits a treaty to this tribunal for ratification we must accept it without inquiry, on the maxim that "the king can do no wrong," and that a knowledge of the facts is not essential to the value or the importance of the advice the Senate is to give, on oath, to the President.

Complaint is made of me, with fierce determination, that I will not act, on my oath, until I am properly informed as to the facts on which this unexampled treaty is urged to the stage of ratification. I will endure it longer and with more satisfaction than the Senate can endure this breach of its constitutional privilege, as the adviser and coworker with the President in the enactment of this treaty as the supreme law of the United States, in respect of the ownership and control of an isthmian canal, to be constructed with the money of our people.

VIEWS OF MINORITY IN RELATION TO PANAMA CANAL CONVENTION WITH COLOMBIA.

I introduced in the Senate other resolutions, as follows:

FEBRUARY 3, 1903.—Mr. MORGAN submitted the views of the minority on his resolution of January 26, 1903, in relation to the Panama Canal convention with Colombia, signed January 22, 1903; which were ordered to be printed in confidence for the use of the Senate.

The majority of the committee having reported adversely to the adoption of the following resolutions of inquiry, I am constrained to state my reasons for asking the Senate to adopt them:

SECTION 1. *Resolved*, That the President is requested, if it is not incompatible with the public interests, to inform the Senate as to the alleged full powers of Señor Herran, chargé d'affaires of Colombia, who signed the treaty between the United States and Colombia that was sent to the Senate on the 23d of January, 1903, for ratification, to negotiate and sign the same.

2. And that he send to the Senate a copy of the powers of said negotiator, and that he will inform the Senate under whose authority Señor Herran acted in negotiating and signing said treaty.

3. And that he will inform the Senate whether the person who gave such authority is the lawful President of the Republic of Colombia, and when he was elected to said office, or whether he is acting as the dictator or military ruler of that Republic.

4. And further, that he will inform the Senate whether any Congress elected under the constitution of the Republic of Colombia is now in commission or in existence in that Republic, and whether any elections have been held in Colombia for members of Congress during or since the civil war in that Republic; and in what departments thereof members of Congress have been elected, and when they were chosen, by whom they were chosen, and when.

5. And that he will inform the Senate what elections are called, or directed to be held, for members of Congress in Colombia, and by whose authority they are required to be chosen, and whether such elections are for a full term of Congressional sessions, or for a special session of the Congress of Colombia, and whether such special session is to be held for any and for what special purpose.

6. And that he will inform the Senate at what date will the elections for members of Congress of the Republic of Colombia be completed, so as to fill up the constitutional quota of full representation in said Congress.

7. And that he will further inform the Senate whether the civil war in Colombia has ceased in all the departments of that Republic, and when, and by what act, agreement, decree, or proclamation the pacification of that Republic has been declared or established; and whether, and to what extent, military law or military government obtains in the Republic of Colombia.

8. And further, that he will inform the Senate whether there is any, and what, provision in the constitution or in the laws of Colombia that empowers the President of the Republic of Colombia to sell, or to authorize the Panama Canal Company to sell, to the United States any concession it may hold under the laws of Colombia for the construction of an isthmian canal at Panama without the consent of the Congress of Colombia first had and obtained; and whether such sale, or offer to sell, or any such consent to a sale thereof, is not an unlawful act and violative of the constitution and laws of Colombia.

9. And that the President will inform the Senate whether the act of Congress, which was not sent to the Senate with the text of the treaty with Colombia, and is described in the precis of the treaty, as follows: "The Congress of the United States of America having passed an act approved June 28, 1902, in furtherance of that object, a copy of which is hereto annexed," is a part of the agreement between the contracting powers, or is in any, and in what, respect to be so treated by the Senate, or is treated or regarded by said powers as a part thereof; and if so, for what purpose the same is regarded as a part of said treaty, and whether said act of Congress and the text of said treaty are, by agreement between said powers, to be construed in connection, the one with the other, in the interpretation of the meaning of said treaty or of said act of Congress; and that he inform the Senate whether a copy of said act of Congress was annexed to the part or copy of said treaty that was signed and delivered to the diplomatic agent or chargé d'affaires of the Republic of Colombia by the Secretary of State of the United States of America as the act of this Government.

10. The President is also requested to send to the Senate copies of any agreements between Colombia and either of the Panama canal companies, or any laws or decrees of any Government in Colombia that relate to a zone of territory along the route of the canal to be constructed in Panama or to the Panama Railroad, and to inform the Senate whether such zones of territory were in all respects the same and include the same area and extent that is particularly prescribed in article III of the treaty with Colombia and referred to elsewhere in said treaty now pending in the Senate, or, if said canal zones are different, in what respect do they differ.

These resolutions were voted down in committee, and afterwards in the Senate, for reasons that are answered effectually, as I believe, in a minority report I submitted to the Senate. As I have no hope of getting the information called for in time for the action the Senate will take on the treaty, it is useless to ask a vote of the Senate upon them. I endeavored to get a statement of the matters called for on application to the Secretary of State by letter, and having failed, I must rely upon other sources of information for some knowledge of what has been done and is being done in Colombia.

FORTUNATE TREATY WAS NOT RATIFIED BEFORE MARCH FOURTH.

It is stated in the newspapers that an election for members of Congress was held in Colombia on the 6th of March. I am glad that this treaty was not ratified before the 4th of March, when Colombia was in utter collapse as a constitutional government. It may be possible that a constitutional government there has begun to be instituted by the votes of that people and that we will be thereby saved from the ridiculous and dangerous attitude of sending a ratified treaty to a government that was perdu.

I am glad that I had the strength to save our country from this reproach which the Liberal party in Colombia would visit upon the intemperate heat of our cupidity.

CONSTITUTIONAL GOVERNMENT CAN NOT BE CREATED IN COLOMBIA BY DIPLOMATIC RECOGNITION.

I am unable to admit that the President can create a constitutional government in Colombia by his mere diplomatic recognition. The answer to these resolutions would show, what all the world believes, that Colombia has no Congress in existence, and can have none until a state of peace and constitutional civil rule has superseded the military dictatorship of Marroquin, that has existed in Colombia since 1898 and will continue until the organic autonomy of the State has been restored.

I can not conceive of a treaty as being of undisputed validity that is made on behalf of a people who are in the distress and agitation of civil discord which concedes vastly important rights to the United States, covering the perpetual control of a canal zone that cuts a department into two parts, when only a dictator holds the reins of power and one of its organic departments—the Congress—is not in existence.

Much less can I believe that an acquisition of such territorial rights in Colombia will be accepted or endured by the present or the future generations of Colombia, and especially by the gallant and intrepid natives of Colombia who belong to the great Liberal party of Spanish America.

FACTS NOT FURNISHED.

I do not know the facts relating to this serious situation that must be in possession of the Government. I have called for them, and the Senate has refused to request the President to furnish them from the records of the Department of State. I must be pardoned if, trying to find my way where the light is purposely obscured, I am reluctant to move with reckless precipitancy. I have no President to drive me through so dark a labyrinth, and no steering committee to pilot me, and I must move with caution.

There is still another phase of the present situation to which I will draw attention, in the defense of my own attitude on this treaty, against unjust criticism in the Senate, and to refute base falsehood and misrepresentation elsewhere.

TREATY NEEDS AMENDMENT.

I insist that the treaty needs amendment, and Senators, including the chairman of the Committee on Foreign Relations, admit that some of the amendments offered in the committee would improve the treaty and make it more acceptable to our people.

I confess that I can not understand the grounds on which we can justify our failure to do for our country what is right and deserves to be done. We are not treating with a power that has subdued us and from whom we are asking quarter, nor are we praying for compassion at the hands of Colombia or the New Panama Canal Company. I scout this idea as the mere makeshift of a deceiver who would prefer to dishonor his country rather than lose the advantage of a supposed bargain or disobey the command of the President.

If we lose this bargain, are there not others greatly to be preferred that await our acceptance? Do we suppose that the American people do not see the deception that we so cordially embrace? Being in no strait of necessity, we can not refuse to do what is right and dutiful as Senators, unless the Senate means to surrender its independence of thought and action to the arbitrary demand of the President.

"A GALLEY SLAVE OF COLOMBIA."

I can not follow those who would sink the glorious prestige of the United States to the humiliation of a galley slave of Colombia. The desire of the President for what he may conceive to be a

brilliant coup d'état, executed in company with Marroquin and the New Panama Canal Company, if he entertains that questionable ambition, suggests to me the need of a more patient conservatism among Senators as his constitutional advisers.

DESCENT ON VENEZUELA.

William II and Edward VII, followed by Italy with a gleaner's basket, recently made a brilliant descent on Venezuela, and when the Indians of the Andes, led by Castro, manned the forests to welcome their armies to hospitable graves, they thought to confer renown upon our President by asking him to show them the nearest and best road home. These old Senators fairly sat down upon our youthful hero, who desired a place in that picture, and saved him from himself and saved the country from war.

The weakest man in this Senate is not to be despised if he should venture to check the wild and foolish idea that a war with any faction of Colombia, not to mention the mountain provinces, waged to obtain what we want, and are too weak or too cunning now to demand, is so trifling an obstacle to our cupidity that it deserves no consideration.

NOTWITHSTANDING ITS DEFECTS TREATY MUST BE ACCEPTED WITHOUT AMENDMENT.

I have heard Senators announce that we must have this treaty, without amendment, no matter what its defects may be, because Colombia will reject it if any amendment is made to it.

I believe, but I do not know, that this is also the demand of the President, in which belief I find strong confirmation in his special message to the Senate, in which he ventures to administer to some Senators a severe and undisguised rebuke for the failure to ratify this and the treaty with Cuba.

Some day he may thank the Senate for modifying the strenuosity of his conviction that he needs no constitutional advisers.

The true Lord of Hosts is not always pictured as "the man on horseback."

AGGRESSIVE TEMPER FROM WHICH NO GOOD CAN COME.

I have heard other Senators argue that a war with a faction in Colombia, or with Colombia, is too insignificant an obstruction to divert us from asserting full practical sovereignty over a canal zone, or for that matter over Panama, once we have a foothold there under this treaty; and some of the influential journals, whose articles I have copied in the RECORD, assert our right to enter Colombia under concessions that we can purchase from the Panama Canal Company, and being once in possession we should compel that half-civilized country to do what is best for the United States and for Colombia.

I do not state these wild views to criticise them, but to show the aggressive temper from which no good can possibly come to the country. Such conceptions of honor among nations, urged upon us by men of large influence, are utterly derogatory to our country.

I have tried, not wholly in vain, to penetrate the darkness that enshrouds the recent history of Colombia, which darkness is made palpable by the refusal of the President to give the light that may be found in the Government archives in the custody of his Cabinet. I have found enough to justify me, indeed to require me, to vote against this treaty if it is not amended in some necessary particulars.

DEFORMITIES OF THE TREATY.

Turning to the treaty itself and the act of Congress that gave the President limited powers to treat with Colombia for canal concessions, and also to the convention agreed upon between Mr. Hay and Mr. Concha in April, 1902, I find all the light that is needed to reveal its deformities, its unworthy spirit, and its deep humiliation to the United States.

In other papers I will discuss more fully the special questions involved in this treaty that are dangerous to our welfare and derogatory to the character of the United States, and I will close my remarks as to this general review of the situation by stating a few of the difficulties which it is impossible for me to avoid in any effort to reconcile my sense of duty with the support of this treaty.

In making this treaty the President essays to repeal the act of June 28, 1902, by a treaty with Colombia which he seeks to make the supreme law of the land, or else his purpose must be to violate that law, for the two laws can not stand together and that which is latest in date must prevail.

HOW THE TREATY VIOLATES THE ACT.

This treaty violates the letter and spirit of the act of June 28, 1902, in this:

(1) That it surrenders to Colombia 1,295,480 acres of land that is purchased under its provisions from the Panama Canal Company, at a cost of $3,624,033, as I have above shown.

(2) That it pledges the United States, as guarantor, of $1,000,000 to be paid to Colombia for canal stock, while we disclaim any liability on that account.

(3) That it yields to Colombia the concessionary right which we purchase from the Panama Canal Company of the exclusive right to construct in Colombia canals or railroads to connect the oceans.

(4) That it pledges the United States to the perpetual obligation of the treaty of 1846-1848 with New Granada.

(5) That it prohibits the acquisition of territory by the United States in any part of Central or South America for all time to come, while it leaves Colombia under the civil or temporal supremacy of the Holy See of Rome by our silent acquiescence in the concordat of 1888 and its direct application to our citizens in Colombia and in the canal zone, whereby the foundation principle of the Monroe doctrine is abandoned, under our treaty obligations that our people should be subject to all the laws of Colombia while residing in that country or in the canal belt.

(6) That we are made to guarantee the autonomy and independence of every State in Central and South America.

(7) That we agree to pay Colombia $10,000,000 cash for the rental of the canal belt, for which she bound herself to accept $7,000,000 in April, 1902, by a diplomatic covenant, on which Congress acted in giving the preferential selection to the Panama route over the Nicaragua route, thereby ratifying and applauding an act of blackmail by a public treaty.

(8) That the treaty, in connection with the fifth article of the concession of 1878 to N. B. Wyse, prohibits us from sending our ships of war through the canal built with our money, without the express consent of Colombia, given by special treaty or by her act of Congress, when we are at war with any other people or government.

(9) That, contrary to the act of June 28, 1902, the United States can only exercise police powers in the canal zone, in conjunction with Colombia, for the protection of the canal or our property phere, or the property of the people of other nations there, or in treserving the peace or the health of that zone.

(10) That the cities of Panama and Colon are excluded from the canal zone, as the four islands in the Bay of Panama which belong to the canal company are excluded, when the act of June 28, 1902, included them in that zone.

(11) That Colombia reserves the right, in the canal zone fixed by said act, which extends from the Atlantic to the Pacific oceans, to establish ports, under her exclusive jurisdiction, between the ports that the United States is allowed to open inland and the open ocean, thereby enabling Colombia to completely control those outside ports in ways that would, under this treaty, lawfully obstruct their free and convenient use as canal ports.

(12) That this treaty excludes the idea that the United States can erect fortifications at or near Colon, or on the four islands in the Bay of Panama that command the canal zone and its Pacific entrance, even to resist the fortress at Panama, which the act of Congress includes in the canal zone, or to protect the canal and the railroad against foreign assault, or from being raided by hostile parties in Colombia.

(13) That this treaty deprives the United States of all right to land military forces in the canal zone, except in cases of unforeseen and extreme danger to the canal, or to protect the canal against any foe unless Colombia is unwilling or unable to give such protection with her own forces, and it requires that our forces shall be instantly withdrawn from the canal zone when the forces of Colombia appear on the ground to take charge of the interruption.

I will not now continue this outline of the most prominent objections to this treaty.

The last one I have stated is the feather that breaks the back of the camel, which was loaded upon the patient burden-bearer by the New York lawyer who is the most prominent actor on this dreary stage. Doubtless he expected that we would pay Colombia something for relieving us from this horrible disgrace, but our humility would not permit us to assert ourselves even to this extent, and it turns out that the camel's back will break under this burden if the Senate agrees to it, and those who insist upon loading this insult upon the United States will have a long and painful leisure for repentance.

After one hour and ten minutes spent in executive session the doors were reopened and (at 1 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 10, 1903, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 9, 1903.

COLLECTOR OF CUSTOMS.

George E. Marshall, of Maine, to be collector of customs for the district of York, in the State of Maine, to succeed Edward H. Banks, resigned.

RECEIVER OF PUBLIC MONEYS.

David L. Geyer, of Roswell, N. Mex., to be receiver of public moneys at Roswell, N. Mex., his term having expired. (Reappointment.)

ASSISTANT SURGEON IN THE NAVY.

Clarence F. Ely, a citizen of Pennsylvania, to be an assistant surgeon in the Navy, from the 6th day of March, 1903, to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE ARMY.

Signal Corps.

Maj. Richard E. Thompson, Signal Corps, to be lieutenant-colonel, March 2, 1903, to fill an original vacancy.

Corps of Engineers.

1. First Lieut. Meriwether L. Walker, Corps of Engineers, to be captain, December 23, 1902, vice McGregor, deceased.
2. First Lieut. Robert P. Johnston, Corps of Engineers, to be captain, January 29, 1903, vice Burr, promoted.
3. First Lieut. Robert R. Raymond, Corps of Engineers, to be captain, February 20, 1903, vice Beach, promoted.
4. Second Lieut. Edward N. Johnston, Corps of Engineers, to be first lieutenant, December 23, 1902, vice Walker, promoted.
5. Second Lieut. Clarence O. Sherrill, Corps of Engineers, to be first lieutenant, January 29, 1903, vice Johnston, promoted.
6. Second Lieut. John H. Poole, Corps of Engineers, to be first lieutenant, February 20, 1903, vice Raymond, promoted.

Cavalry Arm.

7. Lieut. Col. Charles A. P. Hatfield, Fifth Cavalry, to be colonel, March 2, 1903, vice Dimmick, unassigned, retired from active service.
8. Maj. Frank West, United States Cavalry, inspector-general, to be lieutenant-colonel, March 2, 1903, vice, Hatfield, Fifth Cavalry, promoted.
9. Second Lieut. Nathaniel M. Cartmell, Seventh Cavalry, to be first lieutenant, February 17, 1903, vice Kennington, Tenth Cavalry, promoted.
10. Second Lieut. Otto W. Rethorst, Fourteenth Cavalry, to be first lieutenant, February 22, 1903, vice Parsons, Fourth Cavalry, promoted.

Infantry Arm.

11. Second Lieut. William B. Graham, Fifteenth Infantry, to be first lieutenant, December 29, 1902, vice Welborn, Ninth Infantry, promoted.
12. Second Lieut. E. Alexis Jeunet, First Infantry, to be first lieutenant, December 30, 1902, vice Lyle, Fourteenth Infantry, promoted.
13. Second Lieut. De Witt C. Lyles, Twelfth Infantry, to be first lieutenant, December 31, 1902, vice Williams, Second Infantry, promoted.

POSTMASTERS.

ARIZONA.

Oregon D. M. Gaddis, to be postmaster at Kingman, in the county of Mohave and Territory of Arizona, in place of Oregon D. M. Gaddis. Incumbent's commission expired February 14, 1903.

COLORADO.

J. T. Martinez, to be postmaster at Pagosa Springs, in the county of Archuleta and State of Colorado. Office became Presidential January 1, 1903.

George N. Raymond, to be postmaster at Durango, in the county of La Plata and State of Colorado, in place of Samuel M. Biggs. Incumbent's commission expired March 2, 1903.

George H. Shone, to be postmaster at Alamosa, in the county of Conejos and State of Colorado, in place of Horace H. Dubendorff, removed.

FLORIDA.

Thomas S. Harris, to be postmaster at Liveoak, in the county of Suwanee and State of Florida, in place of Thomas S. Harris. Incumbent's commission expired December 20, 1902.

ILLINOIS.

Lester B. Knickerbocker, to be postmaster at Bradley, in the county of Kankakee and State of Illinois, in place of Edward C. Schumacher. Incumbent's commission expired May 4, 1902.

Henry C. Paradis, to be postmaster at Momence, in the county of Kankakee and State of Illinois, in place of Jefferson O'Brien. Incumbent's commission expired March 3, 1903.

INDIANA.

David A. Lambert, to be postmaster at Muncie, in the county of Delaware and State of Indiana, in place of David Cammack. Incumbent's commission expired March 3, 1903.

KANSAS.

David J. Keller, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas, in place of James W. Powell. Incumbent's commission expired February 15, 1903.

KENTUCKY.

George W. Albrecht, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky, in place of Laura V. Herd. Incumbent's commission expired February 6, 1903.

LOUISIANA.

Romanta T. Hart, to be postmaster at Rayne, in the parish of Acadia and State of Louisiana. Office became Presidential January 1, 1903.

MICHIGAN.

S. V. Bullock, to be postmaster at Howard City, in the county of Montcalm and State of Michigan, in place of Orlando J. Knapp. Incumbent's commission expired January 27, 1903.

MONTANA.

L. V. Bogy, to be postmaster at Chinook, in the county of Choteau and State of Montana. Office became Presidential July 1, 1901.

NEBRASKA.

Frederick J. Etter, to be postmaster at South Omaha, in the county of Douglas and State of Nebraska, in place of Frederick J. Etter. Incumbent's commission expired December 21, 1902.

C. K. Olson, to be postmaster at Newman Grove, in the county of Madison and State of Nebraska, in place of Gilbert W. Randall, deceased.

Clarence E. Stine, to be postmaster at Superior, in the county of Nuckolls and State of Nebraska, in place of John D. Stine, deceased.

NEW YORK.

Alfred S. Emmons, to be postmaster at Spencer, in the county of Tioga and State of New York, in place of Alfred S. Emmons. Incumbent's commission expired January 19, 1902.

NORTH CAROLINA.

Thomas G. Stilley, to be postmaster at Washington, in the county of Beaufort and State of North Carolina, in place of John B. Respess. Incumbent's commission expired July 7, 1902.

OHIO.

William E. Pelley, to be postmaster at Mingo Junction, in the county of Jefferson and State of Ohio, in place of William T. Griffith, resigned.

John M. Washington, to be postmaster at Sabina, in the county of Clinton and State of Ohio, in place of John Washington, to correct name.

OREGON.

William B. Curtis, to be postmaster at Marshfield, in the county of Coos and State of Oregon, in place of William B. Curtis. Incumbent's commission expired January 13, 1903.

Marion F. Davis, to be postmaster at Union, in the county of Union and State of Oregon, in place of Marion F. Davis. Incumbent's commission expired February 14, 1903.

Thomas B. Randall, to be postmaster at Oregon City, in the county of Clackamas and State of Oregon, in place of George F. Horton. Incumbent's commission expired January 31, 1902.

Andreas L. Sproul, to be postmaster at Ontario, in the county of Malheur and State of Oregon. Office became Presidential October 1, 1902.

Benjamin F. Vaughan, to be postmaster at Heppner, in the county of Morrow and State of Oregon, in place of Benjamin F. Vaughan. Incumbent's commission expired January 13, 1903.

PENNSYLVANIA.

Joseph M. Bloss, to be postmaster at Titusville, in the county of Crawford and State of Pennsylvania, in place of Martin R. Rouse. Incumbent's commission expired December 20, 1902.

Moses A. Foltz, to be postmaster at Chambersburg, in the county of Franklin and State of Pennsylvania, in place of Moses A. Foltz. Incumbent's commission expired February 14, 1903.

Edwin F. Luckenbach, to be postmaster at Mauch Chunk, in the county of Carbon and State of Pennsylvania, in place of George W. Esser. Incumbent's commission expired January 21, 1899.

John H. Martin, to be postmaster at Clearfield, in the county of Clearfield and State of Pennsylvania, in place of John M. Chase, jr. Incumbent's commission expired February 14, 1903.

SOUTH CAROLINA.

William H. Brunson, to be postmaster at Edgefield, late Edgefield Court-House, in the county of Edgefield and State of South Carolina. Office became Presidential April 1, 1897.

W. L. Harris, to be postmaster at Charleston, in the county of Charleston and State of South Carolina, in place of George L. Cunningham. Incumbent's commission expired June 14, 1902.

George H. McKee, to be postmaster at Darlington, in the county of Darlington and State of South Carolina, in place of George H. McKee. Incumbent's commission expired January 10, 1903.

J. P. Murphy, to be postmaster at Bamberg, in the county of

Bamberg and State of South Carolina. Office became Presidential January 1, 1899.

SOUTH DAKOTA.

Boyd Wales, to be postmaster at Howard, in the county of Miner and State of South Dakota, in place of Frank T. Hoard. Incumbent's commission expired January 7, 1903.

VIRGINIA.

Mary D. Jones, to be postmaster at Lawrenceville, in the county of Brunswick and State of Virginia, in place of William F. Jones, resigned.

WASHINGTON.

John F. Irby, to be postmaster at Ritzville, in the county of Adams and State of Washington, in place of George Sinclair. Incumbent's commission expired March 2, 1903.

CONFIRMATION.

Executive nomination confirmed by the Senate March 9, 1903.

DISTRICT JUDGE.

Page Morris, of Minnesota, to be United States district judge for the district of Minnesota, commencing July 1, 1903.

SENATE.

TUESDAY, *March 10, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The PRESIDENT pro tempore resumed the Chair.

The Journal of yesterday's proceedings was read and approved.

ELECTION OF SENATORS BY DIRECT VOTE.

Mr. STEWART. I present a resolution, in the nature of a petition, from the legislature of Nevada, favoring the election of United States Senators by a direct vote of the people. I ask that the resolution may be printed in the RECORD, and referred to the Committee on Privileges and Elections.

There being no objection, the resolution was referred to the Committee on Privileges and Elections, and ordered to be printed in the RECORD, as follows:

Assembly concurrent resolution relating to the election of United States Senators by direct popular vote.

Whereas the people of this State, as shown by a vote taken thereon, favor an amendment to the Constitution of the United States providing for the election of United States Senators by a direct popular vote; and

Whereas it is evident that a large majority of the American people favor such amendment, as shown by the tone of the public press and by the resolutions of the State legislatures of the various States and the resolution passed by the National House of Representatives; and

Whereas Article V of the Constitution of the United States provides that Congress, on the application of the legislatures of two-thirds of the several States, shall call a convention for proposing amendments thereto.

Resolved, therefore, the assembly and senate concurring, That the legislature of the State of Nevada favors the adoption of an amendment to the Constitution which shall provide for the election of United States Senators by popular vote, and respectfully requests that a convention be called for the purpose of proposing an amendment to the Constitution of the United States as provided for in Article V of said Constitution, which amendment shall provide for a change in the present method of electing United States Senators, so that they can be chosen in each State by a direct vote of the people.

Resolved, That a copy of this resolution and application to Congress for the calling of a convention be sent to the President of the United States Senate, the Speaker of the House of Representatives, and to each of the representatives of the State of Nevada in the Congress of the United States.

Resolved, That our representatives in Congress be directed to urge upon Congress the calling of a convention provided for by these resolutions.

L. ALLEN,
President of the Senate.
MARION S. WILSON,
Speaker of the Assembly.
C. H. McINTOSH,
Secretary of the Senate.
J. A. CLARK,
Chief Clerk of the Assembly.

Approved February 25, 1903.

JOHN SPARKS, *Governor.*

Assembly concurrent resolution No. 4, relating to the election of United States Senators by direct popular vote. By Riley. February 11, 1903, rules suspended, reading had, considered, rules further suspended, read second time by title, and referred to committee on Federal relations. February 12, 1903, reported back from committee that it do pass as amended. February 13, 1903, amendments adopted. Considered, engrossed, and placed upon third reading and final passage, and passed by the following vote: Ayes 29, noes 0, absent 3. Transmitted to senate—F. C. Armstrong, assistant clerk of assembly. February 14, 1903, received in senate. February 16, 1903, rules suspended, reading had, considered, first reading, rules further suspended, read second time by title, and referred to committee on Federal relations. February 20, 1903, reported back from committee favorably with recommendation that it do pass; placed on third reading and final passage, and passed by the following vote: Ayes 15, noes 0, absent 2. Returned to the assembly—E. F. George, assistant secretary of senate. February 24, 1903, received in the assembly, sent to enrollment—F. C. Armstrong, assistant clerk of assembly.

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly concurrent resolution No. 4, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State, at my own office, in Carson City, Nev., this 25th day of February, A. D. 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State.
GEORGE N. NOEL,
Deputy.

AFFAIRS IN VENEZUELA.

Mr. STEWART. I present a resolution, in the nature of a memorial, from the legislature of the State of Nevada, remonstrating against the action of England and Germany toward Venezuela and favoring the strict enforcement of the Monroe doctrine. I ask that the resolution may be printed in the RECORD, and referred to the Committee on Foreign Relations.

There being no objection, the resolution was referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas a dispute has arisen between Venezuela, a South American republic, and certain European powers over an alleged indebtedness due from Venezuela to said powers; and

Whereas arbitration of said dispute has, after having been tendered the President of the United States, been referred to the international board known as The Hague Tribunal; and

Whereas pending the decision of such tribunal, upon which to base a settlement of said claims of indebtedness and adjustment of such dispute, Germany and Great Britain have used and are using coercion in the premises, by directing and continuing to direct a naval bombardment at the coast forts and fortifications of Venezuela, resulting in the destruction of life and property; and

Whereas we believe that such action on the part of Germany and Great Britain is uncalled for in the circumstances, and is in contravention of the spirit and intention of the Monroe doctrine, to which declaration of principles the United States is irrevocably pledged, and to the infringement of which this nation is unalterably opposed: Now, therefore, be it

Resolved by the people of the State of Nevada, represented in senate and assembly, That we are not in favor with the action of Germany and Great Britain in using force and coercion against the South American Republic of Venezuela, and we hereby express our earnest disapproval of such a course; that we are disinclined to view with either patience or equanimity the action of any European nation tending to disturb or disrupt the peace and tranquillity of any of the Republics of the Western Hemisphere, or to give color of ground for the taking of further liberties upon American soil; that we believe that this course on the part of Germany and Great Britain in the present instances is in spirit and intent a repudiation on the part of the Monroe doctrine and a move pregnant with danger to the ultimate maintenance of its principles, and that, therefore, we do most earnestly protest against the continuance of this course, and trust that the President of the United States will at once promulgate such a construction of the doctrine enunciated by President Monroe as will give effectual notice to all foreign powers to desist; and be it

Further resolved, That copies of this resolution be forwarded to our Senator and Representative in Congress.

L. ALLEN,
President of the Senate.
C. H. McINTOSH,
Secretary of the Senate.
MARION S. WILSON,
Speaker of the Assembly.
J. A. CLARK,
Chief Clerk of the Assembly.

Approved, March 4, 1903.

JOHN SPARKS, *Governor.*

Senate joint and concurrent resolution No. 1, "relating to the dispute between Venezuela and foreign powers," introduced by Senator Pitt on January 27, 1903, read first time. Rules suspended; read second time by title, and referred to committee on Federal relations. January 28, 1903, reported from committee on Federal relations favorably with the recommendation that it be passed. Made special order for Monday at 11.30 a. m., February 2, 1903. Rules suspended, considered engrossed, placed on third reading and final passage, and passed by the following vote: Ayes 16, noes 0, absent 1. Transmitted to the assembly February 2, 1903—E. T. George, assistant secretary of the senate. February, 3 1903, received in the assembly; reading had, considered first reading; rules suspended; read second time by title, and referred to committee on Federal relations—F. C. Armstrong, assistant clerk to assembly. February 17, 1903, reported back from committee with recommendation; February 23, 1903, placed on bottom of file. February 28, 1903, placed upon third reading and final passage, and passed by the following vote: Ayes 33, noes 0, absent 4; returned to the senate—F. C. Armstrong, assistant clerk of the assembly. March 2, 1903, received in senate and sent to enrollment—E. T. George, assistant secretary of the senate.

Filed in the office of secretary of state March 4, 1903.

W. G. DOUGLASS,
Secretary of State.

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original senate joint and concurrent resolution, No. 1, relating to dispute between Venezuela and foreign powers, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of state at my office in Carson City, Nev., this 4th day of March, A. D 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State.
By GEORGE N. NOEL,
Deputy.

OKLAHOMA, NEW MEXICO, AND ARIZONA.

Mr. STEWART. I present a resolution, in the nature of a petition, from the legislature of the State of Nevada, favoring the admission of the Territories of Oklahoma, New Mexico, and Arizona into the Union as sovereign States. I ask that the resolution lie on the table, and that it be printed in the RECORD.

There being no objection, the resolution was ordered to lie on the table, and to be printed in the RECORD, as follows:

Assembly joint resolution relative to the admission of the Territories of Oklahoma, New Mexico, and Arizona as sovereign States.

Whereas the people of the Territories of Oklahoma, New Mexico, and Arizona, respectively, have asked to be admitted as sovereign States of this union; and

Whereas these Territories have shown by their progress, development, as well as their devotion and loyalty to the Government of the United States; and

Whereas the people of the Territories of Oklahoma, New Mexico, and Arizona have an inherent right to such admission by virtue of its principles enumerated in the Declaration of Independence, because such admission is vouchsafed them by the policy pursued by the Government in the admission of nearly all the States at a time when they were less fitted to assume self-government than are the Territories of Oklahoma, New Mexico, and Arizona at this time; and

Whereas the Territorial form of government is intolerable and obnoxious to a free and ambitious people because of its incongruity and should only be tolerated as a temporary necessity to prepare its people for self-government: Therefore, be it

Resolved by the senate conjointly with the assembly, That our Representatives in Congress be, and they are hereby, requested to use all honorable means in furthering the passage of House Resolution No. 12543 now pending in Congess and popularly known as the omnibus bill.

Resolved, That his excellency the governor be requested to forward a certified copy hereof to each of our Senators and Representatives in Congress.

MARION S. WILSON,
Speaker of the Assembly.
L. ALLEN,
President of the Senate.
C. H. McINTOSH,
Secretary of the Senate.

Approved, February 23, 1903.

JOHN SPARKS, *Governor.*

Assembly joint resolution No. 5, relative to the admission of the Territories of Oklahoma, New Mexico, and Arizona as sovereign States. Introduced by Mr. Griffin, February 13, 1903. Rules suspended; reading had considered first reading; rules further suspended; read second time by title, and referred to committee on Federal relations. Reported by committee on Federal relations with recommendations that it do pass. Considered, engrossed, and placed on third reading, and final passage, and passed by the following vote: Yeas 30, noes 0, absent 7. Transmitted to senate—F. C. Armstrong, assistant clerk, assembly. February 14, 1903. Received in senate February 16, 1903. Rules suspended; reading had considered first reading; rules further suspended; read the second time by title, and referred to committee on Federal relations. February 19, 1903, reported back from committee favorably with recommendations that it do pass. February 19, 1903. Placed on third reading and final passage, and passed by the following vote: Yeas 15, noes 0, absent 2. Transmitted to assembly—E. F. George, assistant secretary of the senate. February 20, 1903. Received in assembly and sent to enrollment—F. C. Armstrong, assistant clerk, assembly.

Filed in office of secretary of state February 23, 1903.

W. G. DOUGLASS,
Secretary of State.

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of state of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly joint resolution No. 5, relative to the admission of certain Territories, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 24th day of February, A. D. 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State.

THE ALASKAN BOUNDARY.

Mr. STEWART. Mr. President, I hold in my hand a very able and exhaustive article on the Alaskan boundary, by John W. Foster, published in the National Geographic Magazine, November, 1899. I should like to have copies of it printed. I think it would be very interesting to the public. However, there are some maps in the article, and if they are to be printed I understand that it has to go to the Committee on Printing. I ask if that reference is necessary. Otherwise I request unanimous consent that it be printed as it is. I will send it to the desk.

The PRESIDENT pro tempore. The Chair does not know of anything in the rules which requires that the paper shall be referred to the Committee on Printing.

Mr. STEWART. Then I ask unanimous consent for the printing of the article, with the maps. The maps have been crossed out, but the marks can be readily erased.

Mr. HOAR. What will be the cost.

Mr. STEWART. The cost will be less than $500.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that an article by John W. Foster, touching the Alaskan boundary, be printed, together with the maps, as a Senate document. Is there objection? The Chair hears none, and the order is made.

JUDSON N. POLLARD.

On motion of Mr. TELLER, it was

Ordered, That leave be granted Mr. Judson N. Pollard to withdraw his papers from the files of the Senate, there having been no adverse report on the same.

SENATE ELECTION CASES.

Mr. BURROWS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed 750 copies, in cloth, of the first volume of the new edition of the Senate Election Cases, compiled in pursuance of the resolution adopted by the Senate April 17, 1902; said copies to be for the use of the members of the Senate and to be distributed by the Secretary of the Senate.

EXECUTIVE BUSINESS.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: This treaty requires the people of Colombia to be associated with us officially in the government of the canal zone 6 miles wide and 46 miles long, while in the ports of Colombia which intercept and cover the canal zone at each end and on both sides of the zone a dense population is controlled by the people and rulers of Colombia.

COURSE OF BRITISH GOVERNMENT IN REGARD TO SUEZ CANAL.

After the British Government had acquired a large interest, nearly one-half of the stock in the Suez Canal, she found it necessary for the protection of that canal and her commerce passing through it and the short route to her Indian and Australian possessions to gain military command over the approaches to the Suez Canal. She then set about with her prescient wisdom to acquire and fortify the peninsular of Aden, which completely commands the Red Sea at its eastern entrance into the Pacific Ocean.

Then, at the close of the war of the combined powers with Russia, she acquired and fortified the island of Cyprus, which, with the island of Malta, commands the northern entrance of the Suez Canal.

But these were outside defenses and were inadequate protection against the Egyptian fellahin, soldiers, and robbers and the Bedouin nomads of Arabia and Assyria. A military force had to be placed in Egypt in command of the country traversed by the canal, and Great Britain supplied it.

There was no canal zone set apart in the canal charter granted by the Khedive of Egypt to De Lesseps and his associates. His laws were supreme there, and, as he had no parliament, his will was supreme over the people, and the will of his master at Constantinople, the Sultan of Turkey, was supreme over him.

Great Britain then, under the pretext of collecting a debt from Egypt, moved upon Alexandria with her fleets, and after capturing that great entrepôt to the Nile, she moved against Cairo and then against the Soudan and captured all Egypt. She still holds it, and is improving the country with a wonderful irrigating dam at Assouan.

All this movement came from the central thought and purpose of preserving her ascendency over the Suez Canal, which is of far greater importance to her commerce and her imperial power than is her political supremacy over the Dominion of Canada.

She went still further to secure perfect safety for this great artery through which the life blood of her commerce flows, and her empire is thus brought into close contact in its sweep around the world.

She secured the assent of twenty-one of the European and Asiatic powers to the treaty of Constantinople of 1888, whereby she pledged all Europe and all Asia, except China and Japan, to the preservation of the neutrality, freedom, innocent use, and the exemption of the canal from all hostilities and against blockade.

Thus fortified against outward attack from any nation, she takes care of the domestic enemies of the canal by constantly maintaining an army in Egypt.

Great Britain understands the value of the great gateway at Suez and the delicacy of the task of its preservation, but we do not seem to understand the far greater value to us of the canal across the American Isthmus, and we seem to be utterly blind as to the value of our corresponding gateway or the terrible risk we are incurring in its exposure to the malign influences that environ it.

MILITARY CONTROL OF CANAL YIELDED TO COLOMBIA.

We yield the military control of the canal zone, in this treaty, entirely to Colombia, and the even greater hazard of its civil police control, and the preservation of human life in the dangers of the worst climate in the world, to the joint control with our authorities of the most turbulent and filthiest people in the world that claim to be civilized; we yield the judicial control to joint courts composed of judges, Spanish and American, in a mixed tribunal; we place everything and everybody under the laws of Colombia—civil, criminal, military, and ecclesiastical—and do not even reserve the right to extend the protection given by our Constitution to the personal rights of our people, as to the writ of habeas corpus, trial by petit jury, or indictment by grand jury, or against cruel or unusual punishments, or the right of the accused to have the assistance of counsel of his own selection, or

to defend himself, or the right to be confronted by witnesses brought to testify against him, or the right of appeal to the courts of the United States, or to the benefit of the pardoning power by our President.

We do all this, and worse, in this treaty with a blind confidence in our superior power and wisdom that shocks the world at its recklessness, and offends against the moral sense of mankind by our evident purpose to break our treaty engagement with Colombia whenever they stand in the way of our actual supremacy over the canal zone.

In the debates on the Spooner amendment I have placed in the record, where they will stand forever, the undoubted and unchallenged proof of all I now assert. I will now proceed to offer other and more recent proofs to establish what I now say.

QUOTATIONS FROM NELSON'S FIVE YEARS IN PANAMA.

I call attention, again, to Document No. 401, Fifty-seventh Congress, first session, which contains extracts from a book of Dr. Wolfred Nelson, entitled "Five years in Panama," and will again quote a few leading passages for the information of Senators who have recently been chosen to this body. He says:

[Page 5.]

Colon "as is" is not Colon "as was." The Colon of May 29, 1880, when I landed there, was totally destroyed by fire on the 31st of March, 1885, during a revolution on the Isthmus, involving a loss of $12,000,000. It was the only settlement on the island, which on some charts is called Manzanillo. It is of a coralline formation, built by those indefatigable toilers of the sea. It is three-quarters of a mile long by about one-third of a mile wide, with a surface slightly above the sea level, perhaps as much as 3 feet, and is connected with the Spanish Main by a railway embankment.

[Pages 6 and 7.]

Beyond the church is the Panama Railway hospital, facing a dense growth of the water-loving mangrove. Its rear looks out on the sea.

The land side of the island was occupied by the working classes, a thoroughly cosmopolitan lot. They were of all kinds—black, white, yellow, native, and foreign.

Before dismissing Colon let me revert to its climate once more, as climate means health or sickness. Upon getting to Panama the dean of the medical faculty, a Colombian, neatly divided the seasons as follows: He said to me: "First you have the wet season, lasting from about the 15th of April to the 15th of December, when people die of yellow fever in four or five days. Next you have the dry or healthy season, from December 15 to April 15, when people die of pernicious fever in from twenty-four to thirty-six hours."

Five years as a practitioner of medicine at Panama amply confirmed his views, and it is the best division of the seasons that I know of. And apropos of climate, sickness, and dying, a few words about Mount Hope or Monkey Hill, as the latter has become the final resting place of thousands. It is the cemetery on the Colon side of the Isthmus. Mount Hope is its baptismal name, and "Monkey Hill" is its everyday appellation. It is reached by rail. Funeral trains are as much an institution as passenger or goods trains. Since the advent of De Lesseps' canal men, on the 26th day of February, 1881, thousands upon thousands have been buried there. During two seasons of epidemic it is said that the burials averaged from 80 to 40 per day, and that for weeks together.

[Page 17.]

The yellow fever of the Isthmus of Panama is a peculiarly malignant disease. I can recall 41 admissions to the Charity Hospital in a few weeks following my arrival on the Isthmus in 1869. Not a single man escaped. Of seven and twenty admissions to the officers' ward of the canal hospitals on the Panama side one man only escaped. In case after case in practice death was the rule and recovery the exception. While it is true that some total abstainers on the Isthmus have been swept away by yellow fever, I can recall three desperate cases, one being my own, which had been abandoned and in which death was looked for. All recovered, thanks to abstemious habits.

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Well do I recall a scene during my visit to the Isthmus in February, 1886, when I saw Count de Lesseps inspecting the canal plant under the spiritual guidance of a German bishop, M. Thiele, of Costa Rica. A lane leading from the main thoroughfare to the seashore back of the Protestant cemetery had both of its sides lined with piles and piles of rubbish and old bedding, or that on which people had died. The natives in Panama and in the Spanish West Indies, after death, throw away cots, mattresses, pillows, and often the eating utensils of the "late departed."

As many on the Isthmus, both native and foreign, die of yellow fever and smallpox, this practice means simply a constant perpetuation of the infectious and contagious diseases named. The authorities never do more than publish an item on reform in La Cronista or La Estrella de Panama. This is deemed ample, as it gives the people something to think about, and yet these authorities fondly fancy that they are the sanitarians of the century. I remember an old well near the gas works, one of those huge stone wells which the Spaniards were so fond of building. That well had been filled in with just such bedding, and at last it coned up above it. That is their way, and a very bad one it is, to.

[Page 51.]

HABITS OF THE NATIVES.

The Indians and the negroes in Colombia are not greatly given to marriage. They simply get mated. I use the word advisedly. The women of the poor or laboring class do not care for matrimony, their stated objection being that if they were true and lawful wives their husbands would illtreat them, whereas as long as they are mated the man will behave, and some 300 feet high. No one who knows something of the history of the Indian tribes and their African allies in that part of the word, there is much sound reasoning in their view. These women know the men of their class thoroughly, and they deem matrimony little better than serfdom.

[Page 66.]

The Gulf of Panama is noted for its islands. The early history is full of stories regarding them and the many gallant and daring exploits that have taken place on the shores and waters. The gulf is about 100 miles long, and opposite the city of Panama, perhaps 20 miles across. The modern city of Panama is situated at its upper end. The gulf is remarkable for its currents and tides, the latter rising and falling from 16 to 24 feet, according to the age of the moon. The Gulf of Panama and the ocean for a great distance to the westward from its mouth are notorious for their freedom from all breezes. The gulf lies, indeed, in the equatorial belt of calms, and sailing vessels can never make much use of the port of Panama.

[Pages 66 and 67.]

Owing to the doldrums at times, variable winds at others, and strong currents, sailing vessels have been two and three weeks beating up the Gulf of Panama.

Apropos of doldrums, I remember the case of the British ship *Straun*, a Canadian-built vessel. She cleared from Panama for Chile early in May in the year 1864, if I remember rightly. She got back to Panama one hundred and five days later. Upon getting out in the gulf she struck the doldrums and beat up and down. Once she got across the line, and for weeks was beating about latitudes 4, 5, and 6, amid constant showers of rains, storms, and puffs of wind. The captain, who was well-known to me, had taken on provisions for one hundred days, more than enough to take him to Chile.

These began to fail and the ship's bottom, from being in those sluggish, warm waters, had become foul. The crew spent the greater part of their time in catching and torturing sharks. At last he had to put back to Panama. He had been at sea actually one hundred and five days from the time he cleared from off Isla de Naos. This will give my readers some idea of the doldrums, or region of calms, on that side of the Isthmus, which are one of the most serious drawbacks to any ship canal in that section. Of course I merely refer to sailing vessels. Steamship officers have estimated that at times the currents in the gulf run 3 to 4 knots an hour. I have known of a vessel making Panama, with a cargo of coal, being nearly a month beating up.

Near these islands at dead low water there is excellent and safe anchorage. Flamenco, or Dead Mans Island, is within a few hundred yards of Naos. It is largely rocky. Its southeastern face is a huge cliff, and on its land side, or that facing Naos, is the cemetery from which it takes the name of Dead Mans Island. It is a well-filled cemetery, too. There no end of sailors and officers have found final anchorage beyond the storms and squalls of life. Many of these brave fellows have been the victims of yellow fever. On the face of the island toward the city of Panama one sees a handsome monument which was erected to the memory of the officers and men of the U. S. S. *Jamestown* who fell victims to yellow fever while anchored there in the year 1868. Eighty of her officers and crew are buried there. She was sent to the North Pacific and kept there for two years. Then she was ordered to the Hawaiian Islands. No sooner did she get into a warm, tropical climate than yellow fever again developed. Such is the vitality of the germs of that awful disease.

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Facing the village of Restingue is a small island called El Moro. At low water it is connected with Tobogа by a sand bar, for it is a Siamese twin of the insular variety. At high water both are islands. El Moro is a mound-like island, about a quarter of a mile long and broad, and some 300 feet high. On its face toward Restingue are the old workshops and dwellings put up by the Pacific Steam Navigation Company. In 1849 and 1850 Toboga was the port of Panama. At times as many as 700 skilled workmen were employed on the island, who were almost without exception Scotchmen. These men were recruited from time to time. Finally the company had to abandon El Moro and transfer their men and workshops to the port of Callao, in Peru, as their workmen were swept away on El Moro by malaria, pernicious and yellow fevers.

The transfer cost the company an enormous amount of money, but to save the men they had to make it. The climate to-day is the same as it was when Patterson, the founder of the Bank of England, planted his colony about two hundred years ago on the Isthmus of Darien. He called the city the New Edinburgh, and he considered the isthmus the "key to the universe." Macaulay tells us how a band of some 1,800 sturdy Scotchmen inside of fifteen months were reduced to three or four hundred, and then the climate and their enemies forced them to leave; and it is related that when they embarked they were too weak to hoist the sails of their vessels, and that the Spaniards, who were largely interested in their expulsion, assisted them.

The seasons of the Isthmus are two in number, the wet extending from about the 15th of April to the 15th of December. The amount of rain that falls is astonishing; it has been given as 128 inches per annum. This, when compared with the small rainfall in Egypt of 9 inches, where M. de Lesseps built his ditch through the sands of Suez, is suggestive.

When the rains come in early and regularly, it means a fairly healthy wet season—that is, of course, for the Isthmus. When the rains are irregular or late, it means a sickly season, and in the hot days between rains yellow fever develops case after case. Then the rain comes on and there is a marked diminution in the number of cases. Again, after hot, sunny days without rain a new crop of yellow-fever cases results.

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The rain often seems to fall in solid sheets of water, the streets being flooded from curb to curb. Such storms clear away as rapidly as they come up, when the sun will light up the green and temporarily clean streets of Panama. Of course it does not rain all the time, but heavy rains may come on at any moment, and during these months out-of-door work must temporarily cease. With the deep cuts on the canal they play sad havoc, as an immense amount of earth that has been thrown out naturally washes back into the cut. The canal company modestly estimate this at 5 per cent.

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In a country like that, where all is perpetual summer, the average temperature about 80 degrees and the average humidity nearly as great, vegetation is of very rapid growth; and, apropos of humidity, there are places on the upper levels of the Isthmus where it nightly is 100 degrees, the point of saturation. But these conditions make vegetable decomposition as rapid as the growth. The result of the whole is the creation of an intense miasmatic poison. People living on the Isthmus are all malarious, either in one form or the other, and it is impossible to avoid this. It is true that a few escape malaria while resident there, but they no sooner get into temperate climates than it develops. The sallow faces of a great many tell of paludal poison.

My friend Dr. L. Girerd, late chief surgeon of the canal company, instituted a series of most interesting experiments. He examined the blood of new comers—canal men—and found it in a perfectly normal condition. At the end of a month he examined it again, when he invariably found the malarial bacillus. He was a profound microscopist, and his work in connection with yellow fever was most creditable. Regarding the latter, he made a culture of its specific poison, or micro-organism, if you will, and inoculated himself, having a mild form of the disease. There is another factor that has a bearing on this subject of malaria on the Isthmus. It is the admixture of salt and fresh water in the lagoons and rivers, in addition to the vegetable decomposition already referred to. This admixture of water is considered to be of great importance in creating intense forms of malarial poison, particularly on tidal coasts like that of the Pacific.

[Pages 120, 121, 122, 123, and 124.]

The formalities attending the opening of cemeteries on the Isthmus are somewhat peculiar.

While I was on the Isthmus the new government cemetery was opened with great formality.

The enthusiasm regarding that new cemetery was something astonishing,

and the only thing that surprised me was that some individual did not promptly step to the front to contend for the honor of being the first buried. Between the opening in July, 1884, and the 12th of April, 1886, when I made a special visit to the Isthmus, that cemetery had received 3,884 bodies for burial in the ground, and several hundred had been placed in the stone niches, or bovedas. Not only had the new cemetery been filled, but in a section of ground back of the cemetery, in what was part of a large field, there were some dozens of graves. The latter had been opened without any brass bands or government speeches, or any attendance of the consular corps.

The old cemetery was on the left. It was a small place of about three-fourths of an acre, and it received all the poorer classes and patients from the charity and military hospitals and the canal hospitals. Owing to its small size, it was dug up year after year; bones and skulls, fragments and coffins, clothing, and all sorts of things were turned out. The liberation of untold millions of disease germs in that country will make clear to thinking people why the Isthmus is so unhealthy. From time immemorial the Isthmus of Panama has been recognized as one of the plague spots of the world. It can vie with the west coast of Africa in pestilential disease.

The practice that I have referred to regarding the old cemetery and the unburial of the dead came to an end for a time. Together with the late Mr. John Stiven, of Panama, I denounced the system through the columns of the Star and Herald, of Panama, and La Estrella de Panama. So vigorous was our language that it led to the construction of the new cemetery, and people interested in the matter of public health hoped that that most pernicious of practices had ceased; unfortunately such was not the case. On the same side of the road, adjoining the cemetery just mentioned, was the cemetery, a large quadrangle of bovedas. Facing the highway was a stone fence and an old-time arched gateway of stone. Entering it, one had a full view of what was within. It was a quadrangle of niches, or bovedas. Picture to yourself four sides of a square having three tiers of openings in them—one below, one between, and one on top—each opening being large enough to receive the coffin of an adult, and the whole whitewashed and backed by a substantial stone wall. Within the inclosure were several monuments of some people who had been buried permanently.

I used the word "permanently" advisedly. The exact custom which obtains there is as follows: These niches are rented for the space of eighteen months. The coffin is placed within, and the end is closed either with brickwork or with a marble slab having a suitable inscription. At the end of eighteen months, failing a prompt renewal of rent, the coffin and contents are evicted. The eviction is of the most thorough type; it would put an Irishman "to the pin of his collar." The individual holding the concession has his men working within the grounds. If the rent has not been renewed they remove the little marble slab or brickwork and the coffin is taken out and dumped back of the cemetery. Such was the custom prior to our denunciation of that form of unburial of the dead.

In the fall of 1882 I made the acquaintance of a special correspondent of the Brooklyn Eagle, who had seen much in many places and under many circumstances. I promised to show him something that, I took the liberty of thinking, he had not seen previously. He was a pushing, vigorous fellow, and willing to go anywhere and see anything, as long as it gave him some descriptive matter for his paper. I took him back of the cemetery now under consideration and directed his attention to seven and sixty coffins, in all sorts of positions and with all sorts of contents. My readers will be kind enough to remember that the people who are buried in the bovedas invariably belong to the better classes. I took him about among the broken coffins and the whole coffins, and the skulls, and the bones, and the ashes, and everything else. There they were, just as they had been thrown out.

In the great majority of cases the lids of the coffins were off or had been broken, and within were the rotting remains of former prominent citizens, the majority of whom, of course, were natives. In one coffin were the remains of a woman, and she had had a magnificent head of hair. I must say that the entertainment rather upset the Brooklyn Eagle man, and he was unwilling to stay and hear more about it. The fact that I had made a good collection of crania which I had sent home to Canada ceased to interest him, and he was very glad to get away from the place, admitting that he had never seen the like.

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As already stated, it was hoped that when the new cemetery was opened the disgraceful scenes of the past were over forever, but such has not been the case. The present concessionaire is (or was) Señor Nicanor Obarrio, who holds a direct concession from the Government, and he it was who had the new cemetery built under that concession. As I have already informed my readers, it had been filled between the dates given. While on the Isthmus during March, 1888, I went out to see how things were in the new cemetery, and you can fancy my astonishment when finding that all the numbers on the graves had been doubled.

That large plot had been filled, and over each grave was a simple wooden cross, painted black. Above each cross was the number of the year, "1884," and on the arm of the cross the number of the grave. As I have said, all the numbers had been doubled. For instance, you would have, say, "3640" on the arm of the cross, below that "1888," and above it a scroll "1886." The wherefore of it was as follows: In 1886, 3640 was the first occupant, but, as the cemetery had been dug over from end to end, he had been evicted, and twice 3640 was the number of the grave in 1888. Not only were all the numbers in that main cemetery duplicated, but they were digging over the cemetery at the back.

I am fully aware of the fact that this seems a remarkable statement, so remarkable indeed that when relating it to some new acquaintances in the British island of Trinidad they looked at me with that polite credulity that seemed to indicate that they thought that much traveling had not improved my veracity; and it was only when I produced some photographs, there and then, showing the graves with double numbers, and the digging up of the old graves, that they could believe me. One of my photographs was a revelation to them. In digging up these graves the diggers occasionally came upon a coffin that was in fairly good order. A number of these had been placed upright, leaning against the back wall of the cemetery. These second-hand coffins were for sale to anyone who wanted a luxury of that kind. But for the fact that I had my photographs with me, I feel confident that my statements would not have been accepted as true. But there they were; there was the row of coffins, the double numbers on the crosses—"1886" above and "1888" below.

Now, from a sanitary standpoint, what does all this unburial result in? It results, to my mind, if I understand anything about the matter, that from this criminal practice of liberating untold millions of germs of disease the Isthmus is made a disease-producing and disease-distributing center.

I particularly wish to emphasize this statement, and shall do so in this way: That Colombian cemetery receives nearly all of the dead from the canal hospitals. An immense number of the deaths among their men is from specific yellow fever, properly so called. As that is a land of perpetual summer, perpetual sunshine, perpetual moisture, these germs when liberated find a congenial soil. As the yellow-fever germ is one that flourishes at a temperature of 72°, and as the average temperature is 80°, it goes without saying that these germs never die out there.

Apropos of yellow fever and epidemics, the following statement will be somewhat interesting.

"In September, 1884, the harbor of Colon was full of shipping. The latter became infected. The *Effecthia*, a brig, lost all her crew but the cook. Two French steamers of La Compagnie Generale Transatlantique, named the *N. Bixio* and the *Fournel*, lost 20 men. The Royal Mail steamers *Lorne* and *Nile* also lost a few between September and January, 1885. One hundred and seventy cases had occurred there, with a mortality of over two-thirds. I saw the records when in Colon in February, 1885. I visited Colon purposely to see things for myself. The English ship the *City of Liverpool* had six cases on board. She was at the dock and within 20 feet of her stern was a large pile of rock ballast from Bohio Soldado, being that sold by the Panama Railway to all vessels requiring it.

"The *Grace Bradley*, an American three-masted schooner, was in the berth next to the *City of Liverpool*. She had discharged her cargo of ice and was taking in the ballast. Two of her crew sickened with the disease and died. She sailed for a Southern port, United States of America, with a foul bill of health from United States Consul R. K. Wright, jr., of Colon. She arrived at the Southern port late in the fall, discharged the ballast on flat cars that dumped it into the sea, and proceeded direct to Philadelphia. This infected ballast will some day speak louder than words to the people of the South. It comes from an infected port. Ballast of this kind caused three cases of yellow fever in New Orleans in 1882. The ballast was thrown on a street there."

I have reprinted the above from one of my articles on yellow fever, my object in doing so being to illustrate the value of some bills of health issued to the shipping by the civil authorities on the Isthmus. The *Fournel*, the vessel referred to, lost her captain and nine or ten men. They wished to clear her, and applied to a doctor in Colon, personally known to me, and he issued a foul bill of health. The steamship company would not accept it, but referred the matter to the general agent in Colon. He in turn approached the Government; the then acting president issued a clean bill of health, and the vessel went to sea from a hotbed of the disease.

In the month of September, 1884, the canal company buried 654 officers and men.

While on the subject of laws, some legislation that was enacted this year may prove interesting to my readers. I have thought it well to quote the law in Spanish, word for word as it was published, and below it to give a careful translation:

This is the translation:

"ART. 34. Marriage contracted according to the rites of the Catholic religion of itself annuls (ipso jure) a purely civil marriage previously celebrated by the contractants with other persons.

"ART. 35. For the purely civil effects of the law, it acknowledges the legitimacy of children conceived prior to the annulation of a civil marriage by virtue of the provision of the preceding article.

"ART. 36. The man who having married civilly marries subsequently with another woman, according to the rites of the Catholic religion, is obliged to provide maintenance for the first wife and for the children had by her so long as she does not marry according to the Catholic rite.

While describing the churches of Panama I referred to the fact that the Church of Rome had been dispossessed and that the priests and sisters of charity had been driven out of the country, and that the church had been despoiled, presumably for the benefit of the Government. Of late years Rome has been feeling her way very cautiously, strengthening her hands at every turn, until to-day she feels the time ripe to announce that, according to the laws quoted above, civil marriages of the past have been annulled. If there is one thing more than another regarding which the Church of Rome has been as "firm as a rock," it has been on the question of divorce—that once married nothing could undo the marriage save the cause of adultery.

It would now seem that, according to the laws of Colombia, the civil marriages that have been in force for many long years can be broken by anyone who wishes to put from him his wife, if the marriage was not according to the Catholic rite. To all lovers of liberty, properly so called, this retrograde movement in Colombia, whose boast is that her laws are the counterpart of the great Republic of the North, will cause both surprise and pain, especially when they think that Rome has struck this blow at the most sacred of institutions.

Under the laws of Colombia the press was at full liberty to discuss any subject. Strange to say, this law has been repealed, and under severe penalties the press is prohibited from publishing anything that reflects upon the civil administration of the Church of Rome. In fact, to such a pass have things come on the Isthmus that the press is no more free than is one of those unfortunates in the prison at Panama. All of this seems the more incredible when we bear in mind that it is a purely republican form of government. The influences back of the executive are well known. Things have taken such shape in that country that to be a Free Mason means that a man can not be buried in consecrated ground, and the why and wherefore of introducing the iniquitous laws dissolving civil marriages are well known to those in Bogota.

From my recent visits to the Isthmus and from information received from there while away I personally am of the opinion that this iron-handed legislation, this violation of the rights of individuals and of the press, can have but one end—a revolution that will shake that country to its center; and rightly so. It is impossible to suppose that any intelligent people who have been as free as the air of heaven can reconcile themselves to legislation of this type, which is unworthy of the autocrat of all the Russias.

The present status of the Panama Canal may be defined by stating that, after seven years' work and an expenditure estimate of over $220,000,000, M. de Lesseps has abandoned his pet tide-level scheme, and at the eleventh hour adopted locks. About one-fifth of the work originally planned has been done. The fixed charges of the company to-day on their shares and bonds and the maintenance of the Parisian and isthmian offices exceed $22,000,000 per annum. This does not include the turning over of a single shovelful of earth.

A word regarding the Eiffel contract, regarding which one hears so much. It is probably one of the most remarkable documents that was ever drawn up between a contractor and a corporation. All of the provisions are absolutely in favor of the contractor. He exacted a huge deposit, for as much as $1,000,000, or 5,000,000 francs, were placed to his credit in the hands of two banking firms in Paris before he commenced any work at all. Then his staff that was sent to Panama was paid six months in advance by the canal company. One of the engineers on that very work told me, while in Panama in March, 1888, that the contracts called for ten gates at $1,000,000 each, while the masonry and wherewithal to constitute a lock was to be a separate charge. Thus we have ten millions for ten gates, and, say, five millions for masonry; total, fifteen millions. The fact never to be lost sight of is this, that M. de Lesseps has stated that they are to be temporary locks. These are his own words.

Despite the rose-colored statements to the contrary, very little real work is being done on the Panama Canal at this writing. Work has been stopped on a number of sections, the nominal excuse being that they are completed. But such is not the case. Work has been stopped because the company is without means to pay the contractors. At this time lawsuits aggregating

several millions, for damages and for breach of contract, are hanging over the Panama Canal Company. A lot of its plant on the Isthmus was advertised for a judicial sale, and among other things that were enumerated in the list were the canal company's hotel and their works and plant at the Boca. That was for a judgment of $400,000; the case, I believe, has been settled, and a number of contractors who have been dispossessed and whose contracts had been given to others for advanced rates have sued the company. One of these contractors, M. Murraciole, a Frenchman, recovered 1,000,000 francs damages.

Dr. Nelson is a Canadian, who resided on the Isthmus for five years as a practitioner of medicine, and his character is very high and well avonched by prominent men in Washington.

I will add to the above statements from a man of long actual experience in Panama, who wrote his book before we ever thought of acquiring the Panama route, the following official statements and depositions under oath:

A LUGUBRIOUS HISTORY FROM AN OFFICIAL SOURCE.

The final report of the Isthmian Canal Commission of November 30, 1901, treats of the health of the Panama route in the following strong, graphic, and just terms. They say, in their final report, page 70:

"The climate of the isthmian canal regions is generally damp and enervating. The temperature is not extreme, rarely rising as high as 95° or falling below 70°, but the excessive humidity greatly restricts the capacity for physical exertion. The lowlands along the coast have long been known as insalubrious, and the seaports are subject to fevers. Perhaps the great difficulty to be encountered in the construction of the canal will be the procurement of an adequate force of laborers and the preservation of their health and efficiency.

"In this respect the Panama route has a lugubrious history, from which the Nicaragua route is free. The notorious mortality which attended the construction of the Panama Railroad and later the operations of the Panama Canal Company has taught a lesson which will not soon be forgotten for that route. Among the white employees of this Commission sent to Nicaragua there were fewer cases of sickness than there would probably have been among the same number of men employed in some parts of the United States. Among those sent to Panama the proportion of sick was greater. On the Nicaragua line during the operations of the Maritime Canal Company the health of the force was reported to be good."

This matter is so vital to the commercial world, to our coastwise line of traffic, to all travelers by way of the canal, and to the health of our seaports, that even this strong statement of the Commission is not a full and sufficient warning of the danger.

PRACTICAL EXPERIENCE.

The true history of the death rate at Panama was never written. It has been suppressed. At this date we can find but few men who knew and participated in that holocaust among the laborers who were stricken, to tell even what one man could see and know of these great battles with "the destruction that wasteth at night, and the pestilence that walketh at noonday."

The lives of the survivors were shortened and they have nearly all passed away. They were probably 30 years old, on an average, at that time, and if they were now living they would be from 60 to 80 years old.

One of the participants informed the committee of his personal knowledge of this matter, and, though he is old and sick from disease he there contracted, he came to Washington to testify, declaring that he had no personal interest to subserve, but that he is deeply concerned that his Government should not create the opportunity for repeating the terrible history of Panama. For nearly six years he was the trackmaster of the Panama Railroad, and was constantly in contact with the laborers who, in great numbers, were at work on the railroad and the canal at Panama.

Mr. Plume states the following facts. His service with the Panama Railroad Company was from 1883 to 1888.

"The CHAIRMAN. How many hands did you have under you as a rule—about an average?

"Mr. PLUME. I had 10 men to every section, and a section run 4 to 5 miles.

"The CHAIRMAN. About how many people did the canal company have there while you stayed there?

"Mr. PLUME. Well, it was estimated that they had 10,000, but I doubt very much if 5,000 were working. The labor is of such a class that it is utterly impossible to get them to work; it is this lazy, good-for-nothing Jamaica labor, and the climate there is so bad that a man can not work.

"The CHAIRMAN. Well, now, I want to get at that, and I want you now to be careful in your statements about that. Did you have any trouble in preserving the health of the party under your control—these 10 men to a section?

"Mr. PLUME. Oh, a great deal, sir.

"The CHAIRMAN. What was the average amount of loss per annum, say during the five or six years you were there, out of your own party, now?

"Mr. PLUME. Well, every month or two I would lose a man, perhaps two men. I will explain it to you. If a man gets wet there with the rain he is sure to be sick the next morning. The dew commences to fall at 3.30 o'clock in the afternoon, and if a man gets his clothes wet with this dew and he goes to bed with his clothes on, as sure as he is born he will wake up sick the next morning. I never saw such a climate in all my life, and I have worked in the rice fields of South Carolina, and gracious only knows that is bad enough.

"The CHAIRMAN. Can you give the committee some idea of the condition of health of these canal laborers during the time you were in this Isthmus?

"Mr. PLUME. When I went there we used to run one train—perhaps it would be a car or two box cars—in the morning out of Colon up to Monkey Hill. Our graveyard is about 5 miles from Colon, on a hill called Monkey Hill, but I had not been there a year when we were up there. Over to Panama it was the same way—bury, bury, bury; running two, three, and four trains a day with dead Jamaica niggers all the time. I never saw anything like it. It did not make any difference whether they were black or white, to see the way they die there! They die like animals.

"The CHAIRMAN. Of what disease would they die, if you know anything about it?

"Mr. PLUME. There are four most deadly fevers. There is the yellow fever, the pernicious fever, the putrid fever, and the typhoid fever, and the intermittent fever. If the intermittent runs long enough it will turn into typhoid or those other bad fevers. A man will only last three or four days, unless they have pretty quick and pretty severe treatment.

"The CHAIRMAN. Did the Panama Canal Company have good shelter for its hands and good hospitals?

"Mr. PLUME. Yes; there is no finer hospital on the globe than the one they have at Panama. It is on the side of the Ancon Mountain, which used to be a volcano several centuries ago, and the lava from the volcano went across Panama and out into the bay about a mile. The hospital is a splendid thing. It is said to have cost $5,000,000, and I guess it did. Down in this valley you dig a hole about 2 feet deep and you come to a boiling spring, right under the mountains, and they have engines there pumping water up to this hospital. There is a man in Panama who has a concession to bury people. He opened a graveyard. I suppose 300 feet one way and 400 the other. Every grave is numbered that they may know who is buried there. In exactly one year after he opened it I drove by there, and there were 1,875 crosses in that burying ground, and that does not count the men that were in the ovens. They have ovens along the wall—a brick wall—and they bury people in there who can afford to pay for it; but there were 1,875 crosses in that burying ground, to give you a little idea of the health of the country.

"The CHAIRMAN. About what year was that?

"Mr. PLUME. That was in the early part of 1887. De Lesseps brought out 57 men there for engineers, chiefs of sections, and for different purposes, clerks. In three months, sir, there were only 8 of them left. I never saw anything like it in my life. If a man drinks there, he is just as sure to die as he is alive; it is fatal; and here is something very wonderful: I have always noticed if a Frenchman gets one of those fevers he is just as sure to die as he has a hair on his head. The doctors have told me that it is on account of their having drunk so much of this French claret in France, which is full of logwood, and it has burned the linings of their stomachs, and as soon as they get a fever they die. My allowance of quinine was an ounce, and it would last me three weeks. That is what affected my hearing.

"The CHAIRMAN. You suffer from it yet?

"Mr. PLUME. What is that?

"The CHAIRMAN. You suffer from it yet?

"Mr. PLUME. Oh, yes; and never will get over it. I always took medicine, kept my liver clean, and that is the way I kept on my feet; and when I left that climate and came here a doctor worked six days and six nights on me to save my life. My brother-in-law told me that I must have a constitution of iron, and I believe I have."

OFFICERS OF THE PANAMA COMPANY TESTIFY.

Mr. Colné, who was the agent for the old company in America, states that the hospital expenses, not including the buildings, was $1,548,127 from 1881 to 1890, of which sum $680,000 was for medicine.

General Abbott testified that during the same period the annual average percentage of diseases at Panama was, for diseases of Europe, 18.83, and of diseases due to climate the percentage was 47.24. This related to cases treated in hospitals, and proves that the local diseases were epidemic.

General Abbott tells of another "lugubrious" situation, as to the railroad laborers, as follows:

"Now, I will offer all that I have been able to collect with reference to health on the Panama Railroad. There was a fearful loss of life during the construction of that railroad. I passed over the route in 1855, just after it had been finished. The surgeon of the steamer had been employed on the line, and he told me much about it. He said the conditions were something frightful—that they had to contend not only with disease, but with suicide. A great many coolies had been imported, and they were very unhappy and wanted to get back to China. They had an idea if they committed suicide they would go back.

"The surgeon said it was necessary to watch them with the greatest care; that if a Chinaman found a little puddle of water he would hold his face down into it until he drowned, without exciting the attention or notice of anyone. The excessive death rate was due, doubtless, not only to the climate, but also to the conditions and to the various races that were tried. It was not then known that the heavy work should be done by negroes. I have no idea that anything like the mortality then encountered will be repeated on any isthmian line.

"The CHAIRMAN. You never heard of a Chinaman committing suicide in Washington, did you?"

If it had occurred to General Abbott to state that the name of the railroad station at Matachin means "dead Chinese," he would have been able to account for the fact that Chinese, when taken with the fever, would slip away from observation and drown themselves in puddles of water.

A NAVAL OFFICER TESTIFIES.

Commander Lucien Young states in his deposition as follows:

"The most unhealthy place on earth is the Isthmus of Panama. I had yellow fever myself in Panama, and I have seen them dying by the wholesale; and so far as yellow fever is concerned, I would rather be in Habana than in Panama."

This evidence, with much more that it is unnecessary to quote, establishes the fact that yellow fever is indigenous at Panama and other localities of the canal route; that it is of malignant type and can not be extirpated, because it is the result of natural causes that human agencies can not change.

If the choice of routes for a canal depended upon this one fact, we would certainly be wise to turn to the Nicaragua route, even at an excess of cost amounting to $5,630,704.

One duty that the Government owes to humanity—which rises above all other personal considerations—in the choice of these routes is the care of the health and lives of men whose labor is the real power that must open this great waterway. No Senator can be indifferent to this demand of duty, nor can the Senate afford to take the risk of repeating the history of Panama during the thirty years of human sacrifice that have made it so lugubrious.

THE WALKER NICARAGUA CANAL COMMISSION'S REPORT OF 1899.

This question is not new. It arose at the first moment of a choice between these routes, as long ago as the sixteenth century. It was carefully studied by our Nicaragua Canal Commission, of which Admiral Walker was president, in 1897-1899, in view of objections then urged by the Panama Canal Company and others to the Nicaragua route, and the following answer was made by that Commission:

"The impression that this portion of the Isthmus is unusually unhealthy is erroneous. On the contrary, the local conditions are such that with ordinary hygienic precautions the risks from disease are slight.

"The frequent rainfall on the east coast furnishes an ample supply of fresh, soft water, condensed directly from the clouds. The porous, sandy soil absorbs it so rapidly as to prevent stagnation, while the animal refuse is quickly removed by the scavenger birds and fish continually on the alert for food.

"With their light, loose clothing, vegetable diet, and cleanly habits, the natives seldom suffer from fevers. Even our unacclimated Americans, passing from a rigorous winter temperature to the mild region of the trade winds, were, with few exceptions, exempt from febrile complaints, and amongst the large number of engineers sent out there was no mortality in the country. The constant motion of the wind, sweeping through this low divide, appears to remove the noxious exhalations which characterize other portions of the Isthmus.

"Yellow fever finds no habitat at Greytown, and even when imported does not become epidemic. Abstemious habits and careful police of camps will insure as good health among laborers as will be found in many locations in this country. The climate would affect the labor question, therefore, chiefly by the lassitude resulting from its enervating influence.

"Assistant Engineer Stewart says that—

"'The atmospheric conditions are excellent, and for the seven months we were in the field we worked in all conditions of weather, losing but one entire day on account of a heavy downpour of twelve hours.'

"The narrow limits within which the temperature ranges are shown from a few selected observations at various stations during the year, as below.

The Rio Viejo station is located on the western slope of the Cordilleras, east of the lake, and at a higher altitude than the others. Hence its greater range of 30 degrees. This uniformity of temperature is one of the important factors in the consideration in the permanency of important works as well as in the health of the inhabitants."

I will now present official papers of later dates.

NAVY DEPARTMENT,
Washington, December 15, 1902.

MY DEAR SENATOR: I have received from the Chief of the Bureau of Medicine and Surgery a communication, of which the inclosed is a copy, relating to the subject-matter of your letter of the 8th instant. I believe it covers substantially your inquiries, but if there is any further information desired which is obtainable by this Department it will give me pleasure to put it at your disposition.

Very respectfully,

W. H. MOODY,
Secretary.

Hon. JOHN T. MORGAN,
United States Senate.

BUREAU OF MEDICINE AND SURGERY, NAVY DEPARTMENT,
December 10, 1902.

SIR: Replying to the letter of Senator JOHN T. MORGAN, of December 8, referred to this Bureau for report, I have the honor to state that the health of the marine battalion stationed at Panama for the protection of the railroad property during the past two months has never been seriously jeopardized, and that the malarial infection with which the personnel of the expedition has been afflicted has not been greater than was to be expected under the condition—that of unacclimated material subjected to tropical malarial influences without proper hospital facilities for its care. It is believed that, had there been a hospital ship within reach of this expedition during its stay on the Isthmus, or even after its transfer to Culebra, the need of removing it from tropical surroundings would have been obviated.

A report from the medical officer in charge of the naval hospital, Norfolk, Va., where the sick of this expedition have been transferred for treatment, states that of the 40 men invalided 30 are now convalescent and most of the remainder are doing well.

None of the naval vessels stationed at Panama have been afflicted with yellow fever, nor has there been any report of bubonic plague on the Isthmus.

Very respectfully,

P. M. RIXEY,
Surgeon-General U. S. Navy.

The SECRETARY OF THE NAVY.

I will now present the special report of Dr. Hodgson, of the United States Marine-Hospital Service:

PANAMA.

The city of Panama, a town of 15,000 inhabitants, is situated upon an elevated point of land jutting into Panama Bay. The town is irregularly laid out, with narrow, crooked streets, cobblestoned and filthy. The houses are Spanish in architecture in the least bad part of the city, and the rest of the town is made up of wooden shacks in all stages of decay. There are two small sewers in the place, but they are connected with only a few of the best houses. There is an insufficient water supply of inferior water piped in from a river some distance back in the country.

The population is a cosmopolitan set, the leavings of the old canal construction. Sixty per cent being Jamaica negroes accounts for most of the filth in the town.

The harbor is situated at the head of the bay, about 2 miles from the town, and is protected by several small islands. The sanitary condition of the anchorage is naturally perfect, being swept by a 16-foot tide daily. The island nearest the shipping is inhabited by the employees of the steamship companies, laborers, stevedores, and coal passers.

There is constant communication between this island and Panama, and daily intercourse with the shipping. Yellow fever is endemic in Panama, sporadic cases occurring at intervals and becoming epidemic whenever there is an immigration of nonimmunes, during favorable atmospheric conditions.

Panama is the point of distribution and collection of all passengers and freight of the Pacific coast destined across the Isthmus. It is the key to the quarantine situation of the west coast, and if it was not a focus of infection itself, many epidemics on the Atlantic side could be averted by proper quarantine regulations.

The houses of Panama are so constructed and of such material and so filthy that a general conflagration would be the only safe means of disinfection. I can not conceive of any other means by which the infection could be eradicated.

There are four regular lines of steamships that enter and sail from Panama each week and tramps and sailing vessels drop in occasionally. The territory tributary to Panama is from Valparaiso, Chile, to San Francisco, Cal., Asiatic goods being transshipped in San Francisco.

There are no quarantine restrictions in Panama, not even an inspector. I entered the port twice, once from Central America and once from Guayaquil, Ecuador, and neither time was the vessel inspected or boarded by an inspector.

COLON.

Colon, the northern terminus of the Panama Railroad, is built in a swamp on made ground, and it is populated by 3,000 people, 70 per cent being Jamaica and other kinds of negroes. The property of the railroad and canal company is drained and sewered, and is situated on the water front. Everything about the company's property looks clean and well-kept, but the rest of the town is not so clean or well-kept.

The houses are of wood and generally dirty. There are no sanitary arrangements of any kind, and the population is crowded into small rooms as only Jamaica negroes can live.

The streets are in a fair condition, macadamized, and are on a higher plane than the adjoining lots. In the wet season pools are formed under the houses, and serve as breeding places for frogs if nothing else. Rain water is collected in barrels and cisterns, and during the wet season the water supply is good and sufficient. During the dry season many of the cisterns run dry, and the water supply is hauled in from Monkey Hill in tank cars by the railroad. This supply is not good.

No history of the sanitary condition or the mortality of Colon can be had. Some of the old inhabitants tell blood-curdling tales of the death rate during the flush days of the canal construction, but the old inhabitants will not do for statistical purposes. It was well known that the death rate was enormous, but it would be interesting to know just what it was.

Colon has been burned on several occasions, the last time in 1896, with the loss of the Government offices and all of the records. Since that time records have been kept of all deaths and their causes. In 1897 there were 212 deaths from all causes, 62 from malarial fevers and 15 from yellow fever. In 1898 there were 222 deaths from all causes, 80 from malarial fevers and 8 from yellow fever. In 1899 there were 226 deaths from all causes, 51 from malarial fevers and 2 from yellow fever.

The population in Colon is practically immune, or there would be yellow fever in the town all the time. There are seasons of the year when the atmospheric conditions are such that the infection is not propagated, and the absence of a case now and then in an immune community does not signify that the infection does not exist.

The distance from Colon to Panama is about 41 miles, and there is practically one village all the way across the Isthmus.

The passenger traffic across this road during 1897 and 1898 amounted to 227,728. Many of these were through passengers from New York to San Francisco, and vice versa.

The steamship communication between Colon and the United States consists of the Panama Railroad Steamship Company to New York, and the Harrison, West India-Pacific, and Hamburg-American lines, and an occasional Prince steamer to New Orleans. The vessels to New Orleans generally go via some Central American or Mexican port. Other lines that touch at Colon are the Royal Mail from Southampton, the French line from Havre, and the Spanish line from the Mediterranean. Sailing vessels are constantly dropping in from foreign and United States ports. The inclosed map gives a better idea of the communications than any that I can write.

LETTERS FROM EMINENT PHYSICIANS.

I present the following letters from eminent physicians, who need no introduction to the American people:

The U. S. S. *Marietta*, the vessel to which I am attached as medical officer, was in the harbor of Colon from the 23d of November, 1901, and from January 28 until April 6, 1902. During our stay fighting was going on between the Government and the revolutionary armies, and in order that the United States could keep the integrity of the Panama Railroad, a guard of sailors often had to be sent on the different trains. In order that both forces could receive such medical attention as lay in our power to give, I was frequently ordered to go with the guard, and in this manner had ample opportunity to view the country through which the canal must be dug, and also to study the people, their habits, and knowledge of sanitary laws.

In considering the effect of a possible canal upon the health of not only individuals in transit, but the whole world, it would be well to make three divisions of the country, viz, Colon, the Isthmus, and Panama, and consider them separately.

Colon being the Atlantic port of entrance, vessels must necessarily stop there before entering the canal, and it becomes essential to look into its present sanitary condition and see what changes should be made in order to make it a safe "stopping-over" place. The sanitary conditions of the city are very bad, both as to actual existing menaces to health and the absolute surety of receiving in its midst any contagious or infectious disease that may exist in the surrounding towns or country.

There is no system of sewerage or other means provided by which refuse may be removed from the city limits. All kinds of garbage, slops, old clothes, and excreta are thrown out on the ground either in the streets or in back yards, and, judging from the size of the heaps, accumulations for years must certainly exist in the latter places. The streets would be in like condition but for the fact that the vultures or carrion crows act as scavengers, representing the only street-cleaning department. These piles of filth, which practically extend up to the back doors of all houses, did not in themselves seem to be a source of danger to the public health, the possible reason being that at the time of which I write no contagious disease existed, but should an epidemic—smallpox, for instance—visit Colon these heaps, together with the dirty habits of the people, become at once a source of contagion perfect in all details.

From a personal interview with the health officer I found that dirt and filth were not the only dangers from which to anticipate disease, for the law does not provide for either inland or maritime quarantine. During the months of January, February, and March a rather severe epidemic of variola raged in the city of Panama, and at no time were means taken to prevent its spread. Passengers of the different trains were not inspected, isolation was not compulsory, and even simple house quarantine was not attempted. Relatives and friends visited infected patients apparently without fear of the disease and certainly without fear of being subjected to any modern methods used to prevent its propagation. I have seen men walking about the streets and even riding on the trains with the partially dried pox scales visible upon their faces.

Under the circumstances it seems strange that the disease did not appear in Colon, but the fact remains that up to the 6th of April, the date of our departure, no cases of smallpox were reported officially. I say "officially," because I am sure it did exist, but the health officer is so handicapped by politics and politicians that he can not report a few cases, but has to wait till the disease has reached the proportions of an epidemic before higher officials will take any notice of his warnings. Ships entering the port are not boarded by a health officer. Bills of health issued to departing vessels are not of much value, for, although no quarantinable disease may exist, passengers often come from infected districts, and it is practically the same as if the disease were in port.

With all these unfavorable surroundings and disregard for sanitary laws there is one redeeming feature, and that is the water supply is pure. The water is stowed in a reservoir which is supplied by natural springs, and is conducted by means of iron pipes from "Monkey Hill," the place of its location, to Colon, a distance of about 8 miles. The reservoir and springs are fenced in, the walls and adjacent banks are kept clean, and no habitations are allowed on either watershed. In consequence of this diseases due to impure drinking water, such as typhoid fever, dysentery, cholera, etc., are practically unknown. As this is the only source of water supply, the city bids fair to maintain the distinction. However, just before my ship sailed from the port an epidemic of dystentery, which was catarrhal in character, appeared, but could not with certainty be traced to the water. The waterworks do not belong to the city, but are the property of the Panama Railroad Company, from whom the city rents a few water stations where the inhabitants may get a supply on the payment of a few cents.

The Isthmus, by which term I mean that country between Colon and Panama, is even in a worse condition than Colon. The same disregard for sanitary laws is present, and in addition the water supply for the small towns along the railroad is very impure. Water is obtained from small streams, which are always polluted by privies, pigpens, hencoops, etc. Many times I have seen the natives drawing water from a stream, the water to be used for cooking and drinking purposes, above which a privy emptied directly into the source. For the first 12 miles along the canal the country is low and marshy and affords an admirable breeding place for mosquitoes, which are present in swarms, and among their number are a great many of the genus *Anapholes*. The result is that malaria is endemic, particularly the pernicious type.

It is said by old employees of the Panama Railroad that every tie in the track represents a human life. If this be so, you get an idea of how terrible a disease pernicious malaria is, since the railroad is 40 miles long. It may be of interest to you to allow me to describe a case of pernicious malaria that occurred on board the *Marietta*. The patient was a seaman, 30 years old, native of Cumberland, Md. Physical condition good, well built, sanguine

type, and up to that time had not had a day's sickness. On March 22 he reported at the sick call complaining of feeling "badly." His face was flushed and swollen, eyes ejected, tongue thickly coated, and breath exceedingly foul. His whole appearance was that of a very sick man. On questioning him he gave the following history: Had experienced a severe chill the day previous, and soon afterwards felt hot and thirsty; also had an intense headache and backache. The latter symptoms were still present and the pain extended to all the joints. His temperature was 103° F.; pulse 126, full and bounding.

At the junction of the integument and hair of the forehead a number of vesicles about the size of a pea were discernible. The chest, belly, back, and inner side of the thighs were covered with a diffuse papular eruption. Over the pubis and in Scarpa's triangle were found a dozen or more vesicles similar to those found on the forehead. As it looked very much like the initial symptoms and rash of smallpox, the patient was isolated. A drop of blood was examined and was found to be simply filled with the plasmodium malariæ, of the small hyaline type. Quinine sulphate in 20-grain doses were given every two hours, also 1 ounce of magnesium sulphate. The patient was closely watched during the day, but no apparent change noted. Temperature rose to 104° F.; a cold bath was given, after which he felt much better and dropped off in a natural sleep.

The next morning temperature was normal and rash has disappeared; pulse 96, not so full as the day before; headache and backache gone; breath still exceedingly foul, and tongue heavily coated. He felt rather comfortable, complaining only of a slight sense of nausea and sore throat. His temperature remained normal for the next three days, when it rose, in spite of treatment under quinine, to 100.5° F. No chill accompanied the rise in temperature, and for the next two months he was under my observation, and at no time did his temperature get below 96.8° F., often rising at irregular periods to 101° or 102° F. He lost about 25 pounds in weight and became very weak. The treatment consisted of administering quinine sulphate in large doses, with arsenic, until he took 20 drops of the Fowler's solution t. i. d. In the month of May this ship returned to New York, when he was transferred to the U. S. Naval Hospital at Brooklyn. I was unable to follow his case any further, but understand he eventually got well.

It is the exception that a person affected with the pernicious type recovers, and the physicians with whom I talked on the Isthmus regard it as fatal. To my mind it is a fact that unless war is waged against the mosquitoes along the proposed Panama Canal route more lives will be lost during and after its construction than it will take dollars to dig it.

I can not give you many additional facts in regard to the city of Panama. It is better than Colon in regard to its sewerage, but resembles it in the same general disregard for anything sanitary. Panama, I think, will not have very much effect upon the question under discussion, the reason being that its harbor is not deep enough for vessels to get within 3 miles of the city, and therefore ships about to enter the canal would anchor well out of any source of infection originating in Panama. The diseases common to all three of the divisions are as follows, and occur with frequency in the order named: Malaria, intermittent, remittent, and pernicious fevers, smallpox, yellow fever, catarrhal dysentery, leprosy, and elephantiasis.

Malaria, as I have said, is endemic, but becomes worse during the change of seasons—that is, in the months of May and June and November and December.

Smallpox occurs quite frequently, and enough has already been said to show that conditions are perfect for its spread.

During the period this vessel remained in Colon no cases of yellow fever were seen or heard of, but from interviews with the local physicians the following facts were obtained: It occurs in epidemics about once every three years, the epidemic varying in intensity. It never originates in Colon, but has been repeatedly traced to Panama, there thence to Guiquile, a small town on the west coast of Colombia. It is regarded as particularly fatal, most of the physicians with whom I conversed stating that they never saw a case recover. The information in regard to this dreaded disease was not satisfactory, but I think there is less yellow fever on the Isthmus than generally supposed.

An effort was made to get the records of the hospital belonging to the French Canal Company, but they could not be obtained. I visited a hospital in Colon which was formerly used to treat the sick in the employ of the French company during the days when active operations were being made on the canal. The hospital is now turned over to the Sisters of Charity, and I asked one of them, who was a nurse under the régime of the French company, if they had many yellow-fever patients during the old canal days. She replied that they had great numbers, and all died. I asked her if she had any in the hospital now, and, to my astonishment, she said, "Yes; would you like to see him?" The supposed yellow-fever patient certainly did not have the yellow fever, and was dying from pernicious malaria. I am sure that, if the truth was known, a great many of the victims whom they tell me died of yellow fever during active work on the canal really succumbed to pernicious fever.

If our Government chooses the Isthmus of Panama as the site for the canal, it must, in order to save a great many lives, make a radical change in the sanitary conditions. My idea would be to purchase 5 miles of land on either side of the canal and have it under the laws of the United States. In this way the people would have to change their habits and abide by laws which govern and control public health in any of our cities in the States. It is unnecessary for me to say that such laws would do away with one objectionable feature; that is, the spreading of infectious diseases by individuals and public vehicles. In order to get rid of the mosquitoes one of two things would be necessary: Either destroy their breeding grounds by draining the swamps or kill the mosquito larvæ by the best methods experience in Cuba and our own country has taught us.

I do not believe the surrounding country could be effectually drained until the canal is completed, and even then it will be a hard matter, as there is an immense rainfall during the entire year, the only difference between the rainy and dry season being that it rains all the time in the former and most of the time in the latter. If our country digs the canal I agree with you that we as professional men should do all in our power to save human life, and I think not only should the world be protected and given the benefit of our knowledge in regard to the best route as far as health is concerned, but when a route is decided upon something should be done to protect the laborer. The general public would no doubt laugh to see men shoveling dirt with their hands protected by leather gloves and heads and necks guarded by mosquito nets, but I think the laborer would be thankful that he was able to win his bread and not lose his life, even at the risk of ridicule.

I hope this vessel will be ordered to Nicaragua before she returns north, and if she is you may be assured I will do all in my power to find out the actual conditions in that place. In the meanwhile, if I can be of any further service to you in this matter, command me.

Very sincerely,

O. G. SMITH,
Assistant Surgeon U. S. Navy.

LOUISIANA STATE BOARD OF HEALTH,
Shreveport, La., November 23, 1902.

Dr. JOHN A. WYETH, *New York City.*

DEAR DOCTOR: Yours of 11th instant received, and replying to same will say that I spent seven months of last year in Central America as resident medical inspector, Louisiana State board of health. I was stationed in Belize, British Honduras, but made frequent trips into Gantemala and Spanish Honduras, and familiarized myself with health conditions prevailing in these countries, as well as in the neighboring State of Nicaragua.

From information gained from observation and gleaned from American residents, I am convinced that health conditions in Nicaragua are most favorable, and this fact is amply borne out by reports from medical officers of United States Marine-Hospital Service and of Louisiana State board of health stationed in Nicaragua. Panama and Colon, on the other hand, are notoriously unsanitary, and are hotbeds of yellow fever, pernicious malarial fever, and tropical dysentery.

The influx of a horde of nonimmunes into a region so infected can not but be productive of results of a most disastrous character. It is a noteworthy fact that native Colombians coming from the interior to the Isthmus are attacked by yellow fever, and on more than one occasion the ranks of the Colombian army have been decimated by this scourge. From a purely medical point of view, there can be but one opinion as to the desirability of the Nicaraguan route, and as conditions of health and sanitation are the most important factors in the construction of the canal, as well as the most difficult problems to overcome, the opinions of physicians and sanitarians should have due weight with our national legislators.

While much may be done to improve local conditions, and lessen the mortality, still the most sanguine can not expect as favorable results as were achieved in Cuba. Among the many strong reasons against this may be cited the following: (1) Local conditions are entirely different. We are on foreign territory, dealing with a foreign government, and can not employ the same means, nor accomplish the same ends as in a government of our own administration. (2) Civilians can not be subjected to strick military discipline, and while we may supervise sanitary conditions, we can not enforce the rigid rules which might be enforced under a strict military régime. For these and many other reasons, we can not expect to achieve the results attained in Cuba.

In all portions of Central America to-day "canal days" are spoken of as the old citizens of our own country speak of '49 and the early California days. As California was the Mecca for adventurous spirits in '49, so will the canal, when begun, be the Mecca for thousands of adventurous spirits of all classes and conditions, and who can foresee the far-reaching results of this sudden influx of nonimmunes into the infected territory around Panama and Colon? That traffic will be increased and our Southern ports endangered can admit of no doubt.

Trusting that our legislators, in their wisdom, may reconsider the matter and decide on the Nicaraguan route, and regretting that I can not give you more exact data on the subject, I remain,

Fraternally, yours,

J. S. ALISON, M. D.,
Former Resident Medical Inspector, Louisiana State Board of Health, British Honduras, Central America.

FORT DAVIS, ALA., *November 11, 1902.*

Dr. JOHN A. WYETH, *New York City.*

DEAR SIR: Replying to your communication dated November 11, 1902, I have to say that serving in the interest of the Louisiana State board of health and United States Marine-Hospital Service in Central America for six consecutive years, during my residence in the Tropics I formed opinions of the deadly Chagres, yellow, and pernicious malarial fevers which find their habitat in the course of the route of the Isthmian Panama Canal. In fact, the virulency of these fevers seems to be more pronounced than in any other region of the Tropics. I have no hesitation giving the opinion parabus. The death rate from unhealthful surrounding would more than treble the Nicaragua route. I believe the latter incomparably more healthy.

Judging from the saturnine fevers during Ferdinand de Lesseps's failure to construct the isthmian Panama scheme, fifteen years ago, will give some idea of the appalling destruction of life by attempting to construct the great work by this route. The consensus of opinion of the reputable medical men I met in Spanish Honduras, Guatemala, and British Honduras concur in the opinion that the Nicaragua route is incomparably more healthy. Sailors and ship crews in transit through the Panama route would suffer much imminent danger from propinquity of harmful air, which is a factor causing the pervading fevers.

Respectfully,

W. K. FORT.

P. S.—Any communication will reach me directed to Fort Davis, Ala.

I now present the following clippings from the daily newspapers:

FEVER-STRICKEN MARINES HOME—THIRTY-FOUR OF YELLOW JACK'S VICTIMS REACH NEWPORT NEWS ON CRUISER PANTHER.

NEWPORT NEWS, VA., December 7.: The U. S. S. *Panther*, Commander J. C. Wilson, reached Hampton Roads from Colon to-day, bringing the fever-stricken marines who have been protecting the railroad property on the Isthmus for more than a month. Aboard the vessel there were 220 men.

Thirty-four of them, of whom two are officers, were taken to the naval hospital at Portsmouth immediately on the *Panther's* arrival. These cases are understood to be serious. The other stricken marines are not very ill, and will be granted shore leave until they can recuperate.

TWENTY-SEVEN DIE ON A TRIP.

COLON, COLOMBIA, Thursday: The Colombian gunboat *Presidente Marroquin*, with more than 1,000 Government troops on board, reached Cartagena December 3, after a passage of three days from Colon.

The troops on board suffered greatly from lack of water and food. There were 27 deaths among them during the three days, and there were 3 births among the soldiers' wives on board.

An accident to the gunboat's machinery accounted for the slow trip.

YELLOW FEVER ON BOARD—CRUISER MONTGOMERY ON HER WAY FROM COLON TO SAN JUAN.

A cablegram was received at the Navy Department yesterday from Commander Patch, of the U. S. cruiser *Montgomery*, which is on her way from Colon to San Juan, stating that he had found everything quiet at Santo Domingo City, where it was reported last week that a rebellion had broken out. This being the case, the *Montgomery* will carry out her original orders, and as soon as she has replenished her stores at San Juan she will relieve the *Cincinnati*, which is stationed at Cape Haitien, allowing the latter vessel to come northward.

A later dispatch received at the State Department from United States Minister Powell, dated last evening, stated that there was one case of yellow fever on the cruiser *Montgomery*. The officials do not apprehend any extension of the disease, in view of the perfect modern naval methods of handling such cases aboard ship, and particularly in view of the ease with which the mosquitoes, which transmit the disease, can be excluded. Therefore, unless there should be more cases, the ship will carry out the original programme.

The *Ranger*, which has been on duty at Panama for several months past, has started for San Francisco. In announcing her sailing from Panama the

commander of the *Ranger* made no mention of the reported arrival in Panama Bay of the newly acquired Colombian Government gunboat *Bogota*, which is expected to clear the insurgent navy out of the isthmian waters.

TROOPS ARRIVE AT COLON—OWING TO YELLOW FEVER, AMERICAN MARINES HAVE BEEN ORDERED FROM PANAMA.

COLON, November 13: The Colombian gunboat *Presidente Marroquin*, recently the steamer *San Righ*, arrived here from Cartagena to-day with 1,200 troops. It is reported that she is going to Kingston, Jamaica, for repairs.

Owing to the death of a United States marine named Schopplein of yellow fever, at Panama, the three companies of marines stationed there, excepting a small guard, have been ordered to Colon. The situation here is unchanged.

A thousand armed Government soldiers, under the command of General Silvia, were sent to-day on a special train to Gatun, a station on the railroad.

PANAMA, November 13: The Government gunboat *Bogota* returned to this port last night to repair some slight damage to one of her pumps. She also brought some valuable revolutionary correspondence which had been captured by members of her crew. From these papers it would seem that the revolutionists are without salt, provisions, and other necessities, and that there is much sickness in their camps.

As soon as her pump is repaired the *Bogota* will again sail in search of the revolutionary fleet. Captain Marmaduke, of the *Bogota*, is of the opinion that the recent work of his ship's cannon will make the revolutionists more careful in the future. He says the death of Richard Kane, the ship's armorer, was paid for dearly by the rebels.

EARTHQUAKE AT COLON—NO SERIOUS DAMAGE REPORTED—GUARDING AGAINST ATTACK BY REBELS.

COLON, March 25, 1902: A severe earthquake was felt here yesterday.

The intrenchments and barricades around Colon and Panama have been extended. The Government gunboat *Pinzon* has arrived here with 600 men.

The British war ship *Palas* has arrived.

YELLOW JACK APPEARS—MARINES AND SAILORS TO GO TO CULEBRA.

The appearance of yellow fever among the naval forces on the Isthmus will result in the early withdrawal of the sailors and marines. The only case so far reported is that of Private Shoeppleing of the Marine Corps, who died at Panama on the 13th instant.

It has been decided by the Department officials to order the marine battalion away from the seat of danger altogether, and to authorize the departure of the battle ship *Wisconsin* and the cruiser *Panther*. The marines will be taken to Culebra Island on the *Panther*, where they will go into camp and remain for the present.

TO WITHDRAW FROM ISTHMUS—THE WISCONSIN WILL SOON SAIL AND SO WILL THE PANTHER, WITH THE MARINES.

As a result of the better conditions on the Isthmus and the prevalence of yellow fever, which has already killed two Americans, orders will probably soon be issued for Rear-Admiral Casey to sail north in his flagship, the *Wisconsin*, and for the marine battalion under Lieutenant-Colonel Russell, to proceed in the *Panther* to participate in the maneuvers at Culebra. The marines will garrison the light fortifications on the island. They will act as an army of defense in minor mock operations, which will have the island shores as an object of attack.

[Daily Commercial News.]

THOUGHTS ABOUT PANAMA.

In common with the thinking friends of an isthmian canal, the Commercial News is skeptical as to the feasibility, the possibility, and the probability of the Atlantic and Pacific ever being united, if it depends on the Panama scheme. Having accepted it in good faith, as did all who desire a canal, subsequent action of the supposed friends of Panama so coincided with the actions in the past of obstructionists to a canal measure that it seems as if a carefully conceived plot to annihilate canal legislation was being successfully executed. In the limits of a Commercial News editorial, where brevity is a religion, there is no room to elaborate a theory, scarcely room to state all the facts. Some points may be given, however, from day to day, that may attract even the busy man's attention.

The canal commission, that cost the Government over $1,000,000, decided in favor of Panama, it is true, but its members never deigned to deny that they unhesitatingly investigated Nicaragua but dared not visit Panama for months on account of yellow fever.

There were deaths from yellow fever on the British ship *Comliebank* after she left Panama and before she arrived at her destination, Puget Sound, on January 2.

Of 320 marines that arrived at Hampton Roads December 7, there were 34 serious cases of fever and all were suffering more or less from malarial fever. This f., in the short time they stay on the Isthmus.

Consider the condition: Three hundred and twenty men in prime condition sent to the Isthmus. While there every care the United States can give its soldiers and sailors was given; their duties were such that there was little exposure to sun and none to rain. Water and food—in short, their diet was under the most careful medical supervision. In their short stay, going in perfect health and one would think not remaining long enough for disease to get hold of them, not one escaped infection, and after more than a week at sea 34 were in a dangerous condition.

What will become of surveyors, engineers, and particularly of laborers when the canal work commences? Vast graveyards are yawning for more victims—graveyards that the building of the Panama Railroad and the inauguration of the French canal fiasco failed to completely fill.

What of Nicaragua?

The refreshing trade winds that make it possible for sailing tonnage to utilize a canal, if built there, carry their invigorating purity across the land from ocean to ocean, and are further cooled as they pass over Lake Nicaragua. The pure waters of that lake, flowing out through the San Juan River, assist in making the section healthful even to the inhabitants of the North. At Panama even the seasoned native is not immune.

VILENESS OF PANAMA—THE RAILROAD IS ITS ONE REDEEMING FEATURE—PECULIARITIES OF THE ROAD—OLD BUT WELL-KEPT EQUIPMENT—COMPANY DOES ALL IT CAN TO MAKE PASSENGERS COMFORTABLE—PAYS HIGH SALARIES AND OFFERS GOOD INDUCEMENTS TO WHITE EMPLOYEES—CRUELTIES OF NATIVE POLICE.

COLON, PANAMA, February 12: The Panama Railroad is the one redeeming feature of this dirty, dirty Isthmus. It is a common saying throughout Central America that the construction and maintenance of this 47 miles of track cost a life for every tie beneath its rails. Colon was "made" by the railroad, and if the line should cease to exist and there was nothing to take its place it would not take long for the green fingers of the jungle to choke the life out of this sickly town. The railroad depends on the ships and the people depend on the railroad. Every man and woman and child in the place keeps one eye on the tower where the flags are hoisted when a ship is sighted, and anyone you meet can tell you what the signals mean—what ship is coming and what wharf it will rub its brine-drenched side against. The transfer of freight and passengers bound for other ports is Colon's only excuse for being. It is safe to say that few would come here if they could well avoid it, for it has little to attract wayfarers; they come because by traveling 47 miles by rail across Panama they save 3,000 miles of sailing around by sea.

The railroad people, being Americans, are very enterprising and do everything possible to facilitate the safe and comfortable transit of their patrons. If a boat arrives too late to connect with one of their regular trains, they get out a special. If a passenger has to kill time while waiting for another boat, they let him stay at the company hotel, which is rather like taking him into their family.

The company certainly does the right thing by its white employees. It pays them salaries which are about 50 per cent more than those paid in the United States. Houses are furnished free for the married employees to live in, and single men are given rooms in the company's hotel, while all may have their meals at the hotel at a nominal charge. This hotel is surrounded by pretty grounds, which are lighted by electricity. There is a splendid bath house, to which employees have free access. Besides this, they are given two months' vacation out every twelve at full pay, and a $10 rate on the company steamer to the United States. There is no night work at all; none of the offices are kept open and no trains are run after 6 o'clock.

STRONG INDUCEMENTS NECESSARY.

It is necessary to offer these inducements in order to get white people to live down here in this fever-stricken swamp, among the rats and buzzards and the black-and-tan heathen who live in huts over scum-covered puddles of stagnant water in a state of filth and dirty wretchedness that would start an epidemic in a United States community in less than a month. The white people of Colon live in a fringe of pretty, comfortable houses that stretches along the seashore. The surf is always throwing a lusty song for them as it breaks over the coral reefs that line the beach, and restless, rebellious cocoanut palms are always shaking their shaggy heads above them; but back of them, lolling in the lap of the swamp, is the mongrel breed that defies nature by living contrary to every known law of cleanliness and order. It is said that everything in this world has its price, and to live neighbors with such squalor as there is in Colon is certainly worth all that any white man can get out of it.

Railroading in Panama has some peculiarities of its own. The conductors have a freight run one week and a passenger run the next. The crews do not follow the same conductor, as they do in the States, those on the passenger trains remaining on their regular runs and those on the freights staying with their cabooses. The crews are all black except the conductors and the engineers.

The equipment of the Panama Railroad is old-fashioned, but in excellent condition. The road has been in operation since 1857, and the gauge is 5 feet, which is wider than the standard now in vogue in the United States. Very few of the cars are equipped with air brakes. The telegraph poles are made of iron, old rails being stood on end to answer the purpose. The ties are made of lignum-vitæ wood, which is so hard that a spike can not be driven in it. In order to get the spike in place a hole must be bored for it.

TELEPHONES IN CABOOSES.

There is only one telegraph station on the line, but all stations have telephones. A decided novelty in railroading has been introduced here by equipping all cabooses and baggage cars with telephones, so that a train can stop anywhere along the line and enter into communication with headquarters concerning the whereabouts of other trains. This is accomplished by having a battery in the car with a ground wire attached to the iron work of the trucks, so that the circuit can pass through the wheels and rails to the ground. A wire on a pole is then attached to the telegraph wire overhead, connecting it with the instrument inside the car, and you can then "hello" as much as you please. In case of a wreck or unexpected delay between stations these telephones render service superior to the telegraph.

The railroad hauls the freight and passengers of all countries. It is a common carrier in the fullest sense. The raw products of the South American Republics take the short cut across the Isthmus for Europe and America. Trains of sugar, nuts, and hides going north take the side track for trains loaded with manufactured articles going southward. On the wharves you see great piles of coffee bound for the North, while the ships that brought it are waiting for the railroad to bring them their cargoes of flour for the return trip.

The freight rates across the Isthmus are very high, the tariff on a 50-pound sack of flour being 90 cents. The local rates are very stiff also, the same charge being made for 1 mile as for the entire distance. First-class passenger fare is about 10 cents a mile and second class 5 cents, the rate being $4 and $2, respectively. In addition to this, passengers must pay 3 cents a pound on all baggage over 30 pounds carried in the hand. It costs the average traveler more to get his trunk across the Isthmus than to have himself transported. The annual report shows that 5,590 first-class passengers were hauled during the year and that the average amount of money that each one paid was about $9. About fifteen second-class passengers are hauled for every one of the first class.

NEVER BLOCKED BY REVOLUTIONS.

Panama has had many revolutions, but the international highway across the Isthmus has never been blocked by these disturbances. On some occasions, however, the operation of the road has only been maintained by the exercise of heroic measures. Quite recently the Government troops were intrenched on one side of the track and the insurgents on the other. In the sallies back and forth many dead and wounded fell on the track. A special, carrying United States marines, preceded the regular train, and as the bluejackets removed the fallen from the track, the freight advanced slowly and got through on time. At times the train crew had to lie on their stomachs on the car floors to avoid the shower of bullets that were flying back and forth.

The natives fight each other, but they seldom molest the whites. The great enemy of all is disease. The congestion of graves in the "Monkey Hill" burial ground bears witness to the jungle's resentment of the trespass on its privacy.

In would seem that there are more people dead in Colon than there are living. The advantages of living here are not worth recounting, but there are some luxuries when it comes to dying—a funeral train can be had for less than the cost of a hearse in our country. There is no road leading to the crude cemetery except the railroad, and one of the company's sources of revenue is the operation of a funeral car attached to a switch engine. The very poor perish miserably, and are disposed of in a way that is barbarous. If the dead person does not leave an estate amounting to as much as $5 (the price of the funeral car), and none of his friends revere his memory sufficiently to subscribe this sum, his body will have to be carried down the railroad on the shoulders of men. The body of each destitute person is carried out in a common coffin, dumped in the grave, and the box returned for the next unfortunate. This public coffin is used over and over again without regard to the age or sex of the dead or the nature of the disease which takes them off.

Besides having to share a common coffin, these pitiable human wrecks who were created in the image of God, but who perish as miserably as beasts of the field, have to share a common grave. Four or five will be put on top of each other, with just enough earth between to separate them, while their

name and number will be recorded on a wooden slab stuck endwise in the ground.

BRUTALITY OF THE POLICE

Another feature of these poor burials is that the police arrest men and force them to carry the dead and to do the burying. I have witnessed many brutal scenes during my trips to these countries, but one of the most inhuman and cowardly outrages I ever witnessed took place in front of the Washington Hotel in Colon one afternoon during my stay here, which was caused by the police drafting an old negro for burial duty.

The ignorant negro of all countries has a terror for the dead, and here there is good reason for his fear on account of there being so many deaths from contagious and loathsome diseases. In this particular case the officers halted an old black man who was probably 60 years of age. His hair was tinged with gray and his shoulders were stooped. He was terror stricken and begged piteously to be excused. The arrest took place near the surf and the old fellow ran into the water and lay down. At the point of the bayonet they forced another man into the water, made him tie a rope around the old negro's neck, yanked him out, and began to beat him.

Four more officers happened along and one of the newcomers deliberately knocked down the helpless old fellow with the butt of his gun and then jumped on his head. They would probably have murdered him if several Americans had not interfered. It is an outrage that these lazy officers should be allowed to shirk the work they are paid to do and force it upon others. They finally twisted chains around his wrists and a strapping fellow on either side pulled his arms apart until the iron cut into the flesh. They led him away with the blood dripping from his finger tips and his back gashed from bayonet jabs. It would be nothing surprising if they killed him when he had completed their dirty work for them.

YANKEE MARINES DESPISE THEM.

A Yankee marine can go ashore in Colon or Panama and bluff a half dozen of these murderous ruffians who make law a burlesque and justice a parody. If there is anything that arouses the contempt of our rough and ready sailor it is cowardice and unfair play, and he never loses an opportunity to take a fall out of these despicable isthmian police. The latter always sing mighty low when there is a Yankee battleship in port. The last time the squadron was in Colon one of our jackies took on some liquor, and then decided to pay his respects to the police force. He started out by marching up to the first one he encountered, ordered him to take off his hat, and when the policeman complied he was politely knocked down. The sailor went the rounds at this game until a squad of his comrades came upon him and took him aboard the ship. By rights he should have received a sound thrashing for his impudence, but he got away without a scratch, and for a week or so about every other policeman in Colon solemnly wore a black eye as a memento of his visit.

The railroad is a clean streak across the grimy face of Panama. It is the only healthy, hearty, human thing here, but it has small limitations. The people who operate it live to themselves, and its territory is only as wide as its two rails. Slender though it is, it is doubtless the entering wedge for Yankee rule in Central America. According to the canal treaty this strip is to be widened to 6 miles, and in these 6 miles the Americans will work another miracle like those performed at Santiago and Habana—out of the fearful rottenness and corruption will come law and order, and that cleanliness which is next to godliness.

HEALTH OF THE COUNTRY—ONE OF THE MOST IMPORTANT FEATURES OF THE CANAL QUESTION—COMPARISON OF CONDITIONS ALONG THE TWO ROUTES—RECORDS SHOW THE NICARAGUAN FREE OF SEISMIC DISTURBANCES, WHILE MANY CHANGES HAVE OCCURRED ON THE OTHER—CHAGRES RIVER CAN NOT BE CONTROLLED AS IS INTENDED—POSSIBILITIES FOR DEVELOPMENT OF THE COUNTRY ON EACH SIDE—THE COMPARATIVE COST OF THE TWO CANALS AND THE ADVANTAGES OF THE LONGER.

[The Picayune Bureau, Post Building, Washington, D. C., November 30, 1902.]

A gentleman of international reputation who has expert knowledge on the isthmian canal question, but whose name, because of his high position, can not be used, gave the Picayune correspondent to-day the following opinion on the subject which soon may be fully discussed in Congress.

"In selecting the route by which this great undertaking is to be fulfilled," said he, "among the things to be considered is the healthfulness of the country through which it must pass, and experience demonstrates that the Frenchmen, while attempting to control the Chagres River for canal purposes, lost their employees, both supervisors and laborers, through the unhealthy conditions of their surroundings, which causes what is notorious as 'Chagres fever' and its kindred diseases, so prevalent the year round and so noxious, infectious, and dangerous to human life as to affect persons even in transit.

"It is history by which the world was horrified that the workmen engaged in excavating and other work in this canal died like sheep infected with the pest, and what solid foundation there is to the bridge which crosses the Chagres at Barbacaes is composed of the bones of these workmen.

"Such baneful conditions as to climate and insalubrity exist for nearly the whole of the route of the proposed Panama Canal, including the ports at both ends of it, and to the stagnated, swampy nature of the ground, the overgrowth of tropical vegetation, continually acted upon by sun and rain in the absence of wind and tide to give any relief, causes which, if not impossible to remove, would require the expenditure of much more money for the purpose alone than would build two canals.

"Should this Panama route unfortunately be selected we must necessarily send there our engineers, laborers, and other employees, because, if acclimated and proof against the fell destroyer, the Chagres fever, the natives of Panama will not work, and our supervisors and soldiers must be stationed there to transact the business of the canal connected with its operations and to police the country occupied by the canal.

"This one particular is of too much interest to be lightly considered. War, whether the result of passions or of a violation of the rights of one of the belligerents, excuses, if anything can, the incidental destruction of human lives; but to imperil life in cold blood, such as experience and history teach us will ensue if we attempt to prosecute the building of a canal by the Panama route, and for the sake of gain, is unpardonable; and such wholesale murder as will ensue will be a foul and lasting blot on our boasted humanity, if permitted, with the full knowledge which we possess of the experiences of De Lesseps and others along this route.

"Such direful difficulties do not exist along the proposed Nicaraguan route, except it may be slight cases of malarial fever; but Nicaragua and Costa Rica, situated so nearly contiguous to Panama, and in more or less the same latitude, are notoriously healthy, and compare favorably in this respect with our Southern States. All this is unquestionably sustained by the testimony adduced before our committees in Congress, from witnesses who were well informed on the subject.

"A canal to connect on this continent our two great oceans is a public necessity and should be owned and controlled by this nation, but some of our people are fearful that seismic disturbances will impair the usefulness of this waterway. The volcanic disturbances which occurred last April in Guatemala and which destroyed a large town and surrounding country, and the eruption of Mont Pelee in Martinique and adjacent islands, did not affect either of the lakes along the Nicaraguan route, and since 1663 no earthquakes have occurred along this route or near it severe enough to have damaged any lock or dam.

"There is no record of any seismic disturbances along this route which did any damage other than to frighten a few nervous people out of their poor adobe houses.

"In 1883, during the eruption of Ometepe, the only volcano near this route, earthquakes occurred in several places in Central America, but in no place were they so little felt as on the Nicaraguan route, yet at Panama many well-built houses were badly damaged, while on the former route no damage was sustained.

"The earthquake of 1883 destroyed perennial wells which had long existed on the Isthmus of Panama, but none of the deep artesian wells near the Nicaraguan route have been disturbed and there have never been any cracks or crevices in the earth or changes in the water levels of the lakes along this latter route caused by seismic disturbances.

"Even if the volcano in the Lake of Nicaragua, which is the only one along this route, should have an eruption as great as that of Mont Pelee, it would not stop traffic longer than to allow the curious to view the spectacle.

"For over two hundred and thirty-seven years, since 1663, no severe earthquake has occurred along the Nicaraguan route, while less than twenty years ago the Panama route suffered from such causes in a way that might have destroyed the great proposed dam at Bojio and have injured all the locks along that route. The water level of Lake Nicaragua has never been disturbed, except by natural evaporation and filling by rainfalls, since the discovery of Central America, and its stability does not depend on a dam such as is proposed to be erected to utilize Lake Bojio on the Panama route and which is situated in a district where earthquakes have always been more frequent than in any part of Nicaragua or Costa Rica, and especially along the route through the latter countries.

"We must concede that when the Frenchmen attempted to construct a canal on the Isthmus of Panama they intended to succeed if it were possible. They formed a stock company and issued bonds to a very large amount and payable at long range, which were bought up and are now held by all the world. The proceeds, about $160,000,000, were sunk in what proved to be a futile attempt to build the canal, yet French engineers, men eminent in their profession, planned and carried on the work and signally failed, after spending an enormous portion of the sum mentioned above and sacrificing countless human lives, because of the unsuitable condition of soil and climate. They left the bondholders to 'hold the bag.' This they still continue to do with the hope that the United States will purchase a forlorn hope and which will involve endless litigation over the ownership of their gigantic failure, the débris of which was abandoned by practical men, but purchased by speculators under a very questionable title and with the ever-looming up of the claims of the original lienors or the bondholders, who might be restrained from making claims under French jurisdiction, but who would finally mulct the poor taxpayers of our country to the tune of millions of dollars.

"Our agents have reported a canal by the Panama route as undesirable, thus confirming the opinion of the Frenchmen, but in a later report say such a canal can be built. We must consider the proposition of building a canal as an intelligent business man working for himself would do in the ordinary course of his business, and where persons capable of doing a thing and having unlimited resources at their command for effecting it utterly failed to accomplish the undertaking because of instability of conditions, soil, the elements, and climate, not to mention other reasons which appear herein and which exist on the proposed Panama route, a business man would reject a proposition to invest his money and experience in such a project, but we have heard of speculators who undertake such things, and by devious ways succeed in gulling the unwary into an extension of the previous fiasco.

"The Chagres River can not be harnessed because of the changeable nature of its bed and course, owing to the uncertain and variable depth and strong current of its waters and the shifting nature of its banks. It will be impassable most of the time owing to the immense volume of water which it empties into the sea. We know something even in this benighted country about the forces of swollen rivers, which break dams, carry away houses, tear up trees by the roots, and carry havoc and destruction in their path. Such conditions are likely to arise at any time in the Chagres River.

"The dam at Bojio is liable to give away at any time (like that which caused the Johnstown flood) from shocks of earthquakes, and we can not see just how the Culebra cut, on which it is proposed to spend many millions of dollars, is to be a permanent and stable part of a canal when we take into consideration the nature of the soil in this cut, which becomes mushy when in contact with water, rain or from other sources, which will necessarily permeate the earth on the outside of any walls which could be erected in this cut during the greater part of the year, owing to the almost continuous rains which occur in this vicinity. It is estimated that 6 miles of this cut will cost $42,000,000, and there is no security that it will be durable.

"These are three conditions which alone should convince the ordinary mind that, even if once constructed, the Panama Canal would require an enormous outlay in keeping it in a working state of repair, not to mention the considerable time which would be required to patch it up so as to allow vessels in waiting to pass through.

"Some inklings of the truth of the preceding paragraph will be found in the last report of the Canal Commission, which states the approximate cost of maintenance (which means repairs) and operation of the two routes as follows: Nicaragua route, $3,000,000; Panama route, $2,000,000.

"The canal by the former route being nearly four times as long as that of the Panama route, if as unstable and unreliable as the latter route, should cost four times as much to keep it in repair and in operation; or, in plain figures, $8,000,000. This proposition is evident to the simplest mind, and is a strong factor against the reliability of the Panama route, when certainly it will not require nearly the proportion to operate the Panama short route as it will to operate that of Nicaragua.

"The people of this country who will have to foot up the bill do not want to take any chances of failure such as the Panama scheme presents for the same reason that a business man would not purchase a worn-out, broken-down vehicle with which to do the work that required a substantial one.

"The Nicaraguan route presents no conundrums nor obstacles which can not be easily and safely overcome. The San Juan River can be governed, and has been in its present condition for centuries. This statement also applies to Lake Nicaragua, and the substratum of this route is solid for canal purposes, and the canal, once built over it, would not be liable to suffer breaks that would tie up traffic.

"Another indisputable fact presents itself. The country around the Panama route is not fit to live in and offers but little inducement in the way of natural resources, while both Costa Rica and Nicaragua are rich fields for investment, with certain and large returns for our citizens, and consequent increase in our trade. Another matter of importance in this behalf is the port facilities at the terminus of each of the proposed routes.

"Both at the Panama and Colon ends of the Panama route the water is shallow for a long distance out from the shore, and the expenses of maintaining entrances and exits to the canal by that route, even if practicable for vessels of large tonnage, will be immense; but the harbors at both ends of

the Nicaragua route are not only easy of approach, but are of such a character in all requisites as to safely accommodate vessels of any size, and when once fitted for the purpose will be maintained with just little expense.

"Ships propelled by wind can be operated at much less cost than vessels propelled by steam, and while the former take longer to make the same voyage, for certain classes of cargo they are preferred, and it is not to be even supposed that sailing ships will be entirely superseded by steamers. There is another great objection to the Panama route in favor of that of the Nicaraguan—because of the almost total lack of wind to take sailing vessels to the Atlantic entrance of the Panama route or to leave the Pacific entrance without incurring the heavy expenses of towage for long distances to and from each port.

"The very opposite of such conditions exists at both entrances to the Nicaraguan Canal, and vessels under sail will have no difficulty in approaching or leaving either of its ports.

"The Canal Commission, in their last report of the cost of constructing a canal by this Panama route (if, as we doubt, it can be made a success with all the disadvantages it labors under) and including the payment to be made to the New Panama Company, states it to be $184,253,358 and that by the Nicaraguan route to be $189,864,062. The latter route, being more than three times as long as the former, would indicate that the Panama route presents much greater natural disadvantages to be overcome. Now that we are choosing the route over which the only isthmian canal will ever be built we should bear in mind that the old saying, 'The longest way around is the shortest way home,' will be verified if my conclusions are correct. But if the interests of a few speculators are to be subserved at the cost and damage to the public, that will be another way to look at the proposition.

"From our eastern seaboard, by the way of the Nicaraguan route, to our western ports and the East Indies the distance would be shorter by a day of fast steaming, and from our Gulf ports to these places by more than two days of steaming than by the Panama route, and the difference in point of time for vessels leaving the Pacific terminus of the Nicaraguan Canal and that of Panama for ports in the South Pacific in South America would be nominal, while for sailing vessels the advantage is all on the side of the Nicaraguan route, where there is always plenty of natural propelling power.

"Sailing vessels leaving the Panama route would have to be towed out of the doldrums for a long distance before they could encounter wind enough to take the flatness out of a flying jib. So the apparent difference of time for transit against the Nicaraguan route is more than offset by the advantage just stated. Though we are about to build a canal to suit our uses, I will state, en passant, that the Nicaraguan route will be equally advantageous in point of time consumed for European vessels as it will be for ours.

"We will find that the people of both Costa Rica and Nicaragua are alive to the importance of having this canal built over their route, and, if I am correctly informed by people who should know, I am confident they will gladly concede to us for a nominal consideration all the right of way which we require in fee simple and untrammeled, and, consequently, the right to control the enterprise, for which they will largely profit by the development of their country and increase the demands for our productions of all kinds.

"We can hardly compel the Colombian Government, even if we could find one which is de facto, to grant us a free and untrammeled right of way or any concessions which would meet our views, and they make demands which are exorbitant for permission to rent a strip of their property so we can attempt to work a miracle in their God-forsaken country. We would probably never need Lake Nicaragua as a coaling or refitting station, but it would be very handy to have it in the house should we desire to utilize it in that way."

"I spent several days recently in San Jose, Costa Rica, and almost the only article of American manufacture I found in the stores there was brown cotton drill. I don't understand, either, how we are to maintain peace and keep Colon and Panama in sanitary condition if Colombia retains governmental control of them. We may put them in sanitary shape, but it is positively against the Colombian's principles to insist upon a city being kept clean. Those two towns now need a thorough 'Habanazing' to make them fit to live in. After going all over Panama another American and I came to the conclusion that the best way to clean that city would be to burn it down and build it over."

And I present the following extract of a letter to me from a gentleman who was recently traveling in Colombia:

We landed in Savanilla, Colombia, on the morning of October 5; and as we spent thirty hours in port, took the train for Barranquilla, a town of 10,000 or 12,000 people, 18 miles inland. This is a very old town and is especially dead and alive now, as the state of poverty existing there, caused from their three years' revolution, is something awful. One American dollar was worth $800 Colombian money, and at present it is $1000 for one. When I returned to the river next morning the famous Colombian gunboat *Pinzon* had just arrived from Panama with 350 sick soldiers on board. They all had Panama fever and dysentery, and in all my life I have never witnessed such suffering. They were not only half starved, and without an ounce of medicine or a doctor, but were in rags and without a blanket or pillow and stretched out on the hard floor of the deck. Those who were able to walk were taken up into town, but eight of them died there at the wharf before our ship sailed in the afternoon.

We stopped the next night in Cartagena, and I had a talk with the American consul there. He told me that between last December and August 8,000 soldiers had been drafted from that district for service in the fight up around Panama and that out of the lot only 3,000 could be accounted for at present.

JOINT CONTROL OF CANAL ZONE SHOULD BE REFUSED.

I am not asking the Senate to reverse or disregard the preference Congress has given to the Panama route by the rejection of this treaty, but the facts I have presented to-day should, in my judgment, require us to refuse a joint control of the canal zone with Colombia in the exercise of the police powers and the military powers that are indispensable to the control of the canal zone at Panama. When we consider what Great Britain has found it necessary to do to protect and police the Suez Canal, constructed through a desert, we should never accept a joint control with Colombia over such people as are shown above to be inhabitants of the canal zone at Panama and the dense population of its immediate vicinity.

CHANGE OF FRONT OF ISTHMIAN CANAL COMMISSION.

Mr. President, the Isthmian Canal Commission, after making two reports, one preliminary and the other final—the final report being dated the 16th of November, 1901—in both of which they recommend the Nicaragua route in preference to the Panama route, changed front as to their recommendation without the slightest change of facts or of opinion, or the addition of any new facts relating to the practicability or feasibility of either canal, based on the facts they had twice reported and had once testified to on examination as witnesses.

SUPPLEMENTAL REPORT TO JUSTIFY CHANGE OF RECOMMENDATION.

To justify that change of recommendation they made the following supplemental report, which I will read in full, because it is the only justification they have attempted to make of their change of recommendation:

[Senate Document No. 123, Fifty-seventh Congress, first session.]

Message from the President of the United States, transmitting the report of the Isthmian Canal Commission upon the proposition of the New Panama Canal Company to sell and dispose of all its rights, property, and unfinished work to the United States.

[January 20, 1902.—Read: referred to the Committee on Interoceanic Canals and ordered to be printed.]

To the Senate and House of Representatives:

I transmit herewith a report of the Isthmian Canal Commission upon the proposition of the New Panama Canal Company to sell and dispose of all its rights, property, and unfinished work to the United States for $40,000,000.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 20, 1902.*

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President a copy of a letter from Rear-Admiral John G. Walker, United States Navy, president of the Isthmian Canal Commission, transmitting a report of the Commission upon the proposition of the New Panama Canal Company to sell and dispose of all its rights, property, and unfinished work to the United States for $40,000,000.

Respectfully submitted.

JOHN HAY.

DEPARTMENT OF STATE,
Washington, January 20, 1902.

DEPARTMENT OF STATE, ISTHMIAN CANAL COMMISSION,
Washington, D. C., January 18, 1902.

SIR: I have the honor to transmit herewith a report of this Commission upon the proposition of the New Panama Canal Company to sell all of its rights, property, and unfinished work to the United States for $40,000,000.

I am, sir, with great respect, your obedient servant,

J. G. WALKER,
President of Commission.

The SECRETARY OF STATE,
Washington, D. C.

DEPARTMENT OF STATE, ISTHMIAN CANAL COMMISSION,
Washington, D. C., January 18, 1902.

The PRESIDENT OF THE UNITED STATES.

SIR: The Isthmian Canal Commission has the honor to submit the following report upon the proposition of the New Panama Canal Company to sell and dispose of all its rights, property, and unfinished work to the United States for $40,000,000:

At a meeting of the stockholders of the New Panama Canal Company held on the 21st of December last full power was given to the board of directors of the company to negotiate for the transfer of its property, concessions, and unfinished work to the United States, its action to be subject to formal ratification by the stockholders. In accordance with this action the board indicated its desire, through its representative in this city, to offer a proposition to make such transfer to the United States for the price mentioned. Thereupon by your oral direction the president of the Commission conferred with Mr. Edouard Lamiré, secretary-general of the New Panama Canal Company. He also received several cablegrams from Mr. Maurice Bo, the newly chosen president of the company, in Paris. The results of these conferences and communications have been considered at a meeting of the Commission called for that purpose.

The first cablegram was dated in Paris on the 4th of January, and it stated that the company was ready to transfer to the United States its property and concessions for $40,000,000, and that the offer would remain open until the 4th of March, 1903. As it was not clear whether this offer included all the property of the company, further correspondence ensued, and it was made clear that the proposition was intended to cover the entire property of the company upon the Isthmus of Panama, all the stock of the Panama Railroad Company held for its use and benefit, and the maps, plans, archives, and records in Paris.

A communication and explanatory documents, duly certified, containing a fuller statement than is embraced in the cablegrams, but to the same effect, are on their way to the United States by mail, and copies of them have been deposited with the ambassador of the United States in Paris, who has acknowledged their receipt by cable to the Secretary of State.

The cablegrams received are as follows:

PARIS, *January 4, 1902—8.55 a. m.*

BOEUFVÉ, *Washington:*

Inform Admiral Walker immediately, and without awaiting Lampré's arrival, that the company declares itself ready to transfer to the Government of the United States, on payment of $40,000,000, its properties and concessions, estimated at that amount by the Isthmian Canal Commission in its last report, page 103, in conformity with the terms and conditions of the estimates of said report.

BÔ,
President of the Board.

PARIS, *January 9, 1902—4.07 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

The New Panama Canal Company declares that it is ready to accept for the totality, without exception, of its property and rights on the Isthmus the amount of $40,000,000, the above offer to remain in force up to March 4, 1903.

BÔ,
President of the Board.

PARIS, *January 11, 1902—4.17 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

Offer of sale of all our property applies also to all maps and archives in Paris.

BÔ,
President of the Board.

PARIS, *January 14, 1902—9.45 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

We send by mail letter confirming cable 11th January, and, under registered package, judgment August 2, agreement with liquidator, and three extracts showing powers of board. All these documents are certified to by the United States consulate-general.

BÔ,
President of the Board.

The "totality, without exception, of its property and rights on the Isthmus," mentioned in the cablegram of January 9, includes the following classes of property:

1. LANDS NOT BUILT ON.

There are 56 parcels of land to which the title rests in the canal company, amounting to about 30,000 acres, which, with the lands belonging to the railroad company, cover nearly all of the ground required for the actual construction of the canal. Some additional land must be acquired for the construction of the lakes at Bohio and Alhajuela and for the outflow from the Gigante Spillway, these additional lands being at present of little value.

Under the law of Colombia dated December 10, 1890, the canal company became entitled to 250,000 hectares (about 625,000 acres) of the land grant provided for in the original Wyse concession. These lands have never been delimited and the company has not actually taken possession of them, but the right to them would pass to the United States. In case the United States should not wish to take and hold these lands, it might relinquish the right in favor of Colombia in the negotiations with that Government for new treaty rights.

2. BUILDINGS.

There are scheduled 2,431 buildings, divided among 47 subclassifications, used for offices, quarters, storehouses, hospitals, shops, stables, and miscellaneous purposes. Among them are two large permanent buildings in Panama, one used as the headquarters residence and the other as the general office, large general hospitals at Colon and Panama, and several important buildings at Colon. These buildings are furnished.

3. PLANT.

There is an immense amount of machinery, consisting of floating plant (tugs, launches, dredges, etc.) and spare parts, with 24 subclassifications; rolling plant (locomotives, cars, etc.) and spare parts, with 17 subclassifications; stationary and semistationary plant (excavators, cranes, pumps, etc.), with 25 subclassifications. The Commission does not attach much value to this plant for the reasons given in its report of November 16, 1901.

There are also many surveying and other instruments, office supplies, and stationery, surgical and medical outfit, and miscellaneous supplies covering thousands of items.

4. WORK DONE.

The excavation already accomplished upon the main canal line, which will be of value in the plan recommended by the Commission, was carefully computed and was found to be 36,689,985 cubic yards. As stated in the report of November 16, 1901, the amount of excavation which can be utilized in the Chagres diversion is 210,873 cubic yards and in the Gatun diversion 2,685,434 cubic yards. Adding these together, the total quantity of excavation which will be of value in the new plan is 39,586,292 cubic yards. A temporary diversion of the Panama Railroad has been made at the Culebra cut, which also must be considered. Using the same classification of materials and the same unit prices as in the other estimates, with the 20 per cent added for contingencies, the value of the work done is found to be:

Canal excavation	$21,020,386
Chagres diversion	178,146
Gatun diversion	1,395,456
Railroad diversion (4 miles)	300,000
	22,895,028
Contingencies, 20 per cent	4,579,005
Aggregate	27,474,033

5. PANAMA RAILROAD.

Of the existing 70,000 shares of the Panama Railroad the canal company will transfer to the United States all but about 1,100 shares. These latter are held by a few individuals residing in various parts of the United States and in Europe. As it will not be the policy of the United States to so manage the railroad as to secure a large revenue, it is probable that the holders of these shares will in time find it to their interest to dispose of them at the price fixed by the Commission for the other shares, viz, their par value. At par the value of the 68,883 shares to be transferred to the United States by the canal company is $6,888,300.

Against this property are mortgage bonds to the amount of $3,439,000. Of this amount the company owns $671,000, which it has pledged as collateral for its debt to the Panama Canal Company described below, and it also holds in its treasury $1,064,000 subject to sale or cancellation, leaving outstanding in the hands of the public $1,504,000. The bonds bear 4½ per cent interest.

There are outstanding also $996,000 six per cent sinking-fund subsidy bonds, but this liability is an amortization of the annual payment of $225,000 due the Colombian Government under its concession for the period ending November 1, 1910.

The railroad company owes $386,918 to the Panama Canal Company, mainly on account of the construction of the pier at La Boca.

Its total liabilities, therefore, are $2,490,918, not counting the sinking-fund subsidy bonds, for which the Colombian Government has received the benefit and for which it should make allowance to the United States in the negotiations for treaty rights.

Its cash assets January 15, 1902, were $438,569.33.

It owns three passenger and freight steamers of American registry, the *Alliance*, *Advance*, and *Finance*, of approximately 2,000 tons net each, which, together with a chartered steamer, the *Orizaba*, run between New York and Colon on a weekly schedule. For the past year it has operated a line of chartered steamers of American registry between San Francisco and Panama. These steamers, owned or chartered, on the Atlantic and Pacific constitute the Panama Railroad Steamship Line.

The railroad company owns an undivided half interest in the islands of Naos, Culebra, Perico, and Flamenco, in the Bay of Panama, the Pacific Mail Steamship Company being the joint owner.

Besides its right of way, terminals, wharves, and considerable areas of land, it owns nearly the whole of the town of Colon, the houses there being constructed under leases.

The railroad company has no operating contracts which can not be terminated in ninety days.

The work of constructing the canal will largely increase the business of the railroad, and will enable it to pay off its liabilities in a very few years. After the completion of the canal its commercial profits will probably cease, but it will have a value incidental to operating the canal.

6. MAPS, DRAWINGS, AND RECORDS.

The value of the maps, drawings, and records in Paris, on the Isthmus, or elsewhere, all of which are to be transferred to the United States, as stated in the cablegram of January 11, is placed at $2,000,000.

Summing up the foregoing items, the total value of the property is found to be:

Excavation done	$27,474,033
Panama Railroad stock at par	6,888,300
Maps, drawings, and records	2,000,000
	36,360,333
To which add 10 per cent to cover omissions	3,639,667
	40,000,000

the last item being intended to cover any buildings, machinery, railroad shares, additional excavation to date of purchase, and other assets which may be of value to the United States and have not been included in the other items.

In reciting its conclusions in the report dated November 16, 1901, this Commission stated that the selection of the most feasible and practicable route must be made between the Nicaragua and Panama locations, adopting a plan of canal with locks in each case. It concluded that the water-supply features were satisfactory on both lines; that both dams, by which the summit levels would be sustained, were practicable, the advantage being in favor of the Conchuda dam at Nicaragua; that the plan of regulating the summit level was practicable in each case, though less simple on the Nicaragua route than on the Panama; that the present means of transportation were inadequate on the Nicaragua route, while a well-equipped railroad was in operation along the entire length of the Panama route; that there are now no natural harbors at Nicaragua, while serviceable ones exist at both ends of the Panama route, and although with the completion of the harbors as planned one route would have little advantage over the other, the balance was probably in favor of Panama; that owing to the absence of harbors and railroads the period of preparation at Nicaragua would be twice that at Panama.

It was also the sense of the Commission that the total time required for the construction of the canal by the Panama route would be ten years, and eight years by the Nicaragua route, with a greater probability of exigencies causing delays on the latter than on the former.

The estimated cost of constructing the Nicaragua Canal is $45,630,704 more than the cost of completing the Panama Canal.

The estimated annual cost of maintenance and operation is $1,300,000 greater at Nicaragua than at Panama.

The Panama route would be 134.6 miles shorter than the Nicaragua route from sea to sea, with fewer locks and less curvature both in degrees and miles. The estimated time for a deep-draft vessel to pass through the Nicaragua Canal was placed at thirty-three hours, as against twelve hours for Panama, these estimates being the time of actual navigation and not including delays for winds, currents, or darkness.

If the passage were made without interruption, about a day could be saved by the Nicaragua route over the Panama route by ordinary steamers handling commerce between our Pacific ports and all Atlantic ports, and about two days by steamers of the same class trading between our Gulf ports and North Pacific ports. The time advantage of the Nicaragua route would be less in the case of fast high-powered steamers, the use of which is increasing. Between Atlantic ports and the west coast of South America the Panama route has the advantage of about two days, and between the Gulf ports and the west coast of South America the Panama route has the advantage of about one day. The trade of the western coast of South America is a very important one, which has hitherto been in European hands.

The Panama route is an old highway of commerce, along which no considerable industrial development is likely to occur. During the construction of a canal on the Nicaragua route business relations would be established with Costa Rica and Nicaragua which would be likely to continue. Existing conditions indicate hygienic advantages at Nicaragua, though equally effective sanitary measures must be taken in both cases.

The offer received from the New Panama Canal Company to convey all its property, including all its interest in the Panama Railroad, to the United States will make the estimated cost of the two canals as follows:

Nicaragua	$189,864,062
Panama	184,222,358

The transfer would give title to all the land now held by both the Panama Canal Company and the Panama Railroad Company, which covers nearly all lands required for the construction of the canal. The land held by private parties at Nicaragua must be acquired, and its acquisition may prove expensive.

The question whether the New Panama Canal Company can make to a purchaser a valid title to the property formerly belonging to the old company, its predecessor, has been considered and answered in the former reports of the Commission, but in view of its importance in connection with the present offer the results of the investigation made will be again presented.

The old company, in addition to its canal property acquired under its concession from the Colombian Government, owned nearly all of the shares of the Panama Railroad Company. By purchasing these it obtained the control of the concession under which the road had been built. The latter concession will continue in force until 1966. The canal concession is to run for ninety-nine years from the day on which the canal shall be opened to public service, and the date fixed for this in the concession, according to its latest extension, is October 31, 1910. When these periods expire, the different properties are to belong absolutely to Colombia, without compensation, and the Government is under no obligation to extend either concession.

The canal company is absolutely prohibited to cede or mortgage its rights, under any consideration whatever, to any nation or foreign government under penalty of forfeiture. The contract with the railroad company contains a like prohibition, and declares further that the pain of forfeiture will be incurred by the mere act of attempting to cede or transfer its privilege to a foreign government, and such an act is declared absolutely null and of no value and effect. But for the purpose of permitting the New Panama Canal Company to enter upon the negotiations which have resulted in the present offer, Colombia has waived these prohibitions and has authorized the company to treat directly with the United States, with a view to the use

and occupation of the territory of the former for canal purposes if our Government should select the Panama route for an isthmian canal. After the old company failed a liquidator was appointed by the French court to take charge of its property and affairs. When the new company was formed he was authorized to contribute to it the rights, privileges, plans, documents, plant, and unfinished work in his hands and under his control, and in consideration of this grant he was to receive 60 per cent of the net profits of the enterprise after deducting all expenses, charges, and stipulated dividends to be distributed by him among the parties in interest.

This interest of the old company is still under the protection of the liquidator, and he must be a party to any arrangement that may be entered into for a sale and conveyance of the property, and as he derives his authority from the tribunal that appointed him, his action requires the approval and confirmation of the court.

The papers before the Commission show that the liquidator has agreed to the proposition and that he is acting under judicial authority.

A deed to the property executed by the canal company and the liquidator requires the approval of the Government of Colombia because of the prohibition already referred to in the concessions and for the further reason that the Republic owns 50,000 shares, of 100 francs each, of the stock of the company, full paid, of which it can not be deprived without its consent.

The Commission has no power to enter upon negotiations for the arrangement of these matters. They belong to the treaty-making power, but the acceptance of the terms offered by the New Panama Canal Company should be conditioned upon their satisfactory adjustment.

The advantages of the two canal routes have been restated according to the findings of the former report. There has been no change in the views of the Commission with reference to any of these conclusions then reached, but the new proposition submitted by the New Panama Canal Company makes a reduction of nearly $70,000,000 in the cost of a canal across the Isthmus of Panama, according to the estimates contained in the former report, and with this reduction a canal can be there constructed for more than $5,500,000 less than through Nicaragua. The unreasonable sum asked for the property and rights of the New Panama Canal Company when the Commission reached its former conclusion overbalanced the advantages of that route, but now that the estimates by the two routes have been nearly equalized the Commission can form its judgment by weighing the advantages of each and determining which is the more practicable and feasible.

There is, however, one important matter which can not enter into its determination, but which may in the end control the action of the United States. Reference is made to the disposition of the Governments whose territory is necessary for the construction and operation of an isthmian canal. It must be assumed by the Commission that Colombia will exercise the same fairness and liberality if the Panama route is determined upon that have been expected of Nicaragua and Costa Rica should the Nicaragua route be preferred.

After considering the changed conditions that now exist and all the facts and circumstances upon which its present judgment must be based, the Commission is of the opinion that "the most practicable and feasible route" for an isthmian canal, to be "under the control, management, and ownership of the United States," is that known as the Panama route.

We have the honor to be, sir, with great respect, your obedient servants,

J. G. WALKER,
Rear-Admiral, United States Navy, President of Commission.

SAMUEL PASCO.
ALFRED NOBLE.
GEO. S. MORISON.
PETER C. HAINS,
Colonel, United States Corps of Engineers.

WM. H. BURR.
O. H. ERNST,
Lieutenant-Colonel, United States Corps of Engineers.

LEWIS M. HAUPT.
EMORY R. JOHNSON.

ONLY FACT ON WHICH COMMISSION CHANGED ITS RECOMMENDATION.

It is not open to dispute or doubt that the only fact on which the Isthmian Canal Commission changed its recommendation from the Nicaragua route to the Panama route is that they, without reference to the cost of obtaining concessions from the governments owning the territory through which these routes are located, estimated that the Panama route would cost, to complete it, $184,222,358, estimating the work done on that route and the property that company proposed to sell to the United States at $40,000,000. And they estimated that the cost of the canal by the Nicaragua route would be $189,864,062.

The difference in cost, on this basis, being $5,541,704.

If the alleged advantage in cost, in favor of Panama, is changed by the provision of this treaty, that route has not the recommendation of the Isthmian Canal Commission, and could not have had it if they have made a frank and honest statement of the grounds on which they changed the recommendations they made to the President, in their preliminary report of November 30, 1900, and in their final report on November 16, 1901.

Not much is known about the ability and value of that report, and I will attach a copy of it as an appendix to my remarks.

After a year of further examination and deliberation the Isthmian Canal Commission made their final report, again recommending the Nicaragua route. This report changed no fact stated in the preliminary report, but added some facts relating mainly to questions of engineering, the length and time of ocean voyages through the canal to different seaports, and the health of both canal routes, with many documents and reports to sustain their final conclusion in favor of the Panama route.

HEPBURN CANAL BILL.

The Hepburn canal bill passed the House of Representatives on the 9th day of January, 1902, and was referred to the Committee on Interoceanic Canals on the 13th day of January, 1902, and reported by that committee March 13, 1902.

That bill provided for the construction of the canal by order of the President, under the direction of the Secretary of War, and he was authorized to have the work done by contract, or by the Government.

The committee preferred the plan of the Hepburn bill for building the canal. Others, including some members of the Isthmian Canal Commission, preferred that the canal should be constructed by an isthmian canal commission to consist of seven members, in the manner provided in the act of June 28, 1902.

STOCKHOLDERS' MEETING OF NEW PANAMA CANAL COMPANY.

It is stated in the supplementary report of the Isthmian Canal Commission that the stockholders' meeting of the New Panama Canal Company was held on the 21st of December, 1901, at which "full power was given to the board of directors to negotiate for the transfer of its property, concessions, and unfinished work to the United States, its action to be subject to formal ratification by the stockholders."

The report of the Isthmian Canal Commission further states that, by the oral direction of the President of the United States, "the president of the Commission conferred with Mr. Edouard Lampre, secretary-general of the New Panama Canal Company."

The only evidence of the action of the New Panama Canal Company, at any meeting of the stockholders or of the board of directors, is set forth in four cablegrams signed Bô, president of the board—one to M. Boeufvé dated January 4, 1902, and three to Admiral Walker dated, respectively, January 9, 11, and 14, 1902.

M. BÔ'S URGENT HASTE TO CHANGE "POWER TO NEGOTIATE."

The dispatch to M. Boeufvé is a rush order to—

inform Admiral Walker immediately, and without awaiting Lampre's arrival that the company declares itself ready to transfer to the Government of the United States, *on payment of* $40,000,000, its properties and concessions; estimated at that amount by the Isthmian Canal Commission in its report, page 103, in conformity with the terms and conditions of the estimates of said report.

BÔ, *President of the Board.*

M. Bô advanced in urgent haste from full power "to negotiate" to the point of making an offer of sale at a specified sum. This dispatch was addressed to M. Boeufvé.

On the 9th of January M. Bô changed his offer to sell into some offer to purchase the totality of its property and rights on the Isthmus for $40,000,000, "the above offer to remain in force up to March 4, 1903."

On the 11th of January M. Bô enlarges his offer to include "all maps and archives in Paris."

The cable dispatch of M. Bô to Admiral Walker of January 14 is as follows:

We send by mail letter confirming cable 11th January and, under registered packages, judgment August 2, agrement with liquidator, and three extracts showing power of board. All these documents are certified to by the United States consulate general.

M. BÔ, *President of Board.*

These cablegrams and the conference with M. Lampré, of which nothing is reported by the Commission, comprise all the information given to the Senate as to the proposed sale of the property to the United States.

A VERY "NAKED TITLE."

If these papers and statements constitute a title, it is surely a very "naked title." There is no warranty against incumbrances found in its stipulations, and if there was such a warranty it would be only that of a bankrupt corporation, whose last gasp of life was given in the broken utterances of these cablegrams.

The offer was hysterical and its acceptance agitated. The answer to the offer was given not sooner than the 18th of January, which must have been based alone on the cablegrams, the latest of which was dated at Paris on the 11th of January, 9.45 p. m.

Counting from that moment until the session of the Senate at noon of the 18th of January—five days and twelve hours—the documents certified by the consul-general at Paris could not have reached Washington before that report was sent in by the Commission to the President.

So that this vital matter of title to property, valued by the New Panama Canal Company on the report of appraisers at $109,000,000 and offered for $40,000,000, was considered by the Isthmian Canal Commission on these four cablegrams, and when they looked their labors over they "pronounced them good," and there they rested from their labors.

TWO FORMER DECISIONS REVERSED.

In five days and twelve hours they reversed their two former decisions, which took two years and five months of laborious effort to form, and report to the President, only two weeks of which time they had spent in Panama.

They were never in office after they made their final report, but the President intrusted to them this negotiation, and it stands for what it is worth as an unofficial opinion.

"CONTINGENCIES."

They stated some facts in their report that they had not stated before, as to the description and value of the property owned by

the Panama Canal Company, in which they included as "contingencies" lands and houses owned by the canal and railroad companies and covered them under that peculiar designation.

"INDISPENSABLE CONDITIONS."

They were very cautious as to the terms of the treaty to be made with Colombia, which they stated as indispensable conditions on which they base their change of recommendations, as follows:

Such a transfer of title thus approved would give to the United States the same right, title, and interest in the premises that the New Panama Canal Company now has, but that would not be sufficient. The existing concessions thus purchased would be valuable only because their ownership by the United States would remove the obstacles in the way of negotiations between the two Governments for the occupation of Colombian territory by the United States for canal purposes; but these concessions are unsatisfactory and insufficient, and a new arrangement must be made if an isthmian canal is to be constructed by our Government across the Isthmus of Panama.

The grant must be not for a term of years, but in perpetuity, and a strip of territory from ocean to ocean of sufficient width must be placed under the control of the United States. In this strip the United States must have the right to enforce police regulations, preserve order, protect property rights, and exercise such other powers as are appropriate and necessary. The business relations between the railroad and canal companies and the Colombian Government must also be settled, and the consideration to be paid by the United States for the privileges and rights to be exercised in the future must be agreed upon free from all embarrassment with reference to past transactions.

In this treaty the conditions they annex to their change of recommendation in favor of the Panama route are all violated, and it would be an act of serious injustice to the commission to suppose that they would ever have recommended the Panama route, under this treaty, for the chance of saving any such sum as $5,641,704.

When they find that this sum is more than set off by the cost of the concessions in this treaty and the lands we surrender to Colombia, and that nearly $1,000,000 is to the credit of the Nicaragua route by the single item for concessions, charged by Colombia, and that Nicaragua is, as matters have been so changed, the less costly route, there is no fact stated and no reason is suggested by anything they have said that authorizes anyone in quoting that commission as favoring the Panama route.

NO DEFINITE STATEMENT OF WHAT IS TO BE PURCHASED FROM NEW PANAMA CANAL COMPANY.

I could, under existing conditions, vote for a treaty with Colombia, free from other radical defects, that was based honestly and firmly on the terms and conditions I have quoted from the supplementary report of the persons who once composed the Isthmian Canal Commission. I will not further discuss this supplemental report than to say that its statements are not accompanied with any evidences to show that it is that we are to purchase from the New Panama Canal Company in any definite or tangible way, and that the haste of that movement was not needed to save the country from any danger into which we had been unconsciously led by the three careful reports that Admiral Walker had made in favor of the Nicaragua route.

FACTS STATED IN THREE FORMER REPORTS THE IMMUTABLE TRUTH.

Those reports were true and right. No one has ever assailed either of them or can ever do so successfully.

The facts stated in them are the immutable truth and the whole truth, and the conclusions reached will never be disproved. Not a shade of doubt is left on any intelligent mind as to the perfect safety and feasibility of the Nicaragua route. No apprehension exists in any informed mind as to any feature of the Nicaragua route, and no objection is made against it except that it is more costly to construct than a canal on the Panama route by the estimated sum of $5,641,704.

When that is wiped out by the greed of Colombia and her bad faith, Admiral Walker's three reports in favor of the Nicaragua route stand vindicated by the events that have occurred since he changed his recommendation.

If he could support this treaty after what he has said in his supplemental report that it must contain in order to meet his approval, it is because, like many eminent men, he has got to believe that he can demolish by a change of opinion, abrupt and unsupported by any new facts, the monuments he has builded to his own fame and that of his coworkers through many years of assiduous labor and careful study.

I will not aid in disparaging these honorable labors and their excellent results because he may see fit to do so.

NO DETAILED DESCRIPTION OF WHAT THE CANAL COMPANY PROPOSES TO SELL.

It will be seen from this report that no description in detail is made of anything the Panama Canal Company proposes to sell to the United States.

There is no description of lands or buildings, or of rights to lands earned or selected, or to be earned or selected, by the canal company under the concession, or how they are located with reference to the proposed canal zone.

As to personal property, machinery, material, tools, and the thousands of articles, stores, and supplies included in this broad designation of all the property of the canal company in Panama, there is no inventory or descriptive list submitted to the Senate.

We are in ignorance of what is offered for sale, and if it is withdrawn or disposed of between this time and the exchange of ratifications of this treaty between the two Governments we are none the wiser and will be entirely without remedy.

CULPABLY LOOSE AS A BUSINESS TRANSACTION.

As a business transaction it has no parallel in the history of commercial dealings for its culpable looseness. Are we trusting these ordinary and necessary details to so great and costly a contract to the honor of the men with whom we are dealing? We have no right as the representatives of the people to risk this vast sum of $40,000,000 derived from their labors, upon the honor of any set of men under the sun.

Does the Senate know what we are buying, and can we point out to the people the property we are to get, and have we any guaranty of how much of it will be delivered to us after the treaty is ratified and before the money is paid?

PERSONNEL OF THE NEW PANAMA CANAL COMPANY.

If the New Panama Canal Company is the anchor of our blind faith that all will come out right in the end, I will point the Senate to the final report of the Isthmian Canal Commission, on pages 83–84, where the men who compose that company are described:

The time in which the canal was to be completed under the Wyse concession having nearly expired, the liquidator sought and obtained from the Colombian Government an extension of ten years. The law of Colombia granting this extension is dated December 26, 1889. It provided that a new company should be formed and work upon the canal resumed on or before February 28, 1893. This condition not having been fulfilled, a second extension was sought and obtained April 4, 1893. It provided that the term of ten years granted by the extension of 1890 should begin to run not later than October 31, 1894. By an agreement dated April 26, 1900, the time was still further extended to October 31, 1910. The validity of the last extension has been called in question. Full copies of the concession and its various extensions will be found in Appendixes GG, HH, II, JJ.

The liquidator found himself laboring under special legal difficulties, from which he obtained relief by the special law of the French Chambers dated July 1, 1893. (See Appendix KK.) He finally secured the organization of a new company on the 26th of October, 1894, with a capital stock of 250,000 shares of 100 francs each. Six hundred thousand shares had been subscribed to be paid for in cash, and 50,000 shares were given as full-paid stock to the Colombian Government in compliance with the terms of the extension of the concession dated December 26, 1890. Thus the cash capital of the company was 60,000,000 francs, or $11,640,000, a sum deemed sufficient for the provisional operations contemplated.

The scandals connected with the failure of the old company, which had led to the prosecution and conviction of De Lesseps and other prominent persons, had made it difficult to secure even that amount. Suits had been brought against certain loan associations, administrators, contractors, and others who were supposed to have unduly profited by the extravagant management of the old company. A series of compromises were made with these persons, by which it was agreed that they should subscribe for stock in the new company on condition that the suits should be dropped. Whatever amount remained to make up the 60,000,000 francs after deducting the sums thus obtained and those to be obtained by public subscription was to be subscribed by the liquidator. The stock was subscribed as follows, viz:

	Francs.
Eiffel	10,000,000
Crédit Lyonnais	4,000,000
Société Générale	4,000,000
Crédit Industriel et Commercial	2,000,000
Administrators of the old company	7,885,000
Artigue, Sonderegger & Co	2,200,000
Baratoux, Letellier & Co	2,200,000
Jacob heirs	700,000
Couvreux, Hersent & Co	500,000
Various persons to the number of 60, who had profited by syndicates created by the old company	3,285,700
Hugo Oberndorffer	3,800,000
Public subscription	3,488,300
The liquidator	15,885,000
Total	60,000,000

See fourth report of the liquidator to the court, dated November 28, 1895, pages 8, 9, and 13.

The old company and the liquidator had raised by the sale of stock and bonds the sum of $246,706,431.68. The securities issued to raise this money had a face value of $435,559,522.80. The number of persons holding them is estimated at over 200,000. (See second report of the liquidator to the court, dated November 12, 1891.) There have been excavated in all about 72,000,000 cubic yards. There had been purchased and transported to the Isthmus an enormous quantity of machinery and other plant, at an estimated cost of $20,000,000. Nearly all of the stock of the Panama Railroad—about 68,500 of the 70,000 shares existing—also had been purchased at a cost of about $18,094,000. A general statement of the receipts and expenditures and further details of the history of the enterprise down to the formation of the new company, furnished by M. Maurice Hutin, director-general New Panama Canal Company, will be found in Appendix B.

NO RECORD OF ACTION OF CANAL COMPANY GIVING POWER TO SELL.

Are we to take the word of the attorney of the New Panama Canal Company that he has a special power of attorney to sell the United States this vast property, that is in due form and authorized by the action of that company, either through its board of directors or a meeting of its stockholders? I ask for profert of those powers and of the record of the action of the Panama Canal Company, by which alone such powers can be given.

Or shall we take Mr. Cromwell's letter to the Attorney-General, which was sent to the Senate yesterday by the President, as full proof of his powers and of an undeniable presumption that his powers are full enough to cover this vast and complicated transaction, and that they were given by the action of the New Panama Canal Company in full compliance with the statutes of that company and the laws of France?

If the Attorney-General or the President has such records of the action of that company, why are they not laid before the Senate? Who in this Chamber will undertake to answer that question?

I will pause for an answer.

OFFER OF SALE NOT RENEWED OR EXTENDED BY CANAL COMPANY.

It is simply impossible that the offer of sale made on the 9th day of January, 1902, in these words—

The New Panama Canal Company declares that it is ready to accept for the totality, without exception, of its property and rights on the Isthmus the amount of $40,000,000, the above offer to remain in force up to March 4, 1903—

could have been renewed or extended by any action of the Panama Canal Company, or could have been changed into a binding agreement by any action of the Panama Canal Company, the record of which could have crossed the Atlantic Ocean since the 17th day of February, 1903, the date of the letter of the Attorney-General.

This entire business was transacted by cablegrams exchanged between the parties across the Atlantic.

ONLY RELIANCE ON CABLEGRAMS NOT SENT TO SENATE.

We are here put to conjecture as to the action of the Panama Canal Company in this great matter, and our reliance for the truth of the situation is upon cablegrams that are not sent to the Senate, but furnish Mr. Cromwell with some foundation for his certificate that his powers are full and that they rest upon a record of the action of the New Panama Canal Company that fully sustains them.

I will read the message of the President of March 11, in full support of these statements:

To the Senate:

In response to the Senate's resolution adopted in executive session on March 9, 1903, in the following words:

"*Resolved*, That the President is requested to inform the Senate of the present state of negotiation or agreement between the New Panama Canal Company and the Government of the United States, together with a copy of any agreements that have been made or proposed by said parties, or either of them, touching the sale of the property of said canal company since December 1, 1902."

I transmit herewith a report by the Attorney-General addressed to the Secretary of State.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, March 11, 1903.

The Acting Secretary of State, to whom was referred the resolution adopted by the Senate in executive session on March 9, 1903, requesting the President to inform the Senate of the present state of negotiation or agreement between the New Panama Canal Company and the Government of the United States, together with a copy of any agreements that have been made or proposed by said parties, or either of them, touching the sale of the property of said canal company since December 1, 1902, has the honor to lay before the President a report on the subject from the Attorney-General.

Respectfully submitted.

ALVEY A. ADEE,
Acting Secretary.

DEPARTMENT OF STATE,
Washington, March 12, 1903.

DEPARTMENT OF JUSTICE,
Washington, D. C., March 10, 1903.

The SECRETARY OF STATE.

SIR: I have received your communication of this date, asking to be furnished with the information called for by the following resolution passed by the Senate in executive session on yesterday:

"*Resolved*, That the President is requested to inform the Senate of the present state of negotiation or agreement between the New Panama Canal Company and the Government of the United States, together with a copy of any agreements that have been made or proposed by said parties, or either of them, touching the sale of the property of said canal company since December 1, 1902."

I shall state, as briefly as I can consistently with clearness, the present condition of affairs.

The concession given to the French company by the Republic of Colombia contained in articles 21 and 22 a prohibition to cede or mortgage its rights to any nation or foreign government. Accordingly, all negotiations have been conducted with the understanding that the consent of Colombia is necessary to enable the company to sell and the Government of the United States to buy such rights.

After some correspondence between the Isthmian Canal Commission of the United States and the former president of the New Panama Canal Company, M. Hutin, which is printed in Senate Document No. 34, Fifty-seventh Congress, second session, the following cablegrams were received from the new president of the company, M. Bô, the first being addressed directly to M. Boeufvé and communicated to the president of the Isthmian Canal Commission:

PARIS, *January 4, 1903.*

BOEUFVÉ, *Washington:*

Inform Admiral Walker immediately, and without awaiting Lampré's arrival, that the company declares itself ready to transfer to the Government of the United States, on payment of $40,000,000, its properties and concessions, estimated at that amount by the Isthmian Canal Commission in its last report, page 103, in conformity with the terms and conditions of the estimates of said report.

BÔ,
President of the Board.

PARIS, *January 9, 1903.*

Admiral WALKER, *Washington:*

The New Panama Canal Company declares that it is ready to accept for the totality, without exception, of its property and rights on the Isthmus the amount of $40,000,000, the above offer to remain in force up to March 4, 1903.

BÔ,
President of the Board.

PARIS, *January 11, 1903.*

Admiral WALKER, *Washington:*

Offer of sale of all our property applies also to all maps and archives in Paris.

BÔ,
President of the Board.

For reasons explained in my opinion upon the title proposed to be given by the New Panama Canal Company to the United States, the liquidator or receiver of the old Panama Canal Company gave his formal assent to the offer contained in these telegrams, and obtained the approval of the civil tribunal of the Seine to his giving such assent. The judgment of the approval, dated March 19, 1902, declares that the tribunal

"confirms, so far as the liquidation of the Universal Interoceanic Panama Canal Company is concerned, the offer made by the New Panama Canal Company, with the assent of the liquidator, to the United States Government, to transfer to said Government the whole of the property and rights owned by the New Panama Canal Company on the Isthmus of Panama, as well as its maps and records in Paris, for the sum of $40,000,000 (i. e., about 205,000,000 francs), said offer to remain in force until March 4, 1903, the actual proceeds of the sale to be divided according to the award made by the arbitrators, subject to the modification to be secured from the Government of the Republic of Colombia as to articles 21 and 22 of the concessionary contract."

Recently, and while the offer of the company was yet open for acceptance, the following correspondence was had:

WASHINGTON, *February 17, 1903.*

M. BÔ, *President, etc., Paris:*

By direction of the President of the United States, I have the honor to say that the offer of the New Panama Canal Company, as contained in your telegrams of January 9 and 11, 1902, through Admiral Walker, to sell the property and rights of the company on the Isthmus of Panama and in Paris, to which offer M. Gautron, liquidator of the Universal Interoceanic Panama Canal Company, assented, with the approval of the civil tribunal of the Seine, is hereby accepted, subject to modifications of articles 21 and 22 of the concessionary contract by the ratification by both countries and the going into effect of the pending treaty concerning the Panama Canal between the United States and Colombia, now signed and awaiting ratification. The President desires that the proceedings necessary to the transfer of the title and possession of the property be forwarded as much as possible, to the end that when the pending treaty is ratified and goes into effect nothing will remain to be done but to consummate the transaction by the delivery of possession and the payment of the consideration.

P. C. KNOX,
Attorney-General.

PARIS, *February 19, 1903.*

P. C. KNOX,
Attorney-General, Washington:

We have duly received your telegram of the 17th, and we charge M. Cromwell with transmitting to you the response of the council of administration, agreeably to our engagements. You may rest assured that we shall expedite as much as possible the formalities necessary to the conclusion.

BÔ,
President of the Council.

WASHINGTON, *March 3, 1903.*

P. C. KNOX,
Attorney-General, Washington:

Pursuant to authority upon me conferred by the president of the New Panama Canal Company, I beg leave to state that the acceptance made by the President of the United States through your cablegram of the 17th ultimo of the offer of the company as contained in its cablegrams of January 9 and 11, 1902, addressed to the president of the Isthmian Canal Commission, is hereby accepted as being in conformity with said offer.

WILLIAM NELSON CROMWELL,
General Counsel, New Panama Canal Company.

There has been no other negotiation or agreement than is fully set forth above.

Very respectfully,

P. C. KNOX,
Attorney-General.

The cablegrams contained in this message and those in the supplementary report of the Isthmian Canal Commission, above quoted, are all the documentary proof or evidence, even by correspondence, that we have to inform us of any contract, proposed or accepted, between the United States and the New Panama Canal Company, or the liquidator of the old Panama Canal Company.

POWER TO CONCLUDE CONTRACT IN BOARD OF DIRECTORS, NOT IN THE PRESIDENT OF THE COMPANY.

As to Cromwell's alleged powers to conclude a contract of that sort, he only claims in his note of March 3, 1903, to the Attorney-General, that he is authorized to act "pursuant to authority upon me conferred by the president of the New Panama Canal Company." Yet, in the proceedings of the stockholders' meeting on the 21st of December, 1902, as stated in the supplemental report of the Isthmian Canal Commission, the power to negotiate for the transfer of the property of the New Panama Canal Company, etc., to the United States (which includes, necessarily, the power to complete the contract) "was given to the board of directors," not to the president of the company, and the contract when made is "to be subject to formal ratification by the stockholders."

ACCEPTANCE BASED ON AUTHORITY OF THE TRIBUNAL OF THE SEINE.

The acceptance of the offer of the Attorney-General, by telegraph, dated February 17, 1903, is expressly based on the authority of the tribunal of the Seine, given to the liquidator of the old company.

To show exactly what this means, I will insert what Mr. Knox sets forth in his report to the President, which is copied in the message of the President, as follows:

For reasons explained in my opinion upon the title proposed to be given by the New Panama Canal Company to the United States, the liquidator or receiver of the old Panama Canal Company gave his formal assent to the offer contained in these telegrams, and obtained the approval of the civil tribunal of the Seine to his giving such assent. The judgment of the approval, dated March 19, 1902, declares that the tribunal "confirms, so far as the liquidation of the Universal Interoceanic Panama Canal Company is concerned, the offer made by the New Panama Canal Company, with the assent of the liquidator, to the United States Government, to transfer to said Government the whole of the property and rights owned by the New Panama Canal Company on the Isthmus of Panama, as well as its maps and records in Paris, for the sum of $40,000,000 (i. e., about 205,000,000 francs), said offer to remain in force until March 4, 1903, the actual proceeds of the sale to be divided according to the award made by the arbitrators, subject to the modification to be secured from the Government of the Republic of Colombia as to articles 21 and 22 of the concessionary contract."

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P. C. KNOX,
Attorney-General.

The order of the tribunal of the Seine, thus relied upon by Mr. Knox, does not include the shares of stock in the Panama Railroad Company. That decree also terminates the power of the liquidator to make an offer of sale on March 4, 1903.

Nobody but that court can renew this power on or after the 4th of March, 1903.

CONTRACT NOT COMPLETE UNTIL RATIFIED BY STOCKHOLDERS OF THE CANAL COMPANY.

If our offer is not accepted before that date, it expires under the order of court, and it must be agreed to by the board of directors of the New Panama Canal Company and ratified at a meeting of stockholders before it becomes a complete contract. As to them it is not an accepted contract, and its acceptance by Mr. Knox and Mr. Bô is not an acceptance that creates a contract.

In either case this new effort to conclude an agreement by correspondence between Mr. Bô and Mr. Knox is abortive, and the contract accepted by Mr. Knox does not include the stock in the Panama Railroad.

ONLY CROMWELL'S WORD FOR ANYTHING.

As the contract laid before the Senate yesterday has no other foundation for its existence or its terms than the statement of Cromwell, the Senate should at least wait until the records can be produced from France to ascertain whether he has the power to bind the New Panama Canal Company to this new contract.

A cablegram, probably in cipher, is of all methods of contracting the least certain. Even Mr. Bô stopped long enough in his eagerness to grasp $40,000,000, at the sacrifice of $69,000,000, as M. Hutin asserts, in the value of the property, to remark that his first cablegram, conveying his offer of sale of this vast property, would be followed by confirmatory papers, to be sent across the Atlantic in the mails. He knew that no decent government would make such a contract by cable dispatches, which an operator might mistake or a crafty and unconscionable lawyer might misconstrue, misread, or misrepresent.

But in this matter no confirmation by mail is furnished as was promised by Mr. Bô, and the cablegrams to Mr. Cromwell are not permitted to be read by the Senate. We have only Mr. Cromwell's word for everything.

MAKING A CORPORATION A PARTY TO A CONTRACT BETWEEN TWO SOVEREIGNS.

This is the only treaty that was ever made that introduces a corporation, or joint-stock company, or a copartnership, or by whatever name the Attorney-General may choose to deal with it in this great matter, as a party to a contract between two sovereign powers.

I mean just what I say, and I wonder at the situation, as I have wondered at it and protested against it from the beginning, and I still respectfully protest that this treaty is sui generis and is impossible of ratification so as to bind Colombia and the United States until the third party named in the treaty, that is not a sovereign power, has made a sale of its property and rights to the United States in Colombia and France, and also its holdings of stock in another corporation in New York which owns property in Colombia. The act of Congress authorizes the President of the United States to make an agreement for certain property and rights of the New Panama Canal Company, but does not authorize him to acquire the property in Panama that belongs to the Panama Railroad Company of New York.

ATTITUDE OF NEW COMPANY AS TO TREATY.

This plexus of conflicting interests I will reserve for discussion later on. At present I will deal with the remarkable attitude and powers of the New Panama Canal Company in respect of the conclusion, the ratification, and the force and effect of the treaty now before the Senate.

This treaty authorized the New Panama Canal Company to sell and convey concessions made to it by Colombia and to its predecessor—the old company—and its property of every kind in Colombia and certain property that it owns in Paris.

COLOMBIA THE REVERSIONER.

Colombia is the owner of the reversion in all this property in Panama, at the termination of a lease for years, which may be sooner ended by certain causes of forfeiture. In this treaty it authorizes the canal company to sell its lease and all the rights and privileges connected with or arising out of it to the United States, leaving the terms of the purchase to be arranged between the United States and the canal company.

The attitude of Colombia is distinct and unquestionable, that this arrangement with the canal company must be made as a condition precedent to its right to make a sale of its reversionary interests to the United States, or of any interest in Colombia that would conflict with its obligations to the New Panama Canal Company.

Colombia, in obedience to these obligations, undertakes to preserve them and at the same time to sell and convey its interests to the United States. She refuses to exercise the right of forfeiture if it exists. In other words, Colombia undertakes to substitute a new landlord for its tenant, the New Panama Canal Company, on the condition, necessarily implied, that the tenant will surrender its lease to the United States and thereby unite the leasehold with the reversion in a new estate created by treaty between the United States and Colombia. So far as this treaty is concerned the present tenant, the New Panama Canal Company, is entirely at liberty to sell to the United States, or to refuse to sell, at its option. The treaty does not attempt to control the sale.

POSSIBLE DEFEAT OF TREATY AFTER PAYMENT OF TEN MILLIONS.

If the New Panama Canal Company refuses to sell its leasehold estate to the United States, that ends our treaty with Colombia, for she sells to us only if the lessee—the New Panama Canal Company—agrees to sell its rights to us, and not otherwise.

It is obvious, therefore, that if the canal fails to sell to us before the treaty is ratified, it can not be ratified as a contract with Colombia to operate immediately, because no contract of sale has been made with the New Panama Canal Company. Or if an arrangement of sale, or an agreement to sell, has been made with the Panama Canal Company, but not completed until after the treaty with Colombia is ratified, that company has it in its power, by refusing to complete the trade, or by refusing to perform its agreement, to defeat the treaty with Colombia already ratified, even if the $10,000,000 purchase money has been paid to Colombia.

WHAT IS OUR REMEDY?

Now, let us suppose that this cable contract with Cromwell, as the attorney in fact of the Panama Canal Company, is valid, still it can not be that it is executed, for the payment of the money and the delivery of the possession of the property, after the ratification of this treaty, is provided for in the express terms of the Cromwell contract.

If the canal company, finding that it can do better with its property, or for any reason should refuse to execute the contract, what is our remedy? No lawyer can imagine any other remedy than a lawsuit to recover damages or to compel a specific performance of the contract, at the suit of the United States in the French courts? The canal company is not a State or a treaty power that we can compel to comply with its contracts, and we can not compel that company, vi et armis, to perform its contract or to turn over to the United States its stock in the Panama Canal Company, or those precious maps that are in Paris, or the canal ditch, or the lands in Panama.

If we ratify this treaty now, on the facts before the Senate, what is there appearing here, or on any record in the United States, to prevent the New Panama Canal Company from disputing Cromwell's right to make the contract that he and our Attorney-General have hurriedly agreed upon?

DANGER OF INCREASED DEMANDS BY THE NEW COMPANY AND COLOMBIA.

I ask myself, with a shudder, what is there in the history of the New Panama Canal Company that can give us even moral security for their compliance with their contract. Why should not that company climb back to its demand for $109,000,000, as suddenly as its fall from $109,000,000 to $40,000,000, when it found that the Senate would pass the Hepburn bill that came from the House with every vote but two in that body?

Why should not Colombia, in the opportunities that are so enticing to blackmailers, again demand the $26,000,000 spot cash that she demanded of Mr. Hay for her concession, after agreeing with him to take $7,000,000 for it in April, 1902, just before the passage of the Spooner bill in the Senate?

Her conduct in that transaction is just the same, in principle that characterized the conduct of Spain in the treaty for the purchase of Florida.

It was thwarted by the moral courage, sagacity, and patriotism of John Quincy Adams, who dealt with the blackmailing monarch as honest men always deal with the breakers of public faith. And Old Hickory Jackson dealt with that and other questions of like character as an honest Democrat is never afraid to deal with them.

But the Adamses and Jacksons are left alone in their glory in these days of degeneracy, when no moral restraint is applied to nations that violate agreements.

REPUDIATION OF AGREEMENT BY COLOMBIA.

The conduct of Colombia in the repudiation of her agreement to sell this concession for $7,000,000, after having plighted her faith to do so, in order to overreach the friends of the Nicaragua route, by pricing her concession at the same sum that Nicaragua and Costa Rica combined agreed to take for their concession, is a total dismissal of the hope of good faith in any of the future joint agreements we are to make with her for future joint control of the canal zone provided in this treaty.

To pay Colombia $10,000,000 for the concession and to give her lands worth more than $3,000,000, for which we pay the Panama Canal Company in cash, and to guarantee $1,000,000 promised her for canal stock, in all more than $14,000,000, for what she agreed to sell us for $7,000,000, is also a deception practiced on the men in both Houses of Congress who, in any stage of the proceedings, voted for the Spooner bill on faith of the agreement made by Colombia. We can not afford to raise questions like this between ourselves, to gratify the ambition or the cupidity of anybody.

If we demand of Colombia that she shall do what is right and shall keep her diplomatic agreements she will dismiss Cromwell and Bô from her council of advisers and will cease to follow these charlatans in their play upon our supposed craving for a good bargain (that turns out to be a desperately bad one, even as to the cost of the canal), and then play upon our supposed fears that Colombia would make no treaty with us, we shall be able to get a just treaty.

LIBERAL PARTY SHOULD BE ENCOURAGED.

If we will take the honest Liberal party in Colombia by the hand and give them a place in our negotiations, we will not only have peace in Panama, but will have a chance to bless mankind by purifying, if that is possible, the most dangerous country to the health of the world.

The Liberal party in the Spanish American States are the people who have driven monarchy from the government of fifteen republics in North, Central, and South America, and have followed our example in replacing that form of government with free, constitutional, republican governments, in which the freedom of religion is the most precious liberty of mankind.

LIBERAL PARTY CRUSHED BY TREATY.

In this treaty we crush the Liberal party in Colombia and grasp the velvet hands of the slaves of the Holy Alliance and draw them to our bosoms. After this treaty has been ratified, the first trick of the lawyer who is dealing monte for the French gamblers, with his rig of three cups on his knee, namely, the United States, Colombia, and the Panama Canal Company, will be this: He will refuse to pay Colombia out of the $40,000,000 purse the $1,000,000 for the Panama Canal stock that we guarantee in the second paragraph of the first article of the treaty.

He will do that as a condition of delivering the property—the railroad stock—to the United States, and will claim that we, as guarantors of that promise, must pay this sum that has been promised to Colombia. When this holdup is put in practice we are bound by this treaty to pay the money, and the President will pay it and take the risk that the money appropriated for building the canal can be lawfully diverted to that purpose. If this treaty is a substantial repeal of the conditions prescribed in that law for the payment of that appropriation, we may expect serious question as to the legality of such an act. What power have we to compel Cromwell to pay this money to Marroquin?

CROMWELL'S POWER.

If the Panama Canal Company was a government and Cromwell was King, we could use force to compel him to pay the money to Marroquin and save us from liability as his sureties. As matters stand, Cromwell can force any conditions upon the United States he may choose to require as the condition of the delivery of the railroad stock, and Colombia, the United States, and France will all be powerless to compel the performance of any term in the contract we have made or are to make with the New Panama Canal Company.

This illustration of the condition that this treaty makes possible, and that the history of the Panama Canal Company and its character as a robber makes certain (unless they are allured away from their prey by fear), completely proves the dangers of this treaty or of any treaty between governments that give to private partnerships, joint stock companies, corporations, anonymous companies or individuals the right or the power to destroy a treaty by refusing to consent to its execution.

It is all wrong, needless, and unheard of, and it could never have been thought of as a correct method of creating or executing an honest contract between two governments.

COLOMBIA'S REASONS FOR INVOLVING THE UNITED STATES.

Colombia had her wise and sufficient reasons for involving the United States in this dangerous entanglement. She was afraid of the intervention of France in any dispute between her and the canal company, under article 9 of the concession of April 4, 1893, which I shall read:

ART. 9.

Disputes which may arise between the contracting parties with regard to the present contract or the former contract shall be submitted to the supreme court of justice of Colombia.

In conformity with the provisions of Article 7 of law 145 of 1888, the concessionary waives the right to diplomatic intervention concerning the duties and rights arising from the three contracts, except in case of denial of justice.

COLOMBIA'S COMPLICATED RELATIONS WITH FRANCE.

Colombia had further complicated her relations with France by becoming a stockholder in the New Panama Canal Company, which was created by the French courts, acting through the liquidator of the old company.

The majority of the seven-eighths of the stock in the Panama Railroad Company was held by the New Panama Canal Company, which was a formidable factor in the Colombian civil and military government in Panama.

For every reason, indeed, Colombia could not afford to break with France, or to disregard her slightest wish. It was wise in Colombia to take shelter under the decrees of the French courts and the acts of the French assembly, which, if they were valid, had smothered the rights of the bondholders and other creditors of the old company, for which she is liable. She therefore put the New Panama Canal Company forward as the prominent negotiator of the contract that would relieve her from responsibility to France, and at the same time to the creditors of the old Panama Canal Company.

HAS "DONE US TO A TURN."

In this diplomatic ruse she has succeeded to perfection and has "done us to a turn." Her triumph is complete, since this treaty is only a quitclaim title, with no guaranties as to incumbrances or against the liens, equities, claims, or rights of these creditors.

To do this Colombia has placed the necks of the creditors of the old Panama Canal Company under the guillotine of the French courts, and leaves us to the horrible task of aiding in that execution. When we have done this we will have stamped this grand and clean Republic with the odium of an assistant executioner of the sacred rights of more than a million of innocent French people. Why do we permit ourselves to assume this fatal and disgusting attitude when it is the simple duty of Colombia, as vendor of concessions to the United States, to clear off all incumbrances on the property and warrant the title to what she sells us?

OUR ONLY EXCUSE.

Our only excuse for this slack and dangerous attitude toward this imbroglio is that our Attorney-General holds that there are no incumbrances on the property; in fact, that no debts remain to be paid; and that they have all been asphyxiated by the strangulation administered by the French courts.

MONEY EXPENDED BY OLD COMPANY.

Before taking up the report of Mr. Knox, which was sent to the Senate on yesterday, I will call attention to another report, from which practical as well as moral deductions are to be gathered:

[House Report No. 2615, Fifty-second Congress, second session.]

The Committee on Rules, to whom were referred the resolutions heretofore introduced by Mr. Fellows and Mr. Geary, respectively, reported the same back with the recommendation that the resolution herewith submitted be adopted in lieu thereof, viz:

"*Resolved*, That a special committee of five be appointed by the Speaker to investigate and report as to what sums of money, if any, were expended by the Panama Canal Company, or its promoters, directly or indirectly, for the purpose of preventing opposition in this country to the plans of said company, or securing acquiescence in America thereto, and what disposition

was made of such sums; and generally as to the situation of affairs upon the Isthmus so far as American commerce seeking transit across the same may be concerned; and also as to the contracts and relations between the Pacific Mail Steamship Company and the Southern Pacific Railroad Company, the Transcontinental Railroad Association, and other railroads; and as to what contracts or other collusive arrangements have been made by said companies whereby the traffic by way of the Isthmus of Panama has been suppressed or diminished; and as to whether said steamship company, by virtue of said contracts or otherwise, has been practically absorbed by or subjected to the control of said railroad companies; and as to whether the business which it was the design of this Government to foster by the sums granted to said steamship company, through mail contracts or otherwise, has been thereby diverted from the Isthmus of Panama and the Panama Railroad Company to such transcontinental companies; and as to whether such acts are detrimental to the interests of American maritime commerce and the producers, manufacturers, and merchants of the United States; and if such abuses are found to exist, by what means the same can or should be suppressed, and as to whether the further grant of said sums to said steamship company should be withdrawn. Said committee shall have the power to send for persons and papers and administer oaths, and the expenses incurred in said investigation shall be paid out of the contingent fund of the House, and said committee shall have leave to sit during the sessions of the House in Washington or elsewhere."

Your committee, to which was referred the foregoing resolution, finds itself confronted with the fact that this session will close within a few days and that some report is demanded during the very last week of an expiring Congress.

The matters referred to in the resolution are so varied and distinct in their nature that while the committee finds itself able authoritatively to report on certain of the subjects contained in it, feeling confident that the true facts have been thoroughly disclosed, as to other matters referred your committee does not feel that same confidence, and should the House desire further investigation of some of the subjects embraced in this resolution your committee does not feel justified in saying that no ground for such action exists. Your committee has not felt itself compelled to go through the great mass of diplomatic papers and correspondence which has accumulated during the present century between various foreign powers and the United States on the subject of transit across the Isthmus of Panama. Your committee has examined the matter sufficiently to be able to say that as far as the treaty of 1846 with New Granada is concerned, and so far as the concession granted to and contracts made with the present Panama Railroad corporation, there is no clear ground for the assertion that any exclusive right to cross the Isthmus was ever in terms granted, or by implication secured, either to an American corporation or to citizens of the United States, to the exclusion of citizens of any other country.

The original concession to Howland and Aspinwall was simply the transfer of the concession theretofore given to a French corporation, which concession has been surrendered back to the Government of New Granada. The rights of the Panama Railroad Company are simply those conveyed to it by Howland and Aspinwall, affirmed and modified only by subsequent contracts with the Government of New Granada. There does not seem to be any ground, so far as the evidence adduced before this committee goes, for the claim that the Government of New Granada or the United States of Colombia has ever guaranteed that the United States shall control the transit, or place any limitation on the legal rights of shareholders in the railway company or restriction in the nationality of the owners of its stock.

The Panama Railroad is a corporation under the laws of New York, and its directory and the rights of ownership of its shares are governed by the laws of that State.

Your committee being instructed to ascertain whether any sums of money were expended by the Panama Canal Company, or its promoters, for the purpose of preventing opposition in this country to the plans of said canal has done its utmost in the limited time before the end of the present Congress to investigate this matter. It has been unable thus far to trace directly or indirectly the expenditure of any money whatever in a corrupt way to influence the legislative or executive action of the United States Government. It may be that no investigation, however prolonged after this lapse of time, could be efficient in making such discovery, even if such corrupt use of money was made, but this is the subject of which your committee does not desire authoritatively to express its opinion that further investigation would be entirely fruitless.

Certain facts in relation to the expenditure of money on the part of the canal company, however, are distinctly proven.

In the year 1879 the original subscription to the stock of the Panama Company was opened in France, of which country the canal company, by its technical name of the Universal Interoceanic Canal Company, is a corporation. The original subscription was an entire failure, and great weight must be given to the opinion that it was a failure principally on account of the distrust as to the attitude of the United States toward this canal project, which was universally entertained in Europe. It is a fact too well known to have required testimony to be offered that the entire tone of the executive branch of this Government during the Administration of President Hayes, and the entire current of our diplomatic correspondence, was one of intense loyalty to the idea that not merely no foreign government, but no foreign corporation indirectly supported or controlled by any foreign government, should ever obtain any right to construct a canal across the Isthmus. In fact, during the two years preceding the close of the Hayes administration the correspondence of our Government was kept within ordinary diplomatic courtesy of protest on this subject only by the belief, which results have proved to be well founded, that the canal constructed on the plans and ideas of De Lesseps and his associates was an idle dream, practically hopeless of accomplishment.

It seems clear that the promoters of the canal company saw that no success would attend their efforts to obtain subscriptions in Europe unless the public opinion of America on this subject should either be modified or that the people of Europe should be persuaded that the public opinion of the American people had been modified. De Lesseps visited this country in the winter of 1879–80, and a single instance will show how determined the promoters of the canal were, whatever was the popular opinion in this country, that Europe should be persuaded that it was not hostile to the canal. On the very day of De Lesseps's arrival in Washington President Hayes sent his message to Congress affirming in strong terms the position of his administration as to the Monroe doctrine in its broadest acceptation. That message as it appeared in the press was translated to De Lesseps, and his answer was characteristic and immediate. To the amazement of his American friends who had translated him this message, he at once telegraphed to Paris that the President's message had guaranteed the neutrality of the Panama Canal. This seemed to be the beginning of a great change in the tone of the press of Paris and of France, and from the time of De Lesseps's visit to this country there seemed to be an assurance that America was not hostile, but, on the contrary, very friendly to the enterprise. It was after the return of De Lesseps to France that the decision was made that an American committee of men of prominence, whose solid names would be a guaranty of the financial stability of the enterprise, should be selected.

The object of this is perfectly clear. It was to be given a widespread public impression that American capital, in the persons of some of its most respectable agencies, with ramifications, correspondents, and connections in every financial center of all localities in the United States, was backing the enterprise, and that Americans intended to become shareholders in the canal. It was intended first by the gentlemen who were selected to compose this committee to choose General Grant to lend his name to this enterprise, to give to this American committee not merely financial weight but the patriotic glory of a great name at the head of it, so as to impress the American people with its international or binational character. General Grant having declined, it was clear that the next best thing to do was to secure the name, as chairman of this committee, of some gentleman widely known, of political experience and position, and, if possible, one whose orthodoxy in the past in relation to the Monroe doctrine would make his support of the canal project all the stronger in the eyes of the American people.

The American committee, by mutual agreement, under suggestions from the financial agents of the canal company in Paris, had already been composed of the great banking houses of J. & W. Seligman, Drexel, Morgan & Co., and Winslow, Lanier & Co., of New York. Each of these houses was to designate one of its members to form the American committee, and the then Secretary of the Navy, Hon. R. W. Thompson, was decided upon as chairman, and in the autumn of 1880 the offer was made to him, through J. & W. Seligman, to leave the Cabinet and assume the title of chairman of the American committee, with a salary to be paid at not less than 125,000 francs.

The house of Seligman & Co., of London, in which the New York banking firm of J. & W. Seligman were interested, had been the financial agents of the Navy Department during the Hayes Administration, and personal acquaintance between the Seligmans and Mr. Thompson had been the consequence.

The only testimony obtainable as to the reasons which induced Mr. Thompson to consent to take this step is his own recollection of what was in his mind at that time. He states that after he decided on this step he notified the President of his intention and that the President acquiesced in it; and his resignation, under these circumstances, caused no severance of the personal friendly relations between them. This may be true, but it is difficult to see what the President could have done to show any want of acquiescence when one of his Cabinet tendered his resignation and explained that it was to assume a position of great apparent financial responsibility and importance, with a salary three times greater than he received as head of the Navy Department.

Testimony has been taken showing that this action on the part of the Secretary of the Navy was a great disappointment and surprise to Mr. Hayes, and he so expressed himself to others than Mr. Thompson.

It is clear that the whole tone of the Administration had been suspicious of and hostile toward the enterprise into which Mr. Thompson was willing to go, and it is perfectly clear that had not Mr. Thompson been a member of that Administration, no controlling reason existed for his selection as chairman of a committee intrusted, or supposed to be intrusted, with such great financial and commercial responsibilities.

Mr. Thompson tendered his resignation early in December, 1880, and it was formally accepted by the President a few days thereafter. It is significant of the controlling reasons for the haste in which this matter of Mr. Thompson's resignation from the Cabinet was concluded by him, that we find him writing, on December 16, that arrangements should be made that his salary should begin on the 20th of December, in order that his friends might "be assured that his position was fixed beyond a peradventure," and that a promise to this effect "would satisfy his friends and put the Nicaraguans on their backs."

It was at this time that the Forty-sixth Congress appointed a special committee to examine and report on interoceanic routes. At the same time the Committee on Foreign Affairs was charged with the examination and report upon the so-called "Crapo resolution," as to whether the Panama Canal project was a violation of the Monroe doctrine or was detrimental to American interests.

In the Senate the Burnside resolution to a similar effect was under consideration.

Your committee repeat that it has not found any evidence to show that any corrupt or improper means was used to stifle the investigation or the discussion of these resolutions. In fact, in spite of the arguments of Mr. Thompson and the counsel employed by him to assist, the Crapo resolution was reported back to the House in a somewhat modified form, but with a report ringing with true American patriotism, and in manly, yet conservative assertion of the Monroe doctine as it is generally understood in the United States.

The Select Committee on Interoceanic Routes also made a report strongly supporting the idea that the United States should control all transit over the Isthmus, at least in so far as to prevent any European or non-American nation from having a preponderating influence. But it will be remembered that it was at the short session of the Fortieth Congress, with a change of administration coming on the 4th of March, that these reports were made, as the present one will be, just at the close of the session, and your committee can see reasonable ground for the belief that these resolutions and reports were not acted upon simply from the general apathy of the House and the stress of other business at the close of the session.

Your committee find that for the next three or four years Colonel Thompson was exceedingly vigilant in watching the legislation of Congress, and most active and able in his efforts and influence to postpone the consideration of any legislation, either directly or indirectly, tending to work an injury to the cause of the Panama Canal Company. He appeared before committees, House and Senate, personally and by printed arguments and briefs. Theso, he thinks, had great weight in the defeat of the Nicaragua canal plans in whatever shape they came up, but it is not clear that outside of this he had anything directly to do with the shaping of public opinion in this country or bringing about what seems to have been an apparent acquiescence, or at least an indifference, on the part of the press and the people. So far as the testimony goes, the work of the American committee was altogether done by Mr. Thompson, and consisted of supervising purchases for a part of the time for the construction of the canal, and this persistent, watchful, and successful supervision of the legislation of the United States.

The members of the American committee other than himself were supposed by Mr. Thompson to have received no compensation whatever except their commission as bankers and brokers in obtaining subscriptions and furthering the sale of the stocks and bonds of the canal company and in the handling and transmission of the very large amount of money spent in this country for the purchase of supplies of various kinds. It was the object of the committee to see that to as great an extent as possible the purchase of supplies of raw material, of machinery, and tools should be made in the United States as an aid to make it appear that America had no hostility, but every reason to look with a friendly eye on this enterprise.

The total amount of money for purchases of this kind passing through the single house of J. & W. Seligman and distributed to American trade was upward of $40,000,000, and that house is not able to say that no further accounts of money came through other banking houses to be spent in America for similar ends. This, however, was all spent by purchasing agents of the canal

company, and their vouchers for their purchases were forwarded to Paris for approval. There was one thing, however, which struck the only three salaried officers of the Panama Canal Company whose testimony we have been able to get, as an entire surprise. This fact is that these three banking houses named above received, apparently for the loan of their names and for nothing else to this enterprise, the immense sum of 6,000,000 francs, or $1,200,000; $400,000 a piece, or $50,000 a year, was paid these houses without the knowledge of the chairman of that committee, who all the time supposed that he was the important factor in this enterprise and was himself receiving only half of that sum annually.

In fact, two years before the canal company went into liquidation it is in evidence that Mr. Thompson voluntarily reduced his salary by one-half—that is, to $12,500—remaining in complete ignorance that the other members of the committee, of which he was still chairman, were still each receiving $50,000. These banking houses state they had no specific duties to render in return for these subsidies; that they had no employment or interest to effect the sale of canal stock or bonds, and that, in fact, practically none were sold in the United States. What influence was exercised upon the financial public opinion of the United States by the names of these three great banking houses, what indirect credit and popularity was given to the enterprise through their numerous correspondents and connections throughout the country, is perhaps impossible now to estimate, but to effect this was the object of the formation of this American committee—a committee which testifies that it had no regular meetings, and some members of which were never present at a meeting or knew whether any minutes were ever kept by the committee, while each of these houses were receiving $400,000. This fact, if it is a measure of the general conduct and management of the Panama Canal Company, may possibly explain why it was compelled to go into liquidation as soon as it did.

The only specific matter the three banking members of the American committee seem to have had in charge and to have accomplished was the purchase of the stock of the Panama Railroad Company by the canal company at a price more than double what it had been quoted in the market for two or three years previous to the begining of these negotiations. This stock had been selling from $140 to $150, and the result of the negotiations and contract is, while each of these houses were receiving $400,000, that the canal company purchased 68,500 shares out of the 70,000 shares of stock, at a price of $231–$250 a share for the stock, $41 and some cents on each share for certain "assets" of the railroad company, the nature of which is not very clear.

It may not be out of place to state that in pursuance of this purchase these "assets" were sold to be bought by a "syndicate," and that syndicate was composed of Messrs. J. & W. Seligman, Winslow, Lanier & Co., and Drexel, Morgan & Co., who had been managing the purchase of the Panama Railroad stock on behalf of the canal company. These negotiations and the price paid for this stock by the canal company, however, may not come within the strict purview of the resolution of Congress.

As to the second part of the resolution referred to your committee, relating to the situation in the past few years and at present of American commerce upon the Isthmus, your committee feels that it has obtained all the evidence needed to establish certain facts beyond controversy. On the 1st of February, 1878, the Pacific Mail Company, a corporation organized under the laws of New York, owning and running steamers between New York and Aspinwall on the Atlantic, and between Panama and San Francisco on the Pacific, together with certain intermediate Central American and Mexican ports, made a contract for fifteen years with the Panama Railroad Company, also a corporation under the laws of New York. At that time there was not showing that there were any foreign stockholders in either of these two corporations.

This contract provided that the Pacific Mail should have the exclusive right "to bill freight through" from New York to San Francisco and vice versa over the Panama Railroad, and all freight offered by others between these points could not be "billed through," but would have to pay local rates on the Isthmus railway. The sum paid for this was to be a lump sum of $75,000 a month to the railroad company, which, by a modification, was afterwards reduced to $35,000 a month.

A remarkable fact about this contract is that it was the result of a contract made before that time between the Pacific Mail Company and the Transcontinental Railway Pool, as at that date the Association of Transcontinental Railways was called. That was a contract whereby the Transcontinental Railway Pool, embracing all of the roads between the Missouri River and the Pacific seaports, and covering entirely all railway traffic between the Atlantic and Pacific seaboards, several of which had received large donations of public lands and the bonds of which the United States Government was guaranteed, paid the Pacific Mail the sum of $90,000 a month, which was afterwards reduced to $75,000 a month, for the consideration that the Pacific Mail would carry only 1,200 tons a month of freight each way between New York and San Francisco, and on that freight would allow the transcontinental pool to fix the price and rate to be paid. That was the upshot of the contract, although the form was a reservation of space for 1,200 tons a month for the exclusive benefit of the Transcontinental Railway roads—whether the steamers sailed full or half empty.

After the passage of the interstate-commerce law had compelled the dissolution of the so-called "pool" a transcontinental railway association was formed, which, under some name or other, is still in existence; and down to the present time the Pacific Mail, subsidized by the Government in a large amount each year, has been allowing the transcontinental railways to fix the rates and limit the traffic over its line. These two contracts were so far practically parts of one and the same that the amount paid the Panama Railroad monthly was fixed with regard to that paid to the Pacific Mail by the transcontinental roads, and when the latter was lowered from $90,000 a month to $75,000 the former was lowered from $75,000 to $55,000. The object of this is frankly stated by the officers of both the transcontinental roads and the Pacific Mail; it was to maintain rates above the level to which they would fall if free competition between these several routes had continued.

It seems to be certain that a very large, if not an absolutely controlling, interest in the stock and directory of the Pacific Mail Company is owned by individuals and estates very largely interested in the stock and directory of the transcontinental roads, and it is proven that the same individuals composing a majority of the directory of the Pacific Mail composed a majority of the directors present at the meeting of the Panama Railroad Company's directory at which the contract between the Pacific Mail and the railroad company of February 1, 1878, was ratified and executed. That this system has for fifteen years been diminishing commerce between New York and San Francisco across the Isthmus is not denied. It is stated, as a justification, that the Transcontinental Railway Association, controlling, as it did, under these contracts, the prices and traffic of the Pacific Mail, used the latter as an active factor to defeat the competition of sailing-vessel traffic around Cape Horn, and thus were able to maintain the rates of the railroad companies as against that of sailing-vessel competition. It is obvious that this did not tend to increase American shipping or tend to the encouragement of the merchant marine of the commerce of the United States.

It seems to your committee that this state of things can not be beneficial to the general interstate trade or commerce of the United States, nor can it see that it is of any particular benefit to our trade with foreign countries.

It is stated that this arrangement between the Pacific Mail and the Transcontinental Railway Association came to an end in December last, which is just about the time that negotiations between the Panama Railroad Company and the Pacific Mail as to a renewal of the former contract seems to have fallen through. And it is likewise in evidence that the final check to the attempts at making a new contract between the Panama Railroad Company and the Pacific Mail was given by the following letter to the vice-president of the railroad company from the controlling member of the executive committee of the Pacific Mail, who is also universally recognized as one of the controlling influences of the transcontinental railways.

C. P. HUNTINGTON, 23 BROAD STREET,
New York, December 28, 1892.

CHARLES COUDERT, Esq.,
68-70 William Street, New York:

MY DEAR SIR: Herewith I return memorandum that you gave me on Monday. Of course this would not do, but it does seem to me as though there could be such a contract made as would be largely beneficial to both interests.

Yours, truly,
C. P. HUNTINGTON.

Whatever be the case in the last sixty days, it is perfectly clear to your committee that the Panama Railroad Company has for fifteen years been prevented by these arrangements from being a competitor with the transcontinental railway lines.

Your committee recommends that whenever, under provisions of the act of March 3, 1891, "for ocean mail service and to promote commerce," the Postmaster-General shall enter into contract with any line of vessels, a clause shall be inserted in said contract to the effect that if said steamship line shall enter into any combination or arrangement with competing lines of traffic the result of which is to diminish traffic or raise or maintain rates of freight on American commerce, foreign or domestic, over what free competition would effect, that said contract may be terminated forthwith by the Postmaster-General.

Your committee regrets, so far as the ownership of nearly all the stock goes, that the control of any American corporation, as the Panama Railroad is, should be held in foreign hands, particularly in the hands of the liquidator or receiver of another corporation, also foreign appointed by foreign judicial authority and subject to foreign judicial supervision.

It fails to see, however, that any law, treaty stipulation, or contract obligation has been violated by the purchase of these railroad shares by the Panama Canal Company, or that as yet any discrimination has been attempted against American commerce, or any injustice practiced thereon on account of such foreign ownership of this stock. The restrictions and injuries to American trade and commerce have sustained have been laid on them by American citizens controlling various other American corporations, and it is not a pleasing subject to contemplate.

Your committee can not refrain from calling attention to what seems an obvious deduction from the facts shown, that it is to the interest of the United States that the American people should absolutely control some outlet across the Isthmus at some point, which shall be used for the benefit of American trade in general, as an open and continuous competitor, affording no opportunity for entangling subsidies from great competing lines or chance of falling into the grasp of any monopoly through stock manipulation.

JOHN R. FELLOWS,
Chairman.

T. J. GEARY.
JOSIAH PATTERSON.
H. HENRY POWERS.
BELLAMY STORER.

SHREWD PRACTICE OF NEW COMPANY.

The New Panama Canal Company has not forgotten and does not fail to profit by the example of its predecessor. It has become the owner of all that remains of the property of the old company, for which it has never paid a dollar, including the stock in the Panama Railroad, and, with American aiders and abettors, it is about to realize from this property, as a dishonest pawnbroker realizes from goods that have been stolen, more money by $3,000,000 than the full amount of money paid into the treasury of that company.

Those stockholders put $13,000,000 into that company, and under a decree of a French court, already passed and made final before the United States have agreed to pay the $40,000,000, the stockholders of the New Panama Canal Company were to receive 40 per cent of that sum, which is $16,000,000. If the law still holds that the sins of the fathers are visited upon the children even to the third generation, I am afraid that if we enter upon this succession we will be just in time to inherit our just punishment for the sins of both the Panama Canal companies.

THE TWO PROPOSITIONS ATTEMPTED TO BE ESTABLISHED.

All the rare skill of our Attorney-General, samples of which might be multiplied indefinitely, from his report sent to the Senate, was intended to prove two propositions:

First, that France has no sort of connection with or control over the new or the old Panama Canal companies and no right to control them.

Second, that a dead bar to all rights and claims of the creditors of the old Panama Canal Company has been created by the judicial action of the French courts.

OUR NATIONAL CODE OF JUDICIAL ETHICS.

If American public morals are not also res adjudicata in the French courts, I will read some American law that at least defines our national code of judicial ethics. I quote from a report of the Committee on Interoceanic Canals:

It appears from the testimony of Edouard Lampre that another person was chosen to succeed M. Hutin as general manager of the New Panama Canal Company, and that at a stockholders' meeting subsequent to that change the board of managers or directors of that company, under the authority of a stockholders' meeting, was empowered and directed to offer to the United States all of the property, concessions, and rights of every kind for the sum of $40,000,000, and that this offer was made by a cable dispatch to Admiral John G. Walker as president of the Isthmian Canal Commission.

The witness, Lampre, was sent to the United States to notify this Government of the existence of this offer, that it had been stated in a cablegram, and a copy of it lodged in the embassy of the United States in Paris for the purpose of identifying it and of assuring the Government of its genuineness. The witness stated that Admiral Walker had received the same, and a copy of it was produced by the witness. He stated that a letter would follow the cablegram, by mail, that had not yet arrived. He did not state the contents of the letter, or that it was different from the cable dispatch to Admiral Walker.

M. Edouard Lampre stated in his deposition that the following is a correct copy of the dispatch sent by the New Panama Canal Company to Admiral John G. Walker, the president of the Isthmian Canal Commission, inviting an offer of purchase by the United States:

"The New Panama Canal Company declares that it is ready to accept for the whole, without exception, of its property and rights on the Isthmus the amount of $40,000,000, the above offer holding good until March 4, 1903."

M. Edouard Lampre stated that he had no credentials from the Panama Canal Company, or from the Government of France, authorizing him to make any offer to the Government of the United States in relation to the Panama Canal. M. Jules Bœufvé, who is chancellor of the French embassy at Washington, stated that he did not represent the Government of France in anything he had done in connection with an offer to sell the Panama Canal to the United States.

And M. Lampre stated that the Panama Canal Company have received no consent or authority from the Government of France, in connection with this transaction, to make a sale or offer of sale of its property rights or concessions to the United States. The Government of France, in any of its powers, jurisdictions, or functions, is entirely eliminated from any connection with this sale or offer of sale by any act of that Government that is intended to prevent or control the same as a government.

It is insisted by the counsel of the company that the Panama Canal Company is a private corporation, having no such relations with the Government, or people, or public policy of France, or with Colombia or the other maritime powers as to impose upon it the duties and obligations of a public or quasi-public corporation, and that it is under no other lawful control than such as is applicable to a commercial or manufacturing corporation or company.

The question, whether, as between its stockholders and bondholders, it can sell its franchise, or its concessions from Colombia, or its canal and other property to the United States, such rights of property and such privileges to be owned and exercised in the United States and in Colombia, goes to the root of the subject and must be answered in the affirmative before the United States can venture to pay $40,000,000 for it.

The statement of the question contains the answer to it, in many obvious and insuperable objections, that decide it in the negative.

This corporation was created under the laws of France, where it has its legal residence. It has also a statutory recognition in Colombia, from which it derived its concession and its extensions, by acts of the Colombian Congress. The statute laws of France created this corporation and gave it all its legal vitality. When that connection is severed, it no longer lives.

After it has sold and conveyed to the United States all its franchises, rights, concessions, and property, if such a thing was possible, its corporate existence would be extinct, except for the purpose of closing its affairs. It could not, after such a sale, compel its officers in France to deliver its books, or its stocks in the Panama Railroad, or any money, credits, or property to the United States. Not only would the sale forfeit the French charter, but the United States could not, in its own name, sue in a French court to assert any right that may exist in favor of the Panama Railroad Company as a corporation to whose rights and franchises it had succeeded by contract.

The proposition is scarcely capable of discussion, that even a private corporation chartered in France can not sell and transfer all its property and franchises to the United States and still continue to exist in France; or that, dying by such an act of felo de sé, it could bequeath its property and rights, of every kind, to the United States without the legislative consent of the French Government.

The Bank of England, which is a private corporation as to its ownership and management, could as easily transfer its property, rights, and credits of every kind to New York by its voluntary act, under a contract with the United States and without the consent of Great Britain, as the Panama Canal Company can transfer to the United States, by like means, its canal located in Colombia and its concessions from that Government, or its rights and powers created by French law.

The voluntary migration of corporations from the country of origin to other countries, to be adopted as citizens, or sheltered by the laws of countries foreign to the land of their nativity, is a new device of legal ingenuity that makes its appearance, for the first time, in the emergency that has brought forth this offer of sale. It has no precedent to sustain it, and will never have a parallel.

We must construe such propositions by our own knowledge and judgment of the laws that govern corporations—as we are invited to stake $40,000,000 on the result—and not by the opinions of an interested lawyer of France, whose views of French law are an astonishment to American jurists.

The following quotations from the deposition of M. Lampre, the counselor of the Panama Canal Company, will illustrate the hazardous uncertainty of following his advice.

If he is correctly informed as to these laws, the United States could not so far ignore or discredit the fundamental principles of its Government as to become a party to a contract to assist in executing laws that deprive people of their property without a hearing, and sequester it and confiscate it for no other cause than that they are bondholders, or stockholders, of a corporation.

These are some of the views of M. Lampre, as testified on his examination:

The CHAIRMAN. Please produce a copy of the charters granted to the old or first company or the new canal company by the Government of France and all amendments thereto that have been enacted.

M. LAMPRE. I have not any charters of the old company. I have only the statutes, by-laws, and charter—that is what we call statutes—of the new company. I have not got them with me. They will be at the disposition of the committee whenever they require them. At least, I think I have them. Anyhow I might get them from Paris, to be left with the committee.

The CHAIRMAN. Does that charter expressly authorize this company to sell its concession?

M. LAMPRE. No; it does not.

The CHAIRMAN. While that charter stays in force can this company sell its concessions without an act of the French Congress?

M. LAMPRE. Quite so. Under the general laws of France the stockholders' meeting is the only authority to investigate into the action of private corporations and to give them authority.

The CHAIRMAN. Then a stockholders' meeting can acquire by their act authority to dispose of their property to anybody without the consent of the Government?

M. LAMPRE. That is quite the fact. The Government has nothing whatever to do with private corporations.

The CHAIRMAN. It is a surprising statement to me, at all events, as an American lawyer, that any corporation can exceed the bounds of its authority and can dispose of its entire property to any person anywhere, at any time, and for any consideration, without the authority or assistance of any act of the legislature or the consent of the Government.

M. LAMPRE. Nothing whatever of the kind is required. Corporations are quite free in France and independent of the Government. It has been so from the year 1867.

The CHAIRMAN. So that if this company is prohibited by the concession from disposing of its property to the United States it can still do so under the laws of France?

M. LAMPRE. It can, absolutely, without any impediment whatever.

Speaking of the act of the French Parliament of July 1, 1893, M. Lampre says, as follows:

The CHAIRMAN. Now, that law is in conflict with some of the laws you have stated here to-day. Therefore it repeals them?

M. LAMPRE. It repeals them.

The CHAIRMAN. This, then, is the law upon which you act?

M. LAMPRE. Yes; upon which the liquidator acts.

The CHAIRMAN. I mean the liquidator, and your company, too?

M. LAMPRE. No; not our company; the liquidator of the old company only.

The CHAIRMAN. You are not superior to this law in any way?

M. LAMPRE. No; but we have nothing to do with it in fact.

The CHAIRMAN. You are bound by it?

M. LAMPRE. Not so.

The CHAIRMAN. The company is not bound by this law?

M. LAMPRE. No; not the company. The liquidator acts under this law; that is to say, whatever the liquidator does he has to do it according to that law, and if there is something in what he does which he thinks fit to submit to the judgment of the court he has to do it. But that does not concern us. We are bound only by the general law of France. This law, I must make it very clear, concerns exactly, only, and clearly the dealings of the liquidator of the old company. It has nothing to do with the new company.

The CHAIRMAN. Have you a separate charter from the Parliament of France for the new company?

M. LAMPRE. We have no government charters in France. Corporations, as I stated in the beginning, are free and independent.

The CHAIRMAN. Under the general law?

M. LAMPRE. Under the general law. We have no government charters.

The CHAIRMAN. So that the general law of France furnishes now all of the knowledge we possess——

M. LAMPRE. That is the fact.

The CHAIRMAN. In regard to the charter powers of your new company?

M. LAMPRE. That is the fact.

Senator MITCHELL. The new company?

M. LAMPRE. The new company.

The CHAIRMAN. Except that this act, as far as it interferes with the new company or with any previous enactment of the French Chambers, repeals it?

M. LAMPRE. You mean the law of July 1, 1893?

The CHAIRMAN. Yes.

M. LAMPRE. It has nothing to do with that, I must state again. It has nothing to do with the new company at all.

The CHAIRMAN. It is bound to have. We must have a judgment on that question ourselves.

Senator TURNER. Did the new company get its title from the liquidator or from the old company?

M. LAMPRE. We got the title from the liquidator under that law. The liquidator had to transfer the title under the provisions of that law. But that was his business. He has accomplished it. The court, according to that law, have approved of the transfer of the property of the old company to the new company, and that is all we had to do with the question. We are not bound by that law. We have nothing to get from the court and nothing to ask from the court in any transaction whatever we may put forth or may do.

Senator TURNER. Now, let me ask you this question: When you took this canal project over from the liquidator, was it a contract to complete the canal and operate it?

M. LAMPRE. Yes; that was the contract.

Senator TURNER. And to turn over to the old stockholders 60 per cent of the net proceeds?

M. LAMPRE. It was.

Senator TURNER. That was your contract?

M. LAMPRE. It was.

Senator TURNER. If the bonded indebtedness amounts to 800,000,000 francs or more, there would be none of this $60,000,000 to turn over to the old stockholders at all, that being the first lien, of course?

M. LAMPRE. This is how the thing stands: To the stockholders, as I said——

Senator TURNER. The stockholders would be out and injured?

M. LAMPRE. That is a matter for the liquidator to decide.

Senator TURNER. Would they have a standing in some court to come in and say that the liquidator had no authority to contract to turn over this property to a foreign government and cut them out from the possibility of any benefits whatever from the construction and operation of this canal?

M. LAMPRE. Well, you know any claim may always be set forth, but I am convinced——

Senator TURNER. Is it not quite likely that they would urge a claim of that kind?

M. LAMPRE. It might happen, but I am convinced there would be no difficulty about it at all under these conditions.

Senator TURNER. What right would any court have, in justice and equity, to cut these old stockholders out of any possibility of any benefit?

M. LAMPRE. The law itself, sir; because it is the law in France that when a corporation fails the first interests in that corporation to satisfy are the interests of the bondholders. The stockholders, who are only associates, who are debtors to the bondholders, have no right to get anything unless the bondholders are completely disinterested.

Senator TURNER. I understand that; but having failed, the liquidator, in the interest of the stockholders as well as the bondholders, made this contract with the new company. Now, what right has any court to say to that liquidator, "You may make a contract which will cut these stockholders off from any possibility of any benefits whatever?"

M. LAMPRE. The law itself.

Senator TURNER. Does the law give them that right absolutely?

M. LAMPRE. Yes.

Senator TURNER. Without any compensation or consideration to them whatever?

M. LAMPRE. Quite so.

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The CHAIRMAN. Then, if I gather your idea correctly, the Colombian Government, because it is a stockholder in the Panama Canal Company, has given up her sovereign powers and has no other powers than those of any other stockholder?

M. LAMPRE. Its powers as a stockholder and the power derived from the concession.

The CHAIRMAN. And she is subject to the courts of France, to be disposed of as to her interests in this stock as if she were a citizen of France?

M. LAMPRE. I must insist on this point. We are not subject to the courts

of France; and, moreover, the only authority that we have to apply to is the stockholders' meeting. The Colombian Government being a stockholder and having a representative at the stockholders' meeting, has passed upon the resolution giving power to the company to negotiate a sale to the United States.

The CHAIRMAN. Now, you state that as being the action of the Colombian Government?

M. LAMPRE. I do.

The CHAIRMAN. Has that ever been communicated to the French Government?

M. LAMPRE. The French Government has nothing to do with it, sir.

The CHAIRMAN. Now, I want to know what was the purpose of your company as you have stated it here.

M. LAMPRE. The purpose was to build the canal.

The CHAIRMAN. Have not these stockholders the right to say to the liquidator, "We have not put this property in your hands, and the court has not put it in your hands for the purpose of traffic, but it has been put in your hands for the purpose of completing a great establishment, out of which we are to draw interest at 5 per cent upon these stocks from the date of their issue?"

M. LAMPRE. I understand the question thoroughly. But, you see, the liquidator is a party to the agreement which has been inserted in the by-laws. Moreover, the liquidator is a shareholder of the new company. Under these conditions the liquidator acts upon the resolution passed by the stockholders' meeting. Moreover, there is no authority whatever which could prevent the stockholders' meeting to decide about what it can do. It is left exclusively and solely to the stockholders' meeting of the new company.

The CHAIRMAN. You will allow me to observe that on this side of the Atlantic universally the powers of a corporation are those that are expressed or necessarily implied in the law granting the privilege.

M. LAMPRE. Yes.

The CHAIRMAN. Now, if the powers are not found there, expressed or necessarily implied, they do not exist.

M. LAMPRE. I understand the thing, but you will find an express power.

The CHAIRMAN. I understand you to go upon the idea (if I am incorrect about it you can correct me) that under the power of this charter and by-laws your corporation has a right to do anything with this property that it is not prohibited from doing?

M. LAMPRE. That is it.

The CHAIRMAN. That is your view?

M. LAMPRE. That is the very thing. That is the law under which we act

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Senator TURNER. Now, I want to know what principle of law of France would authorize the liquidator to make a contract which would cut the old stockholders out from the benefits of the provisions of that contract?

M. LAMPRE. The general principle under which receiverships are organized.

Senator TURNER. Your company is not in the hands of a receiver, is it?

M. LAMPRE. No.

Senator TURNER. It is still operating?

M. LAMPRE. Still operating.

Senator TURNER. Is it still obligated to carry out this contract made for the benefit of its stockholders?

M. LAMPRE. Exactly.

Senator TURNER. What right has this liquidator to relieve it of its obligation to the old stockholders?

M. LAMPRE. I would like to make it clear that the stockholders' meeting of corporations in France is the only authority to decide this business. The court has nothing to do. I wish it to be understood, if possible, with what we, the standing corporation, do. That is the business of the stockholders' meeting.

Senator TURNER. The stockholders of this new company have no right to relieve the new company of that obligation to the stockholders of the old company? They can not by a mere vote relieve themselves from the obligation of their contract?

M. LAMPRE. I do not see that. They can, indeed.

Senator TURNER. You predicate their right upon the action of your stockholders, the stockholders of the new company?

M. LAMPRE. Yes.

Senator TURNER. To contract with the liquidator for the benefit of the stockholders of the old company?

M. LAMPRE. Yes.

Senator TURNER. Now, the action of the stockholders of the new company can not relieve that company from that obligation?

M. LAMPRE. I understand the question itself, but you see I stated in the course of this hearing that we are guided solely and only by our charter, and the charter does not forbid in any way that we should make a transfer or sale of our rights to anybody whatsoever.

Senator TURNER. But I understood you to say that your charter did contain this contract with the liquidator?

M. LAMPRE. It does contain it.

Senator TURNER. Under which you were to construct this canal and operate it?

M. LAMPRE. The liquidator has authority to relieve us from that contract, and he has agreed to what has just been passed upon.

Senator TURNER. What I ask you is what principle of law authorizes this liquidator to relieve you of the obligation for the benefit of the old stockholders without securing anything to them?

M. LAMPRE. That is the business of the court to decide, and the court has decided it.

The CHAIRMAN. I think you had better make that clear, because I do not believe the Congress of the United States will want to join your company in inflicting an act of absolute injustice upon these old stockholders.

M. LAMPRE. I do not think that I understand the question. You mean about the 60 per cent?

Senator TURNER. No. Does that decree which you say authorizes you to make this sale cut off——

M. LAMPRE. The rights of the liquidator?

Senator TURNER. The rights of the stockholders of the old company to insist that your company shall carry out the obligation which you undertook to carry out toward them? Does it specifically cut them off?

M. LAMPRE. It does not say so.

Senator TURNER. Then it is a question of judgment as to whether they would have a right not to be cut off if they should insist on it?

M. LAMPRE. You see, sir, our obligations were to give the liquidator 60 per cent out of the profits. We have no profits.

Senator TURNER. Your obligations were to construct the canal and give 60 per cent?

M. LAMPRE. Sixty per cent out of the profits when the canal would be completed; but in the present condition of affairs there is no profit to divide. There will be a fixed amount, whatever it may be, to be divided between the old company and ourselves; and that will be divided according to the decision of that arbitration court under the authority of the agreement passed between the liquidator of the old company and ourselves—an agreement passed under the authority of the court.

Senator FOSTER of Louisiana. Suppose a majority of the stockholders and a majority of the creditors should come into court and oppose the ratification or homologation by the court of the action of the liquidator in this matter?

M. LAMPRE. In my opinion the court would do away very soon with such a claim, having given the authority.

Senator FOSTER of Louisiana. The liquidator represents the——

M. LAMPRE. He represents the whole of the interest.

Senator FOSTER of Louisiana. Suppose the majority of the stockholders and the majority of the bondholders should come into court and say, "We think the liquidator has made a very bad bargain for us, and we oppose homologating the action of the liquidator," what would be the probable action of a judge in a case of that kind?

M. LAMPRE. In my opinion, there would be no doubt as to the action of the court. It would confirm purely and simply the decree authorizing the liquidator to pass that agreement with us and to settle the whole business.

The CHAIRMAN. Without reference to its justice?

Senator FOSTER of Louisiana. Without reference to the justice, the fairness to it?

M. LAMPRE. Of course the court thought it fair when it gave the authority to the liquidator.

Senator KITTREDGE. Were those stockholders and creditors given an opportunity to be heard at the time the court authorized the making of this agreement?

M. LAMPRE. No, sir; because the liquidator is the representative, and he has the power to act.

The foregoing extracts from the testimony of M. Lampre, who is the legal counsel of the Panama Canal Company, will serve to show, as he declares, that this corporation, created by the statute laws of France and deriving all its rights of property through the special acts of the French Parliament and the action of the French courts, claims to be entirely independent of the control of the French Government and of the courts of France in its right to sell all its rights and privileges, its property of every kind, and its concessions from Colombia to the United States without the consent of France and without reference to the obligations it is under to the bondholders or the stockholders of the old company or the loss it may occasion to them.

These propositions of law are boldly and confidently stated by M. Lampre as the legal basis of the proposed conveyance for which the United States Government is invited to expend $40,000,000.

The meaning of this offer is that the Panama Canal Company, new or old, will cease to possess any property, right, or privilege, or concession that it was created to own, and that it will cease to do any work it was created to do, but will surrender and convey all these to the United States, and that the United States will take the same subject to any equities or legal rights that may exist in law and in morals in favor of all persons who have claims against said corporation. No guaranty is given or proposed as to any outstanding debts, rights, or liabilities. It is a quitclaim title to the property, resting for its validity on the statements of French law by the legal counselor and representative of the company, as above quoted.

This proposition is at war with a principle that is common to the civil-law and the common-law systems of jurisprudence—that a corporation which derives its powers from statute laws can only surrender its existence or transfer all its property and privileges with the express consent of the government from which it derived its existence.

If the French law is as peculiar in its control of corporate bodies and as loose and inconsiderate of the binding obligations of contracts and of the rights of creditors, of stockholders and bondholders, as M. Lampre insists that it is, it is still far from being true, on his own statements, that the holders of 600,000,000 francs of stock and of 800,000,000 francs of bonds of the old company, held by at least 500,000 people in France, have no rights that the new company is bound to respect, especially under a contract with the new company which secures such rights.

He admits that the New Panama Canal Company is a reorganization of the old company, and that the bondholders and the stockholders are, as classes, each represented by separate "liquidators" or receivers, and that 60 per cent of the net earnings of the canal are to be applied to these stocks and bonds and is to be paid to the liquidators for that purpose.

According to the statement of M. Lampre in his deposition, this right to 60 per cent of net profits of operating the canal, after its construction is completed, is a matter of agreement between the respective liquidators, approved by the court and embodied in the statutes or by-laws of the new company, and they constitute a distinct feature of the charter of that new company.

Out of the 60,000,000 francs which comprise the stock of the new company, the liquidator, representing the stockholders in the old company, subscribed for them 10,000,000 francs in the new company as stockholders. Not only, therefore, are they stockholders in the new company, but in the old company as well, which is not dead by any means, but lives as a debtor to its bondholders and stockholders, who are represented by liquidators.

In our own Supreme Court a definition has been given as to the rights of such stockholders and bondholders as follows:

"Where a new form is given to an old corporation, or such corporation is reorganized under a new charter, taking in its new organization, the place of the old one, embracing substantially the same corporators and the same territory, it will be presumed that the legislature intended a continued existence of the same corporation, although different powers are possessed under the new charter and different officers administer its affairs; and, in the absence of express provision for their payment otherwise, it will be presumed that the legislature intended that the liabilities, as well as the rights of property, of the corporation in its old form should accompany the corporation in its reorganization." (Broughton v. Pensacola, 93 U. S., 266; Girard v. Philadelphia, 7 Wall., 1.)

Whether the action of the French court in the disposal of the stock in the old company is valid is a dangerous question to a purchaser of the property of the new company, which can not be settled except with the consent of all the stockholders of the old company or by some action of a court to compel them to accept the stock in the new company in lieu of their stock in the old company. This question has not been settled, and under the laws of the United States it could not be settled adversely to the stockholders.

The subscriptions to the stock of the old company bear interest at the rate of 5 per cent per annum, and no court in the United States could avoid the duty of compelling the reorganized company to pay that interest whenever it had funds to meet the demands or to provide the means if its stockholders are worth the money.

If the United States should purchase the property of the new company, charged as it is with this trust, the suit of the cestuis que trust to enforce the trust would be brought, necessarily, in some court in the United States, and there would be no possibility of escaping liability under the following decisions of the Supreme Court.

Our courts would not only hold that the property purchased by the United States is charged with an express trust, but that the sale to the United States was void.

The proposed sale is not authorized by any law of France or the United States, because it is ultra vires and violates the only purpose for which the charter was granted—the construction and completion of a canal in Panama and its maintenance and operation for a period of ninety-nine years. A sale of the concessions and the property to any purchaser not expressly authorized by French law to purchase it is a violation of a trust created by France and Colombia for public and international purposes.

The grounds on which acts of this nature are held to be illegal and void are clearly stated by Justice Miller in Thomas v. The Railroad Company:

"When a corporation, like a railroad company, has granted to it by charter a franchise intended in large measure to be exercised for the public good, the due performance of those functions being the consideration of the public grant, any contract which disables the corporation from performing those functions, which undertakes without the consent of the State to transfer to others the rights and powers conferred by the charter, and to relieve the grantees of the burdens which it imposes, is a violation of the contract with the State, and is void as against public policy. Accordingly, in the absence of express authority, a corporation like a railroad or canal company, with public duties to perform, can not lease or transfer its franchises to another corporation or an individual, nor mortgage its franchises, nor consolidate with another corporation." (Thomas v. R. R., 101 U. S., 71; Oregon Ry. Co., 130 U. S., 1.)

In accordance with its previous decisions, the Supreme Court of the United States recently held that a corporation having public duties to perform, as, for example, one organized to transport passengers in its cars, can not lease its entire property; such a lease is ultra vires and void, and the lessor corporation can sustain no suit upon it even for rent due at the time of bringing suit, although the lessee had had the benefit of the lease. (Central Transportation Co. v. Pullman Palace Car Co., 139 U. S., 24; Railroad v. Hooper, 160 U. S., 514.) The Federal doctrine of ultra vires as applicable to corporations with public duties was stated as follows by Justice Gray, giving the opinion of the court:

"The clear results of these decisions may be summed up thus: The charter of a corporation, read in the light of any general laws which are applicable, is the measure of its powers, and the enumeration of those powers implies the exclusion of all others not fairly incidental. All contracts made by a corporation beyond the scope of those powers are unlawful and void, and no action can be maintained upon them in the courts; and this upon three distinct grounds: The obligation of everyone contracting with a corporation to take notice of the legal limits of its powers; the interest of the stockholders not to be subjected to risks which they had never undertaken; and, above all, the interest of the public that the corporation shall not transcend the powers conferred upon it by law.

"A corporation can not, without the assent of the legislature, transfer its franchise to another corporation and abnegate the performance of the duties to the public imposed upon it by its charter as the consideration for the grant of franchise. Neither the grant of a franchise to transport passengers nor a general authority to sell and dispose of property empowers the grantee while it continues to exist as a corporation to sell or to lease its entire property and franchise to another corporation. These principles apply equally to companies incorporated by special charter from the legislature and to those formed by articles of association under general laws.

"A contract of a corporation which is ultra vires in the proper sense—that is to say, outside the object of its creation as defined in the law of its organization, and therefore beyond the powers conferred upon it by the legislature—is not voidable only, but wholly void and of no legal effect. The objection to the contract is not merely that the corporation ought not to have made it, but that it could not make it. The contract can not be ratified by either party, because it could not have been authorized by either. No performance on either side can give the unlawful contract any validity or be the foundation of any right of action upon it." (See also Memphis, etc., R. R. Co. v. Railroad Commissioners, 112 U. S., 609.)

Whatever peculiar decisions the French courts might make to throttle the bondholders and stockholders of the old company, as is stated in the deposition of M. Lampre, even if those courts should hold that the rights of these 500,000 people are exterminated by the decrees of the French courts, we could not close the doors of our courts against such litigants. When they appeal to our courts for their rights we have already declared, through the judgments of our Supreme Court and of our State courts, in many adjudged cases, that they could compel us to pay the bonds of the old company, with 5 per cent interest from the date of issue, and also the interest due on the stock subscriptions for at least ninety-nine years, or else surrender the property to them or to the company, it not having any lawful authority to sell it to the United States. There appears to be no possible escape from this dilemma through any legal proceeding.

If there are those who still covet a property so beclouded with imperfections in the title sufficiently to take the risk of the getting a good title, either through the French courts or the French Government, there is another difficulty in the way that can not be controlled either by the French courts or the French Government or by act of Congress.

The Panama Railroad Company is chartered under the laws of New York. It is independent of the control of the Panama Canal Company. That company owns a majority of the stock in the Panama Railroad Company, but it can only control the company in accordance with the charter. The railroad company owns steamships, and its net dividend in 1899 was 35.34 per cent, or $775,646.77.

This company has no power to sell its franchise, or its property, without the consent of the State of New York, and the consent of the State would avail nothing against the objection of any stockholder, certainly not to deprive the three classes of holders of its outstanding bonds of their liens on the property, to wit:

6 per cent gold sinking-fund bonds outstanding	$2,681,000
6 per cent gold sinking-fund subsidy bonds	1,482,000
Other bonds, amounting in all, to	4,177,072

Besides other debts, one of which to a contractor on the terminal at La Boca, was $1,482,000.

The Panama Canal Company owns nothing but stock in the Panama Railroad Company. If the Government of the United States can purchase all the stock not owned by that company and should pay all its debts, it would still not own the franchise, which would have to be obtained from New York by act of the legislature.

Colombia has a contract with the Panama Railroad Company under which she is entitled, during ninety-nine years, to the annual payment of $275,000. The consent of Colombia must also be obtained to the sale of the railroad to the United States.

How could the United States, if it owned all the stock in the company, make a valid contract with New York to obtain her consent to tear up the Panama Railroad, in which the commerce of the people of New York, as well as all the commercial nations is so deeply concerned?

Shall we establish the precedent that would justify the policy of buying the railroads in all the States when they are needed for commercial purposes?

Colombia is the indispensable factor in the proposition to sell the Panama Canal to the United States. Manifestly Colombia would not consent to the transfer of the canal to the United States unless we will guarantee that we will complete the canal at any cost.

If we should find, as the French have found, that the Panama Canal can not be completed and put into successful operation at any cost, much more would be lost than the money we would waste in its purchase.

In that case, or even if the canal is successfully opened, we leave open to private capitalists, or to the transcontinental railroads, the use of all our surveys on the Nicaragua route, and the opportunity, by agreement with that Republic and Costa Rica, to form combinations for monopolizing the transportation across the Isthmus on lines that are from five to fifteen days shorter between New York and San Francisco than by the Panama route, and a line that would receive the patronage of every sailing ship that would cross the Isthmus; a line through a healthful, fertile, and beautiful country, instead of a country that is a nursery of fatal epidemics; and a line through which every ship that passes will be cleansed by the action of the fresh water, to the saving of the expense of going into dry dock for that purpose.

If the transcontinental railroads and other capitalists in the United States believed, as French capitalists do, not believe, that the Panama Canal could be built and successfully operated, they would not hesitate to accept the advantage of the $69,000,000 offered the United States by the Panama Canal Company below the appraised value of the canal, and furnish the money on that basis to complete the canal. They would hasten to embrace the opportunity. But they do not believe it. Then we would have the problem of an American canal owned by citizens of the United States, and we would not dare to raise a hand against them.

The capitalists and the transcontinental railroads are deterred from this course by a single consideration. It is the same that deters French capitalists from putting up the money to complete the canal, namely, an absolute want of confidence in the feasibility of the Panama Canal. They are not alarmed at the competition that would occur if a canal at Nicaragua was opened by the United States, for the reason that the same combinations that the transcontinental railroads now have with the Panama Railroad Company for monopolizing the carrying trade between the oceans would be more easily and profitably constructed by them when they should own a controlling interest in the Panama Canal.

A more powerful or dangerous monopoly of transportation could not be conceived of than the joint ownership or the control of the Panama Canal by the North American transcontinental railroads. It has existed in a much less dangerous form, for many years, under the tripartite contracts between the Pacific Mail Steamship Company, the Panama Railroad Company, and the transcontinental railroad companies, and it has unjustly extorted from the people of the Pacific slope and throughout the country an enormous sum of money.

If the canal at Panama was open and these powerful combinations had a controlling voice in its management, their facilities for monopolizing this transportation by land and sea would be vastly increased and no power could stand up against them.

Such opportunities and advantages do not escape the attention of the men who control the great railroad systems of the United States, and they are not wanting in the ability, the enterprise, or the courage to seize upon them. The income of these railroads equals a million dollars daily, and their joint credit is equal to that of any government, our own not excepted. Congress could be filled up from their managers by men who would be quite equal to any that represent the States, and their lawyers are at the head of the bar. If these men could believe it safe to take over and complete the Panama Canal as a business transaction, they would not hesitate to purchase it at $40,000,000.

They have the sagacity to see that it would be a waste of money, and they prefer to continue the present all-rail connection between the oceans, and are opposed to any canal.

France, through the savings of the French people, is loaning money to Russia and other great nations. She is seeking new markets for investment in loans and has a plethora of money for such investments. It has only been ten years since the Bank of France loaned gold to the Bank of England that saved Great Britain from a panic when the Barings failed. Why France does not come to the rescue of her own people, who have sunk $250,000,000 in the Panama Canal scheme, can not be accounted for on any other ground than that French engineers and the French people have decided that a lock canal at Panama is either impossible or it is too desperate a venture for prudent men to make.

France seems to stand quietly by and witness, with composure, the effort of the speculators who control the New Panama Canal Company to despoil 500,000 of her citizens by arbitrary proceedings. That great and gallant race would not submit to this wrong against their brethren if they believed that they were being deprived of anything of value. They do not resent the payment of $40,000,000 by the United States for a property that they have abandoned the hope of ever being valuable.

The Government of Colombia has embodied its concessions to the Panama Canal in an act of Congress, approved May 18, 1878, which declares that "the enterprise of the canal is reputed to be of public utility." And in the contract with the Panama Railroad Company, of New York, approved by the Congress of Colombia on the 14th of August, 1867, in Article XIII, it is declared that "the railroad enterprise is esteemed of public utility." (See report of the Committee on Interoceanic Canals, No. 1, Fifty-seventh Congress, first session, pages 251 and 264, for these acts of Congress.)

Whatever M. Lampre or the New Panama Canal Company may choose to claim in the way of the exemption of these corporations from governmental control, on the hypothesis that they are private corporations, is set at naught by these decrees of the Colombian Congress, that they are public corporations for public purposes, and are even given powers to adopt regulations for police and the protection of property and ways of communication, subject to be changed by the Government.

The law in the United States makes no distinction between corporations to operate canals and railways intended for public use and corporations created only for public uses; and Colombia, in article 18 of its concession to the Panama Canal Company, expressly stamps upon it this public feature in this language: "As this enterprise is essentially international, and for public utility, it is understood that it shall always be kept free from political influences."

France could not change this declaration in the concession, by any charter based upon it, that it could give to the Panama Canal Company, so as to convert the canal into merchandise that might be sold as private property, by a private corporation, freed from all the rights, trusts, and equities that attach to the corpus of the property of a public or quasi-public corporation in favor of creditors, bondholders, stockholders, and claims of the Government and people of Colombia, and of France.

The purposes of the corporation prohibit such action and the international character of the concession from Colombia, and of any corporation, chartered anywhere, to execute it, condemns such an interpretation of the French charter as M. Lampre gives to it.

The Government of Colombia was a shareholder in the old Panama Canal, under articles 15 and 20 of the concession to N. B. Wyse, dated March 20, 1878, as follows (p. 249):

"ART. 15. By way of compensation for the rights and exemptions which are allowed to the grantees in this contract the Government of the Republic shall be entitled to a share amounting to 5 per cent on all collections made by the company, by virtue of the dues which may be imposed in conforming with article 14, during the first twenty-five years after the opening of the canal to the public service. From the twenty-sixth up to the fiftieth year, inclusive, it shall be entitled to a share of 6 per cent; from the fifty-first to the seventy-fifth to 7 per cent, and from the seventy-sixth to the termination of the privilege to 8 per cent. It is understood that these shares shall be reckoned, as has been said, on the gross income from all sources, without any reduction whatever for expenses, interest on shares, or on loans or debts against the company. The Government of the Republic shall have the right to appoint a commissioner or agent, who shall intervene in the collections and examine the accounts, and the distribution or payment of the shares coming to the Government shall be made in due half-yearly installments. The product of the 5, 6, 7, and 8 per cent shall be distributed as follows:

"Four-fifths of it shall go to the Government of the Republic, and the remaining one-fifth to the government of the state through whose territory the canal may pass.

"The company guarantees to the Government of Colombia that the share of the latter shall in no case be less than the sum of $250,000 a year, which is the same as that received as its share in the earnings of the Panama Railroad, so that if, in any year, the 5 per cent share should not reach said sum it shall be completed out of the common funds of the company.

"ART. 20. The Colombian Government may appoint a special delegate in the board of directors of the company whenever it may consider it useful to do so. This delegate shall enjoy the same advantages as are granted to the other directors by the laws of the company."

This was not ordinary stock, to be purchased, but paid-up stock, the amount of which is admeasured by the gross income from all sources. And these shares were to be under the supervision of a director to be appointed by Colombia, under article 20 of the concession.

The privileges conferred on the Panama Canal Company and the Panama Railroad Company were exclusive, and extended to ninety-nine years, at which time the property reverted to Colombia. Such leases are only possessory rights, that convey no title to the real property and may be forfeited for breach of conditions subsequent. To acquire a title from Colombia or a perpetual leasehold of the canal or the railroad the Congress of Colombia must enact a law to that effect.

The concessions to the canal company and the railroad company alike provide for the creation of debts and their amortization for the purposes that the concessions are designed to accomplish, to persons, but not to government, that is prohibited. In the concession to the railroad company, Article II, there is a provision that prohibits the construction of a canal on the actual route of the railroad without paying "*an equitable price for such privilege and as indemnification for the damages which the railroad company may suffer by the rivalry or competition of the canal.*"

All questions *as to the construction of the concessions* are reserved for decision *to the courts of Colombia.*

It is manifest, therefore, that these concessions to the canal company and the railroad company must be entirely removed by Colombia before the United States or any new concessionaire can secure a right to construct a canal, or to interfere with the railroad now in possession there.

The United States would never construct a canal in Panama or elsewhere under the provisions of the Wyse concession, so that it would have to be revoked and annulled to make room for any concession to the United States. This can only be done by the Congress of Colombia.

Both the railroad and the canal companies are in the active and lawful exercise of their respective rights and privileges, under their respective concessions. It is not pretended that either of these companies has done anything, or omitted to do anything, that creates any right of forfeiture of its concession in favor of Colombia. Consequently their rights as corporations must be acquired by agreement with them, and not with Colombia, there being no forfeiture, or cause of forfeiture; but Colombia must confirm the agreement to make it valid.

These concessions confer exclusive rights on each company, so that while they are engaged in the business for which they were created Colombia can make no valid agreement with the United States to grant them concessions either for a railroad or a canal. Under their charters neither of these companies can make a valid agreement with Colombia to surrender their franchises as corporations. Such a surrender, if made, or if possible to be made, must be first made to the government from which the corporate franchise was obtained. The Panama Canal Company would be compelled to go to the French Government, and the Panama Railroad Company would have to go to New York for authority to make the surrender.

If this is refused, that ends the matter. If it is granted, it must be by some tribunal that has jurisdiction in Colombia to remove or extinguish all liens, obligations, equities, and trusts that exist in favor of stockholders, bondholders, or other creditors of the respective companies and rest upon the property in Colombia. The French courts have no more power to remove such incumbrances than they would have to create them by their decrees, and if they are not in some way removed or extinguished by competent authority they rest upon the property and follow it into the hands of a purchaser.

If these transactions were between private persons or private corporations, and not between two or more governments, there could be no doubt that the debts of $40,000,000 francs to the bondholders and of 600,000,000 francs to the stockholders, with 5 per cent interest per annum, would rest upon the property of the canal company in Panama, and the bonded and other debts of the railroad company would rest upon the property of the railroad company.

These debts have never been extinguished or paid by the old Panama Railroad Company or the new company, and the property pledged for their payment is the same with references to which these debts were contracted, and it remains, as property of the corporation, under the reorganization charged with these debts. If Colombia should obtain the outstanding bonds for 200,000,000 francs, or the interest-bearing stock of 600,000,000 francs of the old company, she could compel the application of the earnings of the canal to their payment, or sell out the canal property and buy it under the decrees of her own court.

Nations, when they deal with persons or corporations with reference to property, have only equal rights with them, and are only entitled, in the courts, to the same remedies for the breach of the contract, or in the assertion of any equity arising out of the transaction. They have no prerogatives that can incline the scales of equal justice.

If the United States bargains or treats with Colombia for a canal concession, even through acts of Congress, our courts will adjudge all rights of other persons that are affected by such agreement with the same independent judicial authority and the same unbiased judgment as if the transaction was between private persons. And, under the facts of this transaction, if we acquire the property of the Panama Canal Company, it will be subject in our hands to every charge, lien, right, and equity, in favor of bondholders and stockholders, that rested upon it at and before the time of the reorganization of the old company and since that time.

Whatever theories may be advanced as to the extinguishment of these continuing contracts, for which the income of the canal company was pledged by contract and confirmed by the decree of a court in France, the fact remains that these obligations were not extinguished. On the contrary, M. Lampre swears that a fund is still in the hands of the liquidator, to be paid to these bondholders and stockholders, and he and the Isthmian Canal Commission, in their report, alike state that the liquidator, by the order of that court, represented these creditors on the reorganization, subscribed to the stock of the new company for their benefit, and entered into an agreement, which the court ratified and which the new company incorporated in their statutes or charter, that the stockholders and bondholders of the old company should receive 60 per cent of the net earnings of the new company.

The new company is not insolvent. It is not even in debt. It has 38,000,000 francs cash in its treasury and property valued by its board of appraisers at $100,000,000. It holds this property under an agreement, ratified, it is said, by the court that authorized it, that the canal should be completed and operated to secure net profits, of which 60 per cent is to be paid to these stockholders and bondholders.

That agreement did not empower the liquidator to bind these creditors to consent to its abrogation and to the sale of the entire property for less than 33 per cent of its appraised value.

A proposition of law as unfounded as this, based upon a statement of facts so imperfect and so contradictory of the agreement alleged to have been made by the liquidator, can not be safely acted upon in so grave a matter. This agreement between the liquidator and the new company is called a "private agreement" in some of the representations made to the United States, with the evident purpose of breaking the legal connection between the old company and the new company and of avoiding that line of responsibility.

Whether it is private or public, it is obligatory, and creates the same identity between them that the law creates upon the facts.

The old company and the new are the same corporate body, reorganized as Mobile, Selma, Memphis, and Pensacola were, and, while preserving the connection between the old and the new companies so that the concessions and to prevent their forfeiture by the dissolution of the old Panama Canal Company, to which they were granted, and to destroy, as far as possible, the debts of the old company, the new company became bound for the debts of the old company on its bonds and its interest-bearing certificates of stock. Being afraid to declare outright the extinguishment of the debts of the old company, they appointed a liquidator, or receiver, to represent the old stockholders.

His name is M. Gontron (Dep., p. 31). "As liquidator of the old company he subscribed 16,000,000 francs to the stock of the new company for the liquidation, and of course he appears at the stockholders' meetings not only as the representative of the old company, but as a shareholder in the new one." See deposition of M. Lampre, page 31. He also contributed and transferred to the new company all the property of the old company, and in consideration of this contribution the liquidator was to receive 60 per cent of the net profits of the enterprise, to be distributed by him among the parties in interest. No money was paid for the property turned over to the new company. The transfer of the property paid for the contract to complete the canal. The stock he thus represented is 600,000,000 francs, divided into shares of 500 francs, or $120,000,000, all of which bore interest.

Under the same law of July 1, 1893, the court appointed M. Lemarquis as liquidator for the bondholders, holding bonds to the amount of 800,000,000 francs, or $160,000,000. This money, $280,000,000, was all borrowed by the old company, or paid into it for stock, and it paid for the concessions from Colombia and all the material and machinery used, and for all the work done on the canal, and all the salaries of employees and officers, lobbyists and promoters, paid out by the company.

The crimes attending the contracts for work, material, and promotion were not the sole cause of the failure of the enterprise. Its deeper cause was the engineering and physical difficulties that De Lesseps found to be insuperable, either as to a sea-level canal or a lock canal. The company was taken into court, not for dissolution and winding up as a bankrupt concern, but for reorganization as a going concern.

The French Assembly came to its relief and enacted the law of July 1, 1893, to provide for and to compel a reorganization.

It was estimated that the work done, the material accumulated, the installation, and the value of the concession was equal to 60 per cent of the entire cost of the canal when it should be completed, and the new company was created for that purpose, and a fixed charge was fastened upon the property of the old company which should yield to the bondholders and stockholders 60 per cent of the net earnings of the new company. The proceeding was arbitrary and without notice to bondholders or stockholders, and would be sustained in the courts of only a few civilized nations. No court in America could sustain such a confiscation of valid contracts.

The French courts did not attack the contracts, nor change their terms or obligations, but created a trust estate for their ultimate payment, and enjoined the holders from suing upon them in the courts. They stood as valid obligations, and were assumed by the new company, payable out of the net earnings of the trust estate. If the interest was suspended, either on the bonds or the stock, that would not alter the case as to the continuing validity of the debt, but it was not suspended.

There was no such decree as that the bondholders should lose the interest on their loans, which would only increase the dividends to the speculators who subscribed a portion of $15,000,000 as their contribution to the canal, which had cost the bondholders and stockholders $280,000,000.

If the French courts or deputies had added such a shame and such a sorrow to the 500,000 French citizens who had loaned their money to this great national enterprise, they would have lost the respect of the whole world. They had it not in contemplation to do this crime against these innocent people.

These debts are valid, and the United States can not ignore them, nor can Colombia ignore them by removing the trust estate on which they are fixed by the decrees of the French courts, beyond the reach of these conditions.

An honest debt is never extinguished until it is paid, and we can not place our feet in the shoes of the Panama Canal Company and take over this property without first being satisfied that this debt is paid, or that it has been released by the bondholders and stockholders of that company. If there is a moral principle in our organic laws that protects the sanctity of contracts, we can not afford to violate it by driving a bargain with a soulless corporation in France, for our gain, for the spoliation of honest and helpless people.

As proud and generous a Government as France could better afford to provide the money, or credit, to complete this canal and thereby save what remains to these bondholders and stockholders, after the severe losses imposed on them by the French courts under the laws of the Chamber of Deputies, than to see them again despoiled of their means, which are in a very large extent the earnings of the French peasantry.

And, if France believes that this canal can be completed for the sum estimated by the Isthmian Canal Commission, and that it will be a success, it is a shame upon that great Republic that it should not come to their rescue.

France is not untrue to her people, and she only refuses to act in this case because she has no faith in the Panama Canal. She has provided a lottery-bond scheme for their relief, but the people of France refuse to accept even this tempting game of chance for stakes that are so worthless.

Under this state of facts, none of which are disputable, the Panama Canal Company has no right or power to sell their concession or their property free of the claims of these bondholders, and no government can confer such power upon them in a form that our courts will respect.

Neither can we adopt the disreputable course of relying upon other governments to destroy the trust and turn these creditors adrift in order to get an inviting bargain at their expense; for our own courts, sooner or later, will be called upon to pass on these questions.

There is no uncertain voice from the bench of the United States as to such questions.

In addition to the cases already cited in this report, the decisions of our Supreme Court in the following cases are conclusive.

It may be a misfortune that our Supreme Court is at variance with the opinions of M. Lampre, the counsel of the Panama Canal Company, as stated in his deposition, still we must be guided by them. In De La Vergne Co. *v.* German Savings Institution (175 U. S., p. 54), the court say:

"But, as the powers of corporations created by legislative act are limited to such as the act expressly confers, and the enumeration of these implies the exclusion of all others, it follows that, unless express permission be given to do so, it is not within the general powers of a corporation to purchase the stock of other corporations for the purpose of controlling their management." (Citing a number of authorities that so declare the law.)

This is a New York case, and it may be difficult, if not impossible, to find in the charter of the Panama Canal Company the express power to purchase the stock of the Panama Railroad Company, which is a New York corporation.

The contract of the liquidation for the stockholders and of the old company with the new company, to pay for their benefit 60 per cent of the net profits of operating the canal, fixed in them a vested right to these net profits that no court and no legislature could violate. (Bedford *v.* Building and Loan Association, 181 U. S., 227.)

Railroads and canals are chartered for public purposes and are common carriers, serving the public.

In Railroad *v.* Chicago Railroad Co. (163 U. S., 581) the Supreme Court say: "Railroad corporations possess the powers which are expressly conferred by their charters, together with such powers as are fairly incidental thereto, and they can not, except with the consent of the State, *disable themselves from the discharge of the functions, duties, and obligations which they have assumed*" (citing Thomas *v.* Railroad Co., 101 U. S., 71).

In The State Bank of Ohio *v.* Knoop (16 How., 369) the court say: "Every valuable privilege given by the charter, and which conduced to an acceptance of it and an organization under it, is a contract which can not be changed by the legislature where the power to do so is not reserved in the charter." The same rule deprives a corporation of the power to destroy itself by a sale of its property while it is under a contract obligation to keep in operation and earn profits for its stockholders or creditors. Such an act is an abuse of the purposes of its creation and is void.

The New Panama Canal Company is the legal successor of the old company, as matter of law, even without reference to its express obligation to pay 60 per cent of its net profits to the bondholders and stockholders of the old company, and it is bound to pay its debts, at least in the way expressly agreed upon. This is decided in Mobile *v.* Watson (116 U. S., pp. 300, 301).

There is no escape from these obligations except through the adoption of the following propositions:

First. That the bondholders and stockholders were rightfully deprived of their bonds and stocks when they were seized by the French court and placed under the control of the liquidators in a suit to which they were not actual parties.

Second. That this seizure and confiscation gave to the liquidator, with the consent of the court, the right to turn over the entire property of the canal company, which was the property of the stockholders, and which they never agreed to transfer to a new or reorganized company.

Third. That the liquidator, without the consent of the stockholders, had the right to subscribe the 16,000,000 francs in the reorganized company, and that they were thereby made stockholders in the new or reorganized company without their consent.

Fourth. That the liquidator for the bondholders had the right, without their consent, to transfer their right of satisfaction of their bonded debts from the property in the hands of the old company to the same property in the hands of the reorganized company, and to deprive them of all right to proceed against that property in any court for the satisfaction of their debts. And, as compensation for the destruction of their legal rights, the liquidator for the company, M. Gautron, had the right to provide a contract with the new company that 60 per cent of the net earnings of the canal should be paid to the liquidator for the benefit of the stockholders and bondholders, to be distributed among them by arbitration, and that he had the right to destroy that contract at his pleasure.

The French offer to sell this property depends primarily upon the validity of this proceeding under the laws of Colombia, where the property is situated, and where the concession was granted which is the basis of all these rights; secondarily it depends upon the laws of France, and finally upon the laws of the United States, where these questions must be at last resolved and decided, for Congress has no right or power to make the United States a party consenting to any act which our courts denounce as being violative of our Federal and State constitutions.

Above all, the wholesome love of justice and fair play, which is characteristic of our people, revolts at the arbitrary and cruel proceedings which are thus described, as to their effect, by the counsel of the Panama Canal Company, sent here to explain their right to sell this canal property. In his deposition, in reply to questions, M. Lampre makes the following statements:

Senator TURNER. Does that decree undertake to cut off the stockholders from pursuing your successor, as they would have a right to pursue you, to compel the performance of the contract by which you got title to the canal?

M. LAMPRE. I do not think that I understand the question. You mean about the 60 per cent?

Senator TURNER. No. Does that decree which you say authorizes you to make this sale cut off—

M. LAMPRE. The rights of the liquidator?

Senator TURNER. The rights of the stockholders of the old company to insist that your company shall carry out the obligation which you undertook to carry out toward them? Does it specifically cut them off?

M. LAMPRE. It does not say so.

Senator TURNER. Then it is a question of judgment as to whether they would have a right not to be cut off if they should insist on it?

M. LAMPRE. You see, sir, our obligations were to give the liquidator 60 per cent out of the profits. We have no profits.

Senator TURNER. Your obligations were to construct the canal and give 60 per cent?

M. LAMPRE. Sixty per cent out of the profits when the canal would be completed; but in the present condition of affairs there is no profit to divide. There will be a fixed amount, whatever it may be, to be divided between the old company and ourselves, and that will be divided according to the decision of that arbitration court under the authority of the agreement passed between the liquidator of the old company and ourselves—an agreement passed under the authority of the court.

Senator FOSTER of Louisiana. Suppose a majority of the stockholders and a majority of the creditors should come into court and oppose the ratification or homologation by the court of the action of the liquidator in this matter?

M. LAMPRE. In my opinion the court would do away very soon with such a claim, having given the authority.

Senator FOSTER of Louisiana. The liquidator represents the——

M. LAMPRE. He represents the whole of the interest.

Senator FOSTER of Louisiana. Suppose the majority of the stockholders and the majority of the bondholders should come into court and say, "We think the liquidator has made a very bad bargain for us, and we oppose homologating the action of the liquidator," what would be the probable action of a judge in a case of that kind?

M. LAMPRE. In my opinion there would be no doubt as to the action of the court. It would confirm purely and simply the decree authorizing the liquidator to pass that agreement with us and to settle the whole business.

The CHAIRMAN. Without reference to its justice?

Senator FOSTER of Louisiana. Without reference to the justice, the fairness of it?

M. LAMPRE. Of course, the court thought it fair when it gave the authority to the liquidator.

Senator KITTREDGE. Were those stockholders and creditors given an opportunity to be heard at the time the court authorized the making of this agreement.

M. LAMPRE. No, sir; because the liquidator is the representative, and he has the power to act.

There is much more in this deposition to this effect. The entire statement goes to the effect that the French courts have the right of absolute disposal of the rights of stockholders and bondholders of this corporation, in proceedings to which they are not parties, through the action of a liquidator appointed by the court, in an ex parte proceeding of a summary character, and that the bondholders and stockholders have no redress and are in no way to be consulted in the matter. The contract with the new company is made for them by the liquidator and is approved by the court, and that ends the matter.

But the feature of this alleged title to the canal property, for which we are to pay $40,000,000, that is no less astonishing than it is repugnant to American law and our American sense of justice, is that suggested by the question of Senator Turner to M. Lampre above quoted. It shocks our conception of law and justice that the court by which the contract with the new company was authorized and approved claims the right to violate it and annul it, and to deprive these beneficiaries of all rights under it, through another agreement to be made by the liquidator with the United States.

And this power to destroy the rights of these people is based upon the action of an alleged stockholders' meeting of the New Panama Canal Company, into which they were forced, as stockholders, by a subscription to the stock of the company, made in their name, by the liquidator, without their authority. That subscription was 16,000,000 francs. When it was paid, if ever, and with whose money, is not shown. It is so suspiciously near the sum that M. Lampre states as being now in the treasury of the company that the inference is reasonable that it was never paid, but was an artful ruse of lawers to place the bondholders in the attitude of stockholders without their consent, so as to bind them by the resolutions that the majority of the stockholders might thereafter choose to adopt.

If Mr. Eiffel and his associates get $40,000,000 from the American people for this contrivance, it is well that they are sheltered from the claims of these defrauded and despoiled bondholders and stockholders by the alleged despotism of French courts. They would never escape justice in American courts, and would be compelled to account for every dollar of the money to the bondholders and to the stocks, bearing interest, before applying any of it to the profits of their speculation.

They are already under legal obligation to complete the canal for the purpose of meeting their agreement with the stockholders and bondholders, and it is most probable that the efforts to unload this property upon the United States, in order to escape from these obligations, is the cause of the sudden and tremendous drop in the price they ask for it, from $109,000,000 to $40,000,000.

It may be that fear of these obligations has as much to do with this great change in the temperature of their enthusiasm as their feeling of despair when they contemplate the possibility of completing and maintaining a canal with locks at Panama.

If we have the sort of indifference to justice that for a consideration would move us to cover up these transactions, with our power, if we could, our courts to such demands, we still could not escape from the question as to the trust resting upon this property and our consequent liability to pay these bonds and the interest due on the shares of these stockholders. The French courts and the courts of Colombia could still question our title to the property freed from these obligations. Our markets would swarm with these obligations, and the speculators in them would compel decisions by State courts and Federal courts.

There can be no doubt how these decisions would result under the rulings of our Supreme Court, and Congress would be compelled either to pay these debts thus shouldered upon us or else repudiate them.

In a most important aspect of this case it is impossible to avoid or escape from our own laws in making this questionable bargain.

The ownership of the Panama Railroad is indispensable as a part of the contract, for several reasons:

First. In its concession from Colombia it is protected against the removal of its track, while the alleged survey of our Isthmian Canal Commission, which, in fact, has not been made, requires the removal of the track for 6 miles, at a cost of $1,267,000. To do this we must own the railroad.

Second. In its concession the railroad company is entitled to compensation for the loss of profits in consequence of the construction of any competing canal. If we complete the canal, we must provide for this demand before we can condemn the railroad to public uses.

Third. If we purchase all the stock, we must still get the legislative consent of New York to disregard her laws in the uses we make of the railroad or for its destruction.

Fourth. It is only the body corporate, acting as such, that can dispose of the property owned by the company. What it will cost or whether a New York corporation can sell its property in Colombia to the United States are unsettled propositions, and we must provide for all these matters before we can consent to pay $40,000,000 for the canal property to the French syndicate. In De La Vergne Co. *v.* German Savings Institution, 175 U. S., on page 53, the court say: "Such conveyance" (without corporate action) "would not, under the laws of Illinois, which conform in this particular to the general law, be within the power of the stockholders, even though they all signed it, without formal action at a meeting held for the purpose."

In taking over a corporation, if such a thing can be done, we take over the property subject to all incumbrances and become bound to execute all its agreements.

It would be a sad commentary on the rashness of this venture, when the United States would find itself engaged in the business of ocean freighting with a line of steamships bought from the Panama Railroad Company, and also under the monopolistic agreement existing between that company and the

Pacific Mail Company, which robs millions of our people of their just rights. Instead of buying them out, Congress should drive them out of this business.

After we agree to pay the Panama Canal Company $40,000,000 for this canal property and its concession from Colombia we must acquire from Colombia the additional rights necessary for constructing this canal. This possibility is too remote to be counted of any value except as a means of delaying the construction of any canal.

The minister of that Government has indicated the consent of Colombia that the Panama Canal Company may make overtures of sale of its property to the United States without forfeiting its charter.

This is as far as Colombia has gone in stating any terms on which it would make a concession to the United States different from that made to the Panama Canal Company.

On whose opinion shall we risk the expenditure of $40,000,000 if we discard the rulings of the Supreme Court of the United States as to the right to take over this property without becoming liable for the debts of the Panama Railroad Company? Shall it be the opinions of French jurists as to French law, when we must meet these questions on the basis of American law administered in American courts?

Shall we, in driving a bargain, dishonor the wholesome laws that respect the sanctity of contracts, both in our Constitution and in our Supreme Court rulings, for a law of tyranny and oppression that scouts contract rights and appoints owners of property in the guise of liquidators to take the place of the true and real owners, and empowers them to make contracts for its disposal and to break them at will?

In the case of Angle *v.* The Chicago, St. Paul, etc., Railroad (151 U. S., p. 96) the case is stated thus:

"To put it another way, the Portage company, a corporation, owed Angle $200,000. It had property with which the debt could be paid. The Omaha company became the sole stockholder in the Portage company. As such sole stockholder it used its powers to transfer the property of the Portage company to itself, and its conduct all the way through was marked by wrongdoing."

The legislature passed a law revoking a land grant to the Portage company and granted it to the Omaha company, and the question was whether that land was liable for the debt due Angle. If we should strike out "the Omaha company" from this statement and insert "the liquidator" in its place, the facts would be quite parallel in the two cases.

In this case the court held that the land was liable for the debt to Angle because it was granted originally "upon the express condition that the (Portage) company shall construct, complete, and put in operation that part of its railway above mentioned," etc.

Angle was at work on the Portage Railroad when the land grant was forfeited, at the instance of its sole stockholder, the Omaha Railroad Company, and the court say:

"Yet it is still true that the lands were given to the Portage company, as they had been given by Congress to the State in the first instance, for the purpose of aiding in the construction of this road; that a part of the work necessary for such construction had been done, and there is, therefore, an equity in securing, to the extent to which the work had been done, the application of these lands in payment thereof. In Pomeroy Eq. Jur., sec. 155, the author says:

"'If one party obtains the legal title to property, not only by fraud or by violation of confidence or of fiduciary relations, but in any other unconscientious manner, so that he can not equitably retain the property which really belongs to another, equity carries out its theory of a double ownership, equitable and legal, by imposing a constructive trust upon the property in favor of the owner who is in conscience entitled to it, and who is considered in equity as the beneficial owner.'

"And again, in section 1053, 'in general, whenever the legal title to property, real or personal, has been obtained through fraud, misrepresentations, concealments, or through undue influence, duress, taking advantage of one's weakness or necessities, or through any similar means, or under any other similar circumstances, which render it unconscientious for the holder of the legal title to retain and enjoy the beneficial interest, equity imposes a constructive trust on the property thus acquired in favor of the one who is truly and equitably entitled to the same, although he may never perhaps have had any legal interest therein; and a court of equity has jurisdiction to reach the property either in the hands of the original wrongdoer or in the hands of a subsequent holder, until a purchaser of it in good faith and without notice acquires a higher right and takes the property relieved of the trust.'"

The court adds: "These authorities are ample to sustain this suit."

This decision, following many of like import, is the law in the United States and in every civilized country. It squares with the conscience of the American people and should prevent Congress from lending a helping hand to the liquidator of the Panama Canal Company in snatching from the bondholders and stockholders the property their own money has created.

If—emergency is resting upon this country to purchase a property for $40,000,000 that France is not willing to purchase at any price, Congress should at least require, in its contract of purchase, that the money should be paid into the hands of these people upon the surrender of their stocks and bonds to the United States.

Unless some such provision is made for them we will be planting roots of bitterness in the hearts of the common people of France that will grow and intensify into national hatred.

THE ATTORNEY-GENERAL'S STATEMENT IN REGARD TO ANONYMOUS COMPANIES BEING COPARTNERSHIPS.

Mr. Attorney-General Knox sounds these mysteries of the alleged French laws to a deeper recess than Mr. Lampré seems to have found, and he asserts that all these French anonymous companies are copartnerships. I will read a few of his statements of this profound conclusion:

The New Panama Canal Company is an anonymous *partnership* or association, composed of shareholders (Société Anonyme per Actions), which, in view of its object, is of a noncommercial or nontrafficking kind, but subjected by a law of August 1, 1893, to an act concerning commercial associations passed in 1867, and to the Commercial Code and the customs of commerce. All anonymous associations formed since August 1, 1893, are subject to the same, and are, legally speaking, commercial, though in fact not so.

The old company is an anonymous *partnership* which *voluntarily* took the form of an anonymous *association of shareholders*, but is not ruled, and never was ruled, by the law of 1867 or the code and customs of commerce, but only by the Civil Code, having been formed before August 1, 1893, and not being commercial in its object of business. * * *

Anonymous associations *or partnerships* have not the names of the *partners*, but a name merely descriptive of their object or business.

The essential or fundamental nature of both companies is that of voluntary partnership, as we understand that. The powers, accordingly, are those which *an individual Frenchman* has under the general rules of law—*an individual merchant* corresponding to the new company, and an individual *who is not a merchant* to the old company. *As an individual can sell what belongs to him* to whomsoever he pleases (unless some third person has a claim such as properly warrants him in opposing the sale in order to subject the property to a debt owing to him, or the like), *so one of these associations, of either kind, can ordinarily dispose of its property.* * * *

In the case of commercial associations proper, to which *the new company*, the one we are now considering, *has been assimilated* and added *by the general law already referred to of August 1, 1893*, the legislature of France, in view of the usually large capital and the great number of stockholders, bondholders, and other creditors, has imposed a few *restrictive rules* (act of 1867 and amendment of August 1, 1893, Exhibit 3) *for the greater security of the partners* and of third persons, requiring publication of the by-laws, a certain amount of stock to be represented at certain stockholders' meetings, the paying up of subscriptions, etc.; *but these do not change* the essential character of the concerns *as partnerships; do not establish any tie between them and the Government, or any obligations from them to the Government*, and do not forbid the exercise of the liberty to dispose of the property of the concerns *as freely as an individual is able to dispose of his*, if no special law forbids and if he is solvent *and not under some particular contractual or other like obligation to retain the property.* This new Panama Company is quite solvent. * * *

But we are at present discussing the power of the new company to sell, and it would seem to follow from what has been said that it has the power, as an individual would have power to sell his property, unless some special statute has forbidden this or made it unlawful, since it is a solvent company without bondholders, as appears from its annual reports hereto appended. (Exhibit N.) *It is essentially a partnership, subject to a few statutory regulations about entirely different matters.*

It has been suggested, however, that its contractual obligation to the old company to pay 60 per cent of the earnings of the canal restrains it. And this may well be true; but this contractual obligation of a partnership *is the same as though an individual had agreed to complete the canal and to pay the 60 per cent*, and is therefore such an obligation *as can be released by the other contracting party.* If so effectually waived by the other contracting party, no one else could complain or question.

Being a merely contractual obligation of a private partnership for the benefit of another private concern, there is no principle of law which would make the new company unable, with the consent of the other contracting party, to make use of its liberty to dispose of what belongs to it. There is no lack of power or vires. * * *

Whether from the point of view of the bondholders and other creditors of the old company, and the power of the liquidator, it is just and lawful for him to set free the new company is a question to be separately discussed hereinafter.

It has also been suggested that the so-called lottery bond law of 1888, providing—

"ART. 3. All machinery necessary for the accomplishment of the work shall be made in France. The raw materials shall be of French origin"—

is a special law containing, by some implication, a prohibition to the new company to sell to one who could not be expected to be subject to such provisions of law, or else subjecting any purchaser of the property of the new company to those provisions, so that he would be bound to proceed accordingly.

It has, besides, been supposed (but enough has been said to indicate the error of that) that this law of 1888 is proof *that the Government of France is* represented by or bound up with companies generally in such a way that the express consent of that Government is necessary to authorize any sale of the whole of its property by the new company.

This law was purely exceptional, intended to give an unusual right to the old company in the matter of issuing bonds, which are in effect lottery tickets also, lotteries *having been prohibited in France by a law of 1836.*

The Government, as a compensation to the nation in general for *permitting this unusual thing*, required the company so specially privileged and benefitted to use French machinery and materials. But in view of *the general relations of the Government to these free partnership associations*, it would be going a long distance to see in this an order intended to be addressed to any individual or other *purchaser of property* from the company which was thus given the benefit of the unusual privilege, and still more to deduce a mortgage or a lein attaching to any property it might sell, into whosesoever hands it might come.

The French legislature by act of 1889—the company *having dissolved* and ceased to require to any great extent machinery and raw materials—passed another law authorizing the liquidator to issue some of the unsold bonds; but, of course, *as bonds of the old company*, which still existed for the purposes of liquidation, and providing that in case the liquidator should transfer or cede its assets to a company organized for finishing the canal, *the new company should not issue* the bonds which might at that time remain unsold *otherwise* than on the conditions *determined by the law of June, 1888*, concerning the minimum of the selling price and the payment of interest.

But the new company *has remained a stranger* to the lottery-bond scheme. It has not enjoyed the privilege of issuing those bonds; the still unissued bonds *have been retained by the liquidator and were not contributed* by him to the new company, and they are no part of what it is now proposed to sell to the United States.

LOGICAL RESULT OF ATTORNEY-GENERAL'S ARGUMENT.

If France could take our Attorney-General seriously and adopt the pivotal point of his argument as French law, nothing could prevent a revolution in that country, and Colombia would prostrate herself before the United States and implore us to take the canal off her hands, with all concessions we could claim, without any further compensation than to save her from her liability to the holders of the bonds of the old Panama Canal Company, which, with the interest due, must amount to at least $300,000,000.

LIABILITY OF COPARTNERS.

All copartners are liable for all the debts of the firm, and the liability is personal and has no relation to the amount of capital the partner has put into the business.

This is the law of France and Colombia, as it is of all civilized nations.

Colombia is a partner, if Mr. Knox is correct in his law, in the New Panama Canal Company, and is liable for all its obligations, whether they arise from contract, tort, or from trusts created by law, or by any course of dealings.

She is also liable by the terms of the charter of 1878 to Wyse for the debts of her creature, the company of construction, which is the old Panama Canal Company.

I have pointed out the grounds on which this liability rests in another argument, which is printed, and will not restate them.

But, upon the theory which the Attorney-General has made the pivotal point of his argument that these companies are partnership and their stockholders are copartners, they are each and all liable for all the debts of these companies.

If the holders of stock in these companies are all partners and are liable for the debts of the partnership, as they must be as partners, it would revolutionize France and destroy Colombia if these debts were taxed upon these stockholders.

No wonder that our Government has been afraid to ask France a question about the Panama Canal Company or that Colombia shuns any agreement to warrant the United States against incumbrances on this property.

APPENDIX.

PRELIMINARY REPORT OF THE ISTHMIAN CANAL COMMISSION, NOVEMBER 30, 1900.

Rear-Admiral John G. Walker, United States Navy, President; Hon. Samuel Pasco; Mr. George S. Morison; Lieut. Col. Oswald H. Ernst, Corps of Engineers, United States Army; Lewis M. Haupt, C. E.; Alfred Noble, C. E.; Col. Peter C. Hains, Corps of Engineers, United States Army; William H. Burr, C. E.; Prof. Emory R. Johnson. Lieut. Commander Sidney A. Staunton, United States Navy, secretary.

DEPARTMENT OF STATE,
ISTHMIAN CANAL COMMISSION,
Washington, D. C., November 30, 1900.

THE PRESIDENT OF THE UNITED STATES.

SIR: It has been found impracticable to complete the work of the Isthmian Canal Commission and prepare a full report upon the investigation it was required to make in time for its presentation before Congress convenes in December.

The task intrusted to it was of great magnitude. It required exploration, examination, and research in distant countries to collect the data and information upon which to base its conclusions; the arrangement, tabulation, and study of these data, the determination of the best route for a canal at each locality, and of any variations necessary in former projects, the approval or change of sites for dams, locks, and other auxiliary works, the making of estimates, the preparation of plans, maps and profiles—all demanded care and diligence and consumed much time. The parties employed in the field work have been returning to the United States, as the duties assigned to them have been completed, but some of them are still in Nicaragua and Panama and have not yet finished their labors. Until their return and the results they bring with them have been digested the task of the Commission can not be completed.

But the work has been sufficiently advanced to make it practicable to answer the interrogatories suggested by the law and the instructions given thereunder with reasonable accuracy, as the results of the unfinished work, though important for the development of certain details, are not likely to affect seriously the approximate estimates which have been prepared.

It has therefore been deemed best to report the progress that has been made and the conclusions which have been reached, and thus avoid the delay that a postponement might cause in the inauguration of the work which the legislation, under which the Commission is acting, was designed to promote.

Such a report is now submitted and, as soon as practicable, it will be followed by a later and final one containing a complete and detailed account of the entire work of the Commission along all of the lines of investigation it was directed to follow, with maps, plans, and profiles, and the topographic, hydrographic, and other data which have been collected and used in making its estimates and reaching its conclusions.

PURPOSE OF THE INVESTIGATION.

The purpose of the investigation, undertaken in compliance with the law under which the Commission is acting, was to determine the most feasible and practicable route across the American isthmus for a maritime canal between the Atlantic and Pacific oceans, together with the cost of constructing the same and placing it under the control, management, and ownership of the United States.

The duty of aiding the President in the necessary examinations and ascertainments was intrusted to this Commission, and in the performance of this duty its members have endeavored to carry out the intent of the law and the instructions received through the Secretary of State.

The Commissioners were appointed on the 10th day of June, 1899, and qualified without delay.

ORGANIZATION OF THE COMMISSION.

The first meeting was held in the city of Washington on the 15th day of June, 1899, and Rear-Admiral John G. Walker was unanimously chosen as president, and at a subsequent meeting, held on the 6th day of July, Lieut. Commander Sidney A. Staunton, of the United States Navy, was chosen as secretary.

The work of the Commission was divided among five committees, with the understanding that they were to report their results and conclusions, with the evidence they had collected to the Commission for its consideration and action. These committees were severally authorized to enter upon the investigation of the following subjects:

The Nicaragua route.
The Panama route.
Other possible routes.
The industrial, commercial, and military value of an interoceanic canal.
Rights, privileges, and franchises.

At the first meeting after their appointment, in obedience to a resolution of the Commission, each of these committees submitted an outline of a scheme for the investigation which formed its special work, and they have followed the general lines indicated in these plans.

WORKING PARTIES SENT TO NICARAGUA, PANAMA, AND DARIEN.

The examination of the different proposed canal routes, and careful explorations to determine whether other routes exist presenting advantages for an interoceanic canal superior to those found at Nicaragua and Panama were at once set on foot.

A chief engineer was appointed to take charge in the field of each of the investigations to be made under the direction of the three committees charged with these duties. Working parties were sent into Nicaragua, Panama, and the Darien country under assistants appointed upon the recommendation of the chief engineer to collect such information and data as would serve as a safe basis for correct conclusions as to the practicability of the different routes, and an approximate estimate of the cost of each that was deemed feasible.

INSTRUCTIONS.

The general tenor of the instructions given to the parties sent to Nicaragua and Panama was to verify the examinations previously made, so as to determine the accuracy of former estimates and findings; to develop the canal lines by borings, so as to ascertain the nature of subsurface material; to lay out the center line upon the ground where it had not already been done; to survey the locations for locks and dams, using the diamond drill to determine the character of the underlying rock; to continue and extend the observations of rainfall and stream flow and of the lake fluctuation in Nicaragua; to ascertain the supply of materials for locks, breakwaters, embankments, and other auxiliary works, and to make careful surveys of the different harbors with a view to their improvement. The Darien country was to be explored from the Panama region to the Atrato River on the Atlantic and Pacific sides; the crest line of the dividing mountain range was to be carefully examined for the discovery of any existing gap or depression sufficiently low for canal purposes; former proposed routes were to be surveyed so as to develop their character and features, and the topography, hydrology, and meteorology of the country were to be carefully studied.

In all 31 working parties were organized and sent into the field, 20 into Nicaragua with about 150 engineers and assistants, 5 into Panama with about 20 engineers and assistants, and 6 into the Darien country with about 50 engineers and assistants, making in all a force of about 220 sent from the United States, the number varying a little from time to time, besides about 600 laborers, boatmen, and other workmen employed in the different countries, a total of more than 800.

STUDY OF CANAL ROUTES.

Meanwhile the members of the commission were devoting much time to a study of the different canal routes and an examination of the results of former surveys and explorations of the entire American isthmus. The reports and other writings upon the Nicaragua route afforded much information, but there were no similar advantages at hand for familiarizing themselves with the details of the Panama route.

It was ascertained, however, that there were ample engineering and geographical data in possession of the New Panama Canal Company in Paris, and its officers offered to open to the commission its records, plans, maps, profiles, and the results of the different surveys of the isthmian country made from time to time, if its members would visit that city. It was determined to improve this opportunity, and the commission left New York on the 9th day of August and returned on the 29th day of September. Most of this time was spent in Paris, where daily sessions were held at the office of the company, when the officers could be present, and with the assistance of the director-general, the chief engineer, and other officials, the visiting commissioners made a thorough study of all the details of the Panama Canal scheme from its inception, including its economic, historical, and legal, as well as its engineering aspects.

KIEL CANAL.

From Paris they went to Kiel, Germany, and passed through the canal there in company with its principal officers and engineers, with whose assistance they obtained much valuable data relating to canal construction.

NORTH SEA CANAL.

In like manner they examined the North Sea Canal in Holland, passing through it from Amsterdam to the North Sea.

MANCHESTER CANAL.

Subsequently they proceeded to England, where they inspected the Manchester Canal from that city to its outlet into the River Mersey near Liverpool, and afterwards devoted a day to the examination of the Liverpool docks.

At all these places, in addition to the oral information which was freely given, the officers in charge gave the commission valuable printed data, maps and drawings for further study. All the information thus collected at these different places, and full printed and written details of the Panama Canal scheme sent from Paris since the return of the Commissioners, have been considered and utilized by the commission during the progress of its work.

VISIT TO CENTRAL AND SOUTH AMERICA.

The general plan of investigation determined upon included a personal examination of the different canal routes upon the American isthmus and a visit to the capital cities of the countries where they are located, to ascertain the feeling and sentiment of the President and the people in each Republic with reference to the occupation of its territory for the construction of a canal to be under the control, management, and ownership of the United States.

NICARAGUA.

To accomplish these purposes the commission sailed from New York for Greytown on the 8th day of January last and returned on the 3d day of April. The time from January 19 to February 27 was spent in Nicaragua. The party examined Greytown Harbor, the adjacent coast line from the mouth of the San Juan to the Indio, the work and plant left by the Maritime Canal Company, and the different outlets of the San Juan River. Thence it proceeded up the river in steamboats to Lake Nicaragua, changing from vessel to vessel whenever the stage of the water and the rapids in the channel made it necessary.

Detours were made so as to inspect the sites considered suitable for locks and dams and other important points along and near the line of the canal where it did not follow the river. These detours were made in small boats and canoes and often on foot. The lake was then crossed and the canal line and adjacent country were traversed from the western shore to the terminus at Brito on the Pacific. The party traveled on horseback and sometimes on foot, making examinations of the same character as those made east of the lake. The camps of the working parties were visited all along the line, their work was carefully inspected, the results studied, and written instructions left as to the manner in which it should be continued.

RESULTS ACCOMPLISHED BY THE MARITIME CANAL COMPANY.

During the investigations upon the canal line the work accomplished by the Maritime Canal Company, in addition to the surveys and borings, the preparation of maps, plans, and profiles, and other preliminary operations, was examined and inspected. It was found that a railroad had been constructed and partly equipped from Greytown to the headquarters on the beach at La Fé and for about 12 miles westward along its line from the opening of the canal into the harbor, also a telegraph line from the same point to Castillo, covering with its loops about 60 miles. The excavation of the canal had been commenced and carried forward for about three-quarters of a mile to a depth of 16½ feet, and varying in width from 150 to 230 feet. In an effort to improve the entrance to the harbor in use at the time a jetty 42 feet wide had been constructed to a distance of 947 feet seaward and filled with brush mattresses, rock, and hydraulic-cement concrete. Upon it was a railway track which had been used in its construction.

In addition to this a clearing 486 feet wide had been made for a distance of 10 miles along the canal line at the eastern end, and the forest growth had

been removed for nearly the same distance at the western end; a number of temporary frame buildings had been constructed for quarters, storehouses, workshops, and hospitals on the shore of the Caribbean near La Fé, and near the entrance to the canal. The company had also purchased several dredges; five of these and a number of steel boats, launches, tugs, lighters, and other property are still lying in the lagoon near Greytown and along the adjacent shores in an exposed and neglected condition. The railroad embankment, which was built for a greater part of the distance over a swamp, still remains, and is in good condition. The ties are mostly rotten, but the rails were, at the time of the commission's visit, in good order.

The short section of partially completed canal is perhaps in as good shape to-day as it was when the work was stopped. The buildings are all rotten, and may be considered as valueless for any future operations. The dredges, boats, etc., are worthless. Some of the tools and machinery in store might be made use of, but they have little, if any, value now. It is understood that all this property has been declared forfeited to the Nicaraguan Government under the terms of the concession. The railroad embankment and the piece of canal constitute all that would be of any value in future operations, and the latter item has value only for river diversion in case the canal terminates in the Greytown Lagoon.

VISIT TO MANAGUA.

After the examination of the entire canal line from Greytown to Brito, the Commission journeyed from Rivas, its headquarters west of the lake, by steamboat and railway to Managua, the capital, where the President and other leading officials and citizens received the party with a cordial welcome and manifested great interest in the project of establishing an interoceanic communication through Nicaragua rather than at any other location. The occupation of their territory by the United States for this purpose did not seem to be regarded as a serious obstacle, provided the sovereignty of the Republic was respected and maintained.

PANAMA.

After leaving Managua the party went by rail to Corinto and took a steamer for Panama, where it arrived on the 3d day of March. Two houses built by the French company at Colon were placed at the disposition of the Commission, and its members, after a short delay at Panama, crossed the Isthmus and made their headquarters at the Atlantic terminus of the canal route during their stay in the country. From this place daily trips were made to different points on the railway from which the canal line could be reached, and the same thorough inspection of the whole work and the harbors at each terminus been made as in Nicaragua. The examination was extended to the upper waters of the Chagres in the Alhajuela region, and the entire river was traversed in canoes from there to the point near its mouth where it leaves the canal line.

The Commission found a large force of workmen and laborers engaged upon the canal line, about two thousand in number, according to the statements of the officers of the Panama Canal Company, who were superintending the work upon the Isthmus. Most of these were engaged at or near the deep cut in the Culebra region, excavating the earth and rock and removing the excavated materials in dump cars to the spoil banks. Here at the divide the greatest results have been accomplished, and the French engineers estimate that the cut which has been made has an average depth of more than 100 feet. The canal had been opened by the old French company at the Atlantic end, in the Bay of Limon, near Colon, to a distance of about 13 miles.

The depth as excavated was from about 16 to 29½ feet, but it had been abandoned for a long time and had silted up from the Chagres River and other watercourses, so that in places it could be used only by boats or launches of light draft. There are other excavations at different places along the route, and an opening has been made at the Pacific end for about 3 miles inland from the shore of Panama Bay to a depth of from about 6 to about 26 feet, varying in different localities. In this way a channel has been dredged to deep water at the anchorage near the island of Naos.

The work done in the Culebra region and at the two ends of the canal, and some in other sections, can be utilized in executing the plan adopted by the Commission. Its value in this respect has been considered and the approximate estimate of the additional cost of the canal, if it had not been accomplished, based upon the unit prices which have been used in other estimates, will be given in another part of this report.

At Colon and at different points along the line there are storehouses, covered sheds, and other buildings filled with locomotives, excavators, cars, dredges, and an immense amount of other machines, implements, tools, and supplies of various kinds, all purchased for canal purposes, besides the locomotives, cars, steam shovels, and other machines and tools in actual use in the work now going on. Much of this property is ill adapted to American methods of work, and all of it is now from thirteen to twenty years old, during which period the improvements in this class of machinery have been such that contractors would generally find it to their advantage to buy entirely new machinery of modern pattern rather than attempt to use this of an older class, even if given to them free and in good order. The locomotives, rails, and cars may be of some service, but their value is doubtful; the locomotives are much lighter than is desirable for economical service, the rails are of a pattern ill fitted to rough use, and the cars have narrow tread wheels. The cars are the best part of the whole outfit, and it is quite likely that they would be used; but it has seemed to the Commission that no value should be given to the plant now on the Isthmus, although its owners may realize something by the sale of portions of it to contractors, if they consider that they can use it to advantage.

The existence of the Panama Railroad is, however, a very important factor, as it supplies a service railroad for the entire length of the canal. On the basis of $75,000 a mile, this railroad would be worth $3,500,000, which is half the face value of its capital stock. In view of its good condition and its valuable termini, it should not be estimated for purposes of canal construction at less than $7,000,000, the par value of its stock.

COSTA RICA—VISIT TO SAN JOSÉ.

The investigation which closed on the 18th day of March, and a majority of the Commission then proceeded to San José, the capital of Costa Rica, where they had several interviews with President Iglesias and met the members of his cabinet and of the higher courts and other representative men of the Republic. They were treated with great cordiality and consideration, as they had been at Managua, and found a public sentiment in favor of a maritime canal to be constructed by the United States similar to that which was manifested in Nicaragua.

It is proper to add that the commission was greatly aided in its work at San José by Mr. Rufus A. Lane, secretary of legation, chargé d'affaires in the absence of Mr. Merry, the United States minister, and at Managua by Mr. Chester Donaldson, the United States consul there. The members of the Commission are also indebted to these gentlemen for many personal courtesies.

COLOMBIA.

The disturbed condition of Colombia and the interruption of travel on account of a revolution then in active progress made it impracticable to proceed to Bogota, the capital, so as to call upon the president and ascertain the views of the Government and people of the Republic with reference to the occupation of their territory by the United States in case the Panama route should be regarded as the most practicable and desirable.

DARIEN.

Mr. George S. Morison, who was chairman of the committee having in charge the investigation for other possible routes, left the party at Colon on the 18th of March to ascertain the progress of the explorations in the Darien country on the Atlantic side, with full authority to direct the further prosecution of the work and make any changes in the working parties and their supervision that he might deem advisable.

He left late at night on the U. S. S. *Scorpion*, commanded by Lieut. Commander Nathan Sargent, and next morning reached Mandinga Harbor, in San Blas Bay, in the vicinity of which the nearest of the working parties were encamped. He visited those operating from this base and then sailed for Caledonia Bay. He there received reports of what had been accomplished, gave further instructions to those in charge of the explorations, and then proceeded to Cartagena, where some of the engineers and assistants were awaiting orders. He made some changes in the organization of the exploring parties, prepared a scheme for the conduct of the general operation of the work on the Pacific as well as on the Atlantic side, and returned to Caledonia Bay and thence to San Blas Bay. On the return trip the different camps were visited again, and instructions were given to those in charge of the investigation at the different points, in accordance with the plan he had prepared. The *Scorpion* lay close in shore, and the mountain ridge was carefully examined. The trip was completed on the 7th of April, and on the 11th he left Colon for New York.

STUDY OF DIMENSIONS.

After the Commission returned to the United States much attention was given to the determination of the proper dimensions for a maritime canal under existing conditions, and the unit prices to be used in making the estimates for the cost of construction at each of the proposed routes mentioned in the law. The dimensions of the largest sized ocean-going vessels now in use were ascertained, and correspondence was opened with leading ship builders and directors of steamship lines, at home and abroad, to ascertain the size of those now on the stocks and whether the enlargement which has been going on for many years is likely to continue, and, if so, to what extent, during the next twelve or fifteen years. The results were considered in connection with other information in reaching the conclusions upon which the estimates in this report are based, and the unit prices which were agreed upon have been applied to these dimensions.

DIMENSIONS.

A depth of 35 feet at mean low water and a bottom width of 150 feet were adopted as standard dimensions for a canal in excavation by each route. This width is for straight sections; on curves with a radius of less than 12,000 feet it is increased at the rate of 1 foot for each 200 feet reduction of radius, the width thus becoming 180 feet on a curve of 6,000 feet radius. In open channels, excavated within the shallow limits of harbors or lakes, the bottom width is increased to 200 feet, in the San Juan River to 250 feet, and the excavated portions of Lake Nicaragua to 300 feet. In the artificial harbors of Colon, Greytown, and Brito it is made 500 feet. These dimensions are larger than those proposed for any previous isthmian canal scheme. While they may seem excessive to-day, the canal is not likely to be opened within ten years, during which time the increase in marine dimensions which has been going on for many years is likely to continue.

The isthmian canal, except in the two maritime sections, will be a fresh-water canal. The draft of ocean steamers is based on salt water weighing 64 pounds per cubic foot. Some large freight steamers now draw 32 feet at sea, and would draw nearly 33 feet in fresh water. If the heaviest class of freight steamers is to use the isthmian canal, 35 feet is the least depth that should be adopted.

A width of 150 feet will allow all but the very largest ships to pass each other in the excavated portions of the canal; if two such large ships meet, one will have to take the bank while the other goes by. Smaller ships will pass each other and larger ships without stopping.

In soft earth or sand the estimates are based on taking out the canal with side slopes of 1 on 3 below water and 1 on 2 above water. In firm earth they are based on side slopes of 2 on 3 below a berm 10 feet wide 6 feet below water, and 1 on 1 above such berm. In rock they are based on vertical sides from the bottom to a berm 5 feet above water with slopes of 4 on 1 in hard rock and 2 on 1 in soft rock above such berm, the berm being of such width that the extended slopes would intersect the bottom of the canal at the foot of the vertical sides. In certain special locations, like the Culebra cut on the Panama route, retaining walls are provided, these walls taking the place of the vertical sides of rock cuts.

The largest merchant ship now afloat is 704 feet long and 68 feet beam. Ships of larger displacement are now building, and freight steamers with a beam of about 75 feet may soon be common; four such ships are now on the stocks. Battle ships have a greater beam than other ocean-going vessels of like displacement; none now in the United States Navy exceeds this measurement, but designs have been prepared for some soon to be constructed with a beam of 76 feet 10 inches. These when completed will be of greater beam than any now afloat. These sizes have been used as a basis for determining the size of locks, the governing dimensions of which have been fixed at 740 feet long and 84 feet wide, in the clear, with a depth of 35 feet over the miter sills. The length, width, and depth are each 2 feet greater than those adopted by the French company for Panama. Twin locks are provided for in every case.

In special cases some of these dimensions might be changed in construction but they have been followed in these estimates in order to make a comparison between the different routes.

UNIT PRICES.

Unit prices have been fixed by agreement of all the members of the Commission, on the principle that whatever differences of opinion or circumstances may exist, they are not enough to interfere with a fair and close comparison of the different routes. These prices are as follows:

Removal of hard rock	per cubic yard	$1.15
Removal of soft rock	do	.80
Removal of rock under water	do	4.75
Removal of earth not handled by dredge	do	.45
Removal of dredged material	do	.20
Embankments and back filling	do	.60
Rock in jetty construction	do	2.50
Stone pitching, including necessary backing	per square yard	2.00
Clearing and grubbing, Nicaragua swamp sections	per acre	200.00
Other clearing and grubbing	do	100.00
Concrete in place	per cubic yard	8.00
Metal in locks, exclusive of machinery	per pound	.075
Timber in locks	per M B. M	100.00
Operating machinery, each lock chamber		50,000.00
Power plant, each group of locks		100,000.00
Single track railroad, complete with equipment	per mile	75,000.00

CONTINGENCIES, ETC.

It was determined to add 20 per cent to the estimates of the cost of construction to cover expenses that will be incurred for engineering, police, sanitation, and general contingencies. The prices are based on efficient organization and thorough equipment, with the understanding that while the work would be vigorously handled it would not be so driven as to call for unnecessary duplication of machinery. The cost of the equipment and plant will be large, but it will be distributed over a very large work.

OTHER POSSIBLE ROUTES.

The well-known geographic conditions at Tehuantepec and between the Nicaragua and Panama canal routes made it unnecessary to explore those parts of the American isthmus for other possible locations for an interoceanic canal, and the commission limited its investigations to what is generally known as the Darien country, extending from Panama to the Atrato River.

For about 80 miles the width of the isthmus in this region does not exceed 40 miles, except at one or two headlands which project beyond the general line of the coast. The narrowest point is at San Blas, where the distance from Mandinga Harbor to the shore of Panama Bay is only 31 miles, 2 miles less than from the head of the bay of Limon, at Colon, to the mouth of the Bermudino. On the eastern side of Panama Bay, about 100 miles from Panama, an estuary known as San Miguel Bay extends into the interior to within 33 miles of Caledonia Bay, on the Atlantic side. This bay of San Miguel, on the Pacific, and San Blas and Caledonia bays, on the Atlantic side, afford excellent harbors and canal approaches. Between Panama and San Blas the ridge of the Cordilleras crosses from the Pacific to the Atlantic side and continues there to the mouth of the Atrato River.

As the existence of practicable and feasible routes in this section depended upon the height and continuity of the divide, its crest was examined all along the line, with as much care and accuracy as was practicable under the conditions which existed, for the discovery of gaps and depressions, so as to ascertain whether any were sufficiently low for canal purposes, and measurements were made of those which promised the most favorable results.

The ridge was traced continuously on the ground from the head of the river Carti, a little east of Mandinga Harbor, in San Blas Bly, in latitude 9° 19' N., longitude 76° 59' W., to the headwaters of the Chagres, and thence down the river to the Panama Railroad, a total distance of 24½ miles; also near Caledonia Bay from the Carrato summit, in latitude 8° 45' N. and longitude 77° 38' W., to the Sassardi summit, in latitude 8° 56' N. longitude 77° 52' W., a distance of 27½ miles. The lowest elevation in the former section was 956 feet, in the latter 689 feet. These results were obtained by actual leveling. Between these two sections from San Blas Bay to Caledonia Bay, a distance of 81 miles in an air line, and from Caledonia Bay southward to the Atrato River, the examination was made from the sea, the elevations of the higher peaks, as well as the gaps and their distances, being determined by observations made with two sextants. The results showed that there was no probability of any suitable depression within these limits.

In addition to these investigations, a survey was made from San Miguel Bay, on the Pacific side, up the Chucunaque and Chucurti (Sucubti) rivers, which was almost though not quite connected with the work done near Caledonia Bay. After the results of the general exploration were determined the examination of other possible routes was limited to those sections where the isthmus was narrowest, where the coast lines offered good harbors, and the indications along the divide were the most promising. These conditions were found near San Blas Bay and Caledonia Bay. East of San Miguel Bay the isthmus widens, and no route can be expected there less than 100 miles in length.

SAN BLAS.

The San Blas route extends from the bay of that name to the mouth of the Bayano, on the Pacific; it has been advocated as the shortest line between the two oceans, which is true. The most complete plan developed involves a tunnel at least 7 miles long. While not necessarily impracticable, such a tunnel would be very objectionable and would render the line inferior either to the Panama or the Nicaragua location.

CALEDONIA BAY.

The distance from Caledonia Bay to tide water on the Savana River is about 30 miles in a straight line. Studies have been made of three lines across the divide, all of them striking the same point on the Savana River, near the mouth of the Lara, the approach upon the Atlantic side being through the three valleys of the Caledonia, the Aglasenigua, and the Sassardi. The distance from Caledonia Bay to the mouth of the Lara varies from 32 miles by the Sassardi route to 36 by the Caledonia route. The Sassardi route has not, however, been explored through its whole length, and it is possible that an actual survey would make it as long as the Caledonia route. Each line would require a tunnel. If the Sassardi route were taken, the length of this tunnel, assuming an open cut to be used to the depth of 400 feet, would be about 1.6 miles. On either of the other two the tunnel would be about 2 miles longer, while the approaches on the south side would be much heavier.

These surveys indicate that the Sassardi route is probably the best of the three for a sea-level canal. The indication can not be regarded as conclusive, because a thorough survey and development of the subsurface material might show insuperable difficulties, which would be more likely to exist in the tunnel than elsewhere. The cost of a canal upon this line would be excessive and the tunnel more objectionable to navigation than the locks on the other routes.

Caledonia Bay is virtually tideless. San Miguel Bay has a tidal range of 20 feet or more. This heavy tide cause currents in the Savana River of sufficient force to be a serious menace to navigation, and it would be necessary to build a tide lock near the mouth of the Savana. The distance from the mouth of the Lara to the tide-lock site is about 14 miles, the upper portion of which is in a narrow river which would require enlargement for a canal. This makes the total length of canal navigation from Caledonia Bay to the tide lock about 50 miles.

The result of all these examinations shows that there is no probability of the existence of any practicable canal location between Panama and the mouth of the Atrato River, except by the adoption of a tunnel line, and there seems to be no reason for further field work except in the interest of geography.

The conditions existing in Darien, along the Atlantic coast and adjacent thereto, rendered it impracticable to make the necessary explorations and surveys there without the aid of a Government vessel. There are no ports or lines of travel or communication nearer than Cartagena and Colon. It is inhabited by the San Blas Indians, who, though generally peaceable, are jealous of strangers and exclude them from their country. Though nominally under the sovereignty of Colombia, they recognize no rule but their tribal organization. A proper understanding with their chiefs was therefore necessary before the engineers and working parties of the commission could gain ready admission into their territory. Under these circumstances the Secretary of the Navy assigned to the service of the commission the U. S. S. *Scorpion*, under the command of Lieut. Commander Nathan Sargent, who was authorized to render such assistance as he properly could in the investigations to be made in this region.

A large part of the responsibility of the expedition rested upon this officer, and he displayed excellent administrative judgment and capacity in the discharge of his duties. After landing the working parties where they were to encamp, he established amicable relations with the Indians, under which the work was carried on in security, and the chiefs were satisfied that their people would be protected from any encroachment upon their rights. Much of the success that was achieved is due to his energy, fairness, and resolution.

NICARAGUA ROUTE.

The following is the result of the investigation at Nicaragua, with a description of the route and estimate of cost:

On the easterly side of the isthmus the location of the Nicaragua route lies generally up the course of the San Juan River for 100 miles from the Caribbean Sea to Lake Nicaragua, about 106 feet above it, thence across the lake, about 70 miles, to a point on its western shore, and running 17 miles from there to the continental divide, about 44 feet above the lake, down to the ocean at Brito, the Pacific terminus. The lake is a large body of water, sufficient to furnish a practically unlimited supply to the canal. The San Juan River is navigable for vessels of light draft, and affords a location for a masonry dam about 50 miles from the sea, by means of which the level of the lake is extended to the same point.

LAKE NICARAGUA.

The route lies mainly in the Republic of Nicaragua, but Costa Rica has the right of navigation in the San Juan River below Castillo, a part of which is included in the canal project. Lake Nicaragua, which forms a part of the summit level, is about 100 miles long and 45 miles wide, distant only about 12 to 30 miles from the Pacific, the longer axis being nearly parallel to the coast. The intervening territory is generally hilly, the range forming part of the continental divide.

The lake discharges through the San Juan River into the Caribbean Sea near Greytown. For the upper half of its course the San Juan flows through a hilly country, with a tortuous channel. Neither the river itself nor any of its tributaries in this section carries much sediment, and a slack-water navigation by means of locks and dams is practicable.

At the foot of this stretch the river receives from its right bank the San Carlos, its most important affluent, which discharges into it large quantities of sand. Below the confluence of these streams a slack-water navigation is not deemed practicable, and the canal route therefore leaves the river a short distance above the mouth of the tributary and is to be excavated thence to the Caribbean, a distance of about 50 miles. Below the mouth of the San Carlos swampy bottom lands appear, crossed by several high ridges, which, starting from the flanking mountain ranges, end on the bank of the river. The easternmost of these high ridges is about 26 miles from the seacoast, but for some distance beyond low hills and groups of hills appear in places. The region is generally swampy, the surface of the ground is but little above sea level, and the soft mud sometimes extends to a depth of 30 feet or more. A narrow strip along the coast is of sand, the gradual accretion from material brought down by the rivers from Costa Rican mountains and distributed along the coast by the waves and currents of the sea.

The project for a canal on this route follows essentially the lines laid down by the Nicaragua Canal Commission in its report, 1897-1899. It begins at the Caribbean Sea, near Greytown, follows a southwesterly course, passing to the northward of the Silico Hills, thence in a more southerly course until it reaches a point about a mile and a quarter from the San Juan River; thence it follows along the left bank of that stream, keeping a safe distance from it, until it enters the San Juan River at a point about 2 miles above the mouth of the San Carlos. The line then follows the upper San Juan to Fort San Carlos, where it enters Lake Nicaragua. After crossing the lake in a northwesterly direction to the mouth of the Rio Las Lajas, it follows the valley of that stream a short distance and crosses the continental divide into the valley of the Rio Grande on essentially the route suggested by Colonel Childs in 1889, which follows the valley of the Rio Grande to Brito, the Pacific terminus of the canal.

The following is a table of distances on the Nicaragua route:

Number of miles of canal proper	67.88
Number of miles of river improved	27.98
Number of miles of river not requiring improvement	17.28
Number of miles of lake channel 300 feet wide	22.19
Number of miles of lake not requiring improvement	48.54
Number of miles of harbors and entrances to same	3.05
Total number of miles from ocean to ocean, measured from the 6-fathom curves	186.53

SUMMIT LEVEL.

The summit level is to be reached from the Atlantic side by five locks, the first having a lift of 36½ feet and the other four having a uniform lift of 18½ feet each, except the lock at the summit, the lift of which will vary with the level of the lake, being 12½ feet when the lake is at its lowest and 18½ feet when at its highest stage. From the Pacific side the summit will be reached by four locks of uniform lift of 28½ feet. The mean level of the two oceans is assumed to be the same. It is known that they are nearly so. The mean range of tides on the east side is about 1 foot, that on the west side is about 8 feet. Mean low tide, which is the level that determines the depth of excavation of the maritime sections, is therefore half a foot below mean sea level on the east side and 4 feet below mean sea level on the west side. The lift of the lock at the summit, however, will vary from 22½ to 28½ feet, according to the stage of the lake, and that at the Pacific end will vary from 20½ at high to 28½ feet at low tide.

LAKE LEVEL.

Lake Nicaragua and that portion of the San Juan River from the lake to near Boca San Carlos, and that portion of the canal on the west side between the lake and Buen Retiro, will form the summit level. From the best data available it is believed that Lake Nicaragua varies in its level, under existing conditions, as much as about 18 feet. There is good reason for believing that its levels are as high as 110 and sometimes as low as 97 feet. These extreme fluctuations, however, occur only at relatively remote intervals. In order to reduce the amount of this fluctuation it is proposed to build a dam in the San Juan River, above the mouth of the San Carlos, on the east end of the summit level, and another smaller dam on the west side near Buen Retiro to regulate the lake level.

By means of these dams and regulating works the fluctuations of the lake level can be held within the limits of 6 feet, or from 104 feet to 110 feet above mean sea level. The summit will be excavated to the full depth below the lower level. The data on which the solution of the problem of regulating the lake level rests are not as full as is necessary for a rigid solution; but an approximate solution has been made, and it is believed that any errors which may exist are on the side of safety.

The salient engineering problems connected with the Nicaragua Canal project, briefly outlined, are as follows:

First. The construction of harbors at the termini of the canal.

Second. The excavation of the canal priam in the swamp sections between Greytown and the Florida Lagoon.

Third. The heavy cutting near Boca San Carlos and at Tamborcito.

Fourth. The construction of the large dam at or near Boca San Carlos in connection with the regulation of the summit level.

Fifth. The locks.

GREYTOWN HARBOR.

Some fifty years ago there was a good harbor at Greytown, the eastern terminus of the canal, with 30 feet of water at the anchorage and about the same depth in the entrance. The entrance to this harbor, where it then existed, has been obliterated, and the harbor itself is now a lagoon almost entirely inclosed, of restricted area, with only about half the depth of water in it that formerly existed. Vessels for Greytown are now compelled to anchor in the offing and discharge their cargoes on lighters which are taken into the lagoon across a bar having a depth of less than 6 feet of water. As the prevailing trade winds are strong and blow almost directly on this part of the coast, the construction of a harbor at this terminus of the canal becomes necessary in the early stages of the work, as well as for use after the canal is completed.

It is proposed to construct such a harbor, of sufficient area to accommodate vessels using the canal, by excavation, with an entrance having a least depth of 35 feet and a bottom width of 500 feet by the construction of two jetties springing from the shore line near Harbor Head, built of loose stone, to a height of 6 feet above mean high tide; the hearting of each jetty to be composed of small and the outer portion of large stone, not easily moved by the waves. It is not expected, however, that the construction of the jetties alone will form an entrance. Dredging will also be necessary, and its maintenance may require an extension of the jetties or dredging, or both.

BRITO HARBOR.

The western terminus of the canal will be near Brito. Here, as at Greytown, there is no harbor, and an artificial one must be constructed. The same general conditions will prevail as in its construction. The width and depth of the entrance will be the same. The sand movement on the western coast, however, is slight as compared with that in the vicinity of Greytown. The prevailing winds on this side are offshore, and destructive storms seldom visit this part of the coast. The cost of maintenance, therefore, of the harbor on the west side will be less than that of one on the east side at Greytown.

SWAMP SECTION BETWEEN GREYTOWN AND FLORIDA LAGOON.

For a part of the distance between Greytown and the Florida Lagoon the canal line passes over swampy sections, where the material is too soft to support the embankments necessary to keep out the floods of the San Juan and to maintain the canal level itself. Protecting embankments are therefore to be constructed over these sections. These embankments are to be located as far as practicable on the firm land composing the neighboring hills. In places, however, they cross ground which is soft to a considerable depth. Waste ways are provided on the embankment lines to dispose of flood water in the protected areas.

HEAVY CUTS NEAR BOCA SAN CARLOS AND TAMBORCITO.

At two places near the Boca San Carlos dam site heavy cutting is encountered, the maximum depth for short distances being 218 and 170 feet, respectively; but the deepest cut of all is at Tamborcito, about 26 miles from Greytown. Here the high ground north of the canal approaches so close to the river that a cut through it becomes imperative. The ridge is narrow, however, the width at the top being only a few feet and at the level of the water in the canal less than 3,000 feet; but the extreme depth of the cut is 267 feet. The borings show that it is nearly all hard rock. The less heavy cuts will also be in firm ground, but the exact character of the material can not be stated until the borings now in progress have been completed.

SAN CARLOS DAM.

The most difficult engineering work in connection with the Nicaragua Canal project is the construction of a dam across the San Juan River to hold back the waters of the lake and enable the level to be regulated. It is of great importance that this dam should be located above the mouth of the San Carlos River, as the latter discharges at times as much as 100,000 cubic feet of water per second, carrying with it great quantities of sand.

The construction of the dam below the mouth of the San Carlos, even if an eligible site were found, would, in addition to other difficulties, involve contention with the combined powers of two rivers, the San Juan proper and the San Carlos, the discharge of which may at times reach 200,000 cubic feet per second. The Nicaragua Canal Commission made search for a dam site above the mouth of the San Carlos, in what is called the Agua Muerta (dead water). One was found at a place about 2 miles above the mouth of the San Carlos River. Several borings were made to determine the level of the rock. These indicated that good rock would be found at a maximum depth of about 14 feet below mean sea level. The borings, however, were not sufficient in number to determine with accuracy the topography of the rock, nor its exact character. The present commission has planned three lines of borings, 100 feet apart, at the site of this dam, the borings being spaced 100 feet apart on each line. Hard rock for the foundation has been found, but in several places at a depth greater than the limited number of borings first taken indicated. The maximum depth to hard rock, as developed by the latest borings, is about 40 feet below sea level, or about 100 feet below low water in the river at the site, which will make it necessary to construct the foundation of this part of the dam by the pneumatic process. The dam in the deepest part will then have a height of about 150 feet.

As the pneumatic process is an expensive and slow one at best, this Commission has made search for an alternative site a few miles farther up the river, where the topographical and surface indications seemed to offer favorable results. One has been found which gives promise of a more satisfactory and less expensive solution of this problem, but the number of borings thus far taken is not sufficient to determine this with certainty. The estimates, therefore, are based on a dam at the site selected by the Nicaragua Canal Commission.

LOCKS.

Lock No. 1, on the east side, will have a lift of 36½ feet, but it is founded on rock. The others on the east side have a lift of 18½ feet, and are to be located on foundations that are believed to be safe. All the locks on the west side are founded on rock.

TIME.

The time required to build the Nicaragua Canal hinges almost entirely on the time required for the construction of the Boca San Carlos dam. After a harbor has been opened at Greytown, and a railroad constructed, the way will be open to attack the work from a great many points at the same time, so that if ample funds are then available, the excavation of the prism of the canal ought to be completed in a comparatively short time if prosecuted with vigor. The construction of the dam, however, will be a costly and tedious operation. Eight years would probably be a reasonable estimate for the time of building this dam. At least two years will be consumed in preparatory work and in opening a harbor at Greytown, so that if work on the dam should be commenced immediately thereafter, the time required for completing the entire work would be about ten years.

ESTIMATES.

In order to properly classify the materials to be excavated on this route many borings were necessary. In some cases where they proved unsatisfactory, slight changes have been made in the alignment of the canal. The borings have not yet all been completed, and the classification of the material, therefore, is based, in part, on surface indications and judgment. Consequently, in the final estimates, the classification which will be made from the actual borings may cause some differences. These, however, it is believed, will not materially affect the amount of the estimates.

The following is the estimated cost of a canal on the Nicaragua route:

Eastern division (from Greytown to Boca San Carlos dam)	$82,662,000
Middle division (from Boca San Carlos dam to Las Lajas)	25,425,000
Western division (from Las Lajas to Brito)	51,680,000
	159,767,000
98 miles of railroad	7,350,000
Total	167,117,000
Engineering, police, sanitation, and general contengicies	33,423,000
Aggregate	200,540,000

This estimate is for a canal suitable for navigation by the largest ships now in existence, and thus in accordance with the terms of the bill pending in Congress. It provides for a double system of locks, so that navigation can be maintained if one system be closed for repairs or renewals.

The estimate of cost is much in excess of any heretofore made on this route, and arises chiefly from the increased dimensions of the canal, the double system of locks, the extra cost of the San Carlos dam, due to increased depth of rock, increased embankments, and the modification in a part of the line in the eastern division, which has been located by this Commission farther from the San Juan River in the interest of security.

While the project on which this estimate is based is the one recommended, a canal of smaller dimensions and reduced lockage facilities can be opened for navigation at considerably less cost. If a single lockage system only were first provided, so designed as to permit the construction ultimately of a second system, the first cost would be reduced $19,678,000. A further reduction of $16,949,000 could be made by narrowing the bottom width one-third in all the excavated channels in canal, river, and lake sections. With these reductions made the estimated cost would become $163,913,000. In such a canal the time for passage and the risks to ships would be materially greater than in the one recommended.

The following is the result of the investigation at Panama, with a description of the route and estimates of cost:

PANAMA.

The natural attractions of the Panama route lie in the combination of a very narrow isthmus with a low summit. The width of the isthmus is less than 35 miles in a straight line, while the summit is barely 300 feet above mean tide, which, though higher than the Nicaragua summit, is less than half the height of any other which has been investigated. The high portion of the isthmus is limited to a width of about 6 miles near the Pacific side, and the Chagres River affords access by canoe navigation to within 15 miles of the Pacific Ocean.

The isthmus here runs nearly east and west, but the course of the railroad or canal is from northwest to southeast, the Pacific terminus being about 20 miles farther east than the Atlantic. The Atlantic port is Colon and the Pacific port Panama. Colon harbor is practically tideless; Panama Bay has a mean tidal range of 20 feet. Neither is a first-class harbor; the defect of Colon harbor is its exposure to strong northerly winds, which, though rare, occur for periods of a few days every year, and while they prevail ships must go to sea for safety; Panama Harbor is a roadstead behind islands at the head of a great bay.

The old Panama Canal Company, organized in 1879, projected a tide-level canal 47 miles in length between the two oceans. Five miles were in the coastal plain near Colon, 24 in the valley of the Chagres, 6 in the hills which form the divide, 7 in the valley of the Rio Grande, a small stream running from the hills into Panama Bay, and 5 in the harbor approaches. Two principal difficulties were encountered: The line in the valley of the Chagres involved an excavation below the bed of the river, which rises in the mountains east of Panama in a district subject to violent rains and at times floods its entire valley; the passage of the divide in the Culebra region involved an excavation of unprecedented dimensions.

Before the stoppage of work by the old French company the scheme of a tide-level canal was abandoned and various plans for a canal with locks were proposed, the summit level being placed at different heights, the highest being 160 feet above mean tide, to which high level it was proposed to pump the water.

The new French company adopted a scheme in which the summit level of the canal is placed at a minimum elevation of 87½ feet, approached by four locks in each direction, to be supplied with water from the upper Chagres, impounded by a dam at Alhajuela and brought through a conduit 10½ miles to the canal at Obispo. By this arrangement the excavation in the continental divide was reduced within such limits that it was thought the work could be finished in eight years. By the construction of a dam across the Chagres at Bohio the river between that point and Obispo was converted into a lake of sufficient dimensions not to be seriously affected by flood discharges, while diversion channels were to be constructed on both sides of the canal from this dam to the sea. With a carefully designed system of sluices and controlling works the violence of the floods was to be checked by impounding the water both above the Alhajuela dam and in Lake Bohio, so as to keep the flow below the Bohio dam within the capacity of the two diversion channels. The adoption of this scheme by the French engineers in preference to a simpler plan, which was fully discussed by them, was determined by the limits of time to which the company was restricted. As the conditions would be different if the canal were constructed by the United States, the Commission has adopted a simpler plan, avoiding complicated constructions like the conduit for the summit supply of water and making the regulation of the floods as nearly as possible automatic.

With the change from the tide-level canal to a canal with locks, a third problem was added to the other two—the supply of water for the summit level. The only available source of supply is the Chagres River. This brings the water supply into such intimate relation with the control of the flood

discharge that the two become practically one and must be treated together. The discharge of the Chagres at Bohio varies from a minimum of about 350 to a maximum of over 100,000 cubic feet per second, the extreme flood discharge being about three hundred times the low-water discharge. The estimated requirement for the operation of the canal, with an annual traffic of 10,000,000 tons net register, is 1,067 cubic feet per second. The discharge of the Chagres exceeds this in some years for every month, and in all years, except for a short period in February, March, and April, provision must be made for the storage of enough water to supply the deficiency during these three dry months. The best storage place for this water is in the lake formed in the valley of the Chagres, making it of sufficient depth to allow the needed supply to be drawn off without lowering the level enough to impede navigation.

The greatest flood of which there is any record occurred in 1879; from the imperfect information we have it has been estimated that it may have reached a maximum discharge of 75,000 cubic feet per second at Gamboa and 110,000 at Bohio. There is no record of any other flood in which the discharge at Bohio exceeded 50,000 cubic feet per second, while the floods in which it exceeds 30,000 are at such rare intervals that their effect on navigation would not be serious. The works should be so designed that a flood of 70,000 cubic feet per second would produce no currents which would interfere with navigation, the limit of such currents being fixed at 3 feet per second, and that a flood of twice this amount, or a discharge of 140,000 cubic feet per second, while it might temporarily suspend navigation, should not injure the structure of the canal.

No location suitable for a dam exists on the Chagres River below Bohio, and while this location is not without difficulties it has the great advantage that about 3 miles southwest of the dam, near the head of the Rio Gigante, a tributary of the Chagres, there exists an excellent site for a spillway, by which the discharge from the lake could be kept well away from the dam and accessory works. The height of this spillway would regulate the height and area of the lake. After careful consideration the Commission has decided to fix this height at 85 feet above mean tide and to make the spillway in the form of a fixed weir 2,000 feet long. At elevation 85 the lake has an area of 38½ square miles, more than one thousand million square feet. The height of 3½ feet from the crest of the weir to the elevation required to pass the maximum discharge would represent the impounding of more than six thousand million cubic feet of water. While in the absence of complete data exact calculations can not be made, computations giving reasonably approximate results indicate that no flood has yet occurred which would raise the level of the lake more than a few inches above elevation 90.5 or create a discharge over the weir exceeding 89,000 cubic feet per second.

The extreme possible effect, however, of a long-continued flood with a discharge of 140,000 cubic feet per second, for which there is absolutely no precedent, as all great floods are of short duration, will be to raise the water over the spillway to elevation 92.5 and to produce a current of from 5 to 6 feet per second in the narrow parts of the lake. Calculations have been made of the amount of water required to supply the deficiencies in the three dry months. An assumption of a minimum average discharge of 630 cubic feet per second for ninety days, which is the record of the driest year, gives an aggregate deficiency of 2,358,100,000 cubic feet below the required supply of 1,067 cubic feet per second, which corresponds to a depth of about 3 feet over the whole area of the lake. Under these extreme conditions the level of the lake might therefore be lowered to elevation 82. This represents a range of 3 feet from elevation 82 to elevation 90 in Lake Bohio during navigation. Anywise above 90 would mean nothing more than a swift current for a limited distance, and any fall below 82 would mean a temporary decrease in the depth of water in the canal.

The overflow of Lake Bohio would discharge through the Gigante spillway into the Peña Blanca Swamp and thence into the Chagres near the point where the Chagres has abandoned its old channel and now flows through the canal excavation made by the old company. It is necessary to construct a new channel of large dimensions west of the canal to take the Chagres; an alternate plan would be to leave the present canal to carry off this water and construct the canal on a new location farther east. A feasible location has been found which, besides keeping the canal safely away from the Chagres, is a mile and a quarter shorter than the original French line. The old location has, however, been retained in these estimates, the canal being enlarged to meet the new dimensions adopted by the Commission. This involves a new channel from the Marias de Peña Blanca to the Marias de Agua Clara and a continuous levee for 5 miles along the line of the canal.

The canal, as thus projected, may be described as follows:

The excavation begins at the 5-fathom line in the harbor of Colon, with a bottom width of 500 feet, and slopes of 1 on 3 through the bay and lowland 2⅞ miles, of which about 1 mile is inside the shore line, forming a narrow protected harbor. The estimated cost of this entrance and harbor is $7,324,673.

From the inner end of the harbor the bottom width of the canal is 150 feet, the side slopes of 1 on 3 being retained for 1⅞ miles through the swamp, after which they are reduced to the standard used in firm earth. This level extends 12⅔ miles to the Bohio locks. Its estimated cost is $10,718,388. At Bohio is located a double flight of locks, having a total lift varying from 82 feet at the minimum level of the lake to 90 feet at the maximum, 45 to each lock, the normal lift being 85 feet. These locks are on the location adopted by the French company. The estimated cost of this flight of double locks, four lock chambers in all, is $10,982,345.

Above the locks the canal enters the artificial lake formed by the Bohio dam and known as Lake Bohio. For the first 7 miles it is a broad, deep body of water, affording room for anchorage as well as navigation. Beyond this some light excavations are necessary. At the upper end the channel would be enlarged to provide for the flood discharge of the Chagres, being given a minimum section of 50,000 square feet. The length of the channel in Lake Bohio is 19⅞ miles from the locks to the point where it enters the cut through the divide. The estimated cost of this section is $2,784,440.

Near to the entrance to the summit cut would be placed a pair of gates 100 feet wide, so that if it should become necessary to draw off the water from the summit cut the level of Lake Bohio would not be affected. These gates would be at the site of a lock proposed by the French company near Obispo with a foundation on hard rock. The estimated cost of these gates is $25,436.

The summit cut is 7⅞ miles long from the Obispo gates to the Pedro Miguel locks. The highest point is about 5 miles from the Obispo gates, where the bottom of the canal is 374 feet below the natural surface of the ground at the sides of the cutting. This is the famous Culebra cut, though the name has often been applied only to the mile of heaviest work. There is a little very hard rock at the eastern end of this section, and the western 2 miles are in ordinary materials. The remainder consists of a hard indurated clay, with some softer material at the top and some strata and dikes of hard rock. In fixing the price it must be rated as soft rock, but it must be given slopes equivalent to those in earth. This cut has been estimated on the basis of a bottom width of 150 feet with side slopes of one on one. While the cut may not be finished with this uniform slope, this furnishes as correct a basis of estimate as can now be arrived at. The entire cut would be lined with masonry walls finishing at elevation 92, 2 feet above high water, these walls having nearly vertical faces and furnishing benches 58 feet wide on either side of the canal, on one of which the Panama Railroad would be laid, while it is probable that a service track would be placed on the other.

Much has been said about the instability of the Culebra cut; in point of fact, there is a clay in the upper portion of the deep cut which flows readily when saturated, but which will give little trouble if thoroughly drained. Probably nine-tenths of the material would naturally be classed as hard clay of stable character. It would weather somewhat, and the surface might require some repairing with concrete in bad places, a practice common in deep cuttings in Europe. This clay disintegrates rapidly in water, and for this reason the canal prism should be confined between masonry walls. With the provision made for broad benches on each side, on which any slight slides would be arrested, it is confidently believed that no trouble would be experienced. The estimated cost of the 5⅞ miles of heavy work is $41,940,480, and of the entire 7⅞ miles between the Obispo gates and the Pedro Miguel locks, $44,378,335. It would probably take eight years to excavate this section of the canal.

The Pedro Miguel locks will be similar to the Bohio locks, the aggregate lift varying from 54 to 62 feet. There is an excellent rock foundation here. The estimated cost of these locks, including an adjacent dam, is $8,406,331.

A level 1.33 miles long extends from the Pedro Miguel locks to the last lock, which is at Miraflores. The normal elevation of the surface of the water is 28. The estimated cost of this section is $1,160,611.

At the end of this level would be located the Miraflores lock, with a lift varying from 18 feet at high tide to 38 feet at mean low tide. There is a good rock foundation for this lock. A spillway will be required to regulate the height of this level. The estimated cost of this lock and spillway is $5,720,363.

For 4.12 miles beyond the Miraflores lock the canal extends through a low swamp country through which the Rio Grande runs. Occasional rock is found here, but the material is generally very soft and the canal has been estimated for a bottom width of 150 feet with slopes of 1 on 3. This brings the canal to a point known as La Boca where the Panama Railroad Company has constructed a large and substantial wharf. A dredged channel 200 feet wide with slopes of 1 on 3 would extend from here 3.8 miles to the 8-fathom line in Panama Bay. The first 2 miles of this dredged channel are through flats which are bare at low water, where there is a considerable amount of submerged rock. The total cost of this section from the lock to deep water is estimated at $12,366,914.

Besides the works embraced in the excavation of the canal itself there will be five outlying works which must be considered. These are the Bohio dam, the Gigante spillway, the diversion of the lower Chagres opposite Gatun, the diversion of the Gatuncillo east of Gatun, and the diversion of the Panama Railroad around Lake Bohio.

The Bohio dam is the most important structure on the line. A dam of either earth or masonry is feasible, the latter being the more expensive. The French plan contemplated a dam of earth. It has been decided, however, to use the masonry type for the purpose of these estimates. The foundation must be carried to rock, the depth to which has not yet been ascertained at all points, though the maximum is known to be not less than 128 feet below mean tide. The estimated cost of such a dam is $8,500,000.

The Gigante spillway, which is a structure of considerable magnitude, is very simple. There is a good rock foundation at or above tide level for the entire length of this spillway. It would consist of a masonry dam with a crest at elevation eighty-five, terminating in an apron at elevation sixty-five, with a solid foundation below this level, the apron being everywhere below the present surface of the ground. The foundation below elevation sixty-five would be put in first and before the flow of water through the present river at the site of the Bohio dam is checked. The water after passing over this spillway would flow across the country about a mile to the swamp known as the Marais de Peña Blanca. The elevation of the surface of this swamp is now 22.3 feet, so that the water would have a fall of 62.7 feet in this mile, which fall would be materially reduced in extreme floods by the backing up of water in the swamp. Plans have been prepared for this spillway, and the estimated cost is $1,124,524.

A channel must be cut from the Marais de Peña Blanca to the Marais de Agua Clara, the cost of which has been estimated at $1,148,076.

A channel was cut by the old canal company to divert the Chagres from the canal opposite Gatun. This channel, however, is of very inadequate dimensions and a new channel, part of which will be an enlargement of the present one, should be cut here. It should have a cross section of 22,000 square feet. Rock would be encountered in its excavation, and its cost has been estimated at $1,329,976.

A diversion channel intended to take part of the waters of the Chagres was constructed by the old company along the east side of the canal to Boca Grande, back of Colon. This cut across the Gatuncillo, near Gatun, and the portion of it worth of this point is available as a new channel for the Gatuncillo. Some work must be done on it, especially at the crossing of the Panama Railroad, where the piers for a new bridge are completed. The cost of putting this channel into service is estimated at $100,000.

From Bohio to the Obispo gates the Panama Railroad must be rebuilt for 15½ miles on an entirely new location with a bridge across the Chagres, below Gamboa. An estimate made from approximate profiles indicates that the cost of this diversion will not exceed $75,000 a mile, or $1,162,500. From the Obispo gates the railroad would be carried for 6 miles on the bench formed by the retaining wall on the east side of the Culebra cut, these 6 miles being estimated to cost $40,000 a mile, which includes only track laying, ties, and ballasting. Beyond this will be a mile of light work, estimated at $65,000, while the main track will have to be raised for 2 miles farther at a cost of $20,000. Combining these figures, the total cost of the diversion of the Panama Railroad becomes $1,267,500.

Summing up the several figures already given, the total estimated cost of completing the Panama Canal is as follows:

Colon entrance and harbor	$7,324,673
Harbor to Bohio locks, including levee	10,718,388
Bohio locks, including excavation	10,982,345
Lake Bohio	2,786,449
Obispo gates	25,436
Culebra section	44,378,335
Pedro Miguel locks, including excavation and dam	8,406,331
Pedro Miguel level	1,160,611
Miraflores locks, including excavation and spillway	5,720,363
Pacific level	12,366,914
Bohio dam	8,500,000
Gigante spillway	1,124,524
Channel between the marshes	1,148,076
Chagres diversion	1,329,976
Gatuncillo diversion	100,000
Panama railroad diversion	1,267,500
Total	118,618,816
Engineering, police, sanitation, and general contingencies	23,722,763
Aggregate	142,342,579

This estimate is for the completed project. A canal begun upon this plan may be opened to navigation before its final completion. If single instead of double locks be used, and the bottom width be made 100 instead of 150 feet, the cost will be reduced $26,401,364, and the estimate becomes $115,941,215.

Although the French company for special reasons adopted the plan with a higher summit level, their engineers worked up a plan in which the level of Lake Bohio was carried completely through the Culebra cut, the high-water level being raised to elevation 87. Under this plan the supply of water for the dry months would be obtained from the upper Chagres, the Alhajuela dam being built to impound a sufficient amount. The fluctuation of the water in Lake Bohio could then be reduced to 5 feet, from 82 to 87. The dimensions adopted by this commission have been applied to a canal on these lines. The cost of the Alhajuela dam must be added, as well as that of a railroad 10 miles long from the Obispo gates to the site of the dam. The estimate for completing the canal by this plan is as follows:

Colon entrance and harbor	$7,334,673
Harbor to Bohio locks, including levee	10,756,217
Bohio locks, including excavation	9,060,960
Lake Bohio	7,285,367
Obispo gates	323,805
Culebra section	53,950,038
Pedro Miguel locks, including excavation and dam	7,906,658
Pedro Miguel level	1,367,318
Miraflores lock, including excavation and spillway	5,070,879
Pacific level	12,366,914
Bohio dam	6,800,000
Gigante spillway	1,408,014
Channel between marshes	868,846
Chagres diversion	1,117,988
Gatuncillo diversion	100,000
Panama railroad diversion	1,267,500
Alhajuela dam	2,000,000
Ten miles of railroad	750,000
Total	130,315,215
Engineering, police, sanitation, and general contingencies	26,063,043
Aggregate	156,378,258

The quantities given in the above estimates are based on the present condition of the isthmus, advantage being taken of various excavations made by the French companies.

The old Panama Canal Company and the Liquidator raised, by the sale of stock and bonds, the sum of $256,706,491.68. The securities issued to raise this money had a par value of $435,559,332.60. There had been excavated about 72,000,000 cubic yards prior to the organization of the new company. Nearly all of the stock of the Panama Railroad had been purchased. The new company has excavated about 5,000,000 cubic yards, making the total amount excavated by the two companies 77,000,000. The amount of this work which will be of value, under the plan recommended by the Commission, has been carefully computed for the main canal line, and is found to be 36,030,649 cubic yards. Adding the excavation in the Gatuncillo diversion, which is estimated at 2,500,000 cubic yards, the quantity of excavation which will be of value in the new plan is 39,190,649 cubic yards. A temporary diversion of the Panama Railroad is also to be considered.

Using the same classification of materials, and the same unit prices as in the other estimates, with the 20 per cent for contingencies, the value of the French work already done becomes:

Canal excavation	$21,020,386
Gatuncillo diversion	1,025,000
Railroad diversion (4 miles)	300,000
	22,445,386
Contingencies, 20 per cent	4,489,077
	26,934,463
Panama Railroad stock at par	7,000,000
Aggregate	33,934,463

The value of the French work is greatly reduced by the fact that the spoil banks on the Atlantic maritime section frequently come within the limits of the enlarged canal now estimated for.

This statement does not include the value of tools, buildings, and other plant, nor of the hospital, nor does it include the value of the maps, drawings, and records, which are unusually complete, for which no accurate estimate can be made. The plant would be a matter of negotiation between its present owners and the contractors for the new work, and so is indirectly included in the cost of the canal as estimated. The offices and hospitals would be a matter of special negotiation, and form part of the sanitation expense provided by the 20 per cent allowance on the new work.

In the letter dated November 18, 1898, addressed to the President of the United States by Mr. J. Bonnardel, president of the board of directors of the Panama Canal Company, it was stated that the company's assets exceeded in value $100,000,000.

INDUSTRIAL AND COMMERCIAL VALUE.

The use that would be made of an isthminn canal by the United States and other nations, and the effects of that use upon the development of our resources and the extension of our domestic and foreign trade have been carefully investigated, and the commercial advantages derivable from the Nicaragua and Panama routes have been compared in order that every factor having a bearing upon the location of the canal might be considered. In the prosecution of this inquiry data were secured from the official statistics of our own and foreign governments, from commercial organizations and business men who were conferred with personally, and by an extensive correspondence. The final report of the Commission will contain a full discussion of the value of the canal. The following are some of the conclusions to which this investigation has led:

PRESENT TONNAGE OF AVAILABLE TRAFFIC.

To determine the amount of tonnage that would use a canal, were it now in existence, two distinct statistical investigations have been made. In one of these the exports and imports of the United States and of the leading commercial nations of Europe were studied for the purpose of ascertaining how many tons of cargo, or how much freight, those countries would now contribute to the traffic through an American interoceanic canal. The statistics of exports and imports of all countries being given either in values or quantities, it was necessary to convert these into their tonnage equivalents. This change having been made for each commodity, it was found that 3,426,752 cargo tons of the maritime commerce of the United States during the year ending June 30, 1899, could have used the canal to advantage. During the calendar year 1898 the trade of Europe with the west coast of South and Central America and British Columbia amounted to 3,346,377 cargo tons. The sum of these two amounts, 6,773,129 cargo or freight tons, does not include any of the trade between Europe and the Orient, a part of which would have used the American canal had it been in existence. The figures, moreover, apply to the commerce of the past carried on under the conditions then prevailing.

The statistics of entrances and clearances show that the net register tonnage of the American and foreign shipping that would have passed through a canal had it existed during the year 1898-99 was 4,582,128 tons, in addition to a part of the commerce between Europe and the Orient. The opening of the American Isthmian Canal will accentuate the present tendency of traffic to follow round-the-world lines, and not less than one-fourth of the present traffic of Europe with Eastern countries may be expected to use this route. One-fourth of the vessel tonnage employed in the European-Oriental commerce during the calendar year 1898 amounted to 1,154,328 tons net, and this added to 4,582,128 gives a total of 5,736,456, the number of tons of shipping that would have used a canal had it been in existence in 1898-99.

Records of vessel movements, kept by the New Panama Canal Company, show that the commerce between the east and the west coasts of the American continent, and between Europe and the American west coast would have caused an isthmian canal to be used by 3,848,577 tons net of shipping in 1899. This sum, plus one fourth of the vessel tonnage of the commerce between Europe and the East, gives 5,126,890 tons net register for the traffic available in 1899. The difference between the result of the investigation made by the French company and that conducted by this Commission is 609,566 tons; however, two-fifths of this difference is accounted for by the fact that the French statisticians did not include any tonnage for the trade carried on between the eastern half of the United States and foreign Pacific countries by way of our Pacific ports. The difference between the two totals may also be partly due to their not covering identical periods. The United States statistics of entrances and clearances studied by this Commission were for the fiscal year ending June 30, 1899, whereas the French record of vessel movements was for the calendar year 1899. The similarity in the results of the two investigations is evidence of the essential accuracy of both.

PROBABLE TRAFFIC 1909 AND 1914.

The increase during the decade preceding 1899 in the tonnage of the vessels that would have used the canal was 22.55 per cent. Upon the safe assumption that this rate of increase per decade will continue, the available canal tonnage of 1898, as calculated by the French statisticians, will have become, 6,127,112 tons in 1908, and 6,922,166, or, in round numbers, 7,000,000 tons net register in 1914; that is, at the end of sixteen years. If the tonnage of the entrances and clearances of the available canal traffic of the year 1898-99, as determined by this Commission's investigation (5,736,456 tons net register), be taken as the basis of estimate, an increase of 22.55 per cent per decade would make the figures for 1909, 7,030,027 tons, and for 1914, 7,782,240 tons net register.

NICARAGUA AND PANAMA ROUTES FOR SAILING VESSELS.

Three-fifths of the seagoing tonnage of the United States now consists of sailing vessels, and we have a larger ocean-sailing tonnage than any other country except the United Kingdom. However, sails are being displaced by steam, and the statistics of steamers and sailing vessels indicate that not more than one-sixth of our total seagoing tonnage will consist of sailing vessels in 1914. If the sailing vessel should continue to give way to the steamer after that date an isthmian canal will not be much used by sailing ships. The unmistakable tendency of commerce is to employ steam instead of sails, not only in the transportation of general or mixed freight, but also for carrying full cargoes of bulky commodities. Moreover, the canal will so increase the competitive advantages of the steamer as to render practically certain its general substitution in place of the sailing vessel for all lines of trade through an isthmian waterway.

BENEFITS TO EUROPE AND UNITED STATES COMPARED.

As compared with Europe, the United States will derive from the canal far greater benefits, both commercially and industrially. The commerce of Europe with the Pacific coast of North, Central, and South America, under existing conditions, is somewhat larger than the total volume of the present traffic of the United States that may be considered tributary to the canal; but this fact does not indicate the relative advantages which the canal will possess for the trade of Europe and that of the United States. As soon as it has been opened our trade with the west coast of South America will rapidly increase, as will also the volume of our trade with the Orient. The amount of the American commerce through the canal will quickly surpass the total amount of Europe's traffic.

An isthmian canal will strengthen the unity of the national and political interests of the United States, develop its Pacific territory, and promote the commerce and industries of the entire country. The benefits which Europe will derive from the canal will be commercial. In addition to this ours will be political and industrial. By bringing the eastern and western sections of our country into closer relations, by reducing the time and cost of transporting our western products to Europe, and by enabling the Eastern, Southern, and Central States to reach the raw materials and markets of Pacific countries cheaply and expeditiously, the canal will more fully identify political and social interests and quicken the industrial activity of every section of the United States.

The iron and steel, the textiles, and the other manufactures of the Eastern and Southern States, the coal from the mining regions, the cotton from the South, and the grain and forest products from many sections will flow out to foreign countries in an increasing volume, and this larger trade will be shared generally by the ports of all our seaboards—the Atlantic, the Gulf, and the Pacific. The canal will cause the competition of the United States with Europe in the countries of Western South America and the Orient to be much keener, with the result that the trade of our country will increase more rapidly than will that of our rivals. The canal will aid the United States in securing and maintaining a position of primacy in the international trade of the world.

These are the considerations which justify the expenditure by the United States of the sum required to build the canal. They may involve a low tariff of charges and be at variance with the production of a large revenue from the canal.

COMMERCIAL ADVANTAGES—NICARAGUA AND PANAMA ROUTES COMPARED.

(a) One method of showing the relative advantages which the Nicaragua and Panama routes would possess is to compare the distances by way of each of them between typical Atlantic and Pacific ports. A few distances are shown in the following table, compiled with the assistance of the United States

Hydrographic Office. The table applies only to the routes followed by steamers, and the length of each canal line is reckoned in nautical miles:

Comparison of distances for steamers by the Nicaragua and Panama routes.

From—	To San Francisco.			To Yokohama via Honolulu.		
	Via Nicaragua.	Via Panama.	Saved via Nicaragua.	Via Nicaragua.	Via Panama.	Saved via Nicaragua.
	Miles.	*Miles.*	*Miles.*	*Miles.*	*Miles.*	*Miles.*
New York	4,922	5,299	377	9,832	10,087	255
Liverpool	7,652	8,038	386	12,561	12,826	264
New Orleans	4,119	4,698	579	9,029	9,486	457

From—	To Shanghai via Honolulu.			To Guayaquil.		
	Via Nicaragua.	Via Panama.	Saved via Nicaragua.	Via Nicaragua.	Via Panama.	Saved via Panama.
	Miles.	*Miles.*	*Miles.*	*Miles.*	*Miles.*	*Miles.*
New York	10,752	11,007	255	3,247	3,[illegible]4	383
Liverpool	13,482	13,746	264	5,977	5,[illegible]	374
New Orleans	9,949	10,406	457	2,444	2,263	181

Between New York and San Francisco, the Nicaragua Canal route would be 377 nautical miles shorter than the Panama route. Between New Orleans and San Francisco 579 miles would be saved, and, in general, the distances between the Atlantic and Pacific ports of the United States are less by way of Nicaragua.

Between our east coast and Yokohama and Shanghai the Nicaragua route is somewhat shorter, but for the trade of our eastern ports with the west coast of South America the Panama route is not so long as the Nicaragua.

(*b*) A part of the saving in distance effected by using a Nicaragua canal instead of one at Panama would be offset by the longer time of transit at Nicaragua. An average steamer would require twelve hours to make the passage through the Panama Canal, and thirty-three through one across Nicaragua. For a 10-knot steamer this difference of twenty-one hours would be equivalent to 210 knots difference in distance, and for a 13-knot steamer, the difference in time of transit would be equivalent to 273 knots.

(*c*) The Nicaragua route would be the more favorable one for sailing vessels, because of the uncertain winds in the bay of Panama. It would not be impossible for sailing vessels to use the Panama Canal, but for average voyages between the two seaboards of the United States, a sailing vessel would require about nine days additional time to make the passage by way of the Panama Canal. However, neither route would be much used by sailing vessels, because of their inability to compete with steamers. They would certainly not be able to compete with steamers, both using the Panama Canal.

(*d*) For the promotion of the domestic trade of the United States, the Nicaragua route would possess advantages over the Panama route, because the distance between our two seaboards is less. For our trade with Japan, China, the Philippines, and Australia, the advantages of the two routes are nearly equal, the distance by way of the Nicaragua route being slightly less. For our trade with South America the Panama route is shorter and more direct.

(*e*) The industrial changes which the Nicaragua Canal would produce in the countries through which it will pass would be great. Nicaragua and Costa Rica comprise a region capable of producing a large amount of tropical products for which there is a demand in Europe and the United States. A canal across their territory would give a great impetus to their economic development.

RIGHTS, PRIVILEGES, AND FRANCHISES.

A careful examination has been made of all the rights, privileges, and franchises held and owned by corporations, associations, and individuals at the different canal routes. This necessarily included a study of the treaties relating to the establishment of an interoceanic communication made by the Republics, whose territory is to be occupied, and by the United States, with one another, and also with foreign governments.

The treaties heretofore made exclude all idea of a relinquishment of sovereignty over any of the proposed routes. In most of them the right of transit and the innocent use of the communication, whether by railway or canal, is granted to the other contracting party, its citizens and subjects, to be enjoyed upon equal terms with other governments and people; and the leading commercial nations of the world have committed themselves to the policy of neutrality at the different routes, and some of them have obligated themselves to use their influence to induce other nations to agree to the same policy. No existing treaties between the United States and the Republics of Nicaragua and Costa Rica, or of Colombia, give our Government the right to excavate and operate a maritime canal through any of these countries. The concessions granted by the different Republics through whose territory the lines of the projected canals extend, in terms, exclude the right of the companies holding them to transfer them to any foreign government, and further treaty rights must be acquired to enable the United States to undertake the excavation of a navigable waterway between the two oceans in a governmental capacity.

The only prior obligations to corporations, associations, or individuals in the way of a direct agreement between the United States and Nicaragua authorizing our Government to construct a canal across the territory of the latter, to be under its control, management, and ownership, have been eliminated by the forfeiture and termination of the contracts with the Maritime Canal Company of Nicaragua and the Interoceanic Canal Company. In view of this declaration the Commission has not made any effort to ascertain the cost at which the concessions of these companies can be purchased, for if these forfeitures are final the rights formerly granted to these companies are not in the way of diplomatic negotiations with the government interested to acquire the consent and authority necessary for the construction of a canal by this route. The situation in Costa Rica is practically the same.

The situation at Panama is different. The Republic of Colombia first granted a concession to the Panama Railroad Company, giving it exclusive privileges on the Isthmus, which will continue according to modifications afterwards made for ninety-nine years from August 16, 1867. A later concession to the Panama Canal Company required it to enter into some amicable arrangement with the railroad company under which the former might occupy the territory along or near its line. The canal company acquired by purchase a majority of the railroad stock and the necessary arrangements were made. This stock is now under the control of the New Panama Canal Company, which gives it a directing influence in both organizations. The canal concession is to continue according to its latest extension for ninety-nine years from the day on which the canal shall be wholly or partially opened to public service, and the date fixed for this in the contract is October 31, 1910. Should it fail and the concession be forfeited the company will still have exclusive control of the territory through which its line extends till 1966 under the railroad concession.

The canal company is absolutely prohibited to cede or mortgage its rights under any consideration whatever to any nation or foreign government under penalty of forfeiture. The contract with the railroad company contains a like prohibition and declares further that the pain of forfeiture will be incurred by the mere act of attempting to cede or transfer its privilege to a foreign government, and such an act is declared absolutely null and of no value or effect.

These concessions, if acquired by the United States, would not give to the Government the control and ownership evidently contemplated by the law; that is, an absolute ownership in perpetuity. The right under the contract with the railroad company is designated as "the use and possession" of the property for ninety-nine years and it is provided that "at the expiration of the term of the privilege" and by the sole fact of the expiration, the Government of Colombia shall be substituted in all the rights of the company and shall immediately enter into the enjoyment of the line of communication, its fixtures, dependencies and all its products.

The right of the canal company is substantially of the same character. Its concession expressly provides that five years previous to the expiration of the ninety-nine years of "the privileges," the executive power shall appoint a commissioner to examine the condition of the canal and annexes, and make an official report describing the condition of the property in every detail. This report is to establish the condition in which the canal and its dependencies are to be delivered to the National Government on the day of the expiration of the privilege. There is no provision for an extension of either concession, and the entire property in each case passes from the company without compensation.

The privileges granted by these concessions are subject to certain annual charges in the nature of a rental, and to other obligations. The railroad company is bound during the continuance of its concession to pay to the Colombian Government "an annual revenue" of $250,000 in American gold, in quarterly payments. The failure to make any of the quarterly payments, after being one year overdue, subjects the company to a forfeiture of its privilege. It is also bound to transport over its road the Colombian mails without charge, and the troops, chiefs, and officers, and their equipage, ammunition, armament, clothing, and all similar effects belonging to or destined for the service of the Republic, and emigrants to the country up to the number of 2,000 annually.

The canal company is bound to pay to the Government in half-yearly installments during the first twenty-five years after the opening of the canal to the public service, a share amounting to 5 per cent on its gross income from all sources, without any deductions whatever. For a second period of twenty-five years the share of the Government is increased to 6 per cent, for a third to 7 per cent, and for a fourth, to the termination of its privilege, to 8 per cent. The company guarantees that this share shall in no case be less than $250,000 in any year. The Colombian Government also owns, in accordance with the extension law of December 26, 1899, and by the terms of the company's charter, 50,000 full paid shares of its stock, of the par value of 100 francs each, the total number of shares issued by the company being 650,000. The Government of the Republic has the power, under the concession, to protect these interests by appointing a commissioner or agent to intervene in the collection and examine the accounts of the company.

An examination of the charter rights of the New Panama Canal Company under the general incorporation laws of France and the special legislation in its behalf resulted in finding an enactment, included in a law passed June 8, 1888, requiring that all the plant necessary for the construction of the canal shall be manufactured in France and that the material must be of French origin.

This being the situation, it was manifest that, even if the privileges of the companies could be purchased by and transferred to the United States, they were encumbered with charges and conditions that would not permit this Government to exercise all the rights of complete ownership over a canal constructed by it at the Panama route.

A new arrangement is necessary if the United States is to undertake such a work. The relinquishment by the canal company, with the consent of Colombia, of the privileges it has under existing concessions, for a consideration to be agreed upon with the United States would leave the way open for treaty negotiations between the two governments to ascertain whether Colombia will consent to the occupation of its territory by the United States for the construction of a canal to be under Government control, management, and ownership, and, if so, whether they can agree upon terms mutually satisfactory. The situation is peculiar, as there are three parties in interest. The United States can enter into no agreement with Colombia that does not have the approval of the company, and the concessions do not permit the company to transfer or attempt to transfer its rights to a foreign government.

The Commission has, however, attempted to ascertain the views of the New Panama Canal Company with reference to a disposition and transfer of its rights. Interviews were had with its president and other officers during the visit to Paris and on several occasions from time to time since then, and on the 10th day of April last a formal letter was addressed to Mr. Maurice Hutin, the president and director-general, asking whether he was in a position to name terms upon which the company would dispose of its property and interests to the United States. At different times since then the subject has been discussed by the representatives of the company with the Commission and its committee on rights, privileges, and franchises, but no formal reply to the letter was received until this report was being closed. These conferences and correspondence have resulted in no offer to dispose of the property and privileges of the company to the United States upon any terms, even with the consent of the Colombian Government, nor has the company expressed any desire or wish to enter into any negotiations with the United States with reference to such a disposition of its property and rights.

It was proposed by President Hutin that the United States might obtain control of the canal scheme as a majority stockholder of a new organization to which the present company could contribute its concession, plant, unfinished work, and other property, at a valuation to be determined by arbitration, and he expressed the opinion that such an arrangement could be made without violating the concessions. But this must include some plan for the protection of the minority stockholders in the financial management, for they would favor a policy that would realize liberal dividends in proportion to the commercial value of the canal, while the policy of this Government might be to reduce tolls and charges to the cost of maintenance or even below it, if the interests of the people would be thereby advanced.

The plan, however, which the company prefers is that outlined in its letter of February 28, 1889, addressed to the President of the United States, which has been published in Senate Document No. 188, Fifty-sixth Congress, first session, pages 41 and 42.

This was to reincorporate under the laws of New York or some other State, and accord to the United States such representation in its board of directors

and such opportunity to acquire an interest in its securities as its concessions permitted. And an assurance was added to the effect that if the United States should desire to perpetuate or enlarge its existing rights and privileges acquired under the treaty of 1846, the company would conform to such supplemental treaty as might be entered into between the United States and Colombia.

The Commission having no other authority than to make investigations and obtain information, submits this result of its efforts to ascertain upon what terms the rights and privileges at the Panama route can be obtained. It is proper to add that the examination of the title of the present company to the canal property under the laws of France and Colombia has satisfied this Commission that the New Panama Canal Company has the entire control and management of the canal property. It appears further that the liquidator appointed by the French court to settle the affairs of the old company contributed under the charter all privileges and property of that company to the new organization, and in consideration of this contribution he will be entitled to receive 60 per cent of the net income after paying all expenses, charges, and stipulated dividends, to be distributed by him among the old stockholders and their representatives.

This right to a share in the profits gives no right to the old stockholders to take any part in the acts or administration of the new company, but the charter recognizes a continued interest of the old company in the affairs of its successor by conferring upon the liquidator until the completion of the canal the power to appoint a commission of three members to inspect the progress of the work, the condition and maintenance of the plant and buildings, as well as the accounts relating to these different objects, the expense of the commission to be borne by the new company. It will thus be manifest that if an agreement be made for the purchase of the company's concession and property by the United States, it must include some settlement of this right which the French court has placed under the control of the liquidator.

COMPARISON OF THE TWO ROUTES.

I. The estimated cost of building the Nicaragua Canal is about $38,000,000 more than that of completing the Panama Canal, leaving out the cost of acquiring the latter property. This measures the difference in the magnitude of the obstacles to be overcome in the actual construction of the two canals, and covers all physical considerations such as the greater or less height of dams, the greater or less depth of cuts, the presence or absence of natural harbors, the presence or absence of a railroad, the exemption from or liability to disease, and the amount of work remaining to be done.

The New Panama Canal Company has shown no disposition to sell its property to the United States. Should that company be able and willing to sell, there is reason to believe that the price would not be such as would make the total cost to the United States less than that of the Nicaragua Canal.

II. The Panama Canal, after completion, would be shorter, have fewer locks and less curvature than the Nicaragua Canal. The measure of these advantages is the time required for a vessel to pass through, which is estimated for an average ship at twelve hours for Panama and thirty-three hours for Nicaragua.

On the other hand, the distance from San Francisco to New York is 377 miles, to New Orleans 579 miles, and to Liverpool 386 miles greater via Panama than via Nicaragua. The time required to pass over these distances being greater than the difference in the time of transit through the canals, the Nicaragua line, after completion, would be somewhat the more advantageous of the two to the United States, notwithstanding the greater cost of maintaining the longer canal.

III. The Government of Colombia, in which lies the Panama Canal, has granted an exclusive concession, which still has many years to run. It is not free to grant the necessary rights to the United States, except upon condition that an agreement be reached with the New Panama Canal Company. The Commission believes that such agreement is impracticable. So far as can be ascertained, the company is not willing to sell its franchise, but it will allow the United States to become the owner of part of its stock. The Commission considers such an arrangement inadmissible.

The Governments of Nicaragua and Costa Rica, on the other hand, are untrammeled by concessions and are free to grant to the United States such privileges as may be mutually agreed upon.

CONCLUSION.

In view of all the facts, and particularly in view of all the difficulties of obtaining the necessary rights, privileges, and franchises on the Panama route, and assuming that Nicaragua and Costa Rica recognize the value of the canal to themselves and are prepared to grant concessions on terms which are reasonable and acceptable to the United States, the Commission is of the opinion that "the most practicable and feasible route for" an isthmian canal to be "under the control, management, and ownership of the United States" is that known to the Nicaragua route.

We have the honor to be, sir, with great respect, your obedient servants,

J. G. WALKER,
Rear-Admiral, United States Navy,
President of the Commission.
SAMUEL PASCO.
ALFRED NOBLE.
GEO. S. MORISON.
PETER C HAINS,
Colonel, United States Corps of Engineers.
WM. H. BURR.
O. H. ERNST,
Lieutenant-Colonel, United States Corps of Engineers.
LEWIS M. HAUPT.
EMORY R. JOHNSON.

After three hours and twenty minutes spent in executive session the doors were reopened, and (at 3 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 11, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 10, 1903.

SOLICITOR OF INTERNAL REVENUE.

A. B. Hayes, of Utah, to be solicitor of internal revenue, vice Albert W. Wishard, resigned.

APPOINTMENT IN THE ARMY.

Medical Department.

Maj. William Crawford Gorgas, surgeon, to be assistant surgeon-general with the rank of colonel, March 9, 1903, to fill an original vacancy.

CONSUL.

William Shaw Bowen, of Rhode Island, to be consul of the United States at Valencia, Spain, vice Richard M. Bartleman, appointed consul at Cadiz, Spain.

ASSISTANT TREASURER AT NEW YORK.

William Plimley, of New York, to be assistant treasurer of the United States at New York, N. Y., in place of Conrad N. Jordan, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 10, 1903.

ASSISTANT ATTORNEY-GENERAL.

Milton D. Purdy, of Minnesota, to be Assistant Attorney-General, as provided in the act of Congress approved March 3, 1903, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes."

ASSISTANT TREASURER AT NEW YORK.

William Plimley, of New York, to be assistant treasurer of the United States at New York.

COLLECTOR OF CUSTOMS.

George E. Marshall, of Maine, to be collector of customs for the district of York, in the State of Maine.

RECEIVER OF PUBLIC MONEYS.

David L. Geyer, of Roswell, N. Mex., to be receiver of public moneys at Roswell, N. Mex.

APPOINTMENT IN THE NAVY.

Clarence F. Ely, a citizen of Pennsylvania, to be an assistant surgeon in the Navy, from the 6th day of March, 1903.

POSTMASTERS.

ARIZONA.

Oregon D. M. Gaddis, to be postmaster at Kingman, in the county of Mohave and Territory of Arizona.

INDIANA.

David A. Lambert, to be postmaster at Muncie, in the county of Delaware and State of Indiana.

MICHIGAN.

S. V. Bullock, to be postmaster at Howard City, in the county of Montcalm and State of Michigan.

NEBRASKA.

Frederick J. Etter, to be postmaster at South Omaha, in the county of Douglas and State of Nebraska.

C. K. Olson, to be postmaster at Newman Grove, in the county of Madison and State of Nebraska.

OREGON.

William B. Curtis, to be postmaster at Marshfield, in the county of Coos and State of Oregon.

Marion F. Davis, to be postmaster at Union, in the county of Union and State of Oregon.

Benjamin F. Vaughan, to be postmaster at Heppner, in the county of Morrow and State of Oregon.

Thomas B. Randall, to be postmaster at Oregon City, in the county of Clackamas and State of Oregon.

Andreas L. Sproul, to be postmaster at Ontario, in the county of Malheur and State of Oregon.

SOUTH DAKOTA.

Boyd Wales, to be postmaster at Howard, in the county of Miner and State of South Dakota.

SENATE.

WEDNESDAY, *March 11, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. The Chair simply desires to call the attention of the Senate to the fact that it is of no possible account to introduce bills and joint resolutions and to present petitions not relating to the matters under consideration by the Senate at this executive session, because they will have to be presented and receive consideration at the regular session beginning in December, and it only confuses the records to have such business introduced now. The Chair will, however, make the usual call for morning business. Is there morning business?

RULES OF THE SENATE.

Mr. ALLISON. I submit a resolution and ask its reference to the Committee to Audit and Control the Contingent Expenses of the Senate. I think it does not come within the rule just stated by the Chair.

The resolution was read, as follows:

Resolved, That the Committee on Rules is hereby authorized to reexamine the rules of the Senate with a view to ascertain what changes, if any, are necessary or expedient, and especially to make inquiry whether it is expedient to in any way limit debate in the Senate, and if so, to what extent; that said committee is authorized to sit during the recess of the Senate, and employ a stenographer and other needed aid, and the expenses of said examination shall be paid from the contingent fund of the Senate on vouchers to be approved by the chairman of the committee; and said committee shall report to the Senate their conclusions as soon as practicable after the beginning of the next session of Congress.

Mr. HOAR. Mr. President, I ask leave to make one observation, which might as well be made in connection with the pending resolution as any other.

The Senate needs very much indeed a manual of parliamentary law. It should be prepared by some man of first-rate capacity, and it should be prepared not only with special reference to the history and the need of the Senate, but with full reference to parliamentary history from the beginning, both in this country and in England. It should be a book certainly of as high authority as Sir Thomas Erskine May's treatise on the Law, Privileges, Proceedings, and Usage of Parliament, published in England, or as Mr. Cushing's Manual, published long ago in this country. It ought not to be made by a man who is merely qualified to rummage and examine and gather together the records—and I dare say there are clerks now in our employ who would give larger and more comprehensive attention to such a matter—but it ought at any rate to be made by a constitutional lawyer of the first rank, and by a man whose services in doing the work would command a handsome compensation, certainly from $15,000 to $25,000.

If the Committee on Rules is to sit during the recess to consider the very interesting question which is raised by the resolution of the Senator from Iowa, I think I will at a later hour present a resolution giving authority to the committee, if it shall see fit, to consider this other subject which I have mentioned.

The resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

[Several messages in writing were received from the President of the United States by Mr. E. F. BARNES, one of his secretaries.]

WITHDRAWAL OF PAPERS RELATING TO CUBA.

Mr. PLATT of Connecticut submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the manuscript copy of the Cuban constitutional convention, the account of revenues and expenditures in Cuba for the year 1901 and part of the fiscal year 1902, and the civil orders and circulars of the Department of Cuba be taken from the files of the Senate and returned to the War Department.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: A history of the organization and operations of the New Panama Canal Company is given in the message of President McKinley. (Senate Doc. 188, first session Fifty-seventh Congress). The statement of facts in these papers was prepared by Mr. Cromwell, a lawyer of New York, who is still general counsel of the company and its principal agent in the direction of its negotiations with the United States for the sale of property, and he actively represents Colombia as a sort of assistant minister in her negotiations with our Department of State.

These papers were sent to the President, and were presented, also, to the Committee of the House of Representatives on Interstate and Foreign Commerce, in behalf of that company, by Mr. Cromwell. They contain a statement made by the New Panama Canal Company to the President of the United States, as matter of inducement to a proposition made to the President, dated February 28, 1899, for a partnership in the canal (as it is called by Mr. Lampre, the secretary of the company) with the United States.

The importance of the statement and of the letters, as showing the condition of the enterprise, and the purposes of the New Panama Canal Company in its overtures to the United States, can not be too seriously considered.

The letter of J. Bonnardel, who signs it as the "president of the board of directors," is dated Paris, November 18, 1898.

CROMWELL'S CAMPAIGN OF FRAUD.

[Translation.]

[Compagnie Nouvelle du Canal de Panama, 7 Rue Louis le Grand, Paris. Capital, 65,000,000 francs.]

PARIS, *November 18, 1898.*

To the PRESIDENT OF THE UNITED STATES.

SIR: The New Panama Canal Company believes it to be its duty to respectfully submit the following statement:

It is common knowledge that in 1889 the Compagnie Universelle du Canal Interocéanique de Panama, the old company, fell into financial difficulties after about one-third of the canal had been finished. The rights of that company then passed judicial administration. A liquidator (receiver) was appointed by the judgment of the civil tribunal of the Seine under date of the 4th of February, 1889. During his administration (1889-1894) and with the authorization of the court, the greatest care was taken to preserve and maintain the work already done, and a prolongation was obtained from the Republic of Colombia of the time stipulated for the completion of the canal, thus preserving the rights of the company under its concession in their entirety.

In view of the advanced state of the work on the canal and the considerable sum (at least $150,000,000) actually expended for canal work, properly so called, and for installations and plant, the logical conclusion followed that the very large capital invested would be protected through a reorganization of the affairs, which took place successfully in the month of October, 1894. At that time and with this object in view the undersigned company was organized under the general laws of France. The company is a commercial association, formed exclusively upon private capital, and has no connection, alliance, or relation whatever with any government, except the relations established by the concessions which it holds from the Republic of Colombia. The board of directors of the company is an entirely new board, and composed of gentlemen of independent positions, having no official relation with the old Panama Company, and for the most part identified with large financial and commercial enterprises.

Pursuant to judicial sale, authorized by the court as aforesaid, the undersigned company in 1894 became the sole owner of all the canal works, plant, material, concessions, and other property of the old company. The title of the undersigned to this property is therefore unquestionable, and has been officially recognized by the Government of Colombia.

Surveys had been made by the old company, but the new company, while making use of them, would not be bound by their conclusions. The board of directors resolved at the start to examine and study anew all the questions involved, making use of the most recent improvements in material and of the advances made in engineering.

It is needless for us to enumerate the difficulties and enormous expense involved in the choice of a definite plan for the execution of this work, which is one of the greatest undertakings of our time.

Different plans, equally practicable but varying in probable cost, have been studied. Many months have been spent in preparing, studying, and revising them. This work has not been done hastily and superficially. Engineers, chosen specially for their professional ability, have studied the question in all its details—technical, climatic, physical, geologic, and economic.

Though the skill of its own technical staff is worthy of the highest confidence, the undersigned company, out of abundant caution and in order to place beyond criticism the final conclusions, caused to be appointed an International Technical Commission, composed of engineers selected from different nationalities, a course which assures to the company the benefit of the widest possible experience, the severest judgment, and the most independent conclusions. The International Technical Commission is composed as follows:

M. Robaglia, president, inspector-general of roads and bridges (retired).
M. Bouvier, chairman, inspector-general of roads and bridges (retired).
General Abbot, United States Engineer Corps.
M. Castel, inspector-general of mines (retired).
M. Daymard, chief engineer of La Compagnie Transatlantique.
M. Fargue, inspector-general of roads and bridges (retired).
M. Freley, chief engineer of the Croton Aqueduct, New York City.
M. Fulscher, private counselor to the minister of public works of Prussia formerly technical director of the work of the Kiel Canal.
M. Hersent, civil engineer.
M. Hunter, chief engineer of the Manchester Canal.
M. Koch, counselor of public works of Germany; director of Technical Academy of Darmstadt; formerly member of the Imperial commission of the Kiel Canal.
M. Jules Martin, inspector-general of roads and bridges (retired).
M. Skalskowski, formerly director of the department of mines to the minister of agriculture and land of Russia.
M. Sosa, chief engineer, Colombia.

As to all statistical and economic questions, the new company established a special commission, presided over by M. Paul Leroy-Beaulieu, the eminent economist, and a member of the Institute of France.

It is certain that the members of these two commissions are the most distinguished and able men in their professions. No one of them would compromise his reputation and his honor, acquired by a long life of eminent services, by formulating conclusions upon unfounded, incomplete, superficial, or uncertain information.

By the closest study of the subject; by actual inspection of the works of the canal, made by several of its members; by full discussion and by frequent exchange of views; by subjecting every problem to the critical judgment of all, thus obtaining the most varied opinions; by all the methods and with all the care which the most advanced technical experience could suggest, this eminent commission of engineers has reached a unanimous conclusion, which has been officially communicated to this company, and upon which this company is pursuing the work of construction. These conclusions, signed by every member of the commission, establish the entire feasibility and practicability of completing the canal.

We do not doubt that you will be interested to learn the essential features of our plans, which have been prepared with so much labor and care, and confirmed by four years of continuous study.

1. The old company had already substituted for the proposed sea-level canal a system of locks. This principle, with important modifications and improvements, has been adopted by the new company.
2. The length of the canal from ocean to ocean is 46 miles.
3. The locks will not exceed four on each slope of the divide; all locks will have a rock foundation, and all will have double lock chambers.
4. There is nothing in the physical conditions on the isthmus to prevent a change from a canal with a system of locks to a sea-level canal should the latter seem desirable in the future.
5. The time of passage from ocean to ocean will be less than a day.
6. The harbors situated at either extremity (Panama and Colon) are not artificial harbors; they are natural harbors, safe and satisfactory, needing but slight improvement. This fact is known to all the world, thanks to commerce, which for almost fifty years has made use of the Panama route (the Panama Railroad).
7. Two-fifths of the work on the canal has been actually constructed; the remaining three-fifths is in a fair way of completion. During the last four years three or four thousand workmen, on an average, have been employed in working on the canal.
8. The company's concessions are unquestionable. The Republic of Colombia has given to the enterprise its cordial and sincere cooperation.
9. The existence and operation of the railroad, long established on the proposed line of the canal, greatly facilitates its construction.
10. No construction is planned which is not fully justified by practical experience.

Formerly the greatest difficulties were:
(a) The control of the floods of the Chagres River; and
(b) The excavation of the Culebra Cut.

The manner in which each of these difficulties is to be surmounted is shown with the greatest detail in the report of the technical commission, which we have the honor to present to you.

The condition of the new company is equally satisfactory. Its assets, including the work actually done on the canal, the buildings, the machinery, the material on hand, exceeds in value 500,000,000 francs, or $100,000,000, which valuation has been made by a special commission, of which the former director of the National Academy of Roads and Bridges of France was chairman. The company has no mortgage or bonded indebtedness. The property is free from all incumbrance. The company has no other debts than monthly pay rolls. Its cash reserve is largely in excess of its actual needs.

The undersigned company also invites your attention to the provisions of its concession, particularly articles 5 and 6, which reserves all rights to the Government of the United States secured by the treaty with the Republic of Colombia signed in 1846 and ratified in 1848.

We have the honor to be, your obedient servants,

J. BONNARDEL,
The President of the Board of Directors.

Certified by the secretary of the company.

ED. LAMPRE.

This was the opening gun of the campaign, and it was charged with smokeless powder, but the shot was fired at Nicaragua. It was heralded by Mr. Cromwell in a letter dated New York, 28th of November, 1898, addressed to Mr. Hay:

Mr. Cromwell to Mr. Hay.

NEW YORK, *December 5, 1898.*

MY DEAR SIR: I beg leave to confirm the telegram which I sent you at 10.45 this morning, as per inclosure.

Upon my return I learned through Director-General Hutin (who had preceded me to New York) that the measure which had just been acted on by one branch only of the Colombian Congress was a bill to authorize the executive to negotiate the terms of and to conclude a further prorogation of six years from 1904 for the completion of the canal, under a communication which the company had addressed to the Government, in the form of which I inclose you a translation.

You will note that the company specifically stated to the Government that the prorogation was not a matter of absolute necessity, but was desirable in the interests of commerce and navigation to enable an even deeper cut to be made (and which would reduce the number of locks to four), but which reduction would of course require more time than the plan adopted.

You will note that the bill proposed to confer power upon the Executive, and this happened to arise under extraordinary political conditions in Bogotá. As you have probably been advised through official channels, a serious difference has recently been existing between the House of Representatives of Colombia and the President, the House having passed formal resolution declaring the office of President vacant, and refusing to recognize the qualification of the President before the supreme court.

We therefore construe the action of the House of Representatives as only a part of the strife between the House and the President, and not a declaration of the policy of the nation or the Congress in respect of the Panama Canal, and as not evidencing hostility to the company itself. We are the more confirmed in this belief because of the uniform consideration and cordiality displayed by the Congress and the Government to the New Panama Canal Company, which we have no doubt their minister at Washington would fully confirm to you.

Our company has not the least apprehension regarding any prorogation of its concessions it may consider necessary in the future.

I have, etc., your obedient servant,

WM. NELSON CROMWELL,
Counsel New Panama Canal Company.

WORK DONE ON THE CANAL SIMPLY EXCAVATION AND EMBANKMENT.

In order to strengthen the case with the United States it was found necessary to get a third extension of the time for completing the canal from Colombia for six additional years, to begin on the 31st of October, 1904. These letters stated that only two-fifths of the canal was then completed.

The New Panama Canal Company had then been at work on the canal for four years, and their concession was to expire on the 31st of October, 1904—about five years. They had what was left of $13,000,000, not more than $6,000,000, to complete three-fifths of the canal, two-fifths of which, not including the plant, had cost the old company for actual work on the ditch more than $80,000,000, and $160,000,000 in other expenditures and waste. There were no structures on the canal and there are none now. The work done was simply excavation and embankment.

NO INTENTION TO COMPLETE CANAL.

Of course they knew, as everyone did, that it was impossible to complete the canal in five years with the use of any amount of money, yet they then had only about $6,000,000 and no public credit, but they were wealthy men. Mr. Lampre testifies that the stockholders are rich and had money or credit enough in their personal fortunes to finish the canal, but they never put in a dollar beyond their subscription to the stock of the company of 60,000,000 francs, or $12,000,000, and never made an effort to raise money by the sale of bonds, or by appeal to the Government of France or to the public.

(See deposition of Lampre, hearings, part 1, p. 40.)

It was then, manifestly, not their intention to complete the canal and they knew that they could not complete it, even by 1910.

WILL TAKE FIFTEEN OR TWENTY YEARS TO COMPLETE CANAL WITH ALL THE RESOURCES OF THE UNITED STATES.

Our Isthmian Canal Commission report that it will take fifteen to twenty years to complete it with all the resources of the United States. Their purpose was simply to get the United States to take it off their hands and to obtain from Colombia longer time to conduct that exploit.

An unexpected difficulty arose in their proposed dealings with Colombia, which were to begin in 1898, to obtain the third extension from 1904 to 1910.

NEW PANAMA CANAL COMPANY SEEKING TO GAIN TIME TO SELL OUT.

"The Government"—the President and his Cabinet—were quite alive to the opportunity offered by the New Panama Canal Company to obtain an additional $1,000,000 French gold for this concession, but the people revolted, and their representatives in Congress stood by them. When only 60,000,000 francs in cash was subscribed to complete the canal that had already cost $240,000,000, Colombians saw clearly that the New Panama Canal Company would not comply with its promises to complete it, and that they were only seeking to gain time to sell out to the United States or to some other company.

The people had seen that in four years nothing had been done to prosecute the work on the canal, except to make experiments by digging ditches and wells to test the possibility of constructing and maintaining the canal in the Culebra and Emperador cuts; and the canal already dug had filled up with silt until, in many places, a canoe could not pass through it. They despaired of a canal and knew that Bonnardel, the president of the board of directors, and Cromwell, the American lawyer, were pressing their negotiations upon the President and Congress of the United States to turn over the canal to our Government. They knew of the letter of Bonnardel of November 18, 1898, and they rebelled against the exploits of these smooth negotiators.

EMBARRASSMENT OF MR. CROMWELL.

Suddenly Mr. Cromwell found himself embarrassed with a statement that he must have made to Mr. Hay, in the interview he so suppliantly sought in his letter of November 28 (p. 5, of Doc. 188), to the effect that Colombia would grant a further extension of six years for the canal company's work.

It seems that our consul-general, Mr. Hart, had notified Mr. Hay, on the 4th of December, of trouble in Colombia about this concession, and, on the 5th of December, 1898, Mr. Cromwell sent Mr. Hay a telegram from New York, as follows:

Am writing you to-day concerning the cable from Consul-General Hart, published Saturday. It is evident that the purpose and nature of the measure referred to is not fully reported from Bogota, and is given undue significance.

He signs this dispatch as "Counsel, New Panama Canal Company," thus dissipating any idea that he is playing the rôle of patriotic American, which he so freely assumed in the later negotiations.

But why should he anticipate his letter by sending a telegram if he was not very much in earnest in pressing his overtures on the attention of the Secretary of State, and what was that proposition that gave Mr. Cromwell and his company such deep concern? His letter of the same date has been read to the Senate.

PRETENSE THAT EXTENSION OF CONCESSION WAS DESIRABLE IN INTERESTS OF COMMERCE A MISSTATEMENT.

A more sophistical paper has seldom been written. The pretense that "the prorogation" or extension of the concession was not a matter of absolute necessity, but was desirable in the interest of commerce and navigation, to enable even a deeper cut to be made (and which would reduce the number of locks to four), but which reduction would, of course, require more time than the plan adopted, was a palpable misstatement that would deceive nobody, and especially no Spaniard would be misled by it. What was wanted was more time to inveigle the United States, and not to deepen the cutting—a plan that the Panama Canal Company had never adopted.

DOUBLE DEALING AND BRIBERIES OF PANAMA CANAL COMPANIES.

The bill seems to have come at an unfortunate time for the canal company. Cromwell says to Mr. Hay, "You will note that the bill proposed to confer power upon the Executive, and this happened to arise under extraordinary political conditions at Bogota." He does not inform Mr. Hay as to the issues, or facts, out of which these extraordinary political conditions arose. Had he reflected for a moment, he would have remembered the serious political conditions that were created in France, through the frauds upon the people and their disappointments, connected with this canal, and that the people of Colombia had not forgotten them. They saw that their interest in the concession, in annual stipends, alone, of $250,000, would amount in ninety-nine years to $24,750,000 after the canal was completed; and, assuming that the canal would be completed in thirteen years from 1898, this sum would be increased by $3,250,000, in all $28,000,000—a guaranteed fund, with a large margin of probable increase. The immense gains to their commerce and the value of their property were also involved in the loss of the canal.

They did not believe that the United States would ever consent to pay this enormous rental and give back to Colombia, at the end of ninety-nine years, the canal and railroad without compensation. They were correct in that belief, for the United States will never expend $140,000,000 in completing that canal, and

$25,000,000 for the rent of the ground, and $40,000,000 for the privilege of doing this work, and $10,000,000 for a concession from Colombia for one hundred years, in all $215,000,000, and give back the canal and railroad to Colombia at the end of the lease.

The people of Colombia saw that if the canal was completed by the French at a cost of $300,000,000 (which is less than they would have expended upon it) and then given back to them at the end of ninety-nine years, with the railroad that has cost $30,000,000 to build and equip, it would be a far better arrangement for them than any that they could possibly make with the United States, and the loss of these advantages exasperated them to the temper of civil war. War between the Church party and the Liberal party had often occurred since 1846, and its hot breath was ready to leap into flame on any great provocation, such as the double dealing and briberies of the Panama Canal companies.

They rebelled at the conviction that the New Panama Canal Company and its American lawyer were trying to sell out to the United States, and civil war occurred and has been fiercely waged for more than three years. Then followed the declaration of war by the Liberal party, as follows:

THE PANAMA CANAL—MANIFESTO.

Motives that are both legitimate and noble have prompted the Liberal party of Colombia to take up arms in order to insure to the country freedom to establish a régime that will guarantee the progress and very existence of the Republic, which are to-day threatened by institutions not framed nor sanctioned by the people, and by functionaries who have received their authority through absolute disregard of, and violent opposition to, the will and opinion of the majority of citizens.

Both nature and tradition have impelled the patriotic people of Colombia to rebel against a condition of things in which they are prevented, de jure as well as de facto, from exercising their legitimate, natural rights; in which a great party has been deprived of its political freedom, and in which the pacific development of the country has been arrested. It is only after exhausting all peaceable means that war has been resorted to as a last and extreme measure, a dire measure, but one dictated and imposed by necessity.

The men that are to-day struggling to recover their rights constitute the Liberal party, and form the great majority of the Colombian people. Anyone who compares the condition, both civil and political, of our people under the system of government that existed in this country for nearly half a century with the conditions created by the so-called regeneration system will no longer take that attitude of contemptuous commiseration with which our civil wars are often regarded by people who have already attained that liberty and security after which we are still striving, and he will understand the significance of the present revolutionary movement, which already begins to put an end forever—we hope—to the oppressive government imposed on our unfortunate country.

We, the undersigned, have the honor of being the authorized representatives of the Liberal party, and therefore of the Colombian people; and the following statements and declarations being the faithful expression of the country's will, through the government that will soon be the only recognized government of the Republic, should carry the weight that always attaches to the utterances of a whole nation.

The contracts that the government of Dr. Manuel Antonia Sanclemente may make, without being legally authorized, therefore, neither are nor will be recognized by the revolutionary government.

The President of the Republic, Dr. Sanclemente, is not empowered to make contracts involving national interests without the assent of the legislative body appointed by the people. Whatever is done without that assent is therefore void.

We make these statements merely to prevent all negotiations relating to an extension of time in the contract now in force with the Panama Canal Company. We concur in and sanction the statements that on the same subject has made an authorized representative of the revolution, Dr. Aliric Diaz Guerra, and those that will be made by Dr. Antonia José Restrepo, an agent especially appointed to act for the provisional government in this and other important matters.

The relations between the company and the Republic of Colombia are of a purely civil nature, and fall, of course, under the jurisdiction and laws of this country. The present Government is not empowered or authorized by any law whatsoever arbitrarily to alter the terms of the contract now in force.

The Liberal party of Colombia considers it an act of criminal resignation to allow the repudiated Government to endanger the future of the country by an imprudent negotiation; and one of the objects of the war in which that party is now engaged is to prevent, or at least oppose, the further sacrifice of the interests of the Republic.

G. VARGAS SANTOS.
FOCION SOTO.

CUCUTA, *April 20, 1900.*

The French people saw with equal clearness that the undertaking into which the reckless ambition of De Lesseps had drawn them could end in nothing else than *the bankruptcy of the enterprise, even if the canal could be built*, and they resolved to turn over to the United States this wanton adventure of inflated pride, that has carried fraud, death, and bankruptcy in its trail in every step of its progress.

REVOLUTION PRODUCED IN COLOMBIA.

The cool complacency of the lawyer of the new Panama Canal Company, in contemplating the terrible revolution that this projected fraud caused in Colombia, and its sudden destruction of the organism of a republic that was founded by Simon Bolivar, is exhibited in the following words, that might apply as well to a domestic quarrel in an obscure family. Mr. Cromwell says to Mr. Hay in this letter, "As you have probably been advised through official channels, a serious difference has recently been existing between the House of Representatives of Colombia and the President, the House having passed formal resolution declaring the office of President vacant and refusing to recognize the qualification of the President before the supreme court." He thus attempts to find a reason for this convulsion of a people who are brave and patriotic, in some formal proceeding in the inauguration of President Sanclemente. If his election was the cause of this anarchy, why did it not cease when Sanclemente was no longer President? Marroquin is supposed to be President of Colombia now, which is only a diplomatic fiction. Why has he been unable to cause pacification of the country with the aid of our fleet?

Mr. Cromwell then mildly draws the conclusion that "We, therefore, construe the action of the House of Representatives as only a part of the strife between the House and the President, and not a declaration of the policy of the nation, or the Congress, in respect of the Panama Canal, and as not evidencing hostility to the company itself." Why should he thus attempt to reassure Mr. Hay and to allay his apprehensions as to a matter about which he expects the Government to be indifferent?

This accusation had not been made, so far as we know, for the proceedings of Congress on that occasion are a sealed book that no diligence has been able to pry into. But Mr. Cromwell knew how the nation revolted at the canal policy of the President—who is styled "the Government"—and makes his defense against it, before the world was informed of the iniquity that had already destroyed civil and constitutional government in Colombia and had plunged its people into a fratricidal war.

Returning to his single hope of gaining time to negotiate a sale of the canal to the United States, Mr. Cromwell plucked up the courage, or the audacity, to say to Mr. Hay, in conclusion, "Our company has not the least apprehension regarding any prorogation of its concession it may consider necessary in the future." He did not "reckon without his host" in this cold threat of riding down the constitution of Colombia, but it required all his diplomatic skill and the pressure of more demands for money to maintain an army, to steady San Clemente to this unhallowed task.

Cromwell's letter to Mr. Hay was dated December 5, 1898, and he did not get Sanclemente to accept the $1,000,000 French gold until April 25, 1900. He debated with himself for one year and nearly five months to harden his conscience to the task of a flagrant violation of a constitution that he has sworn to support.

War was then flagrant and money was needed to sustain the usurper who had trampled the constitution under his feet. The New Panama Canal Company furnished money and the use of its railroad and ships to execute the threat of Mr. Cromwell, made to our Secretary of State, that the "prolongation" of the concession would be forthcoming to meet any apprehension that might be felt as to the failure of such an agreement. What it has cost the people of Colombia is a matter of no moment to the canal company when $40,000,000 is at stake, but it has been a very bitter experience for them.

PERSISTENT ACTIVITY OF NEW PANAMA CANAL COMPANY.

The New Panama Canal Company was not dismayed by the war in Colombia, that it had roused into a flame, but steadily pushed its enterprise to capture a prolongation of its concession until 1910.

The cause of its persistent activity was the passage of the second bill through the Senate to aid the Maritime Canal Company in its effort to construct a canal on the Nicaraguan route. This bill passed the Senate late in 1898. Then came trooping across the Atlantic Mr. Louis Chaudron, chief engineer of the New Panama Canal Company, and General Abbot, then and now an engineer officer of the company, who were joined by Mr. Cromwell and Mr. Curtis in New York. From the 17th to the 25th of January, 1899, these persons appeared as voluntary witnesses before the House Committee on Interstate and Foreign Commerce and gave their deposition under oath. The *Oregon* had also made its great voyage around The Horn, and the New Panama Canal Company was greatly stirred up by these events, and they pushed their plan for supplanting the Nicaragua Canal enterprise in the favor of the United States, and their more coveted plan of getting rid of the onerous mistake of having put their money in the Panama Canal.

The isthmian canal appropriation act of March 3, 1899, gave the new canal company an opportunity to get on the list of competitive bidders for the canal, which set the company into most active scheming to attract the attention and support of our Congress.

They had prepared for this act by sending to the President, through Mr. Hay, the following letter, which had a marked effect on the passage of the Isthmian Canal Commission appropriation:

FEBRUARY 28, 1899.

SIR: The New Panama Canal Company has never proposed and does not seek any appropriation or financial aid from the Government of the United States in the completion of its canal.

It places its canal works on the Isthmus of Panama subject to the examination of this Government, or any special commission through whom it may be desired to make such examination, and will facilitate in every possible way any such desire of the Government.

The Government will find that fully two-fifths of the canal works are already constructed; that continuously during the past four years from 3,000 to 4,000 men, under a large force of engineers, have been and are now actually engaged upon its works; that all technical and physical problems have been solved by the eminent "International Engineering Commission," whose report of November 18 last is before you; that the canal is undoubtedly feasible, and the harbors at both ends natural harbors and entirely satisfactory; that its concessions are perfect and unquestioned, and that the relations of the United States to the canal are especial and superior by reason of the "special and remarkable advantages" secured to it by the treaty of 1846 between the United States and Colombia, and which rights, whatever they may be, were scrupulously respected, observed, and confirmed in the concessions of Colombia to the Panama Canal Company, under which the canal is being completed.

While the New Panama Canal Company does not seek any financial aid from the Government, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific oceans. Therefore, the New Panama Canal Company declares that if, as the result of any such investigation, the Government of the United States adopts the Panama route, the company, if the Government so desires, will reincorporate under the laws of the State of New York (under the laws of which State the Panama Railroad Company has existed for nearly fifty years), or of some other State of the Union, subject to the provisions of its concession, and vest its concessions and property in such corporation. It will also, in said event, accord to the United States such representation in its board of directors, and such opportunity to acquire an interest in its securities as may be permitted by its concessions, which, of course, must be scrupulously observed.

And further, if the United States should desire to perpetuate or enlarge its existing rights and privileges, acquired under said treaty of 1846, the company will conform to such supplemental treaty as may be entered into between the United States and Colombia.

We beg leave to say that yesterday, at a public hearing accorded to us by the Committee on Rivers and Harbors of the House of Representatives, we submitted to the chairman and gentlemen of that committee a communication to the foregoing purport, and have the honor to be,

Your obedient servants,

MAURICE HUTIN,
Director-General of the New Panama Canal Company.
SULLIVAN & CROMWELL,
General Counsel, New York City.

The PRESIDENT, *Washington, D. C.*

A NEW JERSEY CORPORATION SUBSTITUTED FOR A NEW YORK ONE.

The New York corporation suggested in that letter was substituted by a New Jersey corporation chartered under a general law of that State. M. Lampre, the secretary and lawyer of the company, stated under oath as follows:

Was there a corporation formed just before that time, a month or two, called "The New Panama Canal Company of America?"

M. LAMPRE. Yes, sir.

The CHAIRMAN. What connection is there between this proposition and that corporation?

M. LAMPRE. I think the connection was the execution of that proposition; that is to say, to reorganize the company under American law and attempt to have the United States interest represented in the new company under the conditions the United States might require.

The CHAIRMAN. You had already prepared this new charter company with that name for the purpose?

M. LAMPRE. No, sir; it was not prepared at the time we made the proposal.

The CHAIRMAN. Sir?

M. LAMPRE. I do not think it was prepared at the time we made the proposal.

The CHAIRMAN. Well, suppose it was not at the time; was it afterwards prepared for that purpose?

M. LAMPRE. I do not know about that, but it seems that it must have been.

The CHAIRMAN. The attorney of the company is a witness to the charter.

M. LAMPRE. The attorney of the company?

The CHAIRMAN. Yes; Cromwell.

M. LAMPRE. Yes; I believe he was.

The CHAIRMAN. Now, was not that incorporation gotten up for the purpose of executing this proposal if the United States accepted it?

M. LAMPRE. Yes, sir.

The CHAIRMAN. That is what I wanted to get at.

ADROIT PLAN TO UNLOAD CANAL ON THE UNITED STATES

Thus all doubt is removed as to the purpose of that branch of these activities. It was to inveigle the United States into taking a pecuniary interest, as a stockholder in the canal, while hiding the proposition, or overture from Colombia, which would forfeit all the rights of the Panama Canal Company under its concessions. History will place marks of exclamation against this record, while it will ask whether the United States were a party to this fraud.

All this was not a "method of madness," but an adroit plan to unload this canal enterprise on the United States.

THE MOTIVE.

This all took place while Sanclemente was dictator and after the Colombian Congress had dissolved. The motive of it is stated by Mr. Lampre, the secretary of the New Panama Canal Company, who had personal knowledge of all its secret proceedings. On his examination before the Senate Committee on Interoceanic Canals, on the 11th of January, 1902, he testified as follows on this matter. After reading the letter of February 28, 1899, the following letters were read to the witness. They are addressed to Mr. Hay:

NEW YORK, *December 21, 1898.*

MY DEAR SIR: Further to my letter of December 5, 1898, receipt of which was acknowledged by your favor of the 8th instant, I beg leave to say that we are advised by our counsel at Bogota that the official minutes of the session of the House of Representatives declares that the bill concerning the extension of the New Panama Canal Company has not been acted upon for lack of time. We, however, yesterday received further cable advising us that the Government had granted the extension subject to the approval of the next Congress, and I note from this morning's Herald that similar advices have been received by the press.

It is the opinion of the Government executives and of ourselves that power to give such extension is already located in the Government by the terms of the original concession; but the formality of ratification will be requested in due course, and of its being granted we have not the remotest apprehension.

You will thus see that my confidence in the attitude of Colombia, as indicated in my last note, has been fully and quickly confirmed.

Faithfully, yours,

WM. NELSON CROMWELL,
General Counsel New Panama Canal Company.

NEW YORK, *December 21, 1898.*

SIR: In addition to the certified copy of the official report of the International Technical Commission, which I had the honor of delivering to you on the 2d instant as a part of the communication of the company addressed to the President under date of November 18, 1898, I now have the honor of handing you a copy of an additional report made November 19, 1898, by Messrs. Zurcher and Bertrand, eminent engineers of France, upon the cut of the Culebra and the Emperador mountains.

The report of the International Technical Commission, as well as the inclosure, being part of our official communication to the President, are for your official files and use. I merely mention this that you may not courteously consider them confidential.

I have the honor, etc.,

M. HUTIN,
Director-General of the New Panama Canal Company.

All this preceded and led up to the letter of February, 1899, which I have read to the Senate.

TESTIMONY OF M. LAMPRE.

The examination of Mr. Lampre then went on, as follows:

The CHAIRMAN. Now, M. Lampre, that letter to the President of the United States does not contain any proposition?

M. LAMPRE. No, not at that time; no, sir.

The CHAIRMAN. Why was it written?

M. LAMPRE. Because to my recollection it was contemplated at the time that something ought to be done in the way of a reorganization of the company. It appeared at the time that the Nicaragua concession was under discussion that the rivalry of such a canal might be a great danger to the Panama Canal, and we thought at the time, as far as I can remember—it is rather old, it is three years ago—we thought at the time that we had to lay the whole subject before the President in order to ascertain and to see under what conditions we might, if necessary, Americanize our corporation and build the canal in partnership with the American interests. That is my recollection.

The CHAIRMAN. With the American Government?

M. LAMPRE. Well, I suppose private or public American interests. I think at the time it was contemplated to have a private corporation.

The CHAIRMAN. You had money enough then at hand or in prospect to build the canal?

M. LAMPRE. We had not in cash money enough.

The CHAIRMAN. You had good credit, though?

M. LAMPRE. Yes, I think we had; but still——

The CHAIRMAN. You were confident then that you could complete the canal?

M. LAMPRE. We were confident, but still, as you know, there was the rivalry of the Nicaragua Canal.

The CHAIRMAN. And it was the rivalry of the Nicaragua route that caused this paper to be printed?

M. LAMPRE. Yes, sir; exactly.

The CHAIRMAN. Was it argued at the time the letter was written that the United States was about to take or had taken action in favor of the Nicaragua route?

M. LAMPRE. I forget whether it was at that time.

The CHAIRMAN. We can ascertain that by a reference. Was this letter discussed and the authority given to send it to the President at a meeting of the board of directors of the new Panama Canal Company?

M. LAMPRE. Yes; it is in accordance with the resolution of the board.

The CHAIRMAN. The letter says that the board of directors is composed of gentlemen in an independent position?

M. LAMPRE. Yes, sir.

The CHAIRMAN. They must have been interested in and identified with large affairs in Paris?

M. LAMPRE. So they were, and are still at the present time.

The CHAIRMAN. Of a financial character?

M. LAMPRE. Yes, sir.

The CHAIRMAN. Was it not the fact that the new board was composed of gentlemen who took over the property on speculation?

M. LAMPRE. At the time or now?

The CHAIRMAN. At the time it was consummated.

M. LAMPRE. For speculation? No, sir.

The CHAIRMAN. They took it over with the intention of completing the canal?

M. LAMPRE. Quite so. They were honest and straightforward in the intention. I must be positive on the subject.

The CHAIRMAN. They are still able to do it, are they not?

M. LAMPRE. Oh, yes, sir.

The CHAIRMAN. The French people are still able to do it?

M. LAMPRE. They might.

The CHAIRMAN. They paid the indemnity to Germany without any trouble, and we thought that the most marvelous act ever performed.

M. LAMPRE. I think we have enough cash in France.

The CHAIRMAN. You have plenty there to do it?

M. LAMPRE. Yes, sir.

The CHAIRMAN. Why are you trying to sell this canal enterprise for $40,000,000 when your people are able to build it and have so much involved in it?

M. LAMPRE. That is quite a different question, in my opinion. We have plenty of cash in France to build it, but the rivalry with the Nicaragua route and the possibility of the Congress of the United States passing a resolution for the construction of the Nicaragua Canal has frightened the people there, and so we thought it best to seek some kind of a combination here to build the canal, then with the assistance of the United States, and now to let the canal go to the United States if they will have it.

The CHAIRMAN. Your first proposition was to build the canal and realize out of it what you expected to do?

M. LAMPRE. Exactly.

The CHAIRMAN. That was your first idea?

M. LAMPRE. Exactly.

The CHAIRMAN. That was the idea on which that letter was written?

M. LAMPRE. Exactly, sir.

The CHAIRMAN. Then, if you could not do that, to prevent the building of it on the Nicaragua route?

M. LAMPRE. We did not intend preventing anything, but we thought the Panama route in our opinion the best.

The CHAIRMAN. Was it not the purpose of this movement to compel the United States to build on your ground or not build at all?

M. LAMPRE. To compel?

The CHAIRMAN. Yes.

M. LAMPRE. We had no mind to compel anybody.

The CHAIRMAN. I do not mean by force of arms.

M. LAMPRE. Our opinion was that the United States Government, or Congress, passing upon a resolution for the construction of the Nicaragua Canal, would place us in great difficulty to raise the money in France. So we thought that we might as well lay the whole subject before the United States.

Senator MITCHELL. May I ask a question right there?

The CHAIRMAN. Certainly.

Senator MITCHELL. Suppose the United States should decline the offer which has been made by your company, and suppose, furthermore, Congress should go on and authorize the construction of the Nicaragua Canal, do you think that the Panama Canal would then be completed?

M. LAMPRE. It might be.

Senator MITCHELL. What is your best judgment on that point? What is your opinion?

M. LAMPRE. It might be. We might raise the money still in France.

The CHAIRMAN. Just in that connection I will ask you if you have made efforts to raise money in France to complete the canal?

M. LAMPRE. No; for we have no bondholders and not any bonded indebtedness at all.

The CHAIRMAN. I do not mean that. Have you asked for subscriptions?

Mr. LAMPRE. No; we have not.

The CHAIRMAN. You have not invited the French people to subscribe at all?

M. LAMPRE. No; we have not, because we thought it best, under the circumstances, not to go before the public, being given the possibility of the construction of the Nicaragua Canal by the United States.

The CHAIRMAN. In this letter to the President it is stated that the assets of the company exceed in value $100,000,000.

M. LAMPRE. Yes, sir.

The CHAIRMAN. That the property is free from incumbrance; that the title is unquestionable; that the company has no other debts than the monthly pay rolls; that it has no mortgages or bonded indebtedness, and its cash reserve is largely in excess of its actual needs.

M. LAMPRE. Yes, sir.

The CHAIRMAN. So this statement of the great strength and confidence of the Panama Canal Company was sent to the President to inspire him with like confidence in the success of the Panama Canal and to convince him and Congress and our people that it would be a fatal competition to the Nicaragua Canal.

Mr. LAMPRE. Well, I do not know, sir. I do not know what was at the time in the mind of the board. I can not answer that question. I do not know what they aimed at. I think it was only putting the whole subject before the President in the light in which it stood and showing how it stood.

The CHAIRMAN. Or was it the purpose then to prepare the United States to become the purchasers of the Panama Canal?

Mr. LAMPRE. At that time?

The CHAIRMAN. At that time.

M. LAMPRE. I do not know at the time what it was.

The CHAIRMAN. You do not know when that idea originated?

M. LAMPRE. No.

The CHAIRMAN. What was the actual purpose and object of the letter to the President of the United States and the letters and telegrams to Cromwell, attorney, given with the message of the President of February 20, 1901: What was the actual purpose and object of the letter to the President of the United States of the 18th day of November, 1898?

Mr. LAMPRE. As far as I can recollect, the purpose was to lay the whole subject before the United States; and at the time we stated that, should the United States abandon the idea of constructing the Nicaragua Canal, we were ready to reorganize under the laws of this country and to organize an American corporation to complete the Panama Canal, which we thought the best route and still think the best route. That is why we laid the whole subject before the United States at the time.

The CHAIRMAN. In addition to this cheerful picture of the resources of the company, these letters boast of the conciliation of Colombia, and that the entire feasibility and practicability of completing the canal is established by the members of two commissions who were the most distinguished men in their professions. Why did not a canal that was so well fortified in its appeal to public confidence obtain the money to complete it by subscriptions among the French people who had already sunk $250,000,000 in it and only had the ditch, the buildings, the machinery, and the material on hand to show for this expenditure?

M. LAMPRE. Just as I told you, Senator, on account of the contemplated building by the United States of the Nicaragua Canal.

SUDDEN DROP IN PRICE THE LAST ACT IN THE DRAMA.

The last act in this drama was the sudden drop in the price asked the United States for the property, from $109,000,000 to $40,000,000. This means to get rid of the canal and railroad properties at any price that will reimburse the stockholders of the New Panama Canal Company for their personal outlay in its stock. The scheme, if it is completed, will accomplish that end and give them a clear profit of more than $3,000,000. In this light, it behooves us to ascertain what has become of the rights of the stockholders and creditors of the old company, to which attention will hereafter be invited.

Has the dissolution of the old company and the subsequent proceeding lost them everything? Or, do their rights survive the usurpation of powers by the French court, and the breach of the rights and the constitution of Colombia, and fraud, and civil war? As to the propriety of our giving assistance or toleration to such proceedings, the American people will decide.

COURSE OF THE NEGOTIATIONS.

In our negotiations with Colombia we are dealing with a government that a vast body of the people of Colombia recognize only as a beligerent and usurping faction, that has no respect for the national Constitution. It had Señor Silva in charge of this subject here and he was withdrawn as minister from Colombia because in a published interview he said that the New Panama Canal Company had no title that it could convey. When he went into retirement, it was not only that of private life, but he went into prison bounds, in Colombia, to do penance for having spoken the truth.

Then Mr. Concha came, and he was not willing to grant us the concession of perpetual control of the canal and its necessary zone. He withdrew to New York, leaving the negotiation to be further conducted by Mr. Herran, the secretary of legation.

This inscrutable arrangement dislocates the regularity of the proceeding in a way that is so unusual and surprising as to leave us only to conjecture as to the purpose or the cause of its occurrence.

OMINOUS SILENCE AS TO COLOMBIAN AFFAIRS.

Marroquin, the President of Colombia, through some *coup d'état* that is mysterious, but apparently regular, is also in obscurity, while Perdomo appears in Panama, with "Presidential powers," to conduct the war and to make treaties of peace.

Whether Marroquin is sharing the prison bounds with Silva is uncertain, but it is strongly believed by the outer world.

In all things relating to Colombian affairs ominous silence, suggestive of concealment, prevails, and we are still left to conjecture. And the majority of the Senate have added darkness and suspicion to conjecture, in voting down a respectful resolution of inquiry, in the nature of an humble petition addressed to the President. We should wait until their Congress has acted.

The proposition of sale to the United States, made by the New Panama Canal Company, continued until the 5th of March, 1903, when it ceased, and the election for a Congress in Colombia to consider and decide that matter before we can accept it, is not yet fixed, so far as we are informed.

NOT RATIFYING A TREATY BUT MAKING A PROPOSITION.

The Senate is not ratifying a treaty. It is only making a proposition to the Congress of Colombia, which is not in existence. We are overlooking the basic principle of all contracts, that at least two parties, competent to contract, must be in existence when it is entered into.

This dislocation only causes delay, and most probably means the loss of a canal, unless we are ready to say that any delay is reasonable and satisfactory that will bring the result that is coveted, even if it brings war in its trail.

It is this constant shifting and changing of the prospect of valid agreement that compels the apprehension that we, also, are being victimized by the New Panama Canal Company and its coadjutors, the transcontinental railroads and the Suez Canal.

A valid agreement at this time is impossible, and we are venturing forth, the Senate of the United States is on a wild hunt for the party of the other part.

Suspicion, even, is not a vice, when the facts that engender it establish the character of the suspected party to be unworthy, and such is the character of the New Panama Canal Company, as established in its doubled dealing with Colombia and the United States since 1898, when an American lawyer was called in to conduct a movement to unload the canal on the United States.

"PUTTING THE NICARAGUANS ON THEIR BACKS."

The old company had called to its assistance a Secretary of the Navy for the purpose, as he stated, of "putting the Nicaraguans on their backs," and had expended $4,000,000 through the "American committee" in New York for the purpose of "Americanizing the canal" among our sentimental people, but these agencies were inefficient and fruitless as compared with the skill and audacity of a single American lawyer.

BAD CHARACTER OF NEW PANAMA CANAL COMPANY.

It is the fraud we are now dealing with, which establishes a bad character for the New Panama Canal Company, that should lead us to beware of its insincerity. In December, 1890, the liquidator of the Old Panama Canal Company paid Colombia $2,000,000 for an extension of the concession for ten years; and a new concession under the old agreement of 1878, but adding to it many new features, was made by the Congress of Colombia. On the 3d of April, 1893, another concession was made for the price of $1,000,000 in cash and $1,000,000 in "paid up stock," the validity of which was contested by many Colombians. Evidently, their faith in the success of the canal was faltering, to the point of despair.

CONFIDENCE IN SUCCESS IMPAIRED.

The confidence in the final success of a canal with locks had been greatly impaired by the report for 1887 of Señor Tanco Armero, "agent of the Government of Colombia, to inspect the Universal Interoceanic Canal Company at Panama," made to the minister de hacienda of Colombia. The following extracts from that report show some very important reasons for the distrust of the people of Colombia as to the final completion of the canal:

Mr. Armero says:

And now, after having examined closely the line of the canal, studied carefully the works forming thereby an exact idea of the whole matter, and after having succeeded further on in collecting positive data upon the most important points of the technical, administrative, and executive features of the work, I can now, with a reasonable degree of certainty, respectfully present my observations to your excellency, rectify my former reports, and complement my work.

The annual reports presented by the Count de Lesseps, president of the company, to the general meetings of the stockholders throw much light upon the situation, and, as official documents, are the only means of misleading the public; but by such desire to mislead the stockholders, these documents, though concise, by the very fact that they were official, and on account of their partial nature, do not have the precision which is necessary in the premises, nor do they give an exact idea of the situation.

* * * * * * *

The works on the Chagres River, scarcely begun, will present the greatest difficulty, and will be the most costly part of the canal. The dike or gigantic dam projected to contain the waters will be a stupendous undertaking—a work of the Romans. It is calculated that it will be 1,200 meters long, 490 broad, and 45 high, and behind it will be banked up 5,000,000 cubic meters of water.

The hills on which the flanks of this gigantic dam will rest will be tunneled, and through these tunnels will flow to another watershed the water which otherwise would follow the course of the canal, and they will find their way to the sea at points many miles distant from their former outlets.

This is found to be the best method to prevent the damages resulting from the great rises and overflows of the river. But how much will this work cost? The company has never been able to fix this amount definitely, but it is evident that it will cost an enormous sum

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As is easily seen, it is not the material that is lacking, the company being provided with as much as is necessary for this work; but there is a great scarcity of employees, for the company has never exerted itself sufficiently to obtain them, the result being that many machines have stopped work, rusting and wearing out by the action of the climate, and soon will not be fit for service.

The company reported that the mean of a man's work per day amounts to 5 cubic meters, but if this be so it becomes evident that if up to the present only 1,000,000 cubic meters per month have been removed, it is impossible there could have been 8,000 men at work. I firmly believe, and without risk of erring, that there have never been more than 5,000 men employed, and the work done confirms this belief. If work were executed equal to that which 64,000 men could do, then by only working three hours per month they would move 1,000,000 cubic meters. Then 3,075,000 cubic meters would be removed daily, or 92,000,000 in thirty days, and the canal would be finished in one month and a half. This is flattering, but purely illusory. The truth is that the greater number of the working sections are almost deserted, and the laborers seen on the works are very few compared to the number which should be employed.

* * * * * * *

In 1880 the company was formed in Paris with a capitalization of 300,000,000 of francs, divided into 60,000 shares of 5,000 francs each. In 1882 the company contracted a loan and issued 250,000 bonds bearing 5 per cent interest, which were sold at 477 francs, to be redeemed at their face value. In 1883 it again issued 600,000 3 per cent 500-franc bonds, which were sold at 125 francs. In 1884 it issued 409,667 4 per cent bonds at 333 francs each, also to be redeemed at face value. In 1886 another 500,000 shares were offered, of which 458,802 were sold at 450 francs, to be redeemed in forty-two years at their face value, 1,000 francs, and bearing interest at 3 per cent. These bonds produced 206,460,900 francs. And lastly, in August of the present year, another loan was made; 500,000 bonds were issued, of which 258,887 were taken up at 440 francs, repayable in forty-eight years at 1,000 francs. This produced 113,910,281 francs.

The company has therefore received in cash the enormous sum of 1,031,943,180 francs, and, as Count de Lesseps informs us there were still on hand 100,000,000 francs of the August loan, there should be altogether to-day in the treasury 213,910,280 francs. By deducting this from the former amount we find the company has already expended 818,032,900 francs. And it must be remembered that the expenses of management, interest, etc., amount annually to 100,000,000 francs, which sum will continually augment now that additional interest has to be paid on the new loans, and, as we have already proved, 3,000,000,000 francs more are required to meet the expenses of excavation, construction, etc. Thus we are compelled to reflect that the company will annually obtain less money, even should it offer higher interest, and it is absolutely necessary to feel convinced that it will be difficult to obtain the fabulous sum required, and the more so by reason of the fact that the condition of the company is serious and alarming.

* * * * * * *

In conclusion, Mr. Minister, I will repeat what I have before had the honor of stating to your excellency: The canal will be built. The works are now far advanced, and it is impossible that those hundreds of millions which have been spent in its construction should be permitted to be lost; furthermore France's honor is pledged to the termination of this work, so useful to the commerce of the world, so beneficial to the interests of mankind.

It is not merely an industrial business manipulated by a vast company, it is a work of a universal nature. A half million of shareholders of all nationalities have invested their savings in this enterprise, the entire world has assisted in this plebiscite of immense capitals; and Mr. De Lesseps, the great Frenchman, will succeed, we do not doubt, with his prestige and influence in overcoming all obstacles and avoiding a catastrophe which would be fatal to his name and ruinous to the legion of his friends and admirers.

But what is evident is that with the system that has prevailed up to the present time, and at the rate at which the work is now progressing, the canal will not be built in ten years, and during this lapse of time the interest alone on the indebtedness will have devoured the company.

NICOLAS TANCO ARMERO.

After such a report, Colombian confidence in French success in this great work was very weak, and when the old company failed in 1888, it sunk to the bottom; but it began to revive in 1890, when the Government of Colombia granted an extension of the concession for ten years, upon the condition that a new company, to be formed in two years, should be organized with sufficient capital to complete the canal, which was afterwards extended to October 31, 1904. This last extension was granted on April 4, 1893, and the new company was organized on October 20, 1894.

"OLD DITCH" WAS LEFT TO FILL UP.

From that time on the work was chiefly for experimental purposes, and the old ditch was left to fill up, without any effort to prevent it.

PEOPLE OF COLOMBIA PREPARED FOR REVOLT.

These facts were obvious to the people of Colombia and prepared them for revolt when, on November, 1898, Bonnardel and Cromwell, the American lawyer, sent to the President of the United States the gratuitous information of the prosperous condition and bright outlook of the New Panama Canal Company.

Why the President should be thus informed of this situation, in an official statement of that company, planned in its meeting in Paris and sent over by a special messenger, and heralded by a telegram of Mr. Cromwell to Mr. Hay, would never be understood from the mere reading of that document, is beyond the necessities of an honest transaction.

It had an environment of facts known to but few, and carefully suppressed, which when known, and it gives to this document a surreptitious motive and a vicious meaning that it carefully conceals.

APPLICATION FOR THIRD EXTENSION OF CANAL CONCESSION.

An application was then being pressed upon the Government of Colombia for a third extension of the canal concession, from 1904 to 1910, which was backed by the offer of $1,000,000, French gold. It was a very tempting offer, and was pressed with extreme earnestness. It caused a determined resistance in the Congress of Colombia which led to the dissolution of that body and to popular irritation that soon resulted in a general civil war.

This demand for a third concession was made six years in advance of any real, or even apparent, necessity, if Bonnardel and Cromwell told the truth about the prosperous condition of the New Panama Canal Company in their address to President McKinley. Among those statements is the following:

STATEMENTS OF BONNARDEL AND CROMWELL TO PRESIDENT M'KINLEY.

"8. The company's concessions are unquestionable." That statement was false. The company was then preparing for an additional prolongation of the concession, for six years from October, 1904 to 1910, *to begin six years after the date of this letter*, of November, 1888, for a compensation of $1,000,000, which was sternly opposed in the Colombian Congress. It needed this extension for one of two purposes; either to gain time to assure the completion of the canal, in good faith; or, to encourage the United States to take an active part in assisting in its completion.

If it was the intention to complete the canal, a sale to the United States would not have been thought of. But a sale or a partnership with the United States was then being proposed by the Canal Company, while they were deceiving Colombia with pledges to build the canal.

To convince the United States that it was safe to go into the enterprise, as a partner or as a purchaser, the following statement was made in Bonnardel's letter to the President, with most complacent insincerity:

The condition of the new company is equally satisfactory. Its assets, including the work actually done on the canal, the buildings, the machinery, the material on hand exceeds in value 600,000,000 francs, or $100,000,000, which valuation has been made by a special commission, of which the former director of the National Academy of Roads and Bridges of France was chairman. The company has no mortgage or funded indebtedness. The property is free from all incumbrance. The company has no other debts than monthly pay rolls. Its cash reserve is largely in excess of its actual needs.

If Bonnardel had further stated that the new company had inherited the scandals of the old company and was the offspring of its iniquities; that it had no credit in France, or elsewhere in the world; that it had never dared to confront the French people with the proposition to subscribe additional stock to the paltry capital of 60,000,000 francs; that it had no hopes of increasing its resources, except through the temptations of a speculative venture, based on our covetous longings for a good bargain, that are falsely attributed to the United States, or on a monopolistic combine of great transportation routes; that the new company was then deceiving Colombia, as to its purpose to complete the canal, at the very moment when it was seeking to unload it upon the United States; and that its demand for an extension of its concession for six more years was a leading part of that false pretense, M. Bonnardel would have gone into history as a man who would not conceal the truth for the purpose of aiding even a desperate plan to escape a fall, in a desperate enterprise.

CONCEALMENT OF FACTS.

He did conceal these facts, and he and Cromwell involved the New Panama Canal Company in a scheme of double dealing with the United States and Colombia which our insulted people will rebuke, and Colombia will again resent with bloodshed, as they have done for three years and will do as often as this fraud is attempted to be imposed upon them.

DEMAND OF NEW PANAMA CANAL COMPANY FOR NEW CONCESSION CAUSE OF CIVIL WAR IN COLOMBIA.

The people of Colombia thoroughly understand the causes that have led to the recent civil war, and that the immediate cause is the demand for a new concession of six years from 1904 to 1910 by the New Panama Canal Company.

NOTWITHSTANDING INTRIGUES, CROMWELL PERSONA GRATA.

In the history of intrigues to involve governments in trouble and to promote personal gain there is not one that has been more

conspicuously unjust and cruel than this scheme of Bonnardel and Cromwell.

Yet Cromwell is welcomed into all the negotiations and consultations with Attorney-General Knox, and to meetings with closed doors held by the commissioners, while all avenues of information are closed to the chairman of the committee.

If they had gained $40,000,000 out of the wreck of a bankrupt enterprise, and had stopped there, the skill of the operation might have afforded some palliation of its iniquity; but the New Panama Canal Company pushed Colombia into civil war and forced those people to bloody conflicts, signalized with heroic fighting that would have honored the soldiers of Bolivar in their wars for liberty and independence. That such sufferings and sacrifices were endured to gratify the cupidity of the owners of a bankrupt corporation, and to reward the "push" of an American lawyer, will never be a pleasing story in the ears of the American people. Bonnardel and Cromwell, at the same moment that they were spending $1,000,000 to assure the President of Colombia and the people of Colombia of their intention to complete the canal by 1910, were in constant supplication to the President of the United States to take the canal off the hands of the new company. When they were finally run to earth by the pressure of extreme necessity they assailed Congress with expressions of contempt for its ignorance, and failing to frighten anybody, they again took to their knees and implored our help, and endeavored to secure it by throwing away $69,000,000 of an offer of $109,000,000 as the price asked for the canal property, provided Congress will accept the bid by March 4, 1903.

LIMITATION OF TIME "A GAME OF BLUFF."

If it is not accepted, what will then be the new plan of the New Company? What will they do with their canal concession? It has less than two years to continue, unless we step in and sustain the bloody usurpation and the corrupt bargain of San Clemente with the New Panama Canal Company.

That limitation of time has all the earmarks of a game of bluff. If it is such a game, it will fail of its purpose. If it is not a banter, and should result in the opening of a canal by Colombia, the United States will welcome its competition with our canal at Nicaragua.

CANAL SHOULD BE SECURED ON TERMS THAT WILL NOT DISGRACE OUR GOVERNMENT.

The people of America can not possibly suffer by any canal that will cheapen ocean freights by increasing competition in canal routes, and in reducing the rates of tolls upon their commerce.

It is not necessary; in order to get the Panama Canal, if that is the sine qua non of those who are so eager to pay $40,000,000 to a corrupt company for a bad bargain, that we should also aid in putting the Liberal party in Colombia under the feet of the Church party and the concordat of 1888 with Pope Leo XIII.

This is what Cromwell demands in the treaty before the Senate. We can get the canal on terms that will not disgrace the country if we will cut loose from Cromwell and stand by the honor and rights of our own people and our Government.

CAMPAIGN OF BÔ, HUTIN, AND CROMWELL, OF TEMPTATION, INSOLENCE, AND COERCION.

Mr. President, after Colombia had been thrown into civil war, in which the domination of the church party was the latent issue, and the third canal concession was the present provoking cause, and after the passage of the bill appropriating $1,000,000 for the survey to be made by the Isthmian Canal Commission, Hutin and Cromwell entered, actively and audaciously, into the project to control the action of the President in the appointment of the members of the Isthmian Canal Commission.

The following letter shows, with unmistakable insolence, what their first effort was:

Mr. Hutin to the President.

COMPAGNIE NOUVELLE DU CANAL DE PANAMA,
45 Wall street, New York City, March 11, 1899.

To the PRESIDENT:

Referring to the act of Congress, approved on the 4th instant, respecting an investigation of the Panama and Nicaragua canals, the New Panama Canal Company, as one of the subjects of the inquiry, respectfully invites attention to its communication addressed to you December 2, 1898, and to its subsequent offers to the honorable Secretary of State, and finally to its official proposition of February 27 last, all of which contain the profer and urgent invitation that the President or Congress make the fullest investigation of the canal works, plans, seven concessions, and status of the New Panama Company; and it also refers to the official report upon the canal made by the International Technical Commission November 16, 1898, and placed in your hands by us on December 2 last.

The said act of Congress is therefore in full accord with our repeated offers and our warmest desires.

We again most respectfully renew our proffer of the fullest investigation and our offer of all the facilities to that end. But the subject is of such transcendent consequence to the United States, to the people of the world, as well as to ourselves, that we venture, with due respect, to submit this our petition that any commission designated to aid you in making the investigation and comparison contemplated by the act of Congress be composed of gentlemen of the widest experience, of exceptional character and unquestioned professional standing, and who are not embarrassed by public committals or previous records favorable or unfavorable to either one or the other project, and who have not heretofore served upon any canal commission.

The New Panama Canal Company does not present or suggest any name for membership of any commission. Its only petition is that the selection be of gentlemen whose conclusion will at once command public confidence, fully relying upon its ability to satisfy fair and impartial investigation of the merits of its canal.

THE NEW PANAMA CANAL COMPANY,
By MAURICE HUTIN, *Director-General.*
SULLIVAN & CROMWELL, *General Counsel.*

When the Isthmian Canal Commission made their preliminary report the House of Representatives took up the first Hepburn bill and fixed a day for its consideration. Thereupon the following letter was sent to the President:

WASHINGTON, *April 30, 1900.*

The PRESIDENT:

Permit us to refer to the communication addressed to you on February 28, 1899, by the Compagnie Nouvelle du Canal de Panama, and of which we attach a copy for your convenience.

Three days after the above communication (and which was similar to that addressed to the River and Harbor Committee of the House, Hon. THEODORE E. BURTON, chairman) Congress enacted the law of March 3, 1899.

Under the powers of said act the President appointed the "Isthmian Canal Commission," composed of Rear-Admiral John G. Walker; Hon. Samuel Pasco; Mr. Alfred Noble, C. E.; Mr. George S. Morison, C. E.; Gen. Peter C. Hains; Prof. William H. Burr, C. E.; Gen. Oswald H. Ernst; Prof. Emory R. Johnson; Mr. Lewis M. Haupt, C. E.

In addition to its examination of all other possible isthmian routes, the Isthmian Canal Commission has made an exhaustive examination of the plans and status of the company at Paris, where the records of twenty years are preserved, and also personally has examined upon the Isthmus of Panama the actual canal and canal works of the company and the feasibility of its undertaking, and at this time is further verifying surveys, plans, and specifications with a force of 700 to 800 men in the field.

The Isthmian Canal Commission has not yet made its report to the President, and, as we are advised, has not yet completed its investigations and inquiries upon the technical and other subjects covered by the said act of March 3, 1899, nor has the President yet communicated to Congress his recommendations in the premises.

In all these investigations concerning the Panama Canal the company has made to the Isthmian Canal Commission the fullest exposition and explanations, without reserve or exception, upon every aspect of the subject concerning which the Commission has desired information, and also has delivered to the Commission full and detailed plans, maps, and specifications of the company for the complete excavation and construction of the Panama Canal and canal works. These documents are great in volume and value, and represent the expenditure of a vast sum, as well as the results of many years of study in their original preparation.

The company has avoided any action or course which might by the Government be deemed inconsistent with its said communication of February 28, 1899.

All this the company has done in full reliance upon the avowed purpose of the Government (as embodied in the act of March 3, 1899) of thoroughly and exhaustively investigating and reporting upon all possible isthmian canal routes, and in the reasonable expectation that, in the meantime, no action would be taken upon the subject by the Congress of the United States inconsistent with the expressed purposes of said act.

On the contrary, however, and presumably without knowledge of the foregoing facts, measures have been introduced in Congress, and are to be acted upon in the House of Representatives May 1 and 2, 1900, having for their purpose the adoption by the Government of another isthmian canal route, without awaiting the recommendation of the President and the information, report, and conclusions of the Isthmian Canal Commission appointed by the President under the act of March 3, 1899.

We therefore respectfully request that the President advise the Congress of the facts of the case.

We have the honor to be, your obedient servants,

SULLIVAN & CROMWELL,
General Counsel Compagnie Nouvelle du Canal de Panama.

The effort to induce the President to order the House to stop proceedings until Hutin and Cromwell could be further heard from failed, and the Hepburn bill passed the House by an immense majority and came to the Senate early in the Fifty-sixth Congress.

It was delayed in the Senate, against the most assiduous and persistent efforts to get consideration for it, and was simply smothered.

When the Isthmian Canal Commission was at work, M. Hutin opened a series of diplomatic letters with Admiral Walker, which appear in his final report of December 30, 1901, in which he pressed the sale of the canal upon the Isthmian Canal Commission, and suppressed a letter of the greatest significance that he had addressed to Admiral Walker with a view to putting him in a false position.

This is fully shown in Report No. 1 to the Fifty-seventh Congress and need not be again repeated.

Early in this Congress the Hepburn bill was reintroduced and passed the House by a majority in which there was only 2 negative votes.

Immediately Hutin was removed from his office of president of the New Panama Canal Company and M. Bô was chosen in his place, and then the game of bluff and badger began in hot activity.

The French courts were set to work to back M. Bô in his scheme of capturing $40,000,000 from the United States, and lent all their powers and their assumptions of jurisdiction to the summary proceedings that were intended to shove off the wreck of the New Panama Canal Company on the United States.

The Committee on Interoceanic Canals had reported the Hepburn bill to the Senate without amendment, and it was on the Calendar.

Thereupon the following correspondence, by cable, took place. The cablegrams received by Admiral Walker are as follows:

PARIS, *January 4, 1902—8.53 a. m.*

BOEUFVE, *Washington:*

Inform Admiral Walker immediately, and without awaiting Lampre's arrival, that the company declares itself ready to transfer to the Government of the United States, on payment of $40,000,000, its properties and concessions, estimated at that amount by the Isthmian Canal Commission in its last report, page 103, in conformity with the terms and conditions of the estimates of said report.

BÔ,
President of the Board.

PARIS, *January 9, 1902—4.07 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

The New Panama Canal Company declares that it is ready to accept for the totality, without exception, of its property and rights on the Isthmus the amount of $40,000,000, the above offer to remain in force up to March 4, 1903.

BÔ,
President of the Board.

PARIS, *January 11, 1902—4.17 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

Offers of sale of all our property applies also to all maps and archives in Paris.

BÔ,
President of the Board.

PARIS, *January 14, 1902—9.45 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

We send by mail letter confirming cable 11th January, and, under registered package, judgment August 2, agreement with liquidator, and three extracts showing powers of board. All these documents are certified to by the United States consulate-general.

BÔ,
President of the Board.

FIRST SPOONER AMENDMENT.

Then came the first amendment of Mr. SPOONER to the Hepburn bill, as follows:

[H. R. 3110, Fifty-seventh Congress, first session.]

In the Senate of the United States, January 28, 1902. Referred to the Committee on Interoceanic Canals and ordered to be printed.

Amendment intended to be proposed by Mr. SPOONER to the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, viz: Strike out all after the enacting clause and insert the following:

That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding forty millions of dollars, the rights, concessions, grants of lands, right of way, unfinished work, plants, and all maps, plans, drawings, records, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on the Isthmus of Panama and in Paris, including sixty-eight thousand eight hundred and sixty-three shares of the Panama Railroad Company, owned by said canal company, provided a satisfactory title to said property can be obtained.

SEC. 2. That the President is hereby authorized to acquire from the Republic of Colombia, for and on behalf of the United States, upon such terms as he may deem reasonable, control in perpetuity of a strip of land, the territory of the Republic of Colombia, ten miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to use and dispose of the waters thereon, and to excavate, construct, and to perpetually maintain, operate, and protect thereon a canal, of such depth and capacity as will afford convenient passage of ships of the greatest tonnage and draft now in use, from the Caribbean Sea to the Pacific Ocean, which control shall include the right to perpetually maintain and operate the Panama Railroad, if the ownership thereof, or a controlling interest therein, shall have been acquired by the United States, and also jurisdiction over said strip and the ports at the ends thereof to make such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public health thereon, and to establish such judicial tribunals thereon as may be necessary to enforce such rules and regulations.

The President may acquire such additional territory and rights from Colombia as in his judgment will facilitate the general purpose hereof.

And such sum of money as may be necessary to carry out the provisions of this section is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrants drawn by the President.

SEC. 3. That when the President shall have obtained a satisfactory title to the property of the New Panama Canal Company, as provided in section one hereof, and the control of the necessary territory from the Republic of Colombia, as provided in section two hereof, he is authorized to pay for the property of the New Panama Canal Company forty millions of dollars and to the Republic of Colombia such sum as shall have been agreed upon, and a sum sufficient for both said purposes is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on a warrant drawn by the President.

The President shall then direct the Secretary of War to cause to be excavated, constructed and completed, utilizing to that end so far as practicable the work heretofore done by the New Panama Canal Company, of France, and its predecessor company, a ship canal from the Caribbean Sea to the Pacific Ocean. Such canal shall be of sufficient capacity and depth as shall afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and shall be supplied with all the necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and the Secretary of War shall also cause to be constructed such safe and commodious harbors at the termini of said canal, and make such provisions for defense as may be necessary for the safety and protection of said canal and harbors. That the President is authorized for the purposes aforesaid to employ such persons as he may deem necessary, and to fix their compensation.

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and such control of the necessary territory of the Republic of Colombia, mentioned in sections one and two of this Act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States similar control of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, maintenance, operation, and completion of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, shall direct the Secretary of War to excavate and construct a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean. Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from Greytown to Brito; and the Secretary of War shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal.

The President shall cause such surveys as may be necessary for said canal and harbors to be made, and in making such surveys and in the construction of said canal may employ such persons as he may deem necessary, and may fix their compensation.

In the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

SEC. 5. That the sum of ten million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated.

And the Secretary of War is hereby authorized to enter into such contract or contracts as may be deemed necessary for the proper excavation, construction, completion, and defense of said canal, harbors, and defenses, by the route finally determined upon under the provisions of this Act. Appropriations therefor may from time to time be hereinafter made, not to exceed in the aggregate one hundred and thirty-five millions of dollars should the Panama route be adopted, or one hundred and eighty millions of dollars should the Nicaragua route be adopted.

SEC. 6. That in any agreement with the Republic of Colombia, or with the States of Nicaragua and Costa Rica, the President is authorized to guarantee to said Republic or to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

SECOND SPOONER AMENDMENT.

Then came the second, or revised, amendment of Senator SPOONER, as follows:

[H. R. 3110, Fifty-seventh Congress, first session.]

In the Senate of the United States, January 28, 1902. Referred to the Committee on Interoceanic Canals and ordered to be printed. June 18, 1902, ordered to be printed as amended.

[Omit the part in brackets and insert the part printed in italics.]

Amendment intended to be proposed by Mr. SPOONER to the bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans, viz: Strike out all after the enacting clause and insert the following:

That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding forty millions of dollars, *all of* the rights, *privileges, franchises,* concessions, grants of land, right of way, unfinished work, plants, [and all maps, plans, drawings, records,] and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on the Isthmus of Panama, *and all its maps, plans, drawings, records on the Isthmus of Panama* and in Paris, including *all the capital stock, not less, however, than* sixty-eight thousand eight hundred and sixty-three shares of the Panama Railroad Company, owned by *or held for the use of* said canal company, provided a satisfactory title to *all of* said property can be obtained.

SEC. 2. That the President is hereby authorized to acquire from the Republic of Colombia, for and on behalf of the United States, upon such terms as he may deem reasonable, *exclusive and perpetual* control [in perpetuity] of a strip of land, the territory of the Republic of Colombia, [ten] *not less than six* miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to use and dispose of the waters thereon, and to excavate, construct, and to perpetually maintain, operate, and protect thereon a canal, of such depth and capacity as will afford convenient passage of ships of the greatest tonnage and draft now in use, from the Caribbean Sea to the Pacific Ocean, which control shall include the right to perpetually maintain and operate the Panama Railroad, if the ownership thereof, or a controlling interest therein, shall have been acquired by the United States, and also jurisdiction over said strip and the ports at the ends thereof to make such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public health thereon, and to establish such judicial tribunals thereon as may be necessary to enforce such rules and regulations.

The President may acquire such additional territory and rights from Colombia as in his judgment will facilitate the general purpose hereof.

[And such sum of money as may be necessary to carry out the provisions of this section is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrants drawn by the President.]

SEC. 3. That when the President shall have [obtained] *arranged to secure* a satisfactory title to the property of the New Panama Canal Company, as provided in section one hereof, and [the] *shall have obtained by treaty* control of the necessary territory from the Republic of Colombia, as provided in section two hereof, he is authorized to pay for the property of the New Panama Canal Company forty millions of dollars and to the Republic of Colombia such sum as shall have been agreed upon, and a sum sufficient for both said purposes is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on [a] warrant *or warrants* drawn by the President.

The President shall then [direct the Secretary of War to] cause to be excavated, constructed, and completed, utilizing to that end as far as practicable the work heretofore done by the New Panama Canal Company, of France, and its predecessor company, a ship canal from the Caribbean Sea to the Pacific Ocean. Such canal shall be of sufficient capacity and depth as shall afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and [the Secretary of War] *he* shall also cause to be constructed such safe and commodious harbors at the termini of said canal, and make such provisions for defense as may be necessary for the safety and protection of said canal and harbors. That the President is authorized for the purposes aforesaid to employ such persons as he may deem necessary, and to fix their compensation.

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and [such] *the* control of the necessary territory of the Republic of Colombia *and the rights* mentioned in sections one and two of this Act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States [similar] *exclusive and perpetual* control *by treaty* of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, *perpetual* maintenance, operation, and protection of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, shall [direct the Secretary of War] *cause to be* [excavate] *excavated* and [construct] *constructed* a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean.

Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from [Greytown to Brito] *ocean to ocean*; and [the Secretary of War] *he* shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal; *and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereunder provided to be acquired by the United States, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.*

The President shall cause such surveys as may be necessary for said canal and harbors to be made, and in making such surveys and in the construction of said canal may employ such persons as he may deem necessary, and may fix their compensation.

In the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

SEC. 5. That the sum of ten million dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated *by either route so selected.*

And the Secretary of War is hereby authorized to enter into such contract or contracts as may be deemed necessary for the proper excavation, construction, completion, and defense of said canal, harbors, and defenses, by the route finally determined upon under the provisions of this Act. Appropriations therefore [may] *shall* from time to time be hereafter made, not to exceed in the aggregate *the additional sum of* one hundred and thirty-five millions of dollars should the Panama route be adopted, or one hundred and eighty millions of dollars should the Nicaragua route be adopted.

SEC. 6. That in any agreement with the Republic of Colombia, or with the States of Nicaragua and Costa Rica, the President is authorized to guarantee to said Republic or to said States the use of said canal and harbors, upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

ACTION OF ISTHMIAN CANAL COMMISSION.

The President reassembled the Isthmian Canal Commission, whose office had expired, and they entered into active but secret negotiation with the representatives of the New Panama Canal Company.

They reported to the President the result of their deliberations, which was to change their two former recommendations in favor of the Nicaragua route to a recommendation of the Panama route. They put certain qualifications on their recommendation, as follows:

There is, however, one important matter which can not enter into its determination, but which may in the end control the action of the United States. Reference is made to the disposition of the government whose territory is necessary for the construction and operation of an isthmian canal. It must be assumed by the Commission that Colombia will exercise the same fairness and liberality if the Panama route is determined upon that have been expected of Nicaragua and Costa Rica should the Nicaragua route be preferred.

After considering the changed conditions that now exist and all the facts and circumstances upon which its present judgment must be based, the Commission is of the opinion that "the most practicable and feasible route" for an isthmian canal, to be "under the control, management, and ownership of the United States," is that known as the Panama route.

We have the honor to be, sir, with great respect, your obedient servants,

J. G. WALKER,
Rear-Admiral, United States Navy, President of Commission.
SAMUEL PASCO.
ALFRED NOBLE.
GEO. S. MORISON.
PETER C. HAINS,
Colonel, United States Corps of Engineers.
WM. H. BURR.
O. H. ERNST,
Lieutenant-Colonel, United States Corps of Engineers.
LEWIS M. HAUPT.
EMORY R. JOHNSON.

COLOMBIA'S PROPOSITION.

To prepare Congress for the contest between the routes, the Secretary of State ascertained from the Government of Colombia and the Governments of Nicaragua and Costa Rica the terms and conditions on which they, respectively, would concede canal rights to the United States.

Colombia's proposition, which was accepted by the President of the United States, was as follows:

LEGACION DE COLOMBIA, *Washington, D. C.*

Memorandum of points to be embodied in a convention between the Republic of Colombia and the United States of America for the construction of an interoceanic canal by the Panama route and the management of the railroad over said Isthmus, in furtherance of article 35 of the treaty of 1846–48, existing between said nations; presented by the undersigned envoy extraordinary and minister plenipotentiary of the Republic of Colombia.

ARTICLE I.

The Government of Colombia authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions, as well as the Panama Railroad and all the shares or part of the shares of that company, with the exception of the public lands situated outside of the zone hereinafter specified now corresponding to the concessions to both said enterprises, which public lands shall revert to the Republic of Colombia.

But it is understood that Colombia reserves all its rights to the special shares in the capital of the New Panama Canal Company, to which reference is made in Article IV of the contract of December 10, 1890, which shares shall be paid their full nominal value at least.

The railroad company (and the United States as owner of the enterprise) shall be free from the obligations imposed by the railroad concession, excepting as to the payment at maturity by the railroad company of the outstanding bonds issued by said railroad company.

ARTICLE II.

The United States shall have the exclusive right to excavate, construct, maintain, operate, control, and protect a maritime canal from the Atlantic to the Pacific Ocean, to and across the territory of Colombia, such canal to be of sufficient depth and capacity for vessels of the largest tonnage and greatest draft now employed in commerce; and also the same rights for the construction, maintenance, operation, control, and protection of railway, telegraph, and telephone lines, canals, dykes, dams, reservoirs, and such other auxiliary works as may be necessary and convenient for the construction, maintenance, protection, and operation of the canal.

ARTICLE III.

To enable the United States to exercise the rights and privileges granted by the foregoing articles, the Republic of Colombia grants to that Government the use of a zone of territory along the route of the canal to be opened, five kilometers in width on either side thereof, measured from its center line, excluding the cities of Panama and Colon. So far as necessary for the construction, maintenance, and operation of the canal, the United States shall have the use and occupation of the group of small islands in the Bay of Panama, named Perico, Naos, and Flamenco, together with ten fathoms of water in the Bay of Limon in extension of the canal, but the same shall not be construed as being within the zone herein defined, nor governed by the special provisions applicable to the zone. This concession shall be for the term of one hundred years, renewable at the option of the United States for periods of similar duration and subject to the payment of the amount hereinafter expressed.

This grant shall in no manner invalidate the titles of rights of private landholders in the said zone of territory, nor shall it interfere with the rights of way over the public roads of the department.

All the stipulations contained in article 35 of the treaty of 1846–48 between the contracting parties shall continue and apply in full force to the cities of Panama and Colon and to the accessory community lands within the said zone, and the territory thereon shall be neutral territory, and the United States shall continue to guarantee the neutrality thereof and the sovereignty of Colombia thereover in conformity with the above-mentioned article 35 of said treaty.

In furtherance of this provision there shall be created a joint commission by the Governments of Colombia and the United States that shall establish and enforce sanitary and police regulations.

ARTICLE IV.

The rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory within whose boundaries such rights and privileges are to be exercised.

The United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or of any of the sister Republics in Central or South America, but, on the contrary, it desires to strengthen the power of the Republics on this continent and to promote, develop, and maintain their prosperity and independence.

ARTICLE V.

The Republic of Colombia authorizes the United States to construct and maintain at each entrance and terminus of the proposed canal a port for vessels using the same, with suitable light-houses and other aids to navigation; and the United States is authorized to use and occupy within the limits of the zone fixed by this convention such parts of the coast line and of the lands and islands adjacent thereto as are necessary for this purpose, including the construction and maintenance of breakwaters, dikes, jetties, embankments, coaling stations, docks, and other appropriate works. And the United States undertakes the construction and maintenance of such works, and will bear all the expense thereof. The ports, when established, shall be declared free, and their demarcations shall be clearly and definitely defined.

To give effect to this article, the United States will give special attention and care to the maintenance of works of drainage, sanitary, and healthful purposes along the line of the canal and its dependencies, in order to prevent the invasion of epidemics, or of securing their prompt suppression, should they appear. With this end in view the United States will organize hospitals along the line of the canal and will suitably supply the towns of Panama and Colon with the necessary aqueducts and drainage works, in order to prevent their becoming centers of infection on account of their proximity to the canal.

The Government of Colombia will secure the possession of the land that may be required in the towns of Panama and Colon to effect the improvements above referred to, and the Government of the United States shall be authorized to impose and collect equitable water rates previously agreed upon with the Government of Colombia during fifty years for the service rendered; but on the expiration of said term, the use of the water shall be free for the inhabitants of Panama and Colon, except to the extent that may be necessary for the maintenance of said aqueducts.

ARTICLE VI.

The Republic of Colombia agrees that it will not cede or lease to any foreign government any of its islands or harbors within or adjacent to the Bay of Panama, nor on the Atlantic coast of Colombia between the Atrato River and the western boundary of the department of Panama for the purpose of establishing fortifications, naval or coaling stations, military posts, docks, or other works that might interfere with the construction, maintenance, operation, protection, safety, and free use of the canal and auxiliary works. In order to enable Colombia to comply with this stipulation the Government of the United States agrees to give Colombia the material support that may be required, in order to prevent the occupation of said islands and ports, guaranteeing there the sovereignty, independence, and integrity of Colombia.

ARTICLE VII.

The Republic of Colombia includes in the foregoing grant the right, without obstacle, cost, or impediment, to the free navigation and use of the waters of the Chagres River and other streams, lakes, and lagoons, and of all waterways, natural and artificial, within the jurisdiction and under the dominion of the Republic of Colombia in the department of Panama, that may be necessary or desirable for the construction, maintenance, and operation of the canal and its auxiliary works, including the right to raise and lower the levels of the waters and to deflect them, and to rectify and navigate any

and all streams, lakes, and lagoons. All damages caused to private landowners by inundation, or by the deviation of water courses, or in other ways, arising out of the construction or operation of the canal, shall in each case be appraised and settled by a joint commission appointed by the Governments of Colombia and the United States, but the cost of the indemnities so agreed upon shall be borne solely by the United States.

ARTICLE VIII.

The Government of Colombia declares free for all time the ports at either entrance of the canal and the waters thereof in such manner that there shall not be collected by the Government of Colombia custom-house tolls, tonnage, anchorage, light-house, wharf, pilot, or quarantine dues, nor any other charges or taxes of any kind shall be levied or imposed by the Government of Colombia upon any vessel using or passing through the canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance, and operation of the main work or its auxiliaries or upon the cargo, officers, crew, or passengers of any such vessel, it being the intent of this convention that all vessels and their cargoes, crews, and passengers shall be permitted to use and pass through the canal and the ports leading thereto, subject to no other demands or impositions than such tolls and charges as may be imposed by the United States for the use of the canal and other works, it being understood that such tolls and charges shall be equal for vessels of all nations.

The ports leading to the canal shall also be free to the commerce of the world, and no duties or taxes shall be imposed, except upon merchandise destined to be introduced for the consumption of the rest of the Republic of Colombia, or the department of Panama, and upon vessels touching at the ports of Colon and Panama, and which did not cross the canal. Though the said ports shall be free and open to all, the Government of Colombia may establish in them such custom-houses and guards as Colombia may deem necessary to collect duties on importations destined to other portions of Colombia and to prevent contraband trade. The United States shall have the right to make use of the ports at the two extremities of the canal as places of anchorage, in order to make repairs for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the canal.

ARTICLE IX.

There shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the canal, the vessels that may use it, tugs and other vessels employed in the service of the canal, the railways and auxiliary works, storehouses, workshops, offices, quarters for laborers, factories of all kinds, warehouses, wharves, machinery and other works, property and effects appertaining to the canal or railroad, or that may be necessary for the service of the canal or railroad and their dependencies, whether situated within the cities of Panama and Colon, or any other place authorized by the provision of this convention.

Nor shall there be imposed contributions or charges of a personal character of whatever species upon officers, employees, laborers, and other individuals in the service of the canal and its dependencies.

ARTICLE X.

It is agreed that telegraph and telephone lines, when established for canal purposes, may also, under suitable regulations, be used for public and private business in connection with the systems of Colombia and the other American Republics, and with the lines of cable companies authorized to enter the ports and territories of these Republics; but the official dispatches of the Government of Colombia and the authorities of the department of Panama shall not pay for such service higher tolls than those required from the officials in the service of the United States.

ARTICLE XI.

The Government of Colombia shall permit the immigration and free access to the lands and workshops of the canal enterprises of all employees and workmen of whatever nationality under contract to work upon the said canal and its dependencies, with their respective families, and all such persons should be free and exempt from the military service of the Republic of Colombia.

ARTICLE XII.

The United States may import at any time into the said zone, free of custom duties, imposts, taxes, or other charges, and without any restriction, any and all vessels, dredges, engines, cars, machinery, tools, explosives, materials, supplies, and other articles necessary and convenient in the construction, maintenance, and operation of the canal and auxiliary works; also all provisions, medicines, clothing, supplies, and other things necessary and convenient for the officers, employees, workmen, and laborers in the service and employ of the United States within the said zone and for their families. If any such articles are disposed of for use without the zone and within the territory of the Republic, they shall be subject to the same import or other duties as like articles under the laws of Colombia, or the ordinances of the department of Panama.

ARTICLE XIII.

The United States shall have authority within the said zone to protect and make secure the canal, as well as railroads and other auxiliary works, and to preserve order and discipline among the laborers and other persons who may congregate in that region in consequence of the proposed work.

The Governments of Colombia and the United States shall agree upon the regulations necessary for said purpose, as well as to the capture and delivery of criminals to the respective authorities. Special regulations also shall be agreed upon, in the manner aforesaid, for the establishment of laws and jurisdiction to decide controversies that may arise respecting contracts relative to the construction and management of the canal and its dependencies, as well as to the trial and punishment of crimes that may be committed within the said zone of the canal.

ARTICLE XIV.

The works of the canal, the railways, and their auxiliaries shall be declared of public utility, and in consequence all areas of land and water necessary for the construction, maintenance, and operation of the canal and the other specified works may be expropriated in conformity with the laws of Colombia, except that the indemnity shall be conclusively determined, without appeal, by a joint commission appointed by the Governments of Colombia and the United States.

The indemnities awarded by the commission for such expropriations shall be borne by the United States, but the appraisal of said lands and the assessment of damages shall be based upon their value before the commencement of the work upon the canal.

ARTICLE XV.

The Republic of Colombia grants to the United States the use of all the ports of the Republic open to commerce as places of refuge for any vessels employed in the canal enterprise, and for all vessels in distress having the right to pass through the canal and wishing to anchor in said ports. Such vessels shall be exempt from anchorage and tonnage dues on the part of Colombia.

ARTICLE XVI.

The canal, when constructed, and the entrances thereto, shall be neutral in perpetuity and shall be open upon equal terms to the vessels of all nations at uniform tonnage and other rates that may be imposed in virtue of the stipulations of this convention and in conformity with the stipulations of the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901, and known as the Hay-Pauncefote treaty.

ARTICLE XVII.

The Government of Colombia shall have the right to transport over the canal its vessels, troops, and munitions of war at all times, without paying charges of any kind. This exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Colombia or of the department of Panama, or of the police force charged with the preservation of public order, as well as to their baggage, munition of war, and supplies.

ARTICLE XVIII.

The United States shall have full power and authority to establish and enforce regulations for the use of the canal, railways, and the entering ports and auxiliary works, and to fix rates of tolls and charges thereof, subject to the limitations stated in the Article XVI.

ARTICLE XIX.

The rights and privileges granted to the United States by this convention shall not affect the sovereignty of the Republic of Colombia over the real estate that may be acquired by the United States by reason of the transfer of the rights of the New Panama Canal Company and the Panama Railroad Company lying outside of the said canal zone.

ARTICLE XX.

If, by virtue of an existing treaty between the Republic of Colombia and any third power, there may be privileges or concessions relative to an interoceanic means of communication which especially favors such third power and which in any of its terms may be incompatible with the terms of the present convention, the Republic of Colombia agrees to cancel or modify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention, and in case the existing treaty contains no clause permitting their involuntary annulment, the Republic of Colombia agrees to procure its modification or annulment in such form that there shall not exist any conflicts with the stipulations of the present convention.

ARTICLE XXI.

The rights and privileges granted by the Republic of Colombia to the United States in the preceding articles are understood to be free of all anterior concessions or privileges to other governments, corporations, syndicates, or individuals, and consequently if there should arise any claims on account of the present concessions and privileges the claimant shall resort to the Government of Colombia and not to the United States for any indemnity or compromise which may be required.

ARTICLE XXII.

The Government of Colombia renounces the participation to which it might be entitled in the future earnings of the canal under Article XV of the contract with the "Universal Panama Canal Company;" and it likewise renounces now and hereafter all the rights reserved in the said concession which shall belong to Colombia at the expiration of the term of ninety-nine years of the concession granted to the above-mentioned company.

ARTICLE XXIII.

If it should become necessary at any time to employ armed forces for the safety or protection of the canal, or of the ships that make use of the same, or the railways and other works, the Republic of Colombia agrees to provide the forces necessary for such purpose, according to the circumstances of the case, but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose, and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection without the necessity of obtaining the consent beforehand of the Government of Colombia; and it shall give immediate advice of the measures adopted for the purpose stated, and as soon as sufficient Colombian forces shall arrive to attend to the indicated purpose those of the United States shall retire.

ARTICLE XXIV.

The Government of the United States agrees to complete the construction of the preliminary works necessary, together with all the auxiliary works, in the shortest time possible; and within two years from the date of the exchange of ratification of this convention the main works of this canal proper shall be commenced, and it shall be opened to the traffic between the two oceans within twelve years after such period of two years. In case, however, that any difficulties or obstacles should arise in the construction of the canal, which are at present impossible to foresee, in consideration of the good faith with which the Government of the United States shall have proceeded and the large amount of money expended so far on the works and the nature of the difficulties which may have arisen, the Government of Colombia will prolong the terms stipulated in this article up to twelve years more for the completion of the work of the canal.

ARTICLE XXV.

As the price or compensation for the right to use the zone granted in this convention by Colombia to the United States for the construction of a canal, together with the proprietary right over the Panama Railroad, and for the annuity of $250,000, gold, which Colombia ceases to receive from the said railroad, as well as in compensation for other rights, privileges, and exemptions granted to the United States; and in consideration of the increase in the administrative expenses of the department of Panama consequent upon the construction of the said canal, the Government of the United States binds itself to pay Colombia the amount of $7,000,000 in American gold on the exchange of the ratification of this convention, after its approval by the legislative bodies by both countries, and fourteen years after the date aforesaid a fair and reasonable annuity that shall be agreed upon by the contracting Governments three years before the expiration of the above-mentioned term of fourteen years. In fixing this fair and reasonable annuity there shall be taken into consideration the present price of the usufruct of the railway as well as the compensation that is to be stipulated for the use of the zone and for the additional administrative expenses that the construction of the canal will impose upon Colombia; and also the advanced payment of $7,000,000 and the comparative cost and conditions upon which the United States reasonably could have expected to acquire concessions satisfactory to it in respect of any other canal route.

Three years before the expiration of each term of one hundred years the annuity for the following term shall be fixed in a similar manner.

But in the event that the parties are unable to come to an understanding within the periods above referred to as to such fair and reasonable annuity, then before the second year prior to the termination of the periods above referred to the contracting parties shall proceed to constitute a high commission, to be composed of five members, of whom two shall be appointed by Colombia, two by the United States, and the fifth (who shall be the president of such high commission) shall be the president for the time being of the International Peace Tribunal of The Hague, and the determination reached by said commission, by a majority vote, concerning such fair and reasonable annuity that is to be paid to Colombia by the United States in conformity with this article shall be binding upon the contracting parties.

But no delay nor difference of opinion in fixing such amount shall affect nor interrupt the full operation and effect of this convention in all other respects.

ARTICLE XXVI.

If after the lapse of five years from the date of this convention the necessary works for the opening of the canal should not have been commenced by the United States, or if after the expiration of the twelve years stipulated for the completion of the work, and the extension of twelve years referred to in Article XXIV, the canal should not be opened to commerce, all the concessions granted by this convention shall be forfeited and all the works, principal and accessory, machinery, and properties of the canal shall become the property of the Republic of Colombia, and the same Republic shall recover its actual rights over the Panama Railroad without any obligation to return any of the sums that it may have received in conformity with this convention.

ARTICLE XXVII.

This convention, when signed by the contracting parties, shall be submitted for legislative approval, and shall be exchanged within a term of eight months from this date.

DEPARTMENT OF STATE,
Washington, April 21, 1902.

SIR: I have the honor to acknowledge receipt at your hands of a communication dated the 31st of March, 1902, and another of the 18th of April, inclosing a proposal of the Republic of Colombia for a concessionary convention or treaty between the Republic of Colombia and that of the United States of America respecting the completion, maintenance, operation, control, and protection of an interoceanic canal over the Isthmus of Panama.

I am directed by the President to inform you that I shall be ready to sign with you the proposed convention as soon as—

First. The Congress of the United States shall have authorized the President to enter into such an agreement; and

Second. As soon as the law officers of this Government shall have decided upon the question of the title which the New Panama Canal Company is able to give to all the properties and rights claimed by it and pertaining to a canal across the Isthmus and covered by the pending proposal.

Accept, sir, the renewed assurances of my highest consideration.

JOHN HAY.

Señor DON JOSE VICENTE CONCHA, etc.

The propositions of Costa Rica and Nicaragua were as follows:

APPENDIX B.

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use, from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements in detail found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate at Washington this first day of December, 1900.

JOHN HAY. [SEAL.]
J. B. CALVO. [SEAL.]

Protocol of an agreement between the Governments of the United States and of Nicaragua in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Nicaragua as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually agree to enter into negotiations with each other to settle the plans and the agreements in detail found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Nicaragua.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate at Washington this 1st day of December, 1900.

JOHN HAY. [SEAL.]
LUIS F. COREA. [SEAL.]

Extract from the message of Señor Rafael Iglesias, President of Costa Rica, to the Constitutional Congress.

There are better prospects at this than at any other time that the project of construction by and under the control of the United States of America of an interoceanic canal across the Central American Isthmus will be carried out.

Costa Rica being directly interested in the construction of that great work by reason of a portion of her territory that may have to be occupied, the Government of the United States has opened with that Government negotiations looking to the conclusion of a treaty whose fundamental terms are that the United States will be authorized to occupy, under the head of a perpetual lease, a certain belt of territory for the construction, administration, and operation of the canal, and to exercise therein the jurisdiction which properly belongs to our sovereignty. In return for these and other minor concessions we are offered the guarantee of the independence and sovereignty of Costa Rica and of the integrity of her territory and the payment to the Government of a million and a half dollars.

In view of the great and paramount importance of this matter, I deem it expedient to call an advisory board consisting of persons of well-known ability and patriotism in order to enlighten me in so delicate and grave a question. A committee under the chairmanship of the secretary of state for the department of foreign relations was appointed among the members of that board. This committee has discharged its duties in a satisfactory manner touching all the points which, in its opinion, do not contravene the spirit of our political institutions, in conformity with the provisions of the fundamental code as regards the integrity of the territory and the exercise of sovereignty. In consequence thereof the Government is powerless to enter into positive negotiations with that of the United States of America unless there should be previously passed a constitutional amendment by which such concessions for the construction of the interoceanic canal may be authorized, or the matter referred to public opinion in some other way by calling a constituent assembly for the purpose.

CROMWELL IMPERSONATING PETER FUNK IN A MOCK AUCTION.

In the proposition of Colombia, Cromwell again appears in the character of negotiator, jointly with Señor Concha, of Colombia, and becomes eloquent in his praises of Colombia and the United States. He gives the order of triumphant hypocrisy to his deep-laid scheme to defraud his country. The foregoing treaties proposed by Colombia, Nicaragua, and Costa Rica formed the basis of legislation in the canal bill of June 28, 1902.

When the canal bill passed, on June 28, 1902, and the further arrangements with Colombia became matters of the deepest interest and the greatest peril, Cromwell again appears, this time to demand the abandonment of the treaty he had participated in preparing and the substitution of that which is now before the Senate.

I will not stop, now, to compare them. The contrast between them is marked in every feature by arrogant fraud and undeniable bad faith.

Cromwell is still at the helm, with Fernandez as master of the ship and Herran as Cromwell's helper.

The cable is kept hot with new propositions and false statements as to what the Germans and others are doing, and the Attorney-General is kept on duty to receive and accept Cromwell's fresh proposals, which are only a series of false pretenses.

The game they are playing has all the earmarks of a mock auction, in which Cromwell impersonates Peter Funk.

After three hours and thirty-five minutes spent in executive session the doors were reopened.

NEW SENATE MANUAL.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Rules be directed to consider the expediency of preparing a new manual or treatise of parliamentary law and procedure, with special reference to the history and practice of the Senate, and, if they think fit, to recommend a fit person to prepare the same, and to estimate the probable cost.

POST-OFFICE AT INDIANOLA, MISS.

Mr. MONEY submitted the following resolution; which was read:

Resolved by the Senate of the United States, That the President be, and is hereby, respectfully requested to inform the Senate whether postal facilities are now being afforded to the people of Indianola, Miss.

Mr. MONEY. I ask that the resolution lie on the table for the present, as I shall wish to submit some remarks upon it at a future day.

The PRESIDENT pro tempore. The resolution will lie on the table.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 12, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 11, 1903.

PROMOTIONS IN THE ARMY.

Infantry Arm.

1. First Lieut. Robert J. Maxey, Eighteenth Infantry, to be captain, March 4, 1903, vice Martin, Nineteenth Infantry, detailed as quartermaster.

2. Second Lieut. Charles H. Danforth, Tenth Infantry, to be first lieutenant, January 9, 1903, vice Walton, Tenth Infantry, promoted.

3. Second Lieut. Frederick W. Mills, jr., Seventh Infantry, to be first lieutenant, January 10, 1903, vice Exton, Twentieth Infantry, promoted.

4. Second Lieut. Gideon H. Williams, Eleventh Infantry, to be first lieutenant, January 19, 1903, vice MacGregor, Fifth Infantry, resigned.

5. Second Lieut. Fred W. Bugbee, First Infantry, to be first lieutenant, January 22, 1903, vice Howland, Twenty-fourth Infantry, resigned.

6. Second Lieut. William M. Goodale, Sixteenth Infantry, to be first lieutenant, January 25, 1903, vice Armstrong, Twenty-eighth Infantry, deceased.

APPOINTMENT IN THE ARMY—TO BE CHAPLAIN.

Rev. Joseph T. McKeon, of New York, March 10, 1903, vice McCleery, retired from active service.

POSTMASTERS.

LOUISIANA.

Charles A. Austin, to be postmaster at Welsh, in the parish of Calcasieu and State of Louisiana. Office became Presidential January 1, 1993.

MISSISSIPPI.

Samuel R. Braselton, to be postmaster at Gulfport, in the county of Harrison and State of Mississippi, in place of Thomas A. Cleary, removed.

MISSOURI.

Edwin Long, to be postmaster at Rolla, in the county of Phelps and State of Missouri, in place of Charles Strobach, deceased.

NEBRASKA.

Caroline A. McDougall, to be postmaster at Friend, in the county of Saline and State of Nebraska, in place of Caroline A. McDougall. Incumbent's commission expired January 27, 1903.

NEW JERSEY.

Alfred M. Jones, to be postmaster at Summit, in the county of Union and State of New Jersey, in place of William H. Coggeshall, removed.

OHIO.

Roger H. Murphey, to be postmaster at Urbana, in the county of Champaign and State of Ohio, in place of Roger H. Murphey. Incumbent's commission expired March 2, 1903.

TEXAS.

Dallas Harbert, to be postmaster at Commerce, in the county of Hunt and State of Texas, in place of Charles W. Rush. Incumbent's commission expired March 31, 1902.

Elias J. M. Hopkins, to be postmaster at Rockdale, in the county of Milam and State of Texas, in place of Esta Witcher, resigned.

Edward W. Morten, to be postmaster at Farmersville, in the county of Collin and State of Texas, in place of Edward W. Morten. Incumbent's commission expired February 15, 1903.

Charles Rubert, to be postmaster at Port Lavaca, in the county of Calhoun and State of Texas. Office became Presidential January 1, 1903.

Carrie E. Vaughan, to be postmaster at Seguin, in the county of Guadalupe and State of Texas, in place of Carrie E. Vaughan. Incumbent's commission expired January 10, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 11, 1903.

POSTMASTERS.

COLORADO.

J. T. Martinez, to be postmaster at Pagosa Springs, in the county of Archuleta and State of Colorado.

George H. Shone, to be postmaster at Alamosa, in the county of Conejos and State of Colorado.

ILLINOIS.

Henry C. Paradis, to be postmaster at Momence, in the county of Kankakee and State of Illinois.

Lester B. Nickerbocker, to be postmaster at Bradley, in the county of Kankakee and State of Illinois.

KANSAS.

David J. Keller, to be postmaster at National Military Home, in the county of Leavenworth and State of Kansas.

KENTUCKY.

George W. Albrecht, to be postmaster at Middlesboro, in the county of Bell and State of Kentucky.

LOUISIANA.

Romanta T. Hart, to be postmaster at Rayne, in the parish of Acadia and State of Louisiana.

NEBRASKA.

Clarence E. Stine, to be postmaster at Superior, in the county of Nuckolls and State of Nebraska.

PENNSYLVANIA.

Edwin F. Luckenbach, to be postmaster at Mauch Chunk, in the county of Carbon and State of Pennsylvania.

SENATE.

THURSDAY, *March 12, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

RULES OF THE SENATE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. ALLISON, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Rules is hereby authorized to reexamine the rules of the Senate with a view to ascertain what changes, if any, are necessary or expedient, and especially to make inquiry whether it is expedient to in any way limit debate in the Senate, and if so, to what extent; that said committee is authorized to sit during the recess of the Senate, and employ a stenographer and other needed aid, and the expenses of said examination shall be paid from the contingent fund of the Senate on vouchers to be approved by the chairman of the committee; and said committee shall report to the Senate their conclusions as soon as practicable after the beginning of the next session of Congress.

AMENDMENT OF THE RULES.

Mr. PLATT of Connecticut. I desire to give a notice with reference to a proposed modification of the rules of the Senate, which I ask may be read and lie over for one day.

The PRESIDENT pro tempore. The Senator from Connecticut submits a resolution, which will be read.

The Secretary read as follows:

I give notice that I propose, in accordance with the provisions of Rule XL, to move certain amendments to the rules which will modify Rules VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXXV, and XL, and for that purpose will submit the following resolution:

Resolved, That the rules of the Senate be amended by adding thereto the following:

"The Senate may, at any time when a bill, treaty, or other measure is under consideration, by a vote of three-fifths of the Senators present and acting, taken without debate, adopt an order fixing the time when debate upon such bill, treaty, or measure shall cease, and when a vote upon the same and all amendments pending, or that may be then offered, shall be taken without further debate; and in the order fixing the time for the taking such vote, may also limit the time which a Senator may occupy in debate between the adoption of such order and the final vote upon such bill, treaty, or measure.

"For the foregoing stated purposes the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXXV, and XL, are modified."

Mr. PLATT of Connecticut. Under the rules, the resolution will lie on the table until to-morrow.

The PRESIDENT pro tempore. It will lie on the table.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. MCCOMAS submitted the following resolution; which was referred to the Committee on Printing:

Resolved by the Senate, That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 1,500 extra copies, of which 1,000 copies shall be for the use of the Senate and 500 copies for the use and distribution of the Senators in Congress from the State of Maryland. The Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable process plates to be bound with these proceedings.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

UNANIMOUS-CONSENT AGREEMENT ON COLOMBIAN TREATY.

While the doors were closed,

Mr. FRYE (Mr. LODGE in the chair). I ask unanimous consent that the treaty with Colombia be open to general debate until Monday morning; that beginning with the session of Monday next the Senate will proceed to consider amendments which may be offered, and that upon each amendment speeches shall be limited to fifteen minutes to each Senator, but the chairman of the Committee on Foreign Relations and the chairman of the Committee on Interoceanic Canals shall be allowed thirty minutes on each amendment; that after all amendments shall have been disposed of one hour shall be allowed for general debate to the side supporting the treaty and one hour shall be allowed to the opponents of the treaty; that not later than Tuesday next the vote upon the resolution for ratification shall be taken without further debate; that the injunction of secrecy shall then be removed from the speeches of Senator MORGAN already printed and submitted to Senators, including that to be made by him on the response to the Senate resolution calling for information as to the agreement between the Panama Canal Company and our Government, and they shall be printed in the RECORD; and that the speech or speeches made for and against the ratification of the treaty during the hour of general debate allowed each side shall be printed in the RECORD in like manner as the speeches of Senator MORGAN.

The PRESIDING OFFICER (Mr. LODGE in the chair). Is there objection to the request of the junior Senator from Maine? The Chair hears none, and it is so ordered.

Mr. GORMAN. I move that the injunction of secrecy be removed from the agreement just made, and that it be printed, and printed also in the RECORD.

The motion was agreed to.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: Attorney-General Knox, in his examination of the title of the New Panama Canal Company to the concession from Colombia, and its right to convey the privileges conferred and the property acquired in pursuance thereof, began his investigations at the point where the French courts began their proceedings, and he followed their action as far as they have gone, apparently without considering whether and how far those courts have overstepped their jurisdictional powers in assuming that they could dispose of property situated in Colombia without reference to the rights, duties, or powers retained by Colombia as a sovereign state, and the limitations and restrictions imposed by the law of Colombia upon *its agent*, the "International Interoceanic Canal Association." So indifferent to the nature of that contract and the force of the statute of Colombia which gave it vitality were the French courts that neither they nor any of the jurists who have given opinions on this title seem to have attached any importance to those laws as the source of the title or to have considered the subject.

NATURE OF CONCESSION.

The concession is to the International Interoceanic Canal Association, then organized with certain powers under the laws of France, which powers are changed and enlarged by the law of Colombia, so that it is made a company or corporation of Colombia and is made subject to the exclusive jurisdiction of Colombia, as to all matters that relate to its essential functions and their administration. That company was thus reconstructed by Colombia, and was given the power, as well as the privilege, to construct a canal at Panama, and to conduct the enterprise for the benefit of Colombia, and to raise money to build and equip the canal.

COLOMBIA ULTIMATE, SOLE BENEFICIARY OF THE ENTERPRISE.

As the property belonged to Colombia and was not sold or conveyed to the company, but was subjected only to the privileges granted, and returned to Colombia when the privileges ceased or were forfeited, with all the plant, material, and improvements upon it, including the canal, without compensation, and as Colombia retained a very large interest in the gross receipts of the company, annually, which were guaranteed to equal $250,000 per annum, to be paid by the company of construction which was also authorized to be formed, that Government was the ultimate, sole beneficiary of the enterprise, and the concessionary company was the temporary recipient of the tolls of the canal for its compensation or "indemnity."

MEANING OF "IMMEDIATE PROTECTION."

Colombia was making provision for the ownership of a great property that the success of the enterprise would certainly secure to it and the perpetual advantages that must accrue to its commerce, its national power, and domestic prosperity. To guard these rights and interests against all interference on the part of the concessionnaire and on the part of any government where the company was permitted by Colombia to reside, and to secure its right of immediate resumption of the property when for any cause the privilege should cease, the law of Colombia which enacted the concession expressly provides that the company of construction named in the act should be and remain "under the immediate protection" of that Government.

This "immediate protection" implies control, without which protection would be a dangerous undertaking to a government. But if the meaning of these words is limited to the narrowest signification, the "protection" has a clear and indisputable fact to give to it a definite meaning, namely, that permission is given to the concessionaire to reside in either of four foreign countries, and the "immediate protection" to be given by Colombia evidently means protection against the power of such country to dissolve the company, or to sell its rights under judicial condemnation, or to place its property in gremio legis, or to distribute its assets to creditors, or to create another company to take over the concession and assets, or authorize or decree the sale of them to a foreign country.

It is the "immediate protection" of Colombia, and not of France, that is provided for in the law of Colombia, and the protection extends to the company, to its creditors, and to all concerned in it. Yet French courts assume the right to give their alleged protection to this company without any reference to the power reserved to Colombia to give it. This protection is made still more specific by clause 5, of article 22, of the concession.

The question of the jurisdiction of France or her courts to give "protection" to the concessionaire or its successor is solved only by reference to the law of Colombia, as it was when that effort was made by the tribunal of the department of the Seine, December 14, 1888, and February 14, 1889, and by the French Assembly on July 1, 1893.

Colombia has never conceded to France or to her courts the right to protect the concessionnaire or its property; which right was reserved to Colombia in the concession, and especially Colombia never conceded the right to destroy the concessionary company, authorized and specially empowered by her statute to build the canal and to transfer that right by a judicial sale to a purchaser.

PROCEEDING IN FRENCH COURT.

The proceeding in the French court was based on the alleged ground that the stockholders had failed to be present at a called meeting in sufficient numbers to take lawful action on the question of the dissolution of the company; and that, under article 1871 of the civil code (of France), "the power of deciding finally whether the company, under the circumstances contemplated, can still continue its normal course, or whether its dissolution is rendered necessary by the very situation in which it is placed; that it is now established that the Compagnie du Canal de Panama has ceased to act in a regular way; that it has suspended payment upon its securities, and that the work on the canal is insured only for a very limited time; that since December 14 last it has been necessary to confide its management, provisionally, to appointees of the court; that these wholly provisional measures are now insufficient, or will shortly become so, and that it is important to ward off danger, the consequences of which will become irreparable. Considering, therefore, that there is occasion for pronouncing the dissolution of the company and providing for its winding up; that there is occasion, also, for ordering a provisional execution of this judgment, notwithstanding appeal and without security, applying article 135 of the code of civil procedure:

The court proceeds to its decree. This semitragic recital of the reasons and causes that are alleged to give jurisdiction to the civil tribunals of the Seine, to render these summary and fatal decrees, *presents* (if they are to be taken as true, as they must be taken) *the exact state of facts that creates a forfeiture of the entire concession, under article 22 of the law of Colombia, and give to its supreme court, expressly, the exclusive jurisdiction to determine*, and leave the property in the full ownership of Colombia. If that law of Colombia is valid, and was then in force, the French courts could not "protect" the company by declaring its dissolution, or hand over the property to a French liquidation. It was, all the time, the property of Colombia, to which, by the act of forfeiture, or by the dissolution of the company, Colombia's right of possession became perfect.

RIGHTS AND POWERS CONFERRED ON LIQUIDATOR.

But the French court went still further and conferred upon the liquidator rights and powers over the company and to the canal and its alleged assets that Colombia had never granted to the company and that would utterly destroy the rights of Colombia, as they are defined in the concession.

And the French court went still further, and, upon the facts recited, which are above copied, it decreed as follows:

For these reasons, pronounces the dissolution of the Compagnie Universelle du Canal Interocéanique de Panama and orders that it be wound up.

If that decree was valid, it at once devolved the title and the possession of all the property and property rights of the company in Panama upon Colombia under article 22 of the concession, and also under other articles of the concession.

The above-quoted recitals of said decree show that *the subject of the decree* and its purpose was coram non judice, and that the decree was an invasion of the rights of Colombia, as they are expressed in the concession, which was a part of the statutes of the company.

This being so, all the judicial proceedings that ensued in the French courts *fell with that judgment*, and the act of July 3, 1893, in aid of that jurisdiction, so assumed, is of no effect, and violates the rights of Colombia expressly reserved in the concession.

The effort of the French court to confer on the liquidator appointed by it "the broadest powers, especially to grant or contribute to any new company all or a part of the corporate assets, to enter into or ratify with the contractors for the Panama Canal all agreements having for their purpose the insurance of the continuance of the works, and to this end to contract all loans and form all sinking funds," is an exceedingly broad and startling assumption of jurisdiction, if such a thing is possible, under French laws.

A VIOLATION OF THE LAW OF COLOMBIA.

But it palpably violates the law of Colombia in at least two particulars: (*a*) "The broadest powers" of the concessionnaire company, or of any transferee of the concession, can be only such as are granted by the law of Colombia. The construction company can not possibly have rights or powers that are greater than those granted by Colombia as to the property in question. But that law is utterly disregarded by the French courts in this judgment. As to what is meant by the "broadest powers" is not stated, but the complete and exclusive ownership and the unabridged power of disposal are necessary to fill up the measure of such "broadest powers." The subsequent action of the French courts and of the French Government accords with this definition, which far exceeds any powers conceded to the Panama Canal Company by Colombia. There is a studied silence in all the proceedings of the French courts and of the French Government as to any rights, or interests, or powers of control by Colombia over its own concessionnaire, to whom it gave all it possesses, even to its name and its authorized places of residence.

BASIS OF CLAIM FOR FRENCH JURISDICTION.

It seems to have been concluded that because the company could select its residence at Paris, that fact alone, which is the only fact that connects it with France, authorized the French courts to take as complete jurisdiction over it as if its existence and all its rights were authorized by French law instead of Colombian law, even to the extent of its dissolution by their decrees, including the discretionary disposal of its property through a liquidator. And it was further assumed that the French Assembly could ratify such procedure by statute and prevent creditors from controlling or conducting suits to recover their debts and bar their rights of action against the company unless the appointed agent of the court to represent them should sue in his own name within a certain limited time, even though the debts are due to Colombia. These were the rights of Colombia, reserved, necessarily, in the concession, and not the rights of France or of her courts.

There was never so sweeping and potent a jurisdiction, founded on so slight a basis, as the mere fact that a foreign company or corporation chose to take up its residence in Paris—one of four cities named by Colombia among which such a residence could be selected.

No French law was required to authorize that residence, or, *if any such law was required, it can not be true that France has no legal connection with the Panama Canal Company.* If the residence of the company in Paris was merely through the tolerance of France, by international comity, that courtesy, at least, should have caused France to abstain from a course of legislation that was calculated, if not purposely devised, to keep the administration of all the affairs and property of the canal in the hands of Frenchmen, even after a French court had destroyed the concessionary company by decreeing its dissolution.

FRANCE CAN NOT ESCAPE RESPONSIBILITY.

France can not thus violate the rights of Colombia and of the shareholders, bondholders, and general creditors of the Panama Canal Company without responsibility, and can not escape that responsibility by asserting that *as a government she has had nothing to do with the company.*

Somebody or some government still owes these debts, and the French courts admit the equal validity of all of them, according to their respective priorities, by decreeing that 60 per cent of the money arising from the sale of the concession and the other assets of the old company and the new company to the United States shall go to the liquidator, and shall be applied by him to all of these debts. They are not paid, nor are they dead in law, and the French courts hold that they are entitled to share in this fund.

COLOMBIA BOUND FOR BONDS ISSUED BY OLD PANAMA COMPANY.

If Colombia has become or shall become a party consenting to all these proceedings, or if she is not such a party, *she is bound for every bond issued by the old Panama company and for all the other debts of that company contracted for material furnished or work done for the canal.*

Such obligations, contracted by a sovereign power, are not collectible by law, but under the morality of the laws of nations they are of much higher obligation than the debts of persons or corporations, for that reason. In the moral law, then, Colombia is bound for these debts on the following grounds:

First. Colombia is the chief and real beneficiary of the work agreed to be done on the canal.

Second. The lands granted by her in all cases are given, as are all the other privileges, in lieu of money compensation, to indemnify the grantees "for expenses incurred by them in constructing, operating, and maintaining the canal" (art. 14). The compensation for the concession, to be paid to Colombia, is "shares" amounting to 5 per cent of the gross receipts obtained by the enterprise * * * during the first twenty-five years after the opening of the canal, and 6 per cent for the second twenty-five years, and 7 per cent for the third twenty-five years, and 8 per cent until "the termination of the privilege."

It is understood that these shares shall be reckoned, as has been said, on the gross income from all sources without any deduction for expenses, interest on shares, or on loans or debts against the company. The company guarantees to the Government of Colombia that the share of the latter shall not be less than $250,000 a year (art. 15). With these and other rights and interests of a public nature in the canal and its income, Colombia also reserves the right to inspect the accounts and to "*intervene*" in the management of the company through an agent in the board of administration. Colombia is in every sense the principal in the enterprise, and the company was its agent with a limited authority.

Among the powers conferred on this agent was "that it shall undertake the execution of the work, taking charge of all financial transactions that shall be needed" (art. 18). The money was intended to be raised by the sale of interest-bearing stocks and bonds to build the canal. All that such contributions would add to the value of the enterprise was to be the property of Colombia, without compensation to the company, at the end of the "privilege," or whenever the privilege should cease because of forfeiture.

If the company failed to complete the canal within the time prescribed in the concession, so that all the work done and all the machinery of the plant and all the material accumulated fell into the hands of Colombia, such a forfeiture, or a forfeiture for any other cause, would neither pay nor extinguish the bonds, but they would become the debt of Colombia, rightfully or morally, and the acquisition of the property by her would create an implied promise, upon good consideration on the part of Colombia, to pay the debts it had authorized and empowered the company to create.

This obligation has even a firmer and clearer basis in the fact that Colombia had sent this company out into the world to raise money and expend it upon a work in which she had the largest interest, and had thereby constituted the company its agent to create debts for her benefit in a manner which is prescribed in the concession. If a private person or a corporation or a partnership should do what Colombia has done, no court in Christendom would exonerate him from such debts.

THE NECESSARY CONCLUSION.

The necessary conclusion is:

1. That these debts are not paid, but are valid and in full force.
2. That Colombia is justly bound for their payment.
3. The courts in France and the French Assembly had no power to dissolve the Panama Canal Company, or to provide for the sequestration of its property, or the property of Colombia in the canal, in the hands of a liquidator.
4. That no power existed in those courts to make a judicial sale of that property, and to transfer the debts, due the bondholders, to the proceeds of such sale for payment.
5. That if such sale has been made it is without legal authority.
6. That if Colombia has assented to such sale, it only makes her obligation to pay the debts contracted for the construction of the canal clearer and more imperative.
7. That the rights of Colombia are the same as if the decrees of the French court had never been made.
8. That, if a title to the concession of Colombia can be made to the United States, it can only be done by an act of the Congress of Colombia.
9. That no such act has been passed by that Congress.
10. If such an act is passed and a sale is made to the United States, in virtue of its provisions, Colombia *must warrant the title against all incumbrances, and, otherwise, it can not be satisfactory.*
11. That it is futile, and is in promotion of fraud and peculation, to pay $40,000,000 for a title, under French law, to real estate located in Colombia, *which instantly vested in full right, in the Government of Colombia, on the dissolution of the old Panama Canal Company, if that decree of the French court was valid.*

It being also manifest, in fact, and admitted in the decrees of the French courts, that the work on the canal could not be completed by the old company, and that said company had suspended business, leaving nothing that the old company or its liquidator could convey, and nothing to show for the $40,000,000, except that a so-called successor of the old company will consent to what Colombia has the legal, equitable, and moral right to do without such consent, viz, to sell the property or concede rights in it for canal purposes to the United States.

The work done on the canal by the old company belongs to Colombia, under the concession of 28th March, 1878, upon the facts stated in the decrees of the French courts. The contracts made with the liquidator of the old company, and with the New Panama Canal Company, if any, are *new contracts, upon new and*

valuable consideration, with many new provisions and agreements, on the basis of the first concession, but under new concessions.

Neither of these agreements exonerate Colombia from liability for debts created under the first concession, and, if the United States buys another and substituted concession from Colombia, *to be satisfactory, it should place the burden of the outstanding debts of the old company upon Colombia, by express agreement, and provide for the cancellation of the new concessions to the liquidator of the old company and to the new company.*

Colombia alone can procure the cancellation of those new concessions, and should do so, thereby relieving the United States from all possible complications with France and from all the doubts and contentions about the deraignment of a title through the proceedings in the French courts, *and from the fatal error of accepting a title from the new Panama Canal Company*, without warranty or security, upon the mere opinion of lawyers, however wise and learned they may be.

This is the only safe or satisfactory course that can be taken.

12. Another matter that is of the deepest concern to the honor of the United States is, *that every stockholder in the old company is bound to the creditors of that company by mutual, express agreement for a sum equal to the face value of the shares held by him for the payment of those debts.* If the United States makes an agreement with the new canal company that will transfer the rights of those creditors to the sum it will pay for the property, and it is accepted by the liquidator, as is proposed, as a full satisfaction of those debts, there will rest upon the United States the odium of sacrificing hundreds of millions of dollars of debts due to honest and innocent creditors for the sake of a bargain in the price of the property, and the still greater discredit of having obtained that property for about one-third of its appraised value.

13. This just odium will grow into a national scandal when the world turns to the report of our Isthmian Canal Commission of November 30, 1901, and finds in that report the facts and statements which show that the title we purchase from the New Panama Company was obtained from the liquidator of the old company by men who had robbed and defrauded the old company, and that some of them had been convicted of this crime in the courts of France, and had been forced into the organization of the new company, and to make cash subscriptions to its capital stock in settlement for those frauds and in condonation for those crimes. It is still a darker fact that they are to be fully repaid from our Treasury for all that they put into the new company, while the real creditors will get little or nothing on their just claims. To pay $40,000,000 to such men for such a little as they can convey is a task that Colombia should assume, even if we have to pay that vast amount in order to make Colombia free from obligations to them, and to enable her to deal, without obstruction, with the United States for full and unembarrassed canal concessions.

DISINGENUOUSNESS OF THE NEW PANAMA CANAL COMPANY.

The New Panama Canal Company, in the many attempts it has made to shove off a desperate enterprise upon the United States, has never, honestly and frankly, stated the facts of those transactions, but has practiced concealment and duplicity with adroit and persistent importunity.

Let Colombia, who has been so heavily paid for this extension of its concessions to favor this dangerous play, deal with the company that has pushed its aggressions until it has embroiled Colombia in civil war.

In further discussion of this subject, if need be, the opinion of the Attorney-General on the laws of France, on this subject, will be next considered. What has been said above is based on the law of Colombia, granting the concession to the International Interoceanic Canal Association, and its effect upon the title of the New Panama Canal Company derived through the proceedings in the French courts and the French Parliament. The validity of those proceedings under French law is not a material question if they are void, because they violate the law of Colombia, from which these concessionaries derive all their essential rights, privileges, and powers. But we will proceed to reply to the opinion of the Attorney-General, which relates only to the laws of France.

RIGHTS OF CREDITORS.

Mr. President, the rights of the creditors of the old Panama Canal Company, including the holders of the interest-bearing stock, are independent of the powers of France to destroy them, and are entitled to the respect and the conscientious regard of all nations, and especially of a nation that buys the property that their money created.

No valid judicial or legislative action has been taken in France that affects the rights of the general creditors or of the bondholders or stockholders of the old Panama Canal Company, or that affects the rights of Colombia, and Colombia alone has the right to demand the action of the courts on her rights under the concession.

Such proceedings as were taken in France are void as to these parties. They were also void as to the Government of Colombia at its option. Colombia never assented to these proceedings, but she accepted the situation created by them, upon conditions, a year and ten months after the date of the decree that dissolved the old Panama Canal Company, for a consideration of $2,000,000 in gold and $1,000,000 in stock in the New Panama Canal Company. One of these conditions expressly forbids that company selling any of the property to anybody. This prohibition rested on the property at the time the French courts authorized its sale, but our Attorney-General paid no attention to that fact.

For this important money consideration, paid to Colombia by the liquidator of the old company out of its assets, and to secure the possible completion of the canal after the liquidator had experimented on the work from February 4, 1889, to December 10, 1900, at a tremendous expense, and had reached the conclusion *to abandon the sea-level canal* on which more than $240,000,000 had been expended, Colombia accepted the situation and made through the liquidator of the old company a prospective agreement with the New Panama Canal Company, *thereafter to be created by him*, for the completion of the canal *on the new plan of a canal with locks.*

This was a new and distinct contract, in which the stipulations of the contract of 1878 were incorporated, by reference, so far as they were not changed by the new concession. This changed contract contained the prohibition against the sale of the property, *and it antedates those decrees.*

De Lesseps did not consent to this change of plan; he had dropped out of the entanglement. He soon went to his grave, under sentence to the penitentiary—a vicarious sufferer for the crimes of others, some of whom became stockholders, by compulsion, in the new company, and thereby obtained condonation of their crimes and acquittances of their debts to the old Panama Canal Company.

NONACCEPTANCE OF CONSTITUTION AND BY-LAWS OF NEW PANAMA CANAL COMPANY BY CONGRESS OF COLOMBIA.

The Congress of Colombia never accepted the constitution and by-laws of the New Panama Canal Company after it was organized, and could not have done so under and in accordance with the law (107) of December 26, 1890. (Report of Attorney-General, p. 170.)

PROVISIONS OF LAW NOT COMPLIED WITH.

That law contained several conditions that were not complied with in the by-laws of the New Panama Canal Company. Among them are the following:

ART. 1. The Government grants to the receiver of the Compagnie Universelle du Canal de Panama an extension of ten years, in which the canal is to be finished and put in public operation. The said extension is consented to subject to the following conditions:

First. The concessionary agrees to transfer all the plant of the company in liquidation to a new company, which shall undertake the completion of the work of the interoceanic canal.

Second. The new company shall be formally organized with a capital sufficient for this purpose, and shall resume the work of excavation in a serious and permanent manner not later than February 28, 1893.

INADEQUACY OF CAPITAL OF NEW PANAMA CANAL COMPANY.

When the organization of the New Panama Canal Company was completed June 26, 1894, the capital was fixed at 65,000,000 francs, or $13,000,000 (report of Attorney-General, p. 200). A sum so small for the completion of such a work, one-third of which had already cost the old company $260,000,000, was a palpable violation of the above-stated condition that "the new company shall be formally organized with a capital sufficient to finish the canal and put it into public operation." Such an amount of capital for such a work is either a patent fraud or it proves that the new company was no more than an experiment which, if successful, might again command public confidence, which had been completely withdrawn from the enterprise.

DESTRUCTION OF RIGHTS OF UNITED STATES DURING WAR.

A very significant and important provision of the Colombian law 107, of December 26, 1890, is as follows:

ART. 9. All rights and obligations created by the contract of March 23, 1878, for the opening of an international canal across Colombian territory, approved by the law 28 of the same year, shall continue in full force and vigor without other restrictions and modifications than those contained in the present contract.

This law destroys the right of the United States to send its ships of war through the canal when engaged in war with any other power, under article 6 of the concession of 1878, as follows:

ART. 6. The United States of Colombia reserves to themselves the right to pass their vessels, troops, munitions of war at all times and without paying any dues whatever. The passage of the canal is strictly closed to war vessels of nations at war and which may not have acquired, by public treaty with the Colombian Government, the right to pass by the canal at all times.

The most earnest appeals were privately made to the French people to supply money to the enterprise, without any success,

and the liquidator, finding the ten years' extension granted by Colombia was too short a time, made an additional agreement with Colombia, for which he paid $4,000,000 out of the assets of the old company, for the two extensions.

This second contract of extension postponed the date for the completion of the canal until October 31, 1904. (This agreement is dated April 4, 1893.)

It contained new stipulations as to the rights of Colombia, which recognize the rights of Colombia under the concession of 1878, and are entirely inconsistent with the contention that those rights had been affected by the decrees of the French courts even to the slightest extent. Those stipulations are as follows:

ART. 6. The Republic shall enter into possession and ownership, without need of previous judicial decision and without any indemnity, of the canal itself and the annexes dependent thereon, in conformity with the contracts of 1878 and 1890, in each of the following cases:

If the new company shall not be organized within the period fixed by article 1;

If the work shall not be resumed within the period fixed by the same article;

If the receiver sells the property which is to belong to the Republic in case of lapse or abandons its maintenance, all in conformity with the provisions of the previous contracts, saving and excepting deterioration arising from use, unavoidable causes, or from accident;

If the inventory mentioned in article 7 of the present contract shall not be made;

If the conditions of article 2 of the same contract shall not be fulfilled.

This is not a recognition of any right of the liquidator in the lands or canal privileges in the canal zone created by the judgment of the French court. On the contrary, it preserves all the rights of Colombia reserved in the concession of 1878 and the agreement of 1890 and forbids the liquidator selling "the property, which belongs to the Republic in case of lapse or if the company abandons its maintenance."

No record in France, legislative or judicial, and no record of Colombia shows any act of Colombia that dispenses with this prohibition or that consents to or ratifies a sale of the canal property by the New Panama Canal Company or by the old company.

The rights and obligations due to bondholders and others who loaned money to build the canal arose out of the law of 1878, under all its provisions, and especially under articles 15 and 17 of the concession to the old company. These rights and obligations were reaffirmed as to their validity and binding force by the agreements for both extensions of the time for completing the canal.

POWERS OF THE LIQUIDATOR.

The French courts, in the appointment of a liquidator for the old company, conferred powers upon him that substituted his discretion in place of the rights and obligations due to bondholders, stockholders, and creditors of that company, and Colombia, in the provision above quoted, repudiated the alleged force and effect of such decrees, and claimed the right to direct the disposal of the assets of the old Panama Canal Company by the liquidator. If the property belonged to him, under the decree of the French court, Colombia had no just claim to it, and he had no occasion to bargain with Colombia about it.

But the creditors, bondholders, and stockholders of the old company had rights and obligations due them, all relating back to the law of Colombia of 1878, which remain undisturbed by the action of the French courts in dissolving the old company, because their decrees were void when made, upon the state of facts then existing, and are undisturbed by the action of Colombia, and Colombia did not need the law (107) of December 26, 1890, to preserve her rights. It was upon her rights, and not upon any rights vested in the liquidator of the old company, that she based her law of December, 1890, and her contract of 1893, with the liquidator of the old company.

DEBTS AND OBLIGATIONS OF THE OLD COMPANY.

The question whether the New Panama Canal Company can make a satisfactory conveyance of the property it took over from the old Panama Canal Company, *free from incumbrance*, even if it is confined to the strict technical view of the question as one of legal title, depends upon the other question, whether the debts and obligations of the old company are a charge on that company.

The property of the debtor is the common pledge of his creditors, and the proceeds thereof are distributed among them pro rata, unless legitimate causes of preference exist among creditors. (French Civil Code, by Cochard, section 2093.)

A successor to property is not a purchaser in good faith for valuable consideration. He takes the property of a dead man, or a dead company, subject to the rights of creditors. This is true of a liquidator, who is only a custodian of property; first, for the creditors and then for the company. He has no personal right in the property and no personal right to dispose of it.

DEBTS OF OLD COMPANY FOLLOWED THE PROPERTY.

This is universal law and is especially the law of France. It is also the law of Colombia, which created the old Panama Canal Company, and is preserved in the later law of Colombia, which assented to the transfer of the concession of 1878 to the new canal company with changes and modifications. So that, if the old company was dead, under the decree of February 4, 1889, its property was charged with its debts by operation of law and the agreement with the new company quoted above continued that charge, notwithstanding anything the liquidator had done in the meantime to remove it. The property was not sold free of incumbrance by the liquidator to the new company. It was *contributed by him* to increase the assets of the new company, in which he took stock for the old company, as liquidator.

But the French courts could not dissolve the old company, because it was under the immediate protection of the Government of Colombia, or, if it could dissolve the company, it could not extend its decree so as to affect any right to Colombia. They could not transfer the property in Panama into the hands of a liquidator, *because it was in Colombia and was under that protection*, and because the concession provides that, on the failure of the company, its property in Panama should revert to Colombia.

French laws have no force in Colombia to take real estate into the custody of the French courts and control and administer it; and Colombia's law of concession of May, 1878, reserves that right to that Government, under the right to take the company into its immediate protection, and by reason of the fact that the old company never owned an estate in the land in the canal zone, but only a privilege or easement, for a limited time and upon conditions that would terminate the privilege, at the option of Colombia, *without any necessity for judicial proceedings in Colombia or in France.*

Thus a double barrier of law is erected against the powers conferred by the French courts upon the liquidator appointed by them. It was an excess of jurisdiction that fell beneath the sovereign powers of Colombia.

It did not even have a pretense of existence growing out of the by-laws or statutes of the old company.

The assests of a joint stock company, for the payment of its debts, include the personal liabilities of the stockholders for such debts, and the liquidator, like the receiver of a national bank, is bound to collect such assets and apply them to the debts. If the validity of the sale to the United States depends on the act of Colombia, she can not free the property from liability to creditors by merely selling it to the United States.

In the by-laws of the International Interoceanic Association and its transferee, the old company, *the liabilities of stockholders to the creditors of those companies is fixed at a sum equal to the face value of the stock.* This is a personal liability resting on more than 500,000 stockholders in France.

The stock of the company and the privileges under the concession constitute the real capital of the company and are its only assets; but this stock is interest-bearing, and in that sense it is also a debt of the company to the stockholders.

All these stock subscriptions were assets and were attempted to be swept into the hands of the liquidator by force of the decree of the French courts, yet by his subsequent contract with Colombia they were preserved in full value as assets which were required to be turned over to the new company. If they went into the hands of the new company, the creditors can follow them, *and a sale of the property received from the old company does not cut off the rights of the creditors as against the property of the stockholders or as against the property of the company.*

The New Panama Canal Company took all these assets without paying a dollar for them and with full knowledge of the rights of creditors, toward whom the liquidator held the relation of a trustee by operation of law.

In the law (107) of Colombia of December, 1890, all the assets of the old company are agreed to be transferred to the new company. Section 2 of article 1 (page 170 of the Report of the Attorney-General) read as follows:

First. The concessionnaire agrees to transfer all the assets of the company in liquidation to the new company, which shall undertake the completion of the work of the interoceanic canal.

If he ever had the right to complete the canal, it was his duty, as liquidator, to do so. If he had not the means to complete it, his duty was to turn it over to Colombia, and that was the legal effect of what he did when he agreed with Colombia to create a new company to take over the assets and complete the canal. *All the powers in France could not do that without the consent of Colombia and of the creditors of the old company.*

BOTH COMPANIES DESTROYED.

If we buy the canal, and thereby prevent the new company from completing it, and destroy the power of the liquidator, who has conveyed all the assets of the old company to the new company, we thereby prevent him from collecting these debts from the stockholders, and we also dissolve the new company. But the French courts have not appointed a liquidator of the new company to collect these debts for the benefit of the creditors of the old company, and so they are cut off. *Both companies are destroyed, and no liquidator is appointed for the New Panama*

Canal Company. These assets amount to more than 600,000,000 francs, and the creditors are left with an almost infinite power to harass us with lawsuits, because after all, we become the successors of the new company when we buy its concessions and its property rights, and we thereby destroy it, as all the learned counsel admit will be the result.

LIQUIDATOR NOT AUTHORIZED TO PURCHASE STOCK IN NEW COMPANY WITH ASSETS OF THE OLD.

These complications in the situation account for the curious and unheard-of provisions in the by-laws of the New Panama Canal Company that the liquidator of the old company has contributed (not sold) all of its assets to the new company, and then, "as liquidator," has taken stock in the new company to the amount of 17,000,000 francs, which stock, of course, becomes assets of the old company. *The contract of December, 1890, did not authorize the liquidator to purchase stock in the new company with the assets of the old company, yet he purchased stock with those assets to the amount of 17,000,000 francs, thereby creating a debt against the new company for that amount.*

This fantastic combination was evidently intended to bind the stockholders of the old company, as stockholders of the new company, to any disposition of their property—viz, the whole of the assets of the old company—that the new company might make of it. It was a virtual seizure and confiscation of the property of the stockholders of the old company.

This contract puts property that cost the stockholders of the old company $260,000,000, against 65,000,000 francs or $13,000,000 of capital stock in the new company, and gave to them in payment nothing. This arrangement was in open violation of the contract with Colombia, because the entire assets of the old company were agreed to be put in against sufficient money to complete the canal to be furnished to the enterprise by the New Panama Canal Company. Only 60,000,000 francs was subscribed, when the completion of the canal will cost $144,233,358, according to the estimates of the Isthmian Canal Commission.

Besides, it took 17,000,000 francs of money of the stockholders in the hands of the liquidator and invested it in the capital of the new company and left them bound personally for more than 600,000,000 francs to the creditors of the old company.

If this sort of legerdemain is good in French law, it can not be "satisfactory" to the American people until the creditors of the old company are paid or provided for to their satisfaction.

It is enough to justify such dissatisfaction, that the New Panama Canal Company and the liquidator of the old company have involved themselves in this curious imbroglio, without our being required to work out the problems as to what company or parties are responsible for the collection of this unpaid stock, and whether the creditors have not lost the benefit of it.

It is unpaid stock, because it is due to the creditors upon an assessment made by the law, upon the stockholders of an insolvent company up to the amount of the face value of the stock held by them, although they have once paid it to the company.

It is the duty of the liquidator to collect this assessment, and when collected it goes into the general fund for the payment of the debts of the company.

DISSOLUTION OF OLD COMPANY REINSTATED COLOMBIA IN FULL OWNERSHIP AND POSSESSION OF CANAL PROPERTY IN PANAMA.

This artful and intricate plan for smothering the demands of the bondholders of the old company and of relieving its stockholders from their liabilities fails because, in dissolving that company, it defies the laws of Colombia and the by-laws of the old company, and *because the dissolution of the company, if it was valid, ipso facto, reinstated Colombia in its full ownership and possession of the canal property in Panama, leaving nothing that is covered by the concession of 1878 to pass, by the decree of the court, to the liquidator.*

The Congress of Colombia never accepted the organization and by-laws of the New Panama Canal Company, which was a broad and open violation of the conditions of the contract of December 10, 1890. Nothing has been done under that contract which estops Colombia or any creditor or stockholder of the old company from setting up this breach of the contract as a fraud upon their rights.

The new company could not be organized under that contract to complete the canal without "capital sufficient for this purpose." To organize the new company with only 60,000,000 francs when it would cost at least 721,166,790 francs to complete the canal was a fraud of the most flagrant character, and Colombia has never ratified it.

After these agreements with the liquidator were entered into by Colombia it was found that the capital stock of the new company could not be raised above a cash subscription of 60,000,000 francs and that no money could be raised by the sale of bonds.

This effort was urgently pressed by the then liquidator, Mr. Monchicourt, for more than two years.

MR. MONCHICOURT'S EFFORT TO HOLD CANAL PROPERTY IN FRENCH CONTROL.

In Document No. 54, part 2, Fifty-seventh Congress, first session, page 27, the Isthmian Canal Commission, with striking French accent, give the following story of Mr. Monchicourt's great effort to hold the property in the grasp of the French courts and the General Assembly of France, instead of permitting it to revert to Colombia, as the contract of May, 1878, required, on the forfeiture of the concession:

Early in 1892 Mr. Monchicourt had foreseen these difficulties which, in the name of private interests, seemed likely to baffle all his efforts and to imperil forever the reorganization of the work by rendering its vast assets and resources unavailable.

He had called the attention of the governmental authorities to the peril of the legal situation as regarded such suits, and had proposed, with a view to the transfer of the assets to a company organized for the completion of the canal, or at least with a view to an equitable division among all the bondholders, a special legislative modification of the case of the interoceanic canal.

He actively resumed his efforts after the judgment of January 26, 1893, and soon won his case.

The very important law of July 1, 1893 (article 2), provided that "actions of any kind which the bondholders of the Universal Interoceanic Canal Company had, whether against the legally appointed receiver or against the managers as being responsible, or for restitution for any other cause, should be brought by an attorney appointed at the request of the procurator of the Republic practicing before the civil court of the Seine by a judgment rendered in the council chamber."

The court of the Seine thus appointed, July 4, 1893, Mr. Lemarquis attorney for the Panama bondholders.

According to this law (article 1) all similar proceedings then before the courts were suspended.

By securing, April 4, 1893, at Bogota *the contract authorizing a second extension*, and, July 1, 1893, by the agreement of the governmental authorities in France, *the special law for the liquidation of the Interoceanic Canal Company*, Mr. Monchicourt had, notwithstanding the extreme difficulties of that time, prepared the way for the reorganization of the work. Illness did not long permit him to enjoy the success of his efforts.

On the 21st of July, 1893, the state of his health compelled him to secure from the court of the Seine the appointment of Mr. Gautron as coreceiver. Messrs. Monchicourt and Gautron worked together until March 14, 1894, on which day Mr. Monchicourt died.

There remained but a short time to effect, before October 31, 1894, the actual reorganization of the enterprise.

To this end Mr. Gautron, the receiver, and Mr. Lemarquis, the attorney for the bondholders, secured, by a *series of compromises*, from the managers of the old company, from the credit companies, from the contractors, and from a certain number of persons to whom various securities had been assigned, their *cooperation in the new work*, in the form of a *subscription to shares of the company for the completion of the canal;* the amount necessary to complete the full sum was to be asked of the bondholders and shareholders of the old company.

The by-laws of the New Panama Canal Company were regularly filed on the 26th of June, 1894.

The capital of the company was divided into 650,000 shares of 100 francs each, 600,000 of which were to be subscribed for; 50,000, wholly unincumbered, were to be sent to the Colombian Government in pursuance of the laws and contracts authorizing the extensions.

The assets of the old company were transferred by the receiver to the new company, with precise enumerations and on terms which were clearly defined by the by-laws. These arrangements relative to the transfer of the assets were confirmed by the civil court. The court set aside objections of third parties which had been presented either with a view to protecting the general interest, by Mr. Lemarquis, or in behalf of private interests.

The new company was thus definitely established.

"The judgment of January 26, 1893," referred to with such emphasis in the foregoing extract, nowhere appears in any of the history of this transaction presented to Congress by the Attorney-General or by the Isthmian Canal Commission. But Mr. Monchicourt found that judgment and all prior judgments of the courts of France insufficient as a support for the title to the property attempted to be conferred upon the liquidator by the decrees of the court, and equally insufficient to give confidence to the people of France, so as to induce them to invest additional money in the New Panama Canal Company, and he appealed to the French Government for assistance and relief, and it was granted in the act of July 1, 1893.

It is very difficult under these circumstances to find a semblance of truth in the contention that France as a government never had any connection with the old Panama Canal Company or with the New Panama Canal Company.

Viewed in the light of indisputable facts, such contentions can not be "satisfactory."

COLOMBIA'S WAITING POLICY.

After the New Panama Canal Company had secured $3,000,000 gold in selling new concessions and promulgations of older ones to the liquidator, which was paid out of the assets of the old company, the 5,000,000 francs paid-up stock in the new company was provided for as a bonus to Colombia. She was, apparently, content to await the expenditure of more money on the canal and in the improvement of the railroad, knowing that in any event they would both revert to her without compensation, and confidently believing that the forfeiture of the concession would soon place the canal in her possession, with all the plant and material needed for its final completion.

Colombia was quite content to make progress with leisurely steps.

PRELIMINARIES TO UNLOADING ON UNITED STATES.

The work of completing the canal on the plan of locks and dams went on from February, 1889, to April, 1900—eleven years—when

it became manifest that the canal could not be even one-third completed by 31st of October, 1904, when the concession would terminate.

In this distressing condition the New Panama Canal Company, which had not yet so far progressed as even to determine the plan on which the canal should be constructed, whether with two levels or three levels, began to look around for the opportunity to unload its enterprise on the United States.

In preparation for this it set about to procure an additional prolongation of the life of the concession of April 4, 1893, and on April 23, 1900, it bought from the President of Colombia for 5,000,000 francs in French coin, to be paid in Paris, a prolongation of the extension for six years from the 31st of October, 1904. This proposed agreement was laid before the Congress of Colombia and was rejected.

The constitution and the laws of Colombia required that such contracts should be confirmed by Congress, but the President of Colombia, in violation of both the laws and the constitution, signed the contract and received the $1,000,000 in gold from the New Panama Canal Company.

The house of representatives thereupon voted that the office of President of Colombia was vacant, and dissolved.

Civil war was then begun, and has continued throughout Colombia from that time for nearly thirty-six months.

NEW CONCESSION TO NEW PANAMA CANAL COMPANY.

Whether it has been done rightfully or wrongfully as to the just claims, demands, and debts of the stockholders, bondholders, and creditors of the old Panama Canal Company, Colombia has granted a new concession to the New Panama Canal Company, dated April 4, 1893, that refers to and repeats the stipulations of the concession of May 18, 1878, made to the International Interoceanic Canal Association and, in connection with it, to The Universal Interoceanic Canal Association, which is also a law of Colombia.

This new concession carries all the rights of the New Panama Canal Company now existing in Colombia.

That Colombia can convey these or other canal rights or privileges to the United States is a question that relates solely to her supreme power as a sovereign State. If she decides that she has this right, it is Colombia, and not the French courts, that cuts off the creditors from their demands against the property by making it impossible for the Panama Canal Company to complete its contract to finish the canal for the benefit of the creditors.

Colombia, as a government, has made no formal declarations of the forfeiture by the grantees of any concession she has made to any of these companies, nor has she formally taken possession of the property to which these concessions relate, in her sovereign right. Upon the facts as they exist Colombia has the clear right to resume the property covered by these concessions for the breach of the conditions on which the privileges were granted in these concessions, respectively, but it rests with her to assert that right or to waive or postpone it. She sells all her rights to the United States, in violation of the rights of the creditors of the company, and thereby she becomes liable for their just demands.

In dealing with Colombia the United States must assume that the concession of April 4, 1893, which expires on the 31st of October, 1904, is in force, and that it has about one year and seven months to run before it expires. No forfeiture has been declared by Colombia, but she agrees to sell the property to the United States with the consent of the New Panama Canal Company.

The New Panama Canal Company claims that it has a valid concession from Colombia for an additional period of six years from the 31st of October, 1904, which, if it is justly due to that company, would give it seven years and seven months to complete the canal. So the concessions are in full force and still support the debts that have never been paid or barred, and Colombia is bound to pay them or to repudiate them.

It is impossible to conceive that Colombia, exercising the sovereign right to convey this property to the United States, can do so and thereby cut off the creditors from the benefit of the agreement with the New Panama Canal Company and prevent that company from keeping their agreement, without at least a moral responsibility to those creditors.

NECESSITY FOR WARRANTY TITLE TO UNITED STATES.

In view of this situation, the requirement of the act of June 28, 1902, that the title of the property to be purchased from the New Panama Canal Company shall be satisfactory, must have a direct and inseparable relation to every fact that can cast a cloud of doubt upon it. *It should be a title that carries with it a warranty from some responsible source.*

Congress can not balance the account in the expenditure of $40,000,000 from the National Treasury with the voucher of the mere opinion of any lawyer, however great in talents, learning, or official dignity he may be, with no guaranty of title by a responsible vendor or guarantor. Such a title can not be satisfactory.

We could not accept such a guaranty, even from the sovereign Republic of Colombia, if we did not possess the power to enforce it vi et armis.

A weak power, such as Cuba, could not afford to accept the guaranty of Colombia to make good so doubtful a title. If a political party in Colombia in control of the Government should choose to repudiate such a conveyance, Cuba would be simply helpless.

COLOMBIA SHOULD GUARANTEE THE UNITED STATES AGAINST INCUMBRANCES OR LIABILITIES.

In the presence of such vital conditions we need and should require a guaranty from Colombia, at least, that if there are debts against the property we purchase, or claims that may be asserted by creditors or stockholders of the old Panama Canal Company, she shall guarantee us expressly against all such incumbrances or liabilities.

It is really at this point that Colombia bolts and adroitly arranges so that our dealings shall be with the New Panama Canal Company, for the purchase of its rights, or claims, including the concession.

Colombia proposes to look on, as a spectator merely, while we deal, on our own account and risk, with the New Panama Canal Company to remove an obstruction that stands in the way of her wish to deal with the United States in selling us a concession.

In other words, we are required to remove an incumbrance that rests on Colombia, at our own cost and risk, and to set her free from all obligations to the New Panama Canal Company, so that Colombia may be at liberty to deal with us in making changes in the situation created by the concessions to the Panama Canal Company.

We are required to purchase the shoes that are occupied by the New Panama Canal Company, and step into them, as a condition of our privilege of buying a further or different concession from Colombia.

When we have stepped into those shoes, if we should find them burdened with the claims of others, as to ownership, Colombia is willing to recognize the United States as the rightful owner, but is not willing to give her expressed guaranty of our title.

A VERY UNSATISFACTORY SITUATION.

This situation is neither satisfactory nor commendable. It does not comport with the duty of Congress, or the dignity or honor of the Government, nor is it safe as an international attitude. It was a false move that ever made it requisite that the Government of the United States, in the attitude of driving a bargain with the New Panama Canal Company, should employ the highest diplomatic agent of the Government—the President—in the conduct of a mere dicker with what the Attorney-General holds is a mere "private partnership." But Congress has imposed these duties upon the President, and the only door of escape from them is that the title he is to purchase is not satisfactory, and must be made "satisfactory," in compliance with the act of June 28, 1902.

As the President was to be satisfied before he could conclude the bargain, it is his bargain, but as the Senate or Congress must be satisfied before the possession of the property is accepted, it requires the expression of such final satisfaction to complete the contract.

Is the Senate satisfied, is the question that this body is required to answer. Into that discussion many questions and conditions must enter, and I will proceed to discuss some of them, not hoping to point out all the dangers and difficulties that environ the situation, but only those that are most prominent, in the limits of a reasonable time to be occupied in this wide field of discussion. To reach a conclusion that can be satisfactory we are confronted with a double negation that is at once unique and embarrassing as well as very complicated.

NOT OUR BUSINESS TO NEGOTIATE WITH NEW PANAMA CANAL COMPANY.

It was never, rightly or properly, any part of our business to conduct a negotiation with the New Panama Canal Company—the instrument of Colombia to construct the Panama Canal—a corporation of Colombia, and the guest of France, held by her laws and the decrees of her courts to obedience to the will of that Government.

In this twofold bondage, and without either the consent of Colombia or France, this company, that is the child of a double paternity, appears in the character of a corporation, and as an anonymous company, and as a "private partnership," to suit the necessity of its overtures to the United States, from time to time, as their conveniency has required, and, finally, to mix up its dealings with the diplomatic negotiations we have been and are now conducting with Colombia.

The law of Colombia positively forbids this company making any overtures to the United States for the sale or transfer of its concession.

Yet a government in Colombia that is called such by the utmost stretch of diplomatic fiction has authorized the New Panama

Canal Company to deal with us for that purpose. The Congress of Colombia alone has the power to allow such a sale by express enactment, amending or repealing the law of May 18, 1878.

Yet our Government has received, entertained, and accepted this offer regardless of the law and constitution of Colombia or the wishes of those people, and without asking France a question as to her consent or her wishes in the premises.

The New Panama Canal Company has thus pushed itself into the diplomatic arena and has made it necessary for the Senate of the United States to discuss and pass upon its pretensions as a diplomatic functionary and its character, its purposes, and its motives.

NEW PANAMA CANAL COMPANY SHOULD HAVE BEEN REPRESENTED BY FRANCE OR COLOMBIA, OR BOTH.

Colombia or France, or both, should have undertaken to represent this creature of manifold parentage and nondescript powers and attributes in its dealings with the United States, but our indulgence of its intrusions into affairs of state makes it necessary that we should deal directly with it.

France has remained continuously silent during this medley of bargain making and diplomatic negotiations, because her people are angered and disgusted with the Panama Canal scheme and she wishes to ship its remains to America for burial. She does not wish even to seem to have knowledge of the existence of the Panama Canal.

Colombia is anxious to become forever disconnected with the French exploiters of the Panama Canal, and especially to avoid liabilities for the debts created by them under her authority and for her benefit. These debts she can not escape, but must assume in equity and good conscience when she agrees that the New Panama Canal Company shall sell the property to the United States for a consideration to be paid to her and to that company.

So Colombia prefers that the United States should deal directly with the New Panama Canal Company in acquiring its so-called concession and property in order to avoid all responsibility for the debts of the old Panama Canal Company and all obligations to its shareholders. But those are obligations that neither Colombia nor the United States can escape, except by repudiation.

The subject with which we are dealing being thus artfully diverted between two directors, our attitude is painfully absurd and confusing.

"A SATISFACTORY TITLE."

The act of June 28, 1902, requires that a saisfactory title shall be obtained to all the property that the President is authorized to acquire.

Colombia can procure a satisfactory "title" to the canal property by simply clearing off the privileges and easements that are connected with her title to the soil in the canal zone or appurtenant thereto.

She has the clear and just right to do this by declaring the forfeiture of the property under the contract of December 10, 1890, clause 2 of article 1, because the New Panama Canal Company, as is now established, was not organized with a capital sufficient to finish the canal and put it into operation in 1904. But she has decided not to take this course. She is afraid to offend France by asserting her clear right to the forfeiture of the property and insists that the United States shall remove the Panama Canal Company out of her way.

Colombia can easily place herself in position to safely guarantee an unencumbered title to the United States. But that is what she artfully refuses to do. This would be satisfactory, as to the legal title to the property. Whether it would be satisfactory as to the future peaceable and safe occupancy depends upon several doubtful considerations.

PEACEFUL DISPOSITION OF PANAMA PEOPLE DOUBTFUL.

First. Whether, in the political agitation that has so long disturbed Panama, as to which we guaranteed the sovereignty and ownership of Colombia as against Panama in 1846–1848, we can safely rely upon the peaceful dispositions of the people of Panama.

This is very doubtful because of the great admixture of races and the low grade of people who occupy the canal zone and its immediate vicinity and the more important fact that the many feuds and battles that have occurred in Panama since 1845 have been usually between the old Spanish-American Church Party and the Liberal Party, and the issue as to the political separation of church and state has been usually between the old Spanish-American Church Party and the Liberal Party, and the issue as to the political separation of church and state is the same that has caused protracted wars for many years throughout Spanish America. If either of these parties grants concessions to the United States without the concurrence of the other party the dissentients will be enemies to the United States and especially to the canal.

UNHEALTHFUL CONDITIONS TO BE COMBATTED.

Second. Intimately connected with this situation is the preservation of peace and order in the canal zone and in its vicinity, and the indispensable necessity, caused by the climate and the topography of that region, for enforcing the most stringent regulations for the security of the health of the people there. The city of Panama, with thirty to fifty thousand population, at the south end of the canal, and Colon, with ten to fifteen thousand, at the northern end, both of them the habitat and nursery of yellow fever and other fatal diseases, will require rigid hygienic measures for the protection of human life there and in many other places that will be visited by ships that use the canal in their voyages.

A strong police or military force will be always required to meet these ever-present dangers.

INCLUSION OF PANAMA AND COLON IN CANAL ZONE NECESSARY.

Third. If the cities of Panama and Colon are not included in the canal zone, these dangers will be greatly aggravated, and the means of suppressing or controlling them will be greatly impaired. A joint control of these conditions will only add confusion and irritation to our imbecility, and will result very soon in hostility between Colombia and the United States.

A single responsible authority is indispensable to prevent or control these conditions as they now exist; and they will become more dangerous as the number of inhabitants increases.

If these dangers can not be provided against in a treaty with Colombia, the guaranty of a title to the property, free from incumbrance, would not make the title satisfactory.

TITLE FROM NEW PANAMA COMPANY ALONE UNSATISFACTORY.

A title to the property of the New Panama Canal Company, coming directly from that company, and without the guaranty of Colombia that it is free from incumbrances, or the expressed undertaking of Colombia to remove them, would not be a satisfactory title. It would be extra hazardous in this:

First. That Colombia is in equity and moral law bound for the bond debts of the old Panama Canal Company, created and sold to raise money to build a canal.

(*a*) These bonds were issued under the law of Colombia of May 18, 1878, which empowered the old Panama Canal Company "to take charge of all financial transactions which may be needed" in the construction and maintenance of the canal, and that law recognized bonds and debts and authorizations as being among such transactions.

(*b*) These debts were created for the ultimate, as well as the immediate, benefit of Colombia, as that Government, at the end of ninety-nine years, or sooner (in case of the forfeiture of the concession) was to receive, without compensation, all the property conveyed by the concession, with all the work done and all the improvements put upon the property by the canal company, and, in addition, a yearly stipend of $250,000, to commence from the beginning of the work on the canal. This money and $4,000,000 for extension of concession was paid out of these loans.

(*c*) One year and nine months after the French court had decreed the dissolution of the old Panama Canal Company, during which period the liquidator had the exclusive possession and control of all the canal property, Colombia entered into an agreement with the liquidator, which was enacted by the Congress of Colombia (law 107, of December 26, 1890), for which it was paid 10,000,000 francs gold, or $2,000,000, and in addition 5,000,000 francs of paid-up stock in a new company thereafter to be formed, to complete the canal, thus connecting every financial transaction from which Colombia received any money with the power she conferred upon the old Panama Canal Company to raise money by the issue of interest-bearing stock and bonds.

As a condition of this agreement Colombia required that the liquidator should transfer (not sell) all the assets of the old Panama Canal Company to the new company, so agreed to be formed, and that it should have sufficient capital to complete the canal, for which the time limit should be extended for ten years. These assets had cost the stockholders over $250,000,000 in subscriptions and in bonds, for which they are still liable to the bondholders to the amount of the face value of the stock held by them, respectively.

This contract is called an extension of the concession of 1878, but it was a new contract in which the terms of the former concession were retained.

Colombia became a party to this new contract and thereby renewed the contract of 1878.

In article 9 of the contract of 1890 it is provided that "all rights and *obligations* created by the contract of March 23, 1878, shall continue in full force and vigor."

These facts create an obligation on the part of Colombia to pay the bond debt of the old company that no company or private person could escape. If Colombia can escape them, it must be by an act of repudiation, which we are engaged in sanctifying.

This liability created by the acts of Colombia requires the Senate to insist that if the United States buys a concession from Colombia, she should expressly warrant the title against these and all other incumbrances.

AN INTERNATIONAL PUBLIC UTILITY.

Fourth. A title derived from the New Panama Canal Company, as transferee of the old Panama Canal Company, through a contribution from the liquidator of the old company of all its property and assets, takes its force and its legal character from the source that created its property rights and powers and authorizes the existence of the old company, and bestowed upon it the privileges, in virtue of which, alone, it could earn money in digging and operating an interoceanic canal across the American isthmus. Its character is that of an international public utility, and it is so denominated in the law of Colombia, from which it derived its legal existence. In Colombia it is a public corporation, having the power to assess, levy, and collect tolls on the ships, cargoes, and passengers of all nations and to make port and shipping regulations and enforce them by fines and penalties. Every feature of this corporation is marked as a public utility.

By the same name given to it in the law of Colombia—the country of its origin—the French Assembly conferred upon this company the benefits of the lottery laws of France, with conditions in respect of the machinery used in constructing its canal that it should be manufactured in France, and that all material used in the canal should be of French origin or production. The company used the privileges of the lottery laws to make money by the sale of lottery bonds, which went into its general assets.

France thus recognized the company, and thus endeavored to bring it within its sovereign power.

The French Assembly also enacted a law, August 1, 1893, nearly four years after the tribunal of the Seine had dissolved the old Panama Canal Company to regulate suits against the company and to confer powers upon its liquidator.

The acts of the French Government show an unmistakable assertion of rightful legislative authority over the old Panama Canal Company. This act was special and relates to "the Universal Company of the Panama Interoceanic Canal Company" by name, that being the name conferred upon it in the law of Colombia. It is impossible to believe, therefore, that France claims no right to control the action of this company in transferring its rights of every kind to a foreign government.

CONFLICT BETWEEN FRANCE AND COLOMBIA.

Colombia has never assented to the control that France or her courts have exerted over this company. But, finding that they had wrecked the canal enterprise, she made the best of the situation by consenting that the wreck should be contributed to a new company, on a new contract, upon a new consideration, to build a canal on a new plan.

If such action of France is void as against Colombia, as it is void, it can not be safely assumed, in dealing with the liquidator of the old Panama Canal Company or the new company, that France is not to be consulted in a matter so near her honor and so important to 1,000,000 French people who are in an angry mood over this affair. Her special statute gave the power under which the New Panama Canal Company was created, and all its dealings have been based upon that authority. The existence of the New Panama Canal Company dates from the French statute of July 1, 1893.

The opinions of the learned jurists that these companies and the liquidator are in no wise amenable to France, but are entirely independent of that Government, and that they are free to dispose of their property without the consent or the acquiescence of France are so much in doubt that they are not satisfactory. They rest their opinion, as the Attorney-General does, upon the proposition that, with reference to the property they offer to sell to the United States, they are only a private partnership; that the stockholders are, in fact, private partners, and are not subject to governmental inquiry as to what they may choose to do with their own property.

The resort to such impossible analogies to avoid the hazard of asking the consent of France to the sale of the property is not satisfactory and may become very perilous.

CORPORATE POWERS CONFERRED BY COLOMBIA.

All these learned lawyers omit to take any notice of the fact that these companies, except the New Panama Canal Company, derive their real corporate existence, rights, privileges, powers, duties, obligations, and restrictions, and their names from the law of Colombia and not from the laws of France. In France they only have permission to do what the laws of Colombia empower and require them to do.

The New Panama Canal Company, which was the creature of the French courts, was created to take over and execute the concession of May, 1878, made by the law of Colombia, and it was so empowered and directed to do by the French courts. It was the designated successor of the old Panama Canal Company and was intended to hold the same legal relations to Colombia that were held by the original concessionnaire and its successor—the old Panama Canal Company. As successor to the old company the new company could not escape the duties and obligations to Colombia that were imposed upon the predecessor, nor could it acquire powers from the French courts that were antagonistic to, or were superior to, or were in addition to those conferred by the (5) law of Colombia of May, 1878. Yet it assumed the power, *under the authority of the French courts*, to sell the canal instead of completing it, and to sell it and the concession made to the new company to a foreign government, for there is not a word in any record of a French court that takes any notice of the rights of Colombia, or assumes or admits that her consent has anything to do with the validity of such a sale.

NOT "ESSENTIALLY A PARTNERSHIP."

It was the omission to give due weight to these facts that has led to the capital error that the New Panama Canal Company is "essentially a partnership," and, "being a mere contractual obligation of a private partnership for the benefit of another private concern (the old Panama Canal Company), there is no principle of law which would make the new company unable, with the consent of the other contracting party, to make use of what belongs to it. There is no lack of power or vires." It is again said in the opinion of the Attorney-General, page 8, "The New Panama Canal Company is an anonymous *partnership* or association, composed of shareholders, which is a legal impossibility except it is under a law authorizing limited partnerships." This definition omits to notice the fact that Colombia defined this company as a universal joint-stock company, and the other fact that under the laws of France a "shareholder" does not have the rights or responsibilities of a partner. The French law is so clear and positive in making this distinction in the commercial code that "shareholder" and "partner" can not be synonyms.

And, further, it is said (same page), "The old company is an anonymous partnership, which *voluntarily* took the form of an anonymous association of shareholders," which is not correct in point of fact. There is no such thing in French law as an "anonymous partnership." If the company is anonymous, that fact shows conclusively that its members are not partners.

In its organization it took the name of the "Universal Interoceanic Panama Canal Company," which was given to it in the law of Colombia of May, 1878. That law incorporated the company by that name and gave to it all its essential powers, and declared that it was "a universal joint-stock company, under the immediate protection of the Government of Colombia."

In its formal organization, the company, which the law of Colombia required to be formed by its concessionnaire within a period of two years, declared its objects in four statements, and added the following, viz: "The whole according to the clauses and conditions of the concession, such as results from the law of the Congress of the United States of Colombia dated May 18, 1878 (law 28th of 1878)." This organization was duly recorded under the laws of France, and its by-laws became the law of the company, that no court could arbitrarily set aside, unless they violate the laws or public policy of France.

It was impossible under these laws that the old Panama Canal Company could be a "private partnership," or anything else than a public "universal joint stock company, under the immediate protection of Colombia," and its successor, the New Panama Canal Company, if it was ever a legal entity, could not be anything different from the old company, holding the same concessionary rights under the law of Colombia.

NECESSITY OF FRENCH PERMISSION FOR SALE OF CANAL.

A title derived from the New Panama Canal Company can not be satisfactory (at least to the laymen of the United States) which so heavily taxes the ingenuity of the lawyers of France and the United States as to reduce the great public International and Universal Joint Stock Company, created by a law of Colombia for the greatest work in the world, to dimensions and insignificance of private partnership.

And when this is resorted to for the purpose of avoiding the duty, if not the necessity, of asking France whether or not she is willing to permit the sale of the canal to the United States, so as to avoid any future complications with that Government or with the French people, the situation becomes embarrassing.

It carries with it a strong reminder that a vast sum is at stake upon this narrow and unsubstantial proposition, for which a desperate struggle is being made, and recalls the suggestion of the difficulty of getting a camel through the eye of a needle that is applied to the rich in a divine metaphor.

In several instances these companies are properly styled "corporations" by counsel in their arguments and by the courts in their opinions and decrees, yet the Attorney-General informs us that there are no corporations in France, and "that France passed, more than a century ago, through a revolution in which almost everything of that kind was destroyed as though by fire."

RIGHTS AND POWERS OF CORPORATIONS UNDER THE CIVIL LAW.

It is not a satisfactory inference from so surprising a statement that the entire foundation of the civil law as to the rights and powers of corporations as they were laid down by Domat—the

most illustrious jurist that France has produced—were all torn up and destroyed by any revolution that has occurred in that nation. France has never swept away the fundamental distinction between partnerships and corporations, nor that between partners and shareholders in anonymous companies or associations.

Domat, in his incomparable work on civil law, in 1694, says, under the head "Communities and corporations," in volume 1, section 1435:

For, as particular persons have their rights, their privileges, their estates, their affairs, their burdens, so these communities have likewise theirs; but with this difference, among others, that whereas every particular person is master of what belongs to him, and disposes of it solely according to his own will and pleasure, if there be no obstacle in the way, such as a minority, or some other incapacity, no one of the particular persons who compose those communities, *nor the whole body together*, have that right; nor can they dispose in the same manner of what belongs to the community. Thus, they can not alienate their estate, except for just causes and according to the formalities prescribed by law; which is founded upon this, that those communities being erected, whether they belong to the church or state, with a view of promoting thereby the public good, which requires that they should always subsist, it is necessary that they should not be at liberty to alienate their estates without just cause, that they may not have it in their power to ruin this foundation, which makes them to subsist for the public good.

Colombia declared in her law that "the enterprise of the canal is reputed to be of public utility," and "that as this enterprise is essentially international and for public utility it is understood that it shall always be kept free from political influence."

NOT SWEPT AWAY BY FRENCH REVOLUTION.

No storm of revolution in France, whether it occurred before or after the old Panama Canal Company was organized, could so far destroy this safeguard that Colombia provided for its enterprise as to change the character of the company instituted to work out its concession from a universal joint-stock company into a mere private partnership, and no such storm could sweep away the foundations of the civil law so as to leave public and private corporations and joint-stock companies in the chaotic situations described by the Attorney-General.

FRENCH CIVIL LAW THE CIVIL LAW OF COLOMBIA.

The civil law as declared by Domat *is the civil law of Colombia*, and is in perfect accord with the common law of England and of the United States, as declared in many cases by our Supreme Court.

The old Panama Canal Company failed to meet its debts, and the French courts caused its property to be turned over to a liquidator while it was still at work on the canal. He tried for more than four years to keep the canal enterprise afloat. Many attachment suits were brought against the company, and the French people were aroused and indignant at the peculations that had robbed the company of large sums and left the stockholders, bondholders, and creditors helpless; and a race of diligence began between the creditors to seize the assets of the company.

The courts had seized the property on the alleged ground of public duty to protect the canal property and dissolve the old company to prevent its interference with the courts, and prevented it from its rightful power of surrendering the concessions and property to Colombia. A scheme was devised to purchase an extension of the concession from Colombia for 10,000,000 francs and to form a new company to work it out. The courts could not enjoin creditors and others from bringing suits, and had doubts about their power to authorize the liquidator to make an arrangement with Colombia. The first concession expired on the 5th of July, 1891, and Colombia did not agree to an extension until December 26, 1890, and that agreement, which was conditional, did not become effective by the creation of the New Panama Canal Company to receive it until the organization of that company on the 20th of October, 1894.

In the meantime the first concession had expired and the courts were holding on to the concession and the property, under a conditional agreement of Colombia that was never complied with, by creating a company "with capital sufficient to complete the canal." Doubt and distrust attended every movement, and the conditional agreement with Colombia gave breathing time to the French courts and lawyers, while it gave Colombia the opportunity to accept the fact that the old company had forfeited its privileges and to accept $2,000,000 in payment for a new concession.

POWER OF FRENCH COURT INADEQUATE.

It was in this labyrinth of difficulties that it was ascertained that the powers of the court to deal with the situation and to protect the liquidator were inadequate. They were not "satisfactory," and on the 1st of August, 1893, the powers of the General Assembly of France were invoked to give the courts power to authorize the liquidator to sell or alienate the property of the old company and to protect him in doing so.

This power had been given to the liquidator on the 4th of February, 1889 (Rep. of Atty. Gen., p. 198), by the decree of the tribunal of the Seine, but it was not "satisfactory," and, in the opinion of the French Assembly, it required confirmation by that body, and it was so, impliedly, confirmed by article 9 of the act of July 1, 1893. The new company to take the benefit of that law *was not created until October 20, 1894*. The ratification of the agreement of December 10, 1890, was made by the tribunal of the Seine on June 29, 1894, and in that decree the act of July 1, 1893, was expressly referred to by the courts as the foundation of its power to ratify that agreement. These facts established two propositions, either of which dissipates the conclusions of the Attorney-General that title is valid, namely:

PROPOSITIONS WHICH SHOW INVALIDITY OF TITLE.

(*a*) That these companies were not private partnerships that could dispose of their property without the consent of the Government; and

(*b*) That the Government of France, through its courts and its Commonwealth attorney and its General Assembly, and by a special act, did take charge of the old Panama Canal Company, and did so provide as to cause its property and franchises to be "contributed" to the New Panama Canal Company.

Without such sovereign acts of France, creating new powers for its courts that did not before exist, and confirming a decree of dissolution of that company that was not authorized by law when such decree was made, the contract of December 10, 1890, would not have been carried out by the liquidator of the old company and the stockholders of the new company; the extension of the concession for ten years would not have been made, and under the second condition of the first article and the sixth article of the contract of 10th of December, 1890 (Rep. of Atty. Gen., pp. 170 and 172), that contract would have lapsed and Colombia would have entered "into the possession and enjoyment, without the necessity of a previous judicial decree and without indemnity, of the works of the canal and its annexes which revert to it in accordance with article 3 of the contract of 1878."

It required this judicial and legislative action of France to induce Colombia to agree to the prolongation of the first concession and the additional inducements of 5,000,000 francs of paid-up stock in the new company and 1,000,000 francs gold to reconcile Colombia to this new agreement.

Whoever was in distress, Colombia was prospering in the sale of new concessions.

COMPANY LINKED WITH JUDICIAL AND LEGISLATIVE POLICY OF FRANCE.

How can it be said, then, that this company is not linked with the judicial and legislative policy of France or that it is a mere private corporation with which that Government has no official connection?

France was reluctantly driven into this policy in order to create new hope in the minds of the poor people who were the greatest sufferers from the frauds of the men who comprise the New Panama Canal Company. And those men were forced to form the new company and to bind themselves to complete the canal and to divide the increase with the stockholders or creditors of the old company, giving them, through the liquidator, 60 per cent of the net profits, because of threats of condign punishment for their crimes. This, with the sum of 600,000,000 francs that the stockholders of the old company were bonded for to the creditors, was a most reliable guaranty of the payment of the debts of the old company.

DISPROPORTIONATE SHARES OF STOCKHOLDERS OF OLD AND NEW COMPANIES.

All this vanishes under the proposed sale of the canal and railroad stock and maps of the old company to the United States for $40,000,000, of which the new company is to get 40 per cent, and the liquidator of the old company is to get 60 per cent under an award of arbitrators already made and confirmed by the tribunal of the Seine before the property is sold. This is like an administration of an estate that is expected to come to a man who is yet living, made by a court in prospect of his early death.

That is to say, the stockholders of the new company under this award will get $16,000,000, which is $3,000,000 more than they put into the New Panama Canal Company, and the creditors of the old company will get $24,000,000 to pay their demands, which amount to more than $160,000,000, with interest at 5 per cent for more than twenty years, which would increase the sum total of the debt to more than $320,000,000.

France can not be indifferent to a situation that so vitally concerns more than 1,000,000 Frenchmen, and if it is not convenient for the present Government to concern itself about this strange and unprecedented proceeding it is our duty to our own people that we should so provide that a subsequent Government in France will have no just cause for claiming indemnity for the people of France when it shall turn out that the profits of the Panama Canal are as lucrative as those of the Suez Canal.

The title of this property, to be "satisfactory" to the American people, should be free from such possible complications.

MORAL TAINT IN TITLE.

There is also a moral taint in the atmosphere of the title of the New Panama Canal Company that should be cleared away before the United States accepts it from that company. It is shown in the official report of the Isthmian Canal Commission and in the testimony of Hon. Samuel Pasco, as follows:

The Isthmian Canal Commission, in their report of the 30th of November, 1901, say:

The liquidator found himself laboring under special legal difficulties, from which he obtained relief by the special law of the French Chambers, dated July 1, 1893. (See Appendix KK.) He finally secured the organization of a new company on the 20th of October, 1894, with a capital stock of 600,000 shares of 100 francs each. Six hundred thousand shares had been subscribed to be paid for in cash, and 50,000 shares were given as full-paid stock to the Colombian Government in compliance with the terms of the extension of the concession, dated December 23, 1890. Thus the cash capital of the company was 60,000,000 francs, or $11,640,000, a sum deemed sufficient for the provisional operations contemplated. The scandals connected with the failure of the old company, which had led to the prosecution and conviction of De Lesseps and other prominent persons, had made it difficult to secure even that amount. Suits had been brought against certain loan associations, administrators, contractors, and others who were supposed to have unduly profited by the extravagant management of the old company. A series of compromises were made with these persons, by which it was agreed that they should subscribe for stock in the new company on condition that the suits should be dropped. Whatever amount remained to make up the 60,000,000 francs, after deducting the sums thus obtained and those to be obtained by public subscription, was to be subscribed by the liquidator. The stock was subscribed as follows, viz:

	Francs.
Eiffel	10,000,000
Crédit Lyonnais	4,000,000
Société Générale	4,000,000
Crédit Industriel et Commercial	2,000,000
Administrators of the old company	7,885,000
Artigue, Sonderegger & Co	2,200,000
Baratoux, Letellier & Co	2,200,000
Jacob heirs	750,000
Couvreux, Hersent & Co	500,000
Various persons to the number of 60, who had profited by syndicates created by the old company	3,285,700
Hugo Oberndorffer	5,800,000
Public subscription	3,484,300
The liquidator	15,895,000
Total	60,000,000

(See fourth report of the liquidator to the court, dated November 26, 1895, pp. 8, 9, and 13.)

The old company and the liquidator had raised by the sale of stock and bonds the sum of $246,708,431.68.

On the examination of Mr. Pasco, as a witness, before the Senate Committee on Interoceanic Canals, the foregoing abstract of the report from the Isthmian Canal Commission was called to his attention, and he made the following statements in answer to questions, viz (see fourth report of the liquidator to the court, dated November 26, 1895, pages 8, 9, and 13):

Is that report among the appendixes?

Mr. PASCO. No; it is not.

Senator MORGAN. Have you a copy of it?

Mr. PASCO. There was a copy in the possession of General Ernst, I think. He will be before you next week.

Senator MORGAN. Is it in French or English?

Mr. PASCO. I think it is in French. He and I had it there. We had all these reports and examined them.

Senator MORGAN. You of course had information upon this very important and rather peculiar situation, as to the men who were being pursued, I suppose, in the legal proceedings of course, probably civilly and probably criminally, for the purpose of compelling them to disgorge money that they had obtained from this company and had misused and squandered. You had the names of those people?

Mr. PASCO. That is the only list I know of.

Senator MORGAN. Are all of these mentioned here men of this character?

Mr. PASCO. I do not know the history of every subscription. There were compromises, and I do not know the history of all those compromises. I only know the fact that those suits and compromises were made and contributions were made to the stock of the company.

Senator MORGAN. Now, you saw enough in the proof before you, the evidence before you, to authorize you to make this very strong statement about them?

Mr. PASCO. This was prepared by General Ernst, and it is a part of the chapter on the Panama route.

Senator MORGAN. And the Commission authorized it?

Mr. PASCO. Oh, yes; it is stated as a part of the report of the Commission.

Senator MORGAN. It is a finding of fact by the Commission?

Mr. PASCO. Yes; this is the best information that the Commission had upon the subject.

Senator MORGAN. Who were these administrators of the old company who subscribed 7,885,000 francs?

Mr. PASCO. I can not tell you who they are.

Senator MORGAN. I do not mean the individuals. What office was it that they held? You call them the "administrators" of the old company. What is an administrator?

Mr. PASCO. I can not give you any information with reference to the stockholders other than there is there.

Senator MORGAN. Do you know what that means—"administrators of the old company?"

Mr. PASCO. No; I do not know what it means.

Senator MORGAN. Did you find anywhere in the statutes or charter of the old company such an office as "administrator?"

Mr. PASCO. No; I have not thought it necessary to examine.

Senator MORGAN. You have not examined into that?

Mr. PASCO. No, sir.

Senator MORGAN. "Various persons to the number of 60 who had profited by syndicates created by the old company." I wish you would explain that. How had they profited by the syndicates created by the old company?

Mr. PASCO. I suppose that is a part of the matter referred to on the previous page. It is an interesting fact in the history of these subscriptions, but it does not affect the fact that they had subscribed.

Senator MORGAN. Public subscription, 3,848,000 francs. I suppose that was by the general public.

Mr. PASCO. The general public put their money in.

Senator MORGAN. And then the liquidator comes in with 15,895,000 francs.

Mr. PASCO. Yes.

Senator MORGAN. Have you ever seen a law or can you cite a law of France that authorizes a liquidator of a company that has gone into liquidation to subscribe to the stock of the new company?

Mr. PASCO. I read the authority for that in the order of the court.

Senator MORGAN. In the order of the court?

Mr. PASCO. In the law and in the order of the court.

Senator MORGAN. What law?

Mr. PASCO. Here is the order of the court.

Senator MORGAN. We have had that. I want to know the law.

Mr. PASCO. Here is the order:

"Appoints Mr. Joseph Brunet receiver of said company, with the broadest powers, cpecially to grant or contribute to any new company all or a part of the corporate assets, to enter into or ratify with the contractors for the Panama Canal all agreements having for their purpose the continuance of the works, and to this end to contract all loans and form all sinking funds."

Senator MORGAN. In what law do you find that authority of the court?

Mr. PASCO. In article 10 of this act of 1893 reference is made to it:

"ART. 10. All acts tending to alienate any assets of the company or contracts entailing a transfer of the contribution of the whole or of a part of the assets of the concern emanating from the receiver of the Universal Company of the Panama Interoceanic Canal shall be subject to the approval or ratification of the Civil Tribunal of the Seine, who shall, on the report of one of the justices, pass on the question in open court."

Senator MORGAN. That is all the authority you have for it?

Mr. PASCO. The law and the charter; that is all.

Senator MORGAN. These are acts of alienation?

Mr. PASCO. Yes.

Senator MORGAN. But you find there nothing authorizing a contract of this kind?

Mr. PASCO. "A transfer or contribution of the whole or of a part of the assets of the concern."

Senator MORGAN. You derive your authority from that source?

Mr. PASCO. From the law and the charter.

Senator MORGAN. You have now stated the whole breadth of the law on which you rest?

Mr. PASCO. Yes: I think it is expressly stated in both. There is a contribution of that 15,895,000 francs, part of the old company's assets.

NEW COMPANY ROBBER OF INNOCENT SHAREHOLDERS AND CREDITORS OF THE OLD COMPANY.

The United States has thus officially stamped the New Panama Canal Company in its origin and in its conduct as the robber of the innocent shareholders and creditors of the old Panama Canal Company.

After this New Panama Canal Company has joined the Church party in Colombia in bathing its filthy hands in the blood of the Liberal party, it is not "satisfactory" to our countrymen that we should join hands with that company in acquiring this property that is so fatal to all who have touched it. Especially is it abhorrent to our people that all who are to reside in Colombia should be made subject to the infamous concordat of 1888.

After two hours and fifteen minutes spent in executive session, the doors were reopened.

TARIFF CHANGES IN TREATIES.

Mr. TELLER submitted the following resolution; which was read:

Resolved, That the Committee on the Judiciary be directed to report to the Senate whether the President, by and with the advice of the Senate, can negotiate treaties with foreign governments by which the duties levied by Congress on importations can be changed or abrogated.

Mr. TELLER. I ask that the resolution lie on the table for the present, to be called up by me at a later day, in order that I may submit some remarks thereon.

The PRESIDENT pro tempore. The resolution will lie on the table.

COST OF PRINTING DOCUMENTS.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Printing be directed to ascertain and report to the Senate the cost, for each session of the last four Congresses, of printing all such documents, other than executive or legislative documents, as may have been printed by order of the Senate or by unanimous consent on the request of individual Senators.

Mr. PLATT of Connecticut. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 22 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 13, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 12, 1903.

CONSUL.

William W. Masterson, of Kentucky, to be consul of the United States at Aden, Arabia, vice Edwin S. Cunningham, appointed consul at Bergen, Norway.

ASSAYER.

Llewellyn P. Jenkins, of South Dakota, to be assayer in charge of the United States assay office at Deadwood, S. Dak., to succeed Patrick J. Miniter, resigned.

APPRAISER OF MERCHANDISE.

Luther S. Trowbridge, of Michigan, to be appraiser of merchandise in the district of Detroit, in the State of Michigan, to succeed James H. Stone, removed.

ASSISTANT APPRAISERS OF MERCHANDISE.

Amos M. Knapp, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to succeed Alexander Hamill, removed.

George Sawter, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to succeed Joseph P. Skillman, removed.

George Robinson, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to succeed Warner Sherwood, resigned.

REGISTER OF LAND OFFICE.

John F. Squire, of Colorado, to be register of the land office at Glenwood Springs, Colo., his term having expired. (Reappointment.)

INDIAN AGENTS.

John M. Carignan, of North Dakota, to be agent for the Indians of the Standing Rock Agency in North Dakota, vice George H. Bingenheimer, term expired.

William G. Malin, of Iowa, to be agent for the Indians of the Sac and Fox Agency in Iowa, his term having expired. (Reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 12, 1903.

APPRAISER OF MERCHANDISE.

Luther S. Trowbridge, of Michigan, to be appraiser of merchandise for the district of Detroit, in the State of Michigan.

APPOINTMENTS IN THE ARMY.

Medical Department.

Maj. William Crawford Gorgas, surgeon, to be assistant surgeon-general with the rank of colonel, March 9, 1903.

To be chaplain.

Rev. Joseph T. McKeon, of New York, March 10, 1903.

PROMOTIONS IN THE ARMY.

Signal Corps.

Maj. Richard E. Thompson, Signal Corps, to be lieutenant-colonel, March 2, 1903.

Corps of Engineers.

1. First Lieut. Meriwether L. Walker, Corps of Engineers, to be captain, December 23, 1902.
2. First Lieut. Robert P. Johnston, Corps of Engineers, to be captain, January 29, 1903.
3. First Lieut. Robert R. Raymond, Corps of Engineers, to be captain, February 20, 1903.
4. Second Lieut. Edward N. Johnston, Corps of Engineers, to be first lieutenant, December 23, 1902.
5. Second Lieut. Clarence O. Sherrill, Corps of Engineers, to be first lieutenant, January 29, 1903.
6. Second Lieut. John H. Poole, Corps of Engineers, to be first lieutenant, February 20, 1903.

Cavalry Arm.

7. Lieut. Col. Charles A. P. Hatfield, Fifth Cavalry, to be colonel, March 2, 1903.
8. Maj. Frank West, United States Cavalry, inspector-general, to be lieutenant-colonel, March 2, 1903.
9. Second Lieut. Nathaniel M. Cartmell, Seventh Cavalry, to be first lieutenant, February 17, 1903.
10. Second Lieut. Otto W. Rethorst, Fourteenth Cavalry, to be first lieutenant, February 22, 1903.

Infantry Arm.

11. Second Lieut. William B. Graham, Fifteenth Infantry, to be first lieutenant, December 29, 1902.
12. Second Lieut. E. Alexis Jeunet, First Infantry, to be first lieutenant, December 30, 1902.
13. Second Lieut. De Witt C. Lyles, Twelfth Infantry, to be first lieutenant, December 31, 1902.
1. First Lieut. Robert J. Maxey, Eighteenth Infantry, to be captain, March 4, 1903.
2. Second Lieut. Charles H. Danforth, Tenth Infantry, to be first lieutenant, January 9, 1903.
3. Second Lieut. Frederick W. Mills, jr., Seventh Infantry, to be first lieutenant, January 10, 1903.
4. Second Lieut. Gideon H. Williams, Eleventh Infantry, to be first lieutenant, January 19, 1903.
5. Second Lieut. Fred W. Bugbee, First Infantry, to be first lieutenant, January 22, 1903.
6. Second Lieut. William M. Goodale, Sixteenth Infantry, to be first lieutenant January 25, 1903.

INJUNCTIONS OF SECRECY REMOVED.

The injunction of secrecy was removed March 12, 1903, from the amendments reported from the Committee on Foreign Relations to the commercial convention with Cuba.

The injunction of secrecy was removed March 12, 1903, from a supplementary convention with Mexico for the mutual extradition of fugitives from justice, signed at the City of Mexico on June 25, 1902.

The injunction of secrecy was removed March 12, 1903, from a treaty between the United States and the Republic of Guatemala for the mutual extradition of fugitives from justice, concluded at Washington February 27, 1903.

SENATE.

FRIDAY, *March 13, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. JOSEPH R. HAWLEY, a Senator from the State of Connecticut, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

STATISTICS OF CRIME, SUICIDE, INSANITY, ETC.

Mr. MONEY. Mr. President, I ask leave to have printed the usual number of copies of Senate Document No. 11, Fifty-seventh Congress, second session, for the purpose of adding new material, which is bibliography of great importance. It is work of a remarkable character, by one of the most extraordinary men, who has addressed his talents to an investigation of this subject, and the bibliography will be very important in experimental work in that branch of science. I ask therefore that the usual number of copies of this document, with the bibliography, be printed, and that 500 additional copies be printed for the use of the Senate document room.

The PRESIDENT pro tempore. The Senator from Mississippi asks unanimous consent for the reprinting of a document relating to statistics of crime, suicide, insanity, and other forms of abnormality, by Arthur MacDonald.

Mr. KEAN. I do not like to object, but I think it is not necessary to order a reprint of the document.

Mr. MONEY. What I desire to have printed is new matter, a bibliography of all the books on this subject.

The PRESIDENT pro tempore. It has been printed once?

Mr. MONEY. No, sir.

The PRESIDENT pro tempore. This document has been printed?

Mr. MONEY. The additional matter has not been printed.

The PRESIDENT pro tempore. That matter has not been printed?

Mr. MONEY. Oh, no, the bibliography has not been printed. Otherwise, there would be no point in my request.

The PRESIDENT pro tempore. All but the bibliography has been printed?

Mr. MONEY. All but the bibliography has been published. This I consider of such importance that it fully warrants the request I make.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Mississippi? The Chair hears none, and it is so ordered.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the resolution submitted yesterday by Mr. MCCOMAS, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate, That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 1,500 extra copies, of which 1,000 copies shall be for the use of the Senate and 500 copies for the use and distribution of the Senators in Congress from the State of Maryland. The Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable process plates to be bound with these proceedings.

MICHAEL SHEEHY.

On motion of Mr. GALLINGER, it was

Ordered, That the papers accompanying Senate bill 5296, granting an increase of pension to Michael Sheehy, be withdrawn from the files of the Senate and returned to the beneficiary, no adverse report having been made thereon.

WILLIAM JOHNSTON.

On motion of Mr. GALLINGER, it was

Ordered, That the papers accompanying Senate bill 2545, granting a pension to William Johnston, be withdrawn from the files of the Senate and returned to the beneficiary, no adverse report having been made thereon.

TARIFF CHANGES IN TREATIES.

Mr. TELLER. I introduced a resolution yesterday and asked that it might lie on the table. In view of the agreement for a vote, as I desire to submit some remarks on the subject, I ask that the resolution may still lie on the table.

The PRESIDENT pro tempore. The Chair hears no objection.

COMPILATION OF VETO MESSAGES.

Mr. FOSTER of Washington submitted the following resolution; which was referred to the Committee on Printing:

Resolved, That the printing clerk of the Senate be, and he is hereby, directed to prepare a new edition of the compilation of the veto messages of the Presidents, bringing it down to include the Fifty-seventh Congress.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: The old Panama Canal Company was a corporation under the law of Colombia, in which it had its origin and its property rights and all its powers that were useful in building a canal. In France it was an anonymous company—a joint stock company—under the comity of French laws and of the law of nations. *It was not a private partnership under any law.* This is the pivotal point, in the opinion of the Attorney-General, and it is untenable.

THE INTERNATIONAL INTEROCEANIC CANAL COMPANY AN ANONYMOUS FRENCH ASSOCIATION.

"The International Interoceanic Canal Company," when it received the concession from Colombia, May, 1878, was an anonymous association existing under the law of France. It was organized to make exploitations and surveys, and *to cut a canal somewhere in the American isthmus.*

COLOMBIA CHANGED ITS POWERS AND NAME.

Colombia, in order to give that company capacity to receive a concession from that Government, *changed its powers by cutting it off from the right to construct the canal*, and by requiring it to organize a joint stock company for that purpose, within two years from the date of the location of the canal, in joint agreement with Colombia.

This "joint stock company" was named in the concession as "The International Interoceanic Canal Association," and special powers, rights, and limitations were given to and imposed upon it by the law of the concession.

The change in the purposes and powers of the company that received the concession was so radical and extensive that only the agreement for association, and its organization under that agreement, was left, and that much of it was left only to designate the persons who were dealing with Colombia, under the name of the association, but not to define its powers. Even its name was changed, but not so as to destroy its identity. The powers, privileges, and rights bestowed upon it by the laws of Colombia constituted its existence for all practical purposes, and those laws were never changed by Colombia or France.

To all intents and purposes this association became a corporation of Colombia by adoption and reconstruction, and could have sued or been sued in any court of Colombia, or in the world, by that name. It was never afterwards changed, either in Colombia or France, but remained as Colombia fashioned it as to all its powers, rights, and obligations. It continued in force for nine years, and exists now, unless it was substituted or destroyed by a *new concession* to M. Gautrom as liquidator of the old Panama Canal Company, granted by a law of Colombia December 10, 1899.

THE UNIVERSAL INTEROCEANIC CANAL ASSOCIATION.

The company provided for in the concession to construct the canal and to raise money for that purpose by the sale of stocks and bonds was required to be formed by the International Interoceanic Canal Company. It was named in the law of Colombia as "The Universal Interoceanic Canal Association," and was required to be "*a joint stock company under the immediate protection of Colombia.*" No other organization created in a country foreign to Colombia could do the work, even if the concession should be transferred under article 21 to "other capitalists or financial companies." The transfer of the concession did not carry with it the right to do the work of construction, because Colombia required that the work of construction, which could only be done in Panama, should be done by a joint stock company *under her immediate protection.*

ITS POWERS AND OBLIGATIONS.

The powers, duties, liabilities, and obligations of this company are broadly and accurately defined in the law of Colombia of May, 1878, constituting the complete framework of a great corporation, with permission, if it chose, to reside at Bogota, New York, Paris, or London.

This joint stock company was not formed with a view to derive different or additional powers from the country it might select for its residence, but, *remaining a corporation of Colombia*, it had the right to conform to the laws of the country of its residence, in its formal organization, which would include the legal incidents of the issue and sale of stocks and bonds authorized by and for the purposes stated in the Colombian law of incorporation. It is not necessary to examine further into its powers, in France, while residing there under the comity of the French Government, in order to determine the soundness of the assertions of the Attorney-General, *that both of these companies are private partnerships and have the right, as such, to dispose of the canal property and the privileges conceded by Colombia.*

NOT "A PRIVATE PARTNERSHIP."

The facts show that the International Interoceanic Canal Company was an anonymous association under French laws, when it was changed by the law of Colombia as to its name and its powers, and that the "Universal Interoceanic Canal Association" was constituted by the laws of Colombia as a "universal joint stock company." It is legally impossible that either of them could be "a private partnership." These companies have none of the legal, constituent attributes of a partnership, either as to name, liabilities, or the method of control, or the right of transfer of the interests of stockholders, without affecting the legal organization of the company.

THE POWERS GIVEN ARE FRANCHISES.

Under the laws of Colombia, England, and the United States the powers given to the company of construction, and to the company of concession, are franchises. They are equally so in France, being special privileges, granted upon certain conditions imposed by law, whether they are granted by a special act of incorporation, or charter, or under a general law. They are granted to all alike, but upon special conditions connected with the security of the public.

In The Bank of Augusta *v.* Earle, 13 Peters R., 519, and in U. S. *v.* Danbridge, 12 Wharton, 636, all the essential features of this case are covered, as to the law of corporations, and as to the comity of nations, as our Supreme Court has expounded them.

That court defines comity as "a part of the voluntary law of nations." Such laws can not be overridden by French courts. On page 595 of that great pronouncement franchises are thus defined:

Franchises are special privileges conferred by the Government upon individuals, and which do not belong to the citizens of the country generally of common right. It is essential to the character of a franchise *that it should be a grant from the sovereign authority, and in this country no franchise can be held which is not derived from a law of the State.*

It is equally true in France that a privilege conferred by law upon a partnership, or a community, or an anonymous association, that is not of common right enjoyed by all the people of France, is a franchise that emanates from the Government, whether under a general or special law.

DEFINITIONS OF PARTNERSHIPS.

Private partnerships as such have no franchises.

Pothier, a standard French authority on civil law, says "partnership is a contract of natural right, which is formed and governed by the rules of natural justice. If the ordinances have prescribed certain formalities for this contract, they have only been prescribed in order to serve as a proof of it, nor do they belong to its substance." (*Pothier on Partnerships, p. 4.*)

"Partnership and community are not the same thing." (*Ibid., p. 2.*)

In the law of 24th of July, 1876, which is a full codification of French commercial law, partnerships are defined as follows:

ARTICLE 20. A society in a collective name is one in which all the members are known to the public, and are all jointly and severally liable for the debts of the undertaking.

DEFINITION OF ANONYMOUS SOCIETIES.

In articles 29 and 30 of the code of commerce anonymous societies are thus defined:

The anonymous society is so called because it is not carried on under a style or firm. The whole of the members, without exception, are liable only to the extent of their shares. Their names can not, in any case, form a part of the denomination under which the undertaking is placed before the public.

The *société anonyme* is only the French name for a joint stock company.

In 1694 Domat said, in section 1452 of his work on the civil law:

The engagement of a corporation or community is not divided among the persons who compose it, so as to become the engagement of every one of the members in particular, and it is only the community that is bound by the act of the person to whom it has committed the administration of its affairs.

FRANCE ENCOURAGED CORPORATIONS BY GENERAL LAWS.

If France had, in fact, abolished corporations in her revolution at the beginning of the nineteenth century she never undertook to obliterate these settled distinctions between "private partnerships" and joint stock companies, or anonymous companies, or to

change their attributes. But France never undertook to abolish corporations. On the contrary, she encouraged them, as all civilized nations are doing, by the enactment of general laws for the creation of corporate associations at the volition of private persons, without the necessity of getting a special charter from the sovereign power by legislative act or by a special concession of the executive power.

The organization of an anonymous or joint stock company in France is precisely the same thing as the incorporation of a company in the United States under a general law, which practice prevails in all our States.

In thus "freeing commerce" from the necessity of obtaining special legislative charters France provided at the same time the most stringent laws for the organization and conduct of such companies under the general law. In the Code Napoleon this advance step was taken by requiring that "every partnership must be in writing if it is for an object of which the value exceeds 150 francs," and by providing that "the property of the debtor is the common pledge of his creditors, and the proceeds thereof are distributed to them pro rata unless legitimate causes of preference exist among the creditors." This is the law governing partnerships, but it is not the law as to anonymous companies.

The laws of France pledge the property of a debtor to the payment of his debts, in a manner that no court can lawfully defeat by creating a preference between creditors.

ANONYMOUS COMPANIES CAN BE FORMED WITHOUT AUTHORIZATION OF FRENCH GOVERNMENT.

On the 10th of September, 1807, France, having entered upon the reconstruction of the commercial law with exhaustive effort, enacted the French Code of Commerce, which was again revised in the law of 24th of July, 1867.

In article 29 of the Commercial Code of 1807 it is provided that—

The *société anonyme or corporation* is not carried on in the firm name; it does not take its name from any of its members; *thus recognizing the existence of corporations and classing anonymous societies with them, after the Code Napoleon was adopted.* This continued until the law of 24th and 29th of July, 1867, when the following provision was made in article 21, viz:

"*Sociétés anonymes* can henceforward be formed without authorization of the Government."

SUCH COMPANIES UNDER SEVERE RESTRICTIONS.

But they were put under severe restrictions as to their powers and as to the method of organization, that had not hitherto applied to them, and they are held as rigidly to the powers given them by the law and to the methods of procedure prescribed by law as if they were corporations acting under special legislative charters.

Their associations may be dissolved, and they are subject to many fines for failing to comply with the laws under which they were organized, and to criminal penalties for neglecting to comply with the requirements of these general laws. Such provisions would greatly improve our general laws of incorporation.

Goirand, in his Commentary on the French Code of Commerce, on page 103, says:

Third parties are interested in knowing the constitution of all *societies*, in order to ascertain within what limits credit may be given to them and to know who are their legal directors or representatives, and to what extent such representatives can bind the *society*.

It is with the object of enabling any interested party to readily procure this information that the law has imposed upon all *societies* the obligation to exercise a certain publicity within a fixed period after their foundation.

These obligations are not imposed upon partnerships.

If an anonymous company fails in this, or fails in recording its by-laws, as a public, notarial act, their organization and proceedings are void, and they are liable to criminal prosecution and to heavy fines.

Partnerships, under the French law, that are "private" are not subjected to these requirements or exposed to these penalties.

These laws are far more rigorous in their requirements than the general laws of incorporation in our States and much safer for the people. The guards they place around promoters are stronger and the security they furnish stockholders are greater than they are in our plans of general incorporation, and they are liable to heavy penalties. The only thing they dispense with is *the direct application to the Government for permission to form a company*, which is a relief to the legislature and prevents the schemes for the monopoly of corporate powers, which often lead to bribery and corruption. Our plan of general corporations has this excellent feature, which renders it more satisfactory to our people than the plan of applying for legislative authority to organize each separate corporation.

It is in the manner of instituting anonymous or joint stock companies that the change has been made in French law and not as to the necessity of obtaining the authority of the law, which is given in a general statute instead of many special statutes, for the formation of such companies in France.

Corporations, joint stock companies, and anonymous companies are as much dependent for their powers upon the law, when they are organized under a general statute, as if each association was chartered by a special act.

SUCH COMPANIES CAN NOT BE CONSIDERED AS "PRIVATE PARTNERSHIPS."

The arguments that identify such organizations with private partnership are essentially faulty, and a title which is based solely on that reasoning can not be "satisfactory."

Why this argument should be resorted to as the means of evading an inquiry addressed to France as to whether she assents to or objects to the sale of this property to the United States, when her answer, either way, would settle the question, is not a "satisfactory" feature of the transaction.

If the French Government or the French courts had treated the old Panama Canal Company as a foreign corporation, as is provided for in her commercial law, no decree of dissolution of that company, or for the appointment of a liquidator, and no act of the French Assembly providing for such decrees, or supporting them, would have been resorted to. Certainly no power would have been given to the liquidator to sell the concession or real estate situated in Colombia without the legislative consent of of that Government.

It was a foreign corporation residing in France, under the comity of nations, while all its powers, rights, privileges, duties, and conduct were "under the immediate protection of Colombia." According to the decision in Earle *v.* The Bank of Augusta (13 Peters), the Colombian corporation had a right to such comity, under the law of nations, unless France chose to prohibit its residence in Paris.

HISTORY OF THE OLD PANAMA CANAL COMPANY AS TO LEGISLATIVE AND JUDICIAL PROCEEDINGS.

The history of the old Panama Canal Company, as to legislative and judicial proceedings, divides itself into two parts, namely: That which precedes the dissolution of the company by the decree of the French Tribunal of the Seine, dated February 4, 1889, and that which followed that decree. The decree was void as to the bondholders and stockholders of the old company, and as to Colombia, for the want of jurisdiction in the court. But if it was valid, the effect of that decree of dissolution of the company was to prohibit the concessionaires, under the law of Colombia, dated May 1, 1878, from further prosecuting the work of completing the Panama Canal. Under that law the privileges granted in the concession were lost by the effect of such a decree, if it was valid, and the title to territory covered by it was released from the privileges granted in the concession, and the other property of the canal company on the Isthmus of Panama, which is designated in the concession as being forfeited in case of failure to complete the canal by a fixed date, became the property of Colombia, by contract and by operation of law.

Notwithstanding this prohibition by the French court, Colombia had authorized her President to extend the time for completing the canal to its grantee for a period of six years, in article 1, clause 3, of the concession; and, having such discretionary power, he did not avail himself of the right to proceed to take immediate possession of the property as being forfeited. Besides, the period of twelve years, within which the canal was to be completed, had not then expired. But the decree of the French court *put the liquidator into possession as owner of all the canal property wherever it was located.*

In February, 1889, the date of the decree dissolving the old Panama Canal Company, after the expenditure of more than $240,000,000 on the canal and plant, about one-third of the work was done, and the twelve years' limit for completing the canal was to expire in May, 1891. On the 10th of December, 1890, the President of Colombia made a contract with the liquidator of the old company, which extended the time for completing the canal for ten years, upon certain conditions, which were never performed. This was the first act of the Colombian Government with reference to the canal since May 23, 1878, a period of twelve years and six months, and it was never completed by the acceptance of the organization and by-laws of the New Panama Canal Company, as a compliance with those conditions, by the Congress of Colombia.

DISSOLUTION OF THE OLD COMPANY BY FRENCH COURTS.

It is during this period, between May, 1878, and February, 1889, that we are to find authority of law *for the dissolution of the old company by the French courts.* Such authority can not be found in any lawful act of Colombia, or of France, or her courts, after the date of the decree of dissolution, in February, 1889. It is a question of jurisdiction, which is never created by events subsequent to the decree of a court.

Colombia had never declared the concession of 1878 forfeited, and had never entered on the property as being forfeited for condition broken, either before or after the decree of dissolution. The law of May, 1878, did not require such action to secure or complete the rights of Colombia. She simply remained passive, without taking any action against the old company. Under the

concession of May, 1878, she was not required to do any act to perfect her rights when a cause of forfeiture existed; certainly not to apply to the Government or courts of France for their assistance in resuming her property.

Her subsequent contract with the liquidator of the old company could not relate back to the decree of dissolution and make it valid, either as to the *stockholders*, *bondholders*, or other *creditors* of the old company. Colombia had no such rights or powers over them under the concession of 1878. She could not change their rights under the concession by any *post factum* act, or by refusing the protection she agreed to give to "The Universal Interoceanic Canal Company" in the concession of March, 1878.

Moreover, if that decree was void, no consentive act could validate it. If it was void, it was for the want of power in the courts at the time the decree was rendered, and no consent, even of a supreme legislature, can create a jurisdiction in a court that it did not possess when its decree was rendered.

WHY THE DECREE WAS VOID.

The decree was void because it violated the law of Colombia in taking jurisdiction over the disposal of real estate in Colombia and putting the liquidator and his agents in possession and control of the canal zone.

It was therefore void as to the powers it conferred on the liquidator, which were in violation of the law of Colombia. It was void as to the stockholders because it revoked the rights they held under the laws of Colombia and placed those rights in the hands of a liquidator not chosen by them.

It was void as to the bondholders, because it assumed to prevent them from proceeding against the company or the stockholders for the collection of the bonds held by them or the interest thereon, which bonds were issued under the authority of the law of Colombia of May, 1878.

It was void, because it took control of a joint stock company that was created by the law of Colombia, and named by that law, with all its powers to construct a canal and the authority to raise money to construct it, derived directly from that law.

It was void, because the law of Colombia did not confer upon the French courts, or the old Panama Canal Company, any right to dissolve the corporation, either under the laws of France or of Colombia.

It was void, because it conferred powers on the liquidator that were not conferred upon the company by the laws of Colombia, to change the plan of the canal from a canal without locks or tunnels to a canal with locks and dams.

It was void, because it assumed the right, as existing in the French court, which was reserved to the International Interoceanic Canal Association, to form a company to take over the concession and the property and to execute the purposes and fulfill the duties of the concession granted by a law of Colombia to The Universal Interoceanic Canal Association, created and designated for those purposes by section 18 of the concession, which is a law of Colombia.

It is void because it substitutes *a single citizen of France* to execute duties and functions created by the law of Colombia, which were confided to a "Universal Joint Stock Company," in which company Colombia had the right to be represented by a member of the council of administration to be appointed by the Government, and an inspector to examine the accounts of the company, and *to intervene in the collections of the company; and an agent "for the purpose of clearing up all doubts and presenting any claims to which the contract may give rise."*

It is void because the law of Colombia requires that difficulties between the contracting parties shall be submitted to the decision of the Federal supreme court of Colombia, according to the national constitution. This law is still in force; it has never been changed.

APPOINTMENT OF PROVISIONAL ADMINISTRATORS ILLEGAL.

On page 194 of the report of the Attorney-General a decree of the civil tribunal of the Seine is copied, which asserts that, in the proceeding in that court for the appointment of provisional administrators of the company, "the order was made upon the request presented by the Interoceanic Canal Company." No record of the company or other fact supports the truth of this statement, but it must be accepted as being true until it is disproved. In fact, the order appointing such provisional administrators was made without notice to the company and was illegal; and these were the administrators who undertook to represent the company in that proceeding.

Such a demand is unquestionably "a difficulty between the contracting parties to the concession," and, under the twentieth article of the law of Colombia, enacting the concession, it must be submitted to the decision of the supreme court of Colombia.

The appointment of administrators for the old company was the initial step in the dissolution of the company and turning over the active administration of its affairs to a liquidator.

In other respects the decree dissolving the company was void, as is shown by the indisputable facts taken from the records of the company and the French courts.

JUDICIAL PROCEEDINGS IN THE TRIBUNAL OF THE SEINE HASTY AND SUMMARY.

It is a perfectly true description of this judicial proceeding in the tribunal of the Seine to say that it was hasty, intemperate, summary, radical, and unsupported by evidence, and that it was intended to meet an emergency that was created by a highly exasperated state of popular indignation against the old Panama Canal Company. The court states facts in support of its judgment that do not otherwise appear in the record of its proceedings, and those assumed facts are relied upon as the principal grounds on which the court bases its decree. The high but dangerous ground of the law of necessity is taken by the court, but the necessity was not public and general, but private and confined to the single purpose of keeping the control of the canal in the hands of Frenchmen instead of permitting it to revert to Colombia.

In fact, the records of the proceedings of the old Panama Canal Company and of its predecessor, the International Interoceanic Associations, and of the proceedings in the civil tribunal of the Seine, on the 14th and 15th of December, 1888, and of February 4, 1889, are so abridged in the report of the Attorney-General that Congress is not provided with sufficient opportunity to decide, for itself, upon these grave questions.

Enough appears, however, in the recitals of the decree of the tribunal of the Seine, set out in that report, to show that it was this supposed or assumed necessity furnished the pretext for asserting jurisdiction, in despite of the law of Colombia, or the rights of the old company, or its creditors or stockholders.

It is improper, therefore, to refer to the public history of the old Panama Canal Company in France and, especially in Paris, to account for the excited action of the courts in respect of its failure in financial punctuality, and the effort to prevent Colombia from seizing on that fact as a sufficient ground for resuming possession of the canal property, because that failure had created a lawful ground for the forfeiture of the privileges granted in the concession.

INDIGNATION AND DISGUST IN FRANCE.

The great number of people, of the middle and lower classes (over 600,000), who had invested their small earnings in the bonds and interest-bearing stocks of the old Panama Canal Company, listened with extreme impatience to the accounts of peculations and frauds that filled France with indignation and disgust. Such classes were so infuriated that the Government became anxious, and it set the courts at work in arresting and trying suspected persons, and many suits, civil and criminal, were actively prosecuted against the alleged offenders, and convictions were had, and judgments were rendered in the courts against many offenders. The whole Republic was thrown suddenly into a state of agitation and ferment by the failure of the old company, and so threatening was the situation that it became a matter of political necessity to find some means of quieting the people. The courts were first resorted to, and when their powers were disputed, resort was had to the French assembly.

DESPERATE EXPEDIENTS TO KEEP OLD COMPANY AFLOAT.

The Government had anticipated this failure and had endeavored to assist the old company, by a law enacted June 8, 1888, to give to that company the benefits of the lottery laws of France to raise money after the public had withdrawn its confidence. An outline of this situation is given in the report of our Isthmian Canal Commission of November 30, 1901, which shows the desperate expedients to which resort was had, by the courts and by the French assembly, to keep this canal project afloat and under the control of the French people, without regard to the rights of Colombia.

COLOMBIA LESS ANXIOUS ABOUT THE SITUATION.

Colombia was less anxious about the situation, because the sale of extensions of the concessions of May, 1878, was becoming a very lucrative business, which motive was not in the spirit or the language of that concession. It was a new opportunity that arose out of the distressed condition of the affairs of the old Panama Canal Company, which the concession provided should be met, not by the sale of an extension of the time for completing the canal, but by its grant, without compensation, for the very reason that the company might encounter misfortunes. When they came, it was the policy of Colombia to sell the first extension, rather than observe its pledge, given in the concession of 1878, that an extension for six years should be given free of compensation, if the cause was just.

M. DE LESSEPS CAREFULLY KEPT COMPANY UNDER THE IMMEDIATE PROTECTION OF COLOMBIA.

M. de Lesseps, when he chose Paris for the residence of the old Panama Company, for reasons of evident distrust of the friendship of the Republic—he being a monarchist—carefully avoided

any act or declaration that would commit the company to the sovereign jurisdiction and control of the French Government; and he was equally careful, in framing the by-laws of his company, to have them conformable to the laws of France, to avoid any possible trouble, without deriving any of their force and effect from those laws. He carefully kept the company where Colombia had placed it—under "the immediate protection of the Government of Colombia."

CONDITIONS FOR EXTENDING TIME FOR COMPLETING CANAL FOR TEN YEARS NEVER PERFORMED.

On the 10th of December, 1890, the President of Colombia made a contract with the liquidator of the old company, which extended the time for completing the canal for ten years, upon certain conditions, which were never performed. This was the first act of the Colombian Government with reference to the canal since May 23, 1878, a period of twelve years and six months, and it was never completed by the acceptance of the organization and by-laws of the New Panama Canal Company, as a compliance with those conditions.

SUEZ CANAL AND M. DE LESSEPS.

The success of the Suez Canal marked a new era in the world's history that was so great an honor to French genius and enterprise that the great engineers of France, and of all countries, focalized their attention and directed their studies to the gate between the oceans across the American isthmus. No French engineer thought of the execution of such a work except in connection with M. de Lesseps as its head, and this was a tribute to his great abilities that was fully deserved.

"THE CIVIL COMPANY OF THE INTEROCEANIC CANAL."

Gen. Etienne Turr, a prominent engineer, organized a company in France and had it incorporated, for the purpose of making explorations of canal routes in the Colombian territory of the American isthmus and of getting concessions from that Government.

The company was styled "The Civil Company of the Interoceanic Canal," with a capital of 300,000 francs, or $60,000, which, of course, was not intended for a construction fund for an interoceanic canal. Yet among the stated objects of the company was the cutting of such a canal.

They had in view the leadership of M. de Lesseps, who was not an engineer, in the work of construction, and the formation of a company of construction under his presidency was the ultimate purpose of this company of General Turr. "The Civil Company of the Isthmian Canal" was intended only to locate the canal, after thorough studies had been made by joint arrangement with Colombia, and to obtain from that Government the necessary concessions for the purposes of construction and control.

As soon as the canal congress at Paris had decided in favor of a sea-level canal at Panama the Turr Company went to work to prepare for its construction, and made an arrangement with M. de Lesseps to organize a company to construct the canal.

This company was required to be organized, by the terms of the concession of Colombia, in May, 1878, and full provision was made by that law for its name and its powers connected with the construction of the canal.

If it was expected, it was not required, though it was permitted, that the company of construction should become the owner of the concession which was granted to the company of which General Turr was president.

The concession was granted more than a year before the company of construction was organized, under the presidency of M. Ferdinand de Lesseps, or had been agreed upon.

OLD PANAMA CANAL COMPANY ORGANIZED TO CONSTRUCT CANAL UNDER CONCESSION OF MAY, 1878.

When such organization was under discussion, and to assist in its completion, the grantee of Colombia agreed to transfer the concession to a company that M. de Lesseps agreed to organize as the company of construction. The old Panama Canal Company was organized to construct the canal under the concession of May, 1878, granted by a law of Colombia.

OTHER RIGHTS ACQUIRED.

This company also acquired the concession made to the company presided over by General Turr, and thus acquired the rights, and took upon itself the obligations of the concessionary company, and, also, of the company of construction, which was required by the law of concession to be organized to do the work of building the canal.

It embodied in its powers, duties, and obligations all that appertained to two companies, both of which have their origin and right of existence in the law of Colombia of May, 1878.

"THE CIVIL COMPANY OF THE ISTHMIAN CANAL" DESTROYED.

The French courts and the Government of France, when they came to deal with the canal with a view to taking the control of the property into their hands through a liquidator and dissolving the old Panama Canal Company, found it necessary to destroy the concessionary rights that were granted, by Colombia, to General Turr's company, and did so by destroying the company that held them.

EFFORT MADE TO KEEP THE RIGHTS ALIVE IN HANDS OF LIQUIDATOR.

Yet the endeavor was made to keep those rights alive in the hands of a liquidator, as a transferee of the concession. This effort violated the concession in a most essential feature. Article 21 of the concession provides that "the grantees," not the French courts, "may transfer these rights," *the concessionary rights*, not the right to construct the canal, "*to other capitalists or financial companies*," not to a receiver or liquidator.

CONCESSIONARY RIGHTS COULD NOT BE CHANGED WITHOUT CONSENT OF COLOMBIA.

Colombia did not create these concessionary rights for the purposes of speculations by brokers, and confined the right of transfer to men, or companies, who are "capitalists" and could help the enterprise with their means and credit.

The power to change these provisions does not exist in the French courts, and, without such powers, their effort to do so is of no effect. These provisions were an essential part of the terms of the concession which nobody could change without the consent of Colombia and of the concessionaire or its transferee.

CONCESSION TO L. N. B. WYSE.

1. The concession made by Colombia, dated March 20, 1878, and enacted as a public statute of the Republic, was made nominally to Lucien N. B. Wyse, who accepts it in the name of the "International Interoceanic Canal Association," represented by their council of administration. (See Opinion of Attorney-General, p. 161.)

Mr. Wyse is described in the concession as "member and delegate of the council of administration" of that association.

In the agreement and with reference to its provisions he was impersonal. He took nothing by the concession and assumed no responsibilities or duties. His acts as negotiator and delegate were alleged to be "in conformity with powers bestowed at Paris from the 27th to the 29th of October, 1877, which he has exhibited in legal form."

This association, with its powers bestowed at Paris, is the grantee, Colombia being the grantor, in the concession, and its powers are defined by the law of Colombia as to the rights conceded, the uses to which they are applied, and the restrictions and limitations prescribed to their company and the successors as transferees. As to the capacity of the "International Interoceanic Company" to execute the objects of the concession, so far as the same is not defined or limited by the law of Colombia, we must look to "the powers bestowed at Paris from the 27th to the 29th of October, 1877, which he (Mr. Wyse) has exhibited in legal form."

These subsidiary and subordinate "powers" are a part of the concession. They are indispensable to the understanding of the question of "a good, valid, and unencumbered title" to the property of the New Panama Canal Company, as to which the Attorney-General has reported his opinion to the President on a technical question of French law.

"POWERS" CONCEDED BY COLOMBIA.

Those "powers," so adopted or conceded by Colombia as a feature of her concession which could not be changed without her consent, are even more indispensable in the ascertainment of another condition prescribed by the act of Congress approved June 28, 1902, which requires that the title of the New Panama Company and its right to convey the same to the United States shall be "satisfactory."

"POWERS" BESTOWED AT PARIS.

These "powers" bestowed at Paris from the 27th to the 29th of October, 1877, either upon or by the "International Interoceanic Canal Association," or the powers of its "council of administration," or its organization, *nowhere appear in any of the papers or documents reported to the President, and have not been presented to the President or to Congress, so far as the record shows.* The lawyers who have discussed the question of technical title under French law have omitted to allude to this part of "the concession to Lucien N. B. Wyse," as they are pleased to term this contract between Colombia and the International Interoceanic Canal Association.

EFFECT OF COLOMBIAN LAWS UPON POWERS OF A UNIVERSAL ANONYMOUS COMPANY.

It is impossible to discuss this subject intelligently in the absence of that part of the concession; but discussion is open and can be intelligently conducted by those who inquire into the effect of the laws of Colombia upon the powers of "a universal anonymous company, which shall take charge of the enterprise and of the construction of the canal," which the concession requires to be organized within a period of two years from its date.

The statute of Colombia is the sole power that can prescribe limitations of authority to the "Universal Anonymous Company"

or to the "International Interoceanic Canal Association" that neither of them can transgress, in respect to this canal, and this Colombia has proceeded to do in its statute law.

On the point whether the company to execute the law of Colombia creating the concession may be a "private partnership" or "an anonymous company created by private agreement," and not by governmental action, or a private corporation for private purposes, the law of Colombia is explicit that it shall not be any of these. The law of Colombia goes further and *provides for the authorization and creation of the organization, in express terms, by the sovereign act of Colombia.*

The process is as follows:

ART. 3. The necessary studies of the ground and the route of the canal shall be made at the expense of the grantees (International Interoceanic Canal Association) by an international commission of individuals and competent engineers, in which two Colombian engineers shall take part. The commission shall determine the general route of the canal and report to the Colombian Government directly, or to its diplomatic agents in the United States or Europe, upon the results obtained, at the latest in 1881, unless unavoidable circumstances clearly proven should prevent their doing so. The report shall comprise, in duplicate, the scientific labors performed and an estimate of the proposed work.

There is no evidence that any anonymous company in France had such powers under French laws, or could have them by agreement among themselves.

The power to do these things was bestowed by the law of Colombia.

The next step is article 4:

The grantees (the International Interoceanic Canal Association, an anonymous company of France) shall then have a period of two years to organize a *universal anonymous company to take charge of the enterprise and of the construction of the canal.* This term shall commence from the date mentioned in the preceding paragraph.

This limitation was not fixed by French law, but by Colombia law, and there is nothing that provides expressly for the transfer of the concession to "the company of construction."

Colombia carefully provided otherwise, and did not yield its right to hold the International Interoceanic Canal Association to responsibility for every engagement they have made. And it never yielded this right to M. de Lesseps.

Colombia then put the following safeguard into its statute:

ART. 18. If the opening of the canal shall be deemed financially possible [by whom? Of course by Colombia or else by both parties], the grantees *are authorized to form, under the immediate protection of the Colombian Government, a universal joint-stock company, which shall undertake the execution of the work, taking charge of all financial transactions which may be needed.*

NO EXPRESS AUTHORITY TO TRANSFER CONCESSION OF COMPANY OF CONSTRUCTION.

Still, there is no express authority to transfer *the concession* given to the company of construction. It may be transferred to "capitalists or financial companies," but the work of construction must properly remain under the immediate protection of the Government of Colombia.

IMMEDIATE PROTECTION OF COLOMBIA CAN NOT BE TAKEN AWAY WITHOUT CHANGE OF LAW.

The immediate protection of Colombia, which must include the right of immediate control by further necessary legislation, could not be taken away from Colombia without a change in this statute, nor could the International Interoceanic Canal Association destroy this right of Colombia, *or transfer it to the jurisdiction of France.*

COLOMBIA'S RIGHT TO INTERVENE.

The section above quoted also confers upon the company of construction the power to raise money for the enterprise, by "taking charge of all financial transactions which may be needed."

It was in connection with the control of the financial affairs of the company that Colombia provided in the law that "the Government of the Republic shall have the right to appoint a commission or agent, who shall *intervene* (not inspect) in the collection and examine the accounts and the distribution of the payment of the shares coming to the Government."

Colombia provided for a fixed rate, per cent, at different periods after the opening of the canal as her share in the gross income of the company until the close of the lease, thereby cutting off the right of the stockholders to dissolve the company without her consent under the authority of the laws of France or of any other country that might become the residence of the company of construction. *In the light of these provisions, "the immediate protection" means the immediate control of the company of construction by Colombia through such agencies as she might choose to adopt.*

This excludes the notion that Colombia ever consented, or intended, that the International Interoceanic Canal Association, or its successor, should deprive Colombia of these powers by organizing a company of construction in France or by a transfer of the concession.

ENTERPRISE TO BE ALWAYS "FREE FROM POLITICAL INFLUENCES."

After reserving to herself these powers, Colombia proceeds to declare the general purposes and character of the company to be created under and in conformity to the law of concession.

It is declared that "as this enterprise is essentially international and for public utility, it is understood that it shall always be kept free from political influences." That was not meant to regulate the conduct of France, but of Colombia, and it was an international pledge as well. These are not provisions that apply in the remotest degree to a "private partnership" or to civil or commercial companies under private control, but to corporations or joint-stock companies that are placed under public control by the law of the land.

RIGHT OF SUPREME COURT OF COLOMBIA TO DECIDE WHETHER THE PRIVILEGE HAS BECOME ANNULLED.

In providing for the extent of the right of control over the concessionnaire and its successors, whether by transfer or by any other happening, and its power over the subject-matter of the concession, the twenty-second article of the concession removes all possible doubt.

It states the case in which the right of the grantees in the concession will be forfeited, and provides that "the federal supreme court shall have the right to decide whether *the privilege* has become annulled or not."

This has not been changed. On the contrary, the extension of the concession to the new Company in the agreement of December 10, 1890, provides in article 9 that "all rights and obligations created by the contract of March 23, 1878, for opening an interoceanic canal across Colombian territory, approved by law 28 of the same year, shall continue in full force and vigor without other relief or restriction and modification than those contained in the present contract."

Thus it appears, conclusively, that the "New Panama Canal Company"—if it is the successor of the "International Interoceanic Canal Association," and of the "Universal Interoceanic Panama Canal Company"—has the same rights, powers, duties, and liabilities that those companies had, so far as they remain without change or modification, *and none others*, and that the rights and powers of Colombia are the same that are provided for in law 28 of May, 1878—the first concession—which have been increased, but not otherwise changed by the contract of December 10, 1890, with the liquidation of the old Panama Canal Company.

In the law of 1878 Colombia went still further in particularizing the character and powers of the company of construction, and provided in article 18 that "the grantees are authorized to form * * * a joint stock company," that "*it shall take the name of the 'Universal Interoceanic Canal Association,'*" and that its residence shall be at Bogota, New York, London, or Paris, either of which places it was at liberty to select.

If the same powers had been granted to it in New York or London, under either general or special laws, it would have been *an incorporated company*, deriving its name, legal existence, and lawful powers, subordinate to the law of Colombia, from the will of the sovereign, expressed in legislation. In Colombia it is a joint stock company and in France it is an anonymous company, in both cases subordinate to the law of Colombia in all respects. *Otherwise it can not exercise the powers and functions conferred by the law of Colombia.*

In each case its right to become a legal entity, with a name given to it, is derived directly from the authorization of a statute law, and not from some inherent right or latent power of the association, of its own volition, to create *a legal entity*, without the consent of the law, which means the consent of the Government.

DISPUTES BETWEEN THE CONTRACTING PARTIES TO BE SUBMITTED TO SUPREME COURT OF COLOMBIA.

In addition, "the old company" had insisted upon its right to claim the intervention of France in disputes with Colombia as to its conduct toward that company, and that claim irritated Colombia.

To provide against a recurrence of such difficulties, when the extension of the concession was attempted to be sold to the new company, in April, 1893, article 9 of that agreement was as follows: "Disputes which may arise between the contracting parties with regard to the present contract shall be submitted to the supreme court of justice of Colombia." This is referred to as showing the meaning and intent of the concession of May, 1878.

In conformity with the provision of article 9 of the law of 1893 (Report of Attorney-General, p. 175), the concessionary waives the right to diplomatic intervention concerning the duties and rights arising from the three contracts, "except in case of denial of justice."

In such a case France would make the diplomatic intervention, as the country of the residence of the New Panama Canal Company, or of the stockholders and bondholders, asserting the denial of justice, and Colombia would be bound by her contract and her law to consider the matter *as being diplomatic*, and not merely as a private and personal matter.

In this attitude and in virtue of these facts, the power of Colombia to deal with, or to control all and each of these companies,

so as to protect her rights reserved in these contracts, excludes the power of the several companies and of the French laws and courts to impair, in any way, those rights.

COLOMBIAN LAW BASIS OF ALL RIGHTS UNDER CONCESSION OF 1878.

Acknowledgment of the law of Colombia as a basis of all rights connected with or arising out of the concession of 1878, is expressly made in all the declarations and transactions of the French companies that relate to the canal.

The documents referred to in notes b and c, on page 36 of the report of the Attorney-General, but not published in full with his report to the President, contain such acknowledgments as follows:

In document b, which is a part of the same document of authorization that is mentioned in the precis of the concession of Colombia of May, 1878, the concessionaire is described as the "Civil International Company for the cutting of the Interoceanic Canal across the Isthmus of Darien," and in Article I its object is defined to be, "first, to cause to be made, by engineers of its choice, the general plan and estimates of an interoceanic canal, with locks or tunnels, across the Isthmus of Darien, following the passage pointed out by M. Anthoin de Gorgoza."

This was changed, by the law of concession of 1878, to a project for a canal at any point across the Isthmus, *to be located by an international commission, in which Colombia should have two engineers.* (Article 1, section 3.) The work was to be done by "an anonymous international company of execution and operation" in the articles of the company, which was changed by article 1, section 4, of the law of Colombia to "a universal anonymous company, which shall have charge of the enterprise and of the construction of the canal." The law of Colombia then provided, in article 18, as is above stated, that "the grantees (the International Interoceanic Canal Company) are authorized *to form, under the immediate protection of the Colombian Government, a universal joint stock company,* which shall undertake the execution of the work, taking charge of all financial transactions which may be needed," and, further, "the company shall take the name of 'the Universal Interoceanic Canal Association;' its residence (not the country of its origin or authorization) shall be fixed at Bogota, New York, London, or Paris, as the grantees may choose; branch offices may be established wherever necessary."

By section 25 "the enterprise is reputed to be of public utility," and by section 26 all previous laws and agreements relating to the canal are "substituted" by the law confirming and enacting the concession.

That this is the law of Colombia is admitted in the acceptance of Lucien N. B. Wyse on the 18th of May, 1878, in which he says: "The modifications to which I have alluded are those recorded in law 28 of the 18th instant. I hasten to lay this declaration before the Government of Colombia that it may be taken into consideration, in order that said law may be effective in all its parts."

This statement includes every legislative act and, so far as we know, every diplomatic act of Colombia touching the powers of the "old Panama Canal Company," except the three extensions of time for completing the canal, and in them is found the recognition of the new company as the successor of the old Panama Canal Company, *and the change of the entire plan of construction from a canal without locks and tunnels to a canal with locks and dams.*

COLOMBIA HAS NOT RELAXED OR ABANDONED HER ORIGINAL RIGHTS.

Colombia has not, to the least extent, relaxed, abandoned, or changed its original rights or powers as they are asserted and defined in the concession of March, 1878, and afterwards enacted as a public law No. 28 on the 18th of May, 1878.

The companies organized in France are not the creators of their alleged or actual rights or powers, either under their own statutes or by adopting the laws of France, or by the force and effect of those laws, whether they are general or special.

Their power to exist as a company to execute a law of Colombia for locating and conducting the enterprise is derived exclusively from that law.

The French Government can add nothing to the powers, rights, duties, obligations, or penalties prescribed by the law of Colombia to control the company named in that act, nor can it change or take away anything from them.

Neither can those companies, by the agreements among themselves or by their so-called "statutes" or by-laws, in any wise change what is prescribed in the law of Colombia.

They can do what is consistent with that law either with or without the assistance of French legislation or French courts, but they can do nothing inconsistent therewith, although it may be authorized by the laws or the courts of France.

They can not take away from Colombia the right to extend immediate protection to that company, which was "*formed* under" its immediate protection, or its successors, or to any person who is creditor or bondholder of the company, either in its own courts or through diplomatic measures.

In every view of the law of Colombia, it never loses control of the company of execution or the company of concession, through its legislative, judicial, or diplomatic powers, in consequence of any law or judicial act of any other country.

When Colombia gave authority to the International Interoceanic Canal Company "to *organize* a universal anonymous company (article 1, section 3), which shall take charge of the construction of the canal," and prescribed that "the company shall take the name of 'the Universal Interoceanic Canal Association'" (article 18), and that it shall be "a universal joint-stock company under the immediate protection of the Colombian Government," and should take "charge of all financial transactions which may be needed," and that it should forfeit all its privileges and properties in Panama if it failed to complete the canal by a fixed date, or if it abandoned the work, *it did not confer upon the French courts or the French Government the right to dissolve the corporation and take charge of all its property and the rights of all its stockholders and creditors, including Colombia, and control and dispose of them under French law.* Such proceedings violate the basic laws that control the rights and duties of the concessionnaires under the laws of Colombia.

It was in the inauguration of the proceedings in the French courts for dissolving this universal joint-stock company that the fatal error occured; and this has led to the extrajudicial decrees of the French courts and to the rendition of decrees that are claimed to have the binding effect, as *res adjudicata*, upon contracts *that do not exist but are only contemplated, and acts that are not yet performed, and are merely supposititious.*

The permission in the law of Colombia, given to the company of construction (*which need not be the owner of the concession*), *to reside in either of four cities it may select*, with the right to have branches in other places, *does not give the country of the residence any power to dissolve the company under its laws.*

REVERSION OF PROPERTY AND PRIVILEGES OF CANAL COMPANY TO COLOMBIA FOR FAILURE TO FULFILL CONDITIONS.

No power of dissolution by voluntary act, or by any act without the consent of Colombia, or even with its consent, is given to the concessionaire company, or to the company of construction that it is required to organize. *On the contrary, the failure of the company to keep the canal going, or its abandonment of the work, or its failure to complete it by a fixed date, forfeits all its privileges under the concession and causes the canal and all immovables connected with it to revert immediately to Colombia without compensation and without any necessity for judicial proceedings.*

This is the only method provided in the laws of Colombia for "winding up" the connection of the concessionaire with the canal, and a different method can not be provided by French laws.

RESIDENCE OF COMPANY OF CONSTRUCTION CAN NOT CHANGE RIGHTS OR RESPONSIBILITIES OF COMPANY OR OF COLOMBIA.

The "immediate protection" of the company of construction and of its own interest in the gross income of the company, from all sources, including a stipulated percentage of the gross earnings, is utterly inconsistent with the notion that the mere residence of the company in a selected city gives to the government to which that city belongs the right to dissolve the company by a judicial or legislative decree and to stop the work on the canal; or, by a judicial sale, to transfer the concession into strange hands without the consent or approval of Colombia—hands, it may be, that are hostile to Colombia, or in competition with it, such as the Suez Canal Company.

If the residence of the company of construction or its branches can, by implication, give such powers to the States in which it may conduct its business operations, "confusion worse confounded" must ensue, if the country of residence undertakes to deal with "the branches." And in a no less palpable way would confusion arise as to the powers conferred by the concession itself, if a residence at Bogota would make Colombia the supreme political jurisdiction to control the company and decide upon its dissolution and the sale and distribution of its "assets," while a residence in France would confer that same jurisdiction on French courts, under French laws, where the civil law prevails.

Or, if London or New York were chosen as its residence, where the common law of England prevails, it would control the whole subject. It is by no means the purpose of the law of Colombia to place that Government and these vast interests under the control of the courts or the legislature of the country in which the company of construction may choose to reside.

It may be stated without giving offense, *that it is absurd to say that the residence of the company of construction, fixed by its own selection, can change the rights, powers, or responsibilities of the company under the concession, or the rights or powers of Colombia, either as a Government, or as a stockholder or creditor of that company.*

It must result, if France has not acquired jurisdiction over the canal property in Colombia and plenary jurisdiction over the company, merely because it resides in Paris, that the French courts could neither dissolve the company nor appoint a liquidator to take charge of and sell its property. And the Government of France was equally impotent and wanting in such power.

PROPERTY VIRTUALLY CONFISCATED BY FRENCH COURTS WITHOUT COLOMBIA'S CONSENT.

All the proceedings, legislative and judicial, in France are *in invitum* against the company, and Colombia was not even invited to become a party to them. A liquidator was appointed to take charge of her rights and interests as a sovereign State, and the property was virtually confiscated by decrees of the French courts and sold, without her consent, so far as the judicial and legislative records of France show, to a foreign government. *No judicial record of France shows, or pretends to have, any reference to the consent of Colombia.*

These judicial decrees must rest for their validity on the facts stated on the records of the courts, and the consent of the Government of Colombia does not appear in any way on any of these records, and is not even made a condition of the validity of the decrees.

If such consent exists, as does not anywhere appear, it is *dehors* the record, and the decrees are simply void.

If a subsequent assent of Colombia was given in fact or by implication, that does not cure the fatal infirmity of the want of jurisdiction in the French courts at the time the decrees were rendered.

SOURCE OF THE TITLE OVERLOOKED BY JURISTS AND THE FRENCH COURTS.

Mr. Attorney-General Knox, in his examination of the title of the New Panama Canal Company to the concession from Colombia, and its right to convey the privileges conferred and the property acquired in pursuance thereof, *began his investigations at the point where the French courts began their proceedings*, and he followed their action as far as they had gone, *apparently, without considering whether, or how far, these courts had overstepped their jurisdictional powers in assuming that they could dispose of property situated in Colombia, without reference to the rights or powers retained by Colombia as a sovereign State, and the limitations and restrictions imposed by the law of Colombia upon its agent, the "International Interoceanic Canal Association."*

So indifferent to the nature of that contract and the force of the statute of Colombia which gave it vitality were the French courts that neither they nor any of the jurists who have given opinions on this title seem to have attached any importance to those laws *as the source of the title*, or even to have considered the subject.

The concession of 1878 is made to the "International Interoceanic Canal Association," then organized with certain powers under the laws of France, *which powers are changed and enlarged by the law of Colombia, so that it is made a company or corporation of Colombia, and is made subject to the exclusive jurisdiction of Colombia as to all matters that relate to its essential functions and their administration.* That company was thus reconstructed by Colombia and was given the power as well as the privilege to construct a canal at Panama, and to conduct the enterprise chiefly for the benefit of Colombia, and to raise money to build and equip the canal.

COLOMBIA THE ULTIMATE SOLE BENEFICIARY OF THE ENTERPRISE.

As the property belongs to Colombia *and was not sold or conveyed to the company*, and was subjected only to the privileges granted, and returns to Colombia when the privileges ceased or were foreited, with all the plant, material, and improvements upon it, including the canal, without compensation; and as Colombia retained a very large interest *in the gross receipts of the company annually*, which were guaranteed to equal $250,000 per annum, to be paid by the company of construction, which was also authorized to be formed, *that Government was the ultimate sole beneficiary of the enterprise, and the concessionary company was the temporary recipient of the tolls of the canal for its compensation or "indemnity."*

Colombia was making provision for the ownership of a great property, which the success of the enterprise would certainly secure to it, and the perpetual advantages that must accrue to its commerce, its national power, and domestic prosperity.

To guard these rights and interests against all interference on the part of the concessionaire, and on the part of any government in which the company was permitted by Colombia to reside, and to secure *its right of immediate resumption of the property, without resorting to legal proceedings*, when, for any cause, the privilege should cease, the law of Colombia expressly provides that the company of construction named in the act should remain "under the immediate protection" of that government.

WHAT "IMMEDIATE PROTECTION" IMPLIES.

This "immediate protection" implies control, without which protection would be a dangerous undertaking for a government. But, if the meaning of these words is limited to the narrowest signification, the "protection" is accompanied with a clear and indisputable fact that gives it a definite meaning, namely, *that permission* is given to the concessionaire to reside in either of four foreign countries, and the "immediate protection" to be given by Colombia *evidently means protection against the power of such country to dissolve the company or to sell its rights under judicial condemnation, or to place its property in gremio legis, or to distribute its assets to creditors, or to create another company to take over the concession and assets, or authorize or decree the sale of them to a foreign country.*

It is the "immediate protection" of Colombia and not of France that is provided for in the law of Colombia, and the protection extends to the company, to its creditors, and to all concerned in it. *Yet French courts assume the right to give their alleged protection to this company, without any reference to the power reserved to Colombia to give it.* This protection is made still more specific by clause 5 of article 22 of the concession.

The question of the jurisdiction of France or her courts to give "protection" to the concessionnaire, or its successors, or the canal property, *is to be solved only by reference to the law of Colombia as it was when that effort to give such protection was made by the tribunal of the Department of the Seine, December 14, 1888, and February 14, 1889, and by the French Assembly on July 1, 1893.*

Colombia had never conceded to France or to her courts the right to protect the concessionnaire or its property, which right was reserved to Colombia in the concession, and *especially Colombia never conceded the right to destroy the concessionary company—authorized and especially empowered by her statute to build the canal—and to transfer that right by a "judicial sale" to a purchaser.*

FACTS RECITED IN DECREE OF FRENCH COURT WOULD CREATE A FORFEITURE OF ENTIRE CONCESSION AND CANAL PROPERTY TO COLOMBIA.

The proceeding in the French court was based on the alleged ground that the stockholders had failed to be present at a called meeting in sufficient numbers to take lawful action on the question of the dissolution of the company; and that, under article 1871 of the civil code (of France), "the power of deciding finally whether the company, under the circumstances contemplated, can still continue its normal course or whether its dissolution is rendered necessary by the very situation in which it is placed; *that it is now established that the Compagnie du Canal de Panama has ceased to act in a regular way; that it has suspended payment upon its securities, and that the work on the canal is insured only for a very limited time; that since December 15 last it has been necessary to confide its management provisionally to appointees of the court; that these wholly provisional measures are now sufficient, or will shortly become so, and that it is important to ward off danger, the consequences of which will become irreparable;* considering, therefore, *that there is occasion for pronouncing the dissolution of the company and providing for its winding up;* that there is occasion also for ordering a provisional execution of this judgment, notwithstanding appeal, and without security applying article 135 of the code of civil procedure, the court proceeds to its decree."

This semitragic recital of the reasons and causes that are alleged to give jurisdiction to the civil tribunal of the Seine to render these summary and fatal decrees *presents* (if they are to be taken as true, as they must be taken) *the exact state of facts that creates a forfeiture of the entire concession, under article 22 of the law of Colombia, and gives to its supreme court, expressly, the exclusive jurisdiction to determine, and leave sthe property in the full ownership of Colombia.* If that law of Colombia is valid and was then in force, the French courts could not "protect" the company by declaring its dissolution, or hand over the property to a French liquidator. It was, *all the time, the property of Colombia, to which, by the act of forfeiture or by the dissolution of the company, Colombia's right of possession became perfect as against the concessionaire, and against the power of any court of France.*

But the French court went still further and conferred upon the liquidator rights and powers over the company, and to the canal and its alleged assets, *that Colombia had never granted to the company and that would utterly destroy the rights of Colombia, as they are defined in the concession.*

And the French court went still further, and, upon the facts recited, which are above copied, it decreed as follows: "*For these reasons, pronounces the dissolution of the Compagnie Universelle du Canal Interocéanique de Panama, and orders that it be wound up.*"

If that decree was valid, it at once devolved the title and the possession of all the property and property rights of the company, in Panama, upon Colombia, under article 22 of the concession, and also under other articles of the concession.

The above-quoted recitals of said decree show that the *subject*

of the decree and its purpose was coram non judice, and that the decree was an invasion of the rights of Colombia, as they are expressed in the concession, which was also a part of the statutes of the company.

This being so, all the judicial proceedings that ensued in the French courts *fell with that judgment*, and the act of July 3, 1893, in aid of that jurisdiction, so assumed, is of no effect, and violated the rights of Colombia expressly reserved in the concession.

THE EFFORT TO CONFER ON THE LIQUIDATOR "THE BROADEST POWERS" AN ASSUMPTION OF JURISDICTION.

The effort of the French court to confer on the liquidator appointed by it "the broadest powers, especially to grant or contribute to any new company all or a part of the corporate assets, to enter into or ratify with the contractors for the Panama Canal all agreements having for their purpose the insurance of the continuance of the works, and to this end to contract all loans and form all sinking funds," is an exceeding broad and startling assumption of jurisdiction, if such a thing is possible under French laws. But it palpably violates the law of Colombia in at least two particulars: (*a*) "The broadest powers" of the concessionaire company, or of any transferee of the concession, can only be such as are granted by the law of Colombia. (*b*) The construction company can not possibly have rights or powers other than those granted by Colombia as to the property in question, but that law is utterly disregarded by the French court in this judgment.

As to what is meant by the "broadest powers" is not stated, but the complete and exclusive ownership and the unabridged power of disposal are necessary to fill up the measure of such "broadest powers."

The subsequent action of the French courts and of the French Government accords with this definition, which exceeds any powers conceded to the Panama Canal Company by Colombia.

STUDIED SILENCE AS TO RIGHTS OR POWERS OF CONTROL BY COLOMBIA.

There is a studied silence in all the proceedings of the French courts and of the French Government as to any rights or interests or powers of control by Colombia over its own concessionnaire, to whom it gave all it possesses, even to its name and its authorized places of residence.

RESIDENCE OF THE COMPANY IN FRANCE.

It seems to have been concluded that, *if the company should select its residence at Paris, that fact alone, which is the only fact that connects it with France, authorized the French courts to take as complete jurisdiction over it as if its existence and all its rights were authorized by French law instead of Colombian law*, even to the extent of its dissolution by their decrees and the discretionary disposal of its property through a liquidator. And it was further assumed that the French Assembly could ratify such proceedings by statute, and prevent creditors from controlling or conducting suits to recover their debts, and bar their rights of action against the company, unless the appointed agent of the court to represent them should sue in his own name within a certain limited time, *even though the debts are due to Colombia.* These were the rights of Colombia, reserved necessarily in the concession, and not the rights of France or of her courts.

There never was so sweeping and potent a jurisdiction founded on so slight a basis as the mere fact that a foreign company or corporation chose to take up its residence in Paris—one of four cities named by Colombia among which such a residence could be selected.

No French law was required to authorize that residence, or *if any such law was required it can not be true that France has no legal connection with the Panama Canal Company.*

If the residence of the company in Paris was merely through the tolerance of France, by international courtesy, that courtesy, at least, should have caused France to abstain from a course of legislation that was calculated, if not purposely devised, to keep the administration of all the affairs and property of the canal in the hands of the Frenchmen, even after a French court had destroyed the concessionary company by decreeing its dissolution.

RESPONSIBILITY OF FRANCE.

France can not thus violate the right of Colombia, and of the shareholders, bondholders, and general creditors of the Panama Canal Company, without responsibility, and can not escape that responsibility by asserting that *as a Government she has had nothing to do with the company.* Somebody, or some government, still owes those debts, *and the French courts admit the equal validity of all of them, according to their respective priorities*, by decreeing that 60 per cent of the money arising from the sale of the concession and the other assets of the old company and the new company to the United States shall go to the liquidator, and shall be applied by him to all of these debts. They are not paid, nor are they dead in law, and the French courts hold that they are entitled to share in this fund.

COLOMBIA BOUND FOR DEBTS OF OLD PANAMA CANAL COMPANY.

If Colombia has become, or shall become, a party consenting to all these proceedings, or if she is not such a party, in either case *she is bound for every bond issued by the old Panama Company, and for all the other debts of that company contracted for material furnished or work done for the canal.*

Such obligations, contracted by a sovereign power, are not collectible by law; but, under the morality of the laws of nations, they are of much higher obligation than the debts of persons or corporations, for that reason.

In the moral law, then, Colombia is bound for these debts on the following grounds:

First. Colombia is the chief and real beneficiary of the work agreed to be done on the canal.

Second. The lands granted by her are given, as are all the other privileges, in lieu of money compensation, "*to indemnify the grantees* for expenses incurred by them in constructing, operating, and maintaining the canal." (Article 14.)

The compensation for the concession to be paid to Colombia is "shares" amounting to 5 per cent of the gross receipts obtained by the enterprise * * * during the first twenty-five years after the opening of the canal, and 6 per cent for the second twenty-five years, and 7 per cent for the third twenty-five years, and 8 per cent until "the termination of the privilege." "It is understood that these shares shall be reckoned, as has been said, *on the gross income from all sources, without any deduction for expenses*, interest on shares, or on loans or debts against the company." "The company guarantees to the Government of Colombia that the share of the latter shall not be less than $250,000 a year." (Article 15.) With these and other rights and interests of a public nature in the canal and its income, Colombia also reserves the right to inspect the accounts and to "*intervene*" in the management of the company, through an agent in the board of administration. *Colombia is, in every sense, the principal in the enterprise, and the company was its agent with a limited authority.*

Among the powers conferred on this agent was the following: "That it shall undertake the execution of the work, taking charge of all financial transactions that shall be needed." (Article 18.) The money was intended to be raised by the sale of interest-bearing stocks and bonds to build the canal.

All that such contributions would add to the value of the enterprise was to be the property of Colombia, without compensation to the company, at the end of the "privilege," or whenever the privilege should cease, because of forfeiture.

If the company fails to complete the canal within the time prescribed in the concession, so that all the work done and all the machinery in the plant and all the material accumulated fell into the hands of Colombia, such a forfeiture, or a forfeiture for any cause, would neither pay nor extinguish the bonds nor relieve the company from their payment, but they would become the debt of Colombia, rightfully and morally, and the acquisition of the property by her would create an implied promise, upon good consideration, on the part of Colombia, to pay the debts it had authorized and empowered the company to create.

This obligation has even a firmer and clearer basis in the fact that Colombia has sent this company out into the world to raise money and expend it upon a work in which she had the largest interest, and had thereby constituted the company its agent to create debts for her benefit, in a manner which is prescribed in concession.

If a private person or a corporation or partnership should do what Colombia has done, no court in Christendom could exonerate them from such debts.

CONCLUSIONS.

The necessary conclusions are:

1. That these debts are not paid, but are valid and in full force.
2. That Colombia is justly bound for their payment.
3. The courts in France and the French assembly had no power to dissolve the Panama Canal Company or to provide for the sequestration of its property or the property of Colombia in the canal by placing it in the hands of a liquidator.
4. That no power existed in those courts to make a judicial sale of that property, and thereby to transfer the debts due the bondholders to the proceeds of such sale for payment.
5. That if such sale has been made, it is without legal authority.
6. That if Colombia has assented to such sale, it only makes her obligation to pay the debts contracted for the construction of the canal clearer and more imperative.
7. That the rights of Colombia are the same as if the decrees of the French court had never been made.
8. That if a title to the concession of Colombia can be made to the United States, it can only be done by an act of the Congress of Colombia.
9. That no such act has been passed by that Congress.

10. If such an act is passed, and a sale is made to the United States in virtue of its provisions, Colombia must warrant the title against all incumbrances; otherwise, it can not be satisfactory.

11. That it is futile and is in promotion of fraud and peculation to pay the New Panama Canal Company $40,000,000 for a title, under French law, to real estate located in Colombia, which instantly vested, in full right, in the Government of Colombia on the dissolution of the old Panama Canal Company, if that decree of the French courts was valid.

WORK DONE ON THE CANAL BY THE OLD COMPANY BELONGS TO COLOMBIA.

It is manifest in fact and admitted in the decrees of the French courts that the work on the canal could not be completed by the old company, and that it has suspended business, leaving nothing that the old company or its liquidator could convey, and nothing to show for the $40,000,000 except that a so-called successor of the old company will consent to what Colombia has the legal, equitable, and moral right to do without such consent, viz, to sell the property, or concede rights in it for canal purposes, to the United States. *The work done on the canal by the old company belongs to Colombia, under the concession of March 23, 1878, upon the facts stated in the decrees of the French courts.*

CONTRACTS MADE WITH LIQUIDATOR OF OLD COMPANY AND WITH NEW PANAMA CANAL COMPANY ARE NEW CONTRACTS.

The contracts made with the liquidator of the old company and with the New Panama Canal Company, if any, *are new contracts upon new and valuable consideration, with many new provisions and agreements, on the basis of the first concession, but under new terms of concession.*

CONDITIONS WHICH SHOULD ACCOMPANY PURCHASE OF A "SUBSTITUTED CONCESSION" FROM COLOMBIA.

Neither of these agreements exonerate Colombia from liability for debts created under the first concession, and if the United States buys another and substituted concession from Colombia, *to be "satisfactory" it should place the burden of the outstanding debts of the old company upon Colombia, by express agreement, and it should provide for the cancellation of the new concessions to the liquidator of the old company and to the new company.*

Colombia alone can procure the cancellation of those new concessions, and should do so, thereby relieving the United States from all possible complications with France and from all the doubts and contentions about the deraignment of a title through the proceedings in the French courts, *and from the fatal error of accepting a title from the New Panama Canal Company, without warranty or security, upon the mere opinions of lawyers, however wise and learned they may be.*

OBLIGATIONS OF STOCKHOLDERS IN OLD COMPANY.

This is the only safe or "satisfactory" course that can be taken.

12. Another matter that is of the deepest concern to the honor of the United States is *that every stockholder in the old company is bound to the creditors of that company by mutual express agreement, for a sum equal to the face value of the shares held by him, for the payment of those debts.* The ownership of the stock carries with it this liability, at its face value, for the debts of the company.

If the United States makes an agreement with the New Canal Company that will transfer the rights of these creditors to the sum it will pay for the property, and if it is accepted by the liquidator, as is proposed, as a full satisfaction of these debts, there will rest upon the United States the odium of sacrificing hundreds of millions of dollars of debts due to honest and innocent creditors for the sake of a bargain in the price of the property, and the still greater discredit of having obtained that property for about one-third of its appraised value.

This just odium will grow into a national scandal when the world turns to the report of our Isthmian Canal Commission of November 30, 1901, and finds in that report the facts and statements which show that the title we purchased from the New Panama Canal Company was obtained from the liquidator of the old company by men who had robbed and defrauded the old company, and that some of them had been convicted of this crime in the courts of France; that they had been forced into the organization of the new company, and to make cash subscriptions to its capital stock, in settlement for those frauds and in condonation of those crimes. It is a still darker fact that they are to be fully repaid from our Treasury for all that they put into the company, with a profit of $3,000,000, while the real creditors will get little or nothing on their just claims.

To pay $40,000,000 to such men for such a title as they can convey is a task that Colombia should assume, even if we have to pay that vast amount in order to make Colombia free from obligations to them and to enable her to deal with the United States, without obstruction, for full and unembarrassed canal concessions.

CONCEALMENT AND DUPLICITY PRACTICED BY THE NEW PANAMA CANAL COMPANY.

The New Panama Canal Company, in the many attempts it has made to shove off a desperate enterprise upon the United States, has never honestly and frankly stated the facts of these transactions, but has practiced concealment and duplicity with adroit and persistent importunity.

Let Colombia, who has been so heavily paid for the extension of its concession to favor this dangerous play, deal with the company that has pushed its aggressions until it had embroiled Colombia in civil war.

In further discussion of this subject, if need be, the opinion of the Attorney-General on the laws of France relating to this subject will be next considered. What has been said above is based on the law of Colombia granting the concession to the International Interoceanic Canal Association, and its effect upon the title of the New Panama Canal Company, derived through the proceedings of the French courts and the French Parliament. The validity of these proceedings *under French law* is not a material question if they are void *because they violate the law of Colombia*, from which these concessionnaires derive all their asserted rights, privileges, and powers.

After three hours and forty minutes spent in executive session the doors were reopened.

AMENDMENT OF RULES—LIMITATION OF DEBATE.

Mr. PLATT of Connecticut. In accordance with the notice which I gave on yesterday, I submit a resolution and ask that it be read and referred to the Committee on Rules.

The resolution was read, and referred to the Committee on Rules, as follows:

Resolved, That the rules of the Senate be amended by adding thereto the following:

The Senate may, at any time when a bill, treaty, or other measure is under consideration, by a vote of three-fifths of the Senators present and acting, taken without debate, adopt an order fixing the time when debate upon such bill, treaty, or measure shall cease, and when a vote upon the same and all amendments pending or that may be then offered shall be taken without further debate; and in the order fixing the time for the taking of such vote may also limit the time which a Senator may occupy in debate between the adoption of such order and the final vote upon such bill, treaty, or measure.

For the foregoing stated purposes the following rules, namely, VII, VIII, IX, X, XII, XIX, XXII, XXVII, XXXV, and XL, are modified.

POSTAL TELEPHONE SERVICE.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Postmaster-General, transmitting certain information relative to the use of the telephone in the collection and delivery of special-delivery mail matter, and calls the attention of the Senator from Indiana [Mr. FAIRBANKS] to the communication.

Mr. FAIRBANKS. I move that the communication lie on the table, and that it be printed in the RECORD.

There being no objection, the communication was ordered to lie on the table, and to be printed in the RECORD, as follows:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., March 10, 1903.

Hon. CHARLES G. BENNETT,
Secretary United States Senate, Washington, D. C.

SIR: I return herewith the resolution of the Senate of February 25 in regard to the use of the telephone in connection with the special-delivery service.

During the year 1901-2 postmasters at the following offices were authorized to adopt the system of collection and delivery of local special-delivery mail matter in response to telephone and other calls: Buffalo, N. Y.; Gardner, Mass.; Macon, Ga.; Saginaw West Side, Mich.; Carthage, Mo.; Dayton, Ohio; Syracuse, N. Y.; Concord, N. H.; Fort Scott, Kans.; Lowell, Mass.

The service is also in use in the Washington, D. C., office.

A person who desires to send a special delivery from one part of the city to another deposits the same at any station, with ordinary postage properly prepaid and special-delivery stamp. The clerk in charge of the station immediately calls up the main office and requests a messenger, who goes direct to the station, receives a letter or package, and delivers it direct to the addressee. This service can only be used at such offices as have contracts or arrangements for use of telephone without charge. The practice at the Washington office is that at the end of each day the clerk in charge of the station is required to furnish the main office, on a blank provided for the purpose, a statement of all special-delivery matter dispatched in this manner from his station. During the time the service has been in operation it has been appreciated by the public and used to a considerable extent for local mail.

In reference to the use of telephone for the delivery of rural mail matter, it is felt that it is practicable to use the telephone in connection with the rural free-delivery service, especially in those counties or communities in which the service is well established and the telephone generally used by the farmers or by country stores.

Very respectfully,

R. J. WYNNE,
Acting Postmaster-General.

AMENDMENT OF RULES—DISPOSITION OF ROUTINE BUSINESS.

Mr. HANSBROUGH. I desire to give notice of a proposed amendment to the rules of the Senate, which I ask may be read.

The PRESIDENT pro tempore. The Senator from North Dakota submits a resolution, which will be read.

The Secretary read as follows:

Mr. HANSBROUGH. I give notice that, in accordance with the provisions of Rule XL, I propose to move an amendment to the rules which will modify Rule VII, and for that purpose will submit the following resolution:

Resolved, That the rules of the Senate be amended by adding thereto the following:

That Senators, of their own motion, at any time while the Senate is

sitting, may deposit, in a receptacle provided for that purpose at the Secretary's desk, any petitions or memorials, reports from the Committee on Pensions, and pension bills; and all matters so deposited shall be disposed of in the same manner as if presented by Senators from their places on the floor of the Senate; and the Secretary of the Senate shall promptly furnish each day to the Official Reporters of Debates for publication in the RECORD a transcript of all the matters above referred to.

Mr. HANSBROUGH. Under the rules, I ask that the resolution may lie on the table.

The PRESIDENT pro tempore. It will lie on the table.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 14, 1903, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 13, 1903.

SUPERVISING INSPECTOR-GENERAL OF STEAM VESSELS.

George Uhler, of Pennsylvania, to be Supervising Inspector-General of Steam Vessels, to succeed James A. Dumont, resigned, to take effect March 31, 1903.

RECEIVERS OF PUBLIC MONEYS.

Alexander Meggett, of Wisconsin, to be receiver of public moneys at Eau Claire, Wis., his term having expired. (Reappointment.)

John L. Burke, of Hot Springs, S. Dak., to be receiver of public moneys at Rapid City, S. Dak., vice William S. Warner, term expired.

APPOINTMENTS IN THE NAVY.

Ervin A. McMillan, a citizen of California, to be an assistant paymaster in the Navy, from the 12th day of March, 1903, to fill a vacancy existing in that grade on that date.

Eugene H. Tricou, a citizen of California, to be an assistant paymaster in the Navy, from the 12th day of March, 1903, to fill a vacancy existing in that grade on that date.

POSTMASTERS.

DELAWARE.

Douglass C. Allee, to be postmaster at Dover, in the county of Kent and State of Delaware, in place of John W. Casson. Incumbent's commission expired January 10, 1903.

John W. Jolls, to be postmaster at Middletown, in the county of Newcastle and State of Delaware, in place of John W. Jolls. Incumbent's commission expired June 14, 1902.

NEW YORK.

Abram Devendorf, to be postmaster at Fort Plain, in the county of Montgomery and State of New York, in place of Emiel Rebell, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 13, 1903.

CONSUL.

William W. Masterson, of Kentucky, to be consul of the United States at Aden, Arabia.

REGISTER OF THE LAND OFFICE.

John F. Squire, of Colorado, to be register of the land office at Glenwood Springs, Colo.

INDIAN AGENTS.

John M. Carignan, of North Dakota, to be agent for the Indians of the Standing Rock Agency in North Dakota.

William G. Malin, of Iowa, to be agent for the Indians of the Sac and Fox Agency in Iowa.

RECEIVER OF PUBLIC MONEYS.

John L. Burke, of Hot Springs, S. Dak., to be receiver of public moneys at Rapid City, S. Dak.

APPOINTMENTS IN THE NAVY.

Ervin A. McMillan, of California, to be an assistant paymaster in the Navy, from March 12, 1903.

Eugene H. Tricou, of California, to be an assistant paymaster in the Navy, from March 12, 1903.

POSTMASTERS.

LOUISIANA.

Charles A. Austin, to be postmaster at Welsh, in the parish of Calcasieu and State of Louisiana.

MISSOURI.

Samuel J. Wilson, to be postmaster at Macon, in the county of Macon and State of Missouri.

Edwin Long, to be postmaster at Rolla, in the county of Phelps and State of Missouri.

NEBRASKA.

Caroline A. McDougall, to be postmaster at Friend, in the county of Saline and State of Nebraska.

NEW JERSEY.

Alfred M. Jones, to be postmaster at Summit, in the county of Union and State of New Jersey.

NEW YORK.

Alfred S. Emmons, to be postmaster at Spencer, in the county of Tioga and State of New York.

OHIO.

Roger H. Murphey, to be postmaster at Urbana, in the county of Champaign and State of Ohio.

William E. Pelley, to be postmaster at Mingo Junction, in the county of Jefferson and State of Ohio.

John M. Washington, to be postmaster at Sabina, in the county of Clinton and State of Ohio.

SOUTH CAROLINA.

William H. Brunson, to be postmaster at Edgefield, late Edgefield Court-House, in the county of Edgefield and State of South Carolina.

J. P. Murphy, to be postmaster at Bamberg, in the county of Bamberg and State of South Carolina.

George H. McKee, to be postmaster at Darlington, in the county of Darlington and State of South Carolina.

INJUNCTIONS OF SECRECY REMOVED.

The injunction of secrecy was removed March 13, 1903, from the report by the Attorney-General, in response to a resolution of the Senate of March 9, 1903, on the present state of negotiation between the New Panama Canal Company and the United States, and the accompanying papers.

The injunction of secrecy was removed March 13, 1903, from the message of the President of the United States, in response to a resolution of the Senate of the 11th instant, transmitting the opinion of the Attorney-General upon the title proposed to be given by the New Panama Canal Company to the United States, and also from the accompanying papers.

SENATE.

SATURDAY, *March 14, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the the city of Washington.

Mr. JOSEPH W. BAILEY, a Senator from the State of Texas, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE SESSION.

The PRESIDENT pro tempore. Is there morning business? [A pause.] There seems to be none.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business.

PANAMA CANAL TRRATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia, for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: The act of the Congress of Colombia of May 23, 1878, enacts into a public law the concession dated March 20, 1878, and employs two distinct companies to execute its objects; one for creating, by contract with Colombia, the rights and privileges connected with the canal and for settling the plan and location of the canal to be constructed, and the other to execute the work of building the canal.

The original company, which became the concessionaire, was in existence when the contract was made, and dealt with the Government of Colombia in the name of the International Interoceanic Canal Association, through its agent, M. Lucien N. B. Wyse. This company had been organized in France as a civil, anonymous company. But its powers were inadequate to the purposes of Colombia, and, in the law of concession, they were much enlarged and were accurately defined. It thus became a new creature of the law of Colombia.

The place of its organization and its objects are not stated in the opinion of the Attorney-General or elsewhere in any papers that have been submitted to Congress, but these facts have been since furnished by the Attorney-General, and are considered in this connection.

That company was originally organized in conformity with the laws of France, on the 19th of August, 1876, as a "Civil International Company for the Cutting of the Interoceanic Canal across the Isthmus of Darien." This was its legal name, which was changed by the law of Colombia to "The International Interoceanic Canal Association."

OBJECTS OF THE INTERNATIONAL INTEROCEANIC CANAL ASSOCIATION.

The object of that association is stated as follows in article 1:

First. There is formed between the undersigned a civil company *en participation*, having for object, first, to cause to be studied by engineers of its choice the general plan and estimate of an interoceanic canal, without locks or tunnels, across the Isthmus of Darien, following the passage pointed out by M. Anthoine Gorgorza.

Second. And upon the return of the technical commission to take all measures for the organization and construction of an anonymous international company of execution and operation.

IMPORTANT CHANGES MADE BY COLOMBIA IN OBJECTS AND POWERS OF ASSOCIATION.

The name of this company and its objects were changed by Colombia in the law of concession of May 23, 1878, and important changes were made both in its objects and powers.

The name was changed by the law of Colombia of 1878 to the "International Interoceanic Canal Association," and the objects were changed so as to remove "the restrictive stipulations of any kind" found in the French organization, and to confer upon it many additional powers, rights, and privileges not found in that charter. These powers, granted to this company and to the company of construction it was required to organize, covered the whole business of constructing and operating the canal, after its location, through a company of construction, and of raising money by loans on bonds and mortgages for that purpose, and for maintaining the operations of the canal by collecting tolls for transit and navigation and many other such purposes, with the power to construct or purchase railroads and to own lands. The execution of the work of constructing and operating the canal under these powers and purposes was to be placed in charge of a company the name and organization of which is provided for in the concession.

CIVIL INTERNATIONAL COMPANY RECONSTRUCTED BY COLOMBIA.

The "Civil International Company" was thoroughly reconstructed by the law of Colombia. A new name was given to it, and it went forth to the world endowed with full powers to provide for the construction of the greatest public work in the world, under the law of Colombia, and after that Government had agreed to the precise location of the canal, to be reported upon by an international commission in which Colombia was to be represented by her engineers.

The concessionnaire company had its legal residence in Colombia, because it was created or reconstructed by the law of Columbia and was not expressly permitted to reside elsewhere. But the company of construction, when formed, was expressly permitted to reside in Bogota, Paris, London, or New York.

It would be almost idle to discuss the question whether this company derived its powers from the law of Colombia, after the complete metamorphosis it thus underwent, or whether its privileges, powers, duties, and obligations were derived from the laws of France, and that it therefore remained under French jurisdiction and amenable to the laws of that Government, as a jurisdiction superior to that of Colombia.

No company of execution was then in existence, and all the terms of the concession were agreed upon by the reconstructed "Civil International Company," in the new name given to it in the concession, in which it is designated as the "grantee," as it will be termed in the further discussion of this subject.

In article 1, section 4, and in other articles of the concession provision is made that the other work upon the canal, and all projects for raising money shall be confided to a company of construction, execution, and control, to be formed within two years from the date of the location of the canal by a joint commission, in which Colombia and the grantee were represented by their engineers, respectively.

This company of construction and execution, when formed, was required to be under "the immediate protection" of the Government of Colombia, although it was permitted to fix its business residence in Bogota, Paris, London, or New York. The reason for this provision for exclusive protection is, manifestly, to prevent any foreign country from exercising a jurisdiction over it that might not accord with the policy and sovereign rights of Colombia.

RIGHTS AND POWERS RESERVED TO COLOMBIA.

The clear declaration of such an intention, and that the rights and powers reserved to Colombia in connection with this company are of the greatest importance, is shown in articles 18, 19, and 20 of the law of concession, as follows:

ART. 18. If the opening of the canal shall be deemed financially possible, the grantees are authorized to form, under the immediate protection of the Colombian Government, a universal joint stock company, which shall undertake the execution of the work, taking charge of all financial transactions which may be needed. As this enterprise is essentially international, and for public utility, it is understood that it shall always be kept free from political influences.

The company shall take the name of "The Universal Interoceanic Canal Association;" its residence shall be fixed in Bogota, New York, London, or Paris, as the grantees may choose; branch offices may be established wherever necessary. Its contracts, shares, bonds, and titles of its property shall never be subjected by the Government of Colombia to any charges for registry, emission, stamps, or any similar imposts upon the sale or transfer of these shares or bonds, as well as on the profits produced by these values.

ART. 19. The company is authorized to reserve as much as 10 per cent of the shares emitted to form a fund of shares to the benefit of the founders and promoters of the enterprise. Of the products of the concern the company take, in the first place, what is necessary to cover all expenses of repairs, operations, and administration, and the share which belongs to the Government, as well as the sums necessary for the payment of the interest and the amortization of the bonds, and, if possible, the fixed interest or dividend of the shares; that which remains will be considered as net profit, out of which 80 per cent at least will be divided among the shareholders.

ART. 20. The Colombian Government may appoint a special delegate in the board of directors of the company whenever it may consider it useful to do so. This delegate shall enjoy the same advantages as are granted to the other directors by the by-laws of the company.

The grantees pledge themselves to appoint in the capital of the Union, near the National Government, a duly authorized agent for the purpose of clearing up all doubts and presenting any claims to which this contract may give rise. Reciprocally, and in the same sense, the Government shall appoint an agent, who shall reside in the principal establishment of the company situated on the line of the canal; and, according to the national constitution, the difficulties which may arise between the contracting parties shall be submitted to the decision of the Federal supreme court.

Those rights and powers were expressly reserved to Colombia in the organization and by-laws of the old Panama Canal Company, by the agreement between the Civil International and Interoceanic Canal Company and M. de Lesseps about two years later.

INVALIDITY OF DECREE OF THE TRIBUNAL OF THE SEINE.

The facts of record further show the invalidity of the decree of the tribunal of the Seine of February 4, 1889, in that the law of Colombia was made the basis of the organization of the Universal Interoceanic Canal Association, the company of construction, under the agreement between the grantee of the concession and M. Ferdinand de Lesseps and his associates, who bound themselves to execute the concession.

This agreement, under which this company, hereinafter styled the old Panama Canal Company, became the transferee of the concession and was also the company of execution, did not in the least change the rights, powers, or obligations of Colombia to protect the company, but united them and made them more necessary and more distinctly opposed to any interference with them under the authority of France.

EXCLUSION OF THE IDEA OF FRENCH CONTROL.

Very careful provision was made in the organization of the old company to exclude the idea of control under the laws of France, and especially as to the power of the courts of France to dissolve the company or to cut off the power of its executive committee of its council of administrators to continue the work on the canal by placing it in the hands of a liquidator, as will presently be seen.

On the 5th day of July, 1879, a "committee of direction of the Civil International Company of the Interoceanic Canal Company" (formed August 19, 1876) entered into a provisional agreement with M. Ferdinand de Lesseps, * * * "stipulating on behalf of the anonymous company which he proposes to form," by which agreement the concessionary rights granted by Colombia were to be transferred to De Lesseps, for the company he proposed to form, "with all the advantages, as, also, with all the charges, stipulated by the law of concession."

Article 8 of that agreement provides that "in case M. Ferdinand de Lesseps shall not continue the work of the anonymous company, the present conditional cession shall be null and of no effect, and the company now ceding will not have anything to do with M. Ferdinand de Lesseps."

In article 4 of said agreement it is stipulated that "M. Ferdinand de Lesseps will have the right to draw up those by-laws as he may see fit, in conformity, however, *with the stipulations of the laws of concession* and, generally, to draw up those by-laws without the concurrence and without the control of the members of the civil company now ceding."

Under this agreement with the grantee of the concession—The International Interoceanic Canal Association—the old company was organized on the 20th of October, 1880.

The privileges granted in the concession of 1878 expired in twelve years from that date, on October 20, 1892.

Four objects of the old Panama Canal Company, formed by De Lesseps, are stated as follows, in article 2:

First. The construction of a maritime canal for large navigation between the Atlantic and Pacific oceans, through the parts of the American Isthmus belonging to the United States of Colombia.

Second. The exploitation of said canal and sundry enterprises belonging thereto.

Third. The construction or exploitation of all lines of railroad which the company should deem good for the undertaking, to be constructed or bought in the vicinity of the canal.

Fourth. The exploitation of lands conceded and mines contained therein. *The whole according to the clauses and conditions of the concession, such as result from the law of the Congress of the United States of Colombia, dated May 18, 1878 (law 18 of 1878).*

This is as specific and comprehensive as if that law had been inserted in the by-laws of the old Panama Canal Company.

Further, in "article 4 the company commences to date from the day of its final creation. *Its duration shall be equal to that of the concession; that is to say, ninety-nine years,* to be reckoned

from the day when the canal will be opened, in whole or in part, to the public service, or when *the grantee company* will commence to receive tolls for transit and navigation." So far these by-laws are in subordination to the laws of Colombia and in full conformity therewith. Those laws "*created*" the company, as a legal entity, to execute the concession, instead of its having been *created* by the agreement between M. de Lesseps and his associates in the old company under and by authority of the laws of France. They adopt those laws as the source from which the old Panama Canal Company derived its rights to exist as the company to execute the concession made to the grantee company.

OLD PANAMA CANAL COMPANY MERE GUEST OF FRANCE.

It was *organized* by them under the authority of the law 18th of May, 1878, of Colombia, in the name prescribed by that law, and for the purposes it defined. It was not organized to execute a private enterprise, or a public enterprise set on foot by the Government of France. It was the mere guest of France, under the comity of nations, and under its laws, as is stated by the court of cassation. France made provision in her Commercial Code for extending comity to foreign corporations.

FRENCH COMITY TO FOREIGN CORPORATIONS.

"Foreign companies desiring to carry out, in France, such operations as fall within the scope of their business, and to prosecute before French tribunals the actions to which such operations may give rise, must obtain to this effect the authorization of the French Government." * * * "But to possess the power of exercising those rights, such companies must have been legally constituted, and they are subjected in respect of the validity of their constitution, even as regards French shareholders, to the legislation of the country in which they have been founded." (Court of cassation, 14th February, 1842.) This company obtained the authorization of the Government in the precise way that is prescribed in the French Commercial Code for anonymous companies of French origin, and was careful to state the country and the law of its initiative, and to state that it adopted the French plan of organization for the purpose of conforming its action to the requirements of French law.

In making up the capital stock of the company M. de Lesseps contributed to the company: "First, the concession" (to the International Civil Company of the Interoceanic Canal) "by the Government of the United States of Colombia of the exclusive privileges for the excavation through its territory and for the exploitation of a maritime canal between the Atlantic and Pacific oceans, *with all its advantages, as also with all the charges stipulated by the law of Congress of the United States of Colombia, dated 18th of May, 1878.* (*Law of May 22, 1878.*)"

COMPANY DID NOT BASE ITS RIGHTS ON FRENCH LAW.

This company did not base its right of organization, or its by-laws, upon authority derived from the laws of France, or from the Government of France, except only to avail itself of the comity of the Government in fixing its residence at Paris under the permission of the law of Colombia.

Cautious statements were made in the by-laws to explain that it was not the purpose to derive any powers from the laws of France or to submit controverted questions to the French courts that involved the relations of the company with Colombia, but only to conform the by-laws to the laws of France, so that there would be no cause of disagreement between the company and the French Government, as appears from the following article:

ARTICLE 70. It is hereby explained that it is to conform to the French law, now in force, that the present by-laws require the representation of one-half the company's capital in the general meeting relating to purposes relating to article 68 hereabove, and the representation of one-quarter of the capital in other general meetings. But it is positively understood that the company would enjoy *all benefits derived from all new laws which should decrease the amount* of capital necessary to be represented in the general meetings, and that all new legislative provisions *touching upon this question* will become applicable to the company created by those present, *upon a conform resolution of a general meeting*, called according to the regulations prescribed by articles 42 and 43 hereabove.

In the absence of such a resolution of conformity there is neither consent nor admission that the laws of France are applicable to this company, even in the particular instance stated, but it is *an assertion that such consent is necessary to give such laws effect*, so as to change the by-laws of the company. It means that a law of France or a decision of a French court can not change the by-laws of the company without its consent, to be given by a resolution of conformity adopted in the manner prescribed for a change in the by-laws.

M. de Lesseps was jealous in his guardianship of the company against the intrusion of French legislation, which, at that time, threatened his prestige, and he was careful to shut it out. His experience with a like effort in England, to usurp control of the Suez Canal, made him wary of such interferences. He drew up the by-laws of the old company.

He touches the subject again, in article 86, as follows:

Finally M. Ferdinand de Lesseps calls attention that all the stipulations contained in the two last preceding titles relative to the organization and to the publication of the present company have only been dictated owing to the exigency of the French law for stock companies now in force. He especially reserves the benefit of all new enactments that may be introduced by legislation for the purpose of *facilitating the organization* of such large enterprises.

This means, of course, general legislation for such purposes, which would inure to the company and would bind it without any necessity for such a reservation if that company derived its rights to exist or its powers from the laws of France and was amenable to those laws for its failure to perform its duties under the concession. But, being in France, by the comity of nations care was exercised in repelling the possible conclusion that the company undertook to throw off the protection of Colombia, as it was guaranteed in the concession, and would attempt to become a French company.

METHOD OF DISSOLVING COMPANY.

A method of dissolution is provided in articles 71 and 72 of the by-laws, as follows:

"ARTICLE 71. In case of dissolution of the company *upon a proposition of the council of administration, the general meeting will determine the mode to be adopted, either for dissolution or for the organization of a new company.* One or more liquidators shall be appointed, and the most extensive powers may be granted to them."

This excluded the mode of dissolution prescribed by French laws and left it to the mode prescribed by the laws of Colombia. As the dissolution of the company would break its connection with the concession, it would be left to Colombia to decide whether a new company should be formed to execute the concession or whether the privileges should be forfeited. The failure of the "grantee" company could not affect the rights of Colombia, but the dissolution of the company of construction gave Colombia the right to reserve her possessory rights and to turn them over to a new company for execution or to retain them as being forfeited, as she might choose.

"ARTICLE 72. *During the liquidation the power of the general meetings will continue as during the existence of the company.*" No law of France authorizes this article of the by-laws of this company. It is a provision independent of those laws, but it is a part of the contract of organization, and the French courts are bound to respect it, as it enables the managers to represent the company in its further dealings with Colombia after the company is dissolved.

These provisions are not in accordance with French law, as it is asserted by the attorney-general and his supporting jurists and by the French courts. Their position is that the dissolution of the company places the further direction and administration of the affairs and property of the company exclusively in the liquidator, under the authority and direction of the courts of France, and that the power of the council of administration and of the general meeting of the company ceased with the dissolution of the company.

DECREES OF DISSOLUTION.

The decree of dissolution by the tribunal of the Seine expressly disregarded the by-laws of the company and the law of its creation.

When this company was dissolved by the judgment of the tribunal of the Seine, on the 4th of February, 1889, that proceeding was expressly based upon the ground that as a "special shareholders' meeting of January 26 last (1889) *could not be legally organized*, in spite of the reiterated notices sent to the shareholders, there is no reason to hope that a new call would have a more efficacious result; that thus the plaintiffs would be deprived by the mere force of circumstances, and without possible recourse, of a right which article 71 intended to assure them; that finally the calling of a new meeting would involve, *according to the articles*, such delays that the *corporate interests* which are now at stake might suffer irreparable injury."

Considering that the further objection can not prevail, that in accordance with article 68 of the articles of incorporation the dissolution of the company before its expiration must be voted by a meeting of shareholders, held under special conditions fixed in article 69; that none of the terms of these articles implies the idea that the right in question belongs exclusively to the shareholders' meeting, and that the courts are deprived of it; that such a provision would be in contradiction with the principle laid down in article 1871 of the civil code, and would obviously nullify its objects.

That, furthermore, what was said above relative to the shareholders' meeting of January 26 last, and the impossibility of calling to any useful purpose by a new meeting within the period fixed by the articles, is pertinent here again, and that from every point of view the application should be received.

The plaintiffs in this proceeding were M. Houri Cotton and Paul Antoine de Mondesir, as members of the council of administration of the company, to which places they were appointed by the court, with the greatest powers, and M. de Lesseps, in the character of president of the company, was defendant.

Article 1871 of the civil code, cited in this decree, applies to partnerships, limited as to duration, and not to joint stock companies. It furnishes no support to a proceeding against an anonymous company. It gives no ground of jurisdiction against such a company.

Anonymous companies have the right to fix the conditions and method of their dissolution, by agreement, in the adoption of their by-laws, and how a liquidator shall be appointed, and what

his powers shall be, and no court has the right to disregard such contract unless the dissolution is forced upon the company for a violation of the laws of France.

EX PARTE PROCEEDING FOR APPOINTMENT OF PROVISIONAL ADMINISTRATORS.

An ex parte proceeding was instituted on the 14th of December, 1888, asking for the appointment of provisional administrators of the company of "The interoceanic canal, with powers the most extensive, to carry on and administer, provisionally, the company."

This proceeding was in the name of The Interoceanic Canal Company. (See Report of Attorney-General, p. 194.) This order was made by the tribunal of the Seine and confirmed by that tribunal on the 15th of December, 1888, and three administrators, appointed on the 14th of December, were confirmed and their powers were enlarged on the 15th of December.

There is no warrant for such a proceeding against an anonymous company unless that company has violated a law of France. The failure of the company could not be more than an act of bankruptcy, but it could not be proceeded against as a bankrupt, because it was not a trading or commercial company.

COLOMBIA DID NOT ASSENT TO DECREES OF TRIBUNAL OF THE SEINE.

This being the first movement of the tribunal of the Seine to take jurisdiction of the company and its property, the decree of December 14, 1888, and the proceedings on which it was based are essential to the proper consideration of the question of the jurisdiction of the court; but they nowhere appear, either in the report of the Attorney-General or in the testimony of Mr. Pasco, who was the law member of the Isthmian Canal Commission.

The recitals in the decree of December 15 refer to the decree of December 14 and show that in both instances the tribunal of the Seine took jurisdiction on the state of facts asserted in the decree of the same tribunal on the motion for the dissolution of the company and the appointment of a liquidator, as the same are above stated. It is nowhere shown that Colombia assented to either of said decrees or that she ever ratified or in any way approved the by-laws of the Old Panama Canal Company. Her rights under the concession of May, 1878, were in no manner affected by anything that was done by the company or by the courts in respect of the company up to the time of the dissolution of the company by the decree of the tribunal of the Seine on the 4th of February, 1889.

NO FRENCH LAW PRIOR TO JULY, 1893, ASSERTING JURISDICTION OVER COMPANY.

On the 1st of July, 1893, four years and five months after the date of the dissolution of the company, the French Assembly passed a special act to regulate the administration of the company in the hands of the liquidator. Before that date the French Assembly had passed no law that asserted or in any way confirmed the jurisdiction of any of its courts over this company.

If there was any necessity for this law, it was as a healing act to recognize and confirm the usurpation of power by the courts. Under the law of nations Colombia could not be thus deprived of her right, reserved in the concession, to resume possession and unabridged ownership of the canal property, already forfeited to her by the dissolution of the old Panama Canal Company, if that dissolution was valid.

PIVOTAL POINTS ON WHICH TITLE OF THE NEW PANAMA CANAL COMPANY HANGS.

The pivotal points, then, upon which the title of the New Panama Canal Company hangs are:

First. Whether Colombia, by permitting this company to select Paris as its place of business, thereby consented that the tribunal of the Seine, under the laws of France, should take jurisdiction to dissolve it?

Colombia did not so consent, and, without a change in its law of concession, no officer or agent of that Government had any right or power to give such consent.

Second. Was the consent of Colombia sufficient to confer such jurisdiction?

It could not consent so as to bind the old Panama Canal Company. Consent can not confer jurisdiction in France over persons and real property in Colombia. That is a matter of international law, to be settled by governments.

Third. If the French tribunal had jurisdiction to dissolve the company, did its decree cause the property to revert to Colombia under the concession of 1878?

Such would be its inevitable effect under that law of concession.

Fourth. If the privileges of the concession ended with the dissolution of the company, could the French court revive them in the hands of a liquidator? *It could not, because they reverted to Colombia. The law of Colombia was expressly made a part of the organization of the company in France and under the French law.*

Fifth. Can the French courts, in virtue of their power to give direction to a liquidator, under French law, even when duly appointed, empower him to control the canal property in Colombia?

They can not; the property being real estate in a foreign country.

Sixth. Under the concession of 1878, can a court in France, by its direction, empower a liquidator of the old Panama Canal Company to construct a canal at Panama with locks and dams instead of a canal without locks or tunnels?

Such authority would violate the law of concession enacted by Colombia. It would create a new and different concession.

Seventh. Can a court of France empower its liquidator to sell the concessionary rights of the old company to a new company under the concession of 1878?

The law of concession confines these rights to the "grantee" in the concession; and Colombia would also have the right to refuse to accept a transferee, as being entitled to hold the rights and powers conferred by the law of concession; as such substituted concessionaire might be an unfit person, or a bankrupt, or a rival in commerce, or even any enemy of Colombia. The power to transfer the concession is not a full and discretionary right, or an arbitrary power. A just interpretation of this agreement requires that Colombia should have a voice in selecting a transferee of the concession on the ground of self-protection. A foreign company in France, with its life depending upon the laws of France (or the decrees of its courts), could easily destroy the most important rights of Colombia under the shelter of such French protection. This is carefully guarded against in the law of concession by placing the company "*under the immediate protection of Colombia.*"

That protection is of no value if France can set it aside and substitute its own protection, according to its discretion, for that expressly reserved to Colombia in her law of concession.

For the present the inquiry is rested on the foregoing points, because Colombia did not agree to or participate in any of the acts of the French courts included in their proceedings. What was done was done wholly in virtue of the supposed powers of the French courts derived from the laws of France. It is not considered necessary to extend or elaborate the points presented in the foregoing questions, and the answers to them, more at length. They seem to be conclusive that the French courts had no power to dissolve the old Panama Canal Company or to appoint a liquidator to hold and control the property of that company in Panama.

It further appears to be true beyond controversy that if the decree dissolving the old Panama Canal Company is valid that the necessary effect of that decree was to terminate all the privileges and property rights of that company in Panama in any way appurtenant to the canal, and by the terms of the law of concession the French courts could not prevent the same from immediately reverting to Panama.

None of these points is covered by the report of the Attorney-General or the arguments of the learned counsel of the New Panama Canal Company. The report and the arguments of counsel begin with the assumption that the French court had full powers to deal with the old Panama Canal Company as if it was a French concern in its origin, in its powers, and responsibilities, and on that predicate they proceed with great and most adroit ability to account for many things in the proceedings of the French courts that are alleged to be peculiar to that system of jurisprudence and are very astonishing.

In discussing the question of the "satisfactory" character of the title, these peculiarities of French law of themselves are far from inspiring a purchaser of the supposed title of the New Panama Canal Company with entire confidence in its validity, while they boldly suggest that those laws, thus construed, are sadly wanting in moral force and in satisfactory acceptance, as being just.

DIFFICULTY OF MILITARY CONTROL OF COLOMBIA.

Mr. President, when we consider the actual state of civilization in Colombia, which consists of fifteen provinces, extending from Panama far south into the Andean region of South America—a vast region of country—and the difficulty of controlling those people by military forces, we must confess that such a task is neither light nor certain of success.

The effort of Great Britain and Germany to invade Venezuela is an admonition to us that it will be no holiday excursion to subdue Colombia, once there is an outbreak of hostilities, or to subdue any hostile element or faction there. To flatter ouselves with the confidence of an easy success is the folly of reckless adventure and the very idleness of the boastings of a braggart.

JESUIT CONTROL.

A deep-seated religious fanaticism has been created in Colombia by the Jesuits, which has the support of all the Roman Catholic states of Europe. This power controls Colombia in all its present policies and will control it in future, so that when we are in disagreement with Colombia we are in conflict with our ancient enemy, the Holy Alliance.

These enemies of free government never slumber, though they are always in the dark and in seeming repose.

I call attention to this treaty, in connection with its provisions

for our military and naval operations, to show that it is a pitfall arranged for our disadvantage, and in connection with it the politico-religious questions that beset Colombia, to illustrate the dangers that we are encountering with cheerful folly.

THE RIGHT TO PASS SHIPS OF WAR THROUGH THE CANAL IN TIME OF WAR IS DENIED TO THE UNITED STATES UNDER THIS TREATY AND THE CONCESSION OF 1878.

Our treaty of 1846–1848 with Colombia, which is carried into the treaty now pending before the Senate, gave the right of transit across Panama to our people to the same extent as the people of Colombia have such rights by any mode of transportation then existing or thereafter to exist, with the right to determine it on a year's notice.

It did not give our Government the right, such as Colombia has recently given to Chile by a secret treaty, to transport troops, munitions of war, or contraband articles across the Isthmus of Panama.

In the face of this treaty Colombia, in making the canal concession to the old Panama Canal Company on the 23d of March, 1878, makes the following stipulation:

ART. 6. The United States of Colombia reserves to themselves the right to pass their vessels, troops, ammunitions of war at all times and without paying any dues whatever. The passage of the canal is strictly closed to war vessels of nations at war and which may not have acquired by public treaty with the Colombian Government the right to pass by the canal at all times.

This excludes the war ships of the United States from the canal when we are at war with any power.

For such privileges the United States agrees to protect the ownership and sovereignty of Colombia over the State of Panama. We do not agree to protect the people of Panama against Colombia, no matter what excesses of misgovernment, wrong, or cruelty Colombia may inflict upon them. On the contrary, our pledge to protect the sovereignty and the ownership of Colombia over Panama stands good under all circumstances and conditions and binds us to chain Panama to whatever fate Colombia may choose to inflict upon those people. We have on three occasions sent fleets and armies to that Isthmus to enforce this agreement, and in each instance it has been done to suppress insurrection in Panama against the Government of Colombia. In no instance has it been for the purpose of protecting Colombia against any aggression, disturbance, or attack by any foreign power.

THE PROTECTION WE ARE TO GIVE COLOMBIA UNDER THIS TREATY AND THE SORT OF PEOPLE WE ARE TO HANDLE.

In a letter of Cromwell to the President, the Panama Canal Company states that this guaranty of protection by the United States is one of the most valuable assets of that company.

Before that guaranty was given the church party in Colombia had often provoked civil war in Panama, with bloody and disastrous results to the people of Panama.

In a speech in the Senate on June 4, 1902, I quoted from the history of Panama, by Bancroft, extensive narratives of the facts that show that civil war was flagrant and bloody as well as cruel in an excessive degree in Panama in 1831 and 1841 until 1843, when constitutional reforms "tended to reestablish good understanding between the provinces, and Panama again appeared satisfied with the connection" with New Granada. In those wars revengeful butchery was the rule of conduct, as is usual in nearly all religious wars that have ever occurred.

I refer the Senate to that history, and to the extracts I made from it in the speech I have referred to, to establish these facts, without again quoting the language of the historian. (P. 6710 of the CONGRESSIONAL RECORD.) It was the same church war that had raged since 1810, beginning with the outbreak in Mexico, from which no Spanish-American State escaped that attempted to establish a republican form of government and to remove civil government from the domination of the Roman Catholic Church. The people of Panama, having been recognized by Spain as a free, sovereign, and independent Republic, and having ordained a constitution, resisted the demands of the church party for a subsidized priesthood to live on the taxes levied upon the people.

Some desperate outrages were inflicted on our people going to and fro to the California gold mines. Our Government sought to protect them by negotiating the treaty of 1846–1848, in which Colombia, then New Granada, demanded counter protection against Panama in her frequent wars with the church party.

No such treaty was ever made by a government in the Christian era, except to protect the Church of Rome as a dominant political power in some revolting province under the jurisdiction of a Catholic sovereign. It is utterly repugnant to the Constitution of the United States to enter a foreign country for the purpose of keeping down one of its dissatisfied or revolting states or departments.

Yet that is what we did, and are about to repeat, under conditions in Colombia which aggravate our situation to one of most violent attack on the principles of our own Constitution, which divorce and exempt civil governments from the ruling power of the church and from all ecclesiastical authority in the nature of government. The pledged protection of the United States in the treaty of 1846–1848 gave to the people of Panama who belonged to the Liberal party a dislike to the Government and people of the United States, whom they regarded as being the allies of their domestic enemies, which soon manifested itself in violence toward our people, and that feeling is still hot and aggressive in Panama and in all the isthmian departments in Colombia.

The Isthmian Canal Commission had to pay tribute to petty leaders on that Isthmus to secure the privilege of passing across it. This hostile sentiment developed into riotous violence in 1854.

To show the character of protection we are to give and its extent, I quote from Bancroft.

It is a terrible story of misrule, internecine warfare, and reactionary strife that we may study with profit while we are enacting a treaty that will revive its orgies and put our Government to the laboring oar for its suppression.

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Gen. Jose Fabrega restored order in Veragua and made it known to the General Government on the 30th of August, 1831. The garrison at Panama, together with Tomas Herrera, the comandante-general, assured the president of the Nueva Granada convention of their unswerving fealty. Later, in March, 1832, an attempt was made by two subalterns to induce the sergeants of their battalion to join them in a conspiracy for upsetting the government.

The two officers were tried and executed and two of the sergeants sent into exile. Chaos reigned throughout the Republic in 1840; then came revolution. The chief men of Panama met in a junta and resolved to detach the Isthmus and form an independent republic.

It is the second time they tried that. On pages 515 and 516 he says:

The Government had carefully avoided the commission of any act of hostility against Nueva Granada; but the time came when news reached Panama that the government of Bogota was fitting out a force to bring the Isthmus into subjection, whereupon the officers of the British chargé d'affaires at Bogota were asked to obtain the consent of Nueva Granada to receive a commissioner in the interest of peace.

But the other parts of Nueva Granada having become pacified in the course of 1841, two commissioners came from the General Government, and the people of Panama, being convinced of the folly of resistance, peacefully submitted. Herrera so managed that he was appointed governor of the restored province. The constitutional reforms of 1842 and 1843 tended to reestablish good understanding between the provinces, and Panama again appeared satisfied with the connection.

But the dread of a renewal of the insurrection caused New Granada to seek the protection of the United States. Almost immediately after we had guaranteed the sovereignty of New Granada over Panama, in 1846–1848, the following events show the contempt in which the people of Panama held our intervention.

Bancroft says, pages 516 and 517:

The Canton de Alange, detached from Veragua, and the districts of David, Bolega, San Pablo, and Alange were, on the 24th of July, 1849, formed into a separate province under the name of Provincia de Chiriqui, with its governor and assembly of seven members.

This organization continued several years, though the province subsequently took the name of Fabrega and so continued until August, 1851, when it resumed the former name of Chiriqui. The territory, which in early days was embraced in the province of Veragua and appeared in August, 1851, divided into three provinces, each having a governor and legislature, namely, Chiriqui, Veragua, and Azuero. This new arrangement lasted only till April 30, 1855, when the province of Azuero was suppressed.

On pages 518, 519, 520, 521, and 522 Bancroft says:

On the 26th of January, 1854, the consuls of the United States, France, Great Britain, Brazil, Portugal, Denmark, Peru, and Ecuador addressed a protest to the governor of Panama against the neglect of his Government to afford protection to passengers crossing the Isthmus, notwithstanding that each passenger was made to pay the sum of $2 for the privilege of landing and going from one sea to the other.

Governor Urrutia Anino, on the 14th of February, denied the alleged neglect, as well as the right of those officials who had no recognition from the New Granadan Government, to address him in such a manner.

He pointed to the public jail, which was full of prisoners, some already undergoing punishment and others being tried or awaiting trial. He also reminded the consuls that only a short time had elapsed since three men were executed for crimes. It was a fact, nevertheless, that the Government could not cope with the situation, the Isthmus being infested with criminals from all parts of the earth, that had been drawn thereto by the prospect of plunder, in view of which a number of citizens and respectable foreigners combined in organizing the Isthmus guard, whose chief was Ran Runnels, charged with the duty of guarding the route between Panama and Colon and empowered to punish, even with death, all persons guilty of crimes. Urrutia Anino, the governor, unhesitatingly acquiesced in the arrangement.

Americans had occasional misunderstandings with the authorities, a notable one occurring in 1855, when the local governor of Panama returned unopened an official letter from the consul of the United States, who at once threatened to strike his flag; but the matter was settled amicably by the chief officers of the isthmus. A more serious affair was the demand of the State government that steamships arriving at Panama and Colon should pay tonnage money. This raised the protest of the American consul and the railway and steamship agents. The controversy was finally terminated by the Executive of the Republic declaring that the law under which the tonnage money was claimed had been enacted by the State of Panama without any right to legislate on such matters, as they were of the exclusive province of the General Government.

The lack of protection, as well as a marked spirit of hostility on the part of the lower class toward foreigners, was made further evident in the riot

of the 15th of April, 1856, when a considerable number of American passengers were killed and others wounded, property being also appropriated.

Consequent to this affair the city of Panama, which, owing to the misgovernment of previous years, was already on the decline, had to suffer still more. Many business houses closed their doors because the American transient passengers who, during their stay, were wont to scatter gold, thenceforth remained on shore only a few minutes. Much diplomatic correspondence passed between the American and New Granadan Governments on the subject, the former sending a commissioner to Panama to investigate the circumstances, and finally claiming a large indemnity.

At last a convention was concluded, on the 10th of September, 1857, between Secretary Cass and Gen. P. A. Herran, minister of New Granada, for settlement of all claims, the latter having acknowledged the responsibility of his Government for the injuries and damages caused by the riot.

The relations with Americans on the Isthmus continued to be unsatisfactory for some time longer. Notwithstanding that New Granada was apparently inclined to cordiality, cases of injustice or illtreatment to American citizens often occurring, at last the President of the United States asked Congress, on the 18th of February, 1859, for power to protect Americans on the Isthmus. In later years Americans have seldom had any serious cause of complaint.

Bancroft describes the situation in 1854, page 525, as follows:

Nevertheless, the white population of Panama had been for some time past discontented with the General Government, and a desire had sprung up to get rid of a yoke which was deemed oppressive. The supreme authorities at Bogota were not aware of this, and whether prompted by the fear of losing the territory or by a sentiment of justice, or by both, concluded to allow the Isthmus the privilege of controlling their local affairs, which was hailed with joy by all classes.

An additional clause to the national constitution was then enacted by the New Granadan Congress on the 27th of February, 1855, by which Panama was made a State and a member of the confederation, with the four provinces of Panama, Azuero, Chiriqui, and Veragua, its western boundary being such as might come to be fixed upon by treaty with Costa Rica. A constituent assembly of 31 members was convoked March 13 by the national executive, to meet at Panama on the 15th of July, to constitute the State.

The situation in 1855 he describes as follows (pp. 526 and 527):

A misunderstanding having occurred between the jefe superior and the assembly, the former resigned his office on the 28th of September, and having insisted on his resignation being accepted, Francisco Fabrega, who had been elected vice-governor on the 22d, was inducted into the executive office on the 4th of October.

Notwithstanding the hopes of a bright future, from this time the Isthmus was the theater of almost perpetual political trouble, and revolution became chronic, preventing any possible advancement. In 1856 there was a stormy electoral campaign that culminated in a coup d'état, for which the responsibility must be about equally divided between the executive, Francesco Fabrega, and the demagogues.

On pages 528, 529, and 530 he says:

Another outbreak of the negroes against the whites took place on the 27th of September, 1859, necessitating the landing of an armed force from the British ship *Clio*, which, after order was restored, returned on board.

This contest, out of which the Liberal party came triumphant throughout the country, was known as "la revolucion de Mosquera." The minister of Nueva Granada in Washington, on the plea that a mere naval force could not afford security to the Isthmus transit, asked the United States to provide also a land force of 500 cavalry, but the request was not granted.

The efforts of Guardia to keep the Isthmus out of the general turmoil were of no avail. A force of about 150 or 200 men under Gen. Santo Coloma came from Cartagena to Colon with the apparent purpose of enabling the governor to carry out certain liberal measures. The latter protested against such a violation of a solemn agreement; but the force insisted on coming across to Panama, and there was no way of preventing it. In the course of a few weeks Guardia, being convinced that he was being employed as a puppet, removed himself from the capital to Santiago de Veragua.

As soon as he was gone, with the connivance of Santa Coloma, a party of men, all but one of whom were of the colored race, assembled at the town hall and deposed Guardia, naming one of their own party, Manuel M. Diaz, provisional governor. A few days after, on the 19th of August, in a skirmish between forces of the two factions, Governor Guardia and two or three others were killed.

In 1865 the situation is described as follows (pp. 534–535):

Olarte's election is represented as an enthusiastic one, and intended as a reward for the services he rendered to the better portion of the isthmian community, with his defeat of the caucano invaders (white invaders).

He found himself in a constant disagreement with the legislature of the State, which he forced to submit to his dictation. The whole negro party of the arrabal was his mortal enemy, but he managed to keep it under by making it feel occasionally the effect of his battalion's bullets. In the last attempt against his power the negroes were severely punished, and they never tried again to measure strength with him. His power was now more secure than ever, and his way became plain to procure the election, as his successor to the Presidency, of his brother, then residing in Chiriqui.

The negroes were in despair, as they could find no means of seizing the Government. From the time of Guardia's deposal they had been enjoying the public spoils, and could not bear the idea of being kept out of them when their number was four or five times larger than that of the white men. The success of Olarte's plans would be the death of their aspirations, which were the control of public affairs, by ousting the whites, who were almost all conservatives. It became, therefore, a necessity to rid the country of that ogre; and as this could not be done by force of arms poison was resorted to.

The plan was well matured and carried out in San Miguel, one of the Pearl Islands, where Olarte went on an official visit. Olarte's death occurred on the 3d of March, 1868, without his knowing that he had been poisoned. This crime was not the act of one man, but of a whole political party, which took care to have the death attributed to a malignant fever. It became public, however, through the family of a gentleman, who also became a victim. No official or post-mortem examination was made and the matter was hushed up.

Armed conflicts between the political parties were frequent in 1872 and 1873, with severe fighting, so that the United States was compelled to interfere. Bancroft says (pp. 539 and 540):

The pichincha (battalion of national troops) interfered to restore Neira. After some firing it was agreed that Cervera should continue in power and Neira remain in the custody of the national force.

The national force having taken part in the troubles, its efficiency to protect the transit was rendered doubtful, for which reasons troops were landed from the United States ships of war by order of Rear-Admiral Steedman. Finally terms of peace were arranged in the evening of May 9, based on the conditions that Neira's government should be reestablished. The State militia surrendered their arms to the foreign consuls the next day, the pichincha performing the duties of the State force.

Meantime, until Neira's return, Col. Juan Pernett was to act as president. Neira heard of the change at Barranquilla on the 13th of May and returned at once. On the 21st he made Jose Maria Bermudez secretary of state and Colonel Pernett comandante-general. The votes for senators and representatives to the National Congress were counted on the 15th of July, and the names of the elect were published.

The people of the arrabal made another disturbance on the 24th of September, attacking the Government outposts at Playa Prieta. Hostilities were continued during twelve or fourteen days, when the rebels under Correoso abandoned their ground and were afterwards defeated in the country. Meantime an American force of nearly 300 men, sent on shore by Rear-Admiral Almy, a second time within four months, occupied the railway station and the cathedral plaza.

The minister resident of the United States, William L. Scruggs, on the 19th of December, 1873, laid before the Colombian Government, of which Colunje was secretary of foreign affairs, a protest of the Panama Railway Company upon the recent disturbances on the Isthmus, and a demand that the transit should in future be under the immediate protection of the Colombian Government against the acts of violence of local factions. The latter acknowledged the justice of this demand on the 26th of December, pledging that in future there would be a national force stationed in Panama for the purpose of protecting the transit.

He thus describes the situation in 1876:

The presence of Federal forces on the Isthmus had often been a source of danger to the State Government. But it was required by international obligation, and its necessity could but be recognized in view of the fact that the construction of the interoceanic canal, already under way, demanded the employment of thousands of men from all parts of the world, who, in the event of strikes or other causes, might commit outrages.

Constant strife continued through the years until 1885, when Bancroft describes the situation as follows (pp. 550–551):

The Isthmus now becomes again the theater of deadly strife, with its concomitant bloodshed and general destruction, to the disgrace of the nation of which it forms a part and the scandal of the world. A plot by some men of the national force to seize the revenue cutter *Boyaca* having been detected, thanks to the loyalty of other members of the same force, the executive notified the convention that the time had come to proclaim martial law, which he did on the 9th of February. The convention accordingly closed its session on the 11th.

On the 17th Santodomingo Vila obtained a leave of absence to proceed to Cartagena, where his military services were required, and Pablo Arosemena, the first designado, was summoned to assume the executive authority. At about 5 o'clock on the morning of the 16th of March the population was awakened by the cries of "Vivan los liberales! viva el General Aizpuru!" accompanied with numerous shots. Aizpuru, at the head of about 250 men, attacked the cuartel de las Monjas and the tower of San Francisco, which was defended by a handful of Government troops, and a running fight from corner to corner ensued.

The assailants overran the city. The British warship *Heroine* then landed some marines and sailors to protect the railroad. The President called for troops from Colon, which came at once under General Gonima, and, entering the city on the 17th, compelled the portion of the revolutionists who had remained in the city to rejoin their main body in the plains.

The following description of the events of March 29, 1885, gives a correct idea of the feeling toward Americans existing all the while since the landing of marines by Rear-Admiral Alony, in September, 1873, pages 552, 553, 554, 555:

On the 29th of March the American mail steamer *Colon* arrived at the port of the same name from New York, and the Government directed that she should not deliver arms to the rebels. This gave rise to most high-handed proceedings on the part of Prestan, culminating in the arrest by his orders of the American consul, Mr. Wright; Captain Dow, general agent of the steamship line; Connor, the local agent at Colon; Lieutenant Judd and Cadet Midshipman Richardson, of the United States war steamer *Galena*.

Soon afterwards Richardson was released and sent on board the *Galena* to tell his commander, Kane, that the other prisoners would be kept in confinement till the arms were surrendered, and if the *Galena* attempted to land men or to do any hostile act the boats would be fired upon, and every American citizen in the place would be shot. Kane, knowing Prestan's character, did not attempt any hasty act. Prestan then went to the prison and told Consul Wright that he must order Dow to deliver the arms or he would shoot the four prisoners before that night. Wright complied and they were set at liberty.

But Kane took possession of the *Colon*, and in the night landed a force and three pieces, under Lieutenant Judd, with orders to release at all hazards Dow and Connor, who had been again imprisoned. No sooner had the Americans occupied the offices of their consulate and of the railway and Pacific Mail companies than a force of Colombian national troops came on, driving the rebels before them into the intrenchments.

During the whole morning the firing was kept up, and ended about 12 noon, when the rebels were routed; Prestan and his rabble set fire to the town at various places and fled. A strong wind blowing, the flames spread violently, and the town was consumed with all its contents. The American forces continued some days longer holding the place, Commander Kane's authority being recognized and the Colombian officers cooperating with him in the preservation of order.

Prestan was captured, taken out to sea in an open boat, and drowned. He was thrown overboard with a weight attached to his body.

But to return to Panama, Aizpuru took advantage of the situation. Gonima being left with only 60 soldiers and a few civilians that had joined him to occupy the principal streets on the 31st. To make the story short, by 3 o'clock in the afternoon he was master of the place, Gonima having surrendered.

Aizpuru announced in a proclamation on the 1st that he had assumed the functions of jefe civil y militar, to which he had been called by the supporters of free political principles, and on the 4th appointed his advisers and adopted measures to protect the city from incendiarism, and especially to guard the interoceanic transit.

Marines and sailors having been landed on the 8th of April from the United States frigate *Shenandoah* by Aizpuru's request, both ends of the Isthmus were on the 10th guarded by American forces. Soon after the United States sent reenforcements of marines and sailors with special instructions to protect the transit and American citizens and their interests, avoiding all interference in the internal political squabbles. Several war vessels of the United States home squadron, under Rear-Admiral Jouett, arrived at Colon.

In the night of the 24th of April, while the revolutionists were erecting barricades—against an understanding with the American commander—the marines under Commander McCalla took possession of the city as a necessary

for our military and naval operations, to show that it is a pitfall arranged for our disadvantage, and in connection with it the politico-religious questions that beset Colombia, to illustrate the dangers that we are encountering with cheerful folly.

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On page 514 of volume 8 of his history, Bancroft says:

Civil war broke out in 1831. Colonel Alzuru, who had arrived from Guiaquil with troops, by the instigation of some prominent men rose in arms in Panama to detach the provinces from Nueva Granada. On the news reaching Bogata the National Government dispatched Col. Tomas Herrera with a force to quell the rebellion, and upon his approaching the city the more prominent families fled to the island of Taboga. Those who had prompted Alzuru's act now forsook him and rendered aid to Herrera, with all the information they possessed. The rebels were attacked on their way to La Chorrera while crossing marshy ground and defeated. Alzuru was taken prisoner, tried by court-martial, and shot in the Cathedral plaza of Panama.

Gen. Jose Fabrega restored order in Veragua and made it known to the General Government on the 30th of August, 1831. The garrison at Panama, together with Tomas Herrera, the comandante-general, assured the president of the Neuva Granada convention of their unswerving fealty. Later, in March, 1832, an attempt was made by two subalterns to induce the sergeants of their battalion to join them in a conspiracy for upsetting the government.

The two officers were tried and executed and two of the sergeants sent into exile. Chaos reigned throughout the Republic in 1840; then came revolution. The chief men of Panama met in a junta and resolved to detach the Isthmus and form an independent republic.

It is the second time they tried that. On pages 515 and 516 he says:

The Government had carefully avoided the commission of any act of hostility against Nueva Granada; but the time came when news reached Panama that the government of Bogota was fitting out a force to bring the Isthmus into subjection, whereupon the officers of the British chargé d'affaires at Bogota were asked to obtain the consent of Nueva Granada to receive a commissioner in the interest of peace.

But the other parts of Nueva Granada having become pacified in the course of 1841, two commissioners came from the General Government, and the people of Panama, being convinced of the folly of resistance, peacefully submitted. Herrera so managed that he was appointed governor of the restored province. The constitutional reforms of 1842 and 1843 tended to reestablish good understanding between the provinces, and Panama again appeared satisfied with the connection.

But the dread of a renewal of the insurrection caused New Granada to seek the protection of the United States. Almost immediately after we had guaranteed the sovereignty of New Granada over Panama, in 1846-1848, the following events show the contempt in which the people of Panama held our intervention.

Bancroft says, pages 516 and 517:

The Canton de Alange, detached from Veragua, and the districts of David, Bolboa, San Paloo, and Alango were, on the 24th of July, 1849, formed into a separate province under the name of Provincia de Chiriqui, with its governor and assembly of seven members.

This organization continued several years, though the province subsequently took the name of Fabréga and so continued until August, 1851, when it resumed the former name of Chiriqui. The territory, which in early days was embraced in the province of Veragua and appeared in August, 1851, divided into three provinces, each having a governor and legislature, namely, Chiriqui, Veragua, and Azuero. This new arrangement lasted only till April 30, 1855, when the province of Azuero was suppressed.

On pages 518, 519, 520, 521, and 522 Bancroft says:

On the 26th of January, 1854, the consuls of the United States, France, Great Britain, Brazil, Portugal, Denmark, Peru, and Ecuador addressed a protest to the governor of Panama against the neglect of his Government to afford protection to passengers crossing the Isthmus, notwithstanding that each passenger was made to pay the sum of $2 for the privilege of landing and going from one sea to the other.

Governor Urrutia Anino, on the 14th of February, denied the alleged neglect, as well as the right of those officials who had no recognition from the New Granadan Government, to address him in such a manner.

He pointed to the public jail, which was full of prisoners, some already undergoing punishment and others being tried or awaiting trial. He also reminded the consuls that only a short time had elapsed since three men were executed for crimes. It was a fact, nevertheless, that the Government could not cope with the situation, the Isthmus being infested with criminals from all parts of the earth, that had been drawn thereto by the prospect of plunder, in view of which a number of citizens and respectable foreigners combined in organizing the Isthmus guard, whose chief was Ran Runnels, charged with the duty of guarding the route between Panama and Colon and empowered to punish, even with death, all persons guilty of crimes. Urrutia Anino, the governor, unhesitatingly acquiesced in the arrangement.

Americans had occasional misunderstandings with the authorities, a notable one occurring in 1855, when the local governor of Panama returned unopened an official letter from the consul of the United States, who at once threatened to strike his flag; but the matter was settled amicably by the chief officers of the Isthmus. A more serious affair was the demand of the State government that steamships arriving at Panama and Colon should pay tonnage money. This raised the protest of the American consul and the railway and steamship agents. The controversy was finally terminated by the Executive of the Republic declaring that the law under which the tonnage money was claimed had been enacted by the State of Panama without any right to legislate on such matters, as they were of the exclusive province of the General Government.

The lack of protection, as well as a marked spirit of hostility on the part of the lower class toward foreigners, was made further evident in the riot

of the 15th of April, 1856, when a considerable number of American passengers were killed and others wounded, much property being also appropriated.

Consequent to this affair the city of Panama, which, owing to the misgovernment of previous years, was already on the decline, had to suffer still more. Many business houses closed their doors because the American transient passengers who, during their stay, were wont to scatter gold, thenceforth remained on shore only a few minutes. Much diplomatic correspondence passed between the American and New Granadan Governments on the subject, the former sending a commissioner to Panama to investigate the circumstances, and finally claiming a large indemnity.

At last a convention was concluded, on the 10th of September, 1857, between Secretary Cass and Gen. P. A. Herran, minister of New Granada, for settlement of all claims, the latter having acknowledged the responsibility of his Government for the injuries and damages caused by the riot.

The relations with Americans on the Isthmus continued to be unsatisfactory for some time longer. Notwithstanding that New Granada was apparently inclined to cordiality, cases of injustice or illtreatment to American citizens often occurring, at last the President of the United States asked Congress, on the 18th of February, 1859, for power to protect Americans on the Isthmus. In later years Americans have seldom had any serious cause of complaint.

Bancroft describes the situation in 1854, page 525, as follows:

Nevertheless, the white population of Panama had been for some time past discontented with the General Government, and a desire had sprung up to get rid of a yoke which was deemed oppressive. The supreme authorities at Bogota were not unaware of this, and whether prompted by the fear of losing the territory or by a sentiment of justice, or by both, concluded to allow the Isthmus the privilege of controlling their local affairs, which was hailed with joy by all classes.

An additional clause to the national constitution was then enacted by the New Granadan Congress on the 20th of February, 1855, by which Panama was made a State and a member of the confederation, with the four provinces of Panama, Azuero, Chiriqui, and Veragua, its western boundary being such as might come to be fixed upon by treaty with Costa Rica. A constituent assembly of 31 members was convoked March 13 by the national executive, to meet at Panama on the 15th of July, to constitute the State.

The situation in 1855 he describes as follows (pp. 526 and 527):

A misunderstanding having occurred between the jefe superior and the assembly, the former resigned his office on the 28th of September, and having insisted on his resignation being accepted, Francisco Fabrega, who had been elected vice-governor on the 22d, was inducted into the executive office on the 4th of October.

Notwithstanding the hopes of a bright future, from this time the Isthmus was the theater of almost perpetual political trouble, and revolution became chronic, preventing any possible advancement. In 1856 there was a stormy electoral campaign that culminated in a coup d'état; for which the responsibility must be about equally divided between the executive, Francesco Fabrega, and the demagogues.

On pages 528, 529, and 530 he says:

Another outbreak of the negroes against the whites took place on the 27th of September, 1860, necessitating the landing of an armed force from the British ship *Clio*, which, after order was restored, returned on board.

This contest, out of which the Liberal party came triumphant throughout the country, was known as "la revolucion de Mosquera." The minister of Nueva Granada in Washington, on the plea that a mere naval force could not afford security to the Isthmus transit, asked the United States to provide also a land force of 300 cavalry, but the request was not granted.

The efforts of Guardia to keep the Isthmus out of the general turmoil were of no avail. A force of about 150 or 200 men under Gen. Santo Coloma came from Cartagena to Colon with the apparent purpose of enabling the governor to carry out certain liberal measures. The latter protested against such a violation of a solemn agreement; but the force insisted on coming across to Panama, and there was no way of preventing it. In the course of a few weeks Guardia, being convinced that he was being employed as a puppet, removed himself from the capital to Santiago de Veragua.

As soon as he was gone, with the connivance of Santa Coloma, a party of men, all but one of whom were of the colored race, assembled at the town hall and deposed Guardia, naming one of their own party, Manuel M. Diaz, provisional governor. A few days after, on the 19th of August, in a skirmish between forces of the two factions, Governor Guardia and two or three others were killed.

In 1865 the situation is described as follows (pp. 534-535):

Olarte's election is represented as an enthusiastic one, and intended as a reward for the services he rendered to the better portion of the isthmian community, with his defeat of the caucano invaders (white invaders).

He found himself in a constant disagreement with the legislature of the State, which he forced to submit to his dictation. The whole negro party of the arrabal was his mortal enemy, but he managed to keep it under by making it feel occasionally the effect of his battalion's bullets. In the last attempt against his power the negroes were severely punished, and they never tried again to measure strength with him. His power was now more secure than ever, and his way became plain to procure the election, as his successor to the Presidency, of his brother, then residing in Chiriqui.

The negroes were in despair, as they could find no means of seizing the Government. From the time of Guardia's deposal they had been enjoying the public spoils, and could not bear the idea of being kept out of them when their number was four or five times larger than that of the white men. The success of Olarte's plans would be the death of their aspirations, which were the control of public affairs, by ousting the whites, who were almost all conservatives. It became, therefore, a necessity to rid the country of that ogre; and as this could not be done by force of arms poison was resorted to.

The plan was well matured and carried out in San Miguel, one of the Pearl Islands, where Olarte went on an official visit. Olarte's death occurred on the 3d of March, 1868, without his knowing that he had been poisoned. This crime was not the act of one man, but of a whole political party, which took care to have the death attributed to a malignant fever. It became public, however, through the family of another man, who also became a victim. No official or post-mortem examination was made and the matter was hushed up.

Armed conflicts between the political parties were frequent in 1872 and 1873, with severe fighting, so that the United States was compelled to interfere. Bancroft says (pp. 539 and 540):

The pichincha (battalion of national troops) interfered to restore Neira. After some firing it was agreed that Cervera should continue in power and Neira remain in the custody of the national force.

The national force having taken part in the troubles, its efficiency to protect the transit was rendered doubtful, for which reasons troops were landed from the United States ships of war by order of Rear-Admiral Steedman. Finally terms of peace were arranged in the evening of May 9, based on the conditions that Neira's government should be reestablished. The State militia surrendered their arms to the foreign consuls the next day, the pichincha performing the duties of the State force.

Meantime, until Neira's return, Col. Juan Pernett was to act as president. Neira heard of the change at Barranquilla on the 13th of May and returned at once. On the 21st he made Jose Maria Bermudez secretary of state and Colonel Pernett comandante-general. The votes for senators and representatives to the National Congress were counted on the 15th of July, and the names of the elect were published.

The people of the arrabal made another disturbance on the 24th of September, attacking the Government outposts at Playa Prieta. Hostilities were continued during twelve or fourteen days, when the rebels under Correoso abandoned their ground and were afterwards defeated in the country. Meantime an American force of nearly 200 men, sent on shore by Rear-Admiral Almy, a second time within four months, occupied the railway station and the cathedral plaza.

The minister resident of the United States, William L. Scruggs, on the 19th of December, 1873, laid before the Colombian Government, of which Colunje was secretary of foreign affairs, a protest of the Panama Railway Company upon the recent disturbances on the Isthmus, and a demand that the transit should in future be under the immediate protection of the Colombian Government against the acts of violence of local factions. The latter acknowledged the justice of this demand on the 26th of December, pledging that in future there would be a national force stationed in Panama for the purpose of protecting the transit.

He thus describes the situation in 1876:

The presence of Federal forces on the Isthmus had often been a source of danger to the State Government. But it was required by international obligation, and its necessity could but be recognized in view of the fact that the construction of the interoceanic canal, already under way, demanded the employment of thousands of men from all parts of the world, who, in the event of strikes or other causes, might commit outrages.

Constant strife continued through the years until 1885, when Bancroft describes the situation as follows (pp. 550-551):

The Isthmus now becomes again the theater of deadly strife, with its concomitant bloodshed and general destruction, to the disgrace of the nation of which it forms a part and the scandal of the world. A plot by some men of the national force to seize the revenue cutter *Boyaca* having been detected, thanks to the loyalty of other members of the same force, the executive notified the convention that the time had come to proclaim martial law, which he did on the 9th of February. The convention accordingly closed its session on the 11th.

On the 17th Santodomingo Vila obtained a leave of absence to proceed to Cartagena, where his military services were required, and Pablo Arosemena, the first designado, was summoned to assume the executive authority. At about 5 o'clock on the morning of the 16th of March the population was awakened by the cries of "Vivan los liberales! viva el General Aizpuru!" accompanied with numerous shots. Aizpuru, at the head of about 250 men, attacked the cuartel de las Monjas and the tower of San Francisco, which was defended by a handful of Government troops, and a running fight from corner to corner ensued.

The assailants overran the city. The British war ship *Heroine* then landed some marines and sailors to protect the railroad. The President called for troops from Colon, which came at once under General Gonima, and, entering the city on the 17th, compelled the portion of the revolutionists who had remained in the city to rejoin their main body in the plains.

The following description of the events of March 29, 1885, gives a correct idea of the feeling toward Americans existing all the while since the landing of marines by Rear-Admiral Alony, in September, 1873, pages 552, 553, 554, 555:

On the 29th of March the American mail steamer *Colon* arrived at the port of the same name from New York, and the Government directed that she should not deliver arms to the rebels. This gave rise to most high-handed proceedings on the part of Prestan, culminating in the arrest by his orders of the American consul, Mr. Wright; Captain Dow, general agent of the steamship line; Connor, the local agent at Colon; Lieutenant Judd and Cadet Midshipman Richardson, of the United States war steamer *Galena*.

Soon afterwards Richardson was released and sent on board the *Galena* to tell his commander, Kane, that the other prisoners would be kept in confinement till the arms were surrendered, and if the *Galena* attempted to land men or to do any hostile act the boats would be fired upon, and every American citizen in the place would be shot. Kane, knowing Prestan's character, did not attempt any hasty act. Prestan then went to the prison and told Consul Wright that he must order Dow to deliver the arms or he would shoot the four prisoners before that night. Wright complied and they were set at liberty.

But Kane took possession of the *Colon*, and in the night landed a force and three pieces, under Lieutenant Judd, with orders to release at all hazards Dow and Connor, who had been again imprisoned. No sooner had the Americans occupied the offices of their consulate and of the railway and Pacific Mail companies than a force of Colombian national troops came on, driving the rebels before them into the intrenchments.

During the whole morning the firing was kept up, and ended about 12 noon, when the rebels were routed; Prestan and his rabble set fire to the town at various places and fled. A strong wind blowing, the flames spread violently, and the town was consumed with all its contents. The American forces continued some days longer holding the place. Commander Kane's authority being recognized and the Colombian officers cooperating with him in the preservation of order.

Prestan was captured, taken out to sea in an open boat, and drowned. He was thrown overboard with a weight attached to his body.

But to return to Panama. Aizpuru took advantage of the situation. Gonima being left with only 60 soldiers and a few civilians that had joined him to occupy the principal streets on the 31st. To make the story short, by 4 o'clock in the afternoon he was master of the place, Gonima having surrendered.

Aizpuru announced in a proclamation on the 1st that he had assumed the functions of jefe civil y militar, to which he had been called by the supporters of free political principles, and on the 4th appointed his advisers and adopted measures to protect the city from incendiarism, and especially to guard the interoceanic transit.

Marines and sailors having been landed on the 8th of April from the United States frigate *Shenandoah* by Aizpuru's request, both ends of the Isthmus were on the 10th guarded by American forces. Soon after the United States sent reenforcements of marines and sailors with special instructions to protect the transit and American citizens and their interests, avoiding all interference in the internal political squabbles. Several war vessels of the United States home squadron, under Rear-Admiral Jouett, arrived at Colon.

In the night of the 24th of April, while the revolutionists were erecting barricades—against an understanding with the American commander—the marines under Commander McCalla took possession of the city as a necessary

measure to protect American property, and Aizpuru and others were arrested. However, on the next day, Aizpuru having pledged himself not to raise barricades or batteries, the prisoners were released, and the Americans retired to their encampment outside.

Aizpuru was one of the persons who offered to defeat the Federal forces and annex Panama to the United States if we would advance him the money to conduct his campaign.

The general situation is thus stated by Bancroft, pages 556, 557, and 558:

After the death of President Olarte, in 1868, the Isthmus for many years did not enjoy a single day of peace. The general wealth having declined throughout the country, and more so in the interior, poverty prevailed. Capital, both foreign and native, abandoned so dangerous an abode. The cattle ranges and estates disappeared; likewise agriculture, except on a small scale.

The black men of the arrabal in the city of Panama, after they were made important factors in politics, accustomed themselves to depend on the public funds for a living, and the people of the interior, who were always peaceable and industrious, came to be virtually their tributaries. The State became the puppet of the men at the head of the National Government, or of political clubs at Bogota, whose agents incited disturbances, removing Presidents indisposed to cooperate with or to meekly submit to their dictation, substituting others favorable to their purposes, and thus making themselves masters of the State government, together with its funds, and with what is of no less import, the State's vote in national elections.

Since the establishment of the constitution of 1863 Panama has been considered a good field by men aspiring to political and social position without risking their persons and fortunes. They have ever found unpatriotic Panamenos ready to aid them in maintaining the quondam colonial dependence and investing them with power, that they might grow fat together on the spoils. Almost every national election since the great war of 1860 has brought about a forced change in the State government. The first victim, as we have seen, was Governor Guardia, deposed by national troops under Santo Colonna.

That was the beginning of political demoralization on the Isthmus. Every similar alleged device to insure party triumph and power at Bogota has been, I repeat, the work of agents from the national capital, assisted by men of Panama, to push their own interests, and supported by the Federal garrison.

The office of chief magistrate is desired for controlling political power, and the public funds to enrich the holder and his chief supporters. Patriotism and a noble purpose to foster the welfare of the country and the people in general are, if thought of at all, objects of secondary consideration.

At times the Presidency is fought for with arms among the negroes themselves, and the city is then a witness of bloody scenes. The aim of every such effort is to gain control of power for the sake of the spoils.

Panama can not, being the smallest and weakest State of the Colombian union, rid itself of the outside pressure. Neither can it crush the unholy ambition of its politicians. Both entail misfortunes enough; but the Isthmus must also share the same sufferings as the other States in times of political convulsion in the whole nation.

Bancroft closes his history of political and social conditions in Panama with a question that sets aside the proposal of Colombia for the joint control of a canal belt through the heart of that State by Colombia and the United States as a suggestion that is scarcely less than reckless folly.

On page 558 he says:

What is to be the future status of the Isthmus? A strong government is doubtless a necessity, and must be provided from abroad. Shall it assume the form of a quasi independent state under the protectorate of the chief commercial nations, eliminating Colombia from participation therein, or must the United States, as the power most interested in preserving the independence of the highway, take upon themselves the whole control for the benefit of all nations? Time will tell.

A worse picture of anarchy could hardly be drawn, nor could worse elements be found to create it.

These struggles were not racial or political in the ordinary sense of personal efforts to gain office, power, or money. They were the result of the conflict, long and bloody, in every Spanish-American state, between the Liberals, who demanded free constitutional government as the fruit of their wars for independence with Spain, and the church party, who demanded that the Republic, like the Catholic monarchies of Europe, should be subordinate to the will of the Roman pontiff.

That was the issue which has never failed to arouse all Liberals to the most intense resentment, or to be met with the unceasing and cunning antagonism of the Jesuits, who are sworn enemies to all free government.

IN MAKING THIS TREATY WE ARE DEALING DIRECTLY WITH THE JESUITS AND ARE CRUSHING THE LIBERALS.

It was with this power in Colombia that we made the treaty of 1846–1848, and it is with this Jesuit power, now controlling Marroquin and his associates, that we are now engaged with in making this treaty.

The interval between these two events is filled with historical facts that should warn free Americans to be alert and cautious as to the further treaty engagements we are about to make with the Jesuits of Colombia. If we despise the power of the Jesuits in Colombia and scorn their inability to interfere with our power after we have entered upon our great work in Panama, let us not put it in their power by treaty to say to the Catholic world and the nations that respect treaties that the United States is not only a treaty-breaking power when its convenience does not square with its engagements, but that we make treaties, which are the oaths of nations, intending to violate them when they become embarrassing to our known policy and injurious to our future interests or purposes.

A treaty with the Church party in Colombia, in whose councils the Jesuits are dominant and the Roman Pontiff is supreme, is the necessary destruction of the Liberal party there; and this unnatural act is not done, even in the form of obtaining the consent of the people of Colombia under their constitution and through their representatives, but through our diplomatic recognition of Marroquin as "the Government of Colombia," when he is only a dictator, using military forces as his sole power. While there is no Congress in existence, through which alone the people can make known their will by the votes of their representatives, we are required to treat with Marroquin, the dictator of Colombia.

IF THIS TREATY IS ENACTED INTO LAW BY THE CONGRESS OF COLOMBIA IT CAN ONLY BE DONE BY AMENDMENT AND MUST COME BACK TO US FOR CONCURRENCE.

The Congress of Colombia alone is authorized to enter into a binding treaty contract with the United States, and when that Government is so dissevered in its organization that a Congress is not in existence there is only one responsible party to the contract, the other party being only a possibility, that may or may not exist hereafter. It would seem that under such conditions the Senate should await the action of Colombia before we ratify the treaty.

All treaties when ratified take effect from the date of the signature of the plenipotentiaries, and not from the date of the ratification or the exchange of the ratifications, unless it is otherwise provided in the treaty. (Meade *v.* The United States, 9 Wall., 691; Haver *v.* Yaker, 9 Wall., 32.)

The Congress of Colombia is not a separate law-making tribunal, as is the case in the Senate of the United States, and under their constitution it must enact a law to ratify a treaty made by the President of Colombia to make it of any effect. If there is no Congress in existence there when the treaty is signed, our law that treaties shall take effect from the date of the signature could not apply to this treaty, because a congress that is disbanded or out of office can not be a party to the contract, either in fact or by force of any legal intendment or presumption.

To make the treaty to take effect from its date of signature, the law by which it is ratified or adopted would have to make such express provision, and that enactment would be an amendment to the treaty and must be inserted in it and returned to the Senate of the United States for its concurrence.

Otherwise we would ratify a treaty to take effect from the date of its signature, and Colombia would ratify or adopt the same treaty to take effect from the date of its ratification. So that, in any event, the treaty must come back to the Senate of the United States after it is adopted or ratified by the legislative act of the Congress of Colombia, or else each of the Governments will have acted upon a treaty that has a distinct and different legal signification as to the date at which it became binding and operative.

By leaving this vital feature open, to be determined by the law of Colombia, it is imperative that the Congress of Colombia should act upon it before the Senate of the United States can ratify it and before the President of the United States can exchange the ratifications.

As there is no Congress in existence in Colombia, a Congress yet to be elected must, if it has the power to do so, pass a law that the treaty shall take effect from the date of its signature; otherwise the treaty is nudum pactum, because one of the parties to it had no existence, even in legal intendment, when it was signed as a treaty authorized by the constitution of Colombia.

No judicial or sound political construction of the constitution of Colombia can be interpolated into its meaning that can authorize the President of Colombia to bind that Government or its Congress that this treaty shall take effect from the date of its signature when at that date no Congress existed in Colombia. If he could so bind the Government, he could give the treaty that effect, although Congress, when it came into existence and into session, should otherwise declare or provide by law. Our Senate must agree to whatever becomes the supreme law of the United States. The Congress of Colombia, acting alone, can not enact a law for the United States.

How long would the Jesuits take to find this fatal flaw in the transaction if the Colombian Congress should repeal the concordat of 1888 by amending this treaty? And what is there in this state of affairs, or in this treaty, to prevent Colombia from granting concessions to Spain, or to any other member of the "Holy Alliance," the right to construct and own a canal on the Isthmus anywhere outside of the canal zone as defined in this treaty?

THE MONROE DOCTRINE.

If the answer is that the Monroe doctrine would be interposed to prevent such a proceeding, let us inquire whether that is true.

The Monroe doctrine had its origin in the aggressions of the Holy Alliance, the bond of which was allegiance and subordination to the Roman Catholic See in its claim of supremacy over all rulers, and the special and immediate purpose of which was to reinstate the Crown of Spain in the sovereignty of its American viceroyalties, which had declared and achieved their independence.

The Holy Alliance based its claim of right and duty to execute this tremendous purpose upon its faith and allegiance to the Roman See, and announced its purpose in the declaration I will presently quote.

WHAT VATTEL SAYS.

Vattel, the great publicist, was the first writer on international law to state the grounds on which it is impossible to conduct free government in any country where the dogmas of the Holy See are accepted in the rightful control, in civil government, as a rule of action, or as a controlling force in civil, or penal, or military administration.

Without copying the writings of Vattel on this subject, I will give citations to the chapters of his great work, in which he treats of it:

a. The power of the Popes. (Sec. 146.)
b. Important employments conferred by a foreign power. (Sec. 147.)
c. Powerful subjects dependent on a foreign court. (Sec. 148.)
d. Celibacy of the priests. (Sec. 149.)
e. Enormous pretensions of the clergy:
1. Preeminence. (Sec. 150.)
2. Independence of the civil power. (Sec. 151.)
3. Immunities. (Sec. 151.)
4. Immunity of church possessions. (Sec. 152.)
5. Excommunication of men in office. (Sec. 153.)
6. Excommunication of sovereigns themselves. (Sec. 154.)
f. The clergy drawing everything to themselves, and disturbing the order of justice. (Sec. 155.)
g. Money drawn to Rome. (Sec. 156.)
h. Laws and customs contrary to the welfare of the State. (Sec. 157.)

JOSIAH MILLARD'S RÉSUMÉ OF PROCEEDINGS OF CONTINENTAL CONGRESS.

I will now quote from an address of Mr. Josiah Millard, president of the Protestant American League, before the Central City Commandery of the Knights of Malta in Washington, D. C., on the 2d of March, 1900, in which he gives a brief résumé of the proceedings of the Continental Congress touching this important matter of government as our fathers regarded it:

NOTES ON THE QUEBEC ACT.

In the declaration and resolves of the First Continental Congress, agreed to at Philadelphia October 14, 1774, four acts of the British Parliament, one of them being "An act for making more effectual provision for the government of the Province of Quebec," etc., were solemnly declared to be "impolitic, unjust, and cruel, as well as unconstitutional and most dangerous and destructive of American rights."

And again in the same document, in the enumeration of "such acts and measures as have been adopted since the late war which demonstrate a system formed to enslave America," the Quebec act is included, and it is there spoken of as an act "for establishing the Roman Catholic religion in the Province of Quebec, abolishing the equitable system of English laws and erecting a tyranny there, to the great danger (from so total a similarity of religion, law, and government) of the neighboring British colonies, by the assistance of whose blood and treasure the said country was conquered from France." (Journals of Congress, Vol. I, p. 31.)

In the famous address to the people of the British colonies, approved October 21, 1774, Congress said: "Know, then, that we think the Legislature of Great Britain is not authorized by the constitution to establish a religion fraught with sanguinary and impious tenets, or to erect an arbitrary form of government in any quarter of the globe." I suggest here that these words were not spoken of the Porto Rico bill of 1900, but of the Quebec act of 1774. I have nothing to say of the Porto Rico bill.

Again, in the same address, Congress, continuing, said:

"At the conclusion of this late war—a war rendered glorious by the abilities and integrity of a minister to whose efforts the British Empire owes its safety and its fame—at the conclusion of this war, which was succeeded by an inglorious peace formed under the auspices of a minister of principles and a family unfriendly to the Protestant cause and inimical to liberty—we say at this period, and under the influence of that man, a plan for enslaving your fellow-subjects in America was concerted.

"To promote these designs, another measure has been pursued. In the session of Parliament last mentioned an act was passed for changing the government of Quebec, by which the Roman Catholic religion, instead of being tolerated, as stipulated in the treaty of peace, is established, and the people there are deprived of a right to an assembly. Trials by jury and the English laws, in civil cases, are abolished. And, instead thereof, the French laws are established, in direct violation of His Majesty's promise in his royal proclamation, under the faith of which many English subjects settled in that province. And the limits of that province are extended so as to comprehend those vast regions that lie adjoining to the northerly and westerly boundaries of these colonies.

"The authors of this arbitrary measure flatter themselves that the inhabitants (of Canada), deprived of liberty and artfully provoked against those of another religion, will be proper instruments for assisting in the oppression of such as differ from them in modes of government." (Journals of Congress, Vol. I, p. 54.) The reference to the Quebec act in their "Address to the inhabitants of Great Britain," dated the same day (October 21, 1774), is still more remarkable. In that address they say:

"By another act the Dominion of Canada is to be so extended, modeled, and governed as that by being disunited from us, detached from our interests by civil as well as religious prejudices, that by their numbers daily swelling with Catholic emigrants from Europe, and by their devotion to an administration so friendly to their religion, they might become formidable to us and, on occasion, be fit instruments in the hands of power to reduce the ancient free Protestant to the same state of slavery with themselves."

"This was evidently the object of the act. And in this view, being extremely dangerous to our liberty and quiet, we can not forbear complaining of it as hostile to British America. Superadded to the considerations, we can not help deploring the unhappy condition to which it has reduced the many English settlers who, encouraged by the royal proclamation promising enjoyment of all their rights, have purchased estates in that country. They are now the subjects of an arbitrary government, are deprived of trial by jury, and, when imprisoned, can not claim the benefit of the writ of habeas corpus. Nor can we suppress our astonishment that a British Parliament should ever consent to establish in that country a religion that has deluged your island in blood and dispensed impiety, bigotry, persecution, murder, and rebellion through every part of the world.

"Such being the state of facts, let us beseech you to consider to what end they may lead." (Journals of Congress, Vol. I, pp. 43–44.)

Nor should it be overlooked here that on the 17th day of September, 1774, the same body of men had reaffirmed and spread on their journal the Suffolk resolves, the tenth section of which is a follows:

"*Resolved*, That the late act of the British Parliament for establishing the Roman Catholic religion and the French law in the extensive country now called Canada is dangerous in an extreme degree to the Protestant religion and the civil rights and liberties of America, and therefore that as men and as Protestant Christians we are indispensably obliged to take all proper measures for our security." (Journals of Congress, Vol. I, p. 16.)

In the declaration of the causes and necessity of taking up arms, adopted July 6, 1775, the Quebec act is referred to as a statute passed "for erecting in a neighboring province, acquired by the joint arms of Great Britain and America, a despotism dangerous to our very existence."

The Texans, in their declaration of independence, express the same views, treating Santa Anna's usurpation as their own ancestors of 1774 treated the Quebec act. They declare their abhorrence of military "despotism," in which every interest is disregarded but that of the army and the priesthood, both the eternal enemies of civil liberty, the ever-ready minions of power, and the instruments of tyrants.

I will say more of this further on; but right here I shall endeavor to show that the Monroe doctrine, which has become by common consent a constitutional principle of our Government, also had its origin in a abhorrence of popery. It came about in this way: When the allied powers of Europe had overthrown Napoleon Bonnparte they sought to confirm and perpetuate their power by combining to destroy the liberty of conscience and the press, together with the principles of representative government and the sovereignty of the people. This league they called "The Holy Alliance," and on the 22d day of November, 1822, at Verona, the Emperors of Russia, Prussia, and Austria, and the King of France, by their several representatives, entered into a compact for the execution of their designs, known as "The secret treaty of Verona." The first, second, and third articles of this treaty of Verona are as follows:

"*Article 1. The high contracting parties, being convinced that the system of representative government is equally as inconsistent with monarchical principles as the maxims of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to this system of representative government in whatever country it may exist in Europe, and to prevent it being introduced into those countries where it is not yet known.*

"*Art. 2. As it can not be doubted that the liberty of the press is the most powerful means used by the supporters of the pretended rights of nations (the people) to the detriment of those of princes, the high contracting parties promise reciprocally to adopt all proper measures to suppress it, not only in their own estates but also in the rest of Europe.*

"*Art. 3. Convinced that the principles of religion contribute most powerfully to keep nations in that state of passive obedience which they owe to their princes, the high contracting parties declare it to be their intention to sustain, in their respective states, those measures which the clergy may adopt with the aim of ameliorating their own interests, which are so intimately connected with the preservation of the authority of princes. And the contracting parties join in offering their thanks to the Pope for what he has already done for them, and solicit his constant cooperation in their views of subjugating the nations.*"

Such is the great scheme of "benevolent assimilation" which the popes of Europe—not only the Romish Pope, but the Russian Pope, the German Pope, and the popelets of France and Austria—prepared for the advancement of the popish brand of religion in 1822. It was this scheme which President Monroe thwarted in 1823 by the announcement of the doctrine which bears his name. Let us contrast this scheme with the ideas of religion and government held by our own American ancestors.

In the third paragraph of his first inaugural address, Jefferson points out the nature of human freedom and its elements, by dividing the subject into four parts:

1. A due sense of our equal right to the use of our own faculties; to the acquisitions of our own industry, and to honor and confidence from our fellow-citizens, resulting not from birth, but from our own actions and their sense of them.

2. A benign religion, professed, indeed, and practiced in various forms, yet in all of them inculcating honesty, truth, temperance, gratitude, and love of man.

3. The acknowledgment and adoration of an overruling Providence, which, in all its dispensations, proves that it delights in the happiness of man here and his greater happiness hereafter.

4. A wise and frugal government, insuring equal and exact justice to all men (not some men only), all men, of whatever state or persuasion, religious or political.

In these words are summarized and harmonized the principles of the Declaration of Independence, the bill for establishing religious freedom, and the Federal Constitution. This is another contemporaneous construction of the Constitution.

The compact of the Holy Alliance, above set forth in italics, brings the declarations made on the 2d day of November, 1822, directly home to the situation in Colombia as it exists under the concordat, or treaty, with Pope Leo XIII, and proves beyond denial that the very essence of the Monroe doctrine is at stake on the ratification of this treaty now before the Senate, unless we annul it by an amendment of the treaty that will except our own people who must abide in Panama while building and operating the canal from its operation and effect.

The laws of Colombia, enacted in pursuance of this concordat, as to marriage and the legitimacy of children and their education are as revolting to our civilization as the edict of 1550 promulgated by Philip the Second of Spain, or any of the edicts of Philip the Second, described in Motley's Rise of the Dutch Republic, pages 254 and 261.

Here is a copy of the concordat and of some of the laws enacted by Colombia to execute the same:

CONCORDAT BETWEEN THE REPUBLIC OF COLOMBIA AND POPE LEO XIII.

Mr. Walker to Mr. Bayard.

No. 95.] LEGATION OF THE UNITED STATES,
Bogota, March 7, 1888. (Received April 6.)

SIR: As a subject which may be of interest to the State Department and important to some of our citizens coming to this country to reside, I have the honor to inclose herewith a copy, in Spanish, of the "concordat" recently celebrated between the Holy See of Rome and the Colombian Government, with a careful translation. In making this translation I regretted that I did not have access to the original Latin text in which it was drawn up and signed, but had to content myself with the Spanish translation, which in some of the articles is vague and ambiguous. The first clause of the seventeenth article is so much so that in my translation I was forced to be paraphrastic rather than literal.

As a part of the same subject I herewith transmit a copy, with translation, of law 30, passed by the legislative council on the 25th of February last, which virtually annuls all civil marriages celebrated at any time in the past, unless the ceremony was also performed canonically. The annulment of the marriage, however, does not illegitimatize the children of such marriage.

I am, sir, etc., JNO. G. WALKER.

[Inclosure 1 in No. 95.—Translation.]

CONCORDAT ENTERED INTO BETWEEN POPE LEO XIII AND THE REPUBLIC OF COLOMBIA.

[Concluded December 31, 1887. Ratified by the legislative council of Colombia February 24, 1888.]

In the name of the most holy and indivisible Trinity, the Supreme Pontiff, Leo XIII, and the most excellent Rafael Nuñez, President of the Republic of Colombia, by their respective representatives, to wit, on the part of His Holiness, the most eminent Monsignore Mariana Rampolla del Tindaro, cardinal presbyter of the most holy Church of St. Cecelia and papal secretary of state; and on the part of the Republic, His Excellency Joaquin Vélez, envoy extraordinary and minister plenipotentiary near the Holy See, who, after a mutual exchange of credentials, have concluded the following convention:

ARTICLE 1. The Catholic, Roman, Apostolic, is the religion of Colombia, the public authorities of which shall recognize it as an essential element of social order, and they bind themselves to protect it in all its rights and privileges and to cause it and its ministers to be respected.

ART. 2. The Catholic Church shall be free and independent of the civil authority and shall freely exercise all its spiritual authority and jurisdiction, conforming in its administrative government solely to its own laws.

ART. 3. Canonical legislation shall be free of the civil, and shall form no part of the latter, but will be respected by the latter.

ART. 4. The church, represented by its hierarchical authorities, is recognized by the State as a true and legitimate entity, with capacity to exercise and enjoy all rights pertaining to such.

ART. 5. The church has the right of acquiring, possessing, and administering real and personal property in accordance to general laws, and its lands and establishments shall be no less inviolable than those of the citizens of the Republic.

ART. 6. Ecclesiastical property may be taxed in the same manner and to the same extent as the property of private individuals except edifices for public worship, theological seminaries, and the residences of the clergy, which are exempt from all taxation, occupation, or appropriation to other uses.

ART. 7. The secular and regular clergy shall not be required to perform public duties incompatible with their ministry and profession, and at all times shall be exempt from military service.

ART. 8. The Government shall enact such laws as will protect the sacerdotal dignity whenever, for any cause, a minister of the church may figure in criminal trials.

ART. 9. Diocesan bishops and parish priests may claim from the faithful the emoluments and ecclesiastical fees canonically and equitably established, either by the immemorial custom of the diocese or by the rules of religious services; and in order that such acts and obligations may produce civil effects and that the temporal authority may lend its support the bishops shall proceed in accord with the Government.

ART. 10. Competent ecclesiastical authority has the right in Colombia to establish religious orders of both sexes, to be governed by suitable constitutions. But in order to secure the enjoyment of the rights of a lawful corporation and the protection of the laws they must present to the civil authorities the canonical authorization issued by their ecclesiastical superior.

ART. 11. The Holy See will lend its support and cooperation to the Government for the establishment in Colombia of religious institutions, giving preference to those for charitable purposes, for missions, for the education of youth, and for general education, and to other works of public utility and beneficence.

ART. 12. Public education and instruction in universities, colleges, schools, and in other centers of instruction shall be organized and directed in conformity with the dogmas and moral teachings of the Catholic Church.

ART. 13. Consequently, in such centers of instruction the respective diocesan bishops, either by themselves or by special delegation, shall exercise the right, in whatever concerns religion and morals, to inspect and revise the text-books in use in the same.

The archbishop of Bogota shall prescribe the text-books relating to religion and morals to be used in the universities; and to insure uniformity of teaching on those subjects, said prelate, in connection with other bishops, shall choose the text-books for the other schools of official instruction.

The Government shall see that no lectures are delivered on literary, scientific, or general subjects in any branch of learning that inculcate ideas contrary to Catholic dogmas or calculated to lessen the respect due to the church.

ART. 14. If, in spite of the orders and precautions of the Government, the moral and religious teachings (in universities, colleges, etc.) shall not conform to Catholic doctrines the respective dioceses may withdraw from the offending professors and masters the privilege of teaching in such branches.

ART. 15. The Holy See has the right to fill vacancies in the archbishoprics and bishoprics, but the Holy Father, as an evidence of special deference and to the end of preserving perfect harmony between the church and the State, agrees that in filling such vacancies the previous consent of the President shall be obtained. To that end, when such vacancies occur, the President may recommend directly to the Holy See such ecclesiastics as in his judgment unite in themselves the gifts and qualifications necessary for the episcopal dignity; and the Holy See, on its part, before making the appointment, shall always communicate the names of the candidates for promotion in order to ascertain whether or not the President considers the candidates civilly or politically disqualified for such positions. Vacancies in the bishoprics to be filled as soon as possible, and in no case to remain unfilled for more than six months.

ART. 16. The Holy See may erect new dioceses, or change the limits of those existing, whenever it is thought opportune and useful for the better care of souls, previously consulting the Government and admitting such suggestions as may be reasonable and just.

ART. 17. All persons professing the Catholic religion, desirous of contracting marriage, should have the ceremony performed according to the rites of the church.

The civil effects of marriage, in respect to the persons and property of the contracting parties and their descendants, can only be secured when the marriage is performed in accordance with the prescriptions of the Council of Trent. This celebration shall be witnessed by the functionary who may be designated by law for the sole purpose of verifying the entry of the marriage in the civil registry. But in cases of marriage in *articulo mortis*, when this formality might be difficult of observance, it may be dispensed with and other proof substituted.

It being the business of the contracting parties to secure the intervention of the civil functionary for the registry, the duty of the clergyman is limited to an admonition as to the requirements of the civil law.

ART. 18. In order to give marriages celebrated at whatever period, according to the prescriptions of the Council of Trent, civil effect, suppletory evidence of ecclesiastical origin will be given preference.

ART. 19. Matrimonial causes affecting the married relation, cohabitation, and the validity of espousals pertain exclusively to the ecclesiastical authority, the civil consequences of marriage to the temporal.

ART. 20. The armies of the Republic shall enjoy the indulgence known as castreuses, to be regulated by the Holy Father in a separate act.

ART. 21. Following the divine offices there shall be offered up in all the churches of the Republic the following prayers: Domine salvam fac Rempublicam; Domine salvum fac Præsidem ejus et supremas ejus auctoritates.

ART. 22. The Government of the Republic recognizes in perpetuity as a consolidated debt the value of the redeemed annuities (censos) now in the treasury, and of the estates belonging to the church fraternities, charitable foundations, chapels, establishments for instruction and benevolence erected by the church, which at any time may have been inscribed in the public debt of the nation. This recognized debt is to bear interest without diminution at the annual rate of 4½ per cent, payable every six months.

ART. 23. The income arising from sequestrated benefices and tithings pertaining to charitable institutions, chapels, monasteries, and other separate foundations is recognized and shall be paid to those who have the right to receive them, or to their legal representatives. This payment shall be made without diminution, as is provided for in the last preceding article, to commence with year 1888. In case any such bodies have become extinct, the amounts due them by a previous arrangement with the Government shall be applied to pious and charitable objects, without in any case contravening the intention of the founders.

ART. 24. In view of the present condition of the national treasury of Colombia and the benefit derived by the church from the observance of this convention, the Holy See makes the following relinquishments:

(*a*) The value of the principal of the sequestered property belonging to the aforesaid extinct convents and religious bodies of both sexes, not included in the foregoing articles, and which has not in any manner been recognized. (*b*) Whatever is due to such extinct organizations for rents or interest already accrued, or in whatever manner resulting, from said sequestration previous to the 31st of December, 1887.

ART. 25. In consideration of the foregoing favor the Government of Colombia agrees to secure, in perpetuity, an annual net sum, hereby fixed at 100,000 Colombian dollars, to be increased when the said treasury is in a better condition, said payments to be applied to the uses of the dioceses, chapters, seminaries, missions, and such other civilizing works of the church, and in such manner as may be agreed upon between the high contracting parties.

ART. 26. The surviving members of the extinct religious communities shall continue in the enjoyment, for their maintenance and other necessities, of such revenues as may have belonged to them by virtue of previous laws and decrees.

ART. 27. In like manner shall be paid the rents and incomes set aside by anterior laws and decrees for the support of public worship in churches, chapels, and other religious places not included in article 22. If concerning this point there should be doubt or difficulty, the Government shall communicate with the competent ecclesiastical authorities, to the end that a good understanding may be arrived at.

ART. 28. The Government shall return to religious bodies such of their sequestrated property as has no distinct destination; but if the owner does not come forward, or if he fills no ecclesiastical office, it may be sold and the proceeds applied to pious and benevolent objects, according to the most pressing needs of each diocese, the proceeding in such cases to be in accord with the ecclesiastical authorities.

ART. 29. The Holy See, in order to secure public tranquillity, declares, for its part, that persons who purchased ecclesiastical property during the past changes in Colombia, or who have redeemed annuities (censos) in the national treasury, according to the provisions of the civil law at the time in force, shall not be disturbed in any manner by the ecclesiastical authorities, a favor extended not only to those who performed the acts, but to those who, in the exercise of whatsoever functions, may have taken part in the same, in such manner that the first purchasers, as well as their legal successors and those who have redeemed annuities (censos), shall enjoy in peace and security such property, its products and emoluments, stipulating, however, that the Republic shall not in future repeat similar acts of seizure.

ART. 30. The Government of the Republic shall arrange with the respective diocesan bishops all that relates to cemeteries, reconciling the exigencies of their civil and sanitary character with the veneration due the sacredness of such places and with ecclesiastical prescriptions. In case of misunderstandings on such subjects they will be arranged between the Holy See and the Government.

ART. 31. Agreements between the Holy See and the Government of Colombia for fostering Catholic missions among the barbarous tribes shall not require the after approval of Congress.

ART. 32. The present convention repeals and renders null and void all laws, orders, and decrees, in whatsoever mode or period they were promulgated, in such parts as may contradict or are inconsistent with this convention, which shall remain the permanent law of the State.

ART. 33. The ratification of this convention shall take place within six months from the date of its signature, or sooner, if possible.

In faith whereof the said plenipotentiaries sign and seal this convention.

Done at Rome the 31st day of December, 1887.

M. CARDINAL RAMPOLLA.
JOAQUIN F. VELEZ.

NATIONAL LEGISLATIVE COUNCIL.
Bogota, February 24, 1888.

Considering (1) that in the celebration of the foregoing convention the Government has acted within the powers conferred upon it by article 56 of the fundamental law of the Republic;

(2) That by this agreement, which satisfactorily and consistently settles all pending questions between the church and the state in conformity with the new national régime, and at the same time responds to imperious necessity and public well-being, which demanded the definition of the mutual relations between the civil and the ecclesiastical powers; and

(3) That its stipulations conform strictly to the provisions of articles 38, 41, 47, 53, 54, and 55 of the constitution.

It is decreed—

ART. I. That the foregoing convention is hereby approved and incorporated in the present law.

ART. II. The amount to be paid out of the treasury of the Republic to fulfill its obligations thereby created is hereby appropriated, and will be included in the budget of the present fiscal period.

Given at Bogota this 24th day of February, 1888.

CARLOS CALDERON (R.),
President.
JOSÉ MARIA RUBIO (F.),
Vice-President.
ROBERTO DE NARVAEZ,
MANUEL BRIGARO,
Secretaries.

EXECUTIVE GOVERNMENT,
Bogotá, February 27, 1888.

Let it be published and executed.

RAFAEL NUÑEZ.

[L. S.]
(Countersigned:)
VICENTE RESTREPO,
Minister of Foreign Affairs.

[Inclosure 2 in No. 95—Translation—Extract from law 30, of 1888.]

ART. 34. A marriage contracted in conformity with the rites of the Catholic religion annuls ipso jure a purely civil marriage previously entered into with another person.

ART. 35. For purely civil effects the law recognizes the legitimacy of the children conceived previously to the annulment of the civil marriage, in accordance with the provisions of the last preceding article.

ART. 36. The man who, after having contracted a civil marriage, afterwards marries another woman according to the rites of the Catholic Church is required to provide subsistence to the woman and his children by her until she marries canonically.

MONROE DOCTRINE OPPOSED TO HOLY ALLIANCE.

The announcement of the Monroe doctrine was made in distinct antagonism to both the religious and secular principles and objects of the Holy Alliance.

The principles of our Government are profoundly antagonistic to the union of church and state and to the allowance of the influence of the church as a political or legislative factor in government.

There was no feature of the declarations or the purposes of the Holy Alliance that was more obnoxious or more dangerous to free, constitutional, republican government than to reimport into this hemisphere the odious doctrines of government which are above quoted. Influence in governmental administration, or over commerce and trade, or even war, in the free Republics of America was not so dangerous to them or to the United States as the fastening upon those States the law of church supremacy, through the Jesuit order, or any other monastic order. We can withstand an open enemy with far better success and with less sacrifice than we can resist the secret and unceasing efforts of marplots and conspirators to burrow into the home relations of our people and to draw them away from their allegiance to free government, and to give to such secret organizations a place or a legitimate influence in our Government is to arm them with the powers of government that they may use them for its destruction.

The Monroe doctrine was proclaimed by the United States to meet and resist all the purposes of the Holy Alliance in respect of the American Republics. This doctrine was the theory that entered into and formed the actual issue on which every conflict was based since its announcement between the Liberal party and the Church party in the Spanish-American States. No better or more complete proof of this statement than the history of these wars in Mexico and the final triumph of that people under the leadership of Juarez and Proferio Diaz.

I will produce from the writings of Señor Matias Romero, late ambassador from Mexico, who is so well known to us for his eminent abilities and learning and for his exalted character, a very condensed statement of facts relating to this subject. Their credibility is beyond question and their importance can not be overstated as to the light that the experience of Mexico throws upon the conduct of the Jesuits in all the South American States, and the danger of their political control in Colombia:

Mr. Romero, in his work on Mexico and the United States, asserts that John Quincy Adams and Thomas Jefferson wrote similar declarations which were submitted to President Monroe when he was formulating the Monroe doctrine, the third proposition being as follows:

3. That they would not allow the extension to America of the monarchical system of the Holy Alliance.

The extension of that system did not require the presence of a monarchy to support it.

The subordination of an American Republic to the civil power of the Pope in its government might be even more dangerous to our institutions and to the liberties of the people than the presence of a Protestant, constitutional monarchy in America.

RELIGIOUS FREEDOM AND DIVORCE OF CHURCH AND STATE A ROCK FOUNDATION PRINCIPLE OF OUR LIBERTIES.

If there is any principle of our system of government that lies deeper than all the rest, as the rock foundation of our liberties, it is religious freedom and the divorce of church and state in government.

When the concordat of 1888 imported into the Government of Colombia the subordination of that Government to the Pope of Rome, there was as distinct a violation of the principle of the Monroe doctrine, and in a more dangerous form, than it would be to send fleets and armies to Colombia to enforce it.

Colombia is the only American Republic that has been subjected to this stifling humiliation, and that was done to clear off a debt to the priesthood and the ecclesiastical establishments, in the form of salaries and subsidies that the church had imposed upon the Republic, chiefly through the control of the Government by the Jesuits.

When we subject our people to that concordat and the laws enacted by Colombia to enforce it, we adopt them as rules of government and violate the spirit and purpose of the Monroe doctrine in a solemn treaty with Colombia.

REASONS OF THE WAR IN MEXICO.

In Mexico the constant effort of the church party to ingraft upon the organic law of Mexico the principles of the Holy Alliance and of the concordat to which Colombia succumbed in 1888 kept that country in the turmoil of war, almost without a truce, from 1824 until Juarez finally expelled it from the Government in 1867. The war was longer than the war of Spain in the Netherlands and nearly as cruel, and it was waged for the same reasons and purposes.

Only a few extracts from Mr. Romero's succinct history of this protracted struggle will suffice to show the wicked persistence of the church party in its efforts to crush out the free, Protestant spirit in the Spanish-American States, of which Colombia is the latest and most conspicuous victim.

Mr. Romero says, on pages 350–351:

Our constitution of 1824 was a decided victory for the Liberal party, but very far from being a final one. The church party, though then defeated, was really the stronger of the two during the early years of independent Mexico. The power of the Liberals was of short duration; the Conservative or church party prevailed upon some of Mexico's numerous military leaders to rebel against the Government and inaugurate a series of revolutions, which ended in 1835 in the overthrow of the constitution of 1824, thus giving a pretext to the Texas settlers to rebel against Mexico. Santa Anna and the Conservative leaders held that a federal form of government was not that which was best adapted to the country and that a strong, centralized government was needed.

It would be too long and rather uninteresting to mention all the military mutinies, or pronunciamentos, as we call them, during the revolutionary period from 1822 to 1835, as it would be a rather dry and long list of names and dates, almost unintelligible to anyone not very familiar with the history of Mexico. I will pass, therefore, over this dark period, mentioning only the leading and most conspicuous of them.

On pages 354–355 he says:

Federal constitution of 1835.—When the Church party had the ascendency, under Santa Ana's first Presidency, they repealed the Federal constitution of 1824, and on October 23, 1835, they issued some bases for a new constitution, which was finally proclaimed on December 29, 1836, under the title of "Constitutional laws," and which abolished the Federal system of government and several of the liberal features of the Federal constitution of 1824. The "Constitutional laws" of 1836 were, apparently, not conservative enough for the church party, and they issued, on June 13, 1843, also under another one of Santa Ana's administrations, what was called the "Organic bases," a still more conservative constitution, as I will presently state.

The Church party, being so wealthy and powerful and having so much influence in the country, could very easily have brought about a civil war of so serious a character as would have made it difficult for the Liberal side to defeat them; but, as time elapsed, the Liberal party, which really presented the patriotic element of the country, grew stronger through education and contact with foreign nations, and was materially assisted in its task by the demoralization of the clergy and their unpatriotic conduct during our foreign wars, as, besides our civil wars, we had, in 1829, a war with Spain, already mentioned, which sent an expedition to conquer Mexico; in 1838, a war with France; in 1846 and 1847, a war with the United States; and from 1862 and 1867, the war of the French intervention. It was not difficult, therefore, for the Liberal party to inaugurate in its turn a counter revolution, which in the course of time was successful, and which finally restored it to power. It was in this way that the period of our civil wars lasted so long and that we came to have so many different constitutions.

On page 360, he says:

The Ayutla revolution finally succeeded, and General Alvarez was appointed President, assuming that office on October 4, 1855, when he organized a Liberal cabinet, of which Benito Juarez was secretary of justice, occupying soon afterwards the City of Mexico. Before an election could be held General Alvarez appointed his successor as President ad interim, General Comonfort, one of the supporters of the plan of Ayutla, and who belonged to the moderate wing of the Liberal party, and who assumed that office on December 12, 1855.

Federal constitution of 1857.—Several military insurrections, promoted by the church, took place against Comonfort in 1858, the city of Puebla having been twice the headquarters of the rebels; but General Comonfort finally succeeded in subduing them.

Under the plan of Ayutla, a constitutional Congress was convened on February 18, 1856, which issued the present constitution of February 5, 1857. An election was held and Comonfort was elected constitutional President for four years, his inauguration taking place on December 1, 1857. He appointed Juarez his secretary of the interior during his new administration. Unfortunately, Comonfort wavered in his political views and he was pursuaded by the Church party to annul the constitution, under the plea that it was impracticable and that it would keep up political agitation, and on December 11, 1857, he dissolved the constitutional Congress which had just convened, and on the 17th of the same month he abolished the Federal constitution, which he had sworn to support on the 1st of the month and to which he owed his position, and declared himself dictator. The Liberal party could not, of course, stand such conduct, and they rose as a man against Comonfort's usurpation. Soon afterwards he saw that he had been betrayed by the Church party, as they proclaimed President General Zuluaga, one of Comonfort's most devout friends, and Comonfort left the country.

On pages 362, 363, 364 he says:

The Juarez law was succeeded by the Lerdo law of June 25, 1856, which provided that no corporation—meaning the clergy, as the church was the only corporation existing in Mexico—could hold real estate, and that such as was held by any corporation should be sold to the actual tenants at a price which was to be arrived at by capitalizing the rent on a basis of 6 per cent per annum rate of interest. Thereafter the tenant was to be the owner of the property, the corporation retaining a mortgage equal to the price fixed in this way. These two laws were the cause of the two insurrections already referred to, promoted by the church and subdued by President Comonfort.

Juarez, after the enactment of the law which bore his name, had for a time been governor of the State of Oaxaca, and while holding the office he had been elected chief justice of the Republic and ex officio vice-president, and was at the time of the Comonfort rebellion acting as secretary of the interior. He became Comonfort's successor, and undertook to stem the tide of rebellion and reaction. In the City of Mexico most of the old regular army of the country were in favor of the Conservative or Church party, and the city, therefore, fell into the hands of Juarez's enemies, and he had to fly from it. He went to the interior, where he established his government, first at Queretaro and afterwards at Guanajuato and Guadalajara. Finally he sailed from Manzanillo, a Mexican port on the Pacific, to Panama, thence to New Orleans, and then back to Vera Cruz, on the Gulf of Mexico, where he remained for about two years.

Vera Cruz was the stronghold of the Liberal party, as it naturally was a strong place and was well fortified. It was protected also by its bad climate and prevalence of yellow fever, and was the best place that Juarez could have selected to establish his government; and, being more in contact with foreigners, its inhabitants were Liberals. He remained at Vera Cruz from March, 1858, to January, 1861, the principal cities of the country being during that time in the hands of the Church party. The Liberal armies, though often defeated, were never destroyed, for the people were with them and recruits came in abundance. After a defeat the Liberal leaders organized their armies and were soon ready to meet the enemy again. Their courage and perseverance were finally rewarded, and they were victorious in the decisive battle of Calpulalpan, on December 19, 1860.

Our old regular army, with very few exceptions, sided with the Church party, and that prolonged considerably the struggle, because the Liberals could only oppose disorganized and undisciplined masses to the regular troops of the Church party; but after some time they succeeded in organizing armies as well disciplined as those of our enemies, and in that way the war was brought to a close in December, 1860.

Laws of reform.—During the terrible struggle which we call the war of reform Juarez issued from Vera Cruz, on July 12 and 23, 1859, our reform laws, which had for their object to destroy the political power that the clergy had exercised before. The church property was declared national property and was sold by the Government to the occupants of it at a nominal price, payable partially in national bonds, then selling at a very low price, about 5 per cent of their face value. To prevent that in the future the church should accumulate the real estate taken from her, she was disqualified to own real estate. The clergy was then deprived of all political rights; that is, they were disqualified to be elected to any office. Their convents, both of monks and nuns, were suppressed.

The number of churches existing in the country was considerably reduced. Complete separation between church and state was proclaimed. *A civil registry of births, marriages, and deaths was established, taking from the clergy all interference with such subjects, which had been up to that time under their sole supervision.* Processions and all other religious demonstrations outside of the church, as well as the ringing of bells, were prohibited. The number of feast days, which then amounted to nearly one-fourth of all the days of the year and tended to keep the people in idleness, was reduced to not more than two or three for the whole year. The wearing outside of the church of the priest's peculiar habit was prohibited, and many other stringent measures against the clergy were adopted, with a view to destroy their political power and to deprive them of the means to bring about another insurrection against the Government.

It is a remarkable fact that most of the Liberal leaders were lawyers, who, influenced by patriotism and a desire for the success of the Liberal cause, and without any military education, had to lead our armies during the long civil wars. Some of them became very distinguished soldiers in our wars, as happened here in the United States. So it can truly be said that the final success of the Liberal cause in Mexico was due in a great measure to the jurists of the nation; so much so, indeed, that they incurred the special hatred of the church party, by whom the name of "lawyer" was wont to be used as a contemptuous designation for the Liberal leaders.

After the battle of Calpulalpan, fought on December 19, 1860, where General Miramon, the last church party President, was defeated, Juarez left Veracruz and established his Government at the City of Mexico. He then convened Congress, ordered an election, and in 1861 he was elected President for the first constitutional term. The reform laws became operative when Juarez occupied the City of Mexico, and this rule was extended over the country.

The Church party did not give up the struggle, but began again with renewed vigor to start a new insurrection in 1861, directed especially against the execution of the reform laws. Although this insurrection was not of a serious character, and the insurgents could not capture any important places or defeat the Government troops, they did succeed in keeping up an unsettled condition of things throughout the whole country, involving great insecurity to life and property.

French intervention in Mexico and Maximilian's rule.—When the Church party became satisfied that the Liberal party had grown so much that they had not strength enough at home to overcome it, they went to Europe and continued their intrigues with European courts to secure foreign intervention in Mexico.

Under his (Napoleon's) influence an alliance was made between France, England, and Spain by a treaty signed at London on October 1, 1861, and Maximilian was persuaded to come to Mexico. England and Spain withdrew before the war actually began, and Napoleon's first army, under Marshal Forey, succeeded in occupying both Puebla and the City of Mexico in 1863, and so began the French intervention. The details of that intervention are quite familiar in this country, and therefore it is not necessary to say anything more about it here.

On page 366 he says:

Restoration of the Republic.—In July, 1867, the Juarez Government was again established at the City of Mexico, and another popular election took place in which Juarez was almost unanimously elected by the people for another term, from 1867 to 1871.

On page 369 Mr. Romero closes his historical review of the insurrections and protracted wars in Mexico, nearly all of which were conflicts with the Church party, with this statement:

Disappearance of the causes of civil war.—It will be readily seen from this brief synopsis that the causes which brought about the civil wars in Mexico no longer exist. Ours was a contest for supremacy between the vital forces of the nation, between the old and the new ideas, which in many countries it has taken many years, and even centuries, to settle; but now our political problem is solved, the Church party is completely broken up *as a political organization*, and can not cause again any serious disturbance, and the elements of civil war are now lacking.

The question comes to us with a force that is irresistible. Shall the United States form a hard and fast alliance, in this treaty that is to be perpetual, with the same church party that Juarez and Diaz fought so long and so bravely to free Mexico from the control of; and shall we, in doing this, give countenance and the hand of brotherhood to the men and nations that have fastened upon Colombia the principles of the Holy Alliance, supported and enacted into irrepealable law by the stipulations of the concordat of 1888? Shall we condemn our own people in Colombia who will reside in the canal zone to this legal and moral condition of depravity because we are afraid of losing a bargain, as it is falsely called, in the purchase of the débris of a bankrupt adventure?

We thus find, from the light of experience, that it is a dangerous enterprise to encourage the Church party in Colombia if we have any regard for the peace of the people there and for the safety of the canal at Panama and the success of its administration.

The brief historical quotations from Bancroft, above stated, by no means present the whole truth as to the travail through which Colombia has passed since the last organization of that Republic. As to its current history, it is a dark and remote country, especially as to those transactions that relate to Jesuit influence in government.

No distinguished American has made an exploration or study of that country except Mr. Bancroft, from whose writings I have quoted, but private persons have resided there and have occasionally given us descriptions of the social and political conditions there that inform us somewhat as to these matters.

LETTER OF ALBERT LAWRENCE.

The first quotation I will make from such sources of information came to me in a letter from a Union soldier, who is an inmate of the Soldiers' Home at Los Angeles, Cal. I will insert this letter as it is written:

SOLDIERS' HOME,
Los Angeles, Cal., February 14, 1903.

Senator MORGAN.

DEAR SIR: I take the liberty to give you a little information about the Panama Canal that might be of some use to you at present, as I know more about that country and its people than most men. I have been in Central and South American countries for thirty years and talk the Spanish language fluently. Now, probably you think, like a great many more men, that you are making a canal treaty with the Colombian Government. You make a sad mistake. There is no such Government in existence; it really is the Pope of Rome, as in all those Catholic countries where the Catholic Church has control there is no civil government, it is just a beautiful fraud. The Pope's devil, with his bishops and priests, arranges the nomination of all public officials and sees that none are elected only those who will do the dirty work of the church blindly and without question; and that is the cause of the revolutions in all those countries, as the Liberals want to have something to say, and make a little progress, and the church does not want progress and will not allow it, consequently revolution.

Now, in regard to the canal treaty, there is not a word in regard to the rights of Americans, and there will surely be towns started along the canal by Americans, and they will want schools and churches to worship and teach their children in, but according to the Pope's laws such things are not allowed in any Catholic country, and less in Colombia. Now, you see, about twenty years ago the so-called Government of Colombia owed the Pope an immense sum of money for the wages of his priests, as all priests and bishops are paid monthly wages in those countries. Now, his own Government owed his own priests a lot of money, and there was no money in the country to pay them, so they got the Pope to make them a proposition that if the Government—that is, the priests—would agree to give him full control of the schools of the country that he would cancel the indebtedness and call it square. You see he runs a bunco game with the people. He wants to make them believe that they have a civil government, but, as I said before, he runs it for them so as to keep them out of trouble, as they are not fit to govern themselves.

Now, in the treaty there is to be two tribunals, one for American and one for Colombian. Now, it is considered a meritorious act in those Catholic countries for a Catholic to steal from a heretic, and if he can kill a heretic on the quiet, why it insures him a ticket to heaven without stopping in at purgatory; in fact, a through ticket in a palace car, berth included. Now, suppose that a Colombian robs an American, or kills, or both, as the case may be, is there any American such a fool as to think that a Catholic Colombian judge would punish him for injuring or killing a heretic. I wrote to Senator Spooner about this question of policing the canal territory some time ago, cautioning him about the trouble it would cause, and this hybrid law of two courts is the outcome of it. You should understand that you are not dealing with decent men when you are making this treaty. You are dealing with treacherous Catholic priests, and they want to leave several little jokers in this treaty so as to be continually making claims against the United States Treasury, as they know there is plenty of money there, but they never show their black hand, and make believe that you are dealing with honest men.

Now, I want my country to get what belongs to it, and hope that you will see that our schools and people on that canal strip are not left at the mercy of the Pope's cutthroat gang, as, if they have nothing to say, either in policing or judging of anyone, whether Colombian or not, the United States will never be without a diplomatic squabble with the Pope's gang, and you will have his traitor gang of cutthroat priests right there in Washington helping the Colombian cutthroats to rob the Treasury of what they call their own country. If we get the canal it must be all American or better not have it at all; no interference of the Pope's traitorous gang of anarchistic cutthroats. Just let me tell you right here, when I first came out here after the civil war I went to Chile, and at that time every man had a vote, but not one of them could read or write, and they had the ticket in the house, and when their wives or mothers went to confess, the priest would not pardon them until they brought him the ticket.

So at election time the priest had all the tickets and whoever they nominated was elected, and there was no ticket outside the church, and that is the way they run those countries, and would run the United States the same way if they could. There is no difference amongst the Pope's curs.

Yours, truly,

ALBERT LAWRENCE.

This man is a stranger to me, and I can give no account of his history except as it is disclosed in his letter. His service in the Union Army during the civil war entitles him to speak and to be heard with respect. His motives are only those of a patriot who loves his country and tries to defend its safety and honor, as he defended its flag in many battles.

He is still under that flag, a disabled soldier in a Soldiers' Home, and he has the right to speak on a subject that is so near to his heart.

I now call attention to the following extracts from an address to the people of Colombia, sent out from Madrid by Dr. Antonio José Restrepo, dated November 14, 1902. This gentleman belongs

to one of the oldest and most respectable families of Colombia and Spain, who have been prominently connected with the Government in both countries for many years, and is well known and highly esteemed among the members of the South American legations in Washington. He is a Roman Catholic and is true to his church, but he is a Liberal and is devoted to constitutional liberty, free from political domination and ecclesiastical power.

When civil war occurred in Colombia in 1898, as the result of the old feud between the church party and the Liberals that was fanned into flame by the conduct of the New Panama Canal Company, the Liberal party announced its purpose of resistance to the dictatorship of President Sanclemente, whose office had been declared vacant by Congress in 1898 in the following manifesto:

THE PANAMA CANAL—MANIFESTO.

Motives that are both legitimate and noble have prompted the Liberal party of Colombia to take up arms in order to insure to the country freedom to establish a régime that will guarantee the progress and very existence of the Republic, which are to-day threatened by institutions not framed nor sanctioned by the people, and by functionaries who have received their authority through absolute disregard of, and violent opposition to, the will and opinion of the majority of citizens.

Both nature and tradition have impelled the patriotic people of Colombia to rebel against a condition of things in which they are prevented, de jure as well as de facto, from exercising their legitimate, natural rights; in which a great party has been deprived of its political freedom, and in which the pacific development of the country has been arrested. It is only after exhausting all peaceable means that war has been resorted to as a last and extreme measure, a dire measure, but one dictated and imposed by necessity.

The men that are to-day struggling to recover their rights constitute the Liberal party, and form the great majority of the Colombian people. Anyone who compares the condition, both civil and political, of our people under the system of government that existed in this country for nearly half a century with the conditions created by the so-called regeneration system will no longer take that attitude of contemptuous commiseration with which our civil wars are often regarded by people who have already attained that liberty and security after which we are still striving, and he will understand the significance of the present revolutionary movement, which already begins to put an end forever—we hope—to the oppressive government imposed on our unfortunate country.

We, the undersigned, have the honor of being the authorized representatives of the Liberal party, and therefore of the Colombian people; and the following statements and declarations being the faithful expression of the country's will, through the government that will soon be the only recognized government of the Republic, should carry the weight that always attaches to the utterances of a whole nation.

The contracts that the government of Dr. Manuel Antonia Sanclemente may make, without being legally authorized, therefore neither are nor will be recognized by the revolutionary government.

The President of the Republic, Dr. Sanclemente, is not empowered to make contracts involving national interests without the assent of the legislative body appointed by the people. Whatever is done without that assent is therefore void.

We make these statements merely to prevent all negotiations relating to an extension of time in the contract now in force with the Panama Canal Company. We concur in and sanction the statements on the same subject that have been made by an authorized representative of the revolution, Dr. Alirio Diaz Guerra, and those that will be made by Dr. Antonia José Restrepo, an agent especially appointed to act for the provisional government in this and other important matters.

The relations between the company and the Republic of Colombia are of a purely civil nature, and fall, of course, under the jurisdiction and laws of this country. The present government is not empowered or authorized by any law whatsoever arbitrarily to alter the terms of the contract now in force.

The Liberal party of Colombia considers it an act of criminal resignation to allow the repudiated Government to endanger the future of the country by an imprudent negotiation; and one of the objects of the war in which that party is now engaged is to prevent, or at least oppose, the further sacrifice of the interests of the Republic.

G. VARGAS SANTOS.
FOCION SOTO.

POSITION OF DR. RESTREPO.

This paper announces the selection of Dr. Restrepo as the representative of the Liberal party, accredited to all nations, for the purpose of vindicating their attitude of hostility to the dictatorship of Sanclemente and making his combination with the New Panama Canal Company the special ground of their revolt. This was the highest mark of confidence the Liberal party could confer upon Dr. Restrepo, and he proved himself as being thoroughly worthy of it by his efforts to bring about an honorable settlement of the canal question on terms consistent with the laws and constitution of Colombia and with honorable and just dealing with the United States.

The appeal of Dr. Restrepo is a powerful and frank statement of the canal question and the attitude of the people of Colombia with reference to the combination between the canal company and Sanclemente, and Marroquin, his successor in the office of President. Dr. Restrepo has a fixed conviction that the Panama route is far preferable to the Nicaragua route, and argues its superiority with earnest confidence.

Here, then, is a Roman Catholic leader of the Liberal party, and a devotee of the Panama route, vindicating the action of the Liberal party in going to war to resent and resist a fraudulent combination between Sanclemente and the Panama Canal Company to sell an extension of the time for completing the canal from 1904 to 1910. He knew that while the New Panama Canal Company was making new pledges to Colombia to complete the canal by 1910 it had not been able to raise a dollar for that purpose beyond the $13,000,000 of original subscription to the stock of that company, and that it was then secretly making overtures to the United States to turn over the canal to us. He knew that the resentment of the Congress of Colombia toward this duplicity had caused it to declare the office of President vacant and that civil war had ensued, in fact, and that in April, 1900, it had assumed the stage of open hostilities under organized armies.

He deprecated the miserable condition of his country and the slaughter of the people, and he came to the United States as a pacificator when Mr. Concha was minister of Colombia, and made earnest efforts to settle the war, in which Mr. Concha cooperated, recognizing Dr. Restrepo as his friend and an honorable and patriotic citizen of Colombia.

The negotiations for peace failed because the new Panama Canal Company still demanded the concession that Congress has refused to ratify, and the Jesuits, leading the church party, supported the usurpation of Sanclemente.

The following extracts from the appeal of Dr. Restrepo to the people of Colombia fully sustain his position, and show that the Jesuits, planting themselves on the Concordat of 1888, were fixed in a bloody resolve to retain the governing power of Colombia.

Dr. Restrepo says:

I will say at once that Colombia, in the negotiations of the Government which Dr. Concha is regulating, has in view no prospective gain other than some few annuities of 50,000 pesos (fourteen, as I understand, which will be no alleviation of the situation now far from being irremediable, this being a personal gain for those devoted to speculations which have but a transient power. At the same time, there are difficulties in the undertaking and the certain loss of our sovereignty and influence in the greater portion of our territory. This is not worth the fear that Mount Pelee might overwhelm us before we fortify ourselves against another death. So I return to the question.

Is it the Colombian civil war that has interrupted and prejudiced these negotiations concerning the canal, or is it the "regeneradores" who basely, hastily, and selfishly have pretended and do pretend to interrupt and extinguish a civil war, formidable, and just prior to the negotiations, solely with the lamentations of pseudo-patriotism, because they can not immediately throw themselves upon those cents which are being depreciated by their very cupidity?

Dr. Concha knows very well that it is a presumption against which there exists no proof that the father is older than the son. Since the revolution began in October of 1899, when there had been no negotiations concerning the canal, except that the sovereign power of the nation had flatly denied the prorogation which was soon afterwards conceded without any right by President Sanclemente, it is not responsible for later acts, left-handed and null, which the *Regeneradores* have pretended to consummate, and which have, in the most unexpected manner, drawn this important matter of public interest into a sacrificial and prejudicial debate, which would be incomprehensible if we Colombians did not know the treacherous promoters of the affair.

Prudence and patriotism called aloud to the Colombian Government (if that Government had only shown in these last years at least the skill of the trader, if not the vigilant care of statesmen) that it ought not to go to Washington to promote an affair of such importance to the American Government as the opening of the isthmian canal at a time when civil war, unchained, had taken away from that Government the authority, judgment, and serenity needed to confront the pretensions of its adversary in such great emergency. As a sophism of distraction against the "revolucionarios," and as alluring food for certain pacific ones who have come out of the Liberal party, the patriotic fraud with which they interrupt their negotiations may be very skillful, but it does not hold when, looking at it from the other side, with common sense, the dates of the events, the national constitution, and true patriotic interests become the only appreciable points of view.

Launched by these interests on the road to treason, the "regeneradores" began by offering to the new canal company (scarcely a year after war had broken out) the surreptitious and void prorogation of the concession for opening the canal which the bankrupt company had received and which had already been twice extended, with negative results, for twenty-five years. Even before this act proved to be of no value the company was notified by the Liberal Colombian party that neither in peace nor in war should this prorogation be considered legal and valid. Before this act or a transfer of the concession to any foreign government whatsoever could be valid the approval and ratification of the National Congress would be necessary, and they never would ratify or approve such a prorogation if final victory should favor the Liberals and they should form the Government.

This protest still has the support of General Herrera's sword and the army and navy which he commands. When everything is ended and the government of Señor Marroquin has shot or banished the last of the liberals who do not second his abominable policy, this protest must be sustained by all the deputies, the press, and those Colombians in general who respect the constitution and the laws (however bad they may be), and by those on whom the gold which may be spent for wine, commissions, brokerage, fraudulent votes, secret conferences, signatures, and convenient transcripts has no such influence, since they already begin to discredit those who carry the standard in this crusade to open the holy sepulcher of Colombia.

When, in a night of opprobrium for himself and his companions, Señor Marroquin led to prison the President whom he had sworn to defend and honor, and from whom he had fled ignominiously but ten months before, and raised himself to power in the Republic, some of us, without excusing the traitor (always contemptible, according to Machiavelli himself), hoped that, as the result of this very treason, the new Government would justify, with transcendental acts in favor of peace and country, this black offense, and that the defense of national interests, particularly in relation to the canal question, would turn the course of government, which would come into hands more expert and steady. But it was not thus; no. In politics the change in the Government corresponded to nothing; in morals it descended many degrees, and on the intellectual side it fell below zero.

When we were hoping that the prorogation would be repudiated as soon as possible by the new administrators, we beheld a new minister as honorable, gentlemanly, and loyal as Dr. Concha, but, like him, already influenced, deceived, and intimidated by the imaginary fear that the Americans preferred the Nicaragua route to the Panama, and serving as an unconscious instrument in the hands of the cuttlefishes and sharks, who were hoping to make the most of a bad year, reaping their harvest from this unconstitutional prorogation.

I regret greatly, for the sake of Dr. Martinez Silva and Dr. Concha, whom I know and whose honor and honesty are above suspicion, that I am obliged to say that concerning this canal question they have not seen clearly. They

have been surrounded by hidden rocks and precipices from which they will never come forth unharmed.

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In 1878, when Colombia granted the original concession to Señor Bonaparte Wyse, and for a long time afterwards, the Americans were not a factor in the canal question, although more than one opinion, both authorized and official, was heard concerning it. The United States was at this time leagued with England by the Clayton-Bulwer treaty not to make a canal unless in company with her. The aggressive imperialism which performed such heroic feats out of hand, and whose wings President Roosevelt himself had to cut, had not yet surged through the country. Colombia, exercising her inherent right, made a contract with a particular company for the construction of the canal for the benefit of all nations, as a private undertaking, just as she would have made a concession for a mine or for any unappropriated land within the territory of our Republic.

Under these circumstances there was no need for the United States to intervene in the matter, since the canal was to be built with private capital by a private company and with an unassailable concession from a sovereign and independent country. Such was the situation when the work was initiated on the Isthmus and was prosecuted with the cooperation of engineers of all nationalities, including Americans, under the supreme direction of Señor de Lesseps, the experienced constructor of the Suez Canal. But in the course of the undertaking capital failed the French company, and the expenses of the illegal management and the consequent difficulties in which the financier became involved drew the attention of the entire world, and particularly of the Americans, with special interest toward this problem of millions and the strategic problem which the opening of the canal presented to them and to the great powers.

It was then that the presecanal campaign began, from New York to San Francisco, from Alaska to New Orleans, in favor of a pretended interoceanic route, superior to that of Panama, which would pass through Nicaragua and Costa Rica, or even through Tehuantepec and Mexico. The public spirit and aspirations of the Americans were persistently enlarged upon, and in proportion as the difficulties of the French increased and the financial undertaking of Señor de Lesseps sank down, overwhelmed by imposture, imprisonment, suicide, and flight, the diplomatic efforts of the Americans were redoubled to obtain an abrogation of the Clayton-Bulwer treaty, so that they might enter the contest as bidder for the canal. With their diplomacy, tenacity, and great knowledge of human affairs they have succeeded, and there is no need to go into details concerning that which is already more than notorious.

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If the danger which threatens us, as seems to be the sense of the publication issued by the Colombian legation at Washington, is that the Americans neither can nor desire to wait for the termination of our civil war, when we can decide definitely concerning the pending prorogation, and they can treat with a stable Colombian Government which will defend the interests of the country as they ought to be defended; and if, yielding to such motives, they decide upon Nicaragua or Tehuantepec, it may be said that Colombia has lost an opportunity for a business transaction which would bring some money into the national treasury in its present bankrupt condition, as well as provide for a few of its sons and for many foreign residents on the Isthmus who hope to make a legitimate profit from the construction of the route.

This negotiation, which, as I have said before and now repeat, might be more or less advantageous, more or less lucrative, but in any case harmless, being made with a particular company, the work remaining neutral at the service of the world, becomes, in the proposed form, not a negotiation, but an international complication, which involves many dangers and consequently requires many millions and demands much protracted study and meditation on the part of the Colombians before entering into it definitely, without presenting, however, unjustifiable or petty obstacles to the colossal undertaking or to a great and noble nation like the United States, but indeed safeguarding our rights, our institutions, and the laws of a sovereign and independent people, our interests alike to-day and to-morrow.

That is just what the present *Regeneradores* are not doing, in throwing off their shoulders the void prorogation of the Government Sanclemente, in appearing in the present negotiations as mediators and protégés of the French company, in disregarding their own constitution and laws, in agreeing to violate unmistakable articles of the very concession which they are going to transfer, and in misinterpreting other articles, as shown by me with all clearness. The danger that the Americans will take another route does not exist, as shown before, but if it did exist in reality and those gentlemen would abandon entirely the Panama route, that which we would lose or allow to escape us—a mere assumption—does not counterbalance that which we are actually going to lose according to the negotiations which Señor Concha favors and which awaken the enthusiasm of Señor Cortés.

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The only two possible ways in which the Americans might injure the sovereignty of Colombia in the Isthmus of Panama (although they have engaged themselves to recognize and to guarantee it, and have to this day loyally recognized and guaranteed it, in accordance with a public treaty more than half a century in force) are the following: One by way of diplomacy, dexterity, and astuteness; the other by brutal force, imperious and conquering, which deprives the one subjected to it of his free choice, and, consequently, of his responsibility, and brands as infamous him who makes use of it without provocation, justice, and excuse.

Right here, to the tribunal of that Congress, although elected under pressure of the secret-police force of General Fernandez, I make bold to summon the negotiators of the present treaty, whoever may have been its advocates. At an hour when the conscience of the nation will be free the prorogation, the transfer to a foreign government (based upon this void prorogation), the small annuities and the complaints of the hotel keepers, this whole scaffold, raised at an evil hour, built and presented to us as a pyramid against which we are to smash ourselves "with eyes shut," will be censured, destroyed, annihilated in order to make immediately thereafter a treaty based upon justice, equity, and profit, which for the opening of the interoceanic canal by way of Panama will needs bind together in harmony and happiness the great American and the small Colombian people, who, being each a free and independent nation, are, according to universal law, equals in the weighing of human destiny, just as a grain of pure gold from Montana is equal to a grain of pure gold from the mines of Anticoquia.

As regards the brutal force, the intimidation of the weak on the part of the strong, do not let us speak about that. Whatever is human has its limits, says Dr. Concha. No one can afford to put to shame the human feelings of condilation and fraternity at the expense of the respect which he owes to himself, to the dignity of his fellow-beings and of nations. At that moment which should never come, and which it is to be hoped will never come, the representative of Colombia, "if he is a native of Colombia," as Dr. Concha repeatedly says, "and has not renounced his nationality, and does not look at the dignity of the nation with eyes very different from those of the great *minority* of his fellow-citizens, and does not hold very strange notions concerning patriotism and feelings and duties regarding his native country"—at that moment, I say, imaginary to a degree bordering insanity, let us remind Dr. Concha of those other words which, occasioned by some trifling cause (he was traveling in an American boat on his way to General Vargas Santos), he had printed in his book with the arrogance of a Hurtado de Mendoza.

"It is not lawful to propose to a public officer of Colombia that he lower before anyone, and still less before a foreign government, even under exceptional circumstances, not only his own dignity, but also that of the authority which he represents and the name and honor of the nation confided to him, together with the arms and banner of his native country."

THE CONSTITUTIONAL QUESTION.

Before entering upon the study of this point it must be said that the negotiations of Drs. Martinez Silva and Concha—that is to say, from the usurpation of Marroquin until now (because no one knows what the former ministers did)—had for their base the prorogation conceded to the new canal company about the middle of 1900.

Aside from this prorogation the representatives of the company had no further business in Washington, since, as we have seen, their lawful concession was about to expire in a locality in which it was physically impossible to build a canal, and with the forfeiture of claim to this locality in conformity with the contract entered upon by Colombia and the company, the concession itself, that part of the work which had been completed and the greater part of the goods and effects of the undertaking in the Isthmus were to pass and have passed into the hands of the Republic of Colombia as their legitimate and exclusive property.

Thus, indeed, the meddling of the agents of the company with the negotiations then in progress, the importance which they attributed to themselves, the guardianship which they pretended to exercise over Colombia, and the attention which the American Government paid to them, seeing that they actually dominated the agents of the "Regeneración"—all this is due only to the aforementioned prorogation, the disastrous results of which must needs be prevented in time by demonstrating its absolute unconstitutionality, its incompetence being obvious to all those who are not blinded by elements confusing sound judgment. Let them who have built upon this prorogation not think that they can escape us by the trickery, I title as they probably believe in it themselves, that Congress will mend the unmendable and lead things back to their normal and lawful condition. No; there is a guilt—a grave guilt—in having invoked and ensnared themselves in such an unlawful deception in order to shift it later upon other persons.

The present constitution of Colombia, issued by the Constituent National Assembly of August 4, 1886, made valid and public by the Executive the 5th of the same month and year, contains, among other things, the following laws relating to the cases in question:

"ART. 4. The territory with the public domain forming part of it *belongs only to the nation.* * * *

"ART. 10. It is the duty of all the natives and *strangers in Colombia* to submit to the constitution and to the laws, and to respect and to obey the authorities. * * *

"ART. 14. Societies and corporations being incorporated in Colombia as 'personas jurídicas' have no other rights than those corresponding to the rights of individuals in Colombia. * * *

"ART. 20. Private persons are not responsible to the authorities except in cases of acting against the constitution or the laws. *Public officers are responsible to the authorities for the same causes or for transgression of their functions or for omissions in executing the same.* * * *

"ART. 31. The rights acquired with a just title in conformance with the civil law, by natural or juridical persons, can not be ignored or violated by later laws. * * *

"ART. 51. The law will determine the responsibility to which *the public officers of all classes* are liable who proceed against the rights guaranteed in this title. * * *

"ART. 57. All the public authorities are *limited* and execute their respective functions separately.

"ART. 58. The legislative power is vested in Congress. The Congress is composed of Senate and the House of Representatives.

"ART. 59. The President of the Republic is the chief of the executive power and *exercises it with indispensable cooperation of the ministers.* The President and the ministers, and in each particular transaction the President and the minister of that respective branch, *constitute the government.* * * *

"ART. 76. It is the duty of Congress to make the laws. By means of these it exercises the following functions: * * *

"4°. To approve or disapprove contracts or agreements which the President of the Republic enters upon with private persons, associations, or political bodies, in which the public treasury is interested, if they have not been previously authorized, or if in them they have not complied with the formalities prescribed by Congress, or if some of the stipulations contained in them are not in conformance with the respective law of authorization. * * *

"ART. 118. It is the duty of the President of the Republic * * *

"2°. To send to Congress at the beginning of each legislative term a message regarding the action of the Administration. * * *

"8°. To dictate in the cases and with the formalities prescribed in article 121 decrees which concern the legislative power.

"ART. 119. It is the duty of the President of the Republic * * *

"5°. To order the prosecution of any chiefs of departments or any other national or municipal officers of administrative or judicial rank for the violation of the constitution or of the laws or for any other trangressions committed in the exercise of their functions. This prosecution is to be enacted by the respective functionary of the public service or by an attorney of state appointed for this purpose and to be submitted to a competent tribunal.

"ART. 120. It is the duty of the President of the Republic * * *

"1°. To nominate and select impartially the ministers of state.

"2°. To promulgate laws that are passed, *to obey them and hallow them by his own exact obedience.* * * *

"11. To guard the outward security of the Republic, defending the freedom and the honor of the nation *and the inviolability of its territory.*

To enter into contracts necessary for the administration, for the rendering of services, and the execution of public works, *in accordance with the fiscal laws, and with the obligation to render account to Congress in its ordinary sessions.*

"ART. 121. In cases of war with foreign powers, *or of internal disturbance,* the President, after consultation with the council of state and with the assent of all the ministers, may declare the public order to be disturbed and the whole Republic, or part of it, to be in state of siege. By virtue of such declaration the President remains invested with the powers which the laws confer upon him, and, in case of their inadequacy with those bestowed by the law of nations, to defend the rights of the nation or to subdue the uprising. The extraordinary measures or legislative decrees of a *provisional* character, *which within said limits* the President dictates, will be binding when they bear the signature of all the ministers.

"The Government shall declare the public order reestablished as soon as the disturbance or the external danger has ceased to exist and shall transmit

to Congress an exposition of its provisions, with the motives thereof. All authorities shall be responsible for the abuses which they have committed in the exercise of extraordinary powers."

I have taken the pains to copy the preceding constitutional laws, and my readers must likewise take the pains to read and think them over carefully, because now or never it has come to a point where the Colombians must know whether the laws are there for the function of guardianship in defense of the nation, or whether they are to be, like *many others* of the constitution, given in protection of the citizens, a mere laughing stock and a dead letter.

The interpretation which Señor Caro has given of article 121, quoted above, in a document of great judicial, moral, and political importance, which was signed in Bogota the 9th of March of the present year, is, then, the most worthy interpretation—that of the legislator himself—of this constitutional passage. By a coincidence which I designate here as providential, in the language of the regenerators, this document is directed to Señor D. Felipe F. Paul, minister of foreign affairs, and is also signed, among others, by Señor Carlos Calderon, who was minister of finance under Dr. Sanclemente, and who negotiated the prorogation at the end of April, 1900, and by his colleague in the ministry, D. Marco F. Suárez, at that time minister of public instruction. From this document I take the following paragraphs, which are unanswerable from any point of view:

"There has been invented recently a brief formula which serves to lessen every difficulty and by which they pretend to justify every official abuse. They say that in time of war the rights of individuals and the dominion of the laws are suspended, and the Government is authorized to do what it pleases by means of legislative decrees. One can not conceive an interpretation more shameless in its absurdity, nor more alarming in its barbarity, of the following constitutional measure:

"'ART. 121. In cases of war with foreign powers or of internal disturbance, the President, after consultation with the council of state and with the *assent* of all the ministers, may declare the public order to be disturbed and the whole Republic, or part of it, to be in a state of siege.

"'By virtue of such declaration the President remains invested with the powers which the laws confer upon him, and in case of their inadequacy, with those bestowed by the law of nations, to defend the rights of the nation or to subdue the uprising. The extraordinary measures or legislative decrees of a provisional character, which within said limits the President dictates, will be binding when they bear the signature of all the ministers.'

"The sense of this measure and its civilizing intent are perfectly clear. In time of war, which by its very nature is a disorder, cases occur which are not provided for by the common laws. It happens also that by reason of that very war, Congress can not be convened in ordinary session in order to consider questions which come within its province.

"In those circumstances the President of the Republic exercises the powers conferred upon him by the laws and in default of such those which international law give him, pronouncing decrees of legislative character, but in no manner disposing freely of the national revenue nor of the lives and interests of the citizens, except with the two sole legitimate objects, to wit, to defend the nation's rights in foreign war and to reestablish internal order in case of disturbance. These provisional decrees of legislative character directed to these two objects neither of them go beyond the 'limits' expressly prescribed by the article of the constitution.

"And when, by the insufficiency of the laws of the Republic, recourse is had to the principles of the law of nations (in considerable part indicated in the military code), it is evident that this authority must not be invoked in order to apply the international law to the iniquitous ends of spoil, persecution, and proscription, but on the contrary to soften the horrors of war and to employ politic and magnanimous means to bring it to an end, inasmuch as by the law of nations is understood necessarily the body of principles which Christian civilization in its long contest with barbarism has finally been able to accredit and to sanction. However, the application which is made of the law of nations in the circumstances cited does not constitute a repudiation of the legal process, but an amplification of it with ends essentially beneficent.

"In time of war the Government restricts certain liberties, such as those of publication, of mass meeting, of moving from place to place, which can be used detrimentally, but it restricts them according to that principle which is common to every kind of hostilities, according to which the legitimate end of war sanctions the means strictly necessary and morally licit to obtain it, that which passes this limit being contrary to natural law. These liberties are restricted; they are not suppressed. The harmless exercise of intelligence and industries is not prohibited, the sick are not killed, the industries are not ruined, property is not destroyed nor commerce paralyzed by a spirit of vengeance or a variant of power.

"To proceed thus is not to make use of constitutional powers; it is to go counter to them, to contest every law and every right. On the other hand, the public liberties and natural rights of man are not one and the same conception. The former are restricted with legal purposes; the exercise of certain means of action, of certain developments of the social character, is limited; but the right in its essence of the immanent, the imprescriptible, the sacred, can never be violated. It may not be said, then, that the government is legally authorized to suspend individual rights; the law may not be invoked to deny the right of which it can be only the expression and sanction."

This declaration of constitutional doctrine, formulated by Señor Caro and by the group of his friends who, with him, have governed the country from the death of Núñez until the treason of Marroquin, July 31, 1900, has in its favor, moreover, the special fact that it was not made ad hoc for the case anticipated in this study, which has to do with a permanent question of decades and centuries, but to apply to political assassinations, depredations, terror, and extermination introduced into and accomplished in the country by Señor Marroquin and his Sejanus with the motive of crushing a rising and reestablishing peace and order in the Republic; that is to say, in the manner of war, by war, and for war, or as transient and provisional measures of immediate urgency, which the supreme necessity of hostilities forced upon their perverse blindness, their hungry thieving, their black, stony hearts; measures which they, with cynical sacrilege, denominate just clemency; painful unavoidable duty; the pious sacrifice of their inflamed souls before the altar of the fearful Vitzliputzli, to whom they raise their prayers from the ruddy smoke of the blood of their victims.

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Señor Don Santiago Pérez Triana, a distinguished Colombian, who must know the why and wherefore of these things, says:

"The Colombian Executive, Señor Marroquin, upon learning through his minister at Washington of the pretensions of the North Americans, called a junta of citizens in the Executive palace of Bogota the 22d of last February, with the object of submitting to them the conditions pressed by the Government at Washington. The junta issued its opinion in a report wherein it declared that an acceptance of the American proposals would be equivalent to a sacrifice of national sovereignty of such magnitude and of such ominous possibilities that in no case should the Executive accept, from the lack of right to do so as well as from the unpatriotic character of such an action; that the National Congress itself would not have the power to consent to conditions that would impose such evils on the country, and that a question of such transcendental consequences could not be determined save by means of a national plebiscite, since in truth it involved, by acceptance of the North American conditions, a mutilation of the country.

"And it ends the document urging that surely upon submission of this question to a popular vote of all the Colombians there would not be among the 5,000,000 inhabitants of the Republic ten sons of Colombia who would consent to the consummation of a negotiation such as that proposed, whatever be the pecuniary advantages or others of a more transitory nature that might be offered."

The declarations of this junta are the first revelations (thanks to the article of the Union Ibero-Americana) that may have been had of the abyss in which Marroquin and his confederates attempted to engulf the country for a handful of gold. For a handful of gold, I repeat, for in the report the pecuniary advantages are spoken of as the only inducement to the negotiations to which Dr. Concha has loaned his name and signature.

There follows the respectable opinion of Dr. Carlos Martinez Silva, immediate predecessor of Dr. Concha in the legation of Washington, today banished to the burning deserts of the llanos of San Martin, which the typical regenerator president, Carlos Holguin, had attempted to surrender to a foreign syndicate. I take this opinion from Le Temps, of Paris, a paper apparently on good terms with the canal company, and in any case of great weight with the public. As will be seen, Dr. Silva was at this time not only diplomatic minister, but also minister of foreign affairs of Colombia, on a special mission to the Government at the White House. The publication of Le Temps appeared in the section "Foreign news," and was dated March or April of the past year. It read thus:

"UNITED STATES.

"The minister of foreign relations of Colombia has sent to the Department of State a memorandum setting forth the conditions upon which Colombia will permit the United States to build the Panama Canal.

"The United States will have the entire control of the whole canal built across the Isthmus of Panama, with an unlimited lease for all the territory adjacent which will be required. Colombia will concede as much as is necessary to assure the American control, but in such a way that the absolute sovereignty of the United States will be out of question.

"If the Panama Canal Company refuses to cede, by a friendly agreement, to the United States the rights which it had acquired for itself, the United States and Colombia will, by mutual agreement, ignore this, and the company will be deprived of its concession, which had originally been granted to it upon the condition that the canal would be completely finished in October, 1904. Recently, indeed, the Colombian Government had prolonged the concession to 1910, *but the lawfulness of this decision has lately been questioned, and the courts of Colombia will have to decide whether the Government has gone beyond its authority in prolonging for a period of six years the original term of the concession.*"

* * * * * * *

Time and again Señor Marroquin has been advised, even by his own satellites, that he should make for peace, guarantee universal suffrage, and convoke a national convention which would reassume constituent power and reorganize the nation on a fundamental and solid basis by harmonizing, as is by no means improbable, all the legitimate interests which have been debated in politics and have drenched with blood the Colombian soil in a war that has been going on for more than two years.

How did Señor Marroquin answer these patriotic cries? In a message which would be memorable if history took account of these little things, Señor Marroquin announced to all Colombians and to all those from a distance who might care to listen:

"With all my heart would I sacrifice on the altar of my country my desire for command, my inveterate rancor, my blind rage, my unfortunate compromises; I would convoke an assembly and resign to them the command which I have usurped, and would be the first to give peace and prosperity to the land in which I was born; *but the national constitution,* of which I am the most faithful guardian, and in maintaining which I would force the revolution and my enemies even to the last extremity if need be, does not permit me, does not allow me, does not empower me to take such a step."

Even the archbishop reminded him on this occasion of the pious D. José Manuel, for whom it was little less than a public disgrace that he did not withdraw from the post which he had attained and to which he clung in so indecorous a manner, when from but a slight abnegation would have followed such precious results. A sermon lost; a pastoral cast before swine; because the constitution would not allow Señor Marroquin to leave the Republic without a head at a moment when members of his own family, and even the sweethearts of his youthful days, were robbing the public treasury by every kind of artifice, even to the ruin of certain banking institutions, according to the testimony of Gen. Pedro Nel Ospina, at that time minister of war of Señor Marroquin.

Let us look now at another question intimately connected with those already mentioned, one introduced in a manner so patriotically irregular by Señor Cortes, and approved and reproduced in its report by the Colombian legation at Washington.

"Before concluding, permit me to consider an idea that has already become public and may have an echo in Colombia. I refer to the plan to defer the negotiation until 1904, the year when the present concession expires, to disown the legality of the prorogation granted to the canal company until 1910, and to negotiate directly with the American Government, cutting loose completely from the French company.

"The effect of such a proceeding would be, it is thought, to secure from the American Government the payment of part or whole of the $40,000,000 which it is disposed to pay the French company as the price for the concession at present controlled by it.

"I consider that such conduct would be considered by the whole civilized world a violation of international public faith; that it would induce a reclamation on the part of the French Government of a nature and magnitude such that we can not even imagine; that the American Government would indignantly reject the idea of becoming a participant in a scheme that would bring considerable loss to the French people, a people whom the United States esteem in the highest degree and with whom they are connected by commercial interests and an historic feeling of gratitude, a fact so unequivocally shown to the whole world by the Re-thambeau celebration."

The first thing that occurs before considering fully these foreign opinions "that have become public and may have an echo in Colombia," is to pass the consideration that they are not mere personal cavillations of Señor Cortes, but that the Colombian legation in giving them ear and publishing them has made them its own.

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Gen. Vargas Santos, for his part, in addition to what he had already said with Dr. Soto in his manifesto against the prorogation issued from the camps of Santander, has again said through the American press, and in good English, the following, taken from the Commercial Advertiser, of New York, June 14 of the current year:

"You must remember that the canal is a great factor in the present war.

"One of our grievances against the present Government is its disregard of the interests of the nation in granting to the French canal company an extension of its franchise and rights in the canal to 1910. We contend that this extension is not valid, as it was granted without the ratification of Congress, and we hold that the property of the French company, as well as the canal, reverts to Colombia in 1904. If the outcome of the present war favors the Liberal arms, we shall certainly take possession of the property in 1904 and sell it to the United States. The price we would demand for it would naturally be less than that demanded by the present French company."

Another opinion worthy of respect which has reached the public and ought to have produced a resonant echo in Colombia is that of Gen. Rafael Uribe Uribe, published in Curaçao July 1 of this year, subsequently reproduced in another special publication, which I have not at hand at the present moment, but which confirms the one I shall shortly quote. That this opinion reached at least the Colombian legation at Washington is proved by the reports it published from page 16 of which I transcribe the following important paragraph:

"In the New York Herald of August 26 is given a speech of a prominent rebel chief, in which he abandons the primitive cause of Liberal revindication and embraces as a new cause the necessity of sustaining for two years more the war of rebellion, in order to prevent the French canal company from legally ceding its rights at this time to the American Government, and also to render it impossible for Colombia during that time to consummate negotiations with America regarding the opening of the same Panama Canal. The said delay would probably result, as has been pointed out by the American press, in the adoption of some other route for interoceanic communication, if not in some occurrence of greater importance to the detriment of Colombia's sovereignty."

And now let the patriotic harangue of General Uribe be read, which gives as already lost what still swings suspended on the invincible sword of Herrera: "Per mare, per terras, per tota discrimina rerum," and on the wild, not yet consulted, of the whole Colombian people when the time comes for it to be heard:

"If by treason to the country must be understood, as Dr. Becerra feels, the wounding of the vital interests of the nation instead of bearing triumphantly the banner of a party, those accused of this crime must not be sought in the Liberal field, but in that occupied by those who have seriously compromised the future of Colombia by the following official acts of general notoriety:

"To have extended for six years, against the express mandate of the law and the will of the last Congress, the franchise of the Panama Canal. Without this extension the franchise would have been forfeited in two years, leaving in Colombia's favor the part of the work already executed, the railroad, buildings, machinery, etc., for all of which the French company is now to receive $40,000,000. The government of Bogota sold the extension for one million, which was wholly converted into implements of war to annihilate the Liberal party, which had only asked for justice.a

"The French company offered $8,000,000, payable annually, or one million cash. The Government chose the latter; such was the haste it felt to exterminate us. In 1904 the nation would have resumed the whole of its rights in the Isthmus and, with the French company wiped out, would have been able to inaugurate negotiations directly with the United States. In that case, not only would it have had the forty millions that it loses to day and the six of which she robbed herself, but advantages and guaranties relative to the national sovereignty in Panama of value inconceivable.

"The immediate redemption of paper money and the execution of great works of progress which would have been possible with the $40,000,000 that might have been the nation's; the loss of the Isthmus, which without doubt the United States will absorb, and the danger to Colombia and the other countries of South and Central America involved in thus putting the neck of our continent under the foot of the colossus of the north, these are good things gone and the evils to come through the work of hatred and the avarice of the Conservatives.

"To appreciate the monstrousness of this conduct, it will suffice to suppose that the Liberal revolution had gained possession of the Isthmus, and because of this, or because its arms had been successful in various parts of the country, or for any other reason whatsoever, the French company and the American Government had opened negotiations with the Liberal party of the same nature as with the Government at Bogota. The names of treason, matricide, parricide, venality, and others like them would have seemed to the Conservatives inadequate sufficiently to stigmatize the Liberals, the authors of the negotiation. (Pamphlet entitled 'Comentarios.')"

The company could not in all this time comply with the conditions to which, for the second time, it had subscribed regarding the progress of operations and the conclusion of the work, and, April 4, 1893, it obtained a new extension from Colombia, granted, as was the first one, for insignificant sums, and doubtless due to the justifiable desire that there should be a particular company to complete and exploit the canal.

In this there must also have been some element of romance (there has been in me) in favor of noble France and the savings of the innocent subscribers, who for some time were committing suicide or dying, and who today scarcely form an appreciable factor or interest in the plans under consideration and in the final arrangements that may be made. Nor to those successive ill-guaranteed extensions could the associates of ex-President Holguin have been strangers when he was minister to Europe and rained manna on the banks of the Seine.

Colombia's word, validly pledged, has been complied with even more fully than was necessary. That the stockholders and those interested in this bankrupt canal enterprise have founded other illegitimate hopes in the null acts of public officials incapable of investing it with the majesty of the law is a circumstance that should trouble them and not us who point out the nullity of the said act and remind those gentlemen honorably and opportunely of their nullity and its grave consequences to them. The French contracting parties stipulated the construction of the canal and the holding of the exclusive right of exploitation for one hundred years, with many perquisites, on the positive condition that they would complete and have it open to traffic within a certain term, on two occasions extended.

Even before the expiration of the first term the contracting company had been declared in a state of insolvency by the French tribunals—insolvency complicated with fraud, as is well known. Upon the new company, on extending the time for the completion of the work, there were placed, moreover, the obligations to reorganize as soon as possible and to undertake the work of excavation seriously in a way to complete it within the limit specified in the extension. And again, as may be seen in the letter of Dr. Esguerra, included in the documents, for the projected third extension the condition sine qua non was that the company should obtain the capital and finish the work itself without passing it over to some other agent. Even on this ground—that is to say, that the company itself should execute the work with private capital and without the meddling of any government, under the protection of Colombia—which was the patriotic desire of all Colombians, the extension thus obtained would have necessitated the intervention of the National Congress for its validity.

What must be said, then, of this extension not subscribed to by the commission appointed to prepare it in a clear, equitable pact, but juggled through a specious deception by a seesawing minister and president, and not now with the condition that the company itself should execute the work, but that it might sell to a foreign government that null extension and with it the legitimate hopes of Colombia, based precisely on the literal tenor and spirit of the contracts which bound the company, contracts which were two-sided and reciprocal and pledged the word and faith of both parties to their strict observance?

Not even can the plea of deceived hopes be adduced by the company and its sustainers, unless they take away the three offensive words "an assured act," which the company printed at the end of its propaganda in 1898, which are a blow to the Colombian Congress, the supposed instrument of the Executive and blind associate in all its measures. If the deeds should justify them, it will not for this reason be less certain that the gentlemen of the company have always well known that it is the Congress that must decide the question; that they have played a game, and nothing but a game, boldly staking upon one card their projects of transferring concession, canal, goods, and marketable effects to a foreign government; although if Congress should not support their game, all these castles-in-the-air manipulations and chimeras will fall back upon the reality of the contracts, valid until 1904.

Then the consequences of the conditions upon which the company entered into the contracts, and as to which there can be no possible doubt, will be forced upon them with all the power of law. The Government of Colombia will not then proceed to undertake the work of the canal and all that is connected with it, although it is fully authorized to do so by Article VI of the contract of 1880 and by article 6 of that of 1893; but considerate to the utmost, as it feels bound to be toward the rights and pretensions of the foreigners with whom they made the contract, it will do all in its power that article 9 of the last contract be complied with; that is to say, it trusts that the supreme court of justice of Colombia will pronounce upon the points of controversy that have sprung up and may spring up between the two parties concerning this contract and those preceding it.

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Whether the American Government does or does not resent, with or without indignation, the idea that we Colombians try to live up to our constitution and to our laws in an honorable and loyal way is a matter upon which I do not feel competent to give an opinion, although I was last summer in Washington for the unveiling of the Rochambeau monument. But although I have not any official information to that effect I do not believe that I am going very much astray in supposing that neither the French nor the American Government will make or support an attempt upon the Republic of Colombia for the reasons and under the conditions set forth in that fantastic claim of the successors and continuers of Lesseps, Reinach, Arton, and Cornelius Herz.

When, however, the hour of Congress comes, it is to be hoped that it will proceed with uprightness and firmness in examining this affair, the most important with which Colombia ever had to deal, nor can this be done in a short time. Its proceedings must be strictly constitutional if they are to be correct; the prorogation must be disapproved; those who are responsible for it must be prosecuted, and careful precautions for the future must be taken. The Executive will have to modify, step by step, his policy in the negotiations then to come, and the judicial officers will have to perform their constitutional and legal duties when the hour comes. If the Americans have by that time decided upon another route and the French will not guarantee the completion of the canal upon the terms of the concession to which they are entitled up to the year 1904, and which may be extended for them or for any other syndicate under fair consideration of the value, Colombia may consider herself free by temporarily putting off this disturbing project gradually to develop her strength, resources, and natural wealth; independent and her own mistress, not allured by a passing advantage which may in the future be the cause of the most ominous consequences. Individuals and nations do not live from bread alone.

But the same Colombian legation in Washington acknowledges truthfully that these reforms were thwarted by the Government and the ignominious flight of Marroquin. This new despair, the new perspective, which opened with a more or less long period of immobility on the part of the despots, filled the measure of patience and resignation shown by the Liberals and drove them into civil war. The war once aflame, it was the duty of all Liberals, wherever they were, and whatever views they had formerly held, to support the revolution (and in this I, too, saw my duty), or at least to remain in the fraternal silence of companionship. To mount the tribune of deluded sociologists, of astute flatterers, with the pretense of proving that peace is better than war, while in reality thundering against those who have on the battlefield fought for their share in the sun against a government of scoundrels—that would do very well as a sleight-of-hand method for escaping foreign powers, and might succeed as a piece of adulation before the shadow of an omnipotent sovereign having power of life and death; but the Liberal party will never be able to thank these apostles of peace to the utmost for the pains they have taken in such an ungrateful and treasonable work.

Feeling strong as against a government of felony, blood, and fraud, weak as against the defenders of law, they leaned as with a weight of lead against the handle of the pot and proclaimed themselves to be "men of peace," at all times and at every minute, outside of the party, within the party, and in spite of the party, and attacked the revolutionaries, calling "violent" and "hot heads" every one of them who according to their ideas had helped to drag the poor, foolish people into war.

That the war is just will be shown by merely quoting two paragraphs of the pamphlet of the legation. Dr. Concha, speaking of the reforms which the government of Marroquin offered at last to introduce, said at the peace negotiations in New York:

"These reforms, the realization of which the government of the late Señor Sanclemente prevented by the dissolution of congress and by the limitation of its extraordinary sessions, are precisely what not only the Conservative party, but the Liberal press as well, is anxiously concerned in bringing about. * * *

"It is not useless to recall to mind that these reforms, beginning with the first, the law of elections, which may well be considered to be the fundamental base of the republican system, comprise the points which have caused the greater part of complaints against the public administration of the country during the last years; the question of the press; the liberty and safety of the individual; the independence of the judicial courts; the abolition of exceptional laws; the extinction of monopolies which affect the national industry and the liberty of commerce, and, lastly, a proper and effective administration of the public treasury by means of independent tribunals, the members of which are for the greater part to be chosen by the legislative bodies.

"The Señor President of the Republic is therefore disposed to make good the offers which he has for some time hence made to the country, although it is rebelling against his authority." * * *

To comment on this series is to degrade the beauty which finds its expression in the enumeration of necessary reforms and horrible evils named by Dr. Concha, and which justify, glorify, deify any revolution, not only of three, but of ten years, of thirty years, half of the life of a man, in order to reinstate and reestablish in the country every one of its lost liberties, and to extirpate every one of these terrible abuses introduced by the Conservatives in the Government. Only the last one, the proper and effective administration of the public treasury, is mentioned by Dr. Concha in an official report sent to the same House of Representatives, of which he was a member in 1888, and I quote it here to freshen up the memory:

"It may be asserted without the risk of committing an error that since 1886 there has not been a 'tribunal de cuentas' (department of public treasury) in the country, because every time that the treasury officials have tried to fulfill strictly the duties assigned to them they have stumbled against the will of some minister who would not permit any objections to his orders, as is proved by the notes to this effect which have been accumulating."

Opposed, as they are, like President Ospina in 1880, to any treaty, understanding, or regulation of affairs with the rebels, they have not wished to save the situation by taking hold of the reins of the Julio Arboleda twice put it, and have permitted that the war devastate and devour the country during three years rather than come down from their height, rather than smooth over a single angle in the feudal castle of their insane stupidity and negotiate with the revolution at the divers occasions on which the latter wished to meet them halfway ever after it began.

Betrayed the country! Assault together with a gang of criminals! There is no name for the infamy of Marroquin! And to crown this satanic work there is circulating in the foreign press a notice that General Uribe-Uribe, who made a treaty or agreement of peace with the Government, and, relying on it, surrendered, with all his companions and arms, was put in prison, judged by the council of war—composed of Marroquin's murderers—and condemned to death as traitor and head of a gang of criminals! How could that infamous hypocrite dare to shed this blood, to bring to a standstill this great heart, which harbored the most excellent republican virtues; the hero of Chancos, the chief of the Legion of Honor; the victor of Cipirra, of Peralonso, and Teran, who in a hundred battles sought the glorious death for liberty!

He died at the hands of lawless and furious highway robbers previously chastised by him, these assassins behind the desk, to whom their country owes nothing but shame! And Herrera—Herrera, the magnanimous and "most expert" hero of Santander and Panama! Will he tolerate the sacrifice of his companion, his friend, the tribune, the publicist, the pride of a race, of a family, of a nation, without resorting to just, although painful, reprisals in the Isthmus, proving to the world the necessity which has been forced upon the Liberal party to exchange the sword for the hatchet and to frighten the official bandits? Oh, Herrera! no! Protect your prisoners, who, being such, are sacred; but strengthen your courage and that of your armies by setting such an improbable example and avenge General Uribe-Uribe by humiliating in the end the arrogant enemy and by accomplishing the triumph of the revolution, which may then glory in its martyrs.

In vain Señor Caro and his party, in the political part of the masterly document quoted above, reminded them of the order, the teaching, the traditions of the country—the nation itself, and the element of the country which abolished the political scaffold thirty years ago. With pleasure and honor I repeat here these words of piety and common sense, which the legation in Washington will do well to heed:

"Not much argument is needed, with the laws of the country confronting us, in considering belligerents as guided by the law of nations. It is sufficient to recall to mind that it condemns the slaughtering of prisoners as an act contrary to military honor as well as to Christian morals; that reprisals should be resorted to only in cases of extreme need, by dire imposition of necessity, with only one end in view—that is, to restrain abuses and force a change of conduct; that these are usual in war (by Belo) upon a ferocious people, who give no quarter to the conquered and observe no rules whatsoever."

Believing that he has not left the revolution sufficiently crushed by having made it appear a war for gain, he adds that at the last hour, and according to the allocution of General Uribe, "the rebels abandon the original standard of the Liberals and bring up anew the necessity of sustaining the war of rebellion for two years longer, in order to prevent the French Canal Company from making over its legal rights to the American Government, thus rendering it impossible for Colombia to conclude with this Government within the given time the negotiations concerning the opening of that same Panama Canal." Señor Concha adds, furthermore, in a series of inventions which do no credit to his imagination, "that the foreign chief of the rebels, from the point of view of his country's interests, would be more than justified in his alliance with them."

* * * * * * *

What value do the sociologists and Jesuits set upon the aid given us by Regalado and the Salvadorians? What did the conquerors of Tocuyito and La Victoria carry in his purse when he gave his most valiant support in order to defend us and in order to be defended from the invasions by way of Táchira and Carazua? Did they believe him dead and buried, slain like a mad dog? Indeed, both he and the Liberal revolution live to fight for an idea and the definite triumph of a common cause.

It must be repeated. As a door of escape from the Liberal ranks—as an argument thoroughly exploited by the Jesuits of the Government in order to make its ranks more solid and to attract blockheads, the canal question and the famous question of treason against our country—that of selling its territory and plotting to lessen its independence and sovereignty—these have been the two greatest slanders, which have caused no trouble in the mouths of the Goths and Jesuits, but in the mouths of those who have allowed themselves to be called Liberals have become excessively annoying.

In regard to the canal, what I have said in this pamphlet seems sufficient to show the attitude of the revolution in the entire debate. Dr. Concha entirely deceives himself when he writes that the "rebels" have abandoned the original standard of the Liberals to take as the only sign of war the question concerning which he is so agitated.a No (if I may use such a simile); if Don Lorenzo Marroquin had ten fingers and corresponding nails on each of the hands which God gave him, and suddenly there should develop two other fingers by the side of each thumb (such cases have been known), surely Dr. Concha would not then say that Lorenzo had abandoned the twenty Conservative grappling hooks that he always carried as his standard, while consul in Southampton, in the hotels of Mexico and Central America, and lastly at the side of his father in Bogota, but rather that four more had been developed for him and that his programme might be enlarged accordingly.

This is the state of the canal question among the rebels. It has not replaced the principles of right to which we adhere and which we are going to vindicate, but it increases our power of adhering to that right in proportion as the blunders and treason of the Conservatives are disclosed by time and events. The assembly which Marroquin convened the 13th of February of this year itself says plainly to him and to the minister at Washington: The work which these two have been bungling and obstructing is clearly a work of treason, complicated by imbecility. We shall now see who have been the felons and who have been laboring for the great and permanent interests of Colombia.

In regard to the famous treason, in our relations with friends and foreign coreligionists, who have served us well and continue to support us both morally and with some material aid, there will be published presently what I have written in this connection and what the leaders and associates may write. As for the Liberals, faithful to their party at this critical moment, for those who may have wavered on reading the slanders of the Goths and Jesuits, and who may not have been able to read the refutations of Generals Vargas, Soto, Uribe, and Herrera, let them read what I here reiterate concerning this tale: We have solicited and have obtained the support of disinterested coreligionists, who, like ourselves, ardently desire the triumph of the Liberal cause. But we have never made an unworthy compromise with anyone like that which the Conservatives made with Flores in 1840, to cede the province of Pasto, and with the Government of Venezuela in 1876, ceding the territory of San Faustino, to say nothing of other cases.

If the war was just and necessary then, to-day it is indispensable and sublime. War to the death has been declared; the resistance of desperation has been aroused. So be it! The piratical *Bogota* being sunk in the abyss, let Herrera fall upon the line, take Colon, and attack Panama "on equal terms." The noble impartiality of the American Republics has been already twice put to the test, and when they take possession of the Isthmus, with the control of the Pacific, they will find in the land a government of blood, of treason, and of theft which the followers of Marroquin exploit and Aristides Fernández directs. Already the paper money has lost the value it had acquired. All that the official whirlpool could swallow up has been swallowed. Those who have been entrapped and conquered do not fight for ideas. One blow more and the abominable temple will come to the ground. Those who have been deceived will return to their guerilla warfare. Everything of value which might be appropriated by the Government, such as coffee, hides, and gold in the mines, has been defended by the foreign ministers against official rapacity.

Listen, ye legionaries of Tumaco, Punta Peña, Penomoné, and Agua dulce! Listen, *Padilla, Boyacá, Gaitán, Darién*, whose banners and handkerchiefs soaked in tears and in the blood of our loved heroes who will never again see them wave. Collect your forces and revenge with victory the misfortunes of your country. Everything noble and sacred in Colombia is on your side. Each particle of steel in your swords represents an eternity of griefs suffered, of insults unavenged, which will go down through the ages. What kind of peace is offered you? One can not treat with a government without honor, which forges telegrams, and fails to recognize the very ones whom it has called to parley. A government which shoots those whom it has conquered and which is sunk in the mire of discredit and prevarication. Pursue the strife! Aquileo Parra, Santiago Pérez, all our great citizens will admire and praise you to all eternity. What does it matter that others defame you for opposing their sordid interests. I read again and admire the words for which the enemy reproaches you.

"*Before we will surrender to the government of Marroquin we will open our arms to the Sultan; not only from the liberal governments which sympathize with* us, but from the devil himself we would accept and appreciate the assistance which we need in order that we may wipe from the map of America the shameless master which calls itself the *Regeneracion*." * * *

The canal question knocks at the public conscience with a resounding blow. It is the central point of the discussion. "The calf of gold is already set up!" This people, frugal and high-minded, will not allow themselves to be surprised by the rascals and imbeciles of such a tottering government; and if the revolution should triumph in reality, having already obtained its moral triumph, the fate of this negotiation and all that pertains to the true interests of the nation is assured. The blood already shed and that which will be shed will yet make fruitful the soil of our country, and will blot out, as with red-hot coals, the stain which treason, consented to and awarded, has cast upon it.

This is far from being all the evidence to establish the fact that we are dealing with the Church party in Colombia and with its ally—the New Panama Canal Company—in making this treaty with Marroquin, or Hernandez, who rules Marroquin, and that we are confirming, by our solemn treaty, the ascendency of the same party, and the same principles that are denounced by the Monroe doctrine.

RATIFICATION OF TREATY FAVORABLE TO CHURCH PARTY AND ADVERSE TO LIBERALS.

The concordat of 1888 with Pope Leo XIII, which is made the organic law of Colombia, is a distinct assertion of the same right to dominate the civil authority in Colombia that was announced in the compact of the Holy Alliance.

In purchasing from the canal company, with the consent of Colombia, the concession of April 23, 1900, by the decree of Sanclemente, which the Colombian Congress refused to permit or to ratify, we purchase, adopt, and agree to sustain the very cause of the civil war in Colombia, and join hands with the polluted and blood-stained hands of the church party, and give to the Liberal party its final coup de main. Our action in that direction

a I write with horror and a wrath that has been for a long time accumulating, and nearly chokes me. Ever since Marroquin believed to be victor in Soacha and San Miguel, Amoladero and Guavio, counting upon the pseudo-liberal press in his service and at his heels, and not counting upon the admirable campaign of Clodomiro Castillo in Magdalena and the imposing one of Herrera in Panama and Pacifico, he has given way to a criminal impetuousness and has shed the blood of captives in streams. The most conspicuous, judging by the fame of the victims, were the noble youth of Bogota, of a Liberal patrician family, Antonio Suarez Lecroix, and his companions, Lozano, Vidal, and many others; later * * * I do not know how many more. I just received a paper from Barranquilla, the *Boletin Oficial*, num. 88, the 8th of October of this year, which contains the following statement:

"BOGOTA, *15th of September, 1903.*

"*Governors of the Departments, Chiefs C. and M. of the Provinces, Chief Commanders of the Army, Commanders of the Divisions, etc.:*

"I have the honor of communicating to you that to-day at 6 a. m., in Espinal, the following rebels were dispatched by shooting: Cesáreo Pulido, Gabriel Mª Calderon, Anatol Barrios, Rogelio Chavez, German Martinez, Climaco Pizarro, and Benjamin Mañorca, in execution of the sentence pronounced by the council of war which inflicted this punishment upon them, being found guilty of having betrayed the country and having committed assault together with a gang of criminals.

"Your affectionate friend, "FERNANDEZ."

a In the Astor Library, of New York, I read for the first time the reason, published by the Jesuits everywhere, why I had come to the United States to sell the Isthmus—in exchange for the support of the Liberal cause.

I thought then of writing to España Moderna, where the falsehood had been printed, but I could not bring myself to have anything to do with such persons.

and to that extent can not be mistaken, nor will it ever be forgotten as an unquestionable adoption of the declarations of the Holy Alliance.

A SURRENDER OF THE PRINCIPLES OF THE CONSTITUTION.

This treaty makes no provision or reservation, even as to our own people who will be resident in Colombia and in the canal zone for centuries to come, against their submission to the same power that moved the Holy Alliance to recapture by war or by strength the lost possessions of Spain. As a practical declaration of the attitude of the United States toward the doctrine of the supremacy of the church in civil government, it is a surrender of the bed-rock principles of the Constitution of the United States as to the divorce of church and state, and it reverses all that has been accomplished in Mexico and in every Central and South American Republic, except Venezuela and Colombia, in the bloody wars with the Church party. It defames the glorious achievements of Juarez and Porfirio Diaz, which have lifted Mexico to the highest plane of free constitutional government and have filled her treasury with wealth and clothed her with the garments of praise.

MR. GLADSTONE ON "VATICAN DECREES IN THEIR BEARING ON CIVIL ALLEGIANCE."

Lest I should be misunderstood, in pressing this subject on the serious attention of the Senate, as one who is indulging the prejudices of a Protestant against the Roman Catholic Church instead of resisting the subordination of our own country through a solemn treaty to the baneful authority in Colombia of the order of the Jesuits, I will quote from Mr. Gladstone's careful review of the same proposition.

Mr. Gladstone, in 1875, wrote of "The Vatican decrees in their bearing on civil allegiance" as follows:

It is neither the abettors of the Papal chair nor anyone who, however far from being an abettor of the Papal chair, actually writes from a Papal point of view, that has a right to remonstrate with the world at large; but it is the world at large, on the contrary, that has the fullest right to remonstrate, first, with His Holiness; secondly, with those who share his proceedings; thirdly, even with such as passively allow and accept them.

I therefore, as one of the world at large, propose to expostulate in my turn. I shall strive to show to such of my Roman Catholic fellow-subjects as may kindly give me a hearing that, after the singular steps which the authorities of their church have in these last years thought fit to take, the people of this country, who fully believe in their loyalty, are entitled, on purely civil grounds, to expect from them some declaration or manifestation of opinion in reply to that ecclesiastical party in their church who have laid down, in their name, principles adverse to the purity and integrity of civil allegiance.

Undoubtedly my allegations are of great breadth. Such broad allegations require a broad and deep foundation. The first question which they raise is, are they, as to the material part of them, true? But even their truth might not suffice to show that their publication was opportune. The second question, then, which they raise is, are they, for any practical purpose, material? And there is yet a third, though a minor question which arises out of the propositions in connection with their authorship, were they suitable to be set forth by the present writer?

To these three questions I will now set myself to reply. And the matter of my reply will, as I conceive, constitute and convey an appeal to the understandings of my Roman Catholic fellow-countrymen which I trust that, at the least, some among them may deem not altogether unworthy of their consideration.

Before all things, however, I should desire to be understood that, in the remarks now offered, I desire to eschew not only religious bigotry, but likewise theological controversy. Indeed, with theology, except in its civil bearing—with theology as such—I have here nothing whatever to do. But it is the peculiarity of Roman theology that, by thrusting itself into the temporal domain, it naturally, and even necessarily, comes to be a frequent theme of political discussion. To quiet-minded Roman Catholics it must be subject of infinite annoyance that their religion is, on this ground, more than any other the subject of criticism; more than any other the occasion of conflicts with the State and of civil disquietude. I feel sincerely how much hardship their case entails. But this hardship is brought upon them altogether by the conduct of the authorities of their own church.

Why did theology enter so largely into the debates of Parliament on Roman Catholic emancipation? Certainly not because our statesmen and debaters of fifty years ago had an abstract love of such controversies, but because it was extensively believed that the Pope of Rome had been and was a trespasser upon ground which belonged to the civil authority, and that he affected to determine by spiritual prerogative questions of the civil sphere. This fact, if fact it be, and not the truth or falsehood, the reasonableness or unreasonableness, of any article of purely religious belief, is the whole and sole cause of the mischief. To this fact, and to this fact alone, my language is referable; but for this fact it would have been neither my duty nor my desire to use it. All other Christian bodies are content with freedom in their own religious domain.

Orientals, Lutherans, Calvinists, Presbyterians, Episcopalians, Nonconformists, one and all, in the present day, contentedly and thankfully accept the benefits of civil order; never pretend that the State is not its own master; make no religious claims to temporal possessions or advantages; and, consequently, never are in perilous collision with the State. Nay, more, even so I believe it is with the mass of Roman Catholics individually. But not so with the leaders of their church or with those who take pride in following the leaders. Indeed, this has been made matter of boast:

"There is not another church, so called (than the Roman), nor any community professing to be a church, which does not submit or obey or hold its peace when the civil governors of the world command." (The Present Crisis of the Holy See, by H. E. Manning, D. D., London, 1861, p. 75.)

The Rome of the Middle Ages claimed universal monarchy. The modern Church of Rome has abandoned nothing, retracted nothing. Is that all? Far from it. By condemning (as will be seen) those who, like Bishop Doyle in 1826, charge the mediæval popes with aggression she unconditionally, even if covertly, maintains what the mediæval Popes maintained. But even this is not the worst. The worst by far is that whereas in the national churches and communities of the Middle Ages there was a brisk, vigorous, and constant oppositon to these outrageous claims—an opposition which stoutly asserted its own orthodoxy, which always caused itself to be respected, and which even sometimes gained the upper hand—now in this nineteenth century of ours, and while it is growing old, the same opposition has been put out of court and judicially extinguished within the Papal church by the recent decrees of the Vatican. And it is impossible for persons accepting those decrees justly to complain when such documents are subjected in good faith to a strict examination as respects their compatibility with civil right and the obedience of subjects.

In defending my language I shall carefully mark its limits. But all defense is reassertion, which properly requires a deliberate reconsideration; and no man who thus reconsiders should scruple, if he find so much as a word that may convey a false impression, to amend it. Exactness in stating the truth according to the measure of our intelligence is an indispensable condition of justice, and of a title to be heard.

My propositions, then, as they stood, are these:

1. That "Rome has substituted for the proud boast of semper eadem a policy of violence and change in faith."

2. That she has refurbished and paraded anew every rusty tool she was fondly thought to have disused.

3. That no one can now become her convert without renouncing his moral and mental freedom and placing his civil loyalty and duty at the mercy of another.

4. That she ("Rome") has equally repudiated modern thought and ancient history.

THE SECOND PROPOSITION.

I take my second proposition: That Rome has refurbished and paraded anew every rusty tool she was fondly thought to have disused.

Is this, then, a fact, or is it not?

I must assume that it is denied, and therefore I can not wholly pass by the work of proof. But I will state, in the fewest possible words and with references, *a few propositions, all the holders of which have been condemned by the See of Rome during my own generation, and especially within the last twelve or fifteen years.* And, in order that I may do nothing toward importing passion into what is matter of pure argument, I will avoid citing any of the fearfully energetic epithets in which the condemnations are sometimes clothed.

1. Those who maintain the liberty of the press. (Encyclical letter of Pope Gregory XVI, in 1831, and of Pope Pius IX, in 1864.)

2. Or the liberty of conscience and of worship. (Encyclical of Pius IX, December 8, 1864.)

3. Or the liberty of speech. ("Syllabus" of March 18, 1861. Prop LXXIX. Encyclical of Pope Pius IX, December 8, 1864.)

4. Or who contend that Papal judgments and decrees may, without sin, be disobeyed or differed from unless they treat of the rules (dogmata) of faith or morals. (Ibid.)

5. Or who assign to the state the power of defining the civil rights (jura) and province of the church. ("Syllabus" of Pope Pius IX, March 8, 1861. Ibid., Prop. XIX.)

6. Or who hold the Roman Pontiffs and œcumenical councils have transgressed the limits of their power and usurped the rights of princes. (Ibid. Prop. XXIII.)

(It must be borne in mind that œcumenical councils here mean Roman councils not recognized by the rest of the church. The councils of the early church did not interfere with the jurisdiction of the civil power.)

7. Or that the church may not employ force. (Ecclesia vis inferendoe poestatem non habet.) ("Syllabus" Prop XXIV.)

8. Or that power not inherent in the office of the episcopate, but granted to it by the civil authority, may be withdrawn from it at the discretion of that authority. (Ibid. Prop. XXV.)

9. *Or that the (immunitas) civil immunity of the church and its ministers depends upon civil right.* (Ibid. Prop. XXX.)

10. *Or that in the conflict of laws, civil or ecclesiastical, the civil law should prevail.* (Ibid. Prop. XLII.)

11. *Or that any method of instruction of youth, solely secular, may be approved.* (Ibid. Prop. XLVIII.)

12. *Or that knowledge of things philosophical and civil may and should decline to be guided by divine and ecclesiastical authority.* (Ibid. Prop. LVII.)

13. *Or that marriage is not in its essence a sacrament.* (Ibid. Prop. LXVI.)

14. *Or that marriage not sacramentally contracted* (si sacramentum excludatur) *has a binding force.* (Ibid. Prop. LXXVI.)

15. Or that the abolition of the temporal power of the papedom would be highly advantageous to the church. (Ibid. Prop. LXXVI. Also Prop. LXX.)

16. *Or that any other religion than the Roman religion may be established by a state.* (Ibid. Prop. LXXVII.)

17. *Or that in "countries called Catholic" the free exercise of other religions may laudably be allowed.* ("Syllabus" Prop. LXXVIII.)

18. Or that the Roman Pontiff ought to come to terms with progress, liberalism, and modern civilization. (Ibid. Prop. LXXX.)

This list is now, perhaps, sufficiently extended, although I have as yet not touched the decrees of 1870. But before quitting it I must offer three observations on what it contains:

Firstly. I do not place all the propositions in one and the same category, for there are a portion of them which, as far as I can judge, might, by the combined aid of favorable construction and vigorous explanation, be brought within bounds. And I hold that favorable construction of the terms used in controversies is the right general rule. But this can only be so when construction is an open question. When the author of certain propositions claims, as in the case before us, a sole and unlimited power to interpret them in such a manner and by such rules as he may from time to time think fit, the only defense for all others concerned is at once to judge for themselves how much of unreason or of mischief the words, naturally understood, may contain.

Secondly. It may appear, upon a hasty perusal, that neither the infliction of penalty in life, limb, liberty, or goods on disobedient members of the Christian church, nor the title to depose sovereigns and release subjects from their allegiance, with all its revolting consequences, has been here reaffirmed. In terms, there is no mention of them; but in the substance of the propositions, I grieve to say, they are beyond doubt included. For it is notorious that they have been declared and decreed by "Rome," that is to say, by popes and papal councils, and the stringent condemnations of the syllabus include all those who hold that popes and papal councils (declared œcumenical) have transgressed the limits of their power or usurped the rights of princes.

The foregoing citations of Mr. Gladstone are supported by the documents set forth in his book, but were not quoted here because of their length.

After completing his statement of facts, on which his argument is of the highest ability, Mr. Gladstone states his conclusions

in words of admonition to the British Government and people as follows:

I submit, then, that my fourth proposition is true, and that England is entitled to ask and to know in what way the obedience required by the Pope and the council of the Vatican is to be reconciled with the integrity of civil allegiance.

And again he says:

1. That the Pope, authorized by his council, claims for himself the domain (a) of faith, (b) of morals, (c) of all that concerns the government and discipline of the church.

2. That he in like manner claims the power of determining the limits of those domains.

3. That he does not sever them, by any acknowledged or intelligible line, from the domains of civil duty and allegiance.

4. That he therefore claims, and claims from the month of July, 1870, onward, with plenary authority, from every convert and member of his church, that he shall "place his loyalty and civil duty at the mercy of another," that other being himself.

BEING TRUE, ARE THE PROPOSITIONS MATERIAL?

But next, if these propositions be true, are they also material? The claims can not, as I much fear, be denied to have been made. It can not be denied that the bishops, who govern in things spiritual more than five millions (or nearly one-sixth) of the inhabitants of the United Kingdom, have in some cases promoted, in all cases accepted, these claims. It has been a favorite purpose of my life not to conjure up, but to conjure down, public alarms. I am not now going to pretend that either foreign foe or domestic treason can, at the bidding of the court of Rome, disturb these peaceful shores.

But though such fears may be visionary, it is more visionary still to suppose for one moment that the claims of Gregory VII. of Innocent III, and of Boniface VIII have been disinterred in the nineteenth century like hideous mummies picked out of Egyptian sarcophagi, in the interests of archæology, or without a definite or practical aim. As rational beings we must rest assured that only with a very cleverly conceived and foregone purpose have these astonishing reassertions been paraded before the world. What is that purpose?

He then addresses his remarks to the purposes of the dogmas that are recently revived, as follows:

It must be for some political object of a very tangible kind that the risks of so daring a raid upon the civil sphere have been deliberately run.

A daring raid it is. For it is most evident that the very assertion of principles which establish an exemption from allegiance, or which impair its completeness, goes, in many other countries of Europe far more directly than with us, to the creation of political strife, and to dangers of the most dangerous and tangible kind. The struggle now proceeding in Germany at once occurs to the mind as a salutary instance. I am not competent to give any opinion upon the particulars of that struggle. The institutions of Germany and the relative estimate of State power and individual freedom are materially different from ours. But I must say as much as this: Firstly, It is not Prussia alone that is touched; elsewhere, too, the bone lies ready, though the contention may be delayed.

Archbishop Manning, who is the head of the Papal church in England, and whose ecclesiastical tone is supposed to be in the closest accordance with that of his headquarters, has not thought it too much to say that the civil order of all Christendom is the offspring of the temporal power, and has the temporal power for its keystone; that on the destruction of the temporal power "the laws of nations would at once fall in ruins;" that (our old friend) the deposing power "taught subjects obedience and princes clemency." Nay, this high authority has proceeded further, and has elevated the temporal power to the rank of necessary doctrine.

"The Catholic Church can not be silent, it can not hold its peace, it can not cease to preach the doctrines of revelation, not only of the Trinity and of the incarnation, but likewise of the seven sacraments, and of the infallibility of the church of God, and of the necessity of the unity, and of the sovereignty, both spiritual and temporal, of the Holy See."

I never, for my own part, heard that the work containing this remarkable passage was placed in the "Index Prohibitorum Librorum." On the contrary, its distinguished author was elevated, on the first opportunity, to the headship of the Roman episcopacy in England and to the guidance of the million or thereabouts of souls in that communion. And the more recent utterances of the oracle have not descended from the high level of those already cited. They have, indeed, the recommendation of a comment, not without fair claims to authority, on the recent declarations of the Pope and the council, and of one which goes to prove how far I am from having exaggerated or strained in the foregoing pages the meaning of those declarations. Especially does this hold good on the one point, the most vital of the whole—the title to define the border line of the two provinces, which the archbishop not unfairly takes to be the true criterion of supremacy as between rival powers like the church and the state.

If, then, the civil power be not competent to decide the limits of the spiritual power, and if the spiritual power can define, with a divine certainty, its own limits, it is evidently supreme. Or, in other words, the spiritual power knows, with divine certainty, the limits of its own jurisdiction; and it knows, therefore, the limits and the competence of the civil power. It is thereby, in matters of religion and conscience, supreme. I do not see how this can be denied without denying Christianity. And if this be so, this is the doctrine of the bull unam sanctam, and of the syllabus, and of the Vatican council. It is in fact ultramontanism, for this term means neither less nor more. The church, therefore, is separate and supreme.

"Let us, then, ascertain further what is the meaning of supreme. Any power which is independent, and can alone fix the limits of its own jurisdiction, and can thereby fix the limits of all other jurisdictions, is ipso facto supreme. But the church of Jesus Christ within the sphere of revelation, of faith and morals, is all this, or is nothing, or worse than nothing, an imposture and a usurpation; that is, it is Christ or anti-Christ."

But the whole pamphlet should be read by those who desire to know the true sense of the Papal declarations and Vatican decrees, as they are understood by the most favorite ecclesiastics; understood, I am bound to own, so far as I can see, in their natural, legitimate, and inevitable sense. Such readers will be assisted by the treatise in seeing clearly and in admitting frankly that whatever demands may hereafter and in what circumstances be made upon us, we shall be unable to advance with any fairness the plea that it has been done without due notice.

There are millions upon millions of the Protestants of this country who would agree with Archbishop Manning if he were simply telling us that divine truth is not to be sought from the lips of the state, nor to be sacrificed at its command. But those millions would tell him in return that the state, as the power which is alone responsible for the external order of the world, can alone conclusively and finally be competent to determine what is to take place in the sphere of that external order.

It is idle to suppose that there is no political purpose in the concordat of 1888 between Pope Leo XIII and Colombia, or that it is not supremely dangerous to the political rights of the people there, and especially to the Liberal party in that and other republics.

Colombia is not under the jurisdiction of the United States and we may have no right to institute a propaganda against an ecclesiastical danger that threatens her civil powers in self-government, but when we place our people under her laws in perpetuity, by treaty agreement, we can not ignore the fact that we subject them to the degradation of that concordat and the abominable law that Colombia has enacted to enforce it.

It can scarcely be imagined that Colombia could refuse to agree to exempt our people from those laws if this treaty shall be so amended as to require it, nor can it be doubted that our people will scorn a treaty that binds them forever to this "body of death."

After five hours and thirty-five minutes spent in executive session the doors were reopened.

AMENDMENT OF THE RULES—LIMITATION OF DEBATE.

Mr. HOAR. I desire to introduce an amendment to the rules, and I ask that it be referred to the Committee on Rules. I have not specified in it the detail as to what rules it modifies or changes, because it is better to let that be until the committee reports. It will not report, probably, at the present session. I should like to have the amendment printed in the RECORD.

The amendment was referred to the Committee on Rules, and ordered to be printed in the RECORD, as follows:

The rules of the Senate shall be amended and modified by incorporating therein the following:

"No Senator shall speak more than two hours on the same bill or resolution on the same day except by unanimous consent.

"After the presence of a quorum has been ascertained by a call of the Senate, and thereafter on the same day the question of the presence of a quorum be raised, it shall be ascertained and declared by the Presiding Officer on inspection without calling the roll.

"It shall be at any time in order for any Senator to move that the question on any pending bill or resolution, together with all amendments thereto, shall be put on the day when the motion is adopted, or on any subsequent day thereafter, which shall be determined without debate. If it shall be determined in the affirmative, no motion for an executive session and no other business shall be in order on that day until said matter has been disposed of. If a motion for a recess or for adjournment shall be made, the Chair shall not put the same unless the motion be seconded by a majority of the Senators present and voting. The question whether the same be seconded shall be determined by the Chair by a count, and thereon no call of the yeas and nays on that question shall be in order.

"When a Senator declines to vote on the call of his name, he shall state his reasons therefor, if he sees fit, as briefly as may be, and shall not occupy more than ten minutes in so doing."

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to: and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned until Monday, March 16, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 14, 1903.

CONSUL-GENERAL.

Alanson W. Edwards, of North Dakota, to be consul-general of the United States at Montreal, Canada, vice John L. Bittinger, resigned.

REGISTER OF LAND OFFICE.

William T. Adams, of Wyoming, to be register of the land office at Lander, Wyo., his term having expired. (Reappointment.)

RECEIVERS OF PUBLIC MONEYS.

John A. Swenson, of Cody, Wyo., to be receiver of public moneys at Lander, Wyo., vice Mrs. Minnie Williams, resigned.

James N. Kelly, of Big Timber, Mont., to be receiver of public moneys at Bozeman, Mont., vice Andrew J. Edsall, term expired.

SURVEYOR-GENERAL.

John D. Daly, of Corvallis, Oreg., to be surveyor-general of Oregon, vice Henry Meldrum, removed.

MINISTER RESIDENT AND CONSUL-GENERAL.

Ernest Lyon, of Maryland, to be minister resident and consul-general of the United States at Monrovia, Liberia, vice John R. A. Crossland, resigned.

ADMIRAL OF THE NAVY.

Rear-Admiral George Dewey, to be Admiral of the Navy from the 2d day of March, 1899, in accordance with the provisions of an act approved March 2, 1899, creating the grade of Admiral of the Navy, to correct the nomination previously submitted.

POSTMASTER.

WISCONSIN.

Frederick Reitz, to be postmaster at Neillsville, in the county of Clark and State of Wisconsin, in place of Fred Reitz, to correct name.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 14, 1903.

CONSUL-GENERAL.

Alanson W. Edwards, of North Dakota, to be consul-general of the United States at Montreal, Canada.

ADMIRAL OF THE NAVY.

Rear-Admiral George Dewey, to be Admiral of the Navy from the 2d day of March, 1899, in accordance with the provisions of an act approved March 2, 1899.

INJUNCTION OF SECRECY REMOVED.

Mr. BACON submitted an amendment to the convention with Colombia for the construction of the Panama Canal, from which, on his motion, the injunction of secrecy was removed.

SENATE.

MONDAY, *March 16, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of the proceedings of Saturday last was read and approved.

SENATOR FROM WASHINGTON.

Mr. FOSTER of Washington. My colleague, the Senator-elect from Washington, Mr. Ankeny, is present and ready to be sworn.

The PRESIDENT pro tempore. The Senator-elect from Washington will present himself at the desk, and the Chair will administer the oath required by law.

Mr. Ankeny was escorted to the Vice-President's desk by Mr. FOSTER of Washington, and the oath prescribed by law having been administered to him, he took his seat in the Senate.

AMENDMENT OF RULES—LIMITATION OF DEBATE.

Mr. HOAR. I ask that the proposed amendment to the rules submitted by me, and which is printed in the RECORD of Saturday's proceedings, be also printed in the usual way.

The PRESIDENT pro tempore. The Chair hears no objection, and it will be so ordered.

TOWN SITES ON PUBLIC LANDS.

Mr. GAMBLE. At the request of the junior Senator from Minnesota [Mr. CLAPP], I ask that a paper which I present, being a copy of laws applicable to town sites on public lands, extended by act of Congress to the ceded Indian reservations in the State of Minnesota, be printed as a document, and that 500 additional copies be printed for the Senate document room.

The PRESIDENT pro tempore. The Senator from South Dakota asks that the paper presented by him be printed as a document, and that 500 additional copies be printed. Is there objection? The Chair hears none, and it is so ordered.

REPORT ON EDUCATION IN PORTO RICO.

On motion of Mr. FORAKER, it was

Ordered, That the plates which accompanied the manuscript for additional copies of the report of the commissioner of education for Porto Rico, provided for in Senate concurrent resolution No. 57, second session Fifty-seventh Congress, be withdrawn from the files of the Senate and returned to the commissioner of education for Porto Rico, no adverse report having been made thereon.

AMENDMENT OF RULES—DISPOSITION OF ROUTINE BUSINESS.

Mr. HANSBROUGH. Some days ago I submitted a resolution proposing to amend the rules, which is now on the table. I ask that it may be referred to the Committee on Rules.

The PRESIDENT pro tempore. The resolution submitted by the Senator from North Dakota, relative to an amendment of Senate Rule XL, will be referred to the Committee on Rules.

Mr. HANSBROUGH. It should be printed.

The PRESIDENT pro tempore. It has been printed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to consider executive business. After six hours spent in executive session the doors were reopened.

HOUR OF MEETING.

Mr. CULLOM. I move that when the Senate adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

Mr. BAILEY. I wish to make a parliamentary inquiry. Can an adjournment be taken to a time within the next regular meeting? It looks to me like a recess. However, it is not important.

Mr. CULLOM. The motion is certainly in order, I think.

The PRESIDENT pro tempore. The hour of meeting can be changed. It is the order of the Senate that it shall meet at 12 o'clock until otherwise ordered.

Mr. BAILEY. In the other body when we wanted to meet before 12 o'clock we took a recess.

Mr. ALLISON. The practice is different in the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 6 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 17, 1903, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 16, 1903.

CONSUL-GENERAL.

Thomas Willing Peters, of the District of Columbia, now consul at Plauen, to be consul-general of the United States at St. Gall, Switzerland, to take effect April 30, 1903, vice James T. McCallum, resigned.

William Shaw Bowen, of Rhode Island, to be consul-general of the United States at Guayaquil, Ecuador, vice George Sawter, resigned. The nomination of William Shaw Bowen to be consul at Valencia, Spain, which was sent to the Senate on the 10th instant, is hereby withdrawn.

CONSUL.

Hugo Muench, of Missouri, now consul at Zittau, to be consul of the United States at Plauen, Germany, to take effect April 30, 1903, vice Thomas Willing Peters, nominated to be consul-general at St. Gall, Switzerland.

PROMOTIONS IN THE NAVY.

Commander George H. Kearny, to be a captain in the Navy, from the 7th day of March, 1903 (subject to the examinations required by law), vice Capt. Abraham B. H. Lillie, retired.

Lieut. Commander Bradley A. Fiske, to be a commander in the Navy, from the 7th day of March, 1903 (subject to the examinations required by law), vice Commander George H. Kearny, promoted.

Lieut. DeWitt C. Redgrave, to be a lieutenant-commander in the Navy, from the 7th day of March, 1903 (subject to the examinations required by law), vice Lieut. Commander Bradley A. Fiske, promoted.

Lieut. (Junior Grade) Edward McCauley, jr., to be a lieutenant in the Navy, from the 7th day of March, 1903 (subject to the examinations required by law), vice Lieut. DeWitt C. Redgrave, promoted.

Paymaster James S. Phillips, to be a paymaster in the Navy, with the rank of lieutenant-commander, from the 3d day of March, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 16, 1903.

MINISTER RESIDENT AND CONSUL-GENERAL.

Ernest Lyon, of Maryland, to be minister resident and consul-general of the United States at Monrovia, Liberia.

SOLICITOR OF INTERNAL REVENUE.

A. B. Hayes, of Utah, to be solicitor of internal revenue.

SURVEYOR-GENERAL OF OREGON.

John D. Daly, of Corvallis, Oreg., to be surveyor-general of Oregon.

SUPERVISING INSPECTOR-GENERAL OF STEAM VESSELS.

George Uhler, of Pennsylvania, to be Supervising Inspector-General of Steam Vessels.

REGISTER OF THE LAND OFFICE.

William T. Adams, of Wyoming, to be register of the land office at Lander, Wyo.

RECEIVERS OF PUBLIC MONEYS.

John A. Swenson, of Cody, Wyo., to be receiver of public moneys at Lander, Wyo.

James N. Kelly, of Big Timber, Mont., to be receiver of public moneys at Bozeman, Mont.

POSTMASTERS.

DELAWARE.

John W. Jolls, to be postmaster at Middletown, in the county of Newcastle and State of Delaware.

Douglass C. Allee, to be postmaster at Dover, in the county of Kent and State of Delaware.

NEW YORK.

Abram Devendorf, to be postmaster at Fort Plain, in the county of Montgomery and State of New York.

NORTH CAROLINA.

Thomas G. Stilley, to be postmaster at Washington, in the county of Beaufort and State of North Carolina.

TEXAS.

Edward W. Morten, to be postmaster at Farmersville, in the county of Collin and State of Texas.

Carrie E. Vaughan, to be postmaster at Seguin, in the county of Guadalupe and State of Texas.

Charles Rubert, to be postmaster at Port Lavaca, in the county of Calhoun and State of Texas.

VIRGINIA.

Mary D. Jones, to be postmaster at Lawrenceville, in the county of Brunswick and State of Virginia.

SENATE.

TUESDAY, *March 17, 1903.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE SESSION.

The PRESIDENT pro tempore. Is there morning business?

Mr. CULLOM. If there is nothing to be brought before the Senate in open session, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. CULLOM thereon)—

Mr. CULLOM said:

Mr. PRESIDENT: The consideration of the treaty with Colombia for the construction of a ship canal is about closed.

There can be no complaint from any source that a full and ample opportunity has not been given to each and every Senator to express his views at any length he desired on this important treaty. No unusual methods were used to force a vote on the treaty. Every courtesy was shown to Senators opposed to the treaty. The ordinary Congressional day was alone occupied, and adjournment was taken at the usual hour. Numerous amendments have been proposed, freely discussed, and after full and fair consideration all of the amendments proposed have been disagreed to, and the question now is, Shall the Senate, under its constitutional powers, advise and consent to the ratification of a treaty with Colombia for the construction of a ship canal?

This treaty has been debated entirely apart from partisanship. This is as it should be. The people of the United States, regardless of party, Republicans and Democrats alike, are in favor of a canal across the natural barrier separating the Atlantic from the Pacific Ocean. The construction of an isthmian canal has never been and is not a political question. The two great parties have vied with each other in the most emphatic declarations in their respective platforms favoring an interoceanic canal. When the final vote is taken party lines will be disregarded, party prejudices ignored, and the great majority of both parties will unite in ratifying a treaty which, when ratified by Colombia, will be the final step before the commencement of the excavation of such a canal.

In this last hour of the debate I deem it my duty to submit again, and have recorded, a brief statement giving my views as to the provisions of the treaty that have been most criticised in the Senate. I refrained on yesterday from taking part in the discussion on separate amendments, preferring to give an opportunity to Senators better able to answer the arguments that were made in support of such amendments.

The question of the selection of a route is not, nor has it been at any time during the pendency of this treaty, before the Senate. That question was finally settled by the last Congress, after careful and deliberate consideration. All discussion as to the relative advantages of the two routes is entirely irrelevant, so far as the disposition of this treaty is concerned. I may be pardoned for making one reference in this connection.

THE SELECTION OF THE PANAMA ROUTE WAS NOT FOR THE PURPOSE OF DELAY.

It was intimated in some quarters that the preference of a majority of both Houses for the Panama over the Nicaraguan route was only for the purpose of delay. We were told over and over again that the Panama Canal Company could never give us a satisfactory title to its property; that it had no power to do so; that it would be a fraud on the creditors and stockholders of the defunct Panama Canal Company. We were told that we never could obtain from Colombia a satisfactory treaty. To absolutely insure the construction of a canal the Spooner Act was drawn in the alternative. Immediately after its approval the highest law officers of the Government set to work to probe the title of the Panama Canal Company, and the diplomatic agents of the United States opened negotiations to obtain a satisfactory treaty with Colombia or to determine that such a treaty could not be obtained. There was no delay on the part of anyone having responsibility in the premises. We have before us now the opinion of the Attorney-General of the United States, supported by facts and legal arguments which, in connection with the very able argument of Senator SPOONER, can not be controverted, showing conclusively that the Panama Canal Company can give us a satisfactory title to its property. The offer of the Panama Canal Company to sell its property to the United States was, therefore, conditionally accepted, subject to the ratification of this treaty.

We have before us a treaty with Colombia, finally agreed to after weeks and months of efforts, and, without attempting unduly to anticipate, I think I can safely say that this treaty will be declared by vote of the Senate a "satisfactory" one, as defined in the Spooner Act.

So the two things that we were told so often stood as a barrier against the selection of the Panama route have been swept away. These results, accomplished in less than a year, have shown that there was no intention of delay by the action of Congress in expressing its preference for the Panama route first. It has vindicated, as nothing else could, the sincerity on the part of those who honestly differed with others as to the relative value of the two routes.

THE GOVERNMENT AND PEOPLE OF COLOMBIA.

Now, Mr. President, I desire to say a few words, in addition, before I refer to the objections that have been made to the treaty.

Since this treaty has been before the Senate we have heard a great deal about the character of the people of Colombia, and especially of the state of Panama. We have been told about the Government of that country, and its President, and the conduct of affairs there generally. We have heard of the religion of the people of that country—of the church party and the antichurch party. It is not my purpose to in any way reflect on the Government of Colombia, its officers, or people. Whatever may be said of the religion of the people of Colombia and their internal affairs, I respectfully submit that that is a subject with which we have no particular concern.

It is not incumbent upon the Government of the United States to inquire into the election of executive officers in a republic with which we are attempting to negotiate a treaty. All that we desire is that there be a government, whether de facto or de jure, in such country, which government is apparently dealing with us in good faith in the making of a treaty.

Neither is it any concern of ours what Colombia intends to do with the $10,000,000 which we will pay her if this treaty is ratified. That is a matter in which we have no interest.

It is true that in the draft of an agreement which was submitted to Congress during the last session it appeared that Colombia was at that time willing to accept $7,000,000. But the simple fact is when the present treaty under authority of act of Congress was being negotiated Colombia declined absolutely to take $7,000,000 and insisted upon ten millions. If her former agreement to take $7,000,000 was at all binding, which I doubt, we were simply compelled to pay $10,000,000 or get no treaty.

All that can be said in reference to this is that Colombia insisted, as she had a perfect right to do, on being paid $10,000,000, and nothing remained for us to do except to pay her that amount of money or drop the negotiations.

SPOONER ACT.

Now, Mr. President, much has been said on the question whether the treaty before us is such a compliance with the Spooner Act as will authorize the President to pay the $40,000,000 to the Panama Canal Company and the $10,000,000 to Colombia, which we appropriated during the last Congress.

In my judgment, if this treaty is ratified the President will be advised by the Attorney-General that there has been a sufficient compliance with the Spooner Act.

Section 1 of the Spooner Act provides that the President is authorized to acquire, at a cost not exceeding $40,000,000, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, etc., and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, including 68,863 shares of the Panama Railroad Company.

The President has complied with this section of the act by accepting the offer of the Panama Canal Company to sell its property to the United States at $40,000,000. We do agree, however, that certain public lands shall revert, but this I will talk about a little later. I think the President has fully complied with the first section of the act.

The second section provides in substance that the President is authorized to acquire from Colombia upon such terms as he may deem reasonable perpetual control of a strip of land, not less than 6 miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to excavate, construct, operate, and protect thereon a canal, including the right to perpetually operate and maintain the Panama Railroad Company, and also jurisdiction over said strip and the ports at the ends thereof, to make such police and sanitary regulations as shall be necessary to preserve order and health, and establish tribunals, etc.

The President has complied substantially with this section.

The first question in reference to this is, Is the control for the term of one hundred years, renewable at our sole and absolute option for periods of similar duration so long as we may desire, "perpetual control?" I maintain that to all intents and purposes it is perpetual control. The treaty gives us control of the zone forever at our option. The word "perpetual," as used in this treaty, has no particular technical meaning in law. The word is given its ordinary meaning, which is: "Never ceasing; continuing forever in future time; destined to be eternal; continuing without interruption."

We obtain by this treaty a never-ceasing control of the canal zone; it will continue forever, by its very terms, if we so desire it; it is destined to be eternal, and it will continue without interruption. The intent of the Spooner Act in this respect is substantially complied with. All that was contemplated by that act was that we should have an irrevocable control, so far as Colombia is concerned, over the canal zone. We obtain such control by the treaty.

The next question is, Does the treaty give us a 6-mile zone from the Caribbean Sea to the Pacific Ocean, as provided in the act?

I maintain that that provision has also been substantially complied with. We obtain by this treaty considerably more than a 6-mile zone all along the route of the canal, excepting at two points—Panama and Colon. At Panama, for a very short distance, the zone is 1½ miles wide on one side and a little over 3 miles on the other. At Colon it is less than 3 miles on one side and a little over 3 miles on the other. There has been such a substantial compliance with the act in respect to the zone that the exception of Panama and Colon is not important. In addition to this it must be remembered that we obtain more than a 6-mile zone along all auxiliary canals. So, as a matter of fact, we obtain a wider zone and a greater zone (excepting at the two points I have mentioned) than the act provided. There is no fatal variance in this regard between the act and the treaty. The Spooner Act provides that the strip of territory shall extend from the Caribbean Sea to the Pacific Ocean. The very terms of the treaty comply with the act in this respect. It is provided in the treaty:

A zone of territory along the route of the canal to be constructed 5 kilometers in width on either side thereof, including therein the necessary auxiliary canals, together with 10 fathoms of water in the Bay of Limon in extension of the canal, and at least 3 marine miles from mean low-water mark from each terminus of the canal into the Caribbean Sea and the Pacific Ocean, respectively.

This provision of the treaty is a substantial compliance with the act.

We obtain the perpetual control of the railroad, as provided in the act. We obtain jurisdiction over the strip, and substantially over the ports at the end thereof, to make police and sanitary regulations, as provided in the act. The treaty provides for the judicial tribunals, as stipulated in the act.

So, Mr. President, sections 1 and 2 of the act have in most respects been literally complied with, and in every respect those sections have been substantially complied with.

Section 3 of the act provides that when the President shall have done the things required of him in sections 1 and 2—namely, acquired the property of the New Panama Canal Company and obtained a satisfactory treaty with Colombia—he is authorized to pay for the property by warrants drawn by himself.

Now, Mr. President, as I have stated, there has been a substantial compliance with the Spooner Act. It is a primary rule of construction that in cases of this kind one treaty or one law must be construed with another, so that the whole may stand, if possible. Repeals by implication are not favored by the courts. The Supreme Court, before it will declare that a law repeals another law or a treaty repeals a law, will require that the later provision is certainly and clearly in hostility to the former, and if the two statutes or the treaty and statute can be construed so that they both can stand they will be so construed.

To sustain this, I desire to read a few lines from a decision by the Supreme Court of the United States, Wood *v.* United States (16 Peters, 342). The decision was by Mr. Justice Story:

[From the case of Chew Heong *v.* United States, 112 U. S., 536.]

In Wood *v.* United States (16 Pet., 342, 362) Mr. Justice Story, speaking for the court upon a question of the repeal of a statute by implication, said:

"That it has not been expressly or by direct terms repealed is admitted; and the question resolves itself into the narrow inquiry whether it has been repealed by necessary implication. We say by necessary implication, for it is not sufficient to establish that subsequent laws cover some, or even all, of the cases provided for by it, for they may be merely affirmative or cumulative or auxiliary. But there must be a positive repugnancy between the provisions of the new laws and those of the old, and even then the old law is repealed by implication only pro tanto, to the extent of the repugnancy."

In State *v.* Stoll (17 Wall., 425, 430) the language of the court was that "it must appear that the later provision is certainly and clearly in hostility to the former. If, by any reasonable construction, the two statutes can stand together, they must so stand. If harmony is impossible, and only in that event, the former law is repealed in part or wholly, as the case may be." (See also Ex parte Crow Dog, 109 U. S., 556, 570; Arthur *v.* Homer, 96 U. S., 137, 140; Harford *v.* United States, 8 Cranch, 109.)

Now, as is well known, a treaty has the same effect, and only the same effect, as law. If the treaty is later than the law, it will repeal the law if there is a clear conflict, and vice versa.

But the treaty before us does not attempt directly to repeal the Spooner Act. It is not in hostility to that act. It is possible here to harmonize both the treaty and the act, and, as stated by Mr. Justice Story, it is only where harmony is impossible that a former law repeals another in whole or in part.

So, Mr. President, in any view which we may take of this situation, it seems to me that the President will be not only justified, but will be acting strictly within the law if, after this treaty is ratified, he draws the warrants in favor of the Republic of Colombia and the Panama Canal Company.

PUBLIC LANDS.

In connection with this particular branch of the subject I desire to take a very few minutes in talking about the public lands, concerning which so much has been said.

By the original Wyse concession, made by Colombia to Wyse in 1878, providing for the construction of a canal, Colombia, in addition to smaller grants of land, granted to Wyse the right to earn 500,000 hectares (1,235,500 acres) of public lands. Article IV of the Wyse concession says that the public lands shall be awarded as fast as the work of construction of the canal progresses.

The concession to Wyse is the basis of the rights of the Panama Canal Company. The public lands referred to in this contract have never been actually taken possession of or have never been fully earned.

By the contract with the Panama Railroad Company the railroad was entitled to 64,000 hectares (158,144 acres) of vacant lands in the territory of Panama. I understand that these lands outside of the canal zone have not been taken possession of by the railroad.

So there are 564,000 hectares (1,393,644 acres) of land to which the Panama Railroad and the Panama Canal Company have some rights, at least the right to earn.

The greater part of these lands is situated outside of the canal zone, and by the treaty under consideration such lands as are situated outside of the zone revert to Colombia. Technically speaking, it is only a mere right to earn such lands which reverts.

The value of these public lands has never been estimated either by Admiral Walker, the Isthmian Commission, or the Panama Canal Company, and the title to the public lands is still in Colombia, and the value of such lands was not estimated by President Hutin in estimating the value of the canal property. I obtained this information from Admiral Walker in a letter which I have here and will read, if desired. It is certainly true that these public lands have no actual money or market value.

As I view this subject, we have obtained all and more than all the lands which we can possibly need. Most of the lands situated in the 6-mile zone are now owned by the canal and railroad companies; and these lands we of course acquire under our contract with the canal company. The mere right of the canal and railroad companies to earn the said lands situated outside of the zone reverts to Colombia.

The President had a perfect right to make this agreement providing that the rights to the public lands outside of the zone shall revert to Colombia. In my opinion, and in this I differ from other Senators, the United States, by its contract with the Panama Canal Company, obtains whatever rights that the canal and railroad companies have to lands outside of the canal zone, and my construction of the treaty is that whatever rights we obtain to such lands outside of the zone reverts from the United States to Colombia, and not from the Panama Canal Company to Colombia. In other words, we obtain these rights for a short time at least, and then surrender them under the treaty.

There is nothing that I can see, either in the Constitution of the United States or in the Spooner Act or any law of the United States, which prohibits the President and Senate, through the treaty-making power, in surrendering whatever rights we obtain to public lands in Colombia or elsewhere. The Spooner Act does not provide that we shall retain whatever grants of public lands we obtain under our contract with the Panama Canal Company. That act is sufficiently complied with when we enter into such a contract with the Panama Canal Company, and there is nothing to prevent the President from using some of those rights in his negotiations with Colombia.

SHARES IN PANAMA CANAL.

It has been claimed that we assume obligations in reference to the shares of the Panama Canal Company which Colombia holds and which the treaty provides shall be paid their full nominal value at least.

By Article IV of the extension of 1890 of the Wyse concession of 1878 the Panama Canal Company agreed to issue to Colombia, gratis, 5,000,000 francs in 10,000 dividend-bearing shares of the new company.

These are the shares referred to in the treaty under consideration. The United States assumes no obligation or liability whatever in reference to these shares, as Article I of the treaty under consideration expressly says that such rights of Colombia to the said shares exist only as a stockholder, and that no obligation under this provision is imposed upon or assumed by the United States.

Colombia, in the distribution of the $40,000,000 which we pay the Panama Canal Company, will be entitled to receive $1,000,000 in payment of the shares referred to. But this is a matter with which the United States has nothing to do. That provision might have been inserted merely because Colombia feared that the United States, under the present treaty, would claim some rights to her $1,000,000 worth of shares in the New Panama Canal Company.

Reference has been made to the treaties of 1846–1848 between the United States and Colombia and to the Hay-Pauncefote treaty. Both of those treaties, as is well known, refer to neutrality.

THE TREATY OF 1846–1848 AND THE HAY-PAUNCEFOTE TREATY.

The treaty of 1846, which the present treaty provides shall remain in full force as to the cities of Panama and Colon and elsewhere in Colombia, was a treaty of friendship entered into between the United States and Colombia in 1846. This treaty was entered into in contemplation of the construction of a canal across the Isthmus of Panama. The present treaty provides that we shall continue to guarantee the neutrality of the Isthmus, in conformity with the provisions of article 35 of the treaty of 1846.

By article 35 of that treaty we agreed to do two things in particular. We guaranteed the neutrality of the Isthmus, and we guaranteed the rights of sovereignty and property which Colombia has and possesses over said territory. The treaty of 1846 is still in force between the United States and Colombia. We are still bound by it, and there is no objection to our continuing to be bound by it under the present treaty.

As to the Hay-Pauncefote treaty, Article XVI of the treaty under consideration provides for the opening of the canal upon the terms provided for by section 1 of the Hay-Pauncefote treaty, and in conformity with all the stipulations of that treaty.

The provisions of the Hay-Pauncefote treaty are very familiar to Senators. It abrogated the Clayton-Bulwer treaty; it provided for the neutrality of the canal, and it contained certain rules governing such neutrality.

There is no objection that I can see in incorporating the Hay-Pauncefote treaty in the treaty before the Senate. That treaty is already a binding obligation upon us. We intend to observe it. We want a neutral canal. We want a canal that will be to the interest of the world to use and protect. The United States does not desire a canal for its own exclusive use.

In the discussion of the Hay-Pauncefote treaty it was well settled to the satisfaction of most Senators that there was nothing in that treaty which prevented our fortifying the canal if we so desired. There is not a word in this treaty that will prevent our fortifying and protecting this canal if an emergency arises which makes it necessary for us to do so.

THE GUARANTY OF SOVEREIGNTY OF COLOMBIA.

Now, Mr. President, I desire to say a word about our guaranty of sovereignty of the Republic of Colombia, and also concerning the second paragraph of Article IV, wherein it is stated:

The United States freely acknowledges and recognizes the sovereignty and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or of any of the sister republics in Central or South America, but on the contrary it desires to strengthen the power of the republics on this continent, and to promote and develop and maintain their prosperity and independence.

Our guaranty of the sovereignty of Colombia is no greater than the guaranty which we gave her in the treaty of 1846. In that treaty we expressly guaranteed her sovereignty, and we are still bound by that treaty, and the reference to sovereignty of Colombia in this treaty is only a restatement of what we are already bound to acknowledge by a treaty made half a century ago.

As to the statement in reference to our intention not to increase our territory at the expense of any of the sister republics of Central or South America, but to strengthen them, and to promote and develop their prosperity and independence.

That statement is a mere recital, a mere reiteration, of a policy which is as old as the Government of the United States itself. It was to promote that policy that President Monroe promulgated the famous Monroe doctrine. Reading back in the messages of the Presidents for many years, we have a constant evidence that this is the policy of the United States. Both Republicans and Democrats have proclaimed it. President Cleveland, in one of his annual messages, emphatically asserted it. President Roosevelt, in his first message, no less emphatically asserted it. President Roosevelt said:

We have not the slightest desire to secure any territory at the expense of any of our neighbors. We wish to work with them hand in hand, so that all of us may be uplifted together; and we rejoice over the good fortune of any of them; we gladly hail their material prosperity and political stability, and are concerned and alarmed if any of them fall into industrial or political chaos. * * * The peoples of the Americas can prosper best if left to work out "their own salvation in their own way."

Now, Article IV of the treaty under consideration, so far as it relates to the sister Republics, is a mere recital. It is no more than the recital in the messages of President Cleveland, of President McKinley, and of President Roosevelt. It does no harm in the treaty and in no way binds the United States in the future.

JOINT TRIBUNALS.

The provisions of this treaty referring to judicial tribunals on the canal zone is as nearly in the interest of all concerned as it is possible to make it, bearing in mind that the sovereignty of the zone remains in Colombia.

There will be no difficulty on account of the joint judicial tribunals provided for in Article XIII of this treaty, because by the first paragraph of Article XIII the United States is given the authority to protect and make secure the canal, as well as the railways; to preserve order and discipline among the laborers and other persons congregated in that region; to make and enforce such police and sanitary regulations as it may deem necessary to preserve order and public health thereon, and to protect navigation and commerce through and over said canal and railways from interruption or damage.

We have the exclusive right to do all the things I have enumerated. Necessarily for many years, especially during the years of construction, the judicial tribunals on the zone will be secondary to the police and sanitary regulations, to the power given us to preserve order and discipline. There will be comparatively little actual court work. The United States having the exclusive powers that I have enumerated, will suffer no embarrassment from joint judicial tribunals.

ARTICLE XXIII—JOINT PROTECTION.

Mr. President, the article about which there is more difference of opinion, as to the propriety of its remaining in the treaty, is the twenty-third article.

By that article Colombia agrees to provide the armed forces necessary for the protection of the canal, but if Colombia can not effectively do so, then, with her consent, the United States shall employ such force as may be necessary.

If it were not for the clause which follows, the provision I have read would be objectionable. But the twenty-third article continues:

Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, or to the lives and property of the persons employed upon the canal, railways, etc., the Government of the United States is authorized to act in the interest of their protection without the necessity of obtaining the consent of Colombia beforehand.

This provision removes the objection from the so-called joint protectorate. The United States will determine what are exceptional circumstances and unforeseen or imminent danger. Those terms are susceptible of a very broad construction. I think I am safe in saying that if it ever becomes necessary to fortify or protect the canal by armed forces, it will be a case of unforeseen or imminent danger, or an exceptional circumstance.

In addition to this, other articles in the treaty give us ample powers to protect the canal.

Article II provides that the United States shall have the exclusive right to protect the maritime canal. Article XIII provides that the United States shall have authority to protect and make secure the canal, as well as the railways and other auxiliary works, and to preserve order and discipline among the laborers and other persons who congregate in that region.

We have, then, the exclusive right to protect the canal in all ordinary circumstances. We have the right to protect it by armed forces if we desire and Colombia can not effectively do so. We have the right to protect it by armed forces in exceptional circumstances, on account of unforeseen or imminent danger.

In addition to all this, there is no probability at all that Colombia desires to, or ever will, or ever will be able to protect the canal by armed forces. She could not be able to do so if she desired; and the United States, of course, will have to and will protect the canal by armed forces whenever it is necessary, and we will do it without any violation of the twenty-third article of the treaty with Colombia.

Another suggestion in this connection: It must be remembered that the canal will be a neutral one. That was the purpose of the

Clayton-Bulwer treaty; that was the purpose of the first Hay-Pauncefote treaty, and the neutrality feature was retained in the second Hay-Pauncefote treaty.

President Cleveland well said:

Whatever highway may be constructed across the barrier dividing the two greatest maritime areas of the world must be for the world's benefit—a trust for mankind, to be removed from the chance of domination by any single power, nor become a point of invitation for hostilities or a prize for warlike ambition. * * * The lapse of years has abundantly confirmed the wisdom and foresight of those earlier Administrations which, long before the condition of maritime intercourse were changed and enlarged by the progress of the age, proclaimed the vital need of interoceanic transit across the American Isthmus and consecrated it in advance to the common use of mankind by their positive declarations and through the formal obligations of treaties.

This well expresses the purposes and uses of the canal. It will be a neutral canal, and there is scarcely a probability that it will ever be the scene of active hostilities or that an army will be needed to protect it.

We have the power to send thousands of police there to police it under ordinary circumstances, and this is probably all the protection it will ever need.

But, Mr. President, as I said before, the construction which we have properly given to the second Hay-Pauncefote treaty will allow us to fortify that canal if we desire to do so in the years to come; but it is extremely improbable that an occasion will ever arise requiring an army to protect or fortifications to make it secure.

Mr. President, we are not without precedent for substantially the same provisions as are found in the twenty-third article of the treaty before us, which has elicited so much discussion and opposition. It so happens that in the treaty between the United States and the Republic of Nicaragua, concluded June 21, 1867, there are found provisions by which Nicaragua agrees that when it shall become necessary to employ a military force for the security of persons and property passing over the canal in transit from the Atlantic to the Pacific, it shall employ the necessary force; but on failure to do so, from any cause, the Government of the United States may, with the consent or at the request of Nicaragua or of the minister at Washington, employ such force for this and for no other purpose; and when the necessity ceases such force shall immediately be withdrawn.

In the exceptional case of unforeseen and imminent danger to the lives or property of citizens of the United States the forces of said Republic are authorized to act for their protection without such consent, etc.

I read the above from the treaty of 1867 with Nicaragua.

So, Mr. President, in this case the United States is only agreeing to about the same thing as was agreed to between the United States and Nicaragua many years ago. I do not mean to be understood as saying that because we agreed to a provision of that kind then we should agree to it now, but I simply cite it as a precedent which has been followed in this treaty.

COLOMBIA'S CONCESSIONS.

Now, Mr. President, a word as to Colombia's concessions under this treaty. Her concessions are not unimportant. She gives us the 6-mile zone. She gives us the right to perpetually maintain and operate and protect thereon a canal. By the twenty-second article of the treaty she renounces all her rights under the concessionary contract she has with Wyse, with the Panama Canal Company, and with the railroad company.

Under the railroad concession of 1867 she has a right to an annuity of $250,000, which she has been receiving for years, and also the right to have the valuable railroad property revert to her in 1966. By Article XXII she loses her rights to this $250,000 and to the reversion of the railroad.

She gives up more. Under the Wyse concession of 1878 Colombia had the right to participate in the gross receipts of the canal, which participation ranges in amount from 5 to 8 per cent; and it was further provided that Colombia's percentage of such gross receipts should amount to no less in any one year than $250,000, and under the Wyse concession the canal property reverts to her at the end of ninety-nine years from the completion of the canal.

By Article XXII of the present treaty she gives up her right to participate in the gross receipts of the canal, and she gives up her right to have the canal revert to her at the end of ninety-nine years from the completion of the canal.

So, as I stated, Colombia's concessions are not unimportant. They amount to at least half a million dollars annually, and, in addition, the right to have the railroad property, which is one of the greatest paying enterprises perhaps in the Western world, in 1966 revert to Colombia as her own property; and in ninety-nine years from the completion of the canal to have the canal revert to her as her property—all without one cent of compensation to the owners.

For these important concessions we pay Colombia in cash $10,000,000, and at the end of nine years we commence paying her an annuity of $250,000, which is not changed during the life of the present treaty, and this treaty is a perpetual one.

THE IMPORTANCE OF THE CANAL.

Now, Mr. President, I have said all that I desire in relation to the treaty—a word in relation to the importance of the canal which, if we ratify this treaty, we are taking the first decisive step to secure. If the canal shall be constructed, it will be the greatest and most important work of this age in the world. The Suez Canal is less than 100 miles long, only 16 of which is actual canal, the balance being lake navigation, and is and has been regarded as a great work, not only to Great Britain, but to all the great nations in time of peace as well as of war. So this great canal when built will be a demonstration of the triumph of science applied by men in engineering in these latter days never equaled in former times, and the canal when opened will furnish a new gateway to the commerce of the world which will be of incalculable benefit and advantage to commerce generally and especially in the interest of our own great nation.

The people of the United States have waited long for an isthmian canal. Time and again they have been disappointed by the failure of their statesmen to secure it. I do not need to call to your minds the discouragements and defeats which have been in the way of this great work. The people of the United States have had confidence for the last year that all parties in Congress had determined that the time for favorable action had arrived and that the construction of this great highway would be at once begun. Such a work has been called "the dream of the age." The United States has carried on with Great Britain and other nations diplomatic correspondence in relation to the question whether the canal should be owned by and under the joint control of different nations. The people of the United States have believed in and have insisted upon the proposition that the United States should own and control any canal that should be constructed on or across the Isthmus. By this treaty their desires are gratified. We do own it and will protect it, if it ever becomes necessary to protect such a neutral canal. While the sovereignty of the zone in which the canal is situated rests in Colombia, there will be no interferences by one or the other of the parties to the treaty that will in any way interrupt the friendly relations that have existed between the two Governments prior to and since the treaty of 1846.

Mr. President, one word in conclusion. The suggestion has been made here that it is humiliating for this great country to be compelled to yield in any degree to Colombia in the terms of this treaty. It has been suggested that Colombia is a small country, scarcely worthy of consideration. Whatever may be the facts in relation to the strength of Colombia or to its weakness, this Government is too great, too honorable to take advantage of the weakness of sister republics in any international dealings we may have with them. Colombia is an independent sovereign country. It should be treated with the same consideration as the greatest nation in the world. It has been the well-settled policy of the United States to deal with the great and small nations alike. The United States never has and never will demand more of a small, weak country than it would demand of the strongest under the same circumstances.

I desire in these last words to most unqualifiedly condemn any suggestions that the United States should take advantage of any country, great or small, in our dealings with them, either upon the question of a canal or any other question.

PANAMA CANAL TREATY.

The Senate, in executive session, having under consideration the ratification of the convention with the Republic of Colombia for the construction of the Panama Canal (the injunction of secrecy having been removed from the remarks of Mr. MORGAN thereon)—

Mr. MORGAN said:

Mr. PRESIDENT: If my colleagues in the Senate will just realize the fact that they are attending a funeral, perhaps they will compose themselves and be patient for a little while. When I say a "funeral" I mean, of course, that it is my funeral. I would gladly forego the opportunity and the duty which seems to rest upon me by the suggestions and requirements of my colleagues to make a closing argument against this treaty. I shall proceed immediately, in media res.

COMPARISON OF COLOMBIAN AND NICARAGUAN TREATIES.

Mr. President, as I wish to compare the treaty with Colombia agreed to by the President in April, 1902, with the treaty then proposed by Nicaragua and sent to the Senate through the Committee on Interoceanic Canals, and will not have time, within the hour limit prescribed by the Senate, to read them, I ask leave to append them to my remarks.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Alabama.

Mr. MORGAN. The treaty proposed by Costa Rica and that proposed by Nicaragua are identical in their provisions, and, as far as practicable, in language.

If the treaties proposed by Nicaragua and Costa Rica were not prepared by the Secretary of State, as I believe they were, they met his hearty approval.

The differences between the treaty with Colombia accepted by the President in April, 1902, and the treaty now before the Senate are so slight as to be of no importance as affecting the amendments that have been proposed to the latter and refused by the Senate. These amendments apply with equal directness to either treaty, so I will consider their application to the treaty that the President directed the Secretary of State to sign in April, 1902, when he should be authorized by Congress to make "such a treaty."

THE DIRECTION TO MR. HAY.

The direction given Mr. Hay by the President to sign that treaty of April, 1902, committed him absolutely to every provision of that instrument. This will be seen by the note of Mr. Hay to Mr. Concha dated April 21, 1902, as follows:

DEPARTMENT OF STATE,
Washington, April 21, 1902.

SIR: I have the honor to acknowledge receipt at your hands of a communication dated the 18th of March, 1902, and another of the 18th of April, inclosing a proposal of the Republic of Colombia for a concessionary convention or treaty between the Republic of Colombia and that of the United States of America respecting the completion, maintenance, operation, control, and protection of an interoceanic canal over the Isthmus of Panama.

I am directed by the President to inform you that I shall be ready to sign with you the proposed convention as soon as—

First. The Congress of the United States shall have authorized the President to enter into such an agreement; and

Second. As soon as the law officers of this Government shall have decided upon the question of the title which the New Panama Canal Company is able to give to all the properties and rights claimed by it and pertaining to a canal across the Isthmus and covered by the pending proposal.

Accept, sir, the renewed assurances of my highest consideration.

JOHN HAY.

Señor DON JOSE VICENTE CONCHA, etc.

EVERY CHANGE MADE TO THE ADVANTAGE OF COLOMBIA.

The adhesion of the President to the treaty now before the Senate, dated January 22, 1903, only repeats his plan of agreement with Colombia in April, 1902. He is the author of that plan and must have the pride of a diplomat, whom Congress has, so far, vainly attempted to control, in seeing that as few changes as possible shall be made in it. Every change made in the text of the treaty of April, 1902, by the treaty of January, 1903, is to the advantage of Colombia and the disadvantage of the United States, and the refusal of the majority in the Senate to admit any amendment in favor of the United States convinces me that there is a hard and fast agreement with Colombia, dating from the treaty of April, 1902, that the terms of that treaty should become the law of Colombia through the political influence of the President in all essential particulars, and it is that understanding that the Senate is about to execute to the letter in this treaty. That agreement is also proven by the rejection of amendments that the chairman of the Committee on Foreign Relations says would make the treaty better, but that circumstances will not permit the Senate to adopt them, and to that I object, and can not refrain from denouncing it.

THE CHAIRMAN'S STATEMENT.

This is what the chairman said in his address to the Senate:

Now, Mr. President, I have gone over this treaty, explaining it as well as I can. There are amendments which might be made which would make it more advantageous to the United States. Many of the amendments suggested by the Senator from Alabama are good, and if we had no one to consult but ourselves we would perhaps have written them into the treaty. But we must remember that we are only one of the parties to the treaty; there is another government to be consulted. Neither party can have the treaty just exactly as it wants it. We must yield some and Colombia must yield some in order that an agreement might be reached. I do not say that this is the best treaty that could be written, from our standpoint, but I do say it is the very best treaty that could be obtained from Colombia, and if we undertake to amend it now it will certainly endanger the ratification of the treaty by that Government.

Whether Mr. Cromwell will permit the President to usurp, or even to share with him, the credit of devising the treaty of April, 1902, remains to be seen. "Non nostrum inter vos tantas componere lites."

A REMARKABLE EVENT.

It was a remarkable event in our history that the President should send to Congress, in April, 1902, instead of the Senate, a concluded treaty with Colombia, and ask Congress for special authority to sign it, he having refused to instruct the Secretary of State to sign, or to give official recognition to the treaties agreed upon with Costa Rica and Nicaragua as they were approved by the Secretary of State.

CONGRESSIONAL REBUKE.

The partiality of this course was clearly seen by Congress, and it was distinctly rebuked in the Spooner amendment. There were serious objections to the Colombian treaty as approved by the President in April, 1902, which Congress distinctly interposed and expressed in the Spooner Act.

Congress saw then, as distinctly as all the world now sees, what was the President's plan, agreed upon with Marroquin, to construct the canal at Panama, and that it violated every utterance of every President and every Secretary of State made heretofore as to the extent and nature of the control that our Government had determined to exercise over any isthmian canal that should ever be built with the money of the people of the United States.

THE SPOONER AMENDMENT.

The Spooner amendment, which was one of those disasters that always follow the effort to compromise opposing principles or conflicting facts, was leveled against the treaty of April, 1902, as a broadside, like the guns of a battle ship, but some of the guns were charged with blank cartridges. Enough of them took effect to destroy that scheme utterly, if the action of Congress then taken is to be respected.

WHAT IT SHOWS.

There was enough in the Spooner amendment to show that the author of that compromise did not intend that all our national utterances in respect of an "American canal under the control of the United States" should be eaten up in the manner that was proposed in the treaty of April, 1902, and agreed upon by the President and Marroquin.

"A PRIVILEGE FOR PERPETUAL CONTROL."

Instead of putting into that amendment that virile language we had incorporated into the Hay-Pauncefote treaty, that the United States "shall have and enjoy all the rights incident to such construction, as well as the *exclusive right of providing for* the regulation and management of the canal," the Spooner amendment modified this sturdy and exclusive demand, to which Great Britain yielded, into the milder form, "a privilege for perpetual control."

THE EXCLUSIVE RIGHT FOR THE TERM OF ONE HUNDRED YEARS.

But this concession, adopted in the act of June 28, 1902, was not in accordance with the treaty of April, 1902, and the President has concluded that the Spooner amendment is too earnest an American proposition to suit his purposes, and that he would ask the Senate to unite with him and Marroquin in repealing that law by the substitution of the following language in Article II of the present treaty: "The United States shall have the exclusive right *for the term of one hundred years*, renewable at the sole and absolute option of the United States, for periods of similar duration, so long as they may desire, to excavate, construct, maintain, operate, control, and protect the maritime canal," etc.

A REPEAL OF THE ACT OF JUNE 28, 1902.

Colombia required this change in the law of Congress and is willing to assist the United States in making a treaty that repeals the act of June 28, 1902. We are required to accept her services at the expense of the respect we owe to our own legislation, which was intended to prevent the very situation that is to be created by this treaty.

PROHIBITION OF COLOMBIAN CONSTITUTION.

It is urged, in apology for this act of national surrender and for this reproach upon Congress for refusing in the Spooner Act what was demanded by Colombia in the treaty of April, 1902, that the constitution of Colombia prohibited that Government from conceding what is required by the Spooner Act.

COSTA RICA CHANGED HER CONSTITUTION.

A like difficulty arose in the treaty proposed by Costa Rica, and to get rid of the possible question, that Government changed her constitution to clear off the supposed difficulty. Why did not Colombia, if her constitution was in the way, change it as Costa Rica did, so as to make it possible for our President to treat with her on the basis of the act of June 28, 1902?

THE PRESIDENT COMMITTED.

There are two answers to this question. The first is that the President, by his acceptance of the treaty of April, 1902, had committed himself against this established policy of the United States, and was resolved to adhere to his committal, whatever Congress might enact in its condemnation.

COLOMBIA HAS HAD NO CONGRESS SINCE 1898.

The second answer is that Colombia has had no Congress in commission since 1898 that could take any steps toward amending the constitution of that country. Marroquin was Dictator in Colombia and is still Dictator, and our President preferred to violate our act of Congress in making this treaty rather than put Marroquin in the absurd attitude of changing the constitution of Colombia by his decree as Dictator. He waited patiently on Marroquin to get a Congress together, but Cromwell, the attorney-general of the Panama Canal Company, could wait no longer, lest that company should withdraw its offer of sale after the 4th of March, 1903, and the treaty was pushed to a premature birth. So sudden was the emergency that the treaty was signed on the 22d of January, and was sent to the Senate in an incomplete form. One part of it—that was alleged to be attached to it—was not sent to the Senate, and no translation of the treaty into the Spanish language was sent to the Senate for examination, although it is

alleged that it was signed at the same time that the treaty in the English text was signed.

FAILURE TO GET TREATY IN ENGLISH AND SPANISH LANGUAGES.

All efforts failed to get the complete text of the treaty in the English and Spanish languages until the Senate of the Fifty-eighth Congress was assembled in extraordinary session and the treaty was laid before that body, which had a large membership newly chosen by the States, in this incomplete form.

I have a painful recollection of what these and other efforts to get information of the actual state of facts cost me personally, but the treaty was at last laid before the Senate and can now be considered with proper deliberation.

I shall discuss it now, as I have done heretofore, with a spirit of justice and respect for the opinions of others, without fear, favor, affection, reward or the hope thereof, as a juror of the grand inquest of state to whom it is submitted by the Constitution.

MARROQUIN AND THE CHURCH PARTY IN THE ASCENDANCY.

Marroquin's plea for the preservation of the sanctity of the Colombian constitution is heard above the clamors of the people of the United States. Even the soft and hesitating expression of their will as it was given in the Spooner Act is set aside in this treaty on the pretense that it impinges upon the constitution of Colombia.

Marroquin, the Dictator, and his Church party are consulted as to the alleged barrier that the constitution of Colombia presents to the execution of our national policy while he is violating that constitution in the very act of attempting to conduct with military forces a parliamentary government without a parliament.

I will not stop now to discuss the propriety of such an attitude. It is the absurdity, the danger, and the consequences of this abuse of the diplomatic powers of our own Government that alarms me at the peril of this situation.

COLOMBIA'S EXCLUSIVE MILITARY CONTROL.

The Spooner Act softened the great doctrine announced by all our Presidents since Lincoln to the mildest possible form of expression, and this treaty has reduced our right of perpetual control of the canal and its zone of territory to a "term" for years and our right of exclusive control to a joint control in its civil government with Colombia, and gives to Colombia *the exclusive military control*, protection, and defense of the canal, its approaches and its zones.

This treaty expressly provides, in article 23, as follows:

ARTICLE 23.

If it should become necessary at any time to employ armed forces for the safety or protection of the canal, or of the ships that make use of the same, or the railways and other works, the Republic of Colombia agrees to provide the forces necessary for such purpose, according to the circumstances of the case, but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose; and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection, without the necessity of obtaining the consent beforehand of the Government of Colombia; and it shall give immediate advice of the measures adopted for the purpose stated: and as soon as sufficient Colombian forces shall arrive to attend to the indicated purpose, those of the United States shall retire.

WHAT HAPPENS WHEN MARROQUIN APPEARS WITH HIS SANSCULOTTES.

I need not argue to prove that this control of the canal and the vessels passing through it is exclusively in Colombia, for in the case even "of exceptional circumstances, on account of unforeseen and imminent danger to said canal, railways, and other works, as soon as sufficient Colombian forces shall arrive to attend to the indicated purpose, those of the United States shall retire." We must march away from our own property and the protection of the lives of our own people when Marroquin appears with his sansculottes, and this is the approved plan of our President, adopted before the Spooner Act was passed, which the Senate is called upon to approve on this imperious and irresistible demand. We may agree to this even in a treaty, but we do not believe it and do not intend to keep such a promise; and that is the shame of the situation.

If this is the true meaning of our American doctrine with reference to an isthmian canal built by our Government, with the money of our people, I repudiate the thought that I have ever espoused it. If it is not, I am afraid to insult the American people by adopting it in this treaty.

PRESIDENT HAS OPENLY VIOLATED OUR DECLARED POLICY.

What I have said is only one instance in many in which the President, in the treaty now before the Senate, has openly violated the declared policy of the United States and the letter and the spirit of the Spooner Act of June 28, 1902. He began this un-American scheme in April, 1902, and now demands its execution in defiance of law.

WHAT THE FIFTH ARTICLE OF THE WYSE CONCESSION PROVIDES.

Another instance that creates the sort of surprise that excites incredulity as to the possibility of the fact is that by the fifth article of the Wyse concession of 1878, made by Colombia, she expressly provides that no war ship of any nation shall pass through this canal, when such nation is engaged in war with any other nation, without the express consent of Colombia, given by treaty or by an act of the Colombian Congress.

We make our Government a party to that stipulation by taking a transfer of that concession from the Panama Canal Company and are bound to observe it unless we are released from that obligation by Colombia. This is also a statute law of Colombia, which stands until it is repealed or modified by a later statute.

BOUND TO THE THRALLDOM OF COLOMBIA.

This has not been done, and there is no promise in this treaty that it shall be done. Instead of being released from this disgraceful thralldom to Colombia, we are bound to it firmly by the purchase of the concession of 1878, which contains that reservation to Colombia, which she has also enacted into a public law.

This blunder, if it is such, in formulating this treaty is scarcely more obvious than several others that are found in the text. Yet the Senate adopts it against a motion to amend the treaty so as to remedy this probable oversight. This vote is beyond my comprehension if this treaty is considered as an honorable obligation.

THE UNITED STATES EXCLUDED FROM THE RIGHT TO LAND A SOLDIER.

When we are at war with any foreign power we are excluded by this treaty, which does not repeal this law of Colombia, from the right to land a single soldier to repel an attack on the canal by our enemy, who may have the right to capture the canal and the canal zone as enemies' property or to send a ship through the canal. Even if Colombia is the ally of our enemy, we have no right, under this treaty, to pass a warship through the canal without her consent, given by treaty or by statute.

A SUBMISSION TO THE JEALOUSY AND STILTISH VANITY OF SPANISH PRIDE.

This submission to the jealousy and stiltish vanity of Spanish pride in matters so serious is no less than egregious folly when it is tolerated in connection with our rights and duties as to an isthmian canal.

I will now present some of the contradictions in the text of this treaty that are bold, startling, and irreconcilable.

THE DANGEROUS SITUATION WITH REFERENCE TO FRANCE.

While considering our attitude created by this treaty toward foreign governments, I will notice, briefly, the dangerous situation with reference to France to which we are exposed by its plan and provisions.

The Panama Canal companies, old and new, are alleged, by the Senator from Wisconsin [Mr. SPOONER], to be French corporations under the jurisdiction of France, to the extent that the French courts or the French Assembly can dissolve them and can take legal charge of their property. No friend of the treaty in the Senate has disputed this proposition. If it is correct, France has the admitted power to interfere with the dealings of this corporation with other governments and the question of their power over it if it chooses so to do.

Mr. Attorney-General Knox has stated frequently and with emphasis in his report to the President that those companies are only private partnerships and that the stockholders are partners, and he follows the assertion of M. Lampré, the secretary and special counsel of the companies, that these companies are entirely free and independent of the French Government, and may dissolve their associations and dispose of their property as they choose.

EITHER OLD OR NEW PANAMA COMPANY CAN DEFEAT TREATY.

Without taking sides with either of these eminent lawyers, their disagreements give us much concern as to the rights of France as a Government and her future attitude as to the effect of this treaty. Unquestionably the treaty places the liquidator of the old company, who is an officer or agent of the Tribunal of the Seine, and the New Panama Canal Company, which is governed by its stockholders and board of directors, in such an attitude that either of these companies can defeat this treaty after it has been ratified by Colombia and the United States.

HOW IT MAY BE DONE.

That can be done by their simple refusal to convey to the United States the property they have offered to sell to this Government for $40,000,000 or its holding of stock in the Panama Railroad Company, which it has not been authorized to sell to anybody and has not offered to sell to the United States.

Enough appears on the face of the treaty to show this fact when Colombia is given the power to create this authority by her mere consent to the sale of those shares, in which she has no more interest or right than one of the pages of the Senate.

FRANCE FREE FROM ALL COMMITTALS.

France, by consenting to this sale, can take upon herself the burden of giving relief to the 800,000 stockholders and bondholders who are being robbed by these corporations, but she has not interfered in the matter.

Our Government has not asked her the question, whether she is willing to give her consent to this sale, and has sent Mr. Knox to Paris to ascertain whether she has the right to speak on the subject. Instead of asking the French Government as to its claim of right to interpose for the protection of its people, Mr. Knox delighted the Senator from Wisconsin by asking the opinion of a former minister of the French Government, as to its right of interference, and he sided with M. Lampre, that France had no such right.

France has observed a wise and discreet silence, and is free from all committals.

LIABILITY OF SUBSEQUENT DEMANDS.

When we shall claim the delivery of this railroad stock, worth more than $8,000,000, Mr. Cromwell will be justified by the increase of his commissions, in siding with the recalcitrant companies, and they will most likely demand the $109,000,000, at which their property was valued, only a few days earlier than the offer to sell it to us for $40,000,000.

They can compel us to comply with any demand they may choose to make as the condition of their consent that this treaty with Colombia shall go into effect.

If France had refused to consent to this sale the United States would never have bought this property. If she shall express her dissent at any time before the property is delivered to us the sale will never be completed. If she had expressed her assent to the sale, and if Colombia had guaranteed the United States against all debts and incumbrances created by this company, the United states would have obtained "a satisfactory title" according to the requirements of the Spooner bill, and all this tangled skein of argument about the French title, would have been straightened out.

This treaty raises all of these questions and settles none of them.

OUR RELATIONS WITH THE SPANISH-AMERICAN STATES.

The provision as to our relations with the Spanish-American states is a reproachful and insulting intermeddling and interference with our governmental policy that Colombia has no concern with, and it is a disgraceful submission on our part to a species of insolence that I did not suppose possible that the Senate would ever consent to write into a treaty.

I will not further discuss this provision of the treaty, because it is unworthy of discussion and is too sad a matter for further exposure.

PROVISION DOES NOT APPLY TO MEXICO.

This provision does not apply to Mexico, where our past history might suggest that it is needed, if it is needed anywhere, but it applies to Nicaragua and Costa Rica. It is put into this treaty to prevent the possibility that we can ever obtain treaty rights from those States without dishonor even in the same terms as those written into this treaty, no matter what the necessity may be for our commerce, or for the purposes of national defense, or for the accommodation of our sailing vessels, or, finally, for the purpose of getting a water route that will compete with the transcontinental railroads in transporting the productions of our Western States.

FOR THE BENEFIT OF THE GREAT STEAMSHIP CORPORATIONS.

This Article IV is intended to construct the canal at Panama for the exclusive benefit of the great steamship corporations if it is ever opened, and if it is never opened the effect will be to give into the hands of those companies that control the transcontinental railroads the entire transportation of commerce and all else between the Atlantic and Pacific oceans.

It is in this section that the great transcontinental railroads get in their work, under the flimsy and insulting pretext that it is necessary, in a treaty with Colombia, to purge our international morals from some concealed infirmity.

THE REAL PURPOSE.

The real purpose is that we shall never obtain canal rights from Nicaragua and Costa Rica on the honorable and liberal terms they have proposed to the United States, which they are ready at any moment to sign.

That this dishonoring attitude should be assumed by the Senate, at the bidding of the President, is one step downward in our career that can never be accounted for or explained to our people, who are the real victims of this Cromwellism, intended for the benefit of the railroads.

OPPORTUNITIES FOR FUTURE LARGESS AND BLACKMAIL.

Looking to the internal operations of this treaty, in Panama, its provisions present a medley of difficulties, dangers, and opportunities for future largess and blackmail to be levied on the United States.

It creates four conditions that are to be adjusted by future treaties, either one of which places the United States at such a disadvantage, as to negotiations with Colombia, that we will become helpless and an object for contempt or pity.

After we have paid out $50,000,000, these new agreements that this treaty requires are to be negotiated. Then we must go ahead. We can not withdraw or take a step toward retreat.

COLOMBIA WILL DEMAND THAT WE PAY AS WE GO.

Colombia, living up to her history with the old Panama Canal Company, after it had put $140,000,000 in this same ditch, in this same morass, will demand that if we require anything not already provided for in this treaty or by the laws of Colombia we "must pay as we go."

How much we must pay Colombia will decide. There is no provision in this treaty for a receipt in full for any payment we stipulate for, as to any right we now purchase or leave to be obtained in the future, and if we were a Colombian or a French corporation, like the Panama Canal Company, we would soon be compelled to pay, as they were forced to pay, $5,000,000 to the Colombian treasury as profits of its bargain counter.

But we are still a Government, and one of grand strenuosity, so that we would not quietly put up with such blackmail.

WHEN WE SHOULD VIOLATE THE TWENTY-THIRD ARTICLE.

What would then occur? The answer is that if Colombia did not submit we would violate the twenty-third article of the treaty by landing our troops, and the fifth article of the concession of 1878, to Wyse, by sending our warships to Panama or Colon, or into the canal ports, and war would occur, and that dissolves all treaties. Or if Colombia should submit, as she must, we will have violated the fourth article of the treaty, on which I have just commented, and all Central and South America will cry shame upon the United States. On the first opportunity these States will repudiate our guardianship ad hoc, under the Monroe doctrine. The entire Church party in Colombia and in all the Spanish American States, including Cuba, will renew its allegiance and fealty to the Holy Alliance in Europe, which has its last faithful ally in Marroquin's Government. Then we shall find need for our armies to resist what we bind ourselves to protect and defend, in this treaty and our folly will reap its reward in the distress of our country.

A VIRTUAL DECLARATION OF WAR WITH COLOMBIA.

This is why I announced, in the first sentence I uttered as to this treaty, that "it is a virtual declaration of war with Colombia." I adhere to that conviction; and, in the attentive but profound silence of the defenders of this treaty, I see their willing assent to this result.

COLOMBIA'S LAWS WILL REMAIN IN FORCE.

The most important of the future adjustments of rights by agreement under this treaty relates to the laws of Colombia. Under the clear definition of the sovereignty of Colombia, expressly reserved to Colombia in this treaty, which was given by the senior Senator from Connecticut [Mr. PLATT] the laws of Colombia will remain in force in the canal zone except so far as this treaty displaces them.

JOINT JUDICIAL TRIBUNAL.

The fourth section of Article XIII is as follows:

IV. The two Governments hereafter, and from time to time as occasion arises, shall agree upon and establish the laws and procedures which shall govern such joint judicial tribunal and which shall be applicable to the persons and cases over which such tribunal shall have jurisdiction, and also shall likewise create the requisite officers and employees of such court and establish their powers and duties; and further shall make adequate provision by like agreement for the pursuit, capture, imprisonment, detention, and delivery within said zone of persons charged with the commitment of crimes, felonies, or misdemeanors without said zone; and for the pursuit, capture, imprisonment, detention, and delivery without said zone of persons charged with the commitment of crimes, felonies, and misdemeanors within said zone.

NO PROVISION MADE FOR LAWS FOR CANAL ZONE.

This treaty does not provide a code of laws for the canal zone, nor does it provide that either of the Governments, or both of them, shall institute such a general code. If they can agree, they are to provide laws and procedure which shall govern such joint judicial tribunal and shall be applicable to the persons and cases over which such tribunal shall have jurisdiction. This is a very limited field of legislative power, both as to persons and cases, but it covers all that is provided for by this treaty, or that can be provided for under its terms. All the rest of the field is left to the supremacy of the laws of Colombia. This is an inextricable situation that can never be bettered or made effectual as to judicial proceedings.

INABILITY OF CONGRESS TO LEGISLATE IN CANAL BELT.

Can Congress legislate so as to give security to our people in the canal belt as to their personal rights guaranteed by our Constitution, or must such legislation be enacted by a joint commission of citizens of Colombia and of the United States? Every

phase of this question is answered in the negative on the face of the proposition.

That this is impossible is self-evident, and it must remain impossible until we have acquired from Colombia what the act of June 28, 1902, requires, the exclusive legislative, judicial, and executive control over the canal zone, and not a joint control with Colombia in respect of any essential right and power of government.

All these elements of government are included, necessarily, in the generic word "control," when it is to be exercised by the *Government* of the United States. If it is to be exercised in a foreign country, as in cases of extraterritorial courts or at our naval stations in Cuba, the right must be obtained by treaty, but when it is so fixed it is a right of government. It can not be a joint and equal right of government with Colombia. It must either be plenary or limited, but whatever it is, it must reside in Congress if our legislative power is included in it.

CREATES A PARTNERSHIP IN GOVERNMENT BETWEEN THE UNITED STATES AND COLOMBIA.

This treaty creates a partnership in government between Colombia and the United States, which is impossible.

With equal force I could apply these undeniable propositions to all the other joint operations relating to police and health laws, and to other matters, but the principle of government I have stated applies to all these provisions of the treaty, and I need not discuss them in detail, having done so in other remarks I have made on this treaty.

POWER TO GIVE CONSENT RESIDES IN UNITED STATES.

We must remove from the canal zone all the laws of Colombia, except such as we consent to operate there; but the power to give such consent must reside in the United States at all times after the treaty becomes a law for both countries. If we yield this power of government to Colombia in the canal zone, we yield everything and become her dependency, instead of being the rightful controller of what we purchase.

PROTOCOL OF APRIL, 1902.

When the protocol agreed to in April, 1902, was sent to the Senate, through the Committee on Interoceanic Canals, and before I supposed that it would be subjected to the ordeal of the Spooner bill, I submitted it to one of the ablest and most experienced publicists in this country for his examination. He was a Republican of long standing and of very high character. It was my astonishment at the fact that the President could instruct the Secretary of State to sign that agreement under any circumstances that led me to ask the opinion of this prominent gentleman as to its merits.

It was then my opinion that this protocol or proposed treaty agreement was approved by the President only on condition that Congress would direct the President to accept it as the terms of a final agreement with Colombia. It was to resist such an effort in Congress that I asked this gentleman for his opinion. I did not in the least apprehend that this protocol would ever be accepted by Congress or that the President would give to it any consideration unless Congress should accept it, with or without amendment, and so express its approval.

I regarded the protocol with abhorrence, and I resented the thought that any American could so far forget the universal and enthusiastic consent of the people of the United States to the high and honorable stand with reference to an isthmian canal taken by General Grant, Mr. Hayes, Mr. Evarts, Mr. Arthur, Mr. Frelinghuysen, Mr. Cleveland, Mr. Bayard, Mr. Harrison, Mr. Blaine, Mr. McKinley, and Mr. Sherman. It never occurred to me that that protocol would ever be signed by the President after Congress had refused to accept it and had openly condemned its provisions in the Spooner Act. It was with no thought that the President approved this protocol, but that he presented it to Congress as the statement of the terms demanded by Colombia, that I sought the opinions of able statesmen as to any possible merit that it might possess. It was for this purpose that I invited the gentleman to whom I refer to give me his views of that protocol, to which he responded as follows:

"COMMENTS ON THE PROTOCOL OR PROPOSED TREATY BETWEEN THE UNITED STATES AND THE REPUBLIC OF COLOMBIA.

"I have examined with some care, but with much astonishment, the proposed treaty. Aside from the fact of the enormous, and as it seems to me most unconscionable, money demand in hand, it seems to me the concessions to the United States are so hedged in and surrounded with such reservations, exceptions, and conditions as to render them absolutely valueless and of such a character that the United States should not think for one moment of accepting them.

"In Article I it will be noticed there is an exception of the public lands situated outside of the described zone, and it is stipulated that such public lands shall revert to the Republic of Colombia.

"Again, there is a reservation for all of Colombia's rights to the special shares of the capital of the New Panama Canal Company, which shares it is stated shall be paid their full nominal value at least.

"The concession in Article II of the treaty is in and of itself well enough in so far as it goes, but is entirely inadequate in description as to the rights of the United States, and is hedged about by so many qualifications and restrictions in other articles of the proposed treaty as to virtually negative and render elusive and nugatory the concession granted by this article, which is only at best a mere license and not a grant.

"It will be observed there is in this article no recognition of ownership of the canal or railroad in the United States, but in so far as this article goes, and in fact in so far as all of the articles taken together go—so far as I am advised at present—there is no recognition of ownership of the canal or railroad in the United States.

"Similar objections hold good as to Article III of the protocol, and also further objection holds good to the reservation in that article by which Panama and Colon are to be excluded from the zone whose use is granted, and also in the provision that this grant or license shall not in any manner invalidate the titles or rights of public landholders in the prescribed zone or territory, and in the fact that the grant or license shall not interfere with rights of way over the public roads of the department.

"These are restrictions, as it seems to me, the United States could not accede to, as they might and probably would be obstructive and destructive of the essential rights of the United States in the premises, nor could the United States accede with propriety, having its own interests in mind, in regard to the propositions of the proposed treaty in reference to the acceptance of the stipulations contained in article 35 of the treaty of 1846–1848, in so far as they relate to community lands within the prescribed zone, etc., in regard to the sovereignty of Colombia.

"Nor should the United States consent to the creation of a joint commission by the Governments of Colombia and the United States to establish and enforce sanitary and police regulations. Nor is it quite apparent upon what principle of justice or right the Republic of Colombia should be permitted to have a voice in establishing and enforcing sanitary regulations for which the Government of the United States must pay.

"The provisions of Article IV of the proposed treaty, in regard to sovereignty over the concession for the canal, require careful consideration. Especially is this true as to that portion of this article calling upon the United States to disavow any intention to do a dishonorable thing.

"The exactions on the part of the United States in Article V are important, and should require careful consideration and should not be accepted. It seems to me this article imposes an obligation upon the part of the United States to reconstruct the town of Panama and Colon by entering on a grand system of improvements, sanitary arrangements, etc., without any corresponding benefits.

"I do not see why the United States should be called upon, as by Article VI, to guarantee the sovereignty, independence, and integrity of Colombia, its islands and harbors within or adjacent to the Bay of Panama, nor on the Atlantic coast of Colombia between Atrato River and the western boundary of the Department of Panama.

"I object to Article VII for the reason that the United States should not be held responsible for any damages or indemnities, as suggested in that article. If we pay Colombia a fixed sum we should have a right of way free from any other charges.

"Articles VIII to XXIV, inclusive, require further and more careful consideration than I am able to give them at this moment.

"The exaction of the payment of $7,000,000 in American gold, as provided in Article XXV, for a mere license of fourteen years is, to my mind, unconscionable, and the matter should not be considered for one moment. And even if the amount were reasonable, the provision that at the end of fourteen years an annuity for the full term of ninety-nine years shall be paid, such sum to be fixed by agreement, and, if unable to agree, then by a commission, is also a proposition which I do not think should be considered for one moment. I had supposed, in view of the Hay-Pauncefote treaty as well as the previously well-settled policy of this Government, that if a canal were to be built it was to be under the absolute control of the United States. The conditions and qualifications contained in this twenty-fifth article of the proposed treaty, as well as in many other of the articles, would seem to be a direct repudiation of this policy and of our rights in the premises, and would, in my judgment, be, by an acceptance upon the part of the United States, a virtual abandonment of all we have ever claimed in this regard.

"In conclusion, it seems to me two vices stand out prominently in this proposed treaty. One is the failure upon the part of the Colombian Government to recognize the exclusive ownership and control of the canal and railroad in the United States, and the other is that we should be called upon to get the consent of the Colombian Government to put a military force in the canal zone. In other words, that our military rights, our rights to fortify, if you please, as guaranteed by the Hay-Pauncefote treaty, shall be dependent on the will of the Colombian Government or some other power."

THE NICARAGUAN ROUTE.

I will say a final word as to the Nicaraguan route by reading a letter received yesterday in my mail from Hon. John T. Doyle, of California, a very able and distinguished man, well known to the Senators from that State. Mr. Doyle resided for several years in Nicaragua, where he was in the employment of Commodore Vanderbilt in connection with his transportation line, when he became thoroughly acquainted with that country. I am very proud to know that Mr. Doyle is my friend, and to express the high esteem in which I hold him.

He says:

LETTER OF HON. JOHN T. DOYLE.

"MENLO PARK, CAL., *March 9, 1903.*

"MY DEAR SIR: During the whole of the late session I have longed to write to you about the isthmian canal question, but feared to occupy a moment of your time while you were so usefully employed in striving to keep the Senate right on that great question. You and I and all who have studied the question know that the Senate's vote of preference for the Panama route was brought about by the action of people who want no canal at all, and if there must be one, want one as difficult to build and as nearly useless as possible. These sinister influences and no doubt wicked means of all kinds were used to defeat the popular will and general judgment of the country which were expressed in the House bill. I did hope that the President and Secretary of State, in whose intelligence, integrity, and sense of duty I have almost unlimited confidence, would have found a way to be unable to agree with the Colombian Government and fall back on the Nicaragua route, but doubtless they regarded it as their duty to do their best in good faith to carry out the direction of Congress, and they certainly meant to do their duty in the premises.

"But I confess I can not comprehend the course of Admiral Walker and the Isthmian Commission. How is it possible for them to avoid the alternative between incompetency and disingenuousness in the arguments put forward in support of the Panama route, as, for example:

"1. That the canal via Panama will require ten years to build, whereas by Nicaragua it could be constructed in five. A great advantage, say they, for Panama, as it can not employ so many hands at once, and so is not so likely to disturb the labor market (pp. 259, 260, etc.), as if all the force capable of working must always be employed regardless of consequences.

"2. That the inability of sailing vessels to use a canal via Panama is unimportant, because the use of steam in shipping is increasing, and it will, perhaps, in the end supersede sails (p. 245). It is possible that Admiral Walker is unaware that the enormous cost of modern steamers limits their ownership to great corporations, which never fail to come to terms with rivals in transportation by rail. Surely he can not be ignorant that the steamship line via Panama has been for twenty years controlled by the overland railroad companies, and have alone had the use of the Panama Railroad. This certainty of being able to combine with their natural competitors is the chief reason why the overland railroads prefer Panama. They know that they can always combine with steamship lines, which they can not with sailing vessels, because the latter may be owned by people of smaller means.

"3. That the cost of maintenance and upkeep of a canal via Nicaragua will much exceed that of one via Panama (p. 256). To support this proposition they assume that the expense in question is uniform and depends on or is measurable by the length of the waterway; they give the length and annual maintenance cost of the Suez and other canals, entirely blinking the fact that about 125 miles of the Nicaragua route is the bed of the San Juan River and some 65 more that of the lake, neither of which has cost a dime for maintenance in the three hundred and eighty-one years since the lake was discovered by Gil Gonzales Davila, nor will cost one for as much time to come. Within five years after the discovery of the lake in 1522 it was circumnavigated, the river San Juan explored, and they have ever since been used as commercial avenues and for purposes of navigation, and none of the floods, earthquakes, or volcanic disturbances, on which such stress was laid by a Senator from New York, have ever done the slightest damage to either of them. Yet no traveler has passed through the city of Panama without being shown the ruin of the cathedral church, with its front wall rent in twain from roof tree to foundation stone by earthquake shock.

"The basin of Lake Nicaragua is probably the most stable and regular in its rainfall and drainage of water of any part of tropical America. The vegetation on the banks of the river and lakes shows this conclusively. The waters of the lake extend to within 12 miles of the Pacific Ocean and discharge into the Atlantic. The summit to be overcome between the lake and the Pacific is less than 50 feet. The supply of water at the summit level is inexhaustible, the foundation for the dam (at the Machuca) which is to raise the waters of the upper river to the level of the lake is a ledge of rock which crosses the river from bank to bank, and the banks themselves are high, rolling land from three to six hundred feet above the river surface. Engineers can, however, construct a much better lake at Bohia, and entertain no doubt of finding a better dam foundation there, and so the Commission gave the preference to estimated possibilities of Panama to the certainty of Nicaragua.

"The Senate appears to have been stampeded into voting a preference for the Panama route by the volcanic eruption at Martinique, which did so much damage, and the vaticinations of a certain Professor Heilprin as to like danger at Nicaragua. I never have been able to learn why he thought that country in more danger of earthquakes or volcanoes than Panama, the record of past mischief being the other way. (Rep., p. 168.) He is, I fear, a prejudiced witness—asserted, if I am not in error as to his identity, that the level of Lake Nicaragua had fallen 21 feet within the last nineteen years and was likely to dry up. Admiral Walker wrote me asking about this assertion and I furnished him with proofs, entirely satisfactory to him, that there was nothing in it. In fact, his surveys, compared with those of Colonel Childs, made in 1851, would show the absurdity of this conjecture. But of course any stick is good enough to beat a dog with.

"Surely the main motive for building the canal is to facilitate the coasting trade between the east and west shores of our own country. The commerce of the rest of the world and the honor and glory of the thing, and even the uses of it to our Navy, are of less importance, for our normal condition is peace; but for this the ability of sailing vessels to use the canal is of the highest importance. Confined to steamers, the traffic will surely concentrate in the great cities on either coast, but if left open to sailing vessels every city on the Atlantic seaboard from Boston to Savannah, as well as those on the Gulf, will have its line of many-masted schooners plying to points on this coast. Besides, there are numerous articles which can not afford to pay steamers' freight, and others which would decidedly prefer transportation by sail and which we want to exchange between the east and west coast, as the lumber, timber, grain, and wine of California and Oregon and the coal of the Mississippi Valley, the marbles of Tennessee, cotton, agricultural implements, castings, and structural iron and steel, etc.

"The Nicaragua route between the Atlantic and Pacific ports of the United States is surely 700 miles shorter than via Panama. This means a saving of fully 10 per cent on the portage bill of every coastwise voyage between any of them for all time to come.

"On looking over the yeas and nays on the Spooner amendment, etc., it is incomprehensible to me how Senators from Rhode Island, Maine, Massachusetts, Connecticut, New Jersey, Maryland, West Virginia, Illinois, and South Carolina were moved to vote for it, for each of them would, over the Nicaragua route, have lines of sailing vessels to this coast, bringing to us their cotton, coal, slate, marbles, and manufactured goods, and back to them in return the products of our forests, fisheries, and vineyards. The value of the coal fields of West Virginia and the neighboring States would be doubled by a canal via Nicaragua, for coal can not pay steamer freight. I hope sincerely that you will be able to defeat the ratification of the treaty with Colombia, and thus authorize the President to fall back on the Nicaragua route.

"Shall I ever have the satisfaction and pleasure of seeing you again out here? I do not think there is a man in the United States who would be more heartily welcome at any point on the West coast than yourself. You have worked and toiled for us when others from whom we had a right to expect better things have betrayed us.

"I remain, my dear Senator, your servant and friend,

"JOHN T. DOYLE.

"Hon. JOHN T. MORGAN,
"*United States Senate.*"

I put that great man's statement, with his personal knowledge of affairs in that country, obtained by actual residence in the country, into the RECORD for my personal justification as well as for the information of this honorable body, who somehow have got to suppose that if we lose Panama we lose the whole world. The truth is, if there is any Divine Providence that can keep us sheered off from that deathbed of labor, that afflicted country, that country with a population absolutely impossible for us to control, I shall look forward to that event with more satisfaction than to any other I can think of in connection with this subject.

WHY WAS NOT THE HAY-PAUNCEFOTE TREATY INCORPORATED?

I am really puzzled to conjecture how the Hay-Pauncefote treaty of November 18, 1901, which was ratified December 16, 1901, found its way, by reference, into the treaty of January 23, 1903, now before the Senate, and why the text of the Hay-Pauncefote treaty, which is directly repugnant to several of its most important provisions, was not incorporated in the treaty instead of being referred to merely. The two treaties can not be read together without exciting surprise that they should be found confronted with each other.

In Article II of the Hay-Pauncefote treaty—

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost, or by gift or loan of money to individuals or corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present treaty, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

STIPULATION WITH COLOMBIA.

In Article III of the treaty with Colombia is the following stipulation:

ARTICLE III.

To enable the United States to exercise the rights and privileges granted by this treaty the Republic of Colombia grants to that Government the use and control for the term of one hundred years, renewable at the sole and absolute option of the United States, for periods of similar duration so long as the United States may desire, of a zone of territory along the route of the canal to be constructed 5 kilometers in width on either side thereof measured from its center line, including therein the necessary auxiliary canals not exceeding in any case 15 miles from the main canal and other works, together with 10 fathoms of water in the Bay of Limon in extension of the canal, and at least 3 marine miles from mean low-water mark from each terminus of the canal into the Caribbean Sea and the Pacific Ocean, respectively. So far as necessary for the construction, maintenance, and operation of the canal, the United States shall have the use and occupation of the group of small islands in the Bay of Panama named Perico, Naos, Culebra, and Flamenco, but the same shall not be construed as being within the zone herein defined nor governed by the special provisions applicable to the same.

This grant shall in no manner invalidate the titles or rights of private landholders in the said zone of territory, nor shall it interfere with the rights of way over the public roads of the Department: *Provided, however*, that nothing herein contained shall operate to diminish, impair, or restrict the rights elsewhere herein granted to the United States.

This grant shall not include the cities of Panama and Colon, except so far as lands and other property therein are now owned by or in possession of the said canal company or the said railroad company; but all the stipulations contained in article 35 of the treaty of 1846-1848 between the contracting parties shall continue and apply in full force to the cities of Panama and Colon and to the accessory community lands and other property within the said zone, and the territory thereon shall be neutral territory, and the United States shall continue to guarantee the neutrality thereof and the sovereignty of Colombia thereover, in conformity with the above-mentioned article 35 of said treaty.

In furtherance of this last provision there shall be created a joint commission by the Governments of Colombia and the United States that shall establish and enforce sanitary and police regulations.

MAINTENANCE OF JOINT JUDICIAL TRIBUNALS.

Section III of Article XIII of the treaty before the Senate is as follows:

III. The United States and Colombia engage jointly to establish and maintain upon said zone judicial tribunals having civil, criminal, and admiralty jurisdiction, and to be composed of jurists appointed by the Governments of the United States and Colombia in a manner hereafter to be agreed upon between said Governments, and which tribunals shall have jurisdiction of certain controversies hereinafter mentioned, and of all crimes, felonies, and misdemeanors committed within said zone, and of all cases arising in admiralty, according to such laws and procedure as shall be hereafter agreed upon and declared by the two Governments.

Such joint judicial tribunal shall have exclusive jurisdiction in said zone of all controversies between citizens of the United States and citizens of Colombia, and between citizens of nations other than Colombia or the United States; and also of all crimes, felonies, and misdemeanors committed within said zone, and of all questions of admiralty arising therein.

LAWS AND PROCEDURES WHICH SHALL GOVERN.

Section 4 of article 13 is as follows:

IV. The two Governments hereafter, and from time to time as occasion arises, shall agree upon and establish the laws and procedures which shall govern such joint judicial tribunal and which shall be applicable to the persons and cases over which such tribunal shall have jurisdiction, and also shall likewise create the requisite officers and employees of such court and establish their powers and duties; and further shall make adequate provision by like agreement for the pursuit, capture, imprisonment, detention, and delivery within said zone of persons charged with the commitment of crimes, felonies, or misdemeanors without said zone; and for the pursuit, capture, imprisonment, detention, and delivery without said zone of persons charged with the commitment of crimes, felonies, and misdemeanors within said zone.

ABOVE PROVISIONS REPUGNANT TO HAY-PAUNCEFOTE TREATY.

No one can read these provisions of the treaty before the Senate without seeing that they are directly repugnant to the second article of the Hay-Pauncefote treaty.

I can not suppose that this strange contradiction in terms is a mere negligent oversight of the person who drafted this treaty; but if it was not, it is inconceivable that it could have failed to occur to him that these contradictory provisions render the contract void because of their ambiguity.

AMBIGUITY OF TREATY.

Equally clear and surprising is the ambiguity of this treaty in respect of police and military protection and regulation when we compare article 2 and article 3 of the Hay-Pauncefote treaty with article 23 of the treaty before the Senate.

REGULATION OF BELLIGERENT RIGHTS.

Article 3 of the Hay-Pauncefote treaty relates alone to the regulation of the belligerent rights of naval forces on land and water and is as follows:

ARTICLE III.

The United States adopts, as the basis of the neutralization of such ship canal, the following rules, substantially as embodied in the convention of Constantinople, signed the 28th October, 1888, for the free navigation of the Suez Canal, that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The United States, however, shall be at liberty to maintain such military police along the canal as may be necessary to protect it against lawlessness and disorder.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary; and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the regulations in force, and with only such intermission as may result from the necessities of the service.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerents.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this article shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time, except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this treaty, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents, and from acts calculated to impair their usefulness as part of the canal.

Article XXIII of the present treaty relates to the belligerent army forces on land or water. It is as follows:

ARTICLE XXIII.

If it should become necessary at any time to employ armed forces for the safety or protection of the canal, or of the ships that make use of the same, or the railways and other works, the Republic of Colombia agrees to provide the forces necessary for such purpose, according to the circumstances of the case, but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose; and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection, without the necessity of obtaining the consent beforehand of the Government of Colombia; and it shall give immediate advice of the measures adopted for the purpose stated; and as soon as sufficient Colombian forces shall arrive to attend to the indicated purpose those of the United States shall retire.

This article places all military operations of the United States for the defense of our canal and of the lives of our citizens there under the command of Colombia.

PROSTRATION OF TREATY WOULD BE A RELIEF TO THE ADMINISTRATION.

I believe in my heart to-day, Mr. President, that no event could occur which could give greater or more needed relief to the Administration than the prostration of this treaty. It will fall anyhow, because Colombia is in no humor and in no condition to accept it. Her people are just beginning to recover from a civil war of three years of the bloodiest possible character that those people can inflict upon each other, and they are very brutal in their measures of war. They are just beginning to recover from that conflict with all the heat of the old controversies remaining, an unsettled quarrel that has lasted among the Spanish-American states since 1810, beginning in Mexico. It has spread over all of them, has defeated the church party in every State on the American hemisphere except Colombia, but has chained that State down under the concordat of 1888, so that it is more enslaved to the church party in Europe and America and to the orders and powers of the Holy See than any other nation or state in America ever was.

Under these conditions we can not possibly expect to find a peaceful and fraternal reception in that country.

TAKING MARROQUIN BY THE HAND.

We take Marroquin by the hand, we hunt him up in his retirement, or virtual retirement, because another man is the actual president of that country and controls this old and weak man at his pleasure. We take Marroquin by the hand, which Respiro says has been bloodied by every form of cruel oppression during the civil war, and we make a treaty with him. What is then to be our attitude? The ally and friend of the church party, that party which has warred against every constitution adopted by every American State on this hemisphere—the persistent, continuous, incessant enemy of free constitutional government, that temple of the true God, which enshrines that precious jewel of our liberties, the freedom of religion.

A DISMISSAL OF THE LIBERAL PARTY.

This great Republic steps out and takes part with the leader of the church party and dismisses the Liberal party, to what? To infamy, contempt, and punishment. Will they receive us cordially after we have dishonored these downtrodden patriots by placing the Jesuits in authority over them? Will they regard us as friends because they coincide with us in principles of government and in love of constitutional liberty, which we are destroying? Will they still be friendly to that delicate thing, a canal which a man can destroy in an hour, or in five minutes even, with a stick of dynamite? Will they ever cease to remember that we aided the Jesuits to put them under foot?

EXPOSING OUR PROPERTY, PEACE, AND HAPPINESS TO DANGER.

Mr. President, in these matters to which we have failed to give consideration, because we are afraid to touch any subject that seems in any way to be connected with any religious sentiment, we are exposing ourselves to danger, and our property and our future peace and happiness to danger in that country.

PREEMINENT ADVANTAGES OF THE NICARAGUAN ROUTE.

Right here, Mr. President, I leave this subject to take care of itself from this time forward. I will await a time to see whether or not there is a chance for the United States to accept that beautiful and inviting situation created in Nicaragua by the hand of nature, a location that is more convenient than any other place in the world for an isthmian canal; a healthy and fertile zone in a country of splendid agricultural, mineral, and forestry possibilities and resources, occupied by a quiet, gentle people, where the canal zone, from Greytown to Brito, would perhaps not include 3,000 inhabitants, and where, under the permissions given to us under the proposed treaties with Nicaragua and Costa Rica, we could admit or refuse the privilege of residence in that zone to any who might apply, a healthful and beautiful country, where Americans could gather with their industries and their trades in the very heart of the great equatorial belt that will pass around the world. We throw that all away. We throw away a canal for which we have spent nearly two millions in surveys, against which no breath of suspicion was ever raised by any survey or any commission of examination or by any engineer or explorer or traveler who has ever been there, which is absolutely free from all exceptions and objections. We cast it aside and plunge into the fever-laden morasses of Panama. Why, Mr. President, why? Because we are led or driven by some hidden impulse that there is no man in the Senate who is prepared to weigh or to measure or to explain or account for.

APPENDIX.

LEGACION DE COLOMBIA.
Washington, D. C., April 18, 1902.

SIR: Confirming the conclusions reached as the result of the conference held between yourself and Mr. Cromwell and adopting, as far as practicable, your valuable suggestions, I beg leave to hand you the concessionary convention or treaty (in Spanish and in English), embodying the amendments agreed upon in the conference referred to.

My previous communication of March 31, 1902, proposing the concessionary convention or treaty in behalf of my Government, and the expository communications of myself and Mr. Cromwell, under the same date, apply equally to the inclosures.

Awaiting the pleasure of your excellency, I have the honor to renew the assurances of my high consideration.

J. V. CONCHA.

Hon. JOHN HAY,
Secretary of State of the United States,
Department of State.

LEGACION DE COLOMBIA, WASHINGTON, D. C.

Memorandum of points to be embodied in a convention between the Republic of Colombia and the United States of America for the construction of an interoceanic canal by the Panama route and the management of the railroad over said Isthmus, in furtherance of article 35 of the treaty of 1846-48, existing between said nations; presented by the undersigned envoy extraordinary and minister plenipotentiary of the Republic of Colombia.

ARTICLE I.

The Government of Colombia authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions, as well as the Panama Railroad and all the shares or part of the shares of that company, with the exception of the public lands situated outside of the zone hereinafter specified now corresponding to the concessions to both said enterprises, which public lands shall revert to the Republic of Colombia.

But it is understood that Colombia reserves all its rights to the special shares in the capital of the New Panama Canal Company, to which reference is made in Article IV of the contract of December 10, 1890, which shares shall be paid their full nominal value at least.

The railroad company (and the United States as owner of the enterprise) shall be free from the obligations imposed by the railroad concession, excepting as to the payment at maturity by the railroad company of the outstanding bonds issued by said railroad company.

ARTICLE II.

The United States shall have the exclusive right to excavate, construct, maintain, operate, control, and *protect a maritime* canal from *the Atlantic to the Pacific Ocean*, to and across the territory of Colombia, such canal to be of sufficient depth and capacity for vessels of the largest tonnage and greatest draft now engaged in commerce; and also the same rights for the construction, maintenance, operation, control, and protection of railway, telegraph, and telephone lines, canals, dikes, dams, reservoirs, and such other auxiliary works as may be necessary and convenient for the construction, maintenance, protection, and operation of the canal.

ARTICLE III.

To enable the United States to exercise the rights and privileges granted by the foregoing articles, the Republic of Colombia grants to that Government the use of a zone of territory along the route of the canal to be opened 5 kilometers in width on either side thereof, measured from its center line, excluding the cities of Panama and Colon. So far as necessary for the construction, maintenance, and operation of the canal, the United States shall have the use and occupation of the group of small islands in the Bay of Panama, named Perico, Naos, and Flamenco, together with 10 fathoms of water in the Bay of Limon in extension of the canal, but the same shall not be construed as being within the zone herein defined nor governed by the special provisions applicable to the zone. This concession shall be for the term of one hundred years, renewable at the option of the United States for periods of similar duration and subject to the payment of the amount hereinafter expressed.

This grant shall in no manner invalidate the titles of rights of private landholders in the said zone of territory, nor shall it interfere with the rights of way over the public roads of the department.

All the stipulations contained in article 35 of the treaty of 1846-1848 between the contracting parties shall continue and apply in full force to the cities of Panama and Colon and to the accessory community lands within the said zone, and the territory thereon shall be neutral territory, and the United States shall continue to guarantee the neutrality thereof and the sovereignty of Colombia thereover in conformity with the above-mentioned article 35 of said treaty.

In furtherance of this provision there shall be created a joint commission by the Governments of Colombia and the United States that shall establish and enforce sanitary and police regulations.

ARTICLE IV.

The rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory within whose boundaries such rights and privileges are to be exercised.

The United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way whatever or to increase its territory at the expense of Colombia or of any of the sister Republics in Central or South America, but, on the contrary, it desires to strengthen the power of the Republics on this continent and to promote, develop, and maintain their prosperity and independence.

ARTICLE V.

The Republic of Colombia authorizes the United States to construct and maintain at each entrance and terminus of the proposed canal a port for vessels using the same, with suitable light-houses and other aids to navigation; and the United States is authorized to use and occupy within the limits of the zone fixed by this convention such parts of the coast line and of the lands and islands adjacent thereto as are necessary for this purpose, including the construction and maintenance of breakwaters, dikes, jetties, embankments, coaling stations, docks, and other appropriate works. And the United States undertakes the construction and maintenance of such works and will bear all the expense thereof. The ports, when established, shall be declared free, and their demarcations shall be clearly and definitely defined.

To give effect to this article the United States will give special attention and care to the maintenance of works of drainage, sanitary, and healthful purposes along the line of the canal and its dependencies, in order to prevent the invasion of epidemics or of securing their prompt suppression should they appear. With this end in view the United States will organize hospitals along the line of the canal and will suitably supply the towns of Panama and Colon with the necessary aqueducts and drainage works, in order to prevent their becoming centers of infection on account of their proximity to the canal.

The Government of Colombia will secure the possession of the land that may be required in the towns of Panama and Colon to effect the improvements above referred to, and the Government of the United States shall be authorized to impose and collect equitable water rates previously agreed upon with the Government of Colombia during fifty years for the service rendered; but on the expiration of said term the use of the water shall be free for the inhabitants of Panama and Colon, except to the extent that may be necessary for the maintenance of said aqueducts.

ARTICLE VI.

The Republic of Colombia agrees that it will not cede or lease to any foreign government any of its islands or harbors within or adjacent to the Bay of Panama, nor on the Atlantic coast of Colombia between the Atrato River and the western boundary of the department of Panama *for the purpose of establishing fortifications*, naval or coaling stations, military posts, docks, or other works that might interfere with the construction, maintenance, operation, protection, safety, and free use of the canal and auxiliary works. In order to enable Colombia to comply with this stipulation, the Government of the United States agrees to give Colombia the material support that may be required, in order to prevent the occupation of said islands and ports, guaranteeing there the sovereignty, independence, and integrity of Colombia.

ARTICLE VII.

The Republic of Colombia includes in the foregoing grant the right, without obstacle, cost, or impediment, to the free navigation and use of the waters of the Chagres River and other streams, lakes, and lagoons, and of all waterways, natural and artificial, within the jurisdiction and under the dominion of the Republic of Colombia in the department of Panama, that may be necessary or desirable for the construction, maintenance, and operation of the canal and its auxiliary works, including the right to raise and lower the levels of the waters and to deflect them, and to rectify and navigate any and all streams, lakes, and lagoons. All damages caused to private landowners by inundation, or by the deviation of water courses, or in other ways, arising out of the construction or operation of the canal, shall in each case be appraised and settled by a joint commission appointed by the Governments of Colombia and the United States, but the cost of the indemnities so agreed upon shall be borne solely by the United States.

ARTICLE VIII.

The Government of Colombia declares free for all time the ports at either entrance of the canal and the waters thereof in such manner that there shall not be collected by the Government of Colombia custom-house tolls, tonnage, anchorage, light-house, wharf, pilot, or quarantine dues, nor any other charges or taxes of any kind shall be levied or imposed by the Government of Colombia upon any vessel using or passing through the canal or belonging to or employed by the United States, directly or indirectly, in connection with the construction, maintenance, and operation of the main work or its auxiliaries or upon the cargo, officers, crew, or passengers of any such vessel, it being the intent of this convention that all vessels and their cargoes, crews, and passengers shall be permitted to use and pass through the canal and the

ports leading thereto, subject to no other demands or impositions than such tolls and charges as may be imposed by the United States for the use of the canal and other works, it being understood that such tolls and charges shall be equal for vessels of all nations. The ports leading to the canal shall also be free to the commerce of the world, and no duties or taxes shall be imposed, except upon merchandise destined to be introduced for the consumption of the rest of the Republic of Colombia, or the department of Panama, and upon vessels touching at the ports of Colon and Panama, and which did not cross the canal. Though the said ports shall be free and open to all, the Government of Colombia may establish in them such custom-houses and guards as Colombia may deem necessary to collect duties on importations destined to other portions of Colombia and to prevent contraband trade. The United States shall have the right to make use of the ports at the two extremities of the canal as places of anchorage, in order to make repairs for loading, unloading, depositing, or transshipping cargoes either in transit or destined for the service of the canal.

ARTICLE IX.

There shall not be imposed any taxes, national, municipal, departmental, or of any other class, upon the canal, the vessels that may use it, tugs and other vessels employed in the service of the canal, the railways and auxiliary works, storehouses, workshops, offices, quarters for laborers, factories of all kinds, warehouses, wharves, machinery and other works, property and effects appertaining to the canal or railroad, or that may be necessary for the service of the canal or railroad and their dependencies, whether situated within the cities of Panama and Colon, or any other place authorized by the provision of this convention.

Nor shall there be imposed contributions or charges of a personal character of whatever species upon officers, employees, laborers, and other individuals in the service of the canal and its dependencies.

ARTICLE X.

It is agreed that telegraph and telephone lines, when established for canal purposes, may also, under suitable regulations, be used for public and private business in connection with the systems of Colombia and the other American Republics, and with the lines of cable companies authorized to enter the ports and territories of these Republics; but the official dispatches of the Government of Colombia and the authorities of the department of Panama shall not pay for such service higher tolls than those required from the officials in the service of the United States.

ARTICLE XI.

The Government of Colombia shall permit the immigration and free access to the lands and workshops of the canal enterprises of all employees and workmen of whatever nationality under contract to work upon the said canal and its dependencies, with their respective families, and all such persons should be free and exempt from the military service of the Republic of Colombia.

ARTICLE XII.

The United States may import at any time into the said zone, free of custom duties, imposts, taxes, or other charges, and without any restriction, any and all vessels, dredges, engines, cars, machinery, tools, explosives, materials, supplies, and other articles necessary and convenient in the construction, maintenance, and operation of the canal and auxiliary works; also all provisions, medicines, clothing, supplies, and other things necessary and convenient for the officers, employees, workmen, and laborers in the service and employ of the United States within the said zone and for their families. If any such articles are disposed of for use without the zone and within the territory of the Republic, they shall be subject to the same import or other duties as like articles under the laws of Colombia or the ordinances of the department of Panama.

ARTICLE XIII.

The United States shall have authority within the said zone to protect and make secure the canal, as well as railroads and other auxiliary works, and to preserve order and discipline among the laborers and other persons who may congregate in that region in consequence of the proposed work.

The Governments of Colombia and the United States shall agree upon the regulations necessary for said purpose, as well as to the capture and delivery of criminals to the respective authorities. Special regulations also shall be agreed upon, in the manner aforesaid, for the establishment of laws and jurisdiction to decide controversies that may arise respecting contracts relative to the construction and management of the canal and its dependencies, as well as to the trial and punishment of crimes that may be committed within the said zone of the canal.

ARTICLE XIV.

The works of the canal, the railways, and their auxiliaries shall be declared of public utility, and in consequence all areas of land and water necessary for the construction, maintenance, and operation of the canal and the other specified works may be expropriated in conformity with the laws of Colombia, except that the indemnity shall be conclusively determined, without appeal, by a joint commission appointed by the Governments of Colombia and the United States.

The indemnities awarded by the commission for such expropriation shall be borne by the United States, but the appraisal of said lands and the assessment of damages shall be based upon their value before the commencement of the work upon the canal.

ARTICLE XV.

The Republic of Colombia grants to the United States the use of all the ports of the Republic open to commerce as places of refuge for any vessels employed in the canal enterprise, and for all vessels in distress having the right to pass through the canal and wishing to anchor in said ports. Such vessels shall be exempt from anchorage and tonnage dues on the part of Colombia.

ARTICLE XVI.

The canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be open upon equal terms to the vessels of all nations at uniform tonnage and other rates that may be imposed in virtue of the stipulations of this convention and in conformity with the stipulations of the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901, and known as the Hay-Pauncefote treaty.

ARTICLE XVII.

The Government of Colombia shall have the right to transport over the canal its vessels, troops, and munitions of war at all times, without paying charges of any kind. This exemption is to be extended to the auxiliary railway for the transportation of persons in the service of the Republic of Colombia or of the department of Panama, or of the police force charged with the preservation of public order, as well as to their baggage, munitions of war, and supplies.

ARTICLE XVIII.

The United States shall have full power and authority to establish and enforce regulations for the use of the canal, railways, and the entering ports and auxiliary works, and to fix rates of tolls and charges thereof, subject to the limitations stated in the Article XVI.

ARTICLE XIX.

The rights and privileges granted to the United States by this convention shall not affect the sovereignty of the Republic of Colombia over the real estate that may be acquired by the United States by reason of the transfer of the rights of the New Panama Canal Company and the Panama Railroad Company lying outside of the said canal zone.

ARTICLE XX.

If, by virtue of an existing treaty between the Republic of Colombia and any third power, there may be privileges or concessions relative to an interoceanic means of communication which especially favors such third power and which in any of its terms may be incompatible with the terms of the present convention, the Republic of Colombia agrees to cancel or modify such treaty in due form, for which purpose it shall give to the said third power the requisite notification within the term of four months from the date of the present convention, and in case the existing treaty contains no clause permitting their involuntary annulment, the Republic of Colombia agrees to procure its modification or annulment in such form that there shall not exist any conflicts with the stipulations of the present convention.

ARTICLE XXI.

The rights and privileges granted by the Republic of Colombia to the United States in the preceding articles are understood to be free of all anterior concessions or privileges to other Governments, corporations, syndicates, or individuals, and consequently if there should arise any claims on account of the present concessions and privileges the claimants shall resort to the Government of Colombia and not to the United States for any indemnity or compromise which may be required.

ARTICLE XXII.

The Government of Colombia renounces the participation to which it might be entitled in the future earnings of the canal under Article XV of the contract with the "Universal Panama Canal Company;" and it likewise renounces now and hereafter all the rights reserved in the said concession which shall belong to Colombia at the expiration of the term of ninety-nine years of the concession granted to the above-mentioned company.

ARTICLE XXIII.

If it should become necessary at any time to employ armed forces for the safety or protection of the canal, or of the ships that make use of the same, or the railways and other works, the Republic of Colombia agrees to provide the forces necessary for such purpose, according to the circumstances of the case; but if the Government of Colombia can not effectively comply with this obligation, then, with the consent of or at the request of Colombia, or of her minister at Washington, or of the local authorities, civil or military, the United States shall employ such force as may be necessary for that sole purpose, and as soon as the necessity shall have ceased will withdraw the forces so employed. Under exceptional circumstances, however, on account of unforeseen or imminent danger to said canal, railways, and other works, or to the lives and property of the persons employed upon the canal, railways, and other works, the Government of the United States is authorized to act in the interest of their protection, without the necessity of obtaining the consent beforehand of the Government of Colombia; and it shall give immediate advice of the measures adopted for the purpose stated, and as soon as sufficient Colombian forces shall arrive to attend to the indicated purpose those of the United States shall retire.

ARTICLE XXIV.

The Government of the United States agrees to complete the construction of the preliminary works necessary, together with all the auxiliary works, in the shortest time possible; and within two years from the date of the exchange of ratification of this convention the main works of this canal proper shall be commenced, and it shall be opened to the traffic between the two oceans within twelve years after such period of two years. In case, however, that any difficulties or obstacles should arise in the construction of the canal, which are at present impossible to foresee, in consideration of the good faith with which the Government of the United States shall have proceeded and the large amount of money expended so far on the works and the nature of the difficulties which may have arisen, the Government of Colombia will prolong the terms stipulated in this article up to twelve years more for the completion of the work of the canal.

ARTICLE XXV.

As the price or compensation for the right to use the zone granted in this convention by Colombia to the United States for the construction of a canal, together with the proprietary right over the Panama Railroad, and for the annuity of $250,000, gold, which Colombia ceases to receive from the said railroad, as well as in compensation for other rights, privileges, and exemptions granted to the United States; and in consideration of the increase in the administrative expenses of the department of Panama consequent upon the construction of the said canal, the Government of the United States binds itself to pay Colombia the amount of seven million dollars in American gold on the exchange of the ratification of this convention, after its approval by the legislative bodies by both countries, and fourteen years after the date aforesaid a fair and reasonable annuity that shall be agreed upon by the contracting Governments three years before the expiration of the above-mentioned term of fourteen years. In fixing this fair and reasonable annuity there shall be taken into consideration the present price of the usufruct of the railway as well as the compensation that is to be stipulated for the use of the zone and for the additional administrative expenses that the construction of the canal will impose upon Colombia; and also the advanced payment of seven million dollars and the comparative cost and conditions upon which the United States reasonably could have expected to acquire concessions satisfactory to it in respect of any other canal route.

Three years before the expiration of each term of one hundred years the annuity for the following term shall be fixed in a similar manner.

But in the event that the parties are unable to come to an understanding within the periods above referred to as to such fair and reasonable annuity, then before the second year prior to the termination of the periods above referred to the contracting parties shall proceed to constitute a high commission, to be composed of five members, of whom two shall be appointed by Colombia, two by the United States, and the fifth (who shall be the president of such high commission) shall be the president for the time being of the International Peace Tribunal of The Hague, and the determination reached by said commission, by a majority vote, concerning such fair and reasonable annuity that is to be paid to Colombia by the United States in conformity with this article shall be binding upon the contracting parties.

But no delay nor difference of opinion in fixing such amount shall affect nor interrupt the full operation and effect of this convention in all other respects.

ARTICLE XXVI.

If after the lapse of five years from the date of this convention the necessary works for the opening of the canal should not have been commenced by

the United States, or if after the expiration of the twelve years stipulated for the completion of the work, and the extension of twelve years referred to in Article XXIV, the canal should not be opened to commerce, all the concessions granted by this convention shall be forfeited and all the works, principal and accessory, machinery, and properties of the canal shall become the property of the Republic of Colombia, and the same Republic shall recover its actual rights over the Panama Railroad without any obligation to return any of the sums that it may have received in conformity with this convention.

ARTICLE XXVII.

This convention, when signed by the contracting parties, shall be submitted for legislative approval, and shall be exchanged within a term of eight months from this date.

DEPARTMENT OF STATE,
Washington, April 21, 1902.

SIR: I have the honor to acknowledge receipt at your hands of a communication dated the 31st of March, 1902, and another of the 18th of April, inclosing a proposal of the Republic of Colombia for a concessionary convention or treaty between the Republic of Colombia and that of the United States of America respecting the completion, maintenance, operation, control, and protection of an interoceanic canal over the Isthmus of Panama.

I am directed by the President to inform you that I shall be ready to sign with you the proposed convention as soon as—

First. The Congress of the United States shall have authorized the President to enter into such an agreement; and

Second. As soon as the law officers of this Government shall have decided upon the question of the title which the New Panama Canal Company is able to give to all the properties and rights claimed by it and pertaining to a canal across the Isthmus and covered by the pending proposal.

Accept, sir, the renewed assurances of my highest consideration.

JOHN HAY.

Señor DON JOSE VICENTE CONCHA, etc.

[Translation.]

LEGATION OF COLOMBIA,
Washington, D. C., April 23, 1902.

SIR: I have the honor to acknowledge the reception of your excellency's communication of the 21st instant, by which you are pleased to inform me that you are authorized by the President of the United States to sign with the Republic of Colombia the treaty relative to the opening of the Panama Canal and the other details connected with the said work, in accordance with the draft I submitted to the Government of the United States on the 18th instant, and that you will proceed to do so as soon as permission shall have been given by the Congress of this Republic and as soon as the official lawyers shall have given their opinion regarding the title of the new canal company for the transfer of its rights.

When the occasion to sign the above-mentioned treaty shall arise I will present, according to usage, the full powers authorizing me to do so.

Accept, excellency, the sentiments of my high consideration.

JOSE VICENTE CONCHA.

Hon. JOHN HAY,
Secretary of State of the United States, Department of State.

[Translation.]

Mr. Corea to Mr. Hay, May 14, 1903.

In pursuance of the offer made orally and in my personal note of the 12th instant to your excellency, I have the honor to transmit herewith a draft of a treaty embodying the proposal of my Government touching the interoceanic canal through Nicaragua. This draft, save a few changes which I had to make in obedience to superior orders, is the same as that which your excellency prepared on February 12, and was pleased to amend on March 11 and 25, and on April 29 last, in deference to observations presented by me.

If your excellency will, as you said to me you would, lay this proposal before the proper committees of Congress, I should be pleased if it were accompanied by the protocol on the same subject which I had the honor to sign with your excellency on December 1, 1900. These papers will show that Nicaragua has been and is still disposed to enter into direct negotiations with the United States as soon as provision therefor shall have been made by Congress, and at the same time make it clear that, since no decision has yet been reached by that body in the matter, the present proposal is not to be taken as final, but remains subject to amendments by which the conclusion of a perfected and more suitable agreement between the contracting parties may be facilitated.

Please accept, Mr. Secretary, the assurances of my most distinguished consideration.

Protocol of an agreement between the Governments of the United States and of Nicaragua in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Nicaragua as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually agree to enter into negotiations with each other to settle the plans and the agreements in detail found necessary to accomplish the construction and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Nicaragua.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate at Washington this first day of December, 1900.

JOHN HAY. [SEAL.]
LUIS F. COREA. [SEAL.]

DRAFT.

The United States of America and the Republic of Nicaragua, being desirous to assure the construction of a ship canal to connect the Atlantic and Pacific oceans, have for that purpose resolved to conclude a convention, and have accordingly appointed as their plenipotentiaries the President of the United States and the President of the Republic of Nicaragua, who, after communicating to each other their full powers, which were found to be in due form, have agreed upon the following articles:

ARTICLE I.

The Republic of Nicaragua leases in perpetuity to the United States the exclusive right to construct, own, and operate a ship canal through the territory of Nicaragua to connect the Atlantic and Pacific oceans.

The United States guarantees in perpetuity the sovereignty, independence, and territorial integrity of the Republic of Nicaragua.

No change, either in the Government or in the laws or treaties of Nicaragua, shall, without the consent of the United States, affect any right of the United States under the present convention, or under any treaty stipulation between the two countries, that now exist or that may hereafter exist, touching the subject-matter of this convention.

If Nicaragua shall hereafter enter as a constituent into any other government, or into any union or confederation of States, so as to merge her sovereignty or independence in such government, union, or confederation, the rights of the United States under this convention shall not be in any respect lessened or impaired; and the United States will thereupon be released for the time being from all obligation to guarantee the sovereignty, independence, or territorial integrity of the Republic of Nicaragua.

ARTICLE II.

The United States, after the adoption by Congress of legislation to carry this convention into effect, will proceed without delay at its own cost, and without expense to Nicaragua, to construct the canal, on the route which it shall determine to be the most practicable; and it shall have the right to use, without cost, any water, stone, clay, earth, or other material belonging to Nicaragua, on the public domain, that may be needed.

The canal is hereby declared to be a work of public utility.

Neither the Government of Nicaragua, or any of its authority, shall obstruct or interfere with the United States either in its preliminary exploration and surveys, or in the work of construction, or in the management, control, and preservation of the canal when completed.

ARTICLE III.

The United States shall have the right to make excavations to such depths, and to raise embankments and dam streams to such height, as shall, in its opinion, be necessary for the proper and safe construction, improvement, operation, repair, and maintenance of the canal and the control of the waters appurtenant to it.

If in the construction or operation of the canal, or of any works in connection therewith, any lands within Nicaraguan territory belonging to the Republic or to private persons should be overflowed, no claim shall be made against the United States on account of these belonging to Nicaragua; nor shall the claims of any private person, on account of the overflow of lands, be permitted in any manner to hinder or delay the United States in the construction or operation of the canal or of any work in connection therewith, but the United States engages to make compensation in proceeding to condemn such lands for the intended public uses bad as provided in Article V of this convention.

ARTICLE IV.

When the route of the canal shall have been determined, the entire area of land and water to the distance of 5 miles on each side of the center line thereof during the construction period and of 3 miles on each side of the center line thereof as soon as the canal shall have been completed and in operation shall constitute a district to be called the canal district. This district shall extend to the distance of a marine league from low-water mark into the Caribbean Sea and the Pacific Ocean, and shall comprehend such parts of the San Juan River and of Lake Nicaragua and of the adjacent territory of Nicaragua as may be included within the above-mentioned limits. The concession hereby made to the United States includes the right to construct and operate between the terminal port and on lands within or adjacent to the canal district and around the southeast shore of Lake Nicaragua such railways, telegraphs, telephones, and other auxiliary works and to erect and use such buildings, workshops, and other structures as may be necessary to secure continuity of communication along the line of the canal and between the said terminal ports and be useful in the construction, improvement, operation, repair, and maintenance of the canal.

If by reason of topographical conditions, according to the judgment of the constructing parties, said railways, telegraphs, telephones, and other auxiliary works should at any place require unavoidably to be carried or lie at a greater distance than 5 miles from the center line of the canal during the construction period, or be found at a greater distance than 3 miles from the center line after the canal shall have been completed and put into operation, there, as well as around the southwestern shore of Lake Nicaragua, shall be included an area of 500 feet wide on each side of said railways, telegraphs, telephones, or other auxiliary works of the said areas, as well as the railways, telegraphs, telephones, buildings, workshops, and other structures, and the lands on which they are situated shall be considered as a part of the canal and within the canal district for the purposes of this convention.

ARTICLE V.

When the canal district is established the Government of the United States will furnish the Government of Nicaragua with a map showing the limits thereof, as established by this convention; and thereupon the right of entry, occupation, possession, use, and control of all the lands and waters of Nicaragua comprised in such district shall be considered as granted by a lease in perpetuity to the United States for the purpose of the canal.

Areas of land and water so comprised that form part of the public domain of Nicaragua shall pass into the possession, use, and control of the United States without any cost or charges. If any areas of land or water so taken, or any right, title, estate, use, or interest therein are claimed at the date of this convention as the property, legal or equitable, of private persons or corporations, the United States may acquire such rights, titles, estates, use, or interests by purchase from the owners, or, failing in that, may proceed to condemn them as stated further on in this convention.

For the purpose of fixing the compensation to be paid by the United States in the condemnation proceedings contemplated in Articles III and V, a mixed commission of four jurists of repute, two to be appointed by each of the contracting parties, shall assess and award the damages to be paid by the United States. The procedure and regulations to be observed by said commission for the taking of evidence, and in the trial of cases to condemn and award damages, shall be in accordance with the laws of Nicaragua not in conflict with this convention. The damages awarded shall be compensatory only and fixed without reference to appreciation of values by the contemplated or actual construction of the canal. In case of disagreement of the commission on the amount of damages to be awarded in any case, an umpire shall be appointed by the two Governments who shall render the decision, and in case the Governments do not agree in the appointment, this umpire shall be selected by lots from four candidates, two presented by each party. In the event of death, absence, or incapacity of any such commissioner or umpire, or of his omitting, declining, or ceasing to act, his place shall be filled by the appointment of another person in the manner above indicated.

All decisions by a majority of the commission or by the umpire shall be

final. They shall keep a record of their proceedings, of which they shall furnish each Government a copy. They shall maintain an office at Managua and shall exercise their functions there or at such other points in Nicaragua as they may find convenient.

ARTICLE VI.

Condemnation proceedings may be begun by the United States by filing in the office of the commission at Managua an instrument declaring its intention to appropriate any or all titles, estates, rights, uses, and interests, of every description, legal or equitable, of persons, societies, and corporations in and to land and water areas within the canal district, and it may in like manner institute proceedings to condemn and appropriate such titles, estates, rights, uses, and interests in land and water areas outside of and adjacent to said canal district to enable said Government to construct, repair, and operate said canal.

Such instrument of appropriation shall contain a general description of said land and water areas and of the title, estate, right, use, or interest therein intended to be appropriated, which shall belong to the Government of the United States on making payment therefor, as hereinafter provided. Said Government may purchase any such title, estate, right, use, or interest of the owner thereof; or, if the latter is under legal disabilities, of his guardian or other representative or person competent to contract in his behalf, and the deed therefor, when made and delivered, shall vest the property purchased in the United States.

Or said Government may, at its option, proceed, upon filing said act of appropriation, by giving ten days' notice, by personal service on said owner or by publication for the term of three weeks to all whom it may concern, in some newspaper to be designated by standing order of the commission, of an advertisement reciting the substance of such instrument of appropriation; and upon completed service of said notice, either personally or by publication, said Government may deposit for the use of the owners, in American gold, with a bank or other fiscal agent, to be designated by standing order of the commission, of a sum which said Government is willing to pay for the title, estate, rights, uses, or interests appropriated, and the same shall thereupon belong to the United States.

If the owner or owners refuse or fail to accept as sufficient compensation the moneys so deposited for their use as aforesaid, the Commission or umpire, as the case may be, shall proceed to assess and award the damages, and shall in like manner also determine in all cases the person or persons justly entitled to receive said moneys deposited and awarded, and order equitable distribution thereof. Said proceedings before the Commission or umpire shall only affect the amount of compensation to be awarded and the distribution thereof. Any sum awarded in addition to that already deposited shall be deposited in like manner as the original for the use of the persons entitled thereto.

ARTICLE VII.

The sovereignty of Nicaragua and the laws of the Republic not inconsistent with this convention shall be in full force in the Nicaraguan territory comprised in the canal district; but the United States, for the protection of said district and of its rights therein, and in order to make effective its guaranty of the sovereignty, independence, and territorial integrity of Nicaragua and Costa Rica, shall use its civil police forces, and shall have at all times the free and unobstructed right to enter to the canal district with its land and naval forces and to adopt therein such measures as may be necessary for the accomplishment of those purposes, as well as for the protection of life, liberty, and property, and for the preservation of peace and good order, and shall also have the right to unite its forces with the forces of Nicaragua and Costa Rica for said purposes.

ARTICLE VIII.

A free port shall be established for the transit at each of the entrances of the canal, on the Caribbean Sea and Pacific Ocean, under the protection of the United States and subject to harbor and other regulations as to anchorage, lights, and pilotage that shall be adopted by the United States. At these ports the United States shall have the right to establish, construct, and maintain light-houses and other aids to navigation, breakwaters, dikes, jetties, embankments, docks, wharves, coaling stations, and other appropriate works; and the United States will undertake the construction and maintenance of such works and will bear all the expense thereof.

Nicaragua may establish custom-houses at such ports and at any convenient points along the route of the canal for the collection of duties on goods intended for importation into or exportation from the canal district and the rest of the Republic. If said points happen to be within leased territory, they should be selected by agreement of the contracting parties at the request of Nicaragua. The United States shall have the right to introduce into the canal district, directly through the free ports or by way of any Nicaraguan port, and exempt from all taxes and customs duties, all machinery, equipment, material, stores, and supplies of any kind which may be necessary for the construction, improvement, operation, repair, and maintenance of the canal, and for the exclusive use of the officials, workmen, and other dependents of the United States employed in the canal district.

Vessels of commerce and men-of-war of all nations shall pass freely into and through the canal without any discrimination as to tolls or other charges, subject to the laws and regulations established by the United States to secure that object.

Vessels owned by the United States or its citizens, and vessels owned by Nicaragua or its citizens, may navigate freely any part of Lake Nicaragua within the leased district, and the commanders may enter or moor their vessels therein, it being understood that the laws of Nicaragua regarding coasting trade are not to be infringed, and that the ordinary port due shall be paid. Should any vessel in transit be forced to diverge from the leased district in Lake Nicaragua on account of injury or distress, it shall be permitted to navigate the waters of the lake, but without entering or mooring in a port thereof except in case of necessity in order to land and forward passengers and mail in transit and to procure supplies and make indispensable repairs, to which latter end the discharge and reshipment or transfer of cargo shall be permitted when needful, and such vessels shall return to the canal district as soon as the causes that may have forced it to diverge therefrom shall have ceased.

The preceding stipulation does not comprehend the vessels of war belonging to the United States which may at any time navigate the Lake Nicaragua and moor in its ports on official visit or for the purposes stipulated in this convention.

ARTICLE IX.

The United States and Nicaragua agree that, subject to the stipulations of the present convention, the provisions of the treaty of Constantinople of October 29, 1888, relating to the Suez Canal, as herein stated, shall form the basis on which the navigation of the canal and the neutrality of the canal district shall rest, viz:

1. The canal shall be free and open to the vessels of commerce and war of all nations observing these rules, on terms of entire equality, so that there shall be no discrimination against any such nation, or its citizens or subjects, in respect to the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised, nor any act of hostility committed within it.

3. Vessels of war of a belligerent shall not revictual nor take any stores in the canal except so far as may be strictly necessary, and the transit of such vessels through the canal shall be effected with the least possible delay in accordance with the regulations in force and with only such intermission as may result from the necessities of the services.

Prizes shall be in all respects subject to the same rules as vessels of war of the belligerent.

4. No belligerent shall embark or disembark troops, munitions of war, or warlike materials in the canal, except in case of accidental hindrance of the transit, and in such case the transit shall be resumed with all possible dispatch.

5. The provisions of this article shall apply to waters adjacent to the canal, within 3 marine miles of either end. Vessels of war of a belligerent shall not remain in such waters longer than twenty-four hours at any one time except in case of distress, and in such case shall depart as soon as possible; but a vessel of war of one belligerent shall not depart within twenty-four hours from the departure of a vessel of war of the other belligerent.

6. The plant, establishments, buildings, and all works necessary to the construction, maintenance, and operation of the canal shall be deemed to be part thereof, for the purposes of this convention, and in time of war, as in time of peace, shall enjoy complete immunity from attack or injury by belligerents and from acts calculated to impair their usefulness as a part of the canal.

ARTICLE X.

Nicaragua covenants with the United States and guarantees that no concession, grant, or license for the purpose of trade, commerce, transportation, navigation, or for the construction of a ship canal in or through Nicaraguan territory has been made to any other government, corporation, syndicate, or person, natural or juridical, which in any manner encumbers or conflicts with the lease and the rights and privileges hereby granted.

ARTICLE XI.

Although maintaining that, upon the principles of justice, no valid claims of citizens of the United States exist against Nicaragua, the latter accepts the engagement of the United States to pay and to discharge Nicaragua from all liabilities on account of claims of citizens of the United States which may have arisen prior to the date of the signing of this convention.

ARTICLE XII.

Within ninety days after the exchange of ratifications of this convention the United States will pay to the Government of Nicaragua, at Washington, the sum of $3,000,000 in the gold coin of the United States as a compensation for the concessions and privileges herein granted, and an annual rent of $25,000 in gold coin of the United States shall be paid by the United States to the Government of Nicaragua for the possession of the territory leased for the purposes aforesaid.

ARTICLE XIII.

This convention shall take effect immediately upon the exchange of ratifications, and, except as amended or abrogated by mutual consent of the contracting parties, shall be perpetual.

The ratifications shall be exchanged at Washington as soon as possible.

In witness whereof the respective plenipotentiaries have signed this convention and affixed thereto their seals.

Done in duplicate at the city of Washington, —— this —— day of ——, 190—.

After seven hours and fifty-five minutes spent in executive session the doors were reopened.

APPOINTMENT OF LABORER.

Mr. COCKRELL submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms be, and he hereby is, authorized and directed to appoint a laborer at an annual salary of $900, to be paid from the contingent fund of the Senate until otherwise provided by law.

INVESTIGATION OF AFFAIRS IN ALASKA.

Mr. BEVERIDGE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the chairman of the Committee on Territories be, and he hereby is, authorized to appoint a subcommittee which shall be authorized to sit during the recess of the Senate, at such times and places as the subcommittee, or the chairman thereof, may deem wise, to consider proposed bills or bills to be proposed relative to the district of Alaska, and to send for persons and papers, take testimony, and employ a stenographer, and that the expenses incurred shall be paid from the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

HOUR OF MEETING.

Mr. CULLOM. I move that when the Senate adjourns to-day it be to meet at 11 o'clock to-morrow morning.

The motion was agreed to.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 7 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 18, 1903, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 17, 1903.

COURT OF PRIVATE LAND CLAIMS.

CHIEF JUSTICE.

Joseph R. Reed, of Iowa, to be chief justice of the Court of Private Land Claims. An extension of incumbent's present commission (which expires June 30, 1903), as provided in the act approved March 3, 1903, making appropriations for sundry civil expenses, etc.

ASSOCIATE JUSTICES.

Frank I. Osborne, of North Carolina, to be associate justice of the Court of Private Land Claims. An extension of incumbent's present commission (which expires June 30, 1903), as provided in the act approved March 3, 1903, making appropriations for sundry civil expenses, etc.

Henry C. Sluss, of Kansas, to be associate justice of the Court of Private Land Claims. An extension of incumbent's present commission (which expires June 30, 1903), as provided in the act approved March 3, 1903, making appropriations for sundry civil expenses, etc.

Wilbur F. Stone, of Colorado, to be associate justice of the Court of Private Land Claims. An extension of incumbent's present commission (which expires June 30, 1903), as provided in the act approved March 3, 1903, making appropriations for sundry civil expenses, etc.

William W. Murray, of Tennessee, to be associate justice of the Court of Private Land Claims. An extension of incumbent's present commission (which expires June 30, 1903), as provided in the act approved March 3, 1903, making appropriations for sundry civil expenses, etc.

PROMOTIONS IN THE ARMY.

Infantry Arm.

Second Lieut. Charles S. Frank, Twenty-first Infantry, to be first lieutenant, January 27, 1903, vice Wheeler, Twenty-second Infantry, promoted.

Second Lieut. Fred Bury, First Infantry, to be first lieutenant, January 28, 1903, vice Carroll, First Infantry, drowned at sea.

PROMOTIONS IN THE NAVY.

Lieut. Lewis J. Clark, to be a lieutenant-commander in the Navy from the 10th day of January, 1903, vice Lieut. Commander Robert G. Denig, promoted.

Lieut. Theodore G. Dewey, to be a lieutenant-commander in the Navy from the 10th day of February, 1903, vice Lieut. Commander George H. Peters, promoted.

Lieutenants to be lieutenant-commanders in the Navy.

Hugh Rodman.
John A. Hoogewerff.
Edward E. Capehart.
Henry B. Wilson.
Gustav Kaemmerling.
Kenneth McAlpine.
Clarence H. Mathews.

Lieutenants (junior grade) to be lieutenants in the Navy.

Lieut. (Junior Grade) Thomas T. Craven, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Hugh Rodman, promoted.

Lieut. (Junior Grade) Charles L. Poor, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. John A. Hoogewerff, promoted.

Lieut. (Junior Grade) Daniel W. Wurtsbaugh, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Edward E. Capehart, promoted.

Lieut. (Junior Grade) Ralph Earle, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Henry B. Wilson, promoted.

Lieut. (Junior Grade) Gatewood S. Lincoln, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Gustav Kaemmerling, promoted.

Lieut. (Junior Grade) Edward T. Fitzgerald, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Kenneth McAlpine, promoted.

Lieut. (Junior Grade) Ivan C. Wettengel, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Clarence H. Mathews, promoted.

Charles M. Tozer.
Wat T. Cluverius.
Duncan M. Wood.
Leigh C. Palmer.
Albert W. Marshall.
Thomas A. Kearney.
Arthur MacArthur, jr.
Charles E. Gilpin.
Frank E. Ridgely.
Dudley W. Knox.
Charles P. Burt.
Mark Saint C. Ellis.

To be passed assistant surgeon.

Asst. Surg. Barton L. Wright, to be a passed assistant surgeon in the Navy, from the 13th day of May, 1902 (subject to the examinations required by law), to fill a vacancy existing in that grade.

Surgeons to have the rank of lieutenant-commander.

Victor C. B. Means.
Frederick J. B. Cordeiro.
Francis W. F. Wieber.
Oliver D. Norton.
Frederick A. Hesler.
Isaac W. Kite.
Andrew R. Wentworth.
Corbin J. Decker.
Thomas A. Berryhill.
Eugene P. Stone.
George Pickrell.
Rand P. Crandall.
Hatton N. T. Harris.
John F. Uric.
Albert M. D. McCormick.
Will F. Arnold.
George B. Wilson.
Charles F. Stokes.
Edward R. Stitt.
Manley F. Gates.
Charles H. T. Lowndes.
George H. Barber.
George Rothganger.
George T. Smith.
George A. Lung.
Luther L. Von Wedekind.
Edward S. Bogert, jr.
Leckinski W. Spratling.
Robert M. Kennedy.
Norman J. Blackwood.
William C. Braisted.
Sheldon G. Evans.
Adrian R. Alfred.
John E. Page.
Middleton S. Guest.

Passed assistant surgeons to be surgeons.

Joseph A. Guthrie.
Charles M. De Valin.
Charles P. Bagg.
Carl De W. Brownell.
Henry D. Wilson.
Lewis Morris.
John M. Moore.
Edward M. Shipp.
Charles E. Riggs.
James F. Leys.
Frank C. Cook.
Ammen Fareuholt.
Charles P. Kindleberger.
Arthur W. Dunbar.
Theodore W. Richards.
Reginald K. Smith.
Moulton K. Johnson.
William M. Wheeler.
Middleton S. Elliott.
Frank L. Pleadwell.
Dudley N. Carpenter.
Daniel H. Morgan.
James C. Pryor.
Washington B. Grove.
Raymond Spear.
Harold H. Haas.
William H. Bucher.
Edgar Thompson.
Elon O. Huntington.
John B. Dennis.

Passed assistant surgeons in the Navy to have the rank of lieutenant.

Ralph T. Orvis.
David B. Kerr.
Eugene J. Grow.
Alfred G. Grunwell.
Cary D. Langhorne.
Joseph C. Thompson.
Frederick L. Benton.
Will M. Garton.
Frank E. McCullough.
Francis M. Furlong.
Granville L. Angeny.
William H. Bell.
Holton C. Curl.
William L. Bell.
Richmond C. Holcomb.

Edward G. Parker.
Barton L. Wright.
Ralph W. Plummer.
Henry E. Odell.
James S. Taylor.
Joseph A. Murphy.
John T. Kennedy.
Karl Ohnesorg.

Assistant surgeons to be passed assistant surgeons.

Asst. Surg. Joseph A. Murphy, to be a passed assistant surgeon in the Navy, from the 3d day of January, 1903 (subject to the examinations required by law), to fill a vacancy existing in that grade on that date.

Asst. Surg. John T. Kennedy, to be a passed assistant surgeon in the Navy, from the 15th day of January, 1903 (subject to the examinations required by law), to fill a vacancy existing in that grade on that date.

Asst. Surg. Karl Ohnesorg, to be a passed assistant surgeon in the Navy, from the 27th day of January, 1903 (subject to the examinations required by law), to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE MARINE CORPS.

Maj. Charles H. Lauchheimer, to be assistant adjutant and inspector in the United States Marine Corps with the rank of lieutenant-colonel, from the 3d day of March, 1903 (subject to the examinations required by law), to fill a vacancy created by an act of Congress approved that day.

Maj. Thomas C. Prince, to be assistant quartermaster in the United States Marine Corps with the rank of lieutenant-colonel, from the 3d day of March, 1903 (subject to the examinations required by law), to fill a vacancy created by an act of Congress approved that day.

Maj. George Richards, to be assistant paymaster in the United States Marine Corps with the rank of lieutenant-colonel, from the 3d day of March, 1903 (subject to the examinations required by law), to fill a vacancy created by an act of Congress approved that day.

Capt. Cyrus S. Radford, to be assistant quartermaster in the United States Marine Corps with the rank of major, from the 3d day of March, 1903 (subject to the examinations required by law), to fill an existing vacancy.

Lieut. Col. Mancil C. Goodrell, United States Marine Corps, to be a colonel in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), in accordance with the provisions of an act of Congress, approved on that date, making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes.

Lieut. Col. George F. Elliott, United States Marine Corps, an additional number in his grade, to be a colonel in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Col. Mancil C. Goodrell, promoted, in accordance with the provisions of an act of Congress approved March 3, 1901.

Maj. William P. Biddle, United States Marine Corps, to be a lieutenant-colonel in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Lieut. Col. Mancil C. Goodrell, promoted.

Maj. Littleton W. T. Waller, United States Marine Corps, to be a lieutenant-colonel in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), in accordance with the provisions of an act of Congress, approved on that date, making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes.

Capt. James E. Mahoney, United States Marine Corps, to be a major in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Maj. William P. Biddle, promoted.

Capt. Con M. Perkins, United States Marine Corps, to be a major in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Maj. Littleton W. T. Waller, promoted.

Captains of the United States Marine Corps to be majors.

Joseph H. Pendleton.
John A. Lejeune.
Eli K. Cole.
Theodore P. Kane.
Lewis C. Lucas.

First lieutenants to be captains.

First Lieut. Logan Feland, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. James E. Mahoney, promoted.

First Lieut. William H. Clifford, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. Con M. Perkins, promoted.

First Lieut. John H. A. Day, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. Joseph H. Pendleton, promoted.

First Lieut. John S. Bates, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. John A. Lejeune, promoted.

First Lieut. James W. Broatch, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. Eli K. Cole, promoted.

First Lieut. Benjamin B. Woog, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. Theodore P. Kane, promoted.

First Lieut. William Hopkins, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice Capt. Lewis C. Lucas, promoted.

Dickinson P. Hall.
Arthur E. Harding.
William W. Low.
Charles H. Lyman.
Charles C. Carpenter.
Louis M. Little.
Leof M. Harding.
Frederic M. Wise.
Richard M. Cutts.
Harold C. Snyder.
Wirt McCreary.
Wade L. Jolly.

Second lieutenants to be first lieutenants.

Second Lieut. William G. Fay, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Logan Feland, promoted.

Second Lieut. Robert Y. Rhea, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. William H. Clifford, promoted.

Second Lieut. Frank J. Schwable, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. John H. A. Day, promoted.

Second Lieut. Eli T. Freyer, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. John S. Bates, promoted.

Second Lieut. Thomas Holcomb, jr., United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. James W. Broatch, promoted.

Second Lieut. John P. V. Gridley, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Benjamin B. Woog, promoted.

Second Lieut. Rupert C. Dewey, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. William Hopkins, promoted.

Second Lieut. Edward A. Greene, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Dickinson P. Hall, promoted.

Second Lieut. Edward B. Manwaring, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Arthur E. Harding, promoted.

Second Lieut. William E. Smith, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. William W. Low, promoted.

Second Lieut. Thomas M. Clinton, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Charles H. Lyman, promoted.

Second Lieut. Hamilton D. South, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Charles C. Carpenter, promoted.

Second Lieut. Theodore Monell, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Louis M. Little, promoted.

Second Lieut. Edgar Hayes, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Leof M. Harding, promoted.

Second Lieut. James T. Buttrick, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Frederic M. Wise, promoted.

Second Lieut. Raymond B. Sullivan, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Richard M. Cutts, promoted.

Second Lieut. Giles Bishop, jr., United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Harold C. Snyder, promoted.

Second Lieut. Frank Halford, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Wirt McCreary, promoted.

Second Lieut. James K. Tracy, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903 (subject to the examinations required by law), vice First Lieut. Wade L. Jolly, promoted.

Second lieutenants in the Marine Corps to be first lieutenants from the 3d day of March, 1903.

Ellis B. Miller.
Arthur J. O'Leary.
Berton W. Sibley.
Frank F. Robards.
Raymond W. Dikeman.
Harold Colvocoresses.
William Brackett.
Chandler Campbell.
William L. Redles.
Fred A. Udell.
Austin C. Rogers.
Provence McCormick, jr.
Woodell A. Pickering.
Franklin S. Wiltse.
Howard H. Kipp.
John W. McClaskey.
Fred A. Ramsey.
Hilary A. Herbert, jr.
Walter E. Noa.
Earl H. Ellis.
John A. Hughes.
Arthur McAllister.
Alonzo C. Baker.
Harvey C. Egan.
Thomas C. Turner.

PROMOTIONS IN THE NAVY.

Paymasters to be pay inspectors.

George W. Simpson.
Harry R. Sullivan.

Passed assistant paymasters to be paymasters.

Passed Assistant Paymaster George P. Dyer, to be paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Paymaster George W. Simpson, promoted.

Passed Assistant Paymaster Robert H. Woods, to be a paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Paymaster Harry R. Sullivan, promoted.

Passed assistant paymasters to be paymasters in the Navy from the 3d day of March, 1903.

Robert H. Orr.
William A. Merritt.
Franklin W. Hart.
Harrison L. Robins.
Webb V. H. Rose.
William H. Doherty.
Charles Morris, jr.
Frederick K. Perkins.
George C. Schafer.
Theodore J. Arms.
George R. Venable.
Howard P. Ash.
Hugh R. Insley.
George M. Stackhouse.
Grey Skipwith.
Trevor W. Lentze.
McGill R. Goldsborough.
David V. Chadwick.
Eugene C. Tobey.
Arthur H. Catheart.
Jonathan Brooks.
Eugene F. Hall.
Dexter Tiffany, jr.
Franklin P. Sackett.
David M. Addison.
William T. Wallace.
Victor S. Jackson.
John R. Sanford.

Assistant paymasters to be paymasters in the Navy from the 3d day of March, 1903.

Herbert E. Stevens.
Charles R. O'Leary.
Charles W. Eliason.
Cuthbert J. Cleborne.
Philip W. Delano.
John D. Robnett.
Stewart Rhodes.
George W. Pigman, jr.

Assistant paymasters to be passed assistant paymasters.

Assistant Paymaster Perry G. Kennard, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster George P. Dyer, promoted.

Assistant Paymaster George W. Reeves, jr., to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Robert H. Woods, promoted.

Assistant Paymaster Walter T. Camp to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Robert H. Orr, promoted.

Assistant Paymaster Ray Spear, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster William A. Merritt, promoted.

Assistant Paymaster Christian J. Peoples, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Franklin W. Hart, promoted.

Assistant Paymaster William B. Rogers, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Harrison L. Robins, promoted.

Assistant Paymaster Thomas D. Harris, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Webb V. H. Rose, promoted.

Assistant Paymaster John F. Hatch, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster William H. Doherty, promoted.

Assistant Paymaster Frederick G. Pyne, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Charles Morris, jr., promoted.

Assistant Paymaster Frederick B. Colby, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Frederick K. Perkins, promoted.

Assistant Paymaster Edward E. Goodhue, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster George C. Schafer, promoted.

Assistant Paymaster William R. Bowne, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Theodore J. Arms, promoted.

Assistant Paymaster Rishworth Nicholson, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster George R. Venable, promoted.

Assistant Paymaster John D. Barber, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Howard P. Ash, promoted.

Assistant Paymaster Edward T. Hoopes, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Hugh R. Insley, promoted.

Assistant Paymaster Walter A. Greer, to be a passed assistant paymaster in the Navy, from March 3, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster George M. Stackhouse, promoted.

Assistant Paymaster Cecil S. Baker, to be a passed assistant paymaster in the Navy, from the 3d of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Grey Skipwith, promoted.

Assistant Paymaster Gustavus R. Madden, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Trevor W. Leutze, promoted.

Assistant Paymaster Donald W. Nesbit, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster McGill R. Goldsborough, promoted.

Assistant Paymaster Arthur M. Pippin, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster David V. Chadwick, promoted.

Assistant Paymaster John S. Higgins, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Eugene C. Tobey, promoted.

Assistant Paymaster Ignatius T. Hagner, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Arthur H. Cathcart, promoted.

Assistant Paymaster George P. Auld, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Jonathan Brooks, promoted.

Assistant Paymaster James S. Beecher, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Eugene F. Hall, promoted.

Assistant Paymaster Henry A. Wise, jr., to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Dexter Tiffany, jr., promoted.

Assistant Paymaster Henry de F. Mel, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Franklin P. Sackett, promoted.

Assistant Paymaster John A. B. Smith, jr., to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster David M. Addison, promoted.

Assistant Paymaster Felix R. Holt, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster William T. Wallace, promoted.

Assistant Paymaster Emmett C. Gudger, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster Victor S. Jackson, promoted.

Assistant Paymaster Stewart E. Barber, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law), vice Passed Assistant Paymaster John R. Sanford, promoted.

UNITED STATES MARSHAL.

William R. Flinn, of Delaware, to be United States marshal for the district of Delaware, in place of John Cannon Short, term expired.

POSTMASTERS.

INDIANA.

Charles Schalk, to be postmaster at Charlestown, in the county of Clark and State of Indiana, in place of James M. Teeple, deceased.

Ulysses M. Swaysgood, to be postmaster at Waterloo, in the county of Dekalb and State of Indiana, in place of William H. Williams. Incumbent's commission expired January 12, 1903.

NEW JERSEY.

William F. Proudfoot, to be postmaster at Roselle, in the county of Union and State of New Jersey, in place of William Proudfoot, to correct name.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 17, 1903.

ASSISTANT TO THE ATTORNEY-GENERAL.

William A. Day, of the District of Columbia, to be assistant to the Attorney-General, as provided in the act of Congress approved March 3, 1903, entitled "An act making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes."

PROMOTIONS IN THE NAVY.

Paymaster James S. Phillips, to be a paymaster in the Navy with the rank of lieutenant-commander, from the 3d day of March, 1903.

Commander George H. Kearny, to be a captain in the Navy, from the 7th day of March, 1903.

Lieut. Commander Bradley A. Fiske, to be a commander in the Navy, from the 7th day of March, 1903.

Lieut. DeWitt C. Redgrave, to be a lieutenant-commander in the Navy, from the 7th day of March, 1903.

Lieut. (Junior Grade) Edward McCauley, jr., to be a lieutenant in the Navy, from the 7th day of March, 1903.

CONSUL-GENERAL.

William Shaw Bowen, of Rhode Island, to be consul-general of the United States at Guayaquil, Ecuador.

COURT OF PRIVATE LAND CLAIMS.

CHIEF JUSTICE.

Joseph R. Reed, of Iowa.

ASSOCIATE JUSTICES.

Henry C. Sluss, of Kansas.
William W. Murray, of Tennessee.
Wilbur F. Stone, of Colorado.
Frank I. Osborne, of North Carolina.

POSTMASTERS.

INDIANA.

Charles Schalk, to be postmaster at Charlestown, Ind.
Ulysses M. Swaysgood, to be postmaster at Waterloo, Ind.

NEW JERSEY.

William F. Proudfoot, to be postmaster at Roselle, in the county of Union and State of New Jersey.

SENATE.

WEDNESDAY, *March 18, 1903.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

AMENDMENT OF RULES—LIMITATION OF DEBATE.

Mr. HOAR. A few days ago the Senator from Connecticut [Mr. PLATT] gave notice of a motion to amend the rules, and moved an amendment, which was referred to the Committee on Rules, and a day or two ago I made a like proposal, which was also referred. I ask unanimous consent that those two proposals be printed in document form, so as to be in convenient shape for using them and sending them to persons during the vacation.

The PRESIDENT pro tempore. That they be printed together in one document?

Mr. HOAR. Together in one document.

The PRESIDENT pro tempore. The Senator from Massachusetts asks that the two proposed amendments to the rules, submitted by himself and the Senator from Connecticut [Mr. PLATT], be printed together as a document. The Chair hears no objection to the request.

APPOINTMENT OF LABORER.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted yesterday by Mr. COCKRELL, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Sergeant-at-Arms be, and he hereby is, authorized and directed to appoint a laborer, at an annual salary of $900, to be paid from the contingent fund of the Senate until otherwise provided by law.

INVESTIGATION OF AFFAIRS IN ALASKA.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by the Senator from Indiana [Mr. BEVERIDGE], to report a substitute therefor, and I ask for its present consideration.

The PRESIDENT pro tempore. The proposed substitute will be read.

The Secretary read as follows:

Resolved, That the Committee on Territories be, and they hereby are, authorized and directed, by subcommittee or otherwise, to sit during the recess of the Senate, at such times and places as the committee or a subcommittee may deem wise, to consider proposed bills or bills to be proposed relative to the district of Alaska; to send for persons and papers, take testimony, and employ a stenographer; and that the expenses incurred shall be paid from the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BERRY. Mr. President——

Mr. HANSBROUGH. Let the resolution be read again.

The Secretary again read the proposed substitute.

Mr. BERRY. I was going to suggest that the Senator from Tennessee [Mr. BATE], who is probably interested in this matter, is not in the Chamber at this moment, and I should like to have the resolution go over until he comes in.

Mr. KEAN. I have no objection.

Mr. BERRY. For the time being, until the Senator from Tennessee comes in, let it go over.

Mr. KEAN. Very well.

The PRESIDENT pro tempore. The resolution will be temporarily laid aside on the request of the Senator from Arkansas.

THE ALASKAN BOUNDARY.

On motion of Mr. LODGE, it was

Ordered, That Senate Executive Document 146, Fiftieth Congress, second session, being a message from the President of the United States, transmitting a report on the boundary line between Alaska and British Columbia, be reprinted, together with the maps, for the use of the Senate.

POST-OFFICE AT INDIANOLA, MISS.

Mr. MONEY. Mr. President, during the somewhat extended discussion in this Chamber of the matter of the post-office at Indianola, Miss., I was detained at home by my own very serious sickness, and the fatal sickness of a member of my family and the distress occasioned thereby, and I had not then the opportunity to come to my seat and participate in the discussion. I do not flatter myself, however, that the discussion lost anything of interest or value by reason of the fact that I was not heard. But there are some points which have not been brought out that are pertinent to that discussion, and, as I may consider the whole Indianola incident as an episode in the great race history, I shall ask the indulgence of the Senate this morning to briefly state my views.

I wish to say that I am perfectly satisfied with the masterly manner in which my colleague [Mr. MCLAURIN] discussed this question, and also to acknowledge with gratitude the efforts, earnest and able, which the Senator from South Carolina [Mr. TILLMAN] and the Senator from Tennessee [Mr. CARMACK] and others gave to the discussion.

It is not my intention now to detain the Senate. I am perfectly conscious that the Senate is anxious to adjourn, and naturally so, and I would not stand in the way of an early adjournment. I shall content myself, therefore, by asking leave to put the manuscript I have in the RECORD as a part of my remarks, and with that I shall yield the floor for a motion to go into executive session.

The PRESIDENT pro tempore. Will the Senator restate his request?

Mr. MONEY. It is that I may be permitted to make part of my remarks certain papers that I have here and others which I may prepare.

Mr. CULLOM. Other documents, which the Senator proposes to print?

Mr. MONEY. They are not documents exactly, but my own views. I wish to say to the Senator that of course what I shall print without having first said will not be personal to anyone nor offensive to anybody, but it will simply and purely be an argument.

Mr. CULLOM. I have no objection, so far as I am concerned.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Mississippi?

Mr. BACON. What is the request?

The PRESIDENT pro tempore. The Senator from Mississippi asks that he may have leave to print in the RECORD a speech he proposes to make on the Indianola post-office. Is there objection?

Mr. HOAR. Mr. President, I feel constrained to object. Now——

Mr. MONEY. Very well, I will go on then.

Mr. HOAR. May I state to the honorable Senator——

Mr. MONEY. I wish to state to the Senator that if he is not willing to accede to the request I will go on with my speech.

Mr. HOAR. Very well. Possibly if my honorable friend had reflected for a moment he would not have interposed in the middle of a sentence without hearing what I had intended to say.

Mr. MONEY. I beg pardon of the Senator. I will permit him to go on. I did not intend to interrupt him.

Mr. HOAR. I was about to say that I believe there is no instance in the history of the Senate of giving leave to print remarks that have not been made on the floor except what has happened within the last day or two in relation to the executive session. However, I may be mistaken. When that leave is given it should be done with a full understanding on the part of every Senator that we are inaugurating a new fashion which has some advantages and a great many disadvantages.

Now, in a case where a Senator has been ill, when a Senator who everybody knows would not abuse such a confidence, like the honorable Senator from Mississippi, whom we all respect, I do not want to be making an ungracious objection, but I hope some way may be contrived to avoid doing that.

Mr. BACON. Will the Senator from Mississippi pardon me for a moment?

Mr. MONEY. Certainly.

Mr. BACON. Mr. President, I should regret exceedingly to see inaugurated in the Senate the custom of printing speeches which were not delivered. Unless there is some very urgent reason on account of the immediate adjournment of the Senate or the illness of a Senator I should certainly object.

Mr. MONEY. One objection, I think, is sufficient, and that has already been made.

Mr. BACON. I know that, but I desire that it shall not appear as coming simply from one side of the Chamber. I think it would be a very reprehensible practice. The Senator knows my personal regard for him and he knows that I would not interpose any objection without the gravest reason therefor. I feel constrained to object to the inauguration of that which will lead, I think, to great trouble in the future. If it is done in one case it must necessarily be done in others.

Mr. BERRY. Will the Senator from Mississippi permit me to say a word?

The PRESIDENT pro tempore. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. BERRY. For one word only.

Mr. MONEY. Certainly.

Mr. BERRY. If I am not very much mistaken, there has been at this session a very long speech printed and a very small part of it only was made upon the floor of the Senate, and not only that, but the speech has been printed as a document. I will say to the Senator from Massachusetts that I think I saw one of that kind the other day.

Mr. HOAR. I do not remember it. I do not know exactly what happened in executive session, but that stands on its own peculiar merits.

Mr. BERRY. This was not in executive session.

Mr. BACON. I think the speech to which the Senator refers is made up almost entirely of statistical tables, and that would place it on a different ground.

Mr. GALLINGER. Mr. President, if the Senator from Mississippi will permit me, I will state that I chanced to be in the chair at the time that speech was delivered. A Senator spoke for a few minutes and asked permission to print certain data, which was granted by unanimous consent.

Mr. LODGE. I will say in regard to that speech, with which I am familiar, that it was a mass of statistical tables.

Mr. BERRY. Not entirely, I will say to the Senator from Massachusetts.

Mr. LODGE. Practically all but the first part, which the Senator delivered. The rest was composed entirely of statistical tables, I think the Senator will find.

Mr. MONEY. Mr. President, the resolution which I introduced the other day as a basis for these remarks, which I had lie on the table to be called up at my convenience, was intended to give me an opportunity to make this speech, and I had no other intention until late yesterday evening, when I learned from the other side of the Chamber that it was their desire I should not consume the time I might think necessary. There was an agreement among certain gentlemen. I do not know who they were; I can not say, because my friend the Senator from Kentucky [Mr. BLACKBURN] saw them about it. They proposed that I should take the floor for ten or fifteen minutes, simply to introduce myself, and then ask leave for revision. In that way I could have put in what I chose. I did not stop to consider whether there was any precedent therefor or not. I only acceded to the wishes of the other side of the Chamber.

Of course if I should begin the speech, I do not know when I shall get through, because I have no written speech, and I never did have one. I may be carried off on the current of my own talk, as far as that is concerned. It sometimes happens that a man can not make a landing when he expects to. But I have no desire to interfere with the action of the Senate or retard the adjournment or anything of the sort, and I am willing to concur in the wishes expressed on the other side. That is all.

If it is unusual and if it is so dangerous as a precedent, as is supposed by the Senators from Massachusetts and Georgia, then, of course, I will go on now. The idea was not at all of my own origination, and I was not aware that it was a violation of precedent. I notice that we frequently say "I ask that this be made a part of my remarks," and the manuscript is turned over to the desk, and it is not read in the presence of the Senate, and that is just as much a part of the remarks as though it had been delivered. We have had a great many rules in this body. I believe Thomas Jefferson's rules forbade a Senator to read his own speech.

Mr. HOAR. It was not done until Isaac Hill, of New Hampshire, read a speech here.

Mr. MONEY. A great many have been read since I have been here.

Mr. HOAR. If the Senator will permit me one word—I do not think I ever did anything more reluctantly than interposing—but I think if this Senatorial rule is to be abrogated or changed it ought to be done by a full consideration of both sides of the Chamber. If our friends on the Democratic side think that that is on the whole a good doctrine to establish, and we agree with them, it ought then to be done, but I confess I have supposed that the old practice tended very much to preserve the dignity and authority of the Senate; that nothing was said here by a Senator which every other Senator had not the opportunity to listen to and to encounter if he saw fit. I think I ought to join with the Senator from Georgia in an objection.

Mr. MONEY. Very well. Mr. President, I understand that I could have avoided this difficulty by speaking for ten minutes and then asking leave to insert, as part of my remarks, certain manuscripts that I have. I should like to know whether that is true or not. I do not want to take up the time of the Senate after the expression of the other side yesterday afternoon.

The PRESIDENT pro tempore. Does the Senator address his inquiry to the Chair?

Mr. MONEY. Yes, sir.

The PRESIDENT pro tempore. The Chair has never known the license to go any further than this: When a Senator was making a speech and desired to introduce matter foreign to his own personal address it has been allowed. Documents which were referred to have been allowed to be printed as a part of the speech. In one or two cases the Chair remembers that memorial addresses which had been prepared, and by reason of sickness had not been delivered at the time, have been directed to be placed in the RECORD. The Chair is not informed that the Senate has ever gone any further than that in the direction of printing remarks which are not made in the Senate. Of course, the Chair makes no ruling in relation to it.

Mr. MONEY. Yes; I understand. I was asking for information which I knew the Chair could give.

Mr. TELLER. Mr. President, we have made a precedent at this session. I do not mean to say that it ought to control us by any means; but if anyone will look at the RECORD of February 14 last, he will find a speech which, I think, might have taken ten minutes. It commences on the first page of the RECORD, page 2281, and is concluded on page 2327—nearly 50 pages of the RECORD. That speech contains a large number of extracts from testimony and documents and some conclusions that are drawn from it, and undoubtedly it is not in accordance with the rule which has prevailed in the Senate heretofore. I only want to call attention to this speech because the Senator from Massachusetts [Mr. LODGE] thought it was composed of statistics. It was not entirely composed of statistics.

The PRESIDENT pro tempore. Will the Senator from Colorado allow the Chair simply to state, in relation to that speech, that the present Presiding Officer was not in the chair? The Senator from New Hampshire [Mr. GALLINGER] was in the chair, and he has already stated to the Senate that the request made was that the tables and matters quoted might be printed in the RECORD, as the Chair understood the Senator from New Hampshire this morning to state. That was the request which was granted in the printing of the speech.

Mr. TELLER. I wish to say that there is nothing in the speech which anybody would object to, and I did not mean to imply that such was the case. The speech is a proper one, had it been delivered; but it hardly comes within the description the Senator from Massachusetts makes, that it was simply statistics. It was a little more than that.

Mr. BERRY. If the Senator will permit me, I will say that the junior Senator from Massachusetts will find that in this document form the small-type matter commences on page 84 and the speech contains 111 pages. The Senator from Massachusetts will find that it was not made up of statistics. I simply want to make good what I said had been done.

Mr. MONEY. Mr. President, as I said, my intention was to speak, and the leave that I asked this morning was in accordance with what I understood from my friend the Senator from Kentucky [Mr. BLACKBURN] to be fixed on the other side of the Chamber, in order to avoid the consumption of time, which I was very loath to make in the present condition of the Senate, with the anxiety to adjourn, which I recognize.

I wish also to say that I have never read any speeches in this body yet. I never wrote any, and I disapprove as much as the Senator from Massachusetts the habit of writing speeches, although I can say to the honorable and scholarly and learned Senator that I know of very few great orators who have not written their speeches. Demosthenes wrote his thirteen times, the last time merely to secure a musical rhythm, before he was satisfied to deliver them to the democracy of Athens. Daniel Webster wrote all his speeches except those that were immediately called forth, as the one in reply to Hayne. Mr. Lamar wrote his speeches and rehearsed them to his friends, and he was an orator. I want to say that Marcus Tullius Cicero, who had some reputation some two thousand years ago, wrote nearly every single one of his, and even his famous invective against Catiline, as it comes to us, was an elaborated revision of his speech made in the Roman Senate. We have instances all through the country of men who wrote their speeches, and who have been the great orators of all times. I will except such men as William L. Yancey and S. S. Prentiss, of Mississippi, the two greatest orators, perhaps, as far as eloquence goes, that this country has ever produced, or probably any other.

So I have no objection to anybody writing his speeches, though I have never had the habit of writing my speeches and never asked consent to print tables, because I do not deal much in tables. I am not very much of a statistician, although I know their value. As Buckle says, they are the anatomy of history, and therefore the student of history must be somewhat acquainted with statistics. I ought to have said that I have not here, but I intend to place in my remarks some statistics from very great authorities that will tend to elucidate certain statements that I will make upon really what shall be the main subject of my speech.

The post-office at Indianola is a sort of curtain raiser for me. I intend to speak upon the race question mainly.

In the first place, there has been a good deal said here in debate, as far as I could get it, and I want to say that I have not had the time to have read to me any speech that has been made except the speech made by the Senator from Tennessee [Mr. CARMACK]. I have not had the time to have read to me the speech of the Senator from Wisconsin [Mr. SPOONER], which I have here, with the intention of quoting it, and the speech of the Senator from South Carolina [Mr. TILLMAN], and of my colleague [Mr. MCLAURIN].

I will also state in this connection that I have never received a single letter or telegram or message from the people of Indianola concerning this post-office. They knew that I was sick at the time and that I could not be troubled with business of any sort, and I was not permitted to have the RECORD read to me. Consequently I am about as ignorant as the average Senator is on this floor; I mean those Senators in whose States there is no such occurrence, and therefore no particular interest necessary on their part.

But I am going to call attention to some points of law that have been adduced here. In the first place, the Revised Statutes, in section 3864, provide that—

> The Postmaster-General may discontinue any post-office where the safety and security of the postal service and revenues are endangered from any cause whatever, or where the efficiency of the service requires such discontinuance, and he shall promptly certify such discontinuance to the Sixth Auditor. (June 8, 1872. R. S., sec. 3864.)

There is nothing said about the President; it is the Postmaster-General. Then section 3966 provides that—

> The Postmaster-General shall cause a mail to be carried from the nearest post-office on any established post-road to the court-house of any county in the United States which is without a mail.

It has been admitted, I understand, by the learned Senator from Wisconsin [Mr. SPOONER] that this law would prevent the President or the Postmaster-General, to whom the authority is given, from discontinuing a post-office at any court-house town. The claim was, however, that this was not an abolition but a temporary suspension, as I understood, of the office at this point and was not intended to be perpetual.

Now, Mr. President, with that admission on the part of the able lawyer the Senator from Wisconsin, I think it could be very safely said that if this was done because of the only reason the statute permits, that the postal service is endangered in its peace and security, or its revenue was endangered, the discontinuance of the post-office has been sufficiently long.

Mr. SPOONER. Will the Senator from Mississippi allow me?

The PRESIDING OFFICER (Mr. KEAN in the chair). Will the Senator from Mississippi yield to the Senator from Wisconsin?

Mr. MONEY. Certainly.

Mr. SPOONER. Will the Senator allow me to say simply a word?

Mr. MONEY. Certainly.

Mr. SPOONER. I had not gone through the statutes for the purpose of discovering whether there was any provision prohibiting the discontinuance of a post-office at a county town. I found in the papers a recommendation that the post-office be discontinued, and later a report that as it was a county town it could not be discontinued under the law. My contention was that the Senator from Mississippi, the Senator's colleague [Mr. MCLAURIN], was entirely inaccurate when he stated that the office had been discontinued.

Mr. CARMACK. Abolished.

Mr. SPOONER. It is the same thing as discontinuing it if you abolish it.

Mr. MONEY. No; I beg pardon.

Mr. SPOONER. Very well; abolished.

Mr. MONEY. Both words are used in the statute.

Mr. SPOONER. My proposition was that the office had not been abolished; that it was closed; that there was still a postmistress who was borne on the rolls of the Government as a postmistress, receiving her salary as a postmistress, ready to discharge her duties as postmistress; but that she was not permitted by the locality there to perform her functions, and therefore it was not the Administration which had discontinued or closed the post-office but the people of Indianola. That was my contention.

Mr. MONEY. I think, if the Senator will examine his speech, he admitted that it would be a violation of the statute if it was to be a permanent discontinuance.

Mr. SPOONER. I say, I admit that now, from what I have heard, and from what I read.

Mr. MONEY. That was all.

Mr. SPOONER. I stated in my speech that the President has not the power to abolish a post-office in a county town.

Mr. MONEY. Yes, sir; I understand that. I am only speaking of this one point.

The fact that there was a postmaster appointed at that particular town and living somewhere else certainly would not prevent the mail carrier from delivering the mail at a point which is a court-house town. Now, there is in this little town of about twelve or fifteen hundred people a court-house, and terms of the chancery and circuit courts are held there twice a year each. In those courts there is a necessity for records and copies and transcripts from the capital of the State, at Jackson, and other court-house records. There is the presence there of lawyers and witnesses and parties to suits. The inconvenience of being without a post-office ought to be considered along with the inconvenience of a postmaster who is elsewhere and drawing a salary, as is stated by my friend from Wisconsin.

Now, Mr. President, I want to ask you when was this statute passed that permits the Postmaster-General to discontinue a post-office? It was distinctly a war measure. It was passed in February, 1861, for the reason that every day it found an increase of territory to the Confederacy, and the mail of the United States was gradually withdrawn from the territory occupied or seceded by the United States to the Confederacy, and it was a necessity to enable the Postmaster-General to discontinue a post-office where the mail could not be delivered because it was in another country, a foreign country, an alien country, and a hostile country. That was the origin of this statute. It was intended to cover the exigencies of war, as far as they applied to the postal service of the United States. Then in 1872, in the revision, the statute was modified and simplified and reduced in volume so as to contain what we have to-day on the books, and which I read a moment ago, four or five lines.

Now, resting on that, I could say some things about the authority that is given and the natural rights that come in conflict with that authority. Then I go further and cite the statute which gives these court-houses a mail, not authorizing, as I understand, anybody to discontinue it for any reason whatever, because of the fact which I cited a few moments ago—of the sitting of the courts at the court-house town and the necessity for the prompt transmission of mails referring to suits brought before that court, either from neighboring counties or generally from the statehouse or capital of the State.

Now, Mr. President, this is the authority, and there is no other in the statute books granted to the Postmaster-General, and none whatever to the President. As I said, it was born of the exigencies of the civil war, when territory was lapsing from under the authority of the United States and being brought under the standard of the authority of the Confederate States. It was an absolute necessity. It was continued afterwards because it was found necessary in certain cases when the safety and security, using the language of the statute, was endangered to suspend permanently or temporarily the office. That is all granted.

Now, Mr. President, that sets up this state of affairs: An authority granted by Congress to a Postmaster-General, an executive officer, to do a certain thing, and, on the other hand, the inherent, natural, and constitutional right of a community of citizens of the United States, who are taxpayers and entitled to the benefit of the postal service, to have that postal service regularly, as is the custom in other places.

It is true that that natural and constitutional right can be overridden by the authority granted to the Postmaster-General. The question is, then, Upon what ground shall the judgment of the Postmaster-General be exercised in the performance of this duty? It will be exercised, I undertake to say, by a conscientious officer upon the condition of things of which he is perfectly informed, a condition of things that justifies him in believing that the safety of the service or of its revenues is endangered; and unless he can satisfy himself, without the shadow of a doubt, that that condition exists, then he ought to withhold the authority he has in deference to the natural and constitutional rights of a great community to their mail.

This thing has been brought up right now not only for the reason that I did not participate in the discussion, but by the fact that the President of the United States, or the Postmaster-General, acting under his direction, issued orders to carry this mail to a place some 30 miles beyond. There was a post-office—Heathman—within 4 miles of Indianola, at which the mail could easily have been delivered, being also on the same railroad, and the people could have availed themselves of the contiguity to supply themselves with their own mail, but the mail there went on to Greenville.

Then, in order to avoid the extreme inconvenience of going 30 miles for a letter, the people there addressed their correspondence from Heathman and asked that their letters be directed to Heathman, Miss. In spite of that direction, plainly written on the letters, the postal clerks insisted upon carrying some very important letters on to Greenville. Among others there was a very important letter to Mr. G. W. Faison, addressed to Faisonia, Miss., not to Greenville nor to Indianola. All the mail addressed to Heathman was brought to Greenville. The bank of Indianola, for instance, had an important letter addressed to Heathman, Miss., carried on to Greenville. The mail of Hon. D. M. Quinn, county superintendent of education, that he ordered addressed to Heathman was carried on to Greenville, and so was the mail of Mr. Faison and many others; and in addition to that some hundred more of letters containing checks from the pension agent were sent to Heathman that belonged to pensioners, colored men, living in the delivery of Indianola, and those letters come back here to the Dead-Letter Office, to be returned again to these pensioners, who, I suppose, were in great need of the money at the time it should have been received.

This I mention as illustrating not only the inconvenience, but the persistent obstinacy on the part of some branch of the Department in not making any effort to meet the requirements and necessities, in a peaceful and safe way, of the citizens of Indianola. When they order their letters addressed to Heathman they are carried to Greenville, in some instances, just as though they were addressed to Indianola.

Now, Mr. President, that is an unwarranted interference with the liberties and the rights of the people of Indianola.

Mr. CARMACK. Do I understand the Senator to say that letters addressed to Heathman are carried to Greenville?

Mr. MONEY. I say so, and important letters—letters for the superintendent of education, and the banks, leading merchants and lawyers, and others. I do not know whether a court has been in session in that town or not since that time, because I have not inquired.

Now, Mr. President, it is a very serious thing to interfere with the constitutional rights of a great community to receive their mail, which brings them into intercourse with every part of the United States and the world. And the people abroad were themselves as much interested, as is evidenced by the action taken by the leading newspapers of the country. Throughout the whole South there was not a single newspaper, I am informed by those who searched them for information, which approved this action, and I understand also that the leading newspapers in the East, especially the pictorial papers of the same politics with the Administration, were not slow to show their indignation and resentment of this, what I can not call the usurpation of authority, but a misuse of authority. The court-house town has been deprived of the mail when, as the law says, it shall not be, and so far the only excuse I know of has been that it is not permanent. But the statute does not say "permanent." It says the mail shall be delivered, and the mail has not been delivered. There is no question whatever about temporary or permanent in that relation.

Now, as to the occasion of the discontinuance of the post-office at Indianola, not considering the county-seat question at all, we have had what? Two meetings of citizens. It is presumed that under our Constitution the assemblage of citizens to consult about their affairs, whether they be political, business, social, or any other kind, is permitted. In fact, it is guaranteed to them as a part of an inalienable and inherent right on their part to peacefully assemble. But in the action of these two meetings of citizens, the last of which I am told was attended by almost every person living in the town of Indianola, there was an expression not in any set speech, not in any written resolution, but in the general talk, that this postmaster should resign. Whether that was moral duress, as is claimed, I believe, by the Senator from Wisconsin, is a question, but I am inclined to believe with him, I will frankly say, that it did contain a moral duress. It

had the desired effect in bringing from the postmaster a resignation, to take effect at a future day, which was sent to this meeting by the hand of a prominent lawyer of the place.

The postmaster resigned. The people were without their mail. This condition had gone on for three months. On Monday before last I visited the Postmaster-General, who was about to leave for Porto Rico. I was not aware of it, but I detained him long enough to get from him what was intended to be done. I informed him that I had no request to make and no proposition to make or receive; that I was not authorized to come there by anybody, but that I came upon my own motion and for my own guidance. He said he had no proposition to make, and I said, "I have no authority to receive it, nor have I any to make myself, but I should like to know what is it you purpose to do? What is the intention of the Administration in regard to that people?" His reply was that when this postmaster was permitted to return upon a satisfactory guaranty from the sheriff of the county and the mayor of the town that she would be permitted to exercise the functions of the office for sixty or perhaps ninety days, and then, with no disturbance whatever, if she saw fit of her free will to tender her resignation, he would consider it—not that he would accept it, but that he would consider it.

It seems to me that when I get that language from the officer instructed by the statutes, there is something more than simply protecting the safety of the revenues or of the service; that there is something punitive conveyed in that language, and also something vindictive. If it was intended to punish the people, in my opinion the punishment has gone far enough. The Department has shown to the world its authority. Nobody has disputed its authority. The disestablishment has gone on continuously. The people have resorted to various shifts until they have secured an arrangement which is very satisfactory to them, and so far as they are concerned I do not think they care a continental snap whether the office is restored or not; and as far as I am concerned it is nothing to me whether the court-house town shall have a mail as the law provides or not. I will leave the Administration to take the responsibility of depriving that court-house town of their mail in violation of statutes. I think I can stand it if it can.

Now, Mr. President, this is a country where all the power is supposed to spring from the people. Indeed, they are the source of power. We are here with two branches of Congress, the executive, and the judiciary, simply as a government which the people by their sovereign will have established for their own ruling. They have reserved certain rights, and those rights should be respected, and it seems to me that in the exercise of judgment, which is required by this statute, the Postmaster-General ought by all means to do everything he possibly can to heal the breach, and not continue stubborn and vindictive, as is shown in this instance.

A great English statesman once said that the very highest achievement of statesmanship was to make the people governed be in love with their government; and these are golden words of wisdom. This Department seems to have taken occasion of the incident at Indianola—which I do not say that I approve—to make the people of Mississippi hate the Administration. When the President—and I speak of him with all respect for him and for his high office—was brought into the Executive chair by the lamentable death of President McKinley, who was exceedingly popular in the South, there was a disposition to receive the new President, the young President, with great favor. I was asked, being a personal friend of the President for many years, what sort of a man he was, and I described him as one friend would another, as a manly man, a man of great courage, of restless energy and activity, with a desire always to be doing something. In other words, I thought he was going to make, as he told me he would, an American and not a sectional President. But, Mr. President, a change seems to have come over the spirit of his dream. He is not so much now an American President as he is the President of the black belt, extending immediately along the borders of the Northern States, containing enough black votes to hold the balance of power in several States.

It seems to me the President is exceedingly more anxious—and I am not going beyond legitimate animadversion in this case—but he seems to me in this instance to have gone very much farther to please the negro vote, which holds the balance of power in Illinois, Ohio, Pennsylvania—no, I will not say Pennsylvania, though there is a great negro vote there—but I will say New York, New Jersey, Delaware, West Virginia, and probably some other States. We do not consider him down South just now as the great American President.

It has been said also that this woman has been holding office for a good many years and that she had the best bond that could be had. That is true. But does it indicate anything of lawlessness in the people of Indianola that she has gone on for at least sixteen years, I believe somebody said, or twelve years, or something like that? Why, Mr. President, when that woman was appointed I went down to see her bond, because I was requested to do so by a leading lawyer of the place, to ascertain who gave the bond, because the people there did not believe it was a sufficient bond. I found on the bond the names of men I knew—the very best men in that part of the country. I found out afterwards that they went on this bond against the wishes of many of the people. I will say very frankly that they did not want a negro postmaster there; but they went on her bond to secure efficient service at that place, to preserve the post-office from disorder. It was the pressure of that bond made by two State senators, one now an ex-senator and one a senator at present, a leading banker, and a leading lawyer that has produced the administration of the post-office which has been paraded here with great pride as an evidence of capacity and efficiency on her part.

I want to say that I have no reflection whatever to make upon the postmaster at that place. She would no doubt have made a good administration with this pressure, but it is believed by the people there, it was believed before the bond was made, and I believe here now, that good administration would have been impossible but for the fact that she knew she would be thrown over by her bondsmen the moment there was disorder or irregularity in her office. If that same character of compulsion were used upon every postmaster, white as well as black, in this country, it would be very efficacious for the betterment of the postal service.

There have been negro postmasters throughout the South and there has been no trouble made on account of them. I have helped to confirm them right here. In fact I stand here to-day, having served several years in the Senate, and say that I have never yet moved or signified any willingness to vote against the nomination of anybody who has been presented here for any office in any State, whether they have been white or black, Republican or Democrat. I have made that record because, in the first place, I think the Administration knows its business, and, in the next place, if the President wants to make the Republican party odious in Mississippi I shall give him liberty, so far as I am concerned, of doing it. I want to say of all the appointments ever made in the State of Mississippi none has given so much general disgust as some of those made by this Administration.

Mr. President, it is true that there has been no disturbance, and I suppose it has disappointed some gentlemen that there have been no forays made upon post-offices and other offices held by black people down there; on the contrary, there has been nothing of the sort. Then they say, "Why this ebullition of passion at this particular point at this time, with a woman in office, administering the office satisfactorily; a woman of good character," as I understand some one has said, "of stainless character, as good as that of anybody else in the world." I will suppose that is so. Of course we are assuming it is so, and I have nothing to say against it.

Mr. President, one reason why this thing occurred was because of the fact—and I say it here boldly, without intending to give offense to the President or to anyone else—that the question of social equality of the negro with the white man has been raised by the President of the United States, and that the people of my section do not like.

It has been said by a political philosopher that when you lower the legal bar between two races living under the same government, immediately the social bar is raised. If there is anything on earth that God, I hope, will protect this country from, it is from the idea that there shall be, or ought to be, or ever can be possible any social equality between these two races.

Now, Mr. President, we are down there in point of contact with the great bulk of the Africans in the United States. The scattering few throughout the North are accorded no more privileges, nor half as many as are given to the negroes in the State of Mississippi. They can do any sort of mechanical or other work they please there. I know there are several lawyers and doctors who have not been disturbed, although one doctor was given notice to leave Indianola. I have never heard what the charge against him was, nor do I know whether there was any or not; but there was never any printed, and I never heard of his saying anything in his defense or in exculpation of himself. I only know that he was a doctor and that he had left the place upon notice that his absence was more desirable than his company. Another one left because, I understand, in this post-office he grossly insulted a young lady working in a store. It is said the negro was talking unnecessarily loud and in an offensive way. But whatever may be said to the praise of the Indianola post-office and its conduct, it has been said to me by people who have been there that it had become a loafing place for the crap shooting darkies of the town who congregated around there and discussed in pretty loud language all sorts of subjects, to the displeasure and the keeping away from the office of ladies and children.

Mr. SPOONER. If the Senator will allow me a moment——

Mr. MONEY. Certainly.

Mr. SPOONER. It has not been said before that the lady

insulted by the colored man was at the post-office, but that she was a white woman who was a clerk in a store. It did not take place in the post-office. The man was a porter in the store in which this woman was a clerk, and it has been said that he made a very insulting proposition.

Mr. MONEY. I will take the Senator's statement as to that.

Mr. SPOONER. But it has not been said that anything of that kind occurred in the post-office.

Mr. MONEY. Then I will stand corrected on that. I think certainly the Senator will not think so poorly of me as to imagine that I would willingly misstate a fact.

Mr. SPOONER. I knew the Senator would not.

Mr. MONEY. I simply state what I heard. Of course the Senator has looked into these matters fully and is perhaps better informed about them than I am, and I will make the correction in the print.

Mr. CARMACK. I think the Senator from Wisconsin is right about it.

Mr. SPOONER. I was indorsed by the Senator's colleague, who did not contend for any such thing. I believe the Senator from Mississippi would not want to put on record here an inaccurate statement.

Mr. MONEY. Certainly not.

Mr. CARMACK. As I have just said, the Senator from Wisconsin is right about that point.

Mr. SPOONER. When I can have the indorsement of the Senator from Tennessee [Mr. CARMACK] on a question of this kind, I am very much pleased.

Mr. MONEY. It is disagreeable to me to talk about the race question. It is a question I have thoroughly studied. I was born on a cotton plantation; I was nursed in the arms of an old black mammy, and I got the milk that nourished me from her breast. She died on my plantation years afterwards; she had a three days' funeral, and every negro for many miles up and down the river was there. I have naturally the very kindest feeling for those who come in contact with me as my servants; but, nevertheless, there is a race prejudice, and I thank God that there is, for it is more valuable to this country as a whole, it is more conservative for the preservation of free institutions in America than the best principles that you can show on that side of the Chamber.

De Tocqueville, perhaps the keenest inquirer into government that we have known, and second, perhaps, only to Thomas Jefferson as a political philosopher, said that the future of America was troubled by the presence of black men; that they could not commingle with the whites, and consequently there would be a war of extirpation. Thomas Jefferson, thirty years before that, said that there was nothing more certain written in the book of fate than that the blacks would be free, and that they could not live in the same territory with the whites in equality, political or any other sort. That sentiment was repeated by Mr. Lincoln in the great debates between him and Mr. Douglas. It is no new thing here, and it has been no new thing elsewhere until a very recent date.

Mr. President, the Booker Washington incident is hardly worthy to be mentioned here at all, except simply as expressing the sentiment of the President of the United States as an official; and what he does is construed as official, no matter how personal the act may be. When he did that which touched the public sentiment it set everything agog in Mississippi, and it went all over the United States, and was construed as an official recognition of the social equality of the black with the white man.

When I am speaking to-day I want you to understand, Senators, that I do not speak of classes. There is no such thing down there as a difference of classes; there is no such thing as a difference of caste; it is a difference of race; and that race prejudice exists not only in the South, but greatly in the North, and in every country on this planet in which an inferior and a superior race are mingled together under the same government, obeying the same law.

I defy you to find a single exception to this remark. When Wilberforce, Clarkson, and their colaborers had secured the emancipation of the slaves in the West Indies in the English colony there, those ex-slaves were inducted into the privileges of citizenship, as they were here, and the history of that time states that every negro wanted to be a country squire, a justice of the peace, so that he could try cases; and they put on airs to such an extent that at last it produced that celebrated revolt of Gordon, the mulatto, the hero of Cherry Hill, and Governor Eyre had to put it down with a good hard hand; in fact, he killed so many of them that he was himself recalled from his high office, because Exeter Hall and the philanthropic gentlemen associated with it did not like to do anything practical, but wanted government conducted under theories which were impossible.

How is it in India? In the number of tribes of people of the different regions in India there is there a great branch of the Aryan family, the Indo-Germanic; and yet the English people resident in India—which has a population of 280,000,000, of every shade of color, from the pale Sikhs and Goorkhas of the hills down to almost black Mahrattas and the people of Deccan in the peninsula leading down to Ceylon, and they are almost as black as negroes through there—and in that whole country no Englishman, or any other white man, ever speaks of an Indian except as a "nigger." Take the American troops out in the Philippines. Some of them are from the South, but most of them are from the North, because you have got a greater population in the North; but the Army is pretty well distributed. They are a brown people, who are at antipodes with Africa; they have no communication with it, and yet the white people there composing the American element, to express their contempt for the Malay, who is a brown man, call him a "nigger." You can go to any country in the world where two peoples of an inferior and a superior race are mingled together, and the superior has always called the inferior a nigger. Well, "nigger" just simply means "black"—"negro," Spanish for "black;" that is what it means—black. They are not black, but still the word "nigger" goes beyond "negro." It is used everywhere to embrace the negroes and every other inferior race of people who are denominated by the epithet that encircles the globe.

I mention this fact, Senators, to show you that the prejudice of the people of the South against social equality with the negro is not a local matter, but that it is a universal and world-wide sentiment.

Mr. FORAKER. Would the Senator object to me asking him a question? Of course, I do not like to interrupt the Senator.

Mr. MONEY. It does not make any difference. I yield to the Senator.

Mr. FORAKER. I certainly do not want to protract the Senator's speech under the circumstances, yet I should like to ask him a question.

Mr. MONEY. I shall be glad to hear it.

Mr. FORAKER. I understand the Senator to say that the opposition which has developed in this case is but typical of the opposition throughout the South, and that it is all based on the fear of social equality; that the people of the South are opposed to social equality of the two races.

Mr. MONEY. Not entirely.

Mr. FORAKER. What I want to know—and I ask the question in good faith simply for information—is whether or not this opposition to this alleged social equality involves opposition to all kinds of political office holding by colored people in the South?

Mr. MONEY. The Senator did not exactly understand me; but I will answer him by saying that there is in the South—and there is no use of making concealment about it, and I am not accustomed to making concealments—there is in the South nowhere a willingness to have the black man participate in the government of the white people. I hope that is plain.

Mr. FORAKER. I asked for information.

Mr. MONEY. And you have got it.

Mr. FORAKER. I understand the Senator to be contending that allowing a colored man to hold a post-office anywhere in the country is to take a step in the direction of social equality, and therefore there is opposition to any kind of officeholding on the part of colored people anywhere in the United States, but particularly in the South, where this situation is more acute than it is elsewhere because of the greater colored population. I ask the Senator if that same opposition based on alleged social equality obtains as against the enlistment of colored men to serve in our Army?

Mr. MONEY. I do not know that I ever heard any objection to a negro enlisting in the Army, but there would be objection to his serving as an officer.

I want to say that the Senator did not exactly understand me. I did not say that the objection to the negro holding office arose entirely out of dislike for him or the fear of social equality, but it arose from a race prejudice. The social equality which has been manifested here lately and exemplified here lately in high places has brought out this race prejudice to a point where, while in the South they had been tolerating negro postmasters, they have now got to that point where they do not want to do so any longer. I do not mean to say that there is going to be an attack upon any postmaster anywhere, nor should I approve of any such thing. I am speaking now philosophically about something I want the Senate to understand, and I do not want to quibble about it.

Mr. FORAKER. If the Senator will pardon me for a moment longer—I have interrupted him because I know the frankness, candor, and sincerity of the Senator from Mississippi, and I have great respect for those qualities. I do not ask him the question in any controversial sense, but only in order to get the benefit of his opinion on this subject. At another time I shall perhaps address the Senate on the general proposition, but I want now only

to understand the Senator, and I want to understand whether or not he claims that to allow colored people to hold office leads to social equality, to which they are all opposed, and if so, whether or not that same opposition obtains when it comes to the utilization of colored men in other respects in the administration of the Government, and particularly when we allow them to become enlisted and organized into companies and regiments to serve the country and defend the Constitution and laws and institutions of the country. I understand the Senator to say he does not object to their serving as soldiers, but does object to them acting as officers and their holding civil office.

Mr. MONEY. I do not know what the Senator understands. I have endeavored to make myself plain. I will repeat that there is a race prejudice in the South against sharing the responsibilities of government with an inferior race, which is here not by their own will. That objection has existed without any violence, so far as I know. There may have been violence occasionally elsewhere, but none in my State. I believe there was in Mississippi at one time, not any violence, but some action which caused a change in the appointment of a postmaster without any such trouble as we are having now. But I do not say that that was the result of this feeling, but that other things which I have mentioned brought it about. You may say it was setting out under a hothouse a sudden growth of this feeling that was manifested by the people of Indianola.

I will say to the Senator from Ohio, that, so far as I am individually concerned, I would not have any black man or any inferior man, Chinese or Filipino, or anybody else to share in the responsibilities of self-government as we understand it in America; and I can give a reason for that which I think will address itself to the intelligence of my friend, even if I am unhappy enough not to have his assent.

I will say further, that individually I did and do object to any negro being in the Army of the United States. I think, in other words, Mr. President, that this is a white man's country and a white man's government. It was established by white men for white men. It was carved out of the wilderness and conquered from the Indians not for the African, but for the white man.

But in the course of time slaves were brought over here, instigated by the benevolence of one of the best men that ever lived, the priest Las Casas, who advised their use as slaves, not for any gain, but through that benevolence that saw a race perishing like snow beneath the summer's sun, for 6,000,000 Indians perished in the first twenty-five years of Spanish dominion. Then, to mitigate their horrors, he urged the introduction of slaves, who could stand the climate and perform the work that was required. Then America began to receive in small installments her proportion of these negro slaves.

The South made heroic efforts to prevent their importation. South Carolina laid a tax of £50 for every head brought in. Virginia laid a tax of £75 on the importation of each slave; both these statutes were annulled by order of King George. The traffic did not stop, because the people of New England found profit in the passage across the main, between decks, 18 inches apart, of a mass of suffering humanity, sweltering and dying, entirely neglected, and pushed overboard sometimes in mid sea; and sometimes a cargo of crops was brought into Southern ports. So vast was the profit that the great city of Newport, in Rhode Island, engaged very largely in that nefarious traffic. It was not nefarious then, and I am not abusing those people, because at that time the crowned heads of Europe had stock in almost every slave ship that sailed from the coast of Africa.

Queen Elizabeth owned stock in a slave company, and the Spanish and Portuguese kings were especially engaged in the business. History tells us that a gentleman by the name of James D'Wolf was the captain of a slave ship or four successive "slave ships that were owned," to use the language—I am quoting it literally—"by the merchants who were the leading men commercially and socially of Newport." I recollect the language because it was peculiar to me. If that had been written by a Southern man he would have said "men who were leading socially and commercially," but there it was "commercially and socially," and that makes a considerable difference.

Mr. D'Wolf then pursued the occupation of a privateersman and got enormously rich. When the Constitution limited the introduction of slaves to 1808, in the last two years of that time D'Wolf brought into the port of Charleston 10 ships loaded with slaves, every ship and every slave owned by himself. Was he condemned? Not at all. His fellow-citizens even elected him to the United States Senate, and he sat here until he resigned, because, he said, the business of the Senate was not congenial to his tastes and habits.

I do not care anything about that. I am not trying to scold the people or abuse the people about that; but I want to say, as was said by a great man, that if slavery had been profitable in the North it would have been there to this day, but it was not, and it went to the South and was abolished. As to that prejudice, I know gentlemen who left college when a negro was introduced into the college, because of their prejudice against association with a colored youth in the same classes.

Mr. FORAKER. Mr. President, I have remained standing in order that I might ask the Senator another question, if I do not interrupt him too much. I want to say, by way of apology for interrupting him, that I regard this question with great solicitude, and I am anxious to have the benefit of the sincere statement of the Senator from Mississippi. I want to ask him what, in the event of his denial of the right of the colored people to hold office in this country, becomes of their constitutional right to hold office as citizens of the United States?

Mr. MONEY. Yes, sir; I understand that.

Mr. FORAKER. For they have such a constitutional right, and the Supreme Court has so held.

Mr. MONEY. There is no doubt about that.

Mr. FORAKER. Reconstruction was based upon the conference of that right, and I want to know whether the Senator goes to the extent of disregarding and wiping out—for that is what it amounts to—that constitutional right, a right that belongs to every citizen, to the colored man as well as the white man?

Mr. MONEY. Is the Senator done?

Mr. FORAKER. Yes; and I beg the Senator's pardon.

Mr. MONEY. It is not necessary at all. I always yield to the Senator from Ohio with great pleasure.

Mr. SPOONER. Mr. President——

Mr. FORAKER. The Senator from Mississippi is just going to answer my question.

Mr. SPOONER. I beg pardon.

Mr. MONEY. I will go if necessary into a repetition of what I have said if anybody does not understand me.

Mr. FORAKER. If the Senator will allow me——

Mr. MONEY. And that is this: As I have said once, and will repeat again for the benefit of the Senator from Ohio, there is a sentiment in the South, in which I fully share, that if the black man participates in the government of this country, which is a white man's country and ordered by white men, I think it is dangerous to the country, and therefore I object. It is written in the Constitution—whether it is constitutionally written there or not is a matter of doubt—and I deny that it was ever put there constitutionally, for I know, as other Senators do, that certain States in the South were dragooned into voting for those amendments; they acted under duress and they were told plainly by Congress then sitting and by the President of the United States that the circumstances of their renewal of Federal relations depended upon how they voted upon those amendments. I know also that the vote of Indiana was not fairly given for it, although it was certified by a gentleman afterwards a Democrat and governor of the State and minister abroad. I am talking about Mr. Isaac P. Gray, president pro tempore of the Indiana senate, who certified here that the amendment had passed the Indiana State senate by the requisite two-thirds vote, when as a matter of fact known to everybody two-thirds of the senate were not in the city of Indianapolis at that time.

Mr. FORAKER. The Senator makes me desirous of asking him another question, and that is, whether or not there is any serious disposition to attack the validity of the constitutional amendments, to overturn or disregard them by reason of the facts, if they are such, he is now stating.

Mr. MONEY. I wish the Senator would take note of what I say, because he continually anticipates what I am going to say.

Mr. FORAKER. I can not take note of anything until the Senator does say it.

Mr. MONEY. I think I will say enough to satisfy the Senator from Ohio, and if I shall not have done so and he wants me to say something a little more outrageous, according to his views, he can ask me and I will tell him.

Mr. FORAKER. I do not want the Senator to say anything except only what I know he will say, the absolute truth, according to his point of view, with respect to the question under consideration, and I am directing his attention to certain matters only to get information. I want to know whether this right of citizenship under the Constitution is to be disregarded? Whether the Senator's answer shall be outrageous is for him to determine.

Mr. MONEY. These questions, of course, are not impertinent, by any means, but they prolong the debate, and, as I said, I was getting along to the very question the Senator suggests, and am only anticipated by the Senator asking these questions.

Now, I do not want the Senator to understand for one thing that I favor any action that is violent or in violation of the Constitution or law of the United States. I profess to be a law-abiding citizen, and I think the people I represent, who are as gallant and law-abiding a people as I know of, are also willing to be law-abiding. But I want to say what a great philosopher once said—it was Alexander Hamilton, the great chief whom you are

following: "How unequal are parchment provisions to struggle with public necessity?" The public necessity seems to have arisen in this country, and it is just exactly like the Constitution in that respect, or like the laws to which my learned and scholarly friend the Senator from Massachusetts [Mr. HOAR], once called my attention, still on the English statute books, obsolete, not carried out, but not repealed.

Mr. SPOONER. Will the Senator permit me for a moment?

Mr. MONEY. Certainly.

Mr. SPOONER. I participated in the debate on the Indianola case with the Senator's colleague, who made later an additional speech, and the Senator from South Carolina [Mr. TILLMAN] also spoke. I prepared myself and desired to reply to them, but as they are both absent I can not do it and shall not do it. I realize perfectly the propriety of the speech which the Senator from Mississippi is making. He is from that State, and it is perfectly natural that he should desire to be heard on the subject.

I should like to ask him a question. I think I realize something of the difficulties and complications of this whole question. You can not reason with prejudice, whether it is race prejudice or any other sort of prejudice. But the Senator says, speaking as I understand him for the South, that they are not willing that the colored man—and he states the proposition generally—shall participate in any way in the government of the white people of the South.

There is the citizenship of the United States and the citizenship of the State, the one contradistinguished from the other, as held by the Supreme Court of the United States in the Slaughter-house cases. There is a State standpoint and a Federal standpoint. So far as the States are concerned and their local government and all that, I do not know that anyone is challenging their right, from their standpoint, to say who shall or shall not exercise the franchise and participate in local government. But does the Senator mean to be understood as saying from the Federal standpoint that it is the demand of the South that no one of the 9,000,000 colored people of the United States, largely of course in the South, just as much citizens of the United States as I am, shall be permitted, no matter how thoroughly educated, how honorable, how courteous, and how fit in every way, to hold a Federal office in the South?

Mr. MONEY. Is that the end of the question?

Mr. SPOONER. That is the end of the question.

Mr. MONEY. I do not understand that the people of Mississippi, or elsewhere in the South, are acting either as citizens of Mississippi or as citizens of the United States when they arise and protest against these appointments of colored people.

Mr. SPOONER. Is it——

Mr. MONEY. I will go further. I am not through.

Mr. SPOONER. Is it the demand of the South—for I recognize the Senator's representative character, and his ability and frankness and manliness—is it really the demand of the South that the President of the United States shall in no case appoint a colored man to a Federal office in the South?

Mr. MONEY. I will say this in reply, that while there is no demand made and no authority for it, that is the feeling, as I understand it of the South, whatever the qualifications of any colored man may be, and I do not deny or wish to disparage in any respect the colored men who have attained eminence in professions, in scholarship, and in oratory, for which they are particularly adapted on account of their emotional natures. I do not want to disparage them at all. What I want to say is that there is a general purpose beyond that, and that is that the free institutions which our forefathers, in their wisdom and in their valor, cemented with their blood and consecrated with their tears and handed down to us shall, without diminution, untarnished in their luster or unimpaired in their efficiency, be preserved to coming generations.

I say, speaking for the South, if I may assume that position, that we honestly believe, and the whole proof of history from the earliest annals of mankind shows, that that race is utterly incompetent for self-government. We say that is demonstrated by all the experiments that history has afforded—the lamentable failures, the wrecks of nations along the shores of time, of republics that have lost their freedom and who loved it better than we do, that made greater sacrifices for the state than we will ever make, that made maxims we could never frame, for they could not crystallize from the sentiment of American citizens, intent for the dollar, saturated and supersaturated with the commercial spirit. We have lost sight of sentiment and of everything but money.

You speak about the excellence and the qualifications of an individual; I am speaking of a race. It is only as a race that I speak of them, and as a race they are incompetent for the duties of citizenship. I do not deny what one man may do, but I say as a race they are incapable. Now, with our own weakness in carrying out this system of self-government—and we have lived only one hundred and twenty-five years in national history and it is still an experiment and, in my opinion, I am sorry to say, an experiment that threatens to fail—we are now to introduce into the body politic—I mean into the legislative and executive and judicial power of a great people—an absolutely inferior and acknowledged incapable people.

Mr. President, if every colored man in the South 21 years of age had been graduated from the finest university in Europe or America he would not be fit for the obligations or duties of American citizenship. It is not in the strain of blood. Look at Africa, the oldest country in the world, according to geology. There never has been the exhibition of a power, a sustained purpose and energy, and a civic and public spirit sufficient to establish there any government other than the strong arm and the heavy club.

Mr. SPOONER. I do not intend to reply to the Senator or to take any time at this session of Congress in discussing this question. Of course nobody has proposed that the offices of this country shall be given to any one race, and it will not do for the Senator to say that he is opposed to distributing these offices throughout the South among the colored race. That was not my question. But the Senator has said that no matter what the qualifications of a black man may be, no matter how learned, no matter how eloquent, no matter how honest, no matter how patriotic, no matter how fit in every way he may be to discharge the duties of an important office——

Mr. MONEY. The Senator does not want to make a speech in my time.

Mr. SPOONER. No; I do not want to make a speech.

Mr. MONEY. That is what you are about to do, and a very good one.

Mr. SPOONER. No; although I know it is a good one.

Mr. MONEY. But it is the wrong place.

Mr. SPOONER. That he shall not be, with the consent of the people of the South, appointed to an office. What would the Senator think of a President of the United States, of any party, who would agree to that proposition, who would agree to deprive citizens of the United States of the privileges and immunities which, under the Constitution of the United States, they possess? It is said here by the Supreme Court that the citizen of the United States——

Mr. MONEY. Now, Mr. President——

Mr. SPOONER. Only a moment.

Mr. MONEY. I protest against the Senator making a speech and reading authorities. I have not yet cited that case.

Mr. SPOONER. You can comment on it after I have cited it.

Mr. MONEY. I prefer that you should comment and I will cite. Let me furnish the text and you the commentaries and we will labor together in that way.

Mr. SPOONER. I will not interrupt the Senator again.

The Supreme Court has said:

> It is said to be the right of the citizen of this great country, protected by implied guaranties of its Constitution, "to come to the seat of government to assert any claim he may have upon that Government, to transact any business he may have with it, to seek its protection, to share its offices, to engage in administering its functions."

I want to say here now that, notwithstanding whatever prejudice may exist in any part of the country, a President of the United States who would yield to the demand of any section that the rights of citizenship of the United States should be surrendered would show himself unfit to hold the office and quite willing to violate his oath as President.

Mr. MONEY. Now, Mr. President, just as I said, the Senator did not ask me a question, but he interjected a speech into mine

Mr. CULLOM. Mr. President, I do not rise for the purpose of making a speech, but to make a statement, if the Senator will allow me. I do not want to interfere with his speech, but I want to say——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Mississippi yield to the Senator from Illinois?

Mr. MONEY. Certainly.

Mr. CULLOM. I wish to say that the impression prevailed yesterday that the special session might be closed to-day, and many Senators expected to go home this evening. I appeal to the Senator from Mississippi and to all other Senators to be as brief as possible, so that we can get at the executive work and not disappoint more Senators than is necessary. I simply throw this out as a suggestion, and do so with embarrassment, because I know the Senator from Mississippi desires to go on.

Mr. MONEY. Mr. President, I was disinclined to take the time of the Senate at all, but if I am to be interrupted by speeches made by other Senators I can not be responsible for the lateness of adjournment.

Mr. FORAKER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. MONEY. Oh, yes. I am going to yield all the time and to everybody.

Mr. FORAKER. I rise to the defense of the Senator from Mississippi. The Senator from Mississippi is making a most remarkable speech. It is the most remarkable speech that has been made in this body since I became a member of it, measured by its far-reaching consequences, if what he says is to be seriously insisted upon. And while I do not want to protract the speech, I think the Senator ought to be allowed to conclude it, and that those of us who will have no opportunity to reply ought to be allowed, without any evidence of impatience, now and then to ask a question. I want to ask only one more question and then I will quit.

Mr. MONEY. I will indulge the Senator as long as he pleases.

Mr. FORAKER. Will the Senator from Mississippi allow me? I do not want to incur his impatience or ill will.

Mr. MONEY. I am not impatient and have no ill will.

Mr. FORAKER. I understood him to say that the feeling in the South is that the colored people ought to be decitizenized so far as officeholding is concerned. I want to know whether he thinks they should also be decitizenized as to voting, and if so, whether he thinks they ought or ought not to be taken into account in fixing the basis of representation in the National House of Congress?

Mr. MONEY. So far as that is concerned, as Rudyard Kipling frequently says, "That is another story." I am not in favor of violating the law, I will say to the Senator. But if he asks me about disfranchising the colored voter, I will say to him that the Southern States, at least some of them, my State taking the lead, as it always does in matters of reform, especially judicial reform, have disfranchised some, not because they are negroes, you understand, but because they could not read or write or could not understand what was read to them or who did not pay a tax. As a matter of fact, the understanding clause, which was to soften and modify the illiteracy clause, has never been operative; but the tax clause has worked to a charm, and the result is we have very few negro voters in Mississippi, it being not understandable by the negro mind that $2 paid at one time of the year is a good investment to secure the right of voting at another time. He might pay it, but not so far in advance. There is no complaint, and the Supreme Court has said it is all right.

Mr. FORAKER. In asking that question I had no reference to what had been done in any State. I was speaking of what I understood the Senator to say is the feelng in the South, that the negroes should not be allowed to hold office. I want to know if the feeling is also that they should not be allowed to vote, and if that be the case, as I understand it to be——

Mr. MONEY. Very well.

Mr. FORAKER. Whether they ought to be represented here——

Mr. MONEY. I will certainly answer the Senator——

Mr. FORAKER. The way they are.

Mr. MONEY. When he permits me. I will say that I believe the feeling in the South generally is that the clause in the Constitution that made the negro a voter was a tremendous mistake, and I also firmly believe that there are a vast number of people in the North who hold to the same belief. I was told by a distinguished gentleman, lately a Senator of this body, a Republican, a Northern man, who gave all he could to carry on the war to preserve the integrity of the Union and to reduce the seceding States, as he called them, that if he had known that the negro would have been made a voter in consequence he would not have given a penny, and he said, "To-day I would rather see the Confederacy come to itself and take its negroes with it than to have a negro voter in the United States."

I want to say also to the Senator from Ohio that when these amendments were submitted by Congress to the States, such men as Roscoe Conkling stood up in this body and declared that perhaps the negro suffrage would do for the rebellious States, but that the people of the sovereign State of New York would never tolerate it there.

I want to say to him that Mr. Oliver P. Morton, the great governor of Indiana, the war governor, and afterwards a distinguished member of this body, said in his seat here, in opposition to conferring suffrage on the black men, to free whom he had contributed as much as any other man in the United States, that if it was done, it was a compliment paid to the institution of slavery which had been denied to it by every opponent of it up to that date.

Mr. STEWART. I suppose——

Mr. MONEY. There stands the originator of the thirteenth amendment of the Constitution, and the trouble he has had on account of it has caused him to become gray.

Mr. STEWART. I suppose the Senator from Mississippi wants to be accurate as a matter of history?

Mr. MONEY. Certainly.

Mr. STEWART. Roscoe Conkling was one of the conference committee who reported the fifteenth amendment as it passed.

Mr. MONEY. I am not saying what was done in conference committee. I speak of the speech delivered here, which can be read by the Senator from Nevada or anybody else. I can quote any number of people who said the same thing.

Mr. Garfield, from the State of the Senator of Ohio, a distinguished member of the House for a great many years, afterwards elected to the Senate, but before he could take the oath as Senator was elected President of the United States, and was then slain by the hand of an assassin, made a speech in the other House in which he spoke of those amendments of the Constitution which the South were compelled to take as punitive, and he made use of this expression, that the State of Florida, because she had rejected a clause which had been sent to her, had blindly rushed upon her ruin, and let her take it. That is found in the RECORD also.

Now, I could go through Mr. Stevens's speeches, a great leader of the House.

Mr. FORAKER. The Senator refers to Mr. Garfield's speech. I wish to ask the Senator whether he means to be understood as saying that Mr. Garfield was opposed to the fourteenth amendment?

Mr. MONEY. No; on the contrary, Mr. Garfield was the most vindictive member of that body. He wanted even the homes of the South to be confiscated and given to the negroes.

Mr. FORAKER. Why did the Senator quote from Mr. Garfield, then?

Mr. MONEY. I was showing that Mr. Garfield was vindictive in his feeling toward the South, and imposed this as a punishment, which argues in my mind that he did not consider it a thing that ought to be done for any other reason whatever. In that way I used the expression.

Mr. FORAKER. Mr. President——

Mr. MONEY. I want to say to the Senator that these are recollections of mine, that I have not read these things in a long time, but I am sure I am not mistaken, and I invite any Senator who has a doubt about their correctness to look up the speeches.

Mr. CARMACK. I do not know whether or not the Senator from Mississippi referred to it, but I will simply call his attention to the fact that the Republican platform of 1868 declared in favor, substantially, of enforcing negro suffrage in the Southern States while leaving to the States not in the secession movement, or north of the Mason and Dixon line, the loyal States, as they were called, the right to make their own laws regulating it.

Mr. MONEY. I recollect it very well, though I am much obliged to the Senator for calling my attention to it.

Mr. CARMACK. The argument that prevailed, and which persuaded the Northern States to accept the fourteenth and fifteenth amendments, was that the negroes would remain in the South; that they would not go to the Northern States, and consequently those States would not suffer any trouble on that account.

Mr. MONEY. Yes; I understand.

Mr. CARMACK. In spite of that, I think there were several Northern States that rejected these amendments, and I think the State of Ohio did.

Mr. MONEY. The State of New York did once. One of them took it back.

Mr. FORAKER. Mr. President——

Mr. MONEY. Now, if I can go on——

Mr. FORAKER. May I ask the Senator another question?

Mr. MONEY. Yes, sir; I will yield, of course.

Mr. FORAKER. I want the Senator to allow me to remind him that by the fourteenth amendment the whole subject of suffrage is left with each State.

Mr. MONEY. I understand.

Mr. FORAKER. Therefore, the State of Mississippi could allow colored people to vote or deny them the right to vote as that State might see fit. Does it not seem to the Senator, in the light of subsequent experience, as well as in the light of the then existing circumstances, that that was a pretty fair proposition as a settlement on this point of a great war such as we had just passed through?

Mr. MONEY. I will say that the whole Constitution originally left it with the States. The United States Government never pretended at any time in its history to say what the qualifications of the electors of a State legislature should be, and they elected the Senators of the United States, or what should be the qualifications of the electors in any State whatever. It is old. It did not come in on the fourteenth amendment. It is in the original draft of the Constitution. It never has been out of it for a moment. And the people of Mississippi have exercised the privilege, as he has stated, with satisfactory results, and I am not complaining nor is anybody else complaining, except the politicians who belong to the Republican party. I do not find that the colored men as a mass care a snap about the vote or anything else except their daily bread.

Now, I said that this race prejudice will forever prevent the Southern people from assenting to the giving of offices to a black

man or a black woman in their midst. They may not protest, but the feeling is there, and that feeling, as I said a while ago, has been aroused to extreme activity recently because of the exhibitions of social equality with white people in the Executive Mansion—I may as well state—and at some other places besides.

Now, the people understand that. The poor people of the country—in your country, in the North—are to-day more resentful at the proximity of the negro than are the people in the South. You can not get your unions to admit negroes to work with their members. A line of draymen will fall out if a negro comes in. A line of hackmen will fall out if a negro will come. Where are the negro paperhangers or blacksmiths or horseshoers? Where is the coal mine where the negro can work except surrounded by bayonets, especially in the State of Illinois, as is suggested to me by my friend the Senator from Tennessee [Mr. BATE]? In the South the black man can work at anything he chooses, not only without any let or hindrance, but to the satisfaction of everybody. They work our mines and white people work in mines with them. They work upon our houses. They are brick masons; they are everything; they are artisans of every sort and character. They are the porters in hotels and about the railroads, and all that sort of thing, and so far as I know nobody in the South has ever yet objected to a negro working. They may object to his voting; they may object to his holding office, but I have never yet heard of them killing a negro for wanting to work. It has happened in Illinois and in Pennsylvania, I believe but lately, and probably in some other State, about which I do not recollect.

Mr. President, it is these late attempts to put upon the public mind the fact that the negro and the whites are social equals which have excited the present ebullition, you may say, of resentment and the temper of the South which has been latent all the time. There is no use to disavow it. We do not believe in it and we have said so, although we never have, as a general thing, made any objection to negro officeholders down there.

Now, Mr. President, Senators on the other side of the Chamber may not anticipate any danger from the close contact of the two races in a social way. How much the idea of social equality is despised in the South is manifested by a common saying, that when a white man does not think he is socially any better than the negro he is not half so good. That is a common saying down there. That is harsh to some Northern ears and to some people who do not know anything about negroes, and who probably do know one or two good negroes. I know plenty of them whom I like.

That is the way the people of the South feel. I say a wise Executive, whether he has the authority or not, will take into account the feeling and sentiment of the people when he is establishing an office or appointing an officer, and especially ought he not to forget that a post-office, established and maintained by taxation, is for the benefit of the people to whom the mail is served and not for the benefit of the postmaster whom he may choose to place over it. There would be no post-office there if there were nothing but a postmaster and his salary to be considered. There is a nice judgment to be exercised there, and it ought to be the intent and purpose and desire of the Executive of this country not to provoke the disapproval of any section of it, especially by the imposition of an authority that comes in opposition to their known deep-rooted sentiments.

Mr. President, I suppose there are very few Senators on the other side of the Chamber, and not many on my side, who have taken the trouble to investigate the question of equality in civic or social life between the two races in the South. I have studied it for a great many years, and I once began a book on it and half finished it. I had to discontinue it, and the manuscript is gone. I do not know where it is.

I want to call your attention to the fact that the negro in the South is in his habitat. According to a medical phrase, it is a good cult for him to propagate and multiply exceedingly. He now fills the whole of the West Indies. It will astonish you, perhaps, when I say that the West Indies are to-day more African than Africa. White people were there once—the Spaniard and the Dane, the Frenchman and the Portuguese and the English. The English and the Spanish especially are tenacious of territory. Who ever heard of England giving up a rock on a barren islet in the sea? Yet to-day these magnificent portions of the globe, fitted for the habitation, happiness, and prosperity of untold millions of people, are the home of the negro race.

I hope it will not be considered out of relation if I give just a few figures. These are not the latest data, however, because I could not get them. The Bahamas have 11,003 whites and 32,521 blacks. There is a great white population there on account of its near neighborhood to the United States, and a great many are citizens of the United States.

Barbados has a population of 195,000. No whites are given, from the fact that there are none there. Barbados is probably the most fertile spot on earth. It is one of those islands of inexhaustible fertility, where there is not the waste of a single acre. There are no mountains, no morasses, and no swamps. It is one general table-land, filled with every tropical fruit, and they yield with abundance. It was cultivated to the last square foot when it was in slavery, and now there are a few plantations owned by people who live in the borderland between Scotland and England or in Scotland, and they hire a few factors who represent their interests there. The balance has lapsed into the Sudan. It has gone into the center of Africa. A hammock, a cigarette, and a banana constitute the wants of the average man in Barbados, and it is the most densely populated country in the world.

Jamaica was once said to be the finest island in the world, and we have all read the splendid novel of Marryatt which gives a picturesque description of life in Jamaica in the old time of slavery. Jamaica has 14,692 whites and 610,579 blacks.

Where are the whites gone? In 1832, I believe, probably in 1838, when the riot occurred, after emancipation of the slaves, the island was invested with what the British people call "responsible" government; that is, a government with a legislature of their own, chosen by themselves. They surrendered it because they said it was impossible to maintain public order with the blacks voting with the whites. The Crown took back the grant and it became one of the Crown colonies.

The Imperial Government proposed responsible government for Natal, a magnificent country in South Africa. These people met and in convention said, "If the Kaffirs vote we do not want independence, because we know what would be the result if we shared with them the sovereignty."

And I want to say that Great Britain, the greatest colonizing country on this earth, holding more territory and more people, and with greater variety and number of tribes and peoples, have never yet shared the responsibilities of government with one of them, except with the Maoris, and they did not do that except for certain turbulence that gave great trouble and the fact that the Maoris were fast vanishing from the face of the earth and they expect soon to get rid of them. In no other country has it been shared, except by the Latin races. It is a peculiar history of colonization that the French people and the Spanish people readily intermingle with the inferior races. But the Germanic people, of whose blood we are, refuse that, and in all the colonization of the world, whether in Asia, Africa, or America, by England or Germany, we do not have the miscegenation which can be found when French and Spaniards become conquerors and colonizers.

Now, take the Leeward Islands. In Barbuda and Redonda, Virgin Islands, Dominica, St. Kitts, Anguilla, and Montserrat the total whites were 5,070 and the blacks were 122,653. The white people here are general storekeepers and factors for planters who live in Great Britain or elsewhere.

The Danish West India Islands, which we were about to purchase, had about two to thirty-two. I have not the figures here, but I know what that is.

In Martinique—that is the island recently devastated by Mount Pelee—the population in 1895 was 187,692, of which only 1,307 were born in France. A statement of races is not given. I interrogated the American consul, Mr. Bailey, at Port au Prince, and he told me that only 3 per cent of the people of Martinique claimed to be white, and the same would apply to Guadeloupe, which is another French island. All the others are black.

Now, suppose, Senators, that we tolerated this thing in the South. That country is just as favorable as the West Indies in some particulars, and they have the protection of the Government and it sees that they are not molested by any other tribe or people. How long will it take the negro to absorb the Southern States? It is a fecund race. Would not the white man gradually edge away from him by degrees and get out and go North, so that we would have a black and a white section of the country?

Does anybody desire that sort of a thing? Does anybody desire to weaken the capacity for self-government, which is tried to its utmost to-day? With no war cloud over us, with no war banner flung to the breeze, with no suspicion of danger from any quarter, yet to-day the United States is in greater danger than it ever has been from without. We are straining to be strenuous. We are getting into the condition of the Roman Empire when it lost its public virtue and had a nominal republic and a real Cæsar. It has not been long ago since the sovereign of France said, "I am the State." How long will it be before we will have a President who will think, whatever you may say, he is the State? And then an arbitrary will must be set up against the rights, inalienable and inherent and constitutional, of a great section of the country.

Now, the Senator asked me whether I deny the President the right to appoint this negro. I say no. I say that everybody is familiar with the law read by the Senator from Wisconsin. I do not suppose there is a man here who did not know of that law before he read it. But the question is about the exercise of the power. The question is, Will the Senator from Wisconsin recommend a negro from Wisconsin to an important place, and does

the President appoint and do you Senators recommend the appointment of black people in your State to places of profit and honor? That is not the case. It is just as Roscoe Conkling said here. The negro is good enough for the South, but the North does not want him and will not stand him.

You will stand him as a voter as long as he holds the balance of power between you and the Democratic party and casts his ballot in your favor, and my impression is that if he changes his mind about that you will be just about as anxious to deprive him of the ballot as anybody else is; for I notice in all the contentions from the foundation of the Government to this day, beginning four years after the organization of this country under the Constitution, the contest has been for political power, and there can not be found a trace of benevolence in any transactions between the North and the South. The question has always been who can get the power. The greatest statesmen in New England stood up in the Senate and said the acquisition of territory in the South would send two more men here, and that it was a violation of the Constitution; that it was a compact agreed upon to have an equilibrium of power, and it would be a just cause of secession. They said it here. It is a matter of record. It can not be denied.

Now, gentlemen, whatever you deem necessary for your good you have it. When the Pacific coast Senators come here and tell the Southern Senators, "We need your assistance to prevent our coast from being inundated with an inferior race, that will underwork and underlive our people," we use our votes for your good. We will go with you. We will not examine into the question; we do not want to have any debate about it; but we will permit you to do as you please with your own section of the country.

I say there is as much difference between the Chinaman and the negro, in point of intelligence, as between the white man and the Chinaman. I suppose there is more, because for five or six thousand years the Chinese have preserved and maintained a civilization when the negroes were in the depths of barbarism.

Mr. MALLORY. I should like to ask the Senator a question which I think is pertinent. In the opinion of the Senator from Mississippi, does he think that the people of Mississippi would object to the appointment of negroes to office in the State of Ohio or in the State of Wisconsin, should the people of that State so desire?

Mr. MONEY. I do not think the people in mass meeting would file a formal objection with the department to the appointment, but I believe they would think very poor judgment was being exercised by the appointing power. They do not believe there that he ought to come into participation of the Government.

Now, we are doing something more here than legislating for the present. We are laying down lines of policy that must extend into the future, if this Republic is to have government. Whether it is to have a future or not is exceedingly problematical. What form of government we may have or how many governments we may have is a question that is in the womb of the future. Already seven States, as I understand it, through their legislatures, have called for a convention of States. For what? To make a new Constitution. That means that this one is simply to be laid aside, and, as far as I know, instead of the Government that we are familiar with, we may have a council of States, an imperator, or any other contrivance that may suit the temper of the majority of that convention. Who can predicate an opinion? We witness the rapid transmission of thought and of sentiment that heretofore demanded that we should not only respect, but that we should promote, maintain, and defend, as is said in one of these treaties we have just passed, the sovereignty of our sister Republic.

Mr. LODGE. I do not mean to detain the Senate more than a moment, but as the Senator referred to appointments in Northern States I think it is only right I should say that a colored man has been recently appointed assistant district attorney of the United States in Massachusetts—a very important position.

Mr. MONEY. I heard of that—of that one in the whole North.

Mr. LODGE. Nobody in my State, so far as I am aware, made the slightest objection to it or thought that their social position was endangered or impaired by his being appointed.

Mr. MONEY. Oh, I do not think the appointment entered in the social question.

Mr. LODGE. I merely called attention to the fact that one important appointment had been made.

Mr. MONEY. I recollect that it was done, but it was supposed in my part of the country that it was done because of the excitement over such appointments in the South, and we had some doubts whether he would have been appointed if attention had not been brought to the subject.

Mr. SPOONER. Will the Senator allow me?

Mr. MONEY. In one moment—I should like to finish my sentence. I will say to the Senator from Massachusetts that, so far as the social part of the question is concerned, I do not understand that the appointment of a negro to office has anything to do with social equality.

Mr. SPOONER. It does not. You do not have to invite a man to dinner.

Mr. MONEY. Not at all; or drink with him or sleep with him or do anything else with him.

Mr. SPOONER. It is all nonsense to suppose so. But there has been an assistant State's attorney in Chicago, and a very able one.

Mr. MONEY. I have known able men among them.

Mr. SPOONER. He has won from the courts and everybody there commendation for his ability.

Mr. MONEY. I will say to the Senator that I am perfectly acquainted with some very able colored men, and some I like very much. I served in the House of Representatives with a very able colored man, now a paymaster in the Army. We had here two Senators, respectable men—not gifted, but who conducted themselves with propriety. As I said in the beginning, it will not do for you to argue this upon the individual. I am arguing it upon the race. It is not an individual question.

Mr. SPOONER. That is what I complain of. To those who develop ability, honor, a sense of responsibility, and possession of gifts I want to give a chance without regard to the race.

Mr. MONEY. I understand your position, I think. I do not agree with the Senator about that. Of course the President can do this thing. By the law he is able to do it. Caligula appointed his horse a Roman consul, as far as that is concerned, and I never heard that anybody grumbled about that particularly, whatever they may have thought. Some sharp satirist wrote about it, but I never heard that the Roman Empire made any particular kick on that horse being a Roman consul. We can appoint anybody we please, under the law, who is a citizen of the United States; and I say there are men of some attainments among them which would justify an appointment. But what I am talking about is the good of the whole, and whether it is wise to do it when there is an intense feeling that is totally ineradicable, and instead of weakening strengthens with occasions that give it food against the holding of office by the colored people, against the sharing in the responsibility of the Government with people whom all history everywhere has shown to be totally incompetent for the task. In other words, the question is whether we shall voluntarily handicap ourselves—whether we shall take the burden upon our backs. That is the question. It is not what shall be done to the negro, but what shall be done to the white people of the country.

That is the question for us to consider. There are 8,000,000 colored people. There are 72,000,000 white people here. Yet all this row is made about promoting the colored race—giving them an opportunity—opening the door of hope and aspiration, I believe the President said, for him. When we do that we open the door to a few who have risen from the dead monotony of incapacity in their race to get the honors and place, and trouble must be thrown over the whole land like a net and sections wrought up, at least mine, to pitches of impatience and indignation and resentment which they ought not to be forced into by the act of the President.

The President should consider the conditions of the South when he comes to make these appointments. There are plenty of white people there of his party just as good as any negro he ever appointed. Why did he not take one of them? I do not undertake to say that the President is limited in power. I am speaking of his judgment. I am speaking of the Administration that professedly was American—professedly no North, no South, East, nor West, and yet does everything that that Administration must know is most obnoxious and repugnant to one section of this Union.

Now, Senators, it is impossible for any man who was reared north of Mason and Dixon's line to know anything at all about the negro. Unless you have been born in the South, been reared with him and have studied him, you do not know him. Whenever in any country the negro has floated, as he is to-day floating, upon the tide of white enlightenment, and that tide has suddenly ebbed and left him in possession of the country, he has been left stranded and helpless and has gone steadily downward—facilis descensus Averni—reverting back to his original type of savagery and barbarism. I challenge any Senator on the other side to show me a case in contradiction of this statement.

The island of Haiti is one of the finest in the world, more fertile soil, beautiful streams, verdure-clad mountains, coffee growing all through the island, sugar cane raised—everything of that sort. The French had it. They spent millions of money in improving it; had the finest quays and docks in the world; had the finest plantations, the finest sugar refineries. They reticulated the whole island with the old Roman paved roads, and then when the fury of equality, fraternity, and liberty seized the French people they voluntarily released the slaves. Napoleon came into power, saw the unfitness of the negro for self-government, and sent an army under Leclerc with 30,000 men to bring them back to subjection.

I have seen books written in praise of Toussaint, comparing

him with the greatest captain of any age in the world; and yet it was the fever that conquered the French troops; it was the fever that decimated the ranks of Leclerc. Fever drove them from the island; and when they had gained possession of the island, with the advantage high civilization in Europe or elsewhere had given them, with the Christian religion, with every power of civilization in their hands, left to themselves, what did they do? In a few years the negroes said they did not want any mulattoes, and they killed them off; and they have had nothing but revolution after revolution. A man who rises to power and kills all of his antagonists is a man who is considered a strong man. The only holiday ever instituted in that island for the people has been in honor of Dessalines, the murderer and assassin of thousands of his fellow-negroes; and nobody said anything about Toussaint l'Ouverture, who seemed to be the ideal creature of a great many writers of Northern books.

What is the island now? It has gone back to barbarism worse than the Sudan. From the public records of the United States, from the sacred and secular newspapers of the island, from the reports of ministers, and consuls, and others to their Governments, we know they have gone back to snake worship, Obeah worship, and to cannibalism, and one case is too horrible to mention. I will not mention it.

Now, that is the opportunity which they have. A great English historian, Froude, could not believe the fact that there had been such a degeneracy, with such opportunities, and the man made an investigation of the condition of that island, and then of all the West Indies, presuming that perhaps the French civilization and the Roman Catholic religion was not as conservative and free an institution as the Protestant religion under English civilization. When he had investigated these matters he said of the negro in the West Indies that he is like "the beast of the field, who sinned without shame because he knew not the law," when speaking of the social vice. It was Emerson, I believe, who said that the negro of the time of Plato is the negro of to-day.

As I said, it is not a pleasant thing to mention these things, but some reason must be given why the Southern people stand solid against the rule of the negroes in white communities or in their participation in government. The Republican party has the power to impose them upon us. We have no power to resist. We do hold and we have held free public meetings to express our dissent, our disapprobation, and sometimes the language has not been conservative or proper for a drawing-room, but it expresses the intense emotion and feeling of a gallant people who are keenly sensitive because they think that they are in a state of apology, which they have, however, failed to make yet, toward the Northern and triumphant part of this Union.

Mr. President, at the outset I said the judgment of the Postmaster-General, in charge of this authority of depriving a community of great privileges, should be exercised with great nicety. It should be founded upon the most accurate and circumstantial evidence. The occasion demands the exercise of that power. Now, I do not know anything except what appears in this little pamphlet of letters published by the authority of the House. I do understand, however, that my colleague, in the discharge of his duty, went to see the Postmaster-General and asked him to let him see certain letters which were fundamentally concerned in this matter, and the Postmaster-General declined to let him see them.

Whether he has shown them to anyone else I do not know, but the Postmaster-General read him some scraps and passages here and there from one letter, and from those scraps and other matters I have had come to me I have a theory about all this trouble over there. It is that it was not begun with the intention of creating any disturbance whatever; that it was begun with the idea that the public meeting, apprising this woman of their wishes, would lead to her resignation without any further trouble, and that it was begun at first by a lot of people who wanted the post-office themselves. It is not very creditable to them, but I think it quite likely that it had its origin in a gentleman to whom the patronage on this question has been generally remanded in Mississippi. That gentleman made appointments of postmasters throughout the State. I was informed, as was my colleague, by the President himself that all the patronage was referred to him. Consequently I have never made an effort since January a year ago to have any voice whatever in the patronage of Mississippi.

I knew I was entitled to nothing there in opposition, and I have no requests to ask, no favors whatever. I especially requested the President, however, that in case I indorsed any applicant for place as to character and capacity, accompanied by no request whatever, the indorsement I sent to him should not be subjected to the review or revision of his general referee, because I did not care to have that gentleman to supervise anything that I had or any recommendation that I made.

Now, I do not know that there is any intention of depriving the people of Indianola of a post-office, and I do not believe the people of Indianola ever expect to make a single demand for a post-office. But I know that the proposition of the Postmaster-General has a false predicate. I know he is relying, as he told me, upon a safe guaranty, or a satisfactory guaranty, from the sheriff and the mayor, the two peace officers present, that this woman would be protected. He had no right to demand any such security. They had no right to respond favorably to such a demand. They are simply peace officers. Their business is to enforce the law, to arrest trespassers and lawbreakers and to bring them to justice, and they have the right to-day, so far as that is concerned, to keep the peace everywhere, not with reference to any particular persons.

Chief Justice Marshall said that the United States did not need any instrumentality whatever except that given by the Constitution to carry out her law anywhere and enforce obedience in any State of this Union. Where was the marshal of that district? At Indianola trying to work up testimony in disregard of the wishes of the people of that town, insisting that the President shall not let go this woman, but that he shall "stand by Minnie." The Federal court was in session in three hours' run of the town, and the marshal, leaving the court, was at that place. Was there any arrest made? Has there ever been a single charge made against a single person that they had broken the law in any respect whatever? Not one. There has been no charge, no indictment by information, no trial anywhere, no mention of a single name in the courts of the country, to carry out the Federal law. Nothing has been done. Why does not the present Postmaster-General use the instrumentality of the Constitution to enforce his regulations and orders to protect his officers? Why did he not order his marshal to carry his posse there if there was danger? What right has he got to call upon the officers of the State of Mississippi to carry out the Federal laws there? He has none whatever.

The State officers at Indianola have the right to disregard the demand made upon them by the Postmaster-General. They have got a right to say to him "we are responsible to the State; we will arrest lawbreakers; show us one of them;" but they have not shown a single one. No man has pointed out a single citizen of Indianola who has violated any law whatever, unless it be an offense that people shall assemble together and express a wish—I do not care how violently it may be expressed so long as they do not proceed to any threat or to any act of violence—and it does not make any difference, so far as that is concerned, whether they meet to petition or whether they meet for an interchange of opinions to devise the remedy they themselves think necessary. They concluded there, I will not say with how much wisdom, that the best thing to do was to ask this postmaster to resign, and it occurred to them afterwards, I presume, that they had better go to the Postmaster-General or to the President with that request, and they did it.

Mr. President, I do not think I shall detain the Senate longer, not that I have finished with this subject by any means, because I have a great deal more to say upon this race question, and I will take occasion to say it next winter when we are in regular session. I know the impatience of my friend from Illinois [Mr. CULLOM], and I recognize his good nature generally, so I am going to yield the floor for a motion for an executive session.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five hours and thirty-five minutes spent in executive session the doors were reopened.

PETITIONS.

Mr. FORAKER presented a petition of the Chamber of Commerce of Ponce, P. R., praying that an appropriation be made for the construction of a pier at that place; which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the Chamber of Commerce of Ponce, P. R., praying that a duty of one-half cent per pound be levied on all coffees imported into the United States; which was referred to the Committee on Pacific Islands and Porto Rico.

INTERSTATE COMMERCE CIRCUIT COURTS.

On motion of Mr. ELKINS, it was

Ordered, That 500 copies of S. 3805, Fifty-second Congress, second session, "creating circuit courts of interstate commerce, and for other purposes," be printed for the use of the Senate document room.

HOUR OF MEETING.

Mr. CULLOM. I move that when the Senate adjourns to-day it adjourn to meet at 11 o'clock to-morrow.

The motion was agreed to.

Mr. CULLOM. I move that the Senate do now adjourn.

The motion was agreed to; and (at 6 o'clock and 52 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 19, 1903, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 18, 1903.

ASSISTANT TREASURER AT NEW YORK.

Hamilton Fish, of New York, to be assistant treasurer of the United States at New York, N. Y., in place of Conrad N. Jordan, deceased.

RECEIVER OF PUBLIC MONEYS.

Asa B. Thomson, of Oregon, to be receiver of public moneys at La Grande, Oreg., vice Samuel O. Swackhamer, term expired.

REGISTER OF LAND OFFICE.

J. Ernest Breda, of Louisiana, to be register of the land office at Natchitoches, La., his term having expired. (Reappointment.)

APPOINTMENTS IN THE ARMY.

SIGNAL CORPS.

Capt. Benjamin F. Montgomery, Signal Corps, to be chief of the telegraph and cipher bureau of the Executive Office, with the rank of major, March 18, 1903.

QUARTERMASTER'S DEPARTMENT.

To be Quartermaster-General with the rank of brigadier-general.

Col. Charles F. Humphrey, assistant quartermaster-general, for a period of four years, vice Ludington, appointed major-general, United States Army.

PROMOTIONS IN THE ARMY.

Signal Corps.

Capt. Frank Greene, Signal Corps, to be major, March 2, 1903, vice Thompson, promoted.

Capt. Samuel Reber, Signal Corps, to be major, March 2, 1903, to fill an original vacancy.

Capt. George O. Squier, Signal Corps, to be major, March 2, 1903, to fill an original vacancy.

PROMOTIONS IN THE NAVY.

Passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant-commander from the 3d day of March, 1903.

Joseph A. Guthrie.
Charles M. De Valin.
Charles P. Bagg.
Carl De W. Brownell.
Henry D. Wilson.
Lewis Morris.
John M. Moore.
Edward M. Shipp.
Charles E. Riggs.
James F. Leys.
Frank C. Cook.
Ammen Farenholt.
Charles P. Kindleberger.
Arthur W. Dunbar.
Theodore W. Richards.
Reginald K. Smith.
Moulton K. Johnson.
William M. Wheeler.
Middleton S. Elliott.
Frank L. Pleadwell.
Dudley N. Carpenter.
Daniel H. Morgan.
James C. Pryor.
Washington B. Grove.
Raymond Spear.
Harold H. Haas.
William H. Bucher.
Edgar Thompson.
Elon O. Huntington.
John B. Dennis.

Passed assistant surgeon to be surgeon.

P. A. Surg. Ralph T. Orvis, to be a surgeon in the Navy from the 12th day of March, 1903 (subject to the examinations required by law), vice Surg. Frederick A. Hesler, deceased.

POSTMASTERS.

DELAWARE.

William P. Carter, to be postmaster at Lewes, in the county of Sussex and State of Delaware, in place of William P. Carter. Incumbent's commission expired July 8, 1902.

Thomas Jefferson, to be postmaster at Smyrna, in the county of Kent and State of Delaware, in place of Thomas B. Megear. Incumbent's commission expired January 10, 1902.

IDAHO.

Thalia L. Owen, to be postmaster at Genesee, in the county of Latah and State of Idaho, in place of John J. Owen. Incumbent's commission expired January 17, 1903.

MARYLAND.

William Pearre, to be postmaster at Cumberland, in the county of Allegany and State of Maryland, in place of John H. Holzshu. Incumbent's commission expired February 28, 1903.

MINNESOTA.

John Crawford, to be postmaster at Lakefield, in the county of Jackson and State of Minnesota, in place of John Crawford. Incumbent's commission expired January 19, 1903.

NEVADA.

Charles F. Littrell, to be postmaster at Austin, in the county of Lander and State of Nevada, in place of Leopold Steiner. Incumbent's commission expired December 21, 1902.

NEW JERSEY.

Fred B. Appleget, to be postmaster at Hightstown, in the county of Mercer and State of New Jersey, in place of Washington I. Norton, removed.

NEW MEXICO.

Louis Garcia, to be postmaster at Springer, in the county of Colfax and Territory of New Mexico, in place of James Corry, resigned.

NORTH DAKOTA.

George K. McEwan, to be postmaster at Park River, in the county of Walsh and State of North Dakota, in place of George K. McEwan. Incumbent's commission expired March 31, 1902.

OREGON.

John R. Casey, to be postmaster at Ashland, in the county of Jackson and State of Oregon, in place of George Engle. Incumbent's commission expired January 14, 1902.

John G. Eckman, to be postmaster at McMinnville, in the county of Yamhill and State of Oregon, in place of James McCain. Incumbent's commission expired March 16, 1902.

James L. Page, to be postmaster at Eugene, in the county of Lane and State of Oregon, in place of Herbert F. McCornack. Incumbent's commission expired January 13, 1903.

Thomas P. Randall, to be postmaster at Oregon City, in the county of Clackamas and State of Oregon, in place of Thomas B. Randall, to correct name.

Samuel S. Train, to be postmaster at Albany, in the county of Linn and State of Oregon, in place of Samuel S. Train. Incumbent's commission expired December 15, 1902.

PENNSYLVANIA.

Christian T. Clymer, to be postmaster at Quakertown, in the county of Bucks and State of Pennsylvania, in place of Charles F. Strawn. Incumbent's commission expired March 3, 1903.

C. Edwin Michael, to be postmaster at Nazareth, in the county of Northampton and State of Pennsylvania, in place of C. Edwin Michael. Incumbent's commission expired March 3, 1903.

SOUTH CAROLINA.

Landrum Padgett, to be postmaster at Pelzer, in the county of Anderson and State of South Carolina, in place of Landrum Padgett. Incumbent's commission expired May 6, 1900.

WITHDRAWAL.

Executive nomination withdrawn March 18, 1903.

William Plinley, to be assistant treasurer of the United States at New York, N. Y.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 18, 1903.

ASSISTANT TREASURER AT NEW YORK.

Hamilton Fish, of New York, to be assistant treasurer of the United States at New York, N. Y.

CONSUL-GENERAL.

Thomas Willing Peters, of the District of Columbia, now consul at Plauen, to be consul-general of the United States at St. Gall, Switzerland, to take effect April 30, 1903.

CONSUL.

Hugo Muench, of Missouri, now consul at Zittau, to be consul of the United States at Plauen, Germany, to take effect April 30, 1903.

PROMOTIONS IN THE ARMY.

Col. Charles F. Humphrey, assistant quartermaster-general, to be Quartermaster-General with rank of brigadier-general, for a period of four years.

Signal Corps.

TO BE MAJORS.

Capt. Benjamin F. Montgomery.
Capt. Frank Greene.
Capt. Samuel Raber.
Capt. George O. Squier.

Infantry Arm.

Second Lieut. Charles S. Frank, Twenty-first Infantry, to be first lieutenant, January 27, 1903, vice Wheeler, Twenty-second Infantry, promoted.

Second Lieut. Fred Bury, First Infantry, to be first lieutenant, January 28, 1903, vice Carroll, First Infantry, drowned at sea.

ASSAYER.

Llewellyn P. Jenkins, of South Dakota, to be assayer in charge of the United States assay office at Deadwood, S. Dak.

MARSHAL.

William R. Flinn, of Delaware, to be United States marshal for the district of Delaware.

RECEIVERS OF PUBLIC MONEYS.

Alexander Meggett, of Wisconsin, to be receiver of public moneys at Eau Claire, Wis.

Asa B. Thompson, to be receiver of public moneys at Legrande, Oreg.

ASSISTANT APPRAISERS OF MERCHANDISE.

Amos M. Knapp, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

George Robinson, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

REGISTER OF THE LAND OFFICE.

J. Ernest Breda, to be register of the land office at Natchitoches, La.

PROMOTIONS IN THE NAVY.

Asst. Surg. Barton L. Wright, to be a passed assistant surgeon in the Navy, from the 13th day of May, 1902.

Asst. Surg. Joseph A. Murphy, to be a passed assistant surgeon in the Navy, from the 3d day of January, 1903.

Asst. Surg. John T. Kennedy, to be a passed assistant surgeon in the Navy, from the 15th day of January, 1903.

Asst. Surg. Karl Ohnesorg, to be a passed assistant surgeon in the Navy, from the 27th day of January, 1903.

Lieut. Lewis J. Clark, to be a lieutenant-commander in the Navy, from the 10th day of January, 1903.

Lieut. Theodore G. Dewey, to be a lieutenant-commander in the Navy, from the 10th day of February, 1903.

P. A. Surg. Ralph T. Orvis, to be a surgeon in the Navy.

Surgeons to have the rank of lieutenant-commander, from the 3d day of March, 1903.

Victor C. B. Means.
Frederick J. B. Cordeiro.
Francis W. F. Wieber.
Oliver D. Norton.
Frederick A. Hesler.
Isaac W. Kite.
Andrew R. Wentworth.
Corbin J. Decker.
Thomas A. Berryhill.
Eugene P. Stone.
George Pickrell.
Rand P. Crandall.
Hatton N. T. Harris.
John F. Urie.
Albert M. D. McCormick.
Will F. Arnold.
George B. Wilson.
Charles F. Stokes.
Edward R. Stitt.
Manley F. Gates.
Charles H. T. Lowndes.
George H. Barber.
George Rothganger.
George T. Smith.
George A. Lung.
Luther L. Von Wedekind.
Edward S. Bogert, jr.
Leckinski W. Spratling.
Robert M. Kennedy.
Norman J. Blackwood.
William C. Braisted.
Sheldon G. Evans.
Adrian R. Alfred.
John E. Page.
Middleton S. Guest.

Passed assistant surgeons to be surgeons in the Navy, from the 3d day of March, 1903.

Joseph A. Guthrie.
Charles M. De Valin.
Charles P. Bagg.
Carl De W. Brownell.
Henry D. Wilson.
Lewis Morris.
John M. Moore.
Edward M. Shipp.
Charles E. Riggs.
James F. Leys.
Frank C. Cook.
Ammen Farenholt.
Charles P. Kindleberger.
Arthur W. Dunbar.
Theodore W. Richards.
Reginald K. Smith.
Moulton K. Johnson.
William M. Wheeler.
Middleton S. Elliott.
Frank L. Pleadwell.
Dudley N. Carpenter.
Daniel H. Morgan.
James C. Pryor.
Washington B. Grove.
Raymond Spear.
Harold H. Haas.
William H. Bucher.
Edgar Thompson.
Elon O. Huntington.
John B. Dennis.

Passed assistant surgeons in the Navy to have the rank of lieutenant, from the 3d day of March, 1903.

Ralph T. Orvis.
David B. Kerr.
Eugene J. Grow.
Alfred G. Grunwell.
Cary D. Langhorne.
Joseph C. Thompson.
Frederick L. Benton.
Will M. Garton.
Frank E. McCullough.
Francis M. Furlong.
Granville L. Angeny.
William H. Bell.
Holton C. Curl.
William L. Bell.
Richmond C. Holcomb.
Edward G. Parker.
Barton L. Wright.
Ralph W. Plummer.
Henry E. Odell.
James S. Taylor.
Joseph A. Murphy.
John T. Kennedy.
Karl Ohnesorg.

Lieutenants to be lieutenant-commanders in the Navy, from the 3d day of March, 1903.

Hugh Rodman.
John A. Hoogewerff.
Edward E. Capehart.
Henry B. Wilson.
Gustav Kaemmerling.
Kenneth McAlpine.
Clarence H. Mathews.

Lieutenants (junior grade) to be lieutenants.

Lieut. (Junior Grade) Thomas T. Craven, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieut. (Junior Grade) Charles L. Poor, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieut. (Junior Grade) Daniel W. Wurtsbaugh, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieut. (Junior Grade) Ralph Earle, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieut. (Junior Grade) Gatewood S. Lincoln, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieut. (Junior Grade) Edward T. Fitzgerald, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieut. (Junior Grade) Ivan C. Wettengel, to be a lieutenant in the Navy, from the 3d day of March, 1903 (subject to the examinations required by law).

Lieutenants (junior grade) to be lieutenants in the Navy, from the 3d day of March, 1903.

Charles M. Tozer.
Wat T. Cluverius.
Duncan M. Wood.
Leigh C. Palmer.
Albert W. Marshall.
Thomas A. Kearney.
Arthur McArthur, jr.
Charles E. Gilpin.
Frank E. Ridgely.
Dudley W. Knox.
Charles P. Burt.
Mark St. C. Ellis.

Paymasters to be pay inspectors in the Navy, from the 3d day of March, 1903.

George W. Simpson.
Harry R. Sullivan.

Passed assistant paymasters to be paymasters in the Navy, from the 3d day of March, 1903.

George P. Dyer.
Robert H. Woods.
Robert H. Orr.
William A. Merritt.
Franklin W. Hart.
Harrison L. Robins.
Webb V. H. Rose.
William H. Doherty.
Charles Morris, jr.
Frederick K. Perkins.
George C. Schafer.
Theodore J. Arms.
George R. Venable.
Howard P. Ash.
Hugh R. Insley.
George M. Stackhouse.
Grey Skipwith.
Trevor W. Leutze.
McGill R. Goldsborough.
David V. Chadwick.
Eugene C. Tobey.
Arthur H. Cathcart.
Jonathan Brooks.
Eugene F. Hall.
Dexter Tiffany, jr.
Franklin P. Sackett.
David M. Addison.
William T. Wallace.
Victor S. Jackson.
John R. Sanford.

Assistant paymasters to be paymasters in the Navy, from the 3d day of March, 1903.

Herbert E. Stevens.
Charles R. O'Leary.
Charles W. Eliason.
Cuthbert J. Cleborne.
Philip W. Delano.
John D. Robnett.
Stewart Rhodes.
George W. Pigman, jr.

Assistant paymasters to be passed assistant paymasters.

Assistant Paymaster Perry G. Kennard, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster George W. Reeves, jr., to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Walter T. Camp, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Ray Spear, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Christian J. Peoples, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster William B. Rogers, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Thomas D. Harris, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster John F. Hatch, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Frederick G. Pyne, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Frederick B. Colby, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Edward E. Goodhue, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster William R. Bowne, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Rishworth Nicholson, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster John D. Barber, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Edward T. Hoopes, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Walter A. Greer, to be a passed assistant paymaster in the Navy, from March 3, 1903.

Assistant Paymaster Cecil S. Baker, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Gustavus R. Madden, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Donald W. Nesbit, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Arthur M. Pippin, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster John S. Higgins, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Ignatius T. Hagner, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster George P. Auld, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster James S. Beecher, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Henry A. Wise, jr., to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Henry de F. Mel, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster John A. B. Smith, jr., to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Felix R. Holt, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Emmett C. Gudger, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

Assistant Paymaster Stewart E. Barber, to be a passed assistant paymaster in the Navy, from the 3d day of March, 1903.

PROMOTIONS IN THE MARINE CORPS.

Maj. Charles H. Lauchheimer, to be assistant adjutant and inspector in the United States Marine Corps, with the rank of lieutenant-colonel, from the 3d day of March, 1903.

Maj. Thomas C. Prince, to be assistant quartermaster in the United States Marine Corps, with the rank of lieutenant-colonel, from the 3d day of March, 1903.

Maj. George Richards, to be assistant paymaster in the United States Marine Corps, with the rank of lieutenant-colonel, from the 3d day of March, 1903.

Capt. Cyrus S. Radford, to be assistant quartermaster in the United States Marine Corps, with the rank of major, from the 3d day of March, 1903.

Lieut. Col. Mancil C. Goodrell, United States Marine Corps, to be a colonel in the Marine Corps, from the 3d day of March, 1903.

Lieut. Col. George F. Elliott, United States Marine Corps, an additional number in his grade, to be a colonel in the Marine Corps, from the 3d day of March, 1903.

Maj. William P. Biddle, United States Marine Corps, to be a lieutenant-colonel in the Marine Corps, from the 3d day of March, 1903.

Maj. Littleton W. T. Waller, United States Marine Corps, to be a lieutenant-colonel in the Marine Corps, from the 3d day of March, 1903.

Capt. James E. Mahoney, Unites States Marine Corps, to be a major in the Marine Corps, from the 3d day of March, 1903.

Capt. Con M. Perkins, United States Marine Corps, to be a major in the Marine Corps, from the 3d day of March, 1903.

Captains to be majors in the Marine Corps, from the 3d day of March, 1903.

Joseph H. Pendleton.
John A. Lejeune.
Eli K. Cole.
Theodore P. Kane.
Lewis C. Lucas.

First lieutenants to be captains.

First Lieut. Logan Feland, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First Lieut. William H. Clifford, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First Lieut. John H. A. Day, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First Lieut. John S. Bates, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First Lieut. James W. Broatch, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First Lieut. Benjamin B. Woog, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First Lieut. William Hopkins, United States Marine Corps, to be a captain in the Marine Corps, from the 3d day of March, 1903.

First lieutenants to be captains in the Marine Corps, from the 3d day of March, 1903.

Dickinson P. Hall.
Arthur E. Harding.
William W. Low.
Charles H. Lyman.
Charles C. Carpenter.
Louis M. Little.
Leof M. Harding.
Frederic M. Wise.
Richard M. Cutts.
Harold C. Snyder.
Wirt McCreary.
Wade L. Jolly.

Second lieutenants to be first lieutenants.

Second Lieut. William G. Fay, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Robert Y. Rhea, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March 1903.

Second Lieut. Frank J. Schwable, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Eli T. Freyer, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Thomas Holcomb, jr., United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. John P. V. Gridley, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Rupert C. Dewey, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Edward A. Greene, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Edward B. Manwaring, United States Marine Corps, to a be first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. William E. Smith, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Thomas M. Clinton, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Hamilton D. South, United States Marine Corps, to be a first lieutenant in the Marine Corps from the 3d day of March, 1903.

Second Lieut. Theodore Monell, United States Marine Corps, to be a first lieutenant in the Marine Corps from the 3d day of March, 1903.

Second Lieut. Edgar Hayes, United States Marine Corps, to be a first lieutenant in the Marine Corps from the 3d day of March, 1903.

Second Lieut. James T. Buttrick, United States Marine Corps, to be a first lieutenant in the Marine Corps from the 3d day of March, 1903.

Second Lieut. Raymond B. Sullivan, United States Marine Corps, to be a first lieutenant in the Marine Corps from the 3d day of March, 1903.

Second Lieut. Giles Bishop, jr., United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. Frank Halford, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second Lieut. James K. Tracy, United States Marine Corps, to be a first lieutenant in the Marine Corps, from the 3d day of March, 1903.

Second lieutenants to be first lieutenants in the Marine Corps, from the 3d day of March, 1903.

Ellis B. Miller.
Arthur J. O'Leary.
Berton W. Sibley.
Frank F. Robards.
Raymond W. Dikeman.
Harold Colvocoresses.
William Brackett.
Chandler Campbell.
William L. Redles.
Fred A. Udell.
Austin C. Rogers.
Provence McCormick, jr.
Woodell A. Pickering.
Franklin S. Wiltse.
Howard H. Kipp.
John W. McClaskey.
Fred A. Ramsey.
Hilary A. Herbert, jr.
Walter E. Noa.
Earl H. Ellis.
John A. Hughes.
Arthur McAllister.
Alonzo C. Baker.
Harvey C. Egan.
Thomas C. Turner.

POSTMASTERS.

DELAWARE.

William P. Carter, to be postmaster at Lewes, Del.
Thomas Jefferson, to be postmaster at Smyrna, Del.

IDAHO.

Thalia L. Owen, to be postmaster at Genesee, Idaho.

MARYLAND.

William Pearre, to be postmaster at Cumberland, Md.

MINNESOTA.

John Crawford, to be postmaster at Lakefield, Minn.

NEW JERSEY.

Fred B. Appleget, to be postmaster at Hightstown, N. J.

NEW MEXICO.

Louis Garcia, to be postmaster at Springer, N. Mex.

NORTH DAKOTA.

George K. McEwan, to be postmaster at Park River, N. Dak.

NEVADA.

Charles F. Littrell, to be postmaster at Austin, Nev.

OREGON.

Samuel S. Train, to be postmaster at Albany, Oreg.
John R. Casey, to be postmaster at Ashland, Oreg.
James L. Page, to be postmaster at Eugene, Oreg.
John C. Eckman, to be postmaster at McMinnville, Oreg.
Thomas B. Randall, to be postmaster at Oregon City, Oreg.

PENNSYLVANIA.

C. Edwin Michael, to be postmaster at Nazareth, Pa.
Christian T. Clymer, to be postmaster at Quakertown, Pa.

SOUTH CAROLINA.

Landrum Padgett, to be postmaster at Pelzer, S. C.

WASHINGTON.

John F. Irby, to be postmaster at Ritzville, in the county of Adams and State of Washington.

WISCONSIN.

Frederick Reitz, to be postmaster at Neillsville, in the county of Clark and State of Wisconsin.

SENATE.

THURSDAY, *March 19, 1903.*

The Senate met at 11 o'clock a. m.

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

ANTHRACITE COAL ARBITRATION.

The PRESIDENT pro tempore laid before the Senate the report of the investigation of the Anthracite Coal Arbitration, appointed by the President of the United States under authority of the act of Congress approved December 22, 1902; which was ordered to be printed, and extra copies not exceeding the cost of $500 were also ordered to be printed.

INVESTIGATION OF AFFAIRS IN ALASKA.

Mr. KEAN. Mr. President, I reported yesterday, from the Committee to Audit and Control the Contingent Expenses of the Senate, a substitute for the resolution submitted by the Senator from Indiana [Mr. BEVERIDGE] and referred to that committee. The proposed substitute was temporarily laid aside at the request of the Senator from Arkansas [Mr. BERRY]. I ask for its present consideration.

The PRESIDENT pro tempore. The proposed substitute will be read.

The Secretary read as follows:

Resolved, That the Committee on Territories be, and they hereby are, authorized and directed, by subcommittee or otherwise, to sit during the recess of the Senate, at such times and places as the committee or a subcommittee

may deem wise, to consider proposed bills or bills to be proposed relative to the district of Alaska; to send for persons and papers, take testimony, and employ a stenographer; and that the expenses incurred shall be paid from the contingent fund of the Senate upon vouchers to be approved by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

Mr. BURTON. May I ask the mover of the resolution a question? The chairman of the Committee on Public Lands was desirous to be present when the resolution was considered. Did the Senator have any talk with the chairman of the Committee on Public Lands in regard to the resolution?

Mr. KEAN. I will say to the Senator from Kansas that I had, and I did not understand that he would desire to be present when the resolution should be considered.

Mr. BURTON. I do not want to oppose the resolution, but I understood that he desired to be present. I thought perhaps there was some understanding in regard to it, and that the resolution would probably be so changed as to embrace a member of the Committee on Public Lands.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

The resolution was agreed to.

PROPOSED DECLARATION OF POLICY.

Mr. CULLOM. Mr. President, in view of the importance of the work before us to-day, I move that the Senate proceed to the consideration of executive business.

Mr. MORGAN. Before that is done I desire to offer a resolution, to go over until to-morrow.

Mr. CULLOM. I will consent to that.

Mr. MORGAN. I submit a resolution, which I desire to have printed and go over until to-morrow. Let it be read.

The Secretary read the resolution, as follows:

Resolved, That in the opinion of the Senate the duties that now rest upon the Government of the United States with urgent demand for decisive action require—

1. That abuses of the powers of taxation by the United States shall cease.

2. That our trade and commerce with all the insular possessions of the United States and between such possessions should be as free and unrestricted as it is between our States and Territories on this continent; and that the Republic of Cuba should be invited to adopt a like policy with reference to all places within the jurisdiction of the United States.

3. That the Government of the United States should proceed with fixed and unchangeable purpose to use and apply its available resources to the extinguishment of the interest-bearing national debt until that duty is fully completed, and that this should be a leading financial policy of the Government.

4. That the powers of corporations chartered by the States or the United States, when employed for the purpose of monopoly or in restraint of the just freedom of trade or production, are subject to the control of law; and that Congress, within the limit of its powers, can exercise such control and owes to the country the vigorous and effective use of such powers.

The PRESIDENT pro tempore. The resolution will be printed and lie on the table.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After six hours spent in executive session the doors were reopened.

NOTIFICATION TO THE PRESIDENT.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed by the presiding officer to wait upon the President of the United States and inform him that unless he may have some further communication to make the Senate is ready to adjourn without day.

The PRESIDENT pro tempore appointed Mr. ALLISON and Mr. COCKRELL members of the committee.

AFFAIRS IN COLOMBIA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, ordered to lie on the table and be printed:

To the Senate:

In compliance with the resolution of the Senate of February 13, 1903, requesting the President, "if not incompatible with the public interests, to send to the Senate copies of all reports and of all correspondence in the Navy Department with naval or other officers of the United States on duty in the bays of Panama and Colon since April, 1902, which relate to the military occupation of said bays and the regions between them and the cities of Colon and Panama by the forces of the United States; or that relate to the operation of military or police forces of Colombia or of any insurgents that were in arms against the Government of Colombia in that region of country since April, 1902; or that relate to any measures of any officers of the United States to bring about the pacification of that region or any intervention by such officers to that end; or that relate to the terms and conditions of the surrender of insurgent forces in that quarter to the forces or authorities of the Republic of Colombia," I transmit herewith a report by the Secretary of the Navy, with accompanying papers.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 19, 1903.*

SUPPRESSION OF LOTTERY TRAFFIC.

On motion of Mr. HANSBROUGH, it was

Ordered, That the opinion of the Supreme Court of the United States arising on an appeal involving the constitutionality of the act of March 2, 1895, for the suppression of lottery traffic through national and interstate commerce and the postal service, etc., be printed.

FINAL ADJOURNMENT.

Mr. ALLISON, from the committee appointed to wait upon the President of the United States and inform him that unless he may have some further communication to make the Senate is ready to adjourn without day, reported that they had performed the duty assigned them, and that the President had replied that he had no further communication to make.

Mr. ALDRICH. I move that the Senate adjourn without day.

The motion was agreed to; and (at 5 o'clock and 13 minutes p. m.) the Senate adjourned without day.

NOMINATIONS.

Executive nominations received by the Senate March 19, 1903.

PROMOTIONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Asst. Surg. Leslie L. Lumsden, of Virginia, to be a passed assistant surgeon, to rank as such from March 14, 1903, in the Public Health and Marine-Hospital Service of the United States.

Asst. Surg. Milton H. Foster, of Pennsylvania, to be a passed assistant surgeon, to rank as such from March 11, 1903, in the Public Health and Marine-Hospital Service of the United States.

CONSULS.

John E. Hopley, now consul at Southampton, to be consul of the United States at Montevideo, Uruguay, vice Albert W. Swalm, nominated to be consul at Southampton.

Clarence Rice Slocum, of New York, to be consul of the United States at Warsaw, Russia, vice August Casimir Wolff, declined.

Albert W. Swalm, now consul at Montevideo, to be consul of the United States at Southampton, England, vice John E. Hopley, nominated to be consul at Montevideo, Uruguay.

CIVIL ENGINEER IN THE NAVY.

Archibald L. Parsons, a citizen of New Hampshire, to be a civil engineer in the Navy, from the 18th day of March, 1903, to fill a vacancy existing in that grade.

PROMOTIONS IN THE NAVY.

Capt. Francis A. Cook, to be a rear-admiral in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Rear-Admiral Arent S. Crowninshield, retired.

Capt. Purnell F. Harrington, to be a rear-admiral in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Rear-Admiral Francis A. Cook, an additional number in grade.

Commander Adolph Marix, to be a captain in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Capt. Francis A. Cook, promoted.

Commander Raymond P. Rodgers, to be a captain in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Capt. Adolph Marix, an additional number in grade.

Commander William S. Moore, to be a captain in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Capt. Raymond P. Rodgers, an additional number in grade.

Commander Royal R. Ingersoll, to be a captain in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Captain Purnell F. Harrington, promoted.

Lieut. Commander Frank H. Holmes, to be a commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Commander Adolph Marix, promoted.

Lieut. Commander John F. Parker, to be a commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Commander Raymond P. Rodgers, promoted.

Lieut. Commander Hamilton Hutchins, to be a commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Commander William S. Moore, promoted.

Lieut. Commander John M. Bowyer, to be a commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Commander Royal R. Ingersoll, promoted.

Lieut. William W. White, to be a lieutenant-commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Commander Frank H. Holmes, promoted.

Lieut. Bias C. B. Sampson, to be a lieutenant-commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Commander John F. Parker, promoted.

Lieut. Solon Arnold, to be a lieutenant-commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Commander Hamilton Hutchins, promoted.

Lieut. Martin A. Anderson, to be a lieutenant-commander in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Commander John M. Bowyer, promoted.

Lieut. (Junior Grade) Kenneth G. Castleman, to be a lieutenant in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. William W. White, promoted.

Lieut. (Junior Grade) William W. Littlefield, to be a lieutenant in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Bias C. B. Sampson, promoted.

Lieut. (Junior Grade) Earl P. Jessop, to be a lieutenant in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Solon Arnold, promoted.

Lieut. (Junior Grade) Pope Washington, to be a lieutenant in the Navy, from the 21st day of March, 1903 (subject to the examinations required by law), vice Lieut. Martin A. Anderson, promoted.

POSTMASTERS.

CALIFORNIA.

J. J. Luchsinger, to be postmaster at Vallejo, in the county of Solano and State of California, in place of William D. Pennycook. Incumbent's commission expired January 13, 1903.

INDIANA.

George W. Van Alstine, to be postmaster at Monticello, in the county of White and State of Indiana, in place of William W. McCulloch, deceased.

NEBRASKA.

Edward G. Hall, to be postmaster at David City, in the county of Butler and State of Nebraska, in place of Alice J. Steele. Incumbent's commission expired February 15, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 19, 1903.

CONSULS.

Albert W. Swalm, to be consul of the United States at Southampton, England.

John E. Hopley, to be consul of the United States at Montevideo, Uruguay.

Clarence Rice Slocum, of New York, to be consul of the United States at Warsaw, Russia.

PROMOTION IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Asst. Surg. Milton H. Foster, of Pennsylvania, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service.

PROMOTIONS IN THE NAVY.

To be rear-admirals.

Capt. Francis A. Cook.
Capt. Purnell F. Harrington.

To be captains.

Commander Adolph Marix.
Commander Raymond P. Rodgers.
Commander William S. Moore.
Commander Royal R. Ingersoll.

To be commanders.

Lieut. Commander Frank H. Holmes.
Lieut. Commander John F. Parker.
Lieut. Commander Hamilton Hutchins.
Lieut. Commander John M. Bowyer.

To be lieutenant-commanders.

Lieut. William W. White.
Lieut. Bias C. B. Sampson.
Lieut. Solon Arnold.
Lieut. Martin A. Anderson.

To be lieutenants.

Lieut. (Junior Grade) Kenneth G. Castleman.
Lieut. (Junior Grade) William W. Littlefield.
Lieut. (Junior Grade) Earl P. Jessop.
Lieut. (Junior Grade) Pope Washington.

CIVIL ENGINEER IN THE NAVY.

Archibald L. Parsons, of New Hampshire, to be a civil engineer in the Navy.

POSTMASTERS.

CALIFORNIA.

J. J. Luchsinger, to be postmaster at Vallejo, Cal.

INDIANA.

George W. Van Alstine, to be postmaster at Monticello, Ind.

NEBRASKA.

Edward G. Hall, to be postmaster at David City, Nebr.

FIFTY-EIGHTH CONGRESS, FIRST SESSION.

CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE FIFTY-EIGHTH CONGRESS.

FIRST SESSION.

SENATE.

MONDAY, *November 9, 1903.*

The first session of the Fifty-eighth Congress commenced this day at the Capitol, in the city of Washington, in pursuance of the proclamation of the President of the United States of the 20th day of October, 1903.

The PRESIDENT pro tempore (Mr. WILLIAM P. FRYE, a Senator from the State of Maine) took the chair and called the Senate to order at 12 o'clock noon.

PRAYER.

Rev. F. J. PRETTYMAN, of the city of Washington, offered the following prayer:

Glory be to the Father, to the Son, and to the Holy Ghost, the only true and wise God. To Him be praise and glory and power and dominion forever and ever. Thou God of our fathers we worship Thee. We bring to Thee our grateful tribute of praise, for Thou art still our God. Thou didst look upon us in our poverty and hast brought us into great possessions. Thou didst care for us in our weakness and hast given to us a name and place and power in all the earth. Thou hast raised up men among us who have embodied the forces of righteousness and truth. Thy hand has guided our national destiny to this good hour.

Amidst the tremendous responsibilities of the hour we look to Thee for that wisdom which cometh from above, for the wisdom which is first pure, then peaceable, gentle, and easy to be entreated, full of mercy and of good fruits, without partiality, and without hypocrisy.

We pray Thy blessing upon each member of this honorable Senate, that having the fear of God with them they may bring all of their deliberations into accord with the eternal issues of the acts of this Assembly. We pray Thy blessing upon the citizenship of this land, that they may faithfully discharge their political duties as freemen with patriotic devotion to our free institutions.

We pray that Thou wilt write all of the history of this Congress in the symbols of truth and righteousness, that it may stand among the councils of the nations as God's latest deliverance of peace and good will toward men. We ask it for Christ's sake. Amen.

THE PROCLAMATION.

The PRESIDENT pro tempore. The Secretary will read the proclamation of the President of the United States convening Congress in extraordinary session.

The Secretary read the proclamation, as follows:

BY THE PRESIDENT OF THE UNITED STATES.

A PROCLAMATION.

Whereas by the resolution of the Senate of March 19, 1903, the approval by Congress of the reciprocal commercial convention between the United States and the Republic of Cuba, signed at Habana on December 11, 1902, is necessary before the said convention shall take effect; and

Whereas it is important to the public interests of the United States that the said convention become operative as early as may be:

Now, therefore, I, Theodore Roosevelt, President of the United States of America, by virtue of the power vested in me by the Constitution, do hereby proclaim and declare that an extraordinary occasion requires the convening of both houses of the Congress of the United States at their respective Chambers in the city of Washington, on the 9th day of November next, at 12 o'clock noon, to the end that they may consider and determine whether the approval of the Congress shall be given to the said convention.

All persons entitled to act as members of the Fifty-eighth Congress are required to take notice of this proclamation.

Given under my hand and the seal of the United States, at Washington, the 20th day of October, in the year of our Lord one thousand nine hundred and three and of the Independence of the United States the one hundred and twenty-eighth.

THEODORE ROOSEVELT.

By the President:
JOHN HAY,
Secretary of State.

SENATOR FROM FLORIDA.

Mr. BACON. Mr. President, in the absence of the Senator from Florida [Mr. TALIAFERRO], I beg leave to present the certificate of election of Hon. Stephen R. Mallory to the Senate. I ask that the credentials may be read and placed on file.

Mr. HOAR. Should not the roll be called before other business is transacted, to ascertain whether a quorum is present?

The PRESIDENT pro tempore. The Chair is under the impression that a Senator-elect who is present and desires to have the oath administered to him has a right to be sworn. The Chair examined the precedents and found them to be in that direction. The Secretary will read the credentials.

The Secretary read the credentials of Stephen R. Mallory, chosen by the legislature of the State of Florida a Senator from that State for the term beginning March 4, 1903.

The PRESIDENT pro tempore. The credentials will be placed on file.

Mr. BACON. I ask that the oath of office be administered to the Senator-elect from Florida.

The PRESIDENT pro tempore. The Senator-elect will present himself at the desk, and the Chair will administer the oath prescribed by law.

Mr. Mallory was escorted to the Vice-President's desk by Mr. BACON; and the oath prescribed by law having been administered to him, he took his seat in the Senate.

SENATORS PRESENT.

The PRESIDENT pro tempore. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

From the State of—

Alabama—John T. Morgan and Edmund W. Pettus.
Arkansas—James H. Berry and James P. Clarke.
California—Thomas R. Bard and George C. Perkins.
Colorado—Henry M. Teller.
Connecticut—Orville H. Platt.
Delaware—J. Frank Allee and L. Heisler Ball.
Florida—Stephen R. Mallory.
Georgia—Augustus O. Bacon and Alexander S. Clay.
Idaho—Fred T. Dubois.
Illinois—Shelby M. Cullom and Albert J. Hopkins.
Indiana—Albert J. Beveridge and Charles W. Fairbanks.
Iowa—William B. Allison.
Kansas—Joseph R. Burton and Chester I. Long.
Kentucky—Joseph C. S. Blackburn and James B. McCreary.
Louisiana—Murphy J. Foster.
Maine—William P. Frye and Eugene Hale.
Maryland—Arthur P. Gorman and Louis E. McComas.
Massachusetts—George F. Hoar and Henry Cabot Lodge.
Michigan—Russell A. Alger and Julius C. Burrows.
Mississippi—H. D. Money.
Missouri—Francis M. Cockrell and William J. Stone.
Montana—William A. Clark and Paris Gibson.
Nevada—William M. Stewart.

New Hampshire—Henry E. Burnham and Jacob H. Gallinger.
New Jersey—John F. Dryden and John Kean.
New York—Chauncey M. Depew and Thomas C. Platt.
North Carolina—Lee S. Overman.
North Dakota—Henry C. Hansbrough and Porter J. McCumber.
Ohio—Joseph B. Foraker and Marcus A. Hanna.
Oregon—Charles W. Fulton and John H. Mitchell.
Pennsylvania—Boies Penrose.
Rhode Island—Nelson W. Aldrich and George P. Wetmore.
South Carolina—Asbury C. Latimer.
South Dakota—Robert J. Gamble and A. B. Kittredge.
Tennessee—Edward W. Carmack.
Texas—Joseph W. Bailey and Charles A. Culberson.
Utah—Thomas Kearns and Reed Smoot.
Vermont—William P. Dillingham and Redfield Proctor.
Virginia—Thomas S. Martin.
Washington—Levi Ankeny and Addison G. Foster.
West Virginia—Stephen B. Elkins and Nathan B. Scott.
Wisconsin—Joseph V. Quarles and John C. Spooner.
Wyoming—Francis E. Warren.

The PRESIDENT pro tempore. Seventy-two Senators having responded to their names, there is a quorum of the Senate present ready for the business of the session.

NOTIFICATION TO THE HOUSE.

Mr. PLATT of Connecticut submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed by the Chair to join such committee as may be appointed by the House of Representatives, to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

The PRESIDENT pro tempore appointed as the committee Mr. HOAR and Mr. GORMAN.

HOUR OF MEETING.

Mr. CULLOM submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, November 10, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *November 9, 1903.*

At 12 o'clock m. the Members-elect of the House of Representatives of the Fifty-eighth Congress assembled in their Hall in extraordinary session in pursuance of a proclamation of the President of the United States, and were called to order by Mr. ALEXANDER MCDOWELL, Clerk of the last House of Representatives.

The CLERK. Prayer will be offered by the Chaplain of the last House.

Rev. HENRY N. COUDEN, Chaplain of the last House of Representatives, offered the following prayer:

Infinite, all-pervading Spirit, God, our Heavenly Father, from whom proceedeth all things and from whom life and thought and action can not be apart, help us as individuals to show our gratitude for Thy goodness and wonderful works to the children of men by living to the highest conceptions of right and truth and duty, that Thy glory may be revealed in us and through us.

That Thy will may be done, keep Thy servant, the President of the United States, his councilors, the lawmakers of the nation, and those who shall pass judgment upon them ever in a receptive mood, that thus guided by Thy spirit we may move on as a nation harmoniously and in peace with all the world to greater achievements and grander victories till all shall know Thee and worship Thee in spirit and in truth, and Thine be the glory through Jesus Christ our Lord. Amen.

The CLERK. The Clerk will call the roll of Members-elect by States to ascertain whether a quorum of the House of Representatives is present.

The Clerk proceeded to call the roll, when the following-named Members-elect answered:

ALABAMA.

George W. Taylor.
Ariosto A. Wiley.
Henry D. Clayton.
Sydney J. Bowie.
Charles W. Thompson.
John H. Bankhead.
John L. Burnett.
William Richardson.
Oscar W. Underwood.

ARKANSAS.

R. Bruce Macon.
Hugh A. Dinsmore.
John S. Little.
Joe T. Robinson.
R. M. Wallace.

CALIFORNIA.

J. N. Gillett.
Theodore A. Bell.
Victor H. Metcalf.
E. J. Livernash.
William J. Wynn.
James C. Needham.
James McLachlan.
M. J. Daniels.

COLORADO.

Franklin E. Brooks.
John F. Shafroth.
H. M. Hogg.

CONNECTICUT.

George L. Lilley.
E. Stevens Henry.
Nehemiah D. Sperry.
Frank B. Brandegee.
Ebenezer J. Hill.

DELAWARE.

Henry M. Houston.

FLORIDA.

Stephen M. Sparkman.
Robert W. Davis.
William B. Lamar.

GEORGIA.

Rufus E. Lester.
James M. Griggs.
Elijah B. Lewis.
William C. Adamson.
Leonidas F. Livingston.
Charles L. Bartlett.
John W. Maddox.
William M. Howard.
Farish C. Tate.
T. W. Hardwick.
William G. Brantley.

IDAHO.

Burton L. French.

ILLINOIS.

Martin Emerich.
James R. Mann.
William W. Wilson.
George P. Foster.
James McAndrews.
William Lorimer.
Philip Knopf.
William F. Mahoney.
Henry S. Boutell.
George E. Foss.
H. M. Snapp.
Charles E. Fuller.
Robert R. Hitt.
Benjamin F. Marsh.
George W. Prince.
Joseph V. Graff.
John A. Sterling.
Joseph G. Cannon.
Vespasian Warner.
Henry T. Rainey.
Ben F. Caldwell.
William A. Rodenberg.
Joseph B. Crowley.
James R. Williams.
George W. Smith.

INDIANA.

James A. Hemenway.
Robert W. Miers.
William T. Zenor.
Francis M. Griffith.
Elias S. Holliday.
James E. Watson.
Jesse Overstreet.
George W. Cromer.
Charles B. Landis.
Edgar D. Crumpacker.
Frederick Landis.
James M. Robinson.
Abraham L. Brick.

IOWA.

Thomas Hedge.
Martin J. Wade.
Benjamin P. Birdsall.
Gilbert N. Haugen.
Robert G. Cousins.
John F. Lacey.
John A. T. Hull.
William P. Hepburn.
Walter I. Smith.
James P. Conner.
Lot Thomas.

KANSAS.

Charles F. Scott.
Charles Curtis.
Justin D. Bowersock.
P. P. Campbell.
James M. Miller.
William A. Calderhead.
William A. Reeder.
Victor Murdock.

KENTUCKY.

Ollie M. James.
O. A. Stanley.
John S. Rhea.
David H. Smith.
Swanger Sherley.
D. Linn Gooch.
South Trimble.
George G. Gilbert.
James N. Kehoe.
F. A. Hopkins.

LOUISIANA.

Adolph Meyer.
Robert C. Davey.
Robert F. Broussard.
Phanor Breazeale.
Joseph E. Ransdell.
Samuel M. Robertson.
A. P. Pujo.

MAINE.

Amos L. Allen.
Charles E. Littlefield.
Edwin C. Burleigh.
Llewellyn Powers.

MARYLAND.

William H. Jackson.
J. F. C. Talbott.
Frank C. Wachter.
J. W. Denny.
Sydney E. Mudd.
George E. Pearre.

MASSACHUSETTS.

George P. Lawrence.
Frederick H. Gillett.
John R. Thayer.
Charles Q. Tirrell.
Butler Ames.
A. P. Gardner.
Ernest W. Roberts.
Samuel W. McCall.
J. A. Keliher.
W. S. McNary.
John A. Sullivan.
Samuel L. Powers.
William C. Lovering.
William S. Greene.

MICHIGAN.

Alfred Lucking.
Charles E. Townsend.
Washington Gardner.
Edward L. Hamilton.
William Alden Smith.
Samuel W. Smith.
Henry McMorran.
Joseph W. Fordney.
Roswell P. Bishop.
George A. Loud.
Archibald B. Darragh.
H. Olin Young.

MINNESOTA.

James A. Tawney.
James T. McCleary.
C. R. Davis.
Fred C. Stevens.
John Lind.
C. B. Buckman.
Andrew J. Volstead.
J. Adam Bede.
Halvor Steenerson.

MISSISSIPPI.

Ezekiel S. Candler, jr.
Thomas Spight.
B. G. Humphreys.
Wilson S. Hill.
A. M. Byrd.
E. J. Bowers.
Frank A. McLain.
John S. Williams.

MISSOURI.

James T. Lloyd.
William W. Rucker.
John Dougherty.
Charles F. Cochran.
William S. Cowherd.
David A. De Armond.
Courtney W. Hamlin.
Dorsey W. Shackleford.
Champ Clark.
Richard Bartholdt.
John T. Hunt.
James J. Butler.
Edward Robb.
Willard D. Vandiver.
Mæcenas E. Benton.
Robert Lamar.

MONTANA.

Joseph M. Dixon.

NEBRASKA.

Elmer J. Burkett.
G. M. Hitchcock.
J. J. McCarthy.
E. H. Hinshaw.
George W. Norris.
M. P. Kinkaid.

NEVADA.

C. D. Van Duzer.

NEW HAMPSHIRE.

Cyrus A. Sulloway.
Frank D. Currier.

NEW JERSEY.

Henry C. Loudenslager.
John J. Gardner.
Benjamin F. Howell.
William M. Lanning.
Charles N. Fowler.
William Hughes
R. Wayne Parker.
William H. Wiley.
Allan Benny.
Allan L. McDermott.

NEW YORK.

Townsend Scudder.
George H. Lindsay.
Charles T. Dunwell.
Frank E. Wilson.
E. M. Bassett.
Robert Baker.
John J. Fitzgerald.
T. D. Sullivan.
Henry M. Goldfogle.
William Sulzer.
William R. Hearst.
George B. McClellan.
F. B. Harrison.
Ira E. Rider.
William H. Douglas.
Jacob Ruppert.
F. E. Schober.
Joseph A. Goulden.
Norton P. Otis.
Thomas W. Bradley.
John H. Ketcham.
William H. Draper.
George N. Southwick.
Lucius N. Littauer.
William H. Flack.
James S. Sherman.
Charles L. Knapp.
Michael E. Driscoll.
John W. Dwight.
Sereno E. Payne.
James Breck Perkins.
Charles W. Gillet.
James W. Wadsworth.
William H. Ryan.
De Alva S. Alexander.

NORTH CAROLINA.

John H. Small.
Charles R. Thomas.
Edward W. Pou.
William W. Kitchin.
G. B. Patterson.
Robert N. Page.
Theodore F. Kluttz.
E. Y. Webb.
J. M. Gudger, jr.

NORTH DAKOTA.

Thomas F. Marshall.
B. F. Spalding.

OHIO.

Nicholas Longworth.
Herman P. Goebel.
Harvey C. Garber.
John S. Snook.
Charles Q. Hildebrant.
Thomas B. Kyle.
William R. Warnock.
James H. Southard.
Stephen Morgan.
Charles H. Grosvenor.
De Witt C. Badger.
A. H. Jackson.
William W. Skiles.
Henry C. Van Voorhis.
John W. Cassingham.
James Kennedy.
Charles Dick.
Jacob A. Beidler.
Theodore E. Burton.

OREGON.

Binger Hermann.
J. N. Williamson.

PENNSYLVANIA.

Henry H. Bingham.
Robert Adams, jr.
Reuben O. Moon.
Edward De V. Morrell.
George D. McCreary.
Thomas S. Butler.
Irving P. Wanger.
H. Burd Cassel.
George Howell.
Henry W. Palmer.
George R. Patterson.
Marcus C. L. Kline.
Charles F. Wright.
Elias Deemer.
Charles H. Dickerman.
Thaddeus M. Mahon.
Marlin E. Olmsted.
Alvin Evans.
Daniel F. Lafean.
S. R. Dresser.
George F. Huff.
Allen F. Cooper.
Ernest F. Acheson.
Arthur L. Bates.
J. H. Shull.
W. O. Smith.
Joseph C. Sibley.
G. Shiras, III.
John Dalzell.
H. Kirke Porter.
James W. Brown.

RHODE ISLAND.

D. L. D. Granger.
Adin B. Capron.

SOUTH CAROLINA.

George S. Legare.
George W. Croft.
Wyatt Aiken.
Joseph T. Johnson.
David E. Finley.
Robert B. Scarborough.
A. F. Lever.

SOUTH DAKOTA.

Charles H. Burke.
Eben W. Martin.

TENNESSEE.

Walter P. Brownlow.
Henry R. Gibson.
John A. Moon.
James D. Richardson.
John W. Gaines.
Lemuel P. Padgett.
Thetus W. Sims.
Rice A. Pierce.
Malcolm R. Patterson.

TEXAS.

Morris Sheppard.
Sam B. Cooper.
Gordon Russell.
Choice B. Randell.
Jack Beall.
Scott Field.
A. W. Gregg.
George F. Burgess.
Albert S. Burleson.
Robert L. Henry.
O. W. Gillespie.
John H. Stephens.
James L. Slayden.
John N. Garner.
W. R. Smith.

UTAH.

Joseph Howell.

VERMONT.

David J. Foster.
Kittredge Haskins.

VIRGINIA.

William A. Jones.
Harry L. Maynard.
John Lamb.
R. G. Southall.
Claude A. Swanson.
Carter Glass.
James Hay.
John F. Rixey.
Campbell Slemp.
Henry D. Flood.

WASHINGTON.

Wesley L. Jones.
William E. Humphrey.

WEST VIRGINIA.

Blackburn B. Dovener.
Alston G. Dayton.
Joseph Holt Gaines.
Harry C. Woodyard.
James A. Hughes.

WISCONSIN.

Henry A. Cooper.
H. C. Adams.
Joseph W. Babcock.
Theobald Otjen.
William H. Stafford.
C. H. Weisse.
John J. Esch.
James H. Davidson.
Edward S. Minor.
Webster E. Brown.
John J. Jenkins.

WYOMING.

Frank W. Mondell.

ARIZONA.

J. F. Wilson.

NEW MEXICO.

Bernard S. Rodey.

OKLAHOMA.

Bird S. Maguire.

HAWAII.

Jonah Kalaniauoale.

The CLERK. On the call of the roll, 375 Members have answered to their names. A quorum of the House is present.

The Clerk has prepared a statement of the changes in the membership of the House since the last regular election, which, if there be no objection, will be printed in the RECORD.

The statement is as follows:

District.	Name.	Date of vacancy.	Name of successor.
Seventh Kansas	Chester I. Long [a]	Mar. 4, 1903	Victor Murdock.
Eleventh Kentucky	Vincent Boreing [b]	Sept. 16, 1903	
Sixteenth Ohio	Joseph J. Gill [a]	Oct. 31, 1903	Capell Weems.
First Oregon	Thomas H. Tongue [b]	Jan. 11, 1903	Binger Hermann.
Fourth Pennsylvania	R. H. Foerderer [b]	July 28, 1903	Reuben O. Moon.

[a] Resigned. [b] Died.

ELECTION OF SPEAKER.

The CLERK. Nominations for Speaker are now in order.

Mr. HEPBURN. Mr. Clerk, I nominate as a candidate for Speaker of the House of Representatives Hon. JOSEPH G. CANNON, a Representative-elect from the State of Illinois. [Applause.]

Mr. HAY. I nominate for Speaker Hon. JOHN SHARP WILLIAMS, a Member-elect from the State of Mississippi. [Applause.]

The CLERK. Are there any other nominations? [A pause.] If not, the Clerk designates as tellers Mr. HOLLIDAY of Indiana, Mr. SCUDDER of New York, Mr. BOWERS of Mississippi, and Mr. PORTER of Pennsylvania. The tellers will please take their places. The roll will be called; and Members, as their names are called, will announce for whom they vote as Speaker.

The tellers having taken their places, the Clerk proceeded to call the roll, at the conclusion of which the following was announced as the vote in detail:

For Mr. Joseph G. Cannon, of Illinois—193.

Acheson,
Adams, Pa.
Adams, Wis.
Alexander,
Allen,
Ames,
Babcock,
Bartholdt,
Bates,
Bede,
Beidler,
Bingham,
Birdsall,
Bishop,
Boutell,
Bowersock,
Bradley,
Brandegee,
Brick,
Brooks,
Brown, Pa.
Brown, Wis.
Brownlow,
Buckman,
Burke, S. Dak.
Burkett,
Burleigh,
Burton,
Butler, Pa.
Calderhead,
Campbell,
Capron,
Cassel,
Conner,
Cooper, Pa.
Cooper, Wis.
Cousins,
Cromer,
Crumpacker,
Currier,
Curtis,
Dalzell,
Daniels,
Darragh,
Davidson,
Davis, Minn.
Dayton,
Deemer,
Dick,
Dixon,
Douglas,
Dovenor,
Draper,
Dresser,
Driscoll,
Dunwell,
Dwight,
Esch,
Evans,
Flack,
Fordney,
Foss,
Foster, Vt.
French,
Fuller,
Gaines, W. Va.
Gardner, Mass.
Gardner, Mich.
Gardner, N. J.
Gibson,
Gillet, N. Y.
Gillett, Cal.
Gillett, Mass.
Goebel,
Graff,
Greene,
Grosvenor,
Hamilton,
Haskins,
Haugen,

Hedge,	Lanning,	Needham,	Snapp,
Hemenway,	Lawrence,	Norris,	Southard,
Henry, Conn.	Lilley,	Olmsted,	Southwick,
Hepburn,	Littauer,	Otis,	Spalding,
Hermann,	Littlefield	Otjen,	Sperry,
Hildebrant,	Longworth,	Overstreet,	Stafford,
Hill, Conn.	Lorimer,	Palmer,	Steenerson,
Hinshaw,	Loud,	Parker,	Sterling,
Hitt,	Loudenslager,	Patterson, Pa.	Stevens, Minn.
Hogg,	Lovering,	Payne,	Sulloway,
Holliday,	McCall,	Pearre,	Tawney,
Howell, N. J.	McCarthy,	Perkins,	Thomas, Iowa
Howell, Utah,	McCleary, Minn.	Porter,	Tirrell,
Huff,	McCreary, Pa.	Powers, Me.	Townsend,
Hughes, W. Va.	McLachlan,	Powers, Mass.	Van Voorhis,
Hull,	McMorran,	Prince,	Volstead,
Humphrey, Wash.	Mahon,	Reeder,	Wachter,
Jackson, Md.	Mann,	Roberts,	Wadsworth,
Jackson, Ohio	Marsh,	Rodenberg,	Wanger,
Jenkins,	Marshall,	Scott,	Warner,
Jones, Wash.	Martin,	Sherman,	Warnock,
Kennedy,	Metcalf,	Shiras,	Watson,
Ketcham,	Miller,	Sibley,	Wiley, N. J.
Kinkaid,	Minor,	Skiles,	Williamson,
Knapp,	Mondell,	Slemp,	Wilson, Ill.
Knopf,	Moon, Pa.	Smith, Ill.	Woodyard,
Lacey,	Morgan,	Smith, Iowa,	Wright,
Latean,	Morrell,	Smith, Samuel W.	Young.
Landis, Chas. B.	Mudd.	Smith, Wm. Alden	
Landis, Frederick	Murdock,	Smith, Pa.	

For Mr. John S. Williams, of Mississippi—167.

Adamson,	Foster, Ill.	Lever,	Ryan.
Aiken,	Gaines, Tenn.	Lewis,	Scarborough,
Badger,	Garber,	Lind,	Scudder,
Baker,	Garner,	Lindsay,	Shackleford,
Bankhead,	Gilbert,	Little,	Shafroth,
Barklett,	Gillespie,	Livermash,	Sheppard,
Bassett,	Glass,	Living-ton,	Sherley,
Beall,	Goldfogle,	Lloyd,	Shober,
Bell,	Gooch,	Lucking,	Shull,
Benny,	Goulden,	McAndrews,	Sims,
Benton,	Granger,	McClellan,	Slayden,
Bowers,	Gregg,	McDermott,	Small,
Bowie,	Griffith,	McLain,	Smith, Ky.
Brantley,	Griggs,	McNary,	Smith, Tex.
Breazeale,	Gudger,	Macon,	Snook,
Broussard,	Hamlin,	Maddox,	Southall,
Burgess,	Hardwick,	Mahoney,	Sparkman,
Burleson,	Harrison,	Maynard,	Spight,
Burnett,	Hay,	Meyer, La.	Stanley,
Butler, Mo.	Hearst,	Miers, Ind.	Stephens, Tex.
Caldwell,	Henry, Tex.	Moon, Tenn.	Sullivan, Mass.
Candler,	Hill, Miss.	Padgett,	Sullivan, N. Y.
Cassingham,	Hitchcock,	Page,	Sulzer,
Clark,	Hopkins,	Patterson, N. C.	Swanson,
Clayton,	Houston,	Patterson, Tenn.	Talbott,
Cochran,	Howard,	Pierce,	Tate,
Cooper, Tex.	Howell, Pa.	Pou,	Taylor,
Cowherd,	Hughes, N. J.	Pujo,	Thayer,
Croft,	Humphreys, Miss.	Rainey,	Thomas, N. C.
Crowley,	Hunt,	Randell, Tex.	Trimble,
Davey,	James,	Rhea,	Underwood,
Davis, Fla.	Jones, Va.	Richardson, Ala.	Vandiver,
De Armond,	Kehoe,	Richardson, Tenn.	Van Duzer,
Denny,	Kellher,	Rider,	Wade,
Dickerman,	Kitchin, Wm. W.	Rixey,	Webb,
Dinsmore,	Kline,	Robb,	Weisse,
Dougherty,	Klutz,	Robertson, La.	Willey, Ala.
Emerich,	Lamar, Fla.	Robinson, Ark.	Williams, Ill.
Field,	Lamar, Mo.	Robinson, Ind.	Wilson, N. Y.
Finley,	Lamb,	Rucker,	Wynn,
Fitzgerald,	Lassiter,	Ruppert,	Zenor.
Flood,	Lester,	Russell,	

Not voting—19.

Ball,	Fitzpatrick,	Nevin.	Vreeland,
Brundidge,	Fowler,	Ransdell, La.	Wallace,
Burk, Pa.	Johnson,	Reid,	Weems.
Byrd,	Kitchin, Claude	Smith, N. Y.	Williams, Miss.
Cushman,	Kyle,	Thompson,	

The CLERK. JOSEPH G. CANNON, of Illinois, has received 198 votes; JOHN S. WILLIAMS, of Mississippi, 167 votes. JOSEPH G. CANNON, having received a majority of the votes cast, is duly elected Speaker of the House of Representatives for the Fifty-eighth Congress. [Loud applause.] Mr. WILLIAMS of Mississippi and Mr. GROSVENOR of Ohio are named as a committee to present the Speaker-elect to the House.

After a pause Mr. CANNON appeared at the main entrance of the Hall, accompanied by Mr. WILLIAMS of Mississippi and Mr. GROSVENOR, who conducted him to the chair amid loud applause.

Mr. WILLIAMS of Mississippi. Gentlemen of the House of Representatives, it is always a high honor to present a Speaker—any Speaker—to any American House of Representatives—the greatest parliamentary body on the face of the earth. It is especially an honor to present to this particular House of Representatives this particular Speaker. Of him I think the majority can well say that they have selected their best type, and I am satisfied that the minority will receive, under his administration, a full measure of fairness and impartiality. [Applause.] I have the honor to present your Speaker, Hon. JOSEPH G. CANNON, of Illinois. [Renewed applause.]

The SPEAKER. Gentlemen, Members of the House: I appreciate the honor you confer in choosing me as the presiding officer of the House. After twenty-eight years' service in the House such an expression of your confidence touches me profoundly. I thank you.

In the performance of the duties of the office I bring to the service a sincere desire to acquit myself with courtesy, efficiency, and fairness. If I err, it will be an error of the head, not of the heart. The contests on the floor touching policies that abound in partisanship will be spirited and earnest. The majority determines.

I am quite sure that in the consideration of the people's business, however sharp may be our differences, we will not forget that courtesy and demeanor which should always obtain between manly opponents who honestly differ. In the performance of the duties of Speaker I bespeak the kindly cooperation of each Member of the House. [Loud applause.]

I am ready to take the oath of office.

The oath of office prescribed by law was then administered by Mr. BINGHAM.

SWEARING IN OF MEMBERS.

The SPEAKER then proceeded to administer to the Members in attendance the oath of office.

The Members presented themselves as their names were called by States, and took, respectively, the oath of office provided by the law.

ELECTION OF CLERK AND OTHER OFFICERS.

Mr. HEPBURN. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That Alexander McDowell, of the State of Pennsylvania, be, and he is hereby, chosen Clerk of the House of Representatives;

That Henry Casson, of the State of Wisconsin, be, and he is hereby, chosen Sergeant-at-Arms of the House of Representatives;

That Frank B. Lyon, of the State of New York, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That Joseph C. McElroy, of the State of Ohio, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Henry N. Couden, of the State of Michigan, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. HAY. Mr. Speaker, I offer the following as a substitute to the resolution:

The Clerk read as follows:

Resolved, That Charles A. Edwards, of Texas, be elected Clerk of the House of Representatives;

That E. V. Brookshire, of Indiana, be elected Sergeant-at-Arms of the House of Representatives;

That A. J. Julian, of Georgia, be elected Doorkeeper of the House of Representatives;

That James K. Jackson, of Alabama, be elected Postmaster of the House of Representatives;

That E. B. Bagby, of Virginia, be elected Chaplain of the House of Representatives.

The SPEAKER. The question is on agreeing to the substitute offered by the gentleman from Virginia.

The question was taken, and the substitute was not agreed to.

The SPEAKER. The question now recurs on the resolution offered by the gentleman from Iowa.

The question was taken, and the resolution agreed to.

SWEARING IN OF OFFICERS-ELECT.

The SPEAKER. The gentlemen named in the resolution just agreed to will come forward and take the oath of office.

The oath of office was then administered by the Speaker to the officers-elect of the House.

MEMBERS-ELECT FROM THE SIXTEENTH CONGRESSIONAL DISTRICT OF OHIO AND THE FOURTH CONGRESSIONAL DISTRICT OF SOUTH CAROLINA.

Mr. DICK. Mr. Speaker, at a special election held in the Sixteenth district of Ohio on November 3, 1903, Mr. C. L. Weems was elected by a plurality exceeding fifty-eight hundred, to succeed Hon. J. J. Gill, resigned. His certificate of election has not been received, but I ask unanimous consent of the House that he be now sworn in as a Member of this Congress.

The SPEAKER. The gentleman from Ohio asks unanimous consent that Mr. Weems, of the State of Ohio, be permitted to take the oath as a Member of this House. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish to say that I understand there is no contest in that district and no doubt as to the election of Mr. Weems. There will, therefore, be no objection on this side.

The SPEAKER. There is no objection, and the gentleman will please come forward and take the oath.

The oath of office was then administered by the Speaker to the Member-elect.

Mr. FINLEY. Mr. Speaker, at the general election held last year, Hon. Joseph L. Johnson was elected a Representative from South Carolina to represent the Fourth Congressional district of that State. In some way his certificate has failed to reach the Clerk. There is no question as to his election. There is no contest; and I therefore ask unanimous consent of the House that my colleague, Mr. Johnson, be permitted to take the oath of office.

The SPEAKER. The gentleman from South Carolina asks unanimous consent that Mr. Johnson, of South Carolina, be permitted to take the oath of office as a member of this House. Is there objection?

Mr. PAYNE. Mr. Speaker, I would ask the gentleman if the gentleman referred to was elected a year ago?

Mr. FINLEY. He was.

Mr. PAYNE. At the regular election?

Mr. FINLEY. Yes; but in some way his certificate has failed to come.

Mr. PAYNE. I hope there will be no objection.

The SPEAKER. The Chair hears no objection, and the gentleman will please step forward and take the oath.

The oath of office was then administered by the Speaker to the Member-elect.

NOTIFICATION OF THE PRESIDENT.

Mr. MANN. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected JOSEPH G. CANNON, a Representative from the State of Illinois, as Speaker, and ALEXANDER MCDOWELL, a citizen of the State of Pennsylvania, as Clerk of the House of Representatives of the Fifty-eighth Congress.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

NOTIFICATION OF THE SENATE.

Mr. BURTON. Mr. Speaker, I move the adoption of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that JOSEPH G. CANNON, a Representative from the State of Illinois, has been elected Speaker; that ALEXANDER MCDOWELL, a citizen of the State of Pennsylvania, has been elected Clerk, and that the House is ready for business.

The resolution was agreed to.

COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. TAWNEY. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That a committee of three be appointed by the Speaker on the part of the House of Representatives, to join the committee on the part of the Senate to wait on the President of the United States and notify him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may be pleased to make.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to; and the Speaker appointed as such committee on the part of the House Mr. TAWNEY, Mr. CAPRON, and Mr. WILLIAMS of Mississippi.

RULES OF THE HOUSE.

Mr. DALZELL. Mr. Speaker, I offer the following resolution:

The Clerk read as follows:

Resolved, That the rules of the House of Representatives of the Fifty-seventh Congress be adopted as the rules of the House of Representatives of the Fifty-eighth Congress, including the standing orders of March 8 and March 14, 1900 (relating to consideration of pension and claim bills on Fridays), which are hereby continued in force during this Fifty-eighth Congress; and with following addition:

That the Select Committee on Industrial Arts and Expositions is hereby constituted a standing committee, to consist of fifteen Members, and having the same jurisdiction which appertained to the said select committee in the Fifty-seventh Congress.

Mr. DALZELL. Mr. Speaker, just a word of explanation. Those Members of this House who have been Members of previous Houses will recollect that for many years it has been the practice to have a session on Friday night for the consideration of pension bills.

During the last Congress two orders were adopted changing the practice, so that we had the consideration of private pension bills on Fridays in the daytime, alternately with claim bills. The purpose of this resolution, if adopted, will be to preserve those two orders during the life of the Fifty-eighth Congress.

The only change suggested in the rules is a change in the number of the Committee on Industrial Arts and Expositions, and making that committee a standing committee instead of a select committee.

I am now ready to ask for a vote, unless the gentleman from Mississippi wishes to say something.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Mississippi?

Mr. DALZELL. I yield to the gentleman. How much time does the gentleman want?

Mr. WILLIAMS of Mississippi. Oh, three or four or five minutes.

Mr. DALZELL. I yield five minutes.

Mr. WILLIAMS of Mississippi. Mr. Speaker, it goes without saying that we on this side of the House have a very great number of objections to the rules of the House, and for that reason we shall demand the yeas and nays upon the motion which the gentleman has submitted. I want to say here, however, for the purpose of calling the attention of the Republican Members of the House to it, that we think in all fairness—and we hope that you of the majority will recognize that fact after a while—that the Democracy, the minority in the House, ought to have a larger representation upon certain important committees, where a reduction took place at the beginning of the last Congress. That reduction was made because, as the Speaker stated, the Republican party had gained so much and the Democratic party had lost so much that he could not well make his assignments go around amongst his party followers without a decrease of Democratic membership and a change of the proportion which the two parties had upon these committees. Now we have reinstated ourselves as far as those losses are concerned, and I want to express the hope and, I may add, the confidence that the Republican party will have the fairness, at a proper time, to cause an increased membership of one Democrat each upon the Committee on Ways and Means, the Committee on Appropriations, and these other important committees where a reduction took place.

With that, Mr. Speaker, I shall call for the yeas and nays upon the resolution.

The SPEAKER. The gentleman from Pennsylvania moves the adoption of the resolution.

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. DALZELL. For what purpose does the gentleman rise?

Mr. DE ARMOND. I would like to make a few remarks on the resolution.

Mr. DALZELL. How much time does the gentleman want?

Mr. DE ARMOND. Only a few minutes—five minutes.

Mr. DALZELL. I yield five minutes to the gentleman.

Mr. DE ARMOND. Mr. Speaker, I think it would be ample for the purposes of this extra session, and that it would be sufficient action for the House at this time, to adopt the rules for the extra session, and not adopt rules that will stand during the entire Congress.

Those of us who have been here a little while know, and those who have not been here will soon learn, that under the code of rules of the last Congress, if adopted, times will come, and come often, when it will be in the power of a few men in the House to prevent action which a majority of the Members would really like to take, and when that is done, in order to accomplish that which a majority of the Members wish to have done it will be necessary repeatedly to override the rules; and failing to do that, the House will be unable to express its real judgment upon many important questions. It seems to me that it would be enough to test and try these rules in this extraordinary session. The gentlemen upon the other side have the votes to adopt them without change at any time they see fit, and it seems to me that in justice to the majority, in justice to the minority, in justice to the country, these rules ought to be tested and tried in a temporary way in the extraordinary session. Then if the majority are satisfied to adopt them as they are it is within the power of that majority so to adopt them.

If the experience of the House in this extraordinary session should lead the thoughtful, independent men of the majority, after consideration of the matter, to the conclusion that these rules are too drastic and too arbitrary, it will then be in their power, before their hands are tied, to have such changes made as in their judgment ought to be made, and give the House and the membership of the House some opportunity to exercise here, in a free, independent, and untrammeled way, the rights which are theirs and to perform the duties which are theirs also.

Another objection which I have to the adoption of these rules out of hand, now and for the entire Congress, is that they are totally unfair to the minority in the assignment of membership upon the various committees. Any gentleman looking over the roll of the House, and seeing how large, or rather how small, is the majority, must, in fairness and justice, say that not only upon the important committees, but upon all the committees of the House, this side ought to have a larger representation than it had in the last Congress.

It is within the power of the majority, of course, to deny us that representation. If we are denied that representation a wrong will be done us individually and a wrong will be done our constituents at the outset of the proceedings of this Congress, a wrong that will not inure to the benefit of any party or of the country at large. It is conducive to good legislation, to thoughtful consideration of measures, to a proper disposition of things which will come before committees and later before the House, that there be a reasonably fair distribution of the Members upon committees, in proportion to the membership upon the respective sides of the House. Some of the great committees of the last House had a membership of seventeen, eleven Republicans and six Democrats. There is no justice and no fairness in such disproportion. It does not give us the representation which we ought to have.

We know very well that we have no power whatever to change or modify in any degree the will of the majority; but now, at the outset—before there is anything done—I wish to say to those who have the good fortune to be new to this House that the time will come, and it will come repeatedly, when, if these rules are adopted

without consideration and blindly, individual members, and many of them, will regret their hasty action.

I wish to say also, as a Member of the House upon this side, that it is not justice to us nor justice to the people who sent us here, it is not fair to the people of the country, it is not for good legislation, it is not wise and patriotic action, to limit us in our membership in committees—great and small alike—to the small portion of power which we had in the Fifty-seventh Congress. It will be better for your own legislation, it will be more satisfactory in results, it will be better for us and better for the country, to give us a larger committee membership. That is all I desire to say. [Applause on the Democratic side.]

Mr. DALZELL. Mr. Speaker, so far as the increased representation of the Democratic party on the committees is concerned, I just wish to say a word. That can not be disposed of now. If the claim upon the other side shall have merit, I have no doubt that it will be recognized and can be rectified later. So far as confining the use of the rules, experimentally, to the extra session is concerned, the gentleman from Missouri knows, as well as the rest of us, that these have been the rules of every Republican Congress since the Fifty-first Congress and substantially the rules of the Fifty-second and Fifty-third Democratic Congresses. I now ask for the previous question.

Mr. DE ARMOND. Will the gentleman allow me to ask him a question?

Mr. DALZELL. Certainly.

Mr. DE ARMOND. How, if we are to have a larger membership, can the wrong be righted or the error be rectified after the committees are made up?

Mr. DALZELL. There is no question of making up the committees involved in this. It involves the adoption of rules for the House, and the committees will be made up later on.

Mr. DE ARMOND. Why not omit the number of Members on the committees?

Mr. DALZELL. That amendment can be made at any time.

Mr. DE ARMOND. Why not leave the matter open, then?

Mr. DALZELL. We want the House organized, and we want it organized with rules to go by. I ask for the previous question.

The question was taken on ordering the previous question; and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS of Mississippi. Division.

The House divided; and there were—ayes 176, noes 163.

So the previous question was ordered.

The SPEAKER. The question now is upon the adoption of the resolution.

Mr. WILLIAMS of Mississippi. Upon that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 192, nays 168, not voting 24, as follows:

YEAS—192.

Acheson,	Dick,	Jones, Wash.	Pearre,
Adams, Pa.	Dixon,	Kennedy,	Perkins,
Adams, Wis.	Douglas,	Ketcham,	Porter.
Alexander,	Dovener,	Kinkaid,	Powers, Me.
Allen,	Draper,	Knapp,	Powers, Mass.
Ames,	Dresser,	Knopf,	Prince,
Babcock,	Driscoll,	Lacey,	Reeder,
Bartholdt,	Dunwell,	Lafean,	Roberts,
Bates,	Dwight,	Landis, Chas. B.	Rodenberg,
Bede,	Esch,	Landis, Frederick	Scott,
Beidler,	Evans,	Lanning,	Sherman,
Bingham,	Flack,	Lawrence,	Shiras,
Birdsall,	Fordney,	Lilley,	Sibley,
Bishop,	Foss,	Littauer,	Skiles,
Boutell,	French,	Littlefield,	Slemp,
Bowersock,	Fuller,	Longworth,	Smith, Ill.
Bradley,	Gaines, W. Va.	Lorimer,	Smith, Iowa.
Brandegee,	Gardner, Mass.	Loud,	Smith, Samuel W.
Brick,	Gardner, Mich.	Loudenslager,	Smith, Wm. Alden
Brooks,	Gardner, N. J.	Lovering,	Smith, Pa.
Brown, Pa.	Gibson,	McCall,	Snapp,
Brown, Wis.	Gillet, N. Y.	McCarthy,	Southard.
Brownlow,	Gillett, Cal.	McCleary, Minn.	Southwick,
Buckman,	Gillett, Mass.	McCreary, Pa.	Spalding,
Burk, Pa.	Goebel,	McLachlan,	Sperry,
Burke, S. Dak.	Graff,	McMorran,	Stafford,
Burkett,	Greene,	Mahon,	Steenerson,
Burleigh,	Grosvenor,	Mann,	Sterling,
Burton,	Hamilton,	Marsh,	Stevens, Minn.
Butler, Pa.	Haskins,	Marshall,	Sulloway,
Calderhead,	Haugen,	Martin,	Tawney,
Campbell,	Hedge,	Metcalf,	Thomas, Iowa.
Capron,	Hepburn,	Miller,	Tirrell.
Cassel,	Henry, Conn.	Minor,	Townsend.
Conner,	Hepburn,	Moon, Pa.	Van Voorhis,
Cooper, Pa.	Hermann,	Morgan,	Volstead,
Cousins,	Hildebrant,	Morrell,	Waechter,
Cromer,	Hill, Conn.	Mudd,	Wanger,
Crumpacker,	Hinshaw,	Murdock,	Warner,
Currier,	Hogg,	Needham,	Warnock,
Curtis,	Holliday,	Norris,	Watson,
Dalzell,	Howell, N. J.	Olmsted,	Weems.
Daniels,	Howell, Utah,	Otis,	Wiley, N. J.
Darragh,	Hughes, W. Va.	Otjen,	Williamson,
Davidson,	Hull,	Palmer,	Wilson, Ill.
Davis, Minn.	Humphrey, Wash.	Parker,	Woodyard,
Dayton,	Jackson, Md.	Patterson, Pa.	Wright,
Deemer,	Jenkins,	Payne,	Young.

NAYS—168.

Adamson,	Foster, Ill.	Lever,	Russell,
Aiken,	Gaines, Tenn.	Lewis,	Ryan,
Badger,	Garber,	Lind,	Scarborough,
Baker,	Garner,	Lindsay,	Scudder,
Bankhead,	Gilbert,	Little,	Shackleford,
Bartlett,	Gillespie,	Livernash,	Shafroth,
Bennett,	Glass,	Livingston,	Sheppard,
Beall,	Goldfogle,	Lloyd,	Sherley,
Bell,	Gooch,	Lucking,	Shober,
Benny,	Goulden,	McAndrews,	Shull,
Benton,	Granger,	McClellan,	Sims,
Bowers,	Gregg,	McDermott,	Slayden,
Bowie,	Griffith,	McLain,	Small,
Brantley,	Griggs,	McNary,	Smith, Ky.
Brenzeale,	Gudger,	Macon,	Smith, Tex.
Broussard,	Hamlin,	Maddox,	Snook,
Burgess,	Hardwick,	Mahoney,	Southall,
Burleson,	Harrison,	Maynard,	Sparkman,
Burnett,	Hay,	Meyer, La.	Spight,
Butler, Mo.	Hearst,	Miers, Ind.	Stanley,
Byrd,	Henry, Tex.	Moon, Tenn.	Stephens, Tex.
Caldwell,	Hill, Miss.	Overstreet,	Sullivan, Mass.
Candler,	Hitchcock,	Padgett,	Sullivan, N. Y.
Cassingham,	Hopkins,	Page,	Sulzer,
Clark,	Houston,	Patterson, N. C.	Swanson,
Clayton,	Howard,	Patterson, Tenn.	Talbott,
Cochran,	Howell, Pa.	Pierce,	Tate,
Cooper, Tex.	Hughes, N. J.	Pou,	Taylor,
Cowherd,	Humphreys, Miss.	Pujo,	Thayer,
Croft,	Hunt,	Rainey,	Thomas, N. C.
Crowley,	James,	Randell, Tex.	Trimble,
Davey,	Johnson,	Rhea,	Underwood,
Davis, Fla.	Jones, Va.	Richardson, Ala.	Van Dozer,
De Armond,	Kehoe,	Richardson, Tenn.	Wallace,
Dickerman,	Kellher,	Rider,	Webb,
Dinsmore,	Kitchin, Wm. W.	Rixey,	Weisse,
Dougherty,	Kline,	Robb,	Wiley, Ala.
Emerich,	Kluttz,	Robertson, La.	Williams, Ill.
Field,	Lamar, Mo.	Robinson, Ark.	Williams, Miss.
Finley,	Lamb,	Robinson, Ind.	Wilson, N. Y.
Fitzgerald,	Legare,	Rucker,	Wynn,
Flood,	Lester,	Ruppert,	Zenor.

NOT VOTING—24.

Ball,	Foster, Vt.	Kyle,	Smith, N. Y.
Brundidge,	Fowler,	Lamar, Fla.	Thompson,
Cooper, Wis.	Hitt,	Mondell,	Vandiver,
Cushman,	Huff,	Nevin,	Vreeland,
Denny,	Jackson, Ohio.	Ransdell, La.	Wade.
Fitzpatrick,	Kitchin, Claude	Reid,	Wadsworth.

So the resolution was agreed to.

The result of the vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed the following resolutions:

Resolved, That a committee consisting of two Senators be appointed to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that Congress is ready to receive any communication he may be pleased to make.

And that in compliance with the foregoing the President pro tempore had appointed as said committee Mr. HOAR and Mr. GORMAN.

Also—

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

DAILY HOUR OF MEETING.

Mr. GROSVENOR offered the following resolution; which was read, considered, and adopted:

Resolved, That until otherwise ordered the daily hour of meeting of the House of Representatives shall be 12 o'clock meridian.

PRINTING OF DIGEST AND MANUAL.

Mr. GAINES of West Virginia offered the following resolution; which was read, considered, and agreed to:

Resolved, That there be printed 2,000 copies of the Digest and Manual of the Rules and Practice of the House of Representatives for the first session of the Fifty-eighth Congress, the same to be bound and distributed under the direction of the Speaker and Clerk of the House.

DRAWING OF SEATS.

Mr. SHERMAN. Mr. Speaker, I offer the resolution which I send to the Clerk's desk, and after its adoption and pending its execution I desire to ask a unanimous consent.

The Clerk read as follows:

Resolved, That the House do now proceed to draw seats for Members and Delegates of the present Congress, in pursuance of Rule XXXII, and when names of Members absent from the city or on account of sickness are called that seats be selected for them by their colleagues.

Mr. SHERMAN. Mr. Speaker, I now ask unanimous consent that before the execution of that order the gentleman from Pennsylvania, Mr. BINGHAM, the senior Member in service upon the Republican side; the gentleman from Tennessee, Mr. RICHARDSON, the senior Member in service upon the Democratic side; the gentleman from New York, Mr. PAYNE, the leader of the majority, and the gentleman from Mississippi, Mr. WILLIAMS, the leader of the minority, be accorded the privilege of first choosing their seats. [Applause.]

The SPEAKER. The House has heard the request of the gentleman from New York. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The question is now

on agreeing to the resolution offered by the gentleman from New York.

The resolution was agreed to.

SWEARING IN OF A MEMBER.

Mr. SIMS. Mr. Speaker, my colleague, Mr. Fitzpatrick, of Tennessee, was not present when the oath was administered to the Members from that State. I ask that he be now allowed to take the oath of office.

There being no objection, Mr. Fitzpatrick appeared at the bar of the House and took the oath prescribed by law.

DRAWING OF SEATS.

The SPEAKER. The Clerk will read the rule in relation to the drawing of seats.

The Clerk read as follows:

RULE XXXII.

1. At the commencement of each Congress, immediately after the Members and Delegates are sworn in, the Clerk shall place in a box, prepared for that purpose, a number of small balls of marble or other material equal to the number of Members and Delegates, which balls shall be consecutively numbered and thoroughly intermingled, and at such hour as shall be fixed by the House for that purpose, by the hands of a page, draw said balls one by one from the box and announce the number as it is drawn, upon which announcement the Member or Delegate whose name on a numbered alphabetical list shall correspond with the number on the ball shall advance and choose his seat for the term for which he is elected.

2. Before said drawing shall commence each seat shall be vacated and so remain until selected under this rule, and any seat having been selected shall be deemed forfeited if left unoccupied before the call of the roll is finished, and whenever the seats of Members and Delegates shall have been drawn, no proposition for a second drawing shall be in order during that Congress.

The drawing of seats was then proceeded with and completed.

MINORITY OFFICERS.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I offer the following resolution, which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That during the Fifty-eighth Congress, and until the organization of the Fifty-ninth Congress, Isaac R. Hill be authorized to act as special employee of the House of Representatives and receive the compensation at the rate of $1,500 per annum.

That Felton B. Knight and Joseph J. Sinnott be authorized to act as special messengers of the House of Representatives, each to receive a compensation at the rate of $1,320 per annum; and that James F. English be authorized to act as special chief page of the House of Representatives, at the rate of $840 per annum and $540 additional for services as pair clerk.

Said officers shall at all times be under the direction and control of the Speaker of the House, and they shall be subject to removal for cause at any time by him.

Mr. PAYNE. Mr. Speaker, I would like to inquire of the gentleman from Mississippi if this is the usual resolution for the minority officers?

Mr. WILLIAMS of Mississippi. It is.

Mr. PAYNE. And the compensation is the same?

Mr. WILLIAMS of Mississippi. It is.

The SPEAKER. The gentleman from Mississippi asks unanimous consent for the present consideration of the resolution. Is there objection? [After a pause.] The Chair hears none.

The resolution was considered, and agreed to.

JOHN T. CHANCEY.

Mr. HEPBURN. Mr. Speaker, I was instructed by the Republican caucus to ask unanimous consent to present the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That John T. Chancey be continued, until otherwise provided, in the position he now holds as special employee of the House.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The resolution was agreed to.

REVOLUTION ON THE ISTHMUS OF PANAMA.

Mr. HITT. Mr. Speaker, I ask the unanimous consent of the House for the present consideration of the resolution which I send to the Clerk's desk, and ask to have it read.

The Clerk read as follows:

Resolved by the House of Representatives, That the President is requested to communicate to the House, if not in his judgment incompatible with the interests of the public service, all correspondence and other official documents relating to the recent revolution on the Isthmus of Panama.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The resolution was considered, and agreed to.

LEAVE OF ABSENCE.

Mr. CUSHMAN, by unanimous consent, obtained indefinite leave of absence, on account of important business.

And then, on motion of Mr. PAYNE (at 3.35 p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from Hon. B. F. RODEY, Delegate from New Mexico, transmitting a copy of the acts of the thirty-fifth legislative assembly of the Territory of New Mexico—to the Committee on Agriculture.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RODEY: A bill (H. R. 1) to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. BARTHOLDT: A bill (H. R. 2) to repeal an act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: A bill (H. R. 3) for the protection of the President of the United States, and for other purposes—to the Committee on the Judiciary.

By Mr. BOUTELL: A bill (H. R. 4) to prevent discrimination against members of Indian tribes attending religious or private schools—to the Committee on Indian Affairs.

By Mr. GILBERT: A bill (H. R. 5) for the erection of a public building at Lawrenceburg, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. TAWNEY: A bill (H. R. 6) to amend section 3394 of the Revised Statutes of the United States, relating to tobacco—to the Committee on Ways and Means.

By Mr. WANGER: A bill (H. R. 7) to establish a national military park at Valley Forge, Pa.—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 8) to limit the jurisdiction of the district and circuit courts of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 9) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations in Oklahoma Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 10) to authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of Oklahoma and New Mexico and the State of Texas—to the Committee on the Judiciary.

Also, a bill (H. R. 11) to refund to the State of Texas the sum of $50,875.53, the same being the amount due the State of Texas in the adjustment of claims relating to the transfer of Greer County, Oklahoma Territory, from the State of Texas to the United States—to the Committee on Claims.

Also, a bill (H. R. 12) to provide for the equitable distribution of the waters of the Rio Grande between the United States of America and the United States of Mexico—to the Committee on Foreign Affairs.

Also, a bill (H. R. 13) to establish a mint of the United States at El Paso, in the State of Texas—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 14) requiring the United States Government to furnish post-office boxes permanently to all citizens paying the first cost of their box in all post-offices now renting boxes to citizens, and to repeal all laws inconsistent with this act—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 15) to amend section 4286 of the Revised Statutes of the United States, striking out "twenty-eight consecutive hours" and "twenty-eight hours" and inserting "forty consecutive hours" and "forty hours"—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 16) requiring mail carriers on star routes to take all mail deposited in roadside boxes and mail it in the nearest post-office along the route—to the Committee on Post-Offices and Post-Roads.

Also, a bill (H. R. 17) to amend the act relating to Indian depredations—to the Committee on Indian Affairs.

Also, a bill (H. R. 18) authorizing the members of the tribes of Choctaw and Chickasaw Indians to grant mineral leases, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 19) establishing a United States court at Marietta, Ind. T.—to the Committee on the Judiciary.

Also, a bill (H. R. 20) establishing a United States court at Duncan, Ind. T.—to the Committee on the Judiciary.

Also a bill (H. R. 21) providing for appeal of one case from the citizenship court of the Indian Territory to the Supreme Court of the United States—to the Committee on Indian Affairs.

Also, a bill (H. R. 22) regulating the practice of medicine and surgery in the Indian Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 23) in relation to pharmacy in the Indian Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 24) to provide for the union of Oklahoma Territory and the Indian Territory, and to enable the people thereof

to form a constitution and State government, and to be admitted into the Union as the State of Oklahoma, on an equal footing with the original States, and to make donations of public lands to said State—to the Committee on the Territories.

Also, a bill (H. R. 25) providing for the lease of the public grazing lands in the arid States and Territories of the United States—to the Committee on the Public Lands.

Also, a bill (H. R. 26) setting aside certain lands within the Mescalero Indian Reservation, in New Mexico, for the use of the Indians thereon, and providing for the sale of the residue of the lands therein for the benefit of said tribe of Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 27) to subject the mineral lands on the Indian reservations in the United States and Territories to location, operation, development, and entry, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 28) to amend and construct existing pension laws—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 29) to provide for the erection of a bronze statue to the memory of the late Samuel J. Tilden at Washington, D. C.—to the Committee on the Library.

Also, a bill (H. R. 30) to create the Territory of Alaska and to provide for the government of the same—to the Committee on the Territories.

Also, a bill (H. R. 31) to encourage salmon culture in Alaska and for the protection of persons engaged in the production thereof—to the Committee on the Territories.

Also, a bill (H. R. 32) in relation to contempts of court—to the Committee on the Judiciary.

Also, a bill (H. R. 33) limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory or the District of Columbia—to the Committee on Labor.

Also, a bill (H. R. 34) to regulate commerce with foreign nations, to make preference for the use of American vessels, to extend the postal service by sea, and to promote American commerce—to the Committee on Ways and Means.

By Mr. MUDD: A bill (H. R. 35) to provide for the construction of the Maryland and Delaware Free Ship Canal as a means of military and naval defense and for commercial purposes—to the Committee on Railways and Canals.

Also, a bill (H. R. 36) authorizing the Commissioners of the District of Columbia to enter into a contract or contracts for the dredging and improvement of the Anacostia River and the reclamation and improvement of its flats from the line of the District of Columbia to the Pennsylvanie Avenue Bridge—to the Committee on the District of Columbia.

By Mr. FORDNEY: A bill (H. R. 37) to increase the salaries of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHON: A bill (H. R. 38) granting pensions to all pensioners of not less than $12 per month—to the Committee on Invalid Pensions.

By Mr. BURTON: A bill (H. R. 39) for a light-house and fog signal on Rock of Ages, Lake Superior—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Wisconsin: A bill (H. R. 40) for the erection of a public building at Beloit, Wis.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 41) for the erection of a public building at Kenosha, Wis.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 42) to increase the pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Washington: A bill (H. R. 43) providing for the erection of a public building at the city of Olympia, in the State of Washington—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 44) authorizing and directing the S cretary of War to construct a bridge across the Spokane River, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 45) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 46) providing a Territorial form of government for Alaska—to the Committee on the Territories.

Also, a bill (H. R. 47) providing for the erection of a public building at the city of North Yakima, in the State of Washington—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 48) to prevent the locating of placer-mining claims in the district of Alaska by powers of attorney—to the Committee on the Public Lands.

Also, a bill (H. R. 49) providing for the erection of a public building at the city of Everett, in the State of Washington—to the Committee on Public Buildings and Grounds.

By Mr. BURKE of South Dakota: A bill (H. R. 50) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

Also, a bill (H. R. 51) to ratify an agreement with the Lower Brulé band of the Sioux tribe of Indians in South Dakota, and making appropriation to carry the same into effect—to the Committee on Indian Affairs.

Also, a bill (H. R. 52) for the restoration of annuities to the Mdewakanton and Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863—to the Committee on Indian Affairs.

Also, a bill (H. R. 53) to ratify an agreement with the Yankton Sioux Indians of South Dakota, and making appropriation to carry the same into effect—to the Committee on Indian Affairs.

Also, a bill (H. R. 54) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891—to the Committee on Indian Affairs.

Also, a bill (H. R. 55) regulating the settlement of the accounts between the United States and the several States relative to the disposition of the public lands, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 56) to authorize the State of South Dakota to select school and indemnity lands in the ceded portion of the Great Sioux Reservation—to the Committee on the Public Lands.

By Mr. ALLEN: A bill (H. R. 57) for the extension of Eighth street NE., otherwise known as Railroad avenue—to the Committee on the District of Columbia.

By Mr. SIBLEY: A bill (H. R. 58) to increase pay of mail carriers on rural free-delivery mail routes—to the Committee on the Post-Office and Post-Roads.

By Mr. SLAYDEN: A bill (H. R. 59) to establish a permanent military camp ground in the vicinity of Fort Sam Houston, Tex.—to the Committee on Military Affairs.

Also, a bill (H. R. 60) to make goods, wares, and merchandise, made in whole or in part by convicts, or in reformatories, subject to the laws of the State or Territory into which they may be transported—to the Committee on the Judiciary.

By Mr. WARNER: A bill (H. R. 61) to amend the act of August 27, 1888, to provide aid to State and Territorial Homes for the support of disabled soldiers and sailors of the United States, so as to provide aid to such Homes for the support of wives, widows, and mothers of such soldiers and sailors—to the Committee on Military Affairs.

By Mr. DRISCOLL: A bill (H. R. 62) for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. SHAFROTH: A bill (H. R. 63) to provide for the purchase of a site and the erection of a public building thereon at Denver, in the State of Colorado—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: A bill (H. R. 64) to provide for Federal inspection and taxation of mixed goods and the proper marking of the same—to the Committee on Ways and Means.

By Mr. STEENERSON: A bill (H. R. 65) to authorize the sale of a part of what is known as the Red Lake Indian Reservation in the State of Minnesota—to the Committee on Indian Affairs.

By Mr. PALMER: A bill (H. R. 66) to provide for the organization of corporations to engage in commerce with foreign nations and among the several States—to the Committee on the Judiciary.

By Mr. LIVINGSTON: A bill (H. R. 67) to provide a site and erect a public building in Covington, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 68) to establish at Atlanta, Ga., a subtreasury—to the Committee on Ways and Means.

Also, a bill (H. R. 69) establishing the Atlanta National Military Park—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 70) granting pensions to soldiers, sailors, and marines confined in so-called Confederate prisons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 71) granting pensions to soldiers, sailors, and marines confined in so-called Confederate prisons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 72) amending the act of August 4, 1886, granting an increase of pension to soldiers and sailors who shall have lost an arm or leg in the service—to the Committee on Invalid Pensions.

Also, a bill (H. R. 73) amendatory of the pension law in the act of June 27, 1890—to the Committee on Invalid Pensions.

Also, a bill (H. R. 74) permitting the payment of the value of public lands to persons entitled to make entry upon such lands in certain cases—to the Committee on the Public Lands.

By Mr. KETCHAM: A bill (H. R. 75) to provide for the purchase of a site and the erection of a public building thereon at Hudson, in the State of New York—to the Committee on Public Buildings and Grounds.

By Mr. BROWNLOW: A bill (H. R. 76) authorizing the Secretary of War to provide condemned cannon and carriages for ornamentation purposes in the national cemetery at Knoxville, Tenn.—to the Committee on Military Affairs.

Also, a bill (H. R. 77) to empower the Secretary of War to allow burial of wives of deceased enlisted men in national cemeteries in the same graves as deceased soldiers—to the Committee on Military Affairs.

Also, a bill (H. R. 78) to provide a home for aged and infirm colored people—to the Committee on Military Affairs.

Also, a bill (H. R. 79) to reorganize the corps of dental surgeons attached to the Medical Department of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 80) granting an appropriation to the trustees of the Woman's National Industrial Exhibit of the city of Washington, D. C.—to the Committee on Appropriations.

Also, a bill (H. R. 81) to add a corps of dental surgeons to the Bureau of Medicine and Surgery of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 82) to authorize the Delaware Indians in the Cherokee Nation to bring suit in the Court of Claims against the United States, and the Mississippi Choctaws to sue the Choctaw Nation, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 83) granting a pension to certain East Tennesseans engaged in the secret service of the United States during the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 84) to provide for the erection of a public building at Johnson City, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 85) to provide for a United States Reform School, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 86) to amend joint resolution entitled "Joint resolution authorizing Members to certify monthly the amount paid by them for clerk hire and directing the same to be paid out of the contingent fund of the House," approved March 3, 1893—to the Committee on Accounts.

Also, (by request) a bill (H. R. 87) to give longevity pay to employees in the classified civil service—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 88) to authorize the appointment of a United States commissioner for central judicial district of Indian Territory—to the Committee on the Judiciary.

By Mr. GROSVENOR: A bill (H. R. 89) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases—to the Committee on the Judiciary.

By Mr. HEMENWAY: A bill (H. R. 90) to pension all soldiers or sailors who served in the military or naval service of the United States at least ninety days in the war of the rebellion, and who were honorably discharged therefrom, at the rate of $12 per month, and also placing upon the pension roll of the United States the widows of such soldiers and sailors who were married prior to June 27, 1890—to the Committee on Invalid Pensions.

By Mr. SPALDING: A bill (H. R. 91) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.—to the Committee on Interstate and Foreign Commerce.

By Mr. DRISCOLL: A bill (H. R. 92) for the erection of a public building at Syracuse, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH: A bill (H. R. 93) to adopt the weights and measures of the metric system as the standard weights and measures in the United States—to the Committee on Coinage, Weights, and Measures.

By Mr. BATES: A bill (H. R. 94) to provide for a pension of $24 per month for soldiers and sailors who have attained the age of 70 years—to the Committee on Invalid Pensions.

Also, a bill (H. R. 95) to provide for the further improvement of the harbor of Erie, Pa.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 96) to provide for site and public building at Meadville, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BRICK: A bill (H. R. 97) to amend section 3394 of the Revised Statutes of the United States, relating to tobacco—to the Committee on Ways and Means.

Also, a bill (H. R. 98) to amend an act entitled "An act in amendment of sections 2 and 3 of an act entitled 'An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents,' approved June 27, 1890," approved May 9, 1900—to the Committee on Invalid Pensions.

Also, a bill (H. R. 99) to provide for the purchase of additional ground and the enlargement and improvement of the public building at South Bend, Ind.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 100) to create a commission to investigate the expediency and practicability of establishing public rifle ranges throughout the United States, and to report a feasible plan or method for establishing such rifle ranges—to the Committee on Military Affairs.

By Mr. ADAMSON: A bill (H. R. 101) to authorize the employment of additional special agents in the rural free-delivery division of the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 102) for the improvement of the Chattahoochee River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 103) to provide for the purchase of a site and the erection of a public building thereon at Newman, in the State of Georgia, and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 104) for the erection of a public building at the city of Lagrange, Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 105) to provide for the erection of a public building in the city of Carrollton, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. CASSEL: A bill (H. R. 106) to provide for the extension and enlargement of the public building at Lancaster, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 107) to provide for the erection of a monument to Thaddeus Stevens—to the Committee on the Library.

Also, a bill (H. R. 108) for the relief of parties from whom cigars were seized on account of bearing counterfeit stamps—to the Committee on Claims.

By Mr. GREENE: A bill (H. R. 109) to regulate commerce with foreign nations, to induce the preferable employment of American ships, to extend the postal service by mail and naval steamers, and to promote intercourse with foreign countries—to the Committee on Ways and Means.

By Mr. BARTHOLDT: A bill (H. R. 110) to declare February the 12th a national holiday—to the Committee on the Judiciary.

Also, a bill (H. R. 111) to extend the provisions of the pension act of June 27, 1890, to Missouri Enrolled State Militia and other organizations—to the Committee on Invalid Pensions.

Also, a bill (H. R. 112) for the erection of a monument to the memory of Brig. Gen. Nathaniel Lyon at St. Louis, Mo.—to the Committee on the Library.

By Mr. GILBERT: A bill (H. R. 113) to establish a national military park at Perryville—to the Committee on Military Affairs.

By Mr. OTJEN: A bill (H. R. 114) for the establishment of a light-house depot at or near the city of Milwaukee, Wis.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 115) for the establishment of a third-order flash light and fog signal upon south end of breakwater, harbor of refuge, Milwaukee, Wis.—to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: A bill (H. R. 797) for the recognition of the military service of the officers and enlisted men of certain State military organizations—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A joint resolution (H. J. Res. 1) proposing an amendment to the Constitution of the United States authorizing the levy of a tax on incomes and inheritances—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 2) setting aside certain lands within the Mescalero Indian Reservation, in New Mexico, for the use of the Indians thereon, and providing for the sale of the residue of the lands therein for the benefit of said tribe of Indians—to the Committee on Indian Affairs.

Also, a joint resolution (H. J. Res. 3) to prevent the lease of certain Indian lands in Oklahoma Territory for a longer period than one year—to the Committee on Indian Affairs.

By Mr. SULZER: A joint resolution (H. J. Res. 4) proposing an amendment to the Constitution providing for the election of Senators of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. MUDD: A joint resolution (H. J. Res. 5) authorizing the President of the United States to appoint a commission to examine and report upon a route for the construction of a free and open waterway to connect the waters of the Chesapeake and Delaware bays—to the Committee on Railways and Canals.

By Mr. WANGER: A joint resolution (H. J. Res. 6) relating to the badge of the Army and Navy Union—to the Committee on Military Affairs.

By Mr. BURTON: A joint resolution (H. J. Res. 7) for an examination and survey of the shore of Lake Superior in the vicinity of Keweenaw Point—to the Committee on Rivers and Harbors.

By Mr. WANGER: A joint resolution (H. J. Res. 8) to provide for the printing of 8,000 copies of the consolidated reports of

the Gettysburg National Park Commission, 1893 to 1904, inclusive—to the Committee on Printing.

By Mr. BROWNLOW: A joint resolution (H. J. Res. 9) providing for the publication of 200,000 copies of the Special Report on the Diseases of Cattle—to the Committee on Printing.

Also, a joint resolution (H. J. Res. 10) providing for the publication of 200,000 copies of the Special Report on the Diseases of Sheep—to the Committee on Printing.

Also, a joint resolution (H. J. Res. 11) authorizing the payment of $500 by the Secretary of Agriculture to T. H. Reeves, State statistical agent of the Department of Agriculture during the calendar year 1901—to the Committee on Agriculture.

Also, a joint resolution (H. J. Res. 12) providing for a survey of the Isthmus of Darien for canal purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: A joint resolution (H. J. Res. 13) making appropriation for site and the erection of a pedestal for a bronze statue in Washington, D. C., in memory of the late Hon. Amos J. Cummings—to the Committee on the Library.

By Mr. CRUMPACKER: A concurrent resolution (H. C. Res. 1) providing for a survey of Indiana Harbor, in the State of Indiana—to the Committee on Rivers and Harbors.

By Mr. OTJEN: A concurrent resolution (H. C. Res. 2) requesting certain information from the Surgeon-General relating to the claim of Dr. Eugene H. Wood—to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: A resolution (H. Res. 3) requesting the Secretary of the Interior to furnish information relating to the Comanche and Kiowa Indian Reservation in Oklahoma Territory—to the Committee on the Public Lands.

Also, a resolution (H. Res. 4) directing the Secretary of the Interior to report to the House of Representatives what money has been derived from the sale of town lots of Lawton, Anadarko, and Hobart, in Oklahoma Territory, under act of Congress of March 3, 1901, and what amount of money has been paid out, and to whom, etc.—to the Committee on the Public Lands.

By Mr. RODEY: A memorial of the legislature of the Territory of New Mexico, relating to the proposed legislation for the improvement of public highways—to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 116) granting a pension to Baley R. Gill—to the Committee on Pensions.

Also, a bill (H. R. 117) granting an increase of pension to James Longstreet—to the Committee on Pensions.

Also, a bill (H. R. 118) for the relief of the legal representatives of W. L. Gordon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 119) for the relief of H. T. Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 120) for the relief of the legal representatives of F. M. T. Brannan—to the Committee on War Claims.

Also (by request), a bill (H. R. 121) for the relief of Sidney T. Dupuy and George R. Dupuy—to the Committee on War Claims.

Also, a bill (H. R. 122) for the relief of the heirs of S. H. Hill, deceased—to the Committee on War Claims.

Also, a bill (H. R. 123) for the relief of N. N. Lowry—to the Committee on War Claims.

Also, a bill (H. R. 124) for the relief of the legal representatives of T. L. Walker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 125) for the relief of Edward Haile—to the Committee on War Claims.

Also, a bill (H. R. 126) to compensate the legal representatives of Henry S. Castellau for stock and provisions taken for the use of the Army of the United States—to the Committee on War Claims.

Also, a bill (H. R. 127) to compensate W. T. Godwin for transportation, rent, and supplies furnished United States authorities engaged in suppressing a riot in Harris County, Ga., in 1867—to the Committee on War Claims.

Also, a bill (H. R. 128) to pay Hewlette A. Hall balance due for services rendered in connection with the Paris Exposition—to the Committee on Claims.

By Mr. BATES: A bill (H. R. 129) granting an increase of pension to Byron H. Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 130) granting an increase of pension to Washington I. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 131) granting an increase of pension to David Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 132) granting an increase of pension to James P. Grifith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 133) granting an increase of pension to Capt. James W. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 134) granting a pension to Wilhelmina Miller—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 135) granting an increase of pension to Daniel S. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 136) granting a pension to Mrs. Mary E. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 137) granting an increase of pension to James A. Giles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 138) granting an increase of pension to Henry Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 139) granting a pension to Harvey R. Backus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 140) granting an increase of pension to James M. Heminger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 141) granting an increase of pension to George M. Veach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 142) granting an increase of pension to William Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 143) granting an increase of pension to George H. Gaskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 144) granting an increase of pension to Daniel Morrissey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 145) granting an increase of pension to Emil Schlincke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 146) granting an increase of pension to Alex McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 147) granting an increase of pension to Thomas J. Frasier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 148) granting an increase of pension to Jeremiah S. Wyland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 149) granting a pension to Martha Oliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 150) granting an increase of pension to Abraham E. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 151) granting a pension George Heminger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 152) to restore to the pension roll Sarah J. Ayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 153) granting a pension to Harriet Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 154) granting a pension to William B. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 155) to remove the charge of desertion from the military record of Charles E. Bentley, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 156) granting a pension to Thomas McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 157) to remove the charge of desertion from the military record of George W. Philpott, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 158) to remove the charge of desertion from the military record of Joseph Stallter, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 159) to remove the charge of desertion from the military record of Jacob Curry, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 160) to remove the charge of desertion from the military record of Charles Rankert, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 161) to remove the charge of desertion from the military record of Andrew Matheny, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 162) to remove the charge of desertion from the military record of Godfrey Bestle, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 163) to remove the charge of desertion from the military record of Albert B. Ketterman, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 164) to remove the charge of desertion from the military record of Thomas F. Lindersmith, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 165) granting an increase of pension to Thomas Adelsperger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 166) granting an increase of pension to Michael Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 167) for the relief of Levi C. Smith—to the Committee on War Claims.

Also, a bill (H. R. 168) granting an increase of pension to Newman S. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 169) to remove the charge of desertion from the military record of Jonas Albert—to the Committee on Military Affairs.

Also, a bill (H. R. 170) for the relief of Martin D. Puckett—to the Committee on War Claims.

Also, a bill (H. R. 171) to correct the military record of Second Lieut. Joseph Smolinski—to the Committee on Military Affairs.

Also, a bill (H. R. 172) granting an increase of pension to George W. Carey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 173) to remove the charge of desertion from the military record of William C. Horner, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 174) to remove the charge of desertion from the military record of Ely M. De Weese, and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 175) granting an increase of pension to Thomas H. Snurr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 176) for the relief of Charles B. Bentley—to the Committee on Claims.

Also, a bill (H. R. 177) granting an increase of pension to Henry Meek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 178) granting an increase of pension to Charles W. Ramsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 179) granting an increase of pension to Alfred B. Lowry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 180) granting an increase of pension to James C. Dill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 181) granting an increase of pension to Eli O. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 182) granting an increase of pension to John M. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 183) granting an increase of pension to George W. Carey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 184) granting an increase of pension to William H. Knepple—to the Committee on Invalid Pensions.

By Mr. BURTON: A bill (H. R. 185) granting a pension to John R. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 186) granting a pension to Amalia C. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 187) granting a pension to Clarissa Wolcott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 188) granting a pension to Alexander Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 189) granting an increase of pension to John Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 190) for the relief of William T. Crump—to the Committee on Claims.

Also, a bill (H. R. 191) granting an honorable discharge to Isaac P. Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 192) placing upon the military rolls the names of Jackson M. Leland and others—to the Committee on Military Affairs.

By Mr. BURKE of South Dakota: A bill (H. R. 193) granting a pension to John Swenson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 194) granting a pension to Mary J. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 195) granting a pension to Michael J. Landy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 196) granting a pension to Grace E. Carson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 197) granting an increase of pension to John Latta—to the Committee on Invalid Pensions.

Also, a bill (H. R. 198) granting a pension to Emmett Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 199) for the relief of John H. McLaughlin—to the Committee on Claims.

Also, a bill (H. R. 200) to reward certain Sioux Indians for the rescue of white captives and their compensatory payment of ponies—to the Committee on Claims.

By Mr. BARTHOLDT: A bill (H. R. 201) for the relief of the contractor or his legal representatives for the construction of the light-draft monitor *Etlah*—to the Committee on War Claims.

By Mr. BURLEIGH: A bill (H. R. 202) granting a pension to George W. Walls—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 203) granting an increase of pension to Alwilda A. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 204) granting an increase of pension to George W. Caseday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 205) granting an increase of pension to Timothy Sivils—to the Committee on Invalid Pensions.

Also, a bill (H. R. 206) granting an increase of pension to William M. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 207) granting an increase of pension to Daniel W. Ellis, Company B, Thirteenth Tennessee Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 208) granting an increase of pension to William F. Akerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 209) granting a pension to Zachariah Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 210) granting a pension to Hartwell B. Whittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 211) granting a pension to Pleasant C. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 212) granting a pension to Oliver L. Burnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 213) granting a pension to John B. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 214) granting a pension to John G. Burchfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 215) granting a pension to Sarah Bowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 216) granting a pension to Samuel Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 217) granting a pension to Joseph Branscom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 218) granting a pension to Pleasant P. Bates, Company F, First Tennessee Volunteer Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 219) granting a pension to M. J. Burton, widow of Thomas Burton—to the Committee on Pensions.

Also, a bill (H. R. 220) granting a pension to William Branscom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 221) granting a pension to J. Lavenia Childs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 222) granting a pension to Adella C. Chandler, widow of Bartley M. Chandler—to the Committee on Pensions.

Also, a bill (H. R. 223) granting a pension to Sarah Cupp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 224) granting a pension to William H. Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 225) granting a pension to John A. Collett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 226) granting a pension to Martin Click and four others—to the Committee on Invalid Pensions.

Also, a bill (H. R. 227) granting a pension to Margaret Cotter, widow of John A. Cotter, Company B, Second Tennessee Volunteer Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 228) granting a pension to James Conant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 229) granting a pension to John D. Cary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 230) to grant a pension to Nancy Dillard—to the Committee on Pensions.

Also, a bill (H. R. 231) granting a pension to Isaac Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 232) granting a pension to William K. Daniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 233) granting a pension to Thomas Dalton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 234) granting a pension to Daniel Fugate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 235) granting a pension to Mrs. Susan Fields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 236) granting a pension to Mary Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 237) granting a pension to J. S. Grubb—to the Committee on Pensions.

Also, a bill (H. R. 238) granting a pension to George W. Gabey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 239) granting a pension to Peter Guinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 240) granting a pension to Mary Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 241) granting a pension to John B. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 242) granting a pension to Madison Grimsby—to the Committee on Pensions.

Also, a bill (H. R. 243) granting a pension to J. W. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 244) granting a pension to William Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 245) granting a pension to Samuel M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 246) to grant pensions to the East Tennessee Bridge Burners—to the Committee on Pensions.

Also, a bill (H. R. 247) granting a pension to Mrs. Elizabeth Herron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 248) granting a pension to Mrs. Bettie Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 249) granting a pension to May Shields Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 250) granting a pension to Ruetha Moran—to the Committee on Pensions.

Also, a bill (H. R. 251) granting a pension to David A. Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 252) granting a pension to David A. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 253) granting a pension to William H. Pierre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 254) granting a pension to George W. Oliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 255) granting a pension to Jackson Stokely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 256) granting a pension to Sarah Ann Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 257) granting a pension to William Riddle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 258) to grant a pension to Mrs. Lucinda Roberts—to the Committee on Pensions.

Also, a bill (H. R. 259) granting a pension to Martha L. Reams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 260) granting a pension to Rebecca Prichard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 261) granting a pension to Nathan B. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 262) granting a pension to Leonard B. Merritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 263) granting a pension to William See—to the Committee on Invalid Pensions.

Also, a bill (H. R. 264) granting a pension to Peter Spurgeon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 265) granting a pension to James E. Shehan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 266) to grant a pension to Strawberry B. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 267) granting a pension to Morris McIntosh, father of John McIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 268) granting a pension to Thomas R. Trent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 269) granting a pension to William C. Tilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 270) granting a pension to Monroe Trent, of the Tenth Tennessee Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 271) for the relief of William Vance—to the Committee on Military Affairs.

Also, a bill (H. R. 272) for the relief of John G. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 273) for the relief of James Vandergriff—to the Committee on War Claims.

Also, a bill (H. R. 274) for the relief of John Ward—to the Committee on Pensions.

Also, a bill (H. R. 275) for the relief of John Wells—to the Committee on Military Affairs.

Also, a bill (H. R. 276) for the relief of George W. Webster—to the Committee on War Claims.

Also, a bill (H. R. 277) for the relief of John Wells—to the Committee on Military Affairs.

Also, a bill (H. R. 278) for the relief of Robert Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 279) for the relief of Stephen Wilbourne—to the Committee on Military Affairs.

Also, a bill (H. R. 280) for the relief of Joseph West—to the Committee on War Claims.

Also, a bill (H. R. 281) for the relief of George W. Webster—to the Committee on War Claims.

Also, a bill (H. R. 282) for the relief of Wiley Wolf—to the Committee on Military Affairs.

Also, a bill (H. R. 283) for the relief of Marion F. Wolfe—to the Committee on War Claims.

Also, a bill (H. R. 284) for the relief of George Washington Wallace—to the Committee on Military Affairs.

Also, a bill (H. R. 285) for the relief of Emma H. Worley, widow, and the heirs at law of Nathaniel T. Worley, deceased—to the Committee on Claims.

Also, a bill (H. R. 286) for the relief of Lewis White—to the Committee on War Claims.

Also, a bill (H. R. 287) for the relief of Levi Viles—to the Committee on Military Affairs.

Also, a bill (H. R. 288) for the relief of John Walker—to the Committee on War Claims.

Also, a bill (H. R. 289) for the relief of J. G. Odell—to the Committee on Military Affairs.

Also, a bill (H. R. 290) for the relief of James Nicholes—to the Committee on Military Affairs.

Also, a bill (H. R. 291) for the relief of John M. Morrison—to the Committee on Military Affairs.

Also, a bill (H. R. 292) for the relief of Samuel B. Moore—to the Committee on War Claims.

Also, a bill (H. R. 293) for the relief of Mrs. Emily Miller—to the Committee on War Claims.

Also, a bill (H. R. 294) for the relief of C. C. Speers—to the Committee on Military Affairs.

Also, a bill (H. R. 295) for the relief of Henry Spurgeon—to the Committee on Pensions.

Also, a bill (H. R. 296) for the relief of George Shults—to the Committee on Military Affairs.

Also, a bill (H. R. 297) for the relief of Lewis F. Self—to the Committee on Claims.

Also, a bill (H. R. 298) for the relief of Thomas Sutton—to the Committee on Military Affairs.

Also, a bill (H. R. 299) for the relief of Mary A. Shufeldt—to the Committee on Claims.

Also, a bill (H. R. 300) for the relief of Henry Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 301) for the relief of Alfred Sellers—to the Committee on Military Affairs.

Also, a bill (H. R. 302) for the relief of W. R. Sentell—to the Committee on Military Affairs.

Also, a bill (H. R. 303) for the relief of Thomas Saylor—to the Committee on Military Affairs.

Also, a bill (H. R. 304) for the relief of William B. Sorsby—to the Committee on Claims.

Also, a bill (H. R. 305) for the relief of Homer Sheldon—to the Committee on Military Affairs.

Also, a bill (H. R. 306) for the relief of W. A. Spears—to the Committee on Military Affairs.

Also, a bill (H. R. 307) for the relief of Elbert S. Shanks—to the Committee on Military Affairs.

Also, a bill (H. R. 308) for the relief of Reuben R. Sea—to the Committee on Military Affairs.

Also, a bill (H. R. 309) for the relief of Clara L. Sheffield—to the Committee on War Claims.

Also, a bill (H. R. 310) for the relief of D. M. Simerly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 311) for the relief of Ruben S. Sea—to the Committee on Military Affairs.

Also, a bill (H. R. 312) for the relief of J. J. Starnes—to the Committee on War Claims.

Also, a bill (H. R. 313) for the relief of Jesse Rhea—to the Committee on Military Affairs.

Also, a bill (H. R. 314) for the relief of Joshua Richardson—to the Committee on Military Affairs.

Also, a bill (H. R. 315) for the relief of certain persons who volunteered to serve as members of the Tenth Regiment of Tennessee Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 316) for the relief of the trustees of the Methodist Church of Prospect, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 317) for the relief of the estate of David L. Ripley—to the Committee on War Claims.

Also, a bill (H. R. 318) for the relief of R. R. Robinson—to the Committee on Claims.

Also, a bill (H. R. 319) for the relief of the estate of Alexander Reeder, deceased—to the Committee on War Claims.

Also, a bill (H. R. 320) for the relief of David Roberts—to the Committee on Military Affairs.

Also, a bill (H. R. 321) for the relief of William Ridens—to the Committee on War Claims.

Also, a bill (H. R. 322) for the relief of Matilda A. Runions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 323) for the relief of Louis B. Quillan—to the Committee on Military Affairs.

Also, a bill (H. R. 324) for the relief of Thomas J. Powell—to the Committee on War Claims.

Also, a bill (H. R. 325) for the relief of Isaac Phipps—to the Committee on Pensions.

Also, a bill (H. R. 326) for the relief of Henry Poe—to the Committee on Military Affairs.

Also, a bill (H. R. 327) for the relief of E. S. Parrott—to the Committee on Military Affairs.

Also, a bill (H. R. 328) for the relief of the heirs of M. J. Parrott—to the Committee on War Claims.

Also, a bill (H. R. 329) for the relief of Albert W. Perry—to the Committee on War Claims.

Also, a bill (H. R. 330) for the relief of the heirs of William M. Piper, late provost-marshal with the rank of captain—to the Committee on War Claims.

Also, a bill (H. R. 331) for the relief of W. E. Peirce—to the Committee on Military Affairs.

Also, a bill (H. R. 332) for the relief of estate of D. W. F. Peoples, deceased—to the Committee on War Claims.

Also, a bill (H. R. 333) for the relief of John T. Phillips—to the Committee on War Claims.

Also, a bill (H. R. 334) for the relief of John Scott Payne—to the Committee on War Claims.

Also, a bill (H. R. 335) for the relief of William Moyers—to the Committee on Military Affairs.

Also, a bill (H. R. 336) for the relief of the estate of William J. Middleton—to the Committee on War Claims.

Also, a bill (H. R. 337) for the relief of Robert P. Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 338) for the relief of William A. Morgan—to the Committee on Military Affairs.

Also, a bill (H. R. 339) for the relief of Henry J. Manis—to the Committee on Military Affairs.

Also, a bill (H. R. 340) for the relief of James McDonald—to the Committee on Military Affairs.

Also, a bill (H. R. 341) for the relief of W. G. McKenzie—to the Committee on Military Affairs.

Also, a bill (H. R. 342) for the relief of Hester J. Mitchell—to the Committee on Pensions.

Also, a bill (H. R. 343) for the relief of James Mills—to the Committee on Military Affairs.

Also, a bill (H. R. 344) for the relief of Lizzie M. McDougal, daughter of private soldier who died as a prisoner of war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 345) for the relief of Samuel A. Lady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 346) for the relief of Lewis H. Lee—to the Committee on Military Affairs.

Also, a bill (H. R. 347) for the relief of Solomon Lyons—to the Committee on War Claims.

Also, a bill (H. R. 348) for the relief of John B. Leedy—to the Committee on Military Affairs.

Also, a bill (H. R. 349) for the relief of the legal representatives of George J. Kinzel—to the Committee on War Claims.

Also, a bill (H. R. 350) for the relief of Willis M. Kent—to the Committee on Military Affairs.

Also, a bill (H. R. 351) for the relief of George Killeen—to the Committee on Claims.

Also, a bill (H. R. 352) for the relief of Mary Keith and Benny Keith—to the Committee on the Public Lands.

Also, a bill (H. R. 353) for the relief of the heirs of Margaret Kennedy—to the Committee on Claims.

Also, a bill (H. R. 354) for the relief of William Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 355) for the relief of William Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 356) for the relief of Lincoln S. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 357) for the relief of William B. Jenkins—to the Committee on Military Affairs.

Also, a bill (H. R. 358) for the relief of Pleasant C. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 359) for the relief of Richard M. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 360) for the relief of Dulancy P. Harmon—to the Committee on Military Affairs.

Also, a bill (H. R. 361) for the relief of William M. Henry—to the Committee on Military Affairs.

Also, a bill (H. R. 362) for the relief of Calloway Horton—to the Committee on Military Affairs.

Also, a bill (H. R. 363) for the relief of Alexander Harmon—to the Committee on Military Affairs.

Also, a bill (H. R. 364) for the relief of F. M. Hilton—to the Committee on Military Affairs.

Also, a bill (H. R. 365) for the relief of Pleasant Haun—to the Committee on Military Affairs.

Also, a bill (H. R. 366) for the relief of Henry Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 367) for the relief of Louisa Harwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 368) for the relief of Jackson Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 369) for the relief of Jacob Hybarger—to the Committee on Military Affairs.

Also, a bill (H. R. 370) for the relief of Gustav A. Hesselberger—to the Committee on Military Affairs.

Also, a bill (H. R. 371) for the relief of Edwin S. Harris—to the Committee on Claims.

Also, a bill (H. R. 372) for the relief of Thomas Harvey—to the Committee on War Claims.

Also, a bill (H. R. 373) for the relief of D. A. Harvey—to the Committee on War Claims.

Also, a bill (H. R. 374) for the relief of James H. Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 375) for the relief of William Girdner—to the Committee on Military Affairs.

Also, a bill (H. R. 376) for the relief of Alfred Green—to the Committee on Military Affairs.

Also, a bill (H. R. 377) for the relief of J. W. Godsey—to the Committee on Military Affairs.

Also, a bill (H. R. 378) for the relief of Samuel Greenlee—to the Committee on Military Affairs.

Also, a bill (H. R. 379) for the relief of Silas J. Grenade—to the Committee on Military Affairs.

Also, a bill (H. R. 380) for the relief of Joseph Goodman—to the Committee on Military Affairs.

Also, a bill (H. R. 381) for the relief of the heirs of James A. Gallreith—to the Committee on Claims.

Also, a bill (H. R. 382) for the relief of Arthur Y. Green—to the Committee on Military Affairs.

Also, a bill (H. R. 383) for the relief of Newton Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 384) for the relief of David Foster—to the Committee on Military Affairs.

Also, a bill (H. R. 385) for the relief of Robert M. Fox—to the Committee on Military Affairs.

Also, a bill (H. R. 386) for the relief of Mack Fulton—to the Committee on War Claims.

Also, a bill (H. R. 387) for the relief of W. H. Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 388) for the relief of Joseph Fawbush—to the Committee on Military Affairs.

Also, a bill (H. R. 389) for the relief of John H. Dickenson—to the Committee on Military Affairs.

Also, a bill (H. R. 390) for the relief of Riley Day—to the Committee on Military Affairs.

Also, a bill (H. R. 391) for the relief of Solomon Q. Dugger—to the Committee on War Claims.

Also, a bill (H. R. 392) for the relief of Ezekiel T. Delph—to the Committee on Military Affairs.

Also, a bill (H. R. 393) for the relief of Peter Dougherty—to the Committee on War Claims.

Also, a bill (H. R. 394) for the relief of Sarah M. Dove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 395) for the relief of the legal representatives of Mary Counts—to the Committee on War Claims.

Also, a bill (H. R. 396) for the relief of Thomas Colyer—to the Committee on Military Affairs.

Also, a bill (H. R. 397) for the relief of Richard Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 398) for the relief of William M. Cox—to the Committee on Military Affairs.

Also, a bill (H. R. 399) for the relief of Samuel S. Caldwell—to the Committee on Military Affairs.

Also, a bill (H. R. 400) for the relief of William S. Cloud—to the Committee on Military Affairs.

Also, a bill (H. R. 401) for the relief of Andrew Cutshal—to the Committee on Military Affairs.

Also, a bill (H. R. 402) for the relief of Wiley Cazart—to the Committee on Pensions.

Also, a bill (H. R. 403) for the relief of James K. Bowman—to the Committee on Pensions.

Also, a bill (H. R. 404) for the relief of Daniel B. Bowman—to the Committee on War Claims.

Also, a bill (H. R. 405) for the relief of Jacob Barker—to the Committee on War Claims.

Also, a bill (H. R. 406) for the relief of George F. Brott—to the Committee on War Claims.

Also, a bill (H. R. 407) for the relief of John Butler—to the Committee on Military Affairs.

Also, a bill (H. R. 408) for the relief of James M. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 409) for the relief of Richard Burton—to the Committee on Military Affairs.

Also, a bill (H. R. 410) for the relief of Walter W. Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 411) for the relief of Samuel Babb—to the Committee on Military Affairs.

Also, a bill (H. R. 412) for the relief of William Buttery—to the Committee on Military Affairs.

Also, a bill (H. R. 413) for the relief of Hugh L. Bowlin—to the Committee on Military Affairs.

Also, a bill (H. R. 414) for the relief of estate of Edith Beard, late of Washington County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 415) for the relief of Allen Bruner—to the Committee on Military Affairs.

Also, a bill (H. R. 416) for the relief of John G. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 417) for the relief of Jacob Barkley—to the Committee on Military Affairs.

Also, a bill (H. R. 418) for the relief of George Bailey—to the Committee on Military Affairs.

Also, a bill (H. R. 419) for the relief of John E. Barrett—to the Committee on Pensions.

Also, a bill (H. R. 420) for the relief of Charles H. Adams—to the Committee on War Claims.

Also, a bill (H. R. 421) for the relief of Lewis Atkins—to the Committee on War Claims.

Also, a bill (H. R. 422) to correct the military record of W. J. Whitson and Sidney Whitson, and grant their dependent father, Isaac Whitson, a pension—to the Committee on Invalid Pensions.

Also, a bill (H. R. 423) to correct the military record of George W. Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 424) to correct the military record of Robert B. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 425) to correct the military record of Warren Wells—to the Committee on Military Affairs.

Also, a bill (H. R. 426) to correct the military record of James M. Mace—to the Committee on Military Affairs.

Also, a bill (H. R. 427) to correct the military record of Isaac McQuinn—to the Committee on Military Affairs.

Also, a bill (H. R. 428) to correct the military record of Jesse B. Mitchell—to the Committee on Military Affairs.

Also, a bill (H. R. 429) to correct the military record of Madison Trent and others—to the Committee on Military Affairs.

Also, a bill (H. R. 430) to correct the military record of Nelson Stover—to the Committee on Military Affairs.

Also, a bill (H. R. 431) to correct the military record of Joseph Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 432) to correct the military record of Daniel K. Self—to the Committee on Military Affairs.

Also, a bill (H. R. 433) to correct the military record of Charles H. Piper—to the Committee on Military Affairs.

Also, a bill (H. R. 434) to correct the military record of Samuel Presley—to the Committee on Military Affairs.

Also, a bill (H. R. 435) to correct the military record of Thomas Ownby—to the Committee on Military Affairs.

Also, a bill (H. R. 436) to correct the military record of Daniel Telley—to the Committee on Military Affairs.

Also, a bill (H. R. 437) to correct the military record of Joseph W. Marley—to the Committee on Military Affairs.

Also, a bill (H. R. 438) to correct the military record of J. K. P. McNabb—to the Committee on Military Affairs.

Also, a bill (H. R. 439) to correct the military record of Mat Elliot McLain—to the Committee on Military Affairs.

Also, a bill (H. R. 440) to correct the military record of Jacob Linebaugh—to the Committee on Military Affairs.

Also, a bill (H. R. 441) to correct the military record of William Kelly—to the Committee on Military Affairs.

Also, a bill (H. R. 442) to correct the military record of John Hickman—to the Committee on Military Affairs.

Also, a bill (H. R. 443) to correct the military record of Robert Henson—to the Committee on Military Affairs.

Also, a bill (H. R. 444) to correct the military record of Cleaveland Creech—to the Committee on Military Affairs.

Also, a bill (H. R. 445) to correct the military record of Ellis Carter—to the Committee on Military Affairs.

Also, a bill (H. R. 446) to correct the military record of John Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 447) to correct the military record of Henry C. Coleman—to the Committee on Military Affairs.

Also, a bill (H. R. 448) to correct the military record of William Carder—to the Committee on Military Affairs.

Also, a bill (H. R. 449) to correct the military record of William A. Cope—to the Committee on Military Affairs.

Also, a bill (H. R. 450) to correct the military record of Charles Birchfield—to the Committee on Military Affairs.

Also, a bill (H. R. 451) to correct the military record of Robert Birchfield—to the Committee on Military Affairs.

Also, a bill (H. R. 452) to correct the military record of Thomas Brackins—to the Committee on Military Affairs.

Also, a bill (H. R. 453) to correct the military record of James H. Beal—to the Committee on Military Affairs.

Also, a bill (H. R. 454) to remove the charge of desertion against William H. Wheatley—to the Committee on Military Affairs.

Also, a bill (H. R. 455) to remove the charge of desertion standing against William A. Spears—to the Committee on Military Affairs.

Also, a bill (H. R. 456) to remove the charge of desertion against William Mullins—to the Committee on Military Affairs.

Also, a bill (H. R. 457) to remove the charge of desertion from the record of Samuel Lane—to the Committee on Military Affairs.

Also, a bill (H. R. 458) to remove the charge of desertion from the military record of Jasper L. Bailey—to the Committee on Military Affairs.

Also, a bill (H. R. 459) to remove the charge of desertion against Thomas B. Wingfield—to the Committee on Military Affairs.

Also, a bill (H. R. 460) to grant an honorable discharge to Canada Peck—to the Committee on Military Affairs.

Also, a bill (H. R. 461) to pay to Jacob Yost the sum of $434—to the Committee on Claims.

Also, a bill (H. R. 462) to carry out the findings of the Court of Claims in the case of the estate of William Irwin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 463) to amend the record of Capt. Thomas H. Reeves, United States Army, retired—to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 464) granting a pension to James W. Perkins—to the Committee on Pensions.

Also, a bill (H. R. 465) granting a pension to Erwin Fancher—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 466) granting a pension to Mrs. Mary Tarbit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 467) granting an increase of pension to W. D. Stauffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 468) granting an increase of pension to Henry Christy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 469) granting an increase of pension to C. M. Epler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 470) for the relief of Ephraim Greenawalt—to the Committee on War Claims.

Also, a bill (H. R. 471) to remove the charge of desertion against Henry Demler—to the Committee on Military Affairs.

Also, a bill (H. R. 472) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Clayton G. Landis, administrator of David B. Landis, deceased—to the Committee on Claims.

Also, a bill (H. R. 473) to reimburse the State of Pennsylvania for money expended in 1864 for militia called into the military service by the governor under the proclamation of the President of June 15, 1863—to the Committee on War Claims.

Also, a bill (H. R. 474) to remit the sentence of general court-martial against Alvin C. Schum and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. COOPER: A bill (H. R. 475) to grant a pension to Alfred C. Isachsen—to the Committee on Pensions.

By Mr. CROWLEY: A bill (H. R. 476) granting a pension to John N. Bayles—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 477) for the relief of Madison County, Ky.—to the Committee on Claims.

By Mr. GREENE: A bill (H. R. 478) for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired)—to the Committee on Interstate and Foreign Commerce.

By Mr. HAMILTON: A bill (H. R. 479) granting a pension to William Behrmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 480) granting a pension to Mary T. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 481) granting a pension to Aaron Woodruff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 482) granting a pension to Mary E. Horton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 483) granting a pension to Catharine A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 484) granting a pension to Mary E. Horton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 485) granting a pension to Hattie Ellsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 486) granting an increase of pension to W. M. Gaunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 487) granting a pension to Mary J. Waugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 488) granting a pension to Benjamin S. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 489) granting a pension to Alanson H. Cogswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 490) granting a pension to Austin J. Loomis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 491) granting a pension to Horace Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 492) granting a pension to Hattie Ellsworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 493) granting a pension to Joseph A. Napier—to the Committee on Pensions.

Also, a bill (H. R. 494) granting a pension to Mary A. Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 495) granting a pension to A. Norwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 496) granting a pension to Mary Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 497) granting a pension to Electa Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 498) granting a pension to Ladora C. Pease—to the Committee on Invalid Pensions.

Also, a bill (H. R. 499) granting a pension to Matilda Paxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 500) granting a pension to Matthew B. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 501) granting a pension to Mary J. Secor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 502) granting a pension to Albert C. Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 503) granting a pension to Elmore Hardman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 504) granting a pension to Sarah Chappell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 505) granting a pension to John W. Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 506) granting a pension to Clara McNabb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 507) granting a pension to Roderick R. Ackley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 508) granting a pension to Augustus H. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 509) granting a pension to Cleona E. Gains—to the Committee on Invalid Pensions.

Also, a bill (H. R. 510) granting a pension to Daniel Leclear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 511) granting a pension to Eliza K. Fikes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 512) granting a pension to Joseph H. Failes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 513) granting a pension to Henry W. Rupright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 514) granting a pension to Lorada Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 515) granting a pension to Harriet Gailhouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 516) granting a pension to Sarah A. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 517) granting a pension to Rowland C. Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 518) granting a pension to Elisha Straub—to the Committee on Invalid Pensions.

Also, a bill (H. R. 519) granting a pension to Ivy G. Ten Broeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 520) granting a pension to Fanny A. Crapo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 521) granting a pension to James V. Burch—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A (H. R. 522) granting a pension to Eliza A. Burger—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 523) granting a pension to Sarah K. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 524) granting a pension to Minnie H. Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 525) granting a pension to Isaiah H. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 526) granting a pension to Perry Dunton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 527) granting a pension to Emily J. Stowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 528) granting a pension to Louise S. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 529) granting a pension to Emma H. Higley—to the Committee on Military Affairs.

Also, a bill (H. R. 530) granting a pension to Abraham Geiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 531) granting a pension to John Houts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 532) granting a pension to George W. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 533) granting a pension to Margeret Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 534) granting a pension to Collins M. Sterling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 535) granting a pension to Susan Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 536) granting a pension to Alexander Purdy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 537) granting a pension to Rosetta Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 538) granting a pension to Julia Ann Taggart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 539) granting a pension to Martha Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 540) granting a pension to William S. Dailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 541) granting a pension to Mary Lamont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 542) granting a pension to Frank Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 543) granting an increase of pension to Jacob H. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 544) granting an increase of pension to Luther St. John—to the Committee on Invalid Pensions.

Also, a bill (H. R. 545) granting an increase of pension to Will H. S. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 546) granting an increase of pension to George N. Dutcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 547) granting an increase of pension to Delos W. Hare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 548) granting an increase of pension to William P. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 549) granting an increase of pension to Angus Fraser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 550) granting an increase of pension to Lewis H. Sanford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 551) granting an increase of pension to William L. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 552) granting an increase of pension to William H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 553) granting an increase of pension to John Sirrine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 554) granting an increase of pension to John C. Dillin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 555) granting an increase of pension to Cornelius C. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 556) granting an increase of pension to Emory A. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 557) granting an increase of pension to Franklin W. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 558) granting an increase of pension to James W. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 559) granting an increase of pension to Harvey H. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 560) granting an increase of pension to Julia Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 561) granting an increase of pension to Eri Summy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 562) granting an increase of pension to Jeremiah Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 563) restoring pension to James A. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 564) amending the record of James Troy, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 565) amending the record of John S. Thomas, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 566) amending the record of John Terry, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 567) for the relief of Warren Wright—to the Committee on Military Affairs.

Also, a bill (H. R. 568) for the relief of James Matthews—to the Committee on Military Affairs.

Also, a bill (H. R. 569) for the relief of J. H. Rector—to the Committee on Military Affairs.

Also, a bill (H. R. 570) for the relief of V. R. Hughner—to the Committee on Military Affairs.

Also, a bill (H. R. 571) for the relief of Jacob F. Banks—to the Committee on Military Affairs.

Also, a bill (H. R. 572) for the relief of Arulus C. Parkhurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 573) for the relief of Hiram Pegg—to the Committee on Military Affairs.

Also, a bill (H. R. 574) for the relief of James and William Crooks—to the Committee on War Claims.

Also, a bill (H. R. 575) for the relief of Samuel Barrow—to the Committee on Military Affairs.

Also, a bill (H. R. 576) for the relief of Hudson M. Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 577) for the relief of Hiram W. Bays—to the Committee on War Claims.

Also, a bill (H. R. 578) for the relief of Abel Patrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 579) for the relief of Timothy Ellsworth—to the Committee on Military Affairs.

Also, a bill (H. R. 580) for the relief of Elias S. Breese—to the Committee on Military Affairs.

Also, a bill (H. R. 581) for the relief of Henry Ickes, alias William H. Burkett—to the Committee on Military Affairs.

Also, a bill (H. R. 582) for the relief of George B. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 583) for the relief of Jacob Cheout—to the Committee on Military Affairs.

Also, a bill (H. R. 584) for the relief of Joseph Staley—to the Committee on Military Affairs.

Also, a bill (H. R. 585) for the relief of Charles Geisler—to the Committee on Military Affairs.

Also, a bill (H. R. 586) for the relief of W. F. Johnston—to the Committee on Military Affairs.

Also, a bill (H. R. 587) for the relief of George B. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 588) for the relief of E. M. Chilson—to the Committee on Military Affairs.

Also, a bill (H. R. 589) for the relief of Barrett Francisco—to the Committee on Military Affairs.

Also, a bill (H. R. 590) for the relief of Charles J. Gibbs—to the Committee on Military Affairs.

Also, a bill (H. R. 591) for the relief of John Hahn—to the Committee on Military Affairs.

Also, a bill (H. R. 592) for the relief of John Reed, alias Michael Flannigan—to the Committee on Military Affairs.

Also, a bill (H. R. 593) for the relief of Joseph Johnson, alias Sidney McKizzie—to the Committee on Military Affairs.

Also, a bill (H. R. 594) for the relief of David A. Cornell—to the Committee on Military Affairs.

Also, a bill (H. R. 595) for the relief of Timothy Ellsworth—to the Committee on Military Affairs.

Also, a bill (H. R. 596) for the relief of Myron Powers—to the Committee on War Claims.

Also, a bill (H. R. 597) for the relief of George H. White—to the Committee on Military Affairs.

Also, a bill (H. R. 598) for the relief of Charles D. Wright—to the Committee on Claims.

Also, a bill (H. R. 599) for the relief of Elias Minnich—to the Committee on Military Affairs.

By Mr. HEMENWAY: A bill (H. R. 600) to pension Lawrence James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 601) granting a pension to Melissa and Lavinia Pendock—to the Committee on Pensions.

Also, a bill (H. R. 602) granting a pension to Henry S. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 603) granting an increase of pension to George Kelly—to the Committee on Pensions.

Also, a bill (H. R. 604) granting an increase of pension to Jeremiah Painter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 605) granting an increase of pension to Frederick Frick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 606) granting an increase of pension to Vincent M. Cartwright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 607) granting an increase of pension to Sadie Krusenklaus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 608) granting an increase of pension to Patrick Clair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 609) granting an increase of pension to John Hendricks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 610) granting an increase of pension to Samuel Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 611) to remove the charge of desertion from the military record of Ignatz Pfeifer—to the Committee on Military Affairs.

Also, a bill (H. R. 612) to remove the charge of desertion from the military record of Larkin T. Robinson, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 613) to extend the term of patent No. 314359—to the Committee on Patents.

By Mr. JENKINS: A bill (H. R. 614) granting a pension to Michael O'Brian—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 615) for the relief of J. J. L. Peel—to the Committee on Claims.

By Mr. KETCHAM: A bill (H. R. 616) granting a pension to Sarah Chrysler—to the Committee on Invalid Pensions.

By Mr. LESTER: A bill (H. R. 617) for the relief of the estate of John W. Anderson, deceased—to the Committee on Claims.

By Mr. LIVINGSTON: A bill (H. R. 618) granting a pension to Ida V. Rhoad, of Hopeville, Ga.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 619) granting a pension to Mary E. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 620) granting a pension to George D. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 621) granting a pension to William Barrett—to the Committee on Pensions.

Also, a bill (H. R. 622) granting an increase of pension to John J. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 623) granting an increase of pension to Mrs. Elizabeth Overby Williams—to the Committee on Pensions.

Also, a bill (H. R. 624) for the relief of the heirs of William Markham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 625) for the relief of the estate of Henry Banks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 626) for the relief of Mrs. M. A. Cook—to the Committee on Pensions.

Also, a bill (H. R. 627) for the relief of John M. Nace, deceased—to the Committee on War Claims.

Also, a bill (H. R. 628) for the relief of the estate of Frank H. Nichols—to the Committee on War Claims.

Also, a bill (H. R. 629) for the relief of George T. Reeves—to the Committee on War Claims.

Also, a bill (H. R. 630) for the relief of Miss Honora Ryan—to the Committee on War Claims.

Also, a bill (H. R. 631) for the relief of Mira M. Harbin, administratrix of Nathaniel P. Harbin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 632) for the relief of Mark Miller—to the Committee on War Claims.

Also, a bill (H. R. 633) for the relief of Samuel I. Gustin—to the Committee on War Claims.

Also, a bill (H. R. 634) for the relief of Edman Green—to the Committee on War Claims.

Also, a bill (H. R. 635) for the relief of Elsas, May & Co.—to the Committee on Claims.

Also, a bill (H. R. 636) for the relief of Benjamin F. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 637) for the relief of Ambrose Chewning—to the Committee on War Claims.

Also, a bill (H. R. 638) for the relief of estate of Margaret Barge, deceased—to the Committee on War Claims.

Also, a bill (H. R. 639) for the relief of the St. Luke's Protestant Episcopal Church of Atlanta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 640) for the relief of the Atlanta (Ga.) Female Institute—to the Committee on War Claims.

Also, a bill (H. R. 641) for the relief of the trustees of St. Phillip's Church of Atlanta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 642) for the relief of Benjamin Williams—to the Committee on Pensions.

Also, a bill (H. R. 643) for the relief of Martha I. England—to the Committee on Pensions.

Also, a bill (H. R. 644) for the relief of William Ellis—to the Committee on War Claims.

Also, a bill (H. R. 645) for the relief of Mrs. Sarah E. Youngblood—to the Committee on War Claims.

Also, a bill (H. R. 646) for the relief of John J. Hart—to the Committee on War Claims.

Also, a bill (H. R. 647) for the relief of Mrs. Emily Evans—to the Committee on War Claims.

Also, a bill (H. R. 648) for the relief of Charles L. Bradwell—to the Committee on War Claims.

Also, a bill (H. R. 649) for the relief of George W. Symmes—to the Committee on Military Affairs.

Also, a bill (H. R. 650) for the relief of the heirs of H. W. McArthor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 651) for the relief of the heirs of Thomas W. McArthor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 652) for the relief of George P. Howard—to the Committee on Claims.

Also, a bill (H. R. 653) for relief of W. R. Harris—to the Committee on Claims.

Also, a bill (H. R. 654) to amend the records of the War Department—to the Committee on Military Affairs.

Also, a bill (H. R. 655) to amend the records of the War Department—to the Committee on Military Affairs.

Also, a bill (H. R. 656) to amend records of the War Department—to the Committee on Military Affairs.

Also, a bill (H. R. 657) to reimburse the State of Georgia money advanced in removal of the Creek and Cherokee Indians—to the Committee on Claims.

Also, a bill (H. R. 658) to restore Charles H. Campbell to the Army and transfer him to the retired list—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 659) correcting the record of Harris Graffen—to the Committee on Military Affairs.

Also, a bill (H. R. 660) granting an increase of pension to John Sines—to the Committee on Pensions.

Also, a bill (H. R. 661) granting an increase of pension to Elizabeth E. Meekly—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 662) granting a pension to Robert Pattison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 663) granting an increase of pension to Richard P. Nichauls—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 664) granting a pension to Carl W. Barroth—to the Committee on Pensions.

Also, a bill (H. R. 665) granting a pension to George Larson—to the Committee on Pensions.

Also, a bill (H. R. 666) granting an increase of pension to Eva M. Kingsbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 667) granting an increase of pension to Edgar Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 668) granting an increase of pension to Joseph Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 669) for the relief of the Good Shepherd Industrial School—to the Committee on Claims.

Also, a bill (H. R. 670) for the relief of Eugene H. Wood—to the Committee on War Claims.

Also, a bill (H. R. 671) to correct the military record of August H. Krueger—to the Committee on Military Affairs.

Also, a bill (H. R. 672) to correct the military record of George F. Itzkin—to the Committee on Military Affairs.

Also, a bill (H. R. 673) to correct the naval record of Michael Phillbin—to the Committee on Naval Affairs.

Also, a bill (H. R. 674) to pay claimants for goods and effects lost or destroyed by fire at Ellis Island, N. Y., on June 15, 1897—to the Committee on Claims.

Also, a bill (H. R. 675) to refund certain taxes paid by the Fred Miller Brewing Company, of Milwaukee, Wis.—to the Committee on Claims.

Also, a bill (H. R. 676) to refund to city of Milwaukee money expended by said city in paving Wisconsin street in front of United States Government property—to the Committee on Claims.

By Mr. PALMER: A bill (H. R. 677) for the relief of the heirs of Alfred H. Brooks—to the Committee on Claims.

By Mr. RIXEY: A bill (H. R. 678) granting a pension to Ann S. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 679) for the relief of John C. Newton, of Stafford County, Va.—to the Committee on War Claims.

By Mr. SIBLEY: A bill (H. R. 680) granting an increase of pension to L. M. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 681) granting an increase of pension to Ella P. Kerstetter—to the Committee on Pensions.

Also, a bill (H. R. 682) granting an increase of pension to George W. Boal—to the Committee on Pensions.

Also, a bill (H. R. 683) granting an increase of pension to T. S. Strohecker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 684) granting an increase of pension to Frank G. Hammond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 685) granting an increase of pension to Philip J. Harlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 686) granting an increase of pension to Walter Harwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 687) granting an increase of pension to James Dunlap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 688) granting an increase of pension to James McMurtrie—to the Committee on Invalid Pensions.

By Mr. SPALDING: A bill (H. R. 689) granting an increase of pension to Edgar Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 690) granting an increase of pension to Mark F. Holderman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 691) granting an increase of pension to Rebecca C. Shurlock—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 692) granting a pension to Martha Helm, of Denton, Tex., widow of a Mexican war veteran—to the Committee on Pensions.

Also, a bill (H. R. 693) granting a pension to S. C. Roe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 694) granting a pension to Robert M. White—to the Committee on Pensions.

Also, a bill (H. R. 695) granting a pension to John Teague—to the Committee on Pensions.

Also, a bill (H. R. 696) granting a pension to C. A. Brighton, alias Thomas Aufinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 697) granting a pension to M. Yell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 698) granting a pension to William M. Crow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 699) granting a pension to B. F. Draper—to the Committee on Pensions.

Also, a bill (H. R. 700) granting a pension to Felix Linsay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 701) granting a pension to W. C. Montgomery—to the Committee on Pensions.

Also, a bill (H. R. 702) granting a pension to Francis M. Burke—to the Committee on Pensions.

Also, a bill (H. R. 703) granting a pension to Robert P. Baker—to the Committee on Pensions.

Also, a bill (H. R. 704) granting an increase of pension to Missouri F. Morton—to the Committee on Pensions.

Also, a bill (H. R. 705) granting an increase of pension to Christopher C. McGinnis—to the Committee on Pensions.

Also, a bill (H. R. 706) for the relief of the heirs of Simeon Hart—to the Committee on Claims.

Also, a bill (H. R. 707) for the relief of W. R. McGuire—to the Committee on War Claims.

Also, a bill (H. R. 708) for the relief of the estate of William H. Edrington, deceased—to the Committee on War Claims.

Also, a bill (H. R. 709) for the relief of the legal representatives of Andrew J. Joyce, deceased—to the Committee on War Claims.

Also, a bill (H. R. 710) for the relief of the estate of Sidney Markham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 711) for the relief of William Chilton—to the Committee on War Claims.

Also, a bill (H. R. 712) for the relief of John C. Lynch—to the Committee on Claims.

Also, a bill (H. R. 713) for the relief of Calvin T. Hazelwood—to the Committee on Claims.

Also, a bill (H. R. 714) for the relief of Elijah Crudgington—to the Committee on Military Affairs.

Also, a bill (H. R. 715) for the relief of Mrs. Jennie Miller—to the Committee on Claims.

Also, a bill (H. R. 716) to protect the rights of Ronchali C. Barron, Almeda O. White, Josie L. Literal, and the children of Thomas Jefferson Barron and Travis Barron—to the Committee on Indian Affairs.

Also, a bill (H. R. 717) to protect the rights of Sylvester D. Gaines and his children—to the Committee on Indian Affairs.

Also, a bill (H. R. 718) to allot 160 acres of land to Blanco L. Bell, of Clay County, Tex., out of the Comanche, Kiowa, and Apache reservations, in Oklahoma—to the Committee on the Public Lands.

By Mr. SULLOWAY: A bill (H. R. 719) granting an increase of pension to John H. Willey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 720) granting an increase of pension to Frank L. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 721) granting an increase of pension to John Ryan, alias John Connell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 722) granting an increase of pension to Zechariah B. Stuart—to the Committee on Invalid Pensions.

Also, a bill (H. H. 723) granting an increase of pension to Thomas Smart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 724) granting an increase of pension to James Meagher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 725) granting an increase of pension to Alexander M. Ballou—to the Committee on Invalid Pensions.

Also, a bill (H. R. 726) granting an increase of pension to Merrill Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 727) granting an increase of pension to James K. Blye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 728) granting an increase of pension to Benjamin F. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 729) granting an increase of pension to Freeman O. Hodge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 730) granting an increase of pension to Margaret Bonynge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 731) granting an increase of pension to Henry S. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 732) granting an increase of pension to John L. B. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 733) granting an increase of pension to Hugh R. Barnard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 734) granting an increase of pension to Henry S. McAlister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 735) granting an increase of pension to William O. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 736) granting an increase of pension to Stephen B. Tarlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 737) granting an increase of pension to Albert Hemenway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 738) granting an increase of pension to Charles A. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 739) granting an increase of pension to Joseph W. Stockman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 740) granting an increase of pension to Ira Meserve—to the Committee on Invalid Pensions.

Also, a bill (H. R. 741) granting an increase of pension to Edmond G. Carey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 742) granting an increase of pension to George W. Darrah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 743) granting an increase of pension to Peter King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 744) granting an increase of pension to George W. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 745) granting an increase of pension to Augustus Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 746) granting an increase of pension to William H. Gilman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 747) granting an increase of pension to George D. Totman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 748) granting an increase of pension to Eben H. Meader—to the Committee on Invalid Pensions.

Also, a bill (H. R. 749) granting an increase of pension to Humphrey M. Glines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 750) granting an increase of pension to Charles H. Avery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 751) granting an increase of pension to Lewis H. Cate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 752) granting an increase of pension to John Franklin Hobbs, alias John Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 753) granting a pension to Sarah F. Hooper—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 754) granting a pension to John M. Lawton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 755) for the relief of Pain's Fireworks Company—to the Committee on Claims.

Also, a bill (H. R. 756) for the relief of Frederick See—to the Committee on Military Affairs.

Also, a bill (H. R. 757) to correct military record of Michael Mullet—to the Committee on Military Affairs.

Also, a bill (H. R. 758) to reappoint Warren C. Beach a captain in the Army—to the Committee on Military Affairs.

By Mr. VAN VOORHIS: A bill (H. R. 759) granting a pension to Aaron Haines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 760) granting a pension to Charles F. Hamme—to the Committee on Invalid Pensions.

Also, a bill (H. R. 761) granting a pension to Olivia E. Naylor, now Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 762) granting an increase of pension to John Hooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 763) granting a pension to Sarah McClelland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 764) granting a pension to Mary B. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 765) granting a pension to Charles M. Brookover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 766) granting a pension to Susan Mercer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 767) granting an increase of pension to Joseph Layton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 768) granting an increase of pension to Thomas McLees—to the Committee on Invalid Pensions.

Also, a bill (H. R. 769) granting an increase of pension to H. C. Roush—to the Committee on Invalid Pensions.

Also, a bill (H. R. 770) granting an increase of pension to Zedekiah Wiseman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 771) for the relief of Columbus F. Hayward and the executor of Charlotte G. Hayward—to the Committee on Claims.

Also, a bill (H. R. 772) for the relief of James McElroy—to the Committee on Military Affairs.

Also, a bill (H. R. 773) for the relief of Theodore D. McCaddon—to the Committee on Military Affairs.

Also, a bill (H. R. 774) for the relief of Benjamin D. Fortney—to the Committee on Military Affairs.

Also, a bill (H. R. 775) for the relief of D. M. Sprague and William Tilton—to the Committee on War Claims.

Also, a bill (H. R. 776) for the relief of Cicero McCamick, alias William Rone—to the Committee on Military Affairs.

Also, a bill (H. R. 777) to remove the charge of desertion from the military record of John Porcella—to the Committee on Military Affairs.

Also, a bill (H. R. 778) to remove the charge of desertion from the military record of Nicholas Swingle—to the Committee on Military Affairs.

Also, a bill (H. R. 779) to remove the charge of desertion from the military record of William L. Grieves—to the Committee on Military Affairs.

Also, a bill (H. R. 780) to remove the charge of desertion from the military record of Alfred Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 781) to remove the charge of desertion from the military record of Christopher Parish—to the Committee on Military Affairs.

Also, a bill (H. R. 782) granting an honorable discharge to John W. Harris—to the Committee on Military Affairs.

By Mr. WANGER: A bill (H. R. 783) granting an increase of pension to Nicholas Reinhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 784) granting an increase of pension to Joseph Vactor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 785) granting an increase of pension to Henry C. Bobst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 786) granting an increase of pension to Joseph V. Howell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 787) granting an increase of pension to James Barr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 788) granting an increase of pension to William B. Worthington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 789) granting an increase of pension to Eli Lachman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 790) granting an increase of pension to Oliver A. Fillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 791) granting an increase of pension to Martin Callahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 792) granting an increase of pension to Amanda W. Ritchie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 793) granting an increase of pension to Taylor Wanamaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 794) granting an increase of pension to John Roop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 795) granting an increase of pension to Joseph A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 796) for the relief of the owners of the barge *Charlie*—to the Committee on War Claims.

Also, a bill (H. R. 798) to recognize the military services of George R. Burnett, late first lieutenant, Ninth United States Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 799) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter *Number Ten*, her cargoes, and so forth—to the Committee on Claims.

Also, a bill (H. R. 800) to continue the pension of Ione B. Fornance, daughter of James Fornance, late captain in the Thirteenth Infantry, United States Army—to the Committee on Pensions.

By Mr. WARNER: A bill (H. R. 801) granting a pension to Anna M. Hawes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 802) granting a pension to Jacquess Roelinger, alias Jacquess Cerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 803) granting a pension to John A. Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 804) granting a pension to J. Stebbins King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 805) granting an increase of pension to George W. McConkey—to the Committee on Pensions.

Also, a bill (H. R. 806) granting an increase of pension to Samuel Woodworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 807) granting an increase of pension to William F. Benefiel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 808) granting an increase of pension to George Deland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 809) granting an increase of pension to Lewis Johnson, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 810) granting an increase of pension to George Gaylord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 811) granting an increase of pension to Thomas E. Tilloston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 812) granting an increase of pension to Charles F. Emery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 813) for the relief of William H. Dotson—to the Committee on Military Affairs.

Also, a bill (H. R. 814) for the relief of W. S. Carpenter—to the Committee on Claims.

Also, a bill (H. R. 815) to correct the military record of James Houselman—to the Committee on Military Affairs.

Also, a bill (H. R. 816) to correct the military record of William C. Keys—to the Committee on Military Affairs.

Also, a bill (H. R. 817) to remove the charge of desertion from the record of Frank Gaffney, late of the gunboat *Crusader*, in the war of the rebellion—to the Committee on Naval Affairs.

Also, a bill (H. R. 818) to correct the naval record by inserting the name of Jacob A. Krieg for that of Charles Hart and to remove the charge of desertion against said Jacob A. Krieg—to the Committee on Naval Affairs.

By Mr. ALLEN: A bill (H. R. 819) to quitclaim all interest of the United States of America in and to all of square 1131 in the city of Washington, D. C., to Sidney Bieber—to the Committee on the District of Columbia.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTLETT: Petition of the heirs of James McVickers, deceased, late of Fayette County, Ga., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, memorial of Local Branch No. 40, of Macon, Ga., of the International United Brotherhood of Leather Workers, asking passage of an anti-injunction law and eight-hour bill—to the Committee on the Judiciary.

Also, resolutions and memorial of the board of directors of the Atlanta Freight Bureau, of the city of Atlanta, Ga., asking for legislation to enlarge the powers of the Interstate Commerce Commission so as to regulate tariff rates between sections and localities—to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON: Petition of citizens of Flora, Ill., favoring the enactment of parcels-post legislation—to the Committee on the Post-Office and Post-Roads.

By Mr. MORRELL: Resolution of the board of directors of the Commercial Exchange of Philadelphia, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the joint executive committee on the improvement of Philadelphia Harbor and the Delaware and Schuylkill rivers, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolutions of the Trades League of Philadelphia, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Produce Exchange, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. OTJEN: Resolution of the Wisconsin Association of Postmasters, favoring a modification of the rules governing the appointment of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RODEY: Resolution favoring immediate admission to statehood of New Mexico, Arizona, and Oklahoma—to the Committee on the Territories.

By Mr. WARNER: Resolutions of Frank Reed Post, No. 409, Department of Illinois, Grand Army of the Republic, protesting against placing a statue of Gen. R. E. Lee in the Memorial Hall in the Capitol at Washington—to the Committee on the Library.

SENATE.

TUESDAY, *November 10, 1903.*

Prayer by Rev. E. LAWRENCE HUNT, of the city of Washington.

MOSES E. CLAPP, a Senator from the State of Minnesota; JONATHAN P. DOLLIVER, a Senator from the State of Iowa; SAMUEL D. MCENERY, a Senator from the State of Louisiana, and FURNIFOLD MCL. SIMMONS, a Senator from the State of North Carolina, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

Mr. WILLIAM J. BROWNING, the Chief Clerk of the House of Representatives, appeared below the bar of the Senate and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has assembled; that JOSEPH G. CANNON, a Representative from the State of Illinois, has been elected Speaker; that ALEXANDER MCDOWELL, a citizen of the State of Pennsylvania, has been elected Clerk, and that the House is ready to proceed to business.

Also, that a committee of three has been appointed by the Speaker on the part of the House of Representatives to join the committee appointed on the part of the Senate to wait on the President of the United States and to notify him that a quorum of each of the two Houses has assembled and that Congress is ready to receive any communication he may be pleased to make, and that Mr. TAWNEY of Minnesota, Mr. CAPRON of Rhode Island, and Mr. WILLIAMS of Mississippi have been appointed such committee on the part of the House.

NOTIFICATION TO THE PRESIDENT.

Mr. HOAR and Mr. GORMAN, the committee appointed in conjunction with a similar committee of the House of Representatives to wait upon the President of the United States, appeared at the bar, and

Mr. HOAR said: Mr. President, the committee appointed by the Senate in conjunction with the one appointed by the House to wait upon the President and inform him that the two Houses are organized and ready to receive any communication that he may see fit to make have discharged that duty, and are authorized by the President to say that he will send a message in writing to the two Houses of Congress in the course of the day.

[Several messages in writing from the President of the United States were delivered by Mr. B. F. BARNES, one of his secretaries.]

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. CULLOM, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I have convened the Congress that it may consider the legislation necessary to put into operation the commercial treaty with Cuba, which was ratified by the Senate at its last session, and subsequently by the Cuban Government. I deem such legislation demanded notonly by our interest, but by our honor. We can not with propriety abandon the course upon which we have so wisely embarked. When the acceptance of the Platt amendment was required from Cuba by the action of the Congress of the United States, this Government thereby definitely committed itself to the policy of treating Cuba as occupying a unique position as regards this country. It was provided that when the island became a free and independent republic she should stand in such close relations with us as in certain respects to come within our system of international policy; and it necessarily followed that she must also to a certain degree become included within the lines of our economic policy. Situated as Cuba is, it would not be possible for this country to permit the strategic abuse of the island by any foreign military power. It is for this reason that certain limitations have been imposed upon her financial policy, and that naval stations have been conceded by her to the United States. The negotiations as to the details of these naval stations are on the eve of completion. They are so situated as to prevent any idea that there is the intention ever to use them against Cuba, or otherwise than for the protection of Cuba from the assaults of foreign foes, and for the better safeguarding of American interests in the waters south of us.

These interests have been largely increased by the consequences of the war with Spain, and will be still further increased by the building of the isthmian canal. They are both military and economic. The granting to us by Cuba of the naval stations above alluded to is of the utmost importance from a military standpoint, and is proof of the good faith with which Cuba is treating us. Cuba has made great progress since her independence was established. She has advanced steadily in every way. She already stands high among her sister republics of the New World. She is loyally observing her obligations to us; and she is entitled to like treatment by us.

The treaty submitted to you for approval secures to the United States economic advantages as great as those given to Cuba. Not an American interest is sacrificed. By the treaty a large Cuban market is secured to our producers. It is a market which lies at our doors, which is already large, which is capable of great expansion, and which is especially important to the development of our export trade. It would be indeed shortsighted for us to refuse to take advantage of such an opportunity, and to force Cuba into making arrangements with other countries to our disadvantage.

This reciprocity treaty stands by itself. It is demanded on considerations of broad national policy as well as by our economic interest. It will do harm to no industry. It will benefit many industries. It is in the interest of our people as a whole, both because of its importance from the broad standpoint of international policy, and because economically it intimately concerns us to develop and secure the rich Cuban market for our farmers, artisans, merchants, and manufacturers. Finally, it is desirable as a guaranty of the good faith of our Nation towards her young sister Republic to the south, whose welfare must ever be closely bound with ours. We gave her liberty. We are knit to her by the memories of the blood and the courage of our soldiers who fought for her in war; by the memories of the wisdom and integrity of our administrators who served her in peace and who started her so well on the difficult path of self-government. We must help her onward and upward; and in helping her we shall help ourselves.

The foregoing considerations caused the negotiation of the treaty with Cuba and its ratification by the Senate. They now with equal force support the legislation by the Congress which by the terms of the treaty is necessary to render it operative. A failure to enact such legislation would come perilously near a repudiation of the pledged faith of the Nation.

I transmit herewith the treaty, as amended by the Senate and ratified by the Cuban Government.

THEODORE ROOSEVELT.

WHITE HOUSE, *November 10, 1903.*

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. CULLOM, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

It being required by the resolution of the Senate of March 19, 1903, that the approval of Congress shall be given to the reciprocal commercial convention between the United States and Cuba, signed December 11, 1902, before the same shall take effect, I transmit herewith the text of the said convention as amended by the Senate.

THEODORE ROOSEVELT.

WHITE HOUSE, *November 10, 1903.*

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 11, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *November 10, 1903.*

The House met at 12 o'clock m., and was called to order by the Speaker.

The Chaplain of the House, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Our Father, who art in heaven, realizing as we do the force of that universal law, "to whom much has been given, of him much will be required," we most fervently pray for each Member of this representative body that he may feel deeply the responsibility resting upon him; for the Speaker who has been selected to preside over its deliberations, that he may see clearly, act wisely, and rule with justness and equity, that the history of the Fifty-eighth Congress may be worthy of American statesmen; worthy, therefore, of our great nation, and may redound to Thy glory, through Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read, corrected, and approved.

SWEARING IN OF A MEMBER.

Mr. CLAYTON. Mr. Speaker, my colleague, Mr. Thompson, was not present when the oath was administered to the Members from the State of Alabama. I ask that he be allowed to take the oath of office at this time.

The SPEAKER. Is the gentleman from Alabama, Mr. Thompson, present and ready to take the oath of office?

Mr. CLAYTON. He is.

Mr. Thompson, a Member-elect from the State of Alabama, was then duly qualified by taking the oath prescribed by law.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. TAWNEY. Mr. Speaker, the committee appointed by the House to wait on the President of the United States, in conjunction with a similar committee on the part of the Senate, and notify him that a quorum of the two Houses had assembled and that Congress is ready to receive any communication he may be pleased to make, has performed that duty, and the President requests us to inform the House that he will transmit to the Congress at once a message in writing.

APPROPRIATIONS FOR MILEAGE.

Mr. HEMENWAY. I ask unanimous consent for the present consideration of a joint resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Indiana [Mr. HEMENWAY] asks unanimous consent for the present consideration of a joint resolution which the Clerk will read.

The Clerk read as follows:

Joint resolution (H. J. Res. 14) making immediately available the appropriations for mileage of Senators and Members of the House of Representatives, and for other purposes.

Resolved, etc., That the appropriations for mileage of Senators, Members of the House of Representatives, and Delegates from the Territories made in the legislative, executive, and judicial appropriation act for the fiscal year 1904, approved February 25, 1903, be, and the same are hereby, made immediately available and authorized to be paid to Senators, Members of the House of Representatives, and Delegates from the Territories for attendance on the first session of the Fifty-eighth Congress.

Resolved, That the Speaker is authorized to designate from time to time some one from among those appointed by him and appropriated for and employed in his office, whose duty it shall be under the direction of the Speaker to sign in his name and for him all certificates required by section 47 of the Revised Statutes for salary and accounts for traveling expenses in going to and returning from Congress of Representatives and Delegates.

Resolved, That the appropriations made in the legislative, executive, and judicial appropriation act for the fiscal year 1904, approved February 25, 1903, for compensation of session employees of the Senate and House of Representatives be, and the same are hereby, made available from and including the 9th day of November, 1903, until the close of the first session of the Fifty-eighth Congress; and persons employed under said appropriations shall be paid from the date of their actual employment, without regard to the date of their respective oaths of office, and at the rates per diem or per month as provided in said act.

There being no objection, the House proceeded to the consideration of the joint resolution; which was read a first and second time, ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

RECIPROCITY WITH CUBA.

The SPEAKER. The Chair lays before the House a message from the President of the United States.

The message was read, as follows:

To the Senate and House of Representatives:

I have convened the Congress that it may consider the legislation necessary to put into operation the commercial treaty with Cuba, which was ratified by the Senate at its last session, and subsequently by the Cuban Government. I deem such legislation demanded not only by our interest but by our honor. We can not with propriety abandon the course upon which we have so wisely embarked. When the acceptance of the Platt amendment was required from Cuba by the action of the Congress of the United States, this Government thereby definitely committed itself to the policy of treating Cuba as occupying a unique position as regards this country. It was provided that when the island became a free and independent republic she should stand in such close relations with us as in certain respects to come within our system of international policy; and it necessarily followed that she must also to a certain degree become included within the lines of our economic policy. Situated as Cuba is, it would not be possible for this country to permit the strategic abuse of the island by any foreign military power. It is for this reason that certain limitations have been imposed upon her financial policy, and that naval stations have been conceded by her to the United States. The negotiations as to the details of these naval stations are on the eve of completion. They are so situated as to prevent any idea that there is the intention ever to use them against Cuba, or otherwise than for the protection of Cuba from the assaults of foreign foes, and for the better safeguarding of American interests in the waters south of us.

These interests have been largely increased by the consequences of the war with Spain, and will be still further increased by the building of the isthmian canal. They are both military and economic. The granting to us by Cuba of the naval stations above alluded to is of the utmost importance from a military standpoint, and is proof of the good faith with which Cuba is treating us. Cuba has made great progress since her independence was established. She has advanced steadily in every way. She already stands high among her sister republics of the New World. She is loyally observing her obligations to us; and she is entitled to like treatment by us.

The treaty submitted to you for approval secures to the United States economic advantages as great as those given to Cuba. Not an American interest is sacrificed. By the treaty a large Cuban market is secured to our producers. It is a market which lies at our doors, which is already large, which is capable of great expansion, and which is especially important to the development of our export trade. It would be indeed shortsighted for us to refuse to take advantage of such an opportunity, and to force Cuba into making arrangements with other countries to our disadvantage.

This reciprocity treaty stands by itself. It is demanded on considerations of broad national policy as well as by our economic interest. It will do harm to no industry. It will benefit many industries. It is in the interest of our people as a whole, both because of its importance from the broad standpoint of international policy, and because economically it intimately concerns us to develop and secure the rich Cuban market for our farmers, artisans, merchants, and manufacturers. Finally, it is desirable as a guaranty of the good faith of our Nation towards her young sister Republic to the south, whose welfare must ever be closely bound with ours. We gave her liberty. We are knit to her by the memories of the blood and the courage of our soldiers who fought for her in war; by the memories of the wisdom and integrity of our administrators who served her in peace and who started her so well on the difficult path of self-government. We must help her onward and upward; and in helping her we shall help ourselves.

The foregoing considerations caused the negotiation of the treaty with Cuba and its ratification by the Senate. They now with equal force support the legislation by the Congress which by the terms of the treaty is necessary to render it operative. A failure to enact such legislation would come perilously near a repudiation of the pledged faith of the Nation.

I transmit herewith the treaty, as amended by the Senate and ratified by the Cuban Government.

THEODORE ROOSEVELT.

WHITE HOUSE, *November 10, 1903.*

The message was referred to the Committee on Ways and Means, and ordered to be printed.

COMMERCIAL CONVENTION BETWEEN THE UNITED STATES AND CUBA.

The SPEAKER also laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

It being required by the resolution of the Senate of March 19, 1903, that the approval of Congress shall be given to the reciprocal commercial convention between the United States and Cuba, signed December 11, 1902, before the same shall take effect, I transmit herewith the text of the said convention as amended by the Senate.

THEODORE ROOSEVELT.

WHITE HOUSE, *November 10, 1903.*

The message, with the accompanying documents, was referred to the Committee on Ways and Means, and ordered to be printed.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the appointment of the following committees:

On Mileage—Messrs. REEDER, JACKSON of Maryland, FLACK, LEWIS of Georgia, and BUTLER of Missouri.

On Rules—The Speaker, and Messrs. DALZELL, GROSVENOR, WILLIAMS of Mississippi, and DE ARMOND.

DEATH OF REPRESENTATIVE BOREING, OF KENTUCKY.

Mr. SMITH of Kentucky. Mr. Speaker, it becomes my painful duty to announce to this House that on the 16th day of September last the Hon. VINCENT BOREING, a Member-elect to the Fifty-eighth Congress from the Eleventh district of Kentucky, departed this life at his home in the city of London, Laurel County, Ky.

For the present, Mr. Speaker, I shall ask the adoption of the resolution which I send to the Clerk's desk, and at some future time during the session the Kentucky delegation will ask that a day be set apart on which the Members of the House may pay proper respect to the memory of our deceased colleague.

The SPEAKER. The Clerk will report the resolutions.

The resolutions were read, as follows:

Resolved, That the House has learned with profound sorrow of the death of Hon. VINCENT BOREING, a Representative from the State of Kentucky.

Resolved, That the Clerk be directed to transmit this resolution to the Senate and to send a copy thereof to the family of the deceased.

The resolutions were agreed to.

DEATH OF REPRESENTATIVE FOERDERER, OF PENNSYLVANIA.

Mr. BINGHAM. Mr. Speaker, I send to the Clerk's desk the following resolutions, and ask their adoption.

The SPEAKER. The Clerk will report the resolutions.

The resolutions were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. R. H. FOERDERER, a Representative-elect from the State of Pennsylvania.

Resolved, That the Clerk be directed to transmit this resolution to the Senate and a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of Hon. VINCENT BOREING and Hon. R. H. FOERDERER, this House do now stand adjourned.

The resolutions were agreed to.

Accordingly (at 12 o'clock and 26 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Clerk of the House of Representatives, transmitting a list of reports to be made to Congress by public officers during the Fifty-eighth Congress—to the Committee on Rules, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BROWNLOW: A bill (H. R. 820) relating to arrears of pensions—to the Committee on Invalid Pensions.

By Mr. BURKE of South Dakota: A bill (H. R. 821) to provide for the purchase of a site and the erection of a public building thereon at Hudson, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 822) to provide for the purchase of a site and the erection of a public building thereon at Watertown, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 823) granting increase of pension to survivors of the Mexican and Indian wars and to their widows—to the Committee on Pensions.

Also, a bill (H. R. 824) to construct a road from Fort McPherson, Ga., to the rifle range and military reservation near Waco, Ga.—to the Committee on Military Affairs.

By Mr. HENRY of Connecticut: A bill (H. R. 825) for the erection of public building in the city of New Britain, Conn.—to the Committee on Public Buildings and Grounds.

By Mr. CURRIER (by request): A bill (H. R. 826) to protect the President, Vice-President, persons in the line of Presidential succession, and ambassadors and foreign ministers—to the Committee on the Judiciary.

By Mr. LOVERING: A bill (H. R. 827) to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 828) for the erection of a public building at Plymouth, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. DAVIS of Florida: A bill (H. R. 829) providing for the erection of a public building at the city of Fernandina, Fla., and for other purposes—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 830) to authorize the location of a Branch Home for disabled volunteer soldiers, sailors, and marines in the State of Florida—to the Committee on Military Affairs.

Also, a bill (H. R. 831) for the establishment of a fish-cultural station in the State of Florida—to the Committee on the Merchant Marine and Fisheries.

By Mr. WATSON: A bill (H. R. 832) amending the immigration laws of the United States—to the Committee on Immigration and Naturalization.

By Mr. BURKE of South Dakota: A bill (H. R. 833) to provide for the purchase of a site and the erection of a public building thereon at Mitchell, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

By Mr. ESCH: A bill (H. R. 834) to provide in the Artillery Corps the personnel and its organization for the submarine mining and other seacoast defenses, and to organize the Field Artillery of the United States Army—to the Committee on Military Affairs.

By Mr. SULZER: A bill (H. R. 835) to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LITTAUER: A bill (H. R. 836) for the erection of a public building at Amsterdam, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. PADGETT: A bill (H. R. 837) for the erection of a public building at Columbia, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 838) establishing the Franklin Military National Park—to the Committee on Military Affairs.

By Mr. CRUMPACKER: A bill (H. R. 839) to provide for the purchase of a site and the erection of a public building thereon at Michigan City, in the State of Indiana—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 840) to erect a monument or memorial temple on the Tippecanoe battle ground, in Tippecanoe County, Ind.—to the Committee on the Library.

By Mr. JONES of Washington: A bill (H. R. 841) to promote and encourage an American merchant marine—to the Committee on Ways and Means.

Also, a bill (H. R. 842) to establish a fish-hatching and fish station in Yakima County, in the State of Washington—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 843) increasing the cost of public building at Spokane, in the State of Washington—to the Committee on Public Buildings and Grounds.

By Mr. RIXEY: A bill (H. R. 844) to authorize the Secretary of the Navy to make changes in the organization of the navy-yards—to the Committee on Naval Affairs.

By Mr. BARTLETT: A bill (H. R. 845) to regulate the trial of contempts of courts—to the Committee on the Judiciary.

By Mr. WILSON of Arizona: A bill (H. R. 846) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Arizona Territory, severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.—to the Committee on the Territories.

Also, a bill (H. R. 847) to authorize the construction of a reservoir near San Carlos, Ariz., to provide water for irrigating Sacaton Reservation, and for other purposes—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 848) to enable the people of Arizona to form a constitution and State government and to be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. JONES of Virginia: A bill (H. R. 849) to change the port of Tappahannock, in the district of Tappahannock, in the State of Virginia, to Reedville, Va.—to the Committee on Ways and Means.

By Mr. HAY: A bill (H. R. 850) providing for the erection of a public building in the city of Winchester, Va.—to the Committee on Public Buildings and Grounds.

By Mr. CRUMPACKER: A bill (H. R. 851) making it a capital offense to unlawfully, knowingly, and purposely kill or attempt to kill the President of the United States—to the Committee on the Judiciary.

By Mr. CURRIER: A bill (H. R. 852) to authorize the purchase of certain pictures of Arctic expeditions, by Mr. Albert Operti—to the Committee on the Library.

Also, a bill (H. R. 853) for the erection of a monumental statue in the city of Washington, D. C., to Paul Jones, the founder of the American Navy—to the Committee on the Library.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 854) to provide for the reorganization of the consular service of the United States—to the Committee on Foreign Affairs.

By Mr. FLOOD: A bill (H. R. 855) to provide for the purchase of the McLean property and adjacent property at Appomattox, Va., in commemoration of the surrender of the Army of Northern Virginia to General Grant—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: A bill (H. R. 856) to increase the pay of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HEMENWAY: A bill (H. R. 857) for the erection of a statue of the late Robert Dale Owen, of Indiana, to be placed in grounds of the Smithsonian Institution—to the Committee on the Library.

By Mr. MOON of Tennessee: A bill (H. R. 1187) granting right of way for road through Government reservation north of national cemetery, Chattanooga, Tenn.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 1188) to amend sections 4924 and 4927 of the Revised Statutes, relating to patents—to the Committee on Patents.

Also, a bill (H. R. 1189) to amend sections 4924, 4925, 4926, and 4927 of the Revised Statutes, relating to patents—to the Committee on Patents.

Also (by request), a bill (H. R. 1190) recognizing the military service of and giving pensionable status under all pension laws of the United States to persons serving under United States officers as home guards, militia, or other provisional troops during the civil war—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1191) to create the Territory of Jefferson and to provide a temporary government for the same, and for other purposes—to the Committee on the Territories.

By Mr. LOVERING: A joint resolution (H. J. Res. 15) proposing an amendment to the Constitution of the United States relating to uniform hours of labor—to the Committee on the Judiciary.

By Mr. WILSON of Arizona: A joint resolution (H. J. Res. 16) to authorize certain officers of the Treasury Department to audit, certify, and pay claims of certain counties of Arizona—to the Committee on Claims.

By Mr. CRUMPACKER: A resolution (H. Res. 10) providing for a select committee to investigate the election laws of the several States—to the Committee on Rules.

By Mr. SPALDING: A memorial of the legislature of the State

of North Dakota, relative to regulating the speed of stock trains—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 858) for the relief of William H. Crawford—to the Committee on Naval Affairs.

Also, a bill (H. R. 859) granting an increase of pension to Andrew Barr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 860) granting a pension to George E. Eberhardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 861) granting a pension to Benjamin B. Eyre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 862) granting an increase of pension to B. Frank Paris—to the Committee on Invalid Pensions.

By Mr. ADAMS of Wisconsin: A bill (H. R. 863) to provide compensation for injuries received by George E. Giles, of Watertown, Wis., at the Ford's Theater disaster, which occurred June 9, 1893—to the Committee on Claims.

By Mr. ALLEN: A bill (H. R. 864) granting an increase of pension to Albert Moulton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 865) granting an increase of pension to Charles C. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 866) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 867) to pay claimants for damages to private property by reason of mortar practice at Fort Preble, Me., during the fall of 1901, as reported by a board of army officers constituted to ascertain the same—to the Committee on Claims.

By Mr. BARTLETT: A bill (H. R. 868) for the relief of Thomas G. Verdine—to the Committee on War Claims.

Also, a bill (H. R. 869) for the relief of Pinkney Persons—to the Committee on War Claims.

Also, a bill (H. R. 870) granting a pension to Carrie Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 871) for the relief of Mrs. G. W. Ross, Mrs. H. C. Cary, Mrs. Annie Brooks, L. C. Wilcoxon, and Willie Wilcoxon, heirs at law and representatives of Wiley Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 872) for the relief of the estate of Archibald W. Tanner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 873) for the relief of the McCaw Manufacturing Company—to the Committee on Claims.

Also, a bill (H. R. 874) for the relief of W. T. Morgan—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 875) for the relief of Harry C. Mix—to the Committee on the Judiciary.

Also, a bill (H. R. 876) granting a pension to Julia A. Fletcher—to the Committee on Pensions.

Also, a bill (H. R. 877) granting a pension to Ann M. Driggars—to the Committee on Pensions.

Also, a bill (H. R. 878) granting a pension to Robert S. Rose—to the Committee on Pensions.

Also, a bill (H. R. 879) granting a pension to James M. Browning—to the Committee on Pensions.

Also, a bill (H. R. 880) granting a pension to Caroline S. Winn—to the Committee on Pensions.

Also, a bill (H. R. 881) granting an increase of pension to William T. Wright—to the Committee on Pensions.

Also, a bill (H. R. 882) granting an increase of pension to Mrs. E. F. McCormick—to the Committee on Pensions.

By Mr. BOWERSOCK: A bill (H. R. 883) to remove charges standing against Augustus Shroeder—to the Committee on Military Affairs.

Also, a bill (H. R. 884) removing the charge of desertion from the name of Alfred Rebsamen—to the Committee on Military Affairs.

Also, a bill (H. R. 885) granting an increase of pension to Francis Knapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 886) granting an increase of pension to Clifford Fetters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 887) granting an increase of pension to Holmes Clayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 888) granting an increase of pension to S. E. Lemon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 889) granting an increase of pension to Richard F. Hosley—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 890) for the relief of Francois Numa Tauzin, Marie Amalia Tauzin, and Constance Sheppard—to the Committee on War Claims.

By Mr. CASSINGHAM: A bill (H. R. 891) granting certain lots at Gnadenhutten, Ohio, to Gnadenhutten special school district—to the Committee on the Public Lands.

Also, a bill (H. R. 892) granting an increase of pension to Abram H. Hunt—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 893) granting an increase of pension to Jeremiah S. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 894) granting an increase of pension to David L. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 895) granting a pension to Margaret M. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 896) to remove charge of desertion from military record of Wilson Certain—to the Committee on Military Affairs.

By Mr. CRUMPACKER: A bill (H. R. 897) for the relief of C. T. Dibble—to the Committee on Claims.

Also, a bill (H. R. 898) granting an increase of pension to William H. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 899) granting an increase of pension to Willard A. Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 900) granting an increase of pension to Oliver S. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 901) for the relief of John Ritter and others—to the Committee on Claims.

Also, a bill (H. R. 902) granting an increase of pension to Isaac C. B. Suman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 903) to correct the naval record of John O'Conner—to the Committee on Naval Affairs.

Also, a bill (H. R. 904) to remove the charge of desertion from the military record of Robert P. Horn—to the Committee on Military Affairs.

Also, a bill (H. R. 905) to remove the charge of desertion from the military record of Joseph Rogers—to the Committee on Military Affairs.

By Mr. CURRIER: A bill (H. R. 906) granting an increase of pension to George S. Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 907) granting an increase of pension to De Witt C. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 908) granting an increase of pension to Charles A. Tarbox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 909) granting an increase of pension to Katherine F. Wainwright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 910) granting an increase of pension to Freeman York—to the Committee on Invalid Pensions.

Also, a bill (H. R. 911) granting an increase of pension to John C. Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 912) granting an increase of pension to John F. Dorsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 913) granting a pension to Maggie Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 914) granting an increase of pension to Cornelius A. Clough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 915) for the relief of the legal representatives of George W. Soule—to the Committee on Claims.

Also, a bill (H. R. 916) granting an increase of pension to Edwin O. Marden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 917) granting an increase of pension to Edwin F. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 918) granting an increase of pension to Natt S. Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 919) granting a pension to Priscilla Twiss—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 920) for the relief of heirs of Ramon Canova—to the Committee on Claims.

By Mr. DE ARMOND: A bill (H. R. 921) for the relief of William Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 922) for the relief of George W. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 923) granting an increase of pension to Hiram C. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 924) granting an increase of pension to John E. Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 925) for the relief of Samuel L. Landers—to the Committee on Military Affairs.

Also, a bill (H. R. 926) granting an increase of pension to Jeremiah Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 927) granting an increase of pension to William H. Leavell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 928) granting an increase of pension to Mark S. Clay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 929) granting an increase of pension to Culvin V. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 930) granting an increase of pension to Thomas M. Parkison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 931) granting an increase of pension to James H. B. McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 932) granting an increase of pension to James M. Markham—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 933) granting an increase of pension to John F. Mitchell—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 934) granting an increase of pension to Frank Brock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 935) granting an increase of pension to William McNair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 936) granting an increase of pension to William Millian—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 937) granting an increase of pension to M. A. Shelton—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 938) to indemnify the city of New York for expenses incurred by said city in defense of the United States—to the Committee on Claims.

Also, a bill (H. R. 939) to confer jurisdiction upon the Court of Claims to hear and determine claim for damages arising from the death of Carl Zabel—to the Committee on Claims.

By Mr. DOVENER: A bill (H. R. 940) granting a pension to Oscar M. Parsons—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 941) granting an increase of pension to William D. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 942) granting an increase of pension to James F. Hardy—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 943) granting an increase of pension to Orson N. Earl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 944) to remove the charge of desertion from the record of James Nicholas—to the Committee on Military Affairs.

Also, a bill (H. R. 945) to remove charge of desertion against Sanford M. Murray—to the Committee on Military Affairs.

Also, a bill (H. R. 946) to increase the pension of Matilda E. Lawton, widow of Elbridge Lawton, late chief engineer, United States Navy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 947) to increase the pension of Sarah E. Jackson, widow of Richard H. Jackson, late brigadier-general of United States Volunteers, to $50 per month—to the Committee on Invalid Pensions.

Also, a bill (H. R. 948) granting an increase of pension to Harvey Linsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 949) to remove the charge of desertion from the record of Albert Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 950) to remove the charge of desertion from the record of Frank Van Valkenberg, alias Charles Duane—to the Committee on Military Affairs.

Also, a bill (H. R. 951) to place on the pension roll the name of John H. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 952) granting a pension to Charles L. Poole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 953) to remove the charge of desertion from the military record of William H. Moore, alias William Moorey—to the Committee on Military Affairs.

Also, a bill (H. R. 954) for the relief of Albert Edward Adam Engle—to the Committee on Military Affairs.

Also, a bill (H. R. 955) granting a pension to Samantha Bentley—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 956) granting a pension to Mary E. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 957) granting an increase of pension to Alonzo Carpenter—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 958) granting an increase of pension to Alfred H. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 959) to remove charge of desertion from military record of George W. Moore, alias George W. More—to the Committee on Military Affairs.

Also, a bill (H. R. 960) to remove charge of desertion from military record of Charles F. Kramer—to the Committee on Military Affairs.

Also, a bill (H. R. 961) granting a pension to Henry Carbino—to the Committee on Invalid Pensions.

Also, a bill (H. R. 962) to establish a permanent military camp ground in the vicinity of Camp Douglas, in Juneau County, Wis.—to the Committee on Military Affairs.

Also, a bill (H. R. 963) granting an increase of pension to Ara D. Benjamin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 964) granting an increase of pension to Mahlon Farnim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 965) granting an increase of pension to Franklin Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 966) granting an increase of pension to Stephen Dickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 967) granting an increase of pension to Nicholas Gruber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 968) granting an increase of pension to Charles Warren Young—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 969) to correct the military record of G. G. Martin—to the Committee on Military Affairs.

By Mr. FLOOD: A bill (H. R. 970) granting an increase of pension to Frederick Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 971) for the relief of the estate of George W. Taylor, deceased—to the Committee on War Claims.

Also, a bill (H. R. 972) for the relief of Abraham Stover—to the Committee on War Claims.

Also, a bill (H. R. 973) for the relief of the legal representatives of Paul McNeel—to the Committee on War Claims.

Also, a bill (H. R. 974) for the relief of James W. Smith—to the Committee on War Claims.

Also, a bill (H. R. 975) for the relief of David W. Speck—to the Committee on War Claims.

Also, a bill (H. R. 976) for the relief of the estates of Michael Dull and David Dull, deceased—to the Committee on War Claims.

Also, a bill (H. R. 977) for the relief of T. H. McGinnis—to the Committee on War Claims.

Also, a bill (H. R. 978) to reimburse the trustees of the Presbyterian Church at McDowell, State of Virginia—to the Committee on War Claims.

Also, a bill (H. R. 979) for the relief of Amanda Lam, administratrix of the estate of James Lam, deceased—to the Committee on War Claims.

Also, a bill (H. R. 980) for the relief of George W. Craig—to the Committee on War Claims.

Also, a bill (H. R. 981) for the relief of Mrs. Maria D. La Rue—to the Committee on War Claims.

Also, a bill (H. R. 982) for the relief of the estate of Hugh L. Gallaher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 983) for the relief of James A. Snyder, executor of Jacob Snyder, deceased—to the Committee on War Claims.

Also, a bill (H. R. 984) granting an increase of pension to Elizabeth V. Harman—to the Committee on Pensions.

Also, a bill (H. R. 985) for the relief of Mrs. S. M. Cale—to the Committee on War Claims.

Also, a bill (H. R. 986) for the relief of the estate of John Bumgardner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 987) for the relief of William Crosby—to the Committee on War Claims.

By Mr. GILLETT of Massachusetts: A bill (H. R. 988) referring to the Court of Claims a certain claim for the use of hook attachments for firearms—to the Committee on Claims.

By Mr. GLASS: A bill (H. R. 989) for the relief of Edward S. Brown—to the Committee on War Claims.

By Mr. HENRY of Connecticut: A bill (H. R. 990) granting an increase of pension to Harrison W. Fox—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 991) granting an increase of pension to Robert B. Virmilya—to the Committee on Invalid Pensions.

Also, a bill (H. R. 992) granting an increase of pension to Harvey Gaskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 993) granting an increase of pension to James M. Harrison—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 994) for the relief of the estate of W. M. O'Hara, deceased—to the Committee on War Claims.

By Mr. JONES of Virginia: A bill (H. R. 995) for the relief of the trustees of the Methodist Episcopal Church South, of Fredericksburg, Va.—to the Committee on War Claims.

By Mr. JONES of Washington: A bill (H. R. 996) for the relief of Simon M. Preston—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 997) granting an increase of pension to Ralph D. Parsons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 998) granting a pension to Capt. John J. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 999) granting an increase of pension to Capt. I. B. Wambaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1000) granting an increase of pension to Edward W. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1001) granting an increase of pension to Owen E. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1002) granting an increase of pension to Otis Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1003) granting an increase of pension to Seth Raymond—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 1004) to correct the military record of Asher Branch—to the Committee on Military Affairs.

Also, a bill (H. R. 1005) granting a pension to Marat E. Powell—to the Committee on Pensions.

By Mr. SHERMAN: A bill (H. R. 1006) granting a pension to Phœbe M. Eigenbroadt, widow of Charles Eigenbroadt—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 1007) granting an increase of pension to Harry C. Thorne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1008) granting an increase of pension to George Kline—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 1009) for the relief of Isaac Davenport and others, of Virginia—to the Committee on Claims.

Also, a bill (H. R. 1010) for the relief of the heirs of Samuel Ayres, of Virginia—to the Committee on War Claims.

Also, a bill (H. R. 1011) for the relief of J. B. Chandler and D. B. Cox—to the Committee on Claims.

By Mr. LOVERING: A bill (H. R. 1012) for the relief of Charles Speare—to the Committee on War Claims.

Also, a bill (H. R. 1013) anthorizing the reference to the Court of Claims of the claim of Capt. Andrew H. Russell and Lieut. Col. William R. Livermore against the Government of the United States—to the Committee on Claims.

Also, a bill (H. R. 1014) granting an increase of pension to Bernard Glancy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1015) granting a pension to George C. Peterson—to the Committee on Pensions.

Also, a bill (H. R. 1016) to correct the military record of Frederic E. Fiske—to the Committee on Military Affairs.

Also, a bill (H. R. 1017) to remove the charge of desertion from the military record of Fred A. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 1018) to provide an American register for the steam whaler *Bowhead*—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 1019) providing that section 4716, Revised Statutes, shall not be construed to apply to Union soldiers who, while prisoners of war in 1864, were set to work under guard by the Confederate authorities in the engineer department iron works at Savannah, Ga.—to the Committee on Military Affairs.

By Mr. MAHON: A bill (H. R. 1020) to authorize the readjustment of the accounts of army officers in certain cases, and for other purposes—to the Committee on War Claims.

By Mr. MAYNARD: A bill (H. R. 1021) to compensate Caleb C. Willard, surviving partner of the firm of Segar & Willard, for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Virginia, in the year 1862—to the Committee on Claims.

Also, a bill (H. R. 1022) for the relief of Charles Candy—to the Committee on War Claims.

Also, a bill (H. R. 1023) to compensate H. C. Phoebus for the demolition and removal of his property from the Government reservation at Old Point, Virginia—to the Committee on Claims.

By Mr. MIERS of Indiana: A bill (H. R. 1024) for the relief of the estate of Sewell Coulson, deceased—to the Committee on Claims.

By Mr. MOON of Tennessee: A bill (H. R. 1025) for the relief of Isom M. Qualls—to the Committee on Military Affairs.

Also, a bill (H. R. 1026) for the relief of Dr. A. W. Gregory—to the Committee on War Claims.

Also, a bill (H. R. 1027) for the relief of W. P. Qualls—to the Committee on Military Affairs.

Also, a bill (H. R. 1028) for the relief of Nancy Edwards, widow of John B. Edwards—to the Committee on War Claims.

Also, a bill (H. R. 1029) granting a pension to Peter Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1030) for the relief of E. A. Best, administrator of the estate of Adaline D. Turner—to the Committee on War Claims.

Also, a bill (H. R. 1031) for the relief of Julia Blount Thacker, Amanda Catherine Johnson, John Clark Rowden, and Samuel Echols Rowden, the only heirs at law of Isaac Curry Rowden and Sarah E. Rowden, of Wauhatchie, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1032) for the relief of James Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 1033) for the relief of William M. Henry—to the Committee on War Claims.

Also, a bill (H. R. 1034) granting an increase of pension to Lewis Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1035) for the relief of Jesse T. Huffaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1036) for the relief of Thomas Smith—to the Committee on War Claims.

Also, a bill (H. R. 1037) to grant a pension to William D. Humbard—to the Committee on Pensions.

Also, a bill (H. R. 1038) for the relief of Hugh J. Brady—to the Committee on Claims.

Also, a bill (H. R. 1039) for the relief of Julia W. Outland—to the Committee on War Claims.

Also, a bill (H. R. 1040) for the relief of the widow of the late Capt. Daniel C. Trewhitt—to the Committee on War Claims.

Also, a bill (H. R. 1041) for the relief of Charles W. Wiseman—to the Committee on War Claims.

Also, a bill (H. R. 1042) for the relief of James Nipper—to the Committee on Military Affairs.

Also, a bill (H. R. 1043) for the relief of James A. Lance—to the Committee on Military Affairs.

Also, a bill (H. R. 1044) for the relief of Jasper N. T. Hamilton—to the Committee on Military Affairs.

Also, a bill (H. R. 1045) granting a pension of $12 per month to Matilda Witt, widow of J. Burgess Witt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1046) for the relief of C. W. Biese—to the Committee on Military Affairs.

Also, a bill (H. R. 1047) for relief of Jesse C. Allen—to the Committee on Military Affairs.

Also, a bill (H. R. 1048) for the relief of John Redden—to the Committee on Military Affairs.

Also, a bill (H. R. 1049) for the relief of P. R. Albert and I. Noa—to the Committee on Claims.

Also, a bill (H. R. 1050) for relief of William Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 1051) for the relief of Narcissa T. Byrd—to the Committee on Military Affairs.

Also, a bill (H. R. 1052) for the relief of Mary Sharp College, of Winchester, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 1053) for relief of John Weeks—to the Committee on Military Affairs.

Also, a bill (H. R. 1054) to remove the charge of desertion against the name of George W. Flinn—to the Committee on Military Affairs.

Also, a bill (H. R. 1055) to correct the muster in of Capt. James H. Galbraith—to the Committee on Military Affairs.

Also, a bill (H. R. 1056) to complete the military record of Theodore W. Gambee and to pay him for military services performed—to the Committee on Military Affairs.

Also, a bill (H. R. 1057) for the relief of Israel Roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1058) for the relief of Mrs. E. L. Eblen—to the Committee on War Claims.

Also, a bill (H. R. 1059) for the relief of Mary C. Cathcart—to the Committee on Pensions.

Also, a bill (H. R. 1060) for the relief of William H. Bean—to the Committee on Claims.

Also, a bill (H. R. 1061) to remove the charge of desertion against the name of Samuel Burnett—to the Committee on Military Affairs.

Also, a bill (H. R. 1062) granting a pension to James J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1063) for the relief of Miss May Larkin—to the Committee on War Claims.

Also, a bill (H. R. 1064) for the relief of Solomon Bell—to the Committee on Military Affairs.

Also, a bill (H. R. 1065) for the relief of Sarah E. Abernathy, widow of J. J. Abernathy—to the Committee on War Claims.

Also, a bill (H. R. 1066) for the relief of Lydia A. Newby—to the Committee on War Claims.

Also, a bill (H. R. 1067) for the relief of R. H. Sively—to the Committee on Military Affairs.

Also, a bill (H. R. 1068) for the relief of William R. Rogers—to the Committee on Military Affairs.

Also, a bill (H. R. 1069) for the relief of William A. Goodwin—to the Committee on Military Affairs.

Also, a bill (H. R. 1070) to complete the military record of Daniel Cook, deceased, and for an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1071) for the relief of John Long—to the Committee on Military Affairs.

Also, a bill (H. R. 1072) for the relief of Thomas Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 1073) for relief of Mary Ann Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 1074) for the relief of the heirs of Nancy R. Dobbs, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1075) for the relief of Eli Jellis—to the Committee on Pensions.

Also, a bill (H. R. 1076) to correct the military record of Samuel T. Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 1077) granting an increase of pension to Israel Roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1078) to remove the charge of desertion from the name of John C. Cross—to the Committee on Military Affairs.

Also, a bill (H. R. 1079) to remove the charge of desertion against the name of Benjamin C. Coleman—to the Committee on Military Affairs.

Also, a bill (H. R. 1080) for the relief of Samuel Edington—to the Committee on War Claims.

Also, a bill (H. R. 1081) for the relief of the legal representatives of P. M. Craigmiles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1082) for the relief of the Methodist Episcopal Church South, Calhoun, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1083) for the relief of Shiloh Presbyterian Church, Calhoun, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1084) for the relief of J. Walter Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 1085) for the relief of the trustees of McDaniel's Chapel, Methodist Episcopal Church South, at Shellmound, Marion County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 1086) for the relief of Martin Van Buren McReynolds—to the Committee on Military Affairs.

Also, a bill (H. R. 1087) for the relief of Sarah Crabtree—to the Committee on War Claims.

Also, a bill (H. R. 1088) to remove the charge of desertion from the name of Henry A. Cryderman, and so forth—to the Committee on Military Affairs.

Also, a bill (H. R. 1089) for the relief of the estate of Isaac Easterly, deceased, late of Grundy County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1090) for the relief of the trustees of the Methodist Episcopal Church South, of Cleveland, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1091) for the relief of Abraham Slover—to the Committee on War Claims.

Also, a bill (H. R. 1092) appropriating $248 and interest from May 10, 1864, to pay William D. Humberd, as scout, guide, and so forth—to the Committee on Appropriations.

Also, a bill (H. R. 1093) for the relief of Rose B. Noa—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H R. 1094) for the relief of the estate of William B. Smith—to the Committee on War Claims.

Also, a bill (H. R. 1095) for the relief of the estate of Andrew Roberts—to the Committee on War Claims.

Also, a bill (H. R. 1096) to correct the military record of Edward W. Gobble—to the Committee on Military Affairs.

Also, a bill (H. R. 1097) for the relief of the heirs of Michael Heloran—to the Committee on War Claims.

Also, a bill (H. R. 1098) to pay the estate of J. J. Walker for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 1099) granting an increase of pension to L. O. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1100) for relief of William G. Tidwell—to the Committee on War Claims.

Also, a bill (H. R. 1101) to remove the charge of desertion and correct the military record of Isaac B. Goforth—to the Committee on Military Affairs.

Also, a bill (H. R. 1102) for the relief of Jane Henry—to the Committee on War Claims.

Also, a bill (H. R. 1103) for the relief of the estate of Nancy P. Garrison, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1104) for the relief of John V. Wright—to the Committee on Claims.

Also, a bill (H. R. 1105) for the relief of Clifton Lodge, No. 173, Free and Accepted Masons—to the Committee on War Claims.

Also, a bill (H. R. 1106) for the relief of the estate of N. M. Buyers—to the Committee on War Claims.

Also, a bill (H. R. 1107) for the relief of the estate of Mrs. Healy Patton—to the Committee on War Claims.

Also, a bill (H. R. 1108) for relief of James W. Hardin and to remove charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 1109) for the relief of Richard Workman—to the Committee on War Claims.

Also, a bill (H. R. 1110) for the relief of the estate of James H. Huey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1111) to remove the charge of desertion against W. A. Kilburn—to the Committee on Military Affairs.

Also, a bill (H.R. 1112) for the relief of the estate of S. J. Stockard, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1113) for the relief of P. H. Nelson—to the Committee on War Claims.

Also, a bill (H. R. 1114) for the relief of the estate of Nathan Perry—to the Committee on War Claims.

Also, a bill (H. R. 1115) for the relief of the estate of Isaac Johnson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1116) for the relief of Jonathan Amis—to the Committee on War Claims.

Also, a bill (H. R. 1117) for the relief of the trustees of the Methodist Church at Prospect, Giles County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1118) for the relief of the estate of D. S. Phelan—to the Committee on Claims.

Also, a bill (H. R. 1119) for the relief of the estate of B. H. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 1120) for the relief of the estate of Jonathan Mills—to the Committee on War Claims.

Also, a bill (H. R. 1121) for the relief of the estate of Edwin Grant—to the Committee on War Claims.

Also, a bill (H. R. 1122) for the relief of the estate of Andrew Scott—to the Committee on War Claims.

Also, a bill (H. R. 1123) for the relief of E. C. Overton—to the Committee on War Claims.

Also, a bill (H. R. 1124) for the relief of the estate of F. T. McLaurine—to the Committee on War Claims.

Also, a bill (H. R. 1125) for the relief of the estate of Lemuel Long—to the Committee on War Claims.

Also, a bill (H. R. 1126) for relief of estate of J. J. Bryson—to the Committee on War Claims.

Also, a bill (H. R. 1127) for relief of William J. Hines—to the Committee on Military Affairs.

Also, a bill (H. R. 1128) for the relief of Frank M. Dooley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1129) to pay to the heirs of Nathan Curry, deceased, the sum of $1,503 for property taken and used by the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 1130) to pay Thomas S. Truett the sum of $340, the value of property taken from him by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 1131) to pay the heirs of James Ramsy, deceased, the sum of $250, the value of property from him taken and used by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 1132) to pay to the heirs of Pleasant Hines, deceased, the sum of $1,000, the value of property taken from him by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 1133) for the relief of Calvin Hardison—to the Committee on War Claims.

Also, a bill (H. R. 1134) to pay Josephine O. Anderson the sum of $175, the value of property from her taken and used by the troops of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 1135) for the relief of William M. Beasley—to the Committee on War Claims.

Also, a bill (H. R. 1136) for the relief of J. P. McGaw—to the Committee on War Claims.

Also, a bill (H. R. 1137) for the relief of Alexander Bennett—to the Committee on Military Affairs.

Also, a bill (H. R. 1138) for the relief of W. S. Reid, administrator of Mrs. F. M. Harris, deceased, late of Franklin, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1139) to remove the charge of desertion against J. W. Teas—to the Committee on Military Affairs.

Also, a bill (H. R. 1140) for the relief of the estate of Mrs. E. M. Booker, deceased, late of Columbia, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1141) for the relief of the trustees of the Cumberland Presbyterian Church, of Pulaski, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1142) for the relief of the estate of N. E. Perkins, deceased, late of Williamson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1143) for the relief of Thomas J. Lawson, sr.—to the Committee on War Claims.

Also, a bill (H. R. 1144) for the relief of the estate of J. A. Milhous, deceased, late of Giles County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1145) for the relief of H. J. Brewer, of Wayne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1146) for the relief of F. M. Fitzgerald—to the Committee on War Claims.

Also, a bill (H. R. 1147) for the relief of John D. Reed, administrator of J. P. C. Reed, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1148) to remove charge of desertion standing against William M. Anderson—to the Committee on Military Affairs.

Also, a bill (H. R. 1149) for the relief of the estate of William Grigsby, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1150) for the relief of Hiram Lodge, No. 7, of Free and Accepted Masons, of Franklin, Tenn.—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 1151) for the relief of Louis A. Yorke—to the Committee on Naval Affairs.

By Mr. SOUTHARD: A bill (H. R. 1152) granting a pension to William C. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1153) granting an increase of pension to William Geyser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1154) for the relief of Frank Wenzel—to the Committee on Claims.

Also, a bill (H. R. 1155) to correct the military record of Edward S. Knappen—to the Committee on Military Affairs.

Also, a bill (H. R. 1156) granting an increase of pension to John Pangratz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1157) to remove the charge of desertion from the military record of Nelson Conklin—to the Committee on Military Affairs.

Also, a bill (H. R. 1158) for the relief of George W. Bowen—to the Committee on Military Affairs.

Also, a bill (H. R. 1159) to correct the record of Wilson W. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 1160) granting an increase of pension to Demas L. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1161) granting an increase of pension to David R. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1162) granting a pension to Julia E. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1163) granting an increase of pension to Kate O'Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1164) granting a pension to Eliza Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1165) granting an increase of pension to Edward Blanchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1166) granting an increase of pension to Charlotte E. Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1167) to increase the pension of John S. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1168) to correct the military record of Daniel Arnold—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 1169) for the relief of the estate of Calvin B. Cunningham, deceased—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 1170) granting an increase of pension to Lewis L. Bean—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 1171) to provide compensation for injuries received by George E. O'Hair, of Indianapolis, Ind., at Ford's Theater disaster, which occurred June 9, 1893—to the Committee on Claims.

Also, a bill (H. R. 1172) granting an increase of pension to Henry M. Endsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1173) granting an increase of pension to Jonathan Harlan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1174) granting an increase of pension to Joshua F. Spurlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1175) granting an increase of pension to John W. Hannah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1176) granting an increase of pension to Capt. George W. Kimble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1177) granting an increase of pension to Anna Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178) granting an increase of pension to Simeon T. Yancy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1179) granting an increase of pension to Jasper Richey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1180) granting an increase of pension to Jeremy Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1181) granting a pension to Anna L. Roop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1182) granting an increase of pension to Noah Jarvis—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 1183) for the relief of Mrs. E. W. Williams—to the Committee on War Claims.

By Mr. KLINE: A bill (H. R. 1184) granting a pension to William J. Longenhagen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1185) granting an increase of pension to William Haines—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 1186) to muster in and muster out of Milroy Home Guards, United States troops, citizens of Warren and Grundy counties, Tenn., in the war of the rebellion, 1861 to 1865—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of the board of managers of the Trades League of Philadelphia, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of board of directors of the Commercial Exchange of Philadelphia, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Produce Exchange, urging upon the Government the necessity of a 35-foot channel for the port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. BINGHAM: Resolution of Joint Executive Committee on the Improvement of the Harbor of Philadelphia and the Delaware and Schuylkill Rivers, relative to a 35-foot channel for Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of Joint Executive Committee on the Improvement of the Harbor of Philadelphia and the Delaware and Schuylkill Rivers, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of the Commercial Exchange of Philadelphia, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of Philadelphia Produce Exchange, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of board of directors, Philadelphia Bourse, relative to 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of board of wardens, port of Philadelphia, relative to 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of the Grocers and Importers' Exchange of Philadelphia, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of board of directors of the Vessel Owners and Captains' Associations, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of Philadelphia Board of Trade, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of the Trades League of Philadelphia, relative to a 35-foot channel—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Maritime Exchange, relative to 35-foot channel for Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of the Lumberman's Exchange of the City of Philadelphia, relative to 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

By Mr. CASSINGHAM: Resolution of Welch Post, No. 422, Department of Ohio, Grand Army of the Republic, requesting passage of bill granting to every honorably discharged Union soldier who served ninety days or over a pension of $12 per month—to the Committee on Pensions.

By Mr. CANNON: Papers to accompany bill H. R. 464, granting a pension to James W. Perkins—to the Committee on Pensions.

Also, papers to accompany bill H. R. 465, granting a pension to Erwin Fancher—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: Papers to accompany bill to increase pension of Hiram C. Wyatt—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of John E. Keller—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of M. A. Shelton—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Frank Brock—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of William McNair—to the Committee on Invalid Pensions.

By Mr. ESCH: Papers to accompany bill for the relief of Ava D. Benjamin—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of Board of Trade of Newark, N. J., urging the construction of a ship canal and deep waterway connecting Newark and New York Bay—to the Committee on Rivers and Harbors.

Also, resolution of the Presbytery of Brooklyn, N. Y., favoring an amendment to the Constitution defining legal marriage as monogamic and making polygamy a crime—to the Committee on the Judiciary.

By Mr. HEMENWAY: Papers to accompany bill H. R. 612, to remove the charge of desertion from the military record of Ignatz Pfeifer—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 606, granting an increase of pension to Vincent M. Cartwright—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 605, granting increase of pension to Jeremiah Painter—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 604, granting a pension to Frederick Frick—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 602, granting an increase of pension to Sadie Krusenklous—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 601, granting increase of pension to George Kelly—to the Committee on Pensions.

Also, papers to accompany bill H. R. 600, granting a pension to Lawrence James—to the Committee on Invalid Pensions.

By Mr PADGETT: Petition of the heirs of Christian Bringle, deceased, late of Giles County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RIXEY: Petition of W. C. Petty, of Culpeper County, Va., praying reference of war claims to the Court of Claims—to the Committee on War Claims.

Also, petition of William M. Jones, of King George County, Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of heirs of William Henderson, deceased, late of King George County, Va., praying reference of war claims to the Court of Claims—to the Committee on War Claims.

By Mr. SHERMAN: Papers to accompany bill granting a pension to Phœbe M. Eigenbroadt—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *November 11, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

WILLIAM B. BATE, a Senator from the State of Tennessee; CLARENCE D. CLARK, a Senator from the State of Wyoming; JOHN W. DANIEL, a Senator from the State of Virginia; FRANCIS G. NEWLANDS, a Senator from the State of Nevada; and MATTHEW S. QUAY, a Senator from the State of Pennsylvania, appeared in their seats to-day.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. VINCENT BOREING, late a Representative from the State of Kentucky, and transmitted resolutions of the House thereon.

The message also communicated to the Senate the intelligence of the death of Hon. R. H. FOERDERER, late a Representative from the State of Pennsylvania, and transmitted resolutions of the House thereon.

The message further announced that the House had passed a joint resolution (H. J. Res. 14) making immediately available the appropriations for mileage of Senators and Members of the House of Representatives, and for other purposes; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the Antiopium Society of San Francisco, Cal., remonstrating against the enactment of legislation to legalize the sale of opium in the Philippine Islands; which was referred to the Committee on the Philippines.

He also presented petitions of the Woman's Christian Temperance Union of Covington, Ky.; of the Woman's Christian Temperance Union of Powellton, Ill.; of the Woman's Christian Temperance Union of Dracut, Mass.; of Annie C. Jones, of Chatham, Pa.; of the Woman's Christian Temperance Union of Carroll, N. H.; of the congregation of the North Fork Baptist Church, of Rush, W. Va.; of sundry citizens of Lyons, Mich.; of the Woman's Christian Temperance Union of Almont, Mich.; of the Woman's Christian Temperance Union of Sodus, Mich.; of the Woman's Christian Temperance Union of Ithaca, Mich.; of the congregation of the Lyell Avenue Baptist Church, of Rochester, N. Y.; of the congregation of the Methodist Episcopal Church of Millville, N. Y.; of the Woman's Christian Temperance Union of Binghamton, N. Y.; of the Baptist Young People's Union of Eureka Springs, Ark., and of the Woman's Christian Temperance Union of Eureka Springs, Ark., praying that an investigation be made of the charges filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of the Trades League of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which was referred to the Committee on Commerce.

Mr. CULLOM presented a petition of members of the Grand Army of the Republic, Department of Illinois, of White Hall, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens and church organizations of the State of Illinois, praying that an investigation be made of the charges filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 106, United Mine Workers, of Dunfermline; of the Amalgamated Association of Street and Electric Railway Employees of Chicago; of the Musicians Protective Association of Joliet; of Mailers' Local Union No. 2, of Chicago; of Local Union No. 7, of Chicago; of the Trades and Labor Assembly of Bloomington; of the Trades and Labor Assembly of Jacksonville; of Local Union No. 69, of Belleville; of Local Union No. 60, of Chicago; of the International Union of Wood, Wire, and Metal Lathers of Aurora; of the Trades and Labor Assembly of Alton; of Local Union No. 329, of Astoria; of Local Union No. 491, of Bedford; of Local Union No. 2109, of Auburn, and of Federal Labor Union, No. 8620, of Trenton; all of the American Federation of Labor, in the State of Illinois, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. STEWART presented a resolution of the legislature of the State of Nevada, relative to the regulation and protection of immigrants; which was referred to the Committee on Immigration, and ordered to be printed in the RECORD, as follows:

Senate joint resolution and memorial to Congress, No. —, relative to immigration and protection.

Whereas the Congress of the United States has under consideration the subject of immigration with a view to further legislation; and

Whereas in all such legislation, during the past forty years, the manufacturers have reaped the benefit to the detriment of the tradesman, artisan, and laboring man, who have been afforded no protection against the disastrous competition of the undesirable, criminal, and pauper classes of foreign countries, arriving on our shores at the rate of half a million annually, assisted hither, in many instances, by the Government, organized society, or private aid, thus benefiting the country left by relieving the labor market, and injuring this by the number of unemployed, nearly every one reaching this country during the past twenty years being a positive detriment to the people already here; and

Whereas a million of our people are suffering for want of employment, and the natural increase of our population will, for an indefinite future, fully supply every demand that any possible development of the country may make, it should be the policy for our Government to afford as full and complete protection to the mechanic, laborer, farmer, merchant, miner, employed and unemployed, as the manufacturer: Therefore, be it

Resolved by the senate of the State of Nevada, the assembly concurring, That the Congress of the United States be, and it is hereby, memorialized to incorporate in all immigration legislation such provisions as will forever prohibit from landing on our shores the undesirable element of the Old World by the levy of a tax of $100 per capita upon every immigrant to hereafter land, or such a tax as shall fully and effectually protect our people from foreign competition;

Resolved, That our Senators in Congress be instructed and our Representative be requested to use all honorable means to secure such legislation;

Resolved, That the governor be, and he hereby is, requested to forward an engrossed copy of this memorial and resolution to each of our Senators and to our Representative in Congress.

L. ALLEN,
President of the Senate.
C. H. MCINTOSH,
Secretary of the Senate.
MARION S. WILSON,
Speaker of the Assembly.
J. A. CLARK,
Chief Clerk of the Assembly.

Approved March 9, 1903.

JOHN SPARKS, *Governor.*

Senate joint resolution and memorial to Congress No. 7. Introduced by Senator Lord, February 14, 1903, relative to immigration and protection.

February 14, 1903, rules suspended, reading had, considered first reading, rules further suspended, bill read second time by title, and referred to committee on Federal relations. February 20, 1903, reported back from committee favorably with the recommendation that it do pass. Placed at the bottom of the file February 24, 1903. Received in the assembly, rules suspended, reading had, considered first reading, rules further suspended, read second time by title, and referred to committee on Federal relations. February 28, 1903, reported back from committee with recommendation that it do pass. March 4, 1903, placed upon third reading and final passage, and passed by the following vote—yeas 20, noes 0, absent 17. Returned to senate. F. C. Armstrong, assistant clerk of assembly. March 5, 1903, received in senate and sent to enrollment. E. T. George, assistant secretary of senate.

Filed in the office of the secretary of state, this 13th day of March, 1903.

W. G. DOUGLASS, *Secretary of the State.*

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original senate joint resolution and memorial to Congress No. 7, relative to immigration and protection, now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of state, at my office, in Carson City, Nev., this 17th day of March, A. D. 1903.

[SEAL.]

W. G. DOUGLASS, *Secretary of State,*
By GEO. N. NOKI, *Deputy.*

Mr. STEWART presented a resolution of the legislature of the State of Nevada, relative to the naturalization of citizens; which was referred to the Committee on Immigration, and ordered to be printed in the RECORD, as follows:

Senate joint and concurrent resolution No. —. Resolution relative to the naturalization of citizens.

Whereas under the land and mining laws of the United States it is provided that all persons who have declared their intention to become citizens of the United States shall have the same rights as those who are already citizens; and

Whereas a large number of persons declare their intentions to become citizens of the United States under the laws provided therefor for the purpose of enjoying the benefits of the land, mining, and other laws, yet never become citizens, and while enjoying the benefits of citizenship are required to bear none of the burdens thereof: Therefore, be it

Resolved by the senate of the State of Nevada, the assembly concurring, That we are heartily in favor of such legislation as will require persons declaring their intention of becoming citizens under the laws of the United States to become such within a reasonable period after they are eligible or forfeit all benefits or privileges acquired under the laws of the United States; and

Resolved further, That a copy of this resolution shall be sent to each of our Senators and to our Representative in Congress.

L. ALLEN,
President of the Senate.
C. L. MCINTOSH,
Secretary of the Senate.
MARION S. WILSON,
Speaker of the Assembly.
J. A. CLARK,
Chief Clerk of the Assembly.

Approved March 14, 1903.

JOHN SPARKS, *Governor.*

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of State of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original resolution passed by the Nevada legislature relative to the naturalization of citizens now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State, at my office in Carson City, Nev., this 18th day of March, A. D. 1903.

[SEAL.] W. G. DOUGLASS, *Secretary of State,*
By GEO. N. NOEL, *Deputy.*

Mr. BAILEY presented petitions of the Woman's Christian Temperance Union of Cisco; of sundry citizens of Waco, Nevada, El Paso, Greenville, Brunner, Cisco, Amarillo, Brownwood, Fort Worth, Forney, Panhandle, Montgomery, Hillsboro, Hearne, Miami, Houston, Calvert, Gonzales, Archer City, Marble Falls, Mineral Wells, Vernon, Gainesville, Canadian, and Elliott, all in the State of Texas, praying that an investigation be made of the charges filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FORAKER presented a petition of the Chamber of Commerce of Honolulu, Hawaii, praying for the enactment of legislation to insure the revival of the coffee industry in that Territory; which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. DOLLIVER presented a petition of the Prohibition Alliance of Ames, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented petitions of Dunlap Post, No. 147, of Rock Rapids; of Gardner Post, No. 90, of Iowa, and of Rock Yates Post, No. 364, of Shelby, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the legislative committee of the Tri-City Labor Congress, of Clinton and Lyons; of the Trades and Labor Congress of Dubuque; of Local Union No. 10441, of Fort Dodge; of the Trades and Labor Council of Centerville; of Local Union No. 246, of Des Moines; of Typographical Union No. 251, of Muscatine; of Federal Labor Union No. 6303, of Muscatine; of Carpenters and Joiners' Local Union No. 1508, of Oelwein; of Local Union No. 223, of Ottumwa; of Local Union No. 855, of Lehigh, and of Machinists' Local Union No. 254, of Des Moines, all of the American Federation of Labor, and of Local Division No. 114, Order of Railroad Telegraphers, of Perry, all in the State of Iowa, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the legislative committee of the Tri-City Labor Congress, of Clinton and Lyons; of the Trades and Labor Congress of Dubuque; of Local Union No. 10441, of Fort Dodge; of the Trades and Labor Council of Centerville; of Local Union No. 246, of Des Moines; of Typographical Union No. 251, of Muscatine; of Federal Labor Union No. 6303, of Muscatine; of Carpenters and Joiners' Local Union No. 1508, of Oelwein; of Local Union No. 223, of Ottumwa; of Local Union No. 855, of Lehigh, and of Machinists' Local Union No. 254, of Des Moines, all of the American Federation of Labor, and of Local Division No. 114, Order of Railroad Telegraphers, of Perry, all in the State of Iowa, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the congregation of the Congregational Church of Epping, of the Woman's Christian Temperance Union of West Unity, of the Woman's Christian Temperance Union of Laconia, and of the Woman's Christian Temperance Union of Rindge, all in the State of New Hampshire, praying for an investigation of certain charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented petitions of sundry citizens of Cooper, Coopersville, St. Johns, Bloomingdale, Ashley, Marcellus, Millgrove, Ganges, Owosso, Waldron, Gunplain, Hudsonville, Ovid, Ionia, Lyons, Oxford, Bay City, Fowlerville, Holland, Pentwater, Hudson, Geneva, Springlake, Grandledge, Milan, Odessa, Port Huron, Oakgrove, Shelby, Kent City, Traverse City, Caro, Plainwell, Prattville, Bancroft, Howell, Talbot, and Birmingham, all in the State of Michigan; of sundry citizens of Montclair, N. J.; of sundry citizens of Roxbury, Forest City, and Philadelphia, all in the State of Pennsylvania; of Local Grange No. 200, Patrons of Industry, of Homer; of the Monday Club, of St. Louis; of Epworth League No. 1019, of Homer; of the Young People's Society of Christian Endeavor of Homer; of the Farmers' Club of Petersburg; of the Modern Maccabees of Northport; of the Home and Foreign Missionary Society of Homer; of the Ladies' Aid Society of Homer; of Integrity Rebekah Lodge, of Shelby; of the Home Missionary Society of Shelby; of the Ladies' Modern Maccabees of Dryden; of the Epworth League of Swartz Creek; of the Woman's Foreign Missionary Society of Lapeer; of the Young People's Society of Christian Endeavor of Otsego; of the Woman's Home Missionary Society of Otsego; of the Lutheran Young People's Society of Christian Endeavor of Three Rivers; of the Epworth League of Shelby; of the Christian Endeavor Society of Shelby; of the Lodge of Maccabees of Shelby; of the Ladies of the Grand Army of the Republic of Shelby; of the Woman's Foreign Missionary Society of Shelby; of the Woman's Club of Three Rivers; of the Society of Christian Endeavor of Bancroft; of the Literary Club of Hunters Creek, and of the Woman's Foreign Missionary Society of Homer, all in the State of Michigan; of the Woman's Missionary Society of Osborne, of the congregation of the Presbyterian Church of Springhill, and of the Woman's Home and Foreign Missionary Society of Solomon, all in the State of Kansas; of the National Reform Association, of Philadelphia; of the Christian Endeavor Society of Collamer, and of the Woman's Synodical Society of Home Missions of the Presbyterian Church, of Philadelphia, all in the State of Pennsylvania; of the Monday Club of Westfield; of the National Christian League for the Promotion of Social Purity, of New York; of the Christian Woman's Board of Missions of Buffalo, and of the congregation of the First Presbyterian Church of Saranac Lake, all in the State of New York; of the Ladies' Missionary Society of Boulder, Mont.; of the Woman's American Baptist Home Mission Society, of Boston, Mass.; of the Women's Baptist Home Mission Society of Chicago, Ill.; of the congregation of the First Methodist Episcopal Church of Ganges; of the congregations of the Trinity Episcopal Church of Three Rivers, the First Church of Christ of Adrian, the First Baptist Church of Sturgis, the Congregational Church of Newport, the Presbyterian Church of Homer, the First Presbyterian Church of Benton Harbor, the Methodist Episcopal Church of Hart, the Free Methodist Episcopal Church of Kalamazoo, the Methodist Episcopal Church of Orion, the First Congregational Church of South Haven, the Methodist Episcopal Church of St. Johns, the First Methodist Episcopal Church of Dryden, the First Presbyterian Church of Kalamazoo, the Second Reformed Church of Kalamazoo, of St. John's Lutheran Church of Three Rivers, the Wesleyan Methodist Church of Allendale, the Congregational Church of Shelby, the Congregational Church of Bass River, the Methodist Episcopal Church of Byron Center, the Methodist Episcopal Church of Cranston, the Baptist Church of Lapeer, the Wesleyan Methodist Church of Goldend, the Methodist Episcopal Church of Bath, the Presbyterian Church of Martin, the Baptist Church of Bay City, the Congregational and Methodist Episcopal churches of Bancroft, the First Methodist Episcopal Church of Birmingham, the North Presbyterian Church of Kalamazoo, the Presbyterian Church of Birmingham, the Holland Christian Church of Allendale, the Church of Christ of Algonac, the Methodist Episcopal Church of Algonac, the Presbyterian Church of Munger, the First Presbyterian Church of Monessen, and of the United Presbyterian Church of Lawrence County, all in the State of Michigan; of the congregations of the Presbyterian Church of Spring Run, Pa.; the First Presbyterian Church of Montclair, N. J.; the Congregational Church of Albany, Oreg.; the Methodist Episcopal Church of Verona, N. Y., and of the Broadway Congregational Church of New London County, Conn.; of the Woman's Christian Temperance Unions of St. Louis, Coopersville, Swartz Creek, Newport, Ashley, Scottville, Homer, Somerset, Lapeer, Benton Harbor, Gun Lake, Lyons, Dryden, Williamston, Covert, California, Bay City, Otsego, Benzonia, Frankfort, Adrian, Springlake, Rutland, Sturgis, Saginaw, Chester, Vicksburg, Plainwell, Prattville, Quincy, Northport, Silver Creek, Brighton, Velding, Hastings, Waldron, Howell, Alvonac, Kent City, Wheeler, Orleans, Bancroft, Howard City, Sherman, Perry, Shelby, Weldon, Bath, Detroit, and Oak Grove, all in the State of Michigan; of the Woman's Christian Temperance Unions of Evanston, Ill.; of Rockland County, N. Y; Verona, N. Y., and Turner, Oreg.; of the Woman's Republican Club of New York City; of the Sunday school conventions and church associations of Lebanon, Bethel, Whitewater Valley, Fredonia, Coffee Creek, Orleans, Bloomfield, Evansville, Indianapolis, Newhope, Westport, Amity, Prairie Grove, Washington, and Tobinsport, all in the State of Indiana; and of Johnstown, Ill.; of Pipestone, Byron, and Albert Lea, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce and Board of Trade of Tacoma, Wash., praying that an appropriation be made for the Lewis and Clark Centennial Exposition to be held at Portland, in that State; which was referred to the Select Committee on International Expositions.

He also presented petitions of Local Union No. 64, Brotherhood of Painters, Decorators, and Paperhangers, of Tacoma; of Typographical Union No. 170, of Tacoma; Painters, Decorators, and Paperhangers' Union No. 924, of Whatcom; of the Trades Council of Tacoma; of the Longshoremen's Union of Aberdeen; of the Central Labor Council of Whatcom, and of Cooks' and Waiters'

Union No. 451, of Everett, all in the State of Washington, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 64, Brotherhood of Painters, Decorators, and Paperhangers, of Tacoma; of Typographical Union No. 170, of Tacoma; of Painters, Decorators, and Paperhangers' Union No. 924, of Whatcom; of the Trades Council of Tacoma; of the Longshoremen's Union of Aberdeen; of the Central Labor Council of Whatcom; of Cooks' and Waiters' Union No. 451, of Everett, all in the State of Washington, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. PLATT of Connecticut presented a resolution of the general assembly of the State of Connecticut, praying for the appointment of a commission to investigate the pension laws; which was referred to the Committee on Pensions and ordered to be printed in the RECORD, as follows:

State of Connecticut, office of the secretary. General assembly, January session, 1903. Requesting the United States Senators and Representatives from the State of Connecticut to favor the resolution for the appointment of a commission to investigate the present pension laws.

Resolved by this assembly:

SECTION 1. That the United States Senators and Representatives from the State of Connecticut be, and they hereby are, requested to support United States joint resolution No. 133, introduced by Senator NATHAN B. SCOTT, of West Virginia, for the appointment of a commission to investigate the present pension laws, and especially to report on the proposition to grant a service pension $12 per month to all honorably discharged Union soldiers who served not less than ninety days in the war of the rebellion, said pension to date from the time when the veteran entitled thereto reaches the age of 62 years, thus doing away with the present expensive, unequal, and slow process of adjusting pension claims.

SEC. 2. The secretary of the State is hereby directed to transmit to the Senate and House of Representatives of the United States and to each Senator and Representative in Congress from this State a copy of this resolution immediately after its passage and approval.

Approved, May 15, 1903.

STATE OF CONNECTICUT, *Office of the Secretary, ss:*

I, Charles G. R. Vinal, secretary of the State of Connecticut, and keeper of the seal thereof and of the original record of the acts and resolutions of the general assembly of said State, do hereby certify that I have compared the annexed copy of the resolution requesting the United States Senators and Representatives from the State of Connecticut to favor the resolution for the appointment of a commission to investigate the present pension laws with the original record of the same now remaining in this office, and have found the said copy to be a correct and complete transcript thereof.

And I further certify that the said original record is a public record of the said State of Connecticut, now remaining in this office.

In testimony whereof I have hereunto set my hand and affixed the seal of said State, at Hartford, this 22d day of May, 1903.

[SEAL.] CHAS. G. R. VINAL, *Secretary.*

Mr. PLATT of Connecticut presented a petition of sundry citizens of Orange, Conn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULBERSON presented a petition of the board of directors of the Business Men's Club, of San Antonio, Tex., praying for the construction of a canal across the territory of Costa Rica and Nicaragua; which was referred to the Committee on Interoceanic Canals.

Mr. MALLORY presented a memorial of Florida Lodge, No. 624, Brotherhood of Railroad Trainmen, of Jacksonville, Fla., and a memorial of St. John's Division, No. 196, Order of Railway Conductors, of Jacksonville, Fla., remonstrating against the enactment of legislation providing that all trains other than passenger trains be made mail trains, and also against the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. BERRY presented a petition of sundry citizens of Camden, Ark., praying for an investigation of certain charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented a petition of sundry citizens of Salem, Oreg., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in immigrant stations and public buildings, for the adoption of an amendment to the Constitution to prohibit polygamy, and remonstrating against the repeal of the anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Trade of Portland, Oreg., praying for the enactment of legislation to provide for the reorganization of the consular service; which was referred to the Committee on Commerce.

Mr. CLAPP presented a petition of sundry citizens of Ottertail County and Lamberton, in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the Woman's Christian Temperance Union of Elizabeth, of the congregations of the First Methodist Church of Camden, the Presbyterian Church of Morris Plains, the Congregational Church of Westfield, the First Presbyterian Church of Mendham, the Central Presbyterian Church of Orange, the Methodist Episcopal Church of Westfield, the First Presbyterian Church of Orange, the Epworth League of the Methodist Episcopal Church of Rutherford, the Woman's Missionary Society of Morris Plains, and of the Charlotte Emerson Brown Club, of East Orange, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 20, Brotherhood of Carpenters and Joiners, of Camden; of Local Division No. 10, Order of Railroad Telegraphers, of Jersey City; of the Central Labor Union of Hoboken; of Local Union No. 429, Brotherhood of Carpenters and Joiners, of Montclair; of the Central Labor Union of Vineland; of Local Union No. 340, Bartenders' League, of Orange; of Local Union No. 33, Brotherhood of Boiler Makers and Iron Ship Builders, of Bayonne; of Local Union No. 49, National Brotherhood of Operative Potters, of Trenton; of Bricklayers and Masons International Union No. 14, of Plainfield; of the Association of Metal Polishers, Buffers, and Plate Workers; of Brotherhood of Metal and Brass Workers Union No. 78, of Bridgeton; of the Central Labor Union of Camden; of Hoboken Typographical Union, No. 323, of Hoboken; of Passaic Folders' Protective Association Union No. 344, of Passaic; of Stove Mounters' International Union No. 28, of Dover; of Hoboken Typographical Union, No. 323, of Hoboken; of the Central Labor Union of Camden; of Bricklayers and Masons' Local Union No. 28, of Montclair; of the United Brotherhood of Carpenters and Joiners of Montclair; of Local Union No. 28, Stove Molders' Association, of Dover; Division No. 10, Order of Railroad Telegraphers, of Jersey City; of Order of Railroad Telegraphers, Division No. 10, of Jersey City; of Iron Molders' Union No. 305, of Plainfield; of Local Union No. 49, Brotherhood of Operative Potters, of Trenton; of Local Union No. 340, Bartenders' League, of Orange; of the Central Labor Union of Vineland; of the Central Labor Union of Hoboken, and of Local Union No. 20, Brotherhood of Carpenters and Joiners, of Camden, all in the State of New Jersey, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 20, Brotherhood of Carpenters and Joiners, of Camden; of Local Division No. 10, Order of Railroad Telegraphers, of Jersey City; of the Central Labor Union of Hoboken; of Local Union No. 429, Brotherhood of Carpenters and Joiners, of Montclair; of the Central Labor Union of Vineland; of Local Union No. 340, Bartenders' League, of Orange; of Local Union No. 33, Brotherhood of Boiler Makers and Iron Ship Builders, of Bayonne; of Local Union No. 49, National Brotherhood of Operative Potters, of Trenton; of Bricklayers and Masons' International Union No. 14, of Plainfield; of Metal Polishers, Buffers, and Plate Workers' Association; of Brotherhood of Metal and Brass Workers' Union No. 78, of Bridgeton; of the Central Labor Union of Camden; of Hoboken Typographical Union, No. 323, of Hoboken; of Passaic Folders' Protective Association Union, No. 344, of Passaic; of Stove Mounters' International Union No. 28, of Dover; of Hoboken Typographical Union, No. 323, of Hoboken; of the Central Labor Union of Camden; of Bricklayers and Masons' Union No. 28, of Montclair; of the United Brotherhood of Carpenters and Joiners of Montclair; of Local Union No. 28, Stove Molders' Association, of Dover; of Division No. 10, Order of Railroad Telegraphers, of Jersey City; of Order of Railroad Telegraphers, Division No. 10, of Jersey City; of Iron Molders' Union No. 305, of Plainfield; of Local Union No. 49, Brotherhood of Operative Potters, of Trenton; of Local Union No. 340, Bartenders' League, of Orange; of the Central Labor Union of Vineland; of the Central Labor Union of Hoboken, and of Local Union No. 20, Brotherhood of Carpenters and Joiners, of Camden, all in the State of New Jersey, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the Trades League of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which was referred to the Committee on Commerce.

Mr. HANSBROUGH presented a petition of the General Congregational Association of North Dakota, praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented memorials of sundry citizens of Knox, Minto, Grafton, Pisek, Hatton, Donnybrook, Fessenden, and Carpio, and of the board of directors of the Retail Grocers and Merchants' Association of Grand Forks, all in the State of North Dakota, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Woman's Christian Temperance Unions of Larimore, Durbin, Absaraka, and Fargo, all in the State of North Dakota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAY presented a petition of the board of directors of the Atlanta Freight Bureau, of Atlanta, Ga., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. WARREN presented a petition of sundry citizens of Meriden, Wyo., praying that an investigation be made of the charges filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. QUAY presented the petitions of the Saturday Club, of Wayne; of sundry citizens of Glenside; of Rev. James M. Wallace, of Huntingdon Valley; of Cross Creek Presbyterian Church, of Cross Creek Village; of Mount Prospect Presbyterian Church, of Hickory; of the Research Club, of Oxford; the Third Presbyterian Church of Washington; of 25 citizens of Philadelphia; of 25 citizens of Beaver Falls; of the Women's Missionary Society of the Third Presbyterian Church of Washington; of the officers of the Reformed Presbyterian Church of Philadelphia; of the Young People's Society of Christian Endeavor of the Third Presbyterian Church of Washington; of the members of the Leverington Presbyterian Church, of Roxboro; of 48 citizens of Beaver Falls; of the Young Ladies' Missionary Society of the Third Presbyterian Church of Washington; of 8 citizens of Philadelphia, and from the Woman's Christian Temperance Union of North Philadelphia, all in the State of Pennsylvania, praying for investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented resolutions of the legislature of Massachusetts in favor of the enactment of legislation to protect the forests of the White Mountains by including them in a national park; which were read and referred to the Committee on Forest Reservations and the Protection of Game, as follows:

Commonwealth of Massachusetts. In the year 1903. Resolutions in favor of legislation by the Congress of the United States to protect the forests of the White Mountains by including them in a national park.

Resolved, That the preservation and protection of the water supply which is fed by the streams flowing from the White Mountains of New Hampshire require the establishment of a national park which shall protect the forests of the White Mountains.

Resolved, That his excellency the governor is hereby requested to communicate with the National Government and to urge such measures as will provide at as early a date as possible for establishing a national reservation which shall include the White Mountains.

Resolved, That the Senators and Representatives from Massachusetts in the Congress of the United States are requested to use all reasonable efforts to secure the establishing of such a reservation.

Resolved, That properly attested copies of these resolutions be sent to each of the Senators and Representatives from Massachusetts in Congress.

SENATE, *June 10, 1903.*

Adopted. Sent down for concurrence.

HENRY D. COOLIDGE, *Clerk.*

HOUSE OF REPRESENTATIVES, *June 15, 1903.*

Adopted in concurrence.

JAMES W. KIMBALL, *Clerk.*

A true copy. Attest:

HENRY D. COOLIDGE, *Clerk of the Senate.*

Mr. HOAR presented resolutions of the legislature of Massachusetts, relative to the establishment of an international congress; which were read, and referred to the Committee on Foreign Relations, as follows:

Commonwealth of Massachusetts. In the year 1903. Resolutions relative to the establishment of an international congress.

Resolved, That the Congress of the United States be requested to authorize the President of the United States to invite the governments of the world to join in establishing, in whatever way they may judge expedient, an international congress, to meet at stated periods, to deliberate upon questions of common interest to the nations and to make recommendations thereon to the governments.

Resolved, That a copy of these resolutions be sent to the senior Senator and senior Representative of Massachusetts in Congress, to be presented in the Senate and in the House of Representatives.

HOUSE OF REPRESENTATIVES, *February 19, 1903.*

Adopted. Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

SENATE, *February 25, 1903.*

Adopted in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy. Attest:

JAMES W. KIMBALL,
Clerk of the House of Representatives.

Mr. HOAR presented a resolution of the legislature of Massachusetts relative to the establishment of a library post; which was read, and referred to the Committee on Post-Offices and Post-Roads, as follows:

Commonwealth of Massachusetts. In the year 1903. Resolution relative to a bill pending in the Congress of the United States to establish a library post.

Whereas a bill has been introduced in Congress by the Hon. HENRY CABOT LODGE and the Hon. GEORGE P. LAWRENCE which provides that books sent to or from libraries supported in whole or in part by taxation or exempt from taxation may pass through the mails at the rate of 1 cent a pound, which is the rate now established in the case of newspapers and magazines; and

Whereas the said bill has the approval and support of many library, educational, and other bodies and persons in Massachusetts and throughout the United States and is believed to be important and necessary for effective, economic, and progressive library administration:

Resolved, That the general court hereby commends the said bill to the earnest and immediate support of the Senators and Representatives in Congress from this Commonwealth.

HOUSE OF REPRESENTATIVES, *February 26, 1903.*

Adopted. Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

SENATE, *March 3, 1903.*

Adopted in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy. Attest:

JAMES W. KIMBALL,
Clerk of the House of Representatives.

Mr. HOAR. I present petitions of sundry citizens of Massachusetts, some praying for the investigation of charges made and filed against the Hon. REED SMOOT, a Senator of the United States from the State of Utah, and others praying for a particular determination of that case in accordance with their desire.

I ask the unanimous consent of the Senate to say, for the information of the very excellent and admirable citizens who have signed these petitions, that the decision of the title of a Senator to his seat in the Senate is a purely judicial question, to be determined upon evidence and the application to the evidence of the Constitution and laws of the United States, and that it seems to me, with all due respect to these petitioners, it is as much out of place to address such petitions to this high court, which is to determine those cases, as it would be to petition the Supreme Court of the United States to take up some case which was before it or decide it in a particular way.

The PRESIDENT pro tempore. The petitions will be referred to the Committee on Privileges and Elections.

Mr. HOAR presented petitions of Boot and Shoe Workers' Local Union No. 35, of Brockton; of Local Union No. 12, of Boston; of Carpenters and Joiners' Local Union No. 1041, of Lynn; of Local Union No. 938, of Roslindale; of Newspaper Mailers' Local Union No. 1, of Boston; of Iron Molders' Local Union No. 5, of Worcester; of Local Union No. 847, of Natick; of the Central Labor Union of Fitchburg; of the Central Labor Union of Haverhill, and of Horse Nail Workers' Local Union No. 3313, of Boston, all of the American Federation of Labor, in the State of Massachusetts, praying for the enactment of legislation to regulate the hours of labor upon work to be performed for the United States, and to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions;" which were referred to the Committee on the Judiciary.

He also presented a petition of the Union League of New Bedford, Mass., praying for the enactment of legislation to provide national aid to popular education in all sections of the country where the provisions of the same are inadequate, and for other purposes; which was referred to the Committee on Education and Labor.

Mr. DRYDEN presented petitions of the Woman's Christian Temperance unions of Camden, Merchantville, Plainfield, Newton, Tuckerton, and Haddon Heights; of the congregations of the Fulton Street Methodist Episcopal Church, of Elizabeth City; the Methodist Episcopal Church of Tuckerton; the First Presbyterian Church of Merchantville; the First Methodist Church of Camden; the First Presbyterian Church of Montclair; the First Baptist Church of Collingswood; the Methodist Episcopal Church of Collingswood; the Catholic Church of Collingswood; the Holy Trinity Protestant Episcopal Church of Collingswood; the First Presbyterian Church of Newark; the Presbyterian Church of Collingswood; the Presbyterian Church of Tuckerton; the Ladies' Home Missionary Society of Montclair; the Epworth League of the Methodist Episcopal Church of Collingswood; the Woman's Missionary Society of Morris Plains; the Religious Society of Friends of Trenton, and of sundry citizens of Audubon and Morris Plains, all in the State of New Jersey, praying for an investigation of certain charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALLEE presented petitions of the Home Missionary Society of the Wesley Methodist Episcopal Church of Dover; of Capital Grange, Patrons of Husbandry, of Dover; of the Woman's Christian Temperance unions of Smyrna, Dover, Clayton, and Milford, and of the Epworth League of Milford, all in the State of Delaware, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented petitions of the congregations of the Maple Grove Methodist Episcopal Church, of Waupaca and Royalton; of the congregations of the Methodist Episcopal Church of Weyauwega and the First Presbyterian Church of Weyauwega;

of the Woman's Christian Temperance Union of Milwaukee; of the Woman's Club of Kaukauna; of the Congregational Church of Kaukauna; of the Railroad Young Men's Christian Association of Kaukauna; of H. K. Smith and 12 other citizens of Oconto; of the Woman's Christian Temperance unions of Sparta, Leon, Tomah, Bush, Prairie, Glendale, Kendalls, Cataract, Angelo, and Adrian, and of the Woman's Club of Oconto, all of the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Joe Hooker Post, No. 9, Grand Army of the Republic, Department of Wisconsin, of Baraboo, Wis., praying for the enactment of a service pension law; which was referred to the Committee on Pensions.

Mr. FRYE presented a petition of the Board of Trade of Portland, Me., and a petition of the State Board of Trade, of Bangor, Me., praying for the establishment of a permanent life-saving service on the coast of New England; which were referred to the Committee on Commerce.

He also presented a petition of the Jewish Publication Society of Philadelphia, Pa., praying for the enactment of legislation to secure equal rights to all American citizens in Russia; which was referred to the Committee on Foreign Relations.

He also presented the petition of D. P. Ballard, of Dayton, Ohio, praying for the removal of J. B. Thomas as governor of the National Soldiers' Home at that place; which was referred to the Committee on Military Affairs.

He also presented a petition of the North Side Board of Trade, of New York City, praying for the enactment of legislation to prevent unjust discrimination in tariff rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the executive council of the St. Louis Manufacturers' Association, of St. Louis, Mo., praying for the enactment of legislation providing for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union of Oxford, of the Union Christian Endeavor Society of Gorham, and of the Woman's Christian Temperance Union of Otisfield, all in the State of Maine; of the Baptist associations of Evansville, Washington, Tobinsport, Bloomington, and Indianapolis, all in the State of Indiana; of the Woman's Christian Temperance Union of Salem, Ohio, and of E. R. Cole and 60 other citizens of Smithfield, Ohio; of J. W. Maynard and 90 other citizens of Sparta; of Helen W. Field and 120 other citizens of Sparta, and of the Woman's Christian Temperance unions of Three Rivers, all in the State of Michigan; of the Baptist associations of Palmyra, Johnston, and Sims, all in the State of Illinois; of Ray Nash and 30 other citizens of La Harpe, Kans.; of the Baptist Association of Prairie Grove, Ark.; of the congregation of the Methodist Episcopal Church of Warren County, N. J., and of sundry citizens of Danville, Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

THE CONGRESSIONAL DIRECTORY.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be authorized and directed to pay from the contingent fund of the Senate for the compiling, editing, and indexing of the Congressional Directory, issued for the present session of Congress, the same compensation that is allowed by law for the regular editions.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the Library:

A bill (S. 1) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H.; and

A bill (S. 2) to provide for the erection of a monument to the memory of Maj. Pierre Charles L'Enfant in the city of Washington, D. C.

Mr. GALLINGER introduced a bill (S. 3) to regulate electrical wiring in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4) in amendment of section 2660 of the Revised Statutes, relating to the qualifications, pay, and duties of officers; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 5) to refer to the Court of Claims the war claims of the State of New Hampshire; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 6) granting a pension to Cora M. Converse;

A bill (S. 7) granting an increase of pension to Alfred Woodman;

A bill (S. 8) granting an increase of pension to Jonathan Perry Kittredge;

A bill (S. 9) granting an increase of pension to David E. Burbank;

A bill (S. 10) granting an increase of pension to Albert H. Taft;

A bill (S. 11) granting a pension to John L. Sullivan;

A bill (S. 12) granting an increase of pension to Francis E. Chase;

A bill (S. 13) granting an increase of pension to William Clark; and

A bill (S. 14) granting an increase of pension to Samuel M. Perry.

Mr. LODGE introduced a bill (S. 15) to regulate the immigration of aliens into the United States; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 16) for the relief of the executors of the estate of Henry Lee, deceased; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 17) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 18) relative to appeals from the Spanish Treaty Claims Commission; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 19) to provide for the reorganization of the consular service of the United States; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 20) to prevent and punish the desecration of the flag of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 21) to amend an act entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," approved March 8, 1902; which was read twice by its title, and referred to the Committee on the Philippines.

He also introduced a bill (S. 22) to establish a library post; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 23) for the erection of a monument to the memory of John Paul Jones; which was read twice by its title, and referred to the Committee on the Library.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 24) granting an increase of pension to John Sexton;

A bill (S. 25) granting an increase of pension to Amanda J. Frybarger;

A bill (S. 26) granting an increase of pension to John C. Crimins;

A bill (S. 27) granting an increase of pension to Andrew M. Banks;

A bill (S. 28) granting a pension to Elizabeth Broadhead;

A bill (S. 29) granting an increase of pension to John W. Dashiell; and

A bill (S. 30) granting an increase of pension to John L. Cooper.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 31) to correct the military record of Thomas Fitzgibbons; and

A bill (S. 32) to correct the military record of Edward Whelan.

Mr. PLATT of New York introduced a bill (S. 33) for the relief of James E. Simpson, jr., Alfred H. Simpson, and Willie E. Simpson, surviving copartners of the firm of J. E. Simpson & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 34) to indemnify the city of New York for expenses incurred by said city in defense of the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 35) for the relief of Herbert Cushman; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 36) to reimburse John Waller, postmaster at Monticello, N. Y., for moneys expended in carrying the mail; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 37) to increase the pensions of those who have lost the sight of both eyes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 38) granting an increase of pension to Miriam R. Adams; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 39) in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000 therefor; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 40) to increase the limit of cost of the United States post-office at Elizabeth, N. J.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 41) granting an increase of pension to Sarah E. Gillette; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 42) to authorize John A. Ockerson, Caspar S. Crowninshield, and Miss Anna Tolman Smith to accept decorations tendered to them by the Government of the French Republic; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 43) for the relief of Miss L. V. Belt, administratrix of Alfred C. Belt, deceased;

A bill (S. 44) for the relief of John N. Boffinger;

A bill (S. 45) to carry out the findings of the Court of Claims in the case of William A. Carr;

A bill (S. 46) for the relief of Anna M. Colman, widow and sole legatee of Charles D. Colman, deceased;

A bill (S. 47) for the relief of the contractor, or his legal representatives, for the construction of the light-draft monitor *Ettlah;*

A bill (S. 48) to carry out the findings of the Court of Claims in the case of John W. Hancock;

A bill (S. 49) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Mo.;

A bill (S. 50) for the relief of Henry Nicol;

A bill (S. 51) for the relief of Francis O'Bannon;

A bill (S. 52) for the relief of John S. Logan; and

A bill (S. 53) for the relief of Harriet L. Young, administratrix of the estate of Solomon Young, deceased.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 54) for the relief of William B. Barnes;

A bill (S. 55) for the relief of James H. Carmack;

A bill (S. 56) for the relief of the legal representatives of Napoleon B. Giddings;

A bill (S. 57) for the relief of Laura S. Gillingwaters;

A bill (S. 58) for the relief of James W. Howell;

A bill (S. 59) for the relief of Charles W. Howard;

A bill (S. 60) for the relief of Gottlieb C. Rose;

A bill (S. 61) for the relief of M. E. Saville;

A bill (S. 62) for the relief of Richard C. Silence;

A bill (S. 63) for the relief of Charles Stierlin; and

A bill (S. 64) to correct the military record of William B. Thompson.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 65) granting an increase of pension to Charles R. Allen;

A bill (S. 66) granting a pension to Robert W. Barber;

A bill (S. 67) granting an increase of pension to David Bartlett;

A bill (S. 68) granting an increase of pension to Martha M. Bolton;

A bill (S. 69) granting an increase of pension to Frances C. Brown;

A bill (S. 70) granting an increase of pension to John G. Brown;

A bill (S. 71) granting an increase of pension to Asia Burgess;

A bill (S. 72) granting an increase of pension to Mark S. Clay;

A bill (S. 73) granting an increase of pension to William H. Colville;

A bill (S. 74) granting a pension to George C. Conover;

A bill (S. 75) granting an increase of pension to Joel S. Cooper;

A bill (S. 76) granting a pension to Mary H. Cornell;

A bill (S. 77) granting a pension to Jesse A. Creekmore;

A bill (S. 78) granting a pension to E. C. Curtis;

A bill (S. 79) granting a pension to Mary Ann Drake;

A bill (S. 80) granting an increase of pension to Robert B. Drake;

A bill (S. 81) granting an increase of pension to Stephen M. Fitzwater;

A bill (S. 82) granting an increase of pension to Jane E. Hagaman;

A bill (S. 83) granting an increase of pension to Perry Harter;

A bill (S. 84) granting a pension to James P. Hopkins;

A bill (S. 85) granting a pension to George W. Johnson;

A bill (S. 86) granting a pension to James O. Jones;

A bill (S. 87) granting an increase of pension to Christine Lusk;

A bill (S. 88) granting a pension to William McNelis;

A bill (S. 89) granting an increase of pension to James M. Markham;

A bill (S. 90) granting a pension to William H. Miller;

A bill (S. 91) granting a pension to Philip Modesty, alias Philip Washington;

A bill (S. 92) granting an increase of pension to Griffith T. Murphy;

A bill (S. 93) granting an increase of pension to Ivan Odle;

A bill (S. 94) granting a pension to Alvin Rine;

A bill (S. 95) granting an increase of pension to John J. Roberts;

A bill (S. 96) granting an increase of pension to Charles A. Rubin;

A bill (S. 97) granting a pension to James W. Sappington;

A bill (S. 98) granting a pension to Margaretha Schroeder;

A bill (S. 99) granting an increase of pension to Joel C. Shepherd;

A bill (S. 100) granting a pension to Willis M. Sherwood;

A bill (S. 101) granting an increase of pension to James M. Shippee;

A bill (S. 102) granting an increase of pension to Jacob Stiger;

A bill (S. 103) granting an increase of pension to A. D. Tanyer;

A bill (S. 104) granting an increase of pension to Abner Taylor;

A bill (S. 105) granting an increase of pension to Michael Volz;

A bill (S. 106) granting an increase of pension to Carrie Wages;

A bill (S. 107) granting an increase of pension to Joel H. Warren;

A bill (S. 108) granting an increase of pension to William Wheeler;

A bill (S. 109) granting an increase of pension to William D. Wilson; and

A bill (S. 110) granting a pension to John A. Witcher.

Mr. COCKRELL introduced a bill (S. 111) granting a pension to Marshall B. Witter; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Marshall B. Witter, the affidavits of Dr. George S. Milnes, George W. Emberton, Caleb Payne, and Isaac Guinn, and letters from the Auditor of the War Department and the governor of the State of Missouri giving the military record of the claimant. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. PROCTOR introduced a bill (S. 112) granting an increase of pension to Henry G. Hammond; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 114) to extend the provisions of the act of March 3, 1885, relative to officers and enlisted men of the United States Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 115) for the relief of the trustees of the Methodist Episcopal Church, of Winfield, W. Va.;

A bill (S. 116) for the relief of the trustees of the Methodist Episcopal Church South, of Winfield, W. Va.;

A bill (S. 117) for the relief of the trustees of the Methodist Episcopal Church South, of Guyandotte, W. Va.;

A bill (S. 118) for the relief of the estate of Frederick A. Roeder, deceased;

A bill (S. 119) for the relief of Edward Tearney; and

A bill (S. 120) for the relief of the estate of R. McChesney, deceased.

Mr. GIBSON introduced a bill (S. 121) granting additional lands adjacent to its site to the University of Montana; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

He also introduced a bill (S. 122) authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

He also introduced a bill (S. 123) to provide for the erection of a public building in the city of Great Falls, Mont.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 124) for the relief of the county of Flathead, State of Montana; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 125) for the relief of Mrs. Martha E. West; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 126) for the relief of Rudolf Herbst; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. WETMORE introduced a bill (S. 127) authorizing the joining of Kalorama avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 128) granting an increase of pension to Clara M. Gihon; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 129) for the relief of the heirs and legal representatives of those who were killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 130) to establish a fish-culture station in Narragansett Bay, in the State of Rhode Island; which was read twice by its title, and referred to the Committee on Fisheries.

He also introduced a bill (S. 131) to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters; which was read twice by its title, and referred to the Committee on Commerce.

Mr. WARREN. In the absence of the junior Senator from Nebraska [Mr. MILLARD], I introduce sundry bills and ask their reference as indicated thereon.

The bill (S. 132) to remove the charge of desertion from the military record of William Huth was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. WARREN (for Mr. MILLARD) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 133) granting an increase of pension to Elizabeth B. Sarson (with an accompanying paper);

A bill (S. 134) granting a pension to Horace C. Gleason (with an accompanying paper);

A bill (S. 135) granting an increase of pension to Avery A. Perry (with accompanying papers);

A bill (S. 136) granting an increase of pension to Mary T. Strickland (with an accompanying paper);

A bill (S. 137) granting a pension to Hannah Kelly;

A bill (S. 138) granting an increase of pension to David D. Griffith (with accompanying papers);

A bill (S. 139) granting an increase of pension to Solomon Knight (with accompanying papers);

A bill (S. 140) granting an increase of pension to Daniel B. Bailey;

A bill (S. 141) granting an increase of pension to James W. Kinkead; and

A bill (S. 142) granting an increase of pension to Henry W. Nichols (with accompanying papers).

Mr. WARREN introduced a bill (S. 143) to provide for the purchase of a site and the erection of a public building thereon at Sheridan, in the State of Wyoming; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 144) to provide for the purchase of a site and the erection of a public building thereon at Rawlins, in the State of Wyoming; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 145) to place John Tempany, veterinarian, Ninth United States Cavalry, on the retired list of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 146) for the relief of Leonard L. Dietrick; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 147) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 148) granting an increase of pension to Benjamin H. Smalley;

A bill (S. 149) granting an increase of pension to Arthur Mahar;

A bill (S. 150) granting an increase of pension to W. C. Pollard;

A bill (S. 151) granting a pension to Minnie Haas;

A bill (S. 152) granting an increase of pension to William O. Smith (with an accompanying paper);

A bill (S. 153) granting an increase of pension to William W. Turk (with accompanying papers);

A bill (S. 154) granting an increase of pension to Hugh T. Crockett (with an accompanying paper);

A bill (S. 155) granting an increase of pension to Charles H. Edwards (with an accompanying paper);

A bill (S. 156) granting an increase of pension to Harriet L. Ford;

A bill (S. 157) granting a pension to Melinda Morford; and

A bill (S. 158) granting an increase of pension to Edward Burns (with an accompanying paper).

Mr. HOAR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the Judiciary:

A bill (S. 159) to extend the provisions of section 5399 of the Revised Statutes to the preliminary examinations held before a commissioner lawfully appointed by any court of the United States;

A bill (S. 160) to regulate and make uniform the rights of persons furnishing to or for a vessel supplies, repairs, or other necessaries; and

A bill (S. 161) to extend the provisions of section 5406 of the Revised Statutes to the preliminary examinations held before a commissioner lawfully appointed by any court of the United States.

Mr. HOAR introduced a bill (S. 162) for the relief of the administrator of Capt. Ephraim Perkins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 163) granting an increase of pension to Mary F. Schenck;

A bill (S. 164) granting a pension to Zara G. Gifford;

A bill (S. 165) granting a pension to James Henry Baldwin;

A bill (S. 166) granting an increase of pension to Stephen H. Lane;

A bill (S. 167) granting an increase of pension to J. Hudson Kibbe;

A bill (S. 168) granting a pension to John Crimmins;

A bill (S. 169) granting an increase of pension to Palmer P. Johnson;

A bill (S. 170) granting a pension to Anna Marshfield;

A bill (S. 171) granting a pension to Charles Lander;

A bill (S. 172) granting a pension to Elizabeth McClaren; and

A bill (S. 173) granting an increase of pension to John G. Haskell.

Mr. STEWART introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 174) for the relief of Mary C. Mayers;

A bill (S. 175) for the relief of Robert D. McAfee and John Chiatovich;

A bill (S. 176) for the relief of Jewett W. Adams;

A bill (S. 177) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the Territorial limits of the present State of Nevada; and

A bill (S. 178) for the relief of the owners of the British ship *Foscolia* and cargo.

Mr. STEWART introduced a bill (S. 179) to provide an American register for the steamer *Brooklyn;* which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 180) to provide an American register for the barkentine *Hawaii;* which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 181) to provide for the repayment of unexpended moneys deposited to cover costs of platting and office work in connection with mining claims; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. BURNHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 182) granting an increase of pension to Charles F. Holt (with accompanying papers);

A bill (S. 183) granting an increase of pension to John W. Currier (with accompanying papers);

A bill (S. 184) granting an increase of pension to John Bartlett (with an accompanying paper);

A bill (S. 185) granting a pension to George D. Epps (with an accompanying paper);

A bill (S. 186) granting an increase of pension to Solomon M. Smith (with an accompanying paper);

A bill (S. 187) granting a pension to Catharine M. Folsom (with an accompanying paper);

A bill (S. 188) granting a pension to Zachariah Orner (with an accompanying paper);

A bill (S. 189) granting an increase of pension to Edwin H. Wheeler (with accompanying papers);

A bill (S. 190) granting an increase of pension to Charles H. Bell (with accompanying papers);

A bill (S. 191) granting an increase of pension to Francis Roy (with an accompanying paper);

A bill (S. 192) granting an increase of pension to Orlando H. Langley (with an accompanying paper);

A bill (S. 193) granting an increase of pension to Henry F. Hunt (with accompanying papers); and

A bill (S. 194) granting an increase of pension to Chester E. Dimick (with accompanying papers).

Mr. McCUMBER introduced a bill (S. 195) to provide for the purchase of a tract of land in the city of Shanghai, Empire of China, suitable for the construction of wharves, docks, piers, and warehouses for the purpose of facilitating American exports, and for the erection and maintenance of a building for the display of American exports in said city, for the appointment of a commissioner in charge thereof, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 196) to ratify and confirm an agreement with the Turtle Mountain band of Chippewa Indians, in the State of North Dakota, and to make appropriations for carrying the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 197) to establish an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 198) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes; which was read twice by its title, and referred to the Committee on Manufactures.

He also introduced a bill (S. 199) to provide for fixing a uniform standard of classification and grading of wheat, flax, corn, oats, barley, rye, and other grains, and for other purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 200) granting an increase of pension to Austin Almy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEARNS introduced a bill (S. 201) to establish a port of delivery at Salt Lake City, Utah; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 202) granting a pension to Harriet E. Penrose;

A bill (S. 203) granting a pension to Henry B. Burton;

A bill (S. 204) granting a pension to W. H. Hackney;

A bill (S. 205) granting a pension to Isaac D. Gregg;

A bill (S. 206) granting a pension to James Phelps;

A bill (S. 207) granting a pension to Charles Crimson, jr.;

A bill (S. 208) granting a pension to Alfred Kent;

A bill (S. 209) granting a pension to Frank Clark; and

A bill (S. 210) granting an increase of pension to William Lowe.

Mr. DOLLIVER introduced a bill (S. 211) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898, and amended February 5, 1903; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 212) granting an increase of pension to Charles L. Russell (with an accompanying paper);

A bill (S. 213) granting an increase of pension to William E. Ferree (with accompanying papers);

A bill (S. 214) granting an increase of pension to John M. Box (with an accompanying paper);

A bill (S. 215) granting a pension to Mary D. Perry (with an accompanying paper);

A bill (S. 216) granting an increase of pension to Nelson Wells (with an accompanying paper);

A bill (S. 217) granting an increase of pension to Francis W. Crumpton (with an accompanying paper);

A bill (S. 218) granting an increase of pension to Eliza K. Carpenter (with an accompanying paper); and

A bill (S. 219) granting a pension to James M. McKain.

Mr. FULTON introduced a bill (S. 220) prohibiting the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country, any misbranded salmon fish prepared or intended for use as an article of food; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. PETTUS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 221) for the relief of John W. Ledbetter;

A bill (S. 222) for the relief of Richard Appling;

A bill (S. 223) for the relief of the estate of Hiram Peters, deceased;

A bill (S. 224) for the relief of Lucy A. Vaughn;

A bill (S. 225) for the relief of the heirs at law of Isaac Johnson, deceased;

A bill (S. 226) for the relief of the trustees of the Cumberland Presbyterian Church (colored), of Huntsville, Ala.; and

A bill (S. 227) for the relief of Mrs. E. W. Williams.

Mr. PETTUS introduced a bill (S. 228) for the relief of William H. Hugo; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 229) amending the act of March 2, 1901, entitled "An act to carry into effect the stipulations of Article VII of the treaty between the United States and Spain, and so forth;" which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McCREARY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 230) for the relief of the trustees of the Methodist Episcopal Church of New Haven, Ky.;

A bill (S. 231) for the relief of the trustees of the Christian Church of Nicholasville, Ky.;

A bill (S. 232) for the relief of James G. Dunn, administrator of R. B. Dunn; and

A bill (S. 233) for the relief of Mrs. Eugenia Dunlop Potts, administratrix of Dr. Richard Potts, and Elizabeth Huette, administratrix of P. I. Huette.

Mr. DUBOIS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 234) granting a pension to Susan E. Potter;

A bill (S. 235) granting an increase of pension to Samuel T. Chambers;

A bill (S. 236) granting an increase of pension to Andrew Jackson Power;

A bill (S. 237) granting an increase of pension to Franklin B. Delaney;

A bill (S. 238) granting an increase of pension to Emmett C. Hill;

A bill (S. 239) granting a pension to George W. Soule;

A bill (S. 240) granting a pension to Charles Weitfle;

A bill (S. 241) granting a pension to James A. Nicholson;

A bill (S. 242) granting an increase of pension to Albert W. Hart;

A bill (S. 243) granting an increase of pension to James A. Fisher;

A bill (S. 244) granting a pension to John W. Jackson;

A bill (S. 245) granting a pension to Charles L. Felch;

A bill (S. 246) granting a pension to Henry J. McFadden;

A bill (S. 247) granting an increase of pension to Marcellus M. M. Martin;

A bill (S. 248) granting a pension to Enoch A. White; and

A bill (S. 249) granting an increase of pension to Nelson W. Carlton.

Mr. DUBOIS also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (S. 250) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home; and

A bill (S. 251) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home.

Mr. DUBOIS introduced a bill (S. 252) relating to ceded lands on the Fort Hall Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 253) authorizing and directing the Secretary of War to condemn and turn over to the State of Idaho two Krupp field guns captured from the enemy by the First Regiment Idaho Volunteer Infantry at the battle of Santa Ana, Philippine Islands, February 5, 1899; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 254) giving jurisdiction to certain State and Territorial courts over the possessory rights in the public lands of the United States of the parties to divorce proceedings; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PENROSE introduced a bill (S. 255) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 256) for the relief of Joseph Orton Kerbey;

A bill (S. 257) to correct the military record of Engleberth Benzinger;

A bill (S. 258) to remit the sentence of general court-martial against Alvin C. Schum and grant him an honorable discharge; and

A bill (S. 259) for the relief of William Emsley (with accompanying papers).

Mr. PENROSE introduced a bill (S. 260) for the relief of Joseph Orton Kerbey; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 261) granting a pension to F. Max Gress;

A bill (S. 262) granting an increase of pension to Lewis C. Smith;

A bill (S. 263) granting an increase of pension to Wesley C. Pryor;

A bill (S. 264) granting an increase of pension to Mary P. Sheets;

A bill (S. 265) granting an increase of pension to Frances Gray;

A bill (S. 266) granting a pension to Emma S. Harney;

A bill (S. 267) granting an increase of pension to Samuel Stout; and

A bill (S. 268) granting an increase of pension to Annie B. Johnson.

Mr. GAMBLE introduced a bill (S. 269) regulating the settlement of the accounts between the United States and the several States relative to the disposition of the public lands, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 270) authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 271) to establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Mines and Mining.

He also introduced a bill (S. 272) to provide for the purchase of a site and the erection of a public building thereon at Huron, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 273) to provide for the purchase of a site and the erection of a public building thereon at Mitchell, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 274) to provide for the purchase of a site and the erection of a public building thereon at Watertown, in the State of South Dakota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 275) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Depredations.

Mr. MITCHELL introduced a bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Captains Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State, and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building, and to authorize an appropriation for all said purposes; which was read twice by its title.

Mr. MITCHELL. I ask that the bill may lie on the table, and I shall at a very early date ask the courtesy of the Senate to permit me to call it up for the purpose of making some remarks in explanation of the measure before it is referred to the appropriate committee.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon that the bill shall lie on the table? The Chair hears none, and it is so ordered.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon;

A bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands;" and

A bill (S. 279) for the relief of homestead entrymen upon the lands formerly included in the Siletz Indian Reservation, in the State of Oregon.

Mr. MITCHELL introduced a bill (S. 280) to establish an assay office at Portland, Oreg.; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 281) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 282) to provide for the purchase of a site and the erection of a public building thereon at Lagrande, in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 283) to provide for the purchase of a site and the erection of a building thereon at Oregon City, in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 284) to appropriate funds for investigations and tests of American timber; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 285) to divide the State of Oregon into two judicial districts; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 286) to authorize the establishment of a life-saving station at or near the mouth of the Siuslaw River, in the State of Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 287) for the relief of John W. Lewis; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 288) authorizing the President to appoint Dr. James Reagles an assistant surgeon, United States Army, and place him on the retired list; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pacific Islands and Porto Rico:

A bill (S. 289) to amend sections 34, 40, 66, 69, 72, 75, 77, 82, and 86 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, and for other purposes;

A bill (S. 290) to provide for the purchase of a site and the erection of a public building thereon at Honolulu, island of Oahu, Territory of Hawaii; and

A bill (S. 291) to provide for the purchase of a site and the erection of a public building thereon at Hilo, island of Hawaii, Territory of Hawaii.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 292) granting a pension to James E. Woods, alias Richard Ashton;

A bill (S. 293) granting a pension to Alonzo Sabin;

A bill (S. 294) granting a pension to Vincent de Frietas;

A bill (S. 295) granting a pension to Catherine L. Nixon;

A bill (S. 296) granting an increase of pension to Arethusa Wright;

A bill (S. 297) granting an increase of pension to Samuel S. White;

A bill (S. 298) granting a pension to Nancy A. Dowell;

A bill (S. 299) granting a pension to H. P. Brookhart;

A bill (S. 300) granting a pension to William L. Moloy;

A bill (S. 301) granting an increase of pension to George W. Peters;
A bill (S. 302) granting an increase of pension to Augustus L. Kidder;
A bill (S. 303) granting a pension to William P. Arble;
A bill (S. 304) granting a pension to Sarah C. Nicklin;
A bill (S. 305) granting an increase of pension to John R. Evans;
A bill (S. 306) granting an increase of pension to Alexander McCauley;
A bill (S. 307) granting an increase of pension to Junius T. Turner;
A bill (S. 308) granting an increase of pension to Jessie S. Copeley;
A bill (S. 309) granting an increase of pension to Frederic Lockley;
A bill (S. 310) granting an increase of pension to John W. Oliver;
A bill (S. 311) granting an increase of pension to Lewis H. Phelps;
A bill (S. 312) granting an increase of pension to John F. Oviatt;
A bill (S. 313) granting an increase of pension to James H. Preston;
A bill (S. 314) granting an increase of pension to George W. Ellis;
A bill (S. 315) granting a pension to Henry A. Ridgeway;
A bill (S. 316) granting an increase of pension to Elmore Y. Chase;
A bill (S. 317) granting an increase of pension to Mortimer Hallet;
A bill (S. 318) granting an increase of pension to Edward W. Bell;
A bill (S. 319) granting an increase of pension to Edwin Billing;
A bill (S. 320) granting an increase of pension to Hiram W. White;
A bill (S. 321) granting a pension to Helene E. Warrens;
A bill (S. 322) granting an increase of pension to Charles A. Broadman;
A bill (S. 323) granting an increase of pension to William Foy, alias William Russell;
A bill (S. 324) granting a pension to Chancy Akin;
A bill (S. 325) granting an increase of pension to Martin O'Connor;
A bill (S. 326) granting an increase of pension to James J. Wheeler;
A bill (S. 327) granting an increase of pension to Israel A. Benner;
A bill (S. 328) granting an increase of pension to Benjamin F. Hamell;
A bill (S. 329) granting an increase of pension to Bushnell B. Loomis;
A bill (S. 330) granting a pension to Daniel J. Cooney;
A bill (S. 331) granting an increase of pension to Henry E. Jones (with accompanying papers); and
A bill (S. 332) granting an increase of pension to John S. Bosler (with an accompanying paper).

Mr. MITCHELL introduced a bill (S. 333) granting pensions to certain officers and enlisted men of the Life-Saving Service and to their widows and minor children; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARMACK introduced a bill (S. 334) for the relief of N. F. Palmer, jr., & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUARLES introduced a bill (S. 335) to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust fund, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 336) granting an increase of pension to William Lechleidner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 337) granting an increase of pension to Hiram S. Leffingwell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 338) granting an increase of pension to Jane M. Watt;
A bill (S. 339) granting an increase of pension to Ebenezer H. Richardson; and
A bill (S. 340) granting a pension to Julia Bush.

Mr. FOSTER of Washington introduced a bill (S. 341) for the relief of Charles M. Buchanan; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 342) for the improvement of the Mount Ranier National Park, in the State of Washington; which was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

He also introduced a bill (S. 343) for the relief of the Mission of St. James, in the State of Washington; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 344) for the erection of additional buildings, workshops, prison walls at the United States penitentiary at McNeils Island, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 345) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 346) authorizing the issuance of a certificate of merit to Robert Williams; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 347) providing for the establishment of a life-saving station in the vicinity of Cape Flattery or Flattery Rocks, on the coast of Washington; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLATT of Connecticut introduced a bill (S. 348) authorizing the United States courts for the district of Connecticut to commit boys between 10 and 16 years of age, convicted of offenses against the United States, to the Connecticut School for Boys; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 349) extending the provisions of the act of July 1, 1902, for the further distribution of reports of the Supreme Court, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 350) to provide for the purchase of a site and the erection of a public building thereon at Wallingford, in the State of Connecticut; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 351) for the relief of Joseph B. Sargent; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 352) for the relief of the representatives of M. F. Merritt, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 353) for the relief of Miss Eliza A. White; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 354) granting an increase of pension to Clara B. Griswold;
A bill (S. 355) granting a pension to Sarah Jane Simonds (with an accompanying paper);
A bill (S. 356) granting a pension to Augusta Ritschel (with an accompanying paper);
A bill (S. 357) granting an increase of pension to James Cox (with an accompanying paper);
A bill (S. 358) granting an increase of pension to Phebe A. Ford;
A bill (S. 359) granting a pension to Nellie N. Taft; and
A bill (S. 360) granting an increase of pension to Mary Lucetta Arnold.

Mr. BAILEY introduced a bill (S. 361) to provide for the purchase of a site and the erection of a public building thereon at Denison, in the State of Texas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 362) to provide for the purchase of a site and the erection of a public building thereon at Greenville, in the State of Texas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 363) establishing a United States court at Marietta, Ind. T.; which was read twice by its title, and referred the Committee on the Judiciary.

Mr. TELLER introduced a bill (S. 364) to provide for the purchase of a site and the erection of a public building thereon at Denver, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 365) granting an increase of pension to Corydon W. Sanborn;
A bill (S. 366) granting an increase of pension to Warren W. Whipple;
A bill (S. 367) granting an increase of pension to George W. Richardson;

A bill (S. 368) granting an increase of pension to Charles M. Wilcox (with an accompanying paper); and
A bill (S. 369) granting a pension to Edward B. Webb (with an accompanying paper).

Mr. HANSBROUGH introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Lands:
A bill (S. 370) providing for the disposal of timber and stone on public lands chiefly valuable for timber or stone, and for other purposes;
A bill (S. 371) granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry;
A bill (S. 372) authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers;
A bill (S. 373) relating to proofs in homestead and other claims to public lands, and punishing false swearing therein, and for other purposes; and
A bill (S. 374) to amend section 2461 of the Revised Statutes of the United States.

Mr. HANSBROUGH introduced a bill (S. 375) for the relief of Thomas H. Carpenter; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 376) granting an increase of pension to Samuel A. Dickey;
A bill (S. 377) granting an increase of pension to Ezra W. Cartwright;
A bill (S. 378) granting an increase of pension to Jefferson Hoover;
A bill (S. 379) granting a pension to David D. Jones;
A bill (S. 380) granting a pension to John Stokes;
A bill (S. 381) granting an increase of pension to Ahimaoz E. Wood;
A bill (S. 382) granting an increase of pension to Elihue Wiley;
A bill (S. 383) granting a pension to John Leary;
A bill (S. 384) granting a pension to Thomas Ma Gee;
A bill (S. 385) granting a pension to Albert A. Daniels; and
A bill (S. 386) granting an increase of pension to Homer D. Wells (with accompanying papers).

Mr. HANSBROUGH introduced a bill (S. 387) to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 388) for the relief of Israel Kimball; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURTON introduced a bill (S. 389) to provide for the purchase of a site and the erection of a public building thereon at Abilene, in the State of Kansas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 390) to provide for the erection of a monument to the heroes of the civil and other wars; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 391) granting a pension to Margaret J. Verbiskey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 392) granting pensions to soldiers and sailors of the civil war; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:
A bill (S. 393) for the relief of Daniel M. Frost;
A bill (S. 394) for the relief of Harriet Camp, widow of Adam Camp; and
A bill (S. 395) for the relief of Kate Riling, widow of John Riling.

Mr. BURTON introduced a bill (S. 396) to pay certain bounties to enlisted men afterwards promoted to be commissioned officers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 397) to authorize the President of the United States to appoint William F. de Niedman captain and quartermaster in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:
A bill (S. 398) for the relief of James A. Carroll; and
A bill (S. 399) for the relief of R. W. Branson.

Mr. CULLOM introduced a bill (S. 400) to renew and extend certain letters patent; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Patents.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:
A bill (S. 401) for the relief of Thomas J. Spencer; and
A bill (S. 402) for the relief of James D. Vernay.

Mr. CULLOM introduced a bill (S. 403) for the relief of Lina Hennig; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 404) for the relief of Isaac Gause; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 405) granting an increase of pension to Darius W. Owens (with an accompanying paper);
A bill (S. 406) granting a pension to Mrs. Cyrus Thomas (with an accompanying paper);
A bill (S. 407) granting a pension to Sophia McClelland;
A bill (S. 408) granting an increase of pension to August Weber (with accompanying papers); and
A bill (S. 409) granting an increase of pension to James T. Kent (with accompanying papers).

Mr. QUAY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:
A bill (S. 410) to provide for the purchase of a site and the erection of a public building thereon at Nome, in the Territory of Alaska;
A bill (S. 411) to provide for the purchase of a site and the erection of a public building thereon at Easton, Pa.; and
A bill (S. 412) to provide for the purchase of a site and the erection of a public building thereon at Shamokin, in the State of Pennsylvania.

Mr. QUAY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:
A bill (S. 413) providing for the purchase of additional land for the Gettysburg National Park;
A bill (S. 414) making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the Spanish-American War Veterans, the insignia or rosette of the Military and Naval Order of the Spanish-American War, or the official decorations of Spanish-American war societies;
A bill (S. 415) for the recognition of the military service of the officers and enlisted men of certain Pennsylvania military organizations;
A bill (S. 416) to correct the military record of Daniel Kreiner;
A bill (S. 417) to correct the military record of C. Wilson Walker; and
A bill (S. 418) to correct the military record of Emil Bott.

Mr. QUAY introduced a bill (S. 419) reenacting section 2515 of the Revised Statutes of 1873, exempting from duty certain goods of Indians; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 420) to prevent obstructive and injurious deposits within the harbor and adjacent waters of Philadelphia, by dumping or otherwise, and to punish and prevent such offenses; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 421) for the relief of W. J. Kountz; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 422) providing pensions to certain officers and men in the Army and Navy of the United States when 50 years of age and over, and increasing widows' pensions to $12 per month;
A bill (S. 423) granting an increase of pension to Louisa Weaver;
A bill (S. 424) granting a pension to George W. Lehman;
A bill (S. 425) granting a pension to Sarah A. Sullivan;
A bill (S. 426) granting a pension to Christina Wisener;
A bill (S. 427) granting an increase of pension to Nathan O. Shaw;
A bill (S. 428) granting an increase of pension to John B. Penrose;
A bill (S. 429) granting an increase of pension to Albert E. Osborne;
A bill (S. 430) granting a pension to Isabella O'Donnell;
A bill (S. 431) granting an increase of pension to Charles W. May;
A bill (S. 432) granting an increase of pension to William Kirkpatrick;

A bill (S. 433) granting an increase of pension to William L. Johnston;

A bill (S. 434) granting a pension to Oren M. Fletcher;

A bill (S. 435) granting a pension to Aurelia A. Everhart;

A bill (S. 436) granting a pension to William H. Dunlap;

A bill (S. 437) granting an increase of pension to Mathew J. Comer;

A bill (S. 438) granting a pension to Lydia B. Coover;

A bill (S. 439) granting an increase of pension to James Bennett; and

A bill (S. 440) granting a pension to Mary Allum.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 441) for the relief of Francois Muna Tauzin, Marie Amalia Tauzin, and Constance Sheppard;

A bill (S. 442) for the relief of the estate of Amy L. Mahoudeau, deceased; and

A bill (S. 443) for the relief of Josephine Roberts.

Mr. McENERY introduced a bill (S. 444) to amend an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SPOONER introduced a bill (S. 445) for the relief of Levi J. Billings; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 446) granting an honorable discharge to William S. Dunn; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 447) granting an increase of pension to David H. George (with an accompanying paper);

A bill (S. 448) granting an increase of pension to Henry M. Stark;

A bill (S. 449) granting a pension to Joseph Ellmore;

A bill (S. 450) granting an increase of pension to George H. Sutherland;

A bill (S. 451) granting an increase of pension to William T. Conant;

A bill (S. 452) granting an increase of pension to Albert W. Bullock;

A bill (S. 453) granting a pension to H. Levander Farr;

A bill (S. 454) granting an increase of pension to Rinaldo M. Griswold;

A bill (S. 455) granting an increase of pension to Mary E. Wilson;

A bill (S. 456) granting an increase of pension to Andrew J. Pierce;

A bill (S. 457) granting an increase of pension to John W. Shetter;

A bill (S. 458) granting an increase of pension to Charles Beattie;

A bill (S. 459) granting an increase of pension to William H. Trevillian (with accompanying papers); and

A bill (S. 460) granting an increase of pension to Mary C. Nicholson (with the accompanying papers).

Mr. BURROWS introduced a bill (S. 461) to fix the salary of carriers in the rural free-delivery service; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. CLAY introduced a bill (S. 462) to construct and place a light-ship off the outer bar of Brunswick, Ga.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 463) to pay Hewlette A. Hall balance due for services in connection with the Paris Exposition; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 464) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 466) to establish the University of the United States; which was read twice by its title, and referred to the Committee to Establish the University of the United States.

He also introduced the following bills, which were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (S. 467) to promote the efficiency of the Life-Saving Service;

A bill (S. 468) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson; and

A bill (S. 469) to restore Henry D. Hall to the Revenue-Cutter Service.

Mr. FRYE introduced a bill (S. 470) referring to the Court of Claims a certain claim for the use of hook attachments for firearms; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 471) granting an increase of pension to Silas Meserve (with an accompanying paper);

A bill (S. 472) granting an increase of pension to William M. Hall;

A bill (S. 473) granting an increase of pension to Byron D. Babcock (with an accompanying paper);

A bill (S. 474) granting an increase of pension to Daniel J. Hogan;

A bill (S. 475) granting an increase of pension to Henry F. Waldron;

A bill (S. 476) granting an increase of pension to Zuinglius C. Gowen;

A bill (S. 477) granting an increase of pension to Napoleon D. O. Lord (with an accompanying paper);

A bill (S. 478) granting an increase of pension to Olive J. Bailey; and

A bill (S. 479) granting an increase of pension to William P. Damon (with an accompanying paper).

Mr. KITTREDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 480) to provide for the purchase of a site and the erection of a public building thereon at Huron, in the State of South Dakota;

A bill (S. 481) to provide for the purchase of a site and the erection of a public building thereon at Watertown, in the State of South Dakota; and

A bill (S. 482) to provide for the purchase of a site and the erection of a public building thereon at Mitchell, in the State of South Dakota.

Mr. HALE introduced a bill (S. 483) for the relief of the owners and officers of the brig *Olive Frances* and others on board said brig; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 484) granting a pension to Nancy Marsh; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 485) to correct the naval record of George Nelson Armstrong; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MALLORY introduced a bill (S. 486) granting a pension to Green B. Yawn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a joint resolution (S. R. 1) providing for a careful inquiry and report respecting the present operation of certain public-land laws; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. DUBOIS introduced a joint resolution (S. R. 2) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. MITCHELL introduced a joint resolution (S. R. 3) proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States; which was read twice by its title, and referred to the Committee on Privileges and Elections.

He also introduced a joint resolution (S. R. 4) proposing an amendment to the Constitution of the United States extending the right of suffrage to women; which was read twice by its title, and referred to the Select Committee on Woman Suffrage.

Mr. GALLINGER introduced a joint resolution (S. R. 5) to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CULLOM submitted an amendment proposing to regulate the length of rural-delivery routes in the United States, intended to be proposed by him to the Post-Office appropriation bill; which

was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. MITCHELL submitted an amendment proposing to appropriate $100,000 for the construction of a breakwater to protect the harbor at Hilo, island of Hawaii, Territory of Hawaii, and proposing to appropriate $250,000 for improving the entrance to the harbor at Honolulu, Hawaii, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for the construction of a light-house upon the point of Mokepuu, island of Oahu; $20,000 for the construction of a light-house at Kahului, island of Maui; $10,000 for the construction of a light-house on the coast of Puna, island of Hawaii; $10,000 for the construction of a light-house on Leleiwi Point, island of Hawaii; $5,000 for the construction of a light-house at Kailua, island of Hawaii; $5,000 for the construction of appropriate lights at Barbei Point, island of Oahu; $5,000 for the construction of appropriate lights at Keahole, North Kona, and $5,000 each for the construction of two new lights in Honolulu Harbor, all in the Territory of Hawaii, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

STATEN ISLAND CHANNEL IMPROVEMENTS.

Mr. DRYDEN submitted the following concurrent resolution; which was referred to the Committee on Commerce:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War cause an examination and survey to be made with a view of ascertaining the cost and feasibility of extending a 16-foot channel of suitable width from the present channel north of Corner Stake light in an easterly direction and north of Shooters Island to Kill van Kull, to straighten and increase the width of waterway at Shooters Island, and relieve the congestion of commerce at that point. Also a like examination and survey with a view of ascertaining the cost and feasibility of removing the reef at Bergen Point light and deepening to 16 feet and improving and straightening the channel between Kill van Kull and Elizabethport, with a plan or plans for making such improvements, and estimates thereof.

STATUE OF COUNT DE ROCHAMBEAU.

Mr. WETMORE submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed, and bound in the form such as is customary in the case of eulogies, 20,000 copies of the proceedings upon the unveiling of the statue of the Count de Rochambeau, of which 6,000 shall be for the use of the Senate, 12,000 for the use of the House of Representatives, 1,000 to be delivered to the Ambassador of the Republic of France for such distribution as he shall think fit, the remaining 1,000, of which 200 shall be bound in full morocco, to be distributed, under the direction of the chairman of the Joint Committee on the Library, to the guests invited from the French Republic and the speakers who took part in said celebration.

REVOLUTION ON THE ISTHMUS OF PANAMA.

Mr. CULLOM submitted the following resolution; which was referred to the Committee on Foreign Relations:

Resolved by the Senate, That the President be requested to communicate to the Senate, if not in his judgment incompatible with the public interest, all correspondence and other official documents relating to the recent revolution on the Isthmus of Panama.

HARBOR IMPROVEMENTS AT EVERETT, WASH.

Mr. FOSTER of Washington submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of continuing the harbor improvements at Everett, Wash., to meet the demands of commerce.

NAVIGATION OF UPPER COLUMBIA RIVER.

Mr. FOSTER of Washington submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of removing, without further delay, obstructions to and providing aids to navigation of the upper Columbia River between Wenatchee and Kettle Falls, Washington, for flat-bottom, stern-wheel river steamboats.

SURVEY OF PENOBSCOT RIVER.

Mr. HALE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Penobscot River, Maine, from Crosby Narrows to the Bangor Bridge, with a view to widening the channel, and to submit a plan and estimate for such improvement.

REPORT AND HEARINGS ON BILL TO PROMOTE COMMERCE.

Mr. FRYE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Committee on Commerce 500 copies of Notes on Hearings on the bill (S. 5024) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary; also 500 copies of Senate Report No. 201, Fifty-seventh Congress, first session.

APPROPRIATIONS FOR MILEAGE.

The joint resolution (H. J. Res. 14) making immediately available the appropriations for mileage of Senators and Members of the House of Representatives, and for other purposes, was read twice by its title.

Mr. ALLISON. I ask unanimous consent that the joint resolution may now be considered.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution; which was read.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty minutes spent in executive session the doors were reopened, and (at 1 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Thursday, November 12, 1903, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate November 11, 1903.

ASSISTANT SECRETARY OF THE TREASURY.

Charles H. Keep, of New York, to be Assistant Secretary of the Treasury, to succeed Milton E. Ailes, resigned. Mr. Keep is now serving under a temporary commission issued during the recess of the Senate.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

John Barrett, of Oregon, to be envoy extraordinary and minister plenipotentiary of the United States to the Argentine Republic, to which office he was appointed during the last recess of the Senate, vice William P. Lord, resigned.

John B. Jackson, of New Jersey, lately envoy extraordinary and minister plenipotentiary to Greece, Roumania, and Servia, to be envoy extraordinary and minister plenipotentiary of the United States to Greece, Roumania, and Servia, and diplomatic agent in Bulgaria, to which office he was appointed during the last recess of the Senate.

Stanford Newel, of Minnesota, lately envoy extraordinary and minister plenipotentiary to the Netherlands, to be envoy extraordinary and minister plenipotentiary of the United States to the Netherlands and Luxemburg, to which office he was appointed during the last recess of the Senate, to fill an original vacancy.

Hamilton King, of Michigan, lately minister resident and consul-general to Siam, to be envoy extraordinary and minister plenipotentiary of the United States to Siam, to which office he was appointed during the last recess of the Senate.

SECRETARIES OF LEGATIONS.

Spencer F. Eddy, of Illinois, to be secretary of the embassy of the United States at St. Petersburg, Russia, to which office he was appointed during the last recess of the Senate, vice John W. Riddle, appointed agent and consul-general at Cairo, Egypt.

James G. Bailey, of Kentucky, to be secretary of the legation of the United States to Nicaragua, Costa Rica, and Salvador, to which office he was appointed during the last recess of the Senate, vice Rufus A. Lane, resigned.

John W. Garrett, of Maryland, lately secretary of the legation to the Netherlands, to be secretary of the legation of the United States to the Netherlands and Luxemburg, to which office he was appointed during the last recess of the Senate, to fill an original vacancy.

Peter Augustus Jay, of Rhode Island, to be secretary of the legation of the United States at Constantinople, Turkey, to which office he was appointed during the last recess of the Senate, vice Spencer F. Eddy, appointed secretary of the embassy at St. Petersburg, Russia.

Stanton Sickles, of New York, to be secretary of the legation of the United States at Brussels, Belgium, to which office he was appointed during the last recess of the Senate, vice Robert Mason Winthrop, appointed secretary of the legation at Madrid, Spain.

Philip M. Brown, of Massachusetts, to be secretary of the legation of the United States to Guatemala and Honduras, to which office he was appointed during the last recess of the Senate, vice James G. Bailey, appointed secretary of the legation to Nicaragua, Costa Rica, and Salvador.

Robert Mason Winthrop, of Massachusetts, to be secretary of the legation of the United States at Madrid, Spain, to which office he was appointed during the last recess of the Senate, vice Stanton Sickles, appointed secretary of the legation at Brussels, Belgium.

Henry P. Fletcher, of Pennsylvania, to be second secretary of the legation of the United States at Peking, China, to which office he was appointed during the last recess of the Senate, vice William E. Bainbridge, resigned.

George L. Lorillard, of Rhode Island, to be second secretary of the legation of the United States at Habana, Cuba, to which office he was appointed during the last recess of the Senate, vice Henry P. Fletcher, appointed second secretary of the legation at Peking, China.

CONSULS-GENERAL.

Herman R. Dietrich, of Missouri, to be consul-general of the United States at Guayaquil, Ecuador, to which office he was appointed during the last recess of the Senate, vice William Shaw Bowen, declined.

John G. Foster, of Vermont, to be consul-general of the United States at Ottawa, Canada, to which office he was appointed during the last recess of the Senate, vice Charles E. Turner, resigned.

William R. Holloway, of Indiana, to be consul-general of the United States at Halifax, Nova Scotia, to which office he was appointed during the last recess of the Senate, vice John G. Foster, appointed consul-general at Ottawa, Canada.

Church Howe, of Nebraska, to be consul-general of the United States at Antwerp, Belgium, to which office he was appointed during the last recess of the Senate, vice George F. Lincoln, deceased.

William A. Rublee, of Wisconsin, to be consul-general of the United States at Vienna, Austria, to which office he was appointed during the last recess of the Senate, vice Carl Bailey Hurst, resigned.

Frank Steinhart, of Pennsylvania, to be consul-general of the United States at Habana, Cuba, to which office he was appointed during the last recess of the Senate, vice William A Rublee, appointed consul-general at Vienna, Austria.

Ethelbert Watts, of Pennsylvania, to be consul-general of the United States at St. Petersburg, Russia, to which office he was appointed during the last recess of the Senate, vice William R. Holloway, appointed consul-general at Halifax, Nova Scotia.

AGENT AND CONSUL-GENERAL.

John W. Riddle, of Minnesota, to be agent and consul-general of the United States at Cairo, Egypt, to which office he was appointed during the last recess of the Senate, vice John G. Long, deceased.

CONSULS.

Thomas J. Cummins, of New York, to be consul of the United States at Puerto Cabello, Venezuela, vice Luther T. Ellsworth, appointed consul at Cartagena, Colombia.

George B. Anderson, of the District of Columbia, to be consul of the United States at Guadeloupe, West Indies, to which office he was appointed during the last recess of the Senate, vice Louis H. Aymé, appointed consul at Para, Brazil.

Louis H. Aymé, of Illinois, to be consul of the United States at Para, Brazil, to which office he was appointed during the last recess of the Senate, vice Kavanaugh K. Kenneday, resigned.

Leo Bergholz, of New York, to be consul of the United States at Three Rivers, Quebec, Canada, to which office he was appointed during the last recess of the Senate, vice Urbain J. Ledoux, appointed consul at Prague, Austria.

Robert Woods Bliss, of New York, to be consul of the United States at Venice, Italy, to which office he was appointed during the last recess of the Senate, vice Henry Abert Johnson, appointed consul at Valencia, Spain.

Theodore J. Bluthardt, of Illinois, to be consul of the United States at Barmen, Germany, to which office he was appointed during the last recess of the Senate, vice Max Bouchsein, recalled.

William Harrison Bradley, of Illinois, to be consul of the United States at Manchester, England, to which office he was appointed during the last recess of the Senate, vice William F. Grinnell, resigned.

Harlan W. Brush, of New York, to be consul of the United States at Milan, Italy, to which office he was appointed during the last recess of the Senate, vice William Jarvis, appointed consul at Niagara Falls, Ontario, Canada.

Charles N. Daniels, of Connecticut, to be consul of the United States at Sheffield, England, to which office he was appointed during the last recess of the Senate, vice Church Howe, appointed consul-general at Antwerp, Belgium.

Pierre Paul Demers, of New Hampshire, to be consul of the United States at Port Limon, Costa Rica, to which office he was appointed during the last recess of the Senate, vice John B. Richardson, appointed consul at Utilla, Honduras.

Luther T. Ellsworth, of Ohio, to be consul of the United States at Cartagena, Colombia, to which office he was appointed during the last recess of the Senate, vice Clair A. Orr, appointed consul at Barranquilla, Colombia.

Alfred L. M. Gottschalk, of New York, to be consul of the United States at Callao, Peru, to which office he was appointed during the last recess of the Senate, vice Charles V. Herdliska, resigned.

Walter C. Hamm, of Pennsylvania, to be consul of the United States at Hull, England, to which office he was appointed during the last recess of the Senate, vice William P. Smyth, appointed consul at Tunstall, England.

Edward Higgins, of Massachusetts, to be consul of the United States at Berne, Switzerland, to which office he was appointed during the last recess of the Senate, vice Adolph L. Frankenthal, resigned.

Henry Abert Johnson, of the District of Columbia, to be consul of the United States at Valencia, Spain, to which office he was appointed during the last recess of the Senate, vice Richard M. Bartleman, appointed consul at Cadiz, Spain.

Francis B. Keene, of Wisconsin, to be consul of the United States at Florence, Italy, to which office he was appointed during the last recess of the Senate, vice Edward C. Cramer, resigned.

James A. Le Roy, of Michigan, to be consul of the United States at Durango, Mexico, to which office he was appointed during the last recess of the Senate, vice Charles H. Egbert, deceased.

Urbain J. Ledoux, of Maine, to be consul of the United States at Prague, Austria, to which office he was appointed during the last recess of the Senate, vice Ethelbert Watts, appointed consul-general at St. Petersburg, Russia.

James Verner Long, of Pennsylvania, to be consul of the United States at Patras, Greece, to which office he was appointed during the last recess of the Senate, vice Frank W. Jackson, resigned.

Clair A. Orr, of Illinois, to be consul of the United States at Barranquilla, Colombia, to which office he was appointed during the last recess of the Senate, vice George W. Colvig, resigned.

Christopher H. Payne, of West Virginia, to be consul of the United States at St. Thomas, West Indies, to which office he was appointed during the last recess of the Senate, vice Mahlon Van Horne, recalled.

Julian Potter, of New York, to be consul of the United States at Nassau, New Providence, Bahamas, to which office he was appointed during the last recess of the Senate, vice Thomas J. McLain, deceased.

William J. Pike, of Pennsylvania, to be consul of the United States at Zittau, Saxony, to which office he was appointed during the last recess of the Senate, vice Hugo Muench, appointed consul at Plauen, Germany.

Martin R. Sackett, of New York, to be consul of the United States at Prescott, Ontario, Canada, to which office he was appointed during the last recess of the Senate, vice George B. Anderson, appointed consul at Guadeloupe, West Indies.

William P. Smyth, of Missouri, to be consul of the United States at Tunstall, England, to which office he was appointed during the last recess of the Senate, vice William Harrison Bradley, appointed consul at Manchester, England.

Edward J. Sullivan, of New York, to be consul of the United States at Erzerum, Turkey, to which office he was appointed during the last recess of the Senate, vice Leo Bergholz, appointed consul at Three Rivers, Quebec, Canada.

David F. Wilber, of New York, to be consul of the United States at Barbados, West Indies, to which office he was appointed during the last recess of the Senate, vice Samuel A. Macallister, deceased.

William H. H. Webster, of New York, to be consul of the United States at Niagara Falls, Ontario, Canada, to which office he was appointed during the last recess of the Senate, vice William Jarvis, resigned.

Dean R. Wood, of New York, to be consul of the United States at Ceiba, Honduras, to which office he was appointed during the last recess of the Senate, vice Benjamin Johnston, deceased.

SECOND SECRETARY.

Ulysses Grant Smith, of Pennsylvania, to be second secretary of the legation of the United States at Constantinople, Turkey, to which office he was appointed during the last recess of the Senate, vice Peter Augustus Jay, appointed secretary of the legation at Constantinople.

THIRD SECRETARY.

Lewis Einstein, of New York, to be third secretary of the embassy of the United States at Paris, France, to which office he was appointed during the last recess of the Senate, vice Peter Augustus Jay, appointed second secretary of the legation at Constantinople, Turkey.

CIVIL SERVICE COMMISSIONERS.

Alford Warriner Cooley, of New York, to be a Civil Service Commissioner, to which office he was appointed during the last recess of the Senate, vice William Dudley Foulke, resigned.

Henry F. Greene, of Minnesota, to be a Civil Service Commissioner, to which office he was appointed during the last recess of the Senate, vice James R. Garfield, resigned.

CHIEF EXAMINER OF THE CIVIL SERVICE COMMISSION.

Frank M. Kiggins, of Tennessee, to be chief examiner of the Civil Service Commission, to which office he was appointed during the last recess of the Senate, vice Abram R. Serven, resigned.

MEMBERS OF THE BOARD OF CHARITIES.

John Joy Edson, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1903, to which office he was appointed during the last recess of the Senate. This is a reappointment.

S. W. Woodward, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1903, to which office he was appointed during the last recess of the Senate. This is a reappointment.

CIRCUIT JUDGE.

William C. Hook, of Kansas, now serving as United States district judge for the district of Kansas, to be United States circuit judge for the eighth judicial circuit, vice Henry C. Caldwell, resigned.

DISTRICT JUDGE.

Joseph A. Gill, of Indian Territory, to be judge of the United States court of the northern district of the Indian Territory. A reappointment, his term expiring December 17, 1903.

ASSISTANT ATTORNEY-GENERAL.

James C. McReynolds, of Tennessee, to be Assistant Attorney-General, to which position he was appointed during the last recess of the Senate, vice James M. Beck, resigned.

CHIEF JUSTICE OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Harry M. Clabaugh, of Maryland, to be chief justice of the supreme court of the District of Columbia, to which position he was appointed during the last recess of the Senate, vice Edward F. Bingham, resigned. Mr. Clabaugh was appointed associate justice of the supreme court of the District of Columbia March 2, 1899.

ASSOCIATE JUSTICES OF THE SUPREME COURT OF THE DISTRICT OF COLUMBIA.

Jeter C. Pritchard, of North Carolina, to be associate justice of the supreme court of the District of Columbia, to which position he was appointed during the last recess of the Senate, vice Harry M. Clabaugh, appointed chief justice of the supreme court of the District of Columbia.

Daniel Thew Wright, of Ohio, to be associate justice of the supreme court of the District of Columbia, vice Alexander B. Hagner, resigned.

ASSOCIATE JUSTICE.

William H. Pope, of New Mexico, to be associate justice of the supreme court of the Territory of New Mexico, to which position he was appointed during the last recess of the Senate, vice Daniel H. McMillan, removed.

DISTRICT JUDGE, TERRITORY OF HAWAII.

Sanford B. Dole, of Hawaii, to be United States district judge of the Territory of Hawaii, to which position he was appointed during the last recess of the Senate, vice Morris M. Estee, deceased.

ATTORNEY-GENERAL OF PORTO RICO.

Willis Sweet, of Idaho, to be attorney-general of Porto Rico, to which position he was appointed during the last recess of the Senate, vice James S. Harlan, resigned.

UNITED STATES ATTORNEYS.

John P. Nields, of Delaware, to be attorney of the United States for the district of Delaware, to which position he was appointed during the last recess of the Senate, vice William Michael Byrne, resigned.

Sherman T. McPherson, of Ohio, to be attorney of the United States for the southern district of Ohio, to which position he was appointed during the last recess of the Senate, vice William E. Bundy, deceased.

John B. Vreeland, of New Jersey, to be attorney of the United States for the district of New Jersey, to which position he was appointed during the last recess of the Senate, vice David O. Watkins, resigned.

UNITED STATES MARSHALS.

Henry W. Mayo, of Maine, to be marshal of the United States for the district of Maine, to which position he was appointed during the last recess of the Senate, vice Hutson B. Saunders, resigned.

Horace W. Bailey, of Vermont, to be marshal of the United States for the district of Vermont, to which position he was appointed during the last recess of the Senate, vice Fred. A. Field, removed.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS.

E. Finley Johnson, of Michigan, to be an associate justice of the supreme court of the Philippine Islands, to which office he was appointed during the last recess of the Senate, vice Fletcher Ladd, resigned.

GOVERNOR OF HAWAII.

George R. Carter, of Honolulu, Hawaii, who was appointed October 31, 1903, during the recess of the Senate, to be governor of Hawaii, vice Sanford B. Dole, appointed to another office.

SURVEYOR-GENERAL.

Frank S. Ingalls, of Yuma, Ariz., who was appointed September 9, 1903, during the recess of the Senate, to be surveyor-general of Arizona, vice Hugh H. Price, removed.

RECEIVERS OF PUBLIC MONEYS.

Alvah Eastman, of St. Cloud, Minn., who was appointed June 11, 1903, during the recess of the Senate, to be receiver of public moneys at St. Cloud, Minn., to fill an original vacancy.

Egbert S. Oakley, of Buffalo, Minn., who was appointed June 11, 1903, during the recess of the Senate, to be receiver of public moneys at Cass Lake, Minn., to fill an original vacancy.

Thomas V. McAllister, of Vicksburg, Miss., who was appointed September 3, 1903, during the recess of the Senate, to be receiver of public moneys at Jackson, Miss., vice Isaiah T. Montgomery, resigned.

Charles U. Snider, of Lakeview, Oreg., who was appointed October 12, 1903, during the recess of the Senate, to be receiver of public moneys at Lakeview, Oreg., vice Harry Bailey, term expired.

William B. Hodge, jr., of Guthrie, Okla., who was appointed June 20, 1903, during the recess of the Senate, to be receiver of public moneys at Guthrie, Okla., vice Frederick E. McKinley, term expired.

REGISTERS OF LAND OFFICES.

Myron D. Taylor, of St. Cloud, Minn., who was appointed June 11, 1903, during the recess of the Senate, to be register of the land office at St. Cloud, Minn., to fill an original vacancy.

John D. Jones, of Long Prairie, Minn., who was appointed June 11, 1903, during the recess of the Senate, to be register of the land office at Cass Lake, Minn., to fill an original vacancy.

Algernon S. Dresser, of Oregon City, Oreg., who was appointed March 28, 1903, during the recess of the Senate, to be register of the land office at Oregon City, Oreg., vice Charles B. Moores, term expired.

Edward W. Davis, of Union, Oreg., who was appointed August 26, 1903, during the recess of the Senate, to be register of the land office at Lagrande, Oreg., vice Edward W. Bartlett, term expired.

John N. Watson, Paisley, Oreg., who was appointed October 12, 1903, during the recess of the Senate, to be register of the land office at Lakeview, Oreg., vice Eldon M. Brattain, term expired.

Marshall H. Jewell, of Bismarck, N. Dak., to be register of the land office at Bismarck, N. Dak., vice Alexander C. McGillivray, term expired.

Frank E. Vaughan, of Vancouver, Wash., who was appointed March 31, 1903, during the recess of the Senate, to be register of the land office at Vancouver, Wash., vice William R. Dunbar, deceased.

DIRECTOR OF THE CENSUS.

S. N. Dexter North, of Boston, Mass., who was appointed June 8, 1903, during the recess of the Senate, to be Director of the Census, in the Department of Commerce and Labor, vice William R. Merriam, resigned.

DEPUTY AUDITOR FOR THE TREASURY DEPARTMENT.

Aloysius E. Bowling, of Maryland, to be Deputy Auditor for the Treasury Department, in place of Edward McKitterick, deceased.

GENERAL APPRAISERS OF MERCHANDISE.

Charles P. McClelland, of New York, to be general appraiser of merchandise, to succeed James A. Jewell, resigned. Mr. McClelland is now serving under a temporary commission issued during the recess of the Senate.

Eugene G. Hay, of Minnesota, to be general appraiser of merchandise in place of George C. Tichenor, deceased. Mr. Hay is now serving under a temporary commission issued during the recess of the Senate.

ASSISTANT APPRAISERS OF MERCHANDISE.

Harwood Huntington, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York, to succeed Joseph P. Skillman, resigned. Mr. Huntington is now serving under a temporary commission issued during the recess of the Senate.

Robert A. Olivier, of Louisiana, to be assistant appraiser of merchandise in the district of New Orleans, in the State of Louisiana, to succeed James H. Ducote, resigned. Mr. Olivier is now serving under a temporary commission issued during the recess of the Senate.

ASSISTANT TREASURER OF THE UNITED STATES AT NEW ORLEANS, LA.

Clarence S. Hebert, of Louisiana, to be assistant treasurer of the United States at New Orleans, La., to succeed Charles J. Bell, whose term of office has expired by limitation. Mr. Hebert is now serving under a temporary commission issued during the recess of the Senate.

COINER.

William J. Brophy, of Louisiana, to be coiner of the mint of the United States at New Orleans, La., to succeed Maher Cahen, removed. Mr. Brophy is now serving under a temporary commission issued during the recess of the Senate.

DEPUTY COMMISSIONER OF CORPORATIONS.

Herbert Knox Smith, of Hartford, Conn., who was appointed August 8, 1903, during the recess of the Senate, to be deputy commissioner of corporations in the Department of Commerce and Labor, to fill an original vacancy.

COLLECTORS OF CUSTOMS.

John Russell, of Mississippi, to be collector of customs for the district of Natchez, in the State of Mississippi, to succeed Louis J. Winston, resigned. Mr. Russell is now serving under a temporary commission issued during a recess of the Senate.

Albert L. Pierce, of Mississippi, to be collector of customs for the district of Vicksburg, in the State of Mississippi, to succeed Thomas V. McAllister, resigned. Mr. Pierce is now serving under a temporary commission issued during the recess of the Senate.

David M. Little, of Massachusetts, to be collector of customs for the district of Salem and Beverly, in the State of Massachusetts, to succeed John Daland, resigned.

William D. Crum, of South Carolina, to be collector of customs for the district of Charleston, in the State of South Carolina, in place of Robert M. Wallace, deceased. Mr. Crum is now serving under a temporary commission issued during the recess of the Senate.

SURVEYOR OF CUSTOMS.

Arthur N. Randall, of New York, to be surveyor of customs for the port of Port Jefferson, in the State of New York, to succeed John W. Madison, resigned. Mr. Randall is now serving under a temporary commission issued during the recess of the Senate.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. Howard M. Broadbent to be a captain in the Revenue-Cutter Service of the United States, to succeed Washington C. Coulson, retired. Mr. Broadbent is now serving under a temporary commission issued during the recess of the Senate.

First Lieut. Francis M. Dunwoody to be a captain in the Revenue-Cutter Service of the United States, to succeed Michael A. Healey, retired. Mr. Dunwoody is now serving under a temporary commission issued during the recess of the Senate.

First Lieut. Howard Emery to be a captain in the Revenue-Cutter Service of the United States, to succeed James B. Moore, retired. Mr. Emery is now serving under a temporary commission issued during the recess of the Senate.

First Lieut. Daniel P. Foley to be a captain in the Revenue-Cutter Service of the United States, to succeed Russell Glover, retired. Mr. Foley is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. John G. Berry to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Howard Emery, promoted. Mr. Berry is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. Claude S. Cochran to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Frank H. Dimock, removed. Mr. Cochran is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. Colin S. Craig to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Daniel P. Foley, promoted. Mr. Craig is now serving under a temporary commission issued during the recess of the Senate.

Second Lieut. Samuel P. Edmonds to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Francis M. Dunwoody, promoted. Mr. Edmonds is now serving under a temporary commission issued during the recess of the Senate.

Third Lieut. John Boedeker to be a second lieutenant in the Revenue-Cutter Service of the United States, to succeed Claude S. Cochran, promoted. Mr. Boedeker is now serving under a temporary commission issued during the recess of the Senate.

Lucien J. Ker, of the District of Columbia, to be a second assistant engineer in the Revenue-Cutter Service of the United States, to succeed R. F. Halpin, resigned. Mr. Ker is now serving under a temporary commission issued during the recess of the Senate.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

James A. Burns, of the District of Columbia, to be a second assistant engineer in the Revenue-Cutter Service of the United States with the rank of third lieutenant, to succeed W. V. Sullivan, resigned. Mr. Burns is now serving under a temporary commission issued during the recess of the Senate.

PROMOTIONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Asst. Surg. Leslie L. Lumsden, of Virginia, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from March 14, 1903. Mr. Lumsden is now serving under a temporary commission issued during the recess of the Senate.

Asst. Surg. Lundsford D. Fricks, of Maryland, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 2, 1903. Mr. Fricks is now serving under a temporary commission issued during the recess of the Senate.

Asst. Surg. Victor G. Heiser, of Pennsylvania, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 3, 1903. Mr. Heiser is now serving under a temporary commission issued during the recess of the Senate.

Asst. Surg. Mark J. White, of New York, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 4, 1903. Mr. White is now serving under a temporary commission issued during the recess of the Senate.

Asst. Surg. Matthew K. Gwyn, of Maryland, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 8, 1903.

Asst. Surg. William C. Hobdy, of Kentucky, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 15, 1903. Mr. Hobdy is now serving under a temporary commission issued during the recess of the Senate.

APPOINTMENTS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Francis A. Ashford, of the District of Columbia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Ashford is now serving under a temporary commission issued during the recess of the Senate.

George L. Collins, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Collins is now serving under a temporary commission issued during the recess of the Senate.

Harvey G. Ebert, of Washington, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Ebert is now serving under a temporary commission issued during the recess of the Senate.

Herbert M. Manning, of the District of Columbia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Manning is now serving under a temporary commission issued during the recess of the Senate.

Norman Roberts, of Pennsylvania, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Roberts is now serving under a temporary commission issued during the recess of the Senate.

Thomas W. Salmon, of New York, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Salmon is now serving under a temporary commission issued during the recess of the Senate.

Frederick C. Smith, of Minnesota, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Smith is now serving under a temporary commission issued during the recess of the Senate.

Edward Maples Steger, of Texas, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Steger is now serving under a temporary commission issued during the recess of the Senate.

William M. Wightman, of California, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States. Mr. Wightman is now serving under a temporary commission issued during the recess of the Senate.

ASSISTANT SECRETARY OF WAR.

Robert Shaw Oliver, of New York, to be Assistant Secretary of War, to which office he was appointed during the last recess of the Senate, vice William Carey Sanger, resigned.

MEMBERS OF CALIFORNIA DÉBRIS COMMISSION.

Capt. William W. Harts, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," to which office he was appointed during the last recess of the Senate, vice Capt. Robert P. Johnston, Corps of Engineers, United States Army, relieved.

Lieut. Col. Thomas H. Handbury, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California," to which office he was appointed during the last recess of the Senate, vice Col. David P. Heap, Corps of Engineers, United States Army, relieved.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be Lieutenant-General.

Maj. Gen. Samuel B. M. Young, United States Army, August 8, 1903, vice Miles, retired from active service.

To be major-generals.

Brig. Gen. Samuel S. Sumner, United States Army, July 26, 1903, vice Davis, retired from active service.

Brig. Gen. Leonard Wood, United States Army, August 8, 1903, vice Young, appointed Lieutenant-General.

To be brigadier-generals.

Col. Jared A. Smith (since retired from active service), Corps of Engineers, April 13, 1903, vice Wade, appointed major-general.

Col. Jacob B. Rawles (since retired from active service), Artillery Corps, April 14, 1903, vice Smith, retired from active service.

Col. Stephen W. Groesbeck (since retired from active service), judge-advocate, April 16, 1903, vice Woodson, retired from active service.

Col. John R. Myrick (since retired from active service), Artillery Corps, April 17, 1903, vice Groesbeck, retired from active service.

Col. Louis H. Rucker (since retired from active service), Eighth Cavalry, April 18, 1903, vice Myrick, retired from active service.

Col. Theodore A. Baldwin (since retired from active service), Seventh Cavalry, April 19, 1903, vice Rucker, retired from active service.

Col. William P. Rogers (since retired from active service), Thirtieth Infantry, April 20, 1903, vice Baldwin, retired from active service.

Col. Peter C. Hains, Corps of Engineers, April 21, 1903, vice Rogers, retired from active service.

Col. John H. Page (since retired from active service), Third Infantry, July 26, 1903, vice Sumner, appointed major-general.

Col. Charles A. Woodruff (since retired from active service), assistant commissary-general, July 27, 1903, vice Page, retired from active service.

Col. William L. Haskin (since retired from active service), Artillery Corps, July 28, 1903, vice Charles A. Woodruff, retired from active service.

Col. Charles W. Miner (since retired from active service), Sixth Infantry, July 29, 1903, vice Haskin, retired from active service.

Col. James M. J. Sanno (since retired from active service), Eighteenth Infantry, July 30, 1903, vice Miner, retired from active service.

Col. Charles F. Robe (since retired from active service), Ninth Infantry, July 31, 1903, vice Sanno, retired from active service.

Col. James W. Reilly (since retired from active service), Ordnance Department, August 1, 1903, vice Robe, retired from active service.

Col. Edwin B. Atwood (since retired from active service), assistant quartermaster-general, August 2, 1903, vice Reilly, retired from active service.

Col. Frank G. Smith (since retired from active service), Artillery Corps, August 3, 1903, vice Atwood, retired from active service.

Col. George B. Rodney (since retired from active service), Artillery Corps, August 4, 1903, vice Smith, retired from active service.

Col. Almond B. Wells (since retired from active service), First Cavalry, August 5, 1903, vice Rodney, retired from active service.

Col. Peter J. A. Cleary (since retired from active service), Assistant Surgeon-General, August 6, 1903, vice Wells, retired from active service.

Col. John B. Babcock (since retired from active service), Assistant Adjutant-General, August 7, 1903, vice Cleary, retired from active service.

Col. Charles A. Coolidge (since retired from active service), Seventh Infantry, August 8, 1903, vice Wood, appointed major-general.

Col. Cyrus S. Roberts (since retired from active service), Second Infantry, August 8, 1903, vice Babcock, retired from active service.

Col. J. Milton Thompson (since retired from active service), Twenty-third Infantry, August 9, 1903, vice Coolidge, retired from active service.

Col. Calvin De Witt (since retired from active service), Assistant Surgeon-General, August 9, 1903, vice Roberts, retired from active service.

Col. Carle A. Woodruff (since retired from active service), Artillery Corps, August 10, 1903, vice Thompson, retired from active service.

Col. David H. Kinzie (since retired from active service), Artillery Corps, August 10, 1903, vice De Witt, retired from active service.

Col. John L. Tiernon (since retired from active service), Artillery Corps, August 11, 1903, vice Carle A. Woodruff, retired from active service.

Col. James Miller (since retired from active service), Twenty-second Infantry, August 11, 1903, vice Kinzie, retired from active service.

Col. David J. Craigie (since retired from active service), Seventeenth Infantry, August 12, 1903, vice Tiernon, retired from active service.

Col. Alpheus H. Bowman (since retired from active service), Twenty-fifth Infantry, August 12, 1903, vice Miller, retired from active service.

Col. Edmund Rice (since retired from active service), Nineteenth Infantry, August 13, 1903, vice Craigie, retired from active service.

Col. Charles G. Penney (since retired from active service), Twenty-ninth Infantry, August 13, 1903, vice Bowman, retired from active service.

Col. Jesse C. Chance (since retired from active service), Fourth Infantry, August 14, 1903, vice Rice, retired from active service.

Col. Theodore F. Forbes (since retired from active service), Twenty-seventh Infantry, August 14, 1903, vice Penney, retired from active service.

Col. Daniel D. Wheeler (since retired from active service), Assistant Quartermaster-General, August 15, 1903, vice Chance, retired from active service.

Col. Leon A. Matile (since retired from active service), Twenty-fourth Infantry, August 15, 1903, vice Forbes, retired from active service.

Col. Charles L. Cooper (since retired from active service), Fifth Cavalry, August 16, 1903, vice Wheeler, retired from active service.

Col. John A. Kress (since retired from active service), Ordnance Department, August 16, 1903, vice Matile, retired from active service.

Col. John Simpson (since retired from active service), Assistant Quartermaster-General, August 17, 1903, vice Cooper, retired from active service.

Col. Camillo C. C. Carr, Fourth Cavalry, August 17, 1903, vice Kress, retired from active service.

Col. Thomas H. Barry, Assistant Adjutant-General, August 18, 1903, vice Simpson, retired from active service.

PROMOTIONS IN THE ARMY.

ADJUTANT-GENERAL'S DEPARTMENT.

To be assistant adjutants-general with rank of colonel.

Lieut. Col. George Andrews, assistant adjutant-general, August 7, 1903, vice Babcock, appointed brigadier-general.

Lieut. Col. William A. Simpson, assistant adjutant-general, August 18, 1903, vice Barry, appointed brigadier-general.

INSPECTOR-GENERAL'S DEPARTMENT.

To be inspectors-general with rank of colonel.

Lieut. Col. Thomas T. Knox (since retired from active service), inspector-general, April 11, 1903, vice Vroom, appointed inspector-general with the rank of brigadier-general.

Lieut. Col. Stephen C. Mills, inspector-general, April 12, 1903, vice Burton, appointed inspector-general with the rank of brigadier-general.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Enoch H. Crowder, judge-advocate, to be judge-advocate with the rank of colonel, April 16, 1903, vice Groesbeck, appointed brigadier-general.

Maj. John A. Hull, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel, April 16, 1903, vice Crowder, promoted.

QUARTERMASTER'S DEPARTMENT.

To be Assistant Quartermasters-General with rank of colonel.

Lieut. Col. Forrest H. Hathaway, Deputy Quartermaster-General, April 12, 1903, vice Humphrey, appointed Quartermaster-General.

Lieut. Col. Joshua W. Jacobs, Deputy Quartermaster-General, August 2, 1903, vice Atwood, appointed brigadier-general.

Lieut. Col. John L. Clem, Deputy Quartermaster-General, August 15, 1903, vice Wheeler, appointed brigadier-general.

Lieut. Col. William S. Patten, Deputy Quartermaster-General, August 17, 1903, vice Simpson, appointed brigadier-general.

To be Deputy Quartermasters-General with rank of lieutenant-colonel.

Maj. John McE. Hyde, quartermaster, April 12, 1903, vice Hathaway, promoted.

Maj. George Ruhlen, quartermaster, August 2, 1903, vice Jacobs, promoted.

Maj. William H. Miller, quartermaster, August 15, 1903, vice Clem, promoted.

Maj. Samuel R. Jones, quartermaster, August 17, 1903, vice Patten, promoted.

To be quartermasters with rank of major.

Capt. John M. Carson, jr., quartermaster, April 12, 1903, vice Hyde, promoted.

Capt. Alfred M. Palmer, quartermaster, August 2, 1903, vice Ruhlen, promoted.

Capt. John Elston Baxter (heretofore borne on the Army Register as "John Baxter, jr."), quartermaster, August 15, 1903, vice Miller, promoted.

Capt. Moses G. Zalinski, quartermaster, August 17, 1903, vice Jones, promoted.

SUBSISTENCE DEPARTMENT.

Lieut. Col. William L. Alexander, deputy commissary-general, to be assistant commissary-general with the rank of colonel, July 27, 1903, vice Woodruff, appointed brigadier-general.

Maj. James N. Allison, commissary, to be deputy commissary-general with the rank of lieutenant-colonel, July 27, 1903, vice Alexander, promoted.

Capt. William H. Hart, commissary, to be commissary with the rank of major, July 27, 1903, vice Allison, promoted.

MEDICAL DEPARTMENT.

To be assistant surgeons-general with the rank of colonel.

Lieut. Col. Philip F. Harvey, deputy surgeon-general, August 6, 1903, vice Cleary, appointed brigadier-general.

Lieut. Col. Charles B. Byrne, deputy surgeon-general, August 9, 1903, vice De Witt, appointed brigadier-general.

Lieut. Col. Timothy E. Wilcox, deputy surgeon-general, September 22, 1903, vice Lippincott, retired from active service.

To be deputy surgeons-general with the rank of lieutenant-colonel.

Maj. George H. Torney, surgeon, August 6, 1903, vice Harvey, promoted.

Maj. Louis W. Crampton, surgeon, August 9, 1903, vice Byrne, promoted.

Maj. Edwin F. Gardner, surgeon, September 22, 1903, vice Wilcox, promoted.

To be surgeons with the rank of major.

Capt. William F. Lippitt, assistant surgeon, March 18, 1903, vice Gorgas, appointed assistant surgeon-general.

Capt. Merritte W. Ireland, assistant surgeon, August 3, 1903, vice Ten Eyck, retired from active service.

Capt. George M. Wells, assistant surgeon, August 6, 1903, vice Torney, promoted.

Capt. Henry C. Fisher, assistant surgeon, August 9, 1903, vice Crampton, promoted.

Capt. Henry A. Shaw, assistant surgeon, September 22, 1903, vice Gardner, promoted.

PAY DEPARTMENT.

To be paymasters with the rank of major.

Capt. Robert S. Smith, paymaster, February 19, 1903, vice Tucker, promoted.

Capt. Seymour Howell, paymaster, June 25, 1903, vice Newbold, retired from active service.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. David P. Heap, Corps of Engineers, April 13, 1903, vice Smith, appointed brigadier-general.

Lieut. Col. William A. Jones, Corps of Engineers, April 21, 1903, vice Hains, appointed brigadier-general.

To be lieutenant-colonels.

Maj. Ernest H. Ruffner, Corps of Engineers, April 13, 1903, vice Heap, promoted.

Maj. Clinton B. Sears, Corps of Engineers, April 21, 1903, vice Jones, promoted.

To be majors.

Capt. George A. Zinn, Corps of Engineers, April 13, 1903, vice Ruffner, promoted.

Capt. William C. Langfitt, Corps of Engineers, April 21, 1903, vice Sears, promoted.

To be captains.

First Lieut. William B. Ladue, Corps of Engineers, April 13, 1903, vice Zinn, promoted.

First Lieut. William J. Barden, Corps of Engineers, April 21, 1903, vice Langfitt, promoted.

To be first lieutenants.

Second Lieut. Ernest D. Peck, Corps of Engineers, April 13, 1903, vice Ladu, promoted.

Second Lieut. George R. Spalding, Corps of Engineers, April 21, 1903, vice Barden, promoted.

Second Lieut. Elliott J. Dent, Corps of Engineers, June 4, 1903, vice Rhett, resigned.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. John A. Kress (since retired from active service), Ordnance Department, August 1, 1903, vice Reilly, appointed brigadier-general.

Lieut. Col. John G. Butler, Ordnance Department, August 16, 1903, vice Kress, appointed brigadier-general.

To be lieutenant-colonels.

Maj. Charles S. Smith, Ordnance Department, April 5, 1903, vice Varney, retired from active service.

Maj. Stanhope E. Blunt, Ordnance Department, August 1, 1903, vice Kress, promoted.

Maj. Frank Heath, Ordnance Department, August 16, 1903, vice Butler, promoted.

To be majors.

Capt. Lawrence L. Bruff, Ordnance Department, April 5, 1903, vice Smith, promoted.

Capt. Charles H. Clark, Ordnance Department, August 1, 1903, vice Blunt, promoted.

Capt. Frank E. Hobbs, Ordnance Department, August 16, 1903, vice Heath, promoted.

To be captains.

First Lieut. John H. Rice, Ordnance Department, April 5, 1903, vice Bruff, promoted.

First Lieut. David M. King, Ordnance Department, August 1, 1903, vice Clark, promoted.

First Lieut. Thales L. Ames, Ordnance Department, August 16, 1903, vice Hobbs, promoted.

SIGNAL CORPS.

To be captains.

First Lieut. Walter L. Clarke, Signal Corps, March 2, 1903, vice Greene, promoted.

First Lieut. Basil O. Lenoir, Signal Corps, March 2, 1903, vice Reber, promoted.

First Lieut. William Mitchell, Signal Corps, March 2, 1903, vice Squier, promoted.

First Lieut. Henry W. Stamford, Signal Corps, March 2, 1903, to fill an original vacancy.

First Lieut. Charles S. Wallace, Signal Corps, March 2, 1903, to fill an original vacancy.

First Lieut. George S. Gibbs, Signal Corps, March 2, 1903, to fill an original vacancy.

First Lieut. Charles de F. Chandler, Signal Corps, March 2, 1903, to fill an original vacancy.

CAVALRY ARM.

To be colonels.

Lieut. Col. John B. Kerr, United States Cavalry, assistant adjutant-general, March 30, 1903, vice Forbush, Twelfth Cavalry, retired from active service.

Lieut. Col. Joseph H. Dorst, Twelfth Cavalry, April 15, 1903, vice Woodson, Third Cavalry, appointed brigadier-general.

Lieut. Col. George S. Anderson, Sixth Cavalry, April 18, 1903, vice Rucker, Eighth Cavalry, appointed brigadier-general.

Lieut. Col. Earl D. Thomas, Thirteenth Cavalry, April 19, 1903, vice Baldwin, Seventh Cavalry, appointed brigadier-general.

Lieut. Col. Martin B. Hughes, Tenth Cavalry, August 5, 1903, vice Wells, First Cavalry, appointed brigadier-general.

Lieut. Col. Clarence A. Stedman, Fourth Cavalry, August 16, 1903, vice Cooper, Fifth Cavalry, appointed brigadier-general.

Lieut. Col. Edgar Z. Steever, United States Cavalry, assistant adjutant-general, August 17, 1903, vice Carr, Fourth Cavalry, appointed brigadier-general.

To be lieutenant-colonels.

Maj. George F. Chase, Seventh Cavalry, April 15, 1903, vice Dorst, Twelfth Cavalry, promoted.

Maj. William H. Beck, Eighth Cavalry, April 15, 1903, vice Steever, Third Cavalry, detailed as assistant adjutant-general.

Maj. Peter S. Bomus, First Cavalry, April 18, 1903, vice Anderson, Sixth Cavalry, promoted.

Maj. James Parker, United States Cavalry, assistant adjutant-general, April 19, 1903, vice Thomas, Thirteenth Cavalry, promoted.

Maj. Joseph Garrard, Ninth Cavalry, April 22, 1903, vice Sprole, First Cavalry, deceased.

Maj. Frank U. Robinson, Second Cavalry, May 25, 1903, vice West, Fifth Cavalry, detailed as inspector-general.

Maj. Otto L. Hein, Third Cavalry, August 5, 1903, vice Hughes, Tenth Cavalry, promoted.

Maj. George H. Paddock, Fifth Cavalry, August 16, 1903, vice Stedman, Fourth Cavalry, promoted.

Maj. Samuel W. Fountain, United States Cavalry, assistant adjutant-general, August 26, 1903, vice Parker, Thirteenth Cavalry, detailed as assistant adjutant-general.

To be majors.

Capt. Curtis B. Hoppin, Second Cavalry, March 23, 1903, vice Craig, Fifteenth Cavalry, retired from active service.

Capt. Loyd S. McCormick, United States Cavalry, commissary, April 15, 1903, vice Chase, Seventh Cavalry, promoted.

Capt. Henry L. Ripley, Third Cavalry, April 15, 1903, vice Beck, Eighth Cavalry, promoted.

Capt. Jacob G. Galbraith, First Cavalry, April 18, 1903, vice Bomus, First Cavalry, promoted.

Capt. James B. Erwin, Fourth Cavalry, April 22, 1903, vice Garrard, Ninth Cavalry, promoted.

Capt. George H. Morgan, Third Cavalry, April 27, 1903, vice Gale, Ninth Cavalry, detailed as inspector-general.

Capt. Daniel H. Boughton, Third Cavalry, May 25, 1903, vice Robinson, Second Cavalry, promoted.

Capt. Horatio G. Sickel, Seventh Cavalry, July 16, 1903, vice Hare, Twelfth Cavalry, retired from active service.

Capt. Andrew G. Hammond, Eighth Cavalry, August 5, 1903, vice Hein, Third Cavalry, promoted.

Capt. Franklin O. Johnson, Third Cavalry, August 16, 1903, vice Paddock, Fifth Cavalry, promoted.

Capt. Herbert J. Slocum, United States Cavalry, quartermaster, August 26, 1903, vice Swift, First Cavalry, detailed as assistant adjutant-general.

To be captains.

First Lieut. Robert B. Powers, Seventh Cavalry, March 23, 1903, vice Hoppin, Second Cavalry, promoted.

First Lieut. Francis H. Pope, Second Cavalry, April 4, 1903, vice Merillat, Fifteenth Cavalry, retired from active service.

First Lieut. Matthew E. Hanna, Second Cavalry, April 15, 1903, vice Ripley, Third Cavalry, promoted.

First Lieut. George E. Mitchell, Seventh Cavalry, April 17, 1903, vice Hawkins, Thirteenth Cavalry, detailed as commissary.

First Lieut. Pierce A. Murphy, Seventh Cavalry, April 18, 1903, vice Galbraith, First Cavalry, promoted.

First Lieut. Frederick T. Arnold, Fourth Cavalry, April 22, 1903, vice Erwin, Fourth Cavalry, promoted.

First Lieut. James N. Munro, Fourteenth Cavalry, April 27, 1903, vice Morgan, Third Cavalry, promoted.

First Lieut. William S. Valentine, Second Cavalry, May 15, 1903, vice Overton, Fifteenth Cavalry, deceased.

First Lieut. Henry C. Smither, First Cavalry, May 17, 1903, vice Summerlin, Fifth Cavalry, resigned.

First Lieut. Roy B. Harper, Seventh Cavalry, May 25, 1903, vice Boughton, Third Cavalry, promoted.

First Lieut. Thomas A. Roberts, Tenth Cavalry, July 16, 1903, vice Sickel, Seventh Cavalry, promoted.

First Lieut. Edgar A. Sirmyer, Tenth Cavalry, August 5, 1903, vice Hammond, Eighth Cavalry, promoted.

First Lieut. Frank R. McCoy, Tenth Cavalry, August 16, 1903, vice Johnson, Third Cavalry, promoted.

First Lieut. Chalmers G. Hall, Fifth Cavalry, September 19, 1903, vice Fenton, Thirteenth Cavalry, detailed as paymaster.

First Lieut. Clarence R. Day, Fourteenth Cavalry, September 28, 1903, vice Fleming, Fifth Cavalry, detailed as quartermaster.

To be first lieutenants.

Second Lieut. George F. Bailey, Eighth Cavalry, February 25, 1903, vice Orton, Second Cavalry, promoted.

Second Lieut. Robert Sterrett, Fourth Cavalry, March 1, 1903, vice Morrow, Ninth Cavalry, appointed judge-advocate.

Second Lieut. William B. Renziehausen, Fifth Cavalry, March 23, 1903, vice Powers, Seventh Cavalry, promoted.

Second Lieut. Kyle Rucker, Fourteenth Cavalry, April 4, 1903, vice Pope, Second Cavalry, promoted.

Second Lieut. George Garity, Second Cavalry, April 15, 1903, vice Hanna, Second Cavalry, promoted.

Second Lieut. Emory S. West, Sixth Cavalry, April 17, 1903, vice Mitchell, Seventh Cavalry, promoted.

Second Lieut. Ralph C. Caldwell, Eleventh Cavalry, April 18, 1903, vice Murphy, Seventh Cavalry, promoted.

Second Lieut. George M. Lee, Seventh Cavalry, April 22, 1903, vice Arnold, Fourth Cavalry, promoted.

Second Lieut. Eben Swift, jr., Fifth Cavalry, April 27, 1903, vice Munro, Fourteenth Cavalry, promoted.

Second Lieut. Edgar N. Coffey, Twelfth Cavalry, May 15, 1903, vice Valentine, Second Cavalry, promoted.

Second Lieut. James S. Butler, Twelfth Cavalry, May 17, 1903, vice Smither, First Cavalry, promoted.

Second Lieut. Solomon L. Jeffers, Twelfth Cavalry, May 25, 1903, vice Harper, Seventh Cavalry, promoted.

Second Lieut. Henry S. Terrell, Eighth Cavalry, July 16, 1903, vice Roberts, Tenth Cavalry, promoted.

Second Lieut. Albert E. Phillips, Eighth Cavalry, August 5, 1903, vice Sirmyer, Tenth Cavalry, promoted.

Second Lieut. Granville R. Fortescue, Fourth Cavalry, August 16, 1903, vice McCoy, Tenth Cavalry, promoted.

Second Lieut. John Alden Degen, Fourth Cavalry, September 17, 1903, vice Brees, Twelfth Cavalry, detailed in the Signal Corps.

Second Lieut. Arthur N. Pickel, Twelfth Cavalry, September 17, 1903, vice Johnston, Fifteenth Cavalry, detailed in the Signal Corps.

Second Lieut. Brice P. Disque, Fifth Cavalry, September 17, 1903, vice Hemphill, Third Cavalry, detailed in the Signal Corps.

Second Lieut. Alvin S. Perkins, Eleventh Cavalry, September 17, 1903, vice Butler, First Cavalry, detailed in the Signal Corps.

Second Lieut Robert M. Barton, Ninth Cavalry, September 19, 1903, vice Hall, Fifth Cavalry, promoted.

Second Lieut. Walter J. Scott, Tenth Cavalry, September 28, 1903, vice Day, Fourteenth Cavalry, promoted.

Second Lieut. Richard W. Walker, Eighth Cavalry, October 15, 1903, vice Foley, Fifth Cavalry, dismissed.

ARTILLERY CORPS.

To be colonels.

Lieut. Col. Abner H. Merrill, Artillery Corps, April 14, 1903, vice Rawles, appointed brigadier-general.

Lieut. Col. William Ennis, Artillery Corps, assistant adjutant-general, April 17, 1903, vice Myrick, appointed brigadier-general.

Lieut. Col. George S. Grimes, Artillery Corps, July 19, 1903, vice Vose, retired from active service.

Lieut. Col. John M. K. Davis, Artillery Corps, July 28, 1903, vice Haskin, appointed brigadier-general.

Lieut. Col. Benjamin K. Roberts, Artillery Corps, August 3, 1903, vice Smith, appointed brigadier-general.

Lieut. Col. James O'Hara (since retired from active service), Artillery Corps, August 4, 1903, vice Rodney, appointed brigadier-general.

Lieut. Col. Asher C. Taylor, Artillery Corps, August 10, 1903, vice Woodruff, appointed brigadier-general.

Lieut. Col. Henry W. Hubbell, Artillery Corps, August 10, 1903, vice Kinzie, appointed brigadier-general.

Lieut. Col. William F. Stewart, Artillery Corps, August 11, 1903, vice Tiernon, appointed brigadier-general.

Lieut. Col. Anthony W. Vogdes, Artillery Corps, November 1, 1903, vice O'Hara, retired from active service.

To be lieutenant-colonels.

Maj. Ephraim T. C. Richmond, Artillery Corps, April 14, 1903, vice Merrill, promoted.

Maj. Ramsay D. Potts, Artillery Corps, inspector-general, July 19, 1903, vice Grimes, promoted.

Maj. Elbridge R. Hills, Artillery Corps, July 28, 1903, vice Davis, promoted.

Maj. Sydney W. Taylor, Artillery Corps, assistant adjutant-general, July 31, 1903, vice Hills, detailed as assistant adjutant-general.

Maj. Charles Humphreys, Artillery Corps, August 3, 1903, vice Roberts, promoted.

Maj. Luigi Lomia, Artillery Corps, August 4, 1903, vice O'Hara, promoted.

Maj. Alexander D. Schenck, Artillery Corps, August 10, 1903, vice Taylor, promoted.

Maj. Sedgwick Pratt, Artillery Corps, August 10, 1903, vice Hubbell, promoted.

Maj. John McClellan, Artillery Corps, August 11, 1903, vice Stewart, promoted.

Maj. Harry R. Anderson, Artillery Corps, August 14, 1903, vice Taylor, detailed as assistant adjutant-general.

Maj. Robert H. Patterson, Artillery Corps, November 1, 1903, vice Vogdes, promoted.

To be majors.

Capt. Henry H. Ludlow, Artillery Corps, April 14, 1903, vice Richmond, promoted.

Capt. William R. Hamilton, Artillery Corps, April 14, 1903, vice Best, deceased.

Capt. Charles W. Foster, Artillery Corps, July 28, 1903, vice Hills, promoted.

Capt. Clarence Deems, Artillery Corps, July 31, 1903, vice Hoskins, detailed as inspector-general.

Capt. John V. White, Artillery Corps, August 3, 1903, vice Humphreys, promoted.

Capt. Erasmus M. Weaver, Artillery Corps, August 4, 1903, vice Lomia, promoted.

Capt. Eli D. Hoyle, Artillery Corps, August 10, 1903, vice Schenck, promoted.

Capt. Granger Adams, Artillery Corps, August 10, 1903, vice Pratt, promoted.

Capt. Frederick Marsh, Artillery Corps, August 11, 1903, vice McClellan, promoted.

Capt. Charles G. Woodward, Artillery Corps, August 14, 1903, vice Anderson, promoted.

Capt. Edward E. Gayle, Artillery Corps, August 14, 1903, vice White, detailed as assistant adjutant-general.

Capt. Hamilton Rowan, Artillery Corps, November 1, 1903, vice Patterson, promoted.

To be captains.

First Lieut. Percy P. Bishop, Artillery Corps, April 14, 1903, vice Ludlow, promoted.

First Lieut. Henry J. Hatch, Artillery Corps, April 14, 1903, vice Hamilton, promoted.

First Lieut. Elmer J. Wallace, Artillery Corps, May 2, 1903, vice Nugent, detailed as quartermaster.

First Lieut. William F. Hase, Artillery Corps, July 28, 1903, vice Foster, promoted.

First Lieut. William R. Doores, Artillery Corps, July 31, 1903, vice Bridgman, retired from active service.

First Lieut. Alfred A. Starbird, Artillery Corps, July 31, 1903, vice Deems, promoted.

First Lieut. James F. Howell, Artillery Corps, August 3, 1903, vice White, promoted.

First Lieut. John C. Goodfellow, Artillery Corps, August 4, 1903, vice Weaver, promoted.

First Lieut. John T. Geary, Artillery Corps, August 10, 1903, vice Hoyle, promoted.

First Lieut. Guy T. Scott, Artillery Corps, August 10, 1903, vice Adams, promoted.

First Lieut. Morrell M. Mills, August 11, 1903, vice Marsh, promoted.

First Lieut. Charles R. Lloyd, jr., Artillery Corps, August 14, 1903, vice Woodward, promoted.

First Lieut. Edward Carpenter, Artillery Corps, August 14, 1903, vice Gayle, promoted.

First Lieut. Henry M. Merriam, Artillery Corps, August 27, 1903, vice Chase, detailed as paymaster.

First Lieut. Oliver L. Spaulding, jr., Artillery Corps, August 27, 1903, vice Bottoms, detailed as commissary.

First Lieut. Hanson B. Black, Artillery Corps, Ordnance Department, August 27, 1903, vice Cole, detailed as quartermaster.

First Lieut. Conrad H. Lanza, Artillery Corps, November 1, 1903, vice Rowan, promoted.

To be first lieutenants.

Second Lieut. Allan Lefort, Artillery Corps, April 14, 1903, vice Bishop, promoted.

Second Lieut. Joseph Matson, Artillery Corps, April 14, 1903 vice Hatch, promoted.

Second Lieut. Jesse G. Langdon, Artillery Corps, May 2, 1903, vice Wallace, promoted.

Second Lieut. Francis H. Lincoln, Artillery Corps, June 2, 1903, vice McCoach, resigned.

Second Lieut. Daniel F. Craig, Artillery Corps, July 28, 1903, vice Hase, promoted.

Second Lieut. Robert B. Mitchell, Artillery Corps, July 31, 1903, vice Starbird, promoted.

Second Lieut. William H. Wilson, Artillery Corps, August 3, 1903, vice Howell, promoted.

Second Lieut. Edward D. Powers, Artillery Corps, August 4, 1903, vice Goodfellow, promoted.

Second Lieut. Nathan J. Shelton, Artillery Corps, August 7, 1903, vice Gignoux, resigned.

Second Lieut. Charles E. N. Howard, Artillery Corps, August 10, 1903, vice Geary, promoted.

Second Lieut. Edwin C. Long, Artillery Corps, August 10, 1903, vice Scott, promoted.

Second Lieut. Augustus B. Warfield, Artillery Corps, August 11, 1903, vice Mills, promoted.

Second Lieut. Howard L. Landers, Artillery Corps, August 14, 1903, vice Lloyd, promoted.

Second Lieut. Claudius M. Seaman, Artillery Corps, August 14, 1903, vice Carpenter, promoted.

Second Lieut. Hugh J. B. McElgin, Artillery Corps, August 27, 1903, vice Merriam, promoted.

Second Lieut. Arthur L. Fuller, Artillery Corps, August 27, 1903, vice Spaulding, promoted.

Second Lieut. Francis H. Lomax, Artillery Corps, September 20, 1903, vice Green, deceased.

Second Lieut. William H. Burt, Artillery Corps, November 1, 1903, vice Lanza, promoted.

INFANTRY ARM.

To be colonels.

Lieut. Col. John J. O'Connell, Third Infantry, April 20, 1903, vice Rogers, Thirtieth Infantry, appointed brigadier-general.

Lieut. Col. Samuel R. Whitall, Twenty-seventh Infantry, July 26, 1903, vice Page, Third Infantry, appointed brigadier-general.

Lieut. Col. James Regan, Ninth Infantry, July 29, 1903, vice Miner, Sixth Infantry, appointed brigadier-general.

Lieut. Col. John B. Rodman (since retired from active service), Tenth Infantry, July 30, 1903, vice Sanno, Eighteenth Infantry, appointed brigadier-general.

Lieut. Col. Harry L. Haskell, Twelfth Infantry, July 31, 1903, vice Robe, Ninth Infantry, appointed brigadier-general.

Lieut. Col. Daniel Cornman, Twenty-fourth Infantry, August 8, 1903, vice Coolidge, Seventh Infantry, appointed brigadier-general.

Lieut. Col. Charles B. Hall, Thirtieth Infantry, August 8, 1903, vice Roberts, Second Infantry, appointed brigadier-general.

Lieut. Col. Joseph W. Duncan, Thirteenth Infantry, August 9, 1903, vice Thompson, Twenty-third Infantry, appointed brigadier-general.

Lieut. Col. Henry Wygant, Sixth Infantry, August 11, 1903, vice Miller, Twenty-second Infantry, appointed brigadier-general.

Lieut. Col. Francis W. Mansfield, First Infantry, August 12, 1903, vice Craigie, Seventeenth Infantry, appointed brigadier-general.

Lieut. Col. P. Henry Ray, Eighth Infantry, August 12, 1903, vice Bowman, Twenty-fifth Infantry, appointed brigadier-general.

Lieut. Col. Benjamin C. Lockwood, Twenty-ninth Infantry, August 13, 1903, vice Rice, Nineteenth Infantry, appointed brigadier-general.

Lieut. Col. Philip Reade, Twenty-third Infantry, August 13, 1903, vice Penney, Twenty-ninth Infantry, appointed brigadier-general.

Lieut. Col. John T. Van Orsdale, Seventeenth Infantry, August 14, 1903, vice Chance, Fourth Infantry, appointed brigadier-general.

Lieut. Col. James A. Buchanan, Eleventh Infantry, August 14, 1903, vice Forbes, Twenty-seventh Infantry, appointed brigadier-general.

Lieut. Col. Joseph F. Huston, Nineteenth Infantry, August 15, 1903, vice Matile, Twenty-fourth Infantry, appointed brigadier-general.

Lieut. Col. William H. W. James, Twenty-fifth Infantry, October 31, 1903, vice Rodman, Twenty-fifth Infantry, retired from active service.

To be lieutenant-colonels.

Maj. Leven C. Allen, Sixteenth Infantry, March 15, 1903, vice Baldwin, Sixteenth Infantry, deceased.

Maj. James E. Macklin, Eleventh Infantry, April 20, 1903, vice O'Connell, Third Infantry, promoted.

Maj. William L. Pitcher, Eighth Infantry, May 25, 1903, vice Williams, Twenty-eighth Infantry, detailed as inspector-general.

Maj. Herbert S. Foster, Twelfth Infantry, July 26, 1903, vice Whitall, Twenty-seventh Infantry, promoted.

Maj. John C. Dent, Twenty-fourth Infantry, July 29, 1903, vice Regan, Ninth Infantry, promoted.

Maj. George K. McGunnegle, Twenty-sixth Infantry, July 30, 1903, vice Rodman, Tenth Infantry, promoted.

Maj. Edgar B. Robertson, Ninth Infantry, July 31, 1903, vice Haskell, Twelfth Infantry, promoted.

Maj. Charles A. Booth, Seventeenth Infantry, August 8, 1903, vice Cornman, Twenty-fourth Infantry, promoted.

Maj. Henry A. Greene, United States Infantry, assistant adjutant-general, August 8, 1903, vice Hall, Thirtieth Infantry, promoted.

Maj. Edwin B. Bolton, Twenty-fourth Infantry, August 9, 1903, vice Duncan, Thirteenth Infantry, promoted.

Maj. James S. Pettit, United States Infantry, inspector-general, August 11, 1903, vice Wygant, Sixth Infantry, promoted.

Maj. Charles L. Hodges, Twenty-third Infantry, August 12, 1903, vice Mansfield, First Infantry, promoted.

Maj. Robert H. R. Loughborough, Sixth Infantry, August 12, 1903, vice Ray, Eighth Infantry, promoted.

Maj. John G. Ballance, United States Infantry, assistant adjutant-general, August 13, 1903, vice Lockwood, Twenty-ninth Infantry, promoted.

Maj. Frank Taylor, Fifteenth Infantry, August 13, 1903, vice Reade, Twenty-third Infantry, promoted.

Maj. Richard T. Yeatman, Twenty-second Infantry, August 14, 1903, vice Van Orsdale, Seventeenth Infantry, promoted.

Maj. Thomas F. Davis, Twenty-eighth Infantry, August 14, 1903, vice Buchanan, Eleventh Infantry, promoted.

Maj. Daniel H. Brush, Twenty-fifth Infantry, August 15, 1903, vice Huston, Nineteenth Infantry, promoted.

Maj. Charles J. Crane, United States Infantry, assistant adjutant-general, August 21, 1903, vice Pettit, detailed assistant adjutant-general.

Maj. Hobart K. Bailey, United States Infantry, inspector-general, October 31, 1903, vice James, Twenty-fifth Infantry, promoted.

To be majors.

Capt. John Newton, Sixteenth Infantry, March 15, 1903, vice Allen, Sixteenth Infantry, promoted.

Capt. Samuel W. Dunning, Sixteenth Infantry, March 19, 1903, vice Lovering, Twenty-ninth Infantry, detailed as inspector-general.

Capt. Joseph M. T. Partello, Twenty-third Infantry, April 17, 1903, vice Febiger, Seventh Infantry, detailed as inspector-general.

Capt. Lewis H. Strother, Twenty-sixth Infantry, April 20, 1903, vice Macklin, Eleventh Infantry, promoted.

Capt. Francis P. Fremont, Second Infantry, May 25, 1903, vice Pitcher, Eighth Infantry, promoted.

Capt. Charles M. Truitt, Twenty-eighth Infantry, June 23, 1903, vice Edwards, Twenty-third Infantry, retired from active service.

Capt. George Bell, jr., Fifteenth Infantry, July 26, 1903, vice Foster, Twelfth Infantry, promoted.

Capt. Charles J. T. Clarke, Tenth Infantry, July 29, 1903, vice Dent, Twenty-fourth Infantry, promoted.

Capt. Warren H. Cowles, Twenty-fourth Infantry, July 30, 1903, vice McGunnegle, Twenty-sixth Infantry, promoted.

Capt. John S. Parke, jr., Twenty-first Infantry, July 31, 1903, vice Robertson, Ninth Infantry, promoted.

Capt. Frank B. McCoy, Seventeenth Infantry, August 8, 1903, vice Booth, Seventeenth Infantry, promoted.

Capt. Elias Chandler, First Infantry, August 9, 1903, vice Bolton, Twenty-fourth Infantry, promoted.

Capt. Charles R. Noyes, Ninth Infantry, August 12, 1903, vice Hodges, Twenty-third Infantry, promoted.

Capt. Charles W. Abbott, jr., Twelfth Infantry, August 12, 1903, vice Loughborough, Sixth Infantry, promoted.

Capt. Richard M. Blatchford, Eleventh Infantry, August 13, 1903, vice Taylor, Fifteenth Infantry, promoted.

Capt. John H. Beacom, Sixth Infantry, August 14, 1903, vice Yeatman, Twenty-second Infantry, promoted.

Capt. Willis T. May (heretofore borne as "Will T. May"), Fifteenth Infantry, August 14, 1903, vice Davis, Twenty-eighth Infantry, promoted.

Capt. Henry W. Hovey, Twenty-fourth Infantry, August 14, 1903, vice Nichols, Twenty-first Infantry, detailed as inspector-general.

Capt. Lawrence J. Hearn, Twenty-first Infantry, August 15, 1903, vice Brush, Twenty-fifth Infantry, promoted.

Capt. Walter K. Wright, Seventh Infantry, August 26, 1903, vice Evans, Twentieth Infantry, detailed as assistant adjutant-general.

Capt. Charles B. Hardin, Eighteenth Infantry, August 26, 1903, vice Starr, Twenty-fifth Infantry, detailed as assistant adjutant-general.

Capt. Edwin P. Pendleton, Twenty-third Infantry, August 26, 1903, vice Dunning, Twenty-ninth Infantry, detailed as assistant adjutant-general.

Capt. Harry A. Leonhaeuser, Twenty-fifth Infantry, September 3, 1903, vice Liggett, Twenty-first Infantry, detailed as assistant adjutant-general.

To be captains.

First Lieut. G. Maury Crallé, Twentieth Infantry, March 15, 1903, vice Newton, Sixteenth Infantry, promoted.

First Lieut. Joseph F. Gohn, Fourteenth Infantry, March 19, 1903, vice Dunning, Sixteenth Infantry, promoted.

First Lieut. James H. Bradford, jr., Nineteenth Infantry, April 17, 1903, vice Partello, Twenty-third Infantry, promoted.

First Lieut. David L. Stone, Twenty-second Infantry, April 20, 1903, vice Strother, Twenty-sixth Infantry, promoted.

First Lieut. Alfred W. Bjornstad, Twenty-ninth Infantry, May 1, 1903, vice McKenna, Twenty-eighth Infantry, resigned.

First Lieut. Patrick A. Connolly, Twenty-first Infantry, May 25, 1903, vice Dowdy, Twenty-sixth Infantry, retired from active service.

First Lieut. John B. Schoeffel, Ninth Infantry, May 25, 1903, vice Fremont, Second Infantry, promoted.

First Lieut. Walter T. Bates, Twenty-sixth Infantry, June 2, 1903, vice Shuttleworth, Twenty-seventh Infantry, detailed as quartermaster.

First Lieut. Englebert G. Ovenshine, Sixteenth Infantry, June 23, 1903, vice Truitt, Twenty-eighth Infantry, promoted.

First Lieut. Percy M. Cochran, Nineteenth Infantry, July 26, 1903, vice Bell, Fifteenth Infantry, promoted.

First Lieut. George N. Bomford, Sixth Infantry, July 29, 1903, vice Clarke, Tenth Infantry, promoted.

First Lieut. Benjamin P. Nicklin, Ninth Infantry, July 29, 1903, vice Hodges, Twenty-second Infantry, detailed as quartermaster.

First Lieut. John W. French, Twenty-fifth Infantry, July 30, 1903, vice Cowles, Twenty-fourth Infantry, promoted.

First Lieut. Cromwell Stacey, Thirtieth Infantry, July 31, 1903, vice Parke, Twenty-first Infantry, promoted.

First Lieut. William A. Cavenaugh, Eighth Infantry, August 7, 1903, vice Hart, Seventeenth Infantry, detailed as quartermaster.

First Lieut. George M. Grimes, Twentieth Infantry, August 8, 1903, vice McCoy, Seventeenth Infantry, promoted.

First Lieut. Thomas R. Harker, Fifteenth Infantry, August 9, 1903, vice Chandler, First Infantry, promoted.

First Lieut. John F. Wilkinson, Sixth Infantry, August 12, 1903, vice Noyes, Ninth Infantry, promoted.

First Lieut. Frank D. Wickham, Twelfth Infantry, August 12, 1903, vice Abbot, Twelfth Infantry, promoted.

First Lieut. William B. Folwell, First Infantry, August 13, 1903, vice Blatchford, Eleventh Infantry, promoted.

First Lieut. Bryan Conrad, Fifteenth Infantry, August 14, 1903, vice Beacom, Sixth Infantry, promoted.

First Lieut. William K. Naylor, Ninth Infantry, August 14, 1903, vice May, Fifteenth Infantry, promoted.

First Lieut. William H. Oury, Twelfth Infantry, August 14, 1903, vice Hovey, Twenty-fourth Infantry, promoted.

First Lieut. Austin F. Prescott, Seventh Infantry, August 15, 1903, vice Hearn, Twenty-first Infantry, promoted.

First Lieut. Edgar A. Fry, Thirteenth Infantry, August 15, 1903, vice Brown, Fourth Infantry, deceased.

First Lieut. Harry A. Eaton, Eighth Infantry, August 22, 1903, vice Weigel, Eleventh Infantry, detailed as quartermaster.

First Lieut. Campbell King, First Infantry, August 26, 1903, vice Wright, Seventh Infantry, promoted.

First Lieut. Tenney Ross, Third Infantry, August 26, 1903, vice Hardin, Eighteenth Infantry, promoted.

First Lieut. George C. Martin, Second Infantry, August 26, 1903, vice Pendleton, Twenty-third Infantry, promoted.

First Lieut. Robert O. Van Horn, Twelfth Infantry, August 27, 1903, vice Creary, Twelfth Infantry, detailed as paymaster.

First Lieut. Ezekiel J. Williams, Fifth Infantry, September 3, 1903, vice Leonhaeuser, Twenty-fifth Infantry, promoted.

First Lieut. Moor N. Falls, Twelfth Infantry, September 14, 1903, vice Perry, Thirtieth Infantry, retired from active service.

First Lieut. Joseph W. Glidden, Nineteenth Infantry, September 23, 1903, vice Lowe, Twenty-fifth Infantry, retired from active service.

First Lieut. John R. R. Hannay, Twenty-second Infantry, September 28, 1903, vice Wren, Seventeenth Infantry, detailed as quartermaster.

To be first lieutenants.

Second Lieut. Franklin S. Leisenring, Eleventh Infantry, February 4, 1903, vice Ridenour, Sixteenth Infantry, promoted.

Second Lieut. Charles F. Andrews, Seventh Infantry, February 10, 1903, vice Humphrey, Seventeenth Infantry, promoted.

Second Lieut. Allan L. Briggs, Seventh Infantry, February 18, 1903, vice Enochs, Twenty-fifth Infantry, promoted.

Second Lieut. Solomon B. West, Twenty-second Infantry, February 28, 1903, vice Comer, Twenty-fifth Infantry, resigned.

Second Lieut. William M. True, Sixteenth Infantry, March 4, 1903, vice Maxey, Eighteenth Infantry, promoted.

Second Lieut. James M. Petty, Twentieth Infantry, March 15, 1903, vice Crallé, Twentieth Infantry, promoted.

Second Lieut. Martin Novak, Nineteenth Infantry, March 19, 1903, vice Gohn, Fourteenth Infantry, promoted.

Second Lieut. John B. Shuman, Twenty-eighth Infantry, April 10, 1903, vice Densmore, Tenth Infantry, dismissed.

Second Lieut. Charles G. Lawrence, Fifteenth Infantry, April 11, 1903, vice Campbell, Twenty-first Infantry, dismissed.

Second Lieut. Frederic G. Kellond, Nineteenth Infantry, April 17, 1903, vice Bradford, Nineteenth Infantry, promoted.

Second Lieut. William P. Kitts, Twenty-first Infantry, April 20, 1903, vice Stone, Twenty-second Infantry, promoted.

Second Lieut. Eugene P. Crowne, Fourth Infantry, May 1, 1903, vice Bjornstad, Twenty-ninth Infantry, promoted.

Second Lieut. Henry M. Fales, Twenty-first Infantry, May 7, 1903, vice Faulkner, Eighth Infantry, resigned.

Second Lieut. William C. Fitzpatrick, Seventh Infantry, May 25, 1903, vice Connolly, Twenty-first Infantry, promoted.

Second Lieut. Herbert L. Evans, Ninth Infantry, May 25, 1903, vice Schoeffel, Ninth Infantry, promoted.

Second Lieut. Walter Harvey, Sixteenth Infantry, June 2, 1903, vice Bates, Twenty-sixth Infantry, promoted.

Second Lieut. Frank B. Davis, Fifth Infantry, June 23, 1903, vice Ovenshine, Sixteenth Infantry, promoted.

Second Lieut. Harry D. Mitchell, Sixteenth Infantry, July 23, 1903, vice Dunn, Eleventh Infantry, deceased.

Second Lieut. Ode C. Nichols, Fourth Infantry, July 25, 1903, vice Bushfield, Seventeenth Infantry, dismissed.

Second Lieut. Kirwin T. Smith, Sixth Infantry, July 26, 1903, vice Cochran, Nineteenth Infantry, promoted.

Second Lieut. William W. Bessell, Twenty-sixth Infantry, July 29, 1903, vice Bomford, Sixth Infantry, promoted.

Second Lieut. Frank C. Burnett, Tenth Infantry, July 29, 1903, vice Nicklin, Ninth Infantry, promoted.

Second Lieut. Collin H. Ball, Twenty-third Infantry, July 30, 1903, vice French, Twenty-fifth Infantry, promoted.

Second Lieut. A. Owen Seaman, Eleventh Infantry, July 31, 1903, vice Stacey, Thirtieth Infantry, promoted.

Second Lieut. Clifford U. Leonori, Twenty-first Infantry, August 5, 1903, vice Valentine, Fourth Infantry, resigned.

Second Lieut. Benjamin H. Pope, Eighth Infantry, August 7, 1903, vice Cavenaugh, Eighth Infantry, promoted.

Second Lieut. Julian L. Dodge, Twenty-fifth Infantry, August 8, 1903, vice Grimes, Twentieth Infantry, promoted.

Second Lieut. Herman Glade, Fourth Infantry, August 9, 1903, vice Harker, Fifteenth Infantry, promoted.

Second Lieut. Frank S. Bowen, Sixth Infantry, August 12, 1903, vice Wilkinson, Sixth Infantry, promoted.

Second Lieut. Ward Dabney, First Infantry (subject to examination required by law), August 12, 1903, vice Wickham, Twelfth Infantry, promoted.

Second Lieut. Paul M. Goodrich, Ninth Infantry, August 13, 1903, vice Folwell, First Infantry, promoted.

Second Lieut. Frank H. Kalde, Eighth Infantry, August 14, 1903, vice Conrad, Fifteenth Infantry, promoted.

Second Lieut. William W. Taylor, jr., Twenty-second Infantry, August 14, 1903, vice Naylor, Ninth Infantry, promoted.

Second Lieut. Russell C. Hand, Tenth Infantry, August 14, 1903, vice Oury, Twelfth Infantry, promoted.

Second Lieut. Henry A. Bell, Twenty-second Infantry, August 15, 1903, vice Prescott, Seventh Infantry, promoted.

Second Lieut. Bruno T. Scher, Fifth Infantry, August 15, 1903, vice Fry, Thirteenth Infantry, promoted.

Second Lieut. George A. Herbst, Twenty-third Infantry, August 22, 1903, vice Eaton, Eighth Infantry, promoted.

Second Lieut. Philip J. Lauber, Twenty-fifth Infantry, August 26, 1903, vice King, First Infantry, promoted.

Second Lieut. Thomas M. Hunter, Tenth Infantry, August 26, 1903, vice Ross, Third Infantry, promoted.

Second Lieut. Gad Morgan, Fifteenth Infantry, August 26, 1903, vice Martin, Second Infantry, promoted.

Second Lieut. Elverton E. Fuller, Twelfth Infantry, August 27, 1903, vice Van Horn, Twelfth Infantry, promoted.

Second Lieut. William S. Neely, Twenty-second Infantry, September 3, 1903, vice Williams, Fifth Infantry, promoted.

Second Lieut. Frank H. Adams, Sixteenth Infantry, September 14, 1903, vice Falls, Twelfth Infantry, promoted.

Second Lieut. George C. Lewis, Third Infantry, September 17, 1903, vice Voris, Eighth Infantry, detailed in Signal Corps.

Second Lieut. William H. Patterson, Tenth Infantry, September 17, 1903, vice Kumpe, Twenty-eighth Infantry, detailed in Signal Corps.

Second Lieut. David A. Lindsay, First Infantry, September 17, 1903, vice Jennet, First Infantry, detailed in Signal Corps.

Second Lieut. Leonard J. Mygatt, Nineteenth Infantry, September 17, 1903, vice Goodale, Nineteenth Infantry, detailed in Signal Corps.

Second Lieut. Elliott M. Norton, Sixth Infantry, September 17, 1903, vice Briggs, Fourteenth Infantry, detailed in Signal Corps.

Second Lieut. Roscoe H. Hearn, Sixteenth Infantry, September 17, 1903, vice Fitzpatrick, Ninth Infantry, detailed in Signal Corps.

Second Lieut. Nels Anderson, Seventh Infantry, September 23, 1903, vice Glidden, Nineteenth Infantry, promoted.

INFANTRY ARM.

George A. Detchemendy, late captain, Twenty-second Infantry, United States Army, to be captain of infantry, May 9, 1903.

TO BE SECOND LIEUTENANTS.

Corps of Engineers.

1. Cadet Douglas MacArthur.
2. Cadet Charles T. Leeds.
3. Cadet Harold C. Fiske.
4. Cadet Max C. Tyler.
6. Cadet Ulysses S. Grant, 3d.
7. Cadet Julian L. Schley.
9. Cadet William H. Rose.
10. Cadet Ferdinand Williams.
12. Cadet Richard C. Moore.
14. Cadet Lewis M. Adams.

Cavalry Arm.

5. Cadet Charles Telford.
8. Cadet Levi G. Brown.
16. Cadet William M. Nichols.
18. Cadet Olan C. Aleshire.
19. Cadet Emil P. Laurson.
20. Cadet Frederick E. Shnyder.
30. Cadet Thomas F. Van Natta, jr.
34. Cadet James A. Mars.
35. Cadet George L. Morrison.
36. Cadet Orville N. Tyler.
37. Cadet James A. Shannon.
38. Cadet Allan M. Pope.
40. Cadet Reynolds J. Powers.
43. Cadet John C. Montgomery.
44. Cadet James S. Jones.
47. Cadet Edward M. Zell.
51. Cadet Dorsey R. Rodney.
52. Cadet Alexander M. Milton.
53. Cadet Hugh S. Johnson.
61. Cadet Carl Boyd.
63. Cadet Stephen W. Winfree.
64. Cadet Ephraim F. Graham.

Thomas L. Sherburne, of Louisiana, late second lieutenant, United States Army, July 16, 1903, vice Caldwell, Eleventh Cavalry, promoted.

Artillery Corps.

11. Cadet Owen G. Collins.
13. Cadet Scott Baker.
15. Cadet Frederic H. Smith.
17. Cadet Marion W. Howze.
23. Cadet George W. Cocheu.
24. Cadet Charles H. Patterson.
25. Cadet Lewis Turtle.
26. Cadet Henry S. Kilbourne, jr.
27. Cadet Clifford Jones.
28. Cadet Wilford J. Hawkins.
29. Cadet Louis C. Brinton, jr.
31. Cadet Thomas E. Selfridge.
32. Cadet Henning F. Colley.
33. Cadet Paul D. Bunker.
39. Cadet Quinn Gray.
45. Cadet Louis R. Dice.
46. Cadet William M. Colvin.
54. Cadet Francis M. Hinkle.

Infantry Arm.

21. Cadet George A. Lynch.
22. Cadet Grayson M-P. Murphy.
41. Cadet Samuel M. Parker.
42. Cadet Robert M. Lyon.
48. Cadet Francis H. Farnum.
49. Cadet Benjamin E. Grey.
50. Cadet Elvid Hunt.
55. Cadet Benjamin F. McClellan.
56. Cadet Campbell B. Hodges.
57. Cadet Jacob W. S. Wuest.
58. Cadet Max B. Garber.
59. Cadet Leo I. Samuelson.
60. Cadet Corbit S. Hoffman.
62. Cadet Walter V. Gallagher.
65. Cadet Clifton M. Butler.
66. Cadet Edmund L. Bull.
67. Cadet Truman W. Carrithers.
68. Cadet George F. Rozelle, jr.
69. Cadet Arthur E. Ahrends.
70. Cadet Charles F. Severson.
71. Cadet Harry S. Grier.
72. Cadet Reuben C. Taylor.
73. Cadet Charles B. Moore.
74. Cadet Clark Lynn.
75. Cadet Cornelius Stockmar Bendel.

76. Cadet Robert E. Boyers.
77. Cadet Burt W. Phillips.
78. Cadet Ben F. Ristine.
79. Cadet Albert Gilmor.
80. Cadet George R. Guild.
81. Cadet Stuart A. Howard.
82. Cadet John F. Franklin.
83. Cadet William C. Russell.
84. Cadet Roland W. Boughton.
85. Cadet John S. Upham.
86. Cadet Keith S. Gregory.
87. Cadet Irving M. Madison.
88. Cadet Ellery Farmer.
89. Cadet Everett N. Bowman.
90. Cadet Homer N. Preston.
91. Cadet Jesse Gaston.
92. Cadet Edward A. Brown.
93. Cadet Charles F. Smith.

Infantry Arm with rank from June 13, 1903.

George Edgar Nelson, of Vermont.
Stephen Morris Barlow, from at large.
Jesse Duncan Elliott, of Alabama.
Edward Himmelwright Tarbutton, of Maryland.
Carroll Borden Hodges, from at large.
Fitzhugh Berry Alderdice, of Maryland.
William Goodlett Motlow, of Tennessee.

INFANTRY ARM.

To be second lieutenants, to rank from October 9, 1903.

Sergt. James M. Churchill, Forty-second Company, Coast Artillery, vice Chamberlin, Second Infantry, promoted.

Corpl. Philip H. Bagby, Forty-first Company, Coast Artillery, vice Whitson, Twenty-seventh Infantry, promoted.

Sergt. Luther R. Jones, Twenty-ninth Company, Coast Artillery, vice Johnson, Eighth Infantry, promoted.

Sergt. Andrew D. Chaffin, Company B, Twenty-ninth Infantry, vice Barlow, Fourth Infantry, resigned.

Private Ernest B. Smalley, Company L, Twentieth Infantry, vice Grinstead, Twenty-third Infantry, promoted.

Sergt. Henry W. Bunn, Company G, Twenty-second Infantry, vice Williams, Twenty-sixth Infantry, promoted.

Sergt. (First Class) Frederick W. Boschen, Hospital Corps, vice McClelland, Eighteenth Infantry, promoted.

Sergt. Charles W. Stewart, Troop I, Second Cavalry, vice Kistler, Eighteenth Infantry, resigned.

Corpl. Emil Engel, Troop D, Eleventh Cavalry, vice Graham, Fifteenth Infantry, promoted.

Corpl. Louis Farrell, Company K, Twenty-seventh Infantry, vice Jennet, First Infantry, promoted.

Sergt. Charles O. Schudt, Company L, Nineteenth Infantry, vice Danforth, Tenth Infantry, promoted.

Corpl. Fred W. Pitts, Company H, Second Battalion of Engineers, vice Mills, Seventh Infantry, promoted.

Sergt. Emmett Addis, Casual Detachment, Eleventh Cavalry, vice Williams, Eleventh Infantry, promoted.

Sergt. Harry L. King, Twenty-sixth Company, Coast Artillery, vice Bughee, First Infantry, promoted.

Sergt. James B. Nalle, Forty-seventh Company, Coast Artillery, vice Goodale, Sixteenth Infantry, promoted.

Corpl. William F. Robinson, jr., Company E, Second Battalion of Engineers, vice Frank, Twenty-first Infantry, promoted.

Sergt. John J. Burleigh, Thirteenth Company, Coast Artillery, vice Bury, First Infantry, promoted.

Sergt. Manuel M. Garrett, Coast Artillery, vice Leisenring, Eleventh Infantry, promoted.

Sergt. Gordon A. Dennis, One hundred and twentieth Company, Coast Artillery, vice Andrews, Seventh Infantry, promoted.

Squadron Sergt. Maj. Arthur G. Hixson, Fourth Cavalry, vice Briggs, Seventh Infantry, promoted.

Corpl. Augustine A. Hofmann, Forty-second Company, Coast Artillery, vice West, Twenty-second Infantry, promoted.

Sergt. Henry S. Brinkerhoff, jr., Sixty-sixth Company, Coast Artillery, vice Lull, Thirteenth Infantry, transferred to Artillery Corps.

Battalion Sergt. Maj. Fitzgerald S. Turton, Sixteenth Infantry, vice True, Sixteenth Infantry, promoted.

Sergt. James Blyth, Company I, Eighteenth Infantry, vice Molony, Fourteenth Infantry, resigned.

Corpl. Frank C. McCune, Troop F, Fourteenth Cavalry, vice Petty, Twentieth Infantry, promoted.

Sergt. Edwin Gunner, Sixth Company, Coast Artillery, vice Novak, Nineteenth Infantry, promoted.

Sergt. Resolve P. Palmer, Company D, Sixth Infantry, vice Davis, Twenty-fifth Infantry, transferred to the Cavalry Arm.

Private Edward E. McCammon, Company E, Fourteenth Infantry, vice Sartoris, Tenth Infantry, resigned.

Sergt. Paul H. McDonald, Troop L, Twelfth Cavalry, vice Shuman, Twenty-eighth Infantry, promoted.

Q. M. Sergt. Philip Remington, Company E, Seventeenth Infantry, vice Smith, Seventeenth Infantry, dismissed.

Sergt. Frank L. Beals, Fourth Company, Coast Artillery, vice Lawrence, Fifteenth Infantry, promoted.

Corpl. Charles H. Rich, Troop E, Twelfth Cavalry, vice Kellond, Nineteenth Infantry, promoted.

Sergt. Paul C. Potter, Thirtieth Company, Coast Artillery, vice Caughey, Twenty-ninth Infantry, honorably discharged.

Corpl. Albert T. Rich, Troop E, Twelfth Cavalry, vice Kitts, Twenty-first Infantry, promoted.

Battalion Sergt. Maj. David P. Wood, Fifteenth Infantry, vice Crowne, Fourth Infantry, promoted.

TO BE SECOND LIEUTENANT, INFANTRY ARM.

First Sergt. William F. Harrell, Sixty-ninth Company, Coast Artillery, June 12, 1903.

CAVALRY ARM.

Alden M. Graham, late a private, Troop B, Fourth Cavalry, to be second lieutenant, February 2, 1901.

NOTE.—The person herein named was nominated to the Senate for the above-named appointment December 5, 1901, as Arthur M. Graham, and was confirmed December 18, 1901. This message is submitted to correct an error in the name of the nominee.

INSPECTOR-GENERAL'S DEPARTMENT.

To be inspectors-general with the rank of brigadier-general.

Col. Peter D. Vroom (since retired from active service), Inspector-General, April 11, 1903 (for a period of four years), vice Breckinridge, appointed major-general, United States Army.

Col. George H. Burton, Inspector-General, April 12, 1903 (for a period of four years), vice Vroom, retired from active service.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Walter A. Bethel, Artillery Corps, acting judge-advocate, United States Army, to be judge-advocate with rank of major, July 15, 1903, vice Hull, promoted.

QUARTERMASTER'S DEPARTMENT.

Kensey J. Hampton, of Kentucky, late assistant quartermaster, United States Volunteers, to be quartermaster with the rank of captain, April 21, 1903, vice Carson, promoted.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

James Irving Maybee, of Michigan, May 18, 1903.

George Pullen Peed, of Virginia, late major and surgeon, United States Volunteers, July 10, 1903.

Henry Denny Thomason, of Michigan, late major and surgeon, United States Volunteers, July 10, 1903.

Ralph Stribling Porter, of Illinois, late major and surgeon, United States Volunteers, July 10, 1903.

Percy Lancelot Jones, of Tennessee, late captain and assistant surgeon, United States Volunteers, July 10, 1903.

Fred Wheeler Palmer, of Michigan, late captain and assistant surgeon, United States Volunteers, July 10, 1903, vice Richards, resigned.

Edward Bright Vedder, of Pennsylvania, July 10, 1903, vice Harris, promoted.

Henry Flanagan Pipes, of West Virginia, July 10, 1903, vice Wood, appointed brigadier-general, United States Army.

Charles Lovelace Foster, of the District of Columbia, July 10, 1903, vice Banister, promoted.

John Robert Bosley, of Maryland, July 10, 1903, vice Poindexter, retired from active service.

Robert Courtenay Loving, of Kentucky, July 10, 1903, vice Woodruff, promoted.

Chester Jewett Stedman, of West Virginia, July 10, 1903, vice Swift, promoted.

Orville Graham Brown, of the District of Columbia, July 10, 1903, vice Shillock, promoted.

George Frederick Juenemann, of Maryland, July 10, 1903, vice Wetherill, wholly retired.

Joseph Franklin Siler, of Alabama, July 10, 1903, vice Rafferty, promoted.

Arthur Maunder Whaley, of Michigan, July 10, 1903, vice Millhoff, resigned.

Theodore Lamson, of Massachusetts, October 8, 1903, vice Mason, promoted.

Craig Richard Snyder, of Illinois, October 13, 1903, vice Glennan, promoted.

Ernest Grey Bingham, of Alabama, October 13, 1903, vice Bradley, promoted.

James Downie Heysinger, of Pennsylvania, October 13, 1903, vice Ten Eyck, promoted.

Lloyd Llewellyn Smith, of New Jersey, October 13, 1903, vice Cloud, retired from active service.

John Braiden Huggins, of New York, October 13, 1903, vice Willcox, promoted.

Edgar William Miller, of Iowa, October 13, 1903, vice Pinkham, resigned.

William Henry Tefft, of New York, October 13, 1903, vice Frick, promoted.

To be chaplains.

Rev. John Aloysius Ferry, of New York, June 4, 1903, vice McKinnon, deceased.

Rev. Andrew C. Murphy, of Illinois, September 17, 1903, vice Kelly, retired from active service.

Rev. David Law Fleming, of Colorado, late chaplain First Colorado Volunteer Infantry, September 18, 1903, vice McKeon, resigned.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

Second Lieut. Norman H. Davis, Twenty-fifth Infantry, from the Infantry Arm to the Cavalry Arm, March 27, 1903, with rank from October 19, 1902.

Second Lieut. George E. Nelson, First Infantry, from the Infantry Arm to the Cavalry Arm, July 11, 1903, with rank from June 13, 1903.

Second Lieut. Arthur G. Hixson, Eighth Infantry, from the Infantry Arm to the Cavalry Arm, October 26, 1903, with rank from October 9, 1903.

PROMOTIONS IN THE NAVY.

Capt. George A. Converse, United States Navy, to be Chief of the Bureau of Equipment in the Department of the Navy with the rank of rear-admiral for a term of four years.

Capt. Charles W. Rae, United States Navy, to be engineer in chief and Chief of the Bureau of Steam Engineering in the Department of the Navy with the rank of rear-admiral for a term of four years.

Pay Director Henry T. B. Harris, United States Navy, to be paymaster-general and Chief of the Bureau of Supplies and Accounts in the Department of the Navy with the rank of rear-admiral for a term of four years.

Naval Constructor Washington L. Capps, United States Navy, to be chief constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy with the rank of rear-admiral for a term of four years.

Col. George F. Elliott, United States Marine Corps, to be Brigadier-General Commandant of the Marine Corps from the 3d day of October, 1903.

Assistant Naval Constructor William G. Du Bose to be an assistant naval constructor in the Navy with the rank of lieutenant from the 1st day of July, 1903.

Assistant Naval Constructor Ernest F. Eggert to be an assistant naval constructor in the Navy with the rank of lieutenant from the 1st day of July, 1903.

Assistant Naval Constructor Joseph W. Powell to be an assistant naval constructor in the Navy with the rank of lieutenant from the 1st day of July, 1903.

Naval Constructor Albert W. Stahl to be a naval constructor in the Navy with the rank of captain from the 1st day of November, 1903, vice Naval Constructor Francis T. Bowles, resigned.

Naval Constructor Robert Stocker to be a naval constructor in the Navy with the rank of commander from the 1st day of November, 1903, vice Naval Constructor Albert W. Stahl, promoted.

MIDSHIPMEN TO BE ASSISTANT NAVAL CONSTRUCTORS IN THE NAVY.

Frank D. Hall.
Ross P. Schiaback.
George S. Radford.

CHAPLAINS IN THE NAVY.

Arthur W. Stone, a citizen of Vermont, to be a chaplain in the Navy from the 14th day of July, 1903, to fill a vacancy existing in that grade on that date.

Mathew C. Gleeson, a citizen of New York, to be a chaplain in the Navy from the 5th day of October, 1903, to fill a vacancy existing in that grade on that date.

APPOINTMENTS IN THE NAVY.

DeWitt C. Webb, a citizen of Vermont, to be a civil engineer in the Navy from the 27th day of June, 1903, to fill a vacancy existing in that grade on that date.

Walter H. Allen, a citizen of Connecticut, to be a civil engineer in the Navy from the 27th day of June, 1903, to fill a vacancy existing in that grade on that date.

James V. Rockwell, a citizen of Iowa, to be an assistant civil engineer in the Navy from the 27th day of June, 1903, to fill a vacancy existing in that grade on that date.

Joseph S. Shultz, a citizen of Pennsylvania, to be an assistant civil engineer in the Navy from the 27th day of June, 1903, to fill a vacancy existing in that grade on that date.

Carl A. Carlson, a citizen of Ohio, to be an assistant civil engineer in the Navy from the 27th day of June, 1903, to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE MARINE CORPS.

Maj. Henry C. Haines to be an assistant adjutant and inspector in the United States Marine Corps with the rank of major from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

Capt. Rufus H. Lane to be assistant adjutant and inspector in the United States Marine Corps with the rank of major from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

Capt. Louis J. Magill to be an assistant adjutant and inspector in the United States Marine Corps with the rank of major from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

First Lieut. Henry L. Roosevelt to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

First Lieut. Norman G. Burton to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

First Lieut. Hugh L. Matthews to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

First Lieut. Rupert C. Dewey to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 24th day of June, 1903, to fill a vacancy existing in that grade on that date.

First Lieut. Frank J. Schwable to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 19th day of October, 1903, to fill a vacancy existing in that grade on that date.

Capt. William C. Dawson to be assistant paymaster in the United States Marine Corps with the rank of major from the 18th day of June, 1903, to fill a vacancy existing in that grade on that date.

First Lieut. William G. Powell to be an assistant paymaster in the United States Marine Corps with the rank of captain from the 18th day of June 1903, to fill a vacancy existing in that grade on that date.

Second Lieut. Cleyburn McCauley to be a first lieutenant in the United States Marine Corps from the 3d day of March, 1903, vice Second Lieut. William E. Smith, who failed to qualify for promotion and was suspended for one year.

First Lieut. Alexander S. Williams to be a captain in the United States Marine Corps from the 3d day of March, 1903, vice First Lieut. John H. A. Day, who failed to qualify for promotion and was suspended for one year.

First Lieut. James McE. Huey to be a captain in the United States Marine Corps from the 18th day of June, 1903, vice Capt. Rufus H. Lane, promoted.

First Lieut. Fred M. Eslick to be a captain in the United States Marine Corps from the 18th day of June, 1903, vice Capt. Louis J. Magill, promoted.

First Lieut. Jay M. Salladay to be a captain in the United States Marine Corps from the 18th day of June, 1903, vice First Lieut. William G. Powell, promoted.

Charles F. Williams, a citizen of Connecticut, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Nelson P. Vulte, a citizen of New York, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Harrison T. Swain, a citizen of New Hampshire, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Percy F. Archer, a citizen of Maryland, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Seth Williams, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Gerard M. Kincade, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Frederick C. McConnell, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Frederic Kensel, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Hugh M. Howard, a citizen of North Carolina, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

William A. Howard, a citizen of Michigan, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Elias R. Beadle, a citizen of Connecticut, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Arthur B. Owens, a citizen of Maryland, to be a second lieutenant in the United States Marine Corps from 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Eugene P. Fortson, a citizen of Georgia, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Robert O. Underwood, a citizen of North Carolina, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Jesse F. Dyer, a citizen of Minnesota, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Clarence S. Owen, a citizen of New York, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Maurice V. Campbell, a citizen of New Jersey, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

James J. Meade, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Richard B. Creecy, a citizen of the District of Columbia, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903, to fill a vacancy existing in that grade on that date.

Charles J. E. Guggenheim, a citizen of Connecticut, to be a second lieutenant in the United States Marine Corps from the 11th day of August, 1903, to fill a vacancy existing in that grade on that date.

Alexander B. Mikell, a citizen of South Carolina, to be a second lieutenant in the United States Marine Corps from the 11th day of August, 1903, to fill a vacancy existing in that grade on that date.

Davis B. Wills, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

Edward S. Yates, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

Harry O. Smith, a citizen of Vermont, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

Albert Hamilton, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

Fred D. Kilgore, a citizen of New York, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

Sidney A. Merriam, a citizen of Maine, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

William A. McNeil, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903, to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE NAVY.

Passed Asst. Surg. Eugene J. Grow to be a surgeon in the Navy from the 12th day of March, 1903, vice Passed Asst. Surg. Ralph T. Orvis, who failed to qualify for promotion and was suspended for one year.

Passed Asst. Surg. Alfred G. Grunwell to be a surgeon in the Navy from the 6th day of May, 1903, vice Passed Asst. Surg. David B. Kerr, who failed to qualify for promotion and was suspended for one year.

Asst. Surg. Charles N. Fiske to be a passed assistant surgeon in the Navy from the 15th day of May, 1903, to fill a vacancy existing in that grade on that date.

The following assistant surgeons to be passed assistant surgeons in the Navy from the 7th day of June, 1903, to fill vacancies existing in that grade on that date, viz:

John J. Snyder.
Edward M. Blackwell.
George F. Freeman.
James H. Payne, jr.
Charles H. De Lancy.
Fred M. Bogan.

Medical Inspector Manly H. Simons to be a medical director in the Navy from the 9th day of June, 1903, vice Medical Director Charles U. Gravatt, retired.

Medical Inspector John C. Boyd to be medical director in the Navy from the 20th day of June, 1903, vice Medical Director Joseph B. Parker, retired.

Surg. William R. Du Bose to be a medical inspector in the Navy from the 20th day of June, 1903, vice Medical Inspector John C. Boyd, promoted.

APPOINTMENTS IN THE NAVY.

James R. Dykes, a citizen of Georgia, to be an assistant surgeon in the Navy from the 18th day of April, 1903, to fill a vacancy existing in that grade on that date.

Albert J. Geiger, a citizen of Michigan, to be an assistant surgeon in the Navy from the 6th day of May, 1903, to fill a vacancy existing in that grade on that date.

William W. Verner, a citizen of Pennsylvania, to be an assistant surgeon in the Navy from the 25th day of May, 1903, to fill a vacancy existing in that grade on that date.

Otto Kohlhase, a citizen of South Dakota, to be an assistant surgeon in the Navy from the 25th day of May, 1903, to fill a vacancy existing in that grade on that date.

Perceval S. Rossiter, a citizen of Maryland, to be an assistant surgeon in the Navy from the 25th day of May, 1903, to fill a vacancy existing in that grade on that date.

Wesley H. Rennie, a citizen of Pennsylvania, to be an assistant surgeon in the Navy from the 25th day of May, 1903, to fill a vacancy existing in that grade on that date.

Walter S. Hoen, a citizen of Virginia, to be an assistant surgeon in the Navy from the 2d day of June, 1903, to fill a vacancy existing in that grade on that date.

Wallace B. Smith, a citizen of Alabama, to be an assistant surgeon in the Navy from the 2d day of June, 1903, to fill a vacancy existing in that grade on that date.

Charles C. Grieve, a citizen of Michigan, to be an assistant surgeon in the Navy from the 2d day of June, 1903, to fill a vacancy existing in that grade on that date.

John E. Manchester, a citizen of Wisconsin, to be an assistant surgeon in the Navy from the 10th day of June, 1903, to fill a vacancy existing in that grade on that date.

Paul T. Dessez, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 10th day of June, 1903, to fill a vacancy existing in that grade on that date.

James S. Woodward, a citizen of Maryland, to be an assistant surgeon in the Navy from the 10th day of June, 1903, to fill a vacancy existing in that grade on that date.

James A. Randall, a citizen of Georgia, to be an assistant surgeon in the Navy from the 26th day of June, 1903, to fill a vacancy existing in that grade on that date.

Charles E. Ryder, a citizen of Massachusetts, to be an assistant surgeon in the Navy from the 26th day of June, 1903, to fill a vacancy existing in that grade on that date.

Allen D. McLean, a citizen of Michigan, to be an assistant surgeon in the Navy from the 29th day of June, 1903, to fill a vacancy existing in that grade on that date.

Harry L. Brown, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 29th day of June, 1903, to fill a vacancy existing in that grade on that date.

Sidney L. Scott, a citizen of Virginia, to be an assistant surgeon in the Navy from the 10th day of July, 1903, to fill a vacancy existing in that grade on that date.

Theodore N. Pease, a citizen of New York, to be an assistant surgeon in the Navy from the 10th day of July, 1903, to fill a vacancy existing in that grade on that date.

Frederick G. Abeken, a citizen of Missouri, to be an assistant surgeon in the Navy from the 10th day of July, 1903, to fill a vacancy existing in that grade on that date.

Winfield S. Pugh, jr., a citizen of Pennsylvania, to be an assistant surgeon in the Navy from the 23d day of September, 1903, to fill a vacancy existing in that grade on that date.

James Miller, a citizen of Massachusetts, to be an assistant surgeon in the Navy from the 12th day of October, 1903, to fill a vacancy existing in that grade on that date.

Elwin C. Taylor, a citizen of New York, to be an assistant surgeon in the Navy from the 12th day of October, 1903, to fill a vacancy existing in that grade on that date.

Franklin E. Campbell, a citizen of New Hampshire, to be an assistant surgeon in the Navy from the 12th day of October, 1903, to fill a vacancy existing in that grade on that date.

James E. Gill, a citizen of Illinois, to be an assistant surgeon in the Navy from the 12th day of October, 1903, to fill a vacancy existing in that grade on that date.

Isaac S. K. Reeves, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 12th day of October, 1903, to fill a vacancy existing in that grade on that date.

Richard B. Chapman, a citizen of California, to be an assistant surgeon in the Navy from the 28th day of October, 1903, to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE NAVY.

P. A. Paymaster Perry G. Kennard to be a paymaster in the Navy from the 3d day of March, 1903, vice P. A. Paymaster Phillip W. Delano, dismissed.

P. A. Paymaster George W. Reeves, jr., to be a paymaster in the Navy from the 16th day of June, 1903, vice Paymaster John Q. Lovell, retired.

Asst. Paymaster Frederick H. Lemly to be a passed assistant paymaster in the Navy from the 16th day of June, 1903, vice P. A. Paymaster George W. Reeves, jr., promoted.

APPOINTMENTS IN THE NAVY.

Alvin Hovey-King, a citizen of Illinois, to be an assistant paymaster in the Navy from the 6th day of April, 1903, to fill a vacancy existing in that grade on that date.

George A. Deering, a citizen of the District of Columbia, to be an assistant paymaster in the Navy from the 6th day of April, 1903, to fill a vacancy existing in that grade on that date.

William C. Fite, a citizen of Georgia, to be an assistant paymaster in the Navy from the 6th day of April, 1903, to fill a vacancy existing in that grade on that date.

David C. Crowell, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 29th day of April, 1903, to fill a vacancy existing in that grade on that date.

James A. Bull, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 29th day of May, 1903, to fill a vacancy existing in that grade on that date.

Frank T. Watrous, a citizen of Ohio, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

Arthur S. Peters, a citizen of the District of Columbia, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

Edward S. Stalnaker, a citizen of West Virginia, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

Chester G. Mayo, a citizen of Vermont, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

Clarence A. Holmes, a citizen of Texas, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

Jere Maupin, a citizen of Washington, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

Thomas H. Sanderson, a citizen of Wisconsin, to be an assistant paymaster in the Navy from the 15th day of July, 1903, to fill a vacancy existing in that grade on that date.

James F. Kutz, a citizen of California, to be an assistant paymaster in the Navy from the 24th day of July, 1903, to fill a vacancy existing in that grade on that date.

Arthur S. Brown, a citizen of California, to be an assistant paymaster in the Navy from the 24th day of July, 1903, to fill a vacancy existing in that grade on that date.

John R. Hornberger, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 13th day of October, 1903, to fill a vacancy existing in that grade on that date.

George B. Bloomer, a citizen of West Virginia, to be an assistant paymaster in the Navy from the 15th day of October, 1903, to fill a vacancy existing in that grade on that date.

Noel W. Grant, a citizen of Georgia, to be an assistant paymaster in the Navy from the 15th day of October, 1903, to fill a vacancy existing in that grade on that date.

David G. McRitchie, a citizen of Maine, to be an assistant paymaster in the Navy from the 15th day of October, 1903, to fill a vacancy existing in that grade on that date.

Philip J. Willett, a citizen of New York, to be an assistant paymaster in the Navy from the 15th day of October, 1903, to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Henry C. Mustin to be a lieutenant in the Navy from the 21st day of March, 1903, vice Lieut. Martin A. Anderson, promoted.

Lieut. (Junior Grade) Pope Washington to be a lieutenant in the Navy from the 27th day of March, 1903, vice Lieut. Albert Moritz, promoted. This nomination is made to correct the date of promotion as confirmed March 19, 1903.

Lieut. (Junior Grade) Roland I. Curtin to be a lieutenant in the Navy from the 28th day of April, 1903, vice Lieut. Emil Theiss, promoted.

Lieut. (Junior Grade) Arthur Crenshaw to be a lieutenant in the Navy from the 1st day of July, 1903, vice Lieut. William B. Whittelsey, retired.

Lieut. (Junior Grade) Amon Bronson, jr., to be a lieutenant in the Navy from the 1st day of July, 1903, vice Lieut. Samuel M. Strite, retired.

Lieut. Spencer S. Wood to be a lieutenant-commander in the Navy from the 18th day of July, 1903, vice Lieut. Kenneth McAlpine, who failed to qualify for promotion and was dismissed.

Lieut. (Junior Grade) Harry E. Yarnell to be a lieutenant in the Navy from the 18th day of July, 1903, vice Lieut. Spencer S. Wood, promoted.

Capt. Charles D. Sigsbee to be a rear-admiral in the Navy from the 10th day of August, 1903, vice Rear-Admiral George C. Remey, retired.

Capt. Colby M. Chester to be a rear-admiral in the Navy from the 10th day of August, 1903, vice Rear-Admiral Charles D. Sigsbee, an additional number in grade.

Commander Seaton Schroeder to be a captain in the Navy from the 10th day of August, 1903, vice Capt. Charles D. Sigsbee, promoted.

Commander Duncan Kennedy to be a captain in the Navy from the 10th day of August, 1903, vice Capt. Seaton Schroeder, an additional number in grade.

Commander Richard Wainwright to be a captain in the Navy from the 10th day of August, 1903, vice Capt. Colby M. Chester, promoted.

Commander Jefferson F. Moser to be a captain in the Navy from the 10th day of August, 1903, vice Capt. Richard Wainwright, an additional number in grade.

Lieut. Commander George B. Ransom to be a commander in the Navy from the 10th day of August, 1903, vice Commander Seaton Schroeder, promoted.

Lieut. Commander Edward J. Dorn to be a commander in the Navy from the 10th day of August, 1903, vice Commander George B. Ransom, an additional number in grade.

Lieut. Commander Bernard O. Scott to be a commander in the Navy from the 10th day of August, 1903, vice Commander Duncan Kennedy, promoted.

Lieut. Commander William C. Eaton to be a commander in the Navy from the 10th day of August, 1903, vice Commander Richard Wainwright, promoted.

Lieut. Commander Alfred B. Canaga to be a commander in the Navy from the 10th day of August, 1903, vice Commander Jefferson F. Moser, promoted.

Lieut. Guy W. Brown to be a lieutenant-commander in the Navy from the 10th day of August, 1903, vice Lieut. Commander George B. Ransom, promoted.

Lieut. William B. Fletcher to be a lieutenant-commander in the Navy from the 10th day of August, 1903, vice Lieut. Commander Edward J. Dorn, promoted.

Lieut. William H. Chambers to be a lieutenant-commander in the Navy from the 10th day of August, 1903, vice Lieut. Commander Bernard O. Scott, promoted.

Lieut. Marbury Johnston to be a lieutenant-commander in the Navy from the 10th day of August, 1903, vice Lieut. Commander William C. Eaton, promoted.

Lieut. Charles E. Rommell to be a lieutenant-commander in the Navy from the 10th day of August, 1903, vice Lieut. Commander Alfred B. Canaga, promoted.

Lieut. (Junior Grade) Harlan P. Perrill to be a lieutenant in the Navy from the 10th day of August, 1903, vice Lieut. Guy W. Brown, promoted.

Lieut. (Junior Grade) David E. Thelcen to be a lieutenant in the Navy from the 10th day of August, 1903, vice Lieut. William B. Fletcher, promoted.

Lieut. (Junior Grade) Daniel S. Mahony to be a lieutenant in the Navy from the 10th day of August, 1903, vice Lieut. William H. Chambers, promoted.

Lieut. (Junior Grade) Arthur J. Hepburn to be a lieutenant in the Navy from the 10th day of August, 1903, vice Lieut. Marbury Johnston, promoted.

Lieut. (Junior Grade) Needham L. Jones to be a lieutenant in the Navy from the 10th day of August, 1903, vice Lieut. Charles E. Rommell, promoted.

Lieut. (Junior Grade) Thomas C. Hart to be a lieutenant in the Navy from the 16th day of August, 1903, vice Lieut. Charles E. Gilpin, resigned.

Capt. Charles J. Barclay to be a rear-admiral in the Navy from the 11th day of September, 1903, vice Rear-Admiral Silas Casey, retired.

Commander Franklin J. Drake to be a captain in the Navy from the 11th day of September, 1903, vice Capt. Charles J. Barclay, promoted.

Lieut. Commander Abraham V. Zane to be a commander in the Navy from the 11th day of September, 1903, vice Commander Franklin J. Drake, promoted.

Lieut. Edwin A. Anderson to be a lieutenant-commander in the Navy from the 11th day of September, 1903, vice Lieut. Commander Abraham V. Zane, promoted.

Lieut. Joseph L. Jayne to be a lieutenant-commander in the Navy from the 11th day of September, 1903, vice Lieut. Commander Edwin A. Anderson, an additional number in grade.

Lieut. (Junior Grade) Alfred W. Pressey to be a lieutenant in the Navy from the 11th day of September, 1903, vice Lieut. Edwin A. Anderson, promoted.

Lieut. (Junior Grade) William R. White, an additional number in grade, to be a lieutenant in the Navy from the 11th day of September, 1903, vice Lieut. (Junior Grade) Alfred W. Pressey, promoted.

Lieut. (Junior Grade) William H. Reynolds to be a lieutenant in the Navy from the 11th day of September, 1903, vice Lieut. Joseph L. Jayne, promoted.

Commander Thomas C. McLean to be a captain in the Navy from the 23d day of September, 1903, vice Capt. Charles R. Roelker, retired.

Lieut. Commander John R. Edwards to be a commander in the Navy from the 23d day of September, 1903, vice Commander Thomas C. McLean, promoted.

Capt. Benjamin P. Lamberton to be a rear-admiral in the Navy from the 11th day of October, 1903, vice Rear-Admiral Louis Kempff, retired.

Capt. French E. Chadwick to be a rear-admiral in the Navy from the 11th day of October, 1903, vice Rear-Admiral Benjamin P. Lamberton, an additional number in grade.

Capt. Bowman H. McCalla to be a rear-admiral in the Navy from the 11th day of October, 1903, vice Rear-Admiral French E. Chadwick, an additional number in grade.

Capt. William H. Whiting to be a rear-admiral in the Navy from the 11th day of October, 1903, vice Rear-Admiral Bowman H. McCalla, an additional number in grade.

Commander William J. Barnette to be a captain in the Navy from the 11th day of October, 1903, vice Capt. Benjamin P. Lamberton, promoted.

Commander Edwin K. Moore to be a captain in the Navy from the 11th day of October, 1903, vice Capt. William H. Whiting, promoted.

Lieut. Commander Stacy Potts to be a commander in the Navy from the 11th day of October, 1903, vice Commander William J. Barnette, promoted.

Lieut. Commander Henry T. Cleaver to be a commander in the Navy from the 11th day of October, 1903, vice Commander Francis H. Delano, promoted.

Lieut. Commander Cameron McR. Winslow to be a commander in the Navy from the 11th day of October, 1903, vice Commander Edwin K. Moore, promoted.

Lieut. Commander James P. S. Lawrance to be a commander in the Navy from the 11th day of October, 1903, vice Commander Cameron McR. Winslow, an additional number in grade.

Lieut. William L. Howard to be a lieutenant-commander in the Navy from the 11th day of October, 1903, vice Lieut. Commander Henry T. Cleaver, promoted.

Lieut. Wiley R. M. Field to be a lieutenant-commander in the Navy from the 11th day of October, 1903, vice Lieut. Commander James M. Helm, promoted.

Lieut. John M. Poyer to be a lieutenant-commander in the Navy from the 11th day of October, 1903, vice Lieut. Commander Albert B. Willits, promoted.

Lieut. (Junior Grade) Leonard R. Sargent to be a lieutenant in the Navy from the 11th day of October, 1903, vice Lieut. William L. Howard, promoted.

Lieut. (Junior Grade) Victor S. Houston to be a lieutenant in the Navy from the 11th day of October, 1903, vice Lieut. John M. Poyer, promoted.

Lieut. (Junior Grade) Gilbert Chase to be a lieutenant in the Navy from the 11th day of October, 1903, vice Lieut. Robert B. Higgins, promoted.

Lieut. John C. Leonard to be a lieutenant-commander in the Navy from the 26th day of October, 1903, vice Lieut. Commander Martin Bevington, deceased.

Lieut. (Junior Grade) Walton R. Sexton to be a lieutenant in the Navy from the 26th day of October, 1903, vice Lieut. John C. Leonard, promoted.

Lieut. (Junior Grade) Walter M. Falconer to be a lieutenant in the Navy from the 4th day of November, 1903, vice Lieut. Albert M. Beecher, deceased.

The following naval cadets to be ensigns in the Navy from the 7th day of June, 1903, to fill vacancies existing in that grade on that date, viz:

Clarence A. Conway.
Ernest J. King.
Isaac I. Yates.
Byron A. Long.
Alfred G. Howe.
George C. Westervelt.
William Norris.
Charles W. Fisher, jr.
John T. Burwell.
Raymond S. Keyes.
James L. Ackerson.
Adolphus Andrews.
Frederick L. Oliver.
Thomas R. Kurtz.
Holden C. Richardson.
Harold E. Cook.
Merlyn G. Cook.
John H. Walsh.
Rufus S. Manley.
John M. Enochs.
John P. Jackson.
Benyuard B. Wygant.
Manley H. Simons.
Roger Williams.
William S. Pye.
Charles L. Bruff.
Arthur P. Fairfield.
John C. Fremont, jr.
Edward E. Spafford.
Newman K. Perry.
John H. Furse.
Walter N. Vernou.
Edward C. Hamner, jr.
Frank R. McCrary.
Wallace Bertholf.
Orie W. Fowler.
Percy W. Foote.
George F. Neal.
Theodore A. Mittinger.
William H. Allen.
Guy Whitlock.
John Downes, jr.
Charles T. Hutchins, jr.
Owen H. Oakley.
John J. Hannigan.
Jesse B. Gay.
John J. Fitzpatrick.
John V. Babcock.
Rufus F. Zogbaum, jr.
John M. Caffrey.

Also the following naval cadets to be ensigns in the Navy from the 7th day of June, 1903 (subject to the examinations required by law), to fill vacancies existing in that grade on that date, viz:

Ernest A. Brooks.
Caspar Goodrich.
Ivan E. Bass.
Burrell C. Allen.
Lewis S. Cox, jr.
John F. Green.
Frank McCommon.
Joseph L. Hileman.
George F. Blair.
Guy W. S. Castle.
Garrard P. Nightingale.
William W. Galbraith.

Gunner Levin J. Wallace to be an ensign in the Navy from the 30th day of July, 1903, in accordance with the provisions of an act of Congress approved March 3, 1901.

Gunner Myles Joyce to be an ensign in the Navy from the 30th day of July, 1903, in accordance with the provisions of an act of Congress approved March 3, 1901.

POSTMASTERS.

ALABAMA.

Jesse W. Barnes to be postmaster at Andalusia, in the county of Covington and State of Alabama. Office became Presidential April 1, 1903.

J. D. Dennis to be postmaster at Marion, in the county of Perry and State of Alabama, in place of Charles C. Crowe. Incumbent's commission expired February 22, 1902.

J. E. Tillman to be postmaster at Geneva, in the county of Geneva and State of Alabama. Office became Presidential October 1, 1903.

ALASKA.

E. J. Brooks to be postmaster at Juneau, in the Territory of Alaska, in place of John J. C. Barber, resigned.

ARKANSAS.

Arthur Deland to be postmaster at Black Rock, in the county of Lawrence and State of Arkansas, in place of Jay J. Bryan, resigned.

James A. Maxwell to be postmaster at Lake Village, in the county of Chicot and State of Arkansas. Office became Presidential April 1, 1903.

Jonathan Neal to be postmaster at Van Buren, in the county of Crawford and State of Arkansas, in place of Asa M. Orrick, deceased.

M. A. Pickett to be postmaster at Fordyce, in the county of Dallas and State of Arkansas, in place of John P. Cox, deceased.

Mary J. Smith to be postmaster at Lewisville (late New Lewisville), in the county of Lafayette and State of Arkansas. Office became Presidential April 1, 1903.

ARIZONA.

Fred E. Cadwell to be postmaster at Douglas, in the county of Cochise and Territory of Arizona. Office became Presidential April 1, 1903.

CALIFORNIA.

Roy R. Giffen to be postmaster at Fowler, in the county of Fresno and State of California. Office became Presidential October 1, 1903.

Samuel W. Metcalf to be postmaster at Sisson, in the county of Siskiyou and State of California, in place of Samuel W. Metcalf. Incumbent's commission expired January 10, 1902.

Frank M. Rutherford to be postmaster at Truckee, in the county of Nevada and State of California, in place of W. M. Burkhalter, resigned.

Catherine T. Ryan to be postmaster at Gilroy, in the county of Santa Clara and State of California, in place of Richard M. Ryan, deceased.

Nels A. Thompson to be postmaster at Newman, in the county of Stanislaus and State of California, in place of William W. Giddings, resigned.

Daniel R. Trout to be postmaster at Boulder Creek, in the county of Santa Cruz and State of California. Office became Presidential October 1, 1903.

George Watterson to be postmaster at Bishop, in the county of Inyo and State of California. Office became Presidential April 1, 1903.

William F. Wulf to be postmaster at Crescent City, in the county of Del Norte and State of California. Office became Presidential July 1, 1903.

COLORADO.

Arthur F. Brown to be postmaster at Berthoud, in the county of Larimer and State of Colorado. Office became Presidential January 1, 1903.

Robert W. Campbell to be postmaster at Brighton, in the county of Adams and State of Colorado. Office became Presidential April 1, 1903.

George W. Miller to be postmaster at Hotchkiss, in the county of Delta and State of Colorado. Office became Presidential October 1, 1903.

Benjamin F. Niesz to be postmaster at Steamboat Springs, in the county of Routt and State of Colorado. Office became Presidential July 1, 1903.

Rolland Oliver to be postmaster at Paonia, in the county of Delta and State of Colorado. Office became Presidential October 1, 1903.

George N. Raymond to be postmaster at Durango, in the county of La Plata and State of Colorado, in place of Samuel M. Biggs. Incumbent's commission expired March 2, 1903.

Earle H. Reaugh to be postmaster at Alamosa, in the county of Conejos and State of Colorado, in place of George H. Shone, resigned.

William C. Sloan to be postmaster at Amethyst, in the county of Mineral and State of Colorado, in place of Mark G. Woodruff, resigned.

Frank E. Songer to be postmaster at Crested Butte, in the county of Gunnison and State of Colorado, in place of Jerry S. Olney, deceased.

Charles L. Todd to be postmaster at Rifle, in the county of Garfield and State of Colorado. Office became Presidential January 1, 1903.

CONNECTICUT.

John A. Ayer to be postmaster at Saybrook, in the county of Middlesex and State of Connecticut. Office became Presidential July 1, 1903.

Levi O. Chittenden to be postmaster at Guilford, in the county of New Haven and State of Connecticut, in place of Joel T. Wildman, resigned.

Billious C. Hall to be postmaster at Union City, in the county of New Haven and State of Connecticut. Office became Presidential April 1, 1903.

Frank A. Hefflon to be postmaster at Deep River, in the county of Middlesex and State of Connecticut, in place of Thomas L. Parker. Incumbent's commission expired February 15, 1903.

James R. Meigs to be postmaster at Madison, in the county of New Haven and State of Connecticut. Office became Presidential April 1, 1903.

Jacob Widmer to be postmaster at New Hartford, in the county of Litchfield and State of Connecticut, in place of Ranney G. Foster. Incumbent's commission expired February 14, 1903.

DELAWARE.

Carroll S. Fisher to be postmaster at Wyoming, in the county of Kent and State of Delaware. Office became Presidential July 1, 1903.

John P. Steward to be postmaster at Milford, in the county of Kent and State of Delaware, in place of William V. Sipple. Incumbent's commission expired January 10, 1903.

GEORGIA.

Cicero C. Alexander to be postmaster at Commerce, late Harmony Grove, in the county of Jackson and State of Georgia, in place of Cicero C. Alexander, to change name of office.

Sarah J. Anthony to be postmaster at Shellman, in the county of Randolph and State of Georgia. Office became Presidential October 1, 1903.

William O. Bagwell to be postmaster at Lytle, in the county of Walker and State of Georgia. Office became Presidential October 1, 1903.

Thomas W. Brimberry to be postmaster at Camilla, in the county of Mitchell and State of Georgia. Office became Presidential October 1, 1903.

Ransom A. Brinson to be postmaster at Millen, in the county of Screven and State of Georgia. Office became Presidential October 1, 1903.

William O. De Loache to be postmaster at Talbotton, in the county of Talbot and State of Georgia. Office became Presidential October 1, 1903.

John W. Evans to be postmaster at Ashburn, in the county of Worth and State of Georgia. Office became Presidential October 1, 1903.

Fred Feltham to be postmaster at Boston, in the county of Thomas and State of Georgia. Office became Presidential October 1, 1903.

George F. Flanders to be postmaster at Swainsboro, in the county of Emanuel and State of Georgia. Office became Presidential October 1, 1903.

Anna P. Grimsley to be postmaster at Cochran, in the county of Pulaski and State of Georgia. Office became Presidential April 1, 1903.

George L. Liverman to be postmaster at Bainbridge, in the county of Decatur and State of Georgia, in place of John O'Donnell. Incumbent's commission expired February 7, 1902.

Charles E. Murphy to be postmaster at Way Cross, in the county of Ware and State of Georgia, in place of William A. McNeil. Incumbent's commission expired January 14, 1902.

HAWAII.

Vetle A. Vetlesen to be postmaster at Wailukn, Maui Island, Hawaii. Office became Presidential October 1, 1903.

Mabel R. Woods to be postmaster at Kohala, in the Territory of Hawaii. Office became Presidential July 1, 1903.

ILLINOIS.

Frank M. Cauger to be postmaster at Granite City (late Granite), in the county of Madison and State of Illinois, in place of Frank M. Cauger, to change name of office.

William A. Collins to be postmaster at Western Springs, in the county of Cook and State of Illinois, in place of Nancy H. Watson. Incumbent's commission expired February 16, 1903.

Albert S. Corl to be postmaster at Nunda, in the county of McHenry and State of Illinois, in place of Albert S. Corl. Incumbent's commission expired December 21, 1902.

Charles A. Gregory to be postmaster at Lovington, in the county of Moultrie and State of Illinois. Office became Presidential October 1, 1903.

Herman F. Middendorf to be postmaster at Chester, in the county of Randolph and State of Illinois, in place of Napoleon B. La Paugh, resigned.

Frank Morrell to be postmaster at Pawnee, in the county of Sangamon and State of Illinois. Office became Presidential July 1, 1903.

Frederick W. Morrison to be postmaster at Berwyn, in the county of Cook and State of Illinois. Office became Presidential July 1, 1902.

John S. Nicholson to be postmaster at Beardstown, in the county of Cass and State of Illinois, in place of Cad Allard, resigned.

Frederick W. Obermiller to be postmaster at Mount Pulaski, in the county of Logan and State of Illinois, in place of Frederick W. Obermiller. Incumbent's commission expired May 4, 1902.

Frank L. Paine to be postmaster at Xenia, in the county of Clay and State of Illinois. Office became Presidential October 1, 1903.

John F. Regan to be postmaster at Mount Sterling, in the county of Brown and State of Illinois, in place of Marie Friendlich, deceased.

George E. Swanson to be postmaster at Woodhull, in the county of Henry and State of Illinois. Office became Presidential October 1, 1903.

Allen H. Webster to be postmaster at Cuba, in the county of Fulton and State of Illinois. Office became Presidential October 1, 1903.

George E. Wiedman to be postmaster at Zion City, in the county of Lake and State of Illinois. Office became Presidential July 1, 1903.

John Yost to be postmaster at Eldorado, in the county of Saline and State of Illinois, in place of Henry M. Webber, deceased.

INDIANA.

John Perry to be postmaster at Kramer, in the county of Warren and State of Indiana, in place of Henry L. Kramer, removed.

INDIAN TERRITORY.

John E. Bruin to be postmaster at Bristow, in the Cherokee Nation, Ind. T. Office became Presidential October 1, 1903.

Harland J. Butler to be postmaster at Miami, in the Ottawa Nation, Ind. T., in place of William L. McWilliams, resigned.

Philip K. Connaway to be postmaster at Minco, in the Chickasaw Nation, Ind. T. Office became Presidential April 1, 1903.

Charles J. Lane to be postmaster at McAlester, in the Choctaw Nation, Ind. T. Office became Presidential October 1, 1903.

Arthur I. Morgan to be postmaster at Bartlesville, in the Cherokee Nation, Ind. T. Office became Presidential April 1, 1903.

Enoch Needham to be postmaster at Hugo, in the Choctaw Nation, Ind. T. Office became Presidential July 1, 1903.

John A. Porter to be postmaster at Tishomingo, in Chickasaw Nation and Indian Territory. Office became Presidential April 1, 1903.

Flavyous J. Sullivan to be postmaster at Pryor Creek, in the Cherokee Nation, Ind. T. Office became Presidential April 1, 1903.

IOWA.

Charles H. Austin to be postmaster at Lineville, in the county of Wayne and State of Iowa. Office became Presidential April 1, 1903.

James Beard to be postmaster at Mount Ayr, in the county of Ringgold and State of Iowa, in place of Adalaska O. Ingram, resigned.

Alonzo Bryson to be postmaster at Davenport, in the county of Scott and State of Iowa, in place of George Metzger, removed.

Alice M. Davis, to be postmaster at Bonaparte, in the county of Van Buren and State of Iowa, in place of James P. Davis, deceased.

Walter Gillrup to be postmaster at Northwood, in the county of Worth and State of Iowa, in place of Guy C. Toye. Incumbent's commission expired February 7, 1903.

Henry P. Gow to be postmaster at Greenfield, in the county of Adair and State of Iowa, in place of John J. Hetherington. Incumbent's commission expired December 21, 1902.

Nathan O. Hickenlooper to be postmaster at Blockton, in the county of Taylor and State of Iowa. Office became Presidential April 1, 1903.

J. J. Marsh to be postmaster at Decorah, in the county of Winneshiek and State of Iowa, in place of Clark N. Goddard. Incumbent's commission expired January 27, 1903.

Minnie A. Muhs to be postmaster at Akron, in the county of Plymouth and State of Iowa, in place of Henry J. Muhs, deceased.

Peter S. Narum to be postmaster at Wankon, in the county of Allamakee and State of Iowa, in place of Frank H. Robbins. Incumbent's commission expired January 10, 1903.

Robert P. Osier to be postmaster at Clarion, in the county of Wright and State of Iowa, in place of James C. Harwood, deceased.

Jacob E. Palmer to be postmaster at Hawkeye, in the county of Fayette and State of Iowa. Office became Presidential April 1, 1903.

Lambert J. Rogers to be postmaster at Allison, in the county of Butler and State of Iowa. Office became Presidential October 1, 1903.

Annie L. Tabor to be postmaster at Independence, in the county of Buchanan and State of Iowa, in place of Stephen Tabor, deceased.

Frank C. Traverse to be postmaster at Bloomfield, in the county of Davis and State of Iowa, in place of Joseph A. Rominger, resigned.

George W. Wiltse to be postmaster at Montezuma, in the county of Poweshiek and State of Iowa, in place of Joseph W. Jarnâgin, resigned.

KANSAS.

Peter Graham to be postmaster at Scammon, in the county of Cherokee and State of Kansas. Office became Presidential April 1, 1903.

George W. Hill to be postmaster at Douglass, in the county of Butler and State of Kansas. Office became Presidential July 1, 1903.

Frank W. Johnson to be postmaster at Larned, in the county of Pawnee and State of Kansas, in place of Frank J. Davis, removed.

Roberta H. McBlain to be postmaster at Fort Riley, in the county of Geary and State of Kansas. Office became Presidential October 1, 1902.

Richard L. Musson to be postmaster at Elk City, in the county of Montgomery and State of Kansas. Office became Presidential October 1, 1903.

J. Frank Smith to be postmaster at Pleasanton, in the county of Linn and State of Kansas, in place of Henry Plumb. Incumbent's commission expired March 3, 1903.

Joseph A. Whitehair to be postmaster at Chapman, in the county of Dickinson and State of Kansas. Office became Presidential January 1, 1902.

KENTUCKY.

Eugene W. Velnzat to be postmaster at Horse Cave, in the county of Hart and State of Kentucky. Office became Presidential October 1, 1903.

LOUISIANA.

Laura Bondurant to be postmaster at St. Joseph, in the parish of Tensas and State of Louisiana, in place of Albert Bondurant, deceased.

Joseph R. Domengeaux to be postmaster at Lafayette, in the parish of Lafayette and State of Louisiana, in place of Paul Demanade. Incumbent's commission expired January 10, 1903.

Edward E. Fitzgerald to be postmaster at Minden, in the parish of Webster and State of Louisiana, in place of John N. Sandlin, resigned.

Benjamin F. Ford to be postmaster at Natchitoches, in the parish of Natchitoches and State of Louisiana, in place of Jean E. Breda. Incumbent's commission expired March 9, 1902.

Caroline G. Lyman to be postmaster at Franklin, in the parish of St. Mary and State of Louisiana, in place of Caroline G. Lyman. Incumbent's commission expired May 24, 1902.

John W. Miller to be postmaster at Alexandria, in the parish of Rapides and State of Louisiana, in place of Robert P. Hunter. Incumbent's commission expired January 10, 1903.

Mildred P. T. Prescott to be postmaster at Lutcher, in the parish of St. James and State of Louisiana, in place of Mildred P. Tompkins, name changed by marriage.

S. F. Steere to be postmaster at Shreveport, in the parish of Caddo and State of Louisiana, in place of Leon M. Carter, deceased.

Jessie B. Wells to be postmaster at Leesville, in the parish of Vernon and State of Louisiana, in place of Edward L. Wells, deceased.

MAINE.

William W. Brown to be postmaster at Bowdoinham, in the county of Sagadahoc and State of Maine. Office became Presidential July 1, 1903.

Irving W. Case to be postmaster at Lubec, in the county of Washington and State of Maine. Office became Presidential October 1, 1903.

Lindley H. Folsom to be postmaster at Greenville, in the county of Piscataquis and State of Maine. Office became Presidential July 1, 1903.

Frank E. Monroe to be postmaster at Milo, in the county of Piscataquis and State of Maine. Office became Presidential October 1, 1903.

Stephen B. Thurlow to be postmaster at Stonington, in the county of Hancock and State of Maine. Office became Presidential October 1, 1903.

MARYLAND.

J. Henry Cover to be postmaster at Thurmont, in the county of Frederick and State of Maryland. Office became Presidential April 1, 1903.

Edward S. Furbush to be postmaster at Berlin, in the county of Worcester and State of Maryland, in place of Henry C. Connaway, deceased.

Alonzo R. Spitzer to be postmaster at Brunswick, in the county

of Frederick and State of Maryland, in place of Lorenzo S. Gardner, removed.

Harry K. Startzman to be postmaster at Hagerstown, in the county of Washington and State of Maryland, in place of James P. Harter. Incumbent's commission expired March 2, 1903.

Washington G. Tuck to be postmaster at Annapolis, in the county of Anne Arundel and State of Maryland, in place of Washington G. Tuck. Incumbent's commission expired February 20, 1903.

MASSACHUSETTS.

Festus G. Amsden to be postmaster at Athol, in the county of Worcester and State of Massachusetts, in place of Harding R. Barber, deceased.

Alfred G. Cone to be postmaster at Haydenville, in the county of Hampshire and State of Massachusetts. Office became Presidential April 1, 1903.

George W. Cutting to be postmaster at Weston, in the county of Middlesex and State of Massachusetts. Office became Presidential July 1, 1903.

Ralph W. Emerson to be postmaster at Chelmsford, in the county of Middlesex and State of Massachusetts. Office became Presidential October 1, 1903.

Frank A. Fales to be postmaster at Norwood, in the county of Norfolk and State of Massachusetts, in place of William J. Wallace, deceased.

Fred A. Hanaford to be postmaster at South Lancaster, in the county of Worcester and State of Massachusetts, in place of Henry F. Hosmer, deceased.

Herbert M. Howard to be postmaster at Randolph, in the county of Norfolk and State of Massachusetts, in place of Minot W. Baker, removed.

Stephen C. Luce to be postmaster at Vineyard Haven, in the county of Dukes and State of Massachusetts, in place of Frank H. Johnson, removed.

Harriet M. Mudge to be postmaster at Bedford, in the county of Middlesex and State of Massachusetts. Office became Presidential July 1, 1903.

John F. Phipps to be postmaster at Hopkinton, in the county of Middlesex and State of Massachusetts, in place of Cephas E. Wheeler, deceased.

Edward F. Shaw to be postmaster at Three Rivers, in the county of Hampden and State of Massachusetts. Office became Presidential October 1, 1903.

Mary C. Smith to be postmaster at Wellesley Hills, in the county of Norfolk and State of Massachusetts, in place of Calvin W. Smith. Incumbent's commission expires December 13, 1903.

Frank M. Tripp to be postmaster at Marion, in the county of Plymouth and State of Massachusetts. Office became Presidential July 1, 1903.

Charles H. Webster to be postmaster at Northfield, in the county of Franklin and State of Massachusetts. Office became Presidential October 1, 1903.

MICHIGAN.

F. M. Blatchford to be postmaster at Brighton, in the county of Livingston and State of Michigan, in the place of Willard C. Brown, resigned.

Edwin L. Clapp to be postmaster at Centerville, in the county of St. Joseph and State of Michigan. Office became Presidential April 1, 1903.

Thomas E. Dawson to be postmaster at Sanilac Center, in the county of Sanilac and State of Michigan. Office became Presidential July 1, 1903.

William Glerum to be postmaster at Zeeland, in the county of Ottawa and State of Michigan, in place of Evert J. Pruim, resigned.

William Hunter to be postmaster at Capac, in the county of St. Clair and State of Michigan. Office became Presidential January 1, 1903.

Henry H. Pulver to be postmaster at Laingsburg, in the county of Shiawassee and State of Michigan. Office became Presidential October 1, 1903.

Carmi R. Smith to be postmaster at Niles, in the county of Berrien and State of Michigan, in place of Edwin S. Williams, deceased.

Abner V. Stevic to be postmaster at Coloma, in the county of Berrien and State of Michigan. Office became Presidential October 1, 1903.

William B. Stiles to be postmaster at Coopersville, in the county of Ottawa and State of Michigan. Office became Presidential January 1, 1902.

Fred Wade to be postmaster at Saugatuck, in the county of Allegan and State of Michigan. Office became Presidential October 1, 1903.

William Webster to be postmaster at Sault Ste. Marie, late Sault de Ste. Marie, in the county of Chippewa and State of Michigan, in place of William Webster, to change name of office.

Joseph Wise to be postmaster at Hubbell, late Southlake Linden, in the county of Houghton and State of Michigan, in place of Joseph Wise, to change name of office.

MINNESOTA.

Axel R. Anderson to be postmaster at Sparta, in the county of St. Louis and State of Minnesota. Office became Presidential April 1, 1903.

Otho A. Austin to be postmaster at New York Mills, in the county of Ottertail and State of Minnesota. Office became Presidential July 1, 1903.

Oliver B. Boobar to be postmaster at Sauk Center, in the county of Stearns and State of Minnesota, in place of Charles F. Hendryx, resigned.

Frank H. Buelow to be postmaster at Sleepy Eye, in the county of Brown and State of Minnesota, in place of Frank H. Buelow. Incumbent's commission expired January 19, 1903.

John W. Gish to be postmaster at Waterville, in the county of Lesueur and State of Minnesota, in place of Serenus H. Farrington. Incumbent's commission expired January 19, 1903.

Henry C. Miller to be postmaster at St. Peter, in the county of Nicollet and State of Minnesota, in place of Daniel Fichthorn, removed.

S. J. Swanson to be postmaster at Cokato, in the county of Wright and State of Minnesota, in place of Axel Hammarsten, deceased.

William E. Talboys to be postmaster at Chisholm, in the county of St. Louis and State of Minnesota. Office became Presidential July 1, 1903.

William H. Towle to be postmaster at Annandale, in the county of Wright and State of Minnesota. Office became Presidential October 1, 1903.

MISSISSIPPI.

Samuel R. Braselton to be postmaster at Gulfport, in the county of Harrison and State of Mississippi, in place of Thomas A. Cleary, removed.

Wade H. Phyfer to be postmaster at New Albany, in the county of Union and State of Mississippi. Office became Presidential October 1, 1903.

Bennett A. Truly to be postmaster at Fayette, in the county of Jefferson and State of Mississippi, in place of Mary Truly, deceased.

MISSOURI.

Andrew J. Robison to be postmaster at Liberty, in the county of Clay and State of Missouri, in place of Andrew J. Robison. Incumbent's commission expired March 2, 1903.

Frank Wyman to be postmaster at St. Louis, in the county of St. Louis and State of Missouri, in place of Frederick W. Baumhoff. Incumbent's commission expired January 24, 1903.

MONTANA.

Louis V. Bogy to be postmaster at Chinook, in the county of Choteau and State of Montana. Office became Presidential July 1, 1901.

Lewis Coleman to be postmaster at Deer Lodge, in the county of Powell and State of Montana, in place of Thomas W. Jones, removed.

Clarence R. Lane to be postmaster at Forsyth, in the county of Rosebud and State of Montana. Office became Presidential July 1, 1903.

John R. Stout to be postmaster at Glendive, in the county of Dawson and State of Montana, in place of Charles F. Bean, resigned.

NEBRASKA.

Daniel L. Crellin to be postmaster at Plainview, in the county of Pierce and State of Nebraska, in place of Ambrose M. Colson, deceased.

Edward McLernon to be postmaster at Sidney, in the county of Cheyenne and State of Nebraska, in place of Otis D. Lyon, resigned.

Melancthon Scott to be postmaster at South Auburn, in the county of Nemaha and State of Nebraska, in place of Sterling P. Glasgow, removed.

Thomas T. Varney to be postmaster at Ansley, in the county of Custer and State of Nebraska. Office became Presidential October 1, 1903.

Thomas B. Walker to be postmaster at Atkinson, in the county of Holt and State of Nebraska, in place of Benjamin W. Johnson, deceased.

Seth W. Wilson to be postmaster at Wood River, in the county of Hall and State of Nebraska, in place of William T. Spelts, resigned.

NEW HAMPSHIRE.

Andrew J. Hook to be postmaster at Warner, in the county of Merrimack and State of New Hampshire. Office became Presidential April 1, 1903.

Forrest E. Page to be postmaster at Raymond, in the county of Rockingham and State of New Hampshire. Office became Presidential October 1, 1903.

NEW JERSEY.

Robert L. Barber to be postmaster at Camden, in the county of Camden and State of New Jersey, in place of Louis T. Derousse, removed.

Peter W. Brakeley to be postmaster at Dunellen, in the county of Middlesex and State of New Jersey, in place of Adam Dealaman, deceased.

William L. Doremus to be postmaster at Montclair, in the county of Essex and State of New Jersey, in place of George A. Van Gieson, deceased.

Frank A. Esty to be postmaster at Clinton, in the county of Hunterdon and State of New Jersey, in place of Benjamin F. Honness. Incumbent's commission expired January 12, 1902.

Herman B. Walker to be postmaster at Orange, in the county of Essex and State of New Jersey, in place of Louis D. Gallison, removed.

NEVADA.

Herman C. Sommer to be postmaster at Lovelocks, in the county of Humboldt and State of Nevada, in place of Charles M. Sain, resigned.

NEW MEXICO.

Fred O. Blood to be postmaster at Las Vegas (late East Las Vegas), in the county of San Miguel and Territory of New Mexico, in place of Fred O. Blood, to change name of office.

Albert R. Carter to be postmaster at Tucumcari, in the county of Quay and Territory of New Mexico. Office became Presidential October 1, 1903.

John M. Hawkins to be postmaster at Alamogordo, in the county of Otero and Territory of New Mexico, in place of Frank M. Rhomberg, resigned.

NEW YORK.

John S. Burr to be postmaster at Charlotte, in the county of Monroe and State of New York. Office became Presidential July 1, 1903.

Silas S. Cartwright to be postmaster at Roxbury, in the county of Delaware and State of New York. Office became Presidential October 1, 1903.

William G. Davry to be postmaster at Mechanicsville, in the county of Saratoga and State of New York, in place of George B. Tripp, deceased.

Lucius R. Doty to be postmaster at Catskill, in the county of Greene and State of New York, in place of John D. Smith. Incumbent's commission expired February 10, 1903.

James Freeman to be postmaster at Mumford, in the county of Monroe and State of New York. Office became Presidential April 1, 1903.

Frank E. Gaylord to be postmaster at North Collins, in the county of Erie and State of New York. Office became Presidential October 1, 1903.

H. C. Holcomb to be postmaster at Portville, in the county of Cattaraugus and State of New York, in place of William Holden, deceased.

William Hopkins to be postmaster at Au Sable Forks, in the county of Essex and State of New York. Office became Presidential October 1, 1903.

Flora A. Horner to be postmaster at Belmont, in the county of Allegany and State of New York, in place of Melvin E. Horner, removed.

Frank H. Johnson to be postmaster at Farmer, in the county of Seneca and State of New York, in place of Emmett C. Grant. Incumbent's commission expired February 15, 1903.

James E. Johnson to be postmaster at Canton, in the county of St. Lawrence and State of New York, in place of John H. McIntosh, deceased.

James M. Requa to be postmaster at Tarrytown, in the county of Westchester and State of New York, in place of James M. Requa. Incumbent's commission expired March 2, 1903.

Norman C. Templeton to be postmaster at Irvington, in the county of Westchester and State of New York, in place of John F. Dinkel. Incumbent's commission expired March 2, 1903.

John G. Ward to be postmaster at Cambridge, in the county of Washington and State of New York, in place of Benjamin L. Ward, deceased.

William W. Worden to be postmaster at Saratoga Springs, in the county of Saratoga and State of New York, in place of Winsor B. French. Incumbent's commission expired February 15, 1903.

NORTH CAROLINA.

John E. Albright to be postmaster at Mount Airy, in the county of Surry and State of North Carolina, in place of Richard K. Marshall. Incumbent's commission expired May 6, 1902.

Claudius D. Holland to be postmaster at Gastonia, in the county of Gaston and State of North Carolina, in place of Laban L. Jenkins, resigned.

Ella C. Peace to be postmaster at Oxford, in the county of Granville and State of North Carolina, in place of Ella C. Peace. Incumbent's commission expired January 28, 1903.

Benjamin T. Person to be postmaster at Wilson, in the county of Wilson and State of North Carolina, in place of Samuel H. Vick. Incumbent's commission expired May 28, 1902.

NORTH DAKOTA.

Bertha M. Gunderson to be postmaster at Aneta, in the county of Nelson and State of North Dakota. Office became Presidential October 1, 1903.

Thomas B. Hurly to be postmaster at Bowbells, in the county of Ward and State of North Dakota. Office became Presidential April 1, 1903.

John E. Jenks to be postmaster at Souris, in the county of Bottineau and State of North Dakota. Office became Presidential April 1, 1903.

Charles Leathart to be postmaster at Fairmount, in the county of Richland and State of North Dakota. Office became Presidential October 1, 1903.

William G. Mitchell to be postmaster at Minto, in the county of Walsh and State of North Dakota. Office became Presidential October 1, 1903.

Edward T. Pierson to be postmaster at Granville, in the county of McHenry and State of North Dakota. Office became Presidential July 1, 1903.

August H. Wahl to be postmaster at Washburn, in the county of McLean and State of North Dakota. Office became Presidential July 1, 1903.

OHIO.

Oliver S. Applegate to be postmaster at Antwerp, in the county of Paulding and State of Ohio, in place of Oliver S. Applegate. Incumbent's commission expired January 28, 1903.

John Q. A. Campbell to be postmaster at Bellefontaine, in the county of Logan and State of Ohio, in place of Wallace W. Roach, deceased.

Charles W. Dean to be postmaster at Mingo Junction, in the county of Jefferson and State of Ohio, in place of William E. Pelley, resigned.

Charles E. Fenton to be postmaster at Newton Falls, in the county of Trumbull and State of Ohio. Office became Presidential April 1, 1903.

Gustavus A. Gessner to be postmaster at Fremont, in the county of Sandusky and State of Ohio, in place of Gustavus A Gessner. Incumbent's commission expired March 3, 1903.

Herbert Harrison to be postmaster at Dillonvale, in the county of Jefferson and State of Ohio. Office became Presidential April 1, 1903.

Charles H. Huffman to be postmaster at Richwood, in the county of Union and State of Ohio, in place of Wilson S. Burgoon. Incumbent's commission expired March 2, 1903.

Walter M. Kyle to be postmaster at Troy, in the county of Miami and State of Ohio, in place of Newton C. Clyde, deceased.

Arthur M. Lyon to be postmaster at Struthers, in the county of Mahoning and State of Ohio. Office became Presidential July 1, 1903.

John F. Orr to be postmaster at Xenia, in the county of Greene and State of Ohio, in place of Joseph M. Milburn. Incumbent's commission expired May 24, 1902.

Lewis M. Riley to be postmaster at Blanchester, in the county of Clinton and State of Ohio, in place of Lewis M. Riley. Incumbent's commission expired December 20, 1902.

Porter Watson to be postmaster at Lowellville, in the county of Mahoning and State of Ohio. Office became Presidential April 1, 1903.

OKLAHOMA.

George A. Ahern to be postmaster at Frederick, in the county of Comanche and Territory of Oklahoma. Office became Presidential October 1, 1903.

L. N. Bushorr to be postmaster at Pawnee, in the county of Pawnee and Territory of Oklahoma, in place of Oscar M. Lancaster, resigned.

OREGON.

Carlton E. Harmon to be postmaster at Grants Pass, in the county of Josephine and State of Oregon, in place of Carlton E. Harmon. Incumbent's commission expired March 3, 1903.

Hiram F. Murdoch to be postmaster at Klamath Falls, in the

county of Klamath and State of Oregon. Office became Presidential July 1, 1903.

Wallace W. Smead to be postmaster at Heppner, in the county of Morrow and State of Oregon, in place of Benjamin F. Vaughan, deceased.

PENNSYLVANIA.

Alexander C. Alton to be postmaster at Fayette City, in the county of Fayette and State of Pennsylvania, in place of Edwin H. McCune, resigned.

John C. Bailey to be postmaster at Ford City, in the county of Armstrong and State of Pennsylvania, in place of Andrew C. Bailey, resigned.

Joseph M. Bloss to be postmaster at Titusville, in the county of Crawford and State of Pennsylvania, in place of Martin R. Rouse. Incumbent's commission expired December 20, 1902.

John B. Branagan to be postmaster at Charleroi, in the county of Washington and State of Pennsylvania, in place of John C. McKean. Incumbent's commission expired July 5, 1902.

Joseph B. Heister to be postmaster at New Kensington, in the county of Westmoreland and State of Pennsylvania, in place of Georgie E. Shaw, resigned.

Emma Keat to be postmaster at Pen Argyl, in the county of Northampton and State of Pennsylvania, in place of Samuel Keat, deceased.

Eliza Ketcham to be postmaster at Narberth, in the county of Montgomery and State of Pennsylvania. Office became Presidential October 1, 1903.

Jacob E. Long to be postmaster at Bangor, in the county of Northampton and State of Pennsylvania, in place of John W. Jones, deceased.

Ellwood W. Minster to be postmaster at Bristol, in the county of Bucks and State of Pennsylvania, in place of Elwood W. Minster. Incumbent's commission expired March 3, 1903.

George S. Mullin to be postmaster at Hyndman, in the county of Bedford and State of Pennsylvania. Office became Presidential April 1, 1903.

Francis A. Ready to be postmaster at Tarentum, in the county of Allegheny and State of Pennsylvania, in place of Andrew S. Warner, deceased.

Renwick Rowan to be postmaster at Parnassus, in the county of Westmoreland and State of Pennsylvania. Office became Presidential July 1, 1903.

Joseph T. Russell to be postmaster at New Salem, in the county of Fayette and State of Pennsylvania. Office became Presidential October 1, 1903.

Cyrus B. Smith to be postmaster at Wernersville, in the county of Berks and State of Pennsylvania. Office became Presidential July 1, 1903.

Denis O. Sullivan to be postmaster at Devon, in the county of Chester and State of Pennsylvania. Office became Presidential July 1, 1903.

Frank S. Tryon to be postmaster at Spartansburg, in the county of Crawford and State of Pennsylvania. Office became Presidential July 1, 1903.

James Q. Waters to be postmaster at West Newton, in the county of Westmoreland and State of Pennsylvania, in place of William D. Allison, resigned.

John W. Zerbe to be postmaster at Shamokin, in the county of Northumberland and State of Pennsylvania, in place of Frank W. Daniell. Incumbent's commission expired March 3, 1903.

Andrew C. Ziegler to be postmaster at Mars, in the county of Butler and State of Pennsylvania. Office became Presidential April 1, 1903.

PORTO RICO.

Augusto Font to be postmaster at Aguadilla, in the county of Aguadilla, Porto Rico. Office became Presidential July 1, 1903.

RHODE ISLAND.

John B. Landers to be postmaster at Jamestown, in the county of Newport and State of Rhode Island. Office became Presidential July 1, 1903.

SOUTH CAROLINA.

Wilmot L. Harris to be postmaster at Charleston, in the county of Charleston and State of South Carolina, in place of George I. Cunningham. Incumbent's commission expired June 14, 1902.

Samuel T. Poinier to be postmaster at Spartanburg, in the county of Spartanburg and State of South Carolina, in place of Samuel T. Poinier. Incumbent's commission expired March 3, 1903.

SOUTH DAKOTA.

Bayard T. Boylan to be postmaster at Armour, in the county of Douglas and State of South Dakota, in place of Thomas B. Roberts, resigned.

John J. Mansfield to be postmaster at Hurley, in the county of Turner and State of South Dakota. Office became Presidential October 1, 1903.

Eva M. Young to be postmaster at Faulkton, in the county of Faulk and State of South Dakota, in place of Fremont Young, resigned.

TEXAS.

James A. Butler to be postmaster at Troup, in the county of Smith and State of Texas. Office became Presidential April 1, 1903.

W. E. Connelly to be postmaster at Hubbard, in the county of Hill and State of Texas, in place of William B. Norvell. Incumbent's commission expired March 31, 1902.

Ellie V. Flanagan to be postmaster at Henderson, in the county of Rusk and State of Texas, in place of John M. Hickey, deceased.

Albert L. Gibson to be postmaster at Guffey, in the county of Jefferson and State of Texas. Office became Presidential October 1, 1903.

Dallas Harbert to be postmaster at Commerce, in the county of Hunt and State of Texas, in place of Charles W. Rush. Incumbent's commission expired March 31, 1902.

Elias J. M. Hopkins to be postmaster at Rockdale, in the county of Milam and State of Texas, in place of Esta Witcher, resigned.

D. A. Robinson to be postmaster at Dallas, in the county of Dallas and State of Texas, in place of William M. O'Leary, deceased.

Gertrude Taylor to be postmaster at Llano, in the county of Llano and State of Texas, in place of James L. Taylor, deceased.

TENNESSEE.

James S. Beasley to be postmaster at Centerville, in the county of Hickman and State of Tennessee. Office became Presidential July 1, 1903.

William B. Farris to be postmaster at Pulaski, in the county of Giles and State of Tennessee, in place of Peter J. Clarke, deceased.

Lewis J. Garner to be postmaster at Cookeville, in the county of Putnam and State of Tennessee. Office became Presidential October 1, 1903.

Rufus T. Hickman to be postmaster at Lynnville, in the county of Giles and State of Tennessee. Office became Presidential July 1, 1903.

Lorenzo H. Lasater to be postmaster at Athens, in the county of McMinn and State of Tennessee, in place of William S. Hoge, deceased.

Thomas J. Littleton to be postmaster at Estill Springs, in the county of Franklin and State of Tennessee. Office became Presidential October 1, 1903.

UTAH.

Samuel Judd to be postmaster at St. George, in the county of Washington and State of Utah. Office became Presidential July 1, 1903.

VERMONT.

Albert H. Cheney to be postmaster at Stowe, in the county of Lamoille and State of Vermont. Office became Presidential October 1, 1903.

Henry E. Spencer to be postmaster at Proctor, in the county of Rutland and State of Vermont, in place of William P. Donahue. Incumbent's commission expired March 15, 1898.

VIRGINIA.

William T. Tillar to be postmaster at Emporia, in the county of Greenesville and State of Virginia. Office became Presidential April 1, 1903.

WASHINGTON.

Grant C. Angle to be postmaster at Shelton, in the county of Mason and State of Washington, in place of Albert J. Munson, removed.

John Black to be postmaster at Fairhaven, in the county of Whatcom and State of Washington, in place of Samuel P. Tapping. Incumbent's commission expired January 22, 1902.

William M. Clemenson to be postmaster at Clarkston, in the county of Asotin and State of Washington. Office became Presidential April 1, 1903.

Richard Connell to be postmaster at Odessa, in the county of Lincoln and State of Washington. Office became Presidential October 1, 1903.

WEST VIRGINIA.

Edgar C. Bennette to be postmaster at Richwood, in the county of Nicholas and State of West Virginia. Office became Presidential April 1, 1903.

Madison E. Callihan to be postmaster at Thurmond, in the county of Fayette and State of West Virginia, in place of Samuel G. Walker, resigned.

Thad T. Huffman to be postmaster at Keyser, in the county of Mineral and State of West Virginia, in place of John W. Matlick, deceased.

WISCONSIN.

William H. Berray to be postmaster at Wautoma, in the county of Waushara and State of Wisconsin. Office became Presidential April 1, 1903.

Thomas W. Claridge to be postmaster at Reedsburg, in the county of Sauk and State of Wisconsin, in place of John Kellogg, deceased.

Albert E. Edwards to be postmaster at Monticello, in the county of Green and State of Wisconsin. Office became Presidential July 1, 1903.

Gertrude Frazier to be postmaster at Viola, in the county of Richland and State of Wisconsin. Office became Presidential October 1, 1903.

Edith L. Maynard to be postmaster at Sheboygan, in the county of Sheboygan and State of Wisconsin, in place of Charles H. Maynard, deceased.

Sutcliffe Parkin to be postmaster at Mazomanie, in the county of Dane and State of Wisconsin, in place of Maud Dodge, resigned.

Kirby Thomas to be postmaster at Superior, late West Superior, in the county of Douglas and State of Wisconsin, in place of Kirby Thomas, to change name of office.

WYOMING.

Frank S. Knittle to be postmaster at Douglas, in the county of Converse and State of Wyoming, in place of Howard S. Datesman, removed.

William P. Webster to be postmaster at Cody, in the county of Bighorn and State of Wyoming. Office became Presidential July 1, 1903.

WITHDRAWAL.

Executive nomination withdrawn November 11, 1903.

Asst. Surg. Matthew K. Gwyn, of Maryland, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, the same having been made through a clerical error.

TRADE RELATIONS WITH CUBA.

The injunction of secrecy was removed November 11, 1903, from a commercial convention (Ex. 1, 57th Cong., 2d sess.) between the United States and Cuba, and from the hearings thereon before the Committee on Foreign Relations.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *November 11, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF MEMBERS.

Mr. LITTLE. Mr. Speaker, my colleagues, Hon. Charles C. Reid, of the Fifth district of Arkansas, and Hon. R. M. Wallace, of the Seventh district of Arkansas, were not present on the first day of the session. I ask that they be given an opportunity to take the oath of office.

The SPEAKER. The gentlemen will step forward to the bar of the House.

Mr. GROSVENOR. Mr. Speaker, I make the same request on behalf of Hon. Thomas B. Kyle, of the Seventh district of Ohio.

The SPEAKER. The gentleman will step forward to the bar of the House.

The Members named came forward and took the oath of office.

Mr. PAYNE. I move the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 5 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Doorkeeper of the House of Representatives, submitting an inventory of all books, maps, and pamphlets remaining in his department November 2, 1903—to the Committee on Accounts, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced, and severally referred as follows:

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 1192) to repeal the 10 per cent tax on State-bank issues—to the Committee on Banking and Currency.

Also, a bill (H. R. 1193) to amend sections 3242 and 3281 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. JONES of Washington: A bill (H. R. 1194) providing for subsistence for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. JENKINS: A bill (H. R. 1195) to provide for the payment of certain claims against the District of Columbia, caused by the destruction of the Northern Liberty market house in September, 1872—to the Committee on the District of Columbia.

By Mr. BROWNLOW: A bill (H. R. 1196) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve"—to the Committee on Agriculture.

By Mr. SIMS: A bill (H. R. 1197) for investigations of the chemical composition and economic uses of cotton seed and its products—to the Committee on Agriculture.

By Mr. GILBERT: A bill (H. R. 1198) providing for the punishment of United States prisoners for crimes committed while confined in State penal institutions—to the Committee on the Judiciary.

By Mr. SIMS: A bill (H. R. 1199) to regulate the mode and manner of taking proof in all civil cases, both at law and equity, in the circuit courts of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 1200) to provide for a road to the Shiloh National Military Park—to the Committee on Military Affairs.

Also, a bill (H. R. 1201) to provide for a road to the Shiloh National Military Park—to the Committee on Military Affairs.

Also, a bill (H. R. 1202) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898—to the Committee on the Judiciary.

By Mr. ACHESON: A bill (H. R. 1203) authorizing the Secretary of the Treasury to provide a post-office building at all cities or towns where first, second, or third class post-offices are located—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1204) to increase the limit of cost for the purchase of site and the erection of a public building at Washington, Pa.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1205) to establish a fish-hatching and fish station in the State of Pennsylvania—to the Committee on the Merchant Marine and Fisheries.

By Mr. SULLOWAY: A bill (H. R. 1206) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire—to the Committee on Public Buildings and Grounds.

By Mr. ACHESON: A bill (H. R. 1207) providing for the employment of letter carriers at every post-office which produced a gross revenue for the preceding fiscal year of not less than $1,900—to the Committee on the Post-Office and Post-Roads.

By Mr. MOON of Tennessee: A bill (H. R. 1208) to amend the pension laws—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 1209) to erect a custom-house and post-office building in the city of Paris, State of Tennessee—to the Committee on Public Buildings and Grounds.

By Mr. SPERRY: A bill (H. R. 1210) for the improvement of harbor of refuge at Duck Island Harbor, Connecticut—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1211) for the improvement of the New Haven (Conn.) Harbor breakwater—to the Committee on Rivers and Harbors.

By Mr. HITT: A bill (H. R. 1212) to erect a public building at Dixon, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. SIMS: A bill (H. R. 1213) to amend section 4 of an act passed December 27, 1894, entitled "An act to establish a national military park at the battlefield of Shiloh"—to the Committee on Military Affairs.

By Mr. DENNY: A bill (H. R. 1214) making an appropriation for increasing the depth of the main ship channel in the Patapsco River to Baltimore Harbor, Maryland, to 35 feet—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1215) making an appropriation to increase the depth of the main ship channel at York Spit, in Chesapeake Bay, to 35 feet and of a width to 600 feet—to the Committee on Rivers and Harbors.

By Mr. HAMILTON: A bill (H. R. 1216) to increase the pensions of those who have become totally blind by reason of service in the Army or Navy of the United States—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 1217) for the maintenance and improvement of the Connecticut River below Hartford—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1218) for the improvement of the Housatonic River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1219) for the improvement of the harbor at Milford, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1220) to provide for the modification of the

project for the improvement of the harbor of New Haven, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1221) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn.—to the Committee on Rivers and Harbors.

By Mr. MARTIN: A bill (H. R. 1222) to provide for the purchase of a site and the erection of a public building thereon at Mitchell, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1223) to establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes—to the Committee on Mines and Mining.

Also, a bill (H. R. 1224) making the anniversary of the discovery of America by Christopher Columbus a legal holiday—to the Committee on the Judiciary.

By Mr. HAUGEN: A bill (H. R. 1225) providing for the erection of a public building in the city of Mason City, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. LITTLE: A bill (H. R. 1226) to prevent monopoly and trusts, and to secure free competition in trade among the States and Territories of the United States, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 1227) donating to the State of Arkansas 100,000 acres of public land for the purpose of establishing, equipping, and maintaining a textile school in said State—to the Committee on the Public Lands.

Also, a bill (H. R. 1228) defining a legal day's work, and for other purposes—to the Committee on Labor.

Also, a bill (H. R. 1229) to refund the cotton tax—to the Committee on War Claims.

Also, a bill (H. R. 1230) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on War Claims.

By Mr. POWERS of Massachusetts: A bill (H. R. 1231) for the relief of gaugers, storekeeper-gangers, and storekeepers—to the Committee on Ways and Means.

By Mr. WILEY of Alabama: A bill (H. R. 1232) to fix the fees of court criers, bailiffs, and witnesses in attendance upon United States courts in Alabama—to the Committee on the Judiciary.

Also, a bill (H. R. 1233) to erect suitable buildings, and to improve the grounds around the same, for disabled Confederate soldiers, at or near Mountain Creek, Ala.—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 1234) to limit the meaning of the word "conspiracy" and the use of injunctions and restraining orders in certain cases—to the Committee on the Judiciary.

By Mr. HASKINS: A bill (H. R. 1235) for the erection of a public building at the city of Barre, Vt.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1236) for the erection of a public building at Island Pond, Vt.—to the Committee on Public Buildings and Grounds.

By Mr. SCOTT: A bill (H. R. 1237) to provide for the purchase of a site and the erection of a public building thereon at Iola, in the State of Kansas—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1238) in relation to interstate commerce, and authorizing the imposing of licenses and occupation taxes on persons engaged in such commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. CAPRON: A bill (H. R. 1239) for the erection of a public building in Westerly, R. I.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1240) providing for the erection of a monument at Put in Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and those who participated in the naval battle of Lake Erie on the 10th day of September, 1813—to the Committee the Library.

Also, a bill (H. R. 1241) making appropriation for site and pedestal of a statue of the late Maj. Gen. Ambrose E. Burnside in the city of Washington, D. C.—to the Committee on the Library.

Also, a bill (H. R. 1242) to provide a life-saving station at or near Greenhill, on the coast of South Kingston, in the State of Rhode Island—to the Committee on Interstate and Foreign Commerce.

By Mr. TAWNEY: A bill (H. R. 1243) to reclassify railway postal clerks and prescribe their salaries—to the Committee on the Post-Office and Post-Roads.

By Mr. RICHARDSON of Alabama: A bill (H. R. 1244) to increase the compensation of fourth-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1245) granting to N. F. Thompson and associates the right to erect a dam and construct power station at Muscle Shoals, Alabama—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Wisconsin: A bill (H. R. 1246) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same—to the Committee on Indian Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 1247) for the benefit of the national cemetery near the city of Lebanon, in the State of Kentucky—to the Committee on Military Affairs.

By Mr. WILEY of Alabama: A bill (H. R. 1248) appropriating $100,000 to enlarge the public building at Montgomery, Ala., so as to meet the necessities of the public business—to the Committee on Public Buildings and Grounds.

By Mr. THAYER: A bill (H. R. 1249) to admit hides free of duty—to the Committee on Ways and Means.

By Mr. SMITH of Kentucky: A bill (H. R. 1250) to provide for the purchase of a site and the erection of a public building thereon at Elizabethtown, in the State of Kentucky—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1251) for the erection of a public building at Lebanon, Marion County, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1252) for the erection of a public building at Bardstown, Nelson County, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. ROBINSON of Arkansas: A bill (H. R. 1253) to provide a public building for the use of the post-office and other civil offices of the city of Pine Bluff, Ark.—to the Committee on Public Buildings and Grounds.

By Mr. MUDD: A bill (H. R. 1255) to provide for a site for a depot for the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Kentucky: A bill (H. R. 1256) to provide for the improvement of Rough River, in Kentucky—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1257) to provide for the improvement of Salt River, in the State of Kentucky—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 1258) to provide for the further improvement of Green River, in the State of Kentucky—to the Committee on Rivers and Harbors.

By Mr. WILLIAM W. KITCHIN: A joint resolution (H. J. Res. 17) proposing an amendment to the Constitution relating to direct taxes—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 18) proposing an amendment to the Constitution providing for the repeal of the fifteenth amendment—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 19) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. BOWIE: A resolution (H. Res. 11) asking for Report on Hog Cholera: Its History, Nature, and Treatment, by Theobald Smith, published in 1891; also Bulletin 6 of Bureau of Animal Industry; also Bulletin 24 and Bulletin 100—to the Committee on Agriculture.

By Mr. GILBERT: A resolution (H. Res. 12) asking for a report from the Secretary of Agriculture whether horseflesh is being canned, cured, or otherwise prepared for human food in this country; and if so, at what places and to what extent—to the Committee on Agriculture.

Also, a resolution (H. Res. 13) asking the Secretary of Treasury to cause to be prepared in book form 5,000 copies of tabulated statements of tariff laws passed, giving date of passage, date of repeal, and period they were in operation—to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. WILEY of Alabama: A bill (H. R. 1254) appropriating $4,243.90 to repay the city of Montgomery, Ala., moneys expended for streets and sidewalks adjacent to the Government building in said city—to the Committee on Claims.

By Mr. ACHESON: A bill (H. R. 1259) granting a pension to Henry H. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1260) granting a pension to G. W. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1261) granting a pension to George W. Robb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1262) granting a pension to Capt. W. P. Fryer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1263) granting an increase of pension to David Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1264) granting an increase of pension to George W. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1265) granting an increase of pension to Milton S. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1266) granting an increase of pension to Marshall Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1267) granting an increase of pension to D. Miller Gordon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1268) granting an increase of pension to John B. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1269) to correct the military record of George W. Brice—to the Committee on Military Affairs.

Also, a bill (H. R. 1270) to correct the muster of Benjamin F. Hasson—to the Committee on Military Affairs.

Also, a bill (H. R. 1271) for the relief of Mrs. Jane W. Mason—to the Committee on Claims.

By Mr. BEIDLER: A bill (H. R. 1272) for the relief of Col. Azor H. Nickerson—to the Committee on Military Affairs.

By Mr. BOWIE: A bill (H. R. 1273) granting an increase of pension to J. J. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1274) granting a pension to Mrs. Mirah A. B. Miller, widow of George Miller, alias George Reynolds, late a soldier in the Mexican war—to the Committee on Pensions.

Also, a bill (H. R. 1275) for the relief of John W. Ledbetter—to the Committee on War Claims.

Also, a bill (H. R. 1276) for the relief of Mrs. S. F. Prestridge—to the Committee on War Claims.

Also, a bill (H. R. 1277) for the relief of Isaiah Friday—to the Committee on War Claims.

Also, a bill (H. R. 1278) for the relief of S. R. Bell and S. H. Green—to the Committee on War Claims.

Also, a bill (H. R. 1279) for the relief of C. C. Huckabee—to the Committee on War Claims.

Also, a bill (H. R. 1280) for the relief of W. J. Warren—to the Committee on War Claims.

Also, a bill (H. R. 1281) for the relief of the heirs of George O. Baker—to the Committee on Claims.

By Mr. BROWN of Wisconsin: A bill (H. R. 1282) granting an increase of pension to George Baker—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: A bill (H. R. 1283) granting an increase of pension to Lorenzo Weeks—to the Committee on Invalid Pensions.

By Mr. BROWN of Wisconsin: A bill (H. R. 1284) granting an increase of pension to James H. Beulen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1285) granting an increase of pension to Adam Gosage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1286) granting an increase of pension to John Brasch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1287) granting an increase of pension to Cyrus B. Dopp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1288) granting an increase of pension to Jason Stevens—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 1289) for the relief of Joseph A. Jennings—to the Committee on Claims.

Also, a bill (H. R. 1290) for the relief of the Georgia Railroad and Banking Company—to the Committee on Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 1291) authorizing the issuance of patents to Amanda C. Hines, Minnie A. Hines, and Harriet A. Hines for lands allotted to them in South Dakota—to the Committee on Patents.

By Mr. BURKETT: A bill (H. R. 1292) granting an increase of pension to Icabod S. Sprosser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1293) granting an increase of pension to T. H. Ashton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1294) granting an increase of pension to William McBrien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1295) granting an increase of pension to Victor Vifquain—to the Committee on Pensions.

By Mr. CAPRON: A bill (H. R. 1296) granting an increase of pension to Henry J. Whitaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1297) granting an increase of pension to Horace B. Tanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1298) granting an increase of pension to Andrew Owen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1299) granting an increase of pension to David A. Mowry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1300) granting an increase of pension to John F. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1301) granting an increase of pension to John S. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1302) granting an increase of pension to Margaret Jane Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1303) granting an increase of pension to Julia Lawton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1304) granting an increase of pension to Edward Larkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1306) granting an increase of pension to John Flood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1307) granting an increase of pension to Sarah A. Dedrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1308) granting an increase of pension to Thomas Cassidy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1309) granting an increase of pension to Isaac Blanchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1310) granting a pension to Maria B. Wheaton—to the Committee on Pensions.

Also, a bill (H. R. 1311) granting a pension to William A. Luther—to the Committee on Invalid Pensions.

Also a bill (H. R. 1312) granting a pension to George F. Holland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1313) granting a pension to Penelope A. Dexter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1314) granting a pension to Denison L. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1315) to remove the charge of desertion against the army record of Francis J. Brady—to the Committee on Military Affairs.

By Mr. CONNER: A bill (H. R. 1316) granting an increase of pension to George W. Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1317) granting a pension to Thomas E. McIntire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1318) granting a pension to Dennis Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1319) granting an increase of pension to Michael Deegan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1320) granting a pension to Ellen J. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1321) granting a pension to Edwin Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1322) granting an increase of pension to John G. Vassar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1323) granting a pension to William W. Plank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1324) granting an increase of pension to Thomas E. Skidmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1325) granting an increase of pension to William Louther—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1326) granting an increase of pension to George W. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1327) granting an increase of pension to John C. Wiley—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 1328) to remove the charge of desertion from the military record of Anton Ernst—to the Committee on Military Affairs.

By Mr. DIXON: A bill (H. R. 1329) to remove the charge of desertion from the military record of Joseph Willett—to the Committee on Military Affairs.

Also, a bill (H. R. 1330) granting a pension to Samuel W. Searles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1331) granting a pension to Lewis W. Grantier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1332) for the relief of Mrs. Martha E. West—to the Committee on War Claims.

By Mr. DRAPER: A bill (H. R. 1333) granting an increase of pension to Timothy Quinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1334) granting an increase of pension to James F. Kilburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1335) granting an increase of pension to Benjamin F. Hall—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 1336) granting an increase of pension to Alonzo R. Boynton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1337) granting an increase of pension to Leonard F. Hathaway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1338) granting an increase of pension to George E. Pierson—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 1339) granting an increase of pension to Joseph Scott—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 1340) for the relief of H. Manwaring—to the Committee on War Claims.

Also, a bill (H. R. 1341) for the relief of Joseph Martin—to the Committee on War Claims.

Also, a bill (H. R. 1342) for the relief of Jasper N. Cooper—to the Committee on Military Affairs.

Also, a bill (H. R. 1343) for the relief of the heirs of J. M. Robb—to the Committee on War Claims.

Also, a bill (H. R. 1344) for the relief of Smith R. Mershon—to the Committee on Claims.

Also, a bill (H. R. 1345) for the relief of James Naylor—to the Committee on Military Affairs.

Also, a bill (H. R. 1346) for the relief of Milton Newcomb—to the Committee on Military Affairs.

Also, a bill (H. R. 1347) for the relief of the estate of J. L. Walker, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1348) for the relief of the heirs of John Moss—to the Committee on War Claims.

Also, a bill (H. R. 1349) for the relief of J. J. Ramsey—to the Committee on Claims.

Also, a bill (H. R. 1350) for the relief of the heirs of Archibald C. Hays—to the Committee on War Claims.

Also, a bill (H. R. 1351) for the relief of John E. Herrod—to the Committee on War Claims.

Also, a bill (H. R. 1352) for the relief of Samuel McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1353) for the relief of the Madison Female Institute at Richmond, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 1354) for the relief of the heirs of John F. Logan—to the Committee on War Claims.

Also, a bill (H. R. 1355) for the relief of Henry P. Bottom—to the Committee on War Claims.

Also, a bill (H. R. 1356) for the relief of Levi H. Hendren—to the Committee on Military Affairs.

Also, a bill (H. R. 1357) for the relief of the heirs of W. L. Waddy—to the Committee on War Claims.

Also, a bill (H. R. 1358) for the relief of Ellerson Padgett—to the Committee on War Claims.

Also, a bill (H. R. 1359) for the relief of M. J. Vanarsdale—to the Committee on War Claims.

Also, a bill (H. R. 1360) for the relief of John D. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1361) for the relief of Thomas Noon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1362) for the relief of Ben F. Bryant—to the Committee on War Claims.

Also, a bill (H. R. 1363) for the relief of M. C. Reynolds—to the Committee on War Claims.

Also, a bill (H. R. 1364) for the relief of Benjamin F. Chatham—to the Committee on War Claims.

Also, a bill (H. R. 1365) for the relief of the heirs of Thomas Stone—to the Committee on War Claims.

Also, a bill (H. R. 1366) for the relief of the trustees of the Christian Church of Danville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1367) for the relief of the heirs of James Madison Martin—to the Committee on War Claims.

Also, a bill (H. R. 1368) for the relief of M. D. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1369) for the relief of Peter Tribble—to the Committee on War Claims.

Also, a bill (H. R. 1370) for the benefit of Henry F. Newland, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1371) for the relief of Henry S. Branaman, of Rockcastle County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1372) for the benefit of John Wesley Eubanks—to the Committee on War Claims.

Also, a bill (H. R. 1373) for the relief of Simeon H. King's executrix—to the Committee on War Claims.

Also, a bill (H. R. 1374) for the benefit of James M. Crawford—to the Committee on War Claims.

Also, a bill (H. R. 1375) for the relief of David Huddleson—to the Committee on Military Affairs.

Also, a bill (H. R. 1376) for the relief of E. B. Caldwell, jr.—to the Committee on War Claims.

Also, a bill (H. R. 1377) for the benefit of Mary Conn, administratrix of John Conn—to the Committee on War Claims.

Also, a bill (H. R. 1378) for the benefit of Thomas W. Caldwell, of Jessamine County, Ky—to the Committee on Military Affairs.

Also, a bill (H. R. 1379) for the benefit of D. N. Williams—to the Committee on War Claims.

Also, a bill (H. R. 1380) for the benefit of H. P. Button, of Perryville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1381) for the relief of R. Z. Moss—to the Committee on Claims.

Also, a bill (H. R. 1382) for the relief of S. P. Martin—to the Committee on War Claims.

Also, a bill (H. R. 1383) for the relief of A. Portwood—to the Committee on War Claims.

Also, a bill (H. R. 1384) for the relief of John Nolan—to the Committee on Military Affairs.

Also, a bill (H. R. 1385) for the benefit of James Woods, administrator—to the Committee on Claims.

Also, a bill (H. R. 1386) for the benefit of the Harrodsburg Presbyterian Church—to the Committee on War Claims.

Also, a bill (H. R. 1387) for the relief of W. G. Dunn, administrator of Cooper Dunn—to the Committee on War Claims.

Also, a bill (H. R. 1388) for the benefit of George Price, of Simpsonville, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1389) for the relief of Jacob Robinson's estate—to the Committee on War Claims.

Also, a bill (H. R. 1390) for the relief of James M. Clowers—to the Committee on War Claims.

Also, a bill (H. R. 1391) for the relief of the heirs of Mary A. Dennis—to the Committee on War Claims.

Also, a bill (H. R. 1392) for the benefit of the heirs of Caleb Marratta, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1393) for the relief of Jonathan Jacobs—to the Committee on Military Affairs.

Also, a bill (H. R. 1394) for the benefit of the heirs of James D. McKenzie—to the Committee on War Claims.

Also, a bill (H. R. 1395) for the benefit of the heirs of G. W. Rogers—to the Committee on War Claims.

Also, a bill (H. R. 1396) for the relief of John P. Willis—to the Committee on War Claims.

Also, a bill (H. R. 1397) for the relief of John Nolan or Nolen—to the Committee on Military Affairs.

Also, a bill (H. R. 1398) for the relief of John Taylor—to the Committee on Claims.

Also, a bill (H. R. 1399) for the relief of John H. McBrayer—to the Committee on War Claims.

Also, a bill (H. R. 1400) granting a pension to W. D. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1401) granting a pension to Charles C. Sacrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1402) granting a pension to John M. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1403) granting a pension to Alexander Curd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1404) granting a pension to Harriet Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1405) granting a pension to Isaiah Proctor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1406) granting a pension to Solomon Riddell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1407) granting a pension to Abe L. McAnelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1408) granting a pension to Mary Weber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1409) granting a pension to W. H. O'Dear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1410) granting a pension to R. T. Mattingly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1411) granting a pension to Amy Griffey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1412) granting a pension to Edgar Woolfolk—to the Committee on Pensions.

Also, a bill (H. R. 1413) granting a pension to Thomas W. Cardwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1414) granting a pension to James Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1415) granting a pension to M. Weiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1416) granting a pension to James L. Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1417) granting a pension to Levi Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1418) granting a pension to Mrs. M. E. Fish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1419) granting a pension to Granville C. West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1420) granting an increase of pension to Boston Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1421) granting an increase of pension to Harden Golden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1422) granting an increase of pension to Allen Demaree—to the Committee on Pensions.

Also, a bill (H. R. 1423) to correct the military record of Simeon R. Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 1424) for the relief of George Bentley—to the Committee on Claims.

Also, a bill (H. R. 1425) for the relief of Mrs. Eugenia D. Potts and Elizabeth Huette—to the Committee on War Claims.

Also, a bill (H. R. 1426) for the relief of James G. Dunn, administrator of R. B. Dunn, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1427) for the relief of the heirs of C. L. Carter—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. 1428) for the relief of the Little Rock and Memphis Railroad Company, to refer to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 1429) referring to the Court of Claims the claims of O. P. Cobb and others—to the Committee on War Claims.

Also, a bill (H. R. 1430) for the relief of Willard W. Howe, of Aurora, Ind.—to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 1431) granting an increase of pension to Samuel H. Maxam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1432) granting a pension to Adah A. Helmer—to the Committee on Pensions.

Also, a bill (H. R. 1433) for the relief of Rev. George W. C. Smith—to the Committee on Claims.

Also, a bill (H. R. 1434) granting a pension to H. S. Chase—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 1435) for the relief of Henry Crangle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1436) granting an increase of pension to William D. Hatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1437) granting an increase of pension to Charles H. Bryant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1438) granting an increase of pension to Christian Kinter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1439) granting an increase of pension to Samuel B. Pickel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1440) granting an increase of pension to John Fryer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1441) granting an increase of pension to John F. Wier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1442) granting an increase of pension to George Platts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1443) granting an increase of pension to George Wolf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1444) granting a pension to Mrs. A. J. B. Richards—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 1445) granting an increase of pension to John Ellis—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 1446) to remove the charge of desertion against Alexander D. Patton—to the Committee on Military Affairs.

Also, a bill (H. R. 1447) to remove the charge of desertion from the military record of William Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 1448) to remove the charge of desertion from the military record of William H. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 1449) to remove the charge of desertion from the military record of William H. Hannah—to the Committee on Military Affairs.

Also, a bill (H. R. 1450) to remove the charge of desertion against the military record of William H. Ludwick—to the Committee on Military Affairs.

Also, a bill (H. R. 1451) to remove the charge of desertion from the military record of Allen Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 1452) to remove the charge of desertion from the military record of James H. Troy—to the Committee on Military Affairs.

Also, a bill (H. R. 1453) to remove the charge of desertion from the military record of Jasper L. R. Reed, alias Jasper Reed—to the Committee on Military Affairs.

Also, a bill (H. R. 1454) to remove the charge of desertion from the military record of James Boatman, alias James M. Boatman—to the Committee on Military Affairs.

Also, a bill (H. R. 1455) to remove the charge of desertion from the military record of D. C. Kindle—to the Committee on Military Affairs.

Also, a bill (H. R. 1456) to remove the charge of desertion from the military record of Julius Shelley—to the Committee on Military Affairs.

Also, a bill (H. R. 1457) granting an increase of pension to Jacob Dunham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1458) granting an increase of pension to Thomas B. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1459) granting an increase of pension to Henry B. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1460) granting an increase of pension to Ann C. Burck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1461) granting an increase of pension to Samuel Y. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1462) granting an increase of pension to David M. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1463) granting an increase of pension to William T. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1464) granting a pension to Mary C. Parsons—to the Committee on Pensions.

Also, a bill (H. R. 1465) granting an increase of pension to Samuel J. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1466) granting a pension to Nancy McIntire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1467) granting a pension to Elbert H. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1468) granting a pension to John W. Cundiff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1469) granting a pension to Thomas Leever—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1470) granting an increase of pension to Henry B. Teetor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1471) granting a pension to Hill C. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1472) granting a pension to Levi G. Fessenden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1473) for the relief of C. C. Shearer—to the Committee on Claims.

Also, a bill (H. R. 1474) for the relief of Lisette Miller—to the Committee on Claims.

Also, a bill (H. R. 1475) for the relief of Isaac Holbrook—to the Committee on Military Affairs.

Also, a bill (H. R. 1476) to amend the naval record of John W. Thompson and secure for him an honorable discharge—to the Committee on Naval Affairs.

Also, a bill (H. R. 1477) to remove the sentence of court-martial from the military record of Thomas J. Sutton—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 1478) granting an increase of pension to John Wesley Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1479) granting an increase of pension to Jacob W. Roby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1480) granting an increase of pension to Edgar W. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1481) granting an increase of pension to B. P. Munns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1482) granting an increase of pension to George C. Vance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1483) granting an increase of pension to James W. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1484) granting an increase of pension to A. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1485) granting an increase of pension to Franklin Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1486) granting an increase of pension to George W. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1487) granting an increase of pension to D. T. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1488) granting an increase of pension to James L. McGee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1489) granting an increase of pension to Swan Swanson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1490) granting an increase of pension to Ephriam Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1491) granting an increase of pension to Martin L. Pembleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1492) granting an increase of pension to H. S. Barnum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1493) granting an increase of pension to James V. Morrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1494) granting an increase of pension to Isaac D. Neihardt—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 1495) granting an increase of pension to Ransom O. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1496) granting an increase of pension to Carroll A. McKnight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1497) granting an increase of pension to Dana Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1498) granting an increase of pension to Frank Flint—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1499) granting an increase of pension to Oliver H. Mackenzie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1500) granting an increase of pension to William Woodcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1501) granting an increase of pension to Jasper H. Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1502) granting an increase of pension to Eugene P. Tewksbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1503) granting an increase of pension to Camden M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1504) granting an increase of pension to Samuel L. D. Goodale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1505) granting an increase of pension to George C. Goodell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1506) granting a pension to Abby M. George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1507) granting a pension to Elizabeth Kew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1508) granting a pension to Celia M. Cutler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1509) granting a pension to James L. Swan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1510) granting a pension to Nahum C. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1511) for the relief of Julius A. Morrill—to the Committee on Military Affairs.

Also, a bill (H. R. 1512) for the relief of John E. Kelley—to the Committee on Claims.

Also, a bill (H. R. 1513) for the relief of the estate of George W. Saulpaw—to the Committee on War Claims.

Also, a bill (H. R. 1514) removing the charge of desertion from the military record of Norris W. Silver, alias Norman W. Silver—to the Committee on Military Affairs.

Also, a bill (H. R. 1515) granting a pension to Lucy Warren—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 1516) to remove charge of desertion from record of Jesse Ford—to the Committee on Military Affairs.

Also, a bill (H. R. 1517) granting an increase of pension to George W. Hutchison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1518) granting a pension to William Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1519) granting a pension to Thomas P. Moore—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 1520) for the relief of the Mission of St. James, in the State of Washington—to the Committee on Private Land Claims.

Also, a bill (H. R. 1521) granting a pension to Chester E. Wadsworth—to the Committee on Pensions.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 1522) for the relief of the estate of Bedford Brown—to the Committee on Claims.

Also, a bill (H. R. 1523) for the relief of the estate of Josiah Turner—to the Committee on Claims.

Also, a bill (H. R. 1524) for the relief of Robert D. Patterson—to the Committee on War Claims.

Also, a bill (H. R. 1525) for relief of the heirs and distributees of H. W. Hargrove—to the Committee on War Claims.

Also, a bill (H. R. 1526) for the relief of Charles W. Johnson, adminstrator of Lydia Johnson—to the Committee on War, Claims.

By Mr. KINKAID: A bill (H. R. 1527) granting a pension to William C. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1528) granting an increase of pension to Charles Jarolman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1529) granting an increase of pension to Conrad G. Boehme—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 1530) for the relief of John B. Luttrell—to the Committee on War Claims.

Also, a bill (H. R. 1531) for the relief of Johnathan Y. Bridges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1532) for the relief of Charles W. Russey—to the Committee on Claims.

Also, a bill (H. R. 1533) for the relief of Simeon Austin—to the Committee on War Claims.

Also, a bill (H. R. 1534) for the relief of the estate of Robert B. Pearce, deceased—to the Committee on Claims.

Also, a bill (H. R. 1535) for the relief of the heirs of H. D. Flowers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1536) for the relief of Martin V. Rust—to the Committee on War Claims.

Also, a bill (H. R. 1537) for the relief of Katie Reeves, heir at law of Henry Clay, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1538) for the relief of personal representative of William B. Waldran, late of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1539) for the relief of the heirs of Mrs. Lucy A. Coleman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1540) for the relief of the heirs of Asa Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1541) for the relief of Michael McNally—to the Committee on War Claims.

Also, a bill (H. R. 1542) for the relief of Mrs. Sue Pipkins—to the Committee on War Claims.

Also, a bill (H. R. 1543) for the relief of the heirs of Isaac L. Eppler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1544) for the relief of the estate of Doctor Nicholas Spring, deceased—to the Committee on Claims.

Also, a bill (H. R. 1545) for the relief of James A. Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 1546) for the relief of Chester Bethel—to the Committee on War Claims.

Also, a bill (H. R. 1547) for the relief of Mrs. Elizabeth L. Twaweek—to the Committee on War Claims.

Also, a bill (H. R. 1548) for the relief of James R. Lafferry—to the Committee on War Claims.

Also, a bill (H. R. 1549) for the relief of Thomas Whittaker—to the Committee on War Claims.

By Mr. LORIMER: A bill (H. R. 1550) for the relief of Valentine Lapham—to the Committee on Claims.

Also, a bill (H. R. 1551) to increase pension of Edward S. Clithero—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 1552) granting a pension to Mabel L. Darte—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1553) granting a pension to Margaret Eleanor McCoy, widow of Col. Thomas F. McCoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1554) granting a pension to Christian R. Pisle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1555) granting a pension to Loui Catharine McMullen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1556) for the relief of Henry C. Wolfe—to the Committee on Military Affairs.

Also, a bill (H. R. 1557) for the relief of Jacob J. Miller—to the Committee on War Claims.

Also, a bill (H. R. 1558) for the relief of Alexander Everhart—to the Committee on Military Affairs.

Also, a bill (H. R. 1559) for the relief of Peter Cummings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1560) granting an increase of pension to Henry Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1561) granting an increase of pension to John Lilley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1562) granting an increase of pension to William J. Jackman—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 1563) granting a pension to Ory Warriner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1564) granting an increase of pension to Amos Doan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1565) granting an increase of pension to Josephine F. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1566) granting an increase of pension to Ellis T. Peirce—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 1567) granting an increase of pension to Hiram N. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1568) granting an increase of pension to James V. Tabor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1569) granting an increase of pension to Emma J. Nutting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1570) granting an increase of pension to Joseph McKenney, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1571) granting an increase of pension to James F. Read—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1572) granting an increase of pension to Chester B. Dexter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1573) granting an increase of pension to Cyrus Hurd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1574) granting an increase of pension to George B. True—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1575) granting an increase of pension to Henry F. Davis—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 1576) for the relief of James W. Kenney—to the Committee on Claims.

Also, a bill (H. R. 1577) for the relief of Carl B. Peterson—to the Committee on Claims.

Also, a bill (H. R. 1578) for the relief of David Smith—to the Committee on Claims.

Also, a bill (H. R. 1579) for the relief of William R. Beag—to the Committee on Military Affairs.

Also, a bill (H. R. 1580) for the relief of C. W. Beals—to the Committee on War Claims.

Also, a bill (H. R. 1581) for the relief of Charles F. Wood—to the Committee on Claims.

Also, a bill (H. R. 1582) for the relief of Helen P. Spicer—to the Committee on Claims.

Also, a bill (H. R. 1583) for the relief of the heirs and legal representatives of Peter Brennan, who was killed by the explosion of a submarine torpedo at Castle Island—to the Committee on Claims.

Also, a bill (H. R. 1584) for the relief of the Globe Works, of Boston, Mass.—to the Committee on War Claims.

Also, a bill (H. R. 1585) for the relief of the heirs and legal representatives of Samuel Svenson—to the Committee on Claims.

Also, a bill (H. R. 1586) for the relief of the First National Bank of Newton, Mass.—to the Committee on Claims.

Also, a bill (H. R. 1587) granting a pension to Mary Eleanor Morgan—to the Committee on Pensions.

Also, a bill (H. R. 1588) granting a pension to Ernest B. Hutchins—to the Committee on Pensions.

Also, a bill (H. R. 1589) granting a pension to Benjamin O. Low—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1590) granting a pension to Susan M. Schmitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1591) granting a pension to Frederick F. Murtagh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1592) granting an increase of pension to Adelaide E. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1593) granting an increase of pension to David E. Burbank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1594) granting an increase of pension to Samuel Niles Dickerman—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 1595) for relief of Louisa McCall, executrix, and so forth, of Canton, Ill.—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 1596) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Methodist Episcopal Church of Huntsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1597) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Presbyterian Church of Huntsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1598) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Primitive Baptist Church, of Huntsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1599) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Florence Masonic Lodge, of Florence, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1600) to pay the claim against the United States of the trustees of the Cumberland Presbyterian Church, of Athens, Limestone County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1601) to donate certain lands in Alabama for educational purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 1602) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the Walnut Grove Cumberland Presbyterian Church, of Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1603) for the relief of the trustees of the Methodist Episcopal Church South, at Bellefonte, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1604) for the relief of the trustees of the Cumberland Presbyterian Church, at Bellefonte, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1605) for the relief of the trustees of Harmony Methodist Church—to the Committee on War Claims.

Also, a bill (H. R. 1606) for the relief of Sallie C. Smith—to the Committee on War Claims.

Also, a bill (H. R. 1607) for the relief of Bolivar Lodge of Free and Accepted Masons—to the Committee on War Claims.

Also, a bill (H. R. 1608) for the relief of Cumberland Presbyterian Church, of Larkinsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1609) for the relief of the Masonic lodge of Tuscumbia, Colbert County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1610) for the relief of the trustees of Lebanon Methodist Episcopal Church South—to the Committee on War Claims.

Also, a bill (H. R. 1611) for the relief of the trustees of the Missionary Baptist Church at Gravelly Springs, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1612) for the relief of Decatur Lodge, No. 52, Independent Order of Odd Fellows, Decatur, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1613) for the relief of Dan Walden—to the Committee on War Claims.

Also, a bill (H. R. 1614) for the relief of the commissioners' court of Limestone County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1615) for the relief of the trustees of First Baptist Church, Decatur, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 1616) for the relief of the trustees of the Cumberland Presbyterian Church, of New Garden Camp Ground—to the Committee on War Claims.

Also, a bill (H. R. 1617) to authorize the Secretary of War to cause to be investigated and to provide for the payment of the claim of the North Alabama College of Huntsville, Ala.—to the Committee on War Claims.

By Mr. ROBINSON of Arkansas: A bill (H. R. 1618) for the relief of J. E. Caldwell—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 1619) for the relief of William H. Hugo—to the Committee on Military Affairs.

By Mr. SHERMAN: A bill (H. R. 1620) granting a pension to Daniel Madigan—to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 1621) for the relief of Mary W. Ridley—to the Committee on War Claims.

Also, a bill (H. R. 1622) for the relief of Edmund W. Williams—to the Committee on War Claims.

Also, a bill (H. R. 1623) granting an increase of pension to John H. Reed—to the Committee on Pensions.

Also, a bill (H. R. 1624) granting an increase of pension to Charles W. Boyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1625) granting an increase of pension to John W. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1626) granting an increase of pension to Persia M. Hawkins—to the Committee on Pensions.

Also, a bill (H. R. 1627) granting a pension to Martha A. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1628) granting a pension to John M. Countess, alias John Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1629) granting a pension to Robert M. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1630) granting a pension to R. B. White—to the Committee on Pensions.

Also, a bill (H. R. 1631) granting a pension to John R. Costen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1632) to remove charge of disobedience of orders against William W. Kirby—to the Committee on Military Affairs.

Also, a bill (H. R. 1633) granting an honorable discharge to John W. Harwood—to the Committee on Military Affairs.

Also, a bill (H. R. 1634) to correct the military record of John Turnbo, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 1635) to muster William H. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 1636) to muster in certain members of Col. Frank W. Harrison's regiment of West Tennessee recruits, and to grant them an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1637) to remove the charge of desertion against Elias C. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 1638) to remove the charge of desertion from the military record of James Quinn—to the Committee on Military Affairs.

Also, a bill (H. R. 1639) for the relief of J. M. Rice—to the Committee on War Claims.

Also, a bill (H. R. 1640) for the relief of A. G. Hawkins—to the Committee on War Claims.

Also, a bill (H. R. 1641) for the relief of the estate of Thomas Morton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1642) for the relief of the estate of Elijah Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1643) for the relief of the estate of David Hurst—to the Committee on War Claims.

Also, a bill (H. R. 1644) for the relief of Simon Witkowski—to the Committee on War Claims.

Also, a bill (H. R. 1645) for the relief of W. E. Mitchum—to the Committee on War Claims.

Also, a bill (H. R. 1646) for the relief of James D. Lane—to the Committee on War Claims.

Also, a bill (H. R. 1647) for the relief of the estate of Mrs. C. Williamson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1648) for the relief of John Zimmerman—to the Committee on War Claims.

Also, a bill (H. R. 1649) for the relief of the estate of Samuel Hays, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1650) for the relief of James Anderson—to the Committee on War Claims.

Also, a bill (H. R. 1651) for the relief of T. M. D. Coln—to the Committee on War Claims.

Also, a bill (H. R. 1652) for the relief of M. Robinson, administrator of T. E. Robinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1653) for the relief of Frederick Webb—to the Committee on War Claims.

Also, a bill (H. R. 1654) for the relief of the estate of Doctor J. M. Walker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1655) for the relief of the board of trustees of the Memphis Conference Female Institute, of Jackson, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1656) for the relief of P. E. Parker—to the Committee on Claims.

Also, a bill (H. R. 1657) for the relief of Thomas Cary—to the Committee on Military Affairs.

Also, a bill (H. R. 1658) for the relief of Benjamin F. Bennett—to the Committee on Military Affairs.

Also, a bill (H. R. 1659) for the relief of the estate of John Richards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1660) for the relief of J. M. Elston—to the Committee on War Claims.

Also, a bill (H. R. 1661) for the relief of Zelpha Watson—to the Committee on Military Affairs.

Also, a bill (H. R. 1662) for the relief of James M. Brandon—to the Committee on Military Affairs.

Also, a bill (H. R. 1663) for the relief of Cullen C. Argo—to the Committee on Military Affairs.

Also, a bill (H. R. 1664) for the relief of B. F. Walpole—to the Committee on Military Affairs.

Also, a bill (H. R. 1665) for the benefit of H. C. Ruth—to the Committee on War Claims.

Also, a bill (H. R. 1666) for the relief of James Kerby—to the Committee on Military Affairs.

Also, a bill (H. R. 1667) for the relief of the heirs of William Tinder, deceased—to the Committee on Claims.

Also, a bill (H. R. 1668) for the relief of B. J. Young—to the Committee on War Claims.

Also, a bill (H. R. 1669) for the relief of the estate of Isaac F. Huddleston, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1670) for the relief of the estate of Robert Edwards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1671) for the relief of John Smith—to the Committee on War Claims.

Also, a bill (H. R. 1672) for the relief of Mary J. Moody—to the Committee on War Claims.

Also, a bill (H. R. 1673) for the relief of John Mincey—to the Committee on War Claims.

Also, a bill (H. R. 1674) for the relief of Jesse Cobb (colored)—to the Committee on War Claims.

Also, a bill (H. R. 1675) for the relief of the legal representatives of James Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1676) for the relief of the legal representatives of B. J. Young, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1677) for the relief of estate of M. W. Savells, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1678) for the relief of D. C. Savells—to the Committee on War Claims.

Also, a bill (H. R. 1679) for the relief of W. M. Brevard & Co.—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1680) for the relief of R. H. Carter—to the Committee on War Claims.

Also, a bill (H. R. 1681) for the relief of the estate of S. M. Davidson, deceased, late of Madison County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 1682) to amend the military record of John H. Skinner—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 1683) for the relief of Alderson T. Keen—to the Committee on War Claims.

Also, a bill (H. R. 1684) for the relief of John P. Jones—to the Committee on War Claims.

Also, a bill (H. R. 1685) for the relief of James S. Iglehort—to the Committee on War Claims.

Also, a bill (H. R. 1686) for the relief of John A. Heald—to the Committee on War Claims.

Also, a bill H. R. 1687) for the relief of F. M. Head—to the Committee on War Claims.

Also, a bill (H. R. 1688) for the relief of Moses Horrel—to the Committee on War Claims.

Also, a bill (H. R. 1689) for the relief of the estate of William Horlow, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1690) for the relief of Robert Hubbord—to the Committee on War Claims.

Also, a bill (H. R. 1691) for the relief of Andrew G. Gorrell—to the Committee on War Claims.

Also, a bill (H. R. 1692) for the relief of J. S. Neal—to the Committee on War Claims.

Also, a bill (H. R. 1693) for the relief of Hubbard K. Milward—to the Committee on War Claims.

Also, a bill (H. R. 1694) for the relief of William A. Nally—to the Committee on War Claims.

Also, a bill (H. R. 1695) for the relief of Fenelon B. Matthews—to the Committee on War Claims.

Also, a bill (H. R. 1696) for the relief of the Methodist Episcopal Church at Newhaven, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1697) for the relief of Joseph Murray—to the Committee on War Claims.

Also, a bill (H. R. 1698) for the relief of Anthony McAndrew—to the Committee on Claims.

Also, a bill (H. R. 1699) for the relief of D. J. K. Maddox—to the Committee on War Claims.

Also, a bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1701) for the relief of Joseph Metcalfe—to the Committee on Military Affairs.

Also, a bill (H. R. 1702) for the relief of P. H. McDonough—to the Committee on War Claims.

Also, a bill (H. R. 1703) for the relief of S. G. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1704) for the relief of Mary L. Piatt—to the Committee on War Claims.

Also, a bill (H. R. 1705) for the relief of Thomas J. Pottinger—to the Committee on War Claims.

Also, a bill (H. R. 1706) for the relief of Dennis Pride—to the Committee on War Claims.

Also, a bill (H. R. 1707) for the relief of Benjamin O. Purvis—to the Committee on Military Affairs.

Also, a bill (H. R. 1708) for the relief of Elisha R. Swain—to the Committee on War Claims.

Also, a bill (H. R. 1709) for the relief of Lawrence H. Rousseau—to the Committee on War Claims.

Also, a bill (H. R. 1710) for the relief of the estate of Thomas W. Robinson—to the Committee on War Claims.

Also, a bill (H. R. 1711) for the relief of the estate of William H. Routt—to the Committee on War Claims.

Also, a bill (H. R. 1712) for the relief of Isham Richardson—to the Committee on War Claims.

Also, a bill (H. R. 1713) for the relief of James G. Queen—to the Committee on War Claims.

Also, a bill (H. R. 1714) for the relief of the lawful heirs of G. W. Upton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1715) for the relief of the estate of Samuel A. Spencer—to the Committee on War Claims.

Also, a bill (H. R. 1716) for the relief of the estate of B. J. Stoner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1717) for the relief of the legal representatives of Samuel Schiffer—to the Committee on Claims.

Also, a bill (H. R. 1718) for the relief of the estate of James Z. Watkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1719) for the relief of the estate of Harvey Woodward—to the Committee on War Claims.

Also, a bill (H. R. 1720) for the relief of H. C. Wood—to the Committee on Claims.

Also, a bill (H. R. 1721) for the relief of August Schlapp—to the Committee on War Claims.

Also, a bill (H. R. 1722) for relief of Abner Goodman—to the Committee on War Claims.

Also, a bill (H. R. 1723) for the relief of Mrs. E. S. Golladay and Mrs. M. F. Bowling—to the Committee on Claims.

Also, a bill (H. R. 1724) for the relief of the estate of Levi Fields, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1725) for the relief of James I. Friend—to the Committee on Claims.

Also, a bill (H. R. 1726) for the relief of Columbus P. French—to the Committee on War Claims.

Also, a bill (H. R. 1727) for the relief of G. W. Ebert—to the Committee on War Claims.

Also, a bill (H. R. 1728) for the relief of John Fuller—to the Committee on War Claims.

Also, a bill (H. R. 1729) for the relief of the minor children of Alice Evans, deceased—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1730) for the relief of William W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1731) for the relief of E. T. Dram—to the Committee on War Claims.

Also, a bill (H. R. 1732) for the relief of Merril Denham—to the Committee on Claims.

Also, a bill (H. R. 1733) for the relief of the estate of Charles Darnell—to the Committee on War Claims.

Also, a bill (H. R. 1734) for the relief of Caroline Commandun—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1735) for the relief of Lemuel C. Canfield—to the Committee on War Claims.

Also, a bill (H. R. 1736) for the relief of J. R. Claybrooke—to the Committee on Claims.

Also, a bill (H. R. 1737) for the relief of J. R. Claybrooke—to the Committee on War Claims.

Also, a bill (H. R. 1738) for the relief of Stephen Camplin—to the Committee on War Claims.

Also, a bill (H. R. 1739) for the relief of Fannie Crump—to the Committee on Pensions.

Also, a bill (H. R. 1740) for the relief of Harrison Cox—to the Committee on War Claims.

Also, a bill (H. R. 1741) for the relief of Omar H. Case—to the Committee on War Claims.

Also, a bill (H. R. 1742) for the relief of the heirs of Lucinda Cook—to the Committee on War Claims.

Also, a bill (H. R. 1743) for the relief of Samuel Bartlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1744) for the relief of Carrie M. Boone—to the Committee on War Claims.

Also, a bill (H. R. 1745) for the relief of Clement Calhoon—to the Committee on War Claims.

Also, a bill (H. R. 1746) for the relief of the estate of R. Colvin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 1747) for the relief of Conrad Claycomb, of Kentucky—to the Committee on Claims.

Also, a bill (H. R. 1748) for the relief of Henry C. Bumgardner—to the Committee on Military Affairs.

Also, a bill (H. R. 1749) for relief of F. K. Beaven—to the Committee on War Claims.

Also, a bill (H. R. 1750) for the relief of Columbus B. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1751) for the relief of Lewis Anderson—to the Committee on War Claims.

Also, a bill (H. R. 1752) for the relief of Charles Lee—to the Committee on War Claims.

Also, a bill (H. R. 1753) for the relief of Charles H. Adams—to the Committee on War Claims.

Also, a bill (H. R. 1754) for the relief of the estate of Franklin Le Grand—to the Committee on War Claims.

Also, a bill (H. R. 1755) for the relief of Benjamin F. Lutman—to the Committee on War Claims.

Also, a bill (H. R. 1756) for the relief of Daniel J. Basham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1757) granting a pension to Rebecca Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1758) granting a pension to Harvey W. Kelly and Augustus Kelly, minor children of H. P. B. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1759) granting a pension to Thomas Kinkaid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1760) granting a pension to Sebastian F. Kissinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1761) granting a pension to Samuel M. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1762) granting a pension to John J. Hornback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1763) granting a pension to Matilda V. Helton and Alex. Whitehouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1764) granting a pension to Rufus Helms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1765) granting a pension to Edward I. Gilky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1766) granting a pension to John Messinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1767) granting a pension to Elizabeth Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1768) granting a pension to P. A. Milner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1769) granting a pension to Tabitha L. McGlasson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1770) granting a pension to Addie L. McFelia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1771) granting a pension to Harvey Langham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1772) granting a pension to Mary Dolores O'Neal—to the Committee on Pensions.

Also, a bill (H. R. 1773) granting a pension to Margaret A. Osborne—to the Committee on Pensions.

Also, a bill (H. R. 1774) granting a pension to Elizabeth Stinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1775) granting a pension to James Rabern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1776) granting a pension to Henry Ramey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1777) granting a pension to John Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1778) granting a pension to Elzie Paynter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1779) granting a pension to Allen Popham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1780) granting a pension to Jacob D. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1781) granting a pension to Cynthia Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1782) granting a pension to William P. Slaughter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1783) granting a pension to Samuel Shepherd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1784) granting a pension to Thomas J. Sparkman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1785) granting a pension to Samuel T. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1786) granting a pension to Laura Ann Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1787) granting a pension to Richard West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1788) granting a pension to Harriett Wheatley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1789) granting a pension to William T. Gorr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1790) granting a pension to Mary D. England—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1791) granting a pension to Richard Eubank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1792) granting a pension to Bennett Davenport—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1793) granting a pension to Adolph Denkhoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1794) granting a pension to John M. Calloway and correct his military record—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1795) granting a pension to Lucy B. Culver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1796) granting a pension to James Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1797) granting a pension to Sidney Bozarth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1798) granting a pension to Jefferson G. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1799) granting a pension to Mary E. Brashear—to the Committee on Pensions.

Also, a bill (H. R. 1800) granting a pension to Anna B. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1801) granting a pension to James Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1802) granting a pension to John Logsdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1803) granting an increase of pension to W. H. Kyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1804) granting an increase of pension to Clifford Haddock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1805) granting an increase of pension to E. F. Hocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1806) granting an increase of pension to William M. Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1807) granting an increase of pension to Rawleigh M. Monin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1808) granting an increase of pension to Napoleon McDowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1809) granting an increase of pension to Thomas McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1810) granting an increase of pension to James B. McWhorter—to the Committee on Pensions.

Also, a bill (H. R. 1811) granting an increase of pension to Stephen L. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1812) granting an increase of pension to William Petit—to the Committee on Pensions.

Also, a bill (H. R. 1813) granting an increase of pension to Albert B. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1814) granting an increase of pension to John C. Vanfleet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1815) granting an increase of pension to Ideral Vanfleet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1816) granting an increase of pension to John R. Vickers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1817) granting an increase of pension to Luther Towne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1818) granting an increase of pension to John W. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1819) granting an increase of pension to William Yates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1820) granting an increase of pension to William Whitworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1821) granting an increase of pension to Joseph Farmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1822) granting an increase of pension to M. W. Dunkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1823) granting an increase of pension to John Daly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1824) granting an increase of pension to Jerome B. Duggins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1825) granting an increase of pension to W. A. Dever—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1826) granting an increase of pension to Virginia Crump—to the Committee on Pensions.

Also, a bill (H. R. 1827) granting an increase of pension to Martha Corder—to the Committee on Pensions.

Also, a bill (H. R. 1828) granting an increase of pension to William H. Bland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1829) granting an increase of pension to N. R. Brasheor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1830) to remove the charge of desertion from the military record of Charles T. Jackson—to the Committee on Military Affairs.

Also, a bill (H. R. 1831) to remove charge of desertion against Benjamin A. Helm—to the Committee on Military Affairs.

Also, a bill (H. R. 1832) to complete the military record of James Hicks—to the Committee on Military Affairs.

Also, a bill (H. R. 1833) to remove the charge of desertion from the military record of J. H. Morris and grant him a discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1834) to remove the charge of desertion against John B. Perkins—to the Committee on Military Affairs.

Also, a bill (H. R. 1835) to place the names of William D. Rabern and George W. Raybern on the roll of the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 1836) to remove the charge of desertion against W. B. Summers and to grant him a discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1837) to remove the charge of desertion against Nathan Stewart—to the Committee on Military Affairs.

Also, a bill (H. R. 1838) granting a discharge to Peter Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 1839) to remove the charge of desertion from the military record of Stephen Greenwell—to the Committee on Military Affairs.

Also, a bill (H. R. 1840) removing charge of desertion from the military record of John P. Fox and to grant him a discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1841) to remove the charge of desertion from the military record of David Coats and restore him to the pension roll of the United States—to the Committee on Military Affairs.

Also, a bill (H. R. 1842) to remove the charge of desertion from the military record of Michael Cullen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1843) to remove the charge of desertion from the military record of James Braden—to the Committee on Military Affairs.

Also, a bill (H. R. 1844) to remove the charge of desertion from military record of W. T. Akridge and grant him a discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1845) to amend and correct the military record of Thomas Etherton—to the Committee on Military Affairs.

Also, a bill (H. R. 1846) to correct the military record of Franklin Nix and grant him a discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 1847) to correct the military record of Alexander Nugent and grant him a discharge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1848) to correct the military record of William G. Dougherty—to the Committee on Military Affairs.

Also, a bill (H. R. 1849) to correct the military record of Ebenezer Logsdon—to the Committee on Military Affairs.

Also, a bill (H. R. 1850) granting a pension to Melvina C. Stith—to the Committee on Pensions.

Also, a bill (H. R. 1851) granting an increase of pension to David T. Towles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1852) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 1853) for the relief of Elijah Q. Cooper, of Kentucky—to the Committee on War Claims.

By Mr. SPERRY: A bill (H. R. 1854) for the relief of Joseph B. Sargent—to the Committee on Claims.

Also, a bill (H. R. 1855) granting a pension to Harriett B. Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1856) granting an increase of pension to Alexander H. Covert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1857) granting a pension to William C. Manning—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: A bill (H. R. 1858) to correct the naval record of George Nelson Armstrong—to the Committee on Naval Affairs.

By Mr. SULLOWAY: A bill (H. R. 1859) granting an increase of pension to Patrick Cannon—to the Committee on Pensions.

By Mr. SULZER: A bill (H. R. 1860) for the relief of certain enlisted men of the Twentieth Regiment of New York Volunteer Infantry—to the Committee on Military Affairs.

By Mr. TAWNEY: A bill (H. R. 1861) granting an increase of pension to James Wilkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1862) for the relief of the Laird-Norton Company, of Winona, Minn.—to the Committee on Claims.

Also, a bill (H. R. 1863) granting an honorable discharge to Harry A. White—to the Committee on Military Affairs.

Also, a bill (H. R. 1864) granting an increase of pension to Amyntas Briggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1865) granting an increase of pension to Ormen W. Walsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1866) to remove the charge of desertion from the military record of Henry J. Bolewine—to the Committee on Military Affairs.

Also, a bill (H. R. 1867) for the relief of Dewitt Eastman—to the Committee on Military Affairs.

Also, a bill (H. R. 1868) granting a pension to Lydia E. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1869) granting an increase of pension to John B. Ashton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1870) to remove the charge of desertion against Benjamin F. Dayton—to the Committee on Military Affairs.

Also, a bill (H. R. 1871) removing the charge of desertion from the military record of J. E. Getman—to the Committee on Military Affairs.

Also, a bill (H. R. 1872) granting an increase of pension to George Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1873) removing the charge of desertion against David Whitford—to the Committee on Military Affairs.

Also, a bill (H. R. 1874) granting an increase of pension to Garrett Schermerhorn—to the Committee on Pensions.

Also, a bill (H. R. 1875) granting an increase of pension to William C. Lathrop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1876) for the relief of Gideon Holton—to the Committee on Claims.

Also, a bill (H. R. 1877) granting an increase of pension to George H. Suits—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1878) to restore to the pension roll the name of Allen C. Remore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1879) granting an increase of pension to George H. Potts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1880) for the relief of Conrad Bohn—to the Committee on Claims.

Also, a bill (H. R. 1881) to remove the charge of desertion from the military record of Ashley C. Cameron—to the Committee on Military Affairs.

Also, a bill (H. R. 1882) granting an increase of pension to James Durkee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1883) granting a pension to Harriet A. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1884) granting an increase of pension to Marzavan J. Secord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1885) granting a pension to Anna McFalls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1886) granting a pension to Edward A. Goodfellow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1887) granting an increase of pension to William J. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1888) granting an increase of pension to Henry Westerhouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1889) for the relief of George H. Suits—to the Committee on War Claims.

Also, a bill (H. R. 1890) granting an increase of pension to E. A. Whitcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1891) granting an increase of pension to William W. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1892) granting an increase of pension to John Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1893) granting an increase of pension to Luther May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1894) granting an increase of pension to John Hanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1895) granting an increase of pension to Matthew Marvin—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: A bill (H. R. 1896) granting an increase of pension to Samuel W. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1897) granting an increase of pension to John T. Thatcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1898) granting an increase of pension to David L. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1899) granting an increase of pension to Philander Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1900) granting an increase of pension to Samuel Visnow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1901) granting an increase of pension to W. F. Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1902) granting an increase of pension to Clark Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1903) granting an increase of pension to Claudius Tifft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1904) granting an increase of pension to O. D. Heald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1905) granting an increase of pension to Elias Holliday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1906) granting an increase of pension to George W. Blanchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1907) granting an increase of pension to Wyman J. Crow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1908) granting an increase of pension to Harvey D. Barr—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 1909) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land—to the Committee on Military Affairs.

By Mr. WILEY of Alabama: A bill (H. R. 1910) granting a pension to Cephas Kendal Knox—to the Committee on Pensions.

Also, a bill (H. R. 1911) authorizing the payment of the claim of M. A. Gantt & Son for board and lodging to volunteers during the Spanish-American war—to the Committee on War Claims.

Also, a bill (H. R. 1912) to refer the claim of John Sampey to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 1913) authorizing the payment of the claim of Eve Gorman for the death of her husband, a Government employee, who was killed on Coosa River Lock in December, 1894—to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 1914) granting a pension to John H. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1915) granting a pension to William Stonestreet, Company E, Third West Virginia Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1916) for the relief of Capt. Sidney F. Shaw—to the Committee on Claims.

Also, a bill (H. R. 1917) granting a pension to George M. D. Wells—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 1918) for the relief of the Ditmar Powder and Chemical Company, of New York City—to the Committee on Claims.

Also, a bill (H. R. 1919) for the relief of the widow and children of Henry C. Murphy, deceased—to the Committee on Claims.

Also, a bill (H. R. 1920) for the relief of James Willett—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURKETT: Resolution of the Synod of Nebraska of Evangelical Lutheran Churches, against the army canteen and against the sale of intoxicating liquors in Government buildings or on Government premises—to the Committee on Alcoholic Liquor Traffic.

By Mr. CAPRON: Petition of Rhode Island Society, Sons of the American Revoluton, for the erection in Washington, D. C., of a monument to the heroes of the American Revolution—to the Committee on the Libirary.

By Mr. ESCH: Resolution of the Synod of Presbyterian Churches of Wisconsin, demanding fair trial of the anticanteen law and urging further appropriations for temperance work in the Army, and indorsing the Hepburn bill—to the Committee on Alcoholic Liquor Traffic.

Also, paper to accompany bill of C. W. Young for increase of pension—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Petition of C. E. Pipp, E. J. Rose, and other citizens of Otsego, State of Michigan, against the passage of a law providing for sending merchandise in the mail—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Picnic Association of George A. Custer Post, No. 208, Grand Army of the Republic, Department of Michigan, favoring a $12 per month service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of George A. Custer Post, No. 208, Grand Army of the Republic, Department of Michigan, favoring a $12 per month service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance Union of Grand Junction, State of Michigan, favoring passage of bill forbidding sale of intoxicating liquors in Government buildings or premises—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of L. T. P. A. of Michigan, requesting the repeal of sections 44 and 49, Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

Also, petition of John Griffith and 37 other citizens of Three Rivers, Mich., against the passage of a bill providing for sending parcels of merchandise through the mail at a cost of 5 cents a pound and 2 cents for each additional pound—to the Committee on the Post-Office and Post-Roads.

By Mr. HASKINS: Resolution of Stannard Post, No. 2, Grand Army of the Republic, Department of Vermont, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Resolution of Grand Army of the Republic, Post No. 90, Nora Springs, Iowa, favoring a service pension to soldiers of the rebellion—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Papers to accompany bill granting an increase of pension to John Ellis—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Statistics regarding tonnage on Tuckerton Creek, Ocean County, N. J.—to the Committee on Rivers and Harbors.

By Mr. LACEY: Petition of Local Union No. 223, Ottumwa, Iowa, of the Cigar Makers' International Union of America, relative to a bill providing that eight hours shall constitute a day's work for all employed upon Government work—to the Committee on Labor.

By Mr. LORIMER: Papers to accompany bill increasing the pension of Edward S. Clithers—to the Committee on Invalid Pensions.

By Mr. McCALL: Resolution of the Commonwealth of Massachusetts, favoring the passage of the bill to establish a library post—to the Committee on the Library.

Also, resolution of the Commonwealth of Massachusetts, relative to the establishment of an international congress—to the Committee on Foreign Affairs.

Also, resolution of the Commonwealth of Massachusetts, favoring legislation for the protection of the forests of the White Mountains by including them in a national park—to the Committee on Agriculture.

By Mr. POWERS of Maine: Papers to accompany bill granting an increase of pension to Henry F. Davis—to the Committee on Invalid Pensions.

By Mr. RODEY: Memorial from the governor, associate justices, and other officials of New Mexico, recommending the creation into a public park of what is known as Pajarito Park or the Cliff Dwellers' National Park—to the Committee on the Public Lands.

By Mr. SHERMAN: Papers to accompany bill granting a pension to Daniel Madigan—to the Committee on Pensions.

By Mr. SPERRY: Petition of the cigar manufacturers of New Haven, Conn., protesting against any change in the present tariff rates between the United States and Cuba on cigars and manufactured tobacco—to the Committee on Ways and Means.

By Mr. THOMAS of Iowa: Resolution of Dunlap Post, No. 147, Grand Army of the Republic, of Rock Rapids, Department of Iowa, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of members of Stephen A. Hurlburt Post, No. 82, Grand Army of the Republic, of Alta, Department of Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill for an increase of pension for Samuel Visnow—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to W. F. Barnes—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to George W. Blanchard—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *November 12, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. BENJAMIN R. TILLMAN, a Senator from the State of South Carolina, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

ADJOURNMENT TO MONDAY.

Mr. HALE. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

NAVAL TRAINING STATION ON THE GREAT LAKES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, pursuant to law, a copy of a report recommending a site on the Great Lakes for a naval training station; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

LAWS OF NEW MEXICO.

The PRESIDENT pro tempore laid before the Senate, pursuant to law, the acts of the thirty-fifth legislative assembly and governor of the Territory of New Mexico; which were referred to the Committee on Territories.

FINDINGS OF COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The Seamen's Friend Society of Wilmington, N. C., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The Wardens and Vestrymen of St. Paul's Episcopal Church at Franklin,

Tenn., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The Trustees of the Reformed Church of Sharpsburg, Washington County, Md., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 14) making immediately available the appropriations for mileage of Senators and Members of the House of Representatives, and for other purposes; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented petitions of the Presbyterian Sunday School of Arkport; of the Woman's Christian Temperance Union of Arkport; of the congregation of the Methodist Protestant Church of Arkport; of the Methodist Protestant Missionary Society of Arkport; of the Methodist Protestant Sunday School of Arkport; of the Presbyterian Opportunity Circle of Arkport; of the Woman's Christian Temperance Union of Union Springs; of the congregation of the Lenox Presbyterian Church, of New York City; of the Brighton Heights Young People's Society of Christian Endeavor, of New York City; of the Woman's Missionary Society of the Lenox Presbyterian Church, of New York City; of the Woman's Christian Temperance Union of Cornwall-on-the-Hudson; of the congregation of the Baptist Church of Homer; of the Woman's Synodical Society of Home Missions of the Synod of New York; of the Civic League of Arkport; of the Young Woman's Christian Temperance Union of Ballston Spa; of the Presbytery of Genesee, of Batavia; of the Woman's Christian Temperance Union of Niagara; of sundry citizens of Hermitage and Silver Springs; of the Epworth League of Cohocton; of the congregation of the Presbyterian Church of Cohocton; of sundry citizens of New York City; of the Woman's Christian Temperance Union of Homer; of the congregation of the Methodist Episcopal Church of Homer; of sundry citizens of Homer; of the congregation of the First Baptist Church of Ballston Spa; of the Woman's Christian Temperance Union of Corinth; of the congregation of the Olivet Presbyterian Church, of Troy; of the Young Woman's Christian Temperance Union of Yonkers; of the Woman's Christian Temperance Union of Highland; of the Woman's Christian Temperance Union of Royalton; of the Missionary Society of Hornellsville; of sundry citizens of Gorham, Flint, and Stanley; of the Woman's Christian Temperance Union of Seneca; of the Woman's Republican Club of New York City; of the Presbytery of Brooklyn; of the congregation of the Episcopal Church of Cornwall; of the congregation of the Methodist Episcopal Church of Cornwall; of sundry citizens of Waterloo; of the Woman's Christian Temperance Union of South Dayton; of the Woman's Christian Temperance Union of Waterloo; of sundry citizens of Troy; of the congregation of the Brighton Heights Reformed (Dutch) Church, of New Brighton; of the congregation of the Free Baptist Church of Grant; of the Young People's Society of Christian Endeavor of Grant; of the Woman's Christian Temperance Union of Grant; of the Woman's Christian Temperance Union of Amsterdam; of the congregation of the Methodist Episcopal Church of Otsego; of the Woman's Christian Temperance Union of Bedford; of the congregation of the Methodist Episcopal Church of Bedford; of the congregation of the Presbyterian Church of Seneca; of the congregation of the Baptist Church of Wolcott; of sundry citizens of Stamford; of the congregation of the Baptist Church of North Salem; of the congregation of the Methodist Episcopal Church of Perinton; of the congregation of the Methodist Episcopal Church of Greenport; of the congregation of the United Presbyterian Church of New York City; of the Woman's Christian Temperance Union of New York City; of the Woman's Missionary Society of Bedford, and of the Woman's Missionary Society of Buffalo, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Woman's Christian Temperance Union of Blackstone, Mass., and a petition of the Epworth League of Blackstone, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the common council of Philadelphia, Pa., praying that an appropriation be made to provide for a deeper channel in the Delaware River and Bay and the harbor of Philadelphia; which was referred to the Committee on Commerce.

Mr. SCOTT presented petitions of the congregation of the Presbyterian Church of West Liberty, of the Christian Endeavor Society of the Presbyterian Church of West Liberty, of Woman's Synodical Society of the Home Missions of the Presbyterian Church of West Virginia, and of the congregation of the First Presbyterian Church of Wheeling, all in the State of West Virginia, praying for the adoption of an amendment to the Constitution to prohibit polygamy, and also for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a memorial of Cigar Makers' Local Union No. 19, American Federation of Labor, of Sault Ste. Marie, Mich., and a memorial of Cigar Makers' Local Union No. 208, American Federation of Labor, of Kalamazoo, Mich., remonstrating against the ratification of the Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

He also presented a petition of the congregation of the Methodist Episcopal Church of Herkimer, N. Y., and a petition of the congregation of the United Presbyterian Church, Mount Pleasant, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the International United Brotherhood of Leather Workers on Horse Goods, of Detroit; of Local Union No. 1415, of Saginaw; of Upholsterers' Local Union No. 31, of Detroit; of the Barbers' Local Union of Kalamazoo; of the International Wood Carvers' Association of Grand Rapids; of Typographical Union No. 360, of Menominee; of Bartenders' Local Union No. 306, of Saginaw; of the Trades and Labor Council of Grand Rapids; of Local Union No. 7, of Grand Rapids; of the Trades and Labor Council of Detroit; of Typographical Union No. 72, of Lansing; and of Cigar Makers' Local Union No. 24, of Muskegon, all of the American Federation of Labor, in the State of Michigan, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the International United Brotherhood of Leather Workers on Horse Goods, of Detroit; of Local Union No. 1415, of Saginaw; of Upholsterers' Local Union No. 31, of Detroit; of the Barbers' Local Union of Kalamazoo; of the International Wood Carvers' Association of Grand Rapids; of Typographical Union No. 360, of Menominee; of Bartenders' Local Union No. 306, of Saginaw; of the Trades and Labor Council of Grand Rapids; of Local Union No. 7, of Grand Rapids; of the Trades and Labor Council of Detroit; of Typographical Union No. 72, of Lansing, and of Cigar Makers' Local Union No. 24, of Muskegon, all of the American Federation of Labor, in the State of Michigan, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the California Central Coast Counties Improvement Association, of San Jose, Cal., praying for the enforcement of the immigration laws, and also for the appointment of a commissioner to ascertain the needs of the labor market; which was referred to the Committee on Immigration.

He also presented a petition of the W. S. Hancock Council, No. 20, Junior Order United American Mechanics, of Los Angeles, Cal., praying for the adoption of an amendment to the immigration law to exclude illiterate immigrants from this country; which was referred to the Committee on Immigration.

He also presented petitions of the Woman's Christian Temperance Unions of San Diego, Villa Park, Oceanside, Mountain View, and Willits; of the Clear Lake Baptist Association, of Willits; of the Kingdom Extension Society of San Jose; of sundry citizens of Castroville, and of 140 members of the Methodist Episcopal Church of Nevada City, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GAMBLE presented a petition of the Trades and Labor Assembly of Sioux Falls, S. Dak., and a petition of sundry citizens of Elkpoint, Vermilion, Jefferson, Gayville, Yankton, Lesterville, Armour, Tripp, Delmont, Parkston, and Utica, all in the State of South Dakota, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Blue Blanket Total Abstinence Society of Campbell and Walworth Counties, in the State of South Dakota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Harrison Post, No. 36, Department of South Dakota, Grand Army of the Republic, of Alexandria, S. Dak., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Wolsey, S. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of the Woman's Christian Temperance Unions of Kearny, Harrison, and Fairton; of the Christian Endeavor Society of the Knox Presbyterian Church, of Kearny; of the congregations of the First Methodist Episcopal Church of Rutherford, the Presbyterian Church of New Vernon, the Arlington Avenue Presbyterian Church, of East Orange, the First Presbyterian Church of Plainfield, the Knox Presbyterian Church, of Kearny, the First Presbyterian Church of Plainfield, the North Reformed Church Mission, of East Newark, and the Grace Baptist Church, of Camden; the Home Missionary Society of New Brunswick; the Foreign Missionary Society of Ocean Grove; the Young Men's Christian Association of Trenton; the Ladies' Aid Society of the Knox Presbyterian Church, of Kearny; of Enterprise Temple, No. 25, Templars of Honor and Temperance, of Harrison; of members of the Orthodox Friends of Trenton; and of sundry citizens of Plainfield and South Orange, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the Willard Woman's Christian Temperance Union, of Westfield; of the congregation of the Baptist Church of Westfield; of the Woman's Missionary Society of the First Presbyterian Church of Morristown; of the Young Men's Christian Association of Trenton; of the congregation of the First Presbyterian Church of Montclair; of the congregation of the Hamburg Baptist Church, of Hardyston; of the congregation of the Presbyterian Church of Delaware; of the congregation of the First Presbyterian Church of Montclair; of the Woman's Home and Foreign Missionary societies of the Presbyterian Church of Greenwich; of the Woman's Home Missionary Circle of New Vernon; of 1,000 members of the Woman's Home Mission Society of the Presbyterian Church of New Brunswick; of the Ladies' Missionary Society of Mount Freedom; of sundry citizens of East Orange, and of sundry citizens of Passaic, all in the State of New Jersey, praying for the adoption of an amendment to the Constitution to prohibit polygamy and also for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 62, International Brotherhood of Bookbinders, of Newark, N. J., and a petition of Local Union No. 344, Passaic Folders' Protective Association, of Passaic, N. J., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 62, International Brotherhood of Bookbinders, of Newark, N. J., and a petition of Local Union No. 344, Passaic Folders' Protective Association, of Passaic, N. J., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. DUBOIS. Mr. President, I present some petitions from various churches praying for the expulsion of REED SMOOT as a Senator, and also petitions from the Woman's Christian Temperance Union of my State making the same prayer.

With the indulgence of the Senate, I should like to say that I differ with my distinguished friend the Senator from Massachusetts [Mr. HOAR]. I contend that these various organizations of Christian women and men have a right to petition the Senators here and that they ought to do so. Of course it is a judicial question, which will be determined on the facts; but these are not idle petitions. This Mormon question has been with us for half a century, and it is with us now. These same religious and moral bodies petitioned for the unseating of the polygamist Roberts in the other House, and they had much to do with directing public attention to the matter.

All that the petitioners ask is that Senators shall study this question. I have had at least a dozen Senators say to me that there is nothing at all in this case. But these Christian people understand what they are doing. They represent the moral thought of this country, and I, instead of dissuading them from sending petitions, will say to them here in my place, I hope you will send as many as possible.

No Senator is going to be governed by these petitions or their requests. It will not influence my distinguished friend or myself. Both of us are members of the committee. But it will make us pause. When we understand that the moral sentiment of the people of this country is aroused on a subject which they understand and which they have combated for fifty years, it will make us pause and study the documents they have sent here.

I will say this: If the allegations which have been made against REED SMOOT and which are on file in the Committee on Privileges and Elections can be proven, there will not be a Senator on this floor who will vote to retain him in this body. And if these allegations can not be proven, then we will all unite in asking him to sit with us. But these Christian organizations, who represent the moral thought of this country, say to us through these petitions, "Pause and consider and give a hearing."

Mr. HOAR. Mr. President, perhaps I ought to ask leave of the Senate to say one word.

I do not suppose there is a member of the Senate—certainly I am not in any such position—who finds it necessary to make any public display of his attachment to the family tie as established in all Christian countries and which is so signally manifested in its beauty in our own. It seems to me almost queer that a man should get up and make a flourish of his sense of the importance of vindicating our institutions against polygamy, which is naturally taken as a matter of course; but of course I am no judge for anybody but myself about that.

What I said yesterday was simply to call the attention of some constituents of my own, some of them dear friends of mine, which I did with an expression of profoundest respect for them, to the fact that they were asking us to make a certain determination of a judicial question, involving constitutional law and involving an investigation into facts in regard to which we are the judges. Suppose a question in reference to Mormonism were before the Supreme Court of the United States, who would think it wise or becoming or desirable that excellent religious men and women of our country should pour in their petitions on the table of the Supreme Court, telling the judges that they want them to decide that case, and, if they find the man guilty, then to see that the proper sentence is passed and proper judgment executed; or, suppose it were a case of murder or parricide, and the case had gone up to that court on a conviction.

My object in what I said was to point out to my countrymen and my countrywomen the judicial nature of this case. It was not because the Senate of the United States deem it a small matter; it was because the Senate of the United States, in my judgment, deem it a great matter, that I called attention to the fact that the propriety of a judicial proceeding should be preserved.

Mr. HALE. I have, Mr. President, some regret that this subject has been brought before the Senate for discussion. It is a very grave and serious matter.

While I appreciated yesterday the force of what the Senator from Massachusetts [Mr. HOAR] so well said, that this is a judicial body, I do not quite agree with him that in settling the title to a seat in the body the Senate acts purely like a court of law. It is not subject to the rules that govern courts. It is not limited as to the nature of the testimony that it takes. It is not in its results simply the decision of a body of sequestered men, as a court is, that in secret considers propositions before it and from which emanate judicial decisions.

The Senate is not such a body as that. It is a part of the Government that has relation to the people, to popular ideas, to the life and the sentiments of the people, and I think it is entitled, as nobody expects a great court would be, to information as to the feelings, the sentiments, and the wishes of people throughout the country.

So I do not go as far as the Senator from Massachusetts does in being in any way disturbed or irked because good men and good women, or bad men and bad women, choose to present their petitions to this body upon the question as to the title of a Senator to a seat here, and the underlying question which the Senate has to consider, and of which the public take great notice and in which they feel great interest.

Nor do I think it is fitting that a Senator now should announce, as upon ordinary measures, his stand upon this matter. I do not think it ought to be considered that this most grave question is foreclosed. From my examination into the question, with the serious propositions that are involved, the great underlying moral questions that may be in it, the greater question, if possible, of the intrusion into political life and influence of a great hierarchy, I do not think Senators should assume, I say again, that this is a foreclosed question. But let us keep our minds free and clear and examine the testimony and examine all the considerations that are presented to the Senate before we try to do what is exact justice in this matter.

The PRESIDENT pro tempore. The petitions will be referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented petitions of the Woman's Christian Temperance Union and of the congregations of the Church of Christ and the Church of the Nazarene, of Boise; of 42 citizens of Boise, and of 56 citizens of Boise, in the State of Idaho, praying for the adoption of an amendment to the Constitution to prohibit polygamy, and also for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of Iron Molders' Union No. 257, of Nashua, N. H., praying for the passage of the so-

called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Iron Molders' Union No. 257, of Nashua, N. H., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented petitions of the congregations of the Central Christian, Noble Street Methodist Episcopal, Trinity, First Baptist, First Presbyterian, and First Methodist Episcopal churches, all of Anderson, in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOPKINS presented petitions of the Lutheran Synod of Paxton; the Young Men's Christian Association of St. Charles; the Methodist Episcopal Church of St. Charles; the Methodist Episcopal Church of Wheaton; of sundry citizens of Rollo; of the Evangelical Church of Naperville; the Presbyterian Church of Ridgefield; of the Woman's Christian Temperance Union of Naperville; of the First Church of Wheaton; of the Warren Avenue Church, of Chicago; of the Woman's Christian Temperance Union of Kirkwood; of the Baptist Association of Palmyra; of the Baptist Association of Johnstown; of the Baptist Association of Sims; of the Baptist Association of Arcola; of the Woman's Christian Temperance Union of St. Charles; of the First Baptist Church of Harvey; of the First Methodist Church of St. Charles; of sundry citizens of Winfield, and of the Presbytery of Alton, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of the Grays Harbor Commercial Club, of Cosmopolis, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Manchester, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of the Woman's Christian Temperance Union of Honeybrook; of the Woman's Home and Foreign Missionary Society of Honeybrook; of sundry citizens of Honeybrook; of the congregation of the Southern Presbyterian Church of Philadelphia; of sundry citizens of Philadelphia; of sundry citizens of Hazleton; of the congregation of the Methodist Episcopal Church of Allegheny; of the congregation of the United Brethren Church of Mount Pleasant; of the congregation of the Presbyterian Church of Honeybrook; of the Woman's Synodical Society of Home Missions of Philadelphia; of the congregation of the Presbyterian Church of Hazleton; of the Huntington Presbytery, of Clearfield; of the executive committee of the Schuylkill branch of the Philadelphia Christian Endeavor Union, of Philadelphia; of the Woman's Christian Temperance Union of Dilworthtown; of the congregation of the Second Church of the Covenanters of Philadelphia; of sundry citizens of Philadelphia; of sundry citizens of Dubois; of the Woman's Missionary Society of West Alexander; of the Woman's Christian Temperance Union of Franklin; of the Saturday Club, of Wayne; of the congregation of the First Methodist Episcopal Church of Altoona; of the Presbyterian Christian Endeavor Society of Oxford; of the Ladies' Missionary Society of Limestone; of the Young Ladies' Missionary Society of Washington; of sundry citizens of Roxboro; of the Woman's Christian Temperance Union of Mansfield; of the congregation of the Third Presbyterian Church of Washington; of the Young People's Society of Christian Endeavor of the Third Presbyterian Church of Washington; of the Woman's Missionary Society of the Third Presbyterian Church of Washington; of the Frankford Presbyterian Church, of Philadelphia; of the Society of the Sons of Temperance of Hollidaysburg; of the Woman's Christian Temperance Union of Mercer; of the Upper Path Valley Presbyterian Church, of Spring Run; of citizens of Carversville; of the congregation of the Duquesne Heights Methodist Episcopal Church, of Pittsburg; of the congregation of the Baptist Church of Union City; of the Vandergrift Commercial College, of Vandergrift; of the congregation of the Reformed Church of Vandergrift; of the congregation of the Free Methodist Church of Vandergrift; of the congregation of the Presbyterian Church and of the Woman's Christian Temperance Union, of Swarthmore; of the East Mill Creek Union of the Woman's Christian Temperance Union, of Erie; of the McDowell Memorial Presbyterian Young People's Society of Christian Endeavor, of Philadelphia; of the Woman's Home and Foreign Missionary Societies of the Temple Presbyterian Church, of Philadelphia; of the congregation of the United Presbyterian Church of Waterford; of the Young People's Christian Union of Waterford; of the congregation of the United Presbyterian Church of Vandergrift; of the congregation of the First Lutheran Church of Vandergrift; of the congregation of the Presbyterian Church of Vandergrift; of sundry citizens of Swarthmore; of sundry citizens of Pittsburg; of the congregation of the Methodist Episcopal Church of Forest City; of the congregation of the Atonement Church, of Philadelphia; of the congregation of the Methodist Episcopal Church of New Oxford; of the congregation of the Mount Washington Methodist Protestant Church, of Pittsburg; of the congregation of the Princeton Church of Philadelphia; of the Woman's Christian Temperance Union of Douglass; of the Woman's Christian Temperance Union of Erie; of the congregation of the Presbyterian Church of Erie; of the congregation of the First Methodist Episcopal Church of Rochester; of the congregation of the United Presbyterian Church of Rochester; of the South Street Twentieth Century Club, of Erie; of the congregation of the African Methodist Episcopal Zion Church of Allegheny; of the Woman's Home Missionary Society of Oxford; of the Woman's Christian Temperance Union of Adams County; of the congregation of the Simpson Methodist Episcopal Church, of Altoona; of the congregation of the Presbyterian Church of Parker City; of the congregation of the Gaston Presbyterian Church, of Philadelphia; of the congregations of the Gettysburg Methodist Episcopal Church and of the United Evangelical Church, of Altoona; of the congregation of the Evangelical Church of Bangor; of sundry citizens of Barnes; of the Woman's Christian Temperance Union of Bristol; of sundry citizens of Carversville; of the Woman's Christian Temperance Union of Avondale; of sundry citizens of Galeton; of sundry citizens of Glen Campbell; of the Woman's Christian Temperance Union of Harrisburg; of the Woman's Christian Temperance Union of Pittsburg; of the Woman's Christian Temperance Union of Hollidaysburg; of sundry Methodist Episcopal ministers of Philadelphia; of the Woman's Christian Temperance Union of Erie; of the Woman's Christian Temperance Union of Millville; of the Springdale Woman's Christian Temperance Union, of Butler; of the Woman's Christian Temperance Union of Chester; of the Woman's Christian Temperance Union of Middletown; of the congregation of the Presbyterian Church of Wilcox; of the congregation of the Bethlehem Presbyterian Church, of Philadelphia; of the Ladies' Aid Society of Oxford; of the congregation of the Methodist Episcopal Church of Vandergrift; of sundry citizens of Glenside; of the congregation of the Bethel United Presbyterian Church, of Quakertown; of the First Missionary Society of Oxford; of the congregation of the Presbyterian Church of Huntingdon Valley; of the congregation of the Methodist Episcopal Church of Union City; of the congregation of the United Brethren Church of Union City; of the High Street Twentieth Century Club, of Union City; of the Sorosis Society of Union City; of the Woman's Christian Temperance Union of Rixford, and of the Woman's Christian Temperance Union of Forest City, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy and also for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Philadelphia Drug Exchange, of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which was referred to the Committee on Commerce.

Mr. DOLLIVER presented a petition of the Woman's Christian Temperance Union of Toledo, Iowa, and a petition of the congregation of the German Methodist Episcopal Church of Colesburg, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented petitions of the Trades and Labor Assembly of Logansport; of International Broom and Brush Makers' Union No. 76, of Terre Haute; of Local Union No. 230, of Indianapolis; of Carpenters and Joiners' Local Union No. 436, of New Albany; of the Glass Bottle Blowers' Association, of Terre Haute; of Local Union No. 244, of Brazil; of the Boiler Makers and Iron Ship Builders' Local Union No. 10323, of Lafayette; of Local Union No. 360, of Lafayette, and of Machinists' Local Union No. 543, of Princeton, all of the American Federation of Labor, in the State of Indiana, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the Trades and Labor Assembly of Logansport; of International Broom and Brush Makers' Union No. 76, of Terre Haute; of Local Union No. 230, of Indianapolis; of Carpenters' and Joiners Local Union No. 436, of New Albany; of the Glass Bottle Blowers' Association of Terre

Haute; of Local Union No. 244, of Brazil; of the Boiler Makers' and Iron Shipbuilders' Local Union No. 10323, of Lafayette; of Local Union No. 360, of Lafayette, and of Machinists' Local Union No. 543, of Princeton, all of the American Federation of Labor, in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church of Fairfield; of the congregation of the First Congregational Church of Fairmount; of the congregation of Trinity Church, of Anderson; of the State Baptist convention, of Bloomington; of the congregation of the Methodist Episcopal Church of Upland; of the Woman's Christian Temperance Union of Fort Wayne; of the congregation of the Friends' Church of New London; of the congregation of the Friends' Church of Kokomo; of the congregation of the First United Brethren Church of Kokomo; of the congregation of St. John's Evangelical Lutheran Church, of Anderson; of the congregation of the Noble Street Methodist Episcopal Church, of Anderson; of the congregation of the Methodist Episcopal Church of Kokomo; of the congregation of the First Baptist Church of Kokomo; of sundry citizens of Kokomo; of the congregation of the Central Christian Church, of Anderson; of the Ladies' Equal Suffrage and Literary Club of Kokomo; of the congregation of the First Presbyterian Church of Kokomo; of sundry citizens of Hammond; of the congregation of the Markland Avenue Methodist Episcopal Church, of Kokomo; of the congregation of the First Presbyterian Church of Anderson; of the congregation of the First Methodist Episcopal Church of Anderson; of sundry citizens of Muncie; of the congregation of the Courtland Avenue Friends' Christian Church, of Kokomo; of the congregation of the Christian Church of Kokomo; of the Epworth League of Kokomo; of sundry citizens of Westfield; of sundry citizens of Richmond, Jefferson, Albany, and Liberty; of the congregation of the Methodist Episcopal Church of Albany; of sundry citizens of Parker and Redkey; of the Woman's Christian Temperance Union of Albany; of the congregation of the Methodist Episcopal Church of Fairmount; of sundry citizens of Fairmount; of the congregation of the First Methodist Episcopal Church of Wabash; of the Woman's Christian Temperance Union of Muncie; of the Baptist Association of Connersville; of the Baptist Association of Liberty; of sundry citizens of Hammond, Westfield, and Sheridan; of the congregation of St. Peter's Reformed Church, of Huntington; of the Woman's Christian Temperance Union of Huntington; of the Baptist Association of Amity; of the congregation of the Christian Church of Huntington; of the congregation of the Wesleyan Church of Huntington; of the congregation of the United Brethren Church of Huntington; of the Congregation of the Evangelical Lutheran Church of Huntington; of the congregation of the First Christian Church of Huntington; of the Society of Friends of Huntington; of the congregation of the First Baptist Church of Huntington; of M. B. Stultz, of Huntington; of the Union Baptist Association of Washington; of the Woman's Christian Temperance Union of Laporte; of sundry citizens of Friendswood and Indianapolis; of the Baptist Association of New Hope; of sundry citizens of West Newton; of the Baptist Association of Indianapolis; of members of the Baptist Sunday School Convention of Lebanon; of the Baptist Association of Westport; of the Baptist Association of Delaware; of the Baptist Association of Borden; of sundry citizens of Windfall and Evansville; and of the Baptist Association of Evansville, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented a petition of sundry citizens of Maine, Minn., and a petition of the Oak Park Congregational Church, of Minneapolis, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. COCKRELL. I present a resolution of the house of representatives of the general assembly of the State of Missouri, passed March 11, 1903, after the adjournment of the Fifty-seventh Congress, favoring the establishment of a bureau of public roads in the Department of Agriculture. I move that the resolution be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. CULLOM presented petitions of Local Union No. 893, of Canton; of Local Union No. 800, of Streator; of Local Union No. 221, of Cable; of Local Union No. 892, of Kingston Mines; of Local Union No. 650, of Edwards, all of the United Mine Workers of America, and of Local Union No. 61, Amalgamated Wood Workers' International Union, of Murphysboro, all in the State of Illinois, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 893, of Canton; of Local Union No. 800, of Streator; of Local Union No. 221, of Cable; of Local Union No. 892, of Kingston Mines; of Local Union No. 650, of Edwards, all of the United Mine Workers of America, and of Local Union No. 61, Amalgamated Wood Workers' International Union of America, of Murphysboro, all in the State of Illinois, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. McCOMAS introduced a bill (S. 487) making an appropriation for the improvement of the Patapsco River and channel to Baltimore, Md.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 488) to purchase a site for the Revenue-Cutter Service at Curtis Bay, Maryland; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 489) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 490) creating a commission to inquire into the condition of the colored people of the United States; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 491) to provide for the construction of the Maryland and Delaware Free Ship Canal as a means of military and naval defense and for commercial purposes; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 492) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington;" which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 493) granting an increase of pension to Richard E. Bouldin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 494) granting an increase of pension to Julia A. Gilpin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 495) for the erection of a statue of Gen. Otho Holland Williams at Williamsport, Md.; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 496) for the purchase of the oil portrait of Maj. Gen. William Smallwood; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 497) for the relief of Patrick H. Philbin; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 498) for the relief of Franklin Buchanan Sullivan; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 499) to establish a permanent military camp ground in the vicinity of Oakland, in Garrett County, Md.;

A bill (S. 500) to remove the charge of desertion from the military record of Anton Ernst;

A bill (S. 501) removing the charge of desertion from the record of William Harig; and

A bill (S. 502) removing the charge of desertion from the record of William Harig.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 503) for the relief of the Hagerstown and Middleburg Turnpike Company, of Washington County, Md.;

A bill (S. 504) for the relief of the Baltimore and Ohio Railroad Company;

A bill (S. 505) for the relief of the Merchants and Miners' Transportation Company, of Baltimore, Md.;

A bill (S. 506) for the relief of Poole & Hunt;

A bill (S. 507) for the relief of Horace Resley;

A bill (S. 508) for the relief of Virginia I. Mullan;

A bill (S. 509) for the relief of Catherine Burns;

A bill (S. 510) for the relief of the Locust Point Company, of Baltimore, Md.;

A bill (S. 511) for the relief of the estate of Lewis W. Mann, deceased;

A bill (S. 512) for the relief of N. F. Edmonds;

A bill (S. 513) for the relief of the representatives of James Hooper;

A bill (S. 514) for the relief of Henry R. Walton, administrator of John Walton, deceased;
A bill (S. 515) for the relief of Elizabeth Thomas;
A bill (S. 516) for the relief of G. Finley Smith, administrator of David Smith, deceased;
A bill (S. 517) for the relief of Thomas Dixon;
A bill (S. 518) for the relief of Eugene L. Derr, administrator of the estate of John Derr, deceased;
A bill (S. 519) for the relief of Bernard James;
A bill (S. 520) for the relief of William James;
A bill (S. 521) for the relief of the heirs of John H. Waring;
A bill (S. 522) for the relief of the heirs of Mrs. Salome Main;
A bill (S. 523) for the relief of the estate of Lewis W. Mann, deceased;
A bill (S. 524) for the relief of the estate of Elijah Thompson, deceased;
A bill (S. 525) for the relief of William A. Gordon, administrator of the estate of William D. C. Murdock, deceased;
A bill (S. 526) for the relief of Milton F. Colburn, administrator of the estate of Gilbert Colburn, deceased;
A bill (S. 527) for the relief of Ellen Ogle Thomas, administratrix de bonis non cum testamento annexo of Jane Thomas, deceased;
A bill (S. 528) for the relief of John S. Mann;
A bill (S. 529) for the relief of Herbert O. Dunn;
A bill (S. 530) for the relief of Anna M. Anderson and Charles Y. G. Anderson, executors of George W. Anderson, deceased;
A bill (S. 531) for the relief of the widow and children of John Hamilton, deceased.
A bill (S. 532) for the relief of Rinaldo P. Smith;
A bill (S. 533) for the relief of George Brewer;
A bill (S. 534) for the relief of William O. Saville; and
A bill (S. 535) for the relief of Charles R. Hooper.

Mr. PROCTOR introduced a bill (S. 536) to place Henry C. La Point on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 537) granting an increase of pension to Edwin A. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 538) granting an increase of pension to Alice W. Stoodley; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 539) to provide homes and employment for the homeless poor and to make them self-sustaining home owners, independent of being hired; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. HOPKINS introduced a bill (S. 540) providing for additional officers in the district of Chicago, in the collection district of Indiana and Illinois; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 541) to provide for the taking of a census of agricultural statistics in the year 1905 and every tenth year thereafter; which was read twice by its title, and referred to the Committee on the Census.

He also introduced a bill (S. 542) for the relief of B. J. D. Irwin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 543) to provide for the erection of a public building at Centralia, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 544) to finally adjust the swamp-land grants, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GALLINGER introduced a bill (S. 545) to authorize the use of penalty envelopes by the government of the District of Columbia; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 546) to provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 547) granting an increase of pension to Irving W. Coombs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARMACK introduced a bill (S. 548) for the relief of Henry Harris; which was read twice by its title, and referred to the Committee on Claims.

Mr. DILLINGHAM introduced a bill (S. 549) granting an increase of pension to Stephen Thomas; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DOLLIVER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 550) granting an increase of pension to John R. Henry (with accompanying papers);
A bill (S. 551) granting an increase of pension to George W. Myers (with an accompanying paper); and
A bill (S. 552) granting a pension to Ira K. Eaton.

Mr. FAIRBANKS introduced the following bills, which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 553) granting an increase of pension to Farmer J. James (with accompanying papers);
A bill (S. 554) granting an increase of pension to Thomas P. Farley (with accompanying papers);
A bill (S. 555) granting an increase of pension to Royal A. S. Kingsley (with accompanying papers);
A bill (S. 556) granting an increase of pension to William Stall; and
A bill (S. 557) granting a pension to Stephen K. Fuson.

Mr. PLATT of New York introduced a bill (S. 558) for the relief of Alexander Stoddart; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM introduced a bill (S. 559) for the relief of the legal representatives of George W. Soule; which was read twice by its title, and referred to the Committee on Claims.

He also presented the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 560) granting an increase of pension to John Roby (with an accompanying paper);
A bill (S. 561) granting an increase of pension to Solomon Jean Bucher (with accompanying papers);
A bill (S. 562) granting an increase of pension to Emeline F. Emmons;
A bill (S. 563) granting an increase of pension to John R. Knox (with accompanying papers);
A bill (S. 564) granting an increase of pension to Elizabeth Marshall (with accompanying papers);
A bill (S. 565) granting an increase of pension to James E. Barnard (with an accompanying paper);
A bill (S. 566) granting an increase of pension to William H. Hart (with accompanying papers);
A bill (S. 567) granting an increase of pension to William Cody (with accompanying papers);
A bill (S. 568) granting an increase of pension to Lyman H. Lamprey (with accompanying papers);
A bill (S. 569) granting an increase of pension to Jesse B. Nurse (with accompanying papers);
A bill (S. 570) granting an increase of pension to Orlando F. Davis (with accompanying papers);
A bill (S. 571) granting an increase of pension to Lewis H. Cate (with accompanying papers); and
A bill (S. 572) granting an increase of pension to Franklin W. McKinley (with accompanying papers).

Mr. SCOTT introduced a bill (S. 573) to provide for holding courts of northern district of West Virginia at Martinsburg, W. Va.; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. ANKENY introduced a bill (S. 574) providing for the erection of a public building at the city of Walla Walla, in the State of Washington; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CLARK of Wyoming introduced a bill (S. 575) to establish a fish-culture station on Blacks Fork of Green River, in the State of Wyoming; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. FOSTER of Washington introduced a bill (S. 576) extending to the subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McCUMBER introduced a bill (S. 577) to confirm and legalize prior admissions to citizenship of the United States where the judge or clerk of the court administering the oath to the applicant or his witnesses has failed to sign or seal the record, oath, or the judgment of admission, and to establish a proper record of such citizenship; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 578) granting an increase of pension to John Bullamore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GAMBLE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (S. 579) to regulate the use by the public of reservoir sites located upon the public lands of the United States;
A bill (S. 580) to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by act of February 26, 1895, relating to public lands; and
A bill (S. 581) to permit second homestead entries in certain cases, and for other purposes.

Mr. GAMBLE introduced a bill (S. 582) to ratify an agreement with the Lower Brulé band of the Sioux tribe of Indians in South Dakota, and making appropriation to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 583) for the relief of Levi Carnrike; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 584) for the relief of John H. McLaughlin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 585) to extend the benefits of the act of June 27, 1890, to the members of the company of Indian scouts under command of Brig. Gen. Alfred Sully in 1864 and 1865;
A bill (S. 586) granting a pension to Annie H. Zoll;
A bill (S. 587) granting an increase of pension to Anson P. Williamson;
A bill (S. 588) granting an increase of pension to Wilbur F. Little;
A bill (S. 589) granting an increase of pension to George W. McMullen; and
A bill (S. 590) granting an increase of pension to William H. H. Beadle.

Mr. GORMAN introduced a bill (S. 591) to carry into effect the findings of the Court of Claims in behalf of Peter Targarona; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 592) granting a pension to David B. Wood;
A bill (S. 593) granting an increase of pension to William H. Horn (with an accompanying paper);
A bill (S. 594) granting an increase of pension to Finley T. Johnson (with an accompanying paper); and
A bill (S. 595) granting an increase of pension to John P. Brown.

Mr. MONEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 596) for the relief of the estate of Calvin B. Cunningham, deceased;
A bill (S. 597) for the relief of R. A. Myrick;
A bill (S. 598) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof;
A bill (S. 599) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof;
A bill (S. 600) for the relief of Benjamin F. Garraway;
A bill (S. 601) for the relief of the estate of William E. Bolls, deceased;
A bill (S. 602) for the relief of the heirs of Rachael Sloan, deceased;
A bill (S. 603) for the relief of D. W. Stuart, executor of Charlotte Spear, deceased;
A bill (S. 604) for the relief of John H. Rector;
A bill (S. 605) for the relief of the estate of James Irwin, deceased;
A bill (S. 606) for the relief of A. J. and Martha S. Ward;
A bill (S. 607) for the relief of M. A. Reinhart;
A bill (S. 608) for the relief of R. T. Cheek;
A bill (S. 609) for the relief of L. A. Whitehead;
A bill (S. 610) for the relief of the estate of George G. Noland, deceased;
A bill (S. 611) for the relief of the estate of J. B. Hall, deceased;
A bill (S. 612) for the relief of J. E. Whittington;
A bill (S. 613) for the relief of the estate of John Rist, deceased;
A bill (S. 614) for the relief of the estate of Charles H. Borland, deceased;
A bill (S. 615) for the relief of the estate of Sarah A. Gayle, deceased;
A bill (S. 616) for the relief of the estate of James S. Douglass, deceased;
A bill (S. 617) for the relief of the estate of John M. Hawkins, deceased; and
A bill (S. 618) for the relief of the estate of Samuel D. Kelley, deceased.

Mr. MALLORY introduced a bill (S. 619) making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 620) to authorize the Secretary of the Navy to establish and cause to be maintained two free public schools for children under 17 years of age at the town of Warrington, on the naval reservation on Pensacola Bay, in the State of Florida; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 621) for the relief of Fernando J. Moreno;
A bill (S. 622) for the relief of the legal representatives of Joseph Sierra, deceased; and
A bill (S. 623) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased.

Mr. MALLORY introduced a bill (S. 624) to grant to the city of Pensacola, in the State of Florida, all the right, title, and interest of the United States of America in and to certain lots of land in said city; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 625) granting an increase of pension to Alice M. Hickey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 626) for the establishment of a fish-cultural station in the State of Florida; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. DUBOIS introduced a bill (S. 627) granting an increase of pension to Cary P. Taplin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 628) to establish a Government building in the town of Pocatello, Idaho; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 629) to establish a Government building in the town of Lewiston, Idaho; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 630) to establish a Government building at the town of Moscow, Idaho; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MARTIN introduced a bill (S. 631) to provide for the purchase of the McLean property and adjacent property at Appomattox, Va., in commemoration of the surrender of the Army of Northern Virginia to General Grant; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 632) to correct the military record of Harrison Wagner; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 633) for the relief of the trustees of the Cedar Run Baptist Church, of Culpeper County, Va.;
A bill (S. 634) for the relief of the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va.;
A bill (S. 635) for the relief of the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va.;
A bill (S. 636) for the relief of Bolivar Sheild;
A bill (S. 637) for the relief of the trustees of the Christian Church of Fredericksburg, Va.;
A bill (S. 638) for the relief of the Potomac Steamboat Company;
A bill (S. 639) for the relief of Isaac Davenport and others;
A bill (S. 640) for the relief of the trustees of the Opequon Presbyterian Church, of Kernstown, Va.;
A bill (S. 641) for the relief of the trustees of the Grove Presbyterian Church, of Morrisville, Va.;
A bill (S. 642) for the relief of the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va.;
A bill (S. 643) for the relief of the trustees of Fletcher Chapel, in King George County, Va.;
A bill (S. 644) for the relief of the trustees of the Colored Methodist Episcopal Church, of Winchester, Va.;
A bill (S. 645) for the relief of the trustees of the Presbyterian Church of Highland County, Va.;
A bill (S. 646) for the relief of the First Baptist Church, of Alexandria, Va.;
A bill (S. 647) for the relief of the wardens and vestrymen of Old Merchant's Hope Episcopal Church, of Prince George County, Va.;
A bill (S. 648) for the relief of the trustees of the Methodist Episcopal Church South, of Fredericksburg, Va.;

A bill (S. 649) for the relief of the trustees of the Methodist Episcopal Church South, of Morrisville, Va.;

A bill (S. 650) for the relief of the trustees of Mount Holly Baptist Church, of Fauquier County, Va.; and

A bill (S. 651) for the relief of the trustees of New Salem Baptist Church, of Culpeper County, Va.

Mr. PENROSE introduced a bill (S. 652) relative to the port of Chester, Pa.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 653) to purchase an oil painting entitled "The Death of Brevet Lieutenant-Colonel Alonzo H. Cushing;" which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 654) for the relief of Abram G. Hoyt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 655) for the relief of John F. Finney; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (S. 656) providing for the retirement of petty officers and enlisted men of the Navy;

A bill (S. 657) to promote the efficiency of the clerical service in the Navy of the United States, to organize a clerical corps of the Navy of the United States, to define its duties, and to regulate its pay; and

A bill (S. 658) providing for the establishment of a naval training station for the Great Lakes on a shore site adjoining the harbor of Erie, Pa., and for other purposes.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 659) granting a pension to Elizabeth A. Whitlock;

A bill (S. 660) granting an increase of pension to George W. Frederick;

A bill (S. 661) to pension certain soldiers and nonenlisted men who served in the war of the rebellion;

A bill (S. 662) granting an increase of pension to Carrie Keefer;

A bill (S. 663) granting an increase of pension to Mary B. Keller; and

A bill (S. 664) granting a pension to Jackson D. Siner.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 665) to grant an honorable discharge from the military service to Adolph F. Hitchler;

A bill (S. 666) to correct the military record of Henry F. Miller; and

A bill (S. 667) to grant an honorable discharge from the military service to Christian Heinze.

Mr. CULLOM (by request) introduced a bill (S. 668) for the relief of Maurice Langhorne; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 669) granting a pension to Annie Jameson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 670) for the relief of the legal devisees of James W. Schaumburg; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 671) to increase the pensions of those who have lost both eyes or have become totally blind from causes occurring in the military or naval service of the United States; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 672) granting permission to Rear-Admiral Bowman H. McCalla, United States Navy, to accept a decoration tendered to him by the Emperor of Germany; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 673) for the relief of Jeremiah Cutler Burnett; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 674) to restore William McElroy, late a first lieutenant in the United States Army, to his former rank, and for other purposes;

A bill (S. 675) to grant an honorable discharge to William A. Treadwell; and

A bill (S. 676) to establish a permanent military camp ground upon the Nacimiento ranch, situated in Monterey and San Luis Obispo counties, Cal.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 677) for the relief of the legal representatives of A. G. Boone;

A bill (S. 678) for the relief of Mary B. Spencer, administratrix of Albert G. Boone, deceased; and

A bill (S. 679) for the relief of Mrs. Julia L. Hall.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 680) granting an increase of pension to Wilbert B. Teters (with an accompanying paper);

A bill (S. 681) granting an increase of pension to Isaiah Larkins (with an accompanying paper);

A bill (S. 682) granting a pension to Jacob S. Grimes;

A bill (S. 683) granting a pension to Madison M. Burnett;

A bill (S. 684) granting an increase of pension to Sebald V. Schlessinger;

A bill (S. 685) granting a pension to A. Elizabeth Nichols;

A bill (S. 686) granting a pension to Bartlett Minot;

A bill (S. 687) granting a pension to W. H. H. Lewis;

A bill (S. 688) granting a pension to Job E. Brownell;

A bill (S. 689) granting an increase of pension to Jackson J. Lane;

A bill (S. 690) granting a pension to Henry F. Tower;

A bill (S. 691) granting an increase of pension to Franklin Fulton;

A bill (S. 692) granting an increase of pension to Isaiah Mitchell;

A bill (S. 693) granting an increase of pension to Charles W. De Rocher;

A bill (S. 694) granting an increase of pension to Edward L. Berthond;

A bill (S. 695) granting an increase of pension to Henry E. Allen;

A bill (S. 696) granting an increase of pension to W. F. Nichols;

A bill (S. 697) granting an increase of pension to John B. Hanna;

A bill (S. 698) granting an increase of pension to W. A. Gunn;

A bill (S. 699) granting a pension to Elliott H. Benton; and

A bill (S. 700) granting a pension to Moses A. Lovelady.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (S. 701) to validate certain certificates of soldiers' additional homestead right;

A bill (S. 702) to aid the State of Colorado to support a school of mines;

A bill (S. 703) setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows of Central City, Colo.; and

A bill (S. 704) providing for free homesteads in the Ute Indian Reservation in Colorado.

Mr. TELLER introduced a bill (S. 705) for the relief of the legal representatives of G. B. Stimpson; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 706) for the relief of David H. Moffat; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLAPP introduced a bill (S. 707) to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Indian Affairs:

A bill (S. 708) authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River, in the State of Minnesota;

A bill (S. 709) for the relief of the estate of Ramsay Crooks;

A bill (S. 710) referring to the Court of Claims the claim of the Shoshone Indians to title in all of the Wind River Reservation, and so forth;

A bill (S. 711) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same;

A bill (S. 712) to provide for the service of warrants issued by United States commissioners in the district of Minnesota, and for the summary disposition by such commissioners of certain cases connected with Indian liquor traffic; and

A bill (S. 713) for the relief of Rev. Charles Wright.

Mr. CLAPP introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 714) for the establishment of a national park and cemetery at Fort Ridgely, in the State of Minnesota;

A bill (S. 715) to place Edward Simonton on the retired list of the Army;

A bill (S. 716) granting an honorable discharge to Jacob Neibles;

A bill (S. 717) to correct the military record of Maurice J. O'Brine;

A bill (S. 718) for the relief of Sylvester D. Foss; and

A bill (S. 719) for the relief of Charles T. Trowbridge, George D. Walker, and John A. Trowbridge.

Mr. CLAPP introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 720) for the relief of B. Jackman;

A bill (S. 721) for the relief of Darwin S. Hall; and

A bill (S. 722) for the relief of the heirs of Rinaldo Johnson and Ann E. Johnson, deceased.

Mr. CLAPP introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 723) granting a pension to Jacob Niebels;

A bill (S. 724) granting an increase of pension to Marzovan J. Secord;

A bill (S. 725) granting a pension to Amanda L. Mardin;

A bill (S. 726) granting an increase of pension to L. P. Storms;

A bill (S. 727) granting a pension to George W. Witherell;

A bill (S. 728) granting a pension to Eliza Houghton;

A bill (S. 729) granting a pension to Aletta Joel;

A bill (S. 730) granting a pension to Adoniram C. Harper; and

A bill (S. 731) granting a pension to Abbie Webster.

Mr. CLAPP introduced a bill (S. 732) to authorize the erection of a monument at Lundys Lane to the memory of Capt. Abraham F. Hull; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 733) to provide for the erection of a monument in commemoration of the services of Gen. Frederick Steuben in the Revolutionary war; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 734) for the relief of Edwin Bell; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 735) for the relief of Jean Louis Legare, of the Dominion of Canada; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 736) for the relief of Sidney J. Wetherell, assignee of A. V. Davis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 737) for the relief of Ste. Genevieve County, Mo.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 738) for the relief of the trustees of the First Baptist Church, of Jefferson City, Mo.; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, I present the affidavits of Adam Opel, Howard Barnes, Lorenz Siefert, and Archie Drake. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 739) for the relief of F. X. Mulhaupt and Caroline Mulhaupt, of Jackson County, Mo.; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition, statement, affidavit, etc., for the relief of F. X. Mulhaupt and Caroline Mulhaupt, of Jackson County, Mo., for reference to the Court of Claims under act of March 3, 1887. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL (by request) introduced a bill (S. 740) for the relief of Mrs. George C. Maynard, widow of George C. Maynard; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition and affidavit of Mrs. George C. Maynard, together with the affidavit of George A. Dice, post-office inspector, and six vouchers, all of which have been sent to me to present with the bill. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 741) granting an increase of pension to William D. Woodworth; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of William D. Woodworth for increase of pension, together with affidavits of D. A. Smith, G. L. Dewitt, James H. Poet, and Dr. J. H. Woodward. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. FULTON introduced a bill (S. 742) granting a pension to Charles E. Cline; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 743) for the relief of the personal representatives of Henry H. Sibley, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. KITTREDGE introduced a bill (S. 744) granting an increase of pension to Stephen Gascoigne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 745) granting a pension to John Swenson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 746) to remove the charge of desertion from the military record of Charles K. Bolster; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLAY introduced a bill (S. 747) for the relief of Ramon O. Williams and Joseph A. Springer; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAPP introduced a joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota*; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a joint resolution (S. R. 7) authorizing the Secretary of War to deliver to Acker Post, Grand Army of the Republic, of St. Paul, Minn., two condemned cannon and sixteen cannon balls for ornamenting burial grounds of deceased soldiers in that city; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO RIVER AND HARBOR APPROPRIATION BILL.

Mr. McCOMAS submitted an amendment proposing to appropriate $1,000,000 for deepening and improving the main ship channel of the Patapsco River and Baltimore Harbor, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

J. E. SIMPSON & CO.

On motion of Mr. PLATT of New York, it was

Ordered, That Senate report No. 1061, Fifty-sixth Congress, first session, relative to the bill (S. 272) for the relief of the members of the firm of J. E. Simpson & Co., be reprinted.

DISCHARGES FROM MILITARY SERVICE.

Mr. COCKRELL. I ask that an order be made to print as a Senate document memoranda prepared at the War Department giving the laws and Army regulations in regard to the discharge of enlisted men from the military service. The paper is in a very condensed form, which will make it convenient for the reference of Senators and Representatives. Questions in relation to this matter frequently arise.

The PRESIDENT pro tempore. Is there objection to the request? The Chair hears none, and the order to print will be made.

SARAH E. NICHOLS.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Sarah E. Nichols, widow of John L. Nichols, late assistant in stationery room, Senate of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

KATE L. ZIMMERMAN.

Mr. SCOTT submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Kate L. Zimmerman, widow of John R. Zimmerman, late upholsterer and locksmith in the Senate of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

ANGALINE P. ROOT.

Mr. DOLLIVER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Angaline P. Root, widow of Richard Root, late messenger, acting assistant doorkeeper in the Senate of the United States, a sum equal to six months' pay at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

PASSAIC RIVER SURVEY FROM DUNDEE DAM.

Mr. KEAN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Passaic River, New Jersey, from the Dundee Dam,

with a view to widening and deepening the channel and the construction of a lock in the Dundee Dam for the purpose of preventing the disastrous floods which have recently occurred, causing loss of life and valuable property, and to submit a plan and estimate for such improvement at the earliest date practicable.

PROTECTION FROM FLOODS IN STATE OF WASHINGTON.

Mr. ANKENY submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of providing protection from annual floods in the valleys of the White, Black, Duwamish, and Samanish rivers, Washington, and to submit a plan for such relief.

DISPOSITION OF ROUTINE BUSINESS.

Mr. HANSBROUGH. In accordance with the provisions of Rule XL, I give notice that I propose to move an amendment to the rules, which, if adopted, will modify Rule No. VII, and for that purpose I submit the resolution which I send to the desk.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the rules of the Senate be amended by adding thereto the following:

"That Senators, of their own motion, at any time while the Senate is sitting, may deposit in a receptacle provided for that purpose at the Secretary's desk any petitions or memorials, reports from the Committee on Pensions, and pension bills; and all matters so deposited shall be disposed of in the same manner as if presented by Senators from their places on the floor of the Senate; and the Secretary of the Senate shall promptly furnish each day to the official reporters of debates for publication in the RECORD a transcript of all the matters above referred to."

The PRESIDENT pro tempore. What disposition does the Senator from North Dakota desire made of the resolution?

Mr. HANSBROUGH. Under the rule it is required that such a resolution shall be printed and lie upon the table.

The PRESIDENT pro tempore. That order will be made.

EXECUTIVE SESSION.

Mr. HALE. If there be no further morning business, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

DEATH OF REPRESENTATIVE BOREING.

Mr. McCREARY. I ask the Chair to lay before the Senate the resolutions of the House of Representatives announcing the death of Hon. VINCENT BOREING, late a Representative from the State of Kentucky.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Chair lays before the Senate the resolutions referred to by the Senator from Kentucky, which will be read.

The resolutions were read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
November 10, 1903.

Resolved, That the House has learned with profound sorrow of the death of Hon. VINCENT BOREING, a Representative from the State of Kentucky.

Resolved, That the Clerk be directed to transmit this resolution to the Senate and to send a copy thereof to the family of the deceased.

Mr. McCREARY. Mr. President, later in the session I will ask the Senate to name a time for the delivery of such remarks in respect to the life and public services of my late colleague in the other House as may be deemed proper.

DEATH OF REPRESENTATIVE FOERDERER.

Mr. PENROSE. I ask the Chair to lay before the Senate the resolutions of the House of Representatives relative to the death of my late colleague in that body, Hon. R. H. FOERDERER.

The PRESIDING OFFICER. The Chair lays before the Senate the resolutions indicated by the Senator from Pennsylvania, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
November 10, 1903.

Resolved, That the House has heard with profound sorrow of the death of Hon. R. H. FOERDERER, a Representative-elect from the State of Pennsylvania.

Resolved, That the Clerk be directed to transmit this resolution to the Senate and a copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of Hon. VINCENT BOREING and Hon. R. H. FOERDERER, this House do now stand adjourned.

Mr. PENROSE. Mr. President, at some subsequent time I will ask the Senate to fix a day when fitting tribute may be paid to the memory of my deceased colleague. For the present, as a mark of respect to his memory, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock and 13 minutes p. m.) the Senate adjourned until Monday, November 16, 1903, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 12, 1903.

RECEIVER OF PUBLIC MONEYS.

Charles U. Snider, of Lakeview, Oreg., to be receiver of public moneys at Lakeview, Oreg.

REGISTERS OF LAND OFFICES.

Algernon S. Dresser, of Oregon City, Oreg., to be register of the land office at Oregon City, Oreg.

Marshall H. Jewell, of Bismarck, N. Dak., to be register of the land office at Bismarck, N. Dak.

John N. Watson, of Paisley, Oreg., to be register of the land office at Lakeview, Oreg.

Edward W. Davis, of Union, Oreg., to be register of the land office at Lagrande, Oreg.

HOUSE OF REPRESENTATIVES.

THURSDAY, *November 12, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

Mr. COOPER of Texas. Mr. Speaker, Hon. Thomas H. Ball, a Member-elect to the Fifty-eighth Congress from the State of Texas, has not been present before at this session of Congress. He is now upon the floor of the House, and I ask that he be sworn in as a Member of this Congress.

The SPEAKER. The gentleman will come forward to the bar of the House.

Mr. Ball came forward, and the oath of office was administered to him by the Speaker.

COMMITTEE ON WAYS AND MEANS.

The SPEAKER announced the appointment of the following committee:

On Ways and Means: Mr. PAYNE, Mr. DALZELL, Mr. GROSVENOR, Mr. TAWNEY, Mr. McCALL, Mr. BABCOCK, Mr. METCALF, Mr. HILL of Connecticut, Mr. BOUTELL, Mr. WATSON, Mr. CURTIS, Mr. WILLIAMS of Mississippi, Mr. ROBERTSON of Louisiana, Mr. SWANSON, Mr. McCLELLAN, Mr. COOPER of Texas, and Mr. CLARK.

JOHN DA SILVA.

By unanimous consent, on motion of Mr. LINDSAY, leave was granted to withdraw from the files of the House the papers in the case of John Da Silva, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

Mr. TATE. Mr. Speaker, I ask indefinite leave of absence for my colleague, Judge GRIGGS, on account of sickness in his family.

The SPEAKER. The gentleman asks indefinite leave of absence for Representative GRIGGS, of Georgia, on account of sickness in his family.

There was no objection.

QUESTION OF PERSONAL PRIVILEGE.

Mr. THAYER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. THAYER. A question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. THAYER. Mr. Speaker, since we have been called together in extraordinary session at an extraordinary time, two weeks before it seemed that it was necessary——

Mr. PAYNE. Mr. Speaker, I make the point of order that this is not a statement of a question of personal privilege.

The SPEAKER. So far it is not, but if the gentleman from Massachusetts states to the Chair that he has a question of personal privilege, the Chair will hear him, in order.

Mr. PAYNE. It seems to me he could state his question of privilege first and make his other statement afterwards.

The SPEAKER. If the point of order is made, that is correct.

Mr. THAYER. I may take my own order of speaking, I suppose, as to what I shall say first or second, and it is a matter of personal privilege to which I rise. I say in view of this——

The SPEAKER. The Chair thus early in the session desires to say that it is impossible for a Member to state everything in one sentence. If the gentleman from Massachusetts states that in his judgment he has a question of personal privilege to present, the Chair will hear it——

Mr. THAYER. In view of the fact, Mr. Speaker——

The SPEAKER (continuing). And the gentleman proceeds upon that understanding.

Mr. THAYER. In view of the fact, Mr. Speaker, that 400 men have been here assembled for four days and substantially nothing whatever has been accomplished, with the prospect that for the next four days nothing will be accomplished; and in view of the fact that many who live in places accessible to the Capitol have already returned home, and others wish to go; and in view of the fact that this Cuban question was thoroughly discussed at the last session and no substantial amount of time is needed to

pass or reject this matter at this special session, I want to ask if a person would be suspected of being derelict in duty or open to criticism by this House if he should return to the quiet of his own home and the bosom of his own family, there to be engaged in getting up the winter's wood or mending his fences, if they, perchance, need mending, providing he returns home with the understanding left with the Chair that he would return to the Capitol at any time when the six or eight prominent Members of Congress (who constitute the Congress) notified him that there would be anything to do? [Laughter on the Democratic side.]

The SPEAKER. The Chair states that the gentleman's question of personal privilege hardly amounts to a faint assault upon the dignity of a parliamentary inquiry.

Mr. PAYNE. I am somewhat inclined to ask unanimous consent that the gentleman be excused from attendance. [Laughter on the Republican side.] Mr. Speaker, I introduce the following bill, and ask that it be referred to the Committee on Ways and Means.

The SPEAKER. The bill will go through the box and be referred.

Mr. PAYNE. It is a public bill, and I would like to have the title of the bill read.

The SPEAKER. Without objection, the title of the bill will be read. [After a pause.] The Chair hears none.

Mr. WILLIAMS of Mississippi. What is the nature of this request?

The SPEAKER. The gentleman asks that the title of the bill which he proposes to introduce be read. Under the rules it would be introduced through the box.

Mr. WILLIAMS of Mississippi. I have no objection to that.

The SPEAKER. The Clerk will report the bill by its title.

The Clerk read as follows:

A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. WILLIAMS of Mississippi. Before that motion is put, I should like to ask the gentleman a question concerning this bill.

Mr. PAYNE. I made my motion. The gentleman can ask unanimous consent.

Mr. WILLIAMS of Mississippi. I ask the gentleman to withhold the motion for a moment.

Mr. PAYNE. I will not stand in the way of the gentleman making a statement.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman if he is prepared from his side of the House to give us anything in the nature of a notice of their modus operandi or plan in connection with this matter.

Mr. PAYNE. I would state to the gentleman that the Committee——

Mr. WILLIAMS of Mississippi. To what committee is the bill to go?

Mr. PAYNE. To the Committee on Ways and Means. I would state that I instructed the clerk to call a meeting of the Committee on Ways and Means for to-morrow, and I hope to report the bill at the session of the House to-morrow.

Mr. WILLIAMS of Mississippi. You are going to call a meeting of the Committee on Ways and Means and report the bill the same day?

Mr. PAYNE. Certainly.

Mr. WILLIAMS of Mississippi. I wanted to know the magnitude of the outrage we would be expected to submit to.

Mr. PAYNE. This is simply promptness, not outrage.

Mr. WILLIAMS of Mississippi. That may be from your standpoint, speaking in comparison with some other things that have occurred.

Mr. PAYNE. We will be most happy to consult with the gentleman in the matter.

Mr. WILLIAMS of Mississippi. At what hour is the meeting of the committee?

Mr. PAYNE. At half past 10.

Mr. WILLIAMS of Mississippi. Can not you make it 10 instead of half past 10, and give us half an hour longer?

Mr. PAYNE. I have already requested the clerk of the committee to send out the notices for half past 10.

Mr. WILLIAMS of Mississippi. That would give us half an hour longer.

Mr. PAYNE. I think the gentleman will have a chance to say all he has to say if we meet at half past 10.

The SPEAKER. Pending the motion, the Chair lays before the House the following enrolled joint resolution:

ENROLLED JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled joint resolution of the following title:

Joint resolution (H. J. Res. 14) making immediately available the appropriations for mileage of Senators and Members of the House of Representatives, and for other purposes.

LEAVE OF ABSENCE.

By unanimous consent (at the request of Mr. ADAMS of Pennsylvania), indefinite leave of absence was granted to Mr. BURK of Pennsylvania, on account of serious illness.

The SPEAKER. The question is on agreeing to the motion of the gentleman from New York, that the House do now adjourn.

The motion was agreed to.

Accordingly (at 12 o'clock and 10 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Navy, transmitting, with a favorable recommendation, a copy of the report of the board appointed to select a site for a naval training station on the Great Lakes—to the Committee on Naval Affairs, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PAYNE: A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902—to the Committee on Ways and Means.

By Mr. POWERS of Massachusetts: A bill (H. R. 1922) authorizing purchase of a site for customs purposes and the construction of buildings at Boston, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. COWHERD: A bill (H. R. 1923) to provide for giving medals to those who served in the Army during the war with Spain—to the Committee on Military Affairs.

By Mr. MONDELL: A bill (H. R. 1924) authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers—to the Committee on the Public Lands.

Also, a bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district of Alaska from Sitka, Alaska, to Juneau, Alaska—to the Committee on Ways and Means.

By Mr. GARDNER of Massachusetts: A bill (H. R. 1926) to provide for the purchase of a site and the erection of a public building thereon at Beverly, in the State of Massachusetts—to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Arizona: A bill (H. R. 1927) to amend an act entitled "An act to create a customs district of the Territory of Arizona," approved April 29, 1890—to the Committee on Ways and Means.

By Mr. BATES: A bill (H. R. 1928) to provide for a naval training station for the Great Lakes at harbor of Erie, Pa.—to the Committee on Naval Affairs.

By Mr. DAVIDSON: A bill (H. R. 1929) to increase the compensation of carriers on rural free-delivery mail routes—to the Committee on the Post-Office and Post-Roads.

By Mr. AIKEN: A bill (H. R. 1930) to provide for the erection of a public building at Anderson, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. HUMPHREY of Washington: A bill (H. R. 1931) increasing the cost of public building at Seattle, in the State of Washington—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1932) providing for the erection of a public building at the city of Whatcom, in the State of Washington—to the Committee on Public Buildings and Grounds.

By Mr. LOVERING: A bill (H. R. 1933) to appropriate the sum of $40,000 to the Cape Cod Pilgrim Memorial Association, to be used in erecting at Provincetown, Mass., a suitable memorial of the landing of the Pilgrims—to the Committee on the Library.

Also, a bill (H. R. 1934) to make the currency responsive to the varying needs of business at all seasons in all sections—to the Committee on Banking and Currency.

By Mr. TOWNSEND: A bill (H. R. 1935) for a public building at Ann Arbor, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington: A bill (H. R. 1936) extending to the subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement—to the Committee on Ways and Means.

By Mr. SPERRY: A bill (H. R. 1937) for the erection of a public building at Ansonia, Conn.—to the Committee on Public Buildings and Grounds.

By Mr. LEVER: A bill (H. R. 1938) to provide for the erection

of a public building at Sumter, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. BROWNLOW: A bill (H. R. 1939) creating the southwestern judicial district in Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. BADGER: A bill (H. R. 1940) to provide for the extension and enlargement of the public building at Columbus, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. TOWNSEND: A bill (H. R. 1941) to increase salaries of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDWELL: A bill (H. R. 1942) to construct a road from Springfield, Ill., to the national cemetery at Camp Butler, adjacent thereto—to the Committee on Military Affairs.

Also, a bill (H. R. 1943) granting pensions to teamsters of the war of the rebellion and Indian wars from 1861 to 1865, inclusive—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 1944) making an appropriation to construct a gravel road from Shiloh National Military Park to the city of Corinth, Miss., together with all necessary bridges—to the Committee on Military Affairs.

By Mr. MCMORRAN: A bill (H. R. 1945) in amendment of section 2 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 1946) to amend section 5278 of the Revised Statutes of the United States on extradition—to the Committee on the Judiciary.

By Mr. COOPER of Texas: A bill (H. R. 1947) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 1948) to provide suitable medals for the officers and crews of the United States vessels of war *Cumberland*, *Congress*, and *Monitor*—to the Committee on Naval Affairs.

By Mr. POWERS of Massachusetts: A bill (H. R. 1949) to purchase a painting of the frigate *Constitution* as "*Old Ironsides*," and entitled "Old Ironsides"—to the Committee on the Library.

Also, a bill (H. R. 1950) to reimburse naval volunteers enlisted for one year or during the war with Spain for the cost of clothing and equipment—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 1951) for the erection of a public building at Las Vegas, N. Mex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1952) for the erection of a public building at Albuquerque, N. Mex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 1953) to provide for an additional associate justice of the supreme court of the Territory of New Mexico—to the Committee on the Judiciary.

Also, a bill (H. R. 1954) to authorize the exploration and purchase of mines within the boundaries of private land claims—to the Committee on Mines and Mining.

Also, a bill (H. R. 1955) to validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds—to the Committee on the Territories.

By Mr. ROBINSON of Arkansas: A bill (H. R. 1956) to authorize an exchange of sites for the public buildings of Garland County, Ark.—to the Committee on the Public Lands.

By Mr. TAWNEY: A bill (H. R. 1957) in reference to the civil service and appointments thereunder—to the Committee on Reform in the Civil Service.

By Mr. ROBERTS: A bill (H. R. 1958) to amend section 2, chapter 14, of the acts of the Forty-ninth Congress, second session, approved January 3, 1887—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 1959) authorizing the Secretary of War to procure medals for the Sixth Massachusetts Regiment, who were the first fully equipped soldiers to arrive on April 19, 1861, for the defense of the city of Washington—to the Committee on Military Affairs.

Also, a bill (H. R. 1960) providing that the statute of limitations shall not be interposed in any suit brought by any laborer, workman, or mechanic in the Court of Claims against the United States to recover wages claimed to be due him under the national eight-hour law—to the Committee on Claims.

Also, a bill (H. R. 1961) to remove the duty on hides of cattle—to the Committee on Ways and Means.

Also, a bill (H. R. 1962) to remove the duty on coal—to the Committee on Ways and Means.

By Mr. RIXEY: A bill (H. R. 1963) to increase the membership of the Court of Claims, and for other purposes—to the Committee on Claims.

Also, a bill (H. R. 1964) to protect the monuments already erected on the battlefields of Bull Run, Virginia—to the Committee on Military Affairs.

Also, a bill (H. R. 1965) to provide for the construction of a memorial bridge across the Potomac River from Washington to Fort Myer and the national cemetery at Arlington—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 1966) for the judicial ascertainment of claims against the United States—to the Committee on Claims.

Also, a bill (H. R. 1967) to forbid distilleries in local-option communities—to the Committee on Ways and Means.

By Mr. TALBOTT: A bill (H. R. 1968) to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded—to the Committee on Indian Affairs.

By Mr. WARNOCK: A bill (H. R. 1969) to provide for the erection of a public building at Delaware, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. NEEDHAM: A bill (H. R. 1970) to establish a permanent military camp ground upon the Nacimiento ranch, situated in Monterey and San Luis Obispo counties, Cal.—to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 1971) to allow the growers of leaf tobacco to stem, twist, and sell the same without paying tax—to the Committee on Ways and Means.

By Mr. GREENE: A bill (H. R. 1972) authorizing a survey for the harbor of New Bedford and Fairhaven, Mass., for the purpose of increasing the width of the channel and depth of the harbor and providing increased anchorage grounds—to the Committee on Rivers and Harbors.

By Mr. COWHERD: A bill (H. R. 1973) to regulate the practice in United States courts in regard to instructing juries therein—to the Committee on the Judiciary.

By Mr. PERKINS: A bill (H. R. 1974) to provide for the erection of an addition to the public building at Rochester, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. GARDNER of Michigan: A bill (H. R. 1975) to amend section 1225 of Revised Statutes, so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools—to the Committee on Military Affairs.

Also, a bill (H. R. 1976) to prevent robbing the mail, to provide a safer and easier method of sending money by mail, and to increase the postal revenues—to the Committee on the Post-Office and Post-Roads.

By Mr. ALLEN: A bill (H. R. 1977) to purchase a painting of Abraham Lincoln—to the Committee on the Library.

By Mr. HOPKINS: A bill (H. R. 1978) to provide for the improvement of the Tug and Louisa forks of the Big Sandy River, in West Virginia and Kentucky—to the Committee on Rivers and Harbors.

By Mr. LAMB: A bill (H. R. 1979) providing for the extension of the national cemetery on Williamsburg turnpike, near the city of Richmond, Va.—to the Committee on Military Affairs.

By Mr. BUTLER of Pennsylvania (by request): A bill (H. R. 1980) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes—to the Committee on Labor.

By Mr. HOWELL of Utah: A bill (H. R. 1981) to extend the provisions of the act of June 27, 1902, entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Cherokee disturbances, and the Seminole war,' approved July 27, 1892"—to the Committee on Military Affairs.

By Mr. COWHERD: A bill (H. R. 1982) to establish a library post—to the Committee on the Post-Office and Post-Roads.

By Mr. TALBOTT: A bill (H. R. 1983) to provide for compensation for certain employees of the Treasury, War, and Navy Departments—to the Committee on War Claims.

By Mr. WILSON of Arizona: A bill (H. R. 1984) for the appropriation of $200,000 for the building of a custom-house, public buildings, and so forth, in the cities of Phoenix, Prescott, and Tucson, Ariz., and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. HUGHES of West Virginia: A bill (H. R. 1985) to authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky—to the Committee on Interstate and Foreign Commerce.

By Mr. UNDERWOOD: A bill (H. R. 1986) providing for the erection of a public building at Bessemer, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 1987) providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture—to the Committee on the Public Lands.

Also, a bill (H. R. 1988) to provide for the purchase of a site and the erection of a public building thereon at Sheridan, in the State of Wyoming—to the Committee on Public Buildings and Grounds.

By Mr. COWHERD: A bill (H. R. 1989) authorizing the Commissioners of the District of Columbia to construct toilet rooms—to the Committee on the District of Columbia.

Also, a bill (H. R. 1990) to erect a monument in memory of the Union and Confederate soldiers who fell at Lonejack, Mo.—to the Committee on the Library.

By Mr. LOUDENSLAGER: A bill (H. R. 1991) for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and Commissioner of Pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1993) fixing salary of Vice-President and members of the Cabinet—to the Committee on Appropriations.

Also, a bill (H. R. 1994) granting equal privileges to per diem employees in the United States Navy outside of Washington, D. C., with those employees in the Executive Departments in Washington, D. C.—to the Committee on Naval Affairs.

Also, a bill (H. R. 1995) to extend the benefits of the act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor," and so forth, approved June 27, 1890—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1996) providing for the repair and rebuilding of the road from Harrisonville, N. J., to the post at Fort Mott, N. J., and the national cemetery at Finns Point, New Jersey—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 1997) to prohibit the granting or issuing of revenue license for the sale or giving away of intoxicating liquors, wines, spirits, and so forth, in any district or territory of any of the several States or Territories of the United States of America where the sale or giving away of such intoxicating liquors, wines, spirits, and so forth, are prohibited by the laws of said States or Territories—to the Committee on Ways and Means.

By Mr. FLOOD: A bill (H. R. 1998) to require city and street railway companies to use vestibule fronts in certain months—to the Committee on the District of Columbia.

Also, a bill (H. R. 1999) to aid and encourage military training and instruction by donation of public lands—to the Committee on the Public Lands.

By Mr. CAMPBELL: A bill (H. R. 2000) granting pensions to soldiers and sailors of the civil war—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 2055) to authorize the Secretary of the Treasury to examine the evidence of debts claimed to be due or of payments made by the State of Missouri to the officers and privates of the militia forces of said State for military services performed in the suppression of the rebellion in full concert and cooperation with the authorities of the United States and subject to their orders, and to make report thereof to Congress—to the Committee on War Claims.

By Mr. ESCH: A joint resolution (H. J. Res. 20) providing for estimate of cost of extending pier in Lake Pepin Harbor, Wisconsin—to the Committee on Rivers and Harbors.

By Mr. RODEY: A joint resolution (H. J. Res. 21) for the printing of 5,000 copies of the report of the governor of New Mexico to the Secretary of the Interior for the year ending June 30, 1903—to the Committee on Printing.

By Mr. RIXEY: A joint resolution (H. J. Res. 22) asking for estimates for the improvement of Aquia Creek, in Stafford County, Va.—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 23) asking for estimates for the improvement of Quantico Creek, in Prince William County, Va.—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 24) asking for estimates for the improvement of Accotink Creek, in Fairfax County, Va.—to the Committee on Rivers and Harbors.

By Mr. LAMB: A joint resolution (H. J. Res. 25) directing a suitable shaft to be placed at the grave of George Wythe—to the Committee on the Library.

By Mr. POWERS of Massachusetts: A joint resolution (H. J. Res. 26) to appoint Robert S. Talbot a chief engineer on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. CANDLER: A concurrent resolution (H. C. Res. 3) to provide for printing of United States maps—to the Committee on Printing.

By Mr. ROBERTS: A resolution (H. Res. 14) providing for the printing of 1,000 copies of the history of the United States navy-yard at Boston—to the Committee on Printing.

Also, a resolution (H. Res. 15) authorizing the Clerk of the House of Representatives to supply the Public Printer with a copy of the Digested Summary and Alphabetical List of Private Claims presented to the House of Representatives from the Fifty-second to the Fifty-seventh Congress—to the Committee on Printing.

By Mr. HUGHES of West Virginia: A resolution (H. Res. 16) referring the bill H. R. 8821 to the Court of Claims—to the Committee on War Claims.

By Mr. GREENE: Memorial of the general court of the Commonwealth of Massachusetts—to the Committee on Agriculture.

Also, memorial of the general court of the Commonwealth of Massachusetts—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWELL of Utah: Memorial asking Congress to annex that portion of Arizona lying north of the Colorado River to the State of Utah—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. LOUDENSLAGER: A bill (H. R. 1992) relating to the payment and disposition of pension money due inmates of the Government Hospital for the Insane—to the Committee on Pensions.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 2001) granting a pension to Nora J. Glahn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2002) to correct the military record of Phillip Graham—to the Committee on Military Affairs.

By Mr. ALLEN: A bill (H. R. 2003) to commission Henry D. Hall, late captain in the United States Revenue-Cutter Service, a captain on the retired list—to the Committee on Naval Affairs.

By Mr. BABCOCK: A bill (H. R. 2004) for the relief of Capt. Herman C. Schumm—to the Committee on Claims.

Also, a bill (H. R. 2005) granting an increase of pension to Alexander J. Hood—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 2006) granting a pension to Catherine Lenihan, now Hairsine—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: A bill (H. R. 2007) for the relief of the legal representatives of Henry Ohlekopf, deceased—to the Committee on Claims.

By Mr. BOUTELL: A bill (H. R. 2008) for the relief of B. J. D. Irwin—to the Committee on Claims.

Also, a bill (H. R. 2009) for the relief of the estate of Sven J. Johnson—to the Committee on Claims.

Also, a bill (H. R. 2010) for the relief of the heirs of John A. Dolan—to the Committee on Claims.

Also, a bill (H. R. 2011) to correct the military record of Stephen W. Coakley—to the Committee on Military Affairs.

Also, a bill (H. R. 2012) to grant an honorable discharge to Oscar Allen Westover—to the Committee on Military Affairs.

Also, a bill (H. R. 2013) to grant an honorable discharge to Franz Spamer—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 2014) for the relief of Charles Backman—to the Committee on Claims.

By Mr. BRANDEGEE: A bill (H. R. 2015) for the relief of Miss Eliza A. White—to the Committee on Claims.

Also, a bill (H. R. 2016) granting an increase of pension to George Gardner—to the Committee on Invalid Pensions.

By Mr. BROWN of Wisconsin: A bill (H. R. 2017) granting an increase of pension to John Mohr—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: A bill (H. R. 2018) granting a pension to William H. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2019) granting a pension to Mary Gwynn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2020) granting an increase of pension to George F. Sill—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 2021) for the relief of I. J. Humphreys—to the Committee on War Claims.

Also, a bill (H. R. 2022) for the relief of Thomas J. Wear—to the Committee on War Claims.

Also, a bill (H. R. 2023) for the relief of the estate of Allen L. Barnes, deceased—to the Committee on War Claims.

By Mr. CALDWELL: A bill (H. R. 2024) granting an increase of pension to Cinly Diehl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2025) granting an increase of pension to Francis E. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2026) granting an increase of pension to Alfred Diehl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2027) granting a pension to John Dorrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2028) to increase the pension of William T. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2029) granting a pension to Myrtilla J. Waddell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2030) for the relief of Lorenzo Browning—to the Committee on War Claims.

Also, a bill (H. R. 2031) for the relief of legal representatives of S. V. B. Strider, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2032) for the relief of Oliver McGrue—to the Committee on Military Affairs.

Also, a bill (H. R. 2033) for the relief of John F. Bretz—to the Committee on Claims.

Also, a bill (H. R. 2034) to remove the charge of desertion from the record of John C. Berry—to the Committee on Military Affairs.

Also, a bill (H. R. 2035) to remove the charge of desertion from the record of Jacob Deardorff—to the Committee on Military Affairs.

Also, a bill (H. R. 2036) to remove the charge of desertion from the record of Henry Schwindt—to the Committee on Military Affairs.

Also, a bill (H. R. 2037) to remove the charge of desertion from the record of Dan B. Stone—to the Committee on Military Affairs.

Also, a bill (H. R. 2038) to remove the charge of desertion from the record of Dennis Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 2039) to remove the charge of desertion against James Hickey—to the Committee on Military Affairs.

Also, a bill (H. R. 2040) granting a pension to James Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2041) granting an increase of pension to James W. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2043) granting an increase of pension to Thomas McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2044) granting an increase of pension to Hamilton H. McAleney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2045) granting an increase of pension to Henry Henwood—to the Committee on Pensions.

Also, a bill (H. R. 2046) granting an increase of pension to Peter W. Krieger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2047) granting an increase of pension to Isaac R. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2048) granting an increase of pension to Thomas McVey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2049) granting an increase of pension to James Atkison—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 2050) for the relief of Thomas J. Sheppard—to the Committee on Military Affairs.

Also, a bill (H. R. 2051) granting an increase of pension to Joseph Jackson—to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 2052) for the relief of Ramon O. Williams and Joseph A. Springer—to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 2053) for the relief of Hans Peter Guttormsen—to the Committee on Claims.

Also, a bill (H. R. 2054) to correct the military record of S. Spencer Carr—to the Committee on Military Affairs.

By Mr. COWHERD: A bill (H. R. 2056) to correct the records of Cass County Regiment Missouri Home Guards, so as to place the name of the late Irwin Walley on grade as captain of scouts—to the Committee on Military Affairs.

Also, a bill (H. R. 2057) granting a pension to Elizabeth Christmas—to the Committee on Pensions.

Also, a bill (H. R. 2058) for the relief of P. J. Kennedy—to the Committee on Claims.

Also, a bill (H. R. 2059) for the relief of the legal representatives of M. B. Mosley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2060) for the relief of the heirs of David G. Stockwell—to the Committee on War Claims.

Also, a bill (H. R. 2061) granting an increase of pension to Griffith T. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2062) for the relief of John Jefferson Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 2063) for the relief of John S. McBride—to the Committee on Military Affairs.

Also, a bill (H. R. 2064) to remove charge of desertion and grant honorable discharge to Peter C. O'Neill—to the Committee on Military Affairs.

Also, a bill (H. R. 2065) to correct the record of William T. Mefford—to the Committee on Military Affairs.

Also, a bill (H. R. 2066) granting a pension to Phœbe B. Colton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2067) for the relief of George W. Buxton—to the Committee on Claims.

Also, a bill (H. R. 2068) granting a pension to Ella G. Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2069) granting a pension to Lois D. Moon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2070) to correct the record of James Clingen—to the Committee on Military Affairs.

Also, a bill (H. R. 2071) for the relief of Wesley C. Howe—to the Committee on Military Affairs.

Also, a bill (H. R. 2072) for the relief of the heirs of O. H. Cogswell—to the Committee on War Claims.

Also, a bill (H. R. 2073) for the relief of Mary Montville—to the Committee on Claims.

Also, a bill (H. R. 2074) for the relief of the legal representatives of A. L. H. Crenshaw—to the Committee on War Claims.

By Mr. DAVIS of Florida: A bill (H. R. 2075) for the relief of Hiram Kendall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2076) for the relief of A. T. Triay—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 2077) for the relief of the trustees of the Baptist Church of Charlestown, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2078) for the relief of the estate of Frederick A. Roeder, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2079) for the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2080) for the relief of the estate of R. McChesney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2081) for the relief of Elk Ranch Presbyterian Church, of Jefferson County, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2082) for the relief of the trustees of the Methodist Episcopal Church of Middleway, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2083) for the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 2084) for the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 2085) for the relief of Goff A. Hall—to the Committee on War Claims.

Also, a bill (H. R. 2086) for the relief of Joseph Duncan—to the Committee on War Claims.

Also, a bill (H. R. 2087) for the relief of Edward Tearney, administrator of Samuel Ridenour, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2088) for the relief of the heirs of Thomas G. Flagg, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2089) for the relief of Joseph R. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 2090) for the relief of John Whittington—to the Committee on War Claims.

Also, a bill (H. R. 2091) for the relief of the estate of Jacob Custer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2092) for the relief of the heirs of Charles A. Dinkle, heirs of John F. Dinkle and J. Daniel Dinkle—to the Committee on War Claims.

By Mr. DENNY: A bill (H. R. 2093) for the relief of the representatives of James Hooper—to the Committee on Claims.

By Mr. DWIGHT: A bill (H. R. 2094) granting a pension to Charity A. Seibell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2095) granting a pension to William F. Hawley—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 2096) for the relief of the heirs of John Freeland, deceased—to the Committee on Claims.

Also, a bill (H. R. 2097) for the relief of John D. Youell—to the Committee on War Claims.

Also, a bill (H. R. 2098) granting an increase of pension to Mrs. R. A. Bradshaw—to the Committee on Pensions.

Also, a bill (H. R. 2099) for the relief of J. Terry Dillard—to the Committee on War Claims.

Also, a bill (H. R. 2100) for the relief of Benjamin I. Craig—to the Committee on War Claims.

Also, a bill (H. R. 2101) granting a pension to James R. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2102) for the relief of the estate of Robert J. Hope, deceased, of Staunton, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2103) for the relief of Martha H. Shultz—to the Committee on War Claims.

Also, a bill (H. R. 2104) for the relief of the estate of Samuel Huffman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2105) for the relief of the estate of Peter Sheets, deceased—to the Committee on War Claims.

By Mr. FOSTER of Vermont: A bill (H. R. 2106) granting an increase of pension to Aaron Preston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2107) granting an increase of pension to James W. Whitney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2108) granting an increase of pension to Henry D. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2109) granting a pension to Carrie L. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2110) granting a pension to Mary Farrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2111) granting a pension to Henry D. Tousley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2112) to pay Allen Tacey the sum therein named—to the Committee on Claims.

By Mr. GARDNER of New Jersey: A bill (H. R. 2113) granting a pension to Sarah A. Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2114) granting a pension to William McCloud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2115) to increase the pension of John Quinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2116) to increase the pension of Richard C. Ivory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2117) for the relief of Adolphus Yuncker—to the Committee on Military Affairs.

Also, a bill (H. R. 2118) for the relief of Anna M. Mershon, administratrix of Daniel S. Mershon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2119) for the relief of John H. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 2120) referring the claim of the legal representatives of William T. Duvall, deceased, against the United States to the Court of Claims—to the Committee on Claims.

By Mr. HAUGEN: A bill (H. R. 2121) granting a pension to Gertrude Merrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2122) granting a pension to O. H. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2123) granting a pension to Robert Lappin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2124) granting an increase of pension to Henry J. Grannis—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 2125) for the relief of the heirs at law of Capt. John Lewis—to the Committee on Claims.

Also, a bill (H. R. 2126) for the relief of the trustees of the Colored Methodist Episcopal Church, of Winchester, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2127) for the relief of the trustees of the Opequon Presbyterian Church, of Kernstown, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2128) for the relief of the estate of Thomas Clevenger, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2129) for the relief of Lewis M. Miller—to the Committee on War Claims.

Also, a bill (H. R. 2130) for the relief of the estate of Branon Thatcher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2131) for the relief of William Mason—to the Committee on War Claims.

Also, a bill (H. R. 2132) for the relief of C. A. Sprinkel—to the Committee on War Claims.

Also, a bill (H. R. 2133) for the relief of George W. Bromley—to the Committee on War Claims.

Also, a bill (H. R. 2134) for the relief of the estate of Robert Barr, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2135) for the relief of Wesley Rankins—to the Committee on War Claims.

Also, a bill (H. R. 2136) for the relief of James W. Nickens—to the Committee on War Claims.

Also, a bill (H. R. 2137) for the relief of the estates of James and Eliza M. Lewis, deceased, late of Frederick County, Va.—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 2138) granting an increase of pension to Delu Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2139) granting an increase of pension to James W. Kight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2140) granting a pension to Alice A. Johnson—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 2141) to amend the military record of Samuel Anderson—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 2142) granting an increase of pension to Isaac J. Holt—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 2143) for the relief of John Morgan's heirs—to the Committee on War Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 2144) granting a pension to Myrtie B. Poole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2145) granting a pension to Henry B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2146) granting an increase of pension to Absalom Shell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2147) granting an increase of pension to Valentine Faulhaber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2148) granting an increase of pension to Lawrence Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2149) granting an increase of pension to George W. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2150) granting an increase of pension to Robert Whitman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2151) granting an increase of pension to Col. Samuel H. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2152) granting an increase of pension to James Beistle—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 2153) granting an increase of pension to Solon C. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2154) granting an increase of pension to Robert S. Pettijohn, of Long Pine, in the State of Nebraska—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 2156) for the relief of the trustees of Liberty Baptist Church, New Kent County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2157) for the relief of trustees of Four Mile Creek Baptist Church—to the Committee on War Claims.

Also, a bill (H. R. 2158) for the relief of William M. Mantlo, of New Kent County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2159) for the relief of Margaret Myers—to the Committee on War Claims.

Also, a bill (H. R. 2160) for the relief of the personal representative of the estate of Alexander Myers, deceased—to the Committee on Claims.

By Mr. LESTER: A bill (H. R. 2161) granting an increase of pension to Josephine A. Smith—to the Committee on Pensions.

By Mr. LORIMER: A bill (H. R. 2162) granting an increase of pension to William H. Wilson—to the Committee on Pensions.

By Mr. LOVERING: A bill (H. R. 2163) to remove the charge of desertion from the military record of Samuel Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 2164) granting a pension to Richmond L. Weston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2165) granting a pension to Lydia A. Magoon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2166) granting an increase of pension to Albert S. Shepard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2167) granting a pension to Paran C. H. Belcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2168) granting an increase of pension to James Cushing Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2169) granting arrears of pension to H. Morris Husband—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2170) granting a pension to Isaac E. Shepardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2171) granting an increase of pension to Charles W. Lovejoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2172) granting an increase of pension to Charles W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2173) granting a pension to Louisa Stafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2174) granting a pension to Penny F. Stephens—to the Committee on Pensions.

Also, a bill (H. R. 2175) granting an increase of pension to John Coleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2176) to correct and amend the military record of George R. Bowker—to the Committee on Military Affairs.

Also, a bill (H. R. 2177) for the relief of Harrison Loring—to the Committee on War Claims.

Also, a bill (H. R. 2178) granting a pension to Sarah A. McInerney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2179) granting a pension to Orange S. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2180) to remove the charge of desertion from the military record of Timothy Reed—to the Committee on Military Affairs.

Also, a bill (H. R. 2181) to remove the charge of desertion from the military record of Sanford K. Knox—to the Committee on Military Affairs.

Also, a bill (H. R. 2182) to grant jurisdiction and authority to the Court of Claims to adjudicate the claim of Jacob B. Phillips against the United States—to the Committee on Claims.

Also, a bill (H. R. 2183) granting an increase of pension to Joseph A. Soule—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2184) granting a pension to Joseph W. Clift—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2185) granting an increase of pension to Mary E. Chamberlain—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 2186) granting a pension to Enoch Vandecar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2187) to remove the charges of desertion

from the record of Enoch Vandecar—to the Committee on Military Affairs.

By Mr. MINOR: A bill (H. R. 2188) granting an increase of pension to Richard L. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2189) granting an increase of pension to Henry Spindler—to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 2190) granting an increase of pension to John Dewire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2191) granting an increase of pension to William C. Pollard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2192) granting an increase of pension to William O. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2193) for the relief of David Tweed—to the Committee on Claims.

Also, a bill (H. R. 2194) granting a pension to Mary Dewire—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 2195) for the relief of the trustees of the Cumberland Presbyterian Church, of Charleston, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2196) for the relief of the estate of N. T. Power, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2197) for the relief of the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 2198) for the relief of the estates of Asa Faulkner, deceased, Lewis L. Faulkner, deceased, and S. B. Spurlock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2199) granting an increase of pension to Gilbert R. Duff—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 2200) granting an increase of pension to J. G. A. Middleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2201) granting an increase of pension to George McDonald—to the Committee on Invalid Pensions.

By Mr. MCMORRAN: A bill (H. R. 2202) to provide for the payment of arrearage of salary due to inspectors of customs for the district of Huron, Mich., and so forth—to the Committee on Ways and Means.

By Mr. RIDER: A bill (H. R. 2203) waiving age limit in the case of Boatswain J. J. Rochfort, United States Navy, permitting him to take the examination for ensign, United States Navy—to the Committee on Naval Affairs.

By Mr. RODEY: A bill (H. R. 2204) granting an increase of pension to Addison B. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2205) granting an increase of pension to Hannibal H. English—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2206) granting an increase of pension to Jose Francisco Chaves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2207) granting a pension to Louisa C. V. McClanahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2208) granting a pension to Jose Gutierrez y Garcia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2209) granting a pension to William Reagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2210) granting a pension to Julian Lujan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2211) for the relief of James P. Chase—to the Committee on the Public Lands.

Also, a bill (H. R. 2212) for the relief of A. H. Raynolds—to the Committee on Claims.

Also, a bill (H. R. 2213) for the relief of W. A. Walker—to the Committee on Claims.

By Mr. RIXEY: A bill (H. R. 2214) for the relief of Lucy B. Legrande, Catherine Jameson, Elizabeth H. Lester, Shirley B. Shackelford, Edwin A. Gibson, and the heirs of Henry Shackelford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2215) for the relief of James K. Skinker—to the Committee on War Claims.

Also, a bill (H. R. 2216) for the relief of the estate of Sina Hughlett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2217) for the relief of loyal citizens, therein named, of Loudonn County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2218) for the relief of the estate of Charles M. Roberts, deceased—to the Committee on Claims.

Also, a bill (H. R. 2219) for the relief of W. J. Tapp & Co.—to the Committee on Claims.

Also, a bill (H. R. 2220) for the relief of legal representatives of James M. Streshley—to the Committee on Claims.

Also, a bill (H. R. 2221) for the relief of William Knight—to the Committee on War Claims.

Also, a bill (H. R. 2222) for the relief of Newton Woodyard—to the Committee on War Claims.

Also, a bill (H. R. 2223) for the relief of the estate of Lewis Shumate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2224) for the relief of the surviving executors of Anna Maria Fitzhugh, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2225) for the relief of estate of James Follin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2226) for the relief of Granville J. Kelly—to the Committee on War Claims.

Also, a bill (H. R. 2227) for the relief of Miss L. E. Bowen—to the Committee on War Claims.

Also, a bill (H. R. 2228) for the relief of Mrs. Annie J. Bassett—to the Committee on Claims.

Also, a bill (H. R. 2229) for the relief of Mrs. R. C. Iones—to the Committee on Claims.

Also, a bill (H. R. 2230) for the relief of Emma C. Franner, George W. Seaton, Hiram K. Seaton, Howard Seaton, Mary Seaton, Blanche Seaton, George W. Taylor, Edward Taylor, and Catharine Pomeroy—to the Committee on War Claims.

Also, a bill (H. R. 2231) for the relief of the legal representatives of John B. Humphreys—to the Committee on War Claims.

Also, a bill (H. R. 2232) for the relief of the estate of Emanuel Wenner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2233) for the relief of William Ketland—to the Committee on War Claims.

Also, a bill (H. R. 2234) for the relief of the legal representatives of James B. McNair, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2235) for the relief of the heirs of Carter B. Butler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2236) for the relief of George H. Shaver—to the Committee on War Claims.

Also, a bill (H. R. 2237) for the relief of Richard K. Hughlett—to the Committee on War Claims.

Also, a bill (H. R. 2238) for the relief of the estate of Lewis Shumate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2239) for the relief of Thomas Sherman—to the Committee on War Claims.

Also, a bill (H. R. 2240) for the relief of the estate of William Fletcher, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2241) for the relief of the legal representatives of S. A. Buckner—to the Committee on War Claims.

Also, a bill (H. R. 2242) for the relief of the estate of Robert Brockett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2243) for the relief of Lavinia M. Payne—to the Committee on War Claims.

Also, a bill (H. R. 2244) for the relief of heirs of James W. Stone—to the Committee on War Claims.

Also, a bill (H. R. 2245) for the relief of the heirs of Robert Green—to the Committee on War Claims.

Also, a bill (H. R. 2246) for the relief of the estate of John Poland, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2247) for the relief of the estate of Amos Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2248) for the relief of the estate of James M. Catlett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2249) for the relief of Catharine Makely—to the Committee on War Claims.

Also, a bill (H. R. 2250) for the relief of John A. Fairfax—to the Committee on War Claims.

Also, a bill (H. R. 2251) for the relief of Mrs. Margaret Thompson—to the Committee on Claims.

Also, a bill (H. R. 2252) for the relief of the legal representatives of William Hough, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2253) for the relief of the personal representatives of Sewell B. Corbett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2254) for the relief of the legal representatives of Mason James, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2255) for the relief of H. M. Smith—to the Committee on War Claims.

Also, a bill (H. R. 2256) for the relief of John Mann—to the Committee on War Claims.

Also, a bill (H. R. 2257) for the relief of Benjamin M. Yancey—to the Committee on War Claims.

Also, a bill (H. R. 2258) for the relief of the estate of Mary E. Binns, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2259) for the relief of the estate of Dr. Bailey Shumate, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2260) for the relief of the estate of William Shreve, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2261) for the relief of the estate of Henry S. Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2262) for the relief of the estate of William Y. Dulin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2263) for the relief of Napoleon B. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 2264) for the relief of the estate of W. H. Stringfellow, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2265) for the relief of the estate of William A. Bowen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2266) for the relief of the estate of Alexander F. Dulin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2267) for the relief of the estate of Charles A. Newlon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2268) for the relief of Luther H. Potterfield—to the Committee on War Claims.

Also, a bill (H. R. 2269) for the relief of George M. Fry—to the Committee on War Claims.

Also, a bill (H. R. 2270) for the relief of James Downs—to the Committee on War Claims.

Also, a bill (H. R. 2271) for the relief of John H. Haws—to the Committee on War Claims.

Also, a bill (H. R. 2272) for the relief of Thomas J. Nichols—to the Committee on War Claims.

Also, a bill (H. R. 2273) for the relief of Lucy J. Sullivan—to the Committee on War Claims.

Also, a bill (H. R. 2274) for the relief of John C. Newton—to the Committee on War Claims.

Also, a bill (H. R. 2275) for the relief of Mrs. Elvira Moore, executrix of J. L. Moore—to the Committee on War Claims.

Also, a bill (H. R. 2276) for the relief of John Sullivan—to the Committee on War Claims.

Also, a bill (H. R. 2277) for the relief of certain employees of the United States whose pay was withheld and used for other purposes—to the Committee on Claims.

Also, a bill (H. R. 2278) for the relief of the legal representatives of William Burley, deceased—to the Committee on Claims.

Also, a bill (H. R. 2279) for the relief of the estate of George Hickman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2280) for the relief of the legal representatives of David Scott, deceased—to the Committee on Claims.

Also, a bill (H. R. 2281) for the relief of John Young—to the Committee on War Claims.

Also, a bill (H. R. 2282) for the relief of Francis M. Brabham—to the Committee on War Claims.

Also, a bill (H. R. 2283) for the relief of Mrs. Mary E. Macgregor—to the Committee on War Claims.

Also, a bill (H. R. 2284) for the relief of John H. Hammill—to the Committee on Claims.

Also, a bill (H. R. 2285) for the relief of George Umbaugh—to the Committee on War Claims.

Also, a bill (H. R. 2286) for the relief of Susan J. Stegler—to the Committee on War Claims.

Also, a bill (H. R. 2287) for the relief of the legal representatives of Eli Tavenner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2288) for the relief of the heirs at law of Griffith W. Paxson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2289) for the relief of Virginia E. Ficklin and James W. Ficklin—to the Committee on War Claims.

Also, a bill (H. R. 2290) for relief of Sarah A. Skinner—to the Committee on War Claims.

Also, a bill (H. R. 2291) for the relief of Jane D. Galleher, widow of T. H. Galleher—to the Committee on War Claims.

Also, a bill (H. R. 2292) for the relief of Jane L. Follin, widow of Joseph N. Follin—to the Committee on War Claims.

Also, a bill (H. R. 2293) for the relief of Charles Clarkson—to the Committee on War Claims.

Also, a bill (H. R. 2294) for the relief of George Gorham—to the Committee on War Claims.

Also, a bill (H. R. 2295) for the relief of the executors of the estate of Sarah M. Sewall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2296) for the relief of Anna E. Hughlett—to the Committee on War Claims.

Also, a bill (H. R. 2297) for the relief of Mrs. L. A. Lynn—to the Committee on War Claims.

Also, a bill (H. R. 2298) for the relief of the estate of Maria Gibson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2299) for the relief of Seth R. Cooper—to the Committee on War Claims.

Also, a bill (H. R. 2300) for the relief of George S. Ayre, administrator of Thomas Ayre, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2301) for the relief of the legal representatives of Mrs. S. W. Skinker—to the Committee on War Claims.

Also, a bill (H. R. 2302) for the relief of Mrs. Sallie Ball—to the Committee on Claims.

Also, a bill (H. R. 2303) for the relief of Hezekiah T. Embrey, administrator—to the Committee on War Claims.

Also, a bill (H. R. 2304) for the relief of the estate of James T. Ball, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2305) for the relief of the legal representatives of Joseph H. Maddox, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2306) for the relief of the legal representatives of James Follin—to the Committee on War Claims.

Also, a bill (H. R. 2307) for the relief of the legal representatives of E. A. W. Hooe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2308) for the relief of the trustees of the Washington Street Methodist Episcopal Church South, of Alexandria, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2309) for the relief of the Presbyterian Church at Warrenton, Va.—to the Committee on War Claims.

Also, a bill (H. H. 2310) for the relief of the trustees of New Salem Baptist Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2311) for the relief of the trustees of Mount Holly Baptist Church, of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2312) for the relief of the trustees of Union Church, of Falmouth, Stafford County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2313) for the relief of the vestry of Lambs Creek Protestant Episcopal Church—to the Committee on War Claims.

Also, a bill (H. R. 2314) for the relief of the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2315) for the relief of the trustees of Round Hill Church, of King George County, Va.—to the Committee on Claims.

Also, a bill (H. R. 2316) for the relief of the trustees of the Methodist Episcopal Church South, of Marshall, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2317) for the relief of the trustees of Calvary Protestant Episcopal Church—to the Committee on War Claims.

Also, a bill (H. R. 2318) for the relief of the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2319) for the relief of the trustees of Hartwood Presbyterian Church, of Stafford County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2320) for the relief of the trustees of Cedar Run Baptist Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2321) for the relief of the Culpeper Baptist Church, at Culpeper, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2322) for the relief of the trustees of Black Lick Church, in Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2323) for the relief of the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2324) for the relief of the vestry of St. Paul's Episcopal Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2325) for the relief of the vestry of St. Paul's Episcopal Church, of Alexandria, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2326) for the relief of the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2327) for the relief of the vestry of St. Mark's Episcopal Church, Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2328) for the relief of the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2329) for the relief of the vestry of the Episcopal Church of Remington, Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2330) for the relief of the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2331) for the relief of the trustees of Berea Baptist Church, of Stafford County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2332) for the relief of the trustees of Broad Run Baptist Church—to the Committee on War Claims.

Also, a bill (H. R. 2333) for the relief of Andrews Chapel, of Stafford County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2334) for the relief of the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2335) for the relief of the trustees of the First Baptist Church, of Alexandria, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2336) for the relief of the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2337) for the relief of the trustees of Fletcher Chapel, in King George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2338) for the relief of the trustees of Mount Holly Baptist Church, of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2339) for the relief of the trustees of New Salem Baptist Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2340) for the relief of the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2341) for the relief of the trustees of the Grove Presbyterian Church, of Morrisville, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2342) for the relief of the trustees of the Methodist Episcopal Church South, of Morrisville, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2343) for the relief of Pohick Church, in Fairfax County, Va.—to the Committee on Claims.

Also, a bill (H. R. 2344) for the relief of Fairfax Lodge, No. 43, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2345) for relief of Paris Simms and others—to the Committee on Claims.

Also, a bill (H. R. 2346) for the relief of the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2347) for the relief of Henry Priest, of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2348) for the relief of John Doherty—to the Committee on War Claims.

Also, a bill (H. R. 2349) for the relief of the trustees of Warrenton, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2350) for the relief of the legal representatives of Alexander F. Butler—to the Committee on War Claims.

Also, a bill (H. R. 2351) for the relief of Mrs. Mary J. Grau—to the Committee on Claims.

Also, a bill (H. R. 2352) for the relief of the legal representatives of Charles W. Adams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2353) granting an increase of pension to S. C. Hilleary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2354) granting an increase of pension to Charles H. Baugher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2355) granting an increase of pension to George Beer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2356) granting an increase of pension to Alfred Locker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2357) granting an increase of pension to Edward A. Branham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2358) granting an increase of pension to William E. Ball—to the Committee on Pensions.

Also, a bill (H. R. 2359) granting an increase of pension to Capt. R. H. Atkinson—to the Committee on Pensions.

Also, a bill (H. R. 2360) granting an increase of pension to Georganna Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2361) granting an increase of pension to Matthew Johnson—to the Committee on Pensions.

Also, a bill (H. R. 2362) to pension David McGee, of Louisa County, Va., alias David Woolfalk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2363) granting a pension to John Littleford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2364) granting a pension to William M. Prestage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2365) granting a pension to Adaline T. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2366) granting a pension to Walter S. Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2367) granting a pension to Merton C. Sanborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2368) granting a pension to Burnetta B. Lehmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2369) granting a pension to Eliza J. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 2370) granting a pension to George M. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2371) granting a pension to Sarah J. Herrman—to the Committee on Pensions.

Also, a bill (H. R. 2372) granting a pension to Joseph J. Foltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2373) granting a pension to Ann S. Jefferson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2374) to compensate Arthur M. Chichester and W. B. Chichester, heirs of Mary Chichester—to the Committee on War Claims.

Also, a bill (H. R. 2375) to carry out the findings of the Court of Claims in the case of Samuel W. Hough, administrator of William N. Hough, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2376) for the allowance of the claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas, and march from Camp Alger to Thoroughfare Gap, Virginia, as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer soldiers during the war with Spain—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 2377) for the relief of the trustees of the Cumberland Presbyterian Church, of Huntsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 2378) for the relief of H. C. Armistead—to the Committee on War Claims.

Also, a bill (H. R. 2379) for the relief of the legal representatives of the estate of Robert Herstein, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2380) for the relief of Alfred O. Williamson—to the Committee on War Claims.

Also, a bill (H. R. 2381) to refer the claim of Nancy Taylor against the United States to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 2382) for the relief of Mary B. Dancy—to the Committee on War Claims.

Also, a bill (H. R. 2383) for the relief of the heirs of George W. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 2384) for the relief of Houston L. Bell—to the Committee on War Claims.

Also, a bill (H. R. 2385) for the relief of Burwell J. Curry—to the Committee on War Claims.

Also, a bill (H. R. 2386) for the relief of William R. Rison, trustee of Harriett M. Barnard and others—to the Committee on War Claims.

Also, a bill (H. R. 2387) for the relief of James M. Gullatt—to the Committee on War Claims.

Also, a bill (H. R. 2388) for the relief of the heirs of the estate of John Hogan—to the Committee on War Claims.

Also, a bill (H. R. 2389) for the relief of the estate of Bradford Hambrick—to the Committee on War Claims.

Also, a bill (H. R. 2390) for the relief of the estate of Alfred Hambrick—to the Committee on War Claims.

Also, a bill (H. R. 2391) for the relief of the trustees of Cumberland Presbyterian Church, of Huntsville, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 2392) for the relief of the estate of W. W. McCrary—to the Committee on War Claims.

Also, a bill (H. R. 2393) for the relief of the trustees of the Missionary Baptist Church, at Waterloo, in Lauderdale County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 2394) for the relief of James R. Nance—to the Committee on War Claims.

Also, a bill (H. R. 2395) for the relief of William W. Callahan, administrator of the estate of Thomas Gibbs—to the Committee on War Claims.

Also, a bill (H. R. 2396) for the relief of W. P. Hooper—to the Committee on War Claims.

Also, a bill (H. R. 2397) for the relief of J. W. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 2398) for the relief of James G. Porter—to the Committee on War Claims.

Also, a bill (H. R. 2399) for the relief of William Moseley, administrator—to the Committee on War Claims.

Also, a bill (H. R. 2400) for the relief of B. F. Ludwig, former postmaster at Huntsville, Ala.—to the Committee on Claims.

Also, a bill (H. R. 2401) for the relief of the executor or administrator of the estate of C. C. Spiller, deceased—to the Committee on Claims.

Also, a bill (H. R. 2402) for the relief of James Hilliard—to the Committee on War Claims.

Also, a bill (H. R. 2403) for the relief of M. H. Carr—to the Committee on War Claims.

Also, a bill (H. R. 2404) for the relief of Henry C. Martin and Robert D. Martin—to the Committee on War Claims.

Also, a bill (H. R. 2405) for the relief of Thomas W. White—to the Committee on War Claims.

Also, a bill (H. R. 2406) for the relief of the estate of A. L. Logan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2407) for the relief of the heirs of John Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2408) for the relief of the estate of F. L. Hammond, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2409) for the relief of Fabius Varin—to the Committee on War Claims.

Also, a bill (H. R. 2410) for relief of E. L. Raney—to the Committee on War Claims.

Also, a bill (H. R. 2411) for the relief of the estate of W. W. McCrary—to the Committee on War Claims.

Also, a bill (H. R. 2412) for the relief of the widow and minor children of John F. Lanier, deceased—to the Committee on Claims.

Also, a bill (H. R. 2413) for the relief of the estate of Peter S. Baker—to the Committee on War Claims.

Also, a bill (H. R. 2414) for the relief of the estate of Marius B. Cawthon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2415) for the relief of B. F. Hembree—to the Committee on War Claims.

Also, a bill (H. R. 2416) for the relief of Parks S. Townsend—to the Committee on War Claims.

Also, a bill (H. R. 2417) for the relief of the legal heirs of James I. Donegan—to the Committee on War Claims.

Also, a bill (H. R. 2418) for the relief of Sandy Crawford—to the Committee on Claims.

Also, a bill (H. R. 2419) for the relief of the estate of Henry Ingram, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2420) for the relief of Cumberland Presbyterian Church, of Pleasant Springs, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 2421) for the relief of the estate of William P. Tanner—to the Committee on War Claims.

Also, a bill (H. R. 2422) for the relief of W. C. Tipton—to the Committee on War Claims.

Also, a bill (H. R. 2423) for the relief of Jacob A. Paulk—to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 2424) granting a pension to Emma Butler—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 2425) to grant a pension to F. M. Harrison—to the Committee on Pensions.

Also, a bill (H. R. 2426) for the relief of the heirs of George T. Howard—to the Committee on War Claims.

Also, a bill (H. R. 2427) to grant a pension to Cynthia Thomas—to the Committee on Pensions.

By Mr. SPALDING: A bill (H. R. 2428) granting an increase of pension to Ahimaaz E. Wood—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 2429) for the relief of Jacob A. Henry—to the Committee on Claims.

By Mr. TALBOTT: A bill (H. R. 2430) for the relief of N. F. Palmer, jr., & Co.—to the Committee on Claims.

By Mr. TIRRELL: A bill (H. R. 2431) to remove the charge of desertion against Isaac M. Dow—to the Committee on Naval Affairs.

By Mr. TOWNSEND: A bill (H. R. 2432) granting an increase of pension to William H. Donaldson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2433) granting an increase of pension to John F. Wotring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2434) granting a pension to Jane A. Sherman—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 2435) granting a pension to Reuben Vermillion—to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 2436) for the relief of the legal representatives of the estate of A. C. Barton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2437) for the relief of the legal representatives of the estate of Isaac Johnson, deceased—to the Committee on War Claims.

By Mr. WATSON: A bill (H. R. 2438) granting an increase of pension to Samuel S. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2439) granting an increase of pension to John Pea—to the Committee on Invalid Pensions.

By Mr. WILEY of New Jersey: A bill (H. R. 2440) granting a pension to Ellen S. Pickering—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2441) for the promotion of First Lieut. Thomas Mason, Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of Arizona: A bill (H. R. 2442) for the relief of Charles H. Algert and others similarly situated on the Navajo Indian Reservation, in Arizona—to the Committee on the Public Lands.

By Mr. ZENOR: A bill (H. R. 2443) granting a pension to Joseph Vernia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2444) granting a pension to John Hammond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2445) granting a pension to Henry Graybrook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2446) granting a pension to James Faulkenborough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2447) granting a pension to Hiram G. McLemore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2448) granting a pension to John McIntyre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2449) granting a pension to Abby Kent—to the Committee on Pensions.

Also, a bill (H. R. 2450) granting a pension to Lucinda Heith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2451) granting a pension to Hardin Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2452) granting a pension to Anna Beauchamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2453) granting a pension to Hugh Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2454) granting a pension to Bridget A. Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2455) granting a pension to William R. Knibbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2456) granting a pension to Susan Sutcliff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2457) granting a pension to Joseph R. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2458) granting a pension to George Heishman—to the Committee on Pensions.

Also, a bill (H. R. 2459) granting a pension to George Washington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2460) granting a pension to Nancy Thurman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2461) granting a pension to Sarah L. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2462) granting a pension to Martha Brisco—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2463) granting a pension to David Melton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2464) granting a pension to William M. Howell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2465) granting an increase of pension to Mary A. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2466) granting an increase of pension to Albert T. Weathers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2467) granting an increase of pension to Elizabeth McLain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2468) granting an increase of pension to Thomas J. Menaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2469) granting an increase of pension to William Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2470) granting an increase of pension to Harriet S. Packard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2471) granting an increase of pension to Thomas Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2472) granting an increase of pension to David F. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2473) for the relief of Hugh J. Needham—to the Committee on Claims.

Also, a bill (H. R. 2474) for the relief of Aaron M. Applegate—to the Committee on Claims.

Also, a bill (H. R. 2475) to correct the military record of William F. Songer—to the Committee on Military Affairs.

By Mr. BOWERSOCK: A bill (H. R. 2476) granting an increase of pension to S. T. Grove—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2477) granting an increase of pension to Frank J. McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2478) granting an increase of pension to Elizabeth J. Turney—to the Committee on Pensions.

Also, a bill (H. R. 2479) granting an increase of pension to Lander Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2480) granting a pension to Andrew J. Baucom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2481) granting a pension to A. C. Hogan, jr.—to the Committee on Pensions.

Also, a bill (H. R. 2482) to correct the military record of Henry C. Rhoades—to the Committee on Military Affairs.

Also, a bill (H. R. 2483) to remove the charges standing against the name of J. W. Parmeter—to the Committee on Military Affairs.

Also, a bill (H. R. 2484) granting an increase of pension to S. N. Northway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2485) for the relief of Harry Hume Ainsworth—to the Committee on Military Affairs.

By Mr. BURKETT: A bill (H. R. 2486) granting an increase of pension to Joseph A. McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2487) granting an increase of pension to John M. Rutherford—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 2488) granting

an increase of pension to John P. Veach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2489) for the relief of John Ward—to the Committee on Naval Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 2490) granting a pension to John Maynard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2491) granting a pension to Larkin Maynard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2492) for the relief of West Virginia troops—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2493) to remove the charge of desertion from record of S. B. Miller—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 2494) for the relief of Isaac N. Forrester—to the Committee on War Claims.

Also, a bill (H. R. 2495) for the relief of Joseph Curriden—to the Committee on War Claims.

Also, a bill (H. R. 2496) for the relief of the legal representatives of James R. Thompson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2497) for the relief of certain officers of the Navy and the Marine Corps—to the Committee on Naval Affairs.

Also, a bill (H. R. 2498) for the relief of the heirs of certain seamen lost in the foundering of light vessel No. 37—to the Committee on Claims.

Also, a bill (H. R. 2499) granting an increase of pension to Smith Bilderback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2500) granting an increase of pension to Margaret G. Halpine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2501) granting a pension to Elizabeth K. Long—to the Committee on Pensions.

Also, a bill (H. R. 2502) granting a pension to Minerva Sturgess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2503) granting an increase of pension to John B. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2504) granting a pension to Walter Manning—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 2505) granting an increase of pension to Henry Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2506) for the relief of Michael J. Kramer—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of select and common councils of Philadelphia, relating to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. BOWERSOCK: Resolution of the Chamber of Commerce, Wichita, Kans., asking for passage of more stringent legislation to prevent violation of interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of select and common councils of Philadelphia, relating to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of Washington Post, No. 12, Grand Army of the Republic, Lawrence, Department of Kansas, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. BRICK: Petition of J. W. McMurray and 20 other citizens of Francesville, Ind., favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: Petition and papers of William H. Palmer and 29 other citizens of Homestead, Pa., requesting the passage of special pension bill for the relief of William H. Palmer—to the Committee on Invalid Pensions.

Also, paper relating to a bill providing an increase of pension for George F. Sill—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: Petition of James M. Davault, of Sullivan County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Absalom Roach, of Grainger County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on Rivers and Harbors.

Also, petition of Wilson Manley, of Grainger County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of W. T. Pritchett, of Washington County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. BURKETT: Papers relating to a pension bill for the relief of Joseph A. McCormick—to the Committee on Invalid Pensions.

Also, papers relating to the pension bill for the relief of John M. Rutherford—to the Committee on Invalid Pensions.

Also, resolution of McKinley Post, No. 351, Grand Army of the Republic, Stella, Department of Nebraska, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the West Lancaster County Sunday School Association, of Nebraska, against the sale of opium in the Philippine Islands—to the Committee on Alcoholic Liquor Traffic.

By Mr. CALDERHEAD: Resolution of Robert Hale Post, No. 328, Grand Army of the Republic, Department of Kansas, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Waterville Post, No. 260, Grand Army of the Republic, Department of Kansas, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Chamber of Commerce of Wichita, Kans., favoring the passage of legislation for the prevention of unjust discrimination in tariff rates between different sections and localities, etc.—to the Committee on Interstate and Foreign Commerce.

Also, letter of A. Grant Evans, moderator of the Synod of Indian Territory and Oklahoma, praying for the amelioration of conditions which are fraught with serious danger among the Five Civilized Tribes—to the Committee on Indian Affairs.

By Mr. DAVIS of Minnesota: Resolution of A. E. Welch Post, No. 75, Grand Army of the Republic, Red Wing, Department of Minnesota, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Michael Cook Post, No. 123, Grand Army of the Republic, Faribault, Department of Minnesota, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Scofield Post, No. 121, Grand Army of the Republic, Zumbrota, Department of Minnesota, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of J. L. Heywood Post, No. 83, Grand Army of the Republic, Northfield, Department of Minnesota, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DAYTON: Petition of J. H. Babb, of Randolph County, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of heirs of Daniel Ott, deceased, late of Jefferson County, W. Va., praying reference of war claim to Court of Claims—to the Committee on War Claims.

Also, petition of heirs of Barney Ott, deceased, late of Jefferson County, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of George W. Board, of Berryburg, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of James Watson, deceased, late of Jefferson County, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of M. K. Anderson, of Pendleton County, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of heirs of Mary Norris, deceased, late of Jefferson County, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of Francis R. Hoof, deceased, late of Jefferson County, W. Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. GREENE: Letter of L. D. Baker, Boston, Mass., relating to the publication of another issue of Document No. 39, Fifty-sixth Congress, second session, entitled "Report on the Fisheries Exhibition, Bergen, Norway, 1898, by Joseph W. Collins"—to the Committee on Printing.

By Mr. HAY: Petition of John N. Bell, of Frederick County, Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of heirs of John B. Almond, deceased, late of Page County, Va., praying reference of claim to Court of Claims—to the Committee on War Claims.

Also, petition of heirs of James Swartz, deceased, late of Frederick County, Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. McMORRAN: Petition of F. McQuad and 34 other citizens of the State of Michigan, protesting against the passage of the Cuban reciprocity treaty—to the Committee on Ways and Means.

By Mr. MORRELL: Resolution of select and common council of the city of Philadelphia, relating to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. PORTER: Resolution of the board of managers of the Trades League of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, papers relative to the purchase by the Government of a site at Somerset, Somerset County, Pa., for a national camp ground—to the Committee on Military Affairs.

Also, papers relative to American shipping—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the house of representatives and senate of the State of Florida, requesting Congress to investigate the acts and doings of Charles Swayne, United States judge for the northern district of Florida, to the end that he may be impeached and removed from office—to the Committee on the Judiciary.

Also, letter of Horace Atkinson, secretary of the Atlantic Coast Seamen's Union, port of Philadelphia, protesting against the passage of a bill to amend chapter 7 of the United States Revised Statutes, and known as the sailors' bill—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Central Labor Union of Philadelphia, protesting against the passage of a bill to amend chapter 7 of the United States Revised Statutes, and known as the sailors' bill—to the Committee on the Merchant Marine and Fisheries.

Also, statement of facts by the Republican Territorial committee relating to statehood for Oklahoma—to the Committee on the Territories.

Also, resolutions of select and common councils of the city of Philadelphia, favoring a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. RICHARDSON of Alabama: Papers relating to a bill providing an increase of pension for Theodore S. Gillis—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Resolution of Business Men's Club of San Antonio, Tex., favoring construction of canal through Nicaragua and Costa Rica—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL W. SMITH: Petition of Lansing Typographical Union, No. 12, Lansing, Mich., favoring passage of an eight-hour bill—to the Committee on Labor.

Also, petition of C. E. Cushing and 28 others, citizens of Brighton, Mich., against the passage of a bill providing for the carrying of large parcels of merchandise in the mail—to the Committee on the Post-Office and Post-Roads.

Also, petition of Local Union No. 463, Pontiac, Mich., of the Cigar Makers' International Union of America, favoring passage of an eight-hour law—to the Committee on Labor.

Also, petition of A. Harshaw and 35 other citizens of Delray, Mich., protesting against the passage of the bill known as the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SPALDING: Protest of merchants of Portland, N. Dak., against the passage of parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Petition of the Cigar Makers' Union No. 39, of New Haven, Conn., against the passage of the Cuban reciprocity bill—to the Committee on Ways and Means.

By Mr. TAWNEY: Memorial of the Honolulu Chamber of Commerce, asking for legislation which shall insure the revival of the coffee industry—to the Committee on Ways and Means.

By Mr. WRIGHT: Resolution of Trades League of Philadelphia, relating to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 13, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PRIVILEGES OF THE HOUSE.

Mr. LIVERNASH. I rise, Mr. Speaker, to a question of privilege affecting the rights of the whole House.

The SPEAKER. The gentleman from California will state his question of privilege.

Mr. LIVERNASH. Mr. Speaker, I have reduced to writing the concluding question of my statement of privilege and send it to the Clerk's desk, asking now that on the termination of my parol statement it be read for the further information of the House.

The SPEAKER. Will the gentleman send the conclusion to the Clerk's desk now, that it may be reported?

Mr. LIVERNASH. Mr. Speaker, indications are that in the Panama-Colombia matter the President is invading——

The SPEAKER. One moment. The Chair does not understand the gentleman. Does the gentleman want his paper read now or at the close of his remarks?

Mr. LIVERNASH. At the conclusion of my spoken statement.

Indications are that in the Panama-Colombia matter the President is invading a constitutional prerogative of the Congress; and it seems of high importance to the dignity and authority of this House that doubt be dispelled forthwith.

The Congress alone is empowered to declare war; yet it appears by the only information thus far here available that the President has made, and continues to make, the attitude of the United States toward the Republic of Colombia one of such belligerency that to attempt to put down a revolution in Panama so recent that the nations have scarcely become conscious of its existence, and that Colombia has not had a reasonable time wherein to throw her power against it, the Republic must deal with our country as a war ally of the revolutionists, whatever may be her willingness to respect her treaty obligations with the United States while struggling to retain sovereignty over Panama.

If our present relations with Colombia are as they seem, respect of the Members of this body for their oaths to support the Constitution requires that this House stand for such an exercise of power as shall tend to restore just equilibrium of the coordinate branches of the Government. If, however, appearances are misleading, and——

Mr. PAYNE. Mr. Speaker, I make the point of order that this is not a question of privilege. The gentleman from California has proceeded far enough to show that he has no question of privilege.

The SPEAKER. It is impossible for the Chair to state at this time whether the matter the gentleman is referring to presents a question of privilege or not. The Chair will hear the gentleman further.

Mr. PAYNE. I think, Mr. Speaker, the better practice is for the gentleman to state his motion or question of privilege first.

The SPEAKER. Yes; and if the gentleman from New York insists, the gentleman from California must state his question of privilege first.

Mr. PAYNE. I do insist, Mr. Speaker.

The SPEAKER. The Chair will state to the gentleman from California that the resolution which the gentleman has sent to the Clerk's desk the Chair has not yet read; but the Chair suggests that the gentleman first state the question that he is about to present, and that unless the gentleman does so, the Chair will hold that the point made by the gentleman from New York is well taken.

Mr. LIVERNASH. Then, with the indulgence of the Speaker, I shall endeavor to state the question as concisely as may be.

Four days having elapsed since the President was requested to transmit to this body "all correspondence and other official documents relating to the recent revolution on the Isthmus of Panama," and——

The SPEAKER. One moment.

Mr. PAYNE. Mr. Speaker, that is no question of privilege.

The SPEAKER. Clearly what the gentleman states is not a question of privilege. The Chair is inclined, where a question of privilege is made in good faith by any Member, to allow latitude for the presentation of such question in good faith; but when the point of order is made, there is nothing left for the Chair but to observe the rule, and the Chair again suggests to the gentleman whether it would not be well for him to let the resolution which he says he proposes to offer, but which the Chair has not yet been able to read, be read for the information of the House. The gentleman from New York insists that the question of privilege must be stated, and that point is well taken under the rule. The Chair so holds. What the Chair suggests to the gentleman in regard to having his resolution read is a mere suggestion, which the gentleman can adopt or not, as he chooses.

Mr. LIVERNASH. Mr. Speaker, I understood the ruling of the Chair yesterday to be that a Member might himself determine the order of his statement of his question of privilege. Was I right in that conclusion?

The SPEAKER. That was a question of personal privilege, and the Chair did not intend to rule that even as to matters of personal privilege that position would be necessarily adhered to.

Mr. LIVERNASH. May I inquire, Mr. Speaker, whether it is not true that broader liberty is given on questions of privilege affecting the rights of the whole House than on questions of strictly personal privilege?

The SPEAKER. Well, the Chair will decide that question when it is presented.

Mr. GAINES of Tennessee. One moment, Mr. Speaker.

The SPEAKER. The gentleman from Tennessee [Mr. GAINES] will suspend. The gentleman from California [Mr. LIVERNASH] seems quite able to take care of himself. The Chair is inclined to the opinion that the question which the gentleman from California is seeking to present, and upon which the gentleman from New York makes a point of order, is not a question of privilege. That is the question of order with which the Chair is undertaking to deal. So, then——

Mr. LIVERNASH. Mr. Speaker, the Commonwealth of California, through me as one of her Representatives, is trying to bring to the notice of the other States of the sisterhood what she conceives to be an infringement of the constitutional rights of the House, and I earnestly seek to state a question of privilege which will serve this purpose.

The SPEAKER. The Clerk will read a passage from the Manual bearing upon this question.

The Clerk read as follows:

In presenting a question of personal privilege a Member is not required in the first instance to make a motion or offer a resolution; but such is not the rule in presenting a case involving the privileges of the House.

Mr. LIVERNASH. Then, Mr. Speaker, conforming to the suggestion of the Chair, I state my question in these words——

The SPEAKER. If the gentleman will offer his resolution in writing under the rules, he will then conform to the rules; and then, for the first time, the Chair can make a ruling as to whether the gentleman is in order. The point of order being made, the rule is perfectly plain.

Mr. LIVERNASH. The rule may be perfectly plain, but, Mr. Speaker, the resolution proper that I should wish to have this House ultimately consider would be a resolution which could not be offered until my question of privilege had been stated and passed upon; and I have not yet been permitted to state my question of privilege.

The SPEAKER. If the gentleman is so unfortunate as not to be able to embody in a resolution in writing, for the information of the House, his question of privilege, he is unable to conform to the rules of the House, as the Chair understands the matter.

Mr. MAHON and others. Regular order!

CUBAN RECIPROCITY.

Mr. PAYNE. Mr. Speaker, I am directed by the Committee on Ways and Means to report back without amendment the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902. Mr. Speaker, I desire to give notice that I shall call up this bill on Monday next for the consideration of the House.

The bill, with the accompanying report, was referred to the Committee of the Whole on the state of the Union, and ordered to be printed.

Mr. PAYNE. I yield to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, there has been an arrangement entered into between the majority and minority members of the committee, upon which I am going to base a request for unanimous consent. Would it be better to make the request now or wait until Monday morning?

Mr. PAYNE. I suggest to the gentleman that he wait until Monday morning.

Mr. WILLIAMS of Mississippi. Very well.

Mr. PAYNE. If the gentleman's request should not be granted, the matter can be incorporated in the rule. There is no doubt about our agreement that we are to consider the bill until Thursday, and take a vote at 4 o'clock Thursday afternoon.

Mr. WILLIAMS of Mississippi. It is furthermore understood that minority members may have until Monday evening to file their views.

Mr. PAYNE. Of course that would be for the House to grant; but I have no objection to it.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that that right be granted now.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the minority members of the Ways and Means Committee have until Monday next to present their views.

Mr. WILLIAMS of Mississippi. Until the adjournment of the House on Monday.

The SPEAKER. Until the adjournment of the House on Monday. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment joint resolution of the following title:

Joint resolution (H. J. Res. 14) making immediately available the appropriations for mileage of Senators and Members of the House of Representatives, and for other purposes.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 1.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Penobscot River, Maine, from Crosby Narrows to the Bangor Bridge, with a view to widening the channel, and to submit a plan and estimate for such improvement.

Also:

Senate concurrent resolution No. 2.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of removing, without further delay, obstructions to and providing aids to navigation of the upper Columbia River between Wenatchee and Kettle Falls, Washington, for flat-bottom stern-wheel river steamboats.

Also:

Senate concurrent resolution No. 3.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of continuing the harbor improvements at Everett, Wash., to meet the demands of commerce.

Also:

Senate concurrent resolution No. 6.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Passaic River, New Jersey, from the Dundee Dam, with a view to widening and deepening the channel and the construction of a lock in the Dundee Dam for the purpose of preventing the disastrous floods which have recently occurred, causing loss of life and valuable property, and to submit a plan and estimate for such improvement at the earliest date practicable.

Also:

Senate concurrent resolution No. 7.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of providing protection from annual floods in the valleys of the White, Black, Duwamish, and Samanish rivers, Washington, and to submit a plan for such relief.

SENATE CONCURRENT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution 1:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Penobscot River, Maine, from Crosby Narrows to the Bangor Bridge, with a view to widening the channel, and to submit a plan and estimate for such improvement—

to the Committee on Rivers and Harbors.

Senate concurrent resolution 2:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of removing, without further delay, obstructions to and providing aids to navigation of the upper Columbia River between Wenatchee and Kettle Falls, Washington, for flat-bottom stern-wheel river steamboats—

to the Committee on Rivers and Harbors.

Senate concurrent resolution 3:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of continuing the harbor improvements at Everett, Wash., to meet the demands of commerce—

to the Committee on Rivers and Harbors.

Senate concurrent resolution 6:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Passaic River, New Jersey, from the Dundee Dam, with a view to widening and deepening the channel and the construction of a lock in the Dundee Dam for the purpose of preventing the disastrous floods which have recently occurred, causing loss of life and valuable property, and to submit a plan and estimate for such improvement at the earliest date practicable—

to the Committee on Rivers and Harbors.

Senate concurrent resolution 7:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to present a report showing the estimated cost of providing protection from annual floods in the valleys of the White, Black, Duwamish, and Samanish rivers, Washington, and to submit a plan for such relief—

to the Committee on Rivers and Harbors.

ADJOURNMENT UNTIL MONDAY.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

And then, on motion of Mr. PAYNE (at 12 o'clock and 16 minutes p. m.), the House adjourned until Monday, November 16, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902, reported the same without amendment, accompanied by a report (No. 1); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. THOMAS of North Carolina: A bill (H. R. 2507) authorizing the President to enter into a commercial treaty with the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, with the view to reciprocity between

the United States of America and Canada, with reference to a modification of the customs tariff of Canada imposing a duty upon American strawberries—to the Committee on Ways and Means.

Also, a bill (H. R. 2508) appropriating the sum of $250,000 for the improvement of Beaufort Harbor, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2509) to appropriate $10,000 to inclose and beautify the grounds and repair the monument on the Moores Creek battlefield, North Carolina—to the Committee on the Library.

Also, a bill (H. R. 2510) for the construction of a steam revenue cutter adapted to service in the waters of Albemarle and Pamlico sounds, North Carolina—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2511) authorizing and directing the Secretary of the Treasury to place a clock on the Government building in the city of Newbern, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. SHACKLEFORD: A bill (H. R. 2512) making appropriations for the improvement of the Missouri River from its mouth to Sioux City, Iowa—to the Committee on Rivers and Harbors.

By Mr. LOUDENSLAGER: A bill (H. R. 2513) to further amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and amendment thereto, approved March 3, 1899, and for other purposes—to the Committee on War Claims.

By Mr. KEHOE: A bill (H. R. 2514) extending provisions of act of June 27, 1890, to Kentucky State Militia and Provisional Kentucky Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2515) to complete improvements on Big Sandy River, between Louisa and the Ohio River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 2516) to establish a fish-hatching and fish-culture station in northeastern Kentucky—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2517) to establish a permanent military camp ground in Boyd and Greenup counties, Ky.—to the Committee on Military Affairs.

Also, a bill (H. R. 2518) providing for construction of an ice pier at Russell, Ky.—to the Committee on Rivers and Harbors.

By Mr. SLAYDEN: A bill (H. R. 2519) to amend an act to extend the provisions, limitations, and benefits of "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved July 27, 1902—to the Committee on Pensions.

By Mr. KLUTTZ: A bill (H. R. 2520) to regulate internal-revenue assessments and to modify the law so as to leave assessments in certain cases to a jury—to the Committee on the Judiciary.

Also, a bill (H. R. 2521) for the construction of a driveway and approaches to the national cemetery at Salisbury, N. C.—to the Committee on Military Affairs.

By Mr. GREGG: A bill (H. R. 2522) to provide for the erection of a public building at Palestine, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. WILEY of Alabama: A bill (H. R. 2523) to protect railroad trains carrying United States mails, persons, and property—to the Committee on the Post-Office and Post-Roads.

By Mr. LAMB: A bill (H. R. 2524) for the erection of a public building in the city of Manchester, State of Virginia—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: A bill (H. R. 2525) to open for settlement 550,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations in Oklahoma Territory, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 2526) to finally adjust the swamp-land grants, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 2527) to amend the law relating to the salmon fisheries of Alaska—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 2528) to grant grazing privileges to homestead settlers and holders of small farms in the arid and semiarid land region, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 2529) to set apart certain lands in the Territory of Arizona as a public park, to be known as the Petrified Forest National Park—to the Committee on the Public Lands.

By Mr. DAYTON: A bill (H. R. 2530) providing for holding of courts of the northern district of West Virginia at Martinsburg, W. Va.—to the Committee on the Judiciary.

By Mr. JONES of Washington: A bill (H. R. 2531) to divide Washington into two judicial districts—to the Committee on the Judiciary.

By Mr. BATES: A bill (H. R. 2532) to provide for the raising of Commodore Perry's flagship *Niagara*—to the Committee on Naval Affairs.

Also, a bill (H. R. 2533) granting to rural free-delivery carriers an annual leave not exceeding fifteen days, with pay—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2534) to provide for an allowance for subsistence of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HITT: A bill (H. R. 2535) to increase the limit of cost and acquire additional ground for the public building at Sterling, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. LAMB: A bill (H. R. 2536) to suppress and prevent unfair and dishonest competition in trade—to the Committee on Interstate and Foreign Commerce.

By Mr. SKILES: A bill (H. R. 2537) to amend sections 2304, 2305, 2307, and 2309 of the Revised Statutes of the United States, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 2538) to grant pensions to soldiers and sailors who have reached the age of 62 years, or who shall hereafter reach the age of 62 years, and providing for pensions to widows and orphans, and for other purposes—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 2539) for the relief of veterans of the Confederacy—to the Committee on Military Affairs.

By Mr. HOWELL of New Jersey: A bill (H. R. 2540) authorizing the Secretary of the Treasury to appoint commissioners to estimate damages done to planted oysters and oyster beds in Raritan Bay and adjoining waters in New York and New Jersey, and to make compensation therefor—to the Committee on Claims.

By Mr. ALLEN: A bill (H. R. 2541) to authorize the use of penalty envelopes by the government of the District of Columbia—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2542) for the extension of T street, and for other purposes—to the Committee on the District of Columbia.

By Mr. SHAFROTH: A bill (H. R. 2543) to authorize the issuance of currency redeemable in bonds of the United States—to the Committee on Banking and Currency.

By Mr. MORGAN: A bill (H. R. 2544) for the construction of a lock and dam in the Ohio River below Gallipolis—to the Committee on Rivers and Harbors.

By Mr. SMITH of Illinois: A bill (H. R. 2545) to reduce letter postage to 1 cent per ounce—to the Committee on the Post-Office and Post-Roads.

By Mr. SAMUEL W. SMITH: A bill (H. R. 2546) providing for the erection of a public building at Pontiac City, Mich.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2547) to provide for presenting a badge or button to each honorably discharged soldier, sailor, and marine of the war for the preservation of the Union, and for protecting the same by law—to the Committee on Military Affairs.

By Mr. JONES of Virginia: A bill (H. R. 2548) to amend sections 7 and 8 of an act entitled "An act to promote the efficiency of the Life-Saving Service and encourage the saving of life from shipwreck"—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2549) to provide for the purchase of a site and the erection of a post-office building thereon at Cape Charles, in the State of Virginia—to the Committee on Public Buildings and Grounds.

By Mr. BROWNLOW: A bill (H. R. 2550) establishing a United States court at Wapanucka, Ind. T.—to the Committee on the Judiciary.

By Mr. KLUTTZ: A joint resolution (H. J. Res. 27) to amend the Constitution of the United States relating to direct taxes—to the Committee on the Judiciary.

By Mr. LLOYD: A joint resolution (H. J. Res. 28) proposing an amendment to the Constitution providing for the election of Senators of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. JONES of Washington: A joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department—to the Committee on Military Affairs.

By Mr. LAMB: A joint resolution (H. J. Res. 30) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. ALLEN: A joint resolution (H. J. Res. 31) to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893—to the Committee on the District of Columbia.

By Mr. KEHOE: A concurrent resolution (H. C. Res. 4) directing the printing of 250,000 maps of United States and possessions—to the Committee on Printing.

By Mr. HUGHES of New Jersey: A concurrent resolution (H. C. Res. 5) providing for a survey of the Passaic River in New Jersey—to the Committee on Rivers and Harbors.

By Mr. DALZELL: A resolution (H. Res. 17) to provide for the consideration of H. R. 1921—to the Committee on Rules.

By Mr. DE ARMOND: A resolution (H. Res. 18) providing an amendment of the rules to increase the membership of the Ways and Means Committee from 17 to 19—to the Committee on Rules.

By Mr. DICK: A resolution (H. Res. 19) providing for a committee to investigate the denial of the right to the election franchise—to the Committee on Rules.

By Mr. COOPER of Wisconsin: A resolution (H. Res. 20) to refer H. R. 2053 to the United States Court of Claims—to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BAKER (by request): A bill (H. R. 2551) for the relief of William H. Link—to the Committee on War Claims

By Mr. BOWIE: A bill (H. R. 2552) for the relief of H. A. Wilson—to the Committee on Claims.

By Mr. BIRDSALL: A bill (H. R. 2553) granting an increase of pension to George Wintz—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 2554) granting a pension to Belle Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2555) granting a pension to John Wilhelm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2556) granting an increase of pension to Margaret Robison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2557) granting an increase of pension to James Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2558) granting an increase of pension to John Cummings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2559) granting an increase of pension to Mariam Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2560) for the relief of Isaac Dewitt—to the Committee on War Claims.

Also, a bill (H. R. 2561) for the relief of Farley Connerty—to the Committee on War Claims.

Also, a bill (H. R. 2562) to correct the military record of Philip Reiss—to the Committee on Military Affairs.

Also, a bill (H. R. 2563) to correct the military record of Edward Grove—to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 2564) to correct the military record of Christopher Parkin—to the Committee on Military Affairs.

Also, a bill (H. R. 2565) to correct the military record of James U. Quinn—to the Committee on Military Affairs.

Also, a bill (H. R. 2566) granting an increase of pension to Charles Riel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2567) granting an increase of pension to Alexander D. Ramsey—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 2568) granting a pension to Benjamin P. Barber—to the Committee on Invalid Pensions.

By Mr. DARRAGH: A bill (H. R. 2569) granting an increase of pension to Mahlon L. Augle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2570) granting an increase of pension to William C. Niles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2571) granting an increase of pension to Joseph S. Brazee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2572) granting an increase of pension to George W. Steffey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2573) granting an increase of pension to William G. Cronkite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2574) granting an increase of pension to Elias Riegle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2575) granting an increase of pension to George Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2576) granting an increase of pension to James A. Crocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2577) granting an increase of pension to Harmon P. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2578) granting an increase of pension to David Herren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2579) granting a pension to Mary Ann Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2580) granting a pension to Susan Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2581) granting a pension to Lydia A. Irwin—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 2582) granting an increase of pension to John A. Devinny—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 2583) granting a pension to Ruth Ilsley Short—to the Committee on Pensions.

By Mr. GRIFFITH: A bill (H. R. 2584) granting an increase of pension to John S. Moore—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 2585) granting an increase of pension to Bailey W. Small—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2586) granting a pension to Mary Ettie Osborn—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 2587) for the relief of William T. Curchin—to the Committee on Military Affairs.

Also, a bill (H. R. 2588) for the relief of Henry Ely—to the Committee on Military Affairs.

Also, a bill (H. R. 2589) granting a pension to Susanna Cosgrove—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 2590) granting a pension to William Nelson, Thomas P. Moore, John Maynard, and Larkin Maynard, all of Capt. Thomas Dameron's independent company—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 2591) for the relief of W. S. Feland, late deputy collector, second Kentucky district—to the Committee on Claims.

By Mr. JONES of Virginia: A bill (H. R. 2592) for the relief of John P. L. Hopkins—to the Committee on War Claims.

Also, a bill (H. R. 2593) for the relief of the trustees of the Christian Church of Fredericksburg, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2594) for the relief of Edward Nock—to the Committee on Pensions.

Also, a bill (H. R. 2595) for the relief of the estate of Richard G. Reece, deceased, late of Harborton, Va.—to the Committee on Claims.

Also, a bill (H. R. 2596) for the relief of Sarah Ann Collins and Lauretta Turlington—to the Committee on Pensions.

Also, a bill (H. R. 2597) for the relief of the trustees of the Drummondtown Episcopal Church, at Drummondtown, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2598) for the relief of the trustees of Abingdon Protestant Episcopal Church, of Gloucester County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2599) for the relief of the heirs of P. A. Leatherbury, deceased—to the Committee on Claims.

Also, a bill (H. R. 2600) for the relief of the St. George's Episcopal Church, of Fredericksburg, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2601) granting an increase of pension to Emma E. S. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2602) granting an increase of pension to Henrietta V. West—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 2603) granting an increase of pension to James W. Byers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2604) granting an increase of pension to Welcome B. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2605) granting an increase of pension to James Hennon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2606) granting an increase of pension to Catherine Bowsher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2607) granting an increase of pension to Mary H. Michael—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2608) granting an increase of pension to Elizabeth Bosworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2609) granting an increase of pension to Martha E. Coen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2610) granting an increase of pension to Joseph Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2611) for the relief of Collier Braden—to the Committee on Claims.

Also, a bill (H. R. 2612) granting a pension to James C. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2613) granting a pension to Effie Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2614) granting a pension to Mary A. Baldridge—to the Committee on Pensions.

Also, a bill (H. R. 2615) granting a pension to Abigail Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2616) granting a pension to Joseph K. Welt—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 2617) for the relief of Mary Diamond—to the Committee on Pensions.

Also, a bill (H. R. 2618) for the relief of the trustees of Westover Church, Charles City County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 2619) granting an increase of pension to Maurice M. Woodbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2620) granting an increase of pension to James A. King—to the Committee on Pensions.

Also, a bill (H. R. 2621) for the relief of the heirs of J. H. Dibble—to the Committee on War Claims.

Also, a bill (H. R. 2622) for the relief of the legal representatives of Asbury Dickins—to the Committee on Claims.

Also, a bill (H. R. 2623) for the relief of Ellen H. Smith—to the Committee on War Claims.

Also, a bill (H. R. 2624) for the relief of Mrs. C. N. Graves—to the Committee on War Claims.

Also, a bill (H. R. 2625) for the relief of the estate of William B. Todd, deceased—to the Committee on the District of Columbia.

Also, a bill (H. R. 2626) for the relief of Isidore Cohen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2627) granting a pension to Mary F. Wollard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2628) granting a pension to Fannie W. Williams—to the Committee on Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 2629) granting an increase of pension to John M. Peters—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 2630) for the relief of the Old School Presbyterian Church, of Helena, Phillips County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 2631) for the relief of Henry P. Grant, of Phillips County, Ark—to the Committee on Claims.

Also, a bill (H. R. 2632) to compensate the Baptist Church at Helena, Ark., for destruction of its building during the late war by the Federal Army—to the Committee on War Claims.

By Mr. MORGAN: A bill (H. R. 2633) granting a pension to John Pettit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2634) granting a pension to Adam Jordan—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 2635) granting a pension to Charles M. Garrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2636) granting an increase of pension to Francis M. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2637) granting an increase of pension to Jonathan Duer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2638) granting an increase of pension to John M. Hartnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2639) granting an increase of pension to William L. Gerard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2640) granting an increase of pension to Henry S. Ross—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 2641) granting a pension to William B. Buckley—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 2642) granting permission to Rear-Admiral B. H. McCalla to accept a present and decoration tendered him by the Emperor of Germany—to the Committee on Foreign Affairs.

By Mr. SIBLEY: A bill (H. R. 2643) granting an increase of pension to David Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2644) granting an increase of pension to Charles Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2645) granting an increase of pension to Freeland H. Brown—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 2646) to reimburse J. M. Starr for money paid to the Government as postmaster at Penfield, Ohio—to the Committee on Claims.

Also, a bill (H. R. 2647) for the relief of Peter Parsch—to the Committee on Military Affairs.

Also, a bill (H. R. 2648) for the relief of Peter R. Eddy—to the Committee on Military Affairs.

Also, a bill (H. R. 2649) for the relief of John S. Hopkins—to the Committee on Military Affairs.

Also, a bill (H. R. 2650) for the relief of Edward Merrel—to the Committee on Military Affairs.

Also, a bill (H. R. 2651) for the relief of Thornton Ralls—to the Committee on War Claims.

Also, a bill (H. R. 2652) for the relief of Arthur L. Flint—to the Committee on Claims.

Also, a bill (H. R. 2653) to correct the military record of Joseph Swischer—to the Committee on Military Affairs.

Also, a bill (H. R. 2654) to correct the military record of Witmer Reese—to the Committee on Military Affairs.

Also, a bill (H. R. 2655) to correct the military record of William Winans—to the Committee on Military Affairs.

Also, a bill (H. R. 2656) granting a pension to Matilda Zimmerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2657) granting a pension to George Logsdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2658) granting a pension to David C. McMillen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2659) granting a pension to Lucia Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2660) granting a pension to Maggie Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2661) granting a pension to Belle McCombs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2662) granting a pension to Julia Buel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2663) granting a pension to Susanah Pitts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2664) granting a pension to Martin McCrilles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2665) granting a pension to Henry B. Magill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2666) granting a pension to Jefferson Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2667) granting a pension to Charles F. Beals—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2668) granting a pension to B. W. McCray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2669) granting a pension to John Beaird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2670) granting an increase of pension to William S. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2671) granting an increase of pension to James R. Alsdorf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2672) granting an increase of pension to Joseph Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2673) granting a pension to Mary Aby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2674) granting a pension to Alfred Vansickles—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 2675) granting a pension to Robert J. Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2676) granting a pension to Alfred U. Whiffen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2677) granting a pension to William H. Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2678) granting a pension to Virginia E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2679) granting a pension to William Mathis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2680) granting a pension to Elizabeth Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2681) granting a pension to Alexander Laughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2682) granting a pension to Alfred Hayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2683) granting a pension to Helen M. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2684) granting a pension to Alice F. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2685) granting a pension to Walter M. Corn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2686) granting a pension to Jacob F. Blessing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2687) granting an increase of pension to Martin H. Ozment, George W. Williams, and Isaac N. Willhite—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2688) granting an increase of pension to Jesse McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2689) granting an increase of pension to Ira A. Milliorn—to the Committee on Pensions.

Also, a bill (H. R. 2690) granting an increase of pension to Thomas Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2691) granting an increase of pension to William B. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2692) granting an increase of pension to Elwood Finley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2693) granting an increase of pension to Robert G. Couch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2694) granting an increase of pension to Esther A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2695) granting an increase of pension to Rev. Christopher C. Cash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2696) for the relief of James Walden—to the Committee on Military Affairs.

Also, a bill (H. R. 2697) for the relief of James B. Phillips—to the Committee on War Claims.

Also, a bill (H. R. 2698) for the relief of the city of Cairo, in the State of Illinois—to the Committee on Claims.

Also, a bill (H. R. 2699) for the relief of William H. Thedford—to the Committee on Military Affairs.

Also, a bill (H. R. 2700) for the relief of Robert T. Shipley—to the Committee on Military Affairs.

Also, a bill (H. R. 2701) for the relief of John R. Nelson—to the Committee on Military Affairs.

Also, a bill (H. R. 2702) for the relief of Adam Miller—to the Committee on Naval Affairs.

Also, a bill (H. R. 2703) for the relief of Abraham Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 2704) for the relief of Alfred McNeely—to the Committee on Military Affairs.

Also, a bill (H. R. 2705) for the relief of John A. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 2706) for the relief of Leonard P. C. Binkley—to the Committee on Military Affairs.

Also, a bill (H. R. 2707) for the relief of Edward A. Buder—to the Committee on War Claims.

Also, a bill (H. R. 2708) for the relief of Gabriel W. Arnold—to the Committee on Military Affairs.

Also, a bill (H. R. 2709) to remove the charge of desertion from the record of Stephen J. Simpson—to the Committee on Military Affairs.

Also, a bill (H. R. 2710) to remove the charge of desertion from the record of James W. Cline, alias Eugene L. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 2711) to remove the charge of desertion standing against Henry Casey—to the Committee on Military Affairs.

Also, a bill (H. R. 2712) to compensate George K. Kirchner for his stock of goods taken and destroyed by Federal soldiers in the year anno Domini 1862—to the Committee on Claims.

Also, a bill (H. R. 2713) to restore and retire, as a captain of cavalry, Thomas J. Spencer, late a captain, Tenth United States Cavalry—to the Committee on Military Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 2714) for the relief of William D. Petty—to the Committee on Military Affairs.

Also, a bill (H. R. 2715) to correct the military record of H. M. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 2716) to correct the military record of Milo A. Lucas—to the Committee on Military Affairs.

Also, a bill (H. R. 2717) to correct the military record of William Klock—to the Committee on Military Affairs.

Also, a bill (H. R. 2718) to correct the military record of David Paterson—to the Committee on Military Affairs.

Also, a bill (H. R. 2719) to correct the military record of Clark G. Russell—to the Committee on Military Affairs.

Also, a bill (H. R. 2720) to correct the military record of Franklin E. Roberts—to the Committee on Military Affairs.

Also, a bill (H. R. 2721) to correct the military record of Shibley Shepherd—to the Committee on Military Affairs.

Also, a bill (H. R. 2722) to correct the military record of Stephen R. Thorpe—to the Committee on Military Affairs.

Also, a bill (H. R. 2723) to correct the military record of Timothy Way—to the Committee on Military Affairs.

Also, a bill (H. R. 2724) to correct the military record of William B. McCloy—to the Committee on Military Affairs.

Also, a bill (H. R. 2725) to correct the military record of Capt. A. M. Dobbelacre—to the Committee on Military Affairs.

Also, a bill (H. R. 2726) to correct the military record of Joseph B. Ellis—to the Committee on Military Affairs.

Also, a bill (H. R. 2727) to correct the military record of Stephen G. Fishback—to the Committee on Military Affairs.

Also, a bill (H. R. 2728) to correct the military record of Harrison Ferguson—to the Committee on Military Affairs.

Also, a bill (H. R. 2729) to correct the military record of John Balch—to the Committee on Military Affairs.

Also, a bill (H. R. 2730) to correct the military record of Henry Berry—to the Committee on Military Affairs.

Also, a bill (H. R. 2731) to correct the military record of Peter V. Copp—to the Committee on Military Affairs.

Also, a bill (H. R. 2732) granting an increase of pension to Saturnin Josnowski—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2733) granting an increase of pension to Charles Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2734) granting an increase of pension to John La More—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2735) granting an increase of pension to Daniel Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2736) granting an increase of pension to Charles L. Randall—to the Committee on Pensions.

Also, a bill (H. R. 2737) granting an increase of pension to Charles F. Sanscrainte—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2738) granting an increase of pension to James A. Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2739) granting an increase of pension to Morgan Sitts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2740) granting an increase of pension to Therena C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2741) granting an increase of pension to William H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2742) granting an increase of pension to Shannon W. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2743) granting an increase of pension to John W. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2744) granting an increase of pension to Helen F. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2745) granting an increase of pension to Benjamin T. Tifft—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2746) granting an increase of pension to Orrin J. Wells—to the Committee on Pensions.

Also, a bill (H. R. 2747) granting an increase of pension to John Wilkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2748) granting an increase of pension to David Mumber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2749) granting an increase of pension to Willian W. Minturn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2750) granting an increase of pension to A. Cameron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2751) granting an increase of pension to Edward H. Dickerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2752) granting an increase of pension to John E. Eggeman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2753) granting an increase of pension to Ransom M. Fillmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2754) granting an increase of pension to Alexander G. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2755) granting an increase of pension to John R. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2756) granting an increase of pension to Alanson A. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2757) granting an increase of pension to William Burch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2758) granting an increase of pension to Henry O. Briggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2759) granting an increase of pension to Catherine D. Banerly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2760) granting an increase of pension to Deforest W. Cowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2761) granting an increase of pension to Hilia Ann Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2762) granting an increase of pension to Orrin Culver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2763) granting an increase of pension to Earl R. Childs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2764) granting an increase of pension to Willert F. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2765) granting an increase of pension to Andrew J. H. Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2766) granting an increase of pension to Daniel S. Mevis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2767) granting an increase of pension to John E. Neary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2768) granting an increase of pension to William E. Manning, alias George Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2769) granting an increase of pension to William E. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2770) granting an increase of pension to Abigail Jones, widow of George N. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2771) granting a pension to Henry Knoop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2772) granting a pension to Lucy Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2773) granting a pension to John W. Kincaid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2774) granting a pension to Enos S. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2775) granting a pension to Hannah Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2776) granting a pension to Chancey Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2777) granting a pension to Sophia Lorned—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2778) granting a pension to Isaac H. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2779) granting a pension to Sarah E. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2780) granting a pension to Charles S. Moy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2781) granting a pension to Altamira M. Parsons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2782) granting a pension to Leona Salspaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2783) granting a pension to Homer L. Thayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2784) granting a pension to Hulbert O. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2785) granting a pension to R. C. Worthington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2786) granting a pension to George W. Mower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2787) granting a pension to Mary E. A. McConnelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2788) granting a pension to Richard Dobson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2789) granting a pension to Charles E. Everts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2790) granting a pension to Asa M. Foote—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2791) granting a pension to Loretta Foote—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2792) granting a pension to John Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2793) granting a pension to Alvin D. Hubbord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2794) granting a pension to Lizzie J. Hoadley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2795) granting a pension to Tracy M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2796) granting a pension to Abram G. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2797) granting a pension to Mary J. Bowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2798) granting a pension to Huldah A. Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2799) granting a pension to H. C. Beamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2800) granting a pension to Lorenzo Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2801) granting a pension to E. H. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2802) granting a pension to Eliu P. Chadwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2803) granting a pension to William Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2804) granting a pension to Michael Cribbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2805) granting a pension to Edwin A. Botsford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2806) granting a pension to Lucius Bowdish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2807) granting a pension to William Christie—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 2808) granting an increase of pension to Lydia A. Templeton—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 2809) granting an increase of pension to John Watt—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 2810) granting an increase of pension to Samuel H. Whitley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2811) granting an increase of pension to Joseph McNulty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2812) granting an increase of pension to Felix Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2813) granting an increase of pension to Wesley Coleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2814) granting a pension to George W. Collins, alias George C. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2815) granting a pension to A. Foss—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 2816) for the relief of Anderson Malon—to the Committee on Military Affairs.

Also, a bill (H. R. 2817) for the relief of John Wesson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2818) for the relief of William J. Wilcoxson—to the Committee on War Claims.

Also, a bill (H. R. 2819) for the relief of the heirs of Horatio Anderson—to the Committee on War Claims.

Also, a bill (H. R. 2820) for the relief of John T. Lehman—to the Committee on War Claims.

Also, a bill (H. R. 2821) for the relief of Thomas H. Streeter—to the Committee on War Claims.

Also, a bill (H. R. 2822) granting a pension to Louisa Phillips—to the Committee on Pensions.

Also, a bill (H. R. 2823) to remove the charge of desertion from the military record of Richard Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 2824) for the relief of Green Henry—to the Committee on War Claims.

Also, a bill (H. R. 2825) for the relief of George Stovall—to the Committee on War Claims.

Also, a bill (H. R. 2826) for the relief of Stephen Fanning—to the Committee on War Claims.

Also, a bill (H. R. 2827) to remove the charge of desertion from the military record of James L. Northcutt—to the Committee on Military Affairs.

Also, a bill (H. R. 2828) to remove the charge of desertion from the military record of H. C. Haynes—to the Committee on Military Affairs.

Also, a bill (H. R. 2829) for the relief of James H. Young, Benjamin F. Young, and F. A. Young, of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 2830) for the relief of Benjamin S. Harper—to the Committee on the Public Lands.

Also, a bill (H. R. 2831) for the relief of the estate of Marcus B. Cawthon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2832) for the relief of Nancy Coffey—to the Committee on War Claims.

Also, a bill (H. R. 2833) for the relief of the estate of James Williams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2834) for the relief of the estate of Martha Byrd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2835) for the relief of John Graves Turner—to the Committee on War Claims.

Also, a bill (H. R. 2836) for the relief of the estate of Elizabeth Thompson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2837) for the relief of Bettie Linder, administratrix of B. Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2838) for the relief of the estate of Thomas V. Provence, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2839) for the relief of the estate of Joseph A. Martin, deceased—to the Committee on War Claims.

Also, a bill (H. R. 2840) for the relief of William Cunningham—to the Committee on War Claims.

Also, a bill (H. R. 2841) for the relief of Jacob A. Paulk, of Lauderdale County, Ala., administrator of Johnson A. Paulk—to the Committee on War Claims.

Also, a bill (H. R. 2842) for the relief of John W. McAfee—to the Committee on War Claims.

Also, a bill (H. R. 2843) for the relief of Mary Haney—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 2844) for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.—to the Committee on Claims.

By Mr. TAWNEY: A bill (H. R. 2845) for the relief of the widow of Lemuel J. Draper, late assistant surgeon, United States Navy—to the Committee on Naval Affairs.

By Mr. THOMAS of Iowa: A bill (H. R. 2846) to correct the military record of Charles F. Chamberlain—to the Committee on Military Affairs.

Also, a bill (H. R. 2847) to correct the military record of James A. Somerville—to the Committee on Military Affairs.

Also, a bill (H. R. 2848) for the relief of Capt. Ferdinand Hansen—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: A bill (H. R. 2849) for the relief of St. John's Lodge, of Newbern, N. C—to the Committee on War Claims.

Also, a bill (H. R. 2850) granting an increase of pension to Susan B. Walker—to the Committee on Pensions.

Also, a bill (H. R. 2851) granting a pension to Elizabeth French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2852) granting an increase of pension to Abraham J. Yeomans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2853) granting a pension to Mary J. Smith—to the Committee on Pensions.

Also, a bill (H. R. 2854) granting a pension to Emsley Kinsauls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2855) granting an increase of pension to John W. Hill—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 2856) granting a pension to Minerva S. Webb, widow of Charles F. Webb, Company C, One hundred and forty-seventh Ohio Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 2857) granting an increase of pension to James T. Steele—to the Committee on Pensions.

Also, a bill (H. R. 2858) for the relief of the estate of W. B. Williams—to the Committee on Claims.

Also, a bill (H. R. 2859) for the relief of James Y. Brame—to the Committee on War Claims.

Also, a bill (H. R. 2860) for the relief of Sarah Autrey—to the Committee on War Claims.

By Mr. WYNN: A bill (H. R. 2861) granting an increase of pension to Dennis Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2862) granting an increase of pension to Mrs. Henrietta A. Pryce, widow of Capt. Thomas H. Pryce—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BADGER: Resolution of Cigar Makers' Union No. 75, of Columbus, Ohio, protesting against the passage of the Cuban reciprocity treaty—to the Committee on Ways and Means.

By Mr. BROWN of Pennsylvania: Papers to accompany bill to pension Mollie Gwynn—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Resolution of the Chamber of Commerce of the city of Wichita, Kans., favoring enlargement of the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. DARRAGH: Resolution of the Michigan Sugar Manufacturers' Association, protesting against the passage of bill H. R. 1921, relative to reciprocal commercial convention between the United States and Cuba—to the Committee on Ways and Means.

By Mr. DAVIS of Minnesota: Resolution of E. L. Kenny Post, No. 84, Grand Army of the Republic, of Chatfield, Department of Minnesota, favoring the passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of C. L. Parkin and 17 other citizens of Goodhue, Minn., protesting against the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. R. Klinkenbug and 42 other citizens of Lester Prairie, Minn., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DE ARMOND: Paper to accompany bill to increase pension of John A. Devinny—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Papers to accompany bill to increase pension of Bailey W. Small—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Mary Ettie Osborn—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Papers to accompany bill to pension Susanna Cosgrove—to the Committee on Invalid Pensions.

By Mr. LACEY: Papers to accompany bill to increase the pension of Welcome B. French—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Collier Braden—to the Committee on Claims.

Also, papers to accompany bill to pension Abigail Pierce—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of J. K. Welt—to the Committee on Invalid Pensions.

By Mr. LESTER: Memorial of city council and commercial bodies of Savannah, Ga., favoring the deepening of the channel of Savannah Harbor and River—to the Committee on Rivers and Harbors.

By Mr. RIXEY: Papers to accompany bill to pension Sarah J. Herrman—to the Committee on Pensions.

SENATE.

MONDAY, *November 16, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. THOMAS M. PATTERSON, a Senator from the State of Colorado, appeared in his seat to-day.

The Journal of the proceedings of Thursday last was read and approved.

NEW ENGLAND NAVAL MAGAZINE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in pursuance of law, a copy of a report of the board of naval officers, recommending a site for a naval magazine on the New England coast; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Manchester, N. H., and a petition of sundry citizens of Somersworth, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FORAKER presented a petition of the Mayaguez section of the Chamber of Commerce of Mayaguez, P. R., praying for the enactment of legislation to encourage and protect the coffee industry in that island; which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented petitions of the Home and Foreign Missionary Society of the First Presbyterian Church of Salem; of sundry citizens of Vigo; of the Cincinnati Conference of the Woman's Home Missionary Society, of Cincinnati; of the congregation of the Second United Presbyterian Church of New Concord; of the Society of Christian Endeavor of the Congregational Church of Norwalk; of the Sunday school of the Congregational Church of Norwalk; of the Baptist Sunday school of Norwalk; of the congregation of the First Presbyterian Church of Norwalk; of the congregation of the Regular Baptist Church of Vigo; of the congregation of the Church of Christ of Bays; of the congregation of the Second Presbyterian Church of Xenia; of the congregation of the First United Presbyterian Church of Xenia; of the congregation of the Evangelical Lutheran Church of Xenia; of sundry citizens of Tacoma, Barnesville, Columbus, Dayton, and Eden, and of the Woman's Christian Temperance Unions of Eden, Wilmington, New Vienna, Piqua, Coolville, Barnesville, Cedarville, Mungen, Sparta, Unionville, Center, Vigo, Xenia, and Toledo, all in the State of Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HANSBROUGH presented a memorial of sundry citizens of Brocket, N. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Woman's Christian Temperance Union of Niagara, of sundry citizens of Griggs County, and of the Sunday school of the Methodist Episcopal Church of Absaraka, all in the State of North Dakota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BARD presented petitions of the Mission Circle, of Ontario; of the Woman's Christian Temperance Union of Westminster; of the congregation of the Methodist Episcopal Church South of Pomona; of the Woman's Christian Temperance Union of San Bernardino County; of the congregation of the First Presbyterian Church of Westminster; of the congregation of the First Presbyterian Church of Redlands; of the Woman's Christian Temperance Union of Santa Barbara; of the Young Men's Christian Association of Santa Barbara; of the congregation of the Methodist Episcopal Church of Santa Barbara; of the congregation of the Congregational Church of Santa Barbara; of the congregation of the Unitarian Church of Santa Barbara; of the Ebell Society of Long Beach; of the congregation of the First Presbyterian Church of Pomona; of the congregation of the First Baptist Church of Santa Barbara; of the congregation of the First Methodist Episcopal Church of Pomona; of the congregation of the Pilgrim Congregational Church of Pomona; of the Woman's Christian Temperance Union of Benicia; of the Central Woman's Christian Temperance Union, of Los Angeles; of the Woman's Club of Santa Barbara; of the congregation of the Methodist Episcopal Church of Westminster; of the congregation of the Methodist Episcopal Church of Riverside County; of the Epworth League of Hemet, and of the Woman's Christian Temperance Union of Ontario, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LODGE presented petitions of sundry citizens of Douglas; of the congregation of the Roxbury Presbyterian Church, of Boston; of the congregation of the Second Congregational Church of Douglas; of the Young People's Society of Christian Endeavor of Douglas; of the Christian Endeavor Society of East Douglas, and of the Amateur Canadian Society of Douglas, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Sandwich, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Boot and Shoe Workers' Local Union No. 331, of Keene; of Bakers and Confectioners' Local Union No. 115, of Manchester; of the Central Labor Union of Portsmouth; of the Central Labor Union of Manchester; of Coopers' Local Union No. 120, of Nashua; of Bricklayers, Masons and Plasterers' Local Union No. 3, of Manchester, and of Iron Molders' Local Union No. 257, of Nashua, all of the American Federation of Labor, in the State of New Hampshire, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Boot and Shoe Workers' Local Union No. 331, of Keene; of Bakers and Confectioners' Local Union No. 115, of Manchester; of the Central Labor Union of Portsmouth; of the Central Labor Union of Manchester; of Coopers' Local Union No. 120, of Nashua; of Bricklayers, Masons, and Plasterers' Local Union No. 3, of Manchester, and of

Iron Molders' Local Union No. 257, of Nashua, all of the American Federation of Labor, in the State of New Hampshire, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. QUARLES presented a memorial of the Presbyterian Synod of Wisconsin, remonstrating against the repeal of the so-called anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a petition of Local Division No. 111, Order of Railroad Telegraphers, of Milwaukee, Wis., praying for the enactment of legislation to secure more favorable conditions for telegraphers in the United States Army; which was referred to the Committee on Military Affairs.

He also presented a petition of Joe Hooker Post, No. 9, Grand Army of the Republic, Department of Wisconsin, of Baraboo, Wis., and of M. W. Heller Post, No. 166, Grand Army of the Republic, Department of Wisconsin, of Rice Lake, Wis., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union of Richmond Center, and of the Woman's Christian Temperance Union of Florence, in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Coopers' Local Union No. 35, of Milwaukee; of Carpenters and Joiners' Local Union No. 836, of Janesville; of Local Union No. 236, International Longshoremen's Association, of Manitowoc; of Coopers' Local Union No. 84, of Milwaukee; of Car Workers' Iron Lodge No. 160, of Ashland; of Iron Molders' Local Union No. 108, of Racine, and of Coopers' Local Union No. 46, of Superior, all in the State of Wisconsin, praying for the enactment of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Coopers' Local Union No. 35, of Milwaukee; of Carpenters and Joiners' Local Union No. 836, of Janesville; of Local Union No. 236, International Longshoremen's Association, of Manitowoc; of Coopers' Local Union No. 84, of Milwaukee; of Car Workers' Iron Lodge No. 160, of Ashland; of Iron Molders' Local Union No. 108, of Racine, and of Coopers' Local Union No. 46, of Superior, all in the State of Wisconsin, praying for the enactment of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of the Dr. John L. Hostetter Post, No. 785, Department of Illinois, Grand Army of the Republic, of Chadwick, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Baptist Association of Springfield, of the Woman's Christian Temperance Union of Knoxville, of sundry citizens of Danville, of sundry citizens of Champaign, of the Baptist Association of Carrollton, of the congregation of the Presbyterian Church of Oneida, and of the congregation of the Methodist Episcopal Church of Oneida, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 317, of Springfield; of the Iron Molders' Conference Board of Chicago; of Local Union No. 1356, of Georgetown; of Local Union No. 320, of Westville; of the Corset Workers' Local Union of Aurora, and of International Ladies' Garment Workers' Local Union No. 20, of Aurora, all of the American Federation of Labor, in the State of Illinois, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 317, of Springfield; of the Iron Molders' Conference Board of Chicago; of Local Union No. 1356, of Georgetown; of Local Union No. 320, of Westville; of the Corset Workers' Local Union of Aurora, and of International Ladies' Garment Workers' Local Union No. 20, of Aurora, all of the American Federation of Labor, in the State of Illinois, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. BEVERIDGE presented a petition of the Commercial Club of Indianapolis, Ind., praying for the enactment of legislation to prevent unjust discrimination in tariff rates between different sections and localities and between different descriptions of tariff, and also to prevent the continuance of rates which are unreasonable in themselves; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Tippecanoe Baptist Association, of Lafayette, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 14, United Mine Workers of America, of Linton, Ind., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 14, United Mine Workers of America, of Linton, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. CLARK of Montana presented a petition of the Woman's Christian Temperance Union of Butte, Mont., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Washington Council, No. 1, Junior Order of United American Mechanics, of Butte, Mont., praying for the enactment of legislation to restrict pauper immigration from southern Europe and other countries into the United States; which was referred to the Committee on Immigration.

Mr. DOLLIVER presented a petition of the congregation of the United Presbyterian Church of Winterset, Iowa, and a petition of the Study Club, of Clarinda, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented petitions of the Produce Exchange of Philadelphia, of the common council of Philadelphia, and of the Commercial Exchange of Philadelphia, all in the State of Pennsylvania, praying that an appropriation be made for the deepening of the channel of the Delaware River to 35 feet; which were referred to the Committee on Commerce.

He also presented petitions of R. H. Martin, of Beaver Falls; of the Woman's Christian Temperance Union of Berwyn; of sundry citizens of Beaver Valley; of the congregation of the Bethlehem Presbyterian Church, of Philadelphia; of the congregation of the Sixth United Presbyterian Church of Pittsburg; of the congregation of the First United Presbyterian Church of Coraopolis; of 9 citizens of Philadelphia; of the faculty of Geneva College, Beaver Falls; of 7 citizens of Philadelphia; of the congregation of the Presbyterian Church of Waterford; of the congregation of the First United Presbyterian Church of West Pittsburg; of 15 citizens of Washington County; of 17 citizens of West Alexander; of the congregation of the First Presbyterian Church of Dubois; of 18 citizens of Washington County, and of the congregation of the Methodist Episcopal Church of Allegheny, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of the Warren Chapel, of Plainfield; of the Salvation Army of Paterson; of the Woman's Christian Temperance Union of Paterson; of sundry citizens of Paterson; of the Woman's Christian Temperance Union of Woodstown; of the congregation of the Methodist Episcopal Church of Dennisville; of the congregation of the First Baptist Church of Harrison; of the Ladies' Aid Society of the First Baptist Church of Harrison; of the Christian Endeavor Society of the First Baptist Church of Harrison; of the Woman's Reading Club of Rutherford; of the Woman's Christian Temperance Union of Trenton; of the Home Missionary Society of Ocean Grove; of the congregation of the First Baptist Church of Burlington; of Epworth League No. 150, of Burlington; of Pemberton Lodge, No. 49, Independent Order of Odd Fellows, of Pemberton, and of the congregation of the First Methodist Episcopal Church of Burlington, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURTON presented a petition of the Chamber of Commerce of Wichita, Kans., praying for the enactment of legislation to equalize tariff rates between different sections and localities; which was referred to the Committee on Finance.

He also presented a petition of Washington Post, No. 12, Department of Kansas, Grand Army of the Republic, of Lawrence, Kans., and a petition of Severance Post, No. 191, Department of Kansas, Grand Army of the Republic, of Severance, Kans., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the First Presbyterian Church of Yates Center; of the Woman's Christian Temperance Union of Banner; of the congregation of the Reformed Presbyterian Church of Eskridge; of the Marmaton Township Sabbath School Convention, of Moran; of the congregation of the Presbyterian Church of Moran; of the congregation of the Presbyterian Church of Carlyle; of the Woman's Christian Temperance Union of Walnut, and of the congregation of the United Presbyterian Church of Eskridge, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DANIEL presented a joint resolution of the general assembly of the State of Virginia, memorializing Congress to announce to the world that the United States will celebrate the three hundredth anniversary of the first English settlement in America at Jamestown, in Virginia, May 13, 1607; which was referred to the Select Committee on Industrial Expositions, and ordered to be printed in the RECORD, as follows:

A joint resolution, memorializing Congress to make known to the world that the United States will celebrate the three hundredth anniversary of the first English settlement in America at Jamestown, in Virginia, May 13, 1607.

Whereas the first English settlement of the continent of North America by the English-speaking people was made at Jamestown, in Virginia, on the 13th day of May, in the year of our Lord 1607, by Christopher Newport, Bartholomew Gosnold, John Smith, and their companions; and

Whereas, after braving the perils of the deep and encountering the unknown dangers of a strange land, in illustration of the great virtues of free men, they there founded the great colony which has since become the illustrious Commonwealth of Virginia and led the way to the founding of other colonies which likewise have grown into noble Commonwealths; and

Whereas the Commonwealths have all united into one grand Government, founded upon the immutable principles of human rights and devoted to the liberty and happiness of man, and have expanded into one of the world's greatest nations, the United States of America; and

Whereas by joint resolution of the general assembly of Virginia it was decided that the three hundredth anniversary of this greatest of all historical events should be fittingly celebrated by all the English-speaking people of the world and, if possible, by the entire civilized peoples of the globe; and

Whereas the general assembly of Virginia, thinking that this great event could be most fittingly celebrated by holding a great naval, marine, and industrial exposition on the borders of Hampton Roads, in which all our sister States and, if possible, all nations of the globe shall participate, and where shall be displayed the products of peace and the fruits of free institutions in all realms of human ingenuity; and

Whereas the general assembly of Virginia have granted a charter of incorporation to 100 or more of its patriotic citizens, to be known as the Jamestown Exposition Company, together with twelve State commissioners appointed by his excellency the governor of Virginia, who shall have full charge and management of this great undertaking: Therefore, be it

Resolved by the house of delegates of Virginia, the senate concurring, Inasmuch as the growth and success of our great and good Government, the United States of America, date from the foundation of the Republic at Jamestown, Va., on May 13, 1607, that the Senate and House of Representatives of the United States of America in Congress assembled are hereby memorialized by the general assembly of Virginia to make known to the world by a joint resolution that America proposes to celebrate the three hundredth anniversary of the birth of the Republic at Jamestown, Va., by holding a great naval, marine, and industrial exposition on the borders of Hampton Roads in 1907; be it further

Resolved, That upon the passage of this resolution a copy of the same be forwarded by the keeper of the rolls to the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and each Member of the Senate and House of Representatives from the State of Virginia.

The foregoing is a copy of a joint resolution agreed to by general assembly of Virginia.

JOHN W. WILLIAMS,
Keeper of the Rolls of Virginia.

Mr. DANIEL presented the memorial of C. W. Straughan, a citizen of Virginia, remonstrating against certain treatment accorded him by the Civil-Service Commission; which was referred to the Committee on Civil Service and Retrenchment.

Mr. DRYDEN presented a memorial of Cigar Makers' Local Union No. 117, American Federation of Labor, of Orange, N. J., remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of Local Division No. 10, Order of Railroad Telegraphers, of Jersey City, N. J., praying for the enactment of legislation to regulate the enlistment of telegraph operators, linemen, and electricians in the Signal Corps, United States Army; which was referred to the Committee on Military Affairs.

He also presented a petition of the Water Power Company of Davenport, Iowa, praying for the enactment of legislation granting to the Davenport Water Power Company the right to construct and maintain wing dam, canal, and power station in the Mississippi River in Scott County, Iowa; which was referred to the Committee on Commerce.

He also presented the petition of Fields S. Pendleton, of New York City, praying for the enactment of legislation to rehabilitate the American shipping in the foreign trade; which was referred to the Committee on Commerce.

He also presented a petition of the Christian Missionary Society of Ardmore, Ind. T., praying for the enactment of legislation providing a school system for non-Indian residents of the Indian Territory; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Trades League of Philadelphia, Pa., and a petition of the select and common councils of Philadelphia, Pa., praying that an appropriation be made to deepen the channel of the Delaware River and Bay and harbor of Philadelphia; which were referred to the Committee on Commerce.

He also presented a petition of Local Union No. 62, International Brotherhood of Bookbinders, of Newark, N. J., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 62, International Brotherhood of Bookbinders, of Newark, N. J., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a petition of Local Union No. 136, United Mine Workers of America, of Carbon, Ind., and a petition of the Central Labor Union of Clinton, Ind., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 136, United Mine Workers of America, of Carbon, Ind., and a petition of the Central Labor Union of Clinton, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the Commercial Club of Indianapolis, Ind., praying for the enactment of legislation to confer authority upon the Interstate Commerce Commission to give practical effect to the primary requirement of the act to regulate commerce; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of Cigar Makers' Local Union No. 221, of South Bend, Ind., remonstrating against the enactment of legislation which would prove injurious to the cigar industry of the country; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Starr Piano Company, of Richmond, Ind., praying for a reduction of the tax on alcohol to be used in arts and manufactures; which was referred to the Committee on Finance.

He also presented petitions of the Baptist Association of Johnson County, of the Indiana Baptist Convention, and of the Sand Creek Baptist Association, of Westport, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented a petition of the common council of the city of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which was referred to the Committee on Commerce.

He also presented petitions of the Woman's Christian Temperance Union of Elwood; of the congregation of Christ Church, of Trenton; of the Young Woman's Christian Temperance Union of Blairstown; of the congregation of the First Presbyterian Church of Verona; of the Presbytery of New Brunswick; of the Woman's Christian Temperance Union of Ocean Grove; of the Foreign Missionary Society of Ocean Grove; of the congregation of the New Vernon Presbyterian Church, of New Vernon; of the Woman's Missionary Society of the First Presbyterian Church of Wyoming; of sundry citizens of Rockaway; of the Woman's Benevolent Societies of Brick Church, of East Orange; of the Woman's Missionary Society of East Orange; of the Woman's Auxiliary of Hanover; of the Woman's Home Missionary Society of Montclair; of the Woman's Home Missionary Society of Orange; of the Ladies' Home Missionary Society of Montclair; of the Woman's Society of Mine Hill; of the congregation of the Presbyterian Church of Chatham; of the Young People's Society of Christian Endeavor of Schooleys Mountain; of the Woman's Christian Temperance Union of Orange; of the congregations of the First and South Presbyterian churches of Morristown; of the congregation of the First Presbyterian Church of Newark, and of the Woman's Club of Orange, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 20, United Brotherhood of Carpenters and Joiners, of Camden, N. J., praying for the enactment of legislation to regulate immigration; which was referred to the Committee on Immigration.

Mr. HOAR presented the petition of James Seldon Cowdon, of Washington, D. C., praying for the enactment of legislation to permit the use of public lands for homes without the passing of the title; which was referred to the Committee on Public Lands.

He also presented petitions of the congregation of the First Presbyterian Church of Boston, of sundry citizens of Winthrop, of the Woman's Christian Temperance Union of Winthrop, of sundry citizens of Middleton, of the Woman's Christian Temperance Union of West Brookfield, of the congregation of the Congregational Church of West Brookfield, of the Dorcas Society of West Brookfield, of the Epworth League of West Brookfield, of the congregation of the Methodist Episcopal Church of West Brookfield, of sundry citizens of Chelsea, and of Grange No. 189, Patrons of Husbandry, of West Brookfield, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented petitions of sundry citizens of Royal Oak, of the Woman's Christian Temperance Union of Trappe, of the Woman's Christian Temperance Union of Finksburg, of the Memorial Methodist Episcopal Sunday School of Baltimore, of the Woman's Christian Temperance Union of Willard, of the Christian Endeavor Society of Franklinville, of the Epworth League of Bozman, of the Junior Order United American Mechanics of Bozman, of sundry citizens of Bozman, of the Woman's Christian Temperance Union of Keedysville, of the Woman's Christian Temperance Union of Tilghmans Island, of the Memorial Chapter of the Epworth League of Baltimore, of the Levering Young Woman's Christian Temperance Union of Baltimore, of the congregation of the Memorial Methodist Episcopal Church of Baltimore, of the Woman's Christian Temperance Union of Forest Hill, of sundry citizens of Harford County, of the congregation of the Methodist Protestant Church of Finksburg, of the Christian Endeavor Society of Finksburg, and of sundry citizens of Finksburg, all in the State of Maryland, praying for the examination of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented a petition of Wodhams Post, Grand Army of the Republic, Department of Connecticut, of Waterbury, Conn., praying that an appropriation be made for the purchase of the Bull Run battlefield and for the protection and care of the monuments thereon; which was referred to the Committee on Military Affairs.

He also presented petitions of members of the First Presbyterian Sunday School of Stamford, of the Young Men's Christian Association of Stamford, of the Woman's Christian Temperance Union of Newington, of sundry citizens of New London, and of the Young People's Society of Christian Endeavor of New London, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BACON presented a petition of the city council, the Cotton Exchange, the Chamber of Commerce, and Board of Trade, of Savannah, Ga., praying for the enactment of legislation providing for the deepening of the harbor at that city to 35 feet at mean low tide; which was referred to the Committee on Commerce.

Mr. HALE presented a petition of the Grand Army of the Republic, Department of Maine, praying for the enactment of legislation to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of persons honorably discharged from the military or naval service; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Woman's Christian Temperance Union of Waldo, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Maine State Board of Trade, praying for the enactment of legislation for the establishment of a permanent Life-Saving Service; which was referred to the Committee on Commerce.

Mr. SPOONER presented petitions of the congregations of the Methodist Episcopal Church of Omro, of the First Baptist Church of Omro, of the Methodist Episcopal Church of Bloomington, of the Presbyterian Church of Omro, and of the Methodist Episcopal Church of Hammond; of the Woman's Christian Temperance Union of Pine Grove, of the Congregational Church of Sharon, of the Woman's Christian Temperance Union of Omro, and of the Independent Order of Good Templars of Omro, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., and a petition of the common council of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which were referred to the Committee on Commerce.

Mr. COCKRELL. I ask permission to withdraw from the files the petition of the Union soldiers of Gentry County, Mo., Home Guards, for the correction of the rolls of their regiment so as to show their muster in to have been June 1, 1861, instead of August 28, 1861. It was a petition filed December 6, 1899, and referred to the Committee on Military Affairs. No action has been had. I ask leave to withdraw it.

The PRESIDENT pro tempore. The Chair hears no objection to the request, and it is so ordered.

Mr. COCKRELL. I desire to present this petition and have it referred to the Committee on Military Affairs.

The PRESIDENT pro tempore. The petition will be so referred.

Mr. FRYE presented petitions of the Congregational Ladies' Club of Bethel; of the Patrons of Husbandry of Bethel; of the Woman's Christian Temperance Union of Bethel; of the congregation of the Congregational Church and Young People's Society of Christian Endeavor, of Madison; of the Patrons of Husbandry of Madison; of the congregation of the Baptist churches and Young People's Society of Christian Endeavor, of Madison and North Anson, and of the congregation of the Methodist Episcopal Church and of the Epworth League, of Madison, all in the State of Maine; of the Ladies' Aid Society of the Methodist Episcopal Church of Los Angeles, Cal.; of the congregation of the Methodist Church of Louisville, N. Y.; of the Woman's Christian Temperance Union of Louisville, N. Y., and of the Baptist Association of Pleasant Plains, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Commercial Club of Indianapolis, Ind., praying for the enactment of legislation to prevent unjust discrimination in tariff charges; which was referred to the Committee on Interstate Commerce.

PAPER ON THE MONROE DOCTRINE.

Mr. LODGE. I present a paper on the Monroe doctrine by Sir Frederick Pollock, an eminent English lawyer and publicist. I think it would be of great value as a Senate document, and I move that it be printed as such.

The motion was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. McCREARY introduced a bill (S. 748) for the relief of Sarah K. T. Baker; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of New York introduced a bill (S. 749) granting an increase of pension to Charles E. Thomas; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 750) for the relief of Elizabeth B. Eddy; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 751) to increase the limit of cost of the post-office, custom-house, and court-house building at Wheeling, W. Va.;

A bill (S. 752) providing for the erection of a public building in the city of Bluefield, W. Va.;

A bill (S. 753) to provide for the purchase of a site and the erection of a building thereon at Grafton, in the State of West Virginia; and

A bill (S. 754) to provide for the purchase of a site and the erection of a building thereon at Hinton, in the State of West Virginia.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 755) for the relief of the heirs of Mifflin Lorentz, deceased (with accompanying papers);

A bill (S. 756) for the relief of the trustees of the Baptist Church of Gauley Bridge, W. Va.;

A bill (S. 757) for the relief of the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va.;

A bill (S. 758) for the relief of the trustees of the Baptist Church of Charlestown, W. Va.;

A bill (S. 759) for the relief of John Whittington;

A bill (S. 760) for the relief of the heirs of Thomas G. Flagg, deceased;

A bill (S. 761) for the relief of Goff A. Hall;

A bill (S. 762) for the relief of Joseph Duncan;

A bill (S. 763) for the relief of the estate of Jacob Custer, deceased;

A bill (S. 764) for the relief of Thomas McCallister;

A bill (S. 765) for the relief of Christine M. Core, Ella Core Tabler, and Jane F. Martin, sole heirs of Andrew S. Core, deceased;

A bill (S. 766) for the relief of the heirs of Charles A. Dinkle, heirs of John F. Dinkle, and J. Daniel Dinkle;

A bill (S. 767) for the relief of Rebecca Queen;

A bill (S. 768) for the relief of Capt. Sidney F. Shaw;

A bill (S. 769) for the relief of the personal representatives of the late John M. Doddridge;

A bill (S. 770) for the relief of Kelles Chewning;

A bill (S. 771) for the relief of Sarah A. Sutton; and

A bill (S. 773) for the relief of the heirs of William A. Gum.

Mr. SCOTT introduced a bill (S. 772) for the relief of James Irwin; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally

read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 774) granting an increase of pension to John M. Buckley (with an accompanying paper);

A bill (S. 775) granting an increase of pension to Townsend C. Adams (with an accompanying paper);

A bill (S. 776) granting an increase of pension to Calvin H. Morris (with accompanying papers);

A bill (S. 777) granting an increase of pension to George Cornwell (with an accompanying paper);

A bill (S. 778) granting an increase of pension to John Cook (with accompanying papers);

A bill (S. 779) granting an increase of pension to Michael Stump (with an accompanying paper);

A bill (S. 780) granting an increase of pension to Henry G. Mechling (with accompanying papers);

A bill (S. 781) granting a pension to Mary E. Radcliffe;

A bill (S. 782) granting a pension to Mary D. Duval;

A bill (S. 783) granting an increase of pension to William McGee (with accompanying papers);

A bill (S. 784) granting an increase of pension to Beverly Waugh;

A bill (S. 785) for the relief of Capt. E. C. Harper's company (A), Forty-sixth Regiment West Virginia Volunteer Militia;

A bill (S. 786) for the relief of Capt. Isaac Alt's company (B), Forty-sixth Regiment West Virginia Volunteer Militia;

A bill (S. 787) for the relief of Capt. John Bogg's company, West Virginia Volunteer Militia;

A bill (S. 788) for the relief of Capt. John Bond's company, West Virginia Volunteer Militia;

A bill (S. 789) for the relief of Capt. Sampson Snyder's company, West Virginia Volunteer Militia;

A bill (S. 790) granting a pension to William Sheppard; and

A bill (S. 791) granting a pension to John Moulton.

Mr. SCOTT introduced a bill (S. 792) to authorize the erection of a monument at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 793) establishing a regular term of the United States district court in Lewisburg, W. Va.; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. GALLINGER introduced a bill (S. 794) to protect the President, Vice-President, persons in the line of Presidential succession, and ambassadors and foreign ministers; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 795) for the relief of Edmund T. Robie; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 796) for the relief of Richard J. Kemball; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 797) granting a pension to Mary H. Allen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DILLINGHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 798) granting an increase of pension to James A. Templeton (with accompanying papers);

A bill (S. 799) granting an increase of pension to Jacob Barton (with an accompanying paper);

A bill (S. 800) granting an increase of pension to Rosa E. Pennell; and

A bill (S. 801) granting an increase of pension to Samuel L. D. Goodale (with an accompanying paper).

Mr. DRYDEN introduced a bill (S. 802) granting pensions to army locomotive engineers and providing for pensions to widows and minor children of army locomotive engineers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTUS introduced a bill (S. 803) for the relief of John Stewart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BATE introduced a bill (S. 804) for the erection of a public building at Knoxville, Tenn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 805) granting an increase of pension to Thomas Claiborne; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 806) for the relief of Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn.;

A bill (S. 807) for the relief of the heirs of J. L. Kirkpatrick;

A bill (S. 808) for the relief of the heirs of J. W. Cloyd; and

A bill (S. 809) for the relief of William G. Tidwell.

Mr. MALLORY introduced a bill (S. 810) to authorize the detail of George F. Ormsby in the interest of commerce; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 811) providing for the erection of a public building at the city of Fernandina, Fla., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. CLARK of Montana introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 812) granting a pension to John Workman (with accompanying papers);

A bill (S. 813) granting an increase of pension to Adam Clark (with accompanying papers);

A bill (S. 814) granting a pension to Mamie H. Thayer (with accompanying papers); and

A bill (S. 815) granting a pension to H. F. Harrington (with an accompanying paper).

Mr. CLARK of Montana introduced a bill (S. 816) to remove the charge of desertion standing against the name of John Murphy, alias John Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 817) granting a pension to William F. Browning;

A bill (S. 818) granting a pension to Angus C. Hazelrigg (with an accompanying paper); and

A bill (S. 819) granting an increase of pension to John B. Glover (with accompanying papers).

Mr. MARTIN introduced a bill (S. 820) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 821) granting an increase of pension to W. Neil Dennison (with accompanying papers);

A bill (S. 822) granting an increase of pension to Marquis L. Stevens;

A bill (S. 823) granting an increase of pension to Benjamin F. Sparr;

A bill (S. 824) granting a pension to Mary J. Furrow;

A bill (S. 825) granting an increase of pension to Jesse Collins;

A bill (S. 826) granting an increase of pension to John C. Bertolette (with an accompanying paper);

A bill (S. 827) granting an increase of pension to Elias S. Gibson;

A bill (S. 828) granting a pension to John D. Evans;

A bill (S. 829) granting an increase of pension to William H. Fletcher;

A bill (S. 830) granting an increase of pension to Thomas H. Muchmore; and

A bill (S. 831) granting an increase of pension to C. A. Wyeth.

Mr. LODGE introduced a bill (S. 832) providing for the erection of a building in the city of Boston, State of Massachusetts, for customs purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 833) for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired); which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 834) for the relief of Andrew H. Russell and William R. Livermore; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAIRBANKS introduced a bill (S. 835) to provide for the purchase of a site and the erection of a public building thereon at Michigan City, in the State of Indiana; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 836) for the relief of William Allen; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 837) granting an increase of pension to Jechonias Rutledge;

A bill (S. 838) granting an increase of pension to James H. Werking;

A bill (S. 839) granting an increase of pension to Creat H. Daugherty;

A bill (S. 840) granting an increase of pension to Samuel Fraze; and

A bill (S. 841) granting an increase of pension to James P. Johnson (with an accompanying paper).

Mr. FORAKER introduced a bill (S. 842) to correct the military record of Esau Henkle; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 843) to provide an American register for the steam lighter *Pioneer;* which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 844) granting an increase of pension to Mary L. Duff (with an accompanying paper);

A bill (S. 845) granting an increase of pension to Emma F. Glenn; and

A bill (S. 846) granting an increase of pension to Catharine W. Collins (with an accompanying paper).

Mr. BARD introduced a bill (S. 847) granting a pension to John L. Beveridge; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 848) for the relief of Mrs. Louise E. Ord; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 849) to amend chapter 4952 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 850) granting an increase of pension to Henry V. Sims; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 851) for relief of the policemen employed at railway crossings in the District of Columbia, under section 3, act approved June 24, 1898; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 852) to establish a fish hatchery and fish station in the State of Maryland; which was read twice by its title, and referred to the Committee on Fisheries.

He also introduced a bill (S. 853) to provide for a macadamized roadway from the town of Sharpsburg, Md., to the Connecticut monument on the battlefield of Antietam; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 854) granting an increase of pension to Morris B. Slawson (with an accompanying paper);

A bill (S. 855) granting a pension to Mabel H. Lazear;

A bill (S. 856) granting an increase of pension to Robert O. Bingham;

A bill (S. 857) granting a pension to Martha E. Horn;

A bill (S. 858) granting an increase of pension to Charles H. Boone;

A bill (S. 859) granting a pension to Ezra J. Yingling;

A bill (S. 860) granting an increase of pension to Richard Jones;

A bill (S. 861) granting an increase of pension to John W. Boulden; and

A bill (S. 862) granting an increase of pension to Mary H. Casler.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 863) for the relief of the trustees of the United Brethren Church of Boonsboro, Md.;

A bill (S. 864) for the relief of the La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md.;

A bill (S. 865) for the relief of the trustees of the German Reformed Church of Middletown, Md.;

A bill (S. 866) for the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.;

A bill (S. 867) for the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.;

A bill (S. 868) for the relief of the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md.;

A bill (S. 869) for the relief of the estate of Jacob Richard, deceased;

A bill (S. 870) for the relief of the estate of George Smith, deceased;

A bill (S. 871) for the relief of the estate of Sarah Talbott, deceased;

A bill (S. 872) for the relief of Martha J. Wroe;

A bill (S. 873) for the relief of Polly Jackson;

A bill (S. 874) for the relief of William A. Wroe;

A bill (S. 875) for the relief of the heirs of Thomas Peter;

A bill (S. 876) for the relief of the heirs of Benjamin T. Hodges; and

A bill (S. 877) for the relief of the heirs of John D. Clemson.

Mr. QUAY introduced a bill (S. 878) to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 879) to enable the people of Arizona to form a constitution and State government and to be admitted into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall (with accompanying papers);

A bill (S. 881) granting an increase of pension to John R. Beatty; and

A bill (S. 882) granting an increase of pension to John McWilliams (with an accompanying paper).

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 883) granting a pension to E. Laurence Herriott (with an accompanying paper);

A bill (S. 884) granting a pension to Mary A. Kreker (with an accompanying paper); and

A bill (S. 885) granting a pension to Sarah A. Gillham (with accompanying papers).

Mr. BURTON introduced a bill (S. 886) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 887) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the National Appalachian Forest Reserve; which was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 888) granting an increase of pension to John Walters (with an accompanying paper);

A bill (S. 889) granting an increase of pension to Catherine A. Brown (with accompanying papers);

A bill (S. 890) granting an increase of pension to Mary K. Hudson;

A bill (S. 891) granting an increase of pension to Edwin R. Cole (with accompanying papers);

A bill (S. 892) granting an increase of pension to Charles Craft;

A bill (S. 893) granting an increase of pension to William W. Angelo (with an accompanying paper);

A bill (S. 894) granting an increase of pension to John A. Shukers;

A bill (S. 895) granting an increase of pension to Charles Disbrow;

A bill (S. 896) granting an increase of pension to John A. McCloud;

A bill (S. 897) granting an increase of pension to Lewis D. Frogge; and

A bill (S. 898) granting an increase of pension to John B. Carter.

Mr. BURNHAM introduced a bill (S. 899) granting an increase of pension to John Moulton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 900) granting an increase of pension to Daniel M. Smith; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 901) providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 902) to amend the immigration laws of the United States; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 903) providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 904) granting to the State of California 5 per cent of the net proceeds of the cash sales of public

lands in said State; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 905) for the relief of George F. Schild; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 906) to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 907) to establish on the coast of the State of California a station for the investigation of problems connected with the marine fishery interests of that region; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. BAILEY introduced a bill (S. 908) to establish a permanent military camp ground in the vicinity of Fort Sam Houston, Tex.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McENERY introduced a bill (S. 909) for the relief of the estate of Felicite Neda Chretien, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 910) granting a pension to Rev. Frank L. Phalen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BACON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 911) for the relief of the estate of Mrs. E. Ann Lowry, deceased;

A bill (S. 912) for the relief of W. O. Donovan and the heirs of Lizzie M. Donovan, deceased;

A bill (S. 913) for the relief of the trustees of the African Methodist Episcopal Church of Marietta, Ga.;

A bill (S. 914) for the relief of Honora Ryan;

A bill (S. 915) for the relief of William Shepherd;

A bill (S. 916) for the relief of the estate of Henry Banks, deceased; and

A bill (S. 917) for the relief of the estate of John W. Anderson, deceased.

Mr. WARREN introduced a bill (S. 918) to authorize the settlement of claims for longevity pay and allowances of army officers in certain cases, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 919) authorizing the President to appoint Lieut. Col. Almon L. Varney, retired, United States Army, a brigadier-general on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 920) to establish a fish-hatching and fish station in the State of Wyoming; which was read twice by its title, and referred to the Committee on Fisheries.

He also introduced a bill (S. 921) granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 922) granting an increase of pension to William S. Devlan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 923) for the protection of the President of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 924) for the relief of Mrs. Emily Miller; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 925) to remove the charge of desertion now standing against Cornelius O'Callaghan, alias William Blake; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 926) granting a pension to Benjamin Eaton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 927) granting a pension to Margaret O'Callaghan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 928) providing for the exclusive use of the proceeds arising from the sale of public lands in certain States and Territories for the purpose of irrigation and reclamation of arid and semiarid lands in the State or Territory in which the lands sold are situated until such time as it shall be definitely ascertained that the whole or any portion of such proceeds can not be feasibly expended in irrigation projects in such State or Territory; which was read twice by its title, and referred to the Committee on Irrigation and Reclamation of Arid Lands.

He also introduced a bill (S. 929) granting an increase of pension to Charles Stermer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 930) granting an increase of pension to Ferdinand Wiedemann; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUARLES introduced a bill (S. 931) to provide for the purchase of a site and the erection of a public building thereon at Kenosha, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 932) to repeal the act providing for the sale of timber and stone lands, the desert-land act, and the commutation provision of the homestead act; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 933) to provide for the classification of carriers in the rural free-delivery mail service, and to fix their compensation; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 934) granting an increase of pension to Frederick Jacoby (with an accompanying paper);

A bill (S. 935) granting a pension to Mary S. Clark (with accompanying papers);

A bill (S. 936) granting an increase of pension to Joseph Crugom (with an accompanying paper);

A bill (S. 937) granting an increase of pension to Rudolph Siebelist (with accompanying papers); and

A bill (S. 938) granting an increase of pension to Timothy A. Lewis (with an accompanying paper).

Mr. MITCHELL introduced a bill (S. 939) to provide for the sale of the unsold portion of the Umatilla Indian Reservation, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 940) for the relief of James Small; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 941) for the relief of Henry H. Woodward; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 942) to reimburse S. R. Green, postmaster at Oregon City, Oreg., for moneys lost by burglary; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 943) for the relief of J. D. and I. N. Day;

A bill (S. 944) for the relief of Theodore J. Eckerson, major, United States Army, retired;

A bill (S. 945) for the relief of the legal representatives of Sidney W. Moss; and

A bill (S. 946) for the relief of Orville T. Porter.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 947) authorizing the Secretary of War to credit Avery E. Long, first sergeant, Twenty-sixth Battery, Field Artillery, United States Army, with his actual service from the date of his first enlistment;

A bill (S. 948) for the relief of Daniel W. Burke, brigadier-general, United States Army, retired;

A bill (S. 949) to remove the charge of desertion from the record of William W. Kerby; and

A bill (S. 950) to remove the charge of desertion from the name of William H. Campbell.

Mr. DANIEL (by request) introduced a bill (S. 951) to complete the execution of the ninth article of the treaty of 1819 between the United States and Spain; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 952) to refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims;

A bill (S. 953) for the relief of the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, Va.;

A bill (by request) (S. 954) for the relief of John A. Fairfax;

A bill (S. 955) for the relief of the estate of Jacob Good, deceased;

A bill (S. 956) for the relief of William M. Jones; and

A bill (S. 957) for the relief of John C. Newton.

Mr. DOLLIVER introduced a bill (S. 958) granting an increase

of pension to Anna H. B. Lewis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 959) granting an increase of pension to Andrew C. Ranard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 960) to purchase the Travis portrait of Abraham Lincoln; which was read twice by its title, and referred to the Committee on the Library.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 961) granting an increase of pension to Joseph Goss;

A bill (S. 962) granting an increase of pension to Jennet Thoits; and

A bill (S. 963) granting an increase of pension to Joseph W. Wilber.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 964) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, and so forth;

A bill (S. 965) for the relief of Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett;

A bill (S. 966) for the relief of Daniel Joseph Holland; and

A bill (S. 967) for the relief of George Rushberger (with an accompanying paper).

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 968) to grant an honorable discharge from the military service to Robert C. Gregg;

A bill (S. 969) to grant an honorable discharge from the military service to Philip Graham;

A bill (S. 970) to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant; and

A bill (S. 971) to grant an honorable discharge from the military service to Joseph Beck.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 972) granting a service pension to all officers and enlisted men of the United States Army, Navy, and Marine Corps, both regular and volunteer, who have been awarded medals of honor, or who may hereafter be awarded such medals under acts of Congress approved December 21, 1861, July 12 and 16, 1862, and March 3, 1863, and any other act or acts amendatory thereof or supplemental thereto (with accompanying papers);

A bill (S. 973) granting a pension to Nora J. Glahn;

A bill (S. 974) granting a pension to Emma Worrall;

A bill (S. 975) granting a pension to Ellwood L. Beatty;

A bill (S. 976) granting an increase of pension to Walter Lynn;

A bill (S. 977) granting a pension to Robert M. McCormick;

A bill (S. 978) to restore to the pension roll the name of Henry M. Stiffler;

A bill (S. 979) granting a pension to Marion L. Wilson;

A bill (S. 980) granting an increase of pension to Mary Von Kusserow;

A bill (S. 981) granting an increase of pension to Isaac B. Hewitt;

A bill (S. 982) amending the act of January 26, 1897, entitled "An act for the relief of telegraph operators who served in the war of the rebellion" (with an accompanying paper);

A bill (S. 983) granting a pension to William H. Richardson (with accompanying papers);

A bill (S. 984) granting a pension to Matilda Daly (with an accompanying paper); and

A bill (S. 985) granting a pension to Simon Levi (with an accompanying paper).

Mr. SPOONER introduced a bill (S. 986) for the relief of William Persons; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 987) for the relief of certain settlers upon Wisconsin Central Railroad and The Dalles military road land grants; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MONEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 988) for the relief of the estate of Jesse Mabry, deceased;

A bill (S. 989) for the relief of the estate of Jesse Maboy, deceased;

A bill (S. 990) for the relief of the estate of George Messinger, deceased;

A bill (S. 991) for the relief of Abner P. Bush;

A bill (S. 992) for the relief of Mary Ann Jackson;

A bill (S. 993) for the relief of the estate of Purify Tingle, deceased;

A bill (S. 994) for the relief of Robert T. Cheek;

A bill (S. 995) for the relief of E. Mitchell;

A bill (S. 996) for the relief of the heirs of Augustus Catchings;

A bill (S. 997) for the relief of Jacob S. Butler;

A bill (S. 998) for the relief of Eliza C. Butler, executrix of Sarah A. Williams, deceased;

A bill (S. 999) for the relief of the legal representatives of Louisa Barnes, deceased;

A bill (S. 1000) for the relief of William H. Smith;

A bill (S. 1001) for the relief of the legal representatives of Richard W. Sessions, deceased;

A bill (S. 1002) for the relief of Bettie and Lucy Brooks;

A bill (S. 1003) for the relief of the legal representatives of Mary A. Chotard, deceased;

A bill (S. 1004) for the relief of the estate of W. W. Dunton, deceased;

A bill (S. 1005) for the relief of the estate of Mary B. Blake, deceased;

A bill (S. 1006) for the relief of the estate of Lemuel R. Hanks, deceased;

A bill (S. 1007) for the relief of the estate of Wesley Crisler, deceased;

A bill (S. 1008) for the relief of Martha A. Dochterman;

A bill (S. 1009) for the relief of Joseph C. Ferriday;

A bill (S. 1010) for the relief of Nancy Maria Minter;

A bill (S. 1011) for the relief of the estate of William M. Bowles, deceased;

A bill (S. 1012) for the relief of Mrs. S. A. E. Bailey;

A bill (S. 1013) for the relief of L. B. F. Champion;

A bill (S. 1014) for the relief of D. O. Perkins;

A bill (S. 1015) for the relief of the estate of William R. Tinsley, deceased;

A bill (S. 1016) for the relief of Louis Sommer;

A bill (S. 1017) for the relief of Mrs. Ann M. Brown;

A bill (S. 1018) for the relief of the estate of Thomas P. Young, deceased;

A bill (S. 1019) for the relief of the estate of Dr. J. P. Davis, deceased;

A bill (S. 1020) for the relief of the estate of Benjamin Hawes, deceased;

A bill (S. 1021) for the relief of Patrick Foley;

A bill (S. 1022) for the relief of James H. Knox;

A bill (S. 1023) for the relief of James W. Person and Isabella M. Person;

A bill (S. 1024) for the relief of Elizabeth Galbreath;

A bill (S. 1025) for the relief of the estate of Jesse H. Darden, deceased;

A bill (S. 1026) for the relief of the estate of James Spiars, deceased;

A bill (S. 1027) for the relief of Abner P. Bush;

A bill (S. 1028) for the relief of J. E. Whittington;

A bill (S. 1029) for the relief of the estate of Milton Crawford, deceased;

A bill (S. 1030) for the relief of Mrs. E. A. B. Legg;

A bill (S. 1031) for the relief of the estate of J. K. Morrison, deceased;

A bill (S. 1032) for the relief of George L. McGehee and John C. McGehee, heirs of Mary McGehee, deceased;

A bill (S. 1033) for the relief of the estate of John O'Ferrall, deceased;

A bill (S. 1034) for the relief of Abbie P. Anderson, executrix of William A. Watson, deceased;

A bill (S. 1035) for the relief of the estate of John Fleming, deceased;

A bill (S. 1036) for the relief of the estate of Franklin S. Whitney, deceased;

A bill (S. 1037) for the relief of John K. Nutt, administrator of Haller Nutt, deceased;

A bill (S. 1038) for the relief of the estate of George M. Coker, deceased;

A bill (S. 1039) for the relief of Alice G. Boogher, née Newman, and Anna Holmes, née Newman;

A bill (S. 1040) for the relief of the estate of John Rist, deceased;

A bill (S. 1041) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased;

A bill (S. 1042) for the relief of Jacob Walker or his legal representatives;

A bill (S. 1043) for the relief of Thomas W. Walker or his legal representatives;

A bill (S. 1044) for the relief of the estate of Matilda B. Harvey, deceased;

A bill (S. 1045) for the relief of the estate of Josiah Walker or his legal representatives;
A bill (S. 1046) for the relief of J. C. Fitzgerald;
A bill (S. 1047) for the relief of the estate of Alice Hardaway, deceased;
A bill (S. 1048) for the relief of the legal representatives of Benjamin Roach, deceased;
A bill (S. 1049) for the relief of Maria A. White;
A bill (S. 1050) for the relief of D. M. Snowden;
A bill (S. 1051) for the relief of the estate of Richard Harding, deceased;
A bill (S. 1052) for the relief of the estate of Joseph Albert Stouse, deceased;
A bill (S. 1053) for the relief of the estate of Susan L. Hardaway, deceased;
A bill (S. 1054) for the relief of Jordan Broadway;
A bill (S. 1055) for the relief of Achilles M. Haraway;
A bill (S. 1056) for the relief of Mary Ann Nagle;
A bill (S. 1057) for the relief of John A. Brent;
A bill (S. 1058) for the relief of Francis E. Whitfield and Lucy G. Whitfield;
A bill (S. 1059) for the relief of J. B. Fuller;
A bill (S. 1060) for the relief of Melchisedec Robinson;
A bill (S. 1061) for the relief of Samuel Scott;
A bill (S. 1062) for the relief of the estate of William M. Kimmons, deceased;
A bill (S. 1063) for the relief of the estate of Nancy Barrow, deceased;
A bill (S. 1064) for the relief of the Presbyterian Church of Kossuth, Miss.;
A bill (S. 1065) for the relief of Virginia Grant;
A bill (S. 1066) for the relief of Patrick J. Finley;
A bill (S. 1067) for the relief of the estate of John T. Rawlings, deceased;
A bill (S. 1068) for the relief of W. A. Hopper, administrator of David Hopper, deceased;
A bill (S. 1069) for the relief of Joseph S. Acuff;
A bill (S. 1070) for the relief of the estate of T. J. McFarland, deceased;
A bill (S. 1071) for the relief of Lewis Jones;
A bill (S. 1072) for the relief of James T. Blair;
A bill (S. 1073) for the relief of Aquila Bowie;
A bill (S. 1074) for the relief of the estate of Jane N. Gibson, deceased;
A bill (S. 1075) for the relief of U. Lunenburger;
A bill (S. 1076) for the relief of U. Lunenburger;
A bill (S. 1077) for the relief of the estate of Mary H. Moore, deceased;
A bill (S. 1078) for the relief of Susan C. Robinson;
A bill (S. 1079) for the relief of Solomon Geisenberg;
A bill (S. 1080) for the relief of the estate of Mrs. C. L. Shaifer;
A bill (S. 1081) for the relief of the estate of D. B. Downing;
A bill (S. 1082) for the relief of the estate of W. S. Hyland, deceased;
A bill (S. 1083) for the relief of the estate of Z. C. Offatt, deceased;
A bill (S. 1084) for the relief of the estate of Landon L. Lea;
A bill (S. 1085) for the relief of Robert Moss;
A bill (S. 1086) for the relief of the estate of William Roberts, deceased;
A bill (S. 1087) for the relief of the estate of W. T. Collins, deceased;
A bill (S. 1088) for the relief of L. A. Whitehead;
A bill (S. 1089) for the relief of J. C. Winters;
A bill (S. 1090) for the relief of the estate of Thomas S. Maben, deceased;
A bill (S. 1091) for the relief of Thomas M. Sigrest;
A bill (S. 1092) for the relief of the estate of M. T. Sigrest, deceased;
A bill (S. 1093) for the relief of the estate of John R. Powers, deceased;
A bill (S. 1094) for the relief of Samuel S. Coon;
A bill (S. 1095) for the relief of the estate of William Clement, deceased;
A bill (S. 1096) for the relief of the estate of Mary Oliver, deceased;
A bill (S. 1097) for the relief of the estate of Charles Denia, deceased;
A bill (S. 1098) for the relief of the estate of John Crawford, deceased;
A bill (S. 1099) for the relief of the estate of William F. Strather, deceased;
A bill (S. 1100) for the relief of the estate of William Redden, deceased;
A bill (S. 1101) for the relief of the estate of Alex. Russell, deceased;
A bill (S. 1102) for the relief of the estate of Augustus Catchings, deceased;
A bill (S. 1103) for the relief of the estate of Augustus Catchings, deceased;
A bill (S. 1104) for the relief of William Parker;
A bill (S. 1105) for the relief of Mrs. Julia A. Thomas;
A bill (S. 1106) for the relief of the estate of Mrs. E. J. Brunson, deceased;
A bill (S. 1107) for the relief of W. R. Butler;
A bill (S. 1108) for the relief of the estate of Mrs. Elizabeth Hull Wellford, deceased;
A bill (S. 1109) for the relief of Robert T. Cheek;
A bill (S. 1110) for the relief of R. A. Myrick;
A bill (S. 1111) for the relief of the estate of Samuel D. Kelley, deceased;
A bill (S. 1112) for the relief of the heirs of Thomas Duty;
A bill (S. 1113) for the relief of the estate of W. R. Butler, deceased;
A bill (S. 1114) for the relief of the estate of Jesse M. Brent, deceased;
A bill (S. 1115) for the relief of Jackson Briscoe;
A bill (S. 1116) for the relief of the estate of Mrs. Robert Garland;
A bill (S. 1117) for the relief of the estate of P. B. Sawyer, deceased;
A bill (S. 1118) for the relief of the estate of Emily R. Martin, deceased;
A bill (S. 1119) for the relief of the New Orleans and Bayou Sara Mail Company, of New Orleans, La.;
A bill (S. 1120) for the relief of the estate of John Grafton, deceased;
A bill (S. 1121) for the relief of the estate of Thomas Jarrell, deceased;
A bill (S. 1122) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased;
A bill (S. 1123) for the relief of Patrick J. Finley;
A bill (S. 1124) for the relief of B. V. McGuffee, sr.;
A bill (S. 1125) for the relief of the estate of Charlotte G. Robertson, deceased;
A bill (S. 1126) for the relief of J. N. McIntyre;
A bill (S. 1127) for the relief of the legal representatives of Oscar L. Dewees, deceased;
A bill (S. 1128) for the relief of the estate of Rhesa Hatcher, deceased;
A bill (S. 1129) for the relief of Samuel S. Bagnell;
A bill (S. 1130) for the relief of T. P. Burnham, administrator of D. J. Burnham, deceased;
A bill (S. 1131) for the relief of W. A. Sanford, administrator of H. B. Bloxam, deceased;
A bill (S. 1132) for the relief of the estate of Eben N. Davis, deceased;
A bill (S. 1133) for the relief of the estate of John B. Brabston, deceased;
A bill (S. 1134) for the relief of the estate of Sarah M. Dunbar, deceased;
A bill (S. 1135) for the relief of the estate of John F. Bryan, deceased;
A bill (S. 1136) for the relief of the estate of Jesse L. Norman, deceased;
A bill (S. 1137) for the relief of the heirs of Abel Walker, deceased;
A bill (S. 1138) for the relief of Mrs. Julia A. Thomas, widow and administratrix of I. S. O. G. Greer, deceased;
A bill (S. 1139) for the relief of Jefferson J. Birdsong;
A bill (S. 1140) for the relief of Julia A. Thomas, administratrix of the estate of I. S. O. G. Greer, deceased;
A bill (S. 1141) for the relief of the estate of Edmund McGehee, deceased;
A bill (S. 1142) for the relief of Caleb Perkins;
A bill (S. 1143) for the relief of the estate of Dr. O. L. Dewees, deceased;
A bill (S. 1144) for the relief of Mrs. E. A. B. Legg;
A bill (S. 1145) for the relief of the estate of S. A. Snodgrass, deceased;
A bill (S. 1146) for the relief of W. S. Atwood;
A bill (S. 1147) for the relief of Eliza L. Rivers;
A bill (S. 1148) for the relief of Ann E. Saddler;
A bill (S. 1149) for the relief of Mrs. Julia A. Thomas, widow and administratrix of John C. Thomas, deceased;
A bill (S. 1150) for the relief of W. A. Sanford, administrator of the estate of H. B. Bloxam, deceased;
A bill (S. 1151) for the relief of Lytle A. Rather, administrator of the estate of William B. Lumpkin, deceased;
A bill (S. 1152) for the relief of G. B. Harper and J. S. Clearman, executors of W. L. Clearman, deceased;

A bill (S. 1153) for the relief of the vestry of Christ Episcopal Church, of Holly Springs, Miss.;
A bill (S. 1154) for the relief of H. Polkinhorn;
A bill (S. 1155) for the relief of the estate of Alexander Hutchinson, deceased;
A bill (S. 1156) for the relief of the estate of S. W. Lancaster, deceased;
A bill (S. 1157) for the relief of Smith Simmons, administrator of John Watres, deceased;
A bill (S. 1158) for the relief of R. M. Lay, administrator of Henry Lay, deceased;
A bill (S. 1159) for the relief of the estate of Mrs. Sarah T. Jarratt or her legal representatives;
A bill (S. 1160) for the relief of Leroy D. Hullum;
A bill (S. 1161) for the relief of the heirs of Lucinda Mundy;
A bill (S. 1162) for the relief of the legal representatives of Benjamin R. Thomas, deceased, and Thomas W. Mason, deceased;
A bill (S. 1163) for the relief of William E. Oates, executor of Jacob Oates, deceased;
A bill (S. 1164) for the relief of Thomas Y. Berry, administrator of Thomas Berry, deceased;
A bill (S. 1165) for the relief of William J. St. John, administrator of H. H. Beard, deceased;
A bill (S. 1166) for the relief of the estate of George M. Coker, deceased;
A bill (S. 1167) for the relief of the estate of Isaac Jones, deceased;
A bill (S. 1168) for the relief of the estate of Thomas J. Gibson, deceased;
A bill (S. 1169) for the relief of the estate of Hixey Parker, deceased;
A bill (S. 1170) for the relief of Annie Jane Oglesbee;
A bill (S. 1171) for the relief of the estate of Milton S. Shirk, deceased;
A bill (S. 1172) for the relief of the estate of Wesley Crisler, deceased;
A bill (S. 1173) for the relief of the estate of Adaline L. Hebron, deceased;
A bill (S. 1174) for the relief of the estate of Augustus Strong, deceased;
A bill (S. 1175) for the relief of the estate of Mary M. Steed, deceased;
A bill (S. 1176) for the relief of Henry Jones;
A bill (S. 1177) for the relief of W. L. Lyle, administrator of John E. Pearson, deceased;
A bill (S. 1178) for the relief of William F. Haralson;
A bill (S. 1179) for the relief of the estate of James E. Williams, deceased;
A bill (S. 1180) for the relief of the estate of Mary F. Birdsong, deceased;
A bill (S. 1181) for the relief of Mrs. C. V. Wilkins;
A bill (S. 1182) for the relief of William W. Leake;
A bill (S. 1183) for the relief of the estate of Sarah A. Gayle, deceased;
A bill (S. 1184) for the relief of the estate of John M. Hawkins, deceased;
A bill (S. 1185) for the relief of the estate of R. T. Brown, deceased;
A bill (S. 1186) for the relief of the estates of Robert Bradley and Mary C. Bradley, deceased;
A bill (S. 1187) for the relief of Mrs. M. H. Coles;
A bill (S. 1188) for the relief of E. W. Morrill;
A bill (S. 1189) for the relief of W. S. Bunch;
A bill (S. 1190) for the relief of the estate of Dr. O. L. Dewees, deceased;
A bill (S. 1191) for the relief of the estate of Wirt Adams, deceased;
A bill (S. 1192) for the relief of the estate of John Rist, deceased;
A bill (S. 1193) for the relief of the estate of William Parker, deceased;
A bill (S. 1194) for the relief of Alice G. Boogher, née Newman, and Anna Holmes, née Newman;
A bill (S. 1195) for the relief of the estate of A. W. McAllister, deceased;
A bill (S. 1196) for the relief of the estate of John Fleming, deceased;
A bill (S. 1197) for the relief of the estate of Franklin S. Whitney, deceased;
A bill (S. 1198) for the relief of the legal representatives of Juliet Glass, deceased;
A bill (S. 1199) for the relief of the legal representatives of George M. Davis, deceased;
A bill (S. 1200) for the relief of the legal representatives of James A. G. Winston, deceased;
A bill (S. 1201) for the relief of the legal representatives of Eliza Compton, deceased;
A bill (S. 1202) for the relief of the legal representatives of Gabriel Utz, deceased; and
A bill (S. 1203) for the relief of the legal representatives of George Messenger, deceased.

Mr. MONEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1204) granting an increase of pension to Zachariah K. Flynn;
A bill (S. 1205) granting a pension to James Watkins;
A bill (S. 1206) granting a pension to Mary McLaughlin;
A bill (S. 1207) granting an increase of pension to James D. Stewart;
A bill (S. 1208) granting an increase of pension to Samuel G. Magruder;
A bill (S. 1209) granting an increase of pension to James D. Stewart; and
A bill (S. 1210) granting an increase of pension to Stiles L. Acee.

Mr. MONEY introduced a bill (S. 1211) for the relief of Eugenie Baptiste, sole surviving heir of Francisco Krebs; which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 1212) to confirm the title to lands in San Miguel County, N. Mex.—which was read twice by its title, and referred to the Committee on Private Land Claims.

He also introduced a bill (S. 1213) to correct the naval record of Daniel W. Blake, United States Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1214) for the improvement of the harbor of Pascagoula, Miss.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1215) to provide for the building of a water dock at the channel at Ship Island, Mississippi—which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1216) to set aside and reserve to the United States fishery certain Government lands on the Bay of Pascagoula, Jackson County, Miss.; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1217) for the benefit of industrial institutes and schools, with State charters, for the education of women; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 1218) to authorize the purchase of the manuscript of William Vans Murray; which was read twice by its title, and referred to the Committee on the Library.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 1219) to provide for the purchase of a site and the erection of a public building thereon at Natchez, in the State of Mississippi;
A bill (S. 1220) to provide for the purchase of a site and the erection of a public building thereon at Oklahoma, in the Territory of Oklahoma; and
A bill (S. 1221) to provide for the purchase of a site and the erection of a public building thereon at Biloxi, in the State of Mississippi.

Mr. TELLER introduced a bill (S. 1222) for the relief of the Confederated bands of Ute Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1223) granting a pension to Lewis W. Goddard;
A bill (S. 1224) granting a pension to Thomas B. Hanoum;
A bill (S. 1225) granting a pension to William J. Houghtaling;
A bill (S. 1226) granting a pension to James H. Hower;
A bill (S. 1227) granting an increase of pension to John Milburn;
A bill (S. 1228) granting a pension to John White;
A bill (S. 1229) granting a pension to William C. Banks;
A bill (S. 1230) granting a pension to Edgar L. Beckwith;
A bill (S. 1231) granting a pension to T. D. Britton;
A bill (S. 1232) granting a pension to John Burns;
A bill (S. 1233) granting a pension to Rafael Chacon;
A bill (S. 1234) granting a pension to Mary L. Daniels; and
A bill (S. 1235) granting a pension to A. S. Elwood.

Mr. COCKRELL introduced a bill (S. 1236) granting an increase of pension to Patrick Crossen; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Patrick Crossen for an increase of pension, together with the affidavits of Dr. John W. Dean, S. R. Beech, Elizabeth E. Judy, and of Joseph Jackson, Stephen A. Kemp, and letters from the War Department and Pension Office in support of the bill. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. CLAPP introduced a bill (S. 1237) for the relief of the estate of Ramsay Crooks; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a joint resolution (S. R. 8) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair;" which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a joint resolution (S. R. 9) authorizing the issue of duplicate medals where the originals have been lost or destroyed; which was read twice by its title, and referred to the Committee on the Library.

Mr. SCOTT introduced a joint resolution (S. R. 10) providing for the appointment of a commission to report a plan for a memorial in honor of the heroes of the Revolutionary war; which was read twice by its title, and referred to the Committee on the Library.

Mr. McENERY introduced a joint resolution (S. R. 11) to authorize certain officers of the Treasury Department to audit and certify claims of certain counties of Arizona; which was read twice by its title, and referred to the Committee on Claims.

PAYMENT OF CLAIMS.

Mr. BACON submitted an amendment intended to be proposed by him to the bill for the allowance of certain claims reported by the Court of Claims, and for other purposes; which was referred to the Committee on Claims, and ordered to be printed.

SURVEY OF ASTORIA HARBOR, OREGON.

Mr. FULTON submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made of that portion of the Columbia River between Tongue Point and Fort Stevens, Oreg., commonly known and designated as the Astoria Harbor, with a view to widening and deepening the channel and permanently improving said harbor, and to submit a plan and estimate for such improvement.

IMPROVEMENT OF WILLAPA HARBOR, WASHINGTON.

Mr. FOSTER of Washington submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the harbor of South Bend, Willapa Harbor, Washington, so as to meet the demands of commerce.

STARR ROCK, BELLINGHAM BAY, WASHINGTON.

Mr. FOSTER of Washington submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made and an estimate submitted of the cost of removing Starr Rock, Bellingham Bay, Washington, in accordance with the recommendations heretofore made and filed with the War Department.

IMPROVEMENT OF CHEHALIS RIVER, WASHINGTON.

Mr. FOSTER of Washington submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination and survey to be made and estimate submitted of the cost of improving the Chehalis River, Washington, between Aberdeen and Montesano, to meet the demands of commerce.

CONFIDENTIAL DOCUMENTS AND PAPERS.

Mr. HOAR. I give notice of a proposed amendment to the rules, which I ask may be read.

The PRESIDENT pro tempore. The proposed amendment to the rules will be read.

The Secretary read as follows:

Mr. HOAR proposes to offer the following amendment to Rule XXXVI by adding thereto Article V:

"ARTICLE V. Whenever by the request of the Senate, or any committee thereof, any documents or papers shall be communicated to the Senate by the President or the head of any Department relating to any matter pending in the Senate, the proceedings in regard to which are secret or confidential under the rules, said documents and papers shall be considered as confidential and shall not be disclosed without leave of the Senate."

The PRESIDENT pro tempore. Under the rule, the proposed amendment will lie on the table and be printed.

DISPOSITION OF ROUTINE BUSINESS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution submitted by the Senator from North Dakota [Mr. HANSBROUGH], coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. HANSBROUGH on the 12th instant, as follows:

Resolved, That the rules of the Senate be amended by adding thereto the following:

"That Senators, of their own motion, at any time while the Senate is sitting, may deposit in a receptacle provided for that purpose at the Secretary's desk, any petitions or memorials, reports from the Committee on Pensions, and pension bills, and all matters so deposited shall be disposed of in the same manner as if presented by Senators from their places on the floor of the Senate; and the Secretary of the Senate shall promptly furnish each day to the official reporters of debates for publication in the RECORD a transcript of all the matters above referred to."

Mr. HANSBROUGH. I move that the resolution be referred to the Committee on Rules.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-seven minutes spent in executive session the doors were reopened, and (at 1 o'clock and 27 minutes p. m.) the Senate adjourned until Tuesday, November 17, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 16, 1903.

RECEIVER OF PUBLIC MONEYS.

Joseph C. Auld, of Forsyth, Mont., to be receiver of public moneys at Miles City, Mont., vice James M. Rhoades, resigned.

REGISTER OF LAND OFFICE.

Hugh C. Phillips, of Goldendale, Wash., to be register of the land office at Vancouver, Wash., vice William R. Dunbar, deceased.

Said office is now filled temporarily by Frank E. Vaughan, who was appointed March 31, 1903, during the recess of the Senate, and whose nomination, sent to the Senate on the 11th instant, is hereby withdrawn.

POSTMASTERS.

GEORGIA.

Cicero F. Harrison to be postmaster at Sandersville, in the county of Washington and State of Georgia, in place of Cicero F. Harrison. Incumbent's commission expired February 15, 1903.

ILLINOIS.

Alfred Schuler to be postmaster at Mound City, in the county of Pulaski and State of Illinois, in place of John P. Nesbitt, resigned.

IOWA.

Fred W. Wilson to be postmaster at Ottumwa, in the county of Wapello and State of Iowa, in place of Alfred W. Lee, resigned.

KANSAS.

Orley C. Billings to be postmaster at Marion, in the county of Marion and State of Kansas, in place of Seymour L. Billings, resigned.

MONTANA.

Clarence H. Drake to be postmaster at Chouteau, late Choteau, in the county of Teton and State of Montana, in place of Clarence H. Drake, to change name of office.

NEW JERSEY.

Ellison D. Petteys to be postmaster at Keyport, in the county of Monmouth and State of New Jersey, in place of Benjamin B. Ogden, removed.

NORTH DAKOTA.

Henry R. Aslakson to be postmaster at Edmore, in the county of Ramsey and State of North Dakota. Office became Presidential October 1, 1903.

WITHDRAWALS.

Executive nominations withdrawn November 16, 1903.

John C. Bailey to be postmaster at Ford City, in the State of Pennsylvania.

Second Lieut. Arthur G. Hixson to be second lieutenant of cavalry, by transfer from the Infantry Arm.

NOTE.—This nomination was submitted to the Senate November 11, 1903, and is withdrawn for the purpose of correcting the date of rank.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 16, 1903.

ASSISTANT SECRETARY OF WAR.

Robert Shaw Oliver, of New York, to be Assistant Secretary of War.

PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

To be Lieutenant-General.

Maj. Gen. Samuel B. M. Young, United States Army, August 8, 1903.

To be major-general.

Brig. Gen. Samuel S. Sumner, United States Army, July 26, 1903.

PROMOTIONS IN THE MARINE CORPS.

Col. George F. Elliott, United States Marine Corps, to be Brigadier-General Commandant of the Marine Corps, from the 3d day of October, 1903.

Maj. Henry C. Haines to be an assistant adjutant and inspector in the United States Marine Corps with the rank of major from the 18th day of June, 1903.

Capt. Rufus H. Lane to be an assistant adjutant and inspector in the United States Marine Corps with the rank of major from the 18th day of June, 1903.

Capt. Louis J. Magill to be an assistant adjutant and inspector in the United States Marine Corps with the rank of major from the 18th day of June, 1903.

First Lieut. Henry L. Roosevelt to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903.

First Lieut. Norman G. Burton to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903.

First Lieut. Hugh L. Matthews to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903.

First Lieut. Rupert C. Dewey to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 24th day of June, 1903.

First Lieut. Frank J. Schwable to be an assistant quartermaster in the United States Marine Corps with the rank of captain from the 19th day of October, 1903.

Capt. William C. Dawson to be an assistant paymaster in the United States Marine Corps with the rank of major from the 18th day of June, 1903.

First Lieut. William G. Powell to be an assistant paymaster in the United States Marine Corps with the rank of captain from the 18th day of June, 1903.

Second Lieut. Cleyburn McCauley to be a first lieutenant in the United States Marine Corps from the 3d day of March, 1903.

First Lieut. Alexander S. Williams to be a captain in the United States Marine Corps from the 3d day of March, 1903.

First Lieut. James McE. Huey to be a captain in the United States Marine Corps from the 18th day of June, 1903.

First Lieut. Fred M. Eslick to be a captain in the United States Marine Corps from the 18th day of June, 1903.

First Lieut. Jay M. Salladay to be a captain in the United States Marine Corps from the 18th day of June, 1903.

APPOINTMENTS IN THE MARINE CORPS.

Charles F. Williams, a citizen of Connecticut, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Nelson P. Vulte, a citizen of New York, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Harrison T. Swain, a citizen of New Hampshire, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Percy F. Archer, a citizen of Maryland, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Seth Williams, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Gerard M. Kincade, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Frederick C. McConnell, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Frederic Kensel, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Hugh M. Howard, a citizen of North Carolina, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

William A. Howard, a citizen of Michigan, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Elias R. Beadle, a citizen of Connecticut, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Arthur B. Owens, a citizen of Maryland, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Eugene P. Fortson, a citizen of Georgia, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Robert O. Underwood, a citizen of North Carolina, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Jesse F. Dyer, a citizen of Minnesota, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Clarence S. Owen, a citizen of New York, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Maurice V. Campbell, a citizen of New Jersey, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

James J. Meade, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Richard B. Creecy, a citizen of the District of Columbia, to be a second lieutenant in the United States Marine Corps from the 30th day of June, 1903.

Charles J. E. Guggenheim, a citizen of Connecticut, to be a second lieutenant in the United States Marine Corps from the 11th day of August, 1903.

Alexander B. Mikell, a citizen of South Carolina, to be a second lieutenant in the United States Marine Corps from the 11th day of August, 1903.

David B. Wills, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

Edward S. Yates, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

Harry O. Smith, a citizen of Vermont, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

Albert Hamilton, a citizen of Massachusetts, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

Fred D. Kilgore, a citizen of New York, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

Sidney A. Merriam, a citizen of Maine, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

William A. McNeil, a citizen of Virginia, to be a second lieutenant in the United States Marine Corps from the 16th day of October, 1903.

APPOINTMENTS IN THE NAVY.

Arthur W. Stone, a citizen of Vermont, to be a chaplain in the Navy from the 14th day of July, 1903.

Mathew C. Gleeson, a citizen of New York, to be a chaplain in the Navy from the 5th day of October, 1903.

De Witt C. Webb, a citizen of Vermont, to be a civil engineer in the Navy from the 27th day of June, 1903.

Walter H. Allen, a citizen of Connecticut, to be a civil engineer in the Navy from the 27th day of June, 1903.

James V. Rockwell, a citizen of Iowa, to be an assistant civil engineer in the Navy from the 27th day of June, 1903.

Joseph S. Shultz, a citizen of Pennsylvania, to be an assistant civil engineer in the Navy from the 27th day of June, 1903.

Carl A. Carlson, a citizen of Ohio, to be an assistant civil engineer in the Navy from the 27th day of June, 1903.

James R. Dykes, a citizen of Georgia, to be an assistant surgeon in the Navy from the 18th day of April, 1903.

Albert J. Geiger, a citizen of Michigan, to be an assistant surgeon in the Navy from the 6th day of May, 1903.

William W. Verner, a citizen of Pennsylvania, to be an assistant surgeon in the Navy from the 25th day of May, 1903.

Otto Kohlhase, a citizen of South Dakota, to be an assistant surgeon in the Navy from the 25th day of May, 1903.

Perceval S. Rossiter, a citizen of Maryland, to be an assistant surgeon in the Navy from the 25th day of May, 1903.

Wesley H. Rennie, a citizen of Pennsylvania, to be an assistant surgeon in the Navy from the 25th day of May, 1903.

Walter S. Hoen, a citizen of Virginia, to be an assistant surgeon in the Navy from the 2d day of June, 1903.

Wallace B. Smith, a citizen of Alabama, to be an assistant surgeon in the Navy from the 2d day of June, 1903.

Charles C. Grieve, a citizen of Michigan, to be an assistant surgeon in the Navy from the 2d day of June, 1903.

John E. Manchester, a citizen of Wisconsin, to be an assistant surgeon in the Navy from the 10th day of June, 1903.

Paul T. Dessez, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 10th day of June, 1903.

James S. Woodward, a citizen of Maryland, to be an assistant surgeon in the Navy from the 10th day of June, 1903.

James A. Randall, a citizen of Georgia, to be an assistant surgeon in the Navy from the 26th day of June, 1903.

Charles E. Ryder, a citizen of Massachusetts, to be an assistant surgeon in the Navy from the 26th day of June, 1903.

Allen D. McLean, a citizen of Michigan, to be an assistant surgeon in the Navy from the 29th day of June, 1903.

Harry L. Brown, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 29th day of June, 1903.

Sidney L. Scott, a citizen of Virginia, to be an assistant surgeon in the Navy from the 10th day of July, 1903.

Theodore N. Pease, a citizen of New York, to be an assistant surgeon in the Navy from the 10th day of July, 1903.

Frederick G. Abeken, a citizen of Missouri, to be an assistant surgeon in the Navy from the 10th day of July, 1903.

Winfield S. Pugh, jr., a citizen of Pennsylvania, to be an assistant surgeon in the Navy from the 23d day of September, 1903.

James Miller, a citizen of Massachusetts, to be an assistant surgeon in the Navy from the 12th day of October, 1903.

Elwin C. Taylor, a citizen of New York, to be an assistant surgeon in the Navy from the 12th day of October, 1903.

Franklin E. Campbell, a citizen of New Hampshire, to be an assistant surgeon in the Navy from the 12th day of October, 1903.

James E. Gill, a citizen of Illinois, to be an assistant surgeon in the Navy from the 12th day of October, 1903.

Isaac S. K. Reeves, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 12th day of October, 1903.

Richard B. Chapman, a citizen of California, to be an assistant surgeon in the Navy from the 28th day of October, 1903.

James F. Kutz, a citizen of California, to be an assistant paymaster in the Navy from the 24th day of July, 1903.

Arthur S. Brown, a citizen of California, to be an assistant paymaster in the Navy from the 24th day of July, 1903.

John R. Hornberger, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 13th day of October, 1903.

George B. Bloomer, a citizen of West Virginia, to be an assistant paymaster in the Navy from the 15th day of October, 1903.

Noel W. Grant, a citizen of Georgia, to be an assistant paymaster in the Navy from the 15th day of October, 1903.

David G. McRitchie, a citizen of Maine, to be an assistant paymaster in the Navy from the 15th day of October, 1903.

Philip J. Willett, a citizen of New York, to be an assistant paymaster in the Navy from the 15th day of October, 1903.

Alvin Hovey-King, a citizen of Illinois, to be an assistant paymaster in the Navy from the 6th day of April, 1903.

George A. Deering, a citizen of the District of Columbia, to be an assistant paymaster in the Navy from the 6th day of April, 1903.

William C. Fite, a citizen of Georgia, to be an assistant paymaster in the Navy from the 6th day of April, 1903.

David C. Crowell, a citizen of Pennsylvania, to be an assistant paymaster in the Navy from the 29th day of April, 1903.

James A. Bull, a citizen of Pennsylvania, to be an assistant pay master in the Navy from the 29th day of May, 1903.

Frank T. Watrous, a citizen of Ohio, to be an assistant paymaster in the Navy from the 15th day of July, 1903.

Arthur S. Peters, a citizen of the District of Columbia, to be assistant paymaster in the Navy from the 15th day of July, 1903.

Edwards S. Stalnaker, a citizen of West Virginia, to be an assistant paymaster in the Navy from the 15th day of July, 1903.

Chester G. Mayo, a citizen of Vermont, to be an assistant paymaster in the Navy from the 15th day of July, 1903.

Clarence A. Holmes, a citizen of Texas, to be an assistant paymaster in the Navy from the 15th day of July, 1903.

Jere Maupin, a citizen of Washington, to be an assistant paymaster in the Navy from the 15th day of July, 1903.

Thomas H. Sanderson, a citizen of Wisconsin, to be an assistant paymaster in the Navy from the 15th day of July, 1903.

PROMOTIONS IN THE NAVY.

Capt. George A. Converse, United States Navy, to be Chief of the Bureau of Equipment in the Department of the Navy with the rank of rear-admiral for a term of four years.

Capt. Charles W. Rae, United States Navy, to be engineer in chief and Chief of the Bureau of Steam Engineering in the Department of the Navy with the rank of rear-admiral for a term of four years.

Pay Director Henry T. B. Harris, United States Navy, to be paymaster-general and Chief of the Bureau of Supplies and Accounts in the Department of the Navy with the rank of rear-admiral for a term of four years.

Naval Constructor Washington L. Capps, United States Navy, to be chief constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy with the rank of rear-admiral for a term of four years.

Assistant Naval Constructor William G. Du Bose to be an assistant naval constructor in the Navy with the rank of lieutenant from the 1st day of July, 1903.

Assistant Naval Constructor Ernest F. Eggert to be an assistant naval constructor in the Navy with the rank of lieutenant from the 1st day of July, 1903.

Assistant Naval Constructor Joseph W. Powell to be an assistant naval constructor in the Navy with the rank of lieutenant from the 1st day of July, 1903.

Naval Constructor Albert W. Stahl to be a naval constructor in the Navy with the rank of captain from the 1st day of November, 1903, vice Naval Constructor Francis T. Bowles, resigned.

Naval Constructor Robert Stocker to be a naval constructor in the Navy with the rank of commander from the 1st day of November, 1903, vice Naval Constructor Albert W. Stahl, promoted.

P. A. Surg. Eugene J. Grow to be a surgeon in the Navy from the 12th day of March, 1903.

P. A. Surg. Alfred G. Grunwell to be a surgeon in the Navy from the 6th day of May, 1903.

Asst. Surg. Charles N. Fiske to be a passed assistant surgeon in the Navy from the 15th day of May, 1903.

Medical Inspector Manly H. Simons to be a medical director in the Navy from the 9th day of June, 1903.

Medical Inspector John C. Boyd to be a medical director in the Navy from the 20th day of June, 1903.

Surg. William R. Du Bose to be a medical inspector in the Navy from the 20th day of June, 1903.

P. A. Paymaster Perry G. Kennard to be a paymaster in the Navy from the 3d day of March, 1903.

P. A. Paymaster George W. Reeves, jr., to be a paymaster in the Navy from the 16th day of June, 1903.

Asst. Paymaster Frederick H. Lemly to be a passed assistant paymaster in the Navy from the 16th day of June, 1903.

Lieut. (Junior Grade) Henry C. Mustin to be a lieutenant in the Navy from the 21st day of March, 1903.

Lieut. (Junior Grade) Pope Washington to be a lieutenant in the Navy from the 27th day of March, 1903.

Lieut. (Junior Grade) Roland I. Curtin to be a lieutenant in the Navy from the 28th day of April, 1903.

Lieut. (Junior Grade) Arthur Crenshaw to be a lieutenant in the Navy from the 1st day of July, 1903.

Lieut. (Junior Grade) Amon Bronson, jr., to be a lieutenant in the Navy from the 1st day of July, 1903.

Lieut. Spencer S. Wood to be a lieutenant-commander in the Navy from the 18th day of July, 1903.

Lieut. (Junior Grade) Harry E. Yarnell to be a lieutenant in the Navy from the 18th day of July, 1903.

Capt. Charles D. Sigsbee to be a rear-admiral in the Navy from the 10th day of August, 1903.

Capt. Colby M. Chester to be a rear-admiral in the Navy from the 10th day of August, 1903.

Commander Seaton Schroeder to be a captain in the Navy from the 10th day of August, 1903.

Commander Duncan Kennedy to be a captain in the Navy from the 10th day of August, 1903.

Commander Richard Wainwright to be a captain in the Navy from the 10th day of August, 1903.

Commander Jefferson F. Moser to be a captain in the Navy from the 10th day of August, 1903.

Lieut. Commander George B. Ransom to be a commander in the Navy from the 10th day of August, 1903.

Lieut. Commander Edward J. Dorn to be a commander in the Navy from the 10th day of August, 1903.

Lieut. Commander Bernard O. Scott to be a commander in the Navy from the 10th day of August, 1903.

Lieut. Commander William C. Eaton to be a commander in the Navy from the 10th day of August, 1903.

Lieut. Commander Alfred B. Canaga to be a commander in the Navy from the 10th day of August, 1903.

Lieut. Guy W. Brown to be a lieutenant-commander in the Navy from the 10th day of August, 1903.

Lieut. William B. Fletcher to be a lieutenant-commander in the Navy from the 10th day of August, 1903.

Lieut. William H. Chambers to be a lieutenant-commander in the Navy from the 10th day of August, 1903.

Lieut. Marbury Johnston to be a lieutenant-commander in the Navy from the 10th day of August, 1903.

Lieut. Charles E. Rommell to be a lieutenant-commander in the Navy from the 10th day of August, 1903.

Lieut. (Junior Grade) Harlan P. Perrill, to be a lieutenant in the Navy from the 10th day of August, 1903.

Lieut. (Junior Grade) David E. Theleen to be a lieutenant in the Navy from the 10th day of August, 1903.

Lieut. (Junior Grade) Daniel S. Mahony to be a lieutenant in the Navy from the 10th day of August, 1903.

Lieut. (Junior Grade) Arthur J. Hepburn to be a lieutenant in the Navy from the 10th day of August, 1903.

Lieut. (Junior Grade) Needham L. Jones to be a lieutenant in the Navy from the 10th day of August, 1903.

Lieut. (Junior Grade) Thomas C. Hart to be a lieutenant in the Navy from the 16th day of August, 1903.

Capt. Charles J. Barclay to be a rear-admiral in the Navy from the 11th day of September, 1903.

Commander Franklin J. Drake to be a captain in the Navy from the 11th day of September, 1903.

Lieut. Commander Abraham V. Zane to be a commander in the Navy from the 11th day of September, 1903.

Lieut. Edwin A. Anderson to be a lieutenant-commander in the Navy from the 11th day of September, 1903.

Lieut. Joseph L. Jayne to be a lieutenant-commander in the Navy from the 11th day of September, 1903.

Lieut. (Junior Grade) Alfred W. Pressey to be a lieutenant in the Navy from the 11th day of September, 1903.

Lieut. (Junior Grade) William R. White, an additional number in grade, to be a lieutenant in the Navy from the 11th day of September, 1903.

Lieut. (Junior Grade) William H. Reynolds to be a lieutenant in the Navy from the 11th day of September, 1903.

Commander Thomas C. McLean to be a captain in the Navy from the 23d day of September, 1903.

Lieut. Commander John R. Edwards to be a commander in the Navy from the 23d of September, 1903.

Capt. Benjamin P. Lamberton to be a rear-admiral in the Navy from the 11th day of October, 1903.

Capt. French E. Chadwick to be a rear-admiral in the Navy from the 11th day of October, 1903.

Capt. Bowman H. McCalla to be a rear-admiral in the Navy from the 11th day of October, 1903.

Capt. William H. Whiting to be a rear-admiral in the Navy from the 11th day of October, 1903.

Commander William J. Barnette to be a captain in the Navy from the 11th day of October, 1903.

Commander Edwin K. Moore to be a captain in the Navy from the 11th day of October, 1903.

Lieut. Commander Stacy Potts to be a commander in the Navy from the 11th day of October, 1903.

Lieut. Commander Henry T. Cleaver to be a commander in the Navy from the 11th day of October, 1903.

Lieut. Commander Cameron McR. Winslow to be a commander in the Navy from the 11th day of October, 1903.

Lieut. Commander James P. S. Lawrance to be a commander in the Navy from the 11th day of October, 1903.

Lieut. William L. Howard to be a lieutenant-commander in the Navy from the 11th day of October, 1903.

Lieut. Wiley R. M. Field to be a lieutenant-commander in the Navy from the 11th day of October, 1903.

Lieut. John M. Poyer to be a lieutenant-commander in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Leonard R. Sargent to be lieutenant in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Victor S. Houston to be a lieutenant in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Gilbert Chase to be lieutenant in the Navy from the 11th day of October, 1903.

Lieut. John C. Leonard to be a lieutenant-commander in the Navy from the 26th day of October, 1903.

Lieut. (Junior Grade) Walton R. Sexton to be lieutenant in the Navy from the 26th day of October, 1903.

Lieut. (Junior Grade) Walter M. Falconer to be a lieutenant in the Navy from the 4th day of November, 1903.

Gunner Levin J. Wallace to be an ensign in the Navy from the 30th day of July, 1903.

Gunner Myles Joyce to be an ensign in the Navy from the 30th day of July, 1903.

To be assistant naval constructors in the Navy from the 28th day of July, 1903.

Frank D. Hall.
Ross P. Schlaback.
George S. Radford.

To be passed assistant surgeons in the Navy from the 7th day of June, 1903.

John J. Snyder.
Edward M. Blackwell.
George F. Freeman.
James H. Payne, jr.
Charles H. DeLancy.
Fred M. Bogan.

To be ensigns in the Navy from the 7th day of June, 1903.

Clarence A. Conway.
Ernest J. King.
Isaac I. Yates.
Byron A. Long.
Alfred G. Howe.
George C. Westervelt.
William Norris.
Charles W. Fisher, jr.
John T. Burwell.
Raymond S. Keyes.
James L. Ackerson.
Adolphus Andrews.
Frederick L. Oliver.
Thomas R. Kurtz.
Holden C. Richardson.
Harold E. Cook.
Merlyn G. Cook.
John H. Walsh.
Rufus S. Manley.
John M. Enochs.
John P. Jackson.
Benyuard B. Wygant.
Manley H. Simons.
Roger Williams.
William S. Pye.
Charles L. Bruff.
Arthur P. Fairfield.
John C. Fremont, jr.
Edward E. Spafford.
Newman K. Perry.
John H. Furse.
Walter N. Vernon.
Edward C. Hamner, jr.
Frank R. McCrary.
Wallace Bertholf.
Orie W. Fowler.
Percy W. Foote.
George F. Neal.
Theodore A. Kittinger.
William H. Allen.
Guy Whitlock.
John Downes, jr.
Charles T. Hutchins, jr.
Owen H. Oakley.
John J. Hannigan.
Jesse B. Gay.
John J. Fitzpatrick.
John V. Babcock.
Rufus F. Zogbaum, jr.
John M. Caffrey.
Ernest A. Brooks.
Caspar Goodrich.
Ivan E. Bass.
Burrell C. Allen.
Lewis S. Cox, jr.
John F. Green.
Frank McCommon.
Joseph L. Hileman.
George F. Blair.
Guy W. S. Castle.
Garrard P. Nightingale.
William W. Galbraith.

ENVOYS EXTRAORDINARY AND MINISTERS PLENIPOTENTIARY.

John Barrett, of Oregon, to be envoy extraordinary and minister plenipotentiary of the United States to the Argentine Republic.

John B. Jackson, of New Jersey, lately envoy extraordinary and minister plenipotentiary to Greece, Roumania, and Servia, to be envoy extraordinary and minister plenipotentiary of the United States to Greece, Roumania, and Servia, and diplomatic agent in Bulgaria.

Stanford Newel, of Minnesota, lately envoy extraordinary and minister plenipotentiary to the Netherlands, to be envoy extraordinary and minister plenipotentiary of the United States to the Netherlands and Luxemburg.

Hamilton King, of Michigan, lately minister resident and consul-general to Siam, to be envoy extraordinary and minister plenipotentiary of the United States to Siam.

SECRETARIES OF EMBASSY.

Spencer F. Eddy, of Illinois, to be secretary of the embassy of the United States at St. Petersburg, Russia.

Lewis Einstein, of New York, to be third secretary of the embassy of the United States at Paris, France.

SECRETARIES OF LEGATION.

Philip M. Brown, of Massachusetts, to be secretary of the legation of the United States to Gautemala and Honduras.

James G. Bailey, of Kentucky, to be secretary of the legation of the United States to Nicaragua, Costa Rica, and Salvador.

John W. Garrett, of Maryland, lately secretary of the legation to the Netherlands, to be secretary of the legation of the United States to the Netherlands and Luxemburg.

Peter Augustus Jay, of Rhode Island, to be secretary of the legation of the United States at Constantinople, Turkey.

Stanton Sickles, of New York, to be secretary of the legation of the United States at Brussels, Belgium.

Robert Mason Winthrop, of Massachusetts, to be secretary of the legation of the United States at Madrid, Spain.

SECOND SECRETARIES OF LEGATION.

Henry P. Fletcher, of Pennsylvania, to be second secretary of the legation of the United States at Peking, China.

George L. Lorillard, of Rhode Island, to be second secretary of the legation of the United States at Habana, Cuba.

Ulysses Grant Smith, of Pennsylvania, to be second secretary of the legation of the United States at Constantinople, Turkey.

CHIEF JUSTICE SUPREME COURT, DISTRICT OF COLUMBIA.

Harry M. Clabaugh, of Maryland, to be chief justice of the supreme court of the District of Columbia.

ASSOCIATE JUSTICE SUPREME COURT, DISTRICT OF COLUMBIA.

Jeter C. Pritchard, of North Carolina, to be associate justice of the supreme court of the District of Columbia.

UNITED STATES ATTORNEY.

John B. Vreeland, of New Jersey, to be attorney of the United States for the district of New Jersey.

CIVIL SERVICE COMMISSIONER.

Henry F. Greene, of Minnesota, to be a Civil Service Commissioner.

DIRECTOR OF THE CENSUS.

S. N. Dexter North, of Boston, Mass., to be Director of the Census in the Department of Commerce and Labor.

CALIFORNIA DÉBRIS COMMISSION.

Capt. William W. Harts, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission, provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California."

Lieut. Col. Thomas H. Handbury, Corps of Engineers, United States Army, for appointment as a member of the California Débris Commission, provided for by the act of Congress approved March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California."

MEMBERS OF DISTRICT BOARD OF CHARITIES.

John Joy Edson, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1903.

S. W. Woodward, of the District of Columbia, to be a member of the board of charities of the District of Columbia for the term of three years from July 1, 1903.

HOUSE OF REPRESENTATIVES.

MONDAY, *November 16, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday, November 13, 1903, was read and approved.

SWEARING IN OF MEMBERS.

Hon. Edward B. Vreeland, Representative-elect from the Thirty-seventh district of New York, and Hon. Joseph E. Ransdell, Representative-elect from the Fifth district of Louisiana, appeared at the bar of the House and took the oath of office.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BYRD, for ten days, on account of illness in his family.

ORDER OF BUSINESS.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House numbered 17, have had the same under consideration, and ask leave to report in lieu thereof the following:

"*Resolved*, That immediately on the adoption of this rule, and immediately after the reading of the Journal on each day thereafter until the bill hereinafter mentioned shall have been disposed of, the House shall resolve itself into Committee of the Whole House on the state of the Union for consideration of the bill H. R. 9321, a bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902; that not later than 4 o'clock on November 19 general debate shall be closed in Committee of the Whole, and whenever general debate is closed the committee shall rise and report the bill to the House; and immediately the House shall vote without debate or intervening motion on the engrossment and third reading and on the passage of the bill."

Mr. DALZELL. Mr. Speaker, just a single word in explanation of the rule that has been read at the Clerk's desk. If adopted, it will bring before the House for immediate consideration the bill reported by the Ways and Means Committee on Friday last, a bill to carry out the provisions of the treaty between the Republic of Cuba and the United States.

The resolution provides for general debate until 4 o'clock on Thursday, at which time the committee is to rise and report the bill to the House, and the vote is to be taken on the bill immediately, without intervening motion or debate. The purpose of the resolution is to provide for general debate until 4 o'clock Thursday, unless it shall turn out in the meantime that gentlemen do not desire to speak. In that case the committee will rise and report the bill to the House upon the same conditions as if the debate had continued until 4 o'clock Thursday.

The effect of the rule will be to cut off amendment.

Now, Mr. Speaker, I yield thirty minutes to the gentleman from Mississippi [Mr. WILLIAMS].

The SPEAKER. The gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Speaker, this is perhaps one of the most drastic rules that has ever been introduced into the House of Representatives. I am not quarreling with the majority members of the Committee on Rules because they have adopted it. A majority party is charged with responsibility not only for legislation, but for methods of procedure in reaching legislation. It takes that full responsibility before the country, and the country is the judge whether it has wisely or unwisely assumed the responsibility. This is a rule to bring onto the floor of the House of Representatives, in Committee of the Whole, without right of amendment from the very beginning, a very important measure—so important in the judgment of the President of the United States that he convened an extraordinary session of the Congress of the United States to consider it. The rule expressly provides that no amendment can be offered; and, beingin Committee of the Whole, the necessary incident is that no yea-and-nay vote can be had upon any proposition presenting itself after the rule has been adopted until the vote upon the bill itself is taken. It shuts off from the House all right to perfect the bill, all right to make it better, all right to go further in the direction in which the bill goes, all right to call a halt upon the direction in which the bill goes, every right of every description that a parliamentary body ought to have.

Now, the minority has wanted to offer an amendment to this bill, and I want to explain the character of that amendment, so as to show how unjust this bill is.

By the way, Mr. Speaker, before I go any further I wish the Chair to inform me, please, when I have spoken ten minutes, as at the end of that time I wish to yield.

The provision that we have wanted to offer to the bill is to strike out the double-barreled pledge contained in the proviso in article 8 of the treaty and repeated in the bill itself verbatim et literatim. That double-barreled pledge is this: First, that this great country shall sit down and tie itself to a given prestated tariff schedule, so far as the island of Cuba is concerned, not to reduce it either by legislation or otherwise below the rate of duty agreed upon in this bill, and, so far as sugars from other foreign countries, or from foreign countries other than Cuba, to pledge this Government during the continuance of this convention not to reduce the duties upon those sugars from the present Dingley tariff rate at all.

Gentlemen, if the Republican party is prepared to go before the American people, with their magnificent wealth of common sense and common conscience, as the worshipers, the fetich worshipers of fixed tariff schedules, that is its matter. If you think you can "stand pat," as has become the phrase, upon a given duty, and upon all duties, just simply because they happen to be now legislatively fixed, regardless of the wisdom or the unwisdom of them, regardless of the changed conditions of the country, regardless of the fact that many American industries which a few years ago were struggling for the home market now have the foreign market, regardless of the fact that these industries are—many of them—charging more to the American consumer than to the foreign consumer, that again, as a party, is your matter. But it is also somebody else's matter. It is a matter for the Supreme Court behind us both—the people of the United States—and we can safely make our appeal to that tribunal on a rehearing of the case, and they will not be deceived by all your ingenuity in explaining it. You are in power; you are charged with legislation, and amongst other things you are charged with tariff legislation. You stand here before the country telling the country that you are not willing to say that a single solitary schedule upon the bill in existence is not a thing sacred, to be knelt to and worshiped until after the election.

Mr. WM. ALDEN SMITH. Will the gentleman from Mississippi allow me to ask him a question? Does the gentleman from Mississippi not recognize in that provision anything that will be of benefit to our domestic sugar industry?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am coming to that now. The Democratic party does recognize that the pending bill is a Democratic measure in every principle. [Applause on the Democratic side.] The Republican party, after once having taught the sacredness of the schedules, after having once taught that a prohibitive tariff wall is a benefit to this country, comes here now with a bill with a concession of one-fifth, and in that concession made by the Republican party it stultifies itself precisely one-fifth. [Applause on the Democratic side.] The Democratic proposition is that whenever you remove the tariff duties down to the competitive point or, approximately, to that point where the American manufacturer or producer is left a fair profit, but without monopolistic power to work extortion on the home consumer while the manufacturer sells cheaper abroad, you have reduced the burden upon the American consumer with general benefit to all.

The Democratic party believes that when on any articles that go to Cuba or any other people on the surface of the earth you get an agreement to reduce the burdens to their consumers by reducing the duties in their markets you have conferred a benefit upon their consumers and also on the American producer, because you enable the consumer in Cuba or elsewhere in any country entering into these reciprocal relations to get the product at a cheaper price. That enables them to buy more of our product. That enables those there who have been buying it to buy more, and enables those who have hitherto not been able to buy any to buy some, and that increases the volume of the consumption of American products and benefits the American producer by enabling him to sell more goods at the old profit, and thus both parties to the trade are benefited.

This bill rests, if it rests at all, upon the old-fashioned Adam Smith and the old-fashioned Walker tariff—the old-fashioned Democratic idea that the more untrammeled trade is, consistently with the necessities of the revenue for a Government economically and effectively administered and consistently also with a desire not ruthlessly and destructively to revolutionize existing conditions by the destruction of honest, legitimate, and nonmonopolistic enterprises, the better. So far as Cuba is concerned, and so far as the United States are concerned in dealing with Cuba in this bill, that is the Democratic position, and you by taking it are stultifying your own usual position.

Mr. Speaker, I now yield the balance of my time, or so much of it as he may need for the purpose of discussing the rule, to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. As all know, Mr. Speaker, we are assembled here, 386 Members of the House and 90 Members of the Senate, nearly 500 of the representatives——

Mr. WILLIAMS of Mississippi. Will the gentleman from Missouri permit an interruption? Before I sat down, I said that I would read the amendment which we have offered because I want it to appear as part of my remarks. It is as follows:

Strike from the bill the following language, beginning in line 15, page 2, and ending in line 3, page 3:

"*Provided*, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897, and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897."

And insert the following in lieu thereof:

"That upon the making of said agreement, and the issuance of said proclamation, and while said agreement shall remain in force, there shall be levied, collected, and paid, in lieu of the duties thereon now provided by law, on all sugars above No. 16 Dutch standard in color and on all sugar which has gone through a process of refining, imported into the United States, 1.825 cents per pound."

The amendment seeks to strike out that section and to substitute for it the identical amendment which the House passed at the last session, practically using the refiners' differential and disposing of one of the evils inherent in the bill as it now stands.

Mr. DE ARMOND. Mr. Speaker, this House of 386 Members and a Senate of 90 Members are assembled on the call of the President in extraordinary session, because, in the judgment of the President, an extraordinary matter is to be considered—legislation with reference to the treaty between this country and Cuba. A great many of the President's own party friends believe there was neither occasion nor warrant for the calling of this extraordinary session. But here we are; and the question now before us in the House is whether we are here to meet the responsibilities and to discharge the duties of free, independent, untrammeled representatives of a free, independent, and untrammeled people, or whether we are here to be gagged and tied, upon the very threshold of the proceeding. If the rule which is submitted here and now pending before the House be adopted, the House will be powerless to do anything except to pass or to defeat this bill just as the bill is. It is now, and but for this rule it will continue to be within the power of the House to amend the bill, as in the judgment of a majority it ought to be amended. With this rule adopted that power is taken from the House absolutely. The pertinent question—the question of the hour—is, Shall we deprive ourselves of the right to amend or to consider amendments proposed to this bill? Shall we, at the command of "the powers that be," yield our independent right and shirk our high duty of considering this measure as measures ought to be considered in a body representative of American citizenship?

I am glad to be able to say, I am proud to be able to proclaim, that I believe there is not a solitary vote on this side of the House that will be cast for this rule; that not a solitary gentleman upon this side of the House present and able to vote will refrain from the exercise of that high duty and that great Democratic pleasure of voting against the adoption of the rule.

But we are in the minority. We have not the power to determine the matter by defeating the rule. Whether it shall be adopted does not rest with us, but rests with the men upon the other side of the House, who profess independence and regard for their constituents. I shall make no hypocritical pretense that I am trying to care for those gentleman or that I shall mourn if, as a result of the vote upon this rule, a good many of them are left in the walks of private life and men of my own party shall come here to take their places. I shall not mourn if the people shall write upon their records that final decree which shall terminate their political lives because they have proved unfaithful, because they have gone back upon their professions, and have reversed their course with reference to this important matter as they here but a comparatively short time ago declared it to be.

Do they wish that there shall arise in their own party opposition to them when asking for renomination? Do they wish that if they are successful in gaining renomination they shall be met upon every stump of their districts by opponents of the other party who shall declare, by the record, "This man has been unfaithful to his trust; this man has not carried into Congress that faith which upon the stump he proclaimed, though he pledged himself to do it?"

Not very long ago a measure akin to this was before the House. It differed from this measure, however, in some important particulars. As presented to the House, it provided for an arrangement with Cuba for reciprocal relations on much the basis of this, but with an important provision that as a preliminary to such relations, as the condition upon which they must depend—without the performance of which by Cuba, nothing would be done by us—there should be passed and enforced by the Cuban people labor and immigration laws as stringent and restrictive as our own. The measure before us to-day has no such provision, and no hint of any such provision. Face the laboring men of your districts, ye gentlemen who vote for this rule to deny the opportunity of amendment—face the laboring men of your district, and say to them that deliberately, with your eyes open, under the lash of the party "bosses," you voted for establishing this relation with Cuba, with no provision for the adoption by Cuba of such legislation as I have referred to; that you voted against allowing the opportunity to put into the bill any such amendment. Do you dare to do it? I am not talking to you in the spirit of defiance. If you do this, do it with your eyes open. Do not pretend to your constituents, do not shame yourselves, do not insult your own intellects by the pretense that later on you voted against the bill, when you knew it would pass, though at the outset you voted to make it impossible to put into the bill that wise provision.

If we can amend the bill—if we can have amendments offered to it and considered—I propose, unless some other gentleman gets recognition for the purpose earlier, to offer an amendment to this bill to restore the provision to which I have referred; to restore it in the interest of the laboring men of this country, in pursuance of the policy of this Government, in harmony with our fixed purposes, as declared in legislation time and time again.

Will you do it? Will you make it possible to do it? The real test is upon the adoption of the rule. Do not let any gentleman mistake that. This rule goes either as it is or as you may pretend you would like to have it. The man who votes for the adoption of this rule votes to exclude all possible amendments, including an amendment such as the provision contained in the other bill with reference to immigration—with reference to what might be truly called "pauper labor," the labor of the Asiatic in Cuba. He votes against putting that provision into the bill if he votes for the adoption of this rule.

When this measure, or the measure akin to it, was before the House at the last Congress, there was a good deal of talk about the sugar trust and about the differential duty upon sugar. An amendment was offered by the gentleman from Minnesota not now a Member of this House, but a Federal judge [Mr. Morris], providing for taking off the differential duty on refined sugar—the sugar-trust duty—the duty put there and maintained there for the benefit and the sole benefit of the sugar trust. Enough of the gentlemen upon the other side of the House then—I don't know how it will be now, although this vote will disclose—joining with the solid phalanx of Democracy upon this side, put that amendment into the bill. The bill then, after being passed here, went over to the Senate. It passed here upon the 18th day of

April, 1902. It went to the Senate and died. Died! It was not fought out, it was not killed upon the floor, it was not presented to that body upon its merits, did not go down in the fierce contest of debate, but was strangled to death in the committee room. Why? Because the sugar trust was opposed to it, and because the sugar trust was powerful enough to defeat it.

Do you claim, any of you, that you are opposed to the bill in any form in which it may be put? Do you claim that, amended or not amended, you are going to vote against it? Do you claim that you desire to defeat it? How can you have the best opportunity of defeating it? By putting upon it the amendment which will secure again, as it did before, the active, persistent, relentless hostility of the sugar trust and all its minions wherever they are found. If this bill can be killed at all, amending will kill it as it killed the other bill. I am going to vote for it. This side, in the main, will vote for it. We recognize, as stated by my colleague from Mississippi [Mr. WILLIAMS], that it is legislation in the direction in which we would go toward unshackling the wheels of commerce, toward giving freer, better opportunity to the laboring man and the mechanic and the farmer and all the people of this country; because it tends to break down the power of the mighty trusts; because it tends to relieve the American people from oppression and outrages which they have too long endured and which are fast becoming intolerable.

Do you desire to defeat the bill? The way to save the chance to defeat it, the only possible chance to defeat it, is to defeat this rule and amend it. That is the only possible chance for the defeat of this bill. Not a solitary gentleman on either side who has given any attention to the subject, not a well-informed man in the country but knows that, unamended as it is, the bill will become a law. Amended, I do not know what its fate would be, because I know not whether again the sugar trust may be so persuasive, so all powerful as it was before.

Does some one ask, Do you wish to risk the defeat of the bill? Aye, I do wish to risk the defeat of the bill when the choice comes between legislation for the sugar trust and legislation for the American people. If the bill is to go through by purchase from the sugar trust, by subserviency to the minions of the sugar trust, then I for one say let it go down into defeat; let it be defeated a thousand times. Let it be defeated forever rather than legislate here, directly or indirectly, for the sugar trust.

Some sixty Republicans in April, 1902, voted with the solid Democracy in this House to amend the other Cuban reciprocity bill, overrode the ruling of the presiding officer, did that extraordinary thing which might be termed rebellion against the management of the House, dared to assert their own individuality and their own representative manhood, dared to speak and to vote for their own constituents rather than surrender judgment and duty at the beck and the command of the powers that be in this House. They have fared tolerably well since. Their constituents seem to have been reasonably well pleased with them. Some forty-odd of them are present here in the House now, and a distinguished array it is. Let me read some of the names. There are Messrs. BISHOP, BOWERSOCK, BURKETT, CALDERHEAD, CONNER, COOPER of Wisconsin, COUSINS, CRUMPACKER, CUSHMAN, Dahle, DARRAGH, DAVIDSON, DAYTON, ESCH, FORDNEY, GARDNER of Michigan, GREENE of Massachusetts, HAMILTON, HAUGEN, HEPBURN, HITT, HOLLIDAY, HULL, JONES of Washington, LACEY, LAWRENCE, LITTLEFIELD, MCCLEARY of Minnesota, MCLACHLAN, MANN, MILLER, MUDD, NEEDHAM, POWERS of Massachusetts, PRINCE, ROBERTS, SMITH of Illinois, SAMUEL W. SMITH, WM. ALDEN SMITH, SOUTHARD, STEVENS of Minnesota, TAWNEY, THOMAS of Iowa, and WARNER.

A goodly array! And there are three gentlemen upon this floor who voted against the amendment, who voted to sustain the Chair, and who were so utterly disgusted with the bill after the anti-sugar trust amendment had been put into it, after the sugar trust robbery had by virtue of that amendment been stricken out of it, that they voted against the bill thus amended. These three gentlemen are Messrs. GROSVENOR, HILDEBRANT, and METCALF.

Now, gentlemen, there is the record made by these Republicans upon this question. What are you going to do? I do not assume to advise you. I do not assume to try to take care of you, but I say to you in all frankness that if you join in upon the sugar-trust side, if you repudiate your record, if you eat up the tags that were put upon you, do not suppose that you can not be identified. [Laughter.] According to the observation of most of us, the gentlemen who asserted their independence in the last Congress carried their heads pretty high after the event. They seemed to be rather gratified with what they had done. They sniffed the air of freedom as though it were both strange and pleasant. [Laughter.] It is said that, with few exceptions, they are back upon the reservation. [Laughter.]

It was remarked that nothing ought now to be said that might jar upon their consciences. I inquired whether they have come back to the reservation with their consciences or whether they left them off. [Laughter.] I do not know, but let every man who voted for the restrictive immigration and labor laws before, let every man who voted before to put in the amendment which strikes off of sugar the robber duty that goes to the sugar trust let him understand that if he is back on the reservation and proposes now, mayhap for the sake of a good committee assignment—for this reason or that, I know not what and I care not what—to reverse himself and vote the other way, there will be somebody—a good many bodies—found in his own district and in his own party, and a great many of the other party, who will call attention to it and look after it. [Prolonged applause on the Democratic side.]

[Here the hammer fell.]

Mr. DALZELL. Mr. Speaker, I shall occupy only a very few minutes. I desire to give most of my time to my colleague on the committee, the gentleman from Ohio, General GROSVENOR.

It is customary when a rule is brought into this House regulating procedure for the minority, whether that minority be a Republican or a Democratic minority, to complain against the drastic nature of the rule. Now, this is a Government by parties. The party in the majority is responsible for legislation. The party in the majority ought, therefore, to be allowed, without criticism or comment, to choose its methods of legislation, only so that in the end it obtains the will of the majority.

My friend from Mississippi [Mr. WILLIAMS] says that this is one of the most drastic rules that was ever brought into this House. I have so often repeated in this House what I am going to say now that it seems as though I might omit it altogether; and yet there are some gentlemen who are Members of the House now who have not been Members of the House heretofore. Do you recollect, gentlemen upon the other side of the Chamber, when Mr. Crisp was Speaker of this House and Mr. William L. Wilson was the chairman of the Committee on Ways and Means—do you recollect that your committee reported a bill which your President characterized as a measure of perfidy and dishonor; that you sent that bill to the Senate, where it was amended; that you protested time and again that you would never consent to the Senate amendments? That the Senate sent that bill to conference; that while it was in conference and the papers were in the hands of the Senate and not in the hands of the House you passed a rule? Now, what did that rule provide? It provided that you should, by force, in violation of every principle of parliamentary law, bring that bill back into this House and with a very little debate swallow whole the 646 amendments of the Senate? [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Will the gentleman from Pennsylvania yield for a question?

Mr. DALZELL. Certainly, with pleasure.

Mr. WILLIAMS of Mississippi. Is it not true that when that was done it was after that bill had been debated for six months?

Mr. DALZELL. There was no debate on a single amendment—the amendments did not even have the chance to be read—in this House. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. But the gentleman will excuse me a little further?

Mr. DALZELL. Certainly.

Mr. WILLIAMS of Mississippi. The bill had been debated here, and the amendments in the Senate, the two together, for six months.

Mr. DALZELL. Why, the mother of the bill would not have recognized it if she had met it in the road. [Applause and laughter on the Republican side.] It was amended out of all its original shape.

But that is not all. Let me tell you something more. Under that same régime this rule was reported and passed:

Resolved, That at any time after the adoption of this resolution it shall be in order to present for consideration, without reference to a committee, separate bills placing upon the free list sugar in all its forms, coal, iron ore, and barbed wire. Each of said bills when presented shall be considered in the House.

Not in Committee of the Whole!

Thirty minutes' debate—

Think of it!—

shall be allowed on each bill, and at the end of such debate the previous question shall be considered as ordered thereon, and without delay or other motion the vote shall be taken.

[Applause on the Republican side.]

The great sugar industry of this country, the great coal industry of this country, the great metal industry of this country were put upon the free list with fifteen minutes' debate; and yet you gentlemen have the effrontery to rise here to-day and denounce as drastic this resolution. [Applause on the Republican side.] I commend you to a study of your own parliamentary history.

Now, what outrage is there in refusing amendments to this bill? What is this bill? It is not independent tariff legislation. This is a bill to carry out a convention heretofore entered into by the President and the Senate with the Republic of Cuba. It is a

bill to carry out a national pledge, to stand by the national honor, and you gentlemen know that we must take that treaty as it is made or we must leave it. An amendment to this bill would necessitate a new convention between the Republic of Cuba and the United States.

Mr. LIND. Will the gentleman permit a question?

Mr. DALZELL. Certainly.

Mr. LIND. Under this bill would it not be competent to repeal the sugar differential without affecting the treaty at all?

Mr. DALZELL. Not at all.

Mr. LIND. Why not?

Mr. DALZELL. Because it is not germane to this bill. [Applause on the Republican side.]

Mr. LIND. Suppose the House made it so. The House can make anything germane that it chooses. But the explicit question that I wish to put to the gentleman is: Would it not be competent for Congress in this bill to repeal the sugar differential without affecting the treaty as now negotiated in the least?

Mr. DALZELL. I do not think so. But besides, even if that were so, the gentleman from Missouri has just told us that a repeal of the differential would work the defeat of this bill.

I was coming to the point of showing the hypocritical attitude of the Democracy as to this measure. They claim that they are all for it, and yet insist upon an opportunity to offer an amendment which if placed upon it, in the words of their own representative, will work the defeat of the bill. [Applause on the Republican side.] There is such a thing, as you know, gentlemen, as "playing politics" from time to time.

Now just a word with respect to the "roll of honor" that the gentleman read. To be fair, he ought to recognize the fact that those gentlemen whose names he read were acting upon a legislative proceeding affecting the tariff laws of the country, while this is a bill to carry into effect the provisions of a treaty already made. The difference is material.

I shall not be induced to enter into any tariff discussion at this time. This is not a tariff measure, from my standpoint. I say to the gentleman from Mississippi that so far as being worshipers of any schedules as a fetich is concerned, we recognize the fact that from time to time tariff schedules must be changed to meet the necessities of changed conditions, but we reserve to ourselves the right to say when that time has come when those changes shall be made. [Applause on the Republican side.]

How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has twenty minutes remaining.

Mr. DALZELL. I yield that to my colleague on the committee, Mr. GROSVENOR.

Mr. GROSVENOR. Mr. Speaker, the direct, immediate question pending here is not a question of what this House may or might do upon an independent bill involving the points that have been suggested by the gentleman from Mississippi [Mr. WILLIAMS] and the gentleman from Missouri [Mr. DE ARMOND]. The question here is a question concrete in form and easily understood by every Member of the House, and about which and the results growing out of which no man here is ignorant. It is a question, pure and simple, whether the House, asserting its power in cooperation with the Senate to control the details of a commercial treaty with a foreign power, is willing, under all the circumstances, to ratify or to consent and approve of the ratification of the commercial treaty made by the President and the Senate. All attempts to sidetrack that issue and to affect that issue by threats of blacklisting and menaces against Members of this House because of any vote they may have taken on some parliamentary question in a former House will not turn aside the intelligence of the American people from the real question here involved.

The attitude of the gentleman from Missouri [Mr. DE ARMOND] is this, put in a simple form: Here is a matter that we are all in favor of. "We Democrats," says that gentleman, in effect, "we want to pass this bill; we are in favor of it because it has something of reciprocity in it, and furthermore, we want to pass it because it reduces the tariff, possibly, contingently upon certain products of a foreign country coming into this country. But we want to mutilate this bill so that no Republican can vote for it and maintain his position toward the protective principles of the party, and then we want to pass it afterwards. We want to make a Democratic child out of it, mutilated, disfigured, ruined in personal appearance, and ruined in all its attributes, and then say, 'This is our child.'" Well, we do not want any of that sort of children to be born in this House of Representatives, and we are not going to consent to it. [Laughter on the Republican side.] The fatherhood of important measures involving politics will be lodged beyond controversy with the Republican party of the House of Representatives, and we propose to maintain the features of the child so that we shall not be ashamed of it, and so that nobody will undertake to swear it on to the Democratic side of the House. [Laughter on the Republican side.]

How did this question come here? The gentleman from Mississippi [Mr. WILLIAMS] is not quite ingenuous when he says that it is a question that ought to have a great deal of time and be considered by the amending processes of the House of Representatives in the Committee of the Whole. This question has been discussed, was discussed more or less, during the whole of the Fifty-seventh Congress. We know every argument to-day that will be made to-morrow and the ensuing days. There is not a single germane argument but that Members on this side and that side can repeat as fluently and as easily as they can any of the simple chapters in the simple primers of their childhood. We know all about it. We have discussed the effect that this treaty may possibly have upon some of the productions of this country. We differ about it somewhat; some of us think we are deviating from the great leading idea of protection to all the industries of the United States. Others of us, and I am one of these, believe that if we had passed this bill when it was interfered with by an unfriendly amendment we should long ago practically have forgotten that there was such a question, and no effect unfavorable to any production of the United States would have been realized. But the question has come again, and the President has wisely brought before Congress at an extraordinary session this question of ratifying this treaty.

Are we now, for the mere purpose of standing by some former record, by repeating these oft-repeated attacks on the sugar trust, to defeat this treaty? That is all there is of it. Would the gentleman from Missouri be willing to take the responsibility, under all the circumstances, of defeating the ratification of this treaty and the closing out of these questions between the United States and Cuba?

Mr. DE ARMOND. Does the gentleman from Ohio wish an answer? If he wishes an answer, I will say yes, with the other alternative of voting for the sugar trust to get it through.

Mr. GROSVENOR. I believe the gentleman from Missouri was present in the House of Representatives at the time of the famous 600 amendments, one of the most important of which was tacked on and written by or for the sugar trust, as we have always been told, and without any debate he shut his eyes and swallowed that amendment. [Laughter on the Republican side.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, may I ask the gentleman one question in connection with the question which he asked the gentleman from Missouri?

Mr. GROSVENOR. Certainly.

Mr. WILLIAMS of Mississippi. If it be true that putting upon this bill an amendment to strike down the differential, and thereby decrease to some extent the power of the sugar trust to extort upon the consumer and dictate to American commerce, would defeat the bill, would it not defeat it in a Republican Senate and by the action of that Republican Senate? [Applause on the Democratic side.]

Mr. GROSVENOR. The trouble with the gentleman is that he and I differ wholly upon the effect of the repeal of the differential. In my opinion no more unwise assault was ever made upon the principle of protection in this country than the repeal of the differential duty on refined sugar. I believe that the Cuban reciprocity provision of the treaty will be innocuous so far as regards any injury to the sugar trust of the country; but I know, as the gentleman from Mississippi knows, and as the gentleman from Missouri has clearly admitted by talking about the interests of the laboring men in the purchase of sugar, that if you take away the protection we have to-day against the refined sugar of Germany and France and kindred producers, which amounts to nearly two-thirds of the amount of sugar produced in the world, you have destroyed the last vestige of power of the sugar producers of the United States, for the refined sugar of those countries would come into this country at a lower rate in the market than the present price of crude sugar, as I believe. So I am not terrified by any argument of that character.

What I am aiming at is this: The gentleman from Missouri says that he is willing to defeat this treaty. I can understand that, Mr. Speaker, perfectly well. The gentleman and his party owe nothing to the promise, and the attempt to fulfill that promise, implied, if not expressed, made by the Administration in this country. I am willing to take upon myself the burden of stating that no duty was ever more seriously incumbent upon the President of the United States than was made incumbent upon the present President of the United States by the action of his predecessor and by the concurrent history of the period in which this question grew up. The duty devolved upon him to try to carry into effect the treaty which we are to vote upon next Thursday. Bravely and truly he has discharged the great duty of his office; and I am here to defend him and his Administration and those who have stood by him here and in the other legislative branch of the Government against any assault that may be made upon them in this behalf during the progress of this debate.

Let us see. When this rule is adopted, as I trust it will be, the

gentlemen on the other side will proceed to assail the Administration; they will proceed to assail this treaty. And yet when the crucial hour comes, the gentleman from Missouri and the gentleman from Mississippi tell us, they will, practically in solid phalanx, vote for the bill, thereby indorsing the Administration; and every attempt here to tangle up the machinery that is running in the right direction is an attempt to impede the Administration in the discharge of its plain duty.

Some gentleman on the other side whom I did not recognize asked my colleague whether it would not be a valid law if the House of Representatives should put upon the bill the repeal of the differential and send it to the Senate. I do not think so, Mr. Speaker. The subject-matter of this bill is not the repeal of any item of the schedules of the tariff bill. The subject-matter of this bill is the approval of the House and the Senate acting conjointly of the treaty under consideration—not the repeal of some other law, but the establishment of this treaty upon a permanent footing. I do not believe, therefore, that such an enactment as has been spoken of would have the slightest valid effect. But suppose that it would. Now come the gentlemen on the other side who say they want this treaty ratified, and then comes the proposition to put upon this bill a provision that would defeat the treaty. They would defeat the treaty in order to do—what? To defeat the very thing they say they want, the very thing that they are going to vote for, the very thing (and I speak respectfully, without any menace) that they dare not vote against. And yet they would make it inoperative and void and valueless simply to "play politics" in the face of the American people.

Gentlemen on the other side, when the proper time comes it may be possible that we shall point out to you some of the other political "plays" that you have made, and one other which I imagine you will bring upon the boards in that stately procession of the grand entrée of a new question that you will speak upon and break your necks upon, if you have an opportunity. [Laughter on the Republican side.]

It is said that gentlemen on this side who voted to override the judgment of the Chair when this question was up before will be put in a very awkward position when the black list of the gentleman from Missouri is read. Well, now, let us see. Those gentlemen voted in the first place to overrule the Chair; and then every Democrat in the House voted to put on the bill the repeal of the differential. It was simply the purpose of a certain number of gentlemen on this side of the House, acting under their responsibility as Members of the House, to defeat a bill to which they were opposed fully and upon principle as they understood it. And they took all the various roads to the result. They overruled the Chairman of the Committee of the Whole House.

We do not propose on this particular occasion to permit such a question as that to be raised, if we can possibly help it, and there is not a parliamentarian on the other side of the House who does not know that the amendment suggested by the gentleman from Mississippi [Mr. WILLIAMS] is not germane to this bill. Therefore, Mr. Speaker, without consuming any more time, I hope that the Members of this House upon this side of the House and the gentlemen of this House on the other side who really desire the passage of this bill and the elimination from further consideration of all that there is in this vexed question will vote now to adopt this rule, which no man doubts is absolutely legitimate and fair.

What was the alternative? Why, if this provision against amendments had not been embodied in this resolution, then will come the same old question, and I undertake to say that there is not one gentleman on this side of the House, nor do I believe there are many on that side of the House, who would have held that the vote to override the opinion of the Chair upon a bill such as we have here is an authority which would have justified their voting in the same direction upon a mere approval of a treaty duly entered into by the Executive and the Senate and confining itself to the particular items of the treaty itself. I think that it is easy to differentiate the two questions. I think the distinguishing marks of the two questions are wide apart and that there is no inconsistency in voting upon that question that it was legitimate and fair and just to amend that bill, while an attempt to destroy this procedure and defeat this committee by a similar attempt would stand upon a different footing and be totally and utterly without precedent in parliamentary proceedings. Mr. Speaker, I hope that we shall stand together and bring straight before this House and before our Democratic friends on the other side and before the country the great, the real question. [Applause on the Republican side.]

Mr. DALZELL. Mr. Speaker, I demand the previous question.

The SPEAKER. The gentleman from Pennsylvania moves the previous question on the adoption of the rule.

Mr. WILLIAMS of Mississippi. Mr. Speaker, on that question I think we may as well have the yeas and nays, to save time.

The question was taken; and the yeas and nays were ordered.

The vote being taken, there were—yeas 184, nays 160, answered "present" 3, not voting 38, as follows:

YEAS—184.

Adams, Pa.
Adams, Wis.
Alexander,
Allen,
Ames,
Babcock,
Bartholdt,
Bates,
Bede,
Beidler,
Birdsall,
Bishop,
Bowersock,
Bradley,
Brandegee,
Brick,
Brooks,
Brown, Pa.
Brown, Wis.
Brownlow,
Buckman,
Burke, S. Dak.
Burkett,
Burleigh,
Burton,
Butler, Pa.
Calderhead,
Campbell,
Capron,
Cassel,
Conner,
Cooper, Wis.
Cousins,
Cromer,
Crumpacker,
Currier,
Curtis,
Dalzell,
Daniels,
Davidson,
Davis, Minn.
Dayton,
Deemer,
Dick,
Dixon,
Douglas,
Dovener,
Draper,
Dresser,
Driscoll,
Dunwell,
Dwight,
Esch,
Evans,
Flack,
Foss,
Foster, Vt.
French,
Fuller,
Gaines, W. Va.
Gardner, Mass.
Gardner, Mich.
Gardner, N. J.
Gibson,
Gillet, N. Y.
Gillett, Cal.
Gillett, Mass.
Goebel,
Graff,
Greene,
Grosvenor,
Hamilton,
Haskins,
Haugen,
Hedge,
Hemenway,
Henry, Conn.
Hepburn,
Hermann,
Hildebrant,
Hill, Conn.
Hinshaw,
Hitt,
Holliday,
Howell, N. J.
Howell, Utah
Huff,
Hughes, W. Va.
Humphrey, Wash.
Jackson, Ohio
Jenkins,
Jones, Wash.
Kennedy,
Ketcham,
Kinkaid,
Knapp,
Knopf,
Kyle,
Lacey,
Lafean,
Landis, Chas. B.
Landis, Frederick
Lanning,
Lawrence,
Lilley,
Littauer,
Littlefield,
Longworth,
Lorimer,
Loudenslager,
Lovering,
McCall,
McCarthy,
McCleary, Minn.
McCreary, Pa.
McLachlan,
Mann,
Marsh,
Marshall,
Martin,
Metcalf,
Miller,
Minor,
Mondell,
Moon, Pa.
Morgan,
Morrell,
Murdock,
Needham,
Norris,
Olmsted,
Otis,
Otjen,
Overstreet,
Parker,
Patterson, Pa.
Payne,
Perkins,
Porter,
Powers, Me.
Powers, Mass.
Prince,
Reeder,
Roberts,
Rodenberg,
Scott,
Sherman,
Sibley,
Skiles,
Slemp,
Smith, Ill.
Smith, Iowa
Smith, Samuel W.
Smith, Pa.
Snapp,
Southard,
Southwick,
Spalding,
Sperry,
Stafford,
Steenerson,
Sterling,
Stevens, Minn.
Sulloway,
Tawney,
Thomas, Iowa
Tirrell,
Townsend,
Van Voorhis,
Volstead,
Vreeland,
Wachter,
Wanger,
Warner,
Warnock,
Watson,
Weems,
Wiley, N. J.
Williamson,
Wilson, Ill.
Woodyard,
Wright,
Young,
The Speaker.

NAYS—160.

Adamson,
Aiken,
Baker,
Ball,
Bankhead,
Bartlett,
Bassett,
Beall, Tex.
Bell, Cal.
Benny,
Benton,
Bowers,
Bowie,
Brantley,
Breazeale,
Broussard,
Burgess,
Burnett,
Butler, Mo.
Caldwell,
Candler,
Cassingham,
Clark,
Clayton,
Cochran,
Cooper, Tex.
Cowherd,
Croft,
Crowley,
Davey, La.
De Armond,
Denny,
Dickerman,
Dinsmore,
Dougherty,
Emerich,
Field,
Finley,
Fitzpatrick,
Flood,
Fordney,
Foster, Ill.
Gaines, Tenn.
Garber,
Garner,
Gilbert,
Gillespie,
Glass,
Goldfogle,
Gooch,
Granger,
Gregg,
Griffith,
Gudger,
Hamlin,
Hardwick,
Harrison,
Hay,
Henry, Tex.
Hill, Miss.
Hitchcock,
Hogg,
Hopkins,
Howard,
Howell, Pa.
Hughes, N. J.
Humphreys, Miss.
Hunt,
James,
Johnson,
Jones, Va.
Kehoe,
Kline,
Kluttz,
Lamar, Fla.
Lamar, Mo.
Legare,
Lester,
Lever,
Lewis,
Lind,
Little,
Livernash,
Livingston,
Lloyd,
Loud,
Lucking,
McAndrews,
McClellan,
McDermott,
McLain,
McMorran,
McNary,
Macon,
Maddox,
Mahoney,
Meyer, La.
Miers, Ind.
Moon, Tenn.
Padgett,
Page,
Patterson, N. C.
Patterson Tenn.
Pierce,
Pou,
Pujo,
Rainey,
Randell, Tex.
Ransdell, La.
Reid,
Rhea,
Richardson, Ala.
Richardson, Tenn.
Rixey,
Robb,
Robertson, La.
Robinson, Ark.
Robinson, Ind.
Rucker,
Russell,
Ryan,
Scarborough,
Scudder,
Shackleford,
Shafroth,
Sheppard,
Sherley,
Shober,
Shull,
Sims,
Slayden,
Small,
Smith, Ky.
Smith, Tex.
Snook,
Southall,
Sparkman,
Spight,
Stanley,
Stephens, Tex.
Sullivan, Mass.
Sullivan, N. Y.
Sulzer,
Swanson,
Talbott,
Tate,
Taylor,
Thayer,
Thomas, N. C.
Thompson,
Trimble,
Underwood,
Vandiver,
Wade,
Wallace,
Webb,
Williams, Ill.
Williams, Miss.
Wynn,
Zenor.

ANSWERED "PRESENT"—3.

Boutell,
Lamb,
Mahon.

NOT VOTING—38.

Acheson,
Badger,
Bingham,
Brundidge,
Burk, Pa.
Burleson,
Byrd,
Cooper, Pa.
Cushman,
Darragh,
Davis, Fla.
Fitzgerald,
Fowler,
Goulden,
Griggs,
Hearst,
Houston,
Hull,
Jackson, Md.
Keliher,
Kitchin, Claude
Kitchin, Wm. W.
Lindsay,
Maynard,
Mudd,
Nevin,
Palmer,
Pearre,
Rider,
Ruppert,
Shiras,
Smith, Wm. Alden
Smith, N. Y.
Van Duzer,
Wadsworth,
Weisse,
Wiley, Ala.
Wilson, N. Y.

The SPEAKER. The Clerk will call my name.

The Clerk called the Speaker, and he voted in the affirmative.

So the previous question was ordered.

Mr. BOUTELL. Mr. Speaker, I have a permanent pair with the gentleman from Georgia, Mr. GRIGGS, who is at home on account of illness in his family. I therefore desire to change my vote.

The SPEAKER. The Clerk will call the gentleman.

The Clerk called the name of Mr. BOUTELL, and he voted "present."

Mr. WILLIAMS of Mississippi. Mr. Speaker, my colleague, Mr. BYRD, is at home because of sickness in his family. If present, he would vote "no."

Mr. GROSVENOR. Mr. Speaker, my colleague, Mr. NEVIN, is confined to his house by illness. That is the reason why he is not present.

The SPEAKER. These various statements are not in order. It is by unanimous consent that they have been made.

The Clerk announced the following pairs:

Until further notice:

Mr. BOUTELL with Mr. GRIGGS.

For one week:

Mr. MUDD with Mr. WILLIAM W. KITCHIN.

Until Saturday next:

Mr. BURK of Pennsylvania with Mr. BYRD.

Until Monday next:

Mr. WADSWORTH with Mr. LAMB.

For this day:

Mr. COOPER of Pennsylvania with Mr. BURLESON.

Mr. PEARRE with Mr. WILEY of Alabama.

Mr. SHIRAS with Mr. LINDSAY.

Mr. PALMER with Mr. WEISSE.

Mr. ACHESON with Mr. RUPPERT.

Mr. MAHON with Mr. HOUSTON.

Mr. BINGHAM with Mr. HEARST.

Mr. CUSHMAN with Mr. BADGER.

Mr. HULL with Mr. MAYNARD.

Mr. NEVIN with Mr. VAN DUZER.

Mr. SMITH of New York with Mr. FITZGERALD.

Mr. JACKSON of Maryland with Mr. CLAUDE KITCHIN.

On this vote:

Mr. LAMB. Mr. Speaker, I wish to withdraw my vote. I am paired with the gentleman from New York, Mr. WADSWORTH.

The Clerk called the name of Mr. LAMB, and he voted "present."

Mr. ADAMSON. Mr. Speaker, did the gentleman from Pennsylvania, Mr. WANGER, vote?

The SPEAKER. The Chair is informed that the gentleman from Pennsylvania [Mr. WANGER] did vote.

The result of the vote was announced as above recorded.

The SPEAKER. The question now is on agreeing to the resolution.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in order to save time we might just as well have the yeas and nays on that now.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The question was taken on agreeing to the resolution; and there were—yeas 181, nays 159, answered "present" 4, not voting 41, as follows:

YEAS—181.

Adams, Pa.
Adams, Wis.
Alexander,
Allen,
Ames,
Babcock,
Bartholdt,
Bates,
Bede,
Beidler,
Birdsall,
Bishop,
Bowersock,
Bradley,
Brandegee,
Brick,
Brown, Pa.
Brown, Wis.
Brownlow,
Buckman,
Burke, S. Dak.
Burkett,
Burleigh,
Burton,
Butler, Pa.
Calderhead,
Campbell,
Capron,
Cassel,
Conner,
Cooper, Wis.
Cousins,
Cromer,
Crumpacker,
Currier,
Curtis,
Dalzell,
Daniels,
Davidson,
Davis, Minn.
Dayton,
Deemer,
Dick,
Dixon,
Douglas,
Dovener,
Draper,
Dresser,
Driscoll,
Dunwell,
Dwight,
Esch,
Evans,
Flack,
Foss,
Foster, Vt.
French,
Fuller,
Gaines, W. Va.
Gardner, Mass.
Gardner, Mich.
Gardner, N. J.
Gibson,
Gillet, N. Y.
Gillett, Cal.
Gillett, Mass.
Goebel,
Graff,
Greene,
Grosvenor,
Hamilton,
Haskins,
Haugen,
Hedge,
Hemenway,
Henry, Conn.
Hepburn,
Hermann,
Hildebrant,
Hill, Conn.
Hinshaw,
Hitt,
Holliday,
Howell, N. J.
Howell, Utah
Huff,
Hughes, W. Va.
Humphrey, Wash.
Jackson, Ohio
Jenkins,
Jones, Wash.
Kennedy,
Ketcham,
Kinkaid,
Knapp,
Knopf,
Kyle,
Lacey,
Lafean,
Landis, Chas. B.
Landis, Frederick
Lanning,
Lawrence,
Lilley,
Littauer,
Littlefield,
Longworth,
Lorimer,
Loudenslager,
Lovering,
McCall,
McCarthy,
McCleary, Minn.
McCreary, Pa.
McLachlan,
Mann,
Marsh,
Marshall,
Martin,
Metcalf,
Miller,
Minor,
Mondell,
Moon, Pa.
Morgan,
Morrell,
Murdock,
Needham,
Norris,
Olmsted,
Otis,
Otjen,
Overstreet,
Parker,
Patterson, Pa.
Payne,
Perkins,
Porter,
Powers, Me.
Powers, Mass.
Prince,
Reeder,
Roberts,
Rodenberg,
Scott,
Sherman,
Sibley,
Skiles,
Slemp,
Smith, Ill.
Smith, Iowa
Smith, Samuel W.
Smith, Pa.
Snapp,
Southard,
Southwick,
Spalding,
Sperry,
Stafford,
Steenerson,
Sterling,
Stevens, Minn.
Sulloway,
Tawney,
Thomas, Iowa
Tirrell,
Townsend,
Van Voorhis,
Volstead,
Vreeland,
Wachter,
Wanger,
Warner,
Warnock,
Watson,
Weems,
Wiley, N. J.
Williamson,
Woodyard,
Wright,
Young,
The Speaker.

NAYS—159.

Adamson,
Aiken,
Baker,
Ball,
Bankhead,
Bartlett,
Bassett,
Beall, Tex.
Bell, Cal.
Benny,
Benton,
Bowers,
Bowie,
Brantley,
Breazeale,
Brooks,
Broussard,
Burgess,
Burnett,
Butler, Mo.
Caldwell,
Candler,
Cassingham,
Clark,
Clayton,
Cochran,
Cooper, Tex
Cowherd,
Croft,
Crowley,
Davey, La.
De Armond,
Denny,
Dickerman,
Dinsmore,
Dougherty,
Emerich,
Field,
Finley,
Fitzpatrick,
Flood,
Fordney,
Foster, Ill.
Gaines, Tenn.
Garber,
Garner,
Gilbert,
Gillespie,
Glass,
Goldfogle,
Gooch,
Granger,
Gregg,
Griffith,
Gudger,
Hamlin,
Hardwick,
Harrison,
Hay,
Henry, Tex.
Hill, Miss.
Hitchcock,
Hogg,
Hopkins,
Howard,
Howell, Pa.
Hughes, N. J.
Humphreys, Miss.
Hunt,
James,
Johnson,
Jones, Va.
Kehoe,
Kline,
Kluttz,
Lamar, Fla.
Lamar, Mo.
Legare,
Lester,
Lever,
Lewis,
Lind,
Little,
Livernash,
Lloyd,
Loud,
Lucking,
McAndrews,
McClellan,
McDermott,
McLain,
McMorran,
McNary,
Macon,
Maddox,
Mahoney,
Meyer, La.
Miers, Ind.
Moon, Tenn.
Padgett,
Page,
Patterson, N. C.
Patterson, Tenn.
Pierce,
Pou,
Pujo,
Rainey,
Randell, Tex.
Ransdell, La.
Reid,
Rhea,
Richardson, Ala.
Richardson, Tenn.
Rixey,
Robb,
Robertson, La.
Robinson, Ark.
Robinson, Ind.
Rucker,
Russell,
Ryan,
Scarborough,
Scudder,
Shackleford,
Shafroth,
Sheppard,
Sherley,
Shober,
Shull,
Sims,
Slayden,
Small,
Smith, Ky.
Smith, Tex.
Snook,
Southall,
Sparkman,
Spight,
Stanley,
Stephens, Tex.
Sullivan, Mass.
Sullivan, N. Y.
Sulzer,
Swanson,
Talbott,
Tate,
Taylor,
Thayer,
Thomas, N. C.
Thompson,
Trimble,
Underwood,
Vandiver,
Wade,
Wallace,
Webb,
Williams, Ill.
Williams, Miss.
Wynn,
Zenor.

ANSWERED "PRESENT"—4.

Boutell,
Dayton,
Lamb,
Mahon.

NOT VOTING—41.

Acheson,
Badger,
Bingham,
Brundidge,
Burk, Pa.
Burleson,
Byrd,
Cooper, Pa.
Cushman,
Darragh,
Davis, Fla.
Fitzgerald,
Fowler,
Goulden,
Griggs,
Hearst,
Houston,
Hull,
Jackson, Md.
Keliher,
Kitchin, Claude
Kitchin, Wm. W.
Lindsay,
Maynard,
Meyer, La.
Mudd,
Nevin,
Palmer,
Pearre,
Rider,
Ruppert,
Shiras,
Smith, N. Y.
Van Duzer,
Wadsworth,
Weisse,
Wiley, Ala.
Williams, Ill.
Wilson, Ill.
Wilson, N. Y.

So the resolution was agreed to.

Mr. DAYTON. Mr. Speaker, I desire to inquire if the gentleman from Louisiana [Mr. MEYER] is recorded as voting?

The SPEAKER. He is not recorded.

Mr. DAYTON. I voted "yea." I have a general pair with the gentleman from Louisiana [Mr. MEYER], and desire to withdraw my vote and vote "present."

The name of Mr. DAYTON was called, and he voted "present."

The following additional pairs were announced:

Mr. DAYTON with Mr. MEYER of Louisiana.

On this vote:

Mr. WILSON of Illinois with Mr. GOULDEN.

Mr. JACKSON of Ohio with Mr. LIVINGSTON.

The result of the vote was then announced as above recorded.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House by Mr. BARNES, one of his secretaries.

CUBA.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish to submit to the House a request for unanimous consent. I ask unanimous consent that the rule just adopted be amended thus far: That there be given a yea-and-nay vote upon an amendment proposed to be offered by the minority, with twenty minutes' discussion on a side on the amendment, and that then there be taken directly after that, by unanimous consent, the vote upon the pending bill.

Mr. PAYNE. Mr. Speaker, after the announcement made by the other side that the adoption of that amendment means the killing of the bill, I am under the painful necessity of making objection.

The SPEAKER. There is objection.

Mr. WILLIAMS of Mississippi. I shall not endeavor to debate the question of unanimous consent, but I am satisfied the gentleman from New York does not wish to make an erroneous statement.

The SPEAKER. Nevertheless it amounts to an objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask to correct an erroneous statement made by the gentleman. No such statement as that has been made. It has been suggested that possibly the Republican Senate might kill it if it hurt the sugar trust, nothing else.

The SPEAKER. One moment. There is a message from the President, and if there be no objection it will be laid before the House at this time. The Chair hears no objection.

PANAMA.

The SPEAKER laid before the House the following message from the President; which was read and referred to the Committee on Foreign Affairs, and ordered to be printed:

To the House of Representatives:

In response to a resolution of the House of Representatives of November 9, 1903, requesting the President "to communicate to the House, if not, in his judgment, incompatible with the interests of the public service, all correspondence and other official documents relating to the recent revolution on the Isthmus of Panama," I transmit herewith copies of the papers called for.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, November 16, 1903.

CUBA.

The SPEAKER. In accordance with the terms of the order just adopted, the House is in Committee of the Whole House on the state of the Union for the consideration of the bill mentioned in the order, and the gentleman from New York [Mr. SHERMAN] will take the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union under the rule just adopted by the House, which the Clerk will again report, for the consideration of the bill the title of which the Clerk will report after reading the order.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House No. 17, have had the same under consideration, and ask leave to report in lieu thereof the following:

"*Resolved*, That immediately on the adoption of this rule, and immediately after the reading of the Journal on each day thereafter until the bill hereinafter mentioned shall have been disposed of, the House shall resolve itself into Committee of the Whole House on the state of the Union for consideration of the bill H. R. 1921, 'A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902;' that not later than 4 o'clock on November 19 general debate shall be closed in Committee of the Whole, and whenever general debate is closed the committee shall rise and report the bill to the House; and immediately the House shall vote without debate or intervening motion on the engrossment and third reading and on the passage of the bill."

The bill was read, as follows:

A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Be it enacted, etc., That whenever the President of the United States shall receive satisfactory evidence that the Republic of Cuba has made provision to give full effect to the articles of the convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, he is hereby authorized to issue his proclamation declaring that he has received such evidence, and thereupon on the tenth day after exchange of ratifications of such convention between the United States and the Republic of Cuba, and so long as the said convention shall remain in force, all articles of merchandise being the product of the soil or industry of the Republic of Cuba which are now imported into the United States free of duty shall continue to be so admitted free of duty, and all other articles of merchandise being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897, or as may be provided by any tariff law of the United States subsequently enacted. The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of said convention preferential in respect to all like imports from other countries: *Provided*, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897, and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897: *And provided further*, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress originating in said House.

SEC. 2. That so long as said convention shall remain in force the laws and regulations adopted or that may be adopted by the United States to protect the revenues and prevent fraud in the declarations and proofs that the articles of merchandise to which said convention may apply are the product or manufacture of the Republic of Cuba shall not impose any additional charge or fees therefor on the articles imported, excepting the consular fees established, or which may be established, by the United States for issuing shipping documents, which fees shall not be higher than those charged on the shipments of similar merchandise from any other nation whatsoever; that articles of the Republic of Cuba shall receive, on their importation into the ports of the United States, treatment equal to that which similar articles of the United States shall receive on their importation into the ports of the Republic of Cuba: that any tax or charge that may be imposed by the national or local authorities of the United States upon the articles of merchandise of the Republic of Cuba embraced in the provisions of said convention subsequent to importation and prior to their entering into consumption into the United States shall be imposed and collected without discrimination upon like articles whencesoever imported.

Mr. PAYNE. Mr. Chairman, I would like the attention of the gentleman from Mississippi. I would like to know if he desires to make any request with reference to the division of the time.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I would ask the gentleman from New York to make a statement of the virtual agreement which we entered into.

Mr. PAYNE. Mr. Chairman, in the committee the gentleman made the suggestion that the debate close on Thursday at 4 o'clock, substantially as provided in the rule, and also expressed the desire that the time should be controlled by the gentleman from Mississippi and myself, each controlling half of the time. If that is agreeable to him, I make the request here for unanimous consent.

Mr. WILLIAMS of Mississippi. That is agreeable to me.

Mr. PAYNE (continuing). Although I do not covet the job of dividing the time; but I will make the request in conformity with the agreement made in the committee.

Mr. ROBERTSON of Louisiana. It was understood that two hours of the time would be reserved for me.

Mr. PAYNE. It comes out of the time of the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. It was understood that I would yield two hours of my time for the use of the gentleman from Louisiana, for the use of those Members upon this side of the Chamber who were opposed to the measure. So that two hours of my time will be at the disposal of the gentleman from Louisiana.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the time between now and 4 o'clock on Thursday afternoon be equally divided between the two sides of the House, that the time upon the Republican side be controlled by the gentleman from New York, and that upon the Democratic side by the gentleman from Mississippi. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. PAYNE. Mr. Chairman, the question of reciprocity with Cuba came before the country some three years ago. It was, as is well known, in accordance with the desires and designs of the late President McKinley that relations of this kind should be entered into between the United States and the infant Republic. Two years ago the President of the United States, in his message, laid the matter before Congress, and in pursuance of that recommendation a bill was introduced in the House, where revenue legislation under the Constitution properly commences, was referred to the Committee on Ways and Means, and finally reported to the House and considered; after a long debate an amendment was offered on this side of the Chamber. It was stated openly in the House that that amendment was offered for the express purpose of killing the bill. That was the frank and open statement of gentlemen upon this side of the House and what was to be expected of gentlemen on this side of the Chamber. On the other side of the House we were told, as we are told to-day, that they were in favor of the treaty; that, figuratively speaking, they were crying for the treaty and desired to have it passed, and still they were for this amendment, which they believed then and which they state to-day will kill the bill and kill the proposition that came before the House.

But the agitation did not stop. The people of the country have been discussing it, the newspapers have discussed it, and the people of the country have become impressed with the position that was taken by the President of the United States two years ago and by the majority of the House—that the time had come for reciprocal trade relations with Cuba. Various arguments were brought forward. It was stated that we owed it to Cuba; that it was an obligation imposed upon us. At that time, Mr. Chairman, I stated to the House that I saw no other obligations on the part of this country to Cuba than that which a guardian had toward his ward; that we had administered the estate properly, justly, honestly, and honorably; that we had turned over the whole estate to our ward, and still we owed the ward that which every high-minded guardian feels incumbent upon him to do for his ward in every walk in life, and that is to see to it that the ward is started out on the right path; to see to it that the Republic of Cuba in taking her place among the nations of the earth is started out on the right path, and not only with the blessing, but the substantial benediction of the people of the United States.

Our relations with Cuba were peculiar. We had entered upon a war unheard of in history—a war for a sentimental reason. The people lying at our very doors were oppressed with taxation and downtrodden, and had been oppressed for centuries, and we thought it our duty as a people to come to their rescue. We spent our blood and our treasure to free them from the bonds of Spain, and a close relationship had grown up between us. An interest had grown up in the minds of the people of the United States, and it seemed to us that it was incumbent upon us as a great nation, out of our wealth, out of our surplus in the Treasury, out of our overflowing taxation which greatly exceeded our expenditures, to do something for the Republic of Cuba, and hence this bill was brought into the House. What action was taken upon it in the other body I will not state, except what appears from the official record. The Executive took the matter up again. He negotiated this treaty which has been brought before the House, a treaty that was ratified by the Senate of the United States in March last, with the condition that it should receive the approval of the Congress. That brings the question here to this House.

The President deemed it so important that he called the Congress

together in extraordinary session. He sent a special message on the second day of our session to the House, again urging in the most emphatic language that we should carry out the spirit of his message of two years ago. We examined the treaty as it came from the Senate. There were some provisions in it that might seem to imply that the House of Representatives had not, under the Constitution, the sole prerogative of originating revenue legislation. There was this proviso in the treaty, evidently placed there for the benefit of the sugar-beet raisers of the United States and the cane growers of the States of Louisiana and Texas, evidently put there to help them out, and yet which, by implication, if adopted by the House, might seem to imply that we yielded the constitutional prerogative which has ever been lodged in this body. It became necessary, Mr. Chairman, to provide that by adopting the language of the treaty so far as it affected our revenue it should not be deemed a precedent. In 1854 we had a treaty with Great Britain providing reciprocal trade relations between this country and Canada, and that treaty itself provided that it should not go into effect until Congress had passed an enabling act to carry into effect the provisions of the treaty, and the House and the Senate passed and the Executive finally signed it, and it then became a law and put the treaty into effect.

The same thing was done in the case of Hawaii. So we are not without a precedent upon this question; and precedent was a clear guide as to what we should do. We adopted in our bill the provisions of the treaty which regulate or change duties upon goods imported into this country. But we came across this proviso about which I spoke a moment ago:

Provided, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897.

So far it invaded no constitutional prerogative. But these words were added:

And no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897.

Here by implication was advanced the idea that by treaty or convention tariff duties could be changed. Your committee were unanimously of the opinion that we could not enter into any legislation which would give this implied construction to the Constitution of the United States. Some day this question may come before the Supreme Court, provided two-thirds of the other branch of Congress should ever attempt to change tariff rates by treaty or convention; and if this question should ever come before the Supreme Court we did not propose to have it go there with that implication in our bill. So we adopted this further proviso:

And provided further, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress, originating in said House.

The other provisions of the bill, as I said, are simply provisions covering the provisions of the treaty whenever they change tariff rates on goods coming into the United States.

Now, Mr. Chairman, having said this much about the history of this legislation, let us see what effect it is to have, first upon the United States, and then upon the Republic of Cuba. It affects our revenues. We collect in tariff duty upon goods imported into the United States from Cuba somewhere about $28,000,000 a year. If we take off 20 per cent of those revenues, as provided in this bill, it will make a reduction of between five or six million dollars in our revenues. This revenue we give up, and it goes out of the Treasury. I think the Treasury can afford to lose it, so far as the receipts and expenditures are concerned. It is true that during the first four months of this fiscal year the expenditures exceeded the revenue by something like one million and a half of dollars. Always at the beginning of the fiscal year the expenditures are great. The expenditures and the receipts during the first four months of a fiscal year have during the last half dozen years shown a greater proportion of expenditures in comparison with receipts than the latter part of the year. At the beginning of the fiscal year the Departments are waiting for the appropriations. Various matters are perfected ready for paying out the money when the appropriations become available on the 1st of July. But we have not experienced any deficiency under the Dingley Act until the present time, when the expenditures have for four months exceeded the receipts by $2,000,000. Yet Treasury experts say, and every man who has examined this proposition will say, that before the year is over our receipts will exceed our expenditures by a sum greater than this remission of five or six million dollars to Cuba. So that there is no danger to the revenue through the passage of this measure.

Will it affect injuriously any American industry? In the former debate we heard a great deal about the sugar industry in this country—an industry of which I have been a friend ever since I heard of it. I heard of it first when we were preparing the Dingley bill; and I have heard of it upon subsequent occasions when there has been an agitation of the tariff. I have ever been the consistent friend of that industry—always anxious to give it that fair meed of protection to which it was entitled as a promising industry under our tariff laws. Does the bill seriously affect the beet-sugar industry in this country? When we framed the Dingley bill in the House, Mr. Chairman, we imposed a duty of $1.65 per hundred upon sugars 96 degrees test; and in that act we inserted a provision for reciprocity with any country that produced sugar, allowing the President to make the bargain by which 8 per cent of that duty should be taken off, which would reduce it, I believe, to about $1.50 per hundred pounds.

That was the bill as it passed the House, that was the bill which gentlemen upon this side of the House, friends of the beet-sugar industry, all voted for, in common with myself. It was our judgment that even if the rate of duty were reduced upon every pound of sugar coming into the United States to $1.50 per hundred pounds, there would still be sufficient protection to the beet-sugar industry. This reduction of 8 per cent applied to duties upon all grades of sugar, including refined sugar. The bill went over to the Senate, and the Senate increased the rate to $1.68¾ per hundred pounds. They struck out our third section of the bill and substituted one of their own. Finally we compromised by adopting both of them as they appeared in the bill as it was passed. But, Mr. Chairman, everybody in the House knew that we had another object in arranging the schedule in reference to the tariff on sugar, and that was for the sake of the revenue produced under the bill. We believed that a lower rate of duty was ample protection to encourage and foster the beet-sugar industry. We believed that a lower rate of duty was sufficient to take care of the sugar industries of the States of Louisiana and Texas. We believed that we could safely report a bill which was protective as to those industries and at the same time could have a considerable proportion of this duty which we placed upon sugar for the needs of the revenue.

Under the Wilson bill we had fallen behind in the revenue, and the object of a Republican bill always is to produce revenue as well as protection. A Democratic bill, as, for instance, the Wilson-Gorman enormity, was neither protective nor did it supply sufficient revenue to support the Government. It was wrong at both ends. They profess the principle of tariff for revenue only with incidental protection. They did not get the protection incidental, nor did they get the revenue under their bill; and so it is that we put the rate of duty higher on sugar than was absolutely necessary because we could get this splendid revenue from the sugar duty, a revenue that came from the people of the United States who use sugar in their households. From this, Mr. Chairman, it will be easily seen that a reduction of 20 per cent upon the high rate of duty put in the bill by the Senate, which went into the law, does not cut down the rate of duty on sugar so as to imperil for one moment any single industry in the United States, the cane or the beet sugar industry. That is the reason we did not give more than 20 per cent in the House bill two years ago, and that is the reason the Executive has put this rate of 20 per cent reduction in the treaty which is now before us. We harm no American industry.

How was it upon tobacco? The subject of tobacco has been before the Ways and Means Committee on various occasions. We have had endless hearings, and I do not know but some of us could manufacture a cigar now because of the practical experience and teaching that we have had from these gentlemen who make cigars. We found out that they were introducing Sumatra tobacco into this country, a very thin leaf, a tough and pliable leaf, just the one for a wrapper. It suits the eye when it is put on. It is true that you can not carry a Sumatra-wrapped cigar in your vest pocket more than twenty-four minutes without its wearing out, but if you take it wrapped from the box and smoke it you will never know but that it is real tobacco with which the cigar is wrapped. That leaf wraps a great many millions of the cigars that are annually wrapped in this country.

It has this peculiar feature about it: One pound of this leaf will wrap as many cigars as nearly 4 pounds of any other leaf grown in any other country, Cuba or the United States, and so 1 pound is worth almost as much as 4 pounds of any other tobacco for wrapper purposes. We had to meet that in order to protect the tobacco interests of the United States and the tobacco-growing interests of the United States which give life and prosperity to so many farms and farmers in the United States. It became necessary to put a higher duty on wrapper tobacco. We placed it at $2 a pound in the McKinley bill, if I remember rightly, but it was fixed at $1.85 as the bill was finally passed under the Dingley Act—$1.85 a pound—a good deal more than 100 per cent on the value of the article. Yes, I think it got up into the 200 per cent region. We had to put it there on account of the Sumatra tobacco.

At the same time it appeared to us that we could get along with a much lower rate of duty if we had not anything to contend against except the Cuban leaf. That was as heavy as our own; pound per pound it would wrap about the same number of cigars, and there was no reason in the world why we should put this high rate of duty on the Cuban leaf except this, that we must deal equally with all nations and put the same rates of duty on all goods coming into this country, whether they came from the German islands or from the island of Cuba, or wherever they came from. We could not favor one nation more than another. We could not favor one tobacco leaf more than another; and so we put on a duty sufficient to protect our people against the Sumatra leaf; but it was a great deal more than was necessary to protect them against the Cuban leaf, and when we come to cut off this 20 per cent of that duty on tobacco imported from Cuba, it does not even then reduce it to the same degree of competition in our market with our tobacco as would the Sumatra leaf with this rate of $1.85. It harms no American industry.

Now, I have received two or three letters myself, and then somebody has gone to the expense of printing a petition head addressed to myself as chairman of the Committee on Ways and Means, to be signed by cigar makers throughout the United States, protesting against this reduction of duty on cigars. These circulars evidently have been widely circulated throughout the United States. The first one came to me some three or four weeks ago, and yet there is so little interest on the part of the cigar makers of the United States that I have not received a dozen petitions from the whole country upon this subject, showing that they do not believe what is stated in the petition, that it will injure the cigar industry in the United States.

Mr. HENRY of Connecticut. Will the gentleman permit a question?

The CHAIRMAN. Does the gentleman from New York yield?

Mr. PAYNE. Certainly.

Mr. HENRY of Connecticut. The duty on Cuban leaf tobacco, now 35 cents, is to be reduced 7 cents, leaving a duty of 28 cents. Will the gentleman tell us whether the reduction upon manufactured cigars is the equivalent of that 7 cents a pound, or, as is claimed in the letter you received, is it much greater?

Mr. PAYNE. If the relation of the duty on tobacco to the duty on cigars is the correct relation between the two to-day, then the reduction of 20 per cent on each would have a similar effect. But I want to go a little further than that. I understand that we import into the United States less than one-eighth of 1 per cent of all the cigars that are consumed here. We make more than 99 per cent of all the cigars that are consumed here in the United States. That is a pretty high protection! Why, it is equivalent to 104 per cent. It is a mixed duty, specific and ad valorem, equal to about 104 per cent. Well, take off 20 per cent of that, and you still have 85 per cent equivalent duty left upon cigars. That ought to take care of the industry.

But let us go a little further than that. I received a letter this morning from an officer of an association stating that the reduction of 20 per cent duty on cigars made a reduction of $12.60 upon a thousand cigars. Well, that would leave a duty of $50 on a thousand cigars, and the cost of making a thousand cigars is from $12 to $18 for the labor. Now, it seems to me these people, the few of them—and they are very few—who have been induced to sign these petitions, are unduly sensitive. The truth of it is that it does not harm or threaten their industry. It does not make a single penny's difference with the prospect of this industry to cut off this high rate of duty, which is put there because of the competition of the tobacco leaf coming from Sumatra and not that coming from Cuba.

So it must be pretty evident, Mr. Chairman, that there is nothing in this legislation or in this treaty that will harm any industry in the United States.

Will we get any benefit from it? It is a reciprocal agreement. It is not quite as good an agreement as I put in my bill two years ago. We got a little better terms, or would have had, if that bill had become a law and they had made a treaty in accordance with it. And yet I do not know but it is more just to our sister nation to take this bill than it would have been to enforce mine. There was one provision of my bill that I liked very well, and that was that they should adopt our labor laws and Chinese-exclusion laws; but in looking over the statistics of the people who have immigrated into Cuba I have noticed that the number of Chinese cuts no figure. I do not remember the exact number of them now, but I think it is about fifty in a year. It cuts no figure whatever, and I am reconciled to the opinion that I was overzealous in putting that clause into the bill which I had the honor to report from the committee two years ago. There is no danger of an inundation from Asia into Cuba to supply cheap labor there, and if it comes, under the duty that remains after this treaty becomes effective, there is ample protection for the industries of the United States.

Mr. WM. ALDEN SMITH. Right there on that point it may be well to keep the record straight. I call the attention of the gentleman from New York to the fact that not a single new sugar industry has been planted in the State of Michigan or in the State of California since this agitation for lower sugar duties began.

Mr. PAYNE. I think that is so, Mr. Chairman, and though I am not a prophet nor the son of a prophet, and my prophecies do not always come true, yet when they do I like to call attention to the fact. I said to the gentleman and others two years ago that if they did not pass that bill that was then pending and stop the agitation upon the subject, so long as it was agitated in this country no new beet-sugar industry would be established here.

Mr. WM. ALDEN SMITH. Does the gentleman think that new sugar industries will be started if this bill becomes a law?

Mr. PAYNE. The gentleman wants to make my speech for me. I was coming to that in the next sentence or two. I stated, on the contrary, and it was my opinion then, if we took that bill as I introduced it, providing for an unlimited time the 20 per cent reduction, fixing the future so that there should be no further thought of a reduction of the duty upon sugar, so that men would know what they might be expected to meet, that the people interested in this industry would go forward with their means and establish new factories; and during the debate, in confirmation of what I had said, there came to me a letter from the State of Michigan stating that they desired us to go ahead and pass that legislation and have certainty, because they could stand a reduction of 20 or 25 per cent—I think those were the figures—and it was better to have the thing settled on that basis than to have it agitated throughout the years that were to come; that they would not build until the uncertainty was over.

No, I did not expect there would be any establishment of new beet industries while this question was being agitated. Let it be settled, so that men can calculate what they will have to do. These same parties procured in this treaty a pledge that the duty upon sugar should not be lowered below this 20 per cent reduction for five years in order to give stability to their interests and their industries. Let this be enacted into law, make it certain, then I believe, without being a prophet, as suggested by the gentleman, that we will see new sugar factories established in all the States where it is profitable to have beet-sugar industries in this country.

Mr. Chairman, the argument was made two years ago—I indulged in it and it was used by others—that there had been distress, financial distress, in Cuba, based upon the reports which came to us; distress of the sugar planters; distress that would come to the laborers. It has not measured up to all that distress. There are various reports about it.

Mr. WM. ALDEN SMITH. I am glad of it.

Mr. PAYNE. I am glad of it, too. But this so-called prosperity is not to be measured by the American character of prosperity. Six or seven thousand of these laborers have been employed in building a railroad, which was built by United States capital.

They imported the material with which to build that road from the United States, and United States capital paid the duty upon it and helped out their treasury. And then there is another thing about the distress down there. These laborers down there do not suffer distress in the same way as do the laborers here. In the first place, their necessities are not so great. Our laborers can not live through a northern winter without work unless they have lodging, heat, and food, even if supplied by soup houses. But in that tropical climate they can live outdoors every night. They can live on bananas and oranges, if necessary, and can live without any particular amount of distress when you measure it by the character of distress of the people of this country, whose needs are greater and who are educated up to greater wants and necessities—necessities, too, that come from our climate, etc.

Still, they are not so wondrously prosperous down there as we measure prosperity. They did have a devastating war, which reduced their population from 20 to 25 per cent, destroyed their sugar houses, and destroyed many of their industries. They have had to build them up with borrowed capital. You take the exports and imports of the two years 1894 and 1895. The exports for those two years were $215,000,000. The imports for the two years were $162,000,000, a balance of trade in Cuba's favor of $52,862,000. You take the last four years, 1899 to 1902, inclusive. The total exports for the four years were $232,000,000 and imports $375,000,000, a balance against Cuba of $42,700,000. Well, that does not show an alarming degree of prosperity during the last four years as we measure prosperity. In the last year I see that there was a balance of five or six million dollars in favor of Cuba.

Mr. WM. ALDEN SMITH. And they increased their output of raw sugar from 635,856 tons in 1900 to 1,130,000 tons this year.

Mr. PAYNE. It comes up to about the amount they had under the reciprocity of the McKinley bill. It is about the same as they had then—from 1891 to 1894—during the time of that reciprocity treaty. But when the provisions of that treaty were wiped out by the Wilson bill the sugar industry was destroyed, and it ran

down to 635,000. Now it is estimated for the present year the crop will be from 975,000 tons to 1,100,000 tons, which is the biggest estimate I have seen.

But the 975,000 tons is the estimate of Willett & Gray, and they surely are the best authority in this country upon that subject. There is the lower estimate, but it exceeds a million tons during two of the years from 1891 to 1894, as I recall the figures at this moment. So, while they have increased the sugar output during the war they have not yet got it back to the output of sugar when we had the reciprocity treaties under the McKinley bill. I do not know that any question will be raised as to who will get the 20 per cent reduction on sugar. That was pretty thoroughly thrashed out two years ago, and if facts and figures can prove anything, it was demonstrated to this House that under Hawaiian free sugar, under the 85 per cent reduction to Porto Rico, and under the period of free sugar to Porto Rico the difference in price between the sugar market in Porto Rico and Hawaii and the sugar market in Hamburg, the world market, is measured by the cost of freight and the charges on the sugar until it is landed in the port of New York—no greater and no less. That shows conclusively that the people of Porto Rico and the people of Hawaii easily obtain the reduction in duties which was given to them by the American Congress. I have no desire to go over that matter again. If gentlemen have any doubt on that subject, I refer them to the speech made by the gentleman from Kansas [Mr. LONG], who took his time to thoroughly investigate the matter, and demonstrated the facts as I have recounted them here.

Mr. Chairman, we are not getting the trade with Cuba that we had under the reciprocal arrangement from 1891 to 1894. We do not sell her the goods we sold then. We have not almost the monopoly of her market that we had then, notwithstanding her close connection with Spain. The tariff has been equal since these treaties under the McKinley law were wiped out by the Wilson bill with other parts of the world, and we have had for the last few years about 42 per cent of the trade with Cuba—that is, we have sent her about 42 per cent of her imports. It would seem to me that under this treaty our nearness to Cuba, the increasing facilities for transportation between the United States and Cuba growing every year, we ought to sell to Cuba about all she needs. We will under this bill sell her about all she can consume.

I was told in Florida last spring that it was proposed to run a ferry from Miami, Fla., over to Habana with loaded freight cars to connect with the railroads over there, so that they could land cars from Habana in Chicago and New York. Now, that was the proposition of a man who has money and who has the courage of his convictions, a man who is building up railroad transportation. That would give us closer connection with Cuba—an almost hourly connection in the future—a chance to carry freight back and forth without the inevitable high charges for loading it on a vessel from the cars in Habana and then loading it from a vessel to the cars when it gets to the United States, or when we send goods over there it would save the high charges of loading from the cars onto the vessel in Florida and then unloading again in Cuba. We are bound to have our trade relations closer if we treat Cuba fairly, justly, and generously, and at the same time we shall have a discriminating duty in our favor, as we do under this treaty, of anywhere from 20 to 40 per cent reduction over any other nation on earth

There are a good many things we can sell there which we do not sell now. Of wines and liquors there were imported into Cuba in three and a half years $10,000,000, of which we only sold $1,800,000. Well, they charge a pretty good duty upon whisky—nearly a dollar a gallon. This bill takes out 25 per cent of it. They have a large duty on wine, and this bill takes off from 20 to 25 per cent on that. Why, the country knows that we can manufacture all the whisky and all the wine that is necessary to drown the island of Cuba. [Laughter.] Why not go ahead and capture that market of $10,000,000 in three years?

We got fifteen millions out of twenty-one millions of metal manufactured, and this bill gives us 20 per cent advantage. It looks as though we would get that other six millions when we make this reduction. There was imported $1,617,000 worth of cheese into Cuba, of which the Netherlands contributed 63 per cent, or $1,260,000, the United States 18 per cent, the United Kingdom 11 per cent, and Spain, I think, 8 per cent.

Well, now, there is quite a considerable duty on cheese—$5 per hundred kilometers, about 2 cents a pound. This bill takes about 40 per cent off of that, leaving it about 1 cent and 2 mills per pound. It seems to me that we would have a "corner" on the cheese market in Cuba under this bill.

Here are boots and shoes, of which 20 per cent is imported from the United States. There can be no trouble about shoeing the people of Cuba with this reduction of 30 per cent.

A MEMBER. Have you the figures for flour and grain?

Mr. PAYNE. We have a good deal of the flour and grain business now. That is the reason I was not speaking of it. I do not put my eye at this moment upon the figures.

Here is the item of soap: Of $757,000 for soap, about 92 per cent came from Spain; only 5½ per cent from the United States. While we use more soap per capita than all the nations on the face of the globe, because our people are so cleanly they could not be without it—while we are making so much of this article, we can furnish the whole supply to the people of Cuba instead of having them try to wash themselves on the poor article which comes to them from Spain. On soap this bill makes a reduction of 30 to 40 per cent—40 per cent on the higher grades of soap.

For candles the expenditure was $516,000, of which 87.2 per cent came from Spain, the United States furnishing only 3 per cent. We furnish those people all their vegetable oil, and we ought to furnish the candles, too. The duty has been $5 per hundred kilometers, about 2 cents a pound. This bill makes a reduction of 20 per cent upon candles.

We do not get all the trade in salted meats. Upon hams, shoulders, and salt pork we get $2,888,000 out of $3,233,000. But I believe in our going for that other 33 per cent that we do not now get.

Of the expenditure for lard, we get 99.8 per cent now; I do not care who gets that other two-tenths of 1 per cent. So I might go on through the list. But I want to call attention to the trade under the reciprocity agreement of 1891 and 1894. Bacon and hams paid, in 1900, a duty of $6.25 per 100 kilograms (that is, 220 pounds), and there was exported from Cuba to the United States that year $550,000 worth. In 1893, when we were under the McKinley reciprocity agreement and the free list, the amount exported was $1,317,000, two and one-half times as much. In 1896, after the termination of the treaty and when the duty was again between six and seven dollars, the exports fell to $734,000. In 1901, with a duty of only $4 per 100 kilograms, the exports rose again to $1,017,000. Now, we shall get all that trade. The export of lard from this country to Cuba in 1890, at $7.30 per 100 kilograms, amounted to $2,233,821. In 1893, under the McKinley treaty, it was $4,023,917. In 1896 it fell again to one million and a half dollars. In 1901, when the duty was $2.80, it ran up to $2,811,696. In 1890 flour exports amounted to $1,164,538, the duty being $4.69 per 100 kilograms. In 1893, with a duty of $1 per 100 kilograms, the amount was $2,821,557. In 1896, with a duty of $4.75, the amount was $647,057. In 1901, the duty being again $1, the imports into the United States amounted to $2,018,129. That answers the inquiry of the gentleman in regard to flour.

The case will be found to be similar in regard to exports of corn and other breadstuffs from this country to Cuba. In 1893 the amount more than doubled as compared with 1890 and 1896. That was under McKinley reciprocity. When that was wiped out the amount fell. Under this bill we shall take control of the market for these commodities.

In dairy products the results are similar—these articles being free in 1893, but in 1890 and 1896 paying a duty of $6.25 to $15 per 100 kilograms. So I might go on through the list. But I have only sought, by referring to a few of these items, to show the possibility of enlarging our trade with Cuba. In dealing with this question we are not to confine ourselves to a consideration of what Cuba is able to buy now, after four or five years of war, when her people are poor, when her laborers are sleeping out at night, and in the daytime eating bananas to sustain life

Sir, let Cuba become prosperous, with closer trade relations with the United States, making the conditions down there stable for five years or as much longer as this treaty shall remain in force. Let American capital go down there to develop the island and employ the islanders. Let there be a demand for better things and more of them. Multiply the buying capacity of the people as we have multiplied it in the last five years in the United States under the Dingley tariff law, so that the people want more, buy more, and are ready to give bigger prices because they get larger wages. Under such improved conditions what shall be the future of our imports into Cuba? Shall the amount be barely $60,000,000, as during the past year, for all imports, running up to $100,000,000 in the days preceding the war; or shall it be what Colonel Bliss, of the United States Army, a careful and impartial observer, says in his report on Cuba—$300,000,000 a year bought from the United States to supply the needs and the capacities of the people down there?

Why, there are millions in this bill to the farmers and manufacturers of the United States. It is not a one-sided affair, it is a reciprocal tariff; it is a reciprocal convention, a convention that we are called upon to make—a real convention—by act of the House of Representatives and of the Congress of the United States.

I do not know that I can do better than quote from Mr. Bliss, for he puts it a great deal better that I can:

But the above-mentioned trade represents a period of the gravest commercial and agricultural oppression. Cuba had suffered a devastation such

as has rarely accompanied war even in far less civilized times. Her population had been diminished by from 20 to 25 per cent. Her plantations had been burned, and worst of all a large part of her sugar mills, upon which the industry of the island almost wholly rests, had been completely ruined. Perhaps equally serious in its retarding effect was the lack of confidence due to the uncertain tenure of the government of intervention and the character of the government that would succeed it—a feeling which checked the investment of capital both for the development of new industries and the rehabilitation of existing ones more or less ruined.

Therefore the trade of the island since January 1, 1899, has been little more than trade in the absolute necessaries of life. It is not too much to anticipate that with the full return of prosperity Cuba's annual trade, inward and outward, would amount to $300,000,000, or more than $1,000,000,000 during a period equal to that covered by the late government of intervention.

One needs only to state the figures to make every American feel that there is something wrong, something that should be at once remedied, in the conditions that place so large a part of this great trade, great even under the present conditions, and to be far greater in the near future, in the control of other nations than our own.

Mr. Chairman, our national pride appeals to us to pass this bill. Why should we allow the nations from across the seas to come here, right to Cuba, within 80 miles of the United States, and take her trade in articles that we could furnish? Let us branch out, and when we have conquered the Cuban trade let our merchants go a little farther down into the South American States and follow up the vantage ground we have gained, and when the numberless ships that shall traverse the ocean from the United States to Cuba under the American flag find it a little dull, let them go down as far as Brazil—yes, take in the whole of South America—and pick up the trade that our people are willing and anxious to furnish the material for and give further employment to our people and our artisans and our capital. Why, the spirit of pride, American pride, is in this bill and in this enterprise toward the island of Cuba. These reasons, Mr. Chairman, appeal to us: Aid to Cuba, no injury to the industries of the United States, trade with Cuba, closer relations with Cuba, and, above all, meting out that sympathy due from us, the guardian, to her, the ward, whom we have turned out to seek a living among the nations of the earth, doing everything that we can and sending to her the full measure of generosity, so that she may be an example to the nations of the earth. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I do not intend now to make any speech upon the pending bill. I shall reserve the right to close the debate for this side of the Chamber. Some few things, however, spoken by the gentleman from New York [Mr. PAYNE], have struck me as being somewhat novel from his standpoint, and to them I shall perhaps direct a few innocuous observations. The gentleman from New York has made that speech so often—that part of it which defends protectionism—that he has gotten so that he makes it very well indeed. [Laughter.] As to that part of his speech which advocates this bill upon its merits, it is almost as sudden a conversion as was that of St. Paul, while he was yet Saul of Tarsus, on his way to Damascus; it was almost as sudden an occurrence as was this recent birth of the new Republic of Panama, "shoved up from behind." [Laughter.] Those are the only two things that I know of in the world that compare with it.

The gentleman has said something, however, that I wish to deny, that the Democrats wanted to put this amendment upon this bill for the purpose of killing the treaty. They do not want to do anything of that sort. They never did kill the treaty. During the Fifty-seventh Congress we took the liberty of robbing the sugar trust of part of its power to rob the American consumer and to tyrannize over American commerce and the American sugar planter—in as far as we could rob them of that power—by removing the differential. We said then, in effect, to the Republican party, "Here is your bill, bettered, improved, amended; a good bill in itself, but with this better feature upon it, and it is 'up to' your Senate and it is 'up to' your President to say whether they will surrender their pet measure—the pet measure of this Administration—or let it die a-borning somewhere rather than hurt their friend, the great American sugar trust." We gave you that choice. You took your choice deliberately. This bill would have been law to-day, this treaty would have been in force to-day, if you had not loved the sugar trust more than you did reciprocal relations with Cuba. [Applause on the Democratic side.]

So much for that. Now, the gentleman makes a strange admission from his standpoint. He says that he wants to benefit Cuba. How? By having Cuba reduce her protective tariff 20, 25, 30, 35, and 40 per cent. That is a sort of thing that I can understand, but the thing that I can not understand is how the gentleman from New York understands it, with all of his record behind him as a protectionist. The gentleman says that this treaty is not without precedent, and I am glad to agree with him there. I remember well some precedent for it. First, the great reciprocity treaty with Frederick the Great, who was then the tyrant of Prussia. I remember the next, with Spain. I remember the third, with France; and I remember that the hand that had more to do with molding them than any other one hand in this world was that of the father of Democracy himself, Thomas Jefferson. [Applause on the Democratic side.] I remember that the greatest and most beneficial reciprocity treaty that this country ever had was the reciprocity treaty negotiated with Canada in 1854 by a Democratic Administration and repealed under a Republican Administration in 1866 or 1867. I remember that General Grant, in 1874, sent to a Republican Senate another reciprocity treaty with Canada, simply a furtherance of that of 1854, and that died a-borning, not because it would not have been beneficial to the general interest of American citizens, but because it was thought detrimental, in their opinion, to some of the selfish, legislatively hot-housed industries of the United States.

There are precedents. Let us have more of them. Let us go marching on in the pathway of commercial friendship, turning our backs upon commercial war; and when we cast our eyes northward across an imaginary boundary between ourselves and a people who are homogeneous in blood, in tradition, in aspiration, in law, and in literature, let us build up friendly relations with them by friendly reciprocal trade.

I now say, representing, as I believe, Democracy all over this country, that we will welcome the initiative taken by the President of the United States—if he will take it—in reconvening the Joint High Commission, in order that we may have a condition of commercial amity instead of threatened commercial war with the great Dominion of Canada. So much, my friends, for that.

Let us anticipate Chamberlain's attempt to have the Dominion differentiate against us in favor of Great Britain.

My friend says that this will take five or six million dollars out of the Treasury, and he thinks that would be an advantage, and there again I accord with him. It seems to me that the very best way of letting the people make money is to let the people keep their money; and after you are through with all of your political talk upon all of the hustings of the United States, upon that side and upon this, the fact remains that every dollar in the public till came from somewhere. It was not poured down like manna from the sky. It did not come as a free gift. Government is not an independent entity to get things from nowhere and from nobody. Every dollar in the Treasury came from some American citizen somewhere. I welcome the fact that we will have that many millions less in the Treasury and that we will have that many millions more in the pockets of the people, in the channels of commerce, where it is needed to give life and blood to the industrialism of the country. [Applause.]

My friends, I said I intended to make no speech now. I did not. I intended to rise for the purpose mainly of reading the minority report upon this bill, so that it may be inserted in the RECORD as a part of my remarks. It expresses almost exactly what I think, and what I believe a majority of you, my fellow-Democrats in the House, think. Before reading that report, however, I wish to read, in conclusion of my remarks, something appearing in this morning's New York Times, an independent newspaper:

LIGHT AT LAST.

We congratulate the country on the attitude of the Democrats in the House of Representatives, formally adopted and declared in caucus, as to Cuban reciprocity. It is manly, intelligent, and patriotic, and it gives substantial encouragement to the hope that we shall have a national opposition party with which to consider sensible non-partisan work.

The Democrats have determined to treat the reciprocity treaty solely with reference to the general question of freer trade. They will seek to amend the bill proposed by the Republicans by repealing the odious preferential on refined sugar given to the sugar trust, and, further, by striking out the provision that seeks to bind Congress not to make any further reduction in duties for five years. The former amendment is directed against an outrageous piece of corrupt favoritism, and the latter against a silly attempt which, nevertheless, might make an unfortunate precedent, to hinder the freedom of Congressional action. When these two amendments are lost, as, of course, they will be under the iron rule of the Republican managers, the Democrats will support the bill as a step toward freer trade, at first with Cuba, and later with the rest of the world.

The minority report is as follows:

We, minority members of the Committee on Ways and Means, make the following report of our views concerning H. R. 1021, being a bill entitled "A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902," introduced in the House of Representatives on the 12th day of November, 1903, by Mr. PAYNE, of New York, and referred to the Committee on Ways and Means.

We believe that the bill as reported by the Committee on Ways and Means ought to have been amended in committee before being reported and ought now to be amended in the House before its passage, as follows:

By striking out the following language, beginning in line 15, page 2, and ending in line 2, page 3—

And then follows the language that we want stricken out, the language which attempts to bind us—because it can not really bind—but attempts to bind and pledge succeeding Congresses and succeeding treaty-making powers against an alteration of certain tariff schedules upon sugar from Cuba and sugar from other countries, and inserting instead thereof the identical resolution which passed the House last year, which was put on there by us upon this side of the Chamber, for the purpose of bettering the bill, although it is perhaps true that if that had been the sole estimated effect of the amendment we would not have had the aid from your side to give us the power to pass it. There were votes cast for it, of course,

because it was thought that if you stopped the differential to the sugar trust the bill would be killed. But that was not my object, and that was not the object of the Democrats upon this floor.

That language is:

"*Provided*, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897; and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897," and by inserting the following in lieu thereof:

"That upon the making of said agreement and the issuance of said proclamation and while said agreement shall remain in force there shall be levied, collected, and paid, in lieu of the duties thereon now provided by law, on all sugars above No. 16 Dutch standard in color, and all sugar which has gone through a process of refining imported into the United States, 1.825 cents per pound."

Now, my friends—

Our objection to the language proposed to be stricken out is twofold. First, as a general principle one Congress has no right to attempt to bind a succeeding Congress, as is attempted in this bill in the case of sugars imported from Cuba, nor to attempt to bind the treaty-making power of the United States in a succeeding Congress or under a succeeding Administration, as is attempted in the bill in the case of sugars imported from other foreign countries. We do not believe that the language proposed to be stricken out is or could be made of binding force, even if enacted into law. It is, ostensibly, at any rate, a waiver, to some extent, of the general right of abrogation and establishes a precedent of evil import.

In the second place, we are not willing to bind ourselves nor silently to acquiesce in an attempt, although legally and morally ineffectual, to bind us to continue in existence at a given fixed rate a duty upon any product imported into the United States for any definite period, whether the article be sugar or anything else, or whether it be the product of the island of Cuba or of any other country or of all other countries.

Public needs and interests may at any moment suggest or require a different treatment of tariff schedules. A schedule is not a fetich to be worshiped. We hope that the House will strike out the provision.

We think, in the next place, that there ought to be inserted in lieu of the provision proposed to be stricken out, or elsewhere in the bill, the language proposed to be inserted by the amendment above referred to, because, in our opinion, we would thereby deprive the great sugar trust of this country of some of its power to extort from the consumer, curtail its power to bear down the price of the raw material, thereby injuring the sugar planter, and lessen its ability to dictate to wholesale and retail dealers in sugar the manner in which they shall do business and the price at which they shall sell refined sugar.

The House during the Fifty-seventh Congress took this view and passed an amendment identically worded as now proposed by us. The House took that view after a full investigation and a comparatively full discussion of the question, and the very treaty proposed to be put in force by the bill (H. R. 1021) would have been in force now had all those charged with the duty of legislation in other branches of the Government been willing to see the burden upon the American consumer of sugars and other products imported from Cuba into the United States lightened or had they been willing to see the Cuban market for American products enlarged at some expense, even, to the great sugar trust of the United States. The only injury to the trust, even, would have been to lessen to a small degree its power to extort from the consumer and to tyrannize over producers and commerce.

If the amendment which we propose to offer shall be adopted, we shall gladly vote for the bill, believing that it will, at one and the same time, diminish to a certain extent the trust evil, furnish a better and wider and further market for American agricultural and manufactured products in Cuba, and benefit the American consumer of Cuban products. These are three consummations devoutly to be wished.

If the amendment shall not be adopted, we still recommend the passage of the bill, despite its bad features, because we think that the good to be done by its passage will far overbalance the evil which will result from a failure to take advantage of the opportunity to diminish the power of the sugar trust and the evil resulting from the bad precedent proposing, ineffectually it is true, to prevent the country from still further reducing duties upon Cuban sugars and upon sugars from other countries whenever it shall appear wise and expedient to do so by reciprocal treaty agreement or by statute law.

Believing, as we do, that commerce ought to be as nearly unhampered as possible consistently with the needs of a revenue for economical and effective governmental administration, and consistently with a desire not to revolutionize existing conditions by destroying honest, legitimate, and nonmonopolistic enterprises, we find in this bill an affirmance of that principle, a step in the right direction, and furthermore a recognition of the fact that a decrease of governmental tolls levied upon international commerce constitutes a benefit to the countries between which the commerce is carried on.

Charged with the duty of legislating for the benefit of the American people, as we are, and friends to the new-born Republic of Cuba, desiring her prosperity, we recognize that this bill will, to some extent, relieve the unnecessary burdens upon both Americans and Cubans, enabling the Americans to buy Cuban products at more reasonable prices, and enabling the Cubans to buy American products at more reasonable prices, thereby enlarging the volume of trade between the two countries in both directions.

We regret that the party in power has not seen its way to confer still further benefits upon the citizens of both nations by providing for even freer and yet more unhampered and unrestricted commerce between them. As long as the present party is in power we can perhaps hope for tariff reductions and revision only from reciprocity treaties. It is a piecemeal process, but it is better than no process at all. We hail it as a harbinger of future reciprocity treaties with other countries, especially those upon the American Continent, and notably our neighbor to the north, the Dominion of Canada.

Commercial wars are detrimental, sometimes destructive. They are wars in which there can not be a victor on either side—wars as a result of which both sides endure defeat. Friendly relations between peoples can not be as certainly secured in any other way as by the reciprocal benefits of trade and commerce. Men of different nations bound to one another by large and valuable trade interests are bound by the closest tie of a materialistic character known to human nature—the tie of self-interest. They have given a mutual bond to keep the peace and strenuous "jingoism" itself hesitates under such circumstances to disturb it.

We recommend the passage of the amendment referred to above, and failing in that, having filed our protest by voice and by vote, against the right of power to bind our future conduct, we still recommend the passage of the bill.

[Applause on the Democratic side.]

Now, Mr. Chairman, I wanted to read that because I wanted it to go into the CONGRESSIONAL RECORD as a part of my remarks, and for no other purpose, and thus get it quickly to the country.

I now yield forty minutes to the gentleman from Virginia [Mr. SWANSON].

[Mr. SWANSON addressed the committee. See Appendix.]

Mr. ROBINSON of Indiana. Mr. Chairman——

The CHAIRMAN. One minute. Does the gentleman from New York desire to occupy more time now, or will the gentleman from Mississippi occupy more of his time?

Mr. PAYNE. If the gentleman prefers to go on, I have no objection.

The CHAIRMAN. The gentleman from Indiana is prepared to proceed and is recognized for thirty minutes.

Mr. PAYNE. Very well.

Mr. ROBINSON of Indiana. Mr. Chairman, not desiring to abuse the patience of the House or unnecessarily consume its time, I request unanimous consent to extend my remarks in the RECORD, with the printing of tables also.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD, and that extension will include certain tables. Is there objection?

Mr. PAYNE. His remarks to be confined to this bill.

The CHAIRMAN. With the understanding that he confine his remarks to the bill under consideration. Is there objection to the modified request?

Mr. ROBINSON of Indiana. Well, I will ask the gentleman to define how wide the range of that request might be, if granted.

The CHAIRMAN. Does the gentleman from New York hear the observation of the gentleman?

Mr. PAYNE. I did not hear it.

The CHAIRMAN. How wide the range might be.

Mr. PAYNE. Just the range I stated in my language.

Mr. ROBINSON of Indiana. If the gentleman will leave that to me I will try to conform to my ideas of what is meant. [Laughter.] I hope the gentleman will not put a limitation on my request.

The CHAIRMAN. The Chair will again state the request of the gentleman from Indiana; that is, that he be allowed to extend his remarks in the RECORD, with the publication of certain tables as a part of his remarks. Is there objection to that request? [After a pause.] The Chair hears none.

Mr. ROBINSON of Indiana. Mr. Chairman, I shall confine my observations to one feature of this pending measure, but it will involve, as it seems to me, the entire subject of over tariff taxation. I recognize that in this country we have a Government ruled by party, and that certain discipline is necessary to accomplish the best results under that system. I believe that it is the sentiment of a majority in this House that the Committee of Ways and Means, under this rule, have taken a course more drastic than is justified by the situation of the country. We have a rule presented that denies to the membership of this House the right to amend a proposition by an amendment that seeks to reach one of the greatest evils involved in a system that collects revenue in excess of the needs of Government. But it seems we must submit on this side to that with only criticism to answer it.

We find growing up in the Republican party a new system of alignment, which I am willing to characterize as the "stand-patters" in the first degree and the "stand-patters" of the second degree. The new word has been coined by the Republicans to meet the peculiar condition. I believe that the majority of the Republican voters in this country are in favor of a reduction of taxation, and that that sentiment if truly expressed is reflected in the membership of this House on the Republican side; but by reason of the dominating spirit of the "stand-patters in the first degree," by their insidious, mysterious influence, they are able, under the rules of this House and the modes of procedure, to have "stand-patters in the second degree" succumb to their will, and, submerging their individual views, the latter permit the former to present a measure in the House that will deny the individual power of Members and disfranchise their constituents on a vital question before the country.

For the proposition to which I shall address myself I will take as a text the Treasury report of the Secretary of the Treasury dated the 14th day of November, 1903, showing an available cash balance in the United States Treasury of $223,000,000, of which sum $158,000,000 is in national-bank depositories that pay no interest upon it, but loan it to the people at the usual per cent. Whence came this money and where is it to-day? This money has been received from the people of this country by your system of taxation, and under that system evils have arisen that are criticised by Members of that side of the House. But they are held in restraint. They privately admit, but on the signal they rush within the lines. Would we ever have heard of a grant of

$3,000,000 to the Philippine Islands last session as a pure gratuity out of our Treasury had we not had this enormous surplus, built up from taxation?

Would we ever have heard of the extravagant appropriations of the Fifty-seventh Congress, which out-Heroded anything that has been known before? To-day we find the Secretary of the Treasury, and we have in years gone by found him refunding and purchasing United States bonds increased in price by the knowledge of the bondholders that the Secretary offers to purchase them, and last year millions of dollars were paid out as excess price for United States Government bonds out of the surplus you have builded up. Repeatedly he has paid millions in interest before it was due. Further, the Secretary of the Treasury has resorted to the if not illegal expedient, at least the improper expedient of permitting the deposit of State and municipal bonds for the securing of deposits in the national-bank depositories of the country. It seems he would add railroad bonds to this favored class of security. Yet with this money, $158,000,000, taken by taxation from the people unjustly, we as representatives are denied the privilege and the opportunity of reducing national taxation, which our constituencies and yours demand, to the end that taxation should be no more than is needed for government honestly administered. The Secretary of the Treasury, in order to get the money among the people, sends it to the national banks of the country, and is clothed with this tremendous and dangerous power without a protest from the Republican side.

Its practice confesses an unjust use of the taxing power, for without an unnecessary accumulation there would be no transfer of the money to the banks. When is this money to be loaned to the banks and when withdrawn? In good times or in times of panic? Will the Government be able at all times to withdraw it with ease? Would it not be especially difficult to withdraw it in panicky times?

To the bankers of what section will it first go? To those sections where stock gambling and where dealing in options and margins may affect local conditions, or will it go to the West for the movement of crops?

The answers to these queries will show the extreme danger that inheres in the policy.

Such a discretion is lodged in the Secretary of the Treasury that he is made a Napoleon of finance and a Czar over our money.

An officer should not have such a power, or be subject to the influences that surrounds the exercise of it. Those who submerge patriotism to greed would encourage excessive taxation to accumulate a surplus to get the pelf.

The decisions to be made under such a power are too momentous to the people, too fraught with consequences to give to the Secretary of the Treasury the right to make them.

These are the burdens upon the American people to-day. They find millions of their taxation as a surplus for what? Would you have heard of the widespread post-office scandals in this country had you not a great surplus accumulated? Would you have heard of the Indian land scandals if you had not encouraged it by a riot of extravagance, the fruit of an excess? Would you have heard of the stealing of millions of acres of public domain out West had you not set the pace by building up a surplus in the Treasury? Why, sir, for months we had the mooted purchase of the Danish West Indies before us. This was invited by the surplus. During thirty years they have been on the bargain counter. The overflowing Treasury furnished an opportune time to try to press them upon us.

Mr. Chairman, when we passed the Cuban war-tax bill we authorized the issue of two hundred millions of bonds to carry on the Cuban war, with the promise from the leaders of this House, with the promise of the gentleman from New York, with the promise of the two gentlemen who have gone to the Senate, with the promise of the honorable Speaker of this House, that as soon as the war was over the war taxes would be repealed. But, sir, for three months the war waged, and then it closed. But for four long years the war taxes were kept on until this surplus was erected mountain high as a feast for the cormorants who have less patriotism and regard for the country than good citizens should have.

Now, the Secretary of the Treasury would have us take the municipal bonds, which represent the debts of the people; the State bonds, that represent the debts of the people, bearing an interest higher usually than the Government bonds—take those bonds as a safe security for the deposit of the people's money wrung from them by taxation when that money should be left in their hands to use as they please and to pay the State and municipal bonds. We get this policy because the "stand-patters" of the first degree with power and influence, not in numerical strength in the House or the country, but by superior domination, are able to conquer the rising spirit of the gentlemen who voted before for the killing of the sugar trust.

Now, with all the evils that come from clothing the Secretary of the Treasury with the power to get out this money, what may follow in its train? I make no aspersions on any officer, but that is a power that should not be lodged in any one man. When will he give out the money, in what amounts, and to what locality will he send it? To what States and to what cities shall it go, and what amount will he send to each State, each city, each depositary? When will the Secretary of the Treasury withdraw it—when the Government needs it? From what locality will it come—from what State, city, depositary? These are matters that are presented, and bring us back to 1837, when the United States, with a surplus of $28,000,000, granted it to the treasurers of the respective States, and it stands to-day unpaid to the United States Government as one of the unavailable assets on its books.

The Chicago Tribune gives us some history:

> By the year 1835 the original debt of the nation had been wiped out and a surplus had begun accumulating. At the beginning of 1837 the balance in the Treasury, after deducting a reserve fund of $5,000,000, was $37,468,000. By act of Congress this money was divided pro rata among the treasuries of the twenty-six States and was to be repaid on demand. Those deposits were to be made in four installments, and three of them were paid, aggregating $28,000,000.
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> The curious part of it is that the transaction remains to-day in the same incomplete condition. The States never have refunded this money. The State treasurers of Arkansas and Virginia have tried to compel the National Treasury to pay the fourth installment. * * * This money still appears among the "unavailable funds" in every report of the Treasurer of the United States.

Here you have one hundred and fifty-eight millions. Is it not a prey to political influence? Is it not an incentive to corruption? Is it not surely an incentive to extravagant appropriations? And for the answer to that I refer to the honorable Speaker of this House in his statement last session, and the statement of many other distinguished gentlemen on the other side of the House. Where is this one hundred and fifty-eight millions? It is in New York—some of it. New York has a population of 7,000,000, one-eleventh of the population of the country, and yet, when it comes to depositing in banks our money without interest, New York gets over a quarter of all our surplus moneys in the national-bank depositories. These national-bank depositories have one hundred and fifty-eight millions of the people's money, unjustly drawn from them by taxation, which the "stand-patters" insist shall not be removed. Of the one hundred and fifty-eight millions the State of New York has $42,724,000.

No wonder we have "stand-patters" in the country when such bounty is given to special favorites.

Pennsylvania, with a population of 6,000,000, has her fourteen millions. Illinois, with a population of 4,000,000, has six millions in money. Ohio, well favored, has her five millions. Missouri, on account, I presume, of the special arrangement in respect to the exposition, has her six millions.

I make no criticism of the national banks of this country on their attitude in this matter, and scarcely a criticism can be made of those who, under the power of law sanctioned by an Administration party, take advantage of the means that are offered them to enrich themselves—what I maintain is that the people suffer.

Texas, with a population of 3,000,000, has one million nine hundred thousand of these assets. Massachusetts, well favored, with a population of less than that of Texas, has ten millions of these assets. Indiana, with a population of two millions and a half, has one million two hundred and seventy-seven thousand. Iowa, who furnishes many distinguished public men, with a population of 2,000,000, has three millions four hundred thousand of this money, all without a cent of interest—these one hundred and fifty-eight millions of money, collected by you unjustly, while you refuse to take from the burdens of the people, go to these different banks, with its usufruct, without a cent of interest. Georgia has one million of this money. Kentucky, always a State that fights strenuous political battles, has a population of 2,000,000, and has five millions of these deposits to loan to the people. Wisconsin, with a population of 2,000,000, has two millions of funds of the Government. Maryland has three million three hundred and forty-two thousand of these United States funds, with but a million of population. Nebraska, where the political battle wages warm, with a population of 1,000,000, has one million three hundred and forty-seven thousand in money.

Mr. HILL of Connecticut. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. ROBINSON of Indiana. Yes; but the gentleman will recognize that my time is brief, and I would like him to get my friend from New York [Mr. PAYNE] to yield me time in which to answer the question.

Mr. HILL of Connecticut. I think the gentleman will. I think he will give the gentleman time to answer the question. Does the gentleman object to the fact that the public moneys are kept in the banks, or does he object to the particular banks in which they are kept?

Mr. ROBINSON of Indiana. I will tell the gentleman my views.

I object here to the raising of money for the purpose of placing it in the Treasury as a surplus, with the train of evils that I have mentioned and which compels the placing of it in the national banks, and on which money of the people they pay no interest.

Mr. HILL of Connecticut. Will the gentleman answer my question? Of course nobody favors raising money for the sake of putting it in the banks, but with the money already raised, with it secured, with it taken by taxation, what would he do with it—put it in the banks or lock it up in the Treasury?

Mr. ROBINSON of Indiana. It is perfectly secure with the bonds of the United States.

Mr. HILL of Connecticut. Would he lock it up in the Treasury or put it in the banks?

Mr. ROBINSON of Indiana. The gentleman asks me if I object to the particular banks. I would rather say not, with some exceptions: and now, Mr. Chairman, I will try to show the evils that are likely to arise when a large surplus is here and the banks want to get the money.

Mr. HILL of Connecticut. Will the gentleman kindly answer the question, or does he not desire to answer it?

Mr. ROBINSON of Indiana. I have tried to treat the gentleman and his question courteously.

Mr. HILL of Connecticut. What I would like to know is what would he do with the money after it was raised—put it in the banks or lock it up in the Treasury?

Mr. ROBINSON of Indiana. I would not lock it up in the Treasury. With the rates of national taxation we could not have money to pay if this sum was locked up in the Treasury.

Mr. HILL of Connecticut. Then the gentleman would refuse to put it in the banks?

Mr. ROBINSON of Indiana. I would destroy the surplus by reducing taxation. The question then would not arise in reference to deposits. Mr. Chairman, the gentleman is taking my time.

The CHAIRMAN. The gentleman declines to yield further.

Mr. ROBINSON of Indiana. Now, as to whether I object to some of the banks, I read from a document of the House and I would like the gentleman from Connecticut to listen:

> THE NATIONAL CITY BANK OF NEW YORK,
> *New York, June 5, 1897.*
>
> MY DEAR MR. GAGE: The National City Bank of this city, of which I recently became vice-president through the consolidation of the business of the Third National with it, is one of the banks designated as a United States depository, and I write to request that any changes which may be made under the Administration we may not be disturbed in this respect.

Mr. HILL of Connecticut. Mr. Chairman——

The CHAIRMAN. The gentleman declines to yield.

Mr. HILL of Connecticut. But, Mr. Chairman, the gentleman asked me to listen.

The CHAIRMAN. The gentleman declines to yield, and the gentleman from Connecticut is not in order.

Mr. HILL of Connecticut. But the gentleman asked me to listen.

Mr. ROBINSON of Indiana. It is true, I did ask the gentleman to listen. That is right.

The CHAIRMAN. Does the gentleman yield now?

Mr. ROBINSON of Indiana. The gentleman says he will listen. [Laughter.]

The CHAIRMAN. Does the gentleman yield to the gentleman from Connecticut?

Mr. ROBINSON of Indiana. Not until I finish this letter.

The CHAIRMAN. The gentleman declines to yield. The Chair was correct.

Mr. ROBINSON of Indiana. I will continue the reading of the letter:

> We should like to remain a United States depository as at present. Of course the bank is very strong, and if you will take the pains to look at our list of directors you will see that we also have very great political claims in view of what was done during the canvass last year.
>
> [Laughter and applause.]
>
> Now, this fund, built up as a surplus by excessive taxation, will be made the goal of men less patriotic than good American citizens ought to be. In another letter [reading]:
>
> If not presuming too much, we would be greatly obliged for a suggestion from you as to the amount of bonds which it would be good judgment for us to require at the present time, this move on our part being quite as much in the public interest (in the prevention of any money stringency) as it is in our own interest as bankers.
>
> It is apparent that the amount of money received by the Treasury from the sale of this property will considerably exceed the amount of currency taxes maturing on January 1 next, and it is in the hope that a considerable portion of these funds will be left with the banks for a sufficient length of time to afford a reasonable profit that we undertake the expense of procuring the necessary bonds to qualify us as a depository.
>
> Yours, very truly, A. B. HEPBURN,
> *Vice-President.*
>
> Hon. LYMAN J. GAGE,
> *Secretary of the Treasury, Washington, D. C.*

This letter asks the advice of the Secretary of the Treasury as to what he shall do, showing by his familiarity of expression that the Secretary of the Treasury would not possibly be offended by that consultation of the Standard Oil bank's vice-president.

Now the gentleman asks me, "Do you object to these banks having the money?" Mr. Chairman, I said that in some respects I might. Now let me give these cities. As an appendix to my remarks I will include every national bank in this country by name, and the city of its location, with the amount that it has as a United States Government depository. And when I come to New York and the gentleman asks me if I have any objection to any particular bank having the money, I simply suggest to him that there is one bank that I think has a little more than it ought to have, and he will think so when I tell him that this bank, about which Mr. Hepburn wrote to the Secretary of the Treasury, out of the total $158,000,000 has $12,930,700 of the people's money, wrung from them by taxation, that it is loaning out to the people at interest, in order to give the people the power to pay this excessive taxation that you have forced upon them, and that the stand-patters decline to take off.

Now, is it possible that with this money in the United States Treasury they would not make use of it to some extent for political ends? Hepburn thought so when he spoke of political influence his bank had in the campaign. I have known smaller matters than that, Mr. Chairman, to have that result. When rural free delivery came up I thought that I stood pretty well with the powers that be, and in the first circular that was issued they gave my indorsement of a petition that went as information to the Members of the House and to the Senate; but later on, when they attempted to prostitute this splendid service to partisan ends, I found this letter in answer to one I wrote to a distinguished member of the Administration:

> MY DEAR MR. ROBINSON: I have your favor of the — instant with reference to petition for rural free delivery starting from ——. I have forwarded the same to Hon. ——, Republican candidate for Congress in the Twelfth district, for suggestions from him. He is entirely familiar with reference to applications for rural free delivery. As soon as I have heard from him I will be glad to take further action in the matter.

If a little matter of rural free delivery is made the vehicle for partisan ends, why can we not assume under the record I present to you by tables clearly showing favoritism and that this money in the United States Treasury has been used for political influence and to further the cause of the party giving it out to the banks, that the same thing will continue in the future while so vicious a policy is not corrected by a reduction of national taxation?

I will not mention the name of the gentleman from whose office this letter came. It is due to him to say that his signature was placed on the letter with a rubber stamp. No doubt he was over the country, doing the best he could to preach the gospel of high taxes, and his secretary stamped his name at the bottom of the letter. To-day, in every newspaper we pick up, statements are seen of reductions of wages; we have statements showing that the cost of living to the laboring man is 16 per cent higher now than it was several years ago, and this is a fitting time, I think, for the Republican party to break away from that influence that comes, I think, from less than a majority, to "stand pat," and follow the dictates of their own judgment and reduce this tariff tax that is building up in the Treasury this money.

The Treasury report of November 14, 1903, shows the amount of surplus as follows:

EXHIBIT A.

Statement of the United States Treasury on the 14th day of November, 1903—Cash in the Treasury.

* * * * * * *

GENERAL FUND.

In national bank depositories to credit of the Treasurer of the United States	$158,602,286.73
Available cash balance	225,144,369.08

The basis for my presenting in groups the States and cities, with the amounts of deposits in national banks, is found in a letter from the Secretary of the Treasury, which reads as follows:

EXHIBIT B.

> TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
> *Washington, November 11, 1903.*
>
> Hon. J. M. ROBINSON,
> *House of Representatives.*
>
> SIR: I have the honor to inclose herewith, in compliance with the request contained in your letter of the 10th instant, two lists of national banks which have been designated as depositaries of public moneys, showing the names of the banks, their location, and the amount of public moneys to the credit of the Treasurer of the United States, held by each. These amounts do not include any funds to the official credit of United States disbursing officers. One is a list of the permanent or regular depositaries, and the other a list of the temporary or inactive depositaries; both have separate columns showing the banks which hold $1,000,000 or more, and the other less than $1,000,000.
>
> Respectfully,
>
> L. M. SHAW, *Secretary.*

The population is taken from the census of 1900, and the full list of national-bank depositories in the United States is referred

to in the letter of transmittal by the Secretary of the Treasury. I will print in full as an appendix to my remarks.

EXHIBIT C.

NATIONAL BANKS DESIGNATED AS TEMPORARY SPECIAL DEPOSITARIES.

Balances held to the credit of the Treasurer of the United States, October 31, 1903.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
First National Bank, Anniston, Ala	$50,000	
Anniston National Bank, Anniston, Ala	50,000	
City National Bank, Selma, Ala	200,000	
Consolidated National Bank, Tucson, Ariz	50,000	
First National Bank, Los Angeles, Cal	200,000	
Citizens' National Bank, Los Angeles, Cal	50,000	
Merchants' National Bank, Los Angeles, Cal	50,000	
First National Bank, Oakland, Cal	50,000	
First National Bank, Pomona, Cal	50,000	
First National Bank, Riverside, Cal	110,000	
First National Bank, San Diego, Cal	50,000	
Crocker-Woolworth National Bank, San Francisco, Cal	100,000	
San Francisco National Bank, San Francisco, Cal	300,000	
Western National Bank, San Francisco, Cal	150,000	
First National Bank, San Jose, Cal	50,000	
First National Bank, Cripple Creek, Colo	100,000	
National Bank of Commerce, Denver, Colo	100,000	
First National Bank, Fort Collins, Colo	50,000	
Carbonite National Bank, Leadville, Colo	100,000	
Mercantile National Bank, Pueblo, Colo	50,000	
Bridgeport National Bank, Bridgeport, Conn	162,500	
First National Bank, Hartford, Conn	100,000	
Ætna National Bank, Hartford, Conn	51,900	
First National Bank, Meriden, Conn	400,000	
Home National Bank, Meriden, Conn	100,000	
Mechanics' National Bank, New Britain, Conn	100,000	
National Bank of Norwalk, Norwalk, Conn	240,000	
First National Bank, Norwich, Conn	75,000	
Pawcatuck National Bank, Pawcatuck, Conn	50,000	
Windham National Bank, Willimantic, Conn	50,000	
American National Bank, Washington, D. C	100,000	
National Metropolitan Bank, Washington, D. C	240,000	
Citizens' National Bank, Washington, D. C	50,000	
Riggs National Bank, Washington, D. C		$3,000,000
First National Bank, Fernandina, Fla	50,000	
First National Bank, St. Augustine, Fla	50,000	
Atlantic National Bank, Jacksonville, Fla	100,000	
Third National Bank, Atlanta, Ga	200,000	
Fourth National Bank, Atlanta, Ga	854,000	
Georgia National Bank, Athens, Ga	50,000	
Third National Bank, Columbus, Ga	150,000	
National Bank of Columbus, Columbus, Ga	50,000	
First National Bank, Macon, Ga	50,000	
American National Bank, Macon, Ga	90,000	
First National Bank, Marietta, Ga	50,000	
First National Bank, Pocatello, Idaho	50,000	
First National Bank, Wallace, Idaho	50,000	
First National Bank, Amboy, Ill	50,000	
First National Bank, Beardstown, Ill	50,000	
Old National Bank, Centralia, Ill	80,000	
First National Bank, Champaign, Ill	50,000	
Hamilton National Bank, Chicago, Ill	200,000	
National Bank of the Republic, Chicago, Ill	100,000	
Second National Bank, Danville, Ill	120,000	
Danville National Bank, Danville, Ill	100,000	
Citizens' National Bank, Decatur, Ill	100,000	
National Bank of Decatur, Decatur, Ill	100,000	
First National Bank, East St. Louis, Ill	100,000	
First National Bank, Edwardsville, Ill	50,000	
Home National Bank, Elgin, Ill	50,000	
Joliet National Bank, Joliet, Ill	50,000	
Citizens' National Bank, Bedford, Ind	50,000	
First National Bank, Brazil, Ind	50,000	
First National Bank, Crawfordsville, Ind	50,000	
Citizens' National Bank, Crawfordsville, Ind	100,000	
Citizens' National Bank, Evansville, Ind	50,000	
City National Bank, Evansville, Ind	50,000	
Hamilton National Bank, Fort Wayne, Ind	300,000	
First National Bank, Frankfort, Ind	50,000	
Franklin National Bank, Franklin, Ind	50,000	
Central National Bank, Greencastle, Ind	50,000	
Third National Bank, Greensburg, Ind	50,000	
Citizens' National Bank, Greensburg, Ind	50,000	
Columbia National Bank, Indianapolis, Ind	50,000	
Fletcher National Bank, Indianapolis, Ind	500,000	
Union National Bank, Indianapolis, Ind	100,000	
Citizens' National Bank, Kokomo, Ind	50,000	
Howard National Bank, Kokomo, Ind	50,000	
City National Bank, Lafayette, Ind	50,000	
Merchants' National Bank, Lafayette, Ind	154,625	
National Fowler Bank, Lafayette, Ind	50,000	
First National Bank, Lebanon, Ind	50,000	
Lebanon National Bank, Lebanon, Ind	50,000	
Union County National Bank, Liberty, Ind	50,000	
First National Bank, Madison, Ind	100,000	
National Branch Bank, Madison, Ind	100,000	
Delaware County National Bank, Muncie, Ind	50,000	
Merchants' National Bank, Muncie, Ind	100,000	
Second National Bank, New Albany, Ind	50,000	
New Albany National Bank, New Albany, Ind	50,000	
Citizens' National Bank, Peru, Ind	52,000	
People's National Bank, Princeton, Ind	50,000	
First National Bank, Richmond, Ind	50,000	
South Bend National Bank, South Bend, Ind	50,000	
National Bank of Sullivan, Sullivan, Ind	50,000	
Second National Bank, Vincennes, Ind	50,000	
First National Bank, Key West, Fla	50,000	
Fort Dallas National Bank, Miami, Fla	50,000	
Exchange National Bank, Tampa, Fla	50,000	
City National Bank, Kankakee, Ill	50,000	

Balances held to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
Pana National Bank, Pana, Ill	$50,000	
Edgar County National Bank, Paris, Ill	50,000	
Citizens' National Bank, Princeton, Ill	50,000	
Manufacturers' National Bank, Rockford, Ill	50,000	
Citizens' National Bank, Belle Plaine, Iowa	50,000	
First National Bank, Boone, Iowa	50,000	
Merchants' National Bank, Burlington, Iowa	80,000	
National State Bank, Burlington, Iowa	100,000	
Cedar Falls National Bank, Cedar Falls, Iowa	50,000	
Citizens' National Bank, Cedar Falls, Iowa	50,000	
Cedar Rapids National Bank, Cedar Rapids, Iowa	87,500	
First National Bank, Chariton, Iowa	50,000	
City National Bank, Clinton, Iowa	50,000	
National Bank of Decorah, Decorah, Iowa	50,000	
Des Moines National Bank, Des Moines, Iowa	100,000	
Valley National Bank, Des Moines, Iowa	1[illegible]	
First National Bank, Garner, Iowa	50,000	
First National Bank, Mason City, Iowa	100,000	
City National Bank, Mason City, Iowa	[illegible]	
First National Bank, Montezuma, Iowa	5[illegible]	
First National Bank, Mount Pleasant, Iowa	103,000	
National State Bank, Mount Pleasant, Iowa	55,000	
Oskaloosa National Bank, Oskaloosa, Iowa	50,000	
Iowa National Bank, Ottumwa, Iowa	5[illegible]	
Ottumwa National Bank, Ottumwa, Iowa	50,000	
First National Bank, Redoak, Iowa	1[illegible]	
Redoak National Bank, Redoak, Iowa	[illegible]	
First National Bank, Rock Valley, Iowa	50,000	
First National Bank, Shenandoah, Iowa	50,000	
Shenandoah National Bank, Shenandoah, Iowa	50,000	
Iowa State National Bank, Sioux City, Iowa	5[illegible]	
First National Bank, Waterloo, Iowa	50,000	
Black Hawk National Bank, Waterloo, Iowa	5[illegible]	
Commercial National Bank, Waterloo, Iowa	52,700	
Leavitt & Johnson National Bank, Waterloo, Iowa	50,000	
Abilene National Bank, Abilene, Kans	50,000	
First National Bank, Anthony, Kans	50,000	
Exchange National Bank, Atchison, Kans	50,000	
First National Bank, Fort Scott, Kans	50,000	
Galena National Bank, Galena, Kans	50,000	
First National Bank, Hutchinson, Kans	50,000	
Commercial National Bank, Independence, Kans	50,000	
Commercial National Bank, Kansas City, Kans	50,000	
First National Bank, Kingman, Kans	50,000	
Manufacturers' National Bank, Leavenworth, Kans	55,000	
First National Bank, Manhattan, Kans	1[illegible]	
First National Bank, Ottawa, Kans	50,000	
First National Bank, Pittsburg, Kans	50,000	
Farmers' National Bank, Salina, Kans	50,000	
National Bank of America, Salina, Kans	50,000	
Central National Bank, Topeka, Kans	100,000	
Fourth National Bank, Wichita, Kans	50,000	
Kansas National Bank, Wichita, Kans	100,000	
National Bank of Commerce, Wichita, Kans	50,000	
First National Bank, Winfield, Kans	50,000	
Second National Bank, Ashland, Ky	50,000	
Ashland National Bank, Ashland, Ky	100,000	
Merchants' National Bank, Ashland, Ky	50,000	
Cadiettsburg National Bank, Cadiettsburg, Ky	50,000	
Bardin National Bank, Elizabethtown, Ky	50,000	
Trigg National Bank, Gallatin, Ky	50,000	
Henderson National Bank, Henderson, Ky	200,000	
Second National Bank, Lexington, Ky	80,000	
Fayette National Bank, Lexington, Ky	50,000	
Farmers' National Bank, Princeton, Ky	50,000	
First National Bank, Somerset, Ky	50,000	
First National Bank, Crowley, La	50,000	
Calcasieu National Bank, Lake Charles, La	50,000	
Lake Charles National Bank, Lake Charles, La	50,000	
New Iberia National Bank, New Iberia, La	50,000	
State National Bank, New Orleans, La	100,000	
First National Bank, Shreveport, La	50,000	
First National Bank, Augusta, Me	100,000	
Northern National Bank, Hallowell, Me	50,000	
Canal National Bank, Portland, Me	60,000	
Ticonic National Bank, Waterville, Me	50,000	
First National Bank, Baltimore, Md	150,000	
Third National Bank, Baltimore, Md	60,000	
Citizens' National Bank, Baltimore, Md	50,000	
National Bank of Baltimore, Baltimore, Md	100,000	
National Bank of Commerce, Baltimore, Md	284,000	
National Marine Bank, Baltimore, Md	50,000	
National Union Bank of Maryland, Baltimore, Md	100,000	
First National Bank, Catonsville, Md	50,000	
Easton National Bank of Maryland, Easton, Md	200,000	
Farmers and Mechanics' National Bank, Frederick, Md	50,000	
First National Bank, Frostburg, Md	155,015	
First National Bank, Oakland, Md	50,000	
National Bank of Rising Sun, Rising Sun, Md	134,000	
Salisbury National Bank, Salisbury, Md	50,000	
Greylock National Bank, Adams, Mass	75,000	
Second National Bank, Boston, Mass	[illegible]	
Fourth National Bank, Boston, Mass	100,000	
American National Bank, Boston, Mass	200,000	
Atlantic National Bank, Boston, Mass	50,000	
Mount Vernon National Bank, Boston, Mass	100,000	
National Bank of Redemption, Boston, Mass	905,000	
National Bank of the Republic, Boston, Mass	300,000	
People's National Bank of Roxbury, Boston, Mass	100,000	
South End National Bank, Boston, Mass	100,000	
State National Bank, Boston, Mass	240,000	
Winthrop National Bank, Boston, Mass	150,000	
Grundy County National Bank, Grundy Center, Iowa	50,000	
Knoxville National Bank, Knoxville, Iowa	50,000	
Marion County National Bank, Knoxville, Iowa	50,000	
First National Bank, Waverly, Iowa	50,000	
First National Bank, Horton, Kans	50,000	

Balances held to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
People's National Bank, Ottawa, Kans	$50,000	
Winfield National Bank, Winfield, Kans	50,000	
First National Bank, Fall River, Mass	50,000	
Massasoit-Pocasset National Bank, Fall River, Mass	77,000	
Westminster National Bank, Gardner, Mass	43,700	
City National Bank, Gloucester, Mass	430,200	
Haverhill National Bank, Haverhill, Mass	253,000	
Hingham National Bank, Hingham, Mass	100,000	
Merchants' National Bank, Lawrence, Mass	100,000	
Lee National Bank, Lee, Mass	50,000	
Traders' National Bank, Lowell, Mass	250,000	
First National Bank, Lynn, Mass	100,000	
Central National Bank, Lynn, Mass	25,000	
First National Bank, Marlboro, Mass	150,000	
Peoples' National Bank, Marlboro, Mass	100,000	
Natick National Bank, Natick, Mass	100,000	
Merchants' National Bank, New Bedford, Mass	220,000	
Adams National Bank, North Adams, Mass	230,000	
Berkshire National Bank, North Adams, Mass	100,000	
First National Bank, Northampton, Mass	82,000	
National Bank, Northampton, Mass	50,000	
National Bank, Pittsfield, Mass	200,000	
Old Colony National Bank, Plymouth, Mass	100,000	
First National Bank, Reading, Mass	50,000	
Asiatic National Bank, Salem, Mass	100,000	
Mercantile National Bank, Salem, Mass	100,000	
Merchants' National Bank, Salem, Mass	50,000	
Spencer National Bank, Spencer, Mass	100,000	
Second National Bank, Springfield, Mass	100,000	
Chapin National Bank, Springfield, Mass	200,000	
City National Bank, Springfield, Mass	100,000	
John Hancock National Bank, Springfield, Mass	50,000	
Springfield National Bank, Springfield, Mass	200,000	
First National Bank, West Newton, Mass	81,000	
Mechanics' National Bank, Worcester, Mass	50,000	
Merchants' National Bank, Charlotte, Mich	50,000	
First National Bank, Iron Mountain, Mich	50,000	
Hackley National Bank, Muskegon, Mich	50,000	
First National Exchange Bank, Port Huron, Mich	50,000	
Commercial National Bank, Saginaw, Mich	50,000	
Union City National Bank, Union City, Mich	50,000	
First National Bank, Austin, Minn	50,000	
First National Bank, Benson, Minn	50,000	
Northwestern National Bank, Minneapolis, Minn	200,000	
Northfield National Bank, Northfield, Minn	50,000	
First National Bank, Owatonna, Minn	50,000	
Merchants' National Bank, St. Paul, Minn	400,000	
St. Paul National Bank, St. Paul, Minn	272,000	
First National Bank, Spring Valley, Minn	50,000	
First National Bank, Stillwater, Minn	50,000	
First National Bank, Winona, Minn	200,000	
Second National Bank, Winona, Minn	50,000	
First National Bank, Guilfport, Miss	50,000	
First National Bank, Hattiesburg, Miss	50,000	
National Bank of Commerce, Hattiesburg, Miss	50,000	
First National Bank, Laurel, Miss	50,000	
First National Bank, Meridian, Miss	50,000	
First National Bank, Yazoo City, Miss	50,000	
Hannibal National Bank, Hannibal, Mo	50,000	
Joplin National Bank, Joplin, Mo	150,000	
City National Bank, Kansas City, Mo	50,000	
New England National Bank, Kansas City, Mo	229,000	
Union National Bank, Kansas City, Mo	100,000	
Baird National Bank, Kirksville, Mo	50,000	
National Bank of Kirksville, Kirksville, Mo	50,000	
Tootle Lemon National Bank, St. Joseph, Mo	50,000	
Third National Bank, St. Louis, Mo		$1,096,000
Fourth National Bank, St. Louis, Mo	759,250	
Mechanics' National Bank, St. Louis, Mo	500,000	
Union National Bank, Springfield, Mo	100,000	
Trenton National Bank, Trenton, Mo	50,000	
People's National Bank, Warrensburg, Mo	50,000	
First National Bank, Butte, Mont	100,000	
National Bank of Ashland, Ashland, Nebr	50,000	
First National Bank, Beatrice, Nebr	100,000	
Farmers and Merchants' National Bank, Fremont, Nebr	50,000	
First National Bank, Hastings, Nebr	50,000	
City National Bank, Lincoln, Nebr	50,000	
Nebraska City National Bank, Nebraska City, Nebr	50,000	
First National Bank, North Platte, Nebr	50,000	
First National Bank, York, Nebr	50,000	
City National Bank, York, Nebr	50,000	
National State Capital Bank, Concord, N. H	50,000	
Merchants' National Bank, Dover, N. H	50,000	
First National Bank, Hillsboro Bridge, N. H	50,000	
Cheshire National Bank, Keene, N. H	50,000	
Keene National Bank, Keene, N. H	125,800	
First National Bank, Manchester, N. H	100,000	
Second National Bank, Manchester, N. H	50,000	
Amoskeag National Bank, Manchester, N. H	153,000	
Manchester National Bank, Manchester, N. H	100,000	
Merchants' National Bank, Manchester, N. H	50,000	
Souhegan National Bank, Milford, N. H	50,000	
Second National Bank, Nashua, N. H	150,000	
First National Bank, Somersworth, N. H	100,000	
Somersworth National Bank, Somersworth, N. H	50,000	
First National Bank, Petoskey, Mich	50,000	
First National Bank, Albert Lea, Minn	50,000	
City National Bank, Duluth, Minn	100,000	
National Farmers' Bank, Owatonna, Minn	50,000	
Third National Bank, Sedalia, Mo	50,000	
Citizens' National Bank, Sedalia, Mo	50,000	
Fremont National Bank, Fremont, Nebr	50,000	
Union National Bank, Omaha, Nebr	100,000	
South Omaha National Bank, South Omaha, Nebr	100,000	
Citizens' National Bank, Tecumseh, Nebr	50,000	

Balances held to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
Second National Bank, Hoboken, N. J	$50,000	
First National Bank, Manasquan, N. J	50,000	
Farmers' National Bank of New Jersey, Mount Holly, N. J	100,000	
First National Bank, Princeton, N. J	55,000	
First National Bank, Seabright, N. J	50,000	
Vineland National Bank, Vineland, N. J	50,000	
First National Bank, Clayton, N. Mex	50,000	
First National Bank, Addison, N. Y	50,000	
Columbia National Bank, Buffalo, N. Y	150,000	
National Bank of Cohoes, Cohoes, N. Y	100,000	
Lake Shore National Bank, Dunkirk, N. Y	50,000	
Glens Falls National Bank, Glens Falls, N. Y	53,000	
Herkimer National Bank, Herkimer, N. Y	133,250	
First National Bank, Hornellsville, N. Y	50,000	
Ilion National Bank, Ilion, N. Y	50,000	
National Herkimer County Bank, Little Falls, N. Y	50,000	
First National Bank, Mount Vernon, N. Y	100,000	
First National Bank, New York, N. Y		$2,678,000
Fifth National Bank, New York, N. Y	200,000	
American Exchange National Bank, New York, N. Y		1,050,000
Astor National Bank, New York, N. Y	640,000	
Bank of New York National Banking Association, New York, N. Y	200,000	
Chase National Bank, New York, N. Y		1,830,000
Consolidated National Bank, New York, N. Y	200,000	
Gallatin National Bank, New York, N. Y	74,000	
Leather Manufacturers' National Bank, New York, N. Y	50,000	
Lincoln National Bank, New York, N. Y	230,000	
Mercantile National Bank, New York, N. Y		1,870,000
National Bank of North America, New York, N. Y		1,030,000
National Park Bank, New York, N. Y		3,000,000
New York National Exchange Bank, New York, N. Y	121,000	
United National Bank, New York, N. Y	100,000	
State National Bank, North Tonawanda, N. Y	50,000	
National Bank of Norwich, Norwich, N. Y	125,000	
Exchange National Bank, Olean, N. Y	50,000	
Citizens' National Bank, Saratoga Springs, N. Y	200,000	
First National Bank, Ticonderoga, N. Y	50,000	
First National Bank, Tonawanda, N. Y	150,000	
First National Bank, Utica, N. Y	140,000	
Oneida National Bank, Utica, N. Y	162,000	
Utica City National Bank, Utica, N. Y	159,000	
First National Bank, Waverly, N. Y	100,000	
Charlotte National Bank, Charlotte, N. C	50,000	
First National Bank, Elizabeth City, N. C	50,000	
National Bank of High Point, High Point, N. C	50,000	
First National Bank, Weldon, N. C	50,000	
Atlantic National Bank, Wilmington, N. C	179,800	
Murchison National Bank, Wilmington, N. C	150,000	
Second National Bank, Akron, Ohio	50,000	
National City Bank, Akron, Ohio	50,000	
First National Bank, Athens, Ohio	50,000	
First National Bank, Barnesville, Ohio	250,000	
National Bank of Barnesville, Barnesville, Ohio	200,000	
Bridgeport National Bank, Bridgeport, Ohio	50,000	
Central National Bank, Cambridge, Ohio	50,000	
First National Bank, Canton, Ohio	200,000	
Fifth National Bank, Cincinnati, Ohio	225,000	
German National Bank, Cincinnati, Ohio	100,000	
Market National Bank, Cincinnati, Ohio	50,000	
National La Fayette Bank, Cincinnati, Ohio	200,000	
First National Bank, Cleveland, Ohio	50,000	
Bankers' National Bank, Cleveland, Ohio	100,000	
Central National Bank, Cleveland, Ohio	200,000	
Colonial National Bank, Cleveland, Ohio	400,000	
Euclid Park National Bank, Cleveland, Ohio	450,000	
State National Bank, Cleveland, Ohio	200,000	
Union National Bank, Cleveland, Ohio	200,000	
Commercial National Bank, Columbus, Ohio	100,000	
New First National Bank, Columbus, Ohio	125,000	
Citizens' National Bank, East Liverpool, Ohio	50,000	
First National Bank, Ironton, Ohio	50,000	
Kenton National Bank, Kenton, Ohio	50,000	
First National Bank, Marietta, Ohio	50,000	
Marion National Bank, Marion, Ohio	50,000	
Citizens' National Bank, McConnelsville, Ohio	50,000	
Medina County National Bank, Medina, Ohio	50,000	
First National Bank, Niles, Ohio	50,000	
Piqua National Bank, Piqua, Ohio	50,000	
Quaker City National Bank, Quaker City, Ohio	50,000	
Second National Bank, Ravenna, Ohio	50,000	
First National Exchange Bank, Sidney, Ohio	50,000	
First National Bank, Springfield, Ohio	50,000	
Mad River National Bank, Springfield, Ohio	50,000	
First National Bank, St. Clairsville, Ohio	52,650	
National Exchange Bank, Steubenville, Ohio	100,000	
Merchants' National Bank, Toledo, Ohio	151,000	
Northern National Bank, Toledo, Ohio	825,000	
Western Reserve National Bank, Warren, Ohio	50,000	
First National Bank, Youngstown, Ohio	50,000	
First National Bank, Zanesville, Ohio	50,000	
Old Citizens' National Bank, Zanesville, Ohio	350,000	
Merchants' National Bank, Elmira, N. Y	50,000	
Fourth National Bank, Dayton, Ohio	50,000	
First National Bank, Defiance, Ohio	100,000	
First National Bank, Baker City, Oreg	100,000	
First National Bank, Eugene, Oreg	50,000	
United States National Bank, Portland, Oreg	100,000	
German National Bank, Allegheny, Pa	500,000	
Second National Bank, Allentown, Pa	50,000	
Ashland National Bank, Ashland, Pa	50,000	
Athens National Bank, Athens, Pa	100,000	
First National Bank, Blairsville, Pa	50,000	
Miners' National Bank, Blossburg, Pa	100,000	
Jefferson County National Bank, Brookville, Pa	50,000	
First National Bank, Canton, Pa	32,700	

Balances held to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
National Bank of Catasauqua, Catasauqua, Pa	$80,000	
Valley National Bank, Chambersburg, Pa	100,000	
Delaware County National Bank, Chester, Pa	300,000	
Clearfield National Bank, Clearfield, Pa	50,000	
County National Bank, Clearfield, Pa	50,000	
First National Bank, Clifton Heights, Pa	50,000	
National Bank of Chester Valley, Coatesville, Pa	75,000	
National Bank of Coatesville, Coatesville, Pa	100,000	
Tradesmen's National Bank, Conshohocken, Pa	50,000	
First National Bank, East Brady, Pa	50,000	
First National Bank, Ebensburg, Pa	50,000	
First National Bank, Emporium, Pa	100,000	
First National Bank, Greenville, Pa	75,000	
First National Bank, Hanover, Pa	50,000	
Harrisburg National Bank, Harrisburg, Pa	210,500	
First National Bank, Hollidaysburg, Pa	100,000	
Union National Bank, Huntingdon, Pa	50,000	
National Bank of Jersey Shore, Jersey Shore, Pa	50,000	
First National Bank, Johnstown, Pa	150,000	
Citizens' National Bank, Johnstown, Pa	50,000	
Farmers' National Bank, Kittanning, Pa	100,000	
Northern National Bank, Lancaster, Pa	200,000	
First National Bank, Lansford, Pa	50,000	
Lebanon National Bank, Lebanon, Pa	50,000	
People's National Bank, Lebanon, Pa	50,000	
National Bank of Malvern, Malvern, Pa	82,000	
Keystone National Bank, Manheim, Pa	51,000	
First National Bank, Marietta, Pa	50,000	
First National Bank, McKeesport, Pa	100,000	
National Bank of McKeesport, McKeesport, Pa	50,000	
First National Bank, Mount Carmel, Pa	50,000	
First National Bank, Mount Joy, Pa	50,000	
First National Bank, Newcastle, Pa	50,000	
Citizens' National Bank, Newcastle, Pa	53,000	
National Bank of Oxford, Oxford, Pa	50,000	
First National Bank, Perkasie, Pa	50,000	
Eighth National Bank, Philadelphia, Pa	100,000	
Farmers and Mechanics' National Bank, Philadelphia, Pa	162,500	
Fourth Street National Bank, Philadelphia, Pa		$1,458,000
Girard National Bank, Philadelphia, Pa	290,000	
National Bank of Germantown, Philadelphia, Pa	100,000	
Northwestern National Bank, Philadelphia, Pa	100,000	
Union National Bank, Philadelphia, Pa	200,000	
First National Bank, Pittsburg, Pa	300,000	
Federal National Bank, Pittsburg, Pa	50,000	
Merchants and Manufacturers' National Bank, Pittsburg, Pa	300,000	
People's National Bank, Pittsburg, Pa	750,000	
Union National Bank, Pittsburg, Pa	500,000	
National Bank of Pottstown, Pottstown, Pa	50,000	
Merchants' National Bank, Quakertown, Pa	50,000	
Reading National Bank, Reading, Pa	60,000	
First National Bank, Rimersburg, Pa	50,000	
National Bank of Sayre, Sayre, Pa	50,000	
Traders' National Bank, Scranton, Pa	120,000	
Sellersville National Bank, Sellersville, Pa	50,000	
National Bank of Slatington, Slatington, Pa	50,000	
Stroudsburg National Bank, Stroudsburg, Pa	50,000	
First National Bank, Sunbury, Pa	50,000	
First National Bank, Troy, Pa	50,000	
First National Bank, Tyrone, Pa	53,000	
Farmers and Merchants' National Bank, Tyrone, Pa	50,000	
First National Bank, Wellsboro, Pa	200,000	
First National Bank, West Chester, Pa	100,000	
Second National Bank, Wilkesbarre, Pa	50,000	
West Branch National Bank, Williamsport, Pa	150,000	
York National Bank, York, Pa	160,000	
National Exchange Bank, Providence, R. I	60,000	
Old National Bank, Providence, R. I	50,000	
People's National Bank, Charleston, S. C	81,000	
National Loan and Exchange Bank, Columbia, S. C	50,000	
City National Bank, Greenville, S. C	50,000	
National Bank of Greenville, Greenville, S. C	48,000	
National Union Bank, Rockhill, S. C	50,000	
Central National Bank, Spartanburg, S. C	52,700	
First National Bank, Madison, S. Dak	50,000	
First National Bank, Chattanooga, Tenn	50,000	
First National Bank, Dyersburg, Tenn	50,000	
City National Bank, Johnson City, Tenn	50,000	
Unaka National Bank, Johnson City, Tenn	50,000	
City National Bank, Knoxville, Tenn	100,000	
Mechanics' National Bank, Knoxville, Tenn	50,000	
National Bank of Commerce, Memphis, Tenn	300,000	
State National Bank, Memphis, Tenn	232,000	
Manchuchunk National Bank, Manchuchunk, Pa	50,000	
First National Bank, Clarksville, Tenn	50,000	
Amarillo National Bank, Amarillo, Tex	50,000	
First National Bank, Beaumont, Tex	50,000	
American National Bank, Beaumont, Tex	50,000	
State National Bank, Denison, Tex	50,000	
Commercial National Bank, Houston, Tex	50,000	
Merchants' National Bank, Houston, Tex	50,000	
First National Bank, Paris, Tex	50,000	
City National Bank, Paris, Tex	50,000	
First National Bank, San Angelo, Tex	50,000	
City National Bank, San Antonio, Tex	50,000	
Texarkana National Bank, Texarkana, Tex	140,000	
National Bank of Barre, Barre, Vt	50,000	
People's National Bank, Brattleboro, Vt	100,000	
Vermont National Bank, Brattleboro, Vt	100,500	
Lyndonville National Bank, Lyndonville, Vt	50,000	
Montpelier National Bank, Montpelier, Vt	275,000	
Killington National Bank, Rutland, Vt	50,000	
First National Bank, St. Johnsbury, Vt	100,000	
National Bank of Newbury, Wells River, Vt	50,000	

Balances held to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
National Bank of White River Junction, White River Junction, Vt	$50,000	
Woodstock National Bank, Woodstock, Vt	100,000	
First National Bank, Abingdon, Va	50,000	
Dominion National Bank, Bristol, Va	50,000	
First National Bank, Farmville, Va	50,000	
First National Bank, Harrisonburg, Va	50,000	
Rockingham National Bank, Harrisonburg, Va	50,000	
Loudoun National Bank, Leesburg, Va	100,000	
People's National Bank, Leesburg, Va	100,000	
First National Bank, Richmond, Va	270,000	
National Bank of Virginia, Richmond, Va	395,000	
Planters' National Bank, Richmond, Va	400,000	
National Exchange Bank, Roanoke, Va	50,000	
Augusta National Bank, Stanunton, Va	50,000	
National Valley Bank, Staunton, Va	50,000	
Tazewell National Bank, Tazewell, Va	50,000	
Farmers and Merchants' National Bank, Winchester, Va	60,000	
First National Bank, Everett, Wash	50,000	
American National Bank, Everett, Wash	50,000	
Capital National Bank, Olympia, Wash	50,000	
Traders' National Bank, Spokane, Wash	250,000	
Flat Top National Bank, Bluefield, W. Va	50,000	
Charleston National Bank, Charleston, W. Va	200,000	
Merchants' National Bank of West Virginia, Clarksburg, W. Va	200,000	
First National Bank, Fairmont, W. Va	50,000	
First National Bank, New Martinsville, W. Va	50,000	
Second National Bank, Parkersburg, W. Va	53,000	
First National Bank, Piedmont, W. Va	50,000	
First National Bank, Sistersville, W. Va	102,000	
Farmers and Producers' National Bank, Sistersville, W. Va	50,000	
Citizens' National Bank, Appleton, Wis	50,000	
Lumbermen's National Bank, Chippewa Falls, Wis	50,000	
Eau Claire National Bank, Eau Claire, Wis	50,000	
Fond du Lac National Bank, Fond du Lac, Wis	50,000	
Citizens' National Bank, Greenbay, Wis	50,000	
Rock County National Bank, Janesville, Wis	50,000	
National Bank of Merrill, Merrill, Wis	50,000	
Marine National Bank, Milwaukee, Wis	150,000	
Milwaukee National Bank, Milwaukee, Wis	240,000	
Citizens' National Bank, Oconto, Wis	50,000	
National Union Bank, Oshkosh, Wis	50,000	
First National Bank, Stevens Point, Wis	50,000	
National German-American Bank, Wausau, Wis	100,000	
First National Bank of the city of Superior, West Superior, Wis	152,700	
American National Bank, Fort Worth, Tex	50,000	
State National Bank, Fort Worth, Tex	50,000	
Laredo National Bank, San Antonio, Tex	50,000	
Citizens' National Bank, Tyler, Tex	50,000	
Jester National Bank, Tyler, Tex	50,000	
People's National Bank, Manassas, Va	50,000	
Marion National Bank, Marion, Va	50,000	
First National Bank, Newport News, Va	50,000	
Newport News National Bank, Newport News, Va	50,000	
First National Bank, Laramie, Wyo	50,000	

EXHIBIT D.

NATIONAL BANKS DESIGNATED AS REGULAR DEPOSITARIES OF PUBLIC MONEY.

Balances to the credit of the Treasurer of the United States, October 31, 1903.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
First National Bank, Birmingham, Ala	$30,606.59	
Alabama National Bank, Birmingham, Ala	50,000.00	
Merchants and Planters'—Farley National Bank, Montgomery, Ala	15,697.38	
City National Bank, Tuscaloosa, Ala	33,243.34	
First National Bank, Juneau, Alaska	46,741.19	
Prescott National Bank, Prescott, Ariz	45,499.87	
Exchange National Bank, Little Rock, Ark	53,605.46	
First National Bank, Eureka, Cal	48,511.05	
Los Angeles National Bank, Los Angeles, Cal		
National Bank of D. O. Mills & Co., Sacramento, Cal	99,448.84	
First National Bank, San Francisco, Cal	434,000.00	
American National Bank, San Francisco, Cal	286,931.19	
Nevada National Bank, San Francisco, Cal	400,000.00	
First National Bank, Denver, Colo	179,225.99	
Colorado National Bank, Denver, Colo	85,733.58	
Denver National Bank, Denver, Colo	139,223.68	
First National Bank, Durango, Colo	29,268.25	
First National Bank, Montrose, Colo	48,276.32	
First National Bank, Pueblo, Colo	247,891.34	
First National Bank, Bridgeport, Conn	140,894.96	
Charter Oak National Bank, Hartford, Conn	60,880.42	
Second National Bank, New Haven, Conn	49,448.03	
National Bank of Commerce, New London, Conn	95,410.96	
Thames National Bank, Norwich, Conn	45,359.69	
First National Bank, Wilmington, Del	15,467.16	
Central National Bank, Washington, D. C	120,111.38	
National Bank of Jacksonville, Jacksonville, Fla	127,577.84	
American National Bank, Pensacola, Fla	20,057.66	
First National Bank, Tampa, Fla	76,308.86	
Atlanta National Bank, Atlanta, Ga	158,428.23	
Lowry National Bank, Atlanta, Ga	185,334.42	
Merchants' National Bank, Savannah, Ga	72,772.98	
First National Bank of Hawaii, Honolulu, Hawaii [b]	153,490.63	

[a] Holdings in disbursing officer's accounts. [b] October 24.

Balances to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
Boise City National Bank, Boise, Idaho	$70,636.57	
First National Bank, Chicago, Ill		$1,000,000.00
Corn Exchange National Bank, Chicago, Ill	250,339.57	
Fort Dearborn National Bank, Chicago, Ill	250,000.00	
Millikin National Bank, Decatur, Ill	249,194.93	
Southern Illinois National Bank, East St. Louis, Ill	99,740.92	
Farmers' National Bank, Pekin, Ill	200,000.00	
German-American National Bank, Pekin, Ill	200,000.00	
First National Bank, Peoria, Ill	285,000.00	
Commercial National Bank, Peoria, Ill	485,000.00	
German-American National Bank, Peoria, Ill	285,000.00	
Illinois National Bank, Peoria, Ill	475,000.00	
Merchants' National Bank, Peoria, Ill	300,000.00	
Peoria National Bank, Peoria, Ill	285,568.64	
Rickee National Bank, Quincy, Ill	125,000.00	
Rock Island National Bank, Rock Island, Ill	4,449.54	
First National Bank, Springfield, Ill	66,459.25	
Illinois National Bank, Springfield, Ill	47,284.85	
State National Bank, Springfield, Ill	98,558.49	
Old National Bank, Evansville, Ind	50,000.00	
American National Bank, Indianapolis, Ind		1,000,000.00
Capital National Bank, Indianapolis, Ind	479,000.00	
Indiana National Bank, Indianapolis, Ind	426,297.56	
Merchants' National Bank, Indianapolis, Ind	851,074.83	
Citizens' National Bank, South Bend, Ind	100,000.00	
Vigo County National Bank, Terre Haute, Ind	190,800.64	
First National Bank, Vincennes, Ind	100,000.00	
German National Bank, Vincennes, Ind	105,000.00	
Commercial National Bank, Muskogee, Ind. T	20,332.61	
First National Bank, Burlington, Iowa	151,422.25	
First National Bank, Council Bluffs, Iowa	196,961.98	
First National Bank, Davenport, Iowa	200,000.00	
Citizens' National Bank, Davenport, Iowa	19,726.28	
Citizens' National Bank, Des Moines, Iowa	87,193.96	
Iowa National Bank, Des Moines, Iowa	79,419.16	
Second National Bank, Dubuque, Iowa	92,300.29	
First National Bank, Ottumwa, Iowa	192,981.42	
First National Bank, Sioux City, Iowa	50,000.00	
Security National Bank, Sioux City, Iowa	20,571.45	
Lawrence National Bank, Lawrence, Kans	47,608.63	
First National Bank, Leavenworth, Kans	13,060.42	
Leavenworth National Bank, Leavenworth, Kans	70,467.86	
Carrollton National Bank, Carrollton, Ky	100,000.00	
First National Bank, Covington, Ky	299,271.25	
Citizens' National Bank, Covington, Ky	133,172.95	
Farmers' National Bank, Danville, Ky	90,634.58	
State National Bank, Frankfort, Ky	50,000.00	
Lexington City National Bank, Lexington, Ky	199,914.80	
First National Bank, Louisville, Ky	258,766.21	
American National Bank, Louisville, Ky		1,500,000.00
Citizens' National Bank, Louisville, Ky	483,652.48	
Southern National Bank, Louisville, Ky	288,600.00	
Union National Bank, Louisville, Ky	415,837.32	
State National Bank, Maysville, Ky	50,000.00	
First National Bank, Owensboro, Ky	290,892.02	
National Deposit Bank, Owensboro, Ky	299,978.14	
New Orleans National Bank, New Orleans, La	200,000.00	
Whitney National Bank, New Orleans, La	313,949.20	
Granite National Bank, Augusta, Me	66,996.26	
First National Bank, Bangor, Me	48,986.40	
Merchants' National Bank, Portland, Me	59,798.49	
Merchants' National Bank, Baltimore, Md	282,000.00	
National Exchange Bank, Baltimore, Md	854,000.00	
National Mechanics' Bank, Baltimore, Md	641,642.04	
Second National Bank, Cumberland, Md	183,159.99	
Merchants' National Bank, Boston, Mass	735,000.00	
National Shawmut Bank, Boston, Mass		3,429,977.39
Mechanics' National Bank, New Bedford, Mass	49,322.01	
Third National Bank, Springfield, Mass	60,000.00	
First National Bank, Detroit, Mich	350,854.10	
Commercial National Bank, Detroit, Mich	216,389.04	
Old Detroit National Bank, Detroit, Mich	250,000.00	
Fourth National Bank, Grand Rapids, Mich	433,346.87	
Miners' National Bank, Ishpeming, Mich	49,973.73	
First National Bank, Marquette, Mich	52,144.05	
First National Bank, Menominee, Mich	50,000.00	
Second National Bank, Saginaw, Mich	525,000.00	
First National Bank, Duluth, Minn	48,732.64	
First National Bank, Minneapolis, Minn	190,425.74	
First National Bank, St. Paul, Minn	58,810.08	
Second National Bank, St. Paul, Minn	23,565.20	
First National Bank, Vicksburg, Miss	49,917.10	
First National Bank, Kansas City, Mo	185,181.10	
American National Bank, Kansas City, Mo	87,017.82	
National Bank of Commerce, Kansas City, Mo	821,994.67	
First National Bank of Buchanan County, St. Joseph, Mo	48,118.00	
National Bank of St. Joseph, St. Joseph, Mo	131,275.55	
Merchants' Laclede National Bank, St. Louis, Mo		1,229,900.00
National Bank of Commerce, St. Louis, Mo		2,344,981.83
State National Bank, St. Louis, Mo	850,250.00	
First National Bank, Great Falls, Mont	49,818.59	
American National Bank, Helena, Mont	72,942.77	
National Bank of Montana, Helena, Mont	31,246.12	
First National Bank, Lincoln, Nebr	59,629.50	
First National Bank, Omaha, Nebr	174,221.84	
Merchants' National Bank, Omaha, Nebr	100,000.00	
Nebraska National Bank, Omaha, Nebr	128,880.42	
Omaha National Bank, Omaha, Nebr	174,785.87	
United States National Bank, Omaha, Nebr	100,000.00	
First National Bank, Concord, N. H	196,760.48	
First National Bank, Portsmouth, N. H	110,305.22	
New Hampshire National Bank, Portsmouth, N. H	100,000.00	
First National Bank, Jersey City, N. J	450,000.00	
Union National Bank, Newark, N. J	84,197.40	
First National Bank, Paterson, N. J	274,000.00	
Paterson National Bank, Paterson, N. J	155,000.00	

Balances to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
First National Bank, Trenton, N. J	$34,255.33	
First National Bank, Albuquerque, N. Mex	114,478.10	
First National Bank, Santa Fe, N. Mex	30,298.34	
National Commercial Bank, Albany, N. Y	216,556.47	
National Exchange Bank, Albany, N. Y	192,732.70	
First National Bank, Binghamton, N. Y	49,898.75	
Nassau National Bank, Brooklyn, N. Y	167,874.28	
Third National Bank, Buffalo, N. Y	73,195.28	
Marine National Bank, Buffalo, N. Y	200,000.00	
Second National Bank, Elmira, N. Y	90,791.50	
Central National Bank, New York, N. Y	903,000.00	
Hanover National Bank, New York, N. Y		$5,212,164.80
Liberty National Bank, New York, N. Y	440,000.00	
National Bank of Commerce, New York, N. Y		5,615,391.11
National Citizens' Bank, New York, N. Y	499,878.87	
National City Bank, New York, N. Y		12,937,030.00
New Amsterdam National Bank, New York, N. Y	250,000.00	
Seaboard National Bank, New York, N. Y	201,000.00	
First National Bank, Oswego, N. Y	103,089.20	
Westchester County National Bank, Peekskill, N. Y	200,000.00	
Plattsburg National Bank, Plattsburg, N. Y	42,961.00	
Flour City National Bank, Rochester, N. Y	219,180.28	
Traders' National Bank, Rochester, N. Y	150,000.00	
Third National Bank, Syracuse, N. Y	145,849.46	
Manufacturers' National Bank, Troy, N. Y	115,869.11	
Second National Bank, Utica, N. Y	97,195.14	
Blue Ridge National Bank, Asheville, N. C	81,858.95	
Commercial National Bank, Charlotte, N. C	95,215.84	
First National Bank, Durham, N. C	50,000.00	
City National Bank, Greensboro, N. C	31,016.74	
Citizens' National Bank, Raleigh, N. C	65,244.70	
People's National Bank, Winston, N. C	50,000.00	
First National Bank, Fargo, N. Dak	140,879.84	
Second National Bank, Minot, N. Dak	49,942.80	
Minot National Bank, Minot, N. Dak	50,000.00	
First National Bank, Chillicothe, Ohio	132,196.12	
First National Bank, Cincinnati, Ohio	884,254.64	
Third National Bank, Cincinnati, Ohio	241,080.46	
Fourth National Bank, Cincinnati, Ohio	933,662.47	
Citizens' National Bank, Cincinnati, Ohio	925,000.00	
Ohio Valley National Bank, Cincinnati, Ohio	775,000.00	
Bank of Commerce, National Association, Cleveland, Ohio	121,915.01	
Deshler National Bank, Columbus, Ohio	242,641.77	
Hayden-Clinton National Bank, Columbus, Ohio	100,000.00	
Third National Bank, Dayton, Ohio	12,867.30	
Second National Bank, Hamilton, Ohio	50,000.00	
Miami Valley National Bank, Hamilton, Ohio	150,000.00	
Merchants' National Bank, Middletown, Ohio	100,000.00	
First National Bank, Toledo, Ohio	42,595.06	
Second National Bank, Toledo, Ohio	347,835.59	
Capitol National Bank, Guthrie, Okla	61,531.98	
Western National Bank, Oklahoma City, Okla	203,283.98	
First National Bank, Portland, Oreg	54,199.29	
Merchants' National Bank, Portland, Oreg	185,592.57	
First National Bank, Altoona, Pa	79,389.00	
First National Bank, Erie, Pa	38,752.11	
First National Bank, Harrisburg, Pa	196,240.50	
Conestoga National Bank, Lancaster, Pa	93,223.18	
New First National Bank, Meadville, Pa	50,000.00	
First National Bank, Philadelphia, Pa	50,000.00	
Corn Exchange National Bank, Philadelphia, Pa	729,146.16	
Merchants' National Bank, Philadelphia, Pa		1,663,739.06
Quaker City National Bank, Philadelphia, Pa	121,776.97	
Second National Bank, Pittsburg, Pa	640,000.00	
Mellon National Bank, Pittsburg, Pa	688,009.95	
Tradesmen's National Bank, Pittsburg, Pa	200,877.39	
First National Bank, Reading, Pa	200,040.00	
Third National Bank, Scranton, Pa	459,386.93	
First National Bank, Wilkesbarre, Pa	50,000.00	
First National Bank, York, Pa	50,000.00	
First National Bank, Newport, R. I	47,963.72	
First National Bank, Providence, R. I	45,077.36	
First National Bank, Charleston, S. C	101,398.67	
Carolina National Bank, Columbia, S. C	45,296.99	
Aberdeen National Bank, Aberdeen, S. Dak	20,373.82	
First National Bank, Deadwood, S. Dak	84,523.10	
First National Bank, Huron, S. Dak	43,159.82	
First National Bank, Rapid City, S. Dak	33,346.79	
Minnehaha National Bank, Sioux Falls, S. Dak	22,091.76	
National Bank of Bristol, Bristol, Tenn	48,673.60	
Chattanooga National Bank, Chattanooga, Tenn	193,612.56	
Manufacturers' National Bank, Harriman, Tenn	45,875.00	
East Tennessee National Bank, Knoxville, Tenn	38,816.11	
Holston National Bank, Knoxville, Tenn	50,000.00	
First National Bank, Memphis, Tenn	65,121.17	
First National Bank, Nashville, Tenn	105,102.48	
Merchants' National Bank, Nashville, Tenn	149,691.24	
First National Bank, Tullahoma, Tenn	49,946.67	
Austin National Bank, Austin, Tex	138,305.22	
American National Bank, Dallas, Tex	184,784.08	
City National Bank, Dallas, Tex	215,375.02	
National Exchange Bank, Dallas, Tex	200,000.00	
First National Bank, El Paso, Tex	140,720.43	
San Antonio National Bank, San Antonio, Tex	43,716.96	
Merchants and Planters' National Bank, Sherman, Tex	78,589.76	
Citizens' National Bank, Waco, Tex	35,000.00	
First National Bank, Ogden, Utah	9,826.31	
Utah National Bank, Ogden, Utah	49,542.80	
Deseret National Bank, Salt Lake City, Utah	297,122.24	
National Bank of the Republic, Salt Lake City, Utah	254,594.20	
Merchants' National Bank, Burlington, Vt	94,124.60	
First National Bank, Alexandria, Va	84,748.20	
First National Bank, Danville, Va	49,900.00	
Lynchburg National Bank, Lynchburg, Va	76,445.19	
National Bank of Commerce, Norfolk, Va	283,610.34	

Balances to the credit of the Treasurer of the United States, October 31, 1903—Continued.

Title of bank and location.	Less than $1,000,000.	$1,000,000 or more.
Norfolk National Bank, Norfolk, Va	$78,278.99	
American National Bank, Richmond, Va	500,000.00	
Merchants' National Bank, Richmond, Va	719,795.51	
National Bank of Commerce, Seattle, Wash	299,150.48	
Seattle National Bank, Seattle, Wash	199,644.24	
Washington National Bank, Seattle, Wash	145,422.68	
Exchange National Bank, Spokane, Wash	90,012.62	
National Bank of Commerce, Tacoma, Wash	56,682.88	
Citizens' National Bank, Charleston, W. Va	62,811.25	
Old National Bank, Martinsburg, W. Va	50,000.00	
First National Bank, Parkersburg, W. Va	148,551.76	
National Exchange Bank, Wheeling, W. Va	289,219.18	
Ashland National Bank, Ashland, Wis	89,946.80	
Kellogg National Bank, Greenbay, Wis	50,000.00	
National Bank of La Crosse, La Crosse, Wis	199,999.50	
First National Bank, Madison, Wis	34,760.27	
First National Bank, Milwaukee, Wis	10,767.58	
National Exchange Bank, Milwaukee, Wis	240,188.65	
Wisconsin National Bank, Milwaukee, Wis	249,989.82	
Old National Bank, Oshkosh, Wis	50,000.00	
First National Bank, Cheyenne, Wyo	17,214.82	
Stock Growers' National Bank, Cheyenne, Wyo	13,193.79	
ADDITIONAL DEPOSITARIES.		
Treasury of the Philippine Islands, Manila, P. I.[a]		$1,615,632.51
American Colonial Bank of Porto Rico, San Juan, P. R.	221,000.84	

[a] September 30.

The States are named in their order of population as shown by the census.

State.	Population.	October 31, 1903, United States deposits without interest.
1. New York	7,268,891	$42,724,893
2. Pennsylvania	6,302,115	14,943,499
3. Illinois	4,821,550	6,156,641
4. Ohio	4,157,545	5,568,650
5. Missouri	3,106,665	6,894,716
6. Texas	3,048,710	1,926,491
7. Massachusetts	2,805,346	10,636,199
8. Indiana	2,516,462	4,631,706
9. Michigan	2,420,982	1,277,607
10. Iowa	2,231,853	3,415,473
11. Georgia	2,216,331	1,210,534
12. Kentucky	2,147,174	5,223,656
13. Wisconsin	2,069,042	2,068,249
14. Tennessee	2,020,616	1,628,798
15. North Carolina	1,893,810	897,153
16. New Jersey	1,883,669	1,332,776
17. Virginia	1,854,184	[illegible]
18. Alabama	1,828,697	[illegible]
19. Minnesota	1,759,394	[illegible]
20. Mississippi	1,551,270	849,917
21. California	1,485,053	[illegible]
22. Kansas	1,470,495	475,730
23. Louisiana	1,381,625	866,949
24. South Carolina	1,340,316	478,894
25. Arkansas	1,311,564	53,605
26. Maryland	1,188,044	3,342,416
27. Nebraska	1,066,300	1,477,455
28. West Virginia	958,800	1,321,567
29. Connecticut	908,420	$1,861,391
30. Maine	694,466	435,720
31. Colorado	539,700	1,155,596
32. Florida	528,542	553,942
33. Washington	518,103	1,190,290
34. Rhode Island	428,556	202,640
35. Oregon	413,536	489,090
36. New Hampshire	411,588	1,545,865
37. South Dakota	401,570	264,492
38. Oklahoma	398,331	274,814
39. Indian Territory	392,060	2[illegible],332
40. Vermont	343,641	1,025,824
41. North Dakota	401,570	249,221
42. District of Columbia	278,718	8,510,111
43. Utah	276,749	611,060
44. Montana	243,329	254,006
45. New Mexico	195,310	203,776
46. Delaware	184,735	15,467
47. Idaho	161,772	170,636
48. Hawaii	[a] 154,001	153,490
49. Arizona	122,931	95,499
50. Wyoming	92,531	80,507
51. Alaska	63,592	46,741
52. Nevada	42,335	
Total population United States	76,303,387	
Philippine Islands[b]		1,615,632
Porto Rico	953,243	221,000

[a] October 24, 1903. [b] September 30, 1903.

New York in respect to population stands about one-eleventh; but when it comes to the disbursement of the funds raised from the people her share is over one-quarter, and the other States are specially favored by this liberality with the people's money.

The cities are named in the order of their population according to the census.

City.	Population.	October 31, 1903, United States deposits without interest.
1. New York	3,437,202	$39,952,307
2. Chicago	1,698,575	2,800,339
3. Philadelphia	1,293,697	4,975,411
4. St. Louis	575,238	6,771,381
5. Boston	560,892	6,459,977
6. Baltimore	508,957	2,471,642
7. Cleveland	381,768	1,721,915
8. Buffalo	352,387	278,395
9. San Francisco	342,782	1,590,991
10. Cincinnati	325,902	3,953,996
11. Pittsburg	321,616	4,308,009
12. New Orleans	287,104	613,940
13. Detroit	285,704	817,234
14. Milwaukee	285,315	890,944
15. Washington, D. C.	278,718	8,510,111
16. Newark, N. J	246,070	83,197
17. Jersey City, N. J	246,089	450,000
18. Louisville, Ky	204,731	2,926,795
19. Minneapolis, Minn	202,718	380,429
20. Providence, R. I	175,597	155,077
21. Indianapolis, Ind	169,164	3,408,371
22. Kansas City, Mo	163,752	1,533,132
23. St. Paul, Minn	163,065	704,375
24. Rochester, N. Y	162,608	369,180
25. Denver, Colo	133,859	501,191
26. Toledo, Ohio	131,822	895,270
27. Allegheny, Pa	129,896	500,000
28. Columbus, Ohio	125,560	567,641
29. Worcester, Mass	118,421	50,000
30. Syracuse, N. Y	108,374	145,849
31. New Haven, Conn	108,027	49,448
32. Paterson, N. J	105,171	429,000
33. Fall River, Mass	104,863	120,000

If favoritism and influence would be charged in the distribution of this surplus, this first group of States and cities, with their large and disproportionate per cent, would certainly prove the charge.

GROUP 1.

State.	Population.	October 31, 1903, United States deposits without interest.
1. New York	7,268,891	$42,724,893
2. Pennsylvania	6,302,115	14,943,499
7. Massachusetts	2,805,346	10,636,199
26. Maryland	1,188,044	3,342,416
42. District of Columbia	278,718	8,510,111

The next group shows States where political campaigns rage the fiercest and where some elements of doubt obtain.

GROUP 2.

State.	Population.	October 31, 1903, United States deposits without interest.
1. New York	7,268,891	$42,724,893
7. Massachusetts	2,805,346	10,636,199
8. Indiana	2,516,462	4,631,706
12. Kentucky	2,147,174	5,223,656
21. California	1,485,053	2,300,389
26. Maryland	1,188,044	3,342,416
27. Nebraska	1,066,300	1,477,455
31. Colorado	539,700	1,155,596

The next group shows a larger number of the favored States.

GROUP 3.

State.	Population.	October 31, 1903, United States deposits without interest.
1. New York	7,268,891	$42,724,893
2. Pennsylvania	6,302,115	14,943,499
3. Illinois	4,821,550	6,156,641
4. Ohio	4,157,545	5,568,650
7. Massachusetts	2,805,346	10,636,199
8. Indiana	2,516,462	4,631,706
10. Iowa	2,231,853	3,415,473
21. California	1,485,053	2,300,389
42. District of Columbia	278,718	8,510,111

The next group are large States not much favored in the distribution of the fruit of the people's burden, all safely Democratic.

GROUP 4.

State.	Population.	October 31, 1903, United States deposits without interest.
6. Texas	3,048,710	$1,926,491
11. Georgia	2,216,331	1,210,534
14. Tennessee	2,020,616	1,628,798
15. North Carolina	1,893,810	897,153
17. Virginia	1,854,184	1,332,776
18. Alabama	1,828,697	428,546
20. Mississippi	1,551,270	849,917
23. Louisiana	1,381,625	866,949
24. South Carolina	1,340,316	478,894
25. Arkansas	1,311,564	53,605

Group 5 shows eastern and Group 6 cities of West and South.

GROUP 5.

City.	Population.	October 31, 1903, United States deposits without interest.
1. New York	3,437,202	$39,952,307
3. Philadelphia	1,293,697	4,975,411
5. Boston	560,892	6,459,977
6. Baltimore	508,957	2,471,642
11. Pittsburg	321,616	4,308,009
15. Washington, D. C	278,718	8,510,111

GROUP 6.

2. Chicago	1,698,575	$2,800,339
7. Cleveland	381,768	1,721,915
9. San Francisco	342,782	1,590,991
10. Cincinnati	325,902	3,953,996
12. New Orleans	287,104	613,940
13. Detroit	285,704	817,234
14. Milwaukee	285,315	890,944
18. Louisville	204,731	2,926,795
19. Minneapolis	202,718	380,429
21. Indianapolis	169,164	3,408,371
22. Kansas City	163,752	1,533,132

Mr. Chairman, this is the people's money, contributed by them to meet the Government's expenses, money extorted from them. As to the policy by which it has been withdrawn from the people, it rests with the gentlemen on the other side, who insist "We must stand pat." And why? You know that as soon as there is an attempt at reduction of tariff taxes the first schedules to be attacked will be the schedules that yield no revenue, but simply act as a shelter to the trusts.

You never had a better exemplification of the result of your policy than when you sent this bill to the Senate two years ago, containing a provision which would have destroyed the sugar trust. At that time the gentleman from Ohio [Mr. GROSVENOR] voted against it, and we found the Senate—the majority of the members holding his sentiments—solidly banked up against the laying of a finger upon those great aggregations that need no protection. It is because the "stand-patter," numerically less than a majority of the Republican party, but in strength and influence able to dominate it by the peculiarities of the situation, insist that there shall be no tinkering with the tariff, because they know (whatever other reasons may be assigned) such action may destroy the trusts and do away with the surplus of $158,000,000, money which the people have paid in the form of taxation, of which the banks are to-day receiving the benefit, paying no interest to the Government, but loaning that money out to the people at the usual percentage.

Suppose that you men, who live either in cities or in counties, should find your municipal or county government collecting $50,000 more money than it needed for the administration of its affairs; and suppose that money were taken and placed in two banks of your county, to be there loaned out to the people of that neighborhood; what a revolt there would be among your constituency. Yet $158,000,000 is thus used by the action of this Republican House of Representatives.

I am glad that the Secretary of the Treasury has favored us with the information which shows us the condition of affairs in this respect. You may take the States and group them together, as I have done. In like manner you may take the cities by groups, and then you may draw your own inferences from population, locality, and preferences.

When you find your money going into the States where your political battles have been fought—when you find it going to localities where men high in official life are found—when you find such to be the conditions prevailing, I say that it is time for the people to rise and stop this iniquity and stop that sort of politics. The people will have to do it. The "stand-patters" and depositaries will not. They will favor a continuance of the present line of policy.

When can you get that money back? I ask my good friend from Illinois [Mr. BOUTELL]. I ask my good Massachusetts friend [Mr. MCCALL]. When can you get that money back? This burden of decision should not be placed upon the Secretary of the Treasury. We do not need this large surplus. It encourages extravagance and corruption.

In the bill providing for the Cuban war tax the Secretary of the Treasury was authorized to issue certificates of indebtedness up to the $100,000,000 to meet any emergency. That is a stronger reason why we do not want to pile up a surplus in the United States Treasury. No Secretary of the Treasury would often avail himself of that authority without having Congress called together; but the power is vested in him; the provision giving the Secretary of the Treasury this power is the one vestige of the war-tax bill that is to-day unrepealed, and it is available. There is no longer any need for continuing in force this provision authorizing the Secretary of the Treasury to issue certificates of indebtedness to pay the expenses of the Government, except upon the theory of a threatened deficit.

I have thought it proper to present these considerations to the House as bearing upon the whole question of tariff taxation and surplus and show the danger, to the end that the people of this country may know where this money is and who is responsible for taking it from them and placing it practically in the hands of the banks, who get the interest as a pure donation. [Applause.]

[Here the hammer fell.]

Mr. PAYNE. Does any gentleman on the other side desire to go on to-night? We have no speaker ready at this time.

Mr. WILLIAMS of Mississippi. Then I think it would be a good idea for the House to adjourn now. If any gentleman should begin his speech now, it would be split in two by the adjournment.

Mr. PAYNE. I move, then, that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902, and had come to no resolution thereon.

Mr. COOPER of Texas. Mr. Speaker, I shall not make a speech upon the pending bill for reasons known to my Democratic associates in the House. Before those reasons became binding I had submitted a minority report from the Committee on Ways and Means, which I now ask unanimous consent to have printed in the RECORD.

Mr. PAYNE. Mr. Speaker, I do not wish to object, but I ask in that connection that the report be printed in the RECORD.

Mr. WILLIAMS of Mississippi. I have no objection.

The SPEAKER. Is there objection to the printing of the report also in the RECORD? [After a pause.] The Chair hears none, and it is so ordered.

COMMITTEE ON ENROLLED BILLS.

The SPEAKER. The Chair appoints the following committee. The Clerk read as follows:

Committee on Enrolled Bills—Mr. WACHTER, Mr. BURK of Pennsylvania, Mr. WILSON of Illinois, Mr. FREDERICK LANDIS, Mr. LLOYD, Mr. JOHNSON of South Carolina, and Mr. LIVERNASH.

RESIGNATION OF A MEMBER.

The SPEAKER. The Chair presents the following letter of resignation.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., November 16, 1903.

Hon. JOSEPH G. CANNON,
Speaker of the House of Representatives.

DEAR SIR: Having tendered to the governor of the State of Texas my resignation as a Member of Congress from the Eighth district of Texas, effective after the 16th day of November, A. D. 1903, I now beg to advise you of my action, and through you the House of Representatives.

Very respectfully,
THOMAS H. BALL.

The SPEAKER. The letter will lie upon the table.

RECIPROCITY WITH CUBA.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I would like to have the two reports, the majority and minority reports, printed as one and in the same connection. I have already inserted the views of the minority in my remarks, and I ask that they be inserted with the other report.

Mr. PAYNE. Instead of printing your report with your remarks?

Mr. WILLIAMS of Mississippi. I want it to go with my remarks.

Mr. PAYNE. That will be printing it twice; but it is not lengthy, and I will not object.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The report of the committee is as follows:

The Committee on Ways and Means, to whom was referred the bill (H. R. 12021) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, having had the same under consideration, report the same back with a recommendation that the bill pass.

The enactment of this bill into law is necessary to give effect to the convention providing for reciprocal trade between this country and Cuba. This results not merely because the convention itself provides that it "shall not take effect until the same shall have been approved by the Congress," but because the Constitution gives no power to the President and the Senate to make a convention or treaty changing the rates of revenue. That power is expressly lodged in the Congress (sec. 8, Article I of the Constitution). Section 7 of the same article provides that "all bills for raising revenue shall originate in the House of Representatives." It is not intended here to cite authorities or advance reasons on this proposition. The records of Congress abound with unrefuted arguments on the affirmative of this contention, and the practice of Congress has been uniformly in the same direction. The reciprocity treaties with Great Britain in reference to our trade relations with Canada and with Hawaii were, by their terms, each dependent upon the passage by the Congress of appropriate legislation reducing the duties and making provision for the carrying into effect of their terms. Every treaty requiring the payment of money, from the Jay treaty to the treaty of Paris (with Spain), has been referred to the Congress to make the necessary appropriation of money. Foreign countries in making treaties with us are bound to take notice of this requirement of our Constitution, and, whether it is expressed in the treaty or not, the whole matter is subject to the necessary legislation by the Congress.

The convention to which this bill refers is by its terms not to "take effect until the same shall have been approved by the Congress." If, in the judgment of Congress, the terms of the treaty are to become the law of the land it is necessary, both by the terms of the convention and by force of the express requirement of the Constitution, that Congress pass the requisite legislation authorizing the change in our revenue laws.

To render the convention valid it is necessary to enact into law the language of the proviso of Article VIII, "and no sugar, the product of any other foreign country, shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897." To enact these words into law would be to admit, by implication, that duties could be lowered by treaty or convention. Your committee can not consent to this proposition, nor is it believed that such an admission would be sanctioned by any Member of the House. The bill, therefore, adds the following saving clause at the conclusion of this proviso:

"*And provided further*, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress originating in said House."

This proviso, in the judgment of your committee, preserves the contention of the House as to its rights and prerogatives under the Constitution.

Legislation upon this subject was very properly initiated in the House at the first session of the Fifty-seventh Congress. A bill was introduced early in the session "to provide for reciprocal trade relations with Cuba." That bill authorized the President to make a commercial agreement with Cuba, in most of its essentials identical with this convention now proposed. That bill was reported by this committee March 21, 1902, and finally passed the House with amendments April 19, 1902. The bill failed in the Senate, but the Executive took up the negotiations which have resulted in this convention, which was ratified by the Senate in March last.

This subject was first brought to the attention of Congress by the President in his message at the beginning of the first session of the Fifty-seventh Congress. He said:

"Elsewhere I have discussed the question of reciprocity. In the case of Cuba, however, there are weighty reasons of morality and of national interest why the policy should be held to have a peculiar application, and I most earnestly ask your attention to the wisdom—indeed, to the vital need—of providing for a substantial reduction in the tariff duties on Cuban imports into the United States. Cuba has in her constitution affirmed what we desired—that she should stand, in international matters, in closer and more friendly relations with us than with any other power; and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being."

These words were reenforced by the Secretary of War in his report, as follows:

"Aside from the moral obligation to which we committed ourselves when we drove Spain out of Cuba, and aside from the ordinary considerations of commercial advantage involved in a reciprocity treaty, there are the weightiest reasons of American public policy pointing in the same direction; for the peace of Cuba is necessary to the peace of the United States; the health of Cuba is necessary to the health of the United States; the independence of Cuba is necessary to the safety of the United States. The same considerations which led to the war with Spain now require that a commercial arrangement be made under which Cuba can live. The condition of the sugar and tobacco industries in Cuba is already such that the earliest possible action by Congress upon this subject is desirable."

The President has deemed the subject of sufficient importance to convene an extraordinary session of Congress in order that the convention may become effective before the commencement of the harvest of the new sugar crop in December. In his message to the present Congress he forcibly states his reasons for the passage of this legislation:

"The treaty submitted to you for approval secures to the United States economic advantages as great as those given to Cuba. Not an American interest is sacrificed. By the treaty a large Cuban market is secured to our producers. It is a market which lies at our doors, which is already large, which is capable of great expansion, and which is especially important to the development of our export trade. It would be indeed shortsighted for us to refuse to take advantage of such an opportunity, and to force Cuba into making arrangements with other countries to our disadvantage.

"This reciprocity treaty stands by itself. It is demanded on considerations of broad national policy as well as by our economic interest. It will do harm to no industry. It will benefit many industries. It is in the interest of our people as a whole, both because of its importance from the broad standpoint of international policy and because economically it intimately concerns us to develop and secure the rich Cuban market for our farmers, artisans, merchants, and manufacturers. Finally, it is desirable as a guaranty of the good faith of our nation toward her young sister Republic to the south, whose welfare must ever be closely bound with ours. We gave her liberty. We are knit to her by the memories of the blood and the courage of our soldiers who fought for her in war; by the memories of the wisdom and integrity of our administrators who served her in peace and who started her so well on the difficult path of self-government. We must help her onward and upward; and in helping her we shall help ourselves.

"The foregoing considerations caused the negotiation of the treaty with Cuba and its ratification by the Senate. They now with equal force support the legislation by the Congress which by the terms of the treaty is necessary to render it operative. A failure to enact such legislation would come perilously near a repudiation of the pledged faith of the nation."

This legislation will result in no harm to any American industry. Articles the product of this country like the articles embraced in this convention now imported from Cuba receive the very highest protection of any in the same schedule. The duty on sugar was placed above the protective point for the purpose of revenue. The House tariff bill provided expressly for a reduction in the interests of reciprocal trade agreements, which it authorized the President to make. The duty on tobacco has for years been much higher than any necessity required on account of the competition of Cuban tobacco. The reduction in this bill leaves it amply protected. The present rate was intended primarily for protection against the Sumatra leaf, 1 pound of which, for wrapper purposes, will go nearly as far as 4 pounds of any other tobacco. The reduction of duty in this bill will injure no American industry.

On the other hand, we can but make great gains in our export trade to Cuba. On account of the depression caused by the low price of sugar, although six or seven thousand men were employed in railroad building and there were large importations of railroad material and equipment during the year, Cuban imports have fallen off from an average of more than $66,000,000 in the preceding three years to about $49,000,000 in 1902. Of these imports we furnished less than 42 per cent. We should furnish at least 80 per cent. Under the preferential tariff rate provided in the convention we ought in a short time to supply practically the Cuban market. We produce everything she needs and buys. We shall have an advantage of from 25 to 40 per cent discount on tariff rates on articles with which we do not now supply her people. This legislation will certainly tend to bring prosperity to Cuba, and our imports must increase and our market broaden. Our trade will advance from year to year, as it did under the former period of reciprocal agreement (1891-1894) inaugurated under the McKinley Act. This legislation will bring rich results both to Cuba and to the United States, and will fittingly complete one of the proudest chapters in our history, which chronicles the sacrifices of a great nation for an oppressed and distressed people at our very door.

The views of the minority are as follows:

We, the minority members of the Committee on Ways and Means, make the following report of our views concerning H. R. 1921, being a bill entitled "A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902," introduced in the House of Representatives on the 12th day of November, 1903, by Mr. PAYNE, of New York, and referred to the Committee on Ways and Means:

We believe that the bill as reported by the Committee on Ways and Means to the House ought to have been amended in committee before being reported and ought now to be amended in the House before its passage, as follows:

By striking from the bill the following language, beginning in line 15, page 2, and ending in line 2, page 3:

"*Provided*, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897, and no sugar, the product of any other foreign country, shall be admitted by treaty or convention into the United States, while this convention is in force, at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897."

And by inserting the following in lieu thereof:

"That upon the making of said agreement and the issuance of said proclamation and while said agreement shall remain in force there shall be levied, collected, and paid, in lieu of the duties thereon now provided by law on all sugars above No. 16 Dutch standard in color and all sugar which has gone through a process of refining imported into the United States, 1.825 cents per pound."

Our objection to the language proposed to be stricken out is two-fold:

First, as a general principle, one Congress has no right to attempt to bind a succeeding Congress, as is attempted in this bill in the case of sugars imported from Cuba, nor to attempt to bind the treaty-making power of the United States in a succeeding Congress or under a succeeding Administration, as is attempted in the bill in the case of sugars imported from other foreign countries. We do not believe that the language proposed to be stricken out is, or could be made, of binding force and effect, even if enacted into law. It is, ostensibly, at any rate, a waiver, to some extent, of the general right of abrogation and establishes a precedent of evil import.

In the second place, we are not willing to bind ourselves nor silently to acquiesce in an attempt—although legally and morally ineffectual to bind us—to continue in existence, at a given fixed rate, a duty upon any product imported into the United States for any definite period, whether the article be sugar or anything else, or whether it be the product of the island of Cuba, or of any other country, or of all other countries.

Public needs and interests may at any moment suggest or require a different treatment of tariff schedules. A schedule is not a fetich to be worshiped. We hope, therefore, the House will strike out the provision.

We think, in the next place, that there ought to be inserted in lieu of the provision proposed to be stricken out, or elsewhere in the bill, the language proposed to be inserted by the amendment above referred to, because, in our opinion, we would thereby deprive the great sugar trust of this country of some of its power to extort from the consumer, curtail its power to bear down the price of the raw material, thereby injuring the sugar planter, and lessen its ability to dictate to wholesale and retail dealers in sugar the manner in which they shall do business and the price at which they shall sell refined sugar.

The House during the Fifty-seventh Congress took this view and passed an amendment identically worded as now proposed by us. The House took that view after a full investigation and a comparatively full discussion of the question, and the very treaty proposed to be put in force by this bill (H. R. 1921) would have been in force now had all those charged with the duty of legislation in other branches of the Government been willing to see the burden upon the American consumer of sugars and other products imported from Cuba into the United States lightened, or had they been willing to see the Cuban market for American products enlarged, even though at some expense to the great sugar trust of the United States. The only injury to the trust itself even would have been to lessen to a small degree its power to extort from the consumer and to tyrannize over producers and commerce.

If the amendment we propose to offer shall be adopted, we shall gladly vote for the bill, believing that it will at one and the same time diminish to a certain extent the trust evil, furnish a better and wider and further market for American agricultural and manufactured products in Cuba, and benefit the American consumer of Cuban products. These are three consummations devoutly to be wished.

If the amendment shall not be adopted, we still recommend the passage of the bill despite its bad features, because we think that the good to be done by its passage will far overbalance the evil which will result from a failure to take advantage of the opportunity to diminish the power of the sugar trust and the evil resulting from the bad precedent proposing, ineffectually it is true, to prevent the country from still further reducing the duties upon Cuban sugars and upon sugars from other countries whenever it shall appear wise and expedient to do so by reciprocal treaty agreement or statute law.

Believing, as we do, that commerce ought to be as nearly untrammeled as possible, consistently with the needs of a revenue for economical and effective governmental administration, and consistently with a desire not to revolutionize existing conditions by destroying honest, legitimate, and nonmonopolistic enterprises, we find in this bill an affirmance of that principle, a step in the right direction and, furthermore, a recognition of the fact that a decrease of governmental tolls levied upon international commerce constitutes a benefit to the countries between which the commerce is carried on.

Charged with the duty of legislating for the benefit of the American people, as we are, and friends to the new-born Republic of Cuba, desiring her prosperity, we recognize that this bill will, to some extent, relieve the unnecessary burdens upon both Americans and Cubans, enabling the Americans to buy Cuban products at more reasonable prices and enabling the Cubans to buy American products at more reasonable prices, thereby enlarging the volume of trade between the two countries in both directions.

We regret that the party in power has not seen its way to confer still further benefits upon citizens of both nations by providing for even freer and yet more untrammeled and unrestricted commerce between them. As long as the present party is in power we can perhaps hope for tariff reductions and revision only from reciprocity treaties. It is a piecemeal process, but it is better than no process at all. We hail it as a harbinger of future reciprocity treaties with other countries, especially those upon the American Continent, and notably our neighbor to the north, the Dominion of Canada.

Commercial wars are detrimental, sometimes destructive. They are wars in which there can not be a victor on either side—wars as a result of which both sides endure defeat. Friendly relations between peoples can not be as certainly secured in any other way as by the reciprocal benefits of trade and commerce. Men of different nations bound to one another by large and valuable trade relations are bound by the closest tie of a materialistic character known to human nature—the tie of self-interest. They have given a mutual bond to keep the peace, and strenuous "jingoism" itself hesitates, under such circumstances, to disturb it.

We recommend the passage of the amendment referred to above, and, failing in that, having filed our protest by voice and vote against the right or power to bind our future conduct, we still recommend the passage of the bill.

JOHN S. WILLIAMS.
CLAUDE A. SWANSON.
GEO. B. MCCLELLAN.
CHAMP CLARK.

The views of Mr. COOPER of Texas are as follows:

Since filing my objections to the bill of the Fifty-seventh Congress (H. R. 12765) providing for commercial reciprocal relations with Cuba, I have carefully considered the subject further, from every point of view, with the result that my objections to the Cuban reciprocity project have become only strengthened and confirmed, and I can not approve or support the bill (H. R. 1921) reported in this extraordinary session of the Fifty-eighth Congress by the majority of the Ways and Means Committee.

In the light of all the facts and arguments pertaining to the subject, so far as I can apprehend and understand them, the bill and the purpose for which it is framed will not prove beneficial to the people of either Cuba or the United States, nor is the measure demanded by any considerations of honor, duty, or even expediency; but, on the contrary, the bill, in my judgment, will tend, if enacted, to the injury of our own people, if not also the Cubans themselves.

At the outset, grave doubts as to the constitutionality of the bill present themselves. The subject-matter of the pending treaty, or "commercial convention," relates entirely to a question of revenue, and by the Constitution the initiative in all matters touching the revenue is given to the House of Representatives. Waiving the point as to the right of the Senate to exercise the treaty-making power when the treaty under consideration is one solely affecting the revenue, it is now claimed by the supporters of the proposed legislation that the right of the House of Representatives to the initiative in revenue matters is preserved in this case by the introduction of this bill in the House in lieu of similar initiative action in the Senate.

But it appears to me to be plainly a subterfuge to contend that this is a bill of the House, when its only purpose and effect is to ratify a treaty or law already perfected in form by the other branch of Congress, and practically already ratified in that branch, under the treaty-making power conferred by the Constitution, which treaty or law the House is now simply called upon by the majority to accept as a fait accompli, without any voice as to the wording of the original document, and even without the privilege of amending or modifying the terms laid down by its constructors. It certainly appears an unconstitutional proceeding thus to tie the hands of the House of Representatives in a matter of legislation affecting the revenue.

Aside from this point, the proposed reciprocity agreement, in my judgment, is open to many and strong objections on political and practical grounds.

The proposed reciprocity is both undemocratic and unrepublican. It is undemocratic in that the Democratic theory of taxation is that all taxation should be equal and uniform, and that bounties or subsidies to certain favored individuals or interests are unjust and illegal. Reciprocity, in its very nature, is an indirect bounty or subsidy. In the case at issue the beneficiaries of the subsidy would be sugar-refining interests and some other special interests affected by the proposed tariff rebates, and the amount of benefit reaped by them would have to be made up for by taxation of the whole people upon some other articles not covered by the treaty.

The proposed reciprocity is unrepublican in that it deliberately seeks to injure and interfere with a home industry by lowering tariff rates which protect that industry, and thus directly inviting and stimulating a rival foreign industry. It is republican only in so far as it is preferential and discriminating. It is a long step toward a free-trade South and a protected East and North, in that it trades off agricultural tariffs to secure foreign markets for the trusts in manufactured goods, an odious doctrine to a Democrat who believes in equal rights to all and special privileges to none; violative of the declaration of the Chicago Democratic platform of 1896, which declared for a tariff for revenue "so levied as not to discriminate against sections."

A reciprocity treaty of the nature of the pending treaty—a preferential compact between two individual nations—violates the fundamental principles of both Democracy and Republicanism. It violates both the tariff-for-revenue principle and the tariff-for-protection principle. In the present case it violates the protection principle because it proposes to allow the introduction into this country, at reduced tariff rates, of large quantities of sugar and other commodities extensively produced in the United States. It violates the tariff-for-revenue principle because it deliberately lops off about $8,000,000 of our annual revenue without benefit to the consumer, takes this amount out of our Treasury and gives it to certain favored beneficiaries, and compels our taxpayers to make up the deficiency thus arbitrarily created.

The bill, in its practical operation, can not benefit the consumer, the producer, or the Treasury. The increased output of sugar from Cuba will be controlled by the sugar trust, and it has been proved with sufficient conclusiveness that in all probability the benefits of the proposed rebate would be appropriated by the managers of the trust, and that even if a portion thereof should find their way to the producers in Cuba the Cubans themselves would not be benefited, because fully 70 per cent of the planters in the island are foreigners—Americans, Spaniards, Germans, etc.

The trust will continue to control not only the output and the producer, but also the price and the consumer. The increase of the inflow of sugar from Cuba will not in the least diminish the price to the American consumer. The price of sugar here depends on the world price, as fixed at Hamburg. It is not affected at all by the amount of the supply in our home market. The consumer would thus be without benefit in the way of reduced price of sugar, and would be positively injured by being compelled to pay taxes to the amount of about $8,000,000 to make up the revenue diverted by this bill, or treaty, from the Treasury of the United States into the pockets of the managers of the sugar trust.

One of the strongest objections to the bill lies against the extraordinary supplemental provision prohibiting the House of Representatives from making any further reductions in the duty on sugar during the life of the treaty. In other words, if the House sanctions this instrument, and if the bill becomes a law, the House spontaneously abrogates its constitutional right to initiate alterations in the tariff on sugar, and binds itself not to make any such alterations in that tariff for at least five years to come. I can not but consider such a proposition as this, involving the surrender of the prerogatives and the abandonment of the duties of this branch of the Government, as being wholly unprecedented in its audacity.

I do not find that this country is under any moral obligation, expressed or implied, to enact this measure. There is nothing in the treaty of Paris or in the so-called Platt amendment calling for it. We have already done all, and much more than all, that we were in honor bound to do for the benefit of Cuba. There is nothing in law or in morals justifying the contention that Cuba is a political dependency of the United States, or that the United States is morally bound to insure and guarantee the success of the Cuban Republic. This theory is not only unsound, but also humiliating to both countries, and it is very properly resented and repudiated by the leading Cubans themselves.

The plea that this special favor to the Cubans should be granted as an act of charity or benevolence, because the Cubans are in desperate financial straits and on the verge of political collapse and commercial failure, is found on examination to be equally unsound. In fact, the Cubans are now exceedingly prosperous, and their success, both politically and commercially, is assured. This is proved by the most recent official publications of the Cuban authorities and also by numerous publications of our own Government, and also by the testimony of financial and commercial statistics gathered from many independent and impartial sources, not only in this country and Cuba but also in Europe.

The only great trouble confronting the Cubans is the low price of sugar, but this will be only partially met by the passage of this bill, and the only efficacious remedy for this trouble will be found in greater diversification of crops in Cuba, and a turning over of certain portions of the Cuban sugar lands to the production of coffee, fruits, etc., even as these same lands were formerly turned over from coffee to sugar production when the prices of sugar ran very high.

Cuba's foreign trade has gone up from about $50,000,000 in 1896 and 1897 to about $125,000,000 in 1902, and will in all probability amount to at least $150,000,000 in the calendar year 1903. It is increasing of late by leaps and bounds. The exports of Cuban sugar to this country in the fiscal year 1902 were 439,000 tons, and in the fiscal year 1903 they were more than 1,000,000 tons. The value of the tobacco export from Cuba to this country in 1902 was less than $11,000,000, while that of the present year has exceeded $13,000,000. The export of pineapples and other fruits from Cuba has doubled since 1902. The value of Cuban products and exports in the line of mineral ores, lumber, etc., is increasing annually at a rapid rate.

Between 1899 and 1903 Cuba's total exports of sugar and molasses have increased in value from $19,000,000 to over $40,000,000; of tobacco from $21,000,000 to $25,000,000; of iron ore, asphalt, and other mineral products from $500,000 to $2,000,000; of fruits and vegetables from $800,000 to $1,900,000, and of all kinds of merchandise from $45,000,000 to $68,000,000 in 1902, with a certainty of a great further advance in 1903.

This expansion of Cuba's foreign trade is not only with this country, but with the European countries. The statistics show that between 1898 and 1902 Cuba's exports to the United Kingdom increased more than 100 per cent, and her exports to Germany more than 150 per cent. Altogether, Cuba seems to be doing very well and not to be in pressing need of any special benevolences.

Legislation such as is proposed in this bill will assuredly anger and alienate other friendly powers. It is a measure expressly calculated and intended to assist this country and one other country at the expense of all the other countries. If it should prove of material benefit to Cuba and the United States in any respect, in so far it would prove proportionally injurious to the other nations. I can not see how we should gain by courting a little additional trade with Cuba, if we thereby invite retaliation and reprisals by other nations.

There is nothing going to prove that our export trade to Cuba would be materially benefited by the proposed legislation. Our exports to Cuba now are as large, if not larger than they were under the reciprocity of 1891-1894. The Cuban tariff is low, and affords no material bar to the purchase by the Cubans of anything they want, in whatever market their tastes are best suited. With or without reciprocity, they will continue buying their shoes from Spain and their textile goods from England, because they fancy those products.

This bill does not require Cuba to enact stringent immigration laws, like those of the United States. As a consequence, cheap labor will naturally gravitate to Cuba and produce sugar there in competition with the high-priced labor of the United States.

In thus presenting some of my principal objections to the pending bill and treaty, I wish to include, in conclusion, the views which I offered in opposition to the previous reciprocity bill (H. R. 12765) on the 5th of April, 1902, as follows:

MINORITY VIEWS.

[To accompany H. R. 12765.]

After giving due attention to the evidence submitted to the Ways and Means Committee in support of and in opposition to legislation proposed by the President and Governor-General Wood for the benefit of Cuba, I am unable to give my support to the bill reported by the majority of the Ways and Means Committee.

In my judgment the bill as reported does not commend itself to the judgment of anyone at interest and will not be effective for any good purpose

whatever, while it is open to many serious objections. Had the Ways and Means Committee reported a bill removing the differential in favor of refined sugar, which differential gives the American Sugar Refining Company, commonly called the "sugar trust," a monopoly, enabling it to fix the price of raw sugar to the producer and refined sugar to the consumer, and had the bill proposed to give any relief to the consumer, I would gladly have supported the bill accompanied with a proper reduction upon the present tariff upon sugar.

The form in which the bill has been reported has converted a pretended sympathy for Cuba into a measure which will not be of benefit to Cuba, will not relieve the American consumer from taxation, or lessen the cost of his consumption, but redound largely to the interest of the "sugar trust" and other "manufacturing trusts" at the expense of American agricultural and horticultural interests. I submit—

First. That the reduction of 20 per cent upon the sugar schedule, as proposed by the bill, will be of no practical benefit to the Cubans, and with this statement President Roosevelt, Governor-General Wood, and other advocates of a reduction in our tariff upon sugar are agreed.

Second. That there is no such distress in Cuba as to demand any change in our tariff laws, and this statement is derived from a fair analysis of all the testimony before the Ways and Means Committee.

Third. This Government is under no obligations, by reason of the Platt amendment, to make tariff concessions to Cuba not made to all other countries alike. We have expended $250,000,000 in giving Cuba her liberty, and the conditions imposed upon her do not prevent the making of commercial treaties with any other country. In fact, the total production of sugar in Cuba to day finds a market in the United States simply because, even under present tariff laws, she receives more for her sugar here than she could elsewhere.

Fourth. No reduction in taxation upon the American consumer will be had should the proposed bill become a law, and it is not contended by any person well informed that the consumer will pay any less here by reason of the proposed reduction. The present differential in favor of refined sugar prohibits the refining of sugar in Cuba, and compels the shipment of her sugar in a raw state to this country, where the "sugar trust" is the chief purchaser. It is not believed that the trust will give Cuba the benefit of this reduction. On the contrary, it is more likely, the price of sugar being fixed in Hamburg, that the "sugar trust" will not only pocket this reduction, but will use it as a club to compel the producers of sugar in the United States to sell their raw sugar to the trust at an equivalent reduction without any concession whatever to the consumer.

Fifth. The proposed bill will simply take from the Federal Treasury about $5,000,000 of annual revenue and transfer it to the coffers of the "sugar trust," without relief from excessive taxation to the citizens of the United States or benefit to the consumers of sugar.

Sixth. It inaugurates the policy of reciprocity, which, as now advocated by the Republican party, is as undemocratic as a tariff for protection, and which has been aptly called "the handmaiden of protection." The Democratic view has always been that tariffs should be laid fairly and equitably to raise revenue for the support of the Government. It is as much a perversion of the taxing power to use it as a means to dicker and barter with other countries as it is to use it to protect favored industries against foreign competition. Tariffs should be framed for revenue and should be applied to all nations alike, enabling them to trade with us upon terms of equality. Instead of "Peace, amity, and commerce with all nations, entangling alliances with none," we will enter upon a policy provocative of jealousies, dissensions, reprisals, and retaliation by foreign powers toward this country, and in the vortex tariff reform and tariff for revenue will be lost sight of, to be supplanted by unscientific, unfair, and unequal tariff schedules. Reciprocity trade relations will necessarily result in a struggle here upon the part of powerful industries to obtain trade concessions abroad at the expense of other industries which are less powerful at court, and in such a contest the powerful interests will be supreme and the weaker "go to the wall." As tersely stated by a distinguished member of Congress, "Free trade for the farmer, protection for the trusts."

Seventh. The proposed bill is not a revenue measure, not a reduction of taxation, but a bill to give double protection to the great interests which refuse to reduce their exactions upon the American people. The present extravagantly high protective tariff is maintained in favor of all the great trusts in the United States, which are now selling abroad for less than they are selling at home, and still shields them from foreign competition here, while Cuba is required to give them a differential of 20 per cent against all other countries to protect them there.

Eighth. The proposed bill will force Cuba to abandon her present revenue tariff and adopt a protective system, and that, too, not for her own benefit, but at the cost of her consumers, to protect American manufacturers against foreign competition in the Cuban market. The present tariff in force in Cuba is purely a revenue measure, and yields barely sufficient for her purposes. If this bill becomes a law, Cuba will be compelled to meet its provisions, not by reducing her tariff upon imports from the United States, but by raising her tariff upon the products of countries other than the United States brought into Cuba, and the Democrat who votes for this bill will vote for a measure which takes millions of dollars out of the Federal Treasury and presents it to the "sugar trust" without a dollar's benefit to the American consumer, and to force Cuba to abandon a tariff for revenue only and adopt a protective-tariff system for the benefit of the greedy interests which have fattened upon exactions wrung from our citizens, and whose rapacity now reaches out to oppress the Cubans under the guise of "a measure to relieve distress."

S. B. COOPER.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill H. R. 1963, to increase the membership of the Court of Claims, and for other purposes, was changed from the Committee on Claims to the Committee on the Judiciary.

Mr. PAYNE. I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the secretary of Hawaii, relating to the transmission of the laws and journals of the legislature of the Territory—to the Committee on the Territories, and ordered to be printed.

A letter from the secretary of New Mexico, transmitting a copy of a memorial on the subject of good roads—to the Committee on Agriculture.

A letter from the mayor of Tacoma, transmitting a copy of a memorial of the people of that city in relation to the treatment of Hebrews at Kischineff—to the Committee on Foreign Affairs.

A letter from D. P. Ballard, preferring charges against the governor of the Central Branch, National Home for Disabled Volunteer Soldiers—to the Committee on Military Affairs.

Joint resolution of the legislature of Hawaii, protesting against making a portion of that Territory a national home for lepers—to the Committee on the Territories.

Joint resolution of the legislature of Hawaii, asking an amendment to the laws relating to the use of the Hawaiian language—to the Committee on the Territories.

Joint resolution of the legislature of Hawaii, asking for appropriations for the improvement of the harbors of Honolulu and Hilo—to the Committee on Rivers and Harbors.

Joint resolution of the legislature of Hawaii, asking legislation for the furtherance of education in the Territory—to the Committee on the Territories.

Joint resolution of the Territory of Hawaii, asking that the people of that Territory be enabled to organize a State government—to the Committee on the Territories.

Joint resolution of the legislature of Wisconsin, asking Congress to call a constitutional convention for the purpose of submitting to the States for ratification an amendment to the Federal Constitution providing for the election of United States Senators by the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Memorial of James W. M. Newlin, preferring charges against Andrew Kirkpatrick, United States judge for New Jersey—to the Committee on the Judiciary.

A letter from the Secretary of the Navy, transmitting report of a board appointed to recommend a site for a naval magazine—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Navy, transmitting a copy of a communication from the vice-president and general manager of the Commercial Pacific Cable Company, relative to legislation desired for the Midway Islands—to the Committee on Naval Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WILLIAMS of Mississippi, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, on behalf of the minority of said committee, submitted their views (Report No. 1, part 2); which said views of the minority were referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Texas, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, submitted his views (Report No. 1, part 3); which said views were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MARTIN: A bill (H. R. 2863) for the relief of assistant surgeons in the Volunteer Army of the United States—to the Committee on Military Affairs.

By Mr. GARNER: A bill (H. R. 2864) to amend section 1 of chapter 558 of the Revised Statutes of the United States—to the Committee on Claims.

Also, a bill (H. R. 2865) to provide for the erection of a public building at Eagle Pass, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. MACON: A bill (H. R. 2866) to amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.," approved April 24, 1888—to the Committee on Interstate and Foreign Commerce.

By Mr. BATES: A bill (H. R. 2867) to pension all soldiers and sailors who served in the Army or Navy of the United States ninety days in war of the rebellion, and who were honorably discharged therefrom, at the rate of $12 per month, and also placing

on the pension roll of the United States the widows of such soldiers and sailors who were married prior to June 27, 1890—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 2868) for the opening of a street in Mount Pleasant, D. C.—to the Committee on the District of Columbia.

By Mr. WILEY of New Jersey: A bill (H. R. 2869) granting pensions to army locomotive engineers, and providing pensions to widows and minor children of army locomotive engineers—to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 2870) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806, and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building, and to authorize an appropriation for all said purposes—to the Select Committee on Industrial Arts and Expositions.

By Mr. CRUMPACKER: A bill (H. R. 2872) to punish lynching of aliens—to the Committee on the Judiciary.

By Mr. LANNING: A bill (H. R. 2873) in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000 therefor—to the Committee on the Library.

By Mr. COUSINS: A bill (H. R. 2874) to provide for the annual pro rata distribution of the annuities of the Sac and Fox Indians of the Mississippi between the two branches of the tribe, and to adjust the existing claims between said branches of the tribe as to said annuities—to the Committee on Indian Affairs.

By Mr. LEVER: A bill (H. R. 2875) to provide for the erection of a monument to Maj. Gen. Thomas Sumter—to the Committee on the Library.

By Mr. KEHOE: A bill (H. R. 2876) providing for payment of funeral expenses of certain pensioners—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 2877) in amendment of section 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 2878) providing for the erection of a public building at the city of Walla Walla, in the State of Washington—to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 2879) to validate certain certificates of soldiers' additional homestead right—to the Committee on the Public Lands.

By Mr. GARDNER of Massachusetts: A bill (H. R. 2880) to make the port of Gloucester, Mass., a port of entry for merchandise—to the Committee on Ways and Means.

By Mr. MONDELL: A bill (H. R. 2881) to provide for the purchase of a site and the erection of a public building thereon at Sheridan, in the State of Wyoming—to the Committee on Public Buildings and Grounds.

By Mr. UNDERWOOD: A bill (H. R. 2882) to protect merchants and traders from oppression by trusts and combines—to the Committee on the Judiciary.

By Mr. LIVINGSTON: A bill (H. R. 2883) to provide a site and erect a public building in Monroe, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 2884) to amend section 3296, Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. COUSINS: A bill (H. R. 2885) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898—to the Committee on the Judiciary.

By Mr. RUCKER: A bill (H. R. 2886) to promote the circulation of reading matter among the blind—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2887) providing for the erection of a public building at Trenton, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2888) providing for the erection of a public building at Brookfield, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2889) providing for the erection of a public building at Chillicothe, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2890) providing for the erection of a public building at Carrollton, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. McANDREWS: A bill (H. R. 2891) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896—to the Committee on the District of Columbia.

By Mr. GAINES of Tennessee: A bill (H. R. 2892) further regulating the class of matter denied admission to the mail—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 2893) to provide for the purchase of a site and the erection of a public building thereon at Springfield, Tenn., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

By Mr. UNDERWOOD: A bill (H. R. 2894) authorizing the improvement of the Black Warrior River above Tuscaloosa, Ala., between Lock and Dam No. 4 and Valley River, and the improvement of Valley River, Alabama, from its mouth to McAdory—to the Committee on Rivers and Harbors.

By Mr. MORRELL: A bill (H. R. 2895) amending the act of January 26, 1897, entitled "An act for the relief of telegraph operators who served in the war of the rebellion"—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 2896) to provide for the construction of a public building at Oregon City, Oreg.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2897) to ratify an agreement with the Indians of the Klamath Indian Reservation, in Oregon, and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

Also, a bill (H. R. 2898) providing for a life-saving station at the entrance to Tillamook Bay, in Oregon, and for life-saving crew, and so forth—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 2899) extending the privilege of bounty land to persons in the Indian wars of the United States subsequent to March 3, 1855—to the Committee on the Public Lands.

Also, a bill (H. R. 2900) to limit the character of lands selected in lieu of lands covered by unperfected bona fide claims or patents within public forest reservations—to the Committee on the Public Lands.

By Mr. DICK: A bill (H. R. 2901) for a public building at Ashtabula, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 2902) for an additional appropriation for a public building at Warren, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. LESTER: A bill (H. R. 2903) to establish a subtreasury at Savannah, Ga.—to the Committee on Ways and Means.

By Mr. McCALL: A bill (H. R. 3536) requiring corporations operating street railways within the District of Columbia to equip open cars with guard rails, and for other purposes—to the Committee on the District of Columbia.

By Mr. LESTER: A bill (H. R. 3537) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on War Claims.

By Mr. VAN VOORHIS: A bill (H. R. 3538) for the erection of a public building in the city of Marietta, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Wisconsin: A bill (H. R. 3539) to retire on full pay certain disabled persons from the United States Light-House Service—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3540) to provide for a Delegate to the House of Representatives of the United States from Porto Rico—to the Committee on Insular Affairs.

By Mr. McCALL: A bill (H. R. 3541) to authorize the purchase of the statue "America," by Cyrus Cobb—to the Committee on the Library.

By Mr. RIXEY: A bill (H. R. 3542) to provide for the building of a public avenue on the south side of the Potomac River from the city of Washington to Mount Vernon—to the Committee on Claims.

By Mr. REEDER: A bill (H. R. 3543) granting an increase of pension to certain persons—to the Committee on Invalid Pensions.

By Mr. GAINES of Tennessee: A joint resolution (H. J. Res. 32) proposing an amendment to the Constitution fixing the terms of the President at six years—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. UNDERWOOD: A joint resolution (H. J. Res. 33) proposing an amendment to the Constitution providing for the repeal of the fifteenth amendment—to the Committee on the Judiciary.

By Mr. HARDWICK: A joint resolution (H. J. Res. 34) proposing to amend the Constitution by repealing the fifteenth amendment—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 35) proposing an amendment to the Constitution by providing that all of section 2 of the fourteenth amendment, except its first sentence, shall be repealed—to

the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. MORRELL: A joint resolution (H. J. Res. 36) providing that money heretofore appropriated for a 30-foot channel in the Delaware River be applied for the construction of a 35-foot channel in same river—to the Committee on Rivers and Harbors.

By Mr. ADAMS of Pennsylvania: A concurrent resolution (H. C. Res. 6) providing for a survey of the Delaware River—to the Committee on Rivers and Harbors.

By Mr. GAINES of Tennessee: A concurrent resolution (H. C. Res. 7) that there be published and bound 10,000 copies of state papers and correspondence bearing upon the purchase of the territory Louisiana—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. JENKINS: A bill (H. R. 2877) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia—to the Committee on the District of Columbia.

By Mr. ADAMSON: A bill (H. R. 2904) granting a pension to Rhoda A. Patman—to the Committee on Pensions.

Also, a bill (H. R. 2905) granting a pension to Mrs. Penny F. Stevens—to the Committee on Pensions.

Also, a bill (H. R. 2906) granting a pension to Ruetha Moran—to the Committee on Pensions.

Also, a bill (H. R. 2907) granting a pension to John McMichael—to the Committee on Pensions.

Also, a bill (H. R. 2908) granting a pension to Simeon D. Pope—to the Committee on Pensions.

Also, a bill (H. R. 2909) granting a pension to Elcy R. Kelly—to the Committee on Pensions.

Also, a bill (H. R. 2910) granting a pension to James L. Strickland—to the Committee on Pensions.

Also, a bill (H. R. 2911) granting a pension to Mrs. Roberts—to the Committee on Pensions.

Also, a bill (H. R. 2912) granting a pension to Elizabeth A. Jones—to the Committee on Pensions.

Also, a bill (H. R. 2913) granting increase of pension to R. H. Woods—to the Committee on Pensions.

Also, a bill (H. R. 2914) granting an increase of pension to Charity M. Farmer—to the Committee on Pensions.

Also, a bill (H. R. 2915) granting an increase of pension to Mrs. M. E. Norwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2916) granting an increase of pension to Francis S. Howard—to the Committee on Pensions.

Also, a bill (H. R. 2917) for the relief of legal representatives of Anderson Abercrombie—to the Committee on War Claims.

By Mr. BABCOCK: A bill (H. R. 2918) granting an increase of pension to Charles V. Billig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2919) granting a pension to Mary Robison—to the Committee on Invalid Pensions.

By Mr. BEIDLER: A bill (H. R. 2920) granting an increase of pension to Daniel W. Huffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2921) granting an increase of pension to Joseph B. Ashley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2922) granting an increase of pension to George W. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2923) granting an increase of pension to John G. Fairchild—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2924) granting an increase of pension to Charles E. Crowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2925) granting an increase of pension to William H. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2926) granting an increase of pension to Sebastian C. Goss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2927) granting an increase of pension to James C. Hall—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: A bill (H. R. 2928) granting an increase of pension to Daniel Bushman—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 2929) granting an increase of pension to Benjamin F. Gates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2930) granting an increase of pension to L. M. Greene—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2931) to remove the charge of desertion against Robert Burnet—to the Committee on Military Affairs.

Also, a bill (H. R. 2932) granting a pension to Dudley R. W. Williams—to the Committee on Pensions.

Also, a bill (H. R. 2933) granting a pension to Mary A. Morey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2934) granting a pension to Mary E. Wolf—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 2935) for the relief of Enoch Echord—to the Committee on Military Affairs.

Also, a bill (H. R. 2936) for the relief of Michael Devine—to the Committee on Military Affairs.

Also, a bill (H. R. 2937) granting a pension to Joseph L. Farris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2938) granting a pension to Andrew Garrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2939) granting a pension to John Clay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2940) granting an increase of pension to Hester Ann Hanback—to the Committee on Pensions.

Also, a bill (H. R. 2941) granting an increase of pension to W. J. Lockhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2942) granting an increase of pension to John M. Morgan—to the Committee on Invaid Pensions.

Also, a bill (H. R. 2943) granting an increase of pension to Jacob I. Levi—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2944) granting an increase of pension to Lewis T. Holstein—to the Committee on Invalid Pensions.

By Mr. BOWIE: A bill (H. R. 2945) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased—to the Committee on Claims.

By Mr. BURKE of South Dakota: A bill (H. R. 2946) granting an increase of pension to Albert Webb—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 2947) granting an increase of pension to William F. Thompson—to the Committee on Invalid Pensions.

By Mr. BURTON: A bill (H. R. 2948) granting an increase of pension to John Wilson—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 2949) granting a pension to Alexander M. Proctor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2950) to remove charge of desertion from the record of Eli Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 2951) to remove charge of desertion from the military record of James Baldwin—to the Committee on Military Affairs.

Also, a bill (H. R. 2952) to remove charge of desertion from the military record of Henry E. Cady—to the Committee on Military Affairs.

Also, a bill (H. R. 2953) to remove charge of desertion from the military record of Andrew S. Abbott—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 2954) for the relief of John Nay—to the Committee on Pensions.

Also, a bill (H. R. 2955) for the relief of Henry P. Mayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2956) for the relief of Gideon C. Corley—to the Committee on Claims.

Also, a bill (H. R. 2957) for the relief of Benjamin F. Harrison—to the Committee on Military Affairs.

Also, a bill (H. R. 2958) for the relief of Jacob W. Hudson—to the Committee on War Claims.

Also, a bill (H. R. 2959) for the relief of Maramon A. Martin—to the Committee on Military Affairs.

Also, a bill (H. R. 2960) for the relief of John Burns—to the Committee on Claims.

Also, a bill (H. R. 2961) for the relief of John W. Vandine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2962) for the relief of Alexander Lucas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2963) for the relief of Robert R. Furbey—to the Committee on Military Affairs.

Also, a bill (H. R. 2964) for the relief of Thomas C. Sweeney—to the Committee on War Claims.

Also, a bill (H. R. 2965) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased—to the Committee on Claims.

Also, a bill (H. R. 2966) granting an increase of pension to Beckwith A. McNemar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2967) granting an increase of pension to William L. Alley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2968) granting an increase of pension to Thomas J. Burrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2969) granting an increase of pension to George W. Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2970) to restore to the pension roll the name of Andrew C. Smith—to the Committee on Pensions.

Also, a bill (H. R. 2971) granting a pension to John Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2972) granting a pension to J. P. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2973) granting a pension to Eliza J. Davidson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2974) granting a pension to Walter Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2975) granting a pension to Mary D. Duval—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2976) granting a pension to Enoch J. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2977) granting a pension to Rachel E. Newell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2978) granting a pension to Sarah F. Armstrong—to the Committee on Pensions.

Also, a bill (H. R. 2979) granting a pension to Mary E. Radcliffe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2980) granting a pension to F. S. Snodgrass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2981) granting a pension to William Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2982) to pension R. J. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2983) granting a pension to William P. Parrill—to the Committee on Pensions.

Also, a bill (H. R. 2984) to pension James Logston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2985) to pension Wilson Johnston, of Wheeling, Ohio County, W. Va.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2986) granting a pension to Thomas S. Magruder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2987) to grant a pension to James S. Peery—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 2988) granting an increase of pension to Philip Graulich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2989) to correct the military record of Louis Dye—to the Committee on Military Affairs.

By Mr. DWIGHT: A bill (H. R. 2990) granting an increase of pension to Jerome Sherwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2991) granting an increase of pension to Lydia A. Topping—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 2992) granting an increase of pension to Solomon B. Umphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2993) granting an increase of pension to Lewis Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2994) granting an increase of pension to Minnie H. Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2995) granting a pension to Mary Korth—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 2996) restoring the name of Henry L. Beck to the army rolls as captain, and providing that he then be placed on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 2997) to remove the charge of desertion from the military record of Bernard Steuber—to the Committee on Military Affairs.

Also, a bill (H. R. 2998) granting a pension to Abraham Shoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 2999) granting an increase of pension to Jane Davison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3000) granting an inerease of pension to William C. Best—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3001) granting an increase of pension to Alpheus Converse—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 3002) granting an increase of pension to Samuel Tillinghast—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3003) granting an increase of pension to Daniel H. Greene—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 3004) granting an increase of pension to John O. McNabb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3005) granting an increase of pension to Richard C. Strumphford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3006) granting an increase of pension to Solomon Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3007) granting an increase of pension to Philip Hawn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3008) granting an increase of pension to Jacob L. Etmire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3009) granting an increase of pension to Elias Corns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3010) granting an increase of pension to William W. Storks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3011) granting an increase of pension to Philip Duttenhaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3012) granting an increase of pension to Emanuel Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3013) granting an increase of pension to John A. Mavity—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3014) granting a pension to Louis Melcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3015) granting a pension to Horace Stambaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3016) granting a pension to William Simmons—to the Committee on Pensions.

Also, a bill (H. R. 3017) granting a pension to Patrick Feeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3018) increasing the pension of William D. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3019) granting a pension to Henry Mackey, alias Mackrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3020) to correct the military record of Daniel R. Anderson—to the Committee on Military Affairs.

Also, a bill (H. R. 3021) to remove the charge of desertion from the military record of John H. McIntyre—to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: A bill (H. R. 3022) to correct the military record of James Donnallan—to the Committee on Military Affairs.

Also, a bill (H. R. 3023) for the relief of Frank Lincoln—to the Committee on Claims.

Also, a bill (H. R. 3024) for the relief of Erick Haugen—to the Committee on War Claims.

Also, a bill (H. R. 3025) granting a pension to David Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3026) granting a pension to Fred Hugaboom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3027) granting an increase of pension to William H. Vickers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3028) granting an increase of pension to Jane McManus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3029) granting an increase of pension to James F. Hubbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3030) granting an increase of pension to Benjamin Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3031) granting an increase of pension to James K. Van Matre—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 3032) granting an increase of pension to William Pittenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3033) granting an increase of pension to James H. Hurley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3034) granting an increase of pension to Albert J. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3035) granting an increase of pension to William D. Hall—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 3036) granting an increase of pension to William H. Romaine—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 3037) granting a pension to William Bieber—to the Committee on Invalid Pensions.

Mr. GAINES of Tennessee: A bill (H. R. 3038) to remove the charge of desertion from the military record of Robert C. Hoggins, and for the relief of his widow and children—to the Committee on Military Affairs.

Also, a bill (H. R. 3039) granting a pension to J. H. Oney—to the Committee on Pensions.

Also, a bill (H. R. 3040) granting an increase of pension to Thomas J. Stowers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3041) granting an increase of pension to Mary E. Pillow—to the Committee on Pensions.

Also, a bill (H. R. 3042) granting increase of pension to James M. Kercheval—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3043) for the relief of the estate of John J. Hamel—to the Committee on War Claims.

Also, a bill (H. R. 3044) for the relief of Daniel Collins—to the Committee on War Claims.

Also, a bill (H. R. 3045) for the relief of Robert G. Throne and the estate of A. G. Adams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3046) for the relief of John M. Lea—to the Committee on Claims.

Also, a bill (H. R. 3047) for the relief of Cave Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 3048) for the relief of William N. Bilbo, jr., administrator—to the Committee on War Claims.

Also, a bill (H. R. 3049) for the relief of William J. Thomas—to the Committee on War Claims.

Also, a bill (H. R. 3050) for the relief of James E. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 3051) for the relief of Sarah McClay, administratrix of Robert McClay, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3052) for the relief of the trustees of the Cumberland Presbyterian Church, of Clarksville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3053) for the relief of Payne, James & Co.—to the Committee on War Claims.

Also, a bill (H. R. 3054) for the relief of Della Sinnott and Adine Price, of Tennessee—to the Committee on War Claims.

Also, a bill (H. R. 3055) for the relief of the estate of J. H. Frith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3056) for the relief of Susan N. Moore—to the Committee on Claims.

Also, a bill (H. R. 3057) for the relief of Kinney, McLaughlin & Co., and others—to the Committee on Claims.

Also, a bill (H. R. 3058) for the relief of W. T. Garrett—to the Committee on War Claims.

Also, a bill (H. R. 3059) for the relief of Elizabeth J. Cleveland—to the Committee on War Claims.

Also, a bill (H. R. 3060) for the relief of Tusculum Church—to the Committee on War Claims.

By Mr. GARDNER of Massachusetts: A bill (H. R. 3061) granting an increase of pension to John Herschel Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3062) granting an increase of pension to John A. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3063) providing for the payment of a bounty to the surviving members of the Seventeenth unattached company, Massachusetts Heavy Artillery, and to the widows of deceased members—to the Committee on War Claims.

By Mr. GILBERT: A bill (H. R. 3064) granting a pension to Mrs. Kate Good—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 3065) to remove the charge of desertion and grant an honorable discharge to Frank Averill—to the Committee on Military Affairs.

Also, a bill (H. R. 3066) to pay Velvia Tucker arrears of pension due her father, William N. Tucker—to the Committee on War Claims.

Also, a bill (H. R. 3067) granting restoration of former rate of pension to John Holverson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3068) to establish a record of the service of Charles J. Werner—to the Committee on Military Affairs.

Also, a bill (H. R. 3069) granting a pension to Amos O. Rowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3070) granting a pension to Edward Hogan—to the Committee on Pensions.

Also, a bill (H. R. 3071) granting a pension to Elizabeth Kimball—to the Committee on Pensions.

Also, a bill (H. R. 3072) granting a pension to Daniel P. Andrus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3073) granting a pension to Edgar N. Sleeper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3074) granting a pension to Addison L. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3075) granting a pension to Warren Casaday—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3076) granting a pension to Alice A. Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3077) granting a pension to Frank Smidt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3078) granting a pension to A. O. Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3079) granting a pension to Francis E. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3080) granting a pension to David P. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3081) granting a pension to Martha T. Cheney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3082) granting a pension to Byron C. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3083) granting a pension to John Lossing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3084) granting a pension to Henry Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3085) granting a pension to Henry Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3086) granting a pension to Julia A. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3087) for the relief of C. S. Stilwell, jr.—to the Committee on War Claims.

Also, a bill (H. R. 3088) for the relief of David L. Dorland—to the Committee on Military Affairs.

Also, a bill (H. R. 3089) for the relief of Hiram Marlett—to the Committee on Military Affairs.

Also, a bill (H. R. 3090) for the relief of James Curran—to the Committee on Military Affairs.

Also, a bill (H. R. 3091) for the relief of Robert McFarland—to the Committee on Military Affairs.

Also, a bill (H. R. 3092) for the relief of Daniel Kuhn—to the Committee on Military Affairs.

Also, a bill (H. R. 3093) for the relief of Henry Crangle—to the Committee on Military Affairs.

Also, a bill (H. R. 3094) granting an increase of pension to Silas W. Harris—to the Committee on Pensions.

Also, a bill (H. R. 3095) granting an increase of pension to John F. Riegel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3096) granting an increase of pension to William W. Dennis—to the Committee on Pensions.

Also, a bill (H. R. 3097) granting an increase of pension to Brinsley Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3098) granting an increase of pension to George Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3099) granting an increase of pension to Alvin S. Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3100) granting an increase of pension to Edwin H. Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3101) granting an increase of pension to William E. Haskins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3102) granting an increase of pension to John L. Cease—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3103) granting an increase of pension to John A. Sherwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3104) granting an increase of pension to Benjamin H. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3105) granting an increase of pension to Benjamin W. Gaylord—to the Committee on Pensions.

By Mr. HEMENWAY: A bill (H. R. 3106) granting an increase of pension to James Hannah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3107) granting an increase of pension to James E. Chappell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3108) granting an increase of pension to John Bilderback—to the Committee on Invalid Pensions.

By Mr. HENRY: A bill (H. R. 3109) for the relief of Noah Dillard—to the Committee on Claims.

By Mr. HEPBURN: A bill (H. R. 3110) granting an increase of pension to Mathew Kline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3111) granting an increase of pension to Charles C. Hardy—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 3112) for the relief of Green Clay Gardner, Thirty-ninth Regiment Kentucky Volunteer Mounted Infantry—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 3113) granting an increase of pension to Amelia Stout MacIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3114) for the relief of Henry H. Curtis—to the Committee on Military Affairs.

By Mr. KEHOE: A bill (H. H. 3115) granting a pension to John T. Curnette—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3116) granting a pension to David T. Curnette—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3117) granting a pension to Robert Bartee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3118) granting a pension to William Justice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3119) granting a pension to James H. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3120) granting a pension to Henderson Boggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3121) granting a pension to Francis B. Trussell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3122) granting a pension to Jacob R. Compton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3123) granting a pension to Daniel Pack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3124) granting a pension to Samuel Short—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3125) granting a pension to James H. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3126) granting a pension to Lewis Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3127) granting a pension to John B. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3128) granting a pension to George W. Hines—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3129) granting a pension to Henry C. Haywood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3130) granting a pension to D. J. Casey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3131) granting a pension to Andrew Cooksey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3132) granting a pension to Jesse Cordial—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3133) granting a pension to William Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3134) granting a pension to Isaac Pack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3135) granting a pension to Presley Monson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3136) granting a pension to Patterson Moore, alias Andrew Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3137) granting a pension to Martin P. Sexton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3138) granting a pension to Lyman Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3139) granting a pension to Louisa Borders, Gemima Borders, William Borders, Monroe Borders, John Borders, and Norah Borders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3140) granting a pension to Nannie M. Burnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3141) granting a pension to William Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3142) granting a pension to William Fraley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3143) granting a pension to Mary Jane French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3144) granting a pension to Martin Dixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3145) granting a pension to John H. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3146) granting a pension to James H. Jobe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3147) granting a pension to Lois Van Thom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3148) granting a pension to Julia G. Murphy, foster mother of Albert J. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3149) granting an increase of pension to J. S. Mavity—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3150) granting an increase of pension to Thomas Gilbride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3151) granting an increase of pension to William N. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3152) granting an increase of pension to Timothy Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3153) granting an increase of pension to John R. Hyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3154) granting an increase of pension to C. L. Dawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3155) granting an increase of pension to David Gosman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3156) granting an increase of pension to Amanda Davis, widow of William Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3157) granting an increase of pension to Elizabeth Keibler, widow of Henry Keibler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3158) granting an increase of pension to Maggie H. Campbell, widow of Henry G. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3159) granting an increase of pension to David Osborne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3160) granting an increase of pension to Christian Bothman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3161) granting an increase of pension to Charles L. Overley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3162) granting an increase of pension to Benjamin B. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3163) granting an increase of pension to James Plummer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3164) granting an increase of pension to Diana G. Halley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3165) granting an increase of pension to Thomas Hartley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3166) granting an increase of pension to James M. Howe—to the Committee on Pensions.

Also, a bill (H. R. 3167) granting an increase of pension to James Littleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3168) granting an increase of pension to Ferguson Logan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3169) granting an increase of pension to James R. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3170) granting an increase of pension to John Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3171) granting an increase of pension to G. N. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3172) granting an increase of pension to Robert E. Pogue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3173) granting an increase of pension to Henderson Pennington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3174) granting an increase of pension to Nancy Pierce, widow of Frank H. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3175) granting an increase of pension to James H. Pemberton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3176) granting an increase of pension to Jacob L. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3177) granting an increase of pension to Frank M. Schell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3178) granting an increase of pension to Robert Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3179) granting an increase of pension to Greenberry Sexton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3180) granting an increase of pension to James F. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3181) granting an increase of pension to I. J. Jacobs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3182) granting an increase of pension to Isaiah McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3183) granting an increase of pension to Lawrence Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3184) granting an increase of pension to Louisa January—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3185) granting an increase of pension to George W. Enyart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3186) granting an increase of pension to Israel T. Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3187) granting an increase of pension to John O'Brien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3188) for the relief of Thomas H. Stapleton—to the Committee on Military Affairs.

Also, a bill (H. R. 3189) for the relief of Jeremiah Cracraft—to the Committee on Military Affairs.

Also, a bill (H. R. 3190) for the relief of Gordon McCormick—to the Committee on Military Affairs.

Also, a bill (H. R. 3191) for the relief of William J. Meadows—to the Committee on Military Affairs.

Also, a bill (H. R. 3192) for the relief of Mary Lock—to the Committee on Military Affairs.

Also, a bill (H. R. 3193) for the relief of Martin Lunsford—to the Committee on Military Affairs.

Also, a bill (H. R. 3194) for the relief of Turman V. Cremeans—to the Committee on Military Affairs.

Also, a bill (H. R. 3195) for the relief of Margaret Morarity—to the Committee on War Claims.

Also, a bill (H. R. 3196) for the relief of William E. Sheppard—to the Committee on Military Affairs.

Also, a bill (H. R. 3197) for the relief of Charles Sharpe—to the Committee on Military Affairs.

Also, a bill (H. R. 3198) for the relief of Duncan Scott—to the Committee on Military Affairs.

Also, a bill (H. R. 3199) for the relief of Simon R. Hampton—to the Committee on Military Affairs.

Also, a bill (H. R. 3200) for the relief of Joseph B. McClintock—to the Committee on War Claims.

Also, a bill (H. R. 3201) for the relief of John McGowan—to the Committee on Military Affairs.

Also, a bill (H. R. 3202) for the relief of George S. McKee—to the Committee on Military Affairs.

Also, a bill (H. R. 3203) for the relief of Baldwin De Bell—to the Committee on Military Affairs.

Also, a bill (H. R. 3204) for the relief of I. B. Bratton—to the Committee on Claims.

Also, a bill (H. R. 3205) for the relief of George W. Ingram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3206) for the relief of Robert Ross—to the Committee on Military Affairs.

Also, a bill (H. R. 3207) for the relief of James H. C. Mann—to the Committee on Military Affairs.

Also, a bill (H. R. 3208) for the relief of Joseph M. Wilburn—to the Committee Invalid Pensions.

Also, a bill (H. R. 3209) for the relief of William G. Gardner—to the Committee on Military Affairs.

Also, a bill (H. R. 3210) for the relief of Jeremiah Hunt—to the Committee on Military Affairs.

Also, a bill (H. R. 3211) for the relief of the administrator of the estate of Marcus L. Broadwell—to the Committee on War Claims.

Also, a bill (H. R. 3212) for the relief of the estate of Ann S. Jackson—to the Committee on War Claims.

Also, a bill (H. R. 3213) for the relief of James S. Frizzell—to the Committee on War Claims.

Also, a bill (H. R. 3214) for the relief of Ann Stewart, administratrix of William Stewart, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3215) for the relief of Thomas V. Stirman's estate—to the Committee on War Claims.

Also, a bill (H. R. 3216) for the relief of James C. Brickley—to the Committee on Military Affairs.

Also, a bill (H. R. 3217) for the relief of James H. Reeder—to the Committee on War Claims.

Also, a bill (H. R. 3218) for the relief of Erwin Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 3219) for the relief of Henry Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 3220) for the relief of James T. Downey—to the Committee on Military Affairs.

Also, a bill (H. R. 3221) for the relief of Thomas C. Isgrigg—to the Committee on War Claims.

Also, a bill (H. R. 3222) for the relief of Bath County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 3223) for the relief of Lewis Tachet—to the Committee on Military Affairs.

Also, a bill (H. R. 3224) for the relief of Thomas B. Pickrell—to the Committee on War Claims.

Also, a bill (H. R. 3225) for the relief of A. D. Keffer—to the Committee on Military Affairs.

Also, a bill (H. R. 3226) for the relief of the estate of R. M. McClelland, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3227) for the relief of Frank Hanson—to the Committee on War Claims.

Also, a bill (H. R. 3228) for the relief of Jephtha Holden—to the Committee on War Claims.

Also, a bill (H. R. 3229) for the relief of Asa Day—to the Committee on War Claims.

Also, a bill (H. R. 3230) for the relief of Townley H. Bellomy—to the Committee on Military Affairs.

Also, a bill (H. R. 3231) for the relief of R. H. Meek—to the Committee on War Claims.

Also, a bill (H. R. 3232) for the relief of Allen Conley—to the Committee on Military Affairs.

Also, a bill (H. R. 3233) for the relief of Eli F. Prather—to the Committee on Military Affairs.

By Mr. CAPRON: A bill (H. R. 3234) granting an increase of pension to James H. Rickard—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 3235) for the relief of Walter F. Suiter—to the Committee on Military Affairs.

Also, a bill (H. R. 3236) to correct military record of Shubal H. Breed—to the Committee on Military Affairs.

By Mr. GROSVENOR: A bill (H. R. 3237) for the relief of Priscilla R. Burns—to the Committee on Claims.

By Mr. HOUSTON: A bill (H. R. 3238) for the relief of the widow and children of Daniel McDonough, deceased—to the Committee on Claims.

By Mr. HULL: A bill (H. R. 3239) granting an increase of pension to Daniel Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3240) granting a pension to Helen A. Scholes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3241) granting an increase of pension to Jonathan H. Mohler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3242) granting an increase of pension to Charles D. Overstreet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3243) granting an increase of pension to Warren Closson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3244) granting an increase of pension to Lewis Kimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3245) for the relief of heirs of Tellisse W. Wilson—to the Committee on War Claims.

By Mr. WILEY of New Jersey: A bill (H. R. 3246) granting a pension to Mrs. Hedwig A. Maas—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 3247) granting an increase of pension to Charles E. Thomas—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 3248) granting a pension to Charles C. Jeffers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3249) granting an increase of pension to John G. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3250) granting an increase of pension to John S. Benjamin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3251) granting an increase of pension to Robert Buckner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3252) granting an increase of pension to William T. Shively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3253) granting an increase of pension to Holowell W. Kenney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3254) granting an increase of pension to Andrew J. Snowden—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON (by request): A bill (H. R. 3255) for extra compensation to Capt. John Stewart—to the Committee on Claims.

By Mr. LAWRENCE: A bill (H. R. 3256) directing the issue of a check in lieu of a lost check drawn by Thomas J. Hobbs, disbursing clerk, in favor of Crane & Co., of Dalton, Mass.—to the Committee on Claims.

By Mr. LESTER: A bill (H. R. 3257) for the relief of the estate of Anton Borchert—to the Committee on War Claims.

Also, a bill (H. R. 3258) for the relief of Mary A. Bell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3259) for the relief of Mrs. S. A. Penniman—to the Committee on War Claims.

Also, a bill (H. R. 3260) for the relief of Jacob Cohen—to the Committee on War Claims.

Also, a bill (H. R. 3261) for the relief of James W. Bellah, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3262) for the relief of Alexander J. Thompson—to the Committee on Pensions.

Also, a bill (H. R. 3263) for the relief of the heirs of Richard B. Sconyers—to the Committee on War Claims.

Also, a bill (H. R. 3264) for the relief of the Importing and Exporting Company of the State of Georgia—to the Committee on the Judiciary.

Also, a bill (H. R. 3265) granting an increase of pension to Catherine Cook, widow of Thomas Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3266) granting a pension to Rev. James M. Simms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3267) granting a pension to Jane Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3268) granting a pension to James H. Smith—to the Committee on Pensions.

By Mr. LIVINGSTON: A bill (H. R. 3269) granting a pension to Eliza A. Camp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3270) granting a pension to Charles W. Atkinson—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 3271) granting an increase of pension to Rebecca A. Teter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3272) granting an increase of pension to Elizabeth Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3273) granting an increase of pension to William E. Hill—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 3274) to remove the charge of desertion from the naval record of Frank C. Whitney—to the Committee on Naval Affairs.

Also, a bill (H. R. 3275) granting an increase of pension to Nellie P. Coyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3276) granting an increase of pension to Joseph G. Maddocks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3277) granting an increase of pension to Algernon E. Castner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3278) granting an increase of pension to Edwin L. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3279) granting an increase of pension to Elvira P. Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3280) granting an increase of pension to H. M. Blackwell, alias Levi W. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3281) granting an increase of pension to Joseph A. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3282) granting an increase of pension to Samuel J. Harding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3283) granting an increase of pension to T. A. Hodgdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3284) granting an increase of pension to Napoleon D. O. Lord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3285) granting an increase of pension to Henry F. Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3286) granting an increase of pension to Jacob F. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3287) granting an increase of pension to Orrin Plaisted—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3288) granting an increase of pension to N. L. Meands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3289) granting an increase of pension to Marcellus M. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3290) granting an increase of pension to Almena S. Willoughby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3291) granting a pension to Catherine M. Savory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3292) granting a pension to Joshua Daggett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3293) granting a pension to Priscilla A. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3294) granting a pension to Cornelia M. Mitchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3295) granting a pension to Charity Durgin, daughter of Samuel Durgin—to the Committee on Pensions.

Also, a bill (H. R. 3296) granting a pension to Kingsbury P. Fish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3297) granting a pension to Emily A. Trask, guardian of Renel W. Trask—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3298) granting a pension to Mary E. Pennock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3299) granting a pension to Medie M. Flanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3300) granting a pension to Josephine Hussey—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 3301) for the relief of Sarah K. McLean—to the Committee on War Claims.

Also, a bill (H. R. 3302) authorizing the Secretary of War to bestow a medal of honor upon Maj. J. O. Skinner, surgeon, United States Army, retired—to the Committee on Military Affairs.

By Mr. MADDOX: A bill (H. R. 3303) for the relief of the trustees of the African Methodist Episcopal Church, of Marietta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 3304) for the relief of William Shepherd—to the Committee on War Claims.

Also, a bill (H. R. 3305) for the relief of Henry G. Stoffregen, executor of H. G. Peter's estate—to the Committee on War Claims.

Also, a bill (H. R. 3306) for the relief of the First Presbyterian Church, Dalton, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 3307) for the relief of the heirs of Elias Weaver—to the Committee on War Claims.

Also, a bill (H. R. 3308) for the relief of the trustees, or their successors in office, of the Cherokee Baptist College, located in Cassville, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 3309) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga.—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 3310) to amend the military record of John H. Lamson—to the Committee on Military Affairs.

Also, a bill (H. R. 3311) to correct the military record of Seth Bonney—to the Committee on Military Affairs.

Also, a bill (H. R. 3312) removing the charge of desertion from the military record of Julius F. Hill, alias Franklin J. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 3313) granting an honorable discharge to James Woods—to the Committee on Military Affairs.

Also, a bill (H. R. 3314) to pay Samuel M. Blair the sum of $12,470—to the Committee on War Claims.

Also, a bill (H. R. 3315) donating an obsolete mortar to the Somerville Historical Society—to the Committee on Military Affairs.

Also, a bill (H. R. 3316) granting a pension to Rebecca E. Maccarty—to the Committee on Pensions.

Also, a bill (H. R. 3317) granting a pension to Antoinette I. Sawyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3318) granting a pension to Adelaide M. McIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3319) granting a pension to John D. Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3320) granting a pension to Andrew L. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3321) granting a pension to George D'Vys—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3322) granting a pension to Lowell M. Maxham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3323) for the relief of Arthur R. Henderson—to the Committee on the Judiciary.

Also, a bill (H. R. 3324) for the relief of Patrick J. Madden—to the Committee on Claims.

Also, a bill (H. R. 3325) for the relief of Paul D. Walbridge—to the Committee on Claims.

Also, a bill (H. R. 3326) for the relief of the legal representatives of Paul Curtis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3327) for the relief of Alexander Sutherland—to the Committee on Military Affairs.

Also, a bill (H. R. 3328) granting an increase of pension to Elijah Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3329) granting an increase of pension to Anderson L. Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3330) granting an increase of pension to Rose Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3331) granting an increase of pension to Bridget A. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3332) granting an increase of pension to George S. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3333) granting an increase of pension to Giles R. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3334) granting an increase of pension to Philip T. Greeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3335) granting an increase of pension to Mary Ellen Lauriat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3336) granting an increase of pension to Edson D. Bemis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3337) granting an increase of pension to Mary A. Craigue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3338) to correct the military record of James Williamson—to the Committee on Military Affairs.

Also, a bill (H. R. 3339) to amend the military record of Henry Quick—to the Committee on Naval Affairs.

By Mr. McCLELLAN: A bill (H. R. 3340) for the relief of William H. Quinn—to the Committee on Claims.

By Mr. MOON of Tennessee: A bill (H. R. 3341) for the relief of the estate of John T. Stringer, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3342) for the relief of the estate of William H. Stringer, deceased—to the Committee on War Claims.

By Mr. MOON of Pennsylvania: A bill (H. R. 3343) to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William F. Godwin on the retired list with the rank of first lieutenant—to the Committee on Military Affairs.

Also, a bill (H. R. 3344) granting a pension to Emma Worrall—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 3345) granting an increase of pension to Charles P. Clarke—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 3346) granting an increase of pension to Earl Vandegriff—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 3347) for the relief of David B. Zerger and H. C. Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3348) granting a pension to Martin P. Schaffner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3349) granting a pension to Kate E. Keiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3350) granting a pension to Elizabeth Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3351) granting a pension to Francis S. Griest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3352) granting a pension to Mary Idle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3353) granting a pension to Emma Handshaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3354) granting a pension to Emma R. Rusling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3355) granting a pension to Thompson Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3356) granting a pension to John S. Snyder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3357) granting an increase of pension to William C. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3358) granting an increase of pension to Emeline Smink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3359) granting an increase of pension to Cyrus E. Salada—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3360) granting an increase of pension to Eunice Parke Detweiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3361) granting an increase of pension to Franklin T. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3362) granting an increase of pension to Adam Baum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3363) granting an increase of pension to Joanna R. Forster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3364) granting an increase of pension to James Appleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3365) granting an increase of pension to Cyrus Dubbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3366) granting an increase of pension to Lee P. Garrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3367) granting an increase of pension to George W. Kerby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3368) granting an increase of pension to Stephen W. Pomeroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3369) granting an increase of pension to Ephraim Winters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3370) granting an increase of pension to Joseph Addams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3371) granting an increase of pension to David E. Longsdorf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3372) granting an increase of pension to Harry Beitzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3373) granting an increase of pension to Jacob Cochran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3374) granting an increase of pension to Samuel A. Garland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3375) granting an increase of pension to Samuel Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3376) granting an increase of pension to Jeremiah Layser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3377) granting an increase of pension to Lafayette Billig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3378) to remove the charge of desertion from the military record of John P. Leitzel—to the Committee on Military Affairs.

Also, a bill (H. R. 3379) to remove the charge of desertion from the military record of John Keys—to the Committee on Military Affairs.

Also, a bill (H. R. 3380) to remove the charge of desertion from the military record of Francis Tomlinson—to the Committee on Military Affairs.

Also, a bill (H. R. 3381) to remove the charge of desertion from the military record of John F. Geist—to the Committee on Military Affairs.

Also, a bill (H. R. 3382) to remove the charge of desertion from the military record of John F. Kelly—to the Committee on Military Affairs.

Also, a bill (H. R. 3383) to remove the charges from the military record of M. G. Thornton—to the Committee on Military Affairs.

Also, a bill (H. R. 3384) to remove the charge of desertion from the military record of Reuben Seiler—to the Committee on Military Affairs.

Also, a bill (H. R. 3385) to remove the charge of desertion from the military record of Michael Neidinger—to the Committee on Military Affairs.

Also, a bill (H. R. 3386) to remove the charge of desertion from the military record of Joseph Windowmaker—to the Committee on Military Affairs.

Also, a bill (H. R. 3387) to remove the charge of desertion from the military record of John Hawk—to the Committee on Military Affairs.

Also, a bill (H. R. 3388) to remove the charge of desertion from the military record of John Snyder—to the Committee on Military Affairs.

Also, a bill (H. R. 3389) to remove the charge of desertion from the military record of Levi Sheetz—to the Committee on Military Affairs.

Also, a bill (H. R. 3390) to correct the military record of Alexander C. Landis—to the Committee on Military Affairs.

Also, a bill (H. R. 3391) to correct the military record of John W. Geiger—to the Committee on Military Affairs

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 3392) authorizing and directing the payment to Mrs. George Dalton, of Pottsville, Pa., of the sum of $300, together with the interest thereon, that was paid by the late George Dalton to avoid the draft in 1864—to the Committee on War Claims.

Also, a bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa.—to the Committee on Claims.

Also, a bill (H. R. 3394) for the relief of Sadie Thome—to the Committee on Claims.

Also, a bill (H. R. 3395) to amend the military record of Joseph Moreheiser—to the Committee on Military Affairs.

Also, a bill (H. R. 3396) removing charge of desertion from military record of John Lucid—to the Committee on Military Affairs.

Also, a bill (H. R. 3397) removing charge of desertion from military record of Isaac Purnell—to the Committee on Military Affairs.

Also, a bill (H. R. 3398) removing charge of desertion from military record of John J. Muldowney—to the Committee on Military Affairs.

Also, a bill (H. R. 3399) granting a pension to Rebecca De Wald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3400) granting a pension to Elizabeth Charlesworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3401) granting an increase of pension to George Farne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3402) granting an increase of pension to Daniel Nagle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3403) granting an increase of pension to Condy Manelius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3404) granting an increase of pension to Joseph Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3405) granting an increase of pension to Francis Garner—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 3406) granting an increase of pension to Thomas J. Peaks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3407) granting an increase of pension to Frank Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3408) granting an increase of pension to John L. Rogers—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 3409) granting an increase of pension to Robert A. Stuart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3410) granting an increase of pension to John G. H. Armistead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3411) granting an increase of pension to William J. Hart—to the Committee on Invalid Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 3412) for the relief of the Citizens' Bank of Louisiana—to the Committee on War Claims.

By Mr. RUCKER: A bill (H. R. 3413) to remove the charge of desertion against Charles W. Miller, alias Charles Nowack—to the Committee on Military Affairs.

Also, a bill (H. R. 3414) to remove the charge of desertion against Lewis Jenkins—to the Committee on Military Affairs.

Also, a bill (H. R. 3415) granting a pension to Taylor Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3416) granting a pension to James W. Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3417) granting a pension to Mary A. Ward—to the Committee on Pensions.

Also, a bill (H. R. 3418) granting a pension to Franklin S. London—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3419) granting a pension to Archibald Spencer—to the Committee on invalid Pensions.

Also, a bill (H. R. 3420) granting a pension to Samuel T. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3421) granting a pension to Harmon Coffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3422) granting a pension to Jackson Lambert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3423) granting a pension to Hannah Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3424) granting a pension to John T. Burriss—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 3425) granting a pension to Charles R. Hoag—to the Committee on Invalid Pensions.

By Mr. RUCKER: A bill (H. R. 3426) granting an increase of pension to George W. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3427) granting an increase of pension to Albert Fetterhoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3428) granting an increase of pension to William McCraw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3429) granting an increase of pension to Joseph W. Vance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3430) granting an increase of pension to Thomas Wolcott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3431) granting an increase of pension to William Basnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3432) granting an increase of pension to George A. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3433) granting an increase of pension to Thomas J. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3434) granting an increase of pension to Samuel Parmley—to the Committee on Pensions.

Also, a bill (H. R. 3435) granting an increase of pension to John M. Pratt—to the Committee on Pensions.

Also, a bill (H. R. 3436) granting an increase of pension to James S. Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3437) granting an increase of pension to William B. Shepard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3438) granting an increase of pension to Jeremiah Burchett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3439) granting an increase of pension to J. D. Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3440) granting an increase of pension to Cornelius Buckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3441) granting an increase of pension to Simeon McKinstray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3442) granting an increase of pension to T. H. B. Schooling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3443) granting an increase of pension to Elijah G. Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3444) granting an increase of pension to Sylvanus Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3445) granting an increase of pension to John P. Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3446) to correct the military record of John P. Griffith—to the Committee on Military Affairs.

Also, a bill (H. R. 3447) to correct the military record of Ernst Ebert—to the Committee on Military Affairs.

Also, a bill (H. R. 3448) to correct the military record of John Loney—to the Committee on Military Affairs.

Also, a bill (H. R. 3449) to correct the military record of C. J. J. Martyr—to the Committee on Military Affairs.

Also, a bill (H. R. 3450) for the relief of McCarty & Collins—to the Committee on Indian Affairs.

Also, a bill (H. R. 3451) for the relief of Louis Benecke—to the Committee on War Claims.

Also, a bill (H. R. 3452) for the relief of W. W. Tracy—to the Committee on Claims.

Also, a bill (H. R. 3453) for the relief of Martin Daughenbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3454) for the relief of Mrs. Mollie Bissell—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 3455) for the relief of the trustees of the First Baptist Church, of Jefferson City, Mo.—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 3456) for the relief of W. W. Jackson—to the Committee on Claims.

By Mr. SHEPPARD: A bill (H. R. 3457) for the relief of the legal representatives of Dr. Thomas B. Waters, deceased—to the Committee on War Claims.

By Mr. SMITH of Illinois: A bill (H. R. 3458) for the relief of John Ballard—to the Committee on Military Affairs.

By Mr. SNOOK: A bill (H. R. 3459) granting an increase of pension to Patterson Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3460) granting an increase of pension to Louis P. Auschutz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3461) granting a pension to Florence A. Klein—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3462) to remove charge of desertion from the record of William L. Wiles—to the Committee on Military Affairs.

By Mr. SULLIVAN of New York: A bill (H. R. 3463) granting an increase of pension to Bridget Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3464) to remove the charge of desertion against Thomas F. Adams—to the Committee on Military Affairs.

By Mr. SOUTHARD: A bill (H. R. 3465) granting an increase of pension to Frederick Shovar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3466) granting an increase of pension to John F. McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3467) granting an increase of pension to Martin Kistner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3468) granting an increase of pension to Peter Whitmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3469) to increase the pension of Luman T. Van Tassel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3470) granting a pension to Sarah B. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3471) to increase the pension of John Phillips—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 3473) granting an increase of pension to Artemus Ward—to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 3474) for the relief of Mary Latham—to the Committee on War Claims.

Also, a bill (H. R. 3475) for the relief of Dr. A. Eubank—to the Committee on War Claims.

Also, a bill (H. R. 3476) for the relief of Maria S. Poe, and to have her name put on pension roll—to the Committee on Pensions.

Also, a bill (H. R. 3477) confirming the title of James F. Hancock to the south half of the southeast quarter and the south half of the southwest quarter of section 26, township 17 south, range 6 west, in Jefferson County, Ala.—to the Committee on the Public Lands.

Also, a bill (H. R. 3478) authorizing Eli R. Jones to perfect his homestead entry to the southeast quarter of section 32, in township 18 south, of range 2 west, in Jefferson County, Ala.—to the Committee on the Public Lands.

Also, a bill (H. R. 3479) for the relief of J. L. Montgomery—to the Committee on Claims.

Also, a bill (H. R. 3480) for the relief of W. F. Eggleston, as executor of S. O. Eggleston—to the Committee on War Claims.

Also, a bill (H. R. 3481) for the relief of Andrew J. Blackburn—to the Committee on War Claims.

Also, a bill (H. R. 3482) for the relief of William M. Lindsay—to the Committee on Claims.

By Mr. WARNOCK: A bill (H. R. 3483) for the relief of W. S. Hammaker—to the Committee on Claims.

Also, a bill (H. R. 3484) for the relief of F. D. Bain—to the Committee on Claims.

Also, a bill (H. R. 3485) for the relief of Joseph Swisher—to the Committee on Claims.

Also, a bill (H. R. 3486) for the relief of George W. Leonard—to the Committee on Claims.

Also, a bill (H. R. 3487) for the relief of John W. White—to the Committee on Claims.

Also, a bill (H. R. 3488) for the relief of Jeremiah Cain—to the Committee on Claims.

Also, a bill (H. R. 3489) to give credit to Jacob Parrott for receiving first medal of honor for civil war services—to the Committee on Military Affairs.

Also, a bill (H. R. 3490) to correct the military record of S. B. Ellsworth—to the Committee on Military Affairs.

Also, a bill (H. R. 3491) to correct the military record of Newton W. Reames—to the Committee on Military Affairs.

Also, a bill (H. R. 3492) to correct the military record of Lanson Zane—to the Committee on Military Affairs.

Also, a bill (H. R. 3493) granting a pension to Jesse S. Bower—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3494) granting a pension to Sarah E. Helpman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3495) granting a pension to Henry Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3496) granting a pension to Katherine Decker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3497) granting a pension to William Mixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3498) granting a pension to Cephas Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3499) granting a pension to Lottie E. Read—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3500) granting a pension to Silas Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3501) granting a pension to Isabell Maddox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3502) granting a pension to Norville J. Hannum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3503) granting a pension to Wilhelmina Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3504) granting a pension to Rachel Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3505) granting a pension to Letty J. Coplin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3506) granting a pension to William M. Love—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3507) granting an increase of pension to John Reily—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3508) granting an increase of pension to Marion P. Downey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3509) granting an increase of pension to George W. Jacobs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3510) granting a pension to Elizabeth A. Whiteman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3511) granting an increase of pension to John W. Lackens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3512) granting an increase of pension to Joseph V. Stevenson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3513) granting a pension to Martin C. Stillwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3514) granting an increase of pension to Wilson S. Maize—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3515) granting a pension to Mary Brelsford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3516) granting an increase of pension to William McManus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3517) granting an increase of pension to William Laucks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3518) granting an increase of pension to Thomas Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3519) granting an increase of pension to Alvin Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3520) granting an increase of pension to David J. Courter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3521) granting an increase of pension to John Hawker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3522) granting an increase of pension to Mary E. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3523) granting an increase of pension to Mary F. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3524) granting an increase of pension to Harmon Patch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3525) granting an increase of pension to Francis W. Whips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3526) granting an increase of pension to Mary H. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3527) granting an increase of pension to Amos Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3528) granting an increase of pension to George A. Havel—to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 3529) for the relief of settlers on lands in Sherman County, in the State of Oregon—to the Committee on the Public Lands.

By Mr. WILEY of New Jersey: A bill (H. R. 3530) to reimburse Capt. Sidney Layland, for sums paid by him while master of the United States transport *Mobile* in July and August, 1898—to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 3531) granting a pension to Margaret P. Smith—to the Committee on Invalid Pensions.

By Mr. WYNN: A bill (H. R. 3532) granting an increase of pension to William H. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3533) granting an increase of pension to Capt. R. H. McIlroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3534) to correct the military record of Capt. Herman von Werthern—to the Committee on Military Affairs.

Also, a bill (H. R. 3535) to grant honorable discharge to William A. Treadwell—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMSON: Petition of the National Hay Association of Atlanta, Ga., relating to freight classification—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the board of directors of the Freight Bureau of the City of Atlanta, Ga., favoring passage of a law to prevent unjust discrimination in tariff rates between different sections and localities—to the Committee on Interstate and Foreign Commerce.

By Mr. BEIDLER: Papers to accompany bill to pension James C. Hall—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension George W. Ford—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Petition of citizens of Lacygne, Kans., for passage of bill for relief of Enoch Echord—to the Committee on Military Affairs.

By Mr. BURKETT: Resolution of J. B. Whyman Post, No. 101, Grand Army of the Republic, Firth, Department of Nebraska, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Post No. 38, Grand Army of the Republic, Waverly, Department of Nebraska, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Carpenters and Joiners' Local Union No. 113, Lincoln, Nebr., favoring passage of eight-hour law, etc.—to the Committee on Labor.

Also, papers to accompany bill to pension Victor Vifquain—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Resolution of Interstate Association of Ex-Prisoners of War, Baxter Springs, Kans., favoring service-pension bill—to the Committee on Invalid Pensions.

By Mr. CANNON: Petition of Local Union No. 320, United Mine Workers of America, of Westville, Ill., urging the passage of an eight-hour law, etc.—to the Committee on Labor.

By Mr. CAPRON: Resolutions of Local Union No. 13, Journeymen Tailors' Union of America, of Providence, R. I., in favor of the eight-hour bill and the anti-injunction bill—to the Committee on Labor.

Mr. DANIELS: Papers to accompany bill to increase pension of Albert J. Miller—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of J. M. Hurley—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of William Pittenger—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of William D. Hall—to the Committee on Invalid Pensions.

By Mr. DRAPER: Protest of the National Cigar Leaf Tobacco Association against Cuban reciprocity treaty in its present form—to the Committee on Ways and Means.

Also, resolution of select and common councils of Philadelphia, relating to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of Cigar Makers' Union No. 9, Troy, N. Y., against Cuban reciprocity—to the Committee on Ways and Means.

Also, papers relating to locating military training school on the Nacimiento Rancho, at San Miguel, in Monterey and San Luis Obispo counties, Cal.—to the Committee on Military Affairs.

By Mr. ESCH: Papers to accompany bill (H. R. 1339) to pension Joseph P. Scott—to the Committee on Invalid Pensions.

Also, resolutions of Chamber of Commerce of Milwaukee, for encouragement of the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, address of Committee of State Insurance Commissioners, asking for laws against fraudulent insurance companies—to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER of Massachusetts: Petition of citizens of Salisbury, Mass., for increase of pension of John A. Lane—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Paper to accompany bill to increase pension of John S. Moore—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Papers to accompany bill to pension John Bilderback—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension James Hannah—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension James E. Chappell—to the Committee on Invalid Pensions.

By Mr. KLINE: Resolution of Philadelphia Association Union Ex-United States Prisoners of War, favoring prisoners of war pension bill—to the Committee on Military Affairs.

By Mr. LACEY: Resolution of Oskaloosa Division, No. 71, Order of Railroad Telegraphers, favoring passage of eight-hour law, etc.—to the Committee on Labor.

Also, petition to accompany bill to pension Elizabeth Hardy—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: Petition of John Stewart for additional pay for extra service in relation to the suit of the United States against Morris et al., known as the "Potomac Flats case"—to the Committee on Claims.

Mr. McCLEARY of Minnesota: Resolution of M. G. Everman, of St. Peter, Minn., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Simon Mix Post, Grand Army of the Republic, of Pipestone, Minn., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Mitchell Post, Grand Army of the Republic, of Madelia, Minn., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, letter of Douglas A. Fiske, of Minneapolis, Minn., against the passage of the Cuban reciprocity bill—to the Committee on Ways and Means.

By Mr. MADDOX: Petition of Harry J. Wills, of Paulding County, Ga., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of William W. Simpson, deceased, late of Polk County, Ga., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of Levi Crow, deceased, late of Paulding County, Ga., praying reference of war claim to the Court of Claims—to the Committee on Ways and Means.

By Mr. OTJEN: Resolution of the Milwaukee Chamber of Commerce, in favor of encouraging American shipbuilding—to the Committee on the Merchant Marine and Fisheries.

By Mr. RIXEY: Papers to accompany bill for avenue to Mount Vernon—to the Committee on Claims.

By Mr. RYAN: Resolution of select and common council of Philadelphia, Pa., relating to a 35-foot channel for Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. SHEPPARD: Papers to accompany bill for relief of the legal representatives of Dr. Thomas B. Waters, deceased—to the Committee on War Claims.

By Mr. SPALDING: Protest of merchants of Edgeley, N. Dak., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. STEENERSON: Petition of Frank E. Hunt and 18 other citizens of Redlake Falls, Minn., against passage of parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. D. Lifquist and 16 other citizens of Minnesota, against passage of parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the millers of North Dakota and northwestern Minnesota, favoring reciprocity between the United States and the Dominion of Canada—to the Committee on Ways and Means.

SENATE.

TUESDAY, *November 17, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

ANSELM J. McLAURIN, a Senator from the State of Mississippi; JOSEPH H. MILLARD, a Senator from the State of Nebraska, and JAMES P. TALIAFERRO, a Senator from the State of Florida, appeared in their seats to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. If there be no objection, the Journal will stand approved. The Chair hears none. It is approved.

MIDWAY ISLANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting a copy of a letter from Mr. George G. Ward, vice-president and general manager of the Commercial Pacific Cable Company, requesting the enactment of certain legislation for the relief of the conditions in the Midway Islands by providing appropriations for the establishment of a suitable harbor, buoys, and light-house; for the construction of landing facilities, and for the establishment of marines or other guards to maintain order and enforce the laws at that place; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented a petition of the Michigan Hay Association, of Owosso, Mich., and a petition of the National Hay Association, of Detroit, Mich., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented the memorial of George F. Dimond, president of the Michigan Hay Dealers' Association, of Mayville, Mich., remonstrating against the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Epworth League of Henderson, of the Temperance Alliance of Henderson, of sundry citizens of West Bay City, of the Woman's Christian Temperance Union of Henderson, and of sundry citizens of Douglas, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented petitions of the congregation of the United Presbyterian Church of Bellevue; of the Woman's Christian Temperance Union of Newville; of the congregation of the South Avenue Methodist Episcopal Church, of Wilkinsburg; of the congregation of the Christian Church of Bellevue; of the congregation of the Episcopal Church of Bellevue; of the congregation of the Methodist Protestant Church of Bellevue; of the congregation of the Presbyterian Church of Bellevue; of the United Presbyterian Seminary, of Allegheny; of the congregation of the Methodist Episcopal Church of Bellevue; of Class E, Organization of the Patterson Memorial Presbyterian Sunday School, of Philadelphia; of sundry citizens of Philadelphia; of the Evangelical Association of Rochester; of sundry citizens of Morris Run; of the congregation of the Evangelical Church of Connellsville; of sundry citizens of Somerton; of the congregation of the First Lutheran Church of Altoona; of the Woman's Missionary Society of Connellsville; of the Prohibition Alliance of Meadville; of the session of the First Presbyterian Church of Shenandoah; of the congregation of the First Methodist Episcopal Church of Mahanoy City; of the Woman's Christian Temperance Union of Reedsville; of the Woman's Christian Temperance Union of Cochranville; of the congregation of the United Evangelical Church of Milton; of the Woman's Christian Temperance Union of Lake Pleasant; of the Young People's Society of Christian Endeavor of Oxford, and of sundry citizens of Milesburg, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented petitions of the Woman's Christian Temperance Union of Berlin; of the Epworth League of Mount Vernon; of the congregation of the Presbyterian Church of Broadalbin; of the East Wayne Christian Endeavor Union, of Wayne County; of the congregation of the Baptist Church of Findley Lake; of sundry citizens of Arkport; of the Woman's Christian Temperance Union of Mina; of the Woman's Missionary Society of Westchester; of the congregation of the Methodist Episcopal Church of Williamson; of the Christian Endeavor Society of Syracuse; of the Woman's Christian Temperance Union of North Elba; of the congregation of the Methodist Episcopal Church of North Elba; of sundry citizens of Northfield; of the congregation of the Methodist Episcopal Church of Chazy; of sundry citizens of Islip; of the Woman's Christian Temperance Union of Islip; of the congregation of the Sixth Avenue Baptist Church, of Troy; of the congregation of the Third Avenue Church of Christ, of Troy; of the congregation of the Memorial Baptist Church, of Troy; of the congregation of the Grace Methodist Church, of Troy; of the congregation of the English Lutheran Church of the Redeemer, of Troy; of the Young Men's Christian Association of Troy; of the Woman's Christian Temperance Union of Troy; of the Christian Endeavor Society of Jasper; of the Woman's Home and Foreign Missionary Society of Seneca Castle; of the congregation of the First Presbyterian Church of Arkport; of the congregations of the Methodist Episcopal churches and Woman's Christian Temperance Union of Jasper; of the Woman's Christian Temperance Union of Union Springs; of the Woman's Christian Temperance Union of Bay Shore; of the Woman's Branch of the City Missions of Brooklyn; of sundry citizens of Islip; of the congregation of the Methodist Episcopal Church of Smithtown; of the Woman's Christian Temperance Union of Smithtown; of the congregation of the First Congregational Church of Bay Shore; of the congregation of the Methodist Episcopal Church of Islip; of the Presbytery of Brooklyn; of sundry citizens of Brooklyn; of the Woman's Home and Foreign Missionary Society of Brooklyn; of sundry citizens of Northport; of the Woman's Christian Temperance Union of Syracuse; of the congregation of the Presbyterian Church of Montgomery; of the Woman's Christian Temperance Union of Montgomery; of the Woman's Christian Temperance Union of Troy; of sundry citizens of Grumville; of the congregation of the Geddes Congregational Church, of Syracuse; of the Woman's Christian Temperance Union of Syracuse; of the Woman's Christian Temperance Union of Lawrence; of the congregation of the University Avenue Methodist Episcopal Church, of Syracuse; of the congregation of the Olivet Baptist Church, of Syracuse; of the congregation of the Methodist Episcopal Church of Stamford; of the Woman's Christian Temperance Union of Auburn; of the Woman's Christian Temperance Union of Stillwater; of the Young Men's Christian Association of Rochester; of the Woman's Christian Temperance Union of Plattekill; of the Woman's Christian Temperance Union of Port Jervis; of the congregation of the First Presbyterian Church of Williamson; of the Epworth League of Stamford; of the congregation of the First German Baptist Church of Rochester; of the Woman's Christian Temperance Union of Fort Plain; of the Woman's Christian Temperance Union of Cohocton; of the Young Woman's Christian Temperance Union of Sandy Hill; of sundry citizens of Mount Vernon; of the congregation of the New York Presbyterian Church, of New York City; of the congregation of the Methodist Episcopal Church of Cohocton; of the Woman's Christian Temperance Union of Horseheads; of the congregation of the Presbyterian Church of Cohocton; of the Christian Endeavor Society of Atlanta; of sundry citizens of New York City; of the congregation of the Baptist Church of Pulaski; of the Woman's Christian Temperance Union of Pulaski; of the congregation of the Congregational Church of Pulaski; of the congregation of the Baptist Church of Rochester; of the congregation of the Methodist Protestant Church of Gerry; of sundry citizens of Stamford; of the congregation of the Free Baptist Church of Horseheads; of the Woman's Home and Foreign Missionary Society of Hornellsville; of the congregation of the Brighton Heights Reformed Church, of New Brighton; of the Brighton Heights Young People's Society of Christian Endeavor, of New York City; of sundry citizens of New Brighton; of the Woman's Christian Temperance Union of Hopewell; of the Woman's Synodical Society of Hudson; of sundry citizens of Verona; of sundry citizens of Hornellsville; of sundry citizens of Arkport; of the congregation of the First Presbyterian Church of Wolcott; of the congregation of the First Presbyterian Church of Waterloo; of the Christian Endeavor Society of the Baptist Church of Esperance; of the Woman's Christian Temperance Union of Flycreek; of the congregation of the Methodist Episcopal Church of Sherman; of sundry citizens of New York City; of the Woman's Christian Temperance Union of Seneca; of the Epworth League of New York City; of the congregation of St. James Church, of New York City; of the Woman's Christian Temperance Union of Oneida County; of the Woman's Christian Temperance Union of Rockland County; of the Ladies' Aid Society of the Lenox Church, of New York City; of the Woman's Christian Temperance Union of Hobart; of sundry citizens of Rockland County; of the Woman's Christian Temperance Union of Rochester; of the Woman's Christian Temperance Union of Buffalo; of the congregation of the Methodist Episcopal Church of Tyrone; of the Prohibition Alliance of Perry; of the Ries Park Baptist Mission, of Rochester; of sundry citizens of Otsego; of the congregation of the Methodist Episcopal Church of Bedford; of the Woman's Christian Temperance Union of Madison County; of

the Mount Kisco Woman's Christian Temperance Union, of Bedford; of the E. F. Lord Union Woman's Christian Temperance Union, of New York City; of the Woman's Missionary Society of Buffalo; of the Woman's Missionary Society of Katonah; of sundry citizens of Patterson; of the congregation of the First Presbyterian Church of Waterloo; of the Woman's Missionary Society of the Westchester Presbytery; of the congregation of the Baptist Church of North Salem; of the Woman's Christian Temperance Union of Seneca; of the Woman's Christian Temperance Union of Fort Edward; of the congregation of the Baptist Church of Canisteo; of the congregation of the Presbyterian Church of Canisteo; of the Independent Order of Good Templars of Orleans; of the Woman's Christian Temperance Union of Perry; of sundry citizens of West Galway; of sundry citizens of Thiells; of sundry citizens of Southeast; of the Presbyterian Church of Yorktown; of the Woman's Missionary Society of Yorktown; of the Woman's Christian Temperance Union of Kendall; of the First Methodist Episcopal Church of Kanona; of the Epworth League of Fly Creek; of the King's Daughters Circle of the Lenox Presbyterian Church, of New York City; of the congregation of the Lake Avenue Baptist Church, of Rochester; of the Woman's Missionary Society of the Lenox Presbyterian Church, of New York City; of the congregation of the Methodist Episcopal Church of Montgomery; of the congregation of the First Presbyterian Church of Mount Vernon; of the Society of Friends of Milton; of the Woman's Christian Temperance Union of Mount Vernon; of sundry citizens of Mount Vernon; of the Young People's Society of Christian Endeavor of Stamford; of sundry citizens of Poughkeepsie; of the congregation of the First Baptist Church of Westfield; of sundry citizens of Redlands; of the Woman's Christian Temperance Union of Cohocton; of the congregation of the First Baptist Church of Walworth; of the congregation of the Congregational Church of Gasport; of the Society of Christian Endeavor of the Baptist Church of Christ, of Poughkeepsie; of the Young People's Society of Christian Endeavor of Poughkeepsie; of the Woman's Christian Temperance Union of Westerleigh; of the Christian Endeavor Society of Clinton; of the Woman's Christian Temperance Union of Carmel; of sundry citizens of Stamford, and of the Woman's Christian Temperance Union of Richmond County, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of the Atlas Lumber and Shingle Company, of Seattle, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Local Union No. 71, Journeymen Tailors' Union of America, of Seattle, Wash., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 71, Journeymen Tailors' Union of America, of Seattle, Wash., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the United Presbyterian Church of Mount Vernon, Wash., and a petition of the Woman's Christian Temperance Union of Columbia, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of the congregation of the Asbury Methodist Episcopal Church, of Camden; of the Frances Willard Union of Camden; of the congregation of the Calvary Methodist Protestant Church, of Camden, and of the congregation of the Bethel Methodist Episcopal Church, of Camden, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BALL presented petitions of the Woman's Christian Temperance Union of Camden and Wyoming; of the Woman's Christian Temperance Union of Newcastle; of the congregation of the Methodist Episcopal Church of Wyoming; of the congregation of the Methodist Episcopal Church of Camden; of the congregation of St. Paul's Methodist Episcopal Church, of Wilmington; of the Sunday School Association of St. Paul's Methodist Episcopal Church, of Wilmington; of the Young Woman's Christian Temperance Union of St. Paul's Methodist Episcopal Church, of Wilmington; of the congregation of the Methodist Episcopal Church of Marshallton; of the Good Templars of Marshallton; of the Knights of Pythias of Marshallton; of the Knights of the Golden Eagle of Marshallton; of the Degree of Honor of Marshallton; of the Woman's Foreign Missionary Society of Dover, and of Capital Grange, Patrons of Husbandry, of Dover, all in the State of Delaware, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FULTON presented a petition of the Woman's Christian Temperance Union, the Young People's Society of Christian Endeavor, and of the Sunday school of the Friends Church of Salem, Oreg., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BARD presented a petition of General George A. Custer Council, No. 22, Junior Order of United American Mechanics, of Oakland, Cal., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

Mr. COCKRELL. I present an address to Congress adopted by the National Convention of Insurance Commissioners, held at Baltimore, desiring to bring to the attention of Congress certain matters, and also a letter addressed to me from the insurance commissioner of the State of Missouri. It is in regard to the get-rich-quick companies—fraudulent companies in the United States, and postal facilities that are afforded them in some instances. I move that the papers be printed as a document and referred to the Committee on Post-Offices and Post-Roads for their consideration.

The motion was agreed to.

Mr. FAIRBANKS presented a petition of Local Union No. 399, Cigar Makers' International Union, of Vincennes, Ind., praying for the enactment of legislation providing for a reduction of 20 per cent on all goods coming from Cuba; which was referred to the Committee on Finance.

He also presented a petition of Local Union No. 19, International Printing Pressmen's Union, of Fort Wayne, Ind., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 19, International Printing Pressmen's Union, of Fort Wayne, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. TELLER. I present sundry petitions from citizens of Colorado, praying that there may be an investigation of the right of Senator SMOOT, of Utah, to a seat in the Senate. I wish to say that I have examined these petitions and none of them ask for his expulsion. They simply ask that the Senate will inquire whether he is a polygamist and living in violation of the statutes of the United States, and, if such shall be the fact, that he may be expelled.

The PRESIDENT pro tempore. The petitions will be referred to the Committee on Privileges and Elections.

Mr. QUAY presented petitions of the congregation of the First Presbyterian Church of Milton; of the congregation of the Reformed Presbyterian Church of Wilkinson; of the congregation of the St. Paul Evangelical Lutheran Church, of Newville; of the congregation of the Third Presbyterian Church of Washington; of the Young Ladies' Missionary Society of the Third Presbyterian Church of Washington; of the Young People's Society of Christian Endeavor of Washington; of the Woman's Missionary Society of the Third Presbyterian Church of Washington; of the congregation of the First Methodist Episcopal Church of Sheridanville; of the congregation of the First Presbyterian Church of Monaca; of the congregation of the First Presbyterian Church of Sheridanville; of the Young People's Society of Christian Endeavor of Sheridanville; of the Woman's Christian Temperance Union of Sheridanville; of the congregation of the First Reformed Presbyterian Church of Pittsburg; of the congregation of the First Methodist Episcopal Church of Vandling, and of the congregation of the Big Spring Presbyterian Church, of Newville; all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented petitions of the Ladies' Missionary Society of the First and Second Presbyterian churches of Peekskill, of sundry citizens of Berlin, of sundry citizens of Dobbs Ferry, of the Woman's Christian Temperance Union of Binghamton, of the Woman's Christian Temperance Union of Islip, of the Presbyterian Young People's Society of Christian Endeavor of Arsport, of the Woman's Christian Temperance Union of West New Brighton, of the Woman's Christian Temperance Union of Shawangunk, of the Woman's Home and Foreign Missionary Society of the Presbytery of Geneva, and of the congregation of the Friends Church of Union Springs, all in the State of New York, praying for an examination of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCUMBER presented the memorial of Adam Sprafka and sundry citizens of Minto, N. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a petition of the Economic Club, of Washington, D. C., praying for the reorganization of the Bureau of Labor; which was referred to the Committee on Education and Labor.

BILLS INTRODUCED.

Mr. PLATT of Connecticut introduced a bill (S. 1238) granting an increase of pension to Sarah V. Rearick; which was read twice by its title, and referred to the Committee on Pensions.

He also (for Mr. HAWLEY) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1239) granting an increase of pension to John Adamson;

A bill (S. 1240) granting a pension to Emma E. Taylor;

A bill (S. 1241) granting an increase of pension to Hamlet F. Roberts;

A bill (S. 1242) granting an increase of pension to Thomas Davis; and

A bill (S. 1243) granting a pension to Mary McLean Wyllys.

Mr. HOAR introduced a bill (S. 1244) granting a pension to Sue Stevens Eskridge; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 1245) to remove the charge of desertion from the name of David S. Cox; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1246) granting a pension to John Slayton;

A bill (S. 1247) granting an increase of pension to John S. Hall (with an accompanying paper);

A bill (S. 1248) to increase rate of pension paid for gunshot wounds, and for other purposes; and

A bill (S. 1249) granting a pension to Elizabeth E. Bay (with an accompanying paper).

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1250) granting a pension to William Schall;

A bill (S. 1251) granting an increase of pension to Martha A. Harvey;

A bill (S. 1252) granting an increase of pension to William O. Eagle;

A bill (S. 1253) granting a pension to Abigail Campbell;

A bill (S. 1254) granting an increase of pension to Elizabeth Bodkin;

A bill (S. 1255) granting an increase of pension to John N. Rounder; and

A bill (S. 1256) granting an increase of pension to Francis M. Crull.

Mr. FAIRBANKS introduced a bill (S. 1257) to remove the charge of desertion from the military record of George F. Harter; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 1258) to amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1259) granting an increase of pension to John M. Stanyan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN (by request) introduced a bill (S. 1260) to authorize the readjustment of the accounts of army officers in certain cases, and for other purposes; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 1261) to amend sections 3894 and 3929 of the Revised Statutes and the first section of the act of Congress of March 2, 1895, chapter 191, entitled "An act for the suppression of lottery traffic through national and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States," so as to apply the provisions of existing laws to letters, postal cards, circulars, pamphlets, and publications concerning any business of and contracts and policies of life, fire, or other insurance transmitted into any State, District, or Territory by concerns or persons not authorized to transact such business in the State, District, or Territory from which the same are transmitted; which was read twice by its title.

Mr. DRYDEN. I ask permission to state that this bill is introduced by request. At the convention of the officials of the several insurance departments of the States recently held at Baltimore a committee was appointed to prepare a bill and a memorial to Congress for the purpose of preventing the use of the mails by fraudulent insurance companies.

I wish to make it distinctly clear that this bill and the memorial were not prepared by or in the interest of any company or set of companies or for any system of insurance, but the committee of that convention, in which were represented twenty-nine States of the Union, and which speaks for the officials of the various insurance departments, prepared the bill and memorial. The committee consisted of the insurance commissioners of the State of Tennessee, the State of Michigan, the State of Indiana, the State of Ohio, the State of Pennsylvania, and the State of Vermont. It is, therefore, an act of public interest.

I move that the bill be referred, with the accompanying memorial, to the Committee on Post-Offices and Post-Roads; and I wish to state to the committee that at a later day and at the proper time the committee of the national convention of insurance commissioners will ask to be heard upon the bill.

The motion was agreed to.

Mr. BATE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1262) for the relief of the legal representatives of P. M. Craigmiles, deceased;

A bill (S. 1263) for the relief of John Zimmerman;

A bill (S. 1264) for the relief of the heirs of Mrs. Jane Elizabeth Rodes;

A bill (S. 1265) for the relief of Payne, James & Co.;

A bill (S. 1266) for the relief of the heirs of C. C. Moore, deceased; and

A bill (S. 1267) for the relief of Davidson County, in the State of Tennessee.

Mr. McCREARY introduced a bill (S. 1268) for the relief of James Denton; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1269) granting an increase of pension to Ephraim Martin (with an accompanying paper);

A bill (S. 1270) granting an increase of pension to Mary J. Hollingsworth (with an accompanying paper); and

A bill (S. 1271) granting an increase of pension to Lucius S. Bowman (with an accompanying paper).

Mr. FORAKER introduced a bill (S. 1272) granting an increase of pension to Samuel Rollins; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 1273) to validate certain certificates of soldiers' additional homestead right; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BURNHAM introduced a bill (S. 1274) to authorize the readjustment of the accounts of army officers in certain cases, and for other purposes; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 1275) granting an increase of pension to Herbert N. Robinson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 1276) for the relief of Mrs. Eliza E. Hebert; which was read twice by its title, and referred to the Committee on Claims.

Mr. FULTON introduced a bill (S. 1277) granting a pension to Reuben F. Canterbury; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 1278) to provide for the erection of buildings for an immigrant station at the port of San Francisco, Cal.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1279) granting an increase of pension to Andrew Barr;

A bill (S. 1280) granting an increase of pension to Henry Wilfong;

A bill (S. 1281) granting an increase of pension to John H. Martens; and

A bill (S. 1282) granting an increase of pension to William Stitzer.

Mr. PENROSE introduced a bill (S. 1283) for the relief of William H. Crawford; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1284) to restore to the active list of the Navy the name of Talleyrand Desaix Myers; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1285) to correct the military record of William Harper; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 1286) for the relief of the Old Dominion Granite Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. PROCTOR introduced a bill (S. 1287) to establish the Fredericksburg and Adjacent National Battlefields Memorial Park in the State of Virginia; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1288) granting a pension to John F. Kline;
A bill (S. 1289) granting a pension to Andrew J. McWade;
A bill (S. 1290) granting a pension to Thomas Madden;
A bill (S. 1291) granting a pension to John G. B. Masters;
A bill (S. 1292) granting a pension to Maria L. Meserve;
A bill (S. 1293) granting a pension to Thomas M. Moore;
A bill (S. 1294) granting a pension to Archie Nunnelly;
A bill (S. 1295) granting a pension to Morgan O'Brien;
A bill (S. 1296) granting a pension to John E. Page;
A bill (S. 1297) granting a pension to Luther B. Paxon;
A bill (S. 1298) granting a pension to Robert N. Pollock;
A bill (S. 1299) granting a pension to John M. Reimer;
A bill (S. 1300) granting a pension to Milton Reynolds;
A bill (S. 1301) granting a pension to Thomas B. Roark;
A bill (S. 1302) granting a pension to O. Gustave Roedel;
A bill (S. 1303) granting a pension to Mary P. Scovel;
A bill (S. 1304) granting a pension to Upton T. Smith;
A bill (S. 1305) granting a pension to Henry Stutsman;
A bill (S. 1306) granting a pension to John D. Thomas;
A bill (S. 1307) granting a pension to William C. Thoms;
A bill (S. 1308) granting a pension to Thomas Tobens;
A bill (S. 1309) granting a pension to Daniel L. Tracy;
A bill (S. 1310) granting a pension to Ella C. Tupper;
A bill (S. 1311) granting a pension to Henry Wagner;
A bill (S. 1312) granting a pension to Jacob D. Walter;
A bill (S. 1313) granting a pension to George R. Warner;
A bill (S. 1314) granting a pension to Reuben B. Weiser;
A bill (S. 1315) granting a pension to George W. Williford;
A bill (S. 1316) granting a pension to Aaron Wood; and
A bill (S. 1317) granting a pension to Henry A. F. Worth.

Mr. TELLER introduced a bill (S. 1318) removing the charge of desertion from the name of Frank A. Land; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PETTUS introduced a bill (S. 1319) authorizing Robert A. Chapman, of Alabama, his associates and assigns, to use the waters of the Coosa River, in Alabama, for the purpose of generating electricity; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FRYE introduced a bill (S. 1320) to provide for the purchase of a site and the erection of a building thereon at Auburn, in the State of Maine; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

TREATIES, LAWS, ETC., RELATING TO INDIAN AFFAIRS.

Mr. STEWART submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., relating to Indian Affairs," as revised, 300 of which shall be for the use of the Senate, 800 for the House of Representatives, 200 for the Commissioner of Indian Affairs, 50 for the House Committee on Indian Affairs, 50 for the Senate Committee on Indian Affairs, and the remaining 1,100 shall be sold by the superintendent of documents.

DELAWARE RIVER IMPROVEMENT.

Mr. KEAN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Delaware River between Trenton, N. J., and Philadelphia, Pa., with a view to deepening the channel to 17 feet, and to submit an estimate of the cost at the earliest date practicable.

CONFIDENTIAL DOCUMENTS AND PAPERS.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution offered by the Senator from Massachusetts [Mr. HOAR] proposing an amendment to the rules. It will be read.

The Secretary read the resolution submitted yesterday by Mr. HOAR, as follows:

An amendment intended to be proposed to Rule XXXVI of the Senate.

Resolved, That the rules of the Senate be amended by adding at the end of Rule XXXVI the following:

"V. Whenever by the request of the Senate, or any committee thereof, any documents or papers shall be communicated to the Senate by the President or the head of any Department relating to any matter pending in the Senate, the proceedings in regard to which are secret or confidential under the rules, said documents and papers shall be considered as confidential and shall not be disclosed without leave of the Senate."

Mr. HOAR. I move that the proposed amendment be referred to the Committee on Rules.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the resolution be referred to the Committee on Rules. The Senator from Texas.

Mr. BAILEY. I simply desired to know what the motion was. I could not hear it. The Chair has stated it. It is all right.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. HALE. If there is no further morning business, I move that the Senate adjourn.

Mr. PENROSE. There are a number of nominations which I should like to report to the Senate from the Committee on Post-Offices and Post-Roads.

Mr. HALE. Then I will change the motion, or the Senator from Pennsylvania can make it.

Mr. PENROSE. Very well. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. Does the Senator from Maine withdraw his motion?

Mr. HALE. I withdraw the motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Pennsylvania.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 12 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 18, 1903, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 17, 1903.

ASSISTANT ATTORNEY-GENERAL.

James C. McReynolds, of Tennessee, to be Assistant Attorney-General.

ASSOCIATE JUSTICE, SUPREME COURT, DISTRICT OF COLUMBIA.

Daniel Thew Wright, of Ohio, to be associate justice of the supreme court of the District of Columbia.

CIVIL SERVICE COMMISSIONER.

Alford Warriner Cooley, of New York, to be a Civil Service Commissioner.

CHIEF EXAMINER, CIVIL SERVICE COMMISSION.

Frank M. Kiggins, of Tennessee, to be chief examiner of the Civil Service Commission.

DEPUTY COMMISSIONER OF CORPORATIONS.

Herbert Knox Smith, of Hartford, Conn., to be deputy commissioner of corporations in the Department of Commerce and Labor.

COLLECTOR OF CUSTOMS.

David M. Little, of Massachusetts, to be collector of customs for the district of Salem and Beverly, in the State of Massachusetts.

TERRITORIAL ASSOCIATE JUSTICE.

William H. Pope, of New Mexico, to be associate justice of the supreme court of the Territory of New Mexico.

SUPREME COURT JUSTICE, PHILIPPINE ISLANDS.

E. Finley Jonnson, of Michigan, to be an associate justice of the supreme court of the Philippine Islands, provided for in the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

CIRCUIT JUDGE.

William C. Hook, of Kansas, now serving as United States district judge for the district of Kansas, to be United States circuit judge for the eighth judicial circuit.

CONSUL-GENERAL.

John G. Foster, of Vermont, to be consul-general of the United States at Ottawa, Canada.

CONSULS.

Luther T. Ellsworth, of Ohio, to be consul of the United States at Cartagena, Colombia.

Christopher H. Payne, of West Virginia, to be consul of the United States at St. Thomas, West Indies.

Alfred L. M. Gottschalk, of New York, to be consul of the United States at Callao, Peru.

Charles N. Daniels, of Connecticut, to be consul of the United States at Sheffield, England.

Pierre Paul Demers, of New Hampshire, to be consul of the United States at Port Limon, Costa Rica.

Edward Higgins, of Massachusetts, to be consul of the United States at Berne, Switzerland.

Urbain J. Ledoux, of Maine, to be consul of the United States at Prague, Austria.

UNITED STATES ATTORNEYS.

Sherman T. McPherson, of Ohio, to be attorney of the United States for the southern district of Ohio.

John P. Nields, of Delaware, to be attorney of the United States for the district of Delaware.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Lieut. Howard M. Broadbent to be a captain in the Revenue-Cutter Service of the United States.

First Lieut. Francis M. Dunwoody to be a captain in the Revenue-Cutter Service of the United States.

First Lieut. Howard Emery to be a captain in the Revenue-Cutter Service of the United States.

First Lieut. Daniel P. Foley to be a captain in the Revenue-Cutter Service of the United States.

Second Lieut. John G. Berry to be a first lieutenant in the Revenue-Cutter Service of the United States.

Second Lieut. Claude S. Cochran to be a first lieutenant in the Revenue-Cutter Service of the United States.

Second Lieut. Colin S. Craig to be a first lieutenant in the Revenue-Cutter Service of the United States.

Second Lieut. Samuel P. Edmonds to be a first lieutenant in the Revenue-Cutter Service of the United States.

Third Lieut. John Boedeker to be a second lieutenant in the Revenue-Cutter Service of the United States.

APPOINTMENTS IN MARINE-HOSPITAL SERVICE.

George L. Collins, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Edward Maples Steger, of Texas, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Harvey G. Ebert, of Washington, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

William M. Wightman, of California, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

MARSHALS.

Henry W. Mayo, of Maine, to be marshal of the United States for the district of Maine.

Horace W. Bailey, of Vermont, to be marshal of the United States for the district of Vermont.

POSTMASTERS.

ALASKA.

E. J. Brooks to be postmaster at Juneau, in the Territory of Alaska.

ARIZONA.

Fred E. Cadwell to be postmaster at Douglas, in the county of Cochise and Territory of Arizona.

ARKANSAS.

Arthur Deland to be postmaster at Black Rock, in the county of Lawrence and State of Arkansas.

James A. Maxwell to be postmaster at Lake Village, in the county of Chicot and State of Arkansas.

Mary J. Smith to be postmaster at Lewisville (late New Lewisville), in the county of Lafayette and State of Arkansas.

CALIFORNIA.

Roy R. Giffen to be postmaster at Fowler, in the county of Fresno and State of California.

Samuel W. Metcalf to be postmaster at Sisson, in the county of Siskiyou and State of California.

Catherine T. Ryan to be postmaster at Gilroy, in the county of Santa Clara and State of California.

Nels A. Thompson to be postmaster at Newman, in the county of Stanislaus and State of California.

Daniel R. Trout to be postmaster at Boulder Creek, in the county of Santa Cruz and State of California.

George Watterson to be postmaster at Bishop, in the county of Inyo and State of California.

William F. Wulf to be postmaster at Crescent City, in the county of Del Norte and State of California.

CONNECTICUT.

John A. Ayer to be postmaster at Saybrook, in the county of Middlesex and State of Connecticut.

Levi O. Chittenden to be postmaster at Guilford, in the county of New Haven and State of Connecticut.

Billious C. Hall to be postmaster at Union City, in the county of New Haven and State of Connecticut.

Frank A. Hefflon to be postmaster at Deep River, in the county of Middlesex and State of Connecticut.

James R. Meigs to be postmaster at Madison, in the county of New Haven and State of Connecticut.

Jacob Widmer to be postmaster at New Hartford, in the county of Litchfield and State of Connecticut.

DELAWARE.

Carroll S. Fisher to be postmaster at Wyoming, in the county of Kent and State of Delaware.

John P. Steward to be postmaster at Milford, in the county of Kent and State of Delaware.

GEORGIA.

Cicero C. Alexander to be postmaster at Commerce, late Harmony Grove, in the county of Jackson and State of Georgia.

Sarah J. Anthony to be postmaster at Shellman, in the county of Randolph and State of Georgia.

William O. Bagwell to be postmaster at Lytle, in the county of Walker and State of Georgia.

William O. De Loache to be postmaster at Talbotton, in the county of Talbot and State of Georgia.

Anna P. Grimsley to be postmaster at Cochran, in the county of Pulaski and State of Georgia.

Charles E. Murphy to be postmaster at Waycross, in the county of Ware and State of Georgia.

HAWAII.

Vetle A. Vetlesen to be postmaster at Wailuku, Maui Island, Hawaii.

Mabel R. Woods to be postmaster at Kohala, in the Territory of Hawaii.

ILLINOIS.

Frank M. Cauger to be postmaster at Granite City (late Granite), in the county of Madison and State of Illinois.

William A. Collins to be postmaster at Western Springs, in the county of Cook and State of Illinois.

Albert S. Corl to be postmaster at Nunda, in the county of McHenry and State of Illinois.

Charles A. Gregory to be postmaster at Lovington, in the county of Moultrie and State of Illinois.

Herman F. Middendorf to be postmaster at Chester, in the county of Randolph and State of Illinois.

Frederick W. Morrison to be postmaster at Berwyn, in the county of Cook and State of Illinois.

Frank Morrell to be postmaster at Pawnee, in the county of Sangamon and State of Illinois.

John S. Nicholson to be postmaster at Beardstown, in the county of Cass and State of Illinois.

Frederick W. Obermiller to be postmaster at Mount Pulaski, in the county of Logan and State of Illinois.

Frank L. Paine to be postmaster at Xenia, in the county of Clay and State of Illinois.

John F. Regan to be postmaster at Mount Sterling, in the county of Brown and State of Illinois.

George E. Swanson to be postmaster at Woodhull, in the county of Henry and State of Illinois.

Allen H. Webster to be postmaster at Cuba, in the county of Fulton and State of Illinois.

George E. Wiedman to be postmaster at Zion City, in the county of Lake and State of Illinois.

John Yost to be postmaster at Eldorado, in the county of Saline and State of Illinois.

INDIANA.

John Perry to be postmaster at Kramer, in the county of Warren and State of Indiana.

INDIAN TERRITORY.

John E. Bruin to be postmaster at Bristow, in the Cherokee Nation, Ind. T.

Harland J. Butler to be postmaster at Miami, in the Ottawa Nation, Ind. T.

Philip K. Connaway to be postmaster at Minco, in the Chickasaw Nation, Ind. T.

Charles J. Lane to be postmaster at McAlester, in the Choctaw Nation, Ind. T.

Arthur I. Morgan to be postmaster at Bartlesville, in the Cherokee Nation, Ind. T.

Enoch Needham to be postmaster at Hugo, in the Choctaw Nation, Ind. T.

John A. Porter to be postmaster at Tishomingo, in Chickasaw Nation and Indian Territory.

Flavyous J. Sullivan to be postmaster at Pryor Creek, in the Cherokee Nation, Ind. T.

IOWA.

Charles H. Austin to be postmaster at Lineville, in the county of Wayne and State of Iowa.

James Beard to be postmaster at Mount Ayr, in the county of Ringgold and State of Iowa.

Alonzo Bryson to be postmaster at Davenport, in the county of Scott and State of Iowa.

Alice M. Davis to be postmaster at Bonaparte, in the county of Van Buren and State of Iowa.

Walter Gillrup to be postmaster at Northwood, in the county of Worth and State of Iowa.

Henry P. Gow to be postmaster at Greenfield, in the county of Adair and State of Iowa.

Nathan O. Hickenlooper to be postmaster at Blockton, in the county of Taylor and State of Iowa.

J. J. Marsh to be postmaster at Decorah, in the county of Winneshiek and State of Iowa.

Minnie A. Muhs to be postmaster at Akron, in the county of Plymouth and State of Iowa.

Peter S. Narum to be postmaster at Waukon, in the county of Allamakee and State of Iowa.

Robert P. Osier to be postmaster at Clarion, in the county of Wright and State of Iowa.

Jacob E. Palmer to be postmaster at Hawkeye, in the county of Fayette and State of Iowa.

Lambert J. Rogers to be postmaster at Allison, in the county of Butler and State of Iowa.

Frank C. Traverse to be postmaster at Bloomfield, in the county of Davis and State of Iowa.

George W. Wiltse to be postmaster at Montezuma, in the county of Poweshiek and State of Iowa.

KANSAS.

George W. Hill to be postmaster at Douglass, in the county of Butler and State of Kansas.

Frank W. Johnson to be postmaster at Larned, in the county of Pawnee and State of Kansas.

Roberta H. McBlain to be postmaster at Fort Riley, in the county of Geary and State of Kansas.

J. Frank Smith to be postmaster at Pleasanton, in the county of Linn and State of Kansas.

Joseph A. Whitehair to be postmaster at Chapman, in the county of Dickinson and State of Kansas.

MAINE.

William W. Brown to be postmaster at Bowdoinham, in the county of Sagadahoc and State of Maine.

Irving W. Case to be postmaster at Lubec, in the county of Washington and State of Maine.

Lindley H. Folsom to be postmaster at Greenville, in the county of Piscataquis and State of Maine.

Frank E. Monroe to be postmaster at Milo, in the county of Piscataquis and State of Maine.

Stephen B. Thurlow to be postmaster at Stonington, in the county of Hancock and State of Maine.

MASSACHUSETTS.

Festus G. Amsden to be postmaster at Athol, in the county of Worcester and State of Massachusetts.

Alfred G. Cone to be postmaster at Haydenville, in the county of Hampshire and State of Massachusetts.

George W. Cutting to be postmaster at Weston, in the county of Middlesex and State of Massachusetts.

Ralph W. Emerson to be postmaster of Chelmsford, in the county of Middlesex and State of Massachusetts.

Frank A. Fales to be postmaster at Norwood, in the county of Norfolk and State of Massachusetts.

Fred A. Hanaford to be postmaster at South Lancaster, in the county of Worcester and State of Massachusetts.

Herbert M. Howard to be postmaster at Randolph, in the county of Norfolk and State of Massachusetts.

Stephen C. Luce to be postmaster at Vineyard Haven, in the county of Dukes and State of Massachusetts.

Harriet M. Mudge to be postmaster at Bedford, in the county of Middlesex and State of Massachusetts.

John F. Phipps to be postmaster at Hopkinton, in the county of Middlesex and State of Massachusetts.

Edward F. Shaw to be postmaster at Three Rivers, in the county of Hampden and State of Massachusetts.

Mary C. Smith to be postmaster at Wellesley Hills, in the county of Norfolk and State of Massachusetts.

Frank M. Tripp to be postmaster at Marion, in the county of Plymouth and State of Massachusetts.

Charles H. Webster to be postmaster at Northfield, in the county of Franklin and State of Massachusetts.

MISSOURI.

Andrew J. Robison to be postmaster at Liberty, in the county of Clay and State of Missouri.

Frank Wyman to be postmaster at St. Louis, in the county of St. Louis and State of Missouri.

MONTANA.

Lewis Coleman to be postmaster at Deer Lodge, in the county of Powell and State of Montana.

Clarence R. Lane to be postmaster at Forsyth, in the county of Rosebud and State of Montana.

John R. Stout to be postmaster at Glendive, in the county of Dawson and State of Montana.

NEVADA.

Herman C. Sommer to be postmaster at Lovelocks, in the county of Humboldt and State of Nevada.

NEW HAMPSHIRE.

Andrew J. Hook to be postmaster at Warner, in the county of Merrimac and State of New Hampshire.

Forrest E. Page to be postmaster at Raymond, in the county of Rockingham and State of New Hampshire.

NEW MEXICO.

Fred O. Blood to be postmaster at Las Vegas (late East Las Vegas), in the county of San Miguel and Territory of New Mexico.

Albert R. Carter to be postmaster at Tucumcari, in the county of Quay and Territory of New Mexico.

John M. Hawkins to be postmaster at Alamogordo, in the county of Otero and Territory of New Mexico.

OREGON.

Carlton E. Harmon to be postmaster at Grants Pass, in the county of Josephine and State of Oregon.

Hiram F. Murdoch to be postmaster at Klamath Falls, in the county of Klamath and State of Oregon.

Wallace W. Smead to be postmaster at Heppner, in the county of Morrow and State of Oregon.

PORTO RICO.

Augusto Font to be postmaster at Aguadilla, in the county of Aguadilla, P. R.

RHODE ISLAND.

John B. Landers to be postmaster at Jamestown, in the county of Newport and State of Rhode Island.

SOUTH DAKOTA.

Bayard T. Boylan to be postmaster at Armour, in the county of Douglas and State of South Dakota.

John J. Mansfield to be postmaster at Hurley, in the county of Turner and State of South Dakota.

Eva M. Young to be postmaster at Faulkton, in the county of Faulk and State of South Dakota.

TEXAS.

James A. Butler to be postmaster at Troup, in the county of Smith and State of Texas.

W. E. Connelly to be postmaster at Hubbard, in the county of Hill and State of Texas.

Ellie V. Flanagan to be postmaster at Henderson, in the county of Rusk and State of Texas.

Albert L. Gibson to be postmaster at Guffey, in the county of Jefferson and State of Texas.

UTAH.

Samuel Judd to be postmaster at St. George, in the county of Washington and State of Utah.

WISCONSIN.

William H. Berray to be postmaster at Wautoma, in the county of Waushara and State of Wisconsin.

Thomas W. Claridge to be postmaster at Reedsburg, in the county of Sauk and State of Wisconsin.

Albert E. Edwards to be postmaster at Monticello, in the county of Green and State of Wisconsin.

Gertrude Frazier to be postmaster at Viola, in the county of Richland and State of Wisconsin.

Edith L. Maynard to be postmaster at Sheboygan, in the county of Sheboygan and State of Wisconsin.

Sutcliffe Parkin to be postmaster at Mazomanie, in the county of Dane and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

TUESDAY, *November 17, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

CORRECTIONS.

Mr. RANDELL of Texas. Mr. Speaker, I wish to correct the Journal. The RECORD is correct, but the Journal, which states, according to the reading by the Clerk, that CHOICE B. RANDELL, of the Tenth district of Texas, was sworn in yesterday, is not correct. I am from the Fourth district of Texas, and was not sworn in yesterday, but was sworn in on the first day of the session. I understand the Hon. JOSEPH E. RANSDELL, of Louisiana, was sworn in yesterday. I wish to correct the Journal in that respect.

The SPEAKER. Without objection, the correction will be made.

There was no objection.

SWEARING IN OF MEMBERS.

The SPEAKER. The gentleman from New Jersey, Mr. Fowler, the Chair is informed, is present and desires to take the oath.

Mr. Fowler came forward to the bar of the House and took the oath of office.

Mr. LITTLE. Mr. Speaker, my colleague, Mr. Brundidge, from the Second district of Arkansas, is present and desires to take the oath of office.

Mr. Brundidge came forward to the bar of the House and took the oath of office.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions; in which the concurrence of the House was requested:

Senate concurrent resolution No. 8.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made of that portion of the Columbia River between Tongue Point and Fort Stevens, Oreg., commonly known and designated as the Astoria Harbor, with a view to widening and deepening the channel and permanently improving said harbor, and to submit a plan and estimate for such improvement.

Senate concurrent resolution No. 9.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made and an estimate submitted of the cost of removing Starr Rock, Bellingham Bay, Washington, in accordance with the recommendations heretofore made and filed with the War Department.

Senate concurrent resolution No. 10.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the harbor of South Bend, Willapa Harbor, Washington, so as to meet the demands of commerce.

Senate concurrent resolution No. 11.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination and survey to be made and estimate submitted of the cost of improving the Chehalis River, Washington, between Aberdeen and Montesano, to meet the demands of commerce.

Senate concurrent resolution No. 12.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Delaware River, between Trenton, N. J., and Philadelphia, Pa., with a view of deepening the channel of 17 feet, and to submit an estimate of the cost at the earliest date practicable.

SENATE CONCURRENT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution No. 8:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made of that portion of the Columbia River between Tongue Point and Fort Stevens, Oreg., commonly known and designated as the Astoria Harbor, with a view to widening and deepening the channel and permanently improving said harbor, and to submit a plan and estimate for such improvement—

to the Committee on River and Harbors.

Senate concurrent resolution No. 9:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made and an estimate submitted of the cost of removing Starr Rock, Bellingham Bay, Washington, in accordance with the recommendations heretofore made and filed with the War Department—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 10:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the harbor of South Bend, Willapa Harbor, Washington, so as to meet the demands of commerce—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 11:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination and survey to be made and estimate submitted of the cost of improving the Chehalis River, Washington, between Aberdeen and Montesano, to meet the demands of commerce—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 12:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Delaware River, between Trenton, N. J., and Philadelphia, Pa., with a view of deepening the channel of 17 feet, and to submit an estimate of the cost at the earliest date practicable—

to the Committee on Rivers and Harbors.

CUBA.

The SPEAKER. In pursuance of the resolution adopted yesterday the House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1921, and the gentleman from New York [Mr. SHERMAN] will take the chair.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1921, the title of which will be announced by the Clerk.

The Clerk read as follows;

A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. PAYNE. Mr. Chairman, I yield thirty minutes to the gentleman from New York [Mr. KNAPP].

Mr. KNAPP. Mr. Chairman, the United States during the past five years has had new duties to perform and problems to solve by reason of the war with Spain. The results accomplished in performing those duties and solving those problems have been greater than were ever accomplished for a similar purpose and during an equal period of time by any other nation.

The war with Spain created a new era in history, gave a new rank to the United States, added a new glory to the flag, taught other peoples how to make war for humanity's sake, and awoke the nations of the Old World to the fact that the United States was a world-wide power.

The causes which led to that war are too familiar to need recall except to say that they were such as, in the judgment of the civilized world, justified this Government and nation in an appeal to arms. President McKinley and those associated with him in the administration of the Government, with humane purpose, made every honorable effort to right the wrongs of Cuba and still avert armed conflict. Possibly those efforts might have prevailed had it not been for the crime of the *Maine;* but if ever there had been a possibility of securing justice for Cuba without a resort to arms, that calamity destroyed the possibility and made war, with all its trials and results, a certainty.

War came, victory followed, and the nation stood face to face with new and untried responsibilities. Some were bidden; others were not; all were ours.

But there is no question in the government of peoples that can not be safely intrusted to the American nation. And so all the results growing out of the war with Spain have been accepted and all are being and will continue to be worked out for the advancement of peoples who have never known the blessings of good government and for the credit of the American name and the lasting honor of the American nation.

RESULTS OF THE WAR WITH SPAIN.

As one of the results of that conflict Cuba became a temporary dependency of the United States. We said to the people of that, one of the fairest isles of the seas, "We have given you liberty from the tyranny of Spanish rule; we will add to that the blessings of self-government." As a means of redeeming this promise the United States instituted in the island of Cuba a military government, which began on the 13th day of December, 1898, and ended on the 20th day of May, 1902, when the government of the island was turned over to the duly constituted authorities of the Cuban Republic. During our occupancy of Cuba we pacified her people, stimulated her industries, gave her a splendid school system, and taught her the blessings of education, in which center the hope of any people. We projected railways, improved her harbors, built up her waste places, advanced her trade and commerce, and pointed her the way to industrial prosperity. In short, we rescued her from a tyrant's rule, led her in paths of peace, gave her self-government, and welcomed her to the galaxy of nations.

History bears no record of a promise more unselfish and a fulfillment more generous. All of this commands the gratitude of a people whose dream of liberty has been made a reality and challenges the admiration of every civilized nation of the world.

But all of this did not measure our full responsibility to Cuba and her people. There was then and there is now no rule of right by which we could or can abandon Cuba to her fate. Every dictate of justice and national honor demands "that Cuba shall still be sheltered by the American flag." To give her self-government we gave of our treasure and blood. To make that Government stable and insure her future we must aid, as far as possible, in securing to her industrial prosperity. This we can do by granting her reciprocal trade relations, and that without injuring a single one of our manifold industries. That was one of the purposes of the attempted legislation in the Fifty-seventh Congress, but which failed of enactment; that is one of the purposes of the treaty negotiated by the President, ratified by the Senate, and now before the House for its concurrent action.

That treaty, of which the bill now before the House is the enabling act necessary to make the same operative, provides, in substance, as follows:

Article 1 provides that all articles of merchandise being the product of the soil or industry of the United States and the Republic of Cuba and now imported from one country to the other free of duty shall so continue to be admitted as free of duty.

Articles 2 and 3 provide that all articles of merchandise not included in article 1 being the product of the soil or industry of the United States or the Republic of Cuba and imported from one country into the other shall be admitted at a reduction of 20 per cent of the rates of duty thereon as provided by the tariff laws of the respective countries.

Article 4 provides that certain articles of merchandise especially enumerated and described and being the product of the soil or industry of the United States imported into Cuba shall be admitted at the respective reductions of 25 per cent, 30 per cent, and 40 per cent of the rates of duty thereon provided by the tariff of the Republic of Cuba.

Article 8 provides that the rates of duty provided for by the treaty, both on the part of the United States and Cuba, being preferential in respect to all like imports from other countries, and also that while "the rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of this convention preferential in respect to all like imports from other countries in return for said preferential rates of duty granted to the Republic of Cuba by the United States, it is agreed that the concession herein granted on the part of the said Republic of Cuba to the products of the United States shall be likewise, and shall continue during the term of this convention, preferential in respect to all like imports from other countries: *Provided*, That while this convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater that 20 per cent of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897, and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than provided by the tariff act of the United States approved July 24, 1897."

Article 11 provides that the treaty shall continue in force for at least the period of five years.

TREATY ONE OF RECIPROCITY.

This treaty provides for reciprocal trade relations between the United States and the Republic of Cuba on terms and conditions intended to be beneficial to both countries; in other words, it is a treaty of reciprocity.

The criticism made by some who have preceded me that it is inconsistent with the policy of a protective tariff is not well founded. To the principle of a protective tariff the Republican party stands to-day, as it has in the past, irrevocably committed. Through that principle, enacted into tariff laws, it has given this nation an industrial policy which has developed agriculture, dotted hills and valleys with manufacturing industries, employed labor, veined the continent with railways, vexed the waters of the deep with fleets which convey the products of our greatness to every nation and clime, and through it all has led the nation along a pathway of industrial prosperity never equaled by any other nation since time begun. Whenever changed commercial and industrial conditions have or may indicate the wisdom of a thorough revision of the tariff laws, such revision has been and doubtless will be made, and if made by the Republican party will, like its revision of the tariffs in the past, have as basic principle not free trade, not tariff for revenue only, but just protection for American industries, labor, and homes. [Applause.]

The treaty under discussion is in no way inconsistent with this Republican principle of protection, but, on the contrary, is in exact accord and compliance with it.

The present tariff law authorizes the President to enter into reciprocity treaties with other nations which may reduce duties of the present law 20 per cent from those fixed in the original act. It is under the express authority conferred by that provision of the Dingley tariff law that this treaty has been negotiated by the President, concurred in by the Senate, and is now before the House for action.

It is not an attempted revision of the schedules of the tariff law, except for the purpose of trade relations with Cuba. That was clearly set forth in the message of the President on reciprocity with Cuba, transmitted to the Fifty-seventh Congress on June 13, 1902. In that message the President said:

The question as to which, if any, of the different schedules of the tariff ought most properly to be revised does not enter into this matter in any way or shape. We are concerned with getting a friendly reciprocal agreement with Cuba.

That is a clear and explicit statement of the purposes and intent of this proposed legislation, which is to enter into reciprocal trade relations with Cuba by means of a treaty of reciprocity.

But reciprocity, as has been repeatedly stated in this Chamber, is a Republican doctrine. It was advocated and put into effect by some of the greatest of Republican leaders and American statesmen, among them James G. Blaine, Benjamin Harrison, and William McKinley. They never considered the doctrine of reciprocity inconsistent with that of protection. Both the tariff law of 1890, known as the McKinley tariff law, and the present tariff act, known as the Dingley tariff law, were framed with special reference to making applicable to their provisions the doctrine of reciprocity, and it is a significant fact that under both these acts they were so made applicable, and reciprocal trade relations were entered into with other nations.

Further than all this, President McKinley, in his speech at Buffalo, the last, but one of the greatest, of his public utterances, said:

Reciprocity is the natural outgrowth of our entire industrial development under the domestic policy now firmly established. * * * Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not.

Those words were uttered in what proved to be a last message to his countrymen from one whose devotion to the policy of a protective tariff has never been questioned, and whose services to his country and humanity will live through coming years.

But no added words are needed to demonstrate the value of reciprocity—that it is, so to speak, a very handmaiden of protection, and the treaty of reciprocity with Cuba now under consideration is in perfect accord with that Republican policy which has made us the greatest industrial nation in the world.

TREATY WILL NOT INJURE ANY OF OUR INDUSTRIES.

The purposes which underlie this reciprocity treaty are twofold: First, reciprocal trade relations between the United States and Cuba, the resultant effect of which may be beneficial to both countries; second, and equally important, justice to Cuba, for the welfare of which the United States must, to a certain extent, stand sponsor.

While the question as to whether this treaty will work injury to any one of our industries can not be answered with mathematical accuracy, still, reasoning from the experience of the past and the probabilities of the future, the conclusion is reasonable that it will not, but will in the end be beneficial not only to our industries but to our trade with Cuba. The protests that it would work injury to the beet-sugar industries of this country are neither new nor solely characteristic of this treaty, and that such would be the result is by no means conceded.

There are at present in the United States about forty beet-sugar factories. Their production for the year 1902 aggregated about 190,000 tons. That industry should continue to have the fostering care which will protect and develop it, and it is not the intention of those on this side of the House who favor this treaty to deprive it of such care. While, as stated, the exact effect of the treaty upon a single industry can not be foretold with mathematical accuracy, it can be foretold with exact certainty that after the reduction proposed on beet sugar that industry will still remain one of the most highly protected of all our industries, and it is a fair and reasonable assumption that such reduction will neither jeopardize nor injure the industry. As materially bearing upon this subject, I present the following figures, compiled from official statistics, showing the total consumption of sugar in the United States during the calendar year 1902, as well as the production, imports, and exports of sugar during the same period:

	Gross tons of 2,240 pounds.
Quantity of sugar consumed in the United States during the calendar year 1902	2,566,108
Product of the continental United States during the crop year 1902:	
Cane	310,614
Beet	163,126
Total	473,740
Imports from United States Territories and possessions during the calendar year 1902:	
Hawaii	303,470
Porto Rico	91,671
Philippine Islands	2,429
Total	397,570
Imports from foreign countries during the calendar year 1902	1,709,032
Exports of sugar refined in the United States during the calendar year 1902, including shipments to Porto Rico	4,991
Foreign sugar exported from the United States during the calendar year 1902	1,137

RECAPITULATION.

United States product, crop year 1902	473,740
Imports from United States Territories, etc., calender year 1902	397,570
Imports from foreign countries	1,709,032
Total product and imports	2,580,342
Total exports (4,991+1,137)	6,098
Total net imports (397,570+1,709,032−6,038 tons)	2,100,564

From the above figures it will be observed that the balance of sugar on hand unconsumed in this country amounted at the beginning of the calendar year 1903 to 14,234 tons. However, from this total must be taken 6,038 tons exported from the United States during 1902, leaving unconsumed in the United States but 8,196 tons, the material fact, however, being the importation from foreign countries of 1,709,032 tons.

It is a further fact that the average increase in the consumption of sugar in this country during the past fifteen years has been between 7 and 8 per cent annually. Under these conditions and the present importation of about 1,709,032 tons of sugar there should be no fear that the beet-sugar industry will be injured during the life of this treaty, limited as it is to five years.

But it is in this connection a significant fact that sugar is one of the most highly protected articles in the present tariff law. The

sugar schedule of the Dingley tariff law was purposely so framed, having in view the making of that schedule, as expressed by the gentleman from Ohio [MR. GROSVENOR], "a trading schedule for reciprocity treaties." It was not intended by the framers of the sugar schedule, as is evidenced by section 4 of the Dingley tariff law, to unalterably fix the tariff rate on sugar, but rather to fix the maximum duty, adding a permission, under prescribed conditions, for a 20 per cent reduction, so that this treaty in question is in exact compliance with both the intention and the letter of the Dingley tariff law.

It is further a fact that under the provisions of this very treaty sugar will still have a protection of about 25 per cent above the average and second only to one of our diversified industries, namely, tobacco. It is a fact, which will be conceded by all, that no one of our industries should be permitted to have a monopoly of protection. Reciprocity treaties neither stand nor fall on prophesied results as to one industry, but rather on hoped-for results as to the industries affected taken as a whole. This treaty affects not alone the article of sugar, but other articles in tariff schedules of various industries, and if viewed as a whole, from the standpoint of self-interest, it is beyond a reasonable doubt that its resultant effects will be beneficial to the trade and industries of the United States.

But, further than all this, reciprocity with Cuba is not an untried experiment. We need not be ignorant of a past or obliged to guess at a future. Under the McKinley tariff law we had a reciprocity treaty with Cuba, and during the nearly three years that treaty was in force our exports to Cuba increased to the extent that they nearly doubled, and after it was annulled by the enactment of the so-called Wilson bill our exports decreased.

The fact that in 1900 and 1901, during our occupancy of the island and under military tariff, our exports again largely increased is no argument against the beneficial results of that treaty. That treaty was in force when Cuba was under the despotic rule of Spain, and if its results were beneficial who will doubt that this treaty would be far more beneficial, negotiated as it is, not with a dependency of Spain, but with the Republic of Cuba, the people of which are bound both by ties of gratitude and friendship to this neighboring Republic?

CUBA'S TRADE AND COMMERCE.

But still further Cuba is, as has been said, an "inviting field for American trade and commerce." Her near-by location, the possibilities of her commercial and industrial development, the close relationship which does and should exist between the two countries, all point unerringly to the fact that the United States should of right possess a monopoly of Cuba's foreign trade and commerce. This is not now ours to the extent that it should be. As demonstrating this, I submit for careful consideration a table showing the aggregate of Cuba's trade and commerce for the calendar year of 1902:

Cuba's commerce in 1902 (calendar year).

	Including money.	Excluding money.
Imports	$62,135,464	$60,584,800
Exports	64,948,804	64,329,700
Total	127,084,268	124,914,500
Imports from United States	26,053,398	25,243,200
Imports from other countries	36,082,069	35,341,600
Exports to the United States	48,498,587	49,498,300
Exports to other countries	15,450,217	14,831,400

The above table shows that during the calendar year of 1902 the total commerce of Cuba, excluding money, aggregated in value $124,914,500, and of this $64,329,700 represented exports and $60,584,800 represented imports. Of her exports she sold to the United States in value $49,498,300, and to all other countries $14,831,400, or approaching three times as much to the United States as to all other countries.

Of her imports she purchased of the United States in value $25,243,200, and of all other countries $35,341,600, or nearly $10,000,000 worth more of other countries than the United States. So that at the end of the year the United States owed Cuba as a balance of trade $24,255,100, while Cuba owed other nations as a balance of trade $20,510,200.

As further illustrating the importance of this to certain industries in the United States it may be noted that during the calendar year of 1902 Cuba's total imports of certain industries were as follows:

Total imports of cotton goods	$5,285,511
Imports of same from the United States	401,107
Total imports of vegetables	2,307,279
Imports of same from the United States	789,713
Total imports of animals and products	12,881,681
Imports of same from the United States	6,869,489
Total amount dairy products imported from all countries	1,096,340
Total amount same from the United States	555,554

Why should not these conditions be changed, and the balance of trade be in favor instead of against the United States? While the trade and commerce of Cuba may not be large in the aggregate, still, her natural resources, which will invite the investment of capital, the progressiveness of her people, and her new relationship to the nations of the earth, make it a reasonable certainty of the future that as years go by her trade and commerce will continually and largely increase. Here, then, at our very door are markets present and prospective for the products of the American farmers and manufacturers, and it is our duty, even in self-interest, by reciprocal trade relations, by fostering a spirit of good will, and by every right means to secure those markets to the American producer, and such is among the purposes and doubtless will be among the results of this treaty of reciprocity.

JUSTICE TO CUBA DEMANDS THE TREATY.

But, Mr. Chairman, there are reasons above and beyond all of these which more than justify this treaty. Reasons limited not by the narrow bounds of self-interest but by the broader considerations of right. Justice to Cuba, for the future destiny of which this nation must to a great extent stand sponsor, demands this treaty. In the interest of humanity we gave Cuba liberty, we added self-government, and now if we are to make that liberty and self-government permanent realities and so consummate the great work which challenges the approval and admiration of the world we must, as far as lies in our power, add to Cuba industrial prosperity.

The war with Spain and its results placed upon this nation the duty of securing to Cuba a stable government. That duty is still upon us. The distinguished gentleman from Pennsylvania [MR. DALZELL] in discussing this subject in the last Congress made use of the following language, to quote:

I assert as a fundamental proposition that a stable government is possible only to a contented people. The world's history of revolutions and insurrections is the bloody record of discontent. And I assert, furthermore, that to insure peace and tranquillity to any people you must have prosperous industrial conditions; that poverty and bankruptcy are the efficient causes of popular uprisings and of crimes against law and order.

The truth of the above assertion has been inscribed in a world's history. A contented people has always been the first requisite of a stable government. Prosperous industrial conditions have always been the first requisite of a contented people. Without both of these there can be no such thing as a permanent stable government.

The conditions which characterized Cuba, her industries, and her people, and which have led up to and emphasize the necessity for this treaty are too familiar to need recall. For more than half a century Cuba had longed for freedom. Her people had struggled with a heroism which challenged the admiration of mankind to lift the yoke of Spanish oppression. That terrible struggle and the successive wars which characterized it culminated in 1898, when the United States proclaimed to the world that Cuba's wrongs must be righted and that Spanish misrule on this Western Continent must end forever.

For that half a century Cuba's dream, hope, ambition, and effort had been for liberty, and in her struggle for that all but paralyzed were her industries. Her plantations were laid waste, her mills and factories destroyed, her homes pillaged, her labor unemployed, her industries prostrated. Poor, unhappy, desperate was the lot of Cuba. But with liberty and self-government secured to her by the United States, her people turned resolutely to the future. They, with a purpose and energy worthy an ambitious people, began to build upon the ruins of the past—to turn industrial night into industrial day. And while it is true that her industrial conditions are somewhat improved, still the results of half a century of trials, of war, of bloodshed, and neglected industries are still upon her, and to-day to obtain the revenues sufficient to pay the sum due her patriot army and meet necessary requirements she seeks the markets of the world to negotiate a loan aggregating $35,000,000. That is the mortgage which must be placed upon this new-made Republic to aid her to successfully continue in the pathway of national life.

In the face of all this, where could or should Cuba turn for aid but to the United States? As we were morally bound to lend a helping hand to give her civic freedom, so we are morally bound to lend a helping hand to give her industrial prosperity. The declaration of war against Spain, the results of that war, our occupancy of Cuba, and finally our turning the island over to the Government we had aided them to establish, all emphasize the truth of the above assertion.

The United States by every act relative to Cuba, from the declaration of war against Spain to the present time, stands morally committed to establish in that island a stable government. Because it was so committed, this Government insisted and Cuba acquiesced in ingrafting into her constitution the so-called Platt amendment. By the provisions of that amendment Cuba stipulated, among other things, "never to enter into any treaty or other

compact with any foreign power which would impair, or tend to impair, her independence, or to permit any such power for military or naval purposes to gain control over the island or any part of it." That her Government "would never assume or contract any public debt to pay the interest on which" and provide for its ultimate discharge the revenues of the island should be insufficient, aside from defraying the expenses of the Government.

Articles III and VII of such amendments provide, respectively, in full as follows:

III. That the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

VII. That to enable the United States to maintain the independence of Cuba, and to protect the people thereof as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

By inserting this amendment in her constitution Cuba's Government made partial relinquishment of sovereignty to the island, and while it may be maintained that the United States made no direct promise in reciprocation, is there not in the fair construction of that amendment and the fair interpretation of all our acts relative to Cuba an implied promise that we would aid in making stable her Government and secure her future? This we can best do by making contented her people, this best do by making prosperous her industrial conditions, and all can best be accomplished by giving her what she reasonably asks—reciprocal trade relations. Trade and commerce are connecting links between nations. They are factors more potent in shaping the destiny and relationship of nations than all the armies that tread the earth or navies that ride the sea. Reciprocal trade and commerce will give the people of Cuba new hope for the future and be an added link to bind in lasting friendship the two Republics.

But is it said that we owe Cuba nothing more? Then let us remember that there are some things we owe to ourselves. We owe it to ourselves to keep our promise, direct or implied. We owe it to ourselves to deal with Cuba by the rules of right and justice. She does not ask of us alms, but only that we give her that trade reciprocity which will breathe life anew into her industries and make possible to her that industrial prosperity which will invite national progress.

We gave our treasure and blood to give her liberty and self-government, and now to cast her adrift would be a reproach to the American name. She is still our child, and ours is the duty to see to it that she does not fall upon the threshold of national existence; ours the duty to make stable her government and certain her future; ours the duty to lead her by the hand until she can walk alone the pathway of national life.

This nation was humane and great enough to free Cuba from a tyrant's rule and make her a republic; it is humane, great, and just enough to continue Cuba in the galaxy of nations. [Applause.]

Mr. PAYNE. Mr. Chairman, I now yield to the gentleman from Minnesota [Mr. STEVENS].

Mr. STEVENS of Minnesota. Mr. Chairman, I am reluctant to oppose my personal opinion and judgment against that of the great majority of my associates on this side of the House, and especially against that of the chairman of the Committee on Ways and Means. For three terms I have followed his leadership and I have had and now have a sincere respect for his wisdom and his judgment. But some investigation and reflection upon the conditions surrounding this measure have constrained me to differ with him and with the majority on this side of the House, and I ask leave to state briefly the reasons for my position.

I should feel under obligation to have voted for a straight 20 per cent reduction upon Cuban products entering this country, not because I believed there was any obligation, express or implied, on our part, because we have given Cuba all she desired and with no hope or expectation of reward to ourselves; not that I believe any promise had been made, because none was or could have been made by any Executive; not that I believe that Cuba needs such legislation, because she is fairly prosperous now; not that I believe it would be of any benefit to this country, because I think it will be a detriment; but I would vote for it because the great majority of the American people out of their abundance desire to be generous to Cuba, and because such a reduction is pressed and recommended by our Republican National Administration.

CONDITIONS OF RECIPROCITY.

But when the proposition comes before us for official action I find two conditions attached to the reduction. First, that there shall be a continuing preference for five years to the admission of Cuban products into our country as provided by the bill, page 2, lines 12, 13, and 14, as follows:

The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of said convention preferential in respect to all like imports from other countries.

Second, that the duty on sugar shall not be reduced for five years by either statute, treaty, or convention unless the treaty shall be sooner abrogated as follows, page 2, lines 15 et seq:

Provided, That while said convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897, and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897.

BELIEVE IN PROTECTION.

I wish to state in the outset that I am a sincere protectionist. I believe just as squarely in the Republican doctrine of protection as any man on this side of the House. But I believe that the time will be near at hand when a reduction must be made in some of our tariff schedules which are admitted to be excessive, such as those of iron and steel, glass, lumber, pulp, pottery, and the like, and among them must be reduced the tariff schedule on sugar. The chairman of the committee yesterday informed us that this schedule was excessive now. I believe that if it be burdensome to our people a reduction should be made so that our people will get the benefit, and that it ought not go to some foreign producers or to those who dwell in some foreign country. I am unwilling to vote for any measure which pledges to continue for five years a tariff schedule which is admittedly excessive and burdensome and which wrings unjust taxation to that extent from our people.

BELIEVE IN RECIPROCITY.

I believe also in the Republican doctrine of reciprocity. I believe that the practical application of that doctrine is necessary to protect and extend our foreign trade, and I am convinced that the results of this measure will be to restrict our trade rather than to extend it. I believe it will narrow our markets rather than increase them; that it will prevent reciprocity rather than promote it. I believe a liberal policy of trade agreements should be adopted, especially with Canada, Mexico, and our nearest American neighbors. But this measure seems to me to postpone such a consummation indefinitely.

COMMERCIAL NATIONS PRODUCE SUGAR.

Nearly all the commercial nations of the world are producers of sugar. Since the passage of the Dingley bill in 1897 the United States has imported sugar from nearly all the great commercial nations of the world.

The following table shows the total sugar importations into the United States since 1897 and from the nations indicated:

From—	Tons.	Appraised value.	Percentage of total imports.
Cuba	1,890,000	$101,025,861	60
Austria	294,000	9,584,648	29
Belgium	136,000	5,552,700	7
France	44,492	1,386,589	½ of 1
Germany	1,890,998	74,510,274	14
Netherlands, including colonies	2,487,168	101,237,386	a48
United Kingdom, including colonies	1,393,002	57,375,828	b5
Russia	2,346	105,044	½ of 1
Mexico	5,449	202,275	½ of 1
Central America	15,125	808,895	1½
South America	741,635	26,717,109	c¾ of 1
Santo Domingo and Haiti	339,642	15,234,763	55
Asia and Africa producing sugar, excluding colonies	262,416	12,169,316	16

a On 85 per cent of colonial trade. b On 16 per cent of colonial trade. c On excluding Brazil, 15 per cent.

You will notice that from nearly all the commercial nations of the world we import sugar. The gentleman from New York [Mr. KNAPP], who just preceded me, has made a statement concerning the present condition in the American market, but I do not think he has brought his figures quite up to date. I have been furnished this morning from the Bureau of Statistics a compilation made by Willett & Gray, which shows the probable condition of the American sugar market during the next season.

SUGAR PRODUCTION OF THE WORLD.

It is as follows: The consumption of the United States will be about 2,800,000 tons. The estimated crops are as follows:

Sugar crops of the world.

In the following table we have aimed to include the entire sugar production of all the countries of the world, including those crops which have heretofore been ignored in statistics. These figures include local consumptions of home production wherever known:

[Willett & Gray's estimates of cane-sugar crops, November 5, 1903.]

	1903-4.	1902-3.	1901-2.	1900-1.
	Tons.	*Tons.*	*Tons.*	*Tons.*
United States:				
Louisiana	240,000	300,000	310,000	270,338
Porto Rico	95,000	85,000	85,000	90,000
Hawaiian Islands	375,000	375,000	317,500	321,461
Cuba, crop	1,150,000	980,000	850,181	635,856
British West Indies:				
Trinidad, exports	49,000	45,000	51,077	52,673
Barbados, exports	35,000	31,000	48,750	55,360
Jamaica, exports	17,000	18,772	15,843	17,059
Antigua and St. Kitts	19,000	18,000	19,000	21,579
French West Indies:				
Martinique, exports	33,000	32,000	34,942	39,750
Guadeloupe	40,000	38,000	41,000	39,000
Danish West Indies—St. Croix	13,000	13,000	13,000	13,000
Haiti and Santo Domingo	45,000	45,000	45,000	45,000
Lesser Antilles, not named above	13,000	12,000	15,000	15,000
Mexico, crop	125,000	115,000	103,110	95,000
Central America:				
Guatemala, crop	10,000	10,000	10,000	9,000
San Salvador, crop	5,000	5,000	5,000	5,000
Nicaragua, crop	4,000	4,500	4,500	3,500
Costa Rica, crop	4,000	4,000	4,000	4,000
South America:				
British Guiana (Demerara), exports	125,000	122,000	123,967	84,559
Dutch Guiana (Surinam), crop	13,000	13,000	12,750	13,000
Venezuela	3,000	3,000	3,000	3,000
Peru, crop	140,000	140,000	138,000	135,000
Argentine Republic, crop	84,000	130,000	135,000	114,252
Brazil, crop	237,000	187,500	345,000	330,000
Total in America	2,854,000	2,726,772	2,725,629	2,392,387
Asia:				
British India, exports	15,000	15,000	15,000	15,000
Siam, crop	7,000	7,000	7,000	7,000
Java, crop	850,000	842,812	767,130	709,928
Japan (consumption 170,000 tons, mostly imported)				
Philippine Islands, exports	125,000	90,000	78,637	55,400
China (consumption large, mostly imported)				
Total in Asia	997,000	954,812	867,767	787,328
Australia and Polynesia:				
Queensland	93,800	76,627	120,858	92,554
New South Wales	20,000	21,000	18,000	19,000
Fiji Islands, exports	50,000	35,500	31,000	33,000
Total in Australia and Polynesia	163,800	133,126	169,858	144,554
Africa:				
Egypt, crop	90,000	90,000	96,200	94,880
Mauritius	175,000	150,349	147,828	175,267
Reunion	35,000	35,000	35,000	35,000
Total in Africa	300,000	275,349	279,028	305,147
Europe—Spain	28,000	28,000	28,000	28,000
Total cane-sugar production (Willett & Gray)	4,342,800	4,118,059	4,070,282	3,657,416
Europe beet-sugar production (Licht)	5,850,000	5,521,869	6,760,361	5,990,080
United States beet-sugar production (Willett & Gray)	233,000	195,463	163,126	76,859
Grand total cane and beet sugar	10,425,800	9,835,391	10,993,769	9,724,355
Estimated increase in the world's production	590,409			

Another semiofficial estimate from Cuba is a crop of 1,250,000 tons. So it can safely be calculated as upward of 1,150,000 tons. The Bureau of Statistics reports that there is now on hand and in stock in Cuba 347,941 tons. So that we can estimate that there will be imported into the United States during the next year under the provisions of this bill between fourteen and fifteen hundred thousand tons.

This same estimate of Willett & Gray also reports that there will be produced in the United States and within its dependencies of cane sugar and beet sugar for our own consumption something over 1,068,000 tons, making in the aggregate over twenty-five hundred thousand tons that will be produced in Cuba and the United States and its possessions and marketed in this country. The result will be that the American market will be almost completely filled next year from these sources, and that the year after, with the great possibilities for increase, the American market will be completely monopolized by Cuba and our own crop.

POSSIBILITIES OF CUBA.

Our consul-general in Cuba has recently reported, this very season, that the possibilities for the growth of sugar in Cuba are almost limitless; that an annual production of 6,000,000 tons is possible. It only requires sufficient capital and additional labor to raise this immense product. Those of you who have read the November monthly report made by the Dun Mercantile Company upon conditions in Cuba will notice that the capital is already

there, and that there is even now an agitation to repeal whatever restrictive immigration laws now exist, and to increase immigration of Asiatic, African, and cheap labor so that this vast increase of sugar production shall be made. You will notice further that the junior Senator from Massachusetts already has introduced a bill in the Senate, regardless of the constitutional limitations and restrictions upon origin of revenue legislation, to reduce the duty on Philippine sugars. This will be accomplished in the near future, and there is almost a limitless capacity for sugar production there. Between those two factors there can be no doubt, then, that within one year or two years, and certainly before the expiration of the term provided by this measure, the American market will be completely monopolized from these various sources.

DISCRIMINATION AGAINST COMMERCIAL NATIONS.

Now, Mr. Chairman, consider further that we have purchased sugar from the various nations of the world and that we have sold them goods in return. Now, we notify them by the provisions of this very act that we propose to discriminate to the extent of 20 per cent of our tariff rates against their product, and, second, that we shall not reduce our tariff on sugar for at least five years. The result will be that the very article which they produce in abundance and which we desire to buy, the very article of which we purchase and import the most from the markets of the world, is excluded from the competition of the great commercial nations.

We invite retaliation from these various nations whose products are excluded from the American market. Germany, Austria, Russia, the Netherlands, British colonies, West Indies and East Indies, Mexico, and Central and South America are excluded from our sugar markets by a direct policy of our discrimination against them and their products. They would have no right to complain if our domestic product met our own wants. They could not complain if they had entrance to our market on even terms with all other nations and could not compete in prices, quality, and delivery. So long as any nation is treated fairly and equally with every other nation there can be no danger on their part of discrimination against us and our trade. But it is just such action as this which expressly and in terms discriminates against them and excludes any possibility of their competing for our market, the richest and most profitable in the world, which will inevitably drive some, if not many, of them to retaliation and discrimination against us and our products. Such methods are easy to be adopted by the great nations. We have remonstrated against Germany and France in the past for just such procedure, yet here the Congress deliberately adopts a policy of exclusion and discrimination which can but produce results which will constantly return to plague us in nearly every department of our export trade.

RUSSIA DISCRIMINATES.

We remember about two years ago—although Russia has sold us only about 5,000 tons of sugar—yet because we imposed the countervailing duty on sugar provided by the Dingley bill upon the Russian product, that Russia quite excluded many American products from its market. I notice this very week that one of the leading English statesmen, Sir Henry Norman, a free trader, has been urging upon the present Balfour ministry of Great Britain that that ministry prepare measures of retaliation against the United States on account of this very measure. The result will be if this bill passes that we invite retaliation from the great sugar producing and distributing nations of the world.

NATIONS WILL NOT STAND DISCRIMINATION.

Germany, which has an estimated sugar crop and stock of nearly 2,500,000 tons, and purchases annually from us $193,000,000 of our products, will not submit tamely to be excluded from our market for its principal agricultural product. The Netherlands and its colonies, producing annually fully a million tons and purchasing over $80,000,000 annually of us; Austria, producing a million tons and purchasing annually over $6,000,000 of us; Belgium, producing nearly 250,000 tons and purchasing over $45,000,000 of us, will surely resent this action. Russia, producing 1,250,000 tons and purchasing $10,000,000 from us, has already retaliated. Mexico produces 125,000 tons of sugar annually, purchases $42,000,000 of our products, has invested in its domains more than $700,000,000 of American capital—seven times the amount invested in Cuba—possesses opportunities and possibilities for development and a market for our products far greater than Cuba; yet Mexico is subject to this discrimination. The South American nations raise a sugar crop for export nearly as large as Cuba and purchase annually nearly twice as much, yet are ejected from our market. And even the West India Islands, outside of Cuba and Porto Rico, produce two-thirds of the Cuban crop and purchase from us annually more than $17,000,000 of our goods, yet can not enter into equal and fair competition with their near neighbor in our markets.

BENEFITS OF THE BILL.

Now, what do we secure by the passage of this bill? We have a preferential entrance into the Cuban market of from 20 to 40 per cent over other nations. Last year they imported $60,000,000 of foreign products. I have made some compilations, as carefully as I could, as to where these products should naturally come from. I have made three classes. First, the products of which the United States has a practical monopoly in the Cuban market, where other nations can not fairly compete. The second class of products is that where the other nations have a practical monopoly in the Cuban market, and where we can not fairly compete, and the third, the class of competing products. In the first class, of which we have a monopoly, I find last year there was imported into Cuba about $15,000,000 from the United States, consisting of steel and iron manufactures, of provisions and grain stuffs, and things of that sort.

In the class where the other nations had a monopoly and as to which we can not fairly compete, during the term of this treaty, I find about $20,000,000 were imported of jerked beef, of textiles such as silks and linens, some glass and gold and silver wares, and some wines and liquors, which we ourselves import from European markets. There remains, then, the third class of about $25,000,000 of competing products.

SHARE OF UNITED STATES.

If I remember correctly, General Bliss testified before the Senate committee that the United States, under the provisions of this treaty, ought to receive about 80 per cent of the competing trade. Eighty per cent of $25,000,000 would be $20,000,000, which we ought to get under this bill. Mr. Bliss further confirms this by a detailed estimate that the increase would be about $21,000,000 annually. The reciprocity under the McKinley bill, which has been praised so greatly upon this floor, yielded an annual increase of our exports to Cuba of about $12,000,000 over the preceding year, when there was no reciprocity. I believe that would be about the increase which might be fairly expected from this bill—an increase of exports of about $12,000,000 per annum, although it may possibly run up to $20,000,000.

UNSOUND PROPHECIES.

I think that the prophecy of the gentleman from New York [Mr. PAYNE] was almost nonsensical yesterday when he stated that there might be an increase of $800,000,000. Why, Mr. Chairman, last year we exported to Great Britain, the greatest consuming nation of the world outside of this country, only about $524,000,000. We exported to Germany, the next greatest consuming nation of the world, one hundred and ninety-three millions of export; to France, less than eighty millions, and to the Netherlands, with their population in the East Indies of 50,000,000 people, about $80,000,000. It seems to me utter nonsense that we can expect any vast increase of our trade with Cuba. Remember, too, that we have had an increase of trade in the last few years above even the high tide of McKinley reciprocity.

Year ending June 30—	United States exports to Cuba, domestic and foreign.
1893	$24,157,698
1894	20,125,321
1895	12,207,661
1896	7,590,880
1897	8,250,776
1898	9,561,656
1899	18,616,377
1900	26,533,460
1901	25,964,891
1902	26,623,500
1903	21,761,638

This shows that our exports in 1900, 1901, and 1902 were in each year larger than our exports during the highest period of McKinley reciprocity, and we can not fairly expect any further phenomenal increase. Now we may possibly get an increase of from twelve to twenty million dollars.

COST OF TRADE INCREASE.

What do we pay for it? In the first place there will be a reduction of our revenues. If I read the testimony rightly, this measure will cause a reduction of revenue of about $7 a ton on sugar. There will be 1,400,000 tons to 1,500,000 tons imported from Cuba next year. Seven dollars a ton would make a reduction of about $10,000,000 on sugar alone. There would be a further reduction of about $2,000,000, as I recall, on other products. The result would be that we anticipate a possible reduction of $12,000,000 in our revenue for the sake of selling possibly from twelve to twenty million dollars of our products.

This reduction of $12,000,000 per annum comes at rather an inopportune time, when our custom revenues are falling off, and since the beginning of the fiscal year the expenditures have been larger than the receipts, yet here we propose to further reduce our receipts more than a million dollars a month. To consider it practically it would be good business policy for us to appropriate that money out of our Treasury, buy these additional products, and cast them into the sea, rather than let a bill like this pass which imperils the vast foreign trade of our country with other sugar-producing nations.

FOREIGN TRADE.

What did that trade amount to last year? We sold Cuba $21,764,000 of products. We sold the other West India islands which export sugar to this country during the same time $17,133,000. We sold the East Indies $6,221,000. We sold to the South American nations which export sugar to us $41,114,000. We sold Germany $193,000,000. We sold Austria $8,000,000. We sold to the African territories which export sugar to us $38,000,000. We sold the Netherlands $80,000,000. We sold the British colonies which export sugar to us $36,000,000. This does not include Great Britain, which purchased more than $524,000,000 last year, and whose capital is interested in sugar production in every country and colony under the sun. We must fairly and fully realize the situation that for the sake of getting a possible increase of from twelve to twenty million dollars in the Cuban market we imperil and will invite retaliation on one thousand million dollars of our foreign trade.

It would take but a very small percentage of discrimination against our products to swallow up many times over all the possible increase of our trade with Cuba. This is why I believe this measure will not promote reciprocity, but prevent it; will not increase our foreign trade, but restrict it. It will not sell more of our farmers' products at higher prices, as is so glibly promised, but will tend to decrease the demand, to depress prices, because it will subject our export trade to added burdens.

BURDEN ON FREIGHTS.

But that is not all. Where we have been importing 1,000,000 tons of sugar from other countries, that has enabled other products to be exported by cheaper freights with better facilities and to better advantage. Sugar has been one of the staple articles, of great bulk and weight, that has furnished inward cargoes to this country. We cut off these sugar cargoes coming into this country, and the ships which go out loaded with our products must come in empty and in ballast. The result would be that freights would be greatly increased the very next year, and must continue to increase so long as there is a cargo only one way. The export cargo must pay for the double voyage. There is no escape from that fact when we exclude other sugars from our markets. We may find that the freights on our exports to those nations who formerly sent sugar to us may be increased from three to six million dollars, and we can safely count that before the expiration of this treaty our annual freight charge on our products going to the same countries may possibly be increased more than $6,000,000, thus levying an annual tribute upon our foreign trade on account of this help toward Cuba.

PREVENTS INDUSTRIAL DEVELOPMENT.

Another factor, and I speak as a Republican now. I believe the measure in the last Congress was and I believe this measure in this Congress is a cruel blow to one of the most promising agricultural industries of this country; that is, the establishment of beet-sugar production wherever practicable and profitable. I make no plea for factories already in existence. This bill is a bonanza to them, because it insures a high price for their product for five years and prevents at the same time the establishment of new enterprises which might compete and reduce their profits. I am not interested in continuing the profits of existing factories. But I am greatly interested in the development of new enterprises wherever it can be profitably done in this country.

PREVENTS GROWTH OF SUGAR INDUSTRY.

It is very easy to assert that this measure injures no industry and will not interfere with any legitimate interests. Let facts and not assertions determine. The chairman of the committee admitted yesterday that no beet-sugar factory had been established since this agitation had commenced. I believe no beet-sugar factory will be established during the term of this measure, unless it may be in an exceptional place and under exceptional conditions. I believe it for this reason, that these conditions which I have just outlined, these obnoxious reasons that I have just stated, which will imperil and restrict and burden our foreign trade, will become so hateful to the people of this country that there will be started a movement to abolish them, especially the continuance of the present tariff for five years. The agitation will be begun at once, and will increase in intensity as the burden and injustice become known and felt. We know well that as long as such an agitation continues capital will not embark in the development of the sugar business. I believe as a Republican and a protectionist that we should reduce this tariff on sugar to the proper protective point that is admitted to be fair, just, and reasonable, and keep it there. Then under its provisions and under its beneficent influence we could develop the beet-sugar industry, as can and should be done in this country. And do we realize what that might mean?

BENEFITS SUGAR INDUSTRY.

The Agricultural Department reports there are twenty-two States in this Union which can cultivate beet sugar. There would be needed many millions of capital and there would be employed many thousands of men, and not only the direct results but the indirect results of beet-sugar cultivation would be even more beneficial. The result in France and Germany has shown that under the proper scientific system of beet-sugar cultivation in those countries, under the scientific and practical rotation of crops, the proportionate increase of yield of other crops, such as grain, grasses, and root crops, has been from 25 to 33 per cent over the same land not so cultivated. The average yield of grain in France in the beet-sugar districts under this system increased from 17 to 28 bushels per acre on the average.

BY-PRODUCTS.

There is further needed, when beet sugar is cultivated scientifically, a larger number of cattle to be used in connection with the land cultivated. In Germany is used about 1 head to every 6 acres; in France, about 1 head to every 7 acres. I conferred with one of the instructors in our school of agriculture in Minnesota, one of the most eminent in his line in the United States, if not in the world, and he informed me that in the Northwest it would be a safe estimate that 1 head of cattle would be needed for every 5 acres. Another instructor connected with the school of agriculture, who has made a specialty of this very branch, informed me that 1 head of cattle would be needed for every 4 acres. One of my constituents, a gentleman of culture and much experience, who has experimented in this line, stated that in his experiments he has found that 1 head to every 2 acres could be utilized.

There is now in the North Central States, according to the last census, about 1 head to every 20 acres of cultivated land. The result would be that under this calculation the number of cattle would be increased from four to five fold, adding many millions of dollars of wealth to our country and greatly increasing the fertility of our farms. In our great dairy States, too, there is needed use for the pulp that remains in the factories after the juice has been expressed. In our section this pulp is sold to the dairymen, and the result of experiments that have been made show that its use increases from 7 to 15 per cent the value of the cream and milk over the same expenditure of labor and money used without it.

HEAT, LIGHT, AND POWER FURNISHED.

From the residue of molasses in Germany a large amount of alcohol is distilled, and it is actually shown by the report of Consul-General Mason, one of our most reliable officials, that this alcohol produces 10 per cent more heat and power units than is found in refined petroleum. If we could have appropriate legislation by Congress so that alcohol could be utilized as it is in Germany, the troublesome propositions of heat, light, and power could be solved for many of our Western States. The German Government has used this product to advantage and with economy in its public work. Stoves, lamps, and engines have been constructed for its use, and there is no reason why there should not be a similar development in this country.

DISTRIBUTION OF BENEFITS.

If these things could be brought to pass, the increase of crop yield would be millions of dollars annually, the increase of cattle and cattle products would be a source of immense wealth. The increase of your dairying is and has been a solicitude to Congress, and the development of new heat, light, and power possibilities in every locality in the West could be of untold benefit to our people. Thousands of people would be profitably employed, and the industries of our country could be wonderfully diversified and increased. For my part, instead of having one of our principal food products produced on baronial estates, owned by nonresident landlords, in tropical climes, by semislave labor consuming little of our products, and always a menace to our institutions, I prefer to have our sugar grown in our own land by the small farmer in the midst of civilization, which he and his family do so much to support, and who consume the bulk and the best of our native products. I prefer to see the manufacturing done in our smaller communities scattered all over the land, owned by thousands of small investors, rather than to have it all done by a grasping monopoly in a few of the larger cities of the country and distributed under the rigid régime of the sugar trust. Yet the last is the inevitable effect of this bill.

Now, Mr. Chairman, I greatly regret to see such magnificent possibilities destroyed by Republican legislation. I regret that this great opportunity for the development of the agricultural sections of this country, which have stood so nobly by the Republican party, and propose to so stand in the future, destroyed by legislation like this. Because it takes money out of our Treasury and distributes it to foreigners at a time of possible national extremity, because it imperils or injures untold millions of our foreign trade, because it restricts our commerce and prevents genuine reciprocity, because it injures, if not destroys, one of our most promising agricultural industries, I am compelled by my convictions to vote against this bill. I ask leave to extend my remarks in the RECORD. [Applause on the Republican side.]

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from Missouri [Mr. CLARK] is recognized for forty minutes. [Applause on the Democratic side.]

Mr. CLARK. Mr. Chairman, in making any remarks upon this bill the first duty of a Democrat is to congratulate the Republicans that "light" is breaking on their intellects at last. [Laughter.] It is not "a great awakening light," such as Abou Ben Adhem saw on a celebrated occasion, but it is a light nevertheless, and an earnest of what may happen in the days to come, because it is written in a very old book that "a little leaven leaveneth the whole lump."

Before I say anything in particular about the bill I want to return my heartfelt thanks to my distinguished friend from Pittsburg [Mr. DALZELL] for delivering for the thirty-seventh time in this House yesterday his famous speech about what happened when the Wilson bill was finally passed in this House. [Laughter and applause on the Democratic side.]

It is said that practice makes perfect, and if that is true, then that speech of Brother DALZELL ought to be the most perfect piece of eloquence that ever fell from human lips. [Laughter.] Now, I have a fair proposition to make, and every Democrat will indorse it, and most of the Republicans, that if he will agree never to deliver that speech in the House again we will all agree to commit it to memory. [Laughter.] So that when he feels moved to deliver it all he will have to say is, "Dig up out of your memories that speech I have delivered so frequently." [Laughter.] He said he might not have delivered it if there were not a lot of new Members in the House.

Well, it must be assumed that new Members can read, and one of the most valuable daily papers published in America is the CONGRESSIONAL RECORD. In my judgment our Republican friends in this House are riding to a fall and pickling a rod for their own backs. If there is anything that is probable at this time, it is that the Democrats will control the next House of Representatives and elect the President of the United States [applause on the Democratic side], and it becomes more probable every day. In the November election Kentucky finally and for all time set the seal of her condemnation on assassination as a political method in this country. [Applause.] Maryland once more took her place securely in the political household to which she legitimately belongs.

My friend from Ohio [Mr. GROSVENOR], venerable and vitriolic, said here last winter, when he and I delivered some remarks at cross purposes, that Rhode Island went Democratic last year by a fluke. It went Democratic this year, and two victories in succession for the Democrats of Rhode Island show that there was no fluke about it, and that it is the settled purpose of the voters of that State to return to the Democratic column where it used to belong. Greater New York has freed herself from the domination of that great aggregation of political Pecksniffs that has controlled her destinies for the last two years. [Applause on the Democratic side.]

Now, if cool judgment could control and human passion did not enter into the equation, then when we get possession of this House we would do away, undoubtedly, with these gag rules. But Mark Twain says that human nature is very strong, and we all have a heap of it in us. [Laughter.] Lord Byron, after enumerating everything that was sweet in nature that he could think of, wound up by declaring that "sweet is revenge;" and he ought to know, because he practiced it as much as any man who ever lived. Now, the tighter you bind us down, the more of these ironclad rules you ram down our throats, the more you will get rammed down your throats when we come into possession of this House. [Great laughter.] Consequently, you will do well to go a little slow and to "bring forth fruits meet for repentance."

I want to read you an excerpt or two from the RECORD which my friend from Pittsburg [Mr. DALZELL] helped to make. He tells with great gusto what we did in passing the Wilson and Gorman bill, which my friend from New York [Mr. PAYNE] terms an enormity. So far as I am individually concerned, I voted for it holding my nose. [Laughter.] The gentleman from Pittsburg [Mr. DALZELL] says that we made them swallow 600 amendments to the Wilson-Gorman bill without debate! Well, that is

practically true. Now, that is a startling proposition if nothing else goes with it. I will tell the rest of that interesting story, which the gentleman was too modest to relate.

The new Members for whose benefit he was delivering his remarkable speech for the thirty-seventh time will be pleased to learn that when the Republicans got into possession of the House, when my friend was helping run the machine, they concocted in this House after nine days' debate the Dingley tariff bill and sent it over to the Senate, and they sent it back, not with 600 amendments, but with 872 amendments! [Laughter.] Let us see what they did. How much debate did they allow us? Here is what happened. The first thing that occurred on the 8th day of July, 1897, in this House was this message from the Senate:

A message from the Senate, by Mr. Cox, its Secretary, announced that the Senate had passed with amendments the bill (H. R. 379) to provide revenue for the Government and to encourage the industries of the United States, had requested a conference with the House of Representatives on the said bill and amendments, and had ordered that Mr. ALLISON, Mr. ALDRICH, Mr. PLATT of Connecticut, Mr. BURROWS, Mr. Jones of Nevada, Mr. Vest, Mr. Jones of Arkansas, and Mr. White be the conferees on the part of the Senate.

After disposing of a point of order that was raised by the brilliant and picturesque statesman from the new State of Washington, Col. James Hamilton Lewis, to the effect that Congress was not in session at all [laughter], my friend from Pittsburg [Mr. DALZELL] introduced the following rule:

The Committee on Rules, to whom was referred House resolution No. 64, have had the same under consideration and ask leave to report the following substitute therefor:

"*Resolved*, That upon the adoption of this resolution it shall be in order to move to nonconcur in gross in the Senate amendments to House bill No. 379, and agree to a committee of conference, asked for by the Senate, on the disagreeing votes of the two Houses; and the House shall, without further delay, proceed to vote upon said motion; and if the said motion prevail, a committee of conference shall be appointed, without instructions; and said committee shall have authority to join with the Senate committee in renumbering the paragraphs and sections of said bill when finally agreed upon."

The gentleman from Pennsylvania, as the RECORD shows, on that occasion really desired to take away from the Democrats in this House the poor privilege of debating that rule for forty minutes—twenty minutes on a side—but JOSEPH WELDON BAILEY, of Texas, at that time leader of the minority of the House, and among the leaders of the Senate now, the greatest debater on the American Continent, bar none, would not have it. He secured the twenty minutes, and during that time he delivered these sentences, which I commend to the careful and prayerful consideration of the gentlemen on the other side of the House:

Mr. Speaker, the gentleman from Virginia [Mr. SWANSON] has suggested a weak point, which it was the purpose of the committee to guard. They do not desire to be embarrassed with a proposition to eliminate the gratuity to the sugar trust.

That applies to-day as well as it did when Mr. BAILEY was standing up here making that speech.

Here are some more of his remarks:

If they are willing to take that responsibility, certainly we on this side will not complain. If they are willing to go to the country, having given the sugar trust all that it asked for and more than it expected, and having denied the House an opportunity for a separate vote upon that question, we are content to have the record made up in that manner.

That is exactly what we ask for in this connection, the privilege of voting on an amendment to this bill to strike out the differential on refined sugar, which amounts, in round numbers, to 12½ cents per 100 pounds of refined sugar, and the leaders of the Republican party on the other side of the House were so afraid that the Minnesota and California and Michigan and other beet-sugar producing statesmen on their side of the Chamber would kick out and vote with us again, as they did in the last Congress, that they would not give them the opportunity to do so, and there you are. [Applause on the Democratic side.] You can not get away from that proposition.

But that is not all of this rule business. I want to stir up your minds just a little more about it. Here is a rule that I say has never been paralleled in any legislative body in any civilized country on the face of the earth. It was brought in here on February 27, the day they were stealing a seat from a Democrat which they had no earthly use for, a Democrat who was as lawfully elected to Congress as any man that sits in this House to-day. Here is the rule they brought in, and I want the younger Members, to whom the gentleman was addressing his speech, to listen to it:

The Committee on Rules, to whom was referred the resolutions of the House numbered 468 and 470, have had the same under consideration, and report the following in lieu thereof, with the recommendation that it do pass:

"*Resolved*, That immediately upon the adoption of this rule, and at any time thereafter during the remainder of this session, it shall be in order to take from the Speaker's table any general appropriation bill returned with Senate amendments, and such amendments having been read, the question shall be at once taken without debate or intervening motion on the following question: 'Will the House disagree to said amendments en bloc and ask a conference with the Senate?' And if this motion shall be decided in the affirmative, the Speaker shall at once appoint the conferees, without the intervention of any motion. If the House shall decide said motion in the negative, the effect of said vote shall be to agree to the said amendments."

Now, gentlemen, that rule amounts to this: That if you vote on one proposition you shall be counted as voting on another proposition. It has never been equaled, and I say that it does not lie in the mouth of the gentleman from Pennsylvania [Mr. DALZELL] or any other gentleman on the other side of the House to be eternally and everlastingly lecturing us about what a Democratic House did in the Fifty-third Congress.

Mr. DALZELL. Mr. Chairman, I would not have done it if I thought it would hurt so much. [Laughter.]

Mr. CLARK. I want to clear that thing up for all time to come and be through with it. I am tired of hearing that speech! [Laughter.]

There is another little matter I wish to attend to before I come to this bill. I always listen to my distinguished friend, the chairman of this committee [Mr. PAYNE], with pleasure, sometimes with amazement, and frequently with awe. There was one paragraph in his speech yesterday which constitutes what Horace Greeley would have denominated "mighty rich reading." I will read it to you:

Under the Wilson bill we had fallen behind in the revenue, and the object of a Republican bill always is to produce revenue as well as protection. A Democratic bill, as, for instance, the Wilson-Gorman enormity, was neither protective nor did it supply sufficient revenue to support the Government. It was wrong at both ends. They profess the principle of tariff for revenue only, with incidental protection. They did not get the protection incidental, nor did they get the revenue under their bill; and so it is that we put the rate of duty higher on sugar than was absolutely necessary because we could get this splendid revenue from the sugar duty, a revenue that came from the people of the United States who use sugar in their households.

Now, to begin at the last end of it. Every Republican in the United States that I ever heard make a speech, every Republican newspaper that I ever read in all my life has been asserting ever since the tariff question in this country became acute that "the foreigner pays the tariff tax" and the American citizen does not. It is said an open confession is good for the soul. I congratulate my friend the chairman of the committee on making it, for he says:

And so it is that we put the rate of duty higher on sugar than was absolutely necessary, because we could get this splendid revenue from the sugar duty, a revenue that came from the people of the United States who used sugar in their households!

That sentence answers every Republican speech that has been made on the tariff in the last twenty years. [Applause on the Democratic side.] It comes right down to the Democratic position, and I thank God that the Republicans have gone even this little step toward Democracy. Thomas Jefferson said in his first inaugural address, which has become a classic, "We are all Federalists; we are all Republicans." If he were delivering that oration to-day, in the changed nomenclature of the times, he would say, "We are all Republicans, we are all Democrats, and it really looks from this performance here that we are going to be all Democrats." [Applause and laughter on the Democratic side.] That is not all of that wonderful paragraph. He continues:

Under the Wilson bill we had fallen behind in the revenue, and the object of a Republican bill always is to produce revenue as well as protection.

It is a work of supererogation, but I am going into that thing once more. I was really surprised to hear a man of the eminence of the distinguished gentleman from New York, the chairman of the committee, make any such declaration as that.

I will tell you what produced the deficiency in the revenue. The McKinley tariff bill produced it; and the Wilson tariff bill, while it did not suit me, would have produced enough revenue to run the Government if the income-tax section had not been declared unconstitutional by the Supreme Court of the United States, when it reversed the precedents of an entire century to render that decision. [Applause on the Democratic side.] The gentleman from New York speaks of the Wilson-Gorman bill as a "tariff for revenue only" measure, when, as a matter of fact, it carried an average tariff of thirty-nine and a fraction per cent on about 4,000 articles of everyday consumption.

What I am going to read to you is not original at all. I owe it to the industry and courage of the Hon. JOHN WESLEY GAINES, of Tennessee. He thrashed out that question very thoroughly once, and at the risk of boring some of the old Members, and for the purpose of carrying on that school of instruction which my friend from Pittsburg [Mr. DALZELL] started yesterday, I will read you a little correspondence. Brother GAINES took it into his head one day that he was going to find out the truth about this business of how that deficit came. He went over to the Bureau of Engraving and wanted to get Secretary Foster's letter. He could not get the letter until he went to the Secretary of the Treasury and got an order from Mr. Gage to give him a copy of that letter.

Here is the whole of the Gaines-Gage correspondence, which is a valuable thing to have in the Democratic family and which proves beyond a peradventure that the McKinley tariff bill created a deficit in the revenues some eighteen months before the Wilson-Gorman tariff bill was enacted into law:

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 25, 1897.

SIR: I desire to procure the original letter, or certified copy thereof, written by Mr. Secretary Foster February 20, 1893, addressed to the Chief of the

Bureau of Engraving and Printing, of which the following purports to be a copy:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 20, 1893.

SIR: You are hereby authorized and directed to prepare designs for the 3 per cent bonds provided in a Senate amendment to the sundry civil bill now pending. The denominations which should first receive attention are 100s and 1,000s coupon bonds and 100s, 1,000s, and 10,000s of the registered bonds. This authority is given in advance of the enactment in view of pressing contingencies, and you are directed to hasten the preparation of the designs and plates in every possible manner. I inclose a memorandum for your guidance in preparing the script for the body of the bond.

Respectfully, yours,

CHARLES FOSTER, *Secretary.*

The CHIEF OF THE BUREAU OF ENGRAVING AND PRINTING.

The original is now in the hands of the Director of the Bureau of Engraving and Printing, which I called for and read this morning. I desire to use the original letter or certified copy thereof this evening, and will be especially obliged if my request can be complied with at once.

Yours, very respectfully,

JNO. W. GAINES.

Hon. LYMAN J. GAGE,
Secretary of the Treasury.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., March 25, 1897.

SIR: I have the honor to acknowledge the receipt of your letter of this date, requesting the original letter, or a certified copy thereof, written by Mr. Secretary Foster, February 20, 1893, addressed to the Chief of the Bureau of Engraving and Printing, authorizing the preparation of certain plates. In compliance with said request, I submit below a correct copy of the letter in question, also a copy of the text of the proposed bond.

[Copy of letter.]

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 20, 1893.

SIR: You are hereby authorized and directed to prepare designs for the 3 per cent bonds provided in Senate amendment to the sundry civil bill now pending. The denominations which should first receive attention are 100s and 1,000s of the coupon bonds and 100s, 1,000s, and 10,000s of the registered bonds. The authority is given in advance of the enactment, in view of pressing contingencies, and you are directed to hasten the preparation of the designs and plates in every possible manner. I inclose a memorandum for your guidance in preparing the script of the body of the bond.

Respectfully, yours,

CHARLES FOSTER, *Secretary.*

The CHIEF OF THE BUREAU OF PRINTING AND ENGRAVING.

Respectfully, yours,

LYMAN J. GAGE, *Secretary.*

Hon. JOHN W. GAINES,
House of Representatives.

Mr. Chairman, I really believe there is such a thing as fairness in politics, in Congress, or anywhere else. I believe that the gentleman from New York [Mr. PAYNE], considering the high standing that he occupies in this House, owes it to himself and the country to get right up and state the fact about it, that the McKinley bill produced the deficiency; that Secretary Foster was preparing to print the bonds before he went out of office, but that in some way they managed to scrape together enough money to run until Cleveland was sworn in on the 4th of March, 1893. The bond issue for which Secretary Foster ordered the plates amounted to $50,000,000.

Mr. DINSMORE. If the gentleman will allow me, I will suggest to him that the McKinley bill was entitled "A bill to reduce the revenue."

Mr. CLARK. Yes; and it did reduce it, too. In that regard it was a great success. I thank my friend for that suggestion. That is the truth about this whole business, and it never ought to be repeated on this floor or in a respectable newspaper or in any stump speech made by any Republican having any reputation to lose in this country that the fact is otherwise. So much for that.

I have a few words to say about this bill. It is not really necessary to say anything about it, but our Republican friends are split up all over the country about it. They will undoubtedly go to the country and say, "We did it!" You could not pass this bill to save your souls, and you know it, if you did not know that a large number of Democrats on this side of the House were going to vote for it. All of the "kickers" that appeared in the last Congress would be here kicking now if there was a chance to defeat it.

The truth is that down in their hearts the Republican majority in this House are not in favor of this bill, and my guess is, if you could go to the bottom of it, that the gentleman from Minnesota [Mr. STEVENS] came nearer to stating their exact position than do those gentlemen who advocate it. What is the situation? A year or so ago Senator HANNA, who is supposed to be authorized to speak for the party, whose friends are grooming him now to run against Colonel Roosevelt for the Republican nomination, gave out this slogan for the Republicans: "Let well enough alone!" Then afterwards he changed it to "Stand pat." That is a phrase that I do not really understand the meaning of. [Laughter.] After a while the spirit moved my friend from New York [Mr. PAYNE] to give out a battle cry. The chairman of the Ways and Means Committee infringed on your Uncle MARK HANNA's patent by giving out his slogan as "Keep on letting well enough alone!"

There is not an unindicted malefactor in the land who will not agree to that proposition. [Laughter.] This last summer, when Col. Theodore Roosevelt and Senator JOSEPH BENSON FORAKER were punching Uncle MARK over the ropes in the Ohio convention, just as he went into a comatose state he exclaimed, "For God's sake, let well enough alone." [Renewed laughter.] And there you are.

I will read to you a sentence or two. Some of you will recognize it and some will not; some of the old Members will want to forget it, but I want to read it to some of my brothers over there who are in a sort of kindergarten, 128 of you. Here it is:

A system which provides a mutual exchange of commodities is manifestly essential to the continued and healthful growth of our export trade. We must not repose in fancied security that we can forever sell everything and buy little or nothing. If such a thing were possible it would not be best for us or for those with whom we deal. We should take from our customers such of their products as we can use without harm to our industries and labor.

Gentlemen, who said that? William McKinley, President of the United States, in that great speech which he delivered at Buffalo just before he was assassinated; and it is the essence of the Democratic position on the tariff question as stated here yesterday so ably by the gentleman from Mississippi [Mr. WILLLAMS].

Do you people over there believe that? Who is the organ of your crowd? [Laughter.] If you have any especial organ it is the American Tariff League, and the organ of the American Tariff League is the American Economist, published at Philadelphia. It is an exceedingly able paper. I read it constantly to find out what the enemy is up to. Now, listen to an editorial from the Washington Post, including an excerpt from an editorial of this paper, the American Economist.

The editor of the Washington Post is an out-and-out protectionist—not a stand-patter, but a high protectionist—nevertheless that paper is independent in its politics; it says it is, and I believe it is. But it has an incorrigible leaning for everything that comes from Ohio. What it says it says well; none better. It is authorized to speak for a certain wing of the protectionists.

I just read you President McKinley's farewell statement. Now, listen to this Philadelphia organ of the protectionists, the American Economist, and it will make the cold chills run up and down the spinal columns of the Republican Members composing the majority, especially the Republicans from Pennsylvania. It threatens to land Pennsylvania in the Democratic column. [Laughter.] Good heavens! If Pennsylvania goes, all the rest will go. When Pennsylvania goes Democratic, the thing will be unanimous.

Here is the Post editorial, containing and commenting on an extract from the American Economist editorial:

VENOMOUS AND SIGNIFICANT.

The passage of the Cuban reciprocity measure having become a moral certainty, one would naturally have supposed that even the American Economist, organ of the American Protective Tariff League, would deem it inexpedient to continue its bitter war on that scheme. But that is not what has happened. The organ of the men who have been the chief reliance of fat fryers for lo, those many years, greets President Roosevelt's Cuban message in a tone that bodes trouble. Although this reciprocity proposition is President Roosevelt's only by inheritance from his murdered predecessor, the league's organ treats him and it as if it were his original conception. When, upon his accession to the Presidency, Mr. Roosevelt dispelled doubt and braced up confidence by giving his pledge to carry out the policy of McKinley, he bound himself to do just what he has done in this matter. It is the McKinley policy—the policy of a statesman whose devotion to protection made him President—against which the league's organ inveighs. Here are samples of the blasts it delivers to the Executive who is to be the Republican Presidential candidate in the coming campaign:

"Already the President has been informed that if the Cuban reciprocity treaty shall be consummated the electoral vote of a great Republican State may at once be placed in the Democratic column for 1904. Other Republican States may prove to be in a similar frame of mind regarding the damage thus wantonly inflicted upon their industries.

"To be positive and peremptory in matters of profound conviction is a most excellent quality in a Chief Executive. To be mistaken as the result of rejecting truthful and reliable information is to court trouble and discomfiture.

"'First be sure you are right, and then go ahead,' is a maxim which might as well serve for the guidance of Presidents as of ordinary people."

In order to appreciate the venom of that it is only necessary to remember that in the opinion of the late President, as well as of his successor, and in the opinion of a large majority of Republicans in Congress, the honor of this Republic is involved—that the faith of this nation is pledged to its Caribbean ward.

So much for the venom in these stings. As to their significance, that can be guessed at by keeping in mind the source from which they come—the American Protective Tariff League, composed of the men who finance Republican campaigns.

Now, Mr. Chairman, if I had time, I could take this one issue of the Economist and so fill up the RECORD with extracts of that sort that would extend my speech for an hour. Every man that has denounced this reciprocity scheme this summer in a public speech can get his speech into that paper under the running head of a "Great Republican speech." If any of you who favored reciprocity made a speech, you did not find it under the head of a "Great Republican speech." My friend from Iowa, Colonel HEPBURN, delivered a "stand-pat" speech, and it was so published. My friend Mr. LACEY delivered a speech of that sort, and it was so published. My other friend from Iowa, ROBERT G. COUSINS,

delivered a speech in the last convention, and it was so published. The time has come for the dissolution of the Republican party, and the process has already set in, thank God. [Laughter and applause on the Democratic side.] This bill places it in the process of ultimate extinction.

Now, it is very rare that we ordinary mortals get a chance to read an editorial in a great paper in the United States three or four days before it is printed.

That is a blessing very rarely vouchsafed to us poor mortals here below. This is the 17th day of November. For the last three or four days I have had possession of this paper, which is an editorial from the American Economist for November 20, 1903. That is some time in the future. If the elder Disraeli—not brilliant Benjamin, but his father, Isaac—could come back to life again, he would seize hold of this editorial and place it with his curiosities of literature. One-half of it is taken up with the strange proposition that has been stated here, that we have already done more than we were under any obligations to do for Cuba, and therefore that we ought not to do any more for her to the injury of our own people. It gives four reasons to prove that we have done more than we had any business or were under any obligations to do.

Either this editorial was written by two men or it was written by a man who forgot while he was writing the last half what he had written in the first half of it, for the last half is devoted to the other proposition, that this bill, instead of being of benefit to the poor, downtrodden Cubans, is absolutely a monstrous outrage upon them. Here is the editorial in full:

[From the American Economist of November 20, 1903.]

ARE WE UNDER ANY MORAL OBLIGATION TO CUBA?

To demonstrate that there is not the slightest "moral obligation" on our part to Cuba that we are called upon to discharge, it is only necessary to contrast Cuba's condition under the rule of Spain with her condition now because of our intervention.

1. We gave Cuba her independence, something on which it is almost impossible to set a value. The cost of lives lost in her several wars, the tyranny of Spain, the burden of oppressive taxation, go, however, to make up the value of that independence, to which must be added the right of Cuba to govern herself, an inestimable privilege, not to be measured in dollars and cents. In doing this Cuba must be charged with the sacrifice of American lives and the expenditure of several hundreds of millions of the money of our taxpayers and a new pension list. To these must be added:

2. Our obligation under the Platt amendment to guard and protect Cuba from internal dissensions and from foreign foe for all time, under which Cuba may dispense with an army and a navy that would cost her six to ten millions per annum.

3. We have wiped out the $400,000,000 of debt that Cuba was carrying, equal to $88.50 per capita of her population, the annual interest on which $400,000,000 was $20,500,000, or nearly $10 per capita per annum.

4. We have relieved Cuba of the $12,000,000 of annual tax that was laid in Madrid to support the Spanish-Cuban army and navy and support the infamous rule of Spain in the island.

5. We relieved Cuba of the oppressive Spanish tariff of 1897, under which Cuba was forced, in buying from nations other than Spain, to pay duties averaging 125 per cent, or from one and a half to three times more than Spanish goods paid. It is now proposed to readopt that policy of "discrimination" in favor of the United States, only on a smaller scale. The theory seems to be that the curse of it will be removed if it is done under the cloak of "reciprocity." In other words, Cuba would be forced to pay from 20 to 40 per cent more than at present if she buys "treaty" goods from any nation except the United States. That is what has come to be known as affording Cuba "relief."

The result would be that the Cuban masses would be forced to pay the same duties they now pay on certain articles if taken from us, the quality of which, taken of foreign nations, is better, the cost of which is lower, and the time credit on which is longer than if purchased of the United States. We propose to force on the whole Cuban people disadvantages in order that a few sugar and tobacco planters in Cuba and the sugar trust and the tobacco and cigar trust may profit.

That is the whole case in a nutshell. Is it fair, is it decent, is it moral to thus take advantage of this new Republic that we have just set upon its feet?

It is said that Cuba will be unable to make her $35,000,000 loan unless she pledges her customs receipts. These receipts will either be reduced by the legislation proposed or else her people must pay the higher 20 to 40 per cent rates that reciprocity contemplates and calls on Cuba to enact in order to give us a discriminating or lower duty compared with other foreign nations. In other words, Cuba, under reciprocity, must either reduce her rates on her imports from us 20 to 40 per cent, which would cost her about $2,500,000 annually, and which she can not afford to do, or she must, in order to discriminate in our favor, increase her rates on goods from other foreign nations 20 to 40 per cent, the burden falling on her consumers. Is that right, no matter how much better and lower they may be, and regardless of the advantage of a longer credit that foreign nations now extend compared with that given by our exporters? That is in the very teeth of Mr. McKinley's policy.

The scheme has not a leg to stand upon that will commend itself to the investigator. It is unjust and oppressive from a Cuban standpoint, perhaps dangerous to her revenues and to the continued maintenance of a stable government, because it invites internal-revenue taxation, that Cubans are even now vigorously opposing. They object to the old Spanish "consumption taxes," and our policy will do more to create discontent than any other thing that could be devised. Can that be the ulterior object of the interested American trusts, syndicates, and exploiters who want annexation and free sugar and tobacco? As we have shown, there certainly is no moral obligation on our part to impose any such scheme on Cuba, and it would be in the very teeth of Mr. McKinley's policy of "commercial freedom" for the island.

In addition to that, the San Francisco Chronicle, another Republican organ, recently contained the following editorial:

KILL THE TREATY—THE BEST THING THE REPUBLICAN PARTY COULD DO AT THE EXTRA SESSION.

The extra session of Congress is called to meet on November 9. The only object stated in the proclamation is the passage of a law to validate the treaty of fake "reciprocity" negotiated with Cuba, and thereby stop the growth of our domestic sugar industry, throw both this country and Cuba into commercial war with half the nations of the earth, and utterly destroy public confidence in the pledges of the Republican party in its national convention and all faith in the words of Republican statesmen. We do not know whether the Republican Congress will commit party suicide or not. We do not believe that it will.

The validation of the Cuban treaty would stop the growth of the domestic sugar industry, because, with the present beet-sugar factories in the hands of the sugar trust, it would be more profitable to their owners to close them than to run them, and it would not pay new capital to go into the business and fight the trust. California land yields more beet sugar per acre than any other State in the Union, and, as per Willetz & Gray's last statement, almost exactly double the yield of Michigan land, and there has not been a new sugar factory built or even projected here since the Cuban agitation began. The treaty would start commercial wars because it expressly provides that during its life no country except Cuba shall obtain any reduction whatever from our tariff rates on sugar.

What Germany will at once do is shown by what she did in the case of Canada, and by the plain notice that she has given that she will claim every advantage which Cuba and the United States grant to each other. What Russia will do is shown by what she did do when we applied to her sugar the countervailing duties. What the other countries will do may be readily imagined. They will retaliate in the most convenient way. The validation of the treaty would destroy confidence in Republican statesmen, because they were elected on a platform which, when dealing with reciprocity, explicitly declared against reciprocity in competing products. If the Republican party, responsible for legislation, deliberately and in the face of protest legislates precisely as it declared that it would not legislate, how can it expect its pledges to be ever again believed?

It will be best to kill the Cuban treaty.

I will tell you in brief why I am in favor of the bill. I am in favor of it, in the first place, because it is a small slice of the Democratic loaf. It is the beginning of the end. Thomas Jefferson is the father of reciprocity. I am in favor of it because, as the gentleman from Virginia [Mr. SWANSON] demonstrated yesterday beyond all controversy—and it was a great speech he delivered—and as President McKinley indicates in the extract that I have read, we have got to do something to broaden our market in the commerce of the world. I am in favor of it because I am selfish for my own people, because while the Cubans under this bill get their stuff in here 20 per cent under the Dingley tariff rates, we get our stuff into Cuba 20 per cent off of their rate; that is a preferential tariff of 20 per cent in our favor. On some things we are favored to the extent of 25 per cent and even as high as 40 per cent. The duty of a Representative is double: to represent the entire country in a certain sense, and more especially to represent those who sent him hither. This bill enables the farmers of the Mississippi Valley to get their butter, flour, wheat, corn meal, and everything of that kind into Cuba 30 per cent lower than anybody else on the face of the earth can get those articles in there. If that does not give us control of the Cuban market, then there is no sense in tariff schedules at all.

I have a reason back of these that I have always advocated and always will advocate as long as I live, provided it does not happen before I die. I am in favor of this bill because there are two pieces of ground on the North American continent that I want to see annexed to the United States. One is Cuba, and the other is every foot of the British North American possessions, no matter how far north they extend. [Applause.]

I am not in favor of conquering them. There is no reason why they should be conquered, and if we act with any sense they will come to us peaceably, and this bill is a step in the right direction. If we want the friendship of Cuba, as we are in duty bound to do and in good sense bound to do, she will come to us in time without the expenditure of a dollar, without the shedding of a single tear.

It is a strange historical fact that the accident of one man doing one thing kept us from securing the North American British possessions at the time of the Revolutionary war. I am going to dig into history and find out his name. When Gen. Richard Montgomery and Benedict Arnold with the American expedition assaulted Quebec all of the British soldiers took to their heels and they ran off without firing a gun. For some unaccountable reason one went back and touched fire to one of the cannon, that killed Montgomery, broke Arnold's leg, and cut down the head of the column, and the rest retreated, and it has been a British territory ever since.

Thomas H. Benton, of Missouri, one of the greatest Democrats that ever lived, always contended that we had an indefeasible title to the line 54–40, on which the campaign of 1844 was fought and won. We ought to have had it then, and there never would have been any Alaskan boundary question. I am for it for those reasons. I believe that it is among the certainties of the future that Canada and the British possessions will be ours. We will welcome them with open arms. They are our kind of people; they understand our system of government; they speak our language, and they are fit for American citizenship.

Before I close I want to make one other remark. As far as this effort to tie the hands of the American Congress for five years is concerned, we utterly repudiate it and hold it for naught. You might as well understand that at this time as later, and that whenever we get possession of Congress we will do as we please. [Applause and laughter on the Democratic side.] We vote for this

bill with that provison in it under duress, and every lawyer in the land knows that what you do under duress is not binding at any future time; and when we get possession of Congress we will abolish that provision with as little ceremony and as little hesitancy as Samson broke the withes that bound him. [Applause.]

Mr. Chairman, I want to ask leave to round out my remarks and dress them up a little.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to "round out" his remarks. [Laughter.] Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for forty minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, before the gentleman from New York begins I would ask the gentleman from New York [Mr. PAYNE] if he has anyone on his side of the House who cares to speak now.

Mr. PAYNE. If I knew of anyone on this side who wanted to talk at this time I would be glad to give them the opportunity, but the gentlemen on this side of the House seem to be inclined to talk to-morrow or the next day.

Mr. WILLIAMS of Mississippi. Well, in the interests of fairness of debate I do not think the gentleman ought to load up the wagon too much at the rear.

Mr. PAYNE. Oh, I do not think there will be any trouble about that.

Mr. WILLIAMS of Mississippi. We should try as near as possible to have a streak of lean and a streak of fat.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. McCLELLAN. Mr. Chairman, because of the rule which was adopted yesterday it will be impossible to amend or change any of the provisions of the bill before the House. Gentlemen must therefore accept it entire or reject it entire. Had the minority been permitted to do so, we should have offered an amendment striking out the provisos of the first section of the bill and substituting a provision removing the differential.

Mr. HARRISON. Mr. Chairman, I would like to ask the gentleman if he will explain what he means by "the differential."

The CHAIRMAN. Does the gentleman yield?

Mr. McCLELLAN. I do. I am glad that my colleague asked the question, because I know there are some gentlemen among us who do not know its exact meaning.

Sugar is either refined or unrefined. All sugar that is purified by the use of animal charcoal, or, as it is sometimes called, "boneblack" or "char," is called "refined sugar." All sugar that is purified without the use of boneblack is called "unrefined sugar." It is possible to purify unrefined sugar to almost the same degree of purity as refined sugar. The process is, however, so expensive and difficult that for high grades of sugar boneblack is always employed.

The Dingley duty on sugar is levied according to its color and saccharine strength. The color is determined by the so-called Dutch standard. The first sixteen numbers of the Dutch standard are unrefined sugars; those above, refined. The saccharine strength is determined by the polariscopic test. The duty on unrefined sugars—that is, the sugars including No. 16 Dutch standard which have not been purified by the use of boneblack—is ninety-five one-hundredths of a cent per pound, provided the sugar does not test above 75° by the polariscope; for every additional degree, thirty-five one-thousandths of a cent is added per pound. This makes the duty on 96° sugar, which is the usual Cuban sugar of commerce, 1.685 cents per pound.

The duty on refined sugar—that is, the sugars above No. 16 Dutch standard which have been refined—is 1.95 cents per pound.

The differential is this difference in rate of duty between the refined and unrefined sugars. Thus the differential between a pound of refined sugar and a pound of 96° No. 16 Dutch standard sugar is 0.265 cent per pound.

This differential is the protection given the sugar refiners of this country.

The reasons which actuated us in desiring to so amend the bill so as to remove the differential have been stated at length in the exceedingly able views of the minority of the Committee on Ways and Means, prepared by my distinguished colleague, the gentleman from Mississippi.

In the few minutes at my disposal I propose to very briefly answer some of the objections which have been urged against the bill, especially by the distinguished leader of the opposition, the gentleman from Texas [Mr. COOPER]. [Laughter.]

It is claimed, first, that the enactment of this bill will inure exclusively to the benefit of the so-called sugar trust; secondly, that the United States will derive no benefit whatsoever from the proposed legislation; thirdly, if any benefit accrues to Cuba she does not need the benefit proposed, and fourthly, that the proposed legislation is un-Democratic.

Two years ago when the Cuban reciprocity bill was before the House I discussed at some length the argument that the sugar trust would be the sole beneficiary from any reduction of the Dingley rate upon sugar imported from Cuba. At that time the gentlemen who advanced this argument labored under the impression that there might be several world prices for sugar at the same time. Since then a great light has dawned upon them and they have discovered that there can be only one world price, and that the price fixed at Hamburg, Germany. As Germany is the largest producer of sugar in the world, the world price of sugar is fixed at her principal port of export, Hamburg. The price of sugar in New York at any time will, therefore, be the Hamburg price, plus freight and shipping charges, duty, and countervailing duty.

The following statement will explain my meaning:

Parity of 88° analysis beet sugar and 96° polarization cane sugar per 100 pounds.	
Beet sugar, at 6 9/16 f. o. b. Hamburg, per 112 pounds	$1.47
Freight, 7/6 per ton	.063
Insurance, bank commission, loss of weight, one-half per cent	.022
Duty (88° analysis outturns 94° polarization)	1.615
Countervailing duty (German sugar)	.26
Lighterage at New York	.08
Difference in value to refiners between 88° analysis and 96° polarization	.19
Parity of 96° polarization cane centrifugal	3.67

The price of sugar at Habana, free on board ship, at any time, will be the price at New York, less duty, freight, and shipping charges.

According to the custom in Cuba, the planter sells directly to the agent of the refiner. There is nothing to prevent him selling upon the New York market. Sugar is sold upon the New York market as sugar, according to its saccharine strength. There is no particular brand of sugar as there is of cigars. Sugar is sold as sugar, and it is impossible to distinguish the origin of the different kinds of cane sugar, provided they are of the same polarization and color.

If it is possible for the American Sugar Refining Company to derive the full benefit of this reduction of rates, or any benefit whatsoever, by fixing the price of Cuban sugar, it must necessarily follow that there can be two prices for the same article at the same place and at the same time, and if the price of sugar is fixed at Hamburg, as it is, this is impossible.

Now, two years ago gentlemen who opposed this bill, or the similar bill then before the House, cited, in proof of their argument, that Porto Rican sugar, after a reduction of 15 per cent of the Dingley rate, had failed to reach the price of Cuban sugar by 0.13 of a cent; and although this argument has been exploded, although it was shown that they used an inferior grade of Porto Rican sugar and a superior grade of Cuban sugar, and that when the two grades were brought to a parity the price was the same, this same exploded argument is again brought forward to do service in opposition to this bill. Now, gentlemen who advance this argument either do not know that it has been exploded or they do know that it has been exploded. If they do not know that it has been exploded, then they have no business in their ignorance to set up as authorities upon the subject. If they do know that it has been exploded, then they have no business to try to deceive the country and to try to deceive the House of Representatives. [Applause.]

Mr. BROUSSARD. Will the gentleman allow me to ask him a question?

Mr. McCLELLAN. Certainly.

Mr. BROUSSARD. Will the gentleman explain to the House how it is that three days ago prime yellow clarified (unrefined) sugar was quoted at $3\frac{29}{32}$, while last year on the same day it was $3\frac{25}{32}$, or a difference of $3\frac{1}{2}$ points against the American producer, while refined sugar on the same day last year was quoted at 4.21 and this year at 4.50? In other words, why is it that refined sugar has gained 29 points since Congress has met and prime yellow clarified, the best grade of unrefined sugar, has lost $3\frac{1}{2}$ points, a difference of just $32\frac{1}{2}$ points, the exact amount fixed by the pending reciprocity bill?

Mr. McCLELLAN. I think I can answer that a little later in my speech, when I come to another point. If I do not, the gentleman can interrupt me.

Mr. BROUSSARD. I would like very much to have the gentleman do so.

Mr. McCLELLAN. Now, some gentlemen urge that there is no reason why we should pass this bill, because it confers no direct benefit upon us. In view of the moral obligation which we are under to Cuba this objection is sordid and selfish enough, but even so, it can be met. Ever since the Cuban war the imports into Cuba have been steadily declining, and the share of the United States in those imports has been declining in even greater proportion.

I should like to say that my figures are taken from the report of Mr. O. P. Austin, and of course I assume they are correct, as he is a Government official.

In 1899 the total imports into Cuba were $66,783,100, of which the share of the United States amounted to 43.7 per cent.

In 1900 the total imports had fallen to $66,658,600, while the share of the United States rose slightly to 43.8 per cent.

In 1901 the total imports had fallen to $66,584,000, while the share of the United States had fallen to 42.2 per cent.

In 1902 the imports had still further decreased to $62,135,464, and this including specie, while the share of the United States had fallen to 42 per cent. During the same period of the exports from Cuba to other countries the share of the United States fell from 83 per cent to 76.2 per cent.

In return for our trifling concession of 20 per cent, Cuba concedes us reductions in the rates of duties now levied upon products of the United States ranging from 20 to 40 per cent.

These liberal concessions should certainly permit the United States to obtain a virtual monopoly of the Cuban market.

I know that gentlemen from Louisiana, in common with representatives of the beet-sugar industry, are afraid that this 20 per cent reduction will so stimulate the production of sugar in Cuba as to result in driving the American industry out of business. They should console themselves with the thought that the per capita of consumption in this country has kept pace with the increased production throughout the world and that there is still a safe margin of some one and a half million tons which must be purchased by the people of the United States elsewhere than in Cuba.

Mr. WM. ALDEN SMITH. But the gentleman from New York will admit, I think, that the increased production of raw sugar in Cuba has been very remarkable. In the last three years it has jumped from 630,000 tons to 1,130,000 tons this year.

Mr. McCLELLAN. The gentleman is not altogether exact. The exports of sugar from Cuba have increased to that extent, but the production has not. Last year they drew very largely from the reserve.

Mr. WM. ALDEN SMITH. They increased from 680,000 tons to 1,130,000 this year.

Mr. McCLELLAN. The production estimated for 1903? I have got the figures, and I think the gentleman will find that those are the exports from Cuba and not the production.

Moreover, Mr. Chairman, while the per capita consumption of sugar in Great Britain in 1901–2, according to Licht's sugar circular, was 98.03 pounds, the per capita in the United States was 70.59 pounds, and there is no reason why our per capita should not eventually be as great as that of Great Britain.

It is claimed by some gentlemen that a decrease of the Dingley duty on sugar will not lower the price to the American consumer, although these same gentlemen insist that a tariff tax is always borne by the consumer.

Now, eliminating the question of the incidence of a tariff tax, let us for a moment examine the probable effect of the reduction of the sugar duty on the cost to the consumer.

On the 1st of September of this year the Brussels sugar convention went into effect, having been ratified by France, Germany, Austria, Great Britain, Holland, Sweden, and, tentatively, by Italy.

Without going into detail as to the provisions of this convention, it is enough for present purposes that the effect of the convention is the destruction of the power of the kartels to artificially increase the price of sugar within the boundaries of the countries where they are powerful and to decrease it abroad. In other words, as the result of the Brussels convention, the world price of sugar, heretofore artificially fixed by the arbitrary action of the sugar kartels, will henceforth be regulated by the natural law of supply and demand.

Now, if it is true, as some of the opponents of this bill claim, that the reduction of the Dingley rate on sugar will enormously stimulate production in Cuba, it must necessarily follow that the supply will outrun the demand so as to lower the price until the demand meets the supply, and, as a consequence, the consumer will derive the benefit of the lower price.

While we are steadily losing our trade with Cuba, Cuba is steadily losing her ability to trade. Unless something is done to secure the Cuban market and to relieve economic conditions in Cuba, it can only be a question of time when what little commerce she can afford to have will be deflected from our ports and when her respectable poverty will be changed into absolute bankruptcy.

It is claimed that Cuba has become so prosperous that she does not need any commercial help from us.

Cuba does not come to us as a beggar. She is not an object of charity. She is not bankrupt, but she is, none the less, very poor.

Our responsibility did not cease with the transfer of her government to Cuban hands, and it is our duty to allow her to become prosperous. She comes to us asking for a trade arrangement which will permit her to better her condition, and in return she offers us concessions of priceless value.

For the two years 1894 and 1895, before the war, the total exports from Cuba amounted to $215,107,742, and the total imports amounted to $162,244,893, showing a balance in favor of Cuba of $52,862,849.

For the four years 1899 to 1902, inclusive, the total exports amounted to $232,494,081, and the total imports to $275,261,323, showing a balance against Cuba of $42,769,242. Or, if we compare the exports and the imports of the last two years with those of the years 1894 and 1895, we find a shrinkage of nearly $85,000,000.

In other words, during the two years immediately before the war Cuba sold $53,000,000 more than she bought, and yet during the last four years, the greater part of which time she was under American control, she sold nearly $43,000,000 less than she bought. This certainly does not show increasing prosperity.

Two years ago Cuba was on the verge of bankruptcy, and that she has escaped ruin is not due to any effort on our part.

That she has been able to exist at all during the last two years is because of two reasons:

First, the change in her government; second, the marketing of an increased amount of tobacco and sugar.

In 1902 the spectacular and extravagant rule of General Wood, having saddled upon Habana for ten years the infamous gambling monopoly of the Sociedad Anonima Jai Alai, gave place to the conservative, economical, sensible, and business-like administration of President Estrada Palma, who has proved himself an executive of the very highest order.

The fiscal year 1899–1900 produced a revenue of $17,385,898, during which time there was expended $15,661,093. General Wood was in office about six months of this time.

During the fiscal year 1900–1901 the revenues amounted to $17,165,080 and the expenditures to $17,645,427. General Wood was in office during the entire year, and the budget showed a deficit of about half a million dollars.

From July 1, 1901, to May 19, 1902, or less than eleven months, the revenues amounted to $14,708,302 and the expenditures to $16,401,480. General Wood was still in office and the budget showed a deficit for the eleven months of nearly two million dollars.

From May 20, 1902, the date of the commencement of the Cuban Republic, to December 31, 1902, the revenues amounted to $9,729,448 and the expenditures to $8,102,587, a surplus of over a million and a half dollars, while for the six months from January 1, 1903, to June 30, 1903, the revenues amounted to $8,197,940 and the expenditures to $5,229,250, a surplus for six months of nearly three million dollars.

In other words, under President Estrada Palma the cost of government is over $7,000,000 per annum, or nearly 40 per cent less than it was under General Wood.

This has alone greatly relieved the economic condition of Cuba. The second factor which has kept Cuba from bankruptcy has been the marketing of an increased quantity of tobacco and of sugar.

While the total value of tobacco exported from Cuba to the United States in 1902 was $10,899,924, the total value for 1903 is approximately $13,141,646, or an increase of nearly $2,250,000.

During the past year a very large quantity of sugar, including a considerable amount of the reserve stock, was imported from Cuba to the United States.

I do not wish to be unfair to the gentleman from Michigan. The crop for 1903 amounted to 975,000 tons, as against 850,181 tons for 1902.

Mr. WM. ALDEN SMITH. And for 1903 and 1904 it is estimated at 1,130,000 tons.

Mr. McCLELLAN. That is a matter of estimate, and we have had experience in that before. Two years ago it was estimated all sorts of ways.

Mr. WM. ALDEN SMITH. It is Willett & Gray's estimate.

Mr. McCLELLAN. Yes; but they were 100,000 tons out of the way in the crop of 1902.

Mr. WM. ALDEN SMITH. That would still make it over a million tons.

Mr. McCLELLAN. Yes.

The crop for 1903 amounted to 975,000 tons, as against 850,181 tons for 1902. But of the 1902 crop, only 439,382 tons were exported, while in 1903 the reserve was drawn upon, so that the total amount exported to the United States was 1,069,610 tons.

This increased exportation was not due to increased prosperity, nor did it result in profit to the planters.

It is generally conceded that the cost of a pound of 96° centrifugal sugar, free on board ship at Habana, is 2 cents. The shipping charges, freight, insurance, etc., from Habana to New York range from 0.25 to 0.265 cent per pound, according to the market price of sugar. The bond price of sugar in New York—that is, the market price of sugar less the duty—must therefore be 2.25 cents per pound in order to permit the Cuban planter to sell his product without loss; or, if the duty, which amounts to 1.685 cents per pound, be added, the market price must be about 3¾ cents.

When the last reciprocity bill was before the House the market price was about 3⅜ cents, representing a loss to the Cuban planter of 0.56 cent per pound.

Shortly after that time the Brussels convention was signed by the delegates taking part, and in anticipation of its ratification there was an immediate shrinkage in continental sugar production. The effect of this was an increase in the price of sugar, so that the last Cuban sugar crop was sold at between 3¾ and 3⅞ cents per pound, representing a loss of approximately over a million dollars to the sugar planters of Cuba.

The planters prefer to get rid of their sugar and pocket their loss rather than pay the insurance and storage charges for an indefinite period, with the hope of ultimately obtaining a reduction of the Dingley tariff rate.

Should a 20 per cent reduction of the Dingley rate be conceded to Cuban sugar, the duty will be reduced to 1.348 cents per pound, which at a market price in New York of 3¾ cents would mean a profit of about 0.144 cent per pound to the Cuban planter, or, on a crop of 850,000 tons, a profit of nearly $3,000,000 to Cuba.

In short, Cuba has existed because the cost of her Government has been reduced over $7,000,000 per annum; because the sugar planter has been able to market his crop and a part of his reserve at a loss, and the tobacco planter has been able to sell about $2,225,000 more of his product.

The objection to the bill that it is undemocratic is scarcely valid. I grant that it does not of itself shatter the Dingley law and give us in place a tariff for revenue and revenue only, but it certainly does lower the excessive and iniquitous Dingley duties in one direction, and it certainly does decrease taxation to the people of the United States.

Let me call the attention of those Democrats who are opposed to reciprocity to the fact that the first treaty of reciprocity was negotiated by Franklin Pierce, a Democratic President; that the Hawaiian treaty of reciprocity was renewed by a Democratic President, Grover Cleveland, and that the platform of 1892 proclaimed the doctrine as sound Democracy.

And let me especially ask them, if they are in doubt, to read the "Report on the privileges and restrictions on the commerce of the United States in foreign countries," sent to the House of Representatives on December 16, 1793, by the then Secretary of State, Thomas Jefferson, in which he says:

> Such being the restrictions on the commerce and navigation of the United States, the question is, In what way may they best be removed, modified, or counteracted?
>
> As to commerce, two methods occur: First, by friendly arrangements with the several nations with whom these restrictions exist, or, second, by the separate act of our own legislatures for countervailing their effects.
>
> There can be no doubt but that of these two, friendly arrangements is the most eligible.
>
> Would even a single nation begin with the United States this system of free commerce it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue by way of impost on commerce its freedom might be modified in that particular by mutual and equialenvt measures, preserving it entire in all others.
>
> Some nations, not yet ripe for free commerce in all its extent, might still be willing to mollify its restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature.

Certainly the objection of Republicans who are conscientious protectionists is much more valid, for this bill is unquestionably a breach in the wall of protection and a step in the direction of a tariff for revenue and revenue only.

Whether the sugar trust will or will not increase its dividends under the terms of this bill, whether the United States will receive direct benefit or not, whether Cuba is bankrupt or only on the verge of bankruptcy, whether this bill is undemocratic or unrepublican, there is an argument in favor of its enactment which, to my mind, rises above all other arguments, and that is what some gentlemen sneeringly call the sentimental argument, but which really involves that greatest of all sentiments—the good faith and the honor of the United States.

Let me very briefly run over the history of the question which is before the House.

In 1898 the United States recognized the independence of Cuba, but in 1901, by the terms of the so-called Platt amendment, we limited that independence and took Cuba within the sphere of influence of what some of our statesmen are pleased to call "the American system."

It is true that a republic has been established in Cuba and that we have withdrawn from direct participation in her government, but, none the less, the effect of the Platt amendment has been to make Cuba a dependency under the protection of the United States.

I do not propose to criticise the wisdom or the folly, the justice or the injustice, of our action in 1901. The Platt amendment imposed upon us an obligation of our own seeking, the obligation to preserve Cuban independence and to maintain a government "adequate for the protection of life, property, and individual liberty."

Whether our action there was wise or foolish, right or wrong, we must bear the consequences.

We are as much bound in honor as a nation to foster the material prosperity of Cuba, so that an adequate government can be maintained, as we were bound in honor to withdraw from the island the moment an adequate government was established.

We have denied to Cuba the right to enter into intimate relations with any other power. It is true that she may negotiate treaties of commerce with other countries, but were she to negotiate such treaties and to repudiate any of the obligations she might incur, as Latin-American republics have sometimes been known to do, the cocontracting power would be unable, either directly or indirectly, to even request her to live up to the terms of the treaty without having to answer to the United States.

It is scarcely probable that any of the nations of Europe would care to enter into intimate commercial relations with a power that has been made irresponsible through our action.

As we have made it impossible for Cuba to seek alliances elsewhere, it is a duty which we can not shirk to permit her to enter into the closest political and commercial relations with us.

Cuba complied with the terms of the Platt amendment willingly and in good faith, trusting to the honor of the United States that our part of the bargain would be carried out.

It is a stain on the national good faith which can never be removed, that the petty interests of a second-rate trust should have been considered of greater moment than the fulfillment of the word of honor of our great country

Now, at last, after years of waiting, after the spectacle of an insolent lobby practically dominating the Congress, we propose to partially fulfill our pledge to Cuba by giving her this twopenny measure of relief which is warranted not to offend the susceptibilities of even the most sensitive trust in existence.

Many believe that as the years go by a common destiny will draw the United States and Cuba closer and closer together until, in God's good time, the Republic of Cuba will become an integral part of the greatest nation on earth.

If Cuba is ever to throw in her lot with ours, she must do so voluntarily, having first been united to us in interests, in sentiment, and in aspirations before she is united politically.

The shortest road to union is by tearing down the barriers of the prohibitive tariff which divides the two nations. The strongest plea that can be made to Cuban hearts is to excite their gratitude.

We have made a solemn promise to Cuba. If a Republican majority in its might is only willing to partially keep that promise, the blame and the shame rest with the Republican party.

This bill is but a partial fulfillment of our obligation; but as we are confronted with the alternative of either not fulfilling that obligation at all or of only fulfilling it in part, there should be no difference of opinion upon this side of the Chamber as to the necessity of enacting the bill.

It is not a question which should be considered in the light of personal preferences, of sectional feeling, or of private interests. It is a question which should be considered in the light of the duty and of the honor of the United States. [Loud applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I yield to the gentleman from Indiana [Mr. CRUMPACKER] twenty minutes.

The CHAIRMAN. The gentleman from Indiana is recognized for twenty minutes.

Mr. CRUMPACKER. Mr. Chairman, I shall support the bill under consideration for ethical and political, rather than economical reasons. When the Republic of Cuba was born into the family of nations its freedom was somewhat hampered by conditions and limitations imposed upon its sovereignty by this Government which are embodied in what is commonly known as the "Platt amendment." The status of Cuba is not that of a dependency, but its relationship with the United States is similar to that of a qualified suzerainty, and in view of the limitations imposed upon the power of the new Republic affecting substantially its functions of international sovereignty, it is the solemn duty of this Government to render adequate compensatory benefits to the infant State. It is a matter of common everyday justice, and Congress ought not to hesitate to give validity to the pending treaty upon this ground alone. If this country had permitted the Republic of Cuba to take a position among the powers of the earth without a single limitation upon its freedom of action, it might be justly said that upon ethical grounds the United States owes no further duty to the island, but since the power of the new Republic to conduct international affairs is so seriously limited by conditions imposed upon its sovereignty by this country, our responsibility is such that we are under obligation to see that it does not suffer on account of our restrictions.

The establishment of the independence of Cuba and the hauling down of the American flag, to be replaced by a new emblem

representing a new government of the people, by the people, and for the people, constitutes one of the proudest pages in American history, and we can not afford to mar or in any manner becloud that splendid act of justice and magnanimity by following it up with a narrow, selfish, and unjust commercial policy. This Government stands sponsor for the new Republic, and the question of cost is a secondary consideration. We should either grant the reasonable requests of the Republic of Cuba respecting commercial and all other relations, or unqualifiedly abrogate the conditions that we imposed upon its sovereignty. In addition to this, Mr. Chairman, the location of Cuba, occupying as it does a commanding position over the Gulf of Mexico and the Isthmus of Panama, makes it imperatively necessary from a political standpoint that in a large sense American influence shall control the policy of the island. It is truly within the sphere of our political influence, and conditions upon the island—political, social, and commercial—are and must forever be so intimately connected with our own affairs that prudence demands that our relations with the new Government shall be of the most intimate and cordial character possible. The close proximity of Cuba to the United States, and its intimate connection with our own peace and welfare, justified our interposition in the first instance and our conduct in securing its independence. It would be a policy of inexcusable stupidity for this country to now turn the island adrift and allow foreign influences to get a foothold in its commercial and political policy. It would be a practical abandonment of the principles that we professed in intervening to wrest the island from further domination by the Kingdom of Spain.

Furthermore, it is the belief of many of our people that the ultimate destiny of Cuba will be annexation to the United States. That eventuality can be justified only when the people of the island willingly consent to it. We owe the new Government our sincere good will and encouragement in its independent national life, but if the time shall come when it is the judgement of the people of Cuba and of this country that annexation is the wiser policy for both, conditions ought to exist in the island that will make its assimilation more easily accomplished. But whether annexation shall ever be brought about or not the clear policy of the United States is to Americanize the new Republic as far as possible. Its political institutions are largely patterned after ours. Its national and social life ought to be brought into fuller harmony with our civilization, in order that peace and good will between this country and that shall be permanently assured; and no policy tends more to knit peoples together into closer friendship than intimate commercial intercourse. Therefore, for political reasons alone, there is abundant justification for the enactment of the pending measure and the vitalizing the treaty that has been negotiated.

The pending treaty provides that products from the island of Cuba shall be admitted into our ports at a rate of duty 20 per cent below those fixed by the Dingley law, and, as a matter of compensation, products of the United States exported to Cuba are to be admitted at preferential rates of from 20 to 40 per cent over other countries. Cuba, like all tropical and subtropical countries at all developed, is a greater producer than consumer. Judged from a pure money basis, it is not likely that the United States will receive any material benefits from the treaty. I do not mean to say that our trade with Cuba will not be increased, because it will, but what I mean is that we will probably yield more benefits from a commercial standpoint than we will receive. Sugar is the chief product of Cuba, and a reduction of 20 per cent of the tariff rate will amount to $7 a ton on the entire product of the island. The quantity of sugar consumed in the United States last year was something over 2,500,000 tons. The quantity imported from foreign countries was about 1,600,000 tons, and of this seven or eight hundred thousand tons were imported from Cuba.

As long as the product of Cuba is not sufficient to satisfy our foreign demand, the rebate of $7 a ton on sugar will wholly go into the pockets of the Cuban sugar grower, since there can not be two prices in the markets for the same commodity, and Cuba will have an advantage over all competitors of $7 a ton. It is not to be supposed that Cuban sugar will be sold any cheaper than sugar from Germany or Austria, so it is quite clear that the Cuban sugar producer will be the beneficiary of the rebate of $7 a ton until the Cuban product more than satisfies our demand for foreign sugar. This is the object of the treaty. It is designed to give the Cuban sugar grower the benefit of the substantial concession in order to promote development and to contribute to the general prosperity of the island. Whenever Cuba produces more than sugar enough to satisfy the American demand, then the concession made in the tariff will be divided between the Cuban sugar producer and the American sugar consumer. This is in accordance with economic law. The largest sugar product in the island of Cuba was in 1894 and amounted to something over a million tons.

The development of the island, however, is in its infancy. It has an area of about 44,000 square miles and a population of about a million six hundred thousand. When properly developed, as it will be if conditions are sufficiently encouraging, it has the ultimate capacity to produce sugar enough to supply the entire world, and in my judgment, under the influence of the pending treaty, inside of five years Cuba will produce and send to this country every pound of sugar that will be necessary for us to bring from abroad. The island is exceedingly fertile and prolific. Its resources are large and its products are numerous. The only thing that seriously hampers rapid development in the island to-day is lack of a market for its sugar product and the want of an adequate labor supply. The island of Java is but little larger than Cuba, and its natural fertility and resources are no greater, but it has been developed and is to-day supporting a population of 28,000,000 people. Cuba has the capacity to creditably and comfortably maintain a population of from 10,000,000 to 15,000,000 souls. This condition perhaps will not come about for a considerable period of time, but it is a condition that will ultimately come, and the power and influence of a country so fertile and resourceful with so large a population will be a considerable factor in the politics and commerce of this country.

In the development of Cuba there will be a large demand for iron products, for agricultural implements, machinery, and many things that the people of this country are able to supply, and, under the advantages we obtain by the provisions of the pending treaty, we ought in a large measure to supply all the things that may be required along the lines I have suggested in the development of the island. We will be benefited in a large measure by the terms of the treaty from the standpoint of trade.

Our trade with foreign countries may be greatly increased under the influence of reciprocity treaties. If we are receiving certain kinds of products from several competing nations and should negotiate with one, giving it material advantages in our ports, as a matter of course our trade with that country would be greatly increased, but an increase of trade brought about by such conditions is not always a benefit, viewed from a purely commercial standpoint. An increase of trade is always a blessing to the country if it comes about by operation of natural law. In determining the question as to the advantages derived from an increase of trade, the question of concession and sacrifice is always an important factor.

I confess I am not enamored of the policy of reciprocity as a means of promoting foreign trade. It is unscientific, and arrests and often destroys the operation of natural economic law. If our tariff policy were made up altogether of reciprocity agreements with commercial countries containing various and varied rates of duty upon similar commodities brought to our ports, competing countries for our trade would not occupy an equal footing, and the whole system of commerce would be artificialized and chaos and factitious forces would reign supreme. It seems to me that the wisest commercial policy for any country is to receive the products of foreign countries in its ports upon equal terms where impartial treatment is accorded it by those countries. I believe in the open-door policy, and by that I mean that we should treat all of the commercial countries impartially that deal with us according to the same principle. The open-door policy, as I conceive it to be, means simply equal commercial treatment of foreign nations that do not discriminate against us. It is perfectly consistent with the policy of protection, and it encourages a better feeling among foreign nations and at the same time puts producing countries seeking our markets upon an equal footing and allows those that can produce to the best advantage to have the full benefit of their superiority.

I am discussing this question now from a purely commercial standpoint, and, as I said at the outset, I am in favor of the pending treaty with Cuba upon other grounds. It is often the case that political considerations outweigh commercial considerations, and where this is true a country is perfectly justifiable in granting trade concessions for the purpose of obtaining political advantages. Again, it is sometimes necessary for a country to enter into special trade relations with another country for the purpose of protecting itself against unjust treatment in the commercial world. The policy of retaliation is a most important weapon in the commercial armory, and it should always be used where it is necessary to secure fair and just treatment.

Reciprocity, as a permanent commercial policy, in my judgment, can not be reconciled with the policy of protection as exemplified in the last two Republican tariff laws. Those laws were framed along the line of imposing a tariff upon products the like of which can be produced in this country, for the double purpose of raising revenue and encouraging the home industry. This is the essence of protection, as expressed in the McKinley law enacted in 1890 and the Dingley law enacted in 1897. Those laws admitted into this country free of duty all commodities, not classified as luxuries, the like of which can not be produced here. In negotiating reciprocity treaties it is necessary, of course, to make

trade concessions in favor of foreign countries, and where the tariff laws are framed for the double purpose of revenue and protection, and customs are collected exclusively upon competitive products, no concessions can be made except upon competitive articles. The result must be that domestic manufacturers, seeking markets abroad under special trade arrangements, will urge the reduction of customs duties upon other products in order to secure better markets for their own. This policy creates discord, friction, and warring among our own industries and leaves the whole industrial situation in a condition of uncertainty and anxiety.

If reciprocity is to be the permanent commercial policy of this country, we should revise our tariff laws and impose duties upon articles the like of which we can not produce in order to have a basis for the negotiation of trade treaties. If we had a tariff upon coffee, we could say to the Republic of Brazil, "We are prepared to make substantial reductions in favor of your coffee products if you will give us equivalent concessions for certain lines of our wares." This could be done without sacrificing the interests of any American industries and without breeding commercial and sectional wars among our own producers. The McKinley bill in 1890 greatly enlarged the free list, and Mr. Blaine criticised that historic measure on the ground that it gave away substantial customs duties without receiving a single concession in the way of preferential advantages in foreign markets in return. This I conceive to be the reciprocity policy advocated by Mr. Blaine, one of the most intelligent and consistent of a long line of able champions of the policy of protection. He believed that the tariff should not be abrogated upon noncompetitive articles, except upon receiving equivalent concessions in the markets of the countries producing and importing that class of commodities.

That is the only kind of reciprocity that can be reconciled with a policy of protection. It is along the same line that Hon. Joseph Chamberlain is advocating the reconstruction of tariff duties in the British ports. He favors larger customs schedules, not for the purpose of protecting industries of the United Kingdom, but for the purpose of enabling the Imperial Government to accord preferential rates to the English colonies and other countries that care to enter into trade treaties with Great Britain. The principle is identical with the Blaine idea and, in my judgment, in view of the fact that all the great powers of the earth are hedging themselves about with protective laws, it is only a question of a few years when Great Britain will enact a general tariff law sufficient to enable her to grant preferences to her own colonies and to other countries where she may find it to her interest to do so. The limit upon my time only allows a brief reference to this great question, and I have only attempted to state a few general conclusions. I have endeavored to discriminate the pending treaty from what is commonly termed the "general reciprocity policy."

There is much sentiment in this country in favor of more liberal trade relations with the Dominion of Canada, and there is much to justify that sentiment in the way of political argument. That is a question solely for the future. If a trade treaty should ever be negotiated with Canada, in my judgment it will be justified mainly upon political grounds, and it does seem that the people of the United States and the people of Canada ought to be bound together by stronger ties of political and commercial unity than they are to-day.

The Cuban treaty has my unqualified approval. If Cuba was geographically situated so as to be without the proper sphere of American influence and we had no sponsorship for her national life, I probably would entertain different views upon the subject. Two years ago I opposed in a Republican caucus a bill authorizing reductions of tariff revenues in favor of Cuban products. My position was based in the main upon the conditions contained in that bill. It provided that Cuba should not only make equivalent trade concessions, but that she should at the same time in the same connection ingraft upon her system of government our naturalization policy and our labor-exclusion laws. It occurred to me then, and I believe that my position was right, that Cuba could not afford to comply with our demands. The labor situation there is such that her policy may be to encourage laborers from foreign countries. This was our policy in the early days of the Republic, and it greatly promoted development and enhanced our prestige.

We have arrived at a time in our national life when it is altogether proper and expedient for us to impose rigid restrictions upon immigration and to prevent laborers coming here under contract altogether. This condition has not arrived yet in the history of the Republic of Cuba, and it occurred to me that it was unjust and unwise for us to impose any such conditions upon Cuba as a consideration for our making commercial concessions which ought to have been made without hesitation or reluctance. I have no doubt that the pending treaty will soon become operative, and I look forward to a revival of activity in the island of Cuba and a condition of prosperity which it has never enjoyed before in all its history. The American name and memory will be cherished by that grateful people more fully as the years go by, and it certainly will be a matter of pride to every American that this country has been the means of raising the ill-fated island from a position of destitution and dependence to that of prosperity and independence. [Applause on the Republican side.]

Mr. PAYNE. Mr. Chairman, I now yield twenty minutes to the gentleman from New York [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. Chairman, after nearly two years of uncomplaining expectancy—quiet waiting, but nevertheless hope deferred, our sister Republic of the south, whose birth as a nation we were so largely instrumental in bringing about, is still waiting for us to carry out those anticipations she had a right to expect, which practically amounted to an absolute promise on our part that we would grant her, through the lowering of our tariff, the opportunity to market her products, chiefly sugar and tobacco, at a remunerative basis, she having lost her previous outlet by reason of the Spanish-American war, and it is hardly to the honor of our nation, the wish of our people, or the justification of her hopes that she is still knocking at our door and pleading for a relief which practically all admit is necessary for her commercial salvation. Let us therefore no longer delay or stay our hands, but at once redeem our pledge, if only to the degree we propose by the passage of this bill, and allow the 20 per cent reduction, so that Cuba may go her way with renewed hope in the building up of her own destiny.

We need her sugar, we can use to advantage her tobacco, and should never have forced her to pay full duty on the crops of 1902 and 1903 to the extent of about $10,000,000 when she could little afford the burden, after being devastated and impoverished by a cruel war. She is by adoption almost as close to us, and in actual distance closer, than our own newly born daughters of Porto Rico, Hawaii, and the Philippine Islands, yet we allow the two former absolute freedom of entry to our home ports and rebate on sugar and tobacco from the Philippines 25 per cent, which is likely before long to be made 50 per cent, from our present tariff, as I note Senator LODGE has lately introduced a bill to that end, and from debates that took place in this House at the last session I judge such extra allowance would be favorably considered by this Congress.

I believe now, as I did at the time of the former debate, in 1902, that 25 per cent to 30 per cent rebate should be given, and that it will do no serious harm to our American sugar-beet industry even if for a time capital might hesitate and the building of new factories would not be inaugurated, and I had then and have now slight sympathy with those who made so fierce a fight to retain the full duty on the theory it was necessary protection to any American industry (as most evidence appeared to the contrary), or that it would in any way imperil the general plan of protection, which has been so potent a factor in the grand upbuilding of the greatest manufacturing industries in the world. We should remain loyal to our successfully tried system of protection, but not subservient to it, or make ourselves its abject slave, which some do on my side of the House, as it is our personal duty to approach all such subjects on the broad lines of national honor and expediency, and not sectional interest.

With the greatly improved methods of manufacture, and the gradual cheaper supply of beets through their culture on a large scale, and the use of the by-products, we should be able to turn out the refined sugar to meet competition, unless conditions greatly change and rapidly, Cuba also increasing her output and cheapening it beyond any present calculations of the experts on the subject to-day.

Those who should be well posted claim that if the present duty has to be paid no money can be made, even if the plantations were equipped with the best up-to-date machinery, and railroad connections built to bring the cane more cheaply to the centrales, but that 20 per cent reduction will enable the larger planters to realize a fair margin on the capital invested, but is hardly sufficient to warrant the smaller landowners to go to the expense of fertilizing and erecting new works, and they will most likely have to sell out to the capitalist.

There is one feature of this bargain I can not believe in so strongly as many seem to do, perhaps unthinkingly, and I say this in all good faith, as I am among the strongest advocates for an increased exportation of our manufactured goods, and we should lose no fair opportunity to aid our exporters, as I believe exportation to be the salvation of our industries, and the only way in which we shall be able to maintain our rapid growth and uphold even to a reasonable degree the present wage scale, which is so desirable.

I question, however, the wisdom of the demand we have forced upon Cuba for trade concessions for our goods under the guise of fair reciprocal reciprocity. The term reciprocity means merely the same thing as the swapping of horses among men or jackknives

between boys, and it might be much better for the entire world if all granted uniform tariff laws to all others on goods crossing the ocean or border, which would avoid jealousy and discrimination, and I am glad to know the last speaker [Mr. CRUMPACKER] agrees with me in these views. In any reciprocity treaty one party must get the better of the other.

All countries have a perfect right to adopt a tariff to suit their special needs, and no one can complain; but so soon as they give privileges to one nation and not another, this is clear discrimination and invites retaliation. I will frankly admit, by reason of the circumstances surrounding our relations with Cuba, it is more reasonable and allowable we should proceed on the lines we propose than would apply generally, and the same thing can be said about Canada; but that does not change the principles involved. Circumstances will at times make reciprocity desirable, even necessary, and the lesser of two evils; but it will most always be dangerous.

We can give Cuba 20 per cent reduction in duty for products, including raw sugar, and few can object, although it shuts out the sugar of the English West Indies, which now goes to Canada as its market, receiving a lower duty, as coming from an English colony; but when we ask similar allowances for ourselves, ranging from 20 per cent to 40 per cent on American goods sent to that island, is it true we do her no harm, or, rather, is it not true we really injure her and also the feelings of outside powerful nations who may remember it, and to our own detriment?

It is admitted and well known that Cuba raises her revenue to run the country practically entirely from her customs, and if we to-day do 30 per cent or more of the trade this must mean cutting down her revenue accordingly, and, as it is stated frankly on this floor that our further desire and object is to drive out other nations' goods, so as to secure a larger share of her business for ourselves—in fact, practically all of it if we can—does it not follow if we are successful that we force on her a still larger heavy shrinkage of her revenue, which may be serious to her finances? Is it not again true, although I have not heard it mentioned, that already Cuba has in contemplation this result, and that she admits she may be forced to raise her tariff all around to offset the loss she is likely to sustain?

I fail to see how, under such conditions, we will cheapen the cost of our goods for her benefit, which has been put to us so strongly, but rather that we will increase the cost of all importations to her people and largely those she must have from other nations, as I doubt if the greatest optimist among us will not admit there are some articles she will by inclination and preference or necessity desire to obtain from others. Let us hope this eventuality may not be necessary for her to face, as she can little afford at present to pay high prices for her necessities, and as a nonmanufacturing nation she is dependent on the outside for most all the general requirements of her people. We naturally should have pride, as our esteemed leader on this side has said, in doing the larger share of Cuban trade; but with that island almost at our doors it can hardly be either satisfactory or a source of glorification on our part to think or admit that our manufacturers, who boast of world conquest, must have a bounty in their favor of 20 per cent to 40 per cent against all others to enable them to hold what they now have and secure a larger foothold in said island.

One of the speakers referred to various items in which we should largely increase our trade, as whisky, soap, shoes, etc.; but there are other reasons besides reduction of duty which enter into such matters. In the case of whisky, for instance, the Cubans have for years used Scotch whisky, and it will be necessary for our distillers to educate them up to the taste of Bourbon and rye before we can expect to do much in this line. The soap chiefly used, except the common variety, is highly perfumed, costly, and not such at present as we can supply to advantage. Shoes, also, they mostly take from France and Spain, and the same are specially manufactured for their market, and our people will have to study their requirements carefully before they can capture the trade.

I doubt if but a few of our industries need the advantage, and question whether our manufacturers themselves ask for this discrimination in their favor, and some to whom I have spoken state frankly they do not, or that it is wise to give it. If on equal bases the business is not possible it might well pass us. This leads us up to consider the grave and important question of the ultimate benefit of obtaining output for our goods by this hothouse process misnamed "reciprocity." I sincerely hope it will turn out to our benefit and that we shall have no day of reckoning or later lose more in other markets than we gain in Cuba; but let us consider if we can count on this. It is doubtful, and when speaking on this subject in April, 1902, I called the attention of the House to such risk and the dangerous position we were forcing, as few of the speakers either thought of this contingency or mentioned it in their remarks, although some have done so in this debate, and now again I take the present opportunity to once more strongly urge it to be given consideration, as during the past twelve months it has been made plain to us that powerful interests with whom we are already or may shortly be at war commercially do not like and will not quickly accept or tolerate our going ahead continually, as opportunity offers, taking away ther inherent supposed rights and privileges to trade in markets heretofore open to them on equal bases with ourselves. We seem willing to feather our own business nests by plucking the plumage from the commercial body of England, Germany, France, and other nations, and blindly shut our eyes to trade retaliation that may swiftly follow.

Our friend from Virginia who spoke so well and gave us many new ideas to consider tries to put all our loss of business abroad on the grand Republican Dingley tariff act, but fails to see that while other nations may not like our high tariff at home, they can not justly complain, if we will bear the burden, so long as we do not discriminate, but so soon as we do, by reciprocal deals and shutting-out processes, they then find justification in deciding to put up a barrier against us in markets they control at home or abroad.

We are rather boastful to-day, and appear to fancy ourselves greatly, but must not forget that there are several other nations on this earth who have more markets subject to their pleasure than ourselves (leaving out our home market in this statement), and said ports of entry for our goods on equal tariff bases with all others is of the utmost necessity to us, as we may be shipping many millions in value to said countries. As likely the best illustration, we will take England, and all of us are aware of the serious thought she is now giving to this issue, and how Mr. Chamberlain is endeavoring to secure from that country an acceptance of his views, which are certainly not likely to help the United States, which country he states he looks upon as his most powerful trade adversary.

He at present wishes to bring about by his personal propaganda reciprocal relations, not so much with foreign countries—that will come later—but with their own colonies, which is more easy of arrangement. Canada has granted it. Australia and New Zealand are about granting a 10 per cent (at least) reduction on English goods. South Africa, it is said, will shortly follow with 5 to 10 per cent, and India, Ceylon, and the West Indies, and such places in China, etc., also the Crown colonies, or those under control by what is termed "spheres of influence," can readily be brought into line. May we not easily lose many millions more in these markets alone than we will gain in those where we have seen fit to close the door in favor of ourselves? Time alone will tell; but we shall be forced to act on the defensive, and that is always objectionable. Mr. Chamberlain has already assailed us bitterly for shutting them out of our newly acquired colonies, where England has traded for centuries, and in several of his recent speeches he has not been sparing in his remarks regarding the likely action we will take in Cuba. We must remember England's colonies are intensely loyal to the mother country; they look to her for protection from foreign enemies; their moneyed relations to her are as close as those of blood, and these causes alone are worth to her 10 per cent in the way of preference in placing business, and if a reduction is then made of 10 per cent actual benefit we can wisely count it as 20 per cent in her favor.

Germany also is agitating and agitated over this position of ours, and her newspaper articles have lately been very bitter. And who can blame her if she retaliates at home and abroad, as she is to-day the most aggressive nation in Europe searching for new markets? We can not ride several hobbies or horses at the same time, and it is rather foolish to show such indignation and dismay if we are differentiated against, when we play the same game if the chance offers.

The open door for American goods has become the platform cry for our statesmen and speakers, but they seemingly forget the closed doors in the United States, Porto Rico, Hawaiian and Philippine islands, and, lastly, Cuba.

I sympathize with the speakers on the Democratic side who say they are willing to take tariff reduction for ourselves through reciprocity whenever and wherever they can get it; but it will probably be found unwise to mix up the questions too frequently in this way, as we will by so doing finally have so many different rates of duty on the same article, even if with different nations, that it will be difficult to recognize the Dingley Act in due course.

I accept as correct and agree with those on both sides of the House who feel that it is time to revise and cut down a large number of our present duties, some drastic cuts being necessary, as we are fostering combinations and manufacturing interests beyond what is necessary and to the detriment of the people and our ultimate welfare, but this work should be done as a measure by itself and by the Republican side of the House to avoid extreme action and unwise legislation.

No amendments are possible under this bill, while several seem desirable, and so only for the sake of record it is necessary to say I should have advocated a special duty concession beyond the 20

per cent if products of Cuba come to our shores in an American vessel. We have but few deep-water vessels, and any encouragement we can give to them is our clear duty.

Reference was made to a fleet of American ships trading with Cuba and then sailing farther on down the coast to South America, invading and securing for American industries that splendid market which should become so valuable to us in the future; but it is with sincere regret, we must admit, that said fleet is but a phantom one, and likely to remain so, unless the Republican party moves more quickly than they have in the past to redeem their pledges and do something to again restore the Stars and Stripes on the ocean. Every American who loves his country can not but hope for action. I doubt, however, if we will be able to obtain 20 per cent to 40 per cent special concession on our goods from the southern republics unless we do more than we are at present doing to obtain their good will and confidence. [Applause.]

We must all admit that the dignified and successful manner in which Cuba has so far administered her affairs is vastly to her credit, and shows her people are seemingly more capable of self-constraint, control, and good government than was predicted or anticipated by many in this House. This legislation, I believe, is only a beginning, however, and that her ultimate destiny will be closer relationship with us, if not finally an absolute merger of her affairs in our national life. It is perhaps well she had adversity at the start, as likely the real time of trial and risk for her will come when she attains prosperity. Hard times brings individuals and the people of a nation together. Affluence leads to temptations and dissensions.

Heartily glad, however, should we be—even if many of us on both sides desire absolute union—that it now appears likely to come slowly and gradually, as it will prove beyond a doubt the honesty of our position as her protector and redeemer from Spain, and that we had no selfish motive so far as her freedom was in question; and this will oblige the civilized world to give us credit for disinterestedness, which was questioned by some at the close of the late war. [Applause.]

Mr. PAYNE. Mr. Chairman, I now yield fifteen minutes to the gentleman from Pennsylvania [Mr. MORRELL.]

Mr. MORRELL. Mr. Chairman, I am rejoiced that we are so soon to determine what was a vexed question—what our duties are and are not in relation to Cuba. Since the question was first agitated our duties have been so well defined by the sentiment of the country at large, as first portrayed by the press and later by the sentiment which we find existing among the Members of Congress assembled in this extraordinary session, not merely on the Republican side of the Chamber but equally by our colleagues on the Democratic side, that there is practically nothing left but for us to all join hands and vote for the bill.

There is, however, a principle involved, and a principle to my mind as interesting to the Democratic side of the House as it is to this. The distinguished conservative body of gentlemen who conduct their deliberations at the other end of the Capitol have certain prerogatives sacred in their eyes, and, as far as I know, never interfered with or encroached upon by this body at this end of the Capitol. We have, as they have, certain prerogatives which I had always understood were sacred to us—prerogatives as dear to us as those which they enjoy and as sacred to us as their prerogatives are to them. Among the prerogatives which they have is the treaty-making power, the power of confirmation or rejection of appointments, and others, all jealously guarded. Two of the greatest prerogatives which we have are, first, one which we guard and make operative by our own action in adopting the rules which govern the procedure in this body—namely, the power to enact legislation, a power which we, under this rule, propose to put into force at 4 o'clock on next Thursday afternoon. Another of these prerogatives, equally dear to us, and in fact I may say practically mandatory under the Constitution, is the prerogative that all measures affecting the revenue must emanate in the House of Representatives, they being the only body directly chosen by the people. This question, to my mind, as I said before, is equally as dear to the Democratic side of the House as it is to the Republican.

The report of the Committee on Ways and Means does not entirely satisfy me. That report admits that this is legislation respecting taxation. And it matters not, in my opinion, whether such legislation may be referred to the second section or to the eighth section of the first article of the Constitution; it is still limited by the seventh section, which provides that "all bills for raising revenue shall originate in the House of Representatives." In my opinion a literal compliance with the language of that section is a conditional precedent and one which must be performed in its entirety before any revenue bill can rightfully become a law. And while section 7 has never been brought directly and squarely before the Supreme Court for interpretation with reference to acts of Congress, yet I have found analogous cases which fully sustain my contention—cases in which that court has interpreted clauses of State constitutions limiting the taxing power of the legislature.

The last of these cases was decided last March, and is reported in the one hundred and ninetieth volume of United States Supreme Court Reports, at page 107. Another is reported in 180 United States Reports, at page 506. Both of these cases completely sustain my view. Besides these, there are two others reported in 94 United States and 105 United States. The essence of all these decisions is that the manner of enactment of a statute is of its substance; and hence, that when the Constitution plainly directs that bills of a certain kind shall originate in a certain manner or body and receive certain prescribed sanctions, those directions are a condition precedent to the validity of the act. (180 U. S., 315, 322.)

Mr. Chairman, let us consider this bill in the light of the principle thus judicially established. The committee report says:

> That power of taxation is expressly lodged in the Congress. (Sec. 8, Article I of the Constitution.) Section 7 of the same article provides that all bills for raising revenue shall originate in the House of Representatives. It is not intended here to cite authorities or advance reasons on this proposition. The records of Congress abound with unrefuted arguments on the affirmative of this contention, and the practice of Congress has been uniformly in the same direction.

There is no dispute, then, as to what the constitutional requirement is. The question arises, however, as to what it means; and that I shall endeavor to show by its history.

I think I can show that it does not mean the mere acquiescence of the House in the action of the Senate on measures raising revenue or fixing conditions upon which the House may originate bills for raising revenue; that the Constitution gives that right to the House unconditionally and indefeasibly, and that the reason for its so doing is to be found in the principle that taxation and representation under our governmental system must always go together. I admit that every treaty "requiring the payment of money," from the first of them to the last, has been referred to Congress to make the necessary appropriations of money. That is because no money can be drawn from the Treasury except in consequence of appropriations made by law and not by treaty. It could not have been otherwise under the Constitution. But this is not an appropriation bill. To show how far it differs from such a bill let me read another paragraph from the report of the committee, in which it is admitted that the true function of the bill is not to appropriate money to carry into effect a valid treaty, but to make an invalid convention with Cuba valid. The report says:

> To render the convention valid it is necessary to enact into law the language of the proviso of Article VIII, "and no sugar, the product of any other foreign country, shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897." To enact these words into law would be to admit by implication that duties could be lowered by treaty or convention. Your committee can not consent to this proposition, nor is it believed that such an admission would be sanctioned by any Member of the House. The bill, therefore, adds the following saving clause at the conclusion of this proviso: "*And provided further*, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress, originating in said House." This proviso, in the judgment of your committee, preserves the contention of the House as to its rights and prerogatives under the Constitution.

Mr. Chairman, if the proviso of Article VIII of the convention can not be accepted by the House directly, it can not be accepted by it indirectly, by adding a new proviso to it, as is done in this bill. This last proviso is a mere declaration, like those recently inserted in the District of Columbia and Indian appropriation bills, respecting the policy of Congress, which the courts have declared nugatory. It amounts to nothing. It is a mere pretext for doing per obliquum what can not be done per directum. But if it were otherwise, this House has no right to tie its hands by passing any law respecting taxation which the people of the United States may not honorably, and of their own free will and mere motion, repeal, amend, or alter, without reference to the consent of any other people. I say this House has no right, or power, or pretense of right to tie its own hands in this way. Neither has it the power to tie the hands of the American people in this way. And if it is true, as the report says, that "foreign countries, in making treaties with us, are bound to take notice of the requirements of our Constitution," is it not equally true, and far more reasonable, that we are ourselves charged here with notice of these requirements? Are we not charged with knowledge of the history and meaning of the provision that all bills for raising revenue shall originate in the House of Representatives?

Mr. Chairman, the exclusive right of this House to originate bills for raising revenue, according to the authority conferred by the seventh section of the first article of the Constitution, can not be surrendered or compromised without inflicting a fatal wound upon our entire system of government. The great principle on which the English monarchy was established by the revolution of 1688 was that there should be no taxation without representation—that the people, who were to pay the taxes, must decide, through

their immediate representatives in Parliament, what amount and what kind of taxes they were willing to pay, and should have the right of withholding from the Government the very means of existence, if necessary, in order to procure redress of grievances. This right of the people to act through delegates responsible to themselves alone was claimed as the only sure remedy for violations of the right of petition. The petitions of the people had been despised by irresponsible kings, who had been able to collect money from them without their consent, and had used it to hire standing armies for the enslavement of the people. This great principle was the citadel of English liberty, and, as Madison says, it was the germ of American independence.

After this bill passes it can not be repealed or amended without the consent of the Senate, in which the States are represented equally without regard to population or wealth. Its passage will therefore be a clear infraction of the spirit of the Constitution. "Nothing is clearer," said Chief Justice Fuller in the income-tax cases, "than that what the Constitution intended to guard against was the exercise by the General Government of the power of directly taxing persons and property within any State through a majority (in Congress) made up from other States." (157 U. S., 582.) The idea was that the people, according to their numbers, should participate, through their representatives here, in all matters of taxation, and without any limitation as to time except that which provided for biennial elections. And in this the Chief Justice merely expressed in another form the views of Franklin in his letter to Governor Shirley in 1754. In that famous letter, "concerning the voice of the people in choosing rulers by whom taxes are imposed," Franklin said:

> I apprehend that excluding the people of the colonies from all share in the choice of the grand council will give extreme dissatisfaction as well as the taxing them by act of Parliament where they have no representation. It is very possible that the General Government might be as well and faithfully administered without the people as with them; but where heavy burdens are to be laid upon them it has been found useful to make it as much as possible their own act, for they bear better when they have, or think they have, some share in the direction. (2 Franklin's Works, 376, 377.)

But here it is proposed to deprive the people of any share in levying or repealing taxes so long as the President and the Senate see fit to continue in force this convention with Cuba. "It may be for years, and it may be forever." It arms the Government with perennial resources, and forms a precedent for making such resources sufficient, to maintain a standing army of any size, whereas the constitutional provisions for biennial elections and for limiting appropriations for armies to two years show that the framers of the Constitution intended to prohibit all such legislation.

The whole history of the Constitution and the Revolutionary period shows that the principle embodied in section 7 of the first article was deemed essential to the security of the liberties of the people, and that unless it had been incorporated into the Constitution that instrument would never have been adopted. The Journals of Congress, the Madison Papers, The Federalist, Elliott's Debates, and all the books of that period teem with discussions of this "first grand right of the people," showing how deeply the men of those days took this matter to heart. Judge Story, in his great work on the Constitution, emphasizes the importance of the seventh section of the first article, and Judge Cooley, in his notes on Story's work, refers with approval to the Dawes resolution, passed by this House in 1872, and to the action of the Senate with regard to that resolution. (Story on Constitution, sec. 880, note.)

I have not the time necessary for reading these authorities, but I refer to them as sustaining my contention throughout, and as showing why I feel justified in offering a mild protest against this bill in its present form, in spite of the fact that so many able lawyers and eminent statesmen seem satisfied with it. I shall vote for it out of deference to the opinion of the majority of my colleagues and the general sentiment throughout the country among Democrats and Republicans alike that we owe a still further duty to Cuba.

Mr. PAYNE. Mr. Chairman, unless there is some one on this side who desires to take the floor at this time, I will yield thirty minutes of my time to the gentleman from Mississippi [Mr. WILLIAMS], to be used at this time by the gentleman from Texas [Mr. BURGESS].

The CHAIRMAN. The gentleman from Texas [Mr. BURGESS] is recognized.

Mr. PAYNE. The gentleman does not seem to be present at this moment. I yield this time, Mr. Chairman, only on condition that it is to be used this afternoon.

The CHAIRMAN. The Chair recognizes the gentleman from Arkansas [Mr. MACON] for fifteen minutes.

Mr. MACON. Mr. Chairman, I had the pleasure of listening yesterday to the gentleman from Pennsylvania [Mr. DALZELL], who in the course of his remarks indicated that he was talking for the benefit of the new Members of the present House, which portion of the address of the gentleman was alluded to this morning in a very clever manner, indeed, by the gentleman from Missouri [Mr. CLARK]. I have not had the pleasure of meeting the gentleman from Pennsylvania, but I hope to do so during the session of this Congress, and hope that our relations throughout its sitting will be of the most amicable character. If he intended his remarks for our information only, I thank him for the part that was intended for me. But if it was for the purpose of attempting to discredit the Democratic party in the course taken at the time mentioned by him, I respectfully decline to give it heed and will now dismiss it from my thoughts.

Now, Mr. Chairman, I will address myself to the measure that is pending before the House. I favor it, because it has upon it the brand of Democratic reciprocity. As I understand reciprocity, when it is boiled down to its final analysis it means "Do unto others as you would have them do unto you," or give and take. I understand from the provisions of this measure that we are to receive from the Cuban Government the benefit of from 20 to 45 per cent reduction of the Cuban duty on the products of the soil and of the factories and furnaces of the United States that find their way to the Cuban ports, and that we are to extend to that Republic a fair and amicable tariff rate or toll upon the products of the toil of the laborers of that island of the sea that they see fit to export to our shores.

I believe in reciprocity to the core. I believe it ought to be taught in every valley and upon every hill. I believe it ought to be practiced in all communities, as well as between all nations. I believe in a reciprocity that says to those who advocate the great canal upon the South and asks the assistance of those in the North to dig it, that they ought to be willing to accord to those of the North the privilege of cutting their canal from the Hudson River to the Great Lakes and assist them in doing it, thereby opening up those great waterways to the great waterway of the earth—the Atlantic Ocean. I believe in a reciprocity that says to the people of the West, in the arid region, "If you will help us to take the water off of our lands in the South, lying along the banks and in the basins adjacent to the great Father of Waters, we are in favor of helping you to put water upon your arid lands." I believe in a reciprocity that says to England, nay, to all the other governments of the world, that if they will allow us to introduce our products into their empires and provinces at a fair and equitable reciprocal basis we are willing to allow them to introduce theirs into our great nation upon the same terms. Such a course seems to be just, and I believe the conditions are ripe for it.

It has virtually been said upon the floor of this House by the gentleman from New York [Mr. PAYNE], the leader upon the other side, that the time was ripe for it, and I was surprised at one or two admissions that he made in his speech on yesterday. He must have made it believing in the absolute security and certainty of his reelection from his own Congressional district, and because of a feeling of great confidence in the position his party has taken upon this bill, believing that it has adopted a reciprocal policy that will continue it in power in spite of his suicidal admissions. He said that—

> It seemed to us [the Republican party] that it was incumbent upon us as a great nation out of our wealth, out of our surplus in the Treasury, out of our overflowing taxation, which greatly exceeds our expenditures, to do something for the Republic of Cuba, and hence this bill was brought into the House.

The only conclusion that I can draw from his language just quoted is that there is an exorbitant, unjust, and unnecessary taxation resting upon the toiling masses of this country that is actually overflowing its Treasury, and that out of the overflowing Treasury we can well spare $6,000,000 of our excess revenues at this time by way of reciprocity with Cuba. I agree with the gentleman that we can spare the six millions of our revenue that will be cut off in that way, and I go further and say that if the Treasury is overflowing, if taxation is greater than the needs of our Government demand or require, why can we not cut off more of this excessive revenue and let it remain in the hands of the people, where it rightfully belongs and where it will circulate through the channels of trade until all our people will have felt its beneficial presence?

It has been argued upon this floor that this is a Republican measure. The gentleman from Ohio [Mr. GROSVENOR] went so far as to say that he wanted it to retain its Republican features to the extent that Democrats would not try to swear the parentage of it over to this side of the House. Sir, we deny that the reciprocity feature of the bill is in any wise related to any defined Republican policy. There are two features of the measure, however, that I will guarantee no Democrat will ever try to swear over this way. One is that which attempts to bind us—though it can not under the law do such a thing—for the period of five years against the further reduction of the tariff upon sugar imported from any other country, because of the reciprocal relation that will exist between us and Cuba under the provisions of the bill. We claim that to be a Republican feature, and we do not want it to mar the beauty of our Democratic child, reciprocity.

Another Republican feature expressed in the bill is that which fails and refuses to extend the provisions of the measure so that it will take in the refined article as well as the crude. We understand, however, that to extend the provisions of the bill to refined sugar would be a blessing to the people and a check upon the abnormal gains of the sugar trust, is why it is left free from its provisions. We know that it is not the policy of the Republican party to help the people where their interests are in conflict with the interests of the trusts. Therefore we are glad to say to the gentleman from Ohio, "You are welcome to the last-named features of the bill. Nurse them, cherish them as you will. No Democrat will ever recognize them as being the features of the Democratic child of reciprocity." But as to the reciprocity feature of it that says to Cuba, "If you will allow our products to enter your ports at from 20 to 40 per cent reduction we will allow yours to enter ours at a reduction of 20 per cent of our present tariff," we say that it is a Democratic feature, and no Republican can claim it as his offspring or disguise it so it will not be known to its own. It is true that Democracy finds her child of reciprocity in bad company in this instance, but a loving parent never fails or refuses to recognize its own because it happens to fall into bad company for a time. Reciprocity has been preached, taught, and practiced by Democrats since the formation of our Government, and we are not going to be frightened out of voting for this bill by the cry of "Republican measure."

Sir, there are not Republicans and sugar planters enough between Nantucket on the east and Yuba Dam on the west to keep us from voting for the bill. I understand, sir, that individual Republicans have from time to time favored the great principle of reciprocity between nations. It was recognized as a living, burning question by the greatest Republican statesman that ever sat in the chair that you now occupy, in my judgment—the Hon. James G. Blaine—but, notwithstanding all his brilliancy, ability, and statesmanship, he could not bring his party to accept his views and practice what he attempted to teach. The much-lamented and illustrious McKinley also embraced the doctrine of reciprocity a short time before the close of his life. He realized that the time had come when we could no longer narrow our transactions to the confines of our own country, and that it was necessary for us to reach out for broader fields in which to market our rapidly increasing commerce.

Mr. Chairman, I have great faith in the possibilities of this grand Union of ours when she has surely launched her reciprocal bark upon the great ocean of commerce. I believe it is strong enough in its matchless resources and superior citizenship to carry its trade, in peace, to the vast expanses of civilization. And, sir, I believe we are too great to desire trade upon other than peaceful terms with any country. I do not believe it necessary, wise, or just to attempt to gain markets or trade by the sword. Coercion will never make a contented or profitable customer. Nations have no more right to obtain trade by the bayonet than a merchant has with a gun. I do not believe in that class of trade that requires hundreds of millions of dollars to be spent in an attempt to pacify a batch of crude islanders in an effort to open up a market in which we might sell a few bales of cotton, bushels of corn and wheat, barrels of flour, or pounds of meat. It would be infinitely better from every conceivable view to take the money that has been expended upon our island possessions and spend it upon the rivers and harbors of this great country. With it we could have leveed the Mississippi River on both sides from its source to its mouth. It would have channeled out all of the smaller navigable rivers, giving to them all of the necessary locks and dams, and in leveeing and channeling out our own streams we would have opened up the most fertile valleys of the earth, in which billions of dollars' worth of produce could have annually been added to the commerce of the world and thousands and thousands of happy and prosperous homes filled with intelligent Caucasian inhabitants would have been erected, that would have been a great addition and mighty help to this Commonwealth.

Is there any hope that the Philippines will produce such a happy condition or add such greatness to our nation? Mr. Chairman, reciprocity is one of the greatest thoughts of this or any other age. Its free adoption will put a stop to our "overflowing taxation," it will remove burdens of labor from the bended backs of the toiling people, it will tear down the high tariff wall that is a menace to our own people as well as to all the nations of the earth. It will stop the great Chamberlain in his mad rush to close the doors of the English markets against us. It will open up a free and mutually beneficial commerce between us and Canada, South America, Germany, France, Russia; nay, sir, I may truthfully say, between all the nations of the earth and us, all of which can be done without the tooting of a horn or the firing of a gun. It seems to me, sir, that the admission of the gentleman from New York [Mr. PAYNE] that "we believed at the time of the adoption of the Dingley tariff act that a lower rate of duty was ample protection to encourage and foster the beet-sugar industry, we believed that a lower rate of duty was sufficient to take care of the sugar industries of the States of Louisiana and Texas," and then in the face of that belief adopted the high-tariff provision of the Dingley law upon the subject of sugar, is enough to discredit him and his party before the American people and before the world. By his declaration he virtually admits that his party has taken 20 per cent too much money out of the pockets of the consumers of this country upon the sugar schedule alone. Then, in the name of reason and good conscience, I ask, how much has his party extorted from them upon other schedules of the bill? Can the people stand such extortion? Will they longer stand it is the question of the hour. [Loud applause on the Democratic side.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from North Carolina is recognized for ten minutes.

Mr. THOMAS of North Carolina. Mr. Chairman, I had not intended to debate the pending bill, but I feel constrained to do so to-day in the limited time allotted to me because I believe that this bill is a step in the direction of tariff reform and the breaking down of the high rates of the Dingley tariff law of July 24, 1897, and because I hope it may prove also a step in the direction of freer trade relations with other countries, including the Dominion of Canada, thereby benefiting the people and constituency whom I have the honor to represent.

As a Democrat and in common with the Democratic Members of the House, I would like to see the bill amended and put upon it the amendment proposed by the Democratic minority, which was known in the last Congress as the Morris amendment, adopted in the Fifty-seventh Congress as an amendment to the reciprocity bill with Cuba then pending, and which was passed by the united action of the Democratic minority and the Republicans interested in the manufacture of beet sugar. This amendment provided that—

> There shall be levied, collected, and paid, in lieu of the duties thereon now provided by law, on all sugars above No. 16, Dutch standard in color, and on all sugar which has gone through a process of refining, imported into the United States 1.825 cents per pound.

The effect of this amendment would be to strike from the tariff laws the differential duty upon refined sugar, thereby benefiting the consumers of refined sugar in this country.

The bill should also be amended, in my opinion, as proposed by the Democratic minority, by striking out that clause which provides that during the life of the treaty with Cuba, for five years, there shall be no further reduction of the duty upon Cuban sugar imported into the United States and that no sugar the product of any other foreign country shall be admitted during said period into the United States at a lower rate of duty than that provided by the Dingley tariff law.

In other words, the United States shall grant no other country any reduction of duty upon sugar during the life of the treaty and no further reduction than 20 per cent shall be granted to Cuba during said time. I do not think such provision legally binding upon a future Congress.

But under the rule adopted by the Republican majority the Democratic Members of the House are unable to secure the adoption of these two amendments. Under these circumstances, and in accordance with the caucus resolution of the Democratic party, I am in favor of this bill, while I opposed the rule which seeks to pass it without the Democratic amendments I have mentioned. I am for the bill, first, because I believe, with the distinguished gentleman from New York [Mr. MCCLELLAN], that it is a step in the direction of tariff reform and is a breach in the excessively high tariff wall erected around the country by the Dingley tariff law. I believe that a revision of the high protective rates of this law is necessary to the American people and demanded by the American consumer.

These rates are not only unjust and oppressive to the people, but, as was well said on yesterday by the gentleman from Virginia [Mr. SWANSON], the effect of these high rates is to induce many of the nations of the world at this time to so modify their policy with respect to the tariff as to resort to retaliatory measures. Great Britain, which has been heretofore a free-trade country, is now proposing through one of its eminent statesmen, Joseph Chamberlain, free trade between the colonies and the mother country and a protective tariff against the United States and the rest of the world.

I was especially impressed by the statement that Canada still maintains a high tariff against the United States and threatens to increase it, and the preferential tariff in favor of Great Britain is 33⅓ per cent of the Canadian customs tariff. Now, Canada, by

blood and by kinship, by her position north of us upon the American continent, and by every tie, should be a part of this country if we are determined upon a policy of expansion and annexation. She should buy much more largely than heretofore from the United States, and I am fully of the opinion that if we are to have freer trade relations with Cuba by means of reciprocity treaties or otherwise, we should have freer trade relations by means of reciprocity or otherwise with the Dominion of Canada.

And, Mr. Chairman, I shall support the bill for the further reason that I hope and trust it is a movement in the direction of future reciprocity treaties with other countries, especially those upon the American Continent, including the Dominion of Canada. I hope it is the harbinger of Canadian reciprocity as well as a breach in the tariff wall erected by the Republican party. The Democratic members of the Committee on Ways and Means, in their report filed on yesterday, declared:

> We regret that the party in power has not seen its way to confer still further benefits upon citizens of both nations by providing for even freer and yet more untrammeled and unrestricted commerce between them. As long as the present party is in power we can perhaps hope for tariff reductions and revision only from reciprocity treaties. It is a piecemeal process, but it is better than no process at all. We hail it as a harbinger of future reciprocity treaties with other countries, especially those upon the American Continent, and notably our neighbor to the north, the Dominion of Canada.

A reciprocity treaty, under the provisions of the Dingley law, authorizing the President, by and with the advice and consent of the Senate, to enter into commercial agreements or treaties with other countries, and to concede thereunder for equivalent commercial advantages a reduction of not exceeding 20 per cent upon the duties prescribed by the Dingley tariff law, and similar to the treaties negotiated with France, the Argentine Republic, and other countries, might also be negotiated with Great Britain as to the Dominion of Canada, which would be of great benefit to all sections of the country, and especially to the State and district I have the honor to represent.

At the opening of this session of Congress I introduced the bill which I hold in my hand, and which provides for the negotiation of a reciprocity treaty with Great Britain as to the Dominion of Canada, especially with the view to the abolition or modification of the seventy-fifth item of the customs tariff of Canada of 1897, which imposes a prohibitory tax of 2 cents per pound, the weight of the package to be included, as duty upon American strawberries and other berries imported into Canada.

I shall incorporate my bill in my remarks, and I trust in the future it may be the policy of both the majority and minority, Republicans and Democrats, to advocate the negotiation of such a reciprocity treaty with Canada, framed wisely as to its schedules. Such a treaty would be of incalculable benefit to my own constituency as well as to the whole of the American people. If we are to have wider markets in Cuba for our cotton manufactures, lumber, rice, cattle, and other articles by means of a treaty or commercial agreement, I insist that no greater benefit could be conferred than to open up new markets to the American people in the Dominion of Canada by means of another treaty with Great Britain.

Especially would such a treaty benefit the people of eastern North Carolina and the district I represent, as well as other sections of the country.

Upon the one item of strawberries alone, to which I have referred, the abolition of the Canadian customs tariff would mean a saving of thousands of dollars to my constituency and the opening up of new markets in Canada to North Carolina, the South, and the whole country. Whatever differences of opinion exist in both parties as to tariff rates and schedules, there is no question but that the high rates of the Dingley tariff law need wise revision, and that commercial agreements with Cuba, Canada, and other countries are in line with Democratic ideas and steps in the direction of tariff reform and wider and freer trade relations with the world.

Upon this issue of tariff reform the Democratic party has won success in two Presidential campaigns, and in the next campaign, inscribing upon its platform "honesty in the administration of the Government and opposition to monopoly under the protective system," I trust and believe it will again win; and if, Mr. Chairman, we are to have this piecemeal process of revision of the tariff the movement should extend not only to Cuba, and open up to us her market south of us, but the still wider market for American manufactures of cotton goods and agricultural products north of us in the Dominion of Canada. One of the first reciprocity treaties ever negotiated was negotiated with Canada under the Democratic Administration of Franklin Pierce.

Reciprocity—wise and not sham reciprocity, and which means freer trade relations and just and equitable tariff revision—is good Democratic doctrine; and while we are moving in this direction let us open up the markets north of us in Canada as well as the Cuban market south of us, for the benefit not only of my own people but of the whole country. [Applause.]

A bill authorizing the President to enter into a commercial treaty with the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, with the view to reciprocity between the United States of America and Canada, with reference to a modification of the customs tariff of Canada imposing a duty upon American strawberries.

Whereas by section 4 of the act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved by the Congress of the United States of America July 24, 1897, the President of the United States of America, by and with the advice and consent of the Senate, is authorized to enter into commercial treaties with other countries and to concede thereunder, for equivalent commercial advantages from such other countries, a reduction of the duties prescribed in the aforesaid act; and

Whereas under the customs tariff of Canada strawberries and other berries enumerated in tariff item 75 of said customs tariff of Canada are required to pay a duty of 2 cents per pound, the weight of the package to be included in the weight for duty; and

Whereas the abolition or reduction of said duty would be of great advantage to American farmers cultivating strawberries for market, and said duty is practically valueless to the Canadian government, while the abolition thereof would open up the Canadian market to American farmers cultivating strawberries and other berries enumerated in said customs tariff of Canada: Therefore

Be it enacted, etc., That the President of the United States of America be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to enter into a commercial treaty of reciprocity under the provisions of the act of Congress of July 24, 1897, with a view to the abolition or reduction of the duty imposed by the customs tariff of Canada upon strawberries and other berries enumerated in the seventy-fifth or other tariff item thereof.

Mr. HUGHES of New Jersey. Mr. Chairman, there are many things that can be said both for and against this bill, but inasmuch as the gentlemen on the other side of the House and those on this side of the House are all going to vote for the bill in any event, it does not seem to me that anything I can say to-day will materially affect the result. Many Democrats are opposed to this bill on various grounds. Some oppose it for the reason that it is a Republican measure and that it will benefit the trusts. It seems to me that if we are ever to vote for a Republican measure, we are necessarily going to vote for a measure that will benefit the trusts. As the gentleman from Missouri [Mr. CLARK] said this morning, I, with the other Members on this side of the House, rejoice that light at last is breaking in upon the Republican party in this matter. Perhaps we are all, Republicans and Democrats, going to get a little closer together than we have been. It may be that in a little while we shall see that spectacle that Tom Johnson some years ago predicted would be seen on the floor of this House—that of the Republican and Democratic leaders racing to the Speaker's desk to be the first to introduce a bill for tariff revision.

Coming from the district that I do, and representing as I do many varied interests, I feel that there is much to be said on both sides of this question; but we are agreed in my part of the country—and it seems to me that before long we will be agreed in every part of this great country—that the tariff must be reformed until it will be impossible for any man or combination of men to monopolize any of the necessaries of life or to be enabled to favor the foreign consumer because of the high price extorted from our own people.

The only question, as I look at it, is whether the tariff shall be reformed by the Republican party or by the Democratic party. It seems to me there can be no question but that that tariff must be reformed by the party which is now in the minority.

It is an old maxim, an old and true statement, that the minority is always in the right. This may sound strange, but there is reason for it. The minority in its desire, perhaps a sordid desire, to get into power, will search for and adopt principles which attract those who are good and true men to its standard. This has been the course of the Democratic party for years, and it is, I believe, beginning to bear good results.

If the Republican party is sincere in its oft-asserted desire to protect the American laborer against competition with the product of the foreign pauper laborer, let it protect him against the direct competition of the pauper laborers themselves, who are crowding into this country by the thousand. It matters little that the goods are shut out if our ports are thrown open to those who make the goods.

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey [Mr. MCDERMOTT] is recognized for fifteen minutes.

[Mr. MCDERMOTT addressed the committee. See Appendix.]

The CHAIRMAN. The Chair is prepared to recognize any of the gentlemen furnished in the list given the Chair by the gentleman from Mississippi [Mr. WILLIAMS]—Mr. BARTLETT of Georgia, the gentleman from Alabama [Mr. RICHARDSON], the gentleman from Michigan [Mr. FORDNEY], the gentleman from Tennessee [Mr. PIERCE], and the gentleman from New York [Mr. SULZER]. None of them claims the floor.

Mr. PAYNE. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1921, and had reached no resolution thereon.

PRINTING AND BINDING FOR A COMMITTEE.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Committee on Ways and Means be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

LEAVE TO SIT DURING SESSIONS OF THE HOUSE.

Mr. PAYNE. I ask also for the consideration of the other resolution with it.

The Clerk read as follows:

Resolved, That the Committee on Ways and Means be authorized to sit during the sessions of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill (H. R. 1947) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof, was changed from the Committee on Claims to the Committee on War Claims.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock p. m.) the House adjourned.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 422) to correct the military record of W. J. Whitson—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 572) for the relief of Arulus C. Parkhurst—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 578) for the relief of Abel Patrick—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 622) granting an increase of pension to John J. Martin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 699) granting a pension to M. Yell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 700) granting a pension to Felix Linsay—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1045) granting a pension of $12 per month to Matilda Witt, widow of J. Burgess Witt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1278) granting an increase of pension to J. J. Hunter—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1347) for the relief of the estate of J. L. Walker, deceased—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 1631) granting a pension to John R. Costen—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1842) to remove the charge of desertion from the military record of Michael Cullen—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 1847) to correct the military record of Alexander Nugent—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DAVIDSON: A bill (H. R. 3544) to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. MACON: A bill (H. R. 3545) to refund the cotton tax—to the Committee on War Claims.

By Mr. MURDOCK: A bill (H. R. 3546) to provide for the purchase of a site and the erection of a public building thereon at Newton, in the State of Kansas—to the Committee on Public Buildings and Grounds.

By Mr. RIXEY: A bill (H. R. 3547) for the protection of Balls Bluff battlefield, in Loudoun County, Va., and the cemetery thereon—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 3548) granting land warrants to soldiers and sailors of the Spanish-American war—to the Committee on the Public Lands.

By Mr. CLARK: A bill (H. R. 3549) providing for the erection of a public building at Louisiana, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. MANN: A bill (H. R. 3550) providing for a naval officer in the district of Chicago—to the Committee on Ways and Means.

By Mr. CLARK: A bill (H. R. 3551) declaring a certain portion of the Maramec River to be an unnavigable stream—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3552) making an appropriation to improve the harbor of Hermann, on the Missouri River, in Gasconade County, Mo.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3553) for the improvement of the Missouri River at and near the mouth of Smiths Creek, near Bernheimer, Warren County, Mo.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3554) removing the import duty from salt—to the Committee on Ways and Means.

Also, a bill (H. R. 3555) to place binding twine and all materials used in making or manufacturing the same upon the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 3556) to place wood pulp, printing paper, and so forth, on the free list—to the Committee on Ways and Means.

Also, a bill (H. R. 3557) placing agricultural implements on the free list—to the Committee on Ways and Means.

By Mr. SHULL: A bill (H. R. 3558) to provide for the purchase of a site and the erection of a public building thereon at Easton, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. GOULDEN: A bill (H. R. 3559) for the construction and completion of the Harlem River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3560) for the construction and completion of Westchester Creek—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3561) for the construction and completion of the Bronx River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3562) for the construction and completion of the Harlem (Bronx) Kills—to the Committee on Rivers and Harbors.

By Mr. CANDLER: A bill (H. R. 3563) authorizing and directing the Secretary of War to cause a survey to be made of the Tombigbee River from Demopolis, Ala., to Columbus, Miss.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3564) making an appropriation for the improvement of the Tombigbee River, in the State of Mississippi and in the State of Alabama—to the Committee on Rivers and Harbors.

By Mr. COOPER of Texas: A bill (H. R. 3565) directing the Secretary of War to expend $125,000 heretofore appropriated for the deep-water channel through Sabine Lake, Texas—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 3566) to provide for the selection of a site for the establishment of a navy-yard and dry dock on or near Sabine Pass, or the Neches or Sabine River, in the State of Texas—to the Committee on Naval Affairs.

Also, a bill (H. R. 3567) providing for a coastwise canal in Texas—to the Committee on Railways and Canals.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 3568) to provide for the purchase of a site and the erection of a public building thereon at Murfreesboro, in the State of Tennessee—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3569) to establish a national military park at the battlefield of Stone River—to the Committee on Military Affairs.

Also, a bill (H. R. 3570) to place all articles and commodities manufactured and controlled or produced in the United States by a trust or trusts on the free list, and to reduce the rate of duty on any article or commodity manufactured in the United States and sold in a foreign country more cheaply than in the United States—to the Committee on Ways and Means.

Also, a bill (H. R. 3571) to fix the salary of the Public Printer—to the Committee on Printing

By Mr. GARBER: A bill (H. R. 3572) for the erection of a memorial structure at Fort Recovery, Ohio—to the Committee on the Library.

By Mr. SHAFROTH: A bill (H. R. 3573) for the establishment of a board for the protection of children and animals—to the Committee on the Judiciary.

By Mr. TRIMBLE: A bill (H. R. 3574) for the relief of the farmers and tobacco growers of the United States—to the Committee on Ways and Means.

By Mr. KEHOE: A bill (H. R. 3575) to increase the pension of widows of deceased soldiers and sailors—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 3576) for the erection of a public building at Florence, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. BISHOP: A bill (H. R. 3577) to acquire certain ground for a Government reservation—to the Committee on the District of Columbia.

By Mr. ACHESON: A bill (H. R. 3578) to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver Township, Westmoreland County—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3579) to provide for the erection of a public building at Charleroi, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. GILLETT of California: A bill (H. R. 3580) to provide for the purchase of a site and the erection of a public building thereon at Eureka, in the State of California—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 3581) providing the means of acquiring title to two groves of Sequoia gigantea in the State of California, with a view to making national parks thereof—to the Committee on the Public Lands.

By Mr. GILLETT of Massachusetts: A bill (H. R. 3582) to extend and regulate the liability of certain classes of employers to make compensation for personal injuries suffered by employees in their service—to the Committee on the District of Columbia.

Also, a bill (H. R. 3583) granting to certain employees of the United States the right to receive from it compensation for injuries sustained in the course of their employment—to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 3584) to authorize the resubdivision of lots or blocks in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GAINES of Tennessee: A bill (H. R. 3585) to amend sections 3894 and 3929 of the Revived Statutes, and the first section of the act of Congress of March 2, 1895, chapter 191, entitled "An act for the suppression of lottery traffic through national and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States," so as to apply the provisions of existing laws to letters, postal cards, circulars, pamphlets, and publications concerning any business of and contracts and policies of life, fire, or other insurance transmitted into any State, District, or Territory by concerns or persons not authorized to transact such business in the State, District, or Territory from which the same are transmitted—to the Committee on the Post-Office and Post-Roads.

By Mr. BATES: A bill (H. R. 3586) to provide for the retirement of petty officers and enlisted men of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 3587) to promote the efficiency of the clerical service in the Navy of the United States, to organize a clerical corps of the Navy of the United States, to define its duties, and to regulate its pay—to the Committee on Naval Affairs.

By Mr. GLASS: A bill (H. R. 3588) to complete the execution of the ninth article of the treaty of 1819 between the United States and Spain—to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 3589) to increase pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads

By Mr. BEDE: A bill (H. R. 3590) in relation to cigarettes, and to limit the effect of the regulation of commerce between the several States and with foreign countries in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 3591) to prohibit the charging by monopolies and combinations of unreasonable prices for certain merchandise and products which enter into interstate commerce—to the Committee on the Judiciary.

Also, a bill (H. R. 3592) to define the duties of the Attorney-General concerning combinations and monopolies, and to appropriate such money as may be necessary to pay the expense incident to the discharge of such duties—to the Committee on the Judiciary.

Also, a bill (H. R. 3593) to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes, approved April 26, 1890,"—to the Committee on the Judiciary.

By Mr. SCARBOROUGH: A bill (H. R. 3594) to provide for the erection of a monument to Gen. Francis Marion—to the Committee on the Library.

Also, a bill (H. R. 3595) to regulate the manufacture of cigarettes—to the Committee on Ways and Means.

By Mr. BURNETT: A bill (H. R. 3645) to authorize the Secretary of the Interior to reclassify the public lands of Alabama—to the Committee on the Public Lands.

By Mr. GARDNER of Michigan: A bill (H. R. 3816) to extend Nineteenth street northwest, from Cincinnati street to the Adams Mill road, and to acquire the triangle abutting on the east side thereof included within Cincinnati street and the Adams Mill road—to the Committee on the District of Columbia.

By Mr. HULL: A bill (H. R. 4057) for the erection of a public building at Des Moines, Iowa—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4058) providing for the manner of payment of postage on books, catalogues, and other printed matter—to the Committee on the Post-Office and Post-Roads.

By Mr. RIXEY: A joint resolution (H. J. Res. 37) asking for estimates for the improvement of Upper Machodoc Creek, in King George County, Va.—to the Committee on Rivers and Harbors.

By Mr. COOPER of Texas: A joint resolution (H. J. Res. 38) proposing an amendment to Article III, section 1, of the Constitution of the United States of America—to the Committee on the Judiciary.

By Mr. BRADLEY: A joint resolution (H. J. Res. 39) to appoint Robert S. Talbot a passed assistant engineer on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. LAMB: A memorial of the legislature of the State of Virginia, relating to the three hundredth anniversary of the first English settlement at Jamestown, Va.—to the Select Committee on Industrial Arts and Expositions.

By the SPEAKER: A memorial of the legislature of the State of Virginia, relating to the celebration of the three hundredth anniversary of the first English settlement at Jamestown, Va.—to the Select Committee on Industrial Arts and Expositions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 3596) granting a pension to Marie Bosslet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3597) to correct the military record of John Herbst—to the Committee on Military Affairs.

Also, a bill (H. R. 3598) to correct the military record of Julius H. Rogge—to the Committee on Military Affairs.

Also, a bill (H. R. 3599) for the benefit of William H. Miller—to the Committee on War Claims.

By Mr. BEIDLER: A bill (H. R. 3600) for the relief of Ann Kinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3601) for correction of record of Henry S. Williams—to the Committee on Military Affairs.

By Mr. BOWERSOCK: A bill (H. R. 3602) granting an honorable discharge to Levi Mott—to the Committee on Military Affairs.

Also, a bill (H. R. 3603) granting an increase of pension to Jeremiah McCanse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3604) granting a pension to Laura M. Swan Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3605) granting a pension to William McClure—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3606) granting a pension to Timothy Lawhead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3607) granting a pension to Susan H. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3608) granting an honorable discharge to William Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 3609) granting an increase of pension to William W. Thornton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3610) granting an increase of pension to Lucius R. Simons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3611) granting an increase of pension to Edward L. Allen—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 3612) to correct the military record of Demon S. Decker—to the Committee on Military Affairs.

Also, a bill (H. R. 3613) to reimburse John Waller, late postmaster at Monticello, N. Y., for moneys expended in carrying the mails—to the Committee on Claims.

Also, a bill (H. R. 3614) granting a pension to George M. Sayre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3615) granting an increase of pension to Annie L. Evens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3616) granting a pension to James W. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3617) for the relief of Charles M. Everett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3618) for the relief of Nancy Rose—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 3619) for the relief of David V. Howell—to the Committee on Interstate and Foreign Commerce.

By Mr. BURKETT: A bill (H. R. 3620) granting an increase of pension to Victor Vifquain—to the Committee on Pensions.

By Mr. BURNETT: A bill (H. R. 3621) for the relief of the trustees of Gaylesville Academy and Methodist Episcopal Church, of Gaylesville, Cherokee County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 3622) for the relief of Mrs. Martha Stiff—to the Committee on War Claims.

Also, a bill (H. R. 3623) for the relief of Amos L. Griffith—to the Committee on War Claims.

Also, a bill (H. R. 3624) for the relief of John B. Hardman—to the Committee on War Claims.

Also, a bill (H. R. 3625) for the relief of William D. Clay and others—to the Committee on the Public Lands.

Also, a bill (H. R. 3626) for the relief of James Pitts—to the Committee on the Public Lands.

Also, a bill (H. R. 3627) for the relief of S. V. Biggers, administrator of R. P. Biggers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3628) for the relief of Claude B. Alverson—to the Committee on the Public Lands.

Also, a bill (H. R. 3629) for the relief of Joseph M. Witt—to the Committee on War Claims.

Also, a bill (H. R. 3630) for the relief of E. A. Gilliland—to the Committee on Claims.

Also, a bill (H. R. 3631) for the relief of the estate of J. C. West—to the Committee on War Claims.

Also, a bill (H. R. 3632) for the relief of the estate of James L. Romine, deceased, Winston County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 3633) for the relief of the estate of D. M. Sparks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3634) for the relief of Joseph Blakemore, administrator of Elizabeth Blakemore, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3635) for the relief of the Oak Bowery Church, of Cherokee County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 3636) for the relief of J. B. Roberson, administrator of the estate of J. P. Roberson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3637) for the relief of David W. Hollis—to the Committee on War Claims.

Also, a bill (H. R. 3638) for the relief of the Bank of Attalla—to the Committee on Claims.

Also, a bill (H. R. 3639) to remove the charge of desertion from the record of Joseph A. Choate—to the Committee on Military Affairs.

Also, a bill (H. R. 3640) to remove the charge of desertion from the military record of James W. Gutherie—to the Committee on Military Affairs.

Also, a bill (H. R. 3641) to remove the charge of desertion from the record of Robert A. Godsey—to the Committee on Military Affairs.

Also, a bill (H. R. 3642) granting an increase of pension to James H. Martin—to the Committee on Pensions.

Also, a bill (H. R. 3643) granting pensions to certain companies of scouts and guides who served in the Federal Army during the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3644) granting a pension to Thomas Nelson—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 3646) granting an increase of pension to Minerva McDonald—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 3647) for the relief of the Christian Church of Corinth, Alcorn County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 3648) for the relief of the Masonic lodge at Bexar, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 3649) for the relief of the trustees of the Baptist Church of Corinth, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 3650) for the relief of J. M. Cumby, heir of M. G. Cumby—to the Committee on War Claims.

Also, a bill (H. R. 3651) for the relief of the trustees of Cumberland Presbyterian Church, of Corinth, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 3652) for the relief of J. W. Walker—to the Committee on Claims.

By Mr. CASSEL: A bill (H. R. 3653) granting an increase of pension to Andrew Sollenberger—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 3654) removing the charge of desertion from the record of William E. Talbert—to the Committee on Military Affairs.

Also, a bill (H. R. 3655) to remove the charge of desertion from the military record of David Gibson—to the Committee on Military Affairs.

Also, a bill (H. R. 3656) to remove the charge of desertion from the military record of John Ziegler—to the Committee on Military Affairs.

Also, a bill (H. R. 3657) appropriating money for the protection of property in Lincoln County, Mo.—to the Committee on Levees and Improvements of the Mississippi River.

Also, a bill (H. R. 3658) to enable Fredrich Burckhardt to make application to the Commissioner of Patents for the extension of letters patent—to the Committee on Patents.

Also, a bill (H. R. 3659) placing upon a pensionable status Fagg's Fifth Regiment of Pike County (Missouri) Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3660) granting an increase of pension to John Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3661) granting an increase of pension to George Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3662) granting an increase of pension to John M. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3663) granting an increase of pension to Uriah H. Owings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3664) granting an increase of pension to John E. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3665) granting an increase of pension to Henry C. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3666) granting an increase of pension to James M. Shippee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3667) granting an increase of pension to Albertus Leovisin Paine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3668) granting an increase of pension to Garland Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3669) granting an increase of pension to John Snay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3670) granting an increase of pension to Benjamin F. Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3671) for the relief of Elanor W. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 3672) for the relief of Capt. Henry L. Heckmann—to the Committee on War Claims.

Also, a bill (H. R. 3673) for the relief of the heirs of the late William H. Finch—to the Committee on Military Affairs.

Also, a bill (H. R. 3674) for the relief of Mrs. Fannie Donnelly—to the Committee on War Claims.

Also, a bill (H. R. 3675) for the relief of W. D. McLean, alias Donald McLean—to the Committee on Military Affairs.

Also, a bill (H. R. 3676) for the relief of the estate of the late B. F. Richardson—to the Committee on War Claims.

Also, a bill (H. R. 3677) for the relief of Ralls Lodge, No. 33, Ancient Free and Accepted Masons—to the Committee on Military Affairs.

Also, a bill (H. R. 3678) for the relief of Mrs. Catherine Bedell—to the Committee on Military Affairs.

Also, a bill (H. R. 3679) for the relief of George W. Payne—to the Committee on Military Affairs.

Also, a bill (H. R. 3680) for the relief of F. H. Hunicke—to the Committee on Military Affairs.

Also, a bill (H. R. 3681) for the relief of the trustees of the Regular Baptist Church, at Mexico, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 3682) for the relief of John Harper, Alexander Hammontree, and others, trustees of the Methodist Church at Warrenton, Mo.—to the Committee on Military Affairs.

Also, a bill (H. R. 3683) for the relief of the trustees of the Methodist Church at Warrenton, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 3684) for the relief of Edwin F. Mathews—to the Committee on War Claims.

Also, a bill (H. R. 3685) granting a pension to William Callaway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3686) granting a pension to Jeremiah Romans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3687) granting a pension to Maj. Louis Dieckgraefe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3688) granting a pension to George N. Warfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3689) granting a pension to Charles B. Stough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3690) granting a pension to William Toedtmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3691) granting a pension to Cyrus Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3692) granting a pension to Green H. Honeycutt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3693) granting a pension to Prudence E. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3694) granting a pension to Edward W. Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3695) granting a pension to Henry Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3696) granting a pension to Spotwel E. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3697) granting a pension to Johnson W. Eubanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3698) granting a pension to Samuel S. Grimmett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3699) granting a pension to James A. Terry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3700) granting a pension to Absalom Howell Eggers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3701) granting a pension to Susan L. Brimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3702) granting a pension to Jeremiah Milroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3703) granting a pension to Mary Followill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3704) granting a pension to William Dixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3705) granting a pension to John T. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3706) granting a pension to William W. Batterton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3707) granting a pension to Joseph Turnbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3708) granting a pension to Elizabeth Seifert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3709) granting a pension to Mary F. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3710) granting a pension to Thomas C. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3711) granting a pension to John McCann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3712) granting a pension to Frederick W. Tappmeyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3713) granting a pension to Lydia Lollar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3714) granting a pension to Silas A. Elkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3715) granting a pension to Freidrich Schmied—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3716) granting a pension to Samuel Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3717) granting a pension to John J. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3718) granting a pension to Louvina Mays—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3719) granting a pension to Benjamin Haggard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3720) granting a pension to John D. Reeds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3721) granting a pension to Martha A. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3722) granting a pension to James G. Head—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3723) granting a pension to James W. Conaway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3724) granting a pension to S. M. Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3725) granting a pension to George H. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3726) granting a pension to Jeptha D. Newman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3727) granting a pension to Orison Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3728) granting a pension to James Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3729) granting a pension to John H. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3730) granting a pension to Lewis K. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3731) granting a pension to Alice Harrison—to the Committee on Pensions.

Also, a bill (H. R. 3732) granting a pension to Robert L. Davis, sr.—to the Committee on Pensions.

Also, a bill (H. R. 3733) granting a pension to Harrison N. Gourley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3734) granting a pension to James R. Gibson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3735) granting a pension to James W. McCune—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3736) granting a pension to John A. Blackwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3737) granting a pension to Ignatz Bohnert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3738) granting a pension to Almond T. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3739) granting a pension to Cicero Cluster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3740) granting a pension to George W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3741) granting a pension to James T. Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3742) granting a pension to Peter Berg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3743) granting a pension to Charles E. Foley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3744) granting a pension to William Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3745) granting a pension to Emma A. Baxter—to the Committee on Pensions.

Also, a bill (H. R. 3746) granting a pension to Josephine B. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3747) granting a pension to Frank M. Hassler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3748) granting a pension to John W. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3749) granting a pension to Conrad Klinge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3750) granting a pension to Thomas A. Burks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3751) granting a pension to William H. Holland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3752) granting a pension to William H. Boulden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3753) granting a pension to James J. W. Clifton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3754) granting a pension to David Copenhaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3755) granting a pension to William A. Gibbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3756) granting a pension to John Rohy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3757) granting a pension to Charles B. Stough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3758) granting an increase of pension to James M. Cartmill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3759) granting a pension to Annie A. Gallagher—to the Committee on Pensions.

Also, a bill (H. R. 3760) for the relief of the heirs of the late Joseph M. Carrico—to the Committee on Military Affairs.

By Mr. COCHRAN: A bill (H. R. 3761) ceding certain land appertaining to the custom-house at St. Joseph, Mo., for use as a street—to the Committee on Public Buildings and Grounds.

By Mr. COUSINS: A bill (H. R. 3762) granting an increase of pension to Stephen Winans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3763) granting an increase of pension to Wyatt Botts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3764) granting an increase of pension to Ephriam E. Blake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3765) granting an increase of pension to Titus K. Cone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3766) granting an increase of pension to J. W. Byers—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 3767) granting an increase of pension to William Neely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3768) granting an increase of pension to Joel D. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3769) granting an increase of pension to Clinton M. Casey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3770) granting an increase of pension to Henry C. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3771) granting an increase of pension to John Terrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3772) granting an increase of pension to Samuel P. Leith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3773) granting a pension to Theocaneus C. Dodd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3774) granting a pension to Emma E. Upton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3775) granting a pension to Sarah J. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3776) granting an increase of pension to Alfred I. Judy—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 3777) granting a pension to William A. Scott—to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 3778) granting an increase of pension to Juliaetta Rowling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3779) granting an increase of pension to Samantha Williams—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 3780) granting an increase of pension to H. M. Wight—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 3781) for the relief of William R. Tretheway—to the Committee on Claims.

Also, a bill (H. R. 3782) for the relief of George Serrell—to the Committee on Claims.

Also, a bill (H. R. 3783) for the relief of Frederick Merck—to the Committee on Military Affairs.

Also, a bill (H. R. 3784) for the relief of William A. Forbes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3785) to correct the military record of John Hunter—to the Committee on Military Affairs.

Also, a bill (H. R. 3786) removing the charge of desertion and granting an honorable discharge to John D. Long—to the Committee on Military Affairs.

Also, a bill (H. R. 3787) removing the charge of desertion from the record of James Conover—to the Committee on Military Affairs.

Also, a bill (H. R. 3788) removing the charges of desertion and granting an honorable discharge to Caleb Aber—to the Committee on Military Affairs.

Also, a bill (H. R. 3789) granting an honorable discharge to William M. Culbertson—to the Committee on Military Affairs.

Also, a bill (H. R. 3790) granting an honorable discharge to John Fagan—to the Committee on Military Affairs.

Also, a bill (H. R. 3791) granting a pension to Gottlieb Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3792) granting a pension to Alexander Sandford Utter, alias Alexander M. Sandford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3793) granting a pension to Oscar W. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3794) granting a pension to Malinda Van Pelt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3795) granting a pension to Sarah E. Gillette—to the Committee on Pensions.

Also, a bill (H. R. 3796) granting a pension to Drucilla Beckman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3797) granting a pension to Sarah E. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3798) granting a pension to Humphrey Sales—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3799) granting a pension to Emma Cortright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3800) granting an increase of pension to Mary J. Franklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3801) granting an increase of pension to John J. Willis—to the Committee on Pensions.

Also, a bill (H. R. 3802) granting an increase of pension to Israel D. Lum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3803) granting an increase of pension to John Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3804) granting an increase of pension to Christine B. Knapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3805) granting an increase of pension to Mary A. Dishon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3806) granting an increase of pension to George H. Sweet—to the Committee on Pensions.

Also, a bill (H. R. 3807) granting an increase of pension to William Van Riper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3808) granting an increase of pension to William L. Shipps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3809) granting an increase of pension to Joseph J. Sparling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3810) granting an increase of pension to Susie G. Seabury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3811) granting an increase of pension to Katharina Becker—to the Committee on Pensions.

Also, a bill (H. R. 3812) granting an increase of pension to Marie B. Flannery—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 3813) for the relief of James P. Barney—to the Committee on War Claims.

By Mr. GARDNER of Massachusetts: A bill (H. R. 3814) granting an increase of pension to Eben S. Perkins—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 3815) granting an increase of pension to Hester E. Mooney—to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 3817) for the relief of Edward S. Brown—to the Committee on Claims.

By Mr. GRIFFITH: A bill (H. R. 3818) granting an increase of pension to Peter B. Beidenbach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3819) granting an increase of pension to Ira Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3820) granting an increase of pension to William M. Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3821) granting an increase of pension to Hannah Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3822) granting a pension to Eliza J. Mahurin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3823) granting a pension to John W. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3824) granting an increase of pension to Albert B. Harryman—to the Committee on Pensions.

Also, a bill (H. R. 3825) granting an increase of pension to Fleetwood H. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3826) to correct the military record of Alonzo Carter—to the Committee on Military Affairs.

Also, a bill (H. R. 3827) granting a medal to Mortimer S. Longwood—to the Committee on Military Affairs.

By Mr. GAINES of Tennessee: A bill (H. R. 3828) to increase the pension of L. L. Tothacer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3829) to increase the pension of Eben Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3830) for the relief of Peter Holt—to the Committee on War Claims.

Also, a bill (H. R. 3831) to increase the pension of John W. Hartley—to the Committee on Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 3832) granting an increase of pension to Eli T. Hoyt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3833) granting an increase of pension to Elias McQuay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3834) granting an increase of pension to Seth R. Henton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3835) granting an increase of pension to Caroline N. Lovejoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3836) granting an increase of pension to David H. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3837) granting an increase of pension to William H. Southwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3838) granting an increase of pension to Charles S. Daskam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3839) granting an increase of pension to H. D. Jordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3840) granting an increase of pension to Lucy F. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3841) granting an increase of pension to Henrietta Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3842) granting a pension to Horace Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3843) granting a pension to Belinda Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3844) granting a pension to Adoniram J. Eastman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3845) granting a pension to Horace Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3846) granting a pension to John C. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3847) granting a pension to Abigail Etherington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3848) granting a pension to Sally Ann Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3849) granting a pension to Martha A. Hamlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3850) granting a pension to Charles H. Brisbin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3851) granting a pension to Catherine M. Hall—to the Committee on Pensions.

Also, a bill (H. R. 3852) to correct the military record of Joel N. Sanford—to the Committee on Military Affairs.

Also, a bill (H. R. 3853) to correct the military record of Hiram Eideneir—to the Committee on Military Affairs.

Also, a bill (H. R. 3854) to correct the military record of Jabez Lumbart—to the Committee on Military Affairs.

Also, a bill (H. R. 3855) to correct the military record of Henry Myers—to the Committee on Military Affairs.

Also, a bill (H. R. 3856) to correct the military record of Henry S. Hunter—to the Committee on Military Affairs.

Also, a bill (H. R. 3857) to correct the military record of George S. Groesbeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3858) to correct the military record of C. W. Thompson—to the Committee on Military Affairs.

Also, a bill (H. R. 3859) for the relief of Edmund Stanfield—to the Committee on Claims.

By Mr. GIBSON: A bill (H. R. 3860) for the relief of M. E. Hall and the estate of James B. Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3861) for the relief of Joseph Alstott, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3862) for the relief of the trustees of the Baptist Church of Jefferson City, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3863) for the relief of James T. Blair, executor of Hugh Blair, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3864) for the relief of John C. Buckner—to the Committee on War Claims.

Also, a bill (H. R. 3865) for the relief of John T. Brown—to the Committee on War Claims.

Also, a bill (H. R. 3866) for the relief of Joseph A. Brown—to the Committee on War Claims.

Also, a bill (H. R. 3867) for the relief of Mrs. Isabella R. Boyd—to the Committee on War Claims.

Also, a bill (H. R. 3868) for the relief of the personal representatives of Horace L. Bradley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3869) for the relief of Campbell County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3870) for the relief of Calvin L. Childress—to the Committee on War Claims.

Also, a bill (H. R. 3871) for the relief of the legal representatives of P. M. Craigmiles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3872) for the relief of H. T. Cox—to the Committee on Claims.

Also, a bill (H. R. 3873) for the relief of the estate of Lemuel Cox, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3874) for the relief of Sarah E. Cox—to the Committee on War Claims.

Also, a bill (H. R. 3875) for the relief of the estate of Dr. Thomas J. Coward, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3876) for the relief of the estate of George W. and Richard B. Cooper—to the Committee on War Claims.

Also, a bill (H. R. 3877) for the relief of Andrew A. Colter—to the Committee on War Claims.

Also, a bill (H. R. 3878) for the relief of the personal representatives of Mitchell J. Childress—to the Committee on War Claims.

Also, a bill (H. R. 3879) for the relief of D. Froneberger—to the Committee on War Claims.

Also, a bill (H. R. 3880) for the relief of William M. Goforth—to the Committee on War Claims.

Also, a bill (H. R. 3881) for the relief of Bartley Giffin—to the Committee on War Claims.

Also, a bill (H. R. 3882) for the relief of the estste of Isaac Hull, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3883) for the relief of Mary Jane Hubbard—to the Committee on War Claims.

Also, a bill (H. R. 3884) for the relief of James W. Holt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3885) for the relief of Susan J. Jones—to the Committee on War Claims.

Also, a bill (H. R. 3886) for the relief of the estate of William Lenoir & Bros.—to the Committee on War Claims.

Also, a bill (H. R. 3887) for the relief of the legal representatives of Wiley Line, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3888) for the relief of Anthony L. Maxwell—to the Committee on War Claims.

Also, a bill (H. R. 3889) for the relief of Robert McCampbell—to the Committee on War Claims.

Also, a bill (H. R. 3890) for the relief of S. M. McGuire—to the Committee on War Claims.

Also, a bill (H. R. 3891) for the relief of Wesley C. Owens—to the Committee on Military Affairs.

Also, a bill (H. R. 3892) for the relief of the estate of David Pangle, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3893) for the relief of the First Presbyterian Church, of Knoxville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3894) for the relief of the Presbyterian Church of London, Loudon County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3895) for the relief of the trustees of the Presbyterian Church of Straw Plains, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 3896) for the relief of Eli Sharp—to the Committee on War Claims.

Also, a bill (H. R. 3897) for the relief of William E. Scott—to the Committee on War Claims.

Also, a bill (H. R. 3898) for the relief of William C. Tindell—to the Committee on War Claims.

Also, a bill (H. R. 3899) for the relief of Thomas J. Wear—to the Committee on War Claims.

By Mr. HAMLIN: A bill (H. R. 3900) granting an increase of pension to W. W. Donham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3901) granting a pension to Mary A. Gurley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3902) granting a pension to Martha J. Derrington—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 3903) granting an increase of pension to George C. Sherman—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 3904) for the relief of the heirs of Nathan Spitler—to the Committee on War Claims.

By Mr. HEMENWAY: A bill (H. R. 3905) granting an increase of pension to Samuel M. Gibbs—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 3906) for the relief of Samuel S. Weaver—to the Committee on Claims.

By Mr. HUFF: A bill (H. R. 3907) granting an honorable discharge and pension to W. Scott King—to the Committee on Military Affairs.

Also, a bill (H. R. 3908) granting an increase of pension to Jacob Troutman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3909) granting an increase of pension to George Hayden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3910) granting an increase of pension to Charles W. Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3911) granting a pension to Jacob Lybarger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3912) granting a pension to Thomas B. Lucas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3913) granting a pension to J. H. Pershing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3914) granting a pension to James M. Redick—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 3915) for the relief of James McKenzie—to the Committee on Military Affairs.

Also, a bill (H. R. 3916) for the relief of James S. Harber—to the Committee on Military Affairs.

Also, a bill (H. R. 3917) to correct the military record of Palmer G. Percy—to the Committee on Military Affairs.

Also, a bill (H. R. 3918) granting a pension to Miller C. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3919) removing charge of desertion from George J. Dennis, Company C, Thirty-third New Jersey Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 3920) granting an increase of pension to Sarah S. Long—to the Committee on Pensions.

Also, a bill (H. R. 3921) granting an increase of pension to M. C. Staves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3922) granting an increase of pension to Simon N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3923) granting an increase of pension to John W. Worley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3924) granting an increase of pension to Ira Waldo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3925) granting an increase of pension to Sarah J. Littleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3926) to remove the charge of desertion from the naval records now standing against John Glass—to the Committee on Naval Affairs.

Also, a bill (H. R. 3927) correcting the record of Elisha C. Bierce—to the Committee on Military Affairs.

Also, a bill (H. R. 3928) to extend the provisions of the act of March 3, 1885, relative to officers and enlisted men of the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 3929) granting a pension to John Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3930) granting a pension to William Leaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3931) to place the name of Jonathan Ulum on the pension roll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3932) for the relief of Thomas Burns—to the Committee on Military Affairs.

Also, a bill (H. R. 3933) for the relief of David K. Reynolds—to the Committee on Military Affairs.

Also, a bill (H. R. 3934) for the relief of heirs of Daniel Reichard—to the Committee on War Claims.

Also, a bill (H. R. 3935) for the relief of James McKenzie—to the Committee on Military Affairs.

Also, a bill (H. R. 3936) granting an increase of pension to Isaac Frazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3937) granting an increase of pension to Roswell Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3938) granting an increase of pension to David Sharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3939) granting an increase of pension to George E. Dee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3940) granting an increase of pension to Henry C. Beltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3941) granting an increase of pension to William Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3942) granting an increase of pension to Thomas P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3943) granting an increase of pension to Soren V. Kalsem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3944) granting an increase of pension to Isaac Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3945) granting an increase of pension to Joseph M. West—to the Committee on Invalid Pensions.

By Mr. HUNT: A bill (H. R. 3946) to correct the military record of Anthony W. Smith—to the Committee on Military Affairs.

By Mr. JENKINS: A bill (H. R. 3947) for the relief of holders and owners of certain District of Columbia special-tax scrip—to the Committee on the District of Columbia.

By Mr. KEHOE: A bill (H. R. 3948) for the relief of Otho Adams—to the Committee on Claims.

Also, a bill (H. R. 3949) for the benefit of George W. Taylor's administrator—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 3950) for the relief of W. R. Akers, of Alliance, Nebr.—to the Committee on Claims.

By Mr. LANNING: A bill (H. R. 3951) granting a pension to Patrick Howe—to the Committee on Invalid Pensions.

By Mr. LEGARE: A bill (H. R. 3952) for the relief of Moses Winstock—to the Committee on War Claims.

By Mr. MAHON: A bill (H. R. 3953) for the relief of Col. David S. Gordon, United States Army, retired—to the Committee on Military Affairs.

By Mr. MAYNARD: A bill (H. R. 3954) granting a pension to Cecilia H. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3955) for the relief of Robert H. Holland—to the Committee on War Claims.

Also, a bill (H. R. 3956) for the relief of James F. Carr—to the Committee on War Claims.

Also, a bill (H. R. 3957) for the relief of the trustees of the Oakgrove Methodist Episcopal Church, of Norfolk County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 3958) for the relief of Mary Cornick—to the Committee on Claims.

By Mr. PAYNE: A bill (H. R. 3959) granting a pension to Mary Friary—to the Committee on Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 3960) for the relief of Felix Weeden—to the Committee on War Claims.

Also, a bill (H. R. 3961) for the relief of Mrs. H. H. Cribbs—to the Committee on War Claims.

Also, a bill (H. R. 3962) for the relief of the heirs of George W. Foster—to the Committee on War Claims.

Also, a bill (H. R. 3963) for the relief of William B. Olive—to the Committee on War Claims.

Also, a bill (H. R. 3964) for the relief of John C. Thomas—to the Committee on War Claims.

Also, a bill (H. R. 3965) for the relief of W. C. Tipton—to the Committee on War Claims.

Also, a bill (H. R. 3966) for the relief of Mrs. W. E. Trousdale—to the Committee on War Claims.

Also, a bill (H. R. 3967) for the relief of Margret L. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 3968) for the relief of Mrs. Nancy M. Weaver—to the Committee on War Claims.

Also, a bill (H. R. 3969) for the relief of the estate of John Wesson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3970) for the relief of William M. Underwood, of Lauderdale County, Ala.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3971) for the relief of Elizabeth A. Smith—to the Committee on War Claims.

Also, a bill (H. R. 3972) for the relief of John Jones—to the Committee on War Claims.

Also, a bill (H. R. 3973) for the relief of the heirs of Rebecca Haley—to the Committee on War Claims.

Also, a bill (H. R. 3974) for the relief of Robert D. Cox—to the Committee on War Claims.

Also, a bill (H. R. 3975) for the relief of John T. Lehman—to the Committee on War Claims.

Also, a bill (H. R. 3976) for the relief of John Thomas Owen—to the Committee on Military Affairs.

Also, a bill (H. R. 3977) for the relief of the estate of Reuben Street, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3978) for the relief of Thomas H. Streeter—to the Committee on War Claims.

Also, a bill (H. R. 3979) for the relief of Joseph Logan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3980) for the relief of the estate of Peter S. Baker—to the Committee on War Claims.

Also, a bill (H. R. 3981) for the relief of the heirs of John Wilson—to the Committee on War Claims.

Also, a bill (H. R. 3982) for the relief of the heirs of Moses Wright—to the Committee on War Claims.

Also, a bill (H. R. 3983) for the relief of the heirs of Stewart Wilson—to the Committee on War Claims.

Also, a bill (H. R. 3984) for the relief of the estate of James L. Holland deceased—to the Committee on War Claims.

Also, a bill (H. R. 3985) for the relief of the estate of John Black, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3986) for the relief of the heirs of Robert Bynum—to the Committee on War Claims.

Also, a bill (H. R. 3987) for the relief of Mattie H. Ligon—to the Committee on War Claims.

Also, a bill (H. R. 3988) for the relief of R. D. Andrews—to the Committee on War Claims.

Also, a bill (H. R. 3989) for the relief of the estate of W. R. Hanserd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 3990) for the relief of the heirs of John Walston—to the Committee on War Claims.

Also, a bill (H. R. 3991) for the relief of the heirs of Eliah Matheny—to the Committee on War Claims.

Also, a bill (H. R. 3992) to grant a pension to Mary E. Moore—to the Committee on Pensions.

Also, a bill (H. R. 3993) to place the name of Sandy Crawford on the pension roll—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 3994) to correct the military record of E. D. Judkins—to the Committee on Military Affairs.

Also, a bill (H. R. 3995) to correct the military record of Dobson Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 3996) authorizing the heirs of Fannie P. Murfree, of Tennessee, to present their claims to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 3997) to remove the charge of desertion from the record of Jordon H. Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 3998) granting a pension to John F. Yeargin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 3999) granting a pension to Nora Stokes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4000) granting a pension to Tempier Goodson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4001) granting a pension to William H. Huggins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4002) granting a pension to Mrs. Martha A. E. O'Neal—to the Committee on Pensions.

Also, a bill (H. R. 4003) granting a pension to James M. O'Neal, soldier of Indian war—to the Committee on Pensions.

Also, a bill (H. R. 4004) granting an increase of pension to Sarah Waller—to the Committee on Pensions.

Also, a bill (H. R. 4005) to increase the pension of N. R. Cooper—to the Committee on Pensions.

Also, a bill (H. R. 4006) granting an increase of pension to Nancy A. Bonds—to the Committee on Pensions.

Also, a bill (H. R. 4007) for the relief of the heirs at law of Barclay M. Tillman, deceased, of Bedford County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 4008) for the relief of J. M. Carney, of Franklin County, Tenn.—to the Committee on Claims.

Also, a bill (H. R. 4009) for the relief of James C. Hoover, of Rutherford County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4010) for the relief of Joseph H. Thompson—to the Committee on Claims.

Also, a bill (H. R. 4011) for the relief of the legal representatives of Dennis Mahoney, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4012) for the relief of Dr. J. J. Crunk, of Marshall County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4013) for the relief of estate and heirs at law of John Leiper, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4014) for the relief of William F. Cowan—to the Committee on War Claims.

Also, a bill (H. R. 4015) for the relief of Thomas M. Emerson—to the Committee on War Claims.

Also, a bill (H. R. 4016) for the relief of the legal representatives of Mary C. Turner, deceased, late of Tullahoma, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4017) for the relief of the Cumberland Presbyterian Church, Fayetteville, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4018) for the relief of W. T. Smotherman & Co., of Tennessee—to the Committee on Claims.

Also, a bill (H. R. 4019) for the relief of Bettie Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4020) for the relief of the estate of C. L. Davis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4021) for the relief of the Baptist Church at Tullahoma, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4022) for the relief of William Henley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4023) for the relief of W. J. Winsett, of Bedford County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4024) for the relief of Joseph B. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 4025) for the relief of C. C. Lowe—to the Committee on War Claims.

Also, a bill (H. R. 4026) for the relief of the estate of Laodocia Bivens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4027) for the relief of L. D. Sugg, of Lincoln County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4028) to pay the heirs of Fannie P. Murfree, of Tennessee, for property lost, destroyed, taken, and used by the United States forces during the late war—to the Committee on War Claims.

Also, a bill (H. R. 4029) for the relief of the Cumberland Presbyterian Church of Tullahoma, Tenn.—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 4030) granting an increase of pension to Oliver N. McLain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 4032) granting a pension to John P. Kosht—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4033) granting a pension to C. B. Hinnehoright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4034) granting an increase of pension to Henry Frederick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4035) granting an increase of pension to Charles H. Coe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4036) granting an increase of pension to Herbert A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4037) granting an increase of pension to Anna Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4038) granting an increase of pension to George W. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4039) granting an increase of pension to Henry K. Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4040) granting an increase of pension to N. C. Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4041) granting an increase of pension to William A. Ritchey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4042) granting an increase of pension to William B. Sturges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4043) granting an increase of pension to John Worley—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 4044) granting a pension to William H. Slough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4045) granting a pension to Minnie Gusler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4046) granting an increase of pension to George N. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4047) granting an increase of pension to Andrew Lybold—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 4048) for the relief of the heirs of Eneas Munson—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 4049) granting a pension to Sidney F. Sanborn—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 4050) granting a pension to Louise H. Watson—to the Committee on Pensions.

Also, a bill (H. R. 4051) granting a pension to William E. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4052) granting an increase of pension to Francis X. Solean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4053) granting an increase of pension to William R. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4054) to grant an honorable discharge and pension to Phillip Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 4055) granting an increase of pension to Thomas Wyrill—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 4056) granting an increase of pension to Wilson Snider—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BADGER: Address of committee named by the National Convention of Insurance Commissioners, requesting legislation denying the use of the mails to fraudulent insurance companies—to the Committee on Interstate and Foreign Commerce.

By Mr. BIRDSALL: Papers to accompany bill to increase pension of Daniel Bushman—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: Petition of Metal Trades Council of St. Louis, Mo., favoring the passage of an eight-hour law—to the Committee on Labor.

Also, petition of the Pattern Makers' Association of St. Louis, Mo., and vicinity, favoring passage of an eight-hour law—to the Committee on Labor.

Also, petition of Typographia No. 3, of St. Louis, Mo., branch of the American Federation of Labor, favoring the passage of an eight-hour law—to the Committee on Labor.

Also, resolution of Electrotypers' Union No. 36, of St. Louis, Mo., favoring the passage of an eight-hour law—to the Committee on Labor.

Also, petition of Glass Bottle Blowers' Association of St. Louis, Mo., favoring the passage of an eight-hour law—to the Committee on Labor.

By Mr. CANNON: Memorial of G. W. Perkins, president of the International Cigar Makers' Union, relative to the so-called Cuban reciprocity measure—to the Committee on Ways and Means.

Also, memorial of the National Cigar Leaf Tobacco Association, protesting against the so-called Cuban reciprocity measure—to the Committee on Ways and Means.

Also, memorial of the Economic O. M. Club, praying for a reorganization of the Bureau of Labor—to the Committee on Interstate and Foreign Commerce.

By Mr. CAPRON: Letter from the New England Shoe and Leather Association, advocating the retention of the present system of tariff on boots, shoes, and leather between the United States and Cuba—to the Committee on Ways and Means.

By Mr. COOPER of Wisconsin: Letter from Mayaguez section of Chamber of Commerce of Porto Rico, indorsing petition of Ponce section of Chamber of Commerce of Porto Rico, praying that a duty of 1½ cents per pound be levied on all coffee entering the United States—to the Committee on Ways and Means.

By Mr. COUSINS: Resolution of the National Grain Dealers' Association, favoring the passage of legislation to prevent discrimination of traffic rates between localities and sections—to the Committee on Interstate and Foreign Commerce.

By Mr. CROWLEY: Papers to accompany bill to pension Alfred I. Judy—to the Committee on Invalid Pensions.

By Mr. DANIELS: Resolution of Gordon Granger Post, No. 138, Grand Army of the Republic, Orange, Department of California and Nevada, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DAVIDSON: Resolution of Chamber of Commerce of Milwaukee, Wis., in favor of restoring merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. DAVIS of Minnesota: Petition of M. G. Everson, of St. Peter, Minn., in favor of the passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Order of Railroad Telegraphers of St. Paul, Minn., favoring passage of an eight-hour law and anti-injunction bill—to the Committee on Labor.

By Mr. DOVENER: Papers to accompany bill to pension William A. Scott—to the Committee on Invalid Pensions.

By Mr. GIBSON: Petition of the heirs of Josiah Pugh, deceased, late of Blount County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. HEMENWAY: Papers to accompany bill to pension Samuel N. Gibbs—to the Committee on Invalid Pensions.

By Mr. HUFF: Resolution of Sewickley Presbyterian Church, of West Newton, Pa., urging the passage of the Hepburn interstate liquor act—to the Committee on Alcoholic Liquor Traffic.

Also, papers to accompany bill granting an increase of pension to Charles W. Hoffman—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to George Hayden—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension James M. Redick—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Rev. J. H. Pershing—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an honorable discharge and a pension to W. Scott King—to the Committee on Military Affairs.

Also, paper to accompany bill to pension Jacob Lybarger—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Thomas B. Lucas—to the Committee on Invalid Pensions.

By Mr. HULL: Papers to accompany bill to pension Betsy Chapman—to the Committee on Pensions.

By Mr. MAYNARD: Papers to accompany bill to pension Mrs. G. H. Long—to the Committee on Invalid Pensions.

Also, petition of Bolivar Sheild, of York County, Va., praying reference of war claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. METCALF: Resolution of General George A. Custis Council, No. 22, Junior Order United American Mechanics, of Oakland, Cal., asking the enactment of a stringent immigration law—to the Committee on Immigration.

Also, resolution of the Amalgamated Association of Street Railway Employees of America, Division No. 92, Oakland, Cal., in favor of an eight-hour bill—to the Committee on Labor.

Also, resolution of the Amalgamated Association of Street Railway Employees of America, Division No. 92, of Oakland, Cal., in favor of the passage of anti-injunction bill—to the Committee on the Judiciary.

By Mr. NEEDHAM: Resolution of Benjamin Harrison Post, No. 166, Department of California and Nevada, Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SKILES: Protest of Cigar Makers' Union No. 416, of Norwalk, Ohio, against passage of the Cuban reciprocity treaty—to the Committee on Ways and Means.

Also, resolution of C. B. Gambee Post, No. 33, Bellevue, Department of Ohio, Grand Army of the Republic, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: Papers to accompany bill to pension Wilson Snider—to the Committee on Invalid Pensions.

By Mr. WILEY of New Jersey: Memorial of civil-war locomotive engineers of the United States Government of Washington, D. C., favoring the passage of a bill to pension civil-war engineers—to the Committee on Invalid Pensions.

Also, resolution of select and common council of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

SENATE.

WEDNESDAY, *November 18, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

PETITIONS AND MEMORIALS.

Mr. SCOTT presented a petition of sundry citizens of Wellsburg, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DEPEW presented petitions of the congregation of the Presbyterian Church of Gowanda; of the congregation of the Methodist Episcopal Church of Gowanda; of sundry citizens of Clinton and Syracuse; of the congregation of the Presbyterian Church of Bethlehem; of the congregation of the First Presbyterian Church of New Scotland; of the congregation of the Congregational Church of Baiting Hollow; of sundry citizens of Boonville and Oneida; of the Independent Order of Good Templars of Albion; of the Woman's Christian Temperance Union of Rochester; of the Woman's Christian Temperance Union of Esperance; of sundry citizens of Mount Vernon and Cayuga; of the Woman's Christian Temperance Union of Huntington; of the Woman's Christian Temperance Union of Oswego; of the Young Woman's Missionary Society of Albany; of the Woman's Christian Temperance Union of Chazy; of the Woman's Christian Temperance Union of New Albion; of the Mothers' Christian Association of New York City; of the congregation of Olivet Methodist Episcopal Church, of Syracuse, and of the congregation of the Methodist Episcopal Church of Manlius, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the congregation of the Forty-sixth Street Methodist Episcopal Church, of Bayonne; of the congregation of the First Reformed Church of Long Branch; of the congregation of the First Baptist Church of Long Branch; of the congregation of the St. Luke's Methodist Episcopal Church, of Long Branch; of the congregation of the Simpson Memorial Methodist Episcopal Church, of Long Branch; of the congregation of the First Presbyterian Church of Long Branch; of the Woman's Christian Temperance Union of Long Branch; of the congregation of the Bethel Presbyterian Church, of East Orange; of the congregation of the Broad Street Methodist Episcopal Church, of Trenton; of the congregation of the Calvary Presbyterian Church, of Camden; of the congregation of the Methodist Episcopal Church of Ebenezer; of the congregation of the Methodist Episcopal Church of Hope; of the Woman's Christian Temperance Union of Hope, and of the congregation of the Central Methodist Episcopal Church of Trenton, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah, which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented petitions of the Woman's Christian Temperance Union of Monkton, of sundry citizens of Baltimore County, and of the Young People's Society of Christian Endeavor of Buckeystown, all in the State of Maryland, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BLACKBURN presented a petition of the Woman's Christian Temperance Union of Owensboro, Ky., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a petition of the Woman's Christian Temperance Union of Bloomington, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURROWS presented petitions of the congregation of the Congregational Church of Grand Ledge, of the Christian Endeavor Society of Plainwell, and of the Woman's Christian Temperance Union and the congregation of the Protestant Church of Saranac, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented petitions of the Young Men's Christian Association of Bridgeport; of Thomas Martin, of Bridgeport, and of sundry citizens of Bridgeport, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of Local Union No. 43, International Brotherhood of Paper Makers, of Ashland, N. H., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 43, International Brotherhood of Paper Makers, of Ashland, N. H., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

MEXICAN WAR PENSIONS.

Mr. GALLINGER. Mr. President, I present a petition from an organization known as The Dames of 1846, praying for an increase of pension to the survivors of the Mexican war to $30 per month.

In this connection I should like to be permitted to state that in 1888, thirty-nine years after the close of the Mexican war, a service pension of $8 per month was granted to the survivors and the widows. A few years after it was amended, making it $12 per month to those who were in destitute circumstances and unable to labor, and at the last session of Congress a further amendment was made granting $12 per month to all the survivors of the Mexican war.

I do not venture to say how much merit there is in the petition of these good women, but of course the Committee on Pensions will give it proper consideration.

The PRESIDENT pro tempore. The petition will be referred to the Committee on Pensions.

COST OF PRINTING DOCUMENTS.

Mr. PLATT of New York, from the Committee on Printing, who were directed by a resolution of the Senate of March 12, 1903, to ascertain and report to the Senate the cost, for each session of the last four Congresses, of printing all such documents, other than executive or legislative documents, as may have been printed by order of the Senate, or by unanimous consent, on the request of individual Senators, submitted a report thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1321) granting a pension to Charles M. Clark;

A bill (S. 1322) granting an increase of pension to Mary E. Dugger (with an accompanying paper);

A bill (S. 1323) granting a pension to Caroline C. Kuhn (with an accompanying paper); and

A bill (S. 1324) granting a pension to William F. Windle (with accompanying papers).

Mr. CULLOM (by request) introduced a bill (S. 1325) for the relief of Herrera's Nephews and Gallego, Messa & Co.; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. PLATT of New York introduced a bill (S. 1326) for the restoration to citizenship of women married to aliens; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1327) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1328) granting an increase of pension to Samuel Clark (with an accompanying paper);

A bill (S. 1329) granting an increase of pension to Anthony H. Crawford (with an accompanying paper); and

A bill (S. 1330) granting a pension to Jerry S. Fish.

Mr. GALLINGER introduced a bill (S. 1331) for the erection of a monument in the city of Washington, D. C., to the memory of the private soldiers of the Union armies; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 1332) to extend Nineteenth street northwest from Cincinnati street to the Adams Mill road, and to acquire the triangle abutting on the east side thereof included within Cincinnati street and the Adams Mill road; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1333) to correct the military record of Orlando Lawrence; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1334) granting a pension to Amy C. Bosworth (with accompanying papers); and

A bill (S. 1335) granting an increase of pension to Calvin Daws (with an accompanying paper).

Mr. BATE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1336) for the relief of Mrs. H. B. Clay;

A bill (S. 1337) for the relief of Sarah McClay, administratrix of Robert McClay, deceased;

A bill (S. 1338) for the relief of the heirs of William Tinder, deceased;

A bill (S. 1339) for the relief of Mary J. Roberts and her children, to wit, John Joseph Stansifer, Eva May Deakins, Octavia Baker, Annie M. Gledhill, Ida Belle Stansifer, and Charles L. Stansifer;

A bill (S. 1340) for the relief of M. Robison, administrator of T. E. Robison, deceased;

A bill (S. 1341) for the relief of Thomas J. Powell; and

A bill (S. 1342) for the relief of John L. Rhea, executor of Samuel Rhea, deceased, and John Anderson, administrator of Joseph R. Anderson, deceased.

Mr. PETTUS introduced a bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," and so forth, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McLAURIN introduced a bill (S. 1344) to quiet certain land titles in the State of Mississippi; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1345) in aid of the common schools in Mississippi; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1346) for the relief of Mrs. S. A. E. Bailey;

A bill (S. 1347) for the relief of Mrs. Catherine P. Byrnes;

A bill (S. 1348) for the relief of Piazzo & Botto; and

A bill (S. 1349) for the relief of James K. Hamblen (with an accompanying paper).

Mr. MALLORY introduced a bill (S. 1350) granting an increase of pension to John J. Driscoll; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1351) for the relief of the legal representatives of Alfred A. Fisher, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BALL introduced a bill (S. 1352) for the relief of Lindley C. Kent and Joseph Jenkins, as the sureties of Frank A. Webb; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1353) for the relief of George T. Hamilton; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1354) granting an increase of pension to John D. Woodward;

A bill (S. 1355) granting an increase of pension to Joseph H. Chambers;

A bill (S. 1356) granting a pension to Robert Kelly;

A bill (S. 1357) granting a pension to M. Elizabeth Kent;

A bill (S. 1358) granting an increase of pension to William W. Lackey; and

A bill (S. 1359) granting an increase of pension to William F. Davis.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims.

A bill (S. 1360) for the relief of Jones & Laughlins (Limited) and others (with an accompanying paper);

A bill (S. 1361) to reimburse James M. McGee, doctor of medicine, for expenses incurred in the burial of Mary J. De Lange, a deceased pensioner; and

A bill (S. 1362) for the relief of the Postal Telegraph Cable Company.

Mr. PENROSE introduced a bill (S. 1363) restoring the name of Henry L. Beck to the army rolls as captain, and providing that he then be placed on the retired list; which was read twice by its title, and with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1364) granting an increase of pension to John Middleton;

A bill (S. 1365) granting an increase of pension to Reid McFadden;

A bill (S. 1366) granting an increase of pension to Elizabeth Rutherford (with an accompanying paper);

A bill (S. 1367) granting an increase of pension to William W. Fiscus (with accompanying papers);

A bill (S. 1368) granting an increase of pension to John Simpson (with accompanying papers); and

A bill (S. 1369) granting a pension to Isabella Brockway (or St. John) (with accompanying papers).

Mr. KEARNS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions.

A bill (S. 1370) granting an increase of pension to Samuel H. W. Riter;

A bill (S. 1371) granting an increase of pension to Philemon Haskins;

A bill (S. 1372) granting an increase of pension to Eli Balderston;

A bill (S. 1373) granting an increase of pension to John E. Henderson;

A bill (S. 1374) granting an increase of pension to Peter Burns; and

A bill (S. 1375) to extend the provisions of the act of June 27, 1902, entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Cherokee disturbances, and the Seminole war,' approved July 27, 1892."

Mr. LODGE introduced a bill (S. 1376) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 1377) granting a pension to Emma L. Ferrier; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1378) to amend section 3878 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. McCOMAS introduced a bill (S. 1379) for repayment of duty on anthracite coal, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 1380) to provide for a site for a depot for the Revenue-Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1381) for the relief of the heirs of John D. Clemson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1382) to provide for the sale of lot 4, square 1113, in the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1383) to award a medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 1384) for the relief of the University of the State of Missouri; which was read twice by its title, and referred to the Committee on Claims.

Mr. OVERMAN introduced a bill (S. 1385) to correct the military record of H. A. White; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SPOONER introduced a bill (S. 1386) granting an increase of pension to Samuel J. Lyon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 1387) to refund internal-revenue taxes paid by owners of private dies; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1388) granting an increase of pension to Orson H. Sawtelle (with an accompanying paper); and

A bill (S. 1389) granting an increase of pension to Frederick O. Graffam (with an accompanying paper).

Mr. FRYE introduced a joint resolution (S. R. 12) for the erection of a monument to the memory of Dorothea Lynde Dix; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

JULIA C. BRADLEY.

Mr. QUARLES submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Julia C. Bradley, widow of David B. Bradley, late lieutenant of police in the Capitol of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

IMPROVEMENTS ON COAST OF NEW JERSEY.

Mr. DRYDEN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War cause an examination and survey to be made for the purpose of ascertaining the cost and feasibility of extending a 16-foot channel of suitable width from the present channel north of Corner Stake light in an easterly direction and north of Shooters Island to Kill van Kull, to straighten and increase the width of waterway at Shooters Island and relieve the congestion of commerce at that point; also, a like examination and survey for the purpose of ascertaining the cost and feasibility of removing the reef at Bergen Point light and deepening to 16 feet and improving and straightening the channel between Kill van Kull and Elizabethport, with a plan or plans for making such improvements and estimates thereof.

PROPOSED GRAVING DOCK.

Mr. MALLORY. I submit a resolution and ask unanimous consent for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate whether or not it is desirable, in the interest of the Navy, that the Government of the United States should construct and own a graving dock, of capacity sufficient to dock the largest battle ships of the Navy, at some port on the coast of the United States, on the Gulf of Mexico, and if in his judgment the same is desirable to also inform the Senate at what port on said coast such dock should be located, and the probable cost of the same when completed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. PENROSE. I move the reference of the resolution to the Committee on Naval Affairs.

Mr. MALLORY. If the Senator from Pennsylvania will permit me, I will state that my object is to get the information for the use of the Committee on Naval Affairs in time to enable the committee to consider it when the appropriation bill comes before it.

Mr. PENROSE. I ask that the resolution may go over under the rule.

The PRESIDENT pro tempore. It will go over under the rule.

HARBOR OF ST. PETERSBURG, FLA.

Mr. MALLORY submitted the following concurrent resolution; which was referred to the Committee on Commerce.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the harbor of St. Petersburg, on Tampa Bay, in Florida, with a view to securing an adequate basin at said point for loading and unloading ocean-going vessels, with a channel 200 feet in width and 24 feet in depth, from said basin to the main ship channel in Tampa Bay.

TREATY OF 1848 WITH NEW GRANADA.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the treaty of peace, amity, navigation, and commerce entered into between the United States and New Granada, proclaimed June 12, 1848, be printed as a Senate document.

Mr. PLATT of Connecticut. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, November 19, 1903, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *November 18, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CUBAN RECIPROCITY.

The SPEAKER. In pursuance of the resolution adopted heretofore, the House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1921, and the gentleman from New York, Mr. SHERMAN, will take the chair.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1921, the title of which will be announced by the Clerk.

The Clerk read as follows:

A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. PAYNE. Mr. Chairman, I now yield one hour to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Chairman, the question under consideration is the question of whether or not the House of Representatives, as a part of the legislative department of the Government, will consent to or approve the so-called Cuban reciprocity treaty. The debate has taken a very wide and somewhat diversified range. I do not believe there is anyone here less anxious to debate this question than I am, and I would be glad to yield the floor this moment to a motion that the committee rise and take a vote on the passage of the bill. But the opportunity is given for general debate, and under that head we have had a variety. I regret very much that we have not had any discussion on the other side of the House on the question of the Panama Canal. I had expected that an alert minority charged with no duty except that of patriotism, and not overwhelmed with that [laughter], would have brought into the arena of public debate discussion of a question of so much importance and of such novelty in the matter of the relation of our Government to another alleged republic.

I use the word "alleged" in ignorance of the exact condition, while believing that the position of the Administration is unassailable and that it will redound to the honor and glory of the American people. I congratulate the other side that it has had the wisdom to avoid the danger of again antagonizing the country.

Coming for a few moments only to the real question, I desire to trace the progress of this treaty and the reason why it is a pertinent question before the House of Representatives. I do not consent that any vote that I may give here and now shall be challenged on the other side hereafter or now as reflecting upon my relation to the great dominating question of protection to American industries and as reflecting upon my standing as an unyielding protectionist. I have never felt any anxiety when I have been assailed on this side of the House occasionally. I have never felt that there was any question in the minds of anybody for whose opinion I had a high regard as to whether I had been faithful now and always to the principle of protection as enunciated by the Republican party. On the other side of the House we are congratulated. The gentleman from New York [Mr. McCLELLAN] has, in a speech made yesterday, laid the foundation, I hope, for a great career in American politics.

I rather desire to nominate him upon some portions of his speech as a Democratic candidate for President. He has some advantages over all the other candidates. No man on this floor has

ever said of him, as was said by a very distinguished Representative from Missouri, in speaking of the only man who has been elected President of the United States on the Democratic ticket since the dawn and final establishment of freedom in the United States, that he had brought more injury upon the human race than had ever been brought upon it by any other individual since the fall of Adam. My friend from New York has no such record as that. He has never brought any injury upon anybody, and therefore I nominate him, with all due respect to the coming convention at St. Louis, or Chicago, or wherever it may be. He is a man without a detrimental record, and that is what our Democratic friends on the other side will badly need when they come to make a candidate for President. It will not be what the candidate has done so much as what he has not done.

It is said on this side that we are getting some light. I take it by the CONGRESSIONAL RECORD that somebody on the other side has got some light. And I want to express my delight that the Democratic party on this floor has chosen as their leader and spokesman a gentleman who has put into a very concise and almost epigrammatic form a declaration of principles upon the question of the protective tariff that shows that he too, like the famous king in olden times, is almost persuaded to be a Republican Christian on this subject. [Laughter on the Republican side.]

Here is the declaration of the Hon. JOHN SHARP WILLIAMS, of Mississippi, made in the House on yesterday:

We shall fight for a revision of the tariff—for reductions as far as possible consistent with economical and effective governmental administration, and consistent, also, with the desire not destructively to revolutionize existing conditions, nor to destroy honest, legitimate, and nonmonopolistic enterprise.

Now, we have an Iowa idea and we have an Ohio idea, and we have a Grosvenor idea which antedates both of them, made in April last, all supposed to be strong, sound, Republican tariff, protection doctrines.

I reproduce here, for the purpose of illustration, three tariff planks, the earliest dated April 10, 1902, being an extract from a speech which I had the honor to make in this House; secondly, the tariff plank of the Republican platform made at Columbus, Ohio, on the 2d of June, 1903, and, thirdly, the Iowa plank of the the current year, with certain comments made by the editor of a newspaper which published these three planks:

FUTURE OF TARIFF PLANK—NO DIFFERENCES OF OPINION DISCLOSED BY UTTERANCE OF PARTY PLATFORMS—SPEECHES OF PARTY LEADERS—"THE IOWA IDEA" WAS NOT A REVOLUTION IN POLITICAL SENTIMENTS AMONG REPUBLICANS—A COMPARISON OF THE TARIFF PLANKS.

There is much discussion these days in regard to the differences of opinion about the future of our Republican tariff plank.

"The Iowa idea" was said to be a complete revolution in political sentiments among the Republicans, and Governor Cummins has been hailed as the author of a new departure. It will be seen by an examination of the matter following that if there is any differences of opinion among Republicans in regard to the attitude of the party on the tariff question it is not disclosed by the utterances of party platforms or the speeches of party leaders. If there is any differences of opinion upon the substantial matter of the platform, we are unable to discover them. Long after the agitation of the question of revision had been made in the country and in Congress, General GROSVENOR made a speech in the House of Representatives, the exact date being April 10, 1902, in which he said as follows—we quote from the official report of the speech:

HOUSE OF REPRESENTATIVES UNITED STATES—CUBAN RECIPROCITY.

"Earnestly as I support the doctrine of protection, cordially as I stand by the platform of the party, enthusiastically as I defend the operation and effect of the Dingley tariff bill, I would not be classed among those who worship a statute as a fetichist. A protective tariff law is subject to the fluctuations of conditions, and it must be wisely considered and fearlessly made to adjust itself to the new conditions that are paramount to old prejudices; but when the time comes, and that time has not come yet, when there ought to be a modification of the tariff law, the suggestion of wisdom is that the changes shall be made by the friends of protection, and I modestly suggest that no men are better capable of saying when changes shall be made and how they shall be made than are the men who observed the country suffering under the pangs of poverty and industrial depression under the only Democratic Administration since the war, and who emerged with the triumphant column of McKinleyism under the new leader, the venerated and ever to be admired Dingley, out over the Jordan of despair and into the promised land of prosperity and peace and hope in which we are now living."

For these utterances, made at that early period, General GROSVENOR was shamefully abused by some of the self-constituted newspapers of Republican sentiment, and it was charged that he had gone over to the revisionists.

At the Republican convention held at Columbus on the 2d of last June the convention made the declaration of principle in accord with Republican sentiment in Ohio. Here is the plank of the Republican platform of Ohio:

"The protective-tariff policy of the Republican party has made the United States the greatest industrial nation, astonished the world with the tremendous development of our boundless resources; has added vastly to our foreign commerce; has greatly increased the prosperity of the farmer, and has advanced American labor to the best scale of living ever attained. We oppose all attacks upon this policy, whatever the pretext, as tending to bring back the disastrous days of Democratic tariff revision and free trade. Changing conditions and the possible benefits of reciprocity may call for timely readjustment of schedules, but protection as a principle and as a policy must be administered by the friends of American prosperity and must not be sacrificed.

It may be said in this connection that General GROSVENOR was a member of the committee on resolutions and also a member of the subcommittee that prepared and presented the platform. Thereupon it was announced that there was an irreconcilable difference of opinion among Republicans who would break out and wreck things in the Iowa convention, which was held last week. It was said that the Ohio plank was not satisfactory in that it did not promise hasty and inconsiderate revision, but the Iowa convention just held made their tariff plank as follows:

"We reiterate our faith in the historic principle of protection. Under its influence our country, foremost in the bounties of nature, has become foremost in production. It has enabled the laborer to successfully insist upon good wages, and has induced capital to engage in production with a hope of a fair reward. Its vindication is found in the history of its success, and the rapidity with which our natural resources have been developed and our industrial interests secured demand that we heartily renew our pledge to maintain it.

"Tariff rates made to carry this policy into effect shall be just, fair, and impartial, equally opposed to foreign control and domestic monopoly, to sectional discrimination and individual favoritism, and must from time to time be changed to meet the varying conditions incident to the progress of our industries and their changing relations in our foreign and domestic commerce. Duties that are too low should be increased, and duties that are too high should be reduced."

An intelligent reader will not be long in discovering two things: First, that there is no substantial or material difference whatever between the Ohio platform and the Iowa platform, and from little further consideration it will be discovered that the keynote of both of them is found in the speech of General GROSVENOR, heretofore quoted. The idea all the way through in the speech, in the Ohio platform, and in the Iowa platform is covered by these words in General GROSVENOR's speech: "Earnestly as I support the doctrine of protection * * * I would not be classed among those who worship a statute as a fetichist. The protective tariff law is subject to the fluctuations of conditions, and it must be wisely considered and fearlessly made to adjust itself to the new conditions that are paramount to old prejudices."

This idea is in the Ohio platform, as follows: "Changing conditions and the possible benefits of reciprocity may call for the timely readjustment of schedules." And in the Iowa platform we have the following: "Tariff rates made to carry this policy into effect should be just, fair, and impartial * * * and must from time to time be changed to meet the varying conditions incident to the progress, etc." Here, then, is the whole thing in a nutshell: First, the firm, resolute, and unyielding proclamation of faithful adherence to the doctrine and policy of protection—its principle, its practice, and its fulfillment—and the simple admission that times and conditions may demand change of the schedule, but not of the policy itself.

It must be apparent to everyone who reads and is impartial in his judgment that the keynote of any modification of preexisting declarations upon the tariff question is found in General GROSVENOR's speech made a year ago last April, and which has been carefully followed by every convention since.

And here is a gentleman who has summarized the whole gist of all three of those platforms and puts it in here, simply alleging it away in the beginning, and putting in the words "monopolistic enterprises" at the end. All the rest is exactly the Republican position on the tariff. We are perfectly willing to revise the tariff when we get ready. We propose to do it ourselves and to ask no aid from the other side of this House. We propose to do it with special reference to the upholding and upbuilding of American industry and the interests of capital, and that is the proposition of the gentleman.

We propose to do it without disturbing present conditions, and in our opinion there is nothing that could be more destructive of present conditions than the introduction into power of the Democratic party. But I will show you before I get done this latter is an absolute, physical impossibility during the next two years. So other people are getting light as well as our side of the House. The gentleman from Mississippi is a progressive gentleman. His selection as leader of the Democratic minority of the House is suggestive of the old proposition made a long time ago by a United States Senator, that the Democratic party follows after the Republican party, "camping to-night where we camped last night, searching around among the dying embers of our campfires trying to draw some little satisfaction and nourishment from the wreck of the meals that we have served in our progress forward."

But we have a gentleman on the other side of the House who is still in the bonds of iniquity and the gall of bitterness. I guess I better turn that "gall" to the other end of the sentence. He is in favor of free trade. I speak of the distinguished gentleman from Virginia [Mr. SWANSON], who made such a profound impression, as is said, upon an English free trader here that the Englishman declared he would go home and defeat Chamberlain at every turn of the road if he could do it. [Laughter.] The gentleman from Virginia [Mr. SWANSON] has argued that our present attitude on the tariff question is about to destroy our foreign trade. The Democratic party is largely interested in the foreign trade of our country. It has always taken steps to promote it, and the pathway over which it has traveled, instead of being strewn with the growth and development of our foreign trade, is a graveyard of buried hopes and unfulfilled anticipations.

It sounded very strange to me to hear a Democratic Representative talking about our foreign trade and charging the Republican House of Representatives with doing something, somewhere, and in some way, to the detriment of our foreign trade. He especially placed himself upon the ground that the passage of the Dingley law noted and built a monument at a point where, by our hostility to other countries, the downfall of American supremacy would take its origin. If that was not the argument of the gentleman from Virginia, then I fail to understand it, and that is the old story of a Chinese Wall around our country, which it is said will drive Russia into some sort of retaliatory purposes in the future.

Yesterday my distinguished friend from Minnesota [Mr. STEVENS] prognosticated the terrors and horrors of retaliation, and Joe Chamberlain, in my judgment the most distinguished for ability and wisdom and foresight and courage of all the present-day statesmen of England, was held up to us as somebody who was

going to destroy the prosperity of the American Republic in retaliation because of our attitude on the tariff question. I want to assure any doubting Thomases here on that question of British hostility. My friends, do not be alarmed at the hostility of a country that can not declare a tariff war against the United States and feed her people for six months. In order to be a protective-tariff country, with a positive assurance against the aggressions and retaliations of a foreign country, you must be able to meet all the exigencies of a campaign.

If you are in a fortress, you must have provisions; if you are on ship, you must have ammunition and arms, and if you are short upon any one of these great items of munitions of war you will fail. Now, do not be alarmed, my friends, about the retaliation of a country that can not feed its people ninety days without the importation of food products from other countries. Put a cordon of ships around the United Kingdom and keep out all the productions of food, and in ninety days, it is said by those who know more about it than I do, there would be suffering and starvation.

I do not think we need fear the attacks of Mr. Chamberlain, driven, as he seems to be, by the protective-tariff tendencies of the colonial nominal possessions of Great Britain. But I want to encourage my Democratic brother on the other side to study this question of the trade of the United States with foreign countries before he makes another speech, and I am going to put into my speech some tables showing the exports of commodities from and imports of commodities into the United States during the whole period of our existence as a government, and I will give my friend on the other side from Virginia [Mr. SWANSON] a synopsis which I received in an official form on yesterday.

It is a letter from the Bureau of Statistics. And I might say right here that the pulse, the thermometer, of national progress in this behalf, at least, is largely the question of how much we sell abroad and how much we buy from abroad. And when the balance of trade is running in our favor, so that we are selling more than we are buying, there is no cause for alarm and there is no cause for an attack upon the protective-tariff system. I was delighted that the gentleman located the beginning of our trouble at the beginning of the operation of the Dingley law. That is the question that we are interested in.

What is the effect and what has been the effect of the Dingley law? In order that any gentleman interested in this matter may not be misled, I have in these tables shown to him what the situation was in the years immediately preceding, when in large part the Chinese Wall was thrown down and substantial free trade upon many of the larger productions of American industry was given to the people of the world. Later I am coming to answer the gentleman from Missouri [Mr. CLARK], who points out that at some time or other somebody said that somebody was afraid that somebody thought that there would not be money enough in the United States Treasury and undertook to borrow money to fill up the gap. Now, what is the situation? Here it is:

Replying to your telephonic inquiry of to-day, regarding the excess of exports over imports from 1790 to June 30, 1897—

That is within a very few days of the going into effect of the Dingley law and the monumental point created by the argument of the gentleman from Virginia by fair inference at least—

and from June 30, 1897, to June 30, 1903. I have the honor to hand you the following statement taken from the records of this Bureau.

Total excess of exports of merchandise from 1790 to June 30, 1897, $356,808,822.

Well, that was a rather respectable showing, considering the fact that during a large portion of that 107 years we had a whole lot of Democratic Administrations, and we pulled through with a better record, considering the war times and all that, than we had any reasonable right to expect, and if there is any student of this subject here who wants to get the exact details I will furnish him the opportunity to ascertain in whose Administration it was that these three hundred and fifty-odd million dollars grew up. Now, I have another statement that I commend to the Democratic agonizers on the other side of the House.

The total excess of exports of merchandise over imports of merchandise—

From July 1, 1897, to June 30, 1903—

was—

$3,227,263,106.

That was the balance in favor of the American nation.

Ye fearful saints, fresh courage take!
These clouds ye so much dread
Are big with mercy, and shall—

Continue to—

Break in—

Republican—

blessings on your head!

[Laughter and applause on the Republican side.]

I will put into my speech at this point, without stopping to read them, two tables, Table No. 1 showing the value of imports into and exports from the United States from October 1, 1789, to June 30, 1900, and Table No. 2 showing the things on which low tariff and protective tariff, respectively, have been in operation and the effect they have had. These tables speak incisively and forcibly upon all the questions involved here:

TABLE No. 1.—*Total value of imports and exports into and from the United States from October 1, 1789, to June 30, 1900 (May and June, 1900, estimated).*

[From Commerce and Navigation of the United States, 1899.]

Administration.	Fiscal year.	Merchandise.				Fiscal year.	Tariffs.
		Imports.	Exports.	Excess of imports.	Excess of exports.		
	1790	$23,000,000	$20,205,156	$2,794,844		1790	
	1791	29,200,000	19,012,041	10,187,959		1791	
	1792	31,500,000	20,753,098	10,746,902		1792	
Washington (Apr. 30, 1789, to Mar. 4, 1797)	1793	31,100,000	26,109,572	4,990,428		1793	
	1794	34,000,000	32,043,725	1,956,275		1794	
	1795	69,756,398	47,989,572	21,766,826		1795	
	1796	81,436,164	58,574,625	22,861,539		1796	
	1797	75,379,406	51,294,710	24,084,696		1797	
	1798	68,551,700	61,327,411	7,224,289		1798	
	1799	79,066,148	78,665,522	403,626		1799	
	1800	91,252,768	70,971,780	20,280,988		1800	
John Adams (Mar. 4, 1797, to Mar. 4, 1801)	1801	111,363,511	93,020,513	18,342,998		1801	Formative period.
	1802	76,332,333	71,957,144	4,376,189		1802	
	1803	64,666,666	55,800,033	8,866,633		1803	
Jefferson (Mar. 4, 1801, to Mar. 4, 1809)	1804	85,000,000	77,699,074	7,300,926		1804	
	1805	120,600,000	95,566,021	25,033,979		1805	
	1806	129,410,000	101,536,963	27,873,037		1806	
	1807	138,500,000	108,343,150	30,156,850		1807	
	1808	56,990,000	22,430,960	34,559,040		1808	
	1809	59,400,000	52,293,233	7,106,767		1809	
	1810	85,400,000	66,757,970	18,642,030		1810	
	1811	53,400,000	61,316,882		$7,916,882	1811	
Madison (Mar. 4, 1809, to Mar. 4, 1817)	1812	77,030,000	38,527,236	38,502,764		1812	
	1813	22,005,000	27,856,017		5,851,017	1813	
	1814	12,965,000	6,927,441	6,037,559		1814	Protective tariff (July 1, 1812, to June 30, 1816).
	1815	113,041,274	52,557,753	60,483,521		1815	
	1816	147,103,000	81,920,052	65,182,948		1816	
	1817	99,250,000	87,671,569	11,578,431		1817	
	1818	121,750,000	93,241,133	28,508,867		1818	
	1819	87,125,000	70,142,521	16,982,479		1819	
Monroe (Mar. 4, 1817, to Mar. 4, 1825)	1820	74,450,000	69,691,669	4,758,331		1820	Low tariff (June 30, 1816, to June 30, 1824).
	1821	54,520,894	54,596,383		75,489	1821	
	1822	79,571,695	61,350,101	18,221,594		1822	
	1823	72,481,571	68,326,043	4,155,328		1823	
	1824	72,169,172	68,972,105	3,197,067		1824	
	1825	90,189,310	90,738,333		549,023	1825	
J. Q. Adams (Mar. 4, 1825, to Mar. 4, 1829)	1826	79,088,511	72,890,789	5,202,722		1826	
	1827	71,332,968	74,309,947		2,977,000	1827	
	1828	81,020,083	64,021,210	16,998,873		1828	Protective tariff (June 30, 1824, to Mar. 3, 1833).
	1829	67,088,915	67,434,651		345,736	1829	
	1830	62,720,956	71,670,735		8,949,779	1830	
Jackson (Mar. 4, 1829, to Mar. 4, 1837)	1831	95,885,179	72,295,652	23,589,527		1831	
	1832	95,121,762	81,520,603	13,601,159		1832	
	1833	101,047,943	87,528,732	13,519,211		1833	

TABLE No. 1.—*Total value of imports and exports into and from the United States from October 1, 1789, to June 30, 1900, etc.*—Continued.

Administration.	Fiscal year.	Merchandise. Imports.	Exports.	Excess of imports.	Excess of exports.	Fiscal year.	Tariffs.
Jackson (Mar. 4, 1829, to Mar. 4, 1837)—Continued.	1834	$108,690,700	$102,280,215	$8,349,485		1834	
	1835	136,764,295	115,215,802	21,548,493		1835	
	1836	176,579,154	124,338,704	52,240,450		1836	
Van Buren (Mar. 4, 1837, to Mar. 4, 1841)	1837	150,472,803	111,443,127	19,029,676		1837	
	1838	95,970,388	104,978,370		$9,008,282	1838	Low tariff (Mar. 3, 1833, to Aug. 30, 1842).
	1839	136,496,556	112,251,673	44,245,883		1839	
	1840	98,258,706	123,668,932		25,410,226	1840	
	1841	122,957,544	111,817,471	11,140,073		1841	
W. H. Harrison-Tyler (Mar. 4, 1841, to Mar. 4, 1845)	1842	96,075,071	99,877,995		3,802,924	1842	
	1843	42,433,464	82,325,689		40,392,225	1843	
	1844	102,604,696	105,745,832		3,141,236	1844	Protective tariff (Aug. 30, 1842, to Dec. 1, 1846).
	1845	113,184,322	106,040,111	7,144,211		1845	
Polk (Mar. 4, 1845, to Mar. 4, 1849)	1846	117,914,065	109,583,248	8,330,817		1846	
	1847	122,424,349	156,741,568		34,317,249	1847	Low tariffs (Dec. 1, 1846, to Apr. 1, 1861).
	1848	148,698,644	138,190,515	10,448,129		1848	
	1849	141,206,130	140,361,172	855,027		1849	
Taylor-Fillmore (Mar. 4, 1849, to Mar. 4, 1853)	1850	173,509,526	144,375,726	29,133,800		1850	
	1851	210,771,429	188,915,259	21,856,170		1851	
	1852	207,440,398	166,984,231	40,456,167		1852	
	1853	263,777,265	203,490,282	60,287,983		1853	
Pierce (Mar. 4, 1853, to Mar. 4, 1857)	1854	297,603,704	237,043,704	60,760,000		1854	Low tariffs (Dec. 1, 1846, to Apr. 1, 1861).
	1855	257,808,708	218,909,503	38,899,205		1855	
	1856	310,432,310	281,219,423	29,212,887		1856	
	1857	384,423,342	293,823,760	54,604,582		1857	
Buchanan (Mar. 4, 1857, to Mar. 4, 1861)	1858	261,238,654	272,011,274		8,672,620	1858	
	1859	341,333,341	292,902,051	38,431,290		1859	
	1860	353,616,119	353,576,057	20,040,062		1860	
	1861	289,310,542	219,553,833	69,756,709		1861	
Lincoln-Johnson (Mar. 4, 1861, to Mar. 4, 1869)	1862	189,399,677	190,670,501		1,313,824	1862	
	1863	248,395,815	249,364,447	39,371,368		1863	
	1864	316,447,283	158,837,988	157,609,295		1864	
	1865	238,745,580	166,029,363	72,716,277		1865	
	1866	434,812,096	348,859,522	85,952,544		1866	
	1867	305,761,096	204,506,141	101,254,955		1867	
	1868	356,436,440	281,952,896	75,483,541		1868	
	1869	417,596,379	286,117,697	131,388,682		1869	
Grant (Mar. 4, 1869, to Mar. 4, 1877)	1870	435,958,408	392,771,768	43,186,640		1870	
	1871	520,224,684	442,820,178	77,403,506		1871	
	1872	626,596,677	444,177,596	182,417,491		1872	
	1873	642,136,210	522,479,922	119,656,288		1873	
	1874	567,406,342	586,283,040		18,876,698	1874	
	1875	583,005,436	513,442,711	19,562,725		1875	
	1876	460,741,190	540,384,671		79,643,481	1876	
	1877	451,325,126	602,475,220		151,152,094	1877	
Hayes (Mar. 4, 1877, to Mar. 4, 1881)	1878	437,051,532	694,865,666		257,814,234	1878	Protective tariffs (Apr. 1, 1861, to Aug. 28, 1894).
	1879	445,777,775	710,439,441		264,661,666	1879	
	1880	667,954,746	835,638,658		167,683,912	1880	
Garfield-Arthur (Mar. 4, 1881, to Mar. 4, 1885)	1881	642,664,628	902,377,346		259,712,718	1881	
	1882	724,639,574	750,542,257		25,902,683	1882	
	1883	723,180,914	823,839,402		100,658,488	1883	
	1884	667,697,693	740,513,609		72,815,916	1884	
Cleveland (Mar. 4, 1885, to Mar. 4, 1889)	1885	577,527,329	742,189,755		164,662,426	1885	
	1886	635,436,136	679,524,821		44,088,694	1886	
	1887	692,319,768	716,183,211		23,863,443	1887	
	1888	723,957,114	695,954,507	28,002,607		1888	
Benjamin Harrison (Mar. 4, 1889, to Mar. 4, 1893)	1889	745,131,052	742,401,375	2,730,277		1889	
	1890	789,310,446	857,828,684		68,518,275	1890	
	1891	844,916,198	884,480,810		39,564,614	1891	
	1892	827,402,462	1,030,278,148		202,875,686	1892	
Cleveland (Mar. 4, 1893, to Mar. 4, 1897)	1893	866,400,922	847,665,194	18,735,728		1893	
	1894	654,994,022	892,140,572		237,145,950	1894	
	1895	731,969,905	807,538,105		75,568,200	1895	
	1896	779,724,674	882,606,958		102,882,284	1896	
	1897	764,730,412	1,050,998,556		286,263,144	1897	Low tariff (Aug. 28, 1894, to July 24, 1897).
McKinley (Mar. 4, 1897, to Sept. 14, 1901)	1898	616,049,654	1,231,482,930		615,432,676	1898	
	1899	697,148,489	1,227,023,302		529,874,813	1899	
	1900	849,941,184	1,394,483,682		544,541,498	1900	Protective tariff (July 24, 1897, to June 3, 1900).
	1901	823,172,165	1,487,764,991		664,592,826	1901	
Roosevelt (Sept. 14, 1903)	1902	903,320,248	1,381,779,401		478,398,453	1902	
	1903	1,025,719,257	1,420,141,679		394,422,442	1903	
Total		34,279,263,510	37,863,335,440		3,584,071,930		

TARIFFS AND TRADE BALANCES, 1790-1900.

TABLE No. 2.—*Years in which low tariffs and protective tariffs, respectively, have been in operation in the United States, showing the excess of imports or exports in each year and the total excess of imports or exports under each system.*

[Compiled from official statements of the Treasury Bureau of Statistics.]

Fiscal year.	Low tariffs. Excess of imports.	Excess of exports.	Fiscal year.	Protective tariffs. Excess of imports.	Excess of exports.
1790	$2,794,844		1813		$5,851,017
1791	10,187,959		1814	$6,037,559	
1792	10,746,982		1815	60,483,521	
1793	4,990,428		1816	65,182,948	
1794	1,596,275		1825		549,023
1795	21,766,386		1826	5,902,722	
1796	22,861,539		1827		2,977,009
1797	24,084,696		1828	16,998,873	
1798	7,284,289		1829		345,736
1799	403,026		1830		8,949,779
1800	20,280,988		1831	23,589,527	
1801	18,362,998		1832	13,601,159	
1802	4,376,189		1833	13,519,211	
1803	8,866,653		1843		40,392,225
1804	7,300,926		1844		3,141,236
1805	25,033,979		1845	7,144,211	

TARIFFS AND TRADE BALANCES, 1790-1900—Continued.

TABLE No. 2.—*Years in which low tariffs and protective tariffs, respectively, have been in operation in the United States, etc.*—Continued.

Fiscal year.	Low tariffs. Excess of imports.	Excess of exports.	Fiscal year.	Protective tariffs. Excess of imports.	Excess of exports.
1806	$27,873,037		1846 a	$4,165,409	
1807	30,156,850		1862		$1,313,824
1808	24,559,040		1863	39,371,368	
1809	7,196,767		1864	157,609,295	
1810	18,642,030		1865	72,716,277	
1811		$7,916,832	1866	85,952,544	
1812	58,502,764		1867	101,254,955	
1817	11,578,491		1868	75,483,541	
1818	28,468,867		1869	131,388,682	
1819	16,982,479		1870	43,186,640	
1820	4,753,331		1871	77,403,506	
1821		75,489	1872	182,417,491	
1822	18,521,594		1873	119,656,288	
1823	4,155,328		1874		18,876,698
1824	3,197,067		1875	19,562,725	
1834	6,349,485		1876		79,643,481
1835	21,548,493		1877		151,152,094
1836	52,240,450		1878		257,814,234

a Half year.

TARIFFS AND TRADE BALANCES, 1790-1900—Continued.

TABLE No. 2.—*Years in which low tariffs and protective tariffs, respectively, have been in operation in the United States, etc.*—Continued.

Fiscal year.	Low tariffs. Excess of imports.	Excess of exports.	Fiscal year.	Protective tariffs. Excess of imports.	Excess of exports.
1837	$19,029,676		1879		$264,661,666
1838		$9,008,282	1880		167,683,912
1839	44,245,883		1881		259,712,718
1840		25,410,226	1882		25,902,683
1841	11,140,073		1883		100,658,488
1842		3,802,924	1884		72,815,916
1846 a	4,165,408		1885		164,662,426
1847		34,317,249	1886		44,088,694
1848	10,448,129		1887		23,863,443
1849	855,027		1888	$28,002,607	
1850	29,133,800		1889	2,730,277	
1851	21,856,170		1890		68,518,275
1852	40,456,167		1891		39,564,614
1853	60,287,983		1892		202,875,686
1854	60,760,000		1893	18,735,728	
1855	38,899,205		1894		237,145,950
1856	29,212,887		1895		75,568,200
1857	54,604,582		1896		102,882,284
1858		8,672,620	1897		286,263,144
1859	38,431,290		1898		615,432,676
1860	20,040,062		1899		529,874,813
1861	69,756,709		1900		544,541,498
1895		75,568,200	1901		664,592,826
1896		102,882,284	1902		478,398,453
1897		286,263,144	1903		394,422,442
Total	1,068,872,161	553,917,230	Total	1,371,397,064	5,470,423,925

a Half year.

Net excess of imports under low tariffs $514,954,931
Net excess of exports under protective tariffs 4,099,026,861

But, says my friend from Missouri [Mr. CLARK], and he is repeating what has been said on this floor a good many times, nevertheless, under the McKinley law, you ran out of money and had to get ready to borrow money. That is the most remarkable blunder that anyone has ever made in my hearing, and the actual truth of the matter is a most overwhelming answer to all the criticisms on the Democratic side of this House that could by any possibility be made. Let me put it in very few words. This country had reached an unparalleled condition of prosperity, not only in the matter of commercial relations with all the world, not only in the matter of our domestic industrial situation, but in all that relates to national prosperity, on the day that Grover Cleveland was elected President of the United States in 1892.

I presume that my friend from Missouri [Mr. CLARK] refers to the result, or did refer to the result, of the election of Cleveland at the time when he gave that epitome of the bad results of the birth and growth of Cleveland as a citizen of the United States. I presume he referred to the fact, possibly, that prosperity turned the other way. You all remember it. I am not here to discuss the reason for it. When Harrison was defeated he sent to Congress a message, in December, 1892, congratulating the country and giving the details of the prosperity that had come to the country, and I defy any Democrat to show me in the CONGRESSIONAL RECORD where there was ever any criticism of that message. In that message he congratulated the country upon the steady growth of prosperity. That was under the McKinley law. Now, what happened?

I here reproduce brief extracts from the message of the President of the United States delivered to Congress in December, 1892, which speak for themselves:

The total wealth of the country in 1860 was $16,159,616,068. In 1890 it amounted to $62,610,000,000, an increase of 287 per cent.

The total mileage of railways in the United States in 1860 was 30,626; in 1890 it was 167,741, an increase of 448 per cent; and it is estimated that there will be about 4,000 miles of track added by the close of the year 1892.

The official returns of the Eleventh Census and those of the Tenth Census for 75 leading cities furnish the basis for the following comparisons:

In 1860 the capital invested in manufacturing was $1,232,539,670.
In 1890 the capital invested in manufacturing was $2,900,735,884.
In 1860 the number of employees was 1,301,388.
In 1890 the number of employees was 2,251,134.
In 1860 the wages earned were $501,965,778.
In 1890 the wages earned were $1,221,170,454.
In 1860 the value of the product was $2,711,579,899.
In 1890 the value of the product was $4,860,286,887.

I am informed by the Superintendent of the Census that the omission of certain industries in 1880, which were included in 1890, accounts in part for the remarkable increase thus shown. But after making full allowance for differences of method and deducting the returns for all industries not included in the census of 1880, there remain in the reports from these 75 cities an increase in the capital employed of $1,522,745,604; in the value of the product, of $2,024,236,166; in wages earned of $667,943,929, and in the number of wage-earners employed of 856,029. The wage earnings not only show an increased aggregate, but an increase per capita from $386 in 1860 to $547 in 1890, or 41.71 per cent.

The new industrial plants established since October 6, 1890, and up to October 22, 1892 as partially reported in the American Economist, number 345, and the extension of existing plants, 108; the new capital invested amounts to $40,449,050, and the number of additional employees to 37,295.

The Textile World for July, 1892, states that during the first six months of the present calendar year 135 new factories were built, of which 40 are cotton mills, 48 knitting mills, 26 woolen mills, 15 silk mills, 4 plush mills, and 2 linen mills. Of the 40 cotton mills, 21 have been built in the Southern States. Mr. A. B. Shepperson, of the New York Cotton Exchange, estimates the number of working spindles in the United States on September 1, 1892, at 15,200,000, an increase of 650,000 over the year 1891. The consumption of cotton by American mills in 1891 was 2,396,000 bales, and in 1892, 2,584,000 bales, an increase of 188,000 bales. From the year 1889 to 1892, inclusive, there has been an increase in the consumption of cotton in Europe of 32 per cent, while during the same period the increased consumption in the United States has been about 150 per cent.

The report of Ira Ayer, special agent of the Treasury Department, shows that at the date of September 30, 1892, there were 32 companies manufacturing tin and terne plate in the United States and 14 companies building new works for such manufacture. The estimated investment in buildings and plants at the close of the fiscal year, June 30, 1893, if existing conditions were to be continued, was $5,000,000, and the estimated rate of production 200,000,000 pounds per annum. The actual production for the quarter ending September 30, 1892, was 10,932,735 pounds.

The report of Labor Commissioner Peck, of New York, shows that during the year 1891, in about 6,000 manufacturing establishments in that State embraced within the special inquiry made by him, and representing 67 different industries, there was a net increase over the year 1890 of $31,315,120.68 in the value of the product and of $6,377,925.09 in the amount of wages paid. The report of the commissioner of labor for the State of Massachusetts shows that 3,745 industries in that State paid $129,416,248 in wages during the year 1891, against $125,030,303 in 1890, an increase of $3,535,945, and that there was an increase of $9,632,490 in the amount of capital and of 7,346 in the number of persons employed in the same period.

During the last six months of the year 1891 and the first six months of 1892 the total production of pig iron was 9,710,819 tons, as against 9,202,703 tons in the year 1890, which was the largest annual production ever attained. For the same twelve months of 1891-92 the production of Bessemer ingots was 3,878,581 tons, an increase of 189,710 gross tons over the previously unprecedented yearly production of 3,688,871 gross tons in 1890. The production of Bessemer steel rails for the first six months of 1892 was 772,436 gross tons, as against 702,986 gross tons during the last six months of the year 1891.

The total value of our foreign trade (exports and imports of merchandise) during the last fiscal year was $1,857,905,510, an increase of $128,283,934 over the previous fiscal year. The average annual value of our imports and exports of merchandise for the ten fiscal years prior to 1891 was $1,457,822,019. It will be observed that our foreign trade for 1892 exceeded this annual average value by $400,083,501, an increase of 27.47 per cent. The significance and value of this increase are shown by the fact that the excess in the trade of 1892 over 1891 was wholly in the value of exports, for there was a decrease in the value of imports of $17,513,754.

The value of our exports during the fiscal year 1892 reached the highest figure in the history of the Government, amounting to $1,030,278,148, exceeding by $145,797,338 the exports of 1891 and exceeding the value of the imports by $202,875,686. A comparison of the value of our exports for 1892 with the annual average for the ten years prior to 1891 shows an excess of $265,142,651, or of 34.65 per cent. The value of our imports of merchandise for 1892, which was $827,402,462, also exceeded the annual average value of the ten years prior to 1891 by $135,215,940. During the fiscal year 1892 the value of imports free of duty amounted to $457,999,658, the largest aggregate in the history of our commerce. The value of the imports of merchandise entered free of duty in 1892 was 55.35 per cent of the total value of imports, as compared with 43.35 per cent in 1891 and 33.66 per cent in 1890.

* * * * * * *

There never has been a time in our history when work was so abundant or when wages were as high, whether measured by the currency in which they are paid or by their power to supply the necessaries and comforts of life. It is true that the market prices of cotton and wheat have been low. It is one of the unfavorable incidents of agriculture that the farmer can not produce upon orders. He must sow and reap in ignorance of the aggregate production of the year, and is peculiarly subject to the depreciation which follows overproduction. But, while the fact I have stated is true as to the crops mentioned, the general average of prices has been such as to give to agriculture a fair participation in the general prosperity.

The value of our total farm products has increased from $1,363,646,866 in 1860 to $4,500,000,000 in 1891, as estimated by statisticians, an increase of 230 per cent. The number of hogs January 1, 1891, was 50,625,166 and their value $210,198,925; on January 1, 1892, the number was 52,398,019 and the value $241,491,415. On January 1, 1891, the number of cattle was 36,875,648 and the value $544,127,908; on January 1, 1892, the number was 37,651,239 and the value $570,749,155.

Mr. CLARK. Mr. Chairman, will the gentleman allow a question?

The CHAIRMAN. Does the gentleman yield?

Mr. GROSVENOR. Certainly.

Mr. CLARK. Don't you know that Secretary Foster testified——

Mr. GROSVENOR. Oh, my friend, you wait for Secretary Foster. I will give you all of that you want. I am ready upon that point. I want to answer you politely, but as I am coming to that as rapidly as the wheels of time can bring me, I do not want to be interrupted.

It is very true that immediately upon the election of President Cleveland there was a practical suspension of income, of the revenues of the Government, into the Treasury of the United States. It was natural; it was inevitable. It would happen again if somebody other than Roosevelt should be elected President next year. It was inevitable because the Democratic party came into power with this same proclamation of hostility to the McKinley law.

Now, Mr. Chairman, it was inevitable, because trade stood still, paralyzed, waiting to see what the Democratic party would do; and so along in the month of February there was a condition of uncertainty as to whether the Treasury might be able to meet its requirements. Not during the Administration of Harrison. My friends are all wrong upon that. But whether, projecting the conditions forward into a few early months of the Administration of the incoming President, there might not be a condition of inability upon the part of the Treasury to meet its requirements, and especially to maintain the gold reserve at $100,000,000.

Thereupon Mr. Secretary Foster, after consideration of the

whole subject and discussion with the President, approached the incoming Administration through its supposed Secretary of the Treasury. I will stop here to say that there is not a gentleman upon this floor who will not remember we all knew as early as January that Mr. Carlisle, then a Senator of the United States, was to be the Secretary of the Treasury.

Secretary Foster now makes a statement, and I want to say that I saw published in the public print a statement made by an interview in the Cincinnati Enquirer of this same story; and there came a time when a very distinguished Democrat, himself later on a member of the Cabinet of Mr. Cleveland, made a statement in the city of Cincinnati that went beyond the gentleman from Missouri, while introducing a Tom Johnson speaker to a Bryan audience. [Laughter on the Republican side.] He stated not only that we were out of money, but that we had negotiated for the issue of a bond; that the bond was engraved, and printed, and signed.

Then I wrote him a letter, for I knew he would not tell me what was not absolutely true—he is a man of the highest character—unless he believed it was true. A little before the statement had been made that the bonds were ready to be issued. Now, that shows that thing had been growing. It started first with an order to engrave the plate, then it got the plate engraved, and then got the bond issued and not signed, and now the bond is signed all ready for circulation.

Mr. CLARK. Will you let me ask you a question?

Mr. GROSVENOR. Yes.

Mr. CLARK. Do you deny that Secretary Foster wrote that letter on the 20th of February, 1893?

Mr. GROSVENOR. I do not.

Mr. CLARK. Do you deny that Secretary Gage, in his reply to Mr. GAINES of Tennessee, put a copy of the bond into the correspondence?

Mr. GROSVENOR. I do not know anything about that. I know that no bond was ever made, signed, or issued.

Mr. CLARK. Will you deny that Secretary Foster, on the 27th day of February, testifying before the Committee on Ways and Means, stated that his estimate for this fifty millions deficit was made up before the election had been had at all?

Mr. GROSVENOR. I deny that. Departmental estimates are one thing, public needs quite another.

Mr. CLARK. Well, now, I will prove it to you, in two and a half minutes, by the record if you give me a chance.

Mr. GROSVENOR. Not knowing that, I deny it [laughter on the Democratic side], having no knowledge on my part.

Mr. CLARK. You put in that saving clause.

Mr. GROSVENOR. Let me put it in legal parlance, "Having no knowledge of the truth or falsity of such statement, I therefore deny it." [Great laughter.]

Now, Mr. Chairman, I wish to send to the Clerk's desk and avail myself of the brief period that it will take the Clerk to read a letter of Secretary Foster drawn out by a letter from the honorable Senator from Ohio, Mr. FORAKER, in answer to his letter and in answer to my letter of the same date.

The CHAIRMAN. The Clerk will read the paper presented by the gentleman from Ohio.

The Clerk read follows:

FOSTORIA, OHIO, *October 23, 1903.*

Hon. J. B. FORAKER,
Cincinnati, Ohio.

MY DEAR SENATOR: Your favor of the 27th this moment received. Harmon's statement is quite vague. He says: "In 1893 when the Democratic party came into power the Republican Administration had bankrupted the Government. When Cleveland entered the White House there were bonds already signed by the Republican Administration. They had barely managed to tide over until we got into office, and then we had to take the stigma that came as the result of their unwise administration."

The charge that the Government was bankrupt when Cleveland came into power is ridiculous. The revenues up to that time, and until the end of that fiscal year, exceeded the expenditures. The usual charge is the one made by GAINES in the Nashville American, copied in the Enquirer of the 21st, that "Secretary Foster prepared plates for bonds to tide over a deficit." The facts are that as soon as it was known that Cleveland was elected in November, 1892, it became apparent that there was great danger, on account of importations being held back for lower duties, that the gold reserve would fall below $100,000,000 required, not by law, but by implication of law. After consulting fully with Senator Sherman, I made up my mind that it was my duty to maintain the gold reserve even if I had to do it by the sale of bonds. The only bonds authorized were those of the resumption act of 1875, all bearing high rates of interest and running a long time.

I suppose to assist me, Senator Sherman introduced an amendment to an appropriation bill in the Senate authorizing an issue of a 3 per cent short-time bond. Mr. Carlisle, who was then known to be the incoming Secretary, was consulted by the Senator and approved Mr. Sherman's amendment. It passed the Senate by an almost unanimous vote. This was about the 22d of February. Upon its passage, fearing that I might be compelled to use bonds for the purchase of gold, I directed the superintendent of the proper office to prepare plates for this bond—a better bond for my purposes than those already authorized. I did this upon the belief at the time that an act approved by the incoming Secretary that passed the Senate, receiving a large share of the Democratic votes of that body, would also pass the House. But in this I was mistaken. The House refused to pass it, and the plates were not prepared, and there were no bonds already signed, as stated by Mr. Harmon. But my letter directing the preparation is used in evidence that the plates were prepared and that a deficit existed.

To go a little further in this matter, I had fixed upon $50,000,000 as the amount of gold I could buy, and I had an understanding with the bankers in New York to this effect, but they stipulated they would take the bonds in installments of $10,000,000 a week. If this was done it would devolve upon Secretary Carlisle to execute a part of my contract. The bankers desired Secretary Carlisle's concurrence in the arrangement. In this emergency I called upon Senator GORMAN, stating the facts to him and saying that many of my Republican friends thought I had better not do anything in the way of the maintenance of the gold reserve, yet I deemed it my duty as Secretary of the Treasury to continue to do until the last hour of my term what I would do if I were to be continued in office. In this I was sustained by Senator Sherman.

Mr. GORMAN heartily approved and sent a messenger for Mr. Carlisle. Mr. Carlisle soon made his appearance, and seemed greatly pleased at what I proposed, and next day went to see Mr. Cleveland. Upon his return I was informed that he would execute the part of the plan that would devolve upon him, and that Mr. Cleveland also approved.

To sum up, the Treasury was not bankrupt at any time, and there was no deficit at any time, no plates for bonds, and no bonds were signed.

No bonds were sold. I managed to maintain the gold reserve, turning over to my successor about $103,000,000.

I believe that if the Harrison Administration had been continued the revenues and the gold reserve would have increased and the condition then prevailing would have improved.

The panic and deplorable condition following Cleveland's election was wholly due to two causes: First, the known purpose of the Democratic party to adopt a revenue tariff, which at once affected the imports and paralyzed all industries and business, and, secondly, the known incapacity of the Democratic party then coming into power to agree upon efficient legislation, afterwards so painfully demonstrated.

Very truly, etc.,

CHARLES FOSTER.

[Loud applause on the Republican side.]

Mr. GROSVENOR. Mr. Chairman, that seems to be a candid, straightforward statement, but it will not do any good. The same statement will be repeated just as often as this has by those who have not heard the reading of this letter. Now, what happened following this? Let us see who was the wise man and who was the mistaken man.

Mr. Secretary Foster looked forward into the future and saw that the Treasury of the United States must, under Democratic administration, become helplessly insolvent; and before the administration of Grover Cleveland closed we who were Members then of the House were called upon to vote for loans amounting in the aggregate to $262,500,000 upon a long-time bond at 4 per cent interest, which was taken by syndicates at about the par value (although I am not clear upon that point), and which stand to-day in the markets at one hundred and thirty odd cents on the dollar.

Mr. Secretary Foster is a man of high character and unquestioned integrity, and his statement will go against the loose talk of the thoughtless partisan.

Mr. PAYNE. May I interrupt the gentleman?

Mr. GROSVENOR. Certainly.

Mr. PAYNE. Does not the gentleman remember that on the first issue of $62,000,000 the syndicate charged a commission or a profit of ten or twelve million dollars?

Mr. GROSVENOR. I remember the fact that it was stated or shown that it cost the Government something like ten or twelve million dollars to borrow that money, and the proposition came in here from the Secretary of the Treasury and from Mr. Cleveland's Administration to put into the sixty-two and one-half million dollars of the last loan the word "gold." And I have the honor to point to the RECORD where I myself and thirty-two others, I think it was—at least a majority of two of the Republicans on this side—refused to put the word "gold" into the bonds that Mr. Carlisle sought to have issued.

Mr. CLARK. Will it interrupt the gentleman if I read a sentence or two?

Mr. GROSVENOR. No, sir.

Mr. CLARK. On the 25th day of February, 1893, Mr. Foster said before the Ways and Means Committee:

> Now, I want to say to you that these estimates—

That is, the estimates of $50,000,000 deficiency—

> are based upon conditions existing prior to the election of 1892.

[Applause on the Democratic side.]

Mr. GROSVENOR. Now, see how skillful my friend is. Let me point out the vice in the quotation as read by the gentleman from Missouri. "It was based upon conditions existing before." The Secretary had stated what those conditions were. The conditions were those that always run down and smash up the credit of the Government—the existence of the Democratic party in power [applause on the Republican side], checking all the business of the country. Those were the conditions. But does he anywhere say that there was a deficiency? Does he? I defy the gentleman from Missouri, with all his ingenuity, to show that there was at that time existing a deficiency. I have verified the statement of the Secretary that on the 4th of March, or immediately following it, he turned over $103,000,000 of gold in the Treasury which he had protected and preserved. [Applause on the Republican side.]

Mr. CLARK. Will the gentleman——

Mr. GROSVENOR. Now, the gentleman had his time yesterday.

Mr. CLARK. I want to read——

Mr. GROSVENOR. Whose speech is the gentleman reading from?

Mr. CLARK. From the testimony of Secretary Foster before the Ways and Means Committee on the 25th of February, 1893. It is incorporated in a speech made by JOHN WESLEY GAINES, of Tennessee. [Laughter on the Republican side.]

Mr. GROSVENOR. Mr. Chairman, I decline to incorporate any more of that speech in mine. [Laughter.]

Mr. CLARK. I only want to read one more sentence.

Mr. GROSVENOR. No; not one more sentence; not another sentence.

Mr. PAYNE. Will the gentleman from Ohio allow me a suggestion?

Mr. GROSVENOR. Certainly.

Mr. PAYNE. I have not read the report of what occurred before the Ways and Means Committee since it occurred, but my recollection of it is that Secretary Foster's estimate of deficiency was founded upon the estimates of the different Departments sent in to the Treasury Department and submitted to Congress, and those items, as we all know, always exceed the actual appropriations by $100,000,000.

Mr. GROSVENOR. That statement explains the whole misunderstanding. It shows the difference between "estimates" and "deficiencies." They had come in in time for the action of Congress following the election of a Democratic President. My friend is only strengthening my position. I admit that the menace of a Democratic Administration paralyzes the business of this country. [Applause on the Republican side.] I will admit it and you need not argue it. [Laughter on the Republican side.] It has never failed, and it never will fail. Thank God there is no prospect that it will ever come! [Applause on the Republican side.]

Mr. CLARK. How does the gentleman get out of the statement that has been made that the estimates were made before the election of 1892? You thought you were going to elect Harrison, sure.

Mr. GROSVENOR. They are always made before the election. No; we did not think——

Mr. CLARK. How do you account for the $50,000,000 deficiency?

Mr. GROSVENOR. There wasn't any such deficiency.

Mr. CLARK of Missouri. Then what did he issue the bonds for?

Mr. GROSVENOR. He did not issue the bonds.

Mr. CLARK of Missouri. What did he want them for?

Mr. GROSVENOR. He wanted to protect the gold reserve.

Mr. CLARK of Missouri. What did Mr. Foster write this letter for?

Mr. GROSVENOR. I have just had read the statement of Mr. Foster, and I put Mr. Foster against the gentleman from Missouri. [Laughter.] Let us see what the dark forebodings of yesterday were.

First, the threat that Russia was going to destroy us because of some ruling of our department, upheld by the Supreme Court, on the question of the sugar duty. Second—well, I don't know what the second was or in what order they came, but finally the dark threat—the insidious and dangerous threat—the one that did make a temporary horror run over this side of the House—was the assurance of the gentleman from Missouri [Mr. CLARK] that there was going to be a Democratic administration introduced here a year from the 4th of next March. That threat has something in it if it were only true.

We will take care of Russia. She is our friend. We are not going to have any trouble with her. We will take care of England, for England has some sense along with her other qualities. But when it comes to the Democratic party, if they get into power we are gone—I will admit that. [Laughter on the Republican side.]

I have no fears of the trouble at Panama. We will take care of that. There is not one of all the threats that have been called to my attention worthy of consideration except the threat that we are going to have a Democratic Administration, and I went home last night and spent hours in pondering over it when I should have been engaged in some other occupation. Looking it over, I have come to a conclusion that I am going to give to my friend from Missouri [Mr. CLARK], that he may have the benefit of, and to the end that he may put a modified menace in the next speech that he makes. Do not put it as an assured fact any more; put it as a possibility. That is strong enough—a possibility. On what is your campaign to be made? There is a report in the public prints that my friend from Missouri [Mr. CLARK], coming as he has with a full knowledge of the affairs of his own State and city, proposes a platform of only four words.

If you will think back at the motto of the Democratic party some years ago, you will remember what that slogan was. I will not disturb the serenity of the gentleman by repeating it at this time, but the platform was to be a platform of four words. I mildly suggested to him at the time that possibly it would be a more forcible platform outside of Missouri and St. Louis than it would be for home consumption. [Laughter on the Republican side]. And the campaign to "turn the rascals out" ought to be a local campaign, like the tariff question, and not made a general one. [Laughter.]

Mr. CLARK. Mr. Chairman, let me ask the gentleman a question.

Mr. GROSVENOR. Oh, no; do not do that.

Mr. CLARK. Oh, yes: I will.

Mr. GROSVENOR. You will break the continuity of my thought. [Laughter.]

Mr. CLARK. No; I will not. Does the gentleman not know that out of nineteen rascals convicted of penitentiary offenses in St. Louis sixteen of them are Republicans? [Applause on the Democratic side.]

Mr. GROSVENOR. I don't know it, but if it is true it does not speak well for the fairness of the administration of justice out there. [Prolonged laughter.]

But, Mr. Chairman, I will assume that that will not be the platform, and that the platform will be a medley of free trade and tariff for revenue only and possibly the adoption of the position of the distinguished gentleman from Mississippi [Mr. WILLIAMS] on the tariff question. If that shall be taken by the Democratic party, it will be manifest at once that we are reaching a period of common sense on both sides of this battle. But I shall assume now that the purpose of the Democratic party in their platform will be to announce the purpose of the Democratic party to disturb present conditions on the tariff question in the United States. I suppose there will be nothing left by that time.

You won't have anything to say about Panama, for if you do they will beat you at home. They want the canal and we are going to get it, and there is no insurrection or noninsurrection of any state on earth that can stop it. That is going to be done now, right away, so you will not have that; you will all be on our side as far as that is concerned. You will find no Aguinaldo down there in Panama, for they are all on one side. They have no "George Washington, of South America." The breed has run out. [Laughter.] So I will assume that you will be on our side upon the canal and Panama question. The other questions have drifted back to the rear and are among the cast-off clothing of political isms; so you will have to march up to this tariff reform. In one locality you can use the words "tariff reform;" in another you can use the words "tariff revision," and you can modify the whole situation to some extent; but in the end you will be the same old Democratic party, opposed to protection, and we will be the same old Republican party, standing by protection and all that it involves.

Coming now to the question of the danger that the Democrats will carry the country in 1904, I will tell you the States that you can not carry. First, I think I will give you the States that you can carry, because it will look very large and it will give you a better feeling than it would if I should read the leading column first. [Laughter.] You will carry Alabama and Arkansas. [Laughter on the Republican side.] You will carry Florida and Georgia and Kentucky and Louisiana and Mississippi—that will carry itself. [Laughter.] I will cut out Missouri, for I am going to wait to see how that platform works out there. You will carry North Carolina, South Carolina, Tennessee, Texas, and Virginia. Now, those are the States you will carry sure.

Mr. SULZER. And you might add New York. [Applause on the Democratic side.]

Mr. GROSVENOR. I might add Ohio, but I will not. [Laughter and applause on the Republican side.] Now, I will tell you where there is some fighting ground. I will tell you where there are some places where you can get up quite a scrimmage.

Mr. SULZER. I would say to my friend——

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from New York?

Mr. GROSVENOR. No; I will talk with my friend after I am through.

There is a little battle going on in Delaware; the possibility of a fight in Idaho. Maryland is in doubt, with the chances in favor of the disfranchisement party down there. If they can get another shot at the voters there and decapitate another class of voters, they will carry it without much doubt. Montana is somewhat doubtful, Nevada also, and I have put into this column, against my own better judgment, the State of New York, with 39 votes, and Utah with 3 votes, making 62 votes, the sure Democratic votes being 151. Now add the 62 to the 151, and there is your possibility. That is all. I do not know anything about New York, compared with what the gentleman from New York City knows, but I read in the newspapers that the Democratic candidate for mayor carried Greater New York by 62,000. If the candidate for President does not carry the same territory by double

that amount he will be overwhelmingly defeated in the State of New York. [Applause on the Republican side.] The elections this fall outside the city of New York point to a sure Republican victory in that State.

Now, I will tell you where your trouble is going to come from. California, Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Nebraska, New Hampshire, New Jersey, North Dakota, Ohio, Oregon, and Pennsylvania. I will hold out one of these until I come to the jollification which my friend had over it. South Dakota, Vermont, Washington, West Virginia, Wisconsin, and Wyoming, a total of 263 votes. Now, you may take all that I have put in the doubtful column, and all that I have given you as a sure thing, and then take Connecticut, New Jersey, and Indiana, and you have not got there yet. [Laughter and applause on the Republican side.]

But my friend says they are going to carry Rhode Island. He has a sharp, discerning eye for a weak spot in the Republican column, but he misinterprets conditions. I looked into the subject a little to find out what there was. It had rather shocked me. I knew that a year ago the Democratic candidate for governor was elected up there by something like 7,000 majority, and I hold in my hand the returns from the State now, and I find that he is now struggling along in the neighborhood of somewhere between twelve hundred and fifteen hundred. That does not look very hopeful, does it? Last year we elected the lieutenant-governor by about 700 or 800 plurality. This year we have elected him by something like 8,000 and all the State ticket, every man on it, by largely increased majorities. The real political question in Rhode Island was the question of the election of a legislature. We have not only both branches of the legislature, but we have them by a larger majority than we elected them by one year ago. Now, it shows how a long sojourn on the barren hills of defeat, amid the husks of political starvation, will make a very small item of food, a little prospect of a green tree or a gnarly little piece of fruit, cheer up the suffering pilgrim. [Laughter and applause on the Republican side.]

Mr. BAKER. Will the gentleman yield for a question?

Mr. GROSVENOR. Certainly.

Mr. BAKER. By inference——

Mr. GROSVENOR. Oh, do not make a speech. Just put your question.

Mr. BAKER. I am not going to make a speech. By inference the gentleman gloats over the result in his own State. Does he know that the man elected governor of Rhode Island is the same kind of a man as Tom L. Johnson, a single-tax Democrat?

Mr. GROSVENOR. God help Rhode Island! [Laughter and applause on the Republican side.]

Mr. Chairman, I did not quite sufficiently reply to the gentleman from Virginia [Mr. SWANSON], who prognosticated such serious attacks upon our foreign trade. I have in my hand a little paragraph that somebody handed me, a special telegram to a newspaper from Berlin. That is in the country to which it is said we have been unkind and from which they are going to drive us out. This telegram reads:

BERLIN, *November 15.*

The Frankfurter Zeitung's Constantinople correspondent says the Pennsylvania Steel Company has been awarded the contract for 20,000 tons of steel rails for the Mecca Railway, in competition with the Krupps and several other German and Belgian establishments.

I put that in to cheer up my friend from Virginia [Mr. SWANSON]. [Laughter on the Republican side.]

Mr. BENNY. May I ask the gentleman from Ohio a question?

The CHAIRMAN. Does the gentleman yield?

Mr. GROSVENOR. Certainly.

Mr. BENNY. Does the newspaper article that you read from also contain this statement: "The price is $22.88 per ton delivered at Beirut. The price of steel rails in the United States is $28 per ton, which is the highest average price in ten years?"

Mr. GROSVENOR. That is right, I suppose. [Applause on the Democratic side.]

Now, if the gentleman gets the floor at some point of time, not necessarily in this debate, but at any time during this Congress, will he tell me in an official manner how much harm has been done to the people of the United States by breaking into that monopoly of the Krupps on the other side of the water and selling steel rails even at a price lower than they can afford? Has not the material of these steel rails to be taken from the mines of Lake Superior, transported down to the blast furnaces, manufactured into billets and steel rails, all to be wrought out by the labor of Americans and paid for by American money? Who cares what they get, then, for the steel rails?

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. I yield such further time as the gentleman requires.

Mr. WILLIAMS of Mississippi. Now that the gentleman's time has been extended, can I ask a question?

The CHAIRMAN. To whom does the gentleman yield?

Mr. GROSVENOR. I think I had better attend to the gentleman over there first.

Mr. BENNY. The gentleman asked how much damage has been done and how much harm has been done to the American purchaser by the sale of these rails. The harm and damage done to the American purchaser of these steel rails is the difference between $22.80 and $28. [Applause on the Democratic side.]

Mr. GROSVENOR. This is the first time I have ever heard a Democrat solicitous about railroads in the purchase of steel rails. [Laughter on the Republican side.] I will say to the gentleman that to-day there stand upon the books of the various steel-rail manufacturers of this country (and I have the evidence of it here in my hand) orders for more steel rails than ever were put upon the books of the manufacturers of rails in this country during all the Administrations of the Democratic party in the United States put together.

Mr. BENNY. One further question.

Mr. GROSVENOR. I have got through with that. There is nothing in it. [Laughter.] I have treated the gentleman with courtesy, and I now yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I understood the gentleman from Ohio admitted as being true that this is the price for steel rails at Beirut and other foreign places?

Mr. GROSVENOR. I do not know anything about it. I do not admit it nor deny it.

Mr. WILLIAMS of Mississippi. Well, it is a fact.

Mr. GROSVENOR. Do you know it?

Mr. WILLIAMS of Mississippi. *If* it be true, are the prices at which these rails are sold there a reasonable price, giving a profit to our steel industries or not; and if a reasonable price, giving a profit to our steel industries, why should those industries at home, under the shelter of a tariff, charge a higher and therefore extortionate price to the American railroads, and through the American railroads to American travel and commerce?

Mr. GROSVENOR. Why, that is the whole of this discussion. The Republican party of this country stands in arms, panoplied, with a history before the country of being ready to protect the manufacturer and laborer of this country, and ready to absorb and control the American market. [Loud applause on the Republican side.] And they are ready and willing that the price here at home shall be regulated simply and solely by the competition among the manufacturers of steel and every other commodity.

Mr. WILLIAMS of Mississippi. One more question, if the gentleman will permit. You say you stand behind them. Do you stand behind them for the purpose of enabling them to sell their products at a reasonable profit to the American consumer or at an extortionate profit to the American consumer?

Mr. GROSVENOR. They have never sold their products at an extortionate price to the American consumer.

Mr. WILLIAMS of Mississippi. If they have sold them abroad at a reasonable profit, does it not follow that if they sell them at home at a higher price than they sell them abroad it is extortionate profit and price for the home market?

Mr. GROSVENOR. Not at all. Why, Mr. Chairman, the CONGRESSIONAL RECORD has been crowded in the last eight or ten years with a complete unanswerable refutation of the suggestion of the gentleman.

I remember very well coming across the water nearly three years ago with the representative of one of the great steel organizations of this country, not the United States Steel Company, but a company organized and manufacturing a certain peculiar item of steel manufacture, and he told me that he had sold at prices that inured to their loss of a million dollars during that year. This year I met him again. He told me that that money was the best used money that his company had ever used; that they had introduced their commodities into the markets of the country at prices that insured their successful competition, and they were now selling their commodities at a fair and just price.

Why, the American people have always done that. They have forced their way into every market of Europe. Seven million pairs of shoes this year in excess of the export of last year! Seven million pairs of shoes in excess of the trade of the year before gone into the foreign markets! They have gone at such prices as the owner saw fit to sell them at, and they are establishing our trade in Europe against the competition of whoever may get into the market over there.

Mr. COWHERD. Will the gentleman allow an interruption?

Mr. GROSVENOR. Yes; if it is a question.

Mr. COWHERD. The gentleman's argument on that is that the price at which our products are sold in foreign markets may be below the price in this country, but that it is done at a loss to introduce the trade. I want to ask him if it is not a fact that Mr. Schwab wrote to Mr. Frick that the net cost of rails in this country was less than $12 a ton?

Mr. GROSVENOR. I do not know anything about what Mr. Schwab said.

Mr. COWHERD. But the gentleman is using as an argument——

Mr. GROSVENOR. I am using the argument, and the gentleman is not answering my argument.

Mr. COWHERD. And the gentleman from Ohio is not answering my question.

Mr. GROSVENOR. I do not care to answer it, for I do not know what it is. [Laughter.] I have got tired of answering questions. I think gentlemen on the other side of the House will have to admit that I have treated them with the highest respect in answering questions, but it is a little difficult to have two or three gentlemen asking the same question in various forms. I have already answered the whole of it. The prices in our own market are as widely dissimilar as those indicated by the gentleman. Let me put an illustration that is familiar to all of us. Do you remember what the prices of goods were, a certain line of goods, in the stores in your own town last May and June? Take the whole line of ladies' dress goods, take the whole line of fashionable material for apparel of every character, and go to your stores in September, October, or November and you will find the same goods are being offered for sale at 50, at 60, at 75 per cent of what they were offered at in the springtime.

Our factories in this country send their surplus not into their own markets to be sold under price, but they send them to European markets that they may not destroy the home market, in order that they may reduce their surplus. The whole of these arguments amount to nothing. We have not stifled competition, and competition answers all the arguments of gentlemen on the other side. I have seen steel rails sell in the United States at one hundred and forty-odd dollars a ton. Now they are down to $28 a ton. Competition has done all that. The first steel rails that ever were sold in the United States were sold at $145 a ton, and gradually, under this system of ours that keeps foreign competition out and opens the foreign markets to our surplus, these steel products have steadily gone down to $28 a ton, and that $28 is a part of the prosperity of the country, and the difference between that and the low figures of steel rails is paid to the laborer of the country, or 95 per cent of it.

Mr. BURGESS. Will the gentleman allow me an interruption?

Mr. GROSVENOR. I think I had better quit answering questions.

Mr. BURGESS. I only want to understand the gentleman.

Mr. GROSVENOR. No, I beg pardon, that is too much. [Laughter on the Republican side.]

Mr. BURGESS. I desire to ask the gentleman if he contends that the price at which steel rails are sold in European markets is below the cost to the companies furnishing them here?

Mr. GROSVENOR. Sometimes they are and sometimes not. It is owing to exigencies.

Mr. BURGESS. Then I can take my choice, I suppose. [Laughter on the Democratic side.]

Mr. GROSVENOR. Yes, you pay your money and you take your choice. [Laughter.]

In the very nature of things the manufacturer of goods, whether staple or other goods, can not tell to a demonstration the amount of demand there will be for his commodity. He must manufacture enough of the article to meet the maximum demand of the trade, and if in aiming to do so he manufactures more than he can sell (I am referring now to the demands of the domestic market) he must close his factory and wait for the growth of demand or he must hold his overmanufacture as dead stock or he must find a market for it and sell it for what he can get, and this has been the course of our manufacturers in very many cases. They have sent their surplus abroad and sold them at such prices as they could obtain, and thereby kept their labor employed. The alternative would have been, as I have said, to close the factories and discharge the labor and leave the laboring man to suffer for employment. And so in hundreds of instances the manufacturer has kept his works running and sold his surplus as best he could rather than to deprive his labor of their reward.

Mr. SLAYDEN. Will the gentleman from Ohio yield to me for a question?

Mr. GROSVENOR. Yes.

Mr. SLAYDEN. I want to ask the gentleman, in view of this statement of the enormous traffic of the New England shoe factories in foreign markets, if he sympathizes with their proposition to increase their protection by taking off the 15 per cent duty on hides?

Mr. GROSVENOR. That is a kind of bridge, isn't it? That is a bridge which I will cross in some form when I get to it. [Laughter on the Republican side.]

Now I want to go a little further, and point out that even this threat of tariff revision and the proclamation that we are divided on this side of the House upon that question has had no appreciable effect upon our foreign trade. I find—and I will put this paragraph into my speech in full—I find that the value of the monthly exports for October of this year is higher than any other October in the history of the United States, and I want to show that in answer to the proclamation that our threatened war with foreign countries is going to have a deleterious effect upon our trade.

THE OCTOBER EXPORTS.

The exports for October are almost large enough to make a new record for the month. The total exceeds $160,000,000. This was surpassed only by the year 1900, when October passed the total of $168,000,000. The signification is that at the present time the export trade of the United States is at high tide. The exports for 1901, or rather the year which included October of 1900, have never been exceeded in the history of the country. That was the fiscal year of 1901. Such exports show that the farmer, the manufacturer, and all men engaged in the creation of things that go into the markets of the world are finding for their wares a satisfactory demand in the foreign countries.

While imports were large in October, they fell short of the exports by the sum of over $78,439,000, which sum is a presumable balance abroad to the credit of the United States. With such balances piling up from month to month the imports of gold should be settled in our favor and the question of tight money for the remainder of the year ought to be disposed of.

As the steel manufacturers are making extraordinary effort to widen their export trade, the fiscal year, which commenced in July and runs through to the end of next June, should see an export total for the year equal to one of the best in the country's history, if it does not make a new record. With a good cotton crop, a good corn crop, and plenty of all other agricultural products for export this year, and mills paying special attention to the foreign market, the American invasion will be more of a reality in the Old World.

Mr. SWANSON. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. GROSVENOR. Yes.

Mr. SWANSON. The position that I take is that when the tariff law became operative it greatly increased our importations, but when Russia and when Switzerland and when British South Africa and these other countries have increased the price on our importations, when that occurs, as it will in the near future, that it must seriously affect American importations there.

Mr. GROSVENOR. The gentleman has a right to his prophetic utterances. Old Jeremiah had the same. [Laughter.]

Mr. SWANSON. But the gentleman is trying to illustrate his position by saying that things will continue in such a way in the future as they have done in the past and with changed conditions entirely. I would like to ask the gentleman this question. Does he think American trade, American exportations to Germany, will be as great and profitable when the duties are double as they are the present time, with a much lower tariff, and a new tariff—German tariff—in Germany?

Mr. GROSVENOR. What about it?

Mr. SWANSON. Well, I would like to ask the gentleman. Does he think that the sale of our goods in the German market with a double tariff against us—maximum rates—can be as great as it is at present under the present low-tariff act?

Mr. GROSVENOR. Well, we have had that same suggestion. Mr. Chairman, ever since the Democratic party, holding a majority in the United States Senate, passed the Morrill tariff bill of 1860, which was signed by a Democratic President; and all the time, if the gentleman had been in his seat when I presented these figures, he would have discovered that all that time under a Republican Administration our foreign trade has grown largely, and under this very protective tariff which he inveighed against yesterday. Our trade has grown to a condition beyond the dream of Dingley or anybody else.

Mr. SWANSON. The gentleman is mistaken, if he will allow me to correct him.

Mr. GROSVENOR. Oh, no; I can not allow him.

Mr. SWANSON. The large export trade was under the Wilson tariff.

Mr. GROSVENOR. I wish the gentleman had put his speech into the RECORD; I wanted to read it.

Mr. SWANSON. Oh, it will be in there.

Mr. GROSVENOR. There, again, the gentleman is mistaken. Under the second year of Cleveland's Administration our exports abroad were in excess of imports only $75,000,000, and they only increased to $102,000,000 in the next year, while during the second year of the McKinley Administration they ran up to $615,000,000, and have remained substantially at that tremendous figure ever since.

And then the gentleman can add this to his other speech. Why, Mr. Chairman, the American people are not bothering themselves about foreign tariffs; we are not studying foreign tariffs to see what foreign countries are doing in the matter of our trade relations. We have thus far put up our protective tariff system and have made it triumphant as against all the world, and the French, the British, the Germans, and all the other nations of the world are at liberty to do exactly what they please and we will proceed along our pathway and do what we have determined to do without regard to what they are determined to do.

Mr. SWANSON. Will the gentleman permit a question?

Mr. GROSVENOR. And this brings me up to this question of reciprocity, which I will speak about.

Mr. SWANSON. Will the gentleman permit a question?

Mr. GROSVENOR. Yes.

Mr. SWANSON. That is the same narrow policy advocated by the Dowager Empress of China, and I would ask the gentleman if he has been in recent communication with her?

Mr. GROSVENOR. I am not familiar with the old lady. [Laughter.] I do not know why the gentleman from Virginia should class me with the Dowager Empress of China. She is not nearly as old as I am, and it is not right to put her into a category with a fellow as old as I am. I do not know anything about her tariff views. [Laughter.] And when the time comes that we are going to take our laws and policy from the views of the Dowager Empress of China, or any other heathen potentate, I want to go out of business in the statesmanship line. [Laughter.]

Mr. SWANSON. I did not suggest the gentleman was under her dictation, but I did say that the gentleman is in accord with her entire policy, and I thought he must have received instructions in her school.

Mr. GROSVENOR. The gentleman could not have understood that fact without being on familiar terms with her policy. [Prolonged laughter.]

Mr. SWANSON. Everyone knows what the Chinese exclusive policy is—the policy that has dominated that Empire—and if the gentleman will read the report of foreign trade and foreign policy——

Mr. GROSVENOR. Oh, that is the Chinese Wall argument. I have heard that before. There was a fellow from this country that made a sort of demonstration on that wall not very long ago and put the American flag up on the wall of the Eternal City, or whatever other name it goes by, and from that time to this I made up my mind that we had no question of doubt about the trade of China as far so China herself was concerned, but I am not here to discuss that question.

There is no reciprocation with China that I know anything about. I know of no reciprocity that China is asking for. We let her tea come into this country free of duty; and we let her silks (such as we think our people can afford to buy) come in not free of duty, and we get revenue from that source. And we send the product of the gentleman's section of the country into China in quantities so magnificent that without this trade the cotton trade of the United States would be very greatly reduced. And the gentleman can not put his finger on any place on the whole map of Europe where our trade has been seriously diminished by any threat of our tariff or by any threat of retaliation. I have no question or doubt that the American people will go forward making reciprocity provisions where they can make them upon a principle that does not assail and destroy the protective principle. Our friends on the other side are in favor of reciprocity; we over here are in favor of reciprocity; and we are in favor of reciprocity under this same identical speech of the lamented William McKinley.

And right here, in this connection, I want to do two things. First, I want to make a statement that whoever has said at any time that William McKinley, anywhere on earth, wanted to strip the protection from an American industry by reciprocity, that anybody has misread the declaration of William McKinley [applause on the Republican side], for behind and underneath all his argument was his declaration that he would not take any step or do any act that would cut down or impair the price of American labor. And that is the whole of this question in connection with reciprocity. Reciprocity upon articles that we do not produce we are entirely willing to go into; but reciprocity that strips any American industry of its protection we are not in favor of. Did I believe, Mr. Chairman, that in the pending treaty there would be serious injury to any product of American industry I certainly would never vote for it. My position on that subject has been a long time established and placed upon the records of this House.

Now, again, it is said that the Dingley bill—and here I propose to trench on ground that I have not often touched upon—it is persistently said that the duties of the Dingley bill were purposely—with deliberate purpose—made so high in certain schedules for the purpose of using them as a means of reciprocal trade with foreign countries. Now, I can not only answer that proposition, but I can answer the charge made by the gentleman from Missouri, that there was some kind of a similarity in the treatment of the Wilson bill in this House when it came from the Senate and the treatment of the Dingley bill when it came here from the Senate. The Dingley bill when it came here with the Senate amendments came before the House of Representatives after a long ten-day session of a conference committee. I had the honor to be a member of that committee. There are now in this House, on the Republican side, three gentlemen who were members of that conference committee. There were five Republicans from the House of Representatives and five from the Senate. Ten of us sat for ten long days in the red-hot weather of July, going over that bill item by item and agreeing at last upon the entire measure—five of us representing the majority of the House of Representatives, all of us from the Ways and Means Committee, and five gentlemen from the Senate representing the Finance Committee of that body. Item by item we took up that bill and perfected it.

Now, then, as to the charge that the increases of duty made in that bill were for a purpose. I do not claim to have had greater intimacy with Mr. Dingley than anybody else had, but I was with him during all that long struggle. I had known him ever since I came into Congress and long before. I never heard him make an intimation that there was a single item of that tariff bill in which the duty was left, for the purpose of reciprocity, higher than it ought to be, except the single item of sugar; and with reference to that he told me, as he told a great many others, that he consented to what he thought an unnecessarily high duty on sugar because, as he said, it was one of the articles which in the long run we might have to use as a matter of reciprocity. And it should be borne in mind that that was six years ago, when the beet-sugar industry had not come forward and developed into its proportions of to-day. Therefore it was that beyond doubt he was looking distinctly to the fact that the cane-sugar product of the country was shrinking, that the beet-sugar product was not increasing, and therefore the enormous importations of sugar into the country suggested to him that we might possibly use that part of the tariff schedules for purposes of reciprocity. I do not know what Mr. Dingley may have said to somebody else. This is all he said to me.

But, going a little further, let me repeat that every item of that bill was agreed upon by the ten gentlemen to whom I have referred. Then it was brought into the House of Representatives, and the conference report—not the action of the Senate, but the action of the conference committee—was voted upon in the possibly hasty manner that the gentleman from Missouri has pointed out. There is no similarity, there is no parity of conditions between the two bills.

Mr. Chairman, I have occupied more time than I intended. I said I would be contented with forty minutes, and I have occupied an hour and thirty minutes.

I hope this measure may be passed. I hope that both sides of this House will stand for a measure which, in my judgment, has been made necessary by the history of the past four years. I was not one of those who voted originally for the conditions that we put into the declaration of war against Spain. I voted here on a yea-and-nay vote four or five times against that provision of the declaration that we would never, never under any circumstances acquire the title to Cuba; but having done so, this nation is bound eternally by that pledge until the action of an independent people, without any coercion from us or any suggestion from us, comes and offers us her partnership in the great galaxy of the States.

We sometimes hear it said that there is no promise on the part of this Government, and that if there has been a promise it was ultra vires and ought not to have been made; but how can we make to the intelligence of the world such an answer as that? Hundreds of us here remember very well when the commissioners from Cuba came to this country and said, "We can not adopt the Platt amendment." How would our friends who are now haggling about this concession like to have the Platt amendment repealed? I would not. I would not turn over the rights that we have upon the island of Cuba for any reasonable consideration on earth. We want the places down there in the Gulf for our naval stations. We desire to protect ourselves against the incursions of disease from those tropical ports. We desire to protect the new Republic of Cuba against the exhaustion of her resources by the contracting of foreign debts and entanglements. We want to be ready for the necessity that may arise at some future day, possibly, of enforcing the Monroe doctrine by our Army and our Navy against any acquisition by any foreign country of the island of Cuba.

So for all these reasons we put forward the Platt amendment. Was it not some concession? It is said that we gave them liberty. That is very true. We gave them liberty and gave them an opportunity to struggle. We did it because we were tired of the outrages that were being perpetrated in that island, and we did it without the solicitation of any organized government of Cuba. We refused to recognize the pretended or so-called Cuban government, and I voted constantly in that direction, and so did this House, on every occasion that it had an opportunity. Now we hold on to the benefits of the Platt amendment and haggle about the little matter of the only thing that they have asked from us.

You remember when those commissioners came here to Washington. Plenty of us remember it. They were escorted to the White House and the War Department and given a great dinner, in which many of our Members joined; and then they went home, and directly upon their arrival at Habana they made a public

statement that they had received an assurance—that is the language—that a trade concession would be made if they would ratify the Platt amendment. That statement was made publicly and published in all the newspapers of the world, and nobody ever denied it. Nobody ever sent out an authoritative statement from the executive department of this Government either that no such promise was made or that it was beyond the power of the Executive. And they went forward and loyally ratified the amendment. And this we are hoping to do for them as a benefit to them, and at the same time the assurance of their friendly trade relation with the United States of America. We will take care of questions of tariff, the revision of the tariff, the reform of the tariff, and all the other questions which our friends on the other side bring when they have had a national convention that shall agree on any topic that we are opposed to. [Applause on the Republican side.]

Pursuant to the leave given by the House to elaborate and extend my remarks upon the particular topics which I discussed in the foregoing speech, I here attach a supplemental letter received from Mr. Secretary Foster after the delivery of my speech:

TOLEDO, OHIO, *November 13, 1903.*

MY DEAR GENERAL: I have your favor of October 30, inclosing a statement printed in the Enquirer of October 21, from Congressman GAINES, of Nashville, Tenn., as follows:

[Special dispatch to the Enquirer.]

SENATOR FORAKER OMITTED A CERTAIN REFERENCE, ACCORDING TO THE TENNESSEAN.

NASHVILLE, TENN., *October 21, 1903.*

Congressman GAINES to-day issued a statement from which the following are excerpts:

"In a speech delivered in Ohio a few days ago, Senator FORAKER appealed to the Republicans to stand as a unit for the Republican nominee in the coming election. He referred to the disastrous condition of the people upon the second advent of Mr. Cleveland to the Presidency, March 4, 1893.

"Usually the distinguished speaker sticks closely to the facts and the record, but when discussing the 'panic of 1893' the Republicans studiously avoid, as Senator FORAKER did in his speech, reference to the indisputable facts which I now relate: 1. That Mr. Secretary Foster, eleven days (March 20, 1890) before Mr. Cleveland was sworn in, March 4, 1893, issued an order for the immediate and swift preparation of bond plates to issue bonds for the purpose of replenishing a deficit in the National Treasury. 2. That this deficit occurred under the Harrison administration, a Republican, the McKinley tariff and the then financial law, the (Sherman) silver act of 1890, enacted by the Republican party. 3. That, carrying out the policy planned by the Harrison Administration, Mr. Cleveland did issue $262,500,000 bonds, which Mr. Harrison was planning to issue eleven days before the end of his Administration, March 4, 1893.

"Everything that was done, or that occurred in this matter, was under Republican laws, while this deficit was inherited from the Harrison Administration by the Cleveland Administration. Whether it was right or wrong for these bonds to be issued is not my purpose to discuss.

"As late as March 24, 1897, the Republicans in the House denied that Secretary Foster issued this order of February 20, 1893, for the making of these bond plates, but on March 25, 1897, I read the original order on file in the office of the Bureau of Engraving and Printing, in Washington City, and the same day procured a certified copy thereof and read it in the House, and I have never heard of its existence being disputed in Congress since, but not so elsewhere."

The statement that I, as Secretary of the Treasury during the closing days of the Harrison Administration, gave an order for the prompt preparation of plates for bonds has been made by many prominent Democrats with the declaration that the bonds prepared from these plates were to be used for the purpose of raising funds to pay a deficit of the Harrison Administration. In some cases they have gone so far as to say the plates were actually prepared and the bonds sold, and in some cases that these very plates had been used by Mr. Carlisle during the Cleveland Administration.

I think Mr. Dockery, of Missouri, read my order, referred to by Mr. GAINES, in the House several years before Mr. GAINES did. Mr. GAINES is in error when he says that March 20, 1897, was the date of my order. He should have stated February 20, 1893. Now, as a matter of fact, there was no deficit in any one year of the Harrison Administration. Not only was there no deficit, but the Harrison Administration decreased the public debt in 1890 $109,294,810.50; 1891, $72,528,822.23; 1892, $48,702,995.37; 1893, $6,001,157.98; total, $236,527,785.10.

The surplus continued until the 30th day of June, 1893, there being for this last year of the Harrison Administration $2,841,674.29, besides paying over nine millions of the public debt in that year.

Now, as to the plates for bonds. The day after the election of Mr. Cleveland, in 1892, I discovered symptoms of alarm throughout the country.

The Democratic party had elected not only the President, but had carried the House and Senate by a comfortable working majority. They had declared for a revenue tariff, which meant a new tariff law under free-trade influences. This was notice to every business man in the country, to every manufacturer, and to every laborer that prices of merchandise and labor must necessarily decline. Gold began to disappear for purposes other than exportation, and it was not long before I became alarmed lest I might not be able to retain the hundred million gold reserve which, by implication of law, I was obliged to maintain.

In this emergency I consulted very freely with Senator Sherman as to my duties. He thoroughly agreed with me that it was my duty to maintain this gold reserve at any cost. In passing, however, I may be permitted to say that many leading Republicans advised me to do nothing about it, let matters drift as they may, that the Democrats had brought this condition upon the country and let them take care of it. Feeling, as I did, that it was my duty to maintain this gold reserve of one hundred millions, I consulted with bankers who consented to buy fifty millions of bonds, to be paid for in gold, ten millions weekly. The payments being thus made, it will be seen that part of the execution of the contract would devolve upon my successor, and the purchasers of the bonds desired his approval and agreement to execute the contract so far as it related to him.

In this emergency, having a high opinion of Senator GORMAN and with pleasant personal relations, I called upon him and stated the situation, saying that I had made up my mind to do in this matter what I would do if I was to be continued in office. I was determined to maintain the hundred million gold reserve intact. I told him that the bankers desired the approval of the incoming Secretary, Mr. Carlisle, to an agreement if it was made. He complimented me for doing a patriotic and wise thing and at once sent a messenger to Mr. Carlisle. Mr. Carlisle seemed pleased with what I proposed to do and very promptly agreed to execute that part of the contract which might come to him, and the next day went to see Mr. Cleveland and got his approval. Now, the only bonds available at that time were those authorized under the resumption act of 1875, all running a long time with high rates of interest.

Mr. Sherman, knowing my purposes, and, as I always presumed, to aid me, introduced in the Senate on the 20th of February an amendment to an appropriation bill authorizing the issue of a 3 per cent short-time bond. Mr. Carlisle approved Mr. Sherman's amendment. It passed the Senate, I think, on the 22d of February, perhaps later, and with few dissenting votes; I think not to exceed 10. Upon its passage I assumed that it would pass the House. This new bond was a better bond for Government purposes than the old resumption act bond. Fearing that I would have to dispose of bonds to maintain the gold reserve, and I wanted the use of these bonds, I gave an order for the preparation of plates for these proposed new bonds. To my great surprise the House refused to concur, and this amendment failed to pass. No plates for bonds were prepared. Fortunately I managed to maintain the gold reserve and turn over to my successor more than $100,000,000 in gold.

To sum up, then, not only was there no deficit in any one year of the Harrison Administration, but it decreased the public debt by over $236,000,000 and also paid over $33,000,000 in premiums, and had on the 1st of July, three months after Mr. Cleveland came into office, a surplus of over $2,000,000. No plates for bonds were printed, but the Democrats parade the order I gave to prepare plates, and charge falsely that a deficit existed.

During the Harrison Administration the country was prosperous, and this prosperity would have continued had the Republican party continued in power. The revenue and the gold reserve both would have increased, and prosperity would have been general throughout the country. The disaster that followed Cleveland's election was due to two causes—revenue reform and the known general inability of the Democratic party.

Yours, truly,

C. FOSTER.

Hon. CHARLES H. GROSVENOR,
Washington, D. C.

The CHAIRMAN. The gentleman from Alabama [Mr. RICHARDSON] has been recognized for thirty minutes.

Mr. RICHARDSON of Alabama. Mr. Chairman, I shall hardly occupy the attention of the committee for the length of time allowed me, but in the remarks I make I propose as well as I can, from a practical, common-sense standpoint, to state in part at least some of my reasons for supporting this bill.

I believe, Mr. Chairman, that the bill, as far as it goes, is a good bill in the matter of the reduction of the duties and the restrictions on commerce and trade between this Government and the island of Cuba. How far it should go, or how far it could go, I will not undertake to discuss. I shall undertake to present my views on the bill as I find it. The President of the United States, in his message to Congress recently, said that "the bill stands by itself." So it does. Yet it may invite company. Mr. Chairman, from a Democratic standpoint—and I propose to discuss this bill alone from that standpoint—I say from a Democratic standpoint this bill is an important and far-reaching step in the direction of freer and enlarged trade. I know I have a few Democratic friends around me who honestly and sincerely differ with me in that construction. I have the highest regard for their convictions. I have no criticisms to pass upon them. They are entitled to their convictions, just as I am to mine.

Nor am I concerned, Mr. Chairman, in discussing this bill, about the distinguished gentleman from Michigan [Mr. WM. ALDEN SMITH] and the 59 gentlemen who were associated with him in the last Congress when a similar bill to this was under discussion and who were classed then as "insurgents." I have no concern, I say, whether the gentleman from New York [Mr. PAYNE] and the gentleman from Pennsylvania [Mr. DALZELL] on the one hand and on the other Mr. SMITH and his fellow "insurgents" put the right construction on the meaning of Republican reciprocity. I know also that the President of the United States in his late message to Congress tersely said this bill "hurts no industry," and in reply to that statement made by the President of the United States the American Economist, the mouthpiece of the National Tariff League, said it was a "dogmatic assertion." All that I know, as a Democrat, of this bill is that directly in effect it revises and reduces the duties of one of those solemn and sacred schedules in the Dingley tariff bill. No man can deny that. I know, also, that a strong, brave editorial, which I hold in my hand, in the American Economist, a tariff league paper, has notified President Roosevelt that Republican sentiment would not sustain him in this policy.

The gentleman from New York [Mr. PAYNE] admitted that this bill reduces the revenues under the Dingley law some five or six million dollars. It is largely on sugar. That is enough for me as a Democrat to know. I do not care how it is brought about. I do not care whether you call it Republican reciprocity or not. This is not a matter of concern to me, and it ought not to be to my brother Democrats. It is a fact that it is an assault directly upon a most sacred schedule of the Dingley tariff law and reduces it, a thing that we have been contending for for a long time. What promises the President has made to Cuba that brought about this bill I do not know. It certainly has made a commotion in his own party outside of Congress. I am not concerned particularly as to what kind of friction it gets up among other nations on the tariff law by the discriminations made. That is not our concern right now, and we will meet the situation as prudent

tariff reformers when it comes up. The turmoil and strife that it is predicted will arise with other nations by reason of the discrimination we make in this bill against their products is not of Democratic making, but we can readily understand how such a condition would bring about further tariff reduction, which is of interest to the masses of the people, who are feeling and becoming restless and discontented under the burdens of oppressive taxation imposed by monopolies.

Mr. Chairman, that feature I desire to speak about principally in this bill is this: I say that there is something more and some other interests in this bill than that of sugar. I know the whole argument has been made on the other side of the House, and the Democratic objection to the bill chiefly has been placed upon the ground that it reduces the price of sugar. I am in sympathy with those gentlemen; but the fact is, Mr. Chairman, and it becomes me to say so, that sugar is not the only great interest that is involved in and affected by this bill. The time has come when the South must speak out for its trade interests. Everyone who is informed at all upon the proper development of this country admits and knows that the South to-day stands upon the threshold of a wealth and prosperity unequaled by the most favored section of the world. We all, from all sections of the Union, should rejoice to know this. We are simply reaching out after what God has given us. What is the great factor that is entering into and pushing forward this marvelous growth of the South? What is the great motive power that is creating such a hope of early fruition of wealth and prosperity in the South's near future?

Why, Mr Chairman, it is our cotton interests. Who can deny it? What does the South need to-day? I put it to Representatives on this floor who come from the cotton-growing States of the South. What do we need to-day above all things else? It is an enlarged trade and market for our products, and especially our cotton products. We can anticipate our growth in the great cotton interests, but what we most need is freer trade, so as to enlarge our commerce in foreign markets. What does this bill do? I read, Mr. Chairman, in Schedule C, that there is to be "a reduction of 40 per cent on manufactures of cotton knitted and all manufactures of cotton not included in the preceding schedules."] The preceding schedule includes cotton and the manufactures thereof at 30 per cent reduction. Boots, shoes, and window glass are admitted under same reduction. What is the South doing, I ask you, on that line? This is a practical business matter, and as such we should consider it. It is idle for one to tell me it is a Republican measure. The Democratic party has passed the day that it is a party of obstruction. This bill proposes to give 40 per cent reduction to our cotton manufactures in this trade in Cuba, lying on the line along our southern coast. Even if we should not send our cotton products to Cuba, yet the bill asserts a policy that the South requires.

Why, Mr. Chairman, in 1891 England had 45,000,000 cotton spindles, New England, or the North, had 13,250,000 cotton spindles, and the South in 1891 had not quite 2,000,000 cotton spindles. How does the account stand to-day? Since 1891 England has increased her cotton spindles 1,650,000. New England, or the North, has increased her cotton spindles 1,800,000. What has the South done? It behooves us who represent that great interest to think what progress, what development, and what increase and improvement the South has made in those two years. Let us try to understand her potentialities and her possibilities, so that we can better represent her interests. She has increased her spindles 6,200,000—more than three times as much as both Great Britain and New England.

What else do we find? Why, Mr. Chairman, I find in this connection that there are 29 new cotton mills in process of construction at this time in the South. What else do I find? That there are 110,000,000 cotton spindles in the world. The South, as I have just stated, has 8,200,000, New England has 15,050,000, England 46,650,000 of these spindles, and the South produces 76 per cent of the cotton that runs the cotton spindles of the world. What does that mean? What sane man can stand and look at such figures and not see what it means? It means the coming commercial supremacy of the South. Do you suppose that the men of the South, aided by the men of the North who have come South and put their money into cotton mills, are going to stand still and fold their arms and do nothing more? Why, no. They are being joined now daily by thousands of enterprising, thrifty men who realize the great advantages the South has in its manufacturing interests, and they are investing their money there. A cordial welcome awaits all. To-day we are manufacturing in our own mills more than one-half of the cotton produced in the South. We mention this without realizing the prodigious growth it speaks for. What the South needs is to know what we have. Then we will get what we need. We want technical schools, and we intend to have them soon. Twenty years ago we did not manufacture 10 per cent of our cotton or thereabouts. Now, Mr. Chairman, what is our real, substantial hope? Why it is—and I think we have not unreasonably calculated upon it, judging from what has been done in the past—that we will have in the South 50,000,000 cotton spindles in the course of twenty years at furthest. We should not forget that the growth of the South was hampered and obstructed by most unfavorable and distressing conditions. We rested, we may say, until 1880 under the frown, distrust, and suspicion of financial men. Our own people, with a pluck and energy never equaled in the history of the world, bravely met all troubles and demonstrated the undeveloped wealth of the South.

We produce the raw cotton; it is ours, and it is cheaper and easier to manufacture it there. The climatic conditions for the culture of cotton in the South are not equaled by any section of the world. Why, in my own town, in the great valley of the Tennessee, an estimate was made but a few days ago of the value of the output of the cotton mills of that one place for the past twelve months. It was $4,750,000. This bill proposes to open the markets of the Republic of Cuba to that wonderful product, reducing the duty 40 per cent, and inviting larger trade on that line. It is strange—strange to me that anyone should object to this. Is there any surprise that we should support the bill? I am not unfriendly to sugar in any way, shape, or form. The South has always stood by that great industry. But, Mr. Chairman, when I see that a bill like this proposes to reduce 40 per cent upon the tariff duty of the product that the South relies upon more than anything else I give it my hearty support. I believe that what the South needs to-day more than anything else is a freer and enlarged facilities for foreign trade, and that is why we stand by and support the construction of an isthmian canal. [Applause.]

I admit, Mr. Chairman, that I am intensely a southern man, and I believe that the day is not far distant in the future when southern commercial supremacy will prevail in our country, and when that day comes no one hopes more than I do, or believes more sincerely than I do, that it will add to the glory, the credit, and the power of the American Union. [Applause.] I am not southern on narrow lines, with close-fisted, mean, sneaking, sectional views; I am southern, Mr. Chairman, just like any man ought to be who loves the people among whom he was born and reared—who loves and honors their traditions and memories; just like any true man, North or South, who loves the people of his own home. I yearn to see the South occupy the position in the American Union that she is entitled to. The clouds are drifting away, and the South is coming—coming. Without that feeling of love for your home and your native people you strike down the strongest factor of patriotism. [Applause.]

Now, Mr. Chairman, one step further. In 1880—and we ought all to be proud of this—in 1880 the capital invested in manufactures in the South amounted to $257,244,564. In 1900 that same capital had increased to $1,153,000,268, or an increase of 348 per cent. In 1880 the value of the manufactures produced in the South amounted to $457,454,777. In 1900 the same value had increased to $1,205,188,400, or a gain of 220 per cent. These figures are almost incomprehensible because they are so large. They are correct, because they are taken from the Manufacturers' Record.

I could stand here, Mr. Chairman, for hours and give the statistics as to the growth and increase of the South in other respects, for the same remarkable growth has taken place in our agricultural interests as well as in our mineral matters. I refer to this simply because this convention which this bill is to carry into effect has in its Schedule C the reduction of 40 per cent that I have referred to. That certainly is an important matter to the cotton interests of the South. No man could possibly deny it. And, Mr. Chairman, I say that I will gladly support it, because I am in favor of a prudent, conservative, commercial expansion. I favor increasing the demand for our products on all lines.

Why, it is easily to be calculated that it will be but a few years before the South will manufacture in her own mills every bale of cotton that she produces. What is going to be the result? Isn't it a subject for thought and consideration? We are taking a step in that direction. What will be the result in the South when she manufactures in her own mills every bale of cotton that she produces? The world will demand a larger crop of cotton, probably a crop of 18,000,000 bales will be demanded, and there is no limit to the capacity of the South to produce cotton. There is no danger about that. I read this morning where a lot of colored people had been carried by some philanthropists to a certain place in Liberia for the purpose of making a success of the cultivation of cotton. Fifty-six were carried there. They all came from the State of Georgia. Nine of them came back, wan, weary, and poverty stricken, and the rest were left in their graves in the soil of Liberia. Our climate in the South is well adapted to the culture of cotton, and no laborer for its culture can compare to the negro. The soil is adapted to the cultivation and growth of cotton, and the fact is that it pays our people better than any other crop. Diversified crops will not interfere with cotton.

Many people thought when slavery was abolished the real

scepter in the hand of King Cotton would be broken; but it has not been so. The crops have increased and all is going along merrily and well with us to-day. But, Mr. Chairman, I say we ought to provide, and we are going to provide, wider and more enlarged markets for this product. Self-interest is the controlling consideration in the affairs of this life, and was planted by the hand of nature in every man's bosom. I say that we are going to provide the outlet for our trade, for our extending and expanding trade, looking to the fact that in the early future the South will manufacture every bale of cotton that it now produces. This is no wild, idle figure of a dream.

Mr. Chairman, I believe, further than that, that with the conditions that are surrounding us and the facts that are before us to-day that rarely hereafter in the South will we see cotton at a less price than 10 cents a pound. How are we going to provide for these things? It must be by a reasonable, sensible, practical commercial arrangement with foreign markets. This bill is a splendid step in that direction. It proposes a reduction of 40 per cent. Some one may say that our cotton products and our knitted goods will not go there. But they can go there and they will go there, if they have not been going there already. They will go when they realize that this 40 per cent is given to them in the way of a reduction. I have thus, Mr. Chairman, devoted most of the time allowed me to this cotton schedule because of its great importance to our section.

Mr. Chairman, the distinguished gentleman from Ohio [Mr. GROSVENOR] has referred with cordial indorsement to the sentiments expressed by our minority leader, the gentleman from Mississippi [Mr. WILLIAMS]. For one I say that I cordially agree with Mr. WILLIAMS in the definition that he gives of the position that the Democratic party takes upon the question of revising and reducing the tariff. We are no free-trade party; no one can make us that. What we want to do is to revise and reduce and regulate the tariff along such reasonable, practical, business lines, preserving always a due, proper, and substantial regard for the industries of our own country and preventing monopoly, and fostering fair, just, and reasonable competition in trade. We want an honest and economical administration of our affairs. I want to say the time is coming, and I believe it is coming rapidly, and I believe that the sentiment is prevailing throughout the great Northwest, when the utensils for the farm, implements and otherwise, made in this country by certain great trust combines and sold cheaper in Europe than they are sold to our own farmers will be stopped. We know that, after paying the cost of transportation across the waters, as they do, they take the harvester, the reaping machines, hoes, and the shovels that the farmer uses and sell them at from 25 to 50 per cent cheaper in Europe than they sell them to our own farmers. No man can fairly contend that that is right or that it ought to be submitted to any longer, and the people of this country, as they did in France and England many years ago, will sooner or later rise up and rebuke the authors of that wrong. I am glad to read in the speech made yesterday by the gentleman from Minnesota [Mr. STEVENS] the following where he says:

> I believe just as squarely in the Republican doctrine of protection as any man on this side of the House. But I believe that the time will be near at hand when a reduction must be made in some of our tariff schedules which are admitted to be excessive, such as those of iron and steel, glass, lumber, pulp, pottery, and the like.

That sentiment, Mr. Chairman, is growing. No man can possibly deny it. We may talk about the danger of knocking down the first brick in a line for fear that all of the bricks will fall, but the time is coming, yes, is with us now, when, if the Republican party refuses, as it has refused and will continue to refuse, to alter these schedules which Mr. STEVENS and others say are unjust and oppressive, the people will rise up and place in power the party that will alter them—the Democratic party. [Applause.]

As an evidence of the discontent among the masses I quote the following from the Chicago Inter Ocean, a stalwart Republican journal:

> Our recent prosperity has not been universal. Organized capital has prospered, in spite of recent reverses. So has organized labor. Various circumstances have enabled the food producers to prosper notably, but between and under these divisions is an unorganized majority of average men whom every success of a trust or of a labor union compels to spend more out of practically stationary incomes, and which has suffered most from the recent reverses of organized capital. This is why the average man is uneasy.

Now, while I am an earnest advocate of this bill for the feature that I have just indicated, but which has not been discussed on this floor at all, namely, the cotton interests, yet I believe there is another view and feature of it that certainly challenges my attention and my support. I think there is something in the "sentimental" part of life just as there is in the honorable or the legal. You take from life the sentimental, and I say that you strike down that which inspires the human heart with the promptings of patriotism; you strike down that element in man which makes him love the softly flowing rhythmical verses of the poet and the beautiful carols of song birds; you strike down that sentiment that makes us listen in the silence of rapt admiration to the murmur of rills and brooks that leap from the mountain sides and flow into the valleys to make the rivers. Take away from man sentiment, and his path is beset by many shady transactions in private and public life. I say there is as much sentiment in this matter of what we should do for Cuba as in any public question to which it has been my pleasure to give attention. When I think of Cuba, or when I speak of Cuba, I do not think and speak of it as a territory or a land thousands of miles away. I think of it and speak of it as a land and a country that is near me—swept by gentle and fragrant breezes—upon which I can lay my hand when I stretch it out just across a strip of water. I think of it as the Queen of the Antilles, crowned with heroic memories. I remember that the fathers of our country had a longing eye for Cuba. I am not going to discuss what I believe to have been the mistakes made about Cuba. That is not becoming and will do no good at this time.

I am aware, Mr. Chairman, what our Government has done for Cuba. I know that we have given them liberty and independence, and in doing that we have sacrificed thousands of valuable American lives and millions of money. I know, also, that we have relieved Cuba of a large and burdensome debt that cormorants of Spain had fastened upon her, and we have done, as a nation, many more things for them, but yet our duty to Cuba is not ended. I recall the patriotic resolution on the 18th of April, 1898, wherein it was said that the people of Cuba ought to be free and independent. I do not hesitate to say that that resolution, in its broad spirit, would have been literally complied with had we offered to the people of Cuba the blessings and liberty of American statehood. Who could have criticised as to sincerity or duplicity if we had given to Cuba the form of government that through trials of bloodshed and tribulations has taken us more than a century and a quarter to establish and perfect? It is a fact that every patriotic American is bound to admit, that it would not be wise and prudent for our Government to permit any form of government on the island of Cuba that could, in the exercise of its sovereignty, become a menace or a trouble to our republican institutions. The strategic position the island holds as to the Gulf of Mexico is of vast importance to our country. Under all these circumstances it behooves us to cultivate and foster the most friendly and cordial relations with the Republic of Cuba. Let us extend to them a helping hand. We can best do that by establishing the freest relations of trade and commerce between the island and our country. To do this we more directly appeal to the heart and love of Cuba than anything else. It is the road that leads, in my opinion, direct to what we all want to see—the annexation of Cuba to this country. We would not accomplish this by unworthy means or by anything that approximates to moral coercion. When Cuba comes to us, as I believe she will, let her come of her own free will and accord. Let us place no mark of dishonor upon our national escutcheon by unfair treatment to our sister Republic. [Applause.]

Mr. FORDNEY. Mr. Chairman, I yield twenty minutes of my time to the gentleman from Michigan [Mr. LOUD].

The CHAIRMAN. The gentleman from Michigan [Mr. LOUD] is recognized for twenty minutes.

Mr. LOUD. Mr. Chairman, I would that it were possible for me as a new Member to follow the unwritten precedent of this body, that I might remain in my seat and drink in the wisdom of those older in service.

To remain silent, however, at such a time as this would be disloyal and unfaithful to those who sent me here and cowardly to my own convictions.

I represent, in Michigan, a district 200 miles in length and 100 miles in width, made up of fifteen agricultural counties.

Only a few years ago the lumbering industry was paramount in this part of Michigan; but now, the timber largely removed, the settlers or farmers have taken up the lands, and by their industry and energy the forests have been replaced by fertile farms.

To say that our interests are now agricultural is an assertion of importance.

On the walls of our magnificent Congressional Library we find many trite sayings full of thought and wisdom. Among them there is none more axiomatic than this quotation from Andrew Jackson:

> The agricultural interest of the country is connected with every other, and superior in importance to them all.

There is no interest which demands more careful consideration at our hands than that of agriculture.

When, a few years ago, it was found that a new product—beet sugar—was possible to us, the Republican party, quickly recognizing its importance, applied the life-giving principle of protection. The St. Louis platform of the Republican party (June 18,

1896) has this declaration, upon which capital could rely as a basis of investment in this sugar industry:

We condemn the present Democratic Administration for not keeping faith with the sugar producers of this country. The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than $100,000,000 annually.

That protection was needed there is no doubt.

Tropical Cuba has the richest soil known in all the world; the sugar cane needs replanting but once in ten to fifteen years; labor is cheap and content to live in a shack or hut worth not more than $10—a laborer with clothing not exceeding a dollar in value, content to live on a little rice, lentils, salt fish, and fruit. Surely our well-housed, well-fed, well-clothed, and well-paid American laborer could not compete on even terms with such conditions as these.

The protection so promised and so given by the provisions of the Dingley bill on the instant when the Republican party returned to power in 1897 has harmed no one, for sugar is as cheap to the consumer to-day as it has been on the average for the past ten years. Indeed, for the past three years granulated sugar has been one-half cent per pound cheaper than it was in the four years immediately preceding. While this protection harmed no one, it was a benefit to the thousands who entered this new field of industry. It has been thus far a grand industry for our country, for since that plank was inserted in our party platform, in 1896, we will have produced at the close of this year over 816,000 tons of beet sugar, paying out in its production to American labor (at 4½ cents per pound) upward of $82,250,000, which, with the cost of the 55 factories now in operation—$36,500,000—makes a total of $118,750,000, most of which has been paid out to our own farmers and to our own workmen. Our present factories require to operate them 13,000 laborers, and to grow the beets required, 65,000 laborers on the farms, or a total of 78,000 laborers employed. There are a great many more farmers in the United States to be hurt than there are planters in Cuba to be benefited by this change in tariff proposed. Twenty of these factories are located in my own State of Michigan, five of them within the district which I represent.

It is difficult for the people in my district and in my State who are engaged in this industry to understand why it is necessary at this time to tamper with the protective conditions which up to this time have proved so successful not only to themselves, but to the whole country as well. Were it the Democratic party and free-trade theorists who were about to alter these successful conditions it would be easy to understand; but for this proposed violation of faith from our own party, who made us such promises as those contained in the St. Louis platform, we can not discover a justifiable cause, and we protest against it.

You tell us reciprocity with Cuba is desired, and is this your idea of reciprocity? We do not believe those great statesmen of the past, James G. Blaine or William McKinley, would sanction such reciprocity as this. The foundation of the reciprocity idea as laid down by Mr. Blaine and repeated in our national platform of 1900 can not be misunderstood. "We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce." We do produce sugar, and we want no reciprocity which gives or intends to give aid to our Cuban competitor in this very industry which we have labored so vigorously to establish.

IS IT NECESSARY?

Two years ago the reason urged for this same measure being passed was charity, for it was contended that the Cubans were in dire poverty, and their sugar industry would be surely ruined if we did not aid them by lowering our rate of duty. Charity is no longer urged; indeed, it was abandoned in the opening speech by the gentleman from New York [Mr. PAYNE]; neither is ruin to Cuban sugar interests discussed, but the cause now urged for this strange sample of reciprocity is our "duty to Cuba."

It is rumored that by some one, we know not whom, some intimation, hardly a promise, was made to Cuba.

We know of no one authorized to make either vague or definite promises binding upon this Congress or the American people. We believe that no promise by any person or persons duly authorized has ever been made to Cuba which can now be urged as a basis for a 20 per cent reduction in our import duty on sugar.

WILL IT BENEFIT CUBA?

To what extent will a 20 per cent reduction of our import duty on sugar benefit the sugar producers in Cuba? Taking our importation of sugar from Cuba last year as a basis, the 20 per cent reduction in duty will make a saving to the importer of $8,073,597.97. All sugar being imported by the sugar trust, this sum of over $8,000,000 is primarily theirs, and you will have legislated this great sum safely into the capacious pockets of the sugar trust. Do you claim that the trust will advance the price of raw sugar in its sympathy for Cuba? It is well known to all who have heard this subject discussed that the price of raw sugar is controlled and fixed in Hamburg. From what course of reasoning are we led to expect that the sugar trust will raise the current price fixed in Hamburg? If in some mysterious way your proposed action should cause the price of raw sugar to advance, a portion of this eight millions, say one-half, may perhaps escape from the trust and arrive in Cuba. This portion of perhaps four millions will then be controlled primarily by the owners of the centrales, the Cuban sugar manufacturers. If they advance the price of sugar or sugar cane to the estate owners, the estate owners may then get, perhaps, one-half of the four millions, or $2,000,000. If the estate owner sees fit to advance the wages of his laborers a little, then the laborers of Cuba may get from this 20 per cent reduction of duty on sugar perhaps a little benefit, of say, $1,000,000, and that seems to be about all the benefit the Cubans can derive from it.

IS IT GOOD POLICY FOR US?

We note that the total imports from all countries into Cuba in 1902 were $60,584,000 (381). Total imports into Cuba from United States for 1902, $25,000,000 (about 42 per cent of the whole).

If reciprocity meets all your hopes, our imports into Cuba can not increase over $25,000,000, or double what they are now. The possible profit on this amount of business can not exceed $5,000,000.

To sum the matter up, we believe:

First. To obtain this $5,000,000 we will jeopardize our home sugar industry, amounting in the past year to $88,600,000 (p. 121, report 74)—475,463 tons sugar produced in United States, at 4 cents, is $42,601,484.80; 514,000 tons from dependencies is $46,054,400; total, $88,655,884.80.

Second. We will retard the present rapid growth of our home sugar production or stop its growth completely from a lack of confidence in the proposed conditions. Business confidence is a wary bird and scares easily. You scare one and the whole flock flies away.

Third. We will lessen our United States revenues by the 20 per cent reduction in duty by over $8,000,000 on sugar, with $2,000,000 on tobacco and other imports, or a total of $10,000,000, with the probability of a loss of $1,500,000 per year additional United States revenue from alcohol now distilled from refuse of sugar factories.

As a business proposition it seems to be taking unreasonable chances to secure only $5,000,000 as a net result. The fable of the dog and the bone repeats itself. To secure a $5,000,000 bone, we lose $10,000,000 United States revenue, and perhaps a portion or all of the $88,000,000 we now have firmly in our grasp.

I do not assert that this measure will ruin the sugar industry of the United States, but I do know it will not help it. I know it will surely retard its growth. The beet-sugar producers of the United States believe this measure is but the entering wedge, and that further reductions in the tariff will follow later, to the complete ruin of our beet-sugar industry. The building contractors for beet-sugar factory machinery, while they completed nine new factories last year, have no new orders on hand to-day, because of the agitation of this proposed measure.

This young and healthy industry stands as one threatened with a surgical operation. It may sound well for you spectators to assert that it will not hurt, but if no good or adequate result is expected, the patient has good reason to shrink from the cut of the knife and protest against the operation. Your assertion that the operation is for the good of the family gives us no comfort.

FINALLY, IS IT OUR DUTY?

There was a time when we had a "duty to Cuba." The whole nation realized it. That duty was to free Cuba from the galling yoke of Spanish cruelty and oppression. Our nation engaged in war with Spain with no cause of our own, but solely to give freedom to others. A sacred declaration was made that we would not seek to acquire Cuban territory.

By other nations that declaration was scoffed at and ridiculed as an impossible and unheard-of proposition.

The fulfillment of that declaration, the keeping our faith with and the doing of our "duty to Cuba," will be a page in our nation's history which our children will read with pride. And at what a cost was this duty performed? No one knows better what it cost than our Chief Executive, who, in leading his men up San Juan Hill, was the admired and idolized soldier of that hour.

The flower of our young manhood gave their lives to the cause. Lawton, Capron, Fish, Tiffany, and hundreds more shed their blood or gave their lives to maintain our honor and to keep the trust.

Our Congress freely voted the moneys to maintain our Army and Navy, and never were war taxes more willingly paid by the people of any nation. Three hundred million dollars it cost us to keep the faith and to do our duty to Cuba.

The war over, the victory won, for a short time we acted as Cuba's guardian, purifying her cities, guarding her sanitation, and making the island indeed both healthful and attractive; and

then, a stable government assured to them, we withdrew our flag and our troops, and a new nation was made by us—the independent Republic of Cuba. If, after this blood-bought freedom and independence which we have given to Cuba, a duty still remains, I believe it to be solely a paternal duty.

If Cuba needs help as our ward, it is our duty to help her. If money is needed, Michigan will gladly pay its portion.

If 20 per cent reduction in duties of $10,000,000 must be annually given, it should go in some way directly to Cuba, and not be placed in the pockets of the sugar trust, as your measure in effect provides. It is with the greatest regret that I am unable to agree with the President in this measure. I am a Republican; I believe in Republican principles; I believe in protection to American products and to American industries; I believe in true reciprocity, but I do not believe in reciprocity that stifles the life or the growth of any American industry.

I yield to no one here present in my admiration for and loyalty to President Roosevelt. As a citizen, as a soldier, or as President I love and respect him. I feel certain, however, if he represented the Tenth district of Michigan, or any other district in which this new industry has gained a foothold, in this Fifty-eighth Congress to-day he would with all his strenuous nature and with all his magnificent ability oppose this measure. [Loud applause on the Republican side.]

Mr. FORDNEY. Mr. Chairman, I yield five minutes to my colleague [Mr. MCMORRAN].

Mr. MCMORRAN. Mr. Chairman, I come from the State of Michigan, a beet-sugar State, a State that is always found rolling up large majorities, and that in the last election gave a majority of about 80,000 in favor of protection to every American industry and destruction to none.

I find here to-day a novel condition confronting me. I find our Republican colleagues working hand in hand with our Democratic friends on the other side in an endeavor to pass a bill, known as the Cuban treaty bill, which is in itself a measure in favor of free trade or a tariff for revenue only. It is contrary to the principles of Republican policy. It is wrong. It is an injury to every American industry, and I can not understand how our friends, the Democrats, on the other side of the House have either psychologized, entrapped, or converted the majority of my colleagues on this side to the theory of free trade. [Applause.] Gentlemen, if the people of this country understood thoroughly the workings of the present Cuban treaty and its effects, especially upon the agricultural interests of this country, they would be up in arms and they would be condemning the Republican party for advocating any measure that would destroy any American industry, no matter how small.

A good deal has been said here about our duty and our pledged honor to Cuba. But nothing has been said yet that I have heard as to who had any right to pledge our nation to any further duty to Cuba. Our first duty is to American citizens, to American industries, and American labor. If Cuba is in an enfeebled condition and needs our help, would it not be much more honorable on our part to contribute as a nation, as a whole, instead of striking a blow at our feeble sugar industry? While the passage of this bill by this House of Representatives may not destroy the factories that are at present in existence, it will have the effect to prevent the building of any more factories in this country. It will deprive American farmers of the advantages already accruing from their sugar beets. It is all wrong, the principle is wrong, and it brings into notice a remark made by some gentleman on the other side of the House yesterday, the gentleman from Missouri [Mr. CLARK], I think, who said that in two years from to-day they were going to control this House of Representatives and that they were going to elect the next President. Now, that impression may have been brought about on the theory that the Republicans were working here hand and heart with the Democrats and voting for a treaty that was going to carry into effect the destruction of the American sugar industry, and carry out the Democratic theory of free trade or tariff for revenue only.

Mr. Chairman, I want it distinctly understood that the gentleman from Missouri [Mr. CLARK] is laboring under a serious misapprehension, and that although my colleagues here may have been entrapped into voting for a treaty that is prejudicial to the best interests of American industry, yet when the next election comes around they will find the Republicans all arm in arm walking up and electing a Republican President who will be in favor of supporting and maintaining every American industry. And I want to go further. I want to see the walls of protection around this country built up so strong that every agricultural product and every manufactured article may be carried to foreign shores in American ships, manned by American sailors, and constructed by American shipbuilders. [Prolonged applause on the Republican side.]

Mr. FORDNEY. Mr. Chairman, I regret exceedingly that the majority of the Republicans of this House do not share my views on this matter. I am opposed to it. First, because I believe if put into law it will be most harmful to the agricultural interests of this country as well as to the laboring man. Second, I am opposed to the measure because I believe it is a wide departure from Republican doctrines. Third, I am opposed to it because I know of no industry or interest, manufacturing or otherwise, with one exception, in this country that is demanding it, and that one exception is the American sugar refiners. I say without any exception I know of no other interest demanding it.

First, Mr. Chairman, I want to call the attention of the gentlemen present to the magnitude of that magnificent industry in the State which I have the honor to represent in this House.

In 1898 the first factory was built in the State of Michigan, and produced that year 5,685 tons of sugar; in 1899 we had 9 factories in operation, which produced 11,596 tons of sugar; in 1900 we had 10 factories, which produced 26,821 tons of sugar; in 1901 we had 13 factories, which produced 62,798 tons of sugar; in 1902 we had 16 factories, which produced 87,500 tons of sugar, and in 1903 the estimated crop for this year, with 20 factories in operation, will produce 112,500 tons of sugar. The growth of production from that young industry in the State within five years is from 5,685 tons to the enormous sum of 112,500 tons.

Further, I may say that the money paid by the owners of the factories to the farmers for their crop of beets this year, together with the money that will be paid for labor to convert the beets into sugar, amounts to the magnificent sum of about $9,000,000.

Some one has said here that the present duty of $1.68¾ per 100 pounds on raw sugar of 96 per cent test was too high. The gentleman from Ohio [Mr. GROSVENOR] said to-day that if that duty had been placed there too high on purpose, with the intention of reducing it later, it would be unfair to the capital induced to go into the sugar-manufacturing business to afterwards reduce it. Let me say to you, no matter what the intentions of the gentlemen were who put that amount of duty in the Dingley bill, it is a further fact that American capital is in the business now. You did induce capital to invest in that industry by placing the duty at $1.68¾—capital invested on the strength of that protection to the industry—and started it to going, and you are now going to injure these people by reducing it 20 per cent. Let me say to you, my friends, that this bill, if enacted into law, will in no way affect the industry in the State of Michigan, except at the will of the great sugar trust of this country. If they do not see fit—if the time is not opportune, in their judgment—before the expiration of the limit fixed in this measure to reduce the price of sugar to a point below where it will be profitable to the people to grow beets in Michigan, they will not put it into effect, and therefore this industry will not be hurt; but if the time comes that they think that the oncoming of this beet-sugar industry, which is their most dangerous competitor, should be stopped, you may bank the last cent you have on earth that they will put it into operation and reduce the price of sugar on our market below the price where the people engaged in that industry will be able to manufacture at a profit, and crush out the industry.

Again, you will find next day Mr. Havemeyer at the old stand doing business in the same way, with the price of sugar fixed for the consumer of this country at 6 or 7 cents per pound. That is what you will find; that is what you will make it possible for the sugar trust to do. This reduction in price to the consumer will not be made unless it is in the interest of the American Sugar Refining Company to wipe out competition. Some one has said that it makes no difference to the sugar trust whether you put this measure into law or not. If that be so, why was Mr. E. F. Atkins, of Boston, here nearly two years ago? Why was that old, greasy, dirty, stagnated lobbyist, Thurber, from New York, here sneaking around this Capitol ever since I have been in Congress, who, when put under oath, admitted that he was paid by the sugar trust and hypocritically stated when before the Committee on Ways and Means, when the gentleman from Minnesota [Mr. TAWNEY] asked him if he had received any money from Havemeyer, of the sugar trust, in any way, shape, or manner said, "No," but a few days later, when placed upon oath, testified that he had received money from Havemeyer, and also testified that he had received money directly from Major-General Wood, military governor of Cuba.

Those gentlemen that were here clamoring for Cuban reciprocity claimed that within the next thirty days from that time, which was the 15th day of January, 1902, unless some relief was given to Cuba in the way of a reduction of duty, there would be a panic such as had never been witnessed in any country on the face of the earth. Were they correct? Not one word do you hear of such nonsense now, not even in the message from the President. [Laughter.] Major Wood, while he had the Cuban treasury behind him, was a strong advocate of Cuban reciprocity. It was proven that he extracted from those "poor, half-clothed creatures" down in Cuba $20,000 or thereabout that he paid to this man—oh, I don't know what term would most fit him—this Thurber from

New York; $20,000 to come here to this Capitol and influence legislation. Oh, how unmeritorious such action by a high government official. I want to criticise it. Claiming that the Cubans were suffering, starving to death, that they would have a panic in thirty days, and yet reaching his long fingers into the Cuban treasury and handing out $20,000 to this greasy, good-for-nothing, hairless whelp! [Laughter.]

We find the ex-lieutenant-governor of the State of Missouri testifying that he also favored Cuban reciprocity after receiving a check from Mr. Havemeyer of $1,000. When he was hauled over the coals for favoring legislation for the making of candy in their State legislature, when accused of accepting a bribe from Mr. Havemeyer for that measure, he says: "No, it was not for candy; it was for sugar. That was what it was."

The chairman of the Ways and Means Committee, Mr. PAYNE, read on the floor of this House, when making his speech on that bill a year and a half ago, a letter from Mr. Wood. Mr. Wood said that he had searched the island from one end to the other, night and day, with a searchlight, and that all the sugar he could find on the island belonging to the sugar trust was 3,285 tons. That letter was read to influence men in this House against the claim made by the opponents of the measure—that the sugar trust was behind this bill and owned the sugar in the island, waiting for the measure to become a law, so that they could bring it into this country at a less rate of duty. A few days later Mr. Havemeyer testified in the Senate end of the Capitol that his company owned 93,000 tons in Cuba. Wood only missed it 90,000 tons, and that is not much for a military officer. [Laughter.] The average American soldier is a better marksman than that, and I could beat such shooting myself. [Laughter.]

In the State of Michigan, let me say to you, there is a magnificent industry producing an article of use from one of the by-products of sugar—alcohol. To-day the Government is buying all, or at least a great portion, of that product. Since the 1st day of January, 1902, that company has paid to the Government the enormous sum of $3,575,000 in revenue at $1.10 a proof gallon. Let this industry alone. Put your Cuban reciprocity bill in the waste basket and sit down on it, and in a short time, gentlemen, we will make sugar in Michigan at a much less cost than we make it to-day, and in a short time there will be enough sugar made in this country, without going to Cuba or any other country, to supply all the people in the whole United States. Give us time to become skilled in the industry, that we may get some profit out of more of the by-products, that we may raise beets cheaper, that we may convert the raw material into sugar at a less cost, and the industry will be more independent.

A most striking illustration, my friends, of what can be done is that of the Assistant Doorkeeper of this House. This year he raised 8 acres of beets in the State of Michigan, and this morning he showed me a report from the factory at Lansing, Mich., where he sold his beets, showing that his yield was 96 tons, or 12 tons per acre, and the percentage of saccharine matter was so high that it yielded the enormous sum of $68.40 an acre for his crop. The price paid for the beets by the factory is $4.50 per ton for 12 per cent saccharine matter in the beets and 33⅓ cents per ton for every 1 per cent above that amount, so that the percentage in the beets raised by the gentleman from Michigan was about 15⅓ per cent. In Germany when that industry was first introduced they produced 9 tons of beets to the acre and about 9 per cent of saccharine matter in the beets. After long experience they have become skilled in the industry and now raise 15 tons of beets to the acre, with a percentage of saccharine matter of about 15 per cent.

Let us alone; let us alone as we are! That is all we ask, and we, too, will become skilled in the industry. To-day the managers of our factories—the skilled laborers—are largely foreigners. Let us alone until the American boys become skilled in that industry and they will be the superintendents, and we will ask no odds of Wales, Germany, or any other country. But by putting into law this measure you say, and you will not deny it, that you are going to build up that industry in Cuba. How can you build up the sugar industry in Cuba without retarding, at least, and perhaps destroying the sugar industry in this country? They have the soil to produce cane cheaply down there. Sugar can be produced, it has been shown by experts here, at a profit in Cuba at a cost of 1¼ cents per pound. The freight to this country is about 9 cents a hundred pounds. The duty of $1.68¾ is a stumbling block. Then the sugar trust gets it. Every pound of sugar coming from Cuba to this country goes through the refineries of the American Sugar Refining Company or the Arbuckles. One has a capacity of 40,000 barrels per day and the other of 20,000 barrels per day, a sufficient capacity to supply all the sugar to all the people of this country that are here to-day or may come for many years without adding one more cent to the industry. What they want is to wipe out the beet-sugar industry.

The trust has sent its agents into the State of Michigan and has purchased an interest in ten of our twenty factories, and what for? They were afraid of the competitor, my friends. They stood in awe here when the crowd of Michigan representatives came down here opposing this measure one year ago last winter, and said it is cheaper to go up there to Michigan and buy up those factories and sell them for scrap iron and get the enormous sum that would come to us through the benefits of that measure than it is to fight this competition, this opposition, because that 20 per cent of the present duty on 1,000,000 tons of sugar that will come from Cuba this year amounts to more money, twice over, than the sugar trust has invested in the ten factories in our State. Give them the benefit of this law and in six months they can get back all of the money that they have put into the sugar industries in our State, and in six months more get enough to buy the other half, and put dynamite under them and wipe them out and destroy that industry in our State. There are 217 square miles of land in the State of Michigan to-day planted to beets—140,000 acres. Think of that magnificent field, 1 mile wide and 217 miles long, in the State of Michigan that this most infernal bill tends to wipe out. I say infernal. Why?

You have abandoned your claim of a year ago last winter that we are doing this because of the suffering in Cuba and because of a moral obligation to Cuba. Oh, great God! When is that moral obligation going to end? You have abandoned it and you say now that for economic reasons it must be done. It is limited to five years. My friends, let me show you what it is limited to. It is said as a "catch as catch can," to catch some gentlemen in this House to vote for it, that this measure is limited to five years; and the President says, "While I am President of the United States I promise you no further reduction will be made." What promise did you make in the Dingley bill? The gentleman from New York [Mr. PAYNE] said, "I promise you there will be no change in this for the next twenty-five years," and he was the first person that opened his mouth in this House within six years from the passage of the Dingley bill asking for a change. That is right. That same pledge was made in our national platform of 1896 and again in 1900. I accepted the nomination in my district on that platform, and I pledged myself to the people of my district, and they did me the honor to send me here upon such a pledge—that I would stand by that platform, body and soul. I have done it, gentlemen, and I am doing it to-day. Are you? I ask you, are you?

The gentleman from Ohio [Mr. GROSVENOR] said that this bill is a Republican child—that the Republicans would not let the Democratic side of the House lay any claim to this creature. Oh, great Scott, that child is of such a dirty mixture—an old, snaggle-toothed, free-trade, Democratic mother and a Republican President for its father. [Laughter.] The youngster will quarrel with itself before the expiration of this five years. [Laughter.] It will quarrel with itself worse than the family of Rip Van Winkle ever quarreled in Rip's house, and it will make a poor man of the farmer of this country. I want to say to you, without fear of contradiction, that the President on his Western trip last summer to the Pacific coast saw more poor farmers, twice over, needy of his help and of your help, than there is in entire Cuba to-day. Then why not give kind consideration to your people at home, my friends, help build up an industry here at home that makes happy homes for your laboring men and your farmer instead of making miserable shacks, and do not do something to build up the homes of those people in Cuba who do not need your help. Here is what President Palma says about Cuban reciprocity in his message to the Cuban Congress on the 2d day of this month:

> Our political relations with the United States have been definitely settled by treaties founded on the terms of the constitutional appendix, and the latter could not be eliminated from the constitution by the mere reading of these treaties. Congress can appreciate that within the precise terms of the Platt amendment—

The Platt amendment—now listen—the Platt amendment that you howled so much about, that you claim tied the hands of the Cuban Congress and of the Cubans, making it impossible for them to make advantageous terms with any other country. Continuing, he says:

> Congress can appreciate that within the precise terms of the Platt amendment Cuba has obtained no few advantages. Of the two forms of cession of naval coaling stations—by sale or by lease—the one least baneful to Cuban sentiment was adopted, and the smallest limit as to the number of stations granted was made; the regulations in the leases contain other limitations favorable to Cuba. The Government is acquiring territory within the stations, and will soon formally deliver the areas marked out.
>
> The honorable President Roosevelt, to whom the people of Cuba feel such profound gratitude, has been faithful to his word and has convened the American Congress in special session for the purpose of taking action on the pending reciprocity treaty, from which we hope to receive such great benefits. Trustworthy information has been received by the executive which warrants the belief that this treaty will be ratified.

That is what he says about it. Cuba has $4,000,000 in her treasury and no indebtedness. There is no other country on the face of the earth that has $4,000,000 in its treasury above what it owes. The United States can not boast of having $4,000,000 today in its Treasury above its public debt. Cuba has no debt.

Who wiped out the public debt of Cuba? It had $400,000,000 of bonded indebtedness that had been heaped upon the shoulders of Cuba before our brave boys went down there and wiped out the Spaniards. We left them with a clean slate. We sacrificed the precious blood of our farmer boys. Now you come back, under a mere pretense of a moral obligation to Cuba, and sacrifice the farmer and the farmer's home.

Stop and think, I beg of you, gentlemen; for God's sake stop and think what you are doing to the American farmer. You were not sent here to legislate for the benefit of Cuban farmers, who are better off to-day, as I am going to show, than the American farmer in their ability to produce sugar. It has been conceded by all that in Cuba 25 tons of sugar cane can be raised per acre, 10 per cent of which is sugar, and the planter gets one-half of the sugar from the manufacturer when he delivers his cane at the door of the factory. At the average price that sugar has brought in this country when imported from Cuba for the past five years, $2.35 per hundred, the farmer in Cuba has received more than $50 per acre for his crop. It costs less money to produce that crop in Cuba than it costs the farmer of the State of Michigan to produce a crop of beets. When that matter was mentioned two years ago to the gentleman from New York [Mr. PAYNE], he said: "Oh, no; it is expensive down there to raise a crop of cane. You know the weeds grow up and they have to be cut down, and they grow up again and must be cut down again." Great heavens! Is it not a wonder that they do not grow down and have to be cut up? [Laughter.] Where the devil would they grow if they did not grow up? Weeds also grow in the beet fields of Michigan. For the first time in my life, my friends, I hear Republicans advocating free trade.

Congress has been called together in extra session by the President of the United States, and I believe it to be the mistake of his life. In his message to Congress in December last President Roosevelt said:

> Yesterday I received a message from our minister to Cuba, with an earnest appeal from President Palma, asking us to at once take some action lest it be too late and Cuba financially ruined.

All advocates of Cuban reciprocity until recently have set up the cry that there would be a panic in Cuba which would cause great suffering among that people unless some reductions were made in the duties on their goods coming into this country. That such an excuse was unsound, and, in fact, frivolous, time and events have proven.

The President's message of November 10 makes no mention of the distress among the people of Cuba, and I say it without fear of contradiction that in his recent message he recedes from his former position as to reasons for Cuban reciprocity. He throws much stress in this last message upon economic principles and moral obligations to Cuba.

That Cuba can take care of herself under present conditions and become a prosperous people there is no doubt. There are 28,000,000 acres of land in the island the richest soil of any country in the Western Hemisphere, and with her population of 1,600,000, in round numbers, she has but 36 persons per square mile of territory, while Porto Rico has 320 persons to the square mile to support, or nearly ten times as many people per square mile as Cuba. Should Cuba receive the full benefits from a 20 per cent reduction in duties on her sugar, all of which she markets in the United States, she will, with improved machinery and American methods now being adopted in the production of her sugar, soon supply us with all the sugar that we use, provided the sugar trust so chooses to reduce the price of sugar to the consumer in this country until the cane and beet sugar industries of the United States are wiped out. Cuba has received for her sugar coming into the United States, and the United States has taken something over 80 per cent of her entire output, for the past five years $2.35 per hundred pounds, and for the past eleven years, from 1893 to 1903, inclusive, the sum of $2.69 per hundred pounds. This is the average price. And when it is a fact that sugar is being produced in Cuba at a cost of less than 1¼ cents per pound it is apparent that Cuba is making a handsome profit from her sugar crop.

We will give to Cuba, through charity, what has no foundation in justice. We will rob the American farmer by giving to Cuba and the sugar trust. We will build up the sugar industry in Cuba and retard or tear down the sugar industry in the United States. We will feed cheap foreign labor at the expense of the American laboring man and the American farmer. We will make the first step toward the destruction of our present high prosperity. We will break a sacred pledge made by Republicans in our platforms of 1896 and again in 1900. In fact we will boldly and deceitfully do the very thing that our party in honor bound themselves not to do. Who among our citizens has asked for reciprocity with Cuba except sugar-trust representatives and a few millionaires living in this country and owning sugar plantations in Cuba? Only a few aside from Mr. Havemeyer and those directly under his influence.

Should this bill become a law would we not expect other nations—such as France, Germany, South Africa, Belgium, South and Central America, and the West India Islands—to serve notice on our Executive that unless the same rates of duty on sugar were given to them they would at once impose upon us the maximum rates of duties on our goods going into their markets? The Norwegian Government has given such notice already to Cuba, and no doubt other nations will follow suit.

If we should get all of Cuba's trade in all her imports except in articles that we could not supply them with, no matter how low the duties, such as jerked beef, rice, cotton, wool, and cattle, because we do not produce the jerked beef and do not raise the rice, we do not produce the kind of cotton and woolen goods that they have been accustomed to using, and, further, our cattle do not stand the Cuban climate as do cattle from South America, where Cuba now buys her cattle, we could not get back from Cuba as much in trade as we would give away in duty on sugar alone. So that, I say, men who are clamoring for Cuban reciprocity seemingly fail to grasp the situation.

Gentlemen, we are not here to legislate for Cuba to the detriment of our own citizens. No careful man who has studied the matter and wishes to fairly and honestly represent his constituents will, in my opinion, support this bill.

The twenty factories in Michigan represent an original outlay of some twelve to fifteen millions of dollars. There are over 35,000 farmers in the State raising beets for these factories. There was this year planted to beets over 140,000 acres of land, yielding about 1,350,000 tons of beets, for which the farmers will receive an average of $5 per ton, or the enormous sum of $6,750,000. Do you want to take the chances of destroying, crippling, or even retarding this magnificent industry? I do not believe you do. Then, if not, do not support this bill. Do not let the subterraneous influence behind this bill mislead you. The supporters of this measure are not the friends of the beet and cane sugar industry in the United States. The sugar trust has exerted every power within its control to retard the oncoming of this dangerous competitor, and has frequently used its powerful influence in framing legislation most beneficial to itself. Why does the sugar trust take such an active part in the passage of this measure? Why are they spending hundreds and thousands of dollars to influence Congress to act favorably? Do you suppose that this corporation would give up one dollar to benefit others? No; they are not built that way. They are not philanthropists. Do not think it for a minute; no man is fool enough to believe it.

The Cuban planter raises cane with much less effort than does the American farmer raise sugar beets or sugar cane. He plants his crop but once in ten years, whereas the farmer in the United States must plant his crop every year on high-priced lands with high-priced labor. In Cuba the lands are cheap compared with good farming lands in the United States. Our farmers cultivate their crop at a cost of $25 to $30 per acre, while that of the Cuban is cultivated at a much less figure.

The American people consume about 7,000 tons of sugar daily, and at 4 cents per pound (which is about the cost of production) amounts to the handsome sum of $560,000. We consume a little over 2,500,000 tons per year. Five hundred thousand tons we produce here at home, or an average of 2,800 tons a day. Five hundred thousand tons are produced annually in Porto Rico and Hawaiian Islands, and the remainder—1,500,000 tons—we import from foreign countries, which at 4 cents per pound aggregate $120,000,000. Why not encourage home industries and produce it all at home? We can; we should. But we will not if we reduce the duty on sugar, thereby retarding this industry at home and encouraging it abroad.

The Cuban treasury has steadily increased in deposits. Labor is scarce on the island and is well paid—better paid than is American labor, taking into consideration the cost of living in the two countries, notwithstanding all advocates of this bill contend right the reverse. Not a bank failure has taken place on the island since Spain evacuated. Oh, how flimsy the arguments in behalf of the supporters of this bill! If you are going to tear down this magnificent structure, the tariff, do not stop halfway, but also reduce the duty on refined sugar as well. Our beet-sugar manufacturers will take their chances with the sugar trust in a deal of this kind. Oh, no; at the thought of such a move the supporters of this measure at once have a cold chill run up and down their spinal column. Why, gentlemen? Why? Because it would be a blow at the sugar trust, and that is the power behind the throne.

I now quote the resolutions adopted by the Michigan Sugar Manufacturers' Association at a recent meeting, with full attendance:

RESOLUTION.

> Whereas the Congress of the United States is intended to be convened in extra session prior to the term of the next regular session thereof; and the

Cuban reciprocity treaty is before the said session as a special measure which proposes a reduction of the import duties upon raw cane sugar from Cuba: Therefore,

Resolved by the Michigan Sugar Manufacturers' Association, That we protest against the adoption of any measure, act, or treaty that will have in effect any reduction of the present custom duties on importations of raw sugar from Cuba.

In behalf of such resolution we submit the following:

That any interference with the present tariff laws especially directed, as is the proposed Cuban reciprocity treaty, is contrary to the letter and spirit of the protection which is guaranteed to American industries.

That any such special legislation in behalf of Cuba is not necessary, as the development of the Cuban sugar industry during the past three years and at the present time has demonstrated the ability of said industry to take care of itself.

That the approval of the said Cuban reciprocity treaty is inimical to the interests of the farmers and agriculturists and a menace to the beet-sugar manufacturers; and be it further

Resolved, That a copy hereof be, and the same is hereby, ordered to be mailed to the Members of the Senate and House of Representatives of the State of Michigan in the Congress of the United States and to the committee of said Senate and House of Representatives having the matter in charge prior to the assembling of the next Congress.

MICHIGAN SUGAR MANUFACTURERS' ASSOCIATION,
W. L. CHURCHILL, *President*.
CARMEN SMITH, *Vice-President*.
F. R. HATHAWAY, *Secretary*.

In conclusion, gentlemen, I appeal to you. I beg of you to stand by the Republican protective principles. Cuba does not need the contemplated benefits provided for in this bill. Our American farmers and our American laboring men need protection, and the eyes of the world are centered upon Congress and are looking with expectancy as to what action Congress may take, what course it will pursue. And I beg of you to follow the opponents of this measure, who are making an honest fight for protection to their home institutions.

Mr. BELL of California. Mr. Chairman, it is not with any hope of changing the final vote on the passage of this bill that I take this occasion to express briefly some of the reasons that impel me, for one, to vote against reciprocity with the Cuban Republic.

Let me state plainly at the outset that my attitude is not due to any hostility toward tariff reform, for no one would hail the removal of the glaring inequalities of our fiscal system with greater satisfaction than I; but it is because I can not sit silently by, without protest or challenge, while a harsh blow is being struck at a great interest in my native State. In that mighty Commonwealth on the shores of the Pacific, whose inexhaustible resources insure her a foremost place in this great sisterhood of States, where diversities of climate and soil bring forth the products of every zone, there upon the broad, firm foundation of agriculture a hardy, intelligent, and industrious people is laboring to convert to the use and benefit of mankind nature's most prodigal wealth.

He who lightly counts the part that California is to play in the rounding out and strengthening of this Union, he who thinks that he may lightly dally with her interests in these Halls of Congress is ignorant of the laws that brought her into being, ignorant of the last half century of her history, and ignorant of the people that dwell upon her soil. In her rich valleys, where artificial means are not required to persuade the earth to yield up its bounties and its treasures, on her broad semiarid plains, that are beginning to quench their long thirst from the never-failing reservoirs of the Sierras, the farmers of California in late years have been patiently building up a new industry, one that must prosper if left to pursue its bright prospects. The sugar beet is establishing its home there, where it can thrive and increase and add its quota to the golden wealth of California.

But, like scores of other industries whose early endeavors to strike deep root into American soil have been aided by a system of protective tariffs, it too has felt the stimulus of that traditional policy of America. It desires to retain this aid until it shall have acquired the strength to stand alone, and this desire is neither unreasonable nor unjust. It would not ask for exclusive protection for itself, nor would those who represent its interests on this side of the Chamber take such an indefensible stand; but so long as the evils of high tariff continue to confront the farmer in every purchase he makes, so long as excessive import duties continue to render it possible for the trusts to extort from him prices far above those asked and received from his foreign competitors, just so long will he demand that the mite of protection he now receives from the system shall continue. So long as the American farmers are compelled to pay daily tribute to monopolies, so long as the prime necessities of life, its food, its raiment, its shelter, and the implements of husbandry, are taxed through the instrumentality of government for the benefit of a few, just so long will those upon whom these burdens weigh heavily demand the retention of tariff upon the products of the soil. Much as they might welcome the advent of tariff reform, they can not discover tariff reform in a measure that strips them of protection while it leaves their oppressors as strongly intrenched as before.

When you enter into a special contract with Cuba to admit the products of her soil and industry at a reduction of 20 per cent from the Dingley rates, what corresponding benefit do you confer upon those who are striving to build up the beet-sugar industry of America? None. You give them absolutely nothing in exchange for the sacrifice you demand at their hands. Make the question even broader and include the whole population of America; what benefit will they receive from this treaty? Will the consumers of sugar in this country pay less for the article? Does any sane man believe they will? The major part of the arguments so far is based upon the assumption that we are helping both Cuba and ourselves.

First, as to Cuba, and let me take raw sugar as an example, for it is most often mentioned and is Cuba's largest export. Will the raw sugar receive the benefit of the reduction? If so, the Cuban sugar planter will be benefited; but how about the American consumer? If this reduction goes into the pocket of the Cuban, then the consumer doesn't get it. Again, suppose that we get the benefit of this reduction, then it follows that the fellow in Cuba doesn't get it.

Now, take it with the goods that we ship to Cuba, and it works the same way. If the Cuban consumer gets the benefit of the proposed reduction of from 20 to 40 per cent, then we do not; if we do, he does not, and there you have it.

After all is said and done we shall find that somebody has been playing both ends against the middle, and you can easily figure out that the American consumer has gained nothing, the American farmer has gained nothing, but has lost millions, and these millions have not even gone into the pockets of the Cuban people, but will be found laid away in the vaults of the sugar trust.

How it will enjoy the fruits of American folly. But it is not my desire, nor have I the time, to go into an elaborate argument upon these phases of the question. Gentlemen may resort to subtlety and refinement of argument and may find academic reasons in support of reciprocity, but the fact will remain, not clouded or obscure, but clear as the noonday sun, that by the passage of the bill you inflict wanton injury upon a growing industry in America.

We may judge of the future of beet culture by the past. During the fiscal year ending June 30, 1884, only 535 tons of beet sugar were produced in the United States. It began to grow steadily, and during the year ending June 30, 1901, it amounted to 76,859 tons. But now witness its leaps and bounds. From 76,859 tons for the year ending June 30, 1901, it rose to 195,463 tons for the fiscal year ending June 30, 1903. During the year 1902 California alone produced 637,204 tons of sugar beets, or 79,271 tons of sugar. This means 50,000 acres of sugar beets in California, and she is just getting a good start.

Not only California, but Michigan, Colorado, Utah, and many other States west of the Mississippi are taking up the culture of sugar beets with bright prospects before them. And now that the arid and semiarid lands of the great West are being reclaimed through aid of irrigation, it means a great impetus to this new industry that has passed the experimental stage in more than a score of States.

To the gentlemen who have conceived the idea that it is only a few farmers here and there who are protesting against this Cuban bill, I would like to commend a careful reading of Report No. 74 of the United States Department of Agriculture, issued during the current year, and containing much valuable and interesting information concerning the sugar-beet industry in this country. Some idea of the magnitude of the interests now at stake would result from such reading, and I do not doubt that the conclusions of a great many gentlemen in this Hall would be materially modified if they would but become acquainted with the promising future of the industry. If it is not the result of this treaty to injure this growing industry, then every argument that you protectionists on the other side of this Hall have put forth for the last century is unsound and no longer worthy of credence or consideration.

Not content with my own deductions let us put it to the test of your own tariff propaganda, let it be judged by the declarations of your party platforms, the platforms upon which you appeal to the people of this country from time to time. When this measure is weighed in your own scales it condemns you. You dare not enter a plea of not guilty, for your record will be here, black on white. You can not enter any specious plea of justification, for none will appear to appease those whom you have wronged. Like men you will have to face the injured interests of my State, and of other great States, and confess that you have sacrificed them you know not why.

With my State thus placed in jeopardy, I can not refrain from opposing, futile though such opposition may be, the policy you propose. Again I say that it is not because I am opposed to tariff reform. I want to see such reform. The Democrats in my State, and many adherents of the Republican party there, will welcome tariff reform. But Cuban reciprocity is not tariff reform. It is not even so called by its stepfather, and Heaven knows parental interest ought to be sufficient to give the child its right name. The gentlemen on the other side of the Chamber do not call it

tariff reform, but on the contrary their leaders have quieted much anxiety among the high protectionists by solemnly asseverating that it is not tariff reform, it is not an interference with the tariff, it is just simply reciprocity.

Nor does it seem to be a Democratic measure. To settle the political legitimacy of this bill would require a wiser man than Solomon. It is not Republican, because it destroys the symmetry of the tariff system by suddenly cutting off one-fifth of its aid from an industry that still needs it. And this is not Republican doctrine, as I understand it. It is not a Republican measure, because with an immense home market for sugar it suddenly arrests those processes that bid fair some day to supply that home market. No principle is written more plainly among the platforms and traditions of the Republican party than the principle that American industries shall receive the substantial aid of government by means of high tariffs until such time at least as they shall be able to produce what we consume. The home market for home industries is the A B C of the protective system.

Nor can it be indorsed as a Democratic measure. While a large majority of the gentlemen on this side of the House will vote for it, I am consoled by the thought that no such bill would have ever originated in the Democratic party, unless it opened wider avenues of trade and in a manner justly to distribute the advantages it brought and to equalize whatever burdens remained. In so far as this measure may remotely tend to unshackle trade and commerce it may accord with Democratic policy, but the remote good, if any at all, seems to me to disappear before the immediate evils of the bill. It seems to me that it will pave the way for violations of one of the cardinal principles of Democracy.

In the hands of a cunning majority, in the hands of a party that largely draws its sustenance from the monopolistic institutions of the country, reciprocity will be used from time to time to dismantle the defenses that protect the producers of raw materials in America, while it leaves undisturbed and undiminished the powerful agencies that prey upon them. Strip the farmer by degrees of the modicum of protection he now receives in order that foreign gates may swing ajar for the products of our mills and factories, but do not lay a desecrating hand upon manufacturing industries, for they are still in their infancy and must be carefully nurtured and looked after. If reciprocity shall thus become an instrument of special privilege, then will it become a veritable curse, indeed, rather than a step toward a reform.

But we have no promise, not even an intimation, that further reciprocity treaties are to be enacted, nor do we hear many of our friends exploiting the beauties of reciprocity as a general principle upon the floor of the House.

We are now having specialized reciprocity, a process by which we are to discharge our obligations to Cuba. It is certainly very edifying to a new Member like myself to find this Congress legislating along the lines of altruism and the higher law. When one comes into this atmosphere surcharged with the breath of exalted inter-Cuban ethics, he begins to wonder if he has really read history right. These endearing terms toward Cuba fall most pleasantly upon the ear, and it is gratifying to see our eminent statesmen press the Queen of the Antilles to their palpitating breasts. But amidst all this display of affection for Cuba, in the curious and inquisitive mind there are apt to arise some unreligious inquiries and perhaps a few doubts. One can not help but wonder, if Cuba were teeming with woolen mills and cotton factories, or with steel and iron works, with its looms and its spindles and its furnaces attended by the cheap labor of the world, and whose products would be shipped into America under this bill to compete with similar industries here, whether in such a case Cuba would have as many sweethearts on the other side of the Chamber as now.

Again, one in ruminating over this treaty and its history might be so uncharitable as to wonder what occult powers have converted the forty gentlemen on the other side who so strenuously denounced and voted against this measure in the last Congress. Diana by one look could change a man into a beast, but mythology conceals the name of the American deity that has changed sugar beets into sugar plums.

We are going to crown Cuba next Thursday afternoon at 4 o'clock; we expect to use the jewels that consistency has lost in these debates. We intend to crown her as a queen of peace.

In America a fiscal war has waged for over a century. At times it has become so fierce as to almost threaten revolution. But now Cuba bids the combatants cease their warfare, and, like the mighty hosts at Talavera, suspend the awful din of battle and drink together of the limpid waters of reciprocity. 'Tis well and fitting that Cuban sugar should at last sweeten the acrimony of debate and cement for the nonce the two great parties of America. At this love feast I can not partake, for I have my constituents at home. Perhaps I wrong them and wrong myself in refusing to join with my colleagues here in favor of this bill. It may be charged that my attitude is a selfish one, but this I can not and will not concede.

It has always seemed to me that patriotism to the nation must rest upon loyalty to our respective States. It is in our communities at home where we are touched at all sides by the forces and the influences that make for our happiness and well-being, where our lives, our liberties, and our property are rendered sacred and inviolable by the vigilance of the immediate State, where a liberal education is guaranteed to our children and opportunities afforded to them to embark upon honest and useful lives; it is there, I say, that we first perceive the real grandeur of the National Union that has given birth to these great privileges; it is then that we see and feel the real significance of allegiance to the central government; it is then that we can truly say that through loyalty to our States we have been led into a better quality of patriotism to our common country. It is only when each is faithful to those whom he represents that the best results are obtained in representative government. In championing the interests of my people at home I do not fear that I shall weaken my fidelity to the nation.

Mr. PAYNE. Mr. Chairman, I yield fifteen minutes to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Chairman, in the Fifty-seventh Congress the delegation from Michigan stood unanimously and earnestly against any reduction upon the duties upon sugar coming from Cuba, and we were entirely sincere in our opposition to the measure then pending. It is not a secret, but if it is to any of you, if you will look into the vote upon the roll call bringing this measure before the House as it is at this time, you will find that the Michigan delegation was divided, and that the majority of the delegation is in favor of the bill now pending before the House. I am one of those, to use the language of the gentleman from Missouri [Mr. DE ARMOND], who is "back on the reservation," and I think I have brought my conscience with me, notwithstanding the gentleman seems to think that all of us who changed our attitude are conscienceless or have left the conscience somewhere else.

In the first place, I do not like any man of any party or creed to impugn my motives; to say, as the gentleman plainly did say by imputation, that for the hope of the committee assignment or for fear that we might not be assigned, perchance, as we otherwise would, we had changed our minds upon this question. I know that I can speak for myself, and I believe I can speak for every member of the Michigan delegation who has changed his mind, that the gentleman from Missouri does us a great injustice; he does the Speaker a wrong when he intimates that he would hold that lash over us and virtually force us to vote against what we believe to be right in the present contest. He does injustice to the honorable intentions of men on this side and of that side of the House alike.

Now, why have we changed? I speak for myself; the other gentlemen can well speak for themselves. While we were in this arena in the last Congress, wrestling with this question in sincerity and in all good faith and to the best of our ability, men were sitting in the galleries applauding the sentiments of the advocates of nonreduction upon beet-sugar revenue taxes, and at the same time, as we learned afterwards, they were making terms with the beet-sugar trust themselves. Sold out. Like Jacob of old, some unseen power had touched them in the hollow of the thigh. [Laughter.] Unlike Jacob they did not wrestle until they gained the victory, but, like him, they have been limping ever since. That is not an argument, but simply a statement of fact.

Now for an argument. One of the last men I saw before I left the district I have the honor to represent was the president of the only beet-sugar plant within the bounds of my district, and one, too, which has not sold out to the trust. I talked this matter over with him. He said squarely and without equivocation, "Vote for the bill; we can do without it. We would rather have the 20 per cent reduction and have the question settled for five years than to have this agitation going on as it will if it is not settled." That was the statement of a gentleman who was here in this Capitol, a most honorable man, using his influence with the Michigan delegation against the measure in the Fifty-seventh Congress, who is now advocating the 20 per cent reduction, asking his Representative to vote for it, and that had a great influence in changing my mind upon this subject.

Another reason why I have changed my mind is this. The most noted opponent of the bill pending in the last Congress, a man who was much quoted and often referred to on both sides of this House, was Mr. Oxnard, of California, the president of the American Beet Sugar Association. Mr. Oxnard, personally and officially, was against the measure proposed in the last Congress. I ask, Mr. Chairman, that the Clerk be allowed to read the resolutions of the American Beet Sugar Association, of which Mr. Oxnard is president.

The Clerk read as follows:

Whereas a reciprocity treaty between the United States of America and the Republic of Cuba has been laid before the Senate of the United States by

the President, who believes that the public interests require its prompt ratification; and

Whereas this association believes that the proposed reduction of 20 per cent will be limited in good faith for a period of five years to that amount, and will insure to the manufacturers of beet sugar in the United States a five-year period of relief from the harmful agitation of the subject which is now harassing the industry and making its prosperity and healthful growth an impossibility; and

Whereas the public welfare of the United States as a nation has become involved in the consideration of the proposed treaty, and while this association remains of the opinion that a disturbance of the tariff relations between Cuba and the United States is from any standpoint unwarranted and unwise, it is not willing to permit the commercial interests of its members to stand in the way of adoption of a public policy which has the approval of the Administration and leading Members of Congress of both political parties:

Resolved, That the American Beet Sugar Association has determined to withdraw its opposition to the ratification of the said treaty, but that it respectfully recommends to the Senate Committee on Foreign Relations that the eighth article of the treaty be amended so as to express in precise language what is intended to be secured by the treaty to the beet-sugar manufacturers of the United States, namely, that during the period of five years covered by said treaty no sugar exported from the Republic of Cuba shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rates of duty thereon as provided by the tariff act of the United States approved July 24, 1897.

Mr. GARDNER of Michigan. Now, Mr. Chairman, I read from article 8 of the treaty as amended:

Provided, That while this convention is in force no sugar imported from the Republic of Cuba, and being the product of the soil or industry of the Republic of Cuba, shall be admitted into the United States at a reduction of duty greater than 20 per cent of the rate of duty thereon as provided by the tariff act of the United States approved July 24, 1897; and no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States while this convention is in force at a lower rate of duty than that provided by the tariff act of the United States approved July 24, 1897.

That, gentlemen, is the amendment asked to be placed in the treaty by the American Beet Sugar Association, and with that in it they were content.

That association represents officially the beet-sugar growing interests of the United States, and as such speaks for that great industry. They ask that this treaty be ratified in their interest; that it is for the benefit of the beet-sugar industry that this treaty should be ratified. Either these gentlemen know or do not know what is for their welfare. For one, I am willing to concede, in the light of the judgment of intelligent men who are in the business, that they know better than I what will injure and what will benefit them. Five years of undisturbed conditions is what they ask. Five years wherein they are permitted to go ahead and develop the industry. I am not insensible to the splendid argument made by my colleague from Michigan [Mr. FORDNEY]. In my judgment it was one of the best that has been made on this floor on either side of this question in the last or the present Congress; but I put over against his judgment the judgment of the Beet Sugar Association of the United States and say, as between the two, I would prefer theirs to his.

Mr. FORDNEY. Will the gentleman permit an interruption?

Mr. GARDNER of Michigan. Certainly.

Mr. FORDNEY. I am informed that the resolution that has just been read by the Clerk was passed under the influence of Mr. Oxnard after he had sold the factories to the sugar trust.

Mr. GARDNER of Michigan. Well, I have no such information; but the resolution stands unimpeached at this hour, so far as I know, by the association. If Mr. Oxnard sold out, he simply followed in the wake of a lot of Michigan men who put their money in the industry.

Mr. WM. ALDEN SMITH. I want to suggest to the gentleman that the bill of sale did not carry with it the interests of 35,000 farmers in Michigan in this industry.

Mr. GARDNER of Michigan. It did not carry it except in this way: If the president of the industry in my district is right, if the American Beet Sugar Association in their resolutions are right, then the industry will be benefited, and the farmer shares with them in that benefit; if it injures them, the farmer suffers; if it does not injure them, as they claim it does not, the farmer does not suffer. It is a matter of opinion.

On this question, Mr. Chairman, I would rather now take a small, sugar-coated, homeopathic, free-trade, 20 per cent differential tariff reduction in favor of Cuba and hold the whole world else at bay than to be forced—as our good friend the gentleman from Missouri [Mr. CLARK] stated yesterday under changed conditions we might—to swallow an allopathic, Democratic, unlimited dose of free trade, as he says they will give it to us when they get the power. [Laughter.]

I want to say, further, that I am a Republican. We stand on the eve of a Presidential election. The policy of this bill is the policy of Theodore Roosevelt as President of the United States and the policy of his Cabinet, the policy of the majority of the United States Senators, the policy of a large majority of the Members of this House, and, may I say, strange as it may seem, with the approval of nearly the unanimous voice, as they promise, of the Democrats. The men who stand against it stand against the judgment of both sides of this House, at the other end of the Chamber, and of the Chief Magistrate of the nation. I believe on the eve of a Presidential election we should line up unitedly for the great doctrine of protection, which is being assaulted again and again on that side of the Chamber. We should yield this to the revered memory of him whose life and deeds are cherished by all Americans—William McKinley. Yield it out of respect for his honorable successor, who stands to-day as President second to no man in our history in the hearts and confidence of the American people. [Applause on the Republican side.] Yield it because I would rather yield than to go divided into the next campaign and lose possibly much more than we could gain by factious opposition.

I will go back to my district without fear of being unjustly or unfavorably criticised. I will face the people of my State upon this question believing as I do that under the changed conditions outlined we had a right to change our judgment and advocate the policy of the President, of the majority of this House, and as I think the majority of the American people, North, South, East, and West. [Applause.]

Mr. BURGESS. Mr. Chairman, I confess that with great reluctance under all the circumstances which exist I shall speak and vote against this bill. The action of the Democratic majority in declaring it the "sense of the caucus that Democrats should vote for this bill," though unamended, has great persuasive force with me, and I would that I could see how I could follow it in justice to my conscience, my oath of office, and my pledges to my people and my Democratic convictions. I believe in binding party caucuses which bind upon all questions save those which affect the oath of office or the pledges to our constituents.

I am painfully aware of the fact that my action will submit me to misapprehension, probably to misrepresentation, and possibly to party malice. Very well. I shall at least have the satisfaction of knowing that I pursued a manly course and stood here for what I believed in my heart was right. Nor do I intend on account of my vote and my position that any man shall hereafter justly accuse me of being a protectionist. The sugar interest in my district is a small one. I hope firmly that in the near future, under favorable conditions, cotton production may be decreased and the interests of agriculture promoted, and that the vast river bottoms now afflicted with the cotton-boll weevil in my district and others adjoining can be put in cane cultivation profitably; but the present cane crop there is practically of little value and not to be compared with either the cattle interests or the rice interests or the cotton interests, all of which are in my district.

It is contended by the friends of this legislation that it is in the interests of the rice men and the cattlemen and the cotton men, and this treaty throws out a sop to these people by making 40 per cent preferential tariff in the Cuban market for those products. If I believed there were anything in it, while it would be a powerful appeal, still holding the views I do, I should vote against this bill as the only consistent course, so that I may be just to all interests, not only in my district, but in the whole country. There is nothing in it for the cattleman for the simple reason that Commercial Cuba in 1903, issued by the chief of the Bureau of Statistics of the Department of Commerce and Labor, discloses the fact that the real contention is that Cuba can and will become a competitive cattle-raising country with Texas if you give it half a chance. The fact is, as shown by the Cuban secretary of agriculture in his report of April, 1902, that four-ninths of the lands in Cuba are fine breeding grounds for cattle, and he says, after reciting the methods, "that in this manner the requirements of home consumption would be provided for and sufficient animals to export to the neighboring republics." See pages 418, 419 of Commercial Cuba in 1903. There are now 2,585,309 cattle in Cuba.

Upon the rice proposition I wrote a letter to the chief of the Bureau issuing Commercial Cuba in 1903 to give me a statement of the rice production and consumption in the United States for the year ending August 31, 1903, so that I will know how it will affect that interest in my district and in Louisiana, and in Texas, and in the Carolinas. Here is his letter and table:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF STATISTICS,
Washington, November 12, 1903.

Hon. G. F. BURGESS,
House of Representatives, Washington, D. C.

SIR: In compliance with your request, contained in your letter of recent date, I take pleasure in forwarding to you herewith a table showing the production by States and the consumption of rice in the United States during the crop year ending August 31, 1903.

Respectfully, yours,
J. N. WHITNEY,
Acting Chief of Bureau.

Table showing the production and consumption of rice in the United States during the crop year ending August 31, 1903.

	Pounds.
Production (as estimated by Don Talmage's Sons' Company):	
North Carolina	1,120,000
South Carolina	28,512,000
Georgia	9,760,000
Louisiana and Texas	280,000,000
Total product	319,392,000

Imports during the year ending August 31, 1903:	
General imports	177,573,622
Shipments from Hawaii to the United States	234,320
Total product and imports	497,199,902
Exports during the year ending August 31, 1903:	
Domestic exports	19,430,292
Foreign exports	9,854,206
Shipments to Porto Rico	56,313,624
Shipments to Hawaii	2,597,586
Total exports and shipments	78,295,568
Available for home consumption (497,199,902—78,295,568)	418,904,334

Under the existing law there is a tariff of 2 cents a pound on cleaned rice. This table and this letter disclose that notwithstanding the marvelous increase in the growth of the rice production in Texas and in Louisiana, yet we do not produce three-fourths of the American rice consumption at home. With a tariff of 2 cents a pound on cleaned rice, the rice raiser in Texas and in Louisiana or in any part of the United States can not be benefited by this sop that is included in this treaty.

How about the cotton raisers? We exported last year $10,000,000 less manufactured cotton goods than we imported, this difference being worth three times the total of Cuban trade in manufactured cotton goods, so that there is nothing in that for the cotton planter, whose future is in the Orient with the open-door policy. So much for the special interests that I am asked to consider in connection with this bill.

Mr. WILLIAMS of Mississippi. Does the gentleman mean to say that we are not to send any cotton goods into the island of Cuba and that the character of cotton goods manufactured in the South are not being sent there and would not continue to be sent there in larger volume?

Mr. BURGESS. I say that the facts show that more than $330,000 worth were sold under existing conditions in Cuba, not including clothing, of which we sell them the most of any country, and there is no reason but a protective selfish one on the part of the cotton raisers to urge this bill in their interest. That is what I say. I am equally for the cotton raiser, the rice raiser, and the cattle raiser, and I plant myself on the old Democratic grounds of equality in taxation and insist that the rate of revenue shall be levied equally upon all these articles, so that the burdens and benefits of the system may be as equal as possible. Do you subscribe to that?

Suppose a treaty proposed with Japan and Honduras reducing the tariff on rice in consideration of a differential preferential tariff in our favor; suppose a treaty with Mexico and Brazil reducing the tariff on cattle and hides in consideration of a differential and preferential tariff in our favor.

If I support this bill, how can I oppose those? If one favors this trading off of tariff rates on the raw materials of sugar and tobacco, how can he oppose the policy when applied to other raw materials? If these products of sugar and tobacco were raised in New England States, who is silly enough to think this bill would ever have been born? Echo answers, who? The incidents attending the birth of this child should disgrace its daddies on that side of the House and make ashamed its step-daddies on this side.

How did it originate? I want to read to you from an article published in the American Economist of June 20, 1902. The Economist has authority from the great Thomas B. Reed to state the fact that he wrote it himself. Here is the language of a Republican ex-Speaker, in my judgment the greatest man, second only to Abraham Lincoln, that the Republican party ever produced. He says:

* * * When Mr. Thurber owned up to his "80,000 of leaders of public opinion" and told who paid for stirring them up; when he disclosed his principals, and we found them to be a combination of the sugar trust and the governor of Cuba, who tried to manipulate the United States with trust money, a clear light was thrown over the scene. Instead of a popular uprising, the people of this country had been manipulated by skillful artists and were turned over to believe what was entirely false. Just turn back and read those simultaneous telegrams from the mayors of cities, published two or three months ago. Unless something was at once done starving Cuba would fall a prey to the rapacity of American farmers.

Since that time, according to the statements of the gentleman who preceded me, the beet-sugar trust has got into the combination and called off its valiant warriors and got them back on the reservation with the rest of the trusts and those who are supporting this measure.

We wonder now how many of these appeals were written by General Wood. We know he paid to circulate them. Who wrote them he can perhaps tell us if he chooses. Whether he can or not, we have not done what they demanded, and nothing has followed.

Those of us who suspected this popular uprising have demanded three things. Was any promise ever made importing moral obligation? If so, what was it? Who had a right to make such a promise? If we can not find what it was nor who made it, and if we know, as we do, that nobody had a right to make it, who are these people who are using hard language, and who, having been exposed, are still holding up a high head? They are men who are disguising their self-interest under declarations of philanthropy.

While the President can not control Congress, and, above all, has not the right to control it, it is unfortunate for the country that he has seen fit to interfere, even with so weak and unsatisfactory an argument. It is a pity that when he found out his mistake he persisted. But we must take things as we find them. In due time the President will cease to be influenced by the men who have, as he will soon see, so strangely misled him. It is to be hoped that his education will not cost the country too much.

That simply means, stripped of all verbiage and the bare facts being stated, that $20,000 was appropriated from the Cuban funds upon vouchers issued by Leonard Wood and indorsed by the War Department of this Administration, those vouchers reciting on their faces that they were for the purpose of influencing "leaders of thought" in the United States in favor of this bill. Great God! Has it come to a pass where your own officers have to take the taxes from their subjects to influence their employer, the Republican party, to discharge its moral obligation? I knew the Republican conscience was getting seared, but I did not know that it was that tough yet.

Of course those who adopt this child, thus suspiciously born of fraud and political theft, disgraceful to the annals of American statesmanship, are not in a position to investigate into the incident attending the birth of the child they adopt, and hence brilliant gentlemen who indorse this bill, abler than I, and Democrats, do not talk about this, which ought to wipe this Republican Administration out of power, because it is absolutely defenseless and wrong. If General Wood, in command down there, controlling and governing the Cubans, had any recommendations to make, the only legitimate statesmanship possible was to recommend to the Secretary of War what he desired and thought ought to be done; for the Secretary of War to recommend that to the President, and for the President of the United States to lay the matter before the Congress of the United States, and proceed decently and in order to discharge a moral obligation claimed to exist toward Cuba. But to pursue a dirty and surreptitious method, the facts about which had to be dragged out of Thurber's throat in the Senate committee, is disgraceful and ruinous to any administration under the sun. No wonder that post-office thievery obtains in the land, when such acts as that can be notoriously done in open sunlight and the chief actor be boosted into higher office.

The gentleman from Georgia [Mr. BARTLETT] at the first session of the last Congress introduced a resolution calling for the facts in this matter from the Secretary of War, which was passed—after the Senate hearing, in which Senator TELLER had pulled the facts out of Mr. Thurber, they could no longer be suppressed—and here is Brigadier-General Wood's statement through the Secretary of War:

WASHINGTON, D. C., *July 1, 1902.*

SIR: I have the honor to transmit herewith a statement of the expenses incurred in the cause of reciprocity between Cuba and the United States. The disbursements made were made by me as military governor of the island of Cuba, and were made for the purpose of presenting to the people of the United States, without reference to party or section, the desires of the people of Cuba as to the trade relations which should exist between that country and our own. The action taken was approved by the industrial and commercial classes of Cuba. It received the unqualified approval of the secretaries of the insular government, and was an expenditure of Cuban funds for the purpose of promoting Cuban interests.

The expense accounts are herewith inclosed:

1. Expenses of the special commission of Cuban planters sent by me, as military governor of Cuba, with letters of introduction to the honorable the Secretary of War of the United States, with the intimation that they desired to appear before the committees of Congress to be heard upon the subject of trade relations between Cuba and the United States	$1,399.00
2. Salary of F. B. Thurber, together with certain expenses for travel and clerk hire	740.00
3. Expenses incident to the purchase and circulation of certain marked copies of various United States periodicals	340.98
4. The circulation of 10,000 copies of a pamphlet entitled "Industrial Cuba"	222.50
5. The cost of circulating 320,000 circulars, in four issues of 80,000 each, $11,520, to which there is to be added $27.76, travel expenses of Lieut. E. Carpenter, acting commissary, United States Army, incurred in connection with the payment to United States Export Association of $2,880 (see voucher No. 1 to abstract herewith), making in all	11,547.76
6. The expenses incident to the circulation of 443 copies of the Outlook Magazine containing an editorial article on reciprocity	26.58
7. The expenses incident to the circulation of 18,000 copies of the Sunday editions of the Habana Post, containing editorial writings on reciprocity	750.00
8. To the Habana Post, for printing and circulating certain pamphlets on reciprocity	600.00
Total	15,626.82

The foregoing is to the best of my knowledge the total amount of the disbursements for the cause of reciprocity called for in the resolution of Congress of June 23, 1902.

Very respectfully,
LEONARD WOOD,
Brigadier-General, United States Army.

The SECRETARY OF WAR,
Washington, D. C.
(Through the Adjutant-General of the Army.)

Further on in this remarkable confession of misappropriation of a trust fund is a copy of one of these vouchers, showing what was done with this money. Here it is:

No. 15.

NEW YORK, *April 2, 1902.*

The United States military government of the island of Cuba to United States Export Association, Dr.

For sending a third edition of 80,000 circular letters and accompanying publications to leaders of thought throughout the United States, advocating

a reduction in the duties upon Cuban products, with a reciprocal reduction in the duties upon American products imported into Cuba, $2,880.
Received payment.

UNITED STATES EXPORT ASSOCIATION.
F. B. THURBER, *President.*

A true copy.

FRANK R. MCCOY,
First Lieutenant, Tenth United States Cavalry, Aid-de-Camp.

The military government of Cuba to United States Export Association, located at 40 West Broadway, New York, Dr.

Date of services.	Items.	Appropriation (general and subhead).	Amount.
1902. Apr. 12	To services, as per bill attached, in support of the applications of the inhabitants of the island of Cuba for reciprocal tariff relations with the United States.	Agriculture, industry, and commerce, central office, fiscal year 1902.	$2,880

This voucher paid by check No. 403158, dated April 11, 1902, for $2,880, on Banco Nacional de Cuba, drawn to order of United States Export Association.
B. F. DAVIS, *Treasury Disbursing Clerk.*

All this, and more, can be found in House Document No. 679, first session Fifty-seventh Congress. What would Washington have done to Wood?

But this bill purports to be a bill to carry into effect a treaty between the United States and the Republic of Cuba. What! Is this House to surrender its prerogatives, privileges, powers, and duties under the Constitution of the United States, with reference to raising revenue, to the dictates of a President and a Senate and bow down meekly to the iron heel that is already on the necks of the representatives of the people to ratify a treaty already ratified by the Senate in defiance of the Constitution of the United States? Can a man do that and claim still to be a Democrat?

The Constitution provides that all bills affecting the revenue shall originate, shall begin, in the House; yet this bill on its face purports to "carry into effect" a convention negotiated by the President and ratified by the Senate. Nothing but an artistic legal dodge can evade the plain proposition that if we vote for this bill we yield our exclusive rights to the Senate and the President, and they can go on negotiating treaties, drumming up public sentiment, and rush them through the House by the action of Committees on Rules, without amendment and without debate, and destroy the constitutional functions of this House. I am sworn to support the Constitution!

But this legislation was condemned by two Democratic national platforms specifically, as I shall demonstrate; by every State platform, Populist and Democratic, in the State of Texas in six years, and by two Congressional Democratic platforms in Texas, upon one of which I ran and the other JOHN GARNER ran. The platform upon which I ran contained the following provisions:

(2) We are opposed to trusts and monopolies which restrict competition, increase prices, depress wages, and rob the consumers of the country. We favor a tariff for revenue only, sufficient to meet the needs of Government, honestly and economically administered, and so levied as not to discriminate against sections, but to equalize the burdens of taxation.

(3) We denounce both the doctrine of free raw materials and Republican reciprocity as tending to free trade South and West and a protected North and East, making unequal the burdens of taxation and increasing the wealth of the last two sections and decreasing the wealth of the first two.

(4) We assert that the trusts and Republican reciprocity are twin children of excessive protection to the manufacturing industries. The one enables them to rob the home markets, and the other provides for them increased foreign markets at the expense of the farmer, fruit raiser, and stockman, while the robbery of the home market continues.

Here is the platform of 1892, upon which one of the greatest Democrats ever produced was overwhelmingly elected President of the United States—Grover Cleveland.

We denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and freer exchanges by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural products with other countries that are also agricultural.

Will any living man deny that Cuban exports are practically all agricultural? Will any living man deny that the exports of the United States are almost wholly agricultural? Then the language is too plain for dispute, and that platform says that that reciprocity is a "sham," a snare, a fraud that proposes to establish closer trade relations between two such countries as Cuba and the United States. Can a Democrat answer this? Let us hear him try.

Turn to the platform of 1896, upon which was nominated the greatest living orator in the world's history, a man whose heart beats closer in touch with the great common people than that of any man since the days of Thomas Jefferson—William Jennings Bryan. Let us see what that platform says:

We hold that the tariff duties should be levied for purposes of revenue, such duties to be so adjusted as to operate equally throughout the country and not discriminate between class or section, and that taxation should be limited by the needs of the Government honestly and economically administered.

That states our fundamental principle upon tariff to-day, and is in accord with the platform of the Ninth Congressional district of Texas, upon which I ran, and the Fifteenth district, in which GARNER was elected.

No man living, if I know my heart, more earnestly desires to see a united Democracy that shall sweep over Republican opposition and revise the iniquities of the so-called Dingley bill than myself, but that can never be done by bills that provide for the special class interests of one section as against the other. We must go back to that great ground of Robert J. Walker when he announced the principle that divided all articles imported into these three classes—necessities, comforts, and luxuries—levying the lowest possible revenue on necessities, higher upon the comforts, and the highest upon the luxuries, the same rate on the same class, but on all classes to raise only enough revenue to run an honest and economical government.

You can never adopt that proposition if you commit yourself to reciprocity treaties which trade off agricultural schedules to secure foreign markets for northern and eastern protected industries. I am against this bill for that reason, if there were no others. It is a long step in the direction of a free trade South and West, while protection remains in the interest of the manufacturers of this country. Why is it, think you, that the beet-sugar trust has gone into the maw of the lion, the American sugar trust, and all the rest of the trusts are backing up this legislation?

Why, the mask can be torn away very easily. It grows out of the trade selfishness in the East, which says, "Here is a shrewd trade invention by which the Cuban will throw up a tariff wall in his country of 20 or 40 per cent against all other nations, and let the protected industries, our monopolies under tariff, produced here, into their markets against all other countries." Now, I deny that we are under any moral obligation to do anything for Cuba except to refund to them $20,000 that General Wood filched from their treasury; yet we are under moral obligation to Cuba to do the square, honest, manly, just thing by her and her people, as yet ignorant in the great problem of self-government.

But, gentlemen, we shall inflict the crime of the century upon them if we undertake this legislation and coerce them to throw up a tariff wall, barring off France, England, Germany, and Spain, so that the American manufacturer can go in there and enrich himself in the Cuban market by reason of a differential tariff. There is no doubt that that is the true inwardness of this whole miserable policy of Cuban reciprocity. It is a trade policy prompted by the greed of commercialism, which cares nothing for Democratic or Republican principles, constitutional rights, or consistency. The only question that it considers is, Will it pay?

This proposition carried into law will involve a trade robbery of Cubans for the benefit of the protected manufacturers here. Now, let me state a proposition to an honest Democrat, who is willing to face it. Do you oppose protection here? "Oh, yes." But you are willing to vote it onto the Cubans so that the fellow that is protected here will be benefited there. Now, come right up square to the lick log like an honest man and face the question. Does it not do that? How can you benefit the manufacturer that wants the Cuban market except by adopting the Republican theory of trade restrictions, compel a preferential tariff to be enacted by the Cubans, barring off competition, increasing the price there so that the manufacturers in America can reap the benefit. A Democrat! Shades of Thomas Jefferson! Can a Democrat support that policy? Voting to force protection on another people to benefit the existing protectionists here, and then claiming that it is a great inroad on the protective theory! It may be, but, mark my words, if it is adhered to you will never have a Democrat victory because of it while we live.

Now, I admit that no man ought to vote against this measure simply because it will help the Republican party. Far from that. He is to vote for the benefit of this country and in accordance with its principles, and if he is an honest man he will. But this is not only a trust measure with reference to the Cuban; it is a trust measure with reference to us. It is a trust measure both ways. Why do I say that? Not only grab the Cuban market and force up a protective wall there for the protected industries here, but you get a reduction of the Cuban tariff on raw sugar for the benefit of the sugar trust, and no man on either side, whatever his politics, has dared to assert that that is not so.

The contention of these Democrats, in which I thoroughly agree, is that a differential amendment ought to have been put on this bill, so that the price of this reduction might not have been stopped in the till of the American sugar trust, but should go on into the pockets of the American consumer. Now, if we are right in that position, if we are not playing politics and trying to do something without knowing how, if we are in earnest and believe that unless the tariff amendment was put on the sugar trust will get the advantage of it, how can an honest Democrat vote for the bill unamended?

Mr. ROBINSON of Indiana. Will the gentleman allow me an interruption?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Indiana?

Mr. BURGESS. I hope the gentleman will not interrupt me; my time is limited and I want to get in all that I can. However, I will yield to the gentleman—he is always so kind to others.

Mr. ROBINSON of Indiana. I hope the gentleman will have some confidence that the Senate will put on that amendment.

Mr. BURGESS. Oh, Mr. Chairman, if I put my confidence in the fact that the differential amendment is to be put on in the Senate, for God's sake have me arrested and tried for lunacy! [Laughter.] In the light of the record made by the Republican crowd over at the other end of the Capitol at the last session of Congress I would be a consummate fool to suppose that they would attempt to amend a bill with that sort of an amendment when they would not vote for a bill over there that had it in.

No, sir; we have got to face the country upon the square proposition presented in this bill, which is a robbery of the American sugar consumer in the interest of the sugar trust. The proposition now is that when that amendment has been defeated we should vote for the robbery. I will not do it. I will not have that record, to a dead moral certainty. I will say I voted against the robbery. It was a robbery; it was a trust measure; we could not amend it and I would not support it, and if you can explain as well as I can, all right. There is no objection. This is an attack on nobody. It is a defense of my position, and while I feel lonesome I would rather be right and in the minority always than to be truckling and surrendering my convictions and my conscience and my liberty and independence for any sort of office on earth and never to know whether I was right or not.

But I must hurry. This bill is not only an outrage, as I see it, to every Democratic fundamental principle with reference to our internal taxation policy, but it is a greater outrage, if possible, upon a great Democratic foreign policy. What is the Democratic foreign policy? What is the policy of the Democratic party, time-honored from the days of Washington and Jefferson, with reference to foreign nations? Treat all alike! The only great party that ever existed in this country that could raise a flag with one inscription that covered fundamentally all its doctrines, foreign and domestic, is the Democratic party, and the inscription is, "Equal rights to all and special privileges to none," whether at home or across the sea, whether in Cuba or in Texas, whether in England or in Spain, whether upon taxation, commerce, coinage, or what not—equal rights to all and special privileges to none is the soul of the Democratic system; and if you enter into this dangerous, rock-strewn, shoal-marked pathway of reciprocity treaties, provoking retaliatory duties, provoking jealousies and enmities among the nations of the earth, you may look for a commercial war, and what are the fruits of our war with Spain will be torn from us, and we will be humiliated among the nations and our commerce destroyed.

I said in a speech that I made here in the Fifty-seventh Congress, dealing with this question, what I think I can not do better than say now, and for that reason I will read it:

I am proud as an American that we are capturing the markets everywhere, that American invention, American labor, American skill, and American enterprise, the "get up and get," that policy of "get there" that Sam Jones talks about, is making us the greatest nation in the world. Let me tell you that it is provoking the enmity of all the other nations. Sullenly and silently there is coming a feeling in Europe that the commercial supremacy of America must be checked and their markets rescued from this horde that have invaded them.

I am in favor of no policy that will give them just cause for resentment against America and throw us into a commercial war, as nearly all the wars of our country have been. I regard this as the immediate threatening danger to America, and that this policy will ultimately lead the European powers to enter into a combination to check our commercial power. Why do I say that? I say that you have not read the history of the world right if you do not recognize the fact that most wars we have had have had commercialism behind them.

Now, let us see how this foreign policy of reciprocity works. We have had members of the Republican and Democratic party with one glad acclaim hailing the wisdom and statesmanlike policy indorsed by Cleveland and McKinley of the open-door policy in the Orient. It is a very good policy in China. Why is it not equally fair when applied to Cuba? Will not Europe think we are discriminating against their trade in a country foreign to ours as well as theirs?

Can they not justly say, "You miserable traders in revenue, you talk about what you have done for Cuba, you prate about your patriotism. You took by war the gem of the ocean from Spain and pretended that you did it in the interest of freedom. You have hedged that about with Platt amendments; you have coerced them into tariff discrimination against all of us to their injury and to your benefit, and yet you ask us to join with you in maintaining an open-door policy of trade in the great markets of the Orient.

"Why should we not join in coercing the countries of the Orient into closing this open door against American manufacturers and leave it open only to us? Why should we not retaliate on account of your miserable Cuban policy? If you do this with one independent American republic, what assurance have we that you will not at the first opportunity take similar action with the other South American republics under the wing of the Monroe doctrine? Why should we not unite in barring American products wherever possible in any of the world's markets? If you call on this commercial war, why should we not fight for our trade?"

My able colleague, Hon. S. B. COOPER, in his minority report against this bill, aptly says, and I close with his words:

Sixth. It inaugurates the policy of reciprocity, which, as now advocated by the Republican party, is as undemocratic as a tariff for protection, and which has been aptly called "the handmaiden of protection." The Democratic view has always been that tariffs should be laid fairly and equitably to raise revenue for the support of the Government. It is as much a perversion of the taxing power to use it as a means to dicker and barter with other countries as it is to use it to protect favored industries against foreign competition. Tariffs should be framed for revenue and should be applied to all nations alike, enabling them to trade with us upon terms of equality. Instead of "peace, amity, and commerce with all nations, entangling alliances with none," we will enter upon a policy provocative of jealousies, dissensions, reprisals, and retaliation by foreign powers toward this country, and in the vortex tariff reform and tariff for revenue will be lost sight of, to be supplanted by unscientific, unfair, and unequal tariff schedules. Reciprocity trade relations will necessarily result in a struggle here upon the part of powerful industries to obtain trade concessions abroad at the expense of other industries which are less powerful at court, and in such a contest the powerful interests will be supreme and the weaker "go to the wall." As tersely stated by a distinguished Member of Congress, "Free trade for the farmer, protection for the trusts."

Mr. GROSVENOR. Mr. Chairman, I omitted to ask unanimous consent to extend my remarks at the conclusion of my speech. I now ask unanimous consent to elaborate my remarks along the lines upon which I spoke.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I would like to amend the request of the gentleman from Ohio by asking unanimous consent that all gentlemen who have spoken or shall speak on this measure be allowed to extend their remarks in the RECORD.

Mr. PAYNE. I suppose that would have to be done in the House.

The CHAIRMAN. That request is not one that is ordinarily granted in the Committee of the Whole, but in the House.

Mr. WILLIAMS of Mississippi. Very well; I will withdraw it and make it in the House.

The CHAIRMAN. The gentleman from Massachusetts is recognized for twenty-five minutes.

Mr. GILLETT of Massachusetts. Mr. Chairman, I understand that a great majority of both parties favor this bill and I have no doubt that it will pass by practically a unanimous vote, and one of the earliest lessons I learned at the law was not to argue a case when you found that the court or the jury was on your side. Indeed, they have a tradition at the bar of my county, although very possibly the same story is told at the bar of every other county in the United States, of a lawyer who had not learned that fundamental rule, and when he rose to address the supreme court in response to a lawyer on the other side it was suggested to him by the chief justice, "Mr. Jones, the court is with you." But Mr. Jones did not take the hint and harangued the wearied but patient court for an hour. When he sat down the chief justice, with the same politeness, remarked: "The court is still with you, Mr. Jones." I can only hope that this court will still be with me, although I am very sure in the House of Representatives it will not be expressed with the urbanity of that chief justice.

Disliking to argue a question already decided, I had intended simply to rise and ask permission to extend my remarks in the RECORD, but finding that time is abundant, I will inflict on the House what is meant for my constituents, for the real motive, I may as well admit, which prompted me to speak on this question has gone from me. I made a trip to the West Indies of a month last spring. I thought it might be pertinent and interesting on this bill to give some of my conclusions, but on reflection, one by one, I concluded it would not be wise to divulge them at this time, and therefore that motive of my remarks is gone and I am simply going to state my reasons for voting for this bill, which I presume are very much the same as those of the great majority of the Members of this House.

In the last Congress I listened to the statistics and logic and arguments which were marshalled with such profusion on both sides of the question whether this bill endangered the beet-sugar industry, and although my opinion vacillated it finally settled down to the conviction that the treaty would not seriously menace any large American industry.

If it did, that would to my mind, in most cases, be a conclusive argument against the treaty. A nation does not exist for altruistic purposes. It must always be honorable and just. It may occasionally be generous, but the interest of its own citizens should ordinarily be its controlling motive and rule of action. A nation is formed for self-protection and advancement, and if it endeavors to act systematically on nobler and unselfish principles I think it will fall into hypocrisy and decay. To keep a high standard of honor and to do justice to all is the most we can expect of any nation, and the least we should demand of our own. And so the advisability of a treaty should generally be determined by its probable effect on our own interests.

But Cuba by its location has so directly affected the United States that it was hardly altruistic for us to interfere in its concerns. We felt so closely the suffering and devastation there that our intervention on her behalf seemed to the majority instinctive and imperative rather than generous.

As a result of that intervention and the resulting treaty we can never again treat her like the rest of the world—can not look on her, in the familiar language of the Declaration of Independence, "as enemies in war; in peace, friends." Her destiny and policy is linked with ours; her prosperity and progress are our duty as well as our advantage, and as she is practically under our protection it is to our interest that she increase in power of self-defense. And so I think matters of trade with her are not to be considered, as with other countries, solely and singly with an eye to our direct advantage, but we are to bear in mind that her interest is ours and that we should consider the effect on her progress as well as on our own. She is not a part of us. I trust that she may never become a part.

And I may as well state here my belief that none of the dependencies acquired in the past few years should ever be States or participate in the government of the United States. We are at present responsible for them, and their education and improvement must be our care, but I think it should be well settled in the mind of the American people and well understood by them that they are not to develop into States. They differ from us in "language, institutions, and laws;" they differ in religion and race and temperament, and, above all, in that hereditary self-restraint and appreciation of the difficulties of self-government which we have acquired only from the struggle and growth of a thousand years, and which is already so diluted by immigration that we sometimes question whether it is strong enough to preserve what it has won.

It was because I did not believe that a nation should be altruistic that I was opposed to our original acquisition of the Philippines, thinking that, although it was doubtless advantageous for them, it would be a burden to us. And it is because I still believe that we should not be altruistic that I think the goal to be held up before their ambition and hope should be some such independence as Cuba has, and not statehood. No territory outside of this continent should ever become one of the United States. But magnanimity is often the truest national wisdom, and I think in dealing with Cuba that policy is especially imperative. For defense against foreign enemies she trusts solely to us. She has no navy and her army is for domestic use. She has given us two of her finest harbors to fortify for ourselves, and her foreign policy is in our hands. Our relations must necessarily be intimate, and to strengthen and cultivate that intimacy our trade relations, too, ought to be close. And that, I believe, is ultimately to our commercial and industrial advantage also.

I went through the island from end to end last spring over the new railroad, inspecting our two harbors and examining as thoroughly as I could the capacity of the island and of the people. It seems to me beyond question that there is a great field for the products of our factories. Indeed, it seems an ideal opportunity for the application of the principle of reciprocity. That principle has little application between nations or provinces where products compete. Between Massachusetts and Connecticut, for instance, two States where soil and climate and industries are alike, there would be no possibility of profitable reciprocity; there must either be free trade or mutual protection. But Cuba's chief products, sugar and tobacco, are not produced in the United States in quantities sufficient for our own consumption. We must import them. Our manufactures, on the other hand, are not rivaled at all in Cuba; she must import them. And so there is the most obvious and natural field for reciprocal trade which shall profit both—not at the expense of either, but at the expense of other nations. And when we add to this commercial profit of reciprocity the further resulting advantages of mutual dependence and intercourse, and consider how urgent it is that this young Republic at our gates should prosper, and should develop feelings of friendship and reliance and intimacy with us, it seems to me the argument for reciprocity is irresistible. It is advantageous for us commercially, it helps Cuba in her upward pathway, and it binds firmly those natural relations of friendship and dependence which it is so desirable she should always preserve and strengthen.

I was surprised and gratified to find how much of the impulse which our régime there gave the Cubans had been held by them. Their cities are still clean and well policed, can put to shame many an American city, and they seem to take pride in the creditable appearance of State institutions. The people themselves show an alertness and regard for appearances which I was not at all prepared for. Their prosperity, their modes of thought and controlling ambitions, it was impossible for a stranger to their language even to guess at. Their general mode of life was the most discouraging feature, but I suppose it is not fair for one from a cold climate to draw inferences from the simple modes and habits of the Tropics. The very fact that nature furnishes everything necessary for existence, almost without labor, discourages effort. To this, I suppose, is largely due the success of northern people competing with the Tropics. It is not the nations to whom nature has been most lavish that have been most prosperous. Apparently it is true of nations as of individuals that the necessity for work produces strength and happiness. Contradictory and illogical as it seems, a nation's wealth can almost be measured by its needs; the more its people require for contentment the more they have to produce and the more there is of labor and capital and prosperity. Idleness and a low standard of living is healthful for neither men nor nations, and the competition of even such a luxuriant and salubrious garden as Cuba with its present modes of life and thought and industry need have no terror for us.

And so I think this treaty ought to be made effective, because it is advantageous to us, is advantageous to Cuba, and is in line with that permanent policy of friendliness and intimacy to which we bound ourselves when she first became a nation, and we are fortunate to find that duty and self-interest both draw us in the same direction. [Applause.]

Mr. JONES of Washington. Mr. Chairman, my mail brings protest after protest against the passage of this bill, and in my judgment the objections to it are more cogent and powerful than they were against the measure against which my vote was cast last Congress. But after that measure had been discussed in this House for many days, and after it had been discussed fully and thoroughly throughout the country, the delegates of the Republican party from my State met in convention, and because of their confidence in the integrity, sincerity, honesty, and patriotism of our President they adopted this plank in our platform:

We indorse the foreign and domestic policy of President Roosevelt and instruct our delegation in Congress to support the same.

That platform was approved by 25,000 majority, and as representing the expressed will and desire of a great constituency, and not my own individual views, I have voted for the rule for the consideration of this measure, and my vote shall be cast for the bill itself. I yield back the balance of my time.

Mr. SHAFROTH. Mr. Chairman, I am well aware, as is everyone in this Chamber, that this measure is to be passed almost unanimously, and yet I do not feel that I can properly represent my State without rising to protest against the passage of the same. This legislation, in my judgment, is fraught with great mischief to an industry full of promise to the American farmer, which is infant in character, and yet which has been progressing by leaps and bounds in my section of the country.

This measure is both un-Republican and un-Democratic. It is un-Republican because it encourages a foreign industry, and to that extent it discourages a home industry. Gentlemen may say that with this 20 per cent reduction the factories will not close. They may not. But I want to tell you that it discourages them notwithstanding. It has already discouraged that industry. In the Congressional district which I represent we have now six sugar-beet factories, representing a capital of $6,000,000; and if this legislation had not been proposed last Congress we would by this time have had ten factories in that district. The plans of construction were drawn and contracts with the farmers to raise the beets were entered into for four more factories, but because of the uncertainty of foreign competition arising from the introduction of a similar bill to this two years ago it has been impossible to get capital to make the venture. Capital was willing, ready, and anxious to undertake these four factories as well as the three that have been constructed in the last year. Has not the measure already been discouraging to the home industry?

Is it possible that it is to the interest of this nation that we should encourage capital which is ready to go into the sugar business in our own country to seek investments in sugar lands in Cuba? Can anyone say that such effect is not discouraging to our home industry? Already more than $25,000,000 of American capital has been invested in sugar lands in Cuba—enough to erect twenty-five large sugar-beet factories in our own land. If this bill passes it is likely that $100,000,000 of American capital will leave our shores and find investment in Cuban sugar enterprises. Is not such legislation which drives capital from a home to a foreign industry detrimental to the home enterprise?

Is it possible that anybody, I care not what he may believe on the tariff question, can sanction the picking out for sacrifice or impairment from all the protected industries the one which is of so much promise to the farmer, especially when we know that the farmer receives very little direct benefit from the Dingley Act? Is it right to sacrifice or discourage the infant nonmonopolistic beet-sugar industry and leave highly protected so many old monopolistic enterprises? Can it be that such a measure is Republican?

Mr. Chairman, it is not a Democratic measure. The Democratic party does not believe in reducing the tariff unless our own people get the benefit of the reduction. Their whole theory is based upon the result of lower prices to the consumer. There can be no question that the American people, on account of the reduction of this duty, will not get one particle of benefit from it in reduced prices of refined sugar. The effect of a reciprocity treaty

with any nation that furnishes less than the entire quantity of sugar we consume is that the world's market, the world's price of sugar, will control the price of sugar in this country. There is an international price for sugar at the Hamburg market. With that price fixed, the Hamburg price controls the price of sugar here, in Cuba, and in every other country. The price of sugar in every importing country is the Hamburg price plus freight and duty. The price in every exporting country is the Hamburg price less freight and duty. The only modification of this rule is where something can be saved in freights by shipment direct to the importing country. As Cuba does not produce enough sugar to supply the import demand of the United States, it is necessary for us to buy a large quantity in the Hamburg market. As sugars of the same grade at New York can not sell at different prices, and as the Cuban crops are not a sufficient supply to pull down the Hamburg price, the world's price plus freight and duty controls the New York market, which makes Cuban sugar sell for that price even if we were to admit her sugar free of duty.

Mr. Chairman, there is another reason why this bill is un-Democratic. The poor people of Cuba will not get the benefit of the reduced duty, but the planters in Cuba and the sugar trust of the United States will.

I concede that Cuba will get some benefit. I do not take the proposition as true that the American Sugar Refining Company will get all of it, but it will get the lion's share. I believe that because, inasmuch as it has a monopoly of the sugar market in this country, it can dictate to the Cuban producer within certain limits at what price he can sell. The American Sugar Refining Company, commonly called the "sugar trust," and the Cuban sugar grower are in the relation of buyer and seller, the seller trying to get all he can and the buyer trying to buy as cheap as it can. The company has the advantage, because it has immense capital and a monopoly in refining produced by the tariff law, which compels the exporter to pay less duty on raw than on refined sugar. Therefore, no refined sugar to speak of comes from foreign countries to our market, and that compels the Cuban producer to sell to the sugar trust. It has the additional advantage of being able to buy at all times from the world's market. On the other hand, the Cuban sugar grower, by reason of proximity and freight savings, must sell to America instead of to Hamburg. That situation leaves Cuba no market but America for her sugar. The planters are not as able to wait as the sugar trust, hence the disadvantage. The negotiations between buyer and seller usually result in some division of the margin. The planter will be lucky indeed if he can get one-half of the profit produced by the reduction of duty. I therefore contend that the sugar trust will get at least half of the benefit of this law.

Now, how much is that? We are reducing the duty 20 per cent on raw sugar, and that will amount to between eight and ten million dollars a year. Willett & Gray's publication says that there is on the market this year 975,000 tons. It is estimated that the crop next year will be 1,250,000 tons. The 20 per cent reduction of duty will therefore amount to a loss in revenue to our Government, in the five years' period of this treaty, of between forty and fifty millions of dollars, one-half of which will go to foreign planters and the other half to an American monopoly. Can any Member on this side of the House say that a measure which produces such results is Democratic? It is identically the same as if that duty were paid into the Treasury of the United States and Congress should appropriate it directly, one-half to the sugar producers of Cuba and one-half to the American Sugar Refining Company. That will be the result of the legislation, indirectly, it is true, by not paying the duty in the first instance, but directly in that it reduces that much the revenues of the United States and divides the same between the Cuban planters and the sugar trust.

What would we think of a bill brought in here to give eight or ten million dollars each year, four millions of it to the Cuban producers, according to a certificate that they had raised so many pounds of sugar, and four millons to the American Sugar Refining Company? Why, if the bill were placed in that form there would not be a single man in this House, be he Democrat or Republican, who would vote for the same, and yet that is exactly the effect of this bill.

Now, is there any compensatory benefit given by this treaty to us? We get a reduction of duties on our exports into their country, but when we examine their tariff schedule we find that we can not get much benefit from their reduction. Why? They have in Cuba nothing but a duty on an average of 23 per cent. It is a revenue duty. It is not enacted for the purpose of protecting any industry—it is purely a revenue tariff—and when we get the reduction which this treaty accords it will amount to very little.

But gentlemen say that we will get great benefit from the reduction of the duty on wheat. It will not be one penny's benefit to the wheat raiser, for the reason that we now sell to Cuba every particle of wheat that she consumes. Wheat has an international market also, and that international market fixes the price of wheat for every country in the world. The Liverpool market is considered the world's market for wheat. We being exporters, the price in this country is fixed by that market. We can not sell wheat in this country higher than there, because we have a surplus, and no one would sell to Liverpool if it did not pay them better than selling at home. Inasmuch as it is a saving to send wheat directly from this country to Cuba instead of shipping it first to Liverpool and then to Cuba, it is more profitable to Cuba to buy directly from us. It would also be more profitable for Cuba to buy wheat from us even if she raised or lowered her duty on wheat, unless she discriminated by a lower duty to some other wheat-raising country. In view of what we have done for Cuba it is hardly within the range of possibility that she should even consider such a policy. But even if she did it would not affect the international price which controls our market. It would simply displace that much wheat in the world's market, and consequently there would be a demand in the world's market for the exact quantity of wheat displaced. Therefore the world's price of wheat, which fixes the price of that commodity in our country, can not be affected by any legislation on the part of Cuba.

Mr. Chairman, this legislation started upon the theory that Cuba was poor. Nobody seemed to put it upon the ground of any economic principle. It was on the ground that Cuba was poor; that her people were in distress; and to such extremes were the publications at that time carried that it is amusing now to read some of them. I want to call attention to just one which appeared in the New York Herald, a conservative paper, two years ago, or nearly so—on February 9, 1902. I refer to the headlines of this article. They were:

Anarchy or annexation—One or the other is bound to result from further delay in granting relief to Cuba—While Congress potters and procrastinates the Cuban people starve.

Think of headlines such as these appearing in a respectable paper, trying to induce the American people to come to Cuba's relief, trying to force the American Congress to enact legislation for those people. It starts out by saying "anarchy or annexation," and that the people are starving, when in point of fact the investigation before the Ways and Means Committee two years ago showed conclusively that the wages in that country were 75 per cent higher than they were under the Spanish régime, and that every man, no matter who, could find employment if he was willing to work. I wish to call attention to the recent report of our consul-general to Cuba, which is as follows:

The labor supply of the island, as hereinbefore indicated, is insufficient, so far as farm laborers are concerned.

Wages paid in the principal occupations were the subject of a dispatch rendered by me July 4, 1903, an extract from which gives the following. The amounts are expressed in terms of Spanish gold and are for a day of ten hours:

Bookbinders	$1.50 to $2.00
Carpenters	2.50 to 3.50
Laborers	1.25
Masons	2.00 to 2.50
Mechanics	2.00 to 3.00
Painters	2.00
Printers	2.00 to 2.50
Shoemakers	1.00 to 2.00
Tinsmiths	1.00 to 1.50

In addition thereto I add wages paid on plantations. The amounts given are the rates per month, and include maintenance:

Cartmen, plowmen, and field guards	$20
Cane cutters and cane loaders	25
Cane lifters	23
Teamsters	15

F. STEINHART, *Consul-General.*

HABANA, *August 23, 1903.*

Can anyone, from an examination of those wages, say that the people of Cuba are in distress? Nay, more, the Cuban Government is better off to-day than any government on the face of the globe. She has in her treasury a surplus of $4,000,000 and does not owe a single dollar. There is no other nation but has a national debt.

Mr. Chairman, two years ago we had an industrial war in our State on this sugar question. It was the effort of Mr. Havemeyer at that time to crush the beet-sugar industry. We produced enough sugar in Colorado to supply our demand, and had a surplus which it was necessary for us to market at the Missouri River points, Kansas City, St. Joe, and Omaha. The beet-sugar people made contracts for future delivery for the sale of their sugar at $5.25 a hundred, with a guarantee that the Havemeyer sugar would not sell at a less price. One morning, without any notice whatever, we found that cane sugar was selling in that market at $3.50 a hundred. Such a cut, I believe, was never before known in the history of the sugar market.

When we take into consideration that the raw sugar imported from Cuba or anywhere else in the New York market that very day was selling for $3.75 a hundred, you can realize that the war was a war of extermination. It aroused the people in my section

of the country as they never had been aroused before in an industrial fight. It was at that time that people signed agreements that they would not buy one particle of cane sugar raised in any foreign port. The grocers of the State, and particularly of Denver, organized, and said that no matter at what price it was offered to them they would not take the trust sugar. That evidently was a war made for the purpose of exterminating the beet-sugar industry. It did not exterminate it, and why? There were some beet-sugar people that happened to have some money, and finding that the raw sugar was being sold in New York City at $3.75 per hundred, and that the offer was made away out in Kansas City to sell refined sugar at $3.50 a hundred, they concluded they would buy all that was on the market, and so they did. When the trust found that it was losing 25 cents a hundred in addition to the charges of refining and the cost of shipment to Kansas City, it concluded that it could not maintain the cut.

Now, I have no doubt this legislation was started two years ago by publications that emanated from the American Sugar Refining Company. It sought to obliterate, to exterminate that industry. The effort was made in these Missouri River Valley towns. The people in the West, with a unanimity that knew no party, arose. There was not a convention in my State that indorsed Cuban reciprocity. The Democratic State convention condemned it in severe terms; there was not one dissenting voice. I do not believe you can find within the confines of my State a single man who would vote in favor of Cuban reciprocity.

Mr. Chairman, it seems to me that when we take into consideration that this is a loss to the revenues of our Government of from forty to fifty millions of dollars in the five years' period of this treaty; when we take into consideration that it has a tendency at least to discourage, even if it does not exterminate, a home industry; and that it will take the capital which naturally would go into the sugar business in this country and send it into a foreign nation, no man, I care not on which side of the Chamber he sits, ought to sanction any such measure.

The theory that we are under obligations to Cuba I can not concur in. I do not believe that there is any obligation. In fact, the obligation to my mind is a hundredfold, a thousandfold more upon their side. I hold in my hand the Platt amendments that have been referred to so frequently as creating our obligation. I will read them. Article I is as follows:

I.

That the Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise lodgment in or control over any portion of said island.

Is not that article directly to their interest; does any Cuban want to impair the independence of his country? They have the right under that article to enter into any commercial treaty they may desire, even if it should discriminate against us.

Article II is as follows:

II.

That said Government shall not assume or contract any public debt to pay the interest upon which and to make reasonable sinking-fund provision for the ultimate discharge of which the ordinary revenues of the island, after defraying the current expenses of Government, shall be inadequate.

A similar provision is contained in the constitution of almost every State in the Union, and has been found to be an excellent safeguard against extravagant appropriations of money.

The third article is as follows:

III.

That the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

Is it possible that any State, if it were not in the Union, would not want our Government to intervene to preserve its independence if anarchy or other disintegrating causes should prevail?

Article IV is as follows:

IV.

That all acts of the United States in Cuba during its military occupancy thereof are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

Could Cuba do otherwise than ratify the acts of the nation which gave her people liberty and independence?

Article V is as follows:

V.

That the Government of Cuba will execute, and as far as necessary extend, the plans already devised or other plans to be mutually agreed upon for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

Is it not to the interest of Cuba that her cities should be kept in sanitary condition? Is it not her people whose lives are to be preserved by such a provision?

The sixth article reads as follows:

VI.

That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

That simply means that we will pay a big price for the Isle of Pines for a naval station.

The seventh article is as follows:

VII.

That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

Is it not greatly to the advantage of Cuba that she should sell to us lands for coaling or naval stations? That very provision is worth millions of dollars each year to Cuba, because it relieves that Government of the necessity of building and maintaining a navy of its own and guarantees that our Navy will be used against any nation that seeks to annex her territory.

The last provision is as follows:

VIII.

That by way of further assurance the Government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

Is there one syllable contained in any of these provisions but what is directly for the benefit of Cuba and which we would be glad to accept if we were Cubans? President Palma has in his message to the Cuban Congress referred to the vast benefits arising to Cuba by reason of the Platt amendments.

And yet gentlemen in this Congress have the effrontery to assert that we are under moral obligations to Cuba for adopting provisions which are directly of benefit to her and which involve the expenditure of large sums by us.

Where are you going to stop with relation to this so-called obligation? One man will say that we owe Cuba a reduction of 10 per cent. Another man will say that we owe her a reduction of 50 per cent. Is it susceptible of measurement? We find, however, that the very instrument upon which they predicate the obligation has nothing in it to the effect that we are under obligation to them. We find that not a single one of these provisions is for the benefit of anybody except the Cubans themselves. I can not conceive how, after this nation has spent $250,000,000 in giving them liberty, and has made a treaty with Spain striking out a bonded indebtedness upon the island of $330,000,000, making a total expenditure and a total relief to them of $580,000,000, or more than $400 to each man, woman, and child in the island, I can not conceive how any obligation can exist upon this Government to do more.

Nay, we have had distress in our own land. We have seen the time when corn sold in Kansas for 9 cents a bushel. Yet we did not find the people of Kansas coming here and saying that we must give them something in order to relieve them of their distress. We found the South for a time selling its cotton for 4½ cents per pound. Yet we did not find the Representatives of Southern States coming to Congress and insisting that they must have some relief, saying, "Our people have been raising cotton at a greater expense than they can sell it for and therefore you must give us some relief." We did not hear any such thing. You can search the files of the House of Representatives and the Senate and I venture you will not find one bill that was introduced for the relief of our own children—not our wards, but our children—when they were raising cotton at a greater cost than they could realize for it, and when corn was being sold in the market at a lower price than it could be raised for in Kansas.

Nay, more, we have had an example even in the State of Colorado. When the panic of 1893 came the price of silver fell to a point that was unparalleled. That closed down a great many mines in the State of Colorado. Ten thousand miners left the State. At that time it was the principal industry of Colorado and the value of the real estate of our State was dependent upon the same. That fall in the price of silver made real estate almost immediately tumble in price, yet we did not find that there was any relief bill introduced, nor did we find that there was any agitation of the idea that the mine owners who were compelled to close their mines and those who continued to operate them at a slight loss or the owners of lands and real estate should be reimbursed by the National Government. We did not find any proposition of that kind, although that loss occurred by reason of legislation upon the part of our own National Government; although it was the direct result of the repeal of the purchasing clause of the Sherman Act. We did not treat our own children that way, as we are now treating Cuba. Our own people have a right to appeal to us, yet we do not find them doing so; but when it comes to Cuba, a so-called ward only, it is said that we must give her advantages even at the cost of an injury to a growing, promising industry of our own country.

If we owe anything to Cuba, pay it out of the general Treasury,

but don't pay it by crippling or discouraging one home infant industry that is struggling with all its might to become strong and great.

According to the report of our consul-general in Cuba, sugar in that island can be produced by modern machinery as low as 1½ cents per pound, and on the average, by modern machinery, is now being produced there at a cost of 1½ cents per pound. Beware of compelling the one industry of most benefit to our farmers to compete with the low prices of tropical countries, which will be made still lower by the further employment of Chinese labor. That same consul-general asserts that Cuba is capable of raising 6,000,000 tons of sugar a year—more than twice the entire consumption of the United States. With no restriction against Asiatic labor in Cuba, and with an unlimited capacity for production of sugar, who can say that this legislation is not diabolical in its tendency?

Mr. Chairman, I regret that we can do nothing but protest. But I want to say to you, gentlemen, that it is not right, it is not fair, it is not just. It is not fair to that industry that promises in ten years to supply all the sugar we will need in this country. [Loud applause on the Democratic side.]

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 1921 and had come to no resolution thereon.

NAVAL TRAINING STATION ON THE GREAT LAKES.

The SPEAKER. If there be no objection, the following request will be agreed to.

The Clerk read as follows:

The order to print on the following document, "A letter from the Secretary of the Navy, transmitting, with a favorable recommendation, a copy of the report of the board appointed to select a site for a naval training station on the Great Lakes," will be made to include the engraving also of certain accompanying maps.

The SPEAKER. That is made necessary by the law enacted, I believe during the last Congress, that such matters as engravings and illustrations should not be printed without the order of the House.

Mr. PAYNE. Mr. Speaker, I think the House ought to have more authoritative information on this before the order is made. It may entail a great expense.

The SPEAKER. It is a single document. The Chair will cause a section of the act which was passed last year to be read.

The Clerk read as follows:

SEC. 3. That no part of the appropriations herein made for printing and binding shall be used for any illustration, engraving, or photograph in any document or report ordered printed by Congress unless the order to print expressly authorizes the same, nor in any document or report of any Executive Department or other Government establishment until the head of the Executive Department or Government establishment shall certify in the letter transmitting such report that the illustration is necessary and relates entirely to the transaction of public business.

Mr. PAYNE. I think it can wait, Mr. Speaker, for further examination, and I object. I move that the House do now adjourn.

Mr. SHAFROTH. I ask the gentleman to withhold that motion for a moment until I ask unanimous consent to extend my remarks in the RECORD.

Mr. PAYNE. I withhold the motion for that purpose.

The SPEAKER. The gentleman from Colorado asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. I renew my motion.

The motion to adjourn was then agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mary C. Munt, administratrix of estate of John U. Munt, against the United States—to the Committee on War Claims, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 1947) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States and acts amendatory thereof, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CLAYTON: A bill (H. R. 4059) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898—to the Committee on the Judiciary.

Also, a bill (H. R. 4060) to provide an emergency circulation fund, and for other purposes—to the Committee on Banking and Currency.

Also, a bill (H. R. 4061) granting certain lands belonging to the United States and situated in the State of Alabama to the State of Alabama for the use and benefit of the common schools of that State—to the Committee on the Public Lands.

Also, a bill (H. R. 4062) to authorize the Brunswick and Birmingham Railroad Company, a corporation, to construct and operate a bridge across the Chattahoochee River at or near the city of Eufaula, Ala.—to the Committee on Interstate and Foreign Commerce.

By Mr. HITT: A bill (H. R. 4063) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases—to the Committee on the Judiciary.

Also, a bill (H. R. 4064) limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or any Territory, or for the District of Columbia, and for other purposes—to the Committee on Labor.

By Mr. CLARK: A bill (H. R. 4065) providing for the erection of a public building at St. Charles, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. WARNOCK: A bill (H. R. 4066) to amend section 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and for providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 4067) to pension all soldiers and sailors of the civil war at the rate of $12 per month—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 4068) for a survey of the Pearl River, in the State of Mississippi, from and including its mouth to Monticello, Miss.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4069) to establish a fish-hatching and fish-culture station at a point on the Gulf on Mexico, in the State of Mississippi—to the Committee on the Merchant Marine and Fisheries.

By Mr. CALDWELL: A bill (H. R. 4070) to provide for the purchase of a site and the erection of a public building thereon at Pana, in the State of Illinois—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4071) to provide for the purchase of a site and the erection of a public building thereon at Litchfield, in the State of Illinois—to the Committee on Public Buildings and Grounds.

By Mr. HEPBURN: A bill (H. R. 4072) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases—to the Committee on the Judiciary.

By Mr. LITTAUER: A bill (H. R. 4073) for the erection of a public building at Ballston Springs, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. SHERMAN: A bill (H. R. 4074) constituting Utica, N. Y., a port of delivery—to the Committee on Ways and Means.

By Mr. JENKINS: A bill (H. R. 4075) to establish the Fredericksburg and Adjacent National Battlefields Memorial Park, in the State of Virginia—to the Committee on Military Affairs.

By Mr. TOWNSEND: A bill (H. R. 4076) for a public building at Ann Arbor, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. LUCKING: A bill (H. R. 4077) for the erection of an additional public building at Detroit, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. McGUIRE: A bill (H. R. 4078) to enable the people of Oklahoma to form a constitution and State government and be admitted into the Union on an equal footing with the original States—to the Committee on the Territories.

By Mr. STEVENS of Minnesota: A bill (H. R. 4079) to extend additional homested rights to soldiers and sailors serving in the war with Spain, or during the military occupancy of Cuba, Porto Rico, or the Philippines—to the Committee on the Public Lands.

Also, a bill (H. R. 4080) to increase the limit of cost for the public building at St. Paul, Minn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4081) for the relief of certain officers and soldiers of the Volunteer Army of the United States—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 4082) to erect

a monument on Brandywine battlefield, Chester County, Pa.—to the Committee on the Library.

Also, a bill (H. R. 4083) to erect a monument to the memory of John Morton—to the Committee on the Library.

Also, a bill (H. R. 4084) to establish a national military park at the Brandywine battle ground, Pennsylvania—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia"—to the Committee on the District of Columbia.

Also, a bill (H. R. 4086) providing for the purchase by and on behalf of the United States of the right to use the Daniel process of producing engraved plates—to the Committee on Printing.

Also, a bill (H. R. 4087) to provide for the erection of a monument in commemoration of the services of Gen. Otho Holland Williams in the Revolutionary war—to the Committee on the Library.

Also, a bill (H. R. 4088) to amend the act of August 23, 1894, empowering fourth-class postmasters to administer oaths to pensioners—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4089) to provide pensions for those who are blind or so nearly blind as to require the services of an attendant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4090) in reference to the civil service and appointments thereunder—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 4091) to grant carriers and substitute carriers in the rural free-delivery service fifteen days' leave of absence in each year—to the Committee on the Post-Office and Post-Roads.

By Mr. STEVENS of Minnesota: A bill (H. R. 4092) to provide for a port of delivery at Stillwater, Minn.—to the Committee on Ways and Means.

By Mr. PEARRE: A bill (H. R. 4093) to increase the limit of cost of public building at Hagerstown, Md.—to the Committee on Public Buildings and Grounds.

By Mr. CROWLEY: A bill (H. R. 4094) for the erection of a public building at Centralia, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. HUGHES of West Virginia: A bill (H. R. 4095) providing for a public building at Bluefield, W. Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4096) to amend the act of June 9, 1894—to the Committee on the Post-Office and Post-Roads.

By Mr. WADE: A bill (H. R. 4097) providing for the erection of a public building at Muscatine, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. KINKAID: A bill (H. R. 4098) to provide for the purchase of a site and the erection of a public building thereon in the city of Kearney, in the State of Nebraska—to the Committee on Public Buildings and Grounds.

By Mr. JOHNSON: A bill (H. R. 4099) for an addition to the public building at Greenville, S. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4100) to provide for the appointment of a district judge for the western judicial district of South Carolina, and for other purposes—to the Committee on the Judiciary.

By Mr. CROFT: A bill (H. R. 4101) to establish distinct United States courts, with distinct officers, in the eastern and western districts of the State of South Carolina, to define the limits of each of said districts, and to prescribe the time and place for holding the courts therein—to the Committee on the Judiciary.

By Mr. SPARKMAN: A bill (H. R. 4102) providing for the erection of a public building at the city of Ocala, Fla., and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. DOUGLAS: A bill (H. R. 4103) to provide for the erection of a branch post-office in the city of New York—to the Committee on Public Buildings and Grounds.

By Mr. McLAIN: A bill (H. R. 4104) to authorize the governor of the State of Mississippi to select certain lands in part satisfaction of its grant for university purposes—to the Committee on the Public Lands.

By Mr. DWIGHT: A bill (H. R. 4105) to increase the salaries of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. STEVENS of Minnesota: A bill (H. R. 4106) for the relief of certain retired officers of the United States Army—to the Committee on Military Affairs.

By Mr. SMITH of Pennsylvania: A bill (H. R. 4107) granting pensions to widows who were the lawful wives of soldiers or sailors prior to July 1, 1865, during widowhood, notwithstanding remarriage—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 4108) authorizing the President to appoint an inspector, to be attached to the office of the Secretary of the Navy—to the Committee on Naval Affairs.

By Mr. RYAN: A bill (H. R. 4109) to amend the act of June 27, 1890, giving pensions to soldiers and sailors who were incapacitated for the performance of manual labor—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 4468) for the protection of the President of the United States, and for other purposes—to the Committee on the Judiciary.

By Mr. LAFEAN: A bill (H. R. 4469) to provide for the purchase of a site and the erection of a public building thereon at York, in the State of Pennsylvania—to the Committee on Public Buildings and Grounds.

By Mr. MADDOX: A bill (H. R. 4470) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof—to the Committee on War Claims.

Also, a bill (H. R. 4471) to provide for the purchase of a site and the erection of a public building thereon at Dalton, in the State of Georgia—to the Committee on Public Buildings and Grounds.

By Mr. GREENE: A bill (H. R. 4472) relating to widows' pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4473) authorizing the Secretary of the Interior to increase the pension of pensioners on attaining the age of 64 years—to the Committee on Invalid Pensions.

By Mr. McLAIN: A bill (H. R. 4474) to authorize the governor of the State of Mississippi to select certain lands in part satisfaction of its grant for university purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 4475) for improvement of the Homochitto River, in the State of Mississippi—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4476) for a survey of the Homochitto River, in the State of Mississippi, from and including its mouth to the Yazoo and Mississippi Valley Railroad—to the Committee on Rivers and Harbors.

By Mr. HENRY of Texas: A bill (H. R. 4477) making an emergency appropriation of $25,000 for the purchase of early maturing varieties of cotton seed for distribution in certain districts of Texas invaded by the Mexican cotton-boll weevil—to the Committee on Agriculture.

By Mr. KNAPP: A bill (H. R. 4478) providing for the erection of a public building at Watertown, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. DIXON: A bill (H. R. 4479) to provide for the erection of a public building in the city of Missoula, Mont.—to the Committee on Public Buildings and Grounds.

By Mr. PEARRE: A bill (H. R. 4480) for the extension of Vermont avenue from Florida avenue to Howard University—to the Committee on the District of Columbia.

By Mr. MARSHALL: A joint resolution (H. J. Res. 40) providing for the printing of an additional number of the Annual Report of the Department of Agriculture for the purpose of supplying the same to the students of the various agricultural colleges in the different States—to the Committee on Printing.

By Mr. SHEPPARD: A joint resolution (H. J. Res. 41) providing for a change in the method of printing the report on field operations of the Bureau of Soils, Department of Agriculture—to the Committee on Printing.

By Mr. PEARRE: A concurrent resolution (H. C. Res. 8) providing for the printing of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, of Maryland—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 4110) granting a pension to Antoinette R. Smith—to the Committee on Pensions.

By Mr. ALLEN: A bill (H. R. 4111) to authorize the appointment of Acting Asst. Surg. Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy—to the Committee on Naval Affairs.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 4112) granting a pension to Elizabeth Wynne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4113) for the relief of Hamilton D. South, second lieutenant, United States Marine Corps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4114) granting an increase of pension to Robert Carns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4115) granting an increase of pension to Joseph S. Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4116) for the relief of the estate of Henry C. Nields, deceased—to the Committee on Claims.

Also, a bill (H. R. 4117) to pay the Standard Steel Casting Company for one 6-inch gun casting—to the Committee on Military Affairs.

Also, a bill (H. R. 4118) for the relief of the legal representatives of John Roach, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4119) granting an increase of pension to William Mercer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4120) granting an increase of pension to Henry R. Guss—to the Committee on Invalid Pensions.

By Mr. BARTLETT: A bill (H. R. 4121) for the relief of Mrs. Izabella R. Napier—to the Committee on War Claims.

By Mr. BIRDSALL: A bill (H. R. 4122) granting an increase of pension to James Mattingly—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 4123) granting a pension to Matilda McKimmy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4124) granting a pension to Dexter A. Olds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4125) granting a pension to William Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4126) granting a pension to Martha Ann Saunders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4127) granting an increase of pension to Allen A. Cameron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4128) granting an increase of pension to J. F. William Richter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4129) granting an increase of pension to Isaac N. Ray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4130) for the relief of Bryon H. Reed—to the Committee on Military Affairs.

Also, a bill (H. R. 4131) granting an honorable discharge to Willis P. Ethridge—to the Committee on Military Affairs.

Also, a bill (H. R. 4132) granting an honorable discharge to William Lowry—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 4133) to correct the military record of John O'Dunagan—to the Committee on Military Affairs.

By Mr. BRANDEGEE: A bill (H. R. 4134) granting an increase of pension to Ruth M. Lyon—to the Committee on Pensions.

Also, a bill (H. R. 4135) granting an increase of pension to Jerome B. Snow—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 4136) granting an increase of pension to Caleb Arnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4137) for the relief of A. J. L. Stevens—to the Committee on War Claims.

By Mr. CLAYTON: A bill (H. R. 4138) granting a pension to Narcissa Tait—to the Committee on Pensions.

Also, a bill (H. R. 4139) granting a pension to W. R. Snellgrove—to the Committee on Pensions.

Also, a bill (H. R. 4140) granting a pension to Georgia Ann Vaughan—to the Committee on Pensions.

Also, a bill (H. R. 4141) granting a pension to Mary Shiver—to the Committee on Pensions.

Also, a bill (H. R. 4142) for the relief of A. J. Smith—to the Committee on War Claims.

Also, a bill (H. R. 4143) for the relief of Jerry Andrews—to the Committee on Military Affairs.

Also, a bill (H. R. 4144) for the relief of Mrs. L. E. Boatwright—to the Committee on War Claims.

Also, a bill (H. R. 4145) for the relief of Mrs. R. D. Smith—to the Committee on War Claims.

Also, a bill (H. R. 4146) for the relief of the legal representatives of Abraham Lawrence, deceased—to the Committee on Claims.

Also, a bill (H. R. 4147) for the relief of W. D. Caddell—to the Committee on War Claims.

Also, a bill (H. R. 4148) for the relief of the representatives of the estate of Reuben Dawkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4149) to remove the charge of desertion from the military record of Samuel J. Maund—to the Committee on Military Affairs.

By Mr. CROMER: A bill (H. R. 4150) granting a pension to Eliza B. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4151) granting a pension to John W. Foland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4152) granting an increase of pension to George B. Hartley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4153) to remove charge of desertion against Joseph McFarland—to the Committee on Military Affairs.

Also, a bill (H. R. 4154) to remove charge of desertion against Harvey A. Hart—to the Committee on Military Affairs.

By Mr. CROWLEY: A bill (H. R. 4155) granting an increase of pension to Joseph Warnock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4156) granting an increase of pension to William K. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4157) granting an increase of pension to Adam Kohlhauff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4158) granting an increase of pension to Silnos P. Teatro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4159) granting a pension to James Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4160) granting a pension to Hudson M. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4161) granting a pension to Sarah C. Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4162) granting a pension to Turner J. Bowling—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 4163) granting an increase of pension to Charles C. Jones—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 4164) for the relief of Stalnaker Marteney—to the Committee on War Claims.

By Mr. DICKERMAN: A bill (H. R. 4165) granting a pension to James Sheep—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4166) granting a pension to Algernon Lightcap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4167) granting a pension to Capt. Joseph Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4168) granting a pension to W. W. Wertman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4169) granting a pension to T. J. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4170) granting a pension to James W. Gibson—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 4171) granting a pension to Eliza Peel—to the Committee on Pensions.

Also, a bill (H. R. 4172) granting a pension to Ralph Whitehead—to the Committee on Pensions.

Also, a bill (H. R. 4173) for the relief of Jerry S. Fish—to the Committee on Pensions.

Also, a bill (H. R. 4174) authorizing additional compensation to the assistant commissioners to the Industrial Exhibition at Melbourne, Australia—to the Committee on Claims.

By Mr. DWIGHT: A bill (H. R. 4175) granting an increase of pension to Alonzo Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4176) granting a pension to Phœbe Ann Tiffany Colegrove—to the Committee on Pensions.

Also, a bill (H. R. 4177) granting a pension to Mary E. Reid—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 4178) to correct the military record of Joseph M. Blair—to the Committee on Military Affairs.

Also, a bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4180) granting an increase of pension to Joseph G. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4181) granting an increase of pension to Asahel Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4182) granting a pension to Ann Lytle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4183) granting an increase of pension to John D. Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4184) granting an increase of pension to Daniel Noonan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4185) granting an increase of pension to John Boughamer—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 4186) granting a medal of honor to Michael Finegan—to the Committee on Military Affairs.

Also, a bill (H. R. 4187) granting a pension to Jason Vosburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4188) to correct the military record of William Beardsley—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: A bill (H. R. 4189) granting an increase of pension to Myron L. Fales—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4190) to place Lieut. Col. and Bvt. Maj. Gen. Alexander Stewart Webb on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. GOLDFOGLE: A bill (H. R. 4191) for the relief of Edward McCloud, late of Company B, Fifth New York Heavy Artillery Volunteers—to the Committee on War Claims.

By Mr. GREENE: A bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4193) granting an increase of pension to Mary A. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4194) granting a pension to Elizabeth Neilan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4195) for the relief of Hannah W. Millard—to the Committee on Claims.

By Mr. HEDGE: A bill (H. R. 4196) granting a pension to Lydia Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4197) granting an increase of pension to David Wolliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4198) granting an increase of pension to Edwin Lake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4199) granting an increase of pension to Charles M. Baber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4200) granting an increase of pension to Milton H. Sweet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4201) granting an increase of pension to Walker Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4202) granting an increase of pension to Augustus Greenwalt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4203) granting an increase of pension to William D. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4204) granting an increase of pension to Jacob Shafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4205) granting an increase of pension to Moses Kiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4206) granting an increase of pension to Othello M. Everett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4207) granting an increase of pension to James L. Canady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4208) granting an increase of pension to William J. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4209) granting an increase of pension to David Weisenburger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4210) granting an increase of pension to Amanda M. Rhoades—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4211) granting an increase of pension to Elijah Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4212) granting an increase of pension to James M. McKain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4213) granting an increase of pension to Burton Chandler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4214) granting an increase of pension to Leroy Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4215) granting an increase of pension to Levi A. Creager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4216) granting an increase of pension to Willis P. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4217) granting an increase of pension to Jessie A. Rand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4218) granting an increase of pension to Benton M. Beebe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4219) granting an increase of pension to Joseph W. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4220) for the relief of mother of William R. McAdam—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4221) granting an increase of pension to James McAnderson—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 4222) to correct the military record of James Pace—to the Committee on Military Affairs.

Also, a bill (H. R. 4223) granting an increase of pension to Horace W. Young—to the Committee on Invalid Pensions.

By Mr. HOWARD: A bill (H. R. 4224) for the relief of Mrs. Clementine Vaughan, widow of William Vaughan, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4225) for the relief of the personal representatives of George R. Powell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4226) for the relief of the estate of Joshua Hill, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4227) for the relief of John S. Williford—to the Committee on Claims.

Also, a bill (H. R. 4228) for the relief of Isabella R. Napier—to the Committee on War Claims.

Also, a bill (H. R. 4229) for the relief of Martha Strickland, widow of William Strickland—to the Committee on Military Affairs.

Also, a bill (H. R. 4230) granting an increase of pension to Jasper M. Griggs—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 4231) for the relief of the trustees of the Methodist Episcopal Church South, of Barboursville, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4232) for the relief of James M. Clouston—to the Committee on War Claims.

Also, a bill (H. R. 4233) for the relief of the Methodist Episcopal Church South, of Winfield, Putnam County, W. Va.—to the Committee on Claims.

Also, a bill (H. R. 4234) for the relief of the Methodist Episcopal Church South, of Guyandotte, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 4235) for the relief of the Methodist Episcopal Church South, of Point Pleasant, W. Va.—to the Committee on War Claims.

By Mr. HUNT: A bill (H. R. 4236) to authorize the Secretary of the Treasury to restore and pay Mary Kilcullen for mutilated United States currency—to the Committee on Claims.

By Mr. JACKSON of Maryland: A bill (H. R. 4237) granting a pension to James Bramble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4238) granting a pension to Joseph E. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4239) granting a pension to George W. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4240) granting a pension to John H. Ayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4241) granting a pension to Mary A. Denston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4242) granting a pension to Annie M. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4243) to remove the charge of desertion against the name of Jackson Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 4244) granting a pension to Robert Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4245) for the relief of James G. James and William J. Thomas, surviving executors of Edward Thomas—to the Committee on War Claims.

Also, a bill (H. R. 4246) granting an increase of pension to John R. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4247) for the relief of the owners of the *Chesapeake Trader*—to the Committee on War Claims.

By Mr. JOHNSON: A bill (H. R. 4248) for the relief of F. G. Fuller and J. A. Mitchell, executors of the will of John O'Dell, deceased—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 4249) for the relief of the estate of Thomas K. Ball—to the Committee on War Claims.

Also, a bill (H. R. 4250) granting an increase of pension to Eliza J. Scott—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 4251) granting an increase of pension to Joseph Hinkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4252) granting an increase of pension to George M. Gibbons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4253) to correct the military record of First Lieut. George I. Spangler—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: A bill (H. R. 4254) granting a pension to Jerome T. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4255) granting an increase of pension to W. H. H. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4256) granting an increase of pension to John Atherton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4257) granting an increase of pension to Samuel H. Legrow—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 4258) for the relief of Maurice Langhorne—to the Committee on Military Affairs.

By Mr. MADDOX: A bill (H. R. 4259) for the relief of Stephen M. Honeycutt—to the Committee on Military Affairs.

Also, a bill (H. R. 4260) for the relief of Wells B. Whitmore, of Cobb County, Ga.—to the Committee on Claims.

Also, a bill (H. R. 4261) granting a pension to Icie Ballew—to the Committee on Pensions.

Also, a bill (H. R. 4262) for the relief of Pleasant Grove Church, Catoosa County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 4263) for the relief of C. M. Hall—to the Committee on War Claims.

Also, a bill (H. R. 4264) for the relief Sarah A. Burney—to the Committee on War Claims.

Also, a bill (H. R. 4265) for the relief of the estate of William D. Wheeler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4266) for the relief of C. J. Shelverton—to the Committee on War Claims.

Also, a bill (H. R. 4267) for the relief of the heirs at law of W. L. Barnes—to the Committee on War Claims.

Also, a bill (H. R. 4268) to increase the pension of Agnes Mullinnix—to the Committee on Pensions.

Also, a bill (H. R. 4269) for the relief of Elisha Lowry—to the Committee on War Claims.

Also, a bill (H. R. 4270) for the relief of Thornton Talley—to the Committee on War Claims.

Also, a bill (H. R. 4271) to grant a pension to W. M. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4272) to increase the pension of B. F. Collins—to the Committee on Pensions.

Also, a bill (H. R. 4273) for the relief of John M. Vandiver—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4274) for the relief of Joel Cross—to the Committee on War Claims.

By Mr. MAHON: A bill (H. R. 4275) for the relief of David S. Gordon—to the Committee on Military Affairs.

By Mr. MARSHALL: A bill (H. R. 4276) granting an increase

of pension to H. E. Burritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4277) making appropriation to pay the estate of Samuel Lee, deceased, in full for any claim for pay and allowances made by reason of the election of said Lee to the Forty-seventh Congress and his services therein—to the Committee on Claims.

By Mr. McLAIN: A bill (H. R. 4278) for the relief of Victoria O. Ginn, heir of J. B. Lewis—to the Committee on War Claims.

Also, a bill (H. R. 4279) for the relief of Copiah County, Miss.—to the Committee on Claims.

Also, a bill (H. R. 4280) for the relief of James M. Newman—to the Committee on War Claims.

Also, a bill (H. R. 4281) for the relief of Mrs. M. L. Holt, Mrs. Jane E. Cannon, and Mrs. I. B. Shipp—to the Committee on War Claims.

Also, a bill (H. R. 4282) for the relief of the estate of John Fleming, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4283) for the relief of the estate of John Rist, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4284) for the relief of the estate of Edward McGehee, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4285) for the relief of the estates of Robert Bradley and Mary C. Bradley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4286) for the relief of the estate of John O'Ferrall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4287) for the relief of the estate of Mrs. Sarah M. Dunbar, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4288) for the relief of the estate of Isaac Jones, deceased, late of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4289) for the relief of the estate of Isaac Jones, deceased, of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4290) for the relief of the estate of F. W. Harris, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4291) for relief of the estate of John T. Rawlings, deceased, late of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4292) for the relief of the heirs of James W. Felder, of Amite County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4293) for the relief of Milton S. Shirk—to the Committee on War Claims.

Also, a bill (H. R. 4294) for the relief of the Protestant Orphan Asylum at Natchez, in the State of Mississippi—to the Committee on War Claims.

Also, a bill (H. R. 4295) for the relief of James A. G. Winston, of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4296) for the relief of M. J. Baynard, of Natchez, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4297) for the relief of Eliza L. Rivers—to the Committee on War Claims.

Also, a bill (H. R. 4298) for the relief of James M. Newman—to the Committee on War Claims.

Also, a bill (H. R. 4299) for the relief of Burks Fitzgerald—to the Committee on War Claims.

Also, a bill (H. R. 4300) for the relief of the estate of Lemuel R. Hanks, deceased, late of Amite County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4301) for the relief of Hampton Wall—to the Committee on War Claims.

Also, a bill (H. R. 4302) for the relief of John A. Brent—to the Committee on War Claims.

Also, a bill (H. R. 4303) for the relief of Patrick J. Finley, of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4304) for the relief of the estate of Mrs. Sarah A. Gayle, deceased, late of Amite County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4305) for the relief of Mrs. Louisa M. Bennett, Miss Kate P. Bennett, Mrs. Mary Louisa Ogden, and Calvin S. Bennett—to the Committee on War Claims.

Also, a bill (H. R. 4306) for the relief of Patrick Foley, of Adams County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4307) for the relief of the estate of Landon L. Lea, of Amite County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4308) for the relief of U. Lunenburger, of Natchez, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 4309) for the relief of James A. G. Winston—to the Committee on War Claims.

Also, a bill (R. R. 4310) granting a pension to C. F. A. Kellogg—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 4311) granting a pension to Hannah Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4312) granting a pension to Henry McGlodry—to the Committee on Pensions.

Also, a bill (H. R. 4313) granting a pension to Bunyan H. Byrd—to the Committee on Pensions.

Also, a bill (H. R. 4314) granting an increase of pension to J. F. Slade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4315) granting an increase of pension to John F. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4316) to correct the military record of Charles M. Gordon—to the Committee on Military Affairs.

By Mr. McMORRAN: A bill (H. R. 4317) granting a pension to Bertha Johnston—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 4318) granting a pension to David B. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4319) granting an increase of pension to John Sexton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4320) granting an increase of pension to Andrew M. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4321) granting an increase of pension to John C. Crimins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4322) granting an increase of pension to Francis M. Hay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4323) granting an increase of pension to Mary Wurtz—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 4324) granting a pension to William W. Jackson—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 4325) granting an increase of pension to John Amer Sills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4326) granting an increase of pension to Wilfred C. McCardell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4327) granting an increase of pension to A. F. Salisbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4328) granting an increase of pension to Mabel H. Lazear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4329) granting a pension to Alice Hagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4330) granting a pension to Catherine Tully—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4331) to remove the charge of desertion from the record of Samuel A. Motter—to the Committee on Military Affairs.

Also, a bill (H. R. 4332) for the relief of the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4333) for the relief of the trustees of the United Brethren Church of Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4334) for the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4335) for the relief of the trustees of the German Reformed Church of Middletown, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4336) for the relief of La Grange Lodge, No. 36, Independent Order of Odd Fellows, Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4337) for the relief of Andrew H. Reinhart—to the Committee on War Claims.

Also, a bill (H. R. 4338) for the relief of Polly Jackson—to the Committee on War Claims.

Also, a bill (H. R. 4339) for the relief of William A. Wroe—to the Committee on War Claims.

Also, a bill (H. R. 4340) for the relief of Martha J. Wroe—to the Committee on War Claims.

Also, a bill (H. R. 4341) for the relief of the estate of George Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4342) for the relief of the estate of Jacob Richard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4343) for the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.—to the Committee on War Claims.

Also, a bill (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C.—to the Committee on the District of Columbia.

Also, a bill (H. R. 4345) for the relief of Andrew Jackson Mondy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4346) for the relief of Rowan White—to the Committee on War Claims.

Also, a bill (H. R. 4347) for the relief of Mrs. Inez Shorb White—to the Committee on Claims.

Also, a bill (H. R. 4348) for the relief of George E. W. Sharretts—to the Committee on Claims.

Also, a bill (H. R. 4349) for the relief of Charles R. Hooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4350) for the relief of Charles W. Geddes—to the Committee on Naval Affairs.

By Mr. RAINEY: A bill (H. R. 4351) granting an increase of pension to James C. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4352) granting an increase of pension to William H. H. Westbrook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4353) granting an increase of pension to George Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4354) granting an increase of pension to William H. Wendell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4355) granting a pension to Martha Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4356) granting a pension to John T. Oburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4357) granting a pension to Emaline Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4358) to remove the charge of desertion from the record of Zadoc J. Overby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4359) granting an increase of pension to John Henderson—to the Committee on Invalid Pensions.

By Mr. ROBB: A bill (H. R. 4360) for the relief of Ellen Mansfield and Mattie Mansfield—to the Committee on War Claims.

Also, a bill (H. R. 4361) for the relief of the heirs of Erdman Bodenschatz, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4362) for the relief of the heirs and legal representatives of John W. Hancock, deceased—to the Committee on War Claims.

By Mr. RYAN: A bill (H. R. 4363) to correct the military record of Leander Frost, alias James Benston—to the Committee on Military Affairs.

Also, a bill (H. R. 4364) granting an increase of pension to John Gary, alias John Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4365) granting a pension to Barney L. Brookins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4366) granting a pension to Wilhelmina Siefert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4367) granting a pension to Henry Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4368) granting a pension to Martin Uehlein—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4369) granting an increase of pension to August Strick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4370) granting an increase of pension to H. P. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4371) granting an increase of pension to William K. Fowle—to the Committee on Invalid Pensions.

By Mr. SHOBER: A bill (H. R. 4372) granting a pension to Ferdinand Esau—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 4373) granting an increase of pension to Patrick Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4374) granting an increase of pension to Albert N. Raymond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4375) granting an increase of pension to Mary H. Houghton—to the Committee on Invalid Pensions.

By Mr. SIBLEY: A bill (H. R. 4376) granting an increase of pension to William U. Mallorie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4377) granting an increase of pension to John W. McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4378) granting an increase of pension to John McKeever—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4379) granting an increase of pension to Alexander Adams—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 4380) granting an increase of pension to David B. Pringle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4381) granting an increase of pension to Milton Strattan—to the Committee on Pensions.

Also, a bill (H. R. 4382) granting an increase of pension to George W. Kinsel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4383) to remove the charge of desertion from the military record of John A. White and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 4384) for the relief of George H. Warren—to the Committee on Military Affairs.

By Mr. SNOOK: A bill (H. R. 4385) granting an increase of pension to Thomas Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4386) granting an increase of pension to Joseph Berger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4387) granting a pension to Moses G. Coates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4388) to correct the military record of Daniel Burns—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 4389) granting an increase of pension to William H. Lear—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 4390) granting an increase of pension to Francis W. Seeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4391) granting an increase of pension to Nicholas Schwemler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4392) granting a pension to Abbie E. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4393) granting a pension to Patrick Dawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4394) granting a pension to Sarah E. Tripp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4395) granting a pension to Fanny M. Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4396) granting a pension to Aguste Albrecht—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4397) granting a pension to Putnam F. Gage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4398) granting a pension to Ellen A. Wilson—to the Committee on Pensions.

Also, a bill (H. R. 4399) granting a pension to Adam Fritz—to the Committee on Pensions.

Also, a bill (H. R. 4400) for the relief of Harriet D. Newson—to the Committee on Claims.

Also, a bill (H. R. 4401) for the relief of Lieut. Col. Edward Simonton—to the Committee on Military Affairs.

Also, a bill (H. R. 4402) for the relief of Jean Louis Legare—to the Committee on Indian Affairs.

Also, a bill (H. R. 4403) to remove the charge of desertion standing against Reese Peoples—to the Committee on Military Affairs.

Also, a bill (H. R. 4404) to remove the charge of desertion against Henry H. Martens—to the Committee on Military Affairs.

Also, a bill (H. R. 4405) to correct the military record of Carl W. Albrecht—to the Committee on Military Affairs.

Also, a bill (H. R. 4406) to place Francis W. Seeley on the retired list of the Army—to the Committee on Military Affairs.

By Mr. THOMAS of North Carolina: A bill (H. R. 4407) authorizing the Secretary of the Treasury to defray the expenses of contestant in the contest entitled "Koonce against Grady"—to the Committee on Claims.

Also, a bill (H. R. 4408) for the relief of John T. Rochelle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4409) for the relief of Franklin Foy—to the Committee on War Claims.

Also, a bill (H. R. 4410) for the relief of R. N. White—to the Committee on War Claims.

Also, a bill (H. R. 4411) for the relief of Calvin G. Perkins—to the Committee on War Claims.

Also, a bill (H. R. 4412) for the relief of the estate of John Stewart—to the Committee on War Claims.

Also, a bill (H. R. 4413) for the relief of William T. Perry—to the Committee on War Claims.

Also, a bill (H. R. 4414) for the relief of the estate of B. L. Robinson—to the Committee on War Claims.

Also, a bill (H. R. 4415) for the relief of the heirs of Edward Smith—to the Committee on War Claims.

Also, a bill (H. R. 4416) for the relief of the estate of Rayford Brewington, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4417) for the relief of the heirs of Joseph R. Bell—to the Committee on War Claims.

Also, a bill (H. R. 4418) for the relief of Joshua D. Haskett—to the Committee on War Claims.

Also, a bill (H. R. 4419) for the relief of Elizabeth T. Flowers and Sarah E. Bridges—to the Committee on War Claims.

Also, a bill (H. R. 4420) for the relief of the heirs of Nancy Wood—to the Committee on War Claims.

Also, a bill (H. R. 4421) for the relief of the estate of James A. Snydam, deceased, late of Craven County, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4422) for the relief of the heirs of Sarah Hartley—to the Committee on War Claims.

Also, a bill (H. R. 4423) for the relief of Eleanor B. Cayton—to the Committee on War Claims.

Also, a bill (H. R. 4424) for the relief of O. H. Perry, administrator of the estate of George W. Perry, late of the county of Craven, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4425) for the relief of William H. Bucklin—to the Committee on War Claims.

Also, a bill (H. R. 4426) for the relief of the First Baptist Church, of Newbern, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4427) for the relief of the heirs of John H. Richardson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4428) for the relief of the heirs of D. W. Morton—to the Committee on War Claims.

Also, a bill (H. R. 4429) for the relief of James M. Howard, administrator of Thomas S. Howard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4430) for the relief of Joseph B. Banks—to the Committee on War Claims.

Also, a bill (H. R. 4431) for the relief of D. S. Barrus and others—to the Committee on War Claims.

Also, a bill (H. R. 4432) for the relief of Henry R. Bryan, of Craven County, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4433) for the relief of Richard Berry—to the Committee on War Claims.

Also, a bill (H. R. 4434) for the relief of Edward W. Scott—to the Committee on War Claims.

Also, a bill (H. R. 4435) for the relief of the heirs of C. H. Foy—to the Committee on War Claims.

Also, a bill (H. R. 4436) for the relief of W. P. Lane, administrator of W. K. Lane—to the Committee on War Claims.

Also, a bill (H. R. 4437) for the relief of the heirs of Nathan D. Adams—to the Committee on War Claims.

Also, a bill (H. R. 4438) for the relief of George A. Russell, administrator of Stephen Chadwick—to the Committee on War Claims.

Also, a bill (H. R. 4439) for the relief of Mary N. Bryan, of Craven County, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4440) for the relief of I. F. Hill, executor of W. E. Hill, of Duplin County, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4441) for the relief of the estate of William C. Lewis—to the Committee on War Claims.

Also, a bill (H. R. 4442) for the relief of William Foy and H. B. Lane, executor of Mrs. H. B. Lane, of North Carolina—to the Committee on War Claims.

Also, a bill (H. R. 4443) for the relief of the estate of George S. De Bruhl, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4444) for the relief of John D. Hawkins, executor of Jonathan Hawkins—to the Committee on War Claims.

Also, a bill (H. R. 4445) for the relief of David J. Middleton—to the Committee on War Claims.

Also, a bill (H. R. 4446) for the relief of the heirs of Needham B. White—to the Committee on War Claims.

Also, a bill (H. R. 4447) for the relief of James F. White—to the Committee on War Claims.

Also, a bill (H. R. 4448) for the relief of the heirs of Nancy Burfield, deceased—to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 4449) granting an increase of pension to William Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4450) granting an increase of pension to James Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4451) granting a pension to Arminda Marble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4452) granting a pension to Laura A. Baughey—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 4453) to correct the military record of Joseph P. Leiter—to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 4454) granting an increase of pension to Andrew Krauer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4455) granting an increase of pension to William Hamm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4456) to remove the charge of desertion against John C. Partlow—to the Committee on Military Affairs.

By Mr. WILEY of New Jersey: A bill (H. R. 4457) granting an increase of pension to Mary E. Meldrum—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 4458) granting a pension to John M. Cox—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 4459) granting a pension to Catherine W. Stoops—to the Committee on Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 4460) granting an increase of pension to Samuel E. Lookingbill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4461) granting an increase of pension to Fredrick Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4462) granting an increase of pension to John N. Mathews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4463) granting an increase of pension to Martin Schubert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4464) granting an increase of pension to Granville E. Stout—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4465) granting an increase of pension to Snyder H. Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4466) granting a pension to William R. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4467) granting a pension to Caleb Ellis—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 4481) for the relief of the sufferers by the wreck of the United States revenue cutter *Gallatin* off the coast of Massachusetts—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Trades League of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. ADAMS of Pennsylvania: Resolution of the Pennsylvania Shoe Manufacturers' Association, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BRUNDIDGE: Papers to accompany bill granting an increase of pension to Caleb Arnett—to the Committee on Invalid Pensions.

By Mr. BUTLER of Missouri: Address on behalf of the people of the various States, asking legislation denying the use of the mails to fraudulent insurance companies—to the Committee on the Post-Office and Post-Roads.

Also, letter of William C. Bartel, secretary of Typographia No. 3, of St. Louis, Mo., inclosing copies of and urging the passage of eight-hour bill and anti-injunction bill—to the Committee on Labor.

Also, resolution of the Merchants' Exchange of St. Louis, Mo., urging the Secretary of War to cause plans and estimates to be made for the improvement of the Mississippi River at St. Louis, Mo.—to the Committee on Rivers and Harbors.

By Mr. CANNON: Petition of C. E. Ritchie and other citizens of Illinois, protesting against the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDERHEAD: Resolution of Lew Gove Post, No. 100, Manhattan, Department of Kansas, Grand Army of the Republic, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. CROWLEY: Papers to accompany bill to pension James Morris—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolution of board of directors of Grain and Flour Exchange of Pittsburg, Pa., relative to the enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. HITT: Petition of business men of Davis, Ill., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. KETCHAM: Resolution of John W. Watson Post, No. 514, Grand Army of the Republic, Catskill, N. Y., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KLINE: Resolution of Pennsylvania Shoe Manufacturers' Association, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. KNAPP: Papers to accompany bill H. R. 2155, granting an increase of pension to C. W. Bechstedt—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill H. R. 2196—to the Committee on War Claims.

By Mr. MORRELL: Resolution of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. OLMSTED: Resolution of board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. OVERSTREET: Papers to accompany bill granting an increase of pension to Mary Wurtz—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Francis M. Hay—to the Committee on Invalid Pensions.

By Mr. PAYNE: Papers to accompany bill H. R. 3959—to the Committee on Pensions.

By Mr. PEARRE: Petition of the heirs of Mary Ann King, deceased, late of Montgomery County, Md., praying reference of

war claim to the Court of Claims—to the Committee on War Claims.

By Mr. PORTER: Resolution of Pennsylvania Shoe Manufacturers' Association, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. STEVENS of Minnesota: Petition of F. G. Lorens and other citizens of Center City, Minn., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Typographical Union No. 432, of Stillwater, Minn., in favor of an eight-hour bill and anti-injunction bill—to the Committee on Labor.

Also, petition of W. J. and A. Hedenthrom and other citizens of Lindstrom, Minn., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNER: Petition of citizens of Monticello and Mansfield, Platt County, Ill., praying for an antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, resolution of Charley Lee Post, No. 561, Grand Army of the Republic, Herrick, Department of Illinois, urging passage of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *November 19, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. KNUTE NELSON, a Senator from the State of Minnesota, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

GRAZING IN FOREST RESERVES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a proposed bill to control grazing in forest reserves; which, with the accompanying paper, was referred to the Committee on Forest Reservations and the Protection of Game, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented a petition of Subordinate Union No. 6, International Hod Carriers and Building Laborers' Union, of Sayre, Pa., and a petition of Local Union No. 8874, American Federation of Labor, of Shenandoah, Pa., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Subordinate Union No. 6, International Hod Carriers and Building Laborers' Union, of Sayre, Pa., and a petition of Local Union No. 8874, American Federation of Labor, of Shenandoah, Pa., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of Lincoln Post, No. 140, Department of Pennsylvania, Grand Army of the Republic, of Shamokin, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Welcome Council, No. 134, Junior Order of United American Mechanics, of Pittsburg, Pa., praying for the enactment of legislation providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of the Pennsylvania Shoe Manufacturers' Association, of Philadelphia, Pa., and a petition of the Business and Professional Club of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which were referred to the Committee on Commerce.

Mr. FOSTER of Washington presented petitions of sundry citizens of Auburn, of the congregation of the Christian Church of Waitsburg, and of the Alloha Club, of Tacoma, all in the State of Washington, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of Local Union No. 325, Cigar Makers' International Union, of Spokane, Wash., remonstrating against any reduction of the tariff on cigars, tobacco, etc., imported from Cuba; which was referred to the Committee on Finance.

He also presented a petition of Reynolds Post, Department of Washington, Grand Army of the Republic, of Blaine, Wash., and a petition of J. B. Steedman Post, No. 24, Department of Washington, Grand Army of the Republic, of Whatcom, Wash., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. BURNHAM presented a petition of Local Union No. 43, International Brotherhood of Paper Makers, of Ashland, N. H., and a petition of the Building Trades Council of Manchester, N. H., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 43, International Brotherhood of Paper Makers, of Ashland, N. H., and a petition of the Building Trades Council of Manchester, N. H., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of M. G. Evenson, of St. Peter; of Scofield Post, No. 121, Department of Minnesota, Grand Army of the Republic, of Zumbrota; of John A. Logan Regiment, No. 2, Union Veterans Union, of St. Paul; of James Bryant Post, No. 119, Department of Minnesota, Grand Army of the Republic, of Minneapolis; of Mitchell Post, No. 63, Department of Minnesota, Grand Army of the Republic, of Madelia, and of Frank P. Blair Post, No. 82, Department of Minnesota, Grand Army of the Republic, of Ortonville, all in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union and the congregation of the Western Avenue Methodist Episcopal Church, of Minneapolis; of the Woman's Christian Temperance Union of Lamberton; of the Woman's Christian Temperance Union of Wabasso; of the congregation of the Methodist Episcopal Church of Wabasso; of the Woman's Christian Temperance Union of Minneapolis; of the congregation of the Presbyterian Church of Euclid; of the Epworth League of Lamberton; of the Woman's Christian Temperance Union of Etna; of the Woman's Christian Temperance Union of Clarkfield, and of the Woman's Club of Northfield, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PERKINS presented a petition of the Chamber of Commerce of Sacramento, Cal., praying for the establishment of an additional judicial district in that State; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Division No. 192, Amalgamated Association of Street Railway Employees, of Oakland, Cal., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Division No. 192, Amalgamated Association of Street Railway Employees, of Oakland, Cal., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the General George A. Custer Council, No. 22, Junior Order United American Mechanics, of Oakland, Cal., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented a petition of the Woman's Christian Temperance Unions of San Jose and Los Angeles, Cal., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented a memorial of the national executive committee of the National German-American Alliance, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Montclair; of the congregation of the Calvary Presbyterian Church, of Camden; of the congregation of the Rosedale Baptist Church, of Camden; of the congregation of the Methodist Episcopal Church of Ocean Grove; of the Charity Organization Society of Bayonne; of the congregation of the First Methodist Episcopal Church of Bayonne; of Bayonne Council, No. 119, Junior Order United American Mechanics; of the congregation of Prospect Street Presbyterian Church, of Trenton, and of the congregation of the Bethany Baptist Church, of Camden, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented a petition of the Local Union No. 19, American Federation of Labor, of Fort Wayne, Ind., and a petition of Local Union No. 10106, American Federation of Labor, of Stonebluff, Ind., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 19, American Federation of Labor, of Fort Wayne, Ind., and a petition of Local Union No. 10106, American Federation of Labor, of Stonebluff, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. CULLOM. I present a letter addressed to me, in the nature of a petition, favoring the extension of patent numbered 399781. I move that the petition be referred to the Committee on Patents.

The motion was agreed to.

Mr. McCREARY presented a petition of the congregation of the Baptist Church of Monticello, Ky., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. SPOONER presented petitions of the congregation of the Methodist Church of Horicon, of the congregation of the Evangelical Church of Horicon, of the congregation of the Methodist Episcopal Church of Chippewa Falls, of the Woman's Christian Temperance Union of Chippewa Falls, and of the congregation of the Methodist Episcopal Church of Sharon, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the enactment of legislation to encourage shipowning and shipbuilding in the United States by rebating a portion of the import duties on merchandise carried by American vessels; which was referred to the Committee on Finance.

He also presented a petition of Local Union No. 657, Brotherhood of Carpenters and Joiners, of Sheboygan, Wis., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented petitions of the Woman's Christian Temperance Union of Eau Claire, of the Woman's Christian Temperance Union of Vernon, of the congregation of the First Baptist Church of Eau Claire, of the Christian Endeavor Society of Horicon, of the congregation of the Presbyterian Church of Horicon, of the congregation of the German Lutheran Church of Chippewa Falls, and of the congregation of the Presbyterian Church of Chippewa Falls, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of sundry citizens of Blackstone, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petition of Elza Lawrence, of Otway, N. C., praying that he be reimbursed on account of certain disabilities incurred in the Government service; which was referred to the Committee on Claims.

Mr. BAILEY presented a petition of the Woman's Missionary Society of San Antonio, Tex., and a petition of the congregation of the Madison Square Presbyterian Church, of San Antonio, Tex., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

PAPERS ON POLYGAMY.

Mr. GALLINGER. I present a compilation of papers relating to polygamy. I move that the papers be referred to the Committee on the Judiciary.

The motion was agreed to.

PAPER ON AMERICAN SHIPPING.

Mr. GALLINGER. I present a brief paper on the subject of American shipping. I move that the paper be printed as a document.

The motion was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. DOLLIVER introduced a bill (S. 1390) to limit the effects of the regulations of commerce between the several States and with foreign countries in certain cases; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. ALGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1391) granting an increase of pension to Geneveive Ludlow;

A bill (S. 1392) granting an increase of pension to Mary A. Hughes;

A bill (S. 1393) granting an increase of pension to Moses Hill;

A bill (S. 1394) granting an increase of pension to Lewis M. Webster;

A bill (S. 1395) granting a pension to Mary Louisa McGilvary;

A bill (S. 1396) granting an increase of pension to Emma Robbins; and

A bill (S. 1397) granting a pension to Lucy M. Ferman.

Mr. ALGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1398) to correct the military record of Oliver C. Rouse;

A bill (S. 1399) to amend section 1225 of Revised Statutes; so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools;

A bill (S. 1400) to remove the charge of desertion from the military record of John Esseltine; and

A bill (S. 1401) for the relief of George E. Rogers.

Mr. McCUMBER introduced a bill (S. 1402) granting an increase of pension to William Paul; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 1403) for the promotion and retirement of noncommissioned officers of the United States Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1404) to provide for site and public building at Meadville, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1405) for the relief of David S. Gordon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1406) for the relief of Mrs. Jane W. Mason;

A bill (S. 1407) for the relief of John W. Gummo; and

A bill (S. 1408) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Clayton G. Landis, administrator of David B. Landis, deceased.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1409) granting an increase of pension to Edmund R. Newhard;

A bill (S. 1410) granting a pension to Jackson D. Siner;

A bill (S. 1411) granting a pension to Nicholas Simon;

A bill (S. 1412) granting a pension to Isabella C. Swisher;

A bill (S. 1413) granting a pension to Louisa D. Miller;

A bill (S. 1414) granting a pension to Jane E. Morris;

A bill (S. 1415) granting a pension to Mary J. Williams;

A bill (S. 1416) granting a pension to Peter A. Poorman;

A bill (S. 1417) granting a pension to Edith B. Wilkins; and

A bill (S. 1418) granting an increase of pension to Aaron H. Le Van (with accompanying papers).

Mr. WARREN. On behalf of the Senator from Nebraska [Mr. MILLARD], who is detained by illness, I introduce sundry bills.

The bill (S. 1419) to fix the salary of the collector of customs at Omaha, Nebr., was read twice by its title, and referred to the Committee on Finance.

The bill (S. 1420) granting an increase of pension to Gustavus S. Young was read twice by its title, and referred to the Committee on Pensions.

The bill (S. 1421) granting an increase of pension to Charles L. Houghton was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

The bill (S. 1422) for the relief of the Omaha National Bank was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM introduced a bill (S. 1423) granting an increase of pension to Samuel F. Murry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1424) granting an increase of pension to Barney H. Stickney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1425) for the relief of Eleonora G. Goldsborough; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUARLES introduced a bill (S. 1426) to prevent the desecration of the American flag; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1427) to establish a permanent military camp ground in the vicinity of Camp Douglas, in Juneau County, Wis.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. NELSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1428) granting an increase of pension to George Pennington;

A bill (S. 1429) granting an increase of pension to Elizabeth C. Paquin;

A bill (S. 1430) granting an increase of pension to Jeremiah Ross;

A bill (S. 1431) granting an increase of pension to Martin Rodman;

A bill (S. 1432) granting an increase of pension to Joseph W. Burch;

A bill (S. 1433) granting a pension to Ellen Hicks;

A bill (S. 1434) granting an increase of pension to Edwin Mattson;

A bill (S. 1435) granting an increase of pension to Ira Boyington;

A bill (S. 1436) granting an increase of pension to Thomas P. Wentworth; and

A bill (S. 1437) granting an increase of pension to Clarence E. Bullard.

Mr. NELSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1438) to authorize the restatement, readjustment, settlement, and payment of dues to army officers in certain cases;

A bill (S. 1439) for the relief of Andrew A. Kelly;

A bill (S. 1440) for the relief of Mrs. P. J. Getty, administratrix; and

A bill (S. 1441) to reopen and adjust the account for service of Lieut. Col. W. A. Jones, Corps of Engineers.

Mr. NELSON introduced a bill (S. 1442) for the relief of Sarah K. McLean; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1443) to amend an act entitled "An act to extend the free-delivery system of the Post-Office Department, and for other purposes," approved January 3, 1887; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1444) for the relief of Frank C. Darling; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 1445) for the relief of A. M. Darling, administrator; which was read twice by its title, and referred to the Committee on Indian Depredations.

Mr. BLACKBURN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1446) granting a pension to James Allen (with an accompanying paper);

A bill (S. 1447) granting a pension to Maria Taylor;

A bill (S. 1448) granting a pension to Laura Shaver;

A bill (S. 1449) granting a pension to John McSorley;

A bill (S. 1450) granting an increase of pension to Eliza Jane Cameron;

A bill (S. 1451) granting an increase of pension to Mrs. William T. Hord;

A bill (S. 1452) granting an increase of pension to Mahala Forkner; and

A bill (S. 1453) granting an increase of pension to Frank M. Schell.

Mr. BLACKBURN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1454) for the relief of John Perry, administrator de bonis non of Mary Scott, deceased;

A bill (S. 1455) for the relief of the legal representatives of Leo L. Johnson;

A bill (S. 1456) to carry out the findings of the Court of Claims in the case of James H. Dennis;

A bill (S. 1457) for the relief of William Points;

A bill (S. 1458) for the relief of Hiram Wilhite;

A bill (S. 1459) for the relief of the legal representatives of Warren Mitchell, deceased;

A bill (S. 1460) for the relief of the legal representatives of William R. Boice, deceased;

A bill (S. 1461) for the relief of the legal representatives of Richard M. Robinson, deceased;

A bill (S. 1462) for the relief of the legal representative of Robert D. Salmon, deceased;

A bill (S. 1463) for the relief of the legal representatives of John G. Holloway, deceased, and others;

A bill (S. 1464) for the relief of the legal representatives of John C. Reed and Julia A. Reed, deceased;

A bill (S. 1465) for the relief of the drafted men of Pendleton and other counties, in the State of Kentucky;

A bill (S. 1466) for the relief of the trustees of the Emory Methodist Episcopal Church South, and of the Methodist Episcopal Church, Washington district, Baltimore Conference;

A bill (S. 1467) for the relief of J. S. Neal;

A bill (S. 1468) for the relief of the Bardstown and Louisville Turnpike Company, and others;

A bill (S. 1469) for the relief of Alex. Kennedy;

A bill (S. 1470) for the relief of Belle M. Robards;

A bill (S. 1471) for the reference of the claims of certain volunteer soldiers to the Court of Claims;

A bill (S. 1472) for the relief of the Russellville and Logan County Agricultural and Mechanical Association of the State of Kentucky;

A bill (S. 1473) for the relief of Sidney R. Smith;

A bill (S. 1474) for the relief of the estate of W. M. O'Hara, deceased;

A bill (S. 1475) for the relief of John W. Lewis, late captain, Fourth Kentucky Cavalry Volunteers, and others; and

A bill (S. 1476) for the relief of Susan B. Chambers.

Mr. McCREARY introduced a bill (S. 1477) to carry out the findings of the Court of Claims in the case of Sidney R. Smith & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1478) granting an increase of pension to Leroy R. Hawthorn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1479) granting an increase of pension to James Shaffer;

A bill (S. 1480) granting a pension to Maud Altmeyer (with accompanying papers); and

A bill (S. 1481) granting an increase of pension to Joshua Barton (with accompanying papers).

Mr. BEVERIDGE introduced a bill (S. 1482) authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $798.28; which was read twice by its title.

Mr. BEVERIDGE. This is a bill authorizing the Secretary of the Treasury to pay an officer in the Philippine Islands for the loss of baggage, etc., when transferred from one post to another under orders. I present papers in support of the claim, and move that the bill and accompanying papers be referred to the Committee on the Philippines.

The motion was agreed to.

Mr. HALE introduced a bill (S. 1483) relative to the fees of attorneys in cases before the Spanish Treaty Claims Commission; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. SPOONER introduced a bill (S. 1484) granting an increase of pension to Royal E. Dake; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 1485) for the relief of Eugene Augustin Bourcy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1486) for the relief of the legal representatives of the late firm of Lapène & Ferré; which was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 1487) creating an additional land office in the State of North Dakota; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CLAPP introduced a bill (S. 1488) granting an increase of pension to Enoch Stahler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1489) granting a pension to Sophia Hutchins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 1491) granting an increase of pension to James A. Hoover; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BALL introduced a bill (S. 1492) for the relief of the widow and children of Daniel McDonough, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1493) to correct the military record of Thomas W. Ferree; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1494) granting an increase of pension to Edward Colvin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1495) granting an increase of pension to Jonathan D. Harrington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College

in the District of Columbia, and the acts amendatory thereof; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1497) granting an increase of pension to Walter F. Chase; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1498) granting an increase of pension to Winslow P. Eayrs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 1499) granting an increase of pension to Elizabeth A. Collins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1500) granting a pension to Charles Lander; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 1501) for the relief of James F. McIndoe; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 1502) granting a pension to Eli B. Clark; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a joint resolution (S. R. 13) providing for the purchase of marble busts of Hon. Justin S. Morrill and Hon. D. W. Voorhees, late United States Senators from the States of Vermont and Indiana, respectively, to be placed in the Congressional Library; which was read twice by its title, and referred to the Committee on the Library.

Mr. ANKENY introduced a joint resolution (S. R. 14) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department; which was read twice by its title, and referred to the Committee on Military Affairs.

THE ARMY CANTEEN.

On motion of Mr. GALLINGER, it was

Ordered, That Senate Document No. 51, Fifty-seventh Congress, second session, relating to the army canteen, be reprinted for the use of the Senate and deposited in the Senate document room.

SOLDIERS' ROLL OF THE SENATE.

Mr. PENROSE. I submit a resolution and ask for its present consideration, if there is no objection.

The resolution was read, as follows:

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to place on a special roll the names of all messengers now on his list of employees who are employed about the doors, committee rooms, or elevators of the Senate, whose army record, wounds, and disabilities and service in the Senate justly entitle them to favorable consideration, to be known and designated as "The soldiers' roll of the Senate," and to continue such persons in such positions and employment until cause for their removal shall have been reported to and approved by the Senate and their removal directed.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks for the present consideration of the resolution.

Mr. ALLISON. I hope the Senator will allow it to be read again.

The Secretary again read the resolution.

Mr. HALE. It is a very important resolution, and it ought to be thoroughly examined by some one. I think it ought to go over or it should be referred to some committee.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

Mr. PENROSE. There are papers accompanying the resolution, which I shall not ask to have read.

The PRESIDENT pro tempore. The accompanying papers will lie on the table with the resolution.

HARBOR OF COLD SPRING INLET, NEW JERSEY.

Mr. DRYDEN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the harbor of Cold Spring Inlet, Cape May County, N. J., so as to meet the demands of commerce.

FRENCH COMBATANTS IN REVOLUTIONARY WAR.

Mr. HOAR submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the book recently published and issued by the French Government, entitled "Combattants Français de la Guerre Americaine, 1778-1783" be translated, and that there be printed and bound ——— copies of the translation, of which ——— shall be for the use of the Senate, and ——— for the use of the House of Representatives.

PORTLAND HARBOR, MAINE.

Mr. FRYE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Portland Harbor, Maine, to include Fore River above Portland Bridge and the entrance to Back Cove, with a view to widening and deepening the channels at those localities, and to submit plans and estimates for such improvements.

PROPOSED GRAVING DOCK.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. MALLORY, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to inform the Senate whether or not it is desirable, in the interest of the Navy, that the Government of the United States should construct and own a graving dock, of capacity sufficient to dock the largest battleships of the Navy, at some port on the coast of the United States, on the Gulf of Mexico, and if in his judgment the same is desirable to also inform the Senate at what port on said coast such dock should be located, and the probable cost of the same when completed.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened, and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Friday, November 20, 1903, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 17, 1903.

POSTMASTERS.

ARKANSAS.

Jonathan Neal to be postmaster at Van Buren, in the county of Crawford and State of Arkansas.

IOWA.

Annie L. Tabor to be postmaster at Independence, in the county of Buchanan and State of Iowa.

Executive nominations confirmed by the Senate November 19, 1903.

CONSULS-GENERAL.

Church Howe, of Nebraska, to be consul-general of the United States at Antwerp, Belgium.

Frank Steinhart, of Pennsylvania, to be consul-general of the United States at Habana, Cuba.

Ethelbert Watts, of Pennsylvania, to be consul-general of the United States at St. Petersburg, Russia.

CONSULS.

George B. Anderson, of the District of Columbia, to be consul of the United States at Guadeloupe, West Indies.

Walter C. Hamm, of Pennsylvania, to be consul of the United States at Hull, England.

Henry Abert Johnson, of the District of Columbia, to be consul of the United States at Valencia, Spain.

James Verner Long, of Pennsylvania, to be consul of the United States at Patras, Greece.

William J. Pike, of Pennsylvania, to be consul of the United States at Zittau, Saxony.

COLLECTOR OF CUSTOMS.

John Russell, of Mississippi, to be collector of customs for the district of Natchez, in the State of Mississippi.

APPOINTMENTS IN THE REVENUE-CUTTER SERVICE.

Lucien J. Ker, of the District of Columbia, to be a second assistant engineer in the Revenue-Cutter Service of the United States.

James A. Burns, of the District of Columbia, to be a second assistant engineer in the Revenue-Cutter Service of the United States.

PROMOTIONS IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Leslie L. Lumsden, of Virginia, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from March 14, 1903.

Asst. Surg. Lundsford D. Fricks, of Maryland, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 2, 1903.

Asst. Surg. Victor G. Heiser, of Pennsylvania, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 3, 1903.

Asst. Surg. William C. Hobdy, of Kentucky, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 15, 1903.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Francis A. Ashford, of the District of Columbia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Herbert M. Manning, of the District of Columbia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Norman Roberts, of Pennsylvania, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

COLORADO.

Arthur F. Brown to be postmaster at Berthoud, in the county of Larimer and State of Colorado.

Robert W. Campbell to be postmaster at Brighton, in the county of Adams and State of Colorado.

George W. Miller to be postmaster at Hotchkiss, in the county of Delta and State of Colorado.

Benjamin F. Niesz to be postmaster at Steamboat Springs, in the county of Routt and State of Colorado.

Rolland Oliver to be postmaster at Paonia, in the county of Delta and State of Colorado.

George N. Raymond to be postmaster at Durango, in the county of La Plata and State of Colorado.

Earle H. Reaugh to be postmaster at Alamosa, in the county of Conejos and State of Colorado.

William C. Sloan to be postmaster at Amethyst, in the county of Mineral and State of Colorado.

Frank E. Songer to be postmaster at Crested Butte, in the county of Gunnison and State of Colorado.

Charles L. Todd to be postmaster at Rifle, in the county of Garfield and State of Colorado.

MICHIGAN.

F. M. Blatchford to be postmaster at Brighton, in the county of Livingston and State of Michigan.

Edwin L. Clapp to be postmaster at Centerville, in the county of St. Joseph and State of Michigan.

Thomas E. Dawson to be postmaster at Sanilac Center, in the county of Sanilac and State of Michigan.

William Glerum to be postmaster at Zeeland, in the county of Ottawa and State of Michigan.

William Hunter to be postmaster at Capac, in the county of St. Clair and State of Michigan.

Henry H. Pulver to be postmaster at Laingsburg, in the county of Shiawassee and State of Michigan.

Carmi R. Smith to be postmaster at Niles, in the county of Berrien and State of Michigan.

Abner V. Stevic to be postmaster at Coloma, in the county of Berrien and State of Michigan.

William B. Stiles to be postmaster at Coopersville, in the county of Ottawa and State of Michigan.

Fred Wade to be postmaster at Saugatuck, in the county of Allegan and State of Michigan.

William Webster to be postmaster at Sault Ste. Marie, late Sault de Ste. Marie, in the county of Chippewa and State of Michigan.

Joseph Wise to be postmaster at Hubbell, late Southlake Linden, in the county of Houghton and State of Michigan.

NEW JERSEY.

Robert L. Barber to be postmaster at Camden, in the county of Camden and State of New Jersey.

Peter W. Brakeley to be postmaster at Dunellen, in the county of Middlesex and State of New Jersey.

William L. Doremus to be postmaster at Montclair, in the county of Essex and State of New Jersey.

Frank A. Esty to be postmaster at Clinton, in the county of Hunterdon and State of New Jersey.

Herman B. Walker to be postmaster at Orange, in the county of Essex and State of New Jersey.

NEW YORK.

John S. Burr to be postmaster at Charlotte, in the county of Monroe and State of New York.

Silas S. Cartwright to be postmaster at Roxbury, in the county Delaware and State of New York.

Lucius R. Doty to be postmaster at Catskill, in the county of Greene and State of New York.

James Freeman to be postmaster at Mumford, in the county of Monroe and State of New York.

Frank E. Gaylord to be postmaster at North Collins, in the county of Erie and State of New York.

H. C. Holcomb to be postmaster at Portville, in the county of Cattaraugus and State of New York.

William Hopkins to be postmaster at Ausable Forks, in the county of Essex and State of New York.

Flora A. Horner to be postmaster at Belmont, in the county of Allegany and State of New York.

Frank H. Johnson to be postmaster at Farmer, in the county of Seneca and State of New York.

James E. Johnson to be postmaster at Canton, in the county of St. Lawrence and State of New York.

James M. Requa to be postmaster at Tarrytown, in the county of Westchester and State of New York.

Norman C. Templeton to be postmaster at Irvington, in the county of Westchester and State of New York.

William W. Worden to be postmaster at Saratoga Springs, in the county of Saratoga and State of New York.

NORTH DAKOTA.

Bertha M. Gunderson to be postmaster at Aneta, in the county of Nelson and State of North Dakota.

John E. Jenks to be postmaster at Souris, in the county of Bottineau and State of North Dakota.

Charles Leathart to be postmaster at Fairmount, in the county of Richland and State of North Dakota.

William G. Mitchell to be postmaster at Minto, in the county of Walsh and State of North Dakota.

Edward T. Pierson to be postmaster at Granville, in the county of McHenry and State of North Dakota.

August H. Wahl to be postmaster at Washburn, in the county of McLean and State of North Dakota.

OHIO.

Oliver S. Applegate to be postmaster at Antwerp, in the county of Paulding and State of Ohio.

John Q. A. Campbell to be postmaster at Bellefontaine, in the county of Logan and State of Ohio.

Charles W. Dean to be postmaster at Mingo Junction, in the county of Jefferson and State of Ohio.

Charles E. Fenton to be postmaster at Newton Falls, in the county of Trumbull and State of Ohio.

Gustavus A. Gessner to be postmaster at Fremont, in the county of Sandusky and State of Ohio.

Herbert Harrison to be postmaster at Dillonvale, in the county of Jefferson and State of Ohio.

Charles H. Huffman to be postmaster at Richwood, in the county of Union and State of Ohio.

Walter M. Kyle to be postmaster at Troy, in the county of Miami and State of Ohio.

Arthur M. Lyon to be postmaster at Struthers, in the county of Mahoning and State of Ohio.

John F. Orr to be postmaster at Xenia, in the county of Greene and State of Ohio.

Lewis M. Riley to be postmaster at Blanchester, in the county of Clinton and State of Ohio.

Porter Watson to be postmaster at Lowellville, in the county of Mahoning and State of Ohio.

PENNSYLVANIA.

Alexander C. Alton to be postmaster at Fayette City, in the county of Fayette and State of Pennsylvania.

Joseph M. Bloss to be postmaster at Titusville, in the county of Crawford and State of Pennsylvania.

Joseph B. Heister to be postmaster at New Kensington, in the county of Westmoreland and State of Pennsylvania.

Emma Keat to be postmaster at Pen Argyl, in the county of Northampton and State of Pennsylvania.

Eliza Ketcham to be postmaster at Narberth, in the county of Montgomery and State of Pennsylvania.

Jacob E. Long to be postmaster at Bangor, in the county of Northampton and State of Pennsylvania.

Ellwood W. Minster to be postmaster at Bristol, in the county of Bucks and State of Pennsylvania.

George S. Mullin to be postmaster at Hyndman, in the county of Bedford and State of Pennsylvania.

Francis A. Ready to be postmaster at Tarentum, in the county of Allegheny and State of Pennsylvania.

Cyrus B. Smith to be postmaster at Wernersville, in the county of Berks and State of Pennsylvania.

Denis O. Sullivan to be postmaster at Devon, in the county of Chester and State of Pennsylvania.

Frank S. Tryon to be postmaster at Spartansburg, in the county of Crawford and State of Pennsylvania.

Renwick Rowan to be postmaster at Parnassus, in the county of Westmoreland and State of Pennsylvania.

Joseph T. Russell to be postmaster at New Salem, in the county of Fayette and State of Pennsylvania.

James Q. Waters to be postmaster at West Newton, in the county of Westmoreland and State of Pennsylvania.

John W. Zerbe to be postmaster at Shamokin, in the county of Northumberland and State of Pennsylvania.

Andrew C. Ziegler to be postmaster at Mars, in the county of Butler and State of Pennsylvania.

SOUTH CAROLINA.

Samuel T. Poinier to be postmaster at Spartanburg, in the county of Spartanburg and State of South Carolina.

HOUSE OF REPRESENTATIVES.

THURSDAY, *November 19, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions; in which the concurrence of the House was requested:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War cause an examination and survey to be made for the purpose of ascertaining the cost and feasibility of extending a 16-foot channel of suitable width from the present channel north of Corner Stake light in an easterly direction and north of Shooters Island to Kill van Kull, to straighten and increase the width of waterway at Shooters Island and relieve the congestion of commerce at that point; also, a like examination and survey for the purpose of ascertaining the cost and feasibility of removing the reef at Bergen Point light and deepening to 16 feet and improving and straightening the channel between Kill van Kull and Elizabethport, with a plan or plans for making such improvements and estimates thereof.

Senate concurrent resolution No. 16.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Portland Harbor, Maine, to include Fore River above Portland Bridge, and the entrance to Back Cove, with a view to widening and deepening the channels at those localities, and to submit plans and estimates for such improvements.

Senate concurrent resolution No. 17.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the harbor of Cold Spring Inlet, Cape May County, N. J., so as to meet the demands of commerce.

SENATE CONCURRENT RESOLUTIONS REFERRED.

Under clause 2, Rule XXIV, the following resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War cause an examination and survey to be made for the purpose of ascertaining the cost and feasibility of extending a 16-foot channel of suitable width from the present channel north of Corner Stake light in an easterly direction and north of Shooters Island to Kill van Kull, to straighten and increase the width of waterway at Shooters Island and relieve the congestion of commerce at that point; also, a like examination and survey for the purpose of ascertaining the cost and feasibility of removing the reef at Bergen Point light and deepening to 16 feet and improving and straightening the channel between Kill van Kull and Elizabethport, with a plan or plans for making such improvements and estimates thereof—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 16:

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to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 17:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the harbor of Cold Spring Inlet, Cape May County, N. J., so as to meet the demands of commerce—

to the Committee on Rivers and Harbors.

CUBAN RECIPROCITY.

The SPEAKER. In accordance to the resolution adopted heretofore, the House resolves itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1921, and the gentleman from New York, Mr. SHERMAN, will take the chair.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, with Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 1921, the title of which will be announced by the Clerk.

The Clerk read as follows:

A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BROUSSARD].

Mr. BROUSSARD. Mr. Chairman, it would seem an undue waste of the time of the House for me to address it at this moment, when it is well known that every Member on this floor has already made up his mind as to how his vote shall be cast on the pending bill.

I can not, however, sit silently by while a rank and ruthless injustice is about to be perpetrated on the State of Louisiana. The pending measure when it becomes law will impose a tax upon the people of the State of Louisiana in excess of $2,000,000 annually. That State produces about 300,000 tons of sugar annually, and it is proposed by this measure to reduce the tariff upon sugar coming into the United States from Cuba by 20 per cent of the prevailing rate of duties. Inasmuch as I am instructed by the Democratic constituency that has sent me here to cast my vote against this proposition, and inasmuch as the Democrats who have elected me to this House believe that the reduction of this tariff upon Cuban sugar will not accrue to the benefit of the people of the United States nor to the people of Cuba, but will accrue exclusively to the benefit of the sugar manufacturers of this country, and inasmuch as they believe, and I believe, that this bill is not along the lines of Democractic reform, I can neither permit unchallenged the expression to go forth from Members on this side of the House that this is a Democratic measure nor that this law will inure to the benefit of the sugar consumers of this country or to the Cuban sugar producers.

That it is not a Democratic measure must be taken to be correct, if the history of this legislation is looked into. We know that it is essentially an Administration measure. We know that in the general recommendation made by the President to the last Congress this measure was highly recommended. We know that when there was delay by the last Congress about our taking up the matter that a special message was sent to Congress by the President urging immediate action on the proposition, and we know that Congress is now in session, sitting in extraordinary session on a call issued by the President, in order to carry into law this proposition.

But, perhaps, this is not sufficient reason to characterize this bill as a Republican measure. After careful examination of the platforms of both the great parties, I find two expressions of Republican approval of this proposition and but one expression on this subject in any Democratic platform.

The Republican platform of 1892 contains the following:

We point to the success of the Republican policy of reciprocity, under which our export trade has vastly increased and new and enlarged markets have been opened for the products of our farms and workshops. We remind the people of the bitter opposition of the Democratic party to this practical business measure, and claim that, executed by a Republican Administration, our present laws will eventually give us control of the trade of the world.

In the Republican platform of 1896 the following declaration is to be found:

We believe the repeal of the reciprocity arrangements negotiated by the last Republican Administration was a national calamity, and we demand their renewal and extension on such terms as will equalize our trade with other nations, remove the restrictions which now obstruct the sale of American products in the ports of other countries, and secure enlarged markets for the products of our farms, forests, and factories.

Protection and reciprocity are twin measures of Republican policy and go hand in hand. Democratic rule has recklessly struck down both, and both must be reestablished. Protection for what we produce; free admission for the necessities of life which we do not produce; reciprocity agreements of mutual interests which again open markets for us in return for our open markets to others. Protection builds up domestic industry and trade and secures our own market for ourselves. Reciprocity builds up foreign trade and finds an outlet for our surplus.

Going over to the Democratic platform of 1892, promulgated at Chicago that year, I find the only expression on reciprocity ever promulgated by the party. I shall read that plank of the platform bearing on this subject, because I take it that Democrats prefer to draw their interpretations of Democratic doctrines from the platform of their party rather than from the statements of gentlemen, no matter how high in authority they may be in the party. Section 4 of the platform of 1892 reads as follows:

Trade interchange on the basis of reciprocal advantages to the countries participating is a time-honored doctrine of the Democratic faith; but we denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and freer exchanges by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural products with other countries that are also agricultural, while erecting a custom-house barrier of prohibitive tariff taxes against the richest and the countries of the world that stand ready to take our entire surplus of products and to exchange therefor commodities which are necessaries and comforts of life among our own people.

It will be noticed that this declaration of Democratic doctrine not only characterizes the reciprocity of the Republican party as sham reciprocity, but defines what sham reciprocity is—as that kind of reciprocity establishing "closer trade relations for a country whose articles of export are almost exclusively agricultural products with other countries that are also agricultural." Now, it is evident that this treaty falls directly within the scope of that definition, for of the $32,000,000 worth of the product of Cuba coming into the United States last year, more than $31,000,000 were raw material and agricultural products.

In the campaign of that year the campaign book issued by the national Democratic campaign committee characterized this species of reciprocity, which had been approved by the Republican platform, as shown above, and condemned by our platform, as follows:

That the system of reciprocity to which the Republicans are now pointing with pride was begotten two years ago in fraud, was conceived in dissimulation, was born in falsehood, and is now wrapped in the juggled figures of systematic misrepresentation.

I am indebted for this excerpt to the courtesy of my friend from Georgia [Mr. BARTLETT], who quoted it from the campaign book of 1892 in the great speech delivered by him against Cuban reciprocity April 16, 1902.

It was upon this issue in 1892, and since, that the people of the South, believing in tariff reform, condemned reciprocity in many State and Congressional platforms, from one of which my friend from Texas [Mr. BURGESS] read yesterday as juggling with a principle to which the Democratic party could not subscribe. I find that my friend from Missouri [Mr. CLARK] the other day paid high encomium to a former leader of the minority on the floor of this House, Mr. BAILEY of Texas. I would like to commend to him a passage in the speech of this great leader of the Democratic party while speaking on the Dingley bill. He said in part:

> The Chicago platform does not differ from the former declarations of the Democratic party as to the right of the Government to lay taxes. It does, however, differ essentially from the platform of 1892 as to the policy of exempting raw materials from taxation. But, sir, the doctrine of free raw materials was itself a radical departure from all Democratic traditions, and in supporting from it the Chicago convention simply returned to the time-honored principles of our party. Never in all its history, until it fell under that strange delusion which can only be described as Clevelandism, did the Democratic party countenance a proposition to allow the manufacturers of this country to buy almost everything they need free from taxation, while granting them the benefit of a duty on nearly everything they sell. [Applause.] The first attempt to commit the Democratic party to this pernicious heresy was made by Hon. A. S. Hewitt, during the debate on the bill to create a tariff commission, in 1892. Mr. Hewitt was then a Democratic Member of this House, but he admits that all the Democratic leaders of that time were opposed to his position.

I point to this part of Mr. BAILEY's speech to show to the gentleman and to show to the Democratic Members of this House that not only was the platform opposed to reciprocity, the very reciprocity which we are discussing now; not only did the campaign book give it out to Democrats as sound Democratic doctrine that such a policy could not be pursued by the Democratic party, but Mr. BAILEY, then the leader of the minority in the House, took the position that free raw material was a pernicious heresy of the Democratic party and had never been heard of except in the convention of 1892. If, therefore, free raw material is a heresy of the Democratic party, under what justification can a Democrat cast his vote to reduce the tartff on raw material without in any wise reducing the tariff on manufactured articles? How can a Democrat, viewing this bill as a reduction of the tariff on raw material, go back upon the declaration of his party on this subject? How can he go back on the statements made by the representatives of the party in the campaign book of that year and on the floor of this House?

But gentlemen quote Mr. Jefferson as favoring reciprocity. Now, some one has said that no opinion is stronger than the reasons upon which it rests. If Mr. Jefferson at any time advocated reciprocity, the later doctrine of the Democratic party has condemned it, and what difficulty would confront gentlemen on this side of the House who, believing that a tariff for revenue is a correct Democratic doctrine, espoused the cause of reciprocity? What would such a position lead to? Where would be the difference on the tariff between that position and the position occupied by gentlemen on the other side who believe in a protective tariff and reciprocity? There would then be but this difference between the position of the two parties on the tariff: The Republicans would start by building a high tariff, thus bringing about a surplus in the Treasury, and would then reform the tariff by enacting reciprocal trade relations with other countries, destroying this surplus until the amount actually collected through the custom-houses, plus the internal taxes of the country, would bring the tariff to one sufficiently large to raise the revenues necessary to administer the affairs of the Government.

The Democratic party, believing in a tariff for revenue, would enact a tariff law the collections from which, added to the internal taxes of the country, would meet the expenditures of the Government economically administered, and then, in order to carry out this doctrine of reciprocity, just to the extent that reciprocal trade relations were established between this Government and a foreign country the rate of tariff on goods coming from other countries would have to be raised by so much as the treaty of reciprocity with the country establishing such trade relations with this country would be reduced, and with each subsequent reciprocity treaty a like course would have to be pursued until the rate on goods coming from countries not in reciprocal trade relations with this Government reached the same total as those ultimately fixed by the Republican party in pursuing its policy, so that eventually there will be no difference between the position of the Democratic party and the Republican party on the question of tariff except as to the method adopted to ultimately reach the same point.

One party would start by building high rates and reducing them by reciprocity treaties; the other would start by building rates just sufficient to administer the Government and then raising them as treaties were consummated between this country and other countries. To make more clear this position let us assume that the Democratic instead of the Republican party had been in power in 1897, and that a bill in place of the Dingley bill had been fashioned by the Democratic party, the establishment of the proposed trade relation between this Government and the island of Cuba would necessarily reduce the revenue and create a deficit in the Treasury. But as no one on this side of the House advocates the administering of the affairs of the Government on a credit basis, it would immediately become the duty of this Congress, after ratifying this treaty between Cuba and the United States, to correspondingly raise the rates on all articles imported into this country from other countries than Cuba, so as to raise additional revenues, and in doing that raise the tariff in the exact proportion with the reduction of revenues brought about by the reciprocity treaty with Cuba.

As between the two positions, tariff for revenue and reciprocity on the one side and protection and reciprocity on the other side, the Republican idea would at least have the virtue of stability, the other would be an ever-shifting process, dangerous to trade and to continued party success. The other proposition which I desire to discuss is: Who will derive the benefit of this 20 per cent reduction? The matter is so plain to my mind that the trust will get the benefit of this reduction that I can not conceive by what method of argument gentlemen can present any other view. In the first place, in the last Congress when this bill passed this House, taking off the differential on sugar, that differential by which the sugar trust subsists, the bill went to the Senate, and there it remained in committee and did not come out of the committee at all during that session. What was the power that held it in that committee? Was it the Cuban planter, who was at that time said to be suffering in Cuba? No; for the Cuban planters did not produce one single pound of refined sugar. Not only do they produce no refined sugar for export from their country, but they actually import refined sugar from the United States to Cuba for their consumption. They could not and did not complain because the differential was stricken off.

Was it the beet-sugar producer who complained? No; because all of the representatives of States growing beet sugar on this floor voted to take off the differential. Was it the Louisiana cane-sugar growers who protested against it? Not they; for their representatives voted to take off the differential. Where was the power that held this bill in the Senate committee? Everyone familiar with the subject knows that the trust held up the bill.

Did the President, finding the differential had been taken off in the House, and advocating reciprocity because, as he contended, of the poverty of the Cuban planter, aware of the fact that Cuba produced no refined sugar, and that the taking off of the differential could in no wise affect the production of Cuban sugars brought in this country, send a message to the Senate, as he had done in the House, urging the immediate passage of the bill? He did not. The taking off of the differential was the destruction of the sugar trust. The passage of the Cuban reciprocity bill with the retention of the differential was in the interest of the sugar trust. So that the old lines drawn by the President to give this additional bonus to the trust had to be abandoned, for the trust would not permit a reduction of the tariff rates on sugar if at the same time the differential was taken off of the sugars of the world. That course, therefore, had to be abandoned. Meanwhile the Senate, through a committee, commenced an investigation of this matter to ascertain what connection, if any, the sugar trust had with the move for the reduction of the tariff on Cuban sugars.

It is due to the splendid work of Senator TELLER that a direct connection was established between the sugar trust and the movement to reduce the tariff on Cuban sugars. It was through the efforts of Senator TELLER that it was ascertained that literature sent out in the interest of this movement had been paid for by the trust. And while Mr. Havemeyer, president of the American Sugar Refining Company, had declared before that committee his indifference to the passage of this measure, yet Mr. Thurber, president of the United States Export Association, was forced by Senator TELLER to the admission that the sugar trust had contributed at least $2,500 toward conducting the campaign in behalf of the reduction of the tariff on Cuban sugars. A friend of mine, referring to this matter, called this measure a reciprocity treaty between Havemeyer, of the American Sugar Refining Company, and Thurber, of the United States Export Association. And I believe that characterization of the proposition to be correct.

Immediately, however, upon the differential being taken off in the House, the President of the United States, in usurpation of powers which belonged to this House, entered into a treaty of reciprocity with the Government of Cuba, a treaty by which he contemplated to bring about the same result that had been sought to be brought about in this House, reducing the tariff on Cuban sugars and maintaining the differential, and then he convened Congress in extra session in order to adopt this proposition.

Now, will not the sugar trust get the entire benefit from this, and will the sugar planters of Cuba derive a single cent of profit out of this proposition? I contend that the sugar trust will get the entire benefit and that the Cuban planters will not get a cent of it, and I will explain the reason why I think so, and I will produce the facts upon which I make this statement.

We in Louisiana are compelled, just as the Cuban planter is compelled, to sell all of our product to the sugar trust. The American Sugar Refining Company has a refinery in New Orleans. We sell our sugar to the American Sugar Refining Company. When we come to New Orleans to our market we are met with this condition of affairs. The trust says to us: "The price of sugar in New York is, say, 3½ cents. We will give you for your sugar, on the New Orleans market, 3½ cents, less three-sixteenths of a cent a pound." When we ask them why they deduct three-sixteenths of a cent a pound from the New York price they say the freight to New York is three-sixteenths of a cent a pound. When we tell them that our sugars do not go out of Louisiana; that they have their refinery right at hand; that they refine their sugar at that point, and that New Orleans is a distributing point, and that therefore they do not have to pay any freight charges to New York on our raw sugar, they say they know that as well as we do, but they say to us: "If you do not care to sell your sugars to us in the city of New Orleans, then move it to New York, pay the freight rate, and there you will get the New York price on your sugar." There being nothing to gain by this but delay, we sell in New Orleans, and thus they deprive us of the three-sixteenths of a cent a pound on every pound of sugar produced in Louisiana.

Being the sole purchasers of this raw product, if they have the power thus to mulct us in three-sixteenths of a cent a pound because the freight rate to New York is three-sixteenths of a cent pound, then if you reduce your tariff 20 per cent on Cuban sugar, and they exert the same influence and the same power and tell the Cuban planter that they will pay them the price of their raw sugar, which is the cost of producing it, with a small margin of profit, plus the tariff upon the sugar entering New York, less the 20 per cent reduction which has been made in the tariff, or they can go elsewhere with their sugar, what can the Cuban sugar producers do? Where can they go? Where is there any other market for them? Will they not, like the Louisiana planter, be compelled to turn their sugar over to the American Sugar Refining Company, the American Sugar Refining Company taking possession of the 20 per cent reduction and placing it in their treasury, thus transferring the money, which now goes into the Treasury of the United States from the present tariff on Cuban sugar, into the treasury of the American Sugar Refining Company? Is there any answer to that proposition?

The other day I asked the gentleman from New York [Mr. McCLELLAN] a question which he said he would not answer just at that time, but that he would answer later on. I do not know whether or not the gentleman from New York is now on the floor. I have read his speech carefully and I find in it no answer to the question which I put to him. The question which I asked him was this:

> Will the gentleman explain to the House how it is that three days ago prime yellow clarified (unrefined) sugar was quoted at 3⅜, while last year on the same day it was 3⅝, or a difference of 3¼ pomts against the American producer, while refined sugar on the same day last year was quoted at 4.21 and this year at 4.50? In other words, why is it that refined sugar has gained 29 points since Congress has met, and prime yellow clarified, the best grade of unrefined sugar, has lost 3¼ points, a difference of just 32¼ points, the exact amount fixed by the pending reciprocity bill?

In order to explain fully the purport of this question and the facts which I sought to elicit from the gentleman from New York, I had better make an explanation of the differential. The present tariff rate on sugar imported into this country is a sliding-scale rate so far as raw sugar is concerned. The rate is for sugars testing 75° of the polariscope, 0.95 of a cent per pound, and for each additional degree of the polariscope 0.035 of a cent per pound. Now, under that scale sugars testing 100 would pay 1.82¼, or $1.82½ per 100 pounds, while refined sugar pays 1.95, or $1.95 per 100 pounds. So that, theoretically speaking, the differential is only 12½ points, or 12½ cents per 100 pounds. But all sugar above 96 test is classed as refined sugar, and 96 test sugar pays a rate of duty amounting to 1.61, or $1.61 per 100 pounds. So that immediately after passing the 96 test sugars pay 1.95, or $1.95 per 100 pounds. Therefore the real differential is not 12½ points, but 34 points; and that is the differential legislated primarily for the interest of the sugar trust, though in some degree it enhances the value of American produced sugar.

It would necessarily follow, if, as contended by the gentleman from New York [Mr. McCLELLAN], there is only one market at the same time in this country for all kinds of sugar, the difference between the price on raw sugar and refined sugar should at no time be more than 34 points, or 34 cents per 100 pounds, and the price of each should travel in parallel lines. But, as a matter of fact, such is not the case. Taking the question propounded to him, we find that last year, on the 15th of November, prime yellow clarified sold for 3⅜. This year, on the same day, it sold for 3⅜, or a difference of practically 3¼ points. But on the same day last year refined sugar sold for 4.21, and on that day this year for 4.50, a difference of 29 points. So that the producer on the 15th of November was practically 3¼ points behind last year's market on the same day, because it was known that Cuban reciprocity would not be successful in the Congress, while the consumer was being charged 29 points more for refined sugar. And adding the loss to the producer, 3¼, to the loss to the consumer, 29 points, we find a difference of 32¼ points clear gain to the trust on the market value of the difference between raw and refined sugars.

Now, all sugars coming from Cuba last year were of an average test of 94. But 94 sugars pay 1.61, and assuming the present crop of Cuba to test 94, which is more than probable, 20 per cent reduction on the tariff on that test, or 24 per cent reduction on 1.61, equals 32¼ points. So that on the 15th of November the trust, with the full knowledge that this measure would become law, and knowing that the Louisiana sugar producer was on the market with his crop, deducted the 32¼ points in anticipation of the passage of this bill. And between the Louisiana producer and the American consumer the American Sugar Trust is now appropriating the 32¼ points contemplated by this bill. If they charge this against us to-day, will they not charge it against the Cuban crop when it commences to reach the ports of the United States next month?

But since November 15, when the question was asked the gentleman from New York [Mr. McCLELLAN], on this morning the secretary of the New Orleans Sugar Exchange, now in Washington, is in receipt of a telegram, which I hold in my hand, signed by the president of that exchange, which reads as follows:

> 3⅜ average price prime yellows to-day. Refiners here buying basis 3 7/16 for 96 test.

Gentlemen will note prime yellow is quoted at 3⅜, but that the refiners are buying 96 test at 3 7/16, evidencing what I have just recited, the forced reduction of the price of our sugar, because we disposed of it on the New Orleans instead of the New York market. But this telegram conveys more than that. Since November 15 our sugars have dropped from 3⅞ to 3 7/16 (which is equivalent to 3 9/32); 3⅜ from 3⅜ shows a drop of 1/32, or a difference of plus 24 points. So that, not content with taking 29 points from the American consumer at this time, we are losing by the simple agitation of this question here, on the Louisiana crop, 24 points over last year's price.

In the face of these demonstrations can any gentleman further argue that the trust will not get the 20 per cent reduction contemplated by this bill? These bandits of modern American commerce preying upon the American people by devices of stealth of action and tricks of cunning are as affectual in accomplishing their purpose as their prototypes of more ancient times accomplished theirs by personal exposure, physical risk, and misdirected courage.

Shall it be said that this Congress, realizing the full effect of this measure—shall it be said that the Democratic Members of this Congress, realizing as they did in the last Congress that this gigantic monster is prepared to swallow up the substance of the people, will deliberately cast their vote to again enlarge the field of the differential? For I contend that, in view of these demonstrations, the proof of which I have just furnished the House, the 20 per cent reduction on Cuban sugars means an additional differential in favor of the trust.

The Democratic party, opposed to trusts, should never align itself to a proposition intending to give larger scope, greater opportunity, and more powerful leverage to extort from the people of this country additional tribute to this awful concern.

That the effort will be made on the part of the Democrats before we take a vote on this bill to take off the differential is well known to this conntry; that this effort will be unavailing is well known to the Democrats on this floor. Failing in that, failing in the effort to relieve the people from the unjust taxation imposed upon them by the sugar trust, realizing that the effect of this legislation will be to add a further differential in favor of the trust, almost equivalent to the differential which it now unduly receives, will any Democrat lend his efforts, cast his vote, or use his influence to bring about the perpetration of this outrage upon the sugar industry of this country, knowing full well that no citizen will be benefited by that action, that no Cuban planter will derive any part of the profits of this reduction, but that in its entirety, as though lifting bodily that amount of money from the Treasury of the United States and transferring it into the coffers of this corporation, the trust will receive every cent of it? If that be not true, then why has not the last bill with the differential off become law? If that be not true, then why was the American Sugar Refinery lending its efforts and influence toward carrying through Congress this legislation? Why has it had its lobbyists

in the corridors of this building, and why is it engaged at this moment in taxing the Louisiana sugar planter even in advance of the passage of this measure?

We in Louisiana have always contended from the inception of this matter that the trust will get the benefit of this reduction. Gentlemen on this floor have contended otherwise. There certainly is a way by which this matter can be adjusted to the satisfaction of all parties concerned. We are willing to stand the test of our contention. Why not make a provision in this bill that if at any time it should be proven that the trust does receive the benefit of this reduction, then it shall be the duty of the President to abrogate this treaty with Cuba? Clearly, if the Cuban people do not get the benefit of the reduction they will be interested in proving that fact. Clearly, if the sugar trust extorts from them this 20 per cent, which they believe they will receive, they will not hesitate to make the fact public. Clearly, if the Louisiana planter sees the price of his commodity reduced because of this legislation, and the trust receives the profits accruing from it, he will not be interested in concealing the facts, and the facts which I have given above would soon be substantiated, so that the President of the United States would be compelled to give recognition of the fact that this legislation inured exclusively to the benefit of the sugar trust; and I do not believe that, should such a condition arise, the President of the United States would either neglect or delay to carry out the behest of Congress if presented to him in the manner which I have described.

No harm can grow out of such a proposition. Or, if the trust does not get the profits, then the provision in the bill would be harmless. But if, on the other hand, the trust should get the benefit of it, I take it that no man on this floor—certainly no Democrat on this floor—would want to see a continuation of conditions whereby at least one of the trusts of this country was a direct beneficiary of legislation in the framing of which they had participated. Is not this a fair proposition? Can any one urge a reason against the adoption of such a proposition? Oh, I know that my Democratic friends will say that the rules under which this bill is being considered precludes the possibility of an amendment, but if they can find a way to submit a proposition to take off the differential, why can they not couple with that proposition the one which I now submit? True there would be as little opportunity of securing the passage of this amendment as there is of passing the one taking off the differential, but it would have served as a warning on the country that in the participation of Members on this side of the Chamber in this legislation they are at least free from any desire, which I know is true, to legislate any additional favors upon an institution now overburdened with favors growing out of past legislation.

Such a proposition as I have indicated is thoroughly within the power of the House to include in this proposition. Such a course of action on the part of Congress has at least two precedents to go by. The countervailing duty fixed in the Dingley law is along the lines of this suggestion, and the suspension of articles placed on the free list by the McKinley law and the imposition by proclamation of a stated duty on such articles, which included sugar, hides, etc., was a provision in the McKinley bill. In the case of Field *v.* Clark (143 U. S. Reports, p. 649) the Supreme Court held that that species of legislation was perfectly constitutional. After going over innumerable authorities, Judge Harlan, as the organ of the court, concludes as follows:

> That Congress can not delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution. The act of October 1, 1890, in the particular under consideration, is not inconsistent with that principle. It does not, in any real sense, invest the President with the power of legislation. For the purpose of securing reciprocal trade with countries producing and exporting sugar, molasses, coffee, tea, and hides, Congress itself determined that the provisions of the act of October 1, 1890, permitting the free introduction of such articles, should be suspended as to any country producing and exporting them that imposed exactions and duties on the agricultural and other products of the United States, which the President deemed, that is, which he found to be, reciprocally unequal and unreasonable. Congress itself prescribed, in advance, the duties to be levied, collected, and paid on sugar, molasses, coffee, tea, or hides, produced by or exported from such designated country, while the suspension lasted. Nothing involving the expediency or the just operation of such legislation was left to the determination of the President. The words, "he may deem," in the third section, of course, implied that the President would examine the commercial regulations of other countries producing and exporting sugar, molasses, coffee, tea, and hides, and form a judgment as to whether they were reciprocally equal and reasonable, or the contrary, in their effect upon American products. But when he ascertained the fact that duties and exactions, reciprocally unequal and unreasonable, were imposed upon the agricultural or other products of the United States by a country producing and exporting sugar, molasses, coffee, tea, or hides, it became his duty to issue a proclamation declaring the suspension, as to that country, which Congress had determined should occur. He had no discretion in the premises except in respect to the duration of the suspension so ordered. But that related only to the enforcement of the policy established by Congress.
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> As the suspension was absolutely required when the President ascertained the existence of a particular fact, it can not be said that in ascertaining that fact and in issuing his proclamation in obedience to the legislative will he exercised the function of making laws. Legislative power was exercised when Congress declared that the suspension should take effect upon a named contingency. What the President was required to do was simply in execution of the act of Congress. It was not the making of law. He was the mere agent of the lawmaking department to ascertain and declare the event upon which its expressed will was to take effect. It was a part of the law itself as it left the hands of Congress that the provisions, full and complete in themselves, permitting the free introduction of sugars, molasses, coffee, tea, and hides from particular countries should be suspended in a given contingency, and that in case of such suspensions certain duties should be imposed.
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> "The true distinction," as Judge Ranney, speaking for the supreme court of Ohio, has well said, "is between the delegation of power to make the law, which necessarily involves a discretion as to what it shall be, and conferring authority or discretion as to its execution, to be exercised under and in pursuance of the law. The first can not be done; to the latter no valid objection can be made." (Cincinnati, Wilmington, etc., Railroad *v.* Commissioners, 1 Ohio Stat., 88.)
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> In Moore *v.* City of Reading (21 Pa. Stat., 188, 202) the language of the court was:
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> "Half the statutes on our books are in the alternative, depending upon the discretion of some person or persons to whom is confided the duty of determining whether the proper occasion exists for executing them. But it can not be said that the exercise of such discretion is the making of the law."
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> So in Locke's Appeal (72 Pa. Stat., 491, 498):
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> "To assert that a law is less than a law because it is made to depend on a future event or act is to rob the legislature of the power to act wisely for the public welfare whenever a law is passed relating to a state of affairs not yet developed or to things future or impossible to fully know."
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> The proper distinction, the court said, was this:
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> "The legislature can not delegate its power to make a law, but it can make a law to delegate a power to determine some fact or state of things upon which the law makes or intends to make its own action depend. To deny this would be to stop the wheels of government. There are many things upon which wise and useful legislation must depend which can not be known to the lawmaking power, and must, therefore, be a subject of inquiry and determination outside of the halls of legislation."
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> What has been said is equally applicable to the objection that the third section of the act invests the President with treaty-making power.
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> The court is of opinion that the third section of the act of October 1, 1890, is not liable to the objection that it transfers legislative and treaty-making power to the President. Even if it were, it would not by any means follow that other parts of the act, those which directly imposed duties upon articles imported, would be inoperative. But we need not in this connection enter upon the consideration of that question.

The President of the United States in negotiating this treaty usurped a prerogative of this body, violated a constitutional provision placing exclusively in the power of this body bills affecting the revenue of the Government; and it will not do for gentlemen to contend that this is not so, because in the bill itself appears a provision declaring that this action on our part shall not be construed as a surrender of the right of this body to originate bills affecting the revenue.

How harlequinesque this position! This House, realizing that it is being despoiled of one of its constitutional privileges, submits it—nay, assists in the despoiling, and contents itself with a mild protest that this submission, that this assistance shall not be construed as a submission and an assistance. What absurd folly! Is this House, under the Republican policy of centralization of power into one hand, ready to abdicate its most sacred rights? Is this House ready to subscribe with a mild form of protest to being thus despoiled of this power? Is this House prepared to abrogate in the future its power to legislate and regulate tariff schedules, revenue-producing laws, everything affecting the revenue, to the President of the United States and submit to it, agree to play the second fiddle in the exercise of a power exclusively intrusted to it by the Constitution of the United States? And, to make this matter worse, while with the one hand it surrenders this power to the President, on the other hand it usurps the power which belongs exclusively to the upper House of Congress.

Note the purpose of this bill—to carry into effect a treaty. Under the Constitution the right to make treaties is in the executive branch of the Government, subject to the approval by ratification of the upper House of Congress, and here this unconstitutional method of bringing about this legislation, which should have originated in the House, originates in the Executive, and from the Executive in the form adopted, the consent of the upper House alone being necessary. Due to the usurpation by the President of the powers of the House, we are led from one ridiculous position to another, and we find under that method of procedure that it becomes necessary for this House to usurp constitutional rights which exclusively belong to the upper House.

I have sought, as fully as the time allotted me would permit, to present two of the many objections to this bill. Having presented them as clearly as I can, I am willing to submit the matter to the determination of this House.

Mr. HEPBURN. Mr. Chairman, I thought the other day that the gentleman from Mississippi indulged in scant courtesy to the "blanket Indians who were striving to get back to the reservation," when he taunted them with what I thought he called desertion from their allies. [Laughter.] I suppose I am one of those blanket Indians. At all events I am seeking the reservation. [Laughter.] But I am not entitled to the taunt of the gentleman of having deserted my allies. The gentleman will remember that on last Saturday night the Democrats in this House indulged in a caucus, and we are told that in that caucus they hurried to announce to the world that whether the amendment they desired to this bill was attached to it or not they would vote for the bill. In view of that action, and that is the earliest action that any

party could have taken, I would like to know where the taunt of desertion belongs.

Mr. Chairman, I have intimated that I intend to vote for this bill, and yet I confess I do it with reluctance. I do it because the large majority of my associates seem to think that it is necessary, because the Administration very heartily approves of it, because the last Republican State convention of the State of Iowa declared in favor of it. Therefore I intend to vote for it, but I am not satisfied with the reasoning indulged in by gentlemen in support of it. I am not one of those who believe that we owe anything to Cuba. I did not know that it was contended, or it could have been contended, a little more than one hundred years ago, after the colonies had received much of assistance from the French monarchy, after our liberation, after the establishment of our Government, that because the French armies and French fleets were instrumental in securing our independence therefore we were entitled to great liberality in trade conventions with France. I know of no reason why we are indebted or why we owe anything to the Republic of Cuba. We have done much for them. We have spent three or four hundred millions of treasure, we have sacrificed many lives, in order that that little nationality might be relieved from oppression.

I believe in the doctrine of reciprocity, but I believe in Republican reciprocity. I believe in the reciprocity of McKinley, and I want now to say that that most estimable character has, in my judgment, been traduced and slandered by many men who have undertaken to repeat or to give signification to the last speech he ever uttered.

There is nothing in that speech from beginning to end that differs one iota from the well-established doctrines of the Republican party upon this question of reciprocity, namely, that the articles that are to be the subject of reciprocal arrangement and are to have advantages in our markets are to be the noncompetitive articles that will not interfere with our labor or with our industries. Let me read the concluding sentence in that speech on this subject, and it ought to quiet these gentlemen who are assiduous in their efforts to make it appear that William McKinley had recanted something in regard to his tariff views, that he had taken a back track, that he was on the way to Democratic free trade. The sentence of most importance in his speech is this:

> We should take from our customers such of their products as we can use without harm to our industries and our labor.

That is what William McKinley said. What is there in that that gives encouragement to men who claim that the competitive article, the article that does harm to our industries or does harm to our labor, is to be the subject of reciprocal agreement?

Mr. Chairman, I believe in the system of protection as taught by the Republican party, and as illustrated by it in its legislation. And right here I want to say that in my judgment there is no Republican who claims that there is sanctity or sacredness in schedules, that they are written for all time, that they are to be permanent and unchanged. The Republican party has eight times entirely modified and changed the tariff and revised it. The tariff has been revised four times since I became a Member of this House—three times by the Republican party and once by the Democratic party. We recognize that changed conditions make changes in tariff rates essential, but we do cling to the protective principle, and I am glad to know that we can point to results. Mr. Chairman, we have had tariff regulations from the earliest days of the Republic.

For seventy-two years our tariffs were in the main written along the lines of Democratic policy—for seventy-two years. It is true we had a protective tariff, so called, in 1816, another in 1828, and another in 1842, but they were short-lived and were not protective as we understand that word now. They were along the lines, I say, of Democratic free trade, refusing protection to the labor or encouragement to the industries of the people of the United States. During those seventy-two years there were fifteen years where the balance of trade with foreign nations was in favor of the people of the United States, and the total of those balances in our favor were $157,000,000. During fifty-seven years the balances were against us, and the aggregate of those balances were $1,270,000,000.

When one stops to philosophize with regard to what this means, it is a matter of great concern that the balances should be so large against us, for it means that it became necessary that we by the export of our gold and our silver and our portable wealth should lose this immense sum of twelve hundred and seventy millions of dollars of our business capital, that would be so useful in our trade and commerce, and that our trade and commerce was thus curtailed by this useless and unnecessary exportation of our gold and silver and portable wealth. Our stocks, our bonds, State, national, and municipal, were carried abroad and we not only lost this capital, or the use of this capital, but we were constantly being drained of the sums necessary to pay the dividends and the interests on stocks and bonds. We were thus constantly made poorer.

When gold was discovered in California there were one hundred and fifty millions of gold that played its part in the circulating medium of the United States. During the first thirteen years after that discovery, and up to 1860, there was dug from the mines of California $800,000,000, making a total of nine hundred and fifty millions of gold that ought to have been in the United States in 1860. As a matter of fact, there were but two hundred millions. Seven hundred and fifty millions of our gold had been exported from the United States to pay the balances that were due to foreign manufacturers because of the faulty systems of the Democratic party under the tariff of 1846 and the tariff of 1857.

That is the statement of the account, and we had in the United States in 1860 but four hundred and seven millions of circulating medium. The wealth of the United States at that time was sixteen billions of dollars. Eight generations of men had labored from the time of the settlement at Jamestown, eight generations of men had lived and died, and they had been able to accumulate in two hundred and fifty years as surplus only sixteen billions of dollars. Then we changed our policies. Instead of engaging simply in trade we began to make things, to create wealth, to encourage our own labor here, and at the end of forty years a little more than one generation of men had created eighty-six billions of wealth. [Applause on the Republican side.] They had added as their contribution to this wonderful amount seventy billions to the sixteen billions of the eight generations that had preceded them.

We began new policies then in 1860, and we have gone on perfecting and making better and better and better the tariff laws of the United States, until the nearest possible approach to perfection in that direction was reached in this body a little more than six years ago. What are some of the results of that? Think. What has been accomplished in a little more than six years? The balance of trade in our favor since the Dingley law went into effect has been thirty-two hundred and twenty-four millions of dollars. [Applause on the Republican side.] In seventy-two years of Democratic policies—practical free-trade policies—during the only years in which there were balances in our favor they amounted to one hundred and fifty seven million, but in the grand aggregate the sum against us was one billion and one hundred and odd millions of dollars—more than a billion of dollars against us; while in six years of time along our policies, under our legislation, the balances in our favor have been thirty-two hundred and twenty-four millions of dollars.

Instead of sending our portable wealth abroad to pay these balances the whole world is contributing to our wealth by sending their precious metals and their portable wealth to swell our riches. We have now in the United States, instead of a beggarly two hundred millions that were here when the Republican party took control of affairs, twelve hundred and seventy millions of gold. Instead of there being four hundred and seven millions of circulation we have now twenty-seven hundred and thirteen millions of circulation. In 1860 the manufactured products of the United States amounted to $1,750,000,000; in 1902 they amounted to $13,000,000,000. Under Republican policies these changes have come about.

In the old time, if a work of internal improvement was projected, the first thing to be done was to send envoys abroad to see whether the money could be borrowed, and we were one of the debtor nations, so it was said, and we often heard that taunt used that the United States was a debtor nation. Ah, the Republican party has changed all that. This is no longer a debtor nation. Men come here to borrow by the score of millions our gold. All of our great enterprises are now being financed at home. We have an abundance of money, we have an abundance of credit, we have an abundance of capital. These are some of the reasons why I am wedded to the Dingley tariff law and why I am unwilling that there should be assaults upon it, insidious or otherwise. I am one of those who, at least for the time being, is content to let well enough alone and refuse to go into new and untried experiments. [Applause on the Republican side.]

But, Mr. Chairman, these considerations, vast as they are, are but inconsiderable in comparison to the infinite good that comes to the people that have the wisdom to adopt a protective policy. Governments are instituted for the purpose of ameliorating the condition of men, of bringing more of happiness into the human heart, more of content into human families, and when we consider what this policy of the Republican party has accomplished in this direction in the elevation of the labor of the country, in making happy conditions for the labor of the country, it is inconceivable to my mind that gentlemen should cavil or sneer at our policies.

Mr. HUGHES of New Jersey rose.

The CHAIRMAN. Will the gentleman yield to the gentleman from New Jersey?

Mr. HEPBURN. I will be excused from yielding to the gentleman from New Jersey.

The CHAIRMAN. The gentleman declines to yield.

Mr. HEPBURN. Mr. Chairman, the Republican party was called into being in order to stand in front of an assault upon the dignity of labor. The Democratic party at that time was insisting that in a new State about to be created we should establish or recognize the doctrine that capital might own labor; that one man might own another man; that one man might sell another man and his wife and child, and that one man could drive with the lash of a master a man to unrequited labor. The Democratic party was insistent in establishing that doctrine over the State of Kansas, and the Republican party was called into being to resist that assault on humanity. [Applause on the Republican side.] It has been true, Mr. Chairman, to that first impulse. From that time of organization up to the present moment it has been the friend of labor. Every great measure that it has conceived or has carried into complete execution has had for its purpose, first and fundamental, the uplift of humanity, the betterment of mankind, the infusing of more of happiness into the homes of America. [Applause on the Republican side.]

I could go through the whole list of great achievements that this party has conceived and executed, and every one of them can be shown to have that direct purpose. I remember that a little while ago we were told that there were 3,000,000 men out of employment, men wandering through the streets and along the highways and byways, begging for places to work. I believe those stories were true. Mr. Chairman, do you remember the time when those stories were located? It was from 1893 to 1896, at a time when the Democratic party were trying anew the establishment of their policies of antiprotection. I can readily see how that might be.

The gentleman from Ohio [Mr. GROSVENOR] yesterday showed us how it was that before the enactment of the law, before any overt act had been accomplished by the Democratic party, the mere existence of that party with the power to do evil, the very fact that it appeared as a menance, was sufficient to destroy that confidence in business that is absolutely essential to prosperity, and especially to the complete employment of our people. We saw the effect of it later on in this great multitude of idle men that were then called tramps. Do you hear anything of that now? There is labor in every part of this country for every man who wants a place to work. [Applause on the Republican side.] And there is a compensating wage for every man who will perform a day's labor. And it is in this direction, more than any other, that the wisdom of the Republican party is manifest and the beneficence of its policies is exhibited.

Mr. Chairman, this matter of labor is of very great importance to the people of the United States. There are twenty millions of men, women, and youths who are breadwinners in the United States. These men, women, and youths must have places in this labor field of ours. It is absolutely necessary if our institutions are to endure, if this Government of ours is to be perpetuated, if our social order is to be maintained. There must be made from year to year places in this labor field where every man who wants a place to work can find it, and a compensating wage. These men are the repositories of political power. They have it. It is theirs. Those who distributed political power within the United States did it with absolute impartiality and equality. One man has the same measure of political power that any other has. Some may have more of influence, some may have more of standing than others, but when it comes to the exercise of political power by the voter each one is given the same modicum; no less, no more. So that all political power—the power that makes constitutions and unmakes them, that writes laws and repeals them, that gives elements of value to property and takes them away—is in the hands of the laboring people of the United States.

Mr. Chairman, have you ever thought how many of the elements of value, of property, are the gift of legislation, coming directly from legislation? Why, the mere element of value, of ownership beyond immediate personal possession, is the gift of the law. The savage owns that which he seizes and holds. He lays down the object of his fancy and another seizes it and it is his. It is law, it is society, that lengthens the tenure of possession beyond the mere grasp of him who claims to own.

Mr. VANDIVER. Will my friend from Iowa permit a question?

Mr. HEPBURN. No; your friend from Iowa will not, I thank you.

The CHAIRMAN. The gentleman declines to yield.

Mr. HEPBURN. I do not want to be offensive; I only want to be emphatic. So it is with many other elements of value. The value that comes to property from just and equitable taxation is of immense importance. Where the right to tax attaches it is without limitation, and it depends upon society entirely that there is a freedom from confiscation or approximate confiscation. So it is with the right to bequeath, which is a gift of society. Society can take it away.

Now, I do not believe that there will ever, under any circumstances, at any time, be violence in revolution in this country. I do not believe that. There will be no guillotines, such as Paris saw. There will be no streets running with blood, such as were familiar scenes in 1798—nothing of that kind. When a revolution comes here because of discontent with our economic situation, it will be the quiet revolution of the ballot, and the assault will be directed against property and against these elements of the value of property that all recognize to be within the power of the ballot. We put an inheritance tax on our war-revenue bill a few years ago amounting to 15 per cent in some cases. We could have made it 100 per cent. We could have made it an escheat if we had seen fit. Ah, but some might say the Constitution would intervene. Who make constitutions in the United States? The men who cast the ballots.

I am not an alarmist. I am not a pessimist. I look to the bright side of life always. It is the hopeful features of the future that attract me, and yet I can not but believe that if I could not make a living in response to my endeavors as an honest laboring man—if I could not make that living for myself and my family, under laws and constitutions as they are, I would use the power that I had to produce changes that would be more beneficial to me, and I would look to the possibilities of simpler and easier methods of the distribution of surplus wealth. And so I believe my intelligent fellow-citizens will, if the time ever comes when, under the policies of the Government, we look to the support of people beyond the seas rather than to the interest and happiness of our own people—when, under the policies of Government, we look to the maintenance and enlargement of the labor fields of Europe rather than the labor fields of the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. I yield ten minutes more to the gentleman.

Mr. HEPBURN. When that time comes then we may expect trouble; but under the policy of the United States, directed by the Republican party, this labor field is being enlarged, this labor field is made ample, the wage is compensating, there is comfort in the home, and there is no reason why so long as these policies obtain you or I should take pessimistic views of the future.

So I think, Mr. Chairman, I am right in the conclusion that I announced. That is not because we have now an abundant circulation, it is not because the balance of trade is in our favor, it is not because the people of other nations are sending their gold and their portable wealth to us in compensation for that which they buy from us, it is not for these reasons, but it is because the labor field of the United States is enlarged, because employment is more certain, because the wage is more surely compensating, because the homes are homes of plenty, and because contentment with our institutions finds lodgment in the hearts of all of our people that I support this protective policy of the Republican party. [Loud applause on the Republican side.]

The CHAIRMAN. The gentleman from New York is recognized.

Mr. SULZER. Mr. Chairman, the Cuban reciprocity bill, now under consideration in this House, is a step in the right direction, and I shall vote for it for that reason.

Let me say at the outset that I am in favor of reciprocity—not halfway reciprocity, not pretended reciprocity, but true, real reciprocity; Democratic reciprocity, that will accomplish something for the consumer; reciprocity that will mean something to our manufacturers; reciprocity that will continue to develop and build up our growing trade in a greater commercial way with all our neighbors on the Western Hemisphere and give us a more commanding trade position of a reciprocal character with Canada, Mexico, the West Indies, and the Central and South American States. We need the raw material and we want the products of these countries. They want our manufactured goods. True and honest reciprocity with them will benefit our manufacturers, help our consumers, and be of inestimable advantage to those countries and their industrious inhabitants. "Live and let live" should be our national motto regarding trade and commerce.

Reciprocity along these lines is true tariff reform, a bright harbinger of better commercial days, a firm step forward in the right direction, and the knitting together in closer ties of political friendship and more amicable trade relations of all the people in North and South America.

Let me say now that this bill is not perfect. It does not go far enough to meet my sanguine expectations. I indulged the hope of better things from the Republicans in this House, and believed that they would rise to the occasion, comply with the wishes of the great majority of the American people, meet the Cubans halfway, and deal fairly and honestly and justly with Cuba, so that true reciprocal trade relations would for all time be firmly established between the two Republics.

It is a matter, in my opinion, to be regretted, Mr. Chairman, that this bill can not now be amended and perfected by the real friends of reciprocity in this House who want to help Cuba

onward and upward, and at the same time benefit our manufacturers and consumers. But the political oligarchy that controls the proceedings in the House of Representatives has decreed otherwise, and we are compelled to take this bill with all its imperfections, with all its limitations, and with all its meager concessions, just as it is.

At the very beginning of this discussion the Committee on Rules, composed of three Republican Members of this House, brought in a cast-iron gag rule, which the majority adopted supinely and obsequiously, notwithstanding the earnest protest of every Democrat here assembled. The adoption of this rule makes it impossible for us to offer an amendment to this measure, and at the end of a few days' debate forces us to vote for or against the bill just as it came from the Ways and Means Committee. We are prevented from perfecting the bill. We are shut off from offering a single amendment. Any motion is quickly ruled "out of order," and we must take the bill or leave it, just as a few Republicans on the committee which reported it desire.

Such a proceeding is a travesty on intelligent legislation, violates all parliamentary precedent, and makes a farce of the popular branch of the lawmaking power.

I protest against this tyrannical rule. It makes the Members of this House mere automatons, legislation here a laughingstock, and representative government a stumbling-block. We have 388 Members in this House, and 385 of them by virtue of these gag rules are simply figureheads. We sit here day in and day out simply to vote now and then "yea" or "nay." We are the playthings of a legislative triumvirate. This Committee on Rules, composed of the Speaker, the gentleman from Pennsylvania [Mr. DALZELL], and the gentleman from Ohio [Mr. GROSVENOR], practically runs the House. These three Members are omnipotent—we propose and they dispose. That is about all there is to-day to the historic House of Representatives. We might as well stay home and delegate to the Committee on Rules the little privilege we have left, to cast our votes. The House of Representatives is no longer a deliberative body. It is the creature of this legislative triumvirate. We have no chance to construct legislation; no opportunity to perfect contemplated laws. If we have ability and desire to initiate and have considered legislation demanded by our constituents and the people generally, we can not do so. A minority Member has to-day no opportunity in this House, and a majority Member very little. No other parliamentary body in the world would tolerate the gag-act proceedings of the three Republican Members of the anomalous Committee on Rules. It is a disgrace to our manhood, an insult to our intelligence, an assault on our legislative rights, a blow to parliamentary government, and a perversion of the Constitution. How much longer shall we submit to it? How much longer shall this triumvirate continue? For one, I am tired of it. I cry out against it, and say it must be stopped. It can be stopped if we assert our rights and have the courage to maintain them.

Now, sir, I say this and I mean it—I shall continue to say it just so long as the Republican gag rule is enforced. I wanted to offer several amendments to this bill. In the first place, I wished to amend the bill by reducing the tariff tax one-half on all goods, wares, and merchandise going into Cuba from this country or coming into this country from Cuba. This bill proposes a reduction of 20 per cent of existing tariff taxes. I am in favor of a 50 per cent reduction. That would be little enough, and it would do some good and mean real reciprocity. Here is an opportunity to secure genuine reciprocity. I want to offer this amendment making the tariff-tax reduction 50 per cent instead of 20 per cent, as proposed in the bill, but the Republicans refuse to permit me to do it. Why? Because they fear it might be agreed to, and that, forsooth, would hurt some sheltered monopoly intrenched behind their high protective-tariff walls. How much longer will the American people be deceived by Republican hypocrisy regarding the tariff-made trusts?

In the second place, I intended to propose an amendment to the bill, striking out the differential and eliminating the color restriction now in the present law on sugar imported into this country from Cuba. If this were done, there would be no shelter to monopoly, competition in the manufacture of sugar would be free and untrammeled, and the price of sugar to the consumer materially reduced. Sugar is one of the necessaries of life. Its price is one of the great items of household expenses to every family in the land. There is a tariff tax of about $7 a barrel on sugar under the present law. This tax is a hunger tax. It is a Republican tariff tax. The consumer pays it. It should be repealed. There should be no tax on sugar. If this tax were taken off, the price of sugar in this country to the consumer would be reduced about one-half—quite an item of expense to every household. Here is an opportunity to give cheaper sugar to the consumers of our country, but the Republicans oppose it and decline to permit us to offer the amendment for fear it will be adopted. You are afraid to go on record on this question. What a spectacle! The Democratic party is in favor of reducing taxes on the necessaries of life. The Republican party is opposed to all tariff-tax reduction, even where the tariff shelters monopoly. No tinkering with the tariff is the mandate of the Republican party even where trust-made goods are sold by tariff-protected industries cheaper in foreign countries than at home. The tariff is a tax on consumption, and the consumer pays the tax. This high protective tariff question, which robs the many for the benefit of the few, is one of the leading issues between the Democratic and Republican parties, and will be submitted to the people in the next national campaign for their decision.

Another amendment, sir, I proposed to offer to this bill is to the effect that all goods, wares, and merchandise going into Cuba from the United States, or coming into this country from Cuba, shall be carried in American or Cuban ships—built in Cuba or the United States, carrying the American or the Cuban flag, and manned by Cuban or American sailors. If this amendment were adopted it would do something to aid the restoration of the American merchant marine. Republican policies have driven American ships and the American flag from the high seas.

Here is an opportunity, to some extent, to restore the flag to the ocean, but the Republicans refuse to permit me to offer the amendment. Why? Because the Republican Members would not dare to go on record in this House against restoring the American flag and American ships to the high seas. What a spectacle of commercial selfishness, monopolistic greed, and political shortsightedness the Republican party in this House presents to-day! The Republican Members of the House do not dare to go on record against these suggested amendments. They seek refuge in the gag rule of the legislative triumvirate, which protects them from going on record, and makes legislation in this House a sham and a farce. The Republicans are in the majority here. They are responsible to the people for this condition of affairs. The minority Members are precluded from offering a single amendment. We are compelled to vote for or against this bill just as it comes from the committee. It is an outrage, and I protest against it.

Notwithstanding the fact, Mr. Chairman, that I am prevented from offering the amendments I have referred to, it is my intention to vote for this bill on the theory that half a loaf is better than no bread, and that a step in the right direction is better than standing still. I believe that reciprocal commerce between this country and Cuba and Canada and our immediate neighbors in Central and South America should be as free and untrammeled as possible, consistent with the needs of revenue for economical governmental administration, and with a view of not disturbing honest industry or legitimate effort among our own producers and manufacturers. I trust the day is not far distant when we shall have reciprocity with the Dominion of Canada, with Mexico, with the West Indies, and with all the Central and South American Republics. We should make it to the interest of these countries to trade with us, and the self-interest established by reciprocal trade will ever constitute the strongest tie of lasting friendship, of permanent peace, and of material prosperity for all concerned.

Last spring, Mr. Chairman, I visited Cuba, and was greatly impressed by all I saw during my sojourn there. It is a genial land of sunshine and shadow—a veritable wonderland—rich in natural resources beyond the dreams of avarice. It is a great field for the man who wants to get on and succeed. No one need ever be hungry in Cuba. Her climate is ideal; her skies more beautiful than Italy's; her days an everlasting summer's dream; her air the most healthful in the world; her people generous, courteous, and hospitable; her valleys the garden of the Lord; her landscape so beautiful no painter can picture it and no poet adequately describe it. Cuba is the land of perpetual flowers, of stately royal palms, the Bohemia of the dreamer, generous in tropical fruits, the home for the painter and the poet, the paradise of all the islands of the sea—one long, harmonious, brilliant, indescribable mental melody. It will soon become the greatest winter resort in the world. As Mr. James Gordon Bennett said to me in Habana, in beauty, climate, and scenery, Cuba far surpasses the Riviera or any other part of the Mediterranean. I was impressed most favorably by everything I saw in Cuba. The climate so dreamy and so salubrious; the indescribable beauty of the magnificent scenery—odoriferous forever and a day with enchanting and entrancing perfumes; her vast undeveloped resources; the richness of the soil; her quaint towns and cities and villages resplendent in subdued colors of pale pink and lemon yellow and baby blue—remindful of the Orient—and full in every place with historical reminiscences bringing to memory myriads of patriotic thoughts and to recollection hundreds of heroic deeds from the days of Columbus to the present time. And then the quiet—the peaceableness of her people, so law-abiding and so

different from the helter-skelter turmoil, the nervous hurry, and the everlasting rush of the people of higher latitudes.

The Cubans have many problems to work out as the youngest Republic in the world, but destiny is with them and they will solve all difficulties of self-government successfully. I have no fears for the Republic of Cuba. It has taken its place among the nations of the earth, and success, happiness, contentment, and prosperity will ever follow its bright new flag; and the island country will as the years come and go become greater and grander and more glorious—a gladsome demonstration that the Cubans are capable of self-government and have the ability to work out unaided and alone their own future.

Tomas Estrada Palma is making a splendid President of Cuba. He is the right man in the right place. His administration is giving general satisfaction among all the people throughout the island, and under his sagacious and patriotic guidance the Cuban Republic is moving along successfully and harmoniously. Great credit is due President Palma. He is Cuba's first, and will go into history as one of her greatest, Executives. He has the absolute confidence of everyone, and is doing an enormous work with a quiet heroism that commands respect and speaks more eloquently than words for Cuba's radiant future.

The Cubans welcome capital from the States to invest there and encourage in every way in their power northern progress and energy and enterprise. They know it is to their advantage. They realize its benefits. They see what Mr. Van Horne has accomplished in two years for their country. He has opened up Cuba's possibilities with a wand of magic, built and equipped a modern railroad from the west to the east, made Habana and Santiago walk hand in hand—sister provinces—added millions and millions of untold wealth to her values, made possible thousands and thousands of new homes and new towns, annihilated distance and made the Cubans, from one end of the island to the other, united and one. He has done and is doing a wonderful work for Cuba. No one who has not been there can fully conceive it. But the far-seeing Cubans fully appreciate it. Mr. Van Horne is to-day Cuba's pioneer of progress, the advance agent of her coming higher civilization, the helper of humanity, the guide of the coming generations, who blazes the trail through the primeval forests that happiness may follow his handiwork.

Mr. Chairman, let me reiterate what I have frequently said before on this floor, that I am now, always have been, and always will be the friend of Cuba. The RECORD will show that ever since I have been a Member of this House I have done all in my power for the Cuban people. I am glad the Cuban Republic has taken her place among the nations of the earth. May success, happiness, prosperity, and domestic tranquillity abide with her forever.

The time is at hand, nevertheless, when we must live up to our sacred obligations to Cuba. We granted her the freedom and the independence promised. We have launched this young Republic upon the ocean of nations, and said to all the world, Cuba is free and independent. We must say to every nation she is our creation—a daughter of the great Republic—and any interference with her will be an act unfriendly to the United States.

But that is not all. We must grant her immediate trade relief. In a commercial way she is at our mercy. This is not her fault—it is our fault. Congress has made it practically impossible for Cuba to market her products in other countries; they must be sold here, and they can not be sold in this country at present except at a loss, unless our tariff law is repealed or modified. This must be done at once—it should have been done months ago. The situation is serious and admits no further delay. The people want Congress to act, and our honor demands the immediate enactment of a liberal reciprocity law. We must keep our word—our faith is pledged.

The Republican party is responsible for this deplorable commercial condition. The Republican party, wedded to its high protective-tariff policy, would rather see the commercial destruction of Cuba than consent to reduce its present system of outrageous high-tariff taxes.

When the Congress adopted the so-called Platt amendment, which I am glad I voted against, and which, in my judgment, never should have been adopted, it took an unfair advantage of Cuba; but when the amendment finally became a law the Cubans accepted it in good faith, and at our request wrote it into their constitution. By virtue of that amendment Cuba is commercially at our mercy to-day and unable to make treaties of a commercial character with other nations. Under the circumstances it seems to me that it is now incumbent on this Government to grant trade relief to Cuba, so that her products can be admitted into this country and sold without a loss.

So, sir, I shall vote for this bill because I am in favor of doing something now for Cuba. I want to see Cuba prosperous. I will vote for any measure to reduce the present tariff duties between this country and Cuba. In my judgment we should have free trade with Cuba. It would be beneficial to us and advantageous to the Cubans. It would help the people of both countries, commercially, financially, and politically. [Applause on the Democratic side.]

The CHAIRMAN. The gentleman from New Jersey [Mr. BENNY] is recognized for ten minutes.

Mr. BENNY. Mr. Chairman, in the course of his hour's talk yesterday the gentleman from Ohio—he who a day or two ago announced, in effect, his determination to defend the Administration against every attack made upon this floor, and who thus voluntarily assumed a burden which may prove too much for even his willing shoulders, unless this Administration speedily discontinues its ceaseless hunt for trouble—read what we were led to believe was a complete newspaper news item. I happened at the moment to have a copy of the same item in my pocket. It is taken from the New York American of November 16, 1903, and is as follows:

BERLIN, *November 15.*

The Frankfurter Zeitung's Constantinople correspondent says the Pennsylvania Steel Company has been awarded the contract for 20,000 tons of steel rails for the Mecca Railway, in competition with the Krupps and several other German and Belgian establishments.

Right here the gentleman from Ohio stopped, indicating that that was the end of the item. He neglected—purposely, of course—to read the remainder of it, consisting of only four lines, in these words:

The price is $22.88 per ton delivered at Beirut.

The price of steel rails in the United States is $28 per ton, which is the highest average price in ten years.

Why did he leave out these last four lines? Simply because he thought it better to withhold from the public gaze this additional evidence that the tariff-fattened steel trust can and does afford to manufacture its product in this country, ship it thousands of miles away, pay the freight upon the shipment, and then sell it in that far-off land at more than $5 per ton below the price it exacts from its next-door neighbor in the United States. And when I asked him if the article from which he read also contained these omitted words, he stood with the article still in his hands. He knew well that the omitted words were there. He was caught, and knew he was, and knew that we knew it, but even then he declined to answer the question in the one word that would have answered it completely and truthfully: "Yes." But, looking round for a way in which he could jokingly turn the brunt of the situation aside, and failing to find it, he laboriously answered, "That is right, I suppose." What a monumental conclusion, and what tremendous reasoning power he must have exerted in arriving at it!

And while still in the fervor naturally following this mental effort the gentleman asked me this question:

Now, if the gentleman gets the floor at some point of time, not necessarily in this debate, but at any time during this Congress, will he tell me in an official manner how much harm has been done to the people of the United States by breaking into that monopoly of the Krupps on the other side of the water and selling steel rails even at a price lower than they can be afforded for?

The gentleman assumes that what he calls the Krupp monopoly was broken into by the steel monopoly of the United States selling these steel rails at a price so low that no profit was made therefrom.

What a farce! The American trust sold these rails at $22.88 per ton delivered at Beirut. Deducting $5 estimated freight rate per ton and the price to the trust is then $17.88 per ton. Is that "less than they can be afforded for?" Has not Mr. Charles M. Schwab himself, the president of the steel trust, put the cost of production of steel rails at less than $12 per ton in the United States and about $19 per ton in England?

In the United States Steel Corporation's financial statement of 1903, as contained in Moody's Manual of Corporation Securities for 1903, at page 1706, we find that this one corporation for the year 1902 produced 1,920,786 tons of steel rails; that its total production of all articles was 8,197,232 tons in the same year, while its net earnings during that year were $133,308,763.72.

Does the gentleman from Ohio believe this Pennsylvania steel company is selling 20,000 tons of steel rails at a loss? Was it by selling their more than 8,000,000 tons total output at a loss that the United States Steel Corporation made net earnings last year of above $133,000,000—more than $16 per ton?

Is it not fair to assume that Mr. Schwab's figures are correct? If so, then this sale of steel rails to be delivered at Beirut carries a profit of about $11 per ton, less the freight charges to that Syrian port. If we estimate that freight charge, as before, at $5 per ton, there still remains a net profit of $6 per ton, which, based upon the output of steel rails by the United States Steel Corporation for last year, would yield that company an annual profit on steel rails alone of $11,524,716.

I stated yesterday that the harm done to the American purchaser of these steel rails is the difference between $22.88 and $28 per ton. That is too low. Since the trust here sold those rails at

$22.88 per ton delivered at Beirut we should deduct from that the $5 per ton estimated freight charge to be paid by the trust, which leaves $17.88 per ton as the net price to the trust. American consumers are paying for the same material $28 per ton, a difference of $10.12 a ton in favor of the purchaser in foreign lands. At that rate, and estimating the consumption of steel rail in the United States this year at the total output of these rails for 1902 in this country, viz, 2,872,909 tons, the "harm" this year to American consumers of that particular product will amount to $29,073,889.08. The "harm" to American consumers of other products, handled in the same way by other trusts, is beyond computation. Does the gentleman from Ohio mean that breaking into the Krupp monopoly on the other side of the water by the American trust has benefited the people there? If so, will he not admit that by removing the duty upon steel rails of $7.84 per ton and assisting in the "breaking into" the steel trust here our own people would be benefited?

Are we to infer from the gentleman's remarks that extortion in this country is not wrong if practiced on the railroads that purchase steel rails? The Democratic position is that, without regard to whom it is practiced on, extortion is always wrong, and when permitted and encouraged by our laws is a political crime. The Republican party fosters these combinations and enables them to force from our people an exorbitant price for their articles of daily need, a price much in excess of that at which these same articles are sold by these same combinations in the various foreign markets of the world.

This does not refer to steel rails alone, but to many articles and at varying percentages of difference in their home and export prices, some of which are contained in the following table:

Export and home prices.

Article and description.	Export price.	Home price.	Per cent of difference.
Acetylene-gas generator, Colt, 10 light ....each..	$40.00	$55.00	37
Ammunition caps:			
BB round ....per 1,000..	1.03	1.49	43
Central fire, .32 long, Colt ..do....	6.48	9.00	40
Rim fire, .22 long ....do....	2.16	3.00	39
Primed shells, .22 short ....do....	.72	1.53	112
Axle grease, snow flake (gallon cans) ....dozen..	4.50	5.40	20
Borax, city refined ....pound..	.02½	.07½	210
Carbide, lump ....ton..	55.00	70.00	27
Chucks:			
Skinner's standard drill, No. 100 ..	3.09	4.90	58
Skinner's independent lathe, F, 12-inch ....each..	15.88	24.00	51
Union Manufacturing Co., independent, No. 18, 10-inch ....each..	10.20	16.60	63
Union Manufacturing Co., face-plate jaws, No. 48, 8-inch, 4 set ..	23.52	39.00	66
Coffee and spice mills, Enterprise, each	40 and 2 p. ct.	25 to 30 p. ct.	20
Fruit presses, Enterprise, No. 46	8.82	11.00	25
Harness snaps, Coverlin:			
Trojan loop, 1¼-inch ....gross...	2.40	3.23	35
Derby loop, 1-inch....	1.68	2.24	33
Yankee roller, 1¼-inch, XC breast strap	1.00	1.37	37
Lead, pig ....100 pounds..	2.00 to 2.50	3.97½	58 to 98
Meat choppers:			
Enterprise, No. 5 ....each..	.75	1.04	39
Enterprise, No. 10 ....do....	1.14	1.56	37
Enterprise, No. 22 ....do....	1.51	2.08	38
Enterprise, No. 32 ....do....	2.25	3.12	38
Nails, cut, 20d. to 60d ....100 pounds..	1.80	2.05	13
Nails, wire, base price ....do....	1.30	2.05	58
Oil-well supplies[a]	.....	.....	.....
Piano, Bradbury ....each..	225.00	275.00	18
Playing cards, United States Playing Card Co ....gross..	12.35	25.65	108
Powder:			
Duck, in can ....pound..	.37½	.45	20
Duck, in 25-pound kegs ....do....	.24¾	.32	30
Indian rifle, in 25-pound kegs, FFFg, etc ....pound..	.11¾	.16	37
Seeders, raisins and grapes, Enterprise	40 and 5 p. ct.	25 to 30 p. ct.	30
Rakes, malleable-iron shanks:			
10-inch ....dozen..	1.18	1.50	27
12-inch ....do....	1.28	1.60	25
14-inch ....do....	1.39	1.75	26
16-inch ....do....	1.50	1.85	23
Sadirons, BB, in cases ....pound..	2¾ to 3¾	3½ to 4	25
Sausage stuffers, Enterprise	40 and 2 p. ct.	25 to 25 and 7½	20
Saws, Disston & Sons:			
Band—			
24-inch, gauge 18 ....foot..	.21	.34	62
10-inch, gauge 18 ....do....	1.25	1.54	23
Butchers'—			
No. 7, 24-inch ....doz...	8.50	10.22	20
Hand—			
No. 12, 24-inch ....do....	14.82	18.04	22
No. 16, 24-inch ....do....	11.97	14.57	22
No. 107, 24-inch ....do....	10.83	12.30	13
Sewing machines:			
Domestic, No. 1 ....each..	13.25	20.00	59
Domestic, No. 4 or 9 ....do....	17.48	25.00	43

Export and home prices—Continued

Article and description.	Export price.	Home price.	Per cent of difference.
Shovels:			
Baxter, sock. strap ....dozen..	$5.83 to 6.52	$7.50 to 8.40	29
Rowland, plain back ....do....	5.12 to 5.83	6.75 to 7.00	29
Thomas, c. s. b. st's ....do....	4.19 to 4.86	5.40 to 6.30	29
Tin plates, Bessemer ....100 pounds..	3.19	4.19	31
Typewriters, Remington and others ....each..	55.00 to 65.00	100.00	54 to 82
Wire, barb:			
Galvanized ....100 pounds..	2.25	2.90	29
Painted or varnished ....do....	1.86	2.60	40
Wire, plain, fencing, varnished. do....	1.35	2.00	48
Wire, plain galvanized:			
Gauge 4 to 9 ....do....	1.54	2.70	75
Gauge 10 to 11 ....do....	1.62	2.97	83
Gauge 12 ....do....	1.76	3.10	76
Gauge 13 to 14 ....do....	1.81	3.37	85
Gauge 15 to 16 ....do....	2.08	3.78	81
Gauge 17 ....do....	2.46	4.05	65
Gauge 18 ....do....	2.63	4.32	64
Rubber, insulated	25 p. ct. off for export.		
Steel armor, for cables ....pound..	3.75	4.15	11
Wire rope:			
1 inch circumference ....100 feet..	.72	2.60	261
Galvanized, 2½ inches circumference ....100 feet..	3.12	9.70	211

[a] Cheaper in Russia than in United States.

The gentleman from Ohio asks, "Who cares what they get, then, for steel rails (in foreign markets)." Nobody here need care very much about how much or how little any trust gets in foreign markets for anything it produces here, except for the pleasure Americans feel in the success of Americans abroad; but when we see these trusts selling at a profit in foreign lands the things produced by them in the United States at very much lower prices than they sell these same articles here for it is time we stop and ask, "Why and how is this done?" And when we find that the Republican party has so manipulated our laws as to permit the people of this land to be robbed by this system of extortion it is our duty to call attention to it, and to do what we can to stop it.

The gentleman observes—

This is the first time I have ever heard a Democrat solicitous about railroads in the purchase of steel rails.

Let him not be alarmed. We do not propose to encroach upon the hunting preserves of his party. Our position is that a railroad company is just like any other corporation. It should be treated fairly and compelled in turn to treat the people fairly. In opposition to the position assumed by him for his party, we do not believe that a railroad company in the United States, or any other company or person, should be robbed, with the assistance of our laws or by the laxity, or worse, of officials chosen to execute those laws, even by a stronger robber. We consider that the railroad companies should be prevented from assisting any concern—the Standard Oil Company, for instance—in injuring or even putting a rival out of business by giving such concern a preferential freight rate, and I for one believe in removing from the power of the railroad companies and other corporations the courts of our States and of the United States, so that no suggestion by the men who control these companies to the appointing power in State or nation can result in the attorney of the company being elevated to the bench, and I believe, further, that the railroad companies of the land ought not to be permitted to take the part in politics that some of them do. When our friend on the other side and the politicians of his party join us in that there will be no further necessity for Republican protection to the fugitive ex-governor against the efforts of the State of Kentucky to compel his return to his own State to stand trial for the crime of murder by assassination.

The real important point in the news item which the gentleman read in garbled form is the evidence again presented to the people that Republican favoritism to certain infant industries, that have grown so big and strong on the tariff milk of Republican kindness that they now make a pastime of chastising their parent and our whole citizenship, has resulted in decreasing the price of their production to the foreigner, while relatively, and in many instances specifically, increasing the price to the home consumer.

But the gentleman from Ohio retorts:

I will say to the gentleman that to-day there stands upon the books of the various steel-rail manufacturers of this country (and I have the evidence of it here in my hand) orders for more steel rails than ever were put upon the books of the manufacturers of rails in this country during all the administrations of the Democratic party in the United States put together.

And in the face of this statement of his as to this tremendous increase of business on hand, the Ohio patriarch has the audacity to suggest that the steel trust still hunts for unprofitable contracts for the delivery of steel rails on the other side of the world for

more than $6 per ton below the price for which they sell at New York.

Most wonderful suggestion of the country's prosperity by the gentleman! Follow it out logically a little further. God's green fields in these United States were favored last year by the sun and the rain of heaven, so that with an increased acreage planted more food stuffs were raised than in any year of any Democratic Administration. Then all credit to the Republican party! More deaths in the United States last year than in any other year of our country's existence. Down with Democracy! And in this fair land last year there were more men and maidens joined in wedlock, and more babies born into the world to make it better, brighter, and happier, than in any year under Democratic rule. Should not the credit for that be given to the Republican party, and to the great man of race-suicide fame now at the head of it?

Oh, ye men of the majority who have appropriated to yourselves all credit for every good thing which has happened in our country, forget your self-conceit long enough to give some credit where that credit is due, and to take home to yourselves once again the beautiful words of the old Doxology—

Praise God from whom all blessings flow,
Praise Him all creatures here below,
Praise Him ye heavenly host,
Praise Father, Son, and Holy Ghost.

Mr. WATSON. Mr. Chairman, like the distinguished gentleman from Iowa [Mr. HEPBURN] who has just addressed the committee, I, too, am a protectionist, and in my advocacy of the pending measure I abate not one jot or tittle from my devotion to that cardinal doctrine in the Republican creed, for I regard the protective tariff principle as fundamental in the Republican party—protection to American labor wheresoever employed, and to American capital wheresoever invested. I am glad that the eloquent gentleman from Iowa spoke of the relations of the Republican party to labor in the days gone by. In truth, Mr. Chairman, it can be said that the Republican party in its history has gone through three periods with reference to labor. The first was the enfranchisement of labor on our own soil and under our own flag. The second was the protection of that labor thus enfranchised from the underpaid and underfed labor of other countries in the world, and the third bringing about such conditions that that enfranchised and protected labor can go forth and capture the unlimited markets of the world.

WHAT IS PROTECTION?

Mr. Chairman, it is well for us on this side of the House, at the very outset, to determine what is the proper definition of protection. It is a well-known principle of logic that there can be no discussion between two persons on opposite sides of a controversy unless they stand upon some common ground, unless they come to some agreement as to the meaning of terms. What, therefore, is a protective tariff? For definitions are always fundamental. As I conceive it, the protective tariff of Lincoln and of Blaine and of McKinley means that we shall place a tariff on all those products of other countries coming into our country the like of which we either do or can produce in sufficient quantities to supply the home demand.

But, says one of my friends from Michigan, can we not with proper encouragement produce enough sugar to supply the home demand? We most surely can, Mr. Chairman, and that would bring sugar within the definition that I have above given. What justification, then, is there for any Republican believing in the fundamental principle of protection, as I have defined it, voting for this reduction of 20 per cent? Only this: That the sugar schedule is so high that this 20 per cent reduction on Cuban sugar alone will not injuriously affect that great industry in this country. That, and that alone, is my justification for supporting this measure, for if I believed that this 20 per cent reduction on Cuban sugar would for one moment injuriously affect any industry in this Republic it should have neither my voice nor my vote. I believe in the fundamental principle of protection to American industries, as enforced by the Republican party for forty years.

THIS LEGISLATION WILL NOT INJURE AMERICAN PRODUCER.

Now, Mr. Chairman, what reason have I for believing that this 20 per cent reduction on Cuban sugar will not injuriously affect the production of sugar in the United States? First, because the introduction of that sugar at that rate will not lower the price of that commodity in the United States, and if it does not lower the price in the United States it can not affect those who raise sugar. In examining the hearings before the Committee on Ways and Means in the last Congress with reference to this subject, much valuable information can be obtained, and I find among other things the testimony of Mr. Oxnard before that committee to be very appropriate. I read from that testimony:

Mr. MCCLELLAN. If the duty on raw sugar is reduced between Cuba and the United States, what will be the effect upon the price of refined sugar?

Mr. OXNARD. Will you state what reduction?

Mr. MCCLELLAN. We will state first, free raw sugar.

Mr. OXNARD. It will be imperceptible.

* * * * * * *

Mr. MCCLELLAN. Then a reduction of less than that would affect the price still less?

Mr. OXNARD. I said I did not think it would affect it hardly any to the consumer; I do not believe it would.

Mr. MCCLELLAN. Say there was a reduction of 50 per cent, would that practically have any effect?

Mr. OXNARD. Not to the consumer, in my opinion.

Mr. METCALF. We allowed Hawaiian sugar to come in free in 1876, did we not?

Mr. OXNARD. Yes, sir.

Mr. METCALF. Did that result in a reduction of the price to the consumer?

Mr. OXNARD. No.

Mr. METCALF. Who received the benefit?

Mr. OXNARD. The refiners and the Hawaiian planters, but exactly in what proportion they got it I do not know; but the consumer got absolutely no benefit of the reduction of raw sugar from the Hawaiian Islands.

Of course, if the consumer in this country got the benefit of this reduction it could not possibly result in any benefit to the Cuban planter; but it can not possibly lower the price to the consumer, and can not, therefore, affect the producer.

Doctor Wiley gave his testimony in the hearings before the Ways and Means Committee. He says:

I myself have long been a believer in lower and yet remunerative prices for sugar, and have stated that the amount of sugar produced in Porto Rico, the Philippines, and Cuba in 1899-1900 could be introduced duty free without danger to our own industry. * * * As a prophet, I have looked forward to the time when the cost of making refined sugar would not be quite 3 cents a pound in this country, and when, with fair profits to farmers, makers and factory, it would go on the consumer's table at less than 4 cents a pound.

In that same hearing Doctor Wiley refers approvingly to his testimony before the Industrial Commission, in which he said:

Mr. CONGER. How about the Philippine Islands as a place for the sugar industry?

Doctor WILEY. I know less about them than Cuba.

Mr. CONGER. Is it your idea that those engaged in this beet-sugar industry need have no fear of the effect of their being included?

Doctor WILEY. Absolutely none. When the Spanish war commenced and my friends commenced to write to me these despairing letters that we were going to be ruined by free sugar, I never for a moment had any fear. If we to-day were to admit absolutely free from duty every pound of sugar made in Porto Rico and Cuba and the Philippines, it would not affect the progress of our sugar-beet industry in this country.

We will consume in the United States this year approximately 2,500,000 tons of sugar, not more than 950,000 tons of which will come to us from Cuba. The price of this staple commodity is fixed at Hamburg, because Germany is its greatest producer and exporter. Every student of economics understands, therefore, that a 20 per cent reduction on the amount we import from Cuba can not possibly affect the price in this land; and if it does not lower the price it can not affect the producer.

And so we are warranted in believing that this introduction of Cuban sugar at a reduction of 20 per cent would not injuriously affect the sugar-producing industry in this Republic, because it would not lower the price of sugar in this Republic.

But what else? I believe that Cuban sugar can not successfully compete with beet sugar in either Chicago or Kansas City, which are the principal markets for beet sugar in this country; and if I had time I would read from the hearings of the Ways and Means Committee evidence which seems to me absolutely conclusive on this fundamental proposition.

The cost of 100 pounds of Cuban sugar f. o. b. at Habana is $2. The freight to New York is 9 cents per 100 pounds. The duty, after a 20 per cent reduction—the duty being 1.685 now—would be 1.348. The cost of refining is known by all to be 0.625 for every hundred pounds, without any profit to the refiner. The freight to Chicago is 29 cents a hundred. So that to land 100 pounds of Cuban sugar already refined in the market in Chicago would cost exactly $4.35 a hundred, and to land it in Kansas City, the freight from New York to Kansas City being 36½ cents, would cost $4.42 a hundred. Now, I might go on and read the testimony of various gentlemen who are interested in the production of beet sugar in the United States to show that under no circumstances can it cost that much to place American beet sugar in competition with this Cuban sugar in the market of Chicago or in the market at Kansas City; but the evidence of a few on this point will suffice. I may say, before quoting, that I have not been able to obtain later reliable data upon this question, but I assume that the conditions are at least as favorable for the American producer now as when these statements were made a year ago.

N. H. Stewart, president of the Kalamazoo Beet Sugar Company, when before the committee, made the following statements:

Coming to the cost of manufacturing sugar in Michigan, it costs $5.20 for 1 ton of beets; $1.06, cost of supplies per ton of beets; $1.51, cost of labor for entire year per ton of beets; $1.09, cost of repairs and depreciation per ton of beets; 91 cents, cost of interest, insurance, and taxes per ton of beets; 6.3 cents, cost of selling sugar per ton of beets. This makes a total cost per ton of beets of $9.833; total cost per 100 pounds of refined sugar, $4.682.

The above estimate includes 5 per cent interest on the total capital invested and 7 per cent annual depreciation on the value of the plant. Leaving out these two items, the cost of manufacturing each 100 pounds of refined sugar is reduced $0.671, or to $4.011.

To this sum should be added 13 cents a hundred pounds, the

freight charge from Kalamazoo to Chicago, so that it would cost the Michigan producer of beet sugar $4.141 to land 100 pounds of his product in the Chicago market, while it would cost $4.35 for the Cuban planter to do the same thing.

W. L. Churchill, president of the Bay City Beet Sugar Company, stated:

The succeeding year, which would be 1900-1901, we had learned a little more about our business. The first year we were in the kindergarten class. We got out of that into the A B C class. Then we produced sugar for $3.96 per hundred pounds. I want you to bear in mind all the time that the farmer comes in and is a great factor in this matter. We paid the farmer $2.51 for the sugar contained in the beet as he delivered it to our bins.

The CHAIRMAN. I am a little anxious to know how you came out the next year.

Mr. CHURCHILL. I am frank to say, gentlemen, that I have not a full, detailed statement that I can make to you in regard to this year; but I can assure you that we will make sugar this year at a cost of not to exceed $3.60 or $3.75 per hundred pounds.

The CHAIRMAN. You think it will be between those figures?

Mr. CHURCHILL. Yes.

Assuming that the freight rate is 13 cents a hundred, it would cost that company not to exceed $4.05 to lay down 100 pounds of its product in the Chicago market, as against $4.35 for the Cuban planter, a difference in favor of the home product of 30 cents a hundred, a difference great enough to lift the Michigan grower above the possibility of harm from his dusky competitor.

Francis K. Carey, president of the National Sugar Manufacturing Company, of Sugar City, Colo., gives the freight rate from Sugar City to Kansas City and common points as 25 cents per 100, and the cost of producing beet sugar in Colorado as follows:

My opinion is that during the first campaign our sugar cost us all the way from 7 to 9 cents, according to what you allow for depreciation, what you call betterments, and what you call operating expenses, and whether you do or do not allow interest on the cost of the investment. I think that for the first two campaigns we will manufacture between nine and ten million pounds of sugar, at an average cost of about 5½ cents a pound.

When we get through our third campaign, I think the total sugar manufactured for the three years will not have cost us over 4 cents. In making this last calculation I am estimating on the future; but I am anxious to make it plain that I believe the cost of sugar in Colorado under normal conditions, which we will sooner or later have surrounding our factory, ought not to be over 3 cents a pound, and I am not afraid to say that I will some day manufacture it for less than that sum. If I had not thought so, I would not have invested my own money or the money of my friends in the industry in Colorado. In other words, I think Colorado is the natural place to produce sugar for consumption in America. It is not a case of "protecting bananas grown under glass." If I am mistaken in my belief that sugar can be grown in Colorado for 3 cents or less, I am free to admit that I have no standing before this committee and have no right to ask for the protection of my industry.

COST OF MAKING BEET SUGAR IN UTAH.

Thomas R. Cutler, president of the Utah Sugar Company, shows that the beet-sugar industry of Utah has nothing to fear from Cuban competition. He gives the average cost to his company of refined beet sugar for five years as follows: 1897, $4.51 per hundred; 1898, $4.46; 1899, $3.55; 1900, $3.55; 1901, $3.42. The average cost of producing sugar for these five years was $3.86 per hundred, and the average selling price has been $5.76 net, or a clear profit of $1.90 per hundred.

These figures show conclusively that there need be no fear on the part of the American sugar grower that his industry will be injured by this legislation, but, rather, with the assurance given him by the provisions of this act that no further reduction in the tariff on sugar will be made for five years, he may feel encouraged to prosecute his work with renewed vigor and renewed hope.

I commend to students of this subject the careful study of the hearings before the Ways and Means Committee on this proposition, and also the exhaustive and convincing speech of Hon. CHESTER I. LONG—now a Senator from Kansas, then a member of the Ways and Means Committee—when the same subject was before the House in the last Congress.

And so my justification for voting for this measure, Mr. Chairman, is the fact that it can not injuriously affect the production of beet sugar in the United States. For, as my friend the honorable chairman of the committee [Mr. PAYNE] has remarked, and as Mr. (now Senator) LONG of Kansas remarked, and as Mr. (now Senator) DOLLIVER of Iowa remarked, the sugar schedule was placed comparatively high in the Dingley law in order to afford trading stock in the future for reciprocity purposes; and so I believe, and I believe most profoundly, that the importation of this amount of sugar at a 20 per cent reduction can not in any wise affect the production of sugar in the United States. If I thought it would, it should not have my vote, because I stand by the ancient faith of the Republican party, protection, as outlined in all of the platforms of that great organization.

Furthermore, it may be said, in passing from this branch of the subject, that even after the proposed reduction of 20 per cent the rate on sugar will still be about 65 per cent, which is higher than the tariff rate on any other import save alone tobacco, the average rate on all importations being a little under 49 per cent, so that there is no cause for undue alarm at the prospect of the passage of this bill.

WHAT IS RECIPROCITY?

Mr. Chairman, much has been said recently in regard to reciprocity in competitive products. I do not believe there is such a thing as reciprocity in competitive products. In my opinion, reciprocity in competitive products means free trade. If there be any reciprocity it must be, in effect, an exchange of unlike products under the most favorable conditions. Let us take, for instance, a very homely illustration. Suppose my honorable friend from Missouri [Mr. CLARK] manufactures nails and I am engaged in manufacturing the same product. As between us there can be no reciprocity, there must be nothing but keen competition. But if the gentleman is engaged in producing sugar and I am engaged in manufacturing nails, there might be some reciprocity between us; there might be some reciprocal agreement made between us. But reciprocity must be in unlike products. I do not believe in the idea of reciprocity in competitive products, because reciprocity in competitive products, in its last analysis and carried to its logical conclusion, must mean free trade, nothing more and nothing less.

My friend from Iowa has already called attention to the fact that McKinley has been misquoted. Let us see what McKinley said:

By sensible trade arrangements, which will not interrupt our home production, we shall extend the outlets for our increasing surplus.

Which will not interrupt home production! That, to my mind, precludes utterly the idea of reciprocity in competitive products, unless, as in this instance, the schedule is sufficiently high to enable us to make the reduction without seriously affecting the home product, and unless the schedule is sufficiently high for that purpose there can be no legitimate reciprocity.

What else did he say?

We should take from our customers such of their products as we can use without harm to our industries and labor.

Can that mean competition? Can that mean reciprocity in competitive products? I can not believe it.

And so, speaking for myself, Mr. Chairman and gentlemen of the committee, I want it understood once for all that voting for this reciprocity agreement does not bind me, nor shall I consider it obligatory upon me in the future, to vote for any reciprocity agreement in competitive products because of these words of the great McKinley. I believe in reciprocity where we can have reciprocity in coffee or in tea, or in those things the like of which we do not produce in this country, and can not with sufficient encouragement produce in this country; but if we can produce them in this country we ought to. If we can raise them in this country we ought to. We ought to do our own work. [Applause on the Republican side.] That is the fundamental principle of protection. Then I am in favor of passing this bill because it in no wise interferes with the protective tariff. I am in favor of passing it because it does not affect injuriously a solitary American industry. I am in favor of it because it will enable us to secure a trade with Cuba of from one hundred and fifty million to two hundred million dollars per year. I am in favor of it because it will do full justice to a struggling people. I am in favor of it because I believe that our moral obligation—taking away the commercial and the industrial idea connected with it and putting it upon high ethical grounds—I believe that our moral obligation is such that we are in conscience and in duty bound to pass this bill.

NOT A ONE-SIDED MEASURE.

What has Cuba to offer in exchange for this proposed reduction? As the chairman of the committee has so well said, "This is not a one-sided proposition, but, instead, a real reciprocal agreement."

I shall not go into detail in this regard, but content myself by inserting a table showing the trade between this country and Cuba before reciprocity with that island was established by the McKinley bill, while it was in operation, and after its repeal by the Democratic party.

Imports into the United States from Cuba.

[Years ending June 30.]

Principal articles.	1890.	1893.	1896.	1901.
Total (all articles)	$53,801,591	$78,706,506	$40,017,730	$43,423,088
Sugar	35,420,594	50,637,681	24,102,835	26,373,690
Molasses	3,679,076	1,081,034	128,474	991,176
Leaf tobacco	7,106,233	8,940,068	10,613,468	9,834,849
Cigars, cigarettes, etc	3,207,955	2,766,942	2,078,275	2,301,949
Fruits and nuts	1,795,886	2,393,523	1,178,904	911,561
Vegetables	39,049	67,042	49,265	31,092
Hides and skins	283,627	279,153	184,281	19,765
Wood, unmanufactured	515,080	1,071,569	580,942	810,326
Iron ore	536,417	641,963	521,310	573,414
Asphalt, etc	27,492	25,992	7,626	19,192

Exports from the United States to Cuba.
[Years ending June 30.]

Principal articles.	1890.	1893.	1896.	1901.
Total (all articles)	$13,084,415	$24,157,698	$7,530,880	$25,964,801
Bacon and hams	550,801	1,317,829	734,540	1,070,436
Lard	2,283,821	4,023,917	1,551,185	2,811,696
Wheat flour	1,164,538	2,821,557	647,057	2,080,129
Corn	258,775	582,050	48,291	817,827
Total breadstuffs	1,530,017	3,512,207	774,792	3,180,232
Vegetables	322,355	978,261	386,792	624,970
Dairy products	53,098	128,098	81,440	455,533
Oil, crude and refined	595,711	514,808	348,745	569,539
Animals	12,820	20,411	121,881	2,079,918
Agricultural implements	126,492	130,341	36,826	105,397
Iron and steel, and manufactures of	2,709,804	6,601,929	769,356	3,800,985
Cars, carriages, etc	282,829	587,616	46,874	633,511
Coal	722,856	931,571	615,411	1,004,341
Cotton manufactures	140,318	148,182	69,834	386,037
Leather, and manufactures of	194,530	181,476	75,481	474,929
Paper, and manufactures of	285,779	159,895	69,314	240,004
Wood, and manufactures of	1,208,476	1,881,095	490,396	1,539,255

A careful study of this table will show that reciprocity with Cuba then caused our export trade to that island to almost double. Why will it not do so now? That it caused our imports from that island to advance $25,000,000 then. Why will it not do so now?

Our total trade with her in 1890, both imports and exports, amounted to $66,886,006. Under the beneficent influence of McKinley reciprocity, such as is proposed in the pending measure, it sprang to $102,864,204, an increase of $35,978,198. When the blighting hand of Democracy was laid upon the McKinley law and our reciprocity agreement with Cuba destroyed, our trade with her decreased from $102,864,204, in 1893, to $47,548,610, in 1896, or a reduction of $55,305,594.

What reason have gentlemen for asserting that reciprocity with Cuba will not work so well again? Why should we not by this means secure control of the entire trade of that island? Why should we not bind these people to us by commercial ties? By the Platt amendment we assumed much of responsibility for the future conduct of that island, and we should honestly endeavor to make our aims her aims, our hopes her hopes, and so weld the two nations together that our duty shall be the more easily discharged.

LET THE TARIFF ALONE.

But, say our Democratic friends, shall we never revise the tariff, Mr. Chairman, that question is not legitimately before us now, but, unfortunately, our Democratic friends have not been discussing the pending measure. The gentleman from New York [Mr. SULZER], who has just taken his seat, complained because he had listened to this discussion for four days and had heard nothing about the bill before the House. That is true. But who compelled this discussion? The Democrats, not the Republicans, compelled it. We were willing three days ago to take a vote on this proposition, but they wanted to debate and they wanted to discuss and they wanted to harangue for the purpose of confusing, of befogging, of throwing dust. They wanted to talk about free trade, to talk about a revision of the tariff, and all that sort of thing. Well, shall we revise the tariff now? Mr. Chairman, is there any reason why it should be done at this particular time? No. We are doing well, the best any nation ever did in all the history of the world. Let us keep on doing well under the same old idea. [Applause on the Republican side.] We are to-day the most prosperous people on the face of the earth, and I shall not recite facts and figures, because we know that in and of ourselves. Let us keep on letting well enough alone.

Ah, but my friend from Mississippi [Mr. WILLIAMS] said that we worshiped tariff schedules, that we had made the schedules of the McKinley bill a fetich before which we bowed down and worshiped, and that we did homage to all the various schedules. Not at all. How can we improve the present bill? I admit that it has many inconsistencies and many incongruities, and some of its schedules might be changed. But how can we get a better bill? Where is there a better bill? Why, in the mind of the gentleman from Mississippi. But, unfortunately, the tariff bill which exists in his mind has no force extraterritorially.

Why, the gentleman from New York has a tariff bill in his mind, and the gentleman from Connecticut, from the same committee, has a tariff bill in his, but the two gentlemen do not agree. Now, the gentleman from Mississippi [Mr. WILLIAMS] has a perfect tariff bill in his mind, and the gentleman from Louisiana [Mr. ROBERTSON], from the same committee, has a perfect tariff bill in his mind, but neither one agrees with the other. There are 386 men in this House, each one of whom has a tariff bill in his own mind, but when you put a tariff bill on paper and make it legislation, that is an entirely different proposition. Everybody knows that knows anything about legislation that it is a system of give and take, and that every tariff bill that has ever been enacted into law during our history is nothing more than a series of compromises, and so, with 386 men, with their clashing interests and conflicting claims, coming to make a tariff bill, it would be just as full of inconsistencies and incongruities and iniquities as the present system, and in making a transfer from this bill to that bill we must of necessity scatter something of terror and dismay, we must of necessity injure some institutions, we must of necessity close some factories, we must of necessity unnerve some arms, to some extent we must paralyze the confidence of capital, and the Republican party does not intend to do that now. [Loud applause on the Republican side.]

But why should we do it? Why, our Democratic friends soon after Mr. McKinley was elected President came to us with a sneer and said, "Where is this boasted prosperity of yours?" And if we had only succeeded in giving a measure of prosperity they would still be sneering at us; but by and by the sneer changed into alarm, and to-day the Democratic party is terrified at the gigantic proportions of this prosperity. Why, they say we are getting too rich, building up too much of wealth, making tremendous aggregations of capital in the United States, and gigantic combinations of wealth that far outshine the fabled wealth of Ormus and of Ind. It is so big they are scared at it. But my friends were only frightened by a shadow, and because it is big we must not be scared, because it is only a shadow.

Now, they propose to revise the tariff because they say that it is injurious and builds up these tremendous combinations of capital, and because they are strong, and are great and are wealthy. Well, if a revision of the tariff would affect those great interests, powerful and wealthy and strong, and their strength and power and wealth would be affected, what must of necessity be the effect of a change of the tariff upon the ten thousand smaller interests that are not so strong and powerful and wealthy in this nation of ours? It must of necessity crush them all, and thus blot out the only competition these great interests have to meet within the confines of our nation. Is not that true? And so there is no reason why we should revise the tariff at this time. Let it alone. We are doing well under it; we are the most marvelous nation in the history of the world to-day. We are standing upon the magnificent summit of prosperity, and the only thing on earth that throws its shadow athwart the future of this mighty nation of ours is the Democratic party. That is all. [Laughter and applause on the Republican side.]

I was much amused yesterday at the efforts of my glib-tongued friend from Missouri [Mr. CLARK] to show that Mr. Foster had made up his mind to issue bonds because of the financial condition of the United States at the time when Harrison went out and Cleveland went in. There was something of accusation and denial and crimination and recrimination in that discussion, but it seemed to me it amounted to nothing. I do not know whether the Secretary prepared to issue bonds or not. I do not know whether he prepared plates or not, nor do I care.

What I do know is this, Mr. Chairman, that after Grover Cleveland was elected President of the United States there came a change over this country. Everybody knows that. Everybody knows that the merchants quit buying, because they did not know what the price of products would be the next day. Everybody knows that the factories quit running, because the manufacturer did not know what the price of his wares would be the next day. And everybody knows that the wheels stood still. Everybody knows that these great hives of industry were deserted and that the great smokestacks stood above them like tombstones above our ruined prosperity. Everybody knows that countless thousands of laborers tramped the highways of the nation out of money and out of food, and that they marched to Washington in Coxey armies in order to ask for relief. Everybody knows that soup houses were erected in every city and village of the land to feed the people turned out of doors by this policy.

Everybody knows that we began importing more than we exported, and that the balance of trade was against us, and that the yellow tide of gold flowed from our shores to Europe in order to make up that balance of trade. Everybody knows that the endless chain was instituted that drew the gold out of the Treasury in order to pay the current expenses of the Government, leaving us bankrupt and with a deficit on our hands. Everybody knows that whatever Mr. Foster may or may not have done, it is quite sure that Mr. Cleveland did issue bonds; that he did plunge us into debt $262,000,000; that he did mortgage the present and pledge the future in order to try the very policy these gentlemen would now adopt. Whoever heard of an endless chain under a Republican Administration? It is the product alone of incompetent Democracy. [Applause on the Republican side.]

And, Mr. Chairman, we all know that in 1892 we stood on the summit of prosperity, and we know that a year later we were floundering in the quagmires of despair.

What caused that mighty upheaval? Why, sir, the only change that occurred was in the tariff policy of the country. We had the same farms and the same farmers; we had the same labor and the same capital; we had the same inexhaustible resources, and yet at the one time we were never so properous and at the other time we were never so depressed. What did it? The tariff policy of the Democratic party. [Applause on the Republican side.]

We all know too, sir, that in 1896 we were still camping on the lowlands of despair, but that in 1897 the fogs had lifted, the clouds had disappeared, and we found ourselves marching up the mountain steeps toward the sunlight and toward the most marvelous era of our history. What did it?

Why, the only thing that happened between those two periods of depression and prosperity was the election of a Republican President. That is enough to know. [Applause on the Republican side.] And the people who went to school during the free-trade period of Mr. Cleveland, the people who sat on the sharp side of a rail and ate Democratic soup, know too much to get into that scrape again as long as they have sense enough to stay out of an insane asylum. [Laughter on the Republican side.]

What is the ideal condition of a country? Why, Mr. Chairman, the ideal condition of a country is, first, a sound money. The money must be safe and sane and sound. It can not be made the ship of gamblers, the tool of speculators. It must be good every day and everywhere and must be worth 100 cents in every money market of the world.

The Republican party has given you that condition. What is the second condition of a nation's prosperity? The steady employment of its laboring people at remunerative wages. Ah, has labor ever been so steadily employed as to-day? Have wages ever been so high as to-day? And my friend spoke well when he said that this tariff question was a question of labor, for it is. From skin to core and from core back to skin it is a question of labor; and this steady employment we have given the laboring people and these high wages we have given them, and it has enabled them to make the glorious civilization of to-day. Why? Why, you can not talk to me about moral progress or intellectual advancement on the part of a man whose nose is kept to the grindstone from year's end to year's end earning a pittance, every dollar of which must be spent in the shape of clothing for his back or food for his stomach.

No, there must be something more than that. There must be comfort in the home and hope in the heart. And to do this he must have an extra dollar. And it is the extra dollar we are giving the laboring people to-day that make us what we are. It is the extra dollar he is not compelled to spend that goes into the house. It is the extra dollar that has dotted the country all over with peaceful and happy homes, the very bulwark of our civilization. It is the extra dollar that puts the carpet on the floor and hangs the picture on the wall. It is the extra dollar that puts the piano in the corner of the room. It is the extra dollar that clothes the little boy. It is the extra dollar that puts the book under the arm of the little girl and sends her down to the schoolhouse built by the extra dollar, in order that she may become a useful woman. It is the extra dollar he puts into insurance to make provision for his loved ones after the strong arm has been unnerved and is forever stilled. It is the extra dollar that he puts into the great benevolent and fraternal societies that makes possible the glory of this civilization. It is the extra dollar that has called forth the marvelous bud and blossom of our great civilization, and whenever you strike down the tariff you strike down the ability of our people to earn the extra dollar, you bring them into merciless competition with people who have no extra dollars, and you strike a blow at the very vitals of our American civilization. [Applause on the Republican side.]

The Republican party has given you the second requisite to prosperity. The third is a market for our surplus. No matter how much we make, if we can not sell it stagnation results.

Mr. HUGHES of New Jersey rose.

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from New Jersey?

Mr. WATSON. No; I do not want to hear from the gentleman from New Jersey.

The CHAIRMAN. The gentleman declines to yield.

Mr. HUGHES of New Jersey. Will the gentleman answer a question?

The CHAIRMAN. The gentleman declines to yield.

Mr. WATSON. We have given you the first two prerequisites to national prosperity, and the third is at hand. We propose by the very terms of this bill to open up Cuba to the products of our factories and of our farms. We propose to open up Guam and the Hawaiian Islands and the Philippine Islands, and then upon these, as stepping stones divinely placed, Uncle Sam, with giant strides, will march across the world's imperial sea and knock over yonder at the door of the Orient. When that is open to him one-third of all the people of this world will be seen standing there with open hands and outstretched arms ready to receive the products of our factories and our farms; and not only that, but, please God, to seize the golden truths symbolized by every star upon the spangled flag of the free. [Applause on the Republican side.]

We have given to this country a market, and we propose that that market shall be extended; and thus, with sound money, and with open factories, and with abundant markets, our prosperity is assured. What if some schedules are not what they ought to be? What if there are some irregularities and incongruities? Look at the tremendous progress we have made under this bill. Let us let it alone. It is good enough for the present and it will be good enough for a few years yet to come. [Applause on the Republican side.]

But, Mr. Chairman, what is the attitude of the Democratic party upon this bill, in so far as the Democratic party can be said to have an attitude on this or on any other subject? What is it? Well, the honorable gentleman from Louisiana [Mr. ROBERTSON] is a member of the committee, and he says this about the bill:

> It seems to me that this kind of reciprocity is absolutely impossible under a Democratic tariff.

This bill is impossible under a Democratic idea. Is ROBERTSON a Democrat? I do not know. Do you? I do not know what it takes to constitute a Democrat, and so I do not know whether he fills the full measure of Democracy or not.

And then the gentleman from Texas [Mr. COOPER], another member of the Ways and Means Committee, has an opinion. What does he say?

> It inaugurates the policy of reciprocity, which, as now advocated by the Republican party, is as undemocratic as a tariff for protection, and which has been aptly called the "handmaiden of protection."

Is COOPER a Democrat? I do not know. Do you? And then, when the Ways and Means Committee met last year it had a man on it by the name of NEWLANDS, who is now a United States Senator from Nevada. He has received a deserved promotion. What did he say about it?

> Nor should the tariff reformer be misled by the suggestion of reciprocity. Reciprocity does not mean free trade. It means the extension of the policy of protection to other countries.

Is NEWLANDS a Democrat? I do not know. Do you? Now, some of these gentlemen assume that position, but what about the other fellows? Why, the honorable leader of the minority, the gentleman from Mississippi [Mr. WILLIAMS], had this to say the other day on the floor of the House:

> The Democratic party does recognize that the pending bill is a Democratic measure in every principle.

Now, I put ROBERTSON and COOPER over against WILLIAMS, and you may tell me, if you can, what the Democratic party really thinks about this proposition. [Laughter on the Republican side.] Why, they say they are going to vote for it. Certainly, and so are we. And yet, with an inconsistency which is characteristically Democratic, they proposed to introduce amendments to it here which they knew would kill it. They said they did not want to kill it by introducing the amendments. They acknowledged that the amendments would kill it, and at law we all know that every man is conclusively presumed to intend all the natural consequences of his act. They knew that the amendments would kill it. They disclaimed any idea of killing the bill, and yet they wanted to introduce an amendment which would have had that effect. There is more Democratic consistency.

Ah, but the gentleman from Mississippi [Mr. WILLIAMS] said that this is a Democratic measure. Why, think of it. These Democrats absolutely pledge themselves in this bill against voting for any reduction on one solitary pound of sugar from any country in all the world for the next five years, and yet they claim that is a free-trade proposition. They absolutely pledge themselves not to vote for any reduction on any sugar from any country for five years, and yet they say that is an approach to free trade. Well, if that is an approach to free trade the Republicans can stand four square with them on the proposition and be well pleased with the result.

Why, Mr. Chairman, what is the attitude of the Democracy on this question? Does anybody know? What difference does it make what their attitude is? Whatever their attitude is to-day they may change it to-morrow, for if there is anything absolutely sure in this world it is that the Democratic party has started out in the present campaign, not with principle in view, but with the idea of winning. That is all they want to do, and all they ask is, "Give us somebody to win with. No matter what principles he professes, it does not matter what platform he stands upon, with whom can we win?"

PROSPERITY DUE TO REPUBLICAN PRINCIPLES.

Why, my friend from Iowa spoke of the marvelous progress of this country for the last forty years. I would like to go a little more into detail on this proposition. My Democratic friends,

what have you done in order to warrant the people of this country in giving you control of the Government? What great act of this country that has added glory to the flag or prosperity to our people has ever sprung from the sterile brain of Democracy? What one in the last forty years? Can you name it? Why, the Republican party took charge of this country in 1860. We have had charge of it continuously ever since except four years from 1893 to 1897. Absolutely every act that has made this country great and grand has sprung from the luminous genius of Republican statesmanship. The only act that was passed under Mr. Cleveland was the tariff act that scattered terror and dismay everywhere and left us dismantled and broken. Is not that true? Why, my friends, that was the only national act that was passed under Mr. Cleveland. Did that conduce to national prosperity? Did it not rather retard our development many years? All the acts that ever conduced to this tremendous prosperity have come alone from the Republican party, and shall I go further into details about it? [Why, as my friend has already said, our wealth then was $16,000,000,000. Now it is $95,000,000,000.

Our Democratic friends used to say to us that we did not give them enough money with which to do the business of this country. What is the truth in regard to that? In 1860 the gold in circulation was $228,000,000; now it is $630,000,000. Then the silver in circulation was none, and now it is $164,000,000. Then there was not a single gold certificate; to-day there are $379,000,000. Then there were no silver certificates; now there are $455,000,000. Then the total circulation was $435,000,000; to-day the circulation is $2,376,000,000, and every dollar worth a hundred cents in every money market in the world. Then the per capita circulation was $13.85; now it is $29.57. Then we had no national banks in the country; now we have 4,939. Then, of course, we had no national-bank capital; now we have $743,000,000 of that capital. Then loans and discounts were none; now $3,415,000,000. Then the bank clearings were $7,231,000,000; now they are $76,000,000,000. Then the deposits of national banks were none; now $3,200,000,000. Then the deposits in savings banks were $149,277,000; now they are $2,750,000,000. Then the total deposits were none; now $9,258,000,000; placing us easily the first among all the nations of this world as to our present financial condition and our industrial prosperity.

Then the total receipts for all purposes were $109,000,000, now $1,097,000,000. Then the total imports were $353,000,000; now they are $1,025,000,000, an increase of imports of $736,000,000. The total exports then were $334,000,000 and last year were $1,420,000,000, or an increase of $1,087,000,000. The excess of imports over exports then were $20,000,000. The excess now of exports over imports is $395,000,000. That is the difference from the time we took charge of this country. There were twenty millions more imports than exports, and last year we sent out $396,000,000 more than we received, and the yellow tide of gold is rolling into this country to pay the balance of trade in our favor. These are the results of Republican legislation. [Loud applause on the Republican side.]

How about manufacturing? Then the number of establishments were 140,400, now 512,300. Then the number of hands employed was 1,311,000, now 5,719,000. Then the wages and salaries paid amounted to $378,800,000; now they amount to $2,735,400,000. Then the products were $1,880,000,000; now they are $13,200,000,000, which is greater than the combined output of any other three nations in the world, and places us proudly first among the manufacturing nations of the world. While they were paid wages and salaries of $378,000,000 then, and now $2,735,000,000, I call attention to this further fact, that then the per capita wages paid to the men was $288, while now it is $474, one-half greater than the average for all of Europe. [Applause on the Republican side.]

Is not this a record of which we can be proud? Is it not a record of which we may justly boast? And over against that the Democratic party sets itself up and wants to destroy the very agency which has made possible this marvelous prosperity that is to-day the wonder and admiration of the world.

INCOMPETENT DEMOCRACY.

Well, what will our Democratic friends do about it? Mr. Chairman, their prophets say that they propose to take charge of this nation next time. Suppose you do it. My Democratic friends after the control of the Government remind me of a dog running after a train. It does a great deal of barking and fussing, and when it gets to it it does not know what to do with it. [Laughter.] So with these gentlemen, if they had charge of this Government to-day what would they do with it? What policy would they enforce? Would they be in favor of free trade or would they be in favor of reciprocity or a tariff for revenue only? What would the Democratic party do? Does anybody know? Has that party to-day any principles? Can anybody tell? Why, even in the House there seems to be a clash of authority and dual leadership, for after Mr. WILLIAMS, the gentleman from Mississippi, the leader, has his say, it becomes necessary for the gentleman from Missouri [Mr. DE ARMOND] to express his opinion on the same proposition. Have you noticed that?

We hope on this side that brethren over there will dwell together in amity and unity. I had hoped that when the gentleman from Missouri returned this time, after an absence during the summer communing with Nature, that he would have come back with the singing of birds and the laughter of brooks in his voice, and in his speech there might have been reflected something of the overarching sky and the shimmering stars, but it is the same gentleman from Missouri as of yore, prophesying the destruction of the Republic and the overthrow of the Government. [Laughter.] But ah, somehow or other, the thing manages to get along; somehow the old ship keeps driving to the front; somehow or other the Republican party keeps its hand on the helm, and somehow or other we are going to land in port after a while where even the Democratic party can not disturb us. [Laughter and applause on the Republican side.]

But if they have no measures, how about men? The other day I was amused by reading in the Washington Post some interviews with distinguished Democrats. Listen to them. They are full of instruction as to Democratic purposes:

Mr. GARBER, of Ohio. I am very much impressed with the article published in the Post this morning, dated Montgomery, Ala., wherein Mr. Hood, editor of the Montgomery Journal, has put his views forth in a remarkably clear and sensible way. The Ohio Democrat, be he radical or conservative (if there be two kinds), would not support Mr. Cleveland, either for the nomination or at the election. They want a man who has regularity as the primary requisite. I have heard many kindly expressions with reference to Senator GORMAN, while Judge Parker has many friends. Mr. HEARST also occupies a warm place in the hearts of Ohio Democrats.

Who is this man Cleveland? He is the only man they have been able to elect President of the United States since James Buchanan. For three successive campaigns they followed him, they apotheosized him, they deified him, they put him on the chief pedestal in the joss house, and they swung censers in his presence and sung daily, "O Grover, holy, holy, holy art thou." [Great laughter and applause on the Republican side.] And yet here rises a Democrat to say that they would not support him, either at the convention or at the election.

Mr. BAKER, of New York. It can not be said that sentiment in Brooklyn has crystallized in favor of any particular candidate. It is hoped to secure a candidate who will be imbued with the doctrines of true Democracy—

What a citizen he would be, wouldn't he? to be imbued with all the doctrines of Democracy! [Laughter on the Republican side.] He would be a Pandora's box, wouldn't he? if opened up to public view [laughter on the Republican side]—

and one who, if elected, will not betray his party. It would be impossible at this time to say who the Democrats of my district favor for the nomination. The man who meets their approval, however, must be a man of strong and decided convictions. No colorless candidate will be satisfactory.

Now, I wonder whom he means. Why, is it not a fact that the Democrats have been wandering up and down the country looking for somebody to run for President who has no views on any proposition in the world? [Laughter.] And is it not a fact that they are attempting to nominate Judge Parker, of New York, solely because nobody knows what he thinks on any question; nobody knows what he thinks on the tariff question, or what he thinks on the expansion question, or any other question before the American people to-day? [Laughter on the Republican side.] Is not that true? Is not that true? They take it for granted, and they are right, that if a Democrat has a record at all, it is a bad record. [Laughter on the Republican side.]

But listen to Mr. UNDERWOOD of Alabama.

It is a safe prediction that the Alabama delegation in the next national convention will be uninstructed as to Presidential choice. The sentiment is in favor of some strong eastern man who would be acceptable to the West. [Laughter on the Republican side.]

There never was anything like the Democratic party.

When such a man is found—

Swing your telescope around the horizon and sweep the earth and find your man!

When such a man is found the South will give him hearty support—

They are looking for the fellow, regardless of what he believes or what the platform is to be; that makes no difference. [Laughter on the Republican side.]

When such a man is found, the South will give him hearty support, and he will be elected. [Laughter on the Republican side.] The South is particularly anxious to win—[laughter on the Republican side]—to defeat Theodore Roosevelt. Personally, I favor Mr. Olney, of Massachusetts; but I am for the man whom it is demonstrated is most acceptable to both the East and the West.

Then comes my friend SIMS, from Tennessee, with the frankest statement of Democratic desires, aspirations, and hopes of any man; and what does Mr. SIMS say?

The majority of Tennessee Democrats appear to favor the nomination of Judge Parker, of New York, but the sentiment is not a decided one.

It is only an appearance.

They believe Judge Parker would make a strong candidate, but if some other man is stronger they want that man nominated. Tennessee Democrats want to win. [Laughter on the Republican side.]

There, gentlemen, is the Democratic platform. That is the sum and substance of it all. It does not make any difference what a man believes. It does not make any difference what the platform is upon which he stands, if he can win. And is there a man here who doubts that if these Democrats thought that they could rehabilitate and regalvanize William Jennings Bryan and win with him on a platform of 16 to 1 that they would adopt that platform and nominate the man and go into the campaign with him? Is not that so? Why, of course it is. That is the history of this party for the last forty years.

Ah, how differently situated are we! Every time I go into a Republican convention I am inspired by the pictured representations of the great men who have been our leaders in the days gone by—Lincoln, the emancipator, always present in every Republican convention; Grant, the silent, unconquered hero, and Garfield, and Blaine, and McKinley, the gentlest memory of our day. Those are the men who have made this country, and in making it they have been compelled to walk over the prostrate form of the Democratic party year in and year out. Those are the men whose pictures we hang up and who inspire the youth of this country with patriotism and with hope.

Now, when the Democrats have a convention, whose picture will they hang up? [Laughter on the Republican side.] Will they hang up the picture of Grover Cleveland? Why, these gentlemen here say they would not vote for him at a convention or at an election—this very man, the only one they have been able to elect President of the United States. What a marvelous metamorphosis in the Democratic mind. Would they hang up the picture of William Jennings Bryan, the "peerless leader?" [Laughter on the Republican side.] Twice they followed him in memorable campaigns; one the most marvelous in the history of modern times. Why don't they follow him now? If 16 to 1 was right then, isn't it right now? If Bryan was the deified appearance on earth of the angelic principle then, isn't he so yet? How has he changed? How has the country changed? How has the situation changed? Ah, in only this, that they found they could not win with Bryan. Will they hang up his picture? No. Whose picture will they hang up? Well, they will have to fall clear back on Jackson and Jefferson. Whenever the Democratic party runs out of anybody modern they fall back on Jackson and Jefferson. But it will be remembered, my friends, that Jefferson was a gold bug of the most pronounced type. It will be remembered that Andrew Jackson came to be a protectionist of the most pronounced type, and it will be remembered that the views of these great men on these fundamental questions now before the country corresponded no more with the whimsies of modern Democracy than do the stately and transcendent stanzas of David's psalms or the majestic sweep of Shakespeare's loftiest strains correspond with the wheezy rag-time rendition by a back-alley aggregation of "Johnnie, get your gun." [Laughter on the Republican side.]

And so we are all right for the coming campaign. Why, the gentleman from Ohio [Mr. GROSVENOR] has got it figured out already. Of course we will go on through with the formality of an election, but when all is said and done, the people will be satisfied with what the Republican party has done in this great country of ours. That is our platform—What we have done.

As Conkling said about Grant, the Republican party is great in the arduous greatness of things done. And so, my friends, with these leaders, with these principles, with this platform, in solid array and unbroken phalanx, we shall move on in the future as we have in the past, leading our people on up to greater and nobler heights; and when that shall have been done, when the future triumph shall have been achieved, it will be because the Republican party has always been true to the sublime idea of protection to American industries—to American capital and to American labor. I thank you. [Prolonged applause on the Republican side.]

The CHAIRMAN. The gentleman from Missouri [Mr. DE ARMOND] is recognized for ten minutes. [Prolonged applause on the Democratic side.]

Mr. DE ARMOND. Mr. Chairman, but one thing is lacking to complete this scene. If the average, representative grammar-school boy of Indiana were here in the gallery he would congratulate himself with pride and pleasure upon the fact that a good deal of the matter of his schoolboy orations, and almost all of the manner of them, had been copied and reproduced by the eloquent gentleman from Indiana [Mr. WATSON] who has just taken his seat. [Laughter.]

Mr. Chairman, several gentlemen upon the other side, including the distinguished gentleman from Iowa [Mr. HEPBURN], have given from their point of view many convincing reasons why they should vote against this bill, and then with the usual inconsistency which characterizes many of them, especially upon this question, they have declared meekly and amiably that they intend to vote for it. Their logic is bad or their action is inexcusable—perhaps it is a question as to which is worst.

The gentleman from Ohio [Mr. GROSVENOR], asked to unfold the righteousness of the proceeding when the steel trust sells steel rails to Germany for $22 a ton and "holds up" the American for $28 for the same quantity and quality of the same article, told about how the merchant in October and November sells for 50 cents each articles the duplicates of which brought $1 in May and June.

From this happy illustration of the point of the argument for refusing to revise the tariff, so long as the steel trust and the other like trusts, from their own blissful experience, shall continue to pronounce it good, we might conclude that there are summer and winter weights and fashions in steel rails, as in bonnets, and that when the steel trust sells steel rails in Germany at $22 and in the United States at $28, the rails sold abroad at the reduced price are remnants, shop-worn, and sold out of season, as summer rails in winter, or winter rails in summer, while the American buys smooth, fresh, bright, unwrinkled rails, strictly in season and very fashionable. But even credulity fails to further the delusion when this gentleman, so apt in explaining the inexplicable, fails, neglects, and refuses, though duly invited to the performance, to say just why there should not be any revision of a schedule which shelters a trust and enables it to exact $28 for a ton of steel rails which it makes at a cost of $12.

The gentleman from Iowa [Mr. HEPBURN] told us that away back a hundred years ago, or fifty years ago, or twenty-five years ago, the American people did not produce so much, did not export so much, had not accumulated so much as now; therefore do not think of revising the tariff which we have now, but did not have in the unhappy past! This argument is a simple one, and I crave the gentleman's pardon while I remark that it is not altogether new. But I cast no reproaches upon the argument because it is ancient; on the contrary, I would respect its gray hairs, wherein all its respectability nestles. It is the argument of coincidences, and if one can but be content with it one may establish anything by it.

During the life of the Dingley tariff law we freed Cuba and loaded up with the Philippines; therefore the Dingley tariff law did it. In all the years of our national life, before the trusts gave us the Dingley tariff law, we neither freed Cuba nor loaded up with the Philippines; therefore we could neither push Spain off of Cuba nor pull the Philippines over onto ourselves without the Dingley tariff law.

Of course evil-minded persons might employ this handy argument of coincidences for evil purposes. For instance, they might say there are more consumptives in the land now than there were in the earlier periods of our national life, and that therefore the Dingley law produced tuberculosis. They might assert that there are more children in the United States to-day than there were when the Walker tariff was in operation, and that therefore the Dingley tariff has been our salvation from the peril of race suicide. This list of helpful illustrations could be extended almost without limit.

It is also true that a devoted student of our country's history might construct from the materials at hand a curious theory to the effect that we Americans are much more numerous now than we were some decades earlier in the sweep of time, and that well-tilled fields produce more grain, and horses, and cattle, and hogs than dense areas of unbroken forest, and that more manufacturing is done in a great city than in a cabin in the wilderness.

Some might even indulge the extravagant speculation that, under any tariff system or with none, the pioneer in a cabin, in a little clearing in a great forest, ought hardly to be censured very severely if he did not have as many children or dollars as all his descendants and the neighbors could show a generation or two or three generations later, when time and the genius of human development had worked their miracles.

It might be generous, and I submit to the gentleman from Iowa, who has spoken on one side to explain why he will vote on the other side, that it might also be correct to credit the growth of the nation to the vast and varied resources of the goodly land in which we dwell, and to the courage, industry, perseverance, invention, and general nobility of our people. He and all of us may do well to look beyond coincidences for the causes and effects upon which to build theories, and from which to get policies.

The matter which we really have to consider, passing from this bill and going to the general tariff question, is not that of free trade or protection, but whether or not the present tariff law shall be revised. That is the real question, with reference to the tariff, now before the country. The gentlemen upon the other side take the position that it ought not to be and shall not be revised, except in some distant day of the future, in some far-off year. We hold that it ought to be, and declare that if the American people intrust us with the power it shall be revised.

There is an issue which it is easy to put and easy to understand, and which we mean the gentlemen upon the other side shall be compelled to meet. We recognize conditions as conditions are, and they must do it also.

We are not bent upon any crusade to destroy any element of real prosperity in this country, but we are determined, if we get the power, to strike down, as far as we can, the nefarious creatures which have sprung up in this country, designated and known by the general name of "trusts," that prey upon and rob the American people. In so far as the tariff builds up and shelters these evil institutions we shall make upon it relentless war. In so far as it may have the effect of developing and advancing the industries of this country, by equalizing taxation and opportunity, we shall stand by it, not make an assault upon it. What shall be done with this schedule; what shall be done with that? What shall be done with regard to the tariff upon this item or that item? These are plain, practical questions. Gentlemen shall not divert us from them to abstract discussions of free trade or protection.

The country has settled upon the policy of raising a considerable part of its revenues by tariff taxation. Whenever a tariff is imposed upon any article whatsoever, the like article, if produced in this country, is a "protected" article to the extent of that tariff, whatever the object of the laying of that duty and whatever its effects in other respects. As we shall have for years and years to come, and perhaps during the entire life of the nation, a tariff covering thousands of articles, bringing millions of dollars in revenue into the Treasury of the United States, the question will be and the question must be from time to time—always a shifting question, liable to change, and changed from time to time by developments and incidents and accidents and events in our own land and the world over—What ought the duty to be now? Is the duty right or is it wrong now?

To that question, laying aside all quibbles and all speculations, laying aside all this grandiloquence about what the Republican party is said to have done, about what the Republican party has professed; laying aside all these arguments of coincidence, what answer are you going to make? Is this Dingley tariff to stand as it is, with all the inequalities, hardships, and injustice in it, with huge trusts sheltered by it, or is the tariff to be corrected? Is it to be amended? Is it to be changed where it needs change, where the wisdom and justice and desirability of change are so plain that no man can deny the virtue of the claim that change ought to take place? That is the question upon the tariff, and upon that question we will meet you and fight it out.

Now, either this bill is right enough for passage or wrong enough to merit defeat. Some gentlemen say it ought to be defeated. If those gentlemen sincerely wish to defeat it, why did they not help to vote down the rule and have it amended? Let them answer to their constituents. The man who believes this bill ought to be defeated and who voted against the rule, voted for an opportunity to amend it, and who votes against the bill in its present form, is consistent. The man who claims that the bill ought to be defeated, but who voted to take away all the opportunity that existed, directly or indirectly, to defeat it or to change it, stultifies himself.

If he is honest to his constituency, he has demonstrated his wisdom, as well as his honesty, by efforts to amend the bill. If he is dishonest, he has added to dishonesty folly, because the pretext of expediency is so transparent that he who runs may read through it.

But gentlemen say we on this side would risk the defeat of this bill. Of course we would risk it. When the question comes between legislating for the people and "protection" to the sugar trust by increasing the mighty, overshadowing power of the grasping, grinding trust, then, on this bill or any other bill, we are against the trusts and against the policy which the trusts dictate. We are in favor of striking off the differential, sugar-trust duty. We are in favor of the amendment of this bill, and then if this bill be not passed for that reason—because of the amendment—as for that reason the other Cuban reciprocity bill was not passed, then we shall have another demonstration, a second demonstration, for the American people that the party in the majority in this House and in the Senate, dominated and influenced too largely by interests that are adverse to the welfare of the American people, will not do that which is fair and just, because the mighty agencies to which they bow in humble submission decree that they shall go the other way.

Let the man who regards party organization rather than fidelity to constituency appeal in the hour of his peril, appeal in the dark day of his disaster, to the party organization. Let him raise his voice and call upon the party to save him rather than call upon his constituents, against whom he has turned and whose rights here he has given away, sold out—I do not say "sold out" in the corrupt sense, because I charge nothing of that kind—bartered for the hope of a good place upon a committee, for the smiles of the gentleman who presides as Speaker in the chair which you now, Mr. Chairman, temporarily occupy.

For the favor of those who rule here in the House he has forgotten the men far away on the prairie or among the pine stumps, the men out where the sugar beets grow, the men to whom he whispered his words of affection, into whose ears he poured the sweet songs of his love while seeking their votes. He has forgotten them, has harkened to the voice of the tempter, and has fallen away from them; but the day of reckoning is coming for him, and when it arrives, then, through every agency by which opposition may be heard, the call will be made upon these people to say what they think of him and his doings. [Loud applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. I yield three minutes to the gentleman from Alabama [Mr. THOMPSON].

Mr. THOMPSON. Mr. Chairman, an old negro preacher down in Alabama began his sermon by saying: "I thank de Lord that those who are not for us are not agin us." The Republicans of this special session of Congress, like the old negro preacher, can exclaim that those who are not for us are not "agin" us, but they are not receiving the support they are getting from this side of the House with apparent good grace.

I construe this bill providing for reciprocity with Cuba as a Democratic measure, because it carries out, to some degree at least, Democratic principles, and for that reason, as well as for the further reason that it strikes me as a practical business proposition favorable to the business interests of the United States, which when enacted will give us, if not now, in the near future, cheaper sugar for the consumer and enlarge and increase our export trade with Cuba on terms more profitable to our people.

I can, therefore, with impunity lay aside my prejudice against it by virtue of its origin from the Republican side, and look at it strictly from a business and not a political point of view, and give it my unqualified support. I could vote for it with fuller and freer grace if the majority of this House would permit us to further amend the bill by taking off the differential on sugar, thereby giving the consumer in the American Republic a real and not a speculative benefit.

The subject of this debate, the subject of the pending bill, the subject of this very session itself, is reciprocity. It is well, therefore, at the outset to understand fully what reciprocity means.

Reciprocity is a word derived from the Latin prepositions "re" and "pro," which, being molded into the adjectives "recus" and "procus," signify "backward" and "forward." The combined Latin adjective "reciprocus" thus comes to mean "moving backward and forward," or "alternating," or "mutually exchanging." Hence, our English adjective "reciprocal" and our English noun "reciprocity," meaning a mutual exchange or interchange. In connection with a treaty or agreement between two nations, "reciprocity" is defined as "equality of commercial privileges between the subjects of the different governments in each other's ports with respect to shipping or merchandise to the extent established by the treaty."

In this case the proposed reciprocity, or "equality of commercial privileges," is between the citizens, respectively, of the United States and the citizens of Cuba.

We are called here in extraordinary session to consider the reciprocity treaty or convention with Cuba, which the President of the United States thinks is expedient and necessary to be ratified.

I differ somewhat with the President on this, as well as other subjects not now under discussion, and I think it was entirely unnecessary to convene Congress in extra session for the consideration of this treaty. I believe this work could have been done fully as well and that it would have subserved all essential purposes and saved the Government thousands of dollars if it had been permitted to go over to the regular session in December.

But the gentleman who presides in the White House seems to be an "extraordinary" being and to enjoy doing things in "extraordinary" ways. He has demonstrated to the country that he constitutes the Republican party by an overwhelming majority.

In the Fifty-seventh Congress, when this very same subject was under consideration, Members coming here from the beet-sugar districts, derisively called "blanket Indians" by their brethren on the other side of the Chamber, showed the courage of their convictions by rebelling against the power of the Administration. Now they are as humble as "dumb, driven cattle." They complacently kiss the Executive hand which has smitten them, and patiently cry, "Enough!"

The President has demonstrated his strenuosity and potentiality. In the counsels of his party he is "lord of all he surveys." Aggressive, arbitrary, and autocratic, he has literally compelled not only the leaders but the rank and file of the dear old "God and morality party" to depart from the "straight and narrow path" of a high protective tariff policy and to take one first step toward the accomplishment of a Democratic triumph—toward the permanent establishment of the Democratic policy of a tariff just sufficient to raise a revenue necessary to defray all

the legitimate expenses of honest government economically administered.

The Republican chief priests, whose features we have all learned to recognize in this House, who so delight to minister at the shining altars of protectionism and to burn incense in the presence of their heathen god, the golden calf, prostrate themselves in the dust at the feet of his "majesty," and now rend their garments, claw their faces, tear the hair from their own anointed heads, and declare with loud acclaim that the sea wall against the admission of Cuban sugar must totter and fall to the earth.

When another decree goes forth from the White House to remove the duty on some other favored and fostered industry, notwithstanding your slogans of "stand pat" and "let well enough alone," you Republicans will again obey his imperialistic command and willingly vote at his beck and call a reduction of the tariff on some other article of everyday necessity.

The Republican baby, just now crawling toward the light, will yet grow up into vigorous Democratic manhood. The infant will yet learn to walk in the pure fresh air of genuine Democratic tariff reform to be occasioned by reciprocity with other nations. You will learn by degrees, "line upon line, and precept upon precept." You will overturn your heretical theories and accept correct Democratic principles and doctrines promulgated for the government and guidance of all classes and conditions of men, "the common masses of the 'common' people." Laws which enable the few to grow fat and sleek with insolence and pride at the expense of the many will be swept away. The lamb and the lion will lie down together, and the devil will be chained for a thousand years.

You, my friends, on the western side of the center aisle, have been for many dismal years sitting in the region of darkness. At last you are beginning to behold the morning light of truth breaking in through the shadows of doubt—"black Vesper's pageants." In the solitude a bird of heavenly plumage even now is singing to you the song of repentance and radiant hope. In the desert a sparkling fountain of joy is gushing out from the jagged rocks of distrust. In the wide waste of your despair a green bay tree of splendid promise is already extending to you its long arms of affectionate welcome and protecting care. "In the wilderness" you are listening to the clear, ringing voice of Democracy, like the prophet of old crying, "Prepare ye the way of the Lord, make His path straight." The immortal Shakespeare, in Henry VI, accurately describes your present predicament when he puts it in the mouth of one of his characters to say:

> In that hope, I throw mine eyes to Heaven,
> Scorning whate'er you can afflict me with.

My Republican friends, I congratulate you upon the movement you have inaugurated, upon the first forward-march step you taken. After a little while nothing of your boasted party principles will remain.

You will then, no doubt, be in such mellow mood as to be able to appreciate the words of the poet:

> One by one the roses fall,
> Drop by drop the spring runs dry;
> One by one, beyond recall,
> Summer flowers droop and die.

Now, in considering the question of reciprocity with Cuba, the first thought that occurs to me is this: That if it be the purpose of the Administration to benefit the consumers of sugar in the United States we should go still further with our propositions to the young Republic of Cuba, which enjoys her freedom and independence at our hands at an expenditure of $250,000,000, and we should say to her: "You may send all of your raw sugar material to us free of duty." Then the American consumer might realize some benefit therefrom worth speaking about and the sugar refineries of the United States would get the benefit of refining the entire product of sugar in Cuba, thereby giving additional employment to American labor.

While our country has been enjoying great prosperity for some years in nearly every section, so far as the producers, manufacturers, and dealers are concerned, there has been but little real gain or benefit therefrom for the laboring man in the United States. His rents have increased, his grocery bills have become higher, and all that he eats or wears or consumes in any way comes dearer to him to-day than it ever has done before since the abnormal times of the civil war. It seems to me, then, that in making treaties and framing legislation to control the importation from other nations of commodities to be consumed by our people our first duty is to protect our own laboring people by seeing to it that they shall have at least the necessities of life at the least possible cost.

While I realize the fact that it takes money to run our Government, and that our principal source of revenue is the tariff, I am a strong advocate of reducing the duties on all raw material that comes to our shores, and thereby encouraging and aiding our manufacturers and enabling them to employ more labor. As our population increases it will become more and more necessary to foster and encourage manufacturing among our people. Senator MORGAN said in a speech in Montgomery, Ala., recently delivered before the legislature of that State, that he believed the solution of the labor question would be by means of the use of electricity. He said:

> The congested condition of our people in and around our large manufacturing enterprises, whose education is being neglected and physical development dwarfed by working their children in factories, could be remedied by placing electricity where it could be rented by small manufacturers, and thereby making them the owners and operators of their own manufacturing plants.

Let us now examine the pending treaty or convention and see what it is that we are asked to ratify.

Article I of the treaty stipulates that all the products of either the United States or Cuba that are now on the free lists of the two countries shall continue to be on the free lists.

Article II provides that all other products of Cuba shall be admitted into this country at a reduction of 20 per cent of the regular tariff rates of the United States.

Article III provides that all the products of the United States not included in Article I and not enumerated in Article IV shall be admitted into Cuba at a reduction of 20 per cent of the regular tariff rates of Cuba.

Article IV specifies certain products of the United States which are to be admitted into Cuba at still greater reductions of the regular rates—iron and steel manufactures, copper manufactures, glassware, earthenware, etc., at 25 per cent reduction; most cotton manufactures, linen goods, paper, cutlery, boots and shoes, soap, various articles of food, etc., at 30 per cent reduction, and woolen goods, silk goods, knit goods, perfumery, watches, and some other articles at 40 per cent reduction.

In a subsequent article it is stipulated that all these reciprocal rates shall be preferential in respect to like imports from other countries; and then follows the singular proviso attached to the treaty by the Senate last March, after the document had left the hands of the plenipotentiaries who drew it up, which proviso stipulates that during the life of the treaty there shall be no further reduction of the duty on Cuban sugar and no reduction whatever of the duty on sugar coming from any other country besides Cuba. This proviso, thrown into the treaty at the last moment, obviously in the interest of the sugar trust, I believe to be certainly unconstitutional. I do not believe that it can stand against the scrutiny of the courts for an instant.

If the majority in this House had not stifled all amendment and ruled out all alteration of the pending bill, and if the House were at liberty to modify the measure, as it ought to be and would be except for the arbitrary action of the controlling power here, I have no doubt that this obnoxious proviso would be expunged by vote of a large majority of Members here present of both parties, for the principle embodied in the proviso is as injurious to one party as to the other and a fatal stab at the vital right of representative government. Did I not firmly believe that this grave assault on our liberties will be nullified by the courts, nothing could induce me to give it even an indirect sanction.

The bill would be greatly improved by the addition of the amendment proposed by the minority for taking off the differential duty on refined sugar. Such an amendment, it will be remembered, was proposed and adopted in the reciprocity legislation of 1902. If adopted now, it would beyond question have assured a genuine benefit to the consumers of sugar in the United States, and if a vote could be had upon this proposition now there is no reason for doubting that the result would be the same as that of last year's vote; but under the drastic rule adopted by the Republican side of the House, prohibiting the consideration of amendments of any kind, the House is obliged to take the treaty as it stands or nothing.

Excepting the obnoxious proviso just alluded to—an essentially extraneous matter, and one not germane to the subject in hand—the treaty commends itself to myself as a Democrat, and I believe it commends itself to most of those on this side of the House as Democrats, because, although it is offered as an Administration measure, under Republican auspices, it is in line with Democratic principles, at least approximately, and seems to go in the right direction, though not far in that direction. We support the bill, therefore, on the principle that a half loaf is better than no bread, and that it is a measure acceptable to Democratic faith and practice, though only in a small degree.

Reciprocity as a general principle commends itself to the Democracy as a rule, because it is calculated to benefit the consumers of the products imported into our country and to reduce the tariffs of other countries on the products of the United States.

In the present instance reciprocity with Cuba would be calculated and intended to benefit the American consumers of the products imported hither from Cuba by diminishing the duties upon them by 20 per cent and to benefit our own producers and manufacturers by enabling us to enter our products into Cuba at

reductions of 20, 25, 30, and 40 per cent of the regular Cuban duties on those products coming into Cuba from the world at large.

So far as I am concerned, I would gladly go further than is now proposed in our concessions to Cuba. I would gladly give our Cuban ward absolute free trade in every respect and in all our different lines of products. Thus we would vastly benefit both ourselves and the Cubans by selling them all they buy and by buying from them all they sell on mutually advantageous terms. There is no doubt in my mind that the United States holds a position of peculiar and uncommon responsibility toward Cuba, mainly on account of the obligations expressed or implied in the Platt amendment in limiting Cuba's treaty-making powers, etc. That we should therefore show our good will and sympathy for Cuba by giving her at least reciprocity is greatly to be wished. The chief objection to its proposed application in the present case, as it seems to me, is that reciprocity with one single country alone or with two or three or four countries alone is a partial and one-sided reciprocity and may expose us to retaliation and reprisals by other less-favored nations. But even granting this objection, it appears to me indisputable that the proposed reciprocity with Cuba is in the line of tariff reform, and therefore commendable, so far as it goes.

Bishop Warren A. Candler, of Georgia, one of the leading bishops in the Methodist Church and one of the ablest men of this age, said recently on this subject that:

> By the Platt amendment we claim the right to supervise Cuba's relations with other governments. Will we forbid her trading with others advantageously, and then force her to trade with us at prices forced upon her by our power? This is to force her "to trade at the company's store" in a way that would disgrace a rapacious corporation which should undertake to grind the life out of its operatives. Or, to state the case in other words, it is for this great Government to play the dog in the manger act. Surely so great a power will not hold up and rob its own ward. To do so would dishonor us before the world.
>
> Moreover, our duty and our interests coincide in this instance. We do not make sugar enough to meet our wants, and we need what Cuba has. She needs our cotton goods and agricultural implements and other of our products. But she can not buy from us to advantage unless she can sell to us profitably; ships have to have a load both ways. We lose much Cuban trade as the case stands, and what we sell to her is a sort of forced trade, which is next door to robbery.
>
> The inspiration back of the disposition to go wrong in this matter is the superstition of a protective tariff, and the Democrats have not had in years such a chance to blow up the defenses of that abominable system as this case of Cuba supplies. The protective tariff has been for years a kind of arctic wave with high pressure in the North bearing down with blasting effect upon all Santa of the thrifty saints who profit by it. It was at its best in the civil war and became accustomed to live by the blood of the slain, and now it would make of none effect the blood of men who fell in Cuba, and all that it may fill its pockets at public expense. It has not a shred of principle nor a shadow of expediency to justify its attitude as to Cuba. It simply stands on its miserable self-interest in seeking to have this Government dishonor its pledges and adopt a policy of folly.

Let us look into the subject practically and in detail, and see how the pending treaty or convention would work in everyday business intercourse and industry.

The principal products of Cuba are sugar and its by-products, molasses and spirits; tobacco, both unmanufactured and manufactured; iron ore, manganese ore, asphalt, and other mineral substances; lumber, vegetable fibers, and other forest products; fruits, vegetables, live stock, hides, and other animal products; coffee, sponges, wax, and honey. Most of these products are in constant demand and nearly universal use in the United States. So far as sugar, molasses, tobacco, pineapples, bananas, cacao, cocoanuts, iron ore, mahogany, and other tropical woods are concerned, the market for those Cuban products in this country may be said to be very large indeed. According to the official figures contained in the valuable monograph, "Commercial Cuba in 1903," recently published by the Bureau of Statistics of the Department of Commerce and Labor, the United States took from Cuba during the fiscal year 1903 1,069,610 tons of sugar, valued at $42,697,546. This was nearly 100,000 tons more than Cuba's total sugar crop of 1903. In other words, we have taken the whole of this year's crop and a large amount of the reserve stock besides. Our imports of Cuban tobacco during the same fiscal year amounted in value to $13,141,646; of Cuban pineapples, to about $1,000,000; of Cuban bananas, about the same; of Cuban iron ore, to about a million and a half, and of mahogany and other valuable woods to nearly a million. On most of these and most of the other articles of Cuban production the United States levies import duties.

Our total imports from Cuba amounted in the last fiscal year to nearly $63,000,000 in value. Of these, probably at least $60,000,000 were dutiable, the sugar duties ranging upward from what would amount to 50 per cent ad valorem to perhaps 100 per cent ad valorem, the tobacco duties amounting to all the way from 100 to 300 per cent ad valorem, and the other duties certainly reaching an average of 25 per cent ad valorem. It is easy to see, therefore, when such a large proportion of these $60,000,000 of dutiable imports consists of sugar and tobacco, on which the duties are so heavy, that a reduction of 20 per cent in the tariff on imports from Cuba would result in a great saving to the consumers of those articles in the United States, as such articles imported from Cuba under the new arrangement could be sold here at a corresponding reduction. It is contended in some quarters that no such reduction would result in the price of sugar, because the price of sugar is said to be fixed at Hamburg, Germany, and to be independent of the supply of cane sugar. Then it seems to me that the price in this country must be kept up by artificial means, and largely, no doubt, owing to the differential duty on refined sugar, which our Republican brethren insist upon for the benefit of the sugar trust, because even if Germany is the greatest sugar-producing country, we get very little sugar from Germany or from any other beet-sugar producing country.

The bulk of the sugar which we import comes from Cuba and from Java and other cane-sugar localities. In the last fiscal year we imported about 2,000,000 tons, valued at about $72,000,000. Of this more than half came from Cuba alone—something over 1,000,000 tons, valued at nearly $43,000,000, as I have just now shown—while about 350,000 tons came from Java, valued at $13,000,000; less than 200,000 tons from South America, valued at a little over $6,000,000; and from Germany only 31,120 tons, valued at about $1,000,000. We consume annually about 2,500,000 tons, or just about one-quarter of the sugar produced in the whole world. If Cuba furnishes us with 1,000,000 tons, or two-fifths of what we consume, and if one-fifth, or 500,000 tons, is produced by ourselves in this country, including Hawaii, and more than one-fifth in Java, the British West Indies, and other cane-sugar countries, it seems peculiar, to say the least, that the European beet-sugar countries should have so much to say about what the price of sugar must be in the United States.

The high sugar-tariff advocates told us last year that Cuban sugar could not dictate prices here now, but that if Cuba should ever be able to supply to us our whole foreign import of sugar—2,000,000 tons—that is to say, just about twice what she furnishes to us now, then she could dictate the price here, and the price here would be lowered. If she could do that when she furnished 2,000,000 tons, I do not see why she can not have at least some effect on the price here when she furnishes 1,000,000 tons, as she does now. And especially do I think that some effect upon the price will be felt as soon as this contemplated reduction of 20 per cent in the duty on this enormous total of 1,000,000 tons is put into operation. In like manner it is reasonable to expect a reduction in the cost here of Cuban cigars and cigarette tobacco under the new arrangement, as also of Cuban fruits, sponges, and other dutiable articles which we import from Cuba on a large scale. Speaking in a general way, the amount of the rebates, amounting to several millions of dollars annually, ought to be considered as going into the pockets of our taxpayers. In this way the taxpayers would save 20 per cent of eight millions on sugar alone—that being the amount of revenue realized by our Government at present from the duties of Cuban sugar under the existing tariff rates—unless the sugar trust by some hocus-pocus manages to keep the price up and shoves the 20 per cent of eight millions or $1,600,000, into its own capacious pockets. This latter result certainly will not occur after the Democratic party assumes the reins of power in this country in 1905.

Now let us see how reciprocity with Cuba would work from this end of the line. Cuba has a population of about 1,650,000. They consumed in the last fiscal year products of the United States valued at something over $20,000,000. That, too, happened to be a bad year for us, and our exports to Cuba may be said to average annually $25,000,000 in value. They consist largely of breadstuffs, coal, cotton manufactures, iron and steel manufactures, machinery of various sorts, leather manufactures, lard, bacon, hams, oils, animals, dairy products, wood manufactures, etc. The Cubans also are importing at present about the same amount, or a little more, of these and other products from the other nations of the world. Is it not to be supposed that with reductions of 20, 25, 30, and 40 per cent in their tariff duties in favor of American goods they would soon be buying much more largely of us, all along the line? It would be contrary to human nature if they should not do so. This country can furnish them with everything they want, and with such reciprocity advantages it is reasonable to believe that that is just what this country will do.

As having an important bearing upon the objects of the pending legislation, I beg to submit in this connection an extract from Dun's International Review for November, 1903, in regard to the resources and future of Cuba, as follows:

> The principal elements which determine the commercial future of a country are, its natural resources, proximity to the world's markets and transportation facilities, the intelligence, energy, and thrift of its inhabitants, and the wisdom and honesty of its government. These factors have not been stated in order of relative importance. Considered under these heads, what should be the commercial future of Cuba? This question may best be answered by making an analytic examination of the elements just stated.
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> The natural resources of Cuba consist of a soil of unsurpassed fertility, less than 10 per cent of which has ever been touched by hoe or plow, and a climate so equable and benignant that the workman can toil without danger to life or very great discomfort, exposed to the rays of a summer midday sun and with no biting frosts to benumb his body and limbs in the dawn of a winter day. The island is seldom visited by disastrous storms or floods, and periods of protracted drought are rare. The advantages of the soil and climate for growing sugar cane are probably unrivaled, while the existence of properties which produce a tobacco of unequaled flavor in that large section of the province of Pinar del Rio known as vuelta abajo is too well known to need comment.
>
> The soil and climate of Cuba generally are especially adapted to the cultivation of oranges, pineapples, bananas, and other tropical fruits, while cacao and coffee of excellent quality are grown in the mountainous province of Santiago de Cuba, within whose confines and those of Puerto Principe are still to be found millions of acres of forests of the most valuable hard woods. Henequen, or sisal hemp, grows wild in some parts of Cuba, and the cultivated plant produces a fiber superior in quality to that of Yucatan. Its production will doubtless in time become one of the important industries of the island. Navigable streams are rare, but this is a natural consequence of the narrowness of the island, and is not a serious defect, as the north or south coast is within a short distance of almost any point in Cuba. Numerous other advantages of the island could be enumerated, but the most conclusive proof of its resources can best be shown by the Government statistics of its foreign commerce for 1894, the year immediately prior to the outbreak of the last war, which, excluding gold and silver coin, were as follows:

Exports	$100,192,416.43
Imports	84,229,043.34

> leaving a trade balance in favor of Cuba of $24,963,373.09, or about $13 per capita. There were exports as well as import duties in 1894, and these figures do not represent the true value of imports or exports. Cuba is within three or four days of most of the principal cities of the United States, its natural market, whose population of 80,000,000 could easily consume the entire production of the island. The matter of distance from the markets of Europe is of no great importance, as Cuba's perishable exports have an excellent market in the United States, while the question of time has been solved by rapid steam transportation, and that of rates is being regulated by competition of the increasing number of European lines.
>
> The internal transportation facilities of Cuba have been very deficient up to a recent date and are still far from filling the requirements of the community. The question has been partially solved for a large district in the eastern part of the island, which has heretofore lacked railroad facilities, by the building of the Cuba Railroad, extending from Santa Clara to Santiago de Cuba, with two branch lines nearly completed; and the building of the Cuba Eastern Railroad, now in course of construction; the extension of the Western Railroad, nearing completion. The extension of the Cardenas and Jucaro Railroad to Cienfuegos, shortly to begin, will assist largely in the solution of the question of railroad transportation, while the construction of country roads, in which the Government is showing commendable zeal, is solving the problem for the farmers. Water communication, not only between the ports of the island, but also with the United States and Europe, is increasing, and Cuba has no cause for complaint in that direction.
>
> It must be admitted that on the score of intelligence the masses are somewhat deficient, but this is due largely to the lack of educational facilities from which the country suffered up to the time of American occupation, and as the Government is devoting considerable thought and money to this important subject an improvement in the degree of intelligence is to be expected. The same amount of energy found in the northern climates is not looked for in the tropics; it does not exist in Cuba, nor is it as necessary where nature is so prodigal and outdoor work can be performed without difficulty twelve months in the year. The Cuban is not a drone, even though he has not the energy of the northern races. In thrift the native of Cuba is more deficient than in either intelligence or energy, but it should be borne in mind that the commerce and even a considerable portion of the agricultural interest of the island are in the hands of Spaniards, the thriftiness of whose middle and lower classes can not be questioned.
>
> Last, but not least, of the factors which contribute to the prosperity of a country are the wisdom and honesty of the governing classes. Considering the lack of experience of the Cubans in self-government, one of the most surprising things is the small number of mistakes which have been made, and their legislation thus far has been very wisely negative; but a very much more surprising fact has been the standard of honesty prevailing in all departments, especially in view of the centuries of corrupt government which they have witnessed. The wisdom and honesty of the administration of the affairs of the Government are attested by the treasury balance of over $10,000,000, whereas less than $400,000 was turned over to them in May, 1902, by the American military government. This increase of over $9,500,000 in less than 18 months has been made without additional taxation, with no decrease in educational facilities or sanitation, and public works have by no means been neglected.
>
> If with a burden of taxation during the later years of Spanish domination known by no other people on earth Cuba prospered and large fortunes were made by the commercial and princely incomes by the agricultural classes, what can be expected under an honest, economical government, with increased population for the cultivation of its wonderfully fertile soil, and an improvement in its educational and transportation facilities? Is not a prosperous future assured for a country which can within three years after a most disastrous civil war convert a trade balance of nearly $22,000,000 against her into a balance in her favor of nearly $4,000,000?
>
> The external commerce of Cuba was for nearly three centuries confined to the mother country, Spain, and trade with other European countries was permitted only in the latter part of the eighteenth century. Preferential duties were established so strongly in favor of Spain that she continued to furnish most of the imports up to the time of Cuban independence, while for many years past the United States took most of Cuba's exports, the trade balance against the great Republic in its relations with Cuba for the past fifty years being about $1,500,000,000. During the years 1892-1894, when reciprocal trade relations existed between Cuba and the United States, the latter country furnished about the same percentage of imports as Spain. The imports and exports of Cuba in 1894, the last year of reciprocal trade relations with the United States, were as follows:

Country.	Imports.	Exports.
Spain and possessions	$32,780,000	$8,854,000
United States	32,548,000	93,410,000
British Empire	10,842,000	4,501,000
France	1,570,000	1,001,000
Germany	1,500,000	628,000
Other countries	4,989,000	788,000
Total	84,229,000	109,192,000

> In 1895, the year following the abrogation of the treaty with the United States, that country took $95,683,397 of the total of $110,296,029 exported by Cuba, or about 87 per cent, being greater than during the preceding year, when reciprocal trade relations between the two countries were in force, but there was a very marked difference in imports as compared with the previous year, as shown by the following table of percentages:

	Per cent.		Per cent.
Spain	50	France	1½
United States	25	Germany	1½
British Empire	14		

> The following table of imports and exports, exclusive of coin, for the four years succeeding a most disastrous civil war indicates the wonderful resources of the country:

Year.	Exports.	Imports.
1899	$45,067,300	$96,783,100
1900	48,994,600	66,658,000
1901	63,278,400	66,584,000
1902	64,220,700	60,584,800

> The tendency of trade is most clearly shown by the following tables of imports and exports, by percentage, during the same period:

Percentage of imports and exports.

IMPORTS.

	1899.	1900.	1901.	1902.
	Per cent.	*Per cent.*	*Per cent.*	*Per cent.*
United States	43.7	43.8	42.2	41.6
Great Britain	14.7	15.6	14.3	15.2
Spain	16.6	14.7	14.3	15.7
Germany	3	4.5	5.3	6
France	4.2	4.9	4.4	5

EXPORTS.

United States	83	68	76	76.9
Great Britain	5.9	11.2	9.4	9
Spain	2.5	1.6	1.1	1.7
Germany	3.5	11.3	6.7	6.2
France	2.9	2.6	2.1	2

> By some writers it is said that the introduction of sugar cane into Cuba was made by Velasquez, the first lieutenant-governor of the island, in 1523, but according to the most authentic Spanish historians its introduction did not take place until the latter part of the sixteenth century, when cuttings were brought from the Spanish colony of Santo Domingo, where its cultivation had been introduced by Columbus nearly a century earlier. For many years its cultivation was confined to very small areas near the principal towns, its limited production being attributed principally to a lack of slaves. In order to stimulate its growth decrees were issued by the Spanish Government granting special privileges to cane planters, among others being the prohibition of attachment for debt of sugar properties or their sale under foreclosure. Notwithstanding this protection and the high price of sugar which prevailed (50 cents per pound having been realized in Spain for the most inferior grades in the latter part of the sixteenth century), the growth of the industry was very slow until the last part of the eighteenth century.
>
> Between 1760 and 1770 exports of sugar amounted to about 3,000 tons per annum, and there was but little increase until after the revolution of the negroes in Santo Domingo, which occurred in 1791. The burning of the cane fields of that island, the emigration of many planters to Cuba, and the issuance of a decree permitting the unrestricted importation of slaves into Cuba for a period of six years gave a great stimulus to the industry. Production increased so rapidly that there was an overproduction in 1805, which, however, was due principally to the severe commercial restrictions then prevailing. This condition of affairs was relieved in 1809, when a decree was issued by the governor of Cuba permitting the shipment of sugar to all countries in vessels of any nationality. The crop continued to increase in size, amounting to 70,000 tons in 1817, and by 1830 it had reached 150,000, becoming Cuba's principal product, thereby displacing coffee, which had previously been the most important crop of the island.
>
> In 1828 an export duty of four-fifths of a cent per pound was levied on sugar if shipped in Spanish vessels, and double that amount in ships of other nationalities. This tax was slowly reduced, but was not abolished until August 1, 1891. The world's sugar crop of 1831 was greater than the consumption, and despite the claim of the Cuban planters that the prices realized were below cost of production they steadily increased its cultivation, and by 1840 the crop amounted to 200,000 tons. The crops by succeeding decades were as follows:

	Tons.		Tons.
1850	300,000	1880	530,000
1860	447,000	1890	632,368
1870	726,000	1900	300,073

> The crop of 1902 amounted to 850,181 tons, and that of 1903, most of which has already been shipped, is estimated at from 905,000 to 950,000. The greatest crop in the history of the island was harvested in 1894 and amounted to 1,054,254 tons; the smallest in the past fifty years, amounting to 212,051, was made in 1897. This great decrease in three years was due to the revolution, which devastated the greater portion of the island. The falling off in production from 1870 to 1880 was due to several causes, the principal ones being three cyclones which swept over the island during that decade, the ten years' war, and the freeing of the slaves who fought in that war. There would have been a greater increase between 1880 and 1890 but for the abolition of slavery, which was decreed in 1880.
>
> The increase of 66½ per cent between 1890 and 1894 was due to the stimulus given to the industry by the adoption of a treaty of reciprocity with the United States in 1891 whereby Cuban raw sugar was given free entry into that great market. The abrogation of that treaty in 1894 brought about a heavy decline in the price of sugar at the beginning of 1895, the great staple selling for the first time below 2 cents per pound. Principally to this fact is Cuba's last war for independence attributed.
>
> The prices in Habana since 1850 of raw sugar equal in quality to centrifugals of 96 polarization have been as follows:

		Cents.			Cents.
1850	per pound	3.50	1900	per pound	2.66
1860	do	4.87	1901	do	2.20
1870	do	5.10	1902	do	1.77
1880	do	4.87	1903	do	1.81
1890	do	2.75			

The quotations above given were the prices on April 1 of each of the years named, that date being selected as being about the middle of the grinding season and representing about the average price realized by the planter for his sugar. The price of cane sugar has lately been controlled by the world's beet-sugar production, which has grown from 50,000 tons in 1840 to 6,140,000 tons in 1901, the last-named amount representing 63.7 per cent of the total sugar production. The very life of the cane sugar industry has been threatened by the European bounty-fed beet sugar. The Cuban crop of 1902 was sold at a loss and the average margin of profit on the crop of 1903 has been small, the fact that any margin was realized being due to the damage to the European sugar-beet crop of last year resulting from unfavorable climatic conditions. The adherence of the various nations represented at the Brussels convention to its action in abolishing bounties on sugar gave the Cuban planter renewed hope, which is further strengthened by the belief that the American Government is at last about to partly fulfill the promises made to its infant protégé by favorable action of the legislative branches on the treaty of reciprocity negotiated between the two countries.

The question as to whether cane sugar can successfully compete in cost of production with beet sugar will be answered in the affirmative or the negative, depending upon the person of whom the question is asked. The man who has lands to sell for sugar-cane cultivation and sugar-mill constructing engineers and promoters will assert that beet sugar can not possibly live without protection, while the average Cuban planter will reply that cane sugar can not be produced here below 2 cents per pound. A European expert, in an article recently published on the beet-sugar industry, states that the average cost of production of beet sugar in Germany is 1.77 cents per pound. That the cost of production in Cuba has been steadily reduced is denied by none, and there is room in most cases for further reduction. The average cost of the crop of 1903 is believed to have been a trifle below 2 cents per pound, and some specially favored plantations doubtless made their sugar at something less than 1½ cents, although it is doubtful if public acknowledgment of this fact would be made by any of them. That sugar can be produced in Cuba at 1½ cents or even lower is not doubted, but in order to do this four conditions will be necessary, viz, land much above the average in fertility, machinery of the most improved type, favorable location, and very efficient management.

The present area of land in Cuba devoted to the cultivation of sugar cane is estimated at 600,000 acres, or something over, and 171 mills ground this year. Santa Clara is the great sugar-producing province of the island, with Matanzas second, the combined crops of the two representing nearly 75 per cent of Cuba's total production. The great province of Puerto Principe, the second in area and first in arable land in the Republic, has but three sugar estates within its boundaries, whereas it is capable of producing a greater crop than is raised by the entire island. About 90 per cent of its soil is virgin land, due to the fact that up to about a year ago it had practically no railroad facilities. During the past two years the sugar production of Santiago Province has been largely increased by the establishment on the northern coast of two of the largest estates in the island, both of which are owned by American corporations, one being the Chaparra Sugar Company, the other the Union Fruit Company, the estate of the latter being known as "Boston." The sugar estate having the largest output the past season was "Caracas," the property of Terry Hermance, located in the southern portion of the province of Santa Clara, with a production of nearly 30,000 tons.

It is estimated that about 65 per cent of the sugar cane is grown by "colonos," some of whom cultivate on land belonging to the centrals, while others raise the cane on their own land. The latter are known as "independent colonos," and are better paid for their cane as a rule than the tenant planters, receiving from the mill owners in sugar or its equivalent in cash from 5 per cent to 7 per cent of the amount of cane delivered, while the tenant "colono" receives from 4 per cent to 6 per cent, the amount paid in both cases depending on locality.

From lack of funds most Cuban planters allow the cane to ratoon for too long a period instead of replanting. There is a diversity of opinion as to the length of time cane should be allowed to ratoon before replanting, but the more intelligent planters seem to think that the best results can be obtained by replanting in from four to seven years, according to the quality of the soil. The custom here is to allow it to ratoon from eight to twelve and even fifteen to twenty years. Cane has been known to produce in Cuba for a much longer time than the last-named period. The yield of cane decreases yearly after the first year's planting, but the percentage of sucrose is greater in old than in new cane. The average proportion of sugar obtained from cane in 157 centrals grinding in 1901 was 9.71 per cent.

In olden times the juice was extracted from the cane by means of mortar and pestle; later on wooden rollers driven by oxen power were used, and these gave way to iron rollers driven by the same power, which were superseded by the powerful grinding machines known as mills, driven by steam power. There is but one sugar refinery in operation in the island, and this is located at Cardenas and owned by the Cuban Sugar Refining Company. It has a capacity of 400 barrels per day and furnishes practically all of the white sugar used in the island. There is another old refinery at Cardenas, which has not been in operation for some years. There are a number of centrifugals in the island, known as centrifugal turbines, where sugar is whitened to some extent by steam. The island consumes about 40,000 tons per annum.

The amount of capital invested in the sugar industry of the island is estimated at about $100,000,000, and the value of the crop of 1902 was about $82,000,000. Cuba's most valuable sugar crop was gathered in 1894, when, according to Government reports, it reached the sum of nearly $80,000,000, due largely to the fact that it had free entry into the United States. With favorable climatic conditions the next crop will probably reach 1,100,000 tons, which competent authorities believe to be about the limit of production with the present supply of labor. The modification of the immigration laws of the Republic, which are the same as those of the United States, is generally advocated by the planters and commercial classes. The present laws exclude the peasants of the Canary Islands, on whom Cuba has always largely depended for the cultivation of its sugar crop, and more especially for its harvesting.

That the adoption of the pending treaty of reciprocity with the United States would stimulate the industry to some extent is generally admitted, but the pretended fear of the beet-sugar people that their industry would be seriously menaced by a reduction of one-third of a cent per pound of the duties on Cuban sugar is groundless.

Any man who, after reading this description of Cuba's capacities and possibilities, can doubt the value of Cuba's market to us must be of a very incredulous and pessimistic cast of intellect, it seems to me.

Another aspect of the matter which should not be overlooked is this: The Methodist Church and other Protestant denominations are at present expending a great deal of money and effort in the cause of the Americanization of the citizenship of Cuba by sending thither the gospel of religion and the gospel of education. The financial and commercial aid of our Government at this important juncture will tend to accelerate this Christian movement and to establish still more amicable relations between the people of our own country and the people of this young Republic, which is in reality a ward of the United States.

Another argument in favor of the pending treaty is that it deals in such large measure with the necessities of life. Sugar used to be considered one of the luxuries fifty years ago, but it has grown to be recognized now as an essential of civilization, and a very important one, too. All Americans are free consumers of sugar. In fact, there is no article of food, except perhaps flour, in such general and abundant use in this country as sugar. The tropical fruits of Cuba, too, have become almost a necessity here. Consider the tremendous consumption of bananas in this country, and also of pineapples and cocoanuts and other Cuban fruits, some of which are dutiable and some not, but all of which will be made more available to our people by such a treaty as is now proposed. Consider also the advantages which it offers to the Cubans in enabling them to get more readily and cheaply all the many necessities of life with which we can and do supply them.

One of the cardinal principles of Democracy is the equal taxation of all, equally collected, either directly or by tariff duties, for the purpose of raising revenue to defray the expenses of an honest government economically administered. As Democrats, we favor this proposed reduction of the tariff on sugar, because it will tend to lighten the burdens of the consumers of sugar in the United States. We only wish that we could have an opportunity to lighten them still further by taking off the differential tax, which, as so clearly and concisely explained on Monday last by the Hon. GEORGE B. MCCLELLAN, the recently elected mayor of New York, is the "difference in rate of duty between the refined and unrefined sugars," and thus becomes the measure of "the protection given the sugar refiners of this country." I wish sincerely that we could give the sugar consumers of this country the benefit of this differential protection.

In conclusion, Mr. Chairman, let me say that I believe the time ought to come, and will come, when we shall extend this reciprocity principle in every direction, for our own benefit and for the benefit of mankind in general. I believe this great and mighty nation of ours, with its splendid citizenship, its inventive genius, and its wonderful resources, can well afford to invite the trade of the whole world on reciprocal terms, and thereby extend and broaden the markets for our products and attract hither the lion's share of the commerce and trade of all nations as by an irresistible loadstone.

I am proud that the representatives of Democracy in this House have the courage to rise above any prejudice against this measure because it is presented to us by the Republican party and vote for it as "one man" on the high plane that it is, as stated in the beginning of my remarks, a business proposition which, when carried into effect, will do the greatest good to the greatest number and emphasize one of the cardinal principles of Democracy.

Mr. WILLIAMS of Mississippi. I now yield to the gentleman from New York [Mr. SCUDDER].

[Mr. SCUDDER addressed the committee. See Appendix.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, this is a very much more important question in its remote bearings than in its immediate presentation. It is well that it should become the vehicle of a good deal of talk on public policy. The gentleman from Indiana [Mr. WATSON] said a moment ago that we upon the Democratic side were anxious merely to talk, and that we had forced upon the House this talking match. Mr. Chairman, I want now to recall the fact, so that the country may distinctly remember it, that as the mouthpiece of this side of the House I asked unanimous consent to give up all our right of talk if we could have granted to us just one vote, a vote upon one single amendment, an amendment for which a great many gentlemen upon that side of the House voted in the Fifty-seventh Congress, an amendment intended to stab at the vitals of the American sugar trust as best we might under the circumstances, an amendment which passed the Fifty-seventh Congress. So that it is not true that the Democracy was not willing to "do business," to use the words of the late lamented Speaker Reed. We are ready to do business now; we are ready to come to any terms whatsoever, almost, if you will just give us a vote, a yea-and-nay vote, upon an amendment of that importance to the American people; an amendment striking out of this bill a precedent of a very grave and evil import, a precedent attempting to bind—ineffectually, but still attempting to bind—the American Congress and the American treaty-making power as to their conduct in the future.

Mr. Chairman, the gentleman from Indiana [Mr. WATSON], in the course of the even and somewhat rhetorical tenor of his remarks, asked a question. He said, "What is the proper definition of protection?" I shall undertake to answer that question now, and if he is a shorthand reporter I hope he will take the reply down: Protection, Mr. Chairman, is a system of taxation whereby many are robbed in order that a few men may be hothoused

by legislation into artificial prosperity. [Laughter and applause on the Democratic side.] As a supplementary definition, protection is a system of taxation whereby capital and labor are deflected from naturally profitable pursuits and enterprises into the channels of naturally unprofitable pursuits and enterprises. [Applause and laughter on the Democratic side.] And, as a corollary, the method whereby they are deflected is by the enactment of laws forcing the consumer to pay to the artificial hothoused enterprises a higher price than with a free commerce the consumer would have to pay.

Now, so much for protectionism as an original proposition. Protection is not, however, in this country an original proposition. We are not forming a new government, and we are not framing an absolutely new and revolutionary change of a fiscal system. But that is the definition of original protection, and it is a definition which no fair-minded man can pick a flaw with.

Now, there is one contention made by the Republicans and by the advocates of protectionism everywhere which is true, and it is useless to deny the truth of it. It is true that you can pick out an enterprise and make it more profitable by protectionism. It is also true that you can create an enterprise de novo by protectionism. The only question left is whether you are willing to pay the price. And, if you state the proposition to the people as an original proposition, naming your enterprise and the price to be paid, they would very seldom be willing to enter into the bargain and pay the price.

That brings me, Mr. Chairman, to my favorite banana theory. There is in the United States, I suppose, one hundred acres of land where bananas can be grown in the open air, and yet I could, were I the legislating body of this country, or were I the Czar with absolute power and disposed to make the people pay the price for it, create a "Great American Banana Industry." I could put a tax of one dollar apiece on bananas which are now selling in the streets three for a nickel and inside of five years I could, with a good custom-house service, have created and exploited a vast banana industry. It is true that a great many people who formerly ate bananas could not buy any bananas at all, and some people would have to buy fewer bananas; but it is also true that a great many people, who are plutocrats and aristocrats, would eat them because the common people—Dagoes, Jerseymen, and Mississippians—could not. [Laughter and applause.]

If I continued that system of taxation in existence for twenty years, at the end of that time there would have come to the front a new generation that "knew not Joseph" nor cheap bananas; and the moment sensible people came into power with the idea of revising the banana schedule these gentlemen who "knew not Joseph" and had gone into the American banana business and perhaps formed a banana trust would come to the committee room of the National Legislature, knocking upon the doors all the time, and giving utterance to cries of unutterable woe: "Are you going to strike down the Great American Banana Industry; are you going to reduce the duty from a dollar apiece on bananas to 80 cents? We can't stand it. It will ruin us. Are you going to make the people engaged in banana raising go to the soup houses? Are you going to discriminate in favor of pauper tropical sunshine against self-respecting American hothouse laborers?" [Laughter on the Democratic side.]

Let us stop a moment and follow the banana theory a little further, because I am fond of bananas. [Laughter.] What would have been the result of establishing that industry? Merely this, that you would have deflected a certain amount of American capital and a certain amount of American labor engaged in the general hothouse industry into a different channel of hothouse proceedings, and instead of having their hothouses for the purpose they have them now they would have converted them into banana nurseries, and the consumers would be paying a dollar apiece, or perhaps 90 cents apiece, for bananas, because the protected interest would have to undersell somewhat the foreign markets.

After fifteen or twenty years "home competition" would have reduced the price of bananas in the American market to, let us say, 40 cents apiece, and then Republican orators and politicians would say privately, in newspapers, and on the stump and within these walls, with due solemnity and without a mutual smile: "Lo, and behold! See how a protective tariff has reduced the price of bananas from 90 cents apiece in 1950 to 40 cents apiece in 1965—nearly 50 per cent decrease in price to the consumer! Protection did it!"

Yes! A reduction from superlative extortion to comparative extortion!

But in all this picture keep in mind one thing: While protectionism lasted bananas would never reach three for a nickel, because if they did, that public enemy—tropical sunshine—would be master.

What would you have accomplished? Would you have increased the wages of labor? Not a particle. You would merely have deflected capital from one channel to another, from one sort of hothouse production to another, or from a production which was not hothoused at all into a hothouse production. Would you have increased the demand for labor? Not at all, because this capital and this labor would have gone out of something else—something that with freer commerce or with free commerce would have been naturally profitable—into this business, which, otherwise unprofitable, you have by law made profitable. Yet it would be true that these people, having been deceived into that occupation by law, ought not to have the entire scaffold cut down under them all at once. It was not their fault that this pernicious and miserable "abomination of abominations" in the way of a fiscal system existed. They had merely taken advantage of the situation which the laws of the country furnished them, and they ought to be reduced down to the competitive point of the banana trade by slow processes, but brought there after a while.

Now, my friends, I have given you the whole definition and an illustration of the manner of working of the protective tariff wherever it is needed. Now, wherever it is not needed, wherever a man could make a reasonable profit without a protective tariff, then, of course, you merely enable him by tariff taxation to tax the home consumer up to the point of foreign competition and do as a great many corporations do in divers businesses—recoup from us, while selling to the foreigners cheaper. And so stands the great Republican party to-day with a dozen industries, which, by changed conditions, have gotten to where they can support themselves in the home and foreign markets both. The great steel industry ships its products all over the world. The great American boot and shoe industry shipped, as the gentleman from Ohio [Mr. GROSVENOR] said, $7,000,000 worth, or even a greater amount, to foreign ports last year. Now, one of two things necessarily happens when this occurs. Either the manufacturers do not need the protection, because they can vie with the foreigner and the "pauper labor" of the foreigner, after paying freight across the ocean, in his own market; and if they can, then certainly they can vie with him in the American market, after he has paid the freight across the ocean; either that is the case, or else they do need the protection and are selling below cost to the foreigner or below a fair profit and making up their losses on us at home.

If they are selling below a fair profit, then in order to carry on their business abroad and here they must recoup at my expense and your expense as general consumers, and it is the tariff that enables them to do it. My friends, you have gone on for years howling about giving the American market to the American manufacturer and the American producer. You have come to the point in connection with the barbed-wire industry, the nail industry, the steel-rail industry, the locomotive industry, the telephone and graphophone, and sewing-machine, and boot and shoe industries, and a great many others that I could mention, where those who control those industries have the foreign as well as the home market, and you are still keeping the tariff up. Why? Why? Because you dare not "disturb existing conditions," as you say. That is not it. It is because you dare not disturb the existing tariff schedule lest you "open the doors." That is the truth, isn't it—lest you open the doors? That is what you are afraid of. You are not afraid about reducing the duty on boots and shoes.

To-day there is not a boot and shoe man in Massachusetts who would not tell you he can get along very well without it. There is not a Southern cotton man manufacturing heavy cotton goods that will not tell you he is shipping his goods to China in competition with the entire world. But you are afraid that if you open the doors, instead of stopping at the reduction of duties on those things, the people will go further and reduce them upon things where you think an artificial, hothouse enterprise would be by legislation knocked out of existence. Now, that is the truth. Mr. Chairman, the gentleman from Indiana [Mr. WATSON] first denied what I had said, that the Republicans were tariff schedule fetich worshipers. I do not mean that you actually do bow down every morning and every night and erect a little bit of an image of the tariff schedule. I do not mean that you take a picture of a boot or shoe with the per cent marked on the sole and literally worship it. Most of you do not bow down to anything, particularly—[laughter]—and therefore you do not bow down to boots and shoes and the schedules. [Laughter.] But what I mean is this, that you have put into utterance the slogan, "Stand pat." Why? Are you afraid of the common sense of the American people? Are you afraid of your own common sense when you are in power?

Gentlemen tell us that whenever the tariff is to be reduced and its iniquities and injustices disposed of, it shall be done by its friend, the Republican party. Well, its friend, the Republican party, is in power now, with a very large majority here and a very large one over in the Senate, and with an immense majority at the White House—[laughter]—a very "strenuous" majority of one—e pluribus unum—disregardful of international and

national relations of all sorts, it is true, but still a purely Republican majority. Can't you trust him? Can he not trust you? Can't you and the Senate trust one another? Why don't you go to work and do this revising? Why? You are afraid that the men who helped you in the campaign with campaign funds may persuade their laborers that you would hurt them, and that they themselves will refuse to contribute to your campaign fund if you "revise" before election. Isn't it a real nice thing for politicians to talk honestly to one another, gentlemen? That is what is the matter, isn't it? [Laughter.]

Now, Mr. Chairman, this debate seems to have proceeded with the idea that sugar was the only thing in the world, and the only thing in this reciprocity treaty or in this bill. Gentlemen seem to have forgotten that the duty on all articles of whatsoever nature, and refined sugar even, is reduced by this bill 20 per cent. Gentlemen seem to have forgotten that we are making a market in Cuba for Western farm produce and for Southern cottons and cotton-seed oil. Gentlemen seem to have forgotten everything but sugar. Some of my friends on this side have caused me to recall a thing that I had not heard for years, but which came back to my mind while they were talking. In the early days of the Republic of Texas some English noblemen were traveling through that country. They were entertained by one of the local magnates who had settled there, and he took the English noblemen down to the only "gentlemen's club" existing at that time within the confines of the Republic—the public barroom; and while down there he concluded he would impress the barkeeper with the magnitude of his social standing. So he turned to one of them and said:

"My lord, I believe you are a marquis in your own country?"

"Yes."

"And, my lord, I believe you are an earl at home?"

"Yes."

Then he said, "Jim, these are marquises and earls. What do you think of that?"

Jim said, "Oh, well, I don't care much about that. There ain't but two classes of men in this place. One is them that takes sugar in theirn, and the other is them as ain't so durned particular." [Laughter.]

Now, I belong to the class that has a very tender and soft feeling for the sugar in a great many things, but I am very much like that man. I would not neglect the real solid elements that enter into the composition simply for the sake of the sugar. [Laughter.]

Now, one of my friends on this side said something about the probable position on this question of the greatest Democrat that ever existed, except He who was both God and man, and he absolutely seemed to think that that great Democrat agreed with him about his position in opposition to this bill. Let me call the attention of my friend to some of the language of Thomas Jefferson upon this identical sort of question. He says:

Such being the restrictions on our commerce—

Just the situation we are in now, the Republican party in power—restrictions upon our commerce—unable to start de novo; where we could not if we would, and would not if we could, totally reverse the engine, because it would mean revolution and destruction to a very large extent, but desirous of having freer relations with the world; Mr. Jefferson says—

the question is, in what way may they best be removed, modified, or counteracted?

As to commerce, two methods occur. First, by friendly arrangements with the several nations with whom these restrictions exist; or, second, by the separate act of our own legislatures for countervailing their effects.

There can be no doubt—

Under these restrictions, at that time—

but that of the two, friendly arrangement is now the most eligible. Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, could it be relieved from all its shackles in all parts of the world, could every country be employed in producing that which nature has best fitted it to produce, and each be free to exchange with others mutual surpluses for mutual wants, the greatest mass possible would then be produced of all of those things which contribute to human life and human happiness; the numbers of mankind would be increased, and their conditions bettered.

Then he goes on:

Would even a single nation begin with the United States this system of free commerce, it would be advisable to begin it with that nation; since it is one by one only that it can be extended to all.

It is one by one only, my friends, that under a Republican Administration you can procure conditions of freer commerce with the nations of the world.

Some nation—

Mr. Jefferson proceeds—

not yet ripe for free commerce in all its extent, might still be willing to mollify its restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly they might concur with us in restricting the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature. Our commerce is certainly of a character entitling it to favor in most countries.

Now, my friends upon this side more especially, listen, and I want to call attention of gentlemen on that side, too, to a very interesting letter written by one Augustus G. Payne, acting president of the great American Protective Tariff League, an organization for the purpose of keeping up the indissoluble bond of union between legislative robberies, lest if one were turned down all might, in the course of time, go. I wish to read it for the benefit of both sides:

[The American Protective Tariff League. Devoted to the Protection of American Labor and Industries. National headquarters, No. 339 Broadway, between Worth and Leonard streets.]

NEW YORK, *November 17, 1903.*

DEAR SIR: The American Protective Tariff League concerns itself with no special industry or group of industries. It concerns itself with all industries. It is supported by the friends of protection in every part of our country and especially by the small manufacturers who have done so much to develop our country.

It aims to make popular the protective tariff system, and has always remained consistent with its record and its principles. The development of a small industry which has a right to live on American soil is as much the concern of the league as the prosperity of mighty enterprises.

It is because it believes that a reciprocity treaty or reciprocity legislation which permits the introduction into this country on a favored basis of articles which we ourselves are producing is to deny to a certain extent or to forget for the time being the great principle of protection. Reciprocity in competitive products, whatever else it may do, can not possibly harmonize with protection.

Nor can such a proceeding, from the standpoint of protection, be justified, no matter what its source, no matter how deserving its objects, no matter how specially advantageous as respects any present commercial advantage to ourselves, no matter what party cry is heard. Exceptional conditions can not excuse and will not help us.

The principle is denied; that is the serious fact. It will not merely return to plague us; it is here and will remain plaguing us, perhaps to our undoing. No doubt of it.

Every tariff reformer favors Cuban reciprocity because it is tariff reform and not protection. When we find both protectionists and tariff reformers voting for a tariff measure—one asserting that the measure is not out of tune with protection and the other hailing it as a real advance toward free trade—we may be sure that one or the other is mistaken.

The spirit of 1892, when protection had gone out of fashion, seems to be in the air. Cuban reciprocity will do more to undo the tariff in 1904 than a sated and complacent prosperity did in 1892.

Sincerely, yours, AUGUSTUS G. PAINE,
Acting President.

Hon. ALBERT S. BURLESON, M. C., *Washington, D. C.*

Reciprocity in competitive products, whatever else it may do, can not possibly harmonize with protection. Nor can such a proceeding, from the standpoint of protection, be justified.

Mark this:

No matter what its source, no matter how deserving its object, no matter how specially advantageous as respects any present commercial advantage to ourselves, no matter what party cry is heard, exceptional conditions can not excuse and will not help us. The principle is denied; that is the serious, the eventful, fact. It will not merely return to plague us; it is here and will remain plaguing us, perhaps to our undoing.

God grant it! [Laughter and applause on the Democratic side.] It is true, my friends the enemy, that your "principle is denied," and it is "a serious and eventful fact," and that is why I say this bill is more important in its remote bearings than in its present consideration. If that great man, Mr. James G. Blaine, had lived and had the power to do as he proposed, although he would not have done it purposely and willingly, if he had carried out the policy that he had in his mind, he would have sapped and undermined your entire wall of protectionism fortifications and they would have crumbled to the ground after a while, because just as surely as you take one man out of the shelter of it and his self-interest no longer appeals to him or he finds that he prospers without it, he becomes one of the great body of the people, ceases to be one of a peculiar class that is "protected," and then he ceases to give you his political support. Reading further from this letter, this gentleman says:

Cuban reciprocity will do more to undo the tariff in 1904 than a sated and complacent prosperity did in 1892.

My friends on the Democratic side of this Chamber, with Jefferson indorsing our position and the Great American Association of Tariff Barons—the Protective Tariff League—opposing it, how can we doubt ourselves?

I want to say a few words about the "sated and complacent prosperity" in 1892. My friend from Georgia [Mr. MADDOX] will remember how complete "the sated and complacent prosperity" was in Georgia and in Mississippi at that time, with cotton selling at less than the labor cost of production. Gentlemen from Kansas will remember that about that time the people in Kansas were burning corn for fuel, because it cost less to burn it than to sell it. They will remember that the people were restless and in their desperation were grasping at desperate remedies; that it was a time when subtreasury schemes and State socialism were preached and indorsed all over the West and South. You will remember that because of the hard conditions of the people in 1889, and in 1890 and 1891, they threw your party out of power.

You will remember that Harrison himself said in a newspaper interview, which I read and have never seen denied, that the reason he was thrown out of power and Cleveland was elected was because of the unprecedented hard times and suffering, for which the people of the South and West, without due reason, held

his Administration responsible. Yet the gentleman from Ohio gets up here and tells you that when Cleveland came into power the country was in a condition of great prosperity, and this president of the Associated Order of Tariff Barons and Beggars speaks of the "sated and complacent prosperity of 1892." Why, Mr. Chairman, those hard times were not confined to the United States. The Baring Brothers broke; there was disaster and panic in Australia and in the Argentine Republic and all over the world, and it reached us last because we were the strongest nation and best able to stave it off, but when it reached us we got a very great dose of it.

The entire world had been on a boom during the seventies and early eighties. Towns had been laid out in Virginia and West Virginia and are still "laid out," and for eligible sites 3 miles out from an imaginary town site people had paid $20 and $30 a front foot. All this collapsed, and lo! disaster. If you do not mind you are riding to the same sort of a fall now, and notwithstanding all your eulogies of the great "prosperity" that exists largely in your minds, a collapse will come. The people are finding that by your laws you encourage and keep in power not only monopoly, but, because of the tactics which you have pursued, monopolies which are public swindles and "get-rich-quick" cheats.

There are States which permit the formation of trusts and yet deny them the right to do business within their own confines; do not permit them to do business in the State of their birth, but create them under the safeguards of the Federal interstate-commerce laws to do business in Mississippi, Texas, and Nevada—combinations that have for their sole purpose nothing else than harmful action to the consumer. There is a rotten system for you which must eventually collapse. God grant when the general collapse comes that only the speculators, the bankers furnishing them with the money to finance concerns that are not worth three cents on the dollar, may be injured. Yet men who do this sort of thing are considered to be the great "financiers" of this country.

I want to call your attention to something in Mr. Harrison's message in the year 1889. I find in his message of 1892 that he says our receipts from customs had fallen off $42,000,000 and some odd hundred thousands, the net loss of revenue from all sources being $32,675,972 and some cents.

Mr. Harrison went into office with one hundred and some odd million dollars lying in the Treasury over and above the gold reserve, and he went out of power with between two and three million dollars over and above the gold reserve in the Treasury of the United States, and yet gentlemen get up here and talk about "the great prosperity of 1892," "the sated and complacent prosperity of that year."

Now, I say I like to hear the gentleman from Ohio, General GROSVENOR. He is such a magnificently bold and serene prophet. I myself hardly ever prophesy, and for this reason. I had an old friend in Mississippi, one of those men who speak magnificent common sense in rather bad English—and there are a great many of them through this country—and he said: "John, you have been elected to Congress; now, don't go and turn prophet; prophets is mostly darn fools, and they find it out themselves when the thing they prophesy don't come to pass." [Laughter.] But my friend from Ohio is the most exuberant and unscrupulous prophet that this part of the world ever saw. [Laughter.] I can not follow him in that, because I could not beat him at it if I wanted to, and besides that, even my association with the Republican membership of this House, which is of the kindliest and most friendly character, has not got me to the point where I am utterly disregardful of some desire to be justified by future events. [Laughter.]

Now, my friends, the gentleman from Ohio makes a defense for Calico Charlie Foster which does Calico Charlie proud, and he has called Charlie Foster to make it himself. Unfortunately, it happens to be an afterthought in the face of Secretary Foster's testimony. I find in the CONGRESSIONAL RECORD of March 23, 1897, this order put into the RECORD, sent for by a messenger on that day, and those of you that were here at the time will remember it. Here it is. There is no denying it, for it can not be denied.

SIR: You are hereby authorized and directed to prepare designs for the 8 per cent bonds provided in Senate amendment to the sundry civil bill now pending.

Remember, now, that it was in obedience to an amendment in the Senate. The Senate had provided for a bond issue by an amendment, which was in process of becoming a law, and Secretary Foster issued this order. I continue to read:

This authority is given in advance of the enactment in view of the pressing contingency.

This is dated February 20, 1892. The election did not take place until the succeeding November. Now, even my friend General GROSVENOR can not bring a witness into court to deny by an afterthought his own handwriting and his own statement made at that time.

But, Mr. Chairman, that is not all of this. Secretary Foster on the hearing before the committee, when he was before that committee, said:

Now, I want to say to you that these estimates are based upon conditions existing prior to the late election.

That is what he said in his testimony—not as an afterthought now—in a letter to General GROSVENOR in view of influencing political conduct now. Mr. Foster can not be heard now to deny his then statement that the "conditions existed prior to the election." Then later he was cross-examined, and in answer to a question as to whether there would be a deficit or not, he says: "I should say the next fiscal year would show a deficit."

Mr. TURNER. Can you give an approximate estimate according to all the data accessible to you?

Mr. SECRETARY FOSTER. I will only say this, that if I was to have the management of the Treasury I should insist upon an increase of revenue to the extent of $50,000,000.

A MEMBER. What are you reading from?

Mr. WILLIAMS of Mississippi. I am reading from a speech in the CONGRESSIONAL RECORD of March 25, 1897, by Mr. Dockery, of Missouri, he having placed these documents there on that day. It says that he sent to the Treasury Department for the original Foster order, and it came. My friend from New York [Mr. PAYNE] will remember that the gentleman from Ohio [Mr. GROSVENOR] then disputed Mr. Dockery's statement, and that Mr. Dockery sent a messenger down to the Treasury Department to get the original letter of Secretary Foster and the hearings before the committee, and it was all brought here and sprung upon the House that day like a bombshell.

Mr. BARTLETT. The speech shows that the messenger was sent for them.

Mr. WILLIAMS of Mississippi. I know it, and gentlemen who were here at the time will remember it. My friend from Ohio, General GROSVENOR, was still denying it, and I reckon he will go on denying it until the last minute.

My friend from Ohio then attempts to explain how it was that we sold goods cheaper abroad, and he had an illustration or an analogy, and said that he had known "goods are sold cheaper in the spring time" than in the balance of the year. Unfortunately these goods do not happen to be shipped abroad exclusively in the spring time; some go on "other days."

My friend from Ohio says that with the Republican tariff law foreign trade has grown immensely. Oh, my friends, that rises above a jest. How foolish and how partisan that is! Under all sorts of administrations and under all sorts of tariff laws the foreign trade of this country has gone forward, growing by leaps and bounds, pari passu with the growth of the country. This country at the period he was speaking of as being at one end of his comparison had some three millions of population, at another period ten millions of population, and at another one twenty millions.

The other end of his comparison is the present.

It has eighty-five million souls now. It has four times the amount of territory that it had at the beginning. It had, let us say, about three million workers in the fields of industry in the forties. It now has twenty, and yet gentlemen want to claim great Republican credit because "our foreign commerce has grown." Would it not have been remarkable if it had not grown? Let me tell you something, gentlemen, in all due honesty. There are 385 politicians in this end of the Capitol and there are 90 at the other wing, and if every one of them were to die to-morrow, and not another Senate or House were to be elected for twenty years, and the laws were to be left just as they are, or if they were left as they would be after the Democrats had come into power and changed them, this great country would go on prospering. [Applause on the Democratic side.] To show how prosperity comes anyhow, we have prosperity in both home and foreign trade in spite of a large measure of Republican hindrance.

It would go on prospering because of the magnificently extensive area in which there is absolutely free, unrestricted, and untrammeled trade. [Applause on the Democratic side.] The world has never seen anything like it. It would go on prospering because it is a country of cheap land; and labor and wages are dependent in the ultimate analysis upon the price at which land can be bought or can be rented. Man does not get out of agriculture—out of the primitive and best condition of man—and into other businesses unless he is paid to do it by greater compensation. If a man can get land cheap, he can defy anybody that wants to tyrannize over him in regard to his wages by going upon the land and either buying it or renting it or entering it as a homestead.

It will continue to be prosperous for another reason—because we are the one people on the globe, except some of our British cousins in the colonies, where there is absolutely no caste, where a man knows that although he is working to-day pegging shoes he may the next year be governor or something of that sort, and that

if he is not, his children may be almost anything—millionaires or presidents. Men work with hope and with incentive when they know that they are not confined within unleapable walls, and will continue to work. So I say that it is folly and partisanship to stand before the great American people and the world claiming the benefit of everything—our growth and even the discovery of gold in Alaska, and the invention of the cyanide process of getting more gold out of a given quantity of ore or getting it out of intractable ore, and the benefit of all the inventions and all the progress of the world as fruits of tariff legislation simply because you have been in power for the Lord knows how long. Meanwhile we and the world have been growing in spite of you. "I bade him mark that the thrushes still sang."

Mr. LACEY. Will the gentleman yield to a question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. LACEY. I know that the gentleman does not desire to make an argument based on a mistake.

Mr. WILLIAMS of Mississippi. Certainly not.

Mr. LACEY. He has made a mistake of just one year in Foster's letter. The gentleman has based his argument on the statement that Foster's letter was written in 1892, when, as a matter of fact, it was written in February, 1893.

Mr. WILLIAMS of Mississippi (after examining the RECORD). The gentleman is right, I see by reference to the RECORD. I regret exceedingly to have made the mistake. The date is a little blurred in my copy. The letter was written in February, 1893.

Mr. LACEY. Just about a week before Mr. Cleveland's inauguration.

Mr. WILLIAMS of Mississippi. I am very glad to have had the mistake called to my attention.

Mr. BOWIE. But Harrison was still President. [Laughter on the Republican side.]

Mr. WILLIAMS of Mississippi. I am very glad the gentleman from Iowa has called my attention to that, because I would not want an error to go uncorrected into the RECORD, and, frankly, my argument at that particular point was to a large extent based on the error now called to my attention.

Mr. LACEY. I do not want my friend, whom I admire so much, to make a mistake thus early in his leadership.

Mr. WILLIAMS of Mississippi. Well, I have one consolation about that, and the country may share that consolation. If a fellow on this side of the Chamber makes a mistake in his leadership he does not get many followers, but when a leader makes a mistake on that side of the Chamber you all follow him like sheep. [Prolonged laughter and applause.] So I feel to a certain extent that I am in the hands of God and my friends. [Laughter and applause.]

One amusing thing about this debate is one of the explanations given by one of my friends over there—I think it was my friend whom I like very much, very much indeed, Mr. GARDNER of Michigan. He is for this bill now, while he was not for it before, because they put in the five-year clause, which prevents them from changing the legislation in the meanwhile.

In other words, a year ago the cry was, "For heaven's sake do not enact this legislation; it will ruin us;" and now he comes in and says, "Well, it won't ruin us except for five years, and that is all right." [Laughter.]

Talking about amending the treaty, my friend from Pennsylvania [Mr. DALZELL] said of course I knew it would have to go back to the treaty powers. Of course it would, but I am informed that that very proviso sought to be amended—that proviso in article 8—was put on by the Senate as an amendment to the treaty, so having already one amendment on it, with one more amendment you could get the treaty back just as quick.

Mr. PAYNE. Oh, no; it has already been to Cuba and has been ratified.

Mr. WILLIAMS of Mississippi. With that part of it in it?

Mr. PAYNE. Yes.

Mr. WILLIAMS of Mississippi. Then my friend from Georgia [Mr. BARTLETT] had a different idea.

Mr. BARTLETT. That was an amendment put on by the Senate on the 19th of January, 1903.

Mr. PAYNE. Yes, but it has been to Cuba since and has been ratified there.

Mr. BARTLETT. When it came over to this country first it was not on the bill.

Mr. WILLIAMS of Mississippi. All right. It has been amended once, but that amendment you say has already received the confirmation of the Cuban government. Still it was put on in the Senate, and if the Senate can amend it, why, then, surely the gentleman from New York [Mr. PAYNE] ought to be willing to say that the House can, because he is peculiarly the man that has always stood for the principle, about the accuracy of which, by the way, I am not certain, that the House of Representatives in connection with matters of this sort has equal power with the Senate and stands upon an exactly equal footing and must be first consulted. So if the Senate could amend it, why, then, the House ought to be able to amend it too, if the gentleman from New York is right.

Mr. PAYNE. Will the gentleman allow me a word?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. PAYNE. Of course the House can amend it, but then it must go to the Senate.

Mr. WILLIAMS of Mississippi. But how if your Senate will accept the amendment—your Senate for which you are responsible as a party? It ought to accept it. I expect it would now, because they have had time to talk the matter over since they acted before and found out that the sugar trust really will be hurt by this amendment, and I know so well this Republican Senate that I believe if they would find out that they really could thereby hurt the sugar trust they would adopt the amendment in a minute. We have convinced them of it now.

As Cuba has managed to exist since the time when the gentleman from New York [Mr. PAYNE] informed the House last Congress that if we did not act in very short order she would cease to exist—as she has managed to exist during this intervening time, could she not manage to exist three weeks longer, until we could cable back and forth a confirmation of this little amendment?

Mr. PAYNE. Now, the gentleman knows that that process would take months.

Mr. WILLIAMS of Mississippi. Suppose it did take months.

Mr. PAYNE. In the meantime the sugar crop would be harvested and gathered, and you would be declaiming against the sugar trust that it had bought up all the sugar.

Mr. WILLIAMS of Mississippi. How long it would take depends—

Mr. PAYNE. The gentleman is trying to help the sugar trust by his amendment.

Mr. WILLIAMS of Mississippi. Well, if I am, the Lord knows I am unconscious of it. [Laughter.]

But I will say in answer to my friend from New York [Mr. PAYNE] that the length of time it would take would depend upon the care and strenuosity brought into action at the other end of the Avenue. If you could just halfway approximate the celerity that has lately actuated this Administration in connection with the new-born Republic of Panama, you would have it back here in three days. [Laughter and applause on the Democratic side.]

Mr. PAYNE. Oh, well, but the minds of the mighty czars in another place have not operated on this Panama business yet, and they have operated on this treaty.

Mr. WILLIAMS of Mississippi. They will operate quickly in some way or other, provided the trust is not hurt. [Laughter and applause on the Democratic side.] They are waiting for us. Now one of my friends says that this is an unconstitutional bill, because the Constitution of the United States says that "all bills raising revenue shall originate" in the House of Representatives. The Constitution of the United States says that, but it does not say anything but that. It says all "bills" raising revenue shall originate in the House of Representatives. It does not say that all treaties raising revenue shall originate here. The treaty-making power is given in the Constitution without limitation, save the limitations to the Federal Government itself. The treaty-making power in its exercise was hedged in by the necessity of a two-thirds majority in the Senate, and although I have not studied the question out far enough to know, our forefathers may have thought that that safeguard was sufficient; that while they would not let the Senate, by a bare majority, representing only the States and not the people, originate a revenue measure, they would let them do it by a two-thirds majority, which would in all cases probably carry as an incident a majority of the population of the country.

Now I dwell upon that for this reason: I am known to be a stickler for the Constitution. I have spoken of you gentlemen over there as schedule fetich worshipers. I am, perhaps, a Constitution fetich worshiper—one of the very few left. There are some few on this side. I hope that they will grow in numbers in the course of time. But I have always thought that the Constitution was superior to any temporary whim of the people themselves, and certainly superior to any temporary whim of Congress; and if I thought that this was an unconstitutional measure, it should not have my vote if the whole Democratic party depended upon it, and if my seat depended upon it, and if a great deal of everything that I hold most dear in the world depended upon it. But there is nothing in that.

Mr. COOPER of Wisconsin. Will my friend permit a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. COOPER of Wisconsin. In connection with your discussion of the constitutional question, I would like to ask the gentleman from Mississippi if he has not forgotten that clause of the Constitution which confers upon Congress the right to levy and collect duties? Is not that an exclusive prerogative in Congress?

Does not the mentioning of one thing in an organic instrument of that kind exclude that power from any other?

Mr. WILLIAMS of Mississippi. Oh, no! Every Federal power that is conferred upon Congress in the Constitution—nearly every one of them—is unquestionably subject to execution by the treaty-making power of the country as well. This is the only one that has ever been questioned, namely, the one with reference to the raising of revenue. The others are not even questioned by anybody. Perhaps the powers are concurrent. I am not passing upon this question, however, understand me.

Let us see:

For example, Congress is expressly granted the power to "establish a uniform rule of naturalization," to "coin money and regulate the value thereof," to "establish post-offices and post-roads," to "define and punish piracies and felonies on the high seas and offenses against the laws of nations," and yet there has never been any dispute about the fact that the treaty-making power of the United States can enter into conventions and treaties with foreign countries concerning naturalization of our citizens there and of their citizens here.

A few years ago you will remember that there was very much talk about "international bimetallism" to be arrived at by treaty between the great nations of the world. Nobody disputed or dreamt of disputing the power of the United States to enter by treaty into such an arrangement, although it involved coinage of money and the regulation of the value thereof. We have a half dozen postal conventions and treaties with foreign countries, and no one has ever disputed our authority to make them. We have many treaties defining certain things as "piracies and felonies upon the high seas"—for example, the African slave trade—and yet all of these powers are expressly granted to Congress in the Constitution, just as is the power to regulate interstate and foreign commerce, and to levy and collect duties.

If one is an exclusive grant it seems to me that all are. In other words, the grant to the President and the Senate to make treaties is a broad, general grant in express words, and it is unlimited by other express words or by any necessary intendment, except the limitations upon the power of the Federal Government itself.

Mr. COOPER of Wisconsin. Will the gentleman permit one more question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. COOPER of Wisconsin. The power to levy and collect duties is in express terms conferred on Congress, and is in express terms conferred nowhere else throughout that instrument. Now, as I understand you, you hold that by implication that is qualified in a subsequent clause which gives to the President and the Senate the right to make treaties.

Mr. WILLIAMS of Mississippi. I do not care to get off from the line of my argument. There are a dozen places in the Constitution where express powers are conferred upon Congress, and during the entire history of this country the treaty-making power has dealt with the subject-matter of those grants to Congress.

Now, one gentleman on this side reads a Democratic platform and he says the Democratic party has pronounced against reciprocity. When I read it I find it to be that the Democratic party declared against "sham Republican reciprocity"—that is, a reciprocity treaty that did not reciprocate; a treaty that did not give anything, did not concede anything in the way of a real reduction of duties in America, nor really extend our markets abroad, and treaties, therefore, which did not help the American consumer nor the American producer.

One gentleman says that this is a Republican bill. Now, Mr. Chairman, I do not care about the source of any measure. I think that the man who serves his country best serves his party best, and if a man can not serve his party in that way—if he has a party which can not be served that way—I think the sooner he gets out of that party the better. I know that the Democratic party is not that sort of a party. [Loud applause.]

I do not care about the source of a measure, if it is right, and the gentleman's argument would lead him to take the same position as he takes now if faced with the question of reducing the duty on barbed wire or nails, or agricultural implements—of refusing to do it because it was piecemeal in the first place, and in the second place, the recommendation was sent from a Republican President.

I am glad to see a Republican President, especially this one, have a lucid interval, and I am glad to see a Republican majority in this House share his lucidity for a short while. [Loud and long-continued applause on the Democratic side.]

Mr. McCALL. Mr. Chairman, it is not my purpose to follow the wide range of this debate and discuss the great variety of subjects that have been brought before the committee. I shall, however, depart from the line of speaking with reference to this bill and refer to the definition of protection which was given by the distinguished gentleman from Mississippi who has just addressed the House. He regarded protection as a hothouse policy, and illustrated his definition very aptly by the article of bananas. Bananas, I believe, have been upon the free list for nearly twenty years, and there has been no attempt to stimulate their production in this country.

The sane idea of protection is to attempt to establish only those industries which by nature we are fitted to carry on in this country. Probably in the course of time, in a geologic age or two, when the ores of the older portions of the world had been exhausted, our own resources might have come into play. But the American people are rather an ambitious people; they did not care to wait some thousands of years, and they adopted the policy of protection at first, a rather heroic policy, so that we have witnessed as a result of its application in this country an industrial development that never before was seen in the world, and we have also incontestably witnessed a cheapening in the cost of production.

But to turn to the bill before the House, which deals with an important volume of trade between two countries, a trade that now amounts to nearly a hundred million dollars a year, and under the policy of this measure is destined greatly to increase. If the trade aspect of this bill were its most important aspect it would not have deserved a tithe of the attention it has received from the country. It has appealed powerfully to the sentiment of the American people, and for the last two years no other subject has been so widely discussed. It has been supported by two Presidents in succession, and has been made the central policy of the Administration of the present Executive, who has adhered to it with a persistency and fidelity that do him honor. It occasioned in the last Congress one of the most angry controversies ever witnessed in Congress.

Surely he must be an ambitious statesman who would not be content to solve such an important question as this one in a single measure, but who would desire to have a measure dealing not only with Cuba, but incidentally with the rest of mankind. Cloture and drastic rules against amendments are weapons to be resorted to on rare occasions, but I think the Republican party, which is responsible for legislation here, is to be congratulated that it has asked the House to devote itself to a single great purpose in order that this great question, that has been discussed for the last two years, shall at last be finally settled.

The gentleman from Missouri explained the tactics of the minority when he said that the way to defeat this measure was to adopt the amendment proposed by the minority. I know of no one, either in this House or out of it, who can employ language more accurately than the gentleman from Missouri, and he expressed the exact purpose of that amendment.

As the chairman of the Committee on Ways and Means has explained to the House, the amendment with reference to the five years' provision would make it necessary to have a new convention with Cuba; the present convention having already been ratified by both Governments, a new convention would have to be made. This would create delay. The Cuban question would be returned to the condition it was in two years ago. In the meantime the sugar crop that is being harvested in Cuba would not come under the terms of this bill, and there would be a serious loss to Cuba. So, I say, let us trifle no longer with the hope of Cuba kindled by us two years ago and deferred and deferred again until her heart is sick. Let us redeem the pledges we have made, if not to Cuba, at least to the American people in Cuba's behalf, and pass this bill without further delay. I am somewhat surprised at the attitude of the gentleman from Mississippi who has just taken his seat, concerning the power of the treaty-making department of this Government to pass laws for the internal government of the United States.

It is a singular position for the gentleman to take, if I have not misunderstood him, that the Executive and Senate, under the guise of making treaties, can pass in secret taxation laws for the American people. James A. Garfield, one of the greatest political scholars who ever sat in this House, once declared that the infringement by the Senate on the constitutional prerogative of the House in raising revenue, if assented to by us, would inflict a fatal wound on our system of government. I submit that if we concede to the Senate the right to pass legislation by treaty and the right to impose taxation by treaty we will have surrendered the last vestige of popular representative government in the United States. [Applause on the Republican side.]

Let me quote to you some old-fashioned doctrine on this point from a report that has been brought to my attention by my colleague on the Committee on Ways and Means, the gentleman from Pennsylvania. A treaty was pending before the Senate with Prussia and other States of the Germanic federation, and the Senate Committee on Foreign Relations made this report to the Senate through Rufus Choate, one of the greatest lawyers who ever sat in that body and the greatest advocate who ever spoke

at the American bar. I ask your attention while I read briefly from what Mr. Choate says:

In the first place, the committee propose to confine themselves to a very brief exhibition of another and single ground upon which, without reference to the particular merits of the treaty, they advise against its ratification.

Then he adds:

The convention which has been submitted to the Senate changes duties which have been laid by law. It changes them either ex directo and by its own vigor, or it engages the faith of the nation and the faith of the Legislature through which the nation acts to make the change. In either aspect it is the President and Senate who, by the instrumentality of negotiation, repeal or materially vary regulations of commerce and laws of revenue which Congress had ordained. * * *

Without engaging at all in an examination of the extent, limits, and objects of the power to make treaties, the committee believe that the general rule of our system is indisputably that the control of trade and the function of taxing belong, without abridgment or participation, to Congress. They infer this from the language of the Constitution, from the nature and principles of our Government, from the theory of republican liberty itself, from the unvaried practice, evidencing the universal belief of all, in all periods and of all parties and opinions. They think, too, that, as the general rule, the representatives of the people, sitting in their legislative capacity, with open doors, under the eye of the country, communicating freely with their constituents, may exercise this power more intelligently, more discreetly, may acquire more accurate and more minute information concerning the employments and the interests on which this description of measures will press, and may better discern what true policy prescribes and rejects, than is within the competence of the executive department of the Government.

Upon this single ground, then, the committee advise that the treaty be rejected.

Now, I hold in my hand a work by Mr. Charles Henry Butler on the treaty-making power of the United States, in which he quotes from an eminent German authority, an authority who, as is stated here, has given to the subject a degree of elaborate and extended exposition which it has received from no writer in our own tongue. I can not pause long enough to quote in full the comment of the writer on this subject, but I commend it to you. It is by Doctor Meier, professor in the university at Leipzig, and it shows in effect that if the treaty-making power has the legislative power contended for in some quarters we have here as ideal an oligarchy as was ever established.

To my mind it is not conceivable that the framers of the Constitution should elaborately construct through many pages of that instrument a legislative machine, should carefully define and limit its powers, and then in two lines with reference to composing differences with foreign states it should throw all that machinery out of gear and construct another legislative machine superior to it.

The Senate is not constituted upon the popular principle; it represents the States as sovereignties. They have equal representation without regard to population. One man in one State has one hundred times the voice in choosing it that one man has in another State. In the House, on the other hand, the Members represent substantially equal populations. This nation was based on the proposition that those who paid the taxes should say, speaking through their Representatives, what taxes should be imposed. And unless the framers of the Constitution were greatly mistaken, unless the great contemporary expounders, Madison and Hamilton, were mistaken, unless the blazing lesson of our Revolution was lost upon the men who established it in war, the Constitution conferred upon the House a real power and not the shadow when it gave it the right to originate revenue bills.

Now, I wish to call the attention of the House for a few moments to the effect of this measure; but I will say in leaving the subject of the Senate, which the gentleman from Mississippi has introduced, that the Senate is made up in the main of very eminent men. Most of them derive their lineage from the House of Representatives. They would make a virtuous oligarchy, I doubt not; but I do not believe that the American people are yet prepared to have it written, as the preamble to their laws, "Be it enacted by the Senate of the United States in executive session assembled." [Laughter and applause on the Republican side.]

This bill proceeds upon the theory that there should be reciprocity between this country and Cuba, and I think "reciprocity" is a word that no gentleman on either side of the House can properly take offense at. I believe that the first reciprocity treaty was negotiated by Richard Cobden, and that the greatest advocate of reciprocity in our time was William McKinley. The name of one is a synonym for free trade, and the name of the other is a synonym for protection.

Reciprocity goes upon the theory that there are oftentimes, in the relations of two people, conditions that make it peculiarly proper that they shall have reciprocal trade arrangements with each other. The position of Cuba, her political relations to this country, the fact that American interests predominate there, the fact that we buy nearly all she has to sell, and sell her a great portion of what she buys, make her case, it seems to me, as strong a one as could be imagined for the application of the principle of reciprocity.

With reference to the fiscal features of the bill, the chairman of the Committee on Ways and Means has pointed out that the decrease in revenue will be about $6,000,000 a year, but that a sufficient revenue will still be left with which to run our own Government. A deficit is a governmental institution which I think it is well to avoid, but there is a grave distinction between mere narrowness of revenue, which is the keenest spur to the economical expenditure of public money, and that great and yawning chasm between income and outcome which we witnessed ten years ago, in which the public credit itself was engulfed. But even from that standpoint of revenue it is clear that while at the beginning we shall lose some $6,000,000 a year, the probability is that within the five years of this convention or sooner than that we shall have at least 20 per cent increase in the imports from Cuba, and that will place our revenue upon Cuban products where it is to-day.

Now, with reference to the peculiar trade relations of this country and Cuba. During the last fiscal year we took of Cuba's total exports some 77 per cent, and we sold to her about 42 per cent of what she bought from the rest of the world. This was taking a larger proportion from her of what she sold than she took from us of her purchases, and the treaty recognizes this fact, for while it levies a uniform reduction of 20 per cent upon Cuban products coming into our markets, it gives our products going to Cuba a reduction of from 20 per cent to 40 per cent.

The details of the Cuban trade which have been brought to the attention of the committee by my colleagues show the evidence upon which we may expect a great gain to our own commerce. There were, for instance, under the head of alimentary articles—articles of food and drink—brought from the United States into Cuba about $3,700,000 worth per year, and from other countries about $13,000,000 per year. These articles are largely the product of our agriculture and of our fisheries, and under the duties which are prescribed by this bill the United States will almost inevitably get all this trade. Then there is another item of wearing apparel, of boots and shoes, and cotton, and similar articles, of which the United States last year sold to Cuba $1,127,000 worth, while Cuba bought from the rest of the world $10,186,000 worth. This item will almost certainly appear in the trade of the United States. And then in cattle—Cuba imported from the United States cattle to the value of $3,347,000, and from the rest of the world $6,772,000. Here is an opportunity for a further expansion of trade in a product of our farms.

The effect upon the beet-sugar industry has caused alarm, and very naturally so, to those Representatives in this House that come from States largely interested in the manufacture of beet sugar. I do not think it is in a particle of danger. Suppose that the reduction proposed by this bill to 1.35 cents a pound upon raw sugar should measure the entire protection that would exist upon sugar after the passage of this bill—and I feel confident that it will not—I think it is susceptible of demonstration that the protection will be substantially what it is at the present time. But suppose that the amount of 1.35 cents will measure the full amount of protection. It seems to me that the beet-sugar industry would be entirely safe even with that amount of protection. In the testimony taken before the Committee on Ways and Means two years ago our collector at Habana, Mr. Bliss, testified that he had examined the returns from eight different plantations and he found the average cost of making sugar there and of taking it to the port of shipment was $2\frac{1}{16}$ cents. Mr. Atkins, who is a successful business man and a sugar manufacturer, reached substantially the same conclusion.

All the evidence that could be called evidence went to show that it cost the Cuban at least 2 cents a pound to make his raw sugar. Now, if to that you add this 1.35, and if to that you add the freight rate and the insurance and other charges, he can not afford to sell his sugar in the New York market for less than three and about seven-eighths of a cent a pound, and it must after that be refined, so that a price would be reached at which it would clearly be profitable to make refined sugar here.

Mr. Oxnard, who has been as much identified with the manufacture of beet sugar as any man in the United States, put forth a statement after he had been engaged in that business nine years to the effect that at 4 cents a pound and allowing the farmer $4 per ton for his beets there was then a profit of about 43 per cent upon the cost of the material and labor employed, and that in selling the refined product at 4 cents a pound. Not a small profit by any means. As a matter of fact he would get nearer 5 than 4 cents a pound. Is it not, therefore, clear that under this duty of 1.35 per pound, which is a specific duty equivalent to an ad valorem duty of nearly 80 per cent including the freight, our beet-sugar producers have nothing whatever to fear?

But I have been acting upon the assumption that the total protection afforded the beet-sugar grower would be the duty as against Cuban sugar under this bill. It seems to me there is no doubt that during the five years that this convention is to last the protection will be substantially that afforded by existing law. I arrived at that conclusion in this way: At present we make in the United States and in Hawaii and Porto Rico about 900,000 tons of sugar each year. We consume about 2,600,000 tons. This leaves an enormous deficit that must be supplied from the markets of the world. Even if we take the entire production of Cuba at the greatest amount it has ever reached, at about 1,000,000 tons, we still have a great deficit of six or seven hundred thousand tons.

That we must bring in from abroad and must pay for in the world's price, which is fixed at Hamburg. The price, then, in New York will be the Hamburg price, plus the freight and plus the full duty. Now, Cuban sugar in New York will sell precisely on a parity with Hamburg sugar, grade for grade. The sugar refiner will not buy Hamburg sugar when there is a cargo of Cuban sugar beside it that would be sold for a particle less. They will both bring the same price. The result, therefore, is that the Cuban sugar will get the full Hamburg price, plus the Hamburg freight, plus the full duty. In other words, the Cuban planter will get the advantage of the difference between our duty as against Hamburg sugar and our duty as against Cuban sugar. Now, this will be a very important matter to him, and it will be a matter of little consequence to us.

I think, therefore, that these conclusions are very clear from the situation, first, that the reduction of duty will not materially affect prices here and will go to the Cuban planter; second, that the reduction will gradually result in an increase of exports from Cuba to the United States and from the United States to Cuba; and third, that the United States sugar producers will be unaffected. I should perhaps slightly qualify this last statement. There will perhaps be a gradual lowering of the price. If the effect of this bill shall be an increased production of sugar in Cuba, as I think it will, then there will be the amount of that increase added to the world's supply of sugar, and to that extent there will be a lowering of the world's price; but that will be a slow process and an almost imperceptible one, and our beet-sugar manufacturers will be substantially unaffected until the production from Cuba shall reach that point where, combined with the production of the United States, it will be substantially enough to meet the consumption of the United States.

Mr. WM. ALDEN SMITH. Is the gentleman unwilling to admit that if Cuba progresses as she has in the past few years she may reach that point before this convention expires?

Mr. McCALL. Mr. Chairman, I think there is very little likelihood that that will occur. In the first place, we had a convention with Cuba under the terms of the McKinley Act. That treaty was in effect for three years. At that time Cuba had free sugar, and yet the total net result of the operation of that convention was that for three years the sugar production of Cuba increased only to the extent of about 200,000 tons.

Mr. WM. ALDEN SMITH. But we were producing no beet sugar at that time.

Mr. McCALL. That may be, but beet sugar is merely a drop in the bucket in our consumption.

Mr. WM. ALDEN SMITH. Oh, no.

Mr. McCALL. While the great bulk of the sugar consumed in this country comes from the world outside, Cuba had free access to our markets, and yet she only increased her production 200,000 tons in three years.

Then again I will say to the gentleman that Cuba is interested in other industries. Tobacco is a most important industry in Cuba. She can not take all of her population and set them to raising sugar. She has a limited population and a limited supply of labor, and it is very unlikely that there should be such a sudden increase in production as the gentleman fears.

I have, perhaps, said more than is necessary concerning the financial features of this measure in view of the clear sentiment of the House upon the bill. I wish to say a word about those weightier considerations of a high political and moral character that are based not upon mere expediency, but that grow out of the demands of justice. An individual man, strong and rich, may not with impunity oppress another who is weak and poor, because he is held in terror by the law. But what court is there which could enter and enforce a decree against the United States in favor of Cuba? Her case therefore calls for the exercise of that higher and more difficult, because merely voluntary, justice which a strong nation measures out to a weak one.

Cuba is not strong enough physically to enforce any claim against the United States. She has no army or navy. She is just entering upon her career as a nation. She is absolutely in the hollow of our hands, so that whatever we do for her will not be done by us out of fear, but will come about by the operation upon our will of the abstract principles of justice. Cuba has already done something at our dictation. She has surrendered to us important naval stations upon her southern coast, and surrendered them at our demand. She has also imposed very serious limitations upon her power to treat with other nations, and she has done this upon our demand.

We have put Cuba in a position where she can safely make no trade compact with any other nation than ourselves. We have resting upon us the obligations of a mother to a daughter. Her government has been reared upon soil soaked by the blood of our soldiers, and it exists because of the battles that have been fought by Americans upon her territory and upon the seas that surround her and on the other side of the world. She guards the approach to the isthmian canal and the mouths of the Mississippi. Her peace and happiness are most important to us. Her prosperity will conduce to our repose as well as our renown, and the Members of this House have an opportunity to-day to add appreciably to the glory and to serve the honor of their country by voting for this bill with substantial unanimity. [Loud applause on the Republican side.]

Mr. PAYNE. Mr. Chairman, I suppose that under the rule, general debate being closed, the committee will rise.

The CHAIRMAN. Does the gentleman not desire to occupy any more of his time?

Mr. PAYNE. I do not.

The CHAIRMAN. The committee will now rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that, under the rule of the House adopted on Monday, the House had been in Committee of the Whole House on the state of the Union considering the bill H. R. 1921, and in pursuance of the rule the committee had risen, and on its behalf he reported the bill back to the House.

The SPEAKER. In accordance with the special order made by the House, the question recurs on the engrossment and third reading of the bill.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILLIAMS of Mississippi. I desire to be recognized for the purpose of moving to recommit with the following instructions. I ask that the motion be read.

The SPEAKER. One moment.

Mr. PAYNE. I make the point of order, Mr. Speaker, that that motion is not in order under the rule.

The SPEAKER. It is not now, and would not be in order now if the rules were in force.

Mr. PAYNE. It would not be in order at any time under this resolution.

Mr. WILLIAMS of Mississippi. Then I ask to be recognized at the proper time, immediately after the third reading of the bill, for the purpose of offering the motion.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I now ask to be recognized for the purpose of offering a motion, which I send to the Clerk's desk, to recommit with certain instructions.

Mr. PAYNE. To that, Mr. Speaker, I make a point of order.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the Clerk may read the motion before the Chair rules, for the information of the House.

Mr. PAYNE. We have had that amendment read galore, and I object to it.

Mr. WILLIAMS of Mississippi. The reading of the amendment will not hurt you.

The SPEAKER. The gentleman from Mississippi states that he desires to move to recommit the bill, with certain instructions, to the Committee on Ways and Means. That fact is sufficient to notify the House and the Chair of the desire of the gentleman from Mississippi, and the gentleman from New York makes the point of order that a motion to recommit is not in order under the special order adopted by the House. The Clerk will read the special order under which the House is now proceeding.

The Clerk read as follows:

The Committee on Rules, to whom was referred the resolution of the House numbered 17, have had the same under consideration, and ask leave to report in lieu thereof the following:

"*Resolved*, That immediately on the adoption of this rule, and immediately after the reading of the Journal on each day thereafter until the bill hereinafter mentioned shall have been disposed of, the House shall resolve itself into Committee of the Whole House on the state of the Union for consideration of the bill H. R. 1921, a bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902; that not later than 4 o'clock on November 19 general debate shall be closed in Committee of the Whole, and whenever general debate is closed the committee shall rise and report the bill to the House; and immediately the House shall vote without debate or intervening motion on the engrossment and third reading and on the passage of the bill."

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I ask unanimous consent that the motion be read for the information of the House.

The SPEAKER. The gentleman asks unanimous consent that the motion be read for the information of the House.

Mr. PAYNE. I would like to ask the gentleman from Mississippi if this is the same motion which he read in Committee of the Whole and is now a part of the record?

Mr. WILLIAMS of Mississippi. The House will not know until after it is read.

Mr. PAYNE. It is the same amendment that the gentleman read in Committee of the Whole?

Mr. WILLIAMS of Mississippi. It is the same amendment.

Mr. PAYNE. Then I object, because it has already been read.

Mr. WILLIAMS of Mississippi. Do I understand that the Chair has ruled the amendment out of order?

The SPEAKER. The Chair is about to rule.

Mr. WILLIAMS of Mississippi. I was merely anticipating the well-known tendencies of the Chair. [Laughter.]

The SPEAKER. The special order under which the House is proceeding has just been read, and that order provides that without intervening motion the House will vote on the engrossment and third reading of the bill. The House has voted, and the bill has been read for the third time. And it also provides that without intervening motion the House will vote upon the passage of the bill. Under the rules of the House ordinarily, without a special order, the gentleman's motion at this stage of the proceeding would be in order, but this order changes the rule and cuts the gentleman's motion off by prior action of the House. Therefore, the Chair holds that the gentleman's motion is not in order.

Mr. WILLIAMS of Mississippi. Mr. Speaker, would it be in order to discuss the ruling of the Chair? Does the Chair wish to hear me upon that point? Then I shall take an appeal from the decision of the Chair, and I would like to make a few remarks upon that.

Mr. PAYNE. I make the point of order, Mr. Speaker, that it is dilatory, and that under the rule that has been adopted by the House it can not be entertained.

Mr. WILLIAMS of Mississippi. Well, Mr. Speaker, I want to discuss that point of order which the gentleman from New York has just made.

Mr. PAYNE. Then I make the further point of order to that discussion under the rules.

Mr. WILLIAMS of Mississippi. The gentleman from New York can not make the point of order that this is dilatory, because as a matter of fact it is not dilatory, and I have the floor.

Mr. PAYNE. I can make the point of order if the gentleman has the floor.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I want to discuss the point of order.

Mr. PAYNE. Mr. Speaker, debate is never in order except for the benefit of the Chair.

The SPEAKER. The Chair has the privilege of hearing the gentleman upon the point of order.

Mr. WILLIAMS of Mississippi. Undoubtedly; and I only want about five minutes.

The SPEAKER. If the present occupant of the chair understands the rule, it is entirely within the province of the Chair to hear the gentleman upon the point of order; and the Chair, desiring to be entirely courteous to the gentleman from Mississippi, will listen to what he has to say upon the point of order.

Mr. WILLIAMS of Mississippi. It is an old adage, Mr. Speaker, that a subject is always grateful to Cæsar for special indulgences. [Laughter.] In order to show that this motion is not dilatory, I want to call the attention of the Speaker to the fact that it has been the persistent effort of the minority upon this side to obtain a vote upon this motion. Whatever other point of order may be made against it, and some other point of order might possibly be sustained, the point of order that this is dilatory can not be sustained. My object in offering this resolution is not to delay, and the word "dilatory" means delay; but it is to let the country and the people who control us all understand the nature of the amendment which we offer and would like to get a vote upon from the House if we can.

Whatever objection may be made to it, therefore, it is not offered for purposes of delay. It is offered in good faith and sincerely for the consideration of the House, and in order to prove that, Mr. Speaker, I will not read the resolution.

The SPEAKER. The gentleman will please suspend for a moment. The Chair will hear from the gentleman from New York, who desires to be heard briefly on this point.

Mr. WILLIAMS of Mississippi. Mr. Speaker, allow me to conclude my remarks and I will be through in a sentence. I think it is important to the Chair's consideration of the question as to whether this is dilatory or not to read the motion.

The SPEAKER. The Chair has fairly indicated that he desires to hear from the other side upon this point of order.

Mr. PAYNE. Mr. Speaker, I made the point of order, first, that it is dilatory. The late Speaker Crisp held time and again that a motion was dilatory when it delayed action, no matter what the intention of the mover was, whether he made it as a dilatory motion with a desire to delay business or not. The House has decided to vote first upon the engrossment and third reading of this bill, and then, without intervening motion, to vote upon the passage of the bill—without intervening motion or debate, to vote upon the passage of the bill.

Mr. WILLIAMS of Mississippi. The word "debate" is not in the rule.

Mr. PAYNE. Now, this amendment offered is certainly an intervening motion. I made the point of order that the amendment was not in order because obnoxious to the special rule of the House, and the Chair sustained that motion. We are here waiting under the rule for the final vote upon this bill. Whatever motion the gentleman makes under any of the general rules of the House which delays a vote upon this bill for a single moment is delay and should be ruled out as a motion causing delay, a motion that delays the action upon the bill. But, further than that, Mr. Speaker, the House decided by a fair majority on Monday last that this vote should be without any intervening motion, and here we have an appeal to the House. It is an intervening motion, so that upon every ground—upon the ground of delay or upon the ground that it is an intervening motion—it is clearly out of order.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. The Chair is prepared to rule.

Mr. WILLIAMS of Mississippi. Before the Chair rules——

The SPEAKER. The Chair does not desire to hear the gentleman.

Mr. WILLIAMS of Mississippi. One reply to the gentleman from New York——

The SPEAKER. It needs no reply. [Laughter.]

Mr. WILLIAMS of Mississippi. I think so myself.

The SPEAKER. The Chair is prepared to rule. The Clerk will read section 3 of Rule XVII.

The Clerk read as follows:

All incidental questions of order arising after a motion is made to the previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

The SPEAKER. If, under the rules, the previous question has been moved upon the question arising, there are many precedents where points of order would be entertained, and, of course, if entertained, be subject to appeal, unless they be dilatory, when they would come under another rule. Now, the House, after debate, has adopted this special order upon a yea-and-nay vote with a full House, and we are proceeding under the special order, which cuts off a motion to recommit, which motion would otherwise be in order. When the gentleman seeks to make the motion to recommit, the Chair necessarily, under the order of the House, sustains the point of order to that motion. The gentleman appeals from the ruling of the Chair. The Chair thinks the better practice is not to invoke the rule touching dilatory motions except in cases where the purpose to delay is plainly evident, and the Chair would prefer to err, if it errs at all, upon giving the House the right to express its will; and although the House may have expressed its will otherwise heretofore, the Chair is proceeding under the order of the House in making the ruling, from which ruling the gentleman from Mississippi appeals. The Chair therefore entertains the appeal. [Applause on Democratic side.]

Mr. PAYNE. Mr. Speaker, I move to lay the appeal on the table.

The SPEAKER. The question is on the motion of the gentleman from New York, who moves to lay the appeal on the table.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in order to save time I think we might as well have the yeas and nays upon the motion to lay the appeal on the table, and I demand them.

The yeas and nays were ordered.

The question was taken; and there were—yeas 194, nays 165, answered present 2, not voting 22, as follows:

YEAS—194.

Acheson,	Burkett,	Douglas,	Hamilton,
Adams, Pa.	Burleigh,	Dovener,	Haskins,
Adams, Wis.	Burton,	Draper,	Haugen,
Alexander,	Butler, Pa.	Dresser,	Hedge,
Allen,	Calderhead,	Driscoll,	Hemenway,
Ames,	Campbell,	Dunwell,	Henry, Conn.
Babcock,	Capron,	Dwight,	Hepburn,
Bartholdt,	Cassel,	Esch,	Hermann,
Bates,	Conner,	Evans,	Hildebrant,
Beidler,	Cooper, Pa.	Fordney,	Hill, Conn.
Bingham,	Cooper, Wis.	Foss,	Hinshaw,
Birdsall,	Cousins,	Foster, Vt.	Hitt,
Bishop,	Cromer,	Fowler,	Hogg,
Boutell,	Crumpacker,	French,	Holliday,
Bowersock,	Currier,	Fuller,	Howell, N. J.
Brandegee,	Curtis,	Gaines, W. Va.	Howell, Utah
Bradley,	Dalzell,	Gardner, Mass.	Huff,
Brick,	Daniels,	Gardner, Mich.	Hughes, W. Va.
Brooks,	Darragh,	Gardner, N. J.	Hull,
Brown, Pa.	Davidson,	Gibson,	Humphrey, Wash.
Brown, Wis.	Davis, Minn.	Gillet, N. Y.	Jackson, Md.
Brownlow,	Dayton,	Gillett, Cal.	Jackson, Ohio
Buckman,	Deemer,	Gillett, Mass.	Jenkins,
Burke, S. Dak.	Dick,	Graff,	Jones, Wash.
	Dixon,	Greene,	Kennedy,

Ketcham,	Mann,	Powers, Me.	Stevens, Minn.
Kinkaid,	Marsh,	Prince,	Sulloway,
Knapp,	Marshall,	Reeder,	Tawney,
Knopf,	Martin,	Roberts,	Thomas, Iowa
Kyle,	Metcalf,	Rodenberg,	Tirrell,
Lacey,	Miller,	Scott,	Townsend,
Lafean,	Minor,	Sherman,	Van Voorhis,
Landis, Chas. B.	Mondell,	Shiras,	Volstead,
Landis, Frederick	Moon, Pa.	Sibley,	Vreeland,
Lanning,	Morgan,	Skiles,	Wachter,
Lawrence,	Morrell,	Slemp,	Wadsworth,
Lilley,	Murdock,	Smith, Ill.	Wanger,
Longworth,	Needham,	Smith, Iowa	Warner,
Lorimer,	Norris,	Smith, Samuel W.	Warnock,
Loud,	Olmsted,	Smith, Wm. Alden	Watson,
Loudenslager,	Otis,	Smith, Pa.	Weems,
Lovering,	Otjen,	Snapp,	Wiley, N. J.
McCall,	Overstreet,	Southard,	Williamson,
McCarthy,	Parker,	Southwick,	Wilson, Ill.
McCleary, Minn.	Patterson, Pa.	Spalding,	Woodyard,
McCreary, Pa.	Payne,	Sperry,	Wright,
McLachlan,	Pearre,	Stafford,	Young.
McMorran,	Perkins,	Steenerson,	
Mahon,	Porter,	Sterling,	

NAYS—165.

Adamson,	Foster, Ill.	Lewis,	Shackleford,
Aiken,	Gaines, Tenn.	Lind,	Shafroth,
Badger,	Garber,	Lindsay,	Sheppard,
Baker,	Garner,	Little,	Sherley,
Bankhead,	Gilbert,	Livernash,	Shober,
Bartlett,	Gillespie,	Livingston,	Shull,
Bassett,	Glass,	Lloyd,	Sims,
Beall, Tex.	Goldfogle,	Lucking,	Slayden,
Bell, Cal.	Gooch,	McAndrews,	Smith, Ky.
Benny,	Goulden,	McClellan,	Smith, Tex.
Benton,	Granger,	McLain,	Snook,
Bowers,	Gregg,	McNary,	Southall,
Bowie,	Griffith,	Macon,	Sparkman,
Brantley,	Griggs,	Maddox,	Spight,
Breazeale,	Gudger,	Mahoney,	Stanley,
Broussard,	Hamlin,	Maynard,	Stephens, Tex.
Brundidge,	Hardwick,	Meyer, La.	Sullivan, Mass.
Burgess,	Harrison,	Moon, Tenn.	Sullivan, N. Y.
Burleson,	Hay,	Padgett,	Sulzer,
Burnett,	Henry, Tex.	Page,	Swanson,
Butler, Mo.	Hill, Miss.	Patterson, N. C.	Talbott,
Caldwell,	Hitchcock,	Patterson, Tenn.	Tate,
Candler,	Hopkins,	Pierce,	Taylor,
Cassingham,	Houston,	Pou,	Thayer,
Clayton,	Howard,	Pujo,	Thomas, N. C.
Cochran,	Howell, Pa.	Rainey,	Thompson,
Cowherd,	Hughes, N. J.	Randell, Tex.	Trimble,
Croft,	Humphreys, Miss.	Ransdell, La.	Underwood,
Crowley,	Hunt,	Reid,	Vandiver,
Davey, La.	James,	Rhea,	Van Duzer,
Davis, Fla.	Johnson,	Rider,	Wade,
De Armond,	Jones, Va.	Rixey,	Wallace,
Denny,	Kehoe,	Robb,	Webb,
Dickerman,	Keliher,	Robertson, La.	Wiley, Ala.
Dinsmore,	Kline,	Robinson, Ark.	Williams, Ill.
Dougherty,	Kluttz,	Robinson, Ind.	Williams, Miss.
Emerich,	Lamar, Fla.	Rucker,	Wilson, N. Y.
Field,	Lamar, Mo.	Ruppert,	Wynn,
Finley,	Lamb,	Russell,	Zenor.
Fitzgerald,	Legare,	Ryan,	
Fitzpatrick,	Lester,	Scarborough,	
Flood,	Lever,	Scudder,	

ANSWERED "PRESENT"—2.

Miers, Ind.	Small.

NOT VOTING—22.

Burk, Pa.	Goebel,	Littlefield,	Richardson, Ala.
Byrd,	Grosvenor,	McDermott,	Richardson, Tenn.
Clark,	Hearst,	Mudd,	Smith, N. Y.
Cooper, Tex.	Kitchin, Claude	Nevin,	Weisse.
Cushman,	Kitchin, Wm. W.	Palmer,	
Flack,	Littauer,	Powers, Mass.	

So the appeal was laid on the table.

The Clerk announced the following pairs:

Until further notice:

Mr. GROSVENOR with Mr. CLARK.

For the special session:

Mr. LITTLEFIELD with Mr. SMALL.

For one week:

Mr. MUDD with Mr. WILLIAM W. KITCHIN.

Until Saturday next:

Mr. BURK of Pennsylvania with Mr. BYRD.

For this day:

Mr. LITTAUER with Mr. RICHARDSON of Tennessee.

Mr. FLACK with Mr. RICHARDSON of Alabama.

Mr. CUSHMAN with Mr. COOPER of Texas.

Mr. NEVIN with Mr. WEISSE.

Mr. POWERS of Massachusetts with Mr. MCDERMOTT.

Mr. PALMER with Mr. CLAUDE KITCHIN.

Mr. GOEBEL with Mr. MIERS of Indiana.

Mr. MIERS of Indiana. Mr. Speaker, I am paired with the gentleman from Ohio [Mr. GOEBEL]. I voted "no." I desire to withdraw my vote and to be marked "present."

Mr. SMALL. Mr. Speaker, I voted "no;" but I am paired with the gentleman from Maine [Mr. LITTLEFIELD] and I desire to withdraw my vote and be recorded "present."

Mr. SLAYDEN. Mr. Speaker, I was requested by my colleague [Mr. COOPER of Texas] to state that he was unexpectedly and unavoidably detained by business, and he asks to be excused.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish to state that my colleague [Mr. BYRD] is absent at home on account of sickness in his family.

The SPEAKER. The gentleman from Mississippi will agree with the Chair that these statements are not in order under the rule.

Mr. WILLIAMS of Mississippi. I had not thought of that.

The result of the vote was announced as above recorded.

The SPEAKER. The question now recurs upon the passage of the bill.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. FORDNEY. I demand the yeas and nays.

The question was taken on ordering the yeas and nays.

The SPEAKER. Twenty-three gentlemen have arisen, not a sufficient number, and the yeas and nays are refused.

Mr. WM. ALDEN SMITH. I call for a division.

Mr. PAYNE. It is too late. [Cries of "Too late!"]

The SPEAKER. Was the gentleman on his feet for the purpose of asking for a division and seeking to be recognized?

Mr. WM. ALDEN SMITH. I was.

The question was taken; and the House divided, when there were—ayes 335, noes 21.

So the bill was passed. [Loud applause.]

On motion of Mr. PAYNE, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. PAYNE. I ask unanimous consent that all who have spoken in the debate on the bill be allowed to extend their remarks in the RECORD within the next five days.

The SPEAKER. The gentleman from New York asks unanimous consent that all who have spoken on the bill may have leave to extend their remarks in the RECORD for the next five days. Is there objection? [After a pause.] The Chair hears none.

ADJOURNMENT OVER.

Mr. PAYNE. On consultation with several Members it would seem more convenient, I think, if we should adjourn from to-day until to-morrow, and then to-morrow adjourn until Tuesday next. It will be impossible to transact any business until the committees are announced, and I would like to have unanimous consent now that when the House adjourn to-morrow it be to meet on Tuesday next.

The SPEAKER. The gentleman from New York asks unanimous consent that when the House adjourn to-morrow it adjourn to meet on Tuesday next. Is there objection?

Mr. WILLIAMS of Mississippi. I will be forced to object.

Mr. PAYNE. I asked unanimous consent to make a motion to that effect now.

Mr. WILLIAMS of Mississippi. I shall not object to that.

Mr. PAYNE. I ask unanimous consent to make that motion.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. PAYNE. Now, I move that when the House adjourn to-morrow it adjourn to meet on Tuesday next.

The question was taken, and the motion was agreed to.

REPRINT OF BILL.

Mr. SULZER. Mr. Speaker, I ask unanimous consent for a reprint of House bill 34, introduced by me.

The SPEAKER. The gentleman from New York asks unanimous consent for a reprint of House bill 34. Is there objection?

Mr. PAYNE. Let us hear the title.

Mr. SULZER. It is entitled "A bill to regulate commerce with foreign nations, to make preference in the use of American vessels in the postal service at sea, and to promote American commerce." The supply is exhausted.

Mr. PAYNE. I think I shall have to object to that, Mr. Speaker. There is too much of it. [Laughter.] I move that the House do now adjourn.

ADDITIONAL LABORER IN BATHROOM.

Mr. HILDEBRANT. Mr. Speaker, I present a privileged resolution.

The SPEAKER. The gentleman from Ohio, from the Committee on Accounts, presents a privileged report.

Mr. HILDEBRANT. It is not a report from the Committee on Accounts. It is a privileged resolution.

The SPEAKER. The gentleman from Ohio presents a privileged resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to employ an additional laborer in the bathroom during the remainder of the present fiscal year, to be paid out of the contingent fund of the House at the rate of $60 per month.

Mr. PAYNE. It distresses me very much to make the point of order against that resolution.

The SPEAKER. Perhaps the matter can be adjusted.

Mr. HILDEBRANDT. It tends to the organization of the House.

The SPEAKER. It may tend to its comfort. [Laughter.] The gentleman from Ohio asks unanimous consent for the present consideration of the resolution. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

Mr. PAYNE. I renew the motion to adjourn.

LEAVE OF ABSENCE.

By unanimous consent, Mr. WILEY obtained leave of absence for ten days, on account of important business.

Mr. PAYNE. I renew my motion to adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 38 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting, with a favorable recommendation, a draft of a bill to control grazing in forest reserves—to the Committee on the Public Lands, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 3456) for the relief of W. W. Jackson; and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GAINES of Tennessee: A bill (H. R. 4482) for the relief of tobacco growers—to the Committee on Ways and Means.

By Mr. MANN: A bill (H. R. 4483) declaring the tunnels under the Chicago River an obstruction to navigation, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. BADGER: A bill (H. R. 4484) appropriating the use of certain old Springfield breech-loading rifles to the old guard and Grand Army of the Republic drill corps, in the various States of the Union—to the Committee on Military Affairs.

By Mr. MADDOX: A bill (H. R. 4485) to construct a road from the army post at Chickamauga National Park, Georgia, to the rifle range and military range at or near Waco, Ga.—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 4486) for the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H.—to the Committee on the Library.

By Mr. DANIELS: A bill (H. R. 4487) for the construction of a free public trail from the eastern slope of the Sierra Nevada Mountains, in Inyo County, Cal., to the summit of Mount Whitney, California—to the Committee on Military Affairs.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 4488) to reduce import duties on articles the growth and products of certain countries—to the Committee on Ways and Means.

By Mr. ESCH: A bill (H. R. 4489) to amend section 64 of the bankruptcy act—to the Committee on the Judiciary.

By Mr. PEARRE: A bill (H. R. 4490) to establish a fish hatchery and fish station in the State of Maryland—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4491) to establish a permanent military camp ground in the vicinity of Oakland, in Garrett County, Md.—to the Committee on Military Affairs.

By Mr. ALLEN: A bill (H. R. 4492) to provide for the erection of a public building at Portland, in the State of Maine—to the Committee on Public Buildings and Grounds.

By Mr. PEARRE: A bill (H. R. 4493) to provide for a macadamized roadway from the town of Sharpsburg, Md., to the Connecticut monument on the battlefield of Antietam—to the Committee on Military Affairs.

Also, a bill (H. R. 4494) to provide for the erection of a monument to the heroes of the war of the American Revolution—to the Committee on the Library.

Also, a bill (H. R. 4495) to establish a national military park at Fort Frederick, Md.—to the Committee on Military Affairs.

Also, a bill (H. R. 4496) to amend an act entitled "An act to extend the free-delivery system of the Post-Office Department, and for other purposes," approved January 3, 1887—to the Committee on the Post-Office and Post-Roads.

By Mr. RODEY: A bill (H. R. 4497) to amend the laws relating to the issuance of bonds by municipalities in Territories so as to include the issuance of the same for gas and electric lighting purposes—to the Committee on the Territories.

By Mr. McLAIN: A bill (H. R. 4498) for the protection and improvement of harbor on Mississippi River at Natchez, Miss.—to the Committee on Rivers and Harbors.

By Mr. SPARKMAN: A bill (H. R. 4499) to provide for the construction of a revenue cutter of the first class for service in the waters of Key West, Fla.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 4500) authorizing, empowering, and directing the Commissioner of Fish and Fisheries to establish in the State of Florida, on the Gulf of Mexico, a station for the investigation of problems connected with the marine-fishery interests of the region—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 4501) in relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes, and to amend and revive the same—to the Committee on War Claims.

By Mr. LAMAR of Florida: A bill (H. R. 4502) to grant land to the State of Florida for the use of the normal college for white pupils at De Funiak Springs and for the use of the normal college at Tallahassee for colored pupils—to the Committee on the Public Lands.

By Mr. WILEY of Alabama: A bill (H. R. 4503) in relation to the expense of holding courts of the United States in the northern and middle districts of Alabama—to the Committee on the Judiciary.

By Mr. DOVENER: A bill (H. R. 4504) for the benefit of officers who served over three years during the civil war and over thirty years since, and who have retired on account of disability incurred in the line of duty since the close of the Spanish-American war—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: A bill (H. R. 4505) to make $10 per month the minimum amount of pensions paid by the Government—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 4506) providing for excavating a new channel for Fox Creek and for dredging the bar formed by Fox Creek in Hamburg Bay, Calhoun County, Ill.—to the Committee on Rivers and Harbors.

By Mr. MORRELL: A bill (H. R. 4507) to prevent discrimination by common carriers of passengers traveling between the States on account of race and color—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNLOW: A bill (H. R. 4508) to create in the Department of Agriculture a bureau to be known as the Bureau of Public Roads, and to provide for a system of national, State, and local cooperation in the permanent improvement of the public highways—to the Committee on Agriculture.

By Mr. LAMAR of Florida: A bill (H. R. 4509) making an appropriation for completing the improvement of the road to the national cemetery near Pensacola, Fla.—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 4510) to provide for the Theater of National Education—to the Committee on Education.

By Mr. RYAN: A bill (H. R. 4511) to prevent fraud in the sale of boots, shoes, slippers, or other leather footwear—to the Committee on Interstate and Foreign Commerce.

By Mr. DICKERMAN: A bill (H. R. 4512) to provide for the purchase of a site and the erection of a public building thereon at Shamokin, in the State of Pennsylvania—to the Committee on Public Buildings and Grounds.

By Mr. JENKINS: A bill (H. R. 4513) to amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897—to the Committee on the District of Columbia.

By Mr. BISHOP: A bill (H. R. 4514) to provide for a naval training station for the Great Lakes at Muskegon, Mich.—to the Committee on Naval Affairs.

By Mr. FOSS: A bill (H. R. 4515) to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. CLAYTON: A bill (H. R. 4516) for the maintenance and improvement of the Choctawhatchee River—to the Committee on Rivers and Harbors.

By Mr. MARTIN: A bill (H. R. 4517) to regulate the use of grazing lands surrounding public reservoir sites upon the public lands of the United States—to the Committee on the Public Lands.

By Mr. RIXEY: A bill (H. R. 4518) to make Alexandria, Va., a port of entry—to the Committee on Ways and Means.

By Mr. MONDELL: A bill (H. R. 4519) to establish a fish-hatching and fish station in the State of Wyoming—to the Committee on the Merchant Marine and Fisheries.

By Mr. SLEMP: A bill (H. R. 4520) to provide for the erection of a public building at Wytheville, Va.—to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Arizona: A bill (H. R. 4521) to establish a supreme court for the Territories of Arizona, New Mexico, and Oklahoma—to the Committee on the Judiciary.

Also, a bill (H. R. 4522) to provide for the payment of claims for losses by old pioneers in the Territory of Arizona during the years 1862 and 1863 by Indian depredations committed upon these pioneers while holding the mountain passes and trails for immigrants after they were abandoned by the soldiers of the United States Army—to the Committee on War Claims.

By Mr. BURTON: A bill (H. R. 4523) for the purchase or construction of a steel steam light-vessel, to be located on Martins Reef, Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. RAINEY: A joint resolution (H. J. Res. 42) providing for the removal of the remains of Commodore John Paul Jones from France to the United States—to the Committee on the Library.

Also, a joint resolution (H. J. Res. 43) to remove from the Illinois River the Government dams at Kampsville and Lagrange—to the Committee on Interstate and Foreign Commerce.

By Mr. SPARKMAN: A joint resolution (H. J. Res. 44) for relief of P. J. McMahon—to the Committee on Naval Affairs.

By Mr. WILLIAMS of Mississippi: A resolution (H. Res. 24) looking toward reconvening the Joint High Commission appointed by Great Britain, the Dominion of Canada, and the United States for the purpose of agreeing upon freer trade relations—to the Committee on Foreign Affairs.

By Mr. RAINEY: A resolution (H. Res. 25) asking for estimate as to cost of certain improvements in Hamburg Bay, Calhoun County, Ill.—to the Committee on Rivers and Harbors.

Also, a resolution (H. Res. 26) requesting information as to flow of water into Illinois River through Chicago Drainage Canal, and estimate as to cost of surveying Government dams, etc.—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 4524) for the relief of the estate of Samuel M. Farrar, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4525) for the relief of the estate of Daniel Brewer, deceased—to the Committee on War Claims.

By Mr. BOWERSOCK: A bill (H. R. 4526) granting an increase of pension to William J. Shepherd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4527) granting an increase of pension to Elizabeth Siples—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4528) granting an increase of pension to Charles S. Atkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4529) granting a pension to William Deay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4530) granting a pension to Dr. J. A. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4531) granting a pension to Martha R. Divilbiss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4532) granting a pension to John F. Epler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4533) granting a pension to Marquis L. Kennedy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4534) granting an honorable discharge to Marion M. Barton—to the Committee on Military Affairs.

Also, a bill (H. R. 4535) for the relief of Harriet Camp—to the Committee on War Claims.

By Mr. BRADLEY: A bill (H. R. 4536) for the relief of Nancy Rose—to the Committee on Claims.

By Mr. CALDWELL: A bill (H. R. 4537) for the relief of Charles T. Bouillon for arrears of pension—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 4538) for the relief of Mary F. Casey Tucker—to the Committee on War Claims.

Also, a bill (H. R. 4539) granting a pension to Jane E. Tatum—to the Committee on Pensions.

Also, a bill (H. R. 4540) granting a pension to Amanda Skinner—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 4541) for the relief of Mrs. Louise E. Ord—to the Committee on Claims.

By Mr. DAVIS of Minnesota: A bill (H. R. 4542) granting a pension to Elizabeth M. Vandiver—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 4543) for the relief of John A. Wanless—to the Committee on Military Affairs.

Also, a bill (H. R. 4544) for the relief of Harlow L. Street—to the Committee on Military Affairs.

Also, a bill (H. R. 4545) for the relief of John W. Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 4546) for the relief of John F. Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 4547) for the relief of Edward Byrne—to the Committee on Military Affairs.

Also, a bill (H. R. 4548) to remove charge of desertion against A. B. Ackerman—to the Committee on Military Affairs.

Also, a bill (H. R. 4549) to correct the military record of Jacob Eckert—to the Committee on Military Affairs.

Also, a bill (H. R. 4550) to remove the charge of desertion and grant an honorable discharge to Richard Lanigan—to the Committee on Military Affairs.

Also, a bill (H. R. 4551) granting a pension to Martha J. Hurlbut—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4552) granting an increase of pension to Orin P. Stoffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4553) granting an increase of pension to M. Cornelia Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4554) granting an increase of pension to George A. Breckinridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4555) to amend the muster roll of Company B, Ninth Regiment Pennsylvania Volunteers, so as to place thereon the name of William C. Armstrong—to the Committee on Military Affairs.

Also, a bill (H. R. 4556) granting an increase of pension to Margaret L. Getty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4557) granting a pension to Sadie C. Steadman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4558) granting an increase of pension to Almira G. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4559) granting an increase of pension to Andrew H. Vorderman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4560) granting an increase of pension to Sarah O. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4561) granting an increase of pension to Charles H. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4562) granting an increase of pension to Perry H. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4563) to remove the charge of desertion against Marshall N. Murphy, alias William R. Hallam—to the Committee on Military Affairs.

By Mr. DICKERMAN: A bill (H. R. 4564) granting a pension to Michael Salter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4565) granting a pension to Carrie Keefer—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 4566) granting an increase of pension to Stephen N. Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4567) granting an increase of pension to Ezra B. Spoor—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 4568) for the relief of John W. Gummo—to the Committee on War Claims.

By Mr. FITZGERALD: A bill (H. R. 4569) for the relief of the heirs of Catharine Gillen—to the Committee on War Claims.

By Mr. FORDNEY: A bill (H. R. 4570) to provide an American register for the steamer *Beaumont*—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER of Vermont: A bill (H. R. 4571) granting a pension to John W. Holcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4572) granting a pension to Peter Lander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4573) for the relief of Eugene Patenaude—to the Committee on Claims.

Also, a bill (H. R. 4574) to remove the charge of desertion from the record of John McVar—to the Committee on Military Affairs.

Also, a bill (H. R. 4575) to remove the charge of desertion from the record of John Lavigne—to the Committee on Military Affairs.

Also, a bill (H. R. 4576) to place Josiah H. Adams on the retired list of the United States Army with the rank of second lieutenant—to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 4577) granting a pension to Theodore C. Arons—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 4578) granting a pension to Catharine M. McClanahan—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 4579) for the relief of the heirs and legal representatives of those killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I.—to the Committee on Claims.

Also, a bill (H. R. 4580) granting a pension to Penelope A. Dexter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4581) granting an increase of pension to Henry M. Chase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4582) granting an increase of pension to John S. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4583) granting a pension to Ella C. Baker—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 4584) granting an increase of pension to Daniel A. Butler—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 4585) for the relief of W. O. Donovan and the heirs of Lizzie M. Donovan, deceased—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 4586) granting an increase of pension to Elisha Hammer—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 4587) granting a pension to Robert Sturgens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4588) granting a pension to Rollin S. Belknap—to the Committee on Pensions.

Also, a bill (H. R. 4589) granting a pension to H. H. Barrett—to the Committee on Pensions.

Also, a bill (H. R. 4590) granting an increase of pension to Daniel Giles—to the Committee on Pensions.

Also, a bill (H. R. 4591) for the relief of Henry H. Woodward—to the Committee on Claims.

Also, a bill (H. R. 4592) for the relief of George D. Elgin—to the Committee on Claims.

By Mr. HOWELL of New Jersey: A bill (H. R. 4593) for the relief of Edgar Zielian—to the Committee on Claims.

Also, a bill (H. R. 4594) granting an increase of pension to James Moss—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 4595) granting an increase of pension to Charles D. Fortney—to the Committee on Invalid Pensions.

By Mr. HUNT: A bill (H. R. 4596) to correct the military record of Charles W. Howard—to the Committee on Military Affairs.

Also, a bill (H. R. 4597) to correct the military record of James H. Campbell—to the Committee on Military Affairs.

By Mr. JENKINS: A bill (H. R. 4598) granting a pension to James M. Baker—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 4599) granting a pension to Ella F. Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4600) granting a pension to Jane Sloan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4601) granting an increase of pension to Hiram S. Kingsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4602) granting an increase of pension to Helim Thompson—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: A bill (H. R. 4603) to amend and correct the records of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein, with the dates of his enlistment and discharge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4604) granting a pension to Christian Kloeppel—to the Committee on Pensions.

Also, a bill (H. R. 4605) granting an increase of pension to William Herlinger—to the Committee on Invalid Pensions.

By Mr. LAMAR of Florida: A bill (H. R. 4606) for the relief of W. M. Quinn and George L. Long—to the Committee on Claims.

Also, a bill (H. R. 4607) for the relief of John Barfield—to the Committee on War Claims.

Also, a bill (H. R. 4608) for the relief of Capt. J. E. Turtle—to the Committee on Claims.

Also, a bill (H. R. 4609) for the relief of the heirs at law of Edward N. Oldmixon—to the Committee on Claims.

Also, a bill (H. R. 4610) for the relief of Samuel Puleston—to the Committee on Claims.

Also, a bill (H. R. 4611) for the relief of Sarah E. Caro and Henry O. Bassett—to the Committee on War Claims.

Also, a bill (H. R. 4612) for the relief of John Dunn—to the Committee on War Claims.

Also, a bill (H. R. 4613) for the relief of B. W. Johnson—to the Committee on Claims.

Also, a bill (H. R. 4614) for the relief of Sarah A. Marcus—to the Committee on War Claims.

Also, a bill (H. R. 4615) for the relief of William T. Bell—to the Committee on War Claims.

Also, a bill (H. R. 4616) for the relief of the heirs at law of Edward N. Oldmixon—to the Committee on War Claims.

Also, a bill (H. R. 4617) for the relief of the heirs of Manette Marsons, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4618) for the relief of Chester P. Knapp, of Escambia County, Fla.—to the Committee on War Claims.

Also, a bill (H. R. 4619) granting a pension to Susan Kent—to the Committee on Pensions.

Also, a bill (H. R. 4620) to remove the charge of desertion from the military record of Andrew Brewton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4621) releasing unto W. J. Cosgrove, Mary Cosgrove, Mary Ellen Aylward (born Cosgrove), and others any rights the United States may have in certain lands in Pensacola, Fla.—to the Committee on the Public Lands.

By Mr. LUCKING: A bill (H. R. 4622) granting a pension to William E. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4623) granting a pension to Electa L. Willard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4624) granting a pension to Isabella Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4625) granting a pension to Theresa B. Nash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4626) granting a pension to Hattie M. Matheson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4627) granting a pension to Annie Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4628) to repay $473.20 excess duties paid by Richard Hawley & Sons—to the Committee on Claims.

By Mr. MADDOX: A bill (H. R. 4629) granting an increase of pension to Thomas C. Pond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4630) granting an increase of pension to T. S. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4631) granting an increase of pension to Julius Kraig—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 4632) granting an increase of pension to Peter J. Lussem—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 4633) granting an increase of pension to William Paul—to the Committee on Invalid Pensions.

By Mr. McCLELLAN: A bill (H. R. 4634) granting an increase of pension to Randolph T. Stoops—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 4635) granting a pension to Susan Bigler Smith—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: A bill (H. R. 4636) granting an increase of pension to Martin J. Severance—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 4637) authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $798.28—to the Committee on Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 4638) granting an increase of pension to Mary E. Pillow—to the Committee on Pensions.

By Mr. PEARRE: A bill (H. R. 4639) for the relief of Horace Resley—to the Committee on Claims.

Also, a bill (H. R. 4640) granting an increase of pension to William H. Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4641) to reimburse and indemnify the town of Frederick, in the State of Maryland—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 4642) granting an increase of pension to William L. Wheeler—to the Committee on Invalid Pensions.

By Mr. RANSDELL of Louisiana: A bill (H. R. 4643) for the relief of John McDonnell—to the Committee on Military Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 4644) for the relief of the heirs of John Meals, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4645) for the relief of Mrs. Bathsheba Gordon—to the Committee on War Claims.

Also, a bill (H. R. 4646) for the relief of John Till—to the Committee on War Claims.

Also, a bill (H. R. 4647) for the relief of John Jones—to the Committee on War Claims.

Also, a bill (H. R. 4648) for the relief of Ann E. Damon—to the Committee on War Claims.

Also, a bill (H. R. 4649) for the relief of the legal representatives of the estate of Thomas F. Brumby—to the Committee on War Claims.

Also, a bill (H. R. 4650) for the relief of Charity Boyed—to the Committee on War Claims.

Also, a bill (H. R. 4651) for the relief of Mrs. W. R. Britton—to the Committee on War Claims.

Also, a bill (H. R. 4652) for the relief of Mary J. Bailey—to the Committee on War Claims.

Also, a bill (H. R. 4653) for the relief of the heirs of James T. Anderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4654) for the relief of the heirs of George W. Hughes—to the Committee on War Claims.

Also, a bill (H. R. 4655) granting an increase of pension to Henry Jeffers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4656) to authorize and direct the Secretary of War to grant an honorable discharge to Robert Crompton—to the Committee on Military Affairs.

Also, a bill (H. R. 4657) to refer the claim against the United States of the heirs of Fabian Varin to the Court of Claims—to the Committee on War Claims.

By Mr. ROBERTS: A bill (H. R. 4658) raising the rank of Surg. John W. Baker, on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. RODEY: A bill (H. R. 4659) for the relief of John S. Van Doren—to the Committee on Claims.

Also, a bill (H. R. 4660) granting an increase of pension to Henry C. Reel—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 4661) for the relief of John Brill—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 4662) for the relief of the heirs of John Baxter—to the Committee on Indian Affairs.

Also, a bill (H. R. 4663) for the relief of Joseph D. Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 4664) granting an increase of pension to Charles Carlisle—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 4665) granting a pension to Malissa Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4666) granting a pension to Albert Cogswell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4667) granting an increase of pension to James Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4668) granting an increase of pension to Simon McCall—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 4669) granting an increase of pension to Lewis S. George—to the Committee on Pensions.

Also, a bill (H. R. 4670) granting a pension to Green W. Hodge—to the Committee on Pensions.

Also, a bill (H. R. 4671) for the relief of Adam L. Eichelberger—to the Committee on War Claims.

Also, a bill (H. R. 4672) for the relief of Mariah L. Trowell, administratrix of Benjamin F. Trowell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4673) for the relief of Carolyn M. McIlvain—to the Committee on War Claims.

By Mr. STERLING: A bill (H. R. 4674) granting an increase of pension to John Thompson—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 4675) for the relief of the estate of Moses K. Wheat, deceased, late of Macon County, Ala.—to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 4676) granting an increase of pension to James B. Judson—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 4677) granting an increase of pension to William Nichol—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4678) granting an increase of pension to John Magee—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 4679) granting an increase of pension to Martha M. Pierce—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 4680) granting a pension to Jonas Ball—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Letter of the Iron Molders' Union of North America, No. 111, of Philadelphia, requesting the passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

Also, resolution of the Travelers' Protective Association, Post B, Pennsylvania Division, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the National German-American Alliance, against the passage of the Hepburn bill, relating to interstate liquor traffic—to the Committee on the Judiciary.

By Mr. BADGER: Resolution of J. C. McCoy Post, No. 1, Grand Army of the Republic, Columbus, Department of Ohio, relative to the use of old Springfield rifles by Old Guards and Grand Army of the Republic drill corps in such organizations of the United States—to the Committee on Military Affairs.

Also, resolution of J. M. Wells Post, No. 451, Grand Army of the Republic, Columbus, Department of Ohio, relative to the use of old Springfield rifles by Old Guards and Grand Army of the Republic drill corps in such organizations of the United States—to the Committee on Military Affairs.

By Mr. BIRDSALL: Papers to accompany bill to increase pension of James Mattingly—to the Committee on Invalid Pensions.

By Mr. BURKETT: Paper to accompany bill to increase pension of William McBrien—to the Committee on Invalid Pensions.

Also, letter from Charles Weston, Lincoln, Nebr., in favor of denying the use of the mails to fraudulent insurance companies—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill to pension Victor Vifquain—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Resolution of National German-American Alliance against the passage of the Hepburn bill, relating to interstate liquor traffic—to the Committee on the Judiciary.

By Mr. CALDWELL: Petition of Elsie Peiffer, of Pana, Ill., for pension—to the Committee on Pensions.

By Mr. DANIELS: Resolution of the board of supervisors of Inyo County, Cal., favoring the construction of a trail to the Summit Whitney, in said State—to the Committee on Military Affairs.

Also, resolution of George A. Custer Council, No. 22, Junior Order United American Mechanics, of Oakland, Cal., favoring restriction of immigration—to the Committee on Immigration.

By Mr. DICK: Papers to accompany bill for relief of John A. Wanless—to the Committee on Military Affairs.

By Mr. DRAPER: Resolution of the national executive committee of the National German-American Alliance protesting against the passage of the so-called Hepburn bill—to the Committee on the Judiciary.

By Mr. ESCH: Resolution of Cigar Makers' Union No. 25, of Milwaukee, Wis., protesting against the passage of Cuban reciprocity bill—to the Committee on Ways and Means.

Also, papers to accompany bill to increase pension of Mahlon Farmin—to the Committee on Invalid Pensions.

By Mr. HUFF: Resolution of the Pennsylvania Shoe Manufacturers' Association, favoring 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the Grain and Flour Exchange of Pittsburg, Pa., favoring legislation enlarging powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the National German-American Alliance, against the passage of the Hepburn bill relative to interstate liquor traffic—to the Committee on the Judiciary.

By Mr. HULL: Paper to accompany bill H. R. 3240, to pension Helen A. Scholes—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 3243, to increase pension of Warren Closson—to the Committee on Invalid Pensions.

By Mr. KINKAID (by request): Petition of citizens of Atkinson, Nebr., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also (by request), petition of citizens of Ainsworth, Nebr., urging amendment of the homestead laws—to the Committee on the Public Lands.

Also (by request), petition of citizens and freeholders of Wheeler County, Nebr., favoring amendment of the homestead laws—to the Committee on the Public Lands.

Also (by request), petition of citizens of Johnstown, Nebr., favoring amendment of the homestead laws—to the Committee on the Public Lands.

Also (by request), petition by citizens of Cherry County, Nebr., favoring amendment of the homestead laws—to the Committee on the Public Lands.

Also (by request), petition of citizens of the State of Nebraska, favoring amendment of the homestead laws—to the Committee on the Public Lands.

By Mr. McCLEARY of Minnesota: Letter of the National Cigar Leaf Tobacco Association, opposing the Cuban reciprocity bill—to the Committee on Ways and Means.

Also, letter of the Minnesota Commandery, Military Order of the Loyal Legion of the United States, favoring a service-pension law—to the Committee on Invalid Pensions.

Also, letter of John A. Logan Regiment, No. 2, Union Veteran Union, St. Paul, Minn., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of the Travelers' Protective Association, Post B, Pennsylvania Division, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the National German-American Alliance, against the passage of the Hepburn bill relating to interstate liquor traffic—to the Committee on the Judiciary.

By Mr. NEEDHAM: Petition of Sacramento Chamber of Commerce, relating to the establishment of an additional Federal court to be located at the city of Sacramento, Cal.—to the Committee on the Judiciary.

By Mr. OVERSTREET: Papers to accompany bill for relief of James L. Anderson—to the Committee on Claims.

By Mr. POWERS of Maine: Papers to accompany bill to increase pension of William L. Wheeler—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Resolution of the National German-American Alliance, against the passage of the Hepburn bill relative to interstate liquor traffic.

By Mr. RYAN: Paper to accompany bill H. R. 4365, to pension Barney L. Brookins—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petition of Leonard Govern and 89 other citizens of Stamford, N. Y., urging an amendment to the Constitution defining legal marriage to be monogamic, and making polygamy a crime against the United States, etc.—to the Committee on the Judiciary.

By Mr. WANGER: Resolution of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

SENATE.

FRIDAY, *November 20, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

PUGET SOUND AND LAKES WASHINGTON AND UNION CANAL.

The PRESIDENT pro tempore laid before the Senate sundry maps to accompany a communication from the Secretary of War of January 28, 1903, transmitting the report of the board of engineers on improvements of the Puget Sound Canal, etc.; which were referred to the Committee on Commerce.

EMMA N. WARWICK.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Emma N. Warwick, administratrix of John W. Warwick, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented petitions of the Baptist Association of Raleigh, Ill.; of the congregation of the Mount Olivet Baptist Church, of Uniontown, Pa.; of the Woman's Christian Temperance Union of San Jacinto, Cal., and of the Young Woman's Christian Association of the Woman's Medical College of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Post B, Pennsylvania Division, Travelers' Protective Association of America, of Philadelphia, Pa., praying that an appropriation be made to provide a 35-foot channel in the Delaware River from Philadelphia to the sea; which was referred to the Committee on Commerce.

He also presented a petition of Colonel Charles J. Biddle Post, No. 238, Department of Pennsylvania, Grand Army of the Republic, of Kane, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Young People's Society of Christian Endeavor of Trinity Church, of Connellsville; of the Junior Mission Band of the Trinity Lutheran Church, of Connellsville; of the Trinity Lutheran Church Sunday School, of Connellsville; of the Young Men's Christian Association of Newville; of sundry citizens of Newville; of the New Century Club, of Kennett Square; of sundry citizens of West Alexander; of the Young Men's Christian Association of Connellsville; of the congregation of the Baptist Church of Wilkinsburg; of sundry citizens of Wilkinsburg; of the congregation of the United Evangelical Church of Wilkinsburg; of the Epworth League of Gettysburg; of the congregation of the Calvary Presbyterian Church, of Wilkinsburg; of the congregation of the Methodist Episcopal Church of Williamsburg; of the congregation of the Grace Methodist Episcopal Church, of Reading; of the congregation of the Church of God, of Newville; of the Woman's Christian Temperance Union of Newling Township; of the Woman's Missionary Society of the Trinity Lutheran Church, of Connellsville; of the Epworth League of Bird in Hand; of the Woman's Christian Temperance Union of Bird in Hand; of the congregation of the Presbyterian Church of Williamsburg; of the Young People's Society of Christian Endeavor of Mortonville; of the Lincoln Woman's Christian Temperance Union, of Lincoln University; of the congregation of the Methodist Episcopal Church of Altoona; of the congregation of the Calvary Lutheran Church, of Wilkinsburg; of the congregation of the Bethany Presbyterian Church, of Williamsport; of F. E. Willard Legion, Ladies' Temperance League, of Harrisburg; of the congregation of the First United Brethren Church of Philadelphia; of the Northwest Woman's Christian Temperance Union, of Philadelphia; of the congregation of the Twenty-ninth Street Methodist Episcopal Church, of Philadelphia; of the Woman's Home Missionary Society of Washington; of the Woman's Christian Temperance Union of Burgettstown; of the congregation of the First United Presbyterian Church of Sheridan; of the congregation of the Methodist Protestant Church of Sheridan, and of the Haddington Woman's Christian Temperance Union, of West Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the Woman's Christian Temperance Union of Passaic; of the congregation of the Methodist Episcopal Church of Mount Hermon; of sundry citizens of Phillipsburg; of Council No. 97, Junior Order of United American Mechanics, of Town Hope; of the congregation of the Presbyterian Church of West Milford; of the Woman's Home Missionary Society of the First Presbyterian Church of Salem, and of the congregation of the West Presbyterian Church, of Bridgeton, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented a petition of Colonel Randall Post, No. 648, Department of New York, Grand Army of the Republic, of the State of New York, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Canton; of the congregation of the Methodist Episcopal Church of Cazenovia; of the congregation of the Baptist Church of Cazenovia; of the congregation of the Second Baptist Church of Rochester; of the congregation of the Presbyterian Church of Greenport; of the Woman's Christian Temperance Union of Cancandea; of the congregation of the First Presbyterian Church of Dunkirk; of the congregation of the Methodist Episcopal Church of Smithtown; of the Woman's Club of Staten Island; of General William Floyd Chapter, Daughters of the American Revolution, of Boonville; of the Woman's Christian Temperance Union of Wynants Kill; of the congregation of the First Reformed Church of Wynants Kill; of the congregation of the First Methodist Episcopal Church of Dunkirk; of sundry citizens of Hunter, and of the West Harlem Woman's Christian Temperance Union, of New York, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a memorial of Local Union No. 24, Cigar Makers' International Union, of Muskegon, Mich., remonstrating against the ratification of the reciprocity treaty with Cuba; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union of Fulton; of Flushing Grange, Patrons of Husbandry, of Flushing; the congregation and Sunday school of the Baptist Church of Flushing; the congregation of the Methodist Episcopal Church of Flushing, and of 755 citizens of Flushing, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ANKENY presented petitions of the Presbyterian Missionary Society of Chehalis, of the Woman's Christian Temperance Union of Oak Harbor, of the Woman's Christian Temperance Union of Dixie, of the Woman's Christian Temperance Union of Huntsville, of the congregation of the Presbyterian Church of Walla Walla, of the Woman's Christian Temperance Union of Spokane, of the Presbyterian Young People's Society of Christian Endeavor of Chehalis, of the Baptist Young People's Society of Christian Endeavor of Chehalis, and of the congregation of the Westminster Presbyterian Church, of Chehalis, all in the State of Washington, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Current Event Club, of Ayer, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of the Woman's Christian Temperance Union of Washington, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 71, Order of Railway Telegraphers, of Oskaloosa, Iowa, praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 71, Order of Railway Telegraphers, of Oskaloosa, Iowa, praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. CARMACK presented a petition of the Woman's Christian Temperance Union of Park Place, Chattanooga, Tenn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented a memorial of Cigar Makers' Local Union No. 339, American Federation of Labor, of Vincennes, Ind., and a memorial of Cigar Makers' Local Union No. 221, American Federation of Labor, of South Bend, Ind., remonstrating against the ratification of the Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Union No. 2023, United Mine Workers of America, of Hymera, Ind., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the Wesleyan Methodist Church of Fairmount, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 2023, United Mine Workers of America, of Hymera, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. LONG presented petitions of Victor Post, Department of Kansas, Grand Army of the Republic, of Fort Dodge; of General Bailey Post, No. 49, Department of Kansas, Grand Army of the Republic, of Girard; of Severance Post, No. 191, Department of Kansas, Grand Army of the Republic, of Severance, and of Washington Post, No. 12, Department of Kansas, Grand Army of the Republic, of Lawrence, all in the State of Kansas, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Sabetha; of the congregation of the Friends' Church of Lowell; of sundry citizens of Sabetha; of the congregation of the Reformed Church of Quinter; of the congregation of the United Brethren Church of Sabetha; of the congregation of the Congregational Church of McPherson; of the congregation of the Methodist Episcopal Church of McPherson; of the congregation of the Evangelical Lutheran Church of McPherson; of the congregation of the Presbyterian Church of McPherson; of the Woman's Christian Temperance Union of Dalton; of sundry citizens of Sabetha, Ness County, Wichita, and Osawatomie; of the congregation of the United Brethren Church of Wichita, and of the Central Woman's Christian Temperance Union of Wichita, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. STONE presented a petition of sundry citizens of St. Louis County, Mo., praying that an appropriation be made for the protection of the bank of the Missouri River so as to prevent the valuable bottom land from being washed away; which was referred to the Committee on Appropriations.

He also presented a petition of the Woman's Missionary Society of the Presbyterian Church of King City, Mo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented petitions of the congregations of the Christian and Congregational churches of Rock Falls; of the Normal Park Woman's Christian Temperance Union, of Chicago; of the Woman's Christian Temperance Union of Whiteside County, and of sundry citizens of Terre Haute, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a petition of Gettysburg Post, No. 93, Department of Indiana, Grand Army of the Republic, of Spencer, Ind., and a petition of Blinn Post, No. 394, Department of Indiana, Grand Army of the Republic, of Prairieton, Ind., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Perry County Baptist Association, of Tobinsport, Ind., and a petition of the Tippecanoe Baptist Association, of Lafayette, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 797, of Ayrshire; of Federal Union No. 10106, of Stone Bluff; of Local Union No. 61, of Gas City, and of Local Union No. 244, of Brazil, all of the American Federation of Labor, in the State of Indiana, praying for the passage of the so-called eight-hour bill; which were referred to the Committee of Education and Labor.

He also presented petitions of Local Union No. 797, of Ayrshire; of Federal Labor Union No. 10106, of Stone Bluff; of Local Union No. 61, of Gas City, and of Local Union No. 244, of Brazil, all of the American Federation of Labor, in the State of Indiana, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. COCKRELL presented petitions of the congregation of the First Presbyterian Church of Cameron; of the Woman's Christian Temperance Union of Johnson City; of the congregation of the Methodist Episcopal Church of Hydesburg; of the Epworth League of Hydesburg; of the congregation of the Central Presbyterian Church, of Everton; of the Woman's Christian Temperance Union of Wellsville; of the congregation of the Baptist Church of Montgomery, and of the Woman's Christian Temperance Union of Montgomery, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCUMBER presented a petition of the Woman's Presbyterian Missionary Society of Bathgate, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. STEWART presented a concurrent resolution of the legislature of Nevada, relative to the development work on mining claims and on land containing minerals; which was referred to the Committee on Mines and Mining, and ordered to be printed in the RECORD, as follows:

State of Nevada, twenty-first legislative session. Assembly concurrent resolution concerning development work on mining claims and on land containing minerals. Approved March 17, 1903.

Whereas the Federal mining laws being expressed in the affirmative and providing no penalties for failure to do assessment work, locators are enabled to hold mining land in perpetuity by simple relocation of their claims, without development work of any kind; and

Whereas much land is held under various patents, which land is more valuable for the mineral it contains than for any other purpose; and

Whereas the laws of the various States concerning locations and location work are possibly in conflict with the Federal laws providing for the location of mining claims; and

Whereas the prosperity of the so-called mining States depends to a very great extent on actual development work to be done on mining claims, and that legislation to encourage all such development work is necessary to overcome the inclination to hold mining land by various questionable expedients tending to do away with development in most instances, thus seriously retarding the growth and prosperity of the mining States: Therefore, be it

Resolved by the assembly of the State of Nevada (the senate concurring), That the Congress of the United States be requested to enact laws providing for the forfeiture of the locations of those holders or claimants who fail to do the assessment work required by the statutes of the United States to be done yearly on the claims held by such claimants;

That the Congress of the United States be requested to open all lands held under patents other than agricultural patents to development by miners, such miners to pay for actual damage done by them to and upon such lands;

That the Congress of the United States be, and is hereby, requested to more clearly define the powers of the various States to enact legislation concerning the location of mining claims, preliminary or location work, development work, and forfeiture resulting from failure to do such work;

That the Congress of the United States be, and is hereby, requested to enact legislation of a nature to encourage actual development of mining lands and to discourage the holding of such lands merely in the hope of sale, more or less remote; to place some limit upon the number of claims one locator may hold on one lode or vein or in one mining district, and incorporating into mining patents a condition that land held under such patents shall be developed to some extent or forfeited to the Government of the United States;

That a copy of this resolution be sent by the secretary of the State of Nevada to each United States Senator and to each Representative in Congress from the mining States, and to each Delegate in Congress from each mining Territory west of the Mississippi River, and to the officers of the Congress of the United States;

That the Senators and Representative in Congress from the State of Nevada be, and are hereby, requested to prepare, introduce, and urge the legislation recommended by this resolution at the earliest possible time their convenience will permit.

UNITED STATES OF AMERICA, *State of Nevada, ss:*

I, W. G. Douglass, secretary of state of the State of Nevada, do hereby certify that the above is a true and correct copy of assembly concurrent resolution No. 9, entitled "Assembly concurrent resolution concerning development work on mining claims and on land containing minerals," adopted by the twenty-first session of the legislature of the State of Nevada, and approved by John Sparks, governor of said State, on the 17th day of March, 1903.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State. Done at the city of Carson, the capital of said State, this 17th day of March, A. D. 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State,
By GEO. N. NOEL,
Deputy.

Mr. STEWART presented a joint resolution of the legislature of Nevada, relative to the abolishment of the limits of the Pyramid Lake Reservation in certain towns in that State; which was

referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

Assembly memorial and joint resolution relative to the Pyramid Lake Reservation.

Whereas the Government of the United States has heretofore issued to its citizens, by letters patent, title to many hundreds acres of the public domain situated within townships Nos. 20 and 21 north, range 24 east, Mount Diablo base and meridian; and

Whereas said lands lie within the Pyramid Lake Reservation lines; and

Whereas the "Monroe survey," under which said Pyramid Lake Reservation is held, was made in 1865 and sent to the Department at Washington, but was not acted upon until 1874, having no legal existance or withdrawal of lands until the date last mentioned, but in the meantime many locations were made within said limits, including the town of Wadsworth, on the Central Pacific Railroad, and the knowledge of the reservation boundaries was so limited that the Government disposed of a portion of said lands; and

Whereas said Pyramid Lake Reservation now includes the entire Pyramid Lake and large tracts of land comprising a total of 322,000 acres, or an area of more than 500 square miles, a very small portion of which, about 1,000 acres, is occupied or used by the Indians, lying at the southern portion of said lake and near the mouth of the Truckee River; and

Whereas Government agents, without exception, in their reports and otherwise, since 1874 to the present time, have recommended that said reservation be reduced in extent, as it was of much larger proportions than was requisite for reservation purposes; and

Whereas no cultivation or substantial improvements or use have been made upon land within the townships above mentioned by the said Indians: Therefore, be it

Resolved by the assembly, the senate concurring, That our Senators and Representative in Congress be requested to use all reasonable means to abolish the limits of said Pyramid Lake Reservation in the townships above mentioned, thereby establishing the south boundary of said reservation at the south line of township No. 22 north, range 24 east, Mount Diablo base and meridian, thereby removing the cloud upon titles granted by the Government, but injuriously affected by useless reservation lines, at the earliest day practicable.

Resolved further, That the governor be, and is hereby, requested to forward copies of this memorial and resolution to each of our Senators and to our Representative in Congress.

MARION S. WILSON,
Speaker of the Assembly.
J. A. CLARK,
Chief Clerk of the Assembly.
L. ALLEN,
President of the Senate.
C. H. MCINTOSH,
Secretary of the Senate.

Approved March 6, 1903.

JOHN SPARKS, *Governor.*

Assembly memorial and joint resolution No. 6, by J. F. Crosby. Memorial and joint resolution relative to the Pyramid Lake Reservation.

February 26, 1903, rules suspended, reading had, considered for first reading; rules further suspended, read second time by title, and referred to committee on federal relations. February 28, 1903, reported back from committee with recommendation that it do pass. March 2, 1903, considered, engrossed, and placed upon third reading and final passage, and passed by the following vote—yeas 33, nays 0, absent 4; transmitted to the senate. F. C. Armstrong, assistant clerk of the assembly. March 3, 1903, received in senate; rules suspended, reading had, considered first reading; rules further suspended, read second time by title, and referred to committee on federal relations. March 5, 1903, reported back from committee favorably with the recommendation that it do pass. Placed upon third reading and final passage, and passed by the following vote—yeas 14, nays 0, absent 3; transmitted to the assembly. E. T. George, assistant secretary of the senate. March 5, 1903, received from senate, sent to enrollment. F. C. Armstrong, assistant clerk assembly.

Filed in the office of the secretary of state this 7th day of March.

W. G. DOUGLASS, *Secretary of State.*

STATE OF NEVADA, *Department of State, ss:*

I, W. G. Douglass, the duly elected, qualified, and acting secretary of state of the State of Nevada, do hereby certify that the foregoing is a true, full, and correct copy of the original assembly memorial and joint resolution relative to the Pyramid Lake Reservation now on file and of record in this office.

In witness whereof I have hereunto set my hand and affixed the great seal of State at my office in Carson City, Nev., this 9th day of March, A. D. 1903.

[SEAL.]

W. G. DOUGLASS,
Secretary of State.
By GEO. N. NOEL,
Deputy.

Mr. BURTON presented a petition of sundry citizens of Kiowa, Kans., and a petition of the Presbytery, Synod of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

ANGALINE P. ROOT.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. DOLLIVER on the 12th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Angaline P. Root, widow of Richard Root, late messenger, acting assistant doorkeeper in the Senate of the United States, a sum equal to six months' pay at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

KATE L. ZIMMERMAN.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. SCOTT on the 12th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Kate L. Zimmerman, widow of John R. Zimmerman, late upholsterer and locksmith in the Senate of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

SARAH E. NICHOLS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. CULLOM on the 12th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Sarah E. Nichols, widow of John L. Nichols, late assistant in stationery room, Senate of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

JULIA C. BRADLEY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. QUARLES on the 18th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Julia C. Bradley, widow of David B. Bradley, late lieutenant of police in the Capitol of the United States, a sum equal to six months' salary at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM. I ask the Chair to lay before the Senate the bill from the House of Representatives.

The bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, was read the first time by its title.

Mr. CULLOM. I move that the bill be referred to the Committee on Foreign Relations.

Mr. BAILEY. Mr. President, a parliamentary inquiry. I desire to know if, under the rules of the Senate and without a motion, this bill could be referred to the Committee on Foreign Relations?

Mr. CULLOM. In answer to the Senator from Texas, I will state that I made the motion that it be referred to the Committee on Foreign Relations.

Mr. BAILEY. I understand. I asked the question for the purpose of making another parliamentary inquiry.

The PRESIDENT pro tempore. If objection was made, the Chair is rather of the opinion that it could not be referred to-day, because it would have to be twice read before it was referred.

Mr. BAILEY. Mr. President, I am compelled to object to the reference of the bill to the Committee on Foreign Relations. It certainly, under the rules of the Senate, must go either to the Committee on Finance or the Committee on Relations with Cuba. I should not feel it incumbent on me to object to its reference to either of those committees. It does not appear to me to be a safe practice in the Senate to take from the proper committees a matter within its jurisdiction and refer it to a committee which has absolutely no jurisdiction of any kind over the question of taxation.

Mr. CULLOM. In answer to the Senator from Texas, I will state that it has been the universal practice of the Senate to refer bills to the Committee on Foreign Relations where they were based upon the question of the ratification of a treaty. It is the object of this bill to carry out or to approve the treaty which was ratified by the Senate, and which came from the Committee on Foreign Relations. If the Senator will look up the precedents, he will find that all such bills have gone to the Committee on Foreign Relations, unless they were considered by the Senate without a reference at all.

Mr. BAILEY. Mr. President, the Senator from Illinois has simply called attention to the very ground upon which I make this objection, and that is that a treaty can not be ratified and approved by the House of Representatives. With a treaty the House has nothing to do, and I imagine if it is a revenue bill it could not very well have been originated by the President and the Senate. It is upon that very ground that I desire to have this bill referred as a revenue measure, and not as one approving a treaty.

The PRESIDENT pro tempore. The bill has been read once. Does the Senator from Texas object to a second reading of the bill?

Mr. BAILEY. Mr. President, I do not desire to seem captious in the least. I do not object to the second reading unless it carries with it the reference of the bill to the Committee on Foreign Relations.

Mr. SPOONER. Oh, no; it would then be for the Senate to determine to which committee it should go.

Mr. BAILEY. Of course, I am sure that the Senate will determine to send it to the Committee on Foreign Relations, and I have no desire to prevent the Senate from taking its own course on that point. I shall simply content myself, after making a protest, with voting against its reference to the Committee on Foreign Relations on the motion.

Mr. ALDRICH. What is the pending question? Is it to refer?

Mr. CULLOM. I made a motion to refer the bill to the Committee on Foreign Relations.

The PRESIDENT pro tempore. A motion to refer is not in order, objection having been made to the second reading.

Mr. GALLINGER. No objection has been made to a second reading.

Mr. CULLOM. No objection was made. There has been no objection made to a second reading. The objection relates to the question as to which committee the Senate may desire to have the bill referred.

Mr. BAILEY. I did not object to a second reading, because that was not the question before the Senate. I was induced to make a parliamentary inquiry by the motion of the Senator from Illinois to refer the bill to the Committee on Foreign Relations. If it is to be read before that motion is in order, I shall not make an objection to that, and I shall not attempt to prevent the reference to-day except by voting against the motion to refer the bill to a committee which, in my judgment, has no jurisdiction over it.

The bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902, was read the second time by its title.

The PRESIDENT pro tempore. The question is on the motion made by the Senator from Illinois [Mr. CULLOM], that the bill be referred to the Committee on Foreign Relations.

Mr. TELLER. Mr. President, I think the motion should be laid aside informally until we get through with the morning business. It is quite an important question, not so much for this bill as bills that may come hereafter, whether it goes to the Committee on Finance or the Committee on Foreign Relations. I suggest that it be laid aside informally until we get through with the morning business, and then the Senator from Illinois can call it up.

Mr. CULLOM. I have no objection to having the bill laid aside informally if the Senator has morning business to present.

Mr. TELLER. Then all Senators who wish to do so can discuss the question.

Mr. CULLOM. I wish to say again that the motion I have made is in entire harmony with the action of the Senate heretofore on such bills.

Mr. TELLER. We can not very well debate the question just now. I should like to hear the authority. I will not myself object to the second reading, and I do not suppose anyone else will object to it; but let it be determined by the Senate that it ought to go to one committee or the other.

Mr. SPOONER. It has been read twice.

Mr. TELLER. If it is laid aside until we get through with the morning business some care can be given to the question.

The PRESIDENT pro tempore. The Senator from Colorado asks that the bill be laid aside until the conclusion of morning business. Is there objection? The Chair hears none, and that order is made.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. ALLISON, was, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed, together with the accompanying illustrations:

To the Senate and House of Representatives:

I transmit herewith a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company from date of incorporation to September 30, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory," etc., approved March 3, 1901, together with a report submitted by the exposition company, showing progress made by the various departments of the exposition.

THEODORE ROOSEVELT.

WHITE HOUSE, *Washington, November 20, 1903.*

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. LODGE introduced a bill (S. 1503) relating to the residence of postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. BERRY introduced a bill (S. 1504) granting a pension to William A. Daughtry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1505) granting a pension to Thomas W. Coe;

A bill (S. 1506) granting an increase of pension to George H. Eastman (with accompanying papers); and

A bill (S. 1507) granting a pension to Franklin L. Mead (with an accompanying paper).

Mr. FAIRBANKS introduced a bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1509) granting a pension to Emma K. Frazee (with an accompanying paper);

A bill (S. 1510) granting an increase of pension to James H. Mount (with accompanying papers); and

A bill (S. 1511) granting an increase of pension to Jeremiah Davis.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1512) to correct the military record of Josiah T. Postelthwait;

A bill (S. 1513) to correct the military record of Milton McPherson;

A bill (S. 1514) to correct the military record of David P. Morrison; and

A bill (S. 1515) to correct the military record of John McPherson.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1516) granting an increase of pension to Margaret E. Guthrie;

A bill (S. 1517) granting an increase of pension to James J. Hasson;

A bill (S. 1518) granting an increase of pension to Elizabeth Brooks;

A bill (S. 1519) granting an increase of pension to Joseph E. Carr;

A bill (S. 1520) granting an increase of pension to Levi Brader;

A bill (S. 1521) granting an increase of pension to Elizabeth M. Muller;

A bill (S. 1522) granting a pension to Fidelia C. Losch;

A bill (S. 1523) granting an increase of pension to John J. Gangwere; and

A bill (S. 1524) granting an increase of pension to Catherine M. Peck (with accompanying papers).

Mr. GALLINGER introduced a bill (S. 1525) to provide for registering and confirming titles to land in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1526) providing that the Federal Government shall not grant liquor-tax receipts to persons residing in prohibition territory, State or local; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1527) for the relief of the estate of John T. Stringer, deceased; and

A bill (S. 1528) for the relief of the estate of William H. Stringer, deceased.

Mr. DILLINGHAM introduced a bill (S. 1529) for the relief of Frances A. Bliss; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1530) granting an increase of pension to Theron T. Lamphere; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1531) granting an increase of pension to Joseph Barton;

A bill (S. 1532) granting an increase of pension to Electa Allen; and

A bill (S. 1533) granting an increase of pension to Orville V. Percy.

Mr. COCKRELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1534) for the relief of the trustees of the Methodist Episcopal Church of Springfield, Mo.;

A bill (S. 1535) for the relief of the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo.; and

A bill (S. 1536) for the relief of Annie T. Jones, widow of Jonathan L. Jones, deceased.

Mr. ANKENY introduced a bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1538) granting pensions to officers and enlisted men of the military and naval service of the United States who served ninety days or more during the war of the rebellion, and for other purposes;

A bill (S. 1539) granting an increase of pension to Edward Shiflett;

A bill (S. 1540) granting a pension to Margaret P. Smith; and

A bill (S. 1541) granting an increase of pension to Comodore P. Hall (with an accompanying paper).

Mr. SCOTT introduced a bill (S. 1542) for the relief of James M. Stephenson; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 1543) granting an increase of pension to William W. Jackson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1544) for the relief of W. W. Jackson; which was read twice by its title, and referred to the Committee on Claims.

Mr. DEPEW introduced a bill (S. 1545) granting a pension to Anna M. Gregory; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1546) to amend section 2745 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. KEARNS (by request) introduced a bill (S. 1547) for the erection of a monument to the memory of Commodore John Barry; which was read twice by its title, and referred to the Committee on the Library.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1548) granting an increase of pension to Joseph R. Benham (with accompanying papers);

A bill (S. 1549) granting an increase of pension to Reuben Smalley;

A bill (S. 1550) granting an increase of pension to Charles H. McCarty; and

A bill (S. 1551) granting an increase of pension to Alexander C. Monroe.

Mr. MONEY introduced a bill (S. 1552) for the relief of the trustees of the Baptist Church of Red Banks, Miss.; which was read twice by its title, and referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. DOLLIVER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1554) granting an increase of pension to John D. Pickard;

A bill (S. 1555) granting an increase of pension to Owen E. Newton; and

A bill (S. 1556) granting an increase of pension to Daniel P. Andrus.

Mr. NELSON introduced a bill (S. 1557) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Depredations.

He also introduced a bill (S. 1558) to grant to the State of Minnesota certain vacant lands in said State for forestry purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 1559) granting an increase of pension to Marie A. Rask; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1560) granting an increase of pension to William Sweet (with an accompanying paper);

A bill (S. 1561) granting an increase of pension to Samuel P. H. Whitley;

A bill (S. 1562) granting an increase of pension to Riley W. Cavins (with an accompanying paper);

A bill (S. 1563) granting an increase of pension to William D. Galt;

A bill (S. 1564) granting an increase of pension to Daniel W. Working;

A bill (S. 1565) granting an increase of pension to S. N. Rockhold; and

A bill (S. 1566) granting a pension to Josiah C. Ury.

Mr. CLAY introduced a bill (S. 1567) to authorize the employment of additional special agents in the rural free-delivery division of the Post-Office Department; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 1568) to increase the compensation of fourth-class postmasters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1569) granting an increase of pension to Henry Schafnit;

A bill (S. 1570) granting an increase of pension to Jasper Robinson;

A bill (S. 1571) granting an increase of pension to Stella B. Moore;

A bill (S. 1572) granting an increase of pension to Isaac N. Hughey;

A bill (S. 1573) granting an increase of pension to William Q. Haworth;

A bill (S. 1574) granting an increase of pension to Eli Davis;

A bill (S. 1575) granting an increase of pension to George W. Blake;

A bill (S. 1576) granting an increase of pension to Emily M. J. Cooley;

A bill (S. 1577) granting an increase of pension to Elvira C. Compton;

A bill (S. 1578) granting an increase of pension to Cyrus A. Bowers;

A bill (S. 1579) granting an increase of pension to Hampton C. Booth;

A bill (S. 1580) granting an increase of pension to William H. Ambrose;

A bill (S. 1581) granting an increase of pension to Hiram F. Armstrong;

A bill (S. 1582) granting an increase of pension to Alfred R. Babb; and

A bill (S. 1583) granting an increase of pension to Henry R. Bennett.

Mr. COCKRELL introduced a bill (S. 1584) for the relief of J. C. Irwin & Co. and Charles A. Perry & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. NEWLANDS introduced a joint resolution (S. R. 15) inviting Cuba to become a State of the American Union; which was read twice by its title, and referred to the Committee on Relations with Cuba.

Mr. BURNHAM introduced a joint resolution (S. R. 16) to provide for the printing of 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the Exposition Company, showing progress made by various departments of the exposition; which was read twice by its title, and referred to the Committee on Printing.

PROTECTION OF FUR-SEAL HERD OF ALASKA.

Mr. DILLINGHAM submitted the following resolution; which was referred to the Committee on Foreign Relations:

Whereas the concurrent regulations ordered by the tribunal of arbitration and published August 16, 1893, for the protection and preservation of the fur-seal herd of Alaska, under authority of the treaty of Washington, February 29, 1892, have been found after ten years of faithful enforcement and trial wholly insufficient to serve the purpose for which they were created; and

Whereas this failure of these concurrent regulations, if not corrected at once, will result in the immediate and complete extermination of the fur-seal species of Alaska: Therefore, be it

Resolved, That it is the sense of the Senate of the United States that the Government of Great Britain be requested by the Secretary of State to unite with the Government of the United States, without undue delay, in a revision and amendment of the concurrent regulations now in force for the protection and preservation of the fur seals of Alaska, duly established and known as the award of the tribunal of arbitration at Paris, August 15, 1893; and be it further

Resolved, That this request of our Government for the revision of said regulations shall be made at once, so that the British Government shall have a reasonable length of time in which to consider the same before the next pelagic-sealing season opens in February, 1904.

SOLDIERS' ROLL OF THE SENATE.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. PENROSE, as follows:

Resolved, That the Sergeant-at-Arms of the Senate is hereby directed to place on a special roll the names of all messengers now on his list of employees who are employed about the doors, committee rooms, or elevators of the Senate, whose army record, wounds, and disabilities and service in the Senate justly entitle them to favorable consideration, to be known and designated as "The soldiers' roll of the Senate," and to continue such persons in such positions and employment until cause for their removal shall have been reported to and approved by the Senate and their removal directed.

Mr. HALE. As suggested yesterday, I move that the resolution be referred to the Committee on Rules.

The motion was agreed to.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The question before the Senate is on the motion made by the Senator from Illinois [Mr. CULLOM] to refer to the Committee on Foreign Relations the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. BAILEY. Mr. President, I have no doubt the Senator from Illinois correctly states the practice of the body when he says that it has been the custom to refer legislation of this kind to the Committee on Foreign Relations. I must, however, be allowed, as a new member of this body, to express surprise that for so long a time in such an uninterrupted way the Senate has permitted that committee to assume and exercise jurisdiction over subjects not committed to it by the rules. That it is an extraordinary proceeding is made manifest by the fact that a motion was necessary in order to carry it to the Committee on Foreign Relations.

Mr. MORGAN. Will the Senator from Texas allow me just a moment?

Mr. BAILEY. Certainly.

Mr. MORGAN. I have been a member of the Committee on Foreign Relations almost ever since I have been in the Senate, and I do not remember a case when a tariff bill coming from the other House was ever referred to the Committee on Foreign Relations. If the Senator from Illinois can cite any precedent of that sort, I should like to know what it is.

Mr. CULLOM. I will give the history, if the Senator desires, when the Senator from Texas gets through.

Mr. BAILEY. It is to be hoped that the instances of this character of legislation are few, though they have unfortunately occurred before this time.

It seems to me—and that was my whole interest in the matter—the proper practice (and the proper practice ought always to prevail) would be to commit all matters relating to our revenues to the Committee on Finance. If an exception to that rule could be justified, it perhaps would send this particular bill to the Committee on Relations with Cuba. I believe that the Committee on Pacific Islands and Porto Rico has claimed and has been conceded the jurisdiction over bills relating to the revenue of those countries. I believe also that the Committee on the Philippines has claimed—and has had the claim allowed—the right to consider and report upon all questions, including the question of taxation, which relates to the Philippine Islands. Under the precedents thus established in the case of the Committee on the Philippines and the Committee on Pacific Islands and Porto Rico, I should raise no question about the propriety of referring this bill to the Committee on Relations with Cuba.

But, Mr. President, if the Committee on Foreign Relations can thus usurp the functions of the Committee on Finance in this particular case, it seems to me that it could do so in almost every case, because it is impossible to conceive a tariff bill that does not affect our relations with foreign countries.

I can not bring myself to believe that because this bill is in pursuance of a treaty the rule ought to be different, unless, indeed, it is meant to assert here the right of the President to negotiate and the Senate to ratify a revenue measure. Treating the existing convention as inchoate and as of no effect until ratified by Congress does not seem to me to relieve the difficulty of the situation in any great degree. It is predetermined—and I understand that as well as any Senator in this body—that this bill shall become a law, or, rather, that it shall be placed upon the statute book, leaving the question whether it be a law or not perhaps to be determined by the judicial tribunals of the country. Knowing that it is predetermined to pass it through this body, it makes precious little difference whether it is reported for passage by the Committee on Foreign Relations, the Committee on Relations with Cuba, or the proper committee, the Committee on Finance.

I suggest to the Senator from Illinois that the reference he moves will not affect the course of the bill. It will not bring it one day earlier, as I believe, to a vote. Having said this much, in order that it may not be construed as an intimation of a purpose to delay it, I wish to disclaim any purpose of that kind. I want to say that on this question, as on all others, when the debate has been finished I am ready to take the vote. However, I take it that this matter will call for a debate extending beyond the present extraordinary session, if it is expected to adjourn it in advance of the regular session, and the Senator could accomplish every purpose which he has in his mind by allowing the bill to take the usual course of a reference without a motion.

I have no doubt that in the Senate now, or, if it were preferred to wait, after the bill has been reported, an agreement could be reached to take a vote upon the bill on a particular day of the regular session, that particular day being early enough after our regular meeting to serve all the purposes which the friends of the bill have in their minds.

I hope the Senator from Illinois will withdraw his motion and let the bill take the usual and regular course which it would take without a motion.

Mr. LODGE. Mr. President, the jurisdiction of committees can only be determined by the primary object of the measure which comes before the Senate. Many bills come to us from the other House which in different aspects would open jurisdiction to different committees.

It is quite true, as the Senator from Texas says, that a revenue or a tariff bill would affect our relations by the duties imposed or change our trade relations with other countries, but no one would think on that account of referring such a bill to any committee but the Committee on Finance, because the primary object of such a bill is not to affect our relations with another country, but our own domestic revenue. Now, Mr. President, the primary object of this bill is not the adjustment of the American tariff—it is the confirmation by an act of Congress of the provisions of a treaty entered into with the Republic of Cuba.

When the bill making an appropriation to carry into effect the Alaskan treaty of 1867 came over here from the House of Representatives, the purpose of the bill was, as purely as anything could be, to make an appropriation of public money to carry out the purposes of the treaty with Russia. The bill contained nothing else except a resolution, which the House saw fit to pass, of approval, which they added in a single clause. There was nothing else in the bill but an appropriation. It was not one of the great appropriation bills; it was a separate appropriation. That bill was referred to the Committee on Foreign Relations without debate or question, because the Senate understood, as I think is clear about this case, that the primary purpose of the bill was connected with our foreign relations.

The Committee on Foreign Relations is charged with the subject which its name implies—anything relating to our relations with other nations. Under that understanding bills go to the Committee on Foreign Relations in the nature of claims. If they involve the claim of a foreigner or the subject of another state, bills which ordinarily go the Committee on Claims go to the Committee on Foreign Relations, because they involve the relations of this country with other countries.

It seems to me, Mr. President, that we have got to apply that general rule to all bills, and that the question of reference must be decided by their primary purpose. Otherwise we get into inextricable confusion of jurisdiction.

In this case, as in the case of the Alaskan bill, as in cases relating to treaties affecting the revenue, which the Senator from Illinois [Mr. CULLOM] will lay before the Senate—in all these cases the fact that a bill relates directly to a treaty, to a matter coming within the jurisdiction of the Foreign Relations Committee, is taken as the primary purpose, and in the same way with all the reciprocity treaties that came here. Those were treaties that exclusively affected the revenue. The treaty with France was so extensive in its character that it was pretty nearly a revision of the tariff. That treaty went, and I think correctly, to the Committee on Foreign Relations. But in the case of a treaty like that it seems to me that in the proper course of business——

Mr. BAILEY. Will the Senator from Massachusetts permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. LODGE. Certainly.

Mr. BAILEY. I ask the Senator if the law under which that treaty was negotiated was not under the general law known as the McKinley Act?

Mr. LODGE. This was under the Dingley Act.

Mr. BAILEY. I understand that. While the purpose of those laws was to authorize the negotiation of a treaty, the bills to approve would not go to the Committee on Foreign Relations. A bill to authorize the negotiation of commercial treaties might go to the Committee on Finance, and the treaties themselves, negotiated under the authority of that law, would certainly go the Committee on Foreign Relations.

Mr. LODGE. I entirely agree with that, but I think the Senator's example strengthens the point I am making. The Dingley Act did convey that authority, but the primary purpose of the Dingley Act was the raising of revenue by the levying of certain duties; and I think that the matter of authorizing the treaties might

have been claimed with a fair show of reason for the Foreign Relations Committee. It would have been perfectly absurd for a committee to have claimed jurisdiction of a bill the primary object of which was entirely different, and to which only a subordinate part could by any pretense be supposed to belong; but after that bill, properly referred to the Finance Committee, became a law, and the committee, there the Finance Committee, was obliged to deal with the question of our foreign relations, which does not strictly come within its province—after it had become a law under their management, the bill providing for which had passed through the Finance Committee and through the Ways and Means Committee of the other House, that treaty went to the Committee on Foreign Relations; and it has always been my belief that was a proper reference; that it ought to have gone there first; but I also felt that, as a matter of judicious legislation, if that treaty had ever been brought for absolute action before the Senate it certainly ought to have been acted on by the Foreign Relations Committee as coming primarily within their jurisdiction, and that it would have been in the interest of wise legislation to have had it referred secondarily to the Committee on Finance for such report as they might see fit to make.

But that, Mr. President, is not the point involved here. This, to my mind, is primarily a bill to carry out and approve a treaty. That treaty was referred to the Committee on Foreign Relations without debate, was dealt with by them, reported by them, and passed by the Senate under the direction and management of the chairman of the committee.

Now comes this bill from the House of Representatives, the purpose of which is solely and primarily to give that treaty life and vitality. It seems to me, as it is carrying out a treaty and intended to approve a treaty, that the natural and proper place for it to go is to the committee which has charge of the foreign relations of the country. I think that the Alaskan case, which I cited purposely, because it involves nothing but a naked appropriation of money, which would ordinarily go, of course, without question, to the Committee on Appropriations, is on all fours as to the matter of reference, and that is that the primary object of that bill for Alaska being to carry out a treaty which the Committee on Foreign Relations had dealt with, therefore the bill followed the treaty to that committee. In the same way, this being to carry out a treaty which has been already dealt with under the control of that committee, I think it should follow the same course.

I am quite aware that it is of no practical consequence to which committee of the Senate the pending bill goes, but it does seem to me that it is following a wise course to avoid conflicts of jurisdiction, and to let it go to that committee. I do not think that it has the slightest bearing on the large constitutional question which has been suggested in the debate. For that reason, Mr. President, it seems to me that the natural reference to the Committee on Foreign Relations, the one which has been established in similar circumstances, is the proper one.

Mr. BAILEY. Will the Senator from Massachusetts permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. LODGE. I do.

Mr. BAILEY. I wish to ask the Senator, if it be proper to refer to a matter which has transpired in the other House, is he advised or will he state to the Senate whether this bill in the other House came from the Foreign Affairs Committee or the Committee on Ways and Means?

Mr. LODGE. It came from the Committee on Ways and Means.

Mr. BAILEY. That committee there corresponds to the Committee on Finance here?

Mr. LODGE. Unquestionably.

Mr. BAILEY. The House originating the bill, having treated it as a revenue measure, it occurs to me that the House which is expected to concur in it might likewise treat it as a revenue measure. They have in the other House a Committee on Foreign Relations, the same as we have in the Senate, but I believe they call it there the Committee on Foreign Affairs. I should be pleased to see the bill take the same course in the Senate as it took in the House.

Mr. LODGE. Mr. President, of course the action of the House of Representatives in matters of reference does not govern us. The House is constantly referring bills to certain committees where we send the same bills to different committees. Moreover, the Committee on Foreign Affairs in the House for obvious reasons has no jurisdiction over treaties. They can not have a committee that has any jurisdiction over treaties. We have a committee that has jurisdiction over treaties. Again, Mr. President, the House dealt with the Philippine tariff through its Ways and Means Committee; it dealt, I think, with the Porto Rican tariff through its Ways and Means Committee; it dealt with the Philippine bill through a general Committee on Insular Affairs; and it dealt with some of the Porto Rican measures through its general Committee on Insular Affairs; but when the Philippine tariff bill came over here it went to the Committee on the Philippines, properly, as I think, and the Porto Rican tariff bill followed the same course. In the same way there as to the Committee on Insular Affairs, bills which have been reported by that committee when they come here have been divided, and have gone, some to the Committee on Pacific Islands and Porto Rico and others to the Committee on the Philippines. It is impossible for us to follow the references made by the other House; and it seems to me in this case the only way is to follow our own precedents.

Mr. CULBERSON. Mr. President, I simply desire to correct the Senator from Massachusetts in his statement that the Philippine tariff bill was considered by the House Committee on Ways and Means. On the contrary, it was considered and reported by the House Committee on Insular Affairs.

Mr. LODGE. Oh, no; the Senator is mistaken. The bill affecting the Philippine tariff, a separate bill, came from the Committee on Ways and Means; but the bill for the government of the islands, the big general bill, came from the Committee on Insular Affairs.

Mr. SPOONER. Only a word, Mr. President. This question does not seem to me as important a question as my friend from Texas [Mr. BAILEY] appears to regard it. It is a matter entirely under the rules within the jurisdiction of the Senate. I do not find any rule which defines the class of bills which shall go to one committee or another. The rule contemplates motions to refer bills to committees. Of course, the custom is to refer bills affecting the revenues to the Committee on Finance, appropriation bills to the Appropriations Committee, etc.

There are some reasons for a distinction between a bill of this kind and the Porto Rican bill and the Philippine bill. Here we are dealing with a foreign country, and as to Porto Rico and the Philippines we were not. That question was local. While territory not incorporated into the United States—the Senator understands that—it is certainly territory belonging to the United States and under the jurisdiction of the United States.

I do not, as I am now advised, agree entirely with the Senator from Massachusetts [Mr. LODGE], that all bills which carry into effect reciprocity treaties made with foreign governments should go to the Committee on Foreign Relations, nor do I understand that the act of Congress called the Dingley Act authorizes the President and the Senate to make commercial treaties. The President and the Senate derive their power to enter into treaties from the Constitution. Congress can give them no power which the Constitution does not confer; nor can Congress in the slightest degree restrict or limit the treaty-making power conferred by the Constitution upon the President and the Senate.

My understanding of that legislation has always been this, not that it conferred any treaty-making power upon the President and the Senate, but that it furnished in advance legislative approval of a treaty made within the limits indicated in the act, so as to avoid the necessity of supplementary legislation to carry the commercial treaty into effect. I am a member of both of these committees, and I am frank to say that I was of the opinion that the legislation carrying into effect the reciprocity treaties made under that act, after we amended the treaties so as to provide that they should not take effect as a matter of agreement until they had been approved by the Congress, ought not to be enacted without having passed the scrutiny of the Committee on Finance, because it was contemplated by the act that reciprocity treaties affecting the revenue of the country might as a system be entered into with different countries, and it seemed to be in the interests of the people, as well as in harmony with the custom of the Senate, that such an enlarged scheme of legislation or fiscal change should not be put into operation without being considered by that committee which has peculiar charge of the general fiscal system of the country.

So it would be proper undoubtedly to refer this bill to the Committee on Finance; and it is equally proper, I think, and peculiarly proper, that it should go to the Committee on Foreign Relations, although the reference of this bill to that committee is not probably to be taken as establishing as broad a rule as my friend from Massachusetts contends for.

This legislation, Mr. President, is entitled "A bill," and that is all there is of it except a disclaimer on the part of the House that by approving it it concedes the power of the President and the Senate by treaty or contention alone to change the tariff laws—a proposition which I am very strongly inclined to agree with the House about. It simply approves the treaty. It does not raise the question of prerogative. It does not assert the power of the Senate and the President to change by treaty alone the tariff rates because there was inserted as an amendment to the treaty—as a part of the agreement between this country and Cuba—that it

shall not take effect until it has been approved by Congress. The bill for such approval originated in the House of Representatives, I think, properly, because it does affect, as all such treaties affect, the revenue.

Mr. GORMAN. Will the Senator from Wisconsin permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maryland?

Mr. SPOONER. Certainly.

Mr. GORMAN. Mr. President, there is of course no question presented as to what committee should consider a treaty when it has been negotiated and is pending in the Senate, but I ask the Senator from Wisconsin if there is a single precedent in the history of the Government where a treaty has been negotiated and ratified and where a bill or resolution to carry that treaty into effect has come back to the Senate, where such treaty affected the revenues of the Government, as this treaty with Cuba does, that its reference was not to the proper committee—the Committee on Finance?

Mr. SPOONER. Mr. President, I am told the precedents are all in line with this motion that the bill should go to the Committee on Foreign Relations.

Mr. GORMAN. Without the consideration of the Committee on Finance?

Mr. SPOONER. Without the consideration of the Committee on Finance. That is my understanding.

Mr. GORMAN. That is not my understanding, but I am speaking simply from recollection.

Mr. CULLOM. If the Senator from Wisconsin will allow me——

Mr. SPOONER. Certainly.

Mr. CULLOM. I took occasion to look up the precedents in connection with this subject, running back to the treaty with Great Britain in relation to Canada, and including the treaty with Hawaii and also that with Mexico, which finally failed of ratification, or, at least, of being proclaimed by the President. The treaty in relation to Canada—if the Senator from Wisconsin will allow me, as I might as well get it into the RECORD now as at any other time—contains the following provision——

Mr. SPOONER. Certainly; I yield to the Senator.

Mr. CULLOM. This is the provision in Article V:

> The present treaty shall take effect as soon as the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain and by the provincial parliaments of those of the British North American colonies which are affected by this treaty on the one hand, and by the Congress of the United States on the other.

That was the provision of the treaty which this Government made with Great Britain in reference to Canada, which was proclaimed September 11, 1854. After the ratification of the treaty with that provision in it, Congress took up the question of approving the treaty by the introduction and passage of a bill, and they incorporated into the bill for that purpose a long provision reciting every article and product, I think, that was affected by the treaty.

Mr. HOAR. Will the Senator give me the year in which that treaty was negotiated?

Mr. CULLOM. It was in 1854 that the treaty was made with Great Britain.

Mr. HOAR. That was during the Pierce Administration.

Mr. CULLOM. Yes.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Illinois yield to the Senator from Colorado?

Mr. CULLOM. I do not think I ought to take up the time of the Senator from Wisconsin [Mr. SPOONER] who has the floor.

Mr. TELLER. I merely wish to say that it is difficult to hear the Senator in this part of the Chamber, though it is not his fault, I think.

Mr. SPOONER. The Senator from Illinois [Mr. CULLOM] need not worry about taking up my time. He is consuming my time and the time of the Senate very profitably.

Mr. CULLOM. I do not wish to take anyone off the floor, and am now speaking only with the kindly consent of the Senator from Wisconsin.

Mr. SPOONER. The Senator is perfectly welcome to do so.

Mr. CULLOM. The act passed at that time is published in 10 Statutes at Large, page 587, and is as follows:

> *Be it enacted, etc.*, That whenever the President of the United States shall receive satisfactory evidence that the Imperial Parliament of Great Britain and the provincial parliaments of Canada, New Brunswick, Nova Scotia, and Prince Edward Island have passed laws on their part to give full effect to the provisions of the treaty between the United States and Great Britain, signed on the 5th of June last, he is hereby authorized to issue his proclamation declaring that he has such evidence, and thereupon from the date of such proclamation the following articles, being the growth and produce of said provinces of Canada, New Brunswick, Nova Scotia, and Prince Edward Island, to wit: Grain, animals, meats, cotton wool, fruits, fish, poultry, eggs, hides, furs and skins, stone, marble, butter, tallow, lard, horns, ores, coal, pitch, turpentine, lumber, trees, pelts, wool, fish oil, gypsum, flax, hemp tow, unmanufactured tobacco, rags, shall be introduced into the United States free of duty so long as the said treaty shall remain in force, subject, however, to be suspended in relation to the trade with Canada on the conditions mentioned in the fourth article of said treaty, and all the other provisions of the said treaty shall go into effect and be observed on the part of the United States.
>
> *And be it further enacted*, That whenever the island of Newfoundland shall give its consent to the application of the stipulations and provisions of the said treaty to that province and the legislature thereof, and the Imperial Parliament shall pass the necessary laws for that purpose, the above-enumerated articles shall be admitted free of duty from that province into the United States from and after the date of a proclamation by the President of the United States declaring that he has satisfactory evidence that the said province has consented, in a due and proper manner, to have the provisions of the treaty extended to it, and to allow the United States the full benefits of all the stipulations therein contained.
>
> Approved August 5, 1854.

It will be seen that it uses the same language as would be found in a regular tariff bill, and the treaty was approved by Congress by this act.

As stated in the Congressional Globe, volume 28, part 3, page 2109, on August 3, 1854, Mr. Bailey, from the Committee on Foreign Affairs of the House, reported a bill to carry into effect the above-named treaty.

On the same day, August 3, 1854, the bill was passed by the House without opposition and without debate.

On August 4, 1854, a message was sent to the Senate by the House announcing the passage of the bill.

The bill was read twice by its title, was not referred to a committee, but, on motion of Mr. Mason, chairman of the Foreign Relations Committee, the Senate proceeded to consider it; and it was passed without debate. (P. 2212.)

Mr. BAILEY. Was it passed without question?

Mr. CULLOM. It was taken charge of, apparently with the consent of the whole Senate, by the chairman of the Committee on Foreign Relations.

Mr. MORGAN. May I ask the Senator a question?

Mr. CULLOM. Certainly.

Mr. MORGAN. After that treaty was ratified, I will say, or was put in force by the act of Congress, did not the Committee on Ways and Means report a bill to conform the tariff laws to that treaty?

Mr. CULLOM. I have no information of that sort. They may have done so; but the bill passed by the other House, which came to the Senate, was taken possession of, as I say, by the then chairman of the Committee on Foreign Relations, and it went through.

Mr. MORGAN. Congress must have passed a law conforming the tariff or revenue laws of the United States to that act of Congress under the treaty, otherwise there would have been no revenue legislation on the subject.

Mr. CULLOM. The act which they passed conformed the laws to the treaty, just as the treaty was ratified by the Senate.

Mr. SPOONER. Was that referred to the Committee on Foreign Relations?

Mr. CULLOM. That bill was not referred, but was taken possession of here by the then chairman of the Committee on Foreign Relations, and under his lead the bill passed and became a law.

The Hawaiian reciprocity treaty, which was ratified and proclaimed June 3, 1875, provides, in article 5, as follows:

> The present convention shall take effect as soon as it shall have been approved and proclaimed by His Majesty the King of the Hawaiian Islands and shall have been ratified and duly proclaimed on the part of the Government of the United States, but not until a law to carry it into operation shall have been passed by the Congress of the United States of America.

Mr. MORGAN. Right there, did not the Congress of the United States uniformly vote to respect that treaty and conform the tariff laws to all of its provisions?

Mr. CULLOM. I will answer the Senator by giving a correct detailed account of what did occur with reference to that treaty with that provision in it.

On January 6, 1876, Mr. Luttrell introduced in the House a bill to carry into effect the above treaty (vol. 4, pt. 1, 44th Cong., p. 300), which bill was referred to the Committee on Ways and Means; from which committee it was, on February 24, 1876, reported favorably. (P. 1420.)

It was discussed at great length by the House; the details of the bill were gone into, and on May 8, 1876, it was passed—115 yeas, 101 nays. (P. 3037, RECORD.)

It was sent to the Senate by the House, and referred to the Committee on Foreign Relations. (P. 3088.)

On June 30, 1876, Chairman Simon Cameron, of the Committee on Foreign Relations, reported the said bill favorably, and immediately Senator Morrill, chairman of the Finance Committee, moved that the bill be referred to the Committee on Finance, as it affected the revenues. This was objected to by Messrs. Cameron and MITCHELL, but the motion prevailed. (P. 4261.)

On the same day, June 30, 1876, Mr. Sargent, of California, moved to reconsider the vote by which the said bill was referred

to the Committee on Finance. The motion was opposed by Senator Morrill, and was supported by Messrs. Windom, Sargent, Hamlin, Frelinghuysen, and MITCHELL.

It appears from the RECORD that on August 11, 1876, Senator Morrill withdrew his opposition to the motion of Senator Sargent to reconsider the vote by which the bill was sent to the Committee on Finance, and, further, Senator Morrill suggested that his Committee on Finance be discharged from the further consideration of the bill; which motion prevailed.

So the bill went back to the Committee on Foreign Relations and remained in control of the Committee on Foreign Relations until it became a law.

Mr. ALDRICH. When did the Committee on Foreign Relations report the bill back?

Mr. CULLOM. I do not remember the date, but on August 14, 1876, the bill was passed in the Senate after considerable debate.

Mr. ALDRICH. Was that the same day on which the bill was referred?

Mr. CULLOM. It was passed August 14, 1876.

Mr. ALDRICH. I think that was on the same day the bill was referred. I think it was the last day of the session, and it was necessary that action should be had immediately on the same day.

Mr. CULLOM. I do not remember whether or not it was the last day of the session. The bill was duly approved. It is found in volume 19, Statutes at Large, page 200, and reads as follows:

Be it enacted, etc., That whenever the President of the United States shall receive satisfactory evidence that the legislature of the Hawaiian Islands has passed laws on their part to give full effect to the provisions of the convention between the United States and His Majesty the King of the Hawaiian Islands, signed on the 30th day of January, 1875, he is hereby authorized to issue this proclamation, declaring that he has such evidence; and thereupon from the date of such proclamation the following articles, being the growth and manufacture or produce of the Hawaiian Islands—to wit, arrowroot oil, bananas, nuts, hides, skins, vegetables, sugar, sirup of sugar cane, molasses, tallow—shall be introduced into the United States, free of duty, so long as the said convention shall remain in force.

That was the proceeding with reference to what might be called a commercial or reciprocity treaty, and it shows that even when there was a controversy in the Senate as to what committee rightfully had jurisdiction of such a measure it was decided, finally, in favor of the Committee on Foreign Relations.

Mr. BAILEY. Will the Senator from Illinois permit me to interrupt him?

Mr. CULLOM. Certainly.

Mr. BAILEY. It was decided exactly to the contrary the only time it was decided by the Senate. Mr. Morrill's motion prevailing and the motion to reconsider being made that day, evidently the Committee on Foreign Relations took up the subject without having it before it. Senator Morrill still asserted that his committee had jurisdiction, by moving to discharge it, and the Committee on Foreign Relations, having completed its consideration of the subject, with which it never had been charged by the Senate, was ready to report, and the Finance Committee was not. It was about the last day of the session, and it was just simply a question as to which committee could report.

Mr. CULLOM. I think the Senator from Texas is a little in the wrong in reference to that. The measure first went to the Committee on Foreign Relations. Then Senator Morrill, being chairman of the Committee on Finance, came into the Senate and made a motion to refer it to his committee. That was done; but when such men as Sargent and Windom and Hamlin and Frelinghuysen came into the Senate and found that that had been done, a motion to reconsider was at once entered by Senator Sargent, and the bill was reported back and referred to the Committee on Foreign Relations.

Mr. BAILEY. Of course the Senator has prepared this memorandum and has it in his hand, and I would not assert my recollection of the transaction as against him, but my recollection was that the motion was to send the bill to the Committee on Foreign Relations, and that the motion was antagonized by Senator Morrill that day. His motion to refer it to the Committee on Finance prevailed, and on the same day a motion to reconsider was entered, and that motion to reconsider remained pending until the day when the whole matter was finally disposed of.

Mr. CULLOM. I do not think there is enough in the technical point which the Senator makes, even if he be correct, to justify a long discussion about it.

Mr. BAILEY. Only except——

Mr. CULLOM. When the Senate learned that there was a real question between the two committees as to which committee should have the bill, it was decided that it should go to the Foreign Relations Committee——

Mr. BAILEY. It never was so decided by the Senate.

Mr. CULLOM. And the other committee was discharged.

Mr. BAILEY. That is the point on which I rose to take issue with the Senator from Illinois.

Mr. CULLOM. I understand the point.

Mr. BAILEY. When the Senate took a vote, it decided that the measure should go to the Senate Committee on Finance. After a motion to reconsider was made, which motion was pending until the last day of the session, the chairman of the Committee on Finance withdrew his objection.

Mr. CULLOM. Mr. President, I do not know whether the statements which the Senator is making are correct according to the record. I take only what the RECORD shows to be the proceeding in reference to the matter, and it certainly shows that finally it was decided that the Foreign Relations Committee was entitled to have charge of the subject.

Here is a little information with reference to the Mexican treaty which I take the liberty of giving to the Senate.

On January 20, 1883, a reciprocity treaty with Mexico was negotiated by General Grant and others, and was duly ratified by the Senate and proclaimed June 2, 1884.

The treaty provided, however, in Article VIII:

The present convention shall take effect as soon as it has been approved and ratified by both contracting parties, according to their respective constitutions, but not until laws necessary to carry it into operation shall have been passed both by the Congress of the United States and the Government of the United Mexican States and regulations provided accordingly, which shall take place within twelve months from the date of the exchange of ratifications to which Article X refers.

A bill to carry this treaty into effect was duly reported by the Committee on Ways and Means of the House similar in form to the bills to carry into effect the Canadian and Hawaiian treaties. This bill was discussed in the House during three sessions of Congress, but was never passed.

All I wish to say further is that my distinguished friend the Senator from Texas [Mr. BAILEY] seemed to make a point of the fact that I made a motion to refer this bill. I am perfectly aware that it is not necessary to make a motion to refer a bill when everybody understands to what committee it ought to go; but I confess that in the beginning I was in doubt whether this bill ought to go to the Committee on Relations with Cuba or the Committee on Foreign Relations or the Committee on Finance. Therefore I looked up the matter as well as I could, and found these precedents, which convinced me that it should go to the Committee on Foreign Relations. I think it is only fair to say that the precedents are in favor of the motion which I have made. Thinking there might be some question about it, and not desiring to have any informality about the matter, I made the motion, so that it might be clearly before the Senate, when, if anybody objected to that reference, the question would be ready for discussion and action.

I did not desire to take any advantage or to indicate that I was in any particular hurry to get the bill through. I want every Senator who desires to have a fair opportunity to discuss it. We shall discuss it in the regular way, without any particular excitement, and come to a vote when it seems proper and right.

Mr. President, I beg pardon of my distinguished friend the Senator from Wisconsin [Mr. SPOONER] for interrupting him in the midst of his speech.

Mr. SPOONER. I am very much obliged to the Senator from Illinois for having incorporated in my observations his very excellent speech.

Only a moment, Mr. President. I shall vote to refer this bill to the Committee on Foreign Relations, but I do not want to be understood by that vote as agreeing that, as a rule, legislation to carry into effect commercial treaties shall be concurred in in the Senate without the scrutiny and action of the Committee on Finance. That may perhaps later be wisely adjusted by rule.

The Senator from Illinois [Mr. CULLOM] has certainly shown that there is no unbroken line of precedents about it, and that such legislation has been acted upon by the Committee on Foreign Relations. In one case it was controverted. The Senate had voted to refer the then pending measure to the Committee on Finance instead of the Committee on Foreign Relations, but when the chairman of the Committee on Finance withdrew his objection it went, by common consent, to the Committee on Foreign Relations.

Mr. President, as to this particular bill, I think I may justly say that the Committee on Finance did not care to press the question, although not willing that it should be foreclosed by the action of the Senate in this case. There are some reasons why it should go to the Committee on Foreign Relations. I think it is generally conceded that this legislation will be enacted, and it is a matter of some consequence that it be done with a fair degree of promptitude; that it be enacted, if it is to pass, as speedily as may be, after fair debate; and I take it, from what I have heard said on the floor here, no one will be contented with any less or will ask any more than that. It is important that it should pass, if it is to pass at all, so as to be in operation in time to include the present sugar crop of Cuba.

Now, the Committee on Foreign Relations considered the whole subject. I know my friend the Senator from Alabama [Mr. MORGAN] was present almost constantly. We had many sessions. We had a witness before us—General Bliss. We took considerable testimony. We went with the utmost care through every phase of it. The Senator from Illinois reported it, and made a speech upon it. He furnished an abstract of its provisions, with statistical data as to its operation. It is, in another form, precisely the same proposition that we discussed, reported from the Committee on Foreign Relations, and it would take time to invoke the scrutiny of a committee which, as a committee, has had nothing whatever to do with the subject.

I think it is certainly competent and within the rules and sufficiently in harmony with precedents to refer the bill to the Committee on Foreign Relations and let them report it.

Mr. BAILEY. Mr. President, I agree with the Senator from Wisconsin [Mr. SPOONER] that the matter is not of any very great importance in this particular instance. Nor have I treated it as such.

Mr. SPOONER. I did not say so.

Mr. BAILEY. I have suggested to the Senator from Illinois, the chairman of the Committee on Foreign Relations, that he withdraw his motion and let the bill take the usual course which it would take without a motion. So far as concerns a report, favorable or adverse, I think it would be the same whether the bill goes to the Committee on Finance, or the Committee on Relations with Cuba, or the Committee on Foreign Relations.

Before resuming my seat, I desire to suggest, in reply to the Senator from Massachusetts [Mr. LODGE], who described the main purpose of this bill to be a foreign relation, that the main purpose which he states lies behind the bill itself. The "main purpose" may be a foreign relation, but the bill adjusts that foreign relation by the means of taxes, and the taxation must be considered the main question so far as the bill under immediate consideration is concerned, although the purpose that inspired it is one relating to our foreign relations.

Mr. President, I shall detain the Senate but a moment to say that I was so sure the Senator from Illinois, who is always diligent and careful, and generally accurate, was prepared with the proof that this was the usual course that I took the precaution to say that I did not doubt it if he asserted it; but if the research of the Senator from Illinois, well known by the Senate for the pains and care with which he investigates a matter, has not been able to make out a better case than this, I want to withdraw my admission.

The truth of it is the Senator brings certain instances before the Senate. The first one proves nothing, because the Senator who at that time was chairman of the Committee on Foreign Relations simply took charge of the bill, as any other Senator might have done, not with propriety, I grant you, but clearly within the rule, and in that first instance the bill was not referred to any committee at all.

The second instance is that of the bill to carry into effect the Hawaiian treaty. I pause here, by the way, to say that it came from the Committee on Ways and Means in the House. It passed the other House by a vote of something like 115 against 101; and coming to this body was referred, so the notes of the Senator from Illinois declare, to the Committee on Foreign Relations, which reported it, whereupon the Senator from Vermont [Mr. Morrill] so long an honored member of this body, objected to the original reference, and moved that it be referred to the Committee on Finance. And mark you, Mr. President, that motion was made after the bill had been reported by the Committee on Foreign Relations, according to these notes, and thus makes the case vastly stronger. To have declined to refer it to that Committee would have been a decisive vote, but after the Committee on Foreign Relations had actually reported it, for the Senate then to take it from its jurisdiction, over its protest, and refer it to the Committee on Finance, seems to me as conclusive expression of the Senate's opinion on the subject as could possibly have been made. And I now repeat what I said when interrupting the Senator from Illinois [Mr. CULLOM] that the only time the Senate did decide the question it decided it in favor of the Finance Committee.

Mr. LODGE. What followed that, will the Senator from Texas state? The Senate reconsidered that vote.

Mr. BAILEY. I am repeating it from the notes of the Senator from Illinois, upon whose accuracy I always rely. The notes of the Senator from Illinois declare, and I will read from them, so there may be no mistake about it, for I might be inaccurate—

It was sent to the Senate by the House, and referred to the Committee on Foreign Relations.

On June 30, 1876, Chairman Simon Cameron, of the Committee on Foreign Relations, reported the said bill favorably, and immediately Senator Morrill, chairman of Finance, moved that the bill be referred to the Committee on Finance, as it affected the revenues. This was objected to by Messrs. Cameron and Mitchell, but the motion prevailed.

Mr. CULLOM. Now go on and read the rest of it.

Mr. BAILEY. I will say to the Senator from Illinois that I was reading that not so much to contradict him as to sustain myself. I had said, in reply to his statement that the Senate decided it his way, that the only time the Senate ever decided it it decided it in accordance with my contention.

Mr. CULLOM. Now read the balance.

Mr. BAILEY. The Senator's notes say:

On the same day, June 30, 1876, Mr. Sargent of California moved to reconsider the vote by which the said bill was referred to the Committee on Finance. The motion was opposed by Senator Morrill and was supported by Messrs. Windom, Sargent, Hamlin, Frelinghuysen, and MITCHELL.

But so far as the Senator's notes go, it was not decided, and therefore the motion to reconsider, suspending the bill in the middle aisle, as it were, left it there until the 11th of August, when the question seems to have been renewed. According to the Senator's notes—

It appears from the RECORD that on August 11, 1876, Senator Morrill withdrew his opposition to the motion of Senator Sargent to reconsider the vote by which the bill was sent to the Committee on Finance, and, further, Senator Morrill suggested that his Committee on Finance be discharged from the further consideration of the bill.

Now, Mr. President, the Senator from Vermont, while maintaining the consistency of his position, because unless the measure had been in charge of his committee there would have been no sense in a motion to discharge the committee——

Mr. CULLOM. Now, if the Senator will allow me——

Mr. BAILEY. I will cheerfully yield in one moment.

Mr. CULLOM. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Illinois?

Mr. BAILEY. Certainly.

Mr. CULLOM. I ask the Senator whether he does not agree with me now that the whole record in reference to that case shows in effect that Senator Morrill gave up the contest and himself moved to discharge his own committee and let the bill go to the Committee on Foreign Relations?

Mr. BAILEY. That was not the Senator's statement. The Senator said the Senate decided it his way, and I repeat——

Mr. CULLOM. I read the statement.

Mr. BAILEY. And I repeat for the third time the Senate decided it according to my contention.

Now, the history of it is this: The bill being suspended by the motion to reconsider, the Finance Committee did not consider it, but the Committee on Foreign Relations had done so and had reported before it was referred by a vote of the Senate to the Finance Committee.

Mr. SPOONER. Will the Senator from Texas allow me to ask him a question?

Mr. BAILEY. Certainly.

Mr. SPOONER. Is it not a fact that the RECORD shows that the Senate passed the bill without any committee action upon it except that of the Committee on Foreign Relations?

Mr. BAILEY. That is true.

Mr. LODGE. Will the Senator allow me?

Mr. BAILEY. Certainly.

Mr. LODGE. Perhaps it would clear up the matter if he would allow me to read exactly what occurred.

Mr. BAILEY. I yield for that purpose.

Mr. LODGE. The motion to reconsider——

Mr. BAILEY. Will the Senator from Massachusetts give the page of the RECORD from which he is about to quote?

Mr. LODGE. Page 4261. The bill was referred to the Senate Committee on Foreign Relations, was reported back favorably, considered, and referred to the Senate Committee on Finance. The next day, which was June 30, Mr. Sargent, of California, who was absent at the time the vote was taken, moved a reconsideration, and the bill——

Mr. BAILEY. I will say to the Senator from Massachusetts that my statement was that it was on the same day, and that is the statement made in the notes of the Senator from Illinois——

Mr. LODGE. I think it was the day after, according to the RECORD, but that is unimportant. It remained on the table of the Senate, without going to the Committee on Finance, from June 30 until August 11.

Mr. BAILEY. By reason of the pendency of the motion to reconsider?

Mr. LODGE. By reason of the pendency of the motion to reconsider. On that day Mr. Sargent said:

I wish to make a statement in reference to this matter, as to the position of it, and would have interrupted the Chair to do so if it were allowable.

The position of the bill is this: A motion was made, when this bill was reported from the Committee on Foreign Relations, to refer it to the Committee on Finance. I understand that motion will not now be pressed. That motion was made and carried in my absence. When I came into the Senate I found it had been done, and I at once entered a motion to reconsider. The matter which I wish to take up is the motion to reconsider, and have it disposed of, so as to bring the bill before the Senate. Therefore the motion which I want to bring up is my motion to reconsider the vote by which the bill was referred to the Committee on Finance.

Then he went on about the merits of the question, which has

nothing to do here. They had a parliamentary discussion, and Mr. Morrill—and it is the only time he appeared in the debate—said:

I suggest to the Senator from California that he simply move to discharge the Committee on Finance and withdraw his motion to reconsider.

Mr. SARGENT. I am not particular; any way to bring the bill before the Senate.

Mr. MORRILL. It never has been considered by the Committee on Finance, though we have had ample time to do it, because the motion to reconsider had been entered.

Mr. SARGENT. I will put it in that shape.

Mr. MORRILL. I regret very much the committee has not had the bill under consideration, because I think there are some amendments the committee would undoubtedly have reported.

The PRESIDENT pro tempore. Does the Senator from California change his motion?

Mr. SARGENT. I do not see the particular parliamentary point, but I suppose discharging the committee will answer the same purpose, and I will make that motion if the Senator prefers that course.

The PRESIDENT pro tempore. The Senator from California moves that the Committee on Finance be discharged from the further consideration of the Hawaiian treaty bill.

The motion was agreed to.

Then the bill came up, and the same points were made, and Mr. West said:

I rise to a point of order that this having now been reported by a committee to-day, or, rather, the committee having been just discharged, which is equivalent to a report, its consideration is not in order if a single objection is raised.

The PRESIDENT pro tempore. The Chair sustains the point of order if the bill has been reported to-day.

Mr. SARGENT. I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876. It has never been before the Finance Committee. If the Senator from Vermont intended that by his motion, then I ask that the motion be reconsidered whereby the committee was discharged.

Mr. MORRILL. I did not.

The PRESIDENT pro tempore. The Chair understands this is not a report of a committee, but is a discharge of a committee, and the bill is before the Senate. The Chair overrules the point of order, understanding the status of the bill.

Then it went on.

Mr. BAILEY. Mr. President——

Mr. LODGE. In other words, it was referred to the Committee on Foreign Relations.

Mr. BAILEY. It was referred without question.

Mr. LODGE. Yes. Mr. Morrill had that reference changed. Mr. Sargent, who had been absent, came in and entered a motion to reconsider. That kept the bill on the table from the 30th day of June until the 11th day of August. It then came up, and it was distinctly stated by Mr. Sargent that it had never been before any other committee, and it was the report of the Committee on Foreign Relations. That was the exact condition.

Mr. BAILEY. Mr. President, that is not an exactly fair statement of it. The bill was referred to the Committee on Foreign Relations without a question. The reference was not then changed, as would ordinarily be implied by the statement of the Senator.

The Committee on Foreign Relations had reported it, and then, after that report, the question having been raised as to the proper reference of the bill, the Senate by its vote decided that the bill ought to have been sent to the Committee on Finance, and did send it there. The only reason that committee did not consider it was the reason I suggested in the dark. I had not then had the time to examine the records, and I suggested merely in the dark as a certainly sufficient reason, and probably the only one, that the Committee on Finance had not considered it because they had no right to consider it with a motion to reconsider pending. I suggested also that the near approach of the end of the session accounted for the final proceedings. Will the Senator from Massachusetts be good enough to see how near the end of the session that was?

Mr. LODGE. Four days.

Mr. BAILEY. Four days. I apprehended that there was some reason of that kind. It was certain, then, that the bill could not go to the Committee on Finance, be properly considered, reported, and disposed of. They were anxious to dispose of it then, and the chairman of the Committee on Finance, to accommodate the situation—just as almost any Senator in his position would have done—consented that his committee should be discharged.

Mr. CARMACK. Will the Senator from Texas permit me?

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Tennessee?

Mr. BAILEY. Certainly.

Mr. CARMACK. What was the object or the purpose of Mr. Morrill in objecting to the form of the motion of the Senator from California? Was it not for the purpose of showing upon the record that the Finance Committee was entitled to consider the bill?

Mr. LODGE. Senator Morrill, in what I read, expressly disclaimed that.

Mr. BAILEY. It is perfectly plain that if the Senator from Vermont had not intended to insist upon the position which he originally assumed he would not have had the motion put in that way. An easy way to have disposed of it, because this motion to reconsider was pending, was to pass the motion to reconsider in the affirmative, and then the question would have recurred upon the reference, and if the motion then to refer it to the Committee on Finance had been voted down, the bill would have stood before the Senate as originally reported by the Committee on Foreign Relations. It simply took two motions to bring it back; but instead of making those two motions they yielded to Senator Morrill's contention and moved to discharge his committee. I am free to say that with the motion to reconsider pending the Committee on Finance had no charge of the bill, and therefore the motion to discharge it was not the proper one. But the Senator from Vermont evidently intended to insist upon his contention from the beginning, and yielded only as a matter of convenience in view of the near approach of the adjournment of the Senate.

Mr. LODGE. Now, if the Senator will allow me a moment, as he referred to the first motion, Mr. Cameron reported the bill on the 30th of June, 1876.

Mr. CULLOM. From the Committee on Foreign Relations?

Mr. LODGE. From the Committee on Foreign Relations. Mr. Morrill of Vermont said:

As this bill relates entirely to a change of the tariff, I suggest to the chairman of the Committee on Foreign Relations whether it ought not to be submitted to the Committee on Finance.

Then followed Mr. Cameron and Mr. MITCHELL. They thought there was no use in it. Mr. Morrill said:

I had noticed that this bill, in the first place, was referred to the Committee on Foreign Relations. I thought it was an erroneous reference to begin with; but I did not suppose that anybody would object to a change of reference when it should be reported. I thought most likely that committee would report the bill and ask to have it referred to the Committee on Finance. Certainly the Committee on Finance are altogether more familiar with the subject embraced in this bill than the Committee on Foreign Relations, and I do not think it would retard its passage at all, but facilitate it, to have it considered by a committee that will know more accurately whether the provisions are what they ought to be in a bill which if it is to pass would affect our revenue so largely.

* * * * * * *

The PRESIDENT pro tempore. The Senator from Vermont moves the reference of the bill to the Committee on Finance.

The motion was agreed to.

Then Mr. Sargent came in the next day and entered a motion to reconsider.

Mr. BAILEY. The next day or the same day?

Mr. LODGE. The Senator is right; it was the same day. The Senate took a recess, and after the recess Mr. Sargent came in. The Senator from California moved to reconsider the vote which they had just taken, and Mr. Morrill said he thought everybody understood it in the first place. Mr. Windom said:

Would it not answer the purpose of the Senator from California to merely enter the motion to reconsider at this time?

Mr. SARGENT. I suppose I shall have to take that course, owing to the exigency of the business of the country, but I should like to say that I have never known a matter of this kind put through in so quiet and silent a way as that was this morning. I sat in my seat and knew nothing about it at all. Members of the Committee on Foreign Relations who authorized it to be reported knew nothing about it.

Then he goes on—

So far as the change of the tariff law——

Mr. BAILEY. Of course, that statement is obviously incorrect, because the chairman of the Committee——

Mr. LODGE. There was a discussion, but he paid no attention to it. Then they discussed whether it had attracted the attention of the Senate. The debate is a very characteristic one. They went on. Mr. Sargent said:

I submit the motion and will call it up at some other time.

But on that point raised by the Senator from Tennessee [Mr. CARMACK] Mr. Sargent said on August 11, 1876:

I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876. It has never been before the Finance Committee.

Mr. BAILEY. He was evidently mistaken about that, because the Senator has just read that the bill was reported the 30th of June.

Mr. CARMACK. And there was a motion to reconsider.

Mr. LODGE. I do not know whether they reported it or called it up.

Mr. ALDRICH. If the Senator will permit me, Mr. Sargent, who made the motion and took charge of the bill, was neither a member of the Committee on Finance nor the Committee on Foreign Relations.

Mr. BAILEY. I understand that.

Mr. ALDRICH. He was simply an outside Senator, from the Pacific coast, greatly interested in——

Mr. BAILEY. In Hawaiian sugar.

Mr. ALDRICH. Yes; and he was not a member of either committee.

Mr. BAILEY. I so understand.

Mr. LODGE. The point the Senator from Tennessee makes is

a very important one, and I think, perhaps, he did not understand just what I read.

Mr. SARGENT. I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876.

That is an obvious error. It was reported June 30.

It has never been before the Finance Committee. If the Senator from Vermont intended that by his motion——

Mr. CARMACK. Intended what?

Mr. LODGE. That it should have been before the Finance Committee.

Mr. CARMACK. Read what went before that.

Mr. LODGE. Mr. West said:

I rise to a point of order that this having now been reported by a committee to-day, or rather the committee having been just discharged, which is equivalent to a report, its consideration is not in order if a single objection is raised.

Mr. CARMACK. That is what I had reference to.

Mr. LODGE. The President pro tempore said:

The Chair sustains the point of order if the bill has been reported to-day.

Mr. SARGENT. I ask the attention of the Chair for a moment. This bill was reported from the Committee on Foreign Relations May 15, 1876. It has never been before the Finance Committee.

Mr. CARMACK. Oh, no.

Mr. LODGE. He refers to the preceding sentence, of course.

Mr. CARMACK. That is a mistake.

Mr. LODGE. Mr. Sargent proceeded:

If the Senator from Vermont intended that by his motion, then I ask that the motion be reconsidered whereby the committee was discharged.

Mr. MORRILL. I did not.

Mr. Morrill had expressed before the debate that his only object was to get it before the Senate in the quickest way, but the fact remains that after all the Senate acted upon it only on the report of the Committee on Foreign Relations.

Mr. BAILEY. That is true, Mr. President. But it is also true, and I come back to repeat for the fourth time, that when the Senate decided the question it decided against the claim of the Foreign Relations Committee and in favor of the Committee on Finance.

Mr. LODGE. It decided it the other way the last time.

Mr. BAILEY. No, the Senate did not decide it, because these gentlemen decided it among themselves by withdrawing their motion. If the Senate decided it at all by discharging the Committee on Finance, then the Senate reaffirmed its action in referring it to the Committee on Finance. Therefore, if that was the decision of the Senate it was a decision in line with the original decision.

Mr. President, I have already occupied much more of the Senate's time on this question than I intended, and I leave it with the suggestion that, in view of what now seems to be a strange and new conversion of some people to the doctrine of reciprocity, it may perhaps come to pass that all of our revenue legislation and all of our tariff duties will be adjusted in this way. The distinguished Senator from Wisconsin [Mr. SPOONER] negatives that suggestion by the shake of his head, and I sincerely hope he is right, and he is generally right upon all questions except where the parties divide.

I sincerely hope that the House is not to abdicate its right to originate revenue bills, and that the revenue legislation of this Government is not hereafter to be committed to the treaty-making power, for the House to follow with a mere ratification without even the poor privilege of amendment. But if that is to be the course, then I suggest that it becomes a matter of the greatest importance that the reference of this bill, and of every other one like it, shall be to the committee whose duty it is to consider and to report all revenue measures.

Mr. BACON obtained the floor.

Mr. CARMACK. Will the Senator from Georgia yield to me just a moment to reply to a suggestion which has been made?

Mr. BACON. With pleasure.

Mr. CARMACK. I will take only a moment.

I think the Senator from Massachusetts [Mr. LODGE] is mistaken in his construction of the remark of Mr. Sargent. Mr. West had raised the point of order:

I rise to a point of order that this having now been reported by a committee to-day, or rather the committee having been just discharged, which is equivalent to a report, its consideration is not in order if a single objection is raised.

The PRESIDENT pro tempore. The Chair sustains the point of order if the bill has been reported to-day.

What followed had reference solely to that point of order; that is, that its consideration was not in order if a single objection was raised, to which Mr. Sargent replied in substance that that is what Senator Morrill meant to accomplish by his motion. That is what I understand to be the meaning of his statement. If that is what Senator Morrill meant to accomplish by his motion—that is, to get the bill in such a shape that it could not be considered if a single objection was made—then he wished to move to reconsider the motion he had made to discharge the committee. The Chair decided against the point of order on the ground that a motion for the discharge of a committee was not a report from the committee; that they were not the same. That was the whole point. There could have been no reason, as I understand it, for Senator Morrill insisting that that motion should be made, and objecting to the form of the motion made by the Senator from California, except to show upon the record that his committee was entitled to the consideration of the bill. That, I think, is the parliamentary effect of the whole thing.

Mr. President, I simply wish to call attention to one other matter in conclusion. I wish to call attention to two bills in the Journal of the Senate of June 29, 1832. Two bills were brought over from the House. One of them was "An act to carry into effect the convention between the United States and His Majesty the King of the French, concluded at Paris on the 4th of July, 1831," and that bill was referred to the Committee on Finance.

Mr. BACON. Mr. President, I have a very high appreciation of the functions of the Foreign Relations Committee, and as one of its members I am very jealous of its proper prerogatives. Ordinarily I should in a case of difference with the distinguished chairman of that committee remain silent. I am, however, constrained now to depart from that course because I do not think that this is a matter of slight importance, as suggested by, I believe, the Senator from Wisconsin [Mr. SPOONER]. If this were an isolated case, if there were to be no other proposed changes in the tariff by reciprocity treaties, it might in this case be unimportant in view of the fact that the question involved in this bill has been considered by the Senate, and having been passed substantially in the House in accordance with the views which have been approved by the Senate in ratifying the treaty, there is every reason to believe that the Senate will simply enact into law the bill as it came from the House. In that view it might be unimportant if this were all.

But the suggestion made by the Senator from Texas [Mr. BAILEY] in the conclusion of his remarks to my mind presents what is the important feature in this question, and that is that it is not an isolated matter, that it is one which in dealing with future reciprocity measures will relate largely to the future action of Congress. As stated by him, the reciprocity practice is one which is advocated for adoption in the future by a very influential part of those having control of public affairs. It is a fact that we have had in the Senate a number of treaties with other commercial nations looking to the change of the tariff laws which shall exist in this country as to products coming from other countries, and as to reciprocal changes which shall be made in their tariff laws by those countries.

Now, if the rule is good in one instance it is good in all. If a reference of this bill to the Foreign Relations Committee is correct, then a reference of all other bills which are proposed for the purpose of carrying out any other reciprocity treaty is also correct in each instance. Reciprocity is now advocated as the favorite method by which we shall hereafter have changes made in the tariff laws in this country; that such changes shall be through means of reciprocal arrangements. So if this method is pursued in a general way, we are to have a reciprocal treaty with France, another one with Germany, another one with Austria, another one with Russia, and we would also have one, I presume, with Great Britain if she were in a position to grant any reciprocal concessions.

Mr. TELLER. If Mr. Chamberlain wins.

Mr. BACON. As suggested by the distinguished Senator from Colorado, if Mr. Chamberlain wins in his new propaganda Great Britain can be included in the general scheme of reciprocity.

Now, that is the theory, Mr. President; that is the proposition, and if it is carried out those are the countries with which we shall have relations which most materially affect our tariff laws. They are the countries from which come the products upon which we levy tariffs and from which tariffs we mainly derive revenue. If that proposition, that theory, shall be prosecuted to a successful accomplishment, we shall have our tariff laws determined, not by the general tariff law, but by reciprocal arrangements carried into effect, if you please, by acts of Congress, and the controlling tariff regulations of our laws will be those which shall be prescribed by such acts of Congress and not by the general tariff law. The effect of it will be to relegate the committee of which the distinguished Senator from Rhode Island is the honored chairman into a condition of "innocuous desuetude."

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. BACON. Certainly.

Mr. ALDRICH. Does the Senator think there is immediate danger of general changes in the tariff by reciprocity treaties? Has he seen any indication in this body that there will be a general approval of the character of treaties which he is supposed to be in favor of? I remember several instances in which treaties were reported to the Senate by the Committee on Foreign

Relations, of which he is a member, and I think with his approval, which failed to receive the approval of this body; and I see no indication whatever outside of the legislation which is now before the Senate that there is to be any general policy in the way of adopting reciprocity treaties.

Mr. BACON. I am not as familiar with the Republican literature as I probably ought to be, but if I recollect correctly tariff reciprocity is most distinctly avowed as the policy of the Republican party. I suppose no one will doubt the loyalty of the distinguished Senator from Rhode Island to his party or to its tenets. I can not, in this instance, construe the inquiry of the Senator from Rhode Island, however, into anything except a disloyalty in this particular instance to that which is avowed, not only in the platform of his party, but which has been avowed for years past by its most distinguished leaders. A fact which we find mentioned most frequently is that the last utterance of the distinguished President, the lamented McKinley, was one in favor of the policy which the honorable Senator from Rhode Island now says there is no indication his party will carry out.

Mr. ALDRICH. I was simply answering the suggestion of the Senator from Georgia, who seemed to fear that our whole tariff policy was in danger of disintegration or destruction by reason of reciprocity treaties to be precipitated upon the country in the near future.

Mr. BACON. Does the Senator say that I said it?

Mr. ALDRICH. The Senator was apparently suffering a fear of that kind.

Mr. BACON. Mr. President, I am not in fear of the disintegration of the tariff law. I am not in favor of the destruction of the tariff law, but I would be very glad to see it modified so far as to effect a proper reduction of it to a point where it shall cease to be oppressive to the people of this country. I can not now go into a general discussion of these points, and I do not propose to be diverted in that direction.

I am coming back, Mr. President, to the point upon which I was addressing myself to the Senate when interrupted by the Senator from Rhode Island, and that is that this is not an isolated proceeding; that it has been preceded by a number of reciprocity treaties which have been sent to the Senate, and some of which are now pending, unless they have expired. I have forgotten whether all of them have expired by limitation. I do not now recall accurately. But, Mr. President, there is no reason why we should act upon the theory that such a thing is an impossibility when it is the favorite tenet of the dominant party, and when reciprocity treaty after reciprocity treaty has been sent here by the Executive. The Senator from Rhode Island asks me whether or not there has been any danger of the ratification of any of them. If they had ever been permitted to come to a vote some of them, I think, would have been ratified, and some very important ones, some to which the Senator from Rhode Island was opposed, if I correctly understood him.

But, Mr. President, we must proceed in the consideration of this question upon a general theory and a general recognition, rather than limiting our consideration to this isolated case. I was saying at the time of the interruption that if this is to be adopted as the rule, and if the policy of the dominant party is to be made effectual, if the utterances of its leaders from the time of Mr. Blaine to the present day are to be realized by being made effectual in the work of Congress, if reciprocity treaties requiring Congressional enactment are to be made first with one country and then with another, including all the countries from which we draw the products upon which most of our tariff legislation takes effect, the undoubted, necessary result must be that the Foreign Relations Committee will be the Finance Committee of the Senate, and not the committee over which the distinguished Senator from Rhode Island presides.

Now, one other thought, Mr. President. When this legislation has been enacted, what is it which will give it effect? What is it which will make it the law of this land? Will it be the treaty or will it be the act of Congress? Undoubtedly, I say, it will be the act of Congress and not the treaty.

The provision in the treaty which requires this legislation may in the language which is used be misleading in the consideration of that question when it says that "This convention shall not take effect until the same shall have been approved by the Congress." I very frankly confess that the language is not felicitously chosen. I offered that as an amendment to the treaty. It was not a part of the treaty as originally negotiated by the President and sent to the Senate. I am the author of it so far as this treaty was concerned, and I wish to say now that I used that language not because I thought it was the best language for the purpose, but because the Foreign Relations Committee had previously used the same language as to other reciprocity treaties, and I did not wish that there should be any issue raised by its opponents as to phraseology.

The idea that Congress can approve a treaty is utterly fallacious. Congress has no such prerogative and can perform no such office. The proper language would have been that "this convention shall not be of binding force until made effectual by act of Congress, which shall enact a tariff law in accordance therewith." That is what the language should have been, and that is the language I would have adopted if left to my own choice. The amendment had been opposed by the majority in the Fifty-seventh Congress, and I expected the same opposition in the executive session of the Senate in the Fifty-eighth Congress; and, desiring that there should be no difference as to phraseology, to avoid an issue on that point, I yielded to the superior wisdom of the committee in the language which it had adopted and ingrafted in a similar provision on other previous reciprocity treaties.

Now then, Mr. President, what office does the treaty perform in this transaction? It is to my mind nothing more than an agreement on the part of the United States Government that there shall be a reciprocal arrangement as to tariff, provided Congress enacts a law changing the tariff law of the United States in accordance therewith. And it must be that, because the only constitutional power to enact a law which shall make or change the tariff law in this country, in my opinion, is the Congress. The Constitution of the United States expressly confers it upon Congress and limits it to Congress. Therefore, in my opinion, there could be no change of tariff simply by a treaty. The general power to the President and the Senate to make treaties must yield in construction to the specific exclusive power vested in the Congress to make a tariff law.

Nor does the treaty lend any force or give any strength to the act of Congress. It has no more relation to the act of Congress, so far as to strengthen it, to give it any force and effect, than would a message from the President of the United States to Congress recommending the enactment of such a law.

Therefore, this legislation, when it has been accomplished, will be legislation by act of Congress. It will be a law made by act of Congress, and not a law made by treaty. If so, it stands in regard to its relations with either House exactly as any other act of Congress which modifies or changes the tariff regulations of the country. If that is the case, it seems to me to be most distinctly one where the general rule of reference should be followed, and where the bill which comes from the House should go to the Finance Committee and not to the Foreign Relations Committee. Mr. President, I am utterly surprised at the position taken by the chairman of the Finance Committee, and I can only attribute it——

Mr. ALDRICH. I have not taken any position yet, but I may have something to say upon the question which the Senator is now discussing.

Mr. BACON. I do not know what position the Senator will take in regard to the matter, but I supposed from utterances which I heard from him on other occasions that he was very firmly of the opinion that all such legislation must go to his committee.

Mr. President, I do not desire to detain the Senate, and I wished only to call attention to two features which struck me as being controlling in this case. One is that if it is good in this case it must be good in all, and that if carried to its greatest and legitimate extent it can only result in the utter taking away of financial legislation from the Finance Committee and giving it to the Foreign Relations Committee. The other is that this is a revenue law, not different from any other revenue law and not in any manner affected by the fact that it has been suggested by a treaty.

Mr. TELLER. Mr. President, I do not suppose that this is a very practical question when applied to this particular case, for, as has been already said, I presume the report will be the same, whatever committee the bill goes to. I suppose, further, it is absolutely in the control of the Senate to send it to the Committee on Foreign Relations if it sees fit. It has been the usual custom for a great many years, I think, to send this class of cases to the Committee on Finance. If, however, the Senate concludes that it does not want to send the bill there, either for special reasons or general reasons, either because it intends hereafter to cut down or destroy the functions of the Committee on Finance or for any other reasons, it can send it to the Committee on Foreign Relations. I have no doubt about the power to send it to the Committee on Education and Labor, if the Senate wanted to send it there.

Committees are formed for the proper consideration of the bills that come before the body. There is no rule of the Senate that fixes the jurisdiction of any committee, nor has there ever been that I can find. For many years, in the early history of the country, when a bill came in the presiding officer appointed a special committee. I believe that practice was continued until 1816. There have been special directions by the Senate as to the jurisdiction of committees. I believe that the order creating the Committee on the Philippines has some special provision in it. But when the Senate creates a committee, the Senate itself has never, as I

understand, undertaken to define what its jurisdiction shall be, but usually by its name indicates the purpose for which it was formed.

As I was saying, up to 1816 the rule was that the Chair named a committee consisting of from three to five members. In 1816 some of the committees that are now called standing committees were organized, and from time to time other committees have been added. Up to 1867 the functions now discharged by the Committee on Appropriations were discharged by the Committee on Finance, in addition to the duties now discharged by it. At that time the Committee on Appropriations was created. Within the last few years the Senate determined that some of the matters which had been going to the Committee on Appropriations should go to other committees—for instance, appropriations for agriculture, to the Committee on Agriculture; appropriations for the Army, to the Committee on Military Affairs, and appropriations for the Navy, to the Committee on Naval Affairs. For years after I became a member of the Senate all those matters had been going to the Committee on Appropriations.

I do not know whether it is really the intention to transfer from the Finance Committee subjects which have gone there for probably eighty years or more to the Committee on Foreign Relations or whether this is only to be an exceptional case. It seems to me it would be better to send this bill to the Committee on Finance for the reason that we have been sending such measures to that committee heretofore, and it would be better to have it understood that a certain class of subjects go to certain committees and certain other subjects to certain other committees. I do not believe we can do business in the Senate, as we have been for many years doing it, harmoniously and expeditiously unless we adopt such a rule.

When a certain committee concludes they would like to have a bill which has formerly gone to another committee, and the chairman or some other member of the committee gets up and makes a motion that the bill be referred to that committee, the result will be that discussions will be precipitated, which will last for a considerable time, over such questions, and that whenever you come to dispose of the reference of a bill the chances are that you will waste time in determining to what committee it shall be referred; but if you follow the usual methods, so that the Chair, without any motion, will refer the bill to the appropriate committee, that will be the end of the business for that day. That is the orderly, decent, and peaceable way to do business, and that is the way we have been doing business here, and that is the way the matter ought to be settled in this instance.

I have not looked up the precedents, but I have heard what has been said in reference to what are called the precedents by the chairman of the Committee on Foreign Relations, and they did not strike me as being precedents which ought to control. But this is not a question of precedent. Suppose such action has been taken in the past, you do not necessarily have to take such action now; and even if it has never been done in the past, if you take a notion that you want to change the usual method you can do so.

The Senator from Tennessee [Mr. CARMACK] showed here that in 1882 a treaty with France of the same general character as the one dealt with by the pending bill went to the Committee on Finance. I have not investigated to see what became of it, but there were some good parliamentarians and some good lawyers then in the Senate, and I do not suppose they would have sent that bill to a committee on the theory that the committee had such jurisdiction or that they were compelled to send it there. They sent it there because at that time it was the orderly method of referring such bills and the orderly method of disposing of them by sending them to that committee, and such bills have been going there practically ever since. Even if the Senator does show there have been some exceptions to that rule, and this will make another exception, will it destroy the jurisdiction of that committee; and when the next reciprocity treaty of the same kind comes here will the presiding officer of the Senate, whether it be the present or some other, feel in duty bound, because of this precedent, to send the bill to the Committee on Foreign Relations?

The Committee on Foreign Relations is not the proper committee to deal with a question touching the revenues nor touching the expenditures of the Government. It was not formed for such purposes; it never has had that business submitted to it, except it may be in some isolated case.

Mr. President, I merely want to say a word or two about this bill. I think the whole proceeding is a violation of the law and the Constitution; that it is abnormal and unprecedented, or, at least, that if there are any precedents for the proposed action they are very few and ought not to bind us or anybody else.

I am against this bill, Mr. President. I am against it because I think it is the entering wedge to a system that I know will not be a valuable system. I am opposed to it because it inflicts upon the people of my section of the country a great hardship, and I would be unworthy to stand on this floor as their representative or the representative of the State in which they live if I did not protest against it, and protest so far as is consistent with my relations to this body as a legislative body.

Mr. President, I have seen it stated in the newspapers that I have said that this bill should not pass. I have never said any such thing. I know that this bill is to pass. I know that there are influences brought to bear here which will secure the passage of this bill without reference to its merits; but it is not one of those things which will justify me or any other man in standing here day after day, as I can conceive many cases in which I would, to prevent its passage. It is not a question of jeopardizing the liberty or rights of the people of the United States, as they might be jeopardized by some bills, but it is a question whether the people of this country shall submit to the domination first of a great financial power called the sugar trust, that is to be benefited by this bill, assisted here by the force of the executive department of this Government, to the injury and to the harm of the people whom I attempt here to represent.

I will not submit without protest, Mr. President. I have been in this Chamber many years. I have changed my seat in this Chamber, but not my principles. I formerly sat on the other side of the Chamber, and I now sit on this side. I sit here because I do not believe that the other side represents the principles it represented when I left the Democratic party and went into the Republican party; it does not, I think, represent the principles it represented twenty years ago, when I sat on the other side of the Chamber; and if I am not in full and entire accord with every proposition made by my associates on this side, I am infinitely more in accord with them than I am with those sitting over there on the great questions that divide our people into political parties.

Mr. President, I am not a free trader; I am not an extreme tariff man, and never was, as the speeches I made in this Chamber years ago will show, when I entered my protest, sitting on the other side of the Chamber, against the McKinley bill as an unreasonable tariff bill and not consistent with the declarations of the party to which I then belonged as they were declared in its early history and so late as when I came into the Senate.

I have said this, Mr. President, that all may know I have some interest in this matter; and yet I want to say here now that I do not propose, by any unreasonable obstruction, to hinder the execution of the will of the President or the will of this body as I believe it will be registered whenever a vote on this bill shall be taken.

I noticed what the Senator from Georgia [Mr. BACON] said about the new method of dealing with the tariff. I understand he referred to the new Republican method by reciprocity treaties. Why was this treaty made? I understand it was made because there could not be passed through Congress a legislative bill such as was desired, and the executive department had power to make a treaty under the Constitution, and it was claimed the executive department and the Senate, acting together, could make a treaty reducing the revenue or increasing the revenue, as they might see fit. The distinguished Senator from Wisconsin [Mr. SPOONER] indicates that he is not in accord with that view. I am not surprised at that, Mr. President, for he is a good lawyer, a constitutional lawyer, and I do not believe that any constitutional lawyer will say that may be done without the action of Congress. I do not believe constitutional lawyers will give encouragement to the idea that the Executive and this body alone can determine what shall be the revenue system of this Government; that they have the power to determine what the tariff duties shall be on the different articles imported into this country without the consent of Congress.

Mr. President, I myself believe in reciprocity treaties properly secured. I do not believe that the Executive and this body have the power to initiate a treaty either increasing or decreasing the tariff without first having the approval of Congress; and that was the idea when the Dingley bill was passed. The provision put in that bill was for the making of reciprocal treaties, and it specifically enumerated the articles which were to be admitted and the reduction of duties upon them. Under the law I believe some eighteen or twenty treaties were made. I do not at this instant recall that a single one of them ever reached this body or the other. I do not recall that any one of them came from the committee to which it was referred; and, so far as I recollect, all of them were smothered in the Committee on Finance.

Mr. CULLOM. If the Senator will excuse me, they did not go to the Committee on Finance, but were referred to the Committee on Foreign Relations, which reported them back to the Senate.

Mr. TELLER. I take back that statement. I meant the Committee on Foreign Relations.

Mr. CULLOM. Those treaties were all reported from that committee to the Senate.

Mr. TELLER. Were they reported?

Mr. CULLOM. All of them were reported.

Mr. SPOONER. Yes.

Mr. TELLER. If they were reported, not one of them was ever

taken up and not one of them was ever voted upon. I am free to say that, after I read the most of them, I should have voted against them if I had had the opportunity, and I suppose some other Senators would have voted for them who are perhaps occupying practically the same political relation that I am. But I do not believe the majority of those treaties were wisely drawn, although they were drawn within the law. I believe the reductions—I do not now know—but I think the proposed reductions amounted to about 8 per cent. They were within the limits of the Dingley law.

As the Senator from Georgia has said, there was every reason to suppose that this system was to be carried out. The President of the United States might to-morrow make a treaty with France and the Senate might ratify it, and it would thus become a law. That is what was claimed for this treaty by Senators on the other side of the Chamber when it was before the Senate. But in my judgment it would never have passed if it had not been for the amendment which provided that its provisions should be approved by act of Congress, which might theoretically and technically bring it within the province of the Constitution, though I do not believe it would.

It may be said that no harm will come if we allow the President to make these treaties and submit them to the Senate, and after the Senate has expressed its satisfaction, then to do what has been attempted here—secure the consent of the House of Representatives to legislation to carry such treaties into effect and give our approval to the action of the House. Whenever you enter upon that system—and I do not care who is the Executive nor to what political party he is attached—I know the power of the Executive to practically secure the approval in ninety cases out of a hundred of a treaty which he has negotiated.

With reference to this particular measure, I have heard men say, ad nauseam, "I do not approve of this bill, but I think we ought to enact it into law because the Republican President wants it done and a Republican Senate has said it ought to be done by ratifying the treaty." When you have a Democratic President, with his hundred millions of patronage and with more than mere money patronage, with the power to take a man from the lowest walks of life and put him into one of the highest positions in the nation, you will have the same demand: "A Democratic President has negotiated this treaty; a Democratic Senate has ratified it and declared that we ought to approve it, and therefore we are going to vote in line with two-thirds power of our party—the Executive and the Senate."

Mr. President, the theory upon which the fathers founded this Government was that the people were the source of power, not the Executive, not even this body, and when it came to questions of finance and questions of taxation, they said the people shall determine whether it is a proper thing to do to put burdens upon the people or remove them; and, therefore, revenue questions shall always be left to the House of Representatives in the first instance. In the Senate amendments may be made to revenue measures; but, in my judgment, the Senate can not originate any bill touching or changing the revenue system, although it may, under that special provision of the Constitution, amend such a bill, and in that way perform a function that belongs and ought to belong to this body in its legislative capacity.

When we act on a treaty we do not act in our legislative capacity; we act in a special capacity conferred upon us by the Constitution, and we recognize that fact when we close the doors of the Senate Chamber and decline to give to the public the reasons which impel us to ratify or reject a treaty.

For myself I am in favor of a reduction of the existing tariff, and I have been in favor of such reduction ever since the Dingley bill became a law. I did not vote for that bill; and I was in favor of reducing the tariff on many articles that were included in the McKinley bill, and, as I said, the RECORD will show that I so declared. But if the Republican party propose to reduce the tariff—they say they do not now intend to do so, but may on some future occasion—we have just as much right to amend the bill under discussion as we have to amend any bill that ever came from the House of Representatives to this Chamber.

I know, Mr. President, that there will be no change made in the bill as it came from the House. Whatever may be thought about it, I know that the bill will be passed through this body without the dotting of an "i" or the crossing of a "t." I doubt, in fact I know, that if I could show in the bill an error of grammar or anything of that kind I could not secure even an amendment to correct such a mistake, because the bill then would have to be returned to the House, and the determination of the party in power is that, having secured the passage of the bill by the House, they will not allow it to go back there again.

I do not know where this bill ought to go. It seems to me the proper place for it is probably the Committee on Finance, but I do not care whether it goes to that committee or not, for the result will be the same whether it is sent to the Committee on Finance, or to the Committee on Foreign Relations, or the Committee on the Judiciary, or to the Committee on Privileges and Elections. There is a provision in the bill which raises a great legal question, and perhaps it ought to go to the Committee on the Judiciary. Let me call this provision to the attention of the lawyers of this body:

> That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress originating in said House.

Mr. President, I believe that to be the law, but I suppose from the speeches which I heard when the treaty was before the Senate that there are sitting on the other side, and possibly on this side, Senators who do not believe that is the law. We might take the opinion of the Committee on the Judiciary as to that question. We might find out whether that is the consensus of opinion, and it would not be a bad thing to do to say to the executive department of the Government in that way, "If you want to make a treaty in which France or Spain or Germany shall be given exceptional privileges with reference to the tariff, go to the source of all power, the House of Representatives, the people themselves, who do not represent States, but represent the great mass of the American voters; go to that body which every two years returns to its constituency and asks approval for what has been done and promises what will be done if they are returned—go there and get their approval, and if you secure the approval of that body and of this, then you can go to work and make a treaty."

I have never voted for any of these treaties and I never intend to vote for any of them that do not recognize that principle, not so much for fear of a tariff that is not acceptable to me, but because I am one of those who believe that you can depart little by little from the principles of this Government until you get so far from them that nobody will recognize that which we recognized in our earlier days as the Government of the United States.

So, Mr. President, the only interest I have in this question is that I believe the ordinary, decent methods of doing business in this body require the bill to go to the Committee on Finance. I know that the chairman of the Committee on Finance does not seek it. There was a question raised when we first came here as to whether we could originate in this body a bill for the purpose of approving the treaty with Cuba. I do not think I shall exceed the proprieties of the occasion if I say that I believe every member of the Committee on Finance was opposed to that theory. We believed that the House, and the House alone, had the right to originate this legislation; that the Senate could not originate it; and there is no disposition on the part of the Committee on Finance, so far as I know, to arrogate to itself any powers that are not given to it.

I think it would have been well for the chairman of the Finance Committee to have insisted that his committee was entitled to consider the measure, but I know what a delicate matter it is to raise a question of that kind. I know that the chairman of that committee does not like to raise such a question against the chairman of the Committee on Foreign Relations.

I have full and entire faith in the Committee on Foreign Relations, and if that committee is to have jurisdiction of such bills as the one under discussion let us so declare by rule, so that when the numerous matters of this class come to us we shall not have to debate every day as to which committee is entitled to consider them, but we shall know where they belong.

Mr. ALDRICH. Mr. President, I fully agree with the general contention of the Senator from Texas [Mr. BAILEY] and the Senator from Colorado [Mr. TELLER], that bills affecting the revenue, or which propose changes in tariff rates, should be referred to the committee charged by the Senate with the responsibility of considering legislation of this character. There have been modifications by general consent of this proper rule. When the Committees on Relations with Cuba, the Philippine Islands, and the Pacific Islands and Porto Rico were constituted there was an understanding that all questions pertaining to the respective islands and countries, whether they were questions affecting the revenue or the currency, should be referred to those committees and not to the Committee on Finance.

Mr. TELLER. Affecting conditions in the islands, but not the conditions here.

Mr. ALDRICH. Well, affecting all revenue and all currency questions pertaining to the islands.

Mr. TELLER. I think the chairman of the Committee on Finance goes a great deal further than he understood me to go. I understood that if a bill before this body affected the duties on imports into this so-called province of ours, the Philippines, it would go to one of the committees constituted for the purpose of dealing with questions relating to those islands.

Mr. BAILEY. If it related to imports.

Mr. TELLER. Measures affecting imports into the Philippines, providing for duties on goods we send there, would go to the Committee on the Philippines. We put a tariff on goods

imported into the Philippine Islands. We said, "Everything that goes into the Philippines must pay a duty." As I understood, such matters as that would be left to the Committee on the Philippines, but bills relating to the duty on goods imported into the United States from the Philippines would go to the Committee on Finance. There was a bill reported from that committee, or an amendment or something in the House bill, I believe, that would indicate that the committee claimed what the Senator now does.

Mr. ALDRICH. The practice under the understanding, as the Senator will remember, has not been as stated; for instance, in the case of the Cuban reciprocity legislation, so called, the bill which came to the Senate in the last Congress from the House of Representatives was sent without objection to the Committee on Relations with Cuba. All bills affecting the revenue or the currency of the Philippines were referred to the Committee on the Philippines, and all bills pertaining to the currency and to the tariff rates to Porto Rico or from Porto Rico to this country were sent to the Committee on Pacific Islands and Porto Rico. I say, then, to that extent—wisely or unwisely—the Senate by unanimous consent has modified what I think is a very proper rule.

Now, with reference to the particular question under consideration, the treaty which we are now seeking to make operative was referred to the Committee on Foreign Relations without a question being raised, and it was reported from that committee. This is a bill to make this treaty, which was ratified by the Senate, operative. It is a very narrow proposition. I shall vote to send this bill to the Committee on Foreign Relations, and in so voting I do not intend to assent to the proposition that that committee have a right to consider or ought to be charged with the duty of considering revenue legislation. I believe that legislation of that kind ought to go to the Committee on Finance. I have examined the precedents to which the Senator from Illinois [Mr. CULLOM] has called attention—and whatever value should be given to them I will not now undertake to say—but taking these into consideration and the further fact that this is simply legislation to make a treaty operative, I shall vote to refer this bill to the Committee on Foreign Relations, but I do not want it understood as establishing a precedent to govern future action.

Mr. TELLER. May I ask the Senator a question?

Mr. ALDRICH. Certainly.

Mr. TELLER. Does the Senator believe that it is such a tariff bill that it could be amended so as to provide that the revenue should be reduced 1 per cent or 60 per cent?

Mr. ALDRICH. I do not. I know that the Senate can amend this bill in any way that a majority of the Senate can be induced to vote.

Mr. TELLER. Of course.

Mr. ALDRICH. I am not raising that question, and I am not undertaking to dispose of it. It will be disposed of in due time. I do not think that this is such a revenue bill as can be changed and amended along the lines the Senator from Colorado suggested. I do know perfectly well that Senators can, and I have no doubt will, offer all kinds of amendments. I hope most sincerely that none of them will be adopted. I hope the Senator from Colorado is correct in his prognostication that the bill will pass this body without the dotting of an "i" or the crossing of a "t."

Mr. BAILEY. Will the Senator from Rhode Island allow me?

Mr. ALDRICH. Certainly.

Mr. BAILEY. Did I understand the Senator from Rhode Island to say that this is not a bill which it is within the lawful power of the Senate to amend?

Mr. ALDRICH. I did not say quite that. I said that we can not undertake to amend the treaty through amendments to this legislation.

Mr. BAILEY. I ask more for the purpose of fixing the position of those who voted for it in another body rather than those who shall vote for it in this. If the Senate can not amend this bill because it is practically a treaty implies that the House could not consider it, as to say that would establish the right of the House to ratify a treaty.

Mr. ALDRICH. Does the Senator from Texas think that by legislation at this stage we can amend the treaty which has been entered into between two powers?

Mr. BAILEY. Yes; because a treaty would be superseded by subsequent legislation. You could absolutely repeal it.

Mr. ALDRICH. Oh, yes; in that way. Can you amend the terms of the treaty?

Mr. BAILEY. Any law of Congress in conflict with the treaty would be a repeal of the treaty pro tanto.

Mr. ALDRICH. Yes, pro tanto.

Mr. BAILEY. But I agree with the Senator from Rhode Island that in good faith, when Congress is trying to carry out a treaty, the law ought to follow the lines of the treaty.

Mr. ALDRICH. That is all I am contending for.

Mr. BAILEY. I agree with the Senator. As a Member of the House—Mr. President, I doubt if it is exactly the proper thing for me to discuss what transpired in the other House. I shall abstain from it until I come to speak at length upon the bill. But I will be permitted to say that if I were a Member of the House I would have felt just as the Senator from Rhode Island feels and as I feel, that this was not the origination of a revenue bill at all, but that it was simply a command to ratify the treaty as it stood.

Mr. ALDRICH. That the Senate can amend the bill as it comes from the House of Representatives I have no question whatever, provided there are sufficient votes obtainable.

Mr. CARMACK. What is the title of the bill, I will ask the Senator?

Mr. ALDRICH. I do not know.

Mr. SPOONER. It is a bill to carry out the provisions of the treaty.

Mr. ALDRICH. I know the purpose of it, or I think I do.

Mr. SPOONER. It is "A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902."

Mr. CARMACK. Could we amend a bill of that sort? According to that title, could we treat it as a general revenue bill and amend it accordingly?

Mr. ALDRICH. From my standpoint you could not.

Mr. CULLOM. It would kill the treaty.

Mr. ALDRICH. You could kill the treaty by this indirect method, yes.

Mr. SPOONER. It would be a strange way to carry out the treaty—to kill it.

Mr. ALDRICH. Yes.

Mr. CARMACK. What I mean is this: The pending bill is to carry out a treaty. That is the title of it. Can you amend it at all, because if you do amend it at all you do not carry out the treaty?

Mr. ALDRICH. You can not properly amend it, but the reason you should not amend it is not because the title reads one way or the other. I suggest to the Senator from Tennessee, but because good faith requires us to carry out the treaty stipulations. I do not think there is any technical reason why we are unable to amend it.

Mr. CARMACK. I am not very familiar with the rules, but the question with me is whether it would be in order, on a bill of this sort, which is to carry out a treaty, to offer an amendment to it which would destroy the treaty?

Mr. ALDRICH. That would be a question of propriety for each Member to decide for himself.

Mr. CARMACK. Under the rules would it be permissible? I ask for information, because I do not know a thing on earth about the rules.

Mr. ALDRICH. If I were in the chair when an amendment was offered, I should say technically it was in order.

Mr. CARMACK. Would it be germane to the bill?

Mr. ALDRICH. That is a question for the presiding officer and then for the Senate to decide. I do not think it would be.

Mr. CARMACK. I am asking for information.

Mr. ALDRICH. Not in my opinion.

Mr. CARMACK. No amendment would be in order?

Mr. ALDRICH. I think an amendment of that kind would be a manifest impropriety. The good faith of the Government of the United States is pledged to make the treaty operative precisely in the form in which it was ratified.

Mr. CARMACK. Would it be in order, is the question I asked.

Mr. ALDRICH. I should hate to see any Senator offer an amendment of that kind. But I agree that the Senator from Tennessee may have a very different idea about his duty and about what ought to be done in this matter than I have, and I am not speaking for the Senator from Tennessee.

Mr. CARMACK. The question I was asking is this, with the indulgence of the Senator from Rhode Island. I know the Senator is familiar with the rules, and the point I was trying to get at is whether or not it would be in order under the rules.

Mr. ALDRICH. I am not here——

Mr. CARMACK. The Senator knows a great deal about the rules, and I do not know. On a bill which is entitled "A bill to carry out the provisions of a treaty" would any amendment be in order if that amendment, as any amendment would, would destroy the effect of the bill?

Mr. ALDRICH. Well, from my standpoint, no; but I am not the presiding officer of this body.

Mr. CARMACK. I merely wanted the Senator's opinion.

Mr. ALDRICH. I am not answering that question simply upon a technical ground. I think it would be manifestly improper for the Senate——

Mr. CARMACK. As a matter of morals?

Mr. ALDRICH. As a matter of ethics. As a matter of ethics, I think it would be manifestly improper for the Senate to do something by indirection which it would not undertake to do by direction.

Mr. CARMACK. General ethics or Senatorial ethics?

Mr. ALDRICH. Both. I do not know any difference.

Mr. CARMACK. I do.

Mr. ALDRICH. I hope the Senator from Tennessee does not. Mr. President, I have said all I care to say upon this subject. I shall vote for this reference. I shall not do it with the idea that that action is to be controlling hereafter as a precedent with respect to the reference of legislation affecting the revenue.

I wish to say a single word further in answer to the suggestion made by the Senator from Georgia. I will say for myself, and not for anybody else, that in my judgment the reciprocity arrangements made by this country in the future will be made through legislative enactments rather than by commercial treaties.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Illinois [Mr. CULLOM], to refer the bill to the Committee on Foreign Relations.

Mr. BAILEY and Mr. TELLER called for the yeas and nays; and they were ordered.

Mr. BACON. The distinct motion, I understand, is to refer the bill to the Committee on Foreign Relations.

The PRESIDENT pro tempore. That is the question.

Mr. BACON. It involves nothing as to any other committee.

The PRESIDENT pro tempore. It does not.

Mr. ALLISON. Mr. President, before the vote is taken, I wish to say a word respecting the reference of the pending bill. I intend to vote to refer it to the Committee on Foreign Relations, and yet I think there is very much in the debate which would justify its reference to the Committee on Finance, if it would not be controlling in that direction under ordinary circumstances. And when I say that I have no apprehension that the Foreign Relations Committee or the Senate will undertake, by means of treaties with foreign countries, to disturb or destroy our financial system, so far as the tariff is concerned. But I believe there is so much in the contest, if you may call it a contest, which has prevailed for some years, as respects the jurisdiction of the House with reference to commercial treaties wherein the tariff is involved, that in making such treaties there should be a provision for their submission to the House of Representatives before final action.

I believe that has been done in nearly every instance, if not in every instance, hitherto. It certainly was done in the case of the treaty with the Canadian provinces. It was done with the Hawaiian treaty. It was also done when we made the treaty with Mexico. As I remember, it was in the original treaty when sent to this Chamber.

Mr. CULLOM. It was.

Mr. ALLISON. It was in the original treaty made by General Grant, who recognized that whatever might be the final disposition of a contested question as to the power of the Executive and the Senate, under the Constitution, to make a treaty involving a question of revenue, it was not wise to have that question raised in such treaties. Hence such a provision is found in all these treaties up to this time, I believe. I may be mistaken, and if I am the Senator from Illinois will correct me.

Mr. CULLOM. Of late years all the treaties that were called reciprocity or commercial treaties, affecting in any way the revenue, have had a clause of this sort in them.

Mr. ALLISON. I understand that all the recent treaties, made under what is known as the Dingley law, have such a provision. The law authorizing this class of treaties, which was referred to by the Senator from Colorado [Mr. TELLER] in debate, directed that those treaties should be submitted to the House before taking final effect.

Mr. CULLOM. The provision of the Dingley law was that the treaties should be approved by Congress.

Mr. ALLISON. Approved by Congress.

Mr. CULLOM. Hence the expression in this treaty.

Mr. ALLISON. That necessarily involved the question of their submission to the House. Those treaties were so approved.

Now, the reason which underlies the question of their submission to the House is that the treaties involve a change of tariff laws—a change of the rates of duty imposed upon articles imported from foreign countries—and before those changes in duty shall finally take effect it is provided that the measures shall be submitted to the House.

That being true, it involves, to my mind, two or three questions: First, the making of such treaties by the President and the Senate, and secondly, the approval of Congress. The first stage of this process undoubtedly the President must initiate. We here can not very well undertake to make treaties. The treaty-making power here being a coordinate power, it must first be exercised by the President, as I understand, although I believe that some time in the early history of our country the Presidents did in some way advise with the Senate before they made treaties. That is the first stage.

Now, the next question is whether, when the treaties are made, they are providently or improvidently made, so as to destroy the power of the two Houses to raise revenue for the support of the Government. That is distinctly a financial question. Therefore when the treaties are submitted to Congress they are not submitted as respects the general policy of making such treaties or including matters of general commercial policy, but they are submitted to Congress upon that question alone, and being so submitted, in the House, I think, uniformly bills for the approval of such treaties have been referred to the Committee on Ways and Means. Therefore I think it is proper, and, indeed, more natural, that such bills when they come to us from the House should in some way be considered here by the committee which has charge of the general subject of the tariff.

But when we come to this specific treaty, there are difficulties about it, in my mind. In the first place, we committed to the Committee on Relations with Cuba all subjects relating to Cuba, and it therefore seemed proper that that committee should take charge. It also seemed to me proper that the Committee on Finance should take jurisdiction of this subject, if it so desired. As I understand, no member of the Committee on Finance insists, as respects this particular measure, that it shall be considered by that committee. Certainly I do not. I believe that for the convenience of us all it is wiser and better that the bill be first considered by the Committee on Foreign Relations, and I shall so vote, although I do not wish to be foreclosed hereafter by having a precedent which shall exclude the Finance Committee from the consideration of these questions as affecting the revenue.

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. MITCHELL. Mr. President——

Mr. BAILEY. A parliamentary inquiry before the roll is called.

The PRESIDENT pro tempore. The Senator from Texas will state his parliamentary inquiry.

Mr. BAILEY. I desire to inquire as a matter of order whether if the motion of the Senator from Illinois be voted down the bill will then, without motion, be referred to the Committee on Finance?

Mr. CULLOM. There are two other committees.

The PRESIDENT pro tempore. It would depend upon the opinion of the presiding officer as to where the bill ought to go.

Mr. BAILEY. I thought so.

The PRESIDENT pro tempore. The Chair, undoubtedly, if this motion should be voted down, would send the bill to the Committee on Finance.

Mr. MITCHELL. Mr. President, I intend to vote to refer this bill to the Committee on Foreign Relations, although I think the distinguished Senator from Iowa [Mr. ALLISON] has given very strong reasons why it should go to the Committee on Finance. But what I rose to say more particularly, Mr. President, is that I have some very decided views upon the question as to the different grants of constitutional power to the House of Representatives and the President in reference to matters now under consideration—bills for raising revenue.

I believe most thoroughly that the two grants in the Constitution of the United States, the one directing that all bills for raising revenue shall originate in the House of Representatives and the other conferring upon the Executive of the nation the power, by and with the advice and consent of the Senate, to make treaties, while two separate and distinct grants of power, are grants nevertheless that must be construed together in pari materia so as to give full force and effect to each.

All bills for raising revenue, says the Constitution, shall originate in the House of Representatives, while in a subsequent clause power is vested in the President, by and with the advice and consent of the Senate, to make treaties. There is no limitation or qualification whatever upon this last-designated power. It is a power to make treaties without any qualification or limitation. Therefore it must be construed in connection with the other grant of power, which directs that bills for raising revenue must originate in the House of Representatives, and in order to give full force and effect to both they must be construed together; and so much of the power as is contained in the former grant to the House of Representatives as is necessarily taken away by the other grant authorizing the President, by and with the advice and consent of the Senate, to make treaties is eliminated just to that extent.

Therefore I am firmly of the conviction that when the Constitution says that the President, by and with the advice and consent of the Senate, may make treaties, it means precisely what it says. It is a plenary grant of power, and that a treaty, whether it affects the revenue or not, either directly or indirectly, is nevertheless a treaty, and a treaty authorized by the Constitution of the United States, and just in that proportion and to that extent is the former grant requiring revenue bills to be originated in the House modified; and hence it follows that the House of Representatives has no right, so far as the grant of the Constitution is concerned, to

have any say on the matter of revenue where that revenue is affected by a treaty made by the President, by and with the advice and consent of the Senate.

Of course the Senate can waive the constitutional question and defer to the claim of the House; it has done so, I believe, time and time again. I refer to the claim of the House that there is no power with the Executive and the Senate, in the absence of concurrence on the part of the House, to make a treaty affecting the revenue, and therefore the House has been given opportunity from time to time, in various bills to enforce treaties, to have its say upon the question. But all I mean to say is that in my judgment the House has no constitutional right to have anything to say on the subject. I believe a careful examination of the authorities upon that subject, of the best writers on constitutional construction, will bear out the opinion to which I give my adherence.

I simply wanted to say this much, Mr. President. Now, although I shall vote, of course, for this bill when it comes up, I deny that the House of Representatives has any constitutional right to pass upon any question of revenue, where that revenue has been affected by a treaty made in accordance with the grant in the Constitution authorizing the President, by and with the advice and consent of the Senate, to make treaties.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. TELLER. At the suggestion of Senators about me, I will withdraw the call for the yeas and nays, if nobody objects.

Mr. MONEY. Before the vote is taken——

Mr. LODGE. Has there not been a response on the roll call?

The PRESIDENT pro tempore. One Senator has responded to his name.

Mr. LODGE. Then I make the point of order that debate is not in order.

Mr. MONEY. I can not hear.

Mr. BLACKBURN (to Mr. MONEY). There has been a response on the roll call.

Mr. MONEY. I was unaware of that fact.

Mr. GORMAN. I suggest that it is hardly fair that that rule should be enforced in this instance. The Senator from Colorado rose before a response was heard on this side and withdrew the demand for the yeas and nays.

Mr. BAILEY. Since that question has been raised, I will renew the demand for the yeas and nays.

Mr. GORMAN. The Senator from Texas will pardon me for a moment. I am dealing with the Senator from Mississippi.

Mr. BAILEY. Oh!

Mr. GORMAN. I was about to suggest that under the circumstances it would not be fair to cut the Senator from Mississippi from the floor.

Mr. BAILEY. Of course not.

Mr. GORMAN. The Senator from Colorado rose at the same moment that the roll call commenced and was recognized by the Chair, and withdrew the demand for the yeas and nays. I suggest to the Senator from Massachusetts that we should not take advantage of the fact, if it be the fact, as I suppose it is, that a response has been made to cut off the Senator from Mississippi.

Mr. MONEY. I do not consider that what I am about to say is of sufficient importance to make a contention about it, and if the Senator from Massachusetts insists upon his point of order I will simply take my seat.

The PRESIDENT pro tempore. The Senator from Colorado withdrew the demand for the yeas and nays.

Mr. CULLOM. The Senator from Texas renewed it.

The PRESIDENT pro tempore. The demand having been withdrawn——

Mr. LODGE. How could he withdraw it or do anything after a name had been called and there had been a response?

The PRESIDENT pro tempore. The Senator from Colorado was rising to withdraw the demand while the Secretary called the name of the Senator from Rhode Island, and the Chair, under the circumstances, thinks it would be better not to enforce the rule.

Mr. CULLOM. I did not rise to make any question about the ruling of the Presiding Officer or to oppose an opportunity for the Senator from Mississippi to speak. I only wanted to say that the Senator from Texas [Mr. BAILEY] renewed the demand for the yeas and nays after it was withdrawn by the Senator from Colorado.

The PRESIDENT pro tempore. Does the Senator from Texas renew the demand for the yeas and nays?

Mr. BAILEY. Of course I would not renew it until the Senator from Mississippi has said what he desires to say to the Senate, and I will say, while I am on my feet, that I do not care for the yeas and nays. Of course everybody knows how the question will be decided, but if the Senator from Massachusetts would like to have the record made, I shall be glad to join him in demanding the yeas and nays.

Mr. LODGE. I have no desire to have the record made. I am perfectly willing to withdraw the point of order. The only reason I made it is that I think, after the roll has begun, it is a very dangerous precedent for our general conduct of business to reenter on debate. We are pretty loose about it anyway.

Mr. BAILEY. I concur in that opinion generally, but in view of some statements that have been made on the other side, that they are going to do this this time and are not going to do it any more, I desire to spare them the embarrassment of a record, and I think perhaps the next time, without a record vote to confront them, they will vote right. I make no demand for the yeas and nays.

The PRESIDENT pro tempore. The demand for the yeas and nays has been withdrawn, and the Senator from Mississippi is recognized.

Mr. MONEY. Mr. President, I do not intend to occupy more than a very few moments, much less time than has already been consumed in discussing the point of order.

It happens that I am a member of all three committees concerned, and therefore, so far as I am personally concerned, it is simply a shifting of the burden from one shoulder to the other. I have a belief that this matter should go to the Committee on Finance, but I have no objection, particularly, to its going to any other committee to which the Senate may choose to refer it.

I am aware also—and I believe that is the only reason which has been used in favor of sending this matter to the Committee on Foreign Relations—that the members of that committee reported the treaty to the Senate, are familiar with the subject-matter in its detail, and would be prepared to report perhaps after a single sitting, and I know the anxiety of the Senate to adjourn.

But as some matters of fact have come up here for discussion, I wish to say, in answer to the Senator from Iowa [Mr. ALLISON], as I understood him, not being able to hear him entirely distinctly, I believe everything which concerns the levying of taxes and the collection of revenue should go to that committee which is designed by the rules to take charge of such matters, and there should be no exception whatever.

It has been decided that the Committee on Pacific Islands and Porto Rico has charge of that tariff, and the Philippine Committee, I believe, also, with respect to the tariff as to those islands. In those matters we are dealing with our colonies. Here we are dealing with an independent country, an independent Republic. The reason, however, is just as good in that case as in the other, and my opinion is that they should all have gone to the Committee on Finance. I disagree also with the statement that a treaty of this character has no sort of validity unless confirmed by both Houses. I believe that the House should originate all matters of revenue, but I also think that whenever a treaty is negotiated and ratified by the Senate it is then a part of the law of the land. According to the declaration of the Constitution it and all the statutes and treaties passed in consonance with it are the supreme law of the land.

But what I particularly wanted to say was this: The Senator from Iowa, as I understood him, said that in this case and in the others adduced all these matters concerning the laying of revenue and taxation had been referred to different committees. It is true the line of precedent is wavering. But the line of authority is steadfast. He instanced a case now and then where the authority of the committee seems to have been invaded and the consideration of such matters taken from the Finance Committee.

But now let us assume, Mr. President, that it will work as well in one case as in another, which is the assumption upon which we are now proceeding. We had here in the last Congress thirteen several reciprocity bills, negotiated formally by a commission appointed by the President of the United States under the authority of the Dingley Act, the same authority having been conferred previously by the McKinley Act. Those bills regulated all the tariff of this country with the respective countries with which they were negotiated.

I will suppose now that the whole ground could have been covered by reciprocity treaties, and that the President had full authority, as far as the legislative power could give it to him, will not be disputed by anyone. Suppose the President, then, in pursuance of that authority, had negotiated a treaty with every nation in the world with which we held commercial intercourse. I want to know, then, what would have become of the Finance Committee of the Senate? There would not have been a single subject for them to consider in connection with the tariff. The whole question of levying taxes, regulating customs, and raising revenue by tariff would have been taken piecemeal from that committee and all of it conferred upon the Committee on Foreign Relations.

Now, if you can do it in one case you can do it in all, and for that single reason, if I had no other, which I have, and I will not detain the Senate with any relation of them—for that reason I shall feel compelled to vote that this bill shall be referred to the Committee on Finance. I know that it makes no particular

difference in the result. I understand that; this has been debated here almost as an academic question in its effect, but nevertheless I fully agree with what the Senator from Texas said about it; and I desire simply to go on record with my reason for voting against referring the bill to the Committee on Foreign Relations.

The PRESIDENT pro tempore. The question is on the motion to refer the bill to the Committee on Foreign Relations.

The motion was agreed to.

Mr. CULLOM. I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, November 23, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 20, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

SWEARING IN OF A MEMBER.

Mr. RIXEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RIXEY. I desire to make a motion that the gentleman from North Carolina, Mr. Claude Kitchin, be sworn in.

The SPEAKER. Let the gentleman come forward.

Thereupon Mr. Claude Kitchin, a Member-elect from the Second district of North Carolina, appeared at the bar of the House and took the oath of office prescribed by law.

LEAVE OF ABSENCE.

By unanimous consent, Mr. LANNING obtained leave of absence for ten days on account of important business.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 5 minutes p. m.) the House, under its previous order, adjourned until Tuesday, November 24, 1903, at 12 o'clock noon.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 4681) granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home—to the Committee on the Public Lands.

Also, a bill (H. R. 4682) to provide for the purchase of a site and the erection of a public building thereon at Rawlins, in the State of Wyoming—to the Committee on Public Buildings and Grounds.

By Mr. RUCKER: A bill (H. R. 4683) providing for the erection of a public building at Trenton, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4684) providing for the erection of a public building at Carrollton, Mo.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4685) providing for the erection of a public building at Brookfield, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. ZENOR: A bill (H. R. 4686) for the erection of a public building at Jeffersonville, Clark County, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH: A bill (H. R. 4687) for the erection of a public building at North Tonawanda, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. OTIS: A bill (H. R. 4688) making appropriation for the construction and completion of Eastchester Creek—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4689) for the improvement of the harbor at Tarrytown, N. Y.—to the Committee on Rivers and Harbors.

By Mr. THOMPSON: A bill (H. R. 4690) to improve and to continue the improvement of the Coosa River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4691) to appropriate $2,500 to erect a soldiers' monument at Emuckfaw, Tallapoosa County, Ala.—to the Committee on the Library.

Also, a bill (H. R. 4692) to provide for the erection and maintenance of a Soldiers' Home in the Fifth Congressional district of Alabama and an appropriation of $100,000 for same—to the Committee on Military Affairs.

Also, a bill (H. R. 4693) to amend the Bowman Act, volume 22, Statutes at Large, page 485—to the Committee on War Claims.

Also, a bill (H. R. 4694) to appropriate $100,000 for the relief of parties for property taken from them by military forces of the United States—to the Committee on War Claims.

By Mr. DICK: A bill (H. R. 4696) providing for penalty envelopes for return vouchers in mailing pension checks—to the Committee on the Post-Office and Post-Roads.

By Mr. MARSHALL: A bill (H. R. 4697) to provide free mail transmission in the presentation for payment of executed vouchers for pension—to the Committee on the Post-Office and Post-Roads.

By Mr. FIELD: A bill (H. R. 4698) to provide for the erection of a public building at Corsicana, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. DAVIDSON: A bill (H. R. 4699) to prevent the desecration of the American flag—to the Committee on the Judiciary.

By Mr. McANDREWS: A resolution (H. Res. 28) making inquiry as to the material to be used in the construction of the union station in the city of Washington, D. C.—to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. STEPHENS of Texas: A bill (H. R. 4695) to pay deputy clerks in the Indian Territory their salaries for recording legal documents—to the Committee on the Judiciary.

By Mr. BOWERSOCK: A bill (H. R. 4700) granting an increase of pension to Rosetta Galbraith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4701) granting an increase of pension to David P. De Tar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4702) granting an increase of pension to John T. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4703) granting an increase of pension to S. R. Beckwith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4704) granting an increase of pension to James H. Devin, alias Harrison J. Devin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4705) granting an increase of pension to John C. Marshall—to the Committee on Invalid Pensions.

By Mr. BURGESS: A bill (H. R. 4706) to pay Lavaca County National Bank $105—to the Committee on Claims.

By Mr. COWHERD: A bill (H. R. 4707) granting a pension to Margaret J. Snook—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 4708) granting an increase of pension to Samuel Engle—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 4709) granting an increase of pension to John S. Kephart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4710) granting an increase of pension to John Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4711) granting an increase of pension to David Ennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4712) granting an increase of pension to Thomas H. Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4713) granting an increase of pension to Hensley H. Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4714) granting an increase of pension to Curtis C. Bliton—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 4715) for the relief of Patrick J. Sullivan, Jeremiah McCarthey, and Bartholomew Shea, and for the relief of the heirs and legal representatives of John B. Dillon—to the Committee on Claims.

By Mr. HAMILTON: A bill (H. R. 4716) granting an increase of pension to Mary B. Long—to the Committee on Invalid Pensions.

By Mr. HUNT: A bill (H. R. 4717) for the relief of Martha A. Murphy—to the Committee on War Claims.

Also, a bill (H. R. 4718) granting an increase of pension to Thomas Ballard—to the Committee on Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 4719) granting an increase of pension to Joseph F. Carter—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 4720) granting a pension to George Evans—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 4721) granting an increase of pension to Thomas Hutchinson—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 4722) granting a pension to Charles Jacobs—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 4723) for the relief of the Stone, Sand, and Gravel Company, of New Orleans, La., and the surety for the performance of its contract with the Government for diverting the mouth of the Yazoo River, near Vicksburg—to the Committee on Claims.

Also, a bill (H. R. 4724) for the relief of Susan A. Nicholas—to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 4725) granting an increase of pension to Edward Burns—to the Committee on Pensions.

By Mr. MURDOCK: A bill (H. R. 4726) granting an increase of pension to S. B. Brightman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4727) granting an increase of pension to George W. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4728) granting an increase of pension to William W. Smith—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 4729) to grant an honorable discharge to Frederick A. Noeller—to the Committee on Military Affairs.

By Mr. RAINEY: A bill (H. R. 4730) granting an increase of pension to David W. See—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 4731) for the relief of the heirs of Josiah Springer—to the Committee on War Claims.

Also, a bill (H. R. 4732) for the relief of the heirs of John Pettipool—to the Committee on War Claims.

Also, a bill (H. R. 4733) for the relief of Jason Howard—to the Committee on War Claims.

Also, a bill (H. R. 4734) for the relief of the heirs of George W. Foster, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4735) for the relief of Boling King—to the Committee on War Claims.

Also (by request), a bill (H. R. 4736) for the relief of Maria Agnes White—to the Committee on War Claims.

Also, a bill (H. R. 4737) for the relief of Nancy J. Howard—to the Committee on War Claims.

Also, a bill (H. R. 4738) for the relief of Margaret L. Watkins—to the Committee on War Claims.

Also, a bill (H. R. 4739) for the relief of William B. Olive—to the Committee on War Claims.

Also, a bill (H. R. 4740) for the relief of Dr. Leroy Pope Walker—to the Committee on War Claims.

Also, a bill (H. R. 4741) for the relief of the heirs of Kennon H. Steger, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4742) for the relief of Calvin S. Hill—to the Committee on War Claims.

Also, a bill (H. R. 4743) for the relief of Xantippe Jackson—to the Committee on War Claims.

Also, a bill (H. R. 4744) for the relief of the heirs of Sarah Schrimsher—to the Committee on War Claims.

Also, a bill (H. R. 4745) for the relief of Joseph A. Hardwick—to the Committee on War Claims.

Also, a bill (H. R. 4746) for the relief of Mary C. Smith, heir at law of Alexander F. Perryman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4747) for the relief of John McMurtry—to the Committee on War Claims.

Also, a bill (H. R. 4748) to authorize the Secretary of War to correct the record of Calhoun Malone—to the Committee on Military Affairs.

Also, a bill (H. R. 4749) to refer the claim of Mrs. Jennia Brumby against the United States to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 4750) to place W. I. Jackson on the pension roll—to the Committee on Pensions.

By Mr. SHOBER: A bill (H. R. 4751) granting an increase of pension to Leroy S. Smith—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 4752) granting an increase of pension to Joseph A. Spaulding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4753) granting an increase of pension to John Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4754) granting an increase of pension to John Lindt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4755) granting an increase of pension to Sarah A. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4756) granting an increase of pension to Lewis R. Gates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4757) granting an increase of pension to John Ashmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4758) granting an increase of pension to George W. Wicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4759) granting an increase of pension to David P. McDonald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4760) granting an increase of pension to Jasper Reno—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4761) granting an increase of pension to William H. Parsons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4762) granting an increase of pension to Joseph Raffensperger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4763) granting George W. Wicks and his two children land in lieu of allotments and of annuities—to the Committee on Indian Affairs.

Also, a bill (H. R. 4764) granting a pension to John Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4765) granting a pension to Ellen M. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4766) for the relief of A. M. Ellis—to the Committee on Claims.

Also, a bill (H. R. 4767) for the relief of Charles H. Warren—to the Committee on Military Affairs.

Also, a bill (H. R. 4768) for the relief of the personal representative of Jacob Bogert—to the Committee on Claims.

Also, a bill (H. R. 4769) for the relief of C. A. Berry—to the Committee on Claims.

Also, a bill (H. R. 4770) for the relief of Daniel J. Ockerson—to the Committee on Claims.

By Mr. SNOOK: A bill (H. R. 4771) granting a pension to Aaron Taylor—to the Committee on Pensions.

Also, a bill (H. R. 4772) granting an increase of pension to John A. Baughman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4773) granting an increase of pension to Henry Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4774) granting an increase of pension to Wesley B. Brown—to the Committee on Invalid Pensions.

By Mr. SOUTHALL: A bill (H. R. 4775) for the relief of the estate of Richard M. Harrison, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4776) for the relief of W. H. Harrison—to the Committee on War Claims.

Also, a bill (H. R. 4777) for the relief of Bettie Eppes Minetree, sole heir of John W. Eppes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4778) for the relief of the estate of David B. Tennant, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4779) for the relief of R. A. Young—to the Committee on War Claims.

Also, a bill (H. R. 4780) for the relief of G. W. Browder—to the Committee on War Claims.

Also, a bill (H. R. 4781) for the relief of Lettie Myers—to the Committee on War Claims.

Also, a bill (H. R. 4782) for the relief of the estate of John J. Mitchell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4783) for the relief of the wardens and vestrymen of Old Merchant's Hope Episcopal Church, of Prince George County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4784) for the relief of Sallie R. Walton—to the Committee on War Claims.

Also, a bill (H. R. 4785) for the relief of the estate of John B. Ege, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4786) for the relief of the estate of Richard Wiseman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4787) for the relief of Pickrell & Brooks—to the Committee on War Claims.

Also, a bill (H. R. 4788) for the relief of the heirs of William Walton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4789) for the relief of J. A. Shackleton—to the Committee on War Claims.

By Mr. STEVENS of Minnesota: A bill (H. R. 4790) granting a pension to Annie B. Mosbrugger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4791) granting a pension to Louis Demarais—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4792) to restore the name of Dominique Demers to the pension roll of the United States—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 4793) granting an increase of pension to Samuel Prochel—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 4794) granting a pension to Delania Preston—to the Committee on Pensions.

Also, a bill (H. R. 4795) granting a pension to Delania Preston, widow of William G. Preston—to the Committee on Pensions.

Also, a bill (H. R. 4796) granting an increase of pension to Mary J. Allen—to the Committee on Pensions.

Also, a bill (H. R. 4797) granting an increase of pension to Sydney R. Grigg—to the Committee on Pensions.

Also, a bill (H. R. 4798) granting an increase of pension to Margaret F. Harris—to the Committee on Pensions.

Also, a bill (H. R. 4799) granting an increase of pension to Susan De Lamor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4800) granting an increase of pension to Phillip Mooney—to the Committee on Pensions.

Also, a bill (H. R. 4801) for the relief of Fanny R. Bonner, of Clay County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4802) for the relief of Alexander M. Steed, of Clay County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4803) for the relief of Thomas Bonner, jr., of Clay County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 4804) for the relief J. I. Catney—to the Committee on Claims.

Also, a bill (H. R. 4805) to refer the claim against the United States of Elizabeth Haden to the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 4806) to pay the estate of Phillip Lightfoot, deceased, the sum of $1,312 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4807) to pay the estate of John M. Ellington the sum of $7,755 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4808) to pay the estate of John A. Brown, deceased, the sum of $10,952 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4809) to pay the estate of Mary Daugherty, deceased, the sum of $1,045 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4810) to pay the estate of Robert Mitchell, deceased, the sum of $129,150 for stores and supplies—to the Committee on War Claims.

Also, a bill (H. R. 4811) to pay the estate of Jerry T. Cloud the sum of $2,530—to the Committee on War Claims.

Also, a bill (H. R. 4812) to pay the estate of Unity E. Greenwood, of Macon County, Ala., the sum of $4,550—to the Committee on War Claims.

Also, a bill (H. R. 4813) to pay to the estate of Sampson B. Cloud the sum of $1,595—to the Committee on War Claims.

Also, a bill (H. R. 4814) to divest title out of United States and vest same in R. W. Allen & Co., to west half of southeast quarter, section 34, township 24 north, range 25 east, standard Southern meridian, Chambers County, Ala.—to the Committee on the Public Lands.

By Mr. TOWNSEND: A bill (H. R. 4815) granting a pension to Lizzie Callum—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 4816) granting an increase of pension to Narcissa Tait—to the Committee on Pensions.

By Mr. ZENOR: A bill (H. R. 4817) granting a pension to William H. Ward—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BINGHAM: Resolution of the Pennsylvania Shoe Manufacturers' Association, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, memorial of the Philadelphia Board of Trade, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of select and common council of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. BOWERSOCK: Papers to accompany bill to increase pension of James H. Devin—to the Committee on Invalid Pensions.

Also, petition of citizens of Louisburg, Kans., praying for the passage of a bill to increase pension of Rosetta Galbraith—to the Committee on Invalid Pensions.

By Mr. BURKETT: Papers to accompany bill to pension Victor Vifquain—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension William McBrien—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Letter from Cigar Makers' Union No. 345, Kansas City, Kans., protesting against the passage of the Cuban reciprocity bill—to the Committee on Ways and Means.

By Mr. CALDWELL: Petition of citizens of Illiopolis, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSINGHAM: Papers to accompany H. R. 2051, to increase the pension of Joseph Jackson—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of Peter Weber Post, No. 257, Grand Army of the Republic, Fountain City, Wis., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Paper from hardware dealers of Versailles, Ind., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill to increase pension of Curtis C. Bliton—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of members of Maltby Post, No. 520, Grand Army of the Republic, of Stockton, Ill., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUFF: Papers to accompany bill granting a pension to Charles D. Fortney—to the Committee on Invalid Pensions.

By Mr. LACEY: Resolution of Local Union No. 767, Carpenters and Joiners, of Ottumwa, Iowa, favoring passage of an eight-hour law and anti-injunction bill—to the Committee on Labor.

By Mr. McCLELLAN: Papers to accompany bill H. R. 4634, granting increase of pension to Randolph T. Stoops—to the Committee on Invalid Pensions.

By Mr. MAYNARD: Papers to accompany bill H. R. 3955, for the relief of Robert H. Holland—to the Committee on War Claims.

Also, papers to accompany bill to increase pension of Thomas Hutchinson—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Petition of Mary Parker, of Hamilton County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of heir of Rebecca Cummings, deceased, late of Hamilton County, Tenn., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. MURDOCK: Resolution of the Chamber of Commerce of Wichita, Kans., favoring enlargement of the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. NEEDHAM: Resolution of the board of trustees of the Chamber of Commerce of San Francisco, relating to securing an appropriation to aid the Lewis and Clarke Centennial and American Pacific Exposition and Oriental Fair, to be held in the city of Portland, Oreg., in 1905—to the Committee on Appropriations.

Also, resolution of the board of trustees of the Chamber of Commerce of San Francisco, relating to American shipping engaged in the foreign carrying trade—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the board of trustees of the Chamber of Commerce of San Francisco, favoring the passage of an appropriation to purchase the Calaveras grove of big trees in California—to the Committee on Appropriations.

By Mr. OVERSTREET: Petition of the Commercial Club of Indianapolis, Ind., favoring legislation preventing unjust discrimination in freight rates—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Resolution of Local Union No. 893, United Mine Workers of America, Canton, Ill., favoring the passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. WRIGHT: Resolution of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

SENATE.

MONDAY, *November 23, 1903.*

Rev. J. J. MUIR, D. D., of the city of Washington, offered the following prayer:

Most gracious and ever-blessed God, for our country we pray, asking for a continuance of peace and prosperity within our borders and increased influence for good among the nations of the earth. Regard our President with Thy favor, protecting his life from violence and giving Thy counsels in all his affairs. Upon these Thy servants let Thy blessing rest in the deliberations of the day, and grant that the consciousness of duty well done may be a constant inspiration and benediction. We beg, in the name of Christ our Lord and Redeemer. Amen.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

GETTYSBURG NATIONAL PARK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a report of the Gettysburg National Park Commission calling attention to the omission of a provision for a monument to Battery E, Fourth United States Artillery, at Gettysburg, and inclosing a draft of a bill to supply the omission and provide the necessary appropriation therefor; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

FINDINGS OF COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The trustees of the Presbyterian Church of Huntsville, W. Va., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Louis Landram, administrator of William J. Landram, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Manufacturers' Association of New York City, praying for the passage of the so-called Lodge bill, providing for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Manufacturers' Association of New York City, praying for the enactment of legislation to prevent unjust discrimination in tariff rates; which was referred to the Committee on Finance.

He also presented petitions of the Woman's Christian Temperance Union of Old Orchard, Me.; of the California Club, of San Francisco, Cal.; of the Woman's Christian Temperance Union of Elk Rapids, Mich.; of the congregation of the Methodist Episcopal Church of Rushford, Wis.; of the Lake View Woman's Club, of Chicago, Ill., and of the general synod of the Reformed Church of Raritan, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Post No. 345, Department of Pennsylvania, Grand Army of the Republic, of Waterford, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PLATT of New York presented a memorial of the Metal Trades' Association of Syracuse, N. Y., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Metal Trades' Association of Syracuse, N. Y., remonstrating against the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 357, Brotherhood of Painters, Decorators, and Paperhangers, of Dunkirk, N. Y., and a petition of the Pattern Makers' Association, American Federation of Labor, of Schenectady, N. Y., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 357, Brotherhood of Painters, Decorators, and Paper Hangers, of Dunkirk, N. Y., and a petition of the Pattern Makers' Association, American Federation of Labor, of Schenectady, N. Y., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented memorials of Cigar Packers' Local Union No. 229, of Binghamton; of Cigar Makers' Local Union No. 112, of Oneonta; of Cigar Packers' Local Union No. 213, of New York City; of Cigar Packers' Local Union No. 251, of New York City; of Cigar Makers' Local Union No. 119, of Dansville; of Cigar Makers' Local Union No. 132, of Brooklyn, and of Cigar Makers' Local Union No. 9, of Troy, all of the American Federation of Labor, in the State of New York, remonstrating against the ratification of the Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

He also presented petitions of the congregation of the Presbyterian Church of Cairo, of the congregation of the First Presbyterian Church of Campbell Hall, of the Woman's Christian Temperance Union of Henrietta, and of sundry citizens of Clinton, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McLAURIN presented a petition of the Twentieth Century Club, of Vicksburg, Miss., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. TALIAFERRO presented petitions of the congregation of the First Christian Church of Jacksonville, of the Woman's Christian Temperance Union of Jacksonville, and of 122 citizens of Eustis, all in the State of Florida, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BARD presented petitions of the Woman's Christian Temperance Union of Easton; of the Epworth League of the Presbyterian Church of Easton; of the congregation of the Methodist Episcopal Church of Redlands; of the board of trustees of Unity Church, of Redlands; of sundry citizens of Los Angeles; of the Ministerial Union of San Bernardino; of the Contemporary Club, of Redlands; of the Woman's Christian Temperance Union of National City; of the Woman's Christian Temperance Union of Long Beach; of the congregation of the Friends Church of Long Beach; of the congregation of the First Methodist Episcopal Church of Long Beach; of the congregation of the First Presbyterian Church of Long Beach; of the congregation of the First Baptist Church of Long Beach, and of the Woman's Missionary Society of Ontario, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of the Christian Endeavor Union of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of sundry citizens of Pentwater, Mich., praying for an increase of salary of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the congregations of the Christian Church of Henderson, the Methodist Episcopal Church of Henderson, the Methodist Episcopal Church of Berlin, the Presbyterian and Methodist churches of Akron, and of the Woman's Christian Temperance Union of Belle River, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a petition of the Trades Council, American Federation of Labor, of Staunton, Ill., and a petition of Local Union No. 473, United Mine Workers, of Jonesville, Ill., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Trades Council, American Federation of Labor, of Staunton, Ill., and a petition of Local Union No. 473, United Mine Workers, of Jonesville, Ill., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Patoka, Ill., and a petition of the congregation of the Presbyterian Church of Knoxville, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented a memorial of Local Union No. 62, Cigar Makers' International Union, of Richmond, Ind., remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Merchants' Association of Lafayette, Ind., praying for the enactment of legislation for the prevention of unjust discrimination in traffic rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Frances Willard Union of the Woman's Christian Temperance Union, of Indianapolis, Ind., praying for an investigation of the charges against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ELKINS presented a petition of the board of directors of the Atlanta Freight Bureau, of Atlanta, Ga., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Methodist Episcopal Church of Union, of the Woman's Christian Temperance Union of Ripley, of the Woman's Christian Temperance Union of Duo, and of the Woman's Christian Temperance Union of Elkins, all in the State of West Virginia, and of the Woman's Synodical Society of Home Missions of the Presbyterian Church of Harrisburg, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Local Union No. 2077, of Hernshaw; of Gaymont Local Union, No. 985, of Graydon; of Local Union No. 2120, of Black Betsey; of Local Union No. 109, of Wheeling; of Local Union No. 1893, of Mount Clair; of Local Union No. 108, of Wheeling; of Local Union No. 2015, of Plymouth, and of Local Union No. 2473, of Leewood, all of the American Federation of Labor; of C. A. McNeil, of Leewood, and of 60 citizens of Kanawha County, all in the State of West Virginia, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Local Union No. 2077, of Hernshaw; of Gaymont Local Union, No. 985, of Graydon; of Local

Union No. 2120, of Black Betsey; of Local Union No. 109, of Wheeling; of Local Union No. 1893, of Mount Clair; of Local Union No. 103, of Wheeling; of Local Union No. 2015, of Plymouth, and of Local Union No. 2473, of Leewood, all of the American Federation of Labor; of C. A. McNeil, of Leewood, and of 60 citizens of Kanawha County, all in the State of West Virginia, praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

Mr. DOLLIVER presented a petition of Farragut Post, No. 95, Department of Iowa, Grand Army of the Republic, of Gilman, Iowa, praying for the passage of a service-pension bill; which was referred to the Committee on Pensions.

He also presented a memorial of the Davenport Turngemeinde, of Davenport, Iowa, remonstrating against the enactment of legislation to limit the effects of the regulations of commerce between the several States and with foreign countries in certain cases; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Lakeside Presbyterian Church, of Storm Lake; of the Shakespeare Club of Ottumwa, and of the congregations of the United Presbyterian Church, the Congregational Church, and the Church of Christ, of Atlantic, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of the Grain and Flour Exchange of Pittsburg, Pa., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Sewickley Presbyterian Church, of West Newton, Pa., praying for the enactment of legislation to regulate the interstate traffic of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Post B, Pennsylvania Division, Travelers' Protective Association, of Philadelphia, Pa., praying that an appropriation be made for deepening the channel of the Delaware River to 35 feet; which was referred to the Committee on Commerce.

He also presented petitions of the congregation of the First Presbyterian Church of Allegheny; of the Woman's Missionary Society of the Second Presbyterian Church of Washington; of the congregations of the Second Lutheran Church of Altoona; the Sewickley Presbyterian Church, of West Newton; the Presbyterian Church of Utica; St. Paul's Lutheran Church, of Vandergrift Heights; the Falls of Schuylkill Presbyterian Church, of Philadelphia; the First Presbyterian Church of Honesdale; the Second Presbyterian Church of Germantown; the Mount Washington Presbyterian Church, of Pittsburg; the Ridley Park Methodist Episcopal Church, of Ridley Park; the Presbyterian Church of Coraopolis; the First Street Methodist Episcopal Church, of New Brighton; the United Presbyterian Church of New Brighton, and of the Zion Lutheran Church, of Newville; of the St. James Christian Endeavor Society, of Gettysburg; of the New Century Club, of Kennett Square; of the Woman's Home Missionary Society of Allegheny; of the Standard Steel Car Company, of Allegheny; of sundry citizens of Allegheny; of the Woman's Missionary Society of the Brighton Road Presbyterian Church, of Allegheny; of the Woman's Home Mission Society of the Shadyside Presbyterian Church, of Pittsburg; of sundry citizens of Pittsburg; of the Home and Foreign Missionary Society of the Second Presbyterian Church of Pittsburg; of the Society of Christian Endeavor of Mount Carmel; of the Church Council of the Lutheran Church of Mount Carmel; of 88 citizens of Knox and Newville; of the Woman's Home Missionary Society of Pittsburg; of the Ministerial Association of Columbia, and of the congregation of the Westminster Presbyterian Church, of Burgettstown, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

DELAWARE INDIAN LANDS.

Mr. QUAY. I present a memorial of the Delaware tribe of Indians residing in the Cherokee territory, relative to their rights in and ownership to certain lands situated within the boundaries of that nation, purchased by them pursuant to an agreement made with the Cherokee Nation, dated April 8, 1867, in accordance with the Cherokee treaty of July 19, 1866, and the Delaware treaty of July 4, 1866, etc. I move that the memorial be printed as a document, and referred to the Committee on Indian Affairs.

The motion was agreed to.

AFFAIRS IN THE INDIAN TERRITORY.

Mr. QUAY. I present a letter, in the nature of a memorial, which I will read and ask to have referred to the Committee on Indian Affairs. It seems to be a memorandum by an Indian of proceedings had by him in the Choctaw Nation, and reveals a condition of affairs in the Indian Territory which requires the attention of Congress. He says:

In October, 1894, applied to the Choctaw legislature at Tuskahoma, Ind. T., citizenship for N. L. Candiff, an Indian by blood; M. L. Armstrong, daughter of N. L. Candiff, and three children of M. L. Armstrong. A citizenship committee, after investigating the application, passed on it favorably. The legislature then took the application and the senate passed on it favorably. It did not get to the house in 1894.

A fee of $100 for each applicant accompanied the application, making an outlay of $500. In 1895 again applied. Application was taken up by a new citizenship committee, and they passed on it favorably, and the senate and the house passed on the bill favorably. The governor signed the bill and it became a law. This represented an outlay, in traveling expenses, lawyers' fees, hotel expenses, etc., for the years 1894 and 1895, of $2,100.

After this the Dawes Commission was formed, and I voted on the Atoka agreement.

In 1896 applied to the Dawes Commission for enrollment, although a certified copy of the act of the Indian legislature accompanied the application, together with an enrollment certificate issued by the Choctaw Nation census commissioners. The Dawes Commission rejected the application. Never received any notice of the rejection, and caught it through a newspaper mailed me by a friend. Applied to the United States court in the Territory; got a judgment. This cost me $700. Based on all this, bought two farms and improved them. This has cost me $2,500. In 1902 the supplemental treaty came up. I voted on this.

Then comes the citizenship court to retry all court cases, and they declare all court decrees void.

So here I am up against another court, with all the expense of trying to get up witnesses, etc. Many of them knowing anything about the parties are dead. At the time I proved the right only Indian testimony was admissible, and while I had a large amount of white evidence that I could have then produced, the party is dead who was most familiar with the case. I was in a fire three years ago that burned up all the evidence I had and all the names of people familiar with the case. Under present conditions we are up against a snag, and unless Congress looks into the matter, about 4,000 people in the Indian Territory are going to lose all they have got to satisfy the greed of an undeserving crowd. All the facts about my case is of record.

Very respectfully,

W. G. ARMSTRONG.

The PRESIDENT pro tempore. The memorial will be referred to the Committee on Indian Affairs.

LOUISIANA PURCHASE EXPOSITION.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 16) to provide for the printing of 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the Exposition Company, showing progress made by various departments of the exposition, to report it with an amendment; and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendment of the Committee on Printing was, in line 3, after the word "printed," to insert the words "and bound;" so as to make the joint resolution read:

Resolved, etc., That there be printed and bound 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the Exposition Company, showing progress made by various departments of the exposition, of which 3,500 shall be for the Senate, 6,500 for the House of Representatives, and 5,000 for the National Commission for the Louisiana Purchase Exposition.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The joint resolution was ordered to be engrossed for a third reading.

Mr. PLATT of Connecticut. I do not know, but it seems to me that it has not been customary to order such printing by joint resolution, which has to pass both Houses, be engrossed, and be sent to the President. I may be entirely mistaken about it, but my impression is that it has been done by concurrent resolution, which does not have to go to the President to receive his signature. I merely make the suggestion. I may be all wrong about it; but if it has not been the practice it appears to me that it is hardly worth while to inaugurate the practice of putting printing resolutions into a form where they will have to be engrossed, signed both by the President of the Senate and the Speaker, and go to the President for his signature. However, I may be entirely mistaken about it.

Mr. COCKRELL. Has it been the rule to pass concurrent resolutions that do not go to the President for his signature?

Mr. PLATT of Connecticut. I had supposed so. I may be mistaken.

The PRESIDENT pro tempore. They have been heretofore in both forms, concurrent resolutions and joint resolutions.

Mr. COCKRELL. I thought this was in the usual form.

The PRESIDENT pro tempore. In the opinion of the Chair, it can be done by a concurrent resolution just as well as by a joint resolution.

Mr. COCKRELL. Let it be amended, then, so as to make it a concurrent resolution.

Mr. PLATT of New York. I move that the joint resolution be made a concurrent resolution.

Mr. TELLER. I should like to know what it is.

The PRESIDENT pro tempore. It is a resolution reported from the Committee on Printing to print certain statements touching the exposition at St. Louis.

Mr. TELLER. Does it go to the House?

The PRESIDENT pro tempore. It goes to the House, necessarily, but it has been reported from the committee as a joint resolution. The question has been raised whether it should not be a concurrent resolution.

Mr. COCKRELL. Instead of a joint resolution. Each course has been pursued.

Mr. TELLER. If it is a concurrent resolution it does not have to be approved by the President?

The PRESIDENT pro tempore. No.

Mr. TELLER. And approval by the President has not been the custom?

Mr. COCKRELL. No.

The PRESIDENT pro tempore. The vote by which the joint resolution was reported to the Senate and ordered to a third reading will be reconsidered, if there be no objection, and it will be amended by making it a concurrent resolution. It has been so amended. Is there objection to the present consideration of the concurrent resolution? The Chair hears none. Without objection, it is agreed to.

THE CONGRESSIONAL DIRECTORY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution reported by Mr. PLATT of New York from the Committee on Printing on the 11th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be authorized and directed to pay, from the contingent fund of the Senate, for the compiling, editing, and indexing of the Congressional Directory issued for the present session of Congress, the same compensation that is allowed by law for the regular editions.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 1585) for the relief of Sadie Thome; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 1586) for the relief of J. M. Bloom; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1587) for the relief of John W. Dampman;

A bill (S. 1588) to correct the military record of Henry Straub; and

A bill (S. 1589) to correct the military record of Francis Fox.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1590) granting a pension to Theresa Fox;

A bill (S. 1591) granting an increase of pension to James Hahn;

A bill (S. 1592) granting a pension to Ely L. Jones;

A bill (S. 1593) granting a pension to Anna L. Gifford;

A bill (S. 1594) granting an increase of pension to Samuel J. Ashton;

A bill (S. 1595) granting a pension to W. H. Gregg;

A bill (S. 1596) granting an increase of pension to John H. Davidson;

A bill (S. 1597) granting a pension to Rosa D. Mayhew (with an accompanying paper); and

A bill (S. 1598) granting an increase of pension to Washington I. Cook (with accompanying papers).

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1599) for the relief of Lottie Bowman;

A bill (S. 1600) for the relief of Lottie Bowman; and

A bill (S. 1601) for the relief of Lottie Bowman.

Mr. McLAURIN introduced a bill (S. 1602) for the relief of the heirs of Louis Cato, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 1603) to authorize the location of a Branch Home for disabled volunteer soldiers, sailors, and marines in the State of Florida; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1604) granting an increase of pension to Mary A. Bishop; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BEVERIDGE introduced a bill (S. 1605) granting an increase of pension to William C. Shortridge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1606) granting an increase of pension to John W. F. Jansen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FULTON introduced a bill (S. 1607) granting to the State of Oregon certain lands, to be used by it for the purpose of maintaining and operating thereon a fish hatchery; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GIBSON introduced a bill (S. 1608) granting a pension to William J. Bailey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1609) for the relief of the estate of Adam Schweitzer (with an accompanying paper);

A bill (S. 1610) for the relief of the trustees of the Baptist Church of Crab Orchard, Ky.; and

A bill (S. 1611) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1612) granting an increase of pension to Albert E. Trester;

A bill (S. 1613) granting an increase of pension to Judson N. Pollard;

A bill (S. 1614) granting an increase of pension to Hanna Welch;

A bill (S. 1615) granting a pension to George J. Reed;

A bill (S. 1616) granting an increase of pension to Michael Donovan;

A bill (S. 1617) granting an increase of pension to Orla E. Adams;

A bill (S. 1618) granting an increase of pension to Thomas Herran;

A bill (S. 1619) granting an increase of pension to James A. Dibble;

A bill (S. 1620) granting an increase of pension to Hie Amter;

A bill (S. 1621) granting an increase of pension to Louis Castinette; and

A bill (S. 1622) granting a pension to Georgiana Schroeder.

Mr. PATTERSON introduced a bill (S. 1623) for the relief of Joshua T. Reynolds; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SPOONER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1624) granting an increase of pension to Lovell Bullock;

A bill (S. 1625) granting a pension to Anne E. Parks;

A bill (S. 1626) granting an increase of pension to Melvina A. Reed; and

A bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe (with accompanying papers).

Mr. STEWART introduced a bill (S. 1628) to acquire certain ground for a Government reservation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BAILEY (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1629) for the relief of Calvin T. Hazelwood;

A bill (S. 1630) for the relief of Lafayette D. Settle, administrator of Marcus Settle, deceased;

A bill (S. 1631) for the relief of the heirs of Nash L. Cox, deceased; and

A bill (S. 1632) for the relief of the Catholic Church of Brownsville, Tex.

Mr. BAILEY (by request) introduced a bill (S. 1633) permitting the Kiowa, Chickasha and Fort Smith Railway Company and the Eastern Oklahoma Railway Company to sell and convey their railroads and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 1634) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 1635) for the extension of M street east of Bladensburg road, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1636) for the opening of R street northeast to Twenty-eighth street, and of Twenty-eighth street northeast from R street to M street; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. McCREARY introduced a bill (S. 1637) for the relief of the trustees of the Baptist Church of Columbia, Ky.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS introduced a bill (S. 1638) to increase the limit of cost of public building at Hagerstown, Md.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1639) to increase the limit of cost of public building at Westminster, Md.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1640) providing for the adjustment and payment of accounts of laborers and mechanics arising under the eight-hour law; which was read twice by its title, and referred to the Committee on Education and Labor.

He also introduced a bill (S. 1641) granting a pension to Elizabeth Hagerman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1642) granting an increase of pension to Blanche L. Chunn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1643) to reimburse and indemnify the town of Frederick, in the State of Maryland;

A bill (S. 1644) for the relief of Gotleib Feldmeyer; and

A bill (S. 1645) for the relief of the heirs of Henry Douglas, deceased.

Mr. FAIRBANKS introduced a bill (S. 1646) for the relief of Mary A. Coulson, executrix of Sewell Coulson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1647) to remove the charge of desertion from the record of F. W. Zickendrath; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1648) to permit national banking associations to deposit bonds issued for the construction of an interoceanic canal to secure circulation, and so forth; which was read twice by its title, and referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1649) granting an increase of pension to Richard A. Wood;

A bill (S. 1650) granting an increase of pension to James M. Roszell;

A bill (S. 1651) granting a pension to Sylvester C. Peters; and

A bill (S. 1652) granting an increase of pension to Minerva A. McMillan (with accompanying papers).

Mr. DEPEW introduced a bill (S. 1653) to revise and codify the criminal and penal laws of the United States; which was read twice by its title, and referred to the Committee on the Revision of the Laws of the United States.

He also introduced a bill (S. 1654) for the relief of Theodore F. Northrop; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 1655) to create a new Federal district in Ohio, to be called the central district; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 1656) to provide for the purchase of land for a military post at or near Columbus, Ohio; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MILLARD introduced a bill (S. 1657) granting an increase of pension to Eli Burton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1658) granting an increase of pension to J. Francis Hopper; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1659) granting permission to Capt. William E. Horton, United States Army, to accept a decoration tendered him by the President of the French Republic; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. KEARNS introduced a bill (S. 1660) granting an increase of pension to John C. Wilkinson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1661) granting an increase of pension to Mary E. Riley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 1662) for the relief of Richard Riggles; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1663) for the relief of William Mays; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 1664) to amend section 2502 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1665) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army;" which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1666) granting a pension to William H. Winans; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1667) granting a pension to Stalnaker Marteney; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1668) for the relief of Elk Branch Presbyterian Church, of Jefferson County, W. Va.;

A bill (S. 1669) for the relief of the trustees of the Methodist Protestant Church of Middleway, W. Va.;

A bill (S. 1670) for the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.;

A bill (S. 1671) for the relief of the estate of Samuel Ridenour, deceased;

A bill (S. 1672) for the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.;

A bill (S. 1673) for the relief of the trustees of St. John's Catholic Church, of Summerville, W. Va.;

A bill (S. 1674) for the relief of the trustees of the Methodist Episcopal Church of Mill Creek, W. Va.;

A bill (S. 1675) for the relief of Elizabeth Muhleman, widow, and the heirs at law of Samuel A. Muhleman, deceased;

A bill (S. 1676) for the relief of Alexander P. Hart, heir of Joseph Hart, deceased; and

A bill (S. 1677) for the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 1678) granting an increase of pension to Rudolph Reinhart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced a bill (S. 1679) granting an increase of pension to Gottleib Spitzer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1680) for the relief of Noah Dillard; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1681) to provide for the modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. DOLLIVER introduced a bill (S. 1682) removing the charge of desertion from the military record of John H. Jaques, member Company K, Seventh Regiment Iowa Infantry Volunteers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FOSTER of Washington introduced a bill (S. 1683) to remove the charge of desertion against Ernst Bauman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 1684) granting a pension to Solomon B. Holman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1685) raising the rank of Surg. John W. Baker, on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BURROWS introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 1686) granting an increase of pension to Albert E. Lackey;

A bill (S. 1687) granting an increase of pension to Harvey R. Backus;

A bill (S. 1688) granting an increase of pension to Frederick Bellman;

A bill (S. 1689) granting an increase of pension to Henry H. Houghton; and

A bill (S. 1690) granting an increase of pension to James K. Brooks.

Mr. QUARLES introduced a bill (S. 1691) granting a pension to Minnie Buetemeister; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1692) granting a pension to Alfred C. Isachsen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 1693) to enable the people of Oklahoma to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1694) granting an increase of pension to Jonathan Snively (with an accompanying paper);

A bill (S. 1695) granting a pension to Robert Stewart; and

A bill (S. 1696) granting a pension to Christina Wisener.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1697) for the relief of John H. Alphin;

A bill (S. 1698) for the relief of Daniel E. Kimball and John H. Alphin; and

A bill (S. 1699) for the relief of Daniel E. Kimball.

RIVER AND HARBOR IMPROVEMENT IN WEST VIRGINIA.

Mr. ELKINS submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the channel of Deckers Creek, and the confluence of said creek with the Monongahela River, with the view of restoring the harbor destroyed by flood formerly used for the accommodation of traffic at Morgantown, W. Va.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. PROCTOR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Military Affairs be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee, and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing, or expenses that may already have been incurred for these purposes during the Fifty-eighth Congress, shall be paid out of the contingent fund of the Senate.

CHAPLAIN TO THE SENATE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Rev. F. J. Prettyman be appointed chaplain for the present session of the Senate.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. McCOMAS submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton, and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. CARMACK. I submit a resolution, which I ask to have read.

The resolution was read, as follows:

Resolved, That the Committee on Organization, Conduct, and Expenditures of the Executive Departments of the Senate be, and it is hereby, instructed to make inquiry into the conduct and expenditures of the Post-Office Department, and especially with respect to any charges of corruption, extravagance, and violations of law in the administration of the affairs of the said Department.

Said committee is authorized to send for persons and papers, to administer oaths, to compel the attendance and take the testimony of witnesses, and to examine all books, papers, and documents that may be needed for the purpose of such inquiry.

The Postmaster-General shall detail from time to time such officers and employees as may be requested by said committee in its investigations.

Upon the completion of said inquiry, and on or before the 1st day of May, 1904, the committee shall make report to Congress, which report shall embrace the testimony taken in the course of the investigation, the conclusions reached by said committee on the matters examined, and any report said committee may see proper to make, by bill or otherwise, with a view to correcting any abuses, defects, or illegalities that may be found to exist in the administration of the affairs of said Department.

Mr. CARMACK. I ask that the resolution may go over until to-morrow.

The PRESIDENT pro tempore. It will go over.

REPUBLIC OF CUBA.

Mr. HALE. Mr. President, I move to reconsider the vote of the Senate by which the joint resolution (S. R. 15) inviting Cuba to become a State of the American Union was referred to the Committee on Relations with Cuba.

The PRESIDENT pro tempore. The Senator from Maine moves that the vote by which the joint resolution to which he calls the attention of the Senate was referred to the Committee on Relations with Cuba be reconsidered.

Mr. HALE. I ask that the joint resolution may be read.

The Secretary read the joint resolution introduced by Mr. NEWLANDS on the 20th instant, as follows:

A joint resolution (S. R. 15) inviting Cuba to become a State of the American Union.

Whereas the Republic of Cuba is desirous of securing commercial union with the United States; and

Whereas the best commercial union can be secured by and through political union by means of the admission of the Republic of Cuba as a sovereign State in the Union: Now, therefore, be it

Resolved, etc., That the Republic of Cuba be, and is hereby, invited to become a State of the United States, upon terms of equality with all other States of the Union, and, leading in that direction, the following suggestions are made:

First. That the island of Porto Rico become a county or province of Cuba and a part of the State of Cuba.

Second. That the President and Vice-President of the Republic of Cuba be the governor and lieutenant-governor, respectively, of the State of Cuba until their terms of office expire, and that all other executive, legislative, and judicial officers now holding office in the Republic of Cuba continue to hold similar positions in the State of Cuba until their present terms expire, with the exception of the customs and postal officials, who shall be incorporated into the customs and postal service of the United States, and the Rural Guard, the officers and subordinates of which shall be incorporated into the Army of the United States.

Third. That the bonds about to be issued by the Republic of Cuba for the payment of its army during the war with Spain, aggregating $35,000,000, with interest at 5 per cent, be issued as the bonds of the State of Cuba, and that the interest agreed to be paid thereon be reduced from 5 to 3 per cent, the difference to be applied to the sinking fund, and that as so changed their payment be guaranteed by the United States.

Fourth. That the balance in the treasury of the Republic of Cuba be turned over to the State of Cuba, and the balance in the treasury of Porto Rico be turned over to the county or provincial authorities of that island.

That the foregoing resolutions are inspired not by a desire to annex forcibly or to assert sovereignty over the island of Cuba, or to exercise any form of compulsion, but solely by a regard for the mutual interests of the two countries and a conviction that the interests of the States composing the Federal Union and Cuba are identical, and that they can be best secured by a union under one form of government in which all shall be represented on equal terms and be governed by equal and indiscriminating laws, insuring freedom of trade and equality of right and privilege.

Mr. HALE. Mr. President, I shall take only a little time of the Senate, but I desire to submit a few observations upon this resolution.

The experiment of self-government upon this continent in the countries lying south of us has not always had the happiest results and has been none too successful; but wherever it has been attempted it has been the policy of the United States to encourage such self-government, to support it, and wherever it has been practicable to lend it a helping hand. That experiment has been now going on for three years or more upon the island of Cuba. At the end of the war the island lay at our mercy. By military conquest we had possessed ourselves of it. Had we determined to hold it under any form of colonial vassalage, no power in the world would have sought to interpose.

But, Mr. President, the war had been entered upon under the limitation which in its declaration, at the instance of the Senator from Colorado [Mr. TELLER], had affirmed in the most solemn terms that it was not to be waged for conquest, and that so far as Cuba was concerned the war did not and should not involve the seizure of that island as a part of the United States. I do not quote the language of the Teller amendment, but that was its purport. The purpose of the war as indicated by its declaration and the proposition of the Senator from Colorado was clear and has been faithfully adhered to.

The island was in many respects a desolate waste at the end of the war. It had been harried from one side to the other by insurrection, by transitory as well as regular military forces, and conflicts hardly amounting to battles, but involving all the wasteful results of actual war, had devastated and brought ruin to a considerable part of Cuba.

These conflicts had left their mark and hand upon the island, and it was no light task that the patriotic men in Cuba undertook when they set up a free government and established and sent to the breeze the flag of a new Republic. I am glad to say that they did it, so far as we are concerned, without let or hindrance on our part. Practically every soldier was withdrawn, every insignia of military possession disappeared, and we bade the Cubans Godspeed in their experiment of setting up an independent Republic, a free nation, self-governing, for themselves.

I have been impressed, Mr. President, thus far with the success of this movement. I have been agreeably disappointed in the evidence of that patience and self-control and sound sense and good management that have been brought out by the Cuban people bringing in this new sister in the family of republics. No man who has visited Cuba can have failed to see there improvement in conditions that are not only gratifying, but remarkable in their extent. Peace has been restored and maintained, the soldiery has departed, all branches of a civil government are in active, peaceful, useful operation, and the sojourner in the island to-day, whatever may have been his skepticism heretofore about the capacity of its people for self-government, is gratified by evidences on every hand of what is being done and well done.

If there was but one thing that the Cuban Government has done in which it differs from many such experiments and which entitles it to our sympathy and support, that one thing is found in the frugality with which it has administered government, the thoroughness with which it has enforced its revenue collections, and, over and above all, when those collections have been enforced and put into the treasury, that they have been kept there as a sacred fund upon which to found the credit hereafter of the new Republic. We do not see this every day in the governments among races and peoples that are akin to the Cuban people. There has been no confiscation of the public funds; there has been no loot, no plunder, but all the surplus has as faithfully been kept in the treasury of Cuba as the United States of America keeps its surplus in its own Treasury. No military adventurer, no official, no president, no general has been allowed to confiscate these funds, and they stand to-day as a pledge to the world for the future, and the Cuban Government ought to have the benefit of this great accomplishment in the eyes of all the world.

But, Mr. President, the work in Cuba is not all done. We can help it or we can harm it. I see by the morning papers that the introduction and reference of the Newlands resolution has caused great ferment and anxiety there, and it is not to be wondered at. There is not a discontented, malcontent spirit in the island of Cuba that wants a change and wants something different from the present that is not in favor of the resolution. The old Spanish element, not wholly but considerably, is in favor of anything but the present Cuban Government. The speculator in New York who wants to lower the credit of the new Republic and weaken its standing in the financial world so that it must negotiate bonds at a disastrous rate of discount in order that hereafter on an annexation scheme the United States shall assume the bonds at par, and the Texas bonds performance of a half century ago repeated, not to our credit—all of these, Mr. President, are behind this resolution.

I do not say that the Senator from Nevada has any connection with any of these subjects; he presumably has not. Some of us know him and appreciate his honorable record. But whether he knows it or not all of these influences that are hostile to Cuba and to the present Government of Cuba are commendatory of his resolution.

Moreover, Mr. President, there is something, I may say, shabby in annoying and embarrassing a new and struggling republic. The Senator will say that this is only an invitation to Cuba to become a member of this great Republic, with provisions in detail to cover the whole subject. But, Mr. President, we do not send out invitations to join this country to great and powerful peoples. This great Republic that has become——

Mr. ELKINS. Will the Senator allow me?

Mr. HALE. I hope the Senator will not interrupt me.

This Republic, that has become a great power in the world, ought to be doing something besides interfering with new and emergent and struggling republics. Take the case of Canada. I have little doubt that men here now listening to me will see the time when Canada will become a part—an integral part—of the United States. If his plan is carried out by the most adventurous of British politicians of colonial preference, a tariff war will be inaugurated between Great Britain and the United States, and this English politician will seek to set Canada up as a great rival to us, an agricultural rival. Out of that, Mr. President, will arise conditions, discussions, and considerations that will end in the union of the two peoples. But we do not invite Great Britain to send Canada to us and join the Union. She is too large a power.

Take Mexico. Plenty of people think that the whole or a part of Mexico ought to be a part of the United States, especially the northern States of that Republic. But we do not invite Mexico. What do Senators think would be the reply of that great chieftain whose power over his people is as absolute as ever was that of Peter or Frederick or the great English Protector, if we should invite Mexico to join this Republic? It would be the same reply that would come from the foreign office in Great Britain, in stern tones, too, "Mind your own business."

Therefore I object, with all these influences barking at the heels of the new Republic, to Congress in any way committing itself to any proposition that shall interfere with the honest, patriotic men who are engaged in conducting a good government in Cuba. I have no fear that the committee will report this resolution or that the Senate will pass it, but its introduction and reference have already put a clog and a hindrance in the wheels that were going forward in Cuba, and for one I do not feel like letting it go without entering my protest.

Mr. NEWLANDS. Mr. President, I am very glad to hear the distinguished Senator from Maine [Mr. HALE] on this subject. The purpose of the introduction of this joint resolution was to invite debate, consideration, and deliberation, and I feel gratified that the resolution has met with so early a response in this direction.

I agree with the Senator from Maine in much that he has said. I commend with him the good sense and the good judgment of the people constituting the Government of Cuba, but I contend that the good sense and the good judgment of this country will be demonstrated by presenting this invitation and that the good sense and good judgment of Cuba will be proved by accepting it.

Now, what is the joint resolution to which the Senator takes exception? This resolution presents no suggestion whatever of force or compulsion. It recognizes that the Republic of Cuba is a sovereign nation among the nations of the world. It recognizes the fact that that Republic itself feels that it can not stand alone; that it has accepted already the protection of this country; that it has surrendered to the more powerful sovereign to the west control over a portion of its territory as naval stations and military posts; that it has limited its power to contract, so far as debts are concerned, where such power is likely to be exercised in such a way as to risk the independence of the Republic. It recognizes our control over the sanitary conditions of that island as a matter of protection to our own country. Cuba stands, as is often said in debate in both Houses, in the position of a ward to a guardian.

I will not say anything now as to the history of this peculiar position of protection on one side and of dependence on the other. I will assume, without argument, that it was wise—wise upon the part of the United States to offer it and wise upon the part of Cuba to accept it—and yet the United States does, by the voluntary act of both the United States and Cuba, stand in the position of guardian to Cuba.

What, then, does Cuba ask of us? She asks of us another exceptional relation. She admits that from the economic point of view she is unable to stand alone; that the economic conditions of the world are against her; that though she is to-day the cheapest producer of sugar in the world, the markets of the world are barred against her by protective tariffs in some countries and by the bounty system in others. When she sought to restore the industries that had been destroyed by the war, she found that the production of 1,000,000 tons of sugar, which she had been accustomed to supply to the world, had been taken up by Germany, by France, and by Austria under the bounty system, and by Hawaii, Louisiana, and western beet sugar under the protective system, and that they had possession of her markets and that the sugar which she sought to produce and sell was a drug upon the market, sagging that market down and lowering the international price of sugar; and she looked to America, surrounded by a tariff wall, producing with the aid of Hawaii, Louisiana, and the fertile farms of the West only about one-third of her consumption, calling upon the world at large for 1,600,000 tons of sugar annually, and imposing upon that product a customs duty of $35 a ton, nearly the international price that sugar was then bringing in the markets of the world.

She looked out eagerly for this market to which she had been accustomed before her prostration came. If she could import her sugar duty free it meant that she would receive annually for 1,000,000 tons of sugar $75,000,000 instead of $40,000,000. It meant that this advantage would increase as her production increased and that wealth and prosperity would come to her beyond the power of man to describe. She first asked free trade, then moderated her request to a reduction of 50 per cent in the duty, and then finally acquiesced in a reduction of 20 per cent. What would free trade have meant to her? One million tons of sugar, bringing only $40 a ton in the markets of the world, would yield her $75,000,000 in our market, where the domestic price of sugar is of course the international price plus the duty. What does the reduction she finally acquiesced in mean? A reduction of 20 per cent—$7 a ton, $7,000,000 annually.

Why does she ask this preferential arrangement? She asks it because she is the ward of the Republic; she asks it because she is dependent upon the great Republic; she asks it because of the sympathy, the aid, and the succor that the great Republic gave her in her war for freedom. She is not to be blamed or criticised for asking it. It is entirely natural that she should appeal to her best friend for sympathetic action.

And yet it is doubtful whether relief ought to be granted in this particular way, involving as it does terms of preference, the

admission of the products of a foreign country within our tariff wall upon terms more favored than those accorded to other countries. Cuba asks us to tear down our fiscal system, which, whether the protective wall be high or low, should be controlled by two considerations—one, free trade inside the Republic, the other impartial trade outside of the Republic; the one securing amity and friendship on our own soil, no preferences, no discriminations between individuals and industries; the other securing amity and friendship with the nations of the world.

When Cuba asks this favor have we not the right to negotiate with her? Is it not entirely proper and just for us to say, "We object to discriminations, we object to preferences, we object to tying up our tariff by contractual arrangements with individual nations of the world, thus losing control of it ourselves. But we realize your position, we realize your economic distress, we know that you are dependent for your prosperity upon the markets of this country. We are your friends. You ask for commercial union. We tender you political union. You ask for a less limited trade. We offer you unrestricted trade." Is that taking advantage of Cuba? Is it not the generous act of a great country which says to this dependent country, "We relieve you of your condition of dependence and hardship; we welcome you to become one of us—a sovereign State in the great Union of States, bound together for the general welfare and common defense?"

Let us see whether this proposition does any injustice to Cuba, for I am certain that I offered this joint resolution with no spirit of spoliation. The Senator from Maine has said that every adventurer and every speculator and every Spanish don is behind the effort. If that be so, I know nothing of it. I have conferred with no speculators or adventurers or Spanish dons. This resolution presents my individual view with regard to a matter affecting the principles of our Government and the wise policy which it should pursue in its relations with Cuba, and is inspired by the greatest friendliness to Cuba.

In the first place the joint resolution is entitled, "Joint resolution inviting Cuba to become a State of the American Union." That does not smack of compulsion. An invitation is not force. Then come the recitals and the first part of the resolution, as follows:

Whereas the Republic of Cuba is desirous of securing commercial union with the United States; and

Whereas the best commercial union can be secured by and through political union by means of the admission of the Republic of Cuba as a sovereign State in the Union: Now, therefore, be it

Resolved, etc., That the Republic of Cuba be, and is hereby, invited to become a State of the United States, upon terms of equality with all other States of the Union, and, leading in that direction, the following suggestions are made:

First. That the island of Porto Rico become a county or province of Cuba and a part of the State of Cuba.

Why this inclusion of Porto Rico? Simply for this reason: That as the result of or contemporaneously with the Spanish war we came into numerous new possessions—Hawaii, the Philippine Islands, Cuba, and Porto Rico, all of them now occupying varying relations of dependence to this country. We had asserted in the Declaration of Independence the equality of man, the inseparableness of taxation and representation, the doctrine of the consent of the governed, but at that juncture we were met by the question as to whether we could safely apply these doctrines to all these countries which bear to us to-day varying relations of dependence. We did apply them to Cuba by withdrawing our forces and surrendering the government to her own people. We did apply them to Hawaii by organizing a Territorial government, with a Delegate in Congress—the traditional mode of organizing an infant State—but we declined to apply them to Porto Rico and the Philippines. The Philippine Islands became colonial possessions and Porto Rico became not a Territory or an infant State, but became a dependency without representation in our Government and subject to its absolute will. Porto Rico, which lies to the east of Cuba and has like commercial conditions, population, and climate, is a small island, only 100 miles long by 30 miles wide—not big enough to become a State.

Obviously, therefore, the only way of asserting the old doctrine of the Declaration of Independence as to Porto Rico is to admit her into the Union as a part of the State of Cuba. Cuba has six provinces, corresponding to our counties. Porto Rico would be a seventh county of the State of Cuba, a member of the American Union, and as such would take part in the election of a President of the United States and in the selection of United States Senators and Congressmen. As to her, there would be no taxation without representation. So far as she is concerned this blot upon our escutcheon would be absolutely removed. It is to be hoped that hereafter we may take such action with reference to the Philippine Islands as to redeem the old doctrine of the Republic in all its integrity.

The second suggestion is:

Second. That the President and Vice-President of the Republic of Cuba be the governor and lieutenant-governor, respectively, of the State of Cuba until their present terms expire and that all other executive, legislative, and judicial officers now holding office in the Republic of Cuba continue to hold similar positions in the State of Cuba until their present terms expire, with the exception of the customs and postal officials, who shall be incorporated into the customs and postal service of the United States, and the Rural Guard, the officers and subordinates of which shall be incorporated into the Army of the United States.

Under this suggestion the President and Vice-President of the Republic would become the governor and lieutenant-governor of the State of Cuba, the present Congress of Cuba would become the State legislature. Under it the cabinet would become the State officials; under it the judicial officers of the Republic of Cuba would become the judicial officers of the State of Cuba.

The joint resolution provides that those officials connected with the customs and post-offices shall be incorporated into the customs and postal service of the United States, and that the Rural Guard, their only army, small in dimensions, but officered and controlled, I believe, by able and patriotic men, will become a part of the Army of the United States.

Now, this is simply a suggestion to the Republic of Cuba. Why? Because in the consolidation of two Republics, just as in the consolidation of anything else, there are more or less points of friction, and the purpose is to make the transition as easy as possible. Under this resolution no man will be deprived of his office, his position in the service of that country, or of his position in the army. It simply provides a gradual change from the service of the Republic of Cuba to the service of the State of Cuba.

Now, what is the next suggestion?

Third. That the bonds about to be issued by the Republic of Cuba for the payment of its army during the war with Spain, aggregating $35,000,000, with interest at 5 per cent, be issued as the bonds of the State of Cuba, and that the interest agreed to be paid thereon be reduced from 5 to 3 per cent, the difference to be applied to the sinking fund, and that as so changed their payment be guaranteed by the United States.

I may be asked of what benefit is that? For a long time Cuba has been endeavoring to negotiate these bonds in the markets of the world for the purpose of paying her patriotic army, a thing which ought to have been accomplished long before this. Certainly the pay of that army ought to be a tax upon the wealth of the entire island until satisfied. Cuba has thus far been unable to negotiate these bonds, though they are offered at a discount of 10 per cent—at 90 cents on the dollar. What saving will this effect to the State of Cuba as opposed to the Republic of Cuba? The guaranty of the United States will enable those bonds to be negotiated at par. At the very outset she will save three million and a half dollars upon the bonds. The reduction in the rate of interest from 5 per cent to 3 per cent will save her 2 per cent—$700,000 annually; so that in fifty years she will save in the payment of interest alone, $35,000,000, which amounts to the principal of the bonds. She will thus save nearly $40,000,000 on this transaction alone by becoming a State in the Federal Union, and she will save $35,000,000 annually or $350,000,000 within the next ten years by the enhanced price she will receive for her sugar.

The next resolution provides that the funds in the treasury of the Republic of Cuba shall be turned over to the State of Cuba. There are about three or four million dollars in the treasury of Cuba. It would go a great way toward State development—toward the construction of roads and internal improvements. The same provision is made regarding Porto Rico. The funds in the treasury there are to be turned over to the county or provincial authorities of that island, and thus a considerable sum will be provided for internal improvements.

Then comes the last portion of the joint resolution, which declares:

That the foregoing resolutions are inspired not by a desire to annex forcibly or to assert sovereignty over the island of Cuba, or to exercise any form of compulsion, but solely by a regard for the mutual interests of the two countries and a conviction that the interests of the States composing the Federal Union and Cuba are identical, and that they can be best secured by a union under one form of government in which all shall be represented on equal terms and be governed by equal and indiscriminating laws, insuring freedom of trade and equality of right and privilege.

We have, then, Cuba in this dependent position, seeking a still more intimate relation with the Republic of the United States, seeking commercial union, and we respond by offering her political union, which involves absolute freedom of commerce.

Now, gentlemen say that this invitation should not be extended by this country; that we would not extend it to a great country; that we extend it to the Republic of Cuba only because it is a little country; that we would not to-day extend an invitation to Canada to become a State of the Republic. Obviously not, because that would be an act of hostility against Great Britain herself. We are now dealing with an independent sovereignty which asks preferences in trade and a commercial union with us, and we, animated by friendliness, kindliness, and generosity of spirit, respond: "Come into the American Union and enjoy with us the unparalleled blessings of liberty, equality, and prosperity."

Mr. CARMACK. Will the Senator from Nevada permit me for a moment?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. NEWLANDS. Certainly.

Mr. CARMACK. I suggest to the Senator from Nevada that shortly after the war there was considerable correspondence between this country and Great Britain with reference to the acquisition of Canada.

Mr. NEWLANDS. That may be. I am not informed as to that.

So with reference to the Republic of Mexico. The Republic of Mexico is not seeking more intimate relations with us. I am not aware that she is asking for commercial union with us. If she were, it would be entirely proper for us to respond by extending to her an invitation to come into the Union. But here is Cuba making the offer of commercial union and we offer the larger benefit of political union, which involves the blessings of a free government and at the same time greater commercial advantages than she could secure through any reciprocity arrangement.

Why, then, should we make this offer? Why should we extend this invitation? Why does not Cuba ask for it? Simply because, though it is a desirable thing, simply because, though the people of both countries may be in favor of it, we will find that Cuba will be reluctant to take the initiative, because she will be suspicious and fearful of our action. She has seen us, under temptation, absolutely abandon the doctrines of the fathers—those doctrines which have been the inspiration of every Fourth of July orator for the last hundred years. She has seen us repudiate the doctrine of the inseparability of taxation and representation. She has seen us repudiate the doctrine of the consent of the governed. She has seen us seize islands in a war inspired absolutely by benevolence, and has seen us yield to the temptation of greed and hold those islands against the will of their people. She will fear, if she makes the least advance toward the union of the two countries, that then we will endeavor to annex her, not as a State of the Union, but as a dependency, such as the Philippines are and such as Porto Rico is.

No public man could rise in the Congress of the Republic of Cuba to-day and make the suggestion of annexation to the United States, for he would be met by this argument which I have presented—an argument which furnishes every kind of fuel that eloquence needs. The people would be suspicious, and, in view of our action regarding Porto Rico and the Philippines, they have a right to be suspicious. We must, by unequivocally taking our position, tell Cuba that we do not ask annexation, but that we invite her to sisterhood; that we do not seek to exercise sovereignty over her, but that she shall become one of the sovereign States of the Union, bound together for the common welfare and defense.

Now, I am aware that the joint resolution will be criticised; that it will be opposed by many both in Cuba and in this country; but I believe the argument for political union can not be refuted, and I believe it will eventually prevail. I can not believe that the United States is indifferent to this question. There has not been a time in the history of the Republic when the annexation of Cuba would not have been welcomed. Throughout the history of the Republic we would have sought Cuba just as eagerly as the valley of the Mississippi or Florida. It is separated apparently from Florida by a convulsion of nature, by only a few miles of water. The island is one of incomparable salubrity of climate and richness of soil. To-day it has a population of 1,500,000. It is capable of supporting 15,000,000 people. Its commercial advantages, its agricultural advantages are undoubted. It lies in front of the great Gulf, of our way to the Mississippi, of our way to the future canal at Panama.

Having that island as a part of the United States, destined at some time to be inhabited by 400,000,000 people, we can imagine its value to those 400,000,000 people merely as a sanitarium and health resort. It has such advantages of climate and scenery that one day it will rival the Riviera of the Mediterranean. With California on the Pacific Ocean and Cuba upon the Atlantic, with 400,000,000 people between, the advantages of that island from the standpoint of health alone, dismissing all considerations of commerce and business, must be obvious.

Mr. President, I fear I have already taken up too much time in response to the Senator from Maine [Mr. HALE]. I believe in the joint resolution. We are told by the Associated Press that while it was seriously considered by some people in Cuba it was regarded by others with amusement, and that it was regarded in the island of Porto Rico with derision. But amusement and derision often accompany the urging of great measures and should constitute no discouragement. The people of Cuba have not as yet seen this joint resolution. They have probably received only the condensed report of the Associated Press. The people of Porto Rico have not yet received it. But I base my position upon the strength of the argument, and I believe that that argument will find a lodgment in the minds of patriotic and sensible men, both in the United States and in the islands of Cuba and Porto Rico.

Mr. PLATT of Connecticut. Mr. President, I do not know whether the Senate desires to continue this discussion at the present time, but I do not wish to let this subject pass from its consideration without a few observations.

I regretted the introduction of the joint resolution because I thought it was inopportune, and because I thought it would lead in Cuba and Porto Rico to misapprehension as to sentiment in the United States. I do not know but that I regret that this discussion has sprung up now, as it seems to me somewhat prematurely. But, as the question is before the Senate, I desire to say that I do not believe the joint resolution represents in any considerable degree the sentiment and opinion of thoughtful men in the United States. I do not believe it represents the business or the political sentiment of the United States. I do not believe there is, and I hope there never will be, any considerable sentiment in this country looking to the annexation of Cuba as a State in our Union, or to any new development of the policy of expansion of our territory. And it is a little strange that this new theory or sentiment of expansion should come from those who in so recent years have been the loudest in the denunciation of that policy.

Mr. NEWLANDS. Will the Senator from Connecticut permit me for a moment?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Nevada?

Mr. PLATT of Connecticut. Certainly.

Mr. NEWLANDS. I wish to call the attention of the Senator from Connecticut to the fact that the Democratic party has always been in favor of the expansion of the Republic as opposed to the expansion of the empire, and that this is a legitimate part of the policy of the Republic, which has always embraced the acquisition of contiguous continental territory and of adjacent islands essential to our coast defense.

Mr. PLATT of Connecticut. Well, Mr. President, it is easy, very easy, to be on two sides of the same question at different times. If you do not like the expansion, it is easy to find arguments why it should not be had. If you do like it, it is just as easy to find arguments why it should be had. For one I desire that there shall be no policy of expansion in the United States except when that policy is dictated by imperative national interest or by the necessity of self-defense; that, and that only.

I have no desire that the United States shall embrace within its limits all this Western Hemisphere. I have no desire that Canada or Mexico or any South American republic or Cuba shall ever become an integral part of the United States. Whenever the time shall come that the annexation of any territory becomes essential to our self-preservation and to our highest interests, then I am willing that there should be expansion.

And that leads me to what I rose to say, that I believe the best interests of the United States and the best interests of Cuba will be subserved by having two Republics—the Republic of the United States and the Republic of Cuba. I believe that her interest is better subserved by a separate, independent republican existence than by annexation to the United States in any form. I believe that the interests of the United States will be better subserved by the existence and continuance of the Republic of Cuba as an independent, self-sustaining Republic than by its incorporation into the United States.

I have studied this question somewhat, Mr. President; I have given a good deal of thought to it; I have expressed this sentiment at other times, and reflection only adds to the strength of my conviction that it is for the best interest of the United States and of Cuba as well that Cuba shall remain, continue, flourish, and prosper as an independent Republic.

Any suggestion from this country of the incorporation of Cuba into the United States will be looked upon in Cuba and in the United States as evidence of a greedy, grasping disposition on the part of the United States, and I think justly so. There may be behind it speculators; there may be money kings, and there may be thoughtless citizens, but the real object of it is to acquire power and strength in the expansion of our territory. As such I am opposed to it.

There is another reason why I am opposed to it, and that is this: I want to see the experiment of republican government on the Western Hemisphere, by people other than those of the United States, be successful. I want it to be understood, not only in the United States, but in other parts of the world, that there can be republics worthy of the name, fulfilling in all respects the character of republican government, among the nations to the north and to the south of us. We have not, as yet, had many successful experiments as we regard republican government. We have felt that there were many South American republics which were really republics in name only. We felt that while republican in name, they were really under the domination and control of single individuals, and it has been a matter of happiness and of rejoicing to me that on this island near us, with these people, whose capacity for self-government has been oftentimes questioned, there should be established, so firmly founded, and so well maintained, a republican government which seems to have fulfilled

all the conditions and all the requirements and to hold out all the hopes of genuine republican government. That is true of Cuba to-day.

In the days when there was doubt whether those people could maintain self-government there, in the days when we looked or a great many of our citizens looked askance at the Cuban population and said the time would come when the United States for its own protection would have to take possession of the island, I expressed the opinion, without considering myself a prophet—and I am glad that time has justified me in the expression of that opinion—that Cuba would not only establish a republican form of government, but that she would be able to maintain it and present the spectacle of an independent nation, of whom not only the United States, but all the other nations of the world might be proud. I can scarcely find words to express my admiration for what has been done in Cuba up to the present time. I would, if it were proper, desire to eulogize not only its President, but its leading men, its legislature, and its citizens in what they have shown to be the dearest thought of their lives—the establishment of a good, sound, permanent Republic.

They had some things which, as it seemed to me, would bring about this. They had the pride of nationality and they had the love of liberty. They had more than that. They had the assurance that the United States was their friend. Those three things—love of liberty, pride of nationality, reliance upon the United States—were three strong foundations on which to build the new Republic.

It has been said that Cuba is our ward. If that be so, Mr. President, the more reason why we should not extend this invitation to our ward. If she were our equal in strength, in power, in ability to maintain herself, perhaps she would not misunderstand an invitation of this sort; but if she regards herself as our ward, she would not mistake when she supposed an invitation of this sort meant something more than an invitation.

But, Mr. President, I think our relation with Cuba has been misunderstood. I do not think we are exercising any protectorate over Cuba. I do not think we have even constituted ourselves the guardian of Cuba and made Cuba our ward. I do think that we have done what was best both for the United States and Cuba. We have expressed in every way that we could our desire that there should exist between the United States and Cuba relations of the closest friendship. I remember a phrase—I may not quote it correctly—in one of President McKinley's messages, in which he said, "We are neighbors; we must be close friends."

That is the whole of it, Mr. President. President McKinley expressed epigrammatically, tersely, completely, the real relations which should exist between us and Cuba in those few words. We are neighbors, and we are friends. The friendship of the United States for Cuba, though it grows partially out of geographical and historical considerations, is not a selfish friendship. It is an unselfish friendship, and it will be to the everlasting glory of the United States that for the first time in the history of wars and the history of nations she exercised her power for purposes of friendship and not for purposes of aggrandizement. There is no other such spectacle in all history. We are proud of it. We have a right to be proud of it. Do not let us mar that magnificent record by raising the suspicion anywhere on the face of this broad earth, either by invitation or in any other way, that we intend to appropriate Cuba.

No, Mr. President, with perfect friendship existing between the United States and the Republic of Cuba there is a great future for Cuba and great benefit to the United States as well.

Now, I do not wish to prolong this discussion. I am not going to run into the question of the passage of the bill to put the treaty which we have concluded with Cuba into operation. I am not going into those details. But I did want to say right here that I do not believe this resolution looking to the incorporation of Cuba into our body politic as a State, with Porto Rico dependent as a county or a province, or in any manner whatever, finds in the hearts and minds of the American people any considerable response, and that I therefore regretted its introduction.

Mr. LODGE. Mr. President, I regretted very much the introduction of this resolution, but I do not regret the discussion that has arisen this morning, for I think the resolution has made some such discussion absolutely and immediately necessary.

The question what this resolution means is to us of no consequence. The important thing is the impression that it has made or is likely to make upon the people of Cuba. Here in Congress it is well understood that to read a bill twice and refer it to a committee means very little. It often represents nothing but an individual opinion, and it very frequently does not represent even the opinion of the Senator or Representative who introduces it.

The enormous gap that exists between the introduction of a bill and its enactment into legislation is not well understood even in this country and among our own people. We know that the introduction of a resolution or a bill is not a very serious thing, and that it is very far removed from any affirmative action. But if our own people do not understand the distinction, how can we expect the people of Cuba to understand it? To them the resolution introduced by the Senator from Nevada appears a very serious matter.

I think it ought to be said that in the opinion of some of us, at least, that resolution does not in the least represent the opinion of the Government or of the people of the United States. Our relations with Cuba, as the map shows, must always be of a peculiar kind. The importance of Cuba to the United States was set forth many years ago by John Quincy Adams and Henry Clay. It has been the policy of all succeeding Administrations to watch carefully over all that concerns Cuba. We have made the world understand that our relations to that island must always be different from our relations to any other territory lying outside of our boundaries.

Mr. President, when in the fullness of time it became necessary to cut the knot of the difficulties that had there arisen, when the flag of Spain went back across the Atlantic, whither, I hope, in the process of the years all European flags will return, the determination of our future relations with Cuba, at last free and independent, became a very immediate and important subject of the policy of the United States. We determined those relations by what is known as the Platt amendment, in my judgment one of the most statesmanlike and far-seeing pieces of legislation ever placed by Congress upon the statute book.

My own desire, and I believe it is a desire shared by the great mass of the American people, was that under these relations the island of Cuba should have a prosperous, successful, and independent government. Our only doubt was, in view of the many troubles and convulsions which have beset the governments of the South American republics, that Cuba might be exposed to similar misfortunes. Cuba since then has taken her fate into her own hands. She has observed toward us the most absolute good faith. She has embodied in her constitution the clauses of the Platt amendment. In further assurance she has embodied those same clauses in a treaty, which is now before the Committee on Foreign Relations. She has given us the naval stations that we desired. She has done all that we have asked her to do. We have, on our part, behaved with the utmost good faith toward her, and we shall, I fully believe, complete all our obligations in that direction.

We have all the control in a military and political point of view that we can possibly desire in regard to that great island, and the burden and the honor of its government nevertheless remain in the hands of her own people. They have conducted their government in a manner which has gone beyond the hopes of their friends and which has disappointed their enemies. To them a resolution of this sort, inviting them to join the Republic of the United States, does not seem a distinguished honor, but a suggestion that they have failed in self-government or are on the eve of failure. I wish to insist in the strongest manner that the reverse is the case, that thus far they have succeeded in a remarkable degree and have not failed at all.

I think, Mr. President, it is our duty to offer to the Cubans every encouragement. They have done well. We want them to continue to prosper and be successful. It seems to me that every reflecting man must hope that the conditions will never arise under which we should be obliged to extend our control of Cuba any further. We are glad to be her protector against the other nations of the world, but we prefer that she should be an independent State, with her own Government carried on by her own people.

No conditions could make it necessary for us to interfere in the affairs of Cuba except conditions of a melancholy kind, such as we should all regret, and we hope that those conditions will never arise. Instead of suggesting to the Cuban people, as this resolution suggests, that they have not done well, it seems to me the feeling of the people of the United States, unless I greatly mistake it, is that they have done exceedingly well, much better than anyone could possibly have anticipated.

Mr. President, we have no desire to annex that island. We much prefer it in the state in which it now is. For one, Mr. President, looking at it solely from our own side and not from theirs, I am opposed to having island States. We all know that if Cuba becomes a part of the United States it must be made a State of the Union, and the wholesome rule against island States would be broken once for all.

Mr. President, there is an island prospering and doing well, with our aid and our approbation. We do not want to agitate and distress her people with resolutions conveying an idea that we are suspicious of her future or doubtful of her present.

And not content with that, Mr. President, this resolution goes on to propose that the island of Porto Rico, which is prosperous and happy under the government that we have given it, shall be annexed violently to the island of Cuba. Porto Rico is ready to be a dependency of the United States, but it is a very different

proposition that we should, with a high hand, make it a dependency of another island. Mr. President, is it necessary to agitate those people in this way?

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. LODGE. Certainly.

Mr. NEWLANDS. If the island of Porto Rico were a county of the State of Cuba, would the Senator call it a dependency?

Mr. LODGE. I thought the language was "a county or province." I have it not before me.

Mr. NEWLANDS. I used the term "county or province" because Cuba is divided into six provinces, and they would better understand that term than the word "county;" but the purpose was simply to make Porto Rico a county of a sovereign State, sharing with that State in the selection of United States Senators and Representatives in Congress and in the election of the President of the United States.

Mr. LODGE. Very well, Mr. President; the purpose of the resolution is to take the people of Porto Rico and annex them to the island of Cuba.

Mr. PLATT of Connecticut. Without their consent.

Mr. LODGE. Without apparently any consent on their part. Now, Mr. President, why disturb the present condition? Why infuse suspicion into the minds of the people of Cuba? The universal opinion, I believe, in the United States is that they have done well. We want them in their own interest and in our interest to go on with their peaceful and successful government. We applaud what they have done. We have no desire to annex them. We have no desire to change the present condition. It is much better, if it can be maintained, than any other arrangement which could be made.

Mr. President, all I desired was, for one, to disclaim any sympathy with any project of that kind.

Mr. NEWLANDS. I wish to ask the Senator from Massachusetts in case the people of the island of Cuba voluntarily and without any suggestion from us should indicate any desire to become a State of the Federal Union, whether he would be inclined to grant their request?

Mr. LODGE. That is an important question, to be considered when it arises. There is not the slightest indication that the people of Cuba want to become a State of the Union. There is not the slightest indication that they are not content where they are; that they are not gratifying their own pride and their own sense of citizenship by remaining where they are. Why should we discuss bringing them into the Union? Why should we arouse their suspicion and hurt their feelings? Why not leave them alone to work out their destiny as they are working it out, with all the kindly aid and assistance we can give them?

Mr. NEWLANDS. Will the Senator permit another question?

Mr. LODGE. Certainly; as many questions as the Senator wants to ask.

Mr. NEWLANDS. I presume the Senator realizes that the markets of the world have been gradually closed against sugar in Cuba and that she markets her entire crop in this country. Now, assuming that England should adopt the retaliatory policy called for by Mr. Chamberlain, and should put a protective duty upon sugar with a view to protecting her own colonies producing sugar, I ask whether the island of Cuba would not be absolutely dependent for the marketing of her own crop upon the United States, and would the Senator regard it as an act of hostility to Cuba to suggest to her an arrangement by which, instead of securing $40,000,000 annually for her crop, she would secure $75,000,000?

Mr. LODGE. I am not going to discuss the sugar question. That comes up very properly, no doubt, in connection with the bill to carry the treaty into effect. I did not rise to discuss the sugar question or any part of it. My object was simply to enter my own disclaimer against any idea that we were seeking to annex Cuba or to change the present relations of the countries.

Mr. SPOONER. Mr. President, I desire to submit some observations, at a time that will be convenient to the Senate, against the resolution. This is not a convenient time to the Senate, as I understand the state of public business. The committee on committees is ready to report, as I understand it. I believe the Senate should fill up the committees, and then I think it is the desire of a Senator to speak upon another subject. I therefore ask that the motion to reconsider may lie over.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and the motion to reconsider lies over.

COMMITTEES OF THE SENATE.

On motion of Mr. HALE, it was

Ordered, That so much of Rule XXIV of the Senate as provides for appointment of the standing and other committees of the Senate by ballot be suspended.

Mr. HALE. I offer a resolution with a list of committees accompanying it.

The PRESIDENT pro tempore. The Senator from Maine offers a resolution, for which he asks present consideration?

Mr. HALE. Yes.

The PRESIDENT pro tempore. It will be read to the Senate.

The Secretary read as follows:

Resolved, That the following, commencing December 1, 1903, shall constitute the standing and select committees of the Senate for the Fifty-eighth Congress:

The PRESIDENT pro tempore. Is there objection to the consideration of the resolution?

Mr. GORMAN. Let the list be read first.

The PRESIDENT pro tempore. It will be read for the information of the Senate.

The Secretary read as follows:

STANDING COMMITTEES.

On Agriculture and Forestry.—Messrs. Proctor (chairman), Hansbrough, Warren, Foster of Washington, Dolliver, Quarles, Quay, Bate, Money, Simmons, Latimer.

On Appropriations.—Messrs. Allison (chairman), Hale, Cullom, Perkins, Warren, Wetmore, Quay, Gallinger, Cockrell, Teller, Berry, Tillman, Daniel.

To Audit and Control the Contingent Expenses of the Senate.—Messrs. Kean (chairman), Warren, Millard, Money, Patterson.

On Canadian Relations.—Messrs. Fulton (chairman), Dryden, Hoar, Hale, Fairbanks, Tillman, Bailey, Clark of Montana, Clarke of Arkansas.

On the Census.—Messrs. Quarles (chairman), Hale, Platt of New York, McCumber, McComas, Burton, Long, McEnery, Taliaferro, Blackburn, Bailey.

On Civil Service and Retrenchment.—Messrs. Perkins (chairman), Lodge, Elkins, Platt of New York, Millard, Bate, Dubois, McLaurin, Clarke of Arkansas.

On Claims.—Messrs. Warren (chairman), Stewart, Kean, Clapp, Burnham, Burton, Allee, Fulton, Smoot, Martin, Taliaferro, McLaurin, Foster of Louisiana, Overman.

On Const and Insular Survey.—Messrs. Ankeny (chairman), Foster of Washington, Hawley, Fairbanks, Allee, Morgan, Berry, Clay, Culberson.

On Coast Defenses.—Messrs. Mitchell (chairman), Hawley, Alger, Ball, Ankeny, Heyburn, Culberson, Taliaferro, Clay, Simmons, Foster of Louisiana.

On Commerce.—Messrs. Frye (chairman), Elkins, Nelson, Gallinger, Penrose, Hanna, Depew, Perkins, Foster of Washington, Quarles, Alger, Berry, Martin, Clay, Mallory, Foster of Louisiana, Stone.

On Corporations Organized in the District of Columbia.—Messrs. Martin (chairman), Latimer, Aldrich, Hopkins, Long.

On Cuban Relations.—Messrs. Platt of Connecticut (chairman), Aldrich, Spooner, Burnham, Mitchell, Kittredge, Hopkins, Teller, Money, Taliaferro, Simmons.

On the District of Columbia.—Messrs. Gallinger (chairman), Hansbrough, Stewart, Dillingham, Foster of Washington, Foraker, Scott, Gamble, Martin, Mallory, Simmons, Dubois, Gorman.

On Education and Labor.—Messrs. McComas (chairman), Penrose, Dolliver, Clapp, Burnham, Daniel, Gibson, Newlands, Stone.

On Engrossed Bills.—Messrs. Cockrell (chairman), Hoar, Clapp.

On Enrolled Bills.—Messrs. Dryden (chairman), Hopkins, Foster of Louisiana.

To Examine the Several Branches of the Civil Service.—Messrs. Clapp (chairman), Hoar, Ball, Smoot, Culberson, Simmons, McCreary.

On Finance.—Messrs. Aldrich (chairman), Allison, Platt of Connecticut, Burrows, Platt of New York, Hansbrough, Spooner, Penrose, Daniel, Teller, Money, Bailey, Gorman.

On Fisheries.—Messrs. Hopkins (chairman), Proctor, Frye, Perkins, Fulton, Mallory, McEnery, Bailey, Overman.

On Foreign Relations.—Messrs. Cullom (chairman), Frye, Lodge, Clark of Wyoming, Foraker, Spooner, Fairbanks, Kean, Morgan, Bacon, Money, Clark of Montana, McCreary.

On Forest Reservations and the Protection of Game.—Messrs. Burton (chairman), Depew, Perkins, Kearns, Kittredge, Burnham, Ankeny, Morgan, Tillman, Gibson, Overman.

On the Geological Survey.—Messrs. Foster of Washington (chairman), Elkins, Fairbanks, Heyburn, Money, Cockrell, Newlands.

On Immigration.—Messrs. Dillingham (chairman), Penrose, Fairbanks, Lodge, Dryden, McComas, McLaurin, Patterson, Latimer, Clarke of Arkansas, McCreary.

On Indian Affairs.—Messrs. Stewart (chairman), Platt of Connecticut, McCumber, Bard, Quay, Clapp, Gamble, Clark of Wyoming, Long, Morgan, Dubois, Clark of Montana, Teller, Stone, Overman.

On Indian Depredations.—Messrs. Allee (chairman), Beveridge, Dillingham, Kearns, Dietrich, Smoot, Bacon, Martin, Berry, Pettus, McLaurin.

On Interoceanic Canals.—Messrs. Hanna (chairman), Platt of New York, Mitchell, Millard, Kittredge, Dryden, Hopkins, Morgan, Carmack, Taliaferro, Gorman, ——.

On Interstate Commerce.—Messrs. Elkins (chairman), Cullom, Aldrich, Kean, Dolliver, Foraker, Clapp, Millard, Tillman, McLaurin, Carmack, Foster of Louisiana, Newlands.

On Irrigation.—Messrs. Bard (chairman), Warren, Stewart, Kearns, Dietrich, Hansbrough, Ankeny, Fulton, Bailey, Patterson, Gibson, Gorman, Newlands.

On the Judiciary.—Messrs. Hoar (chairman), Platt of Connecticut, Clark of Wyoming, Fairbanks, Nelson, McComas, Depew, Mitchell, Bacon, Pettus, Culberson, Blackburn, Patterson.

On the Library.—Messrs. Wetmore (chairman), Hansbrough, Dryden, Clark of Montana, Gorman.

On Manufactures.—Messrs. Heyburn (chairman), Gallinger, Allee, Smoot, Clay, Gibson, Latimer.

On Military Affairs.—Messrs. Hawley (chairman), Proctor, Warren, Quarles, Scott, Foraker, Alger, Bate, Cockrell, Pettus, Blackburn.

On Mines and Mining.—Messrs. Scott (chairman), Stewart, Hanna, Kearns, Heyburn, Tillman, Clark of Montana, Clarke of Arkansas, Newlands.

On the Mississippi River and its Tributaries.—Messrs. Nelson (chairman), Dolliver, Millard, Hopkins, Bate, McEnery, McLaurin.

On Naval Affairs.—Messrs. Hale (chairman), Perkins, Platt of New York, Hanna, Penrose, Gallinger, Burrows, Tillman, Martin, McEnery, Blackburn.

On Organization, Conduct, and Expenditures of the Executive Departments.—Messrs. Quay (chairman), Wetmore, Beveridge, Allison, Allee, McLaurin, Blackburn, Carmack, Stone.

On Pacific Islands and Porto Rico.—Messrs. Foraker (chairman), Depew, Wetmore, Foster of Washington, Mitchell, Kearns, Burton, Cockrell, Mallory, Blackburn, Clark of Montana.

On Pacific Railroads.—Messrs. Dolliver (chairman), Frye, Stewart, Millard, Kittredge, Morgan, Taliaferro, McCreary, Latimer.

On Patents.—Messrs. Kittredge (chairman), McComas, McCumber, Clapp, Mallory, Foster of Louisiana, Latimer.

On Pensions.—Messrs. McCumber (chairman), Scott, Foster of Washington, Burton, Burnham, Alger, Ball, Smoot, Taliaferro, Patterson, Carmack, Gibson, Overman.

On the Philippines.—Messrs. Lodge (chairman), Hale, Proctor, Beveridge, Burrows, McComas, Dietrich, Long, Culberson, Dubois, Carmack, McCreary, Stone.

On Post-Offices and Post-Roads.—Messrs. Penrose (chairman), Dolliver, Lodge, Beveridge, Mitchell, Proctor, Burrows, Scott, Burton, Clay, Culberson, Taliaferro, Simmons, Gorman.

On Printing.—Messrs. Platt of New York (chairman), Elkins, Gorman.

On Private Land Claims.—Messrs. Teller (chairman), McEnery, Pettus Hale, Kean, Gamble, Burton.

On Privileges and Elections.—Messrs. Burrows (chairman), Hoar, McComas Foraker, Depew, Beveridge, Dillingham, Hopkins, Pettus, Dubois, Bailey, Overman, Clarke of Arkansas.

On Public Buildings and Grounds.—Messrs. Fairbanks (chairman), Warren, Scott, Quarles, McCumber, Wetmore, Quay, Culberson, Simmons, Clay, Stone, Latimer.

On Public Health and National Quarantine.—Messrs. Morgan (chairman), McEnery, Mallory, Culberson, Spooner, Depew, Ball, Heyburn, Long.

On Public Lands.—Messrs. Hansbrough (chairman), Nelson, Clark of Wyoming, Bard, Kearns, Gamble, Burton, Dietrich, Fulton, Berry, McEnery, McLaurin, Gibson, Dubois, Newlands.

On Railroads.—Messrs. Clark of Wyoming (chairman), Nelson, Hawley, Bard, Allee, Ankeny, Smoot, Bacon, Pettus, Money, Carmack.

On the Revision of the Laws of the United States.—Messrs. Depew (chairman), Proctor, Fulton, Heyburn, Long, Daniel, Mallory, Bailey, Patterson.

On Revolutionary Claims.—Messrs. Tillman (chairman), Bate, Platt of Connecticut, Alger, Ball.

On Rules.—Messrs. Spooner (chairman), Aldrich, Hoar, Elkins, Teller, Cockrell, Bacon.

On Territories.—Messrs. Beveridge (chairman), Dillingham, Nelson, Bard, Quay, Burnham, Kean, Bate, Patterson, Clarke of Arkansas, Newlands.

On Transportation Routes to the Seaboard.—Messrs. Gamble (chairman), Clark of Wyoming, Perkins, Ball, Allee, Pettus, Daniel, Dubois, Clarke of Arkansas.

On the University of the United States.—Messrs. Long (chairman), Frye, Wetmore, Burnham, Dillingham, Dryden, Allison, Clay, Carmack, Blackburn, Foster of Louisiana.

SELECT COMMITTEES.

To Investigate the Condition of the Potomac River Front at Washington.—Messrs. Millard (chairman), Frye, Beveridge, Allee, Martin, Bacon, Clark of Montana.

On Woman Suffrage.—Messrs. Bacon (chairman), Berry, Wetmore, Bard, Mitchell.

On Additional Accommodations for the Library of Congress.—Messrs. Berry (chairman), Stone, Cullom, Allison, Mitchell.

On Transportation and Sale of Meat Products.—Messrs. Daniel (chairman), Stone, McCumber, Quarles, Ball.

On the Five Civilized Tribes of Indians.—Messrs. Bate (chairman), Teller, Dietrich, Kittredge, Burrows.

On Industrial Expositions.—Messrs. Burnham (chairman), Hawley, Hansbrough, Lodge, Clapp, Alger, Fulton, Daniel, Cockrell, Carmack, Gibson, McCreary, Newlands.

On National Banks.—Messrs. Kearns (chairman), Penrose, Ankeny, McEnery, Gibson.

To Investigate Trespassers upon Indian Lands.—Messrs. Dietrich (chairman), Heyburn, Morgan.

On Examination and Disposition of Documents.—Messrs. Alger (chairman), Kean, Hopkins.

On Ventilation and Acoustics.—Messrs. Ball (chairman), Gallinger, Gamble.

On Standards, Weights, and Measures.—Messrs. Smoot (chairman), Dolliver, Long, Clark of Montana, McCreary.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. MORGAN. Mr. President, I desire to be heard upon the resolution. I have no objection to its present consideration.

The PRESIDENT pro tempore. The Chair hears no objection, and the resolution is before the Senate. The Senator from Alabama.

Mr. MORGAN. Mr. President, on the question before the Senate, which concerns every interest of the Government and people of the United States, I desire to present a historical statement of the situation of our Government and people on a subject that is most engrossing in its importance and in its responsibilities in respect of an isthmian canal.

In all that I have done in the effort to promote the construction of an isthmian canal that would be in the ownership and under the exclusive control of the United States, in perpetual right, I have not presented or encouraged any view of this great national question that was colored with even a tint of party politics. I did not seek the place with which the Senate has honored me heretofore, as chairman of an important committee, and I have no right or cause to regret that new conditions of party exigency demand my retirement. I would still prefer, very decidedly, that this subject should be treated, as it has been, as a question of foreign relations, in respect of which the demands of patriotism do not permit any American's heart and conscience to be bound, as is too often the case, to a party allegiance that violates both.

In the past two years much provocation has been given by the efforts of the opponents of any canal and by the advocates of the Panama route for involving this great world question in the contests for political supremacy in the United States, all of which I have steadily resisted, even to incurring the censure of some of my political brethren. Up to this hour I have not attended a political caucus on this subject. Three of the oldest and most distinguished Republicans of the Senate—members of this committee—have uniformly voted with me on every important question that has come before the Committee on Interoceanic Canals. I need not mention their names nor remind you of their powerful influence, their high character, or their great abilities. I could not voluntarily part company with those Senators and others of the Republican party with whom I have acted and voted oftentimes on the same questions that must again come before the Senate. I have not and will not reverse my position on those questions at the bidding of any party caucus. The great political captain who will now take the canal question in charge needs the help of party machinery to compel obedience to his will. For one, I do not even fear that power to drive Senators from their convictions while the memory of Grant, Harrison, and McKinley is cherished by the American people.

Among the Presidents of the United States who have been most active, pronounced, and powerful in the support of an isthmian canal and most decided, persistent, and resolute in the advocacy of the Nicaragua route, with whom I have most cordially cooperated, all of them were Republicans.

I have followed their leadership on this subject without a thought of party differences, and am proud to state the fact, for, after all, it is no discredit to a Democrat that his course in the Senate on matters that rise far above the contests of party politics has been in accord with such Presidents as Grant and Hayes, Arthur, Harrison, and McKinley, and with such Secretaries of State as Fish and Evarts, Frelinghuysen, Blaine, and Sherman—all of them eminent Republicans, distinguished statesmen, and true Americans. I mention only those who have passed away.

Of the admirals and great captains of the Navy, all of them, I believe, have been in favor of General Grant's plan of an isthmian canal in the exclusive ownership of the United States, and all, save one, I believe, have steadfastly advocated the Nicaragua route without "the shadow of turning." In the Army the consensus of opinion is for the Nicaragua route, but their professional connection with the question has naturally been more remote than that of the Navy.

A like consensus of opinion has existed and still exists among the ablest and best known of the body of American engineers, who have added a splendid fame to the United States, which is as bright as that which glows in the history of our foremost men in the legislative halls and the courts of our country.

These are the statesmen, admirals, generals, and engineers whose lead I have followed with confidence in forming my opinions, and in what I have thus been able to learn from their teachings and guidance I have found no fact that in the least has disturbed my confidence in their wisdom.

I would most cheerfully leave the choice between these routes to the vote of the men who comprise the working membership of the various societies of American engineers, men who work in the fields of enterprise and know the ways and have followed them in their toilings. They are not mere wiseacres who affect wisdom, in the absence of knowledge, and call themselves consulting engineers, or those who can not be impartial because of their long service in the employment of the Panama Canal Company and the transcontinental railroads.

If my judgment is in error, these great Americans are more to blame than I am, for I have only attempted to follow the plain road they have opened, and I have found in it no difficulty.

I have only been anxious to be right in my votes as a Senator on these questions, and that our country in working out this great scheme, which no other American country is able to accomplish, and no European or Asiatic country will be permitted to attempt, should be "clean" and "decent" and without the reproach of intrigue, or of neglect of the rights of others, or of combinations with political or other leaders of parties or sects, in any country, to ride down opposition or to oppress the owners and claimants of honest rights, with confiscations and denial of justice. If one man, whose opinions would be of as little value as mine are if he were not President, can reverse and brush away as chaff the conclusions of all the great and scientific men who have studied these questions thoroughly during the past two centuries and can crush all who dare to question his wisdom, it is time to look more deeply into this matter and to see whether he can also crush the statute laws and the rights of Congress as well.

I think that the appeal to party discipline to force his opinions on the country and his measures of aggression on foreign countries, in addition to his power as Commander in Chief of the Army and Navy, which he uses with a dreadful latitude of construction, is so strong a proof of heart failure in the present wild movements that I am encouraged to hope that there are still some barriers that we may rely upon to protect the peace and save the commerce of the country. I regret that party discipline is to be used as a domestic police force to protect "the transit" in Panama and to guard the interests of the New Panama Canal Company. That we will get a canal, if one can be built in Panama, I have no doubt, for the President has said so. Yet this result is not clearly so certain, or so safe, as if he should obey the Spooner law.

Above all else I have desired that in our dealings about this great matter we would not enter into bargains with convicted felons, or with adventurers who are not felons in legal estimation only because they have not been convicted, or with men whose felonies have been condoned because they were the only people who were in position to give profitable bargains to the United States.

I beg pardon of the Senate for thus stating my personal attitude toward this subject. I have taken that liberty because I do not wish to be understood as having any personal ambition to serve or any party bias to influence my opinions in these matters, or any personal desire to remain at the head of this honorable committee or to be a member of it.

The most natural and instructive manner of considering this subject is by a comparative chronological arrangement of the facts that are most important with reference to the two canal routes, which I will attempt, but will ask leave of the Senate to append this statement of historical facts to my remarks without delaying the Senate to listen to the reading of them.

The early explorers of the American Isthmus for an eligible canal route after much careful reflection, centered upon the Nicaraguan route, as the only one that was available. So I will present these facts in periods of consecutive years, until the period when the Panama Canal was taken up for instrumental survey. Then I will present, as briefly as I can, a statement of the facts relating to each route, to the present time, in chronological order.

In the present situation it seems proper that I should restate the most important facts relating to the Nicaragua route, that there may be no hesitancy or evasion as to executing the canal act of June 28, 1903.

Before doing this I must make a statement, in some sense personal, which I would not make but for the respect I have for the character of the Evening Star, of this city, and its worthy conductors.

In a recent issue, under the head of "Mr. MORGAN and the canal," the Star says: "Congress, by a vote almost unanimous, ordered the change (from Nicaragua to Panama) and put the matter in the President's hands." The Star is misled by some lamentable oversight as to the facts as they are shown by the record. The entire House, save two votes, had voted for the Nicaragua route, and the matter that was put into the hands of the President by the Spooner law was not a discretion in the choice of routes. It was not even a discretion as to the time within which he was required to obey the law after the time for dealing with Colombia had been fixed by agreement in the Hay-Herran treaty.

The Spooner amendment to the House bill did not substitute the Panama route for the Nicaragua route. It only gave a preference in the selection of routes to the Panama scheme, upon certain conditions that are now impossible. The giving of this preference as stated and regulated in the Spooner amendment did not displace the Nicaragua route or condemn it with even a shadow of disapproval. On the contrary, that law is as firm and decisive as to the merits of the Nicaragua route as the Hepburn bill, the language of which, in this respect, was copied from that bill. The Spooner law orders the President to cause the Isthmian Canal Commission to excavate and construct the Nicaragua canal if Colombia should fail, within a reasonable time, to ratify a treaty with the United States making certain concessions and stipulations prescribed in the Spooner Act. I need not repeat them to the Senate, but the Star would do well to give them careful examination and due weight to all their provisions.

The misrepresentations of the provisions of the Spooner Act, through the neglect of some of the leading journals to state them fairly and fully, and in the misstatement and utter perversion of the truth by some of these accepted guides of the great masses of political followers, has done more to bring about the present wretched situation than all other agencies.

The misrepresentations of the minister plenipotentiary and envoy extraordinary from Panama when he was the peripatetic spellbinder for the New Panama Canal Company in the United States, in the interest of certain railroads, were not more fierce against the Nicaraguan route than is the injustice of some of these leaders of public opinion.

The interest of some of the great capitalists in handling this job is not less than it was when they were serving their old master, the old canal company, for enormous commissions, nor is their new master, the New Panama Canal Company, nearly so "decent" as the old company, the stench of whose corruptions drove the French Cabinet from office. It is time that we had washed our hands of this business, and it is fortunate that the Spooner bill requires us to do so without delay. Let us send out a round robin from Congress and inform the President that it is about time to provide for the health and safety of the country.

I respectfully demand from Mr. Hay, or from whomever can speak for the President, that the statement shall be verified, by the facts, that some of our great engineers have informed the President that the Nicaragua canal route is impracticable. I would make this demand of the President if it was good form to do so.

No concessions are now possible to be obtained from Colombia. If they were even possible, the "reasonable length of time" prescribed in the statute was in fact a limitation upon the right of Colombia to accept the benefits of that act, then to be decided between the two canal routes, both of which were active competitors for a very great prize.

Colombia had the preference in the bidding—for that was what it was—and was limited to a "reasonable time" as to her right to bid or to accept the conditions prescribed in the Spooner amendment. No such time limit is prescribed as to Nicaragua and Costa Rica. Their right to be heard arose at once when the right of Colombia ceased.

In the Hay-Herran treaty, which was ratified by the Senate of the United States, a time limit was fixed for the acceptance by Colombia of the terms and conditions prescribed in the treaty under the authority of the Spooner law. That time was the 22d of September, 1903. It was all the time Colombia asked, and all that the President and the Senate would grant, and it was made by agreement the fixed and utmost limit of time for acquiring canal concessions from Colombia.

The treaty fell when that limit was passed by the action or nonaction of the Colombian Congress, and no power was left in the President, or in Colombia, by the Spooner Act to again open negotiations with Colombia under that law. The President had no power under the Constitution to open negotiations with Colombia or to entertain them after the 22d of September, 1903, because the Hepburn bill was enacted by Congress and approved by him in substance and in full effect in the Spooner law, with some additional provisions that the President is required to perform if it is possible. That act of Congress stands unrepealed. It is the supreme law that controls and establishes the policy of the United States, that no American can nullify. In the Spooner Act all the provisions of the Hepburn bill are found and the identical language, certainly in substance. It is the essential part of the Spooner Act as to the authority of the President to acquire canal concessions.

The time for the performance of these duties toward the acquisition of the Nicaragua route began at once on the definite and irrevocable failure of the Colombian Congress to ratify the Hay-Herran treaty on or before the 22d of September, 1903, and the President was bound to perform that duty in due season and with reasonable diligence. The Spooner law required him to open negotiations with Nicaragua and Costa Rica for that purpose. It had no reference to any cæsarean operation by which a republic of Panama might be taken alive from the womb of Colombia and be empowered by our President to seize the territory of Colombia and to assume ownership and sovereignty there under mythical covenants that some diplomatists, "wise above what is written," have invented and have declared that they "run with the land."

The President fixed the "reasonable time" in favor of Colombia in the Hay-Herran treaty, which was signed and sent to the Senate and was ratified with that agreement in it. The authority of the President as to deciding upon a reasonable time was thus fixed by the Hay-Herran treaty and exhausted by the act of Colombia, and he was left to the plain and simple duty of executing the remaining requirements of the Spooner law.

It was this expectation and the faith I had in the President that he would obey the law, as he insists that every other good citizen shall do, that caused me to agree in the committee of conference between the two Houses to the passage of the Hepburn bill as it was amended on the motion of the Senator from Wisconsin [Mr. SPOONER]. On that amendment the majority of the Senate was six votes in its favor. The House never took a direct vote on the Spooner amendment. From this it will be seen that the Star is mistaken as to the vote in favor of the Panama route.

Of two of those six votes I will not speak now. That is a matter for political discussion. I voted against the Spooner amendment; yet I then had no substantial doubt that, if adopted, it would lead to the construction of the canal on the Nicaragua route, but I knew that the road would be long and difficult.

The only doubt I have now is whether the Senate will obey the law, the President having refused to obey it. The action of Congress on this question can not be avoided, and I suppose the House will want to know what has become of the Hepburn bill, that was in substance and almost in form enacted in the Spooner law.

The Hepburn bill was never defeated in the Senate. The Spooner amendment to that bill changed no fact or principle it contained. It was enacted without losing any of its force, and it was postponed, as to its operation in favor of the Nicaragua route, to a treaty with Colombia, which the President was authorized to negotiate, until Colombia should fail to make such a treaty as is provided for in that act, or the Congress of Colombia should fail to approve such treaty. The Colombian Congress, elected and called into extraordinary session by Marroquin, as President of Colombia, for that purpose, did not approve the treaty within the time agreed to, as expressed in the treaty.

The President then notified the Colombian Government that the United States would not open negotiations with a view to canal rights or concessions, and there the matter ended. Then the President took an active part, as Commander in Chief of the Navy, in cutting off Colombia from exercising civil or military authority in Panama, thereby putting it beyond his power to deny that the unexecuted part of the Spooner Act can be executed by him, as President, at least so far as to enter into negotiations with Costa Rica and Nicaragua, without impairing any part of that law or any advantage that Colombia could possibly have derived from it. This is the question that Congress must decide, as the President refuses to execute that law, or else the will of the President becomes the supreme law of the land.

The President completed his campaign for destroying the unexecuted part of the Spooner Act by causing Mr. Hay to sign a canal treaty with somebody who is here from Panama. This treaty was made in consequence of a prearranged revolt against Colombia, which was executed at Panama on the 3d of November, 1903.

The latest information we gain from the Department of State as to the progress of treaty making with Panama is that the treaty is made to suit the Government by Mr. Hay and a Frenchman whose sole authority for this solemn act is a telegraphic power of attorney issued by a junta in Panama that Marroquin styles a "barracks junta."

That junta met and acted under the military protection of the United States, as is now revealed in a message of the President on the 16th instant.

I have no accusation to make against our Government that it is engaged in a conspiracy to separate Panama from Colombia, but the facts I will now state, taken from the message of the President, prove that the President knew of such a conspiracy and stood ready with armed ships properly posted to protect those engaged in the "uprising" when it should occur. His duty under the treaty of 1846, if he had any duty in the premises, was to check rather than to protect such a movement.

The Department of State—in other words, the President—took command of our naval forces at Panama and at Colon, assembled for that purpose, and awaited tidings from the Department of Panama. They came, as expected and desired, on the 3d of November, 1903, a day hereafter to be "saints' day" in the calendar of filibusters, who act "in the interests of peace" in destroying government by surprise and without notice when "the victories of peace, more renowned than war," bring spoils without bloodshed or danger.

The facts that suddenly broke upon the world like "the explosion of an idea," which is now the classic form of definition for conspiracy to raid a sleeping republic, all occurred in an afternoon of that historic day.

The parties concerned and the expectant officials were at Washington, New York, and Colon, 1,500 miles apart, but the electric cable was at hand and distance was annihilated.

The story is as follows: It first fixes the responsibility on the press if there should be any miscarriage in the accouchement through a fake story. In this instance it was the expected that happened and the press was a recording angel, not a prophet.

As soon as "Loomis, Acting" as Secretary of State, was able to say, in a dispatch to our consuls at Panama and Colon, "Uprising on Isthmus reported," at 3.40 p. m., and Ehrman, consul at Panama, answered, at 8.15 p. m., "No uprising yet. Reported will be in the night. Situation is critical," "Loomis, Acting," seems to have ceased action until the hour of 11.15 p. m. on this saints' day.

In the meantime "Darling, Acting" Secretary of the Navy, took command.

He had acted in a similar case, in favor of Colombia, in Marroquin's war in 1899 to 1902, on the 29th day of October, with eminent success, using the same title of "Darling, Acting." He then formed the military junction between our naval forces and the army of Marroquin to suppress insurrection at Panama. He was cooperating with Marroquin at that date.

So eager was he to again display his military prowess and strategic abilities that he could not stop at that hour of the night to consult the Secretary of the Navy, and he at once instituted war against Colombia in the following order to the commander of our war ship, the *Nashville:*

Nashville, Colon: In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama.

That was the first military order which was given out. It was at Panama that the "barracks junta" was then at work imprisoning army and navy officers of Colombia at 6 p. m. on this noted day.

The dispatch of Consul Ehrman, on which Loomis acted, is as follows:

Mr. Ehrman to Mr. Hay.

PANAMA, *November 3, 1903.*
(Received 9.50 p. m.)

Uprising occurred to-night, 6; no bloodshed. Army and navy officials taken prisoners. Government will be organized to-night, consisting three consuls, also cabinet. Soldiers changed. Supposed some movement will be effected in Colon. Order prevails so far. Situation serious. Four hundred soldiers landed Colon to-day Barranquilla.

EHRMAN.

It was an "uprising" of which our Government had notice. How many rose up or who they were was not stated, and our Government did not know, unless it had been informed in advance of the movement to begin the revolt.

There was "no bloodshed," and "army and navy officers (were) taken prisoners. * * * Order prevails so far. Situation serious." There was no danger developed so far as "the interests of peace" were concerned, unless the peace whose interests the President was protecting was intended to be "the peace of death" as to the sovereignty of Colombia, which other Presidents have been protecting for sixty years, against revolt in Panama, under the treaty of 1846.

That pretense as to "the interests of peace" was an evasion, when it was made a text from which to preach a crusade against Colombia, unless it was intended to be the grimest joke that ever graced the atmosphere of irony, that great diplomatists have sometimes enjoyed.

In this phrase of the Darling dispatch we see the "interests of peace" that we set up against the sovereignty of Colombia, and they are the peace that comes from war. "Situation serious; 400 soldiers landed Colon to-day. Barranquilla," says Ehrman.

These soldiers were sent there to enforce the constitution and laws of Colombia. Our Government has made no pretense to the contrary. That was the lawful right and duty of Colombia that we had guaranteed to aid her in performing. Our guaranty went still further and assured Colombia that we would protect her in the ownership of the State of Panama against all claimants. It was a direct and firm guaranty against the secession of Panama, that she had made several desperate and bloody efforts to accomplish. This guaranty was given at the close of the "Twelve years' war," which was a secession war, and Colombia demanded our guaranty against its successful recurrence. We gave the pledge to get the right of transit for our people, and Colombia feared that they might enter her territory under this privilege as filibusters. This is the true story of this pledge, which our naval forces have broken.

What did we expect? What had we the right to expect that the 400 soldiers of Colombia intended to do on being sent from Barranquilla to Colon, where they went into camp. Were they there to violate the laws of Colombia or the treaty of 1846?

If our Government had any grounds to suppose that these soldiers were there for any other or different purpose, Mr. Hay, in making his defense of the President in a public document, would not have done his chief the discredit of withholding such facts.

There was no other excuse or motive for the following act of war against Colombia than to protect the "uprising" at Panama, when Darling ordered the commander of the *Nashville* to "make every effort to prevent troops at Colon from proceeding to Panama."

To do this the commander of the *Nashville* was bound to fight, if it was the best way to protect the junta at Panama. In the same breath Darling ordered that "the transit of the Isthmus must be kept open and order maintained." It was closed to Colombia and open to all other comers and goers.

At 9.50 p. m. Ehrman had dispatched Mr. Hay that "order prevails so far;" so that situation did not demand war against Colombia. There had been "no bloodshed;" so that there was no bleeding for liberty to be avenged.

The 400 soldiers at Colon, sent there by Colombia in her indisputable right and under our guaranty of her sovereignty, was the only threat of the disturbance of the peace of the isthmus that caused Darling to make war on Colombia if she even attempted to march these troops overland to Panama to rescue her army and navy officials that were then prisoners in the hands of a revolutionary mob.

Loomis repeated Darling's message to the commander of the *Nashville* at 11 p. m. to Consul Ehrman, because it "may not have been delivered," and directed him to see that the copy was delivered immediately. Doubtless fearing that some interruption of the telegraphic lines might delay the war, he was ordered to "secure special train, if necessary," on the railroad. His fateful and last words were, "Act promptly."

All Christendom will hope that Mr. Hay was resting or asleep from the fatigues of his great office when his subordinates were thus engaged in rushing war against Colombia. The President never sleeps on his post of duty or desire, though he sometimes closes his eyes. He knew all that was going on, but may not have been so active and strenuous as he was when in the war with Spain his strenuosity was so pronounced and his alacrity was so eminent, as described by the late Secretary of the Navy.

Consul Ehrman, in his dispatch at the hour of 9.50 p. m. of this fateful day, either made a remarkable prophecy or else he was in the secret counsels of the junta at Panama when he said, "Government will be organized to-night, consisting of three consuls, also cabinet."

The three consuls remind us of the germination of the Empire of France through the paternity of three consuls, and that Napoleon, an Italian, born in Corsica, was to become Emperor in the final travail of liberty.

It was a French conception in the junta at Panama, and doubtless owes its brilliancy to the New Panama Canal Company and its seductive attractions to the genius of Cromwell.

Our President could not have been in contemplation, for he is a devotee of righteousness and is usually on friendly terms with peace. So I hope for the best, although the Cynic's Calendar has this bon mot, which is sometimes in point: "When mercy and truth are met together and righteousness and peace have kissed each other, look out."

There is no escape from the fact that the orders given to the officer commanding the *Nashville* at Colon on the 3d of November, 1903, were orders that authorized war upon Colombia, and that they were given without warning or notice to the Government of that Republic. Colombia had the right to be there with her civil or military forces to enforce obedience to her law in virtue of her sovereignty to preserve the peace and to protect the transit across the Isthmus. The United States had no right to be there with her forces to protect the sovereignty of Colombia without her request or assent. It was the question of throwing off that sovereignty that caused the uprising at Panama. It was not the protection of the transit that caused the uprising.

If the transit was either in present or remote danger of interruption, it was the uprising at Panama that created that danger; but, in fact, there was no such danger.

If Colombia could not repress such an outbreak on her sovereignty in the Department of Panama except by force, as was true, and if she could not use such force without endangering the transit, which was not true, the treaty of 1846, if it means that Colombia is not to be permitted to enforce her sovereignty with the assistance of her armed police or her military forces, because it might endanger the transit, directly or remotely, and that the United States in such a case has the right to prevent any attempt by Colombia so to repress insurrection, it is the United States that is made sovereign over Panama by that treaty, and sovereign over Colombia.

Neither this nor any coming generation, in this country or any civilized country, can read and so interpret that treaty.

We should never put ourselves on record as sustaining a view of our rights under that treaty that contradicts its language and denies and perverts the purposes it was intended to subserve.

We will go down in history as the violaters of our treaty with Colombia for the purpose of obtaining canal concessions at Panama, on our own terms, that we could not otherwise obtain, and children yet unborn will change the title of the Grand Republic to some reproachful name that we will furnish them occasion to saddle upon us.

The Spooner law offered to Colombia certain opportunities in dealing with the subject of the Panama Canal that her Congress might accept or refuse to accept on or before the 28th of August, 1903.

There was no hint of compulsion in that law toward Colombia or of reprisals upon her if she declined to accept that offer.

Nothing could be more remote from the purposes or expressions of Congress in that act than a war upon Colombia or an attack upon her sovereignty, or the support of any such attack, or the countenance of any such effort if her Congress should refuse to ratify the treaty to be made under its provisions.

Colombia may deserve all she has experienced in her dealings with her own people in Panama, but the Spooner law did not assign to the United States the guardianship of those people, and "the interests of peace," which are the moral excuse for making war on Colombia, were not provided for in that act or in any other law except that of the miltary usurper.

We have before us a difficult journey that may be a disastrous task in the outcome.

Our accomplished literary Chief Magistrate has no romantic tour ahead of him, where he can enjoy the quiet seclusion so congenial to his tastes, in our vast national parks, and can there indulge in dreams of diplomatic triumphs and military exploitation. He will need all his military abilities and all the money of the people in the Treasury and the lives of many of their sons to conduct what Reyes says will be a Boer war in Colombia.

Already peace commissioners from Colombia have been turned back to their mountains by the Panamistas. They felt strong in the approving presence of Rear-Admiral Walker, who was in attendance on a visit of ceremony at the appropriate moment, and they were refused liberty to set foot on the soil of Panama. They were told that Panama still loved them, as I believe she does, but had entered into new espousals and that the marriage to the grand republic had been celebrated by a French proxy in the salon of our Secretary of State.

They went home angry. Then came other Colombian commissioners headed by Reyes, whose favor we courted when we wanted a treaty with Colombia at the sacrifice of the privileges of the Senate. Along with Reyes as commissioners were Generals Ospina and Holguin. They came for peace with honor, and therefore refused to set foot on the deck of the American cruiser *Dixie*, that had been set apart to do them special honor. They would not by such a condescension admit that our ships were rightfully at Colon.

This sensitive exhibition of national pride seems to have cut short this expedition to Panama, which, after all, was not its real destination, since they had taken passage on the French steamer *Canada* for Port Limon, Costa Rica, but their destination was unknown.

I insert a statement from the Washington Post, dated Colon, November 19, which describes one scene of this tragic drama. I will not detain the Senate by reading it, as I suppose Senators have all read it:

COLON, *November 19, 1903.*

Generals Reyes, Ospina, and Holguin, appointed as commissioners by the Colombian Government to come to the Isthmus and negotiate for terms of peace looking to "the saving of the national honor," arrived here to-night on the French steamer *Canada*. The peace commissioners left Savanilla yesterday without knowing the result of the conference between the peace commission from the department of Bolivar and the members of the junta on board the *Mayflower*. When General Reyes learned of this conference he said that he entirely disapproved of the mission of the Bolivarians.

Other prominent Colombian generals on the *Canada* are Sarria, Ortiz, Bustamente, Angulo, and Lucas Caballero. Generals Bustamente and Caballero, who are prominent members of the Liberal party, joined the peace commissioners at Savanilla, but were not delegated by the Bogota government.

There was great excitement on the arrival of the *Canada*. Hundreds of persons flocked to the neighborhood of the dock, but were prevented from reaching the vessel by marines, who were landed from the United States war ships as soon as the *Canada* was sighted. The marines now guard the wharf.

Captain Merriam, of the United States auxiliary cruiser *Dixie*, immediately went aboard the *Canada* and conveyed to General Reyes the result of the mission of the Bolivarians. He invited General Reyes and the other members of the commission to come aboard the *Dixie*, but the General and his companions declined the invitation. Admiral Coghlan, who had just arrived from Panama, extended an invitation to the commissioners to come aboard the *Mayflower*, but the Admiral's invitation was also declined.

It is understood that General Reyes and the other Colombian officers will remain on the *Canada* until to-morrow evening, possibly until Saturday evening, when they will leave for Port Limon, for which destination all had tickets.

The commissioners sent a telegram to the junta at Panama, asking for a conference there to-morrow, but the Panamanians' Government declined to grant the request. It is expected, however, that a representative delegation from Panama will arrive here to-morrow and confer with the commissioners on board the *Canada*.

The Colombian generals were not permitted to land at Colon, and it is considered absolutely certain that their mission, like that of the commissioners from the department of Bolivar, will prove altogether futile.

We profit by the folly of Colombia, while we lament the weakness that betrayed us into her power. Our prayer for deliverance from this evil has been granted, and we are well rid of Colombia.

In the Hay-Concha treaty the door was left wide open for her sort of blackmail, and in the Hay-Herran treaty it was used by Colombia to demand $15,500,000 for what she had solemnly agreed to take $7,000,000, upon which agreement the President knew that Congress had acted in passing the Spooner bill. If our frantic pursuit of this vicious and corrupt but glittering temptation does not yet land us into still worse situations we will have to look to Congress and, after all and before all, to God for deliverance.

The fourth article of each treaty is the same in terms, and both of them violate the Spooner Act and imperil our future relations with the Spanish-American Republics, as follows:

The rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory over whose boundaries such rights and privileges are to be exercised.

The United States freely acknowledges and recognizes this sovereignty and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or of any of the sister republics of South or Central America, but, on the contrary, it desires to strengthen the powers of the republics on this continent, and to promote, develop, and maintain their prosperity and independence.

That was the vote of the Senate of the United States, almost unanimous. This was the President's declaration of his ambition, which had then soared to its zenith. This was the Ultima Thule of his hopes and endeavors. Recent events forshadow its sure disappointment and great trouble to our people.

In the Spooner Act Congress refused to commit the United States to this radical policy, which exceeded all the bounds of prudence and wise statesmanship and invited the resentment of all the Spanish-American States against the self-assumed guardianship of their strength and power on this continent.

Why this grandiloquent declaration was confined to this continent is beyond comprehension, unless it was to round a period in an outburst—an "explosion of an idea," as a similar occurrence in the birth of the Republic of Panama is described by her first, and therefore her most distinguished, "minister plenipotentiary" in his public address to a member of this body.

It may be that the afflatus of hysterical statesmanship that inspired this great thought of the President has infused itself as "a leaven that leaveneth the whole lump" of the Republican party, but I still hope and believe that they are still thoughtful.

If it is intended to assure Mexico and the Central American

States against future invasion, I welcome this burst of universal philanthropy as a cautionary admonition to this and coming generations.

But I am glad that Congress in defining the powers of the President in the Spooner Act limited him to the sole duty of acquiring canal rights and necessary jurisdiction to control a canal to be constructed by the United States on one of two named routes and that it gave the President no authority to make pledges such as are made in the fourth article of both the treaties concluded by him with Colombia.

That Marroquin, with his hands red with the blood of his enemies in his native country, where he ruled as dictator, and with the blood of children conscripted into his army on his hands, 40 per cent of whom were from 9 to 15 years old (as is stated in a message of the President to the Senate on the day of the adjournment of that body in March, 1903, see page 81 of Document No. 10, Fifty-eighth Congress, special session), should have been invited to join with the President and the Senate in enacting section 4 of the Hay-Herran treaty, must be a surprise to the "sister republics in South and Central America."

Marroquin could be excused by his inability to harm those republics for his acquiesence in those pledges, but he could add nothing to their force or respectability. But we made this alliance with him not dreaming that within less than a year the President of the United States would violate this declaration at the expense of Colombia. The pledge on our part was, "That the United States freely acknowledges this sovereignty (of Colombia) and disavows any intention to impair it in any way whatever, or to increase its territory at the expense of Colombia or of any of the sister republics of Central or South America."

Colombia must have had some serious apprehensions of a design to increase the territory of the United States at her expense as the logical result of our controlling the Panama Canal when she twice demanded and obtained from our President this solemn and special pledge, which Congress failed and refused him the power to make. The President asked Congress for a law that would authorize "such a treaty" as the Hay-Concha treaty, and it was refused by the silent rejection of many of the most important provisions of that treaty in the Spooner law, especially the fourth article. Congress would not agree to this political guardianship of the Spanish-American States.

No sooner had Colombia rejected the Hay-Herran treaty than our Government began to prepare for events that would test our good faith in keeping this pledge. I will wait to see how far and how fast we will go in its violation before I shall assist in that work.

I will not now discuss the provocation or excuse, if any, for our interference between Colombia and her Department of Panama or the manner of the interference, for which I have found no reasonable ground of justification. But I will assert, and the whole world will agree with me, that but for the fact that the canal route for the Panama Canal is located in Panama, and that the President had determined that, in any event, the appropriation made for a canal by Congress should be expended on that canal, and that the property and concessionary rights of the New Panama Canal Company should be purchased from that company and be paid for out of that appropriation at the sum of $40,000,000, or a greater sum, the President would not have interposed the asserted diplomatic power of the United States to protect a junta of secessionists in Panama against the laws of Colombia.

He would not otherwise have discovered that our treaty with New Granada in 1846 required him to protect the railroad transit against the laws and the rights of Colombia on territory whose ownership and her sovereignty over it we had promised effectually to protect.

It was less than a year since our President, of his own initiative, apparently, but without objection from Marroquin, then president and dictator of Colombia, protected his army of conscripted children from being slaughtered or captured by the army of the liberal party in Panama.

The number of Colombian generals destined for Port Limon must mean business. I have no conception of the purpose of this military demonstration, but I suppose that we will soon hear from it in a way that will increase our respect for the Spanish-American diplomatist and warrior.

If I did not have the most profound respect for the honor of the ministers from Costa Rica and Nicaragua, whose Governments we have treated with shameful injustice, so that we might make a supposed bargain with the New Panama Canal Company and put into the hands of its attorneys, spellbinders, syndicates, and ex-convict stockholders some pieces of silver, I would expect a confederation between the isthmian States north of Panama and Colombia that would at least destroy our commerce and draw us into a realization of the necessity for an immediate increase of the Navy.

Unless we shall soon hear that those large additional promises to pay, that have heretofore so encouraged the Panama Canal Company and others concerned, are made by the President and indorsed by the Secretary of the Treasury, whose soul suddenly yearns with a desire to lift a shovelful of dirt from the great ditch, we shall look for a battle of the giants.

I hope that this last calamity may be averted through the steadfast honesty of Costa Rica and Nicaragua.

And now a new problem comes up from Colombia. It is that the Departments of Antioquia and Bolivar have been shaken loose from their foundations and affectionate loyalty to the Republic of Colombia by this new form of earthquake—the sentimental form that the Senator from Ohio has already kept ready to jolt a canal movement out of position.

The Senator may try that once too often.

Colombia, acting by departments, seems to be considering the effort to annex herself to the Republic of Panama.

It would be a very amusing, if not a dangerous, result if the balance of the power should be so great against Panama that she, with her canal, and her $10,000,000, and the New Panama Canal Company, and her minister, and her ratifying committee, and Mr. Cromwell should be enticed back into the Republic of Colombia. Who can forbid that under existing conditions? Do we forbid it or pretend to forbid it in the treaty that Mr. Hay has negotiated with Mr. Varilla? Then the great captain of canal industry may find that the Colombian Yankee has "out yanked" his North American prototype.

News, one day later, informs us that General Reyes has concluded to come to the United States on a mission that has a more belligerent aspect. I well remember that he is man of resources in the arts of intimidation. It was he that probed into the secret debates of the Senate, through the kindness of some leaky Senator, and got an exaggerated statement of some remarks imputed to me.

He was in the City of Mexico, as minister from Colombia, and he loaded the wires with scurrilous reproaches against me as a Senator that were published in the Washington Post within twenty-four hours after I had spoken in the Senate. Marroquin and the President were mutually content, as I was then opposing the allied rulers, and I was left to wilt under the castigation.

A curious coincidence seems to be suggested by the coming of General Reyes. He has laid aside his candidacy for the Presidency of Colombia and put on the insignia of a general to fight us because we refused to give Colombia $25,000,000 for the canal and took Panama instead.

He has separated from his former coworker, the new chairman of this honorable committee, who, I fear, has sacrificed a magnificent opportunity, as to the Presidency, to gratify his more modest ambition to be the business manager of the canal we are to purchase from the French company, without even a quitclaim from Colombia or any guaranty of title except the strength of our Army and Navy. It is astonishing to contemplate the rash sacrifices that some persons will make for the sake of power or money.

If General Reyes is out for money, he may get it from our rich Treasury, under Secretary Shaw, while he is in "a state of mind" about digging dirt in the canal ditch. But some friend should admonish General Reyes to put aside his sword and walk softly while in search of Treasury salve to heal Colombia's wounded honor.

He should not exaggerate the size or depth of the wound in order to get a big prescription, for Treasury salve is expensive and sometimes hard to obtain. It should be a clean transaction, for we are told in the Scriptures that the ointment of the apothecary should have no flies in it.

It may be claimed without ostentation that the objections to the Hay-Herran treaty, when it was combated by only a few Senators, has so impressed the President with a sense of duty toward the honor and safety of the United States that, with the power to dictate terms to the junta at Panama, he put the substance of every important amendment then offered into the treaty with Panama, and went far beyond those amendments in the right direction.

For the part I took in forcing these reforms upon the acceptance of the President, by whom they were then resented with at least cold indifference, I have no right to be regretful, and the country now sees that there was no occasion for the vulgar and unjust lampoons that the press inflicted upon one who was faithful to the people and to the honor of the country.

Costa Rica and Nicaragua, on the invitation of Mr. Hay, entered into negotiations with him, as Secretary of State, and those negotiations were practically concluded, as he admits in his letter to the chairman of the Committee on Interoceanic Canals, which was reported to the Senate.

He also admits in that letter, which I will presently read to the Senate, that those negotiations were conducted under and in conformity with the McKinley protocols of December 1, 1900, which were then recognized as being obligatory on all the parties as pledges of national honor. When, Mr. President, have they ceased to be obligatory, and by what act? Who will answer that question?

As soon as the Isthmian Canal Commission reversed its recommendations on the sole ground of saving $5,500,000 in the cost of

the two canals. Mr. Hay, without notifying Nicaragua or Costa Rica that negotiations with them were dropped, attempted to negotiate a treaty with Señor Silva, minister from Colombia, which failed, and, he having been recalled by his Government, negotiations were opened with his successor, Señor Concha, which resulted in the Hay-Concha treaty of the 21st of March, 1902, which the President espoused and directed Mr. Hay to sign.

The Hay-Concha treaty embraced, in terms and in corresponding sections, all of the objectionable features of the Hay-Herran treaty that I attacked with amendments in the Senate, all of which were voted down, and for offering them and insisting upon the right to discuss them I was silently censured by the majority in the Senate and openly by the press that can not yet forgive me for the audacity of informing the country of the degradation of its honor and the risk of its safety that the Hay-Concha treaty and the Hay-Herran treaty threatened to inflict upon our Government.

Those amendments, if they had been adopted, would have given us the same rights that were provided for in the treaties that Mr. Hay had negotiated with Nicaragua and Costa Rica. I must do Mr. Hay the justice to say that I have never believed that he was a free agent in concluding either of the treaties with Colombia.

They were the very best he could do in carrying out the fixed policy of the President to abandon the McKinley protocols, and, without notifying Nicaragua or Costa Rica of his purpose, to still "hold the promise to the ear and break it to the hope" of those States.

When Mr. Hay, after the rejection of the Hay-Herran treaty by Colombia, had full liberty of action, he negotiated with M. Bruno Varilla a treaty, in a single session of possibly two hours—a treaty that incorporated every important amendment I had offered in the Senate to the Hay-Herran treaty.

I feel honored at the success of having forced the President thus to respect the honor and the rights of the Grand Republic in the Hay-Varilla treaty.

It is still more gratifying to be able to state that Nicaragua and Costa Rica insist that the Hay-Varilla treaty contains no provision applicable to them that was not contained in the treaties they had negotiated with Mr. Hay and have always been ready to sign, and, if required, in the same terms that are found in the Hay-Varilla treaty.

Neither do they claim the rise in the cost of the concessions from $7,000,000, which they agreed upon with Mr. Hay, to $10,000,000, that we now so generously proffer to Panama.

Further on I will present the letter to which I referred, which contains all I have said about the action of Mr. Hay and Costa Rica and Nicaragua in signing and sealing the McKinley protocols.

IMPLIED PLEDGES OF HONOR ATTENDED THE ENACTMENT OF THE SPOONER LAW AND THEIR VIOLATION BY COLOMBIA IN THE HAY-HERRAN TREATY.

No set of gentlemen ever had higher assurance from any other set of gentlemen than the friends of the Hepburn bill had from the friends of the Spooner bill, that the Senate was legislating on a state of facts that had been established by solemn treaty agreement with Marroquin. The asserted fact was that Nicaragua, with Costa Rica, had agreed to accept $7,000,000 and Colombia had agreed to accept the same amount for the concessions along the respective canal routes.

The Department of State had invited negotiations with Nicaragua and Costa Rica and had settled the cost of the concessions over the Nicaragua route—a matter that was left open in the McKinley protocols, and every other detail of the agreement was in accordance with those protocols. They were, in fact, concluded, except as to the signatures, and every pledge of honor attended them.

Were these negotiations, which were conducted with the greatest care and in a spirit of mutual confidence and good will, in which those Republics conceded every claim that we seriously made, conducted on our part without sincerity? Were we only getting from these States their lowest bid for these concessions so that Colombia might fix her demands at the same figures and thereby influence the Senate in its action on the Spooner bill?

Did the President then intend to pay Colombia more than $7,000,000 for her concessions, if she should demand it, after Congress had given him the power to raise the price? If he did not, why did he not stand by the Hay-Concha treaty as to this item?

If it had been intimated that Colombia intended to demand $10,000,000 instead of $7,000,000, the Spooner bill would never have been enacted, even under the very extraordinary pressure that was employed to get it through the Senate. The Senate never would have voted $10,000,000 to Colombia for her concessions, and $7,000,000 to Nicaragua and Costa Rica for their concessions, if the Spooner substitute had been so framed. The bill would have failed with that provision in it.

Equally, it would have failed if it had contained a provision to add to the $40,000,000 to be paid to the Panama Canal Company the value or the cost of the work they should do on the canal after the 9th of January, 1902, which is the date of the dispatch of M. Bō accepting "the amount of $40,000,000" for the totality, without exception, of its property and rights on the Isthmus.

The work it was then doing and has done since that date was not for the United States, but to keep alive its concessions from Colombia. Besides, it was stipulated in the dispatch that "the above offer to remain in force up to March 4, 1903." It was only an option they offered us, and the President caused the Attorney-General to cable the canal company in Paris, while the Hay-Herran treaty was before the Senate, asking that the offer to sell the canal to us should be kept open until the Senate could act on the treaty and authorize him to accept it, in which event he promised that the $40,000,000 should be paid by the United States immediately on the ratification of the treaty by the Government of Colombia.

THE STRENUOUS AND AGGRESSIVE COURSE OF THE PRESIDENT.

The most strenuous part of the President's career was displayed between the 4th of January, 1902, and the remarkable effort to obtain the ratification of the Hay-Herran treaty with Colombia.

Early in January he summoned the Isthmian Canal Commission back to life, after it was functus officio; gave oral directions that they should confer with M. Edouard Lampré, secretary of the New Panama Canal Company. This was done as soon as he was informed of the receipt of the cable dispatch of M. Bō to M. Bœufvé.

It was a rapid movement, headed by our Commander in Chief, in the lead of a raid.

The report of the Commission was made to the President on the 18th of March, 1903. Señor Silva was then minister from Colombia and was pressed to negotiate a treaty for canal concessions; he refused to treat with the Secretary of State for canal concessions on that basis; he was recalled, went home, and died while under imprisonment for his obstinate conduct. No man was ever more pressed and badgered than Señor Silva was to compel him to yield the point that Marroquin had no power to alienate any of the territorial property, by lease or sale, under the constitution and laws of Colombia. Silva kept faith with his honor, and died for it.

Mr. Concha was then sent as minister to the United States, and a treaty was concluded with him on the 21st of March, 1902. On the 3d of March, 1902, and earlier, the President had ordered war ships to Panama to protect the transit. The reasons for that expedition have not been stated to Congress, but civil war was then flagrant in all the departments of Colombia, and the so-called rebels—the Liberals—had gained important battles after hard fighting and great losses on both sides. The fighting had reached Panama on both sides of the Isthmus, and strong forces were gathering on the Isthmus. There was hard fighting at Bocas del Toro, and before that time other battles had been fought at points distant from the railroad, but neither then nor later was transit on that road interfered with.

The war in Colombia had then been in progress for nearly three years between the Liberals and the Church party, of which Marroquin was the head. The war in Colombia ceased with the capitulation of General Herrera and his forces, November 21, 1902. The Hay-Herran treaty was signed January 22, 1903, and was ratified by the Senate on the 17th of March, 1903.

THE PURPOSE OF THE PRESIDENT IN THESE MOVEMENTS.

From the date of the first dispatch from M. Bō the purpose of Mr. Roosevelt was obvious. It was to push the Panama Canal through to the confirmation of concessions from Colombia. He resolved to push it until the concessions should be obtained from any authority that he might recognize as representing the Government of Colombia. And if lawful authority to do these things did not exist he resolved to create it by his recognition.

During the period of all these negotiations and of all our dealings with the Panama Canal Company, in which Colombia was a stockholder, it had no other legal character or rights except such as were derived under the laws of Colombia, and all the departments of that Government were in a state of siege, under martial law, while civil war raged in the Republic. Colombia had no Congress in commission. It had vanished and the terms of all its legislators had expired, and no elections had been held to supply a Congress. Marroquin was sole dictator and ruled under the laws of war, but not according to their precepts.

Under the constitution of Colombia no grant or lease of lands could be made to a foreign country unless Congress had first authorized the grant and had also ratified it.

Both of the treaties I have mentioned were grants of land to the United States, and privileges in land, and for the enactment and enforcement of laws and regulations within the territory of Colombia, to be enforced within a canal zone; and there was no Congress to authorize or ratify the grants, and no Congress had acted on the subject of such a grant or lease to the United States.

In respect of the extension of the Wyse concession from 1904 to 1910, which is an important part of the rights conceded to the United States in both the negotiations with Colombia that were concluded by Mr. Hay, the Congress of Colombia in 1898 had refused to ratify it. Besides the concession to Wyse, which was

copied into a statute of Colombia, expressly forbids its transfer to any foreign government and made an offer to do so a forfeiture of the concession.

Those treaties could not stand, even as negotiations, for such purposes, because the Colombian Congress had never authorized them.

Article 76 of the constitution of Colombia is as follows:

Congress shall make the laws. By means of these laws it exercises the following functions:

* * * * * *

IX. To authorize the Government to make contracts, negotiate loans, alienate national property, and exercise other functions within constitutional limits.

* * * * * *

XIV. To approve or reject contracts or agreements entered into by the President of the Republic with private persons, companies, or political corporations, in which the national treasury is interested, if they have not been previously authorized, or if the formalities prescribed by Congress have not been complied with, or if any conditions contained in the law authorizing them have been disregarded.

Our President is bound, in the exercise of even his discretionary diplomatic functions, to respect the organic laws of foreign countries. This is a canon of international public law. But, as to the American republics, he is bound also, by the higher law of regard for our own constitutional system, to respect the constitutions of those States.

He could not observe these principles when he entered into treaties with Marroquin, who, though he was President of Colombia, was the military dictator of the Republic, and the State was so crippled in its organism that it had no Congress that could approve or reject a treaty that alienated property by contract or that could authorize him to enter into such a contract.

If this was not the reason for the rejection of the Hay-Herran treaty assigned by the Senate of Colombia, it was a sufficient reason. It was also a sufficient reason for cautious restraint by our Government, when we were agreeing to pay $10,000,000 into the hands of a dictator who was at war with a great political party in his Government. If he should win in that struggle the Liberals would always call the $10,000,000 "blood money." If he should lose, the Liberals would not ratify the treaty.

But our President and Marroquin did not stop in their headlong career to ride down these plain provisions in the constitution of Colombia, or to consider that those treaties would leave a shadow of doubt on the character of the great Republic.

Regardless of these high considerations and reckless of consequences to Colombia and to the honor and dignity of the United States, and alike regardless of the obligations of the United States to Nicaragua and Costa Rica and of the rights secured by President McKinley in the protocols of December 1, 1900, and despite the fact that he had no evidence, except cable dispatches, to ascertain the powers of the president of the board of directors of the Panama Canal Company, the President supported the claims of the New Panama Canal Company with all his might, and provided for their purchase by obtaining the consent of Marroquin to the sale of the Wyse concession to the United States, in violation of the terms of that concession and of the statute law of Colombia and of the constitution of Colombia.

This was done when the final report of the Isthmian Canal Commission denounced the leading members of that company as convicted felons whose offenses had been condoned, and by record evidence, as well as the statements in that report, it was known that this company had robbed the creditors and stockholders of the old company to an enormous extent.

These men could not deserve the recognition of the President of the United States as allies in an honorable and most important enterprise.

They are not fit men to advise our people as to their public duties. They got Colombia into a terrible civil war to advance their evil purposes, and now they are exposing us to untold evils and national reproach as a sacrifice to their greed.

PROGRESS OF PANAMA CANAL AND OF THE MARITIME CANAL OF NICARAGUA.

Professor Keasbey, of Bryn Mawr College, in his work on the Nicaragua Canal, a very able and accurate work, says:

> By this time (1883) the activity of the Panama Canal Company, both in Paris and on the Isthmus, had reached an unprecedented pitch. It was an activity devoted, however, not so much to the actual prosecution of the work as to the feeding and nest-feathering of a new brood of vultures.
>
> With what funds there were left out of the first installments of the stock after paying for the preliminary expenses a force of some 300 Europeans were sent out from Paris in October, 1881, to clear the line and arrange for the necessary plant. It was soon found that instead of 100,000,000 cubic yards of excavation that De Lesseps has been figuring on, the canal as planned would require an excavation of at least 126,000,000 cubic yards. Little was thought of this change, however, and in 1882 actual operations were commenced on the canal itself at different points along the line. The work was not undertaken by the original contractors, Messrs. Couvreux and Hersent, however—for they had followed the prudent example of the Turr-Wyse syndicate and retired from the enterprise with a large indemnity—but by a score of companies whose bids were higher, but whose promises, at least, were equally brilliant.
>
> But the work of excavation did not progress with the dispatch that was expected. The climate was found to be deadly, and at the very outset a large number of the unacclimated European laborers and two or three of the company's most competent engineers succumbed. This raised wages considerably and introduced a spirit of recklessness and lack of responsibility in the continuation of the work. Considerable excavation was accomplished, it is true, in the lowlands on either shore by the work of powerful dredges, but this was a comparatively easy task. Upon the Culebra cut in the interior, however, the contractors fell far behind their promises, and very little impression was made.

In the early part of this period the Government of the United States was gathering and discussing information as to the plans, construction, cost, and income of the Suez Canal, derived chiefly from the thorough and excellent report of Professor Nourse, who was sent out by the Navy Department in 1882 to make investigations. In his letter transmitting his report Professor Nourse says:

> The experience of the Suez Canal seems to be especially instructive by its full success in the construction of a "harbor against nature," an argument cumulative in favor of reclaiming any shoaled harbor.

His reference was to the harbor at Port Said, which was constructed by a breakwater that caught and held the enormous sand drift from the mouths of the Nile, and the practicability of restoring the "shoaled" harbor at Greytown.

The Government also sent officers to Panama to inspect the progress of the canal work and other conditions relating to that subject. Their reports have been published and fully confirm the statements of Professor Keasbey as to the saturnalia of reckless waste, vice, disease, and death that prevailed in that region.

1885 TO 1889. THE PROGRESS OF THE MARITIME CANAL COMPANY IN ITS WORK.

The American people and their representatives, thrown back upon the plan of the Clayton-Bulwer treaty for building a canal by private enterprise in consequence of the withdrawal of the Frelinghuysen-Zavala treaty, looked to the Maritime Canal Company for the construction of the canal. They furnished money, by sales of stock, as it was then needed, for carrying on the work, to the amount of $4,500,000, which was expended wisely, economically, and honestly. The construction company had financial arrangements in London with eminent bankers to supply the funds for the completion of the canal, but they failed in the great panic of 1892–93.

January 6, 1887, Mr. Edmunds reported to the Senate a bill to charter the Maritime Canal Company of Nicaragua, which became a law with the approval of the President on February 20, 1889. In this act the United States provided for the legislative control of that company in future and the right to require its officers to make reports to the Government when called upon, besides other forms of controlling its operations. It became and was afterwards treated by Congress as being distinctively under the jurisdiction of the United States.

To this extent, which was far-reaching, Congress returned to the doctrine of an American canal under American control. This company was organized under the encouragement of General Grant and General McLean, and comprised a body of men as distinguished and as influential as any company of equal numbers in the United States or elsewhere.

THE DECLINE OF DE LESSEPS'S PANAMA CANAL.

In the meantime the Panama Canal Company began to show its weakness. De Lesseps was vainly endeavoring to get money from the people to continue the work. Failing in this support, De Lesseps, in November, 1887, petitioned the French assembly for leave to issue lottery bonds as a means of raising money. The matter of such loans had been taken up in the Senate of the United States in 1880, and resolutions were adopted declaring that such action on the part of France would be regarded as unfriendly by the United States. Yet France, having disclaimed any such purpose in 1880, enacted a law in June, 1888, authorizing the company to raise money by lottery, and it was carried into execution, and 12,543,184 francs were subscribed for under that law.

The total of capital and loans of the company was 2,271,637.57 francs.

It was in article 3 of this law of June 8, 1888, that France placed, as a condition of the privilege granted, that "all machinery necessary for the accomplishment of the work shall be made in France. The raw material shall be of French origin."

Thus did France legislate, especially, for the canal company, making it in a most important respect a French company, and in doing this it violated its express promise to the United States in reply to a letter of Mr. Evarts in 1880, in which Max Autrey, the French minister, said:

> Although we have for the conceptions of our eminent compatriots the sympathy which it is impossible not to feel for projects whose accomplishment would be an honor to civilization and to the age in which we live, the French Government, as I have had the honor to assure you, is in no way concerned in that enterprise and in no way proposes to interfere therein or to give it support, either direct or indirect.

The support that France gave to that company seven years later was both direct and indirect, and was valuable to it and also to France.

Of this support the Isthmian Canal Commission says:

> The holders of the lottery bonds had the right to stop payments due to the old company, which would have been a serious matter for the liquidation

and would have deprived it of all its resources, if it had not secured from the legislative department of the Government the passage of the law of July 15, 1889. (Report of Isthmian Canal Commission, Pt. II, p. 23.)

This clinches the assertion that France took full legislative control of this corporation and still holds it. Some day we may find, at least, that France must be consulted in respect of our dealings with the Panama Canal Company. So far no question has been asked her and not a word has been said to her on this subject by our Government, so far as Congress or the world has had any information.

Yet we deal with this great subject, under the advice of the Attorney-General, as if the Panama Canal Company were "a private partnership" over which France has no control and with which it has no connection.

CAUSES THAT LED UP TO THE PRESENT CONDITIONS IN PANAMA.

I must now present some facts of history in which are established the causes that have led up to the present conditions in Panama and in France in respect of the two Panama canal companies. The old company transmitted to the New Panama Canal Company not only its scandals and its frauds, but, with the aid of American agents and attorneys, the remains of its property have been the means of creating far more dangerous temptations and bolder schemes of aggression upon the Treasury of the United States, and thus the plighted faith of the Government then will compel us to engage in war with Colombia, unless we can open still wider the doors of the Treasury and pacify her with money.

The Senate may be impatient, and the newspapers may chide me for speaking at too great length, but the narrative is a long chain of facts that it is my duty to lay before the country.

The records I will quote are authentic, and if they are consulted now the people may be spared the necessity of reading another series of war records in which, at the best, little glory is to be won by their sacrifices.

THE PANAMA CANAL COMPANY STOPS BUSINESS, AND THE CRASH INCREASES AMERICAN ACTIVITY, AND FROM THE TRAVAIL OF THE OLD COMPANY THE NEW PANAMA CANAL COMPANY COMES FORTH.

The Panama Canal Company stopped business and went into liquidation February 4, 1889, and Joseph Brunt was appointed receiver at the instance of M. De Lesseps.

Professor Keasbey published his work on canals in November, 1896, after the Maritime Canal Company and the old Panama Canal Company had failed, and France had proceeded to wind up the latter, and the United States was endeavoring to work out the concessions of Nicaragua and Costa Rica to the Maritime Canal Company and to build the canal. His statements are historically true, impartial, and just. I prefer to adopt them rather than incur the possible criticism of others as to my own summary of the historical facts.

On page 463, and following, Professor Keasbey says:

The immediate results of the official liquidation of the Panama Canal Company's affairs have already been set down in the course of the narrative, and the effect of these figures upon the volatile French mind may well be imagined. As the parliamentary inquiry progressed the indignation of the people grew, until finally, on November 21, 1892, the storm burst in a mad fury. The matter was then brought up in the Chamber on an interpellation by M. Delahaye, and though no definite accusations were brought it was stated that $200,000 at least had been improperly used by the canal company in bribing senators and deputies.

The Government could not face the storm directly, and it was therefore agreed that a special committee of thirty-nine members be appointed to examine into the truth of the charges. On the same day judicial summonses were issued against the directors of the company, charging them with the "use of fraudulent devices for creating belief in the existence of a chimerical event, the spending of sums accruing from issues handed to them for a fixed purpose, and the swindling of all or part of the fortune of others."

The case was called up before the court of appeals on November 25, but as neither of the De Lesseps appeared, and as the evidence was not yet in shape, the trial was adjourned until January 10, 1893.

Baron Reinach, the company's financial agent, died very suddenly, before the special committee of the Chambers could include him in the prosecution. The circumstances surrounding his death were suspicious, and rumors of suicide and murder quickly spread. M. Brisson, chairman of the committee, called the Government's attention to these rumors, and requested that the body be exhumed and the theory of suicide tested. M. Loubet, minister of justice, replied that as no formal charges had been made the Government had no power to proceed. Bisson then moved a resolution of regret that the baron's papers had not been sealed upon his death. Loubet called for the order of the day instead, but the Chamber refused to sustain him. This was practically a vote of lack of confidence in the Government, and on November 28 the cabinet accordingly resigned, amid the wildest excitement.

Brisson and Casimir-Perier were called upon in turn by the President to construct a new cabinet, but both failed. M. Ribot, the foreign minister, was finally successful, and on the 5th of December the new Government assumed control. This cabinet change amounted to a victory for the canal company's opponents, and the investigation was now allowed to proceed without further hindrance on the part of the Government. The committee then came forward with startling evidences of corruption. The wholesale bribery of the Paris press was revealed in all its details. M. Thierrée declared before the committee that the late Baron Reinach had deposited $650,000 in his bank in Panama funds and drawn it out again in 26 checks to bearer.

Senators, deputies, Government officers, and journalists were now named as the recipients. M. Andrieux, ex-prefect of police, asserted that $220,000 had been distributed by the company's agents among his colleagues alone, and, as a further result of his evidence, 104 members of the legislature were implicated in the scandal. M. Rouvier, minister of finance, then caused another sensation by resigning his portfolio and confessing that he had supplemented the secret service fund by soliciting contributions (from friends of the Government) in order to put down the Boulangist.

The names of almost all the leaders of the Republic were thus besmirched, and it was time for the new Government to act. The directors of the canal company were accordingly arrested now on the more serious charge of corrupting public functionaries. Warrants were also issued against 5 senators and 5 deputies, and 5 of the 10 were found to be ex-ministers of the Government.

The trials were then begun. On January 10, 1893, the adjourned case came up before the court of appeals, and on February 14 sentence was pronounced upon the directors. Ferdinand and Charles De Lesseps were each condemned to five years' imprisonment and a fine of $600, MM. Fontane and Cottu two years in prison and a fine of $400, and M. Eiffel two years' imprisonment and a fine of $4,000, as his own net profits of the general rascality had amounted to a far larger share than the rest.

It is on this "Eiffel Tower" that M. Bunau Varilla should hang out the flag of the Republic of Panama, if he would do justice to French history.

On March 8 the trial for corruption was taken up before the assize court against the younger De Lesseps, MM. Fontane, Baihaut, Blondin, and ex-Minister Proust, Senator Beral, and others. De Lesseps received one year more imprisonment; Blondin was sentenced to two years more in prison, and M. Baihaut was punished with five years' imprisonment, a fine of $15,000, and loss of civil rights.

* * * * * * *

The Panama Canal scandal also found its echo in the United States. The company, as we know, had its committees and financial agents in this country, and there were grave suspicions that Representatives of our own Congress, as well as deputies of the French Chamber, had received a share in the spoils. It was also asserted that the Panama Railway Company, now practically owned by the French, had entered into a contract with the Pacific Mail Steamship Company to maintain transcontinental rates, in restraint of trade. A special Congressional committee was accordingly appointed to examine into the several charges. Legislative corruption could not be proved on the evidence presented, but the committee cautiously admitted that further investigation might not be altogether fruitless in this connection. Mr. Thompson's activities as chairman of the Comité Américain were now brought to light, and mention was also made of the sums paid to the three New York banking houses for apparently no consideration on their part.

In regard to the alleged combination of railroad and steamship companies to prevent free competition between the Isthmus and transcontinental routes the committee was more explicit. From the report it appeared that the transcontinental lines, the Pacific Mail Company, and the Panama Railway Company were all in the league, and that this combination had for the past "fifteen years been diminishing commerce between New York and San Francisco across the Isthmus." "This monopoly, the committee thought, could not be beneficial either to the domestic or to the foreign commerce of the country, and therefore recommended that it be broken up at once by the Government.

The committee's conclusions, and the subsequent resolutions adopted by Congress in favor of American control, were indeed encouraging to the canal promoters, but it was now recognized, more fully than before, that the Maritime Canal Company had a powerful domestic enemy in the transcontinental railway combination. These very Pacific roads were, however, themselves the first fruits of the country's post-bellum policy of encouraging private enterprise with promises of governmental support, and now it was proposed to carry out somewhat the same idea with regard to the Nicaragua Canal. But the people of the United States, and more particularly those of the western and southwestern sections of the country, had already had their object lesson in this regard, and they were not at all inclined to embark on a like project again, however smooth sailing it might now promise to be.

I will now present an extract from the report of our Isthmian Canal Commission, as follows:

The scandals connected with the failure of the old company, which had led to the prosecution and conviction of De Lesseps and other prominent persons, had made it difficult to secure even that amount. Suits had been brought against certain loan associations, administrators, contractors, and others who were supposed to have unduly profited by the extravagant management of the old company. A series of compromises were made with these persons, by which it was agreed that they should subscribe for stock in the new company on condition that the suits should be dropped. Whatever amount remained to make up the 60,000,000 francs, after deducting the sums thus obtained and those to be obtained by public subscription, was to be subscribed by the liquidator. The stock was subscribed as follows, viz:

	Francs.
Eiffel	10,000,000
Crédit Lyonnais	4,000,000
Société Générale	4,000,000
Crédit Industriel et Commercial	2,000,000
Administrators of the old company	7,885,000
Artigue, Sonderegger & Co.	2,200,000
Baratoux, Letellier & Co.	2,200,000
Jacob heirs	750,000
Couvreux, Hersent & Co.	500,000
Various persons to the number of 60, who had profited by syndicates created by the old company	3,285,700
Hugo Oberndorffer	3,800,000
Public subscription	3,484,300
The liquidator	15,895,000
Total	60,000,000

See fourth report of the liquidator to the court, dated November 26, 1895, pages 8, 9, and 13.

This report, with the part of the deposition of Hon. Samuel Pasco, one of the commissioners, shows that Eiffel, a stockholder in the New Panama Canal Company to the amount of 10,000,000 francs of the 60,000,000 francs subscribed, is the same man who was convicted of swindling the old company and sentenced to the penitentiary for two years and was fined $4,000, or 20,000 francs.

Eiffel is one of the men, of whom there are sixty who are not named, that are referred to in the statement of the Commission that—

A series of compromises were made with these persons by which it was agreed that they should subscribe for stock in the new company on condition that the suit should be dropped.

THE NEW COMPANY IS CREATED.

1894. The liquidator of the old company had concluded to abandon the De Lesseps sea-level canal, and assembled a scientific board to pass upon the question of changing that plan to a canal with locks. Having obtained a favorable report from the board in 1894 and having no legislative authority from France or Colombia for creating a new company to take over the property of the old company in his custody and to complete the canal as a canal with locks, he appealed to the French courts for permission to create such a company. This was done to cover any liability of the liquidator for a proceeding that was ultra vires and to escape the probable refusal of the French Assembly to enact a law conferring such powers upon him. It was one of those devices of the French courts in usurping power that excite astonishment; but I do not now wish to discuss the legality of such decrees.

Mr. TELLER. Mr. President, I understand the Senator from Alabama will not be able to conclude to-night, and I ask that he may now be allowed to suspend his remarks until to-morrow.

The PRESIDENT pro tempore. It was understood, the Chair thinks, the question of reconsideration submitted by the Senator from Maine [Mr. HALE] would come up in the morning for further discussion. The Chair will recognize the Senator from Alabama immediately after that matter is concluded.

Mr. CARMACK. What was the suggestion, Mr. President?

The PRESIDENT pro tempore. The Chair understood the motion for reconsideration offered by the Senator from Maine would come up for discussion immediately after the morning business to-morrow, as it was laid aside for that purpose this morning. The Chair will be glad to recognize the Senator from Alabama immediately after that.

Mr. GORMAN. Mr. President, I suggest that by unanimous consent, if the Senator from Alabama now gives way, he be allowed to proceed immediately after the routine business of the morning hour to-morrow.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent that the Senator from Alabama may be recognized immediately after the completion of the morning business to-morrow. Is there objection?

Mr. ALDRICH. I shall not object, but as the other business is technically morning business, I suggest that it be also understood that after the Senator from Alabama has concluded his remarks the motion to reconsider, made by the Senator from Maine [Mr. HALE], shall then come up.

Mr. GORMAN. I have no objection to that.

Mr. ALDRICH. I think that is necessary in order that the motion to reconsider may retain its place.

Mr. GORMAN. There is no objection to that.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

The motion to reconsider will go over, and the resolution in regard to the appointment of committees will also go over.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM. After consultation with many Senators, I desire to submit a request for unanimous consent. For the convenience of the Senate I have had it reduced to writing and will read it. I ask unanimous consent that on Monday, December 7, 1903, and on each of the following days when the Senate shall be in session, after the completion of the routine morning business, until and including December 16, 1903, the consideration of the bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902 (H. R. 1921), shall be proceeded with; that on Tuesday, December 15, and Wednesday, December 16, the time for debate shall be equally divided between the advocates and opponents of the said bill, and that the final vote on said bill and all amendments pending or offered shall be taken before the Senate shall adjourn on Wednesday, December 16, 1903.

I present this request for unanimous consent, and hope it will be agreed to.

The PRESIDENT pro tempore. Does the Senator desire that the request for unanimous consent shall be read also by the Secretary?

Mr. CULLOM. I think the substance of it is understood by the Senate.

The PRESIDENT pro tempore. The request for unanimous consent has been read to the Senate. Is there objection to the request for unanimous consent? The Chair hears none, and the request is granted.

EXECUTIVE SESSION.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, November 24, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 23, 1903.

MARSHAL.

Eugene P. Nute, of New Hampshire, to be marshal of the United States for the district of New Hampshire. A reappointment, his term expiring December 18, 1903.

PROMOTIONS IN THE NAVY.

Lieut. Albert Moritz to be a lieutenant-commander in the Navy from the 27th day of March, 1903, vice Lieut. Commander William R. A. Rooney, retired.

Lieut. Commander John C. Colwell to be a commander in the Navy from the 28th day of April, 1903, vice Commander Julius S. Ogden, deceased.

Lieut. Emil Theiss to be a lieutenant-commander in the Navy from the 28th day of April, 1903, vice Lieut. Commander John C. Colwell, promoted.

Lieut. Albert L. Key to be a lieutenant-commander in the Navy from the 11th day of October, 1903, vice Lieut. Commander Stacy Potts, promoted.

Asst. Surg. Joseph C. Thompson to be a passed assistant surgeon in the Navy from the 19th day of July, 1901, to fill a vacancy existing in that grade on that date.

PENSION AGENT.

Jesse B. Fuller, of California, to be pension agent at San Francisco, Cal., his term having expired July 18, 1902. (Reappointment.)

POSTMASTERS.

CALIFORNIA.

Walter M. Avis to be postmaster at Pomona, in the county of Los Angeles and State of California, in place of Samuel N. Androus. Incumbent's commission expired January 13, 1903.

GEORGIA.

Virginia W. Henderson to be postmaster at Oxford, in the county of Newton and State of Georgia, in place of William L. H. Henderson, deceased.

ILLINOIS.

Erich H. Buente to be postmaster at Venice, in the county of Madison and State of Illinois. Office became Presidential April 1, 1903.

William W. Colt to be postmaster at Rushville, in the county of Schuyler and State of Illinois, in place of William I. Larash, removed.

INDIAN TERRITORY.

Louis M. Merritt to be postmaster at Roff, in the Chickasaw Nation, Ind. T. Office became Presidential October 1, 1903.

IOWA.

Frank B. Tibbitts to be postmaster at Hopkinton, in the county of Delaware and State of Iowa. Office became Presidential October 1, 1903.

MASSACHUSETTS.

George A. Hibbard to be postmaster at Boston, in the county of Suffolk and State of Massachusetts, in place of George A. Hibbard. Incumbent's commission expires December 14, 1903.

NEW HAMPSHIRE.

Charles L. Bemis to be postmaster at Marlboro, in the county of Cheshire and State of New Hampshire. Office became Presidential July 1, 1903.

NEW JERSEY.

Henry W. Edsall to be postmaster at Hamburg, in the county of Sussex and State of New Jersey, in place of Henry W. Edsall. Incumbent's commission expired January 19, 1903.

NEW YORK.

James H. Callanan to be postmaster at Schenectady, in the county of Schenectady and State of New York, in place of Matthew Taylor, resigned.

NORTH CAROLINA.

Elisha C. Terry to be postmaster at Hamlet, in the county of Richmond and State of North Carolina. Office became Presidential April 1, 1903.

OHIO.

William R. Tyler to be postmaster at Huron, in the county of Erie and State of Ohio, in place of William R. Tyler. Incumbent's commission expired January 12, 1902.

PENNSYLVANIA.

David Reynolds, sr., to be postmaster at Ford City, in the county of Armstrong and State of Pennsylvania, in place of Andrew C. Bailey, resigned.

VIRGINIA.

William M. Adams to be postmaster at Norton, in the county of Wise and State of Virginia. Office became Presidential April 1, 1903.

WASHINGTON.

Francis M. Lighthizer to be postmaster at Harrington, in the county of Lincoln and State of Washington. Office became Presidential October 1, 1903.

Nelson Rich to be postmaster at Prosser, in the county of Yakima and State of Washington. Office became Presidential October 1, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 23, 1903.

CONSULS.

Thomas J. Cummins, of New York, to be consul of the United States at Puerto Cabello, Venezuela.

Leo Bergholz, of New York, to be consul of the United States at Three Rivers, Quebec, Canada.

Martin R. Sackett, of New York, to be consul of the United States at Prescott, Ontario, Canada.

Edward J. Sullivan, of New York, to be consul of the United States at Erzerum, Turkey.

David F. Wilber, of New York, to be consul of the United States at Barbados, West Indies.

William H. H. Webster, of New York, to be consul of the United States at Niagara Falls, Ontario, Canada.

Dean R. Wood, of New York, to be consul of the United States at Ceiba, Honduras.

GOVERNOR OF HAWAII.

George R. Carter, of Honolulu, Hawaii, to be governor of Hawaii.

DISTRICT JUDGE.

Sanford B. Dole, of Hawaii, to be United States district judge of the Territory of Hawaii.

MARSHAL.

Eugene P. Nute to be United States marshal for the district of New Hampshire.

ATTORNEY-GENERAL OF PORTO RICO.

Willis Sweet, of Idaho, to be attorney-general of Porto Rico.

SURVEYOR-GENERAL.

Frank S. Ingalls, of Yuma, Ariz., to be surveyor-general of Arizona.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Mark J. White, of New York, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from August 4, 1903.

APPOINTMENT IN THE MARINE-HOSPITAL SERVICE.

Thomas W. Salmon, of New York, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

SURVEYOR OF CUSTOMS.

Arthur N. Randall, of New York, to be surveyor of customs for the port of Port Jefferson, in the State of New York.

RECEIVERS OF PUBLIC MONEYS.

Alvah Eastman, of St. Cloud, Minn., to be receiver of public moneys at St. Cloud, Minn.

Egbert S. Oakley, of Buffalo, Minn., to be receiver of public moneys at Cass Lake, Minn.

William B. Hodge, jr., of Guthrie, Okla., to be receiver of public moneys at Guthrie, Okla.

Joseph C. Auld, of Forsyth, Mont., to be receiver of public moneys at Miles City, Mont.

REGISTERS OF THE LAND OFFICE.

Hugh C. Phillips, of Goldendale, Wash., to be register of the land office at Vancouver, Wash.

John D. Jones, of Long Prairie, Minn., to be register of the land office at Cass Lake, Minn.

Myron D. Taylor, of St. Cloud, Minn., to be register of the land office at St. Cloud, Minn.

PROMOTIONS IN THE ARMY.

TO BE BRIGADIER-GENERALS.

4. Col. Jared A. Smith (since retired from active service), Corps of Engineers, April 13, 1903.

5. Col. Jacob B. Rawles (since retired from active service), Artillery Corps, April 14, 1903.

6. Col. Stephen W. Groesbeck (since retired from active service), judge-advocate, April 16, 1903.

7. Col. John R. Myrick (since retired from active service), Artillery Corps, April 17, 1903.

8. Col. Louis H. Rucker (since retired from active service), Eighth Cavalry, April 18, 1903.

9. Col. Theodore A. Baldwin (since retired from active service), Seventh Cavalry, April 19, 1903.

10. Col. William P. Rogers (since retired from active service), Thirtieth Infantry, April 20, 1903.

11. Col. Peter C. Hains, Corps of Engineers, April 21, 1903.

12. Col. John H. Page (since retired from active service), Third Infantry, July 26, 1903.

13. Col. Charles A. Woodruff (since retired from active service), assistant commissary-general, July 27, 1903.

14. Col. William L. Haskin (since retired from active service), Artillery Corps, July 28, 1903.

15. Col. Charles W. Miner (since retired from active service), Sixth Infantry, July 29, 1903.

16. Col. James M. J. Sanno (since retired from active service), Eighteenth Infantry, July 30, 1903.

17. Col. Charles F. Robe (since retired from active service), Ninth Infantry, July 31, 1903.

18. Col. James W. Reilly (since retired from active service), Ordnance Department, August 1, 1903.

19. Col. Edwin B. Atwood (since retired from active service), Assistant Quartermaster-General, August 2, 1903.

20. Col. Frank G. Smith (since retired from active service), Artillery Corps, August 3, 1903.

21. Col. George B. Rodney (since retired from active service), Artillery Corps, August 4, 1903.

22. Col. Almond B. Wells (since retired from active service), First Cavalry, August 5, 1903.

23. Col. Peter J. A. Cleary (since retired from active service), Assistant Surgeon-General, August 6, 1903.

24. Col. John B. Babcock (since retired from active service), Assistant Adjutant-General, August 7, 1903.

ADJUTANT-GENERAL'S DEPARTMENT.

To be assistant adjutant-general with rank of colonel.

Lieut. Col. George Andrews, assistant adjutant-general, August 7, 1903.

INSPECTOR-GENERAL'S DEPARTMENT.

To be inspectors-general with rank of colonel.

Lieut. Col. Thomas T. Knox (since retired from active service), inspector-general, April 11, 1903.

Lieut. Col. Stephen C. Mills, inspector-general, April 12, 1903.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Enoch H. Crowder, judge-advocate, to be judge-advocate with the rank of colonel, April 16, 1903.

Maj. John A. Hull, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel, April 16, 1903.

QUARTERMASTER'S DEPARTMENT.

To be assistant quartermasters-general with the rank of colonel.

Lieut. Col. Forrest H. Hathaway, deputy quartermaster-general, April 12, 1903.

Lieut. Col. Joshua W. Jacobs, deputy quartermaster-general, August 2, 1903.

To be deputy quartermasters-general with rank of lieutenant-colonel.

Maj. John McE. Hyde, quartermaster, April 12, 1903.

Maj. George Ruhlen, quartermaster, August 2, 1903.

To be quartermasters with rank of major.

Capt. John M. Carson, jr., quartermaster, April 12, 1903.

Capt. Alfred M. Palmer, quartermaster, August 2, 1903.

SUBSISTENCE DEPARTMENT.

Lieut. Col. William L. Alexander, deputy commissary-general, to be assistant commissary-general with the rank of colonel, July 27, 1903.

Maj. James N. Allison, commissary, to be deputy commissary-general with the rank of lieutenant-colonel, July 27, 1903.

Capt. William H. Hart, commissary, to be commissary with the rank of major, July 27, 1903.

MEDICAL DEPARTMENT.

To be assistant surgeon-general with the rank of colonel.

Lieut. Col. Philip F. Harvey, deputy surgeon-general, August 6, 1903.

To be deputy surgeon-general with the rank of lieutenant-colonel.

Maj. George H. Torney, surgeon, August 6, 1903.

To be surgeons with the rank of major.

Capt. William F. Lippitt, assistant surgeon, March 18, 1903.

Capt. Merritte W. Ireland, assistant surgeon, August 3, 1903.

Capt. George M. Wells, assistant surgeon, August 6, 1903.

PAY DEPARTMENT.

To be paymasters with the rank of major.

Capt. Robert S. Smith, paymaster, February 19, 1903.

Capt. Seymour Howell, paymaster, June 25, 1903.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. David P. Heap, Corps of Engineers, April 13, 1903.

Lieut. Col. William A. Jones, Corps of Engineers, April 21, 1903.

To be lieutenant-colonels.

Maj. Ernest H. Ruffner, Corps of Engineers, April 13, 1903.

Maj. Clinton B. Sears, Corps of Engineers, April 21, 1903.

To be majors.

Capt. George A. Zinn, Corps of Engineers, April 13, 1903.

Capt. William C. Langfitt, Corps of Engineers, April 21, 1903.

To be captains.

First Lieut. William B. Ladue, Corps of Engineers, April 13, 1903.

First Lieut. William J. Barden, Corps of Engineers, April 21, 1903.

To be first lieutenants.

Second Lieut. Ernest D. Peek, Corps of Engineers, April 13, 1903.

Second Lieut. George R. Spalding, Corps of Engineers, April 21, 1903.

Second Lieut. Elliott J. Dent, Corps of Engineers, June 4, 1903.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. John A. Kress (since retired from active service), Ordnance Department, August 1, 1903.

To be lieutenant-colonels.

Maj. Charles S. Smith, Ordnance Department, April 5, 1903.

Maj. Stanhope E. Blunt, Ordnance Department, August 1, 1903.

To be majors.

Capt. Lawrence L. Bruff, Ordnance Department, April 5, 1903.

Capt. Charles H. Clark, Ordnance Department, August 1, 1903.

To be captains.

First Lieut. John H. Rice, Ordnance Department, April 5, 1903.

First Lieut. David M. King, Ordnance Department, August 1, 1903.

SIGNAL CORPS.

To be captains.

First Lieut. Walter L. Clarke, Signal Corps, March 2, 1903.

First Lieut. Basil O. Lenoir, Signal Corps, March 2, 1903.

First Lieut. William Mitchell, Signal Corps, March 2, 1903.

First Lieut. Henry W. Stamford, Signal Corps, March 2, 1903.

First Lieut. Charles S. Wallace, Signal Corps, March 2, 1903.

First Lieut. George S. Gibbs, Signal Corps, March 2, 1903.

First Lieut. Charles de F. Chandler, Signal Corps, March 2, 1903.

CAVALRY ARM.

To be colonels.

Lieut. Col. John B. Kerr, United States Cavalry, assistant adjutant-general, March 30, 1903.

Lieut. Col. Joseph H. Dorst, Twelfth Cavalry, April 15, 1903.

Lieut. Col. George S. Anderson, Sixth Cavalry, April 18, 1903.

Lieut. Col. Earl D. Thomas, Thirteenth Cavalry, April 19, 1903.

Lieut. Col. Martin B. Hughes, Tenth Cavalry, August 5, 1903.

To be lieutenant-colonels.

Maj. George F. Chase, Seventh Cavalry, April 15, 1903.

Maj. William H. Beck, Eighth Cavalry, April 15, 1903.

Maj. Peter S. Bomus, First Cavalry, April 18, 1903.

Maj. James Parker, United States Cavalry, assistant adjutant-general, April 19, 1903.

Maj. Joseph Garrard, Ninth Cavalry, April 22, 1903.

Maj. Frank U. Robinson, Second Cavalry, May 25, 1903.

Maj. Otto L. Hein, Third Cavalry, August 5, 1903.

To be majors.

Capt. Curtis B. Hoppin, Second Cavalry, March 23, 1903.

Capt. Loyd S. McCormick, United States Cavalry, commissary, April 15, 1903.

Capt. Henry L. Ripley, Third Cavalry, April 15, 1903.

Capt. Jacob G. Galbraith, First Cavalry, April 18, 1903.

Capt. James B. Erwin, Fourth Cavalry, April 22, 1903.

Capt. George H. Morgan, Third Cavalry, April 27, 1903.

Capt. Daniel H. Boughton, Third Cavalry, May 25, 1903.

Capt. Horatio G. Sickel, Seventh Cavalry, July 16, 1903.

Capt. Andrew G. Hammond, Eighth Cavalry, August 5, 1903.

To be captains.

First Lieut. Robert B. Powers, Seventh Cavalry, March 23, 1903.

First Lieut. Francis H. Pope, Second Cavalry, April 4, 1903.

First Lieut. Matthew E. Hanna, Second Cavalry, April 15, 1903.

First Lieut. George E. Mitchell, Seventh Cavalry, April 17, 1903.

First Lieut. Pierce A. Murphy, Seventh Cavalry, April 18, 1903.

First Lieut. Frederick T. Arnold, Fourth Cavalry, April 22, 1903.

First Lieut. James N. Munro, Fourteenth Cavalry, April 27, 1903.

First Lieut. William S. Valentine, Second Cavalry, May 15, 1903.

First Lieut. Henry C. Smither, First Cavalry, May 17, 1903.

First Lieut. Roy B. Harper, Seventh Cavalry, May 25, 1903.

First Lieut. Thomas A. Roberts, Tenth Cavalry, July 16, 1903.

First Lieut. Edgar A. Sirmyer, Tenth Cavalry, August 5, 1903.

To be first lieutenants.

Second Lieut. George F. Bailey, Eighth Cavalry, February 25, 1903.

Second Lieut. Robert Sterrett, Fourth Cavalry, March 1, 1903.

Second Lieut. William B. Renziehausen, Fifth Cavalry, March 23, 1903.

Second Lieut. Kyle Rucker, Fourteenth Cavalry, April 4, 1903.

Second Lieut. George Garity, Second Cavalry, April 15, 1903.

Second Lieut. Emory S. West, Sixth Cavalry, April 17, 1903.

Second Lieut. Ralph C. Caldwell, Eleventh Cavalry, April 18, 1903.

Second Lieut. George M. Lee, Seventh Cavalry, April 22, 1903.

Second Lieut. Eben Swift, jr., Fifth Cavalry, April 27, 1903.

Second Lieut. Edgar N. Coffey, Twelfth Cavalry, May 15, 1903.

Second Lieut. James S. Butler, Twelfth Cavalry, May 17, 1903.

Second Lieut. Solomon L. Jeffers, Twelfth Cavalry, May 25, 1903.

Second Lieut. Henry S. Terrell, Eighth Cavalry, July 16, 1903.

Second Lieut. Albert E. Phillips, Eighth Cavalry, August 5, 1903.

ARTILLERY CORPS.

To be colonels.

Lieut. Col. Abner S. Merrill, Artillery Corps, April 14, 1903.

Lieut. Col. William Ennis, Artillery Corps, assistant adjutant-general, April 17, 1903.

Lieut. Col. George S. Grimes, Artillery Corps, July 19, 1903.

Lieut. Col. John M. K. Davis, Artillery Corps, July 28, 1903.

Lieut. Col. Benjamin K. Roberts, Artillery Corps, August 3, 1903.

Lieut. Col. James O'Hara (since retired from active service), Artillery Corps, August 4, 1903.

To be lieutenant-colonels.

Maj. Ephraim T. C. Richmond, Artillery Corps, April 14, 1903.

Maj. Ramsay D. Potts, Artillery Corps, inspector-general, July 19, 1903.

Maj. Elbridge R. Hills, Artillery Corps, July 28, 1903.

Maj. Sydney W. Taylor, Artillery Corps, assistant adjutant-general, July 31, 1903.

Maj. Charles Humphreys, Artillery Corps, August 3, 1903.

Maj. Luigi Lomia, Artillery Corps, August 4, 1903.

To be majors.

Capt. Henry H. Ludlow, Artillery Corps, April 14, 1903.

Capt. William R. Hamilton, Artillery Corps, April 14, 1903.

Capt. Charles W. Foster, Artillery Corps, July 28, 1903.

Capt. Clarence Deems, Artillery Corps, July 31, 1903.

Capt. John V. White, Artillery Corps, August 3, 1903.

Capt. Erasmus M. Weaver, Artillery Corps, August 4, 1903.

To be captains.

First Lieut. Percy P. Bishop, Artillery Corps, April 14, 1903.

First Lieut. Henry J. Hatch, Artillery Corps, April 14, 1903.

First Lieut. Elmer J. Wallace, Artillery Corps, May 2, 1903.

First Lieut. William F. Hase, Artillery Corps, July 28, 1903.

First Lieut. William R. Doores, Artillery Corps, July 31, 1903.

First Lieut. Alfred A. Starbird, Artillery Corps, July 31, 1903.

First Lieut. James F. Howell, Artillery Corps, August 3, 1903.

First Lieut. John C. Goodfellow, Artillery Corps, August 4, 1903.

To be first lieutenants.

Second Lieut. Allan Lefort, Artillery Corps, April 14, 1903.

Second Lieut. Joseph Matson, Artillery Corps, April 14, 1903.

Second Lieut. Jesse G. Langdon, Artillery Corps, May 2, 1903.

Second Lieut. Francis H. Lincoln, Artillery Corps, June 2, 1903.

Second Lieut. Daniel F. Craig, Artillery Corps, July 28, 1903.

Second Lieut. Robert B. Mitchell, Artillery Corps, July 31, 1903.

Second Lieut. William H. Wilson, Artillery Corps, August 3, 1903.

Second Lieut. Edward D. Powers, Artillery Corps, August 4, 1903.

INFANTRY ARM.

To be colonels.

Lieut. Col. John J. O'Connell, Third Infantry, April 20, 1903.

Lieut. Col. Samuel R. Whitall, Twenty-seventh Infantry, July 26, 1903.

Lieut. Col. James Regan, Ninth Infantry, July 29, 1903.

Lieut. Col. John B. Rodman (since retired from active service), Tenth Infantry, July 30, 1903.

Lieut. Col. Harry L. Haskell, Twelfth Infantry, July 31, 1903.

To be majors.

Capt. John Newton, Sixteenth Infantry, March 15, 1903.
Capt. Samuel W. Dunning, Sixteenth Infantry, March 19, 1903.
Capt. Joseph M. T. Partello, Twenty-third Infantry, April 17, 1903.
Capt. Lewis H. Strother, Twenty-sixth Infantry, April 20, 1903.
Capt. Francis P. Fremont, Second Infantry, May 25, 1903.
Capt. Charles M. Truitt, Twenty-eighth Infantry, June 23, 1903.
Capt. George Bell, jr., Fifteenth Infantry, July 26, 1903.
Capt. Charles J. T. Clarke, Tenth Infantry, July 29, 1903.
Capt. Warren H. Cowles, Twenty-fourth Infantry, July 30, 1903.
Capt. John S. Parke, jr., Twenty-first Infantry, July 31, 1903.

To be lieutenant-colonels.

Maj. Leven C. Allen, Sixteenth Infantry, March 15, 1903.
Maj. James E. Macklin, Eleventh Infantry, April 30, 1903.
Maj. William L. Pitcher, Eighth Infantry, May 25, 1903.
Maj. Herbert S. Foster, Twelfth Infantry, July 26, 1903.
Maj. John C. Dent, Twenty-fourth Infantry, July 29, 1903.
Maj. George K. McGunnegle, Twenty-sixth Infantry, July 30, 1903.
Maj. Edgar B. Robertson, Ninth Infantry, July 31, 1903.

To be captains.

First Lieut. G. Maury Crallé, Twentieth Infantry, March 15, 1903.
First Lieut. Joseph F. Gohn, Fourteenth Infantry, March 19, 1903.
First Lieut. James H. Bradford, jr., Nineteenth Infantry, April 17, 1903.
First Lieut. David L. Stone, Twenty-second Infantry, April 20, 1903.
First Lieut. Alfred W. Bjornstad, Twenty-ninth Infantry, May 1, 1903.
First Lieut. Patrick A. Connolly, Twenty-first Infantry, May 25, 1903.
First Lieut. John B. Schoeffel, Ninth Infantry, May 25, 1903.
First Lieut. Walter T. Bates, Twenty-sixth Infantry, June 2, 1903.
First Lieut. Englebert G. Ovenshine, Sixteenth Infantry, June 23, 1903.
First Lieut. Percy M. Cochran, Nineteenth Infantry, July 26, 1903.
First Lieut. George N. Bomford, Sixth Infantry, July 29, 1903.
First Lieut. Benjamin P. Nicklin, Ninth Infantry, July 29, 1903.
First Lieut. John W. French, Twenty-fifth Infantry, July 30, 1903.
First Lieut. Cromwell Stacey, Thirtieth Infantry, July 31, 1903.
First Lieut. William A. Cavenaugh, Eighth Infantry, August 7, 1903.

To be first lieutenants.

Second Lieut. Franklin S. Leisenring, Eleventh Infantry, February 4, 1903.
Second Lieut. Charles F. Andrews, Seventh Infantry, February 10, 1903.
Second Lieut. Allan L. Briggs, Seventh Infantry, February 18, 1903.
Second Lieut. Solomon B. West, Twenty-second Infantry, February 28, 1903.
Second Lieut. William M. True, Sixteenth Infantry, March 4, 1903.
Second Lieut. James M. Petty, Twentieth Infantry, March 15, 1903.
Second Lieut. Martin Novak, Nineteenth Infantry, March 19, 1903.
Second Lieut. John B. Shuman, Twenty-eighth Infantry, April 10, 1903.
Second Lieut. Charles G. Lawrence, Fifteenth Infantry, April 11, 1903.
Second Lieut. Frederic G. Kellond, Nineteenth Infantry, April 17, 1903.
Second Lieut. William P. Kitts, Twenty-first Infantry, April 20, 1903.
Second Lieut. Eugene P. Crowne, Fourth Infantry, May 1, 1903.
Second Lieut. Henry M. Fales, Twenty-first Infantry, May 7, 1903.
Second Lieut. William C. Fitzpatrick, Seventh Infantry, May 25, 1903.
Second Lieut. Herbert L. Evans, Ninth Infantry, May 25, 1903.
Second Lieut. Walter Harvey, Sixteenth Infantry, June 2, 1903.
Second Lieut. Frank B. Davis, Fifth Infantry, June 23, 1903.
Second Lieut. Harry D. Mitchell, Sixteenth Infantry, July 23, 1903.
Second Lieut. Ode C. Nichols, Fourth Infantry, July 25, 1903.
Second Lieut. Kirwin T. Smith, Sixth Infantry, July 26, 1903.
Second Lieut. William W. Bessell, Twenty-sixth Infantry, July 29, 1903.
Second Lieut. Frank C. Burnett, Tenth Infantry, July 29, 1903.
Second Lieut. Collin H. Ball, Twenty-third Infantry, July 30, 1903.
Second Lieut. A. Owen Seaman, Eleventh Infantry, July 31, 1903.
Second Lieut. Clifford U. Leonori, Twenty-first Infantry, August 5, 1903.
Second Lieut. Benjamin H. Pope, Eighth Infantry, August 7, 1903.

TO BE SECOND LIEUTENANTS.

Corps of Engineers.

Cadet Douglas MacArthur.
Cadet Charles T. Leeds.
Cadet Harold C. Fiske.
Cadet Max C. Tyler.
Cadet Ulysses S. Grant, 3d.
Cadet Julian L. Schley.
Cadet William H. Rose.
Cadet Ferdinand Williams.
Cadet Richard C. Moore.
Cadet Lewis M. Adams.

Cavalry Arm.

Cadet Charles Telford.
Cadet Levi G. Brown.
Cadet William M. Nichols.
Cadet Olan C. Aleshire.
Cadet Emil P. Laurson.
Cadet Frederick E. Shnyder.
Cadet Thomas F. Van Natta, jr.
Cadet James A. Mars.
Cadet George L. Morrison.
Cadet Orville N. Tyler.
Cadet James A. Shannon.
Cadet Allan M. Pope.
Cadet Reynolds J. Powers.
Cadet John C. Montgomery.
Cadet James S. Jones.
Cadet Edward M. Zell.
Cadet Dorsey R. Rodney.
Cadet Alexander M. Milton.
Cadet Hugh S. Johnson.
Cadet Carl Boyd.
Cadet Stephen W. Winfree.
Cadet Ephraim F. Graham.

Artillery Corps.

Cadet Owen G. Collins.
Cadet Scott Baker.
Cadet Frederic H. Smith.
Cadet Marion W. Howze.
Cadet George W. Cochen.
Cadet Charles H. Patterson.
Cadet Lewis Turtle.
Cadet Henry S. Kilbourne, jr.
Cadet Clifford Jones.
Cadet Wilford J. Hawkins.
Cadet Louis C. Brinton, jr.
Cadet Thomas E. Selfridge.
Cadet Henning F. Colley.
Cadet Paul D. Bunker.
Cadet Quinn Gray.
Cadet Louis R. Dice.
Cadet William M. Colvin.
Cadet Francis M. Hinkle.

Infantry Arm.

Cadet George A. Lynch.
Cadet Grayson M-P. Murphy.
Cadet Samuel M. Parker.
Cadet Robert M. Lyon.
Cadet Francis H. Farnum.
Cadet Benjamin E. Grey.
Cadet Elvid Hunt.
Cadet Benjamin F. McClellan.
Cadet Campbell B. Hodges.
Cadet Jacob W. S. Wuest.
Cadet Max B. Garber.
Cadet Leo I. Samuelson.
Cadet Corbit S. Hoffman.
Cadet Walter V. Gallagher.
Cadet Clifton M. Butler.
Cadet Edmund L. Bull.
Cadet Truman W. Carrithers.
Cadet George F. Rozelle, jr.
Cadet Arthur E. Ahrends.

Cadet Charles F. Severson.
Cadet Harry S. Grier.
Cadet Reuben C. Taylor.
Cadet Charles B. Moore.
Cadet Clark Lynn.
Cadet Cornelius Stockmar Bendel.
Cadet Robert E. Boyers.
Cadet Burt W. Phillips.
Cadet Ben F. Ristine.
Cadet Albert Gilmor.
Cadet George R. Guild.
Cadet Stuart A. Howard.
Cadet John F. Franklin.
Cadet William C. Russell.
Cadet Roland W. Boughton.
Cadet John S. Upham.
Cadet Keith S. Gregory.
Cadet Irving M. Madison.
Cadet Ellery Farmer.
Cadet Everett N. Bowman.
Cadet Homer N. Preston.
Cadet Jesse Gaston.
Cadet Edward A. Brown.
Cadet Charles F. Smith.

APPOINTMENTS IN THE ARMY.

INFANTRY ARM.

George A. Detchemendy, late captain, Twenty-second Infantry, United States Army, to be captain of infantry, May 9, 1903.

CAVALRY ARM.

Alden M. Graham, late a private, Troop B, Fourth Cavalry, to be second lieutenant, February 2, 1901.

TRANSFERS IN THE ARMY.

Second Lieut. Norman H. Davis, Twenty-fifth Infantry, from the Infantry Arm to the Cavalry Arm, March 27, 1903, with rank from October 19, 1902.

Second Lieut. George E. Nelson, First Infantry, from the Infantry Arm to the Cavalry Arm, July 11, 1903, with rank from June 13, 1903.

TO BE SECOND LIEUTENANTS.

Cavalry Arm.

Thomas L. Sherburne, of Louisiana, late second lieutenant, United States Army, July 16, 1903.

Infantry Arm with rank from June 13, 1903.

George Edgar Nelson, of Vermont.
Stephen Morris Barlow, from at large.
Jesse Duncan Elliott, of Alabama.
Edward Himmelwright Tarbutton, of Maryland.
Carroll Borden Hodges, from at large.
Fitzhugh Berry Alderdice, of Maryland.
William Goodlett Motlow, of Tennessee.

Infantry Arm, to rank from October 9, 1903.

Sergt. James M. Churchill, Forty-second Company, Coast Artillery.
Corpl. Philip H. Bagby, Forty-first Company, Coast Artillery.
Sergt. Luther R. James, Twenty-ninth Company, Coast Artillery.
Sergt. Andrew D. Chaffin, Company B, Twenty-ninth Infantry.
Private Ernest B. Smalley, Company L, Twentieth Infantry.
Sergt. Henry W. Bunn, Company G, Twenty-second Infantry.
Sergt. (First Class) Frederick W. Boschen, Hospital Corps.
Sergt. Charles W. Stewart, Troop I, Second Cavalry.
Corpl. Emil Engel, Troop D, Eleventh Cavalry.
Corpl. Louis Farrell, Company K, Twenty-seventh Infantry.
Sergt. Charles O. Schudt, Company L, Nineteenth Infantry.
Corpl. Fred W. Pitts, Company H, Second Battalion of Engineers.
Sergt. Emmett Addis, Casual Detachment, Eleventh Cavalry.
Sergt. Harry L. King, Twenty-sixth Company, Coast Artillery.
Sergt. James B. Nalle, Forty-seventh Company, Coast Artillery.
Corpl. William F. Robinson, jr., Company E, Second Battalion of Engineers.
Sergt. John J. Burleigh, Thirteenth Company, Coast Artillery.
Sergt. Manuel M. Garrett, Coast Artillery.
Sergt. Gordon A. Dennis, One hundred and twentieth Company, Coast Artillery.
Squadron Sergt. Maj. Arthur G. Hixson, Fourth Cavalry.
Corpl. Augustine A. Hofmann, Forty-second Company, Coast Artillery.
Sergt. Henry S. Brinkerhoff, jr., Sixty-sixth Company, Coast Artillery.
Battalion Sergt. Maj. Fitzgerald S. Turton, Sixteenth Infantry.
Sergt. James Blyth, Company I, Eighteenth Infantry.
Corpl. Frank C. McCune, Troop F, Fourteenth Cavalry.
Sergt. Edwin Gunner, Sixth Company, Coast Artillery.
Sergt. Resolve P. Palmer, Company D, Sixth Infantry.
Private Edward E. McCammon, Company E, Fourteenth Infantry.
Sergt. Paul H. McDonald, Troop L, Twelfth Cavalry.
Q. M. Sergt. Philip Remington, Company E, Seventeenth Infantry.
Sergt. Frank L. Beals, Fourth Company, Coast Artillery.
Corpl. Charles H. Rich, Troop E, Twelfth Cavalry.
Sergt. Paul C. Potter, Thirtieth Company, Coast Artillery.
Corpl. Albert T. Rich, Troop E, Twelfth Cavalry.
Battalion Sergt. Maj. David P. Wood, Fifteenth Infantry.

Infantry Arm.

First Sergt. William F. Harrell, Sixty-ninth Company, Coast Artillery, June 12, 1903.

INSPECTOR-GENERAL'S DEPARTMENT.

To be inspectors-general with the rank of brigadier-general.

Col. Peter D. Vroom (since retired from active service), Inspector-General, April 11, 1903 (for a period of four years).
Col. George H. Burton, Inspector-General, April 12, 1903 (for a period of four years).

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Walter A. Bethel, Artillery Corps, acting judge-advocate, United States Army, to be judge-advocate with rank of major, July 15, 1903.

Quartermaster's Department.

Kensey J. Hampton, of Kentucky, late assistant quartermaster, United States Volunteers, to be quartermaster with the rank of captain, April 21, 1903.

MEDICAL DEPARTMENT.

To be assistant surgeons with rank of first lieutenant.

James Irving Maybee, of Michigan, May 18, 1903.
George Pullen Peed, of Virginia, late major and surgeon, United States Volunteers, July 10, 1903.
Henry Denny Thomason, of Michigan, late major and surgeon, United States Volunteers, July 10, 1903.
Ralph Stribling Porter, of Illinois, later major and surgeon, United States Volunteers, July 10, 1903.
Percy Lancelot Jones, of Tennessee, late captain and assistant surgeon, United States Volunteers, July 10, 1903.

To be assistant surgeons with rank of first lieutenant.

Fred Wheeler Palmer, of Michigan, late captain and assistant surgeon, United States Volunteers, July 10, 1903.
Edward Bright Vedder, of Pennsylvania, July 10, 1903.
Henry Flanagan Pipes, of West Virginia, July 10, 1903.
Charles Lovelace Foster, of the District of Columbia, July 10, 1903.
John Robert Bosley, of Maryland, July 10, 1903.
Robert Courtenay Loving, of Kentucky, July 10, 1903.
Chester Jewett Stedman, of West Virginia, July 10, 1903.
Orville Graham Brown, of the District of Columbia, July 10, 1903.
George Frederick Juenemann, of Maryland, July 10, 1903.
Joseph Franklin Siler, of Alabama, July 10, 1903.
Arthur Maunder Whaley, of Michigan, July 10, 1903.
Theodore Lamson, of Massachusetts, October 8, 1903.
Craig Richard Snyder, of Illinois, October 13, 1903.
Ernest Grey Bingham, of Alabama, October 13, 1903.
James Downie Heysinger, of Pennsylvania, October 13, 1903.
Lloyd Llewellyn Smith, of New Jersey, October 13, 1903.
John Braiden Huggins, of New York, October 13, 1903.
Edgar William Miller, of Iowa, October 13, 1903.
William Henry Tefft, of New York, October 13, 1903.

To be chaplains.

Rev. John Aloysius Ferry, of New York, June 4, 1903.
Rev. Andrew C. Murphy, of Illinois, September 17, 1903.
Rev. David Law Fleming, of Colorado, late chaplain First Colorado Volunteer Infantry, September 18, 1903.

POSTMASTERS.

GEORGIA.

George F. Flanders to be postmaster at Swainsboro, in the county of Emanuel and State of Georgia.
George L. Liverman to be postmaster at Bainbridge, in the county of Decatur and State of Georgia.

ILLINOIS.

Alfred Schuler to be postmaster at Mound City, in the county of Pulaski and State of Illinois.

IOWA.

Fred W. Wilson to be postmaster at Ottumwa, in the county of Wapello and State of Iowa.

KANSAS.

Orley C. Billings to be postmaster at Marion, in the county of Marion and State of Kansas.

Richard L. Musson to be postmaster at Elk City, in the county of Montgomery and State of Kansas.

KENTUCKY.

Engene W. Veluzat to be postmaster at Horse Cave, in the county of Hart and State of Kentucky.

MASSACHUSETTS.

George H. Hibbard to be postmaster at Boston, in the State of Massachusetts.

MINNESOTA.

Axel R. Anderson to be postmaster at Sparta, in the county of St. Louis and State of Minnesota.

Otho A. Austin to be postmaster at New York Mills, in the county of Ottertail and State of Minnesota.

Oliver H. Boobar to be postmaster at Sauk Center, in the county of Stearns and State of Minnesota.

Frank H. Buelow to be postmaster at Sleepy Eye, in the county of Brown and State of Minnesota.

Henry C. Miller to be postmaster at St. Peter, in the county of Nicollet and State of Minnesota.

S. J. Swanson to be postmaster at Cokato, in the county of Wright and State of Minnesota.

William E. Talboys to be postmaster at Chisholm, in the county of St. Louis and State of Minnesota.

William H. Towle to be postmaster at Annandale, in the county of Wright and State of Minnesota.

MONTANA.

Clarence H. Drake to be postmaster at Chouteau, late Choteau, in the county of Teton and State of Montana.

NEW HAMPSHIRE.

Charles L. Bemis to be postmaster at Marlboro, in the State of New Hampshire.

NEW JERSEY.

Ellison D. Petteys to be postmaster at Keyport, in the county of Monmouth and State of New Jersey.

NORTH DAKOTA.

Henry R. Aslakson to be postmaster at Edmore, in the county of Ramsey and State of North Dakota.

TENNESSEE.

James S. Beasley to be postmaster at Centerville, in the county of Hickman and State of Tennessee.

William B. Farris to be postmaster at Pulaski, in the county of Giles and State of Tennessee.

Lewis J. Garner to be postmaster at Cookeville, in the county of Putnam and State of Tennessee.

Rufus T. Hickman to be postmaster at Lynnville, in the county of Giles and State of Tennessee.

Lorenzo H. Lasater to be postmaster at Athens, in the county of McMinn and State of Tennessee.

Thomas J. Littleton to be postmaster at Estill Springs, in the county of Franklin and State of Tennessee.

VERMONT.

Albert H. Cheney to be postmaster at Stowe, in the county of Lamoille and State of Vermont.

Henry E. Spencer to be postmaster at Proctor, in the county of Rutland and State of Vermont.

SENATE.

TUESDAY, *November 24, 1903.*

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

ANNIVERSARY CELEBRATION AT NEW ORLEANS.

The PRESIDENT pro tempore. At the request of the senior Senator of Louisiana [Mr. McENERY], the Chair presents a communication from the governor of that State, which will be read.

The communication was read, and ordered to lie on the table, as follows:

The governor of Louisiana requests the honor of the honorable the President pro tempore and members of the Senate's presence at the celebration of the one hundredth anniversary of the transfer of Louisiana by France to the United States, to be held December 18, 19, and 20, 1903, New Orleans.

JOINT AND CONCURRENT RESOLUTIONS.

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senate to a matter which came up in the Senate on yesterday. A concurrent resolution was under consideration and passed. The Senator from Colorado [Mr. TELLER] asked the Chair if it went to the President and required his signature. The Chair replied, No. The Chair finds this article in the Constitution of the United States:

Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Within the experience of the Chair in the Senate no concurrent resolution has ever been sent to the President of the United States, nor has he ever signed one. The Chair has endeavored faithfully to find out how concurrent resolutions escape the provision of the Constitution. He has not been able to succeed.

Mr. HALE. Under that construction, then, is there any real difference between a joint resolution and a concurrent resolution; that is, a concurrent resolution can not be more easily put through, and it is subject to all the conditions which surround a joint resolution? Is it different from a joint resolution except in form?

Mr. GALLINGER. It does not have the three readings.

Mr. HALE. That is a matter of form. It must go to the President equally with the joint resolution. I was surprised at the suggestion, and I think the Chair and the Senate were equally surprised, after we had supposed that concurrent resolutions do not have to go to the President.

Mr. PLATT of Connecticut. This question arose by reason of a suggestion I made that it was not necessary to have a joint resolution for the printing of documents. I knew it had not been the practice in all cases, at any rate. As I was speaking I felt some uncertainty about the difference between a joint resolution and a concurrent resolution. I have not looked up the matter, but it occurs to me now that in a former session of the Senate this question was raised when the then Senator from New York, Mr. Hill——

Mr. BERRY. Yes, the Senator from New York, Mr. Hill.

Mr. PLATT of Connecticut. Senator Hill made a most exhaustive and elaborate report upon it. Precisely what the conclusion in that report was I do not know. I do not care to express any opinion this morning until I have looked at the matter a little more fully.

Mr. SPOONER. Mr. President, just a word. I should hate to have it understood that all concurrent resolutions must be presented to the President for his approval. A resolution of the two Houses to adjourn——

Mr. PLATT of Connecticut. That is excluded.

Mr. SPOONER. The Constitution says, "except on a question of adjournment;" but suppose it is a resolution which is simply advisory, which simply declares the opinion of the two Houses on some question of public policy. For instance, the House and the Senate might pass a resolution declaring that it was their sole function, in the opinion of the Houses of Congress, to exercise some particular power, like the recognition of belligerency, or that in the opinion of the two Houses of Congress there should be no impairment of the Monroe doctrine—that is, something which is not law, which is not intended to be law, which is intended to be only the expression of an opinion upon the part of the Houses. A resolution of that kind, I should think, would not properly be presented to the President.

The distinction, I take it, is that any resolution or order appropriating money (for that may be done in the form of a resolution as well as in the form of a bill) is to be presented for approval to the President. Any matter which is to become a rule of action in the country, binding upon the Executive Departments—in other words, a law—is to be presented to the President, and that is to be distinguished from resolutions which have passed both Houses simply expressing the opinion of the two Houses upon questions of public policy.

Mr. TELLER. I should like to ask the Senator if the words in the Constitution, "before the same shall take effect," do not indicate that it must be a legislative act?

Mr. SPOONER. Certainly they do; and another thing indicates it:

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary.

That means necessary under the Constitution.

Mr. TELLER. Certainly.

Mr. SPOONER. It means necessary to the enactment of a rule of action, which is a law.

Mr. HALE. The language read does seem to be absolute and all-embracing, but suppose it is a matter relating simply to the two Houses, a concurrent resolution providing for a joint committee to be raised upon a subject. The initiation is a concurrent resolution passed first by one House and then by the other. As some one at my side suggests, we pass a concurrent resolution raising a committee to wait upon the President.

Mr. STEWART. A concurrent resolution was passed before the Cuban war asking the President to accord belligerent rights to Cuba.

Mr. HALE. The rule ought to be changed, I suggest to the chairman of the Committee on Rules, so that it may be seen that there is some line of delineation between a concurrent resolution and a joint resolution, and that subjects-matter may be embraced in one that need not be in the other.

Mr. SPOONER. Suppose the two Houses should pass a concurrent resolution requesting some action of the President.

Mr. HALE. Precisely.

Mr. SPOONER. Such a resolution would not be sent to the President for his approval. Suppose the two Houses passed a resolution for a joint investigating committee.

Mr. HALE. That is what I suggested.

Mr. SPOONER. That is certainly not a matter to be presented to the President for his approval; it is a matter which pertains entirely to the functions of the two Houses.

The Constitution makes no distinction between a concurrent resolution and a joint resolution. The rule has been, I think, that resolutions not to be presented to the President, in other words, not to be law, operative throughout the whole country, take the form of concurrent resolutions, and resolutions intending to appropriate money or to continue appropriations, which is the same thing, in legal effect, take the form of joint resolutions.

I agree entirely with the Senator from Colorado, as at present advised, that the true construction of this clause of the Constitution would limit concurrent resolutions to the action of the two Houses, and that the words "before the same shall take effect shall be approved by the President" do not apply at all to the ordinary concurrent resolutions.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senator from Wisconsin to the very exhaustive report made by Senator Hill, which for the first time has been brought to the attention of the Chair.

Mr. SPOONER. I rise to a parliamentary inquiry. What conclusion did the Senator reach in his report?

The PRESIDENT pro tempore. The Chair has not read it, having just received it.

Mr. TELLER. I have in my hand the report made in 1897 by the Judiciary Committee, which has been mentioned. It is quite an exhaustive report. I do not want to take the time to read it.

Mr. CULLOM. What is the conclusion of it?

Mr. TELLER. I may read the conclusion the committee came to, which will take only a moment. I think the position taken by the Senator from Wisconsin is substantially the same as that taken in this report:

The passage of concurrent resolutions by Congress began immediately upon the organization of the Government. They differ very little from simple resolutions, Senate concurrent resolutions being in form substantially as follows: "Resolved by the Senate (the House of Representatives concurring therein), That, etc." They have not been used (except as hereinbefore stated) for the purposes of enacting legislation, but to express the sense of Congress upon a given subject, to adjourn longer than three days, to make, amend, or suspend joint rules, and to accomplish similar purposes, in which both Houses have a common interest, but with which the President has no concern.

I suppose that means affecting both branches, but not the public interest generally.

They are frequently used in ordering the printing of documents, in paying therefor, and in incurring and paying other expenses where the moneys necessary therefor have previously been appropriated and set apart by law for the uses of the two Houses.

The conclusions that the committee came to are as follows:

CONCLUSIONS AS TO CONCURRENT RESOLUTIONS.

We conclude this branch of the subject by deciding the general question submitted to us, to wit, "whether concurrent resolutions are required to be submitted to the President of the United States," must depend, not upon their mere form, but upon the fact whether they contain matter which is properly to be regarded as legislative in its character and effect. If they do, they must be presented for his approval; otherwise, they need not be. In other words, we hold that the clause in the Constitution which declares that every order, resolution, or vote must be presented to the President, to "which the concurrence of the Senate and House of Representatives may be necessary," refers to the necessity occasioned by the requirement of the other provisions of the Constitution, whereby every exercise of "legislative powers" involves the concurrence of the two Houses; and every resolution not so requiring such concurrent action, to wit, not involving the exercise of legislative powers, need not be presented to the President. In brief, the nature or substance of the resolution, and not its form, controls the question of its disposition.

Mr. TILLMAN obtained the floor.

Mr. SPOONER. The Senator from South Carolina yields to me for a moment. I have looked at the report made by Senator Hill from the Committee on the Judiciary, which was sent down to me by the Presiding Officer. It appears from this report that Congress has, by act passed in 1874, construed the provision of the Constitution in its relation to joint resolutions, bills, and concurrent resolutions, practically making the distinction which has been suggested here and for which the Senator from Colorado yesterday morning contended.

The provisions of chapter 9 of the laws of 1874, incorporated in the Revised Statutes (2d ed., 1878, p. 83) as section 205, which do not seem to have been repealed, imply that there may be resolutions, other than joint resolutions, in which legislation may properly be embraced, requiring the approval of the President. They are as follows:

Whenever a bill, order, resolution, or vote of the Senate and House of Representatives, having been approved by the President or not having been returned by him with his objections, becomes a law or takes effect, it shall forthwith be received by the Secretary of State from the President. And whenever a bill, order, resolution, or vote is returned by the President with his objections, and on being reconsidered is agreed to be passed, and is approved by two-thirds of both Houses of Congress, and thereby becomes a law or takes effect—

"Thereby becomes a law or takes effect"—

it shall be received by the Secretary of State from the President of the Senate or Speaker of the House of Representatives, in which soever House it shall last have been so approved, and he shall carefully preserve the originals.

That statute seems to imply that the whole question is determinable by the fact whether the resolution be, without regard to its form, obviously intended by Congress to have the effect of a law binding on the whole country, in which event, of course, it must be presented to the President. I suppose if both Houses passed a resolution concurrent in form appropriating money from the Treasury it would be presented to the President, and having been approved by him it would be efficacious to warrant the payment of the money.

But Senator Hill adds here the sections of the statute prescribing the form of bills and joint resolutions. The statute prescribes no form for concurrent resolutions.

SEC. 7. The enacting clause of all acts of Congress hereafter enacted shall be in the following form: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled."

SEC. 8. The resolving clause of all joint resolutions shall be in the following form: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled."

Without taking time to read from the report, it states as a fact that from the foundation of the Government resolutions concurrent in form, not constituting or intended to constitute legislation, have not been presented to the President. It seems to me that the Chair was not so far wrong as he was disposed this morning to admit. I think it all depends upon the form of the resolution and its purpose.

Mr. TILLMAN. Mr. President, when I rose I had in mind some suggestions similar to those which have just been brought out by the Senator from Colorado and the Senator from Wisconsin. There is one little gleam of additional light which I find here that may clarify this question a little. In Jefferson's Manual, page 98, I find the following:

When the House commands it is by an "order." But fact, principles, and their own opinions and purposes are expressed in the form of resolutions.

What little study I have given to parliamentary law since I have been here and what I have gained in knowledge of that difficult and intricate science by absorption have taught me that we can have a Senate resolution which is binding on the Senate as the expression of opinion or purpose, and the House can have a similar resolution. When the two Houses agree it is a concurrent resolution. But when I tried to do some things here, or to have some things done, by a concurrent resolution, I was informed that it had to be done by a joint resolution; in other words, it had to be an act, and a joint resolution is an act. According to my limited knowledge of affairs here a joint resolution is the same thing as an act, while a concurrent resolution is an expression of opinion or fact, as Mr. Jefferson has stated, and I have never known one since I have been here that required the signature of the President.

Mr. ALLISON. I think the report made by Senator Hill is valuable as respects the delimitations between joint resolutions and concurrent resolutions. The resolution yesterday reported by the Senator from New York [Mr. PLATT], the chairman of the Committee on Printing, was very clearly, I think, in proper form as a concurrent resolution. We make large appropriations every year for public printing for the use of Congress. The printing is done by the Public Printer, and it is paid for by general appropriations made by Congress. So it is very clear to my mind that the resolution passed yesterday was a proper resolution, being a concurrent resolution. Of course the money will be drawn from a regular appropriation made by Congress.

Mr. CULLOM. And which was approved by the President.

Mr. ALLISON. Of course the appropriation bills are approved by the President.

Mr. TELLER. At the time I made the inquiry I did not know what the concurrent resolution proposed to do. I thought the statement that concurrent resolutions are to take effect without the approval of the President was a little broad, and I still think so. I think there are many concurrent resolutions that will require the action of the President, because, as I said before, it depends on what is in the resolution and not what is its form. We can not by adopting the form of a concurrent resolution put in it things that ought to belong either to a statute or a joint resolution which is to all intents and purposes a statute.

The PRESIDENT pro tempore. The Chair simply calls the attention of the Senate to the fact—and is led to do so by the remark made by the Senator from Iowa—that there have been perhaps thirty concurrent resolutions passed at the present session, directing the Secretary of War to cause certain surveys and estimates to be made. Of course, that involves the expenditure of money,

but the Chair presumed that they escape the constitutional requirement for the same reason the printing resolutions escape it. The appropriation has hitherto been made for surveys, and when surveys are ordered the money is taken from that appropriation. Petitions and memorials are in order.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented a memorial of Cigar Makers' Local Union No. 62, American Federation of Labor, of Richmond, Ind., remonstrating against the ratification of the Cuban reciprocity treaty; which was ordered to lie on the table.

He also presented a petition of Local Union No. 14, United Mine Workers, of Linton, Ind., and a petition of Local Union No. 2023, United Mine Workers, of Hymera, Ind., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 14, United Mine Workers, of Linton, Ind., and a petition of Local Union No. 2023, United Mine Workers, of Hymera, Ind., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the Merchants' Association of Lafayette, Ind., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. QUARLES presented a petition of the Woman's Missionary Society of Marinette and a petition of the Green Lake County Sunday School Convention, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Veteran Post, No. 8, Grand Army of the Republic, Department of Wisconsin, of National Home, Wisconsin, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. BARD presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to encourage American shipbuilding; which was referred to the Committee on Commerce.

He also presented a petition of the California Central Coast Counties Improvement Association, of San Jose, Cal., praying for the establishment of a military post on the Nacimiento Rancho, in the counties of San Luis Obispo and Monterey, in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the State Council, Junior Order of United American Mechanics, of San Francisco, Cal., praying for the enactment of legislation to restrict immigration, by providing an educational test for immigrants to this country; which was referred to the Committee on Immigration.

He also presented a petition of the Chamber of Commerce of Sacramento, Cal., praying for the creation of an additional United States district court in California; which was referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the purchase of the Calaveras grove of big trees; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made in aid of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair to be held at Portland, Oreg.; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Woman's Missionary Society of the First Presbyterian Church of Redlands, Cal., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. LODGE presented a petition of the municipal council of Ponce, P. R., and a petition of the executive council of Porto Rico, praying for the enactment of legislation providing for the improvement of the harbor areas and navigable water lying in or surrounding the island of Porto Rico; which were referred to the Committee on Pacific Islands and Porto Rico.

Mr. CULLOM presented petitions of the Wednesday, Halcyon, Twentieth Century, and Shakspeare clubs, of Polo; of the Woman's Christian Temperance Union of Polo; of the congregations of the Lutheran, Methodist Episcopal, and Presbyterian churches of Polo, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULBERSON presented a petition of the Woman's Christion Temperance Union of Ennis, Tex., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GIBSON presented petitions of the congregation of the First Presbyterian Church of Great Falls, of the congregation of the Christian Church of Anaconda, of the congregation of the Presbyterian Church of Anaconda, of the congregation of the Baptist Church of Anaconda, of the congregation of the Methodist Episcopal Church of Anaconda, of the Epworth League of Anaconda, of the Woman's Christian Temperance Union of Anaconda, and of sundry citizens of Great Falls and Anaconda, all in the State of Montana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a petition of the Green Lake County Sunday School Convention, of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah, and remonstrating against the repeal of the present anticanteen law; which was referred to the Committee on Military Affairs.

He also presented petitions of the Woman's Christian Temperance Unions of Windsor and Dartford, and of sundry citizens of Wausau, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALDRICH presented petitions of the congregation and Christian Endeavor Society of the Baptist Church of Phenix; of the Woman's Christian Temperance Unions of Providence and Washington; of the congregations of the First Free Baptist, Broadway Baptist, and Second Presbyterian churches of Providence; of the Tabernacle Methodist Episcopal Church, of Providence; of the Anna Gordon Woman's Christian Temperance Union, of Providence, and of the Woman's Christian Temperance Union of East Greenwich, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made in aid of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, to be held at Portland, Oreg., in 1905; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the purchase of the Calaveras grove of big trees; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the California Central Coast Counties' Improvement Association, of San Jose, Cal., praying for the establishment of a military post at the Nacimiento Rancho, in the counties of San Luis Obispo and Monterey, in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation in aid of the American merchant marine; which was referred to the Committee on Commerce.

Mr. PENROSE presented a petition of General Mansfield Post, No. 48, Department of Pennsylvania, Grand Army of the Republic, of Mansfield, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. KEAN presented petitions of the congregation of the First Baptist Church of Woodstown; of the congregation of the First Presbyterian Church of Woodstown; of the congregation of the Union Avenue Methodist Episcopal Church, of South Woodstown; of the congregation of the Westminster Presbyterian Church, of Bloomfield; of the Woman's Guild of the First Presbyterian Church of Elizabeth; of the congregation of the Asbury Methodist Episcopal Church, of Woodstown; and of the Home Missionary Society of the Presbyterian Church of Woodstown, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BALL presented a petition of the Woman's Christian Temperance Union of Newark, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of the Woman's Christian Temperance Union of Washington, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of sundry citizens of Cambridge, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

REPORT ON CEMENT RESOURCES.

Mr. MORGAN. I present a paper entitled "A report on the cement resources of Alabama," sent to me by the Director of the Geological Survey of the United States, evidently with the expectation that I would lay it before the Senate and ask that it be printed.

I wish to say that it is a very important paper, prepared at the Geological Survey after very careful examinations, and also by the geological survey of the State of Alabama. It relates to a matter that is presently of immense importance to the United States.

Ten years ago Prof. Eugene A. Smith, of the University of Alabama, a very eminent geologist, made a discovery of the fact that bordering on what we call the "black belt," which extends, I believe, from Illinois down into southwest Georgia—on each border of it—there are immense chalk belts which correspond precisely in their origin and in their qualities with the chalks that we see at Dover Cliffs and across the Channel clear down to Paris and under Paris, out of which there has been manufactured for ages what is called "Portland cement," a cement which is named after an island that belongs to Great Britain and which is not far from Portsmouth.

The many millions of dollars we have spent for that cement and the great amount of industry we have displayed in making cement out of the hard blue and other colored limestones of our country make this a matter of much importance. In order to supply ourselves with cement, which is now entering into all kinds of structures, particularly into the very large and very tall houses, one of them, I believe, 14 stories high, now going up in Cincinnati, a monument to the genius of this age, our workers in this line of business have so far developed this production that we now make more than 18,000,000 barrels of cement a year, which are sold on an average for at least $1.75 a barrel. In addition to that, the demands have increased within a year for the importation of this necessary article from 200,000 barrels to 800,000 barrels, showing that the demand for it is very great.

As soon as I had discovered that an enterprising company, formed of gentlemen in England, had come to my State and had established a cement factory at Demopolis, on the Tombigbee River, in which they have expended a million dollars, and were producing with three rotary furnaces 250 barrels each per day and selling it, as we say, "like hot cakes," and that in southwest Georgia other enterprising gentlemen had put up a large establishment, which was turning out quantities of this valuable product, I devoted a good deal of my past vacation to having this matter looked up, and, with the kind assistance of Mr. Charles D. Walcott, Director of the Geological Survey, and of the University of Alabama, assisted also by the legislature of Alabama, there have been developed the geological and chemical qualities of this range of materials, extending over an area more than 100 miles in length. The beds on either side of what we call the "black belt," or the cretaceous formation, average 5 miles wide and not less than a thousand feet deep. They are almost absolutely continuous, and throughout they are very valuable.

Of course, my attention was drawn to the subject with reference to the great demand which will exist for this cement in an isthmian canal, whether built at Panama or at Nicaragua, and the great saving which would be made to the country by its development. Its development is entirely a private matter, and is being entered upon with extreme activity by many men. It is proper that we should inform those men of the particular chemical analysis of the cements at various places along that belt.

I would be very proud, sir, if I had the opportunity of presenting this as my last report from the Committee on Interoceanic Canals; but the members of that committee were absent this morning, and having received it only this morning I could not ask their concurrence. I therefore present it on my own account, and I ask that it may be printed as a document.

Mr. ALLISON. It is a very interesting statement, and a very important one, which has been made by the Senator from Alabama. I understand that there are many places in the United States where this character of cement can be produced—in South Dakota, in Michigan, in Pennsylvania, and in New Jersey.

Mr. MORGAN. There are many places. I have just observed that we are now making in our own factories more than 18,000,000 barrels a year.

Mr. ALLISON. I think this is very important information. I am glad the Senator has introduced it.

The PRESIDENT pro tempore. The Senator from Alabama asks that the paper presented by him be printed as a document. Is there any objection? The Chair hears none, and it is so ordered.

REPORT OF A COMMITTEE.

Mr. McLAURIN, from the Committee on Public Lands, to whom was referred the bill (S. 1344) to quiet certain land titles in the State of Mississippi, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. ALDRICH introduced a bill (S. 1700) granting a pension to Maria B. Wheaton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 1701) for the relief of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 1702) to correct the military record of James H. Shannon; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TALIAFERRO introduced a bill (S. 1703) for the relief of Mariah L. Trowell, administratrix of Benjamin F. Trowell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. GIBSON introduced a bill (S. 1704) granting an increase of pension to Lucretia Ritchhart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 1705) granting a pension to Esther G. Wharton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1706) for the relief of Joshua Sherwood and Elizabeth Gray;

A bill (S. 1707) to compensate H. C. Phoebus for the demolition and removal of his property from the Government reservation at Old Point, Virginia;

A bill (S. 1708) to compensate Caleb C. Willard, surviving partner of the firm of Segar & Willard, for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Virginia, in the year 1862;

A bill (S. 1709) for the relief of the trustees of the Methodist Episcopal Church South, of Fox Hill, Va.;

A bill (S. 1710) for the relief of the trustees of Braddock Street Methodist Episcopal Church, of Winchester, Va.;

A bill (S. 1711) for the relief of the trustees of the Centenary Reformed Church, of Winchester, Va.; and

A bill (S. 1712) for the relief of the Presbyterian Church of Woodstock, Shenandoah County, Va.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1713) for the relief of Samuel Showalter;

A bill (S. 1714) to correct the military record of William E. Russell; and

A bill (S. 1715) to correct the military record of Levi Sheetz.

Mr. PENROSE introduced a bill (S. 1716) granting pensions to soldiers and sailors confined in so-called Confederate prisons; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1717) granting an increase of pension to Christian H. Goebel; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 1718) to compensate the Old Point Comfort Improvement Company for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1719) for the relief of Priscilla J. Shipman, administratrix of the estate of John J. Shipman, deceased, for work done and materials furnished to the District of Columbia; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1720) granting an increase of pension to William Green; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1721) granting a pension to Fred Sturm;

A bill (S. 1722) granting an increase of pension to Henry Hale;

A bill (S. 1723) granting an increase of pension to John F. Wildman;

A bill (S. 1724) granting an increase of pension to Sarah F. McCune;

A bill (S. 1725) restoring a pension to James Hampton;

A bill (S. 1726) granting an increase of pension to Silas C. Jewell;

A bill (S. 1727) granting an increase of pension to Louis Cook;

A bill (S. 1728) granting a pension to J. M. Baxter;

A bill (S. 1729) granting an increase of pension to Simeon Shirrell;

A bill (S. 1730) granting an increase of pension to John A. J. White;

A bill (S. 1731) granting a pension to Penelope Tousley;

A bill (S. 1732) granting a pension to Joseph B. Voris (with an accompanying paper); and

A bill (S. 1733) granting an increase of pension to William Stall (with accompanying papers).

Mr. PLATT of Connecticut introduced a bill (S. 1734) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1735) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PROCTOR introduced a bill (S. 1736) to provide a mortuary chapel at the Arlington National Cemetery; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCOMAS introduced a bill (S. 1737) granting a pension to Charles M. Snyder; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1738) for the relief of Jose J. Valdivia; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS. I also reintroduce a bill to correct an error in the print.

The bill (S. 1739) making an appropriation for the improvement of the Patapsco River and channel to Baltimore, Md., was read twice by its title, and referred to the Committee on Commerce.

Mr. McCOMAS introduced a bill (S. 1740) to appoint Daniel Clarke, of Maryland, a captain of cavalry in the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. STEWART introduced a bill (S. 1741) for the relief of the county of White Pine, State of Nevada; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1742) for the relief of John L. Smithmeyer and Paul J. Pelz; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1743) for the relief of Riley Moutrey; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 1744) for the relief of Mary C. Jackson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1745) for the relief of the estate of William B. Waldron, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 1746) for the relief of the legal heirs of Celestine Sara, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLLIVER introduced a bill (S. 1747) to recognize the military services of George R. Burnett, late first lieutenant, Ninth United States Cavalry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 1748) to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1749) to provide relief for such employees in United States navy-yards as may be disabled by accident while in the performance of duty, and, in the event of fatal casualties, for the relief of surviving dependents; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1750) to provide an American register for the British ship *Pyrenees*; which was read twice by its title, and referred to the Committee on Commerce.

Mr. NELSON introduced a bill (S. 1751) granting an increase of pension to R. F. Catterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 1752) for the relief of the estate of Richard Lawson; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 1753) for the relief of Pay Clerk Charles Blake, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1754) for the extension of Eighth street northeast, otherwise known as Railroad avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 1755) granting an increase of pension to Thomas Banks; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1756) granting an increase of pension to Zebedee M. Cushman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BACON introduced a bill (S. 1757) establishing the Atlanta National Military Park; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLAY introduced a bill (S. 1758) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 1759) for the improvement of the Chattahoochee River; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TILLMAN introduced a bill (S. 1760) granting a pension to Ann A. Devore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1761) granting a pension to Jennette C. Danico;

A bill (S. 1762) granting an increase of pension to Alphonso B. Holland (with an accompanying paper);

A bill (S. 1763) granting a pension to Mary F. Perham (with an accompanying paper); and

A bill (S. 1764) granting an increase of pension to John Shehan (with accompanying papers).

PRESIDENT PIERCE'S MESSAGE ON CENTRAL AMERICAN AFFAIRS.

On motion of Mr. GORMAN, it was

Ordered, That 1,500 copies of the message of the President of the United States of May 15, 1856, including the reports in relation to the condition of affairs in Central America accompanying said message, be printed for the use of the Senate.

NEUTRALITY OF GREAT BRITAIN IN CIVIL WAR.

Mr. CULBERSON. I ask unanimous consent that House Document No. 8, Fifty-eighth Congress, first session, be printed in the CONGRESSIONAL RECORD, and the diplomatic correspondence between the Government of the United States and Great Britain, as it appears on page 31 to page 181, inclusive, in Senate Documents, second session Thirty-seventh Congress, be printed in the CONGRESSIONAL RECORD, and that the latter be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that certain House documents and certain diplomatic correspondence be printed.

Mr. CULLOM. I should be glad if the Senator would indicate to what those documents relate and what will be the probable size of the publication.

Mr. CULBERSON. Mr. President, the correspondence is that between Mr. Seward, Mr. Adams, and Lord John Russell on the subject of neutrality in 1861. It covers the correspondence from page 31 to page 181, inclusive, in the document to which I have referred.

The PRESIDENT pro tempore. The Senator from Texas asks unanimous consent that the two papers presented by him may be printed in the CONGRESSIONAL RECORD and that the diplomatic correspondence to which he refers may be printed as a Senate document.

Mr. CULBERSON. In the RECORD and as a Senate document.

Mr. CULLOM. What is the occasion for desiring the matter printed in the RECORD and as a Senate document also?

Mr. CULBERSON. In order that it may be accessible to the general public. These are very important papers, in my judgment, especially at this time. The documents are not accessible to the general public, and there is a great demand, as I take it, on the part of the general public to see them. They express the opinion of this Government on the subject of neutrality.

Mr. McCOMAS. Will the Senator from Texas state the subject-matter to which his motion refers? We did not hear it in this part of the Chamber.

Mr. CULBERSON. It refers to the question of the neutrality of Great Britain in the war between the States from 1861 to 1865.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. CULLOM. Mr. President, the matter which the Senator desires to have printed in the RECORD would make a good many pages, and it would seem to me if it were printed as a public document that would be all that would be necessary. We are having a great deal of reprinting done now of very old documents, and we ought not to incur any greater expense than is necessary in order to get the use of them. I think the Senator had better be satisfied with having the matter printed as a document, and not ask that it be also printed in the RECORD.

Mr. CULBERSON. Mr. President, in order that it may reach the general public I must insist that the matter be printed in the RECORD also. Of course I understand that an objection on the part of the Senator from Illinois will exclude it at this time, but

it seems to me, under all the circumstances, that the Senator will not interpose an objection.

The PRESIDENT pro tempore. Is there objection?

Mr. CULLOM. I think the Senator ought to be content to have the matter printed as a document; otherwise I shall have to object.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. CULLOM. I object, Mr. President, unless the Senator will yield to the request I have made, that the matter be printed as a document.

The PRESIDENT pro tempore. Objection is made. Does the Senator from Texas make the other request, that the papers be printed as a document?

Mr. CULBERSON. I have asked that they be printed as a document and also in the CONGRESSIONAL RECORD.

Mr. CULLOM. If the Senator will leave off the latter part of his request, I shall have no objection.

The PRESIDENT pro tempore. Objection is made to the printing of the papers in the CONGRESSIONAL RECORD.

Mr. CULBERSON. Then I shall have to accept what I can get at this time.

The PRESIDENT pro tempore. The Senator from Texas asks that the papers referred to by him may be printed as a document. Is there objection? The Chair hears none, and it is so ordered.

Mr. TILLMAN. Of course the Senator from Texas does not need to be reminded that if he wants very badly to get the document printed in the RECORD he can read it, and then the objection of the Senator from Illinois would not hold good.

HEARINGS BEFORE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the District of Columbia be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing shall be paid out of the contingent fund of the Senate.

HEARINGS BEFORE COMMITTEE ON COMMERCE.

Mr. FRYE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer, from time to time as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. If there be no further concurrent or other resolutions, the Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted yesterday by Mr. CARMACK, as follows:

Resolved, That the Committee on Organization, Conduct, and Expenditures of the Executive Departments of the Senate be, and it is hereby, instructed to make inquiry into the conduct and expenditures of the Post-Office Department, and especially with respect to any charges of corruption, extravagance, and violations of law in the administration of the affairs of the said Department.

Said committee is authorized to send for persons and papers, to administer oaths, to compel attendance and take the testimony of witnesses, and to examine all books, papers, and documents that may be needed for the purpose of such inquiry.

The Postmaster-General shall detail from time to time such officers and employees as may be requested by said committee in its investigations.

Upon the completion of said inquiry, and on or before the 1st day of May, 1904, the committee shall make report to Congress, which report shall embrace the testimony taken in the course of the investigation, the conclusions reached by said committee on the matters examined, and any report said committee may see proper to make, by bill or otherwise, with a view to correcting any abuses, defects, or illegalities that may be found to exist in the administration of the affairs of said Department.

Mr. PENROSE. I ask unanimous consent that that resolution may lie over to-day.

Mr. CARMACK. Mr. President, I have no objection to that in the absence of the Senator from Pennsylvania [Mr. QUAY].

The PRESIDENT pro tempore. The Senator from Pennsylvania [Mr. PENROSE] asks that the resolution lie over.

Mr. CARMACK. Retaining its place.

The PRESIDENT pro tempore. Retaining its place. Is there objection?

Mr. ELKINS. I object.

The PRESIDENT pro tempore. The Senator from West Virginia objects to the resolution lying over, and the question is on agreeing to it.

Mr. PENROSE. Then I move the reference of the resolution to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

COMMITTEES OF THE SENATE.

The PRESIDENT pro tempore. The morning business is concluded. The Chair lays before the Senate the resolution yesterday submitted by the Senator from Maine [Mr. HALE] for the appointment of the committees of the Senate.

Mr. MONEY. I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Mississippi will state his parliamentary inquiry.

Mr. MONEY. I should like to know what has become of the Newlands resolution?

The PRESIDENT pro tempore. It is in the air, under the motion of the Senator from Maine [Mr. HALE] to reconsider the vote by which it was referred to the Committee on Relations with Cuba.

Mr. LODGE. It was agreed that that should come up as soon as the resolution for the appointment of committees was disposed of.

The PRESIDENT pro tempore. The Chair so understands. The Senator from Alabama [Mr. MORGAN] is entitled to the floor on the pending resolution for the appointment of committees.

Mr. MORGAN. Mr. President, when I yielded the floor yesterday, on the kind suggestion of the honorable Senator from Colorado [Mr. TELLER] that he feared that I was weary, I was glad to have a respite from the discussion of a subject that is rife with the anxieties and distress of our people. They are sorely vexed and tired of the intrigues of the Panama Canal Company, old and new, that the mandate of the law has been so far powerless to control or check.

The spirit of lawless adventure in the attempted use of our free, just, and wholesome Government and of our trusting and honest people has involved us and threatened the nation until it almost despairs of the glory of opening the western gateway between the oceans for the commerce of the world and a highway of Christendom "from the rivers unto the ends of the earth."

From the beginning it has been the proud mission of our Government and people, under a providence that is as peculiar to them as the founding of the Kingdom of the Messiah was to the Seed of Abraham, that we should lift up that western gate between the oceans. But, like them, we have been fought back and retarded in our work by great nations, and by the worst and basest intrigues, and by the most cunning devices of self-seeking and ambitious men, and by the corruptions of vile men whose vocation it is to gather wealth from the necessities of government and to make the noblest aspirations and hopes of the people subsidiary to their frauds and corruptions.

This they accomplish through combinations, obstructions, and schemes of blackmail.

We have encountered all these in our honorable strivings to fulfill this great national duty.

When in our early youth, as a nation, we first discerned this duty, our statesmen, like Clay and Adams, rose up and announced our purpose, in the valiant spirit of the young Republic, and we set about to measure the task and to prepare for its accomplishment with a fervent, generous spirit.

The wily Briton, sleepless in vigilance and wise in forecast, saw that we were preparing to cross the sea with ships, through dry land, and she set herself across our path and held us in check for fifty years. What we suffered in that period is needless now to recount. In the time of waiting we grew so strong that open opposition to us by force became too dangerous to our ancient kinsmen, and Great Britain retired, apparently, to gather the fruits of rich harvests at Suez, which she had captured by stealth, and she even became our friend. She has so fallen in love with us, indeed, that she gives us encouragement in our raid on Colombia, which is contra bonos mores, knowing that Panama is a morass in which our strong limbs will flounder, and we will sink like a mastodon mired in a quicksand.

If she looks at all, it is scarcely with pity upon the hecatombs of laborers that we will sink in that canal route, that is well called "the ditch of death." She will not weep with us when we have found that a blind and reckless enthusiasm has turned to national grief at the sudden rush of the Chagres, when it will sweep away the key of the canal—the dam at Bohio.

We can outlive her pity and move on other routes as we have outlived her opposition, but it will be costly.

France essayed to rid herself of a body of death that she had created to take the honors that belonged to us, but the Panama Canal died on her hands, and France had been so long chained to its cadaver that she is supplicating us to relieve her of its pressure.

De Lesseps had been here and had distributed great wealth among bankers and easy-going officials in high places who learned that the presence of the agents of the Panama Canal Company among us, old or new, was a certain indication of "pay dirt."

These always welcome universal bankruptcy in markets and morals, when they are not caught in the fall, and they surrender

at once and at discretion. The seed planted by De Lesseps, which cost him the recorded decree of a convicted felon, and is a bar sinister on the escutcheon of one of the world's foremost benefactors, still germinates among us, and our bankers and corruptionists, of low and high degree, still dig around the deadly crop in search of the pot of gold. If they find it they are glorious and immune from the stinging arrows of public opinion, and that hope justifies the effort and condones its disgrace.

These hosts are upon us now. McKinley's great policy has fallen beneath their blows after he passed away. It lives in our laws, but have we the vital force and courage to enforce it?

His successor follows this posthumous child of De Lesseps, which bars the way of true American progress and still keeps closed the western gate with wars and rumors of war.

It is to inform the country of the devious methods by which this has so far been accomplished that I will now, with the leave of the Senate, resume my remarks.

THE CREATION OF THE NEW PANAMA CANAL COMPANY.

On June 29, 1894, the liquidator of the old Panama Canal Company filed a petition in the lower court for the department of the Seine to create a New Panama Canal Company to complete the canal with locks. The company was empowered by that court to take subscriptions to its stock, and the liquidator of the old company was authorized to turn over the property of the old company to the new company without compensation, and also to subscribe for stock in the new company, which he did to the amount of 18,000,000 francs, the old company thus becoming a stockholder in the new company to that amount, which was paid in money by him.

The organization of the New Panama Canal Company to be the successor, coadjutor, running mate, and final administrator of the only assets of the old company was, on the part of the French Government, a refuge from the horrors and stench of the public corruption with which the old company had scandalized France in all its departments and its great bankers and cabinet officers. The French Assembly and the Congress of the United States were openly charged in France as being implicated. It is easy to get a slur upon innocent men from an enraged people; but many French officials were justly convicted.

On the part of the honest Frenchmen that new company was a "forlorn hope," sent out to rescue the canal and the reputation of De Lesseps from the fate that had been so thoroughly earned.

On the part of the convicted felons who had brought these dark stains upon the character of a noble people it was an escape from the penitentiary into the prominent activity of completing a lock canal in the hope of earning the applause of the people they had scandalized and robbed by even a pretense of effort to save the reputation of the French people.

They came with false promises and offered them as a sin offering before the French people, as "fruits mete for repentance." They promised the French courts to raise the money to complete the canal and repeated this promise in their company statutes and in solemn written promise to Colombia.

They raised 60,000,000 francs to complete the canal that had already cost the French people 1,329,693,087.75 francs—about $260,000,000.

They were rich men, very rich, and were well able to have raised the money that the engineers had estimated for the work, which was $95,000,000, according to the sworn statement of Mr. Chandron, chief engineer of the new company, before a committee of the House January 17, 1899, as follows:

Mr. STEWART. The committee would like to know the amount of money given by the poor people of France into the old company.

Mr. CURTIS. He says it was upward of $200,000,000.

Mr. STEWART. Do you know the amount contributed by the people of France to De Lesseps and his son?

Mr. CHORON. I do not know anything about it.

Mr. STEWART. Don't you propose to give the shareholders of France, the poor people that gave this money—don't you propose to give them some interest in this matter?

Mr. CURTIS. If you will pardon me, my partner made a statement that covered that.

Mr. STEWART. If there was any surplus, I understood you to say.

Mr. CROMWELL. Surplus income.

Mr. MANN. You say it would take about $100,000,000 to complete the canal?

Mr. CHORON. $85,000,000 to $100,000,000.

Mr. MANN. Have you got the money?

Mr. CHORON. The company has the money, or the promise of getting the money, but I myself am a technical man, an engineer, and have never had anything to do with the financial side of the question, or the political side, or the general administration.

Mr. STEWART. Do you propose to raise this money in France or in the United States?

Mr. CURTIS. I do not think there is any limit as to where the money will be raised. I hope it will come from both countries.

M. Lampré, the secretary of the New Panama Canal Company, and its accredited agent to the United States, swore that the new company had never borrowed money or attempted to do so, and had made no appeal to the public to take its bonds, none having been issued, or to raise money in any way. He also stated that some of the stockholders in the New Panama Canal Company were prominent and wealthy business men and bankers, who were able to furnish the money out of their private fortunes to complete the canal according to the engineers' estimates of the cost, but not a dollar had been subscribed or paid into the treasury of the company except 90,000,000 francs, as above stated.

THIS MONEY IS DUE TO THE BONDHOLDERS AND STOCKHOLDERS OF THE OLD COMPANY.

Of this sum 7,000,000 francs was subscribed by the administrator of the old company and 18,000,000 francs by the liquidator of the old company in cash. This money was due to the bondholders of the old company and belonged to the stockholders and was charged with that trust.

It was given to the new company to enable them to build a lock canal. It amounted to $4,400,000 and went into the treasury of the new company as a gift—a "contribution." It comprised one-third of the entire cash subscription to the new company. It is still in that treasury, about that sum now remaining there. After deducting the sum that the new company has expended in work on the canal, which is about $8,000,000, nearly $5,000,000 remains.

Of the money paid into that treasury 10,000,000 francs were paid by the convicted felon Eiffel to condone his crimes against the old company, 40 per cent of which we are asked to refund to him out of our payment of $40,000,000 for all the rights and property of the old and the New Panama Canal companies. They have refused to include any money in their treasury in the property to be turned over to us, and Mr. Eiffel can resort to that fund to get his refund of the remaining 60 per cent of his subscription. This 40 per cent has already been awarded to the new company by a decree of a French court, made in anticipation of the payment of the $40,000,000 by the United States.

That sum is to be increased by the further payment to the New Panama Canal Company of the value of all the work done on the canal since that company "accepted," as they put it, our offer to pay $40,000,000 for the canal and its belongings.

What this sum will be no one has stated, but the President has had Captain Black, an engineer officer, at Panama for several months, examining the work as it is being done, with a view to its payment. It will be paid if the agreement with the New Panama Canal Company is ever consummated, unless Congress interposes to prevent it.

Aside from the want of equity and justice to support this new feature in this scheme in paying the New Panama Canal Company for work it was forced to do to keep the concession from Colombia alive, the work has been paid for with money in the treasury of that company, which belonged to the old Panama Canal Company and would belong to the United States, under the contract of purchase, to the amount of $4,400,000, and the $2,000,000 condonation money paid in by the felon Eiffel and $3,285,700 paid in by 60 other perpetrators of fraud on the old company, whose names are not given in the report of the Isthmian Canal Commission because the French authorities refused to disclose them, will be returned to them out of our Treasury if the $40,000,000 payment is ever made.

THE PANAMA RAILROAD IS PART OF THE SPOIL.

This new company of officials and despoilers of the old company contrived for their security another scheme that would shelter them from loss if the canal was never completed, as they all knew that it never could or would be and was never so intended.

The old company had purchased about nine-tenths of the stock of the Panama Railroad, which was chartered in New York. They paid $15,000,000 for this stock, being about $180 per share of the face value of $100.

This stock was turned over to the new company by the liquidator of the old company as part of its property, with the agreement that if for any reason the Panama Canal should not be completed the railroad stock should remain the property of the new company, at an appraisement to be made by a board of appraisers, to be paid to the liquidator of the old company, but all the other property should revert to the old company in such an event.

This railroad had a very fine earning power. In a recent year, about 1902, the fact has escaped to the public that it earned a net profit of 29 per cent on its stock of $15,000,000. It had also entered into contracts with the transcontinental railroads from Canada to Mexico by which the people of the Pacific coast were cut off from shipping their commerce over this line, 47 miles long, except at rates to be prescribed by the railroad companies. This infamous extortion cost the people of the Pacific coast enormous sums in the monopoly of transportation and the increase of freight rates over the transcontinental railroads, amounting, in the aggregate, to hundreds of millions of dollars, and this combine existed for about fifteen years. These contracts are printed in the reports of the Committee on Interoceanic Canals made to the Senate.

In the use of its income and credit the New Panama Canal Company has established a line of steamers to New York, which it owns and through which it is in competition with the transcontinental railroads, but also competes with all other ocean lines

that use its railroads and shuts them out of the trade which it conducts on the Pacific Ocean by a leased line of steamers. It has also made like contracts with several European steamer lines, giving them preferential rights over American steamers. These contracts are also printed in the above-mentioned reports.

That company, with its immense power, holding its charter from New York, has always been used in hostility to the commerce of the United States.

The ownership of the stock in the Panama Railroad by the New Panama Canal Company gave it virtual control of the entire canal question in Panama, through which it could compel Colombia into submission.

That power is in full play to coerce the infant Republic of Panama into any terms Mr. Cromwell may exact, and Mr. Cromwell, with this Government at his back, will be obeyed, and until the United States gets the consent of that company and of New York it can never control that railroad.

With the control of the Panama Railroad in the hands of the New Panama Canal Company, it could afford to permit the canal concession to lapse, and make up its decision to that effect, unless it could sell out at a profit to the United States. It would make $250,000 a year from rents of the railroad that never cost it a dollar.

The proposed sale for $40,000,000 will yield a large profit to the stockholders in the New Panama Canal Company. The only expenditure they have made is in the removal of earth from the Culebra cut and the Emperador cut. While doing this they have allowed the canal from Bohio to the coast to fill up, until in many places it is almost obliterated, and have dredged a channel 3 miles long in the Bay of Panama, leading to a pier that cost near $1,000,000, to accommodate railroad traffic.

THE EXTENSIONS OF THE WYSE CONCESSIONS WERE PAID FOR WITH THE MONEY OF THE OLD COMPANY.

They have procured extensions of the Wyse concessions, paid for with the money of the old company, to keep in control of the canal route, on which De Lesseps had constructed several houses, some of them palaces, and immense hospitals at a cost of many millions of dollars.

Not a cubic yard of earth had been removed from the canal line by the New Panama Canal Company with the purpose or expectation of completing that work by that company. Another and distinct purpose has directed every operation of that company, which is to sell it to the United States.

It will scarcely be contended that they expected to complete a canal that cost $260,000,000 of outlay, to complete two-fifths of the ditch, without any other works, with only $13,000,000 in the treasury of the company, and it can not be claimed that they ever had the purpose to complete it when, being wealthy men, they refused to furnish any additional money to help the company and made no effort to borrow it or to sell additional stock to get the money.

FORTIFIED AGAINST POSSIBLE LOSS.

They had fortified themselves against loss by taking over the Panama Railroad as a gift, and by the 23,789,000 francs of the cash money of the old company, paid into the treasury of the new company, and only waited the opportunity to get rid of the other property for what they could get for it, so as to avoid confiscation by Colombia. This, Mr. President, is a true statement.

While waiting and preparing for this opportunity they sunk great wells and cut tunnels under the Culebra ridge to ascertain the character of the material at or below sea level. It was found to be treacherous, creeping clay beds between strata of rock for half the depth, that were sliding into the cuts and covering up railroad tracks and trains of cars, while at or near the sea level it was an indurated material too hard for removal with picks and not tenacious enough to be blasted, except at heavy expense. The material for many yards above the bottom of these wells was found to contain sharks' teeth, and when submerged in water it would dissolve like sugar or salt. That is the testimony of engineers, sworn to. I will not quote the statements made under oath. This formation, which was evidently volcanic ashes, compressed by the earth and stone above them, was 8 miles in length.

THEY WERE VERY BUSY.

To protect the walls of the canal from dissolving when the water of the canal assailed them, the Isthmian Canal Commission recommended and estimated for walls of cut stone 40 feet high and 16 miles in length, at a cost above $3,000,000.

When this development became known, and when the Oregon made its famous voyage around "the Horn," and when the Senate had passed the maritime canal bill a second time, with the vote of all the Senate except six members, there was hurrying to and fro across the Atlantic by the agents and engineers of the New Panama Canal Company to inform Congress of the advantages of the Panama Canal route over the Nicaragua route; and Mr. Cromwell, as chief counsel of the New Panama Canal Company, made his first public debut at the head of the procession.

These men came in great haste at the call of Mr. Cromwell, and appeared, unbidden, before the House committee and demanded a hearing on the 17th day of January, 1899. Civil war was then flagrant in Colombia, which raged until 100,000 people perished and $5,000,000 was expended, and its immediate provoking cause was the conduct of the agents of the New Panama Canal Company, under the direction of Mr. Cromwell, in the effort to force the Colombian Congress to grant a prolongation of the Wyse concession from 1904 to 1910.

Before that time and after the voyage of the Oregon, and after the Senate had passed the maritime canal bill by a vote of 48 to 6, and after the Congress of Colombia had rejected the contract to extend the Wyse concession from 1904 to 1910, the New Panama Canal Company on the 18th of November, 1898, through its president, M. Bonnardel, sent to the President of the United States a letter, which is printed on page 73 of the CONGRESSIONAL RECORD, March 18, 1903, stating the financial condition of that company and the changes in its canal scheme from a sea-level to a lock canal, as follows:

We do not doubt that you will be interested to learn the essential features of our plans, which have been prepared with so much labor and care and confirmed by four years of continuous study.

1. The old company had already substituted for the proposed sea-level canal a system of locks. This principle, with important modifications and improvements, has been adopted by the new company.

2. The length of the canal from ocean to ocean is 46 miles.

3. The locks will not exceed four on each slope of the divide; all locks will have a rock foundation, and all will have double lock chambers.

4. There is nothing in the physical conditions on the Isthmus to prevent a change from a canal with a system of locks to a sea-level canal should the latter seem desirable in the future.

5. The time of passage from ocean to ocean will be less than a day.

6. The harbors situated at either extremity (Panama and Colon) are not artificial harbors; they are natural harbors, safe and satisfactory, needing but slight improvement. This fact is known to all the world, thanks to commerce, which for almost fifty years has made use of the Panama route (the Panama Railroad).

It would cost only $8,000,000 on one side and $3,000,000 on the other—eight millions at Colon and three millions at Panama—to make harbors.

7. Two-fifths of the work on the canal has been actually constructed; the remaining three-fifths is in a fair way of completion. During the last four years three or four thousand workmen, on an average, have been employed in working on the canal.

8. The company's concessions are unquestionable.

And yet Colombia was in civil war then, fighting against the allowance of concessions.

The Republic of Colombia has given to the enterprise its cordial and sincere cooperation.

9. The existence and operation of the railroad, long established on the proposed line of the canal, greatly facilitates its construction.

10. No construction is planned which is not fully justified by practical experience.

Formerly the greatest difficulties were:

(a) The control of the floods at the Chagres River; and

(b) The excavation of the Culebra cut.

The manner in which each of these difficulties is to be surmounted is shown with the greatest detail in the report of the technical commission, which we have the honor to present to you.

And our Isthmian Canal Commission, when they came to look it over, rejected every word of it.

The condition of the new company is equally satisfactory. Its assets, including the work actually done on the canal, the buildings, the machinery, the material on hand, exceeds in value 500,000,000 francs, or $100,000,000, which valuation has been made by a special commission, of which the former director of the National Academy of Roads and Bridges of France was chairman. The company has no mortgage or bonded indebtedness. The property is free from all incumbrance. The company has no other debts than monthly pay rolls. Its cash reserve is largely in excess of its actual needs.

The undersigned company also invites your attention to the provisions of its concession, particularly articles 5 and 6, which reserves all rights to the Government of the United States secured by the treaty with the Republic of Colombia signed in 1846 and ratified in 1848.

We have the honor to be, your obedient servants,

J. BONNARDEL,
The President of the Board of Directors.

Certified by the secretary of the company.

ED. LAMPRÉ.

This gross misrepresentation, contradicted by all the facts, as they subsequently came to light, was the first step in the effort to inveigle the United States into a scheme that apparently was concealed from Colombia, to buy the Panama Canal.

If Colombia was ignorant of this movement, the fraud of Bonnardel included treachery to her. If she knew what he was doing, Colombia or her President was a party to a scheme to dump a property that she knew could never be of any value upon the United States. If Bonnardel had told Mr. McKinley that his purpose was to sell the Panama Canal to the United States; that his company never had more than $13,000,000 to complete the canal, two-fifths of which had already cost $260,000,000, and that the company had no credit to borrow money in France, and that the largest individual stockholder was Eiffel, the convict, who had been pardoned on condition that he would subscribe for the stock, and that Eiffel and many others were robbers of the old company, and that the Congress of Colombia had voted down the proposition to extend the Wyse concession from 1904 to 1910, and that Colombia

plunged into civil war because of this resolution of its Congress, all of which was true, but was then concealed by Bonnardel, the President would have ordered him from his presence. As it was he got no reply to his officious letter of information. He was distrusted.

THEY VOLUNTEER TESTIMONY TO A COMMITTEE OF THE HOUSE.

The war in Colombia still raged and Cromwell, with his contingent of witnesses brought across the Atlantic to instruct the House committee as to its duty, appeared to testify, and on the same occasion, on the 28th of February, 1899, he wrote a letter to the President in which he eclipsed the arrogance and misrepresentation of Bonnardel, saying:

The New Panama Canal Company has never proposed and does not need any appropriation or financial aid from the Government of the United States in the completion of the canal.

He caught to the idea of the opening of the Panama Canal by the method pursued by the Maritime Canal Company of Nicaragua, which had just received such a strong vote in the Senate, and proposed a plan to the President to take over the Panama Canal Company and its property and naturalize the fraud under a New Jersey corporation. He had taken out such a charter and had amplified its powers to an extent that would cover the enterprise of the most unconscionable promotor then in the world, of which his Panama Canal Company were past masters of the highest and worst distinction.

This letter threw the door wide open to the President in the following suggestions. Cromwell further says in his letter to the President of the United States:

While the New Panama Canal Company does not seek any financial aid from the Government, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific oceans. Therefore, the New Panama Canal Company declares that if, as the result of any such investigation, the Government of the United States adopts the Panama route, the company, if the Government so desires, will reincorporate under the laws of the State of New York (under the laws of which State the Panama Railroad Company has existed for nearly fifty years), or of some other State of the Union, subject to the provisions of its concession, and vest its concessions and property in such corporation. It will also, in said event, accord to the United States such representation in its board of directors, and such opportunity to acquire an interest in its securities as may be permitted by its concessions, which, of course, must be scrupulously observed.

He selected "some other State" than New York, which still had jurisdiction over the Panama Canal.

BAD FAITH OF BONNARDEL AND CROMWELL.

This offer was treason to good faith, so far as Colombia was concerned, and an insult to the United States. Again he was answered with silent contempt by Mr. McKinley.

Colombia was still at war because of his attempt to get another extension of time for the purpose of holding that Republic under the power of the Panama Canal Company, and the public journals began to inquire into the matter. So he resolved to anticipate and explain their accounts of the doings of his company in Colombia and wrote the following letter to Mr. Hay, in which he falsified the record of the proceedings in the Congress of Colombia.

The letter of December 5 is as follows:

Mr. Cromwell to Mr. Hay.

NEW YORK, *December 5, 1898.*

MY DEAR SIR: I beg leave to confirm the telegram which I sent you at 10 to-day this morning, as per inclosure.

Upon my return I learned through Director-General Hutin (who had preceded me to New York) that the measure which had just been acted on by one branch only of the Colombian Congress was a bill to authorize the Executive to negotiate the terms of and to conclude a further prorogation of six years from 1904 for the completion of the canal, under a communication which the company had addressed to the Government, in the form of which I inclose you a translation.

You will note that the company specifically stated to the Government that the prorogation was not a matter of absolute necessity, but was desirable in the interests of commerce and navigation to enable an even deeper cut to be made (and which would reduce the number of locks to four), but which reduction would of course require more time than the plan adopted.

You will note that the bill proposed to confer power upon the Executive, and this happened to arise under extraordinary political conditions in Bogota. As you have probably been advised through official channels, a serious difference has recently been existing between the House of Representatives of Colombia and the President, the House having passed formal resolution declaring the office of President vacant and refusing to recognize the qualification of the President before the supreme court.

We therefore construe the action of the House of Representatives as only a part of the strife between the House and the President, and not a declaration of the policy of the nation or the Congress in respect of the Panama Canal, and as not evidencing hostility to the company itself. We are the more confirmed in this belief because of the uniform consideration and cordiality displayed by the Congress and the Government to the New Panama Canal Company, which we have no doubt their minister at Washington would fully confirm to you.

Our company has not the least apprehension regarding any prorogation of its concessions it may consider necessary in the future.

I have, etc., your obedient servant,

WM. NELSON CROMWELL,
Counsel New Panama Canal Company.

Again he writes:

NEW YORK, *December 21, 1898.*

MY DEAR SIR: Further to my letter of December 5, 1898, receipt of which was acknowledged by your favor of the 5th instant, I beg leave to say that we are advised by our counsel at Bogota that the official minutes of the session of the House of Representatives declares that the bill concerning the extension of the New Panama Canal Company has not been acted upon for lack of time. We, however, yesterday received further cable advising us that the Government—

That is, the President—

had granted the extension subject to the approval of the next Congress, and I note from this morning's Herald that similar advices have been received by the press.

It is the opinion of the Government executives and of ourselves that power to give such extension is already located in the Government by the terms of the original concession; but the formality of ratification will be requested in due course, and of its being granted we have not the remotest apprehension.

You will thus see that my confidence in the attitude of Colombia, as indicated in my last note, has been fully and quickly confirmed.

Faithfully, yours,

WM. NELSON CROMWELL,
General Counsel New Panama Canal Company.

There was a case where the Congress had voted the President out of office, had adjourned and gone home; the House had gone home and the Senate, too, and then there was a doctoring of the minutes, so that the bill to ratify that agreement was not acted on for want of time.

Cromwell knew when he wrote these letters that the Colombian Congress had voted to reject that contract for extension and that it declared Sanclemente's office of President vacant, because he declared that he would issue a decree accepting it, and that for this cause the Colombian Congress declared the office of President vacant and adjourned sine die and went home. They never assembled afterwards.

Why did he thus seek to mislead Mr. Hay? The answer is obvious, that unless this Government was deceived there was no possible chance of securing any consideration of the offers of the New Panama Canal Company, to involve the United States in that tangle of fraud and insolence, which had disrupted the civic departments of Colombia and had plunged the people into fratricidal war.

Aside from all evidence extrinsic of his letters and dispatches to Mr. Hay, these prove the guilty knowledge of the fact that the contract for the extension of the Wyse concession from 1904 to 1910 was the immediate and provoking cause of the civil war in Colombia, to which he referred in his letters with cold indifference, as he might refer to an ordinary family disagreement, and boasted that in the end the concession would stand and a later Congress would ratify it. That later Congress has met and adjourned; the proposition to ratify that extension was submitted to them, and they failed to ratify it.

To establish the proposition that the rejection of this contract was the immediate cause of that terrible civil war, I will quote the declaration made by the Liberals when they took up arms to vindicate the rights of Congress and the people in open public war. This is printed from a pamphlet issued in Madrid by Dr. Antonio José Restrepo, who was the authorized agent of the Liberal party in Colombia to conduct diplomatic and financial business with all other countries:

Motives that are both legitimate and noble have prompted the Liberal party of Colombia to take up arms in order to insure to the country freedom to establish a régime that will guarantee the progress and very existence of the Republic, which are to-day threatened by institutions not framed nor sanctioned by the people, and by functionaries who have received their authority through absolute disregard of and violent opposition to the will and opinion of the majority of citizens.

Both nature and tradition have impelled the patriotic people of Colombia to rebel against a condition of things in which they are prevented, de jure as well as de facto, from exercising their legitimate natural rights; in which a great party has been deprived of its political freedom, and in which the pacific development of the country has been arrested. It is only after exhausting all peaceable means that war has been resorted to as a last and extreme measure, a dire measure, but one dictated and imposed by necessity.

The men that are to-day struggling to recover their rights constitute the Liberal party, and form the great majority of the Colombian people. Anyone who compares the condition, both civil and political, of our people under the system of government that existed in this country for nearly half a century with the conditions created by the so-called regeneration system will no longer take that attitude of contemptuous commiseration with which our civil wars are often regarded by people who have already attained that liberty and security after which we are still striving, and he will understand the significance of the present revolutionary movement, which already begins to put an end forever—we hope—to the oppressive government imposed on our unfortunate country.

We, the undersigned, have the honor of being the authorized representatives of the Liberal party, and therefore of the Colombian people; and the following statements and declarations being the faithful expression of the country's will, through the government that will soon be the only recognized government of the Republic, should carry the weight that always attaches to the utterances of a whole nation.

The contracts that the government of Dr. Manuel Antonio Sanclemente may make, without being legally authorized, therefore, neither are nor will be recognized by the revolutionary government.

The President of the Republic, Doctor Sanclemente, is not empowered to make contracts involving national interests without the assent of the legislative body appointed by the people. Whatever is done without that assent is therefore void.

We make these statements merely to prevent all negotiations relating to an extension of time in the contract now in force with the Panama Canal Company. We concur in and sanction the statements that on the same subject has made an authorized representative of the revolution, Dr. Aliirio Díaz Guerra, and those that will be made by Dr. Antonio José Restrepo, an agent especially appointed to act for the provisional government in this and other important matters.

The relations between the company and the Republic of Colombia are of a

purely civil nature, and fall, of course, under the jurisdiction and laws of this country. The present Government is not empowered or authorized by any law whatsoever arbitrarily to alter the terms of the contract now in force.

The Liberal party of Colombia considers it an act of criminal resignation to allow the repudiated Government to endanger the future of the country by an imprudent negotiation; and one of the objects of the war in which that party is now engaged is to prevent, or at least oppose, the further sacrifice of the interests of the Republic.

G. VARGAS SANTOS.
FOCION SOTO.

CUCUTA, *April 20, 1900.*

The French people saw with equal clearness that the undertaking into which the reckless ambition of De Lesseps had drawn them could end in nothing else than *the bankruptcy of the enterprise, even if the canal could be built*, and they resolved to turn over to the United States this wanton adventure of inflated pride that has carried fraud, death, and bankruptcy in its trail in every step of its progress.

AFTER ALL THIS COLOMBIA RECOGNIZES MR. CROMWELL AS HER DIPLOMATIC ADVISER, AND HE HAS BEEN OFTEN SO RECEIVED BY OUR GOVERNMENT.

In the Hay-Concha treaty of April, 1902, and the Hay-Herran treaty of January 22, 1903, Mr. Cromwell was the counsel for the New Panama Canal Company and the adviser of the Colombian Government, whose fame he impeached with the fulsomness of his eulogies after having done all he could in 1898 to destroy it in his attempted dealings with the Government of the United States. He next appeared before the Senate in the preparation of a large part of the report of the minority of the Committee on Interoceanic Canals, in support and vindication of the Hay-Herran treaty, and because Colombia rejected it he is now in Paris and is aiding in the secession of Panama. In this, also, he represents the Panama Canal Company and violates all the obligations of that company toward Colombia, assists in destroying its sovereignty, and makes another war inevitable.

Some are applauding this unseemly treachery, because it gratifies their pride of opinion and love of conquest, forgetting that their hero is only working for his fee. I thus follow Mr. Cromwell's course because he leads the Panama Canal Company, and not because it is agreeable or otherwise useful to speak of a course of treachery, double dealing, and fraud that has been fruitful of corruption, bloodshed, and war between two sister republics of America. When we grasp the hand of this chief counsel of the New Panama Canal Company, in alliance against Colombia, we can not forget his treason to that Government or that his clients are the men who were convicted of felony for robbing the old Panama Canal Company and more than a million of French people, mostly of the middle classes, who were too poor to attract French sympathy or to soften the greed of American speculators.

Neither can we forget the syndicates in America, in the Netherlands, and France that have bought the stocks and bonds from these poor people, as confederate money was accumulated by such speculators after our civil war. These speculators are now the creditors of the old company. Their holdings are listed at the Bourse in Paris, and they rise and fall in value as the discussion of our views as Senators give promise or refusal as to the payment of the $40,000,000.

PRESIDENT M'KINLEY'S PROTOCOLS—THE CANALS IN CONGRESS.

I will now state historical events that have made records for the history of this country that time will never efface. They impose upon Congress certain specific duties that Congress is honorably bound to perform, that are as clear and as obligatory as our solemn agreements with foreign countries could possibly be. It is these duties that have bound me to the advocacy of the Nicaragua route, which I would perform even if I believed the Panama route was safe for the construction of a canal and free from the bad history of the corruptions of the Panama Canal Company.

The House of Representatives, through its committees, had been very active and diligent in examining the facts and in devising plans of legislation to construct an isthmian canal to accomplish the will of the people of the United States, and to meet their determination to check the monopolistic power of the great transcontinental railroads, which was a fearful incubus on all their industries and commerce. Also their sagacious foresight of the necessity of an isthmian canal to provide for the military and naval defense of the whole country and to bind more firmly the chords of union and harmony, so that no geographical or competitive jealousies should ever enter into the great American family to generate or encourage discontent, was keen, penetrating, and sleepless.

The House was also alert to check the encroachments of the Senate in the use of the treaty-making power to acquire territorial rights in foreign countries. This attitude of the House was known to Mr. McKinley from long observation, and he applauded it. It was also discovered by Mr. Roosevelt, and he bowed to it in a perfunctory way in the Hay-Concha treaty, in the provision that required its ratification by the legislatures of both countries, but he ignored it in the Hay-Herran treaty, following the lead of the Senate in the Spooner Act, which was not debated in the House.

The House never favored any but the plan of a canal that was to be exclusively in the ownership of the United States. The Senate bills we sent to the House were not, for that reason, acceptable.

The Senate, as the treaty-making power, was under constraint by the Clayton-Bulwer treaty for more than fifty years, and did not feel free to legislate contrary to even its technical or apparent prohibitions. The measures voted by the Senate were designed to avoid the cramp of that situation, and were not satisfactory to the people or to the House of Representatives, because they did not openly and definitely assure the rights of the United States; but they were all that the Senate could venture to pass, because the vote of that body on a legislative measure relating to a treaty would forestall its action as a part of the treaty-making power, and required the utmost cautious action.

The first Hay-Pauncefote treaty was such an expression of good will and concurrence of opinion between Great Britain and the United States that both Houses felt that the Clayton-Bulwer treaty was virtually abrogated, with the consent of the treaty powers. The House, pending the question of its ratification by the Senate, took it for granted that it would be confirmed, and proceeded to consider the Hepburn bill, which was thoroughly in accord with the will of the people.

THE FIRST HEPBURN BILL.

The bill was simple and direct in its provisions and cut off the incumbrance of a board of commissioners, leaving the construction of the canal under the direct control of the executive department through its military arm. In this feature it was wise, through the lessons of a short but convincing experience, for the expenditures of the Isthmian Canal Commission had already been enormous.

After studies that had engaged the best thought of the House for many years and debate that was full and unobstructed the House passed the first Hepburn bill on the 2d day of May, 1900, by a vote of 224 ayes to 36 nays, and sent it to the Senate.

THE FIRST HAY-PAUNCEFOTE TREATY.

The pendency of the Hay-Pauncefote treaty delayed action in the Senate on the House bill until the expiration of the Fifty-sixth Congress, when the measure fell. The debate in the Senate on the first Hay-Pauncefote treaty was very protracted and resulted finally in amendments to that treaty which Great Britain declined to accept, and that negotiation fell.

THE PRELIMINARY REPORT OF THE ISTHMIAN CANAL COMMISSION.

Pending that debate the Isthmian Canal Commission made a preliminary report to the President, Mr. McKinley, on the 30th of November, 1900, after their surveys and estimates were completed. It is no discredit to any report afterwards made by that Commission to say that this preliminary report was the ablest and most satisfactory report they ever made, and was only second to the report of the Nicaragua Canal Commission, made by three of the same persons who comprised the Isthmian Canal Commission, which, after a thorough comparison of the Panama route with the Nicaragua, gave the preference to the Nicaragua route.

No point of fact touching the subject failed to reach the attention and engage the closest study of every member of that Commission. A final report was only postponed to give time for its more elaborate completion and illustration with many maps that have never been printed. Why, I do not know.

This preliminary report gave to President McKinley the firmest grounds for the support of convictions, already settled in his judgment, that the Nicaragua route was the true one as to freedom from all doubt, certainty of successful accomplishment, and that it afforded superior advantages in health, in the motive power of the trade winds for sailing ships, and in every commercial, military, and naval requirement, and to provide for the political control of our Atlantic and Pacific coasts and for their military protection. It also accorded with the will of the people and their demand for the use of all the power, in the use of steam or the winds, that would cheapen transportation and hold the transcontinental railways in check. They had already, for years, combined with the Panama Railroad Company and certain great steamship companies to extort exorbitant freight rates from the industrial and commercial classes, notably along the Pacific slope, and the whole country demanded an isthmian ship canal as the only means of protection that was possible.

ATTITUDE OF GREAT BRITAIN.

Great Britain had taken her attitude of morally consenting to the practical abrogation of the Clayton-Bulwer treaty, which President McKinley believed would thereafter control her diplomatic action. If not, however, the American people, represented in the House, had declared their purpose in the passage of the Hepburn bill to proceed to vote an appropriation to construct a canal on the Nicaraguan route, and he at once determined to do all in his power, as President, to execute the will of the people, so forcibly expressed in that measure and the decisive vote of the

House of Representatives on its passage. He had served long in the House and knew how close it stood to the will of the people.

THE FORCE OF PROTOCOLS.

At the same time the President was conducting a war in China, without the aid or direction of Congress, that required of him the most profound and conscientious study of his powers, as President, to protect our people and our treaty rights under the authority of the Constitution of the United States. In these laborious and responsible studies he found the necessary powers that authorized him to agree with five European and Asiatic powers in measures that involved sentences of death against Chinese nobles and generals and the fortification of the residence of our minister and their ministers in Pekin, the safety and rights of our missionaries and other people there, the reformation of the Chinese tariff laws, the razing of fortifications, the disbandment of armies, and other matters of supreme importance to the people of the United States, including indemnities to those who had suffered, and the heavy fines levied on China and secured to the United States and to other nations by pledges of the revenues of China to be derived from imports.

All these great powers were exerted through agreements between the respective Governments, that were styled "protocols," without the advice or consent of the Senate or of the Congress of the United States.

The power to make such agreements may have been pushed to its limit in these transactions, but no American has questioned them as being ultra vires, and they stand approved as lawful acts of the executive department of the Government.

Acting on these principles, Mr. McKinley, on the next day after the preliminary report of the Isthmian Canal Commission was made, sent for the ministers from Costa Rica and Nicaragua and entered into agreements, in the same terms, with each of those Governments.

PROTOCOLS WITH COSTA RICA AND NICARAGUA.

With the remark that no agreements in any form that are more obligatory in national honor or morals than those "protocols," as they are called, were ever entered into by the President of the United States, or by the President and the Senate, I will quote one of the agreements with Costa Rica and Nicaragua, the other being of the same tenor and effect:

Protocol of an agreement between the Governments of the United States and of Costa Rica in regard to future negotiations for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire control of such portion of the territory now belonging to Costa Rica as may be desirable and necessary on which to construct and protect a canal of depth and capacity sufficient for the passage of vessels of the greatest tonnage and draft now in use, from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean, they mutually engage to enter into negotiations with each other to settle the plan and the agreements, in detail, found necessary to accomplish the construction, and to provide for the ownership and control of the proposed canal.

As preliminary to such future negotiations it is forthwith agreed that the course of said canal and the terminals thereof shall be the same that were stated in a treaty signed by the plenipotentiaries of the United States and Great Britain on February 5, 1900, and now pending in the Senate of the United States for confirmation, and that the provisions of the same shall be adhered to by the United States and Costa Rica.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate at Washington this 1st day of December, 1900.

JOHN HAY. [SEAL.]
J. B. CALVO. [SEAL.]

The agreement with Nicaragua is in the same words.

THE PROTOCOLS AND THE PRESIDENT'S DUTY UNDER THEM.

The language of the first Hay-Pauncefote treaty, which by reference is made a part of these protocols, is as follows:

ARTICLE I.

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either directly at its own cost or by gift or loan of money to individuals or corporations, or through subscription to or purchase of stock or shares, and that, subject to the provisions of the present convention, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

The language of the second Hay-Pauncefote treaty, on the same subject, is the same.

BASIC CONCESSIONS IN THE PROTOCOLS.

A comparison of these documents shows that they are identical as to the main proposition, which removes the British objection to the exclusive ownership and control of the canal through Nicaragua and Costa Rica as it was settled in the Clayton-Bulwer treaty, and that in both of the Hay-Pauncefote treaties the exclusive right to construct, own, and control the canal is yielded to the United States. Not only was the prohibitive feature of the Clayton-Bulwer treaty abrogated in both of the Hay-Pauncefote treaties, but it was changed into *an affirmative declaration of the exclusive right of the United States to construct, own, and control the canal through the Nicaragua route.* With that declaration by Great Britain, even if our Senate had never ratified either of the Hay-Pauncefote treaties, the cloud that had hung above our national sovereignty and had paralyzed that of Costa Rica and Nicaragua for fifty years passed away.

On this basic proposition the McKinley protocols are in perfect agreement with both the Hay-Pauncefote treaties, and in other points there was no disagreement. There is not a substantial difference in the language of the protocols and that of the two Hay-Pauncefote treaties.

A GREAT ACT OF A BRAVE AND HONEST MAN.

President McKinley looked to this final and necessary result, as between the United States and Great Britain, and read it with the eye of faith and the mind of wise intelligence, and he read it truly and at once grasped the control of the situation.

He saw in the vote of the House on the first Hepburn bill, and its firm support by the people, the abrogation of the prohibitive features of the Clayton-Bulwer treaty, and he resolved, with fortitude and patriotic devotion to the honor and welfare of the country, to cut the Gordian knot.

He quietly approached Costa Rica and Nicaragua and asked them to join him in these agreements, and they did so with good faith and cordial and frank promptness.

President McKinley did not at once communicate these agreements to Congress, for the important reasons, that the first Hay-Pauncefote treaty mentioned in the protocols was then pending in the Senate, and he did not think it best or diplomatically proper to announce them to Congress, pending the consideration of the first Hay-Pauncefote treaty in the Senate.

The Committee on Interoceanic Canals, when the honorable chairman who succeeds me on that committee was present and did not dissent—the Committee on Interoceanic Canals afterwards, in their report on the first Hepburn bill that had passed the House and was referred by them to the Senate, considered these agreements with Costa Rica and Nicaragua, and the action of President McKinley in signing them, and reported as follows—that was before the French made any proposition to us:

A comparison of this bill with the above-quoted agreements shows that the granting clauses thereof were copied from the bill, and were necessarily an approval by the President of that action of Congress so far as it had gone, and that it signified in advance his assent to the plan and purpose of acquiring from Nicaragua and Costa Rica the same rights and privileges therein defined by act of Congress.

In this concurrent action by Congress and the President there is involved the whole scope of the pending contention about the Clayton-Bulwer treaty, and the decision of the President, as the constitutional diplomatic representative of the United States, was a declaration of the Executive that the Clayton-Bulwer treaty had ceased to interpose a barrier to the acquisition of "the ownership and control of the proposed canal," and the "control of such portion of the territory now belonging to Costa Rica (and Nicaragua) as may be desirable and necessary on which to construct and protect a canal * * * from a point near San Juan del Norte, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean."

This action of the President was taken while the Hay-Pauncefote treaty was pending in the Senate.

It can not be otherwise considered than as an assertion on his part that the restrictive or prohibitive clauses of the Clayton-Bulwer treaty had ceased to operate so as to limit the sovereign right of the United States to negotiate for the ownership and control of a ship canal through Nicaragua and Costa Rica, and to acquire the same and all rights and privileges incident to the separate and exclusive ownership and control thereof without reference to the Clayton-Bulwer treaty.

When these agreements were entered into a bill had passed the House of Representatives, known as the Hepburn bill, by a vote of 253 to 26, and was then pending in the Senate on the favorable report of the Committee on Interoceanic Canals.

The first two sections of that bill are as follows:

An act (H. R. 2538) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans.

Be it enacted, etc., That the President of the United States be, and is hereby, authorized to acquire from the States of Costa Rica and Nicaragua, for and in behalf of the United States, control of such portion of territory now belonging to Costa Rica and Nicaragua as may be desirable and necessary on which to excavate, construct, and protect a canal of such depth and capacity as will be sufficient for the movements of ships of the greatest tonnage and draft now in use from a point near Greytown, on the Caribbean Sea, via Lake Nicaragua, to Brito, on the Pacific Ocean; and such sum as may be necessary to secure such control is hereby appropriated out of any money in the Treasury not otherwise appropriated.

SEC. 2. That when the President has secured full control over the territory in section 1 referred to, he shall direct the Secretary of War to excavate and construct a canal and waterway from a point on the shore of the Caribbean Sea, near Greytown, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean.

THESE PROTOCOLS ARE IN THE HEPBURN BILL AND THE SPOONER BILL.

The measure of authority contemplated in these contracts to be given to the President by Congress, whereupon the contracts were to become irrevocable, is the same as is stated in the Hay-Pauncefote treaty and also in the Hepburn bill. So that the entire agreement would be obligatory on both contracting parties whenever thereafter Congress should enact a law that authorizes the President to acquire from the States of Costa Rica and Nicaragua, for and in behalf of the United States, control over such portion of territory now belonging to them as may be desirable and necessary on which to construct a canal * * * from a point near Greytown, on the Caribbean Sea, via Lake Nicaragua to Brito, on the Pacific Ocean.

The agreements with these States are fully in accord with the Hepburn bill, and go beyond the language of that bill, and are also a full compliance with all the requirements of the Spooner Act of the 28th of June, 1902, as follows:

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections 1 and 2 of this act, within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation and protection of a canal connecting the Caribbean Sea with the Pacific Ocean, by what is commonly known as the Nicaragua route, shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean.

Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal: and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereunder provided to be acquired by the United States are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

This law covers every point in these protocols, omitting nothing. It could not have more completely ratified them in every particular if they had been copied into the Spooner Act. That was as well known to me and to Mr. HEPBURN as it was to the author of that bill.

This act became the law upon its approval by the President, and from that time no power but that of Congress could repeal it or lawfully avoid its full execution.

The effort to smother this great and courageous act in the phraseology of the Spooner bill, by the Hay-Herran treaty has failed, through the providence of God. Those protocols yet live through the death of the Hay-Herran treaty. The country will not suffer them to die.

ANALYSIS OF THE PROTOCOLS—COSTA RICA AND NICARAGUA.

The President, with motives that were greatly to his credit, did not at the time inform Great Britain that he had virtually settled the attitude of the United States as to the prohibitive features of the Clayton-Bulwer treaty by an act that would necessarily work the final abrogation of that treaty. It was needless and undiplomatic to settle a question by his own act and notify Great Britain of the fact while the Senate was considering a treaty that would settle it by friendly agreement; and secondly, the House had already passed the Hepburn bill, from which the language of the protocols was extracted, and it was pending in the Senate, where it had a powerful support, which could only be defeated by obstructive parliamentary procedure.

He, therefore, retained the protocols in his keeping and did not inform Congress or the Senate of their existence until the Senate, in executive session, called for them. They have never been revoked, dissented from, or objected to in any form by either of the contracting powers. On the other hand, both Nicaragua and Costa Rica have insisted upon them as continuing obligations and still insist upon them, and Congress, in the Spooner law, has authorized the President to acquire from Nicaragua and Costa Rica the same identical rights that are defined in these protocols and in the Hepburn bill.

The precedents in our diplomatic history, on which these protocols rest for their validity and binding effect, are found in the protocols that ruled our action and settled our rights, in connection with those of five other powers, in the Chinese embroglio that was pending at the same time.

Equally conclusive as to the power of the President are the protocols that closed the war with Spain in 1898; the modus vivendi as to the northeastern fisheries in 1888; the modus vivendi as to the Bering Sea fisheries in 1891; the agreement as to armaments on the Great Lakes in 1817, and, notably, the Sickles agreement with Spain for the settlement of claims of our citizens against Spain, which was fully executed by the payment of large sums of money, as to some of which the United States made imperative demands on Spain, although the agreement was never submitted to the Senate.

Now, was any one of these proctocols, which carried such definite, conclusive results, ever submitted to the Senate, except the one in regard to the Lakes, which was in operation some years before a resolution of the Senate was passed ratifying it for fear of future difficulties?

The present agreement with Panama, although not yet an authority, is a precedent which stops the present Administration from denying Mr. McKinley's right, as President, to conclude these agreements with Nicaragua and Costa Rica. As to Panama, an elaborate treaty has been made, and a commission sent to make it has been sent to Panama to construct a government with power to ratify it.

(1) What are these agreements that were made, signed, sealed, and interchanged with Costa Rica and Nicaragua?

(2) What is their effect, and how far are we bound by them?

They contain two features; the first and basic proposition is that, on the part of Nicaragua and Costa Rica, they concede "forthwith" to the United States all the canal rights and privileges described in the first Hay-Pouncefote treaty, then pending in the Senate, with fixed points for the terminals for the canal and the location of the route in the valley of the San Juan River and through Lake Nicaragua.

This basic agreement corresponds with the provisions of the Hepburn bill, then pending in the Senate, in the very language that defines these rights. As to these basic rights and privileges, that include all we have desired, and all that are included in the Hepburn bill, these protocols operated "forthwith" to secure them to the United States, whenever Congress, not the Senate, should authorize him to acquire them.

WE DEMAND RIGHTS UNDER THESE PROTOCOLS.

If they were valid, even as an agreement for a future conveyance and only as moral obligations, which is a narrow and absurd interpretation, they bind Costa Rica and Nicaragua to abstain from any act in derogation of our rights secured by them. We have so treated them in making complaints to both Governments that they were accused of disposing of lands in the canal belt that was agreed to be included in the further treaty negotiations provided for in the protocols, those negotiations having provided for extensive and valuable grants of lands to the United States in that canal zone.

These complaints were courteously replied to and explained, and our right to make them was not questioned, because our honor was a guaranty of good faith to those Governments that we would not make such complaints unless we intended to be bound by our agreements, which alone could give us the right to make such inquiries.

COSTA RICA AND NICARAGUA HAVE NEVER BEEN RELEASED FROM THESE AGREEMENTS.

We have never released those States from the obligations of those protocols. If they should now attempt to make like agreements with Mexico, or Russia, or Chile, or any European power, we would forbid the bans, or else we would assist a body of secessionists in the departments along the canal route to take the San Juan route away from those States, and our justification would be found in these protocols, if such acts are ever justifiable.

The only feature in these protocols that provides that these Governments shall perform any acts or make any future agreements as to the canal relates to the entering "into negotiations (with the United States) to settle the plan and the agreements, in detail, necessary to accomplish the construction and to provide for the ownership and control of the proposed canal."

This agreement to negotiate does not relate to the rights already conceded that are to take effect "forthwith" on the passage of such law, but to the plan under which those rights should be exercised, so as "to accomplish the construction of the canal."

This part of these protocols, as to the details of the agreements, was to be settled by negotiations that the parties agreed to enter upon, in future, on the basis of the concessions that lie at the foundation of the entire matter, which concessions are "forthwith" operative. The passage of an act authorizing the President to accept these basic concessions "forthwith" confirms them.

There remained to be settled by negotiation the sum to be paid for the concessions, if that was in contemplation of the parties, the establishment of canal zone, its width, and the police and military or judicial control of the same, and many incidental matters that necessarily arise from time to time in such dealings between sovereign states.

THE COURSE OF WISDOM.

In this course Mr. McKinley was wiser than any of his predecessors or his successor in separating between the concession and its incidents and in settling the basic rights by firm agreement as to which absolute certainty was possible, and in leaving the consequential or incidental stipulations to be arranged by future negotiations.

It was impossible to foresee all the consequences and incidents of so great an enterprise that would necessarily require adjustment by agreement between the Governments concerned, and it was excessively dangerous to leave such vast interests to be destroyed or obstructed by objections to the mere details of the general plan of working them out or by future disagreements as to the many details that would require adjustment.

If this wise plan had been adopted in the negotiations with Colombia instead of the treaty framed in large part by a corporation lawyer, an agreement with that Government might have been possible. As it was, the details of that treaty were framed

so as to furnish opportunity to intermeddlers, who swarmed to the feast that was laid before them in the $60,000,000 we offered really as prize money. Mr. McKinley had another reason for adopting this line of action, which wittingly, if not willingly, his successor followed. He did not believe that the treaty-making power could acquire territorial rights in a foreign state without the express consent of Congress given in the form of a legislative enactment. He would not undertake to act finally under the treaty-making powers conferred on the President and the Senate by the Constitution, and he made these protocols to depend upon an act of Congress as to his rights to acquire territorial rights in Costa Rica and Nicaragna.

The following official correspondence shows that the United States, Costa Rica, and Nicaragua all held to those protocols as subsisting agreements, and that upon the basis of the concessions therein provided they proceeded to negotiate treaties to accomplish the construction of the canal, and the negotiations have never been set aside or abandoned. If these compacts had been made with any rich or powerful nation we would not have had the temerity to ignore the obligations they impose on the United States.

The Committee on Interoceanic Canals instructed its chairman, on the 2d day of March, 1902, to confer with the Secretary of State on certain points mentioned in his letter to ascertain the diplomatic situation as to the Nicaragua Canal. He did so, and the statements of the chairman, approved by Mr. Hay, are as follows:

DEPARTMENT OF STATE,
Washington, March 12, 1902.

Hon. JOHN T. MORGAN,
United States Senate.

DEAR SIR: I have received your letter of yesterday's date, and herewith return the copy you sent.

It states with substantial accuracy the purport of the conversation I had the honor to hold with you yesterday.

Yours, respectfully,

JOHN HAY.

WASHINGTON, D. C., *March 11, 1902.*

Hon. JOHN HAY,
Secretary of State.

DEAR SIR: I am instructed by the Committee on Interoceanic Canals to communicate to them the information I should derive from a conference with you on the subject of an isthmian canal; and, having had the honor of such a conference this afternoon, and desiring to make my report with accuracy, I will state the substance of our conversation, or rather its results, that you may examine it and make any corrections you may desire.

1. The negotiations with Costa Rica can be concluded at the convenience of the United States, and without any probable disagreement as to details.

2. The basis of the negotiation with Costa Rica and Nicaragua conforms, substantially, to the canal rights and privileges referred to in the treaty ratified between the United States and Great Britain—that is to say, a perpetual lease of a canal belt, from ocean to ocean, with the right on the part of the United States to construct, own, control, manage, and protect the canal, and to collect and appropriate the tolls and income of the canal for the benefit of the United States in a canal belt of 6 miles in width; this belt to be increased, during the period of construction, to a width of 10 miles, at the option of the United States, during our occupancy, and to be subject to control and protection by the United States.

3. For the lease and rights and privileges granted the United States will pay Costa Rica $1,000,000 ninety days after the ratification of the treaty, and after that the sum of $10,000 annually. And the United States will pay Nicaragua $6,000,000 ninety days after the treaty with that Government is ratified, without additional stipend.

4. I refer only to the points of the negotiation above stated, as being mutually acceptable to the treaty powers, without stating in detail other points of minor importance, as to which there is substantial agreement and a confident expectation of an early conclusion of the terms of a treaty.

5. The United States does not assume any responsibility for any demand of any sort, if any exists, against Costa Rica or Nicaragua, connected with any prior concession of canal rights and privileges, or other privileges of navigation or transportation.

6. The protocols agreed to and signed in December, 1900, by the United States and by Costa Rica and Nicaragua, respectively, remain without alteration or dissent on the part of either of the Governments.

7. The former minister from Colombia, Mr. Silva, has had informal conversations with the Secretary of State on the subject of canal concessions along the Panama route, but no propositions for such concessions have been made by that Government.

Mr. Silva has taken leave of the United States as minister from Colombia, and Mr. Concha has been appointed to succeed him, but has not presented his credentials as minister to the United States.

8. Pending the negotiations with Nicaragua and Costa Rica, the above statements are as complete as the Secretary of State thinks it is proper for him to make them.

JOHN T. MORGAN, *Chairman.*

This was after the death of Mr. McKinley and while the Isthmian Canal Commission, with closed doors, was meditating on its supplemental report, which gave to the Panama Canal Company the dynamite that has rent in twain the Republic of Colombia. They were not the enemies of Colombia, but they were friends to the Panama Canal Company, whose managers are hostes humani generis when gold is the stake.

Mr. Hay's statement, made to the Committee on Interoceanic Canals, shows that these protocols were recognized as being in full force for more than a year after they were signed, sealed, and exchanged between the three Governments, and that negotiations had proceeded under and in accordance with them until they were concluded as to Nicaragua, and that "the negotiation with Costa Rica can be concluded at the convenience of the United States."

At that time President Roosevelt, ignoring President McKinley's acts and the plighted honor of the Government, was engaged in negotiations with Colombia for the Panama route. Disregarding the votes of the House of Representatives in the Fifty-sixth and Fifty-seventh Congresses, he proceeded to negotiate with Colombia and to conclude the Hay-Concha treaty in aid of the Spooner amendment two months before it was adopted.

COSTA RICA AMENDED HER CONSTITUTION.

Costa Rica proceeded, as soon as her agreement of December 1, 1900, was signed, to amend her constitution, so that no question should remain as to the power of the Government to grant the concessions defined in the agreement with the United States made by Mr. McKinley. It required the vote of the legislature at two successive sessions to amend the constitution of Costa Rica, and the amendment was made in that manner.

The constitution of Nicaragua authorized her concession, and she negotiated a treaty with Mr. Hay, Secretary of State, conforming to her agreement, which has been reported to the Senate and is copied in report No. 1663, Fifty-seventh Congress, first session.

NICARAGUA DEMANDS THE RECOGNITION OF THE PROTOCOLS.

Mr. Corea addressed a note to Mr. Hay when, on the 14th of May, 1902, he proposed the draft of a treaty touching the canal, subject to discussion, in which letter he requested Mr. Hay to "lay his proposals before the proper committees of Congress," saying also in his letter, "I should be pleased if it were accompanied by the protocol on the same subject I had the honor to sign with your excellency on December 1, 1900." Mr. Hay complied with Mr. Corea's request, and the documents were reported to the Senate.

More conclusive evidence could not be had to prove that Costa Rica and Nicaragua adhered to these agreements from the time they were signed, sealed, and delivered to the present time, and that they still "remain without alteration or dissent on the part of either of the Governments," as stated in Mr. Hay's letter to the chairman of the Committee on Interoceanic Canals.

WHY MR. M'KINLEY WANTED THE PROTOCOLS.

If Mr. McKinley had lived he would never have ignored these agreements or the negotiations under them, which, in fact, were concluded, though not signed by the negotiators. If he had lived he would have sent them to the Senate. He died, and a new Richmond came upon the field, and he seemed not to feel the obligations of diplomatic faith when more enticing fields were open for the gratification of an ambitious spirit, then for the first time in sight of the glory of a unique Administration. Mr. McKinley's official and personal honor was at stake in this matter, and he would never have violated it. He had invited the signatures of these Republics to these agreements the next day after the Nicaragua Canal Commission had reported to him in person and in print in favor of the Nicaragua route as against the Panama route. He approved the report and acted upon it at once, that he might at once cut off the intrigues that had beset every effort to open a canal—the Pandora's box that his successor has since opened, which now afflicts the country with every form of apprehension and discontent.

He knew the opposition to the first Hay-Pauncefote treaty among the leaders of his own party in the Senate, and feared that it might prolong the quarrel over the Clayton-Bulwer treaty another half century. He knew also that the Panama Canal Company under De Lesseps had been saturated with fraud and that its president and some of the directors were convicted of felonies, and that the black list included members of the Government and of the Parliament and many of the leading journals of France.

He knew from the report of the Isthmian Canal Commission that the leading stockholders of the New Panama Canal Company had been convicted of these felonies and that France had condoned their offenses in consideration of their agreement to complete the canal; and he knew also that they never intended to build it, but had come to him with seductive whisperings as to the great bargain the United States could make by taking stock in the New Panama Canal Company of America, incorporated under the laws of New Jersey, and by having a part of the board of directors; and he also knew that at the same time they were trying to purchase an extension of time from 1904 to 1910 as a mask to hide their true purpose from Colombia, so that time would be granted to enable them to unload their property on the United States.

He knew that the Congress of Colombia had refused to enter the trap laid for them, and that a bitter civil war ensued which had then lasted for more than two years. He knew much about Mr. Cromwell's intrigues. Mr. McKinley made haste to sign the protocols with Nicaragua and Costa Rica, which would close the controversy as to the Clayton-Bulwer treaty by his act as President, which would locate the canal on the Nicaragua route, cut

off the intrigues of the Panama Canal Company, and would save the country from such anxieties as are now afflicting the people.

He was confident that Congress would give him the authority provided for in the Hepburn bill, and waited patiently for the vote of the Senate. It did not come in the Fifty-sixth Congress, and his chagrin at the disappointment found expression in his last speech, uttered to the people of Buffalo, and he died a victim to overconfidence in his fellow-men.

HIS SUCCESSOR ATTEMPTS TO REVERSE MR. M'KINLEY'S COMPACT.

It was not later than the early days of April, 1902, until his successor reversed this great decision of December, 1900; rode down the agreements McKinley had made with two sister republics, and rushed into the arms of Marroquin, to treat with him and his Jesuit supporters for the purchase of the Panama Canal.

President Roosevelt did not wait to get the advice or consent of Congress. He did not wait to get a vote of the Senate on the Hepburn bill, that passed the House by a vote that disclosed only two in the negative. He had an ambition to serve that put every power and every device into strenuous action. It was that the honor of creating an isthmian canal should belong to his Administration.

To accomplish this he was compelled to neutralize the action taken by Mr. McKinley, by treating it as being of no effect and of no importance. He leaves Nicaragua and Costa Rica with these broken compacts in their hands, wondering if it is the real purpose of the Great Republic to repudiate its agreements with them, where they bind the United States to treat with them and to construct a canal whenever the Congress should authorize the President to accept the grants that Mr. McKinley had asked them to make, and hold them, at the same time, to their part of the agreement and tie their hands so as to prevent them from ever asking aid from their sister republics in America to open any sort of a canal along the San Juan Valley, Lake Nicaragua, from Greytown to Brito.

The American people share in their astonishment, which our children will phrase into bitter denunciation.

HAS THE PRESIDENT ANY EXCUSE FOR DISOBEYING THE SPOONER LAW? CAN HE FIND ANY EXCUSE UNDER THAT LAW, AND UNDER THE COMPACT WITH NICARAGUA AND COSTA RICA, FOR REFUSING TO TREAT WITH THEM?

Has the President any excuse for his failure and refusal to proceed to construct a canal on the Nicaragua route, except some personal preference for the Panama route, or some resentment at the Congress of Colombia, or some hope of reviving a lost expectation, or the gratification of an ambition that the law has deprived him of the power to further indulge?

If he has such an excuse, he should honestly state it to the country. He must find his excuse in that law and not in any other place or in any other fact than those which are stated in the statute which he, as President, approved and was eager and proud to sign. There is no part of that statute and no word or phrase in it that furnishes him the least right or authority to disobey it. He will fail to carry the people with him in a wild and inexcusable raid upon the supreme law of the land, whether his purposes are those of personal ambition or resentment or whether they are to aid in party politics.

The Spooner law reads thus, in the only part of it which could, by any possibility or in any event, sustain or justify him in failing or refusing to do all that is so required of him in the excavation and construction of the Nicaragua Canal:

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections 1 and 2 of this act within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control, by treaty, of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, and protection of a canal connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the "Nicaragua route," shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean.

The President has been, and still is, and forever must be "unable to obtain for the United States the control of the necessary territory of the Republic of Colombia for the excavation and construction of a canal at Panama" by treaty with Colombia.

The treaty negotiated by him for that object and ratified by the Senate was rejected by the Congress of Colombia. It is dead beyond the power of resurrection, under the existing law.

The President has burned the bridges between the United States and Colombia on this subject, and has recognized the sovereignty of the State of Panama over the territory described and designated in the Spooner law, and there is no other law by which he is authorized or empowered to make a treaty with Colombia, and there is no law, precedent, or power by which he can create a government in the Department of Panama by his recognition, and without Congressional assistance, that can make and ratify a treaty with the United States. Especially, he can not repeal the Spooner bill or change its provisions by making it an appendix to or a part of such a treaty, as is evidently his purpose.

He asked Congress for a law to authorize him, as President, to obtain from Colombia the rights, privileges, and property described in that law. Such an authorization was indispensable to the acquirement of such right by him for the United States, and it no longer exists. It has ceased. That part of the statute relating to Colombia has ceased to have any force to accomplish the only object mentioned in it or that is in any way alluded to in any of its provisions, namely, to obtain the rights therein described from Colombia and in the manner therein provided.

He must act in accordance with this law, or he must willfully disobey it. We have no "reasons of state" that are higher than the law or different from it. We have no Presidential prerogatives that are higher than the law of the land.

"Reasons of state" are the claim of imperial, autocratic, and despotic power. In a republic there are no "reasons of state" or any other reasons that can justify or excuse a willful disobedience of the law. Reasons of state are the reasons that despots assert when civic rights become their prey.

A President can not inflict upon his country a greater wrong than by his act, in disobedience of the law. This is a land of laws, and all must obey them. Those who are highest have no prerogatives that enables them to urge "reasons of state" as the higher law.

There is not any conviction or sentiment that is stronger in the minds of our free people than that those who make the laws shall obey them, and those who invoke the support of public opinion must respect it when it is crystallized in the supreme law of the land. They abhor rulers—public servants—who declaim in strenuous demands for decency in the electorate and among the people and join hands with felons in promoting their corrupt schemes for "reasons of state."

Reasons of state, forsooth! Reasons of state!
The people hate the coward tyrant's plea
That binds them to a degrading fate,
While it shelters the tyrant's felony.

This was the outcry of the people when they were in travail, and honest liberty had its birth in a terrible revolution.

Those in high places, who essay to rule in contempt of the law for "reasons of state," will again hear that cry for "liberty regulated by law."

When "reasons of state" combine disobedience of law with ambition or lust for power to force a measure upon an unwilling people, at which justice and "decency" revolts, and the people see that their rulers despise the restraints of law, their souls revolt against arbitrary power, and there is danger that in their wrath they, too, will become lawless.

It was the action of the Isthmian Canal Commission, that I will now proceed to state, that so far has obstructed the great and courageous act of Mr. McKinley in abrogating the Clayton-Bulwer treaty by his compact with Nicaragua and Costa Rica and by his sagacity in selecting the Nicaragua route and moral firmness in closing forever, as he believed, the intrigues of the New Panama Canal Company.

In all this he acted upon their official report made to him on the 30th of November, 1900, and their statements on oath in May, 1900. On this evidence he acted promptly and made the compacts with Nicaragua and Costa Rica the next day.

Had he lived through his term, this canal would be an assured fact and the country would be at peace.

THE ACTION OF THE ISTHMIAN CANAL COMMISSION ON ITS CHANGE OF FRONT ON THE CANAL ROUTES.

The procedure by which this was accomplished is recent history that requires to be examined.

The second Hepburn bill passed the House on January 9, 1902—yeas 308, nays 2—and was reported to the Senate, without amendment, favorably on the 13th day of January, 1902. The House, in the Fifty-sixth and Fifty-seventh Congresses, by majorities that were unprecedented, had refused to continue the Isthmian Canal Commission. Within nine days after the passage of the second Hepburn bill the Isthmian Canal Commission, with one exception, launched into open and aggressive war against all their former reports, and were led by a rear-admiral of the Navy, retired, who is still leading the attack with uncommon viger.

It is important at this point to inquire as to some of the leading facts in the preliminary report of the Isthmian Canal Commission, made to President McKinley on the 30th of November, 1900. He acted on these facts in making the agreements with Nicaragua and Costa Rica, and none of them were changed or added to in the final report of that commission, made to President Roosevelt on the 30th of November, 1901.

The facts remained unchanged, and the recommendation of the Commission in favor of the Nicaragua route was in the same language in both reports to both Presidents. The facts thus reported to President McKinley were as full in every particular, as

to the engineering work on both canals, as they were in the final report to Mr. Roosevelt. Mr. McKinley accepted them as being true, and if he was misled by them so was all America.

On the examination of the commissioners on the 11th of May, 1900, before the Senate committee, many of the same facts were stated, as on oath, by the same commissioners, and no fact was then stated that contradicted or modified in any way the previous report of the Nicaragua Canal Commission or the subsequent preliminary report of the Isthmian Canal Commission in November, 1900, or its final report in November, 1902.

Admiral Walker, Gen. Peter C. Hains, and Prof. Lewis M. Haupt had been members of the Nicaragua Canal Commission, called the Walker Commission. Their report on the Nicaragua Canal, made to the President on the 9th day of May, 1899, was as complete and able as any report that was ever made on that subject, and was taken by the subsequent Isthmian Canal Commission as a guide to their further inquiries.

The Walker Commission had, of their own motion and without being so required by law or their instructions, examined the Panama Canal on the French surveys. They were there for a week, and looked carefully into all the important features of the work. On this examination Admiral Walker made the following statement as to the Nicaragua route and as to his former report that recommended it:

The CHAIRMAN. As the president of the former commission, consisting of yourself and Professor Haupt and General Hains, you made a report to the President, dated May 9, and that report was based upon an instrumental survey, was it not?

Admiral WALKER. Yes, sir.

The CHAIRMAN. Carefully conducted?

Admiral WALKER. Yes, sir.

The CHAIRMAN. I will ask you as we go along how that instrumental survey corresponded with the previous surveys that had been made by the other engineers?

Admiral WALKER. It was made in a similar manner but more in detail than any examination had been previously made, I should say.

The CHAIRMAN. Did it prove or disprove the accuracy of the former surveys?

Admiral WALKER. To a considerable extent it proved their accuracy.

The CHAIRMAN. Was there any material difference between them?

Admiral WALKER. That depends. We found various things that led us to different conclusions upon various points from previous people.

The CHAIRMAN. But did you find the lines improperly measured or improperly marked?

Admiral WALKER. No, sir; the topographical surveys that had been made by people before us were practically the same as our own. Our work checked up the previous surveys in very good shape, so that I should say that previous surveys were good ones.

The CHAIRMAN. I forget how long you said you remained in Nicaragua on this investigation or examination.

Admiral WALKER. This year?

The CHAIRMAN. Yes.

Admiral WALKER. We landed on the 19th of January and we left on the 27th of February.

The CHAIRMAN. You remained as long as there was any necessity to remain, I suppose, to examine the whole subject?

Admiral WALKER. We remained as long as it was thought necessary for the Commission to remain.

The CHAIRMAN. Did you find any reason to depart from the report of the former Commission on the following subjects? I will state them seriatim:

Under the head of "Feasibility," you say, in the former report:

"Under this division of the subject the Commission would respectfully submit that it has failed to find any competent authority that denies the feasibility of constructing a canal across Nicaragua."

Have you since that time, or did your Commission find any authority that denied the feasibility of the canal?

Admiral WALKER. As far as I know the opinions of the members of this Commission, they have no doubt that it is feasible to build a canal across Nicaragua.

The CHAIRMAN. You say:

"1. There are at this date sufficient precedents for ship canals capable of passing the largest vessels, so that any question of the navigation of such a channel is eliminated."

Are you still of that opinion?

Admiral WALKER. I am still of that opinion.

The CHAIRMAN. You say:

"2. The ability to construct and operate locks of the requisite dimensions is sufficiently established by existing structures on the Manchester and Keil canals, at Davis Island, on the Ohio, and at the St. Marys Canal, Michigan."

I suppose you might add to that the drainage canal of Chicago?

Admiral WALKER. There are no locks on the drainage canal.

The CHAIRMAN. Do you still adhere to that opinion?

Admiral WALKER. Yes, sir; I am still of the same opinion.

The CHAIRMAN. You say:

"3. The possibility of constructing the necessary dams, weirs, sluices, and embankments which shall be sufficiently stable and impermeable to control the water required for navigation, as well as to regulate the floods, is within the resources of the engineering profession and is fully demonstrated by the many hundreds of miles of embankments, levees, and dams, both at home and abroad. There is no reason to doubt the ability to build them out of the native rocks and earth and to give them the required strength and tightness to retain or to discharge the water with safety."

Do you still adhere to that opinion?

Admiral WALKER. Yes, sir.

The CHAIRMAN. You say again:

"4. There is no question as to the adequacy of the supply of water for all purposes at all seasons, nor as to its control in times of flood."

Do you still adhere to that opinion?

Admiral WALKER. I am still of that opinion.

The CHAIRMAN. That is the principal factor in the canal business, is it not?

Admiral WALKER. Those are pretty large factors; yes, sir.

The CHAIRMAN. You say further:

"5. Neither is there any doubt with reference to the ability to secure good supporting ground for the trunk of the canal, nor suitable sites for locks and dams."

Do you still adhere to that view?

Admiral WALKER. I think that they can be found; yes.

The CHAIRMAN. You say:

"6. The harbor question is only a matter of money, and it is believed that good, capacious, and safe artificial harbors can be created at a reasonable cost. In brief, this Commission sees no reason to doubt the entire feasibility of the project, but it realizes the necessity of due care in the preparation of the specifications and in the conduct of the work that the details of construction be properly executed under competent supervision."

Do you adhere to that?

Admiral WALKER. Yes, sir.

General Hains was a member of the former Walker Commission, and he testified as follows:

Statement of Col. Peter C. Hains, member of the Commission.

The CHAIRMAN. General Hains, you were a member of the former Ludlow Commission, were you not?

Colonel HAINS. No, sir; of the Walker Commission.

The CHAIRMAN. And you joined in the report, making a qualification of your estimate of the cost?

Colonel HAINS. Yes, sir.

The CHAIRMAN. You placed it above that of the other two associate Commissioners?

Colonel HAINS. Yes, sir.

The CHAIRMAN. You went out and made an examination of the Nicaragua Canal again, did you, with the Board?

Colonel HAINS. Yes, sir.

The CHAIRMAN. Have you any statement to make showing a change of opinion on your part as to the feasibility and practicability of the Nicaragua route?

Colonel HAINS. No, sir.

The CHAIRMAN. Did you discover any new facts upon your recent examination of that route that indicated that it would be more expensive or less expensive than your former judgment upon the subject?

Colonel HAINS. Yes, sir; it would perhaps be a little more expensive than my estimate, even.

Professor Haupt testified as follows:

Professor HAUPT. I did not accompany the Commission to Nicaragua or Panama.

The CHAIRMAN. So that your personal knowledge on the subject is such as you derived when you went there with the former Walker Commission?

Professor HAUPT. Yes, sir.

The CHAIRMAN. Have you made a study of this subject since you were out on that Commission—a close study of it?

Professor HAUPT. I have, sir, as far as the data were available.

The CHAIRMAN. Have you looked over the reports of the Walker Commission recently?

Professor HAUPT. No, sir; I have not revised them since publication.

The CHAIRMAN. From what you have heard the other engineer say here to-day, and from what you know of your personal examinations of the Nicaragua route, have you changed your opinions as expressed in that report?

Professor HAUPT. I have not, sir.

The CHAIRMAN. You see no reason for changing your opinion?

Professor HAUPT. No, sir.

Professor Burr testified as follows:

The CHAIRMAN. You formed your opinion from a recent visit at Nicaragua as to both routes?

Mr. BURR. As to both routes.

The CHAIRMAN. What is your opinion as to the practicability of building a canal at Nicaragua?

Mr. BURR. I think it is entirely practicable.

Mr. Alfred Noble stated as follows:

Statement of Alfred Noble, member of the Commission.

The CHAIRMAN. Mr. Noble, you are a civil engineer?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. Of how many years experience?

Mr. NOBLE. About thirty.

The CHAIRMAN. You were not a member of the former Walker Commission?

Mr. NOBLE. No, sir.

The CHAIRMAN. You went with the present commission to Nicaragua?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. And you made an examination of the canal route?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. And the country adjacent to it?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. You were on the Ludlow Commission?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. You have been on two commissions, but you were not on the intermediate commission, the Walker Commission?

Mr. NOBLE. No; I was not on the Walker Commission.

The CHAIRMAN. You were on the Ludlow Commission. I think I have a copy of that report here, if you wish to look at it. You recommended the Nicaragua route as being a feasible, practicable route for a ship canal?

Mr. NOBLE. Yes, sir.

The CHAIRMAN. And now, since your examination under the second Walker commission, do you adhere to that opinion, or have you any reason to change it?

Mr. NOBLE. I still think the route is feasible, Senator.

Thus all the engineers on the Isthmian Canal Commission who had been members of former commissions testified, and Mr. McKinley had studied their testimony between May and November of 1900.

The preliminary report made by them on the 30th of November, 1900, was in further support of these statements, and he at once located the canal on the Nicaragua route and entered into agreements with Nicaragua the next day that secured these basic concessions to the United States. To make the matter certain beyond dispute he copied the first section of the Hepburn bill, in substance, in these agreements, and included in them, by specific reference to the first Hay-Pauncefote treaty, the full description of the rights so conceded to the United States.

This was all he could do as President to complete the transaction. The only condition in the agreements was that Congress should authorize him to acquire the rights described in the protocols and in the Hepburn bill.

Thus the matter stood until President Roosevelt, in April, 1902, decided to abandon Mr. McKinley's policy and destroy the rights he had acquired for this country.

The movement was rapid, but it was not supported by any proofs known to the country that would in the least degree discredit the decision of President McKinley. Of course President Roosevelt had the perfect right to differ in opinion from President McKinley, but he has stated no facts that will enable the country to follow him.

In April, 1902, the Hay-Concha treaty was negotiated, and he invited the consent of Congress—not of the Senate, as was therein stipulated—to authorize the President to sign it, after which it was to receive "the legislative approval" of both the contracting powers.

Then came the Spooner bill, which became a law on the 28th of June, 1902.

Under that law the President was authorized to acquire the same rights from Nicaragua and Costa Rica—the same rights that are described and carefully defined in the protocols President McKinley had caused the Secretary of State to sign, seal, and deliver to those States, which was done on the 1st day of December, 1900.

The Hepburn bill contained no provision for continuing the Isthmian Canal Commission or for appointing another commission. Efforts were made to have that bill amended so as to provide for a commission, which failed. Each of the nine commissioners had been paid $1,000 per month for twenty-eight months—in all, $252,000—besides their expenses of travel and living, which was a large sum. These expenditures were considered largely redundant and unnecessary and constituted too heavy a burden on the Government. Congress and the country were alarmed by these extravagances, which they did not disclose in their report, and the House of Representatives decided to dispense with commissioners in the further progress of this great and expensive work.

On the 4th of January, 1902, five days after the passage of the second Hepburn bill in the House, M. Bô, as chairman of "the board" of directors of the New Panama Canal Company, sent a cablegram to M. Bœufvé, in Washington, as follows:

PARIS, *January 4, 1902—8.53 a. m.*

BŒUFVÉ, *Washington:*

Inform Admiral Walker immediately, and without awaiting Lampré's arrival, that the company declares itself ready to transfer to the Government of the United States, on payment of $40,000,000, its properties and concessions, estimated at that amount by the Isthmian Canal Commission in its last report, page 103, in conformity with the terms and conditions of the estimates of said report.

BÔ, *President of the Board.*

This was followed by other cable dispatches, as follows:

PARIS, *January 9, 1902—5.07 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington.

The New Panama Canal Company declares that it is ready to accept for the totality, without exception, of its property and rights on the Isthmus the amount of $40,000,000, the above offer to remain in force up to March 4, 1903.

BÔ, *President of the Board.*

PARIS, *January 11, 1902—4.17 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington.

Offer of sale of all our property applies also to all maps and archives in Paris.

BÔ, *President of the Board.*

PARIS, *January 14, 1902—2.45 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington.

We send by mail letter confirming cable 11th January, and, under registered package, judgment August 2, agreement with liquidator, and three extracts showing powers of board. All these documents are certified to by the United States consulate-general.

BÔ, *President of the Board.*

These were all the papers that were before the Isthmian Canal Commission when it decided to reverse its former decisions and reports in favor of the Nicaragua route for the canal, and to report in favor of the Panama route, on the 18th of January, 1902. They are all the papers that have ever been communicated to Congress with reference to said last report, which was a supplemental report and the last one that was made by the Commission.

No report has ever been made of the conferences with Mr. Edouard Lampré, secretary-general of the New Panama Canal Company. It was a desperate adventure of that Commission to make that supplemental report on the evidence stated by them as the basis of their recommendations to the President, as follows:

The results of these conferences and communications have been considered at a meeting of the Commission called for that purpose.

The first cablegram was dated in Paris on the 4th of January, and it stated that the company was ready to transfer to the United States its property and concessions for $40,000,000, and that the offer would remain open until the 4th of March, 1903. As it was not clear whether this offer included all the property of the company, further correspondence ensued, and it was made clear that the proposition was intended to cover the entire property of the company upon the Isthmus of Panama, all the stock of the Panama Railroad Company held for its use and benefit, and the maps, plans, archives, and records in Paris.

A communication and explanatory documents, duly certified, containing a fuller statement than is embraced in the cablegrams, but to the same effect, are on their way to the United States by mail, and copies of them have been deposited with the ambassador of the United States in Paris, who has acknowledged their receipt by cable to the Secretary of State.

The cablegrams received are as follows.

Which cablegrams are, all of them, above copied.

That Commission was appointed by President McKinley under the act of March 3, 1899, the last clause of which is as follows:

SEC. 6. That the President is hereby requested to report to Congress the results of such investigations, together with his recommendations in the premises.

They were required by this statute to ascertain facts and report them to the President. They could give their opinions as to the facts, but not their decisions based on those facts, or their recommendations. It was the President's duty to make recommendations to Congress, which he has not done.

Their offices had expired when they made their final report, dated the 16th of November, 1901. Any act approved by them, as a Commission, after that date was not official. It was merely advisory to the President, but it was unofficial as to Congress. No such act performed by them after that date was authorized by the statute under which the Commission was created.

Prof. Lewis M. Haupt, one of the Commissioners, has published a statement in the North American Review for July, 1902, of his protest against this supplemental report, as follows:

On the question of signing the supplemental report, the writer was confronted by the argument that if a divided opinion was presented to Congress the opposition to an isthmian canal was so influential as to be able to defeat legislation entirely on that ground. Being unwilling to be made the sole cause of obstruction to the building of any canal, even though it might not be the best practicable, he consented to sign the report, with the following statement of his reasons for so doing entered upon the minutes:

"He still believed that the Nicaragua route was the better of the two, but that the scope of the investigation had expanded beyond the mere question as to which route had the superior advantages, in view of the political situation and the great probability, if not certainty, of a divided report being used by the opponents of any canal to defeat legislation. It was a question, therefore, of Panama or nothing, and as he believed firmly in the necessity of an isthmian waterway for the general good, he had concluded that his duty to his country would be best fulfilled by waiving his objections and signing the report, with the understanding that this statement of his reasons be entered upon the minutes."

He also testified to the same effect in the hearings before the Senate Committee on Interoceanic Canals on the 10th of February, 1902.

Mr. Morrison, recently deceased, also published two articles in the Engineering News, in which he dissents from the supplemental report of that Commission as to the dam at Bohio, which is the key to the canal at Panama. After condemning Menocal's plan of the riprap and clay dam at Ochoa, Mr. Morrison insists on a clay dam at Bohio, to extend to the depth of about 50 feet below the surface of the Chagres River, superimposed upon beds of gravel, clay, bowlders, and logs that the borings show have been washed into the deep geological gulch or V-shaped valley in ancient times, and have filled it up to the present bottom of that river, to depths of 138 feet or more.

The supplemental report of the Isthmian Canal Commission on a matter that the statute did not place within their jurisdiction, in explanation of its sudden change of front, quotes from the former reports a series of facts, without changing or modifying any one of them in the slightest degree. The only new fact stated is that the Panama Canal Company had offered to accept the sum of $40,000,000 for certain rights and properties named in the cable dispatches I have copied.

To establish conclusively the fact that the difference in the cost of the two canals for construction—namely, $5,500,000—was the only fact upon which they based the change of their judgment and recommendation from the Nicaragua route to the Panama route, I quote the following:

The advantages of the two canal routes have been restated according to the findings of the former report. There has been no change in the views of the Commission with reference to any of these conclusions then reached, but the new proposition submitted by the New Panama Canal Company makes a reduction of nearly $70,000,000 in the cost of a canal across the Isthmus of Panama, according to the estimates contained in the former report, and with this reduction a canal can be there constructed for more than $5,500,000 less than through Nicaragua. The unreasonable sum asked for the property and rights of the New Panama Canal Company when the Commission reached its former conclusion overbalanced the advantages of that route, but now that the estimates by the two routes have been nearly equalized the Commission can form its judgment by weighing the advantages of each and determining which is the more practicable and feasible.

There is, however, one important matter which can not enter into its determination, but which may in the end control the action of the United States. Reference is made to the disposition of the Governments whose territory is necessary for the construction and operation of an isthmian canal. It must be assumed by the Commission that Colombia will exercise the same fairness and liberality if the Panama route is determined upon that have been expected of Nicaragua and Costa Rica should the Nicaragua route be preferred.

After considering the changed conditions that now exist and all the facts and circumstances upon which its present judgment must be based, the Commission is of the opinion that "the most practicable and feasible route"

for an isthmian canal, to be "under the control, management, and ownership of the United States," is that known as the Panama route.

The Commission expresses feebly the hope that Colombia will be as fair and liberal toward the United States in the matter of exactions for the concessions as to price as Costa Rica and Nicaragua had been.

Colombia conformed to this suggestion by a false pretense, stated in the Hay-Concha treaty, that she would take $7,000,000 for the concessions. This was done because Nicaragua had agreed with Mr. Hay to take $6,000,000 for her concessions and Costa Rica had agreed to take $1,000,000 for her concessions, in all $7,000,000. Colombia, solemnly agreeing to take $7,000,000, in a treaty entered into in the negotiations, placed her case in that respect upon a footing of perfect equality with that of the other two Republics that there might be no difference as to the cost of the concessions on either route.

This looked like an honest and fair offer in the Hay-Concha treaty, and Congress so considered it in enacting the Spooner bill; but that act was not a week old until Mr. Cromwell appeared on the scene and the pecuniary feature of the case was raised by Colombia to $10,000,000 cash, $4,500,000 in land, for which we pay that amount to the Panama Canal Company, included in the $40,000,000 largesse, and $1,000,000 which we guarantee will be paid for stock in the Panama Canal, as to which we protest, in the treaty, that we are in no way bound in law or morals to pay.

Colombia, breaking her oath, which is included in every such voluntary agreement, levied blackmail on the United States to the amount of $7,500,000, and Mr. Hay agreed to pay it under the instructions of the President. Such loyalty to the duty of official subordination, if not agreeable to the Secretary, was perhaps necessary.

Blackmailers must have a fulcrum for the lever of their exactions. In this case it must have been the eagerness of the President to construct a canal that would meet the height of his ambition, which could not be fully gratified by following the plan that Mr. McKinley had settled on the pledged honor of the Government and to the hearty satisfaction of the people, that caused Herran to think that there was more money in sight. This was the fulcrum that enabled Colombia to throw her whole weight on the lever of exactions that violated her honor and all "decency."

Towering ambition never fails to find justification for its zeal in the flattery of those who follow a bold man to find in his favor some coveted honor or emolument. Doubtless such men have encouraged the President in his eagerness for high distinction by whispering in his ear their statements that the Nicaraguan route is impracticable.

Let them come out into open day and state their opinions and the facts on which they are founded. I can not believe that any of the commissioners who have twice reported in favor of the Nicaraguan route, or those who have sworn to their statements, are included among these advisers of the President.

THE PRESIDENT'S ASSISTANCE TO MARROQUIN IN THE GREAT CIVIL WAR.

The President, in the intervention I will now discuss, was supporting Marroquin. Whether he was requested to do so by Marroquin does not appear from any information given to Congress by the President. A call for information since April, 1902, was made by the Senate in resolutions that were adopted, after much obstruction, on the 13th day of February, 1903. It sufficiently appears from the message of the President, in reply to the resolutions, that the facts disclosed in the correspondence sent to the Senate were then of great importance in their bearing upon the Hay-Herran treaty, then pending in the Senate.

They are of much greater importance at this time, in connection with the project of getting a canal concession at Panama through a newly created State in the family of nations, with the aid of the New Panama Canal Company and its diplomatic leading counsel, backed by the whole power of the Administration and the power of the Navy of the United States, and encouraged by the smiling acquiescence of Great Britain and the lively but exacting sympathies of France, which has even more than forty million "reasons of state" for getting rid of all social connections and malodorous contact with the infamies of the New Panama Canal Company.

In his reply to the Senate resolution, as to the war in Panama, in aid of Marroquin, it appears that the Secretary of the Navy had furnished him with all the correspondence in that Department since March 3, 1902, on the 16th of March. It was needed for the information of the Senate before the 17th of March, which was the day, at 2 o'clock, that was agreed to by the unanimous consent of the Senate for the vote on the Hay-Herran treaty, without further debate, of which fact the President and the country were fully informed.

The Secretary of the Navy, knowing the importance of the facts called for by the resolution of the Senate on the question of the ratification of the treaty, and the resistance that had been made to the adoption of the resolution, did not place a copy of the records in the hands of the President until the 16th of March, 1903. He could easily have had copies of these papers made out by the 20th of February, which would have given the Senate twenty-five days for their examination.

The President withheld the report of the Secretary of the Navy from the 16th to the 19th of March—three days—and sent it to the Senate on the 19th of March, not more than two hours before the final adjournment, when it was impossible even to have the paper printed before the extraordinary session of the Senate had adjourned sine die, as he knew it would adjourn on that day.

If these important facts had been before the Senate in time for their examination before the final vote was taken on the Hay-Herran treaty, I believe that I hazard nothing in saying that the vote would have been different.

With a cyclonic rush that treaty was driven through the Senate, when it was openly admitted by the chairman of the Committee on Foreign Relations and by other Senators that some of the amendments that I offered to the treaty were right and ought to be adopted; but they said that if we should adopt them the treaty would be lost, and railed at me as an enemy to any canal because I insisted on a treaty that would not disgrace the United States by concessions to Colombia and Cromwell.

Even in those conditions, that never before had existed in the Senate and, I hope, will never exist again, when the dignity, rights, and honor of the country were confessedly sacrificed to a sudden passion for an unworthy scheme, the facts set forth in the message of the President, if they had been known to the Senate, would have checked that body in its wild and fatal career and have saved the country from a new peril and a deeper disgrace that is now being worked out through our second invasion of Colombia.

Through this message there has developed a thread of history, the meaning of which was then hidden from the Senate by the studied delay in complying with its resolution. The present invasion, which reverses the motives which led to that of 1901 and 1902, discloses the fact that the President has assisted Colombia in the first conflict and the secessionists in the second, both under the impulse of a fixed purpose to locate and construct a canal at Panama, without regard to what it will cost Colombia or the United States, and in both he was equally determined that the fraud-incrusted Panama Canal Company shall be paid $40,000,000 for what is not worth $20,000,000 to the United States.

Neither does he seem to care that serious offense is given to Latin-America in the fourth article of the Hay-Herran treaty by its officious pretensions of a friendly guardianship of their power and for the development of their prosperity, and, far worse, by the rude and violent breach of our pledge that we "would not in any way impair the territory of Colombia." Nor does it seem to be a matter worthy of consideration that this course will lose to our people even the miserable 5 per cent of the trade with those states that our prohibitory tariff has spared us.

MARROQUIN'S WAR AND THE CAMPAIGN IN PANAMA.

The war of 1898 to 1902 was the immediate result of the contract of Sanclemente with the Panama Canal Company for an extension of the Wyse concession from 1904 to 1910, and this appears in the declaration of the Liberal party of the causes that led to that bloody civil war in Colombia.

This same contention was the cause of the fierce hostilities in the Department of Panama when the war reached that Department, and it was settled there in favor of Marroquin through our aid to his army and through the intervention of our State Department. These assertions are established by the facts that appear in the message of the President, which was withheld from the Senate until after its final vote on the Hay-Herran treaty.

The message opens with a letter from Captain Ressinger, commanding in the Isthmus, on the 3d of March, 1902, in which he says that Colombia had about 2,000 men "on the Isthmus of Panama and Colon for the preservation of its tranquility."

MARROQUIN REJOICED WHEN OUR FLEET CAME TO SUCCOR HIM.

On February 25 Señor Aristides Arjona, acting civil and military chief of the Department of Panama, called officially upon me, and was received with due honors, and upon his leaving a salute of seventeen guns was fired.

The situation was cordially agreeable to Colombia and the United States, although Colombia had large forces on the Isthmus and was well prepared to protect her sovereignty and enforce her laws and to protect the transit across the Isthmus. The safety of the transit was never for a moment imperiled.

Troops were then arriving to increase the Colombian army to 7,000 men. She made no objection then to the presence of the naval forces of the United States, but soon grew restive on that account, claiming that their presence was unnecessary to assist in the execution of the treaty of 1846.

This restive feeling became so pronounced that on the 7th of

June Captain Ressinger brought the subject to the attention of the Navy Department, as follows:

MARROQUIN BECAME A CAT IN THE MEAL TUB.

6. For some reason best known to themselves, the leaders of the governmental forces seem anxious to impress the foreign governments with the idea that the presence of men-of-war, either here or at Colon, is not at all necessary, as they are, as they represent it, in a position to guarantee the maintenance of order on the Isthmus. In my opinion, as I have before stated in my letters, the danger to United States interests does not lie in the question of Liberals or Conservatives, but the danger lies in the fact of the concentration on the Isthmus, and especially at Panama, of some thousands of ill-kept and illy conditioned soldiers, who, if their pay gets in arrears, will constitute the real danger to the lives and property of foreign residents.

In a dispatch to the Secretary of the Navy, on the 19th of July, Commander Porter says:

7. I received personal assurances from Gen. Manuel Quinteros, jéfé civil y militar, the representative of General Herrera at David, that there would be no interference with the persons or property of Americans, and that order has been issued that their native labor should not be molested or withdrawn to any greater extent than the exigencies of the situation demanded during the present condition of affairs.

11. The reports of interference with foreigners appear to be much exaggerated, and in my opinion the Americans residing in the vicinity of David and in the province of Gairiqui are in no danger of person or property, although unavoidably subjected to some inconveniences in their business relations on account of the presence of armed forces in the locality.

12. Consul-General Gudger concurs fully in this view of the situation.

June 2, 1892, Commander McCrea sent the following dispatch to the Secretary of the Navy:

General Gomez assured me just before leaving Bocas del Toro that the interests of foreigners were secure under the Colombian flag. He wished me to believe also that the rebellion was practically over, and in any case a sufficient garrison would be left at Bocas del Toro and at Chiriqui Grande to guard our interests there. The Chiriqui Lagoon is again declared open to all commerce. This closes out the launch episode, as well as the question of provisioning the plantations.

October 6, 1902, Admiral Casey, who had gone there and taken the chief command, dispatched the Navy Department as follows:

14. On October 4 Governor Salazar returned my call and was received with full honors, and a salute of seventeen guns was fired on his departure. He strongly protested against any restriction of Colombian Government's use of railroad as an invasion of sovereignty and treaty rights, and requested transportation of consignment of arms and ammunition from Colon to Panama, received by steamer and loaded on cars before my order prohibiting such transportation by the railroad. In reply I courteously requested him to make his protest through his Government to our Government at Washington, and reserved my answer, for the present, to his request for the transportation of the arms and ammunition.

COLOMBIA WANTED TO USE THE RAILROAD.

October 5, 1902, Admiral Casey had sent the following dispatch:

SECRETARY OF THE NAVY, *Washington:*

Governor Salazar returned my call yesterday and strongly protested against any restriction of Colombian Government use of road as an invasion of sovereign and treaty rights, and requested transportation of consignment arms ammunition Colon to Panama, received by steamer and loaded on cars before my orders prohibiting such transportations.

Admiral Casey, the gallant, wise, and sagacious commander of our forces at Panama, wrote the Secretary of the Navy an extensive report of the situation at Panama, in which he said:

11. Judging from conditions now existing and from information I am able to obtain, there seems little prospect of a speedy termination of this strife. Panama and Colon are practically besieged; troops at neither place dare to go beyond their intrenchments. I firmly believe if our men were removed from shore the insurgents would be in Panama in forty-eight hours. I think the Government, therefore, is very willing that they should remain, making occasional mild objections, which really it does not mean shall be taken seriously.

12. Great things were expected on Perdomo's arrival, but as he came attended only by numerous generals, of which there were apparently already a surfeit in the city, I fail to see how he can accomplish much.

CASEY FORCED THE HAND OF THE PRESIDENT.

This report, while it was not so intended, forced the disclosure by the Secretary of the Navy that the real purpose of keeping our forces at Panama and Colon was to save Marroquin from being overthrown, so that the President could negotiate with him for the canal concessions that the President was authorized to acquire under the Spooner law. In proof of this proposition, I quote the cablegram of the Assistant Secretary of the Navy in reply to Admiral Casey's report, as follows:

OCTOBER 29, 1902.

CASEY, *Wisconsin, Panama:*

While approving your attitude, the Department wishes to impress upon you that the relations of the United States with Colombia are much strained. You must adopt measures as conciliatory as is consistent with dignity United States, overlooking matters of minor importance. Negotiations for ship canal are at present at a standstill on account of a feeling of irritation on part of Colombian representative.

DARLING.

It was the Panama Canal treaty that Admiral Casey was in fact sent out to secure, and in his unsuspecting honor and devotion to duty he was doing all he could to prevent the railroad from being used by either party as an instrument of war.

MARROQUIN WAS PANICKY.

This dispatch of Secretary Moody's was written soon after Marroquin's army had suffered a heavy defeat at Agua Dulce, which is thus described by Admiral Porter in his dispatch to the Secretary of the Navy:

U. S. S. RANGER,
Panama, Colombia, September 8, 1902.

SIR: 1. I have the honor to inform the Department that the Government concedes that 2,000 men surrendered to the revolutionists at Agua Dulce on the 30th of August.

2. The revolutionists are reported to be advancing on Panama.

3. The sanitary condition of Panama shows no improvement; yellow fever is spreading among the newly arrived troops.

4. The health of the officers and men of this vessel is good.

Very respectfully,

W. P. POTTER,
Commander, U. S. Navy, Commanding.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

This was the third signal defeat Marroquin's army had suffered at the hands of the Liberals under General Herrera. Its consequences were much more severe than is described in that dispatch.

Within ten days after receiving the above dispatch Marroquin was suing for peace through the intervention of the United States, and to promote that end the Secretary of the Navy wrote the commanding officer of the *Cincinnati*, who was then in chief command of our naval forces, as follows:

NAVY DEPARTMENT,
Washington, September 18, 1902.

SIR: The Department incloses herewith a copy of a letter from the Secretary of State in reference to the question of using your good offices to restore peace on the Isthmus of Panama.

The Department desires you to act in accordance with the provisions of this letter until the arrival of the *Wisconsin*, with Admiral Casey on board, at Panama, when you will please inform the Admiral as to the existing conditions, that he *may continue the effort to establish peace.*

Very respectfully,

W. H. MOODY, *Secretary.*

The COMMANDING OFFICER,
U. S. S. Cincinnati.

DEPARTMENT OF STATE,
Washington, September 16, 1902.

SIR: I have the honor to submit to you confidentially the question of exerting good offices to restore peace on the Isthmus of Panama, as propounded in the following telegram from the United States minister to Colombia:

BOGOTA, *September 11, 1902.*

SECRETARY OF STATE, *Washington:*

Minister for foreign affairs desires me to inform you that his Government would appreciate your good offices to bring about peace in the country, especially on the Isthmus, where the revolution is strong. This Government has no new terms to offer, but thinks your good offices may avail to induce revolutionists to accept terms heretofore offered, and thus prevent otherwise inevitable heavy loss of life. Minister for foreign affairs added: Not only is the question of humanity involved, but so long as the war lasts Congress will not be convened, and therefore the continuance of war will delay submission of the canal matter to the Congress.

Minister for foreign affairs *emphasized this last point* as being well to present to your consideration.

HART.

Upon the receipt of this telegram I communicated with the President, saying to him that in view of the urgency of the situation on the Isthmus, the isolation of the United States legation at Bogota, which seemed to make communication by the minister dilatory, if not impracticable, and the absence from Panama on leave of the consul-general, Mr. Gudger, it might be proper to consider whether the commander of the U. S. S. *Cincinnati*, now at Colon, should be advised of this request of the minister for foreign affairs of Colombia *and instructed to use his good offices in the suggested sense.*

I have received from the President a telegram approving of my suggestion as to intrusting such a mission to the commander of the Cincinnati.

The precedents in which our naval commanders have lent their good offices to bring about peace in Central America during the past years will serve to guide Commander McLean in the execution of such instruction as you may deem proper to give him in this regard. The cooperation of the United States consul at Colon will be cheerfully given to Commander McLean, and I shall be pleased to telegraph to the consul in that sense if you desire.

I have the honor to be, sir, your obedient servant,

ALVEY A. ADEE,
Acting Secretary.

The SECRETARY OF THE NAVY.

Here the admiral of the fleet was intrusted with full power to win a peace from the then victorious Liberals, either by the use of his power to compel it or in the persuasive and honorable way that is congenial to his big nature.

In furtherance of this scheme of intervention, the dispatch of Hart shows that the proposition of the Colombian minister of foreign affairs had for its real objective the security of Marroquin's hold on the Presidency, and for its inducement the election of a Congress to ratify the Hay-Herran treaty.

PEACE WITH HONOR AND A CANAL TREATY.

These cooperating purposes clearly show that our part in that war was to prevent the overthrow of Marroquin in order to save the canal treaty by saving Marroquin's Government.

The treaty of 1846 gave us the right and imposed upon us the duty of being there with military forces to aid Marroquin in protecting the railroad transit, if that was his purpose, as it was not. He was protecting his dictatorship over Colombia, and we, knowing the fact and being informed by Captain Ressinger, as I have shown by his dispatch I have just read, that Marroquin's troops

that we were guarding against Herrera, were the only real danger to Americans and their property and to the transit on the railroad.

THE POINT OF JUNCTION BETWEEN THE MILITARY FORCES.

The United States Government readily yielded to this request from Colombia, and instructed its officers at Panama accordingly. Having been warned of Herrera, who was then marching on the city of Panama with the troops that had won the great victory at Agua Dulce, the Secretary of the Navy made the discrimination in favor of the Colombian army that saved them against final overthrow at the city of Panama, as follows:

U. S. S. CINCINNATI,
Colon, Colombia, September 20, 1902.

SIR: I acknowledge the receipt this date of the following cablegram:

"CINCINNATI, *Colon:*

"United States guarantee perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. United States of Colombia guarantee right of way or transit across Isthmus open and free to Government and citizens of United States and their property. Any transportation of troops which might contravene these propositions of the treaty should not be sanctioned by you, nor use of road be permitted which might convert *the line of transit* into theater of hostility. *Transportation of Government troops* not in violation of treaty, and which will not endanger transit or provoke hostilities, may not be objectionable. The Department must rely on your judgment to decide such questions as the conditions may change from day to day. Consult Department freely when in doubt.

"MOODY."

Very respectfully,

T. C. McLEAN,
Commander, U. S. Navy, Commanding.

This order of the Secretary of the Navy is the point of connection between the military forces and operations of the United States and Colombia. From this fixed and carefully arranged union of forces, to hold Marroquin in the Presidency, so that he could treat with the United States, until the capitulation was made on the 21st of November, the progress was steady and the canal was the point that was constantly in view.

SHOWED DISCRIMINATIONS.

The privilege of passing armed forces over the railroad, which had been denied to both belligerents in the orders of September 19, in the same words, was allowed to the commanders of the Government forces on the 20th of September, in the discretion of the commanding officers, and was refused to General Herrera, commander in chief, and to other commanders of the revolutionary forces. The order of the 19th of September was not modified in favor of the victorious Herrera, as it was on the 20th of September in favor of the Government forces. This was a cunning act, but it was not high. It was scarcely "decent."

On the 28th of September, 1902, Herrera replied to the order of September 19, excluding his army and that of Colombia from transit on the line of the railroad or transportation on the cars, but he alleged that munitions of war were being transported for the Colombian Government and claimed equal belligerent rights. He did not know of the order of 20th of September, granting the special privilege to Marroquin's army.

On the 3d of October Admiral Casey sent the following letter to our consul at Panama, which conceded the claim of Herrera to equal belligerent rights:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 3, 1902.

DEAR SIR: I will thank you to inform the governor that while the trains of the Panama Railway Company are running under the protection of the United States I must decline the transportation of any combatant or any ammunition and arms over the road which might cause an interruption of traffic or convert the line of transit into a theater of hostility.

Very respectfully,

SILAS CASEY,
Rear-Admiral, United States Navy,
Commander in Chief United States Naval Force Pacific Station.

Mr. FELIX EHRMAN,
United States Vice-Consul-General, Panama.

On the 13th of October Admiral Casey wrote as follows to the Secretary of the Navy:

I inclose a clipping from the Panama Star and Herald of October 12, 1902. In this connection I take occasion to inform the Department that I have refrained, as far as possible, from in any way embarrassing the officials of the Colombian Government, except so far as is absolutely necessary in my judgment, to maintain uninterrupted and unembarrassed transit, and to prevent the line of transit from being converted into a theater of hostilities. I shall decide such questions as the conditions may change from day to day and when in doubt will consult the Department. Further in this connection I have to inform the Department that I have been unable to learn of any effort on the part of the Colombian Government to crush the revolution in this district just prior to or since my arrival at Panama. On the other hand, it is my opinion that if it were not for the restraining influence of our naval force here Panama would fall an easy victim to the combined land forces and gunboats of the insurgents.

Marroquin's Government having been defeated in every general engagement but one during the entire war in Panama, was saved, as Admiral Casey states, only "by the restraining influence of our naval force here."

HERRERA, THE VICTOR, WAS SOUGHT AFTER.

On the 9th of October he had written to General Herrera as follows:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 9, 1902.

SIR: I have the honor to inform you that I have been authorized by my Government to offer my friendly services to the leaders of the contending parties in the Republic of Colombia, with a view to bringing about a friendly meeting between them and a discussion of their differences, to the end that they may mutually agree upon such terms as will put an end to the strife and restore peace and tranquillity in the Republic.

Herrera had then such advantages over the Government army that his final success depended solely upon the strict neutrality of the United States between the belligerents.

When the marines were landed and strongly posted, under the orders of Admiral Casey, on the 4th of October, Herrera knew that he would not be permitted by our naval forces to attack Colon or Panama, and that he could not keep his forces in the field to await the change in that military situation. He therefore accepted the invitation of the United States to confer with Salazar and the governor of Panama about arranging terms of peace. His answer to the invitation of Admiral Casey was intercepted by Herrera's guards, and he wrote a second letter, from which I will present some extracts that justice may be done to the noble bearing and sentiments of this general of the victorious Liberal army.

HERRERA, THE PATRIOT, WANTS PEACE, WITH THE RIGHTS HE WAS FIGHTING FOR, INSIDE OF THE UNION.

REPUBLIC OF COLOMBIA, SAN CARLOS, *October 18, 1902.*

SIR: I had the honor to receive your courteous communication of the 9th, in which you informed me that the illustrious Government of the United States had authorized you to offer mediation to the contending parties in the present civil war in Colombia, in order that some agreement may be arrived at that would put an end to the conflict and establish peace and tranquillity in the country.

I am under obligations to the Government of the United States and to you personally for the offer made, which shows a high spirit of justice and a feeling of sympathy toward the Colombian nation, and in view of your voluntary and noble offer I accept, confident, moreover, that it will not be unfruitful.

I agree, then, to be present at the conference that initiates your labors as a mediator, and on the date agreed upon by yourself, General Salazar, and the delegates I will come aboard your vessel to accept the hospitality which you so generously offer.

Please express to your illustrious Government, in my name, in the name of thousands of armed citizens that compose my army, in the name of the revolutionists throughout this country, and in the name of the Colombian patriots who desire to put an honorable end to a war undertaken solely to insure our civil and political rights, the gratitude which we owe for its noble and generous act.

With sentiments of the highest esteem and consideration, I remain,

Your obedient servant,

B. HERRERA.

Rear-Admiral SILAS CASEY, *U. S. Navy,*
Commander in Chief, United States Naval Force, Pacific Station.

MARROQUIN WANTS TO HOLD HIS OFFICE AND OUR PRESIDENT WANTS A CANAL TREATY.

In the capitulation of Herrera, on the 21st of November, 1902, the following stipulations were inserted:

ART. 5. The exclusive cognizance of the judicial power to promote and effect responsibilities for ordinary offenses.

ART. 6. The incorporation in the rights and obligations that are conferred and imposed by this treaty of all the revolutionary forces that exist in the Republic, and of those within or abroad, that are compromised by the revolution and wish to accept the terms of this treaty.

ART. 7. In accordance with the desire of the Government and the nation, as soon as public order is restored an edict of convocation to elections will be issued, regarding the members for Congress, in respect to which the Government engages itself to use all its authority to effect it with purity and legality, as was promised by the vice-president in the response given to a memorial signed by various Liberals of Bogota the 14th of April of the present year. To this Congress will be submitted for consideration the following questions of high national interests:

(*a*) The negotiations relating to the Panama Canal.

(*b*) The reforms presented to the Congress in 1898 by the vice-president of the Republic.

(*c*) The reformation of the monetary system of the country, in which paper money serves as a base, making the rentals to the Republic from contract on the canal inalienable.

ARTICLE 8. The recognition of the Government's authority by the members of the united armies of Cauca and Panama and by all forces or people that desire to receive this treaty.

Thus the canal war ended in Panama, with a victory for Marroquin which he had failed to win on the battlefield, but received at the hands of the United States, on his humble request for our good offices, when his defeat was certain; for which the President obtained the consent of the Liberal army that Marroquin "should be recognized as the executive head of the government by the members of the united armies of Panama and Cauca, and by all forces or people that desire to receive this treaty." This was merely to quiet the opposition to Marroquin, so as to enable him to negotiate a canal treaty with President Roosevelt.

Recognizing Marroquin the dictator as the President of Colombia, the President of the United States gave him the assistance of an actual military intervention in his behalf while acting as mediator between the acknowledged belligerents, in order to so pacify the country that we could at least, with a show of authority, give him a standing in the laws of nations as a sovereign.

THE WRECKAGE OF THAT WAR CAME TO US AS SALVAGE.

The wreck of that enterprise need not be described, but out of it a specter has arisen—a new-blown Republic—described by one who is also newly great as a nation created by "the explosion of an idea," which idea was the private opinion, publicly expressed, of a junta in Panama, organized in the interests of the Panama Canal Company, that Panama is a free, sovereign, and independent state, and that the pledge of the treaty of 1846, in which we guaranteed the sovereignty of Colombia, has passed as a "covenant that runs with the land" to the secessionists who for the moment have hung a flag above it on a pole.

In this coup d'état the thread of a fixed purpose runs through web and woof.

The same purpose that moved the President to obstruct the victorious army of Herrera in order to keep faith, at least in appearance, with Colombia—the ownership of the French canal at Panama—is now supported with our naval power in assisting to expel the sovereignty of Colombia from the department of Panama in order still to get that canal. All roads that the President travels lead to the Panama Canal. Some of his discreet friends should counsel him not to burn the bridges behind him.

WE MUST TAKE THE REPUBLIC OF PANAMA, CUM ONERE.

If this covenant with Colombia in 1846, which we made for on own advantage, passes into the hands of Panama—her enemy—who has defrauded her out of it, or has captured it by a coup d'état, or may capture it in war or by a sordid conspiracy with the Panama Canal Company, we must take the obligations of that treaty along with its benefits, and we must reverse its terms by a trick of legal construction and protect the sovereignty of Panama over that territory and protect her in the ownership of it against Colombia and against all the world.

The covenant of 1888 with Pope Leo XIII, if it runs with the land, binds Panama to pay a stipend of $100,000 per annum to a salaried priesthood and fix it in her annual budget, for it runs as an entire contract, if it runs with the land, and can not be paceled out or reduced in amount except by a new agreement. If we must shoulder that debt when we shoulder the infant republic as its wet nurse, because the baby and annuity "run with the land," we had better raise a question on the adoption of that new canon of the international law.

If the Republic of Panama, already independent, as is claimed by the President's recognition, should turn over our $10,000,000 to be paid for the canal to Columbia to pay her for her recognition, as it seems probable, what will she do for a living after that noble deed? I dread to contemplate the swelling of our pension roll when Panama pays so dearly out of her dowry for her liberty already won by a coup d'état.

The covenant that runs with the land also compels Panama, in virtue or that concordat, to provide a law that a person who has married another under the authority of the municipal law and under the ministry of one who is not an ordained priest of the Roman Catholic Church may, at his or her option, dissolve such a marriage by entering into marital relations with another person, which second marriage shall be valid in law if the nuptials are celebrated by such an ordained priest.

Such covenants, if they have the legal sanction and binding obligation attributed to them by the Secretary of State, by running with the land, will soon run the rights of other nations into the ground. There will be no more guaranties created by treaty if they have this migratory nature and the obligatory force to attach themselves to a piece of territory that may fall into the hand of a public enemy of the unfortunate guarantor.

THE SAVAGE CHARACTER OF MARROQUIN'S WARFARE.

The war of 1901 and 1902 in Panama, in which we were the ally of Marroquin, deserved the condemnation of all Christendom, because of the basis of plunder and confiscation on which he conducted it. I will now present that terrible series of decrees issued by Marroquin, the Vice-President of an American republic, acting as President, and enforced for the support of that war by his decrees as dictator, which would disgrace any savage king that ever carried a war hatchet or a scalping knife, as the scepter of his brutal force, to typify his royal dignity.

[Documents taken from the Bulletin Official, No. 43, organ of the Jefatura Civil y Militar of the Department of Bolivar, Barranquilla, February 20.]

DECREE No. 1299.

[November 21, 1901.]

(By which is established military contributions.)

The Vice-President of the Republic, empowered with executive authority, considering—

1. That it is not convenient to cover all the expenses of reestablishing public order by issuing paper fiat money, and it is of importance to accredit the money legally established by the nation.

2. That justice demands that the calamities of the war fall not equally among all the citizens, but especially upon those who have contributed to foment it, or have aided it with their sympathies, their interests, or their persons.

DECREE.

ART. 1. A military contribution of $11,500,000 is established, which contribution may be imposed periodically at the discretion of the executive department by a simple executive decree circulated by the minister of the treasury, if public order continues disturbed. The contributions will be distributed between the departments of the Republic in the following proportions:

Antioquia	$750,000
Bolivar	1,250,000
Boyaca	1,000,000
Cauca	750,000
Cundinamarca	4,000,000
Magdalena	500,000
Panama	750,000
Santander	1,500,000
Tolima	1,000,000
Total	11,500,000

ART. 2. The governors of the departments will apportion the extraordinary contributions set forth in the preceding article among the authors, accomplices, abettors, and sympathizers of the rebellion and decide upon the manner of collecting it.

ART. 3. The agents charged with the collecting of the contribution which is indicated by this decree will be aided in the fulfillment of their duties by the civil and military authorities.

ART. 4. The military contribution which is the subject of this decree may be imposed in gold or silver in the commercial centers which the Government may esteem convenient, and will be delivered at the pleasure of the contributors in either of these two kinds or in paper money at its rate of exchange on the day of payment.

ART 5. When the governors consider convenient that the collection of the contribution be done by a special agent and not directly by the national offices of the department of the interior (administradores de hacienda), the payment will be made in the respective hacienda offices. It will be the especial duty of the agent-collector to publish immediately in print the amount he collects, giving the names of the contributors and their payments.

The governors will send to the secretary of the treasury all documents relating to the collection of the contribution. This minister is empowered to regulate by resolution all related to the present decree.

Given in Bogota, November 21, 1901.

JOSE MANUEL MARROQUIN.

(Following the above are the signatures of all the cabinet.)

DECREE No. 46.

[Of January 15, 1902.]

By which is arranged the manner of covering the losses caused to and contributions imposed upon the friends of the Government by the revolutionists.

The Vice-President of the Republic, empowered with the executive authority.

DECREE.

ART. 1. From and after the publication of this decree the friends of the Government who, outside of actual military operation, suffer loss or confiscation of property through the agents of the revolution, will have their property immediately reimbursed to them in money, which is in fact exacted from the enemies of the Government.

ART. 2. The proof that the injured parties must present to the Government in order to reclaim the value of confiscated property will consist of the receipt given them by the revolutionaries, or, in default of this document, the oaths of three witnesses taken before the local authorities of the place where the confiscation or destruction occurred.

ART. 3. The minister of war in Bogota and the governors in the departments are charged with the punctual execution of this decree, and to regulate the manner of effecting the restitutions to which it refers.

Communicate and publish.

Given in Bogota, January 15, 1902.

JOSE MANUEL MARROQUIN.

The minister of war:

ARISTIDES FERNANDEZ.

DECREE No. 58.

[January 17, 1902.]

Concerning the collection of military contributions.

In fulfillment of the legislative decree, No. 1299, of November 21, 1901.

DECREE.

ART. 1. The military contribution of eleven million five hundred thousand dollars, to which article 1 of the aforementioned decree refers will be monthly in its character and will be collected in advance in this form and quantity as long as the public peace continues disturbed.

ART. 2. This contribution will be distributed by the governors (jefes civiles y militares) of the departments, and it will be collected by special agents named by them, and whose salary will be not less than a commission of fifteen per cent.

ART. 3. In the cities of Bogota and Medellin the contribution will be paid in gold or in its equivalent in national paper money evaluated at the rate of exchange of the day of the payment.

ART. 4. In the provinces of Cucuta and Pasito and in the Department of Panama the contribution will be paid in money of 0.835.

ART. 5. For the collection the governors and their special agents may make use of all necessary force, so that the collection may be completely effected in the shortest possible time.

Given in Bogota this 17th day of January, 1902.

JOSE MANUEL MARROQUIN.

The minister of the treasury:

AUGUSTIN URIBE.

This batch of confiscation decrees was sent by Captain Ressinger to the Secretary of the Navy with his dispatch of March 3, 1902. The President must have known the contents of that dispatch, when he determined that the pretense of protecting the transit in Panama furnished him with the coveted excuse for enforcing the Panama Canal upon the country, by assisting Marroquin in his war upon his own countrymen. Panama was the only point in Colombia where the treaty of 1846 gave Marroquin and the President the opportunity to join hands in a common effort to destroy the Liberal party—the party of the constitution—and to put the Jesuits in power, and the President resolved to assist Marroquin by lending the power of the Navy to conduct a war

that the Congress of the United States had neither declared nor recognized.

MARROQUIN MISTRUSTED THAT OUR PRESIDENT WAS INSINCERE IN HIS FRIENDSHIP.

The progress of that fraternal compact was without disturbance between the two Presidents until Herrera began to beat Sallazar on every field where they fought. After the terrible defeat of Agua Dulce, and faithful Captain Ressinger of the *Philadelphia* became sick with Chagres fever unto death, which soon followed, Capt. Silas Casey, with the *Wisconsin*, was sent to Panama to take command.

This able and honest admiral was not able to read the instructions of the Navy Department between the lines, but laid his hand of duty firmly upon the movements and operations of the forces of the open belligerents, and directed his own course by the honorable observance of the laws of neutrality in his military operations.

He arrived at Panama on the 30th of September, 1902, and took command. In his first dispatch, October 6, he gave a full account of the situation in Panama by inclosing a copy of his letter of October 2 to Consul Ehrman, as follows:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 2, 1902.

DEAR SIR: I will thank you to inform the governor that while the trains of the Panama Railroad Company are running under the protection of the United States I must decline the transportation of any combatant or any ammunition and arms over the road which might cause an interruption of traffic or convert the line of transit into a theater of hostility.

Very respectfully,

SILAS CASEY,
Rear-Admiral, U. S. Navy,
Commander in Chief U. S. Naval Force Pacific Station.

MR FELIX EHRMAN,
United States Vice-Consul-General, Panama.

This was Admiral Casey's doctrine of honest, vigorous, and impartial neutrality, but it did not accord with what was written between the lines in the diplomatic understanding between Marroquin and the President.

Admiral Casey moved on in the plain line of duty and sent another dispatch to the Secretary of the Navy on the 20th of October, which gave our President deep concern. He said:

4. I am often asked to allow the ammunition and ordnance, now loaded on cars at Colon, to come over. Some of the latter is intended for the armament of the *Bogota* when she arrives, but I have invariably declined for reasons previously expressed. As a matter of fact, the Government is more seriously embarrassed by this restriction than the insurgents, but I can see no reason why the transit of the Isthmus should be jeopardized by the removal of these restrictions. I do not apprehend trouble so long as troops and ammunition are not transported, but as soon as that rule is departed from interference may be expected, for it must be remembered the roadbed is entirely unguarded between Colon and Panama.

5. A great deal of sickness prevails among the Colombian troops, especially at Colon, where the death rate is about from ten to twelve a day. It is less than at Panama. The disease seems to be mostly dysentery, with some yellow fever.

* * * * * * * * *

11. Judging from conditions now existing and from information I am able to obtain, there seems little prospect of a speedy termination of this strife. Panama and Colon are practically besieged; troops at neither place dare to go beyond their intrenchments. I firmly belive if our men were removed from shore the insurgents would be in Panama in forty-eight hours. I think the Government, therefore, is very willing that they should remain, making occasional mild objections, which really it does not mean shall be taken seriously.

12. Great things were expected on Perdomo's arrival; but as he came attended only by numerous generals, of which there were apparently already a surfeit in the city, I fail to see how he can accomplish much.

This blunt and honest statement of the truth alarmed the President for the safety of Marroquin's Government and the fate of the Panama Canal scheme.

Admiral Casey evidently did not then know of the petition of Marroquin to President Roosevelt in September, through diplomatic agents, to intervene to obtain peace in Panama, and that it was the policy of the Government in the protection of the transit also to protect Marroquin's army against a final defeat by Herrera, which would defeat the canal scheme.

Casey had his mind on his duty as the military representative of the Government, in a situation that was extremely delicate and responsible, and was indifferent at the outlook for the Panama Canal. This attitude of innocent integrity on his part did not suit the purposes of the President, and Mr. Darling, Acting Secretary of the Navy, sent him this pregnant dispatch:

OCTOBER 29, 1902.

CASEY, *Wisconsin, Panama:*

While approving your attitude, the Department wishes to impress upon you that the relations of the United States with Colombia are much strained. You must adopt measures as conciliatory as is consistent with dignity United States, overlooking matter of minor importance. Negotiations for ship-canal are at present at a standstill on account of a feeling of irritation on part of Colombian representative.

DARLING.

THE PURPOSE OF OUR MILITARY INTERFERENCE DISCLOSED BY ANTECEDENT FACTS.

Here the purpose of the military interference of the President in that war by giving silent but effectual support to Marroquin is fully disclosed. At the time of his sending the fleet to Panama and until the close of that war he was using all his power as President to land the Panama Canal Company's project to sell the canal to the United States, knowing the terrible impeachment it had suffered in the final report of the Isthmian Canal Commission made to him, and that it had inherited the dreadful scandals that its membership brought to it as the chief despoilers of the old company.

Marroquin had quieted his title as President, but refused to give up his power as dictator, and we proceeded to negotiate with him while he still held his child conscripts under orders to support his power.

ACTION TAKEN ON THE FINAL REPORT OF THE ISTHMIAN CANAL COMMISSION, HERE AND IN FRANCE.

After that report was made and Monsieur Hutin was removed from the position of president of the new company, because he insisted upon the price of $109,000,000 for the property, based on an official appraisement, Monsieur Bô was put in his place, because he proposed to accept from us the appraisement of the canal concessions and its property at $40,000,000. The President thereupon resuscitated the defunct Isthmian Canal Commission and ordered it to consider and report upon a proposition to take the offer of Monsieur Bô, which was sent by cable dispatches, and to confer with Monsieur Lampré, the secretary of that company, who was here. In all this hasty procedure no friend of the Nicaragua route, even of the 308 Members of the House who had voted for the Hepburn bill on the 9th of January, 1903, was called into that conference, so far as any information has reached Congress.

That Commission received these orders on or after the 9th of January, 1903, and made their report on the 18th, giving it not more than the traditional time for the production of this "nine days' wonder." In two more days the President sent it to the Senate. Then he proceeded to negotiate with Señor Silva, minister of Colombia, for a treaty, which failed because Silva knew and insisted that President Marroquin had no right to make a treaty to convey any canal rights to the United States until he should be so authorized by Congress, and that Congress itself had no right to authorize him to dispose of the lands or territory of Colombia. He was recalled suddenly by Marroquin, and Señor Concha was sent as minister to the United States to negotiate a canal treaty. He arrived before the end of March, and sent to Mr. Hay a draft of a treaty, with "expository communications" of Mr. Cromwell, counsel in chief of the New Panama Canal Company, on the 31st of March.

Mr. Cromwell and the Colombian minister hunted in couples, but Mr. Silva, being averse to this leash, retired in disgust and was condemned to imprisonment by Marroquin, where he soon died.

Mr. Cromwell had, in the result of this war in Panama, his second revenge on the Liberal party in Colombia, the first one being a civil war that was the result of his determination to coerce San Clemente to agree to extend the Wyse concession from 1904 to 1910. By offering him the glittering bauble of $1,000,000, which he accepted, Colombia was forced into civil war because the Congress refused to ratify the bargain.

His mission seems to be that of the avenging nemesis of trans-isthmian canals and their promoters who proceed a single step without legal advice and "expository communications" from his law firm.

The United States now again encounters his stealthy contact, and it remains to be seen what will become of us if his fee bills are not satisfied.

Concha made haste to treat with Mr. Hay, and concluded the negotiation of the 21st of April, 1903.

When it came forth, the hopes, cautions, conditions, and qualifications imposed by the Isthmian Canal Commission upon their final recommendation in favor of the Nicaragua route, by the codicil to their last will and testament, called a supplemental report, were all dissipated into thin air by the Hay-Concha treaty. They lost all save their honor, but the diplomatic iconoclasts damaged that all they could by their refusal to adopt these safeguards of a most questionable decree.

Their conclusion was adopted by the President, without regard to the qualifications with which they had attempted to safeguard it, and they still live. They refuse to die, and the president of the Commission, on board the latest born of the argosies of independence, has sailed to Panama on the *Mayflower* to protect the liberties of those patriots and to promote the interests of the New Panama Canal Company, that he once opposed in favor of the United States. He seems to be on this mission for the President. Possibly he is expected to keep down the price that the Republic of Panama will demand for the concession and the pure allodium of the land that she has wrested from Colombia at such fearful cost of blood and honor. The papers say that he is already at work directing the work on the canal and the engineers of the New Canal Company. This may be another instance of the performance of "covenants that run with the land." As a new

method of acquiring title by accretion and cheek, it seems to be the latest and most taking of America's great discoveries.

While the war went on in Colombia and grew desperate, Mr. Hay and Señor Concha were peacefully engaged in the evisceration of the supplemental report of the Isthmian Canal Commission by eliminating from it all the merit there was in it in the surrender to Colombia of every recommendation it had made, except the price of the concessions, which was fixed by agreement at $7,000,000.

Colombia made that agreement, but she never meant to keep it, and the President could not get the treaty without paying her $3,000,000 for this breach of national honor.

The Spooner law was then enacted by Congress, which restored some of the leading provisions of the codicil to the final report of the Isthmian Canal Commission, but this law went down when the Hay-Herran treaty was ratified, in several of its leading provisions, and would, to that extent, have been repealed if Colombia had not saved Congress that humiliation.

This double expression of the approval of that codicil by that Commission and by the vote of Congress could not stand against the will of the President, and he determined to disregard both these solemn mandates and to repeat the demands of Colombia that were conceded in the Hay-Concha treaty, with the addition of $3,000,000 as the price of the concessions, to be paid to Colombia. Congress had torn the Hay-Concha treaty to tatters, and the President restored it almost word for word, and in all its substantial provisions except where it was changed, to the decided benefit of Colombia, in the Hay-Herran treaty under the Spooner law, but against its most express and mandatory provisions.

THE INTENDED REPEAL OF THE SPOONER LAW BY THE HAY-HERRAN TREATY.

Its ratification by Colombia was relied upon to repeal the Spooner law, by implication, where a conflict occurred, and thereby to extinguish the last hope of a canal at Nicaragua.

MR. M'KINLEY HAD DONE HIS WHOLE DUTY.

Mr. McKinley had done all he could, as an honest President, to build the Nicaragua Canal, and in his speech at Buffalo, which was his final will and testament to the American people, though he did not realize its solemnity, he pointed to that canal as the work his hands had created. It was his highest monument, to which he pointed when he implored us to complete that canal. No power will ever prevent its completion, by the United States or by others.

Another may vainly essay to tear it down and erect one to himself out of its living stones. He will fail. As well might some American, yet to be born, attempt to tear away yonder monument to George Washington and to build one for himself on some fetid marsh.

MY CONDEMNATION OF THE HAY-HERRAN TREATY WAS BASED ON CONVICTIONS THAT ARE IN RAPID PROCESS OF REALIZATION.

The first sentence I had the honor to speak as to the Hay-Herran treaty was that it was a declaration of war with Colombia. I knew that Concha had gone home to oppose that treaty. Silva had died in prison because he had refused to negotiate a like treaty under instructions from his Government, and I felt that a new Congress, elected under martial law, would be afraid to take the risk of its ratification and to outlive the contempt of new generations in Colombia.

I believed that the New Panama Canal Company, if they should lose their prize of $40,000,000, and the syndicates which now hold the bonds of the old company, which they have purchased from poor people for a song, would again light the fires of civil war once fanned by them into a flame in Colombia, and that our President would again intervene in order to get the canal concession under his control. Such intervention has come, and a war of races and of churches will follow, and war upon our commerce, which has already set in; and I believed then, as I fear now, that these smoldering fires will flame up in open hostility.

I had no doubt—I could find no room for doubt—that if the Hay-Herran treaty were ratified by the Congress of Colombia it must cause war between the two republics. I reasoned in this way in finding myself unable to reach any other conclusion.

Colombia had notified us, in raising her demand from seven to ten million dollars for the concession, when all men in Congress and elsewhere knew that she was in honor bound to keep her solemn agreement in the Hay-Concha treaty, that she would at every opportunity levy blackmail on the United States.

I saw that three such opportunities were furnished her in the terms of that treaty. One in making an agreement as to the terms of extension of the lease, and to fix the annual rent at the end of one hundred years. Another, in arranging by future agreement for the organization and power of the courts to be established in the canal zone. Another, the future agreement to be made for securing the health and the policing of the canal zone.

I foresaw that if we ever agreed upon these essential matters we would have to pay heavily to get them into practical shape.

It is manifest that the Hay-Herran treaty reserved expressly the whole power of military command over the canal zone, and that whenever Colombia chose to order us away we would be obliged to withdraw any armed forces we might have there, no matter what exigency may have caused us to send them to the canal zone. It needs no argument to prove that war would at once follow such an order.

I could not have voted for such a treaty if it had been with Nicaragua or Costa Rica.

When the Hay-Herran treaty was before the Senate for consideration a number of amendments were offered to it, all of which were voted down. Those on which votes by yeas and nays were taken were decided by a party vote. No one in the Senate claimed that these amendments were unnecessary or unimportant. The only reason given for opposing them was that if adopted the treaty would not be ratified by Colombia.

I would never vote for a treaty to bind the United States forever, as this treaty did, when it was so wrong or defective that no Senator presented any other than the suggestion that Colombia would not ratify it if it was amended so as to protect vital interests of the United States.

It is inconceivable to me that any treaty with a foreign power that is to become the supreme law of the United States, with the concurrence of such power, could be voted by the Senate under any other conditions than as an alternative for national subjugation or from impotency.

And the suggestion was made that in this case we would defy such alternatives and nullify our pledges, which are our national oaths.

This admission of our purpose, necessarily implied from our silence, to break our own treaty when our convenience required such an act, aside from its deliberate suggestion of national dereliction, would give to Colombia and other nations a just excuse for war against the United States and a more damaging war upon the canal.

A stick of dynamite in the hands of an injured man or a state that has been defrauded in such a treaty could do harm to us as a nation that all our fleets and armies could neither prevent nor redress.

I desired to fix in the treaty a national and just agreement that would prevent conflict or friction between the United States and Colombia in the future. No care was given to these suggestions, though their value was admitted, and these patent causes of trouble were purposely left open to entice Colombia into the belief that we intended to stand by our treaty engagement when our purposes were reserved. I could only discern quarrels in these conditions that would lead to war in the future, and a state of actual war has come, from which we will be fortunate if we escape. I did not reason amiss.

If we were dealing with any power of respectable strength war would be open and active at this hour between Colombia and the United States.

I will venture another forecast as to the near future. If we construct a canal at Panama under any treaty we can make with so weak a power, the very weight and pressure of national necessity will force us to extinguish any claim Panama may have of territorial sovereignty as an independent state.

Whether this will come of voluntary annexation or by capture, it must occur in the nature of things. Colombia and all Spanish America know that the Republic of Panama could not stand a month without the military protection of the United States, and it could not live except as a perpetual pensioner upon our bounty.

For this she can make us no return or compensation in any assistance or protection she could give to our canal property or our people. Every public expense in Panama will be borne by the United States, and the canal will have no protection of any sort that we will not provide.

When we look beyond these grave difficulties to the world-wide demands upon the United States for effectual guaranties of maritime rights, when great wars are flagrant among great nations, are we safe in committing any part of our rights, duties, or responsibilities to a power like Panama for its advice and consent? Shall we control her under a protectorate, as we do Cuba under the Platt amendment, and shall she enter, as Cuba does, into our tariff disputes so deeply that extra sessions of Congress must be called and the party organizations in the United States lined up to fight their battles over the shoulders of Panama?

I will not pursue this question further than to say that there is much difficulty in compelling a country that is as hungry as we seem to be of late "to make two bites of a cherry."

WAR WITH COLOMBIA.

If war is upon us, Colombia is not an insignificant enemy. When the veterans of her army in Panama in 1901 and 1902, who fought with courage and endured with patience the dreadful hardships of that trying campaign were to the extent of 40 per

cent of their number mere children from 9 to 15 years old, their soldiers in their native mountains will not be so easily subdued as some imagine. We will have an insignificant but dangerous enemy, with whom war is a passion.

This is what the lieutenant-commander of the *Bancroft* had to say about these soldiers in his report to the Navy Department of December 19, 1902:

> The Government forces are being slowly disbanded. Forty per cent of them are boys from 9 to 15 years of age. They are stationed at various posts along the route of the railroad, are filthy in person and dress and poorly clad, and appear like a rabble of children.

What shall we do with the Republic of Panama if she should desire to return to Colombia?

I know that advice is cheap and, coming from a suspected source, it is despised, yet I will venture the suggestion to the majority of this body, who now take up the canal question and make a political issue of this effort to benefit and bless all the world, that, in the end, very soon to be reached, Panama will become a Territory of the United States through a necessity that is unavoidable.

This result being certain, it is due to humanity that it should be without the shedding of innocent blood and free from a long series of contentions and conflict in Panama, and free from the ill will of the Spanish-American states and from European complications that will arise.

The true course of courageous statesmanship is to anticipate the inevitable and prepare for it. To some this disturbed condition will give the delight of a bazarre performance, if more of that is desired. To the thinking and responsible citizen it will give the satisfaction that this new enterprise will not become a rankling thorn in the heart of the Republic, and to the canal project it will give the promise of a peaceable result.

If Congress declares war against Colombia and forces our sons to kill these children described by the captain of the *Bancroft*, or to be killed by them, for no other reason than to get the Panama Canal by violence and to stain the honor of our country with its corruptions, I will vote with the rest of you to supply soldiers and money for the war. But I will not vote to declare such a war without just cause, or to force our gallant soldiers to stand guard over the canal line and the cities of Panama and Colon for years to come, that are thus described by Admiral Walker in his report to the President, made before his enthusiasm as a diplomatist engulfed his judgment as an investigator of serious facts.

The Isthmian Canal Commission, in their final report to the President on November 30, 1902, say this about the health of Nicaragua and Panama:

> The climate of the isthmian canal regions is generally damp and enervating. The temperature is not extreme, rarely rising as high as 95° or falling below 70°, but the excessive humidity greatly restricts the capacity for physical exertion. The lowlands along the coast have long been known as insalubrious, and the seaports are subject to fevers. Perhaps the great difficulty to be encountered in the construction of the canal will be the procurement of an adequate force of laborers and the preservation of their health and efficiency.
>
> In this respect the Panama route has a lugubrious history, from which the Nicaragua route is free. The notorious mortality which attended the construction of the Panama Railroad and later the operations of the Panama Canal Company has taught a lesson which will not soon be forgotten for that route. Among the white employees of this Commission sent to Nicaragua there were fewer cases of sickness than there would probably have been among the same number of men employed in some parts of the United States. Among those sent to Panama the proportion of sick was greater. On the Nicaragua life during the operations of the Maritime Canal Company the health of the force was reported to be good.
>
> This matter is so vital to the commercial world, to our coastwise line of traffic, to all travelers by way of the canal, and to the health of our seaports that even this strong statement of the Commission is not a full and sufficient warning of the danger.

This should be sufficient on this question, but I will add another extract from the report of health officers to the Bureau of Marine-Hospital Service in June, 1901:

PANAMA.

> The city of Panama, a town of 15,000 inhabitants, is situated upon an elevated point of land jutting into Panama Bay. The town is irregularly laid out, with narrow, crooked streets, cobblestoned, and filthy. The houses are Spanish in architecture in the least bad part of the city, and the rest of the town is made up of wooden shacks in all stages of decay. There are two small sewers in the place, but they are connected with only a few of the best houses. There is an insufficient water supply of inferior water, piped in from a river some distance back in the country.
>
> The population is a cosmopolitan set, the leavings of the old canal construction. Sixty per cent being Jamaica negroes accounts for most of the filth in the town.
>
> The harbor is situated at the head of the bay, about 2 miles from the town, and is protected by several small islands. The sanitary condition of the anchorage is naturally perfect, being swept by a 16-foot tide daily. The island nearest the shipping is inhabited by the employees of the steamship companies—laborers, stevedores, and coal passers.
>
> There is constant communication between this island and Panama, and daily intercourse with the shipping. Yellow fever is endemic in Panama, sporadic cases occurring at intervals, and becoming epidemic whenever there is an immigration of nonimmunes during favorable atmospheric conditions.
>
> Panama is the point of distribution and collection of all passengers and freight of the Pacific coast destined across the Isthmus. It is the key to the quarantine situation of the west coast, and if it was not a focus of infection itself many epidemics on the Atlantic side could be averted by proper quarantine regulations.

The houses of Panama are so constructed and of such material and so filthy that a general conflagration would be the only safe means of disinfection. I can not conceive of any other means by which the infection could be eradicated.

COLON.

> Colon, the northern terminus of the Panama Railroad, is built in a swamp on made ground, and is populated by 3,000 people, 70 per cent being Jamaica and other kinds of negroes. The property of the railroad and canal company is drained and sewered and is situated on the water front. Everything about the company's property looks clean and well kept, but the rest of the town is not so clean nor well kept.
>
> The houses are of wood and generally dirty. There are no sanitary arrangements of any kind, and the population is crowded into small rooms, as only Jamaica negroes can live.
>
> The streets are in fair condition, macadamized, and are on a higher plane than the adjoining lots. In the wet seasons pools are formed under the houses, and serve as breeding places for frogs, if nothing else. Rain water is collected in barrels and cisterns, and during the wet season the water supply is good and sufficient. During the dry season many of the cisterns run dry, and the water supply is hauled in from Monkey Hill in tank cars by the railroad. This supply is not good.
>
> No history of the sanitary condition or the mortality of Colon can be had. Some of the old inhabitants tell blood-curdling tales of the death rate during the flush days of the canal construction, but the old inhabitants will not do for statistical purposes. It was well known that the death rate was enormous, but it would be interesting to know just what it was.

In the debates in the executive sessions of the Senate in March, 1903, I presented the testimony of persons familiar with the health conditions on both routes and of experts of the highest character on this subject, which are printed in the CONGRESSIONAL RECORD. I will not repeat them.

If such testimony is not to be accepted as true statements of the health conditions in Nicaragua and Panama and their coasts, it is needless to present proof to justify conclusions for or against any proposition concerning a great public peril.

In this, as in every matter, I have done my whole duty to the best of my ability; but this health question has appealed to me as other important matters do not, for it affects generations to come, and I feel that it should be of the deepest concern to the chairman and members of the committee.

It is idle, if not worse, to boast of our regard and care for laboring men if we invite 10,000 of them to Panama, knowing that they must perish of its pernicious fevers as other tens of thousands of them have done.

My heart has been true to them, and my influence and my votes will never be lent to any scheme that mocks at their interests when the question of life or death is at stake.

Having traced, imperfectly but accurately and truly, the causes of our present troubles, I will defer their further discussion.

Every year lost now will be a future loss of $10,000,000 to the United States, and this is the least amount we will lose in waiting "a reasonable time" to proceed with this business.

On the 28th of June, 1902, the Spooner bill was enacted, and the time lost in refusing to consider the first Hepburn bill, and since the passage of the Hepburn bill, has been a loss to the people of the United States of not less than $20,000,000 in canal tolls and four times that much in time employed in long voyages to the Pacific Ocean, in the cost of such voyages, and in the items of interest and insurance, and in the delay of mercantile and other trade.

At some future time I will present the tables that prove these disastrous results.

When we add the war expenses this delay has added and will add to these losses, we shall be fortunate if the sum total does not exceed $100,000,000.

Having traced accurately, but not in full detail, the causes of our present troubles arising from our disregard of the wise and honorable adjustment of the canal question accomplished by President McKinley in December, 1901, I will defer further discussion of them until the misfortunes they have already brought upon the country are more clearly revealed, in consequence of the President's refusal to obey and execute the requirements of the Spooner law, which includes the provisions of the Hepburn bill.

I hope for a safe deliverance for the country through a recurrence to the demands of a very simple and plain duty, which is to proceed with negotiations with Nicaragua and Costa Rica for the concessions they are ready to more perfectly adjust, being already bound by the McKinley protocols, as to the fact that their concessions are subsisting compacts, now in full force and effect.

I will state in an appendix to my remarks some historical facts that show the "reasons for the faith that is in me" as to the great superiority of the Nicaragua route and the honest fear that almost everybody has that the Panama route is impossible as a practicable route. These historical statements cover the period from 1552 to 1870, about 350 years.

Mr. President, I have no objection to the passage of the resolution. In what I have said I have not been moved by any personal feeling, but have tried to justify my course by facts that are indisputable.

I thank the Senate for the indulgence given me. I will now present the appendix without reading, for which I have the assent of the Senate.

APPENDIX.

THE PRACTICABILITY AND ADVANTAGES OF THE NICARAGUA ROUTE—DISCOVERY AND RECONNAISSANCE—EARLY HISTORY.

In 1522 Charles V, King of Spain, sent Gil Gonzales Davila to continue the "South Sea" discoveries. On arriving at the Isthmus he transported his caravels across piecemeal, reassembling them, and proceeded northward to the Gulf of Nicoya, whence he traveled inland and discovered the lake called by the Aztecs "Cici-bola," but named Nicaragua by him.

1527: Having been repulsed by the natives, it was left for Hernandez de Cordova to build a fleet on and explore this lake in 1524, when he discovered the head of the San Juan River, the outlet to the sea, which was traversed by Diego Machuca, in 1527, to the Caribbean Sea. Thus was established the practicability of this route for isthmian transit in the early days of the Spanish occupation.

THE NICARAGUA ROUTE OPENED FOR TRADE.

1571: The operations of Sir Francis Drake in the South Sea in 1571 drove the traffic of Peru to this northern transitway, where it was landed at "Porto Realjo, or Corinto, on the Pacific coast, and carried thence across the low coast range at Lake Nicaragua; here reshipped and transported in the small vessels to the Atlantic, and at the San Juan's mouth loaded on galleons bound for Spain. This change in the route of transit was due to the fact that transportation across Nicaragua was found to be easier than that via Panama and the climatic conditions of the region far more favorable. Thus the transient glory of Panama began to die away, and in the end the whole district relapsed once more into barbarism."

Thus the practicability and superiority of the Nicaragua route was demonstrated by this early experience of the sixteenth century, and the control of this route became so alluring as to give rise to repeated efforts by freebooters during the following centuries to secure and hold control. (Z. Keasbey's Nicaragua Canal, p. 66; Squire et al. See note.)

1779: In 1779, during our war with Great Britain, the English agents, Lee and Hodgson, who accompanied the Spanish commissioners, Cramer, Yaasi, and Muestro, reported in glowing terms on this route, which led indirectly to the attack made upon the San Juan by Nelson the year following to secure possession for Great Britain.

1791: THE ROUTE OF THE CANAL.

BASTIDE, M. DE LA. Paris, 1791.

Page 9:

"From what we have stated about the three points, the easiest to execute the scheme of communication, it can be concluded that preference must be given without hesitation to the Rio San Juan."

Page 10:

"No other place in America presents so many advantages as the Lake of Nicaragua, etc., and, lastly, this lake would be an immense port capable of containing all the navies of the world."

1798: Baron von Humboldt published his conclusions as to the practicability of a canal across the Isthmus in his Personal Narrative of Travels, Vol. VI, pages 229-300, where he says:

"The Isthmus of Nicaragua and that of Copica have always appeared to me the most favorable for the formation of canals of large dimensions."

This led to the Spanish Cortes passing a decree for the construction of a canal across Central America the following year. (Keasbey, p. 120.)

1818: HUMBOLDT, BARON. Ensayo Politoco sobre el Reyno de Nuevo Espana. Madrid, 1818.

Page 240:

"The bar of the Rio San Juan, on the eastern coast of Nicaragua, has 12 feet of water; on one point only there is a narrow pass of 25 feet deep. In the Rio San Juan there is from 4 to 6 fathoms, and in the Lake of Nicaragua from 3 to 8, English measure. The Rio San Juan is navigable for brigs and sloops. Mr. Davis Robinson also says: 'The western coast of Nicaragua is not so stormy as it was represented to me during my navigation in the South Sea, and a canal issuing at Panama would have the great disadvantage of being continued at a distance of 2 leagues in the sea, because there are only some 10 feet of water as far as the isles Flamenco and Perico.'"

Page 245:

"The Isthmus of Nicaragua has always appeared to me the most favorable for the formation of a canal of large dimensions. * * * In considering communication between two seas capable of producing a revolution in the commercial world, we must not limit our attention to establish a system of inland navigation by small locks, as in the canals of Languedoc, etc."

Pages 269-270:

"Being guided in the practical views, presented at the end of this chapter, only by the analogy of the labors already performed by man, I shall first observe that the breadth of the isthmus of Nicaragua, in which the height of the ridge of partition is very inconsiderable, is nearly the same as the breadth of the land crossed by the artificial part of the Caledonian Canal. The isthmus of Nicaragua, by the position of its inland lake and the communication of that lake with the Atlantic by the Rio San Juan, presents several features of resemblance with that neck of land in the Scotch Highlands where the river Ness forms a natural communication between the mountain lakes and the Gulf of Murray. At Nicaragua, as in the Scotch Highlands, there would be but one narrow ridge to pass over, for if the Rio San Juan in a great part of its course is from 30 to 40 feet deep, as is asserted, it would require to be rendered navigable in some parts by means of lateral channels."

Page 275:

"*Regarding Panama.*—We think that more advantageous ports may be chosen; but we ought here to observe that the height of the ridge is an insuperable obstacle to the junction of the seas, when there is not at the same time a sufficient quantity of upper water fit to be conveyed to the point of partition."

Page 282:

"The Lake of Nicaragua may serve as an upper basin, like the Lake Oich in the Caledonian Canal, and regulating sluices will furnish as much water for the canal as it requires."

Page 283:

"The winds blow with sufficient force on the Lake of Nicaragua to render it unnecessary to tow the ships, which pass from one sea to the other, by means of steamboats."

THE UNITED STATES TAKES ACTION.

1825: The first official action by the United States was taken in reference to the Nicaragua route in response to the note of the minister of the Republic of Central America, Señor Don Antonio Jose Canaz, who addressed Secretary Clay in February, 1825, inviting the aid of this country in the construction of a canal by way of Lake Nicaragua.

To this note Mr. Clay replied, April 18, 1825:

"The idea has been conceived of uniting the two oceans by a canal navigation. The execution of it will form a great epoch in the commercial affairs of the world. The practicability of it can scarcely be doubted. Various lines for the proposed canal have been suggested and have divided public opinion. The evidence tending to show the superior advantages of that which would traverse the province of Nicaragua seems to have nearly settled the question in favor of that route."

1826: February 10, 1826, Mr. Clay wrote the chargé d'affaires, Mr. Williams:

"What the President desires is to be put in full possession of such information as will serve to guide the judgment of the constituted authorities of the United States in determining in regard to it what belongs to their interests and duties."

The result of these negotiations was the organization of a company, composed of A. H. Palmer, Hon. De Witt Clinton, Hon. Stephen Van Rensselaer, Moncure Robinson, Hon. Edward Forsyth, C. J. Catlett, and others, to build the canal, and on the 16th of June, 1826, the company made a contract with the Central American Government for this purpose, but it failed to raise the money, and the concession passed to the King of the Netherlands, who was authorized to undertake the project, but was prevented by the disturbed condition at home. (The Nicaragua Canal, the Gateway to the Pacific, pp. 4-5; Warner Miller.)

The period from 1826 to 1838 was occupied in civil wars in Central America between the Jesuits, or church party, and the Liberals, or constitutional party. This war was bitter, fierce, and destructive. It resulted in the practical domination of the Jesuits.

A principal prize of these wars was the control of the transit route through the Nicaraguan lakes and the San Juan River. The war had resulted in the practical dissolution of the Central American Confederacy.

Professor Keasbey, of Bryn Mawr College, in his very able and accurate work on the Nicaragua Canal and the Monroe doctrine, writes about the canal enterprises that succeeded the Twelve-years' war as follows:

"These independent States of the Isthmus were thus left in sole authority over their respective canal routes, and, like Spain and the Central American Confederacy before, each was still bent on exploiting its special natural monopoly to its own advantage. The Conservatives were now pretty generally in control throughout the Isthmus, and, as they had never been accustomed to look for support either from the Government or the people of the United States, each State began now to send its agents to the Catholic countries abroad in the hopes of interesting European companies in its special enterprise.

"Guatemala accordingly dispatched one of her bishops to Rome on this errand, while New Granada offered liberal concessions to a bubble French scheme launched by Messrs. Solomon & Co., for the construction of either macadamized roads, railways, or canals, across the Isthmus of Panama. Under this all-inclusive grant, surveys were instituted by a French engineer, Monsieur Morel, with the most startling results. After making some sort of a reconnoissance this visionary reported the discovery of a depression of only 10½ meters between Porto Bello and Panama, and on this fictitious basis worked out an elaborate canal plan for his company, giving mathematically exact and yet entirely imaginary figures and profiles.

"Nicaragua and Honduras then bestirred themselves as well, and together authorized another promoter, a Monsieur Bonchond, to conclude some agreement with other French capitalists for the construction of a transit way within their territory.

"Louis Philippe, of France, was at this time at the zenith of his power, and being himself personally interested in the canal project, he was regarded by all promoters as an ideal patron for the great undertaking. The Solomon Company first enlisted the monarch's attention with its dazzling promises of a sea-level canal across the Isthmus of Panama at a ridiculously low cost. On the advice of his famous minister, Guizot, Louis Philippe at once sent one of his engineers, Napoleon Garella, to Panama to prove or disprove the correctness of Morel's remarkable report.

"Garella, unlike most of the French engineers who have examined the Isthmus, was thoroughly conscientious in his work, and the results of his surveys effectually quenched his monarch's former enthusiasm for the canal project. Morel's 'wonderful depression,' Garella found to be 128 meters 72 centimeters above the level of the sea, instead of the paltry 10½ meters reported; and the lowest pass in this region he could find measured 115 meters 20 centimeters. Garella admitted, indeed, the possibility of a canal across Panama, but insisted that its construction would necessitate 5 locks and a tunnel of 5,350 meters in length, involving in all, according to his lowest estimate, a cost of 200,000,000 francs, and this for a small canal to accommodate vessels of not over 600 tons burden. No wonder Louis was disheartened and lost interest in the project!

"Thinking the opportunity now fit to interest the French monarch in the more favorable Nicaraguan route, Don Francisco de Castellon, Nicaragua's minister to France, not only offered Louis Philippe the exclusive right to construct a canal through the country, but furthermore proposed a French protectorate over the route. But Louis would have none of it, though Guizot, ever watchful over French interests, strongly admonished him against refusing the offer, lest Great Britain should step in and forestall him in the control of both Central America and the canal.

"Don Castellon then turned to Belgian promotors, and by liberal concessions succeeded at last in forming a company there and enlisting the patronage of the King. No money was forthcoming, however, and so the Belgian conservatives, through another of their agents, M. Marcoleta, Nicaragua's chargé d'affaires in Belgium, began to lay plans for enlisting the attention of Louis Napoleon Bonaparte, the rising star of European politics, who was then a political prisoner in the fortress of Ham.

"This enthusiast became at once mightily interested in the canal project, and it was soon arranged that he should be allowed to organize a canal company in Europe to be called La Canale Napoleone de Nicaragua. Upon his escape from Ham, on May 25, 1846, Napoleon proceeded at once to London, and there wrote his famous pamphlet on the canal question, in which he advocated the Nicaraguan route. The canal, as he laid it out, was to go up the bed of the San Juan, across the lakes, over the plains in the north, and down the valley of the Estero Real to the Gulf of Fonseca. Napoleon had grand ideas on the transit question, and a keen perception of the part it was destined to play in European and American politics.

"It may not be out of place, therefore, to quote his own words here:

"'The State of Nicaragua can become, better than Constantinople, the necessary route of the great commerce of the world, and is destined to attain an extraordinary degree of prosperity and grandeur.

"'France, England, and Holland have a great commercial interest in the establishment of a communication between the two oceans, but England has, more than the other powers, a political interest in the execution of this project. England will see with pleasure Central America becoming a powerful and flourishing State, which will establish a balance of power by creating in Spanish America a new center of active enterprise, powerful enough to give rise to a great feeling of nationality, and to prevent, by backing Mexico, any further encroachments from the north.'

"This monograph of Napoleon's attracted widespread attention in Europe, and nowhere more particularly than in England. The Royal Geographical Society there had kept itself informed all along in regard to the surveys thus far made on the Isthmus, but in every case had been disappointed in the reports. As a result of these surveys the English were at least convinced in their own minds—and, in fact, Lord Palmerston had already so declared before Parliament—that a canal across the Isthmus of Panama was impossible. But when Napoleon's plans were presented to Admiral Fitzroy, Her Majesty's hydrographer, for detailed examination, he was more favorably impressed with this route and reported favorably to the Government.

"From this time on the British capitalists and their Government persistently kept their attention fixed upon the Nicaragua route and were never afterwards to be seriously influenced by either French or American schemes in Tehuantepec, Panama, or Darien.

"English interest in Nicaraguan affairs had in the meantime become aroused in quite a different but a much more practical way, as we have now to see. All canal projects up to this had been but dreams of enthusiasts or schemes of irresponsible speculators. Politics now began to enter into the question again, and its evolution became at once more interesting."

During this period, from 1825 to 1898, the British Government sought to establish colonies and possessions that would give her the military control of the strategic points in Central America. She took warnings from the declarations of Adams and Clay, in 1825, as to a waterway across the American Isthmus, and began to exercise dominion at Belize and a protectorate over the Mosquito Indians along the eastern coast of Nicaragua, including the mouths of the San Juan River, contrary to the understanding of all maritime powers that Indian tribes in an independent American State were subjects of such States and could not make treaties with European powers.

In that act, followed by others equally as unjustifiable, Great Britain demonstrated her purpose to check the growth and the expansion of the United States and their commerce on the Western Hemisphere, and with wise foresight she selected the Nicaragua route as the only one that would guarantee her dominion of the seas, and rejected the Panama route as being impossible.

When our boundaries were extended to the Pacific, she was ready with the protectorate at the Lower San Juan River to block the way of access to our possessions in Oregon and California.

In these events the repression of the canal projects in the United States had their origin and their sway for more than fifty years through the Clayton Bulwer treaty, which was, in fact, abrogated by the courage and statesmanship of William McKinley, in an act which politicians of his party have steadily endeavored to nullify, namely, the agreements with Nicaragua and Costa Rica of the 2d of December, 1900.

McKinley is gone, and this, his highest monument, is being torn down by irresponsible hands, under delusions that are so wild and frantic that they suggest the vagaries of unbalanced powers of reasoning.

1838: Charles Biddle was sent to Nicaragua by President Jackson to inquire as to a canal through Nicaragua and to obtain concessions there.

The mission of Biddle having proved futile, citizens of the United States memorialized Congress, January, 1838 (Doc. No. 145, pp. 227), to open navigable communications between the two oceans by means of a ship canal across the Isthmus, and on March 2, 1839, Mr. Mercer's committee reported a resolution requesting the President (Van Buren) to ascertain the practicability of constructing a ship canal across the Isthmus, and of securing forever, by suitable treaty stipulations, the free and equal right of navigating the canal to all nations on payment of reasonable tolls.

1839 (Stephens): In compliance with this resolution the President sent John L. Stephens on a confidential mission to Central America. After a careful personal examination of the country and a critical study of the surveys of Lieut. John Baily, made for the Nicaraguan Government in 1837-38, he reported. Speaking of Nicaragua, he says: "I am authorized to state that the physical obstructions of the country present no impediment to the accomplishment of this work. A canal large enough for the passage of boats of the usual size could be made at a trifling expense." (P. 214, House Report No. 145, 50th Cong., 2d sess.)

He adds: "I would not speak of it with sectional or even national feeling; but if Europe is indifferent, it would be a glory surpassing the conquest of kingdoms to make the greatest enterprise ever attempted by human force entirely our own work" (p. 219). See also pages 224 to 225 for the statements of Humboldt's conclusions, taken from the American Quarterly Review, to wit:

"Of all these schemes, that by the Lake of Nicaragua seems to have offered most facilities and to have occupied the greatest share of recent attention," etc.

1840: From 1839 to 1842 the United States was occupied in settling the northwestern boundary question with Great Britain, but the diplomatic conflict as to the conduct of Great Britain in the coast countries of the Caribbean Sea was conducted in a mild way.

FRENCH EFFORTS TO OPEN CANAL.

1844: In 1844 the Nicaraguan minister to Paris requested Louis Philippe to establish a protectorate and build the canal. As a consequence, after his escape from Ham on May 25, 1846, Louis proceeded to London and wrote his famous pamphlet favoring the Nicaragua route, in which he said: "The State of Nicaragua can become, better than Constantinople, the necessary route of the great commerce of the world, and is destined to attain an extraordinary degree of prosperity and grandeur."

When Napoleon's plans were presented to Her Majesty's hydrographer, Admiral Fitzroy, he reported favorably upon it to his Government. (Vide Keasbey, p. 163, followed by British efforts to seize.)

THE CANAL SITUATION FROM 1845 TO 1852—THE PRACTICAL EFFECT OF THE CLAYTON-BULWER TREATY ON THE CANAL POLICY OF THE UNITED STATES.

The United States was committed by the Clayton-Bulwer treaty to the policy of constructing an isthmian canal through the organization and capital of private companies, and against the policy of Government control and ownership of such a canal, unless it should be in connection with Great Britain.

This was the question raised in the subsequent Frelinghuysen-Zalaya treaty, in which Mr. Arthur's Administration, following the lead of President Grant and Mr. Hayes's Administration, struck out boldly and without consulting Great Britain for the sovereign and unqualified right of the United States to make any treaty she might choose with the sovereign Republic of Nicaragua and Costa Rica without the consent of any other nation; and it was on that question that I concurred with President Arthur, and I still occupy that position. It was on that rock that Mr. McKinley anchored the foundation of the monument of his noblest fame, with a courage and honesty that shows my successor and his late worshiper, who now defame his memory, with the suggestion that he followed an illusion and that his loftiest ideal "did not mean business." They now present the business end of the canal question, and the country is already writhing under the sting of the hornet.

The proposition can not be disputed or ignored that the United States is fully committed to the policy of the sole, exclusive, and perpetual right to own, control, and regulate any isthmian canal that is to be constructed under our laws enacted by Congress with the money of our people, and this committal is confirmed and made conclusive by the ratification of the Hay-Pauncefote treaty.

1849: On February 28, 1849, Hon. J. A. Rockwell reported to Congress in favor of a canal, and on the 17th of March Messrs Brown & Co. organized to build one at Nicaragua. Another company was organized the same year, September 23, by Cornelius Vanderbilt, Joseph L. White, and others, under the name of the American Atlantic and Pacific Ship Canal Company, for the same purpose, under the Hise treaty, which was signed June 21, but not ratified because of foreign intervention. Tigre Island was seized, and the Squier negotiations were likewise set aside by the powers which concluded the Clayton-Bulwer compact. The discovery of gold in California led to the construction of the Panama Railroad by citizens of the United States and to the formation of the Accessory Transit Company, via Nicaragua, under the management of Commodore Vanderbilt.

WORK BEGUN UNDER THE VANDERBILT CONCESSION—INSTRUMENTAL SURVEYS.

1852 (Childs): In March, 1852, after a careful physical survey of the Nicaragua route for Vanderbilt, Col. O. W. Childs, C. E., submitted his report on the practicability of the project. This report has been confirmed by the many subsequent scientific investigations which have been made by governments and private parties. In the letter of instructions Colonel Childs was given full authority to select the best route in these terms:

"The company do not wish to limit you in your examinations. They wish the most feasible line that exists for the canal from ocean to ocean surveyed and located, and if these can not be done in the manner pointed out, do them in any other."

As a result of his careful surveys Colonel Childs reported in March, 1852, in favor of a ship canal across the Isthmus via the San Juan River, Lake Nicaragua, and the Las Lajas and Rio Grande, to Brito on the Pacific, as being the best and most practicable, and this is the route now recommended by the many scientific commissions, after investigations covering about fifty years and including every possible element of calculation and exploration affecting the routes across the American Isthmus. As in the subsequent work of the Maritime Canal Company, the enterprise and pluck of private citizens of the United States have done more to secure an American isthmian canal than the Government has done or ever can or will do.

The Childs report was approved by Colonel Ebert and Major Turnbull, of the United States Topographical Engineers, to whom it was referred, as being entirely feasible, but the canal was not dug because of financial difficulties and the confiscation of the transit way by Gen. William Walker, who had invaded Nicaragua and declared himself President.

On the 16th of July, 1852, the English expert, to whom the Government referred the Childs report (Colonel Aldrich, of the Royal Engineers, and Mr. James Walker, C. E.), also approved it, but recommended its enlargement, which increased the cost and difficulty of financing the project.

THE BEGINNING OF ACTIVE WORK BY THE UNITED STATES.

1845 to 1848: The result of the war with Mexico forced the United States to take up the isthmian-canal question as a measure of protection and of governmental and commercial necessity.

President Jackson, who was very strict in his views of the powers of Congress as to work of internal improvement by the General Government, had foreseen these national necessities when peace prevailed, and committed his Administration to the duty of providing for them by sending Charles Biddle to Nicaragua in 1838 to obtain concessions from that Government. He went to Panama instead, and converted his public mission into a private speculation, in the effort to get concessions for himself from Panama.

Jackson's policy came to the front again, as an imperative necessity, in the period of 1845 to 1848.

In 1845 Texas was annexed, and Great Britain proceeded to strengthen her hold on the mouths of the San Juan River, and we began mildly to protest.

In 1846 we were at war with Mexico. In the same year we opened negotiations with New Granada (afterwards called Colombia) for rights of way across the Isthmus at Panama.

The twelve years' war had prostrated that Government. It was a church war between the Jesuits and the Liberals, and the loss of the State of Panama was the crux of the issue. To get certain rights of way for our people and commerce and certain advantages that a New York company sought, of which Totten was the head, the United States agreed to guarantee the neutrality of the transit routes, then contemplated, and to guarantee the sovereignty and ownership of New Granada over the State of Panama.

This unprecedented guaranty of the sovereignty of a foreign power over one of its own states stands as a memory of our purpose to checkmate British policy in the American Isthmus, at any expense of principle, and of the constitutional attitude of the great American Republic.

When this treaty was ratified by our Senate in 1848 the railroad concession to Totten was under consideration by Colombia and was ratified in June, 1850. It was in existence when the Clayton-Bulwer treaty was ratified, but no work had been done under it. Whether it was annulled by Article XVIII of the Clayton-Bulwer treaty, so far as the United States is concerned, may be an open question, as Lord Lansdowne has intimated to Mr. Hay, his point being that "Central America" in the Clayton Bulwer treaty is not a political definition of the scope of that treaty, but a geographical description that includes all of isthmian America.

Here may be room for another Alaskan boundary dispute.

1849 to 1852: Elijah Hise, a consul, concluded a treaty with Nicaragua, the best canal treaty we have had with that Government, which was held by Mr. Clayton as a threat over Great Britain, but was destroyed by the Clayton-Bulwer treaty.

This treaty was concluded June 21, 1849. Mr. E. S. Squire was sent out to supersede Mr. Hise, and on the 23d of September, 1849, he signed a treaty with Nicaragua, nearly as comprehensive as that negotiated by Mr. Hise, and obtained a concession for broad canal rights from Nicaragua for the Vanderbilt company, of New York.

This treaty was also destroyed by the Clayton-Bulwer treaty, but the concession was recognized in that treaty.

In submitting the Squire treaty to the Senate for ratification, March 19, 1850, President Tyler calls attention to the fact that England had taken possession of about half of the Nicaragua route, which he characterized as the most eligible route for a ship canal to our territories on the Pacific. (Vide Richardson's Public Papers.)

FRELINGHUYSEN TREATY.

The Frelinghuysen-Zavala treaty was the most important act of the President of the United States relating to the policy of the Government since the Clayton-Bulwer treaty, which it reversed and ignored as if it had no existence. It was the turning point in a great national policy of perfect independence in our dealings with the subject of an isthmian canal. It therefore should receive careful consideration.

It followed the policy and the attitude of the Government, as shown in the terms of the two treaties with Colombia, for canal concessions at Panama before we had surveyed that route—one of them concluded by Mr. Cushing, under President Johnson; the other by General Hurlburt, under General Grant, as I have already said.

In these treaties we demanded and obtained a canal zone 20 miles wide under our exclusive and perpetual control, and all the rights granted were to be "permanent and indefeasible" and subject to the military control of the United States.

In all our declarations made by Presidents, Secretaries of State, commissions, and by resolutions of Congress, down to the time of the conclusion of

the Frelinghuysen-Zavala treaty, and in the treaties concluded by Hise and Squires before the Clayton-Bulwer treaty was ratified, we announced firmly and without evasion that the United States would supply the money, build, own, control, and protect any canal built by that Government on any part of the American Isthmus. This was and is the true American doctrine. I think it important that this great fact should be kept in mind.

This national attitude being established on the part of the United States with reference to the Nicaragua route, to which alone the Clayton-Bulwer treaty applied, I will now invite the attention of the Senate to some contemporaneous conditions at Panama.

THE MODERN ENTERPRISE OF OPENING THE BARRIERS OF SUEZ AND THE AMERICAN ISTHMUS BETWEEN THE GREAT OCEANS.

Napoleon I, in his campaign in Egypt, projected the reopening of the canal from Port Said to Suez, and left an officer in charge of the exploration.

In 1847 France, England, and Austria sent out a commission to make a survey, which reported favorably. Mr. Robert Stephenson, of England, dissented on the ground that the desert sands would fill up the canal.

In 1854 Said Pasha granted a concession for this canal to M. de Lesseps. In 1858 the company was formed, which voted to Egypt 15 per cent of the tolls. The capitalization was 200,000,000 francs, afterwards, in 1867, increased by loans of 100,000,000 francs. The canal is 100 miles long. Its width, when dug, was 72 feet at bottom, and the depth was 26 feet. It was opened officially November 17, 1869, and was practically constructed in eleven years.

In 1875 Great Britain purchased the shares of the Khedive of Egypt, being 177,000 of 400 shares, for $20,000,000.

Great Britain opposed the construction of the canal, but in six years after it was opened she owned an interest in it that since that time has controlled it.

This great work was an established success while the civil war in the United States was at its height, and the whole world turned its attention to this triumph of the arts of peace in the Eastern Hemisphere.

The United States looked on anxiously and, as soon as French and Austrian power was dislodged from Mexico, after the close of the civil war, the great leaders in our country renewed the effort to open a canal through the American Isthmus.

From U. S. Grant took this task upon his Administration, and never abandoned it while he lived. He and Mr. McKinley advocated and supported the Nicaragua Canal to their latest breath.

THE DEFIANT CHANGE OF OUR CANAL POLICY IN CONCLUDING THE FRELINGHUYSEN TREATY.

Mr. Frelinghuysen had just come from his earnest debate with the British foreign secretary as to the Clayton-Bulwer treaty when he determined to assert the rights of the United States and Nicaragua against the prohibitions of the treaty, and to show to Great Britain that he had the support of the great majority of the American people, and he made his famous treaty with Zavala.

That fact was demonstrated by the vote in the Senate on the question of ratification. The treaty was discussed, with little intermission, from early in December, 1883, to the end of January, 1884, when it wanted but a single vote of being ratified by a majority of two-thirds of the Senate. In a vote of 56 Senators it seldom occurs that there is a majority of 9 Senators in favor of any great measure.

As representatives of the people, those votes of Senators indicated that nearly two-thirds of the people were in favor of the Panama route, even if it should give offense of a serious character to Great Britain. In the rejection of the two treaties with Colombia in 1880 and 1871 the like indication was that the people by a like large majority were opposed to the Panama route, although the treaty had been concluded with the approval of the President, and although these treaties contained the grant of the exclusive and perpetual right to own, control, and protect a canal at Panama.

MR. CLEVELAND'S COURSE.

These three conclusive demonstrations of the will of the people in favor of the bold and patriotic stand of Mr. Arthur and Mr. Frelinghuysen in favor of Nicaragua and against Panama should have put that question at rest forever.

Instead of that, Mr. Cleveland took the matter into his own hands, and on the 5th of March, 1885, the day after his first inauguration, he withdrew the treaty from the Senate, when a motion for the reconsideration of the vote by which it had failed of ratification by one vote was pending.

The power of the President to withdraw a treaty from the Senate without taking a vote of that body on a motion for leave to withdraw is a proposition that can not be maintained, nor is it free from danger to the Republic; but the power was exercised by President Cleveland for the following reasons, stated in his message to the Senate, in which he says:

"Maintaining as I do the tenets of a line of precedents from Washington's day which proscribe entangling alliances with foreign states, I do not favor a policy of acquisition of new and distant territory or the incorporation of remote interests with our own. Therefore I am unable to recommend propositions involving paramount privileges of ownership or right outside of our own territory, when coupled with absolute and unlimited engagements to defend the territorial integrity of the states where such interests lie. While the general project to connect the two oceans by means of a canal is to be encouraged, I am of the opinion that any scheme to that end, to be considered with favor, should be free from the features alluded to."

This doctrine is the reverse of all the declarations of Mr. Cleveland's predecessors who have spoken on the subject, including Jefferson, John Quincy Adams, Jackson, Polk, and Pierce, and has been condemned by every vote the American people have ever given on such a subject.

Its effect upon the isthmian canal question was the reaffirmation of all the provisions of the Clayton-Bulwer treaty, which was the actual question involved in the debate on the Frelinghuysen-Zayala treaty, and to reinstate the hopeless task of building an isthmian canal as a private enterprise, under the control of a corporation.

Our people of the South were not disheartened even by this tremendous blow, delivered from an arm to which they had given its only strength. The South, still prostrate from the wounds and starvation of a long and fierce civil war, felt the foot which they believed they had shod "with the preparation of righteousness" when it trampled upon their necks. They shuddered, but did not despair, and still looked for deliverance and worked for it.

MARITIME CANAL COMPANY.

From New York to Richmond, the men who had the courage put their slender means into a company to build a canal through Nicaragua and Costa Rica, to the amount of $4,500,000, and obtained liberal concessions. They organized a construction company under a concession from Nicaragua and went to work in good faith and with high hopes of success. They were encouraged by members of the Administration—notably by Hon. Wm. C. Whitney, Secretary of the Navy.

Several such companies had been formed, but they did no work.

Mr. Menocal was chosen as their agent to obtain concessions from Nicaragua, and he succeeded. The Maritime Canal Company had in its stockholders a class of men that were nearly all men of honorable national distinction.

The association afterwards asked that leave of absence be given Mr. Menocal, who was a naval officer, to act as the chief engineer of the canal. Secretary Whitney, in granting the leave, wrote as follows:

"The leave is asked for to enable Mr. Menocal to act as chief engineer of the Nicaraguan Canal. His services are really necessary to the undertaking, such has been his prominence in connection with it in the past, otherwise I would not grant the request, but in view of the public importance of the enterprise to our country it is entirely fit to give any assistance in our power.

"W. C. WHITNEY."

The charter of the Maritime Canal Company to execute this concession was afterwards granted by Congress on the basis of American control of the canal by authority of the Congress of the United States, in accordance with the concessions made by Nicaragua and afterwards by Costa Rica, which were also made public statutes of those Governments, and were so declared.

This act was approved by President Cleveland, notwithstanding it created "entangling alliances" with Nicaragua and gave Congress supervision over that State as a stockholder in the Maritime Canal Company.

Mr. Menocal in 1880 had made a resurvey of the Childs and Lull routes for the Provisional Canal Society, which was his second survey. On the 15th of December, 1894, Mr. Chandler, Secretary of the Navy, sent Mr. Menocal out to survey the canal route for the Government. He made a survey more in detail than any that had preceded it, completing the work in April, 1885, which was reported to the Secretary of the Navy in 1885. This was his third survey of the Nicaragua route. Each survey reaffirmed the feasibility of the canal, as established by Childs, on either of seven plans of construction recommended by engineers, varying as to dimensions, the lockage, and the cost.

SUEZ CANAL PROFITS.

When the Maritime Canal Company was chartered by act of Congress, Great Britain was receiving very large profits from stock she had purchased from the Khedive of Egypt in the Suez Canal.

The following table, prepared by our Bureau of Statistics, will show the value of the Suez Canal, as an investment, during the last thirteen years. That stock is now worth 800 per cent on the original cost.

Receipts and expenditures for the years 1891-1902.

Years.	Total receipts.	Transit receipts.	Expenditures.	Net receipts.
	Francs.	*Francs.*	*Francs.*	*Francs.*
1891	86,866,914	83,422,101	36,275,021	50,591,893
1892	77,809,781	74,452,436	41,728,544	36,081,237
1893	76,579,922	70,067,361	35,964,435	40,615,537
1894	76,161,154	73,776,827	24,028,729	52,922,425
1895	80,702,787	78,103,717	25,635,307	55,067,480
1896	82,222,855	79,568,934	25,913,906	56,309,049
1897	75,007,029	72,830,545	24,490,921	51,116,108
1898	87,906,255	85,294,759	24,464,294	63,441,967
1899	94,317,505	91,318,772	24,863,166	69,454,599
1900	93,451,463	90,623,608	25,648,294	67,803,139
1901	103,121,726	100,386,387	28,445,959	74,675,727
1902	106,849,760	103,720,020	30,298,741	76,551,019
1903 to October 8		a 77,770,000		

a As against 80,820,000 francs for the corresponding period in 1902.

Our Bureau of Statistics has no complete data as to the earnings of the Suez Canal earlier than 1891.

The net profits in 1902 were 17 per cent on the capital, computed on the basis of the net earnings after all expenses, including the deepening and enlargements of the canal, are deducted as current expenses.

After thirty-four years of operation we can safely calculate on an equal percentage of profit on an isthmian canal that is open, with like advantage to sailing vessels and steamships. We can do this even if we lower the tolls to half the amount collected by the Suez Canal, for the tonnage must be very much greater on the American canal. But with the same tonnage and tolls and with net dividends of even 5 per cent on $200,000,000, our canal would earn $10,000,000 net every year.

The rejection of the treaty by the Frelinghuysen-Zavala treaty was a reaffirmation of the Clayton-Bulwer treaty that seemed to confirm her power to rule the future destiny of the United States as her subordinate in commercial pursuits, and the Maritime Canal Company was intended to work in conformity to our low estate.

It can not be necessary to go further to show the interest of Great Britain in saving the Suez Canal the great power it gives her in her boasted dominion of the seas in commercial and war vessels. Yet if we look deeper into this matter we must see that the profit, in cash, as dividends in her stock in the canal, is a small part of her actual advantage in the control she exercises over it in the board of management as a stockholder.

Her army in Egypt, placed there to protect the canal and her line of communication with India and Australia and her western possessions on this continent, is also intended to assert military dominion over the canal, on a line from Cyprus to Aden and on to India.

France was strongly disposed to contest this domination of Great Britain for less important reasons, but concluded that "prudence was the better part of valor," and turned her attention to Panama as the western gate to her commercial enterprise and her acquisitions in the Pacific and in China and Siam.

WHAT THE PANAMA CANAL COMPANY WAS DOING.

1880 to 1882: In the years 1880 to 1882 the Panama Canal Company was engaged in establishing its plant at Panama with a recklessness of expenditure that has characterized no other public work. Palaces were built on a sea marsh for De Lesseps and his son, where foundations were established by throwing into the marshes boxes of material and machinery bought for the canal and which had never been opened. Hospitals, at an enormous expense, were erected and were kept filled with sick officials and laborers. Contracts were made that were destructive of the financial interests of the canal; and, indeed, a wild orgie of waste and dissipation added thousands to the death list and thinned the labor supply, until the price of labor became a heavy drag on the progress of the work and few could be found to labor.

THE EFFECT OF OUR CIVIL WAR ON AMERICAN CANAL ENTERPRISE.

1864 to 1871: From the death of President Lincoln, April 14, 1865, to the accession of President Grant in 1869 the country was in a convulsion of political disturbance over many great questions. But the interest of the Government in the isthmian canal was scarcely affected by those perilous conditions. But our attention was directed more especially to the building of the Union and Central Pacific railroads, which were begun at the close of the civil war.

President Johnson, seeking to avoid the incubus of the Clayton-Bulwer treaty, which he held as not being applicable to the isthmian region in Colombia, sent out an expedition that recommended the Nicaraguan route as being practicable and advantageous to the country.

TREATIES WITH COLOMBIA MADE BY PRESIDENT JOHNSON IN 1868 AND BY PRESIDENT GRANT IN 1870.

Mr. Seward, when he was Secretary of State, was anxious to enlarge the scope and to include specific canal concessions in the treaty of 1846-1848 with Colombia, knowing that treaty did not confer upon the United States any right to construct or own a canal or railroad on the Isthmus of Panama, and he sent Hon. Caleb Cushing as minister to Colombia, in 1868, to negotiate such an amendment to that treaty.

Mr. Cushing found the Jesuits in control of the Colombian Government, but the Liberals were in the popular majority in the Republic, and he believed they would regain power at an early date. He awaited that event, and in 1869 he concluded a treaty with Colombia under which the United States were to have the sole right of constructing a canal within the territory of Colombia, and for this purpose the Colombian Government was to reserve a strip of land across the Isthmus for the canal route itself and 10 miles on either side.

This was the first canal zone ever projected, and such a zone, with the right of our Congress to legislate for its municipal government, is the necessary corollary to the right of sole ownership and control of the canal by the United States in any foreign country.

To this great American jurist and publicist the world owes the plan that some day will give trouble in Egypt, for the want of such a provision for governing the Suez Canal by the Government that owns the controlling interest.

In Mr. Cushing's treaty the improvement of the value of lots to be held by each Government, in equal alternate parcels, was the chief consideration of the concession.

The canal was to be constructed by the United States Government, and its government and control was also to remain in our hands, and for that purpose our Government was authorized to employ military forces if the occasion should arise.

Colombia was still to retain the "political sovereignty and jurisdiction over the canal and territory appertaining thereto," but only with the proviso that she should not only allow but guarantee to the United States of America the peaceable enjoyment, control, direction, and management of the same; and in conclusion it was declared "that the political obligations herein assumed by the United States of America and the United States of Colombia are permanent and undefeasible." This is just the reverse of the provision of Article IV of the Hay-Concha treaty and the Hay-Herran treaty.

On the 15th of February, 1869, this treaty was sent to the Senate by the President, and it was rejected by that body as being "inadequate."

Mr. Cushing anticipated our present embarrassment under new counsels, but he is out of date—a back number—and I claim the honor of sharing with him the recent criticism of the envoy extraordinary and minister plenipotentiary of the Republic of Panama, just arrived from his native and beloved France and creditor of the Panama Canal Company and legitimate successor of the king of the Mosquito tribe of Indians, who had interested their enmity toward Nicaragua, has informed the world that I am also out of date as to my information about canal facts.

In 1869 General Grant being President, negotiations with Colombia were again opened by Mr. Fish, Secretary of State, for canal concessions at Panama. He appointed Gen. Stephen A. Hurlburt, the military companion and trusted friend of President Grant, as minister to Colombia, especially charged with this negotiation.

On January 26, 1870, General Hurlburt signed a treaty with Colombian authorities which conferred on the United States the same rights, substantially, with that negotiated by Mr. Cushing. It granted to the United States the right of constructing and operating a canal within the territory of Colombia, but it looked to an international military control of the canal and its zone.

Mr. Fish submitted that treaty to the Senate for ratification or amendment, but was not thoroughly satisfied with its provisions. It was also amended by the Colombian Congress after it had been signed.

The Suez Canal, which had been under construction since 1860, was opened in 1869, and De Lesseps sent out his prospectors at once to examine the Panama and Nicaragua routes for a canal. The Colombian people were moved by French enthusiasm to the conviction that France was the country to rely upon for a canal, and they became indifferent to the Hurlburt treaty, which was rejected by our Senate.

These treaties were far more favorable to the United States than that which the Colombian Congress has recently ignored, and has suffered to perish through its own provisions as to the date of its ratification by the Colombian Congress. Some Colombians still hope for a new treaty with a larger dot for the bride-elect, but she was suddenly found to be ineligible for the union with Uncle Sam, because the Panamistas had married her secretly to the New Panama Canal Company. The marriage contract was drawn by Mr. Cromwell, and all preparations were notified to our President, who was to be the godfather to the heir apparent. Señor Don Bruno Varilla was chosen as minister plenipotentiary to attend the christening. Things had gone too far to be recalled, and the President, on the question of "decency," could only quote Uncle Toby's excuse, that "the baby was very small."

After our Senate had refused to treat with Colombia even on terms that were satisfactory to Mr. Fish and President Grant, before any instrumental survey of the Panama Canal route had been made, General Grant resolved to have all the supposed canal routes examined by a commission of the leading engineers and experts of the United States, so as to get exact information as to their relative merits.

When they were reported they disposed of the Panama route as not being of any interest to the United States as an investment or as an instrumentality of government, and it was left to Colombia to work out the Panama scheme with the money of the French people as best she could.

A scrutinizing watch was kept upon the progress of the Panama Canal Company and of France to prevent that Government from assuming any control of that project.

When that company got into financial troubles and called on France for legislative assistance, by granting authority to it to raise money by a lottery, the movement was strong and decisive in both Houses of Congress to warn France that such interference would be regarded by the United States as "an unfriendly act."

France desisted for the time and disclaimed any purpose of exerting its powers to aid that company, and our Secretary of State, Mr. Evarts, expressed his satisfaction and the incident was closed. The proceedings of the Houses on this matter were presented to the Senate in reports of its committee. France has not kept this pledge, as appears from the record, but the collapse of that company prevented the necessity of a diplomatic inquiry into the subject.

THE CONCURRENCE OF GREAT EVENTS.

1869. In 1869 the Suez Canal and the Union Pacific Railroad were both opened and General Grant was elected President, thus giving a new and more vigorous impulse to the American canal. To supply any deficiencies in the data he sent Commander Selfridge to make further explorations on the Isthmus in 1870, and at the same time dispatched Captain Shufeldt to Tehuantepec and Commander Lull to Nicaragua for the same purpose. Lull was accompanied in these surveys as well as those at Panama in 1875 by Commander A. G. Menocal, civil engineer of the Navy, whose researches have been more extensive and thorough than any other engineer. (For a detailed statement of the several surveys see "The Panama Canal," by J. C. Rodriguez, pp. 19 to 26.)

In his report, dated October 29, 1870, Commander Selfridge says (p. 24):

"For these reasons, arrived at after careful investigations, I consider the Darien route entirely impracticable for a ship canal," and on page 31 of the same report he concludes:

"Though the expedition of 1870 has not won the more glittering reward and distinction of finding a successful route for this great enterprise, still, in the elimination of three routes from among those to be surveyed in laying open the Isthmus of Darien, the interior of which has rarely been traversed by white men, and in doing away with the delusion that a pass exists in the chain of mountains that traverse its length they trust they have fully carried out the instructions and expectations of the Department."

ORIGIN AND PROGRESS OF THE DEVELOPMENT OF THE NICARAGUAN ROUTE AND OPINIONS AS TO ITS IMPORTANCE AND PRACTICABILITY—THE COMMISSION SENT BY PRESIDENT GRANT.

1871: In 1871 President Grant, in the second year of his first term, appointed Gen. A. A. Humphreys, then Chief of Engineers; Capt. Carlisle P. Patterson, the Superintendent of the Coast Survey, and Admiral Ammen, of the Navy, a commission to compile and report upon all the canal data available. The commission called to its aid Major McFarland, of the Engineer Corps; Captain Heuer, of the Engineers, and Prof. Henry Mitchell, of the Coast Survey, who made a personal examination of the principal routes in question, in company with Gen. Jacob Ammen, Capt. J. W. Miller, and Mr. S. D. Walton, C. E.

The preliminary report of this commission led to a closer instrumental survey of the Isthmus of Panama, which was conducted by Commander Lull, assisted by Mr. A. G. Menocal as chief engineer. Lieutenant Collins was also sent to the Isthmus to report further on the Atrato-Napipi route. All of these surveys were completed before the close of the year, and on February 7, 1876, the final report was submitted, reading as follows:

"To the President of the United States:

"The commission appointed by you to consider the subject of communication by canal between the waters of the Atlantic and Pacific oceans across, over, or near the Isthmus connecting North and South America have the honor, after a long, careful, and minute study of the several surveys of the various routes across the continent, unanimously to report:

"That the route known as the 'Nicaragua route,' beginning on the Atlantic side at or near Greytown and extending to what is known as the port of Brito, on the Pacific coast, possesses, both for the construction and maintenance of a canal, greater advantages and offers fewer difficulties from engineering, commercial, and economic points of view than any one of the other routes shown to be practicable by surveys, sufficiently in detail to enable a judgment to be formed of their relative merits, as will be briefly presented in the appended memorandum. * * *

"We have the honor to be, with great respect, your obedient servants," etc.

Thus, after four years of investigation, supplemented by Lull's surveys in the field, under the direction of the United States, this high tribunal concluded that the best and most practicable route was the one via Lake Nicaragua. (See Appendix A of Sullivan's report, p. 143. Also "The Gateway to the Pacific," Maritime Canal Company pamphlet, p. 9.)

No abler, more impartial, or trustworthy commission than this has ever considered or reported upon any fact or feature of this great subject of the best route for an isthmian canal.

Consulting engineers of the great transcontinental railroads may whisper to the President their dissent to this report, but they have not dared to give open and manly expression to such statements.

The persistent efforts of the French people, based upon the prestige of De Lesseps and the action of the Paris Congress of 1879, in deciding to push the work at Panama, finally awakened the Congress of the United States to further activity in the form of resolutions, reports of committees, and commissions for more information, resulting in the assignment of Lieut. John T. Sullivan, of the Navy, to compile another report, which was not submitted until 1883, and contained no recommendations, but the facts ascertained were fully confirmatory of the report of the Humphreys commission.

The report was not, however, transmitted to Congress, General Grant's term having expired, until it was called for by resolution of April 15, 1879. It was then transmitted on the 18th, without comment or recommendation.

Mr. MORGAN. Mr. President, I urge no objection at all to the passage of the pending resolution.

Mr. HANNA. Mr. President, I can not let the opportunity pass without challenging a portion of the statement of the Senator from Alabama [Mr. MORGAN] with reference to the policy of the late President McKinley regarding this canal question. If I understood the Senator correctly, he stated that President McKinley up to the time of his death was in favor of the construction of an interoceanic canal by the Nicaragua route, and that had he lived no doubt a policy would have been carried out resulting in the construction of the canal by that route.

I desire to state that in 1899, when for the first time it came to his knowledge that the Panama Canal Company's property could be purchased, President McKinley seriously considered the proposition; he investigated the question, and the result was that he asked this body, through the instrumentality of the Committee on Commerce, to report an amendment to the river and harbor bill appropriating the sum of $1,000,000 for the further investigation of all routes on the Isthmus, with a view of constructing an isthmian canal.

What I say I say from personal knowledge, obtained in personal interviews with the late President as to his ideas and as to his future policy. He became so impressed with the importance of this question and the eligibility of the Panama route that he determined, as far as lay in his power, to have a full knowledge of all the routes, and in his recommendation to Congress that was his sole purpose and desire.

After the appropriation was made and he had obtained authority to appoint a commission, through frequent conferences

with him personally, as I was a member of the committee having charge of the subject, I knew of the interest he felt that all possible routes across the Isthmus should be thoroughly investigated, and in the selection of that Commission he was extremely careful. He took plenty of time, diligently inquired into the reputation and fitness of every man who was considered for a place on that Commission, and when the personnel of the Commission was completed he felt that as far as lay in his power he had done his whole duty to secure the aid and advice of the best talent which the country afforded for such a purpose. It was his intention, so far as his policy was concerned, to be guided by the report of that Commission.

As to the alleged change of policy after the death of President McKinley, the present Executive has made no change, because President McKinley had decided to follow the advice which might be given by the Commission of his own creation as to the ultimate route to be established in the construction of that canal.

I make this statement because I am unwilling under the present situation that such statements as have been made by the Senator from Alabama should go before the country when I know to the contrary.

Mr. MORGAN. Mr. President, the Senator speaks from personal conversations with President McKinley, which I have no opportunity in the world of testing in any form. I had no personal or political intimacy with President McKinley that would have justified me in asking him his private opinions upon any question. I go upon his record—his public record—and his public record was that he did, in 1899, recommend the appointment of this Commission; that on November 30, 1900, the Commission made their report to him, and that on the next morning he made the agreement—the solemn compact with Nicaragua and Costa Rica. Therefore he had become convinced of the correctness of the report of this Commission which he had selected with such great care in the effort to secure wise, just, honorable, and upright men, so that he could afford to stand on what they said. No Panama canal company had intervened at that time, except with certain temptations, which he scoffed at and scorned. He thereupon took matters in his own hands, as a great and good man ought to do, and decided it by a protocol, which was just as obligatory as the protocols under which he decided all the questions of the great Chinese imbroglio.

Mr. HANNA. Mr. President, in reply to that statement, I have only to say, in confirmation of what I have said before, that President McKinley was willing to abide by the decision of the Commission. On the first report of that Commission, when the price for the property of the Panama Canal Company was fixed at $104,000,000, it was decided to stand by the report in favor of Nicaragua. But when it is said that President McKinley thought that the Nicaragua Canal route was the better route, I know to the contrary. It was the question of price and the conditions under which that price was made to this Government that led to the protocol of which the Senator speaks.

Mr. MORGAN. The Senator can not get up a personal issue with me about this matter. I have not stated what Mr. McKinley said, except what he said on the record. The Senator has stated things that nobody ever heard of but himself. I do not take issue with his statements so far as they do not take issue with what I have stated.

Mr. HANNA. If the Senator will permit me, then, I want to go before the country as making this statement upon my own responsibility.

Mr. MORGAN. You are welcome to do that.

Mr. HANNA. All I ask is to have the statement go before the country.

Mr. MORGAN. I have no objection to that. I go on President McKinley's record, and the Senator goes on what President McKinley stated to him privately, neither being in contradiction of the other.

Mr. SPOONER. Before the Senator from Maine [Mr. HALE], who has charge of this resolution, left the Chamber he requested me, when the Senator from Alabama [Mr. MORGAN] had concluded, to ask that the resolution go over until to-morrow immediately after the routine morning business, and he also asked me to make the same request as to the motion which is pending, made by him, to reconsider the vote by which the resolution introduced by the Senator from Nevada [Mr. NEWLANDS] inviting Cuba to become a State was sent to the Committee on Relations with Cuba.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Is there objection to the request made by the Senator from Wisconsin?

Mr. GORMAN. Of course I am taken by surprise at the suggestion made to postpone the adoption of the resolution in regard to the appointment of committees. For reasons which Senators will understand perfectly the postponement of the consideration of the resolution until to-morrow might possibly, in the event of a single objection being then made, take this matter over until a very late day, which would be a matter of great injustice to those gentlemen who have been recently assigned to committees. It is well known that under a resolution, which was rather extraordinary, the committees of the last Congress were continued; that they are acting; that the minority, at least, of this body have only been made assignments on this list, and that, while in one or two cases Senators are acting on committees, they are doing so only by sufferance. It may be, unless we can have unanimous consent that this resolution shall be voted on to-morrow and without objection from anybody——

Mr. SPOONER. If there is the slightest doubt about that I hope the Senator from Maryland will ask unanimous consent that the resolution be voted on to-morrow, or I shall do so.

Mr. GORMAN. I trust that that will be done; otherwise it would leave gentlemen who have been assigned places on committees really without authority to act for the next eight or ten days.

Mr. SPOONER. If the Senator will yield to me for that purpose——

Mr. GORMAN. Will the Senator pardon me a moment further? I do not believe there is the slightest question about the committees themselves. Assignments have been made by each side of the Chamber, and there is no controversy about any place except one, which we are not asking to have a vote on specifically; but under conditions which we all understand I had hoped that the matter would be disposed of to-day. It is due to Senators on both sides, I believe, and unless there is some real reason to the contrary I confess I think the matter ought to be disposed of at the moment; but if not, it certainly ought to be understood that the vote will be taken to-morrow without objection, and that I know is an extraordinary and unusual request.

Mr. SPOONER. Mr. President, what the Senator from Maryland [Mr. GORMAN] has said makes it proper that I should say this much: The Senator from Maine [Mr. HALE] sent to me in the cloakroom and said he was unexpectedly obliged to leave the Chamber, and as additional resolutions needed to be presented in connection with this matter were not prepared, he requested me, when the Senator from Alabama had concluded his remarks, to ask that the matter go over until to-morrow. I do not suppose there is in the mind of anybody the slightest controversy or thought of the possibility of controversy or delay, and I ask unanimous consent of the Senate—because I quite agree with the Senator from Maryland—that to-morrow, at the conclusion of the routine morning business, the resolution be taken up and voted upon.

Mr. BACON. I should like to ask the Senator if he means by that that the resolution be voted upon without debate? Does he mean by that to cut off any suggestion of any kind?

Mr. GORMAN. There are no suggestions.

Mr. BACON. The Senator from Maine might desire to make some.

Mr. SPOONER. I ask that the resolution be voted upon before the Senate adjourns to-morrow.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Wisconsin, that before the adjournment of the Senate to-morrow a vote be taken on the resolution appointing committees? The Chair hears none, and it is so ordered.

Mr. SPOONER. I made a further request that the motion to reconsider the vote by which the joint resolution inviting Cuba to become a State of the American Union was referred to the Committee on Relations with Cuba lie over until to-morrow.

The PRESIDING OFFICER. Is there objection to the request made by the Senator from Wisconsin? The Chair hears none, and the motion to reconsider will lie over.

HEARINGS BEFORE COMMITTEE ON MILITARY AFFAIRS.

Mr. KEAN. I ask unanimous consent to submit at this time a report from the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. In the absence of objection, the report will be received.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Vermont [Mr. PROCTOR] on the 23d instant, to report it without amendment, and I ask unanimous consent for its present consideration.

The resolution was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Military Affairs be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee, and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing, or expenses that may already have been incurred for these purposes during the Fifty-eighth Congress, shall be paid out of the contingent fund of the Senate.

EXECUTIVE SESSION.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seventeen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, November 25, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate November 24, 1903.

PROMOTIONS IN THE ARMY—JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Lieut. Col. Edgar S. Dudley, judge-advocate, to be judge-advocate with the rank of colonel, November 22, 1903, vice Hunter, retired from active service.

Maj. George M. Dunn, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel, November 22, 1903, vice Dudley, promoted.

APPOINTMENT IN THE ARMY—INFANTRY ARM.

Corpl. Manfred Lanza, Fourth Battery, Field Artillery, to be second lieutenant, to rank from October 9, 1903.

TRANSFER IN THE ARMY.

Second Lieut. Henry W. Bunn, Tenth Infantry, from the Infantry Arm to the Artillery Corps, with rank from October 9, 1903.

APPOINTMENTS IN THE NAVY.

To be assistant surgeons in the Navy with the rank of lieutenant (junior grade), from the 7th day of June, 1900.

Thomas McC. Lippitt.
Barton L. Wright.
Ralph W. Plummer.
Henry E. Odell.
James S. Taylor.
Joseph A. Murphy.
John T. Kennedy.
Karl Ohnesorg.
Charles N. Fiske.

These nominations are made to correct an error in the date from which the officers named are to take rank, as confirmed on April 2, 1902.

PROMOTIONS IN THE NAVY.

Commander Charles T. Forse to be a captain in the Navy from the 11th day of October, 1903, vice Capt. Bowman H. McCalla, promoted.

P. A. Paymaster Walter T. Camp to be a paymaster in the Navy from the 29th day of October, 1903, vice Paymaster Stewart Rhodes, deceased.

First Lieut. John N. Wright to be a captain in the United States Marine Corps from the 3d day of March, 1903, vice First Lieut. William W. Low, who failed to qualify for promotion and was suspended for one year.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 24, 1903.

ASSISTANT SECRETARY OF THE TREASURY.

Charles H. Keep, of New York, to be Assistant Secretary of the Treasury.

CONSULS-GENERAL.

Herman R. Dietrich, of Missouri, to be consul-general of the United States at Guayaquil, Ecuador.

William R. Holloway, of Indiana, to be consul-general of the United States at Halifax, Nova Scotia.

William A. Rublee, of Wisconsin, to be consul-general of the United States at Vienna, Austria.

John W. Riddle, of Minnesota, to be agent and consul-general of the United States at Cairo, Egypt.

CONSULS.

Louis H. Aymé, of Illinois, to be consul of the United States at Para, Brazil.

Robert Woods Bliss, of New York, to be consul of the United States at Venice, Italy.

Theodore J. Bluthardt, of Illinois, to be consul of the United States at Barmen, Germany.

William Harrison Bradley, of Illinois, to be consul of the United States at Manchester, England.

Harlan W. Brush, of New York, to be consul of the United States at Milan, Italy.

Francis B. Keene, of Wisconsin, to be consul of the United States at Florence, Italy.

James A. Le Roy, of Michigan, to be consul of the United States at Durango, Mexico.

Clair A. Orr, of Illinois, to be consul of the United States at Barranquilla, Colombia.

Julian Potter, of New York, to be consul of the United States at Nassau, New Providence, Bahamas.

William P. Smyth, of Missouri, to be consul of the United States at Tunstall, England.

GENERAL APPRAISER OF MERCHANDISE.

Eugene G. Hay, of Minnesota, to be general appraiser of merchandise.

ASSISTANT APPRAISERS OF MERCHANDISE.

Harwood Huntington, of New York, to be assistant appraiser of merchandise in the district of New York, in the State of New York.

Robert A. Olivier, of Louisiana, to be assistant appraiser of merchandise in the district of New Orleans, in the State of Louisiana.

COINER.

William J. Brophy, of Louisiana, to be coiner of the mint of the United States at New Orleans, La.

ASSISTANT UNITED STATES TREASURER.

Clarence S. Hebert, of Louisiana, to be assistant treasurer of the United States at New Orleans, La.

APPOINTMENT IN THE MARINE-HOSPITAL SERVICE.

Frederick C. Smith, of Minnesota, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

DISTRICT JUDGE.

Joseph A. Gill, of Indian Territory, to be judge of the United States court of the northern district of the Indian Territory.

PENSION AGENT.

Jesse B. Fuller, of California, to be pension agent at San Francisco, Cal.

COLLECTOR OF CUSTOMS.

Albert L. Pierce, of Mississippi, to be collector of customs for the district of Vicksburg, in the State of Mississippi.

PROMOTIONS IN THE NAVY.

Commander Charles T. Forse to be captain.
P. A. Paymaster Walter T. Camp to be paymaster.
First Lieut. John N. Wright to be captain in the Marine Corps.

POSTMASTERS.

ALABAMA.

Jesse W. Barnes to be postmaster at Andalusia, in the county of Covington and State of Alabama.

J. E. Tillman to be postmaster at Geneva, in the county of Geneva and State of Alabama.

CALIFORNIA.

Walter M. Avis to be postmaster at Pomona, in the county of Los Angeles and State of California.

GEORGIA.

Thomas W. Brimberry to be postmaster at Camilla, in the county of Mitchell and State of Georgia.

John W. Evans to be postmaster at Ashburn, in the county of Worth and State of Georgia.

Fred Feltham to be postmaster at Boston, in the county of Thomas and State of Georgia.

Cicero F. Harrison to be postmaster at Sandersville, in the county of Washington and State of Georgia.

Virginia W. Henderson to be postmaster at Oxford, in the county of Newton and State of Georgia.

ILLINOIS.

Erich H. Buente to be postmaster at Venice, in the county of Madison and State of Illinois.

William W. Colt to be postmaster at Rushville, in the county of Schuyler and State of Illinois.

INDIAN TERRITORY.

Louis M. Merritt to be postmaster at Roff, in the Chickasaw Nation, Ind. T.

IOWA.

Frank B. Tibbitts to be postmaster at Hopkinton, in the county of Delaware and State of Iowa.

MARYLAND.

J. Henry Cover to be postmaster at Thurmont, in the county of Frederick and State of Maryland.

Edward S. Furbush to be postmaster at Berlin, in the county of Worcester and State of Maryland.

Alonzo R. Spitzer to be postmaster at Brunswick, in the county of Frederick and State of Maryland.

Harry K. Startzman to be postmaster at Hagerstown, in the county of Washington and State of Maryland.

Washington G. Tuck to be postmaster at Annapolis, in the county of Anne Arundel and State of Maryland.

MINNESOTA.

John W. Gish to be postmaster at Waterville, in the county of Lesueur and State of Minnesota.

MISSISSIPPI.

Bennett A. Truly to be postmaster at Fayette, in the county of Jefferson and State of Mississippi.

NEW JERSEY.

Henry W. Edsall to be postmaster at Hamburg, in the county of Sussex and State of New Jersey.

NEW YORK.

William G. Davry to be postmaster at Mechanicsville, in the county of Saratoga and State of New York.

John G. Ward to be postmaster at Cambridge, in the county of Washington and State of New York.

NORTH CAROLINA.

Claudius D. Holland to be postmaster at Gastonia, in the county of Gaston and State of North Carolina.

Ella C. Peace to be postmaster at Oxford, in the county of Granville and State of North Carolina.

Benjamin T. Person to be postmaster at Wilson, in the county of Wilson and State of North Carolina.

Elisha C. Terry to be postmaster at Hamlet, in the county of Richmond and State of North Carolina.

OHIO.

William R. Tyler to be postmaster at Huron, in the county of Erie and State of Ohio.

OKLAHOMA.

L. N. Bushorr to be postmaster at Pawnee, in the county of Pawnee and Territory of Oklahoma.

PENNSYLVANIA.

John B. Branagan to be postmaster at Charleroi, in the county of Washington and State of Pennsylvania.

SOUTH CAROLINA.

Wilmot L. Harris to be postmaster at Charleston, in the county of Charleston and State of South Carolina.

VIRGINIA.

William M. Adams to be postmaster at Norton, in the county of Wise and State of Virginia.

William T. Tillar to be postmaster at Emporia, in the county of Greenesville and State of Virginia.

WASHINGTON.

Francis M. Lighthizer to be postmaster at Harrington, in the county of Lincoln and State of Washington.

Nelson Rich to be postmaster at Prosser, in the county of Yakima and State of Washington.

WYOMING.

Frank S. Knittle to be postmaster at Douglas, in the county of Converse and State of Wyoming.

William P. Webster to be postmaster at Cody, in the county of Bighorn and State of Wyoming.

ISLE OF PINES.

The injunction of secrecy was removed on November 24, 1903, from a treaty between the United States and Cuba, signed on July 2, 1903, for the adjustment of title to the ownership of the Isle of Pines.

HOUSE OF REPRESENTATIVES.

TUESDAY, *November 24, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday, November 20, was read and approved.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Friday next, and on that I ask the previous question.

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DE ARMOND. I rise for the purpose of asking the gentleman from New York a question.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. PAYNE. Well, Mr. Speaker, no debate is in order on this motion.

Mr. DE ARMOND. I understand that.

The SPEAKER. The gentleman from New York declines to yield.

Mr. DE ARMOND. Does he decline to yield, Mr. Speaker? He simply says that no debate is in order on this proposition.

Mr. PAYNE. Well, what is the gentleman's proposition?

Mr. DE ARMOND. What I wish to ask is something about the purpose of the House with reference to adjournment. We all know what they have done over in the Senate, and that the work of the extraordinary session is really ended. I would like to ask the gentleman what is the purpose of the House in reference to it?

Mr. PAYNE. Perhaps the gentleman from Missouri has had some communication from the Senate. I have had none. I do not know that there is any desire on the part of the Senate to adjourn—whether they desire it or not. I suppose the House of Representatives is capable of determining even so momentous a question as that.

Mr. DE ARMOND. Mr. Speaker, the gentleman from New York has given no information on the subject. I suppose he has learned from the CONGRESSIONAL RECORD, as I have, that the Senate, by unanimous consent, has laid over until the regular session the bill which we have passed and sent to them.

Mr. PAYNE. Well, Mr. Speaker, if we are to have any debate on this, we had better have some definite arrangement.

The SPEAKER. The gentleman from New York asks the previous question.

Mr. DE ARMOND. And upon that, Mr. Speaker, I ask for the yeas and nays. If the gentleman from New York is afraid to say what the majority proposes to do, let us see what they say on the roll call.

The question was taken; and the yeas and nays were ordered.

The SPEAKER. Pending the calling of the roll, the Chair lays before the House the following personal requests:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CROMER, indefinitely, on account of important business.

To Mr. TAYLOR, indefinitely, on account of important business.

To Mr. SCARBOROUGH, for five days, on account of important business.

To Mr. HOLLIDAY, for ten days, on account of important business.

To Mr. COCHRAN, for two weeks, on account of important business.

To Mr. STEVENS of Minnesota, indefinitely, on account of important business.

To Mr. GUDGER, indefinitely, on account of important business.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

The SPEAKER laid before the House the following resignation:

WASHINGTON, *November 20, 1903.*

To the SPEAKER.

SIR: I hereby resign from the board of directors of the Columbia Institution for the Deaf and Dumb.

Very respectfully,

GEORGE B. MCCLELLAN.

ADJOURNMENT OVER.

The SPEAKER. The question now is on the motion of the gentleman from New York for the previous question.

The question was taken; and there were—yeas 120, nays 103, answered "present" 6, not voting 154, as follows:

YEAS—120.

Adams, Pa.	Dwight,	Jenkins,	Parker,
Adams, Wis.	Esch,	Jones, Wash.	Payne,
Allen,	Foster, Vt.	Kennedy,	Pearre,
Babcock,	French,	Ketcham,	Prince,
Bartholdt,	Gaines, W. Va.	Kinkaid,	Reeder,
Bede,	Gardner, Mich.	Kyle,	Roberts,
Bingham,	Gardner, N. J.	Lacey,	Rodenberg,
Bishop,	Gibson,	Lafean,	Scott,
Boutell,	Gillet, N. Y.	Lawrence,	Sherman,
Bowersock,	Gillett, Cal.	Littauer,	Sibley,
Bradley,	Gillett, Mass.	Longworth,	Sloup,
Brandegee,	Graff,	Loud,	Smith, Samuel W.
Brooks,	Grosvenor,	McCarthy,	Southard,
Brown, Wis.	Hamilton,	McCleary, Minn.	Southwick,
Burke, S. Dak.	Haskins,	McLachlan,	Spalding,
Burkett,	Haugen,	McMorran,	Sperry,
Burleigh,	Henenway,	Mann,	Stafford,
Butler, Pa.	Hepburn,	Martin,	Steenerson,
Calderhead,	Hermann,	Metcalf,	Sullloway,
Campbell,	Hildebrant,	Miller,	Tawney,
Conner,	Hill, Conn.	Minor,	Thomas, Iowa
Cooper, Wis.	Hinshaw,	Mondell,	Volstead,
Cousins,	Hitt,	Moon, Pa.	Vreeland,
Crumpacker,	Hogg,	Murdock,	Wachter,
Curtis,	Holliday,	Needham,	Wanger,
Dalzell,	Howell, Utah	Norris,	Warnock,
Darragh,	Huff,	Olmsted,	Wiley, N. J.
Davis, Minn.	Hull,	Otis,	Williamson,
Dick,	Humphrey, Wash.	Otjen,	Wilson, Ill.
Dovener,	Jackson, Ohio	Palmer,	Young.

NAYS—103.

Adamson,	Birdsall,	Burleson,	Cooper, Tex.
Aiken,	Bowers,	Burnett,	Cowherd,
Baker,	Bowie,	Byrd,	Davey, La.
Bartlett,	Brantley,	Cassingham,	Davis, Fla.
Beall, Tex.	Broussard,	Clark,	De Armond,
Benny,	Brundidge,	Clayton,	Dinsmore,
Benton,	Burgess,	Cochran,	Dougherty,

Emerich,	Hunt,	Macon,	Shober,
Field,	James,	Maynard,	Sims,
Fitzgerald,	Johnson,	Moyer, La.	Small,
Garber,	Kehoe,	Moon, Tenn.	Smith, Ky.
Garner,	Kellher,	Patterson, Tenn.	Spight,
Gillespie,	Lamar, Mo.	Pierce,	Stephens, Tex.
Granger,	Lamb,	Pujo,	Sullivan, N. Y.
Gregg,	Legare,	Randell, Tex.	Sulzer,
Hamlin,	Lester,	Rhea,	Swanson,
Hardwick,	Lever,	Richardson, Tenn.	Tate,
Harrison,	Lind,	Rixey,	Thomas, N. C.
Hay,	Lindsay,	Robinson, Ark.	Trimble,
Henry, Tex.	Little,	Robinson, Ind.	Underwood,
Hill, Miss.	Livingston,	Ricker,	Van Duzer,
Hitchcock,	Lloyd,	Russell,	Wallace,
Hopkins,	McAndrews,	Ryan,	Williams, Ill.
Howell, Pa.	McClellan,	Shackleford,	Wilson, N. Y.
Hughes, N. J.	McDermott,	Sheppard,	Wynn.
Humphreys, Miss.	McLain,	Sharley,	

ANSWERED "PRESENT"—6.

Cassel,	Gaines, Tenn.	Wade,	Zenor.
Denny,	Griffith,		

NOT VOTING—154.

Acheson,	Fitzpatrick,	Littlefield,	Shafroth,
Alexander,	Flack,	Livernash,	Shiras,
Ames,	Flood,	Lorimer,	Shull,
Badger,	Fordney,	Loudenslager,	Skiles,
Bankhead,	Foss,	Lovering,	Slayden,
Bassett,	Foster, Ill.	Lucking,	Smith, Ill.
Bates,	Fowler,	McCall,	Smith, Iowa
Beidler,	Fuller,	McCreary, Pa.	Smith, Wm. Alden
Bell, Cal.	Gardner, Mass.	McNary,	Smith, N. Y.
Breazeale,	Gilbert,	Maddox,	Smith, Pa.
Brick,	Glass,	Mahon,	Smith, Tex.
Brown, Pa.	Goebel,	Mahoney,	Snapp,
Brownlow,	Goldfogle,	Marsh,	Snook,
Buckman,	Gooch,	Marshall,	Southall,
Burk, Pa.	Goulden,	Miers, Ind.	Sparkman,
Burton,	Greene,	Morgan,	Stanley,
Butler, Mo.	Griggs,	Morrell,	Sterling,
Caldwell,	Gudger,	Mudd,	Stevens, Minn.
Candler,	Hearst,	Nevin,	Sullivan, Mass.
Capron,	Hedge,	Overstreet,	Talbott,
Cooper, Pa.	Henry, Conn.	Padgett,	Taylor,
Croft,	Houston,	Page,	Thayer,
Cromer,	Howard,	Patterson, N. C.	Thompson,
Crowley,	Howell, N. J.	Patterson, Pa.	Tirrell,
Currier,	Hughes, W. Va.	Perkins,	Townsend,
Cushman,	Jackson, Md.	Porter,	Vandiver,
Daniels,	Jones, Va.	Pou,	Van Voorhis,
Davidson,	Kitchin, Claude	Powers, Me.	Wadsworth,
Dayton,	Kitchin, Wm. W.	Powers, Mass.	Warner,
Deemer,	Kline,	Rainey,	Watson,
Dickerman,	Kluttz,	Ransdell, La.	Webb,
Dixon,	Knapp,	Reid,	Weems,
Douglas,	Knopf,	Richardson, Ala.	Weisse,
Draper,	Lamar, Fla.	Rider,	Wiley, Ala.
Dresser,	Landis, Chas. B.	Robb,	Williams, Miss.
Driscoll,	Landis, Frederick	Robertson, La.	Woodyard,
Dunwell,	Lanning,	Ruppert,	Wright.
Evans,	Lewis,	Scarborough,	
Finley,	Lilley,	Scudder,	

So the pending question was ordered.

The following pairs were announced:

For the remainder of this session:

Mr. DEEMER with Mr. SHULL.

Mr. FOSS with Mr. VANDIVER.

Mr. BRICK with Mr. ZENOR.

Mr. SMITH of Pennsylvania with Mr. GUDGER.

Mr. KNOPF with Mr. WEISSE.

Mr. STEVENS of Minnesota with Mr. SLAYDEN.

Mr. BATES with Mr. CROWLEY.

Mr. SNAPP with Mr. CALDWELL.

Mr. BRADLEY with Mr. GOULDEN.

Mr. CASSEL with Mr. GOOCH.

Mr. PERKINS with Mr. THAYER.

Mr. SMITH of Iowa with Mr. WADE.

Mr. EVANS with Mr. RAINEY.

Mr. OVERSTREET with Mr. MIERS of Indiana.

Mr. LITTLEFIELD with Mr. SMALL.

Until further notice:

Mr. MAHON with Mr. HOUSTON.

Mr. HENRY of Connecticut with Mr. DENNY.

Mr. KNAPP with Mr. KLUTTZ.

Mr. BURK of Pennsylvania with Mr. FLOOD.

Mr. FORDNEY with Mr. JONES of Virginia.

Mr. POWERS of Maine with Mr. GAINES of Tennessee.

Mr. BROWNLOW with Mr. RANSDELL of Louisiana.

Mr. KENNEDY with Mr. BADGER.

Mr. LARIMER with Mr. MAHONEY.

Mr. WARNER with Mr. FOSTER of Illinois.

Mr. BUCKMAN with Mr. GILBERT.

Mr. CROMER with Mr. GRIFFITH.

Mr. GREENE with Mr. MCNARY.

Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.

Mr. DRISCOLL with Mr. SMITH of Texas.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. CURRIER with Mr. FINLEY.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Mr. WRIGHT with Mr. KLINE.

Mr. TOWNSEND with Mr. LUCKING.

Mr. SKILES with Mr. CANDLER.

For one week:

Mr. MUDD with Mr. WILLIAM W. KITCHIN.

For one day:

Mr. CUSHMAN with Mr. LAMAR of Florida.

Mr. COOPER of Pennsylvania with Mr. GOLDFOGLE.

Mr. CAPRON with Mr. CLAUDE KITCHIN.

Mr. BURTON with Mr. HEARST.

Mr. BROWN of Pennsylvania with Mr. GLASS.

Mr. NEVIN with Mr. BUTLER of Missouri.

Mr. BEIDLER with Mr. CROFT.

Mr. MORRELL with Mr. BREAZEALE.

Mr. MCCREARY of Pennsylvania with Mr. WILEY of Alabama.

Mr. AMES with Mr. BELL of California.

Mr. WEEMS with Mr. WEBB.

Mr. MORGAN with Mr. BASSETT.

Mr. MARSH with Mr. BANKHEAD.

Mr. WATSON with Mr. THOMPSON.

Mr. WADSWORTH with Mr. TAYLOR.

Mr. VAN VOORHIS with Mr. TALBOTT.

Mr. ACHESON with Mr. SPARKMAN.

Mr. DAVIDSON with Mr. GRIGGS.

Mr. WM. ALDEN SMITH with Mr. LEWIS.

Mr. CHARLES B. LANDIS with Mr. MADDOX.

Mr. FREDERICK LANDIS with Mr. HOWARD.

Mr. HEDGE with Mr. FITZPATRICK.

Mr. DRAPER with Mr. RUPPERT.

Mr. ALEXANDER with Mr. WILLIAMS of Mississippi.

Mr. SMITH of Illinois with Mr. PATTERSON of North Carolina.

Mr. FOWLER with Mr. POU.

Mr. GARDNER of Massachusetts with Mr. RICHARDSON of Alabama.

Mr. FULLER with Mr. RIDER.

Mr. POWERS of Massachusetts with Mr. ROBB.

Mr. GOEBEL with Mr. REID.

Mr. HOWELL of New Jersey with Mr. ROBERTSON of Louisiana.

Mr. HUGHES of West Virginia with Mr. SCARBOROUGH.

Mr. LILLEY with Mr. SCUDDER.

Mr. LOUDENSLAGER with Mr. SHAFROTH.

Mr. MARSHALL with Mr. STANLEY.

Mr. MCCALL with Mr. SOUTHALL.

Mr. LOVERING with Mr. SNOOK.

Mr. FLACK with Mr. PAGE.

Mr. DOUGLAS with Mr. PADGETT.

Mr. PORTER with Mr. LIVERNASH.

Mr. SHOBER. Mr. Speaker, I voted "no." I understand I am paired. I did not hear my name read among the pairs.

The SPEAKER. The Chair is informed that the gentleman is not paired.

Mr. SHOBER. Then I desire to vote "no."

The result of the vote was announced as above recorded.

The SPEAKER. The previous question is ordered. The question is on the motion of the gentleman from New York [Mr PAYNE], that when the House adjourn to-day it be to meet on Friday next.

The motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 19.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the channel of Deckers Creek, and the confluence of said creek with the Monongahela River, with the view of restoring the harbor destroyed by flood formerly used for the accommodation of traffic at Morgantown, W. Va.

Senate concurrent resolution No. 20.

Resolved, etc., That there be printed and bound 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the exposition company, showing progress made by various departments of the exposition, of which 3,500 shall be for the Senate, 6,500 for the House of Representatives, and 5,000 for the National Commission for the Louisiana Purchase Exposition.

SENATE CONCURRENT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate concurrent resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below.

Senate concurrent resolution No. 19:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging and otherwise improving the channel of Deckers Creek, and the confluence of

said creek with the Monongahela River, with the view of restoring the harbor destroyed by flood formerly used for the accommodation of traffic at Morgantown, W. Va.—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 20:

Resolved, etc., That there be printed and bound 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the exposition company, showing progress made by various departments of the exposition, of which 3,500 shall be for the Senate, 6,500 for the House of Representatives, and 5,000 for the National Commission for the Louisiana Purchase Exposition—

to the Committee on Printing.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House that the President had approved and signed joint resolution (H. J. Res. 14) making immediately available the appropriation for mileage of Senators and Members of the House of Representatives, and for other purposes.

STONE RIVER NATIONAL MILITARY PARK.

Mr. RICHARDSON of Tennessee. Mr. Speaker, on the 17th instant I introduced a bill (H. R. 3569) to establish a national military park at the battlefield of Stone River. This bill has in it a map. Under the law the Public Printer holds that he can not print the bill unless an order is expressly made by the House to include the map in it. I therefore ask unanimous consent that the order to print the bill include the order to print the map, which is a part of it.

Mr. PAYNE. Mr. Speaker, I want to ask the gentleman a question. I understand that the bill was reported in the last Congress with the map printed in the bill?

Mr. RICHARDSON of Tennessee. Yes: either in the last Congress or in the Congress preceding that—I think the preceding Congress.

Mr. PAYNE. And the map only occupies one page?

Mr. RICHARDSON of Tennessee. Yes.

The SPEAKER. Is there objection to the request of the gentleman?

Mr. MANN. Mr. Speaker, as this is the gentleman's own law——

Mr. RICHARDSON of Tennessee. Oh, no.

Mr. MANN. I should like to examine the bill before it is printed, and for the present I object.

The SPEAKER. The gentleman from Illinois objects.

Mr. RICHARDSON of Tennessee. Mr. Speaker, one word. If the gentleman from Illinois [Mr. MANN] will pardon me, he is mistaken in saying that this is based upon the motion that I made in the last Congress. That referred to the printing of pictures and illustrations in the special reports, and the annual reports of bureau officers. It did not relate to printing bills.

Mr. MANN. It related, Mr. Speaker, to printing everything, and that is the objection now to printing this map. But if the gentleman's memory is sufficiently refreshed so that he knows he made a bad mistake when he made that proposition, I will withdraw the objection. [Laughter.]

Mr. RICHARDSON of Tennessee. I will not, in order to get a bill printed, agree that there was any mistake made. On the other hand, I say that the reports of bureau officers and of Executive Departments should not contain pictures, and if the gentleman wants me to admit something I do not believe in order to get a bill printed, I can not make that admission.

Mr. MANN. Well, Mr. Speaker——

The SPEAKER. The gentleman from Illinois [Mr. MANN] withdraws his objection. The Chair hears no objection, and it is so ordered.

LOUISIANA PURCHASE EXPOSITION.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, ordered to be printed, and referred to the Select Committee on Industrial Arts and Expositions:

To the Senate and House of Representatives:

I transmit herewith a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company from date of incorporation to September 30, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901, together with a report submitted by the Exposition Company, showing progress made by the various departments of the exposition.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, November 20, 1903.

ONE HUNDREDTH ANNIVERSARY OF THE TRANSFER OF LOUISIANA.

The SPEAKER. If there be no objection, the Chair will lay before the House, for reference to the Select Committee on Industrial Arts and Expositions, the following invitation, which the Clerk will read.

The Clerk read as follows:

The governor of Louisiana requests the honor of the honorable the Speaker and Members of the House of Representatives' presence at the celebration of the one hundredth anniversary of the transfer of Louisiana by France to the United States, to be held December 18, 19, and 20, 1903, New Orleans.

The SPEAKER. If there be no objection, the communication will be referred to the Select Committee on Industrial Arts and Expositions.

There was no objection.

Mr. MEYER of Louisiana. Mr. Speaker, I offer the concurrent resolution which I send to the Clerk's desk, and ask unanimous consent for its present consideration.

The SPEAKER. The gentleman from Louisiana [Mr. MEYER] asks unanimous consent for the present consideration of the following resolution, which the Clerk will read.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the invitation extended to the Congress of the United States by the Louisiana Historical Society and by the governor of the State of Louisiana to attend the ceremonies in commemoration of the one hundredth anniversary of the transfer of the territory of Louisiana and all sovereignty over said territory by France to the United States, to be held at New Orleans, December 18, 19, and 20, 1903, be, and it is hereby, accepted.

That the President pro tempore of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized and directed to appoint a committee, consisting of three Senators and five Representatives, to attend the ceremonies and to represent the Congress of the United States on the occasion of the celebration of the centennial anniversary referred to.

Resolved further, That the expenses of the members of the said joint committee of the Senate and House of Representatives authorized to attend and attending and representing the Congress of the United States at the city of New Orleans on the occasion named, not exceeding in the aggregate $2,500, to be paid as follows: One-half thereof out of the contingent fund of the House, and one-half thereof out of the contingent fund of the Senate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BURKETT. I object.

MEXICAN BOLL WEEVIL.

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a statement presented by the Texas and Louisiana delegations to the Secretary of Agriculture. This document contains a statement of the magnitude of the cotton industries of the United States and the nature and character of the peril threatened them by the Mexican boll weevil, and also an outline of the plan proposed for relief.

The SPEAKER. Is there objection to the request of the gentleman from Texas? [After a pause.] The Chair hears none.

The statement is as follows:

To the SECRETARY OF AGRICULTURE:

We, the undersigned Representatives of the States of Texas and Louisiana in the Fifty-eighth Congress, respectfully present to the Secretary of Agriculture that the supremacy of the cotton industries of the United States is imperiled by the ravages of the boll weevil in Texas, which State produces about one-third of the total annual cotton crop of the United States; and we respectfully represent that the magnitude of the interests involved and the threatened spread of the pests through all of the cotton-growing States makes the question one proper to be legislated upon by the Federal Congress.

The present distinguished Secretary of the Treasury of the United States, in a speech delivered in Boston on the 29th of last October, stated: "We grow three-fourths of the cotton fiber of the world. We export two-thirds of what we grow. That leaves for consumption one-fourth of all the cotton of the world. From this we export a little over $30,000,000 worth and import about $40,000,000 worth of manufactured cotton." An average cotton crop of the United States is about 10,000,000 bales, which at 10 cents a pound (which is less than the present price) amounts to $500,000,000, two-thirds of which, as we export that amount, brings from Europe and pours into the channel of American commerce $333,000,000 annually.

From the abstract of the Twelfth Census it appears that in 1900 there was invested in cotton compressing, cotton ginning, and the manufacture of cotton goods, $408,000,000. There were $88,000,000 paid out by these industries in wages to employees, and the value of the products produced was $356,000,000. In addition there was invested, in 1900, in the cotton-seed oil and cotton-seed cake industries $34,000,000, paying three and one-quarter million in wages, and paying $45,000,000 for material, and producing products to the value of $58,000,000. This is a marvelous growth since 1880, when only $7,000,000 worth of cotton-seed products were produced in the United States. This cotton-seed industry is of the greatest importance, because it aids us in maintaining our cotton supremacy in that it adds to the value of the farmers' product from 1 to 2 cents per pound in the price of the lint cotton—that is to say, that a bale of cotton, now sold for 8 cents, would bring the farmer as much money as the same bale would have brought at 9½ or 10 cents per pound prior to the present disposition of the seed, and this is one of the distinct advantages which we possess over the European countries now attempting competitive cotton growing. All of this is intensified in value by a future prospect in the markets in the Orient, superinduced by an increased prospect of an early construction of the isthmian canal.

The manufacture of cotton goods is about equally divided between the South and the East, while the cotton-seed oil and the cotton-seed cake industries are almost entirely with the South. The foregoing facts give a fair view of the magnitude of the interests involved. Now Texas produces, as we have said, about one-third of the cotton upon which all of these great industries rest. The boll weevil first appeared in the northwestern part of the State of Texas, coming from Mexico, and in a few years has spread in a northeasterly direction practically to the Louisiana line, a distance of perhaps 700 miles. If this advance of the weevil continues, but a few years will suffice to carry it across the States of Louisiana, Mississippi, Alabama, and Georgia and into the most northeasterly cotton-producing States of the Union. It is quite difficult to estimate the exact extent of the injury or the financial loss sustained in Texas this year by the cotton growers. The expert of the Agricultural Department, Mr. Hunter, some time since very conservatively estimated that it would not be less than $15,000,000.

The judgment of those of us whose names are signed hereto, and who reside in the infected districts in Texas, is that this year's loss will amount to not less than $25,000,000, and may possibly be as much as $50,000,000. This involves not only a direct loss to the cotton planters of the State for this year, but under possible conditions it may be much greater next year, for the weevil are spreading somewhat northwesterly and southeasterly along the direction in which they have been going, and a much larger infected district is certain to appear in the State. In addition to this direct loss is the decrease of land value, the decreased retail trade, the decreased bank deposits, and the narrowing of the channels of business, and the entire loss of the gold brought from Europe by reason of the cotton export trade, and, worse than all, the poverty of those who are poor, black and white, engaged so largely in cotton cultivation. All this easily suggests to the mind that if this pest spreads into the other cotton States what the effect must be upon all of the other industries depending upon it, and what must become of the cotton supremacy of America in the short space of a few years. It is clear that the most unfortunate thing that could happen to the cotton planters of the South is that reduced production by reason of the boll weevil would augment the price of cotton so as to give an impetus to foreign governments to enter upon cotton production on a large scale, and in addition to manufacturing cotton, as they now do, they would enter upon the cotton-seed oil and the cotton-seed cake industries.

The Department of Agriculture has been doing the best possible with the means in hand to deal with this difficult and troublesome matter, proceeding at first largely upon the theory that it was solely an entomological proposition. First, $10,000, then $20,000, and then $30,000 was appropriated for investigation and experiment stations and for the discovery of methods to meet the difficulty. The investigations of the Entomological Division of the Department of Agriculture by the chief, Doctor Howard, have been far-reaching and thorough. The life history of the insect has been studied in a way that reflects credit upon that Department's work. All known methods of combating it have received attention. Owing to the habits of the insect the futility of poisons, sprays, and all such methods has been conceded. Up to this date no parasite has been discovered that would war upon this insect, nor has any disease been discovered that would be communicable and thus exterminate them. This insect seems to be the healthiest bug that Doctor Howard has met in his many researches. While these methods can and ought to be pursued further, and doubtless will be, yet by force of conditions other methods must be immediately resorted to, involving cultural methods, the diversification of crops, the destruction of all infected materials, the planting of early maturing varieties of cotton, the creation and propagation of the best resistant varieties, etc.

It is now demonstrated beyond all question that the diversification of crops is highly essential. All this would be much more true of the regions east of the Mississippi River, where cotton has been the sole dependence for so many years. All of this work will entail a considerable expenditure of money and will necessitate a thorough organization in the infected districts; and while we gratefully return our thanks to the Department of Agriculture and to the Congress for what has been done in the past, we respectfully urge that much more must be immediately done if the alarming condition now obtaining in Texas is to be successfully met and the spread of like conditions in other cotton-growing States is successfully prevented. The State of Texas has enacted some legislation on the subject and is doing what it can; and the State of Louisiana has become aroused on the anticipated invasion of the weevil and will possibly shortly have a call session of the State legislature to deal with the boll weevil. The magnitude of the interests involved and the peril that threatens the cotton-growing regions and the actual conditions that exist as we know them causes us to suggest to the Congress the adoption of the following plan, which meets with the unanimous indorsement of the signers hereto, and which we briefly state, and the reasons therefor:

First. We suggest that a cotton commission be created, to consist of five members, one from the Bureau of Plant Industry, one from the Division of Entomology, and three practical farmers, two resident in the infected district of Texas and one in the State of Louisiana; that this commission be located at some accessible point within the infected territory. This plan is virtually made necessary in order to bring about any organized adequate relief. The Texas cotton convention, which recently met at Dallas, passed the following resolution:

"Recognizing the great danger confronting the cotton industry of Texas and other cotton-growing States, we earnestly appeal to the Federal Government through its Department of Agriculture to continue its liberal appropriations and to vigorously continue its efforts for the suppression and extermination of the boll weevil, bollworm, and other cotton pests."

This convention created an executive committee, which committee has unanimously requested the Texas Representatives in Congress to secure legislation providing for cotton experiment farms in every county where the county will cooperate with the Department of Agriculture in its efforts that the pests may be thoroughly and rapidly met and remedies generally applied. It also recommended that two-thirds of the cotton seed, consisting of the quick-maturing varieties now being bought by the Government, be planted upon these experiment farms in each county, so that a large volume of the improved seed be provided for Texas planting in 1905. These suggestions are wise, we think, and could best be carried out under the plan we have outlined. The value of having Texas and Louisiana farmers on the commission is that they will bring to the work of the commission a practical knowledge of the people, climate, and crops involved, and will induce confidence in its recommendations and aid organization and uniformity of methods and cooperation by cotton planters. We further suggest that a fund, to be called "the cotton investigation fund," of $500,000 be set aside to be expended, or so much thereof as may be necessary, by the Secretary of Agriculture in furthering all the purposes contemplated herein; and in this connection we suggest that possibly the remainder of the fund of a similar amount appropriated to stamp out "the foot-and-mouth disease" might be utilized for this fund jointly, so as not to greatly increase the appropriations for this Congress.

It may be possible that the named amount may not be expended in one year, but the conditions are such that it is almost impossible to estimate in advance and in detail what the expenditures ought to be and will be, and by far the better method is to grant this commission a sufficient sum to cover all possible phases of its work and to inspire confidence and cooperation on the part of the cotton planters. The commission properly organized could so lay out the work as to expedite it in all its phases, and bring immediate returns to the fullest possible extent, and would not be hampered in the matter of specific requirements as would be the case in one of the appropriations for the Department proper. A detailed statement as to how this money ought to be expended so as to bring practical results is difficult; but we suggest the following problems:

First. Demonstration of improved cultural methods.

Second. The location and supervision of experiment stations in counties or in districts organized in one or more counties.

Third. Work having for its objects the production and distribution of early weevil-resisting varieties of cotton.

Fourth. Studies of cotton diseases.

Fifth. Studies of cotton insects.

Sixth. Introduction of new crops.

Seventh. Studies and experiments in connection with methods for destruction of the boll weevil and other cotton insects.

Eighth. Studies of the enemies of the insects.

Ninth. General propaganda.

Tenth. Cooperation between the States of Texas and Louisiana in methods to be devised to check and confine the ravages of the cotton boll weevil to Texas and prevent its spread in Texas and into other cotton States.

In our judgment possibly the sum we have mentioned may be economically consumed in one year. It may be deemed advisable to cooperate with Louisiana in stamping out the first appearance of the boll weevil in the cotton fields of western Louisiana, and if this be deemed feasible twice the sum named could be sensibly expended annually for that purpose alone. We therefore pray the Secretary to recommend to Congress the adoption of these suggestions.

S. M. Robertson, R. C. Davey, R. F. Broussard, Phanor Breazeale, Jos. E. Ransdell, A. P. Pujo, Adolph Meyer, Members from Louisiana; S. B. Cooper, Chairman Texas Delegation, Scott Field, Geo. F. Burgess, Morris Sheppard, O. W. Gillespie, C. B. Randell, Jno. N. Garner, Jack Beall, Jas. L. Slayden, R. L. Henry, A. W. Gregg, A. S. Burleson, W. R. Smith, Gordon Russel, Jno. H. Stephens, Members from Texas.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. McMORRAN, for fourteen days, on account of urgent business.

To Mr. WANGER, for the remainder of this week, on account of illness in family.

To Mr. BREAZEALE, for ten days.

To Mr. ROBERTSON of Louisiana, for ten days.

To Mr. RANSDELL of Louisiana, for ten days, on account of important business.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to: and accordingly (at 12 o'clock and 40 minutes p. m.), in accordance with previous order, the House adjourned until Friday, November 27, next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a favorable recommendation, a draft of a bill to correct an error in the law relating to marking the position of troops at Gettysburg—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an abstract of official emoluments of the officers of the customs service during the fiscal year ended June 30, 1903—to the Committee on Ways and Means, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2370) granting a pension to George M. Ross—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2075) for relief of Hiram Kendall—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 2471) granting an increase of pension to Thomas Howard—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2668) granting a pension to B. W. McCray—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2919) granting a pension to Mary Robison—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3205) for the relief of George W. Ingram—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 3246) granting a pension to Hedwig A. Maass—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3352) granting a pension to Mary Idle—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3402) granting an increase of pension to Daniel Nagle—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3416) granting a pension to James W. Perkins—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3496) granting a pension to Katherine Decker—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3615) granting an increase of pension to Annie L. Evens—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3857) to correct the military record of George S. Groesbeck—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 3970) for the relief of William M. Underwood—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4113) for the relief of Hamilton D. South—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 4315) granting an increase of pension to John F. Davis—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4345) for the relief of Andrew Jackson Mendy—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 4358) to remove the charge of desertion from the record of Zadoc J. Overby—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 4603) to amend and correct the records of Company D, Seventh Regiment of Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 4620) to remove the charge of desertion from the military record of Andrew Brewton—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 4622) granting a pension to William E. Martin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4680) granting a pension to Jonas Ball—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1291) authorizing the issuance of patents to Amanda C. Hines, Minnie A. Hines, and Harriet A. Hines for lands allotted to them in South Dakota—Committee on Patents discharged, and referred to the Committee on the Public Lands.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MANN: A bill (H. R. 4818) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois—to the Committee on Ways and Means.

By Mr. PRINCE: A bill (H. R. 4819) for the erection of a post-office building at Kewanee, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4820) providing for the erection of an addition or extension to the post-office and court-house at Quincy, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. MANN: A bill (H. R. 4821) to provide for a waterway between the Calumet River and the Sanitary Canal, in Illinois—to the Committee on Rivers and Harbors.

By Mr. GIBSON: A bill (H. R. 4822) for the erection of a public building at Knoxville, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4823) to provide for the improvement of the Tennessee River and some of its tributaries in Tennessee—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4824) to increase the pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. BOWERSOCK: A bill (H. R. 4825) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes—to the Committee on Indian Affairs.

By Mr. WILEY of New Jersey: A bill (H. R. 4826) to provide for clean paper money—to the Committee on Banking and Currency.

By Mr. RODENBERG: A bill (H. R. 4827) to increase pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post Roads.

By Mr. GOULDEN: A bill (H. R. 4828) for the erection of a public building in the borough of the Bronx, New York City—to the Committee on Public Buildings and Grounds.

By Mr. BROOKS: A bill (H. R. 4829) to increase the limit of cost for the purchase of a site and the erection of a public building at Leadville, in the State of Colorado—to the Committee on Public Buildings and Grounds.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 4830) for the erection of a public building at Greenville, Miss.—to the Committee on Public Buildings and Grounds.

By Mr. HILL of Connecticut: A bill (H. R. 4831) to improve currency conditions—to the Committee on Banking and Currency.

By Mr. LAFEAN: A bill (H. R. 4832) to provide for the purchase of a site and the erection of a public building thereon at Gettysburg, in the State of Pennsylvania—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4833) to classify rural free-delivery letter carriers, and to fix their salaries—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Washington: A bill (H. R. 4834) authorizing and directing the Secretary of War to survey and lay out a road through the Rainier Forest Reserve from the eastern boundary thereof into the Mount Rainier National Park, State of Washington, and for other purposes—to the Committee on the Public Lands.

By Mr. BEALL of Texas: A bill (H. R. 4835) to prescribe the jurisdiction of suits, both in law and in equity, brought by or against receivers or managers of property appointed by Federal courts or judges thereof—to the Committee on the Judiciary.

By Mr. BURGESS: A bill (H. R. 4836) to regulate the salaries of the United States marshals in Texas—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: A bill (H. R. 4837) to regulate the sale of poisons in the District of Columbia—to the Committee on the District of Columbia.

By Mr. GRIFFITH: A bill (H. R. 4838) for the erection of a monument or memorial building at the scene of the Lochry massacre, near the mouth of Laughery Creek, Indiana—to the Committee on the Library.

Also, a bill (H. R. 4839) repealing the national bankruptcy act—to the Committee on the Judiciary.

Also, a bill (H. R. 4840) to provide for the purchase of a site and the erection of a public building thereon at Columbus, in the State of Indiana, and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4841) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

Also, a bill (H. R. 4842) to provide for a coupon currency in which small sums in any multiple of 5 cents may be conveniently sent by mail—to the Committee on Banking and Currency.

By Mr. CROMER: A bill (H. R. 4843) to increase the limit of cost for the purchase of site and the erection of a public building at Anderson, Ind.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4844) to increase the limit of cost for the purchase of site and the erection of a public building at Muncie, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. HILL of Connecticut: A bill (H. R. 4845) to amend section 3878 of Revised Statutes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4846) to provide for the modification of the project for the improvement of the harbor of Bridgeport, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4847) to provide for free alcohol in certain arts and industries—to the Committee on Ways and Means.

By Mr. PALMER: A bill (H. R. 4848) to regulate practice in the circuit courts of appeals in certain cases—to the Committee on the Judiciary.

By Mr. HARDWICK: A bill (H. R. 4849) to prohibit and punish the purchase and sale of indorsement or support for office by certain persons—to the Committee on the Judiciary.

By Mr. COWHERD: A bill (H. R. 4850) to provide emergency currency—to the Committee on Banking and Currency.

By Mr. PEARRE: A bill (H. R. 4851) providing for establishing a public park at Langdon, D. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 4852) providing for establishing a public park at Langdon, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. GARBER: A bill (H. R. 4853) providing for subsistence for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LOUD: A bill (H. R. 4854) to provide for the purchase of a site and the erection of a public building thereon at Alpena, in the State of Michigan—to the Committee on Public Buildings and Grounds.

By Mr. KINKAID: A bill (H. R. 4855) to provide for the purchase of a site and the erection of a public building thereon in the city of North Platte, State of Nebraska—to the Committee on Public Buildings and Grounds.

By Mr. HITCHCOCK: A bill (H. R. 4856) providing for the use of Fort Omaha Military Reservation, in the city of Omaha, Nebr., for officers' quarters and for the improvement of the same, and for other purposes—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 4857) to increase the pay of mail carriers on rural free-delivery mail routes—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNER: A bill (H. R. 4858) for the erection of a statue to the memory of Maj. Gen. Franz Sigel at Washington, D. C.—to the Committee on the Library.

By Mr. ALLEN: A bil (H. R. 4859) to further protect the first day of the week as a daylof rest in the District of Columbia—to the Committee on the Distri ct of Columbia.

By Mr. BURLEIGH: A bill (H. R. 4860) for the establishment of a light-house and a fog signal at Isle au Haut, Maine—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 4861) to prevent the issuance of retail liquor dealers' license to persons in communities where the sale of intoxicating liquors is forbidden by the laws of the State or municipality—to the Committee on Ways and Means.

By Mr. WADE: A bill (H. R. 4862) to remove all duties on crude petroleum or its products—to the Committee on Ways and Means.

By Mr. HOWELL of Pennsylvania: A bill (H. R. 4863) to provide a mortuary chapel at the Arlington Cemetery—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 4864) granting a pension to all pensioners of the civil and Indian wars of not less than $12 per month, and to the widows of such persons a like pension—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 4865) to promote the American merchant marine—to the Committee on Ways and Means.

By Mr. MONDELL: A bill (H. R. 4866) prohibiting the selection of timber lands in lieu of lands in forest reserves—to the Committee on the Public Lands.

By Mr. HAMILTON: A bill (H. R. 4867) to amend an act entitled "An act to increase the pensions of those who have lost limbs in the military or naval service of the United States"—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 4868) to provide for the extension and enlargement of the public building at Chester, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. SULLOWAY: A bill (H. R. 4869) to establish a life-saving station at the Isles of Shoals, off Portsmouth, N. H.—to the Committee on Interstate and Foreign Commerce.

By Mr. LAWRENCE: A bill (H. R. 4870) to establish a library post—to the Committee on the Post-Office and Post-Roads.

By Mr. BEALL of Texas: A bill (H. R. 4871) to refund the cotton tax—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 5056) granting an increase of compensation to keepers of life-saving stations—to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN: A joint resolution (H. J. Res. 45) providing for the publication of 4,000 copies of a translation of the book entitled "Les Combattants Français de la Guerre Américaine, 1778–1783"—to the Committee on Printing.

By Mr. GARNER: A concurrent resolution (H. C. Res. 9) directing a survey to be made of the channel from Aransas Pass through Turtle Cove to Corpus Christi Bay, Texas—to the Committee on Rivers and Harbors.

By Mr. MEYER of Louisiana: A concurrent resolution (H. C. Res. 10) providing for appointment of a committee of three Senators and five Representatives to attend ceremonies of centennial anniversary of the transfer of Louisiana to the United States—to the Select Committee on Industrial Arts and Expositions.

By Mr. SOUTHARD: A resolution (H. Res. 29) authorizing the Clerk of the House to pay the widow of Samuel H. Decker, late a messenger of the House of Representatives, a sum equal to six months' salary and funeral expenses, not exceeding $250—to the Select Committee on Accounts.

By Mr. STEPHENS of Texas: A resolution (H. Res. 30) asking for report of investigation of land frauds under the stone, desert, timber, and homestead acts—to the Committee on the Public Lands.

By Mr. WACHTER: A resolution (H. Res. 31) authorizing chairman of the Committee on Enrolled Bills to appoint a janitor for the room of said committee and for the engrossing rooms of the House—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4873) granting an increase of pension to John McKenzie—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 4874) granting a pension to Charles V. Billig—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 4875) for the relief of Richard C. Silence—to the Committee on Military Affairs.

By Mr. BARTLETT: A bill (H. R. 4876) for the relief of G. W. Clark & Son, a firm composed of G. W. Clark and J. H. Clark, of Spalding County, Ga.—to the Committee on War Claims.

By Mr. BIRDSALL: A bill (H. R. 4877) granting an increase of pension to Mathias C. Mills—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 4878) granting an increase of pension to George W. Rowland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4879) granting an increase of pension to Shadrack M. Sellers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4880) granting an increase of pension to William F. Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4881) granting a pension to John A. Richards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4882) granting a pension to Isabella McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4883) granting a pension to Margarett J. Verbiskey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4884) granting an honorable discharge to Franklin S. Cowan—to the Committee on Military Affairs.

Also, a bill (H. R. 4885) granting an honorable discharge to Riley Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 4886) for the relief of David H. Lewis—to the Committee on Claims.

By Mr. BRADLEY: A bill (H. R. 4887) granting a pension to George N. Thorpe—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 4888) granting a pension to Orlando Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4889) granting a pension to Henry C. Beltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4890) granting a pension to Albert Hempstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4891) granting a pension to Julia R. Braxtun—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4892) granting a pension to Elias Veatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4893) granting an increase of pension to Charles W. De Rocher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4894) granting an increase of pension to William S. Devlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4895) granting an increase of pension to Francis M. McMahon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4896) for the relief of the legal representatives of A. G. Boone—to the Committee on Claims.

By Mr. BRUNDIDGE: A bill (H. R. 4897) granting an increase of pension to William Johnson—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 4898) granting an increase of pension to Melvin C. Wadsworth—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 4899) referring the claim of William H. Diamond, of Chester, Pa., for damages for personal injuries sustained, to the Court of Claims—to the Committee on Claims.

By Mr. BUTLER of Missouri: A bill (H. R. 4900) granting a pension to Sarah Hodgson—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 4901) to correct the military record of Homer Quick—to the Committee on Military Affairs.

Also, a bill (H. R. 4902) granting an increase of pension to James Cheffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 4904) for the relief of the heirs of E. A. Dozier, deceased—to the Committee on Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 4905) granting an increase of pension to Catherine Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4906) granting an increase of pension to Robert D. Cresson—to the Committee on Invalid Pensions.

By Mr. CROMER: A bill (H. R. 4907) granting a pension to Henry A. Hartley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4908) granting a pension to John A. McConnell—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 4909) for the relief of David J. Kent—to the Committee on Military Affairs.

By Mr. FITZGERALD: A bill (H. R. 4910) granting a pension to Prudentia L. D. Nugent—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 4911) granting a pension to Joseph Grubbs—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 4912) for the relief of Lieut. George B. Loud—to the Committee on Military Affairs.

Also, a bill (H. R. 4913) for the relief of Lieut. George B. Loud—to the Committee on Claims.

Also, a bill (H. R. 4914) for the relief of Michael Lynch from sentence of court-martial—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 4915) granting an increase of pension to James W. Hibbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4916) granting an increase of pension to Allen M. Pierce—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 4917) for the relief of A. W. Abbott—to the Committee on War Claims.

Also, a bill (H. R. 4918) granting a pension to Rachel A. Woodmansee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4919) granting an increase of pension to Catharine Sprague—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4920) granting an increase of pension to Richard H. Foulk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4921) granting an increase of pension to Junius Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4922) granting an increase of pension to Newton W. Vawter—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 4923) granting an increase of pension to Henry B. Teetor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4924) granting a pension to C. S. Rannells—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 4925) granting a pension to John Boyle—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 4926) for the relief of L. L. Arrington and L. S. Arrington—to the Committee on Claims.

By Mr. HASKINS: A bill (H. R. 4927) granting an increase of pension to Eugene P. Tewkesbury—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 4928) granting an increase of pension to Jason H. Masterson—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 4929) granting an increase of pension to George Ingram—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4930) granting an increase of pension to George W. Hubbard—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 4931) granting an increase of pension to Robert W. Mitchell—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 4932) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 4933) for the relief of the representatives of M. F. Merritt, deceased—to the Committee on War Claims.

Also, a bill (H. R. 4934) granting an increase of pension to Mary Lucetta Arnold—to the Committee on Pensions.

Also, a bill (H. R. 4935) granting an increase of pension to Edward T. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4936) granting a pension to Henry E. Buckingham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4937) granting an increase of pension to Emily Conklin—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 4938) granting an increase of pension to Henry Cronk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4939) granting an increase of pension to Rutson J. Bullock—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 4940) granting a pension to Joseph D. C. Artz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4941) granting a pension to Mary J. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4942) granting an increase of pension to Adam Hand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4943) granting an increase of pension to Thomas Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4944) for the relief of Sarah A. Clapp—to the Committee on War Claims.

By Mr. HULL: A bill (H. R. 4945) granting an increase of pension to Orwell Blake—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 4946) to restore James F. Wheeler to the pension roll—to the Committee on Invalid Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 4947) to remove charge of desertion and grant honorable discharge to Henry Lowmaster—to the Committee on Military Affairs.

Also, a bill (H. R. 4948) granting a pension to Wilson H. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4949) granting an increase of pension to George Bixler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4950) granting an increase of pension to Henry C. Chadwick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4951) granting an increase of pension to William Greer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4952) granting an increase of pension to Martin H. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4953) granting an increase pension to Mark Clinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4954) granting an increase of pension to Horace L. Foote—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 4955) to provide for the payment of certain claims against the District of Columbia, in accordance with the act of July 19, 1897—to the Committee on the District of Columbia.

By Mr. JONES of Virginia: A bill (H. R. 4956) for the relief of the Potomac Steamboat Company—to the Committee on Claims.

Also, a bill (H. R. 4957) for the relief of the Shiloh Methodist Church, of Fredericksburg, Va.—to the Committee on War Claims.

By Mr. KEHOE: A bill (H. R. 4958) granting an increase of pension to R. T. D. Zimmerman—to the Committee on Pensions.

Also, a bill (H. R. 4959) granting an increase of pension to Martin Elswick—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 4960) to increase the pension of William J. Lee—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 4961) correcting the military record of Patrick Hagerty, of O'Neill, Nebr.—to the Committee on Military Affairs.

Also, a bill (H. R. 4962) granting a pension to Sarah A. Grandstaff—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 4963) to correct the military record of Adolphus Sterling—to the Committee on Military Affairs.

Also, a bill (H. R. 4964) granting an increase of pension to C. E. Mink—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 4965) granting an increase of pension to Amanda Miner—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 4966) granting an increase of pension to Edwin W. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4967) granting an increase of pension to Byron Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4968) granting a pension to Robert E. Clary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4969) granting a pension to Laura A. Hoyt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4970) to amend the record of Charles E. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 4971) for the relief of Mrs. Anna M. Orne, sole administratrix of the estate of Henry A. Orne, deceased—to the Committee on War Claims.

By Mr. LEGARE: A bill (H. R. 4972) granting an increase of pension to Sarah N. Coste—to the Committee on Pensions.

Also, a bill (H. R. 4973) granting a pension to George H. Moore—to the Committee on Pensions.

By Mr. LEVER: A bill (H. R. 4974) granting a pension to Margaret Hertel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4975) for the relief of the legal representatives of J. H. Brantly, deceased—to the Committee on War Claims.

By Mr. LITTAUER: A bill (H. R. 4976) for the relief of Daniel Mosher—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: A bill (H. R. 4977) to remove the charge of desertion from the naval record of Frank C. Whitney—to the Committee on Military Affairs.

By Mr. LORIMER: A bill (H. R. 4978) granting an increase of pension to Charles H. Kirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4979) granting an increase of pension to Cyrus Jaynes—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 4980) granting an increase of pension to Thomas E. Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4981) granting an increase of pension to John H. Iott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4982) to remove the charge of desertion from the record of Allison Huntley—to the Committee on Military Affairs.

Also, a bill (H. R. 4983) granting an increase of pension to Charles Gochey—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 4984) granting an increase of pension to Charles F. Bowman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4985) placing upon the retired list the name of Joseph H. Burrows—to the Committee on Military Affairs.

By Mr. MACON: A bill (H. R. 4986) for the relief of James H. Rodgers—to the Committee on Claims.

Also, a bill (H. R. 4987) granting an increase of pension to William Y. M. Wilkerson—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 4988) for the relief of Jacob Koons—to the Committee on War Claims.

Also, a bill (H. R. 4989) to carry out the findings of the Court of Claims in the case of Sidney R. Smith & Co.—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 4990) granting a pension to Georgia R. Demarest—to the Committee on Invalid Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 4991) granting an increase of pension to James Paul—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4992) granting an increase of pension to John Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4993) granting an increase of pension to James H. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4994) granting an increase of pension to Mary P. Sheets—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4995) granting an increase of pension to Henry Wilfong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4996) granting an increase of pension to Alexander Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4997) granting a pension to Franklin B. Lippincott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4998) granting a pension to Marion L. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4999) granting a pension to Ellwood I. Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5000) granting a pension to Jackson D. Siner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5001) to reimburse James M. McGee for expenses incurred in the burial of Mary J. De Lange, a deceased pensioner—to the Committee on Claims.

By Mr. McMORRAN: A bill (H. R. 5002) granting a pension to Charles E. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5003) granting a pension to Thomas Williams—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 5004) for the relief of Abram G. Hoyt—to the Committee on Claims.

Also, a bill (H. R. 5005) granting an increase of pension to Worthington S. Locke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5006) granting a pension to Sarah Ulshafer—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 5007) granting an increase of pension to Jerningham Boone—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 5008) granting an increase of pension to Henry McCord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5009) granting an increase of pension to Luke P. Allphin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5010) granting a pension to Mary F. Hamilton—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 5011) granting an increase of pension to Henry O. Pixley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5012) granting an increase of pension to Jacob Reitzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5013) granting an increase of pension to David C. Stotts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5014) granting an increase of pension to Daniel Baughman—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 5015) granting a pension to William A. Russell—to the Committee on Pensions.

By Mr. RIXEY (by request): A bill (H. R. 5016) for the relief of Andrew Grady, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5017) for the relief of N. A. Kraft, sr., of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5018) for the relief of Dan Fry, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5019) for the relief of F. H. Cleveland, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5020) for the relief of A. J. Nalls, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5021) for relief of A. L. Lewis, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5022) for the relief of T. L. Weedon—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5023) for the relief of Thomas Fletcher, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5024) for the relief of R. B. Warren, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5025) for the relief of Charles Dearborn, of Alexandria County, Va.—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 5026) for relief of James Sheridan, Alexandria County, Va.—to the Committee on Military Affairs.

By Mr. RYAN: A bill (H. R. 5027) granting an increase of pension to James Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5028) granting an increase of pension to James Winspear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5029) granting a pension to Louis Leith—to the Committee on Pensions.

Also, a bill (H. R. 5030) granting a pension to William H. Mount—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5031) granting a pension to Julia Burke—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 5032) for the relief of James G. Field, surgeon in the United States Navy—to the Committee on Naval Affairs.

By Mr. SHERMAN: A bill (H. R. 5033) granting an increase of pension to Rowland J. Roberts—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 5034) for the relief of Samuel B. Bootes—to the Committee on War Claims.

By Mr. SLEMP: A bill (H. R. 5035) for the relief of the heirs of Henry Sinon, deceased—to the Committee on War Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 5036) for the relief of the trustees of the Baptist Church at Columbia, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 5037) granting an increase of pension to R. H. Stillwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5038) granting an increase of pension to William H. Zachary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5039) granting an increase of pension to Roden B. Swain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5040) granting an increase of pension to Francis Marion Hatter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5041) granting an increase of pension to John R. Kenney—to the Committee on Invalid Pensions.

By Mr. SIBLEY: A bill (H. R. 5042) granting an increase of pension to James B. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5043) granting a pension to William H. Harrison—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: A bill (H. R. 5044) granting an increase of pension to Joseph L. Croskrey—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 5045) granting an increase of pension to Albert S. Elmore—to the Committee on Pensions.

By Mr. WADE: A bill (H. R. 5046) granting an increase of pension to Michael Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5047) granting an increase of pension to Benton D. Bitner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5048) granting an increase of pension to John M. Seydel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5049) granting an increase of pension to Rebecca Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5050) granting a pension to G. J. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5051) granting a pension to Elizabeth M. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5052) granting an honorable discharge to Eugene H. Ely—to the Committee on Military Affairs.

By Mr. WARNOCK: A bill (H. R. 5053) to correct the military record of Jacob Schunk—to the Committee on Military Affairs.

Also, a bill (H. R. 5054) granting an increase of pension to De Witt C. Carpenter—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5055) granting an increase of pension to Woodson R. Daniel—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTLETT: Resolution of Agricultural Society of Spalding County, Ga., asking for legislation to prevent the spread of the boll weevil—to the Committee on Agriculture.

Also, memorial of committees of city council, Cotton Exchange, Board of Trade, and Chamber of Commerce of Savannah, Ga., asking an appropriation for deepening the harbor at Savannah, Ga.—to the Committee on Rivers and Harbors.

By Mr. BRUNDIDGE: Papers to accompany bill granting increase of pension to William Johnson—to the Committee on Invalid Pensions.

By Mr. BURKETT: Papers to accompany bill to pension William McBrien—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Victor Vifquain—to the Committee on Invalid Pensions.

Also, resolution of the board of directors of the Nebraska Lumber Dealers' Association, favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: Petition of John Edwards, of Dekalb County, Ala., praying reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CANNON: Memorial of business men of Ogden, Utah, praying for legislation to correct unjust discrimination in railroad freight rates—to the Committee on Interstate and Foreign Commerce.

Also, petition of W. L. Grosse and others, of Cissna Park, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. F. Austin & Son, of Georgetown, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the board of directors of the Commercial Club, of Indianapolis, Ind., praying for legislation to correct unjust discriminations in freight rates—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the insurance commissioner of Illinois, asking legislation for the suppression of fraudulent insurance companies—to the Committee on the Judiciary.

By Mr. CASSINGHAM: Papers to accompany bill (H. R. 2051) granting increase of pension to Joseph Jackson—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of Local Union No. 132, Brooklyn, N. Y., of Cigar Makers' International Union, protesting against passage of Cuban reciprocity bill—to the Committee on Ways and Means.

Also, resolution of the executive committee of the National German-American Alliance, against the passage of the so-called Hepburn bill in relation to interstate liquor traffic—to the Committee on the Judiciary.

Also, resolution of select common council of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. GRAFF: Petition of business men of Delavan, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GRIFFITH: Papers to accompany bill to pension Rachel A. Woodmansee—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase the pension of William M. Neal—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Papers to accompany bill to increase pension of Jason H. Masterson—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Papers to accompany bill to pension Henry E. Buckingham—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Emily Conklin—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Edward T. Miller—to the Committee on Invalid Pensions.

Also, Senate Report No. 439: Mr. GALLINGER, from Committee on Naval Affairs, relative to the appointment of Allen V. Reed—to the Committee on Naval Affairs.

By Mr. HITT: Petition of R. E. Bowles and 14 other business men of Creston, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. KETCHAM: Resolution of the R. D. Lathrop Post, No. 138, Grand Army of the Republic, of Hudson, Department of New York, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KNAPP: Papers to accompany bill granting increase of pension to C. E. Mink—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance Union of Mexico, N. Y., praying for the enactment of legislation prohibiting polygamy—to the Committee on the Judiciary.

By Mr. LITTAUER: Papers to accompany bill for the relief of Daniel Mosher—to the Committee on Military Affairs.

By Mr. McCREARY of Pennsylvania: Resolutions of the Philadelphia Produce Exchange, Pennsylvania Shoe Manufacturers' Association, Trades League of Philadelphia, Travelers' Protective Association of Philadelphia, select and common councils of Philadelphia, and Commercial Exchange of Philadelphia, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. MACON: Papers to accompany bill to pension William Y. M. Wilkerson—to the Committee on Invalid Pensions.

By Mr. REEDER: Resolution of Baxter Post, No. 123, Grand Army of the Republic, Baxter Springs, Kans., in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RIXEY: Papers to accompany bill to make Alexandria, Va., a port of immediate transportation—to the Committee on Ways and Means.

By Mr. ROBINSON of Indiana: Petition of Cigar Makers' Union No. 37, of Fort Wayne, Ind., protesting against passage of the Cuban reciprocity bill—to the Committee on Ways and Means.

By Mr. RYAN: Papers to accompany H. R. 4661, for the relief of John Brill—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Petition of Rosell Austin and others, of Frankfort, N. Y., praying for the enactment of legislation prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill to remove charge of desertion from the record of the late J. W. Culver—to the Committee on Military Affairs.

By Mr. SPALDING: Petition of merchants of Grafton, N. Dak., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Commercial Club, of Fargo, N. Dak., favoring the appointment of a permanent tariff commission—to the Committee on Ways and Means.

By Mr. THOMAS of Iowa: Papers to accompany bill granting an increase of pension to Joseph L. Croskrey—to the Committee on Invalid Pensions.

By Mr. WADE: Resolution of the Davenport, Iowa, Turngemeinde, protesting against the passage of the Hepburn bill, restricting interstate liquor traffic—to the Committee on the Judiciary.

By Mr. WRIGHT: Petition of Douglas Wilson, of Towanda, Pa., claiming pay for labor as ambulance driver and hostler during the war of the rebellion—to the Committee on War Claims.

By Mr. WYNN: Papers to accompany bill (H. R. 2862) granting an increase of pension to Henrietta A. Pryce—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *November 25, 1903.*

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

NAMING A PRESIDING OFFICER.

The Secretary read the following communication:

PRESIDENT PRO TEMPORE, UNITED STATES SENATE,
November 25, 1903.

To the honorable Senate of the United States:

I hereby appoint JOHN KEAN, Senator from New Jersey, to perform the duties of the Chair during my absence.

WM. P. FRYE,
President pro tempore.

Mr. KEAN thereupon took the chair as Presiding Officer, and directed the Secretary to read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BEVERIDGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDING OFFICER. The Journal will stand approved, without objection.

GEORGE S. THEBO, JR.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of George S. Thebo, jr., executor of George S. Thebo, deceased, *v.* The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Felicity*, William Story, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court

relating to the vessel ship *Seymour*, Paul Gould, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. ALLEE presented petitions of the congregation of the Methodist Episcopal Church of Wilmington; of the Riddle Methodist Episcopal Sunday School, of Wilmington; of the congregation of the First Methodist Protestant Church of Dover; of the Baptist Young People's Union of the North Baptist Church, of Wilmington; of the congregation of the Eighth Street Baptist Church, of Wilmington; of the Mount Salem Methodist Episcopal Sunday School, of Wilmington; of the Home Missionary Society of the Mount Salem Methodist Episcopal Church, of Wilmington; of the Ladies' Aid Society of the North Baptist Church, and of the Woman's Mission Circle of the North Baptist Church, of Wilmington; of the congregation of the North Baptist Church, of Wilmington, and of the Woman's Christian Temperance Union of Wilmington, all in the State of Delaware, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented petitions of the congregations of the Presbyterian Church of Claysville; the First Presbyterian Church of Finleyville; the United Presbyterian Church of Cannonsburg; the First Methodist Episcopal Church of Uniontown; the First Presbyterian Church of Uniontown; the Cumberland Presbyterian Church of Uniontown; the Baptist Church of Uniontown; the Christian Church of Uniontown; the Mount Rose Baptist Church, of Uniontown; the Lutheran Church of Uniontown; the Episcopal Church of Uniontown; the Second Presbyterian Church of Uniontown; the First Methodist Protestant Church of Uniontown; the Presbyterian Church of West Newton; the Methodist Episcopal Church of Philipsburg; the Liberty Presbyterian Church, of Pittsburg; the North Presbyterian Church, of Allegheny; the Christ United Evangelical Church, of Philadelphia; the Tabernacle Presbyterian Church, of Pittsburg, and of the Germantown Congregational Church, of Germantown, Philadelphia; of the Home Missionary Society of the Tabernacle Presbyterian Church, of Pittsburg; of the Woman's Home Missionary Society of Cross Creek; of the Woman's Home Missionary Society of the First United Presbyterian Church of New Castle; of the Home Missionary Society of the Presbyterian Church of Knox; of the Young People's Society of Christian Endeavor of the Presbyterian Church of West Newton; of the Missionary Society of the First Presbyterian Church of Pittsburg; of the Woman's Christian Temperance Unions of Blairsville, Uniontown, Harlansburg, and Washington, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a petition of the Woman's Club of Lake Mills, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CLAPP presented a petition of the Foreign Missionary Society of the Trinity Methodist Episcopal Church, and a petition of the Woman's Home Missionary Society of the Trinity Methodist Episcopal Church, all of St. Paul, in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALLISON presented a memorial of the Ministerial Association of Villisca, Iowa, remonstrating against holding sessions of Congress on Sunday; which was referred to the Committee on Rules.

He also presented a memorial of George Strong Post, No. 19, Department of Iowa, Grand Army of the Republic, of Fairfield, Iowa, remonstrating against the placing of a statue of Gen. Robert E. Lee in the Capitol; which was referred to the Committee on the Library.

He also presented a petition of Local Division No. 114, Order of Railway Telegraphers, of Perry, Iowa, praying for the enactment of legislation to increase the compensation of telegraph operators in the United States Signal Corps; which was referred to the Committee on Military Affairs.

He also presented a petition of the National Association of Retail Druggists of Washington, D. C., praying for a reduction of the tax on alcohol to 70 cents per proof gallon; which was referred to the Committee on Finance.

He also presented a petition of Machinists' Local Union No. 254, American Federation of Labor, of Des Moines, Iowa, praying for the enactment of legislation to reorganize the Bureau of Labor upon a nonpartisan basis; which was referred to the Committee on Education and Labor.

He also presented a petition of the Synod of Iowa, held at Shenandoah, Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of the Friday Club of Newton; of the congregation of the United Presbyterian Church of Winterset; of the Tuesday Club of Cedar Falls; of the Study Club of Clarinda; of sundry citizens of Bedford, and of the Synod of Iowa, of Shenandoah, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented a petition of the Chamber of Commerce of Wichita, Kans., praying for the enactment of legislation to prevent unjust discrimination in tariff rates; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Baxter Post, No. 123, Department of Kansas, Grand Army of the Republic, of Baxter Springs, Kans., and a petition of Woodson Post, No. 185, Department of Kansas, Grand Army of the Republic, of Yates Center, Kans., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Harvey County; of the Southside Woman's Christian Temperance Union, of Newton; of the congregation of the Methodist Episcopal Church of Moran; of the Woman's Christian Temperance Union of Chetopa; of the congregation of the United Presbyterian Church of Chetopa, and of the Woman's Christian Temperance Union of Hutchinson, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Thomas J. Stewart Camp, No. 72, Sons of Veterans, of Shamokin, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Bangor; of the Bethlehem Lutheran Sunday School, of Philadelphia; of the Daughters of Liberty, of Philadelphia; of the congregation of the Methodist Episcopal Church of Philadelphia; of the Woman's Christian Temperance Union of Meadville; of the congregation of the Presbyterian Church of Mahanoy City; of the Woman's Christian Temperance Union of Bucks County; of the congregation of the Presbyterian Church of Nanticoke; of the congregation of the First Methodist Episcopal Church of Nanticoke; of the congregation of the Christian Church of Connellsville; of the Ladies' Aid Society of Connellsville; of the United Brethren Sunday School of Connellsville; of the trustees of the Methodist Protestant Church of Connellsville; of the board of stewards of the Methodist Protestant Church of Connellsville; of the congregation of the United Brethren Church of Connellsville; of the Young People's Society of Christian Endeavor of the United Brethren Church of Connellsville; of the Missionary Society of Connellsville; of the Ladies' Aid and Missionary Society of Connellsville; of the Young People's Society of Christian Endeavor of Connellsville; of the Woman's Christian Temperance Union of New London; of the congregation of the Methodist Episcopal Church of New London; of the Epworth League of the Methodist Episcopal Church of New London; of the congregation of the Methodist Episcopal Church of New London; of the Woman's Home Missionary Society and Woman's Foreign Missionary Society of Carbondale; of the New Century Club, of Carbondale; of the Woman's Christian Temperance Union of Edenburg; of the Epworth League of Harrisburg; of the congregation of the Baptist Church of Hazleton; of the congregation of the Holiness Christian Church, of Mount Carmel; of the congregation of the Falls of Schuylkill Presbyterian Church, of Philadelphia; of the Trumbauer Young People's Society, of Mount Carmel; of the Woman's Foreign Missionary Society of Mount Carmel; of the Woman's Home Missionary Society of Mount Carmel; of the Ministerial Association of Mount Carmel; of the Woman's Home Missionary Society of Catawissa; of the Grangers, Patrons of Husbandry, of South Canaan; of the Woman's Christian Temperance Union of Gravity; of the congregation of the Second Presbyterian Church of Germantown; of the congregation of the Methodist Episcopal Church of Honesdale; of the Ministerial Association of Columbia; of the congregation of Hermon Church, of Frankford; of the Woman's Home Missionary Society of Carlisle; of the Woman's Christian Temperance Union of Nebraska; of the congregation of the Methodist Episcopal Church of Nebraska, and of sundry citizens of Shillsburg and Hydetown, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

GREAT CANALS OF THE WORLD.

Mr. MORGAN. I present a letter from the Chief of the Bureau of Statistics, Department of Commerce and Labor, on the subject of the cost and business of the great canals of the world, including the Suez Canal, in respect to which the information comes down to a later date, I believe, than any that has ever been presented to Congress. I move that it be printed and referred to the Committee on Interoceanic Canals.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1765) granting an increase of pension to Cynthia A. Burton (with accompanying papers);

A bill (S. 1766) granting a pension to Henry Jordan;

A bill (S. 1767) granting an increase of pension to William H. Smith (with an accompanying paper);

A bill (S. 1768) granting an increase of pension to Thomas Gully (with accompanying papers); and

A bill (S. 1769) granting an increase of pension to Junius Abbott.

Mr. BEVERIDGE introduced a bill (S. 1770) to correct the military record of Jacob W. Perkins; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1771) for the relief of William H. Anderson; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY introduced a bill (S. 1772) granting an increase of pension to Louise K. Bard; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1773) to correct the military record of William Moore;

A bill (S. 1774) for the relief of Frank Oldengot, alias Frank Oltencott;

A bill (S. 1775) to correct the military record of James E. Freeman;

A bill (S. 1776) to correct the military record of Patrick Morrissey;

A bill (S. 1777) for the relief of Joseph M. Reed; and

A bill (S. 1778) for the relief of Jonathan Bush.

Mr. GORMAN introduced a bill (S. 1779) for the relief of Caroline Murtagh, widow of the late William J. Murtagh, formerly proprietor of the National Republican, of Washington, D. C.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1780) granting an increase of pension to Sarah J. Appleton (with accompanying papers);

A bill (S. 1781) granting an increase of pension to James F. Nosler;

A bill (S. 1782) granting an increase of pension to John W. Coons;

A bill (S. 1783) granting a pension to William H. Ellingwood (with an accompanying paper);

A bill (S. 1784) granting an increase of pension to Alfred Johnson; and

A bill (S. 1785) granting an increase of pension to John Zimmerman (with accompanying papers).

Mr. PATTERSON introduced a bill (S. 1786) restoring James G. Field, naval surgeon, to the line of promotion; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CLAPP introduced a bill (S. 1787) for the relief of Jean Louis Legare, of the Dominion of Canada; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 1788) granting a pension to Sarah L. Nichols; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LONG introduced a bill (S. 1789) permitting railroad companies owning railroads in the Indian Territory to sell and convey the whole or any part thereof, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 1790) for the relief of Simon Regnier; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1791) to provide for the purchase of a site and the erection of a public building thereon at Newton, in the State of Kansas; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1792) for the relief of James W. Morgan; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1793) for the relief of John C. Brown; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1794) granting an increase of pension to Joseph C. Walkinshaw;

A bill (S. 1795) granting an increase of pension to Leander Smith;

A bill (S. 1796) granting an increase of pension to Matthew Woodworth;

A bill (S. 1797) granting a pension to Ellen H. Sharp;

A bill (S. 1798) granting an increase of pension to Isaac Cole;

A bill (S. 1799) granting an increase of pension to Charles E. Decker;

A bill (S. 1800) granting an increase of pension to Charles Willauer;

A bill (S. 1801) granting a pension to Mary J. Haas;

A bill (S. 1802) granting an increase of pension to Isaac M. Couch;

A bill (S. 1803) granting an increase of pension to John M. Morgan;

A bill (S. 1804) granting a pension to Catherine Pixley;

A bill (S. 1805) granting an increase of pension to Edwin A. Welch;

A bill (S. 1806) granting an increase of pension to David Bennett;

A bill (S. 1807) granting an increase of pension to James Gray;

A bill (S. 1808) granting a pension to James L. Dyer;

A bill (S. 1809) granting an increase of pension to Andrew J. Freeman; and

A bill (S. 1810) granting an increase of pension to George W. Thomas.

Mr. PENROSE introduced a bill (S. 1811) for the relief of Sylvester H. Lee; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1812) granting a pension to Mary A. Artman;

A bill (S. 1813) granting an increase of pension to Mary B. Keller;

A bill (S. 1814) granting an increase of pension to Samuel W. Kauffman (with an accompanying paper);

A bill (S. 1815) granting a pension to Catharine Elliot (with accompanying papers); and

A bill (S. 1816) granting an increase of pension to Frederick Shanabrough (with accompanying papers).

Mr. LODGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1817) granting a pension to Michael J. Meehan (with accompanying papers);

A bill (S. 1818) granting an increase of pension to Mary A. Craigue;

A bill (S. 1819) granting a pension to Charles P. Skinner; and

A bill (S. 1820) granting a pension to Martha W. Pollard (with accompanying papers).

Mr. LODGE (for Mr. HOAR) introduced a bill (S. 1821) for the relief of Catherine Grace; which was read twice by its title, and referred the Committee on Claims.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. CLAPP submitted an amendment proposing to appropriate $5,000 to enable the President to appoint a commission to investigate the claim of the Pillager tribe or band of Chippewa Indians of Minnesota for compensation for the land ceded by them to the United States by the treaty of August 21, 1847, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

COMMITTEES OF THE SENATE.

The PRESIDING OFFICER. The morning business is closed, and the question is on the adoption of the resolution offered by the Senator from Maine [Mr. HALE], providing for the appointment of the standing and select committees of the Senate.

Mr. HALE. We may as well dispose of it now, Mr. President. I offer an amendment, to come in at the end of the list, providing for an additional committee.

The PRESIDING OFFICER. It will be read.

The Secretary read as follows:

On Disposition of Useless Papers in the Executive Departments.—Messrs. Pettus (chairman), Bate, Long.

The PRESIDING OFFICER. The question is on the adoption of the amendment.

The amendment was agreed to.

Mr. HALE. After the resolution is adopted I have a resolution to offer about the employment of clerks of new committees. Let the resolution be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. GORMAN. I ask the Senator from Maine to give way to me for a moment.

Mr. HALE. I will withhold the additional resolution.

Mr. GORMAN. I wish to make a request in connection with the resolution just adopted. In the list of committees which has been adopted by the Senate I notice, by a reference to the report on the table, that the Senator from Tennessee [Mr. BATE] is chairman of the minority Committee on Public Health and National Quarantine. The Senator from Tennessee [Mr. BATE] is also the chairman of another minority committee. In view of the action of the Senate, I ask unanimous consent (and I do it at the request of the Senator from Tennessee) that he be excused from service upon the Committee on Public Health and National Quarantine, and that the Senator from Alabama [Mr. MORGAN] be appointed in his place.

Mr. HALE. There is no objection to that, Mr. President.

The PRESIDING OFFICER. The proposed modification will be stated.

The SECRETARY. Strike out the name of Mr. BATE where it appears in the Committee on Public Health and National Quarantine as chairman, and insert in lieu the name of Mr. MORGAN.

The PRESIDING OFFICER. Without objection, it will be so ordered.

The resolution as agreed to is as follows:

Resolved, That the following, commencing December 1, 1903, shall constitute the standing and select committees of the Senate for the Fifty-eighth Congress:

STANDING COMMITTEES.

On Agriculture and Forestry.—Messrs. Proctor (chairman), Hansbrough, Warren, Foster of Washington, Dolliver, Quarles, Quay, Bate, Money, Simmons, Latimer.

On Appropriations.—Messrs. Allison (chairman), Hale, Cullom, Perkins, Warren, Wetmore, Quay, Gallinger, Cockrell, Teller, Berry, Tillman, Daniel.

To Audit and Control the Contingent Expenses of the Senate.—Messrs. Kean (chairman), Warren, Millard, Money, Patterson.

On Canadian Relations.—Messrs. Fulton (chairman), Dryden, Hoar, Hale, Fairbanks, Tillman, Bailey, Clark of Montana, Clarke of Arkansas.

On the Census.—Messrs. Quarles (chairman), Hale, Platt of New York, McCumber, McComas, Burton, Kearns, McEnery, Taliaferro, Blackburn, Bailey.

On Civil Service and Retrenchment.—Messrs. Perkins (chairman), Lodge, Elkins, Platt of New York, Millard, Bate, Dubois, McLaurin, Clarke of Arkansas.

On Claims.—Messrs. Warren (chairman), Stewart, Kean, Clapp, Burnham, Burton, Allee, Fulton, Smoot, Martin, Taliaferro, McLaurin, Foster of Louisiana, Overman.

On Coast and Insular Survey.—Messrs. Ankeny (chairman), Foster of Washington, Hawley, Fairbanks, Allee, Morgan, Berry, Clay, Culberson.

On Coast Defenses.—Messrs. Mitchell (chairman), Hawley, Alger, Ball, Ankeny, Heyburn, Culberson, Taliaferro, Clay, Simmons, Foster of Louisiana.

On Commerce.—Messrs. Frye (chairman), Elkins, Nelson, Gallinger, Penrose, Hanna, Depew, Perkins, Foster of Washington, Quarles, Alger, Berry, Martin, Clay, Mallory, Foster of Louisiana, Stone.

On Corporations Organized in the District of Columbia.—Messrs. Martin (chairman), Latimer, Aldrich, Hopkins, Long.

On Cuban Relations.—Messrs. Platt of Connecticut (chairman), Aldrich, Spooner, Burnham, Mitchell, Kittredge, Hopkins, Teller, Money, Taliaferro, Simmons.

On the District of Columbia.—Messrs. Gallinger (chairman), Hansbrough, Stewart, Dillingham, Foster of Washington, Foraker, Scott, Gamble, Martin, Mallory, Simmons, Dubois, Gorman.

On Education and Labor.—Messrs. McComas (chairman), Penrose, Dolliver, Clapp, Burnham, Daniel, Gibson, Newlands, Stone.

On Engrossed Bills.—Messrs. Cockrell (chairman), Hoar, Clapp.

On Enrolled Bills.—Messrs. Dryden (chairman), Hopkins, Foster of Louisiana.

To Examine the Several Branches of the Civil Service.—Messrs. Clapp (chairman), Hoar, Ball, Smoot, Culberson, Simmons, McCreary.

On Finance.—Messrs. Aldrich (chairman), Allison, Platt of Connecticut, Burrows, Platt of New York, Hansbrough, Spooner, Penrose, Daniel, Teller, Money, Bailey, Gorman.

On Fisheries.—Messrs. Hopkins (chairman), Proctor, Frye, Perkins, Fulton, Mallory, McEnery, Bailey, Overman.

On Foreign Relations.—Messrs. Cullom (chairman), Frye, Lodge, Clark of Wyoming, Foraker, Spooner, Fairbanks, Kean, Morgan, Bacon, Money, Clark of Montana, McCreary.

On Forest Reservations and the Protection of Game.—Messrs. Burton (chairman), Depew, Perkins, Kearns, Kittredge, Burnham, Ankeny, Morgan, Tillman, Gibson, Overman.

On the Geological Survey.—Messrs. Foster of Washington (chairman), Elkins, Fairbanks, Heyburn, Money, Cockrell, Newlands.

On Immigration.—Messrs. Dillingham (chairman), Penrose, Fairbanks, Lodge, Dryden, McComas, McLaurin, Patterson, Latimer, Clarke of Arkansas, McCreary.

On Indian Affairs.—Messrs. Stewart (chairman), Platt of Connecticut, McCumber, Bard, Quay, Clapp, Gamble, Clark of Wyoming, Long, Morgan, Dubois, Clark of Montana, Teller, Stone, Overman.

On Indian Depredations.—Messrs. Allee (chairman), Beveridge, Dillingham, Dietrich, Smoot, Long, Bacon, Martin, Berry, Pettus, McLaurin.

On Interoceanic Canals.—Messrs. Hanna (chairman), Platt of New York, Mitchell, Millard, Kittredge, Dryden, Hopkins, Morgan, Carmack, Taliaferro, Gorman.

On Interstate Commerce.—Messrs. Elkins (chairman), Cullom, Aldrich, Kean, Dolliver, Foraker, Clapp, Millard, Tillman, McLaurin, Carmack, Foster of Louisiana, Newlands.

On Irrigation.—Messrs. Bard (chairman), Warren, Stewart, Kearns, Dietrich, Hansbrough, Ankeny, Fulton, Bailey, Patterson, Gibson, Gorman, Newlands.

On the Judiciary.—Messrs. Hoar (chairman), Platt of Connecticut, Clark of Wyoming, Fairbanks, Nelson, McComas, Depew, Mitchell, Bacon, Pettus, Culberson, Blackburn, Patterson.

On the Library.—Messrs. Wetmore (chairman), Hansbrough, Dryden, Clark of Montana, Gorman.

On Manufactures.—Messrs. Heyburn (chairman), McCumber, Gallinger, Allee, Clay, Gibson, Latimer.

On Military Affairs.—Messrs. Hawley (chairman), Proctor, Warren, Quarles, Scott, Foraker, Alger, Bate, Cockrell, Pettus, Blackburn.

On Mines and Mining.—Messrs. Scott (chairman), Stewart, Hanna, Kearns, Heyburn, Tillman, Clark of Montana, Clarke of Arkansas, Newlands.

On the Mississippi River and its Tributaries.—Messrs. Nelson (chairman), Dolliver, Millard, Hopkins, Bate, McEnery, McLaurin.

On Naval Affairs.—Messrs. Hale (chairman), Perkins, Platt of New York, Hanna, Penrose, Gallinger, Burrows, Tillman, Martin, McEnery, Blackburn.

On Organization, Conduct, and Expenditures of the Executive Departments.—Messrs. Quay (chairman), Wetmore, Beveridge, Allison, Allee, McLaurin, Blackburn, Carmack, Stone.

On Pacific Islands and Porto Rico.—Messrs. Foraker (chairman), Depew, Wetmore, Foster of Washington, Mitchell, Kearns, Burton, Cockrell, Mallory, Blackburn, Clark of Montana.

On Pacific Railroads.—Messrs. Dolliver (chairman), Frye, Stewart, Millard, Kittredge, Morgan, Taliaferro, McCreary, Latimer.

On Patents.—Messrs. Kittredge (chairman), McComas, Clapp, Smoot, Mallory, Foster of Louisiana, Latimer.

On Pensions.—Messrs. McCumber (chairman), Scott, Foster of Washington, Burton, Burnham, Alger, Ball, Smoot, Taliaferro, Patterson, Carmack, Gibson, Overman.

On the Philippines.—Messrs. Lodge (chairman), Hale, Proctor, Beveridge, Burrows, McComas, Dietrich, Long, Culberson, Dubois, Carmack, McCreary, Stone.

On Post-Offices and Post-Roads.—Messrs. Penrose (chairman), Dolliver, Lodge, Beveridge, Mitchell, Proctor, Burrows, Scott, Burton, Clay, Culberson, Taliaferro, Simmons, Gorman.

On Printing.—Messrs. Platt of New York (chairman), Elkins, Gorman.

On Private Land Claims.—Messrs. Teller (chairman), McEnery, Pettus, Hale, Kean, Gamble, Burton.

On Privileges and Elections.—Messrs. Burrows (chairman), Hoar, McComas, Foraker, Depew, Beveridge, Dillingham, Hopkins, Pettus, Dubois, Bailey, Overman, Clarke of Arkansas.

On Public Buildings and Grounds.—Messrs. Fairbanks (chairman), Warren, Scott, Quarles, McCumber, Wetmore, Quay, Culberson, Simmons, Clay, Stone, Latimer.

On Public Health and National Quarantine.—Messrs. Morgan (chairman), McEnery, Mallory, Culberson, Spooner, Depew, Ball, Heyburn, Long.

On Public Lands.—Messrs. Hansbrough (chairman), Nelson, Clark of Wyoming, Bard, Kearns, Gamble, Burton, Dietrich, Fulton, Berry, McEnery, McLaurin, Gibson, Dubois, Newlands.

On Railroads.—Messrs. Clark of Wyoming (chairman), Nelson, Hawley, Bard, Allee, Ankeny, Smoot, Bacon, Pettus, Money, Carmack.

On the Revision of the Laws of the United States.—Messrs. Depew (chairman), Proctor, Fulton, Heyburn, Long, Daniel, Mallory, Bailey, Patterson.

On Revolutionary Claims.—Messrs. Tillman (chairman), Bate, Platt of Connecticut, Alger, Ball.

On Rules.—Messrs. Spooner (chairman), Aldrich, Hoar, Elkins, Teller, Cockrell, Bacon.

On Territories.—Messrs. Beveridge (chairman), Dillingham, Nelson, Bard, Quay, Burnham, Kean, Bate, Patterson, Clarke of Arkansas, Newlands.

On Transportation Routes to the Seaboard.—Messrs. Gamble (chairman), Clark of Wyoming, Perkins, Ball, Allee, Pettus, Daniel, Dubois, Clarke of Arkansas.

On the University of the United States.—Messrs. Long (chairman), Frye, Wetmore, Burnham, Dillingham, Dryden, Allison, Clay, Carmack, Blackburn, Foster of Louisiana.

SELECT COMMITTEES.

To Investigate the Condition of the Potomac River Front at Washington.—Messrs. Millard (chairman), Frye, Beveridge, Allee, Martin, Bacon, Clark of Montana.

On Woman Suffrage.—Messrs. Bacon (chairman), Berry, Wetmore, Bard, Mitchell.

On Additional Accommodations for the Library of Congress.—Messrs. Berry (chairman), Stone, Cullom, Allison, Mitchell.

On Transportation and Sale of Meat Products.—Messrs. Daniel (chairman), Stone, McCumber, Quarles, Ball.

On the Five Civilized Tribes of Indians.—Messrs. Bate (chairman), Teller, Dietrich, Kittredge, Burrows.

On Industrial Expositions.—Messrs. Burnham (chairman), Hawley, Hansbrough, Lodge, Clapp, Alger, Fulton, Daniel, Cockrell, Carmack, Gibson, McCreary, Newlands.

On National Banks.—Messrs. Kearns (chairman), Penrose, Ankeny, McEnery, Gibson.

To Investigate Trespassers upon Indian Lands.—Messrs. Dietrich (chairman), Heyburn, Morgan.

On Examination and Disposition of Documents.—Messrs. Alger (chairman), Kean, Hopkins.

On Ventilation and Acoustics.—Messrs. Ball (chairman), Gallinger, Gamble.

On Standards, Weights, and Measures.—Messrs. Smoot (chairman), Dolliver, Long, Clark of Montana, McCreary.

On Disposition of Useless Papers in the Executive Departments.—Messrs. Pettus (chairman), Bate, Long.

Mr. HALE. I offer an additional resolution, which I ask may be read.

The Secretary read the resolution, as follows:

Resolved, That the Committee on Examination and Disposition of Documents, and the Committee on Ventilation and Acoustics, and the Committee on Disposition of Useless Papers in the Executive Departments be, and they hereby are, each authorized to employ, on and after the 1st day of December, 1903, a clerk, who shall be paid at the rate of $1,800 per annum from the contingent fund of the Senate until otherwise provided by law.

Mr. HALE. The resolution provides for the three new committees which have been established.

The PRESIDING OFFICER. It must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HALE. There is no objection to that course. The committee can report it to-day.

The PRESIDING OFFICER. It will be so referred.

Mr. GORMAN. I wish to suggest to the Senator from Maine that if the resolution is adopted in its present form it will begin the 1st day of December, leaving an interim of a few days for the clerk of one or two of the minority chairmanships, and it ought to take effect at once.

Mr. HALE. The general resolution provides that the whole matter shall take effect on the 1st of December. It applies to the whole list, including all the committees.

Mr. GORMAN. But the Senator from Maine will understand that under the rules of the Senate each Senator who is not chairman of a committee is entitled to a clerk at fourteen or fifteen hundred dollars, whatever it is, and that the moment he becomes chairman the pay of his personal clerk ceases.

Mr. HALE. That is all arranged in the office of the Secretary. A Senator holds his general place until he becomes chairman, and then he has a clerk under the provision just submitted. None of them takes effect before the 1st of December.

Mr. GORMAN. The committees do not take effect until then?

Mr. HALE. That was provided for in the resolution submitted day before yesterday. The resolution takes effect on the 1st of December.

Mr. SPOONER. Let the pending resolution be read again.

The Secretary again read the resolution.

Mr. HALE. That has been adapted to the other resolution which I offered, and which provides that the changes in committees shall take effect on December 1, so that they shall all proceed together.

Mr. GORMAN. I understand from the Senator from Maine that the committees will take effect on the 1st of December. I did not notice the phraseology. Committees are meeting now from day to day and will meet on very important matters between this time and the 1st of December. Do I understand that it is the Senator's intention that we shall remain without our full minority representation in the meantime?

Mr. HALE. I do not suppose that any practical question of that kind arises.

Mr. GORMAN. It is rather embarrassing. I myself have experienced it.

Mr. HALE. I fancy there will be no trouble of that kind. There are very few committees meeting.

Mr. GORMAN. But why not have the committees take effect from the date of the passage of the resolution?

Mr. HALE. There ought to be some general date fixed in the future, so that all the accounts can be adapted. This was done on consultation; and it was thought best to name a specific day. It was suggested that it take effect at the beginning of the regular session, but that will be seven days later. Finally the committee concluded that it would be better to make it the 1st day of December for every committee. I do not think that any practical difficulty is going to arise.

Mr. President, if this matter is disposed of, I ask the Chair to lay before the Senate the next order of business.

REPUBLIC OF CUBA.

The PRESIDING OFFICER. The next order of business is the motion of the Senator from Maine [Mr. HALE] to reconsider the vote by which the joint resolution (S. R. 15) inviting Cuba to become a State of the American Union, introduced by the Senator from Nevada [Mr. NEWLANDS], was referred to the Committee on Relations with Cuba.

Mr. HALE. Mr. President, I desire to have a vote on the motion. I should like to have the reference reconsidered, and then, after being reconsidered, as some Senators wish to debate the joint resolution, I will ask that it lie on the table.

Mr. NEWLANDS. I did not understand the motion of the Senator from Maine.

Mr. HALE. It is the motion which I made to reconsider the vote by which the Senator's resolution was referred to the Committee on Relations with Cuba.

I said, and will repeat, that I desire to have the vote taken now on reconsideration; but I shall not call it up for any further movement at present, because Senators desire to debate it hereafter. The matter will lie on the table, and then it will be open for the future action of the Senate.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maine, to reconsider the vote by which the joint resolution was referred to the Committee on Relations with Cuba.

The motion to reconsider was agreed to.

Mr. HALE. Now, I ask that the joint resolution be laid on the table to be called up by me at some future time, as Senators may desire to discuss it further.

The PRESIDING OFFICER. The Senator from Maine asks that the joint resolution be now laid on the table. Is there objection to the request?

Mr. HALE. Subject to being called up.

The PRESIDING OFFICER. Subject to his call. Without objection, it is so ordered.

COMMITTEES OF THE SENATE.

Mr. SPOONER. Mr. President, I wish to call the attention of the Senator from Maine for a moment to the matter of the former resolution.

It occurs to me that without any possibility of confusing accounts, in view of the last resolution which the Senator had adopted, it would really be better if, by unanimous consent, the resolution were changed so as to take effect at once. This is a session of the Senate. The committees when the session convened were not full. There were vacancies on the Republican side of committees and vacancies on the Democratic, or minority, side of committees. Under the resolution as it stands the committees are not equipped; the vacancies are not filled until the 1st of December. Why should not each member of a committee become absolutely a member of the committee from the time of the adoption of the resolution?

Mr. HALE. I tried to explain that the committee had considered that question, and it is more convenient in making up the accounts to have a full month. The matter is unimportant. It involves only a few days. December will be here before the Senator knows it. There is no actual business that is going to be interfered with or prostrated because the committees are not filled up now. Therefore the committee concluded it would be far better to have the resolution take effect on the 1st day of December. Then the Secretary will open all the accounts with the beginning of the month; there will be no part of a month going over; and in the meantime things will be going on just as they are and just as they have gone on for three weeks.

Mr. SPOONER. The Senator is mistaken in his supposition that I will not know when the 1st of December arrives. I expect to know that.

I do not know that it is very material; but I think there is some point in the suggestion of the Senator from Maryland. I do not see how it should confuse accounts. The accounts of the Senate do not depend upon the membership of the committees. The members of the Senate are not paid for service on committees except as they receive a salary.

I conceive that there would be confusion perhaps as to the clerks of the new committees if the resolution which has just been offered by the Senator had not been adopted. He is clearly right that each Senator, undisturbed by any action of the Senate, shall keep his clerk until the 1st day of December; and if he shall then become a chairman, he will have a right to appoint a clerk of the committee, who acts as his clerk. But it does not seem quite dignified—that is the truth of it—to adopt a resolution appointing committees, making the membership when adopted full, and yet provide that it shall not take effect until hereafter. However, it is not very material, as the Senator said.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM. If there is nothing further before the Senate, I should like to call up the bill carrying into effect the convention between the United States and the Republic of Cuba.

The PRESIDING OFFICER. The Senator from Illinois calls up House bill 1921.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. CULLOM. My object in calling up the bill is to have it read and to give an opportunity, so that if any Senator desires to do so he can talk upon it to-day or on any day during the present session, my purpose being to give every opportunity possible that is desired to discuss the bill. If no Senator desires to discuss it to-day, I would like, then, to make it the unfinished business of the session from day to day until the session shall close, so that at the beginning of the next regular session the bill may be taken up according to the order which was made and discussed until it is disposed of on the date fixed. I ask that the bill be read.

Mr. TELLER. I wish to ask the Senator a question. I suppose it is his intention simply to call it up formally, and if no one wants to speak, to let it lie over?

Mr. CULLOM. I will let it lie over, making it the unfinished business, and lay it over from time to time.

Mr. TELLER. There is no objection to that course that I know of.

Mr. CULLOM. That is all.

The PRESIDING OFFICER. Without objection, an order will be made, making it the unfinished business of the Senate. The bill will be read by the Secretary.

The Secretary read the bill.

Mr. CULLOM. I have had the bill called up and read for the purpose of giving any Senator an opportunity to speak upon it to-day if he sees proper. If not, I shall hope to keep it before the Senate as the unfinished business during the remainder of this session, so as to give any Senator an opportunity to talk upon it whenever the Senate is in session. If any Senator now desires to take the floor on the bill, I am anxious to have him do so. If no Senator desires to speak, I will ask——

Mr. GORMAN. I understand that the Senator from Tennessee [Mr. CARMACK] desires to address the Senate on the bill.

Mr. CARMACK. If it will not interfere with the convenience of any other Senator, I will say what I have to say about the bill this morning.

Mr. CULLOM. Certainly.

Mr. CARMACK. Mr. President, the ratification of the Cuban treaty has been urged upon us in the President's message with reasons which appeal to diverse springs of action in the human heart. The President tells us, in substance, that we must ratify this treaty to save our honor and to help our trade; that we must act in this matter from a stern and self-sacrificing sense of duty and with a lively regard for the profits that will accrue. It is an opportunity, such as seldom comes, to worship God and get your money back; to be diligent in business while serving the Lord. The Cuban treaty is presented to us by the President in the attractive double aspect of a bargain counter and a missionary box. You put a nickel in the slot for sweet charity's sake and get more than your money's worth of chewing gum and cigars.

Happy is that Republican Administration, Mr. President, which is driven by a selfish motive to a righteous deed, and is thus enabled to perform a Christian duty without exercising any of the Christian virtues. It is quite another story when the obligations of honor, and respect for law, and regard for the Constitution happen to come in conflict with selfish and unlawful desires.

Still, Mr. President, I think it is the duty of Congress to hear with patience any appeal that may be made to its conscience, from whatever source it may come. I realize that our relations with Cuba are peculiar, and I feel the force of what the President has to say along this line. For these reasons I have been willing to vote for almost any reasonable treaty which might be presented. I felt that, having imposed our guardianship upon the people of Cuba and then left them, as we were told, on the edge of famine and despair, we had incurred an obligation to care for their interests, even though it should involve some sacrifice of our own.

But the appeals made in the name of mercy and humanity are now known to have no basis in truth. The revenues of Cuba are abundant. Her treasury is full. Her people are prosperous and contented. We are under no moral obligation to rush to the aid of a people who do not need our assistance; and if we are under any such obligation, we are certainly not bound in honor to ratify any treaty or pass any bill that may be presented for our consideration, no matter what it may contain.

Give me a treaty that is fair and even generous to Cuba and only just and honest to the people of the United States, and I will vote for it. But no man can pledge my faith to a treaty which is itself a violation of pledged faith and honorable obligation, and which, under the pretense of opening for us the markets of Cuba, slams the door in the face of 50,000,000 people in Central and South America.

You had a treaty here entirely satisfactory to the people of Cuba, a treaty already ratified and approved by the Government of that country. You take that treaty and you write into it a miserable bargain with the protected interests of the United States—a bargain, I say, which was in gross violation of good faith to our own people, a bargain which closed the door to reciprocity with other countries—and you insist that we shall make that bargain in the name of honor and in the name of reciprocity.

I shall vote against this treaty, Mr. President, for reasons very different, perhaps, from those which may influence the opposition of some other Senators. If this measure would reduce the price of sugar to the American consumer, I should regard it as one powerful argument in its favor. But we know that it will not do so. The importations of Cuban sugar will fall far short of supplying the deficiencies of American production. There must still be a large amount of sugar imported subject to the regular rates of duty. There will not be one price in the American market for free sugar and another price for taxed sugar, but one price for all, whether home-grown, imported free, or dutiable. That price will be the world price plus the duty and the cost of carriage.

So I say, Mr. President, this measure will not reduce by the fraction of a cent either the profits of the American sugar producer or the expenses of the American consumer, and there is no reason why the one should feel any great alarm or the other any great enthusiasm for the passage of this bill.

One of the reasons why I oppose this bill is that it not only does not now reduce the tax on sugar, but that it provides that there shall be no such reduction in the future. We are appealed to in the name of honor and good faith. In honor and good faith you can not pass this bill, because it distinctly and in plain terms violates the solemn promises that were made when the tariff of 1897 was enacted.

You have written into that treaty and into this bill a provision that during the life of the Cuban treaty no treaty shall be made with any other foreign country that reduces the duties on sugar below the rates fixed in the existing law. I say, Mr. President, that that is in flagrant violation of the promises made when Congress enacted what the very authors of it have described as the "exorbitant duty upon sugar."

I repeat it, sir, the very authors of the sugar duty in the act of 1897 admitted that it was excessive; that it was exorbitant; that it was far higher than was needed for any just purpose of protection. It was said by my friend the Senator from Iowa [Mr. DOLLIVER]; it was said by the Senator from Illinois [Mr. HOPKINS]; it was admitted by the Republican members of the Ways and Means Committee when that bill was under consideration, that the sugar duty was far higher than was needed for any purpose of protection; that it was an unjust and oppressive tax upon the American people, and the promise was that by reciprocity arrangement that tax should be reduced.

How do you propose to redeem that pledge? The advocates of this bill, Mr. President, have insisted earnestly and with truth that it will not reduce the tax on sugar by the fraction of a cent. Yet they have inserted into the body of the treaty and of this bill a provision that will prevent any reduction in the future.

I ask, Mr. President, if it is honor and good faith to impose an exorbitant duty in the name of reciprocity and for the sake of foreign trade, and then devote every dollar of that duty to unjust and unnecessary protection?

This measure, Mr. President, simply diverts some millions of dollars from the public Treasury into the hands of individuals. I shall not argue whether it will go into the coffers of the sugar trust or into the pockets of the Cuban sugar planters; but this we all know, that it will not reduce the taxes of the people by one cent; it will reduce the revenues of the Government by millions of dollars, and this money paid out of the pockets of the American people will go into private pockets.

We had a promise by the Republicans who enacted this tariff that they would reduce it by not less than 20 per cent through reciprocity arrangements. That would save about $10,000,000 in taxes to the American people, and that is what we are paying, Mr. President, in cold cash out of the pockets of the American people for whatever privileges we obtain in the Cuban market. You pay not only that, but you formally and by bargain surrender every opportunity to have reciprocity with all the sugar-producing countries of the world.

This is not presented, Mr. President, simply as one act in a general policy of reciprocal trade. It is presented as the end-all and the be-all of that great policy which, in the magniloquent language of the Republican platform, was to give us control of the trade of the world. It is not conceived in a spirit of friendliness, but in a spirit of deadly hostility to a liberal trade policy. It is the last gasp, the dying groan, the very death rattle of Republican reciprocity. You have bargained in this bill that reciprocity shall die now and here.

I can understand, Mr. President, how the enemies of reciprocity can support this bill, as most of them are doing, but for the life of me I can not comprehend how it can receive the support of any man who pretends to be a friend of reciprocity. You have brought reciprocity, sir, to this condition: You violate the solemn promise made to reduce taxation of the people, and you do it in the name of honor; you close up every opportunity to have reciprocity with the nations of the earth, and you do that in the name of reciprocity.

What reciprocity treaties could you make—what could you ever have made under this bill? Why, Mr. President, sugar has been the basis of all the reciprocity we had under the McKinley Act, and, if not the basis, it is certainly a very important part of all the reciprocity we ever hoped to have under the Dingley Act.

I hold in my hand, sir, a report made by the Ways and Means Committee of the first session of the Fifty-fourth Congress, in 1896. It was a report made for the purpose of glorifying reciprocity. It traces the efforts, beginning away back in 1882, to extend our export trade with the Latin-American countries through reciprocity treaties, which ended in the international conference in 1889, in which seventeen of those Republics were represented. Mr. Blaine presented that report to the President with a letter of recommendation. He recommended an amendment to the pending McKinley tariff bill which would enable this country, in his opinion, to get free markets in all the Latin-American countries for practically all the agricultural and many of the manufactured

products of the United States. By what means was that to be obtained? In concluding his statement, Mr. Blaine said:

> Of course the exchanges involved in these propositions would be rendered impossible if Congress, in its wisdom, should repeal the duty on sugar by direct legislation, instead of allowing the same object to be attained by the reciprocal arrangements suggested.

In other words, Mr. President, Mr. Blaine recognized, as did the authors of this report, that freedom to manipulate the sugar duty was an absolute essential to any scheme of reciprocity with the Latin-American countries. To impress the importance of the sugar duty he declared that the sugar-growing countries comprised four-fifths, or 40,000,000 people, of Latin America, and that a very slight discrimination in their favor on the sugar duty would vastly extend our commerce with those countries.

As a matter of fact, Mr. President, all the reciprocity arrangements made with the South American countries were based upon sugar. Not only that, but the only two treaties we had with European countries have the same history. We negotiated and ratified treaties or reciprocal arrangements with Germany and with Austria-Hungary.

This report speaks in glowing terms of the vast benefits that accrued to American commerce by reason of the ratification of those treaties, which gave a discrimination of 30 per cent in favor of American wheat, flour, and other agricultural and manufactured products. Those treaties were based, I say, upon sugar; without sugar not one of them could ever have been made. It was the same way with the treaties negotiated but never ratified under the Dingley tariff act.

Mr. President, I have not conceded, and I do not concede, all the extravagant claims made by Republicans as to what was accomplished under the Blaine reciprocity arrangements. I have no extravagant faith in the virtue and practical operation of reciprocity. I do not believe we should say to other nations, "We will untax our people if you will untax yours; if you do not lighten the burdens upon your people we will punish you by heaping higher and heavier the burdens upon our own; we will injure your trade by plundering our people." I believe with Sir Robert Peel that the best way to fight a hostile tariff is by re-forming our own.

I do not believe, Mr. President, that we should put heavy and oppressive burdens of taxation upon our own country, to remain there until we can make arrangements with the nations of the earth to take them off. I do not believe that our fiscal system should be complicated with the fiscal systems of other nations. We make a tariff treaty, let us suppose, with Germany with regard to the tariff duties to be imposed upon a number of articles, and we afterwards find it to be a foolish and improvident treaty. We are then in a condition where we must either subject ourselves to the charge of violating a solemn treaty with a foreign power or we must get the consent of the German Empire before we can readjust and redistribute the burdens of taxation upon our own people.

So I say, Mr. President, I am not very much in love with reciprocity. I do not believe that it is the best way either to reduce taxes or to extend our trade. At the same time I will admit that it is better than no way at all, and it is the only way that ever has been promised by the Republican party. We have no right to demand that you carry out the Democratic platform, but we have a right to demand that you carry out your own.

I do not say that I am always and under all circumstances opposed to reciprocity. But I do mean to say that actual reciprocity can not be obtained without making actual concessions. A country must be willing to give as well as eager to take, and the condition to which reciprocity has come in this measure shows that no such policy ever can be executed by a party which makes a fetich of protection. The failure of reciprocity as a means of tariff reform is never so apparent as when a high protective party, holding office by the grace of the beneficiaries of protection, attempts to withdraw from the latter any portion of their spoils.

We enacted a tariff act in 1897 and we imposed duties high enough in all conscience to satisfy the greediest shark that ever called himself protector of American labor. Then we put on an extra margin to be bargained away by treaties with foreign countries to extend our foreign trade. We have been waiting all these years for our Government to drive a series of bargains with other nations to reduce the burdens it had laid upon its own people, and not one solitary treaty has been ratified to this good hour. The oppressive taxes that we imposed in the name of foreign trade have been appropriated entirely and exclusively to the purposes of domestic monopoly.

Mr. President, the Senator from Iowa [Mr. DOLLIVER], in a notable speech delivered at the last session of Congress, spoke in a vein of deep dejection of the contemptuous manner in which the reciprocity treaties had been dealt with in this body, and said that more violence had been done to the protective system by the failure of his party to act upon these treaties than by all the clamor and all the noise and all the invective of all the blatant free traders in the United States. I agree with the Senator from Iowa. No accusation we could make against the Republican party, however fortified by evidence, could be as effective as its own confession of hypocrisy, of violated promises, of taxes imposed under false pretenses.

The Senator said in that speech that not one line of Mr. Blaine's wisdom was left upon the statute books; that no step had been taken to realize President McKinley's magnificent dream. The policy advocated by President McKinley with such earnestness and power in his last public utterance has proved to be indeed the baseless fabric of a vision; it has dissolved and left not a rack behind. Who is responsible? If the Democratic party effaced every line of the wisdom of Mr. Blaine from the statute book, the Republican party, after being seven years in power, has not put a single line of it back.

I want to say, Mr. President, that in reality there never was much of Mr. Blaine's wisdom on this question in the statute book. The policy actually adopted fell very far short of the broad and comprehensive policy of Mr. Blaine.

In the report to which I have before referred, under the heading of "Mr. Blaine's recommendations," he is thus quoted:

> "To escape the delay and uncertainty of treaties," Mr. Blaine suggested "an amendment to the pending tariff bill authorizing the President to declare the ports of the United States free to all the products of any nation of the American hemisphere," etc.

That was Mr. Blaine's policy, Mr. President. The plan actually adopted, as compared with that of Mr. Blaine, seems as impotent as a eunuch and as bloodless as a mummy. Mr. Blaine's policy comprehended free trade with all the nations of the American hemisphere to the north and the south—Canada, Mexico, Central and South America—free sugar, free hides, free wool, free coal, free lumber, absolute freedom to all the products of all the countries of the American hemisphere. That was the policy of Mr. Blaine. I say that policy was mutilated and emasculated by the protection sentiment in Congress. Still, Mr. President, it was the one redeeming feature of the McKinley bill. It was the only thing in that measure, according to Mr. Blaine's own statement, that would open a market for a single bushel of American wheat or a single barrel of American pork.

The Wilson Act did not in terms repeal the treaties adopted under Mr. Blaine. It contained an express provision that they should not be affected except so far as they were inconsistent with the provisions of that act. They were annulled simply by the tariff on sugar—by that and that only. When that act was passed, which, as the Senator from Iowa [Mr. DOLLIVER] would say, expunged every line of the wisdom of Mr. Blaine from the statute books, there went up from the Republican party one universal chorus of damnation. I beg leave to ask, Mr. President, if the Democratic party deserves damnation for expunging the wisdom of Mr. Blaine from the statute book, how many years in purgatory does the Republican party deserve for refusing to put a single line of it back?

This report made by the Ways and Means Committee in 1896—Mr. Dingley being chairman of the committee and the present Senator from Illinois [Mr. HOPKINS] being then chairman of the subcommittee which made the report—this report, I say, was intended to glorify the results of reciprocity under Mr. Blaine and to damn the Democratic party for its terrible and destructive work in repealing the Republican policy of reciprocity. When the Dingley tariff was under discussion they again thundered their denunciation against the Democratic party, and declared that under that bill they would not only restore Mr. Blaine's plan of reciprocity, but that it should be enlarged and improved.

The present Senator from Illinois [Mr. HOPKINS], then a member of the Ways and Means Committee and one of the authors of that bill, declared that reciprocity was to be the "crowning glory" of the Dingley tariff; that Mr. Blaine's policy was to be enlarged and improved and adapted to our commercial relations with Germany and Austria and France and Belgium and all the countries of Central and South America.

Mr. President, I beg leave to ask what has become of that policy thus improved, enlarged, and adapted to our commercial relations with Europe and South America, that was to give us reciprocity treaties with Germany and Austria and Belgium and France and all the countries to the south of us? What has become of it? Not a line of it on the statute book to this good hour, though the Republican party has had possession of the Government for seven years.

Mr. President, reciprocity was not simply an incident of the Dingley tariff. Reciprocity treaties were not simply to be the by-products of that great act. According to the Senator from Illinois, reciprocity was to be the main purpose, the crowning glory; all the other benefits to be derived from the Dingley tariff were to pale their ineffectual fires before the shining glory of reciprocity. Yet there has been no reciprocity. The rates of the Dingley

tariff were purposely made excessive to enable you to negotiate these treaties. The Senator from Illinois, when the bill was under discussion, expressly said so with reference to sugar, and the Senator from Iowa said so on the floor of the Senate.

The bill expressly provided for a general reduction of not more than 20 per cent. Mr. Kasson, of Iowa, the commissioner selected by Mr. McKinley to negotiate these treaties, expressly declared that the general rates of the Dingley tariff had been made excessive, had been made higher than was needed for the purposes of protection, in order to carry out the policy of reciprocity which the Republican party had promised in every platform and for the destruction of which it had denounced the Democratic party in every platform. The treaties were negotiated; they have been left to die, and no effort has been made to ratify them in this Senate.

The Senator from Illinois said that special provision had been made in that bill with reference to a reduction of the tariff on sugar, and among the other benefits to be derived from that he said it would afford a sufficient inducement to the German Government to reopen her markets to all the agricultural and manufactured products of the United States. Yet, sir, you now write a bargain into this measure that there shall be no such reduction, and that you shall not use the sugar duty for the purpose for which it was intended—to reopen the markets of Germany and other European and American countries by reciprocity. Why? How came that provision in the bill or in the treaty?

It was not put there on the insistence of Cuba. Cuba had never asked for it. She had ratified the treaty without such a provision being contained in it. It was put there, Mr. President, as a bargain with the sugar growers and as a general bargain with the protected interests of the United States that reciprocity should die with this treaty. I ask Republican Senators if they are willing that the great Dingley tariff shall be shorn of what the Senator from Illinois called its "crowning glory?" Are they willing to write "Ichabod" across the brow of that great measure and proclaim that its glory has departed? There is nothing left to represent that chief glory of the Dingley tariff except the Kasson treaties pending in this body.

What will be the effect of this treaty with Cuba and the measure now before the Senate on those treaties? Pass this bill, Mr. President, and you absolutely and utterly destroy the very treaties concerning which my friend from Iowa [Mr. DOLLIVER] lifted up to heaven his wailing cry. He was here demanding that the Senate should act on the Kasson treaties. Yet my friend, I suppose, will vote for this bill, and when he does so he votes to kill every one of the reciprocity treaties——

Mr. DOLLIVER. May I interrupt the Senator?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. CARMACK. I do.

Mr. DOLLIVER. The sugar schedule is not involved in the reciprocity treaty with France.

Mr. CARMACK. I was going to say with one exception, and with one exception only. Well, Mr. President, you are not going to ratify one of those treaties and kick all the other nations with whom reciprocity treaties have been negotiated. You know these treaties must stand or fall together, and, with the single exception of the treaty with France, sugar is involved in every one of them.

Mr. President, that is the plain question. The question is whether you are willing for the sake of this one treaty, and no more, to not only bind yourself not to reduce the taxes of the American people, but to bind yourself not to make any other reciprocity treaties with the sugar-growing nations of the world.

The Senator from Iowa was right, Mr. President, when he said that the failure of the Senate to act upon these reciprocity treaties would be a serious blow to protectionism. It will be, Mr. President, because it will demonstrate to the country the utter selfishness of the great protected interests of the United States and the utter subservience to those interests of the Republican party. When reciprocity dies at the hands of the Republican party the country will know that the very thing it is determined to have—some reduction of our oppressive tariff duties—can not be obtained by any concession, by any yielding, by any compromise on the part of the great trusts and monopolies of the country, and until they yield it can not be had from the Republican party.

Why should we be surprised if the Republican party enacts enormous and excessive duties under the name of reciprocity, and then devotes every dollar of such duties to protection? Republican history is but repeating itself in this particular. The Morrill tariff was enacted with the profuse apologies of its authors for its extortionate and excessive rates. The excuse was that there was a heavy internal tax levied upon manufactures, and that it was necessary to put an extra tariff rate upon these manufactured products to counterbalance the effect of the internal tax. That tariff was enacted, Mr. President, with the distinct promise that as soon as those internal taxes should be removed the tariff would be reduced. Every vestige of those internal taxes was removed, and then the tariff was made higher than ever. The extraordinary expenses incident to the war were supposed to justify extraordinary rates of duty, but when those duties brought a redundant revenue the Republican party brought in a bill to decrease the revenues by increasing the taxes!

Mr. President, the Senator from Iowa need not hope that his idea or that other "Iowa idea," represented by Governor Cummins, ever will find any favor with the Republican party. He need not hope that the Republican party will ever permit high and extortionate rates of duty to be used for any other purpose than that of building up the wealth and power of monopoly. Governor Cummins, of the Senator's own State, sounded a bugle blast upon this question; he aroused an enthusiasm among the people, regardless of party, against a tariff that builds up trusts and monopolies. The staid old protectionist politicians of that State were startled and alarmed. The Speaker of the House of Representatives almost fell out of Congress to get out of the way of the onrush of the hosts of tariff reform.

But in doing that he did a signal service to the cause of protection. He called the attention of the great protected interests throughout the country to the fact that there was danger in the State of Iowa. They rallied. They proceeded to rectify the situation. They rectified the Republican politicians who, from their point of view, had gone wrong. They rectified Governor Cummins, and when the next Republican platform was made its tariff plank was just such as any monopolist in this country would have written.

I say the Senator from Iowa need not hope that he can carry his party with him on this proposition. The most that he can possibly hope for, if he can hope for that, is that he will be permitted to retain and advocate his own individual views. Governor Cummins was not permitted to do it.

Mr. BABCOCK of Wisconsin, chairman of the National Congressional Committee, raised a war cry; he thundered against the trusts; he demanded a reduction of excessive duties that were enabling monopolies to plunder the American people while selling abroad in competition with the pauper labor of all the world. But when the next campaign was on Mr. BABCOCK was forced or induced to repudiate his own utterances in language that was almost a personal insult to himself. Such has been the fate of every Republican leader who has shown spirit enough to revolt against the rule of monopoly. Such, I am sorry to say, will be the fate of my friend the Senator from Iowa.

I shall try to remember my friend as he stood here on that memorable occasion, the very Ajax Telamon of debate, hurling his denunciations at the perfidy of his own party. "His neck was clothed with thunder, and the glory of his nostrils was terrible." I shall try to remember him as he stood here upon that scene. Yet, Mr. President, I know that as it has been with Cummins, as it has been with BABCOCK, even so it will be with my friend from Iowa.

The Republican party has bidden farewell to reciprocity. It has bidden farewell to tariff revision in any form. A few months ago Doctor Schurman, of Cornell University, good, easy man, wishing to try once more the effect of alliterative melody in a Republican campaign, raised the war cry of "Roosevelt, Reciprocity, and Revision." What has become of the last two members of this blessed trinity? There seems to have been a radical revision of the Republican creed, which has left the unitarians in full control of the church. The trinity has been expunged from the Republican articles of faith. The trinitarian propaganda has been overwhelmed by the Mohammedan war cry of "Allah il Allah." Roosevelt is great, and the Senator from Massachusetts [Mr. LODGE], I suppose, is his prophet!

The Republican party needs only the first word mentioned by Doctor Schurman. Whatever that word of ever-varying and multifarious but always strenuous meanings may have signified at bedtime last night, that was the creed of the Republican party at the breakfast table this morning. Whatever that word may mean to-night will be the policy of the Republican party to-morrow morning. But, Mr. President, if we can know anything of the purpose of that myriad-minded man, we know that he does not intend "reciprocity" and he does not intend "revision."

Mr. President, I believe the conditions not only in this country but throughout the world imperatively demand a sensible and conservative movement for the reformation and reduction of our tariff. Some of our Republican friends, with a strange fatuity, have rejoiced because of the reactionary movement for protection in Great Britain. That movement, Mr. President, so far as Mr. Chamberlain is concerned, is a political and not an economic movement. His avowed purpose is to bind together the dispersed and dissevered fragments of the British Empire and prevent its impending dissolution. But every man who has watched the temper of the British public must have perceived that that movement derives a great part of its strength from British resentment of our exclusive tariff policy.

Mr. Ritchie, the celebrated English statesman, was making a speech a few weeks ago in opposition to Mr. Chamberlain's policy. In the course of that speech he happened to suggest that Great Britain ought to preserve friendly relations with the United States. Though he spoke to a friendly audience, apparently, his speech was immediately overwhelmed with howls and hisses and cries of "McKinleyism!" and "Down with the Dingley tariff!"

Mr. President, that feeling, I say, furnishes the greatest strength to the movement in Great Britain for a tariff that will discriminate against the products of the United States and will favor the products of the British Empire throughout the world. The movement was not born of economic thought or economic wisdom. It was born of passion and resentment, and we know that nations are as much governed by their passions and their resentments and their antipathies as by any sound regard for their own welfare. Who can say to what extent British pugnacity will not go when fairly aroused and directed by such a born storm rider as Joe Chamberlain? Mr. Chamberlain has played the United States against the Continent with success, and, having accomplished his purpose and brought about an era of good feeling, is free to execute a hostile tariff against the United States.

We know that if a scheme of a discriminating tariff against the products of the United States is carried out it will be a staggering blow to the agricultural interests of this country. It is well enough to stand on a stump and wave the American flag and defy the darkening universe, but we know that if Great Britain, which furnishes the greatest market for our agricultural products, should impose a discriminating tariff against the wheat, the cotton, and the other products of the United States, it would be a serious injury to the agricultural interests of this country.

Mr. President, I believe that the very beginning of a more liberal policy on the part of the United States would be the end of Mr. Chamberlain's scheme. I earnestly believe that a victory for the Democratic party in the next campaign would be a victory for the Liberal party in Great Britain, and would end forever this scheme to impose taxes upon the agricultural products of this country.

Mr. President, I do not contemplate any general and indiscriminate assault upon our tariff schedules. I would be willing, for the present, to take the platform adopted and then repudiated by the Republican party of Iowa. I am willing that the stone which the builders of the Republican platform in Iowa rejected shall become the head of the corner, because it is a Democratic stone anyhow, and it never had any business in a Republican platform, and they did right to take it out.

I am willing to take as the basis of a Democratic movement in this direction the proposals made by Mr. BABCOCK, of Wisconsin. In order that there may be no charge, however false, or that there may be no ground for a charge that we contemplate a violent and destructive attack upon the industries of the United States, I am willing for the present to be guided by the best thought in the Republican party, which the Republican party is not free to follow because that thought is in line with the best thought and policy of the Democratic party.

I believe, Mr. President, in a tariff for revenue, a tariff which will impose the slightest possible restriction upon the interchange of commodities. I can not understand a definition of "freedom" that does not include freedom to buy and freedom to sell. I do not believe it is a proper function of the Government to direct the industrial occupations of the people, and I can not understand any definition of "socialism" that does not include the tariff policy of the Republican party.

And yet, Mr. President, we must deal with conditions as they exist. I know that individual rights may grow out of national wrongs, and I know that long-established systems, however evil and pernicious, can not without a general catastrophe be destroyed in a single day. For that reason I am willing to proceed gradually in this matter. I know that free trade was not reached in England by sudden flight. I know it was reached only by steady and progressive steps, each step vindicating itself and giving courage and confidence for the next.

There are upon our statute books duties so enormous, so exorbitant, so unnecessary that they can not be defended. There are duties there that have promoted the growth of great trusts and monopolies. There are articles of American manufacture which, by reason of the cheapness of their production, are sold in the most distant markets in free competition with the pauper labor of all the world. Yet, by reason of high protection, they are sold at extortionate prices in our own markets.

These are the considerations which, in my humble opinion, should for the present limit and direct the action of the Democratic party. It will be but a step in the right direction, but that step will be followed by another and another and another in the same direction, and in the end, Mr. President, without violence, without panic, without disturbance, but with the free consent of an overwhelming majority of our people, we will have reached the goal of Democratic desires—a tariff for revenue, a condition in which taxation shall be levied for public purposes and not for private ends, and which will not enable one man to eat his bread in the sweat of another man's brow.

Mr. CULLOM. If no other Senator desires to speak to-day, I ask that the pending bill be made the unfinished business, so that it may be taken up whenever we meet again and any Senator desires to speak upon it.

The PRESIDING OFFICER. Without objection, that order will be made.

ADJOURNMENT TO FRIDAY.

Mr. CULLOM. I move that when the Senate adjourns to-day it be to meet on Friday next.

The motion was agreed to.

CLERKS TO COMMITTEES OF THE SENATE.

Mr. KEAN (Mr. PERKINS in the chair), from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution this day submitted by Mr. HALE, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Examination and Disposition of Documents, and the Committee on Ventilation and Acoustics, and the Committee on Disposition of Useless Papers in the Executive Departments be, and they hereby are, each authorized to employ, on and after the 1st day of December, 1903, a clerk, who shall be paid at the rate of $1,800 per annum from the contingent fund of the Senate until otherwise provided by law.

REPUBLIC OF CUBA.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. NEWLANDS. With the consent of the Senator from Illinois, I wish to say a few words.

Mr. CULLOM. I withdraw the motion if the Senator from Nevada desires to speak.

Mr. NEWLANDS. Mr. President, in the debate the other day relating to the joint resolution (S. R. 15) inviting Cuba to become a State of the American Union, which I had the honor to present, it was stated by the Senator from Connecticut [Mr. PLATT] and also, I believe, by the Senator from Massachusetts [Mr. LODGE] that the joint resolution proposed that the island of Porto Rico should become a part of the State of Cuba without consulting the island of Porto Rico; in other words, without her consent.

I wish to state that the suggestions which the joint resolution presents look to having an expression of the sentiment both of Cuba and Porto Rico upon this subject. If Cuba is disposed at all to consider the matter, the whole question can, by a popular vote, be presented to the Cuban people as to whether or not it is desirable to become a State in the American Union, and as to what changes are necessary in the constitution of the Republic in order to fit that Republic for statehood in the American Union.

In the same way the sense of Porto Rico can be taken as to whether or not that island desires to become a part of the State of Cuba, or a county of the State of Cuba, and, as such, a part of the American Union, enjoying constitutional rights and privileges, freedom of trade, and the power and privilege of joining in the selection of the President of the United States and of Senators and Representatives of the United States. The sense of that people can be taken by a popular vote as to whether or not they wish to remain a mere dependency of the United States, annexed to but not a part of the United States, subject to the absolute power and will of the United States, or whether by means of incorporation with Cuba they desire to become a part of a sovereign State of the Union.

In this way the doctrine of the consent of the governed will be vindicated by an expression of the will of the majority both in Cuba and in Porto Rico. Porto Rico is too small in territory to become a State. If Porto Rico wishes to remain a dependency, she can express her will. If she wishes to become a part of a sovereign State of the American Union, she can express her will by a popular vote. So I contend that this provision does not involve the incorporation of Porto Rico as a part of the State of Cuba without the consent of that island.

Another statement was made by the Senators who spoke upon that day—the Senator from Massachusetts [Mr. LODGE], the Senator from Connecticut [Mr. PLATT], and the Senator from Maine [Mr. HALE]—and that was that Cuba was not a dependent Republic. I assume that politically no one can deny that she certainly has abdicated a part of her sovereignty by the adoption of the Platt amendment and that she has become in a sense dependent upon this country.

But when I referred in my remarks to her dependence I referred principally not to a political dependence, but to an economic dependence. That seems to have been denied by the

Senators: and yet if you will look over the speeches of the Republican members of the Ways and Means Committee of the House advocating reciprocity, if you will look over their reports, if you will look over the testimony of delegations representing Cuba, which appeared before the Ways and Means Committee of the House two years ago, you will find everywhere the fact prominently stated and urged that Cuba is a ward of the great Republic, and that from an economic point of view she is absolutely dependent upon the markets of this country, and that she can not prosper, or at least not in any very high degree, unless she receives either freedom of trade or less restrictions than are imposed upon other countries. So I insist upon it that I was warranted in saying that the Republic of Cuba is dependent, both in a political and an economic sense, upon this country.

Now, I was charged, and charged by the Senator from Maine [Mr. HALE], I believe, with disturbing conditions, with making statements that would affect the credit of Cuba, and that, too, at a most critical time. Mr. President, I claim to be the friend of Cuba. I would not do a thing or say a word which would throw any obstacle whatever in the path of her progress. I contend that in presenting the dependent condition of Cuba, both in a political and an economic sense, I was simply stating the facts of history—facts testified to in the records of both bodies of Congress, facts testified to by the Cuban delegation, and facts proclaimed by the Republican Members of the House in their speeches.

I claim that the very purpose of the joint resolution which I have introduced is to improve the credit of Cuba. As a matter of fact, Cuba is to-day attempting to negotiate bonds to the extent of $35,000,000, with interest at the rate of 5 per cent, and the bonds are offered at a discount of 10 per cent. It is a matter well known throughout the financial world that thus far there have been no takers for the bonds.

The suggestion of the joint resolution is that those bonds shall be guaranteed by the United States, which would enable them to be negotiated at par. Such a guaranty would warrant a reduction of the rate of interest from 5 per cent to 3 per cent. This would effect an immediate saving of three million and a half of dollars in the negotiation of the bonds and an ultimate saving in interest which would very nearly pay the principal of the bonds themselves. So I contend that the passage of the joint resolution would strengthen the credit of Cuba and not injure it.

In support of what I have said, I should like to append to my remarks certain quotations from the proceedings before the Ways and Means Committee of the House, the testimony of Colonel Bliss, Mr. Mendoza, and others representing Cuba, and also certain quotations from debates upon this subject. I will not read them now, but I ask permission of the Senate to insert them in my remarks.

The PRESIDING OFFICER. If there is no objection, such will be the order of the Senate. The Chair hears none.

Mr. NEWLANDS. Mr. President, briefly stated, the purpose of the joint resolution is not force or compulsion. The appeal is only to reason. We invite Cuba to become a State of the Union upon an equality with all the other States of the Union, and we suggest, simply as steps leading in that direction, that the President, the judicial officers, and the legislative body of that Republic shall become the executive officers, the judicial officers, and the legislative officers of the State of Cuba without change of term or salary.

As to the customs and postal officials, the joint resolution suggests that they shall become incorporated into the customs and postal service of the United States. As to the small army of that Republic, the rural guards, composed mainly of and officered by soldiers who fought in the war for Cuban freedom, the suggestion is that it shall be incorporated into the Army of the United States. As to the debt, the suggestion is that the bonds shall be guaranteed by the United States, and thus Cuba will ultimately save in expenditures a sum aggregating nearly $40,000,000.

Such are the suggestions contained in this resolution of little changes in government that are necessary to adapt the Republic of Cuba to statehood in the American Union. Such is the immediate economic advantage which Cuba would secure by union, in addition to the great economic advantage of having her entire sugar crop, amounting to 1,000,000 tons annually, admitted to this country without the imposition of the present duty of $35 a ton, thus enabling the Cubans to secure in the American market, for the present production of 1,000,000 tons, $75,000,000 instead of $40,000,000. That would be a saving to Cuba of $35,000,000 annually, $350,000,000 in ten years, over a billion dollars in the forty years constituting the term of the bonds which she is about to issue.

Now, I submit this statement simply in explanation. The joint resolution came up unexpectedly the other day for discussion, and I was unable to answer all of the Senators who spoke upon it. My purpose now is not to make a speech, but simply to complete the record, so that there can be no misapprehension whatever as to the purpose and intent of the joint resolution.

Mr. TELLER. Mr. President, I do not intend to discuss the propriety of a political union between the United States and Cuba. I may do that on this resolution before it is disposed of.

But I wish to enter my protest here against the assertion of the Senator from Nevada, made as if he thought it was unquestioned by anybody else, that Cuba is a political dependency of the United States. That is being reported all over the country as an excuse for this proposed legislation, on which I am not going to speak now, but I shall do so later. There is not an international lawyer in the world who will risk his reputation by saying that there is the slightest foundation for asserting that Cuba is a dependency of the United States. That, if I may be allowed to use the term without offense, is an absolute legal absurdity.

We asked them to do certain things in what is called the Platt resolution. I opposed those resolutions; but I stated then as a lawyer, and as a lawyer who has given some attention to international law, that there was no excuse for saying that the passage of the Platt resolution would interfere in the slightest degree with their sovereignty. My objections were on other grounds.

We made a treaty with Cuba. We do not make treaties with dependencies, if we have any. I suppose we have some now in these days; but no nation makes treaties with its dependencies. The very fact that the United States made a treaty with Cuba was a declaration to the world that that is a sovereign power.

The Senator from Wisconsin [Mr. SPOONER] has said that he intends to speak on this subject, and I understand that he intends to speak particularly to that point. I am not going to detain the Senate now. I wanted simply to enter this protest. Cuba is as much a sovereign power as the United States. Try the question by international law and Cuba is as much a sovereign power as Great Britain. She has as much right to make a reciprocity treaty with Great Britain to-day that shall be in Great Britain's favor and against us as she has to make this treaty with us. She can utterly ignore us and decline to carry out the Platt resolution if she sees fit. All she would have to do would be to amend her constitution. But the fact is that the things put in the Platt resolution are undoubtedly for her benefit, and the President of the Republic so declared the other day in his message. They would not part, and why should they, with some of the features incorporated in their constitution with our consent, as when we said "we will help you maintain your sovereignty if anybody attacks you." The President of the Cuban Republic said the other day that those things are of great value.

I hope the next time anyone asserts that Cuba is not an independent power he will bring us something to show that it is not, to show that they lack some element of sovereignty. This they deny, and I deny it.

Mr. NEWLANDS. Mr. President, the Senator from Colorado certainly misunderstood me if he understood me to say that Cuba is a dependency of the United States. I think there is a distinction between saying that Cuba is a dependency of the United States and saying that Cuba is in some respects, and in many respects, dependent upon the United States. Now, all I contend is that there is an economic point of view——

Mr. TELLER. Let me interrupt the Senator. The Senator said she is a dependency upon us, economically and politically, as I understood him. Now, if he modifies that statement I will only say I will have my remarks apply to some things others have said, particularly in another place, but I shall not speak to-day.

Mr. NEWLANDS. That I may not be misunderstood, I will say I do contend that while Cuba is a sovereign State, and has all the attributes of sovereignty, her sovereignty has been in some measure curtailed——

Mr. TELLER. Not at all.

Mr. NEWLANDS. By the Platt amendment.

Mr. TELLER. Not at all.

Mr. NEWLANDS. Certainly when the sovereign power of a state to contract a debt is curtailed by her constitution, and another state is called upon to determine whether or not the exercise of that power is reasonable or proper, her sovereignty is curtailed in some degree.

Mr. TELLER. Not at all.

Mr. NEWLANDS. I do not see how it can be otherwise.

Mr. TELLER. I do not propose to discuss that question now. I simply want to assert that her sovereignty is in no wise impaired by what she puts in her own constitution.

Mr. HALE. Mr. President, the trouble and the mischief of this resolution is in its effect upon the new Republic, upon her Government, and her credit in the future.

The Senator from Nevada has gone into an elaborate reckoning of what would be the moneyed advantage to Cuba if she was annexed to the United States and saved a loan, saved the interest upon it, and became an integral part of the United States. The trouble is that all that is imaginary. Nobody expects—I do not

suppose the Senator from Nevada expects—that Cuba will be annexed and that we shall take Cuba. I do not think there are ten, perhaps not five Senators who are in favor of that. The mischief is that the agitation of the question, the starting of the subject by the Senator, disturbs Cuba, hurts her credit, and makes it more difficult for her as an independent Republic to negotiate the loan which she must negotiate, which arises from the situation and conditions before she became a Republic.

Like any power which has its origin and embryo in revolution, Cuba is confronted with the necessity of a loan to clear off all the obligations that rest upon her with reference to the building up and establishing her Republic; and every movement that is made here, every question that is raised, everything that involves a new scheme outside of the scheme of the Cuban Government which is going on, as has been said, peacefully and successfully, disturbs Cuba, disturbs her credit, makes it more difficult to negotiate her loan, makes it possible that she must negotiate it at lower rates; and then afterwards will come the question of assuming it. The question of annexation perhaps will never cease to be mooted here, and of the United States assuming the debt, and speculators getting the benefit of the difference.

That is why I object to the resolution, that it has nothing practical in its results. Hardly anybody is in favor of it, but it makes mischief simply by suggesting that there is something different from the present Government which is going on down there, and going on with a remarkable degree of success, that is better than that; and it weakens the hands of the patriotic men who are engaged, and faithfully and patriotically engaged, in the task of administering republican government down there.

Mr. NEWLANDS. Mr. President, just a few words in reply to the Senator from Maine.

I claim that the suggestion of the possibility of Cuba becoming a State of the American Union will benefit her credit instead of injure it. But even under present conditions the people proposing to take those bonds would doubtless feel that the security of the bonds is strengthened by even the possibility of Cuba's becoming a State of the Union, and this suggestion should not in any way weaken the existing negotiations.

Now, as to the Senator's statement that no one is in favor of taking those islands, I agree with him that no one is in favor of taking the island of Cuba; at all events, I hope no one is in favor of it, for that suggests force and compulsion. But so far as the union of the island of Cuba with the American Union is concerned, I beg to differ with him. There has been no mode of getting an expression of the public sentiment either in Cuba or in this country upon that subject, but I submit that the traditional policy of this country, dating back a hundred years, has always included the acquisition of Cuba and the incorporation of Cuba into this Union if it could be done peaceably, with the consent of her people, and upon terms of equality to both. I believe that the sentiment has been and is to-day favorable in Cuba itself, though that sentiment has found no expression, for they have been discouraged, perhaps, in their aspirations by the new policy of the American Republic, which has looked to the acquisition of territory as a dependent territory subject to the absolute will of the sovereign owner; and they doubtless fear that if they make overtures for union with this country those overtures might be met by measures smacking somewhat of compulsion or violence and leading to the annexation of the island as a military dependency or as a colonial possession of the United States.

Now, to support my statement that there is a sentiment in Cuba favorable to the union, let me read from the testimony of General Bliss (then Colonel Bliss), a distinguished American officer who had been serving in Cuba for three years as administrator or collector of customs during the American occupation, who was fully familiar with its people and with its economic conditions, and who testified with great clearness and precision before the Committee on Ways and Means two years ago. The quotation is a short one. His statement was in reply to a question presented by myself:

Mr. NEWLANDS. As I understand it, Colonel, the Cuban people wish to come into commercial union with the United States without being subjected to the burdens that political union would involve, such as exclusion of the pauper labor of Europe and restriction of Asiatic immigration. The contention, you understand, on the American side, in behalf of the beet-sugar industry and others, is that it would be unfair to have a commercial union when the Americans are handicapped by restrictive legislation as to immigration and cheap labor, and the Cubans are not.

A GENTLEMAN. And the payment of internal taxes.

Mr. NEWLANDS. Now, I ask you whether or not the Cuban people are prepared to come into political union with the United States so that they will stand upon an equality in the production of sugar?

Colonel BLISS. I think, judging from my own personal acquaintance and from information derived from it, that the great majority of Cubans are ready.

Mr. NEWLANDS. They are ready to come into political union?

Colonel BLISS. Yes, sir.

Mr. NEWLANDS. Do you mean by that that they are willing to come in as a part of the United States under a Territorial form of government under the Constitution, their people being citizens, and wait until the United States is ready to admit Cuba to statehood, or do you mean that they would require immediate statehood?

Colonel BLISS. From all those people who are interested in any way personally in the island of Cuba I have never heard but one statement—that they would be glad to come in as a Territory, as a colony, or remain under the present military administration, or in any way so as to become recognized as a part of the United States.

Mr. NEWLANDS. Now, then, if the United States Government, in the place of tariff concessions, should, by joint resolution adopted by Congress, invite Cuba to come into our political union, first as a Territory, with the assurance that in due time she would be admitted to statehood, do you think that invitation would be accepted by Cuba?

Colonel BLISS. I think it would; yes, sir.

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Mr. NEWLANDS. Colonel, do you think the Cuban climate is adapted to Americans?

Colonel BLISS. Yes, sir; perfectly.

Mr. NEWLANDS. That they can live there generation after generation without degeneration?

Colonel BLISS. I can not answer you further than my own generation, and, in fact, not for all of that one. I have lived there three years, and have worked hard in all the variations of climate that they have there. I feel as well now as I did when I went there, and I see no reason to think that if I were there twenty-five years longer it would make any difference.

Mr. NEWLANDS. You were speaking a few moments ago regarding the sentiment there as to political union with the United States. Do you derive that sentiment from communications with Spaniards, or from communication with Cubans?

Colonel BLISS. With Spaniards, with Cubans, with laboring men, and with everybody except a certain class of Cuban politicians.

Mr. NEWLANDS. That is a small class, is it?

Colonel BLISS. Comparatively a small class; yes, sir.

Mr. NEWLANDS. Take the leaders in the late war with Spain—the Cuban leaders—what is their sentiment regarding it?

Colonel BLISS. I think that, as a matter of pride, at least, all of those men would prefer to see an independent Cuba. I think—in fact, I know—that there are some of these who have no hesitation in saying that after the pride of their people has been satisfied they will gladly welcome the next step in the solution of this problem.

Mr. NEWLANDS. As a permanent arrangement, do you think they would prefer simply a commercial union with this country, with tariff concessions on both sides, or political union, which, of course, would involve complete commercial union?

Colonel BLISS. That I do not know, sir; but I am satisfied that in bringing about this commercial union of which you speak, any condition that you choose to impose will be gladly accepted; any modification in any law, or the creation of any new law, will be gladly made by Cuba to secure that which is all she asks now, I believe, viz, closer commercial relations with the United States.

Mr. NEWLANDS. Do you think their disposition as to a political union with this country arises from these commercial considerations; or do other considerations enter into it?

Colonel BLISS. I think it all grows out of the commercial considerations.

Mr. NEWLANDS. It is represented here that there is intense hostility upon the part of Cubans to America.

Colonel BLISS. There is on the part of a certain outspoken element; yes, sir.

Mr. NEWLANDS. Is that a large proportion?

Colonel BLISS. I think it is a very small proportion, largely represented by the political men of whom I speak, whose immediate hope for the gratification of their pride and their ambition is in the establishment of an independent government.

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Mr. NEWLANDS. You have spoken of the American influx that would follow settled conditions there. Do you think Americans there would take hold of the soil and till it? Do you think they would take up small holdings there?

Colonel BLISS. Oh, yes, sir.

Mr. NEWLANDS. Is that climate adapted for Americans in that kind of work?

Colonel BLISS. Perfectly; perfectly. It is warmer in winter and cooler in summer than almost any part of the United States with which I am familiar. I do not know of a more delightful climate, winter and summer, than the island of Cuba, so far as concerns any part of the island that I have visited. Of course, the effect that would be produced on a second generation or a third generation is something that I do not know and can not foresee; but I am acquainted with many Americans, Englishmen, Germans, Frenchmen, and Spaniards who have lived in Cuba from a quarter to a half a century and who have suffered no deterioration that I can see, either physical or otherwise. I know a good many Americans, small planters, people who have come down and bought 30, 40, or 50 acres of land and are raising vegetables and oranges, who have found that the business is not successful because they can not export anything to the United States. They find that the price they get for a barrel of oranges on the wharves of Habana is counterbalanced by the duty they have to pay in New York.

Mr. NEWLANDS. Do these Americans labor themselves or do they employ peon labor?

Colonel BLISS. Oh, those whom I have in mind are people that go out and work in the fields themselves.

Cuba was also represented by a delegation there, called, I believe, the Cuban Economic Delegation, representing its business and commercial interests, a number of men of great intelligence, who presented their views to the committee on our trade relations with Cuba. One of them, Mr. Mendoza, a leader among them, designated in the report as Cuban commissioner on economic affairs, was asked by me the following question; and remember that the question asked of Colonel Bliss was in the presence of this delegation:

Mr. NEWLANDS. Now, Mr. Mendoza, you heard Colonel Bliss's statement regarding the sentiment there as to political union with this country, or annexation?

Mr. MENDOZA. Yes, sir; I quite agree with him.

Mr. NEWLANDS. Do you agree with him?

Mr. MENDOZA. Yes, sir.

Mr. NEWLANDS. Does he express fairly the sentiment of Cuba?

Mr. MENDOZA. Yes, sir.

Mr. NEWLANDS. And of the Cuban people?

Mr. MENDOZA. Except politicians and that class of people.

Mr. NEWLANDS. Do they form a very large and influential class there?

Mr. MENDOZA. Well, I do not think they do, because all those people together do not own much money. [Laughter.]

Mr. McCLELLAN. They are not like our politicians, then?

Mr. MENDOZA. No; they are not like your politicians. [Laughter.]

Here you have the statements of Colonel Bliss, who was familiar with all the affairs of Cuba, and of Mr. Mendoza, representing this Cuban delegation, and I say here that every member of that delegation nodded his approval when Mr. Mendoza gave his approbation to Colonel Bliss's statement.

Mr. CARMACK. Mr. President, I think the Senator from Maine is probably right when he suggests that the resolution of my friend from Nevada may send a thrill of alarm through the island of Cuba. But that is not the fault of the Senator from Nevada, and it is not the fault of the resolution he has offered. There is nothing in that resolution which of itself need alarm the people of Cuba. If they are alarmed at all it is because of certain recent performances of the executive department in using the Navy of the United States to forward a conspiracy on the part of a syndicate of French adventurers to dismember an American Republic. That of itself, I have no doubt, has alarmed all American countries who feel that they are at the mercy of the United States, and has made them unusually suspicions of anything that we may do or suggest. Therefore, and for that reason only, the resolution offered by the Senator from Nevada may cause alarm in the island of Cuba.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned until Friday, November 27, 1903, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate November 25, 1903.

PROMOTION IN THE NAVY.

Midshipman George B. Landenberger to be an ensign in the Navy from the 15th day of April, 1903, to fill a vacancy existing in that grade on that date.

PROMOTIONS IN THE ARMY OF THE UNITED STATES—INFANTRY ARM.

First Lieut. Henry S. Wygant, Third Infantry, to be captain, October 9, 1903, vice Campbell, Twenty-second Infantry, retired from active service.

First Lieut. James M. Graham, Nineteenth Infantry, to be captain, October 10, 1903, vice Ord, Twenty-seventh Infantry, retired from active service.

DISTRICT JUDGE.

John C. Pollock, of Kansas, to be United States district judge for the district of Kansas, vice William C. Hook, appointed United States circuit judge for the eighth judicial circuit.

JUDGES OF POLICE COURT OF THE DISTRICT OF COLUMBIA.

Ivory G. Kimball, of the District of Columbia, to be judge of the police court of the District of Columbia. A reappointment, his term expiring January 13, 1904.

Charles Fletcher Scott, of the District of Columbia, to be judge of the police court of the District of Columbia. A reappointment, his term expiring January 9, 1904.

POSTMASTERS.

CONNECTICUT.

James F. Holden to be postmaster at Forestville, in the county of Hartford and State of Connecticut. Office became Presidential July 1, 1903.

IOWA.

A. M. Henderson to be postmaster at Story City, in the county of Story and State of Iowa, in place of William A. Kelley, resigned.

KANSAS.

Albert M. Wasser to be postmaster at Girard, in the county of Crawford and State of Kansas, in place of Albert M. Wasser. Incumbent's commission expires December 12, 1903.

KENTUCKY.

Charles E. Mann to be postmaster at Pembroke, in the county of Christian and State of Kentucky. Office became Presidential April 1, 1903.

MICHIGAN.

Hutson B. Colman to be postmaster at Kalamazoo, in the county of Kalamazoo and State of Michigan, in place of Hutson B. Colman. Incumbent's commission expires December 13, 1903.

MONTANA.

Daniel H. Ross to be postmaster at Missoula, in the county of Missoula and State of Montana, in place of George K. Keep. Incumbent's commission expires December 12, 1903.

NEW HAMPSHIRE.

George A. Young to be postmaster at Concord, in the county of Merrimack and State of New Hampshire, in place of Henry Robinson. Incumbent's commission expires December 13, 1903.

NEW JERSEY.

Lewis A. Waters to be postmaster at Madison, in the county of Morris and State of New Jersey, in place of William H. Larison, removed.

OHIO.

Wilbur W. Templin to be postmaster at Calla, in the county of Mahoning and State of Ohio, in place of Alfred H. McCline. Incumbent's commission expires December 12, 1903.

SOUTH CAROLINA.

Simon Beckham to be postmaster at Hartsville, in the county of Darlington and State of South Carolina. Office became Presidential October 1, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate November 24, 1903.

APPOINTMENTS IN THE NAVY.

To be assistant surgeons in the Navy with the rank of lieutenant (junior grade), from the 7th day of June, 1900.

Thomas McC. Lippitt.
Barton L. Wright.
Ralph W. Plummer.
Henry E. Odell.
James S. Taylor.
Joseph A. Murphy.
John T. Kennedy.
Karl Ohnesorg.
Charles N. Fiske.

POSTMASTERS.

GEORGIA.

Ransom A. Brinson to be postmaster at Millen, in the county of Screven and State of Georgia.

NEW YORK.

James H. Callanan to be postmaster at Schenectady, in the county of Schenectady and State of New York.

PENNSYLVANIA.

David Reynolds, sr., to be postmaster at Ford City, in the county of Armstrong and State of Pennsylvania.

LIGHT AND HARBOR DUES IN ZANZIBAR.

On November 25, 1903, the Senate ratified, and the injunction of secrecy was removed from, a treaty signed on June 5, 1903, between the United States and Great Britain, acting in the name of the Sultan of Zanzibar, amending the treaty of amity and commerce concluded September 21, 1833, between the United States and the Sultan of Muscat, so as to permit the imposition of light and harbor dues on vessels of the United States entering the ports of Zanzibar and Pemba.

SENATE.

FRIDAY, *November 27, 1903.*

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The Journal of the proceedings of Wednesday last was read and approved.

ADJOURNMENT TO TUESDAY.

Mr. ALLISON. I move that when the Senate adjourns to-day it adjourn to meet on Tuesday next.

The motion was agreed to.

PETITIONS AND MEMORIALS.

The PRESIDING OFFICER (Mr. KEAN) presented a petition of the Ohio State Bar Association, praying that Put in Bay, in that State, be selected as the site for the proposed new naval training station on the Great Lakes; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Clearwater, Kans., and a petition of the Woman's Christian Temperance Union of Clearwater Harbor, Fla., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented petitions of the congregation of the Methodist Church of Walla Walla, of the Epworth League of Bay View, of the Woman's Christian Temperance Union of Bay View, of sundry citizens of Bay View, and of the Ladies' Aid Society of the Methodist Episcopal Church of Clarkston, all in the State of Washington, praying for an investigation

of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Antrim, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented petitions of the Woman's Christian Temperance Union of Tuscola, and of the congregations of the Presbyterian Church, the Christian Church, and the Methodist Episcopal Church of Sheldon, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented petitions of the Monday Club, of Wellsville; of the congregation of the United Presbyterian Church of Johnstown; of sundry citizens of Webster; of Post No. 336, Department of New York, Grand Army of the Republic, of Wellsville; of Dexter Relief Corps, No. 19, of Wellsville; of the Young Woman's Christian Temperance Union of Riverhead; of the Woman's Christian Temperance Union of Castleton Corners; of sundry citizens of Chazy; of the Missionary Society of the Second Presbyterian Church of Middletown; of the congregation of the First Presbyterian Church of Cato; of sundry citizens of Dundee; of Webster Grange, No. 436, Patrons of Husbandry, of Monroe County; of sundry citizens of Frankfort; of sundry citizens of Hempstead County; of the congregation of the Presbyterian Church of Woodside; of sundry citizens of Sloanville; of the congregation of the Reformed Presbyterian Church of Kortright; of the Woman's Christian Temperance Union of Mexico; of the congregation of the Methodist Episcopal Church of Mexico; of the congregation of the University Avenue Baptist Church, of Rochester; of the congregations of the Presbyterian, Methodist, and Baptist churches of Andover; of the Woman's Christian Temperance Union, the Independent Order of Good Templars, the Chautauqua Club, and the Seamen's Woman's Relief Corps, No. 155, of Andover; of the Woman's Christian Temperance Union of New York City; of the Woman's Christian Temperance Union of Wellsville; of the Woman's Christian Temperance Union of Westchester County; of the Woman's Christian Temperance Union of Binghamton; of sundry citizens of Dunkirk; of the Woman's Christian Temperance Union of Newfane; of the congregation of the Second Street Presbyterian Church, of Troy; of the congregation of the Westminster Church, of Troy; of the Woman's Christian Temperance Union of Esopus; of the Baptist Pastors Conference of Utica; of the Jermain Memorial Presbyterian Church, of Albany; of the Baptist churches of Gaines and Murray; of the Woman's Christian Temperance Union of Allegany; of the Woman's Christian Temperance Union of Elizabethtown; of the congregation of the First Presbyterian Church of Islip, and of the congregations of the Presbyterian churches of Tomhannock and Johnsonville, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CARMACK presented a petition of the Woman's Christian Temperance Union of Dyer, Tenn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULBERSON presented a petition of sundry citizens of Atlanta, Tex., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. QUAY presented petitions of the Upper Buffalo Missionary Society, of Buffalo; of the congregation of the Upper Buffalo Presbyterian Church, of Washington County; of the Pennsylvania Congress of Mothers, of Philadelphia; of the congregation of the United Presbyterian Church of New Galilee; of the National Reform Convention of Harrisburg; of the Woman's Christian Temperance Union of Forest Grove; of the Woman's Christian Temperance Union of Penn's Park; of the congregation of the Forestville Presbyterian Church, of Forest Grove; of the Mozart Sabbath School, of Mozart, and of the congregation of the West Washington Methodist Episcopal Church, of Washington, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEE ON PENSIONS.

Mr. GALLINGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 7) granting an increase of pension to Alfred Woodman;

A bill (S. 6) granting a pension to Cora M. Converse;

A bill (S. 8) granting an increase of pension to Jonathan Perry Kittredge;

A bill (S. 13) granting an increase of pension to William Clark;

A bill (S. 547) granting an increase of pension to Irving W. Coombs;

A bill (S. 1334) granting a pension to Amy C. Bosworth;

A bill (S. 1335) granting an increase of pension to Calvin Daws; and

A bill (S. 1498) granting an increase of pension to Winslow P. Eayrs.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. CULLOM introduced a bill (S. 1822) granting a pension to Samuel Miller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1823) granting an increase of pension to Landy C. Daily; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1824) to remove the charge of desertion against Benjamin Brothers; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1825) granting a pension to Josephine L. Webber;

A bill (S. 1826) granting an increase of pension to Mary E. Cutts; and

A bill (S. 1827) granting an increase of pension to Harris A. P. Lewis.

Mr. BURNHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1828) granting an increase of pension to John F. Green;

A bill (S. 1829) granting a pension to Julia A. Campbell (with an accompanying paper);

A bill (S. 1830) granting an increase of pension to Sarah E. Austin (with accompanying papers); and

A bill (S. 1831) granting an increase of pension to John L. B. Thompson.

Mr. FOSTER of Washington introduced a bill (S. 1832) granting an increase of pension to George W. Herron; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 1833) conferring upon the Court of Claims authority to hear and determine certain claims of the Chippewa Indians in the State of Minnesota; which was read twice by its title, and referred to the Committee on Indian Afairs.

He also introduced a bill (S. 1834) granting an increase of pension to John W. Paul; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1835) granting an increase of pension to David P. R. Strong; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 1836) for the relief of E. H. Murrell; which was read twice by its title, and referred to the Committee on Claims.

Mr. DANIEL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 1837) for the relief of Edward S. Brown (with accompanying papers);

A bill (S. 1838) to provide for paying certain advances made to the United States by the State of Virginia for public buildings;

A bill (S. 1839) for the relief of Preston Lodge, No. 47, of Ancient Free and Accepted Masons, of Jonesville, Lee County, Va.;

A bill (S. 1840) for the relief of the estate of Henry Fitzhugh, deceased;

A bill (S. 1841) for the relief of the trustees of the Norfolk Academy;

A bill (S. 1842) to provide for compensation for certain employees of the Treasury, War, and Navy Departments;

A bill (S. 1843) for the relief of the heirs of Stephen D. Castleman;

A bill (S. 1844) for the relief of the heirs of John Freeland, deceased;

A bill (S. 1845) for the relief of Bettie Eppes Minetree, sole heir of John W. Eppes, deceased;

A bill (S. 1846) for the relief of the estate of James M. Catlett, deceased;

A bill (by request) (S. 1847) for the relief of George L. Watkins, Bettie A. Hamilton, Junius F. Watkins, Louisa J. Jones and Lottie E. Kidd;

A bill (by request) (S. 1848) for the relief of the heirs of John H. Rixey, deceased;
A bill (by request) (S. 1849) for the relief of the estate of Sina Hughlett, deceased;
A bill (by request) (S. 1850) for the relief of James K. Skinker;
A bill (by request) (S. 1851) for the relief of the heirs of John B. Almond, deceased;
A bill (by request) (S. 1852) for the relief of the estate of W. H. Harrison, deceased;
A bill (by request) (S. 1853) for the relief of the estate of John B. Crenshaw, deceased;
A bill (by request) (S. 1854) for the relief of Pickrell & Brooks;
A bill (by request) (S. 1855) for the relief of William Mason;
A bill (by request) (S. 1856) for the relief of John N. Bell;
A bill (S. 1857) for the relief of the estate of William Fletcher, deceased;
A bill (by request) (S. 1858) for the relief of the estate of William A. Bowen, deceased;
A bill (by request) (S. 1859) for the relief of Benjamin M. Yancey;
A bill (by request) (S. 1860) for the relief of the estate of Henry S. Williams, deceased;
A bill (by request) (S. 1861) for the relief of the estate of William Shreve, deceased;
A bill (by request) (S. 1862) for the relief of the estate of W. H. Stringfellow, deceased;
A bill (by request) (S. 1863) for the relief of the heirs of Henry Sinon, deceased;
A bill (by request) (S. 1864) for the relief of the estate of Peter Sheets, deceased;
A bill (by request) (S. 1865) for the relief of R. A. Young;
A bill (by request) (S. 1866) for the relief of Luther and Priscilla Walton;
A bill (by request) (S. 1867) for the relief of Charles A. Newlon;
A bill (by request) (S. 1868) for the relief of the estate of David B. Tennant, deceased;
A bill (by request) (S. 1869) for the relief of J. A. Shackleton;
A bill (by request) (S. 1870) for the relief of the heirs of John Poland, deceased;
A bill (by request) (S. 1871) for the relief of Napoleon B. Watkins;
A bill (by request) (S. 1872) for the relief of the estate of Robert Brockett, deceased;
A bill (by request) (S. 1873) for the relief of Emma C. Franner, George W. Seaton, Hiram K. Seaton, Howard Seaton, Mary Seaton, Blanche Seaton, George W. Taylor, Edward Taylor, and Catharine Pomeroy;
A bill (S. 1874) for the relief of Richard K. Hughlett;
A bill (S. 1875) for the relief of James W. Nickens;
A bill (by request) (S. 1876) for the relief of Robert G. Griffin, Catharine H. Harris, and Isaac P. Cromwell, administrator of Hannah T. Cromwell, deceased;
A bill (S. 1877) for the relief of the trustees of Braddock Street Methodist Episcopal Church, at Winchester, Va.;
A bill (by request) (S. 1878) for the relief of the trustees of the Evangelical Lutheran Church, of Strasburg, Va.;
A bill (S. 1879) for the relief of Newton Woodyard;
A bill (S. 1880) for the relief of the heirs of Robert M. Ely, deceased;
A bill (by request) (S. 1881) for the relief of the estate of Robert Barr, deceased;
A bill (S. 1882) for the relief of Sallie R. Walton;
A bill (by request) (S. 1883) for the relief of the estate of Isaac Burnett, deceased;
A bill (by request) (S. 1884) for the relief of the estate John B. Ege, deceased;
A bill (S. 1885) for the relief of the estate of Richard L. Brown, deceased;
A bill (S. 1886) for the relief of the estate of Dr. Bailey Shumate;
A bill (S. 1887) for the relief of Lettie Myers;
A bill (S. 1888) for the relief of the estate of Lewis Shumate, deceased;
A bill (S. 1889) for the relief of C. A. Sprinkel;
A bill (S. 1890) for the relief of Lucy B. Legrande, Catharine Jameson, Elizabeth H. Lester, Shirley B. Shackelford, Edwin A. Gibson, and the heirs of Henry Shackelford, deceased;
A bill (S. 1891) to refer the war claim of the estate of Carter B. Butler, deceased, to the Court of Claims;
A bill (S. 1892) for the relief of the estate of John J. Mitchell, deceased;
A bill (S. 1893) for the relief of the heirs of Eli Stake; and
A bill (S. 1894) for the relief of the estate of John Cain or his legal representatives.

Mr. DANIEL introduced a bill (S. 1895) granting a pension to Maria Elizabeth Horner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1896) to provide for the construction of the Patent Office of the United States, including a hall of inventions, and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 1897) to provide for enlarging and improving the United States building at Lynchburg, Va., containing the United States court rooms, clerk's office, post-office, and internal-revenue offices; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL introduced a bill (S. 1898) making an appropriation for the improvement and care of the soldiers' cemetery, for the burial of veterans of the civil war, now held in the name of the James W. Nesmith Post, No. 32, Grand Army of the Republic, Department of Oregon, located at or near The Dalles, Wasco County, State of Oregon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1899) granting an increase of pension to Thompson Warren; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 1900) for the relief of Benjamin F. Shaw; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1901) to appoint Wilbur F. Cogswell a chief engineer in the Navy and place him on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 1902) granting an increase of pension to Joshua F. Spurlin;
A bill (S. 1903) granting an increase of pension to Samuel E. Nichols;
A bill (S. 1904) granting an increase of pension to John D. Moore;
A bill (S. 1905) granting a pension to Eliza J. Petty (with accompanying papers);
A bill (S. 1906) granting a pension to Mary McEvoy (with accompanying papers); and
A bill (S. 1907) granting an increase of pension to George W. Spahr (with accompanying papers).

Mr. CARMACK introduced a bill (S. 1908) granting a pension to Emma Butler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 1909) granting an increase of pension to William Holliday; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:
A bill (S. 1910) granting a pension to Emeline D. Hobbs (with an accompanying paper);
A bill (S. 1911) granting an increase of pension to Ambrose W. Severance (with accompanying papers); and
A bill (S. 1912) granting a pension to Joseph W. Booker.

Mr. PLATT of Connecticut introduced a bill (S. 1913) granting an increase of pension to Lorenzo E. Harrison; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1914) granting a pension to Hugh Wilson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 1915) for the relief of the heirs of Henry Ware; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a joint resolution (S. R. 17) to provide for the printing of 8,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1904, inclusive; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. MITCHELL submitted an amendment proposing to appropriate $30,000 for the establishment of a fish hatchery in the State of Oregon, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

RECEIPTS AND EXPENDITURES IN "THE OREGON COUNTRY."

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate at his earliest convenience a statement of the amounts of revenue paid into the General Government at the respective ports of entry located in what was originally known as "The Oregon country" since the territory included in said country was first incorporated into the General Government to the present time, and also a further statement of the amount expended by the General Government during the same period for the improvement of the rivers and harbors located within the territory known as "The Oregon country."

PUBLIC LANDS IN "THE OREGON COUNTRY."

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to the Senate at his earliest convenience a statement of the amount, in acres, of undisposed-of Government land of all kinds and characters included in the area of what was originally known and called "The Oregon country."

ASSISTANT CLERK OF DISTRICT OF COLUMBIA COMMITTEE.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the salary of the assistant clerk to the Committee on the District of Columbia, authorized by resolution of January 18, 1900, at $1,440 per annum, be, and it hereby is, increased to $1,800 per annum, to take effect December 1, 1903.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM. If the morning business is completed, I desire that the unfinished business shall be laid before the Senate.

The PRESIDING OFFICER. Is there further morning business? [A pause.] The morning business is closed. The Senator from Illinois asks that the unfinished business may be laid before the Senate. It will be stated.

The SECRETARY. A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. CULLOM. If there are any Senators who desire to speak on the bill to-day, they have an opportunity. If not, I shall move an executive session.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole.

Mr. CULLOM. I think no Senator is disposed to go on to-day, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 12 o'clock and 27 minutes p. m.) the Senate adjourned until Tuesday, December 1, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *November 27, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Tuesday, November 24, was read and approved.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House by Mr. BARNES, one of his secretaries.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Tuesday next.

The SPEAKER. The gentleman from New York moves that when the House adjourn to-day it adjourn to meet on Tuesday next.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask——

The SPEAKER proceeded to submit the question.

Mr. DE ARMOND. No quorum.

Mr. WILLIAMS of Mississippi. I ask that the motion of the gentleman from New York be withheld.

Mr. DE ARMOND. Mr. Speaker, I make the point of no quorum.

The SPEAKER. No rights will be lost. The Chair did not understand the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I rose for the purpose of asking the gentleman from New York to withdraw his motion for a few moments while I could submit a request for unanimous consent.

The SPEAKER. Does the gentleman from New York withdraw his motion?

Mr. WILLIAMS of Mississippi. I suggest to the gentleman that I intend to ask unanimous consent for some time for debate.

Mr. PAYNE. If the gentleman will indicate how much time, I will unite with him in the request for unanimous consent.

Mr. WILLIAMS of Mississippi. Not over ten minutes.

Mr. PAYNE. Mr. Speaker, I ask that by unanimous consent we have debate of ten minutes on each side, the time to be controlled by the gentleman from Mississippi and myself.

Mr. DE ARMOND. I should like to have about five minutes myself.

Mr. WILLIAMS of Mississippi. I do not think I will need more than five myself.

Mr. PAYNE. I do not think the gentleman from Mississippi understood the gentleman from Missouri. The gentleman from Missouri states that he would like to have five minutes.

Mr. WILLIAMS of Mississippi. Then make it fifteen minutes on a side.

Mr. PAYNE. Very well; I am willing to ask unanimous consent for fifteen minutes' debate on each side.

The SPEAKER. The gentleman from New York asks unanimous consent that there be fifteen minutes' debate on each side.

Mr. PAYNE. On this motion. Of course it is understood that under the rules the motion could not be debated, and I asked unanimous consent for that reason.

The SPEAKER. The gentleman from New York asks unanimous consent that this motion may be debated fifteen minutes on each side. Is there objection?

Mr. BABCOCK. Mr. Speaker, I believe the House has not yet been informed of the question before the House.

The SPEAKER. It is that when the House adjourn to-day it adjourn until Tuesday next.

Mr. WILLIAMS of Mississippi. I am perfectly willing that the debate should take the widest range. [Laughter.]

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. Does the gentleman from Missouri withdraw the point of no quorum?

Mr. DE ARMOND. I understand, Mr. Speaker, that this motion is now pending.

The SPEAKER. That is correct.

Mr. DE ARMOND. Then, of course, the point of no quorum is not in order at this time.

The SPEAKER. The motion will be considered as pending, and therefore the point of no quorum is withdrawn.

Mr. PAYNE. Mr. Speaker, if the point of no quorum is to be raised, we might as well adjourn at once.

Mr. WILLIAMS of Mississippi. I understand that unanimous consent has been given for fifteen minutes' debate on each side.

Mr. PAYNE. It can not be with the point of no quorum pending.

Mr. WILLIAMS of Mississippi. I hope the point of no quorum will be withdrawn, and the gentleman can make that later on.

Mr. DE ARMOND. As to whether it will be made later on, I will give the gentleman from New York as much information as he gave me when I asked him for some the other day. [Laughter.]

Mr. PAYNE. Of course, it was understood that the point of no quorum was to be withdrawn.

Mr. DE ARMOND. There was no understanding of that kind.

Mr. PAYNE. The whole object of having the debate was that there should be no such point raised.

Mr. WILLIAMS of Mississippi. If the gentleman from New York will go along, I think this will be managed afterwards.

The SPEAKER. The Chair understands that unanimous consent was given for fifteen minutes' debate on each side. If the point of no quorum was pending, it has been withdrawn.

REVOLUTION ON ISTHMUS OF PANAMA.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered to be printed, and referred to the Committee on Foreign Affairs:

To the House of Representatives:

In response to a resolution of the House of Representatives of November 9, 1903, requesting the President "to communicate to the House, if not, in his judgment, incompatible with the interests of the public service, all correspondence and other official documents relating to the revolution on the Isthmus of Panama," I transmit herewith copies of additional papers on the subject, which have been received subsequent to the resolution referred to.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, November 27, 1903.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DARRAGH, for an indefinite period, on account of important business.

To Mr. BROUSSARD, for ten days, on account of important business.

To Mr. LAMB, for the balance of the session, on account of important business.

To Mr. TRIMBLE, for the balance of the session, on account of important business.

To Mr. DINSMORE, for remainder of session, on account of important business.

To Mr. BROOKS, for ten days, on personal business.

To Mr. HOWELL, indefinitely, on account of pressing business.

ADJOURNMENT OVER.

Mr. WILLIAMS of Mississippi. Mr. Speaker, it is my idea in my Representative capacity here upon this floor that the right of filibustering is a very sacred right that ought to be preserved intact

for very important occasions, when it is well and necessary, perhaps, to rivet the attention of the country upon some great legislative wrong, and that it ought not to be frittered away on small occasions.

Mr. Speaker, as far as the present interesting fight between the Republican Senate and the Republican House is concerned, we upon this side have not much to say, except to say that "it is not our fight." It illustrates better than anything else, great as the arena is, how much can be made out of tweedledum and tweedledee. As to which one of these great bodies—your Senate and your House of Representatives—is excelling the other in the inutility of results of dictation I am not prepared now to say, although I feel somewhat impelled to give the benefit of the doubt to the higher house—that American House of Lords. I have, as a Representative on this floor, a good deal of sympathy with the rebellion of the House at all times against the dictation of the Senate, but the management of this particular rebellion is not our affair.

Now, Mr. Speaker, if it be admitted that the Senate is right or if it be admitted that the House is right, and if we are going to stay here until the regular session comes about by the action of either or both, then, to use the words of a great former Speaker of this House, Mr. Reed, "the House ought to do business" of some sort; and when the Republican party stands here legislatively inactive, I protest against it from this side of the Chamber as a confession of their unwillingness or their incompetency to do the business of the country. If they can not ride or dare not ride, let them get out of the saddle. The country can find somebody who can ride.

Now, Mr. Speaker, I am not complaining about general business. I know that the Speaker has not had the opportunity to appoint all the committees, but some few have been appointed, and those are ready for business now. The Ways and Means Committee, for example, is ready right now. Important propositions are pending before that committee. These two Houses in session are costing this country a good deal of money. Some slight compensation for the waste of time and expense of money which is being incurred might be made by having the Ways and Means Committee do business and by having this House do business.

Well do I remember how in the Fifty-third Congress the gentleman from New York [Mr. PAYNE], backed by the then Representative from Maine, Mr. Reed, was constantly ringing the changes upon Democratic "business incompetency" upon the idea that the Democratic House was afraid to trust a Democratic Senate and that both were afraid to trust a Democratic President. My friends, "the poisoned chalice commends itself to your own lips" to-day. You are afraid to trust a Republican Senate; a Republican Senate is afraid to trust you; and you are both afraid to trust a Republican President. [Applause on the Democratic side.]

The country stands here, Mr. Speaker, demanding that legislation progress; demanding that great evils be swept out of existence; demanding with a voice almost unanimous, from Republicans as well as Democrats, that the tariff shall be revised at least to the extent of ceasing to be a shelter for extortionate trusts. And yet you stand here with the Ways and Means Committee organized for that especial sort of business and yet doing nothing.

You come here upon a great reciprocity idea. You boast that it is the idea of McKinley and Roosevelt. Yet reciprocity with Cuba is as nothing in importance compared with reciprocity with Canada. There is now lying in the room of the Committee on Ways and Means a resolution saying that this House "would view with pleasure and would indorse" "initiative steps taken by the President" to reconvene the Joint High Commission in order that we may have amicable, freer, and less trammeled trade relations with our great neighbor to the north. All over New England the people, Republicans as well as Democrats, are demanding this. The people are tired of the absurd position where upon one part of the border we are importing products from Canada and the American consumer is being taxed in order that we shall do it, and on another part of the same imaginary line Canada is importing from us exactly the same things and the Canadian consumer is being taxed in order that he may get those products.

There is another thing, Mr. Speaker; while we are sleeping this world is going on. Chamberlain, with his propaganda in Great Britain, is advancing step by step. He ought not to succeed, but I am afraid he will succeed, because he is appealing to the most active and aggressive passion in the human breast: the passion of hatred once evoked—retaliation. The feeling that we have done injustice to Great Britain—that we have inaugurated a tariff war, and that she ought to enter the lists—has been appealed to. There is but one way, Mr. Speaker, to break down Chamberlain's propaganda of preferential rates for the colonies; that is to give all countries in this world which are now admitting or may hereafter admit free of tariff duty the natural products of the United States a differential to pay them for doing this, in order that they may continue to do it and that others may undertake the same policy. Our trade is of more importance to Great Britain than that of her colonies.

Mr. Speaker, if the Western farmer and the Southern farmer find—as they will after a while—that they have been cut off by legislative inactivity from the British market—to which we export 50 per cent of all our products that are exported at all—they will wake up to the idea that a blind, "stand-pat," prohibitive-duty policy has two ends to it, not only the end of taxation of the American consumer here, but the other end, the end of narrowing and restricting the volume of exports practicable or possible for the American exporter into the British market. Wait until the people feel it as they are beginning to feel it, when all these natural products of the West shall feel it, when the products of my State and the other parts of the South will feel it!

Mr. Speaker, I appeal to you and I appeal to the Republican side of this House. You have the Ways and Means Committee now. I am not indulging in any general criticisms. I would not criticise the gentleman occupying that chair. I know that he has had twice as much trouble as I have had these last few weeks; and I know that it has been almost impossible for me to work out the Chinese puzzle which we have had presented to us over here. I know that he could not have done any better, or gone any faster about committee assignments and House organization for general business. But the Ways and Means Committee is here, and has been appointed two weeks. Let us do such business as we can do, and that business is of the most important character. I appeal to you, and I appeal to the Republicans of the House in the very memorable words of Thomas B. Reed in a Democratic Congress: "For Heaven's sake, show your competency to attend to public business. If you have not any trust and confidence in yourselves, in the name of God, whom do you expect to have trust and confidence in you?" [Laughter and applause on the Democratic side.]

What are you afraid of? Are you afraid of the Ways and Means Committee? What are the individual members of the Ways and Means Committee afraid of? Are they afraid of one another? Why, there never was so compactly organized a Republican body since the world began as the majority in that committee. They need not be afraid of one another. Of course I know that now and then they pass one another as the ancient Roman augurs did and quietly wink or smile, one gentleman intending to convey the idea to the other that while they are fooling the world they are not fooling one another; but at the same time they are true to every Republican precept of prohibitive tariff legislation.

Surely they might move forward in the line of another great policy, which I claim to be the policy of Democracy and of Jefferson, but which you claim to be the policy of Mr. McKinley and of Mr. Roosevelt, the policy of using the 20 per cent margin in your own tariff bill—the Dingley bill—for the purpose of procuring wider and more extensive and cheaper foreign markets for American farm products all over the world.

Are you going to rest as if deaf—hard hearted—to an appeal that is made by me merely as a mouthpiece of the country to-day? The whole country is making this appeal, and there is nothing that stands in the way except your fear that when you once "open the door" you can not control your own boys. Are you afraid of one another? Is the gentleman from New York [Mr. PAYNE] afraid of that redoubtable tariff-revision warrior, the gentleman from Wisconsin [Mr. BABCOCK]? [Laughter on the Democratic side.] Is he afraid of that redoubtable trust killer, the gentleman from Minnesota [Mr. TAWNEY] upon that side of the House? You need not fear them. Whenever you get to the point where you say, "This is Republicanism; here is the lash," they will stop just at that time. I say this merely for the purpose of encouragement, not for anything else. [Laughter.] And besides that there are no more genial souls in the world than my two friends, Mr. TAWNEY and Mr. BABCOCK. Neither would hurt the feelings of the Speaker, nor of the Republican leader, nor of any great number of Republicans on that side of the House for his whole blessed constituency.

Do not be afraid of one another. You do not seem to be afraid of us, I am sorry to say [laughter], but for Heaven's sake do not be afraid of one another. [Laughter.] Look one another squarely in the face and say, "We have a policy, we have a purpose, we have an honest policy and purpose, and, being honest men, we are going to carry it out, and we are not afraid to face one another nor the country with results in party conclave. We are not afraid to face one another upon the floor of the House of Representatives while we 'reason together as brethren' to see how far we can go. We are not afraid of this little resolution to ask the President to reconvene the Joint High Commission. We are not afraid of that bill which is now lying in the Ways and Means Committee for consideration, offering to reduce 20 per cent the present Dingley tariff rates to all countries which either do now or shall hereafter admit free of taxation the products of the American farm and the American mine." [Applause on the Democratic side.]

Mr. Speaker, I shall not use the full time allotted to me. I thank the House for its attention. [Applause.]

Mr. PAYNE. If the gentleman intends to use the balance of his time, I wish he would do so now. I do not know that there is any——

Mr. WILLIAMS of Mississippi. I understood that five minutes were granted to the gentleman from Missouri [Mr. DE ARMOND] independently of the time allotted to me.

Mr. PAYNE. I did not so understand.

Mr. WILLIAMS of Mississippi. I so understood it.

The SPEAKER. The gentleman has a minute and a half remaining. Does he ask unanimous consent——

Mr. WILLIAMS of Mississippi. Mr. Speaker, if there is any misunderstanding it is my fault. I thought——

Mr. PAYNE. I am perfectly willing that the gentleman from Missouri [Mr. DE ARMOND] have five minutes, including——

Mr. WILLIAMS of Mississippi. I thought his time was granted independently of mine.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. I yield to the gentleman from Missouri [Mr. DE ARMOND] all the time I have left, and ask unanimous consent that he may have enough time to make it five minutes in all.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from Missouri is recognized.

Mr. DE ARMOND. Mr. Speaker, I had hoped that before this opportunity to speak should be extended to me there would be something said upon the other side. When the last adjournment was taken, I vainly sought to secure information about the purpose of the majority. I did that because as an individual Representative I would like to know, and because a great many other Representatives over here would like to know, what the majority contemplate doing. I failed to get that information before, and perhaps will fail again.

Now, everybody knows that the Senate, so far as it is concerned, has terminated the work of the extraordinary session by putting over until the regular session consideration of the bill which passed here a short time ago. I have read in the newspapers, and suppose others have done so, too, that the House is resenting what is said to be a discourtesy to the President. I am very much of the impression that the House is endeavoring to accentuate what it is pleased to regard as a Senatorial discourtesy to the President.

Whether the Senate has or has not been discourteous to the President, the Senate did put over the consideration of the bill until the regular session, and the House, by remaining in session from day to day, or rather cutting down the week to six days, and having three-day adjournments and two sessions a week, is calling the attention of the country to what the Senate has done: advising the country that the Senate has snubbed the President: advising the country that the Senate, in the most formal way, and unanimously, declared its judgment and belief that the extraordinary session ought not to have been called; and that although it was called, and although this body more than a week ago passed the bill for the consideration of which it was called, the Senate will do nothing but allow the bill to go over to the regular session. They provided for nine days' consideration of the bill in the Senate, beginning on the 7th of December and concluding on the 16th, when there were really more than nine days of this session remaining after the bill went to the Senate.

Now, then, what is this House doing? According to the newspapers it seems to be looking after the President, resenting bad treatment of him and calling the attention of the country to it. If the House desires to be kind to the President, why does it not finish its work and adjourn? Why does it not fix upon some time when it is to adjourn? Why does it not fix a day of adjournment, by which the list of committees can be prepared or by which time they can be announced, and then adjourn? That would tend to allow the country to forget, if the country will forget, that the Republican President made a great mistake in calling this session; that the Senate by its action said to him, every Republican Senator agreeing, that he ought not to have called it, and that he will not accomplish anything by it—said this unanimously when they put over to the regular session consideration of the bill for which he did call it, fixing for its consideration in that session a shorter time than the Senate might devote to it in this session.

Now, what is the object of the House? To let the President down "easy?" Why does the House so emphasize his rebuff? What must be the reason? Why does the House insist on joining the Senate in what some regard as a discourtesy to the President? Why does the House say to the Republican President, aided and abetted by the good Republicans of the Senate, "You made a great mistake in calling this session?" Why, except it be for the purpose of mortifying the President?

I do not know what you mean to do. We have had no opportunity to learn. If you desire to remain in session, why do you not meet every day? Why not go through this same procession day after day? Why do you not every day burn incense? and how sweet it must smell in the nostrils of the President. [Laughter on the Democratic side.] Why do you limit yourselves to two performances a week? [Renewed laughter.] If, on the other hand, you do not wish to accentuate what the Senate has done, to the President's confusion, why do you not fix a time for adjournment and let those who wish to go home do so, and then quietly and decently adjourn? [Loud applause on the Democratic side.]

Mr. PAYNE. Mr. Speaker, the gentleman from Missouri is anxious to know why we limit the sessions to two performances a week. That seems to be the exact limit that he put upon himself for this week. I do not care to emulate his example in that or in any other respect, but perhaps we will have three next week. The gentleman from Mississippi has evidently taken to studying the speeches of former Speaker Reed, and he has even done me the honor to intimate that he has been studying some of my efforts in the Fifty-third Congress. He has just awakened to the idea that Congress ought to do its business and get through and go home.

The Fifty-third Congress did business. There was a reason why the Senate and House in the Fifty-third Congress should be afraid of each other. I do not take back any word that I said on that occasion. Why, my words were almost prophetic, and even the gentleman from Mississippi is ashamed of the record of the Fifty-third Congress made in the Wilson-Gorman bill. Why, Mr. Speaker, that bill has such a bad odor among the people of the United States that some of the friends of a certain Senator are trying to reverse history and say that the whole American people have been wrong in the last nine years in calling it the Wilson-Gorman bill. It appears now that Mr. GORMAN did not have anything to do with it. Everybody denies the paternity of that child of 1894.

Mr. Speaker, it requires always two or three or four weeks to perfect the organization of the House. No new Congress has ever met in December and had the committees appointed and announced before the closing days of the adjournment before the holiday recess. We have been in session now nearly three weeks. We have been waiting some of the time for the appointment of committees. The gentleman from Mississippi is getting in a hurry. Why, when I stated to him the other day that the Ways and Means Committee proposed to meet the next day and report a certain bill that had been introduced in the House and referred to that committee, he called it an outrageous performance and began to declaim upon the outrage to the minority. We moved too fast for the gentleman on that occasion. We moved too fast for him then, and now we are moving too slow, it seems, because the Ways and Means Committee does not meet and report a resolution he introduced, calling on the President or somebody else to secure a reciprocity treaty with Canada.

Well, Mr. Chairman, several years ago a Republican House and a Republican Senate, on the recommendation of a Republican President, passed a resolution or an amendment to a pending appropriation bill appointing a joint high commission with Great Britain, to take into consideration all the questions between Canada and the United States. The committee met for several months, and then they adjourned for several months to meet again, and finally it was found that the Alaskan boundary question was an impassable barrier to the consideration of any other question before the Commission. The Commission was obliged to adjourn without action.

The Republican Administration in due time—things can not always be hurried; sometimes we are too fast for brethren on the other side, as in the Panama matter, and again we move too slowly—the Republican Administration or the State Department took up the proposition made by the American members of that Commission, and appointed a commission consisting of three members from Great Britain and three from the United States, and they have taken up that question and settled the Alaskan boundary question. The settlement of that question has left some soreness over the Canadian reciprocity question on the other side of the line. It is in the newspapers, and hence I may speak of it, that as soon as that commission made its report the chairman of the Joint High Commission, Mr. FAIRBANKS, wrote a letter to Sir Wilfrid Laurier, asking him about the meeting of this Commission and whether he could fix a time or not for the meeting of the Commission.

I understand that no result has ever come of that communication. Perhaps the soreness is not over yet. I want to say to the gentleman from Mississippi that it is not a good time to negotiate reciprocity treaties where one side is feeling a good deal of soreness over a recent decision against them. That Commission and the President can take care of that matter, and so far as I am concerned, I do not propose to report any resolution offered by the gentleman from Mississippi, from the Committee on Ways and Means, interfering with that matter.

Mr. WILLIAMS of Mississippi. May I ask the gentleman a question?

Mr. PAYNE. Certainly.

Mr. WILLIAMS of Mississippi. The gentleman says that there is some soreness across the line about the decision in the Alaskan boundary matter. Does not the gentleman think that taking the initiative in some such resolution would help to remove the soreness?

Mr. PAYNE. Mr. Speaker, the chairman of the American Commission has already invited them to fix a day for meeting and they have not accepted his invitation. Now, I do not think that stirring this matter up in the House of Representatives will bring about any relief.

Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eight minutes remaining.

Mr. PAYNE. Mr. Speaker, there is another matter I want to speak of that has not been brought up here. Every once in a while a gentleman on the other side of the House gets up in his place and talks about the degeneracy of the House, and about the House being subject to one man, and that the Speaker of the House. Some of us can remember, Mr. Speaker, when there were as many czars in the House at times as there were members of the House. Why, on one occasion in the Fiftieth Congress there was a measure before the House of Representatives that had the approval of nearly the entire House—both sides of the House—and a single Representative from a Western State, who was opposed to the measure, saw fit to stand up here and filibuster for two weeks, holding up the House of Representatives.

There was a czar for you that had an absolute veto power on a measure that the House of Representatives by a great majority desired to pass, and finally the House was obliged to bow down to him and give up the passage of that bill simply because he stood in the way of it.

This was the state of affairs under our rules when the Fifty-first Congress met. In that Congress this House resolved that it would have no more proceedings of that kind; that whenever a majority of the House wanted to do business they should have an opportunity to say so and transact the business of the House. These new rules have increased the power of the Speaker in this respect—that certain motions made for the purpose of delay, made to prevent action, made to obstruct legislation, may be declared dilatory and ruled out of order by the Speaker. In no other way did we give him increased power. But we did amply provide that either Calendar of the House might be reached and any matter on the Calendars be taken up whenever the Member desiring to reach a particular matter should be backed by a majority of the committee having jurisdiction of the subject and a majority of the House of Representatives.

And so it was, Mr. Speaker, that in the Fifty-first Congress we removed the power of the individual and placed the power with the majority in the House of Representatives. [Applause on the Republican side.]

Yet gentlemen rise here in their places like birds of ill-omen and talk about the degeneracy of the House of Representatives. Why, sir, from that day the House of Representatives has asserted itself in the councils of the nation, and whenever this House, coming fresh from the body of the people, has resolved upon a certain measure and there has been a majority vote in favor of that measure, the majority has been enabled to accomplish its will, notwithstanding the absence of any one would-be czar from any district in the United States. Mr. Speaker, the House of Representatives made a great advance. It overturned rules that had been in force for many years, binding down the giant strength of the House. It emancipated the House—enabled the House to do the business that it was called upon to do.

And now, Mr. Speaker, we shall go right on; we shall organize this House. In due time the Speaker will announce his committees—probably before the end of this special session; and when we meet on the 1st day of December we shall be in readiness for the business we have to do. Oh, we will give you an opportunity on the other side of the House to get rid of that campaign thunder with which you are afflicted. Ample opportunity will be given for that. [Laughter.] We will do the business of the country. Shall we revise the tariff? Well, the Republican party is a little too wise to revise the tariff, paralyzing the business of the country more or less, on the eve of a Presidential election—to oblige you people! [Laughter.] A Presidential election of itself makes sufficient disturbance to business. There is a better time for work of that kind. Why, sir, we revised the tariff in 1890 and got through thirty days before the election, and you people sent men all over the State of Ohio selling goods, or pretending to sell goods, at four, five, or six times the original price—not doing business, in fact. They were paid out of your committee funds for selling or offering to sell goods at four or five times the previous prices, which were supposed to have been increased by the "exactions" of the McKinley bill. And we lost the election of 1890. Don't you think we have learned anything since that time?

The gentleman from Mississippi complains of Mr. Chamberlain because he has seen some new light; because he has found out that Adam Smith is dead; because Chamberlain has found out that Adam Smith's policies and doctrines are not the best thing for England. I commend to the gentleman from Mississippi a further study of Mr. Chamberlain's speeches as well as the speeches of the late Speaker Reed. If the gentleman will continue his investigation and study, who knows but that he may immortalize himself before this Congress closes as the leader of the Democracy of the Fifty-eighth Congress? [Laughter and applause on the Republican side.]

Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on the motion of the gentleman from New York [Mr. PAYNE], that when the House adjourn to-day it adjourn to meet on Tuesday next.

Mr. WILLIAMS of Mississippi. Let us have a division on that question.

The question was taken; and there were—ayes 81, noes 63.

So the motion was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HAUGEN, for the remainder of the session, on account of important business.

To Mr. THOMAS of Iowa, for the remainder of the session, on account of important business.

THE LOUISIANA PURCHASE.

Mr. MEYER of Louisiana. I ask unanimous consent to call up for present consideration a resolution from the Senate which is now on the Speaker's desk.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the invitation extended to the Congress of the United States by the Louisiana Historical Society and by the governor of the State of Louisiana to attend the ceremonies in commemoration of the one hundredth anniversary of the transfer of the territory of Louisiana and all sovereignty over said territory by France to the United States, to be held at New Orleans, December 18, 19, and 20, 1903, be, and it is hereby, accepted.

That the President pro tempore of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized and directed to appoint a committee, consisting of three Senators and five Representatives, to attend the ceremonies and to represent the Congress of the United States on the occasion of the celebration of the centennial anniversary referred to.

Resolved further, That the expenses of the members of the said joint committee of the Senate and House of Representatives authorized to attend and attending and representing the Congress of the United States at the city of New Orleans on the occasion named, not exceeding in the aggregate $2,500, to be paid as follows: One-half thereof out of the contingent fund of the House and one-half thereof out of the contingent fund of the Senate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. BURKETT. Mr. Speaker, I object.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to submit some remarks on the Louisiana Purchase Exposition, in order to give the House some information about the progress of that great undertaking.

Mr. MEYER of Louisiana. Mr. Speaker——

The SPEAKER. One moment. The gentleman from Missouri asks unanimous consent to address the House on the subject of the Louisiana Exposition at St. Louis. Is there objection?

Mr. MEYER of Louisiana. Pending that motion, Mr. Speaker——

The SPEAKER. Does the gentleman object?

Mr. MEYER of Louisiana. I ask the gentleman from Nebraska to withhold his objection.

The SPEAKER. One thing at a time. Does the gentleman object to this request?

Mr. BARTLETT. Mr. Speaker, I do not desire to object, but I want to inquire if the remarks of the gentleman from Missouri [Mr. BARTHOLDT] will be solely confined to that subject?

Mr. BARTHOLDT. Exclusively.

Mr. BARTLETT. Nothing else?

Mr. BARTHOLDT. Nothing else.

Mr. BARTLETT. All right; I have no objection.

Mr. ROBINSON of Indiana. Mr. Speaker, pending the request, I would like to ask the gentleman if he will yield to the gentleman from Louisiana [Mr. MEYER] for the matter that was before the House a moment ago?

The SPEAKER. Is there objection?

Mr. MEYER of Louisiana. Mr. Speaker——

The SPEAKER. Does the gentleman object?

Mr. MEYER of Louisiana. I have no objection.

The SPEAKER. The Chair hears no objection. The gentleman from Missouri [Mr. BARTHOLDT] is recognized.

Mr. MEYER of Louisiana. And now I would ask——

The SPEAKER. Does the gentleman from Missouri yield?

Mr. BARTHOLDT. I yield to the gentleman.

Mr. MEYER of Louisiana. I would ask the gentleman from Nebraska [Mr. BURKETT] to reserve his point of order until this matter shall have been explained to the House. As I understand

it, his objection holds unless he withdraws it, reserving, however, the point of order until the matter has been explained.

The SPEAKER. The gentleman from Missouri [Mr. BARTHOLDT] has the floor. The other matter can come up later.

Mr. BARTHOLDT. I will say to the gentleman from Louisiana that I will gladly yield to him after I get through. [Laughter.]

The SPEAKER. The gentleman from Missouri.

Mr. BARTHOLDT. Mr. Speaker, the Universal Exposition at St. Louis is the apotheosis of centuries of civilization. It is the culminating perfection of those wonderful international spectacles which have served to impress on our minds that it is good to be a living participant in the glories of this world.

A decade of human achievement has elapsed since the Columbian pageantry of progress at Chicago. Every American who saw the White City thrilled with the thought that the nations of the earth had assembled in the greatest Republic to do homage to the genius of enlightenment.

Triumphs of the Emperors of imperial Rome were but the mock pomp of childish fancies compared to the triumphs of peace as celebrated by such a labor of love at St. Louis. On the May day of the coming new year the gates of welcome will be flung wide open, and the vision of the century will then unfold its prophetic beauty for the uplifting of humanity.

As the breath of the twentieth century vibrates with action, so the St. Louis Exposition reflects the spirit of the age. How things are done rather than things performed is its living motive. The power of mechanical motion in its productive phases, the working of busy and ingenious fingers will testify that inaction is mental and physical stagnation.

The first impression of the visitor to the Ivory City is a vague feeling of unreality. There loom buildings massive in appearance; yet, viewed under the golden haze of a summer day, one half expects them to melt and fade away like some fabled city of mythology.

Ancient Thebes nor Babylon could boast of such beauty and splendor. These marvels of the ancients but showed the developments of an age. The Ivory City typifies the grandest architectural and sculptural performances of man in all centuries and through all ages.

The columns and architraves of classical Greece, the magnificence of the Renaissance, the graceful fancies of the Moor, the vagaries of the mystic Orient, the best and fairest of modern architecture—all are there.

Its immensity staggers the mind. Remember that it spreads over an area as large as the combined Columbian, the last Paris, and the Pan-American expositions. It has 48 more acres under roof than the great Chicago show. Applications for exhibit space exceed that of every palace, although most of its nineteen buildings are larger than those at Chicago.

Fifty-three foreign governments are participants; 42 States are represented by an expenditure of $8,000,000, as against $5,000,000 at Chicago. The exposition has caught the reflected glory of the Spanish-American war. The increased interest in this Republic, as a consequence of that demonstration of our power, has attracted the attention of the world to the degree that foreign governments have needed no urging to assemble at St. Louis. Mr. Michael Davitt made the statement during a recent visit to the World's Fair city that the peaceful invasion of the United States in 1904 would be a crusade equaling in history the holy war in Palestine.

It is an exposition of magnificent distances and heroic proportions. The United States Government building, the largest exposition structure ever erected by this country, is 1 mile from the Grand Trianon of France, along a stately boulevard, between eight of the finest exhibit palaces ever built. Three great courts cross this boulevard. The grand or central court is 2,500 feet long and 600 feet wide. More than 1 mile of continuous lagoons and canals lie between these palaces. Ninety thousand gallons of water pour over three cascades every minute. The pike or amusement street is a mile long. The Philippines stretch over 40 acres. The giant agricultural palace is 1,600 feet long and has an area of 20 acres, requiring five minutes to traverse its length. The dome of the Hall of Festivals is 200 feet high and larger than St. Peter's. It houses the largest organ in the world, an instrument 62 feet wide and 40 feet high, with 10,000 pipes. An intramural or sightseeing railway, 9 miles long, touches every point of interest in a site 2 miles long and 1 mile wide.

The traveler versed in exposition asks for the new and surprising features of this tremendous show. They could not be recounted in a day. A dignity and heroic effect unparalleled by any former exposition distinguishes the architecture. One thousand sculptured figures, done by 100 leading artists, embellish the grounds and palaces. These groups tell in frozen poetry the story of that momentous event in our history which the exposition commemorates—the acquisition of the province of Louisiana for a song and the winning of its wilderness from the human and brute savagery dominating its trackless wild.

The fame of the Louisiana Purchase Exposition may rest on its transcendent decorative zenith—the Cascade Gardens, a thing so ennobling that it can not be forgotten within the memory of this generation. Its atmosphere of grandeur commands instant admiration, for who can gaze across 1,500 feet of limpid water toward gardens ascending to a sky line where rise the resplendent Hall of Festivals and a mammoth peristyle, then down floral and sculptural terraces where leap a flood of crystal waters, without rendering involuntary tribute to the lofty and the beautiful in art and nature?

Landscapes of Versailles, old Italian gardens, Babylon pleasure haunts in mid-sky will not have surpassed the perfect theme of the Cascade Gardens and their sylvan setting. Jeweled in its very heart, the golden dome of the Hall of Festivals scintillates aloft in the mellow sun glow. Snowy statuary, ever ascending in overpowering masses from the mirrored pool below, the falling flood of cascades, feathering into filmy lace and musical with the cadences of silver bells—these are wonders of the enchantment.

Night has her victories no less renowned than perfect day. In this reign of electricity nothing has escaped the necromancy of the master illuminator. Every fertile resource of his science has been exhausted to achieve the highest art in his nocturnal treatment of the Cascade Gardens. Bathing the whole picture in the zones of varicolored light was easy. Jeweling the outlines of the Festival Hall and colonnade with thousands of light bulbs appealed little to his fancy. It was something new that was demanded. Experiment after experiment in the laboratory brought failure and disappointment, but at last reward shone on these efforts.

The moving waters of the cascades and the flowers suggested the new thought. Rays thrown through water were rejected. It was an old trick. How to make the water itself resemble liquid fire was the inspiration of the instant. How to cause flowers to become precious stones at night brought the inventor to his best efforts. Experiments with mercury vapor proved that water might become to the eye a mass of opalescent wine.

The new illumination was born. A zone of any solid color suffusing the gardens and cascades has no effect on the falling water, which retains its opal fire, undimmed by the prevailing hues lying across the buildings and gardens. The fiery flood of the cascades, stretching with its single luster through bands of brilliant cardinal, cerulean, orange, and amethyst, seems like the stream of life everlasting soaring above the vicissitudes of fortune to the realm of the great unknown.

Roses, geraniums, violets—all reveal themselves under effects concealed in their beds as self-luminous jewels which the most skillful smith can not hope to rival. Persons sauntering along the terrace of States, in front of the colonnade on the crest of the hill, may be illuminated in royal purple; lower down, by the descending balustrades, they are ensanguined in vivid red, while those hanging over the ramparts of the grand pool are mellowed in orange.

The Cascade Gardens are an appeal to the five senses of man. Seated on verandas of the pagoda cafés, above the scene, the epicure may satisfy the palate. His ears are saluted by the purling music of the waters and the harmonies of the great organ. The perfume of the flowers and trees freshen the evening air. The eyes behold the ravishment of the spectacle. The hands may caress what they most love. So the modern voluptuary may emulate the patricians of Rome.

Turn inquiry on other wonders of the St. Louis Exposition, but to discover that in every respect it completely overshadows all preceding expositions. The last and best work of man in every department of human endeavor has been gathered from the four corners of the globe. Astonishing beginnings in the field of invention herald the progress of generations yet unborn.

Aerial navigation, that fascinating though yet unconquered realm of transportation, is bidden to St. Louis by a princely prize of $100,000 offered for the solution of this great problem. Wireless telegraphy, the transmission of thought on waves of atmosphere, will be exemplified for the millions who have read and not seen its workings. Think of sending a commercial message from the greatest wireless telegraph tower in the world, on the exposition grounds, to many western cities.

Who has yet heard of the flowers telling the time of day to the exactitude of the thousandth part of a second? A great floral clock at the fair will perform this feat. In a catacomb beneath the floral disk 100 feet in diameter giant machinery will revolve floral hands. A monster locomotive of 200 tons will turn its tremendous wheels at a speed of 60 miles an hour in the center of the Palace of Transportation. A wonderful light-house will flash its rays throughout the Palace of Liberal Arts. One bed of roses, 6 acres in extent, containing 50,000 roses, wastes its fragrance on the summer air. Two thousand living birds of North America have their home in a great bird cage 400 by 200 feet. Are these wonders worth going thousands of miles to behold?

Yet they are only a tithe of the exposition. In the "Gulch," an outdoor exhibit of 12 acres, mines are operating, aerial tramways

are transporting precious freightage, coal is coming from the bowels of the earth, oil wells are delivering their cargoes to the surface. Mexican Indians are pounding out the treasures of nature in mortars as they did in the time of Cortez. A map of the United States in cereals covers 10 acres, each State and Territory distinguished by its native product. An ideal city stretches along a quarter of a mile, where the best paved street in the world is flanked by the finest types of municipal and private buildings. Reproductions of a war hospital, of the Capitol of the United States, and of a seacoast fortification with those tremendous engines of destruction, the diappearing guns, warning the citizen that the nation is on guard against invasion, are small parts of the national display.

Such outdoor attractions as the St. Louis Exposition presents have never been attempted. The Philippine exhibit alone employs the services of 1,000 natives of our new possession to depict the life, manners, and customs of the archipelago. Parts of the walled city of Manila, a market place in Manila, native villages of many island tribes make an exposition within itself. A great lake surrounding the north and east fronts of the Philippine reservation furnish a marine theater for aquatic sports and water transportation. Three native bridges span the water. On this ideal location, commanding a view of the exposition, 400 of the native constabulary and 200 Macabebe scouts show the Filipino as a fighting man. Four hundred other natives, divided into families, are engaged in the peaceful pursuits of that clime. Not only the life of Manila, but the tribes which build their habitations over water and swing their domiciles in the trees will make the unfamiliar American and European acquainted with their brothers of the human race. The whole natural treasury of the rich archipelago will be spread in profusion for our inspection.

Anthropology and ethnology have their grandest show at St. Louis. Forty acres have been assigned to the Indians of America and to other tribes from remote shores. The pygmies and giants of darkest Africa and the queer races of Oceania have their places in this remarkable array. They will live in the open air in their native communities. Famous chiefs who once fought this Government will have their first formal introduction to the American people. Ceremonies and religious rites older than civilization will cause us to ponder on the vast age of the world. That this tremendous display is under the direction of the Federal Government and the exposition authorities insures a dignity and reliability never approached before. Are these not advances in the making of an exposition?

The people delight in the spectacle. As a spectacle the St. Louis Exposition is unsurpassed, because it educates under the guise of amusement. We have been subdued by the charm of scriptural Palestine with its marvelous story of the Nazarene. The romance that clings to the Judean hills has enthralled the cultured nations of the earth. There is a thrill when one pronounces the name "Holy City." For the first time since the enactment of those wondrous scenes in the city of David it has been transplanted from its far eastern surroundings to become one of the most interesting features of the fair.

Jerusalem is a gigantic open-air reproduction covering 13 acres. It is a maze of winding streets. The Mosque of Omar and the Church of the Holy Sepulchre may be seen exactly the size of the originals at Palestine. The Tower of David, the Jews' Wailing Place, the Garden of Gethsemane, the ancient wall about the city, with its many gateways, are reproduced with wondrous fidelity. Several hundred natives of Jerusalem will dwell in this mimic municipality.

In the dominion of mechanics engines of a hitherto unequaled power will be shown in operation. No one has ever seen a gas engine of 3,000 horsepower. Belgium furnishes the marvel. New York has the honor of displaying the largest steam turbine engine ever constructed. It develops 8,000 horsepower, and Pittsburg sends another of 5,000 horsepower. These engines are part of the 40,000-horsepower operating plant of the exposition, being displayed by the manufacturers as exhibits.

Visitors have the distinction of drinking from a well on the exposition site which was there at the time Napoleon sold the province of Louisiana to this country. General Grant's log cabin, removed from its location on the Dent farm near St. Louis, is standing on the exposition grounds. A charming and interesting reproduction of the Ayrshire cottage of Robert Burns has been erected by the Scottish-Americans of the United States and Canada.

This historic interest pervades the exposition. Foreign governments and the States of the Union have caught the contagion of giving some significance to their representative buildings. France reproduces the Grand Trianon and gardens of Versailles; Great Britain the orangery of Kensington Castle, in the environment of an old Elizabethan garden; Germany erects the celebrated castle of Charlottenburg, near Berlin; Japan, several of the most famous examples of architecture in the land of the Mikado, with some of the imperial gardens; Morocco has some of the city of Fez. Louisiana builds the Cabildo, the structure in which the transfer of the province was made in 1803. New Jersey shows the headquarters of Washington at Morristown; Mississippi's building is Beauvoir, home of Jefferson Davis; Virginia comes with Monticello, the country seat of Thomas Jefferson. The Hermitage, famed as the home of Andrew Jackson, is reproduced by Tennessee. Seen through the foliage of the great wooded plateau along shady avenues, they present a poetic appearance. Manor houses of the sunny South, colonial mansions, farm houses, State capitol buildings, make a rare panorama of the American home. Old Spanish missions are shown by California and Arizona, from which one almost expects to see emerge the black-stoled monk.

A splash of Far East comes to us from China, Siam, Ceylon, and India. The Ceylon bungalow, with its white-robed Cingalese serving tea, and native oarsmen chanting while they shoot their outrigger canoe over the waters of an adjacent lake, is a conceit which takes the fancy. India has a reproduction of a famous Hindoostan temple. China reproduces the country seat of Prince Pu Lun, nephew of the Emperor, and Siam shows the Temple of Ben Chama.

One might speak of art potteries in full blast; the marvelous lifting machines; the manufacture of briquets; a factory making liquid air; an emporium of laces and embroidery work done in woven glass; a restaurant of glass, the walls of which are transparent and contain live fish; a poultry farm where you catch your chicken and order your style of cooking. These vagaries of the human mind are without end. A physical feature of St. Louis which by itself would become an attraction of national importance, are the Olympic games. The St. Louis Olympiad brings into competition the athletes of every country. The games may be witnessed in a stadium seating 35,000 persons.

The amusements of the exposition have not been considered. One mile of them stretch along a gaiety boulevard unapproached at former expositions. Forty shows, costing an average of $100,000 each, provide for the entertainment of the visitor, wearied by that immense aggregation of wonders classed as exhibits. The Galveston Flood shows the effects of the great storm and the restoration of the stricken city. The Creation, an illusion under the mammoth dome, takes one back through ten centuries to the genesis; Asia, with its rajahs and rites; Cairo and Constantinople; the German Tyrolean Alps, a monster show, costing $500,000, and presenting a perfect reproduction of the most majestic Alpine scenery, with the inhabitants in their native costumes; Japanese, Chinese, and Irish villages, with a long list of other attractions, make a total expenditure of $5,000,000.

International congresses of the arts and sciences and of members of all the parliaments known to man will bring together celebrities and learned men from the ends of the earth. Model schools for the deaf and blind will show the scholars in the class room. An Indian school will cause the visitor to realize that the free life of the noble red man is almost past. In this academic display the schoolroom of Filipino children, being taught by American instructors, becomes a timely object lesson in the acquisition of foreign territory.

The jubilee presents of the late Queen Victoria and the Liberty Bell present a strong contrast in symbols of affection venerated by two continents. These priceless trophies will not be of greater interest than the contribution from the Vatican, nor the relics of that great genius, Napoleon, whose name is inseparably associated with the event which the exposition celebrates. Personal effects of Washington, Jefferson, Andrew Jackson, Lafayette, and other famous founders of the country and statesmen make rare contributions of intimate interest.

Acres of outdoor forestry will be shown by the United States, Germany, and Great Britain, a feature new to expositions. The live-stock display covers 37 acres. Canada alone will spend $100,000 on her exhibit in an endeavor to capture most of the premiums, amounting to $250,000. Blooded stock from England, Germany, France, Russia, and other countries across the water assure the greatest exhibit ever made in this line. Advices from Paris state that the French jewelry exhibit already amounts to $4,000,000 and includes a pearl collar valued at $500,000. From jewelry to cattle is a long jump, but it is an instance of the tremendous field covered by this greatest of universal spectacles.

Touching on foreign contributions reminds one that the powers will be represented by their military arms as well as by the products of industry. The troops of the world have an encampment of nearly 100 acres, where the efficiency of their soldiery may be contrasted. The evolutions by these crack detachments of various armies will form a pleasing diversion. Music at the exposition will be provided by such famous bands as the Garde Républicaine, of Paris; the British Grenadiers, of London; the Imperial Band, of Berlin; a Russian army band, an engineers' band of the Mexican army, and other world-renowned musical organizations.

All in all, Mr. Speaker, the Universal Exposition of 1904 will be the sensational climax of the twentieth century, the grandest victory of peace and civilization, the greatest triumph human genius has yet achieved. To millions of its visitors it will be an academy of learning, an inspiration, and an inexhaustible source of genuine delight, and the memories of the Ivory City will live and bear fruit in all the ages yet to come. [Loud applause.]

During the delivery of the foregoing remarks, Mr. CALDERHEAD took the chair as Speaker pro tempore.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, in pursuance of the order heretofore made (at 1 o'clock and 18 minutes p. m.), the House adjourned until Tuesday, December 1, 1903.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and of law in the French spoliation cases relating to the schooner *Felicity*, William Story, master, *v.* The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and of law in the French spoliation cases relating to the ship *Seymour*, Paul Gould, master, *v.* The United States—to the Committee on Claims, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HAMLIN: A bill (H. R. 5057) providing for the erection of public building at Marshall, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. KINKAID: A bill (H. R. 5058) to increase the pensions of those who have been disabled so as to render their incapacity to perform manual labor equivalent to the loss of a hand or foot—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 5059) to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition—to the Committee on Patents.

By Mr. SPALDING: A bill (H. R. 5060) creating an additional land office in the State of North Dakota—to the Committee on the Public Lands.

By Mr. BURGESS: A bill (H. R. 5061) to build a post-office at Gonzales, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5062) to regulate the salaries of United States district attorneys in Texas—to the Committee on the Judiciary.

By Mr. MACON: A bill (H. R. 5064) to provide for the construction and maintenance of levees along the Mississippi River, from the hills above Cairo to the Head of the Passes, by the Government of the United States of America—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. GIBSON: A bill (H. R. 5065) for the purchase and establishment of a national forest reserve in the Appalachian Mountains, to be known as the "National Appalachian Park"—to the Committee on the Public Lands.

By Mr. SAMUEL W. SMITH: A bill (H. R. 5066) to connect Euclid place with Erie street—to the Committee on the District of Columbia.

Also, a bill (H. R. 5067) to prevent the fraudulent sale of merchandise—to the Committee on the District of Columbia.

By Mr. GAINES of Tennessee: A bill (H. R. 5068) to further provide for the redemption of mutilated United States notes and to maintain the cleanliness of the circulation—to the Committee on Banking and Currency.

By Mr. DINSMORE: A bill (H. R. 5069) to establish a court of common pleas in the southern district of the Indian Territory—to the Committee on the Judiciary.

By Mr. BOWIE: A bill (H. R. 5070) to establish a fish-hatching and fish station in the State of Alabama—to the Committee on the Merchant Marine and Fisheries.

By Mr. DICK: A bill (H. R. 5071) to regulate retirement of veterans of the civil war—to the Committee on Military Affairs.

By Mr. HUMPHREY of Washington: A bill (H. R. 5072) to establish at Seattle, Wash., a subtreasury—to the Committee on Ways and Means.

By Mr. REEDER: A bill (H. R. 5073) providing official stamps for rural free-delivery carriers and authorizing them to take acknowledgments of pensioners in the execution of their vouchers—to the Committee on the Post-Office and Post-Roads.

By Mr. MINOR: A bill (H. R. 5074) to erect a public building at Marinette, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington: A bill (H. R. 5075) granting to the State of Washington 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Washington State Soldiers and Sailors' Home, at Orting, Wash.—to the Committee on the Public Lands.

By Mr. LOUD: A bill (H. R. 5076) making an appropriation for increasing the depth of the Cheboygan River from termination of present dredged channel up to and terminating at the dam and lock on said river—to the Committee on Rivers and Harbors.

By Mr. HEPBURN: A bill (H. R. 5077) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. PATTERSON of Tennessee: A bill (H. R. 5078) to abolish slavery in the Philippine Archipelago, and for other purposes—to the Committee on Insular Affairs.

By Mr. PARKER: A bill (H. R. 5079) for the establishment of a naval volunteer force of seamen and for the government of the same—to the Committee on Naval Affairs.

By Mr. SLEMP: A bill (H. R. 5080) to provide for the erection of a public building at Big Stone Gap, Va.—to the Committee on Public Buildings and Grounds.

By Mr. GIBSON: A bill (H. R. 5081) to furnish cheap boxes for the patrons of rural free delivery—to the Committee on the Post-Office and Post-Roads.

By Mr. PARKER: A bill (H. R. 5082) to restore the sale of fermented malt beverages and light wines to soldiers on army transports and in post exchanges under regulations to be prescribed by the Secretary of War—to the Committee on Military Affairs.

Also, a bill (H. R. 5083) to amend an act entitled "An act to promote the efficiency of the militia, and for other purposes," approved January 21, 1903—to the Committee on Militia.

Also, a bill (H. R. 5084) to provide for a National Military Park Commission—to the Committee on Military Affairs.

By Mr. SHEPPARD: A joint resolution (H. J. Res. 46) requesting the Secretary of Agriculture to submit plans restoring original purpose of vegetable seed distribution, and suggesting other methods of expending amount heretofore appropriated more effectively in the interest of the agricultural masses of the United States—to the Committee on Agriculture.

By Mr. ROBINSON of Indiana: A joint resolution (H. J. Res. 47) providing for the purchase of a bust of the late Daniel W. Voorhees, to be placed in the Library of Congress—to the Committee on the Library.

By Mr. MACON: A concurrent resolution (H. C. Res. 11) directing a survey of that part of the St. Francis River between the Missouri and Arkansas State line and its mouth—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. GREGG: A bill (H. R. 5063) permitting the Kiowa, Chickasha and Fort Smith Railway Company and the Eastern Oklahoma Railway Company to sell and convey their railroads and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company—to the Committee on Indian Affairs.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 5085) granting an increase of pension to Frank Schroeder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5086) to correct the military record of Daniel Graeber—to the Committee on Military Affairs.

By Mr. BENNY: A bill (H. R. 5087) granting a pension to Annie Bosche—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: A bill (H. R. 5088) granting a pension to Ellen Messenger Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5089) granting an increase of pension to Charles W. McKenney—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 5090) for the relief of Caleb W. Durham—to the Committee on the Judiciary.

Also, a bill (H. R. 5091) granting a pension to William Kennedy—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 5092) granting an honorable discharge to John Sullivan—to the Committee on Military Affairs.

Also, a bill (H. R. 5093) granting an honorable discharge to T. J. Temple—to the Committee on Military Affairs.

Also, a bill (H. R. 5094) for the relief of the heirs and legal representatives of Alfred Robinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5095) granting a pension to John Worley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5096) granting a pension to Florence E. Wilbur—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5097) granting a pension to A. M. Templer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5098) granting an increase of pension to James K. Proudfit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5099) granting an increase of pension to Hiram Van Ormen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5100) granting an increase of pension to William Sigler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5101) granting an increase of pension to John B. Ross—to the Committee on Invalid Pensions.

By Mr. BROWN of Wisconsin: A bill (H. R. 5102) granting an increase of pension to Lorenzo Weeks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5103) granting an increase of pension to Lewis H. Little—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5104) granting an increase of pension to John B. Gardner—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 5105) granting an increase of pension to Jacob P. Fishback—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5106) to increase the pension of Andrew J. Millman—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 5107) granting an increase of pension to John W. Kling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5108) for the relief of the estate of Solomon Young, deceased—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 5109) granting an increase of pension to Morris Smith—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 5110) granting an increase of pension to George B. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5111) granting a pension to Lois E. Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5112) granting a pension to David A. Pierce—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 5113) granting an increase of pension to Almon W. Gould—to the Committee on Invalid Pensions.

By Mr. DINSMORE: A bill (H. R. 5114) for the payment of the claim of Mary J. McCall—to the Committee on War Claims.

Also, a bill (H. R. 5115) for the relief of A. M. Webb—to the Committee on War Claims.

Also, a bill (H. R. 5116) for the relief of the Cumberland Presbyterian Church at Mount Comfort, Washington County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 5117) for the relief of John Miser—to the Committee on War Claims.

Also, a bill (H. R. 5118) for the relief of the heirs of Benjamin Pigman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5119) for the relief of Durham W. Stevens—to the Committee on Claims.

Also, a bill (H. R. 5120) for the relief of the Prairie Presbyterian Church, of Washington County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 5121) for the relief of the estate of Albert L. Berry, deceased—to the Committee on Claims.

Also, a bill (H. R. 5122) for the relief of the heirs of the persons murdered at the time of the Mountain Meadow massacre—to the Committee on Claims.

By Mr. FLACK: A bill (H. R. 5123) granting a pension to Maria Olmsted Eldred—to the Committee on Invalid Pensions.

By Mr. FOSTER of Vermont: A bill (H. R. 5124) granting an increase of pension to H. G. Camp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5125) granting an increase of pension to Amos L. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5126) granting a pension to Alice K. Seligson—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 5127) to correct the military record of John Ervin—to the Committee on Military Affairs.

Also, a bill (H. R. 5128) to correct the military record of William B. Malone—to the Committee on Military Affairs.

Also, a bill (H. R. 5129) to correct the military record of John W. Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 5130) to remove the charge of desertion against Sampson Carroll—to the Committee on Military Affairs.

Also, a bill (H. R. 5131) for the relief of James H. Bunn—to the Committee on Military Affairs.

Also, a bill (H. R. 5132) for the relief of Eli H. Bright—to the Committee on Military Affairs.

Also, a bill (H. R. 5133) for the relief of William B. Caldwell—to the Committee on Military Affairs.

Also, a bill (H. R. 5134) for the relief of John M. Dailey—to the Committee on Military Affairs.

Also, a bill (H. R. 5135) for the relief of James R. Edwards—to the Committee on Military Affairs.

Also, a bill (H. R. 5136) for the relief of Frank Gammon—to the Committee on Military Affairs.

Also, a bill (H. R. 5137) for the relief of Henry B. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 5138) for the relief of Calvin Mallacote—to the Committee on Military Affairs.

Also, a bill (H. R. 5139) for the relief of James A. Ogg—to the Committee on Military Affairs.

Also, a bill (H. R. 5140) for the relief of George W. Qualls—to the Committee on Military Affairs.

Also, a bill (H. R. 5141) for the relief of George W. Raney—to the Committee on Military Affairs.

Also, a bill (H. R. 5142) for the relief of Philip Schlosshan—to the Committee on Military Affairs.

Also, a bill (H. R. 5143) for the relief of Milton Shootman—to the Committee on Military Affairs.

Also, a bill (H. R. 5144) for the relief of George W. Swanay—to the Committee on Military Affairs.

Also, a bill (H. R. 5145) for the relief of Alexander L. Taylor—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 5146) granting a pension to Elias Minnich—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 5147) granting an increase of pension to George W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5148) granting an increase of pension to Carlos H. Rich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5149) granting an increase of pension to John W. Erwin—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 5150) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to—to the Committee on Claims.

By Mr. HERMANN: A bill (H. R. 5151) for the relief of S. R. Green—to the Committee on Claims.

By Mr. HITT (by request): A bill (H. R. 5152) for the relief of Herrera's Nephews and Gallego, Messa & Co.—to the Committee on Claims.

Also, a bill (H. R. 5153) granting an increase of pension to Jonathan Stewart—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 5154) granting an increase of pension to Barnett Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5155) granting an increase of pension to John J. Tompkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5156) granting an increase of pension to Thomas Francis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5157) granting a pension to Mary Anne Watling—to the Committee on Pensions.

By Mr. JONES of Washington: A bill (H. R. 5158) authorizing the Secretary of the Treasury to pay to German M. Rouse informer's fees for certain opium seizures—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 5159) granting a pension to Julia A. Marlow—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 5160) granting a pension to Charles W. Atkinson—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 5161) granting an increase of pension to Florence B. Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5162) granting an increase of pension to Orrin L. Mann—to the Committee on Invalid Pensions.

By Mr. MINOR: A bill (H. R. 5163) for the relief of Catherine Grace—to the Committee on Claims.

By Mr. MURDOCK: A bill (H. R. 5164) granting an honorable discharge to W. J. Gardner and correcting the date of his muster out from the service—to the Committee on Military Affairs.

Also, a bill (H. R. 5165) for the relief of John C. Brown—to the Committee on War Claims.

Also, a bill (H. R. 5166) for the relief of Samuel Slack—to the Committee on Military Affairs.

Also, a bill (H. R. 5167) for the relief of Morton A. Pratt—to the Committee on Claims.

Also, a bill (H. R. 5168) granting a pension to Daniel Dye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5169) granting a pension to Alfred Le Valley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5170) granting a pension to James L. Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5171) granting a pension to Margaret M. Hathaway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5172) granting an increase of pension to William C. Winfrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5173) granting an increase of pension to Burrel G. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5174) granting an increase of pension to David Bennett—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 5175) for the relief of George Edmunds—to the Committee on Military Affairs.

By Mr. PARKER: A bill (H. R. 5176) granting an increase of pension to Alonzo Dutch—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 5177) granting an increase of pension to William H. Clark—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 5178) for the relief of the Baltimore and Ohio Railroad Company—to the Committee on War Claims.

By Mr. PRINCE: A bill (H. R. 5179) granting a pension to Joseph J. Murray—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 5180) granting an increase of pension to Jesse F. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5181) granting an increase of pension to Lucinda M. Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5182) granting an increase of pension to N. B. McKay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5183) granting a pension to Albert Donaldson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5184) granting a pension to A. Foss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5185) granting a pension to Henry Hooks—to the Committee on Invalid Pensions.

By Mr. RIDER: A bill (H. R. 5186) granting an increase of pension to John D. Terry—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 5187) granting a pension to John Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5188) granting a pension to Andrew J. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5189) granting a pension to Asa M. Foote—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5190) granting a pension to Andrew Ferris—to the Committee on Invalid Pensions.

Also a bill (H. R. 5191) granting a pension to Merritt Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5192) granting a pension to Minnie Louise Coleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5193) granting a pension to Allen Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5194) granting a pension to C. A. Brunk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5195) granting a pension to Myron H. Skinner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5196) granting a pension to Jeremiah O'Neill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5197) granting a pension to W. C. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5198) granting a pension to Emeline Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5199) granting a pension to Tracy M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5200) granting a pension to Andrew Farries—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5201) granting a pension to William M. Voorheis—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 5202) granting a pension to Mary E. Brashear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5203) granting an increase of pension to George Stewart—to the Commitee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 5204) for the relief of Caroline Murtagh, widow of the late William J. Murtagh, formerly proprietor of the National Republican, of Washington, D. C.—to the Committee on Claims.

By Mr. WARNER: A bill (H. R. 5205) granting an increase of pension to Francis Wilson—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER: Memorial of National Executive Committee of the National German-American Alliance, in opposition to the Hepburn bill—to the Committee on the Judiciary.

By Mr. BIRDSALL: Papers to accompany bill (H. R. 4877) granting an increase of pension to Mathias C. Mills—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Papers to accompany bill (H. R. 2479) granting an increase of pension to Lander Robinson—to the Committee on Invalid Pensions.

By Mr. BURKETT: Resolutions of citizens of Elk Creek, Nebr., in favor of Hepburn and McCumber bills—to the Committee on the Judiciary.

By Mr. BYRD: Petition for relief of the descendants of Mississippi Choctaws—to the Committee on Indian Affairs.

By Mr. CALDERHEAD: Resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, in favor of a nonpartisan tariff commission—to the Committee on Ways and Means.

Also, resolutions of same organization, relative to forestry and irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolution of Baxter Post, No. 123, Grand Army of the Republic, of Baxter Springs, Kans., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: Resolutions of Merchants' Association of Lafayette, Ind., in favor of interstate-commerce bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Resolutions of Chamber of Commerce of Milwaukee, asking for amendments to interstate commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Manufacturers and Producers' Association of California, relative to trade relations between the United States and Manchuria—to the Committee on Interstate and Foreign Commerce.

Also, resolution of National Association of Agricultural Implement and Vehicle Manufacturers, relating to revision of the tariff—to the Committee on Ways and Means.

Also, resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, relative to forestry and irrigation—to the Committee on Irrigation of Arid Lands.

By Mr. HITT: Petition of 31 business men of Lanark, Ill., protesting against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MARSHALL: Protest of citizens of Cooperstown and Rutland, N. Dak., against change of law relating to rate of postage on merchandise—to the Committee on the Post-Office and Post-Roads.

By Mr. MINOR: Memorial of Milwaukee Chamber of Commerce, asking certain amendments to the Elkins interstate-commerce law—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Petition of citizens of Dundee N. Y., favoring legislation defining legal marriage monogamic—to the Committee on the Judiciary.

By Mr. PORTER: Resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, relative to forestry and irrigation—to the Committee on Irrigation of Arid Lands.

By Mr. ROBINSON of Indiana: Petition of the Fort Wayne (Ind.) International Printing Pressmen's Union, No. 19, in favor of the eight-hour bill and the anti-injunction bill—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Petition of citizens of West Point, Ky., in favor of pension for Mary E. Brashear—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: Petition of New York State Pharmaceutical Association, favoring a reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. THOMAS of Iowa: Papers to accompany bill H. R. 1896, granting an increase of pension to Samuel W. Weaver—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *December 1, 1903.*

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The PRESIDENT pro tempore resumed the chair.

Mr. WELDON B. HEYBURN, a Senator from the State of Idaho, appeared in his seat to-day.

The Journal of the proceedings of Friday last was read and approved.

THE INDIAN TERRITORY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from Mr. W. H. Ansley, chairman of the Five Civilized Tribes executive committee on independent statehood for the Indian Territory, relative to the formation of an independent State for the Indian Territory; which, with the accompanying papers, was referred to the Select Committee on the Five Civilized Tribes of Indians, and ordered to be printed.

UINTAH RESERVATION IN UTAH.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the Commissioner of Indian Affairs, together with a paragraph

recommended for insertion in the Indian appropriation bill for the fiscal year ending June 30, 1905, relative to the Uintah Reservation in Utah, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

FINDINGS OF COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Susan N. Moore, administratrix of C. C. Moore, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of The Trustees of the Methodist Episcopal Church of Harpers Ferry, W. Va., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented petitions of the congregation of the First United Presbyterian Church of Columbus, Ohio; of the congregation of the First Presbyterian Church of Tecumseh, Nebr.; of the congregation of the Presbyterian Church of Shelter Island, N. Y.; of the Ladies' Aid and Missionary Society of Mason, Tex., and of the congregation of the United Presbyterian Church of Waitsburg, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. TELLER presented petitions of the Monday Progress Club, of Colorado Springs; of the congregation of the First Baptist Church of Salada; of the Woman's Christian Temperance Union of Trinidad; of the Christian Citizenship Union of Denver; of sundry citizens of Lupton, and of the Cliolian Club, of Montrose, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented petitions of the congregation of the Presbyterian Church of Caldwell, of sundry citizens of Newton, of sundry citizens of Derby, and of sundry citizens of Perry, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of sundry citizens of North English, Iowa, praying for the enactment of legislation to regulate the interstate traffic in intoxicating liquors; which was referred to the Committee on Interstate Commerce.

Mr. SCOTT presented petitions of sundry citizens and of the Woman's Christian Temperance Union of Ronceverte; of the congregation of the Methodist Episcopal Church South, of Ronceverte, and of the Woman's Home and Foreign Mission of Elm Grove, all in the State of West Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of the Tacoma Chamber of Commerce and Board of Trade, of Tacoma, Wash., praying for the adoption of an efficient plan for the creation of a suitable American merchant marine; which was referred to the Committee on Commerce.

Mr. CULBERSON presented a petition of sundry citizens of Odessa, Tex., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented the petition of James V. Pope, of Forest Grove, Oreg., praying that he be granted a pension; which was referred to the Committee on Pensions.

Mr. CULLOM presented a petition of Local Union No. 250, Cigar Makers' International Union, of Belleville, Ill., and a petition of the Trades and Labor Council of the American Federation of Labor of Batavia, Ill., praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of Local Union No. 250, Cigar Makers' International Union, of Belleville, Ill., and a petition of the Trades and Labor Council of the American Federation of Labor of Batavia, Ill., praying for the passage of the so-called Hoar anti-injunction bill; which were referred to the Committee on Finance.

He also presented petitions of the Woman's Christian Temperance Union of Toulon; of the Woodlawn Woman's Club, of Chicago; of the congregation of the Methodist Episcopal Church of Knoxville, and of the congregation of the Presbyterian Church of Divernon, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MARTIN presented a petition of Wright's Chapel Woman's Christian Temperance Union, of Golansville, Va., praying for the enactment of legislation to exclude illiterate immigrants from this country, and also to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Immigration.

He also presented petitions of the congregations of the Emanuel Protestant Episcopal, the Centenary Methodist Episcopal, the Presbyterian, and the Methodist Episcopal churches, all of Cape Charles; of the Wright's Chapel Woman's Christian Temperance Union, of Golansville; of the Woman's Christian Temperance Union of Cape Charles, and of the Carmel Baptist Sunday school, of Ruther Glen, all in the State of Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. NELSON presented petitions of sundry citizens of Atwater, of the congregation of the First Baptist Church of Minneapolis, and of the congregation of the Methodist Episcopal Church of Minneapolis, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented petitions of the congregations of the Baptist Church and the Second Baptist Church of Bridgeport; of the Woman's Christian Temperance Union of Torrington, and of the Woman's Christian Temperance Union of Bridgeport, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Lodge No. 555, International Association of Machinists, of Washington, Pa., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of Lodge No. 555, International Association of Machinists, of Washington, Pa., praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church of New Albany; of the Lillian Stevens Woman's Christian Temperance Union, of Reading; of the congregation of the Trinity Presbyterian Church, of Philadelphia; of the Woman's Christian Temperance Union of Little Britain; of the Woman's Christian Temperance Union of Bowertown; of sundry citizens of Harrisburg; of the congregation of the Plaines Presbyterian Church, of Cranberry; of the congregation of the Methodist Episcopal Church of Thompson; of the Albrecht Alliance, of Philadelphia; of the congregation of the Columbia Avenue Methodist Episcopal Church, of Philadelphia; of the Makefield Woman's Christian Temperance Union, of Dolington; of sundry citizens of Easton; of the congregation of the Presbyterian Church of Dunbar; of the Philanthropic Committee of Philadelphia; of the Quarterly Meeting of Friends, of Philadelphia; of the Woman's Christian Temperance Union of Allentown; of the congregation of Bethesda Church, of Edwardsville, of the congregation of the Welsh Church of Edwardsville; of the Methodist Episcopal Sunday School of Connellsville; of the congregation of the Baptist Church of Honesdale; of the Woman's Home Missionary Society of Carlisle; of the Woman's Christian Temperance Union of Indiana; of the congregation of the First Baptist Church of Altoona; of the Woman's Christian Temperance Union of Atglen; of the Chapel of the Prince of Peace, of Philadelphia; of the Woman's Home Missionary Society of Bellevue; of the Woman's Christian Temperance Union of Carversville; of the Woman's Home Missionary Society of West Pittston, and of the School Board of Makefield, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HEYBURN presented a memorial of the legislature of Idaho, remonstrating against the establishment of the proposed Sawtooth Forest Reserve in that State; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 3, by Baker and Ballentine, which was filed in this office the 3d day of March, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 23d day of March, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

Senate joint memorial No. 3, by Baker and Ballentine. A memorial to the President, Secretary of the Interior, and Commissioner of the General Land Office, against the establishment of Sawtooth Forest Reserve, Idaho.

To the honorable the President, Secretary of the Interior, and Commissioner of the General Land Office:

Your memorialists, the governor and legislature of the State of Idaho, would respectfully represent that the establishment of the proposed Sawtooth Forest Reserve in Blaine and Custer counties in Idaho, and the withdrawal from settlement of all entry and sale or other disposition of the public lands within unsurveyed townships 6 to 10 north, both inclusive, ranges 10 to 15 east, both inclusive, Boise base and meridian, Idaho, would not establish the objects and purposes evidently intended by such withdrawal and would greatly retard the settlement and development of the resources of that section of Idaho; that of the lands proposed to be included in said Sawtooth Forest Reserve of some 46,000 acres there are included, approximately, 25,000 acres of agricultural land, 15,000 acres of grazing lands, and 6,000 acres of scattering timber, the latter being mainly of a character unfit for lumber and fitted only for mining timber and for uses in agriculture and farm improvements; that this land now withdrawn temporarily from settlement is being settled by farmers and stock growers and the mineral resources are in process of development.

With a survey of these lands, settlement of the same would be rapid, and it is the opinion of your memorialists that an investigation will prove the facts stated in this memorial to be well founded and that a permanent withdrawal of said lands and the establishment of the forest reserve, as proposed, is not justified by the facts nor demanded by the public welfare.

We, your memorialists, therefore ask that the order withdrawing temporarily said lands from settlement, entry, or sale be rescinded, and that said proposed Sawtooth Forest Reserve be not established.

This senate joint memorial was adopted by the senate on the 28th day of February, 1903.

JAMES M. STEVENS,
President of the Senate.

This senate joint memorial was adopted by the house of representatives on the 2d day of March, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

State of Idaho. Received and filed March 3, 1903.

WILL H. GIBSON, *Secretary of State.*

Mr. HEYBURN presented a memorial of the legislature of Idaho, relative to the right to use the public ranges by owners of sheep and other live stock; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 6, by Fitzpatrick, which was filed in this office the 7th day of March, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 12th day of March, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 6, by Fitzpatrick. Regulating the right to use the public ranges between owners of sheep and other kinds of live stock.

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the governor and the legislature of the State of Idaho, respectfully represent that the occupation of the public ranges for grazing purposes by the owners of different kinds of live stock has, by reason of its being impossible to retain cattle and horses on the same range whereon sheep are pastured and grazed, led in many sections of the State to numerous difficulties and serious conflicts and disputes, and believing that the best interests of all the people of the State and the protection of the ranges from overcrowding as well requires the enactment of laws regulating the right to graze upon such ranges, we respectfully urge that your honorable bodies by proper legislation determine the question as to whether the owners of sheep or other kinds of live stock shall be permitted to range their stock upon the several townships or other subdivisions of the public ranges by giving the right so to do according to the priority of the use of the public ranges in such townships or other subdivisions between the owners of sheep and other kinds of live stock.

The secretary of state is hereby requested to forward a copy of this memorial to each of our Senators and our Representative in Congress.

This house joint memorial No. 6 passed the house of representatives on the 27th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial No. 6 passed the Senate on the 4th day of March, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial No. 6 originated in the house of representatives of the legislature of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho. Received and filed March 7, 1903.

WILL H. GIBSON, *Secretary of State.*

Mr. HEYBURN presented a memorial of the legislature of Idaho, relative to an appropriation for the survey and location of the boundary line between the States of Idaho and Wyoming; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 8, by Killpack, which was filed in this office the 7th day of March, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 12th day of March, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 8, by Killpack. Memorial to the honorable Senate and House of Representatives in Congress assembled.

Your memorialists, the legislature of the State of Idaho, respectfully represent that the boundary line between the States of Idaho and Wyoming is not correctly defined, and that the present boundaries of the Teton Forest Reserve are improperly extended into the State of Idaho a distance something more than 2 miles beyond the true line of such reserve, thereby injuriously affecting the interests of numerous settlers residing upon and adjacent to the Territory now included, improperly, in such forest reserve.

We therefore respectfully pray that an appropriation be granted of an amount sufficient to survey and locate such boundary line; and your memorialists will ever pray.

This house joint memorial No. 8 passed the house of representatives on the 28th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial No. 8 passed the Senate on the 4th day of March, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial No. 8 originated in the house of representatives of the legislature of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho. Received and filed March 7, 1903.

WILL H. GIBSON, *Secretary of State*

Mr. HEYBURN presented a memorial of the legislature of Idaho, relative to the adoption of an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 4, by Francis Jenkins, and house joint memorial No. 5, by Fitzpatrick, which was filed in this office the 5th day of March, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 6th day of March, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 4, by Francis Jenkins.

To the honorable the Senate and House of Representatives of the United States:

Your memorialists, the governor and legislature of the State of Idaho, would respectfully represent:

That, in our judgment, the interests of the people of the United States demand that Congress shall enact legislation providing for more effective regulation and control of great combinations of capital commonly called "trusts." When these combinations eliminate free competition and thus deprive the people of protection against extortion, the power thus exercised becomes a menace to the public.

If there be no means of protection for the people against much oppressive exercise of power, except through governmental action, the people, through their Government, are justified in invoking the law wherever and whenever such protection is being withheld from them by concentration of business enterprises under a single management. We hold it to be incumbent upon Congress, in the absence of other effective methods for regulating such combinations, to enact legislation under which the Government may control or, if necessary, suppress any combination or trust which, through arbitrary exercise of power and destruction of competition, becomes oppressive to the people.

We, your memorialists, therefore respectfully urge that Congress adopt the recommendations of President Roosevelt on "trusts" and enact effective legislation on this most important subject.

This house joint memorial passed the house of representatives on the 25th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial passed the Senate on the 3d day of March, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial No. 4 originated in the house of representatives of the legislature of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho. Received and filed March 5, 1903.

WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 5, by Fitzpatrick. Concerning the election of United States Senators.

To the Senate and House of Representatives of the United States:

We, your memorialists, the legislature of the State of Idaho, respectfully represent that the people of this State are very strongly in favor of the election of United States Senators by a direct vote of the people, and we therefore petition your honorable bodies to submit to the States an amendment to the Constitution of the United States providing for their election in this manner.

This house joint memorial passed the house of representatives on the 25th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 3d day of March, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial No. 5 originated in the house of representatives of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho, received and filed March 5, 1903.

WILL H. GIBSON, *Secretary of State.*

Mr. HEYBURN presented a memorial of the legislature of Idaho, relative to a more effective regulation and control of capital; which was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 4, by Francis Jenkins; which was filed in this office the 5th day of March, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 23d day of March, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 4, by Francis Jenkins.

To the honorable the Senate and House of Representatives of the United States:

Your memorialists, the governor and legislature of the State of Idaho, would respectfully represent:

That, in our judgment, the interests of the people of the United States demand that Congress shall enact legislation providing for more effective regulation and control of great combinations of capital commonly called "trusts." When these combinations eliminate free competition, and thus deprive the people of protection against extortion, the power thus exercised becomes a menace to the public.

If there be no means of protection for the people against much [such] oppressive exercise of power, except through governmental action, the people, through their Government, are justified in invoking the law wherever and whenever such protection is being withheld from them by concentration of business enterprises under a single management. We hold it to be incumbent upon Congress, in the absence of other effective methods for regulating such combinations, to enact legislation under which the Government may control, or, if necessary, suppress, any combination or trust which, through arbitrary exercise of power and the destruction of competition, becomes oppressive to the people.

We, your memorialists, therefore respectfully urge that Congress adopt the recommendations of President Roosevelt on "trusts" and enact effective legislation on this most important subject.

This house joint memorial passed the house of representatives on the 25th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 3d day of March, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial No. 4 originated in the house of representatives of the legislature of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho, received and filed March 5, 1903.

WILL H. GIBSON, *Secretary of State.*

Mr. HEYBURN presented a memorial of the legislature of Idaho, relative to an appropriation of $50,000 for the creation of a system of artesian wells upon the arid lands of Blaine County, in that State; which was referred to the Committee on Irrigation and Reclamation of Arid Lands, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the state of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 7, by Finney, which was filed in this office the 7th day of March, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 12th day of March, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 7, by Finney.

To the Congress of the United States:

Your memorialists, the legislature of the State of Idaho, in regular session, do petition that the Congress of the United States will appropriate $50,000, or so much thereof as will be necessary, to put in a system of artesian wells upon the arid lands of Blaine County, Idaho, and respectfully call your attention to a petition signed by the citizens of Camas Prairie, Blaine County, and presented to the last Congress of the United States by Senator DUBOIS.

And your memorialists will ever pray.

The secretary of the State of Idaho is hereby requested to forward this memorial to the Congress of the United States.

This house joint memorial passed the house of representatives on the 28th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 5th day of March, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial, No. 7, originated in the house of representatives of the legislature of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho, received and filed March 7, 1903.

WILL H. GIBSON, *Secretary of State.*

Mr. HEYBURN presented a memorial of the legislature of Idaho, relative to an appropriation for the improvement of the Pend Oreille River between Albany Falls and the mouth of Priest River, in that State; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

[Certificate of certified copy.]

STATE OF IDAHO, *Office of the Secretary of State:*

I, Will H. Gibson, secretary of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 3, by Ashley, which was filed in this office the 23d day of February, A. D. 1903, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State. Done at Boise City, the capital of Idaho, this 23d day of February, A. D. 1903.

[SEAL.] WILL H. GIBSON, *Secretary of State.*

House joint memorial No. 3, in the house of representatives, by Ashley.

Joint memorial to the Congress of the United States.

Your memorialists, the legislature of the State of Idaho, in regular session, do petition that the Congress of the United States will make such an appropriation as will render suitable for navigation that portion of the Pend Oreille River lying between Albany Falls and the mouth of the Priest River.

And your memorialists will ever pray.

The secretary of the State of Idaho is hereby requested to forward this memorial to the Congress of the United States.

This house joint memorial passed the house of representatives on the 14th day of February, 1903.

JAMES F. HUNT,
Speaker of the House of Representatives.

This house joint memorial passed the senate on the 20th day of February, 1903.

JAMES M. STEVENS,
President of the Senate.

I hereby certify that the within house joint memorial, No. 3, originated in the house of representatives of the legislature of the State of Idaho during the seventh session.

ROBT. M. MCCRACKEN,
Chief Clerk of the House of Representatives.

State of Idaho, received and filed February 23, 1903.

WILL H. GIBSON, *Secretary of State.*

Mr. HEYBURN presented a memorial of sundry citizens of Latah County, Idaho, remonstrating against the proposed repeal of the timber and stone act; which was referred to the Committee on Public Lands.

Mr. MCCUMBER presented a petition of the Sykeston Prohibition Alliance, No. 18, and the Christian Endeavor Society of South Eastern, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

Mr. MCCOMAS presented petitions of the congregation of the Second Presbyterian Church of Baltimore; of the Woman's Christian Temperance Union of Easton; of the Monthly Meeting of Friends of Ashton; of the Monthly Meeting of Friends of Easton; of the congregation of the Methodist Episcopal Church of Easton; of the Woman's Christian Temperance Union of Baltimore; of sundry citizens of Corbett, Hereford, Govanstown, and Cumberland, all in the State of Maryland, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented petitions of the Woman's Christian Temperance Union of King City; of the congregation of the Methodist Episcopal Church of Maitland; of sundry citizens of Maitland and New Point; of the congregation of the United Brethren Church of Maitland; of the congregation of the Presbyterian Church of Maitland, and of sundry citizens of New Hampton, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HALE presented a petition of Cigar Makers' Local Union No. 470, American Federation of Labor, of Portland, Me., remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union of Winterport; of the congregation of the Methodist Episcopal Church of North Anson; of the congregation of the Baptist Church of Anson, and of the Woman's Christian Temperance Union of Harrison, all in the State of Maine, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HANSBROUGH presented a petition of John W. McLane Post, No. 21, Grand Army of the Republic, Department of North Dakota, of Hunter, N. Dak., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Esmond, N. Dak., praying for the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Missionary Society of Tyner, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of the Central Federated Union of New York City, remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Chamber of Commerce of Milwaukee, Wis., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the City Front Federation, of San Francisco, Cal., remonstrating against allowing the militia of the State of Colorado to be used against the strikers in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of Rochester, N. Y., praying for the enactment of legislation to secure deep waterways through that State, and also for the adoption of the 21-foot navigation system of the Great Lakes as already surveyed; which was referred to the Committee on Commerce.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 1916) to correct the military record of James Watson (with accompanying papers);

A bill (S. 1917) removing the charge of desertion from the name of Thomas J. Nelson; and

A bill (S. 1918) removing the charge of desertion from the name of Calvin Weaver.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1919) granting an increase of pension to Nathan Bigham (with accompanying papers);

A bill (S. 1920) granting an increase of pension to W. T. Swift;

A bill (S. 1921) granting an increase of pension to Christopher C. Richards;

A bill (S. 1922) granting an increase of pension to Levina D. Athon;

A bill (S. 1923) granting a pension to Laura Washburn;

A bill (S. 1924) granting a pension to Isador Alringer;

A bill (S. 1925) granting an increase of pension to Frederick C. Waterman;

A bill (S. 1926) granting an increase of pension to Peter Fisher;

A bill (S. 1927) granting a pension to Moses Kettering;

A bill (S. 1928) granting an increase of pension to Annie B. Hanson;

A bill (S. 1929) granting an increase of pension to George W. Spahr (with accompanying papers);

A bill (S. 1930) granting an increase of pension to James Hopkins (with accompanying papers);

A bill (S. 1931) granting an increase of pension to Leonidas McMillan (with accompanying papers);

A bill (S. 1932) granting a pension to Charles Apel (with an accompanying paper); and

A bill (S. 1933) granting an increase of pension to Jacob Raupt (with accompanying papers).

Mr. CARMACK introduced a bill (S. 1934) for the relief of Henry Harris; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 1935) providing for the holding of an additional court in the northern district of West Virginia at Martinsburg, W. Va.; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1936) granting an increase of pension to James L. Stover;

A bill (S. 1937) granting a pension to Samuel Richards;

A bill (S. 1938) granting an increase of pension to Aldridge Patterson;

A bill (S. 1939) granting an increase of pension to Curtis B. McIntosh (with accompanying papers); and

A bill (S. 1940) granting an increase of pension to Frank W. Fretwell (with an accompanying paper).

Mr. BLACKBURN introduced a bill (S. 1941) for the relief of W. R. Austin & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 1942) for the relief of C. M. Simmons; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 1943) for the relief of Mrs. Gabriella Chancellor; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1944) granting an increase of pension to John S. Stanger;

A bill (S. 1945) granting an increase of pension to Charles L. Thompson;

A bill (S. 1946) granting an increase of pension to Edward J. Palmer; and

A bill (S. 1947) granting an increase of pension to Patrick Judge (with an accompanying paper).

Mr. TELLER introduced a bill (S. 1948) to pay Erastus S. Joslyn amount found due him by Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. ALLISON introduced a bill (S. 1949) removing the charge of desertion from the record of Abraham Judd; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1950) removing the charge of desertion from the record of James A. Bell; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1951) granting an increase of pension to James Gannon;

A bill (S. 1952) granting an increase of pension to John Monahan;

A bill (S. 1953) granting a pension to Susan Fenno;

A bill (S. 1954) granting an increase of pension to Benton D. Bitner;

A bill (S. 1955) granting an increase of pension to Jeremiah S. Alexander;

A bill (S. 1956) granting an increase of pension to Seth L. Craig; and

A bill (S. 1957) granting an increase of pension to Owen D. Lovejoy.

Mr. GALLINGER introduced a bill (S. 1958) for the opening of a street in Mount Pleasant, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BURNHAM introduced a bill (S. 1959) granting a pension to Mary Remington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 1960) authorizing and directing the Secretary of War to construct a bridge across the Spokane River, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 1961) to increase the limit of cost for the purchase of a site and the erection of a public building at Tacoma, Wash.;

A bill (S. 1962) to increase the limit of cost for the purchase of a site and the erection of a public building at Seattle, Wash.; and

A bill (S. 1963) to increase the limit of cost for the purchase of a site and the erection of a public building at Spokane, Wash.

Mr. FOSTER of Washington introduced a bill (S. 1964) providing for the continuance of the investigation relative to the strength and durability of American timbers, and making an appropriation therefor; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. NELSON introduced a bill (S. 1965) for the establishment of lights at the mouths of Warroad and Rainy rivers, Lake of the Woods, Minnesota; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 1966) granting an increase of pension to George H. Potts; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (S. 1967) for the improvement of the harbor at Milford, Conn.;

A bill (S. 1968) for the maintenance and improvement of the Connecticut River below Hartford;

A bill (S. 1969) for the improvement of the Housatonic River;

A bill (S. 1970) for the improvement of the New Haven (Conn.) Harbor breakwater; and

A bill (S. 1971) for the improvement of harbor of refuge at Duck Island Harbor, Connecticut.

Mr. PLATT of Connecticut introduced a bill (S. 1972) for the relief of the heirs of Eneas Munson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1973) for the relief of the estate of Eliza A. White; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE (for Mr. QUAY) introduced a bill (S. 1974) amending the act of Congress approved January 26, 1895, entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes;" which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. PENROSE introduced a bill (S. 1975) for the relief of James E. Byram; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1976) for the relief of the estate of

Henry C. Nields, deceased; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1977) for the relief of E. A. Chamberlin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1978) granting an increase of pension to Washington I. Cook;

A bill (S. 1979) granting a pension to Theophilus Snyder;

A bill (S. 1980) granting a pension to William W. Hershberger;

A bill (S. 1981) granting an increase of pension to Elizabeth V. Reynolds (with accompanying papers); and

A bill (S. 1982) granting a pension to James S. Alexander (with an accompanying paper).

Mr. HEYBURN introduced a bill (S. 1983) for the relief of George Pettengill, lieutenant, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1984) granting an increase of pension to Levi Roberts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 1985) granting an increase of pension to Jonathan Hites; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 1986) granting pensions to certain enlisted men, soldiers, and officers who served in the war of the rebellion; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 1987) granting an increase of pension to Lewis H. Rankin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 1988) for the relief of Peter F. Kendall; which was read twice by its title, and referred to the Committee on Claims.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on pensions:

A bill (S. 1989) granting an increase of pension to John McCabe;

A bill (S. 1990) granting an increase of pension to Catharine Howland;

A bill (S. 1991) granting an increase of pension to Melvin A. Tenney;

A bill (S. 1992) granting an increase of pension to Charles Carlisle;

A bill (S. 1993) granting an increase of pension to Antionette I. Sawyer;

A bill (S. 1994) granting an increase of pension to Isabella Chivington; and

A bill (S. 1995) granting an increase of pension to Lorenzo W. Smith.

Mr. McCREARY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 1996) granting an increase of pension to William R. Williams;

A bill (S. 1997) granting an increase of pension to Francis Irvin Edgerton; and

A bill (S. 1998) granting an increase of pension to George G. Hughes.

Mr. McCOMAS introduced a bill (S. 1999) for the relief of the estate of Susanna Fleming; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2000) for the relief of James R. D. Morrison; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2001) granting a pension to John Murphy;

A bill (S. 2002) granting an increase of pension to Wilfred C. McCardell;

A bill (S. 2003) granting a pension to John Martin;

A bill (S. 2004) granting an increase of pension to John H. Dittman;

A bill (S. 2005) granting an increase of pension to John W. Boulden (with accompanying papers);

A bill (S. 2006) granting a pension to Mary Trimble Gunn;

A bill (S. 2007) granting an increase of pension to John E. Bowman;

A bill (S. 2008) granting an increase of pension to John Ott;

A bill (S. 2009) granting a pension to Richard Dunn;

A bill (S. 2010) granting a pension to Lewis Davenport;

A bill (S. 2011) granting a pension to Maggie E. Bamford;

A bill (S. 2012) granting an increase of pension to Jeanie G. Lyles; and

A bill (S. 2013) granting a pension to Edgar A. Norris.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2014) granting increase of pensions to soldiers and widows of the Indian wars under the acts of July 27, 1892, and act approved July 27, 1902;

A bill (S. 2015) granting an increase of pension to James V. Pope; and

A bill (S. 2016) granting an increase of pension to Clark Mitchell (with an accompanying paper).

Mr. MITCHELL introduced a bill (S. 2017) to amend section 2425, Revised Statutes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2018) to provide for the erection of a public building at Baker City, in the State of Oregon; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2019) authorizing the Secretary of War to place on the retired list Joseph B. McCoy, a retired private soldier, United States Army, with foreign service, full pay and allowances as such; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2020) for the relief of Custis Parke Upshur; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2021) for the relief of John Wesley Hoyt; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 2022) to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 2023) for the relief of the legal representatives of Elijah Shatto, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2024) for the relief of Cass County, Mo.; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition and affidavit of George A. Dunn, county clerk of Cass County, Mo. I move that the bill and accompanying paper be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2025) for the relief of the trustees of the Methodist Episcopal Church South, of Harrisonville, Mo.; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of R. T. Raily and the other trustees of the Methodist Episcopal Church South, of Harrisonville, Mo., accompanied by the affidavit of A. H. Deane. I move that the bill and accompanying paper be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2026) for the relief of the estate of M. W. Garrison, deceased; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the affidavit of Ethelbert Barrett, public administrator, and the affidavits of William F. Pulliam, E. L. Tuggle, and Jackson C. Jones. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2027) for the relief of the heirs of Robert A. Brown, deceased; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the affidavit of William G. Brown and the other heirs of the estate of Robert A. Brown, deceased, and the affidavits of William F. Pulliam and E. L. Tuggle. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2028) for the relief of the heirs of Tillard Ragan, deceased; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the affidavit of Mrs. Lee Cropper and the other heirs of Tillard Ragan, deceased, accompanied by affidavits of William F. Pulliam and A. H. Deane. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2029) granting an increase of pension to Peter P. Dobozy; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, I present the petition and affidavit of Peter P. Dobozy, late lieutenant-colonel

Fourth United States Artillery, accompanied by the affidavits of Dr. Robert S. Spears, Dr. H. C. Shuttee, Dr. W. T. Edwards, and David W. Reese and George H. Carter, and also a copy of the military record of the claimant. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2030) granting an increase of pension to Elias L. Fidler; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, I present the petition of Elias L. Fidler for an increase of pension, together with a copy of his military record and the affidavits of Jesse Trapp, R. W. Steckman, and L. W. Brannon, and the certificate of Dr. Charles R. Buren. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. FRYE introduced a bill (S. 2031) granting an increase of pension to Henry W. Gay; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2032) granting a pension to Sarah E. Presson Flagg; which was read twice by its title, and referred to the Committee on Pensions.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. PENROSE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and violations of law in the administration of the affairs of the Post-Office Department, is hereby authorized and instructed to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department and if necessary to make further inquiry into the administration of the said Department, and to make report thereon to Congress upon completion of said investigation.

Said committee shall have power to send for persons, books, and papers, examine witnesses under oath, employ a stenographer, and sit by subcommittee or otherwise during the sessions of the Senate or during the periods of its adjournment at such times and places as the committee may determine, and the actual and necessary expenses of said investigation shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL CLERK OF COMMITTEE.

Mr. PENROSE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Post-Offices and Post-Roads be authorized to employ an additional clerk at a compensation of $1,800 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

REIMBURSEMENT TO SENATOR MORGAN.

Mr. BLACKBURN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the sum of $100 be paid to John T. Morgan, from the contingent fund of the Senate, to reimburse him for that sum paid by him for the translation from the Spanish language of various documents for the use of the Committee on Interoceanic Canals.

AMERICAN SHIPPING IN FOREIGN TRADE.

Mr. FRYE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Committee on Commerce 500 copies of Senate Document No. 10, Fifty-eighth Congress, first session.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. MORGAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Health and National Quarantine be, and is hereby, authorized to employ an assistant clerk, who shall be an expert typewriter, at an annual salary at the rate of $1,440, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ISTHMIAN CANAL.

Mr. MORGAN submitted the following resolution; which was read:

Whereas the expenditures of the Isthmian Canal Commission up to the date of their final report to the President are stated as follows, in a letter from the Secretary of State dated the 9th of January, 1903:

[Senate Document No. 88, Fifty-seventh Congress, second session.]

EXPENDITURES OF THE ISTHMIAN CANAL COMMISSION.

Letter from the Secretary of State to Hon. JOHN T. MORGAN, transmitting a statement of the expenditures of the Isthmian Canal Commission. January 15, 1903. Referred to the Committee on Interoceanic Canals, and ordered to be printed.

DEPARTMENT OF STATE,
Washington, January 9, 1903.

SIR: Referring to my letter to you of the 17th ultimo, inclosing a statement of expenses of the Isthmian Canal Commission in compliance with your telegram of the 16th December, I now have the honor to inclose herewith the other statement called for by your personal letter to me of the 16th December; also a copy of the letter of the 5th instant, transmitting the same, from the Secretary of the Treasury, which has just been received by me.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

Hon. JOHN T. MORGAN,
United States Senate.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 5, 1903.

SIR: Referring to my communication addressed to you on December 17, 1902, transmitting a communication addressed to this office by the Auditor for the State and other Departments, together with a statement of the expenditures made as shown in the accounts of the Isthmian Canal Commission now on file in this Department, I inclose herewith two statements which have been prepared by the Auditor for the State and other Departments showing the compensation and amount allowed for compensation and traveling expenses of each commissioner and each engineer of the Isthmian Canal Commission, together with others employed by said Commission, not laborers, from June 10, 1899, to February 28, 1902.

The statements inclosed herewith I am convinced contain all the information requested in the letter of Senator MORGAN addressed to you on December 15, 1902, the preparation of which were made special by me, and I trust contain all the information that may be desired by you.

Respectfully,

L. M. SHAW, *Secretary.*

The SECRETARY OF STATE.

DEPARTMENT OF STATE,
Washington, December 17, 1902.

SIR: I have the honor to inclose herewith the statement of expenditures of the Isthmian Canal Commission, called for by your telegram to me of the 16th instant, received at 12.30 yesterday, together with a copy of the letter of the Secretary of the Treasury, transmitting the same.

Your request for the information desired received the immediate attention of this Department, also that of the Auditor for the State and other Departments at the Treasury.

You will please observe that the Secretary of the Treasury says that the other statement called for by your letter is being prepared, but it will be several days before it is completed.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

Hon. JOHN T. MORGAN,
United States Senate.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, December 17, 1902.

SIR: I have to acknowledge the receipt of your communication of the 16th instant, transmitting a copy of a communication from Senator MORGAN, dated December 15, 1902, also a copy of a telegram from him, dated December 16, 1902, requesting a statement of the amount of compensation and traveling expenses allowed to each member and engineer of the Isthmian Canal Commission and their expenses while traveling on work of the Commission.

In reply thereto I have to inclose herewith a communication addressed to this office by the Auditor for the State and other Departments, together with a statement of the expenditures made, as shown in the accounts of the Isthmian Canal Commission now on file in this Department.

An itemized statement of the compensation allowed each engineer of the Commission and the amount expended for travel of each member and engineer of the Commission is now being prepared, but it will be several days before it will be possible to complete the same. When completed the same will be sent to you.

Respectfully,

L. M. SHAW, *Secretary.*

The SECRETARY OF STATE.

TREASURY DEPARTMENT,
OFFICE OF AUDITOR FOR THE STATE
AND OTHER DEPARTMENTS,
Washington, December 16, 1902.

SIR: I have the honor to acknowledge the receipt of your reference of today of a communication addressed to you by the Hon. John Hay, Secretary of State, inclosing a letter from the Hon. JOHN T. MORGAN, of the United States Senate, dated December 15, 1902. The Secretary of State requests you to cause this office to prepare a statement, with as little delay as possible, of the expenditures of the Isthmian Canal Commission under the act of March 3, 1899. The Secretary of State further states:

"Since the receipt of the Senator's letter this morning the following telegram has just been received from him:

"UNITED STATES SENATE, *December 16, 1902.*

"I will be content for the present to get a statement of the monthly allowance of Isthmian Canal Commission per capita. I have not been able to get any authentic statement on this subject.

"JOHN T. MORGAN.

"Hon. JOHN HAY,
"*Secretary of State.*"

The Secretary of State concludes his letter as follows:

"As the latter request is urgent, it is presumed that the latter statement will be prepared without delay."

In reply to your reference I have the honor to make the following report:

From an examination of the accounts of the Isthmian Canal Commission, as settled by this office, it appears that each member of the Commission was allowed a compensation of $1,000 per month, inclusive of the regular pay and allowances to such members of the Commission as were in the service of the United States Army, and their actual and necessary traveling expenses while engaged in travel on work of the Commission. The authority for this allowance is based on an extract included in a letter of the Secretary of State dated June 21, 1899, addressed to the Isthmian Canal Commission:

"By direction of the President the compensation of the members of the Commission is fixed at $1,000 per month and the usual traveling expenses as now authorized by law. If, however, their work shall be completed in less than ten months, they shall receive $10,000 each as compensation for the period of their employment."

The law providing for the compensation of the members of the Commission as fixed by the President was construed by the Comptroller of the Treasury in a decision dated August 3, 1899, addressed to Lieut. Commander S. A. Staunton, the disbursing agent of the Isthmian Canal Commission. The Comptroller of the Treasury concludes his decision as follows:

"As I did not wish to make any construction which would fail to carry out the President's wishes in the matter, I wrote to the Secretary of State for such information as would enable me to answer this question. His reply leaves no doubt that it was the intention of the President to allow to them the difference between their regular pay and allowances and $1,000 per month, thus putting all the members of the Commission on an equal footing as to compensation. You are therefore authorized to pay to Colonels Hains and Ernst the difference between their regular pay and allowances and $1,000 a month. (See 10 Comptn. M. S., 340.)"

The above, it is thought, answers the telegram of Senator MORGAN, except as to the amount expended by each officer and engineer for travel. To obtain this information will require a careful examination and tabulation of the amounts contained in the abstracts, pay rolls, and vouchers filed with the accounts of the Commission. A statement including this information is

now being prepared, but it will be several days before it will be possible to complete the same. A partial report, however, is inclosed herewith.

Respectfully,

ERNST G. TIMME, *Auditor.*

The SECRETARY OF THE TREASURY.

Statement of the expenditures of the Isthmian Canal Commission under acts approved March 3, 1899, and March 3, 1901.

Certificate No.	Disbursing clerk.	Salaries of Commissioners.	Rent in Washington.	Travel and transportation.	Machinery.	Instruments.
22537	A. L. Hughes			$3,684.42	$145.10	$45.77
23828	do			3,300.87	199.84	
24537	do			4,699.10		
25744	do			1,509.99		
27162	do			58.00		
21053	Lieut. Commander S. A. Staunton	$30,923.03	$422.25	11,764.98		4,358.64
28410	do	17,589.24	254.67	4,975.57	5,630.21	2,329.47
21172	do	18,800.11	380.00	9,556.72	16,472.30	3,129.13
22667	do	22,367.54	282.58	3,953.63	4,307.64	1,446.33
26749	do	55,285.09	1,356.24	13,156.75	18,881.28	94.20
27689	do	24,551.01	691.42	3,284.33	917.71	
28254	do	8,183.67	240.09	656.27		
25667	J. H. Tibbitts			2,275.28		
28813	do			4,978.57		
28815	do			3,169.91		
28667	S. E. Redfern	8,183.67	241.61	3,239.19		
26784	do	16,367.34	492.50	2,257.76	397.05	
26927	do	6,565.00	574.68	2,150.10		
32175	do	5,723.37	281.33	395.17		
33127	do	4,770.73	170.00	321.96		
	Total	225,289.20	5,397.28	79,370.63	46,951.22	11,403.54

Certificate No.	Disbursing clerk.	Doctors and medicine.	Subsistence.	Labor.	Miscellaneous.	Total.
22537	A. L. Hughes	$86.76	$9,252.89	$35,069.73	$431.54	$48,650.21
23828	do	69.62	8,154.14	33,316.57	786.88	65,827.92
24537	do	248.42	9,481.52	53,152.15	623.31	68,204.50
25744	do	61.20	1,747.39	18,927.13	246.42	22,493.13
27162	do			35.72	118.95	212.67
21053	Lieut. Commander S. A. Staunton	616.62	12,969.05	4,328.67	4,650.25	76,033.49
23410	do	59.84	3,968.61	2,505.41	4,280.35	46,593.37
23172	do	270.23	15,799.75	13,456.69	17,965.69	95,459.62
22667	do		19,272.90	19,213.03	12,298.97	74,122.42
26749	do	199.38	28,217.60	66,877.51	6,495.00	190,563.65
27689	do	10.00	4,468.06	19,439.44	1,844.16	55,206.19
28254	do			4,660.00	481.55	14,161.49
25667	J. H. Tibbitts	445.98	8,196.98	48,369.74	778.69	60,096.67
28813	do	768.83	9,373.87	69,945.15	2,093.23	87,159.05
28815	do	172.32	4,231.76	26,612.96	1,522.69	35,769.64
28667	S. E. Redfern			5,734.28	287.17	17,685.92
26784	do		5.14	12,683.43	483.55	32,686.77
26927	do		6.79	12,767.10	678.60	22,702.27
32175	do			3,854.51	1,361.69	11,616.07
28888	J. C. Luna (driller)			50.00		50.00
29964	Frank A. Branagan				4,727.74	4,727.74
28863	John Jenkins			80.00		80.00
24559	E. H. Plumacher				3.00	3.00
24962	C. C. Greene				5.68	5.68
25519	P. M. Griffith				5.00	5.00
29984	Gust Meisner		.43			.43
21001	The Public Printer				10.15	10.15
33127	S. E. Redfern		79.50	1,100.87	217.60	6,660.66
	Total	3,009.20	131,125.95	472,064.43	62,097.86	1,036,728.31
	Covered in Treasury		213.47		33.27	246.74
			130,922.48		62,064.59	1,036,481.57
	Publications of Nicaragua Canal Commission report				9,875.25	
					52,189.34	

No. 1.—*Statement showing the compensation and the amount allowed for compensation and traveling expenses to the members of the Isthmian Canal Commission from June 10, 1899, to February 28, 1902.*

Commissioner.	Salary per month.	Salary allowed.	Traveling expenses allowed.	Total.
Rear-Admiral John G. Walker, U. S. Navy, president	$1,000.00	$32,700.00	$1,315.53	$34,015.53
Hon. Samuel Pasco	1,000.00	32,633.33	1,059.60	33,692.93
Mr. William H. Burr	1,000.00	26,387.07	1,962.27	28,349.34
Lieut. Col. Oswald H. Ernst, U. S. Army[a]	618.67	16,881.16	1,055.40	17,936.56
Lewis M. Haupt, C. E.	1,000.00	26,393.74	479.05	26,872.79
Prof. Emory R. Johnson	1,000.00	26,320.40	842.37	27,162.77
Alfred Noble, C. E.	1,000.00	26,387.06	2,143.32	28,530.38
George S. Morison	1,000.00	24,420.40	2,015.46	26,435.86
Col. Peter C. Hains, U. S. Army[a]	566.00	15,179.64	1,636.11	16,815.75

[a] The amount allowed herein is in addition to the amount allowed them for pay and allowances under the law as officers of the United States Army.

No. 2.—*Statement showing the compensation and the amount allowed for compensation and traveling expenses of the engineers and others, not laborers, employed by the Isthmian Canal Commission, from June 10, 1899, to February 28, 1902.*

Name.	Position.	Salary per month.	Salary allowed.	Traveling expenses allowed.
Adrience, Thomas F	Assistant engineer	$150.00	$462.90	
Adams, Sidney F	Rodman	60.00	800.00	$85.00
Adams, J. Lee, jr	Physician	75.00	304.64	75.00
Aiken, C. J	Transit man	125.00	1,291.55	87.30
Alexander, Emil	Drill runner	50.00	595.48	3.84
Alford, William V	Boring parties	125.00	1,587.04	250.61
Do	Level man, chief of party	100.00	183.33	168.52
Anderson, Gus	Driller	50.00	58.62	
Anderson, J. W	Assistant engineer	125.00	1,285.28	63.69
Anderson, Robert H	Rodman	75.00	1,319.35	
Aguiro, A. A	Draftsman	125.00	108.87	
Appleby, J. F	Hydrographer	75.00	893.95	222.75
Archambauld, T. J. H	Drill runner	125.00	2,332.42	21.45
Atlee, John	Assistant engineer	100.00	670.86	
Austin, A. George	Rodman	75.00	751.40	85.38
Ahrling, Alfred	Assistant engineer	75.00	348.58	
Byrnes, Edward T	Rodman	75.00	1,076.82	
Becker, Chas	Pierce foreman	100.00	682.86	4.00
Bock, Oscar F	Boring parties	75.00	484.81	
Branagan, J. J	Assistant commissary, boring parties	75.00	1,424.67	105.27
Bartolet, H. E	Assistant engineer	75.00	861.29	28.48
Besse, Walter M	do	75.00	1,437.30	96.97
Boone, David L	Rodman	75.00	691.94	85.00
Beatty, P. A	do	80.00	1,597.33	
Bingham, Claude D	do	30.00	365.80	
Butler, Michael	Diamond setter	150.00	585.00	
Bell, Luke L	Boring parties	75.00	243.81	94.88
Bezien, R. M	Assistant engineer	100.00	2,438.71	179.45
Banerott, N. A	Mechanic	60.00	88.97	
Baker, Sheldon K	Draftsman	100.00	70.00	
Brown, S	Driller	50.00	40.52	
Bermstein, Moriz	Assistant engineer	125.00	3,356.82	94.00
Bates, L. W	do	100.00	607.10	93.93
Brooks, J. D	Diamond setter	150.00	1,793.75	
Barrett, C. E	Pierce man	100.00	1,048.89	
Baltz, Thomas F	Hydrographer	85.00	1,420.90	94.25
Boddy, James	Diamond setter	150.00	275.00	
Barker, J. M	Drill runner	125.00	1,024.19	48.51
Bernstein, L	Rodman	75.00	989.19	178.24
Bannister, W. C	Drill runner	50.00	436.66	
Butler, Charles S	Commissary	100.00	359.60	75.00
Cannon, L. Roy	Rodman	75.00	1,209.68	
Chaplin, Percy P	Assistant mechanic	50.00	150.00	
Colly, B. B	Rodman	75.00	1,206.68	
Clauzel, C	Assistant hydrographer	100.00	430.00	80.00
Campbell, J. R	Diamond setter	150.00	1,284.33	6.72
Collins, Horace F	Draftsman	125.00	52.40	
Cook, Mortimer M	Pierce man	60.00	218.71	
Conard, C. K	Rodman	75.00	1,090.16	178.10
Carlson, Albert V	Drill runner	125.00	1,040.61	135.65
Conger, A. A	Instrument man	150.00	1,050.00	
Cutter, A. B	Assistant engineer	100.00	1,848.71	117.15
Colin, Paul	Pierce man	60.00	668.71	88.45
Clark, F. B	Assistant engineer	125.00	108.87	85.00
Corosilles, M. A	Draftsman	100.00	135.81	
Cook, James S	Rodman	75.00	304.64	75.60
Castello, J. C	Driller	40.00	228.28	
Coates, A. I. P	Rodman	75.00	524.22	78.40
Du Bois, L. E	do	75.00	830.66	87.15
Dose, H. F	Chief of party	200.00	4,465.86	224.54
De Moya, Artudo	Driller	50.00	240.00	
Donnelly, James	Pierce man	60.00	236.13	
Du Buley, R. G	Assistant hydrographer	75.00	695.00	
Daff, Joseph	Pierce man	60.00	556.13	
Dill, H. Gilbert	Rodman	75.00	1,130.65	
Dohrman, W. E	do	75.00	171.77	
Davis, Mary A	Stenographer	75.00	95.00	
Delamater, H. Bruce	Rodman	75.00	309.64	24.30
Durham, H. W	Assistant engineer	100.00	500.00	
Delano, H	do	125.00	1,302.42	50.41
Davis, A. P	Chief hydrographer	300.00	6,393.85	1,103.43
Davis, Fred	Assistant hydrographer	100.00	445.00	
Dempsey, John J	Rodman	75.00	814.80	81.50
Davis, Fred	Computer	100.00	519.62	85.00
Dillard, John L	Assistant engineer	125.00	1,268.30	95.15
Ehrgood, T. E	Boring parties	50.00	156.45	
Evans, B. F	Drill runner	50.00	386.66	
Edwards, Daniel R	do	125.00	169.75	85.00
Edwards, W. H., jr	Boring parties	75.00	476.61	
Do	Rodman	75.00	467.14	86.90
Evans, Joseph D	Assistant engineer	125.00	1,455.48	114.27
Ehle, Boyd	Chief of party	200.00	5,068.57	93.95
Ford, William H	Assistant engineer	125.00	2,233.87	180.80
Fischer, E. F	Rodman	80.00	665.80	85.00
Fisher, H. F	Draftsman	125.00	1,669.55	
Farnham, Charles H	Assistant engineer	80.00	1,175.37	
Fendall, T. M	Rodman	60.00	2,076.78	178.15
Flanagan, Owen	Drill runner	100.00	325.16	112.06
Fowler, Clarence A	Transit man	125.00		
Fresh, John L	Rodman	75.00	304.64	75.00
Grogan, John	Drill runner	100.00	645.16	11.71
Goerke, James F	Assistant engineer	100.00	880.65	
Griswold, Jesse A	Stenographer	85.00	360.57	
Greover, Thomas A	Physician	100.00	941.94	
Granger, H. H	Chief of party	200.00	1,521.00	88.60
Golindo, Inocencio, jr	Assistant hydrographer	85.00	570.00	
Gorman, J. P	Drill runner	125.00	1,024.19	17.62
Gilman, Walter	Draftsman	125.00	91.67	
Gordon, George L	Transit man	125.00	644.30	88.80
Geraty, R. McD	Rodman	75.00	857.14	76.30
Garrett, Charles E	Diamond setter	150.00	967.74	27.83

No. 2.—*Statement showing compensation, traveling expenses, etc.*—Continued.

Name.	Position.	Salary per month.	Salary allowed.	Traveling expenses allowed.
Gunnion, J. P	Physician	$75.00	$160.00	
Hurd, H. C	Hydrographer	150.00	2,806.85	$233.67
Holcombe, J. G	Assistant engineer	100.00	469.36	85.00
Heisler, H. G	do	100.00	1,176.67	97.00
Hines, John H	Diamond setter	150.00	2,211.29	
Hayman, Charles	Assistant hydrographer	75.00	1,592.25	75.00
Hill, William C	Rodman	75.00	304.64	75.60
Heisler, J. P	Assistant hydrographer	100.00	100.00	
Hodgson, W. H	Diamond setter	150.00	870.00	
Hodgson, William F	Chief driller	150.00	295.00	
Hunter, J. J	Rodman	75.00	501.49	81.50
Hudson, John R., jr	do	75.00	928.06	85.00
Howe, H. F	Assistant engineer	125.00	1,931.59	93.80
Hawes, G. Percy, jr	Transit man	125.00	507.74	75.60
Howard, Herbert C	Commissary	75.00	999.99	8.85
Howard, C. P	Instrument man	150.00	1,800.00	82.00
Harty, Cornelius	Boring parties	100.00	690.32	
Hall, Robert	Rodman	75.00	377.56	96.00
Hollowbuch, F	Driller	50.00		
Harrison, B. P	Assistant engineer	100.00	1,277.43	178.15
Harrison, C. L	Chief engineer	500.00	1,500.00	106.35
Hoffman, C. H	Clerk	125.00	375.00	
Haney, V. W	Rodman	75.00	757.14	24.30
Harris, Stephen	Engineer	100.00	681.45	98.15
Hyer, L. H	Assistant engineer	100.00	377.52	16.17
Hardin, O. B	Draftsman	125.00	2,287.81	
Hayt, Stephen T., jr	Instrument man	150.00	531.48	234.20
Harden, E. B	Assistant engineer	175.00	4,015.00	
Hood, J. Nelson	Rodman	60.00	1,512.26	85.00
Harris, Stanford H	Hydrographer	75.00	1,304.03	93.95
Harris, A. L	Draftsman	125.00	754.98	
Hughes, Arthur L	Disbursing officer	150.00	2,192.25	
Hogan, M. C	Assistant hydrographer	75.00	375.00	
Ingersoll, Charles A	Level man	100.00	360.60	96.00
Imperatori, C. J	Physician	75.00	255.93	87.50
Jones, W. E	Drill runner	100.00	777.14	
Jones, J. O	Hydrographer	85.00	2,075.82	22.50
Jones, J. Oscar	Computer	100.00	300.00	85.00
Jones, M. W	Boring parties	75.00	442.74	
Kirk, Ross	Assistant engineer	100.00	217.75	85.00
Kline, Victor W	do	125.00	1,715.33	170.00
Keith, T. S	Drill runner	80.00	1,216.20	
Lamphier, E. E	do	75.00	200.00	85.00
Lee, J. L., jr	Assistant engineer	125.00	1,314.92	93.80
Luna, Joseph C	Rodman	[a] 100.00	734.00	24.12
Lockwood, W. D	Assistant engineer	125.00	2,674.19	179.45
Lotter, H. H	Instrument man	150.00	1,950.00	
Lynn, James E	Drill runner	100.00	932.26	
Lynn, John	Drill setter	150.00	1,067.71	28.35
Lannan, L. E	Assistant engineer	125.00	2,640.32	178.15
Lucas, Alexander L	Chief of party	200.00	1,301.85	95.25
Leinenger, H. V	Draftsman	100.00	36.67	
Lewis, John E	Pierce man	80.00	838.70	
Labelle, H. F	Assistant engineer	125.00	778.51	85.00
Lichtenberg, G. A	Draftsman	125.00	503.35	
Laforge, Frederick	Boring parties	75.00	483.87	
McKay	Assistant hydrographer	60.00	60.00	
Maher, W. J	Rodman	75.00	1,188.23	91.57
Mesnard, R. E	do	75.00	592.85	86.65
Maldiner, Fred	Foreman borings	100.00	787.07	98.15
Meisner, Gus	Drill runner	100.00	157.10	
Maiotte, W. E	Pierman	60.00	500.13	
Mandell, A. H	Physician	75.00	994.64	
Maxwell, James R	Chief engineer	500.00	1,382.47	716.31
Merriman, Thaddeus	Assistant engineer	150.00	1,971.77	219.39
Mann, C. L	Rodman	75.00	748.49	2.00
Mammack, O. C	do	75.00	99.19	85.00
Matthews, Robert	Pierce man	70.00	245.48	
Miller, A. McLeod	Rodman	80.00	970.33	84.00
Magruder, G. C. W	Hydrographer	75.00	1,449.03	197.85
Morrin, R. H	Observer	75.00	927.26	3.55
McCauley, C. H	Boring parties	75.00	483.87	
Manter, R. B	Assistant engineer	100.00	1,501.88	5.14
Miller, J. Imbrie	Chief of surveyors	$5,000.00	8,554.87	223.80
Magee, Guy, jr	Assistant engineer	100.00	1,325.80	12.75
Mosley, Mellville R	Rodman	75.00	290.67	
Morlidge, J. B	do	75.00		12.00
Morison, W. S	Draftsman	125.00	1,225.81	
McCann, T. H	Drill runner	100.00	1,064.17	
McDowell, Andrew S	Rodman	75.00	573.36	86.80
Micholl, G. B	Assistant engineer	100.00	3,434.67	178.80
Medill, George L	Rodman	75.00	421.77	112.98
Martini, F. Carl	do	75.00	560.08	90.10
Marlin, E. C	do	100.00	115.50	
Nevins, John J	Pierce man	60.00	255.71	
Negreta, William	do	60.00	866.66	
Neely, William R	Transit man	125.00	734.01	85.00
Norris, A. J	Computer	100.00	1,232.26	
Nichols, A. B	Chief of party	200.00	5,260.48	427.16
O'Callaghan, T	Rodman	[c] 1.60	88.20	
O'Reardon, Ignatius	Superintendent of borings.	150.00	4,490.00	570.83
Powell, O. B	Rodman	80.00	735.00	85.00
Peatross, R. Wortham	Assistant engineer	100.00	1,193.56	
Pain, A. E. L	Rodman	75.00	189.52	
Pinnley, F. A	Diamond setter	150.00	610.00	
Powell, Thomas J	Rodman	75.00	171.77	

No. 2.—*Statement showing compensation, traveling expenses, etc.*—Continued.

Name.	Position.	Salary per month.	Salary allowed.	Traveling expenses allowed.
Philip, Gaston P	Level man, transit man	$90.00	$864.39	$79.00
Paige, Sydney	Rodman	50.00	1,546.13	93.50
Peugnet, C. P. E	Assistant engineer	100.00	2,410.48	94.50
Do	Computer	125.00	375.00	
Pease, George H	Boring parties	100.00	727.83	87.91
Ripley, H. C	Principal assistant engineer.	400.00	3,433.87	161.43
Rust, E. J. Lee	Rodman	60.00	1,637.42	178.15
Randall, Lewis G	do	60.00	1,762.68	92.30
Roberts, Wellington	Transit man	125.00	562.82	
Reed, Mary L	Stenographer	[d] 12.00	72.00	
Ross, A. Percy	Rodman	75.00	1,204.65	85.00
Reed, E. Wilder F	Hydrographer	75.00	932.14	4.00
Reed, H. S	Assistant engineer	100.00	2,200.00	97.50
Redfern, S. E	Disbursing clerk	175.00	4,800.00	
Schlecht, W. W	Hydrographer	100.00	2,643.47	214.40
Sticker, J. C	Assistant engineer	100.00	196.77	
Smith, R. C	Instrument man	150.00	2,453.23	111.95
Stevens, A. R	Draftsman	125.00	800.38	
Seddicum, W. Cameron	Rodman	75.00	270.45	96.00
Stringham, Joseph S	Instrument man	125.00	200.89	
Smith, E. C	Assistant engineer	100.00	2,232.93	85.00
Slocum, John M	Drill runner	100.00	341.94	1.82
Spencer, E. R	Draftsman	100.00	2,667.00	
Stuart, Francis Lee	Chief of party	250.00	1,594.35	297.36
Stevens, A. R	Draftsman	125.00	125.00	
Syne, George F	Rodman	75.00	748.49	
Stanton, John P	Diamond setter	100.00	997.74	15.78
Segalbaum, H. A	Rodman	80.00	1,914.68	91.07
Strouse, E. D	do	80.00	1,298.71	107.76
Seery, Francis J	do	75.00	337.97	78.80
Stewart, Emerson H	do	75.00	594.85	86.65
Stockton, Charles	Assistant engineer	125.00	530.32	85.00
Staunton, S. A	Disbursing officer	[e] 5.00	1,825.00	109.00
Spindle, G. P	Chief of party	250.00	1,452.35	
Smith, W. A	Rodman	80.00	229.68	170.00
Sommer, Eugene A	Assistant engineer	125.00	2,683.87	178.80
Spiers, E. H	Transit man	125.00	1,101.07	84.30
Stoddard, Grace M	Stenographer	85.00	60.33	
Stothoff, H. B	Pierce man	60.00	807.74	
Tenny, M. W	Assistant engineer	150.00	3,662.90	
Taylor, H. N	Physician	75.00	304.64	75.60
Tibbitts, James H	Disbursing officer	200.00	2,370.12	51.43
Trapp, F. R	Rodman	[a] 100.00	969.00	23.91
Tierny, Patrick	Diamond setter	150.00	3,415.00	92.85
Thornely, W. C	Rodman	75.00	340.36	75.60
Taliaferro, E. S	do	75.00	360.19	75.60
Torrington, F. R	do	80.00	407.19	
Trundell, H. H	Chief of party	250.00	7,396.77	576.23
Thompson, Peter	Drill runner	125.00	427.50	6.85
Thomas, W. D	Rodman	80.00	121.94	96.00
Upson, S. C	do	80.00	412.19	
Ulthoff, R. C	Pierce man	75.00	87.10	
Wirtz, Matthew	Diamond setter	150.00	1,105.00	
Weymouth, F. E	Assistant engineer	125.00	2,802.42	101.80
Whitman, Arthur B	do	125.00	1,485.03	92.80
Whistler, John T	do	175.00	4,999.20	186.44
Wilcox, T. R	Drill runner	125.00	629.03	40.19
Walter, John P	Rodman	75.00	943.55	170.00
Walker, R. W.	Transit man	125.00	516.81	75.00
Wright, J. O., jr	Rodman	75.00	270.45	75.00
Wansleben, W. A	Draftsman	125.00	486.61	
Wagoner, W. E	Driller	60.00	160.00	
Wheeler, R. C	Assistant engineer	125.00	1,576.80	85.00
Werkoff, Ernest	Rodman	75.00	485.79	
White, Henry G	Assistant engineer	125.00	645.16	85.00
Wickes, J. L	Instrument man	150.00	324.19	
Wood, Hargraves	Transit man	125.00	206.67	75.60
Wilson, George	Diamond setter	150.00	1,579.58	
Wickes, George L	Physician	75.00	115.00	
Wood, R. J	Transit man	150.00	241.07	
Wilson, Sherwood	Assistant hydrographer	125.00	767.74	113.80
Woodard, S. H	do	200.00	2,375.00	
Wansleben, W. A	Draftsman	125.50	187.50	
Wallace, W. T	Assistant disbursing officer.			73.28

[a] Silver. [b] Per annum. [c] Per day. [d] Per week. [e] Per diem.

And whereas said Commission agreed upon but did not report to the President the following plan of government for an isthmian canal, with estimates for the salaries and compensation of the officers and employees in said plan provided for; and for the animals, vessels, and other conveniences and properties for the necessary equipment of said plan of government, as follows:

I. NICARAGUA CANAL.

Supreme control to rest in a board of five members, located in Washington. The duties of the board will be:

1. To make regulations for the government of the canal, including the tariff of charges, navigation rules, police and sanitary rules, and, in short, all rules required for the operation and maintenance of the canal.

2. To make or approve all appointments the salary of which equals or exceeds $100 per month.

3. To make or approve all contracts.

4. To audit all money accounts before transmitting them to the Treasury Department.

The annual expenses of the board may be placed at $100,000.

Organization on the Isthmus.—The general control to be vested in a governor, having his headquarters at Greytown, where the general offices will be located.

The administration will be divided among six departments, viz:

A. Engineer department, charged with all the maintenance and improvement of the canal, including the repair shops and storehouses and the repairs of public buildings; also with the location and sale or rental of lands.

B. Transit department, charged with the navigation of the canal, the

assessment of dues, the service of the ports, including light-houses, and the operation of telegraph and telephone lines.

C. Medical department, charged with the hospital and other medical service, including port, quarantine, and sanitary inspection service.

D. Finance department, charged with the collection of dues, payment of salaries, and management of the funds.

E. Law department, charged with the supervision of such minor courts as may be established and with all legal matters.

F. Police department, charged with the preservation of order and with the management of the armed force required for that purpose.

The governor.—The governor will issue orders to the heads of departments, will make reports to the board of control, and conduct all correspondence with that board, and will make frequent inspection of all parts of the canal. Attached to his office will be a secretary, two clerks, two messengers, and one small inspection steamer, the latter to be available for other officials when not required by the governor.

Annual expense of governor's office.

Salaries:	
Governor	$15,000
Secretary	5,000
Clerks, 2, at $1,500	3,000
Messengers, 2, at $400	800
Inspection steamer	15,000
Office supplies	500
Total	39,300

A. *Engineer department.*—At the head of this department will be a chief engineer, at $7,500. In his immediate office will be one draftsman, at $1,500; one chief clerk, at $2,000; one clerk, at $1,500; one stenographer, at $1,500, and one messenger, at $400. The chief engineer will have an inspection steamer, at $15,000.

There will be a general shop at Greytown, under the charge of a master mechanic, at $3,000, who will employ two foremen mechanics, at $2,000; ten mechanics, at $1,500; ten helpers, at $900; one master laborer, at $900; five laborers, at $880, and one clerk, at $1,200. The master mechanic will also have general charge of the branch shops, to be located at Boca San Carlos, Fort San Carlos, and Brito. In each of these shops there will be employed one foreman mechanic, at $2,000; three mechanics, at $1,500; three helpers, at $900; one master laborer, at $900; four laborers, at $880, and one clerk, at $1,200. The shops should be partially self-supporting. If charged entirely against the canal this salary list should be sufficient to cover such materials as the canal may use in the shops.

There will be a general storehouse at Greytown and a branch storehouse at each of the other points where shops are to be located. The general storehouse will be under charge of a general storekeeper, at $2,400, who will employ four clerks, at $1,500, and ten laborers, at $880. At each branch storehouse there will be a storekeeper, at $2,000, one clerk, at $1,500, and four laborers, at $900.

For purposes of maintenance the canal will be divided into three divisions—the Atlantic division, extending from the Caribbean to and including the dam; the middle division, extending from the dam to deep water in Lake Nicaragua, and the Pacific division, extending from Lake Nicaragua to the Pacific. Each division will be under the immediate charge of an assistant engineer, at $3,000, with one draftsman, at $1,500, and one stenographer, at $1,500. The headquarters of the respective divisions will be at Boca San Carlos, Fort San Carlos, and Brito.

In the Atlantic division there will be maintained one seagoing dredge, which will be mainly employed at Greytown Harbor, at an annual cost of $65,000; one ordinary dredge, at $65,000; one pile driver, at $5,000; two steam tugs, at $14,000; six dump scows, at $1,000, and six flat scows, at $300 each, these figures including pay roll and maintenance of plant. The plant will be under charge of an overseer, at $2,400; three master laborers, at $900, and, say, sixty laborers, at $880 each.

The Middle and Pacific divisions will each have the same plant and force, except the seagoing dredge and one less master laborer and twenty less laborers. The seagoing dredge provided for Greytown will also perform the necessary dredging at Brito.

It is not expected that this force will provide for the depreciation of the metal and masonry structures. For the metal structures, which include lock gates, sluices, and operating machinery, the annual depreciation is estimated to be 7½ per cent of the cost; for the masonry structures one-half of 1 per cent of the cost.

The land office will have one clerk, at $1,800.

Annual expense of the engineer department.

Salaries:	
Chief engineer	$7,500
Assistant engineers, 3, at $3,000	9,000
Draftsmen, 4, at $1,500	6,000
Master mechanic	3,000
Foremen mechanics, 5, at $2,000	10,000
Mechanics, 19, at $1,500	28,500
Helpers, 19, at $900	6,840
Master laborers, 11, at $900	9,900
Laborers, 179, at $880	64,440
General storekeeper	2,400
Storekeepers, 3, at $2,000	6,000
Overseers, 3, at $2,400	7,200
Clerks—	
One, at $2,000	2,000
One, at $1,800	1,800
Eight, at $1,500	12,000
Four, at $1,200	4,800
Stenographers, 4, at $1,500	6,000
Messenger, 1, at $400	400
Plant:	
Inspection steamer	15,000
Dredges, 4, at $65,500	260,000
Pile drivers, 3, at $5,000	15,000
Tugs, 6, at $14,000	84,000
Scows—	
Eighteen, at $1,000	18,000
Eighteen, at $300	5,400
Supplies	100,000
Depreciation of metal structures (7½ per cent on $6,062,000)	454,650
Depreciation of masonry (one-half of 1 per cent on $33,176,400)	165,882
Total	1,305,712

B. *Transit department.*—At the head of this department will be a general superintendent, at $7,500, in his immediate office there will be one chief clerk, at $2,000; two clerks, at $1,500; two clerks, at $1,200; one stenographer, at $1,500; one chief telegrapher, at $1,800, and one messenger, at $400. There will be two assistant superintendents, at $3,000—one for the division east of the lake, the other for the Pacific division. At each of the ports, Greytown and Brito, there will be a captain of the port, at $2,400; a surveyor, at $1,800, and thirty pilots, at $2,000. At Brito there will be three light keepers, at $800; at Greytown and each of the lake ports there will be two light keepers, at $800. At each of the four ports there will be four sailors, at $800, for tending buoys and range marks. The light keepers and sailors will report to the assistant superintendent of the section. Each captain of the port will have one steam pilot boat, at $14,000; six steam tugs, at $14,000, and two naphtha launches, at $2,500.

It is expected that the railroad will be maintained from Greytown to the San Juan River dam and from the lake to Brito. The total mileage, including sidings, tracks to quarries, etc., will be about 80 miles. An allowance of $1,000 per mile, or $80,000, is made for maintenance. It is expected that receipts will cover transportation expenses. The superintendent of the railroad will report to the general superintendent.

Under the chief telegrapher will be, say, twelve linemen, at $720, and the following force of telegraphers: Four at Greytown, two at each lock, two at the dam, and four at Brito, making twenty-eight in all, at $800.

Each assistant superintendent will have one stenographer at $1,500, one clerk at $1,500, one messenger at $400, and one naphtha launch at $2,500.

At each lock there will be one lock master at $1,800, and one assistant lock master at $1,200, one machinist at $1,500, two assistant machinists at $1,200, three lock foremen at $480, six gatemen at $360 each, twelve linemen at $300 each, and three watchmen at $300 each.

At the dam and its wasteway there will be one sluice master at $1,200, six sluicemen at $360, and one watchman at $300.

Annual expenses of the transit department.

Salaries:	
General superintendent	$7,500
Assistant superintendents, 2, at $3,000	6,000
Captains of the port, 2, at $2,400	4,800
Surveyors, 2, at $1,800	3,600
Pilots, 60, at $2,000	120,000
Chief clerk	2,000
Clerks—	
Four, at $1,500	6,000
Two, at $1,200	2,400
Stenographers, 3, at $1,500	4,500
Chief telegrapher	1,800
Telegraphers, 28, at $800	25,200
Line repairers, 12, at $720	8,640
Light keepers, 9, at $800	8,100
Sailors, 16, at $300	5,760
Lock masters, 9, at $1,800	16,200
Assistant lock masters, 9, at $1,200	10,800
Machinists, 9, at $1,500	13,500
Assistant machinists, 18, at $1,200	21,600
Lock foremen, 27, at $480	12,960
Gatemen, 54, at $360	19,440
Linemen, 108, at $300	32,400
Sluice master	1,200
Sluicemen, 6, at $360	2,160
Messengers, 28, at $400	11,200
Watchmen, 28, at $300	8,400
Plant:	
Steam pilot boats, 2, at $14,000	28,000
Steam tugs, 12, at $14,000	168,000
Naphtha launches, 6, at $2,500	15,000
General supplies for locks	16,000
Lights for locks	33,500
Maintenance of railroad	80,000
Total	666,660

C. *Medical department.*—At the head of this department will be a chief surgeon, at $6,000. In his immediate office there will be one medical inspector, at $3,000; one clerk, at $1,800; one clerk, at $1,500, and one messenger, at $400. There will be quarantine stations at Greytown and Brito, at each of which will be one quarantine officer, at $2,400, and one naphtha launch, at $2,500. A general hospital will be established at some point near the lake, with a staff consisting of one surgeon, at $3,600; four assistant surgeons, at $2,000; two stewards, at $900; twenty nurses, at $500; four cooks, at $500, and ten laborers, at $360.

There will be four emergency hospitals, located, respectively, at Greytown, Boca San Carlos, Fort San Carlos, and Brito. Each will be in charge of one assistant surgeon, at $2,000, and will have one steward, at $900; four nurses, at $500 each; one cook, at $500, and two laborers, at $360.

Annual expense of the medical department.

Salaries:	
Chief surgeon	$6,000
Medical inspector	3,000
Quarantine officers, 2, at $2,400	4,800
Surgeon	3,600
Assistant surgeons, 8, at $2,000	16,000
Stewards, 6, at $900	5,400
Nurses, 36, at $500	18,000
Clerks—	
One at $1,800	1,800
One at $1,500	1,500
Messenger, 1, at $400	400
Cooks, 8, at $500	4,000
Laborers, 18, at $360	6,480
Naphtha launches, 2, at $2,500	5,000
Supplies	50,000
Total	125,980

D. *Finance department.*—At the head of this department will be a treasurer, at $6,000. In his immediate office will be one teller, at $2,400; one paymaster, at $2,400; one chief clerk, at $2,000; two clerks, at $1,500; two clerks, at $1,200, and one messenger, at $400. There will be at each of the ports—Greytown and Brito—one collector, at $2,400; one clerk, at $1,500, and one messenger, at $400.

Annual expense of the finance department.

Salaries:	
Treasurer	$6,000
Collectors, 2, at $2,400	4,800
Teller	2,400
Paymaster	2,400
Chief clerk	2,000
Clerks—	
Four, at $1,500	6,000
Two, at $1,200	2,400
Messengers, 3, at $400	1,200
Office supplies	500
Total	27,700

E. *Law department.*—At the head of this department will be a solicitor, at $6,000; in his immediate office there will be a chief clerk, at $2,000; two clerks, at $1,500 each, and one messenger, at $400. There will be a justice of the peace at each of the four points—Greytown, Boca San Carlos, Fort San Carlos, and Brito—who may be canal officials, receiving $500 extra pay for the performance of this duty. Each will have one clerk, at $1,200.

Annual expense of the law department.

Salaries:	
Solicitor	$6,000
Chief clerk	2,000
Clerks:	
Two, at $1,500	3,000
Four, at $1,200	4,800
Messenger	400
Justices of the peace, four at $500	2,000
Office supplies	500
Total	18,700

F. *Police department.*—At the head of this department will be a marshal, at $6,000. In his immediate office there will be one clerk, at $1,500, and one messenger, at $400.

There will be four posts—Greytown, Boca San Carlos, Fort San Carlos, and Brito. At each will be stationed one captain, at $2,000; two lieutenants, at $1,200; twelve sergeants, at $1,200, and ninety privates, at $1,080. Eight canoes, with four paddlers each, will be maintained at Greytown and the same at Boca San Carlos. Four canoes and ten saddle horses will be maintained at Fort San Carlos and twenty saddle horses will be maintained at Brito. The maintenance of a canoe and wages of crew will cost $1,300 per year. One saddle horse will cost $250 per year.

Annual cost of police department.

Salaries:	
Marshal	$6,000
Clerk	1,500
Messenger	400
Captains, 4 at $2,000	8,000
Lieutenants, 8 at $1,500	12,000
Sergeants, 48 at $1,200	57,600
Privates, 360 at $1,080	388,800
Canoes and crews, 20 at $1,300	26,000
Saddle horses, 30 at $250	7,500
Office supplies	500
Total	508,300

General summary of annual expense of maintenance and operation.

Supreme control in United States	$100,000
Governor's office	39,300
Engineer department	1,305,712
Transit department	666,660
Medical department	125,980
Finance department	27,700
Law department	18,700
Police department	508,300
Add 20 per cent	558,470
Total	3,350,822

Or, say, $3,350,000.

II. PANAMA CANAL.

Supreme control to rest in a board of not less than five members, located at Washington. The duties of this board will be:

1. To make regulations for the government of the canal, including the tariff of charges, navigation rules, police and sanitary rules, and, in short, all rules required for the operation and maintenance of the canal.
2. To make or approve all appointments to office of which the salary equals or exceeds $100 per month.
3. To make or approve all contracts.
4. To audit all money accounts before transmitting them to the Treasury Department.

The expenses of this board may be placed at $100,000.

Organization at the Isthmus.—The general control of all the affairs of the canal to be vested in a governor having his headquarters at Colon, where are to be located the general offices.

The administration to be divided among six departments, viz:

A. Engineer department, charged with all the works for the maintenance and improvement of the canal, and with the repair shops and storehouses; also the repair of the public buildings, and with the location and sale or rental of lands.

B. Transit department, charged with the navigation of the canal, the assessment of dues, the service of the ports, including light-houses, the operation of the Panama Railroad, and of telegraph and telephone lines.

C. Medical department, charged with the hospital and other medical service, including port quarantine, and the sanitary inspection service.

D. Finance department, charged with the collection of dues, payment of salaries, and management of the funds.

E. Law department, charged with the supervision of such minor courts as may be established, and with all legal matters.

F. Police department, charged with the preservation of order, and with the management of the armed force required for that purpose.

The governor.—To issue orders to the heads of departments and receive reports from them; to make reports to the home government and conduct all correspondence with that government; to make frequent inspections of all parts of the canal. His salary will be $15,000. Attached to his office will be one secretary, at $5,000; two clerks, at $1,500 each; two messengers, at $400 each, and one small inspection steamer, at $15,000, the latter to be available for other officials when not required by the governor. Supplies for this office, $500.

Recapitulation for governor's office.

Governor	$15,000
Secretary	5,000
Two clerks, at $1,500 each	3,000
Two messengers, at $400 each	800
One inspection steamer	15,000
Office supplies	500
Total	39,300

A. *Engineer department.*—At the head of this department will be a chief engineer, at $7,500. Attached to his office will be an assistant engineer, at $3,000; two draftsmen, at $1,500 each; one chief clerk, at $2,000; one stenographer, at $1,500; one clerk, at $1,500, and one messenger, at $400.

The general shops will be located at Colon. They will be under charge of one master mechanic, at $3,000, who will employ, say, two foremen mechanics, at $2,000 each; ten mechanics, at $1,500 each, with ten helpers, at $900 each; one clerk, at $1,200; one master laborer, at $900, and five laborers, at $880 each.

Subsidiary shops will be located at Matachin and at La Boca. Together they will employ two foremen mechanics, at $2,000 each; six mechanics, at $1,500 each, with six helpers, at $900 each, and two clerks, at $1,200 each; two master laborers, at $900 each, and eight laborers, at $880 each. The shops should be partially self-supporting. If charged entirely against the canal, this salary list should be sufficient to cover such materials as the canal may use in the shops.

The general storehouses will be located at Colon. They will be under the charge of one chief storekeeper, at $2,400, who will employ four clerks, at $1,500 each, and, say, ten laborers, at $880 each. Subsidiary storehouses will be located at Matachin and at La Boca and together will employ two storekeepers, at $2,000 each; two clerks, at $1,500 each, and eight laborers, at $880 each.

For purposes of maintenance and repair the canal will be divided into two sections, the Atlantic and Pacific sections, the first extending from Colon to and including the Obispo gates, the second extending from the Obispo gates to Panama Bay. In each section will be maintained one dredge, at $65,000; one pile driver, at $5,000; two steam tugs, at $14,000 each; six dump scows, at $1,000 each, and six flat scows, at $300 each. The principal employees in each besides the crews of the dredges, tugs, and pile driver will be one overseer, at $2,400, and two master laborer, at $900 each; and, say, forty laborers, at $880 each. The building supplies needed for this force, in addition to what they can obtain themselves, will consist mainly of lumber and cement, for which allow $50,000.

The land office will be in charge of one land clerk, at $1,800.

Recapitulation for engineer department.

Chief engineer	$7,500
Assistant engineer	3,000
Two draftsmen, at $1,500 each	3,000
One chief clerk	2,000
One stenographer	1,500
One clerk	1,500
One messenger	400
One master mechanic at Colon	3,000
Two foreman of mechanics, at $2,000 each	4,000
Ten mechanics, at $1,500 each	15,000
Ten helpers, at $900 each	9,000
One clerk and timekeeper	1,200
One master laborer	900
Five laborers, at $880 each	1,800
Two foremen of mechanics, at $2,000 each	4,000
Six mechanics, at $1,500 each	9,000
Six helpers, at $900 each	2,160
Two clerks, at $1,200 each	2,400
Two master laborers, at $900 each	1,800
Eight laborers, at $880 each	2,880
One chief storekeeper	2,400
Four clerks, at $1,500 each	6,000
Two laborers, at $880 each	720
Two storekeepers, at $2,000 each	4,000
Two clerks, at $1,500 each	3,000
Eight laborers, at $880 each	2,880
Two dredges, at $65,000 each	130,000
Two pile drivers, at $5,000 each	10,000
Twelve scows, at $1,000	12,000
Twelve scows, at $300 each	3,600
Four steam tugs, at $14,000 each	56,000
Two overseers, at $2,400 each	4,800
Four master laborers, at $900 each	3,600
Eighty laborers, at $880 each	28,800
Supplies	50,000
One land clerk	1,800
Depreciation of masonry (one-half of 1 per cent on $29,543,880)	147,719
Depreciation of lock gates, operating machinery, etc. (7½ per cent on $3,462,040)	259,653
Total	797,612

B. *Transit department.*—At the head of this department will be a general superintendent, at $7,500 per annum. Attached to his office will be an assistant superintendent, at $3,000; one chief clerk, at $2,000; one stenographer, at $1,500; two clerks, at $1,500 each; two clerks, at $1,200 each; one surveyor, at $1,800; one captain of the port, at $2,400; one chief telegrapher, at $1,800; one messenger, at $400; office supplies, $500.

The superintendent of the Panama Railroad will also be attached to this office. An allowance of $1,000 per mile, or $45,000, is made for maintenance. It is expected that receipts will cover transportation expenses. Under the captain of the port will be twenty pilots, at $2,000 each; two light keepers, at $800 each; and four sailors for tending buoys and range marks, at $360 each. He will be provided with one steam pilot boat, at $14,000; four steam tugs, at $14,000 each; and two naphtha launches, at $2,500 each. The surveyor will assist the captain of the port and remeasure vessels when necessary. Under the chief telegrapher will be a small force of linemen (say eight), at $720 each, and fourteen operators (four at Colon, two at Bohio, two at Pedro, two at Miraflores, and four at Panama), at $800 each. At Panama there will also be a captain of the port, at $2,400; a surveyor, at $1,800; two light keepers, at $800 each; two clerks, at $1,500 each; four sailors, for tending buoys and range marks, at $360 each; one steam pilot boat, at $14,000; four steam tugs, at $14,000 each, and two naphtha launches, at $2,500 each.

The pilots at Panama will be those already counted at Colon. At each lock there will be one lock master, at $1,800; one assistant lock master, at $1,200; one machinist, at $1,500; two assistant machinists, at $1,200 each; three lock foremen, at $480 each; six gatemen, at $360 each; twelve linemen, at $300 each; three watchmen, at $300 each, and general supplies may be placed at $3,000 and lights at $1,500.

Recapitulation for transit department.

General superintendent	$7,500
Assistant superintendent	3,000
Chief clerk	2,000
Stenographer	1,500
Two clerks, at $1,500 each	3,000
Two clerks, at $1,200 each	2,400
Captain of the port at Colon	2,400
Surveyor at Colon	1,800
Chief telegrapher	1,800
Messenger	400
Twenty pilots, at $2,000 each	40,000
Two light keepers at Colon, at $800 each	1,800
Four sailors at Colon end of canal, at $360 each	1,440
One pilot boat at Colon	14,000
Four steam tugs at Colon, at $14,000 each	56,000
Two naphtha launches at Colon, at $2,500 each	5,000
Eight telegraph linemen, at $720 each	5,760
Fourteen telegraph operators, at $800 each	12,600
Captain of the port at Panama	2,400
Surveyor at Panama	1,800
Two clerks at Panama, at $1,500 each	3,000
Two light-keepers at Panama, at $800 each	1,840
Four sailors at Panama end, at $360 each	1,440
One pilot boat at Panama	14,000

Four steam tugs at Panama, at $14,000 each	$56,000
Two naphtha launches at Panama, at $2,500 each	5,000
Three lock masters, at $1,800 each	5,400
Three assistant lock masters, at $1,200 each	3,600
Three machinists, at $1,500 each	4,500
Six assistant machinists, at $1,200 each	7,200
Nine lock foreman, at $480 each	4,320
Eighteen gatemen, at $360 each	6,480
Thirty-six linemen, at $300 each	10,800
Nine watchmen, at $300 each	2,700
General supplies for locks	9,000
Lights for locks	4,500
Maintenance of railroad	45,000
Total	351,340

C. *Medical department.*—At the head of this department will be a chief surgeon, at $6,000 per annum. Attached to his office will be one medical inspector, at $3,000, and one clerk, at $1,800; one clerk, at $1,500, and one messenger, at $400. At Colon and Panama will be quarantine stations, at each of which will be one quarantine officer, at $2,400 per annum, and one naphtha launch, at $2,500. Emergency hospitals and dispensaries will be established at Colon, Bohio, and Pedro Miguel, each in charge of one assistant surgeon, at $2,000; one steward, at $900, and four nurses, at $500 each, with one cook, at $500, and two laborers, at $360. At Panama will be the general hospital, in charge of one surgeon, at $4,000; four assistant surgeons, at $2,000 each; two stewards, at $900 each, and twenty nurses, at $500 each; four cooks, at $500 each, and ten laborers, at $360 each. Hospital supplies, including surgical and medical stores, food, and office supplies, may be put down at $75,000.

Recapitulation for medical department.

Chief surgeon	$6,000
Medical inspector	3,000
One clerk, at $1,800; one, at $1,500	3,300
One messenger, at $400	400
Two quarantine officers, at $2,400	4,800
Two naphtha launches, at $2,500	5,000
Three assistant surgeons, at $2,000	6,000
Three stewards, at $900	2,700
Twelve nurses, at $500	6,000
Three cooks, at $500	1,500
Six laborers, at $360	2,160
One surgeon	3,000
Four assistant surgeons, at $2,000	8,000
Two stewards, at $900	1,800
Twenty nurses, at $500	10,000
Four cooks, at $500	2,000
Supplies	35,000
Ten laborers, at $360	3,600
Total	104,860

D. *Finance department.*—At the head of this department will be a treasurer, at $6,000. Attached to his office will be two collectors, at $2,400 each; one teller, at $2,400; one paymaster, at $2,400; one chief clerk, at $2,000; four clerks, at $1,500; two clerks, at $1,200; two messengers, at $400. Office supplies may be placed at $500.

Recapitulation of finance department.

Treasurer	$6,000
Two collectors, at $2,400 each	4,800
One teller	2,400
One paymaster	2,400
One chief clerk	2,000
Four clerks, at $1,500	6,000
Two clerks, at $1,200	2,400
Two messengers, at $400	800
Office supplies	500
Total	27,300

E. *Law department.*—At the head of this department will be a solicitor, at $6,000. Attached to his office will be a chief clerk, at $2,000; two clerks, at $1,500 each, and one messenger, at $400. Under him will be a justice of the peace at Colon and one at Panama, who may be canal officials, and to whom $500 extra pay may be given. Each will have one clerk, at $1,200. Office supplies, $500.

Recapitulation of law department.

Solicitor	$6,000
Chief clerk	2,000
Two clerks, at $1,500	3,000
One messenger	400
Two justices of the peace, at $500	1,000
Two clerks, at $1,200	2,400
Office supplies	500
Total	15,300

F. *Police department.*—At the head of this department will be a marshal, at $6,000. Attached to his office will be one clerk, at $1,500, and one messenger, at $400. Posts will be established at Colon and at Panama, each to consist of one captain, at $2,000; two lieutenants, at $1,500; twelve sergeants, at $1,200, and ninety privates, at $1,080 each. At each post will be maintained twenty saddle horses, at $250 each.

Recapitulation for police department.

One marshal	$6,000
One clerk	1,500
One messenger	400
Two captains, at $2,000	4,000
Four lieutenants, at $1,500	6,000
Twenty-four sergeants, at $1,200	28,800
One hundred and eighty privates, at $1,080	194,400
Forty saddle horses, at $250 each	10,000
Total	251,100

General summary.

General expenses in the United States	$100,000
Governor	39,300
Engineer department	797,612
Transit department	351,340
Medical department	104,860
Finance department	27,300
Law department	15,300
Police department	251,100
	1,686,812
Add 20 per cent	337,362
Total	2,024,174

Or, say, $2,000,000.

The CHAIRMAN. Have you examined the statement that you made before?

Colonel ERNST. Yes. There is no essential change that I care to make. I simply would invite attention to the fact that on page 98, when I said that I thought the Alhajuela dam was necessary, I was referring to the French plan, and that included a dam at Bohio, considerably lower than our dam; I subsequently signed a recommendation that that dam be omitted, but it is a wholly different situation. The Bohio dam is much higher.

And whereas it appears from the above statement of expenditures and the sums appropriated for canal surveys that there is a sum remaining unexpended of the appropriation for the isthmian canal surveys of about $15,000:

Resolved, That the Committee on Interoceanic Canals is instructed to examine the foregoing papers, and such other evidence as may be brought before it, and report:

1. Whether the plan of government and administration of an isthmian canal, set out in the foregoing preamble, is wise, economical, and worthy of adoption, and in what respects, if any, it should be amended. And to report such a plan for the consideration of the Senate as will in their opinion be wise, safe, and economical.

2. That they will inquire and report whether it is necessary, in order to establish the axial line of location for an isthmian canal, either on the Panama route or the Nicaragua route, to make a further survey of either of said routes, and the approximate cost of such surveys, including the use of any maps or surveys heretofore made by the Panama Canal Company.

3. That said committee inquire and report whether any expenditures have been made for or by the Isthmian Canal Commission since they made their final report to the President on the 16th day of November, 1901, and, if such expenditures have been made, to ascertain and report the items thereof and when and by whose order or direction the same were made.

And said committee is directed to report with convenient diligence, by bill or otherwise.

Mr. MORGAN. I ask that the resolution be printed and that it lie over until to-morrow.

The PRESIDENT pro tempore. Does the Senator desire that the resolution shall go over under the rule or go over subject to his call?

Mr. MORGAN. Perhaps I had better ask that the resolution shall go over subject to my call.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Alabama.

INVESTIGATION BY COMMITTEE ON PACIFIC RAILROADS.

Mr. MORGAN submitted the following resolution; which was read:

Whereas it is asserted in public journals representing public opinion and exercising leading influence in the great political parties of the United States that the officers, managers, and agents of the transcontinental railroad companies, including the Canadian Pacific Railroad Company and other railroad companies, acting in concert or combination, or with a common purpose, or singly, have opposed, unlawfully, the public policy and laws of the United States in respect of the ratification by Colombia of the treaty known as the Hay-Herran treaty, and that such railroad companies in like manner are obstructing the full and complete execution of the duty and policy of the United States as declared in the act of Congress approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the Atlantic and Pacific oceans;" and

Whereas some of these railroad companies owe special duties of obedience to the laws and public policy of the United States in virtue of acts of Congress, and all of them that hold charters under the Federal laws and the State laws of the United States owe the duties of allegiance to the United States:

Resolved, That the Committee on Pacific Railroads is authorized and required, with due diligence, to make careful inquiry into the facts on which such charges are made, which show whether or not they support or sustain the same, and to report the testimony, with the findings of the committee, to the Senate.

And said committee shall have full power to send for persons or papers, and to summon witnesses to testify before them, and to administer oaths, by any member of said committee, and to take down the testimony.

And to this end said committee shall have authority to employ stenographers, to be paid for their services the allowance regulated by law, and also to pay witnesses for mileage and attendance in like manner.

The committee, if the committee so order, may hold their sessions at any place in the United States. The necessary expenses attending the performance of these duties shall be paid out of the contingent fund of the Senate upon proper vouchers approved by the chairman of the Committee on Pacific Railroads.

Mr. MORGAN. I ask that the resolution be printed and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HALE and Mr. LODGE. Let it go over.

The PRESIDENT pro tempore. The resolution will go over under the rule.

TRADE RELATIONS WITH CUBA.

Mr. PENROSE. I move that the Senate proceed to the consideration of executive business.

Mr. CULLOM. I desire to have the unfinished business laid before the Senate.

Mr. PENROSE. Very well; I withdraw the motion.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. CULLOM. I have had this measure laid before the Senate for the purpose of giving any Senators an opportunity to discuss it to-day if they should desire to do so. If no Senator desires to discuss it now, it may go over as the unfinished business.

I move that when the Senate adjourns to-day it be to meet on Friday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and eight minutes spent in executive session the doors were reopened, and (at 1 o'clock and 40 minutes p. m.) the Senate adjourned until Friday, December 4, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 1, 1903.

SECRETARY OF HAWAII.

A. L. C. Atkinson, of Hawaii, to be secretary of Hawaii, vice George R. Carter, appointed governor.

RECEIVER OF PUBLIC MONEYS.

John P. Dickinson, of Colorado, to be receiver of public moneys at Hugo, Colo., his term having expired January 24, 1903. (Reappointment.)

TRANSFER IN THE ARMY.

Second Lieut. Donald W. Strong, Artillery Corps, to be second lieutenant of infantry, with rank from October 10, 1903.

PROMOTION IN THE NAVY.

Midshipman Luke E. Wright, jr., to be an ensign in the Navy from the 15th day of April, 1903, to fill a vacancy existing in that grade on that date.

POSTMASTER.

George H. Myhan to be postmaster at South Haven, in the county of Van Buren and State of Michigan, in place of Charles Delamere, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 1, 1903.

PROMOTION IN THE NAVY.

Midshipman George B. Landenberger to be an ensign in the Navy from the 15th day of April, 1903.

DISTRICT JUDGE.

John C. Pollock, of Kansas, to be United States district judge for the district of Kansas.

POSTMASTERS.

CONNECTICUT.

James F. Holden to be postmaster at Forestville, in the county of Hartford and State of Connecticut.

IOWA.

A. M. Henderson to be postmaster at Story City, in the county of Story and State of Iowa.

KANSAS.

Albert M. Wasser to be postmaster at Girard, in the county of Crawford and State of Kansas.

KENTUCKY.

Charles E. Mann to be postmaster at Pembroke, in the county of Christian and State of Kentucky.

MICHIGAN.

George H. Myhan to be postmaster at South Haven, in the county of Van Buren and State of Michigan.

MONTANA.

Daniel H. Ross to be postmaster at Missoula, in the county of Missoula and State of Montana.

NEBRASKA.

Daniel L. Crellin to be postmaster at Plainview, in the county of Pierce and State of Nebraska.

Edward McLernon to be postmaster at Sidney, in the county of Cheyenne and State of Nebraska.

Melancthon Scott to be postmaster at South Auburn, in the county of Nemaha and State of Nebraska.

Thomas T. Varney to be postmaster at Ansley, in the county of Custer and State of Nebraska.

Thomas B. Walker to be postmaster at Atkinson, in the county of Holt and State of Nebraska.

Seth W. Wilson to be postmaster at Wood River, in the county of Hall and State of Nebraska.

NEW HAMPSHIRE.

George A. Young to be postmaster at Concord, in the county of Merrimack and State of New Hampshire.

NEW JERSEY.

Lewis A. Waters to be postmaster at Madison, in the county of Morris and State of New Jersey.

WEST VIRGINIA.

Edgar C. Bennette to be postmaster at Richwood, in the county of Nicholas and State of West Virginia.

Madison E. Callihan to be postmaster at Thurmond, in the county of Fayette and State of West Virginia.

Thad T. Huffman to be postmaster at Keyser, in the county of Mineral and State of West Virginia.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 1, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday, November 27, was read and approved.

SWEARING IN OF A MEMBER.

The SPEAKER. The gentleman from Washington desires to take the oath of office.

Mr. Cushman appeared at the bar of the House, and took the oath of office.

COMMITTEE ON RULES.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Ordered, That leave is hereby given to the Committee on Rules to have matter pertaining to the business of that committee printed on order of the chairman.

The SPEAKER. Is there objection to the present consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

THE LOUISIANA PURCHASE.

Mr. MEYER of Louisiana. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Louisiana asks unanimous consent for the present consideration of the resolution which the Clerk will report.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the invitation extended to the Congress of the United States by the Louisiana Historical Society and by the governor of the State of Louisiana to attend the ceremonies in commemoration of the one hundredth anniversary of the transfer of the territory of Louisiana and all sovereignty over said territory by France to the United States, to be held at New Orleans, December 18, 19, and 20, 1903, be, and it is hereby, accepted.

That the President pro tempore of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized and directed to appoint a committee, consisting of three Senators and five Representatives, to attend the ceremonies and to represent the Congress of the United States on the occasion of the celebration of the centennial anniversary referred to.

Resolved further, That the expenses of the members of the said joint committee of the Senate and House of Representatives authorized to attend and attending and representing the Congress of the United States at the city of New Orleans on the occasion named, not exceeding in the aggregate $2,000, to be paid as follows: One-half thereof out of the contingent fund of the House, and one-half thereof out of the contingent fund of the Senate.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. HEMENWAY. Mr. Speaker, I object.

Mr. MEYER of Louisiana. I ask unanimous consent that I may have twenty minutes to explain the resolution.

ADJOURNMENT OVER.

Mr. PAYNE. I move that when the House adjourn to-day it adjourn to meet on Friday next.

Mr. WILLIAMS of Mississippi. Mr. Speaker, pending that, I wish to submit a request for unanimous consent that we have debate to the extent of thirty minutes on each side.

Mr. PAYNE. Can not the gentleman get along with a little less than that?

Mr. WILLIAMS of Mississippi. I think it would be very difficult to restrict myself to less than that to begin with.

Mr. PAYNE. If it amuses the gentleman, I shall not object to it. I ask unanimous consent that we have thirty minutes' debate on each side.

The SPEAKER. The gentleman from New York, at the suggestion of the gentleman from Mississippi, asks unanimous consent that there be thirty minutes' talk on a side. [Laughter.] Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from New York moves that when the House adjourn to-day it adjourn to meet on Friday next.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. WILLIAMS of Mississippi. Division, Mr. Speaker.

The House divided; and there were—ayes 97, noes 72.

So the motion was agreed to.

The SPEAKER. The gentleman from New York has thirty minutes and the gentleman from Mississippi has thirty minutes.

Mr. PAYNE. As the motion seems to be adopted, I think I will reserve my time for the present. [Laughter.]

Mr. HULL. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HULL. My understanding was that the consent for debate was on the motion to adjourn until Friday. As that motion is carried, what is there before the House?

The SPEAKER. Unanimous consent was given that there should be an hour's talk. [Laughter.]

Mr. HULL. On that question? Was not that on the question to adjourn until Friday?

The SPEAKER. It was just talk.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in the House of Representatives unanimous consent is almost as powerful as in the Senate of the United States. I yield such time as he may desire to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, if I do not get through at the end of ten minutes, I would ask the Chair to use his gavel.

Mr. Speaker, the usual course, as suggested by the gentleman from Iowa [Mr. HULL], would be, first, debate upon the proposition and then a vote; but the Speaker recognizes the fact that debate in this body has ceased to be effective, and very appropriately suggested that instead of debate we merely have some "talk" for an hour. While that appears to the gentleman from Iowa as being contrary to the usual course of procedure, he might, on reflection, know that it is quite as effective as the regular way.

We understand on this side, though our information is not official—we can not learn anything official in this House until the time when things are to transpire—we understand unofficially that the management of the House is greatly agitated now over a most important question—has labored upon it long, and does not know yet how to solve it. That question is how to adjourn, or, in other words, how to let go of the extra session. We had supposed, until this question arose, that the extra session would "let go" itself—that it would wind up without any particular exercise of ingenuity on the part of those responsible for it.

Meanwhile, however, we have the spectacle, and the country has the spectacle, of the Alphonse Senate saying to the Gaston House, "After you, my dear Gaston;" and the Gaston House, not to be outdone in politeness by the Alphonse Senate, saying, "After you, my dear Alphonse; you say first when we shall adjourn." [Laughter.] And meanwhile, Leon, standing off at a safe distance, not with a great deal of enjoyment, and perhaps not with a large degree of sincerity, but with a good deal of show of it, is saying, "Magnificent! How magnanimous! How strenuous!" [Laughter.] But aside he is giving expression to the wish very deep down in his heart, "I wish I had four years of my own in that dear White House at Washington, D. C." [Laughter.]

This spectacle is somewhat edifying to the country and somewhat amusing to the House. However, it has to be, because no more important matter, according to the conception of those in control, is to be disposed of.

There is another matter of considerable importance, I understand, that is agitating the management, and that is the make-up of the committees. Now, I am under the impression—I may be wrong about it—that you gentlemen on the other side have not been treating the Speaker just right. You ought to go to him and tell him what you want. [Laughter.] You ought to let him know what is your choice as to committee assignments and committee chairmanships. When you go, take a good supply of soft pine along; strive to do something pleasant to him; litter up his floor with shavings; make him feel at home and in a good humor. If he tells you he "will do the best he can for you," do not be put off with that, because, in that case, the best he can do is not going to be much. Hold him down to something definite. Find out what is really the very best that he can do, or the very best he will do. Take some smoking material with you. "Smoke him out" when he tells you he will do the best he can. Take something that is good and strong. Like most people who use the weed, he believes that he is a judge of good tobacco; but as a matter of fact I think, provided it burns readily and gives off a dense cloud of deep, black, strong smoke, anything will answer the purpose. Take it and use it liberally when you call on him.

Now, there has been a suggestion that a time may come when the Speaker will be difficult to find, when he will retire, probably, to the bottom of a well, and have the curb and the windlass and the rope all removed. If that does happen—I do not know but that he will go there for reflection, to determine the make-up of the committees—if that does happen, be assured that the curb has been removed and the windlass and the rope taken away by some of the gentlemen who know that they shall be chairmen of good committees. But do not be bothered by that. Get another rope and slide down to where the old gentleman is. [Laughter.] Find out what he is going to do. Do not leave him to wrestle with that question alone. Do not leave him without a suggestion or a hint as to what ought to be done.

And then, I am told, there is another matter that is agitating the Speaker somewhat, and that is whether he shall give us of the minority the full representation to which we are entitled on these committees or give us something less. I understand he has unanimously reached the conclusion that it would be an outrage upon us to give to us only six out of seventeen, only three out of nine, only five or six out of fifteen, on a committee. I understand he has reached that conclusion; but whether he will give us, say, eight out of seventeen, or only seven, and on the smaller committees representation in the same proportion, is yet an open question. I hear that the tempter is trying to call him to the top of a high mountain and to show before him the illusory plain of peace, pretending to give it to him, provided he "hogs up" as many committee places as possible for gentlemen on the other side and gives us as few as possible.

This would certainly be a delusion, and I take it that our Speaker, being a man not easily caught with ordinary, shadowy delusions, will not fall; but if he does he will find that this tempting plain of peace spread out before him will probably have some rough places in it, and that occasionally things are liable to happen that will be suggestive of the fact that over upon this side we are not entirely reconciled to getting a great deal less than what belongs to us.

Now, do what you can upon the other side to enlighten and to help him out, and upon this side, brethren, pray for him. [Laughter.] And let us hope that this politeness, so edifying, between the two Houses may continue to the end, and that when the gavel finally falls, just before 12 o'clock upon next Monday, we shall see the Senatorial Alphonse bowing to the House Gaston, and behold the House Gaston doubling himself up before the Senatorial Alphonse; and that if we do not see, we can easily imagine, the the Presidential Leon lending his approval, mixed with his doubts and apprehensions as to what may happen. [Laughter and applause on the Democratic side.]

The SPEAKER. The gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am afraid I shall have to begin by apologizing to the House for an awfully sore throat, but I can not refrain from saying a few things about the fact that again three days of precious and expensive time have passed, and the Republican Senate, which has postponed a vote upon a very important bill because it wanted debate, has spent that time in doing nothing, not even debating; and the House, which might be doing something of some sort, has spent that time in imitating the example of the Senate. This reminds me of the fact that there are some infant industries no longer needing, even from a Republican standpoint, the shelter of protectionism, which industries might possibly be referred to now, not because anything is to be immediately gained of a practical character by anything that I may now say, but because I want to plant good seed in Republican minds—seed of possible reform of the tariff, even from a protectionist standpoint.

I believe even a protectionist admits that an industry which has ceased to be an infant to such an extent that it carries its great arms all over the world and plants its feet in every country of the world, doing business everywhere, is not an industry that any more needs paternalism. I believe that even from a Republican standpoint it will be admitted that when an industry can sell in competition with the pauper labor of the world in the very home of that pauper labor the very highest tax that ought to be put upon the American consumer upon importations of articles of that sort from foreign countries to our shores, if any importation takes place, should be a revenue duty.

In the Washington Post yesterday I saw an article headed "Vast steel exports—Significance of the reduction of railway freight rates on iron and steel manufactures intended for exportation."

I want to read a part of this article to the House and comment upon it. The other day I picked up another copy of this same paper, in which I found a statement that four of the great railroads of this country had entered into an agreement to reduce freight charges 33⅓ per cent upon iron and steel and products of iron and steel intended for export; and I found another matter of fact just about that time, that in order to recoup for the advantage which was being given to the great steel trust upon reductions of freight rates upon steel and iron and products of steel and iron intended for export freight rates had been raised 2 per cent upon all articles intended for interstate commerce from Chicago to the seaboard.

Now, Mr. Speaker, it is not only the duty of government to see to it that government itself has no favorites in industry, in interest, or in locality, but it is the duty of government to see to it that no government-created person, like a railway corporation, shall indulge in favoritisms of that sort, discriminating against one class of industry or one class of shippers in favor of another; and yet this is going on. Is it going on for the purpose of building up an export market for a surplus of steel and iron? Not a particle, because before the rebate took place these same manufacturing companies were shipping, as I will show you in a moment, to all parts of the world.

Now, can we not agree this morning—can you gentlemen over there not agree—that just as soon as possible you will go before the Ways and Means Committee and ask that there be a reduction of at least 50 and probably 75 per cent upon the steel and iron schedule,

or those parts of it, at any rate, which are being shipped abroad to all the world? Is not the fact patent that you do not need protection to get the home market as a shelter against the so-called pauper labor of the world—by the way, a very cheap labor per diem, but a very expensive labor per finished article—is it not patent to you gentlemen that that protection is not needed when your people are selling abroad in the home of the pauper labor?

Yet the Washington Post, quoting from official documents which I believe are exactly true, publishes the editorial which I will put in the RECORD. It shows that Europe is our best customer; that in 1900 Europe took from the United States a larger total of iron and steel than any other of the grand divisions of the globe, the total amount of iron and steel exports to Europe in that year being forty-five and three-quarter million dollars, in round numbers.

That same year North America took forty-two million and some odd hundred thousand from us; South America, seven and one-third millions in round numbers; Asia, eleven and one-quarter millions; Oceania, twelve and three-quarter millions; and Africa two and one-third millions, in round numbers. What did they consist of? Why, they consisted of nearly all the products of iron and steel—locomotives, sewing machines, steel rails, typewriters, nails, barbed wire, etc. Sewing machines amounted to two and one-quarter millions in 1899, and have grown in export to four millions in 1902. Typewriters, which were only separately stated in 1897, amounted to less than a million and a half then, and in 1902 to three millions, an increase of 100 per cent. All of this I will insert in the RECORD, because I do not desire to weary the House by reading it.

But I do want the country to understand, and I want the Republican membership of this House to understand, that under the guise of a so-called sacred duty of "standing pat" on Dingley tariff rates you are deliberately affording to the great steel trust a shelter under which it can extort from the American consumer, although with its American labor, high priced per diem, it has proven its ability to compete with the foreign labor of the world in the foreign markets of the world, and in every quarter of the world—Asia, Europe, Africa, Oceania, and the domains of North America and South America. If the people of the United States are so devoutly attached to the mere name of Republicanism, or can frighten themselves to the point of insanity with some bogie man of the past so far that they will not listen to plain facts like these, then I am mistaken about the American people. [Applause on the Democratic side.]

My friends, here is an infant industry that has grown to be a Colossus that bestrides this narrow world, and we pigmies of American consumers peep from between its huge legs to find ourselves resting places from extortion. Shakespeare did not express the conclusion correctly—we worship it. There are people who would rise if you undertook to reduce the tariff on these steel and iron goods 50 per cent. Mind you, I do not say that from your standpoint you ought to put them on the free list, but you ought at least to reduce them. From our standpoint we ought to reduce them to the competitive point where there is a possibility that inflowing importations can be put in competition to keep down the extortionate prices at home, when by combination extortionate prices might be agreed upon, at least to the level of the price charged abroad.

But men will come in, when you propose to reduce it at all, and tell you that you are going to "slay" this "great American industry." It does not make any difference with our great industry whether it slays the American consumer or throttles the American enterprise of shipbuilding, by combinations with railroads whereby foreign shipbuilders get a rebate upon freight charged for shipbuilding material for exportation, thereby killing the American merchant marine by preventing the natural resources of the country, undiscriminated against, and the wealth of the country from building up naturally and healthfully our merchant marine.

My friends, we have had a recent object lesson to encourage you. You will remember that in 1894 the great State of West Virginia went Republican because the duty on coal was reduced. The outrageous suffering caused in the anthracite coal region forced the Republican party last Congress to put coal on the free list until January next. That coal industry, that infant industry that was going to be destroyed even by a reduction, is still surviving, and the only effect of putting coal on the free list thus far has been to increase to some extent the importations of foreign coal of an inferior quality and to prevent the bituminous and anthracite coal combinations from carrying the price of our coal up to the extortionate figure at which they put it last winter. At the same time they have supplied the American market with American coal at a price giving a profit to the American miner and laborer and leaving to the capital invested in it a fine profit.

During this time this great industry, about which West Virginia went Republican because the duty was reduced by the Wilson bill, has flourished without any duty. Let us furnish the country another object lesson—this time with coal and steel as a subject. You ask why we as Democrats are interested in that. I tell you frankly that every object lesson furnished to the country which disproves the Republican contention that a reduction of the duties anywhere along the line of the Dingley bill means poverty, starvation, and all that is invaluable to us and the country. The Democracy stands for the greatest good to the greatest number, including the consumers of this country. [Applause on the Democratic side.]

The difference between us on this side of the Chamber and you on that side of the Chamber is that you legislate for classes, and they are classes which can cooperate with one another, and therefore become important political forces, while we stand for everybody, including the humblest American consumer. We stand for the farmers of the West, and we say to you gentlemen from Kansas and from Iowa and Minnesota and the great West——

Mr. CURTIS. You robbed the farmers of the West in 1894.

Mr. WILLIAMS of Mississippi (continuing). We stood here then——

Mr. CURTIS. During the life of the Wilson bill there was a loss of ten millions to the farming interests of the country by reason of that bill.

Mr. WILLIAMS of Mississippi (continuing). We stood for a reduction of the tariff on agricultural implements and barbed wire and nails which alone would have saved those farmers 50 per cent. Let us say to the Avery plow people, for example, that they can not sell to the farmer of Mississippi or Kansas at one figure and to the farmer of South America and the farmer of the Argentine Republic and of South Africa, that is reached by steaming past the south door of Great Britain, at a less figure. Let both parties stand up now and face the situation as it stands.

Now, I want to say to you from this side of the House that whenever you have a good thing over there in the interest of the people we will help you put it through. Whenever you want to reduce the duty on agricultural implements, we will help you put it through. Whenever you want to reduce the duty upon sewing machines for the poor sweat-room workers in New York and Chicago, we will help you to put it through. We will help you to do anything that is right. We are anxious to help you. We seem to be much more anxious to help you than you are to help yourselves or the country. [Applause on the Democratic side.]

Mr. Speaker, how much time have I remaining? I want to insert with my remarks the article to which I referred, and also an article from the Boston Herald upon effect of the free-coal legislation of last Congress.

[Washington Post, November 30.]

VAST STEEL EXPORTS—SHOW A DECREASE IN PAST TWO YEARS, HOWEVER—DUE TO HOME CONSUMPTION—SIGNIFICANCE OF THE REDUCTION OF RAILWAY FREIGHT RATES ON IRON AND STEEL MANUFACTURES INTENDED FOR EXPORTATION—ELECTRICAL MACHINERY THE CHIEF ITEM IN THE LIST OF MANUFACTURED ARTICLES.

The announcement that a reduction of freight rates on iron and steel manufactures for exportation is being made by the railroads for the purpose of encouraging exports of American iron and steel manufactures lends interest to some figures compiled by the Department of Commerce and Labor, through its Bureau of Statistics, regarding the commerce of the United States in iron and steel manufactures. These tables show that manufactures of iron and steel form the largest single item of our exports of manufactured articles, and have shown a more remarkable growth in exportation than perhaps any other great article in the large number which form the classification "Manufactures."

Beginning with $32,144 in 1800, the growth was extremely slow during the first half of the century, being only $1,953,702 in 1850. In 1860 the total was $5,870,114; in 1870, $13,483,163; in 1880, $14,716,524; in 1890, $25,542,208, and in 1900, $121,913,548, the increase in the closing decade of the century being nearly four times as much as in the ninety years preceding.

In 1901 the total was $117,319,339; in 1902, $98,552,562, and in 1903, $96,642,467. That the decrease in exportations since 1900 is chiefly due to increased home demand is indicated by the fact that the domestic production of pig iron, the basis of iron and steel manufactures, has increased from 13,789,242 tons in 1900, the year of the greatest exports, to 17,821,307 tons in 1902, an increase of about 30 per cent during the period in which the reduction of exports occurred. A further evidence of the large home demand for iron and steel is found in the fact that during this recent period, in which the production of pig iron was greatly increased and the exports of manufactures of iron and steel decreased, the importation of iron and steel grew from $24,678,728 in 1900 to $31,617,312 in 1903.

EUROPE THE BEST CUSTOMER.

Europe took in 1900 from the United States a larger total than any other of the grand divisions, the total value of iron and steel exports to Europe in that year being $45,784,554. In that year North America took $42,578,119 in value in our iron and steel manufactures; South America took $7,357,417; Asia, $11,295,144; Oceania, $12,889,947; and Africa, $2,304,498. The reduction in 1902 and 1903, as compared with 1900, was chiefly in exports to Europe, which fell from $45,000,000 in 1900 to $31,127,601 in 1902, and about the same figure in 1903. Meantime North America increased slightly her takings of our iron and steel, the figures for 1902 being $43,647,867, against $42,578,119 in 1900.

Machinery forms by far the most important feature in the exports of iron and steel manufactures. Electrical machinery, which was only separately classified by the Bureau in 1898, amounted in that year to $2,400,000, and in 1902 to nearly $5,500,000. Sewing machines, which amounted to $2,250,000 in 1899, were over $4,000,000 in 1902. Typewriters, which were only separately stated in 1897, amounted in that year to less than $1,500,000, and in 1902 to $3,500,000. Locomotive engines increased from $1,750,000 in 1902 to over $5,500,000 in 1903, but, owing to the very great demand of the home market

upon the manufacturers of the United States, fell to $3,250,000 in 1902. Adding only those items of machinery included under iron and steel manufactures it may be said that the exportations from the United States of machinery as a group amounts to about $75,000,000 annually.

[Boston Herald, November 12.]

FREE COAL.

The statements which were recently printed, made by the coal dealers of Boston, bearing on an extension of the free entrance into this country of foreign-mined bituminous coal, were interesting and instructive as far as they went; but, as is often the case, these comments only covered the immediate and obvious features in the question. These coal dealers stated that while during the coal famine of last fall and winter there were large importations into Boston of foreign bituminous coal, these gradually diminished, until during the last six months they have entirely ceased, so far as concerns the incoming of trans-Atlantic fuel, while the shipments of Canadian coal to Boston do not show any large increase over the importations that were made in the summer and fall of last year or the year before.

The coal dealers affirm that foreign competition in bituminous coal has in no way troubled them, as our domestic coal is looked upon by those who use it as a superior class of fuel, and unless there is a scarcity of it, or the price is exceptionally high, it will be purchased by those who have been accustomed to use it in preference to foreign coal. These dealers say that, as the rebating duty has not under ordinary trade conditions stimulated imports, there is no special reason why it should be continued, assuming that it is contrary to the general trade policy of the United States to permit of free importations of a competitive commodity.

In referring to the desirability of continuing the rebate that is now made, and that, in the absence of Congressional action, expires by limitation in the month of January of next year, we have called attention to one circumstance which, for reasons best known to themselves, the bituminous coal dealers in Boston, in their interviews with our reporters, appear to have entirely ignored. It has seemed to us all along that it was highly questionable, under normal trade conditions, whether we should import coal from Nova Scotia in large quantities. It may be that, as a fuel, it is not equal to the coal which comes to us from Maryland and West Virginia; at all events, our manufacturers and those who are large consumers of this grade of fuel have become so accustomed to the use of domestic bituminous coal that they would prefer to pay a somewhat higher price for it than for any imported coal. But a limit could be placed to this willingness, and the existence of this favorable disposition furnishes all of the protection that our bituminous coal producers should receive.

At the present time, as the result of corporate alliances and combinations, the bituminous coal production east of the Allegheny Mountains is practically under one control, and those possessing this authority have it entirely in their hands to set the price which manufacturers and others in New England must pay for their fuel. That they are quite willing to take advantage of such opportunities recent experiences have abundantly proved. The great coal strike of last year was not in the bituminous coal field, but the price of bituminous coal was advanced to a great height because the competition of anthracite was in a large degree removed.

By having it possible to import foreign coal at any time without payment of duty a regulating feature will be introduced into the New England coal market that will have the effect of preventing the excesses which the coal monopoly might otherwise readily indulge in, for so long as it was realized that foreign bituminous coal could be imported those representing the Atlantic seaboard bituminous coal combination would not put the price of their fuel at a point which would encourage this outside competition. The business is, under existing conditions, an exceedingly profitable one to those engaged in it, and while entirely willing that they should make a large profit, it is necessary for our own industrial well-being that they should not be permitted to make an extravagant profit.

In addition to this there is the further argument to be made that while we can readily supply ourselves on the Atlantic seaboard with a high grade of bituminous coal of domestic production, this does not hold true of those living on the Pacific slope. The coal mined in the State of Washington is of a decidedly inferior quality, while, on the other hand, the bituminous coal produced in British Columbia is of an exceptionally good quality. The manufacturers and others of the Pacific slope have benefited materially by the rebate system now in force, and there is no good reason why they should be compelled to pay a useless and burdensome duty.

There is every reason why we should seek to encourage a free exchange in this commodity with the Dominion of Canada. In the last fiscal year—that is, the year ending June 30, 1902—we purchased coal in Canada to the value of a little under $5,000,000, this representing, due chiefly to the advance in price, an importation having a value about $900,000 greater than similar imports of the preceding year. But in the same year we sold to Canada our coal to the value of over $10,000,000—that is, of this, $6,600,000 represented our sales of anthracite and $3,700,000 our sales of bituminous coal. The increase in this respect over the year previous was even greater than the enlargement of Canadian sales in this country.

Canada is by long odds our largest foreign purchaser of coal, as will be seen when it is said that the total exports of coal from the United States had a value in the fiscal year of 1902 of $21,396,600. Hence quite three-fourths of these exports represent sales made in Canada. We have made a temporary rebate in our duty, while on bituminous coal Canada continues to charge a duty. It would be of great advantage to the bituminous coal producers of western Pennsylvania, Ohio, Indiana, and Illinois if this Canadian duty were repealed, and an opportunity were given to them of obtaining free access to the central areas of the Dominion north of the Great Lakes, districts in which the people are at present almost entirely dependent upon them for their supply of fuel.

The government at Ottawa has commonly raised or lowered its duty as we have raised or lowered ours, and, undoubtedly, if the coal duty as defined in the tariff of 1897 had been repealed by action of Congress last winter, the Canadians would have repealed their duty upon American bituminous coal. But the responsible ministers of the Dominion consider that our action was simply a spasmodic effort to tide over what was a local complication, and that it would be wanting in dignity if official notice were taken of it by Canada. If we can now make permanent our temporary action, there is good reason for thinking that action along the same lines will be taken by the Dominion.

The SPEAKER. The Chair is informed that the gentleman from Mississippi has five minutes remaining.

Mr. WILLIAMS of Mississippi. I now yield five minutes to the gentleman from Tennessee [Mr. GAINES]. [Applause.]

Mr. GAINES of Tennessee. Mr. Speaker, I desire in the few moments I have to address myself to the Republicans, who have two policies just now, to wit, "stand pat" on the tariff and stand still on trusts. The first one has been reannounced by a gentleman from New York [Mr. PAYNE] a few days ago, while the second is proven by the standstill record of the Republican Administration and party. The gentleman from New York made the remarkable statement—a frank confession—last week that "the Republican party is a little too wise to revise the tariff, paralyzing business of the country more or less, on the eve of a Presidential election."

Mr. WILLIAMS of Mississippi. The gentleman from Tennessee will excuse me just a moment. I said that coal was put upon the free list in 1894. I meant to say it was reduced in duty, and that West Virginia went Republican merely because the duty on the coal was reduced.

Mr. MANN. Many of these corrections might be made by the gentleman.

Mr. GAINES of Tennessee. Is it possible that after the Republican party has been in power for about forty years, eight years excepted, they are yet unable to modify a tariff law that has proven a burden to the people, a menace to their trade at home and abroad, without paralyzing the business of the people? It must be hothouse business, gentlemen, that the Republican protection produces. Is it possible, gentlemen, that to reform a Republican tariff is to paralyze business—the legitimate business of this country? Don't you mean that to reform the tariff will reduce it and paralyze the lawless trusts, which you dare not do?

Did not the Democrats in 1846 reform a protective tariff without such results, and did not Mr. Blaine say that that tariff was so satisfactory that "all parties" acquiesced in that—a revenue tariff—and did not the great "tariff carpenter" from Iowa, Senator ALLISON, say of that tariff that it was "as perfect a tariff as any we ever had, as regards all the great interests of the country," and did not Mr. Garfield say that it produced an era of "general prosperity?"

Is it possible that this great Republican majority, a great Ways and Means Committee with a still greater chairman, with a distinguished reformer as Speaker of this House, can not possibly remedy now a tariff iniquity until after the election is over next year without destroying the business of the country? This is a confession of incompetence or a fear that the protected interest will turn the Republicans out of power in the next Presidential election, a fear which we know will continue, and thus prevent any tariff reform. Did we not hear last spring a leading Republican Senator in the Ohio convention say, "Stand pat and keep on standing pat?"

The gentleman from New York [Mr. PAYNE] a few days ago said that as soon as a certain soreness was relieved, caused by the Alaskan boundary decision, Canada might propose a reciprocity arrangement, but I read from to-day's paper a press dispatch from Toronto which quotes the prime minister of Ontario as saying in substance that such a treaty would be a most "entangling alliance," and that we had annulled one and a new one would meet the same fate; and more, said he: "We can get all we want from the United States without a treaty. If the United States wants Canadian product they could take off the duty." Germany yesterday barred the products of the American Tobacco Company, and are "much excited over American trusts," says the Washington Times of yesterday. And so retaliation in commerce goes on because of your "stand pat" policy.

I was in London last summer and witnessed the efforts of Mr. Chamberlain, who, with his followers, is demanding retaliation against the United States because of your "stand pat" and "unreasonable" tariff exclusion laws. This same Mr. Chamberlain, if you please, so happily spoken of by my friend from Ohio [Mr. GROSVENOR] a few days ago, pronouncing him one of the ablest of English statesmen. What did Mr. Chamberlain say about your tariff laws? I quote his words, "That the United States made everything and excluded everything;" and he and his distinguished followers are exerting their mightiest efforts to levy a retaliatory tariff on all manufactured imports and farm products, except corn and cornmeal, sent from the United States to Great Britain, thus penalizing the farmers of this country, whom we should most protect, that you may protect the trusts. I returned home and took down the Statistical Abstract, prepared by Mr. O. P. Austin, to see how well founded Mr. Chamberlain was in his criticism of your "unreasonable tariff," as he calls it. What did I find in point? That in 1901 of Great Britain's imports the United States furnished 27 per cent, and that of Great Britain's exports she sent us only $6\frac{6}{10}$ per cent, much less than under the McKinley and Wilson tariff laws.

Are you surprised that he proposes to retaliate? Are we, as Mr. Chamberlain says, to send everything there that we make, selling it cheaper in many instances to them than to our own people, I may add, and there undersell his own countrymen, close up their manufactories, and drive their employees out of work, and expect them to submit? Is a 27 per cent to 6 per cent a fair exchange? No, they say; and they propose, and may succeed, to levy a tax on the farm products of this country and destroy

thereby the greatest open market that our farmers have in the foreign world—the free ports of Great Britain. Are you going to stand pat and do that? That is what you say you will do. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. PAYNE. I yield to the gentleman from Indiana [Mr. HEMENWAY] as much time as he desires.

Mr. HEMENWAY. Mr. Speaker, I have failed to discover in the discussion indulged in by gentlemen on the other side just what it is they desire. A day or two ago the gentleman from Missouri [Mr. DE ARMOND] wanted the House to adjourn. I do not understand from his remarks to-day whether he is still of that opinion or not. The gentleman from Mississippi [Mr. WILLIAMS] complained that the House was wasting its time. The gentleman from Tennessee [Mr. GAINES] complains that we are about to take away from the laborers of foreign countries their employment.

Now, sir, this House met for a purpose, and let us see what that purpose was. The President convened Congress in extra session, and here is what he said:

> I have convened the Congress that it may consider the legislation necessary to put into operation the commercial treaty with Cuba which was ratified by the Senate at its last session and subsequently by the Cuban Government.

Congress met for that specified purpose. In less than ten days the House performed, and passed the necessary legislation and sent it to the Senate. Now the House is patiently waiting for the Senate to perform, and the Speaker is here, with the House in session, so that if the Senate does pass the necessary legislation during this extra session, he may sign the bill and let it go to the President of the United States. We have performed the duty for which we were called together, and we are here waiting for the other branch of Congress to perform, and when they do, we shall be here, with the Speaker ready, as I say, to sign the bill.

Now, what is the further complaint of the gentleman from Mississippi? Why, he complains that we have exported from the United States in the last year some $85,000,000 worth of iron and steel products. He says that this is the result of class legislation. If it is the result of class legislation, what class has it favored? Why, sir, 60 per cent of the $85,000,000 worth of goods exported—I might say 75 per cent of the $85,000,000 worth—went to whom? It went to the laboring people of the United States, and if it is the result of class legislation, then the Republican party legislated into the pockets of the laboring people of the United States some $65,000,000 of that $85,000,000. Does the gentleman complain about that kind of "class legislation?"

He is weeping about the "poor farmers" of the country. I happen to represent an agricultural district, and in one little bank down in Posey County, Ind.—a town with only 500 people—the farmers have $200,000 on deposit.

In another little town, only 6 miles distant, they have $150,000 of deposits. There was never a time in the history of the country when the farmers made so much money and saved so much money as they have in the last three or four years. [Applause on the Republican side.] And go down to the country that the gentleman represents, and how are your cotton-raising people getting along? Why, they are getting more money for their cotton than they ever got before in the history of the world. Are you complaining about that? I think when the speech of the gentleman goes out to the farmers of the country they will say: "Thank you, Mr. WILLIAMS, we do not want any of your aid. We had it back in the days of 1892, 1893, 1894, and along there, and we got enough of it. God save us from any more of that kind of help!" [Applause on the Republican side.]

Now, let the House stay here. We are ready to perform our duty. We have performed our duty. We are here waiting for the discussion upon the other side to end. I have no doubt that the people of the country are being enlightened by the discussion of the Cuban bill upon the other side. Let them have the full benefit of it. And when the discussion is ended, and by unanimous consent the Senate concludes to vote upon this bill, let us be here, ready to do our part and see that there is no delay in the passage of this legislation. [Applause on the Republican side.]

Mr. PAYNE. Mr. Speaker, I yield to the gentleman from Iowa [Mr. HEPBURN] such time as he desires. [Applause on the Republican side.]

Mr. HEPBURN. Mr. Speaker, the burden of discontent, as expressed on the other side of the House, seems to be because the Republican party do not propose now to reform the tariff. Those gentlemen are very solicitous about the duty of the Republican party in connection with the reformation of the tariff. I have never yet heard any gentleman on that side give an adequate reason for the reformation of the tariff. Why should we reform the tariff? What is the purpose of the tariff?

Mr. BAKER. Will the gentleman permit a question?

Mr. HEPBURN. No, sir.

Mr. BAKER. No, I thought not.

Mr. HEPBURN. Mr. Speaker, who was the gentleman that interrupted me?

The SPEAKER. The gentleman from New York [Mr. BAKER].

Mr. HEPBURN. I still adhere to my notion. [Laughter on the Republican side.]

A protective tariff has for its object the employment of labor, the creation of wealth, the betterment of society, the uplift of our people. Now, Mr. Speaker, if these are some of the objects of a tariff, why should we be so solicitous about reforming the one that we have? Can the gentleman from Mississippi [Mr. WILLIAMS] name a day in the history of this country when the labor of the country was so universally employed?

Mr. WILLIAMS of Mississippi. Yes.

Mr. HEPBURN. No; you can not.

Mr. WILLIAMS of Mississippi. This day last year.

Mr. HEPBURN. You can not name a date. To-day every man in the United States who wants to work finds employment in the great labor fields of the United States, and at a compensating wage. When has there been a time that the finances of the country were in as good a condition as now—when there was the same abundance of money, when it was worth a hundred cents of the gold dollar, every part of it, in every part of the world? When has there been a time when the distribution of wealth was as great as it is now, and when the humblest and the poorest had so large a share of the accumulations of each year as now? There never has been a time.

I live in a county of 24,000 people, a farming community. There is not a protected industry in that county. On the 1st day of last October there were $2,580,000 of deposits in the little banks of that county. [Applause on the Republican side.] Ninety-five per cent of those deposits belonged to farmers, and they amounted to more than a hundred dollars for every man, woman, and child in the county. Where can you find anything like that anywhere in the world outside of the influence of our protective tariff—this tariff that you propose to reform, you of all people that have ever tinkered with the tariff! There is infinite shamelessness on the part of the Democracy when they insolently assume, in the light of history, to improve tariffs for the benefit of the country. [Applause on the Republican side.]

Go back, after the country had experimented with your methods of tariff for nearly seventy-two years, and compare conditions then with now. The proportion of labor that was employed, the proportion of money that was in the country then as compared with now, the value of the money, the extent of trade, the amount of money in the hands of the people, the manner in which the farmers were benefited by the economic legislation of the time—compare those conditions with now. Ah, compare prices. The gentleman from Mississippi [Mr. WILLIAMS] is exercised because of the shelter that is given by the protective tariff to the steel trust. Why, steel is worth $24 a ton now. When you had your way about it, when the Democracy gave us our tariffs, when steel was introduced into this country under the Walker tariff, what did we pay for it? One hundred and sixty-five dollars per ton in New York for steel rails.

That was the price until encouragement to manufacture was given by the Republican party.

Mr. WILLIAMS of Mississippi. Can I ask the gentleman a question?

Mr. HEPBURN. Certainly.

Mr. WILLIAMS of Mississippi. Has not that same comparative reduction in the price of steel rails taken place in Great Britain and everywhere else in the world?

Mr. HEPBURN. Surely. [Applause on the Democratic side.] But it is the competition of the United States and the superior methods of the United States and the greater intelligence of the workmen of the United States, stimulated by Republican tariff, that has brought this reduction in price. [Loud applause on the Republican side.]

Mr. Speaker, I am sick and tired of this caviling, this miserable complaint about the operation of the tariff, in view of the spectacle, the magnificent spectacle, that this country presents to-day, after six and a half years of the Dingley tariff bill. Men ought to be ashamed, I insist, of caviling and carping in the way they do in view of such splendid results. We do not ask that you should take our word. Look for yourselves; see the conditions that exist; see how the people of all the earth are sending their wealth to us in order to compensate for the great exports that we are able to make, and we do make, only because our industries have been stimulated by the protection of the tariff laws.

Mr. Speaker, the gentleman says that the tariff is a shelter for the monopolists in the sale of productions. Does he not know that last year we imported $51,000,000 worth of iron and steel, notwithstanding the wonderful growth of iron production in the United States? A little while ago—ten years ago—we used to pride ourselves upon the fact that we produced 11,000,000 tons of pig iron. It used to be said that the production of iron indicated

the status of the nation in its civilization and that those nations that were capable of the greatest production stood highest in the plane of civilization. We boastfully used to say, "Look—11,000,000 tons!" Last year we produced 44,000,000 tons of pig iron, and this year it is estimated that the magnificent results in the production of iron will reach the stupendous sum of 48,000,000 tons, a result, I say, direct and clear of the protection that we have had the wisdom to give to our labor in this direction. [Loud applause on the Republican side.]

But, Mr. Speaker, the gentleman from Tennessee, after having been abroad [laughter], been across the water, seems to think that we were grieved because he went across the water. [Renewed laughter.] He tells us we received only a beggarly 6 per cent of exports.

Mr. GAINES of Tennessee. We sent Great Britain 27 per cent of her imports and she sent us 6.6 per cent of her exports in 1901.

Mr. HEPBURN. Oh, yes; 27 and 6, and the gentleman complains. Does he not know that the 27 per cent we sent is the product of our labor, that our workmen are paid for that; and does he not know that all that we received is the product of English labor, and that Englishmen got the wage for the creation of that? Does he think it wise to promote the industries of Great Britain, to foster the labor of Great Britain at the expense of the labor of his own country? Is that Democratic wisdom? [Applause on the Republican side.] If that is the policy of the Democratic party (and of course we know it to be), we can easily see why it is that the farmers of Kansas and the farmers of Iowa spurn, as they do and as they have done and as they will continue to do, the gentle assurances of the gentleman from Mississippi that "We are your friends."

Mr. GAINES of Tennessee. Mr. Speaker, will the gentleman allow me to interrupt him?

Mr. HEPBURN (continuing). "That we propose to care for you." Ah, gentlemen, there are people in the United States who have memories long enough to enable them to know how you have cared for the people. There are people who have memories long enough to know how you have adhered to your motto "of the greatest good to the greatest number." The people do know it. [Loud applause on the Republican side.]

Mr. GAINES of Tennessee. Will the gentleman allow me to ask him a question before he takes his seat?

Mr. PAYNE. I yield the balance of my time to the gentleman from Ohio [Mr. GROSVENOR].

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Tennessee?

Mr. HEPBURN. "The gentleman from Iowa" would always be glad to yield to the gentleman from Tennessee if he had anything to yield. [Laughter.]

The SPEAKER. The gentleman from New York.

Mr. PAYNE. I yield the balance of my time to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, I do not intend in the time that is allotted to me, or in so much as I may use, to mar the beauty and symmetry and irresistible logic of the speech of the gentleman from Iowa. I rather sympathize with the gentleman from Mississippi [Mr. WILLIAMS], who did not seem to know that his speech was loaded when he fired it off. [Laughter on the Republican side.]

Mr. Speaker, I am one of those who do not consider that the time heretofore occupied and now being occupied by the House of Representatives and incidentally by the Senate is wasted time.

I want to call the attention of the House to the speech made by the gentleman from Missouri [Mr. DE ARMOND], an amiable, pleasant, witty, humorous speech. Any condition that would produce that speech is a salubrious, happy condition for our country. [Laughter.] Think of it! He spoke quite a number of minutes and never said a caustic or bitter thing. [Laughter on the Republican side.] He introduced an illustration about Gaston and Alphonse, and it indicated to me that the gentleman occasionally reads Republican papers, for I saw the same thing applied to this deadlock between the two Houses in the Star a few evenings before. I commend to the gentleman that admirable paper. I am glad that he has taken refuge in the hour of his affliction by reading a paper of such great wisdom and humor as the Evening Star.

I am delighted at the speech of the gentleman from Missouri, but I do not know what he is worrying about. He spoke of the great expense that we are putting the country to. I do not know to what he refers. We are not charging the people any additional salary, I hope, for what little we are doing in this House; we are not getting any more than our regular pay, and these young gentlemen around here holding offices in the House are all of them, I believe, on an annual salary, or something equivalent to it, and I think we are doing pretty well sitting here and observing the emotions of the Democratic party. [Laughter on the Republican side.]

It now seems to be pretty well settled as to what issues the Democratic party will present to the country during the next campaign if they can find a candidate who will stand and bear it—some one without a record in conflict with the one to be chosen. [Laughter on the Republican side.] They are going to present the issue of a reduction of the tariff, and they are going to propose to reduce it themselves. That will be fun for us. [Laughter.] That is the only thing the Democratic party of this country will never be allowed to do during the lifetime of any living man. That one thing they will never get the chance to do. [Applause on the Republican side.]

Now, Mr. Speaker, I think it is well enough to make a statement of the situation here between the two Houses, and I think I can do it without trespassing on the rule of noncriticism of the coordinate branch of the legislative department of our Government. These lectures that are being delivered here from time to time, these "talks," these mental and logical and oratorical gymnastics, would better be delivered to the Senate. The House is all right. We stand on pretty solid ground. Let us see. The President of the United States called Congress together for a special purpose made known to Congress in the message. Was it wise in him to do that? That is one of the things you on the other side are looking forward to with great glee, thinking that you will be able to show to the country that it was not wise.

Let us see. The House of Representatives took the bill introduced by the gentleman from New York and by a practically unanimous report from the Ways and Means Committee brought it in here, and after two or three days of pyrotechnic delay we passed it by almost a unanimous vote. It had a good effect on the country and it had a good effect on the Republican organization of this House. We said, in effect, to the people of the country by the speedy manner in which we did the work that there was a necessity for that special session.

The bill went to the Senate, and now I will talk about that which appears in the RECORD. I do not know anything else about it than that. In the RECORD it appears that the Senate referred the bill to the proper committee, or to a proper committee, and that committee reported it back, so far as appears, by a unanimous report—Democrats and Republicans joining in it in favor of the bill. That is all we know officially. We assume, and I think the country will assume, that the Senate did not want to adjourn; that they wanted to stay here for some purpose, and so they did not offer any resolution to adjourn. It would have been almost an insult for the House to have offered one.

What right had we to assume that the Senate of the United States would stop, would balk and refuse to go on? They never had done such a thing before, and they haven't done so now. There is some wise—it may be inscrutable—reason, but it is a wise one, for it comes from the greatest parliamentary body on earth. [Laughter.] So, now, we are waiting for what? For the Senate to say to us that they are through with that bill for the present and want to adjourn. We can not slap the Senate in the face by adopting a resolution that we want to adjourn when they are here under the same call that we are, and have not done what we have done—discharged their duty. I assume that they are waiting to consider more fully the character of that legislation. They know but little about it. It just came from the House; they have had it but a few days.

It is true that unofficially we know that they balked on the whole business. They ceased to go on, but why or for what reason we know not officially, and when they will take up the matter again we do not know, but we will not assume until they say so that they have given up the whole job. They will no doubt get underway again, and will be ready at some future time—no doubt some time during the present week—to pass upon that bill, unless they send us word that they want to adjourn.

And in the meanwhile how are we getting along in the matter of time? It is said in the newspapers that the Speaker will "perpetrate" the organization of the House in a few days; and on that score I might suggest to my friend from Missouri that it might be well to invoke the prayers of this side of the House for the safety and well-being of the gentleman from Mississippi, charged somewhat with the duty of distributing the favors on that side of the House. I do not think that the Republican side of this House could do a better thing than to pray that he may regain the equanimity of temper that he has usually shown; that his appetite may be restored; that he may sleep at night, and that he may rise up on the morning of next Friday like a giant refreshed from sleep. [Laughter.]

So we are ready, at the drop of the hat, as you might say, on the first day of the regular session to proceed with business. The committees will have been appointed, everything will be in good shape, growling time will last from Friday until Monday [laughter], and then everything will be salubrious and peaceful. The House will be in better readiness than it has been on any other opening day since I had the honor to be a Member.

Mr. Speaker, I believe the House of Representatives stands higher in the estimation of the people to-day than it ever did in the history of this country, and I rejoice that we are going forward

to assure our Democratic friends that we have use and occupation for them for every purpose in the world known to legislative action except to "reform" the Dingley tariff law. We excuse them upon that point. [Laughter.]

Mr. PAYNE. I move that the House do now adjourn.

Mr. WILLIAMS of Mississippi. To save time, let us have a division on that question.

The question being taken, there were—ayes 79, noes 67.

So the motion was agreed to.

LEAVE OF ABSENCE.

Pending the announcement of result, leave of absence was granted as follows:

To Mr. LOUD, for the remainder of this session, on account of important business.

To Mr. PUJO, for the remainder of this session, on account of important business.

To Mr. COCHRAN, for the remainder of this session, on account of important business.

To Mr. SHACKLEFORD, for the remainder of this session, on account of important business.

To Mr. BOWERS, for the remainder of this session, on account of important business.

The result of the vote on the motion to adjourn was announced; and accordingly (at 1 o'clock and 10 minutes p. m.) the House, in accordance with its previous order, adjourned until Friday next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Caroline Swan, Mary E. Pritchard, Seymour Swan, and Carrie R. Moody, sole heirs of Travers Swan, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. D. Billmyer, administrator of estate of Margaret J. Cross, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Louisa O. Wynne, Susan W. Wynne, and Mary M. Wynne, executors of estate of Alfred R. Wynne, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of W. T. Dodd, administrator of estate of Nancy Shadrick, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George W. Ball, administrator of estate of Mary Ball, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of F. W. Dove, administrator of estate of Christian Bashor, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Charles B. Van Metre, administrator of estate of Thomas T. Van Metre, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William N. McConnell against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John B. Bosley, administrator of estate of Ailsey Bosley, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of The trustees of the Cumberland Presbyterian Church at Charlotte, Tenn., against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of B. W. Hewitt, administrator of estate of Doctor V. Burrow, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of H. L. Snapp, administrator of estate of Jacob H. Snapp, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Robert C. Hess, executor of estate of John Hess, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a copy of a report from the Commissioner of Indian Affairs, a recommendation for legislation relative to the Uintah Reservation of Utah—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of R. G. Johnson, administrator of estate of Washington Stone, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John W. Barclay, administrator of estate of Solomon Barclay, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Patrick Crickard, administrator of estate of Henry Currence, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John W. George, administrator of estate of John Wineow, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of Agriculture, transmitting a statement of expenditures in that Department for the year ended June 30, 1903—to the Committee on Expenditures in the Department of Agriculture, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 4974) granting a pension to Margaret Hertel—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5009) granting an increase of pension to Luke P. Allphin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5160) granting a pension to Charles W. Atkinson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1295) granting an increase of pension to Victor Vifquain—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2161) granting an increase of pension to Josephine A. Smith—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3620) granting an increase of pension to Victor Vifquain—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BYRD: A bill (H. R. 5206) making an appropriation for the improvement of Chickasahay River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5207) making an appropriation for the improvement of the navigation of Pearl River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5208) providing for a survey of Pearl River from Edinburg to Lake Burnside—to the Committee on Rivers and Harbors.

By Mr. ADAMS of Wisconsin: A bill (H. R. 5209) to erect a public building at Watertown, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. McCLEARY of Minnesota: A bill (H. R. 5210) to extend the United States pension laws to the participants in the battles of New Ulm and Fort Ridgely, Minn., in the Sioux war of 1862—to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 5211) to extend the provisions and benefits of an act entitled "An act for the relief of bona fide settlers in forest reserves, and for other purposes"—to the Committee on the Public Lands.

By Mr. DAYTON: A bill (H. R. 5212) providing for the holding of an additional court in the northern district of West Virginia at Martinsburg, W. Va.—to the Committee on the Judiciary.

By Mr. JONES of Washington: A bill (H. R. 5213) authorizing and directing the Secretary of War to construct a bridge across the Spokane River, and for other purposes—to the Committee on Military Affairs.

By Mr. RUCKER: A bill (H. R. 5214) to promote the circulation of reading matter among the blind—to the Committee on the Post-Office and Post-Roads.

By Mr. COUSINS: A bill (H. R. 5215) to provide for the annual pro rata distribution of the annuities of the Sauk and Fox Indians of the Mississippi between the two branches of the tribe, and to adjust the existing claims between said branches as to said annuities—to the Committee on Indian Affairs.

By Mr. VREELAND (by request): A bill (H. R. 5216) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes—to the Committee on Indian Affairs.

By Mr. MAYNARD: A bill (H. R. 5217) to waive the age limit of applicants for appointment to the Pay Corps of the United States Navy—to the Committee on Naval Affairs.

By Mr. SULLOWAY: A bill (H. R. 5218) fixing certain rates of pension under section 2 of the act of June 27, 1890, as amended by the act of May 9, 1900—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 5219) for the establishment of a light-house and a fog signal at Isle au Haut, Me.—to the Committee on Interstate and Foreign Commerce.

By Mr. MARSHALL: A bill (H. R. 5220) to reserve 640 acres of land in the State of North Dakota, embracing the White Stone Hills battlefield and burial ground, as a memorial park, and to embellish and improve the same—to the Committee on the Public Lands.

By Mr. ROBINSON of Indiana: A bill (H. R. 5221) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all territory under its jurisdiction, and the District of Columbia, of Japanese and persons of Japanese descent—to the Committee on Foreign Affairs.

By Mr. SHEPPARD: A bill (H. R. 5222) for the improvement of upper Red River between Fulton, Ark., and Denison, Tex.—to the Committee on Rivers and Harbors.

By Mr. RANDELL of Texas: A bill (H. R. 5223) for the improvement of upper Red River between Fulton, Ark., and Denison, Tex.—to the Committee on Rivers and Harbors.

By Mr. PEARRE: A bill (H. R. 5224) prohibiting the rejection of pensions on account of the existence of disability prior to enlistment—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 5225) to increase the limit of cost for the purchase of site and the erection of a public building at Lawrence, Kans.—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Texas: A bill (H. R. 5226) to provide for the erection of a public building at San Angelo, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. LITTLEFIELD: A bill (H. R. 5227) for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me.—to the Committee on the Library.

By Mr. LLOYD: A bill (H. R. 5228) to provide for the purchase of a site and the erection of a public building thereon at Macon, in the State of Missouri—to the Committee on Public Buildings and Grounds.

By Mr. GIBSON: A bill (H. R. 5229) to prescribe the pleading, practice, and proof in prosecuting pension claims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5230) increasing the rate of pension for persons eligible under section 2 of the act of June 27, 1890, who require constant aid and attendance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5231) granting pensions to certain irregular soldiers and nonenlisted men who served in the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5232) to facilitate the payment of pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5233) to pension the National Guards of East Tennessee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5234) to grant a pension to all Union soldiers and sailors in certain cases—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5235) to do justice to all Union soldiers and sailors who were confined in rebel prisons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5236) to restore widows to the pension rolls in certain cases—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5237) to amend section 4716 of the Revised Statutes of the United States—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5238) extending the time for presenting claims for additional bounties—to the Committee on War Claims.

By Mr. SHEPPARD: A joint resolution (H. J. Res. 48) authorizing the Secretary of State to ascertain cost and submit plan of marking the grave of John Paul Jones, founder of the American Navy—to the Committee on Foreign Affairs.

By Mr. ACHESON: A joint resolution (H. J. Res. 49) authorizing the enlargement and improvement of dams and locks 1, 3, 4, 5, and 7 in the Monongahela River, Pennsylvania—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 5239) granting an increase of pension to George Carvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5240) granting an increase of pension to Brice S. Ramsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5241) granting an increase of pension to William P. Diehl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5242) granting an increase of pension to John G. W. Book—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5243) granting an increase of pension to Hiram Qualk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5244) granting an increase of pension to Peter Cage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5245) granting an increase of pension to W. A. Helt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5246) granting an increase of pension to S. B. Elliott—to the Committee on Invalid Pensions.

By Mr. ADAMS of Wisconsin: A bill (H. R. 5247) granting a pension to Lora Milliken—to the Committee on Invalid Pensions.

By Mr. BEALL of Texas: A bill (H. R. 5248) for the relief of the heirs of Nash L. Cox, deceased—to the Committee on War Claims.

By Mr. BIRDSALL: A bill (H. R. 5249) granting an increase of pension to William W. West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5250) granting an increase of pension to Levi G. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5251) granting an increase of pension to William J. Millett—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 5252) granting a pension to William H. Deesler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5253) granting a pension to Anderson B. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5254) granting a pension to Francis Dorr Lukens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5255) granting a pension to Emmett Gillooly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5256) granting a pension to Andrew Garrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5257) granting an increase of pension to John Durner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5258) granting an increase of pension to Ethan A. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5259) granting an increase of pension to W. J. Lockhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5260) granting an honorable discharge to Jesse Dotts—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 5261) granting a pension to Julia M. Oakley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5262) granting a pension to Irving Holcomb—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 5263) granting an increase of pension to William H. Lorance—to the Committee on Pensions.

Also, a bill (H. R. 5264) granting an increase of pension to John H. Shook—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 5265) granting a pension to Sara A. Haskell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5266) granting a pension to Mabel R. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5267) for the relief of Gustavus Cooley—to the Committee on Military Affairs.

By Mr. BYRD: A bill (H. R. 5268) to indemnify G. W. Hardy, of Scott County, Miss., for homestead land, by granting other land in lieu thereof—to the Committee on the Public Lands.

By Mr. CANNON: A bill (H. R. 5269) granting a pension to Alba B. Bean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5270) granting a pension to Susan Jane Brewer—to the Committee on Pensions.

Also, a bill (H. R. 5271) granting a pension to William Denham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5272) granting a pension to Charles Bauermaster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5273) granting a pension to Martha A. Cheyne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5274) granting a pension to Henry L. Flint—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5275) granting a pension to David P. Mering—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5276) granting a pension to Theodore Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5277) granting a pension to Robert B. Deem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5278) granting a pension to Matthias Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5279) granting an increase of pension to Granville H. Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5280) to restore to the pension roll Lycurgus Q. Parkhurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5281) to correct the military record of and grant an honorable discharge to Isaac H. Fitzmorris—to the Committee on Military Affairs.

By Mr. CLARK: A bill (H. R. 5282) for the relief of C. L. Reid, Shap. G. Wright, and others, trustees of the Methodist Church at Warrenton, Mo.—to the Committee on Military Affairs.

Also, a bill (H. R. 5283) granting an increase of pension to Patrick McGarry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5284) granting a pension to John Maupin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5285) granting a pension to Amos Strauser—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 5286) granting an increase of pension to Obadiah J. Merrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5287) granting an increase of pension to Mrs. Emerett Smith—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 5288) for the relief of the legal representatives of Reuben Opp—to the Committee on War Claims.

By Mr. DAVIS of Florida: A bill (H. R. 5289) granting an increase of pension to Frances F. Hopkins—to the Committee on Pensions.

Also, a bill (H. R. 5290) granting an increase of pension to John A. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5291) granting an increase of pension to M. A. Knight—to the Committee on Pensions.

By Mr. DAYTON: A bill (H. R. 5292) for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Charles Town, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 5293) granting an increase of pension to Mary C. Hanen, widow of Jeremiah L. Hanen—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 5294) for the relief of Edward H. Delahay—to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 5295) for the relief of Edward N. Moore—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: A bill (H. R. 5296) granting an increase of pension to H. M. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5297) granting an increase of pension to H. L. Maxfield—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 5298) granting a pension to William E. Coffin—to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 5299) granting an increase of pension to Mrs. Sarah E. Wheeler—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 5300) to restore to the pension roll Sarah J. Ayers—to the Committee on Invalid Pensions.

By Mr. HEMENWAY (by request): A bill (H. R. 5301) granting a pension to Amanda Marsee—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 5302) granting an increase of pension to James M. Brewer—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 5303) to pension Ralph E. Summers—to the Committee on Pensions.

Also, a bill (H. R. 5304) granting a pension to H. P. Brookhart—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 5305) granting an increase of pension to John F. Early—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5306) granting an increase of pension to Cyrus Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5307) granting an increase of pension to Armour W. Patterson—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 5308) granting an increase of pension to Joseph R. Shannon—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 5309) granting an increase of pension to John McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5310) granting an increase of pension to Jonathan Snively—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 5311) granting an increase of pension to Perley B. Dickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5312) for the relief of John L. Smithmeyer and Paul J. Pelz—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 5313) for the relief of Daniel McDowell—to the Committee on Military Affairs.

Also, a bill (H. R. 5314) granting an increase of pension to John Woods—to the Committee on Invalid Pensions.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 5315) for the relief of William C. Staples—to the Committee on War Claims.

By Mr. LEVER: A bill (H. R. 5316) for the relief of Columbia Hospital and Dr. A. E. Boozer—to the Committee on War Claims.

By Mr. LITTLEFIELD: A bill (H. R. 5317) granting a pension to Mary J. Wheaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5318) granting an increase of pension to George F. Knowlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5319) for the relief of James H. De Coster—to the Committee on Claims.

Also, a bill (H. R. 5320) for the relief of John H. Rollins, late a private in Company F, First District of Columbia Volunteer Cavalry, and in Company D, First Maine Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 5321) to correct the naval record of William Perkins—to the Committee on Naval Affairs.

Also, a bill (H. R. 5322) to correct the military record of David Hurlburt—to the Committee on Military Affairs.

Also, a bill (H. R. 5323) to correct the military record of Rufus W. Herrick—to the Committee on Military Affairs.

Also, a bill (H. R. 5324) to remove the charge of desertion from the military record of Jacob Worrin Morgan—to the Committee on Military Affairs.

Also, a bill (H. R. 5325) to remove the charge of desertion from the military record of Augustin H. Finn—to the Committee on Military Affairs.

Also, a bill (H. R. 5326) to remove the charge of desertion from the military record of Charles F. Allen—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 5327) granting an increase of pension to William M. Morrison—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 5328) to remove the charge of desertion from the military record of John H. Lash—to the Committee on Military Affairs.

Also, a bill (H. R. 5329) for the relief of the heirs of Elijah Shatto, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5330) granting an increase of pension to Robert D. Gardner, of Queen City, Mo.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5331) granting a pension to Jesse Bacus, of Unionville, Mo.—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 5332) for the relief of Willoughby L. Wilson, administrator of W. L. Wilson, deceased—to the Committee on War Claims.

By Mr. MARSHALL: A bill (H. R. 5333) granting an increase of pension to Thomas Lovell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5334) granting an increase of pension to George H. Fay—to the Committee on Invalid Pensions.

By Mr. METCALF: A bill (H. R. 5335) to provide an American register for the British ship *Pyrenees*—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCALL: A bill (H. R. 5336) for the relief of William Francis—to the Committee on War Claims.

Also, a bill (H. R. 5337) granting an increase of pension to James J. Lowden—to the Committee on Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 5338) granting an increase of pension to Joseph S. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5339) granting an increase of pension to Christian H. Goebel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5340) to remove the charge of desertion from the record of Walter E. Duncan—to the Committee on Military Affairs.

By Mr. PAYNE: A bill (H. R. 5341) granting a pension to Jennie Petteys—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5342) granting a pension to Jane E. Sutfin—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 5343) to provide for the sale of lot 4, square 1113, in the city of Washington, D. C.—to the Committee on the District of Columbia.

Also, a bill (H. R. 5344) granting an increase of pension to Jacob L. Tabler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5345) granting an increase of pension to John M. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5346) granting an increase of pension to William H. Koch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5347) granting a pension to Martha J. Speelman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5348) for the relief of Franklin Buchanan Sullivan—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 5349) granting an increase of pension to Lewis H. Mark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5350) removing the charge of desertion from the naval record of Sebastian Kerber—to the Committee on Naval Affairs.

By Mr. RIXEY: A bill (H. R. 5351) granting a pension to Margaret M. Sinclair and Virginia E. Sinclair—to the Committee on Pensions.

Also, a bill (H. R. 5352) for the relief of the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va.—to the Committee on War Claims.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 5353) for the relief of the estate of William Brown Millican, deceased, late of East Feliciana Parish, La—to the Committee on War Claims.

Also, a bill (H. R. 5354) for the relief of the heirs of Joseph A. Landry, deceased, late of the parish of Ascension, State of Louisiana—to the Committee on War Claims.

By Mr. RODENBERG: A bill (H. R. 5355) granting an increase of pension to Frederick W. Byfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5356) granting an increase of pension to Nelson Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5357) granting an increase of pension to John A. Blanton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5358) granting an increase of pension to Absolom J. Mathews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5359) granting an increase of pension to Jacob F. Casey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5360) granting an increase of pension to Joseph Coats—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5361) granting an increase of pension to Lucilius C. Moss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5362) granting an increase of pension to Dina Hoge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5363) granting an increase of pension to Henry L. Karns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5364) granting an increase of pension to George F. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5365) granting an increase of pension to Philip H. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5366) granting an increase of pension to Clinton Fizer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5367) granting an increase of pension to Franklin Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5368) granting a pension to Mary Adam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5369) granting a pension to Susan Lasley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5370) for the relief of Michael A. Dace—to the Committee on War Claims.

Also, a bill (H. R. 5371) for the relief of John L. Seargeant—to the Committee on War Claims.

By Mr. RUCKER: A bill (H. R. 5372) granting a pension to Mariah Kuechler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5373) granting an increase of pension to Motem M. Pitts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5374) granting an increase of pension to Cassius M. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5375) granting an increase of pension to William B. Shepard—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 5376) to correct the military record of Wiley W. Woolard—to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 5377) granting an increase of pension to Henry B. Shell—to the Committee on Pensions.

Also, a bill (H. R. 5378) for the relief of I. R. Harkrader—to the Committee on Claims.

Also, a bill (H. R. 5379) for the relief of G. W. Dunford and James Blair, sureties of S. C. Bralley, late postmaster at Redbluff, Va.—to the Committee on Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 5380) granting an increase of pension to Eliza Ferguson—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 5381) for the relief of the heirs of Simeon Hart—to the Committee on Claims.

By Mr. STEPHENS of Texas: A bill (H. R. 5382) granting a pension to Margaret A. Kennedy, widow of William J. Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5383) granting an increase of pension to Samuel Shafer—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: A bill (H. R. 5384) granting an increase of pension to Owen Donohoe, Company F, Sixty-ninth New York Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5385) granting an increase of pension to John Mulligan, Company M, Fourteenth Regiment United States Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5386) granting an increase of pension to James Horan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5387) for the relief of James Welch—to the Committee on Claims.

Also, a bill (H. R. 5388) granting an increase of pension to John M. Gartrell—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 5389) granting an increase of pension to Richard E. Davis—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 5390) granting a pension to Katharina A. Mueller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5391) granting a pension to James Keleher—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 5392) to provide an American register for the steamer *Brooklyn*—to the Committee on the Merchant Marine and Fisheries.

By Mr. BRADLEY: A bill (H. R. 5393) to remove from the military record of Charles L. Robinson the charge of desertion—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5394) granting a pension to Richard D. Parker—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 5395) granting a pension to Mattie Aten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5396) to remove the charge of desertion from the name of David S. Cox—to the Committee on Military Affairs.

Also, a bill (H. R. 5397) for the relief of J. R. Boggs's heirs—to the Committee on War Claims.

Also, a bill (H. R. 5398) for the relief of the heirs of Kelles Chewning—to the Committee on War Claims.

Also, a bill (H. R. 5399) granting an increase of pension to John S. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5400) granting an increase of pension to George J. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5401) granting an increase of pension to Thomas C. Meadows—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5402) granting an increase of pension to Susan O'Brien—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 5403) granting a pension to Frank J. Winninger—to the Committee on Pensions.

Also, a bill (H. R. 5404) granting a pension to Jefferson White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5405) granting a pension to Christopher C. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5406) granting a pension to Rachel Tyson—to the Committee on Pensions.

Also, a bill (H. R. 5407) granting a pension to Andy Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5408) granting a pension to Jane Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5409) granting a pension to George A. Tillett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5410) granting a pension to Andrew C. Simpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5411) granting a pension to Frederick Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5412) granting a pension to Dempsey W. Siler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5413) granting a pension to Catherine Smither—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5414) granting a pension to Elizabeth Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5415) granting a pension to Kittie Shortlidge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5416) granting a pension to Nancy A. Robbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5417) granting a pension to James Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5418) granting a pension to Sarah Ramsey—to the Committee on Pensions.

Also, a bill (H. R. 5419) granting a pension to John W. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5420) granting a pension to Lewis Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5421) granting a pension to Martin Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5422) granting a pension to Vinson R. Prior—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5423) granting a pension to Sophia Ownby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5424) granting a pension to George Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5425) granting a pension to Ezekiel Newport—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5426) granting a pension to Johniken L. Mynatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5427) granting a pension to Cynthia Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5428) granting a pension to Elias Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5429) granting a pension to Samuel McKamey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5430) granting a pension to Thomas Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5431) granting a pension to Susan Laugherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5432) granting a pension to Easther J. Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5433) granting a pension to Mary King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5434) granting a pension to Elizabeth M. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5435) granting a pension to Thomas Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5436) granting a pension to Hiram Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5437) granting a pension to Andrew Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5438) granting a pension to John W. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5439) granting a pension to Mary A. Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5440) granting a pension to John S. Boling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5441) granting a pension to William C. Blevins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5442) granting a pension to Elizabeth Brown—to the Committee on Pensions.

Also, a bill (H. R. 5443) granting a pension to Daniel Burkett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5444) granting a pension to Mary Chambers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5445) granting a pension to Susan R. Choat—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5446) granting a pension to Simeon Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5447) granting a pension to William Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5448) granting a pension to William Harden Daniels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5449) granting a pension to Mary E. Daugherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5450) granting a pension to James Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5451) granting a pension to James Donahoo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5452) granting a pension to Sarah Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5453) granting a pension to Lillie P. Hinman—to the Committee on Pensions.

Also, a bill (H. R. 5454) granting a pension to Polly Ann Hansard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5455) granting a pension to Luvania Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5456) granting a pension to Martha M. Helton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5457) granting a pension to Ann E. Heap—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5458) granting a pension to Dicey Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5459) granting a pension to Hugh Kline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5460) granting an increase of pension to John T. Rader—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5461) granting an increase of pension to Preston D. Roady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5462) granting an increase of pension to Richard Porterfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5463) granting an increase of pension to Henry C. Parham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5464) granting an increase of pension to Francis M. Northern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5465) granting an increase of pension to Michael Low—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5466) granting an increase of pension to Jordan A. Lively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5467) granting an increase of pension to James H. Layne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5468) granting an increase of pension to Sallie H. Kincaid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5469) granting an increase of pension to Joseph Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5470) granting an increase of pension to James W. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5471) granting an increase of pension to A. Marion Gamble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5472) granting an increase of pension to Benjamin R. Hackney—to the Committee on Pensions.

Also, a bill (H. R. 5473) granting an increase of pension to John W. Fielden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5474) granting an increase of pension to James E. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5475) granting an increase of pension to Peter N. Eichammer—to the Committee on Pensions.

Also, a bill (H. R. 5476) granting an increase of pension to William Davis—to the Committee on Pensions.

Also, a bill (H. R. 5477) granting an increase of pension to William P. Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5478) granting an increase of pension to Joseph A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5479) granting an increase of pension to William H. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5480) for the relief of Kate K. Parsons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5481) for the relief of Sarah E. Massey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5482) for the relief of John B. Malone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5483) for the relief of P. C. Culvahouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5484) to restore the pension of David M. Sartain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5485) to restore the pension of Robert W. Mills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5486) to do justice to the survivors of the shipwreck of the *Sultana*—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of select and common council of Philadelphia relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

Also, papers to accompany bill to increase pension of W. A. Helt—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of William P. Diehl—to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 1259) granting a pension to Henry H. Wilson—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Resolution of the board of trustees of the Sanitary District of Chicago, favoring the construction of a waterway connecting the Great Lakes at the north with the Mississippi River and the Gulf of Mexico at the south—to the Committee on Rivers and Harbors.

Also, letter of Aaron Vanderbilt, chairman of committee on the merchant marine of the New York Board of Trade and Transportation, relative to our merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Rochester Chamber of Commerce, relative to deep waterways through New York State—to the Committee on Rivers and Harbors.

By Mr. BOWERSOCK: Resolution of the Interstate Mississippi River Improvement and Levee Association, favoring deep waterway connecting the Great Lakes with the Mississippi River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

By Mr. BURKETT: Petition of the Methodist Book Concern and other publishing houses, against the increase in postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. BURLEIGH: Papers to accompany bill to pension Mrs. Frank W. Haskell—to the Committee on Invalid Pensions.

By Mr. CANNON: Resolution of the Milwaukee Chamber of Commerce, favoring enlargement of power of the Interstate

Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of E. S. Roberts and 12 other citizens of Danville, Ill.; also of A. L. Rice and 18 other citizens of Danville, Ill., protesting against repeal of the anticanteen law—to the Committee on Military Affairs.

Also, petition of Lewis P. Kapp and 12 other citizens of Danville, Ill., protesting against the repeal of the anticanteen law—to the Committee on Military Affairs.

Also, papers to accompany bill to increase pension of Granville H. Bishop—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Alba B. Bean—to the Committee on Invalid Pensions.

By Mr. COUSINS: Resolution of Farragut Post, No. 95, Grand Army of the Republic, Gilman, Department of Iowa, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the United National Association of Post-Office Clerks, thanking Members of the Fifty-seventh Congress for interest displayed in their behalf—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Papers to accompany bill H. R. 965, to increase pension of Franklin Webb—to the Committee on Invalid Pensions.

Also, resolution of the Rochester Chamber of Commerce, relative to deep waterways through New York State—to the Committee on Rivers and Harbors.

Also, petition of the Methodist Book Concern and other publishing houses and societies, protesting against increase in postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the board of trustees of the Sanitary District of Chicago, favoring the construction of waterway connecting the Great Lakes with the Mississippi River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

By Mr. HEMENWAY: Papers to accompany bill to pension Amanda Marsee—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Resolution of Meyerhoff Post, No. 466, Grand Army of the Republic, Nodaway, Department of Iowa, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HULL: Papers to accompany bill (H. R. 4945) granting increase of pension to Orwell Blake—to the Committee on Invalid Pensions.

By Mr. JENKINS: Resolution of the Presbyterian and Methodist Episcopal churches of Bayfield, Wis., protesting against the restoration of the canteen—to the Committee on Military Affairs.

By Mr. LLOYD: Papers to accompany bill to pension Jesse Bucus—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase the pension of Robert D. Gardner—to the Committee on Invalid Pensions.

By Mr. LORIMER: Papers to accompany bill to pension Lieut. Orrin L. Mann—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of the Rochester Chamber of Commerce, favoring deep waterways through New York State—to the Committee on Rivers and Harbors.

By Mr. PORTER: Resolution of the board of trustees of the Sanitary District of Chicago, favoring waterway connecting the Great Lakes with the Mississippi River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

Also, petition of the Methodist Book Concern and other publishing houses, protesting against an increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. RIXEY: Papers to accompany bill to pension Margaret M. and Virginia E. Sinclair—to the Committee on Pensions.

Also, papers to accompany bill for the relief of the trustees of the Methodist Episcopal Church South, of Culpeper, Va.—to the Committee on War Claims.

By Mr. SPALDING: Resolution of the millers of North Dakota and northwestern Minnesota, favoring reciprocity with Canada—to the Committee on Ways and Means.

By Mr. SULZER: Resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, favoring the appointment of a nonpartisan permanent tariff commission—to the Committee on Ways and Means.

By Mr. VREELAND: Resolution of Burnside Post, No. 237, Grand Army of the Republic, Rossburg, Department of New York, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Resolution of Charles P. Sprout Post, No. 76, Grand Army of the Republic, Lockport, Department of New York, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany bill to increase pension of R. D. Paker—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, *December 4, 1903.*

Prayer by Rev. H. M. BLAIR, D. D., of Greensboro, N. C.

The Secretary proceeded to read the Journal of Tuesday's proceedings, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. The Chair hears none, and the Journal is approved.

REPORT OF GOVERNOR OF PORTO RICO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. FORAKER, was, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the third annual report of the governor of Porto Rico, covering the period from July 1, 1902, to June 30, 1903, with appendices.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 4, 1903.*

GOVERNMENT PRINTING OFFICE BUILDING.

The PRESIDENT pro tempore laid before the Senate a communication from Brig. Gen. G. L. Gillespie, Chief of Engineers, United States Army, transmitting a report of the operations on the new Government Printing Office building for the year ended November 30, 1903; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JOSEPH F. TRAVERS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Joseph F. Travers, guardian of Michael Travers, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of sundry citizens of Paxton, of the Woman's Christian Temperance Union of Rantoul, of the Woman's Christian Temperance Union of Streator, of sundry citizens of Kirkwood, of sundry citizens of Minonk, of the congregation of the Wesleyan Methodist Church of West Bureau, of the Woman's Christian Temperance Union of Harvey, of the congregation of the Congregational Church of Harvey, and of sundry citizens of Harvey, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the board of trustees of the sanitary district of Chicago, praying that an appropriation be made for the construction of a waterway connecting the Great Lakes at the north with the Mississippi River and the Gulf of Mexico at the south; which was referred to the Committee on Commerce.

Mr. MITCHELL presented the petition of Henry W. Miller, of Portland, Oreg., praying that he be granted an increase of pension; which was referred to the Committee on Pensions.

He also presented the petition of Thomas Coyle and Bridget Coyle, of Cascade Locks, Oreg., praying for the enactment of legislation granting relief for certain injuries received by Bridget Coyle and child during the construction of the canal and locks at that place; which was referred to the Committee on Claims.

Mr. BAILEY presented petitions of the Woman's Christian Temperance Union of Corpus Christi, of sundry citizens of Marshall, of the Woman's Christian Temperance Union of Haskell, of the Woman's Christian Temperance Union of Canadian, and of sundry citizens of Haskell, all in the State of Texas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented a memorial of the Sunday School Editors and Publishers' Association of America, remonstrating against the enactment of legislation to increase the postal rates on Sunday-school periodicals; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Wolcott and New York City; of the Clio Club, of New York City; of the Portia Club, of New York City; of the Woman's Christian Temperance Union of Vestal Center; of the Post Parliament Club, of New York City; of the congregation of the Presbyterian Church of Shelter Island; of sundry citizens of Schodack; of the congregation of the Congregational Church of Wellsville; of sundry citizens of Waterford; of the Christian Endeavor Society of the First Presbyterian Church of Mechanicville; of the congregation of the North Avenue Presbyterian Church, of New Rochelle; of the Woman's Christian Temperance Union of Hempstead; of the congregation of the Washington Heights Presbyterian Church, of New York City; of the Literary Club of Port Jefferson; of sundry citizens of Hancock and Troy; of the Woman's Christian Temperance Union of Port Jefferson; of the Travelers-at-Home Club, of Saratoga Springs; of sundry citizens of Brooklyn; of the Woman's Christian Temperance Union of Gaines; of the Woman's Home and Foreign Missionary Society of the Presbyterian Church of Port Jefferson; of the Woman's Missionary Society of Chester; of the Woman's Christian Temperance Union of Brooklyn; of the Woman's Missionary Society of Hastings, and of the congregation of the First Methodist Episcopal Church of Wellsville, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MILLARD presented petitions of the Woman's Missionary Society of the First Presbyterian Church of Beatrice, of sundry citizens of Gage County and Fairbury, of the congregation of the First Presbyterian Church of Auburn, of the congregation of the United Presbyterian Church of Superior, of the Woman's Christian Temperance Union of Harvard, of sundry citizens of Palmyra, of the Woman's Christian Temperance Union of Lexington, of the Woman's Missionary Society of Palmyra, of the congregation of the Methodist Episcopal Church of Palmyra, of the congregation of the Presbyterian Church of Tekamah, of the Woman's Christian Temperance Union of Tekamah, of the congregation of the First Baptist Church of Tekamah, of the congregation of the Methodist Episcopal Church of Tekamah, of the Woman's Club of Tekamah, and of sundry citizens of Alliance, all in the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the Woman's Christian Temperance Union of Kingston, R. I., and a petition of the congregation of the Second Baptist Church, of Newport, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented a memorial of the legislature of Minnesota, relative to the 5 per cent of the minimum price of the public lands that have been appropriated as compensation for military services rendered the United States since the admission of Minnesota into the Union; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

S. F. No. 4. A memorial to Congress by the legislature of the State of Minnesota, respecting the 5 per cent of the minimum price of the public lands that have been appropriated as compensation for military services rendered the United States since the admission of Minnesota into the Union.

Whereas the enabling act passed by the Congress of the United States and approved by the President February 26, A. D. 1857, providing for a convention to form a constitution for the State of Minnesota, and for the admission of such State into the Union, contained a compact that if the said convention which shall form the constitution of said State shall provide, by a clause in said constitution, or an ordinance, irrevocable without the consent of the United States, that said State shall never interfere with the primary disposal of the soil within the same by the United States, or with any regulations Congress may find necessary for securing a title in said soil to bona fide purchasers thereof, and that no tax shall be imposed on lands belonging to the United States, and that in no case shall nonresident proprietors be taxed higher than residents, all which said convention which formed the constitution did so provide, then that 5 per cent of the net proceeds of sales of all public lands within said State, which shall be sold by Congress after the admission of the said State into the Union, after deducting all the expenses incident to the same, shall be paid to said State for the purpose of making public roads and internal improvements as the legislature shall direct; and

Whereas, after the terms of said compact had been complied with by the State of Minnesota, Congress disposed of a large proportion of said public lands in making compensation for military service rendered the United States to the extent of many millions of acres, and has failed and refused to state an account in favor of or to pay to the State of Minnesota 5 per cent of the minimum price of said lands so disposed of after deducting all expenses incident to the sale of the same, whereby the United States has become indebted to the State of Minnesota to the extent and in the sum of about $900,000, and Congress, though solicited, has failed to make the necessary appropriations to enable the accounting officers of the Treasury to state and pay this account so justly due: Therefore,

Resolved by the legislature of the State of Minnesota, That the Congress of the United States be, and hereby is, memorialized and requested to take such action as will carry into effect the terms of the compact aforesaid on the part of the United States, and to make provision for the payment of 5 per cent of the minimum price of the public lands that have been so appropriated since the admission of Minnesota into the Union, by the way of bounty land warrants and in compensation of military service rendered in the Army of the United States, in the same manner and to the same extent as if said lands had been disposed of for cash.

Approved February 15, 1902.

United States of America, State of Minnesota, Department of State.

I, P. E. Hanson, secretary of state of the State of Minnesota, do hereby certify that I have compared the annexed copy with the original memorial in my office of S. F. No. 4, a memorial to Congress by the legislature of the State of Minnesota respecting the 5 per cent of the minimum price of the public lands that have been appropriated as compensation for military services rendered the United States since the admission of Minnesota into the Union, duly approved February 15, 1902, and that said copy is a true and correct transcript of said memorial and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State at the capitol, in St. Paul, this 18th day of February, A. D. 1903.

[SEAL.] P. E. HANSON, *Secretary of State.*

Mr. CLAPP presented petitions of the congregation of the First Presbyterian Church of Minneapolis; of the congregation of the Merriam Park Presbyterian Church, of Merriam Park, all in the State of Minnesota, and of the Frances E. Willard Woman's Christian Temperance Union, of Washington, D. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented petitions of Colonel Randall Post, No. 648, of Liverpool; of Post No. 188, of Hudson; of Charles P. Sprout Post, No. 76, of Lockport; of William A. Jackson Post, No. 644, of Albany; of Grover Post, No. 98, of Cortland, and of Chapin Post, No. 2, of Buffalo, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Methodist Episcopal Church of Erwin; of the Kings County Woman's Christian Temperance Union, of Brooklyn; of sundry citizens of Bath; of the Woman's Christian Temperance Union of Mexico; of sundry citizens of Frankfort; of the congregation of the Presbyterian Church of Dundee; of the Woman's Christian Temperance Union of Kanona; of sundry citizens of Syracuse; of the congregation of the Westminster Presbyterian Church, of Syracuse; of sundry citizens of Hunter; of the Woman's Christian Temperance Union of Houghton; of the Woman's Christian Temperance Union of Mechanicville; of the Woman's Christian Temperance Union of Avoca; of the congregation of the Presbyterian Church of Bedford Park; of the Woman's Christian Temperance Union of Malone; of the congregation of the Ninth Street Presbyterian Church, of Troy; of the Epworth League of Kanona; of the congregation of the Presbyterian Church of Greenport; of the congregation of the North Presbyterian Church, of Geneva; of sundry citizens of Mount Vernon; of the congregation of the Washington Heights Presbyterian Church, of New York City; of the Woman's Branch of City Missions of Brooklyn; of the Woman's Christian Temperance Union of Hancock; of the Woman's Christian Temperance Union of New Paltz; of sundry citizens of Pittstown; of sundry citizens of Huntington; of the Woman's Christian Temperance Union of Lockport; of the congregation of the University Avenue Methodist Episcopal Church, of Syracuse; of the Woman's Home and Foreign Missionary Society of Barre, and of the congregation of the Baptist Church of Moravia, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SCOTT presented petitions of the Round Dozen Club, of Buckhannon; of the congregation of the Methodist Protestant Church of Buckhannon; of sundry citizens of Buckhannon; of the Woman's Christian Temperance Union of Buckhannon, and of the Presbyterian, the Methodist Episcopal, and the Christian churches of Cameron, all in the State of West Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BALL presented a petition of sundry members of the General Assembly of Delaware, praying that an appropriation be made to complete the inland waterway connecting Assawaman Bay with Delaware Bay; which was referred to the Committee on Commerce.

He also presented petitions of the Woman's Missionary Society of Wilmington, of the congregation of the Methodist Episcopal Church of Newark, of the Woman's Christian Temperance Union of Laurel, of the congregation of the Methodist Protestant Church of Laurel, and of the congregation of the Methodist Episcopal Church of Laurel, all in the State of Delaware, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented a petition of J. D. Austin Post, No. 427, Grand Army of the Republic, Department of Kansas, of Riley, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the First Presbyterian Church of Garden City, and of sundry citizens of Butler County, in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the congregation of the Madison Avenue Church, of Elizabeth; of the congregation of the Baptist Church of New Market; of Thorofare Grange, No. 59, Patrons of Husbandry; of the Ladies' Aid and Home Missionary Society

of the First Presbyterian Church of Haddonfield; of the Young Woman's Christian Temperance Union of Haddonfield; of sundry citizens of Marksboro; of the King's Messengers' Missionary Band of the First Presbyterian Church of Plainfield; of sundry citizens of Blairstown; of the congregation of the Methodist Episcopal Church of Succasunna; of the congregation of the Methodist Episcopal Church of Dunellen; of the congregation of the Presbyterian Church of Dunellen; of the congregation of the Greystone Presbyterian Church, of Elizabeth; of the congregation of the Westminster Presbyterian Church, of Elizabethtown; of the Orange Political Study Club, of Orange, and of the Woman's Christian Temperance Union of Haddonfield, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 7, Saw Smiths' National Union, of Millville, N. J., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of Local Union No. 230, Cigar Makers' International Union, of Millville, N. J.; remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

Mr. PLATT of Connecticut presented petitions of the Woman's Christian Temperance Union of Griswold, of the Young People's Society of Christian Endeavor of Griswold, and of the congregation of the Baptist Church of Griswold, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ELKINS presented petitions of the congregation of the Baptist Church of Buckhannon; of the congregation of the Methodist Protestant, Protestant Episcopal, and the Christian churches of Cameron; of the congregation of the Methodist Episcopal Church and Union Sunday School of Mount Hope, and of the congregation of the Presbyterian Church of Buckhannon, all in the State of West Virginia, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented petitions of the Woman's Christian Temperance Union of Melrose, of the Methodist Episcopal Church of Veltan, and of sundry citizens of St. Croix Falls, all in the State of Wisconsin, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the board of directors of the Chamber of Commerce of Milwaukee, Wis., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the congregations of the Presbyterian and Methodist Episcopal churches of Bayfield, Wis., remonstrating against the restoration of the army canteen; which was referred to the Committee on Military Affairs.

Mr. FAIRBANKS presented petitions of the congregation of the Third Presbyterian Church of Fort Wayne; of the Home Mission New Albany Presbytery, of Hanover; of the congregation of the United Presbyterian Church of Milroy, and of the congregation of the Presbyterian Church of Mishawaka, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HANSBROUGH presented a petition of Sykeston Prohibition Alliance No. 18, and the Christian Endeavor Society of Wells County, N. Dak., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Presbyterian Church of Bathgate, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HANNA presented petitions of the faculty of Muskingum College, New Concord; of the First Congregational Church of Conneaut; of the Woman's Christian Temperance Unions of New Lyme, Marion, Toledo, Concord, Westview, Clyde, West Toledo, North Fairfield, and Conneaut; of the Woman's Home Missionary Society of the Olivet Presbyterian Church and of the Madison Methodist Episcopal Church, of Columbus; of the Woman's Home Missionary Society of Quincy; of the First Methodist Episcopal Church, the St. Mary's Catholic Church, the First Baptist Church, and the Christian Church, of Conneaut; of the Baptist Church of North Fairfield; of the Baptist Association of Ashtabula; of the Congregational Church of Newbury; of the Congregational Church of Medina; of the Congregational Church of North Fairfield; of the Friends' Church of East Goshen; of the Methodist Protestant Church of York; of the Methodist Episcopal Church of North Fairfield; of the First Methodist Episcopal Church of Canton; of the First Presbyterian Church of Wellsville; of the Warren Presbyterian Church, of Gravel Bank; of the Woman's Missionary Society of the Presbyterian Church of Mount Gilead; of the United Presbyterian Church of Rix Mills; of the Calvary Presbyterian Church, of Canton; of the Presbyterian Church of Orville; of the Christian Church of Defiance; of sundry citizens of Warren, Bryan, Defiance, and Washington County; of the Epworth League of North Fairfield; of the Central Congregational Church, of Toledo; of the Central Woman's Christian Temperance Union, of Dayton; of the Woman's Christian Temperance Unions of Chesterville, East Liverpool, Toledo, Waynesville, Quincy, Kingston, Circleville, Claridon, Barnesville, Defiance, Chester, Pataskala, Ashley, Mount Gilead, Hartford, Prairie Depot, Norwalk, Oberlin, Geneva, and Plain City; of the United Brethren Church of Defiance; of the Christian Endeavor Society of the United Brethren Church of Defiance; of the Epworth League of Huron; of the Church of Christ, of Prairie Depot; of the Methodist Episcopal Church of New Concord; of the Baptist Association of Toledo; of the Baptist Church of Defiance; of the Baptist Young People's Unions of Defiance and Norwalk; of the Woman's Relief Corps of Defiance; of Bishop Post, No. 22, Grand Army of the Republic, of Defiance; of the Presbyterian Sunday School of Norwalk; of the College of Christian Endeavor, of Defiance; of the Christian Endeavor Society of the First Congregational Church of Norwalk; of the Reformed Presbyterian Church of New Concord; of the Reformed Presbyterian Church of Cedarville; of sundry citizens of Cortland and Toledo, and of the Woman's Christian Temperance Union of Cleveland, all in the State of Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Federal Labor Union No. 9985, of Uhrichsville; of Allied Metal Mechanics No. 169, of Cleveland; of the Granite Cutters' National Union of Clyde; of Local Union No. 117, of Toledo; of Local Union No. 171, United Brotherhood of Carpenters and Joiners, of Youngstown; of Iron Molders' Union No. 218, of Cleveland; of Local Branch No. 20, Glass Bottle Blowers' Association, of Zanesville; of Victory Lodge, No. 48, Iron, Tin, and Steel Workers, of Zanesville; of Local Union No. 181, Amalgamated Wood Workers' International Union, of Cleveland; of Boot and Shoe Workers' Local Union No. 218, of Cincinnati; of Retail Clerks' National Protective Association, Local Union No. 100, of Akron; of Plumbers' Local Union No. 50, of Toledo; of the Central Labor Union of Fremont; of the Painters and Decorators' District Council of Cincinnati; of Iron Molders' Union No. 283, of Hamilton; of the United Brotherhood of Leather Workers of Marietta; of the Trades and Labor Assembly of Marietta; of Reed and Rattan Workers' Local Union No. 22, of Cincinnati; of Local Union No. 611, Retail Clerks' International Protective Association, of Cincinnati; of Local Union No. 389, Brotherhood of Painters, Decorators, and Paperhangers, of Conneaut; of Local Union No. 2113, United Mine Workers, of Wellston; of Local Union No. 1741, United Mine Workers, of Massillon; of Cigar Makers' Local Union No. 481, of Cincinnati; of Local Union No. 153, United Mine Workers, of East Liverpool; of Local Union No. 76, Brotherhood of Bookbinders, of Toledo; of Local Union No. 27, Brotherhood of Bookbinders, of Cincinnati; of the Musicians' Protective Association of Cincinnati; of the United Trades and Labor Councils of Cuyahoga County and Cleveland; of Local Union No. 65, Amalgamated Sheet Metal Workers' International Alliance, of Cleveland; of Atkins Lodge, No. 31, Iron, Steel, and Tin Workers, of Glenville; of Bricklayers' International Union No. 6, of Canton; of Local Union No. 14, United Brotherhood of Carpenters and Joiners, of Cleveland; of Local Union No. 59, Amalgamated Wood Workers' International Union, of Zanesville; of Local Union No. 127, Bartenders' League, of Massillon; of Local Union No. 94, United Association Journeymen Plumbers, Gas Fitters, Steam Fitters, and Steam Fitters' Helpers, of Canton; of the Trades and Labor Assembly of Tuscarawas County; of the Central Labor Union of Toledo; of Cigar Makers' Local Union No. 48, of Toledo; of Cigar Makers' Local Union No. 75, of Columbus; of Federal Labor Union No. 10760, of St. Marys; of Local Union No. 133, United Mine Workers, of Negley; of Candy Makers' Local Union No. 252, of Cincinnati, and of the Central Labor Union of Canton, all in the State of Ohio, praying for the passage of the so-called eight-hour bill and of the so-called anti-injunction bill; which were referred to the Committee on Education and Labor.

Mr. FRYE presented a memorial of the Sunday School Editors and Publishers' Association of America, remonstrating against the enactment of legislation to increase the postal rates on Sunday-school periodicals; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the National Business League of Chicago, Ill., praying that an adequate appropriation be made to increase the American Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Bar Association of the Hawaiian Islands, praying that the laws may be so revised that the number of supreme court judges in the Territory of Hawaii be increased from three to five; which was referred to the Committee on the Revision of the Laws of the United States.

He also presented petitions of the Durham monthly meeting of the Society of Friends, of South Durham, and of the Woman's Christian Temperance Union of South Durham, in the State of Maine; of the congregation of the Methodist Episcopal Church of Wayne, Pa.; of the congregation of the Hamilton Square Baptist Church, of Hamilton, N. J.; of the congregation of the Methodist Episcopal Church of Chautauqua County, N. Y., and of the congregation of the Highland Park Presbyterian Church, of Minneapolis, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

LABOR BULLETINS.

Mr. LODGE. I present two bulletins of the Massachusetts bureau of statistics of labor, which bear on the question of immigration, and move that they be printed as a document and referred to the Committee on Immigration.

The motion was agreed to.

REPORT OF COMMITTEE ON MILITARY AFFAIRS.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 1656) to provide for the purchase of land for a military post at or near Columbus, Ohio, reported it with an amendment, and submitted a report thereon.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. McCOMAS on the 23d ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings of Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

TREATIES, LAWS, ETC., RELATING TO INDIAN AFFAIRS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from Nevada [Mr. STEWART] on the 17th ultimo, to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution; which was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., relating to Indian Affairs," as revised, 300 of which shall be for the use of the Senate, 800 for the House of Representatives, 200 for the Commissioner of Indian Affairs, 50 for the House Committee on Indian Affairs, 50 for the Senate Committee on Indian Affairs, and the remaining 1,100 shall be sold by the superintendent of documents.

The amendment of the Committee on Printing was, in line 10, after the words "Indian Affairs," to insert the words "100 copies for the Department of the Interior;" and in line 11 to strike out "100" after "1,000."

The amendment was agreed to.

The concurrent resolution as amended was agreed to.

INDEX TO DIPLOMATIC CORRESPONDENCE, ETC.

Mr. PLATT of New York. I am directed by the Committee on Printing to report a joint resolution providing for printing the general index to published volumes of the diplomatic correspondence and foreign relations of the United States, and I ask for its present consideration.

The joint resolution (S. R. 18) providing for printing the general index to published volumes of the diplomatic correspondence and foreign relations of the United States was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That there be printed 3,000 copies of the general index to the published volumes of the diplomatic correspondence and foreign relations of the United States, an appropriation for the preparation of which was made under the sundry civil act of June 6, 1900, 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives.

Mr. GORMAN. Let the joint resolution be read again.

The joint resolution was again read.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUE OF COUNT DE ROCHAMBEAU.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from Rhode Island [Mr. WETMORE] on the 11th ultimo, providing for printing copies of the proceedings upon the unveiling of the statue of the Count de Rochambeau, to report it favorably with amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The amendments of the Committee on Printing were, in line 3, after the word "eulogies," to insert the words "with accompanying illustrations;" in the same line, before the word "thousand," to strike out "twenty" and insert "ten;" in line 5, before the word "thousand," to strike out "six" and insert "three;" in line 6, before the word "thousand," to strike out "twelve" and insert "six;" in line 7, after the word "Representatives," to strike out "one thousand" and insert "five hundred;" and in line 9 to strike out "one thousand" and insert "five hundred;" so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed, and bound in the form such as is customary in the case of eulogies, with accompanying illustrations, 10,000 copies of the proceedings upon the unveiling of the statue of the Count de Rochambeau, of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House of Representatives, 500 to be delivered to the ambassador of the Republic of France for such distribution as he shall think fit, the remaining 500, of which 200 shall be bound in full morocco, to be distributed, under the direction of the chairman of the Joint Committee on the Library, to the guests invited from the French Republic and the speakers who took part in said celebration.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

HEARINGS BEFORE COMMITTEE ON COMMERCE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. FRYE on the 24th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer from time to time as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

HEARINGS BEFORE COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. GALLINGER on the 24th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the District of Columbia be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer, from time to time as may be necessary, to report such hearings as may be had by the committee or its subcommittees in connection with any matter which may be before the committee and to have the same printed for its use; that it may sit during the sessions of the Senate or during the periods of its adjournment; that it may summon such witnesses as may be necessary to appear before the committee, and that any expense in connection with the foregoing shall be paid out of the contingent fund of the Senate.

REIMBURSEMENT TO SENATOR MORGAN.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. BLACKBURN on the 1st instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the sum of $100 be paid to JOHN T. MORGAN, from the contingent fund of the Senate, to reimburse him for that sum paid by him for the translation from the Spanish language of various documents for the use of the Committee on Interoceanic Canals.

EMPLOYMENT OF ASSISTANT CLERK.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Alabama [Mr. MORGAN] on the 1st instant, providing for an assistant clerk for the Committee on Public Health and National Quarantine, to report it favorably with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment of the committee was to insert after the words "National Quarantine" the words "as at present organized;" so as to make the resolution read:

Resolved, That the Committee on Public Health and National Quarantine, as at present organized, be, and is hereby, authorized to employ an assistant

clerk, who shall be an expert typewriter, at an annual salary at the rate of $1,440, to be paid from the contingent fund of the Senate until otherwise provided for by law.

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS INTRODUCED.

Mr. PLATT of Connecticut (by request) introduced a bill (S. 2033) to refer to the Court of Claims the claims of the Peoria, Kaskaskia, Wea, and Piankashaw Indians against the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2034) directing the issue of a duplicate of a lost check, drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company (with accompanying papers);

A bill (S. 2035) for the relief of George A. Davis, administrator of Patrick Brady, deceased;

A bill (S. 2036) for the relief of George A. Davis, administrator of Mrs. Martha N. Davis, deceased;

A bill (S. 2037) for the relief of Jacob W. Hudson; and

A bill (S. 2038) for the relief of Gideon C. Corley.

Mr. ELKINS introduced a bill (S. 2039) to remove the charge of desertion from the military record of William B. Lane; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2040) granting a pension to Charles L. Reeder (with an accompanying paper);

A bill (S. 2041) granting a pension to Catharine L. Chaney;

A bill (S. 2042) granting a pension to Susan O'Brian;

A bill (S. 2043) granting an increase of pension to Andrew J. Williams; and

A bill (S. 2044) granting a pension to Mattie Aten.

Mr. BLACKBURN introduced a bill (S. 2045) for the relief of Catherine B. Jones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 2046) granting an increase of pension to William G. Scott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2047) for the relief of the legal representatives of Nathaniel and William Offutt, deceased;

A bill (S. 2048) for the relief of Frederick Fuhr; and

A bill (S. 2049) for the relief of John Konns, of Louisiana, surviving partner, and so forth.

Mr. BAILEY (by request) introduced a bill (S. 2050) for the relief of the heirs of the late Lieut. Thomas G. Williams, United States Army; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2051) to authorize the purchase of lands in the Indian Territory under certain conditions; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BALL introduced a bill (S. 2052) for the relief of Samuel S. Weaver; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2053) granting a pension to David Clower; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LONG introduced a bill (S. 2054) granting a pension to Isabella McConnell; which was read twice by its title and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2055) for the relief of Catharine Barry Meeha; which was read twice by its title and referred to the Committee on Claims.

He also introduced a bill (S. 2056) for the relief of D. K. Ponder; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of D. K. Ponder for payment for supplies taken by the United States Army, together with the affidavit of himself and the affidavit of Sanders D. Gatlin. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2057) granting an increase of pension to William H. Unkefer; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of William H. Unkefer for increase of pension, together with the affidavit of Dr. J. W. Clark and tax receipt. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2058) granting an increase of pension to Jacob A. Roof; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition and affidavit of Jacob A. Roof, together with the affidavits of Jonas M. McCoy, Dr. C. H. Fulbright, Thomas J. Tharp, and Frank E. Taylor. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2059) granting an increase of pension to John Thomas; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of John Thomas, together with the affidavits of Dr. R. F. Cheatham and of Frank F. Kentling and Olga Keysser. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. MILLARD introduced a bill (S. 2060) providing for the use of Fort Omaha Military Reservation, in the city of Omaha, Nebr., for officers' quarters, and for the improvement of the same, and for other purposes; which was read twice by its title and referred to the Committee on Military Affairs.

Mr. DEPEW introduced a bill (S. 2061) granting an increase of pension to William H. Barlow; which was read twice by its title and referred to the Committee on Pensions.

He also introduced a bill (S. 2062) for the relief of William L. Best; which was read twice by its title and referred to the Committee on Claims.

Mr. PLATT of New York introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2063) for the relief of the personal representatives of Minthorne Tompkins, deceased;

A bill (S. 2064) for the relief of the estate of Minthorne Tompkins, deceased;

A bill (S. 2065) for the relief of the estate of William W. Campbell;

A bill (S. 2066) for the relief of James Matthews, receiver; and

A bill (S. 2067) for the relief of John M. Jamieson.

Mr. PLATT of New York introduced a bill (S. 2068) granting an increase of pension to Julia A. Roberts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 2069) correcting the military record of Simon P. Rinehart; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2070) granting an increase of pension to Charles W. Lee (with accompanying papers);

A bill (S. 2071) granting an increase of pension to Edwin D. York;

A bill (S. 2072) granting an increase of pension to Jeremiah Lockwood;

A bill (S. 2073) granting an increase of pension to Edward Maxwell (with accompanying papers);

A bill (S. 2074) granting an increase of pension to James A. Harper (with accompanying papers);

A bill (S. 2075) granting an increase of pension to John G. Parker (with accompanying papers);

A bill (S. 2076) granting a pension to Mary Z. Miller; and

A bill (S. 2077) granting a pension to Dicie C. Alexander (with accompanying papers).

Mr. McCUMBER introduced a bill (S. 2078) granting an increase of pension to Hampton C. Watson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2079) to remove the charge of desertion from the military record of Thomas Watts; which was read twice by its title, and referred to the Committe on Military Affairs.

He also introduced a bill (S. 2080) authorizing the Secretary of War to place the name of Joseph F. Ritcherdson on the rolls of Company C, One hundred and twenty-second Illinois Volunteer Infantry, and issue him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 2081) to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes; which

was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2082) granting an increase of pension to Thomas J. Gafford; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2083) granting an increase of pension to James C. Armstrong; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2084) for the relief of W. C. Harrell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 2085) to provide for the purchase of a site and the erection of a public building thereon at Alexandria, in the State of Minnesota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL introduced a bill (S. 2086) providing for subsistence for rural free-delivery carriers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2087) granting an increase of pension to George Rilea; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2088) granting an increase of pension to Henry W. Miller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2089) for the removal of the charge of desertion from the military record of George Abbott, alias Andrew C. Adams; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2090) for the relief of Thomas Coyle and Bridget Coyle, and their legal representatives; which was read twice by its title, and referred to the Committee on Claims.

Mr. KITTREDGE introduced a bill (S. 2091) granting an increase of pension to Nelson Gardner; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. SCOTT introduced the following bills, which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2092) granting an increase of pension to John O. McGrew (with an accompanying paper);

A bill (S. 2093) granting an increase of pension to Victoria M. Steele;

A bill (S. 2094) granting an increase of pension to James Rumbaugh (with accompanying papers); and

A bill (S. 2095) granting an increase of pension to William Large (with an accompanying paper).

Mr. HANSBROUGH introduced a bill (S. 2096) granting an increase of pension to John W. Millett; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 2097) granting a pension to John T. Walsh; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2098) for the relief of Mrs. S. C. Mitchell;

A bill (S. 2099) for the relief of Edward H. Delahay; and

A bill (S. 2100) for the relief of S. Sollers Maynard, executor of Augustine D. O'Leary, deceased.

Mr. FRYE introduced a bill (S. 2101) for the relief of Elizabeth R. Gordon; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUARLES introduced a bill (S. 2102) to provide for the investigation of the claims of the Potawatomi Indians of Wisconsin for their proportionate shares of the annuities, interest on trust funds, and other moneys heretofore paid to or expended for the tribe to which they belong, in which payments the claimant Indians have not shared; which was read twice by its title, and referred to the Committee on Indian Affairs.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. STEWART submitted an amendment proposing to appropriate $25,000 for grading and macadamizing Pennsylvania avenue east from its intersection with Branch avenue to the District line, and also $5,000 for grading South avenue from Pennsylvania avenue east and the district line to the Suitland road, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

JUDICIAL DISTRICT IN OHIO.

Mr. PLATT of Connecticut. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That there be printed for the use of the Senate 500 copies of the memoranda relating to the bill (S. 1655) to create a new Federal district in Ohio to be called the central district.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. PLATT of Connecticut. The cost of the printing will be only $5 or $6.

The resolution was agreed to.

PROPOSED BUREAU OF GRAIN INSPECTION.

Mr. McCUMBER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed 2,500 additional copies of Senate bill No. 199 for the use of the Senate.

GOVERNMENT AID TO EXPOSITIONS.

Mr. MITCHELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be, and he is hereby, directed to transmit to the Senate, at his earliest convenience, a statement in detail of all sums heretofore appropriated by the Government of the United States since the beginning of the Government to the present time in aid of expositions or fairs, national, international, or local, the dates of such appropriations, and the amount or amounts appropriated in aid of each, and the name of the association or fair thus aided, and the location of the same, together with a statement of all legislation heretofore enacted by Congress in aid of or in connection with the holding of any such exposition or fair, commercial or otherwise, in the United States since the beginning of Government to the present time, together with a statement of Government exhibits contributed by the Government or any department thereof, respectively, to such exposition or fair during such time.

THOMAS P. MORGAN, JR.

Mr. McCOMAS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary is hereby authorized and directed to transmit to the Court of Claims all papers filed with this body in the claim of Thomas P. Morgan, jr., of the District of Columbia, against the United States, there needed for use in the trial of the case of Thomas P. Morgan, jr., *v.* The United States, Congressional No. 682, which case was referred to said court, under the act of March 3, 1883, by the House of Representatives April 2, 1886.

REPORT ON CEMENT RESOURCES.

On motion of Mr. MORGAN, it was

Ordered, That 1,000 additional copies of Senate Document No. 19, Fifty-Eighth Congress, first session, be printed, with the geological map appended, for the use of the Senate.

ASSISTANT CLERK TO INDIAN AFFAIRS COMMITTEE.

Mr. STEWART submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the salary of the assistant clerk to the Committee on Indian Affairs, authorized by resolution of March 1, 1900, at $1,440 per annum, be, and it hereby is, increased to $1,800 per annum, to take effect January 1, 1904.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 36 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 5, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 4, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Tuesday last was read and approved.

SWEARING IN OF MEMBERS.

Mr. SMITH of Kentucky. Hon. W. Godfrey Hunter, duly accredited as a Representative in the Fifty-eighth Congress from the Eleventh district of Kentucky, having been chosen to fill the vacancy caused by the death of Hon. Vincent Boreing, is present and desires to take the oath of office.

The credentials of Mr. Hunter were read.

Mr. GROSVENOR. Hon. Robert M. Nevin, Representative-elect from the Third district of Ohio, is also present and ready to take the oath.

The SPEAKER. Both the gentlemen named will please come to the bar of the House.

Mr. Hunter and Mr. Nevin accordingly presented themselves and were duly qualified by taking the oath of office prescribed by law.

And then, on motion of Mr. PAYNE (at 12 o'clock and 5 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of

Edward Valencourt Deuell, in his own right and as administrator of estate of Ethan A. Deuell, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Henry Damm, jr., administrator of estate of Henry Damm, sr., against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Josephus E. Harley, administrator de bonis non of estate of Otho F. Harley, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Telesfor D. Quigles, administrator of estate of Manette Marsons and of her husband, Miguel Quigles, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of George W. Branham against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Chief of Engineers, transmitting a report of the operations of the building for a Government Printing Office for the year ended November 30, 1903—to the Committee on Printing, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 246) granting a pension to East Tennessee bridge burners—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 258) granting a pension to Mrs. Lucinda Roberts—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 274) for the relief of John Ward—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 295) for the relief of Henry Spurgeon—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 419) for the relief of John E. Barrett—Committee on Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 681) granting an increase of pension to Ella P. Kerstetter—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1037) granting a pension to William D. Humbard—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 1075) for the relief of Eli Jellis—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2458) granting a pension to George Heishman—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2909) granting a pension to Mrs. Eley R. Kelly—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2940) granting an increase of pension to Hester Ann Hanback—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2970) to restore to the pension roll Andrew C. Smith—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 2978) granting a pension to Sarah F. Armstrong—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3094) granting an increase of pension to Silas W. Harris—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3105) granting an increase of pension to Benjamin W. Gaylord—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3795) granting a pension to Sarah E. Gillette—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3920) granting an increase of pension to Sarah S. Long—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4134) granting an increase of pension to Ruth M. Lyon—Committee on Pensions discharged, and referred to Committee on Invalid Pensions.

A bill (H. R. 4381) granting an increase of pension to Milton Strattan—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SPALDING: A bill (H. R. 5487) prescribing the compensation of carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. MOON of Tennessee: A bill (H. R. 5488) to enable the Secretary of War to contract for the erection of locks and dams in aid of navigation in the Tennessee River near Chattanooga, Tenn.—to the Committee on Rivers and Harbors.

By Mr. DIXON: A bill (H. R. 5489) to provide for the erection of a public building in the city of Kalispell, Mont.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5490) to provide for the erection of a public building in the city of Bozeman, Mont.—to the Committee on Public Buildings and Grounds.

By Mr. SCOTT: A bill (H. R. 5491) to erect a monument in memory of the Union soldiers who are interred in the national cemetery at Fort Scott, Kans.—to the Committee on Military Affairs.

By Mr. STANLEY: A bill (H. R. 5492) for the erection of a public building at Owensboro, Ky., and for other purposes—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5493) to admit free of duty certain articles manufactured in the United States of America—to the Committee on Ways and Means.

Also, a bill (H. R. 5494) to increase the limit of cost for the purchase of site and erection of a public building at Henderson, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. SAMUEL W. SMITH: A bill (H. R. 5495) to increase the pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. BURGESS (by request): A bill (H. R. 5496) to lessen the damage caused by and control the spread of the cotton-boll weevil and other insects and diseases injurious to cotton—to the Committee on Agriculture.

By Mr. MAYNARD: A bill (H. R. 5497) to grant the free use of the United States mails to officers of the National Guard of the States and Territories of the United States for the official business of their respective commands—to the Committee on the Post-Office and Post-Roads.

By Mr. GRIGGS: A bill (H. R. 5498) to provide for circuit and district courts of the United States at Albany, Ga.—to the Committee on the Judiciary.

Also, a bill (H. R. 5499) for a public building at the city of Thomasville, Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5500) for a public building at the city of Albany, Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5501) to provide compensation for letter carriers in the rural free-delivery service—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN: A bill (H. R. 5502) to amend section 3 of the act of Congress making appropriations for the expenses of the Indian Department—to the Committee on Indian Affairs.

By Mr. SHERLEY: A bill (H. R. 5503) to amend the internal-revenue laws, and so forth—to the Committee on Ways and Means.

By Mr. DAYTON: A bill (H. R. 5504) to provide public building to be erected upon site already selected at Bluefield, W. Va.—to the Committee on Public Buildings and Grounds.

By Mr. WACHTER: A bill (H. R. 5505) to amend section 4417 of the United States Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 5506) making April 14 of each year a legal holiday, to be known and celebrated as "Martyr's Day"—to the Committee on the Judiciary.

Also, a bill (H. R. 5507) to aid in the erection of a monument to the memory of Gen. William Smallwood and the soldiers of the Maryland Line in the war for American independence—to the Committee on the Library.

By Mr. HUMPHREY of Washington: A bill (H. R. 5508) authorizing the Secretary of War to make a survey of Duwamish River, in the State of Washington—to the Committee on Rivers and Harbors.

By Mr. HAMLIN: A bill (H. R. 5509) establishing the Wilson Creek National Military Park—to the Committee on Military Affairs.

By Mr. LAMAR of Missouri: A bill (H. R. 5510) to extend the provisions of the pension act of June 27, 1890, to the Missouri Enrolled State Militia and other organizations—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 5511) to authorize registers and receivers of United States land offices to furnish transcripts of their records to individuals—to the Committee on the Public Lands.

By Mr. FRENCH: A bill (H. R. 5512) removing the United States court in the central judicial district of Indian Territory from Antlers to Hugo, and for other purposes—to the Committee on the Judiciary.

By Mr. WILLIAMSON: A bill (H. R. 5513) granting increase of pensions to soldiers and widows of the Indian wars under act of July 27, 1892, and act approved June 27, 1902—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5514) to provide for the sale of the unsold portion of the Umatilla Reservation, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 5515) to establish an assay office at Portland, Oreg.—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 5516) to provide for the erection of a public building in Baker City, State of Oregon—to the Committee on Public Buildings and Grounds.

By Mr. WEBB: A bill (H. R. 5517) to regulate postage on newspapers deposited for delivery in letter-carrier offices—to the Committee on the Post-Office and Post-Roads.

By Mr. MUDD: A bill (H. R. 5518) to authorize the Anacostia, Surrattsville and Brandywine Electric Railway Company to extend its street railway in the District of Columbia—to the Committee on the District of Columbia.

By Mr. MORRELL: A bill (H. R. 5519) for the removal of a shoal in the Delaware River opposite Greenwich coal piers—to the Committee on Rivers and Harbors.

By Mr. SPALDING: A bill (H. R. 5520) extending age limit for appointment as second lieutenant in the Army of honorably discharged soldiers of the Spanish war and of those who served in the Philippine Islands—to the Committee on Military Affairs.

By Mr. LIVERNASH: A joint resolution (H. J. Res. 50) defining the intention of the United States concerning the Isthmus of Panama—to the Committee on Foreign Affairs.

By Mr. DAYTON: A joint resolution (H. J. Res. 51) directing the selection of a site for the erection of a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow—to the Committee on the Library.

By Mr. GOULDEN: A joint resolution (H. J. Res. 52) for the purpose of carrying out the provisions of General Orders, No. 195, War Department, June 29, 1863, for the presentation of medals—to the Committee on Military Affairs.

By Mr. LESTER: A concurrent resolution (H. C. Res. 12) providing for a reexamination of the plans for improving the channel of Savannah Harbor—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. HEMENWAY: A bill (H. R. 5521) granting an increase of pension to Charles S. Clark—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 5522) granting a pension to Theophilus Snyder—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 5523) granting an increase of pension to James A. Smith—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 5524) granting an honorable discharge to George Becker—to the Committee on Military Affairs.

Also, a bill (H. R. 5525) to remove the charge of desertion now standing against Henry Walter—to the Committee on Military Affairs.

Also, a bill (H. R. 5526) granting a pension to William Kern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5527) granting a pension to Frances Reck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5528) granting a pension to Maria Lindhorst—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 5529) granting an increase of pension to John G. Mayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5530) granting an increase of pension to Aaron R. Hudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5531) granting an increase of pension to Marvin Nash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5532) granting an increase of pension to Levi Vassar—to the Committee on Pensions.

Also, a bill (H. R. 5533) granting an increase of pension to Hugh L. Freeman—to the Committee on Pensions.

By Mr. BOWIE: A bill (H. R. 5534) granting an increase of pension to Adaline Shaw Lovejoy—to the Committee on Pensions.

Also, a bill (H. R. 5535) for the relief of the estate of William Johnson, deceased, late of Dallas County, Ala.—to the Committee on War Claims.

By Mr. BRUNDIDGE: A bill (H. R. 5536) to correct the military record of John Watson—to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 5537) granting an increase of pension to Andrew I. Northrup—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 5538) granting a pension to Jane Elizabeth Bullock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5539) granting a pension to Moses Stewart—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 5540) for the relief of Cass County, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 5541) for the relief of the trustees of the Methodist Episcopal Church South, of Harrisonville, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 5542) for the relief of the estate of M. W. Garrison, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5543) for the relief of the heirs of Robert A. Brown, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5544) for the relief of the heirs of Tillard Ragan, deceased—to the Committee on War Claims.

By Mr. DIXON: A bill (H. R. 5545) for the relief of Warren S. Baxter—to the Committee on Claims.

Also, a bill (H. R. 5546) for the relief of the county of Choteau, State of Montana—to the Committee on Claims.

Also, a bill (H. R. 5547) for the relief of the county of Custer, State of Montana—to the Committee on Claims.

By Mr. ESCH: A bill (H. R. 5548) granting a pension to Henry Carbino—to the Committee on Invalid Pensions.

By Mr. FITZPATRICK: A bill (H. R. 5549) for the relief of the legal representatives of Jacob Towson, deceased—to the Committee on War Claims.

By Mr. HAMLIN: A bill (H. R. 5550) granting a pension to Elihu Millikan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5551) granting a pension to Christian Schwarz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5552) granting a pension to Vina Lindenboner—to the Committee on Pensions.

Also, a bill (H. R. 5553) granting a pension to Fielding W. Means—to the Committee on Pensions.

Also, a bill (H. R. 5554) granting a pension to Columbus N. Brooks—to the Committee on Pensions.

Also, a bill (H. R. 5555) granting an increase of pension to James R. Hauptley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5556) granting an increase of pension to W. W. Downing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5557) for the relief of William F. Lawson—to the Committee on Military Affairs.

Also, a bill (H. R. 5558) for the relief of William L. Thompson—to the Committee on War Claims.

By Mr. HASKINS: A bill (H. R. 5559) granting an increase of pension to Josephine C. Chase—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 5560) granting an increase of pension to John D. McCullough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5561) granting a pension to William Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5562) granting a pension to Henry Sievking—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 5563) granting an increase of pension to French F. Nelson—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 5564) granting an increase of pension to Guy W. Gibson—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 5565) granting a pension to Eliza Workman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5566) granting a pension to Jackson Lykins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5567) granting an increase of pension to James W. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5568) granting an increase of pension to Emily Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5569) for the relief of James M. Stephenson, of Point Pleasant, W. Va.—to the Committee on War Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 5570) to remove charge of desertion and grant honorable discharge to Jonathan Rodfox—to the Committee on Military Affairs.

Also, a bill (H. R. 5571) granting an increase of pension to Henry M. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5572) granting a pension to Mary A. Harrison—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 5573) granting an increase of pension to Margaret W. Royse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5574) for the relief of the heirs of John Lamb—to the Committee on War Claims.

By Mr. LAMAR of Missouri: A bill (H. R. 5575) granting an increase of pension to John Herbison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5576) granting a pension to P. B. Pulley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5577) granting an increase of pension to Jabez Goodman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5578) granting a pension to John G. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5579) granting an increase of pension to Aaron Sternes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5580) granting a pension to Celia C. Owen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5581) granting an increaee of pension to William H. Riggin—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 5582) granting an increase of pension to Henry R. K. Lakman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5583) for the relief of Edward Lautenschlaeger—to the Committee on Military Affairs.

By Mr. LOVERING: A bill (H. R. 5584) granting an increase of pension to Ralph A. Adams—to the Committee on Pensions.

Also, a bill (H. R. 5585) granting an increase of pension to Edward F. Hassett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5586) granting an increase of pension to Annie Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5587) granting an increase of pension to Joanna Cox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5588) granting an increase of pension to John Farrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5589) granting an increase of pension to Lucas Longendyke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5590) granting an increase of pension to Shepard F. Easton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5591) granting an increase of pension to Jerome Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5592) granting an increase of pension to William Vericker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5593) granting a pension to Elizabeth A. Hatch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5594) granting a pension to Sarah R. Greeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5595) granting a pension to Charles F. Stetson—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 5596) for the relief of the Presbyterian Church at Macon, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 5597) for the relief of the heirs of James Price, deceased—to the Committee on War Claims.

By Mr. LUCKING: A bill (H. R. 5598) granting a pension to Hiram Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5599) granting a pension to Mary N. A. Seeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5600) granting a pension to David Kimball—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 5601) granting an increase of pension to John Sutherland—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 5602) for the relief of Mrs. Sarah C. Jones and Mrs. Lucy F. Tyler—to the Committee on War Claims.

By Mr. MURDOCK: A bill (H. R. 5603) granting an increase of pension to William C. McCormick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5604) granting an increase of pension to David Inches—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5605) granting an increase of pension to Andrew J. O'Neil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5606) granting an increase of pension to Julius A. Kesler—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 5607) granting a pension to Hartford Matherly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5608) granting an increase of pension to William E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5609) granting an increase of pension to B. F. Grigsby—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 5610) granting a pension to Annie Dorfner—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 5611) granting a pension to Juliette Westbrook—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 5612) removing the charge of desertion from the military record of James Charles Cramer—to the Committee on Military Affairs.

Also, a bill (H. R. 5613) for the relief of J. D. Golden—to the Committee on Military Affairs.

By Mr. REEDER: A bill (H. R. 5614) granting an increase of pension to Benjamin Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5615) granting an increase of pension to John A. Clayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5616) granting an increase of pension to Bird Solomon—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 5617) granting an increase of pension to William P. Hereford—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 5618) granting an increase of pension to Heloise Gano—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5619) granting an increase of pension to John H. Wheeler—to the Committee on Pensions.

Also, a bill (H. R. 5620) granting an increase of pension to Nettie Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5621) for the relief of W. W. Johnson—to the Committee on Claims.

Also, a bill (H. R. 5622) for the relief of the heirs of Richard Butler, deceased—to the Committee on Claims.

Also, a bill (H. R. 5623) granting a pension to Annie Creagh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5624) granting a pension to Patrick Grogan—to the Committee on Invalid Pensions.

By Mr. SIBLEY: A bill (H. R. 5625) granting an increase of pension to James Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5626) granting an honorable discharge to Lucien P. Rogers—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 5627) to correct the military record of John Archbishop—to the Committee on Military Affairs.

Also, a bill (H. R. 5628) to correct the military record of Jesse M. Ball—to the Committee on Military Affairs.

Also, a bill (H. R. 5629) granting an increase of pension to Madison Chapel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5630) for the relief of Benjamin F. Hasson—to the Committee on War Claims.

Also, a bill (H. R. 5631) for the relief of the survivors of the Cromwell company of Home Guards—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 5632) for the relief of James A. Fiscus—to the Committee on Military Affairs.

Also, a bill (H. R. 5633) granting a pension to Jonas J. Beal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5634) granting an increase of pension to Robert L. Miles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5635) granting an increase of pension to Albert J. Goble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5636) granting an increase of pension to James Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5637) granting an increase of pension to Lou Gates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5638) to correct the military record of Mark G. Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 5639) to remove the charge of desertion from the record of John B. Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 5640) to remove the charge of desertion against John Mervine—to the Committee on Military Affairs.

By Mr. WACHTER: A bill (H. R. 5641) granting an increase of pension to Morris B. Slawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5642) granting an increase of pension to Charles H. Boone—to the Committee on Pensions.

Also, a bill (H. R. 5643) granting an increase of pension to John E. Ammel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5644) granting an increase of pension to Samuel De Haven—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5645) granting an increase of pension to Charles W. Daneker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5646) granting a pension to Edward Wiegand—to the Committee on Pensions.

Also, a bill (H. R. 5647) granting a pension to Catherine Fritz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5648) granting a pension to Margaret Herold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5649) granting a pension to Augustus A. Rhodrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5650) granting a pension to Myers Uhlfelder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5651) to remove the charge of desertion from the record of Henry East—to the Committee on Military Affairs.

Also, a bill (H. R. 5652) removing the charge of desertion from the record of John R. Carroll—to the Committee on Military Affairs.

Also, a bill (H. R. 5653) removing the charge of desertion against Marmaduke R. Goodwin—to the Committee on Military Affairs.

Also, a bill (H. R. 5654) removing charge of desertion against John Benson, late seaman on the United States steamship *Iroquois*—to the Committee on Military Affairs.

Also, a bill (H. R. 5655) to correct the military record of John Barron—to the Committee on Military Affairs.

Also, a bill (H. R. 5656) to refer to the Court of Claims the claim of Benjamin A. Pillsbury, owner of the schooner *A. B. Sherman*, for damages caused by collisions with United States war ships—to the Committee on the Judiciary.

Also, a bill (H. R. 5657) for the relief of the heirs of John Hamilton, deceased—to the Committee on War Claims.

Also (by request), a bill (H. R. 5658) for the relief of the heirs of Henry Leef, deceased—to the Committee on Claims.

Also, a bill (H. R. 5659) for the relief of the heirs of Henry Hubbard—to the Committee on War Claims.

Also, a bill (H. R. 5660) for the relief of Samuel B. Marts, managing owner of the schooner *Nellie W. Howlett*—to the Committee on War Claims.

Also, a bill (H. R. 5661) for the relief of the representatives of the late Henry Barnes, for the property taken in 1862 for the use of the Army of the United States—to the Committee on War Claims.

Also, a bill (H. R. 5662) for the relief of Julia Nolan—to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 5663) granting a pension to Vincent De Frietas—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of the standing committees of the National Business League, favoring the enlargement of the Navy—to the Committee on Naval Affairs.

By Mr. BENTON: Papers to accompany bill granting an increase of pension to Marvin Nash—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to John G. Mayer—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Levi Vassar—to the Committee on Pensions.

Also, papers to accompany bill granting an increase of pension to Hugh L. Freeman—to the Committee on Pensions.

Also, papers to accompany bill granting an increase of pension to Aaron R. Hudson—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Papers to accompany bill H. R. 5250, granting an increase of pension to Levi G. Cunningham—to the Committee on Invalid Pensions.

Also papers to accompany bill H. R. 5249, granting an increase of pension to William W. West—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: Papers to accompany bill to correct the military record of John Watson—to the Committee on Military Affairs.

By Mr. CALDERHEAD: Resolution of J. D. Austin Post, No. 427, Grand Army of the Republic, of Riley, Department of Kansas, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CANNON: Memorial of the bar of Hawaii, praying for legislation to increase the number of the judges of the supreme court—to the Committee on the Territories.

By Mr. COOPER of Texas: Papers to accompany bill granting a pension to Jane Elizabeth Bullock—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: Petition of the heirs of Henry Stock, deceased, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. ESCH: Resolution of the standing committees of the National Business League, favoring the enlargement of the Navy—to the Committee on Naval Affairs.

Also, papers to accompany bill H. R. 967, granting a pension to Nicholas Gruber—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Petition of T. Clafford and 150 Swedish-American citizens of Bridgeport, Conn., against the reestablishment of the army canteen—to the Committee on Military Affairs.

By Mr. HITT: Petition of 15 business houses of Warren, Ill., protesting against the enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. LESTER: Papers to accompany bill H. R. 2161, granting an increase of pension to Mrs. Josephine A. Smith—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill granting an increase of pension to B. F. Grigsby—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Hartford Matherly—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1045, to grant a pension to Matilda Witt—to the Committee on Invalid Pensions.

By Mr. MORRELL: Petition of Sunday School Editors and Publishers' Association, protesting against any increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the standing committees of the National Business League, favoring enlargement of the Navy—to the Committee on Naval Affairs.

By Mr. PAYNE: Petitions of John Chester Ball and others, of Newark, N. Y., and of Charles T. Shaw and others, of Wolcott, N. Y., proposing an amendment to the Constitution defining legal marriage, etc.—to the Committee on the Judiciary.

By Mr. PORTER: Resolution of the standing committees of the National Business League, favoring the enlargement of the Navy—to the Committee on Naval Affairs.

By Mr. RUPPERT: Resolution of the standing committees of the National Business League, favoring the enlargement of the Navy—to the Committee on Naval Affairs.

Also, petition of the Sunday School Editors and Publishers' Association, against any increase in postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. SCOTT: Resolution of the Commercial Club of Topeka, Kans., urging the passage of the Lodge bill, providing for the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Commercial Club of Topeka, Kans., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of the city of Wichita, Kans., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Baxter Post, No. 123, Grand Army of the Republic, Baxter Springs, Department of Kansas, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Woodson Post, No. 185, Grand Army of the Republic, Yates Center, Department of Kansas, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: Petition of William J. Tumstead and 79 others, of Oxford, Mich., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SMITH of Kentucky: Petition of the Cromwell Home Guards and others, praying for remuneration for the guards for services rendered during the war—to the Committee on Claims.

By Mr. TAWNEY: Papers to accompany bill H. R. 1886, granting a pension to Edward A. Goodfellow—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, *December 5, 1903.*

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The Journal of yesterday's proceedings was read and approved.

HOUR OF MEETING ON MONDAY.

Mr. ALLISON. I move that when the Senate adjourn to-day it adjourn to meet at 11.30 a. m. on Monday.

The motion was agreed to.

INDIAN SCHOOL AT RAPID CITY, S. DAK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs, recommending an item for insertion in the Indian appropriation bill for the fiscal year ending June 30, 1905, of an appropriation of $530.88 for supplies furnished the Indian school at Rapid City, S. Dak.; which, with the accompanying paper, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of A. A. Dwinal Post, No. 3, Department of Maine, Grand Army of the Republic, of Mechanic Falls, Me., praying for the enactment of a

service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Home Protective Circle of Pomfret, of the Prohibition Alliance of Pomfret, of the congregation of the First Baptist Church of Fredonia, of the congregation of the Disciples Church of Pomfret, of the congregation of the Free Methodist Church of Pomfret, of the Woman's Christian Temperance Union of Pomfret, all in the State of New York; of the congregation of the First Presbyterian Church of Cape May City, N. J., and of the Woman's Missionary Society of Ravenswood, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ANKENY presented a memorial of the legislature of the State of Washington, relative to the opening of the south half of the Colville Indian Reservation, in that State, to homestead entries; which was referred to the Committee on Indian Affairs, and ordered to be printed in the RECORD, as follows:

United States of America, State of Washington, office of the secretary of state.

I, Sam H. Nichols, secretary of state of the State of Washington, do hereby certify that I have carefully compared the annexed copy of the senate joint memorial No. 2 of the legislature of 1903 with the original as filed and of record in this office on the 17th day of February, A. D. 1903.

In testimony whereof I have hereunto set my hand and affixed the seal of the State of Washington.

Done at Olympia this 25th day of March, in the year of our Lord 1903.

SAM H. NICHOLS,
Secretary of State.

Senate joint memorial No. 2.

To the Senate and House of Representatives in Congress assembled:

Your memorialists, the senate and house of representatives of the State of Washington in legislature assembled, most respectfully represent that—

Whereas there has been introduced in Congress by Representative W. L. JONES, of the State of Washington, a bill providing for the opening of the south half of the Colville Indian Reservation in this State, to homestead entries; and

Whereas the opening of said reservation is desired by the people of this State, and would provide homes for a large number of families, and would also be a positive benefit to the Indians residing thereon:

Your memorialists do most respectfully request that immediate action be taken in opening to settlement this area of land.

Passed the senate January 29, 1903.
Passed the house February 10, 1903.
Approved by the governor February 17, 1903.
Filed for record in the office of the secretary of state February 17, 1903, at 10.45 a. m.

SAM H. NICHOLS,
Secretary of State.

Mr. FOSTER of Washington presented petitions of the Calvary Young People's Society of Christian Endeavor, of Seattle; of the Missionary Social Union of Tacoma; of the Frances E. Willard Woman's Christian Temperance Union, of Seattle; of the congregation of the Lane Street Presbyterian Church, of Seattle; of the congregation of the Grace Methodist Episcopal Church, of Seattle; of the Harmony Chapter, Epworth League, of Seattle; of the congregation of the Calvary Presbyterian Church, of Seattle; of the Page Woman's Christian Temperance Union, of Seattle, and of the Young People's Christian Endeavor Society of the Lane Street Presbyterian Church, of Seattle, all in the State of Washington, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of the Ministerial Association of Cumberland, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DEPEW presented petitions of Local Union No. 357, of Dunkirk; of the Trades Assembly of Utica; of Blacksmiths' Helpers' Local Union No. 7553, of Dunkirk; of Typographical Local Union No. 135, of Oneonta; of the Trades Assembly of Norwich; of the Central Labor Union of Batavia; of Local Union No. 66, of Rochester; of Cigar Makers' Local Union No. 429, of Niagara Falls; of Paving Cutters' Local Union No. 36, of Holley; of Local Union No. 89, of Rochester; of Hammer Makers' Local Union No. 232, of Norwich; of Cigar Makers' Local Union No. 144, of New York City; of Journeymen Barbers' Local Union No. 29, of Olean; of the Textile District Council of Jamestown; of Dyers and Finishers' Local Union No. 271, of Jamestown; of Carpenters and Joiners' Local Union No. 369, of North Tonawanda; of the Allied Printing Trades Council of Albany; of the Central Labor Council of Jamestown; of Local Union No. 38, of Oswego; of the Trades and Labor Council of Olean, all of the American Federation of Labor, and of Local Division No. 148, Amalgamated Association of Street Railway Employees, of Albany, all in the State of New York, praying for the passage of the so-called eight-hour bill and the anti-injunction bill; which were referred to the Committee on Education and Labor.

Mr. COCKRELL presented petitions of the congregation of the Presbyterian Church of Hamilton, of the Woman's Missionary Society of Hamilton, of the congregation of the Presbyterian Church of Savannah, of the Woman's Missionary Society of the Presbyterian Church of King City, and of the congregations of the Presbyterian and Methodist Churches of Livingston, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

CONSULAR INSPECTION IN EUROPE.

Mr. LODGE. I present a report in regard to consular inspection in Europe, which I move be printed as a document and referred to the Committee on Foreign Relations.

The motion was agreed to.

BILLS INTRODUCED.

Mr. SCOTT introduced a bill (S. 2103) granting an increase of pension to John L. McVey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2104) granting a pension to Caroline M. Hilt (with an accompanying paper);

A bill (S. 2105) granting a pension to Nancy Huddleston (with accompanying papers);

A bill (S. 2106) granting an increase of pension to Henry Earp (with accompanying papers);

A bill (S. 2107) granting an increase of pension to A. R. McCurdy (with accompanying papers);

A bill (S. 2108) granting an increase of pension to John Shields (with an accompanying paper);

A bill (S. 2109) granting a pension to Alma Dubois;

A bill (S. 2110) granting an increase of pension to John W. Rollins; and

A bill (S. 2111) granting an increase of pension to John A. Seiss.

Mr. FOSTER of Washington introduced a bill (S. 2112) authorizing the Indian allottees on the Puyallup Indian Reservation, State of Washington, to alienate allotted lands, confirming title to allotted lands sold since March 3, 1903, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2113) for the relief of Bernard W. Murray; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. WARREN introduced a bill (S. 2114) to fix the rank of certain officers in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2115) to appoint Warren C. Beach a captain in the Army, and place him on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2116) granting an increase of pension to Edna Stevens; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 2117) granting an increase of pension to Philip L. Hiteshew; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2118) granting an increase of pension to Carrie P. Rand; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2119) authorizing the President of the United States to nominate Lieut. Samuel Lindsey Graham, now on the retired list, to be a lieutenant-commander on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HANSBROUGH introduced a bill (S. 2120) to amend an act entitled "An act to provide for the sale of desert lands," as amended by the act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CLAPP introduced a bill (S. 2121) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;" which was read twice by its title, and referred to the Committee on Printing.

He also introduced a bill (S. 2122) granting a pension to Ashley C. Riggs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 2123) granting an increase of pension to Daniel W. Redfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 2124) granting an increase of pension to David W. Johns; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

MESSENGER OF COMMITTEE ON EDUCATION AND LABOR.

Mr. McCOMAS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Education and Labor be, and is hereby, authorized to employ a messenger at an annual salary at the rate of $1,440, to be paid from the contingent fund of the Senate until otherwise provided for by law.

ASSISTANT CLERK TO COMMITTEE ON PUBLIC LANDS.

Mr. HANSBROUGH submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the salary of the assistant clerk to the Committee on Public Lands, authorized by resolution of February 24, 1903, at $1,200 per annum, be, and it hereby is, increased to $1,800 per annum, to take effect January 1, 1904.

INVESTIGATION BY COMMITTEE ON PACIFIC RAILROADS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. MORGAN on the 1st instant, as follows:

Whereas it is asserted in public journals representing public opinion and exercising leading influence in the great political parties of the United States that the officers, managers, and agents of the transcontinental railroad companies, including the Canadian Pacific Railroad Company and other railroad companies, acting in concert or combination, or with a common purpose, or singly, have opposed, unlawfully, the public policy and laws of the United States in respect of the ratification by Colombia of the treaty known as the Hay-Herran treaty, and that such railroad companies in like manner are obstructing the full and complete execution of the duty and policy of the United States as declared in the act of Congress approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the Atlantic and Pacific oceans;" and

Whereas some of these railroad companies owe special duties of obedience to the laws and public policy of the United States in virtue of acts of Congress, and all of them that hold charters under the Federal laws and the State laws of the United States owe the duties of allegiance to the United States:

Resolved, That the Committee on Pacific Railroads is authorized and required, with due diligence, to make careful inquiry into the facts on which such charges are made, which show whether or not they support or sustain the same, and to report the testimony, with the findings of the committee, to the Senate.

And said committee shall have full power to send for persons or papers, and to summon witnesses to testify before them, and to administer oaths, by any member of said committee, and to take down the testimony.

And to this end said committee shall have authority to employ stenographers, to be paid for their services the allowance regulated by law, and also to pay witnesses for mileage and attendance in like manner.

The committee, if the committee so order, may hold their sessions at any place in the United States. The necessary expenses attending the performance of these duties shall be paid out of the contingent fund of the Senate upon proper vouchers approved by the chairman of the Committee on Pacific Railroads.

The PRESIDENT pro tempore. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. MORGAN. Under the order of the Senate when the resolution was introduced it was laid upon the table subject to my call.

The PRESIDENT pro tempore. That is the other resolution, if the Senator pleases. The long resolution was the one laid on the table subject to the call of the Senator. This resolution, under the rule, the Chair will be obliged to send to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. LODGE. Mr. President, does the resolution go to the Committee to Audit and Control the Contingent Expenses of the Senate before it goes to any other committee?

The PRESIDENT pro tempore. It does. It goes there at once.

ISTHMIAN CANAL INQUIRY.

The PRESIDENT pro tempore. The Senator from Alabama offered another resolution on the 1st instant, which was laid on the table subject to his call.

Mr. MORGAN. Of that I was aware.

The PRESIDENT pro tempore. It is there now, subject to his call.

Mr. MORGAN. There is no occasion for taking any order in reference to that resolution this morning.

The PRESIDENT pro tempore. No; not before the Senator desires to call it up.

Mr. MORGAN. I do not call it up to-day.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. Is there further morning business?

Mr. CULLOM. If there is no further morning business, I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. There is no need of doing that. On Monday, by unanimous consent, the consideration of the bill will be proceeded with.

Mr. CULLOM. I did not know but that some Senator would like to speak on it to-day. That is the only reason I have for calling it up.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. CULLOM. If there is any Senator desiring to speak on the bill to-day, it is in order now to do so.

The PRESIDENT pro tempore. The Chair will be glad to recognize any Senator for that purpose.

Mr. CULLOM. If no Senator desires to speak, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, December 7, 1903, at 11 o'clock and 30 minutes a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 5, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the appointment of the following committees:

Elections No. 1.—Messrs. James R. Mann, Illinois; Llewellyn Powers, Maine; Charles L. Knapp, New York; Joseph H. Gaines, West Virginia; Arthur L. Bates, Pennsylvania; Olin H. Young, Michigan; Ollie M. James, Kentucky; E. J. Bowers, Mississippi; Scott Field, Texas.

Elections No. 2.—Messrs. Marlin E. Olmsted, Pennsylvania; James M. Miller, Kansas; Frank D. Currier, New Hampshire; John W. Dwight, New York; Capell L. Weems, Ohio; Frederick Landis, Indiana; Joshua F. C. Talbott, Maryland; A. M. Byrd, Mississippi; John A. Sullivan, Massachusetts.

Elections No. 3.—Messrs. Michael E. Driscoll, New York; Kittredge Haskins, Vermont; H. Burd Cassel, Pennsylvania; James Kennedy, Ohio; John A. Sterling, Illinois; Benjamin P. Birdsall, Iowa; Frank A. McLain, Mississippi; Choice B. Randell, Texas; Joseph T. Johnson, South Carolina.

Appropriations.—Messrs. James A. Hemenway, Indiana; Henry H. Bingham, Pennsylvania; Henry C. Van Voorhis, Ohio; James T. McCleary, Minnesota; Lucius N. Littauer, New York; Walter P. Brownlow, Tennessee; Washington Gardner, Michigan; Elmer J. Burkett, Nebraska; Frederick H. Gillett, Massachusetts; Walter I. Smith, Iowa; Benjamin F. Marsh, Illinois; Leonidas F. Livingston, Georgia; Rice A. Pierce, Tennessee; Mæcenas E. Benton, Missouri; George W. Taylor, Alabama; Oscar W. Underwood, Alabama; Stephen Brundidge, jr., Arkansas.

Judiciary.—Messrs. John J. Jenkins, Wisconsin; Richard Wayne Parker, New Jersey; De Alva S. Alexander, New York; Vespasian Warner, Illinois; Charles E. Littlefield, Maine; Lot Thomas, Iowa; Samuel Leland Powers, Massachusetts; Robert M. Nevin, Ohio; Henry W. Palmer, Pennsylvania; George A. Pearre, Maryland; J. N. Gillett, California; David A. De Armond, Missouri; David H. Smith, Kentucky; Henry D. Clayton, Alabama; Robert L. Henry, Texas; John S. Little Arkansas; William G. Brantley, Georgia.

Banking and Currency.—Messrs. Charles N. Fowler, New Jersey; George W. Prince, Illinois; William A. Calderhead, Kansas; William C. Lovering, Massachusetts; William H. Douglas, New York; Llewellyn Powers, Maine; B. F. Spalding, North Dakota; Henry McMorran, Michigan; Capell L. Weems, Ohio; George D. McCreary, Pennsylvania; M. J. Daniels, California; John R. Thayer, Massachusetts; Elijah B. Lewis, Georgia; Lemuel P. Padgett, Tennessee; Charles L. Bartlett, Georgia; Charles W. Thompson, Alabama; Arsene P. Pujo, Louisiana.

Coinage, Weights, and Measures.—Messrs. James H. Southard, Ohio; Justin D. Bowersock, Kansas; Thomas Hedge, Iowa; Arthur L. Bates, Pennsylvania; George W. Cromer, Indiana; John W. Dwight, New York; William M. Lanning, New Jersey; James W. Brown, Pennsylvania; Solomon R. Dresser, Pennsylvania; George J. Smith, New York; Charles F. Cochran, Missouri; John F. Shafroth, Colorado; James M. Griggs, Georgia; John W. Gaines, Tennessee; Ezekiel S. Candler, Mississippi; John S. Rhea, Kentucky; Timothy D. Sullivan, New York; J. S. Wilson, Arizona.

Interstate and Foreign Commerce.—Messrs. William P. Hepburn, Iowa; James S. Sherman, New York; Irving P. Wanger, Pennsylvania; James R. Mann, Illinois; William C. Lovering, Massachusetts; Fred C. Stevens, Minnesota; Charles H. Burke, South Dakota; John J. Esch, Wisconsin; Francis W. Cushman, Washington; Thomas B. Kyle, Ohio; Charles E. Townsend, Michigan; Robert C. Davey, Louisiana; William C. Adamson, Georgia; Dorsey W. Shackleford, Missouri; William H. Ryan, New York; William Richardson, Alabama; William B. Lamar, Florida.

Rivers and Harbors.—Messrs. Theodore E. Burton, Ohio; Blackburn B. Dovener, West Virginia; Roswell P. Bishop, Michigan; Ernest F. Acheson, Pennsylvania; De Alva S. Alexander, New York; George P. Lawrence, Massachusetts; James H. Davidson,

Wisconsin: James McLachlan, California; William Lorimer, Illinois; Wesley L. Jones, Washington; J. Adam Bede, Minnesota; Rufus E. Lester, Georgia; John H. Bankhead, Alabama; Stephen M. Sparkman, Florida; Joseph E. Ransdell, Louisiana; George F. Burgess, Texas; B. G. Humphreys, Mississippi.

Merchant Marine and Fisheries.—Messrs. Charles H. Grosvenor, Ohio; Edward S. Minor, Wisconsin; William S. Greene, Massachusetts; Fred C Stevens, Minnesota; Joseph W. Fordney, Michigan; Frank C. Wachter, Maryland; Charles E. Littlefield, Maine; William E. Humphrey, Washington; William H. Flack, New York; Benjamin P. Birdsall, Iowa; William W. Wilson, Illinois; Thomas Spight, Mississippi; John H. Small, North Carolina; Robert W. Davis, Florida; Allan L. McDermott, New Jersey; Alfred Lucking, Michigan; Joseph A. Goulden, New York.

Agriculture.—Messrs. James W. Wadsworth, New York; E. Stevens Henry, Connecticut; Charles F. Wright, Pennsylvania; Gilbert N. Haugen, Iowa; Charles F. Scott, Kansas; Kittredge Haskins, Vermont; Joseph V. Graff, Illinois; George W. Cromer, Indiana; William Lorimer, Illinois; Franklin E. Brooks, Colorado; H. C. Adams, Wisconsin; John Lamb, Virginia; Sydney J. Bowie, Alabama; Albert S. Burleson, Texas; Asbury F. Lever, South Carolina; Phanor Breazeale, Louisiana; John W. Cassingham, Ohio; Bernard S. Rodey, New Mexico.

Foreign Affairs.—Messrs. Robert R. Hitt, Illinois; Robert Adams, jr., Pennsylvania; Robert G. Cousins, Iowa; Wm. Alden Smith, Michigan; Charles B. Landis, Indiana; James Breck Perkins, New York; Jacob A. Beidler, Ohio; David J. Foster, Vermont; Theobold Otjen, Wisconsin; Adin B. Capron, Rhode Island; Nicholas Longworth, Ohio; Hugh A. Dinsmore, Arkansas; William M. Howard, Georgia; Albert S. Burleson, Texas; Townsend Scudder, New York; James N. Kehoe, Kentucky; Henry D. Flood, Virginia.

Military Affairs.—Messrs. John A. T. Hull, Iowa; John H. Ketcham, New York; Richard Wayne Parker, New Jersey; Adin B. Capron, Rhode Island; Fred C. Stevens, Minnesota; Charles Dick, Ohio; Frank W. Mondell, Wyoming; John J. Esch, Wisconsin; George W. Prince, Illinois; Elias S. Holliday, Indiana; H. Olin Young, Michigan; William Sulzer, New York; James Hay, Virginia; James L. Slayden, Texas; Robert F. Broussard, Louisiana; William F. Mahoney, Illinois; James W. Denny, Maryland; Bird S. McGuire, Oklahoma.

Naval Affairs.—Messrs. George E. Foss, Illinois; Alston G. Dayton, West Virginia; Henry C. Loudenslager, New Jersey; Thomas S. Butler, Pennsylvania; Sydney E. Mudd, Maryland; Robert G. Cousins, Iowa; Ernest W. Roberts, Massachusetts; Edward B. Vreeland, New York; Abraham L. Brick, Indiana; Frank B. Brandegee, Connecticut; George Alvin Loud, Michigan; Adolph Meyer, Louisiana; Farish Carter Tate, Georgia; John F. Rixey, Virginia, William W. Kitchin, North Carolina; Willard D. Vandiver, Missouri; Martin J. Wade, Iowa.

Post-Office and Post-Roads.—Messrs. Jesse Overstreet, Indiana; John J. Gardner, New Jersey; Nehemiah D. Sperry, Connecticut; Thomas Hedge, Iowa; Joseph C. Sibley, Pennsylvania; Howard M. Snapp, Illinois; Herman P. Goebel, Ohio; Halvor Steenerson, Minnesota; William H. Stafford, Wisconsin; Archibald B. Darragh, Michigan; Victor Murdock, Kansas; John A. Moon, Tennessee; James M. Griggs, Georgia; William S. Cowherd, Missouri; Frank E. Wilson, New York; David E. Finley, South Carolina; Theodore F. Kluttz, North Carolina; Jonah Kalanianaole, Hawaii.

Public Lands.—Messrs. John F. Lacey, Iowa; Frank W. Mondell, Wyoming; James M. Miller, Kansas; James C. Needham, California; Eben W. Martin, South Dakota; Joseph W. Fordney, Michigan; Andrew J. Volstead, Minnesota; Joseph M. Dixon, Montana; Philip Knopf, Illinois; George Shiras III, Pennsylvania; J. J. McCarthy, Nebraska; John F. Shafroth, Colorado; Francis M. Griffith, Indiana; John L. Burnett, Alabama; George P. Foster, Illinois; William W. Rucker, Missouri; Carter Glass, Virginia; Bernard S. Rodey, New Mexico.

Indian Affairs.—Messrs. James S. Sherman, New York; Charles Curtis, Kansas; John F. Lacey, Iowa; Thomas F. Marshall, North Dakota; Webster E. Brown, Wisconsin; Charles H. Burke, South Dakota; Charles L. Knapp, New York; Binger Hermann, Oregon; C. B. Buckman, Minnesota; Edmund H. Hinshaw, Nebraska; Herschel M. Hogg, Colorado; John H. Stephens, Texas; William T. Zenor, Indiana; John J. Fitzgerald, New York; John Dougherty, Missouri; James McAndrews, Illinois; Charles C. Reid, Arkansas; Bernard S. Rodey, New Mexico.

Territories.—Messrs. Edward L. Hamilton, Michigan; Abraham L. Brick, Indiana; Adin B. Capron, Rhode Island; George N. Southwick, New York; Llewellyn Powers, Maine; William H. Jackson, Maryland; B. F. Spalding, North Dakota; George L. Lilley, Connecticut; John A. Sterling, Illinois; John A. Moon, Tennessee; James T. Lloyd, Missouri; James M. Robinson, Indiana; John R. Thayer, Massachusetts; Gordon Russell, Texas; Charles C. Reid, Arkansas; Bird S. McGuire, Oklahoma; J. S. Wilson, Arizona.

Insular Affairs.—Messrs. Henry A. Cooper, Wisconsin; James A. Tawney, Minnesota; Edgar D. Crumpacker, Indiana; Edward L. Hamilton, Michigan; Marlin E. Olmsted, Pennsylvania; George W. Smith, Illinois; William R. Warnock, Ohio; James Carson Needham, California; Charles E. Fuller, Illinois; William M. Lanning, New Jersey; M. P. Kinkaid, Nebraska; William A. Jones, Virginia; John W. Maddox, Georgia; James R. Williams, Illinois; Malcolm R. Patterson, Tennessee; James M. Robinson, Indiana; Wilson S. Hill, Mississippi.

Railways and Canals.—Messrs. James H. Davidson, Wisconsin; Ernest W. Roberts, Massachusetts; William W. Skiles, Ohio; Elias Deemer, Pennsylvania; Charles L. Knapp, New York; George F. Huff, Pennsylvania; Harry C. Woodyard, West Virginia; Allen F. Cooper, Pennsylvania; John L. Burnett, Alabama; William F. Mahoney, Illinois; De Witt C. Badger, Ohio; Joseph H. Shull, Pennsylvania; John N. Garner, Texas.

Manufactures.—Messrs. Joseph C. Sibley, Pennsylvania; William S. Greene, Massachusetts; Henry McMorran, Michigan; Norton P. Otis, New York; Amos H. Jackson, Ohio; Willard D. Vandiver, Missouri; Martin Emerich, Illinois; C. H. Weisse, Wisconsin; John T. Hunt, Missouri; George W. Croft, South Carolina.

Mines and Mining.—Messrs. Webster E. Brown, Wisconsin; George R. Patterson, Pennsylvania; Charles F. Scott, Kansas; George F. Huff, Pennsylvania; Joseph M. Dixon, Montana; J. N. Williamson, Oregon; Joseph Howell, Utah; ——— ———, ———; Farish Carter Tate, Georgia; John Dougherty, Missouri; George Howell, Pennsylvania; A. O. Stanley, Kentucky; Frank E. Shober, New York; J. S. Wilson, Arizona.

Public Buildings and Grounds.—Messrs. Charles W. Gillet, New York; Richard Bartholdt, Missouri; Edwin C. Burleigh, Maine; Benjamin F. Howell, New Jersey; James P. Conner, Iowa; Eben W. Martin, South Dakota; Edward S. Minor, Wisconsin; William A. Rodenberg, Illinois; George W. Norris, Nebraska; John H. Bankhead, Alabama; William G. Brantley, Georgia; Charles R. Thomas, North Carolina; Robert W. Miers, Indiana; Morris Sheppard, Texas; Robert B. Scarborough, South Carolina.

Pacific Railroads.—Messrs. Wm. Alden Smith, Michigan; Michael E. Driscoll, New York; William H. Jackson, Maryland; Stephen R. Morgan, Ohio; Theobold Otjen, Wisconsin; Henry W. Palmer, Pennsylvania; M. P. Kinkaid, Nebraska; Sydney E. Mudd, Maryland; M. J. Daniels, California; William J. Wynn, California; James L. Slayden, Texas; David E. Finley, South Carolina; Robert Baker, New York; Henry T. Rainey, Illinois; John Lind, Minnesota.

Levees and Improvements of the Mississippi River.—Messrs. Richard Bartholdt, Missouri; George W. Prince, Illinois; Thomas Hedge, Iowa; William A. Rodenberg, Illinois; George F. Huff, Pennsylvania; C. B. Buckman, Minnesota; Allen F. Cooper, Pennsylvania; ——— ———, ———; Robert F. Broussard, Louisiana; Harry L. Maynard, Virginia; R. M. Wallace, Arkansas; James J. Butler, Missouri; R. Bruce Macon, Arkansas.

Education.—Messrs. George N. Southwick, New York; Charles Q. Tirrell, Massachusetts; Thomas B. Kyle, Ohio; Elmer J. Burkett, Nebraska; Burton L. French, Idaho; Reuben O. Moon, Pennsylvania; William E. Humphrey, Washington; ———, ———; Willard D. Vandiver, Missouri; E. Y. Webb, North Carolina; Ira Edgar Rider, New York; M. C. Fitzpatrick, Tennessee; O. W. Gillespie, Texas.

Labor.—Messrs. John J. Gardner, New Jersey; Richard Bartholdt, Missouri; Samuel W. McCall, Massachusetts; Edward B. Vreeland, New York; David J. Foster, Vermont; James P. Conner, Iowa; B. F. Spalding, North Dakota; Herman P. Goebel, Ohio; Ben F. Caldwell, Illinois; George G. Gilbert, Kentucky; John W. Maddox, Georgia; William Randolph Hearst, New York; William Hughes, New Jersey.

Militia.—Messrs. Charles Dick, Ohio; John A. T. Hull, Iowa; Joseph H. Gaines, West Virginia; George W. Smith, Illinois; Halvor Steenerson, Minnesota; Butler Ames, Massachusetts; William O. Smith, Pennsylvania; ——— ———, ———; Joseph B. Crowley, Illinois; Jacob Ruppert, jr., New York; Ariosto A. Wiley, Alabama; Edward M. Bassett, New York; John A. Keliher, Massachusetts.

Patents.—Messrs. William W. Skiles, Ohio; Frank D. Currier, New Hampshire; Norton P. Otis, New York; Solomon R. Dresser, Pennsylvania; Amos H. Jackson, Ohio; Joseph M. Dixon, Montana; Edmund H. Hinshaw, Nebraska; ——— ———, ———; William Sulzer, New York; George S. Legare, South Carolina; E. Y. Webb, North Carolina; Charles H. Dickerman, Pennsylvania; Francis Burton Harrison, New York.

Invalid Pensions.—Messrs. Cyrus A. Sulloway, New Hampshire; Henry R. Gibson, Tennessee; Samuel W. Smith, Michigan; William A. Calderhead, Kansas; Elias Deemer, Pennsylvania; Elias S. Holliday, Indiana; W. Godfrey Hunter, Kentucky; Thomas W. Bradley, New York; Charles E. Fuller, Illinois; Robert W. Miers, Indiana; Joseph B. Crowley, Illinois; George H. Lindsay, New York; John S. Snook, Ohio; Alfred Lucking, Michigan; F. A. Hopkins, Kentucky.

Pensions.—Messrs. Henry C. Loudenslager, New Jersey; George R. Patterson, Pennsylvania; William H. Draper, New York; P. P. Campbell, Kansas; Butler Ames, Massachusetts; James W. Brown, Pennsylvania; Herschel M. Hogg, Colorado; Nicholas Longworth, Ohio; William Richardson, Alabama; Ariosto A. Wiley, Alabama; Frank A. McLain, Mississippi; Henry A. Houston, Delaware; George W. Croft, South Carolina.

Claims.—Messrs. Joseph V. Graff, Illinois; Lot Thomas, Iowa; Thomas S. Butler, Pennsylvania; Robert M. Nevin, Ohio; David J. Foster, Vermont; James M. Miller, Kansas; Charles Q. Tirrell, Massachusetts; Joseph Howell, Utah; Henry M. Goldfogle, New York; Claude Kitchin, North Carolina; South Trimble, Kentucky; D. Linn Gooch, Kentucky; John Lind, Minnesota; William S. McNary, Massachusetts; Jack Beall, Texas.

War Claims.—Messrs. Thaddeus M. Mahon, Pennsylvania; Henry R. Gibson, Tennessee; Theobold Otjen, Wisconsin; Gilbert N. Haugen, Iowa; Kittredge Haskins, Vermont; Elias S. Holliday, Indiana; Burton L. French, Idaho; James H. Southard, Ohio; Thetus W. Sims, Tennessee; Ben F. Caldwell, Illinois; Thomas Spight, Mississippi; Joseph T. Johnson, South Carolina; A. W. Gregg, Texas.

Private Land Claims.—Messrs. George W. Smith, Illinois; Alvin Evans, Pennsylvania; Charles Q. Hildebrant, Ohio; Thomas F. Marshall, North Dakota; Francis W. Cushman, Washington; George J. Smith, New York; ——— ———, ———; William A. Jones, Virginia; George G. Gilbert, Kentucky; W. R. Smith, Texas; R. M. Wallace, Arkansas; Wyatt Aiken, South Carolina; C. H. Weisse, Wisconsin; Bird S. McGuire, Oklahoma.

District of Columbia.—Messrs. Joseph W. Babcock, Wisconsin; Samuel W. Smith, Michigan; Amos L. Allen, Maine; James W. Wadsworth, New York; Edward De V. Morrell, Pennsylvania; Samuel L. Powers, Massachusetts; Stephen R. Morgan, Ohio; Campbell Slemp, Virginia; C. R. Davis, Minnesota; P. P. Campbell, Kansas; William H. Wiley, New Jersey; Adolph Meyer, Louisiana; William S. Cowherd, Missouri; Thetus W. Sims, Tennessee; James McAndrews, Illinois; Edward W. Pou, North Carolina; D. Linn Gooch, Kentucky.

Revision of the Laws.—Messrs. Vespasian Warner, Illinois; Henry R. Gibson, Tennessee; Alston G. Dayton, West Virginia; Alvin Evans, Pennsylvania; Charles Q. Tirrell, Massachusetts; Charles E. Littlefield, Maine; Reuben O. Moon, Pennsylvania; Charles T. Dunwell, New York; D. L. D. Granger, Rhode Island; R. Bruce Macon, Arkansas; Thomas W. Hardwick, Georgia; Robert Lamar, Missouri; Swagar Sherley, Kentucky.

Reform in the Civil Service.—Messrs. Frederick H. Gillett, Massachusetts; John F. Lacey, Iowa; Charles N. Fowler, New Jersey; Justin D. Bowersock, Kansas; James R. Mann, Illinois; William O. Smith, Pennsylvania; Amos L. Allen, Maine; Jacob A. Beidler, Ohio; Edward W. Pou, North Carolina; William T. Zenor, Indiana; Edward M. Bassett, New York; R. G. Southall, Virginia; Robert N. Page, North Carolina.

Election of President, Vice-President, and Representatives in Congress.—Messrs. Joseph H. Gaines, West Virginia; Cyrus A. Sulloway, New Hampshire; Henry S. Boutell, Illinois; Binger Hermann, Oregon; Daniel F. Lafean, Pennsylvania; George W. Norris, Nebraska; Franklin E. Brooks, Colorado; Charles T. Dunwell, New York; William W. Rucker, Missouri; Phanor Breazeale, Louisiana; John S. Rhea, Kentucky; O. W. Gillespie, Texas; Thomas W. Hardwick, Georgia.

Alcoholic Liquor Traffic.—Messrs. Nehemiah D. Sperry, Connecticut; Justin D. Bowersock, Kansas; Amos L. Allen, Maine; Stephen R. Morgan, Ohio; William H. Draper, New York; Henry Kirke Porter, Pennsylvania; John L. Burnett, Alabama; George H. Lindsay, New York; J. M. Gudger, jr., North Carolina; Harvey C. Garber, Ohio; John M. Pinkney, Texas.

Irrigation of Arid Lands.—Messrs. Frank W. Mondell, Wyoming; William A. Reeder, Kansas; Charles Q. Tirrell, Massachusetts; John W. Dwight, New York; Thomas F. Marshall, North Dakota; Allen F. Cooper, Pennsylvania; J. N. Williamson, Oregon; Oscar W. Underwood, Alabama; Gilbert M. Hitchcock, Nebraska; C. D. Van Duzer, Nevada; Theodore A. Bell, California.

Immigration and Naturalization.—Messrs. Benjamin F. Howell, New Jersey; Robert Adams, jr., Pennsylvania; William W. Skiles, Ohio; William H. Douglas, New York; Alvin Evans, Pennsylvania; Augustus P. Gardner, Massachusetts; Burton L. French, Idaho; Jacob Ruppert, jr., New York; Edward Robb, Missouri; Allan Benny, New Jersey; E. J. Livernash, California.

Ventilation and Acoustics.—Messrs. Roswell P. Bishop, Michigan; Jacob A. Beidler, Ohio; Thomas W. Bradley, New York; ——— ———, ———; David H. Smith, Kentucky; George H. Lindsay, New York; Marcus C. L. Kline, Pennsylvania.

Expenditures in the State Department.—Messrs. John H. Ketcham, New York; David J. Foster, Vermont; Robert Adams, jr., Pennsylvania; W. Godfrey Hunter, Kentucky; Rufus E. Lester, Georgia; Claude Kitchin, North Carolina; John N. Garner, Texas.

Expenditures in the Treasury Department.—Messrs. Robert G. Cousins, Iowa; Edward De V. Morrell, Pennsylvania; Philip Knopf, Illinois; Ebenezer J. Hill, Connecticut; John Lamb, Virginia; Harvey C. Garber, Ohio; J. M. Gudger, jr., North Carolina.

Expenditures in the War Department.—Messrs. William R. Warnock, Ohio; George P. Lawrence, Massachusetts; J. Adam Bede, Minnesota; Campbell Slemp, Virginia; George F. Burgess, Texas; De Witt C. Badger, Ohio; M. C. Fitzpatrick, Tennessee.

Expenditures in the Navy Department.—Messrs. William S. Greene, Massachusetts; Joseph W. Fordney, Michigan; Ernest F. Acheson, Pennsylvania; Daniel F. Lafean, Pennsylvania; Charles W. Thompson, Alabama; Choice B. Randell, Texas; Ollie M. James, Kentucky.

Expenditures in the Post-Office Department.—Messrs. Irving P. Wanger, Pennsylvania; William H. Flack, New York; George L. Lilley, Connecticut; George W. Cromer, Indiana; Edward Robb, Missouri; George G. Gilbert, Kentucky; Carter Glass, Virginia.

Expenditures in the Interior Department.—Messrs. Edward S. Minor, Wisconsin; Blackburn B. Dovener, West Virginia; George R. Patterson, Pennsylvania; H. C. Adams, Wisconsin; Ezekiel S. Candler, jr., Mississippi; George P. Foster, Illinois; Robert N. Page, North Carolina.

Expenditures in the Department of Justice.—Messrs. William A. Calderhead, Kansas; Eben W. Martin, South Dakota; Henry Kirke Porter, Pennsylvania; J. J. McCarthy, Nebraska; Henry M. Goldfogle, New York; Charles F. Cochran, Missouri; John H. Stephens, Texas.

Expenditures in the Department of Agriculture.—Messrs. Charles F. Wright, Pennsylvania; Frank B. Brandegee, Connecticut; William E. Humphrey, Washington; C. R. Davis, Minnesota; Henry D. Flood, Virginia; James N. Kehoe, Kentucky; Sidney J. Bowie, Alabama.

Expenditures on Public Buildings.—Messrs. James A. Hughes, West Virginia; J. N. Gillett, California; Augustus P. Gardner, Massachusetts; E. Stevens Henry, Connecticut; John H. Small, North Carolina; Harry L. Maynard, Virginia; South Trimble, Kentucky.

Accounts.—Messrs. Charles Q. Hildebrant, Ohio; James A. Hughes, West Virginia; Joseph V. Graff, Illinois; Frank D. Currier, New Hampshire; H. Burd Cassel, Pennsylvania; William H. Draper, New York; Charles L. Bartlett, Georgia; Hugh A. Dinsmore, Arkansas; Martin Emerich, Illinois.

Census.—Messrs. Edgar D. Crumpacker, Indiana; Edwin C. Burleigh, Maine; James A. Hughes, West Virginia; George A. Pearre, Maryland; H. Burd Cassel, Pennsylvania; Charles T. Dunwell, New York; James Kennedy, Ohio; Butler Ames, Massachusetts; Francis M. Griffith, Indiana; James Hay, Virginia; Albert S. Burleson, Texas; G. B. Patterson, North Carolina; Joe T. Robinson, Arkansas.

Library.—Messrs. James T. McCleary, Minnesota; Samuel W. McCall, Massachusetts; James P. Conner, Iowa; James D. Richardson, Tennessee; William M. Howard, Georgia.

Printing.—Messrs. Charles B. Landis, Indiana; James B. Perkins, New York; Farish C. Tate, Georgia.

Industrial Arts and Expositions.—Messrs. James A. Tawney, Minnesota; James S. Sherman, New York; Augustus P. Gardner, Massachusetts; John J. Gardner, New Jersey; Justin D. Bowersock, Kansas; William A. Rodenberg, Illinois; Joseph Howell, Utah; Henry Kirke Porter, Pennsylvania; Harry C. Woodyard, West Virginia; Charles L. Bartlett, Georgia; Harry L. Maynard, Virginia; Courtney W. Hamlin, Missouri; William J. Wynn, California; George S. Legare, South Carolina; Francis Burton Harrison, New York.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed resolutions of the following titles; in which the concurrence of the House was requested:

Joint resolution (S. R. 18) providing for printing the general index to published volumes of the diplomatic correspondence and foreign relations of the United States.

Senate concurrent resolution No. 13.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of Senate Document No. 432, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., relating to Indian Affairs," as revised, 300 of which shall be for the use of the Senate, 800 for the House of Representatives, 200 for the Commissioner of Indian Affairs, 50 for the House Committee on Indian Affairs, 50 for the Senate Committee on Indian Affairs, and the remaining 1,100 shall be sold by the superintendent of documents.

Senate concurrent resolution No. 21.

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings of Congress upon the acceptance of the statues of Charles Carroll, of Carrollton, and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

The Joint Committee on Printing is hereby authorized to have the copy prepared for the Public Printer, who shall procure suitable copper-process plates to be bound with these memorials.

Senate concurrent resolution No. 4.

Resolved by the Senate (the House of Representatives concurring), That there be printed, and bound in the form such as is customary in the case of eulogies, with accompanying illustrations, 10,000 copies of the proceedings upon the unveiling of the statue of the Count de Rochambeau, of which 3,000 shall be for the use of the Senate, 6,000 for the use of the House of Representatives, 500 to be delivered to the ambassador of the Republic of France for such distribution as he shall think fit, the remaining 500, of which 200 shall be bound in full morocco, to be distributed, under the direction of the chairman of the Joint Committee on the Library, to the guests invited from the French Republic and the speakers who took part in said celebration.

SENATE RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, the following Senate resolutions were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution No. 13:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 3,000 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., relating to Indian Affairs," as revised, 500 of which shall be for the use of the Senate, 800 for the House of Representatives, 200 for the Commissioner of Indian Affairs, 50 for the House Committee on Indian Affairs, 50 for the Senate Committee on Indian Affairs, and the remaining 1,100 shall be sold by the superintendent of documents—

to the Committee on Printing.

Senate concurrent resolution No. 21:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings of Congress upon the acceptance of the statues of Charles Carroll, of Carrollton, and John Hanson, presented by the State of Maryland, 16,500 copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives, and the remaining 1,500 copies shall be for the use and distribution of the Senators and Representatives in Congress from the State of Maryland.

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to the Committee on Printing.

Joint resolution (S. R. 18) providing for printing the general index to published volumes of the diplomatic correspondence and foreign relations of the United States—to the Committee on Printing.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying papers, was referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress the third annual report of the governor of Porto Rico, covering the period from July 1, 1902, to June 30, 1903, with appendices.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 4, 1903.*

COMMITTEE ON APPROPRIATIONS.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That authority is granted to print and bind, for use of the Committee on Appropriations, all documents deemed necessary in connection with subjects considered or to be considered by said committee during the Fifty-eighth Congress.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. WILLIAMS of Mississippi. I should like to ask the gentleman from Indiana a question. Is that just the usual resolution?

Mr. HEMENWAY. The usual resolution.

Mr. WILLIAMS of Mississippi. There will be no objection to that.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

Mr. HEMENWAY. Also the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Appropriations, or such subcommittee as they may designate, shall have leave to sit during the sessions of the House during the Fifty-eighth Congress, and during the recess.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The resolution was agreed to.

COMMITTEE ON THE JUDICIARY.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Resolved, That the Committee on the Judiciary be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Is there objection to the consideration of the resolution?

There was no objection.

The resolution was agreed to.

GENERAL DEBATE.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I rise to ask unanimous consent that there may be thirty minutes allowed to this side of the House this morning and thirty allowed to that side of the House for purposes of general discussion on the state of the Union.

The SPEAKER. The gentleman from Mississippi [Mr. WILLIAMS] asks unanimous consent that thirty minutes may be given to the minority for general debate, the time to be controlled by the gentleman from Mississippi.

Mr. PAYNE. Mr. Speaker, I have no objection to that if it includes the majority also.

Mr. WILLIAMS of Mississippi. I said thirty minutes also for the majority.

The SPEAKER. The request is for unanimous consent that one hour be allowed for debate, one-half to be controlled by the gentleman from Mississippi and one-half by the gentleman from New York. Is there objection?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish to yield fifteen minutes of the time to the gentleman from Texas [Mr. RUSSELL].

The SPEAKER. The gentleman from Texas.

Mr. RUSSELL. Mr. Speaker, in the discussion that occurred in the House a few days ago a statement, or an assumption rather, made by the gentleman from Iowa [Mr. HEPBURN] struck my attention. The gentleman built the whole of his argument upon this proposition, that the statistics of national wealth showed that we possessed in 1860, $16,000,000,000, and that since that date the wealth of the country had increased to eighty-six billions, or an increase of seventy billions, which the gentleman assumed was due entirely to the prevalence of Republican policies since 1860.

It is said, Mr. Speaker, that a short time ago two law students in the city of Chicago were discussing the proposition as to who was the greatest lawyer in Illinois, and as the discussion waxed warm a member of the Chicago bar, whose name had not been mentioned in that connection by either of them, was seen approaching. They agreed to leave the decision of the question to him, and so when he came up they said: "Colonel, we have had a warm discussion here as to who is the greatest lawyer in Illinois, and being unable to settle it we have agreed to take your decision upon the matter. Who, Colonel, is the greatest lawyer in the State of Illinois?" The colonel drew himself up, tapped his ample chest, and said: "I am." "Well," they said, "Colonel, how will you prove it?" "Prove it; you do not have to prove it. I will admit it." [Laughter.]

So with the argument of the gentleman from Iowa. He submits a proposition as to conditions, and admits the Republican policy is responsible for all of them. But the gentleman absolutely fails to allow anything in the equation for the increase of population since 1860. He sets off the productive energies of 17,000,000 people in 1840 against 50,000,000 people in 1880. He regards the capacity to produce and save wealth of 23,000,000 people in 1850 to be as great as the productive activity and capacity of 62,000,000 people in 1890. He contends that the foottons of industrial energy exercised by 31,000,000 people in 1860 shall equal that exercised by 75,000,000 people in 1900. He allows nothing at all in the equation for the fact that the farmer now, with improved machinery, can cultivate 100 acres of land and produce infinitely more wealth than the farmer of thirty-five or forty years ago who could only cultivate 25 acres of land.

But there is another proposition in this connection to which I wish to invite the attention of the gentleman from Iowa. From the report made the other day by the Secretary of Agriculture it appears that the balance of trade against this country, eliminating the products made by the farmers of the United States, was $62,000,000, and the average annual production of the farmers for the last thirteen years was $337,000,000. The trade balance in our favor was the result of the productive energy of the farmers

of the United States, who offset the balance of trade against us and put to the credit of this country, says the Secretary of Agriculture, $275,000,000 annually for thirteen years. This balance of trade, then—of which the gentleman spoke the other day—has been made by that element in the country that has borne the burdens of Republican policy and received none or very few of its benefits.

But I want to accommodate myself, Mr. Speaker, to the strange reasoning of the gentleman, and assume the proposition, temporarily at least, that the policies of the dominant party are responsible for the progress and wealth of the country while they are in power. Suppose we take the year 1860. The statistical report for 1860 shows that the population of the country between that date and 1850 had increased 35.46 per cent; that the manufactured products of the country during that same period had increased 86 per cent; that the improved lands of the country increased 44 per cent; that the banking capital of the country increased 53 per cent; and that the general wealth of the country in that decade increased 126 per cent.

The gentleman from Indiana [Mr. WATSON] flashed his sword in the tariff discussion when the Cuban reciprocity bill was up the other day, and asked what law passed by the Democracy, what act passed by the Democracy, had ever added to the glory of the flag and prosperity of the people.

Why, sir, does not the gentleman from Indiana know that between 1850 and 1860 the wealth of the State of Pennsylvania increased more than 56 per cent, that the wealth of the State of Indiana increased 160 per cent, and that the wealth of the State of Iowa increased over 942 per cent? Why, sir, but for the statesmanship of a Democratic President, I will say to the gentleman from Indiana, there would not have been added to the public domain of this country 1,124,685 square miles of territory. But for the same statesmanship of the Democracy the gentleman from Iowa might be a citizen of the French Republic and known among his compatriots as GUILLAUME PIERRE HEPBURN, instead of the champion of Republican doctrines on the floor of this House. [Laughter.]

Before leaving the subject, I desire to embrace in my remarks a statement made by Joseph C. G. Kennedy, Superintendent of the Census of 1860, and transmitted to the Congress in 1862 by Caleb B. Smith, Secretary of the Interior. I read a short paragraph from the conclusion of that report:

> The figures which we have given make it appear that during the decade from 1850 to 1860 our population, in the aggregate, has increased more than 35 per cent. More than 5,000,000 acres of land were brought into cultivation. The productions of agriculture multiplied in ratio greater than the population. The products of manufacture increased $80,000,000, or at the rate of 86 per cent. The banking capital ran up from $27,468,074 in 1850 to $421,880,035 in 1860, while the circulating currency was augmented $52,089,560. The amount of insurances increased about $311,000,000. More than 22,000 miles of railroad were completed, and the capital involved increased from $286,940,148 in 1850 to $1,151,950,950 in 1860; while to indicate on the map of our country the lines of telegraph would be to represent the web of the spider over its entire surface. Our internal and foreign trade kept pace with our advance in production and increase of capital. Education, free to a great extent, has been made more accessible, and crime has rather diminished. We experienced no effects of widespread pestilence, and our country seemed the chosen abode of prosperity and peace.

So said the Director of the Census of 1860, and according to the reasoning of the gentleman from Iowa the prevalence of Democratic policies was the cause of that prosperity in that decade just mentioned. [Applause on the Democratic side.]

But, to go a little further, and to follow out the gentleman's argument to its legitimate conclusion, which is that the prevalence of Republican policies since 1860 is the cause of the present condition of the country as we find it to-day. Now, Mr. Speaker, in 1860 the public expenditures of this country were $77,035,125.65. In 1902, under the Republican policy, the public expenditures had reached the figure of $593,038,904.90. In 1902 extravagance had so grown up, under Republican domination, until the money expended in that year was five hundred and ninety millions in round numbers.

In 1860 the national debt was $64,842,287.80. In 1902 it had increased to $2,111,654,973.89, an increase of $2,046,812,686.09. The total of public and private debts, according to the statement made by Mr. George K. Holmes, of the Bureau of Mortgages, shows that as far back as 1893 the total public, corporate, and private debt of this country had reached the enormous aggregate of $18,027,170,546. Under Republican domination, under the operation and effect of Republican policies, the public and private debt of the country had reached those figures.

But this most serious situation ought to be stated in connection with those figures. The general prosperity of any people, the perpetuity of free government anywhere, as the history of the world shows, depends upon the number of its people who own the homes in the country, and I desire to recite here in this connection some figures showing how the home owners of the country are divided, according to the statements made in the census of 1900.

[Here the hammer fell.]

Mr. RUSSELL. I should like to have a minute or two more.

Mr. WILLIAMS of Mississippi. I yield the gentleman three minutes more.

Mr. RUSSELL. I want it understood in connection with the argument made by gentlemen on the other side that the policies of the dominant party are the responsible factors for the conditions now prevailing. According to the census of 1900 there were 7,205,219 families in this country—in other words, only 46 per cent—that owned their homes. And of those families 2,179,769 had their homes mortgaged for debt. In other words, there was only 4,727,542 of the 16,000,000 families, as I believe, in this country who owned their homes free of debt. Now, then, if Republican policies are to be credited by the simple assumption, without argument, with the building up of $70,000,000,000 of wealth since 1860, then let Republican policies face the charge that to-day only 32 per cent of the families of this country own their homes perfectly free from debt, and that according to census figures of 1900 there are 10,701,445 families in this country who either do not own their homes or whose homes were mortgaged to secure debt against them.

As to congestion of wealth, not only has wealth been increased in this country (and I concede that proposition), but it has been concentrated and congested under the prevalence and operation of Republican policies into a few hands. The most conservative statisticians to-day say that under Republican policies seven-eighths of the people of this country own only one-eighth of its wealth, while one-eighth of the people of this country to-day own seven-eighths of its wealth. To state the proposition in another form, Republican policies have concentrated seven-eighths of the wealth of the people of this country in the hands of about 7,000,000 people, while the balance of the people own only about one-eighth of its wealth.

Furthermore, Mr. Speaker, those policies are gradually driving the farmer off the farm. In 1860 we had in this country a percentage of urban population of about 16 per cent. Under the operation of Republican policies there has been driven into the cities of this country over 33 per cent of its population. So that, comparing the situation of the country to-day under Republican rule with that formerly under Democratic rule, you have a forcible object lesson of the difference between a splendid land and a happy land. [Applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. I yield five minutes to the gentleman from Missouri [Mr. DE ARMOND].

Mr. DE ARMOND. Mr. Speaker, some time ago I had occasion, or at least took occasion, to remark on what I then supposed might be the make-up of the committees. I find I was somewhat mistaken if I thought the question in the mind of the Speaker was whether he should give us 8 or 7 members upon the large committees of 17 members. I am inclined now to think that the question was whether he should give us any membership upon the important committees of the House.

I expect to offer, and I hope that the Committee on Rules will consider favorably, a resolution to add one to each of the sixteen great committees of the House, committees composed of 17 members each, and that this one added member be taken from the minority side.

As it is now, the committees are really sandwich committees, the crackers being the Republicans on each side, and the meat (the Democrats) between—6 out of 17. [Laughter.] That is the way the case stands on sixteen great committees in a House where the Republican majority is 30.

Now, I have no disposition to find fault unduly, and I have no disposition to give utterance too frequently or too forcibly to fault where I do find it, but I regard that as an outrage upon the minority. [Applause on the Democratic side.] I regard it as treating us unjustly and unfairly; I regard it as taking unjust advantage of the control of this House for partisan purposes.

A good many of these committees are committees that have no political matters to deal with. They have the business legislation of the country to deal with. Yet they are made up in the most bitterly partisan way. Take the Committee on Appropriations, a committee that is found upon this floor, when bills come from it, united in support of them. Since I have been a member of the House I never yet have known a minority report from that committee. Yet out of 17 members the minority of the House is represented by 6 only, though in total membership it has within 30 of as many members as the majority.

Now, there is nothing but partisanship in that. There is nothing but injustice and unfairness in it. It deprives us of what we are entitled to. It puts upon members on the other side, if they do their duty, more work than they ought to have. It deprives the membership on this side of proper opportunity to do work upon the committees, and a large portion of the work of the House and the Senate comes from and is done in the committees. Such a course is not conducive to good legislation. It is not designed to bring about good legislation. It will not bring about good

legislation. Whatever others may do, I for one wish it distinctly understood that I am utterly opposed—my opposition, I understand perfectly, may be fruitless—but I am utterly opposed to such action, and while the opportunity yet remains—while that much of the privilege and right of a Representative is preserved to me—I will take occasion, when it seems fitting, to express my opinion about it. Sixteen prominent committee places are given to gentlemen upon that side by taking them away from gentlemen upon this side; sixteen men over there are upon these important committees (to say nothing of the lesser committees) who ought not to be upon them.

It carries favor over there; it tends to weld together compactly and closely the mass over there. It tends to make the power of the Speaker greater, by enabling him to decree what shall be done, and taking away the independence upon that side which might interfere with the carrying out of his decrees. It ought to have the effect of welding us more closely together. We ask nothing except what we think we are entitled to. I for one ask absolutely no favors for myself or for any man upon this side, but we have a right to ask what is just and what is fair. We have a right to ask what our membership entitles us to. We have a right to ask what the interests of the country in good legislation entitle us to. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman on that side consume some of his time or shall I go on?

Mr. PAYNE. Just as you say.

Mr. WILLIAMS of Mississippi. I wish the gentleman would consume some of his time.

Mr. PAYNE. I yield ten minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, it is evident, I think, that our Democratic brethren are using the early days of the Fifty-eighth Congress in their biennial occupation of manufacturing campaign issues. It is a harmless and interesting pastime, and probably ought to be encouraged among the members of a political organization that thus far has not established a great reputation for manufacturing anything else. [Laughter and applause on the Republican side.] Long fastings away from the political pie counter have made the Democratic heart somewhat cynical and misanthropic. Long wanderings in the humiliating valley of popular disfavor have so wrought upon the Democratic nerves that perhaps we ought not to be surprised that they reach eagerly after the most elusive beckonings of hope until the election recently of a Democratic governor in the State of Rhode Island, by a largely reduced Democratic majority it is true, is heralded as a sure omen of approaching great Democratic victories.

And yet, making all allowance for this and for the fact that in such discussions perhaps we should hardly expect that gentlemen so engaged will draw in all respects fair inferences from the facts of history, I was not altogether prepared for a statement made the other day by the gentleman from Missouri [Mr. CLARK], in effect if not in language, that the notorious financial embarrassments of the Government during the last Cleveland Administration were properly to be charged against the McKinley tariff and were not the result, as we have always supposed, of general Democratic incompetency. Now, since that statement has been made I have taken the trouble to examine some of the official figures, and I am able to assure the gentleman from Missouri [Mr. CLARK] that his recent statement is palpably an error; but that he was scientifically and historically accurate in another statement which he made upon the floor of this House in the month of February, 1902, when he said in our hearing that the second election of Grover Cleveland was the greatest calamity that has happened to the human race since the fall of Adam.

The last two and a half years of the Administration of Benjamin Harrison were under the operation of the McKinley tariff. During that entire Administration of Benjamin Harrison the receipts exceeded the disbursements of a Republican House and Senate by $205,000,000, and during the Harrison Administration the Republicans were able to reduce the national debt in the sum of $259,000,000. The first eighteen months of the Cleveland Administration only were under the McKinley tariff law. During those months it is true that the Democratic expenditures exceeded their receipts by several million dollars, but the discrepancy in the Treasury during that period was due less to the McKinley tariff than to the great and yawning disparity between the receipts and the budget of Democratic expenditures.

If the expenditures of the first year and a half of the Cleveland Administration had been no greater than for the like period of the Harrison Administration, there would have been a surplus of something like $30,000,000 during Cleveland's Administration under the McKinley tariff. The fact stands out in history that upon the adoption of the Wilson-Gorman tariff, in August, 1894, the receipts began systematically to be reduced. There was no reduction, but an increase, in expenditures. There was not a year during the Cleveland Administration that the expenditures were not vastly in excess of the receipts; and taking the four years together the expenditures under their Democratic budget were $187,000,000 in excess of their receipts.

The exact figures are as follows:

March 1, 1893, to March 1, 1894: Receipts, $323,463,100.76; disbursements, $371,269,576.28; deficiency, $47,806,475.52.

March 1, 1894, to March 1, 1895: Receipts, $308,725,956.58; disbursements, $366,650,441.79; deficiency, $57,924,485.21.

March 1, 1895, to March 1, 1896: Receipts, $325,254,564.51; disbursements, $351,094,307.53; deficiency, $25,839,743.02.

March 1, 1896, to March 1, 1897: Receipts, $308,481,047.69; disbursements, $364,559,067.55; deficiency, $56,078,019.86.

For the four years: Receipts, $1,265,924,669.54; disbursements, $1,453,573,393.15; deficiency, $187,648,723.61.

The McKinley tariff became operative October 6, 1890, and the Wilson-Gorman tariff, August 28, 1894.

During the period of the McKinley tariff, under the Harrison Administration, there was a surplus of receipts over disbursements of $54,504,288.80. During the period of the Wilson-Gorman tariff of the Cleveland Administration, which was practically the last two and one-half years of that Administration, the expenditures exceeded the revenues by $110,879,005.48. It is evident, therefore, that the trouble with the Cleveland Administration was not the McKinley tariff. The trouble with that Administration was the inadequate revenues from the Wilson-Gorman tariff and extravagant expenditures in a period of profound peace.

There is another side to this. Benjamin Harrison turned over to the Cleveland Administration gold in the Treasury to the amount of $217,672,948. The gold began systematically to decline, and continued to do so until March, 1895, when there were only $138,593,280 of gold in the Treasury, only $88,593,280 in excess of the compulsory reserve. One after another, loans were issued, until $262,000,000 in gold were borrowed at rates of 4 and 5 per cent interest. A large portion of this gold was of course used to meet this deficit of $187,000,000 in current expenses.

At the coming in of the Republican Administration an entire change took place. The receipts under the new Dingley tariff were immediately restored to a normal basis; the expenditures harmonized with the receipts. The Spanish war loan of $198,000,000 was effected at 3 per cent, and from that time forward, notwithstanding the Spanish war and the immense expenditures incident to it, and the wider responsibilities our Government has assumed, we have systematically reduced the national debt until the annual interest charge of $53,000,000 bequeathed to us by the Cleveland Administration has been reduced to an annual interest charge of twenty-four millions. We have during this period issued something like $445,000,000 of 2 per cent bonds, with which we have redeemed a large proportion of the 4 and 5 per cent bonds of Cleveland's Administration and other outstanding 3 per cent bonds. Our 2 per cent bonds are at a premium, so that the highest rate of interest you can realize on a Government bond purchased in the market to-day is 1.7 per cent.

The day before yesterday, when I sought the figures, and I presume the same is true to-day, gold in the United States Treasury had reached the high-water mark. The amount of gold in the Treasury upon that day was $672,264,623. This is more gold than was ever in the Treasury of the United States at any period from the days of George Washington until now. There is more money in the aggregate in the Treasury than at any period from Washington until now, the statement showing $1,399,067,014.05. During the month of October last the surplus, or available cash balance then in the Treasury, was larger than ever reached in in our history, and the balance is but a little less at the present time.

Now, whatever our Democratic friends may urge upon the attention of the public, it seems to me that their strong hold can not be in an appeal to history along the lines of the industrial and financial progress of the country. The tariff policy, the protective principle, I regard as firmly established as any other principle in American politics. This has become an American policy. In my judgment, at no time, at least not in this generation, will any great political party be enabled to direct the financial and industrial affairs of the country that does not recognize in some form the protective as against the free-trade system.

I do not believe in the suggestion that there is no proper function for the Democratic party to perform in American progress, but their strong hold is not to revise Republican tariffs or to prepare the fiscal policies of this Government. [Applause on the Republican side.] The mission, Mr. Speaker, of the Democracy is evidently to apply the brakes, but not the motive power. If we could induce our Democratic friends to be content with the useful occupation of applying the brake lever instead of periodically aspiring to climb into the driver's seat and assume the reins of government, the chariot of American progress would continue to move majestically forward. But whenever they usurp the driver's

place American capital will flee to a place of safety, American labor will take another enforced vacation, and the great American industries will make another temporary assignment for the benefit of creditors. [Applause on the Republican side.]

I think while we are debating the question as to what principles have really led to the prosperity that we are enjoying as a people, which has never been excelled in the history of the world, the greatest era of prosperity any nation has ever experienced, we ought not to forget the conditions confronting us in 1896. One half of the railroads of the country were in the hands of receivers in 1896, and the other half were scarcely making running expenses. A wave of financial disaster swept over the country, carrying down before it thousands of our most reputable business concerns. In the Chicago convention of that year, the convention of statesmen and patriots who met there to give us the solution, the way out of four years of Democratic rule and its results, made some very plain statements, and one of these plain statements was in the speech of Governor Altgeld, of Illinois, in which he gave us the industrial conditions at that time. Here is Governor Altgeld's characterization. It is a Democratic diagnosis of a Democratic case. It ought to be read occasionally in these prosperous times "lest we forget:"

> Rarely in the history of the Government has an assembly of free men been confronted with such far-reaching questions—with questions that are fraught with so much weal or woe to human kind—as those with which this convention must deal. For a number of years there has existed in Europe and this country stagnation in trade, paralysis in industry, and a suspension of enterprise. We have seen the streets of our city filled with idle men, with hungry women, and with ragged children. Why, to-day it takes all that the farmer, all that the producer can scrape together to pay interest, taxes, and other fixed charges. The farmer is prostrated, the merchant does less business, the manufacturer can not sell his produce, and the laborer finds that there is nobody to buy the things that he makes; therefore he is out of employment.

Compare these conditions as described by Governor Altgeld with the conditions of to-day, with which we are all familiar. "The farmer is prostrated," says Governor Altgeld. The farmer was never so prosperous as now. The census of 1900 shows that the value of American farms and farm property increased more rapidly for the previous decade than the capital invested in railroads and manufactures, phenomenal as was the growth in those directions. And the value of farms and farm properties is greater than the aggregate value of railroads and manufacturing establishments. The American farmer is still the chief American capitalist. Governor Altgeld continues: "The manufacturer can not sell his produce, and the laborer finds that there is nobody to buy the things that he makes; therefore he is out of employment." There is now a ready market for the products of our factories, and any man who wants work can have it at a good compensation.

The Republican tariff protects the American market for the American producer; free trade opens the American market for the foreign producer.

If America were entirely a nation of consumers, our interest would be with free trade, which would reduce prices on all commodities to the lowest possible notch. But we are a producing nation, and the prosperity of the farmer, the laborer, and the manufacturer depends upon a profitable home market. Open our American market to the cheap labor and lower citizenship of foreign countries and you destroy the prosperity and degrade the citizenship of our people.

You say the American citizen is a consumer as well as a producer. That is true. But if he is paid well for his product, whether it be from the farm, the factory, or the labor of brain or hand, he is able to pay a good price for what he consumes and has something left over for a rainy day. Eras of high prices are eras of general prosperity; eras of low prices, of calamity. This is why the Democratic party with its free-trade ideas can never safely guide American industries. Free-trade heresies are not adapted to the necessary conditions of a developing and advancing republic. They belong to monarchy, with its simple and contented peasantry and an unambitious laboring class, who have not experienced the broader liberty and greater responsibilities of American citizenship.

The best test of a political principle, as well as a principle in ethics, is the question, Does it work well? Theoretically free trade has been a favorite among the scholars and in the textbooks, but practically a protective tariff has always worked well in this country. From a consuming people, dependent in large measure upon the products of other countries, we have become a producing people, competing for the commerce of the world. Yankee ingenuity, encouraged by protective tariff and supplemented by the superior skill and intelligence of the American laborer, has invaded the markets of all countries. About one-third of our agricultural and manufactured products now finds market abroad. We are to-day selling silks to France, furniture to Germany, cutlery to England, and tin plate to Wales. What would have been considered commercial fiction even ten years ago has become commercial fact in 1903.

Thirty years ago Great Britain, Germany, and France were all larger exporters than the United States. Now we exceed them all. The United States is now the world's greatest exporter.

The United States produces more wheat than any other country. She produces more corn than all other countries combined. She produces more beef and pork and more of the money metals than any other country. She produces more cotton than all other countries—three-fourths of the cotton of the world. She produces more coal, and cheaper coal, than any other country, and more petroleum. In extent of manufactured articles and raw materials we are now first. Our manufactures are now nearly double those of Great Britain, and about equal to those of Germany, France, and Russia combined. It will be seen, therefore, that in breadstuffs, meat, fuel, and clothing, that which feeds, warms, and clothes the human family, the United States now leads the world. What is more important, of these three essentials of human life and comfort the United States has a very large surplus annually over what is required for her own people. No other great nation, unless it be Russia, can feed, warm, and clothe its own people. England and Germany are largely dependent upon American breadstuffs. Germany must buy annually $100,000,000 worth of food products, or many of her people must go hungry.

The gentleman from Tennessee [Mr. GAINES] a few days ago expressed great fear lest we be made the object of retaliatory legislation on the part of European countries. There is no danger of our being excluded from European markets for food products by unfriendly legislation or otherwise. Our products form a very large proportion of what they are buying constantly. To exclude them from their markets would so advance the price of their remaining inadequate supply that food would be beyond the reach of the common people. A future open market for our breadstuffs in Europe is therefore assured by European necessities.

The Dingley tariff is doubtless imperfect in many of its schedules. It is, however, I believe, the best tariff act that has yet been devised from an American standpoint. Particular schedules should be modified from time to time to meet changed conditions. Gradual modification of particular items would be infinitely better than a general overturning of our present system. It is probable that a liberal use of the reciprocity principle might furnish sufficient modification of the tariff for several years to come. I believe thoroughly in the reciprocity policies advocated by James G. Blaine and William McKinley. And I believe also that one of the best expositions of the reciprocity doctrine is to be found in McKinley's last speech at Buffalo.

The reciprocity treaty with Cuba, approved by the House at this session and soon to be approved by the Senate, is a beginning in the right direction. Republicans can well afford to expand our commerce with other countries by similar treaties, where this can be done without seriously injuring our own industries.

The protective tariff must be modified by its friends and not destroyed by its enemies. The hard-headed, successful American farmer, and the intelligent, progressive American laborer, both of whom know a good thing when they see it, are not ready, and, in my judgment, will not be ready in this generation to invite another carnival of calamity by committing our political and industrial future to the aggregation of free-trade, free-silver, and free-law devotees masquerading in these latter days in the guise and habiliments of Democracy. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. MARTIN. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

There was no objection.

Mr. PAYNE. I yield ten minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, at the beginning of this Congress the Democratic minority in this body selected as its official mouthpiece and floor leader the exceedingly able and amiable gentleman from Mississippi [Mr. WILLIAMS], who has as his assistant the gentleman from Missouri [Mr. DE ARMOND]. Next in leadership comes the other gentleman from Missouri [Mr. CLARK], the Democratic statistician, wit, and prophet. These leaders have announced as the platform on which they intend to fight the "revision of the tariff," and the statistician, wit, and prophet from Missouri has already prophesied that upon that platform they will elect a President and a House of Representatives in 1904. Now, I want to call the attention of this House and of the country to the character of tariff revision we are likely to get when those gentlemen get control of this House, if they ever do. In 1897, in the extra session, upon the 24th of March, during the pendency of the Dingley tariff bill, the gentleman from Mississippi said:

> As a Democrat who believes in free trade, or the nearest approach to it, I rejoiced in the passage of the Wilson-Gorman bill.

He claimed that there were too many protective features even in that bill, but added that "there was within it a germ from which something approaching free trade might have come by evolution."

He further said in the same speech: "I am not a protectionist, and I do not believe in protectionism."

The gentleman from Missouri [Mr. DE ARMOND] said:

Where do we stand? Opposed to any tariff duties except such as are necessary to raise needed revenue.

But the other gentleman from Missouri said, speaking of the Dingley bill, the present tariff law, under which the country has enjoyed so much prosperity:

I am dead against this bill. It is a vicious, a monstrous, and unnecessary measure.

In the same speech he said:

I am a free trader, and I glory in the fact. I rejoice in the record that we free traders made in the House in 1894, in the Fifty-third Congress. Nearly all that was good in the Wilson bill was put there by the free traders.

Still further he said:

The trouble with the Wilson-Gorman bill was not that it contained too much free trade, but that it did not contain free trade enough.

Our friends upon the other side are not vicious at heart. I do not suppose they really mean to bring harm to the country. The trouble is that they are possessed of a sort of "Happy Hooligan" brand of statesmanship which, when put in operation, brings destruction to themselves and everybody else. [Laughter on the Republican side.] The gentlemen ought to know that the Wilson-Gorman tariff bill which they thus commend closed more mines and factories and mills and banks, and drove into bankruptcy more railroads and corporations and firms and individuals, and threw more men out of employment than any other piece of legislation ever enacted in the history of the world.

In many of the mining and manufacturing districts it actually dispensed with the use of toothpicks, because they are not considered a prime article of necessity where soup is the only diet. [Laughter.] And yet these leaders think it ought to have gone further. Their words I have quoted from the RECORD show that if they had their own way absolutely they would "revise" the tariff out of existence. The people are not likely to give them that opportunity.

Great lamentation has been heard from that side of the Chamber because of the fact that the Pennsylvania Steel Company has recently, in competition with German and other manufacturers, secured a contract for the future delivery of 20,000 tons of rails for the Mecca Railway at prices alleged to be somewhat lower than the present prevailing price in this country.

The gentleman from New Jersey [Mr. BENNY] declared that this country had been injured to the extent of the difference between the price to be received abroad and the ruling price of rails here, and the gentleman from Mississippi [Mr. WILLIAMS] seemed to consider it a crowning outrage that four great railroads have, as he alleges, agreed to make a reduction of 33⅓ per cent in the rates of transportation upon all steel products intended for export.

Well, now, the farmer, in whom our friends on the other side just about election time always evince so much interest, did have to "gnaw a file" during the last Democratic Administration, but he never has been, to any considerable extent, a consumer of rails. The only customers for rails are railroads, and if, as the gentleman from Mississippi [Mr. WILLIAMS] alleges, the railroads themselves are encouraging this outrage, I do not believe that either they or the farmer are, after all, so much outraged as the gentleman from New Jersey seems to think.

Now, I am one of those who believe that the American farmer and the American laborer and even the American railroads themselves are benefited by the sale of American rails in foreign countries. The plant of the Pennsylvania Steel Company is at Steelton, in my district, three miles from the city of Harrisburg, in which I live. It is not a trust nor controlled by a trust; it is not a combination of any kind; it is not the result of the merger or consolidation of two or more corporations. It is just a single corporation, operating its own plant in competition with the United States Steel Corporation and other great rivals. It is operated upon very intelligent business principles by very competent and intelligent business men.

I have no personal investment in it in any way whatever, but I do take a great interest in its welfare because of my friendship and respect for its officers and because the interests of so many of my constituents—farmers, coal miners, and merchants, as well as steel operatives—are dependent upon its success. Within one year after the last election of Grover Cleveland it, along with other manufacturing establishments in my district, went into the hands of receivers.

In October, 1896, it employed 3,602 men. Since the election of President McKinley and the passage of the Dingley tariff bill it has had more than 8,000 men upon its pay roll at one time. It now yields a fair though not excessive return upon the capital invested. The sale of 20,000 tons of rails abroad (and that is only one item out of a number; it has within the past few days contracted to deliver 8,000 tons in the City of Mexico) will, of itself, bring over $450,000 of foreign money into this country, and at least 90 per cent of it will reach the pockets of the laborers who made the steel or mined the coal and iron ore which entered into its production.

I hold in my hand a copy of a book entitled "The Iron Industry," published by a firm in New York. It is edited by Mr. H. H. Campbell, of Steelton, Pa., who by education, wide personal experience, and extended travel and observation in foreign lands is well qualified for such a task. He is not an extremist upon the tariff question. He discusses this very question. He contends that in determining the cost of such manufactures there should be allowed interest at 6 per cent on all money actually invested in the plant and an allowance of at least 10 per cent for depreciation of plant, which goes on whether or not it is operated to its full capacity. He thinks it only fair that the home trade should pay a price fairly covering both these items, but adds that—

It becomes good policy to ignore these items (interest on capital and depreciation of plant) on competitive business for foreign deliveries, since they are both fixed quantities, not depending on the amount of steel produced, and the extra output caused by such foreign deliveries cheapens the cost to the manufacturer. Moreover, certain lines of foreign trade can not be held if prices are varied with every local advance.

Having secured, for instance, the business of a certain railway in Australia, it is evidently quite impossible to retain it if the price quoted follows every boom in the home market, and it is certainly good policy to keep the trade of this railway for future business in spite of the hue and cry about lower prices to foreign buyers.

This argument is not new, but has been an accepted commercial and industrial maxim in every country under both protection and free trade, and all the "prices abroad" so freely quoted are based on this rule as existing in foreign lands. It is even true that bounties are actually paid in some instances to encourage export trade. * * *

A steel works, in common with every manufacturing plant, is a benefit to the general public in many ways. It contributes to the payment of taxes and thus saves an equivalent amount of individual expenditure. It is the foundation of large communities, which influence and increase the general prosperity of the country by giving a market for all kinds of commodities. It supplies freight to the railroads in enormous quantities. In the twelve months immediately preceding the time of writing the works with which I am connected received 54,903 cars and sent out 17,471 cars loaded with finished material.

Allowing for some empty cars received and estimating the average of the whole to be 30 tons per car, we have a total of 2,170,000 tons of traffic and a total train length of 500 miles. The average length of haul is unknown, but was over 200 miles. This business brings in an enormous income to the railroads, the gross receipts from a steel works being four or possibly six times as much as though a similar amount of material were imported from abroad and there were no raw materials or incidental supplies to assemble.

It will be evident on the slightest consideration that the cost of moving other freight is reduced by this increased business and the establishment of other industries thereby made possible, which in turn react by further lowering the cost of transportation by their contribution to tonnage moved.

His argument is well sustained by the official figures, for while labor and nearly everything else in this country is higher now than it was in 1896 the average rate charged by railroads per ton of freight per mile is lower, made possible by the increase of traffic resulting from the increased products of mines and factories. The reports of the Interstate Commerce Commission show that the average rate per ton per mile, which was eight hundred and seventy-eight one-thousandths part of a cent in 1893, had been reduced to seven hundred and fifty-seven one-thousandths part of a cent in 1902.

That was the average of all the railroads in the United States. Upon the great trunk lines the freight charges were less. I happen to have at hand a statement of the New York Central and Hudson River Railroad Company showing that its average charge per ton per mile in 1903 was six and four-tenths mills, and I have no doubt that the average rate per ton per mile charged by the Pennsylvania Railroad Company was fully as low, and perhaps lower, so that the public which has prospered in so many other directions has certainly not suffered in the matter of railroad rates, either as the result of increased tariffs under the Dingley law or of the sales of rails or other American products in foreign markets.

Another interesting fact in connection with railroads is that during Cleveland's Administration the number of railway employees fell off from 873,602 in 1893 to 823,476 in 1897, a decrease of 50,126 in four years. In the succeeding five years, under McKinley and Roosevelt, the number increased to 1,189,315, an increase of 365,839 in five years. The wages paid railway employees in 1897, the year Cleveland went out, were $465,601,581. The wages paid them in 1902 amounted to the vast sum of $676,028,592, an increase of $210,427,011 per annum.

Railroads are a good index to all other kinds of business. The number of additional men employed and increased amount paid them in wages in mines and factories since the Gorman-Wilson bill was repealed can not be estimated. The people of this country will be slow to put in power again the men who helped to enact it, and still less likely to turn the Government over to the present leaders of Democracy, who would prefer absolute free trade.

There are doubtless some articles upon which the tariff could safely be reduced, but stability of rates is very important. Much tariff tinkering is destructive of business. When revision is necessary it will be accomplished by the party which favors American

labor and prefers that American products shall be sold in foreign markets rather than that foreign manufactures shall crowd out our own people in our own markets.

Foreign-made rails have been imported into this country and sold here for $145 per ton. Now they are made and sold here at $28. Our railroads thus get cheaper rails, while our miners and iron and steel workers do the work and from their wages are enabled to and do become the best customers for the products of our farms. If selling our steel products in foreign markets helps to bring about, or continue, or improve these conditions, why do our friends object?

The gentleman from Missouri predicted in 1897 that if the Dingley bill were passed they would in the next Congress have 100 majority and elect a Democratic President in 1900. That prophecy failed, and the one he has just made, which, if the people believed it, would send $100,000,000 capital into hiding within thirty days, is equally absurd and equally unlikely of fulfillment. [Applause on the Republican side.]

Mr. PAYNE. I ask the gentleman from Mississippi to occupy his time now.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am of an optimistic temperament, but I have grown to despair of the abilities of figures and facts and history to make the Republicans—upon this floor, at any rate—remember that in 1892 and 1893 and part of 1894 there was a world-wide panic; that it did not exist in the United States alone, but existed everywhere; that it had begun before Mr. Cleveland was elected, and continued after he was elected. If any one of these gentlemen were writing a history outside of politics he would note that, and he would dwell, as an interesting event in that history, upon the depression in the West and South, when a desperate and suffering people were clutching at straws and seeking desperate remedies under Harrison's Administration, before Cleveland was even nominated. But it is hopeless to expect from the average Republican intellect anything on that subject "upon the eve of an election." They will neither revise the tariff nor revise their utterances in accordance with the facts of history upon the eve of an election. [Laughter on the Democratic side.]

Now, the gentleman from Pennsylvania [Mr. OLMSTED] has this morning rejoiced my heart. He is the first Republican who has taken the advanced step of defending the system of charging the foreigner a lower price for the products of American manufacturing establishments than is charged to the American for exactly the same goods.

He has defended it, attempted to explain it, and attempted to justify it. He has said there is nothing in an extortionate home price for steel rails that hurts the farmer of America. He has said that "farmers never eat steel rails." No, Mr. Speaker, but rails sometimes eat farmers. [Applause on the Democratic side.] If the gentleman does not know that the shippers of this country pay for the rails, and that all in the world that the railroads do is to use the money in the first instance and collect it later on, he ought not to be upon the floor of the American House of Representatives. [Applause on the Democratic side.] I know him so well, I know his intelligence so thoroughly, that I know he knows those things better even that I possibly could, because of his superior ability to learn.

Now, Mr. Speaker, the other day the gentleman from Iowa [Mr. HEPBURN] said, "Can you point to a day in the history of the American people when Americans were receiving higher wages?" I answered, upon the spur of the moment, "Yes, this day one year ago." I might have answered with equal truth "This day two years ago." I might have taken several other dates, but I happened to take that.

Mr. Speaker, a wage consists in the net return which the laborer receives. The cost of living has advanced within the last seven years very much indeed. But I shall not go into that; I shall not for the purposes of this reply take that into consideration. The absolute wage rate, the gross amount paid independently of the question of the net receipts—the gross wage—has decreased since this day one year ago. Why, I just happened to pick up the Washington Post of this morning's date, and I saw that the New England cotton manufacturers are getting together still further to reduce the wages paid to operatives in the cotton mills. I see that in the cotton mills of New England there are employed 175,000 hands. Sixty-five thousand of them have already had their wages reduced 10 per cent in the last year. They are threatened by a combination of mills with a yet further decrease.

I saw some days since that the tin manufacturers have reduced wages. I find they met and then adopted, in accordance with this new Republican "recoupment" plan defended by the gentleman from Pennsylvania, a scale of wages whereby the laborers were to receive 25 per cent less for work on products for export, and that has resulted in an agreement to pay and receive about 2 per cent general reduction. That is another idea that I have not time to follow up in the seven minutes, nor have I time to go into other cognate matters, but in later remarks some time I shall.

Why, you gentlemen have run protectionism mad. You not only want "to give everybody everything" that they want, like Tittlebat Titmouse, in Ten Thousand a Year, but you want to give people things they do not want. Here we find the National Association of Agricultural Implement and Vehicle Manufacturers met the other day in the city of Chicago and passed certain resolutions with certain preambles. The first preamble is this:

Whereas the members of this association and we believe a large majority of the people of the United States believe that our tariff duties in many instances are too high and a gradual reduction should be made; and

* * * * * * *

Whereas that dominant party of the nation has on more than one occasion committed itself in convention platforms and by legislative action to the policy of reciprocity and to the promotion of the commercial treaties, and many of its most brilliant and able statesmen have strenuously urged the faithful performance of this party engagement; and

Whereas in the early period of this country's existence protection to manufacturers was established in order to enlarge our domestic market, encourage immigration, diversify industries, furnish a greater opportunity for a diversified talent, and afford a larger field for enterprise, and establish an independence of foreign nations in supplying ourselves with the necessary military supplies during the exigencies of war, in all of which we have succeeded to a marvelous extent.

* * * * * * *

Then this resolution:

Therefore, be it

Resolved, That we urge upon Congress the faithful performance not only of the repeatedly expressed but the implied promises contained in the Republican platform, and the utterances of the Republican leaders who have favored reciprocity, by ratifying treaties already before them and thus encouraging the negotiation of other treaties equally desirable, and carry out the policy of our late lamented President, the Hon. William McKinley, who so ably advocated the principles of reciprocity in his last public address.

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Respectfully submitted.

F. E. MYERS, *President*.
W. W. COLLIER, *Chairman Ex. Com.*
F. E. LUKENS, *Secretary*.

We have been asking you—I do not know how long—to reduce the duties upon agricultural implements, so that the farmers of this country can get the implements behind which they walk in the sweat of their brows as they earn a hard living at a less price, and you have responded that it would "destroy the agricultural implement industry" of the country. And here these very agricultural implement men meet in association and tell you that it will not destroy them, that the reduction ought to take place; but you are going to "recommend the poisoned chalice to their lips," whether they want it or not. You are going to extend protectionism to men who tell you that they do not need it and that it is wrong for them to have it.

Here are also the New England shoe men, who tell you they do not need as much so-called protection as they get, and would be glad to get less if you will reduce the duty on hides; but you will not give it. It is just like the story John Allen used to tell of the fellow who got drunk, who told his wife that neither she nor her physician could get him to accept a drink of whisky. Said he, "I promised not to take it and I won't take it; I declare I won't take it. I won't take it; no, sir; but you, Jane, might get somebody just as strong as you are, and if I won't take it you two could make me take it." So you are making people take things that they do not need.

I want to insert this article to which I have referred, and I also ask permission to insert something from the "Citizens' Industrial Association," an association of employers, declaring in favor of free trade and free competition, not in products, but in labor, gentlemen, "don't you know." That is the sort of free trade and "free competition" Republicans want. Free ingress of pauper labor. [Laughter and loud applause on the Democratic side.]

On second thought I will keep back the proceedings of the "Citizens' Industrial Association," as the text for fuller remarks later——

[Here the hammer fell.]

Mr. PAYNE. How much time have I remaining, Mr. Speaker?

The SPEAKER. The gentleman has eight minutes remaining.

Mr. PAYNE. I yield five minutes to the gentleman from Iowa.

Mr. HEPBURN. Mr. Speaker, I made some observations a few days ago and spoke of a period of seventy-two years of Democratic policy, a period that terminated on the 4th day of March, 1861. The gentleman from Texas [Mr. RUSSELL], who perhaps was not born at that time, insists that on that day the American people, the people of the United States, were in a more prosperous and happy and hopeful condition than they were on the 4th day of March this present year.

Now, that may be the opinion of the gentleman from Texas. He could not have known anything about the earlier period, because he was not born, and I take it that he knows but very little about the other period, as he has very recently escaped from the State of Texas [laughter and applause on the Republican side], and that is not a State to which anybody goes to gain accurate information as to the economic conditions of the people of the United States. [Laughter.] But if it gives him any satisfaction to think that at the end of this first period this country of ours was more wealthy, its finances in better condition, its labor better

employed, wages upon a grander scale, money more abundant, and great enterprises more frequently undertaken and carried out by American capital—if it pleases him to think that we were in that happier situation in 1861 than now, I am perfectly content that he should be as felicitous as he chooses over that delusion. [Applause on the Republican side.]

Mr. PAYNE. Mr. Speaker, the gentleman from Texas [Mr. RUSSELL] indulged in some statistics as old as the story he told. [Laughter.] The story was so ancient that it was told by the animals when they were going into Noah's ark. [Laughter.] The gentleman seems to have lived in oblivion, as my friend from Iowa just remarked, because he is comparing the debt of 1860 of the United States with the debt of the United States in 1903. He does not seem to realize that Texas and a few of the surrounding States entered into a great rebellion for five years in the sixties that is the cause of the increase of the debt, but he seems to be inclined to blame the whole thing onto the Republican party.

The gentleman from Missouri [Mr. DE ARMOND] sometimes tries to be funny and sometimes he tries to scold. This morning seems to be his scolding day. He has discovered another tremendous outrage on the minority because, as he says, they are not represented as they ought to be on the committees. It can not be a personal grievance to the gentleman from Missouri, because I see that he is designated on the Committee on Rules and the Committee on the Judiciary. My genial friend from Mississippi [Mr. WILLIAMS], the leader of the minority, has been kinder to the gentleman from Missouri than he has to some other gentlemen on that side; for instance, the gentleman from Virginia [Mr. SWANSON], who remains on the Committee on Ways and Means, but has been taken off the Committee on Post-Offices and Post-Roads. The gentleman from Missouri says that the minority does not have a proper representation on the commiteees, and he calls it an outrage.

Well, Mr. Speaker, at the beginning of the Fifty-first Congress the Republicans had 6 majority. The Committee on Ways and Means then consisted of 13 members, of which the majority had 8 and the minority 5. In the Fifty-second Congress, which was Democratic by 129 majority, the Democrats took 10 places and the Republicans 5, increasing the committee by 2 and making it 15. In the Fifty-third Congress the committee was increased to 17, and the Democrats had 84 majority, and they took 11 places and left the minority 6. The Fifty-fourth Congress was Republican by 135 majority, and we took 11 members and left the minority still with 6. In the Fifty-fifth Congress there were 50 Republican majority and 11 Republicans and 6 Democrats on the committee. In the Fifty-sixth Congress our majority was 13, and we conceded the Democrats 7 and had 10 Republican members upon the committee. The Fifty-seventh Congress had 34 Republican majority, and we took 11 places for the Republicans and left 6 for the Democrats. In this Congress we have 30 majority, with 11 Republicans on the committee and 6 Democrats. The same is true of the Committee on Appropriations. The same is true in equal proportion of all the great committees of the House. The Speaker has in the appointment of some of the committees conceded the Democrats additional members in this Congress, but generally he has observed the rule that has been the rule, or the rule in substance, since the Fifty-first Congress. The Fifty-first Congress did not differ in that respect from the preceding Congresses of which Mr. Carlisle was the Speaker—the Forty-eighth and Forty-ninth Congresses.

The proportion has generally been about the same. Why should not the majority have the majority of the members? Why should not we have a good working majority of members? We have the work to do and we are responsible for the legislation; we are responsible to the country for what is done here, and in these committees the majority should have a strong preponderance of the members. It was right when the Democrats had the Congress and had the majority, and it is right now when we have the majority, and all the scolding and fretting on that side of the House will not make it appear to the people that the Speaker of this House has not done the fair thing in appointing the committees. He has gone further than any other Speaker has ever gone and conceded to the leader of the minority the opportunity to name members of the minority on the committees in cases where it did not conflict with the geographical position of the other members of the committees.

So I think that the gentleman when he scolds does not appear to as good advantage as even when he appears with some tame jokes, as he did the other day.

Now, Mr. Speaker, I will not go further in the discussion of the tariff, because I have not the time. I almost regret that these little discussions that have been indulged in during the last few weeks are not to go on; but by and by we shall have the appropriation bills and gentlemen will have ample opportunity for discussion, and for discussion possibly at times on some subject before the House.

The SPEAKER. The time allowed for this debate has expired.

Mr. PAYNE (at 1 o'clock and 40 minutes p. m.). I move that the House do now adjourn.

The question having been taken,

The SPEAKER. The motion of the gentleman from New York [Mr. PAYNE] is agreed to, and the House stands adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting a statement of the expenditures of his Department for contingent expenses during the fiscal year ended June 30, 1903—to the Committee on Expenditures in the Interior Department, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Sarah H. Munnally, administratrix of estate of Eldred Munnally, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of S. A. Rawlins and B. H. Jackson, administrators of estate of James Jackson, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Colly B. Holland against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a copy of a report from the Commissioner of Indian Affairs, a recommendation in reference to a claim for supplies furnished the Indian school at Rapid City, S. Dak.—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers, transmitting report for the fiscal year ended June 30, 1903—to the Committee on Appropriations, so much as refers to appropriations; remainder to Committee on Military Affairs, and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RODEY: A bill (H. R. 5664) permitting the county of Taos, in the Territory of New Mexico, to refund its indebtedness at a lower rate of interest—to the Committee on the Territories.

Also, a bill (H. R. 5665) to establish a fish-culture station at Trout Springs, Gallinas Canyon, San Miguel County, N. Mex.—to the Committee on the Merchant Marine and Fisheries.

By Mr. STEPHENS of Texas: A bill (H. R. 5666) to pay clerks in the Indian Territory their salaries as deputy clerks—to the Committee on Indian Affairs.

By Mr. BADGER: A bill (H. R. 5667) placing cattle hides on the free list—to the Committee on Ways and Means.

By Mr. BOWIE: A bill (H. R. 5668) to increase pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5669) to repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898—to the Committee on the Judiciary.

By Mr. MARTIN: A bill (H. R. 5670) to provide for the reestablishment of the west boundary of the State of South Dakota—to the Committee on Appropriations.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 5671) making an appropriation for the purchase from Forsyth County of a site and building for a post-office and other Government offices in Winston-Salem, N. C., and to authorize the sale of the present post-office site in Winston-Salem to Forsyth County—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5672) authorizing a public building at Highpoint, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. HUFF: A bill (H. R. 5673) to provide for the purchase of a site and the erection of a public building thereon at Greensburg, in the county of Westmoreland and State of Pennsylvania—to the Committee on Public Buildings and Grounds.

By Mr. MEYER of Louisiana: A concurrent resolution (H. C. Res. 13) relating to the invitation extended to the Congress by the Louisiana Historical Society—to the Select Committee on Industrial Arts and Expositions.

By Mr. COOPER of Wisconsin: A resolution (H. Res. 36) authorizing the Committee on Insular Affairs to have printing and binding done during the Fifty-eighth Congress—to the Committee on Printing.

By Mr. TAWNEY: A resolution (H. Res. 37) authorizing the Select Committee on Industrial Arts and Expositions to have printing and binding done during the Fifty-eighth Congress—to the Committee on Printing.

Also, a resolution (H. Res. 38) authorizing the Select Committee on Industrial Arts and Expositions to appoint a clerk to said committee—to the Committee on Accounts.

Also, a resolution (H. Res. 39) authorizing the chairman of the Select Committee on Industrial Arts and Expositions to appoint a janitor to said committee—to the Committee on Accounts.

By Mr. DRAPER: A resolution (H. Res. 40) authorizing the Doorkeeper to appoint Hugh Williams as an additional page in the press gallery—to the Committee on Accounts.

By Mr. OVERSTREET: A resolution (H. Res. 41) requesting the Postmaster-General to send to the Committee on the Post-Office and Post-Roads all the papers connected with the recent investigation of his Department—to the Committee on the Post-Office and Post-Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRADLEY: A bill (H. R. 5674) to relieve George W. Powers of the charge of dishonorable conduct—to the Committee on Military Affairs.

By Mr. DWIGHT: A bill (H. R. 5675) granting a pension to Norman P. Brown—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 5676) granting an increase of pension to John A. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5677) granting an increase of pension to Bartlett Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5678) granting a pension to Ida J. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5679) for the relief of the heirs of Melvin B. Smith—to the Committee on the District of Columbia.

By Mr. GIBSON: A bill (H. R. 5680) for the relief of Jacob Lyon—to the Committee on War Claims.

By Mr. GOEBEL: A bill (H. R. 5681) granting an increase of pension to Philip H. Whyrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5682) granting an increase of pension to Charles B. Hunt—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 5683) granting an increase of pension to Dudley K. Andross—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 5684) granting an increase of pension to William Camblin—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 5685) granting a pension to Alonzo Sabin—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 5686) granting an increase of pension to Charles A. Walker—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 5687) to remove charge of desertion from records of War Department against William B. Meade—to the Committee on Military Affairs.

Also, a bill (H. R. 5688) to remove charge of desertion from the records of War Department against James T. Billups—to the Committe on Military Affairs.

Also, a bill (H. R. 5689) granting an increase of pension to James Clay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5690) granting an increase of pension to James W. Griffiths—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 5691) granting an increase of pension to Henry Rhinehart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5692) granting an increase of pension to John Shanley—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 5693) granting an increase of pension to Joel M. Street—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5694) granting an increase of pension to Logan O'Banion—to the Committee on Pensions.

Also, a bill (H. R. 5695) granting an increase of pension to Nathan I. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5696) granting an increase of pension to Jeremiah Wall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5697) granting an increase of pension to William Whitecare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5698) granting an increase of pension to John P. Bradfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5699) granting an increase of pension to James P. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5700) granting a pension to Christopher C. Richards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5701) granting a pension to James M. Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5702) granting a pension to Allen S. Thatcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5703) granting a pension to Francis Ludlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5704) granting a pension to Elias Propst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5705) for the relief of Ira C. Hooks—to the Committee on War Claims.

Also, a bill (H. R. 5706) for the relief of James M. Blankenship—to the Committee on Military Affairs.

Also, a bill (H. R. 5707) to remove the charge of desertion from the military record of David A. Lindsay—to the Committee on Military Affairs.

Also, a bill (H. R. 5708) to correct the military record of Micajah Powell—to the Committee on Military Affairs.

Also, a bill (H. R. 5709) to correct the military record of Ezekiel N. Cobee—to the Committee on Military Affairs.

By Mr. LUCKING: A bill (H. R. 5710) for the relief of Francis E. Rosier—to the Committee on Military Affairs.

By Mr. MAHON: A bill (H. R. 5711) granting an increase of pension to Jacob Chronister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5712) for the relief of John Wesley Hoyt—to the Committee on Claims.

By Mr. MEYER of Louisiana: A bill (H. R. 5713) for the relief of the heirs of Myra Clark Gaines, deceased—to the Committee on the Public Lands.

By Mr. OLMSTED: A bill (H. R. 5714) granting a pension to John D. Deihl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5715) authorizing the President of the United States to nominate Lieut. Samuel Lindsey Graham, now on the retired list, to be a lieutenant-commander on the retired list—to the Committee on Naval Affairs.

Also, a bill (H. R. 5716) granting an increase of pension to Lewis C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5717) granting an increase of pension to F. M. Stoke—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 5718) granting an increase of pension to Adolph Heiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5719) granting an increase of pension to Forbes Homiston—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 5720) granting an increase of pension to William T. Filler—to the Committee on Invalid Pensions.

By Mr. RODEY: A bill (H. R. 5721) for the relief of the inhabitants of Portales, Roosevelt County, N. Mex.—to the Committee on the Public Lands.

Also, a bill (H. R. 5722) to authorize the payment of $5,000 to the widow of the late Tranquilino Luna, in full for his contest expenses in the contested-election case of Manzanares against Luna—to the Committee on Claims.

Also, a bill (H. R. 5723) giving the Court of Claims jurisdiction to adjudicate two claims for Indian depredations of the estate of Blas Lucero, late of Albuquerque, N. Mex.—to the Committee on Claims.

Also, a bill (H. R. 5724) for the relief of George Ivers, administrator of William Ivers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 5725) granting a pension to Grace Dressel—to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 5726) to confer jurisdiction on Court of Claims in case of Elizabeth A. Gill, widow, Albert B. Gill, Emma B. Gill, William F. Gill, and Leonora Gill Thompson, sole legatees and heirs at law of William H. Gill, deceased—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 5727) granting an increase of pension to James M. Alderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5728) granting an increase of pension to David W. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5729) granting an increase of pension to John Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5730) granting an increase of pension to James McEntire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5731) granting an increase of pension to Charles Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5732) granting an increase of pension to Lewis A. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5733) granting an increase of pension to Joseph Goodwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5734) granting an increase of pension to John B. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5735) granting an increase of pension to John Ripperdan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5736) granting an increase of pension to Daniel W. Woodruff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5737) granting a pension to John Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5738) granting a pension to W. L. Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5739) granting a pension to Addison Lusk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5740) granting a pension to Thomas W. Dickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5741) granting a pension to Cuma Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5742) to remove the charge of desertion from Hugh Ferrell—to the Committee on Military Affairs.

Also, a bill (H. R. 5743) granting an increase of pension to Isaac W. Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5744) granting an increase of pension to Richard Southard—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 5745) for the relief of Richard Crutcher—to the Committee on Military Affairs.

Also, a bill (H. R. 5746) for the relief of John B. Leavitt's heirs—to the Committee on War Claims.

Also, a bill (H. R. 5747) granting a pension to Hiram Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5748) granting a pension to Granville W. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5749) granting a pension to James B. Combs—to the Committee on Invalid Pensions.

By Mr. WYNN: A bill (H. R. 5750) granting a pension to William Cassidy—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BADGER: Memorial of the manufacturers and jobbers in leather goods and the shoe manufacturers of Columbus, Ohio, requesting that hides be placed on the free list—to the Committee on Ways and Means.

By Mr. CAMPBELL: Petition of Sunday School Editors and Publishing Societies, protesting against any increase in postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. DEEMER: Resolution of General Mansfield Post, No. 48, Grand Army of the Republic, of Mansfield, Department of Pennsylvania, favoring enactment of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: Papers to accompany bill to pension Ida J. Davis—to the Committee on Invalid Pensions.

By Mr. GIBSON: Paper to accompany bill to increase pension of Richard Porterfield—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Preston D. Roady—to the Committee on Invalid Pensions.

By Mr. GRAFF: Petition of business men of Wyoming and Buda, Ill., protesting against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HITT: Petition of Arthur Welding and 9 other veterans of the civil war, of Spring Hill, Ill., urging enactment of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HUFF: Resolution of the standing committees of the National Business League, favoring enlargement of the Navy—to the Committee on Naval Affairs.

By Mr. HULL: Petition of William M. Richardson and 40 others, ex-soldiers, of Warren County, Department of Iowa, favoring enactment of service-pension bill—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: Memorial of American League of Independent Workmen, protesting against the enactment of the proposed eight-hour law—to the Committee on Labor.

By Mr. PAYNE: Papers to accompany bill H. R. 5341, granting a pension to Jenny Petteys—to the Committee on Invalid Pensions.

By Mr. SPALDING: Resolution of Sykeston Prohibition Alliance, No. 18, and Christian Endeavor Society of Southeastern Wells County, N. Dak., favoring the passage of the Hepburn bill relating to the liquor traffic—to the Committee on the Judiciary.

Also, resolution of John W. McLane Post, No. 21, of Hunter, Department of North Dakota, favoring the enactment of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: Petition of Sunday School Editors and Publishing Societies, protesting against any increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. WADSWORTH: Petition of business men of Castile, Wyoming County, N. Y., protesting against the enactment of the proposed parcels-post law—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Illinois: Petition of business men of Enfield, Galatia, and Elizabethtown, Ill., against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany bill to pension W. L. Lawrence—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension John B. Tucker—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of David W. Reed—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of James M. Alderson—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension John Whitehead—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Martin Schubert—to the Committee on Invalid Pensions.

Also, paper to accompany bill to increase pension of Louis A. Baird—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Thomas W. Dickey—to the Committee on Invalid Pensions.

Also, paper to accompany bill to increase pension of John Smith—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Addison Lusk—to the Committee on Invalid Pensions.

Also, paper to accompany bill to increase pension of Joseph Goodwin—to the Committee on Invalid Pensions.

Also, paper to accompany bill to increase pension of Charles Lee—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of James McEntire—to the committee on Invalid Pensions.

Also, papers to accompany bill to pension Cuma Young—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Richard Southard—to the Committee on Invalid Pensions.

By Mr. WYNN: Papers to accompany bill granting increase of pension to William Cassidy—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *December 7, 1903.*

The Senate met at 11.30 o'clock a. m.

Prayer by the Chaplain, Rev. F. J. PRETTYMAN.

The Journal of the proceedings of Saturday last was read and approved.

REPORT OF COAST AND GEODETIC SURVEY.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting the annual report of the Superintendent of the Coast and Geodetic Survey, showing the progress made in that work during the fiscal year ended June 30, 1903. This report is ordered to be printed by law, and nothing further need be done in relation to it. It will lie on the table.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of sundry citizens of Tekoa, Wash., and a petition of the congregation of the Disciples of Christ of Bradford, Troja, and Sullivan counties, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a memorial of sundry ministers of the Methodist Church of Indianapolis, Ind., remonstrating against the repeal of the canteen law; which was referred to the Committee on Military Affairs.

Mr. WETMORE presented a petition of the congregation of the Mount Olivet Baptist Church, of Newport, R. I., and a petition of the congregation of the First Methodist Episcopal Church of Newport, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SCOTT presented a petition of the Missionary Society of the Presbyterian Church of Parkersburg, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of Andrews Post, No. 294, Department of Michigan, Grand Army of the Republic, of Big Rapids, Mich., praying for the enactment of a service-pension; law which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Leroy, of sundry citizens of West Bay City, of

the Woman's Christian Temperance Union of Hopkins, of the Woman's Christian Temperance Union of Hope, of the Woman's Christian Temperance Union of Richland, of the congregation of the Methodist Episcopal Church of Flint, of the Bridge Street Woman's Christian Temperance Union of Grand Rapids, of the Woman's Christian Temperance Union of Penn, of sundry citizens of Beaverton, of the Woman's Christian Temperance Union of Grand Ledge, all in the State of Michigan, and of the Pro Re Nata Club of Washington, D. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GIBSON presented a petition of the Ladies' Missionary Society of the First Presbyterian Church of Missoula, Mont., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Woman's Christian Temperance Union of Worcester, Mass., praying for the enactment of legislation to abolish the canteen in the Soldiers' Homes of the country and also to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the National Business League, praying for the enactment of legislation to provide for an increase of the Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the National Association of Agricultural Implement and Vehicle Manufacturers, praying for the enactment of legislation to carry into effect the recommendations of President Roosevelt in his message to Congress on the subject of forestry and irrigation; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Sunday-School Editors and Publishers' Association, remonstrating against the enactment of legislation to increase the postal rates on Sunday-school periodicals; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of James Seldon Cowden, of Washington, D. C., praying for the enactment of legislation to provide for the construction of the Patent Office of the United States, including a hall of inventions, and for other purposes; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the First Presbyterian Church of Newburyport; of the congregation of the Presbyterian Church of Quincy; of sundry citizens of East Boston and South Boston; of the congregation of the Methodist Episcopal Church of North Egremont; of the congregation of the First Presbyterian Church of Worcester; of the congregation of the First Presbyterian Church of Haverhill; of the congregation of the Presbyterian Church of Lowell; of the congregation of St. Andrew's Presbyterian Church, of Boston; of sundry citizens of Canton and Hydepark; of the Missionary Circle of the First Presbyterian Church of Boston; of the Boston Business League, of Boston; of the Woman's Christian Temperance Union of Westminster; of the Sons of Veterans of Westminster; of the Woman's Christian Temperance Union of Worcester; of the Frances E. Willard Woman's Christian Temperance Union, of Pittsfield; of the congregation of the Baptist Church of North Egremont; of the Woman's Christian Temperance Union of North Egremont; of the Christian Endeavor Society of the First Presbyterian Church of Boston, all in the State of Massachusetts, and of the congregation of the First Presbyterian Church of South Ryegate, Vt., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented petitions of the Woman's Christian Temperance Union of Philadelphia; of Lieutenant Ezra S. Griffin Post, No. 139, Department of Pennsylvania, Grand Army of the Republic, of Scranton; of sundry citizens of Butler; of the Woman's Christian Temperance Union of Mount Carmel; of sundry citizens of Factoryville; of the Home Missionary Society of Hollidaysburg; of sundry citizens of Mount Pleasant; of the congregation of the Whitehall Baptist Church, of Frankford; of the Woman's Christian Temperance Union of Frankford; of the congregation of the Methodist Episcopal Church of Frankford; of the congregation of the United Presbyterian Church, of Sewickley; of the Woman's Christian Temperance Union of Nicholson; of members of the Gibson Sunday School, of Connellsville; of the congregation of the Second Presbyterian Church of Butler; of the congregation of the Methodist Episcopal Church of Butler; of sundry citizens of Easton, Hazleton, and Connellsville; of the congregations of the Allegheny Avenue Baptist, East Allegheny Avenue Methodist Episcopal, Trinity Presbyterian, and Simpson Memorial Methodist Episcopal churches, of Philadelphia; of the Woman's Christian Temperance Union of Honesdale; of the Civic Club of Philadelphia; of the congregation of the Olivet Baptist Church, of Philadelphia; of the Woman's Christain Temperance Union of Millhall; of the Social Purity Alliance of Philadelphia; of sundry citizens of Pine Grove; of the Woman's Missionary Society of Burgettstown; of the congregation of the Methodist Episcopal Church of Harmony; of the congregation of the St. Marks Reformed Church, of Reading; of the Woman's Christain Temperance Union of Reading; of the congregation of the First Lutheran Church of Greensburg; of the congregation of the African Methodist Episcopal Church of Greensburg; of the congregation of the First Baptist Church of Greensburg; of the congregation of the Presbyterian Church of Greensburg; of the congregation of the Zion Evangelical Lutheran Church, of Greensburg; of the congregation of the Church of Christ, of Greensburg; of the United Brethren Sabbath School of New Holland; of the Woman's Missionary Society of the First Presbyterian Church of Pottsville; of the Woman's Christian Temperance Union of West Pittsburg; of the Woman's Home Missionary Society of Waynesburg; of the congregation of the Presbyterian Church of Waynesburg; of the congregation of the Third United Presbyterian Church of Washington; of the Woman's Christian Temperance Union of Vrooman; of sundry citizens of Lawrence County, and of the Delaware Baptist Union Association, of Delaware County, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of sundry citizens of Salt Lake City, Utah, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

DISTRIBUTION OF DOCUMENTS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the bill (S. 2121) to amend an act entitled "An act providing for the public printing and binding and the distribution of public documents," to report it favorably without amendment, and I ask for its present consideration.

Mr. COCKRELL. Let it be read for information.

The Secretary read the bill, as follows:

Be it enacted, etc., That chapter 23 of the Statutes of the United States, entitled "An act providing for public printing and binding and the distribution of public documents," approved January 12, 1895 (Statutes at Large, 28, page 606), be, and is hereby, amended by inserting after the words "blank franks," where they occur in the second paragraph of section 87 of said chapter, the following words, "printed on sheets and perforated, or singly, at the option of said Senators, Members, and Delegates."

Mr. PLATT of New York. There is a letter of explanation accompanying the bill.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. The letter will be read.

The Secretary read as follows:

UNITED STATES SENATE, COMMITTEE TO EXAMINE THE SEVERAL BRANCHES OF THE CIVIL SERVICE,
December 5, 1903.

Hon. T. C. PLATT,
Chairman Committee on Printing, United States Senate.

DEAR SENATOR: Complying with your note of the 4th, would say that I will introduce the bill as suggested, and it will, of course, be referred to your committee.

The object of the bill is to cure a slight defect in the law covering the distribution of documents. Many Senators and Members wish their franks for document slips made in sheets of ten, en bloc, for greater facility in addressing on the typewriter and adaptability to the use of carbon paper for manifolding.

Especially is this a means of time and labor saving in the preparation of seed franks and slips for Yearbooks and Farmers' Bulletins, whereby duplicates may be made for subsequent issues, all at one time.

The Public Printer is already authorized to furnish these uncut if so ordered, and does so in many cases; but before they can be used they must be separated, and this necessitates a cutting machine, which is not available, either in the Capitol or in the folding room of the Senate.

Therefore, the perforation of the lines upon which the slips are to be separated is quite desirable, and it is this that the Public Printer is not at present authorized to do.

You will observe from the language of the bill that it simply gives the Senator or Member the option of having his franks prepared according to his wishes. I do not understand that it entails any extra expense for machinery, and but slight labor in running the paper through the perforator.

I am, very truly, yours,

MOSES E. CLAPP.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After fourteen minutes spent in executive session the doors were reopened.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by the Senator from Pennsylvania [Mr. PENROSE] on the 1st instant, to report it favorably with an amendment, and I ask for its present consideration.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The resolution will be read for the information of the Senate.

The Secretary read the resolution, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and violations of law in the administration of the affairs of the Post-Office Department, is hereby authorized and instructed to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department and if necessary to make further inquiry into the administration of the said Department, and to make report thereon to Congress upon completion of said investigation.

Said committee shall have power to send for persons, books, and papers, examine witnesses under oath, employ a stenographer, and sit by subcommittee or otherwise during the sessions of the Senate or during the periods of its adjournment at such times and places as the committee may determine, and the actual and necessary expenses of said investigation shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. GORMAN. I desire that the resolution shall go over for the time being without action, with a view of amending it.

The PRESIDING OFFICER. Objection being made, the resolution will go to the Calendar.

Mr. PENROSE. Did I not understand that unanimous consent had been given for its immediate consideration?

The PRESIDING OFFICER. The Chair inquired whether there was unanimous consent, and the Senator from Maryland asked that the resolution might lie over, which is equivalent to an objection. It goes to the Calendar.

THANKS TO PRESIDENT PRO TEMPORE.

Mr. GORMAN. Mr. President, I offer a resolution and ask for its present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution was read, and unanimously agreed to, as follows:

Resolved, That the thanks of the Senate are hereby tendered to Hon. WILLIAM P. FRYE for the dignified, impartial, and courteous manner in which he has presided over its deliberations during the present session.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. PENROSE. I ask that we may now have a vote on the resolution just reported by the Senator from New Jersey [Mr. KEAN].

The PRESIDING OFFICER. The Chair understands that, objection being made, the resolution goes to the Calendar.

NATIONAL APPALACHIAN FOREST RESERVE.

Mr. BURTON, from the Committee on Forest Reservations and the Protection of Game, to whom was referred the bill (S. 887) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the National Appalachian Forest Reserve, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. HANSBROUGH introduced a bill (S. 2125) granting an increase of pension to Marcus T. Caswell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BURROWS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2126) granting an increase of pension to Thomas Williams;

A bill (S. 2127) granting an increase of pension to Mathias R. Zahniser; and

A bill (S. 2128) granting an increase of pension to George A. Seebold.

Mr. BURROWS introduced a bill (S. 2129) for the relief of J. W. Cromwell, surviving partner of the firm of J. W. Cromwell & Co.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CULBERSON introduced a bill (S. 2130) to provide for the equitable distribution of the waters of the Rio Grande between the United States of America and the United States of Mexico; which was read twice by its title, and referred to the Committee on Foreign Relations.

FINAL ADJOURNMENT.

The hour of 12 o'clock having arrived, the President pro tempore said:

Senators, the hour provided by law for the meeting of the first regular session of the Fifty-eighth Congress having arrived, I declare the extraordinary session adjourned without day.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 7, 1903.

DEPUTY AUDITOR.

Aloysius E. Bowling, of Maryland, to be deputy auditor for the Treasury Department.

GENERAL APPRAISER OF MERCHANDISE.

Charles P. McClelland, of New York, to be general appraiser of merchandise.

RECEIVER OF PUBLIC MONEYS.

John P. Dickinson, of Colorado, to be receiver of public moneys at Hugo, Colo.

APPOINTMENTS IN THE ARMY—INFANTRY ARM.

Corpl. Manfred Lanza, Fourth Battery, Field Artillery, to be second lieutenant, to rank from October 9, 1903.

PROMOTIONS IN THE ARMY.

Judge-Advocate-General's Department.

Lieut. Col. Edgar S. Dudley, judge-advocate, to be judge-advocate with the rank of colonel, November 22, 1903.

Maj. George M. Dunn, judge-advocate, to be judge-advocate with the rank of lieutenant-colonel, November 22, 1903.

Infantry Arm.

First Lieut. Henry S. Wygant, Third Infantry, to be captain, October 9, 1903.

First Lieut. James M. Graham, Nineteenth Infantry, to be captain, October 10, 1903.

TRANSFERS IN THE ARMY.

Second Lieut. Henry W. Bunn, Tenth Infantry, from the Infantry Arm to the Artillery Corps, with rank from October 9, 1903.

Second Lieut. Donald W. Strong, Artillery Corps, to be second lieutenant of infantry, with rank from October 10, 1903.

POSTMASTERS.

ALABAMA.

J. D. Dennis to be postmaster at Marion, in the county of Perry and State of Alabama.

KANSAS.

Peter Graham to be postmaster at Scammon, in the county of Cherokee and State of Kansas.

MICHIGAN.

Hutson B. Colman to be postmaster at Kalamazoo, in the county of Kalamazoo and State of Michigan.

OHIO.

Wilbur W. Templin to be postmaster at Calla, in the county of Mahoning and State of Ohio.

OKLAHOMA.

George A. Ahern to be postmaster at Frederick, in the county of Comanche and Territory of Oklahoma.

SOUTH CAROLINA.

Simon Beckham to be postmaster at Hartsville, in the county of Darlington and State of South Carolina.

TEXAS.

Elias J. M. Hopkins to be postmaster at Rockdale, in the county of Milam and State of Texas.

APPENDIX.

APPENDIX

TO THE

CONGRESSIONAL RECORD.

The Necessity for Tariff Revision and Reduction in Order to Prevent Industrial Monopoly at Home and to Save Our Foreign Commerce from Retaliatory Tariffs and Commercial Wars which Threaten it Abroad.

SPEECH

OF

HON. CLAUDE A. SWANSON,

OF VIRGINIA,

IN THE HOUSE OF REPRESENTATIVES,

Monday, November 16, 1903.

The House being in Committee of the Whole on the state of the Union, and having under consideration the bill (H. R. 8211) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902—

Mr. SWANSON said:

Mr. CHAIRMAN: This is the second extraordinary session of Congress that has been called since the advent of the Republican party to power in 1896. The first was called immediately succeeding the Presidential election and the assumption of power by the Republicans. Though the election of 1896 was fought out and won entirely upon financial and currency issues, yet these were utterly ignored, and Congress was convened for the sole purpose of enacting tariff legislation. It was said that currency and financial reforms could wait, and they have waned and waited ever since. The Republican party hastened to use the power it had obtained upon other issues to enact the Dingley tariff bill, which imposed customs duties far higher than ever before existed in this country and greatly exceeding those of any other nation.

The measure was protection run mad. It represented not the convictions, not the policy of the conservative and reasonable portion of the Republican party, but it voiced the wishes of the extreme, exclusive, and prohibitory protectionists. It was evident that if the high and exclusive rates of the act were maintained it would create at home industrial monopolies, with exorbitant prices extorted from consumers, and abroad it would engender retaliatory tariffs and commercial wars. To avoid these two evils, a provision was inserted in section 4, authorizing within two years the negotiation of reciprocity treaties, to be approved by Congress, permitting a reduction of 20 per cent upon all the rates contained in the act. By this means it was intended that the extreme prohibitory rates should be materially reduced and the measure to become one of reasonable and moderate protection.

As above stated, it was expected that these reductions when made would restrain monopoly at home and avert retaliatory tariffs and commercial wars abroad. I do not believe the Dingley bill could ever have passed except from the promised and expected reductions to be made through reciprocity treaties. I do not believe Mr. Dingley when he prepared the bill would have imposed such high duties, nor do I believe President McKinley would have approved them, except for the expected modifications and reductions to be made through such treaties. But all of these expectations have ended in disappointment. All of these hopes have been blasted. The two years during which treaties permitting this reduction could be negotiated have expired. Not a treaty entered into under this section has been ratified. To-day, with the exception of coal, which was modified at the last session of Congress, all the exorbitant and exclusive rates of duty imposed by the Dingley Act are in full force and effect. There have been no modifications, no reductions, as intended by its author and President McKinley and expected by the country at the time of its passage. The greed and power of trusts and monopolies, who are the only beneficiaries of these prohibitory duties, have defeated these wise and beneficent intentions. The Dingley Act, with the fourth section providing for reductions, destroyed by lapse of time and the refusal of the Senate to ratify the treaties negotiated under it, has become a swollen, ugly, misshapen thing, which would be disowned by its father if living and should be now repudiated by the country. [Applause on the Democratic side.]

The evils following the passage of the Dingley Act and the maintenance of its extreme high rates have come in a greater degree than ever anticipated by its opponents.

Under its protecting wings monopoly has been sheltered and reared, so grown and increased in this country that it has become almost absolute. There is scarcely an industry in this country that has not been organized since the passage of this act into a trust or combine. Their creation and growth commenced with the passage of this act and have continued ever since. Many of the most notorious and iniquitous monopolies are entirely dependent upon the protection given in the Dingley Act for their existence and continuance. It was this act which breathed into their nostrils the breath of life. Shielded by this act from foreign competition, the trusts and combines have advanced to the consumer the price of all commodities until the costs of production and of living have nearly doubled. No increase of wages can near approach the enhanced cost of living occasioned by this act.

In the forcible language of the campaign of 1895, the Dingley Act is dishonest, since it will not permit a dollar to purchase a dollar's worth of goods. [Applause.] That the rates imposed are too high and are unjust is forcibly and glaringly illustrated by the fact that the monopolies of this country have repeatedly confessed that they sell their varied products abroad, after paying freight there, costs of sale, and distribution, for less than they charge home consumers. This is rapidly becoming a settled policy. The prohibitory rates imposed in the Dingley Act means to many legitimate manufacturers who sell their products in foreign markets that they must pay higher prices for the raw material used than is paid by their competitors. It means to the farmers of this country, who must find in foreign markets a sale for their products, that they must pay for their farming implements, fertilizers, and various articles purchased and used a much higher price than is paid by their foreign competitors. This discrimination, made possible by this act and sanctioned by those in power, who maintain its preposterous rates, places the manufacturers, merchants, and farmers of this country at a great disadvantage in the open markets of the world.

Tariff reduction is demanded by the laborers, mechanics, and vast army of consumers who wished to be relieved from the high extortionate prices they are compelled to pay for all merchandise. Farmers, merchants, and manufacturers need this reduction to give them a fair chance in the markets of the world. Many Republicans are uniting with the Democrats in making these demands. A long adherence to the high rates of this Dingley Act means the consummation of industrial slavery in the United States. [Applause on the Democratic side.]

But, Mr. Chairman, as distressing as are the conditions created at home by this act, those produced by it abroad affecting our trade are equally as deplorable and threatening. As before stated, it was sought to avoid retaliatory tariffs from other nations by making reciprocity treaties and giving them 20 per cent reduction from the Dingley rates. All these treaties failed, and the time for making them has passed. The apprehension that other Governments would respond to the Dingley Act by imposing retaliatory tariffs directly aimed at our importations and commerce has been fully realized. The nations with whom we have our greatest trade and commerce have commenced an aggressive commercial warfare against us. They propose in the near future to apply to our importations the same high, exclusive rates that we apply to theirs.

The 25th of last December Germany made her response to the Dingley Act by passing a new tariff bill, which awaits the imperial decree to become operative. This is expected to be issued early next year. The new bill is a protective measure of the most radical character, in many respects exceeding the Dingley Act. It is especially severe upon the importations from this country. The rates of duty imposed upon our importations there are so high that the greatest fears are entertained, not only by our business men but also by our consuls and other diplomatic agents, as to our future trade with Germany. Under this new tariff the duty on wheat, of which Germany is our second best customer,

is increased 115 per cent, being put at 58½ cents per bushel. It may be interesting for the farmers to know that this new tariff increases the duty on their rye over 100 per cent, increases the duty on their oats 148 per cent, increases the duty on their corn over 213 per cent, increases the duty on their bacon 165 per cent.

It is difficult to believe that these products can find profitable sale in German markets when these increased burdens become operative. It may be well for the people of Kentucky and Missouri to know that it increases the duty on their horses and mules over 400 per cent. The cattle men and traders of this country may well pause and seriously consider the situation when they learn the duty upon cattle and beef is increased over 100 per cent. Apples are taken from the free list and a duty of $2 per barrel imposed. The great lumber interest of this country will regret to see under this new bill lumber taken from the free list and a duty imposed.

The new bill does not permit the milling interest of this country to escape. The time was fast approaching when our wheat would all have been made into flour in our own mills and exported. One of the very best markets for the sale of our flour was Germany. The new tariff increases the duty on flour 149 per cent, placing it at $4.06 per barrel. When this new duty becomes effective the sale of our flour will practically cease in the German markets. It may be instructive for New England to see that the duty upon shoes is increased over 70 per cent, for the purpose of destroying our large and increasing sale of these in Germany. An examination of the act will disclose that the duty has been increased from 50 to over 100 per cent upon nearly all the agricultural and manufacturing products exported from the United States to Germany.

The seriousness of this counter attack upon our export trade can be realized when we reflect that next to the United Kingdom Germany is our best customer in the world. About 15 per cent of our entire foreign exportations are sold to Germany. During the fiscal year 1902, Germany purchased $182,000,000 of farm products alone from the United States. When the new, highly increased tariff duties upon these become operative this vast and profitable market will be imperiled to our farmers. Its loss must and will bring great distress and depression to the agricultural interest of this country. When her new prohibitory duties exclude practically from her markets our manufactured goods the merchants and manufacturers of this country will be powerless to find elsewhere new markets in which to sell the $30,035,074 of manufactured goods sold Germany in 1902. When this immense amount of merchandize is piled up at home vainly seeking outlets in foreign markets, the merchants and manufacturers will experience the demoralization and depression incident to overproduction.

The commercial war thus imprudently precipitated between these two countries can not be beneficial to us. We have far more to lose by it than to gain. We have always sold Germany far more than we have purchased of her. During 1902 we sold her $173,148,280 of merchandise and purchased of her only $101,997,528. To jeopardize and possibly destroy this vast trade, profitable to both countries, for the sole benefit of a few protected trusts and combines, is the supreme of political and commercial folly. [Applause.]

But, sirs, this retaliatory legislation has not been confined to Germany. Russia has made a new tariff, which will be put in operation before long, and which increases her present rates upon our importations over 50 per cent. Russia was fast becoming one of the most promising and profitable markets in the world for the sale of our manufactured goods. In ten years our annual sale of merchandise there has increased from two to ten million dollars.

Russia is on the eve of a great industrial development, and the future markets will be most desirable and valuable. Our opportunities there are imperiled by this new tariff, which is aimed specially at our importations. Our earliest and best friend in Europe, Russia has always dealt with us fairly and generously until we sought to enforce against her small importations of sugar the countervailing duty imposed in the Dingley Act, to which she retaliated by imposing on many of our products the maximum rates of her tariff, and later by her new law. The commercial hostility of this generous and valuable friend was caused in order to serve the sugar trust, which alone was benefited by the countervailing duty on sugar. If Russia and Germany, as is expected, enter into a reciprocity treaty, in which Russia permits German manufactured goods to enter her markets at greatly reduced rates, and in return Germany permits the importation of Russian agricultural products at low rates, both the agricultural and manufacturing interests of this country will receive a severe blow, which must produce severe results.

Switzerland has retaliated by enacting a new tariff with higher rates, especially upon the food and agricultural products of this country. France, the 31st of last July, retaliated on account of our refusal to ratify the reciprocity treaty negotiated with her by imposing a much higher duty upon all our importations of live pigs, fresh and salted hog meat, lard, and all hog products. She had previously retaliated on us for passing the Dingley Act and insisting upon its high rates by imposing on nearly all our importations there the maximum rates of her tariff, while our competitors paid only the minimum rates, making a discrimination against our merchandise in her markets of nearly 50 per cent.

It is difficult to estimate the great loss which we have and will sustain on account of these increased custom duties and great discrimination against us in France. They will practically debar us from the French markets, the best and richest in Europe. This is the commencement of a tariff agitation which will rapidly extend to all of Europe.

In a few years, if we continue our illiberal policy, we will witness the whole of continental Europe combined in commercial warfare against us. No one can foretell the extent of the wreck and disaster which will befall our foreign commerce when this happens. This spirit of retaliation against us has extended to South America. Venezuela last year made effective a new tariff greatly increasing the duties upon all products coming from the United States. Brazil in 1900 retaliated by enacting a new tariff, which imposes higher duties. We had obtained a large trade there in agricultural and mining machinery. Under the new tariff these are taken from the free list and a heavy duty imposed. The injurious effect of this new tariff upon our trade in Brazil is manifest by the fact that our exports there have decreased from $12,239,036 in 1899 to $10,301,139 in 1902. This decrease furnishes evidence of the disastrous results which must follow our foreign commerce when the other retaliatory tariffs become effective.

Sirs, as serious as are these attacks upon our foreign commerce, we are confronted with conditions affecting it of more dangerous import than even these. Great Britain is in the midst of a political agitation, the purpose of which is to reverse her present policy of free trade, meet her commercial competitors with the same weapon, impose a tariff on all goods imported there except those coming from such of her colonies as have granted her preferential rates on custom duties. It is intended by this that the United Kingdom shall purchase its food supplies from the colonies, and in return the colonies shall purchase their manufactured goods from the United Kingdom. If this policy once prevails and is commenced, it means the ultimate commercial consolidation of the British Empire, with free trade among themselves and a high protective tariff against the rest of the world. If the preferential rates are given as proposed between the colonies and the mother country, it will place us at great disadvantage and will result in severe injury to our trade of all kinds with them. The extent of this loss and injury can be realized when we consider that of the $1,381,719,401 of merchandise we exported for the fiscal year 1902, $732,822,112 was sold to the United Kingdom and her colonies.

Fifty-five per cent of all the merchandise we export and sell abroad is purchased by Great Britain and her colonies. We can not ignore the fact that our future prosperity and progress demand not only that we should continue to hold these markets, but that we should extend our sales in them. If Great Britain extends to her colonies such preferential rates as to induce them to furnish her food supplies, where will our farmers find new markets for the $230,000,000 of breadstuffs and provisions that she purchased of us in 1902? If Britain and her colonies impose in retaliation high tariff duties against our manufactured goods and give mutual preference among themselves, so as to control their markets, where will our manufacturers find new markets to sell the $200,810,864 of manufactured goods which Britain and her colonies purchased of us in 1902?

In this commercial warfare precipitated between us and Great Britain and her colonies we have nothing to gain and everything to lose. She and her colonies have always been our best and largest customers. Her purchases from us have always largely exceeded our purchases from them. In 1902 we sold them $732,000,000 of goods and they sold us only $287,000,000, making a balance of $445,000,000 in our favor. To jeopardize and thereby destroy this vast trade so interwoven with our national prosperity in order to give a few trusts and monopolies exclusive control of home markets to enable them to extort extravagant prices from home consumers is a policy, however glittering may be its promises, so pernicious and shortsighted that it must end in disgrace and disaster. [Applause.]

Sirs, Mr. Chamberlain has no substantial following for his scheme except as a measure of retaliation. Reasonable concessions on our part will cause its death.

That this movement, fraught with so much peril to us, originated in retaliation for the Dingley Act can not be disputed. The first colony to give preferential rates to Great Britain was Canada. For years there had been political divisions in Canada upon the tariff, one party advocating a high protective tariff and the other a low tariff and liberal trade relations with other nations.

Finally, Sir Wilfrid Laurier and those favoring a low tariff succeeded and attained political power in Canada. One of the chief causes of their success was their advocacy of a reciprocity treaty with the United States and the great extension of trade between the two countries. To accomplish this a joint high commission, composed of citizens of Canada and the United States, was appointed to negotiate a treaty permitting a freer interchange of commodities between the two countries. This commission had two sessions—one in Quebec, one in Washington—and accomplished nothing. The majority of the members representing the United States were extreme protectionists and would make no concessions. It became apparent to Canada that so long as the Republican party dominated this country negotiations would be fruitless. Recognizing that by the passage of the Dingley Act this country was disposed to make no concessions, but was determined to put still heavier burdens upon her importations, Canada looked elsewhere for the establishment of trade relations. Disappointed and spurned here by those in power, she turned to Great Britain.

The Canadian Parliament in 1897 passed an act giving all merchandise imported from the United Kingdom and certain colonies a reduction of 25 per cent on rates of duty. In 1900 this was increased to 33⅓ per cent. Thus, to-day English manufacturers and merchants have an advantage of 33⅓ per cent of the Canadian tariff over the manufacturers and merchants of this country in the markets of Canada. The advantages of this preferential duty to the United Kingdom is evident, since her exportations of merchandise to Canada have increased from $32,979,742 in 1896 to $56,000,000 in 1903. Our trade has not yet suffered as much as it otherwise would on account of this preferential rate, because of the present low tariff in Canada. The average tariff on goods exported from this country to Canada is 24 per cent. The average duty collected in this country upon Canadian importations is 50 per cent. In other words, our rate of duty is more than double that of Canada. It is clearly understood that unless we lower our duties or make concessions to her she will increase her duties until they equal or exceed ours. When this is done the sale of our commodities in Canadian markets will practically cease.

The extent of this loss would be great, for during the fiscal year 1902 we exported to Canada $111,708,275 of merchandise. She exported to us only $48,787,573. This is another of those commercial wars, imprudently precipitated by those in power, from which we have nothing to gain and much to lose. Canada is our nearest and our best neighbor. Her present progress is phenomenal, and her future possibilities are boundless. In no far distant day her markets will be the best in the world outside of the United States. It is the most inviting field in the world for the sale of our manufactured products. These markets naturally belong to us and can only be taken from us by artificial tariff barriers. To permit this would be a piece of stupidity that almost amounts to a crime. [Applause.] This country should have met gladly and generously Canada's offer for closer and freer trade relations. The reciprocity treaty of 1854 we had with Canada was very beneficial to us, our export trade there increasing in one year from $12,432,597 to $14,362,188.

A new treaty drawn on broad and liberal lines would have shown more amazing results. This country should, at the first opportunity that presents itself, show Canada that it does not approve the course of those in power, who spurned her offer, but that it favors closer commercial relations with her. The situation demands mutual concessions. The success of Chamberlain's preferential scheme for the British Empire, so portentous of evil to us, is dependent on the concurrence of Canada. Without her consent it absolutely fails. The scheme would never have had life, nor the remotest chance of success, but for the narrow and short-sighted policy of those who have been in control in this country for the last seven years. Those intrusted with power today should abandon for a while the needs of partisan politics, meet the present emergency before it is too late, accede to Canada's desire for a freer mutual interchange of commodities between the two countries, and once for all destroy Chamberlain's designs. [Applause.]

Mr. Chairman, these are not all the troubles that the Dingley Act has brought to our foreign commerce. Last March all British South Africa formed a customs union, imposing heavy duties on the importation of goods and giving the United Kingdom 25 per cent reduction and also to such British colonies as would extend to them the same privilege. The purpose of this is to give absolute control of these markets to Britain and her colonies. If the present tariff and preferential rates are not sufficient to accomplish this purpose, they will be increased until it is attained. In 1902 we sold British South Africa $28,780,105 of merchandise. Our exports have rapidly increased there each year. This territory, from which we are thus practically excluded, is almost a continent in the process of rapid and wonderful development. This country is destined in a few years to be a great, rich, thriving nation, with immense markets, profitable and desirable. The business enterprise of this country will not sustain a policy the effects of which is to exclude us from fair participation in all this. Sirs, upon whatever quarter of the globe you cast your eyes you will see looming up the clouds of commercial warfare marshaling for the destruction of our foreign commerce.

Mr. Chairman, these conditions confronting our foreign commerce demand the most serious consideration and prompt action. We have passed the stage of our national existence when our efforts and enterprise can be confined to home. The time has passed when the home markets can consume the products of our farm and factory. Whether we will or no, the retention of our present wealth, the realization of the future greatness to which we aspire, depend upon our securing and holding foreign markets. Forty per cent of our agricultural products find sale abroad. Lessen or destroy this sale in foreign markets and agriculture in this country will be paralyzed and bankrupt. With agriculture reduced to this deplorable condition, the manufacturers will suffer equally, for the value of the home market is dependent upon the wealth and prosperity of the farmer.

Any appreciable decline in our export of manufactured goods would cause an overproduction here, a closing and shutting down of mills and factories, resulting in reduction of wages, throwing of laborers out of employment, with consequent business distress and depression. We have passed the time when high protection can be made even plausible. Despite the claims of the Republican party to the contrary, the United States is not an infant, but is a young giant who has attained his manhood and safely ventures forth to make his fortune and share in the wealth of the world. The young giant is becoming restive, feeling himself restrained and retarded by the apron strings of protection, with which the Republican party hampers him. [Applause on the Democratic side.]

Sir, the United States occupies to-day the foremost rank as an exporting nation and must adopt a policy in accordance with that position. We must realize that we can not close our markets and expect the markets of the world to remain open to us. We must recognize that we can not always sell and never purchase. We must perceive that protection is a two-edged sword that cuts both ways. We must learn that other nations can exclude our commodities as effectually as we can exclude theirs. We must not think, like our Republican friends, that the exclusive rates of the Dingley Act are a copyright which other nations can not use without our consent. [Applause.] To receive liberal treatment we must accord liberal treatment. To escape Chinese Walls abroad we must demolish Chinese Walls at home. We can not declare commercial warfare against other nations and expect to receive the tender considerations becoming a state of peace.

To save our foreign commerce, which is inseparable from our national wealth and greatness, and to avert the retaliatory discriminations and tariffs which are being directed against us, it is necessary for us promptly and decisively to reduce the prohibitory rates of the Dingley Act and to reverse the exclusive policy therein declared. The late President, Mr. McKinley, himself at one time an extreme protectionist, recognized that we had passed the period of our national life when extreme protection could prevail without serious detriment. Having administered for four years the great office of President, sobered by his grave responsibilities, broadened by his larger vision of things, with no ungratified ambitions to influence his judgment, foreseeing the perils which retaliation must bring to our foreign commerce, in his last and most eloquent address at Buffalo he said:

> The period of exclusiveness is past. The expansion of our trade and commerce is the pressing problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; measures of retaliation are not. If perchance some of our tariffs are no longer needed for revenue or to encourage and protect our industries at home, why should they not be employed to extend and promote our markets abroad?

This message from his dying lips produced a profound impression in the country, and I doubt not that if he had lived we would have witnessed material alterations in the Dingley Act, either by general reductions or the fatification of reciprocity treaties. His death destroyed the last hope of any modification of the Dingley Act by and through the Republican party. The extreme protectionists are in absolute control of this party. Now and then a Republican like Governor Cummins, of Iowa, Mr. BABCOCK of Wisconsin, and others will indulge in tariff-reform talk, make feeble sporadic efforts, but party pressure and power soon forces them into silence and acquiescence.

The Dingley bill, which was purposely put 20 per cent too high in order to secure reciprocity treaties, has become a fetich of the Republican party and it is party sacrilege to touch it. The present Executive speaks of the reciprocity treaties pending as legacies of his predecessor and in tones which indicate that he thinks them burdens instead of benefits. The Republican party endeavors

to allay the growing sentiment for tariff reform and reduction by pretending it proposes to accomplish this through reciprocity treaties. We are told that when the soothsayers of ancient Rome met each other upon the streets they could not refrain from smiling at each other, thinking of the frauds and delusions each was perpetrating upon a confiding public. I doubt not when Republican leaders meet each other, after talking reciprocity, they exchange, like these did, knowing smiles and winks. I can well imagine the telling smiles and cunning winks exchanged between the gentleman from New York [Mr. PAYNE] and the gentleman from Pennsylvania [Mr. DALZELL] after indulging in eloquent reciprocity oratory. [Laughter and applause.] For the Republican party seriously to maintain that it favors any genuine reciprocity after its rejection of all the reciprocity treaties negotiated by its leader, President McKinley, requires a degree of effrontery and audacity which I could not have believed the party capable of, except a long acquaintance with it had convinced me of its preeminence in this direction. [Laughter.]

The Republican party for the last seven years has had one constant and persistent policy in reciprocity. To please the people it preaches reciprocity on the stump, to satisfy the selfish special interests it crucifies reciprocity in the Senate. It has the voice of Jacob but the hand of Esau. [Applause.] The Republicans tell us that they will escape the retaliatory and discriminating tariffs which have been and will be enacted against us by the negotiation of reciprocity treaties. This country will never witness a genuine, liberal, reciprocity treaty negotiated and ratified by the Republican party. If one was negotiated which was liberal and which prevented discrimination against our commodities in foreign markets, yet affected some special interest in this country, it would fail of ratification in the Senate if dominated by Republicans.

The fate of the French treaty clearly proves this. France has a maximum and a minimum rate of duty. Nearly all of our exportations there pay the maximum rate of duty, while our competitors pay the minimum. This amounts to about 50 per cent discrimination against our trade. The effect of this has been to greatly reduce our sale of commodities there. On account of this we export to France about half what we do to Germany. This discrimination is so injurious to our trade that France is the only large nation in Europe with which the balance of trade is against us, our purchases from her for 1902 exceeding our sales to her by over $11,000,000. A treaty was negotiated with France in which concessions were made to her on certain commodities from the Dingley rates, and in return we were permitted to enter goods in her market at the minimum rates. The ratification of this treaty would have given our goods fair and equal opportunities in the markets of one of the richest and most prosperous of nations.

With all these manifest advantages, yet because it slightly affected the knit cotton goods industry of this country, which controlled by the existing duty 96 per cent of the entire trade of the United States, the treaty failed and lies buried in the Senate, the silent sepulcher of all reciprocity treaties. This will be the fate of all reciprocity treaties negotiated if the Republican party is in control. It is impossible to negotiate reciprocity treaties without making some concessions and affecting some highly protected interests. When any are affected they can rely upon Republican aid, regardless of the general public good involved. As Senator Vest has well said, the protected interests of this country are like a brood of English sparrows, strike one and the whole flock will utter a cry of distress and rush together for protection. [Applause.]

It is useless to expect a party to aid or encourage foreign commerce and international trade which has expended millions of dollars to acquire and hold the Philippine Islands, and then, in pursuance of its policies, created tariff barriers between this country and these islands in order to prohibit the exchange of commodities and the development of mutual trade. It is evident that our foreign commerce can expect no aid, no encouragement from the continued supremacy of the Republican party. If our foreign commerce is saved and further increased, it must be through the Democratic party and the domination of its liberal principles of trade in the councils of this nation. Sirs, the reign of monopoly and the threatened industrial slavery at home the serious dangers affecting our commerce abroad—all occasioned by the Dingley Act—will necessarily force the tariff question to the front in American politics, making it a vital and burning issue.

The Republican party also seeks to control a growing discontent against the present excessive tariff by asserting that the tariff when modified should be modified by its friends. They insist that the reduction should be made by the Republican party.

The tariff history of this country for the last thirty years will conclusively prove that there has never been a modification of the tariff by the Republican party that it did not result in increased instead of decreased rates of duty. Every tariff act passed by the Republican party has increased the rates of duty. In 1883 the Republican party obtained power by promises of tariff modifications. When the power was given them they increased in the act of 1883 from 42 to 45 per cent. In 1890 this party again indulged in tariff modifications and increased the customs duty under the McKinley Act to 48 per cent. Again in 1897 the Republican party indulged in another modification of the tariff and passed the present Dingley Act, which imposed duties in excess of 50 per cent.

As before stated, every modification of the tariff from Republican sources have been increases, and this party can point to no decreases. If the present prohibitory tariff is ever modified by the Republican party, it will be a repetition of its constant courses for the last thirty years, and the present tariff, instead of being reduced, as is demanded and needed, will be further increased. There can be no reduction through the continued political supremacy of the Republican party. All hopes for modifications, even if moderate, can only come through the success of the Democratic party.

Sirs, conditions at home and abroad necessarily push the tariff question to the front. Republican party expediency may try to allay its discussion and to waive its solution pending a Presidential election, but this will not avail. The forces abroad that are marshaling for the destruction of our commerce will not halt at our command and wait until we elect a President. [Applause.]

The time has arrived for the prompt and united action of all those who favor tariff reduction, whether by general act or reciprocity treaties. The time has come for the waiving of minor differences and the close union of all those who desire to rescue our immense foreign commerce from the destroying hand of a restricted and narrow party.

The time has come for the political control in this country of a party which believes that trade is something to be desired, not destroyed; that foreign commerce is a cause of congratulation, not a crime to be prohibited; and that the products of our farm and factory shall not be piled up and confined at home, but shall have fair opportunity for sale in all the markets of the world. [Long-continued applause.]

Cuban Reciprocity.

REMARKS

OF

HON. SERENO E. PAYNE,

OF NEW YORK,

IN THE HOUSE OF REPRESENTATIVES,

Friday, November 20, 1903,

On the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. PAYNE said:

Mr. CHAIRMAN: I propose to take advantage of the leave to extend remarks granted by the House to answer some statements which have been made in reference to the testimony of Hon. Charles Foster, then Secretary of the Treasury, before the Committee on Ways and Means, on the 25th of February, 1898. Instead of going to the original hearings, the gentleman from Mississippi read from the speech of Mr. Dockery made in the House in 1897, and he has this to say:

But, Mr. Chairman, that is not all of this. Secretary Foster on the hearing before the committee, when he was before that committee, said:

"Now, I want to say to you that these estimates are based upon conditions existing prior to the late election."

That is what he said in his testimony—not as an afterthought now—in a letter to General GROSVENOR in view of influencing political conduct now. Mr. Foster can not be heard now to deny his then statement that the "conditions existed prior to the election." Then later he was cross-examined, and in answer to a question as to whether there would be a deficit or not, he says: "I should say the next fiscal year would show a deficit."

"Mr. TURNER. Can you give an approximate estimate according to all the data accessible to you?

"Mr. Secretary FOSTER. I will only say this, that if I was to have the management of the Treasury I should insist upon an increase of revenue to the extent of $50,000,000."

A MEMBER. What are you reading from?

Mr. WILLIAMS of Mississippi. I am reading from a speech in the CONGRESSIONAL RECORD of March 25, 1897, by Mr. Dockery, of Missouri, he having placed these documents there on that day.

Now, what were the facts as they appeared before that committee? The inquiry related to the fiscal year ending June 30, 1894. The Secretary had submitted a statement in detail showing an estimated surplus of $32,860,030.05.

Here is the statement:

Statement of unexpended balances July 1, 1893; appropriations, expenditures, and revenue for the fiscal year 1894; showing the estimated condition of the Treasury June 30, 1894.

	Balances July 1, 1893 (estimated).	Estimated appropriations, fiscal year 1894.	Estimated aggregate available, fiscal year 1894.	Estimated expenditures, fiscal year 1894.	Estimated amount to be carried to surplus fund June 30, 1894.	Estimated balances unexpended June 30, 1894.
Civil establishment	$12,575,612.93	$100,843,670.50	$113,419,283.43	$100,843,670.50	$2,200,000.00	$10,375,612.93
Military establishment	34,443,611.55	43,394,191.72	77,837,803.27	43,394,191.72	1,000,000.00	33,443,611.55
Naval establishment	16,169,459.92	25,088,498.21	41,257,958.13	25,088,498.21	150,000	16,019,459.92
Indian service	31,986,742.98	10,083,211.31	42,068,954.29	10,083,211.31	200,000	31,786,742.98
Pensions	2,497,852.92	160,881,350.00	163,379,202.92	163,881,350.00	1,700,000	797,852.92
Interest on the public debt	771,293.92	26,771,293.92	27,542,587.84	26,771,293.92		771,293.92
	a 93,443,574.22	378,012,215.66	a 471,455,789.88	378,012,215.66	5,250,000	a 93,193,574.22
Postal service		84,249,119.67		84,249,119.67		
Total estimated expenditures		457,261,335.33		457,261,335.33		

NOTE.—No supplemental estimates for pensions have been received.

REVENUES

From customs	$210,000,000.00	
From internal revenue	175,000,000.00	
From miscellaneous sources	20,000,000.00	
	405,000,000.00	
From postal service	85,121,365.33	
Total estimated revenues		$490,121,365.33
Total estimated expenditures		457,261,335.33
Or an estimated surplus of		32,860,030.05
To which add cash balance above gold reserve, June 30, 1893		20,992,377.03
Making an estimated available balance of		53,852,407.08
From which deduct—		
Redemption of past-due bonds, fractional currency, and national-bank notes	5,000,000.00	
Probable payment on mail-subsidy contracts not embraced in foregoing estimates	1,000,000.00	
		6,000,000.00
Leaving		b 47,852,407.08

a Includes principal accounts not liable for current expenditures:

Indian moneys	$22,500,000
Soldiers' Home permanent fund	2,500,000
Total	25,000,000

b Applicable to the payment of contract liabilities of about that sum, $40,000,000 of which is now estimated for payment in 1894.

It was while Secretary Foster was being examined upon these estimates that he made the statement quoted in the speech of the gentleman from Mississippi. I will quote the full paragraph to show how unwarranted is the conclusion of the gentleman from Mississippi, misled as he was by the statement in the RECORD of the gentleman formerly from Missouri. Of course the italics are my own:

Secretary FOSTER. Now, I want to say to you these estimates are based upon conditions existing prior to the late election. *What effect the expectations of the public will have upon the revenues I do not undertake to estimate. For the first time, this month begins to show that effect. The revenues for the present month will be about what they were last year.*

The CHAIRMAN. How much below your estimate for this month?

Secretary FOSTER. I can not say, as we did not estimate by months, but I say for the *first time since the revenues began to increase after the passage of the McKinley act this month shows no increase, so I rather anticipate perhaps a falling off in customs*, and I made this estimate on the basis of conditions existing at the time the report was made, and so stated in the report that I would not undertake to estimate what the *falling off in revenues would be in consequence of the expectation in the public mind that revenues were to be decreased.* I assumed that the business public would not probably buy so freely when they anticipated a reduction in duties as they would if there were no such thing in contemplation. I wanted to make that explanation to you about the estimate, and I did it carefully in the report, but people never read statistical reports, and so I have the opportunity to say it to you gentlemen now, and you can determine it just as well as I can, perhaps better, although I do not think any mortal man can tell anything about it.

Mr. TURNER. *Taking into consideration all these conditions* which you anticipate, what in your judgment would be a fair conjecture of the condition of the Treasury at the end of the next fiscal year?

Secretary FOSTER. I should say the next fiscal year would show a deficit.

Mr. TURNER. Can you give an approximate estimate according to all the data accessible to you?

Secretary FOSTER. I will only say this, that if I was to have the management of the Treasury I should insist upon an increase of revenue to the extent of $50,000,000.

Mr. TURNER. In order to meet these conditions which you anticipate?

Secretary FOSTER. Not only those conditions, *but the gold conditions as well.*

This shows conclusively that Secretary Foster had in mind the probable deficiency growing out of the result of the late election. Later on, at page 73 of the hearings, Secretary Foster quoted an extract from his report.

I say here in my report:

The estimated receipts are based upon conditions prevailing prior to the late election. Public opinion having decreed a change of policy, particularly in the tariff laws, the altered conditions resulting therefrom render it impossible at the present time to estimate the annual income with any marked degree of accuracy, and it is impossible to predict the effect that such proposed radical changes would have upon the future revenues of the Government. Under all of the circumstances it would be inappropriate for me to make an estimate other than as already stated, but it is not out of place to remark that the business community having a full knowledge of the proposed tariff reduction, the inevitable result will be a falling off in importations and a corresponding decrease in the revenues. The extent of this decrease no one will be able to measure until business shall again adjust itself to new conditions.

Elsewhere in his testimony Secretary Foster explained that the gold in the Treasury at that time was only four millions more than the one hundred millions reserve for the redemption fund. He said that he would make that fund at least one hundred and twenty-five millions, owing to the additional demand upon it growing out of the act of July 14, 1890, which had increased the liability of the redemption fund from $346,000,000 to about $500,000,000.

It was the Republican idea that whenever the gold reserve fell below one hundred millions it was the duty of the Government to issue bonds and sell them in the open market at once, in order to keep the redemption fund strong. If the Democratic Administration had followed out this idea the Treasury would never have been in the pitiful condition of having this redemption fund reduced to $44,000,000 and of being placed at once in the hands of the Wall street syndicate to get enough gold to protect the fund and without time to sell its bonds in the open market. This hesitancy and delay on the part of the Administration cost the Government at a later period millions of dollars.

It will be seen from Secretary Foster's estimate that he placed the revenue from customs for the year ending June 30, 1894, at $210,000,000. In view of the fact that the revenues from this source for the fiscal year ending June 30, 1892, were over $177,000,000, and those for 1893 largely increased so that they actually amounted to $203,000,000, the estimate of $210,000,000 was not an inflated one. The actual result, owing to the baneful influences of a Democratic Administration, owing to the very conditions indicated by Secretary Foster in his evidence, were less than $132,000,000. Here was a deficiency in revenues of $78,000,000.

In his report Secretary Foster had upon a similar basis estimated the internal revenue at $168,000,000. The actual result shows a collection of $21,000,000 less. The falling off from these two sources, in the revenues, was more than $99,000,000. The actual deficiency for the year, as will be seen by a table which I publish below, was about $70,000,000. If the condition existing prior to the election had been maintained with a similar growing increase in the amount of revenue, the surplus for the year would have been $29,000,000 at least, and the McKinley bill would have shown a surplus in each of the years in which its operation brought money into the Treasury, notwithstanding the grandiloquent assertions of the gentleman from Missouri in his speech on this bill. In reply to that speech I desire to print the following

table, taken from page 3584 of the Monthly Summary of Commerce and Finance, published by the Bureau of Statistics:

Twelve months ending June 30—	Receipts.	Expenditures.	Excess of—	
			Receipts.	Expenditures.
1892	$354,937,784.24	$345,023,330.58	$9,914,454.00	
1893	385,819,628.78	383,477,954.49	2,341,673.00	
1894	297,722,019.25	387,535,270.87		$89,813,251.00
1895	313,390,075.11	356,193,298.29		42,803,223.00
1896	326,976,290.38	352,179,436.68		25,203,146.00
1897	347,721,905.16	365,774,159.57		18,052,254.00
1898	405,321,235.20	443,368,582.80		38,047,247.60
1899	515,960,620.18	605,072,179.85		89,111,559.67
1900	567,240,851.89	487,713,791.71	79,527,060.18	
1901	587,685,337.38	509,967,453.15	77,717,884.38	
1902	562,478,223.21	471,190,857.04	91,287,576.00	
1903	558,887,525.37	506,272,073.11	52,615,452.70	

The Wilson bill went into effect on the 28th day of August, 1894, and continued in effect until the 27th day of July, 1897. It will be seen that the deficiencies under this act were $42,800,000 in 1895, $25,000,000 in 1896, and $18,000,000 in 1897. The gentleman from Missouri says there would not have been any deficiency under this bill had not the Supreme Court declared the income tax, with which it was burdened, unconstitutional. The provision for this tax was 2 per cent on the excess of any income over $4,000. The amount which this tax would yield has been variously estimated from ten to fifteen millions of dollars. It is difficult to see how it would ever reach either sum, especially under the baneful influences of the other portions of the Wilson bill, which destroyed industries and wiped out incomes throughout the length and breadth of the land. But at either figure it falls far short of the deficiency of revenue for each year of the existence of this law. The deficiency was smaller the closing year, because from the election in November the country knew that a Republican tariff bill would be enacted, and many duties would be higher than they were under the Wilson law. This fact operated to increase importations and to increase the revenues. Then came the Dingley bill, in effect since July 27, 1897. The deficiencies for the first two years are accounted for from the fact of the Spanish-American war. There would have been a deficiency for the third year from this same source had not the war-revenue bill aided in adding revenues to the country. But there never has been a year from the existence of the law that the Dingley bill has failed to supply ample revenues for the actual expenses of the Government on a peace basis. I repeat the statement which the gentleman from Missouri criticises: "Under the Wilson bill we had fallen behind in the revenue and the object of a Republican bill always is to produce revenue as well as protection," and I will add to it that we have always succeeded most signally in accomplishing that purpose.

It is hardly worth while to call attention to the remarks of the gentleman from Missouri on my admission that a tariff on sugar, with the small amount of sugar we are producing in this country, is a revenue tariff and that the consumer pays it. No intelligent man has ever contended otherwise. What we do contend is that where a protective tariff is placed upon an article which we can produce here and the industry is established so that competition comes in between domestic manufacturers, that competition brings about a reduction of the price. If outsiders would then still compete with our home manufacturers, they are compelled to pay the tariff in order to get into our markets.

My object in adding these remarks was, however, to place in the RECORD the testimony of Mr. Foster and the facts in regard to our revenues under these various bills.

INDEX

TO THE

CONGRESSIONAL RECORD.

FIFTY-EIGHTH CONGRESS, FIRST SESSION.

FROM MARCH 5 TO 19 AND NOVEMBER 9 TO DECEMBER 7, 1903.

NAMES AND POST-OFFICE ADDRESSES

OF

SENATORS

IN THE

FIRST SESSION OF THE FIFTY-EIGHTH CONGRESS.

WILLIAM P. FRYE, President pro tempore, Lewiston, Me.

Name.	Home post-office.	Name.	Home post-office.
Aldrich, Nelson W	Providence, R. I.	Hansbrough, Henry C	Devils Lake, N. Dak.
Alger, Russell A	Detroit, Mich.	Hawley, Joseph R	Hartford, Conn.
Allee, J. Frank	Dover, Del.	Heyburn, Weldon B	Wallace, Idaho.
Allison, William B	Dubuque, Iowa.	Hoar, George F	Worcester, Mass.
Ankeny, Levi	Walla Walla, Wash.	Hopkins, Albert J	Aurora, Ill.
Bacon, Augustus O	Macon, Ga.	Kean, John	Elizabeth, N. J.
Bailey, Joseph W	Gainesville, Tex.	Kearns, Thomas	Salt Lake City, Utah.
Ball, L. Heisler	Faulkland, Del.	Kittredge, Alfred B	Sioux Falls, S. Dak.
Bard, Thomas R	Hueneme, Cal.	Latimer, Asbury C	Belton, S. C.
Bate, William B	Nashville, Tenn.	Lodge, Henry Cabot	Nahant, Mass.
Berry, James H	Bentonville, Ark.	Long, Chester I	Medicine Lodge, Kans.
Beveridge, Albert J	Indianapolis, Ind.	McComas, Louis E	Williamsport, Md.
Blackburn, Joseph C. S	Versailles, Ky.	McCreary, James B	Richmond, Ky.
Burnham, Henry E	Manchester, N. H.	McCumber, Porter J	Wahpeton, N. Dak.
Burrows, Julius C	Kalamazoo, Mich.	McEnery, Samuel D	New Orleans, La.
Burton, Joseph R	Abilene, Kans.	McLaurin, Anselm J	Brandon, Miss.
Carmack, Edward W	Memphis, Tenn.	Mallory, Stephen R	Pensacola, Fla.
Clapp, Moses E	St. Paul, Minn.	Martin, Thomas S	Scottsville, Va.
Clark, Clarence D	Evanston, Wyo.	Millard, Joseph H	Omaha, Nebr.
Clark, William A	Butte, Mont.	Mitchell, John H	Portland, Oreg.
Clarke, James P	Little Rock, Ark.	Money, Hernando D	Carrollton, Miss.
Clay, Alexander S	Marietta, Ga.	Morgan, John T	Selma, Ala.
Cockrell, Francis M	Warrensburg, Mo.	Nelson, Knute	Alexandria, Minn.
Culberson, Charles A	Dallas, Tex.	Newlands, Francis G	Reno, Nev.
Cullom, Shelby M	Springfield, Ill.	Overman, Lee S	Salisbury, N. C.
Daniel, John W	Lynchburg, Va.	Patterson, Thomas M	Denver, Colo.
Depew, Chauncey M	New York, N. Y.	Penrose, Boies	Philadelphia, Pa.
Dietrich, Charles H	Hastings, Nebr.	Perkins, George C	Oakland, Cal.
Dillingham, William P	Montpelier, Vt.	Pettus, Edmund W	Selma, Ala.
Dolliver, Jonathan P	Fort Dodge, Iowa.	Platt, Orville H	Meriden, Conn.
Dryden, John F	Newark, N. J.	Platt, Thomas C	Owego, N. Y.
Dubois, Fred T	Blackfoot, Idaho.	Proctor, Redfield	Proctor, Vt.
Elkins, Stephen B	Elkins, W. Va.	Quarles, Joseph V	Milwaukee, Wis.
Fairbanks, Charles W	Indianapolis, Ind.	Quay, Matthew S	Beaver, Pa.
Foraker, Joseph B	Cincinnati, Ohio.	Scott, Nathan B	Wheeling, W. Va.
Foster, Addison G	Tacoma, Wash.	Simmons, Furnifold McL	Raleigh, N. C.
Foster, Murphy J	Franklin, La.	Smoot, Reed	Provo, Utah.
Frye, William P	Lewiston, Me.	Spooner, John C	Madison, Wis.
Fulton, Charles W	Astoria, Oreg.	Stewart, William M	Carson City, Nev.
Gallinger, Jacob H	Concord, N. H.	Stone, William J	St. Louis, Mo.
Gamble, Robert J	Yankton, S. Dak.	Taliaferro, James P	Jacksonville, Fla.
Gibson, Paris	Great Falls, Mont.	Teller, Henry M	Central City, Colo.
Gorman, Arthur P	Laurel, Md.	Tillman, Benjamin R	Trenton, S. C.
Hale, Eugene	Ellsworth, Me.	Warren, Francis E	Cheyenne, Wyo.
Hanna, Marcus A	Cleveland, Ohio.	Wetmore, George P	Newport, R. I.

NAMES AND POST-OFFICE ADDRESSES

OF

REPRESENTATIVES AND DELEGATES

IN THE

FIRST SESSION OF THE FIFTY-EIGHTH CONGRESS.

JOSEPH G. CANNON, Speaker, Danville, Ill.

Name.	Home post-office.	Name.	Home post-office.
Acheson, Ernest F	Washington, Pa.	Calderhead, William A	Marysville, Kans.
Adams, Henry C	Madison, Wis.	Caldwell, Ben F	Chatham, Ill.
Adams, Robert, jr	Philadelphia, Pa.	Campbell, Philip P	Pittsburg, Kans.
Adamson, William C	Carrollton, Ga.	Candler, Ezekiel S., jr	Corinth, Miss.
Aiken, Wyatt	Abbeville, S. C.	Cannon, Joseph G	Danville, Ill.
Alexander, D. S	Buffalo, N. Y.	Capron, Adin B	Stillwater, R. I.
Allen, Amos L	Alfred, Me.	Cassel, H. Burd	Marietta, Pa.
Ames, Butler	Lowell, Mass.	Cassingham, John W	Coshocton, Ohio.
Babcock, Joseph W	Necedah, Wis.	Clark, Champ	Bowling Green, Mo.
Badger, De Witt C	Columbus, Ohio.	Clayton, Henry D	Eufaula, Ala.
Baker, Robert	Brooklyn, N. Y.	Cochran, Charles F	St. Joseph, Mo.
Ball, Thomas H.[a]	Huntsville, Tex.	Conner, James P	Denison, Iowa.
Bankhead, John H	Fayette, Ala.	Cooper, Allen F	Uniontown, Pa.
Bartholdt, Richard	St. Louis, Mo.	Cooper, Henry A	Racine, Wis.
Bartlett, Charles L	Macon, Ga.	Cooper, Sam B	Beaumont, Tex.
Bassett, Edward M	Brooklyn, N. Y.	Cousins, Robert G	Tipton, Iowa.
Bates, Arthur L	Meadville, Pa.	Cowherd, William S	Kansas City, Mo.
Beall, Jack	Waxahachie, Tex.	Croft, George W	Aiken, S. C.
Bede, J. Adam	Pine City, Minn.	Cromer, George W	Muncie, Ind.
Beidler, Jacob A	Cleveland, Ohio.	Crowley, Joseph B	Robinson, Ill.
Bell, Theodore A	Napa, Cal.	Crumpacker, Edgar D	Valparaiso, Ind.
Benny, Allan	Bayonne, N. J.	Currier, Frank D	Canaan, N. H.
Benton, Mæcenas E	Neosho, Mo.	Curtis, Charles	Topeka, Kans.
Bingham, Henry H	Philadelphia, Pa.	Cushman, Francis W	Tacoma, Wash.
Birdsall, Benjamin P	Clarion, Iowa.	Dalzell, John	Pittsburg, Pa.
Bishop, Roswell P	Ludington, Mich.	Daniels, Milton J	Riverside, Cal.
Boutell, Henry S	Chicago, Ill.	Darragh, Archibald B	St. Louis, Mich.
Bowers, Eaton J	Bay St. Louis, Miss.	Davey, Robert C	New Orleans, La.
Bowersock, Justin D	Lawrence, Kans.	Davidson, James H	Oshkosh, Wis.
Bowie, Sydney J	Anniston, Ala.	Davis, Charles R	St. Peter, Minn.
Bradley, Thomas W	Walden, N. Y.	Davis, Robert W	Palatka, Fla.
Brandegee, Frank B	New London, Conn.	Dayton, Alston G	Philippi, W. Va.
Brantley, William G	Brunswick, Ga.	De Armond, David A	Butler, Mo.
Breazeale, Phanor	Natchitoches, La.	Deemer, Elias	Williamsport, Pa.
Brick, Abraham L	South Bend, Ind.	Denny, James W	Baltimore, Md.
Brooks, Franklin E	Colorado Springs, Colo.	Dick, Charles	Akron, Ohio.
Broussard, Robert F	New Iberia, La.	Dickerman, Charles H	Milton, Pa.
Brown, James W	Pittsburg, Pa.	Dinsmore, Hugh A	Fayetteville, Ark.
Brown, Webster E	Rhinelander, Wis.	Dixon, Joseph M	Missoula, Mont.
Brownlow, Walter P	Jonesboro, Tenn.	Dougherty, John	Liberty, Mo.
Brundidge, Stephen, jr	Searcy, Ark.	Douglas, William H	New York, N. Y.
Buckman, C. B	Little Falls, Minn.	Dovener, Blackburn B	Wheeling, W. Va.
Burgess, George F	Gonzales, Tex.	Draper, William H	Lansingburg, N. Y.
Burk, Henry[b]	Philadelphia, Pa.	Dresser, Solomon R	Bradford, Pa.
Burke, Charles H	Pierre, S. Dak.	Driscoll, Michael E	Syracuse, N. Y.
Burkett, Elmer J	Lincoln, Nebr.	Dunwell, Charles T	Brooklyn, N. Y.
Burleigh, Edwin C	Augusta, Me.	Dwight, John W	Dryden, N. Y.
Burleson, Albert S	Austin, Tex.	Emrich, Martin	Chicago, Ill.
Burnett, John L	Gadsden, Ala.	Esch, John J	La Crosse, Wis.
Burton, Theodore E	Cleveland, Ohio.	Evans, Alvin	Ebensburg, Pa.
Butler, James J	St. Louis, Mo.	Field, Scott	Calvert, Tex.
Butler, Thomas S	Westchester, Pa.	Finley, David E	Yorkville, S. C.
Byrd, Adam M	Philadelphia, Miss.	Fitzgerald, John J	Brooklyn, N. Y.

[a] Resigned November 16, 1903.

[b] Died December 5, 1903.

Names and post-office addresses of Members and Delegates of the House of Representatives—Continued.

Name.	Home post-office.	Name.	Home post-office.
Fitzpatrick, Morgan C	Hartsville, Tenn.	Jones, William A	Warsaw, Va.
Flack, William H	Malone, N. Y.	Kehoe, James N	Maysville, Ky.
Flood, Henry D	West Appomattox, Va.	Keliher, John A	Boston, Mass.
Fordney, Joseph W	Saginaw, Mich.	Kennedy, James	Youngstown, Ohio.
Foss, George Edmund	Chicago, Ill.	Ketcham, John H	Dover Plains, N. Y.
Foster, David J	Burlington, Vt.	Kinkaid, M. P	O'Neill, Nebr.
Foster, George P	Chicago, Ill.	Kitchin, Claude	Scotland Neck, N. C.
Fowler, Charles N	Elizabeth, N. J.	Kitchin, William W	Roxboro, N. C.
French, Burton L	Moscow, Idaho.	Kline, Marcus C. L	Allentown, Pa.
Fuller, Charles E	Belvidere, Ill.	Kluttz, Theodore F	Salisbury, N. C.
Gaines, John W	Nashville, Tenn.	Knapp, Charles L	Lowville, N. Y.
Gaines, Joseph H	Charleston, W. Va.	Knopf, Philip	Chicago, Ill.
Garber, Harvey C	Greenville, Ohio.	Kyle, Thomas B	Troy, Ohio.
Gardner, Augustus P	Hamilton, Mass.	Lacey, John F	Oskaloosa, Iowa.
Gardner, John J	Atlantic City, N. J.	Lafean, Daniel F	York, Pa.
Gardner, Washington	Albion, Mich.	Lamar, Robert	Houston, Mo.
Garner, John N	Uvalde, Tex.	Lamar, William B	Monticello, Fla.
Gibson, Henry R	Knoxville, Tenn.	Lamb, John	Richmond, Va.
Gilbert, George G	Shelbyville, Ky.	Landis, Charles B	Delphi, Ind.
Gillespie, Oscar W	Fort Worth, Tex.	Landis, Frederick	Logansport, Ind.
Gillet, Charles W	Addison, N. Y.	Lanning, William M	Trenton, N. J.
Gillett, Frederick H	Springfield, Mass.	Lawrence, George P	North Adams, Mass.
Gillett, James N	Eureka, Cal.	Legare, George S	Charleston, S. C.
Glass, Carter	Lynchburg, Va.	Lester, Rufus E	Savannah, Ga.
Goebel, Herman P	Cincinnati, Ohio.	Lever, Asbury F	Lexington, S. C.
Goldfogle, Henry M	New York, N. Y.	Lewis, Elijah B	Montezuma, Ga.
Gooch, D. Linn	Covington, Ky.	Lilley, George L	Waterbury, Conn.
Goulden, Joseph A	New York, N. Y.	Lind, John	Minneapolis, Minn.
Graff, Joseph V	Peoria, Ill.	Lindsay, George H	Brooklyn, N. Y.
Granger, Daniel L. D	Providence, R. I.	Littauer, Lucius N	Gloversville, N. Y.
Greene, William S	Fall River, Mass.	Little, John S	Greenwood, Ark.
Gregg, A. W	Palestine, Tex.	Littlefield, Charles E	Rockland, Me.
Griffith, Francis M	Vevay, Ind.	Livernash, Edward J	San Francisco, Cal.
Griggs, James M	Dawson, Ga.	Livingston, Leonidas F	Covington, Ga.
Grosvenor, Charles H	Athens, Ohio.	Lloyd, James T	Shelbyville, Mo.
Gudger, James M., jr	Asheville, N. C.	Longworth, Nicholas	Cincinnati, Ohio.
Hamilton, Edward L	Niles, Mich.	Lorimer, William	Chicago, Ill.
Hamlin, Courtney W	Springfield, Mo.	Loud, George A	Au Sable, Mich.
Hardwick, Thomas W	Sandersville, Ga.	Loudenslager, Henry C	Paulsboro, N. J.
Harrison, Francis B	New York, N. Y.	Lovering, William C	Taunton, Mass.
Haskins, Kittredge	Brattleboro, Vt.	Lucking, Alfred	Detroit, Mich.
Haugen, Gilbert N	Northwood, Iowa.	McAndrews, James	Chicago, Ill.
Hay, James	Madison, Va.	McCall, Samuel W	Winchester, Mass.
Hearst, William R	New York, N. Y.	McCarthy, John J	Ponca, Nebr.
Hedge, Thomas	Burlington, Iowa.	McCleary, James T	Mankato, Minn.
Henenway, James A	Boonville, Ind.	McClellan, George B	New York, N. Y.
Henry, E. Stevens	Rockville, Conn.	McCreary, George D	Philadelphia, Pa.
Henry, Robert L	Waco, Tex.	McDermott, Allan L	Jersey City, N. J.
Hepburn, William P	Clarinda, Iowa.	McLachlan, James	Pasadena, Cal.
Hermann, Binger [a]	Roseburg, Oreg.	McLain, Frank A	Gloster, Miss.
Hildebrant, Charles Q	Wilmington, Ohio.	McMorran, Henry	Port Huron, Mich.
Hill, Ebenezer J	Norwalk, Conn.	McNary, William S	Boston, Mass.
Hill, William S	Winona, Miss.	Macon, R. Bruce	Helena, Ark.
Hinshaw, Edmund H	Fairbury, Nebr.	Maddox, John W	Rome, Ga.
Hitchcock, Gilbert M	Omaha, Nebr.	Mahon, Thaddeus M	Chambersburg, Pa.
Hitt, Robert R	Mount Morris, Ill.	Mahoney, William F	Chicago, Ill.
Hogg, Herschel M	Telluride, Colo.	Mann, James R	Chicago, Ill.
Holliday, Elias S	Brazil, Ind.	Marsh, Benjamin F	Warsaw, Ill.
Hopkins, Frank A	Prestonsburg, Ky.	Marshall, Thomas F	Oakes, N. Dak.
Houston, Henry A	Millsboro, Del.	Martin, Eben W	Deadwood, S. Dak.
Howard, William M	Lexington, Ga.	Maynard, Harry L	Portsmouth, Va.
Howell, Benjamin F	New Brunswick, N. J.	Metcalf, Victor H	Oakland, Cal.
Howell, George	Scranton, Pa.	Meyer, Adolph	New Orleans, La.
Howell, Joseph	Logan, Utah.	Miers, Robert W	Bloomington, Ind.
Huff, George F	Greensburg, Pa.	Miller, James M	Council Grove, Kans.
Hughes, James A	Huntington, W. Va.	Minor, Edward S	Sturgeon Bay, Wis.
Hughes, William	Paterson, N. J.	Mondell, Frank W	Newcastle, Wyo.
Hull, John A. T	Des Moines, Iowa.	Moon, John A	Chattanooga, Tenn.
Humphrey, William E	Seattle, Wash.	Moon, Reuben O. [c]	Philadelphia, Pa.
Humphreys, Benjamin G	Greenville, Miss.	Morgan, Stephen	Oakhill, Ohio.
Hunt, John T	St. Louis, Mo.	Morrell, Edward de V	Philadelphia, Pa.
Hunter, W. Godfrey [b]	Burkesville, Ky.	Mudd, Sidney E	Laplata, Md.
Jackson, Amos H	Fremont, Ohio.	Murdock, Victor [d]	Wichita, Kans.
Jackson, William H	Salisbury, Md.	Needham, James C	Modesto, Cal.
James, Ollie M	Marion, Ky.	Nevin, Robert M	Dayton, Ohio.
Jenkins, John J	Chippewa Falls, Wis.	Norris, George W	McCook, Nebr.
Johnson, Joseph T	Spartanburg, S. C.	Olmsted, Marlin E	Harrisburg, Pa.
Jones, Wesley L	Yakima, Wash.	Otis, Norton P	Yonkers, N. Y.

[a] Elected in place of Thomas H. Tongue, deceased.
[b] Elected in place of Vincent Boreing, deceased.

[c] Elected in place of Robert H. Foerderer, deceased.
[d] Elected in place of Chester I. Long, resigned.

Names and post-office addresses of Members and Delegates of the House of Representatives—Continued.

Name.	Home post-office.	Name.	Home post-office.
Otjen, Theobold	Milwaukee, Wis.	Smith, William O	Punxsutawney, Pa.
Overstreet, Jesse	Indianapolis, Ind.	Smith, William R	Colorado, Tex.
Padgett, Lemuel P	Columbia, Tenn.	Snapp, Howard M	Joliet, Ill.
Page, Robert N	Aberdeen, N. C.	Snook, John S	Paulding, Ohio.
Palmer, Henry W	Wilkesbarre, Pa.	Southall, Robert G	Amelia, Va.
Parker, R. Wayne	Newark, N. J.	Southard, James H	Toledo, Ohio.
Patterson, George R	Ashland, Pa.	Southwick, George N	Albany, N. Y.
Patterson, Gilbert B	Maxton, N. C.	Spalding, Burleigh F	Fargo, N. Dak.
Patterson, Malcolm R	Memphis, Tenn.	Sparkman, Stephen M	Tampa, Fla.
Payne, Sereno E	Auburn, N. Y.	Sperry, Nehemiah D	New Haven, Conn.
Pearre, George A	Cumberland, Md.	Spight, Thomas	Ripley, Miss.
Perkins, James B	Rochester, N. Y.	Stafford, William H	Milwaukee, Wis.
Pierce, Rice A	Union City, Tenn.	Stanley, Augustus O	Henderson, Ky.
Porter, H. Kirke	Pittsburg, Pa.	Steenerson, Halvor	Crookston, Minn.
Pou, Edward W	Smithfield, N. C.	Stephens, John H	Vernon, Tex.
Powers, Llewellyn	Houlton, Me.	Sterling, John A	Bloomington, Ill.
Powers, Samuel L	Newton, Mass.	Stevens, Fred C	St. Paul, Minn.
Prince, George W	Galesburg, Ill.	Sullivan, John A	Boston, Mass.
Pujo, Arsène P	Lake Charles, La.	Sullivan, Timothy D	New York, N. Y.
Rainey, H. T	Carrollton, Ill.	Sulloway, Cyrus A	Manchester, N. H.
Randell, Choice B	Sherman, Tex.	Sulzer, William	New York, N. Y.
Ransdell, Joseph E	Lake Providence, La.	Swanson, Claude A	Chatham, Va.
Reeder, William A	Logan, Kans.	Talbott, J. Frederick C	Lutherville, Md.
Reid, Charles C	Morrillton, Ark.	Tate, Farish Carter	Jasper, Ga.
Rhea, John S	Rushville, Ky.	Tawney, James A	Winona, Minn.
Richardson, James D	Murfreesboro, Tenn.	Taylor, George W	Demopolis, Ala.
Richardson, William	Huntsville, Ala.	Thayer, John R	Worcester, Mass.
Rider, Ira Edgar	New York, N. Y.	Thomas, Charles R	Newbern, N. C.
Rixey, John F	Brandy, Va.	Thomas, Lot	Storm Lake, Iowa.
Robb, Edward	Perryville, Mo.	Thompson, Charles W	Tuskegee, Ala.
Roberts, Ernest W	Chelsea, Mass.	Tirrell, Charles Q	Natick, Mass.
Robertson, Samuel M	Baton Rouge, La.	Townsend, Charles E	Jackson, Mich.
Robinson, James M	Fort Wayne, Ind.	Trimble, South	Frankfort, Ky.
Robinson, Joseph T	Lonoke, Ark.	Underwood, Oscar W	Birmingham, Ala.
Rodenberg, William A	East St. Louis, Ill.	Vandiver, Willard D	Cape Girardeau, Mo.
Rucker, William W	Keytesville, Mo.	Van Duzer, Clarence D	Tonopah, Nev.
Ruppert, Jacob, jr	New York, N. Y.	Van Voorhis, Henry C	Zanesville, Ohio.
Russell, Gordon	Tyler, Tex.	Volstead, Andrew J	Granite Falls, Minn.
Ryan, William H	Buffalo, N. Y.	Vreeland, Edward B	Salamanca, N. Y.
Scarborough, Robert B	Conway, S. C.	Waechter, Frank C	Baltimore, Md.
Scott, Charles F	Iola, Kans.	Wade, Martin J	Iowa City, Iowa.
Scudder, Townsend	Glen Head, N. Y.	Wadsworth, James W	Geneseo, N. Y.
Shackleford, Dorsey W	Jefferson City, Mo.	Wallace, Robert M	Magnolia, Ark.
Shafroth, John F	Denver, Colo.	Wanger, Irving P	Norristown, Pa.
Sheppard, Morris	Texarkana, Tex.	Warner, Vespasian	Clinton, Ill.
Sherley, Swager	Louisville, Ky.	Warnock, William R	Urbana, Ohio.
Sherman, James S	Utica, N. Y.	Watson, James E	Rushville, Ind.
Shiras, George, 3d	Allegheny, Pa.	Webb, Edwin Y	Shelby, N. C.
Shober, Francis E	New York, N. Y.	Weems, Capell L. [a]	St. Clairsville, Ohio.
Shull, Joseph H	Stroudsburg, Pa.	Weisse, Charles H	Sheboygan Falls, Wis.
Sibley, Joseph C	Franklin, Pa.	Wiley, Ariosto A	Montgomery, Ala.
Sims, Thetus W	Linden, Tenn.	Wiley, William H	East Orange, N. J.
Skiles, William W	Shelby, Ohio.	Williams, James R	Carmi, Ill.
Slayden, James L	San Antonio, Tex.	Williams, John S	Yazoo City, Miss.
Slemp, Campbell	Big Stone Gap, Va.	Williamson, John N	Prineville, Oreg.
Small, John H	Washington, N. C.	Wilson, Frank E	Brooklyn, N. Y.
Smith, David H	Hodgensville, Ky.	Wilson, William W	Chicago, Ill.
Smith, George J	Kingston, N. Y.	Woodyard, Harry C	Spencer, W. Va.
Smith, George W	Murphysboro, Ill.	Wright, Charles F	Susquehanna, Pa.
Smith, Samuel W	Pontiac, Mich.	Wynn, William J	San Francisco, Cal.
Smith, Walter I	Council Bluffs, Iowa.	Young, H. Olin	Ishpeming, Mich.
Smith, William Alden	Grand Rapids, Mich.	Zenor, William T	Corydon, Ind.

DELEGATES.

Kalanianaole, Jonah K	Honolulu, Hawaii.	Rodey, Bernard S	Albuquerque, N. Mex.
McGuire, Bird S	Guthrie, Okla.	Wilson, John F	Prescott, Ariz.

RESIDENT COMMISSIONER FROM PORTO RICO.

Degetau, Federico	San Juan, P. R.		

[a] Elected in place of Joseph J. Gill, resigned.

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Edwards, *Robert*, relief of estate (see bill H. R. 1670).
Edwards, *W. T.*, papers referred in Senate 503.
Ege, *John B.*, relief of estate (see bills S. 1884; H. R. 4785).
Eggeman, *John E.*, increase pension (see bill H. R. 2752).
Eggers, *Absalom H.*, pension (see bill H. R. 3700).
Eggleston, *W. F.*, relief (see bill H. R. 3480).
Eichammer, *Peter N.*, increase pension (see bill H. R. 5475).
Eichelberger, *Adam L.*, relief (see bill H. R. 4671).
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Eigenbroadt, *Phoebe M.*, pension (see bill H. R. 1006).
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Elkins, *Silas A.*, pension (see bill H. R. 3714).
Elkins, *Stephen B.* (*a Senator from West Virginia*)
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Chaney, Catherine L: to pension (see bill S. 2041) 524.
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Elliott, *S. B.*, increase pension (see bill H. R. 5246).
Ellis, *A. M.*, relief (see bill H. R. 4766).
Ellis, *Caleb*, pension (see bill H. R. 4467).
Ellis, *Daniel W.*, increase pension (see bill H. R. 207).
Ellis, *George W.*, increase pension (see bill S. 314).
Ellis, *John*, increase pension (see bill H. R. 1445).
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Ellis, *Joseph B.*, correct military record (see bill H. R. 2726).
Ellis, *William*, relief (see bill (H. R. 644).
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Bill to pay claims for loss of goods and effects by fire at (see bill H. R. 674).
Ellmore, *Joseph*, pension (see bill S. 449).
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Ellsworth, *S. B.*, correct military record (see bill H. R. 3490).
Ellsworth, *Timothy*, relief (see bills H. R. 579, 595).
Elmore, *Albert S.*, increase pension (see bill H. R. 5045).
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Bill to establish mint at (see bill H. R. 13).
Elsas, May & Co., relief (see bill (H. R. 635).
Elston, *J. M.*, relief (see bill H. R. 1660).
Elswick, *Martin*, increase pension (see bill H. R. 4959).
Elwood, *A. S.*, pension (see bill S. 1235).
Ely, *Eugene H.*, honorable discharge (see bill H. R. 5052).
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Emery, *Charles F.*, increase pension (see bill H. R. 812).
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Emsley, *William*, relief (see bill S. 259).
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Endsley, *Henry M.*, increase pension (see bill H. R. 1172).
England, *Martha J.*, relief (see bill H. R. 643).
England, *Mary D.*, pension (see bill H. R. 1790).
Engle, *Albert E. A.*, relief (see bill H. R. 954).
Engle, *Samuel*, increase pension (see bill H. R. 4708).
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Epler, *C. M.*, increase pension (see bill H. R. 469).
Epler, *John F.*, pension (see bill H. R. 4532).
Eppes, *John W.*, relief of estate (see bills S. 1845; H. R. 4777).
Eppler, *Isaac L.*, relief of estate (see bill H. R. 1543).
Epps, *George D.*, pension (see bill S. 185).
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Ernst, *Anton*, charge of desertion (see bills S. 500; H. R. 1328).

Ervin, *John*, correct military record (see bill H. R. 5127).
Erwin, *John W.*, increase pension (see bill H. R. 5149).
Esau, *Ferdinand*, pension (see bill H. R. 4372).
Esch, *John J.* (*a Representative from Wisconsin*)
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Kramer, Charles F: to remove charge of desertion (see bill H. R. 960) 167.
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Rogers, Alfred H: to increase pension (see bill H. R. 958) 167.
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Esseltine, *John*, charge of desertion (see bill S. 1400)
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Etherington, *Abagail*, pension (see bill H. R. 3847).
Etherton, *Thomas*, correct military record (see bill H. R. 1845).
Ethridge, *Willis P.*, honorable discharge (see bill H. R. 4131).
Etlah (*monitor*)
Bills for relief of contractor for construction of (see bills S. 47; H. R. 201).
Etnire, *Jacob L.*, increase pension (see bill H. R. 3008).
Eubank, *A.*, relief (see bill H. R. 3475).
Eubank, *Richard*, pension (see bill H. R. 1791).
Eubanks, *John W.*, relief (see bill H. R. 1372).
Eubanks, *Johnson W.*, pension (see bill H. R. 3697).
Eureka, *California*
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Evans, *Benjamin F.*, increase pension (see bill H. R. 728).
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Evans, *Emily*, relief (see bill H. R. 647).
Evans, *Enoch J.*, pension (see bill H. R. 2976).
Evans, *George*, pension (see bill H. R. 4720).
Evans, *John D.*, pension (see bill S. 828).
Evans, *John R.*, increase pension (see bill S. 305).
Evans, *Lawrence*, increase pension (see bill H. R. 3183).
Evans, *Mary B.*, pension (see bill H. R. 764).
Evans, *William T.*, increase pension (see bill H. R. 2028).
Evens, *Annie L.*, pension (see bill H. R. 3615).
Everett, *Charles M.*, relief (see bill H. R. 3617).
Everett, *Othello M.*, increase pension (see bill H. R. 4206).
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Bill to erect public building at (see bill H. R. 49).
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Everhart, *Aurelia A.*, pension (see bill S. 435).
Everts, *Charles E.*, pension (see bill H. R. 2789).
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Abbott, C. W., to be major, Sixth United States Infantry; nominated 191.
Abeken, F. G., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Ackerson, J. L., to be ensign in Navy; nominated 197; confirmed 253.
Adams, F. H., to be first lieutenant, Twelfth United States Infantry; nominated 192.
Adams, G., to be major, Artillery Corps, United States Army; nominated 190.
Adams, L. M., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Adams, W. M., to be postmaster at Norton, Va.; nominated 433; confirmed 467.
Adams, W. T., to be register of the land office at Lander, Wyo., nominated 105; confirmed 106.
Addis, E., to be second lieutenant, Eleventh United States Infantry; nominated 193; confirmed 437.
Addison, David M., to be paymaster in Navy; nominated 123; confirmed 138.
Ahern, G. A., to be postmaster at Frederick, Okla.; nominated 201; confirmed 544.
Ahrends, A. E., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Albrecht, G. W., to be postmaster at Middlesboro, Ky.; nominated 23; confirmed 67.
Albright, J. E., to be postmaster at Mount Airy, N. C.; nominated 201.
Alderdice, F. B., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Aleshire, O. C., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Alexander, C. C., to be postmaster at Commerce, Ga.; nominated 198; confirmed 291.
Alexander, W. L., to be colonel and assistant commissary-general, United States Army; nominated 188; confirmed 434.
Alfred, Adrian R., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Allee, D. C., to be postmaster at Dover, Del.; nominated 88; confirmed 103.
Allen, B. C., to be ensign in Navy; nominated 197; confirmed 253.
Allen, L. C., to be lieutenant-colonel, Sixteenth United States Infantry; nominated 190; confirmed 436.
Allen, W. H., to be ensign in Navy; nominated 197; confirmed 253.
Allen, W. H., to be civil engineer in Navy; nominated 194; confirmed 251.
Allison, J. N., to be lieutenant-colonel and deputy commissary-general, United States Army; nominated 188; confirmed 434.
Alton, A. C., to be postmaster at Fayette City, Pa.; nominated 202; confirmed 360.
Ames, T. L., to be captain, Ordnance Department, United States Army; nominated 188.
Amsden, F. G., to be postmaster at Athol, Mass.; nominated 200; confirmed 292.
Anderson, A. R., to be postmaster at Sparta, Minn.; nominated 200; confirmed 438.
Anderson, E. A., to be lieutenant-commander in Navy; nominated 197; confirmed 253.
Anderson, G. B., to be United States consul at Guadeloupe, West Indies; nominated 184; confirmed 359.
Anderson, G. S., to be colonel Eighth United States Cavalry; nominated 188; confirmed 435.
Anderson, H. R., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189.
Anderson, Martin A., to be lieutenant-commander in Navy; nominated 141; confirmed 141.
Anderson, N., to be first lieutenant, Nineteenth United States Infantry; nominated 192.
Andrews, A., to be ensign in Navy; nominated 197; confirmed 253.
Andrews, C. F., to be first lieutenant, Seventeenth United States Infantry; nominated 191; confirmed 436.
Andrews, G., to be colonel and assistant adjutant-general, United States Army; nominated 187; confirmed 434.
Angeny, Granville L., to be passed assistant surgeon, with rank of lieutenant, in Navy; nominated 121; confirmed 137.

Executive Nominations and Confirmations—Continued.
Angle, G. C., to be postmaster at Shelton, Wash.; nominated 202.
Anthony, S. J., to be postmaster at Shellman, Ga.; nominated 198; confirmed 291.
Applegate, O. S., to be postmaster at Antwerp, Ohio; nominated 201; confirmed 360.
Appleget, F. B., to be postmaster at Hightstown, N. J.; nominated 136; confirmed 139.
Archer, P. F., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251.
Arms, Theodore J., to be paymaster in Navy; nominated 123; confirmed 138.
Arnold, F. T., to be captain, Fourth United States Cavalry; nominated 189; confirmed 435.
Arnold, Solon, to be lieutenant-commander in Navy; nominated 141; confirmed 141.
Arnold, Will F., to be surgeon, with rank of lieutenant-commander, in Navy; nominated 121; confirmed 137.
Ash, Howard P., to be paymaster in Navy; nominated 123; confirmed 138.
Ashford, F. A., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 359.
Aslakson, H. R., to be postmaster at Edmore, N. Dak.; nominated 250; confirmed 438.
Atkinson, A. L. C., to be secretary of Hawaii; nominated 509.
Atwood, L. B., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Auld, George P., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Aull, J. C., to be receiver of public moneys at Miles City, Mont.; nominated 255; confirmed 444.
Austin, C. A., to be postmaster at Welsh, La.; nominated 67; confirmed 88.
Austin, C. H., to be postmaster at Lineville, Iowa; nominated 199; confirmed 292.
Austin, O. A., to be postmaster at New York Mills, Minn.; nominated 200; confirmed 438.
Avis, W. M., to be postmaster at Pomona, Cal.; nominated 433; confirmed 466.
Ayer, J. A., to be postmaster at Saybrook, Conn.; nominated 198; confirmed 291.
Aymé, L. H., to be United States consul at Para, Brazil; nominated 184; confirmed 466.
Babcock, J. B., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Babcock, J. V., to be ensign in Navy; nominated 197; confirmed 253.
Bagby, P. H., to be second lieutenant, Twenty-seventh United States Infantry; nominated 193; confirmed 437.
Bagg, Charles P., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Bagwell, W. O., to be postmaster at Lytle, Ga.; nominated 198; confirmed 291.
Bailey, G. F., to be lieutenant, Second United States Cavalry; nominated 189; confirmed 435.
Bailey, H. K., to be lieutenant-colonel, Twenty-fifth United States Infantry; nominated 191.
Bailey, H. W., to be United States marshal for district of Vermont; nominated 185; confirmed 291.
Bailey, J. C., to be postmaster at Ford City, Pa.; nominated 202; withdrawn 250.
Bailey, J. G., to be United States secretary of legation to Nicaragua, Costa Rica, and Salvador; nominated 188; confirmed 253.
Baker, Alonzo C., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Baker, Cecil S., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Baker, S., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Baldwin, T. A., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Ball, C. H., to be first lieutenant, Twenty-fifth United States Infantry; nominated 192; confirmed 436.
Ballance, J. G., to be lieutenant-colonel, Twenty-ninth United States Infantry; nominated 191.
Barber, George H., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Barber, John D., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Barber, R. L., to be postmaster at Camden, N. J.; nominated 201; confirmed 360.
Barber, Stewart E., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Barclay, C. J., to be rear-admiral in Navy; nominated 196; confirmed 253.
Barden, W. J., to be captain, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Barlow, S. M., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Barnes, J. W., to be postmaster at Andalusia, Ala.; nominated 197; confirmed 466.
Barnette, W. J., to be captain in Navy; nominated 197; confirmed 253.
Barrett, J., to be United States envoy extraordinary and minister plenipotentiary to Argentine Republic; nominated 183; confirmed 253.
Barry, T. H., to be brigadier-general, United States Army; nominated 187.
Barton, R. M., to be first lieutenant, Fifth United States Cavalry; nominated 189.
Bass, I. E., to be ensign in Navy; nominated 197; confirmed 253.
Bates, John S., to be captain, United States Marine Corps; nominated 122; confirmed 138.
Bates, W. D., to be captain, Twenty-seventh United States Infantry; nominated 191; confirmed 436.
Baxter, J. E., to be major and quartermaster, United States Army; nominated 188.
Beacom, J. H., to be major, Twenty-second United States Infantry; nominated 191.
Beadle, E. R., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Beals, F. L., to be second lieutenant, Fifteenth United States Infantry; nominated 193; confirmed 437.
Executive Nominations and Confirmations—Continued.
Beard, J., to be postmaster at Mount Ayr, Iowa; nominated 199; confirmed 292.
Beasley, J. S., to be postmaster at Centerville, Tenn.; nominated 202; confirmed 438.
Beck, W. H., to be lieutenant-colonel, Third United States Cavalry; nominated 188; confirmed 435.
Beckham, S., to be postmaster at Hartsville, S. C.; nominated 486; confirmed 544.
Beecher, James S., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Bell, G., to be major, Twelfth United States Infantry; nominated 191; confirmed 436.
Bell, H. A., to be first lieutenant, Seventh United States Infantry; nominated 192.
Bell, William H., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Bell, William L., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Bemis, C. L., to be postmaster at Marlboro, N. H.; nominated 433; confirmed 438.
Bendel, C. S., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 437.
Bennette, E. C., to be postmaster at Richwood, W. Va.; nominated 202; confirmed 509.
Benton, Frederick L., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Bergholz, L., to be United States consul at Three Rivers, Quebec, Canada; nominated 184; confirmed 434.
Berray, W. H., to be postmaster at Wautoma, Wis.; nominated 203; confirmed 292.
Berry, J. G., to be first lieutenant in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Berryhill, Thomas A., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Berthelf, W., to be ensign in Navy; nominated 197; confirmed 253.
Bessell, W. W., to be first lieutenant, Sixth United States Infantry; nominated 192; confirmed 436.
Bethel, W. A., to be major and judge-advocate, United States Army; nominated 193; confirmed 437.
Biddle, William P., to be lieutenant-colonel, United States Marine Corps; nominated 122; confirmed 138.
Billings, O. C., to be postmaster at Marion, Kans.; nominated 250; confirmed 438.
Bingham, E. G., to be first lieutenant and assistant surgeon, United States Army; nominated 189; confirmed 437.
Bishop, Giles, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Bishop, P. F., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Bjornstad, A. W., to be captain, Twenty-eighth United States Infantry; nominated 191; confirmed 436.
Black, H. B., to be captain, Artillery Corps, United States Army; nominated 190.
Black, J., to be postmaster at Fairhaven, Wash.; nominated 202.
Blackwell, E. M., to be passed assistant surgeon in Navy; nominated 195; confirmed 253.
Blackwood, Norman J., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Blair, G. F., to be ensign in Navy; nominated 197; confirmed 253.
Blaisted, William C., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Blatchford, F. M., to be postmaster at Brighton, Mich.; nominated 200; confirmed 360.
Blatchford, R. M., to be major, Fifteenth United States Infantry; nominated 191.
Bliss, R. W., to be United States consul at Venice, Italy; nominated 184; confirmed 466.
Blood, F. O., to be postmaster at Las Vegas, N. Mex.; nominated 201; confirmed 292.
Bloomer, G. B., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Bloss, J. M., to be postmaster at Titusville, Pa.; nominated 23, 202; confirmed 360.
Blunt, S. E., to be lieutenant-colonel, Ordnance Department, United States Army; nominated 188; confirmed 435.
Bluthardt, T. J., to be United States consul at Barmen, Germany; nominated 184; confirmed 466.
Blyth, J., to be lieutenant, Fourteenth United States Infantry; nominated 193; confirmed 437.
Boedeker, J., to be second lieutenant in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Bogan, F. M., to be passed assistant surgeon in Navy; nominated 195; confirmed 253.
Bogert, Edward S., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Bogy, L. V., to be postmaster at Chinook, Mont.; nominated 23, 200.
Bolton, E. B., to be lieutenant-colonel, Thirteenth United States Infantry; nominated 190.
Bomford, G. N., to be captain, Tenth United States Infantry; nominated 191; confirmed 436.
Bomus, P. S., to be lieutenant-colonel, Sixth United States Cavalry; nominated 189; confirmed 435.
Bondurant, L., to be postmaster at St. Joseph, La.; nominated 199.
Boobar, O. B., to be postmaster at Sauk Center, Minn.; nominated 200; confirmed 438.
Booth, C. A., to be lieutenant-colonel, Twenty-fourth United States Infantry; nominated 190.
Boschen, F. W., to be second lieutenant, Eighteenth United States Infantry; nominated 193; confirmed 437.
Bosley, J. R., to be first lieutenant and assistant surgeon, United States Army; nominated 189; confirmed 437.
Boughton, D. H., to be major, Second United States Cavalry; nominated 189; confirmed 435.
Boughton, R. W., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Bowen, F. S., to be first lieutenant, Sixth United States Infantry; nominated 192.
Bowen, W. S., to be United States consul at Valencia, Spain; nominated 55; withdrawn 106.
—— to be United States consul-general at Guayaquil, Ecuador; nominated 156; confirmed 124.

Executive Nominations and Confirmations—Continued.

Bowling, A. E., to be Deputy Auditor for Treasury Department; nominated 188; confirmed 544.
Bowman, A. H., to be brigadier-general, United States Army; nominated 187.
Bowman, E. N., to be second lieutenant of infantry, United States Army; nominated 1 3; confirmed 437.
Bowne, William R., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Bowyer, John M., to be commander in Navy; nominated 140; confirmed 141.
Boyd, C., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Boyd, J. C., to be medical director in Navy; nominated 195; confirmed 252.
Boyers, R. E., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Boylan, B. T., to be postmaster at Armour, S. Dak.; nominated 202; confirmed 252.
Brackett, William, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Bradford, J. R., to be captain, Twenty-third United States Infantry; nominated 191; confirmed 436.
Bradley, W. H., to be United States consul at Manchester, England; nominated 184; confirmed 466.
Brakeley, P. W., to be postmaster at Dunellen, N. J.; nominated 201; confirmed 360.
Branagan, J. R., to be postmaster at Charleroi, Pa.; nominated 202; confirmed 467.
Brasilton, S. R., to be postmaster at Gulfport, Miss.; nominated 67, 200.
Breda, J. Ernest, to be register of land office at Natchitoches, La.; nominated 193; confirmed 137.
Briggs, A. L., to be first lieutenant, Twenty-fifth United States Infantry; nominated 191; confirmed 436.
Brimberry, T. W., to be postmaster at Camilla, Ga.; nominated 198; confirmed 466.
Brinkerhoff, H. S., to be second lieutenant, Thirteenth United States Infantry; nominated 193; confirmed 437.
Brinson, R. A., to be postmaster at Millen, Ga.; nominated 198; confirmed 466.
Brittin, L. C., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Broadbent, H. M., to be captain in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Broatch, James W., to be captain, United States Marine Corps; nominated 122; confirmed 138.
Bronson, A., to be lieutenant in Navy; nominated 198; confirmed 252.
Brooks, E. A., to be ensign in Navy; nominated 197; confirmed 253.
Brooks, E. J., to be postmaster at Juneau, Alaska; nominated 197; confirmed 291.
Brooks, Jonathan, to be paymaster in Navy; nominated 123; confirmed 138.
Brophy, W. J., to be United States coiner of mint at New Orleans, La.; nominated 186; confirmed 466.
Brown, A. F., to be postmaster at Berthoud, Colo.; nominated 193; confirmed 360.
Brown, A. S., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Brown, E. A., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Brown, G. W., to be lieutenant-commander in Navy; nominated 196; confirmed 252.
Brown, H. L., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Brown, L. G., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Brown, O. G., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Brown, P. M., to be United States secretary of legation to Guatemala and Honduras; nominated 183; confirmed 253.
Brown, W. W., to be postmaster at Bowdoinham, Me.; nominated 199; confirmed 292.
Brownell, Carl De W., to be surgeon in Navy; nominated 121; confirmed 137.
——, to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Bruff, C. L., to be ensign in Navy; nominated 197; confirmed 253.
Bruff, L. L., to be major Ordnance Department, United States Army; nominated 183; confirmed 435.
Bruin, J. E., to be postmaster at Bristow, Ind. T.; nominated 199; confirmed 291.
Brunson, W. H., to be postmaster at Edgefield, S. C.; nominated 23; confirmed 88.
Brush, D. H., to be lieutenant-colonel, Nineteenth United States Infantry; nominated 191.
Brush, H. W., to be United States consul at Milan, Italy; nominated 194; confirmed 466.
Bryson, A., to be postmaster at Davenport, Iowa; nominated 199; confirmed 292.
Buchanan, J. A., to be colonel Twenty-seventh United States Infantry; nominated 190.
Bucher, William H., to be surgeon in Navy; nominated 121; confirmed 137.
——, to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Buelow, F. H., to be postmaster at Sleepy Eye, Minn.; nominated 200; confirmed 438.
Buente, E. H., to be postmaster at Venice, Ill.; nominated 433; confirmed 466.
Bugbee, F. W., to be first lieutenant, Twenty-fourth United States Infantry; nominated 67; confirmed 78.
Bull, E. L., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Bull, J. A., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Bullock, S. V., to be postmaster at Howard City, Mich.; nominated 23; confirmed 55.
Bunker, P. D., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Bunn, H. W., to be second lieutenant, Twenty-sixth United States Infantry; nominated 193; confirmed 437.

Executive Nominations and Confirmations—Continued.

Bunn, H. W., to be second lieutenant, United States Artillery Corps; nominated 466; confirmed 544.
Burke, J. L., to be receiver of public moneys at Rapid City, S. Dak.; nominated 88; confirmed 88.
Burleigh, J. J., to be second lieutenant, First United States Infantry; nominated 193; confirmed 437.
Burnett, P. C., to be first lieutenant, Ninth United States Infantry; nominated 192; confirmed 436.
Burns, J. A., to be second assistant engineer in United States Revenue-Cutter Service; nominated 186; confirmed 359.
Burr, J. S., to be postmaster at Charlotte, N. Y.; nominated 201; confirmed 360.
Burt, Charles P., to be lieutenant in Navy; nominated 121; confirmed 138.
Burt, W. H., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Burton, G. H., to be brigadier-general and inspector-general, United States Army; nominated 193; confirmed 437.
Burton, N. G., to be assistant quartermaster in United States Marine Corps with rank of captain; nominated 194; confirmed 251.
Burwell, J. T., to be ensign in Navy; nominated 197; confirmed 253.
Bury, Fred., to be first lieutenant, First United States Infantry; nominated 121; confirmed 137.
Busherr, L. N., to be postmaster at Pawnee, Okla.; nominated 201; confirmed 467.
Butler, O. M., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Butler, H. J., to be postmaster at Miami, Ind. T.; nominated 199; confirmed 291.
Butler, J. A., to be postmaster at Troup, Tex.; nominated 202; confirmed 292.
Butler, J. G., to be colonel, Ordnance Department, United States Army; nominated 188.
Butler, J. S., to be first lieutenant, First United States Cavalry; nominated 189; confirmed 435.
Buttrick, James T., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Byrne, C. B., to be colonel and assistant surgeon-general, United States Army; nominated 188.
Byrne, W. M., to be United States attorney for district of Delaware; nominated 12.
Caldwell, R. E., to be postmaster at Douglas, Ariz.; nominated 198; confirmed 291.
Caffrey, J. M., to be ensign in Navy; nominated 197; confirmed 253.
Caldwell, R. C., to be first lieutenant, Seventh United States Cavalry; nominated 189; confirmed 435.
Callanan, J. H., to be postmaster at Schenectady, N. Y.; nominated 433; confirmed 466.
Callison, M. E., to be postmaster at Thurmond, W. Va.; nominated 202; confirmed 509.
Camp, Walter T., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
—— to be paymaster in Navy; nominated 466; confirmed 466.
Campbell, Chandler, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Campbell, F. E., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Campbell, J. Q. A., to be postmaster at Bellefontaine, Ohio; nominated 201; confirmed 360.
Campbell, M. V., to be second lieutenant in United States Marine Corps; nominated 125; confirmed 251.
Campbell, R. W., to be postmaster at Brighton, Colo.; nominated 198; confirmed 360.
Canaga, A. B., to be commander in Navy; nominated 196; confirmed 252.
Capehart, Edward E., to be lieutenant-commander in Navy; nominated 121; confirmed 137.
Capps, W. L., to be chief constructor and Chief of Bureau of Construction and Repair in Navy Department, with rank of rear-admiral; nominated 194; confirmed 252.
Carlisman, J. M., to be Indian agent at Standing Rock Agency, N. Dak.; nominated 78; confirmed 88.
Carlson, C. A., to be assistant civil engineer in Navy; nominated 194; confirmed 251.
Carpenter, Charles C., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Carpenter, Dudley N., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Carpenter, E., to be captain, Artillery Corps, United States Army; nominated 190.
Carr, C. C. C., to be brigadier-general, United States Army; nominated 187.
Carrithers, T. W., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Carson, J. M., to be major and quartermaster, United States Army; nominated 188; confirmed 434.
Carter, A. R., to be postmaster at Tucumcari, N. Mex.; nominated 201; confirmed 292.
Carter, G. R., to be governor of Hawaii; nominated 185; confirmed 434.
Carter, W. P., to be postmaster at Lewes, Del.; nominated 136; confirmed 139.
Cartmell, N. M., to be first lieutenant, Tenth United States Cavalry; nominated 23; confirmed 78.
Cartwright, S. S., to be postmaster at Roxbury, N. Y.; nominated 201; confirmed 360.
Case, I. W., to be postmaster at Lubec, Me.; nominated 199; confirmed 292.
Casey, J. R., to be postmaster at Ashland, Oreg.; nominated 136; confirmed 137.
Castle, G. W. S., to be ensign in Navy; nominated 197; confirmed 253.
Castleman, Kenneth G., to be lieutenant in Navy; nominated 141; confirmed 141.
Cathcart, Arthur H., to be paymaster in Navy; nominated 123; confirmed 138.
Cauger, F. M., to be postmaster at Granite City, Ill.; nominated 198; confirmed 291.
Cavenaugh, W. A., to be captain, Seventeenth United States Infantry; nominated 191; confirmed 436.

Executive Nominations and Confirmations—Continued.

Chadwick, David V., to be paymaster in Navy; nominated 123; confirmed 138.
Chadwick, F. E., to be rear-admiral in Navy; nominated 197; confirmed 253.
Chaffin, A. D., to be second lieutenant, Fourth United States Infantry; nominated 193; confirmed 437.
Chambers, W. H., to be lieutenant-commander in Navy; nominated 196; confirmed 252.
Chance, J. C., to be brigadier-general, United States Army; nominated 187.
Chandler, C. de F., to be captain, Signal Corps, United States Army; nominated 188; confirmed 435.
Chandler, E., to be major, Twenty-fourth United States Infantry; nominated 191.
Chapman, R. B., to be assistant surgeon in Navy; nominated 196; confirmed 252.
Chase, G., to be lieutenant in Navy; nominated 197; confirmed 253.
Chase, G. F., to be lieutenant-colonel Twelfth United States Cavalry; nominated 188; confirmed 435.
Cheney, A. H., to be postmaster at Stowe, Vt.; nominated 202; confirmed 438.
Chester, C. M., to be rear-admiral in Navy; nominated 196; confirmed 252.
Chittenden, L. O., to be postmaster at Guilford, Conn.; nominated 198; confirmed 291.
Churchill, J. M., to be second lieutenant, Second United States Infantry; nominated 193; confirmed 437.
Cabaugh, H. M., to be chief justice of supreme court of District of Columbia; nominated 185; confirmed 254.
Clapp, E. L., to be postmaster at Centerville, Mich., nominated 200; confirmed 360.
Claridge, T. W., to be postmaster at Reedsburg, Wis.; nominated 203; confirmed 292.
Clark, C. H., to be major, Ordnance Department, United States Army; nominated 188; confirmed 435.
Clark, Lewis J., to be lieutenant-commander in Navy; nominated 121; confirmed 137.
Clarke, C. J. B., to be major, Twenty-fourth United States Infantry; nominated 191; confirmed 436.
Clarke, W. L., to be captain, Signal Corps, United States Army; nominated 188; confirmed 435.
Cleary, P. J. A., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Cleaver, H. T., to be commander in Navy; nominated 197; confirmed 253.
Cleborne, Cuthbert J., to be paymaster in Navy; nominated 123; confirmed 138.
Clem, J. L., to be colonel and assistant quartermaster-general, United States Army; nominated 188.
Clemenson, W. M., to be postmaster at Clarkston, Wash.; nominated 202.
Clifford, William H., to be captain, United States Marine Corps; nominated 122; confirmed 138.
Clinton, Thomas M., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Cluverius, Wat T., to be lieutenant in Navy; nominated 121; confirmed 138.
Clymer, C. T., to be postmaster at Quakertown, Pa.; nominated 198; confirmed 139.
Cochen, G. W., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Cochran, C. S., to be first lieutenant in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Cochran, P. M., to be captain, Fifteenth United States Infantry; nominated 191; confirmed 436.
Coffey, R. N., to be first lieutenant, Second United States Cavalry; nominated 189; confirmed 435.
Colby, Frederick B., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Cole, Eli K., to be major, United States Marine Corps; nominated 122; confirmed 138.
Coleman, L., to be postmaster at Deer Lodge, Mont.; nominated 200; confirmed 292.
Colley, H. F., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Collins, O. G., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 291.
Collins, O. G., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Collins, W. A., to be postmaster at Western Springs, Ill.; nominated 198; confirmed 291.
Colman, H. B., to be postmaster at Kalamazoo, Mich.; nominated 486; confirmed 544.
Colt, W. W., to be postmaster at Rushville, Ill.; nominated 433; confirmed 466.
Colvin, W. M., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Colvocoresses, Harold, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Colwell, J. C., to be commander in Navy; nominated 433.
Como, A. G., to be postmaster at Haydenville, Mass.; nominated 200; confirmed 292.
Connaway, P. K., to be postmaster at Minco, Ind. T., nominated 199; confirmed 291.
Connell, R., to be postmaster at Odessa, Wash.; nominated 202.
Connelly, W. B., to be postmaster at Hubbard, Tex.; nominated 202; confirmed 292.
Connolly, P. A., to be captain, Twenty-sixth United States Infantry; nominated 191; confirmed 436.
Conrad, B., to be captain, Sixth United States Infantry; nominated 191.
Converse, G. A., to be chief of Bureau of Equipment in Navy Department, with rank of rear-admiral; nominated 194; confirmed 252.
Conway, C. A., to be ensign in Navy; nominated 197; confirmed 253.
Cook, Francis A., to be rear-admiral in Navy; nominated 140; confirmed 141.
Cook, Frank C., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Cook, H. E., to be ensign in Navy; nominated 197; confirmed 253.
Cook, M. G., to be ensign in Navy; nominated 197; confirmed 253.

Executive Nominations and Confirmations—Continued.

Cooley, A. W., to be United States Civil Service Commissioner; nominated 184; confirmed 280.
Coolidge, C. A., to be brigadier-general, United States Army; nominated 187.
Cooper, C. L., to be brigadier-general, United States Army; nominated 187.
Cordeiro, Frederick J. B., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Corl, A. S., to be postmaster at Nunda, Ill.; nominated 198; confirmed 291.
Cornman, D., to be colonel Seventh United States Infantry; nominated 190.
Cover, J. H., to be postmaster at Thurmont, Md.; nominated 199; confirmed 466.
Cowles, W. H., to be major, Twenty-sixth United States Infantry; nominated 191; confirmed 436.
Cox, L. S., to be ensign in Navy; nominated 197; confirmed 253.
Craig, C. S., to be first lieutenant in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Craig, D. F., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Craigie, D. J., to be brigadier-general, United States Army; nominated 187.
Crallé, G. M., to be captain, Sixteenth United States Infantry; nominated 191; confirmed 436.
Crampton, L. W., to be lieutenant-colonel and deputy surgeon-general, United States Army; nominated 188.
Crandall, Rand P., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Crane, C. J., to be lieutenant-colonel of infantry, United States Army; nominated 191.
Craven, Thomas T., to be lieutenant in Navy; nominated 121; confirmed 137.
Crawford, John, to be postmaster at Lakefield, Minn.; nominated 136; confirmed 139.
Creecy, R. B., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Crellin, D. L., to be postmaster at Plainview, Nebr.; nominated 200; confirmed 509.
Crenshaw, A., to be lieutenant in Navy; nominated 196; confirmed 252.
Crowder, E. H., to be colonel and judge-advocate, United States Army; nominated 187; confirmed 434.
Crowell, D. C., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Crowne, E. P., to be first lieutenant, Twenty-ninth United States Infantry; nominated 191; confirmed 436.
Crum, W. D., to be collector of customs for district of Charleston, S. C.; nominated 12, 186.
Cummins, T. J., to be United States consul at Puerto Cabello, Venezuela; nominated 184; confirmed 424.
Curl, Holton C., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Curtin, R. I., to be lieutenant in Navy; nominated 198; confirmed 252.
Curtis, W. B., to be postmaster at Marshfield, Oreg.; nominated 23; confirmed 55.
Cutting, G. W., to be postmaster at Weston, Mass.; nominated 200; confirmed 292.
Cutts, Richard M., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Dabney, W., to be first lieutenant, Twelfth United States Infantry; nominated 192.
Daly, J. D., to be surveyor-general of Oregon; nominated 105; confirmed 106.
Danforth, C. H., to be first lieutenant, Tenth United States Infantry; nominated 66; confirmed 78.
Daniels, C. N., to be United States consul at Sheffield, England; nominated 184; confirmed 291.
Davey, W. G., to be postmaster at Mechanicsville, N. Y.; nominated 201; confirmed 467.
Davis, A. M., to be postmaster at Bonaparte, Iowa; nominated 199; confirmed 292.
Davis, E. W., to be register of land office at Lagrande, Oreg.; nominated 185; confirmed 222.
Davis, F. B., to be first lieutenant, Sixteenth United States Infantry; nominated 192; confirmed 436.
Davis, J. M. K., to be colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Davis, M. F., to be postmaster at Union, Oreg.; nominated 23; confirmed 55.
Davis, N. H., to be second lieutenant of cavalry, United States Army; nominated 194; confirmed 437.
Davis, T. F., to be lieutenant-colonel Eleventh United States Infantry; nominated 191.
Dawson, B. E., to be postmaster at Sanilac Center, Mich.; nominated 200; confirmed 360.
Dawson, W. C., to be assistant paymaster in United States Marine Corps, with rank of major; nominated 194; confirmed 251.
Day, C. R., to be captain, Fifth United States Cavalry; nominated 189.
Day, John H. A., to be captain, United States Marine Corps; nominated 122; confirmed 138.
Day, W. A., to be assistant to the Attorney-General; nominated 12; confirmed 124.
Dean, C. W., to be postmaster at Mingo Junction, Ohio; nominated 201; confirmed 360.
Decker, Corbin J., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Deems, C., to be major, Artillery Corps, United States Army; nominated 190; confirmed 435.
Deering, G. A., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Degen, J. A., to be first lieutenant, Twelfth United States Cavalry; nominated 189.
De Lancey, C. H., to be passed assistant surgeon in Navy; nominated 195; confirmed 250.
Deland, A., to be postmaster at Black Rock, Ark.; nominated 198; confirmed 291.
Delano, Philip W., to be paymaster in Navy; nominated 123; confirmed 138.
De Loache, W. O., to be postmaster at Talbotton, Ga.; nominated 198; confirmed 291.

Executive Nominations and Confirmations—Continued.

Deiners, P. P., to be United States consul at Port Limon, Costa Rica; nominated 184; confirmed 291.
Dennis, G. A., to be second lieutenant, Seventh United States Infantry; nominated 193; confirmed 437.
Dennis, J. B., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Dennis, J. D., to be postmaster at Marion, Ala.; nominated 197; confirmed 544.
Dent, E. J., to be first lieutenant, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Dent, J. C., to be lieutenant-colonel Ninth United States Infantry; nominated 199; confirmed 436.
Dessez, P. T., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Detchemendy, G. A., to be captain of infantry, United States Army; nominated 192; confirmed 437.
De Valin, Charles M., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Devendorf, A., to be postmaster at Fort Plain, N. Y.; nominated 88; confirmed 108.
Dewey, George, to be Admiral of the Navy; nominated 105; confirmed 106.
Dewey, Rupert C., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
—— to be assistant quartermaster in United States Marine Corps with rank of captain; nominated 194; confirmed 251.
Dewey, Theodore G., to be lieutenant-commander in Navy; nominated 121; confirmed 137.
De Witt, C., to be brigadier-general, United States Army; nominated 187.
Dice, L. R., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Dickinson, J. P., to be receiver of public moneys at Hugo, Colo.; nominated 509; confirmed 544.
Dietrich, H. R., to be United States consul-general at Guayaquil, Ecuador; nominated 184; confirmed 466.
Dikeman, Raymond W., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Disque, B. P., to be first lieutenant, Third United States Cavalry; nominated 189.
Dodge, J. L., to be first lieutenant, Twentieth United States Infantry, nominated 192.
Doherty, William H., to be paymaster in Navy; nominated 123; confirmed 138.
Dole, S. B., to be United States district judge of Territory of Hawaii; nominated 186; confirmed 434.
Domengeaux, J. R., to be postmaster at Lafayette, La.; nominated 199.
Doores, W. R., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Doremus, W. L., to be postmaster at Montclair, N. J.; nominated 201; confirmed 360.
Dorn, E. J., to be commander in Navy; nominated 196; confirmed 252.
Dorst, J. H., to be colonel, Third United States Cavalry; nominated 188; confirmed 435.
Doty, L. R., to be postmaster at Catskill, N. Y.; nominated 201; confirmed 360.
Downes, J., to be ensign in Navy; nominated 197; confirmed 253.
Drake, C. H., to be postmaster at Chouteau, Mont.; nominated 250; confirmed 438.
Drake, F. J., to be captain in Navy; nominated 196; confirmed 253.
Dresser, A. S., to be register of land office at Oregon City, Oreg.; nominated 185; confirmed 222.
Du Bose, W. G., to be assistant naval constructor in Navy, with rank of lieutenant; nominated 194; confirmed 252.
Du Bose, W. R., to be medical inspector in Navy; nominated 195; confirmed 252.
Dudley, E. S., to be colonel and judge-advocate in Army; nominated 466; confirmed 544.
Dunbar, Arthur W., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Duncan, J. W., to be colonel Twenty-third United States Infantry; nominated 190.
Dunn, G. M., to be lieutenant-colonel and judge-advocate in Army; nominated 466; confirmed 544.
Dunning, S. W., to be major, Twenty-ninth United States Infantry; nominated 191; confirmed 436.
Dunwoody, F. M., to be captain in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Dyer, George P., to be paymaster in Navy; nominated 123; confirmed 138.
Dyer, J. F., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Dykes, J. R., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Earle, Ralph, to be lieutenant in Navy; nominated 121; confirmed 137.
Eastman, A., to be receiver of public moneys at St. Cloud, Minn.; nominated 195; confirmed 434.
Eaton, H. A., to be captain, Eleventh United States Infantry; nominated 191.
Eaton, W. C., to be commander in Navy; nominated 196; confirmed 252.
Ebert, H. G., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 291.
Eckman, J. G., to be postmaster at McMinnville, Oreg.; nominated 198; confirmed 159.
Eddy, S. F., to be United States secretary of embassy at St. Petersburg, Russia; nominated 183; confirmed 253.
Edmonds, S. P., to be first lieutenant in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Edsall, H. W., to be postmaster at Hamburg, N. J.; nominated 433; confirmed 467.
Edson, J. J., to be member of board of charities of District of Columbia; nominated 185; confirmed 254.
Edwards, A. E., to be postmaster at Monticello, Wis.; nominated 203; confirmed 292.
Edwards, A. W., to be United States consul-general at Montreal, Canada; nominated 105; confirmed 106.

Executive Nominations and Confirmations—Continued.

Edwards, J. R., to be commander in Navy; nominated 197; confirmed 253.
Egan, Harvey C., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Eggert, E. F., to be assistant naval constructor in Navy, with rank of lieutenant; nominated 194; confirmed 252.
Einstein, L., to be United States third secretary of embassy at Paris, France; nominated 184; confirmed 253.
Eliason, Charles W., to be paymaster in Navy; nominated 123; confirmed 138.
Elliott, George F., to be colonel, United States Marine Corps; nominated 121; confirmed 138.
—— to be brigadier-general commandant of United States Marine Corps; nominated 194; confirmed 251.
Elliott, J. D., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Elliott, Middleton S., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Ellis, Earl H., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Ellis, Mark St. C., to be lieutenant in Navy; nominated 121; confirmed 138.
Ellsworth, L. T., to be United States consul at Cartagena, Colombia; nominated 184; confirmed 290.
Ely, C. F., to be assistant surgeon in Navy; nominated 23; confirmed 55.
Emerson, R. W., to be postmaster at Chelmsford, Mass.; nominated 200; confirmed 292.
Emery, H., to be captain in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Emmons, A. S., to be postmaster at Spencer, N. Y.; nominated 23; confirmed 88.
Emsel, E., to be second lieutenant, Fifteenth United States Infantry; nominated 193; confirmed 437.
Ennis, W., to be colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Enochs, J. M., to be ensign in Navy; nominated 197; confirmed 253.
Erwin, J. B., to be major, Ninth United States Cavalry; nominated 189; confirmed 435.
Eslick, F. M., to be captain in United States Marine Corps; nominated 194; confirmed 251.
Esty, F. A., to be postmaster at Clinton, N. J.; nominated 201; confirmed 360.
Etter, F. J., to be postmaster at South Omaha, Nebr.; nominated 23; confirmed 55.
Evans, H. L., to be first lieutenant, Ninth United States Infantry; nominated 192; confirmed 436.
Evans, J. W., to be postmaster at Ashburn, Ga.; nominated 198; confirmed 466.
Evans, Sheldon G., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Fairfield, A. P., to be ensign in Navy; nominated 197; confirmed 253.
Falconer, W. M., to be lieutenant in Navy; nominated 197; confirmed 253.
Fales, F. A., to be postmaster at Norwood, Mass.; nominated 200; confirmed 292.
Fales, H. M., to be first lieutenant, Eighth United States Infantry; nominated 192; confirmed 436.
Falls, M. N., to be captain, Thirtieth United States Infantry; nominated 191.
Farenholt, Ammen, to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Farmer, E., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Farnum, F. H., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Farrell, L., to be second lieutenant, First United States Infantry; nominated 193; confirmed 437.
Farris, W. B., to be postmaster at Pulaski, Tenn.; nominated 202; confirmed 438.
Fay, William G., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Feland, Logan, to be captain, United States Marine Corps; nominated 121; confirmed 138.
Feltham, F., to be postmaster at Boston, Ga.; nominated 198; confirmed 466.
Fenton, C. E., to be postmaster at Newton Falls, Ohio; nominated 201; confirmed 360.
Ferry, J. A., to be chaplain, United States Army; nominated 194; confirmed 437.
Field, W. R. M., to be lieutenant-commander in Navy; nominated 197; confirmed 253.
Fish, Hamilton, to be assistant treasurer of United States at New York, N. Y., nominated 133; confirmed 136.
Fisher, C. S., to be postmaster at Wyoming, Del.; nominated 198; confirmed 291.
Fisher, C. W., to be ensign in Navy; nominated 197; confirmed 253.
Fisher, H. C., to be major and surgeon, United States Army; nominated 188.
Fiske, B. A., to be commander in Navy; nominated 100; confirmed 124.
Fiske, C. N., to be passed assistant surgeon in Navy; nominated 195; confirmed 252.
—— to be assistant surgeon in Navy; nominated 466; confirmed 486.
Fiske, H. C., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Fite, W. C., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Fitzgerald, E. E., to be postmaster at Minden, La.; nominated 199.
Fitzgerald, Edward T., to be lieutenant in Navy; nominated 121; confirmed 137.
Fitzpatrick, J. J., to be ensign in Navy; nominated 197; confirmed 253.
Fitzpatrick, W. C., to be first lieutenant, Twenty-first United States Infantry; nominated 192; confirmed 436.
Flanagan, E. V., to be postmaster at Henderson, Tex.; nominated 202; confirmed 292.
Flanders, G. F., to be postmaster at Swainsboro, Ga.; nominated 198; confirmed 437.

Executive Nominations and Confirmations—Continued.

Fleming, D. L., to be chaplain, United States Army; nominated 194; confirmed 437.
Fletcher, H. P., to be United States second secretary of legation at Peking, China; nominated 183; confirmed 254.
Fletcher, W. B., to be lieutenant-commander in Navy; nominated 196; confirmed 252.
Flinn, William R., to be United States marshal for district of Delaware; nominated 124; confirmed 137.
Foley, D. P., to be captain in United States Revenue-Cutter Service; nominated 186; confirmed 291.
Folsom, L. H., to be postmaster at Greenville, Me.; nominated 199; confirmed 292.
Foltz, M. A., to be postmaster at Chambersburg, Pa.; nominated 23.
Fridwell, W. B., to be captain, Eleventh United States Infantry; nominated 191.
Font, A., to be postmaster at Aguadilla, P. R.; nominated 202; confirmed 292.
Foote, P. W., to be ensign in Navy; nominated 197; confirmed 253.
Forbes, T. F., to be brigadier-general, United States Army; nominated 187.
Ford, B. F., to be postmaster at Natchitoches, La.; nominated 199.
Forse, C. T., to be captain in Navy; nominated 466; confirmed 466.
Fortescue, G. R., to be first lieutenant, Tenth United States Cavalry; nominated 189.
Fortson, E. P., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Foster, C. L., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Foster, C. W., to be major, Artillery Corps, United States Army; nominated 190; confirmed 435.
Foster, H. S., to be lieutenant-colonel Twenty-seventh United States Infantry; nominated 190; confirmed 436.
Foster, J. G., to be United States consul-general at Ottawa, Canada; nominated 184; confirmed 290.
Foster, Milton H., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 140; confirmed 141.
Fountain, S. W., to be lieutenant-colonel, Thirteenth United States Cavalry; nominated 189.
Fowler, O. W., to be ensign in Navy; nominated 197; confirmed 253.
Frank, Charles S., to be first lieutenant, Twenty-second United States Infantry; nominated 192; confirmed 437.
Franklin, J. F., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Frazier, G., to be postmaster at Viola, Wis.; nominated 203; confirmed 292.
Freeman, G. F., to be passed assistant surgeon in Navy; nominated 195; confirmed 253.
Freeman, J., to be postmaster at Mumford, N. Y.; nominated 201; confirmed 360.
Fremont, F. P., to be major, Eighth United States Infantry; nominated 191; confirmed 436.
Fremont, J. C., to be ensign in Navy; nominated 197; confirmed 253.
French, J. W., to be captain, Twenty-fourth United States Infantry; nominated 191; confirmed 436.
Freyer, Eli T., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Fricks, L. D., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 359.
Fry, E. A., to be captain, Fourth United States Infantry; nominated 191.
Fuller, A. L., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Fuller, E. E., to be first lieutenant, Twelfth United States Infantry; nominated 192.
Fuller, J. B., to be pension agent at San Francisco, Cal.; nominated 423; confirmed 466.
Furbush, E. S., to be postmaster at Berlin, Md.; nominated 199; confirmed 466.
Furlong, Francis M., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Furse, J. H., to be ensign in Navy; nominated 197; confirmed 253.
Gaddis, O. D. M., to be postmaster at Kingman, Ariz.; nominated 23; confirmed 55.
Galbraith, J. G., to be major, First United States Cavalry; nominated 189; confirmed 435.
Galbraith, W. W., to be ensign in Navy; nominated 197; confirmed 253.
Gallagher, W. Y., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Garber, M. B., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Garcia, L., to be postmaster at Springer, Territory of New Mexico; nominated 196; confirmed 159.
Gardner, E. F., to be lieutenant-colonel and deputy surgeon-general, United States Army; nominated 188.
Garity, G., to be first lieutenant, Second United States Cavalry; nominated 189; confirmed 435.
Garner, L. J., to be postmaster at Cookeville, Tenn.; nominated 202; confirmed 438.
Garrard, J., to be lieutenant-colonel, First United States Cavalry; nominated 189; confirmed 435.
Garrett, J. W., to be United States secretary of legation to Netherlands and Luxemburg; nominated 183; confirmed 254.
Garrett, M. M., to be second lieutenant, Eleventh United States Infantry; nominated 193; confirmed 437.
Garton, Will M., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Gaston, J., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Gates, Manley F., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Gay, J. B., to be ensign in Navy; nominated 197; confirmed 253.
Gayle, E. E., to be major, Artillery Corps, United States Army; nominated 190.
Gaylord, F. E., to be postmaster at North Collins, N. Y.; nominated 201; confirmed 360.
Geary, J. T., to be captain, Artillery Corps, United States Army; nominated 190.
Geiger, A. J., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Gessner, G. A., to be postmaster at Fremont, Ohio; nominated 201; confirmed 360.

Executive Nominations and Confirmations—Continued.

Geyer, D. L., to be receiver of public moneys at Roswell, N. Mex.; nominated 22; confirmed 55.
Gibbs, G. S., to be captain, Signal Corps, United States Army; nominated 188; confirmed 435.
Gibson, A. L., to be postmaster at Gurley, Tex.; nominated 202; confirmed 292.
Giffen, R. R., to be postmaster at Fowler, Cal.; nominated 198; confirmed 291.
Gill, J. A., to be judge of United States court of northern district of Indian Territory; nominated 185; confirmed 466.
Gill, J. E., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Gillrup, W., to be postmaster at Northwood, Iowa; nominated 199; confirmed 292.
Gilmor, A., to be second lieutenant of infantry, United States Army; nominated 193, confirmed 437.
Gilpin, Charles E., to be lieutenant in Navy; nominated 121; confirmed 138.
Gish, J. W., to be postmaster at Waterville, Minn.; nominated 200; confirmed 467.
Glade, H., to be first lieutenant, Fifteenth United States Infantry; nominated 192.
Gleeson, M. C., to be chaplain in Navy; nominated 194; confirmed 251.
Glerum, W., to be postmaster at Zeeland, Mich.; nominated 200; confirmed 360.
Glidden, J. W., to be captain, Twenty-fifth United States Infantry; nominated 191.
Gohn, J. F., to be captain, Sixteenth United States Infantry; nominated 191; confirmed 436.
Goldsborough, McGill R., to be paymaster in Navy; nominated 123; confirmed 138.
Goodale, W. M., to be first lieutenant, Twenty-eighth United States Infantry; nominated 67; confirmed 78.
Goodfellow, J. C., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Goodhue, Edward E., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Goodrell, Mancil C., to be colonel, United States Marine Corps; nominated 122; confirmed 138.
Goodrich, C., to be ensign in Navy; nominated 197; confirmed 253.
Goodrich, P. M., to be first lieutenant, First United States Infantry; nominated 192.
Gorgas, W. C., to be colonel and assistant surgeon-general, United States Army; nominated 55.
Gottschalk, A. L. M., to be United States consul at Callao, Peru; nominated 184; confirmed 290.
Gow, H. P., to be postmaster at Greenfield, Iowa; nominated 199; confirmed 292.
Graham, A. M., to be second lieutenant of cavalry, United States Army; nominated 193; confirmed 437.
Graham, E. F., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Graham, J. M., to be captain, Twenty-seventh United States Infantry; nominated 486; confirmed 544.
Graham, P., to be postmaster at Scammon, Kans.; nominated 199; confirmed 544.
Graham, W. B., to be first lieutenant, Ninth United States Infantry; nominated 23; confirmed 78.
Grant, N. W., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Grant, U. S., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Gray, G., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Green, J. F., to be ensign in Navy; nominated 197; confirmed 253.
Greene, Edward A., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Greene, Frank, to be major, Signal Corps, United States Army; nominated 136; confirmed 186.
Greene, H. A., to be lieutenant-colonel, Thirtieth United States Infantry; nominated 190.
Greene, H. P., to be United States Civil Service Commissioner; nominated 184; confirmed 254.
Greer, Walter A., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Gregory, C. A., to be postmaster at Lovington, Ill.; nominated 198; confirmed 291.
Gregory, K. S., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Grey, B. E., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Gridley, John P. V., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Grier, H. S., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 437.
Grieve, C. C., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Grimes, G. M., to be captain, Seventeenth United States Infantry; nominated 191.
Grimes, G. S., to be colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Grimsley, A. P., to be postmaster at Cochran, Ga.; nominated 198; confirmed 291.
Groesbeck, S. W., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Grove, Washington B., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Grow, Eugene J., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
—— to be surgeon in Navy; nominated 195; confirmed 252.
Grunwell, Alfred G., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
—— to be surgeon in Navy; nominated 195; confirmed 252.
Gudger, Emmett C., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Guest, Middleton S., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Guggenheim, C. J. E., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.

Executive Nominations and Confirmations—Continued.

Guild, G. R., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Gunderson, B. M., to be postmaster at Aneta, N. Dak.; nominated 201; confirmed 360.
Gunner, E., to be second lieutenant, Nineteenth United States Infantry; nominated 193; confirmed 437.
Guthrie, Joseph A., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Gwyn, M. K., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; withdrawn 203.
Haas, Harold H., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Hagner, Ignatius T., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Haines, H. C., to be assistant adjutant and inspector in United States Marine Corps, with rank of major; nominated 194; confirmed 251.
Hains, P. C., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Halford, Frank, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Hall, B. C., to be postmaster at Union City, Conn.; nominated 198; confirmed 291.
Hall, C. B., to be colonel, Second United States Infantry; nominated 196.
Hall, C. G., to be captain, Thirteenth United States Cavalry; nominated 189.
Hall, Dickinson P., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Hall, E. F., to be paymaster in Navy; nominated 123; confirmed 138.
Hall, E. G., to be postmaster at David City, Nebr.; nominated 141; confirmed 141.
Hall, F. D., to be assistant naval constructor in Navy; nominated 194; confirmed 253.
Hamilton, A., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Hamilton, W. R., to be major, Artillery Corps, United States Army; nominated 190; confirmed 435.
Hamm, W. C., to be United States consul at Hull, England; nominated 154; confirmed 359.
Hammond, A. G., to be major, Third United States Cavalry; nominated 189; confirmed 435.
Hamner, E. C., to be ensign in Navy; nominated 197; confirmed 253.
Hampton, K. J., to be captain and quartermaster, United States Army; nominated 193; confirmed 437.
Hanaford, F. A., to be postmaster at South Lancaster, Mass.; nominated 200; confirmed 382.
Hand, R. C., to be first lieutenant, Twelfth United States Infantry; nominated 192.
Handbury, T. H., to be member of California Débris Commission; nominated 187; confirmed 254.
Hanna, M. E., to be captain, Third United States Cavalry; nominated 189; confirmed 435.
Hannay, J. R. R., to be captain, Seventeenth United States Infantry; nominated 191.
Hannigan, J. J., to be ensign in Navy; nominated 197; confirmed 253.
Harbert, D., to be postmaster at Commerce, Tex.; nominated 67, 202.
Hardin, C. B., to be major, Twenty-fifth United States Infantry; nominated 191.
Harding, Arthur E., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Harding, Leof M., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Harker, T. R., to be captain, First United States Infantry; nominated 191.
Harmon, C. E., to be postmaster at Grants Pass, Oreg.; nominated 201; confirmed 292.
Harper, R. B., to be captain, Third United States Cavalry; nominated 189; confirmed 435.
Harrell, W. F., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Harrington, Purnell F., to be rear-admiral in Navy; nominated 140; confirmed 141.
Harris, H. N. T., to be surgeon, with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Harris, H. T. B., to be Paymaster-General and Chief of Bureau of Supplies and Accounts in Navy Department with rank of rear-admiral; nominated 194; confirmed 253.
Harris, T. D., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Harris, T. S., to be postmaster at Livecoak, Fla.; nominated 23.
Harris, W. L., to be postmaster at Charleston, S. C.; nominated 23, 202; confirmed 467.
Harrison, C. F., to be postmaster at Sandersville, Ga.; nominated 250; confirmed 486.
Harrison, H., to be postmaster at Dillonvale, Ohio; nominated 201; confirmed 360.
Hart, Franklin W., to be paymaster in Navy; nominated 123; confirmed 138.
Hart, R. T., to be postmaster at Rayne, La.; nominated 23; confirmed 67.
Hart, T. C., to be lieutenant in Navy; nominated 196; confirmed 253.
Hart, W. H., to be major and commissary, United States Army; nominated 188; confirmed 434.
Harts, W. W., to be member of California Débris Commission; nominated 186; confirmed 254.
Harvey, P. F., to be colonel and assistant surgeon-general, United States Army; nominated 188; confirmed 434.
Harvey, W., to be first lieutenant, Twenty-sixth United States Infantry; nominated 192; confirmed 436.
Hasa, W. F., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Haskell, H. L., to be colonel Ninth United States Infantry; nominated 190; confirmed 435.
Haskin, W. L., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Hatch, H. J., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.

Executive Nominations and Confirmations—Continued.

Hatch, John F., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Hatfield, C. A. P., to be colonel of cavalry, United States Army; nominated 23; confirmed 78.
Hathaway, F. H., to be colonel and assistant quartermaster-general, United States Army; nominated 187; confirmed 434.
Hawkins, J. M., to be postmaster at Alamogordo, N. Mex.; nominated 201; confirmed 292.
Hawkins, W. J., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Hay, E. G., to be general appraiser of merchandise; nominated 185; confirmed 466.
Hayes, A. B., to be Solicitor of Internal Revenue; nominated 55; confirmed 166.
Hayes, Edgar, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Heap, D. P., to be colonel, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Hearn, L. J., to be major, Twenty-fifth United States Infantry; nominated 191.
Hearn, R. H., to be first lieutenant, Ninth United States Infantry; nominated 192.
Heath, F., to be lieutenant-colonel, Ordnance Department, United States Army; nominated 188.
Hebert, C. S., to be United States assistant treasurer at New Orleans, La.; nominated 186; confirmed 466.
Heffron, F. A., to be postmaster at Deep River, Conn.; nominated 198; confirmed 291.
Hein, O. L., to be lieutenant-colonel Tenth United States Cavalry; nominated 189; confirmed 435.
Heiser, V. G., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 359.
Heister, J. B., to be postmaster at New Kensington, Pa.; nominated 202; confirmed 360.
Henderson, A. M., to be postmaster at Story City, Iowa; nominated 489; confirmed 509.
Henderson, V. W., to be postmaster at Oxford, Ga.; nominated 433; confirmed 466.
Hepburn, A. J., to be lieutenant in Navy; nominated 196; confirmed 253.
Herbert, Hilary A., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Herbst, G. A., to be first lieutenant, Eighth United States Infantry; nominated 192.
Hester, Frederick A., to be surgeon with the rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Heysinger, J. D., to be first lieutenant and assistant surgeon, United States Army; nominated 194; confirmed 437.
Hibbard, G. A., to be postmaster at Boston, Mass.; nominated 433; confirmed 438.
Hickenlooper, N. O., to be postmaster at Blockton, Iowa; nominated 199; confirmed 292.
Hickman, R. T., to be postmaster at Lynnville, Tenn.; nominated 202; confirmed 438.
Higgins, E., to be United States consul at Berne, Switzerland; nominated 184; confirmed 291.
Higgins, John S., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Hileman, J. L., to be ensign in Navy; nominated 197; confirmed 253.
Hill, G. W., to be postmaster at Douglass, Kans.; nominated 199; confirmed 292.
Hills, E. R., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Hinkle, F. M., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Hixson, A. G., to be second lieutenant of cavalry, United States Army; nominated 193; withdrawn 250.
—— to be second lieutenant, Seventh United States Infantry; nominated 193; confirmed 437.
Hobbs, F. E., to be major, Ordnance Department, United States Army; nominated 188.
Hobby, W. C., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 359.
Hodge, W. B., to be receiver of public moneys at Guthrie, Okla; nominated 185; confirmed 434.
Hodges, Campbell B., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Hodges, Carroll B., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Hodges, Charles L., to be lieutenant-colonel First United States Infantry; nominated 190.
Hoen, W. S., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Hoffman, C. S., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Hofmann, A. A., to be second lieutenant, Twenty-second United States Infantry; nominated 193; confirmed 437.
Holcomb, H. C., to be postmaster at Portville, N. Y.; nominated 201; confirmed 360.
Holcomb, Richmond C., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Holcomb, Thomas, to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Holden, J. F., to be postmaster at Forestville, Conn.; nominated 486; confirmed 509.
Holland, C. D., to be postmaster at Gastonia, N. C.; nominated 201; confirmed 467.
Holloway, W. R., to be United States consul-general at Halifax, Nova Scotia; nominated 184; confirmed 466.
Holmes, C. A., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Holmes, Frank H., to be commander in Navy; nominated 140; confirmed 141.
Holt, Felix R., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Hoogeworff, John A., to be lieutenant-commander in Navy; nominated 121; confirmed 137.
Hook, A. J., to be postmaster at Warner, N. H.; nominated 201; confirmed 292.
Hook, W. C., to be United States circuit judge for eighth judicial circuit; nominated 185; confirmed 290.

Executive Nominations and Confirmations—Continued.

Hoopes, Edward T., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Hopkins, E. J. M., to be postmaster at Rockdale, Tex.; nominated 67, 202; confirmed 544.
Hopkins, William, to be captain, United States Marine Corps; nominated 122; confirmed 139.
Hopkins, William, to be postmaster at Au Sable Forks, N. Y.; nominated 201; confirmed 360.
Hopley, John E., to be United States consul at Montevideo, Uruguay; nominated 140; confirmed 141.
Hoppin, C. B., to be major, Fifteenth United States Cavalry; nominated 188; confirmed 435.
Hornberger, J. R., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Horner, F. A., to be postmaster at Belmont, N. Y.; nominated 201; confirmed 360.
Houston, V. S., to be lieutenant in Navy; nominated 197; confirmed 253.
Howey, H. W., to be major, Twenty-first United States Infantry; nominated 191.
Howard, C. E. N., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Howard, Herbert M., to be postmaster at Randolph, Mass.; nominated 200; confirmed 292.
Howard, Hugh M., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Howard, S. A., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Howard, W. A., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Howard, W. L., to be lieutenant-commander in Navy; nominated 197; confirmed 253.
Howe, A. C., to be ensign in Navy; nominated 197; confirmed 253.
Howe, C., to be United States consul-general at Antwerp, Belgium; nominated 154; confirmed 359.
Howell, J. F., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Howell, S., to be major and paymaster, United States Army; nominated 188; confirmed 434.
Howze, M. W., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Hoyle, E. D., to be major, Artillery Corps, United States Army; nominated 190.
Hubbell, H. W., to be colonel, Artillery Corps, United States Army; nominated 189.
Huey, J. McE., to be captain in United States Marine Corps; nominated 194; confirmed 251.
Huffman, C. H., to be postmaster at Richwood, Ohio; nominated 201; confirmed 360.
Huffman, T. P., to be postmaster at Keyser, W. Va.; nominated 202; confirmed 509.
Huggins, J. B., to be first lieutenant and assistant surgeon, United States Army; nominated 194; confirmed 437.
Hughes, John A., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Hughes, M. B., to be colonel First United States Cavalry; nominated 188; confirmed 435.
Hull, J. A., to be lieutenant-colonel and judge-advocate, United States Army; nominated 187; confirmed 434.
Humphrey, Charles F., to be brigadier-general and assistant quartermaster-general, United States Army; nominated 186; confirmed 186.
Humphreys, C., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Hunt, E., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Hunter, T. M., to be first lieutenant, Third United States Infantry; nominated 192.
Hunter, W., to be postmaster at Copac, Mich.; nominated 200; confirmed 360.
Huntington, Elon O., to be surgeon in the Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in the Navy; nominated 196.
Huntington, H., to be assistant appraiser of merchandise in district of New York; nominated 185; confirmed 466.
Hurly, T. B., to be postmaster at Bowbells, N. Dak.; nominated 201.
Huston, J. F., to be colonel Twenty-fourth United States Infantry; nominated 190.
Hutchins, C. T., to be ensign in Navy; nominated 197; confirmed 253.
Hutchins, Hamilton, to be commander in Navy; nominated 140; confirmed 141.
Hyde, J. McE., to be lieutenant-colonel and deputy quartermaster-general, United States Army; nominated 188; confirmed 434.
Ingalls, F. S., to be surveyor-general of Arizona; nominated 185; confirmed 434.
Ingersoll, Royal R., to be captain in Navy; nominated 140; confirmed 141.
Insley, Hugh R., to be paymaster in Navy; nominated 123; confirmed 138.
Irby, J. F., to be postmaster at Ritzville, Wash.; nominated 24; confirmed 139.
Ireland, M. W., to be major and surgeon, United States Army; nominated 188; confirmed 434.
Jackson, J. B., to be United States envoy extraordinary and minister plenipotentiary to Greece, Roumania, and Servia, and diplomatic agent in Bulgaria; nominated 183; confirmed 258.
Jackson, J. P., to be ensign in Navy; nominated 197; confirmed 253.
Jackson, Victor S., to be paymaster in Navy; nominated 123; confirmed 138.
Jacobs, J. W., to be colonel and assistant quartermaster-general, United States Army; nominated 187; confirmed 434.
James, L. R., to be second lieutenant, Eighth United States Infantry; nominated 193; confirmed 437.
James, W. H. W., to be colonel Twenty-fifth United States Infantry; nominated 190.
Jay, P. A., to be United States secretary of legation at Constantinople, Turkey; nominated 183; confirmed 254.
Jenkins, J. L., to be lieutenant-commander in Navy; nominated 197; confirmed 253.
Jeffers, S. L., to be first lieutenant, Seventh United States Cavalry; nominated 189; confirmed 435.
Jefferson, Thomas, to be postmaster at Smyrna, Del.; nominated 136; confirmed 139.

Executive Nominations and Confirmations—Continued.

Jenkins, L. P., to be assayer in charge of United States assay office at Deadwood, S. Dak.; nominated 77; confirmed 137.
Jenks, J. E., to be postmaster at Souris, N. Dak.; nominated 201; confirmed 360.
Jessop, Earl P., to be lieutenant in Navy; nominated 141; confirmed 141.
Jennet, E. A., to be first lieutenant, Fourteenth United States Infantry; nominated 23; confirmed 78.
Jewell, M. H., to be register of land office at Bismarck, N. Dak.; nominated 185; confirmed 222.
Johnson, E. F., to be United States associate justice of supreme court of Philippine Islands; nominated 185; confirmed 250.
Johnson, F. H., to be postmaster at Farmer, N. Y.; nominated 201; confirmed 360.
Johnson, F. O., to be major, Fifth United States Cavalry; nominated 189.
Johnson, F. W., to be postmaster at Larned, Kans.; nominated 199; confirmed 292.
Johnson, H. A., to be United States consul at Valencia, Spain; nominated 184; confirmed 359.
Johnson, H. S., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Johnson, J. E., to be postmaster at Canton, N. Y.; nominated 201; confirmed 360.
Johnson, Moulton K., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Johnston, E. N., to be first lieutenant, United States Corps of Engineers; nominated 23; confirmed 78.
Johnston, M., to be lieutenant-commander in Navy; nominated 196; confirmed 252.
Johnston, R. P., to be captain, United States Corps of Engineers; nominated 23; confirmed 78.
Jolls, J. W., to be postmaster at Middletown, Del.; nominated 88; confirmed 106.
Jolly, Wade L., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Jones, A. M., to be postmaster at Summit, N. J.; nominated 67; confirmed 88.
Jones, C., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Jones, J. D., to be register of land office at Cass Lake, Minn.; nominated 185; confirmed 434.
Jones, J. S., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Jones, M. D., to be postmaster at Lawrenceville, Va.; nominated 24; confirmed 107.
Jones, N. L., to be lieutenant in Navy; nominated 196; confirmed 252.
Jones, P. L., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Jones, S. R., to be lieutenant-colonel and Deputy Quartermaster-General, United States Army; nominated 188.
Jones, W. A., to be colonel, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Joyce, M., to be ensign in Navy; nominated 197; confirmed 253.
Judd, S., to be postmaster at St. George, Utah; nominated 202; confirmed 292.
Junemann, G. F., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Kaenmerling, Gustav, to be lieutenant-commander in Navy; nominated 121; confirmed 137.
Kalde, F. H., to be first lieutenant, Fifteenth United States Infantry; nominated 192.
Kane, Theodore P., to be major, United States Marine Corps; nominated 122; confirmed 138.
Kearney, Thomas A., to be lieutenant in Navy; nominated 121; confirmed 138.
Kearny, G. H., to be captain in Navy; nominated 106; confirmed 124.
Keat, E., to be postmaster at Pen Argyl, Pa.; nominated 202; confirmed 360.
Keene, F. B., to be United States consul at Florence, Italy; nominated 184; confirmed 466.
Keep, C. H., to be Assistant Secretary of United States Treasury; nominated 186; confirmed 466.
Keller, D. J., to be postmaster at National Military Home, Kans.; nominated 23; confirmed 67.
Kellond, F. G., to be first lieutenant, Nineteenth United States Infantry; nominated 191; confirmed 436.
Kelly, J. N., to be receiver of public moneys at Bozeman, Mont.; nominated 195; confirmed 106.
Kennard, Perry G., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
—— to be paymaster in Navy; nominated 196; confirmed 252.
Kennedy, D., to be captain in Navy; nominated 196; confirmed 252.
Kennedy, J. T., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon in Navy; nominated 122; confirmed 137.
Kennedy, Robert M., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Kensel, F., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Ker, L. J., to be second assistant engineer in United States Revenue-Cutter Service; nominated 186; confirmed 250.
Kerr, David B., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Kerr, J. B., to be colonel Twelfth United States Cavalry; nominated 188; confirmed 435.
Ketcham, E., to be postmaster at Narbeth, Pa.; nominated 202; confirmed 360.
Key, A. L., to be lieutenant-commander in Navy; nominated 433.
Keyes, R. S., to be ensign in Navy; nominated 197; confirmed 253.
Kiggins, F. M., to be chief examiner of United States Civil Service Commission; nominated 184; confirmed 250.
Kilbourne, H. S., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Kilgore, F. D., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Kimball, I. G., to be judge of police court of District of Columbia; nominated 486.
Kincade, G. M., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251.

Executive Nominations and Confirmations—Continued.

Kindleberger, Charles P., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
King, A. H., to be assistant paymaster in Navy; nominated 196; confirmed 252.
King, C., to be captain, Seventh United States Infantry; nominated 191.
King, D. M., to be captain, Ordnance Department, United States Army; nominated 188; confirmed 435.
King, E. J., to be ensign in Navy; nominated 197; confirmed 253.
King, H., to be United States envoy extraordinary and minister plenipotentiary to Siam; nominated 183; confirmed 253.
King, H. L., to be second lieutenant, First United States Infantry; nominated 193; confirmed 437.
Kinzie, D. H., to be brigadier-general, United States Army; nominated 187.
Kipp, Howard H., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Kite, Isaac W., to be surgeon, with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Kittinger, T. A., to be ensign in Navy; nominated 197; confirmed 253.
Kitts, W. P., to be first lieutenant, Twenty-second United States Infantry; nominated 191; confirmed 436.
Knapp, A. M., to be assistant appraiser of merchandise in district of New York, N. Y.; nominated 78; confirmed 137.
Knittle, F. S., to be postmaster at Douglas, Wyo.; nominated 200; confirmed 467.
Knox, Dudley W., to be lieutenant in Navy; nominated 121; confirmed 138.
Knox, T. T., to be colonel and inspector-general, United States Army; nominated 187; confirmed 454.
Kohlhoss, O., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Kress, J. A., to be colonel, Ordnance Department, United States Army; nominated 188; confirmed 435.
—— to be brigadier-general, United States Army; nominated 187.
Kurtz, T. R., to be ensign in Navy; nominated 197; confirmed 253.
Kutz, J. F., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Kyle, W. M., to be postmaster at Troy, Ohio; nominated 201; confirmed 360.
Ladue, W. B., to be captain, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Lambert, D. A., to be postmaster at Muncie, Ind.; nominated 23; confirmed 55.
Lamberton, B. P., to be rear-admiral in Navy; nominated 197; confirmed 253.
Lamson, T., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Landenberger, G. B., to be ensign in Navy; nominated 486; confirmed 500.
Landers, H. L., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Landers, J. B., to be postmaster at Jamestown, R. I.; nominated, 202; confirmed 292.
Lane, C. J., to be postmaster at McAlester, Ind. T.; nominated 199; confirmed 291.
Lane, C. R., to be postmaster at Forsyth, Mont.; nominated 200; confirmed 292.
Lane, R. H., to be assistant adjutant and inspector in United States Marine Corps with rank of major; nominated 194; confirmed 251.
Langdon, J. G., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Langfitt, W. C., to be major, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Langhorne, Cary D., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Lanza, C. H., to be captain, Artillery Corps, United States Army; nominated 190.
Lanza, M., to be second lieutenant of infantry, United States Army; nominated 403; confirmed 544.
Lassiter, L. H., to be postmaster at Athens, Tenn., nominated 202; confirmed 438.
Lauber, P. J., to be first lieutenant, First United States Infantry; nominated 192.
Leutheimer, Charles H., to be lieutenant-colonel and assistant adjutant and inspector, United States Marine Corps; nominated 122; confirmed 138.
Lawson, E. P., to be second lieutenant of cavalry, United States Army, nominated 192; confirmed 436.
Lawrance, J. P. S., to be commander in Navy; nominated 197; confirmed 253.
Lawrence, C. G., to be first lieutenant, Twenty-first United States Infantry; nominated 191; confirmed 436.
Leathart, C., to be postmaster at Fairmount, N. Dak.; nominated 201; confirmed 360.
Ledoux, U. J., to be United States consul at Prague, Austria; nominated 184; confirmed 291.
Lee, G. M., to be first lieutenant, Fourth United States Cavalry; nominated 189; confirmed 435.
Lewis, C. T., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Lefort, A., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Leiferring, F. S., to be first lieutenant, Sixteenth United States Infantry; nominated 191; confirmed 436.
Lejeune, John A., to be major, United States Marine Corps; nominated 122; confirmed 138.
Lemly, F. H., to be passed assistant paymaster in Navy; nominated 196; confirmed 252.
Lemoir, B. O., to be captain, Signal Corps, United States Army; nominated 188; confirmed 435.
Leonard, J. C., to be lieutenant-commander in Navy; nominated 197; confirmed 253.
Leonhauser, H. A., to be major, Twenty-first United States Infantry; nominated 191.
Leonori, C. U., to be first lieutenant, Fourth United States Infantry; nominated 192; confirmed 436.
Le Roy, J. A., to be United States consul at Durango, Mexico; nominated 184; confirmed 466.

Executive Nominations and Confirmations—Continued.

Leutze, Trevor W., to be paymaster in Navy; nominated 123; confirmed 138.
Levis, G. C., to be first lieutenant, Eighth United States Infantry; nominated 192.
Leys, James F., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Lighthizer, F. M., to be postmaster at Harrington, Wash.; nominated 434; confirmed 467.
Lincoln, F. H., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Lincoln, Gatewood S., to be lieutenant in Navy; nominated 121; confirmed 137.
Lindsay, D. A., to be first lieutenant, First United States Infantry; nominated 192.
Lippitt, T. M., to be assistant surgeon in Navy; nominated 466; confirmed 486.
Lippitt, W. F., to be major and surgeon, United States Army; nominated 188; confirmed 434.
Little, D. M., to be collector of customs for district of Salem and Beverly, Mass.; nominated 186; confirmed 260.
Little, Louis M., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Littlefield, William W., to be lieutenant in Navy; nominated 141; confirmed 141.
Littleton, T. J., to be postmaster at Estill Springs, Tenn.; nominated 202; confirmed 438.
Littrell, C. F., to be postmaster at Austin, Nev.; nominated 136; confirmed 139.
Liverman, G. L., to be postmaster at Bainbridge, Ga.; nominated 198; confirmed 437.
Lloyd, C. R., to be captain, Artillery Corps, United States Army; nominated 190.
Lockwood, B. C., to be colonel, Nineteenth United States Infantry; nominated 190.
Lomax, F. H., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Lomis, L., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Long, B. A., to be ensign in Navy; nominated 197; confirmed 253.
Long, E., to be postmaster at Rolla, Mo.; nominated 67; confirmed 88.
Long, E. C., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Long, J. E., to be postmaster at Bangor, Pa.; nominated 202; confirmed 360.
Long, J. V., to be United States consul at Patras, Greece; nominated 184; confirmed 359.
Lorillard, G. L., to be United States second secretary of legation at Habana, Cuba; nominated 184; confirmed 254.
Loughborough, R. H. R., to be lieutenant-colonel Eighth United States Infantry; nominated 190.
Loving, R. C., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Low, William W., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Lowndes, Charles H. T., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Lucas, Lewis C., to be major, United States Marine Corps; nominated 122; confirmed 138.
Luce, S. C., to be postmaster at Vineyard Haven, Mass.; nominated 200; confirmed 262.
Luchsinger, J. J., to be postmaster at Vallejo, Cal.; nominated 141; confirmed 141.
Luckenbach, E. F., to be postmaster at Mauch Chunk, Pa.; nominated 23; confirmed 67.
Ludlow, H. H., to be major, Artillery Corps, United States Army; nominated 189; confirmed 435.
Lumsden, L. L., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 140, 186; confirmed 359.
Lung, George A., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Lyles, D. C., to be first lieutenant, Second United States Infantry; nominated 23; confirmed 78.
Lyman, C. G., to be postmaster at Franklin, La.; nominated 199.
Lyman, Charles H., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Lynch, G. A., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Lynn, C., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 437.
Lyon, A. M., to be postmaster at Struthers, Ohio; nominated 201; confirmed 360.
Lyon, E., to be United States minister resident and consul-general at Monrovia, Liberia; nominated 165; confirmed 166.
Lyon, R. M., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
McAllister, Arthur, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
McAllister, T. V., to be receiver of public moneys at Jackson, Miss.; nominated 185.
McAlpine, Kenneth, to be lieutenant-commander in Navy; nominated 121; confirmed 137.
MacArthur, Arthur, jr., to be lieutenant in Navy; nominated 121; confirmed 138.
MacArthur, D., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
McBlain, R. H., to be postmaster at Fort Riley, Kans.; nominated 199; confirmed 262.
McCalla, B. H., to be rear-admiral in Navy; nominated 197; confirmed 253.
McCammon, E. E., to be second lieutenant, Tenth United States Infantry; nominated 193; confirmed 437.
McCauley, C., to be first lieutenant in United States Marine Corps; nominated 194; confirmed 251.
McCauley, E., jr., to be lieutenant in Navy; nominated 106; confirmed 124.
McClaskey, John W., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
McClellan, B. F., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.

Executive Nominations and Confirmations—Continued.

McClellan, J., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189.
McClelland, C. P., to be general appraiser of merchandise; nominated 185; confirmed 544.
McCommon, F., to be ensign in Navy; nominated 197; confirmed 253.
McConnell, F. C., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251.
McCormick, Albert M. D., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
McCormick, L. S., to be major, Seventh United States Cavalry; nominated 189; confirmed 435.
McCormick, Provence, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
McCoy, F. B., to be major, Seventeenth United States Infantry; nominated 191.
McCoy, F. R., to be captain, Third United States Cavalry; nominated 189.
McCrary, F. R., to be ensign in Navy; nominated 197; confirmed 253.
McCreary, Wirt, to be captain, United States Marine Corps; nominated 122; confirmed 139.
McCullough, Frank E., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
McCune, F. C., to be second lieutenant, Twentieth United States Infantry; nominated 193; confirmed 437.
McDonald, P. H., to be second lieutenant, Twenty-eighth United States Infantry; nominated 193; confirmed 437.
McDougall, C. A., to be postmaster at Friend, Nebr.; nominated 67; confirmed 88.
McElgin, H. J. B., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
McEwan, George K., to be postmaster at Park River, N. Dak.; nominated 198; confirmed 438.
McGunnegle, G. K., to be lieutenant-colonel Tenth United States Infantry; nominated 190; confirmed 436.
McKee, G. H., to be postmaster at Darlington, S. C.; nominated 23; confirmed 88.
McKeon, J. T., to be chaplain, United States Army; nominated 67.
Macklin, J. E., to be lieutenant-colonel Third United States Infantry; nominated 190; confirmed 436.
McLean, A. D., to be assistant surgeon in Navy; nominated 195; confirmed 252.
McLean, T. C., to be captain in Navy; nominated 197; confirmed 253.
McLernon, E., to be postmaster at Sidney, Nebr.; nominated 200; confirmed 500.
McMillan, E. A., to be assistant paymaster in Navy; nominated 88; confirmed 88.
McNeil, W. A., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
McPherson, S. T., to be United States attorney for southern district of Ohio; nominated 185; confirmed 291.
McReynolds, J. C., to be United States Assistant Attorney-General; nominated 185; confirmed 260.
McRitchie, D. G., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Madden, Gustavus R., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Madison, I. M., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Magill, L. J., to be assistant adjutant and inspector in United States Marine Corps with rank of major; nominated 194; confirmed 251.
Mahony, D. S., to be lieutenant in Navy; nominated 106; confirmed 252.
Mahoney, James E., to be major, United States Marine Corps; nominated 122; confirmed 138.
Malin, W. G., to be Indian agent at Sac and Fox Agency, Iowa; nominated 78; confirmed 88.
Manchester, J. E., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Manley, R. S., to be ensign in Navy; nominated 197; confirmed 253.
Mann, C. E., to be postmaster at Pembroke, Ky.; nominated 486; confirmed 500.
Manning, H. M., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 360.
Mansfield, F. W., to be colonel Seventh United States Infantry; nominated 190.
Mansfield, J. J., to be postmaster at Hurley, S. Dak.; nominated 202; confirmed 292.
Manwaring, Edward B., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Marix, Adolph, to be captain in Navy; nominated 140; confirmed 141.
Mars, J. A., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Marsh, F., to be major, Artillery Corps, United States Army; nominated 190.
Marsh, J. J., to be postmaster at Decorah, Iowa; nominated 199; confirmed 262.
Marshall, Albert W., to be lieutenant in Navy; nominated 121; confirmed 138.
Marshall, G. E., to be collector of customs for district of York, Me.; nominated 22; confirmed 55.
Martin, G. C., to be captain, Twenty-third United States Infantry; nominated 191.
Martin, J. H., to be postmaster at Clearfield, Pa.; nominated 23.
Martinez, J. T., to be postmaster at Pagosa Springs, Colo.; nominated 23; confirmed 67.
Masteron, W. W., to be United States consul at Aden, Arabia; nominated 77; confirmed 88.
Matile, L. A., to be brigadier-general, United States Army; nominated 187.
Matthews, Clarence H., to be lieutenant-commander in Navy; nominated 121; confirmed 137.
Matthews, H. L., to be assistant quartermaster in United States Marine Corps, with rank of captain; nominated 194; confirmed 251.
Matson, J., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Maupin, J., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Maxey, R. J., to be captain, Nineteenth United States Infantry; nominated 66; confirmed 78.
Maxwell, J. A., to be postmaster at Lake Village, Ark.; nominated 198; confirmed 291.
May, W. T., to be major, Twenty-eighth United States Infantry; nominated 191.

Executive Nominations and Confirmations—Continued.

Maybee, J. I., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Maynard, E. L., to be postmaster at Sheboygan, Wis.; nominated 203; confirmed 292.
Mayo, C. G., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Mayo, H. W., to be United States marshal for district of Maine; nominated 185; confirmed 291.
Meade, J. J., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Means, Victor C. B., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Meggett, A., to be receiver of public moneys at Eau Claire, Wis.; nominated 88; confirmed 137.
Meigs, J. R., to be postmaster at Madison, Conn.; nominated 198; confirmed 291.
Mel, Henry de F., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Merriam, H. M., to be captain, Artillery Corps, United States Army; nominated 190.
Merriam, S. A., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Merrill, A. S., to be colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Merritt, L. M., to be postmaster at Roff, Ind. T.; nominated 433; confirmed 466.
Merritt, William A., to be paymaster in Navy; nominated 123; confirmed 138.
Metcalf, S. W., to be postmaster at Sisson, Cal.; nominated 198; confirmed 291.
Michael, C. E., to be postmaster at Nazareth, Pa.; nominated 133; confirmed 139.
Middendorf, H. F., to be postmaster at Chester, Ill.; nominated 198; confirmed 291.
Mikell, A. B., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Miller, E. B., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Miller, E. W., to be first lieutenant and assistant surgeon, United States Army; nominated 194; confirmed 437.
Miller, G. W., to be postmaster at Hotchkiss, Colo.; nominated 198; confirmed 360.
Miller, H. C., to be postmaster at St. Peter, Minn.; nominated 200; confirmed 438.
Miller, J., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Miller, J., to be brigadier-general, United States Army; nominated 187.
Miller, J. W., to be postmaster at Alexandria, La.; nominated 199.
Miller, W. H., to be lieutenant-colonel and Deputy Quartermaster-General, United States Army; nominated 188.
Mills, F. W., to be first lieutenant, Twentieth United States Infantry; nominated 66; confirmed 78.
Mills, M. M., to be captain, Artillery Corps, United States Army; nominated 190.
Mills, S. C., to be colonel and inspector-general, United States Army; nominated 187; confirmed 434.
Milton, A. M., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Miner, C. W., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Minster, E. W., to be postmaster at Bristol, Pa.; nominated 202; confirmed 360.
Mitchell, G. E., to be captain, Thirteenth United States Cavalry; nominated 189; confirmed 435.
Mitchell, H. D., to be first lieutenant, Eleventh United States Infantry; nominated 192; confirmed 436.
Mitchell, R. B., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Mitchell, W., to be captain, Signal Corps, United States Army; nominated 188; confirmed 435.
Mitchell, W. G., to be postmaster at Minto, N. Dak.; nominated 201; confirmed 360.
Monell, Theodore, to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Monroe, F. E., to be postmaster at Milo, Me.; nominated 199; confirmed 292.
Montgomery, Benjamin F., to be major, United States Signal Corps, and chief of telegraph and cipher bureau of Executive Office; nominated 186; confirmed 136.
Montgomery, J. C., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Moore, C. B., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 437.
Moore, E. K., to be captain in Navy; nominated 197; confirmed 253.
Moore, John M., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Moore, R. C., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Moore, William S., to be captain in Navy; nominated 140; confirmed 141.
Morgan, A. I., to be postmaster at Bartlesville, Ind. T.; nominated 199; confirmed 291.
Morgan Daniel H., to be surgeonin Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Morgan, G., to be first lieutenant, Second United States Infantry; nominated 192.
Morgan, G. H., to be major, Ninth United States Cavalry; nominated 189; confirmed 435.
Moritz, A., to be lieutenant-commander in Navy; nominated 433.
Morrell, F., to be postmaster at Pawnee, Ill., nominated 198; confirmed 291.
Morris, Charles, to be paymaster in Navy; nominated 123; confirmed 138.
Morris, Lewis, to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Morris, P., to be United States judge for district of Minnesota; nominated 12; confirmed 24.

Executive Nominations and Confirmations—Continued.

Morrison, F. W., to be postmaster at Berwyn, Ill.; nominated 198; confirmed 291.
Morrison, G. L., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Morten, E. W., to be postmaster at Farmersville, Tex.; nominated 67; confirmed 107.
Moser, J. F., to be captain in Navy; nominated 196; confirmed 252.
Motlow, W. G., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Mudge, H. M., to be postmaster at Bedford, Mass.; nominated 200; confirmed 292.
Muench, H., to be United States consul at Plauen, Germany; nominated 100; confirmed 136.
Mulss, M. A., to be postmaster at Akron, Iowa; nominated 199; confirmed 292.
Mullin, G. S., to be postmaster at Hyndman, Pa.; nominated 202; confirmed 360.
Munro, F. N., to be captain, Third United States Cavalry; nominated 189; confirmed 435.
Murdoch, H. F., to be postmaster at Klamath Falls, Oreg.; nominated 201; confirmed 292.
Murphey, R. H., to be postmaster at Urbana, Ohio; nominated 67; confirmed 88.
Murphy, A. C., to be chaplain, United States Army; nominated 194; confirmed 437.
Murphy, C. E., to be postmaster at Way Cross, Ga.; nominated 198; confirmed 291.
Murphy, G. M. P., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Murphy, J. A., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon in Navy; nominated 122; confirmed 137.
Murphy, J. P., to be postmaster at Bamberg, S. C.; nominated 23; confirmed 88.
Murphy, P. A., to be captain, First United States Cavalry; nominated 189; confirmed 435.
Murray, William W., to be associate justice of Court of Private Land Claims; nominated 121; confirmed 124.
Musson, R. L., to be postmaster at Elk City, Kans.; nominated 199; confirmed 438.
Mustin, H. C. to be lieutenant in Navy; nominated 196; confirmed 252.
Mygatt, L. J., to be first lieutenant, Nineteenth United States Infantry; nominated 192.
Myhan, G. H., to be postmaster at South Haven, Mich.; nominated 509; confirmed 509.
Myrick, J. R., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Nalle, J. B., to be second lieutenant, Sixteenth United States Infantry; nominated 193; confirmed 437.
Narum, P. S., to be postmaster at Waukon, Iowa; nominated 199; confirmed 292.
Nayler, W. K., to be captain, Fifteenth United States Infantry; nominated 191.
Neal, G. F., to be ensign in Navy; nominated 197; confirmed 253.
Neal, J., to be postmaster at Van Buren, Ark.; nominated 198; confirmed 359.
Needham, E., to be postmaster at Hugo, Ind. T.; nominated 199; confirmed 291.
Neely, W. S., first lieutenant, Fifth United States Infantry; nominated 192.
Nelson, G. E., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
—— to be second lieutenant of cavalry, United States Army; nominated 194; confirmed 437.
Nesbit, Donald W., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Newel, S., to be United States envoy extraordinary and minister plenipotentiary to the Netherlands and Luxemburg; nominated 183; confirmed 253.
Newton, J., to be major, Sixteenth United States Infantry; nominated 193; confirmed 436.
Nichols, O. C., to be first lieutenant, Seventeenth United States Infantry; nominated 192; confirmed 436.
Nichols, W. M., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Nicholson, J. S., to be postmaster at Beardstown, Ill.; nominated 198; confirmed 291.
Nicholson, Bishworth, to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Nickerbocker, L. B., to be postmaster at Bradley, Ill.; nominated 23; confirmed 67.
Nickerson, B. P., to be captain, Twenty-second United States Infantry; nominated 191; confirmed 436.
Nields, J. P., to be United States attorney for district of Delaware; nominated 185; confirmed 291.
Niesz, B. F., to be postmaster at Steamboat Springs, Colo.; nominated 198; confirmed 360.
Nightingale, G. P., to be ensign in Navy; nominated 197; confirmed 253.
Noa, Walter F., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Norris, W., to be ensign in Navy; nominated 197; confirmed 253.
North, S. N. D., to be Director of Census, in Department of Commerce and Labor; nominated 185; confirmed 254.
Norton, E. M., to be first lieutenant, Fourteenth United States Infantry; nominated 192.
Norton, Oliver D., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Novak, M., to be first lieutenant, Fourteenth United States Infantry; nominated 191; confirmed 436.
Noyes, C. R., to be major, Twenty-third United States Infantry; nominated 191.
Nutter, E. P., to be United States marshal for district of New Hampshire; nominated 433; confirmed 434.
Oakley, E. S., to be receiver of public moneys at Cass Lake, Minn.; nominated 185; confirmed 434.
Oakley, O. H., to be ensign in Navy; nominated 197; confirmed 253.
Obermiller, F. W., to be postmaster at Mount Pulaski, Ill.; nominated 199; confirmed 291.
O'Connell, J. J., to be colonel, Thirtieth United States Infantry; nominated 190; confirmed 435.

Executive Nominations and Confirmations—Continued.

Odell, H. E., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon with rank of lieutenant in Navy; nominated 122; confirmed 137.
O'Hara, J., to be colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Ohnesorg, K., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon in Navy; nominated 122; confirmed 137.
O'Leary, Arthur J., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
O'Leary, Charles R., to be paymaster in Navy; nominated 123; confirmed 138.
Oliver, F. L., to be ensign in Navy; nominated 197; confirmed 253.
Oliver, R., to be postmaster at Paonia, Colo.; nominated 198; confirmed 360.
Oliver, R. S., to be Assistant Secretary of War; nominated 186; confirmed 250.
Oliver, R. A., to be assistant appraiser of merchandise in district of New Orleans; nominated 185; confirmed 498.
Olson, C. K., to be postmaster at Newman Grove, Nebr.; nominated 23; confirmed 55.
Orr, C. A., to be United States consul at Barranquilla, Colombia; nominated 184; confirmed 496.
Orr, J. F., to be postmaster at Xenia, Ohio; nominated 201; confirmed 360.
Orr, Robert H., to be paymaster in Navy; nominated 123; confirmed 138.
Orvis, Ralph T., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
—— to be surgeon in Navy; nominated 136; confirmed 137.
Osborne, Frank L., to be associate justice of Court of Private Land Claims; nominated 120; confirmed 124.
Osler, R. P., to be postmaster at Clarion, Iowa; nominated 199; confirmed 292.
Oury, W. H., to be captain, Twenty-fourth United States Infantry; nominated 191.
Owenshine, E. G., to be captain, Twenty-eighth United States Infantry; nominated 191; confirmed 436.
Owen, C. S., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Owen, Thalia L., to be postmaster at Genesee, Idaho; nominated 136; confirmed 139.
Owens, A. B., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Paddock, G. H., to be lieutenant-colonel, Fourth United States Cavalry; nominated 189.
Padgett, L., to be postmaster at Pelzer, S. C.; nominated 136; confirmed 139.
Page, F. E., to be postmaster at Raymond, N. H.; nominated 201.
Page, J. E., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Page, J. H., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Page, J. L., to be postmaster at Eugene, Oreg.; nominated 136; confirmed 139.
Paine, F. L., to be postmaster at Xenia, Ill.; nominated 199; confirmed 291.
Palmer, A. M., to be major and quartermaster, United States Army; nominated 188; confirmed 434.
Palmer, F. W., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Palmer, J. E., to be postmaster at Hawkeye, Iowa; nominated 199; confirmed 292.
Palmer, Leigh C., to be lieutenant in Navy; nominated 121; confirmed 138.
Palmer, R. P., to be second lieutenant, Twenty-fifth United States Infantry; nominated 193; confirmed 437.
Paradis, H. C., to be postmaster at Momence, Ill.; nominated 23; confirmed 67.
Parke, J. S., to be major, Twenty-first United States Infantry; nominated 191; confirmed 436.
Parker, Edward G., to be passed assistant surgeon with rank of lieutenant in Navy; nominated 122; confirmed 137.
Parker, J., to be lieutenant-colonel Thirteenth United States Cavalry, nominated 189; confirmed 435.
Parker, John F., to be commander in Navy; nominated 140; confirmed 141.
Parker, S. M., to be second lieutenant of infantry, United States Army, nominated 192; confirmed 436.
Parkin, S., to be postmaster at Mazomanie, Wis.; nominated 203; confirmed 292.
Parsons, Archibald L., to be civil engineer in Navy; nominated 140; confirmed 141.
Partello, J. M. T., to be major, Seventh United States Infantry; nominated 191; confirmed 436.
Patten, W. S., to be colonel and Assistant Quartermaster-General, United States Army; nominated 188.
Patterson, C. H., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Patterson, R. H., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189.
Patterson, W. H., to be first lieutenant, Twenty-eighth United States Infantry; nominated 192.
Payne, C. H., to be United States consul at St. Thomas, West Indies; nominated 184; confirmed 290.
Payne, J. H., to be passed assistant surgeon in Navy; nominated 195; confirmed 251.
Peace, E. C., to be postmaster at Oxford, N. C.; nominated 201; confirmed 467.
Pearre, William, to be postmaster at Cumberland, Md.; nominated 136; confirmed 139.
Pease, T. N., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Peed, G. P., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Peek, E. D., to be first lieutenant, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Pelley, W. E., to be postmaster at Mingo Junction, Ohio; nominated 23; confirmed 88.
Pendleton, E. P., to be major, Twenty-ninth United States Infantry; nominated 191.

Executive Nominations and Confirmations—Continued.

Pendleton, Joseph H., to be major, United States Marine Corps; nominated 122; confirmed 138.
Penney, C. G., to be brigadier-general, United States Army; nominated 187.
Peoples, Christian J., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Perkins, A. S., to be first lieutenant, First United States Cavalry; nominated 188.
Perkins, Con M., to be major, United States Marine Corps; nominated 122; confirmed 138.
Perkins, Frederick K., to be paymaster in Navy; nominated 123; confirmed 138.
Perrill, H. P., to be lieutenant in Navy; nominated 196; confirmed 252.
Perry, J., to be postmaster at Kramer, Ind.; nominated 199; confirmed 291.
Perry, N. K., to be ensign in Navy; nominated 197; confirmed 253.
Person, B. T., to be postmaster at Wilson, N. C.; nominated 201; confirmed 467.
Peters, A. S., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Peters, T. W., to be United States consul-general at St. Gall, Switzerland; nominated 100; confirmed 136.
Petteys, E. D., to be postmaster at Keyport, N. J.; nominated 259; confirmed 438.
Pettit, J. S., to be lieutenant-colonel Sixth United States Infantry; nominated 190.
Petty, J. M., to be first lieutenant, Twentieth United States Infantry; nominated 191; confirmed 436.
Phillips, A. E., to be first lieutenant, Tenth United States Cavalry; nominated 18; confirmed 435.
Phillips, B. W., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Phillips, H. C., to be register of land office at Vancouver, Wash.; nominated 250; confirmed 404.
Phillips, J. S., to be lieutenant-commander in Navy; nominated 106; confirmed 124.
Phipps, J. F., to be postmaster at Hopkinton, Mass.; nominated 200; confirmed 292.
Phyfer, W. H., to be postmaster at New Albany, Miss.; nominated 200.
Pickel, A. N., to be first lieutenant, Fifteenth United States Cavalry; nominated 189.
Pickering, Woodell A., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Pickett, M. A., to be postmaster at Fordyce, Ark.; nominated 198.
Pickrell, George, to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Pierce, A. L., to be collector of customs for district of Vicksburg, Miss.; nominated 186; confirmed 466.
Pierson, E. T., to be postmaster at Granville, N. Dak.; nominated 201; confirmed 360.
Pigman, George W., to be paymaster in Navy; nominated 123; confirmed 138.
Pike, W. J., to be United States consul at Zittau, Saxony; nominated 184; confirmed 359.
Pipes, H. F., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Pippin, Arthur M., to be past assistant paymaster in Navy; nominated 123; confirmed 138.
Pitcher, W. L., to be lieutenent-colonel Twenty-eighth United States Infantry; nominated 190; confirmed 436.
Pitts, F. W., to be second lieutenant, Seventh United States Infantry; nominated 193; confirmed 437.
Pleadwell, Frank L., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Plimley, W., to be United States assistant treasurer at New York; nominated 55; confirmed 55; withdrawn 136.
Plummer, R. W., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon with rank of lieutenant in Navy; nominated 122; confirmed 137.
Poinier, S. S., to be postmaster at Spartansburg, S. C.; nominated 202; confirmed 360.
Pollock, J. C., to be United States judge for district of Kansas; nominated 486; confirmed 509.
Poole, J. H., to be first lieutenant, United States Corps of Engineers; nominated 23; confirmed 78.
Poor, Charles L., to be lieutenant in Navy; nominated 121; confirmed 137.
Pope, A. M., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Pope, B. H., to be first lieutenant, Eighth United States Infantry; nominated 192; confirmed 436.
Pope, F. H., to be captain, Fifteenth United States Cavalry; nominated 189; confirmed 435.
Pope, W. H., to be associate justice of supreme court of Territory of New Mexico; nominated 186; confirmed 250.
Porter, J. A., to be postmaster at Tishomingo, Ind. T.; nominated 199; confirmed 291.
Porter, R. S., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Potter, J., to be United States consul at Nassau, New Providence, Bahamas; nominated 184; confirmed 496.
Potter, P. C., to be second lieutenant, Twenty-ninth United States Infantry; nominated 193; confirmed 437.
Potts, R. D., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Potts, S., to be commander in Navy; nominated 197; confirmed 253.
Powell, J. W., to be assistant naval constructor in Navy with rank of lieutenant; nominated 194; confirmed 252.
Powell, W. G., to be assistant paymaster in United States Marine Corps with rank of captain; nominated 194; confirmed 251.
Powers, E. D., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Powers, R. B., to be captain, Second United States Cavalry; nominated 189; confirmed 435.
Powers, R. J., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Poyer, J. M., to be lieutenant-commander in Navy; nominated 197; confirmed 253.
Pratt, S., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189.

Executive Nominations and Confirmations—Continued.

Prescott, A. F., to be captain, Twenty-first United States Infantry; nominated 191.
Prescott, M. P. T., to be postmaster at Lutcher, La.; nominated 199.
Pressey, A. W., to be lieutenant in Navy; nominated 197; confirmed 253.
Preston, H. N., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Prince, Thomas C., to be lieutenant-colonel and assistant quartermaster, United States Marine Corps; nominated 123; confirmed 138.
Pritchard, J. C., to be associate justice of supreme court of District of Columbia; nominated 185; confirmed 254.
Proudfoot, W. F., to be postmaster at Roselle, N. J.; nominated 124; confirmed 124.
Pryor, James C., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Pugh, W. S., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Pulver, H. H., to be postmaster at Laingsburg, Mich.; nominated 200; confirmed 360.
Purdy, M. D., to be assistant attorney-general; nominated 12; confirmed 55.
Pye, W. S., to be ensign in Navy; nominated 197; confirmed 253.
Pyne, Frederick G., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Radford, Cyrus S., to be major and assistant quartermaster, United States Marine Corps; nominated 122; confirmed 138.
Radford, G. S., to be assistant naval constructor in Navy; nominated 194; confirmed 253.
Rae, C. W., to be engineer in chief and Chief of Bureau of Steam Engineering in Navy Department with rank of rear-admiral; nominated 194; confirmed 252.
Ramsey, Fred A., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Randall, A. N., to be surveyor of customs for port of Port Jefferson, N. Y.; nominated 186; confirmed 434.
Randall, J. A., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Randall, T. B., to be postmaster at Oregon City, Oreg.; nominated 23; confirmed 55.
Randall, T. P., to be postmaster at Oregon City, Oreg.; nominated 136; confirmed 139.
Ransom, G. B., to be commander in Navy; nominated 196; confirmed 252.
Rawles, J. B., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Ray, P. H., to be colonel, Twenty-Fifth United States Infantry; nominated 190.
Raymond, G. N., to be postmaster at Durango, Colo.; nominated 23, 198; confirmed 360.
Raymond, R. R., to be captain, United States Corps of Engineers; nominated 23; confirmed 78.
Reade, P., to be colonel Twenty-ninth United States Infantry; nominated 190.
Ready, F. A., to be postmaster at Tarentum, Pa.; nominated 202; confirmed 360.
Reaugh, E. H., to be postmaster at Alamosa, Colo.; nominated 198; confirmed 360.
Reber, Samuel, to be major, Signal Corps, United States Army; nominated 136; confirmed 136.
Redgrave, D. C., to be lieutenant-commander in Navy; nominated 106; confirmed 124.
Redles, William L., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Reed, Joseph R., to be chief justice of Court of Private Land Claims; nominated 120; confirmed 124.
Reeves, George W., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
—— to be paymaster in Navy; nominated 196; confirmed 252.
Reeves, I. S. K., to be assistant surgeon in Navy; nominated 196; confirmed 252.
Regan, J., to be colonel Sixth United States Infantry; nominated 190; confirmed 435.
Regan, J. F., to be postmaster at Mount Sterling, Ill.; nominated 199; confirmed 291.
Reilly, J. W., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Reitz, F., to be postmaster at Neillsville, Wis.; nominated 105; confirmed 139.
Remington, P., to be second lieutenant, Seventeenth United States Infantry; nominated 193; confirmed 437.
Rennie, W. H., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Renziehausen, W. B., to be first lieutenant, Seventh United States Cavalry; nominated 189; confirmed 435.
Requa, J. M., to be postmaster at Tarrytown, N. Y.; nominated 201; confirmed 360.
Retherst, O. W., to be first lieutenant, Fourth United States Cavalry; nominated 23; confirmed 78.
Reynolds, D., to be postmaster at Ford City, Pa.; nominated 433; confirmed 486.
Reynolds, W. H., to be lieutenant in Navy; nominated 197; confirmed 253.
Rhea, Robert Y., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Rhodes, Stewart, to be paymaster in Navy; nominated 123; confirmed 138.
Rice, E., to be brigadier-general, United States Army; nominated 187.
Rice, J. H., to be captain, Ordnance Department, United States Army; nominated 188; confirmed 435.
Rich, A. T., to be second lieutenant, Twenty-first United States Infantry; nominated 193; confirmed 437.
Rich, C. H., to be second lieutenant, Nineteenth United States Infantry; nominated 193; confirmed 437.
Rich, N., to be postmaster at Prosser, Wash.; nominated 434; confirmed 467.
Richards, George, to be lieutenant-colonel and assistant paymaster, United States Marine Corps; nominated 122; confirmed 138.
Richards, Theodore W., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.

Executive Nominations and Confirmations—Continued.

Richardson, H. C., to be ensign in Navy; nominated 197; confirmed 253.
Richmond, E. T. C., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Riddle, J. W., to be United States agent and consul-general at Cairo, Egypt; nominated 184; confirmed 466.
Ridgely, Frank E., to be lieutenant in Navy; nominated 121; confirmed 138.
Riggs, Charles E., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Riley, L. M., to be postmaster at Blanchester, Ohio; nominated 201; confirmed 360.
Ripley, H. L., to be major, Eighth United States Cavalry; nominated 189; confirmed 435.
Ristine, B. F., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Robards, Frank F., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Robe, C. F., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Roberts, B. K., to be colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Roberts, C. S., to be brigadier-general, United States Army; nominated 187.
Roberts, N., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 360.
Roberts, T. A., to be captain, Seventh United States Cavalry; nominated 189; confirmed 435.
Robertson, Edgar P., to be lieutenant-colonel Twelfth United States Infantry; nominated 190; confirmed 436.
Robins, Harrison L., to be paymaster in Navy; nominated 123; confirmed 138.
Robinson, D. A., to be postmaster at Dallas, Tex.; nominated 202.
Robinson, F. C., to be lieutenant-colonel Fifth United States Cavalry; nominated 189; confirmed 435.
Robinson, G., to be assistant appraiser of merchandise in district of New York, N. Y.; nominated 78; confirmed 137.
Robinson, W. F., to be second lieutenant, Twenty-first United States Infantry; nominated 193; confirmed 437.
Robison, A. J., to be postmaster at Liberty, Mo.; nominated 200; confirmed 292.
Robnett, John D., to be paymaster in Navy; nominated 123; confirmed 138.
Rockwell, J. V., to be assistant civil engineer in Navy; nominated 194; confirmed 251.
Rodgers, Raymond P., to be captain in Navy; nominated 140; confirmed 141.
Rodman, Hugh, to be lieutenant-commander in Navy; nominated 121; confirmed 138.
Rodman, J. B., to be colonel Eighteenth United States Infantry; nominated 191; confirmed 435.
Rodney, D. R., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Rodney, G. B., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Rogers, Austin C., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Rogers, L. J., to be postmaster at Allison, Iowa; nominated 199; confirmed 292.
Rogers, W. B., to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Rogers, W. P., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Rommell, C. E., to be lieutenant-commander in Navy; nominated 196; confirmed 252.
Roosevelt, H. L., to be assistant quartermaster in United States Marine Corps, with rank of captain; nominated 194; confirmed 251.
Ross, W. H., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Ross, Webb V. H., to be paymaster in Navy; nominated 123; confirmed 138.
Ross, D. H., to be postmaster at Missoula, Mont.; nominated 486; confirmed 509.
Ross, T., to be captain, Eighteenth United States Infantry; nominated 191.
Rossiter, P. S., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Rothgauger, George, to be surgeon, with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Rowan, H., to be major, Artillery Corps, United States Army; nominated 190.
Rowan, R., to be postmaster at Parnassus, Pa.; nominated 202; confirmed 360.
Rozelle, G. F., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Rubert, C., to be postmaster at Port Lavaca, Tex; nominated 67; confirmed 107.
Rublee, W. A., to be United States consul-general at Vienna, Austria; nominated 184; confirmed 466.
Rucker, K., to be lieutenant, Second United States Cavalry; nominated 189; confirmed 435.
Rucker, L. H., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Ruffner, E. H., to be lieutenant-colonel, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Ruhlen, G., to be lieutenant-colonel and deputy quartermaster-general, United States Army; nominated 188; confirmed 434.
Russell, J., to be collector of customs for district of Natchez, Miss.; nominated 186; confirmed 359.
Russell, J. T., to be postmaster at New Salem, Pa.; nominated 202; confirmed 360.
Russell, W. C., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Rutherford, F. M., to be postmaster at Truckee, Cal.; nominated 198.
Ryan, C. T., to be postmaster at Gilroy, Cal.; nominated 198; confirmed 360.
Ryder, C. E., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Sackett, Franklin P., to be paymaster in Navy; nominated 123; confirmed 138.
Sackett, M. R., to be United States consul at Prescott, Ontario, Canada; nominated 184; confirmed 424.

Executive Nominations and Confirmations—Continued.

Salladay, J. M., to be captain in United States Marine Corps; nominated 194; confirmed 251.
Salmon, T. W., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 434.
Sampson, Rear-C. B., to be lieutenant-commander in Navy; nominated 140; confirmed 141.
Samuelson, L. I., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Sanderson, T. H., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Sanford, John R., to be paymaster in Navy; nominated 123; confirmed 138.
Sanno, J. M. J., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Sargent, J. R., to be lieutenant in Navy; nominated 197; confirmed 253.
Sawtier, G., to be assistant appraiser of merchandise in district of New York, N. Y.; nominated 78.
Schafer, George C., to be paymaster in Navy; nominated 123; confirmed 138.
Schaik, C., to be postmaster at Charlestown, Ind.; nominated 124; confirmed 124.
Schenck, A. D., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189.
Scher, B. T., to be first lieutenant, Thirteenth United States Infantry; nominated 193.
Schlaback, R. P., to be assistant naval constructor in Navy; nominated 194; confirmed 253.
Schley, J. L., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Schoeffel, J. B., to be captain, Second United States Infantry; nominated 191; confirmed 436.
Schroeder, S., to be captain in Navy; nominated 196; confirmed 252.
Schudt, C. O., to be second lieutenant, Tenth United States Infantry nominated 193; confirmed 437.
Schuler, A., to be postmaster at Mound City, Ill.; nominated 250; confirmed 457.
Schwable, Frank J., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
—— to be assistant quartermaster in United States Marine Corps with rank of captain; nominated 194; confirmed 251.
Scott, B. O., to be commander in Navy; nominated 193; confirmed 252.
Scott, C. F., to be judge of police court of District of Columbia; nominated 486.
Scott, G. T., to be captain, Artillery Corps, United States Army; nominated 190.
Scott, M., to be postmaster at South Auburn, Nebr.; nominated 200; confirmed 509.
Scott, S. L., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Scott, W. J., to be first lieutenant, Fourteenth United States Cavalry; nominated 189.
Seaman, A. O., to be first lieutenant, Thirtieth United States Infantry; nominated 192; confirmed 436.
Seaman, C. M., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Sears, C. B., to be lieutenant-colonel, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Selfridge, T. E., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Severson, C. F., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 437.
Sexton, W. R., to be lieutenant in Navy; nominated 197; confirmed 253.
Shannon, J. A., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Shaw, E. F., to be postmaster at Three Rivers, Mass.; nominated 200; confirmed 292.
Shaw, H. A., to be major and surgeon, United States Army; nominated 188.
Shelton, N. J., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Sherburne, T. L., to be second lieutenant, Eleventh United States Cavalry; nominated 192; confirmed 437.
Sherrill, C. O., to be first lieutenant, United States Corps of Engineers; nominated 23; confirmed 78.
Shipp, Edward M., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Shnyder, F. E., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Sibene, G. H., to be postmaster at Alamosa, Colo.; nominated 23; confirmed 67.
Shultz, J. S., to be assistant civil engineer in Navy; nominated 194; confirmed 251.
Shumen, J. B., to be first lieutenant, Tenth United States Infantry; nominated 191; confirmed 436.
Sibley, Barton W., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Sickel, H. G., to be major, Twelfth United States Cavalry; nominated 188; confirmed 435.
Sickles, S., to be United States secretary of legation at Brussels, Belgium; nominated 183; confirmed 234.
Sigsbee, C. D., to be rear-admiral in Navy; nominated 196; confirmed 252.
Siler, J. F., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Simons, Manley H., to be ensign in Navy; nominated 197; confirmed 253.
Simons, Manley H., to be medical director in Navy; nominated 195; confirmed 252.
Simpson, George W., to be pay inspector in Navy; nominated 123; confirmed 138.
Simpson, J., to be brigadier-general, United States Army; nominated 187.
Simpson, W. A., to be colonel and assistant adjutant-general, United States Army; nominated 187.
Sirmyer, E. A., to be captain, Eighth United States Cavalry; nominated 189; confirmed 435.
Skipwith, Grey, to be paymaster in Navy; nominated 123; confirmed 138.
Sloan, W. C., to be postmaster at Amethyst, Colo.; nominated 198; confirmed 360.

Executive Nominations and Confirmations—Continued.

Slocum, Clarence Rice, to be United States consul at Warsaw, Russia; nominated 140; confirmed 141.
Slocum, H. J., to be major, First United States Cavalry; nominated 189.
Sluss, Henry C., to be associate justice of Court of Private Land Claims; nominated 121; confirmed 124.
Smalley, E. B., to be second lieutenant, Twenty-third United States Infantry; nominated 193; confirmed 437.
Smead, W. W., to be postmaster at Heppner, Oreg.; nominated 202; confirmed 292.
Smith, C. B., to be postmaster at Wernersville, Pa.; nominated 202; confirmed 360.
Smith, C. F., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Smith, C. R., to be postmaster at Niles, Mich.; nominated 200; confirmed 360.
Smith, C. S., to be lieutenant-colonel, Ordnance Department, United States Army; nominated 188; confirmed 435.
Smith, F. C., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 466.
Smith, F. G., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Smith, F. H., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Smith, George T., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Smith, H. K., to be Deputy Commissioner of Corporations in Department of Commerce and Labor; nominated 186; confirmed 250.
Smith, H. O., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Smith, J. A., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Smith, J. A. B., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Smith, J. F., to be postmaster at Pleasanton, Kans.; nominated 199; confirmed 292.
Smith, K. P., to be first lieutenant, Nineteenth United States Infantry; nominated 192; confirmed 436.
Smith, L. L., to be first lieutenant and assistant surgeon, United States Army; nominated 194; confirmed 437.
Smith, M. C., to be postmaster at Wellesley Hills, Mass.; nominated 200; confirmed 292.
Smith, M. J., to be postmaster at Lewisville, Ark.; nominated 198; confirmed 291.
Smith, R. K., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Smith, R. S., to be major and paymaster, United States Army; nominated 188; confirmed 434.
Smith, U. G., to be United States second secretary of legation at Constantinople, Turkey; nominated 184; confirmed 254.
Smith, W. B., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Smith, William E., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Smither, H. C., to be captain, Fifth United States Cavalry; nominated 189; confirmed 435.
Smyth, W. P., to be United States consul at Tunstall, England; nominated 184; confirmed 466.
Snider, C. C., to be receiver of public moneys at Lakeview, Oreg.; nominated 185; confirmed 222.
Snyder, C. R., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Snyder, Harold C., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Snyder, J. J., to be passed assistant surgeon in Navy; nominated 195; confirmed 253.
Sommer, H. C., to be postmaster at Lovelocks, Nev.; nominated 201; confirmed 292.
Songer, F. E., to be postmaster at Crested Butte, Colo.; nominated 198; confirmed 360.
South, Hamilton D., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Spafford, E. E., to be ensign in Navy; nominated 197; confirmed 253.
Spalding, G. R., to be first lieutenant, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Spaulding, O. L., to be captain, Artillery Corps, United States Army, nominated 190.
Spear, Ray, to be passed assistant paymaster in Navy; nominated 123; confirmed 138.
Spear, Raymond, to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 136.
Spencer, H. E., to be postmaster at Proctor, Vt.; nominated 202; confirmed 438.
Spitzer, A. R., to be postmaster at Brunswick, Md.; nominated 199; confirmed 466.
Spratling, Leckinski W., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Sproul, A. L., to be postmaster at Ontario, Oreg.; nominated 23; confirmed 55.
Squier, George O., to be major, Signal Corps, United States Army; nominated 136; confirmed 136.
Squire, J. F., to be register of land office at Glenwood Springs, Colo.; nominated 78; confirmed 88.
Stacey, C., to be captain, Twenty-first United States Infantry; nominated 191; confirmed 436.
Stackhouse, George M., to be paymaster in Navy; nominated 123; confirmed 138.
Stahl, A. W., to be naval constructor in Navy with rank of captain; nominated 194; confirmed 252.
Stalnaker, E. S., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Stamford, H. W., to be captain, Signal Corps, United States Army; nominated 188; confirmed 435.
Starbird, A. A., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Startzman, H. K., to be postmaster at Hagerstown, Md.; nominated 200; confirmed 466.
Stedman, C. A., to be colonel Fifth United States Cavalry; nominated 188.

Executive Nominations and Confirmations—Continued.

Stedman, C. J., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Steere, S. F., to be postmaster at Shreveport, La.; nominated 199.
Steever, E. Z., to be colonel Fourth United States Cavalry; nominated 188.
Steger, E. M., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 291.
Steinhart, Frank, to be United States consul-general at Habana, Cuba; nominated 184; confirmed 359.
Sterrett, R., to be first lieutenant, Ninth United States Cavalry; nominated 189; confirmed 435.
Stevens, Herbert E., to be paymaster in Navy; nominated 123; confirmed 138.
Stevic, A. V., to be postmaster at Coloma, Mich.; nominated 200; confirmed 360.
Steward, J. P., to be postmaster at Milford, Del.; nominated 198; confirmed 291.
Stewart, C. W., to be second lieutenant, Eighteenth United States Infantry; nominated 193; confirmed 437.
Stewart, W. F., to be colonel, Artillery Corps, United States Army; nominated 189.
Stiles, W. B., to be postmaster at Coopersville, Mich.; nominated 200; confirmed 360.
Stilley, T. G., to be postmaster at Washington, N. C.; nominated 23; confirmed 107.
Stine, C. E., to be postmaster at Superior, Nebr.; nominated 23; confirmed 67.
Stitt, Edward R., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Stocker, R., to be naval constructor in Navy with rank of commander; nominated 194; confirmed 252.
Stokes, Charles F., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Stone, A. W., to be chaplain in Navy; nominated 194; confirmed 251.
Stone, Eugene P., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Stone, D. L., to be captain, Twenty-sixth United States Infantry; nominated 191; confirmed 436.
Stone, Wilbur F., to be associate justice of Court of Private Land Claims; nominated 121; confirmed 124.
Stout, J. R., to be postmaster at Glendive, Mont.; nominated 200; confirmed 292.
Strong, D. W., to be second lieutenant of infantry, United States Army; nominated 509; confirmed 544.
Strother, L. H., to be major, Eleventh United States Infantry; nominated 193; confirmed 436.
Sullivan, D. O., to be postmaster at Devon, Pa.; nominated 202; confirmed 360.
Sullivan, E. J., to be United States consul at Erzerum, Turkey; nominated 184; confirmed 434.
Sullivan, F. J., to be postmaster at Pryor Creek, Ind. T.; nominated 198; confirmed 291.
Sullivan, Harry R., to be pay inspector in Navy; nominated 123; confirmed 138.
Sullivan, Raymond B., to be first lieutenant, United States Marine Corps; nominated 122; confirmed 139.
Sumter, S. S., to be major-general, United States Army; nominated 187; confirmed 251.
Swain, H. T., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251.
Swaim, Albert W., to be United States consul at Southampton, England; nominated 140; confirmed 141.
Swanson, G. E., to be postmaster at Woodhull, Ill.; nominated 199; confirmed 291.
Swanson, S. J., to be postmaster at Cokato, Minn.; nominated 200; confirmed 438.
Swayzgood, U. M., to be postmaster at Waterloo, Ind.; nominated 124; confirmed 124.
Sweet, W., to be United States attorney-general of Porto Rico; nominated 185; confirmed 434.
Swenson, J. A., to be receiver of public moneys at Lander, Wyo.; nominated 105; confirmed 106.
Swift, Eben, to be first lieutenant, Fourteenth United States Cavalry; nominated 189; confirmed 435.
Tabor, A. L., to be postmaster at Independence, Iowa; nominated 199; confirmed 360.
Talboys, W. E., to be postmaster at Chisholm, Minn.; nominated 200; confirmed 438.
Tarbutton, E. H., to be second lieutenant of infantry, United States Army; nominated 193; confirmed 437.
Taylor, A. C., to be colonel, Artillery Corps, United States Army; nominated 189.
Taylor, E. C., to be assistant surgeon in Navy; nominated 195; confirmed 252.
Taylor, F., to be lieutenant-colonel, Twenty-third United States Infantry; nominated 191.
Taylor, G., to be postmaster at Llano, Tex.; nominated 202.
Taylor, J. S., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon with rank of lieutenant in Navy; nominated 122; confirmed 137.
Taylor, M. D., to be register of land office at St. Cloud, Minn.; nominated 185; confirmed 434.
Taylor, R. C., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 437.
Taylor, S. W., to be lieutenant-colonel, Artillery Corps, United States Army; nominated 189; confirmed 435.
Taylor, W. W., to be first lieutenant, Ninth United States Infantry; nominated 192.
Teft, W. H., to be first lieutenant and assistant surgeon, United States Army; nominated 194; confirmed 437.
Telford, C., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Templeton, N. C., to be postmaster at Irvington, N. Y.; nominated 201; confirmed 360.
Templin, W. W., to be postmaster at Calla, Ohio; nominated 486; confirmed 544.
Terrell, H. S., to be first lieutenant, Tenth United States Cavalry; nominated 189; confirmed 435.
Terry, E. C., to be postmaster at Hamlet, N. C.; nominated 433; confirmed 457.
Theiss, E., to be lieutenant-commander in Navy; nominated 433.

Executive Nominations and Confirmations—Continued.

Thelben, D. E., to be lieutenant in Navy; nominated 196; confirmed 252.
Thomas, E. D., to be colonel, Seventh United States Cavalry; nominated 188; confirmed 435.
Thomas, E., to be postmaster at Superior, Wis.; nominated 200.
Thomason, H. D., to be first lieutenant and assistant surgeon, United States Army; nominated 198; confirmed 437.
Thompson, Asa B., to be receiver of public moneys at La Grande, Oreg.; nominated 136; confirmed 137.
Thompson, Edgar, to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Thompson, J. C., to be passed assistant surgeon in Navy; nominated 433.
—— to be passed assistant surgeon with rank of lieutenant in Navy; nominated 121; confirmed 137.
Thompson, J. M., to be brigadier-general, United States Army; nominated 187.
Thompson, N. A., to be postmaster at Newman, Cal.; nominated 198; confirmed 291.
Thompson, R. E., to be lieutenant-colonel, United States Signal Corps; nominated 23; confirmed 78.
Thurlow, S. B., to be postmaster at Stonington, Me.; nominated 199; confirmed 292.
Tibbitts, F. B., to be postmaster at Hopkinton, Iowa; nominated 433; confirmed 498.
Tierson, J. L., to be brigadier-general, United States Army; nominated 187.
Tiffany, Dexter, to be paymaster in Navy; nominated 123; confirmed 138.
Tillar, W. F., to be postmaster at Emporia, Va.; nominated 202; confirmed 467.
Tillman, J. E., to be postmaster at Geneva, Ala.; nominated 197; confirmed 466.
Tobey, Eugene C., to be paymaster in Navy; nominated 123; confirmed 138.
Todd, C. L., to be postmaster at Rifle, Colo.; nominated 198; confirmed 360.
Torney, G. H., to be lieutenant-colonel and deputy surgeon-general, United States Army; nominated 188; confirmed 434.
Towle, W. H., to be postmaster at Annandale, Minn.; nominated 200; confirmed 438.
Tozer, Charles M., to be lieutenant in Navy; nominated 121; confirmed 138.
Tracy, James K., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Train, S. S., to be postmaster at Albany, Oreg.; nominated 136; confirmed 139.
Traverse, F. C., to be postmaster at Bloomfield, Iowa; nominated 199; confirmed 292.
Tricou, E. H., to be assistant paymaster in Navy; nominated 88; confirmed 88.
Tripp, F. M., to be postmaster at Marion, Mass.; nominated 200; confirmed 292.
Trout, D. R., to be postmaster at Boulder Creek, Cal.; nominated 198; confirmed 291.
Trowbridge, L. S., to be appraiser of merchandise in district of Detroit, Mich.; nominated 77; confirmed 78.
True, W. M., to be first lieutenant, Eighteenth United States Infantry; nominated 191; confirmed 436.
Truitt, C. M., to be major, Twenty-third United States Infantry; nominated 191; confirmed 436.
Truly, B. A., to be postmaster at Fayette, Miss.; nominated 200; confirmed 467.
Tryon, F. S., to be postmaster at Spartansburg, Pa.; nominated 202; confirmed 360.
Tuck, W. G., to be postmaster at Annapolis, Md.; nominated 200; confirmed 467.
Turner, Thomas C., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Turtle, L., to be second lieutenant, Artillery Corps, United States Army; nominated 192; confirmed 436.
Turton, F. S., to be second lieutenant, Sixteenth United States Infantry; nominated 193; confirmed 437.
Tyler, M. C., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Tyler, O. N., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Tyler, W. R., to be postmaster at Huron, Ohio; nominated 433; confirmed 467.
Udell, Fred A., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Uhler, G., to be Supervising Inspector-General of Steam Vessels; nominated 88; confirmed 198.
Underwood, R. O., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Upham, J. S., to be second lieutenant of infantry, United States Army; nominated 196; confirmed 437.
Urll, John F., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Valentine, W. S., to be captain, Fifteenth United States Cavalry; nominated 189; confirmed 435.
Van Alstine, George W., to be postmaster at Monticello, Ind.; nominated 141; confirmed 141.
Van Horn, R. O., to be captain, Twelfth United States Infantry; nominated 191.
Van Natta, T. F., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Van Orsdale, J. T., to be colonel, Fourth United States Infantry; nominated 190.
Varney, T. T., to be postmaster at Ansley, Nebr.; nominated 200; confirmed 509.
Vaughan, B. F., to be postmaster at Heppner, Oreg.; nominated 23; confirmed 55.
Vaughan, C. E., to be postmaster at Seguin, Tex.; nominated 67; confirmed 107.
Vaughan, F. E., to be register of land office at Vancouver, Wash.; nominated 185; withdrawn 250.
Vedder, E. B., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Velazat, E. W., to be postmaster at Horse Cave, Ky.; nominated 199; confirmed 438.

Executive Nominations and Confirmations—Continued.

Venable, George R., to be paymaster in Navy; nominated 123; confirmed 138.
Verner, W. W., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Vernon, W. N., to be ensign in Navy; nominated 197; confirmed 253.
Vetleson, V. A., to be postmaster at Wailuku, Hawaii; nominated 198; confirmed 291.
Vogdes, A. W., to be colonel, Artillery Corps, United States Army; nominated 189.
Von Wedekind, Luther L., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Vreeland, J. B., to be United States attorney for district of New Jersey; nominated 186; confirmed 254.
Vroom, P. D., to be brigadier-general and inspector-general, United States Army; nominated 193; confirmed 437.
Vulte, N. P., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251.
Wade, F., to be postmaster at Saugatuck, Mich.; nominated 200; confirmed 360.
Wahl, A. H., to be postmaster at Washburn, N. Dak.; nominated 201; confirmed 360.
Wainwright, R., to be captain in Navy; nominated 196; confirmed 252.
Wales, B., to be postmaster at Howard, S. Dak.; nominated 24; confirmed 55.
Walker, H. B., to be postmaster at Orange, N. J.; nominated 201; confirmed 360.
Walker, M. L., to be captain, United States Corps of Engineers; nominated 23; confirmed 78.
Walker, R. W., to be first lieutenant, Fifth United States Cavalry; nominated 189.
Walker, T. B., to be postmaster at Atkinson, Nebr.; nominated 200; confirmed 509.
Wallace, C. S., to be captain, Signal Corps, Unites States Army; nominated 188; confirmed 435.
Wallace, E. J., to be captain, Artillery Corps, United States Army; nominated 190; confirmed 435.
Wallace, L. J., to be ensign in Navy; nominated 197; confirmed 253.
Wallace, William T., to be paymaster in Navy; nominated 123; confirmed 138.
Waller, Littleton W. T., to be lieutenant-colonel, United States Marine Corps; nominated 122; confirmed 138.
Walsh, J. H., to be ensign in Navy; nominated 197; confirmed 253.
Ward, J. G., to be postmaster at Cambridge, N. Y., nominated 201; confirmed 467.
Warfield, A. B., to be first lieutenant, Artillery Corps, United States Army; nominated 190.
Washington, J. M., to be postmaster at Sabina, Ohio; nominated 23; confirmed 88.
Washington, P., to be lieutenant in Navy; nominated 141, 196; confirmed 141, 252.
Wasser, A. M., to be postmaster at Girard, Kans.; nominated 486; confirmed 509.
Waters, J. Q., to be postmaster at West Newton, Pa.; nominated 202; confirmed 360.
Waters, L. A., to be postmaster at Madison, N. J.; nominated 486; confirmed 509.
Watrous, F. T., to be assistant paymaster in the Navy; nominated 196; confirmed 252.
Watson, J. N., to be register of land office at Lakeview, Oreg.; nominated 185; confirmed 222.
Watson, P., to be postmaster at Lowellville, Ohio; nominated 201; confirmed 360.
Watterson, G., to be postmaster at Bishop, Cal.; nominated 198; confirmed 291.
Watts, E., to be United States consul-general at St. Petersburg, Russia; nominated 184; confirmed 359.
Weaver, E. M., to be major, Artillery Corps, United States Army; nominated 190; confirmed 435.
Webb, De W. C., to be civil engineer in Navy; nominated 194; confirmed 251.
Webster, A. H., to be postmaster at Cuba, Ill.; nominated 199; confirmed 291.
Webster, C. H., to be postmaster at Northfield, Mass.; nominated 200; confirmed 292.
Webster, W., to be postmaster at Sault Ste. Marie, Mich.; nominated 200; confirmed 360.
Webster, W. H. H., to be United States consul at Niagara Falls, Ontario, Canada; nominated 184; confirmed 434.
Webster, W. P., to be postmaster at Cody, Wyo.; nominated 203; confirmed 497.
Wells, A. B., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Wells, G. M., to be major and surgeon, United States Army; nominated 188; confirmed 434.
Wells, J. B., to be postmaster at Leesville, La.; nominated 199.
Wentworth, Andrew R., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
West, E. S., to be first lieutenant, Seventh United States Cavalry; nominated 189; confirmed 435.
West, F., to be lieutenant-colonel Fifth United States Cavalry; nominated 23; confirmed 78.
West, S. B., to be first lieutenant, Twenty-fifth United States Infantry; nominated 191; confirmed 436.
Westervelt, G. C., to be ensign in Navy; nominated 197; confirmed 253.
Wettengel, Ivan C., to be lieutenant in Navy; nominated 121; confirmed 137.
Whaley, A. M., to be first lieutenant and assistant surgeon, United States Army; nominated 193; confirmed 437.
Wheeler, D. D., to be brigadier-general, United States Army; nominated 187.
Wheeler, William M., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Whitall, S. R., to be colonel Third United Stated Infantry; nominated 190; confirmed 435.
White, J. V., to be major, Artillery Corps, United States Army; nominated 190; confirmed 435.
White, M. J., to be passed assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 434.
White, W. R., to be lieutenant in Navy; nominated 197; confirmed 253.

Executive Nominations and Confirmations—Continued.

White, William W., to lieutenant-commander in Navy; nominated 140; confirmed 141.
Whitehair, J. A., to be postmaster at Chapman, Kans.; nominated 199; confirmed 292.
Whiting, W. H., to be rear-admiral in Navy; nominated 197; confirmed 253.
Whitlock, G., to be ensign in Navy; nominated 197; confirmed 253.
Wickham, F. D., to be captain, Twelfth United States Infantry; nominated 191.
Widmer, J., to be postmaster at New Hartford, Conn.; nominated 198; confirmed 291.
Wiedman, G. E., to be postmaster at Zion City, Ill.; nominated 199; confirmed 291.
Wightman, W. M., to be assistant surgeon in United States Public Health and Marine-Hospital Service; nominated 186; confirmed 291.
Wilber, D. F., to be United States consul at Barbados, West Indies; nominated 184; confirmed 434.
Wilber, Francis W. F., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Wilcox, T. E., to be colonel and assistant surgeon-general, United States Army; nominated 188.
Wilkinson, J. F., to be captain, Ninth United States Infantry; nominated 191.
Willett, P. J., to be assistant paymaster in Navy; nominated 196; confirmed 252.
Williams, A. S., to be captain in United States Marine Corps; nominated 194; confirmed 251.
Williams, C. F., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251.
Williams, E. J., to be captain, Twenty-fifth United States Infantry; nominated 191.
Williams, F., to be second lieutenant, Corps of Engineers, United States Army; nominated 192; confirmed 436.
Williams, G. H., to be first lieutenant, Fifth United States Infantry; nominated 67; confirmed 78.
Williams, R., to be ensign in Navy; nominated 197; confirmed 253.
Williams, S., to be second lieutenant in United States Marine Corps; nominated 194; confirmed 251
Willis, D. B., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Wilson, W., to be postmaster at Ottumwa, Iowa; nominated 250; confirmed 437.
Wilson, George B., to be surgeon with rank of lieutenant-commander in Navy; nominated 121; confirmed 137.
Wilson, Henry B., to be lieutenant-commander in Navy; nominated 121; confirmed 137.
Wilson, Henry D., to be surgeon in Navy; nominated 121; confirmed 137.
—— to be surgeon with rank of lieutenant-commander in Navy; nominated 196.
Wilson, S. J., to be postmaster at Macon, Mo.; nominated 12; confirmed 88.
Wilson, S. W., to be postmaster at Wood River, Nebr.; nominated 200; confirmed 509.
Wilson, W. H., to be first lieutenant, Artillery Corps, United States Army; nominated 190; confirmed 435.
Wiltse, Franklin S., to be first lieutenant, United States Marine Corps; nominated 123; confirmed 139.
Wiltse, G. W., to be postmaster at Montezuma, Iowa; nominated 199; confirmed 292.
Winfree, S. W., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Winslow, C. McR., to be commander in Navy; nominated 197; confirmed 253.
Winthrop, R. M., to be United States secretary of legation at Madrid, Spain; nominated 183; confirmed 254.
Wise, Frederic M., to be captain, United States Marine Corps; nominated 122; confirmed 139.
Wise, Henry A., to be passed assistant paymaster in Navy; nominated 124; confirmed 138.
Wise, J., to be postmaster at Hubbell, Mich.; nominated 200; confirmed 360.
Wood, D. M., to be lieutenant in Navy; nominated 121; confirmed 138.
Wood, D. P., to be second lieutenant, Fourth United States Infantry; nominated 193; confirmed 437.
Wood, D. R., to be United States consul at Ceiba, Honduras; nominated 184; confirmed 434.
Wood, Leonard, to be major-general, United States Army; nominated 187.
Wood, S. S., to be lieutenant-commander in Navy; nominated 196; confirmed 252.
Woodruff, Carle A., to be brigadier-general, United States Army; nominated 187.
Woodruff, Charles A., to be brigadier-general, United States Army; nominated 187; confirmed 434.
Woods, M. R., to be postmaster at Kohala, Hawaii; nominated 198; confirmed 291.
Woods, Robert H., to be paymaster in Navy; nominated 123; confirmed 138.
Woodward, C. G., to be major, Artillery Corps, United States Army; nominated 190.
Woodward, J. S., to be assistant surgeon in Navy; nominated 195; confirmed 251.
Woodward, S. W., to be member of Board of Charities of District of Columbia; nominated 185; confirmed 254.
Woog, Benjamin B., to be captain, United States Marine Corps; nominated 122; confirmed 138.
Worden, W. W., to be postmaster at Saratoga Springs, N. Y.; nominated 201; confirmed 360.
Wright, B. L., to be assistant surgeon in Navy; nominated 466; confirmed 486.
—— to be passed assistant surgeon in Navy; nominated 121; confirmed 137.
—— to be passed assistant surgeon with rank of lieutenant in Navy; nominated 122; confirmed 137.
Wright, D. T., to be associate justice of supreme court of District of Columbia; nominated 185; confirmed 290.
Wright, J. N., to be captain, United States Marine Corps; nominated 466; confirmed 486.
Wright, L. E., to be ensign in Navy; nominated 509.
Wright, W. K., to be major, Twentieth United States Infantry; nominated 191.

Executive Nominations and Confirmations—Continued.

Wuest, J. W. S., to be second lieutenant of infantry, United States Army; nominated 192; confirmed 436.
Wulf, W. F., to be postmaster at Crescent City, Cal.; nominated 198; confirmed 291.
Wurtsbaugh, Daniel W., to be lieutenant in Navy; nominated 121; confirmed 137.
Wygant, B. B., to be ensign in Navy; nominated 197; confirmed 253.
Wygant, H., to be colonel Twenty-second United States Infantry; nominated 190.
Wygant, H. S., to be captain, Twenty-second United States Infantry; nominated 486; confirmed 544.
Wyman, F., to be postmaster at St. Louis, Mo.; nominated 200; confirmed 292.
Yarnell, H. E., to be lieutenant in Navy; nominated 196; confirmed 252.
Yates, E. S., to be second lieutenant in United States Marine Corps; nominated 195; confirmed 251.
Yates, I. I., to be ensign in Navy; nominated 197; confirmed 253.
Yeatman, R. T., to be lieutenant-colonel Seventeenth United States Infantry; nominated 191.
Yost, J., to be postmaster at Eldorado, Ill.; nominated 199; confirmed 291.
Young, E. M., to be postmaster at Faulkton, S. Dak.; nominated 202; confirmed 292.
Young, G. A., to be postmaster at Concord, N. H.; nominated 486; confirmed 509.
Young, S. B. M., to be Lieutenant-General United States Army; nominated 187; confirmed 290.
Zalinski, M. G., to be major and quartermaster, United States Army; nominated 188.
Zane, A. V., to be commander in Navy; nominated 1.7; confirmed 253.
Zell, E. M., to be second lieutenant of cavalry, United States Army; nominated 192; confirmed 436.
Zerbe, J. W., to be postmaster at Shamokin, Pa.; nominated 20.; confirmed 3 0.
Ziegler, A. C., to be postmaster at Mars, Pa.; nominated 202; confirmed 360.
Zinn, G. A., to be major, Corps of Engineers, United States Army; nominated 188; confirmed 435.
Zogbaum, R. F., to be ensign in Navy; nominated 197; confirmed 253.

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Extradition
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Eyre, *Benjamin B.*, pension (see bill H. R. 861).

Fagan, *John*, honorable discharge (see bill H. R. 3790).

Fagg's Fifth Regiment, Pike County Missouri Militia
Bill giving pensionable status to (see bill H. R. 3659).

Failes, *Joseph H.*, pension (see bill H. R. 512).

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Allen, William: for relief (see bill S. 836) 244.
Alringer, Isador: to pension (see bill S. 1924) 501.
Apel, Charles: to pension (see bill S. 1932) 501.
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Athon, Levina D: to increase pension (see bill S. 1922) 501.
Banks, Andrew M: to increase pension (see bill S. 27) 175.
Baxter, J. M: to pension (see bill S. 1728) 441.
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Cooper, John L: to increase pension (see bill S. 30) 175.
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Crull, Francis M: to increase pension (see bill S. 1256) 289.
Dashiell, John W: to remove charge of desertion (see bill S. 29) 175.
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Ellingwood, William H: to pension (see bill S. 1788) 477.
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Farley, Thomas P: to increase pension (see bill S. 554) 218.
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Fitzgibbons, Thomas: for relief (see bill S. 31) 175.
Fraze, Samuel: to increase pension (see bill S. 840) 245.

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Fretwell, Frank W: to increase pension (see bill S. 1940) 501.
Frybarger, Amanda J: to increase pension (see bill S. 25) 175.
Fuson, Stephen K: to pension (see bill S. 557) 218.
Hale, Henry: to increase pension (see bill S. 1722) 441.
Hampton, James: to pension (see bill S. 1725) 441.
Hanson, Annie B: to increase pension (see bill S. 1928) 501.
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S. 653—
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To promote the efficiency of the clerical service in the Navy of the United States, to organize a clerical corps of the Navy of the United States, to define its duties, and to regulate its pay.
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S. 660—
Granting an increase of pension to George W. Frederick.
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To pension certain soldiers and nonenlisted men who served in the war of the rebellion.
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S. 662—
Granting an increase of pension to Carrie Keefer.
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S. 675—
To grant an honorable discharge to William A. Treadwell.
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S. 679—
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S. 680—
Granting an increase of pension to Wilbert B. Teters.
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Granting an increase of pension to Isaiah Larkins.
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S. 682—
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S. 687—
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S. 689—
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Granting an honorable discharge to Jacob Neibles.
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For the relief of Goff A. Hall.
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For the relief of Joseph Duncan.
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S. 763—
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S. 764—
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For the relief of Christine M. Core, Ella Core Tabler, and Jane F. Martin, sole heirs of Andrew S. Core, deceased.
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For the relief of the heirs of Charles A. Dinkle, heirs of John F. Dinkle, and J. Daniel Dinkle.
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Granting an increase of pension to William McGee.
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S. 784—
Granting an increase of pension to Beverly Waugh.
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For the relief of Capt. John Bond's company, West Virginia Volunteer Militia.
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Mr. Gallinger; Committee on Military Affairs 244.

S. 796—
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Granting a pension to Mary H. Allen.
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Mr. Dillingham; Committee on Pensions 244.

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S. 808—
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Mr. Patterson; Committee on Pensions 244.

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S. 825—
Granting an increase of pension to Jessie Collins.
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Granting an increase of pension to John C. Bertolette.
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Mr. Patterson; Committee on Pensions 244.

S. 828—
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S. 840—
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Mr. Fairbanks; Committee on Pensions 245.

S. 841—
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To correct the military record of Esau Henkle.
Mr. Foraker; Committee on Military Affairs 245.

S. 843—
To provide an American register for the steam lighter Pioneer.
Mr. Foraker; Committee on Commerce 245.

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Granting an increase of pension to Mary L. Duff.
Mr. Foraker; Committee on Pensions 245.

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Mr. Foraker; Committee on Pensions 245.

S. 846—
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Granting a pension to Mabel H. Lazear.
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Granting a pension to Martha E. Horn.
Mr. McComas; Committee on Pensions 245.

S. 858—
Granting an increase of pension to Charles H. Boone.
Mr. McComas; Committee on Pensions 245.

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Granting a pension to Ezra J. Yingling.
Mr. McComas; Committee on Pensions 245.

S. 860—
Granting an increase of pension to Richard Jones.
Mr. McComas; Committee on Pensions 245.

S. 861—
Granting an increase of pension to John W. Boulden.
Mr. McComas; Committee on Pensions 245.

S. 862—
Granting an increase of pension to Mary H. Casler.
Mr. McComas; Committee on Pensions 245.

S. 863—
For the relief of the trustees of the United Brethren Church of Boonsboro, Md.
Mr. McComas; Committee on Claims 245.

S. 864—
For the relief of La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md.
Mr. McComas; Committee on Claims 245.

S. 865—
For the relief of the trustees of the German Reformed Church of Middletown, Md.
Mr. McComas; Committee on Claims 245.

S. 866—
For the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.
Mr. McComas; Committee on Claims 245.

S. 867—
For the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.
Mr. McComas; Committee on Claims 245.

S. 868—
For the relief of the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md.
Mr. McComas; Committee on Claims 245.

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For the relief of the estate of Jacob Richard, deceased.
Mr. McComas; Committee on Claims 245.

S. 870—
For the relief of the estate of George Smith, deceased.
Mr. McComas; Committee on Claims 245.

S. 871—
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S. 872—
For the relief of Martha J. Wroe.
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For the relief of Polly Jackson.
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S. 874—
For the relief of William A. Wroe.
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S. 875—
For the relief of the heirs of Thomas Peter.
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S. 876—
For the relief of the heirs of Benjamin T. Hodges.
Mr. McComas; Committee on Claims 245.

S. 877—
For the relief of the heirs of John D. Clemson.
Mr. McComas; Committee on Claims 245.

S. 878—
To enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States.
Mr. Quay; Committee on Territories 245.

S. 879—
To enable the people of Arizona to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.
Mr. Quay; Committee on Territories 245.

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Granting an increase of pension to Allen W. (alias Albert) Hall.
Mr. Quay; Committee on Pensions 245.

S. 881—
Granting an increase of pension to John R. Beatty.
Mr. Quay; Committee on Pensions 245.

S. 882—
Granting an increase of pension to John McWilliams.
Mr. Quay; Committee on Pensions 245.

S. 883—
Granting a pension to E. Laurence Herriott.
Mr. Cullom; Committee on Pensions 245.

S. 884—
Granting a pension to Mary A. Kreker.
Mr. Cullom; Committee on Pensions 245.

S. 885—
Granting a pension to Sarah A. Gillham.
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S. 886—
To open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations, in Oklahoma Territory, and for other purposes.
Mr. Burton; Committee on Indian Affairs 245.

S. 887—
For the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the National Appalachian Forest Reserve.
Mr. Burton; Committee on Forest Reservations and the Protection of Game 245.—Reported back (S. REPORT 13) 544.

S. 888—
Granting an increase of pension to John Walters.
Mr. Burton; Committee on Pensions 245.

S. 889—
Granting an increase of pension to Catherine A. Brown.
Mr. Burton; Committee on Pensions 245.

S. 890—
Granting an increase of pension to Mary K. Hudson.
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S. 891—
Granting an increase of pension to Edwin R. Cole.
Mr. Burton; Committee on Pensions 245.

S. 892—
Granting an increase of pension to Charles Craft.
Mr. Burton; Committee on Pensions 245.

S. 893—
Granting an increase of pension to William W. Angelo.
Mr. Burton; Committee on Pensions 245.

S. 894—
Granting an increase of pension to John A. Shukers.
Mr. Burton; Committee on Pensions 245.

S. 895—
Granting an increase of pension to Charles Disbrow.
Mr. Burton; Committee on Pensions 245.

S. 896—
Granting an increase of pension to John A. McCloud.
Mr. Burton; Committee on Pensions 245.

S. 897—
Granting an increase of pension to Lewis D. Frogge.
Mr. Burton; Committee on Pensions 245.

S. 898—
Granting an increase of pension to John B. Carter.
Mr. Burton; Committee on Pensions 245.

S. 899—
Granting an increase of pension to John Moulton.
Mr. Burnham; Committee on Pensions 245.

S. 900—
Granting an increase of pension to Daniel M. Smith.
Mr. Burnham; Committee on Pensions 245.

S. 901—
Providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii.
Mr. Perkins; Committee on Commerce 245.

S. 902—
To amend the immigration laws of the United States.
Mr. Perkins; Committee on Immigration 245.

S. 903—
Providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins.
Mr. Perkins; Committee on Finance 245.

S. 904—
Granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State.
Mr. Perkins; Committee on Public Lands 245.

S. 905—
For the relief of George F. Schild.
Mr. Perkins; Committee on Claims 246.

S. 906—
To aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.
Mr. Perkins; Committee on Library 246.

S. 907—
To establish on the coast of the State of California a station for the investigation of problems connected with the marine fishery interests of that region.
Mr. Perkins; Committee on Fisheries 246.

S. 908—
To establish a permanent military camp ground in the vicinity of Fort Sam Houston, Tex.
Mr. Bailey; Committee on Military Affairs 246.

S. 909—
For the relief of the estate of Felicite Neda Chretien, deceased.
Mr. McEnery; Committee on Claims 246.

S. 910—
Granting a pension to Rev. Frank L. Phalen.
Mr. Hoar; Committee on Pensions 246.

S. 911—
For the relief of the estate of Mrs. E. Ann Lowry, deceased.
Mr. Bacon; Committee on Claims 246.

S. 912—
For the relief of W. O. Donovan and the heirs of Lizzie M. Donovan, deceased.
Mr. Bacon; Committee on Claims 246.

S. 913—
For the relief of the trustees of the African Methodist Episcopal Church of Marietta, Ga.
Mr. Bacon; Committee on Claims 246.

S. 914—
For the relief of Honora Ryan.
Mr. Bacon; Committee on Claims 246.

S. 915—
For the relief of William Shepherd.
Mr. Bacon; Committee on Claims 246.

S. 916—
For the relief of the estate of Henry Banks, deceased.
Mr. Bacon; Committee on Claims 246.

S. 917—
For the relief of the estate of John W. Anderson, deceased.
Mr. Bacon; Committee on Claims 246.

S. 918—
To authorize the settlement of claims for longevity pay and allowances of army officers in certain cases, and for other purposes.
Mr. Warren; Committee on Military Affairs 246.

S. 919—
Authorizing the President to appoint Lieut. Col. Almon L. Varney, retired, United States Army, a brigadier-general on the retired list.
Mr. Warren; Committee on Military Affairs 246.

S. 920—
To establish a fish-hatching and fish station in the State of Wyoming.
Mr. Warren; Committee on Fisheries 246.

S. 921—
Granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home.
Mr. Warren; Committee on Public Lands 246.

S. 922—
Granting an increase of pension to William S. Devlan.
Mr. Warren; Committee on Pensions 246.

S. 923—
For the protection of the President of the United States, and for other purposes.
Mr. Hoar; Committee on Judiciary 246.

S. 924—
For the relief of Mrs. Emily Miller.
Mr. Hoar; Committee on Claims 246.

S. 925—
To remove the charge of desertion now standing against Cornelius O'Callaghan, alias William Blake.
Mr. Hoar; Committee on Naval Affairs 246.

S. 926—
Granting a pension to Benjamin Eaton.
Mr. Hoar; Committee on Pensions 246.

S. 927—
Granting a pension to Margaret O'Callaghan.
Mr. Hoar; Committee on Pensions 246.

S. 928—
Providing for the exclusive use of the proceeds arising from the sale of public lands in certain States and Territories for the purpose of irrigation and reclamation of arid and semi-arid lands in the State or Territory in which the lands sold are situated until such time as it shall be definitely ascertained that the whole or any portion of such proceeds can not be feasibly expended in irrigation projects in such State or Territory.
Mr. McCumber; Committee on Irrigation and Reclamation of Arid Lands 246.

S. 929—
Granting an increase of pension to Charles Stermer.
Mr. McCumber; Committee on Pensions 246.

S. 930—
Granting an increase of pension to Ferdinand Wiedemann.
Mr. McCumber; Committee on Pensions 246.

S. 931—
To provide for the purchase of a site and the erection of a public building thereon at Kenosha, in the State of Wisconsin.
Mr. Quarles; Committee on Public Buildings and Grounds 246.

S. 932—
To repeal the act providing for the sale of timber and stone lands, the desert-land act, and the commutation provision of the homestead act.
Mr. Quarles; Committee on Public Lands 246.

S. 933—
To provide for the classification of carriers in the rural free-delivery mail service, and to fix their compensation.
Mr. Quarles; Committee on Post-Offices and Post-Roads 246.

S. 934—
Granting an increase of pension to Frederick Jacoby.
Mr. Quarles; Committee on Pensions 246.

S. 935—
Granting a pension to Mary S. Clark.
Mr. Quarles; Committee on Pensions 246.

S. 936—
Granting an increase of pension to Joseph Crugom.
Mr. Quarles; Committee on Pensions 246.

S. 937—
Granting an increase of pension to Rudolph Siebelist.
Mr. Quarles; Committee on Pensions 246.

S. 938—
Granting an increase of pension to Timothy A. Lewis.
Mr. Quarles; Committee on Pensions 246.

S. 939—
To provide for the sale of the unsold portion of the Umatilla Indian Reservation, and for other purposes.
Mr. Mitchell; Committee on Indian Affairs 246.

S. 940—
For the relief of James Small.
Mr. Mitchell; Committee on Indian Depredations 246.

S. 941—
For the relief of Henry H. Woodford.
Mr. Mitchell; Committee on Indian Depredations 246.

S. 942—
To reimburse S. R. Green, postmaster at Oregon City, Oreg., for moneys lost by burglary.
Mr. Mitchell; Committee on Post-Offices and Post-Roads 246.

S. 943—
For the relief of J. G. and I. N. Day.
Mr. Mitchell; Committee on Claims 246.

S. 944—
For the relief of Theodore J. Eckerson, major, United States Army, retired.
Mr. Mitchell; Committee on Claims 246.

S. 945—
For the relief of the legal representatives of Sidney W. Moss.
Mr. Mitchell; Committee on Claims 246.

S. 946—
For the relief of Orville T. Porter.
Mr. Mitchell; Committee on Claims 246.

S. 947—
Authorizing the Secretary of War to credit Avery E. Long, first sergeant Twenty-sixth Battery, Field Artillery, United States Army, with his actual service from the date of his first enlistment.
Mr. Mitchell; Committee on Military Affairs 246.

S. 948—
For the relief of Daniel W. Burke, brigadier-general, United States Army, retired.
Mr. Mitchell; Committee on Military Affairs 246.

S. 949—
To remove the charge of desertion from the record of William W. Kerby.
Mr. Mitchell; Committee on Military Affairs 246.

S. 950—
To remove the charge of desertion from the name of William H. Campbell.
Mr. Mitchell; Committee on Military Affairs 246.

S. 951—
To complete the execution of the ninth article of the treaty of 1819 between the United States and Spain.
Mr. Daniel; Committee on Foreign Relations 246.

S. 952—
To refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims.
Mr. Daniel; Committee on Claims 246.

S. 953—
For the relief of the heirs of the late Mrs. Mary Ann Randolph Custis Lee, of Fairfax County, Va.
Mr. Daniel; Committee on Claims 246.

S. 954—
For the relief of John A. Fairfax.
Mr. Daniel; Committee on Claims 246.

S. 955—
For the relief of the estate of Jacob Good, deceased.
Mr. Daniel; Committee on Claims 246.

S. 956—
For the relief of William M. Jones.
Mr. Daniel; Committee on Claims 246.

S. 957—
For the relief of John C. Newton.
Mr. Daniel; Committee on Claims 246.

S. 958—
Granting an increase of pension to Anna H. B. Lewis.
Mr. Dolliver; Committee on Pensions 246.

S. 959—
Granting an increase of pension to Andrew C. Ranard.
Mr. Hansbrough; Committee on Pensions 247.

S. 960—
To purchase the Travis portrait of Abraham Lincoln.
Mr. Quay; Committee on Library 247.

S. 961—
Granting an increase of pension to Joseph Goss.
Mr. Frye; Committee on Pensions 247.

S. 962—
Granting an increase of pension to Jennet Thoits.
Mr. Frye; Committee on Pensions 247.

S. 963—
Granting an increase of pension to Joseph W. Wilber.
Mr. Frye; Committee on Pensions 247.

S. 964—
To grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc.
Mr. Penrose; Committee on Claims 247.

S. 965—
For the relief of Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett.
Mr. Penrose; Committee on Claims 247.

S. 966—
For the relief of Daniel Joseph Holland.
Mr. Penrose; Committee on Claims 247.

S. 967—
For the relief of George Rushberger.
Mr. Penrose; Committee on Claims 247.

S. 968—
To grant an honorable discharge from the military service to Robert C. Gregg.
Mr. Penrose; Committee on Military Affairs 247.

S. 969—
To grant an honorable discharge from the military service to Philip Graham.
Mr. Penrose; Committee on Military Affairs 247.

S. 970—
To authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant.
Mr. Penrose; Committee on Military Affairs 247.

S. 971—
To grant an honorable discharge from the military service to Joseph Beck.
Mr. Penrose; Committee on Military Affairs 247.

S. 972—
Granting a service pension to all officers and enlisted men of the United States Army, Navy, and Marine Corps, both Regular and Volunteer, who have been awarded medals of honor, or who may hereafter be awarded such medals under acts of Congress approved December 21, 1861, July 12 and 16, 1862, and March 3, 1863, and any other act or acts amendatory thereof or supplemental thereto.
Mr. Penrose; Committee on Pensions 247.

S. 973—
Granting a pension to Nora J. Glahn.
Mr. Penrose; Committee on Pensions 247.

S. 974—
Granting a pension to Emma Worrall.
Mr. Penrose; Committee on Pensions 247.

S. 975—
Granting a pension to Ellwood I. Beatty.
Mr. Penrose; Committee on Pensions 247.

S. 976—
Granting an increase of pension to Walter Lynn.
Mr. Penrose; Committee on Pensions 247.

S. 977—
Granting a pension to Robert M. McCormick.
Mr. Penrose; Committee on Pensions 247.

S. 978—
To restore to the pension roll the name of Henry M. Stiffler.
Mr. Penrose; Committee on Pensions 247.

S. 979—
Granting a pension to Marion L. Wilson.
Mr. Penrose; Committee on Pensions 247.

S. 980—
Granting an increase of pension to Mary Von Kusserow.
Mr. Penrose; Committee on Pensions 247.

S. 981—
Granting an increase of pension to Isaac B. Hewitt.
Mr. Penrose; Committee on Pensions 247.

S. 982—
Amending the act of January 26, 1897, entitled "An act for the relief of telegraph operators who served in the war of the rebellion."
Mr. Penrose; Committee on Pensions 247.

S. 983—
Granting a pension to William H. Richardson.
Mr. Penrose; Committee on Pensions 247.

S. 984—
Granting a pension to Matilda Daly.
Mr. Penrose; Committee on Pensions 247.

S. 985—
Granting a pension to Simon Levi.
Mr. Penrose; Committee on Pensions 247.

S. 986—
For the relief of William Persons.
Mr. Spooner; Committee on Military Affairs 247.

S. 987—
For the relief of certain settlers upon Wisconsin Central Railroad and The Dalles military road land grants.
Mr. Spooner; Committee on Public Lands 247.

S. 988—
For the relief of the estate of Jesse Mabry, deceased.
Mr. Money; Committee on Claims 247.

S. 989—
For the relief of the estate of Jesse Maboy, deceased.
Mr. Money; Committee on Claims 247.

S. 990—
For the relief of the estate of George Messinger, deceased.
Mr. Money; Committee on Claims 247.

S. 991—
For the relief of Abner P. Bush.
Mr. Money; Committee on Claims 247.

S. 992—
For the relief of Mary Ann Jackson.
Mr. Money; Committee on Claims 247.

S. 993—
For the relief of the estate of Purify Tingle, deceased.
Mr. Money; Committee on Claims 247.

S. 994—
For the relief of Robert T. Cheek.
Mr. Money; Committee on Claims 247.

S. 995—
For the relief of E. Mitchell.
Mr. Money; Committee on Claims 247.

S. 996—
For the relief of the heirs of Augustus Catchings.
Mr. Money; Committee on Claims 247.

S. 997—
For the relief of Jacob S. Butler.
Mr. Money; Committee on Claims 247.

S. 998—
For the relief of Eliza C. Butler, executrix of Sarah A. Williams, deceased.
Mr. Money; Committee on Claims 247.

S. 999—
For the relief of the legal representatives of Louisa Barnes, deceased.
Mr. Money; Committee on Claims 247.

S. 1000—
For the relief of William H. Smith.
Mr. Money; Committee on Claims 247.

S. 1001—
For the relief of the legal representatives of Richard W. Sessions, deceased.
Mr. Money; Committee on Claims 247.

S. 1002—
For the relief of Bettie and Lucy Brooks.
Mr. Money; Committee on Claims 247.

S. 1003—
For the relief of the legal representatives of Mary A. Chotard, deceased.
Mr. Money; Committee on Claims 247.

S. 1004—
For the relief of the estate of W. W. Dunton, deceased.
Mr. Money; Committee on Claims 247.

S. 1005—
For the relief of the estate of Mary B. Blake, deceased.
Mr. Money; Committee on Claims 247.

S. 1006—
For the relief of the estate of Lemuel R. Hanks, deceased.
Mr. Money; Committee on Claims 247.

S. 1007—
For the relief of the estate of Wesley Crisler, deceased.
Mr. Money; Committee on Claims 247.

S. 1008—
For the relief of Martha A. Dochterman.
Mr. Money; Committee on Claims 247.

S. 1009—
For the relief of Joseph C. Ferriday.
Mr. Money; Committee on Claims 247.

S. 1010—
For the relief of Nancy Maria Minter.
Mr. Money; Committee on Claims 247.

S. 1011—
For the relief of the estate of William M. Bowles, deceased.
Mr. Money; Committee on Claims 247.

S. 1012—
For the relief of Mrs. S. A. E. Bailey.
Mr. Money; Committee on Claims 247.

S. 1013—
For the relief of L. B. F. Champion.
Mr. Money; Committee on Claims 247.

S. 1014—
For the relief of D. O. Perkins.
Mr. Money; Committee on Claims 247.

S. 1015—
For the relief of the estate of William R. Tinsley, deceased.
Mr. Money; Committee on Claims 247.

S. 1016—
For the relief of Louis Sommer.
Mr. Money; Committee on Claims 247.

S. 1017—
For the relief of Mrs. Ann M. Brown.
Mr. Money; Committee on Claims 247.

S. 1018—
For the relief of the estate of Thomas P. Young, deceased.
Mr. Money; Committee on Claims 247.

S. 1019—
For the relief of the estate of Dr. J. P. Davis, deceased.
Mr. Money; Committee on Claims 247.

S. 1020—
For the relief of the estate of Benjamin Hawes, deceased.
Mr. Money; Committee on Claims 247.

S. 1021—
For the relief of Patrick Foley.
Mr. Money; Committee on Claims 247.

S. 1022—
For the relief of James H. Knox.
Mr. Money; Committee on Claims 247.

S. 1023—
For the relief of James W. Person and Isabella M. Person.
Mr. Money; Committee on Claims 247.

S. 1024—
For the relief of Elizabeth Galbreath.
Mr. Money; Committee on Claims 247.

S. 1025—
For the relief of the estate of Jesse H. Darden, deceased.
Mr. Money; Committee on Claims 247.

S. 1026—
For the relief of the estate of James Spiars, deceased.
Mr. Money; Committee on Claims 247.

S. 1027—
For the relief of Abner P. Bush.
Mr. Money; Committee on Claims 247.

S. 1028—
For the relief of J. E. Whittington.
Mr. Money; Committee on Claims 247.

S. 1029—
For the relief of the estate of Milton Crawford, deceased.
Mr. Money; Committee on Claims 247.

S. 1030—
For the relief of Mrs. E. A. B. Legg.
Mr. Money; Committee on Claims 247.

S. 1031—
For the relief of the estate of J. K. Morrison, deceased.
Mr. Money; Committee on Claims 247.

S. 1032—
For the relief of George L. McGehee and John C. McGehee, heirs of Mary McGehee, deceased.
Mr. Money; Committee on Claims 247.

S. 1033—
For the relief of the estate of John O'Ferrall, deceased.
Mr. Money; Committee on Claims 247.

S. 1034—
For the relief of Abbie P. Anderson, executrix of William A. Watson, deceased.
Mr. Money; Committee on Claims 247.

S. 1035—
For the relief of the estate of John Fleming, deceased.
Mr. Money; Committee on Claims 247.

S. 1036—
For the relief of the estate of Franklin S. Whitney, deceased.
Mr. Money; Committee on Claims 247.

S. 1037—
For the relief of John K. Nutt, administrator of Haller Nutt, deceased.
Mr. Money; Committee on Claims 247.

S. 1038—
For the relief of the estate of George M. Coker, deceased.
Mr. Money; Committee on Claims 247.

S. 1039—
For the relief of Alice G. Boogher, née Newman, and Anna Holmes, née Newman.
Mr. Money; Committee on Claims 247.

S. 1040—
For the relief of the estate of John Rist, deceased.
Mr. Money; Committee on Claims 247.

S. 1041—
To quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased.
Mr. Money; Committee on Claims 247.

S. 1042—
For the relief of Jacob Walker or his legal representatives.
Mr. Money; Committee on Claims 247.

S. 1043—
For the relief of Thomas W. Walker or his legal representatives.
Mr. Money; Committee on Claims 247.

S. 1044—
For the relief of the estate of Matilda B. Harvey, deceased.
Mr. Money; Committee on Claims 247.

S. 1045—
For the relief of the estate of Josiah Walker or his legal representatives.
Mr. Money; Committee on Claims 248.

S. 1046—
For the relief of J. C. Fitzgerald.
Mr. Money; Committee on Claims 248.

S. 1047—
For the relief of the estate of Alice Hardaway, deceased.
Mr. Money; Committee on Claims 248.

S. 1048—
For the relief of the legal representatives of Benjamin Roach, deceased.
Mr. Money; Committee on Claims 248.

S. 1049—
For the relief of Maria A. White.
Mr. Money; Committee on Claims 248.

S. 1050—
For the relief of D. M. Snowden.
Mr. Money; Committee on Claims 248.

S. 1051—
For the relief of the estate of Richard Harding, deceased.
Mr. Money; Committee on Claims 248.

S. 1052—
For the relief of the estate of Joseph Albert Stouse, deceased.
Mr. Money; Committee on Claims 248.

S. 1053—
For the relief of the estate of Susan L. Hardaway, deceased.
Mr. Money; Committee on Claims 248.

S. 1054—
For the relief of Jordan Broadway.
Mr. Money; Committee on Claims 248.

S. 1055—
For the relief of Achilles M. Haraway.
Mr. Money; Committee on Claims 248.

S. 1056—
For the relief of Mary Ann Nagle.
Mr. Money; Committee on Claims 248.

S. 1057—
For the relief of John A. Brent.
Mr. Money; Committee on Claims 248.

S. 1058—
For the relief of Francis E. Whitfield and Lucy G. Whitfield.
Mr. Money; Committee on Claims 248.

S. 1059—
For the relief of J. B. Fuller.
Mr. Money; Committee on Claims 248.

S. 1060—
For the relief of Melchisedec Robinson.
Mr. Money; Committee on Claims 248.

S. 1061—
For the relief of Samuel Scott.
Mr. Money; Committee on Claims 248.

S. 1062—
For the relief of the estate of William M. Kimmons, deceased.
Mr. Money; Committee on Claims 248.

S. 1063—
For the relief of the estate of Nancy Barrow, deceased.
Mr. Money; Committee on Claims 248.

S. 1064—
For the relief of the Presbyterian Church of Kossuth, Miss.
Mr. Money; Committee on Claims 248.

S. 1065—
For the relief of Mrs. Virginia Grant.
Mr. Money; Committee on Claims 248.

S. 1066—
For the relief of Patrick J. Finley.
Mr. Money; Committee on Claims 248.

S. 1067—
For the relief of the estate of John T. Rawlings, deceased.
Mr. Money; Committee on Claims 248.

S. 1068—
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S. 1072—
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S. 1075—
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S. 1076—
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S. 1077—
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S. 1102—
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Mr. Money; Committee on Claims 248.

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S. 1107—
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S. 1108—
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S. 1109—
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Mr. Money; Committee on Claims 248.

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S. 1117—
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S. 1124—
For the relief of B. V. McGuffee, sr.
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S. 1125—
For the relief of the estate of Charlotte G. Robertson, deceased.
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S. 1126—
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S. 1127—
For the relief of the legal representatives of Oscar L. Dewees, deceased.
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S. 1128—
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Mr. Money; Committee on Claims 248.

S. 1129—
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S. 1130—
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S. 1131—
For the relief of W. A. Sanford, administrator of H. B. Bloxam, deceased.
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S. 1132—
For the relief of the estate of Eben N. Davis, deceased.
Mr. Money; Committee on Claims 248.

S. 1133—
For the relief of the estate of John B. Brabston, deceased.
Mr. Money; Committee on Claims 248.

S. 1134—
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Mr. Money; Committee on Claims 248.

S. 1136—
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S. 1137—
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Mr. Money; Committee on Claims 248.

S. 1138—
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S. 1139—
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Mr. Money; Committee on Claims 248.

S. 1140—
For the relief of Julia A. Thomas, administratrix of the estate of I. S. O. G. Greer, deceased,
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S. 1141—
For the relief of the estate of Edmund McGehee, deceased.
Mr. Money; Committee on Claims 248.

S. 1142—
For the relief of Caleb Perkins.
Mr. Money; Committee on Claims 248.

S. 1143—
For the relief of the estate of Dr. O. L. Dewees, deceased.
Mr. Money; Committee on Claims 248.

S. 1144—
For the relief of Mrs. E. A. B. Legg.
Mr. Money; Committee on Claims 248.

S. 1145—
For the relief of the estate of S. A. Snodgrass, deceased.
Mr. Money; Committee on Claims 248.

S. 1146—
For the relief of W. S. Atwood.
Mr. Money; Committee on Claims 248.

S. 1147—
For the relief of Eliza L. Rivers.
Mr. Money; Committee on Claims 248.

S. 1148—
For the relief of Ann E. Saddler.
Mr. Money; Committee on Claims 248.

S. 1149—
For the relief of Mrs. Julia A. Thomas, widow and administratrix of John C. Thomas, deceased.
Mr. Money; Committee on Claims 248.

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S. 1151—
For the relief of Lytle A. Rather, administrator of the estate of William B. Lumpkin, deceased.
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For the relief of G. B. Harper and J. S. Clearman, executors of W. L. Clearman, deceased.
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For the relief of the vestry of Christ Episcopal Church, of Holly Springs, Miss.
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S. 1155—
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S. 1156—
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S. 1157—
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S. 1158—
For the relief of R. M. Lay, administrator of Henry Lay, deceased.
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S. 1160—
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Mr. Money; Committee on Claims 249.

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For the relief of the heirs of Lucinda Mundy.
Mr. Money; Committee on Claims 249.

S. 1162—
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Mr. Money; Committee on Claims 249.

S. 1163—
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S. 1165—
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S. 1167—
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S. 1168—
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S. 1169—
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Mr. Money; Committee on Claims 249.

S. 1170—
For the relief of Annie Jane Oglesbee.
Mr. Money; Committee on Claims 249.

S. 1171—
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Mr. Money; Committee on Claims 249.

S. 1172—
For the relief of the estate of Wesley Crisler, deceased.
Mr. Money; Committee on Claims 249.

S. 1173—
For the relief of the estate of Adaline L. Hebron, deceased.
Mr. Money; Committee on Claims 249.

S. 1174—
For the relief of the estate of Augustus Strong, deceased.
Mr. Money; Committee on Claims 249.

S. 1175—
For the relief of the estate of Mary M. Steed, deceased.
Mr. Money; Committee on Claims 249.

S. 1176—
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Mr. Money; Committee on Claims 249.

S. 1177—
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S. 1178—
For the relief of William F. Haralson.
Mr. Money; Committee on Claims 249.

S. 1179—
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S. 1180—
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Mr. Money; Committee on Claims 249.

S. 1183—
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S. 1185—
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S. 1187—
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S. 1189—
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S. 1190—
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For the relief of the estate of John Rist, deceased.
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S. 1193—
For the relief of the estate of William Parker, deceased.
Mr. Money; Committee on Claims 249.

S. 1194—
For the relief of Alice G. Boogher, née Newman, and Anna Holmes, née Newman.
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S. 1197—
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S. 1198—
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S. 1301—
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S. 1302—
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S. 1303—
Granting a pension to Mary P. Scovel.
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S. 1304—
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Mr. Teller; Committee on Pensions 290.

S. 1308—
Granting a pension to Thomas Tobens.
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S. 1309—
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S. 1310—
Granting a pension to Ella C. Tupper.
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S. 1311—
Granting a pension to Henry Wagner.
Mr. Teller; Committee on Pensions 290.

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Mr. Teller; Committee on Pensions 290.

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S. 1314—
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Mr. Teller; Committee on Pensions 290.

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Granting a pension to George W. Williford.
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S. 1316—
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S. 1317—
Granting a pension to Henry A. F. Worth.
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S. 1318—
Removing the charge of desertion from the name of Frank A. Land.
Mr. Teller; Committee on Military Affairs 290.

S. 1319—
Authorizing Robert A. Chapman, of Alabama, his associates and assigns, to use the waters of Coosa River, in Alabama, for the purpose of generating electricity.
Mr. Pettus; Committee on Commerce 290.

S. 1320—
To provide for the purchase of a site and the erection of a building thereon at Auburn, in the State of Maine.
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S. 1323—
Granting a pension to Caroline C. Kuhn.
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S. 1324—
Granting an increase of pension to William F. Windle.
Mr. Cullom; Committee on Pensions 322.

S. 1325—
For the relief of Herrera's nephews and Gallego, Messa & Co.
Mr. Cullom; Committee on Foreign Relations 322.

S. 1326—
For the restoration to citizenship of women married to aliens.
Mr. Platt of New York; Committee on Judiciary 322.

S. 1327—
Authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to.
Mr. Platt of New York; Committee on Claims 322.

S. 1328—
Granting an increase of pension to Samuel Clark.
Mr. Scott; Committee on Pensions 322.

S. 1329—
Granting an increase of pension to Anthony H. Crawford.
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S. 1330—
Granting a pension to Jerry S. Fish.
Mr. Scott; Committee on Pensions 322.

S. 1331—
For the erection of a monument in the city of Washington, D. C., to the memory of the private soldiers of the Union armies.
Mr. Gallinger; Committee on Library 322.

S. 1332—
To extend Nineteenth street NW. from Cincinnati street to the Adams Mill road, and to acquire the triangle abutting on the east side thereof included within Cincinnati street and the Adams Mill road.
Mr. Gallinger; Committee on District of Columbia 322.

S. 1333—
To correct the military record of Orlando Lawrence.
Mr. Gallinger; Committee on Military Affairs 322.

S. 1334—
Granting a pension to Amy C. Bosworth.
Mr. Gallinger; Committee on Pensions 322—Reported back (S. REPORT 8) 457.

S. 1335—
Granting an increase of pension to Calvin Daws.
Mr. Gallinger; Committee on Pensions 322.—Reported back (S. REPORT 9) 457.

S. 1336—
For the relief of Mrs. H. B. Clay.
Mr. Bate; Committee on Claims 322.

S. 1337—
For the relief of Sarah McClay, administratrix of Robert McClay, deceased.
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S. 1338—
For the relief of the heirs of William Tinder, deceased.
Mr. Bate; Committee on Claims 322.

S. 1339—
For the relief of Mary J. Roberts and her children, to wit, John Joseph Stansifer, Eva May Deakins, Octavia Baker, Annie M. Gledhill, Ida Belle Stansifer, and Charles L. Stansifer.
Mr. Bate; Committee on Claims 322.

S. 1340—
For the relief of M. Robison, administrator of T. E. Robison, deceased.
Mr. Bate; Committee on Claims 322.

S. 1341—
For the relief of Thomas J. Powell.
Mr. Bate; Committee on Claims 322.

S. 1342—
For the relief of John L. Rhea, executor of Samuel Rhea, deceased, and John Anderson, administrator of Joseph R. Anderson, deceased.
Mr. Bate; Committee on Claims 322.

S. 1343—
To amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes.
Mr. Pettus; Committee on Military Affairs 322.

S. 1344—
To quiet certain land titles in the State of Mississippi.
Mr. McLaurin; Committee on Public Lands 323.—Reported back (S. REPORT 3) 441.

S. 1345—
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Mr. McLaurin; Committee on Public Lands 323.

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For the relief of S. A. E. Bailey.
Mr. McLaurin; Committee on Claims 322.

S. 1347—
For the relief of Mrs. Catherine P. Byrnes.
Mr. McLaurin; Committee on Claims 322.

S. 1348—
For the relief of Piazza & Botto.
Mr. McLaurin; Committee on Claims 322.

S. 1349—
For the relief of James K. Hamblen.
Mr. McLaurin; Committee on Claims 322.

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Granting an increase of pension to John J. Driscoll.
Mr. Mallory; Committee on Pensions 322.

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Mr. Mallory; Committee on Claims 322.

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For the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb.
Mr. Ball; Committee on Commerce 322.

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For the relief of George T. Hamilton.
Mr. Ball; Committee on Claims 322.

S. 1354—
Granting an increase of pension to John D. Woodward.
Mr. Ball; Committee on Pensions 322.

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Granting an increase of pension to Joseph H. Chambers.
Mr. Ball; Committee on Pensions 322.

S. 1356—
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S. 1357—
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Mr. Ball; Committee on Pensions 322.

S. 1359—
Granting an increase of pension to William F. Davis.
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For the relief of Jones & Laughlins (Limited) and others.
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S. 1361—
To reimburse James M. McGee, M. D., for expenses incurred in the burial of Mary J. De Lange, a deceased pensioner.
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S. 1362—
For the relief of the Postal Telegraph Cable Company.
Mr. Penrose; Committee on Claims 322.

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Restoring the name of Henry L. Beck to the army rolls as captain, and providing that he then be placed on the retired list.
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S. 1364—
Granting an increase of pension to John Middleton.
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S. 1365—
Granting an increase of pension to Reid McFadden.
Mr. Penrose; Committee on Pensions 322.

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Mr. Penrose; Committee on Pensions 322.

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Mr. Penrose; Committee on Pensions 322.

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S. 1369—
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Mr. Penrose; Committee on Pensions 322.

S. 1370—
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Mr. Kearns; Committee on Pensions 322.

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Mr. Kearns; Committee on Pensions 322.

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Granting a pension to Emma L. Ferrier.
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Mr. McComas; Committee on Claims 323.

S. 1382—
To provide for the sale of lot 4, square 1113, in the city of Washington, D. C.
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To award a medal of honor to Maj. John O. Skinner, surgeon, United States Army, retired.
Mr. McComas; Committee on Military Affairs 323.

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S. 1392—
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Mr. Alger; Committee on Pensions 357.

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Mr. Alger; Committee on Pensions 357.

S. 1394—
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Mr. Alger; Committee on Pensions 357.

S. 1395—
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Mr. Alger; Committee on Pensions 357.

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Granting an increase of pension to Emma Robbins.
Mr. Alger; Committee on Pensions 357.

S. 1397—
Granting a pension to Lucy M. Ferman.
Mr. Alger; Committee on Pensions 357.

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To correct the military record of Oliver C. Rouse.
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To remove the charge of desertion from the military record of John Esseltine.
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Mr. Alger; Committee on Military Affairs 357.

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To provide for site and public building at Meadville, Pa.
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For the relief of Mrs. Jane W. Mason.
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Granting a pension to Nicholas Simons.
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Granting a pension to Isabella C. Swisher.
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S. 1741—
For the relief of the county of White Pine, State of Nevada.
Mr. Stewart; Committee on Indian Affairs 442.

S. 1742—
For the relief of John L. Smithmeyer and Paul J. Pelz.
Mr. Stewart; Committee on Claims 442.

S. 1743—
For the relief of Riley Moutrey.
Mr. Stewart; Committee on Claims 442.

S. 1744—
For the relief of Mary C. Jackson.
Mr. Carmack; Committee on Claims 442.

S. 1745—
For the relief of the estate of William B. Waldron, deceased.
Mr. Carmack; Committee on Claims 442.

S. 1746—
For the relief of the legal heirs of Celestine Sara, deceased.
Mr. Mallory; Committee on Claims 442.

S. 1747—
To recognize the military services of George R. Burnett, late first lieutenant, Ninth United States Cavalry.
Mr. Dolliver; Committee on Military Affairs 442.

S. 1748—
To provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California.
Mr. Perkins; Committee on Commerce 442.

S. 1749—
To provide relief for such employees in United States navy-yards as may be disabled by accident while in the performance of duty, and, in the event of fatal casualties, for the relief of surviving dependents.
Mr. Perkins; Committee on Naval Affairs 442.

S. 1750—
To provide an American register for the British ship Pyrenees.
Mr. Perkins; Committee on Commerce 442.

S. 1751—
Granting an increase of pension to R. F. Catterson.
Mr. Nelson; Committee on Pensions 442.

S. 1752—
For the relief of the estate of Richard Lawson.
Mr. Gorman; Committee on Claims 442.

S. 1753—
For the relief of Pay Clerk Charles Blake, United States Navy.
Mr. Hale; Committee on Naval Affairs 442.

S. 1754—
For the extension of Eigthth street NE., otherwise known as Railroad avenue.
Mr. Hale; Committee on District of Columbia 442.

S. 1755—
Granting an increase of pension to Thomas Banks.
Mr. Hale; Committee on Pensions 442.

S. 1756—
Granting an increase of pension to Zebedee M. Cushman.
Mr. Hale; Committee on Pensions 442.

S. 1757—
Establishing the Atlanta National Military Park.
Mr. Bacon; Committee on Military Affairs 442.

S. 1758—
To repeal an act to establish a uniform system of bankruptcy throughout the United States, approved July 1, 1898.
Mr. Clay; Committee on Judiciary 442.

S. 1759—
For the improvement of the Chattahoochee River.
Mr. Clay; Committee on Commerce 442.

S. 1760—
Granting a pension to Ann A. Devore.
Mr. Tillman; Committee on Pensions 442.

S. 1761—
Granting a pension to Jennette C. Danico.
Mr. Frye; Committee on Pensions 442.

S. 1762—
Granting an increase of pension to Alphonso B. Holland.
Mr. Frye; Committee on Pensions 442.

S. 1763—
Granting a pension to Mary F. Perham.
Mr. Frye; Committee on Pensions 442.

S. 1764—
Granting an increase of pension to John Shehan.
Mr. Frye; Committee on Pensions 442.

S. 1765—
Granting an increase of pension to Cynthia A. Burton.
Mr. Beveridge; Committee on Pensions 477.

S. 1766—
Granting a pension to Henry Jordan.
Mr. Beveridge; Committee on Pensions 477.

S. 1767—
Granting an increase of pension to William H. Smith.
Mr. Beveridge; Committee on Pensions 477.

S. 1768—
Granting an increase of pension to Thomas Gully.
Mr. Beveridge; Committee on Pensions 477.

S. 1769—
Granting an increase of pension to Junius Abbott.
Mr. Beveridge; Committee on Pensions 477.

S. 1770—
To correct the military record of Jacob W. Perkins.
Mr. Beveridge; Committee on Military Affairs 477.

S. 1771—
For the relief of William H. Anderson.
Mr. Beveridge; Committee on Post-Offices and Post-Roads 477.

S. 1772—
Granting an increase of pension to Louise K. Bard.
Mr. Quay; Committee on Pensions 477.

S. 1773—
To correct the military record of William Moore.
Mr. Quay; Committee on Military Affairs 477.

S. 1774—
For the relief of Frank Oldengot, alias Frank Oltencott.
Mr. Quay; Committee on Military Affairs 477.

S. 1775—
To correct the military record of James E. Freeman.
Mr. Quay; Committee on Military Affairs 477.

S. 1776—
To correct the military record of Patrick Morrissey.
Mr. Quay; Committee on Military Affairs 477.

S. 1777—
For the relief of Joseph M. Reed.
Mr. Quay; Committee on Military Affairs 477.

S. 1778—
For the relief of Jonathan Bush.
Mr. Quay; Committee on Military Affairs 477.

S. 1779—
For the relief of Caroline Murtagh, widow of the late William J. Murtagh, formerly proprietor of the National Republican, of Washington, D. C.
Mr. Gorman; Committee on Claims 477.

S. 1780—
Granting an increase of pension to Sarah J. Appleton.
Mr. Fairbanks; Committee on Pensions 477.

S. 1781—
Granting an increase of pension to James F. Nosler.
Mr. Fairbanks; Committee on Pensions 477.

S. 1782—
Granting an increase of pension to John W. Coons.
Mr. Fairbanks; Committee on Pensions 477.

S. 1783—
Granting a pension to William H. Ellingwood.
Mr. Fairbanks; Committee on Pensions 477.

S. 1784—
Granting an increase of pension to Alfred Johnson.
Mr. Fairbanks; Committee on Pensions 477.

S. 1785—
Granting an increase of pension to John Zimmerman.
Mr. Fairbanks; Committee on Pensions 477.

S. 1786—
Restoring James G. Field, naval surgeon, to the line of promotion.
Mr. Patterson; Committee on Naval Affairs 477.

S. 1787—
For the relief of Jean Louis Legare, of the Dominion of Canada.
Mr. Clapp; Committee on Claims 477.

S. 1788—
Granting a pension to Sarah L. Nichols.
Mr. Cullom; Committee on Pensions 477.

S. 1789—
Permitting railroad companies owning railroads in the Indian Territory to sell and convey the whole or any part thereof, and for other purposes.
Mr. Long; Committee on Indian Affairs 477.

S. 1790—
For the relief of Simon Regnier.
Mr. Long; Committee on Military Affairs 477.

S. 1791—
To provide for the purchase of a site and the erection of a public building thereon at Newton, in the State of Kansas.
Mr. Long; Committee on Public Buildings and Grounds 477.

S. 1792—
For the relief of James W. Morgan.
Mr. Long; Committee on Claims 477.

S. 1793—
For the relief of John C. Brown.
Mr. Long; Committee on Claims 477.

S. 1794—
Granting an increase of pension to Joseph C. Walkinshaw.
Mr. Long; Committee on Pensions 477.

S. 1795—
Granting an increase of pension to Leander Smith.
Mr. Long; Committee on Pensions 477.

S. 1796—
Granting an increase of pension to Matthew Woodworth.
Mr. Long; Committee on Pensions 477.

S. 1797—
Granting a pension to Ellen H. Sharp.
Mr. Long; Committee on Pensions 477.

S. 1798—
Granting an increase of pension to Isaac Cole.
Mr. Long; Committee on Pensions 477.

S. 1799—
Granting an increase of pension to Charles E. Decker.
Mr. Long; Committee on Pensions 477.

S. 1800—
Granting an increase of pension to Charles Willauer.
Mr. Long; Committee on Pensions 477.

S. 1801—
Granting a pension to Mary J. Haas.
Mr. Long; Committee on Pensions 477.

S. 1802—
Granting an increase of pension to Isaac M. Couch.
Mr. Long; Committee on Pensions 477.

S. 1803—
Granting an increase of pension to John M. Morgan.
Mr. Long; Committee on Pensions 477.

S. 1804—
Granting a pension to Catherine Pixley.
Mr. Long; Committee on Pensions 477.

S. 1805—
Granting an increase of pension to Edwin A. Welch.
Mr. Long; Committee on Pensions 477.

S. 1806—
Granting an increase of pension to David Bennett.
Mr. Long; Committee on Pensions 477.

S. 1807—
Granting an increase of pension to James Gray.
Mr. Long; Committee on Pensions 477.

S. 1808—
Granting a pension to James L. Dyer.
Mr. Long; Committee on Pensions 477.

S. 1809—
Granting an increase of pension to Andrew J. Freeman.
Mr. Long; Committee on Pensions 477.

S. 1810—
Granting an increase of pension to George W. Thomas.
Mr. Long; Committee on Pensions 477.

S. 1811—
For the relief of Sylvester H. Lee.
Mr. Penrose; Committee on Claims 477.

S. 1812—
Granting a pension to Mary A. Artman.
Mr. Penrose; Committee on Pensions 477.

S. 1813—
Granting an increase of pension to Mary B. Keller.
Mr. Penrose; Committee on Pensions 477.

S. 1814—
Granting an increase of pension to Samuel W. Kauffman.
Mr. Penrose; Committee on Pensions 477.

S. 1815—
Granting a pension to Catharine Elliot.
Mr. Penrose; Committee on Pensions 477.

S. 1816—
Granting an increase of pension to Frederick Shanabrough.
Mr. Penrose; Committee on Pensions 477.

S. 1817—
Granting a pension to Michael J. Meehan.
Mr. Lodge; Committee on Pensions 477.

S. 1818—
Granting an increase of pension to Mary A. Craigue.
Mr. Lodge; Committee on Pensions 477.

S. 1819—
Granting a pension to Charles P. Skinner.
Mr. Lodge; Committee on Pensions 477.

S. 1820—
Granting a pension to Martha W. Pollard.
Mr. Lodge; Committee on Pensions 477.

S. 1821—
For the relief of Catherine Grace.
Mr. Lodge; Committee on Claims 477.

S. 1822—
Granting a pension to Samuel Miller.
Mr. Cullom; Committee on Pensions 487.

S. 1823—
Granting an increase of pension to Landy C. Daily.
Mr. Cullom; Committee on Pensions 487.

S. 1824—
To remove the charge of desertion against Benjamin Brothers.
Mr. Cullom; Committee on Military Affairs 487.

S. 1825—
Granting a pension to Josephine L. Webber.
Mr. Gallinger; Committee on Pensions 487.

S. 1826—
Granting an increase of pension to Mary E. Cutts.
Mr. Gallinger; Committee on Pensions 487.

S. 1827—
Granting an increase of pension to Harris A. P. Lewis.
Mr. Gallinger; Committee on Pensions 487.

S. 1828—
Granting an increase of pension to John F. Green.
Mr. Burnham; Committee on Pensions 487.

S. 1829—
Granting a pension to Julia A. Campbell.
Mr. Burnham; Committee on Pensions 487.

S. 1830—
Granting an increase of pension to Sarah E. Austin.
Mr. Burnham; Committee on Pensions 487.

S. 1831—
Granting an increase of pension to John L. B. Thompson.
Mr. Burnham; Committee on Pensions 487.

S. 1832—
Granting an increase of pension to George W. Herron.
Mr. Foster of Washington; Committee on Pensions 487.

S. 1833—
Conferring upon the Court of Claims authority to hear and determine certain claims of the Chippewa Indians in the State of Minnesota.
Mr. Clapp; Committee on Indian Affairs 487.

S. 1834—
Granting an increase of pension to John W. Paul.
Mr. Clapp; Committee on Pensions 487.

S. 1835—
Granting an increase of pension to David P. R. Strong.
Mr. Clapp; Committee on Pensions 487.

S. 1836—
For the relief of E. H. Murrell.
Mr. Berry; Committee on Claims 487.

S. 1837—
For the relief of Edward S. Brown.
Mr. Daniel; Committee on Claims 487.

S. 1838—
To provide for paying certain advances made to the United States by the State of Virginia for public buildings.
Mr. Daniel; Committee on Claims 487.

S. 1839—
For the relief of Preston Lodge, No. 47, of Ancient Free and Accepted Masons, of Jonesville, Lee County, Va.
Mr. Daniel; Committee on Claims 487.

S. 1840—
For the relief of the estate of Henry Fitzhugh, deceased.
Mr. Daniel; Committee on Claims 487.

S. 1841—
For the relief of the trustees of the Norfolk Academy.
Mr. Daniel; Committee on Claims 487.

S. 1842—
To provide for compensation for certain employees of the Treasury, War, and Navy Departments.
Mr. Daniel; Committee on Claims 487.

S. 1843—
For the relief of the heirs of Stephen D. Castleman.
Mr. Daniel; Committee on Claims 487.

S. 1844—
For the relief of the heirs of John Freeland, deceased.
Mr. Daniel; Committee on Claims 487.

S. 1845—
For the relief of Bettie Eppes Minetree, sole heir of John W. Eppes, deceased.
Mr. Daniel; Committee on Claims 487.

S. 1846—
For the relief of the estate of James M. Catlett, deceased.
Mr. Daniel; Committee on Claims 487.

S. 1847—
For the relief of George L. Watkins, Bettie A. Hamilton, Junius F. Watkins, Louisa J. Jones, and Lottie E. Kidd.
Mr. Daniel; Committee on Claims 487.

S. 1848—
For the relief of the heirs of John H. Rixey, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1849—
For the relief of the estate of Sina Hughlett, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1850—
For the relief of James K. Skinker.
Mr. Daniel; Committee on Claims 488.

S. 1851—
For the relief of the heirs of John B. Almond, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1852—
For the relief of the estate of W. H. Harrison, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1853—
For the relief of the estate of John B. Crenshaw, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1854—
For the relief of Pickrell & Brooks.
Mr. Daniel; Committee on Claims 488.

S. 1855—
For the relief of William Mason.
Mr. Daniel; Committee on Claims 488.

S. 1856—
For the relief of John N. Bell.
Mr. Daniel; Committee on Claims 488.

S. 1857—
For the relief of the estate of William Fletcher, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1858—
For the relief of the estate of William A. Bowen, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1859—
For the relief of Benjamin M. Yancey.
Mr. Daniel; Committee on Claims 488.

S. 1860—
For the relief of the estate of Henry S. Williams, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1861—
For the relief of the estate of William Shreve, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1862—
For the relief of the estate of W. H. Stringfellow, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1863—
For the relief of the heirs of Henry Sinon, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1864—
For the relief of the estate of Peter Sheets, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1865—
For the relief of R. A. Young.
Mr. Daniel; Committee on Claims 488.

S. 1866—
For the relief of Luther and Priscilla Walton.
Mr. Daniel; Committee on Claims 488.

S. 1867—
For the relief of Charles A. Newlon.
Mr. Daniel; Committee on Claims 488.

S. 1868—
For the relief of the estate of David B. Tennant, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1869—
For the relief of J. A. Shackleton.
Mr. Daniel; Committee on Claims 488.

S. 1870—
For the relief of the heirs of John Poland, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1871—
For the relief of Napoleon B. Watkins.
Mr. Daniel; Committee on Claims 488.

S. 1872—
For the relief of the estate of Robert Brockett, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1873—
For the relief of Emma C. Franner, George W. Seaton, Hiram K. Seaton, Howard Seaton, Mary Seaton, Blanche Seaton, George W. Taylor, Edward Taylor, and Catharine Pomeroy.
Mr. Daniel; Committee on Claims 488.

S. 1874—
For the relief of Richard K. Hughlett.
Mr. Daniel; Committee on Claims 488.

S. 1875—
For the relief of James W. Nickens.
Mr. Daniel; Committee on Claims 488.

S. 1876—
For the relief of Robert G. Griffin, Catharine H. Harris, and Isaac P. Cromwell, administrator of Hannah T. Cromwell, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1877—
For the relief of the trustees of Braddock Street Methodist Episcopal Church, at Winchester, Va.
Mr. Daniel; Committee on Claims 488.

S. 1878—
For the relief of the trustees of the Evangelical Lutheran Church of Strasburg, Va.
Mr. Daniel; Committee on Claims 488.

S. 1879—
For the relief of Newton Woodyard.
Mr. Daniel; Committee on Claims 488.

S. 1880—
For the relief of the heirs of Robert M. Ely, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1881—
For the relief of the estate of Robert Barr, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1882—
For the relief of Sallie R. Walton.
Mr. Daniel; Committee on Claims 488.

S. 1883—
For the relief of the estate of Isaac Burnett, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1884—
For the relief of the estate of John B. Ege, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1885—
For the relief of the estate of Richard L. Brown, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1886—
For the relief of the estate of Dr. Bailey Shumate.
Mr. Daniel; Committee on Claims 488.

S. 1887—
For the relief of Lettie Myers.
Mr. Daniel; Committee on Claims 488.

S. 1888—
For the relief of the estate of Lewis Shumate, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1889—
For the relief of C. A. Sprinkel.
Mr. Daniel; Committee on Claims 488.

S. 1890—
For the relief of Lucy B. Legrande, Catharine Jameson, Elizabeth H. Lester, Shirley B. Shackelford, Edwin A. Gibson, and the heirs of Henry Shackelford, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1891—
To refer the war claim of the estate of Carter B. Butler, deceased, to the Court of Claims.
Mr. Daniel; Committee on Claims 488.

S. 1892—
For the relief of the estate of John J. Mitchell, deceased.
Mr. Daniel; Committee on Claims 488.

S. 1893—
For the relief of the heirs of Eli Stake.
Mr. Daniel; Committee on Claims 488.

S. 1894—
For the relief of the estate of John Cain or his legal representatives.
Mr. Daniel; Committee on Claims 488.

S. 1895—
Granting a pension to Maria Elizabeth Horner.
Mr. Daniel; Committee on Pensions 488.

S. 1896—
To provide for the construction of the Patent Office of the United States, including a hall of inventions, and for other purposes.
Mr. Daniel; Committee on Public Buildings and Grounds 488.

S. 1897—
To provide for enlarging and improving the United States building at Lynchburg, Va., containing the United States court rooms, clerk's office, post-office, and internal-revenue offices.
Mr. Daniel; Committee on Public Buildings and Grounds 488.

S. 1898—
Making an appropriation for the improvement and care of the soldiers' cemetery, for the burial of veterans of the civil war, now held in the name of the James W. Nesmith Post, No. 32, Grand Army of the Republic, Department of Oregon, located at or near The Dalles, Wasco County, State of Oregon.
Mr. Mitchell; Committee on Military Affairs 488.

S. 1899—
Granting an increase of pension to Thompson Warren.
Mr Mitchell; Committee on Pensions 488.

S. 1900—
For the relief of Benjamin F. Shaw.
Mr. Mitchell; Committee on Claims 488.

S. 1901—
To appoint Wilbur F. Cogswell a chief engineer in the Navy and place him on the retired list.
Mr. Mitchell; Committee on Naval Affairs 488.

S. 1902—
Granting an increase of pension to Joshua F. Spurlin.
Mr. Fairbanks; Committee on Pensions 488.

S. 1903—
Granting an increase of pension to Samuel E. Nichols.
Mr. Fairbanks; Committee on Pensions 488.

S. 1904—
Granting an increase of pension to John D. Moore.
Mr. Fairbanks; Committee on Pensions 488.

S. 1905—
Granting a pension to Eliza J. Petty.
Mr. Fairbanks; Committee on Pensions 488.

S. 1906—
Granting a pension to Mary McEvoy.
Mr. Fairbanks; Committee on Pensions 488.

S. 1907—
Granting an increase of pension to George W. Spahr.
Mr. Fairbanks; Committee on Pensions 488.

S. 1908—
Granting a pension to Emma Butler.
Mr. Carmack; Committee on Pensions 488.

S. 1909—
Granting an increase of pension to William Holliday.
Mr. Penrose; Committee on Pensions 488.

S. 1910—
Granting a pension to Emeline D. Hobbs.
Mr. Hale; Committee on Pensions 488.

S. 1911—
Granting an increase of pension to Ambrose W. Severance.
Mr. Hale; Committee on Pensions 488.

S. 1912—
Granting a pension to Joseph W. Booker.
Mr. Hale; Committee on Pensions 488.

S. 1913—
Granting an increase of pension to Lorenzo E. Harrison.
Mr. Platt of Connecticut; Committee on Pensions 488.

S. 1914—
Granting a pension to Hugh Wilson.
Mr. Platt of Connecticut; Committee on Pensions 488.

S. 1915—
For the relief of the heirs of Henry Ware.
Mr. McEnery; Committee on Claims 488.

S. 1916—
To correct the military record of James Watson.
Mr. Fairbanks; Committee on Military Affairs 501.

S. 1917—
Removing the charge of desertion from the name of Thomas J. Nelson.
Mr. Fairbanks; Committee on Military Affairs 501.

S. 1918—
Removing the charge of desertion from the name of Calvin Weaver.
Mr. Fairbanks; Committee on Military Affairs 501.

S. 1919—
Granting an increase of pension to Nathan Bigham.
Mr. Fairbanks; Committee on Pensions 501.

S. 1920—
Granting an increase of pension to W. T. Swift.
Mr. Fairbanks; Committee on Pensions 501.

S. 1921—
Granting an increase of pension to Christopher C. Richards.
Mr. Fairbanks; Committee on Pensions 501.

S. 1922—
Granting an increase of pension to Levina D. Athon.
Mr. Fairbanks; Committee on Pensions 501.

S. 1923—
Granting a pension to Laura Washburn.
Mr. Fairbanks; Committee on Pensions 501.

S. 1924—
Granting a pension to Isador Alringer.
Mr. Fairbanks; Committee on Pensions 501.

S. 1925—
Granting an increase of pension to Frederick C. Waterman.
Mr. Fairbanks; Committee on Pensions 501.

S. 1926—
Granting an increase of pension to Peter Fisher.
Mr. Fairbanks; Committee on Pensions 501.

S. 1927—
Granting a pension to Moses Kettering.
Mr. Fairbanks; Committee on Pensions 501.

S. 1928—
Granting an increase of pension to Annie B. Hanson.
Mr. Fairbanks; Committee on Pensions 501.

S. 1929—
Granting an increase of pension to George W. Spahr.
Mr. Fairbanks; Committee on Pensions 501.

S. 1930—
Granting an increase of pension to James Hopkins.
Mr. Fairbanks; Committee on Pensions 501.

S. 1931—
Granting an increase of pension to Leonidas McMillan.
Mr. Fairbanks; Committee on Pensions 501.

S. 1932—
Granting a pension to Charles Apel.
Mr. Fairbanks; Committee on Pensions 501.

S. 1933—
Granting an increase of pension to Jacob Raupt.
Mr. Fairbanks; Committee on Pensions 501.

S. 1934—
For the relief of Henry Harris.
Mr. Carmack; Committee on Claims 501.

S. 1935—
Providing for the holding of an additional court in the northern district of West Virginia at Martinsburg, W. Va.
Mr. Scott; Committee on Judiciary 501.

S. 1936—
Granting an increase of pension to James L. Stover.
Mr. Scott; Committee on Pensions 501.

S. 1937—
Granting a pension to Samuel Richards.
Mr. Scott; Committee on Pensions 501.

S. 1938—
Granting an increase of pension to Aldridge Patterson.
Mr. Scott; Committee on Pensions 501.

S. 1939—
Granting an increase of pension to Curtis B. McIntosh.
Mr. Scott; Committee on Pensions 501.

S. 1940—
Granting an increase of pension to Frank W. Fretwell.
Mr. Scott; Committee on Pensions 501.

S. 1941—
For the relief of W. R. Austin & Co.
Mr. Blackburn; Committee on Claims 501.

S. 1942—
For the relief of C. M. Simmons.
Mr. Pettus; Committee on Claims 501.

S. 1943—
For the relief of Mrs. Gabriella Chancellor.
Mr. Martin; Committee on Claims 501.

S. 1944—
Granting an increase of pension to John S. Stanger.
Mr. Teller; Committee on Pensions 501.

S. 1945—
Granting an increase of pension to Charles L. Thompson.
Mr. Teller; Committee on Pensions 501.

S. 1946—
Granting an increase of pension to Edward J. Palmer.
Mr. Teller; Committee on Pensions 501.

S. 1947—
Granting an increase of pension to Patrick Judge.
Mr. Teller; Committee on Pensions 501.

S. 1948—
To pay Erastus S. Joslyn amount found due him by Court of Claims.
Mr. Teller; Committee on Claims 501.

S. 1949—
Removing the charge of desertion from the record of Abraham Judd.
Mr. Allison; Committee on Military Affairs 501.

S. 1950—
Removing the charge of desertion from the record of James A. Bell.
Mr. Allison; Committee on Military Affairs 501.

S. 1951—
Granting an increase of pension to James Gannon.
Mr. Allison; Committee on Pensions 501.

S. 1952—
Granting an increase of pension to John Monahan.
Mr. Allison; Committee on Pensions 501.

S. 1953—
Granting a pension to Susan Fenno.
Mr. Allison; Committee on Pensions 501.

S. 1954—
Granting an increase of pension to Benton D. Bitner.
Mr. Allison; Committee on Pensions 501.

S. 1955—
Granting an increase of pension to Jeremiah S. Alexander.
Mr. Allison; Committee on Pensions 501.

S. 1956—
Granting an increase of pension to Seth L. Craig.
Mr. Allison; Committee on Pensions 501.

S. 1957—
Granting an increase of pension to Owen D. Lovejoy.
Mr. Allison; Committee on Pensions 501.

S. 1958—
For the opening of a street in Mount Pleasant, District of Columbia.
Mr. Gallinger; Committee on District of Columbia 501.

S. 1959—
Granting a pension to Mary Remington,
Mr. Burnham; Committee on Pensions 501.

S. 1960—
Authorizing and directing the Secretary of War to construct a bridge across the Spokane River, and for other purposes.
Mr. Foster of Washington; Committee on Military Affairs 501.

S. 1961—
To increase the limit of cost for the purchase of a site and the erection of a public building at Tacoma, Wash.
Mr. Foster of Washington; Committee on Public Buildings and Grounds 501.

S. 1962—
To increase the limit of cost for the purchase of a site and the erection of a public building at Seattle, Wash.
Mr. Foster of Washington; Committee on Public Buildings and Grounds 501.

S. 1963—
To increase the limit of cost for the purchase of a site and the erection of a public building at Spokane, Wash.
Mr. Foster of Washington; Committee on Public Buildings and Grounds 501.

S. 1964—
Providing for the continuance of the investigation relative to the strength and durability of American timbers, and making an appropriation therefor.
Mr. Foster of Washington; Committee on Agriculture and Forestry 501.

S. 1965—
For the establishment of lights at the mouths of Warroad and Rainy rivers, Lake of the Woods, Minnesota.
Mr. Nelson; Committee on Commerce 501.

S. 1966—
Granting an increase of pension to George H. Potts.
Mr. Nelson; Committee on Pensions 501.

S. 1967—
For the improvement of the harbor at Milford, Conn.
Mr. Platt of Connecticut; Committee on Commerce 501.

S. 1968—
For the maintenance and improvement of the Connecticut River below Hartford.
Mr. Platt of Connecticut; Committee on Commerce 501.

S. 1969—
For the improvement of the Housatonic River.
Mr. Platt of Connecticut; Committee on Commerce 501.

S. 1970—
For the improvement of the New Haven (Conn.) Harbor breakwater.
Mr. Platt of Connecticut; Committee on Commerce 501.

S. 1971—
For the improvement of harbor of refuge at Duck Island Harbor, Connecticut.
Mr. Platt of Connecticut; Committee on Commerce 501.

S. 1972—
For the relief of the heirs of Eneas Munson.
Mr. Platt of Connecticut; Committee on Claims 501.

S. 1973—
For the relief of the estate of Eliza A. White.
Mr. Platt of Connecticut; Committee on Claims 501.

S. 1974—
Amending the act of Congress approved January 26, 1895, entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes."
Mr. Penrose; Committee on Indian Affairs 501.

S. 1975—
For the relief of James E. Byram.
Mr. Penrose; Committee on Military Affairs 501.

S. 1976—
For the relief of the estate of Henry C. Nields, deceased.
Mr. Penrose; Committee on Naval Affairs 501.

S. 1977—
For the relief of E. A. Chamberlin.
Mr. Penrose; Committee on Post-Offices and Post-Roads 502.

S. 1978—
Granting an increase of pension to Washington I. Cook.
Mr. Penrose; Committee on Pensions 502.

S. 1979—
Granting a pension to Theophlius Snyder.
Mr. Penrose; Committee on Pensions 502.

S. 1980—
Granting a pension to William W. Hershberger.
Mr. Penrose; Committee on Pensions 502.

S. 1981—
Granting an increase of pension to Elizabeth V. Reynolds.
Mr. Penrose; Committee on Pensions 502.

S. 1982—
Granting a pension to James S. Alexander.
Mr. Penrose; Committee on Pensions 502.

S. 1983—
For the relief of George T. Pettengill, lieutenant, United States Navy.
Mr. Heyburn; Committee on Naval Affairs 502.

S. 1984—
Granting an increase of pension to Levi Roberts.
Mr. Heyburn; Committee on Pensions 502.

S. 1985—
Granting an increase of pension to Jonathan Hites.
Mr. Heyburn; Committee on Pensions 502.

S. 1986—
Granting pensions to certain enlisted men, soldiers, and officers who served in the war of the rebellion.
Mr. McCumber; Committee on Pensions 502.

S. 1987—
Granting an increase of pension to Lewis H. Rankin.
Mr. Dolliver; Committee on Pensions 502.

S. 1988—
For the relief of Peter F. Kendall.
Mr. McEnery; Committee on Claims 502.

S. 1989—
Granting an increase of pension to John McCabe.
Mr. Patterson; Committee on Pensions 502.

S. 1990—
Granting an increase of pension to Catharine Howland.
Mr. Patterson; Committee on Pensions 502.

S. 1991—
Granting an increase of pension to Melvin A. Tenney.
Mr. Patterson; Committee on Pensions 502.

S. 1992—
Granting an increase of pension to Charles Carlisle.
Mr. Patterson; Committee on Pensions 502.

S. 1993—
Granting an increase of pension to Antoinette I. Sawyer.
Mr. Patterson; Committee on Pensions 502.

S. 1994—
Granting an increase of pension to Isabella Chivington.
Mr. Patterson; Committee on Pensions 502.

S. 1995—
Granting an increase of pension to Lorenzo W. Smith.
Mr. Patterson; Committee on Pensions 502.

S. 1996—
Granting an increase of pension to William R. Williams.
Mr. McCreary; Committee on Pensions 502.

S. 1997—
Granting an increase of pension to Francis Irvin Edgerton.
Mr. McCreary; Committee on Pensions 502.

S. 1998—
Granting an increase of pension to George G. Hughes.
Mr. McCreary; Committee on Pensions 502.

S. 1999—
For the relief of the estate of Susanna Fleming.
Mr. McComas; Committee on Claims 502.

S. 2000—
For the relief of James R. D. Morrison.
Mr. McComas; Committee on Claims 502.

S. 2001—
Granting a pension to John Murphy.
Mr. McComas; Committee on Pensions 502.

S. 2002—
Granting an increase of pension to Wilfred C. McCardell.
Mr. McComas; Committee on Pensions 502.

S. 2003—
Granting a pension to John Martin.
Mr. McComas; Committee on Pensions 502.

S. 2004—
Granting an increase of pension to John H. Dittman.
Mr. McComas; Committee on Pensions 502.

S. 2005—
Granting an increase of pension to John W. Boulden.
Mr. McComas; Committee on Pensions 502.

S. 2006—
Granting a pension to Mary Trimble Gunn.
Mr. McComas; Committee on Pensions 502.

S. 2007—
Granting an increase of pension to John E. Bowman.
Mr. McComas; Committee on Pensions 502.

S. 2008—
Granting an increase of pension to John Ott.
Mr. McComas; Committee on Pensions 502.

S. 2009—
Granting a pension to Richard Dunn.
Mr. McComas; Committee on Pensions 502.

S. 2010—
Granting a pension to Lewis Davenport
Mr. McComas; Committee on Pensions 502.

S. 2011—
Granting a pension to Maggie E. Bamford.
Mr. McComas; Committee on Pensions 502.

S. 2012—
Granting an increase of pension to Jeanie G. Lyles.
Mr. McComas; Committee on Pensions 502.

S. 2013—
Granting a pension to Edgar A. Norris.
Mr. McComas; Committee on Pensions 502.

S. 2014—
Granting an increase of pensions to soldiers and widows of the Indian wars under the acts of July 27, 1892, and act approved July 27, 1902.
Mr. Mitchell; Committee on Pensions 502.

S. 2015—
Granting an increase of pension to James V. Pope.
Mr. Mitchell; Committee on Pensions 502.

S. 2016—
Granting an increase of pension to Clark Mitchell.
Mr. Mitchell; Committee on Pensions 502.

S. 2017—
To amend section 2425, Revised Statutes.
Mr. Mitchell; Committee on Public Lands 502.

S. 2018—
To provide for the erection of a public building at Baker City, in the State of Oregon.
Mr. Mitchell; Committee on Public Buildings and Grounds 502.

S. 2019—
Authorizing the Secretary of War to place on the retired list Joseph B. McCoy, a retired private soldier, United States Army, with foreign service, full pay and allowances as such.
Mr. Mitchell; Committee on Military Affairs 502.

S. 2020—
For the relief of Custis Parke Upshur.
Mr. Mitchell; Committee on Claims 502.

S. 2021—
For the relief of John Wesley Hoyt.
Mr. Mitchell; Committee on Claims 502.

S. 2022—
To afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition.
Mr. Cockrell; Committee on Patents 502.

S. 2023—
For the relief of the legal representatives of Elijah Shatto, deceased.
Mr. Cockrell; Committee on Claims 502.

S. 2024—
For the relief of Cass County, Mo.
Mr. Cockrell; Committee on Claims 502.

S. 2025—
For the relief of the trustees of the Methodist Episcopal Church South, of Harrisonville, Mo.
Mr. Cockrell; Committee on Claims 502.

S. 2026—
For the relief of the estate of M. W. Garrison, deceased.
Mr. Cockrell; Committee on Claims 502.

S. 2027—
For the relief of the heirs of Robert A. Brown, deceased.
Mr. Cockrell; Committee on Claims 502.

S. 2028—
For the relief of the heirs of Tillard Ragan, deceased.
Mr. Cockrell; Committee on Claims 502.

S. 2029—
Granting an increase of pension to Peter P. Dobozy.
Mr. Cockrell; Committee on Pensions 502.

S. 2030—
Granting an increase of pension to Elias L. Fidler.
Mr. Cockrell; Committee on Pensions 503.

S. 2031—
Granting an increase of pension to Henry W. Gay.
Mr. Frye; Committee on Pensions 503.

S. 2032—
Granting a pension to Sarah E. Presson Flagg.
Mr. Frye; Committee on Pensions 503.

S. 2033—
To refer to the Court of Claims the claims of the Peoria, Kaskaskia, Wea, and Piankashaw Indians against the United States, and for other purposes.
Mr. Platt of Connecticut; Committee on Indian Affairs 524.

S. 2034—
Directing the issue of a duplicate of a lost check, drawn by Arthur J. Pritchard, pay director of the United States Navy, in favor of the Davis Coal and Coke Company.
Mr. Elkins; Committee on Claims 524.

S. 2035—
For the relief of George A. Davis, administrator of Patrick Brady, deceased.
Mr. Elkins; Committee on Claims 524.

S. 2036—
For the relief of George A. Davis, administrator of Mrs. Martha N. Davis, deceased.
Mr. Elkins; Committee on Claims 524.

S. 2037—
For the relief of Jacob W. Hudson.
Mr. Elkins; Committee on Claims 524.

S. 2038—
For the relief of Gideon C. Corley.
Mr. Elkins; Committee on Claims 524.

S. 2039—
To remove the charge of desertion from the military record of William B. Lane.
Mr. Elkins; Committee on Military Affairs 524.

S. 2040—
Granting a pension to Charles L. Reeder.
Mr. Elkins; Committee on Pensions 524.

S. 2041—
Granting a pension to Catharine L. Chaney.
Mr. Elkins; Committee on Pensions 524.

S. 2042—
Granting a pension to Susan O'Brian.
Mr. Elkins; Committee on Pensions 524.

S. 2043—
Granting an increase of pension to Andrew J. Williams.
Mr. Elkins; Committee on Pensions 524.

S. 2044—
Granting a pension to Mattie Aten.
Mr. Elkins; Committee on Pensions 524.

S. 2045—
For the relief of Catherine B. Jones.
Mr. Blackburn; Committee on Claims 524.

S. 2046—
Granting an increase of pension to William G. Scott.
Mr. Blackburn; Committee on Pensions 524.

S. 2047—
For the relief of the legal representatives of Nathaniel and William Offutt, deceased.
Mr. McEnery; Committee on Claims 524.

S. 2048—
For the relief of Frederick Fuhr.
Mr. McEnery; Committee on Claims 524.

S. 2049—
For the relief of John Kouns, of Louisiana, surviving partner, etc.
Mr. McEnery; Committee on Claims 524.

S. 2050—
For the relief of the heirs of the late Lieut. Thomas G. Williams, United States Army.
Mr. Bailey; Committee on Claims 524.

S. 2051—
To authorize the purchase of lands in the Indian Territory under certain conditions.
Mr. Bailey; Committee on Indian Affairs 524.

S. 2052—
For the relief of Samuel S. Weaver.
Mr. Ball; Committee on Claims 524.

S. 2053—
Granting a pension to David Clower.
Mr. Ball; Committee on Pensions 524.

S. 2054—
Granting a pension to Isabella McConnell.
Mr. Long; Committee on Pensions 524.

S. 2055—
For the relief of Catharine Barry Meeha.
Mr. Cockrell; Committee on Claims 524.

S. 2056—
For the relief of D. K. Ponder.
Mr. Cockrell; Committee on Claims 524.

S. 2057—
Granting an increase of pension to William H. Unkefer.
Mr. Cockrell; Committee on Pensions 524.

S. 2058—
Granting an increase of pension to Jacob A. Roof.
Mr. Cockrell; Committee on Pensions 524.

S. 2059—
Granting an increase of pension to John Thomas.
Mr. Cockrell; Committee on Pensions 524.

S. 2060—
Providing for the use of Fort Omaha Military Reservation, in the city of Omaha, Nebr., for officers' quarters, and for the improvement of the same, and for other purposes.
Mr. Millard; Committee on Military Affairs 524.

S. 2061—
Granting an increase of pension to William H. Barlow.
Mr. Depew; Committee on Pensions 524.

S. 2062—
For the relief of William L. Best.
Mr. Depew; Committee on Claims 524.

S. 2063—
For the relief of the personal representatives of Minthorne Tompkins, deceased.
Mr. Platt of New York; Committee on Claims 524.

S. 2064—
For the relief of the estate of Minthorne Tompkins, deceased.
Mr. Platt of New York; Committee on Claims 524.

S. 2065—
For the relief of the estate of William W. Campbell.
Mr. Platt of New York; Committee on Claims 524.

S. 2066—
For the relief of James Matthews, receiver.
Mr. Platt of New York; Committee on Claims 524.

S. 2067—
For the relief of John M. Jamieson.
Mr. Platt of New York; Committee on Claims 524.

S. 2068—
Granting an increase of pension to Julia A. Roberts.
Mr. Platt of New York; Committee on Pensions 524.

S. 2069—
Correcting the military record of Simon P. Rinehart.
Mr. Fairbanks; Committee on Military Affairs 524.

S. 2070—
Granting an increase of pension to Charles W. Lee.
Mr. Fairbanks; Committee on Pensions 524.

S. 2071—
Granting an increase of pension to Edwin D. York.
Mr. Fairbanks; Committee on Pensions 524.

S. 2072—
Granting an increase of pension to Jeremiah Lockwood.
Mr. Fairbanks; Committee on Pensions 524.

S. 2073—
Granting an increase of pension to Edward Maxwell.
Mr. Fairbanks; Committee on Pensions 524.

S. 2074—
Granting an increase of pension to James A. Harper.
Mr. Fairbanks; Committee on Pensions 524.

S. 2075—
Granting an increase of pension to John G. Parker.
Mr. Fairbanks; Committee on Pensions 524.

S. 2076—
Granting a pension to Mary Z. Miller.
Mr. Fairbanks; Committee on Pensions 524.

S. 2077—
Granting a pension to Dicie C. Alexander.
Mr. Fairbanks; Committee on Pensions 524.

S. 2078—
Granting an increase of pension to Hampton C. Watson.
Mr. McCumber; Committee on Pensions 524.

S. 2079—
To remove the charge of desertion from the military record of Thomas Watts.
Mr. Cullom; Committee on Military Affairs 524.

S. 2080—
Authorizing the Secretary of War to place the name of Joseph F. Ritcherdson on the rolls of Company C, One hundred and twenty-second Illinois Volunteer Infantry, and issue him an honorable discharge.
Mr. Cullom; Committee on Military Affairs 524.

S. 2081—
To provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes.
Mr. Foraker; Committee on Military Affairs 524.

S. 2082—
Granting an increase of pension to Thomas J. Gafford.
Mr. Foraker; Committee on Pensions 525.

S. 2083—
Granting an increase of pension to James C. Armstrong.
Mr. Foraker; Committee on Pensions 525.

S. 2084—
For the relief of W. C. Harrell.
Mr. Foraker; Committee on Claims 525.

S. 2085—
To provide for the purchase of a site and the erection of a public building thereon at Alexandria, in the State of Minnesota.
Mr. Nelson; Committee on Public Buildings and Grounds 525.

S. 2086—
Providing for subsistence for rural free-delivery carriers.
Mr. Mitchell; Committee on Post-Offices and Post-Roads 525.

S. 2087—
Granting an increase of pension to George Rilea.
Mr. Mitchell; Committee on Pensions 525.

S. 2088—
Granting an increase of pension to Henry W. Miller.
Mr. Mitchell; Committee on Pensions 525.

S. 2089—
For the removal of the charge of desertion from the military record of George Abbott, alias Andrew C. Adams.
Mr. Mitchell; Committee on Military Affairs 525.

S. 2090—
For the relief of Thomas Coyle and Bridget Coyle, and their legal representatives.
Mr. Mitchell; Committee on Claims 525.

S. 2091—
Granting an increase of pension to Nelson Gardner.
Mr. Kittredge; Committee on Pensions 525.

S. 2092—
Granting an increase of pension to John O. McGrew.
Mr. Scott; Committee on Pensions 525.

S. 2093—
Granting an increase of pension to Victoria M. Steele.
Mr. Scott; Committee on Pensions 525.

S. 2094—
Granting an increase of pension to James Rumbaugh.
Mr. Scott; Committee on Pensions 525.

S. 2095—
Granting an increase of pension to William Large.
Mr. Scott; Committee on Pensions 525.

S. 2096—
Granting an increase of pension to John W. Millett.
Mr. Hansbrough; Committee on Pensions 525.

S. 2097—
Granting a pension to John T. Walsh.
Mr. McComas; Committee on Pensions 525.

S. 2098—
For the relief of Mrs. S. C. Mitchell.
Mr. McComas; Committee on Claims 525.

S. 2099—
For the relief of Edward H. Delahay.
Mr. McComas; Committee on Claims 525.

S. 2100—
For the relief of S. Sollers Maynard, executor of Augustine D. O'Leary, deceased.
Mr. McComas; Committee on Claims 525.

S. 2101—
For the relief of Elizabeth R. Gordon.
Mr. Frye; Committee on Claims 525.

S. 2102—
To provide for the investigation of the claims of the Potawatomi Indians of Wisconsin, for their proportionate shares of the annuities, interest on trust funds, and other moneys heretofore paid to or expended for the tribe to which they belong, in which payments the claimant Indians have not shared.
Mr. Quarles; Committee on Indian Affairs 525.

S. 2103—
Granting an increase of pension to John L. McVey.
Mr. Scott; Committee on Pensions 530.

S. 2104—
Granting a pension to Caroline M. Hilt.
Mr. Fairbanks; Committee on Pensions 530.

S. 2105—
Granting a pension to Nancy Huddleston.
Mr. Fairbanks; Committee on Pensions 530.

S. 2106—
Granting an increase of pension to Henry Earp.
Mr. Fairbanks; Committee on Pensions 530.

S. 2107—
Granting an increase of pension to A. R. McCurdy.
Mr. Fairbanks; Committee on Pensions 530.

S. 2108—
Granting an increase of pension to John Shields.
Mr. Fairbanks; Committee on Pensions 530.

S. 2109—
Granting a pension to Alma Dubois.
Mr. Fairbanks; Committee on Pensions 530.

S. 2110—
Granting an increase of pension to John W. Rollins.
Mr. Fairbanks; Committee on Pensions 530.

S. 2111—
Granting an increase of pension to John A. Seiss.
Mr. Fairbanks; Committee on Pensions 530.

S. 2112—
Authorizing the Indian allottees in the Puyallup Indian Reservation, State of Washington, to alienate allotted lands, confirming title to allotted lands sold since March 3, 1903, and for other purposes.
Mr. Foster of Washington; Committee on Indian Affairs 530.

S. 2113—
For the relief of Bernard W. Murray.
Mr. Foster of Washington; Committee on Claims 530.

S. 2114—
To fix the rank of certain officers in the Army.
Mr. Warren; Committee on Military Affairs 530.

S. 2115—
To appoint Warren C. Beach a captain in the Army, and place him on the retired list.
Mr. Warren; Committee on Military Affairs 530.

S. 2116—
Granting an increase of pension to Edna Stevens.
Mr. Warren; Committee on Pensions 530.

S. 2117—
Granting an increase of pension to Philip L. Hiteshew.
Mr. McComas; Committee on Pensions 530.

S. 2118—
Granting an increase of pension to Carrie P. Rand.
Mr. McComas; Committee on Pensions 530.

S. 2119—
Authorizing the President of the United States to nominate Lieut. Samuel Lindsay Graham, now on the retired list, to be a lieutenant-commander on the retired list.
Mr. McComas; Committee on Naval Affairs 530.

S. 2120—
To amend an act entitled "An act to provide for the sale of desert lands," as amended by the act entitled "An act to repeal the timber-culture laws, and for other purposes," approved March 3, 1891.
Mr. Hansbrough; Committee on Public Lands 530.

S. 2121—
To amend an act entitled "An act providing for public printing and binding and the distribution of public documents."
Mr. Clapp; Committee on Printing 530.—Reported back and passed Senate 543.

S. 2122—
Granting a pension to Ashley C. Riggs.
Mr. Clapp; Committee on Pensions 530.

S. 2123—
Granting an increase of pension to Daniel W. Redfield.
Mr. Martin; Committee on Pensions 530.

S. 2124—
Granting an increase of pension to David W. Johns.
Mr. Foraker; Committee on Pensions 530.

S. 2125—
Granting an increase of pension to Marcus T. Caswell.
Mr. Hansbrough; Committee on Pensions 544.

S. 2126—
Granting an increase of pension to Thomas Williams.
Mr. Burrows; Committee on Pensions 544.

S. 2127—
Granting an increase of pension to Mathias R. Zahniser.
Mr. Burrows; Committee on Pensions 544.

S. 2128—
Granting an increase of pension to George A. Seebold.
Mr. Burrows; Committee on Pensions 544.

S. 2129—
For the relief of J. W. Cromwell, surviving partner of the firm of J. W. Cromwell & Co.
Mr. Burrows; Committee on Claims 544.

S. 2130—
To provide for the equitable distribution of the waters of the Rio Grande between the United States of America and the United States of Mexico.
Mr. Culberson; Committee on Foreign Relations 544.

SENATE JOINT RESOLUTIONS.

S. R. 1—
Providing for a careful inquiry and report respecting the present operation of certain public-land laws.
Mr. Warren; Committee on Public Lands 182.

S. R. 2—
Proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States.
Mr. Dubois; Committee on Privileges and Elections 182.

S. R. 3—
Proposing an amendment to the Constitution of the United States providing for the election of Senators by the votes of the qualified electors of the States.
Mr. Mitchell; Committee on Privileges and Elections 182.

S. R. 4—
Proposing an amendment to the Constitution of the United States extending the right of suffrage to women.
Mr. Mitchell; Committee on Woman Suffrage 182.

S. R. 5—
To enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893.
Mr. Gallinger; Committee on District of Columbia 182.

S. R. 6—
To authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship Minnesota.
Mr. Clapp; Committee on Naval Affairs 221.

S. R. 7—
Authorizing the Secretary of War to deliver to Acker Post, Grand Army of the Republic, of St. Paul, Minn., two condemned cannon and sixteen cannon balls for ornamenting burial grounds of deceased soldiers in that city.
Mr. Clapp; Committee on Military Affairs 221.

S. R. 8—
Authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair."
Mr. Mitchell; Committee on Military Affairs 250.

S. R. 9—
Authorizing the issue of duplicate medals where the originals have been lost or destroyed.
Mr. Mitchell; Committee on Library 250.

S. R. 10—
Providing for the appointment of a commission to report a plan for a memorial in honor of the heroes of the Revolutionary war.
Mr. Scott; Committee on Library 250.

S. R. 11—
To authorize certain officers of the Treasury Department to audit and certify claims of certain counties of Arizona.
Mr. McEnery; Committee on Claims 250.

S. R. 12—
For the erection of a monument to the memory of Dorothea Lynde Dix.
Mr. Frye; Committee on Library 323.

S. R. 13—
Providing for the purchase of marble busts of Hon. Justin S. Morrill and Hon. D. W. Voorhees, late United States Senators from the States of Vermont and Indiana, respectively, to be placed in the Congressional Library.
Mr. Blackburn; Committee on Library 359.

S. R. 14—
Providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.
Mr. Ankeny; Committee on Military Affairs 359.

S. R. 15—
Inviting Cuba to become a State of the American Union.
Mr. Newlands; Committee on Relations with Cuba 398.—Debated and motion referring to committee reconsidered 419, 465, 479.—Debated 483.

S. R. 16—
To provide for the printing of 15,000 copies of the statement of receipts and expenditures of the Louisiana Purchase Exposition from date of incorporation to September 30, 1903, with the accompanying report submitted by the exposition company showing progress made by various departments of the exposition.
Mr. Burnham; Committee on Printing 398.—Reported back with amendment and made concurrent resolution 416, 438.

S. R. 17—
To provide for the printing of 8,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1904, inclusive.
Mr. Quay; Committee on Printing 488.

S. R. 18—
Providing for printing the general index to published volumes of the diplomatic correspondence and foreign relations of the United States.
Mr. Platt of New York, from Committee on Printing, and passed Senate 523.—Referred to House Committee on Printing 534.

HOUSE BILLS.

H. R. 1—
To enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States.
Mr. Rodey; Committee on Territories 151.

H. R. 2—
To repeal an act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901.
Mr. Bartholdt; Committee on Military Affairs 151.

H. R. 3—
For the protection of the President of the United States, and for other purposes.
Mr. Littlefield; Committee on Judiciary 151.

H. R. 4—
To permit discrimination against members of Indian tribes attending religious or private schools.
Mr. Boutell; Committee on Indian Affairs 151.

H. R. 5—
For the erection of a public building at Lawrenceburg, Ky.
Mr. Gilbert; Committee on Public Buildings and Grounds 151.

H. R. 6—
To amend section 3394 of the Revised Statutes of the United States, relating to tobacco.
Mr. Tawney; Committee on Ways and Means 151.

H. R. 7—
To establish a national military park at Valley Forge, Pa.
Mr. Wanger; Committee on Military Affairs 151.

H. R. 8—
To limit the jurisdiction of the district and circuit courts of the United States.
Mr. Stephens; Committee on Judiciary 151.

H. R. 9—
To open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations in Oklahoma Territory.
Mr. Stephens; Committee on Indian Affairs 151.

H. R. 10—
To authorize the President of the United States, in conjunction with the State of Texas, to run and mark the boundary lines between the Territories of Oklahoma and New Mexico and the State of Texas.
Mr. Stephens; Committee on Judiciary 151.

H. R. 11—
To refund to the State of Texas the sum of $50,875.53, the same being the amount due the State of Texas in the adjustment of claims relating to the transfer of Greer County, Okla., from the State of Texas to the United States.
Mr. Stephens; Committee on Claims 151.

H. R. 12—
To provide for the equitable distribution of the waters of the Rio Grande River between the United States of America and the United States of Mexico.
Mr. Stephens; Committee on Foreign Affairs 151.

H. R. 13—
To establish a mint of the United States at El Paso, in the State of Texas.
Mr. Stephens; Committee on Coinage, Weights, and Measures 151.

H. R. 14—
Requiring the United States Government to furnish post-office boxes permanently to all citizens paying the first cost of their box in all post-offices now renting boxes to citizens, and to repeal all laws inconsistent with this act.
Mr. Stephens; Committee on Post-Office and Post-Roads 151.

H. R. 15—
To amend section 4386 of the Revised Statutes of the United States, striking out "twenty-eight consecutive hours" and "twenty-eight hours" and inserting "forty consecutive hours" and "forty hours."
Mr. Stephens; Committee on Interstate and Foreign Commerce 151.

H. R. 16—
Requiring mail carriers on star routes to take all mail deposited in roadside boxes and mail it in the nearest post-office along the route.
Mr. Stephens; Committee on Post-Office and Post-Roads 151.

H. R. 17—
To amend the act relating to Indian depredations.
Mr. Stephens; Committee on Indian Affairs 151.

H. R. 18—
Authorizing the members of the tribes of Choctaw and Chickasaw Indians to grant mineral leases, and for other purposes.
Mr. Stephens; Committee on Indian Affairs 151.

H. R. 19—
Establishing a United States court at Marietta, Ind. T.
Mr. Stephens; Committee on Judiciary 151.

H. R. 20—
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Mr. Stephens; Committee on Judiciary 151.

H. R. 21—
Providing for appeal of one case from the citizenship court of the Indian Territory to the Supreme Court of the United States.
Mr. Stephens; Committee on Indian Affairs 151.

H. R. 22—
Regulating the practice of medicine and surgery in the Indian Territory.
Mr. Stephens; Committee on Indian Affairs 151.

H. R. 23—
In relation to pharmacy in the Indian Territory.
Mr. Stephens; Committee on Indian Affairs 151.

H. R. 24—
To provide for the union of Oklahoma Territory and the Indian Territory, and to enable the people thereof to form a constitution and State government, and to be admitted into the Union as the State of Oklahoma on an equal footing with the original States, and to make donations of public lands to said State
Mr. Stephens; Committee on Territories 151.

H. R. 25—
Providing for the lease of the public grazing lands in the arid States and Territories of the United States.
Mr. Stephens; Committee on Public Lands 152.

H. R. 26—
Setting aside certain lands within the Mescalero Indian Reservation, in New Mexico, for the use of the Indians thereon, and providing for the sale of the residue of the lands therein for the benefit of said tribe of Indians.
Mr. Stephens; Committee on Indian Affairs 152.

H. R. 27—
To subject the mineral lands on the Indian reservations in the United States and Territories to location, operation, development, and entry, and for other purposes.
Mr. Stephens; Committee on Indian Affairs 152.

H. R. 28—
To amend and construe existing pension laws.
Mr. Stephens; Committee on Invalid Pensions 152.

H. R. 29—
To provide for the erection of a bronze statue to the memory of the late Samuel J. Tilden at Washington, D. C.
Mr. Sulzer; Committee on Library 152.

H. R. 30—
To create the Territory of Alaska and to provide for the government of the same.
Mr. Sulzer; Committee on Territories 152.

H. R. 31—
To encourage salmon culture in Alaska and for the protection of persons engaged in the production thereof.
Mr. Sulzer; Committee on Territories 152.

H. R. 32—
In relation to contempts of court.
Mr. Sulzer; Committee on Judiciary 152.

H. R. 33—
Limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of or work done for the United States or any Territory or the District of Columbia.
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H. R. 34—
To regulate commerce with foreign nations, to make preference for the use of American vessels, to extend the postal service by sea, and to promote American commerce.
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H. R. 35—
To provide for the construction of the Maryland and Delaware Free Ship Canal as a means of military and naval defense and for commercial purposes.
Mr. Mudd; Committee on Railways and Canals 152.

H. R. 36—
Authorizing the Commissioners of the District of Columbia to enter into a contract or contracts for the dredging and improvement of the Anacostia River and the reclamation and improvement of its flats from the line of the District of Columbia to the Pennsylvania Avenue Bridge.
Mr. Mudd; Committee on District of Columbia 152.

H. R. 37—
To increase the salaries of rural free-delivery carriers.
Mr. Fordney; Committee on Post-Office and Post-Roads 152.

H. R. 38—
Granting pensions to all pensioners of not less than $12 per month.
Mr. Mahon; Committee on Invalid Pensions 152.

H. R. 39—
For a light-house and fog signal on Rock of Ages, Lake Superior.
Mr. Burton; Committee on Interstate and Foreign Commerce 152.

H. R. 40—
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Mr. Cooper of Wisconsin; Committee on Public Buildings and Grounds 152.

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For the erection of a public building at Kenosha, Wis.
Mr. Cooper of Wisconsin; Committee on Public Buildings and Grounds 152.

H. R. 42—
To increase the pay of mail carriers on rural free-delivery routes.
Mr. Cooper of Wisconsin; Committee on Post-Office and Post-Roads 152.

H. R. 43—
Providing for the erection of a public building at the city of Olympia, in the State of Washington.
Mr. Jones of Washington; Committee on Public Buildings and Grounds 152.

H. R. 44—
Authorizing and directing the Secretary of War to construct a bridge across the Spokane River, and for other purposes.
Mr. Jones of Washington; Committee on Military Affairs 152.

H. R. 45—
To provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes.
Mr. Jones of Washington; Committee on Indian Affairs 152.

H. R. 46—
Providing a Territorial form of government for Alaska.
Mr. Jones of Washington; Committee on Territories 152.

H. R. 47—
Providing for the erection of a public building at the city of North Yakima, in the State of Washington.
Mr. Jones of Washington; Committee on Public Buildings and Grounds 152.

H. R. 48—
To prevent the locating of placer-mining claims in the district of Alaska by powers of attorney.
Mr. Jones of Washington; Committee on Public Lands 152.

H. R. 49—
Providing for the erection of a public building at the city of Everett, in the State of Washington.
Mr. Jones of Washington; Committee on Public Buildings and Grounds 152.

H. R. 50—
To ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation in South Dakota, and making appropriation and provision to carry the same into effect.
Mr. Burke of South Dakota; Committee on Indian Affairs 152.

H. R. 51—
To ratify an agreement with the Lower Brule band of the Sioux tribe of Indians in South Dakota, and making appropriation to carry the same into effect.
Mr. Burke of South Dakota; Committee on Indian Affairs 152.

H. R. 52—
For the restoration of annuities to the Mdewakanton and Wahpakoota (Santee) Sioux Indians, declared forfeited by the act of February 16, 1863.
Mr. Burke of South Dakota; Committee on Indian Affairs 152.

H. R. 53—
To ratify an agreement with the Yankton Sioux Indians of South Dakota, and making an appropriation to carry the same into effect.
Mr. Burke of South Dakota; Committee on Indian Affairs 152.

H. R. 54—
To amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891.
Mr. Burke of South Dakota; Committee on Indian Affairs 152.

H. R. 55—
Regulating the settlement of the accounts between the United States and the several States relative to the disposition of the public lands, and for other purposes.
Mr. Burke of South Dakota; Committee on Public Lands 152.

H. R. 56—
To authorize the State of South Dakota to select school and indemnity lands in the ceded portion of the Great Sioux Reservation.
Mr. Burke of South Dakota; Committee on Public Lands 152.

H. R. 57—
For the extension of Eighth street NE., otherwise known as Railroad avenue.
Mr. Allen; Committee on District of Columbia 152.

H. R. 58—
To increase pay of mail carriers on rural free-delivery mail routes.
Mr. Sibley; Committee on Post-Office and Post-Roads 152.

H. R. 59—
To establish a permanent military camp ground in the vicinity of Fort Sam Houston, Tex.
Mr. Slayden; Committee on Military Affairs 152.

H. R. 60—
To make goods, wares, and merchandise, made in whole or in part by convicts, or in reformatories, subject to the laws of the State or Territory into which they may be transported.
Mr. Slayden; Committee on Judiciary 152.

H. R. 61—
To amend the act of August 27, 1888, to provide aid to State and Territorial homes for the support of disabled soldiers and sailors of the United States so as to provide aid to such homes for the support of wives, widows, and mothers of such soldiers and sailors.
Mr. Warner; Committee on Military Affairs 152.

H. R. 62—
For the erection of a monument to the memory of Commodore John Barry.
Mr. Driscoll; Committee on Library 152.

H. R. 63—
To provide for the purchase of a site and the erection of a public building thereon at Denver, in the State of Colorado.
Mr. Shafroth; Committee on Public Buildings and Grounds 152.

H. R. 64—
To provide for Federal inspection and taxation of mixed goods and the proper marking of the same.
Mr. Grosvenor; Committee on Ways and Means 152.

H. R. 65—
To authorize the sale of a part of what is known as the Red Lake Indian Reservation in the State of Minnesota.
Mr. Steenerson; Committee on Indian Affairs 152.

H. R. 66—
To provide for the organization of corporations to engage in commerce with foreign nations and among the several States.
Mr. Palmer; Committee on Judiciary 152.

H. R. 67—
To provide a site and erect a public building in Covington, Ga.
Mr. Livingston; Committee on Public Buildings and Grounds 152.

H. R. 68—
To establish at Atlanta, Ga., a subtreasury.
Mr. Livingston; Committee on Ways and Means 152.

H. R. 69—
Establishing the Atlanta National Military Park.
Mr. Livingston; Committee on Military Affairs 152.

H. R. 70—
Granting pensions to soldiers, sailors, and marines confined in so-called Confederate prisons.
Mr. Hamilton; Committee on Invalid Pensions 152.

H. R. 71—
Granting pensions to soldiers, sailors, and marines confined in so-called Confederate prisons.
Mr. Hamilton; Committee on Invalid Pensions 152.

H. R. 72—
Amending the act of August 4, 1886, granting an increase of pension to soldiers who shall have lost an arm or leg in the service.
Mr. Hamilton; Committee on Invalid Pensions 152.

H. R. 73—
Amendatory of the pension law in the act of June 27, 1890.
Mr. Hamilton; Committee on Invalid Pensions 152.

H. R. 74—
Permitting the payment of the value of public lands to persons entitled to make entry upon such lands in certain cases.
Mr. Hamilton; Committee on Public Lands 152.

H. R. 75—
To provide for the purchase of a site and the erection of a public building thereon at Hudson, in the State of New York.
Mr. Ketcham; Committee on Public Buildings and Grounds 152.

H. R. 76—
Authorizing the Secretary of War to provide condemned cannon and carriages for ornamentation purposes in the national cemetery at Knoxville, Tenn.
Mr. Brownlow; Committee on Military Affairs 153.

H. R. 77—
To empower the Secretary of War to allow burial of wives of deceased enlisted men in national cemeteries in the same graves as deceased soldiers.
Mr. Brownlow; Committee on Military Affairs 153.

H. R. 78—
To provide a home for aged and infirm colored people.
Mr. Brownlow; Committee on Military Affairs 153.

H. R. 79—
To reorganize the corps of dental surgeons attached to the Medical Department of the Army.
Mr. Brownlow; Committee on Military Affairs 153.

H. R. 80—
Granting an appropriation to the trustees of the Woman's National Industrial Exhibit of the city of Washington, D. C.
Mr. Brownlow; Committee on Appropriations 153.

H. R. 81—
To add a corps of dental surgeons to the Bureau of Medicine and Surgery of the Navy.
Mr. Brownlow; Committee on Naval Affairs 153.

H. R. 82—
To authorize the Delaware Indians in the Cherokee Nation to bring suit in the Court of Claims against the United States, and the Mississippi Choctaws to sue the Choctaw Nation, and for other purposes.
Mr. Brownlow; Committee on Claims 153.

H. R. 83—
Granting a pension to certain East Tennesseans engaged in the secret service of the United States during the war of the rebellion.
Mr. Brownlow; Committee on Invalid Pensions 153.

H. R. 84—
To provide for the erection of a public building at Johnson City, Tenn.
Mr. Brownlow; Committee on Public Buildings and Grounds 153.

H. R. 85—
To provide for a United States Reform School, and for other purposes.
Mr. Brownlow; Committee on Judiciary 153.

H. R. 86—
To amend joint resolution entitled "Joint resolution authorizing members to certify monthly the amount paid by them for clerk hire and directing the same to be paid out of the contingent fund of the House," approved March 3, 1893.
Mr. Brownlow; Committee on Accounts 153.

H. R. 87—
To give longevity pay to employees in the classified civil sevice.
Mr. Brownlow; Committee on Reform in the Civil Service 153.

H. R. 88—
To authorize the appointment of a United States commissioner for central judicial district of Indian Territory.
Mr. Brownlow; Committee on Judiciary 153.

H. R. 89—
To limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases.
Mr. Grosvenor; Committee on Judiciary 153.

H. R. 90—
To pension all soldiers or sailors who served in the military or naval service of the United States at least ninety days in the war of the rebellion, and who were honorably discharged therefrom, at the rate of $12 per month, and also placing upon the pension roll of the United States the widows of such soldiers and sailors who were married prior to June 27, 1890.
Mr. Hemenway; Committee on Invalid Pensions 153.

H. R. 91—
Providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.
Mr. Spalding; Committee on Interstate and Foreign Commerce 153.

H. R. 92—
For the erection of a public building at Syracuse, N. Y.
Mr. Driscoll; Committee on Public Buildings and Grounds 153.

H. R. 93—
To adopt the weights and measures of the metric system as the standard weights and measures in the United States.
Mr. Shafroth; Committee on Coinage, Weights, and Measures 153.

H. R. 94—
To provide for a pension of $24 per month for soldiers and sailors who have attained the age of 70 years.
Mr. Bates; Committee on Invalid Pensions 153.

H. R. 95—
To provide for the further improvement of the harbor of Erie, Pa.
Mr. Bates; Committee on Rivers and Harbors 153.

H. R. 96—
To provide for site and public building at Meadville, Pa.
Mr. Bates; Committee on Public Buildings and Grounds 153.

H. R. 97—
To amend section 3394 of the Revised Statutes of the United States relating to tobacco.
Mr. Brick; Committee on Ways and Means 153.

H. R. 98—
To amend an act entitled "An act in amendment of sections 2 and 3 of an act entitled 'An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents,' approved June 27, 1890," approved May 9, 1900.
Mr. Brick; Committee on Invalid Pensions 153.

H. R. 99—
To provide for the purchase of additional ground and the enlargement and improvement of the public building at South Bend, Ind.
Mr. Brick; Committee on Public Buildings and Grounds 153.

H. R. 100—
To create a commission to investigate the expediency and practicability of establishing public rifle ranges throughout the United States, and to report a feasible plan or method for establishing such rifle ranges.
Mr. Brick; Committee on Military Affairs 153.

H. R. 101—
To authorize the employment of additional special agents in the rural free-delivery division of the Post-Office Department.
Mr. Adamson; Committee on Post-Office and Post-Roads 153.

H. R. 102—
For the improvement of the Chattahoochee River.
Mr. Adamson; Committee on Rivers and Harbors 153.

H. R. 103—
To provide for the purchase of a site and the erection of a public building thereon at Newman, in the State of Georgia, and appropriating money therefor.
Mr. Adamson; Committee on Public Buildings and Grounds 153.

H. R. 104—
For the erection of a public building at the city of Lagrange, Ga., and appropriating money therefor.
Mr. Adamson; Committee on Public Buildings and Grounds 153.

H. R. 105—
To provide for the erection of a public building in the city of Carrollton, Ga.
Mr. Adamson; Committee on Public Buildings and Grounds 153.

H. R. 106—
To provide for the extension and enlargement of the public building at Lancaster, Pa.
Mr. Cassel; Committee on Public Buildings and Grounds 153.

H. R. 107—
To provide for the erection of a monument to Thaddeus Stevens.
Mr. Cassel; Committee on Library 153.

H. R. 108—
For the relief of parties from whom cigars were seized on account of bearing counterfeit stamps.
Mr. Cassel; Committee on Claims 153.

H. R. 109—
To regulate commerce with foreign nations, to induce the preferable employment of American ships, to extend the postal service by mail and naval steamers, and to promote intercourse with foreign countries.
Mr. Greene; Committee on Ways and Means 153.

H. R. 110—
To declare February 12 a national holiday.
Mr. Bartholdt; Committee on Judiciary 153.

H. R. 111—
To extend the provisions of the pension act of June 27, 1890, to the Missouri Enrolled State Militia and other organizations.
Mr. Bartholdt; Committee on Invalid Pensions 153.

H. R. 112—
For the erection of a monument to the memory of Brig. Gen. Nathaniel Lyon at St. Louis, Mo.
Mr. Bartholdt; Committee on Library 153.

H. R. 113—
To establish a national military park at Perryville.
Mr. Gilbert; Committee on Military Affairs 153.

H. R. 114—
For the establishment of a light-house depot at or near the city of Milwaukee, Wis.
Mr. Otjen; Committee on Interstate and Foreign Commerce 153.

H. R. 115—
For the establishment of a third-order flashlight and fog signal upon south end of breakwater, harbor of refuge, Milwaukee, Wis.
Mr. Otjen; Committee on Interstate and Foreign Commerce 153.

H. R. 116—
Granting a pension to Baley R. Gill.
Mr. Adamson; Committee on Pensions 154.

H. R. 117—
Granting an increase of pension to James Longstreet.
Mr. Adamson; Committee on Pensions 154.

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For the relief of the legal representatives of W. L. Gordon, deceased.
Mr. Adamson; Committee on War Claims 154.

H. R. 119—
For the relief of H. T. Cunningham.
Mr. Adamson; Committee on War Claims 154.

H. R. 120—
For the relief of the legal representatives of F. M. T. Brannan.
Mr. Adamson; Committee on War Claims 154.

H. R. 121—
For the relief of Sidney T. Dupuy and George R. Dupuy.
Mr. Adamson; Committee on War Claims 154.

H. R. 122—
For the relief of the heirs of S. H. Hill, deceased.
Mr. Adamson; Committee on War Claims 154.

H. R. 123—
For the relief of N. N. Lowry.
Mr. Adamson; Committee on War Claims 154.

H. R. 124—
For the relief of the legal representatives of T. L. Walker, deceased.
Mr. Adamson; Committee on War Claims 154.

H. R. 125—
For the relief of Edward Haile.
Mr. Adamson; Committee on War Claims 154.

H. R. 126—
To compensate the legal representatives of Henry S. Castellaw for stock and provisions taken for the use of the Army of the United States.
Mr. Adamson; Committee on War Claims 154.

H. R. 127—
To compensate W. T. Godwin for transportation, rent, and supplies furnished United States authorities engaged in suppressing a riot in Harris County, Ga., in 1867.
Mr. Adamson; Committee on War Claims 154.

H. R. 128—
To pay Hewlette A. Hall balance due for services rendered in connection with the Paris Exposition.
Mr. Adamson; Committee on Claims 154.

H. R. 129—
Granting an increase of pension to Byron S. Phelps.
Mr. Bates; Committee on Invalid Pensions 154.

H. R. 130—
Granting an increase of pension to Washington I. Cook.
Mr. Bates; Committee on Invalid Pensions 154.

H. R. 131—
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Mr. Bates; Committee on Invalid Pensions 154.

H. R. 132—
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Mr. Bates; Committee on Invalid Pensions 154.

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Granting an increase of pension to Capt. James W. Smith.
Mr. Bates; Committee on Invalid Pensions 154.

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Mr. Bates; Committee on Invalid Pensions 154.

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H. R. 136—
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Mr. Brick; Committee on Invalid Pensions 154.

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Mr. Brick; Committee on Invalid Pensions 154.

H. R. 138—
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Mr. Brick; Committee on Invalid Pensions 154.

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Granting an increase of pension to Emil Schincke.
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H. R. 146—
Granting an increase of pension to Alex McLaughlin.
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H. R. 147—
Granting an increase of pension to Thomas J. Frasier.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 148—
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Mr. Brick; Committee on Invalid Pensions 154.

H. R. 149—
Granting a pension to Martha Oliver.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 150—
Granting an increase of pension to Abraham E. Clark.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 151—
Granting a pension to George Heminger.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 152—
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Mr. Brick; Committee on Invalid Pensions 154.

H. R. 153—
Granting a pension to Harriet Snyder.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 154—
Granting a pension to William B. Jenkins.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 155—
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H. R. 156—
Granting a pension to Thomas McDonald.
Mr. Brick; Committee on Invalid Pensions 154.

H. R. 157—
To remove the charge of desertion from the military record of George W. Philpott, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 158—
To remove the charge of desertion from the military record of Joseph Stallter, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 159—
To remove the charge of desertion from the military record of Jacob Curry, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 160—
To remove the charge of desertion from the military record of Charles Rankert, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 161—
To remove the charge of desertion from the military record of Andrew Matheny, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 162—
To remove the charge of desertion from the military record of Godfrey Bestle, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 163—
To remove the charge of desertion from the military record of Albert B. Ketterman and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 164—
To remove the charge of desertion from the military record of Thomas F. Lindersmith and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 154.

H. R. 165—
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For the relief of Levi C. Smith.
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To remove the charge of desertion from the military record of Jonas Albert.
Mr. Brick; Committee on Military Affairs 154.

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Granting an increase of pension to George W. Carey.
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H. R. 173—
To remove the charge of desertion from the military record of William C. Horner, and to grant him an honorable discharge.
Mr. Brick; Committee on Military Affairs 155.

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Granting an increase of pension to Thomas H. Snurr.
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H. R. 178—
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Granting a pension to Alexander Bradley.
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Mr. Burton; Committee on Invalid Pensions 155.

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H. R. 193—
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H. R. 194—
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For the relief of the contractor or his legal representatives for the construction of the light-draft monitor Etlah.
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Mr. Brownlow; Committee on Invalid Pensions 155.

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To pay Thomas S. Truett the sum of $340, the value of property taken from him by the troops of the United States Army.
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H. R. 1147—
For the relief of John D. Reed, administrator of J. P. C. Reed, deceased.
Mr. Padgett; Committee on War Claims 169.

H. R. 1148—
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Mr. Padgett; Committee on Military Affairs 169.

H. R. 1149—
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Mr. Padgett; Committee on War Claims 169.

H. R. 1150—
For the relief of Hiram Lodge, No. 7, of Free and Accepted Masons, of Franklin, Tenn.
Mr. Padgett; Committee on War Claims 169.

H. R. 1151—
For the relief of Louis A. Yorke.
Mr. Rixey; Committee on Naval Affairs 169.

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Granting a pension to William C. Miller.
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Granting an increase of pension to William Geyser.
Mr. Southard; Committee on Invalid Pensions 169.

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Mr. Southard; Committee on Claims 169.

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To correct the military record of Edward S. Knappen.
Mr. Southard; Committee on Military Affairs 169.

H. R. 1156—
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Mr. Southard; Committee on Invalid Pensions 169.

H. R. 1157—
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Mr. Southard; Committee on Invalid Pensions 170.

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H. R. 1163—
Granting an increase of pension to Kate O'Connor.
Mr. Southard; Committee on Invalid Pensions 170.

H. R. 1164—
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Mr. Southard; Committee on Invalid Pensions 170.

H. R. 1167—
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H. R. 1177—
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Mr. Watson; Committee on Invalid Pensions 170.

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Mr. Watson; Committee on Invalid Pensions 170.

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For the relief of Mrs. E. W. Williams.
Mr. Wiley of Alabama; Committee on War Claims 170.

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Granting an increase of pension to William F. Longenhagen.
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Mr. Kline; Committee on Invalid Pensions 170.

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Mr. Moon of Tennessee; Committee on Military Affairs 170.

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Granting right of way for road through Government reservation north of national cemetery, Chattanooga, Tenn.
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H. R. 1188—
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Mr. Moon of Tennessee; Committee on Patents 165.

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Recognizing the military service of and giving pensionable status under all pension laws of the United States to persons serving under United States officers as home guards, militia, or other provisional troops during the civil war.
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To create the Territory of Jefferson and to provide a temporary government for the same, and for other purposes.
Mr. Moon of Tennessee; Committee on Territories 165.

H. R. 1192—
To repeal the 10 per cent tax on State bank issues.
Mr. William W. Kitchin; Committee on Banking and Currency 203.

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Mr. William W. Kitchin; Committee on Ways and Means 203.

H. R. 1194—
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Mr. Jones of Washington; Committee on Post-Office and Post-Roads 203.

H. R. 1195—
To provide for the payment of certain claims against the District of Columbia caused by the destruction of the Northern Liberty market house in September, 1872.
Mr. Jenkins; Committee on District of Columbia 203.

H. R. 1196—
For the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve."
Mr. Brownlow; Committee on Agriculture 203.

H. R. 1197—
For investigations of the chemical composition and economic uses of cotton seed and its products.
Mr. Sims; Committee on Agriculture 203.

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Providing for the punishment of United States prisoners for crimes committed while confined in State penal institutions.
Mr. Gilbert; Committee on Judiciary 203.

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To provide for a road to the Shiloh National Military Park.
Mr. Sims; Committee on Military Affairs 203.

H. R. 1201—
To provide for a road to the Shiloh National Military Park.
Mr. Sims; Committee on Military Affairs 203.

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Mr. Sims; Committee on Judiciary 203.

H. R. 1203—
Authorizing the Secretary of the Treasury to provide a post-office building at all cities or towns where first, second, or third class post-offices are located.
Mr. Acheson; Committee on Public Buildings and Grounds 203.

H. R. 1204—
To increase the limit of cost for the purchase of site and the erection of a public building at Washington, Pa.
Mr. Acheson; Committee on Public Buildings and Grounds 203.

H. R. 1205—
To establish a fish-hatching and fish station in the State of Pennsylvania.
Mr. Acheson; Committee on Merchant Marine and Fisheries 203.

H. R. 1206—
To provide for the purchase of a site and the erection of a public building thereon at Dover, in the State of New Hampshire.
Mr. Sulloway; Committee on Public Buildings and Grounds 203.

H. R. 1207—
Providing for the employment of letter carriers at every post-office which produced a gross revenue for the preceding fiscal year of not less than $1,900.
Mr. Acheson; Committee on Post-Office and Post-Roads 203.

H. R. 1208—
To amend the pension laws.
Mr. Moon of Tennessee; Committee on Invalid Pensions 203.

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To erect a custom-house and post-office building in the city of Paris, State of Tennessee.
Mr. Sims; Committee on Public Buildings and Grounds 203.

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For the improvement of harbor of refuge at Duck Island Harbor, Connecticut.
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H. R. 1211—
For the improvement of the New Haven (Conn.) Harbor breakwater.
Mr. Sperry; Committee on Rivers and Harbors 203.

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To erect a public building at Dixon, Ill.
Mr. Hitt; Committee on Public Buildings and Grounds 203.

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Mr. Sims; Committee on Military Affairs 203.

H. R. 1214—
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Mr. Denny; Committee on Rivers and Harbors 203.

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To increase the pensions of those who have become totally blind by reason of service in the Army or Navy of the United States.
Mr. Hamilton; Committee on Invalid Pensions 203.

H. R. 1217—
For the maintenance and improvement of the Connecticut River below Hartford.
Mr. Sperry; Committee on Rivers and Harbors 203.

H. R. 1218—
For the improvement of the Housatonic River.
Mr. Sperry; Committee on Rivers and Harbors 203.

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H. R. 1220—
To provide for the modification of the project for the improvement of the harbor of New Haven, Conn.
Mr. Sperry; Committee on Rivers and Harbors 203.

H. R. 1221—
To provide for the modification of the project for the improvement of the harbor of New Haven, Conn.
Mr. Sperry; Committee on Rivers and Harbors 204.

H. R. 1222—
To provide for the purchase of a site and the erection of a public building thereon at Mitchell, in the State of South Dakota.
Mr. Martin; Committee on Public Buildings and Grounds 204.

H. R. 1223—
To establish mining experiment stations, to aid in the development of the mineral resources of the United States, and for other purposes.
Mr. Martin; Committee on Mines and Mining 204.

H. R. 1224—
Making the anniversary of the discovery of America by Christopher Columbus a legal holiday.
Mr. Martin; Committee on Judiciary 204.

H. R. 1225—
Providing for the erection of a public building in the city of Mason City, Iowa.
Mr. Haugen; Committee on Public Buildings and Grounds 204.

H. R. 1226—
To prevent monopoly and trusts and to secure free competition in trade among the States and Territories of the United States, and for other purposes.
Mr. Little; Committee on Judiciary 204.

H. R. 1227—
Donating to the State of Arkansas 100,000 acres of public land for the purpose of establishing, equipping, and maintaining a textile school in said State.
Mr. Little; Committee on Public Lands 204.

H. R. 1228—
Defining a legal day's work, and for other purposes.
Mr. Little; Committee on Labor 204.

H. R. 1229—
To refund the cotton tax.
Mr. Little; Committee on War Claims 204.

H. R. 1230—
To revive the right of action under the captured and abandoned property acts, and for other purposes.
Mr. Little; Committee on War Claims 204.

H. R. 1231—
For the relief of gaugers, storekeeper-gaugers, and storekeepers.
Mr. Powers of Massachusetts; Committee on Ways and Means 204.

H. R. 1232—
To fix the fees of court criers, bailiffs, and witnesses in attendance upon the United States courts in Alabama.
Mr. Wiley of Alabama; Committee on Judiciary 204.

H. R. 1233—
To erect suitable buildings, and to improve the grounds around the same, for disabled Confederate soldiers, at or near Mountain Creek, Ala.
Mr. Wiley of Alabama; Committee on Military Affairs 204.

H. R. 1234—
To limit the meaning of the word "conspiracy" and the use of injunctions and restraining orders in certain cases.
Mr. Little; Committee on Judiciary 204.

H. R. 1235—
For the erection of a public building at the city of Barre, Vt.
Mr. Haskins; Committee on Public Buildings and Grounds 204.

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For the erection of a public building at Island Pond, Vt.
Mr. Haskins; Committee on Public Buildings and Grounds 204.

H. R. 1237—
To provide for the purchase of a site and the erection of a public building thereon at Iola, in the State of Kansas.
Mr. Scott; Committee on Public Buildings and Grounds 204.

H. R. 1238—
In relation to interstate commerce, and authorizing the imposing of licenses and occupation taxes on persons engaged in such commerce.
Mr. Scott; Committee on Interstate and Foreign Commerce 204.

H. R. 1239—
For the erection of a public building in Westerly, R. I.
Mr. Capron; Committee on Public Buildings and Grounds 204.

H. R. 1240—
Providing for the erection of a monument at Put in Bay, Ohio, commemorative of Commodore Oliver Hazard Perry and those who participated in the naval battle of Lake Erie on the 10th day of September, 1813.
Mr. Capron; Committee on Library 204.

H. R. 1241—
Making appropriation for site and pedestal of a statue of the late Maj. Gen. Ambrose E. Burnside in the city of Washington, D. C.
Mr. Capron; Committee on Library 204.

H. R. 1242—
To provide a life-saving station at or near Greenhill, on the coast of South Kingston, in the State of Rhode Island.
Mr. Capron; Committee on Interstate and Foreign Commerce 204.

H. R. 1243—
To reclassify railway postal clerks and prescribe their salaries.
Mr. Tawney; Committee on Post-Office and Post-Roads 204.

H. R. 1244—
To increase the compensation of fourth-class postmasters.
Mr. Richardson of Alabama; Committee on Post-Office and Post-Roads 204.

H. R. 1245—
Granting to N. F. Thompson and associates the right to erect a dam and construct power station at Muscle Shoals, Alabama.
Mr. Richardson of Alabama; Committee on Interstate and Foreign Commerce 204.

H. R. 1246—
To authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same.
Mr. Brown of Wisconsin; Committee on Indian Affairs 204.

H. R. 1247—
For the benefit of the national cemetery near the city of Lebanon, in the State of Kentucky.
Mr. Smith of Kentucky; Committee on Military Affairs 204.

H. R. 1248—
Appropriating $100,000 to enlarge the public building at Montgomery, Ala., so as to meet the necessities of the public business.
Mr. Wiley of Alabama; Committee on Public Buildings and Grounds 204.

H. R. 1249—
To admit hides free of duty.
Mr. Thayer; Committee on Ways and Means 204.

H. R. 1250—
To provide for the purchase of a site and the erection of a public building thereon at Elizabethtown, in the State of Kentucky.
Mr. Smith of Kentucky; Committee on Public Buildings and Grounds 204.

H. R. 1251—
For the erection of a public building at Lebanon, Marion County, Ky.
Mr. Smith of Kentucky; Committee on Public Buildings and Grounds 204.

H. R. 1252—
For the erection of a public building at Bardstown, Nelson County, Ky.
Mr. Smith of Kentucky; Committee on Public Buildings and Grounds 204.

H. R. 1253—
To provide a public building for the use of the post-office and other civil offices of the city of Pine Bluff, Ark.
Mr. Robinson of Arkansas; Committee on Public Buildings and Grounds 204.

H. R. 1254—
Appropriating $4,243.90 to repay the city of Montgomery, Ala., moneys expended for streets and sidewalks adjacent to the Government building in said city.
Mr. Wiley of Alabama; Committee on Claims 204.

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To provide for a site for a depot for the Revenue-Cutter Service.
Mr. Mudd; Committee on Interstate and Foreign Commerce 204.

H. R. 1256—
To provide for the improvement of Rough River, in Kentucky.
Mr. Smith of Kentucky; Committee on Rivers and Harbors 204.

H. R. 1257—
To provide for the improvement of Salt River, in the State of Kentucky.
Mr. Smith of Kentucky; Committee on Rivers and Harbors 204.

H. R. 1258—
To provide for the further improvement of Green River, in the State of Kentucky.
Mr. Smith of Kentucky; Committee on Rivers and Harbors 204.

H. R. 1259—
Granting a pension to Henry H. Wilson.
Mr. Acheson; Committee on Invalid Pensions 204.

H. R. 1260—
Granting a pension to G. W. Baldwin.
Mr. Acheson; Committee on Invalid Pensions 204.

H. R. 1261—
Granting a pension to George W. Robb.
Mr. Acheson; Committee on Invalid Pensions 204.

H. R. 1262—
Granting a pension to Capt. W. P. Fryer.
Mr. Acheson; Committee on Invalid Pensions 204.

H. R. 1263—
Granting an increase of pension to David Phillips.
Mr. Acheson; Committee on Invalid Pensions 204.

H. R. 1264—
Granting an increase of pension to George W. Lloyd.
Mr. Acheson; Committee on Invalid Pensions 204.

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Mr. Acheson; Committee on Invalid Pensions 204.

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Mr. Acheson; Committee on Invalid Pensions 205.

H. R. 1267—
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Mr. Acheson; Committee on Invalid Pensions 205.

H. R. 1268—
Granting an increase of pension to John B. Hart.
Mr. Acheson; Committee on Invalid Pensions 205.

H. R. 1269—
To correct the military record of George W. Brice.
Mr. Acheson; Committee on Military Affairs 205.

H. R. 1270—
To correct the muster of Benjamin F. Hasson.
Mr. Acheson; Committee on Military Affairs 205.

H. R. 1271—
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Mr. Acheson; Committee on Claims 205.

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Mr. Beidler; Committee on Military Affairs 205.

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Granting an increase of pension to J. J. Hunter.
Mr. Bowie; Committee on Invalid Pensions 205.—Reference changed to Committee on Pensions 313.

H. R. 1274—
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Mr. Bowie; Committee on Pensions 205.

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Mr. Bowie; Committee on War Claims 205.

H. R. 1276—
For the relief of Mrs. S. F. Prestridge.
Mr. Bowie; Committee on War Claims 205.

H. R. 1277—
For the relief of Isaiah Friday.
Mr. Bowie; Committee on War Claims 205.

H. R. 1278—
For the relief of S. R. Bell and S. H. Green.
Mr. Bowie; Committee on War Claims 205.

H. R. 1279—
For the relief of C. C. Huckabee.
Mr. Bowie; Committee on War Claims 205.

H. R. 1280—
For the relief of W. J. Warren.
Mr. Bowie; Committee on War Claims 205.

H. R. 1281—
For the relief of the heirs of George O. Baker.
Mr. Bowie; Committee on Claims 205.

H. R. 1282—
Granting an increase of pension to George Baker.
Mr. Brown of Wisconsin; Committee on Invalid Pensions 205.

H. R. 1283—
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Mr. Brown of Pennsylvania; Committee on Invalid Pensions 205.

H. R. 1284—
Granting an increase of pension to James H. Beulen.
Mr. Brown of Wisconsin; Committee on Invalid Pensions 205.

H. R. 1285—
Granting an increase of pension to Adam Gosage.
Mr. Brown of Wisconsin; Committee on Invalid Pensions 205.

H. R. 1286—
Granting an increase of pension to John Brasch.
Mr. Brown of Wisconsin; Committee on Invalid Pensions 205.

H. R. 1287—
Granting an increase of pension to Cyrus B. Depp.
Mr. Brown of Wisconsin; Committee on Invalid Pensions 205.

H. R. 1288—
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Mr. Brown of Wisconsin; Committee on Invalid Pensions 205.

H. R. 1289—
For the relief of Joseph A. Jennings.
Mr Brownlow; Committee on Claims 205.

H. R. 1290—
For the relief of the Georgia Railroad and Banking Company.
Mr. Brownlow; Committee on Claims 205.

H. R. 1291—
Authorizing the issuance of patents to Amanda C. Hines, Minnie A. Hines, and Harriet A. Hines for lands allotted to them in South Dakota.
Mr. Burke of South Dakota; Committee on Patents 205.—Reference changed to Committee on Public Lands 471.

H. R. 1292—
Granting an increase of pension to Icabod S. Prosser.
Mr. Burkett; Committee on Invalid Pensions 205.

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Mr. Burkett; Committee on Invalid Pensions 205.

H. R. 1294—
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H. R. 1296—
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Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1297—
Granting an increase of pension to Horace B. Tanner.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1298—
Granting an increase of pension to Andrew Owen.
Mr. Capron; Committee on Invalid Pensions 205.

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H. R. 1300—
Granting an increase of pension to John F. Morris.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1301—
Granting an increase of pension to John S. Miller.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1302—
Granting an increase of pension to Margaret Jane Lewis.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1303—
Granting an increase of pension to Julia Lawton.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1304—
Granting an increase of pension to Edward Larkin.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1305—
Granting an increase of pension to Gilbert A. Kenney.
Mr. Capron; Committee on Invalid Pensions 205.

H. R. 1306—
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H. R. 1307—
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H. R. 1310—
Granting a pension to Maria B. Wheaton.
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H. R. 1311—
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H. R. 1312—
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H. R. 1313—
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H. R. 1314—
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H. R. 1315—
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H. R. 1321—
Granting a pension to Edwin Babcock.
Mr. Conner; Committee on Invalid Pensions 205.

H. R. 1322—
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Mr. Conner; Committee on Invalid Pensions 205.

H. R. 1324—
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Mr. Conner; Committee on Invalid Pensions 205.

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Granting an increase of pension to William Louther.
Mr. Conner; Committee on Invalid Pensions 205.

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Mr. Conner; Committee on Invalid Pensions 205.

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Mr. Conner; Committee on Invalid Pensions 205.

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Mr. Smith of Kentucky; Committee on War Claims 210.

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Mr. Smith of Kentucky; Committee on War Claims 210.

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Mr. Smith of Kentucky; Committee on War Claims 210.

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For the relief of Omar H. Case.
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For the relief of the heirs of Lucinda Cook.
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For the relief of Benjamin F. Lutman.
Mr. Smith of Kentucky; Committee on War Claims 211.

H. R. 1756—
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H. R. 1757—
Granting a pension to Rebecca Lewis.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1758—
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Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1759—
Granting a pension to Thomas Kinkaid.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

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Granting a pension to Sebastian F. Kissinger.
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Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1763—
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Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1769—
Granting a pension to Tabatha L. McGlasson.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

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Granting a pension to Addie L. McFelia.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

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Granting a pension to Harvey Langham.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1772—
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Mr. Smith of Kentucky; Committee on Pensions 211.

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H. R. 1780—
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Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1781—
Granting a pension to Cynthia Stone.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1782—
Granting a pension to William P. Slaughter.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1783—
Granting a pension to Samuel Shepherd.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1784—
Granting a pension to Thomas J. Sparkman.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1785—
Granting a pension to Samuel T. Wallace.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1786—
Granting a pension to Laura Ann Willis.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1787—
Granting a pension to Richard West.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1788—
Granting a pension to Harriett Wheatley.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1789—
Granting a pension to William T. Gorr.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1790—
Granting a pension to Mrs. Mary D. England.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1791—
Granting a pension to Richard Eubank.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211

H. R. 1792—
Granting a pension to Bennett Davenport.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1793—
Granting a pension to Adolph Denkhoff.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1794—
Granting a pension to John M. Calloway and correct his military record.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1795—
Granting a pension to Lucy B. Culver.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1796—
Granting a pension to James Bird.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1797—
Granting a pension to Sidney Bozarth.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1798—
Granting a pension to Jefferson G. Brown.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1799—
Granting a pension to Mary E. Brashear.
Mr. Smith of Kentucky; Committee on Pensions 211.

H. R. 1800—
Granting a pension to Anna B. Lewis.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1801—
Granting a pension to James Allen.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1802—
Granting a pension to John Logsdon.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1803—
Granting an increase of pension to W. H. Kyler.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1804—
Granting an increase of pension to Clifford Haddock.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1805—
Granting an increase of pension to E. F. Hocker.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1806—
Granting an increase of pension to William M. Hicks.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1807—
Granting an increase of pension to Rawleigh M. Monin.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1808—
Granting an increase of pension to Napoleon McDowell.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1809—
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Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1810—
Granting an increase of pension to James B. McWhorter.
Mr. Smith of Kentucky; Committee on Pensions 211.

H. R. 1811—
Granting an increase of pension to Stephen L. Richardson.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1812—
Granting an increase of pension to William Petit.
Mr. Smith of Kentucky; Committee on Pensions 211.

H. R. 1813—
Granting an increase of pension to Albert B. Palmer.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1814—
Granting an increase of pension to John C. Vanfleet.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1815—
Granting an increase of pension to Ideral Vanfleet.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1816—
Granting an increase of pension to John R. Vickers.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1817—
Granting an increase of pension to Luther Towne.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1818—
Granting an increase of pension to John W. Simpson.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1819—
Granting an increase of pension to William Yates.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1820—
Granting an increase of pension to William Whitworth.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1821—
Granting an increase of pension to Joseph Farmer.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1822—
Granting an increase of pension to M. W. Dunkin.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1823—
Granting an increase of pension to John Daly.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1824—
Granting an increase of pension to Jerome B. Duggins.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1825—
Granting an increase of pension to W. A. Dever.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1826—
Granting an increase of pension to Virginia Crump.
Mr. Smith of Kentucky; Committee on Pensions 211.

H. R. 1827—
Granting an increase of pension to Martha Corder.
Mr. Smith of Kentucky; Committee on Pensions 211.

H. R. 1828—
Granting an increase of pension to William H. Bland.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1829—
Granting an increase of pension to N. R. Brasheor.
Mr. Smith of Kentucky; Committee on Invalid Pensions 211.

H. R. 1830—
To remove the charge of desertion from the military record of Charles T. Jackson.
Mr. Smith of Kentucky; Committee on Military Affairs 211.

H. R. 1831—
To remove charge of desertion against Benjamin A. Helm.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1832—
To complete the military record of James Hicks.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1833—
To remove the charge of desertion from the military record of J. H. Morris and grant him a discharge.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1834—
To remove the charge of desertion against John B. Perkins.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1835—
To place the names of William D. Rabern and George W. Raybern on the roll of the United States Army.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1836—
To remove the charge of desertion against W. B. Summers and to grant him a discharge.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1837—
To remove the charge of desertion against Nathan Stewart.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1838—
Granting a discharge to Peter Wilson.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1839—
To remove the charge of desertion from the military record of Stephen Greenwell.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1840—
Removing charge of desertion from the military record of John P. Fox and to grant him a discharge.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1841—
To remove the charge of desertion from the military record of David Coats and restore him to the pension roll of the United States.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1842—
To remove the charge of desertion from the military record of Michael Cullen.
Mr. Smith of Kentucky; Committee on Invalid Pensions 212.—Reference changed to Committee on Military Affairs 213.

H. R. 1843—
To remove the charge of desertion from the military record of James Braden.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R 1844—
To remove the charge of desertion from military record of W. T. Akridge and grant him a discharge.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1845—
To amend and correct the military record of Thomas Etherton.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1846—
To correct the military record of Franklin Nix and grant him a discharge.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1847—
To correct the military record of Alexander Nugent and grant him a discharge.
Mr. Smith of Kentucky; Committee on Invalid Pensions 212.—Reference changed to Committee on Military Affairs 213.

H. R. 1848—
To correct the military record of William G. Dougherty.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1849—
To correct the military record of Ebenezer Logsdon.
Mr. Smith of Kentucky; Committee on Military Affairs 212.

H. R. 1850—
Granting a pension to Malvina C. Stith.
Mr. Smith of Kentucky; Committee on Pensions 212.

H. R. 1851—
Granting an increase of pension to David T. Towles.
Mr. Smith of Kentucky; Committee on Invalid Pensions 212.

H. R. 1852—
For the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.
Mr. Smith of Kentucky; Committee on War Claims 212.

H. R. 1853—
For the relief of Elijah Q. Cooper, of Kentucky.
Mr. Smith of Kentucky; Committee on War Claims 212.

H. R. 1854—
For the relief of Joseph B. Sargent.
Mr. Sperry; Committee on Claims 212.

H. R. 1855—
Granting a pension to Harriett B. Riley.
Mr. Sperry; Committee on Invalid Pensions 212.

H. R. 1856—
Granting an increase of pension to Alexander H. Covert.
Mr. Sperry; Committee on Invalid Pensions 212.

H. R. 1857—
Granting a pension to William C. Manning.
Mr. Sperry; Committee on Invalid Pensions 212.

H. R. 1858—
To correct the naval record of George Nelson Armstrong.
Mr. Sullivan of New York; Committee on Naval Affairs 212.

H. R. 1859—
Granting an increase of pension to Patrick Cannon.
Mr. Sulloway; Committee on Pensions 212.

H. R. 1860—
For the relief of certain enlisted men of the Twentieth Regiment of New York Volunteer Infantry.
Mr. Sulzer; Committee on Military Affairs 212.

H. R. 1861—
Granting an increase of pension to James Wilkinson.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1862—
For the relief of the Laird-Norton Company, of Winona, Minn.
Mr. Tawney; Committee on Claims 212.

H. R. 1863—
Granting an honorable discharge to Harry A. White.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1864—
Granting an increase of pension to Amyntas Briggs.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1865—
Granting an increase of pension to Ormon W. Walsh.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1866—
To remove the charge of desertion from the military record of Henry J. Bolewine.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1867—
For the relief of Dewitt Eastman.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1868—
Granting a pension to Lydia E. French.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1869—
Granting an increase of pension to John B. Ashton.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1870—
To remove the charge of desertion against Benjamin F. Dayton.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1871—
Removing the charge of desertion from the military record of J. E. Getman.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1872—
Granting an increase of pension to George Johnson.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1873—
Removing the charge of desertion against David Whitford.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1874—
Granting an increase of pension to Garrett Schermerhorn.
Mr. Tawney; Committee on Pensions 212.

H. R. 1875—
Granting an increase of pension to William C. Lathrop.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1876—
For the relief of Gideon Holton.
Mr. Tawney; Committee on Claims 212.

H. R. 1877—
Granting an increase of pension to George H. Suits.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1878—
To restore to the pension roll the name of Ellen C. Remore.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1879—
Granting an increase of pension to George H. Potts.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1880—
For the relief of Conrad Bohn.
Mr. Tawney; Committee on Claims 212.

H. R. 1881—
To remove the charge of desertion from the military record of Ashley C. Cameron.
Mr. Tawney; Committee on Military Affairs 212.

H. R. 1882—
Granting an increase of pension to James Durkee.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1883—
Granting a pension to Harriet A. Cook.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1884—
Granting an increase of pension to Marzavan J. Secord.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1885—
Granting a pension to Anna McFalls.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1886—
Granting a pension to Edward A. Goodfellow.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1887—
Graning an increase of pension to William J. Stewart.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1888—
Granting an increase of pension to Henry Westerhouse.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1889—
For the relief of George H. Suits.
Mr. Tawney; Committee on War Claims 212.

H. R. 1890—
Granting an increase of pension to E. A. Whitcomb.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1891—
Granting an increase of pension to William W. Gilbert.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1892—
Granting an increase of pension to John Gibson.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1893—
Granting an increase of pension to Luther May.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1894—
Granting an increase of pension to John Hanley.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1895—
Granting an increase of pension to Matthew Marvin.
Mr. Tawney; Committee on Invalid Pensions 212.

H. R. 1896—
Granting an increase of pension to Samuel W. Weaver.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1897—
Granting an increase of pension to John T. Thatcher.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1898—
Granting an increase of pension to David L. Mills.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1899—
Granting an increase of pension to Philander Bennett.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1900—
Granting an increase of pension to Samuel Visnow.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1901—
Granting an increase of pension to W. F. Barnes.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1902—
Granting an increase of pension to Clark Robinson.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1903—
Granting an increase of pension to Claudius Tifft.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1904—
Granting an increase of pension to O. D. Heald.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1905—
Granting an increase of pension to Elias Holliday.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1906—
Granting an increase of pension to George W. Blanchard.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1907—
Granting an increase of pension to Wyman J. Crow.
Mr. Thomas of Iowa; Committee on Invalid Pensions 212.

H. R. 1908—
Granting an increase of pension to Harvey D. Barr.
Mr. Thomas of Iowa; Committee on Invalid Pensions 213.

H. R. 1909—
To authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land.
Mr. Tirrell; Committee on Military Affairs 213.

H. R. 1910—
Granting a pension to Cephas Kendal Knox.
Mr. Wiley of Alabama; Committee on Pensions 213.

H. R. 1911—
Authorizing the payment of the claim of M. A. Gantt & Son for board and lodging to volunteers during the Spanish-American war.
Mr. Wiley of Alabama; Committee on War Claims 213.

H. R. 1912—
To refer the claim of John Sampey to the Court of Claims.
Mr. Wiley of Alabama; Committee on War Claims 213.

H. R. 1913—
Authorizing the payment of the claim of Eve Gorman for the death of her husband, a Government employee, who was killed on Coosa River lock in December, 1894.
Mr. Wiley of Alabama; Committee on Claims 213.

H. R. 1914—
Granting a pension to John H. Gardner.
Mr. Woodyard; Committee on Invalid Pensions 213.

H. R. 1915—
Granting a pension to William Stonestreet, Company E, Third West Virginia Cavalry.
Mr. Woodyard; Committee on Invalid Pensions 213.

H. R. 1916—
For the relief of Capt. Sidney F. Shaw.
Mr. Woodyard; Committee on Claims 213.

H. R. 1917—
Granting a pension to George M. D. Wells.
Mr. Woodyard; Committee on Invalid Pensions 213.

H. R. 1918—
For the relief of the Ditmar Powder and Chemical Company, of New York City.
Mr. Howell of New Jersey; Committee on Claims 213.

H. R. 1919—
For the relief of the widow and children of Henry C. Murphy, deceased.
Mr. Howell of New Jersey; Committee on Claims 213.

H. R. 1920—
For the relief of James Willett.
Mr. Howell of New Jersey; Committee on Claims 213.

H. R. 1921—
To carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, 1902.
Mr. Payne; Committee on Ways and Means 223.—Reported back (H. R. REPORT 1) 234, 276.—Made special order 254.—Debated 259, 260, 273, 293, 323, 361.—Passed House 389.—Referred to Senate Committee on Foreign Relations 396, 399.—Reported back (S. REPORT 2) 417.—Made special order 433.—Debated 475, 489, 508, 531.

H. R. 1922—
Authorizing the purchase of a site for customs purposes and the construction of buildings at Boston, Mass.
Mr. Powers of Massachusetts; Committee on Public Buildings and Grounds 223.

H. R. 1923—
To provide for giving a medal to those who served in the Army during the war with Spain.
Mr. Cowherd; Committee on Military Affairs 223.

H. R. 1924—
Authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers.
Mr. Mondell; Committee on Public Lands 223.

H. R. 1925—
Providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska.
Mr. Mondell; Committee on Ways and Means 223.

H. R. 1926—
To provide for the purchase of a site and the erection of a public building thereon at Beverly, in the State of Massachusetts.
Mr. Gardner of Massachusetts; Committee on Public Buildings and Grounds 223.

H. R. 1927—
To amend an act entitled "An act to create a customs district of the Territory of Arizona," approved April 29, 1890.
Mr. Wilson of Arizona; Committee on Ways and Means 223.

H. R. 1928—
To provide for a naval training station for the Great Lakes at harbor of Erie, Pa.
Mr. Bates; Committee on Naval Affairs 223.

H. R. 1929—
To increase the compensation of carriers on rural free-delivery mail routes.
Mr. Davidson; Committee on Post-Office and Post-Roads 223.

H. R. 1930—
To provide for the erection of a public building at Anderson, S. C.
Mr. Aiken; Committee on Public Buildings and Grounds 223.

H. R. 1931—
Increasing the cost of public building at Seattle, in the State of Washington.
Mr. Humphrey; Committee on Public Buildings and Grounds 223.

H. R. 1932—
Providing for the erection of a public building at the city of Whatcom, in the State of Washington.
Mr. Humphrey; Committee on Public Buildings and Grounds 223.

H. R. 1933—
To appropriate the sum of $40,000 to the Cape Cod Pilgrim Memorial Association, to be used in erecting at Provincetown, Mass., a suitable memorial of the landing of the Pilgrims.
Mr. Lovering; Committee on Library 223.

H. R. 1934—
To make the currency responsive to the varying needs of business at all seasons and in all sections.
Mr. Lovering; Committee on Banking and Currency 223.

H. R. 1935—
For a public building at Ann Arbor, Mich.
Mr. Townsend; Committee on Public Buildings and Grounds 223.

H. R. 1936—
Extending to the subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.
Mr. Jones of Washington; Committee on Ways and Means 223.

H. R. 1937—
For the erection of a public building at Ansonia, Conn.
Mr. Sperry; Committee on Public Buildings and Grounds 223.

H. R. 1938—
To provide for the erection of a public building at Sumter, S. C.
Mr. Lever; Committee on Public Buildings and Grounds 223.

H. R. 1939—
Creating the southwestern judicial district in Indian Territory, and for other purposes.
Mr. Brownlow; Committee on Judiciary 224.

H. R. 1940—
To provide for the extension and enlargement of the public building at Columbus, Ohio.
Mr. Badger; Committee on Public Buildings and Grounds 224.

H. R. 1941—
To increase salaries of rural free-delivery carriers.
Mr. Townsend; Committee on Post-Office and Post-Roads 224.

H. R. 1942—
To construct a road from Springfield, Ill., to the national cemetery at Camp Butler, adjacent thereto.
Mr. Caldwell; Committee on Military Affairs 224.

H. R. 1943—
Granting pensions to teamsters of the war of the rebellion and Indian wars from 1861 to 1865, inclusive.
Mr. Caldwell; Committee on Invalid Pensions 224.

H. R. 1944—
Making an appropriation to construct a gravel road from Shiloh National Military Park to the city of Corinth, Miss., together with all necessary bridges.
Mr. Candler; Committee on Military Affairs 224.

H. R. 1945—
In amendment of section 2 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents.
Mr. McMorran; Committee on Invalid Pensions 224.

H. R. 1946—
To amend section 5278 of the Revised Statutes of the United States, on extradition.
Mr. James; Committee on Judiciary 224.

H. R. 1947—
To revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof.
Mr. Cooper of Texas; Committee on Claims 224.—Reference changed to Committee on War Claims 313, 349.

H. R. 1948—
To provide suitable medals for the officers and crews of the United States vessels of war Cumberland, Congress, and Monitor.
Mr. Dayton; Committee on Naval Affairs 224.

H. R. 1949—
To purchase a painting of the frigate Constitution, known as "Old Ironsides," and entitled "Old Ironsides."
Mr. Powers of Massachusetts; Committee on Library 224.

H. R. 1950—
To reimburse naval volunteers enlisted for one year or during the war with Spain for the cost of clothing and equipment.
Mr. Powers of Massachusetts; Committee on War Claims 224.

H. R. 1951—
For the erection of a public building at Las Vegas, N. Mex.
Mr. Rodey; Committee on Public Buildings and Grounds 224.

H. R. 1952—
For the erection of a public building at Albuquerque, N. Mex.
Mr. Rodey; Committee on Public Buildings and Grounds 224.

H. R. 1953—
To provide for an additional associate justice of the supreme court of the Territory of New Mexico.
Mr. Rodey; Committee on Judiciary 224.

H. R. 1954—
To authorize the exploration and purchase of mines within the boundaries of private land claims.
Mr. Rodey; Committee on Mines and Mining 224.

H. R. 1955—
To validate certain acts of the legislative assembly of the Territory of New Mexico with reference to the issuance of certain bonds.
Mr. Rodey; Committee on Territories 224.

H. R. 1956—
To authorize an exchange of sites for the public buildings of Garland County, Ark.
Mr. Robinson of Arkansas; Committee on Public Lands 224.

H. R. 1957—
In reference to the civil service and appointments thereunder.
Mr. Tawney; Committee on Reform in the Civil Service 224.

H. R. 1958—
To amend section 2, chapter 14, of the acts of the Forty-ninth Congress, second session, approved January 3, 1887.
Mr. Roberts; Committee on Post-Office and Post-Roads 224.

H. R. 1959—
Authorizing the Secretary of War to procure medals for the Sixth Massachusetts Regiment, who were the first fully equipped soldiers to arrive on April 19, 1861, for the defense of the city of Washington.
Mr. Roberts; Committee on Military Affairs 224.

H. R. 1960—
Providing that the statute of limitations shall not be interposed in any suit brought by any laborer, workman, or mechanic in the Court of Claims against the United States to recover wages claimed to be due him under the national eight-hour law.
Mr. Roberts; Committee on Claims 224.

H. R. 1961—
The remove the duty on hides of cattle.
Mr. Roberts; Committee on Ways and Means 224.

H. R. 1962—
To remove the duty on coal.
Mr. Roberts; Committee on Ways and Means 224.

H. R. 1963—
To increase the membership of the Court of Claims, and for other purposes.
Mr. Rixey; Committee on Claims 224.—Reference changed to Committee on Judiciary 276.

H. R. 1964—
To protect the monuments already erected on the battlefields of Bull Run, Virginia.
Mr. Rixey; Committee on Military Affairs 224.

H. R. 1965—
To provide for the construction of a memorial bridge across the Potomac River from Washington to Fort Myer and the national cemetery at Arlington.
Mr. Rixey; Committee on Interstate and Foreign Commerce 224.

H. R. 1966—
For the judicial ascertainment of claims against the United States.
Mr. Rixey; Committee on Claims 224.

H. R. 1967—
To forbid distilleries in local-option communities.
Mr. Rixey; Committee on Ways and Means 224.

H. R. 1968—
To authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded.
Mr. Talbott; Committee on Indian Affairs 224.

H. R. 1969—
To provide for the erection of a public building at Delaware, Ohio.
Mr. Warnock; Committee on Public Buildings and Grounds 224.

H. R. 1970—
To establish a permanent military camp ground upon the Nacimiento ranch, situated in Monterey and San Luis Obispo counties, Cal.
Mr. Needham; Committee on Military Affairs 224.

H. R. 1971—
To allow the growers of leaf tobacco to stem, twist, and sell the same without paying tax.
Mr. Hopkins; Committee on Ways and Means 224.

H. R. 1972—
Authorizing a survey for the harbor of New Bedford and Fairhaven, Mass., for the purpose of increasing the width of the channel and depth of the harbor and providing increased anchorage grounds.
Mr. Greene; Committee on Rivers and Harbors 224.

H. R. 1973—
To regulate the practice in United States courts in regard to instructing juries therein.
Mr. Cowherd; Committee on Judiciary 224.

H. R. 1974—
To provide for the erection of an addition to the public building at Rochester, N. Y.
Mr. Perkins; Committee on Public Buildings and Grounds 224.

H. R. 1975—
To amend section 1225 of Revised Statutes, so as to provide for detail of retired officers of the Army and Navy to assist in military instruction in schools.
Mr. Gardner of Michigan; Committee on Military Affairs 224.

H. R. 1976—
To prevent robbing the mail, to provide a safer and easier method of sending money by mail, and to increase the postal revenues.
Mr. Gardner of Michigan; Committee on Post-Office and Post Roads 224.

H. R. 1977—
To purchase a painting of Abraham Lincoln.
Mr. Allen; Committee on Library 224.

H. R. 1978—
To provide for the improvement of the Tug and Louisa forks of the Big Sandy River, in West Virginia and Kentucky.
Mr. Hopkins; Committee on Rivers and Harbors 224.

H. R. 1979—
Providing for the extension of the national cemetery on Williamsburg turnpike, near the city of Richmond, Va.
Mr. Lamb; Committee on Military Affairs 224.

H. R. 1980—
Limiting the hours of daily service of laborers and mechanics employed upon work done for the United States, or for any Territory, or for the District of Columbia, and for other purposes.
Mr. Butler of Pennsylvania; Committe on Labor 224.

H. R. 1981—
To extend the provisions of the act of June 27, 1902, entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Cherokee disturbances, and the Seminole war,' approved July 27, 1892."
Mr. Howell of Utah; Committee on Military Affairs 224.

H. R. 1982—
To establish a library post.
Mr. Cowherd; Committee on Post-Office and Post-Roads 224.

H. R. 1983—
To provide for compensation for certain employees of the Treasury, War, and Navy Departments.
Mr. Talbott; Committee on War Claims 224.

H. R. 1984—
For the appropriation of $200,000 for the building of a customhouse, public buildings, etc., in the cities of Phoenix, Prescott, and Tucson, Ariz., and for other purposes.
Mr. Wilson of Arizona; Committee on Public Buildings and Grounds 224.

H. R. 1985—
To authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky.
Mr. Hughes of West Virginia; Committee on Interstate and Foreign Commerce 224.

H. R. 1986—
Providing for the erection of a public building at Bessemer, Ala.
Mr. Underwood; Committee on Public Buildings and Grounds 224.

H. R. 1987—
Providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture.
Mr. Mondell; Committee on Public Lands 224.

H. R. 1988—
To provide for the purchase of a site and the erection of a public building thereon at Sheridan, in the State of Wyoming.
Mr. Mondell; Committee on Public Buildings and Grounds 225.

H. R. 1989—
Authorizing the Commissioners of the District of Columbia to construct toilet rooms.
Mr. Cowherd; Committee on District of Columbia 225.

H. R. 1990—
To erect a monument in memory of the Union and Confederate soldiers who fell at Lonejack, Mo.
Mr. Cowherd; Committee on Library 225.

H. R. 1991—
For the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and Commissioner of Pensions.
Mr. Loudenslager; Committee on Invalid Pensions 225.

H. R. 1992—
Relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane.
Mr. Loudenslager; Committee on Pensions 225.

H. R. 1993—
Fixing salary of Vice-President and members of the Cabinet.
Mr. Loudenslager; Committee on Appropriations 225.

H. R. 1994—
Granting equal privileges to per diem employees in the United States Navy outside of Washington, D. C., with those employees in the Executive Departments in Washington, D. C.
Mr. Loudenslager; Committee on Naval Affairs 225.

H. R. 1995—
To extend the benefits of the act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor," etc., approved June 27, 1890.
Mr. Loudenslager; Committee on Invalid Pensions 225.

H. R. 1996—
Providing for the repair and rebuilding of the road from Harrisonville, N. J., to the post at Fort Mott, N. J., and the national cemetery at Finns Point, N. J.
Mr. Loudenslager; Committee on Military Affairs 225.

H. R. 1997—
To prohibit the granting or issuing of revenue license for the sale or giving away of intoxicating liquors, wines, spirits, etc., in any district or territory of any of the several States or Territories of the United States of America where the sale or giving away of such intoxicating liquors, wines, spirits, etc., are prohibited by the laws of said States or Territories.
Mr. Macon; Committee on Ways and Means 225.

H. R. 1998—
To require city and street railway companies to use vestibule fronts in certain months.
Mr. Flood; Committee on District of Columbia 225.

H. R. 1999—
To aid and encourage military training and instruction by donation of public lands.
Mr. Flood; Committee on Public Lands 225.

H. R. 2000—
Granting pensions to soldiers and sailors of the civil war.
Mr. Campbell; Committee on Invalid Pensions 225.

H. R. 2001—
Granting a pension to Nora J. Glahn.
Mr. Adams of Pennsylvania; Committee on Invalid Pensions 225.

H. R. 2002—
To correct the military record of Phillip Graham.
Mr. Adams of Pennsylvania; Committee on Military Affairs 225.

H. R. 2003—
To commission Henry D. Hall, late captain in United States Revenue-Cutter Service, a captain on the retired list.
Mr. Allen; Committee on Naval Affairs 225.

H. R. 2004—
For the relief of Capt. Herman C. Schumm.
Mr. Babcock; Committee on Claims 225.

H. R. 2005—
Granting an increase of pension to Alexander J. Hood.
Mr. Babcock; Committee on Invalid Pensions 225.

H. R. 2006—
Granting a pension to Catherine Lenihan, now Hairsine.
Mr. Bates; Committee on Invalid Pensions 225.

H. R. 2007—
For the relief of the legal representatives of Henry Ohlekopf, deceased.
Mr. Birdsall; Committee on Claims 225.

H. R. 2008—
For the relief of B. J. D. Irwin.
Mr. Boutell; Committee on War Claims 225.

H. R. 2009—
For the relief of the estate of Sven J. Johnson.
Mr. Boutell; Committee on Claims 225.

H. R. 2010—
For the relief of the heirs of John A. Dolan.
Mr. Boutell; Committee on Claims 225.

H. R. 2011—
To correct the military record of Stephen W. Coakley.
Mr. Boutell; Committee on Military Affairs 225.

H. R. 2012—
To grant an honorable discharge to Oscar Allen Westover.
Mr. Boutell; Committee on Military Affairs 225.

H. R. 2013—
To grant an honorable discharge to Franz Spamer.
Mr. Boutell; Committee on Military Affairs 225.

H. R. 2014—
For the relief of Charles Backman.
Mr. Bradley; Committee on Claims 225.

H. R. 2015—
For the relief of Miss Eliza A. White.
Mr. Brandegee; Committee on Claims 225.

H. R. 2016—
Granting an increase of pension to George Gardner.
Mr. Brandegee; Committee on Invalid Pensions 225.

H. R. 2017—
Granting an increase of pension to John Mohr.
Mr. Brown of Wisconsin; Committee on Invalid Pensions 225.

H. R. 2018—
Granting a pension to William H. Palmer.
Mr. Brown of Pennsylvania; Committee on Invalid Pensions 225.

H. R. 2019—
Granting a pension to Mary Gwynn.
Mr. Brown of Pennsylvania; Committee on Invalid Pensions 225.

H. R. 2020—
Granting an increase of pension to George F. Sill.
Mr. Brown of Pennsylvania; Committee on Invalid Pensions 225.

H. R. 2021—
For the relief of I. J. Humphreys.
Mr. Brownlow; Committee on War Claims 225.

H. R. 2022—
For the relief of Thomas J. Wear.
Mr. Brownlow; Committee on War Claims 225.

H. R. 2023—
For the relief of the estate of Allen L. Barnes, deceased.
Mr. Brownlow; Committee on War Claims 225.

H. R. 2024—
Granting an increase of pension to Cinly Diehl.
Mr. Caldwell; Committee on Invalid Pensions 225.

H. R. 2025—
Granting an increase of pension to Francis E. Wood.
Mr. Caldwell; Committee on Invalid Pensions 225.

H. R. 2026—
Granting an increase of pension to Alfred Diehl.
Mr. Caldwell; Committee on Invalid Pensions 225.

H. R. 2027—
Granting a pension to John Dorrow.
Mr. Caldwell; Committee on Invalid Pensions 225.

H. R. 2028—
To increase the pension of William T. Evans.
Mr. Caldwell; Committee on Invalid Pensions 225.

H. R. 2029—
Granting a pension to Myrtila J. Waddell.
Mr. Caldwell; Committee on Invalid Pensions 225.

H. R. 2030—
For the relief of Lorenzo Browning.
Mr. Caldwell; Committee on War Claims 225.

H. R. 2031—
For the relief of the legal representatives of S. V. B. Strider, deceased.
Mr. Caldwell; Committee on War Claims 226.

H. R. 2032—
For the relief of Oliver McGrue.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2033—
For the relief of John F. Bretz.
Mr. Caldwell; Committee on Claims 226.

H. R. 2034—
To remove the charge of desertion from the record of John C. Berry.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2035—
To remove the charge of desertion from the record of Jacob Deardorff.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2036—
To remove the charge of desertion from the record of Henry Schwindt.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2037—
To remove the charge of desertion from the record of Dan B. Stone.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2038—
To remove the charge of desertion from the record of Dennis Lyons.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2039—
To remove the charge of desertion againt James Hickey.
Mr. Caldwell; Committee on Military Affairs 226.

H. R. 2040—
Granting a pension to James Anderson.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2041—
Granting an increase of pension to James W. Adams.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2042—
Granting an increase of pension to Alvin B. Hubbard.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2043—
Granting an increase of pension to Thomas McCormick.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2044—
Granting an increase of pension to Hamilton H. McAleney.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2045—
Granting an increase of pension to Henry Henwood.
Mr. Caldwell; Committee on Pensions 226.

H. R. 2046—
Granting an increase of pension to Peter W. Krieger.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2047—
Granting an increase of pension to Isaac R. Allison.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2048—
Granting an increase of pension to Thomas McVey.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2049—
Granting an increase of pension to James Atkison.
Mr. Caldwell; Committee on Invalid Pensions 226.

H. R. 2050—
For the relief of Thomas J. Sheppard.
Mr. Cassingham; Committee on Military Affairs 226.

H. R. 2051—
Granting an increase of pension to Joseph Jackson.
Mr. Cassingham; Committee on Invalid Pensions 226.

H. R. 2052—
For the relief of Ramon O. Williams and Joseph A. Springer.
Mr. Mondell; Committee on Claims 226.

H. R. 2053—
For the relief of Hans Peter Guttormsen.
Mr. Cooper of Wisconsin; Committee on Claims 226.

H. R. 2054—
To correct the military record of S. Spencer Carr.
Mr. Cooper of Wisconsin; Committee on Military Affairs 226.

H. R. 2055—
To authorize the Secretary of the Treasury to examine the evidence of debts claimed to be due or of payments made by the State of Missouri to the officers and privates of the militia forces of said State for military services performed in the suppression of the rebellion in full concert and cooperation with the authorities of the United States and subject to their orders, and to make report thereof to Congress.
Mr. Cowherd; Committee on War Claims 225.

H. R. 2056—
To correct the records of Cass County Regiment Missouri Home Guards so as to place the name of the late Irwin Walley on grade as captain of scouts.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2057—
Granting a pension to Elizabeth Christmas.
Mr. Cowherd; Committee on Pensions 226.

H. R. 2058—
For the relief of P. J. Kennedy.
Mr. Cowherd; Committee on Claims 226.

H. R. 2059—
For the relief of the legal representatives of M. B. Mosley, deceased.
Mr. Cowherd; Committee on War Claims 226.

H. R. 2060—
For the relief of the heirs of David G. Stockwell.
Mr. Cowherd; Committee on War Claims 226.

H. R. 2061—
Granting an increase of pension to Griffith T. Murphy.
Mr. Cowherd; Committee on Invalid Pensions 226.

H. R. 2062—
For the relief of John Jefferson Wilson.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2063—
For the relief of John S. McBride.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2064—
To remove charge of desertion and grant honorable discharge to Peter C. O'Neill.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2065—
To correct the record of William T. Mefford.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2066—
Granting a pension to Phœbe B. Colton.
Mr. Cowherd; Committee on Invalid Pensions 226.

H. R. 2067—
For the relief of George W. Buxton.
Mr. Cowherd; Committee on Claims 226.

H. R. 2068—
Granting a pension to Ella G. Day.
Mr. Cowherd; Committee on Invalid Pensions 226.

H. R. 2069—
Granting a pension to Lois D. Moon.
Mr. Cowherd; Committee on Invalid Pensions 226.

H. R. 2070—
To correct the record of James Clingen.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2071—
For the relief of Wesley C. Howe.
Mr. Cowherd; Committee on Military Affairs 226.

H. R. 2072—
For the relief of the heirs of O. H. Cogswell.
Mr. Cowherd; Committee on War Claims 226.

H. R. 2073—
For the relief of Mary Montville.
Mr. Cowherd; Committee on Claims 226.

H. R. 2074—
For the relief of the legal representatives of A. L. H. Crenshaw.
Mr. Cowherd; Committee on War Claims 226.

H. R. 2075—
For the relief of Hiram Kendall.
Mr. Davis of Florida; Committee on Invalid Pensions 226.—Reference changed to Committee on Military Affairs 470.

H. R. 2076—
For the relief of A. T. Triay.
Mr. Davis of Florida; Committee on Claims 226.

H. R. 2077—
For the relief of the trustees of the Baptist Church of Charlestown, W. Va.
Mr. Dayton; Committee on War Claims 226.

H. R. 2078—
For the relief of the estate of Frederick A. Roeder, deceased.
Mr. Dayton; Committee on War Claims 226.

H. R. 2079—
For the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.
Mr. Dayton; Committee on War Claims 226.

H. R. 2080—
For the relief of the estate of R. McChesney, deceased.
Mr. Dayton; Committee on War Claims 226.

H. R. 2081—
For the relief of Elk Branch Presbyterian Church, of Jefferson County, W. Va.
Mr. Dayton; Committee on War Claims 226.

H. R. 2082—
For the relief of the trustees of the Methodist Protestant Church of Middleway, W. Va.
Mr. Dayton; Committee on War Claims 226.

H. R. 2083—
For the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.
Mr. Dayton; Committee on War Claims 226.

H. R. 2084—
For the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.
Mr. Dayton; Committee on Claims 226.

H. R. 2085—
For the relief of Goff A. Hall.
Mr. Dayton; Committee on War Claims 226.

H. R. 2086—
For the relief of Joseph Duncan.
Mr. Dayton; Committee on War Claims 226.

H. R. 2087—
For the relief of Edward Tearney, administrator of Samuel Ridenour, deceased.
Mr. Dayton; Committee on War Claims 226.

H. R. 2088—
For the relief of the heirs of Thomas G. Flagg, deceased.
Mr. Dayton; Committee on War Claims 226.

H. R. 2089—
For the relief of Joseph R. Brown.
Mr. Dayton; Committee on Military Affairs 226.

H. R. 2090—
For the relief of John Whittington.
Mr. Dayton; Committee on War Claims 226.

H. R. 2091—
For the relief of the estate of Jacob Custer, deceased.
Mr. Dayton; Committee on War Claims 226.

H. R. 2092—
For the relief of the heirs of Charles A. Dinkle, heirs of John F. Dinkle, and J. Daniel Dinkle.
Mr. Dayton; Committee on War Claims 226.

H. R. 2093—
For the relief of the representatives of James Hooper.
Mr. Denny; Committee on Claims 226.

H. R. 2094—
Granting a pension to Charity A. Seibell.
Mr. Dwight; Committee on Invalid Pensions 226.

H. R. 2095—
Granting a pension to William F. Hawley.
Mr. Dwight; Committee on Invalid Pensions 226.

H. R. 2096—
For the relief of the heirs of John Freeland, deceased.
Mr. Flood; Committee on Claims 226.

H. R. 2097—
For the relief of John D. Yonell.
Mr. Flood; Committee on War Claims 226.

H. R. 2098—
Granting an increase of pension to R. A. Bradshaw.
Mr. Flood; Committee on Pensions 226.

H. R. 2099—
For the relief of J. Terry Dillard.
Mr. Flood; Committee on War Claims 226.

H. R. 2100—
For the relief of Benjamin I. Craig.
Mr. Flood; Committee on War Claims 226.

H. R. 2101—
Granting a pension to James R. Moore.
Mr. Flood; Committee on Invalid Pensions 226.

H. R. 2102—
For the relief of the estate of Robert J. Hope, deceased, of Staunton, Va.
Mr. Flood; Committee on War Claims 226.

H. R. 2103—
For the relief of Martha H. Shultz.
Mr. Flood; Committee on War Claims 226.

H. R. 2104—
For the relief of the estate of Samuel Huffman, deceased.
Mr. Flood; Committee on War Claims 226.

H. R. 2105—
For the relief of the estate of Peter Sheets, deceased.
Mr. Flood; Committee on War Claims 226.

H. R. 2106—
Granting an increase of pension to Aaron Preston.
Mr. Foster of Vermont; Committee on Invalid Pensions 226.

H. R. 2107—
Granting an increase of pension to James W. Whitney.
Mr. Foster of Vermont; Committee on Invalid Pensions 226.

H. R. 2108—
Granting an increase of pension to Henry D. Wright.
Mr. Foster of Vermont; Committee on Invalid Pensions 226.

H. R. 2109—
Granting a pension to Carrie L. Thornton.
Mr. Foster of Vermont; Committee on Invalid Pensions 227.

H. R. 2110—
Granting a pension to Mary Farrell.
Mr. Foster of Vermont; Committee on Invalid Pensions 227.

H. R. 2111—
Granting a pension to Henry D. Tousley.
Mr. Foster of Vermont; Committee on Invalid Pensions 227.

H. R. 2112—
To pay Allen Tracey the sum therein named.
Mr. Foster of Vermont; Committee on Claims 227.

H. R. 2113—
Granting a pension to Sarah A. Sullivan.
Mr. Gardner of New Jersey; Committee on Invalid Pensions 227.

H. R. 2114—
Granting a pension to William McCloud.
Mr. Gardner of New Jersey; Committee on Invalid Pensions 227.

H. R. 2115—
To increase the pension of John Quinn.
Mr. Gardner of New Jersey; Committee on Invalid Pensions 227.

H. R. 2116—
To increase the pension of Richard C. Ivory.
Mr. Gardner of New Jersey; Committee on Invalid Pensions 227.

H. R. 2117—
For the relief of Adolphus Yuncker.
Mr. Gardner of New Jersey; Committee on Military Affairs 227.

H. R. 2118—
For the relief of Anna M. Mershon, administratrix of Daniel S. Mershon, deceased.
Mr. Gardner of New Jersey; Committee on War Claims 227.

H. R. 2119—
For the relief of John H. Anderson.
Mr. Gardner of New Jersey; Committee on War Claims 227.

H. R. 2120—
Referring the claim of the legal representatives of William T. Duvall, deceased, against the United States to the Court of Claims.
Mr. Gardner of New Jersey; Committee on Claims 227.

H. R. 2121—
Granting a pension to Gertrude Merrill.
Mr. Haugen; Committee on Invalid Pensions 227.

H. R. 2122—
Granting a pension to O. H. Lyon.
Mr. Haugen; Committee on Invalid Pensions 227.

H. R. 2123—
Granting a pension to Robert Lappin.
Mr. Haugen; Committee on Invalid Pensions 227.

H. R. 2124—
Granting an increase of pension to Henry J. Grannis.
Mr. Haugen; Committee on Invalid Pensions 227.

H. R. 2125—
For the relief of the heirs at law of Capt. John Lewis.
Mr. Hay; Committee on Claims 227.

H. R. 2126—
For the relief of the trustees of the Colored Methodist Episcopal Church of Winchester, Va.
Mr. Hay; Committee on War Claims 227.

H. R. 2127—
For the relief of the trustees of the Opequon Presbyterian Church, of Kernstown, Va.
Mr. Hay; Committee on War Claims 227.

H. R. 2128—
For the relief of the estate of Thomas Clevenger, deceased.
Mr. Hay; Committee on War Claims 227.

H. R. 2129—
For the relief of Lewis M. Miller.
Mr. Hay; Committee on War Claims 227.

H. R. 2130—
For the relief of the estate of Branon Thatcher, deceased.
Mr. Hay; Committee on War Claims 227.

H. R. 2131—
For the relief of William Mason.
Mr. Hay; Committee on War Claims 227.

H. R. 2132—
For the relief of C. A. Sprinkel.
Mr. Hay; Committee on War Claims 227.

H. R. 2133—
For the relief of George W. Bromley.
Mr. Hay; Committee on War Claims 227.

H. R. 2134—
For the relief of the estate of Robert Barr, deceased.
Mr. Hay; Committee on War Claims 227.

H. R. 2135—
For the relief of Wesley Rankins.
Mr. Hay; Committee on War Claims 227.

H. R. 2136—
For the relief of James W. Nickens.
Mr. Hay; Committee on War Claims 227.

H. R. 2137—
For the relief of the estates of James and Eliza M. Lewis, deceased, late of Frederick County, Va.
Mr. Hay; Committee on War Claims 227.

H. R. 2138—
Granting an increase of pension to Delu Norris.
Mr. Hepburn; Committee on Invalid Pensions 227.

H. R. 2139—
Granting an increase of pension to James W. Kight.
Mr. Hepburn; Committee on Invalid Pensions 227.

H. R. 2140—
Granting a pension to Alice A. Johnson.
Mr. Hepburn; Committee on Invalid Pensions 227.

H. R. 2141—
To amend the military record of Samuel Anderson.
Mr. Hildebrant; Committee on Military Affairs 227.

H. R. 2142—
Granting an increase of pension to Isaac J. Holt.
Mr. Hinshaw; Committee on Invalid Pensions 227.

H. R. 2143—
For the relief of John Morgan's heirs.
Mr. Hughes of West Virginia; Committee on War Claims 227.

H. R. 2144—
Granting a pension to Myrtie B. Poole.
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H. R. 2385—
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Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2392—
For the relief of the estate of W. W. McCrary.
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H. R. 2393—
For the relief of the trustees of the Missionary Baptist Church at Waterloo, in Lauderdale County, Ala.
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For the relief of James R. Nance.
Mr. Richardson of Alabama; Committee on War Claims 230.

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For the relief of William W. Callahan, administrator of the estate of Thomas Gibbs.
Mr. Richardson of Alabama; Committee on War Claims 230.

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For the relief of W. P. Hooper.
Mr. Richardson of Alabama; Committee on War Claims 230.

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For the relief of J. W. Johnson.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2398—
For the relief of James G. Porter.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2399—
For the relief of William Moseley, administrator.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2400—
For the relief of B. F. Ludwig, former postmaster at Huntsville, Ala.
Mr. Richardson of Alabama; Committee on Claims 230.

H. R. 2401—
For the relief of the executor or administrator of the estate of C. C. Spiller, deceased.
Mr. Richardson of Alabama; Committee on Claims 230.

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For the relief of James Hilliard.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2403—
For the relief of M. H. Carr.
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H. R. 2404—
For the relief of Henry C. Martin and Robert D. Martin.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2405—
For the relief of Thomas W. White.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2406—
For the relief of the estate of A. L. Logan, deceased.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2407—
For the relief of the heirs of John Smith, deceased.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2408—
For the relief of the estate of F. L. Hammond, deceased.
Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2409—
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Mr. Richardson of Alabama; Committee on War Claims 230.

H. R. 2410—
For relief of Mrs. E. L. Raney.
Mr. Richardson of Alabama; Committee on War Claims 231.

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Mr. Richardson of Alabama; Committee on War Claims 231.

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Mr. Richardson of Alabama; Committee on War Claims 231.

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Mr. Richardson of Alabama; Committee on War Claims 231.

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Mr. Richardson of Alabama; Committee on War Claims 231.

H. R. 2417—
For the relief of the legal heirs of James I. Donegan.
Mr. Richardson of Alabama; Committee on War Claims 231.

H. R. 2418—
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Mr. Richardson of Alabama; Committee on Claims 231.

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Mr. Richardson of Alabama; Committee on War Claims 231.

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H. R. 2421—
For the relief of the estate of William P. Tanner.
Mr. Richardson of Alabama; Committee on War Claims 231.

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For the relief of W. C. Tipton.
Mr. Richardson of Alabama; Committee on War Claims 231.

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For the relief of Jacob A. Paulk.
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H. R. 2424—
Granting a pension to Emma Butler.
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H. R. 2425—
To grant a pension to F. M. Harrison.
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To grant a pension to Cynthia Thomas.
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For the relief of the legal representatives of the estate of A. C Barton, deceased.
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For the relief of the legal representatives of the estate of Isaac Johnson, deceased.
Mr. Underwood; Committee on War Claims 231.

H. R. 2438—
Granting an increase of pension to Samuel S. Brooks.
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Granting an increase of pension to John Pea.
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Granting a pension to Joseph Vernia.
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Granting a pension to Hardin Howe.
Mr. Zenor; Committee on Invalid Pensions 231.

H. R. 2452—
Granting a pension to Anna Beauchamp.
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H. R. 2453—
Granting a pension to Hugh Kelly.
Mr. Zenor; Committee on Invalid Pensions 231.

H. R. 2454—
Granting a pension to Bridget A. Kelly.
Mr. Zenor; Committee on Invalid Pensions 231.

H. R. 2455—
Granting a pension to William R. Knibbs.
Mr. Zenor; Committee on Invalid Pensions 231.

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Granting a pension to Susan Sutcliff.
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H. R. 2457—
Granting a pension to Joseph R. Palmer.
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Granting a pension to George Heishman.
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Granting a pension to George Washington.
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Mr. Zenor; Committee on Invalid Pensions 231.

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H. R. 2464—
Granting a pension to William M. Howell.
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Granting an increase of pension to Albert T. Weathers.
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Mr. Zenor; Committee on Claims 231.

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H. R. 2480—
Granting a pension to Andrew J. Baucom.
Mr. Bowersock; Committee on Invalid Pensions 231.

H. R. 2481—
Granting a pension to A. C. Hogan, jr.
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H. R. 2482—
To correct the military record of Henry C. Rhoades.
Mr. Bowersock; Committee on Military Affairs 231.

H. R. 2483—
To remove charges standing against the name of J. W. Parmeter.
Mr. Bowersock; Committee on Military Affairs 231.

H. R. 2484—
Granting an increase of pension to S. N. Northway.
Mr. Bowersock; Committee on Invalid Pensions 231.

H. R. 2485—
For the relief of Harry Hume Ainsworth.
Mr. Bowersock; Committee on Military Affairs 231.

H. R. 2486—
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H. R. 2487—
Granting an increase of pension to John M. Rutherford.
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H. R. 2488—
Granting an increase of pension to John P. Veach.
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H. R. 2489—
For the relief of John Ward.
Mr. Howell of New Jersey; Committee on Naval Affairs 232.

H. R. 2490—
Granting a pension to John Maynard.
Mr. Hughes of West Virginia; Committee on Invalid Pensions 232.

H. R. 2491—
Granting a pension to Larkin Maynard.
Mr. Hughes of West Virginia; Committee on Invalid Pensions 232.

H. R. 2492—
For the relief of West Virginia State troops.
Mr. Hughes of West Virginia; Committee on Invalid Pensions 232.

H. R. 2493—
To remove the charge of desertion from record of S. B. Miller.
Mr. Hughes of West Virginia; Committee on Military Affairs 232.

H. R. 2494—
For the relief of Isaac N. Forrester.
Mr. Loudenslager; Committee on War Claims 232.

H. R. 2495—
For the relief of Joseph Curriden.
Mr. Loudenslager; Committee on War Claims 232.

H. R. 2496—
For the relief of the legal representatives of James R. Thompson, deceased.
Mr. Loudenslager; Committee on War Claims 232.

H. R. 2497—
For the relief of certain officers of the Navy and the Marine Corps.
Mr. Loudenslager; Committee on Naval Affairs 232.

H. R. 2498—
For the relief of the heirs of certain seamen lost in the foundering of light vessel No. 37.
Mr. Loudenslager; Committee on Claims 232.

H. R. 2499—
Granting an increase of pension to Smith Bilderback.
Mr. Loudenslager; Committee on Invalid Pensions 232.

H. R. 2500—
Granting an increase of pension to Margaret G. Halpine.
Mr. Loudenslager; Committee on Invalid Pensions 232.

H. R. 2501—
Granting a pension to Elizabeth K. Long.
Mr. Loudenslager; Committee on Pensions 232.

H. R. 2502—
Granting a pension to Minerva Sturgess.
Mr. Loudenslager; Committee on Invalid Pensions 232.

H. R. 2503—
Granting an increase of pension to John B. Davis.
Mr. Loudenslager; Committee on Invalid Pensions 232.

H. R. 2504—
Granting a pension to Walter Manning.
Mr. Loudenslager; Committee on Invalid Pensions 232.

H. R. 2505—
Granting an increase of pension to Henry Atkinson.
Mr. Otjen; Committee on Invalid Pensions 232.

H. R. 2506—
For the relief of Michael J. Kramer.
Mr. Otjen; Committee on Military Affairs 232.

H. R. 2507—
Authorizing the President to enter into a commercial treaty with the Government of His Majesty the King of the United Kingdom of Great Britain and Ireland, with the view to reciprocity between the United States of America and Canada, with reference to a modification of the customs tariff of Canada imposing a duty upon American strawberries.
Mr. Thomas of North Carolina; Committee on Ways and Means 234.

H. R. 2508—
Appropriating the sum of $250,000 for the improvement of Beaufort Harbor, North Carolina.
Mr. Thomas of North Carolina; Committee on Rivers and Harbors 235.

H. R. 2509—
To appropriate $10,000 to inclose and beautify the grounds and repair the monument on the Moores Creek battlefield, North Carolina.
Mr. Thomas of North Carolina; Committee on Library 235.

H. R. 2510—
For the construction of a steam revenue cutter adapted to service in the waters of Albemarle and Pimlico sounds, North Carolina.
Mr. Thomas of North Carolina; Committee on Interstate and Foreign Commerce 235.

H. R. 2511—
Authorizing and directing the Secretary of the Treasury to place a clock on the Government building in the city of Newbern, N. C.
Mr. Thomas of North Carolina; Committee on Public Buildings and Grounds 235.

H. R. 2512—
Making appropriations for the improvement of the Missouri River from its mouth to Sioux City, Iowa.
Mr. Shackleford; Committee on Rivers and Harbors 235.

H. R. 2513—
To further amend an act entitled "An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain," approved July 8, 1898, and amendment thereto, approved March 3, 1899, and for other purposes.
Mr. Loudenslager; Committee on War Claims 235.

H. R. 2514—
Extending provisions of act of June 27, 1890, to Kentucky State Militia and Provisional Kentucky Militia.
Mr. Kehoe; Committee on Invalid Pensions 235.

H. R. 2515—
To complete improvements on Big Sandy River, between Louisa and the Ohio River.
Mr. Kehoe; Committee on Rivers and Harbors 235.

H. R. 2516—
To establish a fish-hatching and fish-culture station in northeastern Kentucky.
Mr. Kehoe; Committee on Merchant Marine and Fisheries 235.

H. R. 2517—
To establish a permanent military camp ground in Boyd and Greenup counties, Ky.
Mr. Kehoe; Committee on Military Affairs 235.

H. R. 2518—
Providing for construction of an ice pier at Russell, Ky.
Mr. Kehoe; Committee on Rivers and Harbors 235.

H. R. 2519—
To amend an act to extend the provisions, limitations, and benefits of "An act granting pensions to the survivors of the Indian wars of 1832 to 1842, inclusive, known as the Black Hawk war, Creek war, Cherokee disturbances, and the Seminole war," approved June 27, 1902.
Mr. Slayden; Committee on Pensions 235.

H. R. 2520—
To regulate internal-revenue assessments and to modify the law so as to leave assessments in certain cases to a jury.
Mr. Kluttz; Committee on Judiciary 235.

H. R. 2521—
For the construction of a driveway and approaches to the national cemetery at Salisbury, N. C.
Mr. Kluttz; Committee on Military Affairs 235.

H. R. 2522—
To provide for the erection of a public building at Palestine, Tex.
Mr. Gregg; Committee on Public Buildings and Grounds 235.

H. R. 2523—
To protect railroad trains carrying United States mails, persons, and property.
Mr. Wiley of Alabama; Committee on Post-Office and Post-Roads 235.

H. R. 2524—
For the erection of a public building in the city of Manchester, State of Virginia.
Mr. Lamb; Committee on Public Buildings and Grounds 235.

H. R. 2525—
To open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations in Oklahoma Territory, and for other purposes.
Mr. Lacey; Committee on Public Lands 235.

H. R. 2526—
To finally adjust the swamp-land grants, and for other purposes.
Mr. Lacey; Committee on Public Lands 235.

H. R. 2527—
To amend the law relating to the salmon fisheries of Alaska.
Mr. Lacey; Committee on Merchant Marine and Fisheries 235.

H. R. 2528—
To grant grazing privileges to homestead settlers and holders of small farms in the arid and semiarid land region, and for other purposes.
Mr. Lacey; Committee on Public Lands 235.

H. R. 2529—
To set apart certain lands in the Territory of Arizona as a public park, to be known as "The Petrified Forest National Park."
Mr. Lacey; Committee on Public Lands 235.

H. R. 2530—
Providing for holding of courts of the northern district of West Virginia at Martinsburg, W. Va.
Mr. Dayton; Committee on Judiciary 235.

H. R. 2531—
To divide Washington into two judicial districts.
Mr. Jones of Washington; Committee on Judiciary 235.

H. R. 2532—
To provide for the raising of Commodore Perry's flagship Niagara.
Mr. Bates; Committee on Naval Affairs 235.

H. R. 2533—
Granting to rural free-delivery carriers an annual leave of absence not exceeding fifteen days, with pay.
Mr. Bates; Committee on Post-Office and Post-Roads 235.

H. R. 2534—
To provide for an allowance for subsistence for rural free-delivery carriers.
Mr. Bates; Committee on Post-Office and Post-Roads 235.

H. R. 2535—
To increase the limit of cost and acquire additional ground for the public building at Sterling, Ill.
Mr. Hitt; Committee on Public Buildings and Grounds 235.

H. R. 2536—
To suppress and prevent unfair and dishonest competition in trade.
Mr. Lamb; Committee on Interstate and Foreign Commerce 235.

H. R. 2537—
To amend sections 2304, 2305, 2307, and 2309 of the Revised Statutes of the United States, and for other purposes.
Mr. Skiles; Committee on Public Lands 235.

H. R. 2538—
To grant pensions to soldiers and sailors who have reached the age of 62 years, or who shall hereafter reach the age of 62 years, and providing for pensions to widows and orphans, and for other purposes.
Mr. Skiles; Committee on Invalid Pensions 235.

H. R. 2539—
For the relief of veterans of the Confederacy.
Mr. Rixey; Committee on Military Affairs 235.

H. R. 2540—
Authorizing the Secretary of the Treasury to appoint commissioners to estimate damages done to planted oysters and oyster beds in Raritan Bay and adjoining waters in New York and New Jersey, and to make compensation therefor.
Mr. Howell of New Jersey; Committee on Claims 235.

H. R. 2541—
To authorize the use of penalty envelopes by the government of the District of Columbia.
Mr. Allen; Committee on Post-Office and Post-Roads 235.

H. R. 2542—
For the extension of T street, and for other purposes.
Mr. Allen; Committee on District of Columbia 235.

H. R. 2543—
To authorize the issuance of currency redeemable in bonds of the United States.
Mr. Shafroth; Committee on Banking and Currency 235.

H. R. 2544—
For the construction of a lock and dam in the Ohio River, below Gallipolis.
Mr. Morgan; Committee on Rivers and Harbors 235.

H. R. 2545—
To reduce letter postage to 1 cent per ounce.
Mr. Smith of Illinois; Committee on Post-Office and Post-Roads 235.

H. R. 2546—
Providing for the erection of a public building at Pontiac City, Mich.
Mr. Samuel W. Smith; Committee on Public Buildings and Grounds 235.

H. R. 2547—
To provide for presenting a badge or button to each honorably discharged soldier, sailor, and marine of the war for the preservation of the Union, and for protecting the same by law.
Mr. Samuel W. Smith; Committee on Military Affairs 235.

H. R. 2548—
To amend sections 7 and 8 of an act entitled "An act to promote the efficiency of the Life-Saving Service and encourage the saving of life from shipwreck."
Mr. Jones of Virginia; Committee on Interstate and Foreign Commerce 235.

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To provide for the purchase of a site and the erection of a post-office building thereon at Cape Charles, in the State of Virginia.
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Mr. Williams of Illinois; Committee on Invalid Pensions 355.

H. R. 4462—
Granting an increase of pension to John N. Mathews.
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Mr. Williams of Illinois; Committee on Invalid Pensions 355.

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H. R. 4468—
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H. R. 4469—
To provide for the purchase of a site and the erection of a public building thereon at York, in the State of Pennsylvania.
Mr. Lafean; Committee on Public Buildings and Grounds 350.

H. R. 4470—
To revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof.
Mr. Maddox; Committee on War Claims 350.

H. R. 4471—
To provide for the purchase of a site and the erection of a public building thereon at Dalton, in the State of Georgia.
Mr. Maddox; Committee on Public Buildings and Grounds 350.

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Mr. Greene; Committee on Invalid Pensions 350.

H. R. 4473—
Authorizing the Secretary of the Interior to increase the pension of pensioners on attaining the age of 64 years.
Mr. Greene; Committee on Invalid Pensions 350.

H. R. 4474—
To authorize the governor of the State of Mississippi to select certain lands in part satisfaction of its grant for university purposes.
Mr. McLain; Committee on Public Lands 350.

H. R. 4475—
For improvement of the Homochitto River, in the State of Mississippi.
Mr. McLain; Committee on Rivers and Harbors 350.

H. R. 4476—
For a survey of the Homochitto River, in the State of Mississippi, from and including its mouth to the Yazoo and Mississippi Valley Railroad.
Mr. McLain; Committee on Rivers and Harbors 350.

H. R. 4477—
Making an emergency appropriation of $25,000 for the purchase of early maturing varieties of cotton seed for distribution in certain districts of Texas invaded by the Mexican cotton-boll weevil.
Mr. Henry of Texas; Committee on Agriculture 350.

H. R. 4478—
Providing for the erection of a public building at Watertown, N. Y.
Mr. Knapp; Committee on Public Buildings and Grounds 350.

H. R. 4479—
To provide for the erection of a public building in the city of Missoula, Mont.
Mr. Dixon; Committee on Public Buildings and Grounds 350.

H. R. 4480—
For the extension of Vermont avenue from Florida avenue to Howard University.
Mr. Pearre; Committee on District of Columbia 350.

H. R. 4481—
For the relief of the sufferers by the wreck of the U. S. revenue cutter Gallatin off the coast of Massachusetts.
Mr. Greene; Committee on Claims 355.

H. R. 4482—
For the relief of tobacco growers.
Mr. Gaines of Tennessee; Committee on Ways and Means 390.

H. R. 4483—
Declaring the tunnels under the Chicago River an obstruction to navigation, and for other purposes.
Mr. Mann; Committee on Interstate and Foreign Commerce 390.

H. R. 4484—
Appropriating the use of certain old Springfield breech-loading rifles to the Old Guard and Grand Army of the Republic drill corps in the various States of the Union.
Mr. Badger; Committee on Military Affairs 390.

H. R. 4485—
To construct a road from the army post at Chickamauga National Park, Ga., to the rifle range and military range at or near Waco, Ga.
Mr. Maddox; Committee on Military Affairs 390.

H. R. 4486—
For the erection of an equestrian statue of Maj. Gen. John Stark in the city of Manchester, N. H.
Mr. Sulloway; Committee on Library 390.

H. R. 4487—
For the construction of a free public trail from the eastern slope of the Sierra Nevada Mountains, in Inyo County, Cal., to the summit of Mount Whitney, California.
Mr. Daniels; Committee on Military Affairs 390.

H. R. 4488—
To reduce import duties on articles the growth and products of certain countries.
Mr. Williams of Mississippi; Committee on Ways and Means 390.

H. R. 4489—
To amend section 64 of the bankruptcy act.
Mr. Esch; Committee on Judiciary 390.

H. R. 4490—
To establish a fish hatchery and fish station in the State of Maryland.
Mr. Pearre; Committee on Merchant Marine and Fisheries 390.

H. R. 4491—
To establish a permanent military camp ground in the vicinity of Oakland, in Garrett County, Md.
Mr. Pearre; Committee on Military Affairs 390.

H. R. 4492—
To provide for the erection of a public building at Portland, in the State of Maine.
Mr. Allen; Committee on Public Buildings and Grounds 390.

H. R. 4493—
To provide for a macadamized roadway from the town of Sharpsburg, Md., to the Connecticut monument on the battlefield of Antietam.
Mr. Pearre; Committee on Military Affairs 390.

H. R. 4494—
To provide for the erection of a monument to the heroes of the war of the American Revolution.
Mr. Pearre; Committee on Library 390.

H. R. 4495—
To establish a national military park at Fort Frederick, Md.
Mr. Pearre; Committee on Military Affairs 390.

H. R. 4496—
To amend an act entitled "An act to extend the free-delivery system of the Post-Office Department, and for other purposes," approved January 3, 1887.
Mr. Pearre; Committee on Post-Office and Post-Roads 390.

H. R. 4497—
To amend the laws relating to the issuance of bonds by municipalities in Territories, so as to include the issuance of the same for gas and electric lighting purposes.
Mr. Rodey; Committee on Territories 390.

H. R. 4498—
For the protection and improvement of harbor on Mississippi River at Natchez, Miss.
Mr. McLain; Committee on Rivers and Harbors 390.

H. R. 4499—
To provide for the construction of a revenue cutter of the first class for service in the waters of Key West, Fla.
Mr. Sparkman; Committee on Interstate and Foreign Commerce 390.

H. R. 4500—
Authorizing, empowering, and directing the Commissioner of Fish and Fisheries to establish in the State of Florida, on the Gulf of Mexico, a station for the investigation of problems connected with the marine-fishery interests of the region.
Mr. Sparkman; Committee on Merchant Marine and Fisheries 390.

H. R. 4501—
In relation to claims arising under the provisions of the captured and abandoned property acts, and for other purposes, and to amend and revive the same.
Mr. Sparkman; Committee on War Claims 390.

H. R. 4502—
To grant land to the State of Florida for the use of the normal college for white pupils at De Funiak Springs, and for the use of the normal college at Tallahassee for colored pupils.
Mr. Lamar of Florida; Committee on Public Lands 390.

H. R. 4503—
In relation to the expenses of holding courts of the United States in the northern and middle districts of Alabama.
Mr. Wiley of Alabama; Committee on Judiciary 390.

H. R. 4504—
For the benefit of officers who served over three years during the civil war and over thirty years since, and who have retired on account of disability incurred in the line of duty since the close of the Spanish-American war.
Mr. Dovener; Committee on Military Affairs 390.

H. R. 4505—
To make $10 per month the minimum amount of pensions paid by the Government.
Mr. Foster of Vermont; Committee on Invalid Pensions 390.

H. R. 4506—
Providing for excavating a new channel for Fox Creek and for dredging the bar formed by Fox Creek in Hamburg Bay, Calhoun County, Ill.
Mr. Rainey; Committee on Rivers and Harbors 390.

H. R. 4507—
To prevent discrimination by common carriers of passengers traveling between the States on account of race and color.
Mr. Morrell; Committee on Interstate and Foreign Commerce 390.

H. R. 4508—
To create in the Department of Agriculture a bureau to be known as the Bureau of Public Roads, and to provide for a system of national, State, and local cooperation in the permanent improvement of the public highways.
Mr. Brownlow; Committee on Agriculture 390.

H. R. 4509—
Making an appropriation for completing the improvement of the road to the national cemetery near Pensacola, Fla.
Mr. Lamar of Florida; Committee on Military Affairs 390.

H. R. 4510—
To provide for The Theater of National Education.
Mr. Miers; Committee on Education 390.

H. R. 4511—
To prevent fraud in the sale of boots, shoes, slippers, or other leather foot wear.
Mr. Ryan; Committee on Interstate and Foreign Commerce 390.

H. R. 4512—
To provide for the purchase of a site and the erection of a public building thereon at Shamokin, in the State of Pennsylvania.
Mr. Dickerman; Committee on Public Buildings and Grounds 390.

H. R. 4513—
To amend the act entitled "An act to better define and regulate the rights of aliens to hold and own real estate in the Territories," approved March 2, 1897.
Mr. Jenkins; Committee on District of Columbia 390.

H. R. 4514—
To provide for a naval training station for the Great Lakes at Muskegon, Mich.
Mr. Bishop; Committee on Naval Affairs 390.

H. R. 4515—
To prevent the desecration of the American flag.
Mr. Foss; Committee on Judiciary 390.

H. R. 4516—
For the maintenance and improvement of the Choctawhatchee River.
Mr. Clayton; Committee on Rivers and Harbors 390.

H. R. 4517—
To regulate the use of grazing lands surrounding public reservoir sites upon the public lands of the United States.
Mr. Martin; Committee on Public Lands 390.

H. R. 4518—
To make Alexandria, Va., a port of entry.
Mr. Rixey; Committee on Ways and Means 390.

H. R. 4519—
To establish a fish-hatching and fish station in the State of Wyoming.
Mr. Mondell; Committee on Merchant Marine and Fisheries 390.

H. R. 4520—
To provide for the erection of a public building at Wytheville, Va.
Mr. Slemp; Committee on Public Buildings and Grounds 390.

H. R. 4521—
To establish a supreme court for the Territories of Arizona, New Mexico, and Oklahoma.
Mr. Wilson of Arizona; Committee on Judiciary 390.

H. R. 4522—
To provide for the payment of claims for losses by old pioneers in the Territory of Arizona, during the years 1862 and 1863, by Indian depredations committed upon these pioneers while holding the mountain passes and trails for immigrants after they were abandoned by the soldiers of the the United States Army.
Mr. Wilson of Arizona; Committee on War Claims 390.

H. R. 4523—
For the purchase or construction of a steel steam light vessel to be located on Martins Reef, Michigan.
Mr. Burton; Committee on Interstate and Foreign Commerce 391.

H. R. 4524—
For the relief of the estate of Samuel M. Farrar, deceased.
Mr. Bartlett; Committee on War Claims 391.

H. R. 4525—
For the relief of the estate of Daniel Brewer, deceased.
Mr. Bartlett; Committee on War Claims 391.

H. R. 4526—
Granting an increase of pension to William J. Shepherd.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4527—
Granting an increase of pension to Elizabeth Siples.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4528—
Granting an increase of pension to Charles S. Atkins.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4529—
Granting a pension to William Deay.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4530—
Granting a pension to Dr. J. A. Cook.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4531—
Granting a pension to Martha R. Divilbiss.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4532—
Granting a pension to John F. Epler.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4533—
Granting a pension to Marquis L. Kennedy.
Mr. Bowersock; Committee on Invalid Pensions 391.

H. R. 4534—
Granting an honorable discharge to Marion M. Barton.
Mr. Bowersock; Committee on Military Affairs 391.

H. R. 4535—
For the relief of Harriet Camp.
Mr. Bowersock; Committee on War Claims 391.

H. R. 4536—
For the relief of Nancy Rose.
Mr. Bradley; Committee on Claims 391.

H. R. 4537—
For the relief of Charles T. Bouillon for arrears of pension.
Mr. Caldwell; Committee on Invalid Pensions 391.

H. R. 4538—
For the relief of Mary F. Casey Tucker.
Mr. Clayton; Committee on War Claims 391.

H. R. 4539—
Granting a pension to Jane E. Tatum.
Mr. Clayton; Committee on Pensions 391.

H. R. 4540—
Granting a pension to Amanda Skinner.
Mr. Clayton; Committee on Invalid Pensions 391.

H. R. 4541—
For the relief of Mrs. Louise E. Ord.
Mr. Daniels; Committee on Claims 391.

H. R. 4542—
Granting a pension to Elizabeth M. Vandiver.
Mr. Davis of Minnesota; Committee on Invalid Pensions 391.

H. R. 4543—
For the relief of John A. Wanless.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4544—
For the relief of Harlow L. Street.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4545—
For the relief of John W. Lewis.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4546—
For the relief of John F. Lewis.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4547—
For the relief of Edward Byrne.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4548—
To remove charge of desertion against A. B. Ackerman.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4549—
To correct the military record of Jacob Eckert.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4550—
To remove the charge of desertion and grant an honorable discharge to Richard Lanigan.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4551—
Granting a pension to Martha J. Hurlbut.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4552—
Granting an increase of pension to Orin P. Stoffer.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4553—
Granting an increase of pension to M. Cornelia Harmon.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4554—
Granting an increase of pension to George A. Breckinridge.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4555—
To amend the muster roll of Company B, Ninth Regiment Pennsylvania Volunteers, so as to place thereon the name of William C. Armstrong.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4556—
Granting an increase of pension to Margaret L. Getty.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4557—
Granting a pension to Sadie C. Steadman.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4558—
Granting an increase of pension to Almira G. Johnson.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4559—
Granting an increase of pension to Andrew H. Vorderman.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4560—
Granting an increase of pension to Sarah O. Lyon.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4561—
Granting an increase of pension to Charles H. Barber.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4562—
Granting an increase of pension to Perry H. Alexander.
Mr. Dick; Committee on Invalid Pensions 391.

H. R. 4563—
To remove the charge of desertion and grant an honorable discharge to Marshall N. Murphy, alias William R. Hallam.
Mr. Dick; Committee on Military Affairs 391.

H. R. 4564—
Granting a pension to Michael Salter.
Mr. Dickerman; Committee on Invalid Pensions 391.

H. R. 4565—
Granting a pension to Carrie Keefer.
Mr. Dickerman; Committee on Invalid Pensions 391.

H. R. 4566—
Granting an increase of pension to Stephen N. Leach.
Mr. Dwight; Committee on Invalid Pensions 391.

H. R. 4567—
Granting an increase of pension to Ezra B. Spoor.
Mr. Dwight; Committee on Invalid Pensions 391.

H. R. 4568—
For the relief of John W. Gummo.
Mr. Evans; Committee on War Claims 391.

H. R. 4569—
For the relief of the heirs of Catharine Gillen.
Mr. Fitzgerald; Committee on War Claims 391.

H. R. 4570—
To provide an American register for the steamer Beaumont.
Mr. Fordney; Committee on Interstate and Foreign Commerce 391.

H. R. 4571—
Granting a pension to John W. Holcomb.
Mr. Foster of Vermont; Committee on Invalid Pensions 391.

H. R. 4572—
Granting a pension to Peter Lander.
Mr. Foster of Vermont; Committee on Invalid Pensions 391.

H. R. 4573—
For the relief of Eugene Patenaude.
Mr. Foster of Vermont; Committee on Claims 391.

H. R. 4574—
To remove the charge of desertion from the record of John McVar.
Mr. Foster of Vermont; Committee on Military Affairs 391.

H. R. 4575—
To remove the charge of desertion from the record of John Lavigne.
Mr. Foster of Vermont; Committee on Military Affairs 391.

H. R. 4576—
To place Josiah H. Adams on the retired list of the United States Army with the rank of second lieutenant.
Mr. Foster of Vermont; Committee on Military Affairs 391.

H. R. 4577—
Granting a pension to Theodore C. Arons.
Mr. Gilbert; Committee on Invalid Pensions 391.

H. R. 4578—
Granting a pension to Catharine M. McClanahan.
Mr. Graff; Committee on Invalid Pensions 391.

H. R. 4579—
For the relief of the heirs and legal representatives of those who were killed by the explosion of the gun-cotton factory at the United States torpedo station at Newport, R. I.
Mr. Granger; Committee on Claims 391.

H. R. 4580—
Granting a pension to Penelope A. Dexter.
Mr. Granger; Committee on Invalid Pensions 391.

H. R. 4581—
Granting an increase of pension to Henry M. Chase.
Mr. Granger; Committee on Invalid Pensions 391.

H. R. 4582—
Granting an increase of pension to John S. Miller.
Mr. Granger; Committee on Invalid Pensions 391.

H. R. 4583—
Granting a pension to Ella C. Baker.
Mr. Granger; Committee on Invalid Pensions 391.

H. R. 4584—
Granting an increase of pension to Daniel A. Butler.
Mr. Greene; Committee on Invalid Pensions 391.

H. R. 4585—
For the relief of W. O. Donovan and the heirs of Lizzie M. Donovan, deceased.
Mr. Hardwick; Committee on War Claims 391.

H. R. 4586—
Granting an increase of pension to Elisha Hammer.
Mr. Hepburn; Committee on Invalid Pensions 392.

H. R. 4587—
Granting a pension to Robert Sturgens.
Mr. Hermann; Committee on Invalid Pensions 392.

H. R. 4588—
Granting a pension to Rollin S. Belknap.
Mr. Hermann; Committee on Pensions 392.

H. R. 4589—
Granting a pension to H. H. Barrett.
Mr. Hermann; Committee on Pensions 392.

H. R. 4590—
Granting an increase of pension to Daniel Giles.
Mr. Hermann; Committee on Pensions 392.

H. R. 4591—
For the relief of Henry H. Woodward.
Mr. Hermann; Committee on Claims 392.

H. R. 4592—
For the relief of George D. Elgin.
Mr. Hermann; Committee on Claims 392.

H. R. 4593—
For the relief of Edgar Zielian.
Mr. Howell of New Jersey; Committee on Claims 392.

H. R. 4594—
Granting an increase of pension to James Moss.
Mr. Howell of New Jersey; Committee on Invalid Pensions 392.

H. R. 4595—
Granting an increase of pension to Charles D. Fortney.
Mr. Huff; Committee on Invalid Pensions 392.

H. R. 4596—
To correct the military record of Charles W. Howard.
Mr. Hunt; Committee on Military Affairs 392.

H. R. 4597—
To correct the military record of James H. Campbell.
Mr. Hunt; Committee on Military Affairs 392.

H. R. 4598—
Granting a pension to James M. Baker.
Mr. Jenkins; Committee on Invalid Pensions 392.

H. R. 4599—
Granting a pension to Ella F. Whitehead.
Mr. Kinkaid; Committee on Invalid Pensions 392.

H. R. 4600—
Granting a pension to Jane Sloan.
Mr. Kinkaid; Committee on Invalid Pensions 392.

H. R. 4601—
Granting an increase of pension to Hiram S. Kingsley.
Mr. Kinkaid; Committee on Invalid Pensions 392.

H. R. 4602—
Granting an increase of pension to Helim Thompson.
Mr. Kinkaid; Committee on Invalid Pensions 392.

H. R. 4603—
To amend and correct the records of Company D, Seventh Regiment Provisional Enrolled Missouri Militia, by including the name of Valentine Fraker therein, with the dates of his enlistment and discharge.
Mr. Lamar of Missouri; Committee on Invalid Pensions 392.—Reference changed to Committee on Military Affairs 471.

H. R. 4604—
Granting a pension to Christian Kloeppel.
Mr. Lamar of Missouri; Committee on Pensions 392.

H. R. 4605—
Granting an increase of pension to William Herlinger.
Mr. Lamar of Missouri; Committee on Invalid Pensions 392.

H. R. 4606—
For the relief of W. M. Quinn and George L. Long.
Mr. Lamar of Florida; Committee on Claims 392.

H. R. 4607—
For the relief of John Barfield.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4608—
For the relief of Capt. J. E. Turtle.
Mr. Lamar of Florida; Committee on Claims 392.

H. R. 4609—
For the relief of the heirs at law of Edward N. Oldmixon.
Mr. Lamar of Florida; Committee on Claims 392.

H. R. 4610—
For the relief of Samuel Puleston.
Mr. Lamar of Florida; Committee on Claims 392.

H. R. 4611—
For the relief of Sarah E. Caro and Henry O. Bassett.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4612—
For the relief of John Dunn.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4613—
For the relief of B. W. Johnson.
Mr. Lamar of Florida; Committee on Claims 392.

H. R. 4614—
For the relief of Sarah A. Marcus.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4615—
For the relief of William T. Bell.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4616—
For the relief of the heirs at law of Edward N. Oldmixon.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4617—
For the relief of the heirs of Manette Marsons, deceased.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4618—
For the relief of Chester P. Knapp, of Escambia County, Fla.
Mr. Lamar of Florida; Committee on War Claims 392.

H. R. 4619—
Granting a pension to Susan Kent.
Mr. Lamar of Florida; Committee on Pensions 392.

H. R. 4620—
To remove the charge of desertion from the military record of Andrew Brewton.
Mr. Lamar of Florida; Committee on Invalid Pensions 392.—Reference changed to Committee on Military Affairs 471.

H. R. 4621—
Releasing unto W. J. Cosgrove, Mary Cosgrove, Mary Ellen Aylward (born Cosgrove), and others any rights the United States may have in certain lands in Pensacola, Fla.
Mr. Lamar of Florida; Committee on Public Lands 392.

H. R. 4622—
Granting a pension to William E. Martin.
Mr. Lucking; Committee on Invalid Pensions 392.—Reference changed to Committee on Pensions 471.

H. R. 4623—
Granting a pension to Electa L. Willard.
Mr. Lucking; Committee on Invalid Pensions 392.

H. R. 4624—
Granting a pension to Isabella Phelps.
Mr. Lucking; Committee on Invalid Pensions 392.

H. R. 4625—
Granting a pension to Theresa B. Nash.
Mr. Lucking; Committee on Invalid Pensions 392.

H. R. 4626—
Granting a pension to Hattie M. Matheson.
Mr. Lucking; Committee on Invalid Pensions 392.

H. R. 4627—
Granting a pension to Annie Young.
Mr. Lucking; Committee on Invalid Pensions 392.

H. R. 4628—
To repay $473.20 excess duties paid by Richard Hawley & Sons.
Mr. Lucking; Committee on Claims 392.

H. R. 4629—
Granting an increase of pension to Thomas C. Pond.
Mr. Maddox; Committee on Invalid Pensions 392.

H. R. 4630—
Granting an increase of pension to T. S. Collins.
Mr. Maddox; Committee on Invalid Pensions 392.

H. R. 4631—
Granting an increase of pension to Julius Kraig.
Mr. Maddox; Committee on Invalid Pensions 392.

H. R. 4632—
Granting an increase of pension to Peter J. Lussem.
Mr. Mahoney; Committee on Invalid Pensions 392.

H. R. 4633—
Granting an increase of pension to William Paul.
Mr. Marshall; Committee on Invalid Pensions 392.

H. R. 4634—
Granting an increase of pension to Randolph T. Stoops.
Mr. McClellan; Committee on Invalid Pensions 392.

H. R. 4635—
Granting a pension to Susan Bigler Smith.
Mr. McMorran; Committee on Invalid Pensions 392.

H. R. 4636—
Granting an increase of pension to Martin J. Severance.
Mr. McCleary; Committee on Invalid Pension 392.

H. R. 4637—
Authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $798.28.
Mr. Overstreet; Committee on Claims 392.

H. R. 4638—
Granting an increase of pension to Mary E. Pillow.
Mr. Patterson of Tennessee; Committee on Pensions 392.

H. R. 4639—
For the relief of Horace Resley.
Mr. Pearre; Committee on Claims 392.

H. R. 4640—
Granting an increase of pension to William H. Johnston.
Mr. Pearre; Committee on Invalid Pensions 392.

H. R. 4641—
To reimburse and indemnify the town of Frederick, in the State of Maryland.
Mr. Pearre; Committee on War Claims 392.

H. R. 4642—
Granting an increase of pension to William L. Wheeler.
Mr. Powers of Maine; Committee on Invalid Pensions 392.

H. R. 4643—
For the relief of John McDonnell.
Mr. Ransdell; Committee on Military Affairs 392.

H. R. 4644—
For the relief of the heirs of John Meals, deceased.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4645—
For the relief of Mrs. Bathsheba Gordon.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4646—
For the relief of John Till.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4647—
For the relief of John Jones.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4648—
For the relief of Ann E. Damon.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4649—
For the relief of the legal representatives of the estate of Thomas F. Brumby.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4650—
For the relief of Charity Boyed.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4651—
For the relief of Mrs. W. R. Britton.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4652—
For the relief of Mary J. Bailey.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4653—
For the relief of the heirs of James T. Anderson, deceased.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4654—
For the relief of the heirs of George W. Hughes.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4655—
Granting an increase of pension to Henry Jeffers.
Mr. Richardson of Alabama; Committee on Invalid Pensions 392.

H. R. 4656—
To authorize and direct the Secretary of War to grant an honorable discharge to Robert Crompton.
Mr. Richardson of Alabama; Committee on Military Affairs 392.

H. R. 4657—
To refer the claim against the United States of the heirs of Fabian Varin to the Court of Claims.
Mr. Richardson of Alabama; Committee on War Claims 392.

H. R. 4658—
Raising the rank of Surg. John W. Baker, on the retired list of the Navy.
Mr. Roberts; Committee on Naval Affairs 392.

H. R. 4659—
For the relief of John S. Van Doren.
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For the relief of Adam L. Eichelberger.
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For the relief of Carolyn M. McIlvain.
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H. R. 4681—
Granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home.
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H. R. 4682—
To provide for the purchase of a site and the erection of a public building thereon at Rawlins, in the State of Wyoming.
Mr. Mondell; Committee on Public Buildings and Grounds 412.

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Providing for the erection of a public building at Trenton, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds 412.

H. R. 4684—
Providing for the erection of a public building at Carrollton, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds 412.

H. R. 4685—
Providing for the erection of a public building at Brookfield, Mo.
Mr. Rucker; Committee on Public Buildings and Grounds 412.

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For the erection of a public building at Jeffersonville, Clark County, Ind.
Mr. Zenor; Committee on Public Buildings and Grounds 412.

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For the erection of a public building at North Tonawanda, N. Y.
Mr. Wadsworth; Committee on Public Buildings and Grounds 412.

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Making appropriation for the construction and completion of Eastchester Creek.
Mr. Otis; Committee on Rivers and Harbors 412.

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For the improvement of the harbor at Tarrytown, N. Y.
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H. R. 4690—
To improve and to continue the improvement of the Coosa River.
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H. R. 4691—
To appropriate $2,500 to erect a soldiers' monument at Emuckfaw, Tallapoosa County, Ala.
Mr. Thompson; Committee on Library 412.

H. R. 4692—
To provide for the erection and maintenance of a Soldiers' Home in the Fifth Congressional district of Alabama, and an appropriation of $100,000 for same.
Mr. Thompson; Committee on Military Affairs 412.

H. R. 4693—
To amend the Bowman Act, volume 22, Statutes at Large, page 485.
Mr. Thompson; Committee on War Claims 412.

H. R. 4694—
To appropriate $100,000 for the relief of parties for property taken from them by military forces of the United States.
Mr. Thompson; Committee on War Claims 412.

H. R. 4695—
To pay deputy clerks in the Indian Territory their salaries for recording legal documents.
Mr. Stephens; Committee on Judiciary 412.

H. R. 4696—
Providing for penalty envelopes for return vouchers in mailing pension checks.
Mr. Dick; Committee on Post-Office and Post-Roads 412.

H. R. 4697—
To provide free mail transmission in the presentation for payment of executed vouchers for pension.
Mr. Marshall; Committee on Post-Office and Post-Roads 412.

H. R. 4698—
To provide for the erection of a public building at Corsicana, Tex.
Mr. Field; Committee on Public Buildings and Grounds 412.

H. R. 4699—
To prevent the desecration of the American flag.
Mr. Davidson; Committee on Judiciary 412.

H. R. 4700—
Granting an increase of pension to Rosetta Galbraith.
Mr. Bowersock; Committee on Invalid Pensions 412.

H. R. 4701—
Granting an increase of pension to David P. De Tar.
Mr. Bowersock; Committee on Invalid Pensions 412.

H. R. 4702—
Granting an increase of pension to John T. Collins.
Mr. Bowersock; Committee on Invalid Pensions 412.

H. R. 4703—
Granting an increase of pension to S. R. Beckwith.
Mr. Bowersock; Committee on Invalid Pensions 412.

H. R. 4704—
Granting an increase of pension to James H. Devin, alias Harrison J. Devin.
Mr. Bowersock; Committee on Invalid Pensions 412.

H. R. 4705—
Granting an increase of pension to John C. Marshall.
Mr. Bowersock; Committee on Invalid Pensions 412.

H. R. 4706—
To pay Lavaca County National Bank $105.
Mr. Burgess; Committee on Claims 412.

H. R. 4707—
Granting a pension to Margaret J. Snook.
Mr. Cowherd; Committee on Invalid Pensions 412.

H. R. 4708—
Granting an increase of pension to Samuel Engle.
Mr. Crowley; Committee on Invalid Pensions 412.

H. R. 4709—
Granting an increase of pension to John S. Kephart.
Mr. Griffith; Committee on Invalid Pensions 412.

H. R. 4710—
Granting an increase of pension to John Parker.
Mr. Griffith; Committee on Invalid Pensions 412.

H. R. 4711—
Granting an increase of pension to David Ennis.
Mr. Griffith; Committee on Invalid Pensions 412.

H. R. 4712—
Granting an increase of pension to Thomas H. Ballard.
Mr. Griffith; Committee on Invalid Pensions 412.

H. R. 4713—
Granting an increase of pension to Hensley H. Kirk.
Mr. Griffith; Committee on Invalid Pensions 412.

H. R. 4714—
Granting an increase of pension to Curtis C. Bliton.
Mr. Griffith; Committee on Invalid Pensions 412.

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For the relief of Patrick J. Sullivan, Jeremiah McCarthy, and Bartholomew Shea, and for the relief of the heirs and legal representatives of John B. Dillon.
Mr. Granger; Committee on Claims 412.

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Granting an increase of pension to Mary B. Long.
Mr. Hamilton; Committee on Invalid Pensions 412.

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Mr. Hunt; Committee on War Claims 412.

H. R. 4718—
Granting an increase of pension to Thomas Ballard.
Mr. Hunt; Committee on Pensions 412.

H. R. 4719—
Granting an increase of pension to Joseph F. Carter.
Mr. Jackson of Maryland; Committee on Invalid Pensions 412.

H. R. 4720—
Granting a pension to George Evans.
Mr. Kinkaid; Committee on Invalid Pensions 412.

H. R. 4721—
Granting an increase of pension to Thomas Hutchinson.
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For the relief of the Stone, Sand, and Gravel Company, of New Orleans, La., and the surety for the performance of its contract with the Government for diverting the mouth of the Yazoo River, near Vicksburg.
Mr. Meyer; Committee on Claims 412.

H. R. 4724—
For the relief of Mrs. Susan A. Nicholas.
Mr. Meyer; Committee on War Claims 413.

H. R. 4725—
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Mr. Mondell; Committee on Pensions 413.

H. R. 4726—
Granting an increase of pension to S. B. Brightman.
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H. R. 4727—
Granting an increase of pension to George W. Thomas.
Mr. Murdock; Committee on Invalid Pensions 413.

H. R. 4728—
Granting an increase of pension to William W. Smith.
Mr. Murdock; Committee on Invalid Pensions 413.

H. R. 4729—
To grant an honorable discharge to Frederick A. Noeller.
Mr. Prince; Committee on Military Affairs 413.

H. R. 4730—
Granting an increase of pension to David W. See.
Mr. Rainey; Committee on Invalid Pensions 413.

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For the relief of the heirs of Josiah Springer.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4732—
For the relief of the heirs of John Pettipool.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4733—
For the relief of Jason Howard.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4734—
For the relief of the heirs of George W. Foster, deceased.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4735—
For the relief of Boling King.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4736—
For the relief of Maria Agnes White.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4737—
For the relief of Nancy J. Howard.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4738—
For the relief of Margaret L. Watkins.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4739—
For the relief of William B. Olive.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4740—
For the relief of Dr. Leroy Pope Walker.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4741—
For the relief of the heirs of Kennon H. Steger, deceased.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4742—
For the relief of Calvin S. Hill.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4743—
For the relief of Xantippe Jackson.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4744—
For the relief of the heirs of Sarah Schrimsher.
Mr. Richardson of Alabama; Committee on War Claims 413.

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For the relief of Joseph A. Hardwick.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4746—
For the relief of Mary C. Smith, heir at law of Alexander F. Perryman, deceased.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4747—
For the relief of John McMurtry.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4748—
To authorize the Secretary of War to correct the record of Calhoun Malone.
Mr. Richardson of Alabama; Committee on Military Affairs 413.

H. R. 4749—
To refer the claim of Mrs. Jennia Brumby against United States to the Court of Claims.
Mr. Richardson of Alabama; Committee on War Claims 413.

H. R. 4750—
To place W. I. Jackson on the pension roll.
Mr. Richardson of Alabama; Committee on Pensions 413.

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Granting an increase of pension to Leroy S. Smith.
Mr. Shober; Committee on Invalid Pensions 413.

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Granting an increase of pension to Joseph A. Spaulding.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4753—
Granting an increase of pension to John Hill.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4754—
Granting an increase of pension to John Lindt.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4755—
Granting an increase of pension to Sarah A. Robinson.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4756—
Granting an increase of pension to Lewis R. Gates.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4757—
Granting an increase of pension to John Ashmore.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4758—
Granting an increase of pension to George W. Wicks.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4759—
Granting an increase of pension to David P. McDonald.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4760—
Granting an increase of pension to Jasper Reno.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4761—
Granting an increase of pension to William H. Parsons.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4762—
Granting an increase of pension to Joseph Raffensperger.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4763—
Granting George W. Wicks and his two children land in lieu of allotments and of annuities.
Mr. Smith of Iowa; Committee on Indian Affairs 413.

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Mr. Smith of Iowa; Committee on Invalid Pensions 413.

H. R. 4765—
Granting a pension to Ellen M. Tucker.
Mr. Smith of Iowa; Committee on Invalid Pensions 413.

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For the relief of A. M. Ellis.
Mr. Smith of Iowa; Committee on Claims 413.

H. R. 4767—
For the relief of Charles H. Warren.
Mr. Smith of Iowa; Committee on Military Affairs 413.

H. R. 4768—
For the relief of the personal representative of Jacob Bogert.
Mr. Smith of Iowa; Committee on Claims 413.

H. R. 4769—
For the relief of C. A. Berry.
Mr. Smith of Iowa; Committee on Claims 413.

H. R. 4770—
For the relief of Daniel J. Ockerson.
Mr. Smith of Iowa; Committee on Claims 413.

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Granting a pension to Aaron Taylor.
Mr. Snook; Committee on Pensions 413.

H. R. 4772—
Granting an increase of pension to John A. Baughman.
Mr. Snook; Committee on Invalid Pensions 413.

H. R. 4773—
Granting an increase of pension to Henry Brown.
Mr. Snook; Committee on Invalid Pensions 413.

H. R. 4774—
Granting an increase of pension to Wesley B. Brown.
Mr. Snook; Committee on Invalid Pensions 413.

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For the relief of the estate of Richard M. Harrison, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4776—
For the relief of W. H. Harrison.
Mr. Southall; Committee on War Claims 413.

H. R. 4777—
For the relief of Bettie Epes Minetree, sole heir of John W. Eppes, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4778—
For the relief of the estate of David B. Tennant, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4779—
For the relief of R. A. Young.
Mr. Southall; Committee on War Claims 413.

H. R. 4780—
For the relief of G. W. Browder.
Mr. Southall; Committee on War Claims 413.

H. R. 4781—
For the relief of Lettie Myers.
Mr. Southall; Committee on War Claims 413.

H. R. 4782—
For the relief of the estate of John J. Mitchell, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4783—
For the relief of the wardens and vestrymen of Old Merchant's Hope Episcopal Church, of Prince George County, Va.
Mr. Southall; Committee on War Claims 413.

H. R. 4784—
For the relief of Sallie R. Walton.
Mr. Southall; Committee on War Claims 413.

H. R. 4785—
For the relief of the estate of John B. Ege, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4786—
For the relief of the estate of Richard Wiseman, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4787—
For the relief of Pickrell & Brooks.
Mr. Southall; Committee on War Claims 413.

H. R. 4788—
For the relief of the heirs of William Walton, deceased.
Mr. Southall; Committee on War Claims 413.

H. R. 4789—
For the relief of J. A. Shackleton.
Mr. Southall; Committee on War Claims 413.

H. R. 4790—
Granting a pension to Annie R. Mosbrugger.
Mr. Stevens; Committee on Invalid Pensions 413.

H. R. 4791—
Granting a pension to Louis Demarais.
Mr. Stevens; Committee on Invalid Pensions 413.

H. R. 4792—
To restore the name of Dominique Demers to the pension roll of the United States.
Mr. Stevens; Committee on Invalid Pensions 413.

H. R. 4793—
Granting an increase of pension to Samuel Prochel.
Mr. Tawney; Committee on Invalid Pensions 413.

H. R. 4794—
Granting a pension to Delania Preston.
Mr. Thompson; Committee on Pensions 413.

H. R. 4795—
Granting a pension to Delania Preston.
Mr. Thompson; Committee on Pensions 413.

H. R. 4796—
Granting an increase of pension to Mary J. Allen.
Mr. Thompson; Committee on Pensions 413.

H. R. 4797—
Granting an increase of pension to Sydney R. Grigg.
Mr. Thompson; Committee on Pensions 413.

H. R. 4798—
Granting an increase of pension to Margaret F. Harris.
Mr. Thompson; Committee on Pensions 413.

H. R. 4799—
Granting an increase of pension to Susan De Lamor.
Mr. Thompson; Committee on Invalid Pensions 413.

H. R. 4800—
Granting an increase of pension to Phillip Mooney.
Mr. Thompson; Committee on Pensions 413.

H. R. 4801—
For the relief of Fanny R. Bonner, of Clay County, Ala.
Mr. Thompson; Committee on War Claims 413.

H. R. 4802—
For the relief of Alexander M. Steed, of Clay County, Ala.
Mr. Thompson; Committee on War Claims 414.

H. R. 4803—
For the relief of Thomas Bonner, jr., of Clay County, Ala.
Mr. Thompson; Committee on War Claims 414.

H. R. 4804—
For the relief of J. I. Catney.
Mr. Thompson; Committee on Claims 414.

H. R. 4805—
To refer the claim against the United States of Elizabeth Haden to the Court of Claims.
Mr. Thompson; Committee on War Claims 414.

H. R. 4806—
To pay the estate of Phillip Lightfoot, deceased, the sum of $1,312 for stores and supplies.
Mr. Thompson; Committee on War Claims 414.

H. R. 4807—
To pay the estate of John M. Ellington the sum of $7,755 for stores and supplies.
Mr. Thompson; Committee on War Claims 414.

H. R. 4808—
To pay the estate of John A. Brown, deceased, the sum of $10,952 for stores and supplies.
Mr. Thompson; Committee on War Claims 414.

H. R. 4809—
To pay the estate of Mary Daugherty, deceased, the sum of $1,045 for stores and supplies.
Mr. Thompson; Committee on War Claims 414.

H. R. 4810—
To pay the estate of Robert Mitchell, deceased, the sum of $129,150 for stores and supplies.
Mr. Thompson; Committee on War Claims 414.

H. R. 4811—
To pay the estate of Jerry T. Cloud the sum of $2,530.
Mr. Thompson; Committee on War Claims 414.

H. R. 4812—
To pay the estate of Unity E. Greenwood, of Macon County, Ala., the sum of $4,550.
Mr. Thompson; Committee on War Claims 414.

H. R. 4813—
To pay to the estate of Sampson B. Cloud the sum of $1,595.
Mr. Thompson; Committee on War Claims 414.

H. R. 4814—
To divest title out of the United States and vest same in R. W. Allen & Co. to west half of southeast quarter, section 34, township 24 north, range 35 east, standard southern meridian, Chambers County, Ala.
Mr. Thompson; Committee on Public Lands 414.

H. R. 4815—
Granting a pension to Lizzie Callum.
Mr. Townsend; Committee on Invalid Pensions 414.

H. R. 4816—
Granting an increase of pension to Narcissa Tait.
Mr. Wiley of Alabama; Committee on Pensions 414.

H. R. 4817—
Granting a pension to William H. Ward.
Mr. Zenor; Committee on Invalid Pensions 414.

H. R. 4818—
Providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois.
Mr. Mann; Committee on Ways and Means 471.

H. R. 4819—
For the erection of a post-office building at Kewanee, Ill.
Mr. Prince; Committee on Public Buildings and Grounds 471.

H. R. 4820—
Providing for the erection of an addition or extension to the post-office and court-house at Quincy, Ill.
Mr. Prince; Committee on Public Buildings and Grounds 471.

H. R. 4821—
To provide for a waterway between the Calumet River and the Sanitary Canal in Illinois.
Mr. Mann; Committee on Rivers and Harbors 471.

H. R. 4822—
For the erection of a public building at Knoxville, Tenn.
Mr. Gibson; Committee on Public Buildings and Grounds 471.

H. R. 4823—
To provide for the improvement of the Tennessee River and some of its tributaries in Tennessee.
Mr. Gibson; Committee on Rivers and Harbors 471.

H. R. 4824—
To increase the pay of mail carriers on rural free-delivery routes.
Mr. Gibson; Committee on Post-Office and Post-Roads 471.

H. R. 4825—
To authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes.
Mr. Bowersock; Committee on Indian Affairs 471.

H. R. 4826—
To provide for clean paper money.
Mr. Wiley of New Jersey; Committee on Banking and Currency 471.

H. R. 4827—
To increase pay of mail carriers on rural free-delivery routes.
Mr. Rodenberg; Committee on Post-Office and Post-Roads 471.

H. R. 4828—
For the erection of a public building in the Borough of the Bronx, New York City.
Mr. Goulden; Committee on Public Buildings and Grounds 471.

H. R. 4829—
To increase the limit of cost for the purchase of a site and the erection of a public building at Leadville, in the State of Colorado.
Mr. Brooks; Committee on Public Buildings and Grounds 471.

H. R. 4830—
For the erection of a public building at Greenville, Miss.
Mr. Humphreys; Committee on Public Buildings and Grounds 471.

H. R. 4831—
To improve currency conditions.
Mr. Hill of Connecticut; Committee on Banking and Currency 471.

H. R. 4832—
To provide for the purchase of a site and the erection of a public building thereon at Gettysburg, in the State of Pennsylvania.
Mr. Lafean; Committee on Public Buildings and Grounds 471.

H. R. 4833—
To classify rural free-delivery letter carriers and to fix their salaries.
Mr. Lafean; Committee on Post-Office and Post-Roads 471.

H. R. 4834—
Authorizing and directing the Secretary of War to survey and lay out a road through the Rainier Forest Reserve from the eastern boundary thereof into the Mount Rainier National Park, State of Washington, and for other purposes.
Mr. Jones of Washington; Committee on Public Lands 471.

H. R. 4835—
To prescribe the jurisdiction of suits, both in law and in equity, brought by, or against, receivers or managers of property appointed by Federal courts or judges thereof.
Mr. Beall; Committee on Judiciary 471.

H. R. 4836—
To regulate the salaries of the United States marshals in Texas.
Mr. Burgess; Committee on Judiciary 471.

H. R. 4837—
To regulate the sale of poisons in the District of Columbia.
Mr. Robinson of Indiana; Committee on District of Columbia 471.

H. R. 4838—
For the erection of a monument or memorial building at the scene of the Lochry massacre near the mouth of Laughery Creek, Indiana.
Mr. Griffith; Committee on Library 471.

H. R. 4839—
Repealing the national bankruptcy act.
Mr. Griffith; Committee on Judiciary 471.

H. R. 4840—
To provide for the purchase of a site and the erection of a public building thereon at Columbus, in the State of Indiana, and appropriating money therefor.
Mr. Griffith; Committee on Public Buildings and Grounds 471.

H. R. 4841—
To amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897.
Mr. Griffith; Committee on Ways and Means 471.

H. R. 4842—
To provide for a coupon currency in which small sums in any multiple of 5 cents may be conveniently sent by mail.
Mr. Griffith; Committee on Banking and Currency 471.

H. R. 4843—
To increase the limit of cost for the purchase of site and the erection of a public building at Anderson, Ind.
Mr. Cromer; Committee on Public Buildings and Grounds 471.

H. R. 4844—
To increase the limit of cost for the purchase of site and the erection of a public building at Muncie, Ind.
Mr. Cromer; Committee on Public Buildings and Grounds 471.

H. R. 4845—
To amend section 3878 of the Revised Statutes.
Mr. Hill of Connecticut; Committee on Post-Office and Post-Roads 471.

H. R. 4846—
To provide for the modification of the project for the improvement of the harbor of Bridgeport, Conn.
Mr. Hill of Connecticut; Committee on Rivers and Harbors 471.

H. R. 4847—
To provide for free alcohol in certain arts and industries.
Mr. Hill of Connecticut; Committee on Ways and Means 471.

H. R. 4848—
To regulate practice in the circuit courts of appeals in certain cases.
Mr. Palmer; Committee on Judiciary 471.

H. R. 4849—
To prohibit and punish the purchase and sale of indorsement or support for office by certain persons.
Mr. Hardwick; Committee on Judiciary 471.

H. R. 4850—
To provide emergency currency.
Mr. Cowherd; Committee on Banking and Currency 471.

H. R. 4851—
Providing for establishing a public park at Langdon, D. C.
Mr. Pearre; Committee on Public Buildings and Grounds 471.

H. R. 4852—
Providing for establishing a public park at Langdon, D. C.
Mr. Pearre; Committee on Public Buildings and Grounds 471.

H. R. 4853—
Providing for subsistence for rural free-delivery carriers.
Mr. Garber; Committee on Post-Office and Post-Roads 471.

H. R. 4854—
To provide for the purchase of a site and the erection of a public building thereon at Alpena, in the State of Michigan.
Mr. Loud; Committee on Public Buildings and Grounds 471.

H. R. 4855—
To provide for the purchase of a site and the erection of a public building thereon in the city of North Platte, State of Nebraska.
Mr. Kinkaid; Committee on Public Buildings and Grounds 471.

H. R. 4856—
Providing for the use of Fort Omaha Military Reservation, in the city of Omaha, Nebr., for officers' quarters and for the improvement of the same, and for other purposes.
Mr. Hitchcock; Committee on Military Affairs 472.

H. R. 4857—
To increase the pay of mail carriers on rural free-delivery mail routes.
Mr. Hinshaw; Committee on Post-Office and Post-Roads 472.

H. R. 4858—
For the erection of a statue to the memory of Maj. Gen. Franz Sigel at Washington, D. C.
Mr. Warner; Committee on Library 472.

H. R. 4859—
To further protect the first day of the week as a day of rest in the District of Columbia.
Mr. Allen; Committee on District of Columbia 472.

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Mr. Dick; Committee on Military Affairs 495.

H. R. 5072—
To establish at Seattle, Wash., a subtreasury.
Mr. Humphrey; Committee on Ways and Means 495.

H. R. 5073—
Providing official stamps for rural free-delivery carriers, and authorizing them to take acknowledgments of pensioners in the execution of their vouchers.
Mr. Reeder; Committee on Post-Office and Post-Roads 495.

H. R. 5074—
To erect a public building at Marinette, Wis.
Mr. Minor; Committee on Public Buildings and Grounds 495.

H. R. 5075—
Granting to the State of Washington 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Washington State Soldiers and Sailors' Home at Orting, Wash.
Mr. Jones of Washington; Committee on Public Lands 495.

H. R. 5076—
Making an appropriation for increasing the depth of the Cheboygan River from termination of present dredged channel up to and terminating at the dam and lock on said river.
Mr. Loud; Committee on Rivers and Harbors 495.

H. R. 5077—
For preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes.
Mr. Hepburn; Committee on Interstate and Foreign Commerce 495.

H. R. 5078—
To abolish slavery in the Philippine Archipelago, and for other purposes.
Mr. Patterson of Tennessee; Committee on Insular Affairs 495.

H. R. 5079—
For the establishment of a naval volunteer force of seamen and for the government of the same.
Mr. Parker; Committee on Naval Affairs 495.

H. R. 5080—
To provide for the erection of a public building at Big Stone Gap, Va.
Mr. Slemp; Committee on Public Buildings and Grounds 495.

H. R. 5081—
To furnish cheap boxes for the patrons of rural free delivery.
Mr. Gibson; Committee on Post-Office and Post-Roads 495.

H. R. 5082—
To restore the sale of fermented malt beverages and light wines to soldiers on army transports and in post exchanges under regulations to be prescribed by the Secretary of War.
Mr. Parker; Committee on Military Affairs 495.

H. R. 5083—
To amend an act entitled "An act to promote the efficiency of the militia, and for other purposes," approved January —, 1903.
Mr. Parker; Committee on Militia 495.

H. R. 5084—
To provide for a national military park commission.
Mr. Parker; Committee on Military Affairs 495.

H. R. 5085—
Granting an increase of pension to Frank Schroeder.
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To correct the military record of Daniel Graeber.
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Granting a pension to Annie Bosche.
Mr. Benny; Committee on Invalid Pensions 495.

H. R. 5088—
Granting a pension to Ellen Messenger Cox.
Mr. Birdsall; Committee on Invalid Pensions 495.

H. R. 5089—
Granting an increase of pension to Charles W. McKenney.
Mr. Birdsall; Committee on Invalid Pensions 495.

H. R. 5090—
For the relief of Caleb W. Durham.
Mr. Bishop; Committee on Judiciary 495.

H. R. 5091—
Granting a pension to William Kennedy.
Mr. Bishop; Committee on Invalid Pensions 495.

H. R. 5092—
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H. R. 5093—
Granting an honorable discharge to T. J. Temple.
Mr. Bowersock; Committee on Military Affairs 495.

H. R. 5094—
For the relief of the heirs and legal representatives of Alfred Robinson, deceased.
Mr. Bowersock; Committee on War Claims 496.

H. R. 5095—
Granting a pension to John Worley.
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H. R. 5096—
Granting a pension to Florence E. Wilbur.
Mr. Bowersock; Committee on Invalid Pensions 496.

H. R. 5097—
Granting a pension to A. M. Templer.
Mr. Bowersock; Committee on Invalid Pensions 496.

H. R. 5098—
Granting an increase of pension to James K. Proudfit.
Mr. Bowersock; Committee on Invalid Pensions 496.

H. R. 5099—
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Mr. Bowersock; Committee on Invalid Pensions 496.

H. R. 5100—
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Mr. Bowersock; Committee on Invalid Pensions 496.

H. R. 5101—
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Mr. Bowersock; Committee on Invalid Pensions 496.

H. R. 5102—
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Mr. Brown of Wisconsin; Committee on Invalid Pensions 496.

H. R. 5104—
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For the relief of the estate of Solomon Young, deceased.
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Granting an increase of pension to Morris Smith.
Mr. Cooper of Wisconsin; Committee on Invalid Pensions 496.

H. R. 5110—
Granting an increase of pension to George B. Tucker.
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Mr. Dick; Committee on Invalid Pensions 496.

H. R. 5112—
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H. R. 5113—
Granting an increase of pension to Almon W. Gould.
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H. R. 5122—
For the relief of the heirs of the persons murdered at the time of the Mountain Meadow massacre.
Mr. Dinsmore; Committee on Claims 496.

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Mr. Flack; Committee on Invalid Pensions 496.

H. R. 5124—
Granting an increase of pension to H. G. Camp.
Mr. Foster of Vermont; Committee on Invalid Pensions 496.

H. R. 5125—
Granting an increase of pension to Amos L. Jones.
Mr. Foster of Vermont; Committee on Invalid Pensions 496.

H. R. 5126—
Granting a pension to Alice K. Seligson.
Mr. Foster of Vermont; Committee on Invalid Pensions 496.

H. R. 5127—
To correct the military record of John Ervin.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5128—
To correct the military record of William B. Malone.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5129—
To correct the military record of John W. Robinson.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5130—
To remove the charge of desertion against Sampson Carroll.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5131—
For the relief of James H. Bunn.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5132—
For the relief of Eli H. Bright.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5133—
For the relief of William B. Caldwell.
Mr. Gibson; Committee on Military Affairs 496.

H. R. 5134—
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Mr. Gibson; Committee on Military Affairs 496.

H. R. 5135—
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For the relief of George W. Qualls.
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H. R. 5141—
For the relief of George W. Raney.
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Mr. Gibson; Committee on Military Affairs 496.

H. R. 5143—
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Mr. Gibson; Committee on Military Affairs 496.

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For the relief of Alexander L. Taylor.
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H. R. 5147—
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H. R. 5148—
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Mr. Haskins; Committee on Invalid Pensions 496.

H. R. 5149—
Granting an increase of pension to John W. Erwin.
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Authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to.
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Mr. Hermann; Committee on Claims 496.

H. R. 5152—
For the relief of Herrera's Nephews and Gallego, Messa & Co.
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H. R. 5153—
Granting an increase of pension to Jonathan Stewart.
Mr. Hitt; Committee on Invalid Pensions 496.

H. R. 5154—
Granting an increase of pension to Barnett Smith.
Mr. Humphrey; Committee on Invalid Pensions 496.

H. R. 5155—
Granting an increase of pension to John J. Tompkins.
Mr. Humphrey; Committee on Invalid Pensions 496.

H. R. 5156—
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Mr. Humphrey; Committee on Invalid Pensions 496.

H. R. 5157—
Granting a pension to Mary Anne Watling.
Mr. Humphrey; Committee on Pensions 496.

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Granting a pension to Charles W. Atkinson.
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Mr. Lorimer; Committee on Invalid Pensions 496.

H. R. 5162—
Granting an increase of pension to Orrin L. Mann.
Mr. Lorimer; Committee on Invalid Pensions 496.

H. R. 5163—
For the relief of Catherine Grace.
Mr. Minor; Committee on Claims 496.

H. R. 5164—
Granting an honorable discharge to W. J. Gardner and correcting the date of his muster out from the service.
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Mr. Murdock; Committee on Military Affairs 496.

H. R. 5167—
For the relief of Morton A. Pratt.
Mr. Murdock; Committee on Claims 496.

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Mr. Murdock; Committee on Invalid Pensions 496.

H. R. 5169—
Granting a pension to Alfred Le Valley.
Mr. Murdock; Committee on Invalid Pensions 496.

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Granting a pension to James L. Dyer.
Mr. Murdock; Committee on Invalid Pensions 497.

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Granting a pension to Margaret M. Hathaway.
Mr. Murdock; Committee on Invalid Pensions 497.

H. R. 5172—
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Mr. Murdock; Committee on Invalid Pensions 497.

H. R. 5173—
Granting an increase of pension to Burrel G. Hart.
Mr. Murdock; Committee on Invalid Pensions 497.

H. R. 5174—
Granting an increase of pension to David Bennett.
Mr. Murdock; Committee on Invalid Pensions 497.

H. R. 5175—
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Mr. Otjen; Committee on Military Affairs 497.

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Making an appropriation for the improvement of Chickasahay River.
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H. R. 5228—
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Granting an increase of pension to William T. Filler.
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CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-EIGHTH CONGRESS, SECOND SESSION.

VOLUME XXXVIII.

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CONGRESSIONAL RECORD,

FIFTY-EIGHTH CONGRESS, SECOND SESSION.

CONGRESSIONAL RECORD.

PROCEEDINGS AND DEBATES OF THE FIFTY-EIGHTH CONGRESS.

SECOND SESSION.

SENATE.

MONDAY, *December 7, 1903.*

The first Monday of December being the day prescribed by the Constitution of the United States for the annual meeting of Congress, the second session of the Fifty-eighth Congress commenced this day.

The Senate assembled in its Chamber at the Capitol.

The PRESIDENT pro tempore (Mr. WILLIAM P. FRYE, a Senator from the State of Maine) called the Senate to order at 12 o'clock noon.

PRAYER.

Rev. F. J. PRETTYMAN, of the city of Washington, offered the following prayer:

Almighty God, Thou hast touched our poor human life with an infinite purpose. Those who have desired to behold Thy glory have seen it, not in forms of power, but in the face of Jesus Christ, who is the image of the invisible God. In a human face, fashioned like our own, Thou hast shown forth the infinite glories of Thy nature.

We thank Thee for the supreme purpose which comes to us through Thy revelation in Him. We praise Thee that the power and the influence of His life has found a place in all of our civil institutions; that it is the pledge of the permanency of our Government, the standard of our morality, the highest hope and aspiration of the citizenship of this land.

We pray that more and more the influence of Thy divine revelation may be seen and felt in all of our national life, and to this end do Thou breathe the spirit of peace and good will, of wisdom and of power upon Thy servants in places of authority. Where authority is exercised may it have the sanction of divine guidance and wisdom, and where power resides may it be chastened and sweetened and sanctified by divine grace.

Grant, we pray, that all of the work of this session of the Senate may stand the approval of God's law, and may bring to the people increased peace and prosperity. We ask for Christ's sake. Amen.

SENATORS PRESENT.

The PRESIDENT pro tempore. The Secretary will call the roll of the Senate.

The Secretary called the roll, and the following Senators answered to their names:

From the State of—

Alabama—John T. Morgan and Edmund W. Pettus.
Arkansas—James H. Berry.
California—Thomas R. Bard and George C. Perkins.
Colorado—Thomas M. Patterson and Henry M. Teller.
Connecticut—Orville H. Platt.
Delaware—J. Frank Allee and L. Heisler Ball.
Florida—Stephen R. Mallory.
Georgia—Augustus O. Bacon and Alexander S. Clay.
Idaho—Fred T. Dubois and Weldon B. Heyburn.
Illinois—Shelby M. Cullom.
Indiana—Charles W. Fairbanks.
Iowa—William B. Allison and Jonathan P. Dolliver.
Kansas—Joseph R. Burton and Chester I. Long.
Kentucky—Joseph C. S. Blackburn and James B. McCreary.
Louisiana—Samuel D. McEnery.
Maine—William P. Frye and Eugene Hale.
Maryland—Arthur P. Gorman and Louis E. McComas.
Massachusetts—George F. Hoar and Henry Cabot Lodge.
Michigan—Russell A. Alger and Julius C. Burrows.
Missouri—Francis M. Cockrell.
Montana—Paris Gibson.
Nebraska—Joseph H. Millard.
Nevada—Francis G. Newlands and William M. Stewart.
New Hampshire—Henry E. Burnham and Jacob H. Gallinger.
New Jersey—John F. Dryden and John Kean.
New York—Chauncey M. Depew and Thomas C. Platt.
North Carolina—Lee S. Overman and Furnifold McL. Simmons.
North Dakota—Henry C. Hansbrough and Porter J. McCumber.
Ohio—Joseph B. Foraker and Marcus A. Hanna.
Oregon—Charles W. Fulton and John H. Mitchell.
Pennsylvania—Boies Penrose.
Rhode Island—Nelson W. Aldrich and George P. Wetmore.
South Carolina—Asbury C. Latimer and Benjamin R. Tillman.
South Dakota—A. B. Kittredge.
Tennessee—William B. Bate.
Texas—Joseph W. Bailey and Charles A. Culberson.
Vermont—William P. Dillingham and Redfield Proctor.
Virginia—John W. Daniel and Thomas S. Martin.
Washington—Levi Ankeny and Addison G. Foster.
West Virginia—Nathan B. Scott.
Wisconsin—Joseph V. Quarles and John C. Spooner.
Wyoming—Clarence D. Clark and Francis E. Warren.

The PRESIDENT pro tempore. Seventy-three Senators have responded to their names. There is a quorum present.

HOUR OF MEETING.

Mr. PLATT of Connecticut submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the hour of daily meeting of the Senate be 12 o'clock meridian until otherwise ordered.

NOTIFICATION TO THE HOUSE.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled, and that the Senate is ready to proceed to business.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That a committee consisting of two Senators be appointed by the Chair to join such committee as may be appointed by the House of Representatives to inform the President of the United States and inform him [illegible] House is assembled, and that Congress is ready to [illegible] such communication as he may be pleased to make.

The PRESIDENT pro tempore appointed as the committee Mr. HALE and Mr. COCKRELL.

REPORTS OF SECRETARY OF SENATE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Senate, transmitting, pursuant to law, a full and complete statement of the receipts and expenditures of the Senate; which, with the accompanying papers, was ordered to lie on the table, and be printed.

He also laid before the Senate a communication from the Secretary of the Senate, transmitting a full and complete account of all property, including stationery, belonging to the United States in his possession on the 7th day of December, 1903; which, with the accompanying papers, was ordered to lie on the table, and be printed.

REPORTS OF SERGEANT-AT-ARMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Sergeant-at-Arms, transmitting a statement of the receipts from the sale of condemned property in his possession since December 1, 1902; which, with the accompanying papers, was ordered to lie on the table, and be printed.

He also laid before the Senate a communication from the Sergeant-at-Arms, giving a full and complete account of all property belonging to the United States in his possession December 7, 1903; which, with the accompanying papers, was ordered to lie on the table, and be printed.

REPORT OF THE COMPTROLLER OF THE CURRENCY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Comptroller of the Currency for the year ended October 31, 1903; which was referred to the Committee on Finance, and ordered to be printed.

REPORT OF THE PUBLIC PRINTER.

The PRESIDENT pro tempore laid before the Senate the annual report of the Public Printer on the operations of the Government Printing Office for the fiscal year ended June 30, 1903; which was referred to the Committee on Printing.

ORDER OF PROCEDURE.

The PRESIDENT pro tempore. Petitions and memorials are in order.

Mr. MALLORY. Mr. President——

Mr. HOAR. I desire to inquire if it is customary to transact business of any kind until the President has had an opportunity to send in his message?

The PRESIDENT pro tempore. The Senator from Massachusetts is as familiar with the custom as the Chair can be. Will he inform the Chair as to that?

Mr. HOAR. I had supposed that it was the almost unbroken custom of the Senate from the beginning to transact no business until the President of the United States has had an opportunity to send in his message and that that act of respect has always obtained toward the executive department of the Government. We have not yet heard from the other House that they are organized, and my impression (subject to the better recollection of the Chair) is very strong that it has been our universal custom to transact no business under such circumstances.

Mr. BERRY. We can not hear the Senator on this side of the Chamber.

Mr. HOAR. I move that the Senate take a recess for one hour.

Mr. TELLER. We do not in this part of the Chamber hear a word the Senator is saying.

Mr. HOAR. Perhaps the Senator from Colorado will correct me if I am wrong. My impression is that it is the unbroken custom of the Senate to transact no business whatever at the beginning of a regular session until the President has had an opportunity to make his communication.

Mr. TELLER. Will the Senator from Massachusetts allow me a moment?

Mr. HOAR. Certainly.

Mr. TELLER. I should not attempt to correct the Senator from Massachusetts if I knew he was wrong, but he is not wrong in this particular, I am very sure.

RECESS.

Mr. HOAR. I move that the Senate take a recess for one hour.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock and 10 minutes p. m.) the Senate reassembled.

Mr. ALLISON. I move that the Senate take a further recess until 1.40 p. m.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock and 40 minutes p. m.) the Senate reassembled.

MESSAGE FROM THE HOUSE.

Mr. WILLIAM J. BROWNING, the Chief Clerk of the House of Representatives, appeared below the bar of the Senate and delivered the following message:

Mr. President, I am directed by the House of Representatives to inform the Senate that a quorum of the House of Representatives has appeared and that the House is ready to proceed to business.

I am further directed to inform the Senate that the House has passed the following resolution:

Resolved, That a committee of three members be appointed on the part of the House, to join the committee appointed by the Senate, to wait upon the President of the United States and inform him that a quorum of the two Houses has assembled, and that Congress is ready to receive any communication he may have to make.

I am also directed to inform the Senate that the Speaker has appointed Mr. HEPBURN of Iowa, Mr. HEMENWAY of Indiana, and Mr. WILLIAMS of Mississippi as the committee on the part of the House.

NOTIFICATION TO THE PRESIDENT.

Mr. HALE and Mr. COCKRELL, the committee appointed in conjunction with a similar committee of the House of Representatives to wait upon the President of the United States, appeared at the bar, and

Mr. HALE said: Mr. President, the committee appointed by the Senate to join a like committee on the part of the House of Representatives to wait upon the President and inform him that a quorum of each House of Congress is in session and ready to receive any communication from him, have attended to that duty, and have been advised by the President that he will shortly communicate in writing to Congress.

PRESIDENT'S ANNUAL MESSAGE.

Mr. B. F. BARNES, one of the secretaries of the President of the United States, appeared below the bar and said:

Mr. President, I am directed by the President of the United States to deliver to the Senate several messages in writing.

The messages were received from the Secretary and handed to the President pro tempore.

The PRESIDENT pro tempore. The Chair lays before the Senate the annual message of the President of the United States, which the Secretary will read.

The Secretary read the message, as follows:

To the Senate and House of Representatives:

The country is to be congratulated on the amount of substantial achievement which has marked the past year both as regards our foreign and as regards our domestic policy.

With a nation as with a man the most important things are those of the household, and therefore the country is especially to be congratulated on what has been accomplished in the direction of providing for the exercise of supervision over the great corporations and combinations of corporations engaged in interstate commerce. The Congress has created the Department of Commerce and Labor, including the Bureau of Corporations, with, for the first time authority to secure proper publicity of such proceedings of these great corporations as the public has the right to know. It has provided for the expediting of suits for the enforcement of the Federal antitrust law; and by another law it has secured equal treatment to all producers in the transportation of their goods, thus taking a long stride forward in making effective the work of the Interstate Commerce Commission.

Corporations.

The establishment of the Department of Commerce and Labor, with the Bureau of Corporations thereunder, marks a real advance in the direction of doing all that is possible for the solution of the questions vitally affecting capitalists and wage-workers. The act creating the Department was approved on February 14, 1903, and two days later the head of the Department was nominated and confirmed by the Senate. Since then the work of organization has been pushed as rapidly as the initial appropriations permitted, and with due regard to thoroughness and the broad purposes which the Department is designed to serve. After the transfer of the various bureaus and branches to the Department at the beginning of the current fiscal year, as provided for in the act, the personnel comprised 1,289 employees in Washington and 8,836 in the country at large. The scope of the Department's duty and authority embraces the commercial and industrial interests of the Nation. It is not designed to restrict or control the fullest liberty of legitimate business action, but to secure exact and authentic information which will aid the Executive in enforcing existing laws, and which will enable the Congress to enact additional legislation, if any should be found necessary, in order to prevent the few from obtaining privileges at the expense of diminished opportunities for the many.

Department of Commerce and Labor.

The preliminary work of the Bureau of Corporations in the Department has shown the wisdom of its creation. Publicity in corporate affairs will tend to do away with ignorance, and will afford facts upon which intelligent action may be taken. Systematic, intelligent investigation is already developing facts the knowledge of which is essential to a right understanding of the needs and duties of the business world. The corporation which is honestly and fairly organized, whose managers in the conduct of its business recognize their obligation to deal squarely with their stockholders, their competitors, and the public, has nothing to fear from such supervision. The purpose of this Bureau is not to embarrass or assail legitimate business, but to aid in bringing about a better industrial condition—a condition under which there shall be obedience to law and recognition of public obligation by all corporations, great or small. The Department of Commerce and Labor will be not only the clearing house for information regarding the business transactions of the Nation, but the executive arm of the Government to aid in strengthening our domestic and foreign markets, in perfecting our transportation facilities, in building up our merchant marine, in preventing the entrance of undesirable immigrants, in improving commercial and industrial conditions, and in bringing together on common ground those necessary partners in mutual progress—capital and labor. Commerce between the nations is steadily growing in volume, and the tendency of the times is toward closer trade relations. Constant watchfulness is needed to secure to Americans the chance to participate to the best advantage in foreign trade; and we may confidently expect that the new Department will justify the expectation of its creators by the exercise of this watchfulness, as well as by the businesslike administration of such laws relating to our internal affairs as are intrusted to its care.

Bureau of Corporations.

Functions of new Department.

In enacting the laws above enumerated the Congress proceeded on sane and conservative lines. Nothing revolutionary was attempted; but a common-sense and successful effort was made in

the direction of seeing that corporations are so handled as to subserve the public good. The legislation was moderate. It was characterized throughout by the idea that we were not attacking corporations, but endeavoring to provide for doing away with any evil in them; that we drew the line against misconduct, not against wealth; gladly recognizing the great good done by the capitalist who alone, or in conjunction with his fellows, does his work along proper and legitimate lines. The purpose of the legislation, which purpose will undoubtedly be fulfilled, was to favor such a man when he does well, and to supervise his action only to prevent him from doing ill. Publicity can do no harm to the honest corporation. The only corporation that has cause to dread it is the corporation which shrinks from the light, and about the welfare of such corporations we need not be oversensitive. The work of the Department of Commerce and Labor has been conditioned upon this theory, of securing fair treatment alike for labor and for capital.

The consistent policy of the National Government, so far as it has the power, is to hold in check the unscrupulous man, whether employer or employee; but to refuse to weaken individual initiative or to hamper or cramp the industrial development of the country. We recognize that this is an era of federation and combination, in which great capitalistic corporations and labor unions have become factors of tremendous importance in all industrial centers. Hearty recognition is given the far-reaching, beneficent work which has been accomplished through both corporations and unions, and the line as between different corporations, as between different unions, is drawn as it is between different individuals; that is, it is drawn on conduct, the effort being to treat both organized capital and organized labor alike: asking nothing save that the interest of each shall be brought into harmony with the interest of the general public, and that the conduct of each shall conform to the fundamental rules of obedience to law, of individual freedom, and of justice and fair dealing towards all. Whenever either corporation, labor union, or individual disregards the law or acts in a spirit of arbitrary and tyrannous interference with the rights of others, whether corporations or individuals, then where the Federal Government has jurisdiction, it will see to it that the misconduct is stopped, paying not the slightest heed to the position or power of the corporation, the union or the individual, but only to one vital fact—that is, the question whether or not the conduct of the individual or aggregate of individuals is in accordance with the law of the land. Every man must be guaranteed his liberty and his right to do as he likes with his property or his labor, so long as he does not infringe the rights of others. No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it. Obedience to the law is demanded as a right; not asked as a favor.

Capital and labor.

We have cause as a nation to be thankful for the steps that have been so successfully taken to put these principles into effect. The progress has been by evolution, not by revolution. Nothing radical has been done; the action has been both moderate and resolute. Therefore the work will stand. There shall be no backward step. If in the working of the laws it proves desirable that they shall at any point be expanded or amplified, the amendment can be made as its desirability is shown. Meanwhile they are being administered with judgment, but with insistence upon obedience to them; and their need has been emphasized in signal fashion by the events of the past year.

From all sources, exclusive of the postal service, the receipts of the Government for the last fiscal year aggregated $560,396,674. The expenditures for the same period were $506,099,007, the surplus for the fiscal year being $54,297,667. The indications are that the surplus for the present fiscal year will be very small, if indeed there be any surplus. From July to November the receipts from customs were, approximately, nine million dollars less than the receipts from the same source for a corresponding portion of last year. Should this decrease continue at the same ratio throughout the fiscal year, the surplus would be reduced by, approximately, thirty million dollars. Should the revenue from customs suffer much further decrease during the fiscal year, the surplus would vanish. A large surplus is certainly undesirable. Two years ago the war taxes were taken off with the express intention of equalizing the governmental receipts and expenditures, and though the first year thereafter still showed a surplus, it now seems likely that a substantial equality of revenue and expenditure will be attained. Such being the case it is of great moment both to exercise care and economy in appropriations, and to scan sharply any change in our fiscal revenue system which may reduce our income. The need of strict economy in our expenditures is emphasized by the fact that we can not afford to be parsimonious in providing for what is essential to our national well-being. Careful economy wherever possible will alone prevent our income from falling below the point required in order to meet our genuine needs.

Government receipts and expenditures.

The integrity of our currency is beyond question, and under present conditions it would be unwise and unnecessary to attempt a reconstruction of our entire monetary system. The same liberty should be granted the Secretary of the Treasury to deposit customs receipts as is granted him in the deposit of receipts from other sources. In my Message of December 2, 1902, I called attention to certain needs of the financial situation, and I again ask the consideration of the Congress for these questions.

Needs of financial situation.

During the last session of the Congress, at the suggestion of a joint note from the Republic of Mexico and the Imperial Government of China, and in harmony with an act of the Congress appropriating $25,000 to pay the expenses thereof, a commission was appointed to confer with the principal European countries in the hope that some plan might be devised whereby a fixed rate of exchange could be assured between the gold-standard countries and the silver-standard countries. This commission has filed its preliminary report, which has been made public. I deem it important that the commission be continued, and that a sum of money be appropriated sufficient to pay the expenses of its further labors.

Conference between gold-standard and silver-standard countries.

A majority of our people desire that steps be taken in the interests of American shipping, so that we may once more resume our former position in the ocean carrying trade. But hitherto the differences of opinion as to the proper method of reaching this end have been so wide that it has proved impossible to secure the adoption of any particular scheme. Having in view these facts, I recommend that the Congress direct the Secretary of the Navy, the Postmaster-General, and the Secretary of Commerce and Labor, associated with such a representation from the Senate and House of Representatives as the Congress in its wisdom may designate, to serve as a commission for the purpose of investigating and reporting to the Congress at its next session what legislation is desirable or necessary for the development of the American merchant marine and American commerce, and incidentally of a national ocean mail service of adequate auxiliary naval cruisers and naval reserves. While such a measure is desirable in any event, it is especially desirable at this time, in view of the fact that our present governmental contract for ocean mail with the American Line will expire in 1905. Our ocean mail act was passed in 1891. In 1895 our 20-knot transatlantic mail line was equal to any foreign line. Since then the Germans have put on 23-knot steamers, and the British have contracted for 24-knot steamers. Our service should equal the best. If it does not, the commercial public will abandon it. If we are to stay in the business it ought to be with a full understanding of the advantages to the country on one hand, and on the other with exact knowledge of the cost and proper methods of carrying it on. Moreover, lines of cargo ships are of even more importance than fast mail lines; save so far as the latter can be depended upon to furnish swift auxiliary cruisers in time of war. The establishment of new lines of cargo ships to South America, to Asia, and elsewhere would be much in the interest of our commercial expansion.

Merchant marine.

We can not have too much immigration of the right kind, and we should have none at all of the wrong kind. The need is to devise some system by which undesirable immigrants shall be kept out entirely, while desirable immigrants are properly distributed throughout the country. At present some districts which need immigrants have none; and in others, where the population is already congested, immigrants come in such numbers as to depress the conditions of life for those already there. During the last two years the immigration service at New York has been greatly improved, and the corruption and inefficiency which formerly obtained there have been eradicated. This service has just been investigated by a committee of New York citizens of high standing, Messrs. Arthur v. Briesen, Lee K. Frankel, Eugene A. Philbin, Thomas W. Hynes, and Ralph Trautman. Their report deals with the whole situation at length, and concludes with certain recommendations for administrative and legislative action. It is now receiving the attention of the Secretary of Commerce and Labor.

Immigration.

Investigation of Immigration Service at New York.

The special investigation of the subject of naturalization under the direction of the Attorney-General, and the consequent prosecutions, reveal a condition of affairs calling for the immediate attention of the Congress. Forgeries and perjuries of shameless and flagrant character have been perpetrated, not only in the dense centers of population, but throughout the country; and it is established beyond doubt that very many so-called citizens of the United States have no title whatever to that right, and are asserting and

Naturalization frauds.

enjoying the benefits of the same through the grossest frauds. It is never to be forgotten that citizenship is, to quote the words recently used by the Supreme Court of the United States, an "inestimable heritage," whether it proceeds from birth within the country or is obtained by naturalization: and we poison the sources of our national character and strength at the fountain, if the privilege is claimed and exercised without right, and by means of fraud and corruption. The body politic can not be sound and healthy if many of its constituent members claim their standing through the prostitution of the high right and calling of citizenship. It should mean something to become a citizen of the United States; and in the process no loophole whatever should be left open to fraud.

The methods by which these frauds—now under full investigation with a view to meting out punishment and providing adequate remedies—are perpetrated, include many variations of procedure by which false certificates of citizenship are forged in their entirety; or genuine certificates fraudulently or collusively obtained in blank are filled in by the criminal conspirators; or certificates are obtained on fraudulent statements as to the time of arrival and residence in this country; or imposition and substitution of another party for the real petitioner occur in court; or certificates are made the subject of barter and sale and transferred from the rightful holder to those not entitled to them; or certificates are forged by erasure of the original names and the insertion of the names of other persons not entitled to the same.

It is not necessary for me to refer here at large to the causes leading to this state of affairs. The desire for naturalization is heartily to be commended where it springs from a sincere and permanent intention to become citizens, and a real appreciation of the privilege. But it is a source of untold evil and trouble where it is traceable to selfish and dishonest motives, such as the effort by artificial and improper means, in wholesale fashion to create voters who are ready-made tools of corrupt politicians, or the desire to evade certain labor laws creating discriminations against alien labor. All good citizens, whether naturalized or native born, are equally interested in protecting our citizenship against fraud in any form, and, on the other hand, in affording every facility for naturalization to those who in good faith desire to share alike our privileges and our responsibilities.

The Federal grand jury lately in session in New York City dealt with this subject and made a presentment which states the situation briefly and forcibly and contains important suggestions for the consideration of the Congress. This presentment is included as an appendix to the report of the Attorney-General.

In my last annual Message, in connection with the subject of the due regulation of combinations of capital which are or may become injurious to the public, I recommended a special appropriation for the better enforcement of the antitrust law as it now stands, to be extended under the direction of the Attorney-General. Accordingly (by the legislative, executive, and judicial appropriation act of February 25, 1903, 32 Stat., 854, 904), the Congress appropriated, for the purpose of enforcing the various Federal trust and interstate-commerce laws, the sum of five hundred thousand dollars, to be expended under the direction of the Attorney-General in the employment of special counsel and agents in the Department of Justice to conduct proceedings and prosecutions under said laws in the courts of the United States. I now recommend, as a matter of the utmost importance and urgency, the extension of the purposes of this appropriation, so that it may be available, under the direction of the Attorney-General, and until used, for the due enforcement of the laws of the United States in general and especially of the civil and criminal laws relating to public lands and the laws relating to postal crimes and offenses and the subject of naturalization. Recent investigations have shown a deplorable state of affairs in these three matters of vital concern.

Extension recommended of purposes of appropriation for enforcing trust and interstate-commerce laws.

By various frauds and by forgeries and perjuries, thousands of acres of the public domain, embracing lands of different character and extending through various sections of the country, have been dishonestly acquired. It is hardly necessary to urge the importance of recovering these dishonest acquisitions, stolen from the people, and of promptly and duly punishing the offenders. I speak in another part of this Message of the widespread crimes by which the sacred right of citizenship is falsely asserted and that "inestimable heritage" perverted to base ends. By similar means—that is, through frauds, forgeries, and perjuries, and by shameless briberies—the laws relating to the proper conduct of the public service in general and to the due administration of the Post-Office Department have been notoriously violated, and many indictments have been found, and the consequent prosecutions are in course of hearing or on the eve thereof. For the reasons thus indicated, and so that the Government may be prepared to enforce promptly and with the greatest effect the due penalties for such violations of law, and to this end may be furnished with sufficient instrumentalities and competent legal assistance for the investigations and trials which will be necessary at many different points of the country, I urge upon the Congress the necessity of making the said appropriation available for immediate use for all such purposes, to be expended under the direction of the Attorney-General.

Public-land frauds.

Postal frauds.

Steps have been taken by the State Department looking to the making of bribery an extraditable offense with foreign powers. The need of more effective treaties covering this crime is manifest. The exposures and prosecutions of official corruption in St. Louis, Mo., and other cities and States have resulted in a number of givers and takers of bribes becoming fugitives in foreign lands. Bribery has not been included in extradition treaties heretofore, as the necessity for it has not arisen. While there may have been as much official corruption in former years, there has been more developed and brought to light in the immediate past than in the preceding century of our country's history. It should be the policy of the United States to leave no place on earth where a corrupt man fleeing from this country can rest in peace. There is no reason why bribery should not be included in all treaties as extraditable. The recent amended treaty with Mexico, whereby this crime was put in the list of extraditable offenses, has established a salutary precedent in this regard. Under this treaty the State Department has asked, and Mexico has granted, the extradition of one of the St. Louis bribe givers.

Need for treaties making bribery extraditable.

There can be no crime more serious than bribery. Other offenses violate one law while corruption strikes at the foundation of all law. Under our form of Government all authority is vested in the people and by them delegated to those who represent them in official capacity. There can be no offense heavier than that of him in whom such a sacred trust has been reposed, who sells it for his own gain and enrichment; and no less heavy is the offense of the bribe giver. He is worse than the thief, for the thief robs the individual, while the corrupt official plunders an entire city or State. He is as wicked as the murderer, for the murderer may only take one life against the law, while the corrupt official and the man who corrupts the official alike aim at the assassination of the commonwealth itself. Government of the people, by the people, for the people will perish from the face of the earth if bribery is tolerated. The givers and takers of bribes stand on an evil preeminence of infamy. The exposure and punishment of public corruption is an honor to a nation, not a disgrace. The shame lies in toleration, not in correction. No city or State, still less the Nation, can be injured by the enforcement of law. As long as public plunderers when detected can find a haven of refuge in any foreign land and avoid punishment, just so long encouragement is given them to continue their practices. If we fail to do all that in us lies to stamp out corruption we can not escape our share of responsibility for the guilt. The first requisite of successful self-government is unflinching enforcement of the law and the cutting out of corruption.

For several years past the rapid development of Alaska and the establishment of growing American interests in regions theretofore unsurveyed and imperfectly known brought into prominence the urgent necessity of a practical demarcation of the boundaries between the jurisdictions of the United States and Great Britain. Although the treaty of 1825 between Great Britain and Russia, the provisions of which were copied in the treaty of 1867, whereby Russia conveyed Alaska to the United States, was positive as to the control, first by Russia and later by the United States, of a strip of territory along the continental mainland from the western shore of Portland Canal to Mount St. Elias, following and surrounding the indentations of the coast and including the islands to the westward, its description of the landward margin of the strip was indefinite, resting on the supposed existence of a continuous ridge or range of mountains skirting the coast, as figured in the charts of the early navigators. It had at no time been possible for either party in interest to lay down, under the authority of the treaty, a line so obviously exact according to its provisions as to command the assent of the other. For nearly three-fourths of a century the absence of tangible local interests demanding the exercise of positive jurisdiction on either side of the border left the question dormant. In 1878 questions of revenue administration on the Stikine River led to the establishment of a provisional demarcation, crossing the channel between two high peaks on either side about twenty-four miles above the river mouth. In 1899 similar questions growing out of the extraordinary development of mining interests in the region about the head of Lynn Canal brought about a temporary *modus vivendi*, by which a convenient separation was made at the watershed divides of the White and Chilkoot passes and to the north of Klukwan, on the Klehini River. These partial and tentative adjustments could not, in the very nature of things, be satisfactory or lasting. A permanent disposition of the matter became imperative.

Alaskan boundary.

After unavailing attempts to reach an understanding through a Joint High Commission, followed by prolonged negotiations, conducted in an amicable spirit, a convention between the United States and Great Britain was signed, January 24, 1903, providing for an examination of the subject by a mixed tribunal of six members, three on a side, with a view to its final disposition. Ratifications were exchanged on March 3 last, whereupon the two Governments appointed their respective members. Those on behalf of the United States were Elihu Root, Secretary of War, Henry Cabot Lodge, a Senator of the United States, and George Turner, an ex-Senator of the United States, while Great Britain named the Right Honourable Lord Alverstone, Lord Chief Justice of England, Sir Louis Amable Jetté, K. C. M. G., retired judge of the Supreme Court of Quebec, and A. B. Aylesworth, K. C., of Toronto. This Tribunal met in London on September 3, under the Presidency of Lord Alverstone. The proceedings were expeditious, and marked by a friendly and conscientious spirit. The respective cases, counter cases, and arguments presented the issues clearly and fully. On the 20th of October a majority of the Tribunal reached and signed an agreement on all the questions submitted by the terms of the Convention. By this award the right of the United States to the control of a continuous strip or border of the mainland shore, skirting all the tide-water inlets and sinuosities of the coast, is confirmed; the entrance to Portland Canal (concerning which legitimate doubt appeared) is defined as passing by Tongass Inlet and to the northwestward of Wales and Pearse islands; a line is drawn from the head of Portland Canal to the fifty-sixth degree of north latitude; and the interior border line of the strip is fixed by lines connecting certain mountain summits lying between Portland Canal and Mount St. Elias, and running along the crest of the divide separating the coast slope from the inland watershed at the only part of the frontier where the drainage ridge approaches the coast within the distance of ten marine leagues stipulated by the treaty as the extreme width of the strip around the heads of Lynn Canal and its branches.

While the line so traced follows the provisional demarcation of 1878 at the crossing of the Stikine River, and that of 1899 at the summits of the White and Chilkoot passes, it runs much farther inland from the Klehini than the temporary line of the later *modus vivendi*, and leaves the entire mining district of the Porcupine River and Glacier Creek within the jurisdiction of the United States.

The result is satisfactory in every way. It is of great material advantage to our people in the Far Northwest. It has removed from the field of discussion and possible danger a question liable to become more acutely accentuated with each passing year. Finally, it has furnished a signal proof of the fairness and good will with which two friendly nations can approach and determine issues involving national sovereignty and by their nature incapable of submission to a third power for adjudication.

The award is self-executing on the vital points. To make it effective as regards the others it only remains for the two Governments to appoint, each on its own behalf, one or more scientific experts, who shall, with all convenient speed, proceed together to lay down the boundary line in accordance with the decision of the majority of the Tribunal. I recommend that the Congress make adequate provision for the appointment, compensation, and expenses of the members to serve on this joint boundary commission on the part of the United States.

It will be remembered that during the second session of the last Congress Great Britain, Germany, and Italy formed an alliance for the purpose of blockading the ports of Venezuela and using such other means of pressure as would secure a settlement of claims due, as they alleged, to certain of their subjects. Their employment of force for the collection of these claims was terminated by an agreement brought about through the offices of the diplomatic representatives of the United States at Caracas and the Government at Washington, thereby ending a situation which was bound to cause increasing friction, and which jeoparded the peace of the continent. Under this agreement Venezuela agreed to set apart a certain percentage of the customs receipts of two of her ports to be applied to the payment of whatever obligations might be ascertained by mixed commissions appointed for that purpose to be due from her, not only to the three powers already mentioned, whose proceedings against her had resulted in a state of war, but also to the United States, France, Spain, Belgium, the Netherlands, Sweden and Norway, and Mexico, who had not employed force for the collection of the claims alleged to be due to certain of their citizens.

Claims against Venezuela.

A demand was then made by the so-called blockading powers that the sums ascertained to be due to their citizens by such mixed commissions should be accorded payment in full before anything was paid upon the claims of any of the so-called peace powers. Venezuela, on the other hand, insisted that all her creditors should be paid upon a basis of exact equality. During the efforts to adjust this dispute it was suggested by the powers in interest that it should be referred to me for decision, but I was clearly of the opinion that a far wiser course would be to submit the question to the Permanent Court of Arbitration at The Hague. It seemed to me to offer an admirable opportunity to advance the practice of the peaceful settlement of disputes between nations and to secure for the Hague Tribunal a memorable increase of its practical importance. The nations interested in the controversy were so numerous and in many instances so powerful as to make it evident that beneficent results would follow from their appearance at the same time before the bar of that august tribunal of peace.

Claims submitted to the Permanent Court of Arbitration at The Hague.

Our hopes in that regard have been realized. Russia and Austria are represented in the persons of the learned and distinguished jurists who compose the Tribunal, while Great Britain, Germany, France, Spain, Italy, Belgium, the Netherlands, Sweden and Norway, Mexico, the United States, and Venezuela are represented by their respective agents and counsel. Such an imposing concourse of nations presenting their arguments to and invoking the decision of that high court of international justice and international peace can hardly fail to secure a like submission of many future controversies. The nations now appearing there will find it far easier to appear there a second time, while no nation can imagine its just pride will be lessened by following the example now presented. This triumph of the principle of international arbitration is a subject of warm congratulation and offers a happy augury for the peace of the world.

There seems good ground for the belief that there has been a real growth among the civilized nations of a sentiment which will permit a gradual substitution of other methods than the method of war in the settlement of disputes. It is not pretended that as yet we are near a position in which it will be possible wholly to prevent war, or that a just regard for national interest and honor will in all cases permit of the settlement of international disputes by arbitration; but by a mixture of prudence and firmness with wisdom we think it is possible to do away with much of the provocation and excuse for war, and at least in many cases to substitute some other and more rational method for the settlement of disputes. The Hague Court offers so good an example of what can be done in the direction of such settlement that it should be encouraged in every way.

Advancement of cause of international arbitration.

Further steps should be taken. In President McKinley's annual Message of December 5, 1898, he made the following recommendation:

"The experiences of the last year bring forcibly home to us a sense of the burdens and the waste of war. We desire, in common with most civilized nations, to reduce to the lowest possible point the damage sustained in time of war by peaceable trade and commerce. It is true we may suffer in such cases less than other communities, but all nations are damaged more or less by the state of uneasiness and apprehension into which an outbreak of hostilities throws the entire commercial world. It should be our object, therefore, to minimize, so far as practicable, this inevitable loss and disturbance. This purpose can probably best be accomplished by an international agreement to regard all private property at sea as exempt from capture or destruction by the forces of belligerent powers. The United States Government has for many years advocated this humane and beneficent principle, and is now in a position to recommend it to other powers without the imputation of selfish motives. I therefore suggest for your consideration that the Executive be authorized to correspond with the governments of the principal maritime powers with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers."

Exemption of private property at sea from capture by belligerent powers.

I cordially renew this recommendation.

The Supreme Court, speaking on December 11, 1899, through Peckham, J., said:

"It is, we think, historically accurate to say that this Government has always been, in its views, among the most advanced of the governments of the world in favor of mitigating, as to all noncombatants, the hardships and horrors of war. To accomplish that object it has always advocated those rules which would in most cases do away with the right to capture the private property of an enemy on the high seas."

I advocate this as a matter of humanity and morals. It is anachronistic when private property is respected on land that it should not be respected at sea. Moreover, it should be borne in mind that shipping represents, internationally speaking, a much more generalized species of private property than is the case with ordinary property on land—that is, property found at sea is much

less apt than is the case with property found on land really to belong to any one nation. Under the modern system of corporate ownership the flag of a vessel often differs from the flag which would mark the nationality of the real ownership and money control of the vessel; and the cargo may belong to individuals of yet a different nationality. Much American capital is now invested in foreign ships; and among foreign nations it often happens that the capital of one is largely invested in the shipping of another. Furthermore, as a practical matter, it may be mentioned that while commerce destroying may cause serious loss and great annoyance, it can never be more than a subsidiary factor in bringing to terms a resolute foe. This is now well recognized by all of our naval experts. The fighting ship, not the commerce destroyer, is the vessel whose feats add renown to a nation's history, and establish her place among the great powers of the world.

Meeting of Interparliamentary Union for International Arbitration.

Last year the Interparliamentary Union for International Arbitration met at Vienna, six hundred members of the different legislatures of civilized countries attending. It was provided that the next meeting should be in 1904 at St. Louis, subject to our Congress extending an invitation. Like the Hague Tribunal, this Interparliamentary Union is one of the forces tending towards peace among the nations of the earth, and it is entitled to our support. I trust the invitation can be extended.

Relations with Turkey.

Early in July, having received intelligence, which happily turned out to be erroneous, of the assassination of our vice-consul at Beirut, I dispatched a small squadron to that port for such service as might be found necessary on arrival. Although the attempt on the life of our vice-consul had not been successful, yet the outrage was symptomatic of a state of excitement and disorder which demanded immediate attention. The arrival of the vessels had the happiest result. A feeling of security at once took the place of the former alarm and disquiet; our officers were cordially welcomed by the consular body and the leading merchants, and ordinary business resumed its activity. The Government of the Sultan gave a considerate hearing to the representations of our minister; the official who was regarded as responsible for the disturbed condition of affairs was removed. Our relations with the Turkish Government remain friendly; our claims founded on inequitable treatment of some of our schools and missions appear to be in process of amicable adjustment.

Relations with China.

The signing of a new commercial treaty with China, which took place at Shanghai on the 8th of October, is a cause for satisfaction. This act, the result of long discussion and negotiation, places our commercial relations with the great Oriental Empire on a more satisfactory footing than they have ever heretofore enjoyed. It provides not only for the ordinary rights and privileges of diplomatic and consular officers, but also for an important extension of our commerce by increased facility of access to Chinese ports, and for the relief of trade by the removal of some of the obstacles which have embarrassed it in the past. The Chinese Government engages, on fair and equitable conditions, which will probably be accepted by the principal commercial nations, to abandon the levy of "likin" and other transit dues throughout the Empire, and to introduce other desirable administrative reforms. Larger facilities are to be given to our citizens who desire to carry on mining enterprises in China. We have secured for our missionaries a valuable privilege, the recognition of their right to rent and lease in perpetuity such property as their religious societies may need in all parts of the Empire. And, what was an indispensable condition for the advance and development of our commerce in Manchuria, China, by treaty with us, has opened to foreign commerce the cities of Mukden, the capital of the province of Manchuria, and Antung, an important port on the Yalu River, on the road to Korea. The full measure of development which our commerce may rightfully expect can hardly be looked for until the settlement of the present abnormal state of things in the Empire; but the foundation for such development has at last been laid.

Reduction in cost of maintaining Consular Service.

I call your attention to the reduced cost in maintaining the consular service for the fiscal year ending June 30, 1903, as shown in the annual report of the Auditor for the State and other Departments, as compared with the year previous. For the year under consideration the excess of expenditures over receipts on account of the consular service amounted to $26,125.12, as against $96,972.50 for the year ending June 30, 1902, and $147,040.16 for the year ending June 30, 1901. This is the best showing in this respect for the consular service for the past fourteen years, and the reduction in the cost of the service to the Government has been made in spite of the fact that the expenditures for the year in question were more than $20,000 greater than for the previous year.

Rural Free-delivery Service.

The rural free-delivery service has been steadily extended. The attention of the Congress is asked to the question of the compensation of the letter carriers and clerks engaged in the postal service, especially on the new rural free-delivery routes. More routes have been installed since the first of July last than in any like period in the Department's history. While a due regard to economy must be kept in mind in the establishment of new routes, yet the extension of the rural free-delivery system must be continued, for reasons of sound public policy. No governmental movement of recent years has resulted in greater immediate benefit to the people of the country districts. Rural free delivery, taken in connection with the telephone, the bicycle, and the trolley, accomplishes much toward lessening the isolation of farm life and making it brighter and more attractive. In the immediate past the lack of just such facilities as these has driven many of the more active and restless young men and women from the farms to the cities: for they rebelled at loneliness and lack of mental companionship. It is unhealthy and undesirable for the cities to grow at the expense of the country; and rural free delivery is not only a good thing in itself, but is good because it is one of the causes which check this unwholesome tendency towards the urban concentration of our population at the expense of the country districts. It is for the same reason that we sympathize with and approve of the policy of building good roads. The movement for good roads is one fraught with the greatest benefit to the country districts.

Good roads.

I trust that the Congress will continue to favor in all proper ways the Louisiana Purchase Exposition. This Exposition commemorates the Louisiana purchase, which was the first great step in the expansion which made us a continental nation. The expedition of Lewis and Clark across the continent followed thereon, and marked the beginning of the process of exploration and colonization which thrust our national boundaries to the Pacific. The acquisition of the Oregon country, including the present States of Oregon and Washington, was a fact of immense importance in our history: first giving us our place on the Pacific seaboard, and making ready the way for our ascendency in the commerce of the greatest of the oceans. The centennial of our establishment upon the western coast by the expedition of Lewis and Clark is to be celebrated at Portland, Oregon, by an exposition in the summer of 1905, and this event should receive recognition and support from the National Government.

Louisiana Purchase Exposition.

Lewis and Clark Exposition.

I call your special attention to the Territory of Alaska. The country is developing rapidly, and it has an assured future. The mineral wealth is great and has as yet hardly been tapped. The fisheries, if wisely handled and kept under national control, will be a business as permanent as any other, and of the utmost importance to the people. The forests if properly guarded will form another great source of wealth. Portions of Alaska are fitted for farming and stock raising, although the methods must be adapted to the peculiar conditions of the country. Alaska is situated in the far north; but so are Norway and Sweden and Finland; and Alaska can prosper and play its part in the New World just as those nations have prospered and played their parts in the Old World. Proper land laws should be enacted; and the survey of the public lands immediately begun. Coal-land laws should be provided whereby the coal-land entryman may make his location and secure patent under methods kindred to those now prescribed for homestead and mineral entrymen. Salmon hatcheries, exclusively under Government control, should be established. The cable should be extended from Sitka westward. Wagon roads and trails should be built, and the building of railroads promoted in all legitimate ways. Light-houses should be built along the coast. Attention should be paid to the needs of the Alaska Indians; provision should be made for an officer, with deputies, to study their needs, relieve their immediate wants, and help them adapt themselves to the new conditions.

Development of Alaska.

Alaskan salmon fisheries.

The commission appointed to investigate, during the season of 1903, the condition and needs of the Alaskan salmon fisheries, has finished its work in the field, and is preparing a detailed report thereon. A preliminary report reciting the measures immediately required for the protection and preservation of the salmon industry has already been submitted to the Secretary of Commerce and Labor for his attention and for the needed action.

Hawaii.

I recommend that an appropriation be made for building lighthouses in Hawaii, and taking possession of those already built. The Territory should be reimbursed for whatever amounts it has already expended for lighthouses. The governor should be empowered to suspend or remove any official appointed by him, without submitting the matter to the legislature.

The Philippines and Porto Rico.

Of our insular possessions the Philippines and Porto Rico it is gratifying to say that their steady progress has been such as to make it unnecessary to spend much time in discussing them. Yet the Congress should ever keep in mind that a peculiar obligation rests upon us to further in every way the welfare of these communities. The Philippines should be knit closer to us by tariff arrangements. It would, of course, be impossible suddenly to raise the people of the islands to the high pitch of industrial prosperity and of governmental efficiency to which they will in the end by degrees attain; and the caution and moderation shown in developing them have been among the main reasons why this development has hitherto gone on so smoothly. Scrupulous care has been taken in the choice of governmental agents, and the entire elimination of partisan politics from the public service. The condition of the islanders is in material things far better than ever before, while their governmental, intellectual, and moral advance has kept pace with their material advance. No one people ever benefited another people more than we have benefited the Filipinos by taking possession of the islands.

Receipts of General Land Office.

The cash receipts of the General Land Office for the last fiscal year were $11,024,743.65, an increase of $4,762,816.47 over the preceding year. Of this sum, approximately, $8,461,493 will go to the credit of the fund for the reclamation of arid land, making the total of this fund, up to the 30th of June, 1903, approximately, $16,191,836.

Removal of fences about unlawful inclosures of public lands.

A gratifying disposition has been evinced by those having unlawful inclosures of public land to remove their fences. Nearly two million acres so inclosed have been thrown open on demand. In but comparatively few cases has it been necessary to go into court to accomplish this purpose. This work will be vigorously prosecuted until all unlawful inclosures have been removed.

Necessity for revision of public-land laws.

Experience has shown that in the western States themselves, as well as in the rest of the country, there is widespread conviction that certain of the public-land laws and the resulting administrative practice no longer meet the present needs. The character and uses of the remaining public lands differ widely from those of the public lands which Congress had especially in view when these laws were passed. The rapidly increasing rate of disposal of the public lands is not followed by a corresponding increase in home building. There is a tendency to mass in large holdings public lands, especially timber and grazing lands, and thereby to retard settlement. I renew and emphasize my recommendation of last year that so far as they are available for agriculture in its broadest sense, and to whatever extent they may be reclaimed under the national irrigation law, the remaining public lands should be held rigidly for the home builder. The attention of the Congress is especially directed to the timber and stone law, the desert-land law, and the commutation clause of the homestead law, which in their operation have in many respects conflicted with wise public land policy. The discussions in the Congress and elsewhere have made it evident that there is a wide divergence of opinions between those holding opposite views on these subjects; and that the opposing sides have strong and convinced representatives of weight both within and without the Congress; the differences being not only as to matters of opinion but as to matters of fact. In order that definite information may be available for the use of the Congress, I have appointed a commission composed of W. A. Richards, Commissioner of the General Land Office; Gifford Pinchot, Chief of the Bureau of Forestry of the Department of Agriculture, and F. H. Newell, Chief Hydrographer of the Geological Survey, to report at the earliest practicable moment upon the condition, operation, and effect of the present land laws and on the use, condition, disposal, and settlement of the public lands. The commission will report especially what changes in organization, laws, regulations, and practice affecting the public lands are needed to effect the largest practicable disposition of the public lands to actual settlers who will build permanent homes upon them, and to secure in permanence the fullest and most effective use of the resources of the public lands; and it will make such other reports and recommendations as its study of these questions may suggest. The commission is to report immediately upon those points concerning which its judgment is clear; on any point upon which it has doubt it will take the time necessary to make investigation and reach a final judgment.

Irrigation.

The work of reclamation of the arid lands of the West is progressing steadily and satisfactorily under the terms of the law setting aside the proceeds from the disposal of public lands. The corps of engineers known as the Reclamation Service, which is conducting the surveys and examinations, has been thoroughly organized, especial pains being taken to secure under the civil-service rules a body of skilled, experienced, and efficient men. Surveys and examinations are progressing throughout the arid States and Territories, plans for reclaiming works being prepared and passed upon by boards of engineers before approval by the Secretary of the Interior. In Arizona and Nevada, in localities where such work is preeminently needed, construction has already been begun. In other parts of the arid West various projects are well advanced towards the drawing up of contracts, these being delayed in part by necessities of reaching agreements or understanding as regards rights of way or acquisition of real estate. Most of the works contemplated for construction are of national importance, involving interstate questions or the securing of stable, self-supporting communities in the midst of vast tracts of vacant land. The Nation as a whole is of course the gainer by the creation of these homes, adding as they do to the wealth and stability of the country, and furnishing a home market for the products of the East and South. The reclamation law, while perhaps not ideal, appears at present to answer the larger needs for which it is designed. Further legislation is not recommended until the necessities of change are more apparent.

Preservation of forests.

The study of the opportunities of reclamation of the vast extent of arid land shows that whether this reclamation is done by individuals, corporations, or the State, the sources of water supply must be effectively protected and the reservoirs guarded by the preservation of the forests at the headwaters of the streams. The engineers making the preliminary examinations continually emphasize this need and urge that the remaining public lands at the headwaters of the important streams of the West be reserved to insure permanency of water supply for irrigation. Much progress in forestry has been made during the past year. The necessity for perpetuating our forest resources, whether in public or private hands, is recognized now as never before. The demand for forest reserves has become insistent in the West, because the West must use the water, wood, and summer range which only such reserves can supply. Progressive lumbermen are striving, through forestry, to give their business permanence. Other great business interests are awakening to the need of forest preservation as a business matter. The Government's forest work should receive from the Congress hearty support, and especially support adequate for the protection of the forest reserves against fire. The forest-reserve policy of the Government has passed beyond the experimental stage and has reached a condition where scientific methods are essential to its successful prosecution. The administrative features of forest reserves are at present unsatisfactory, being divided between three Bureaus of two Departments. It is therefore recommended that all matters pertaining to forest reserves, except those involving or pertaining to land titles, be consolidated in the Bureau of Foresty of the Department of Agriculture.

Cotton weevil.

The cotton-growing States have recently been invaded by a weevil that has done much damage and threatens the entire cotton industry. I suggest to the Congress the prompt enactment of such remedial legislation as its judgment may approve.

Patents to foreigners.

In granting patents to foreigners the proper course for this country to follow is to give the same advantages to foreigners here that the countries in which these foreigners dwell extend in return to our citizens; that is, to extend the benefits of our patent laws on inventions and the like where in return the articles would be patentable in the foreign countries concerned—where an American could get a corresponding patent in such countries.

Indian affairs.

The Indian agents should not be dependent for their appointment or tenure of office upon considerations of partisan politics; the practice of appointing, when possible, ex-army officers or bonded superintendents to the vacancies that occur is working well. Attention is invited to the widespread illiteracy due to lack of public schools in the Indian Territory. Prompt heed should be paid to the need of education for the children in this Territory.

Safety-appliance law.

In my last annual Message the attention of the Congress was called to the necessity of enlarging the safety-appliance law, and it is gratifying to note that this law was amended in important respects. With the increasing railway mileage of the country, the greater number of men employed, and the use of larger and heavier equipment, the urgency for renewed effort to prevent the loss of life and limb upon the railroads of the country, particularly to employees, is apparent. For the inspection of water craft and the Life-Saving Service upon the water the Congress has built up an elaborate body of protective legislation and a thorough method of inspection and is annually spending large sums of money. It is encouraging to observe that the Congress is alive to the interests of those who are employed upon our wonderful arteries of commerce—the railroads—who so safely transport millions of passengers and billions of tons of freight. The Federal inspection

of safety appliances, for which the Congress is now making appropriations, is a service analogous to that which the Government has upheld for generations in regard to vessels, and it is believed will prove of great practical benefit, both to railroad employees and the traveling public. As the greater part of commerce is interstate and exclusively under the control of the Congress the needed safety and uniformity must be secured by national legislation.

No other class of our citizens deserves so well of the Nation as those to whom the Nation owes its very being, the veterans of the civil war. Special attention is asked to the excellent work of the Pension Bureau in expediting and disposing of pension claims. During the fiscal year ending July 1, 1903, the Bureau settled 251,982 claims, an average of 825 claims for each working day of the year. The number of settlements since July 1, 1903, has been in excess of last year's average, approaching 1,000 claims for each working day, and it is believed that the work of the Bureau will be current at the close of the present fiscal year.

Pensions.

During the year ended June 30 last 25,566 persons were appointed through competitive examinations under the civil-service rules. This was 12,672 more than during the preceding year, and 40 per cent of those who passed the examinations. This abnormal growth was largely occasioned by the extension of classification to the rural free-delivery service and the appointment last year of over 9,000 rural carriers. A revision of the civil-service rules took effect on April 15 last, which has greatly improved their operation. The completion of the reform of the civil service is recognized by good citizens everywhere as a matter of the highest public importance, and the success of the merit system largely depends upon the effectiveness of the rules and the machinery provided for their enforcement. A very gratifying spirit of friendly cooperation exists in all the Departments of the Government in the enforcement and uniform observance of both the letter and spirit of the civil-service act. Executive orders of July 3, 1902; March 26, 1903, and July 8, 1903, require that appointments of all unclassified laborers, both in the Departments at Washington and in the field service, shall be made with the assistance of the United States Civil Service Commission, under a system of registration to test the relative fitness of applicants for appointment or employment. This system is competitive, and is open to all citizens of the United States qualified in respect to age, physical ability, moral character, industry, and adaptability for manual labor; except that in case of veterans of the civil war the element of age is omitted. This system of appointment is distinct from the classified service and does not classify positions of mere laborer under the civil-service act and rules. Regulations in aid thereof have been put in operation in several of the Departments and are being gradually extended in other parts of the service. The results have been very satisfactory, as extravagance has been checked by decreasing the number of unnecessary positions and by increasing the efficiency of the employees remaining.

Extension of civil-service rules.

The Congress, as the result of a thorough investigation of the charities and reformatory institutions in the District of Columbia, by a joint select committee of the two Houses which made its report in March, 1898, created in the act approved June 6, 1900, a board of charities for the District of Columbia, to consist of five residents of the District, appointed by the President of the United States, by and with the advice and consent of the Senate, each for a term of three years, to serve without compensation. President McKinley appointed five men who had been actively prominent in the public charities in Washington, all of whom, on taking office July 1, 1900, resigned from the different institutions with which they had been connected. The members of the board have been reappointed in successive years. The board serves under the Commissioners of the District of Columbia. The board gave its first year to a careful and impartial study of the special conditions before it, and has continued that study every year in the light of the best practice in public charities elsewhere. The recommendations in its annual reports to the Congress through the Commissioners of the District of Columbia "for the economical and efficient administration of the charities and reformatories of the District of Columbia," as required by the act creating it, have been based upon the principles commended by the joint select committee of the Congress in its report of March, 1898, and approved by the best administrators of public charities, and make for the desired systematization and improvement of the affairs under its supervision. They are worthy of favorable consideration by the Congress.

Reports of Board of Charities for District of Columbia.

The effect of the laws providing a General Staff for the Army and for the more effective use of the National Guard has been excellent. Great improvement has been made in the efficiency of our Army in recent years. Such schools as those erected at Fort Leavenworth and Fort Riley and the institution of fall maneuver work accomplish satisfactory results. The good effect of these maneuvers upon the National Guard is marked, and ample appropriation should be made to enable the guardsmen of the several States to share in the benefit. The Government should as soon as possible secure suitable permanent camp sites for military maneuvers in the various sections of the country. The service thereby rendered not only to the Regular Army, but to the National Guard of the several States, will be so great as to repay many times over the relatively small expense. We should not rest satisfied with what has been done, however. The only people who are contented with a system of promotion by mere seniority are those who are contented with the triumph of mediocrity over excellence. On the other hand, a system which encouraged the exercise of social or political favoritism in promotions would be even worse. But it would surely be easy to devise a method of promotion from grade to grade in which the opinion of the higher officers of the service upon the candidates should be decisive upon the standing and promotion of the latter. Just such a system now obtains at West Point. The quality of each year's work determines the standing of that year's class, the man being dropped or graduated into the next class in the relative position which his military superiors decide to be warranted by his merit. In other words, ability, energy, fidelity, and all other similar qualities determine the rank of a man year after year in West Point, and his standing in the Army when he graduates from West Point; but from that time on, all effort to find which man is best or worst, and reward or punish him accordingly, is abandoned: no brilliancy, no amount of hard work, no eagerness in the performance of duty, can advance him, and no slackness or indifference that falls short of a court-martial offense can retard him. Until this system is changed we can not hope that our officers will be of as high grade as we have a right to expect, considering the material upon which we draw. Moreover, when a man renders such service as Captain Pershing rendered last spring in the Moro campaign, it ought to be possible to reward him without at once jumping him to the grade of brigadier-general.

The Army.

Shortly after the enunciation of that famous principle of American foreign policy now known as the "Monroe Doctrine," President Monroe, in a special Message to Congress on January 30, 1824, spoke as follows: "The Navy is the arm from which our Government will always derive most aid in support of our * * * rights. Every power engaged in war will know the strength of our naval power, the number of our ships of each class, their condition, and the promptitude with which we may bring them into service, and will pay due consideration to that argument."

The Navy.

I heartily congratulate the Congress upon the steady progress in building up the American Navy. We can not afford a let-up in this great work. To stand still means to go back. There should be no cessation in adding to the effective units of the fighting strength of the fleet. Meanwhile the Navy Department and the officers of the Navy are doing well their part by providing constant service at sea under conditions akin to those of actual warfare. Our officers and enlisted men are learning to handle the battle ships, cruisers, and torpedo boats with high efficiency in fleet and squadron formations, and the standard of marksmanship is being steadily raised. The best work ashore is indispensable, but the highest duty of a naval officer is to exercise command at sea.

The establishment of a naval base in the Philippines ought not to be longer postponed. Such a base is desirable in time of peace; in time of war it would be indispensable, and its lack would be ruinous. Without it our fleet would be helpless. Our naval experts are agreed that Subig Bay is the proper place for the purpose. The national interests require that the work of fortification and development of a naval station at Subig Bay be begun at an early date; for under the best conditions it is a work which will consume much time.

It is eminently desirable, however, that there should be provided a naval general staff on lines similar to those of the General Staff lately created for the Army. Within the Navy Department itself the needs of the service have brought about a system under which the duties of a general staff are partially performed; for the Bureau of Navigation has under its direction the War College, the Office of Naval Intelligence, and the Board of Inspection, and has been in close touch with the General Board of the Navy. But though under the excellent officers at their head, these boards and bureaus do good work, they have not the authority of a general staff, and have not sufficient scope to insure a proper readiness for emergencies. We need the establishment by law of a body of trained officers, who shall exercise a systematic control of the military affairs of the Navy, and be authorized advisers of the Secretary concerning it.

By the act of June 28, 1902, the Congress authorized the President to enter into treaty with Colombia for the building of the canal across the Isthmus of Panama: it being provided that in the event of failure to secure such treaty after the lapse of a reasonable time, recourse should be had to building a canal through Nicaragua. It has not been necessary to consider this alternative, as I am enabled to lay before the Senate a treaty providing for the building of the canal across the Isthmus of Panama. This was the route which commended itself to the deliberate judgment of the Congress, and we can now acquire by treaty the right to construct the canal over this route. The question now, therefore, is not by which route the isthmian canal shall be built, for that question has been definitely and irrevocably decided. The question is simply whether or not we shall have an isthmian canal.

Isthmian Canal.

When the Congress directed that we should take the Panama route under treaty with Colombia, the essence of the condition, of course, referred not to the Government which controlled that route, but to the route itself; to the territory across which the route lay, not to the name which for the moment the territory bore on the map. The purpose of the law was to authorize the President to make a treaty with the power in actual control of the Isthmus of Panama. This purpose has been fulfilled.

In the year 1846 this Government entered into a treaty with New Granada, the predecessor upon the Isthmus of the Republic of Colombia and of the present Republic of Panama, by which treaty it was provided that the Government and citizens of the United States should always have free and open right of way or transit across the Isthmus of Panama by any modes of communication that might be constructed, while in turn our Government guaranteed the perfect neutrality of the above-mentioned Isthmus with the view that the free transit from the one to the other sea might not be interrupted or embarrassed. The treaty vested in the United States a substantial property right carved out of the rights of sovereignty and property which New Granada then had and possessed over the said territory. The name of New Granada has passed away and its territory has been divided. Its successor, the Government of Colombia, has ceased to own any property in the Isthmus. A new Republic, that of Panama, which was at one time a sovereign state, and at another time a mere department of the successive confederations known as New Granada and Colombia, has now succeeded to the rights which first one and then the other formerly exercised over the Isthmus. But as long as the Isthmus endures, the mere geographical fact of its existence, and the peculiar interest therein which is required by our position, perpetuate the solemn contract which binds the holders of the territory to respect our right to freedom of transit across it, and binds us in return to safeguard for the Isthmus and the world the exercise of that inestimable privilege. The true interpretation of the obligations upon which the United States entered in this treaty of 1846 has been given repeatedly in the utterances of Presidents and Secretaries of State. Secretary Cass in 1858 officially stated the position of this Government as follows:

Review of relations of United States Government in matter of transit across Isthmus of Panama.

"The progress of events has rendered the interoceanic route across the narrow portion of Central America vastly important to the commercial world, and especially to the United States, whose possessions extend along the Atlantic and Pacific coasts, and demand the speediest and easiest modes of communication. While the rights of sovereignty of the states occupying this region should always be respected, we shall expect that these rights be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if administered with more regard to the just demands of other nations than they have been, would be permitted, in a spirit of Eastern isolation, to close the gates of intercourse on the great highways of the world, and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them, or, what is almost equivalent, to encumber them with such unjust relations as would prevent their general use."

Seven years later, in 1865, Mr. Seward in different communications took the following position:

"The United States have taken and will take no interest in any question of internal revolution in the State of Panama, or any State of the United States of Colombia, but will maintain a perfect neutrality in connection with such domestic altercations. The United States will, nevertheless, hold themselves ready to protect the transit trade across the Isthmus against invasion of either domestic or foreign disturbers of the peace of the State of Panama. * * * Neither the text nor the spirit of the stipulation in that article by which the United States engages to preserve the neutrality of the Isthmus of Panama, imposes an obligation on this Government to comply with the requisition [of the President of the United States of Colombia for a force to protect the Isthmus of Panama from a body of insurgents of that country]. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power only."

Attorney-General Speed, under date of November 7, 1865, advised Secretary Seward as follows:

"From this treaty it can not be supposed that New Granada invited the United States to become a party to the intestine troubles of that Government, nor did the United States become bound to take sides in the domestic broils of New Granada. The United States did guarantee New Granada in the sovereignty and property over the territory. This was as against other and foreign governments."

For four hundred years, ever since shortly after the discovery of this hemisphere, the canal across the Isthmus has been planned. For two score years it has been worked at. When made it is to last for the ages. It is to alter the geography of a continent and the trade routes of the world. We have shown by every treaty we have negotiated or attempted to negotiate with the peoples in control of the Isthmus and with foreign nations in reference thereto our consistent good faith in observing our obligations; on the one hand to the peoples of the Isthmus, and on the other hand to the civilized world whose commercial rights we are safeguarding and guaranteeing by our action. We have done our duty to others in letter and in spirit, and we have shown the utmost forbearance in exacting our own rights.

Last spring, under the act above referred to, a treaty concluded between the representatives of the Republic of Colombia and of our Government was ratified by the Senate. This treaty was entered into at the urgent solicitation of the people of Colombia and after a body of experts appointed by our Government especially to go into the matter of the routes across the Isthmus had pronounced unanimously in favor of the Panama route. In drawing up this treaty every concession was made to the people and to the Government of Colombia. We were more than just in dealing with them. Our generosity was such as to make it a serious question whether we had not gone too far in their interest at the expense of our own; for in our scrupulous desire to pay all possible heed, not merely to the real but even to the fancied rights of our weaker neighbor, who already owed so much to our protection and forbearance, we yielded in all possible ways to her desires in drawing up the treaty. Nevertheless the Government of Colombia not merely repudiated the treaty, but repudiated it in such manner as to make it evident by the time the Colombian Congress adjourned that not the scantiest hope remained of ever getting a satisfactory treaty from them. The Government of Colombia made the treaty, and yet when the Colombian Congress was called to ratify it the vote against ratification was unanimous. It does not appear that the Government made any real effort to secure ratification.

Repudiation of treaty by Colombia.

Immediately after the adjournment of the Congress a revolution broke out in Panama. The people of Panama had long been discontented with the Republic of Colombia, and they had been kept quiet only by the prospect of the conclusion of the treaty, which was to them a matter of vital concern. When it became evident that the treaty was hopelessly lost, the people of Panama rose literally as one man. Not a shot was fired by a single man on the Isthmus in the interest of the Colombian Government. Not a life was lost in the accomplishment of the revolution. The Colombian troops stationed on the Isthmus, who had long been unpaid, made common cause with the people of Panama, and with astonishing unanimity the new Republic was started. The duty of the United States in the premises was clear. In strict accordance with the principles laid down by Secretaries Cass and Seward in the official documents above quoted, the United States gave notice that it would permit the landing of no expeditionary force, the arrival of which would mean chaos and destruction along the line of the railroad and of the proposed canal, and an interruption of transit as an inevitable consequence. The de facto Government of Panama was recognized in the following telegram to Mr. Ehrman:

Revolution in Panama.

Course of United States.

"The people of Panama have, by apparently unanimous movement, dissolved their political connection with the Republic of Colombia and resumed their independence. When you are satisfied that a de facto government, republican in form and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all due action to protect the persons and property of citizens of the United States and to keep open the isthmian transit, in accordance with the obligations of existing treaties governing the relations of the United States to that territory."

The Government of Colombia was notified of our action by the following telegram to Mr. Beaupré:

"The people of Panama having, by an apparently unanimous movement, dissolved their political connection with the Republic of Colombia and resumed their independence, and having adopted a Government of their own, republican in form, with which the

Government of the United States of America has entered into relations, the President of the United States, in accordance with the ties of friendship which have so long and so happily existed between the respective nations, most earnestly commends to the Governments of Colombia and of Panama the peaceful and equitable settlement of all questions at issue between them. He holds that he is bound not merely by treaty obligations, but by the interests of civilization, to see that the peaceful traffic of the world across the Isthmus of Panama shall not longer be disturbed by a constant succession of unnecessary and wasteful civil wars."

When these events happened, fifty-seven years had elapsed since the United States had entered into its treaty with New Granada. During that time the Governments of New Granada and of its successor, Colombia, have been in a constant state of flux. The following is a partial list of the disturbances on the Isthmus of Panama during the period in question as reported to us by our consuls. It is not possible to give a complete list, and some of the reports that speak of "revolutions" must mean unsuccessful revolutions.

Disturbances on Isthmus since 1846.

May 22, 1850.—Outbreak; two Americans killed. War vessel demanded to quell outbreak.

October, 1850.—Revolutionary plot to bring about independence of the Isthmus.

July 22, 1851.—Revolution in four southern provinces.

November 14, 1851.—Outbreak at Chagres. Man-of-war requested for Chagres.

June 27, 1853.—Insurrection at Bogota, and consequent disturbance on Isthmus. War vessel demanded.

May 23, 1854.—Political disturbances; war vessel requested.

June 28, 1854.—Attempted revolution.

October 24, 1854.—Independence of Isthmus demanded by provincial legislature.

April, 1856.—Riot, and massacre of Americans.

May 4, 1856.—Riot.

May 18, 1856.—Riot.

June 3, 1856.—Riot.

October 2, 1856.—Conflict between two native parties. United States forces landed.

December 18, 1858.—Attempted secession of Panama.

April, 1859.—Riots.

September, 1860.—Outbreak.

October 4, 1860.—Landing of United States forces in consequence.

May 23, 1861.—Intervention of the United States forces required by intendente.

October 2, 1861.—Insurrection and civil war.

April 4, 1862.—Measures to prevent rebels crossing Isthmus.

June 13, 1862.—Mosquera's troops refused admittance to Panama.

March, 1865.—Revolution, and United States troops landed.

August, 1865.—Riots; unsuccessful attempt to invade Panama.

March, 1866.—Unsuccessful revolution.

April, 1867.—Attempt to overthrow Government.

August, 1867.—Attempt at revolution.

July 5, 1868.—Revolution; provisional government inaugurated.

August 29, 1868.—Revolution; provisional government overthrown.

April, 1871.—Revolution; followed apparently by counter revolution.

April, 1873.—Revolution and civil war which lasted to October, 1875.

August, 1876.—Civil war which lasted until April, 1877.

July, 1878.—Rebellion.

December, 1878.—Revolt.

April, 1879.—Revolution.

June, 1879.—Revolution.

March, 1883.—Riot.

May, 1883.—Riot.

June, 1884.—Revolutionary attempt.

December, 1884.—Revolutionary attempt.

January, 1885.—Revolutionary disturbances.

March, 1885.—Revolution.

April, 1887.—Disturbance on Panama Railroad.

November, 1887.—Disturbance on line of canal.

January, 1889.—Riot.

January, 1895.—Revolution which lasted until April.

March, 1895.—Incendiary attempt.

October, 1899.—Revolution.

February, 1900, to July, 1900.—Revolution.

January, 1901.—Revolution.

July, 1901.—Revolutionary disturbances.

September, 1901.—City of Colon taken by rebels

March, 1902.—Revolutionary disturbances.

July, 1902.—Revolution.

The above is only a partial list of the revolutions, rebellions, insurrections, riots, and other outbreaks that have occurred during the period in question; yet they number 53 for the 57 years. It will be noted that one of them lasted for nearly three years before it was quelled; another for nearly a year. In short, the experience of over half a century has shown Colombia to be utterly incapable of keeping order on the Isthmus. Only the active interference of the United States has enabled her to preserve so much as a semblance of sovereignty. Had it not been for the exercise by the United States of the police power in her interest, her connection with the Isthmus would have been sundered long ago. In 1856, in 1860, in 1873, in 1885, in 1901, and again in 1902, sailors and marines from United States war ships were forced to land in order to patrol the Isthmus, to protect life and property, and to see that the transit across the Isthmus was kept open. In 1861, in 1862, in 1885, and in 1900, the Colombian Government asked that the United States Government would land troops to protect its interests and maintain order on the Isthmus. Perhaps the most extraordinary request is that which has just been received and which runs as follows:

Latest proposition of Colombian Government.

"Knowing that revolution has already commenced in Panama [an eminent Colombian] says that if the Government of the United States will land troops to preserve Colombian sovereignty, and the transit, if requested by Colombian chargé d'affaires, this Government will declare martial law; and, by virtue of vested constitutional authority, when public order is disturbed, will approve by decree the ratification of the canal treaty as signed; or, if the Government of the United States prefers, will call extra session of the Congress—with new and friendly members—next May to approve the treaty. [An eminent Colombian] has the perfect confidence of vice-president, he says, and if it became necessary will go to the Isthmus or send representative there to adjust matters along above lines to the satisfaction of the people there."

This dispatch is noteworthy from two standpoints. Its offer of immediately guaranteeing the treaty to us is in sharp contrast with the positive and contemptuous refusal of the Congress which has just closed its sessions to consider favorably such a treaty; it shows that the Government which made the treaty really had absolute control over the situation, but did not choose to exercise this control. The dispatch further calls on us to restore order and secure Colombian supremacy in the Isthmus from which the Colombian Government has just by its action decided to bar us by preventing the construction of the canal.

Importance to United States of control of means of undisturbed transit across Isthmus.

The control, in the interest of the commerce and traffic of the whole civilized world, of the means of undisturbed transit across the Isthmus of Panama has become of transcendent importance to the United States. We have repeatedly exercised this control by intervening in the course of domestic dissension, and by protecting the territory from foreign invasion. In 1858 Mr. Everett assured the Peruvian minister that we should not hesitate to maintain the neutrality of the Isthmus in the case of war between Peru and Colombia. In 1864 Colombia, which has always been vigilant to avail itself of its privileges conferred by the treaty, expressed its expectation that in the event of war between Peru and Spain the United States would carry into effect the guaranty of neutrality. There have been few administrations of the State Department in which this treaty has not, either by the one side or the other, been used as a basis of more or less important demands. It was said by Mr. Fish in 1871 that the Department of State had reason to believe that an attack upon Colombian sovereignty on the Isthmus had, on several occasions, been averted by warning from this Government. In 1886, when Colombia was under the menace of hostilities from Italy in the Cerruti case, Mr. Bayard expressed the serious concern that the United States could not but feel, that a European power should resort to force against a sister republic of this hemisphere, as to the sovereign and uninterrupted use of a part of whose territory we are guarantors under the solemn faith of a treaty.

The above recital of facts establishes beyond question: First, that the United States has for over half a century patiently and in good faith carried out its obligations under the treaty of 1846; second, that when for the first time it became possible for Colombia to do anything in requital of the services thus repeatedly rendered to it for fifty-seven years by the United States, the Colombian Government peremptorily and offensively refused thus to do its part, even though to do so would have been to its advantage and immeasurably to the advantage of the State of Panama, at that time under its jurisdiction; third, that throughout this period revolutions, riots, and factional disturbances of every kind have occurred one after the other in almost uninterrupted succession, some of them lasting for months and even for years, while the central government was unable to put them down or to make peace with the rebels; fourth, that these disturbances instead of showing any sign of abating have tended to grow more numerous and more serious in the immediate past; fifth, that the control of

Colombia over the Isthmus of Panama could not be maintained without the armed intervention and assistance of the United States. In other words, the Government of Colombia, though wholly unable to maintain order on the Isthmus, has nevertheless declined to ratify a treaty the conclusion of which opened the only chance to secure its own stability and to guarantee permanent peace on, and the construction of a canal across, the Isthmus.

Under such circumstances the Government of the United States would have been guilty of folly and weakness, amounting in their sum to a crime against the Nation, had it acted otherwise than it did when the revolution of November 3 last took place in Panama. This great enterprise of building the interoceanic canal can not be held up to gratify the whims, or out of respect to the governmental impotence, or to the even more sinister and evil political peculiarities, of people who, though they dwell afar off, yet, against the wish of the actual dwellers on the Isthmus, assert an unreal supremacy over the territory. The possession of a territory fraught with such peculiar capacities as the Isthmus in question carries with it obligations to mankind. The course of events has shown that this canal can not be built by private enterprise, or by any other nation than our own; therefore it must be built by the United States.

Every effort has been made by the Government of the United States to persuade Colombia to follow a course which was essentially not only to our interests and to the interests of the world, but to the interests of Colombia itself. These efforts have failed; and Colombia, by her persistence in repulsing the advances that have been made, has forced us, for the sake of our own honor, and of the interest and well-being, not merely of our own people, but of the people of the Isthmus of Panama and the people of the civilized countries of the world, to take decisive steps to bring to an end a condition of affairs which had become intolerable. The new Republic of Panama immediately offered to negotiate a treaty with us. This treaty I herewith submit. By it our interests are better safeguarded than in the treaty with Colombia which was ratified by the Senate at its last session. It is better in its terms than the treaties offered to us by the Republics of Nicaragua and Costa Rica. At last the right to begin this great undertaking is made available. Panama has done her part. All that remains is for the American Congress to do its part, and forthwith this Republic will enter upon the execution of a project colossal in its size and of well-nigh incalculable possibilities for the good of this country and the nations of mankind.

Submission of treaty with new Republic of Panama.

By the provisions of the treaty the United States guarantees and will maintain the independence of the Republic of Panama. There is granted to the United States in perpetuity the use, occupation, and control of a strip ten miles wide and extending three nautical miles into the sea at either terminal, with all lands lying outside of the zone necessary for the construction of the canal or for its auxiliary works, and with the islands in the Bay of Panama. The cities of Panama and Colon are not embraced in the canal zone, but the United States assumes their sanitation and, in case of need, the maintenance of order therein; the United States enjoys within the granted limits all the rights, power, and authority which it would possess were it the sovereign of the territory to the exclusion of the exercise of sovereign rights by the Republic. All railway and canal property rights belonging to Panama and needed for the canal pass to the United States, including any property of the respective companies in the cities of Panama and Colon; the works, property, and personnel of the canal and railways are exempted from taxation as well in the cities of Panama and Colon as in the canal zone and its dependencies. Free immigration of the personnel and importation of supplies for the construction and operation of the canal are granted. Provision is made for the use of military force and the building of fortifications by the United States for the protection of the transit. In other details, particularly as to the acquisition of the interests of the New Panama Canal Company and the Panama Railway by the United States and the condemnation of private property for the uses of the canal, the stipulations of the Hay-Herran treaty are closely followed, while the compensation to be given for these enlarged grants remains the same, being ten millions of dollars payable on exchange of ratifications; and, beginning nine years from that date, an annual payment of $250,000 during the life of the convention.

Provisions of treaty.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 7, 1903.*

The PRESIDING OFFICER (Mr. FAIRBANKS in the chair). The message will be printed, and lie on the table.

LANDS IN THE PHILIPPINE ISLANDS.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on the Philippines, and ordered to be printed:

To the Senate and House of Representatives:

I submit herewith, with my approval thereof, rules and regulations for the lease, sale, or other disposition of the public lands, other than timber or mineral lands, in the Philippine Islands, made by the government of said islands, pursuant to the provisions of section 13 of the act entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved July 1, 1902.

I also transmit therewith a letter from the Secretary of War, dated December 5, 1903, with inclosures.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 7, 1903.*

REPORT OF THE SECRETARY OF WAR.

The PRESIDENT pro tempore laid before the Senate the annual report of the Secretary of War for the year 1903; which was ordered to lie on the table, and be printed.

REPORT OF THE SECRETARY OF THE NAVY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Secretary of the Navy for the year 1903; which was ordered to lie on the table, and be printed.

REPORT OF THE ATTORNEY-GENERAL.

The PRESIDENT pro tempore laid before the Senate the annual report of the Attorney-General for the year 1903; which was ordered to lie on the table, and be printed.

REPORT OF THE SECRETARY OF AGRICULTURE.

The PRESIDENT pro tempore laid before the Senate the annual report of the Secretary of Agriculture for the year 1903; which was ordered to lie on the table, and be printed.

Mr. COCKRELL. These reports will be printed with the President's message?

The PRESIDENT pro tempore. They will be printed with the message.

REPORT OF THE COMMISSIONERS OF THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate the annual report of the Commissioners of the District of Columbia for the year ended June 30, 1903; which was ordered to lie on the table, and be printed.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The Chair lays before the Senate House bill 1921, known as the Cuban bill. It will be stated.

The SECRETARY. A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole.

Mr. CULLOM. I have agreed to yield to the Senator from Pennsylvania [Mr. PENROSE] to secure the adoption of a resolution, if there is no controversy about it, and I understand there will be none. I yield to allow the Senator to call it up.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. PENROSE. I ask unanimous consent to call up for present consideration the resolution reported this morning from the Committee to Audit and Control the Contingent Expenses of the Senate, in reference to an investigation of the Post-Office Department.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent that the Senate shall proceed to the consideration of a resolution which will be read at length.

The Secretary read the resolution submitted by Mr. PENROSE on the 1st instant and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and irregularity of new in the administration of the affairs of the Post-Office Department, is hereby authorized and instructed to request the Postmaster-General to send to the committee all papers connected with the recent investigation of its Department, and if necessary, to make further inquiry into the administration of the said Department, and to make report thereon to Congress upon completion of said investigation.

Resolved, That said committee shall have power to send for persons, books, and papers, examine witnesses under oath, employ a stenographer, and sit, by subcommittee or otherwise, during the sessions of the Senate or during the periods of its adjournment, at such times and places as the committee may determine; and the actual and necessary expenses of said investigation shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee to Audit and Control the Contingent Expenses of the Senate with an amendment, on page 1, line 14, after the word "Senate," to strike out "or during the periods of its adjournment."

The amendment was agreed to.

Mr. GORMAN. I offer the amendments to the resolution which I send to the desk.

The PRESIDENT pro tempore. The amendments proposed by the Senator from Maryland will be stated.

The SECRETARY. It is proposed, on page 1, line 4, after the word "hereby," to strike out the words "authorized and;" in line 7, after the word "and," to strike out the words "if necessary to;" and to insert "said committee shall;" in line 8, after the word "administration," to insert "and expenditures;" in line 9, after the word "to," to strike out "Congress" and insert "the Senate;" and at the end of line 10 to insert "on or before the 1st day of May, 1904."

The PRESIDENT pro tempore. The Chair will put the question on the first amendment proposed by the Senator from Maryland [Mr. GORMAN], which will be again stated.

Mr. PENROSE. I desire to say that I am perfectly willing to accept the amendments proposed by the Senator from Maryland and hope that they will be adopted by the Senate without objection.

Mr. PLATT of Connecticut. Mr. President, if I understand the amendments, I am not disposed to accept them, and I should like to have the resolution read as it would be if so amended.

The PRESIDENT pro tempore. The resolution will be read as proposed to be amended by the Senator from Maryland.

The Secretary read the resolution as proposed to be amended, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and violations of law in the administration of the affairs of the Post-Office Department, be hereby authorized to request the Postmaster-General to send to the committee all papers connected with the recent investigation of the Department, and said committee shall make further inquiry into the administration and expenditures of the said Department, and to make report thereon to the Senate upon competition of said investigation on or before the 1st day of May, 1904.

Resolved, That said committee shall have power to send for persons, books, and papers, to administer oaths, employ a stenographer, and sit by subcommittee or otherwise, during the sessions of the Senate, at such times and places as the chairman of said committee may determine, and the actual and necessary expenses of said investigation shall be paid out of the contingent fund of the Senate, upon vouchers approved by the chairman of the committee.

Mr. PLATT of Connecticut. Mr. President, if I understand the effect of these proposed amendments it is that the Senate shall now decide, and so declare, that the Committee on Post-Offices and Post-Roads is instructed to institute an investigation into what have been termed the "scandals" in the Post-Office Department. The resolution as it came from the committee provided that the papers connected with the investigation, or the report, as it has been called, of the Fourth Assistant Postmaster-General, should be sent to the committee, and then, upon perusal of that report, if they found it was necessary or proper, they might institute further proceedings. I think that resolution was just right.

Mr. BACON. Will the Senator permit me to ask him to which committee he refers when he says the resolution came from the committee?

Mr. PLATT of Connecticut. I refer to the Committee on Post-Offices and Post-Roads.

Mr. BACON. I think the Senator from Connecticut is mistaken. I do not think the resolution was ever referred to the Committee on Post-Offices and Post-Roads. It came from another committee.

The PRESIDENT pro tempore. The resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. PLATT of Connecticut. The resolution was introduced by the chairman of the Committee on Post-Offices and Post-Roads. To that extent it is supposed to represent the conclusions of that committee. It was then referred, as it called for the expenditure of money, to the Committee on Contingent Expenses and has been reported back by that committee. But my statement was that the resolution as introduced by the chairman of the Committee on Post-Offices and Post-Roads called for the papers to be sent to the Senate, and, of course, to the committee, and then instructed the committee, if it found it necessary or proper upon a perusal of that report of the Fourth Assistant Postmaster-General, as we all understand it to be, to go further in the matter and to institute further inquiry and investigation.

The effect of the proposed amendments, therefore, is to ask the Senate now, without that report having been laid before it, without knowing to what extent the investigation has already gone and whether there is really any occasion for further investigation, to decide that a further legislative Senatorial investigation of the affairs of the Post-Office Department shall be made.

Mr. President, I am not in favor of that. This is not the time to determine that question. It will be time to determine that question when the papers have been sent to the committee and the whole scope and extent of the investigation is before the Senate and the committee. To say now that a legislative investigation of this subject shall be had is, as it seems to me, acting in the dark—acting without knowing whether there is any occasion to pursue the matter further than it has already been pursued by the investigation set on foot in the Post-Office Department by the direction of the Postmaster-General and with the approval of the President. It seems to me entirely out of order and out of character that we should at this time determine that there should be a further, and, indeed, an original, investigation of this matter by this branch of Congress.

Mr. HOAR. Mr. President, I should like to call the attention of the chairman of the Committee on Post-Offices and Post-Roads to the question whether this resolution pursues the usual course in such matters. As I understand it, the two Houses of Congress have the right to require any Department of the Government to lay before them the public records and papers in their archives which are needed for the information of the Legislature. The only exception we make to that is in cases where it is supposed the public interests may be harmed by making such things public, and then we address a request to the President to have the proper information conveyed if, in his judgment, it be not inconsistent with the public interests.

If I understand this resolution correctly, it directs a committee of the Senate to request the Postmaster-General to do so and so. I do not think that puts us in quite the proper relation to that Department. We should direct the Postmaster-General to send in such papers; or, if there is any doubt, because of some legal proceedings which are pending or otherwise, we should ask the President for the information, if, in his judgment, it be not inconsistent with the public interests.

Mr. CULLOM. Mr. President, when I gave way to allow this resolution to be considered I was led to understand that there would be no opposition whatever to it and that the chairman of the Committee on Post-Offices and Post-Roads was anxious to get to work. I yielded with that expectation. If there is going to be any further discussion about the resolution, I hope it will be either referred to the Committee on Post-Offices and Post-Roads or laid over until some other day.

Mr. PENROSE. I do not understand that there will be any discussion. There is no opposition to the resolution. It is simply a matter of altering the wording here and there. I hope the Senator from Illinois will permit the matter to be disposed of now. It will not take long.

Mr. CULLOM. I am perfectly willing to allow the Senate to vote upon the resolution if it is ready to do so.

Mr. PENROSE. I think the Senate is ready to vote upon the resolution now. So far as I am concerned, as the author of the resolution, I am perfectly willing to accept the amendments which have been proposed, altering the wording. If the Senator from Massachusetts feels better satisfied with the use of the word "direct" instead of "request," I shall cheerfully accept such an amendment.

Mr. HOAR. I suggest that the resolution be amended so as to read that the Postmaster-General be directed to send to the Senate so and so, and that the committee do so and so.

Mr. PENROSE. I accept that amendment, and I ask for a vote on the resolution as proposed to be amended by the Senator from Maryland [Mr. GORMAN].

Mr. NELSON. I object to that without having an opportunity to say something about the resolution.

Mr. CULLOM. I hope the resolution will be recommitted to the Committee on Post-Offices and Post-Roads, if it came from that committee.

Mr. BACON. It has never been referred to that committee.

Mr. NELSON. I will move to refer the resolution to the Committee on Post-Offices and Post-Roads. I understand from the Senator from Georgia [Mr. BACON] that the resolution has not been considered by that committee. Unless it is so referred, I shall ask the privilege of submitting a few remarks upon this question before it passes.

Mr. BATE. The amendments proposed by the Senator from Maryland [Mr. GORMAN] should be acted upon before the resolution is referred to the committee.

Mr. PLATT of Connecticut. Mr. President, I merely want to say that, although I accepted the statement of the Senator from Pennsylvania [Mr. PENROSE] that there was no opposition to this resolution, I still maintain in my own mind that there is opposition of at least one Senator to the resolution.

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. NELSON] moves that the resolution be referred to the Committee on Post-Offices and Post-Roads.

Mr. PENROSE. Mr. President, I do not know that there is any use in referring the resolution to the Committee on Post-Offices and Post-Roads. If the Senator from Minnesota [Mr. NELSON] desires to be heard on the resolution, I am willing that it shall go over until he can have an opportunity to do so.

Mr. NELSON. If the resolution has not been considered by the Committee on Post-Offices and Post-Roads I think it is highly appropriate that it should be referred to that committee and considered by them. I was under the impression to-day, when the resolution was reported, that it had come from that committee, but it seems that it has only been referred to another committee

which has to deal with the expenses incident to such investigations.

Mr. CLAY. Will the Senator allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. CLAY. It is true this resolution was referred, if I remember correctly, to the Committee to Audit and Control the Contingent Expenses of the Senate, and was reported back to the Senate. This is simply a resolution instructing the Committee on Post-Offices and Post-Roads to make an investigation. I can not see why a resolution of this kind ought to be referred to a committee at all. It is a resolution by the Senate instructing a certain committee to investigate a branch of the Government with which it deals. It does seem to me that if we want to discuss the resolution we ought to let it go over and discuss it, and then act upon it. I can not see the need of referring it to any committee.

Mr. CULLOM. I hope the Senator from Pennsylvania will allow the resolution to go over until to-morrow.

Mr. ALLISON. A motion to refer is always in order, and the Senator from Minnesota can make that motion to-morrow as well as to-day.

Mr. NELSON. Very well; I have no objection to the resolution going over until to-morrow.

Mr. CULLOM. I believe, Mr. President, that the resolution is out of the way for the time being.

The PRESIDENT pro tempore. The resolution has gone over.

TRADE RELATIONS WITH CUBA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. CULLOM. Mr. President, I desire, in pursuance of the understanding which was reached during the last called session of Congress, to proceed to the discussion of the bill known as the "Cuban bill." I wish to say in the outset that there seems to be no occasion for a discussion of the constitutional questions which may be involved in it. I shall not, therefore, take up any question of that kind, but simply direct the few remarks that I shall make as a beginning of this discussion to the merits of the question of the ratification of the treaty and the passage of the pending bill.

The bill to carry into effect the reciprocity treaty between the United States and Cuba, having passed the House, has been favorably reported from the Committee on Foreign Relations and is now before the Senate for consideration.

This bill in terms authorizes the President, after receiving evidence that Cuba has made provision to give full effect to the reciprocity treaty between the two countries, to issue his proclamation declaring that he has received such evidence, and thereafter the products of Cuba now admitted free of duty by the United States shall continue to be so admitted, and all other products of the Republic of Cuba shall during the life of said convention be admitted at a reduction of 20 per cent.

That is the real substance of the bill, although it undertakes to recite all the provisions of the treaty in which the United States, on its part, makes concessions to the Republic of Cuba.

The only clause in the bill which is not found in the treaty is that provision which says:

And provided further, That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress originating in said House.

This clause was inserted in the bill, as appears from the report of the committee of the other branch of Congress, because the treaty says that no sugar the product of any other foreign country shall be admitted by treaty or convention into the United States, while this convention is in force, at a lower rate of duty than that provided by the Dingley Act. This provision being inserted in the bill, it was thought by the other branch that it by implication advanced the idea that by treaty or convention tariff duties could be changed, and the committee having the matter in charge desired that if the question should ever come before the Supreme Court it should not go to that court with the admission on the part of the House that, even by implication, the House admitted that the President and Senate could by treaty change the tariff law.

I do not desire at this time, at least, to discuss the constitutional question whether the President and Senate have the power to make and ratify reciprocity treaties which of their own force, without Congressional action, repeal revenue laws in conflict with them. That is a question on which there is a grave difference of opinion even among Senators, and on which the authorities are in conflict. However, a discussion of that important constitutional question is made unnecessary by the fact that the Senate itself, in order to facilitate the ratification of the treaty, in order to avoid controversy, and in view of the fact that similar provision had been inserted in our previous reciprocity treaties with Canada, with Hawaii, with Mexico, adopted an amendment to the Cuban treaty which provided that it should not take effect until approved by the Congress.

I will only say in passing that the declaration in the bill under consideration that "nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that customs duties can be changed otherwise than by an act of Congress" is in no way binding upon the Senate. It is only a declaration of the views of the other branch of Congress. It is only a declaration which in different forms that branch of Congress has been resolving upon, and which it has maintained for the past one hundred years, but which has never received the sanction of the Senate or perhaps of the Executive.

Now, in reference to the form of the bill, which substantially reenacts the treaty in the form of a law: In my opinion a bill or resolution simply approving the treaty in so many words, without reciting its various provisions, would have been sufficient. However, the form of the approval is immaterial. An enactment of the various terms of the treaty is probably a sufficient approval of it, though not in terms.

I believe, Mr. President, that is all I desire to say in reference to the bill itself. Now, a few words in reference to our trade with Cuba and the treaty which the passage of this bill will carry into effect.

As Senators fully appreciate, Congress has now but a negative action over the treaty. The treaty having been ratified by both Governments, it can hardly now be amended or changed in the slightest particular. It must be approved as it stands or rejected as a whole. If this bill is not passed, the treaty, according to its terms, will never go into effect.

Statistics very clearly demonstrate that the products of the United States must be given special concessions in the ports of Cuba or we can not hope to secure a fair proportion of the Cuban market. The fact is that England, Germany, and European countries are underselling us in the Cuban market. Our products must have special concessions. The result has been that the balance of trade between the United States and Cuba is now in favor of Cuba. We purchase her entire crop of sugar and a large part of her tobacco and cigars, as well as of every other article which she exports, and yet we do not supply one-half of Cuba's imports. Situated within a few miles of our own coast, we should control the Cuban market. England and European countries generally are making great efforts to secure that market. These efforts were commenced immediately after Cuba was recognized as an independent government.

Illustrating the methods which are used to place the products of England and Europe in Cuba at a lower price than the United States can afford to do, it has been authoritatively stated that the carrying rates between European ports and Habana are lower than they are between New York, or even Mobile, and Habana. European ships can afford to carry the goods to Cuba at a sacrifice, because they are reimbursed by carrying the Cuban sugar and tobacco to New York and by charging comparatively high rates for carrying American products to the European market.

The late statistics show that while Cuba is constantly sending to the United States more of her sugar she is buying less of our products. Spain has lost most of her large trade with Cuba, but that trade has gone to Great Britain, France, and Germany, and not to the United States.

During the year 1902 the total imports of Cuba were $62,135,000, of which but a little over $26,000,000 worth were supplied by the United States. Other American countries supplied over eight million; Germany supplied nearly four million; Spain, ten million; France, two million; England, over nine million, and other European countries about a million and a half.

Our consul-general at Habana says that, comparing the trade of Cuba in the first three months of the year 1899 with that of the first three months of 1903, the loss and gains in supplying the imports of Cuba are as follows: United States, loss of 16 per cent; England, gain of 24 per cent; France, gain of 14 per cent; Germany, a gain of 146 per cent. That great gain of Germany resulted from the fact that she had until recently very little trade with Cuba.

During the fiscal year ending June 30, 1903, Cuba's total imports amounted to $62,620,279, of which amount the United States supplied but $21,769,572. During the previous fiscal year, 1902, Cuba's total imports were about the same, and we supplied $26,628,000. In other words, we sold to Cuba during the last fiscal year, 1903, nearly $5,000,000 less than we sold her during the fiscal year 1902, and at the same time Cuba's imports have not decreased, but she has purchased more from England and Europe.

These figures speak for themselves, and certainly show that we are rapidly losing even the small part of the Cuban market which

we formerly controlled. If our exports to Cuba continue to decrease as rapidly in the next few years as they have decreased since 1899, it will be but a few years when the United States will have lost the entire Cuban market, assuming, of course, that we fail to make a reciprocity treaty with Cuba. We must enter into reciprocal relations with Cuba or we will lose the greater part of the 21,000,000 worth of merchandise we are now selling her.

Now, as to Cuba's exports to the United States. During the last fiscal year, ending June 30, 1903, Cuba's exports to the United States amounted to $52,341,000, as against $34,695 for the previous fiscal year, 1902. Cuba sent us, therefore, over $27,000,000 worth of her product during the year 1903 more than she sent us during the year 1902. It is not probable or possible that there will be such an enormous increase in the exports of Cuba to the United States in the next few years as there was during the past fiscal year. The increase during the past fiscal year is caused by the fact that during that year Cuba sold us forty-two and a half million dollars' worth of raw sugar, while in 1902 she sold us but a little over $18,000,000 worth. Cuba did not double her crop of sugar in one year. While she substantially increased that crop, the fact is that much of the sugar which she sent us last year was sugar which had been held in Cuba from the crops of previous years, waiting for better prices and perhaps for the ratification of a treaty of reciprocity between the two countries. The price of sugar for the past two or three years has been very low, and naturally the Cuban planter held his sugar just as long as he possibly could, hoping to obtain the benefit of the reduction provided for in this treaty. Therefore Cuba, during the past fiscal year, sent us several hundred millions of pounds more of sugar than she actually produced.

It is true, of course, that the production of sugar in Cuba has very largely increased within the last few years, and it is probable that it will increase in the years to come. But that can not be used as an argument against the treaty at this time. Our consumption of sugar is enormous, and we last year imported from foreign countries, strictly speaking, over $70,000,000 worth, of which Cuba supplied last year more than one-half.

What the United States desires by this reciprocity treaty is to secure the great Cuban market for the products of our farms and factories. We want to supply the forty or fifty million dollars' worth of merchandise which Cuba is now buying from Europe.

For a few minutes I will talk about the treaty itself, especially the concessions on the part of Cuba, discussing those concessions in the light of the latest statistics.

General Bliss, collector of the port of Habana during the American occupation, negotiated this treaty. Thoroughly versed in all the details of the Cuban market and the Cuban trade, he obtained from Cuba concessions on our products varying from 20 to 40 per cent, with the end in view of obtaining the highest concessions on the imports of Cuba now supplied by European countries, being satisfied with small concessions where we are already supplying the Cuban market. In other words, the object which General Bliss had in view in negotiating this treaty was to obtain the most he could from Cuba in return for the least concessions on our part. With General Bliss it was a cold business proposition. He wanted to negotiate a treaty that would expand the trade of the United States, not having in view particularly the benefit which such a treaty might prove to Cuba.

Article I of the treaty provides that everything now on the free lists of both countries shall remain on the free lists of both countries.

During the last year Cuba admitted from the United States articles free of duty to the value of $4,000,000, which included $1,294,000 worth of coal and nearly a million and a half dollars' worth of pine lumber.

During the last fiscal year the United States admitted from Cuba free of duty articles to the value of $3,114,807, which included over a million dollars' worth of cabinet woods, mahogany, as well as a large amount of such articles as cocoa, bananas, cocoanuts, etc., which are not raised in this country.

So by this first article Cuba agrees to continue to admit into her ports from the United States, free of duty, articles which last year amounted to $4,000,000; and the United States agrees to admit into our ports, free of duty, from Cuba articles which last year amounted to a little over three million.

Article II of the treaty contains the principal concession on the part of the United States, we by that article agreeing to admit all of the products of Cuba not now admitted free at a reduction of 20 per cent. Last fiscal year, ending June 30, 1903, we obtained from Cuba $50,827,000 worth of dutiable merchandise, upon which we collected $10,998,067 in duties. Upon these articles, principally sugar and tobacco, we will make a 20 per cent reduction.

Our concession, therefore, based on last year's imports, would amount to nearly $10,000,000.

But the last fiscal year is hardly a year upon which to make a fair basis, as Cuba so very largely increased her sales of sugar and tobacco to the United States, selling us very much more than she actually produced—that is, sending us a large quantity of sugar and tobacco which she had been holding in store.

Based on our imports of Cuban products for the fiscal year 1902, our concessions in revenue would amount to hardly $6,000,000.

And then, again, it must be remembered that our duty on both sugar and tobacco is very high, amounting to 102 per cent ad valorem on refined sugar and 97 per cent on raw sugar; being on leaf tobacco over 78 per cent; on cigars over 100 per cent ad valorem.

Cuba in return for this concession of 20 per cent gives us concessions of 20, 25, 30, and 40 per cent, respectively, on the products of the United States. An examination of that treaty will show that she actually gives us a concession on every single product which we send her, except those on the free list, because she gives us a concession of 20 per cent on everything on which she does not give us a greater concession.

Some of the articles on which we will obtain a 20 per cent concession, together with Cuba's import of those articles during the last fiscal year, are: Oils, over $700,000; manufactures of wood, nearly $800,000; machinery and apparatus, $1,733,000; meats and meat products, $1,688,746; lard, $3,175,000; coffee, over a million dollars; oats, beans, pease, potatoes, as well as a large number of other articles.

Some of the articles on which we obtain a 25 per cent concession, together with Cuba's import of those articles during the last fiscal year, are: Cast iron, wrought iron and steel, the trade of Cuba in which last year amounted to $2,968,519, of which the United States supplied one-half.

Brandies; the trade amounts to half a million dollars, of which we supply one-fifth.

In fish the trade last year was $927,739, of which we supplied $237,000.

Some of the articles on which the United States obtains a 30 per cent concession, together with Cuba's trade in those articles, are:

Butter. We supplied but $30,000 worth out of $125,000. We ought to supply all the butter they consume.

Flour of wheat. We supply the entire Cuban market, amounting to $2,231,000. We supply also her entire import of corn, amounting to a million dollars.

So far as obtaining a greater part of the Cuban market in flour and corn is concerned, it was unnecessary to have any concession at all; but this 30 per cent concession will go into the pockets of our millers.

In beer we have but a small proportion of the trade, amounting to a half million dollars.

In chemical and pharmaceutical products, on which we obtain a 30 per cent concession, we supplied in 1902 a little over $600,000 worth out of a total of $1,455,000.

But the most important article in the whole treaty upon which we get a concession from Cuba is our concession of 30 per cent on cotton and manufactures thereof, which includes all kinds of cotton goods except knit goods. This concession of 30 per cent will enable us to control the Cuban market in the cheaper and medium-priced cotton goods, of which the great bulk of the trade consists. The trade in cotton goods is a constantly increasing trade, amounting last year to $6,178,645, of which the United States supplies but $719,983.

Another important concession of 30 per cent is the concession on boots and shoes. Last year Cuba imported $1,791,000 worth of boots and shoes and we supplied less than $600,000 worth. This concession will enable us to control the Cuban market if our manufacturers of shoes will show some regard for the particular needs of the Cuban people. They will not wear and will not buy such shoes as are manufactured for use in the United States.

Another important 30 per cent concession obtained from Cuba is the concession on wines. Last year the Cubans imported $1,698,031 worth of wines, of which we supplied but a little over $3,000 worth. Our California wine manufacturers should be able to supply Cuba with a large part of the cheap wine which is consumed on the island.

On knitted goods Cuba gives us a 40 per cent concession, her trade in those goods amounting to $600,000, of which we supplied $16,000.

She gives us a 40 per cent concession on wool and manufactures, her trade in these articles amounting to $674,748, of which we supplied but $30,000. This concession should give us that trade.

Cuba gives us a 40 per cent concession on rice. Last year she imported $3,126,000 worth of rice, of which we supplied but a couple of hundred dollars' worth. If we can raise sufficient rice here in order to be able to export, the 40 per cent concession will afford us a great market in Cuba for our rice. I desire to say, Mr. President, that of late I have been getting letters from Americans showing an interest in this matter, and a purpose to go into the

rice business, and I hope they will enter upon it and carry it on to such an extent that they will be able to export to Cuba and other countries.

But I can not go into more of these figures. I will only say that on all of the articles on which Cuba gives us concessions it will increase our trade, and in many of them it will give us the entire Cuban market in those particular articles.

During the last year the United States sent to Cuba $18,852,532 worth of dutiable merchandise, upon which Cuba collected $5,006,147. Under the terms of the treaty her revenue concessions, based on last year's import, would amount to $1,109,337.

The respective revenue concessions would appear to be unequal, based on last year's trade, and they will continue to be, in my judgment, unless we pass the pending bill, carrying into effect the treaty, and in that way control the markets of that country as against Germany, Great Britain, and France. But there are a number of causes why Cuba's revenue concessions are so small and ours so large. In the first place her tariff is very much lower than ours. In fact, as soon as this treaty goes into effect she must raise her tariff on a great many articles, of course the United States retaining our 20 to 40 per cent lower rates of duty than any other nation in the world. Illustrating the difference in the two tariffs, our average ad valorem duty on Cuban products amounts to over 84 per cent. Cuba's average ad valorem duty on American products amounts to but 30 per cent.

Cuba's revenue concessions will very largely increase. The more trade we obtain the greater her concessions will be. When she raises her tariff they will of course be considerably greater.

Mr. PLATT of Connecticut. In amount.

Mr. CULLOM. Of course, in the amount: in the aggregate.

But the important thing which we obtain by this treaty is the great market for our products, including farm and manufacture. The Cuban market will, with prosperity, continue to increase. Conservative authorities estimate that the Cuban imports will amount to $100,000,000 in a few years. If these estimates are nearly correct, if our manufacturers, our producers succeed in obtaining the Cuban market, the concessions in revenue on the part of the United States will be amply repaid.

From the investigation and examination of our situation with reference to Cuba, our trade relations, etc., which I have been able to make, I state without hesitation that this treaty is the most advantageous one to the United States which we could ask or expect, considering our small 20 per cent concession.

Reciprocity with Cuba will not be a new experiment. In 1892, under the reciprocity section of the McKinley Act, we entered into a reciprocity treaty with Cuba which remained in force for three years. It resulted in the greatest benefit both to Cuba and the United States. After that treaty went into effect our exports to Cuba increased almost 70 per cent.

The subject of reciprocity with Cuba has been before Congress for three years or more. Earnestly supported by that great protectionist, the late President McKinley, it has been no less ardently advocated by his successor, President Roosevelt.

While it is true that the United States desire to and will expand our trade and increase our markets by the ratification of this treaty, yet, as has been submitted to us, when the acceptance of the Platt amendment was required from Cuba by the action of the Congress of the United States this Government thereby definitely committed itself to the policy of treating Cuba as occupying a unique position as regards this country.

No other nation in the world stands in the close relation to us that the Republic of Cuba does. She has consented to our imposing limitations upon some of her powers as an independent government. She has leased to us coaling stations on her island. Under these circumstances we can afford to and will treat Cuba as we treat no other nation in the world. If by the ratification of this treaty we give to Cuba permanent prosperity I am sure it will meet with the unanimous approval of the people of the United States. The treaty will not injure in the least the United States or any portion of our people, but on the contrary will help us, and at the same time it will prove of benefit to Cuba.

In the language of President Roosevelt:

> We gave Cuba liberty; we are knit to her by the memories of the blood and the sufferings of our soldiers who fought for her in war; by the memories of the women and children of our administrators who served her on peace and who started her so well on the difficult path of self government. We must help her onward and upward, and a failing her we shall be false to ourselves. A failure to adopt the legislation would come perilously near a repudiation of the pledged faith of the nation.

Mr. President, I do not care to say anything more at the present time. As Senators are aware, under the arrangement in reference to the treatment of this subject, the bill is to be brought before the Senate after the morning business every day, if anybody desires to speak on it, until the 16th instant, when it will be voted upon.

Mr. TELLER. I desire to take the floor on the bill and to submit some remarks upon it.

Mr. CLAY. I wish to ask the Senator from Colorado whether he would like to go on to-night?

Mr. TELLER. I will do whatever the Senate thinks best about it.

Mr. CLAY. It is late, Mr. President, and I suggest that the Senator from Colorado go on to-morrow.

Mr. TELLER. I am quite willing that the Senate should go on with any other business. I will retain the floor.

DEATH OF REPRESENTATIVE HENRY BURK.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, communicated to the Senate the intelligence of the death of Hon. HENRY BURK, late a Representative from the State of Pennsylvania, and transmitted resolutions of the House thereon.

Mr. PENROSE. I ask the Chair to lay before the Senate the resolutions of the House of Representatives relative to the death of the late Representative BURK.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES,
December 5, 1903.

Resolved, That the House has heard with profound sorrow of the death of Hon. HENRY BURK, a Representative from the State of Pennsylvania.

Resolved, That a committee of seventeen Members of the House, with such members of the Senate as may be joined by invitation, be appointed to attend the funeral.

Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. PENROSE. Mr. President, I offer the resolutions which I send to the desk, and ask for their present consideration.

The PRESIDENT pro tempore. The Senator from Pennsylvania submits resolutions which will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. HENRY BURK, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Presiding Officer to join a committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The resolutions were considered by unanimous consent, and unanimously agreed to.

The PRESIDENT pro tempore appointed, under the second resolution, as the committee on the part of the Senate, Mr. PENROSE, Mr. QUAY, Mr. BALL, Mr. HOPKINS, Mr. LATIMER, Mr. NEWLANDS, and Mr. CARMACK.

Mr. PENROSE. Mr. President, as a further mark of respect to the memory of our late colleague, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 8, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 7, 1903.*

This being the day designated by the Constitution for the annual meeting of Congress, the Members of the House of Representatives assembled in their Hall for the second session of the Fifty-eighth Congress, and at 12 o'clock m. were called to order by the Speaker.

PRAYER.

Rev. HENRY N. COUDEN, D. D., Chaplain of the House, offered the following prayer:

Father of life, and light, and love, mercy, truth, and justice! Pour out, we beseech Thee, upon these Thy servants, plenteously of Thy spirit, that the issues of this House to-day and always may be to the uplifting of humanity and redound to Thy glory. Remember, O Lord, the colleagues, friends, and sorely bereaved family in the removal, by death, of one of the Members of this House, honored, respected, and beloved by all who knew him. Comfort them, we beseech Thee, by the blessed hope of immortality in Jesus Christ our Lord. Amen.

SWEARING IN OF A MEMBER.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to announce that Hon. John M. Pinckney, Member-elect from the Eighth district of Texas, is present and desires to be sworn in.

The SPEAKER. If there be no objection the Chair will lay before the House a telegram which he has received from the governor of Texas.

The Clerk read as follows:

AUSTIN, TEX., *December 6, 1903.*

HON. JOSEPH G. CANNON,
Speaker House of Representatives, Washington, D. C.:

I am reliably informed that at a special election held in the Eighth Congressional district of Texas on the 17th of November last Hon. J. M. Pinckney was elected a Member of Congress to succeed Hon. Thomas Ball, resigned. I am also advised that Pinckney's election is conceded by his opponents. Under our laws, the official returns can not be opened and counted until forty days after the election.

S. W. T. LANHAM, *Governor of Texas.*

The SPEAKER. The gentleman from Texas [Mr. STEPHENS] asks unanimous consent that his colleague, Judge Pinckney, may now take the oath of office.

There being no objection, Mr. Pinckney came forward and was duly qualified by taking the oath of office prescribed by law.

CALL OF THE ROLL.

The SPEAKER directed that the roll be called, when the following-named Members and Delegates responded:

ALABAMA.

George W. Taylor.
Henry D. Clayton.
Sydney J. Bowie.
John H. Bankhead.
William Richardson.

ARKANSAS.

Robert Bruce Macon.
Stephen Brundidge, jr.
Hugh A. Dinsmore.
John S. Little.
Joseph T. Robinson.
Robert M. Wallace.

CALIFORNIA.

James N. Gillett.
Theodore A. Bell.
Victor H. Metcalf.
Edward J. Livernash.
William J. Wynn.
James C. Needham.
James McLachlan.
Milton J. Daniels.

COLORADO.

Franklin E. Brooks.
John F. Shafroth.
Herschel M. Hogg.

CONNECTICUT.

Nehemiah D. Sperry.
Frank B. Brandegee.
Ebenezer J. Hill.

FLORIDA.

Stephen M. Sparkman.
Robert W. Davis.
William B. Lamar.

GEORGIA.

Rufus H. Lester.
Elijah B. Lewis.
William C. Adamson.
Leonidas F. Livingston.
Charles L. Bartlett.
John W. Maddox.
Farish Carter Tate.
Thomas W. Hardwick.
William G. Brantley.

IDAHO.

Burton L. French.

ILLINOIS.

Martin Emerich.
James R. Mann.
Wirman W. Wilson.
Frank Knopf.
Henry S. Boutell.
George E. Foss.
Howard M. Snapp.
Charles E. Fuller.
Benjamin F. Marsh.
George W. Prince.
Joseph V. Graff.
John A. Sterling.
Joseph G. Cannon.
Vespasian Warner.
Henry T. Rainey.
Ben F. Caldwell.
William A. Rodenberg.
Joseph B. Crowley.
James R. Williams.
George W. Smith.

INDIANA.

James A. Hemenway.
William T. Zenor.
Francis M. Griffith.
Jesse Overstreet.
Charles B. Landis.
Edgar D. Crumpacker.
James M. Robinson.

IOWA.

Thomas Hedge.
Martin J. Wade.
Joseph P. Birdsall.
Robert G. Cousins.
John F. Lacey.
John A. T. Hull.
William P. Hepburn.
Walter I. Smith.
James P. Conner.
Lot Thomas.

KANSAS.

Charles F. Scott.
Charles Curtis.
Justin D. Bowersock.
Philip P. Campbell.
Wm. A. Calderhead.
Victor Murdock.

KENTUCKY.

Ollie M. James.
Augustus O. Stanley.
John S. Rhea.
David H. Smith.
Swagar Sherley.
George G. Gilbert.
James N. Kehoe.
W. Godfrey Hunter.

LOUISIANA.

Robert C. Davey.

MAINE.

Amos L. Allen.
Edwin C. Burleigh.
Llewellyn Powers.

MARYLAND.

Frank C. Wachter.
James W. Denny.
Sydney E. Mudd.
George A. Pearre.

MASSACHUSETTS.

George P. Lawrence.
Frederick H. Gillett.
Charles Q. Tirrell.
Butler Ames.
Augustus P. Gardner.
Ernest W. Roberts.
Samuel W. McCall.
William S. McNary.
John A. Sullivan.
William C. Lovering.

MICHIGAN.

Alfred Lucking.
Charles C. Townsend.
Washington Gardner.
Edward L. Hamilton.
Wm. Alden Smith.
Samuel W. Smith.
Henry McMorran.
Joseph W. Fordney.
Roswell P. Bishop.
George A. Loud.
H. Olin Young.

MINNESOTA.

James T. McCleary.
Charles R. Davis.
John Lind.
Andrew J. Volstead.
J. Adam Bede.
Halvor Steenerson.

MISSISSIPPI.

Ezekiel S. Candler, jr.
Thomas Spight.
Benjamin G. Humphreys.
Wilson S. Hill.
Frank A. McLain.
John S. Williams.

MISSOURI.

James T. Lloyd.
William W. Rucker.
John Dougherty.
William S. Cowherd.
David A. De Armond.
Courtney W. Hamlin.
Champ Clark.
Richard Bartholdt.
John T. Hunt.
Edward E. Ellis.
Maecenas E. Benton.
Robert Lamar.

MONTANA.

Joseph M. Dixon.

NEBRASKA.

Elmer J. Burkett.
Gilbert M. Hitchcock.
John J. McCarthy.
Edmund H. Hinshaw.
George W. Norris.
Moses P. Kinkaid.

NEVADA.

Clarence D. Van Duzer.

NEW HAMPSHIRE.

Cyrus A. Sulloway.
Frank D. Currier.

NEW JERSEY.

Henry C. Loudenslager.
John J. Gardner.
Benjamin F. Howell.
William M. Lanning.
Charles N. Fowler.
William Tuttle.
Richard Wayne Parker.
William H. Wiley.
Allan Beury.
Allan L. McDermott.

NEW YORK.

Townsend Scudder.
George H. Lindsey.
Charles T. Dunwell.
Frank E. Wilson.
Edward M. Lassett.
Rossiter Lawrence.
John J. Fitzgerald.
Thomas F. Gordon.
Henry M. Goldfogle.
William Sulzer.
George B. Ahern.
Francis B. Thorson.
Ira Lewis Bennett.
William H. Douglas.
Jacob Ruppert, jr.
Frank E. Shober.
Joseph A. Goulden.
Norton P. Otis.
Thomas W. Bradley.
John H. Ketcham.
William H. Lessner.
George N. Southwick.
George J. Smith.
Lucius N. Littauer.
James S. Sherman.
Charles L. Knapp.
John W. Dwight.
Sereno E. Payne.
James Breck Perkins.
Charles W. Gillet.
William H. Ryan.
Edward B. Vreeland.

NORTH CAROLINA.

John H. Small.
Claude Kitchin.
Charles R. Thomas.
William W. Kitchin.
Robert N. Page.
Theodore F. Klattz.
Edwin Y. Webb.
James M. Gudger, jr.

NORTH DAKOTA.

Thomas F. Marshall.
Burleigh F. Spalding.

OHIO.

Nicholas Longworth.
Herman P. Gembel.
Russell W. Nevin.
Harvey C. Garber.
John S. Snook.
Charles Q. Hildebrant.
Thomas B. Kyle.
William E. Wachstetter.
James H. Southard.
Charles H. Grosvenor.
DeWitt C. Badger.
Amos H. Jackson.
William W. Skiles.
Henry C. Van Voorhis.
Capell L. Weems.
John W. Cassingham.
James Kennedy.
Jacob A. Beidler.
Theodore E. Burton.

OREGON.

Binger Hermann.
John N. Williamson.

PENNSYLVANIA.

Henry H. Bingham.
Robert Adams, jr.
Reuben O. Moon.
George D. McCreary.
Thomas S. Butler.
Irving P. Wanger.
H. Burd Cassel.
George Hulings.
Henry W. Palmer.
Marriott L. Kline.
Lewis Emery, jr.
Charles H. Ruthermann.
Thomas M. Mahon.
Martin E. Olmsted.
Alvin Evans.
Daniel F. Lafean.
George F. Huff.
Allen F. Cooper.
Ernest F. Acheson.
Arthur L. Bates.
Joseph H. Sibley.
William C. Speer.
Joseph C. Sibley.
George Shiras III.
John Dalzell.
Henry Burk Payne Porter.
James W. Brown.

RHODE ISLAND.

David L. D. Granger.

SOUTH CAROLINA.

George S. Legare.
George W. Croft.
Wyatt Aiken.
Joseph T. Johnson.
A. F. Lever.

SOUTH DAKOTA.

Charles H. Burke.
Eben W. Martin.

TENNESSEE.

Henry R. Gibson.
John A. Moon
Morgan C. Fitzpatrick.
James D. Richardson.
John W. Gaines.
Lemuel P. Padgett.
Thetus W. Sims.
Rice A. Pierce.
Malcolm R. Patterson.

TEXAS.

Morris Sheppard.
Gordon Russell.
Choice B. Randell.
Jack Beall.
Scott Field.
Alexander W. Gregg.
George F. Burgess.
Albert S. Burleson.
Oscar W. Gillespie.
John H. Stephens.
James L. Slayden.
John N. Garner.
William R. Smith.

VERMONT.

David J. Foster.
Kittredge Haskins.

VIRGINIA.

William A. Jones.
John Lamb.
Robert G. Southall.
Claude A. Swanson.
Carter Glass.
James Hay.
John F. Rixey.
Campbell Slemp.
Henry D. Flood.

WASHINGTON.

Wesley L. Jones.
Francis W. Cushman.
William E. Humphrey.

WEST VIRGINIA.

Blackburn B. Dovener.
Alston G. Dayton.
Joseph Holt Gaines.
Harry C. Woodyard.
James A. Hughes.

WISCONSIN.

Henry A. Cooper.
Henry C. Adams.
Joseph W. Babcock.
Theobald Otjen.
William H. Stafford.
Charles H. Weisse.
John J. Esch.
Edward S. Minor.
Webster E. Brown.
John J. Jenkins.

WYOMING.

Frank W. Mondell.

NEW MEXICO.

Bernard S. Rodey.

OKLAHOMA.

Bird S. McGuire.

HAWAII.

Jonah Kalanianaole.

The SPEAKER. The Chair announces the presence of 306 Members—a quorum.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

Also—

Resolved, That a committee, consisting of two Senators, be appointed by the Chair to join such committees as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled, and that Congress is ready to receive any communication he may be pleased to make.

And that in compliance with the foregoing the Presiding Officer had appointed as said committee Mr. HALE and Mr. COCKRELL.

NOTIFICATION TO THE PRESIDENT.

Mr. HEPBURN offered the following resolution; which was read, considered, and adopted:

Resolved, That a committee of three members be appointed on the part of the House, to join the committee appointed by the Senate, to wait upon the President and inform him that a quorum of the two Houses is assembled, and that Congress is ready to receive any communication he may have to make.

The SPEAKER announced the appointment of Mr. HEPBURN, Mr. HEMENWAY, and Mr. WILLIAMS of Mississippi as the committee on the part of the House, under the resolution just adopted.

NOTIFICATION TO THE SENATE.

Mr. PAYNE offered the following resolution; which was read, considered, and adopted:

Resolved, That the Clerk of the House inform the Senate that a quorum of the House of Representatives has appeared, and that the House is ready to proceed to business.

ELECTION CONTESTS.

The SPEAKER laid before the House a communication from the Clerk of the House; which was read, as follows:

CLERK'S OFFICE, HOUSE OF REPRESENTATIVES,
Washington, D. C., November 10, 1903.

SIR: I have the honor to lay before the House of Representatives a list of contests for seats in the House of Representatives for the Fifty-eighth Congress of the United States, notices of which have been filed in the office of the Clerk of the House, and also transmit therewith all original testimony, papers, and documents relating thereto, as follows, to wit:

State of California, Fourth district.
State of Colorado, First district.
State of Illinois, Sixth district.
State of Massachusetts, Ninth district.
State of Missouri, Eleventh and Twelfth districts.
State of North Carolina, Tenth district.
Territory of Oklahoma.
State of Pennsylvania, Tenth district.
State of South Carolina, First and Seventh districts.
State of Tennessee, Eighth district.

The Clerk has opened and printed the testimony in all of the above cases excepting the Sixth district of Illinois.

In compliance with the act approved March 2, 1887, entitled "An act relating to contested elections," such portions of the testimony in the above cases (with the exceptions referred to) as the parties in interest agreed upon or as seemed proper to the Clerk after giving the requisite notices, have been printed and indexed, together with the notices of contest and the answers thereto, and such portions of the testimony as were not printed with the original papers have been sealed up and are ready to be laid before the Committee on Elections.

Two copies of the printed testimony in each case have been mailed to the contestant and the same number to the contestee. The law in reference to the briefs of both the contestant and contestee in each case has been complied with as far as possible upon receipt by the Clerk of said briefs.

In the case of the Sixth district of Illinois, the testimony has not been printed because the testimony for contestant was not filed with the Clerk until October 28, 1903, and no testimony has yet been filed by contestee.

In the case of the Tenth district of North Carolina, Hon. James M. Moody died before taking of testimony was completed, but the case was continued by attorneys for contestant.

So far as the briefs have been furnished to the Clerk, they are ready to be laid before the Committee on Elections upon the order of the House, together with a tabulated statement which has been prepared by the Clerk, showing the number of pages of testimony and the present status of each contested election case and all papers in connection therewith.

Very respectfully,

A. McDOWELL,
Clerk House of Representatives.

HON. JOSEPH G. CANNON,
Speaker House of Representatives.

District.	Contestant.	Contestee.	Testimony opened.	Testimony printed.	Printed pages of testimony and briefs. Testimony.	Briefs.	Total.	Contestant notified to file brief.	Contestant's brief filed.	Contestee notified to file brief.	Contestee's brief filed.	Contestee's brief sent to contestant.	Contestant's reply brief filed.
			1903.	1903.				1903.	1903.	1903.	1903.	1903.	1903.
Fourth California	Julius Kahn	Edward J. Livernash	June 11	June 25	365	68	433	June 25	July 25	July 25	Sept. 4	Sept. 4	Oct. 7
First Colorado	Robert W. Bonynge	John F. Shafroth	do	July 18	1,752	562	2,314	July 18	Aug. 17	Aug. 17	Sept. 18	Sept. 19	Oct. 41
Sixth Illinois	Allen C. Durborow	William Lorimer											
Ninth Massachusetts	Joseph A. Conry	John A. Keliher	June 8	Aug. 22	364	44	408	Aug. 22	Sept. 25	Sept. 26	Oct. 23	Oct. 23	
Eleventh Missouri	Charles F. Joy	John F. Hunt											
Twelfth Missouri	George D. Reynolds	James J. Butler	June 9	Sept. 29	1,071	70	1,141	Sept. 29	Nov. 9	Nov. 10			
Tenth North Carolina	James M. Moody	James M. Gudger, jr.	do	July 6	643	81	724		Aug. 8		Sept. 25		
Territory of Oklahoma	William Cross	Bird S. Maguire	June 12	July 23	155	127	282	July 23	Aug. 22	Aug. 24	Oct. 3	Oct. 3	
Tenth Pennsylvania	William Connell	George Howell	June 30	July 7	3,824	557	4,381	Aug. 24	Sept. 25	Sept. 25	Oct. 28	Oct. 28	
First South Carolina	Aaron P. Prioleau	George S. Legare	June 12	June 27	126	121	247	June 27	Aug. 24	Aug. 24	Oct. 2	Oct. 2	Nov. 2
Seventh South Carolina	A. D. Dantzler	Asbury F. Lever	do	June 25	100	88	188	June 25	July 29	July 29	Aug. 24	Aug. 24	
Eighth Tennessee	F. M. Davis	T. W. Sims	June 7	June 20	161	162	323	June 20	July 21	July 22	Aug. 19	Aug. 20	Sept. 19
							10,441						

The SPEAKER announced the reference of the election contests in the following cases to the committees designated:

To the Committee on Elections No. 1: Kahn *v.* Livernash, from the Fourth district of California; Dantzler *v.* Lever, from the Seventh district of South Carolina; Conry *v.* Keliher, from the Ninth district of Massachusetts; Moody *v.* Gudger, from the Tenth district of North Carolina.

To the Committee on Elections No. 2: Bonynge *v.* Shafroth, from the First district of Colorado; Reynolds *v.* Butler, from the Twelfth district of Missouri; Davis *v.* Sims, from the Eighth dis-

trict of Tennessee; Durborow *v.* Lorimer from the Sixth district of Illinois.

To the Committee on Elections No. 3: Connell *v.* Howell, from the Tenth district of Pennsylvania; Joy *v.* Hunt, from the Eleventh district of Missouri; Prioleau *v.* Legare, from the First district of South Carolina; Cross *v.* Maguire, from the Territory of Oklahoma.

COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on the District of Columbia be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

BUSINESS OF THE COMMITTEE OF MILITARY AFFAIRS.

Mr. HULL. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on Military Affairs be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON THE TERRITORIES.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on the Territories be authorized to have printed and bound such papers and documents for the use of said committee as it may deem necessary in connection with subjects considered, or to be considered, by the said committee during the Fifty-eighth Congress.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON ELECTIONS NO. 2.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read:

The Clerk read as follows:

Resolved, That the Committee on Elections No. 2 be authorized to sit during the sessions of the House and to have such printing and binding done as may be necessary in the transaction of its business.

Mr. SMITH of Kentucky. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Pennsylvania what printing will likely be necessary for the use of a Committee on Elections. I understand the records are already printed.

Mr. OLMSTED. Mr. Speaker, we sometimes have printed the rules for the use of the members of the committee and of counsel and contestants, and on occasion, in important cases, the printing of the arguments of counsel.

Mr. SMITH of Kentucky. Is the adoption of a resolution like this for the benefit of a Committee on Elections usual?

Mr. OLMSTED. It is the customary resolution.

Mr. SMITH of Kentucky. I have no objection, Mr. Speaker.

Mr. BARTLETT. Mr. Speaker, I understood the gentleman from Pennsylvania [Mr. OLMSTED] to include the printing of the arguments of counsel. My understanding of the law is that the contestants and contestees are compelled to print the arguments of counsel, and I do not think that the House ought to be called upon or requested to permit the printing of the arguments of counsel at the expense of the Government. I never before heard of such a thing, and I happen to have served on a Committee on Elections for three Congresses.

Mr. OLMSTED. The only printing that is usually done by a committee is in important cases to have reported and printed the verbal arguments of counsel, which course has often been found of great assistance to the House itself.

Mr. BARTLETT. Mr. Speaker, I do not desire to object to any usual resolutions, and it is not my purpose to object to this, but the gentleman from Pennsylvania, in answer to a question by the gentleman from Kentucky [Mr. SMITH], stated that one of the purposes of the resolution was to print the arguments of counsel as made before the committee. I never before heard of that being done.

Mr. OLMSTED. I will state that it was done at the last session, and this resolution has been introduced every year for the last twenty years or more, probably for half a century.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

COMMITTEE ON ELECTIONS NO. 1.

Mr. MANN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on Elections No. 1 be authorized to sit during the sessions of the House and to have such printing and binding done as may be necessary in the transaction of its business.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON AGRICULTURE.

Mr. SCOTT. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on Agriculture be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON THE POST-OFFICE AND POST-ROADS.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on the Post-Office and Post-Roads be authorized to have such printing and binding done as may be required in the transaction of its business during this Congress.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON NAVAL AFFAIRS.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolutions which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on Naval Affairs be authorized to have printed and bound such papers and documents for the use of said committee as it may deem necessary in connection with the subjects considered or to be considered by the said committee during the Fifty-eighth Congress.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

The Clerk read as follows:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof, be authorized to sit during sessions of the House of Representatives.

The SPEAKER. Without objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON ELECTIONS NO. 3.

Mr. HASKINS. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Elections No. 3 be authorized to sit during the sessions of the House, and to have such printing and binding done as may be necessary in the transaction of its business.

The SPEAKER. If there be no objection, the resolution will be agreed to.

There was no objection.

COMMITTEE ON RIVERS AND HARBORS.

Mr. BURTON. Mr. Speaker, I desire to present a resolution, for the consideration of which I ask unanimous consent.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Rivers and Harbors, or such subcommittee as may be designated by it, shall have leave to sit during the sessions of the House for the Fifty-eighth Congress, and during the recess.

The SPEAKER. If there be no objection, the resolution will be considered as agreed to.

There was no objection.

Mr. BURTON. Also another resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Rivers and Harbors be authorized to have such printing and binding done as may be required in the transaction of its business during the Fifty-eighth Congress.

The SPEAKER. If there be no objection, the resolution will be considered as agreed to.

There was no objection.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The Clerk will report the resolution.

The resolution was read, as follows:

Resolved, That the Committee on the Merchant Marine and Fisheries be, and the same is, authorized to have such printing and binding done as may be necessary for the transaction of the business coming before it.

The SPEAKER. Without objection, the resolution will be agreed to.

There was no objection.

COMMITTEE ON BANKING AND CURRENCY.

Mr. FOWLER. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That leave is hereby given to the Committee on Banking and Currency to have matter pertaining to the business of the committee printed on order of the chairman.

The SPEAKER. Without objection, the resolution will be agreed to.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. PATTERSON of Tennessee, for thirty days, on account of important business.

To Mr. BROWNLOW, for this day, on account of sickness.

To Mr. DARRAGH, indefinitely, on account of important business.

To Mr. KELIHER, for ten days, on account of important business.

To Mr. MILLER, for six days, on account of sickness.

To Mr. DRESSER, indefinitely, on account of illness in his family.

To Mr. COOPER of Texas, for ten days, on account of important business.

To Mr. BOWERS, for ten days, on account of important business.

To Mr. TALBOTT, for one week, on account of important business.

LEAVE TO PRINT.

Mr. BARTHOLDT. Mr. Speaker, I ask unanimous consent to have printed in connection with my remarks on the Louisiana Purchase Exposition a ground plan and bird's-eye view of the exposition.

The SPEAKER. The gentleman from Missouri asks unanimous consent to have printed in connection with the remarks that he made at a former sitting of the House a ground plan and bird's-eye view of the exposition grounds at St. Louis. Is there objection?

Mr. BARTLETT. Mr. Speaker, I do not care to make any objection, but I understand the law to be that these matters can only be printed after they have been submitted to the House Committee on Printing. That committee has to pass upon the matter before it is authorized to be printed, under the rule.

Mr. PAYNE. Mr. Speaker, I think it ought to go to the Committee on Printing, and I shall object if the gentleman from Georgia does not.

The SPEAKER. There is objection.

Mr. BARTLETT. Not by me, sir; but by some one else.

Mr. BARTHOLDT. Mr. Speaker, I want to make an explanation.

Mr. BARTLETT. I do not desire to object captiously to anything, but I know it to be the rule of the House, and that heretofore Members who have desired to have these things printed in the RECORD have been obliged to submit them to the Committee on Printing of the House.

The SPEAKER. The gentleman from New York objects. The gentleman from Missouri asks unanimous consent——

Mr. PAYNE. I will withhold the objection for a moment if the gentleman from Missouri wants to make an explanation.

The SPEAKER. One moment. The gentleman from Missouri asks unanimous consent to submit a statement to the House. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTHOLDT. I ask unanimous consent for the purpose of having this ground plan printed at my expense—not at the expense of the Government, but at my expense—and it is merely to secure the franking privilege, that the plan be inclosed in the envelope with my remarks, that I ask this privilege.

The SPEAKER. The Chair would suggest——

Mr. PAYNE. Why, Mr. Speaker, the Committee on Printing has already been appointed, with the privilege of reporting at any time. Their reports are privileged when they come into the House, and I must insist on my objection.

The SPEAKER. The gentleman from New York objects.

Mr. PAYNE. I move that the House do now take a recess until thirty minutes after 1 o'clock.

The SPEAKER. The gentleman from New York moves that the House take a recess until thirty minutes after 1 o'clock.

The question was taken, and the motion was agreed to.

And accordingly (at 1 o'clock p. m.) the House was declared in recess.

The recess having expired, the House was called to order by the Speaker at 1 o'clock and 30 minutes p. m.

REPORT OF COMMITTEE TO WAIT ON THE PRESIDENT.

Mr. HEPBURN. Mr. Speaker, the committee appointed by the House to act with a similar committee appointed by the Senate to wait upon the President and inform him that a quorum of each House was now present and Congress was ready to receive any communication he might have to make have performed that duty, and report that the President will speedily communicate to the House of Representatives in writing.

INTERSTATE AND FOREIGN COMMERCE.

Mr. HEPBURN. Mr. Speaker, I offer the resolution which I send to the Clerk's desk, and ask unanimous consent that it may now be considered.

The Clerk read as follows:

Resolved, That the Committee on Interstate and Foreign Commerce be authorized to have printed and bound such papers and documents for the use of said committee as it may deem necessary in connection with subjects considered, or to be considered, by the said committee during the Fifty-eighth Congress.

The SPEAKER. Without objection, the resolution will be agreed to. [After a pause.] The Chair hears no objection.

REFORM IN THE CIVIL SERVICE.

Mr. GILLETT of Massachusetts. Mr. Speaker, I present the following resolution, and ask unanimous consent for its consideration:

The Clerk read as follows:

Resolved, That the Committee on Reform in the Civil Service be authorized to have such printing and binding done as may be required for the transaction of its business.

The SPEAKER. Without objection, the resolution will be agreed to. [After a pause.] The Chair hears no objection.

MESSAGES FROM THE PRESIDENT.

Several messages in writing from the President of the United States were communicated to the House by Mr. BARNES, one of his secretaries.

ANNUAL MESSAGE OF THE PRESIDENT.

The SPEAKER laid before the House the annual message from the President, which was read.

[For text of message see proceedings of Senate, p. 2.]

[Loud applause on the Republican side.]

Mr. PAYNE. Mr. Speaker, I move that the message and the accompanying documents be referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

The motion was agreed to.

PUBLIC LANDS IN THE PHILIPPINE ISLANDS.

The SPEAKER also laid before the House the following message from the President; which was read referred to the Committee on Insular Affairs, and ordered to be printed:

The Clerk read as follows:

To the Senate and House of Representatives:

I submit herewith, with my approval thereof, rules and regulations for the lease, sale, or other disposition of the public lands, other than timber or mineral lands, in the Philippine Islands, made by the government of said islands, pursuant to the provisions of section 13 of the act entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved July 1, 1902.

I also transmit therewith a letter from the Secretary of War, dated December 5, 1903, with inclosures.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 7, 1903.*

CHANGE OF REFERENCE.

The SPEAKER. The Clerk will announce the following change of reference.

The Clerk read as follows:

A bill (H. R. 5513) granting increase of pensions to soldiers and widows of the Indian wars under act of July 27, 1892, and act approved June 27, 1902—from the Committee on Invalid Pensions to the Committee on Pensions.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CHARLES B. LANDIS, for six days, on account of important business.

DEATH OF REPRESENTATIVE BURK OF PENNSYLVANIA.

Mr. BINGHAM. Mr. Speaker, I desire to submit the resolution which I send to the Clerk's desk, and ask for its present consideration.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. HENRY BURK, from the State of Pennsylvania.

Resolved, That a committee of seventeen Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following committee. The Clerk read as follows:

Mr. BINGHAM, Mr. ADAMS of Pennsylvania, Mr. MORRELL, Mr. MCCLEARY of Pennsylvania, Mr. MOON of Pennsylvania, Mr. DEEMER, Mr. PATTERSON of Pennsylvania, Mr. SIBLEY, Mr. POWERS of Massachusetts, Mr. LOUDENSLAGER, Mr. GAINES of West Virginia, Mr. LLOYD, Mr. DICKERMAN, Mr. ROBINSON of Indiana, and Mr. FLOOD.

Mr. BINGHAM. Mr. Speaker, as a further mark of respect, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 25 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Clerk of the House, transmitting a report of the names of clerks and other persons employed, the time of their actual employment, the sums paid to each, a detailed statement of the expenditures of the contingent fund, the cost of stationery, etc.—to the Committee on Accounts, and ordered to be printed.

A letter from the Comptroller of the Currency, transmitting his annual report for the year ended October 31, 1903—to the Committee on Banking and Currency, and ordered to be printed.

A letter from the Sergeant-at-Arms of the House, transmitting a list of property in his charge on December 7, 1903—to the Committee on Accounts, and ordered to be printed.

A letter from the Secretary of the Smithsonian Institution, transmitting a statement of the expenditures for International Exchanges, American Ethnology, National Museum, Astrophysical Observatory, and National Zoological Park—to the Committee on Appropriations, and ordered to be printed.

A letter from the Sergeant-at-Arms of the House, submitting a statement of the sums of money drawn and disbursed by him under the law—to the Committee on Accounts, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5348) for the relief of Franklin Buchanan Sullivan—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 5361) granting an increase of pension to Lucilius C. Moss—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GARNER: A bill (H. R. 5751) providing for a coastwise canal in Texas—to the Committee on Railways and Canals.

By Mr. PRINCE: A bill (H. R. 5752) directing the Secretary of the Treasury to purchase State, city, or county bonds—to the Committee on Banking and Currency.

By Mr. KINKAID: A bill (H. R. 5753) to provide for the purchase of a site and the erection of a public building thereon in the city of North Platte, State of Nebraska—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5754) to provide for the purchase of a site and the erection of a public building thereon in the city of Kearney, State of Nebraska—to the Committee on Public Buildings and Grounds.

By Mr. RODEY: A bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico—to the Committee on the Public Lands.

By Mr. SCOTT: A bill (H. R. 5756) to provide for the medical examination of pensioners and claimants for pension—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 5757) granting the use of water privileges in the Tennessee River at Muscle Shoals to N. F. Thompson and associates—to the Committee on Rivers and Harbors.

By Mr. GIBSON: A bill (H. R. 5758) to pension widows of officers and enlisted men in certain cases—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 5759) to incorporate the Lake Erie and Ohio River Ship Canal Company, to define the powers thereof, and to facilitate interstate commerce—to the Committee on Railways and Canals.

Also, a bill (H. R. 5760) granting pensions to soldiers and sailors confined in so-called Confederate prisons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River—to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON of Ohio: A bill (H. R. 5762) providing for a survey, plan, and estimate of the cost of improving the Sandusky (Ohio) River—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 5763) to further amend section 3 of the act for the relief of certain volunteer and regular soldiers of the late war and the war with Mexico, approved March 2, 1889—to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 5764) for the erection of a public building at Belvidere, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. CASSEL: A bill (H. R. 5765) to provide for the erection of a public building at Columbia, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. CUSHMAN: A bill (H. R. 5766) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith—to the Committee on Ways and Means.

Also, a bill (H. R. 5767) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903—to the Committee on the Indian Affairs.

Also, a bill (H. R. 5768) to establish a dwelling for keeper of fog signal at Robinson Point, State of Washington—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 5769) authorizing the construction of new buildings at the New Dungeness light station, State of Washington—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 5770) making an appropriation for the improvement of the Puyallup Indian School plant at Tacoma, Wash.—to the Committee on Indian Affairs.

Also, a bill (H. R. 5771) to establish a mint of the United States at Tacoma, in the State of Washington—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 5772) providing for the establishment of a life-saving station in the vicinity of Cape Flattery, or Flattery Rocks, on the coast of Washington—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 5773) making an appropriation for the administration and improvement of the Mount Rainier National Park, in the State of Washington—to the Committee on the Public Lands.

Also, a bill (H. R. 5774) to provide for the purchase of a site and the erection of a public building thereon at Aberdeen, in the State of Washington—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5775) providing a public building at Olympia, State of Washington—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5776) increasing limit of cost for public building at Spokane, Wash.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5777) increasing limit of cost for public building at Tacoma, Wash.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5778) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives of the United States, and defining citizenship and the qualifications of electors in said Territory—to the Committee on the Territories.

Also, a bill (H. R. 5779) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives—to the Committee on the Territories.

Also, a bill (H. R. 5780) to appropriate $150,000 for the promotion of salmon culture in Alaska—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 5781) to prohibit location of placer-mining claims by power of attorney in Alaska—to the Committee on the Public Lands.

By Mr. BINGHAM: A bill (H. R. 5782) for the promotion and retirement of noncommissioned officers of the United States Marine Corps—to the Committee on Naval Affairs.

Also, a bill (H. R. 5783) providing for the adjustment and payment of the accounts of letter carriers arising under the eight-hour law—to the Committee on Claims.

By Mr. BOWIE: A bill (H. R. 5784) granting certain lands belonging to the United States and situated in the State of Alabama to the State of Alabama for the use and benefit of the common schools of that State—to the Committee on the Public Lands.

By Mr. GRAFF: A bill (H. R. 5785) for improving, repairing, and the erection of an addition to the public building at Peoria, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. HUMPHREY of Washington: A bill (H. R. 5786) authorizing the Secretary of the Treasury to fix the salary of the deputy collector of customs at Seattle, Wash.—to the Committee on Ways and Means.

By Mr. LUCKING: A bill (H. R. 5787) for temporary relief of the overcrowded accommodations in the post-office building at Detroit, Mich., by the erection of a one-story addition—to the Committee on Public Buildings and Grounds.

By Mr. MAHON: A bill (H. R. 5788) to provide for site and public building at Chambersburg, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. MUDD: A bill (H. R. 5789) for the extension of Seventeenth street northwest from Florida avenue to Columbia road—to the Committee on the District of Columbia.

By Mr. WM. ALDEN SMITH: A bill (H. R. 5790) to provide for the erection of a public building at Grand Rapids, in the State of Michigan—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 5791) to establish a steam fog-signal station at the entrance to Holland Harbor, Michigan—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 5792) making the anniversary of Abraham Lincoln's birthday a legal holiday—to the Committee on the Judiciary.

Also, a bill (H. R. 5793) to increase the pay of letter carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 5794) creating a national board of pardons—to the Committee on the Judiciary.

Also, a bill (H. R. 5795) to determine and fix the necessary proof and procedure to be required of claimants for pensions, and to establish the proper officers to determine the rating thereof—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5796) to determine the term of service of all soldiers, sailors, and marines serving in the war of the rebellion for a period of ninety days or more—to the Committee on Military Affairs.

Also, a bill (H. R. 5797) making the anniversary of William McKinley's birthday a legal holiday—to the Committee on the Judiciary.

Also, a bill (H. R. 5798) to increase the pension of totally deaf soldiers—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 5799) for the erection of a monument to the memory of Maj. Gen. Henry Knox at Thomaston, Me.—to the Committee on the Library.

By Mr. POWERS of Maine: A bill (H. R. 5800) for the erection of a public building at Calais, Me.—to the Committee on Public Buildings and Grounds.

By Mr. BURLEIGH: A bill (H. R. 5801) for the erection of a public building at Bar Harbor, State of Maine—to the Committee on Public Buildings and Grounds.

By Mr. BARTLETT: A bill (H. R. 5802) to provide for the erection of a public building in the city of Griffin, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. KLUTTZ: A bill (H. R. 5803) to provide for the erection of a public building at Salisbury, N. C.—to the Committee on Public Buildings and Grounds.

By Mr. SAMUEL W. SMITH: A bill (H. R. 5804) for the extension of M street east of Bladensburg road, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 5805) for the opening of R street northeast to Twenty-eighth street and of Twenty-eighth street northeast from R street to M street—to the Committee on the District of Columbia.

By Mr. LACEY: A bill (H. R. 5806) authorizing the Secretary of War to sell stone from quarries on Fort Sill Reservation—to the Committee on Military Affairs.

By Mr. CUSHMAN: A bill (H. R. 5807) to extend the privilege of immediate transportation of dutiable merchandise to various subports in customs collection district of Puget Sound, and for other purposes—to the Committee on Ways and Means.

By Mr. DWIGHT (by request): A bill (H. R. 5808) to establish a system of postal currency—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: A bill (H. R. 5809) for the erection of a public building at Pittsburg, Kans.—to the Committee on Public Buildings and Grounds.

By Mr. ALLEN: A bill (H. R. 5810) authorizing certain extensions to be made in the lines of the City and Suburban Railway, of Washington, and of the Washington Railway and Electric Company, in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. HUGHES of West Virginia: A bill (H. R. 5811) to authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky or the boundary line between the States of West Virginia and Virginia—to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL: A bill (H. R. 5812) increasing the rate of pension under the act of June 27, 1890—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5813) granting pensions to ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 5814) for the enlargement of the post-office building at Youngstown, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. CALDERHEAD: A bill (H. R. 5815) fixing the rate of pension for persons eligible under section 2, act of June 27, 1890—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 5816) granting a pension of $12 per month to Union soldiers who served ninety days or more—to the Committee on Invalid Pensions.

By Mr. MCCLEARY of Minnesota: A joint resolution (H. J. Res. 53) making appropriation for the opening and improvement of streets in connection with the construction of the union railroad station in the District of Columbia, and for other purposes—to the Committee on Appropriations.

By Mr. CUSHMAN: A joint resolution (H. J. Res. 54) proposing an amendment to the Constitution providing for the election of Senators of the United States—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. BROWNLOW: A joint resolution (H. J. Res. 55) providing for the publication of the reports of the Board of Managers and Inspectors of the National Home for Disabled Volunteer Soldiers for the fiscal year ending June 30, 1903—to the Committee on Printing.

By Mr. ACHESON: A joint resolution (H. J. Res. 56) providing for a survey of the Ohio River from the mouth of the Big Miami to the mouth of the Ohio—to the Committee on Rivers and Harbors.

By Mr. FOWLER: A joint resolution (H. J. Res. 57) authorizing George H. Bridgman to accept from the British Government a silver inkstand, in recognition of his services to British interests while minister of the United States to Bolivia—to the Committee on Foreign Affairs.

By Mr. MCCLELLAN: A concurrent resolution (H. C. Res. 14) providing for the printing and binding of 40,000 copies of the revised edition of the American Library Association Catalogue of Five Thousand Best Books—to the Committee on Printing.

By Mr. ROBERTS: A resolution (H. Res. 42) that the Select Committee on the Examination and Disposition of Documents of the Fifty-seventh Congress be continued—to the Committee on Rules.

By Mr. DE ARMOND: A resolution (H. Res. 43) that the rules of the House be amended and House committees be enlarged—to the Committee on Rules.

By Mr. SMITH of Illinois: A resolution (H. Res. 60) authorizing the chairman of Committee on Private Land Claims to appoint a clerk of said committee—to the Committee on Accounts.

By Mr. SHERMAN: A resolution (H. Res. 61) authorizing the chairman of Committee on Indian Affairs to appoint an assistant clerk—to the Committee on Accounts.

By Mr. FULLER: A resolution (H. Res. 62) for the appointment of a standing committee on expenditures in the Department of Commerce and Labor—to the Committee on Rules.

By Mr. WM. ALDEN SMITH: A resolution (H. Res. 63) authorizing the chairman of Committee on Pacific Railroads to appoint a clerk—to the Committee on Accounts.

Also, a resolution (H. Res. 64) concerning constructions of war vessels on the Great Lakes—to the Committee on Foreign Affairs.

By Mr. WILLIAMS of Mississippi: A resolution (H. Res. 65) concerning clerk and messenger to minority room—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ACHESON: A bill (H. R. 5817) granting an increase of pension to James Bane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5818) granting an increase of pension to Philip Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5819) granting an increase of pension to Henry A. Herrick—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 5820) granting a pension to Delia White—to the Committee on Pensions.

Also, a bill (H. R. 5821) granting a pension to Mary A. Johns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5822) granting an increase of pension to Eveline V. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5823) for the relief of Nathan Van Bell, of Philadelphia, and others—to the Committee on Claims.

By Mr. BIRDSALL: A bill (H. R. 5824) granting an increase of pension to Casper J. Schoer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5825) granting an increase of pension to William F. Gibbs—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 5826) granting an honorable discharge to William Davis—to the Committee on Military Affairs.

Also, a bill (H. R. 5827) granting an honorable discharge to J. C. Poneeler—to the Committee on Military Affairs.

Also, a bill (H. R. 5828) for the relief of Charles Flanders—to the Committee on War Claims.

Also, a bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5830) granting an increase of pension to James M. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5831) granting an increase of pension to John Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5832) granting an increase of pension to Samuel Coleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5833) granting an increase of pension to Susan P. Tarrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5834) granting a pension to Charles E. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5835) granting a pension to Lucy A. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5836) granting a pension to Jessie M. Beadell—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 5837) to remove the charge of desertion from the military record of Melvin Green—to the Committee on Military Affairs.

Also, a bill (H. R. 5838) to remove the charge of desertion from the military record of John W. Terwilliger—to the Committee on Military Affairs.

Also, a bill (H. R. 5839) for the relief of Zilla A. Ingerick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5840) for the relief of David W. Robbins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5841) for the relief of Abram Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5842) for the relief of Frances G. Elderkin—to the Committee on Pensions.

Also, a bill (H. R. 5843) for the relief of Isaac D. Knickerbocker—to the Committee on Military Affairs.

Also, a bill (H. R. 5844) for the relief of John King—to the Committee on Military Affairs.

Also, a bill (H. R. 5845) for the relief of Michael McCormick—to the Committee on Claims.

Also, a bill (H. R. 5846) granting a pension to Carrie K. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5847) granting a pension to Patrick Doyle—to the Committee on Pensions.

Also, a bill (H. R. 5848) granting a pension to Nancy McAvoy—to the Committee on Pensions.

Also, a bill (H. R. 5849) granting an increase of pension to Catharine R. Brown—to the Committee on Pensions.

Also, a bill (H. R. 5850) to reimburse Charlotte E. Brennan, widow of D. D. Brennan, for expenses incurred in travel from Yokohama, Japan, to Haverstraw, N. Y., after the summary discharge of said D. D. Brennan as paymaster's clerk in the United States Navy—to the Committee on Claims.

Also, a bill (H. R. 5851) to refer the claim of Louis A. Guerber to the Court of Claims—to the Committee on Claims.

By Mr. BRANDEGEE: A bill (H. R. 5852) for the relief of the estate of Eliza A. White—to the Committee on Claims.

By Mr. BROWNLOW: A bill (H. R. 5853) for the relief of the legal representatives of Mary Counts—to the Committee on War Claims.

Also, a bill (H. R. 5854) granting an increase of pension to Charles Wedelstedt—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 5855) granting an increase of pension to Herbert M. Blackwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5856) granting an increase of pension to Nancy A. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5857) granting a pension to Martha J. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5858) granting a pension to Pembroke S. Staples—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 5859) for the relief of Pacific Pearl Mullett, administratrix of the estate of the late Alfred B. Mullett—to the Committee on Claims.

Also, a bill (H. R. 5860) for the relief of Pay Clerk Charles Blake, United States Navy—to the Committee on Claims.

Also, a bill (H. R. 5861) for the relief of Henry E. Rhoades, assistant engineer United States Navy, retired—to the Committee on Naval Affairs.

By Mr. BATES: A bill (H. R. 5862) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5863) granting a pension to Zora Hagerty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5864) granting a pension to Lavina Schryver—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 5865) granting an increase of pension to Joshua Harlan—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 5866) granting an increase of pension to John B. Colby—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 5867) granting a pension to Ina D. Burdick—to the Committee on Invalid Pensions.

By Mr. CROFT: A bill (H. R. 5868) granting an increase of pension to William Simmons—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 5869) granting an increase of pension to John C. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5870) granting an increase of pension to Daniel D. V. Rose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5871) granting an increase of pension to William H. Myers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5872) granting a pension to Mary L. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5873) granting a pension to William E. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5874) granting a pension to Edward McQueen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5875) for the relief of St. Genevieve Talifaro, alias Neat—to the Committee on War Claims.

By Mr. CURRIER: A bill (H. R. 5876) granting an increase of pension to Elijah S. Carleton—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 5877) granting an increase of pension to Eli Avery—to the Committee on Pensions.

Also, a bill (H. R. 5878) granting an increase of pension to J. C. Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5879) granting an increase of pension to Bennett Putnam—to the Committee on Pensions.

Also, a bill (H. R. 5880) granting an increase of pension to Dennis Dunn—to the Committee on Pensions.

Also, a bill (H. R. 5881) granting an increase of pension to William Cary—to the Committee on Pensions.

Also, a bill (H. R. 5882) granting an increase of pension of Thomas Fern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5883) granting an increase of pension to David Warentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5884) granting an increase of pension to S. K. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5885) granting an increase of pension to George W. Sheldon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5886) granting an increase of pension to John W. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5887) granting an increase of pension to William H. Swinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5888) granting an increase of pension to Mary Irene Rosenthal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5889) granting an increase of pension to Daniel Reilly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5890) granting an increase of pension to John H. Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5891) granting an increase of pension to Sarah M. Reasoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5892) granting an increase of pension to Sylvester G. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5893) granting an increase of pension to Margaret J. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5894) granting an increase of pension to Theophilus W. Milligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5895) granting an increase of pension to Thomas Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5896) granting an increase of pension to William Kent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5897) granting an increase of pension to John W. Ijams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5898) granting an increase of pension to Charles W. Heldey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5899) granting an increase of pension to William L. Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5900) granting an increase of pension to Jonathan Hull—to the Committee on Invalid Pensions.

Also, a bill H. R. 5901) granting an increase of pension to Ezekiel Grewell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5902) granting an increase of pension to Amos B. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5903) granting an increase of pension to James B. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5904) granting an increase of pension to Albert G. Cluck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5905) granting an increase of pension to James Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5906) granting an increase of pension to Charles W. P. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5907) granting an increase of pension to Cyrus W. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5908) granting an increase of pension to Luther L. L. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5909) granting an increase of pension to William H. Beck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5910) granting an increase of pension to J. H. Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5911) granting an increase of pension to William G. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5912) granting an increase of pension to Alexander S. Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5913) granting a pension to Mrs. John B. Waldrupe—to the Committee on Pensions.

Also, a bill (H. R. 5914) granting a pension to Agnes Reilly—to the Committee on Pensions.

Also, a bill (H. R. 5915) granting a pension to James Mathew—to the Committee on Pensions.

Also, a bill (H. R. 5916) granting a pension to Mrs. Samuel Myers—to the Committee on Pensions.

Also, a bill (H. R. 5917) granting a pension to Perry Abbett—to the Committee on Pensions.

Also, a bill (H. R. 5918) granting a pension to Allen Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5919) granting a pension to Mary A. Wampler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5920) granting a pension to Sina Underwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5921) granting a pension to Eliza P. Targert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5922) granting a pension to Luke Morrissey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5923) granting a pension to Isaac C. Hogue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5924) granting a pension to J. S. Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5925) granting a pension to J. H. Frantz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5926) granting a pension to Betty Elmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5927) granting a pension to Jane Cowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5928) granting a pension to Daniel W. Boutwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5929) granting a pension to Mrs. John S. Brunner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5930) to restore the pension of Oliver H. Grubbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5931) for the relief of Henry D. Macomber—to the Committee on Military Affairs.

Also, a bill (H. R. 5932) for the relief of John S. Crites—to the Committee on Military Affairs.

Also, a bill (H. R. 5933) for the relief of John Brewer—to the Committee on Military Affairs.

Also, a bill (H. R. 5934) for the relief of J. Ware Butterfield—to the Committee on Military Affairs.

Also, a bill (H. R. 5935) for the relief of Eric E. Walgren—to the Committee on Claims.

Also, a bill (H. R. 5936) for the relief of Mrs. Catherine Ratchford—to the Committee on Claims.

Also, a bill (H. R. 5937) for the relief of James Farrell—to the Committee on Claims.

Also, a bill (H. R. 5938) for the relief of Byron E. Sheffield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5939) for the relief of J. W. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5940) for the relief of Zelma Michael—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5941) for the relief of Elijah T. Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5942) for the relief of Catherine Greelish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5943) for the relief of William F. Denmuer—to the Committee on War Claims.

Also, a bill (H. R. 5944) for the relief of Curtis M. Benton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5945) for the relief of L. H. Boyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5946) for the relief of William Hayes—to the Committee on War Claims.

By Mr. CUSHMAN: A bill (H. R. 5947) granting an increase of pension to John G. P. Eberhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5948) granting an increase of pension to William H. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5949) granting an increase of pension to Robert Bruce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5950) granting an increase of pension to Mason H. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5951) granting an increase of pension to Joseph M. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5952) granting an increase of pension to William H. Kent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5953) granting an increase of pension to Marcel Gagnon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5954) granting an increase of pension to Charles H. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5955) granting an increase of pension to Thomas Sanford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5956) granting an increase of pension to Isaac N. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5957) granting an increase of pension to George A. Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5958) granting a pension to Mrs. James Griffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5959) granting a pension to Rudolph Kals—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5960) granting a pension to Charles W. Kyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5961) granting a pension to Jerome M. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5962) to reimburse Royal L. Sweany, late deputy collector of internal revenue at Tacoma, Wash.—to the Committee on Claims.

Also, a bill (H. R. 5963) for the relief of George Jennings, alias George Fish—to the Committee on Military Affairs.

By Mr. DALZELL: A bill (H. R. 5964) granting an increase of pension to E. H. Brady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5965) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 5966) granting an increase of pension to Martin Miller—to the Committee on Invalid Pensions.

By Mr. DE ARMOND (by request): A bill (H. R. 5967) granting an increase of pension to Albert Striver—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 5968) granting a pension to Charles B. Chestnut—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5969) granting an increase of pension to Alexander W. Holley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5970) granting an increase of pension to George M. Whittier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5971) granting an increase of pension to Samuel D. Satterly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5972) granting an increase of pension to Edward A. Wilbur—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5973) granting an increase of pension to Henry J. Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5974) granting an increase of pension to Robert T. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5975) granting an increase of pension to Charles J. Marble—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 5976) for the relief of Louisa Lindenstruth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5977) for the relief of Jose J. Valdivia and wife, authorizing the Spanish Treaty Claims Commission to take jurisdiction of their claim now on file in the Department of State—to the Committee on Claims.

Also, a bill (H. R. 5978) granting an increase of pension to Myers Uhlfelder—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 5979) granting an increase of pension to Henry B. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5980) granting a pension to Jacob Piles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5981) for the relief of Francis M. Bennett—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 5982) granting an honorable discharge to Galen E. Green—to the Committee on Military Affairs.

By Mr. FOWLER: A bill (H. R. 5983) granting an increase of pension to John W. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5984) granting an increase of pension to Edward La Fuley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5985) granting an increase of pension to James M. Stapler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5986) granting an increase of pension to Frances Cowie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5987) granting an increase of pension to Philip Deremer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5988) granting an increase of pension to Evaline S. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5989) for the relief of Margrett Underhill and Mary Clark—to the Committee on Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 5990) for the relief of the legal representatives of Samuel Schiffer—to the Committee on War Claims.

By Mr. GARDNER of Massachusetts: A bill (H. R. 5991) granting an increase of pension to Clara E. Daniels—to the Committee on Pensions.

By Mr. GILLET of New York: A bill (H. R. 5992) to remove the charge of desertion against David T. Hayton, Company F, Fourteenth United States Infantry—to the Committee on Military Affairs.

By Mr. GOEBEL: A bill (H. R. 5993) to remove charge of desertion and grant honorable discharge to John De Witt—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 5994) for the relief of Commander Augustus G. Kellogg, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 5995) granting an increase of pension to Joseph Fulton—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 5996) granting an increase of pension to Alfred Howser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 5997) granting an increase of pension to James Hammonds—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 5998) for the relief of Capt. Archibald W. Butt, quartermaster, United States Army—to the Committee on Claims.

By Mr. HEDGE: A bill (H. R. 5999) granting an increase of pension to Ann J. Whitney—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 6000) to pension John B. Salzman—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 6001) to remove the charge of desertion from the military record of Charles Mitchell—to the Committee on Military Affairs.

Also, a bill (H. R. 6002) granting an increase of pension to James H. D. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6003) granting an increase of pension to John Heitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6004) granting an increase of pension to William C. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6005) granting an increase of pension to George B. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6006) granting an increase of pension to Jacob Supinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6007) granting a pension to James H. Berryman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6008) granting a pension to Cleo Grady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6009) granting a pension to Peter O. Benham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6010) granting a pension to Irene Pennington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6011) granting a pension to Elizabeth Thomason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6012) granting a pension to Margaret E. Colvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6013) granting a pension to Lovina Helser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6014) granting a pension to William N. Witham—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 6015) granting a pension to Mary A. Viel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6016) granting a pension to Magdalena Palmer—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 6017) granting an increase of pension to William Ralston—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 6018) for the relief of the Vulcan Iron Works, of Seattle, Wash.—to the Committee on Claims.

By Mr. JONES of Washington: A bill (H. R. 6019) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for use of the Nez Perce Indians—to the Committee on Indian Affairs.

By Mr. KEHOE: A bill (H. R. 6020) granting an increase of pension to William P. Conner—to the Committee on Pensions.

By Mr. KNAPP: A bill (H. R. 6021) granting a pension to Mary Florence Davenport—to the Committee on Pensions.

By Mr. LINDSAY: A bill (H. R. 6022) granting an increase of pension to George W. Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6023) granting an increase of pension to Charles Wigert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6024) granting an increase of pension to Calistro Castro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6025) granting an increase of pension to John Herzog—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 6026) for the relief of Lieut. James B. Fowler—to the Committee on Military Affairs.

By Mr. MARSHALL: A bill (H. R. 6027) granting an increase of pension to Martin Flich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6028) granting an increase of pension to Anton Heffron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6029) for the relief of Thomas H. Carpenter—to the Committee on Military Affairs.

By Mr. MARTIN: A bill (H. R. 6030) granting an increase of pension to W. S. Addington—to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 6031) granting an increase of pension to John V. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6032) granting an increase of pension to Charles S. Bellows—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6033) granting an increase of pension to Siloam Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6034) granting an increase of pension to Oscar S. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6035) granting an increase of pension to John V. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6036) granting an increase of pension to John Shafer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6037) granting an increase of pension to W. T. Parrham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6038) granting an increase of pension to Benjamin George—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6039) granting a pension to Franklin Bannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6040) granting a pension to Turner Holcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6041) granting a pension to Caroline Mortimore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6042) granting a pension to Teressa Jane Hoyt—to the Committee on Pensions.

Also, a bill (H. R. 6043) granting a pension to Sarah Burch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6044) granting a pension to Anna C. Walquist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6045) granting a pension to Emily Hayes—to the Committee on Pensions.

Also, a bill (H. R. 6046) granting a pension to Anna Lenk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6047) granting a pension to D. J. Reber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6048) granting a pension to William Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6049) granting a pension to Peter B. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6050) granting a pension to D. W. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6051) granting a pension to Maggie Dawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6052) for the relief of E. N. Smith—to the Committee on Claims.

Also, a bill (H. R. 6053) for the relief of John S. Friend, of Eldorado, State of Kansas—to the Committee on Claims.

Also, a bill (H. R. 6054) for the relief of Lizzie Lieurance—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 6055) granting a pension to Moses Joyce—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 6056) granting an increase of pension to Blanche L. Chunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6057) granting an increase of pension to Marcena C. S. Gray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6058) directing the Commissioners of the District of Columbia to refund certain moneys received by the collector of taxes of the said District—to the Committee on the District of Columbia.

Also, a bill (H. R. 6059) authorizing the Court of Claims to hear and pass upon the claim of Thomas P. Gray for property taken and used by the troops of the United States during the war of the rebellion—to the Committee on War Claims.

Also, a bill (H. R. 6060) for the relief of the heirs of Henry Douglas, deceased—to the Committee on War Claims.

By Mr. NORRIS: A bill (H. R. 6061) granting an increase of pension to Alphus D. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6062) granting an increase of pension to Alvin Gray—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 6063) for the relief of Stephen S. Staring—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 6064) granting an increase of pension to William R. Glisan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6065) granting a pension to David P. Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6066) for the relief of the heirs of John D. Clemson—to the Committee on War Claims.

By Mr. ROBB: A bill (H. R. 6067) for the relief of Ste. Genevieve County, Mo.—to the Committee on Claims.

By Mr. ROBINSON of Arkansas: A bill (H. R. 6068) for the relief of J. E. Caldwell—to the Committee on War Claims.

By Mr. RUCKER: A bill (H. R. 6069) granting an increase of pension to George W. Sorrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6070) granting an increase of pension to Ferguson M. Carnahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6071) granting an increase of pension to Abraham C. Null—to the Committee on Invalid Pensions.

By Mr. SCUDDER: A bill (H. R. 6072) authorizing the Secretary of War to adjust the claim of the Merritt & Chapman Derrick and Wrecking Company and making an appropriation of $1,800, or so much thereof as may be necessary, to satisfy such claim—to the Committee on Claims.

Also, a bill (H. R. 6073) authorizing the Secretary of War to adjust the claim of the Merritt & Chapman Derrick and Wrecking Company and making an appropriation to satisfy such claim of $237.36 or so much thereof as may be necessary—to the Committee on Claims.

Also, a bill (H. R. 6074) to reimburse Henry B. Bristol for money paid to the United States for certain real estate at Little Rock, Ark.—to the Committee on Claims.

By Mr. SHAFROTH: A bill (H. R. 6075) granting a pension to Thomas B. Roark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6076) for the relief of Jesse M. Blue—to the Committee on War Claims.

Also, a bill (H. R. 6077) granting an increase of pension to John Keys—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6078) granting an increase of pension to James M. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6079) granting an increase of pension to Uriah J. Loop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6080) granting an increase of pension to Orla E. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6081) granting an increase of pension to Jacob W. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6082) granting an increase of pension to John F. Mohn—to the Committee on Invalid Pensions.

By Mr. SHULL: A bill (H. R. 6083) for the relief of Isaac Sutton—to the Committee on Military Affairs.

Also, a bill (H. R. 6084) for the relief of Emanuel Peck—to the Committee on Military Affairs.

Also, a bill (H. R. 6085) granting a pension to Anna M. Maier-Moyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6086) granting a pension to David Everett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6087) granting an increase of pension to Anthony F. Bracklin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6088) granting an increase of pension to Marshall Howell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6089) granting an increase of pension to Emma Louisa Nagle—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 6090) granting an increase of pension to F. C. Wickham—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 6091) granting an increase of pension to John W. Brown—to the Committee on Pensions.

Also, a bill (H. R. 6092) granting an increase of pension to Isaac Kelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6093) granting an increase of pension to Alford A. Fulford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6094) granting an increase of pension to Robert C. Hamilton—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 6095) granting a pension to Rhoda A. Wood—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 6096) to remove charge of desertion from the record of Hezekiah Thompson—to the Committee on Military Affairs.

By Mr. STERLING: A bill (H. R. 6097) granting an increase of pension to Mary E. Dugger—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 6098) granting a pension to Hugh Reid—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 6099) to remove charge of desertion from record of Henry Fuller—to the Committee on Military Affairs.

Also, a bill (H. R. 6100) to reimburse Nelson H. Walbridge—to the Committee on War Claims.

Also, a bill (H. R. 6101) for the reimbursement of the heirs of James Anderson for transportation and expenses in recruiting troops for service in the Union Army—to the Committee on War Claims.

Also, a bill (H. R. 6102) granting to Sumner H. Tarbell pay for bearing military dispatches for headquarters of the District of Minnesota, St. Paul, during the Sioux outbreak of 1862—to the Committee on Claims.

Also, a bill (H. R. 6103) to correct the military record of Henry Harris—to the Committee on Military Affairs.

Also, a bill (H. R. 6104) to correct the military record of Dayton S. Peck—to the Committee on Military Affairs.

Also, a bill (H. R. 6105) to correct the military record of Harvey Cluff—to the Committee on Military Affairs.

Also, a bill (H. R. 6106) to correct the military record of Fremont C. Downing—to the Committee on Military Affairs.

Also, a bill (H. R. 6107) granting a pension to Henry Stockford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6108) granting a pension to Josephine Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6109) granting a pension to Maggie Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6110) granting a pension to Aaron M. Dalrymple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6111) granting a pension to Edward A. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6112) granting a pension to Dellamarr Wade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6113) granting a pension to Henry G. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6114) granting a pension to James F. Baker—to the Committee on Pensions.

Also, a bill (H. R. 6115) granting a pension to Benjamin S. Whitman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6116) granting a pension to Frank W. Morton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6117) granting a pension to Addaile C. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6118) granting a pension to Adrian Musty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6119) granting a pension to Emma L. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6120) granting a pension to Abraham Geiser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6121) granting a pension to Anna E. Warden—to the Committee on Pensions.

Also, a bill (H. R. 6122) granting a pension to William H. Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6123) granting a pension to Henry Hull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6124) granting a pension to James Warren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6125) granting a pension to Perry C. Older—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6126) granting a pension to Lillie Mancha—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6127) granting a pension to Louis H. Leland—to the Committee on Pensions.

Also, a bill (H. R. 6128) granting a pension to Birdie M. Wedge—to the Committee on Pensions.

Also, a bill (H. R. 6129) granting a pension to Edwin M. Raymond—to the Committee on Pensions.

Also, a bill (H. R. 6130) granting a pension to John Van Horn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6131) granting a pension to Emily M. Lowing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6132) granting a pension to Samuel B. Tibbets—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6133) granting a pension to Mary A. Lossing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6134) granting a pension to Peter Weber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6135) granting a pension to Charles M. Tibbetts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6136) granting a pension to Susan Weiderwax—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6137) granting a pension to George Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6138) granting a pension to Mercy Cluff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6139) granting a pension to Dolly Burger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6140) granting a pension to Sarah Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6141) granting a pension to Charles H. Van Etten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6142) granting a pension to Hannah C. Rich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6143) granting a pension to Ellen E. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6144) granting a pension to Charles E. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6145) granting a pension to Adelaide C. Morse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6146) granting a pension to Mary B. Jennings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6147) granting a pension to Phila A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6148) granting a pension to Electa McLean French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6149) granting a pension to Jane C. Cornell—to the Committee on Pensions.

Also, a bill (H. R. 6150) granting a pension to William Choate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6151) granting a pension to Sylvia H. Lamoreaux—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6152) granting a pension to William A. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6153) granting a pension to Phœbe B. Beebe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6154) granting a pension to Eliza Burcaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6155) granting a pension to Henry Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 6156) granting a pension to Elizabeth Yates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6157) granting a pension to Raynor H. Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6158) granting a pension to Mary A. Everhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6159) granting a pension to Harriet Mesecas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6160) granting a pension to Margaret A. Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6161) granting a pension to Lucinda J. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6162) granting a pension to Frank Hiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6163) granting a pension to Walter S. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6164) granting a pension to Elizabeth Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6165) granting a pension to Mary Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6166) granting a pension to Levi Goodrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6167) granting a pension to Caroline Draper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6168) granting a pension to Sarah Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6169) granting a pension to Martin J. Painter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6170) granting a pension to Elizabeth F. Champlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6171) granting a pension to J. P. Livermore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6172) granting a pension to Thomas Scarvell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6173) granting a pension to Ann Lynch—to the Committee on Pensions.

Also, a bill (H. R. 6174) granting a pension to Henry Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6175) granting a pension to Alanson Beebe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6176) granting a pension to Ralph Steffens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6177) granting a pension to Stephen T. Wilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6178) granting a pension to John R. Wyckoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6179) granting a pension to Charles F. Ballard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6180) granting a pension to Decatur Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6181) granting a pension to Benjamin Holben—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6182) granting a pension to J. C. Horton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6183) granting a pension to Lucinda J. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6184) granting a pension to Henry Star—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6185) granting a pension to Julia A. Rosenberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6186) granting an increase of pension to James M. Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6187) granting a pension to George Eckles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6188) granting a pension to Hattie Ballou—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6189) granting a pension to George W. Heator—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6190) granting a pension to Lester Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6191) granting a pension to General M. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6192) for the relief of Lucas P. Retterstonf, alias Joseph Gray—to the Committee on Military Affairs.

Also, a bill (H. R. 6193) for the relief of Mary J. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6194) for the relief of F. E. Rosenkrans—to the Committee on Military Affairs.

Also, a bill (H. R. 6195) for the relief of Walter Culver—to the Committee on Military Affairs.

Also, a bill (H. R. 6196) for the relief of William Leech—to the Committee on Claims.

Also, a bill (H. R. 6197) for the relief of Charles W. Irwin—to the Committee on Military Affairs.

Also, a bill (H. R. 6198) for the relief of Lebens G. Landon—to the Committee on Military Affairs.

Also, a bill (H. R. 6199) for the relief of Rodman Hart—to the Committee on Military Affairs.

Also, a bill (H. R. 6200) for the relief of Silas Guernsey—to the Committee on Military Affairs.

Also, a bill (H. R. 6201) for the relief of Clark S. Frazier—to the Committee on Military Affairs.

Also, a bill (H. R. 6202) for the relief of William Barber—to the Committee on Naval Affairs.

Also, a bill (H. R. 6203) for the relief of W. R. Barrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6204) for the relief of John Gracy—to the Committee on Military Affairs.

Also, a bill (H. R. 6205) for the relief of Eli W. Marble—to the Committee on Military Affairs.

Also, a bill (H. R. 6206) for the relief of William O'Donnell—to the Committee on Military Affairs.

Also, a bill (H. R. 6207) for the relief of George W. Lindley, alias George W. La Pratte—to the Committee on Military Affairs.

Also, a bill (H. R. 6208) for the relief of Matthew Bier—to the Committee on Military Affairs.

Also, a bill (H. R. 6209) for the relief of Augustus Dudley Hubbell—to the Committee on Military Affairs.

Also, a bill (H. R. 6210) for the relief of Warren Shepard—to the Committee on Military Affairs.

Also, a bill (H. R. 6211) for the relief of Richard S. Gill—to the Committee on Naval Affairs.

Also, a bill (H. R. 6212) for the relief of George W. Hathaway—to the Committee on Military Affairs.

Also, a bill (H. R. 6213) for the relief of James Conway, late of Company I, Tenth New York Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 6214) for the relief of John Shields—to the Committee on Military Affairs.

Also, a bill (H. R. 6215) for the relief of John J. Waters—to the Committee on Military Affairs.

Also, a bill (H. R. 6216) for the relief of Alfred H. Van Vliet, late adjutant Eleventh Michigan Cavalry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6217) for the relief of William Leech—to the Committee on Claims.

Also, a bill (H. R. 6218) for the relief of Mary E. Wilkinson, widow of Mortimer Wilkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6219) for the relief of Adrian Yates—to the Committee on Military Affairs.

Also, a bill (H. R. 6220) for the relief of L. W. Bon—to the Committee on Claims.

Also, a bill (H. R. 6221) for the relief of William Henry Stapleton, alias William Henry—to the Committee on Military Affairs.

Also, a bill (H. R. 6222) for the relief of Carlton Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6223) for the relief of Lemon Barnes—to the Committee on Military Affairs.

Also, a bill (H. R. 6224) for the relief of Hiram Winas, late of Company G, Fifteenth Michigan Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 6225) for the relief of David Houk—to the Committee on Military Affairs.

Also, a bill (H. R. 6226) for the relief of Persons T. Carpenter—to the Committee on Military Affairs.

Also, a bill (H. R. 6227) for the relief of George W. Bannan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6228) for the relief of James F. Baker—to the Committee on Military Affairs.

Also, a bill (H. R. 6229) for the relief of Jacob Black—to the Committee on Military Affairs.

Also, a bill (H. R. 6230) for the relief of Chauncey Boyce—to the Committee on Military Affairs.

Also, a bill (H. R. 6231) for the relief of Warren P. Wood—to the Committee on Military Affairs.

Also, a bill (H. R. 6232) for the relief of Frances E. Childs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6233) for the relief of James Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 6234) for the relief of James K. Davie—to the Committee on Military Affairs.

Also, a bill (H. R. 6235) for the relief of George W. Blakeslee—to the Committee on Military Affairs.

Also, a bill (H. R. 6236) for the relief of Frank B. Crosthwaite—to the Committee on Claims.

Also, a bill (H. R. 6237) for the relief of John W. Beatty—to the Committee on Military Affairs.

Also, a bill (H. R. 6238) for the relief of A. E Tower, late captain Company E, Sixth Michigan Cavalry, now of Ionia, Mich.—to the Committee on War Claims.

Also, a bill (H. R. 6239) for the relief of Jane Ann Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6240) for the relief of William H. H. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6241) for the relief of George W. Zanty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6242) for the relief of Elizabeth Fortier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6243) for the relief of Z. E. Allen and C. C. Allen or heirs—to the Committee on Claims.

Also, a bill (H. R. 6244) for the relief of Peter Duchane—to the Committee on Military Affairs.

Also, a bill (H. R. 6245) for the relief of Samuel H. Keifer—to the Committee on Military Affairs.

Also, a bill (H. R. 6246) for the relief of Cæsar Dixon—to the Committee on Military Affairs.

Also, a bill (H. R. 6247) for the relief of Chester Narragan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6248) granting an increase of pension to J. W. Forbes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6249) granting an increase of pension to Frederick J. Fairbrass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6250) granting an increase of pension to Harriet V. Gridley—to the Committee on Pensions.

Also, a bill (H. R. 6251) granting an increase of pension to Thomas Sherry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6252) granting an increase of pension to R. Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6253) granting an increase of pension to Morris M. Comstock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6254) granting an increase of pension to Cyrus M. Burgess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6255) granting an increase of pension to Waldo W. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6256) granting an increase of pension to Albert Guernsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6257) granting an increase of pension to John Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6258) granting an increase of pension to Theodore C. Putnam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6259) granting an increase of pension to Magnus D. Slack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6260) granting an increase of pension to Andrew J. Bellinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6261) granting an increase of pension to Phebe Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6262) granting an increase of pension to Morris M. Comstock—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 6263) granting an increase of pension to Martha A. Hughes—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 6264) granting an increase of pension to Hylas S. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6265) to correct the military record of John Walsh—to the Committee on Military Affairs.

By Mr. WILLIAMS of Illinois: A bill (H. R. 6266) granting a pension to Nancy J. Bu[illegible]—to the Committee on Invalid Pensons.

Also, a bill (H. R. 6[illegible]) granting a pension to John T. Cotton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6268) granting an increase of pension to William A. Cover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6269) for the relief of James J. Bennett—to the Committee on Military Affairs.

By Mr. WILSON of New York: A bill (H. R. 6270) granting an increase of pension to John Foley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6271) granting a pension to Catherine Wonderly—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 6272) granting an increase of pension to Zadock McBee—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BINGHAM: Papers to accompany bill granting a pension to Mary A. Johns—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Delia White—to the Committee on Pensions.

Also, resolution of the standing committees of the National Business League, urging the enlargement of the Navy—to the Committee on Naval Affairs.

Also, resolution of Post B, Pennsylvania Division, Travelers' Protective Association of America, relative to a 35-foot channel for the Delaware River, port of Philadelphia—to the Committee on Rivers and Harbors.

By Mr. BOWERSOCK: Resolution of the standing committees of the National Business League, favoring enlargement of the Navy—to the Committee on Naval Affairs.

Also, petition of Sunday-school editors and publishing societies, protesting against increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the American Beet Sugar Association, protesting against the enactment of Senate bill 21—to the Committee on Ways and Means.

Also, letter of San Luis Obispo County (Cal.) Board of Trade, favoring Nacimiento ranch as a site for a military post—to the Committee on Military Affairs.

Also, resolution of the executive committee of the Southwestern Lumbermen's Association, urging amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDERHEAD: Resolution of the executive committee of the Southwestern Lumbermen's Association, offering an amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, resolution of John Brown Post, No. 44, Belleville, Department of Kansas, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CONNER: Petition of citizens of Fort Dodge, Iowa, urging amendment to Constitution of United States prohibiting polygamy and polygamous marriage—to the Committee on the Judiciary.

By Mr. DAYTON: Papers to accompany bill to increase pension of Martin Miller—to the Committee on Invalid Pensions.

By Mr. DOVENER: Papers to accompany bill to increase pension of Henry B. Harries—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Jacob Piles—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 2979, to pension Mary E. Radcliffe—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Francis M. Bennet—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 2978, granting pension to Eliza J. Davidson—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 940, to pension Oscar M. Parsons—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of the board of trustees of the Sanitary District of Chicago, favoring waterway connecting the Great Lakes with the Mississippi River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

Also, resolution of the standing committees of the National Business League, favoring enlargement of the Navy—to the Committee on Naval Affairs.

Also, resolution of the New York State Pharmaceutical Association, favoring reduction of rate on alcohol—to the Committee on Ways and Means.

Also, resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, favoring the appointment by the President of a permanent nonpartisan tariff commission—to the Committee on Ways and Means.

Also, resolution of the Rochester (N. Y.) Chamber of Commerce, asking cooperation of the Federal Government with New York State for deep waterways through New York State—to the Committee on Rivers and Harbors.

Also, petition of Sunday-school editors and publishing societies, protesting against increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Resolution of the Board of Trade of La Crosse, Wis., favoring the revival of the American over-sea marine by legislation—to the Committee on the Merchant Marine and Fisheries.

By Mr. FITZGERALD: Resolution of the board of trustees of the Sanitary District of Chicago, favoring a waterway connecting the Great Lakes with the Mississippi River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

Also, resolution of the standing committees of the National Business League, urging enlargement of the Navy—to the Committee on Naval Affairs.

Also, petition of Sunday-school editors and publishing societies, protesting against increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

Also, petition of the city of New York, for the reimbursement of certain moneys expended in equipping military forces for the civil war—to the Committee on War Claims.

By Mr. GARDNER of Massachusetts: Papers to accompany bill to pension Clara E. Daniels—to the Committee on Invalid Pensions.

By Mr. GRAFF: Petition of business men of Varna, Ill., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of business men of Washington, Ill., protesting against the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HITT: Petition of Henry Sauer and 32 other business men of Morrison, Ill., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HUFF: Paper to accompany bill granting an increase of pension to William Ralston—to the Committee on Invalid Pensions.

By Mr. HULL: Resolution of the United Presbyterian Synod of Iowa, favoring the passage of the Hepburn bill relating to liquor traffic—to the Committee on Military Affairs.

By Mr. JONES of Washington: Resolution of Baker Post, No. 20, Grand Army of the Republic, Goldendale, Department of Washington, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Custer Post, No. 6, Department of Washington and Alaska, favoring passage of bill H. R. 90, known as the "service-pension bill"—to the Committee on Invalid Pensions.

By Mr. KINKAID: Petition of J. A. Wood and 205 others, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LANNING: Resolution of the General Synod of the Reformed Church of America, urging an amendment to the Constitution to prohibit polygamy—to the Committee on the Judiciary.

By Mr. McCLELLAN: Papers to accompany concurrent resolution No. 14—to the Committee on the Library.

By Mr. PEARRE: Paper to accompany bill to pension David R. Arnold—to the Committee on Invalid Pensions.

By Mr. RYAN: Resolution of New York State Pharmaceutical Association, favoring reduction of tax on alcohol from $1.10 to 70 cents per proof gallon—to the Committee on Ways and Means.

Also, resolution of Rochester (N. Y.) Chamber of Commerce, asking national cooperation with New York State for a 21-foot canal from the Great Lakes to New York—to the Committee on Rivers and Harbors.

Also, resolution of the executive committee of the National German-American Alliance, against the interstate liquor bill, known as the "Hepburn bill"—to the Committee on the Judiciary.

By Mr. WM. ALDEN SMITH: Paper to accompany bill to pension Lester Wheeler—to the Committee on Invalid Pensions.

By Mr. SNOOK: Paper to accompany bill H. R. 4044, to pension William H. Slough—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 4045, granting a pension to Minnie Gusler—to the Committee on Invalid Pensions.

Also, paper to accompany bill to remove charge of desertion from the record of Hezekiah Thompson—to the Committee on Military Affairs.

By Mr. STERLING: Petition of Woodford County, Ill., urging amendment to Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of citizens of Ford County, Ill., urging amendment to Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of citizens of Illinois, urging amendment to Constitution against polygamy—to the Committee on the Judiciary.

Also, petition of merchants of Pontiac, Latham, Heyworth, New Holland, Washburn, Piper City, McLean, and Danvers, Ill., protesting against the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Illinois: Papers to accompany bill to increase pension of Daniel Woodruff—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of William A. Cover—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension James J. Bennett—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Resolution of the New York State Pharmaceutical Association, asking for a reduction on alcoholic tax—to the Committee on Ways and Means.

SENATE.

TUESDAY, *December 8, 1903.*

Prayer by Rev. G. F. DUDLEY, of the city of Washington.

Mr. MURPHY J. FOSTER, a Senator from the State of Louisiana, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

REPORT OF THE SECRETARY OF THE TREASURY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Secretary of the Treasury for the fiscal year ended June 30, 1903; which was referred to the Committee on Finance, and ordered to be printed.

RECEIPTS AND EXPENDITURES IN "THE OREGON COUNTRY."

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 27th ultimo, a statement of the amount of revenue paid in to the General Government in what was originally known as the "Oregon Country;" which, with the accompanying paper, was, on motion of Mr. MITCHELL, referred to the Select Committee on Industrial Expositions, and ordered to be printed.

REPORT OF LIBRARIAN OF CONGRESS.

The PRESIDENT pro tempore laid before the Senate the annual report of the Librarian of Congress; which was referred to the Committee on the Library, and ordered to be printed.

MARITIME CANAL COMPANY OF NICARAGUA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting the annual report of the Maritime Canal Company of Nicaragua; which, with the accompanying paper, was referred to the Committee on Interoceanic Canals, and ordered to be printed.

LAWS OF THE TERRITORY OF ARIZONA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a copy of the acts, resolutions, and memorials of the twenty-second legislative assembly of the Territory of Arizona, 1903; which, with the accompanying paper, was referred to the Committee on Territories.

LAWS OF THE TERRITORY OF HAWAII.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, one copy each of the journals of the senate and the house of representatives of the Territory of Hawaii for the second regular session, 1903, and the extra session of 1903, and the laws of the Territory of Hawaii, second and extra session of 1903; which, with the accompanying paper, was referred to the Committee on Pacific Islands and Porto Rico.

LAWS OF THE TERRITORY OF NEW MEXICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, one copy each of the journals of the house and council of the thirty-fifth legislative assembly of the Territory of New Mexico, etc.; which, with the accompanying paper, was referred to the Committee on Territories.

LAWS OF PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting one copy each of the journal of the executive council and the minutes of the house of delegates of the first session of the second legislative assembly of Porto Rico, 1903, together with a copy of the acts and resolutions passed at the session of the legislature, etc.; which, with the accompanying papers, was referred to the Committee on Pacific Islands and Porto Rico.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented petitions of the congregation of the Presbyterian Church of Thomas; of the Christian Endeavor Society of Lebanon; of the congregation of St. Paul's Episcopal Church, of Lebanon; of the congregation of the Methodist Episcopal Church of North Clarendon; of the congregation of the Centenary Methodist Episcopal Church, of Lebanon; of the congregation of Trinity Church, of Lebanon; of the Woman's Christian Temperance Union of Wrightstown; of the Woman's Christian Temperance Union of Clarendon; of the congregation of the Messiah Reformed Church, of Philadelphia; of sundry citizens of Dicksonburg; of the Woman's Home and Foreign Missionary Society of Bangor; of the Epworth League of Lebanon; of the congregation of the Memorial United Brethren Church, of Lebanon; of the Young People's Christian Union of New Holland; of the Woman's Christian Temperance Union of Kingston; of the congregation of the First Baptist Church of Nanticoke; of the New Century Club, of Philadelphia; of the Epworth League of Clarendon; of sundry citizens of Mars; of the Woman's Christian Temperance Union of Ulysses, and of the congregations of the Methodist Episcopal and United Presbyterian churches of Houston, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of Baker Post, No. 20, Department of Washington and Alaska, Grand Army of the Republic, of Goldendale, Wash., and a petition of Custer Post, No. 6, Department of Washington and Alaska, Grand Army of the Republic, of Tacoma, Wash., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the board of trustees of the Chamber of Commerce and Board of Trade of Tacoma, Wash., praying for the enactment of legislation providing for a drawback of the duties equal to the amount of duty paid in cases where the manufacturer uses imported raw materials, etc.; which was referred to the Committee on Finance.

He also presented a memorial of the American League of Independent Workmen, of Spokane, Wash., remonstrating against the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Federation of Woman's Clubs, of Seattle, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. NELSON presented a petition of Custer Post, No. 44, Department of Minnesota, Grand Army of the Republic, of Rochester, Minn., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Clerks' Union of Brainerd, Minn., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. PERKINS presented a petition of State Council, Junior Order of United American Mechanics, of San Francisco, Cal., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

He also presented petitions of the Vernon Mission of Los Angeles, of the Woman's Christian Temperance Union of Corning, and of the congregation of the Christian Church of San Bernardino, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented a memorial of Cigar Makers' Local Union No. 230, American Federation of Labor, of Millville, N. J., remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of San Luis, Cal., praying for the establishment of the Nacimiento Ranch as a military post; which was referred to the Committee on Military Affairs.

He also presented a petition of the Sanitary District of Chicago, Ill., praying for the enactment of legislation to construct a waterway connecting the Great Lakes at the north with the Mississippi River and the Gulf of Mexico at the south; which was referred to the Committee on Commerce.

He also presented a memorial of the Sunday School Editors and Publishers' Association of the United States, remonstrating against the enactment of legislation to increase the postal rates on Sunday-school periodicals; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Union No. 7, Saw Smiths' National Union, of Newark, N. J., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Somerset County, of the Woman's Christian Temperance Union of Pennington, of the Ladies' Aid and Home Missionary Society of the First Presbyterian Church of Haddonfield, of the Epworth League of the Methodist Episcopal Church of Lumberton, of the congregation of the New York Avenue Reformed Church of Newark, of the Ladies' Golden Eagle Club of Tuckerton, of the congregation of the Baptist Church of Bloomfield, of the Woman's Christian Temperance Union of Succasunna, of the Woman's Home and Foreign Missionary Society of Camden, of sundry citizens of Montclair, of the Woman's Christian Temperance Union of Little Falls, of the congregation of the Methodist Episcopal Church of Elmer, of the congregation of the St. George's Methodist Episcopal Church of Camden, of the Woman's Christian Temperance Union of Haddonfield, of the Woman's Christian Temperance Union of Bayonne, of the congregation of the First Reformed Church of Bayonne, of the congregation of the Presbyterian Church of Stanhope, of the congregation of the Methodist Episcopal Church of Little Falls, of the Civic Association of Irvington, of sundry citizens of Upper Montclair, of the Woman's Guild of the First Presbyterian Church of Elizabeth, of the congregation of the Methodist Episcopal Church of Trenton, of the congregation of the Presbyterian Church of Atlantic City, of the Woman's Missionary Society of the First Presbyterian Church of Rutherford, and of the Woman's Home Missionary Society of Ocean Grove, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MALLORY presented a petition of the congregation of the Advent Christian Church, of Jacksonville, Fla., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PATTERSON presented a petition of the congregation of the Central Presbyterian Church, of Denver, Colo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the congregations of the Universalist, the Congregational, and the Methodist Episcopal churches, all of Winchester, in the State of New Hampshire, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a memorial of the congregations of the Presbyterian and Methodist Episcopal churches of Bayfield, Wis., remonstrating against the restoration of the army canteen; which was referred to the Committee on Military Affairs.

He also presented petitions of the Young Ladies' Missionary Society of the Presbyterian Church of Appleton, of the Woman's Christian Temperance Union of Whitehall, of the Woman's Christian Temperance Union of Packwaukee, and of the Woman's Christian Temperance Union of La Crosse, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of Tyler Post, No. 5, Grand Army of the Republic, Department of Maryland, of Cumberland, Md., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Missionary Society of the Second Presbyterian Church of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a memorial of the Cigar Makers' International Union of America, remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

Mr. DOLLIVER presented a petition of sundry citizens of Fort Dodge, Iowa, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Fort Dodge,

Iowa, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Eagle Grove, Iowa, praying for the repeal of the bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of the Synod of the United Presbyterian Church of North America, of Des Moines, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the German Kreiger Verein of Davenport, Iowa, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the Synod of the United Presbyterian Church of North America of Des Moines; of the congregation of the United Presbyterian Church of Goldfield; of the Woman's Christian Temperance Union of Terril; of sundry citizens of Le Mars, and of the Woman's Christian Temperance Union of Algona, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Society of the Army of the Potomac of Sioux City, Iowa, praying for the establishment of a national park within the limits and site of Fredericksburg, Va.; which was referred to the Committee on Military Affairs.

Mr. ANKENY presented a petition of Custer Post, No. 6, Department of Washington and Alaska, Grand Army of the Republic, of Tacoma, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Federation of Woman's Clubs, of Seattle, Wash., and a petition of sundry citizens of Charleston, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented the petition of Philip F. Castleman, of Oregon, praying that he be granted an increase of pension; which was referred to the Committee on Pensions.

Mr. BURTON presented petitions of General Bailey Post, No. 49, Grand Army of the Republic, Department of Kansas, of Girard; of the Long-Bell Lumber Company, of Sedan, and of Lew Gove Post, No. 100, Department of Kansas, Grand Army of the Republic, of Manhattan, all in the State of Kansas, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Perry, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Catholic Cathedral of Concordia, the Methodist Episcopal Church of Concordia, the Baptist Church of Concordia, the Presbyterian Church of Concordia, the Christian Church of Concordia, the United Brethren Church of Concordia, the Presbyterian Church of Washington, the First Baptist Church of Burlingame, of the Missionary Society of the Presbyterian Church of Chetopa, of the Woman's Christian Temperance Union of Burlingame, of the Woman's Missionary Society of Iola, of the congregation of the First Presbyterian Church of Manhattan, of the congregation of the Baptist Church of Harveyville, of the Woman's Christian Temperance Union of Harveyville, of the Travelers' Club of Kansas City, of the Centralia Reading Circle of Centralia, and of the Woman's Christian Temperance Union of Concordia, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of the Cigar Makers' International Union of America, remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented a petition of Frankford Prohibition Alliance, No. 6, of Frankford, Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

SOLDIERS' MONUMENT IN WASHINGTON CITY.

Mr. GALLINGER. I present a letter from Gen. John C. Black, the commander of the Grand Army of the Republic, earnestly favoring the enactment of a bill which I introduced during the first session of the present Congress, making an appropriation for the erection of a monument in the city of Washington to the private soldiers of the Union Army. I desire this letter to go to the Committee on the Library, and I bespeak for it the careful consideration of that committee.

The PRESIDENT pro tempore. The letter will be so referred.

REPORTS OF GETTYSBURG NATIONAL PARK COMMISSION.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 17) to provide for the printing of 8,000 copies of the consolidated reports of the Gettysburg National Park Commission, 1893 to 1904, inclusive, to report it favorably without amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDEX OF CLAIMS.

Mr. WARREN. From the Committee on Claims I submit a report. It is made in compliance with the provisions of an act of Congress approved July 1, 1902, to enable the Committee on Claims to prepare a record and index of private claims introduced in the Senate during the Fifty-sixth and Fifty-seventh Congresses; and in compliance with the provisions of an act of Congress approved February 25, 1903, to enable the Committee on Claims to complete the preparation of a record and index of private claims introduced in the Senate during the Fifty-sixth and Fifty-seventh Congresses. In this connection I beg to say just a word.

In the last Congress an appropriation was made providing for the preparation of an index of all private claims bills introduced in the Senate of the Fifty-sixth and Fifty-seventh Congresses. Provision was made that the work be done in the recess and that the index should be printed. It has been so printed and I have it in my hand. It embraces some 19,500 claims, not only those which were referred to the Committee on Claims, but to all other committees of the Senate, including the Committees on Appropriations, Commerce, District of Columbia, Finance, Foreign Relations, Indian Affairs, Indian Depredations, Military Affairs, Naval Affairs, Patents, Pensions, Post-Offices and Post-Roads, Public Lands, Private Land Claims, Education, and others. This index, and those which have preceded it, are necessary—in fact, almost indispensable—in order to secure the orderly work of Senators and committees, as they serve to prevent the passage of duplicate bills.

I wish to call the attention of the Senate to this work of indexing and the published volumes, and suggest that they may be found useful to Senators and their clerks in preparing claims bills for introduction.

The Committee on Claims already has before it, introduced in the few days of the called session, over 700 bills, and, judging from the past, this is a mere beginning of the number which will be introduced and referred to that committee. A rather hurried examination of this number of bills already introduced develops the fact that about 10 per cent of them, or some 75 bills, are either for duplicate amounts already provided for and paid under earlier legislation or are duplicate and triplicate bills for the relief of identical parties seeking adjudication and payment of identical amounts. If those desiring passage of relief bills would make an examination of the indices already printed, and which are now brought up to the opening of the Fifty-eighth Congress, it would greatly facilitate the work of Senators and committees, would prevent much extra printing on the part of the Government, and would lessen the burden and pressure on the Claims Committee's files and dockets.

The PRESIDENT pro tempore. The report will be printed under the rule.

BILLS INTRODUCED.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 2131) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes (with an accompanying paper);

A bill (S. 2132) authorizing certain extensions to be made in the lines of the City and Suburban Railway of Washington and of the Washington Railway and Electric Company in the District of Columbia, and for other purposes;

A bill (S. 2133) to change the name of Madison street to Samson street; and

A bill (S. 2134) to connect Euclid place with Erie street.

Mr. GALLINGER introduced a bill (S. 2135) for the relief of the State of New Hampshire; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2136) granting an increase of pension to May Mosher Chase; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 2137) raising the rank of Chief Engineer Robert Potts on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2138) for the relief of the legal representatives of Margaret A. Russell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 2139) for the relief of Sarah E. Callahan; which was read twice by its title, and referred to the Committee on Claims.

Mr. KEAN introduced a bill (S. 2140) for the relief of Mrs. Jane Moore Faircloth; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2141) granting a pension to Ella Hatfield;

A bill (S. 2142) granting an increase of pension to Hannah Couse;

A bill (S. 2143) granting an increase of pension to Amelia Stout MacIntosh;

A bill (S. 2144) granting an increase of pension to Elizabeth B. French; and

A bill (S. 2145) granting an increase of pension to Jennie Long (with accompanying papers).

Mr. DRYDEN introduced a bill (S. 2146) for the relief of George Serrell; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULBERSON introduced a bill (S. 2147) to provide for the enlargement and improvement of the public building at Fort Worth, Tex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2148) to provide for the enlargement and improvement of the public building at Tyler, Tex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WARREN introduced a bill (S. 2149) to provide for filling a vacancy created by the detail of the head of a department or corps of the War Department to the General Staff or other duty; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCOMAS introduced a bill (S. 2150) for the relief of Kate R. Sharretts and Edward A. Sharretts, administrators of George E. W. Sharretts; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2151) for the relief of Richard T. Gott, administrator of Thomas N. Gott, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2152) authorizing the President of the United States to nominate Lieut. Samuel Lindsey Graham, now on the retired list, to be a lieutenant-commander on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. LODGE introduced a bill (S. 2153) to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 2154) to regulate commerce with foreign nations, to induce the preferable employment of American ships, to extend the postal service by mail and naval steamers, and to promote intercourse with foreign countries; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2155) granting an increase of pension to Joseph Dalien (with accompanying papers);

A bill (S. 2156) granting an increase of pension to Mary E. Mathes (with accompanying papers);

A bill (S. 2157) granting a pension to George W. Miller;

A bill (S. 2158) granting an increase of pension to John A. Thomas (with accompanying papers);

A bill (S. 2159) granting an increase of pension to William Comstock (with an accompanying paper);

A bill (S. 2160) granting an increase of pension to William Bunnell;

A bill (S. 2161) granting a pension to Herman H. Ahlers; and

A bill (S. 2162) granting an increase of pension to Thomas Search (with accompanying papers).

Mr. PLATT of New York introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (S. 2163) for the relief of Lieut. Jerome E. Morse, United States Navy, retired;

A bill (S. 2164) for the relief of Henry E. Rhoades, assistant engineer, United States Navy, retired; and

A bill (S. 2165) to authorize the Secretary of the Navy to cede certain lands to the city of New York.

Mr. PLATT of New York introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2166) granting an increase of pension to John D. Terry (with an accompanying paper);

A bill (S. 2167) granting a pension to Joseph Gardner;

A bill (S. 2168) granting a pension to Edward Minnie; and

A bill (S. 2169) granting a pension to Mary Coats.

Mr. PENROSE introduced a bill (S. 2170) providing for the adjustment and payment of the accounts of letter carriers arising under the eight-hour law; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2171) for the relief of Laura A. Wagner; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2172) for establishing further aids to navigation in Delaware Bay and River; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2173) for the relief of Edmund F. Steckel;

A bill (S. 2174) to correct the military record of L. L. Bedell, alias Latero Degroat;

A bill (S. 2175) to correct the military record of Aaron Luman (with an accompanying paper);

A bill (S. 2176) to correct the military record of Edward T. Lewis;

A bill (S. 2177) for the relief of Daniel H. Snyder; and

A bill (S. 2178) to correct the military record of Edward A. Smith.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2179) granting an increase of pension to Thomas Harkison (with accompanying papers);

A bill (S. 2180) granting an increase of pension to Washington I. Cook;

A bill (S. 2181) granting a pension to Hannah Tomlinson;

A bill (S. 2182) granting a pension to Amos Horning;

A bill (S. 2183) granting an increase of pension to David L. Miller (with accompanying papers);

A bill (S. 2184) granting an increase of pension to John M. Thomas;

A bill (S. 2185) granting a pension to Allison F. Kohler;

A bill (S. 2186) granting an increase of pension to Charles Moyer;

A bill (S. 2187) granting a pension to James D. Gay;

A bill (S. 2188) granting an increase of pension to Eveline V. Ferguson;

A bill (S. 2189) granting an increase of pension to Joseph K. Armstrong;

A bill (S. 2190) granting a pension to William V. Thompson;

A bill (S. 2191) granting a pension to Deborah E. Green-Childs (with accompanying papers);

A bill (S. 2192) granting an increase of pension to Charles Stackhouse;

A bill (S. 2193) granting a pension to William Penn Mack;

A bill (S. 2194) granting an increase of pension to Phoebe Buch;

A bill (S. 2195) granting an increase of pension to Jacob Foust;

A bill (S. 2196) granting an increase of pension to John J. Carberry;

A bill (S. 2197) granting an increase of pension to Griffis Bachman; and

A bill (S. 2198) granting a pension to Thomas Irvin (with an accompanying paper).

Mr. DOLLIVER (by request) introduced a bill (S. 2199) granting an increase of pension to Simon A. Bendon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2200) granting an increase of pension to Charles R. Collins;

A bill (S. 2201) granting a pension to Thomas Allen;

A bill (S. 2202) granting an increase of pension to Hosea Knowles;

A bill (S. 2203) granting an increase of pension to Henry Blake; and

A bill (S. 2204) granting an increase of pension to George E. Coryell.

Mr. OVERMAN introduced a bill (S. 2205) for the relief of the legal representatives of John D. Thorne, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 2206) for the relief of the First National Bank of Newton, Mass.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2207) to fix the compensation of criers and bailiffs in the United States courts; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2208) granting an increase of pension to Philip T. Greely;

A bill (S. 2209) granting an increase of pension to Carlton M. De Land (with accompanying papers);

A bill (S. 2210) granting a pension to Patrick Dolan;

A bill (S. 2211) granting a pension to Kate S. Church;

A bill (S. 2212) granting a pension to Charles N. Wood (with accompanying papers); and

A bill (S. 2213) granting an increase of pension to Robert T. Goodwin (with accompanying papers).

Mr. ALLEE introduced a bill (S. 2214) granting a pension to Hester Angelina Marshall; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2215) granting a pension to Sallie H. Hoffecker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEYBURN introduced a bill (S. 2216) granting an increase of pension to Charles Reed; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2217) granting an increase of pension to Henry C. Riggs; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLARK of Wyoming introduced a bill (S. 2218) granting an increase of pension to Amanda B. Tisdel; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 2219) authorizing national banking associations to make loans on real estate security in certain cases; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 2220) providing for the increase of the circulating notes of national banking associations, and for other purposes; which was read twice by its title, and referred to the Committee on Finance.

Mr. PERKINS introduced a bill (S. 2221) granting a pension to Carlotta E. Hooper; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2222) granting a pension to Richard A. Kendall; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2223) providing a means of acquiring a title to two groves of Sequoia gigantea, in the State of California, with a view to making national parks thereof; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2224) to authorize the President to appoint Col. Henry Lippincott, United States Army, retired, to the grade of brigadier-general, United States Army, on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2225) to provide a depot for the Revenue-Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL introduced a bill (S. 2226) to ratify an agreement with the Indians of the Klamath Indian Reservation, in Oregon, and making appropriations to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2227) granting an increase of pension to Philip F. Castleman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2228) for the removal of the charge of desertion from the military record of George Abbott, alias Andrew C. Adams; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 2229) to amend chapter 4952 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Patents.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2230) granting an increase of pension to Mary C. Lothrop;

A bill (S. 2231) granting an increase of pension to Bessie M Dickinson; and

A bill (S. 2232) granting an increase of pension to Enoch Bolles.

Mr. PLATT of Connecticut introduced a bill (S. 2233) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher; which was read twice by its title, and referred to the Committee on Claims.

He also (for Mr. HAWLEY) introduced a bill (S. 2234) granting an increase of pension to Enea Brenna; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 2235) granting a pension to Norris H. Taylor;

A bill (S. 2236) granting an increase of pension to James Reed;

A bill (S. 2237) granting an increase of pension to Louise Chandler; and

A bill (S. 2238) granting an increase of pension to William Strawn.

Mr. SPOONER introduced a bill (S. 2239) granting an increase of pension to Theodore E. Chatfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2240) granting an increase of pension to Samuel B. Mann (with accompanying papers);

A bill (S. 2241) granting an increase of pension to Sampson T. Grove (with accompanying papers);

A bill (S. 2242) granting a pension to Pearson N. Clifford;

A bill (S. 2243) granting a pension to Henry Mott (with an accompanying paper);

A bill (S. 2244) granting an increase of pension to David A. Davis (with accompanying papers);

A bill (S. 2245) granting an increase of pension to Daniel Fritz (with an accompanying paper);

A bill (S. 2246) granting an increase of pension to William B. Graham (with an accompanying paper);

A bill (S. 2247) granting an increase of pension to Daniel Fike;

A bill (S. 2248) granting an increase of pension to Frederick Sommers;

A bill (S. 2249) granting an increase of pension to Cyrus Stanley;

A bill (S. 2250) granting an increase of pension to Anna Pritchard;

A bill (S. 2251) granting an increase of pension to E. W. Bennett;

A bill (S. 2252) granting an increase of pension to David Inches;

A bill (S. 2253) granting an increase of pension to Sylvester C. Limbocker (with an accompanying paper);

A bill (S. 2254) granting an increase of pension to George O. Wright;

A bill (S. 2255) granting an increase of pension to John I. Smallwood;

A bill (S. 2256) granting an increase of pension to John Spriggs; and

A bill (S. 2257) granting an increase of pension to J. P. Campbell.

Mr. BURTON introduced a bill (S. 2258) to provide for the improvement and enlargement of the Fort Scott, Kans., National Cemetery, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes (with an accompanying paper);

A bill (S. 2260) to remove discriminations against American sailing vessels in the coasting trade;

A bill (S. 2261) to amend section 4607 of the Revised Statutes;

A bill (S. 2262) to provide for the removal or destruction of derelicts; and

A bill (S. 2263) to require the employment of vessels of the United States for public purposes.

Mr. McCOMAS introduced a bill (S. 2264) granting an increase of pension to Edward Davidson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

RIVER AND HARBOR IMPROVEMENT IN OREGON.

Mr. FULTON submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Youngs Bay and of that portion of the Columbia River between Tongue Point and Fort Stevens, Oreg., commonly known and designated as the Astoria Harbor, with a view to widening and deepening the channel and permanently improving said harbor, and to submit a plan and estimate for such improvement.

COMMITTEE ON POST-OFFICES AND POST-ROADS.

Mr. PENROSE. I submit a resolution for reference to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was read, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer from time to time as may be necessary to report such hearings as may be had by the committee and subcommittees in connection with any matter that may be before the committee, and to have the same printed for its use; and that any expense incurred hereunder shall be paid out of the contingent fund of the Senate.

Mr. PENROSE. I desire to state that this resolution has no bearing on the resolution introduced by me to investigate the Post-Office Department, but it is the usual resolution for taking testimony and hearings, and particularly applies to a hearing which the committee will have next Thursday.

The PRESIDENT pro tempore. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

COLON FIRE CLAIMS.

Mr. HOAR. I submit a resolution, for which I ask immediate consideration. Before the resolution is read, for information, I ask leave to say that it relates merely to a private claim and has nothing to do with any matter of public interest.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the President be and he is hereby requested, if not in [illegible] with the [illegible] to transmit to the Senate a [illegible] and papers [illegible] March 20, 1902, in regard to the public [illegible] of the Colombian Republic [illegible] of Panama, in whole or part, for the payment of [illegible] treaties of 1846 and 1857 between the United States and New Granada (Colombia) or upon general principles of international law.

RULES OF COMMITTEE ON PENSIONS.

Mr. McCUMBER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Pensions be authorized to have printed [illegible] copies of the rules of the committee governing the introduction and consideration of pension bills.

DISASTERS TO MERCHANT VESSELS.

Mr. PERKINS. I submit a resolution, and ask for its present consideration.

The resolution was read, as follows:

Whereas disasters to documented vessels on the Atlantic and Pacific coasts number each year nearly [illegible];

Whereas the values of such vessels and their cargoes aggregate not far from [illegible]; and

Whereas such disasters imperil the lives of 3,000 or more persons; and

Whereas it is alleged that many of these disasters are due to overloading or improper loading of cargo. Therefore, be it

[illegible] the Secretary of Commerce and Labor be, and he is hereby, [illegible] to the Senate a statement showing the [illegible] during the last three years of American documented vessels [illegible] 500 tons [illegible] and over, in so far as there may be proper evidence that such losses were caused by overloading or improper loading of cargo.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SPOONER. Why will not the Senator strike out the preamble?

Mr. PERKINS. I have no objection to striking out the preamble, but I thought it proper that I should give the reasons why I ask for the adoption of the resolution. It is self-explanatory, and I see no particular objection to striking out the preamble.

Mr. SPOONER. The preamble calls upon the Senate to resolve as to a great many statements that they are facts.

Mr. PERKINS. I am willing to strike out the preamble.

Mr. SPOONER. The Senator will accomplish all he desires without it.

Mr. PERKINS. Let the preamble by stricken out.

The PRESIDENT pro tempore. The Senator has a right to amend the resolution. It is amended accordingly by striking out the preamble. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

PURE FOOD BILL.

Mr. HEYBURN submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed for the use of the Senate document room 1,000 copies of Senate bill No. 198, commonly known as the "pure food bill."

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The morning business is closed. The Chair lays before the Senate House bill 1921, which will be stated.

The SECRETARY. A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. PENROSE. I ask unanimous consent to call up the resolution introduced by me to investigate the Post-Office Department.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent for the present consideration of a resolution, which will be read.

The Secretary proceeded to read the resolution submitted by Mr. PENROSE on the 1st instant, as amended yesterday by the Senate.

The PRESIDENT pro tempore. Does the Senator from Pennsylvania understand that the amendments offered by the Senator from Maryland [Mr. GORMAN] were made a part of his resolution?

Mr. PENROSE. I do not so understand. The resolution went over pending a discussion of those amendments.

The PRESIDENT pro tempore. They are simply pending. The resolution will be read as amended yesterday by the Senate.

The Secretary resumed and concluded the reading of the resolution, which is as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the [illegible] of charges in the management and conduct of the Post-Office Department [illegible] introduced by the chairman of the Post-Office Department [illegible] difficulties [illegible] to send for persons and papers [illegible] and if necessary to make further inquiry [illegible] report thereon to Congress [illegible] of said investigation.

[illegible] That said committee shall have power to send for persons, books, papers, examine witnesses under oath, compel a stenographic record of the testimony to be taken by [illegible] during the sessions of the Senate, of such committee [illegible] and the expenses incurred hereunder to be paid upon orders signed by the chairman of the committee [illegible] of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate resumed the consideration of the resolution.

Mr. HALE. What is the pending question, Mr. President?

The PRESIDENT pro tempore. On certain amendments offered by the Senator from Maryland [Mr. GORMAN].

Mr. HALE. I understood that a motion was made to refer.

The PRESIDENT pro tempore. No.

Mr. NELSON. The question now is whether the resolution be considered or not. It is open to objection, I understand.

The PRESIDENT pro tempore. The Chair put the request and announced that no objection was heard. That brings the resolution before the Senate.

Mr. HALE. Then I ask what is the pending question, because I understood it was a motion to refer.

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. NELSON] moved a reference of the resolution to the Committee on Post-Offices and Post-Roads. Did the Senator withdraw that motion?

Mr. NELSON. I withdrew the motion yesterday and intend to renew it to-day.

The PRESIDENT pro tempore. Then the pending question is on the first amendment offered by the Senator from Maryland [Mr. GORMAN].

Mr. LODGE. Will the Senator from Minnesota allow me?

Mr. NELSON. Certainly.

Mr. LODGE. I move to refer the resolution and the pending amendments to the Committee on Post-Offices and Post-Roads. The resolution as originally introduced had my entire approval, but the amendments radically alter it, and I do not think it ought to be dealt with here until there has been an opportunity to bring it before the full committee, there to be considered.

Mr. GORMAN. Mr. President, I trust the motion made by the Senator from Massachusetts will not prevail. Some ten days ago the junior Senator from Tennessee [Mr. CARMACK] offered a resolution providing for an investigation of the affairs of the Post-Office Department. It was broad and sweeping, and instructed the Committee on Organization, Conduct, and Expenditures of the Executive Departments to make the examination. The Senator from Pennsylvania [Mr. PENROSE], the chairman of the Committee on Post-Offices and Post-Roads, moved that the resolution be referred to that committee. Subsequently the Senator from Pennsylvania offered another and different resolution providing for this investigation in the discretion of the Post-Office Committee, which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, because it provided for the employment of clerks and stenographers. It was reported back from that committee on yesterday with one amendment, and in addition I have offered two amendments—one that the Committee on Post-Offices and Post-Roads may, in their discretion, make this investigation to a direction requiring them to make the investigation, and the other that the report should be

made to the Senate by May, 1904, so as to make the investigation obligatory and speedy.

I confess I do not see why the Senator from Massachusetts or any other Senator in this body, under the present conditions, desires to stifle this investigation for a single moment. The President of the United States has called the attention of Congress to the fact of widespread fraud and corruption in that particular Department. He has told the Senate and the country that—

> through frauds, forgeries and perjuries, and by shameless briberies, the laws relating to the proper conduct of the public service in general and to the due administration of the Post-Office Department have been notoriously violated, and many indictments have been found, and the consequent prosecutions are in course of hearing or on the eve thereof. * * * While there may have been as much official corruption in former years, there has been more developed and brought to light in the immediate past than in the preceding century of our country's history.

The Post-Office Department is a great and important one, and affects the people directly. Its revenue comes from the humble man who pays 2 cents for postage, and it comes from every home in the land. It is admitted that the revenue derived from this source has been filched from the Department, and the corruption has been so great that it has bubbled up and become public, because the thieves themselves have quarreled about the plunder.

The examination was made by the officers of the Department whose duty it was to prevent the frauds, and it was made by officials who are responsible for the conduct of the Department and who, some of the accused aver, are not themselves blameless. And now this simple proposition, with the amendments that I have offered, provides for what? That the inquiry may be made by both sides of this Chamber; that the opposition may have an opportunity to look at the books and to examine the provisions of the law by which it was possible to take the people's money for solid gain.

Can the Senator from Massachusetts or any other Senator refuse under these conditions to let an honorable committee of this body, composed of a large majority of the party in power, make this investigation? Can you refuse to permit one or two of us on this side to join with you and ascertain whether the statements which have been made are true, and whether they have taken only the surface of the case?

Already, Mr. President, the men who are accused of the high crimes and misdemeanors retort in the public press and say that the investigators of the Department are as guilty as they in some particulars. I assert that there is evidence in writing that the employment of some of the people who have been placed upon the rolls of the Department was done by a written order of higher officers than those indicted.

I assert more, Mr. President, that the loosest legislation on the statute books is the appropriation act by which we placed in the hands of the officials of the Department authority to expend money without limitation except as to the gross amount of the appropriation. Under it this Department has grown from an insignificant one in point of expenditures to more than a hundred millions, and this ought to be corrected. The check and restrictions should be in the law. The petty stealing or the stealing upon a larger scale that has occurred under it has gone into the past, and we can leave the Administration, if it will do so, and I have no doubt it will, to prosecute the men against whom they have evidence. This investigation by a committee of the Senate will not interfere in the slightest degree with the prosecution of those who have been indicted or trench upon the investigation by making the testimony public in a way that would prevent the conviction of anyone. But we want to go further and ascertain the truth of the general, sweeping—I might almost say horrible—declaration of the President of the United States that bribery and corruption so permeates the Department as to convince him that there was more corruption in public places in the last ten years than in the century before.

Mr. President, it would be the first time in the history of the Government when a matter comes before Congress through the President of the United States calling our specific attention to a Department, and demanding the exposure of every man who is guilty of fraud, that we of the minority party should not be permitted to participate with you in ascertaining how great the extent and what legislation may be necessary to prevent its recurrence in the future.

I am confident that the junior Senator from Massachusetts upon a moment's reflection will see the propriety of this investigation. It is not one for the Post-Office Committee to consider, but it is for this great body as a whole to consider. There is the single proposition of fraud and corruption in high places in that Department, which is admitted and communicated to us by the President. The remedy must be applied. We say we do not believe it was possible for the Post-Office Department to expose all the rascality in it. Who does not remember that when it began a high officer of the Government said it was mere smoke? Who in this body does not remember that when that ex-official of the city post-office made his statement charging fraud it was laughed at? But finally it was referred to an Assistant Postmaster-General, and then to a commission of eminent lawyers, who have told the country that his report could not be ignored.

Sir, the country is not satisfied with what has been done. We are not satisfied with the course of this investigation, thorough as it may have been as to a few individuals. The prominent ones insist that it is persecution; that they are being made the scapegoats for great frauds which have been perpetrated because others higher in authority have been negligent.

We want the facts. We want to open the books. We want the investigation thorough and complete, and then we will see whether the President, with his great power, will turn out the inefficient and prosecute all the rascals; and I have no doubt he will. Let us aid him to purify the Department and to prevent these wholesale frauds in the future.

Mr. LODGE. Mr. President, if I needed any assurance of the entire soundness of my motion it would be furnished to me by what has been said by the Senator from Maryland. In the passage from the President's message, which the Senator from Maryland inaccurately quoted two or three times, the President says:

> While there may have been as much official corruption in former years, there has been more developed and brought to light in the immediate past than in the preceding century of our country's history.

The President is not speaking of the Post-Office Department; he is referring to the exposures and prosecutions of official corruption in St. Louis, Mo., and other cities and States. He says:

> The exposures and prosecutions of official corruption in St. Louis, Mo., and other cities and States have resulted in a number of givers and takers of bribes becoming fugitives in foreign lands.

It is in connection with the unfortunate events that have occurred in one of the States.

The Senator from Maryland forgets that Congress has twice investigated that portion of the postal service which was found to be most in fault. A committee of the House of Representatives investigated it and gave them a clean bill of health. A committee of the Senate investigated it: the acute eyes of the Senator's friends of the opposition were there looking for what they could discover, and they gave a clean bill of health. The two committees of Congress, with the best intentions in the world, found nothing wrong. There is no clumsier machinery of investigation anywhere than a committee of Congress. Both Houses tried to discover what there was wrong in the Post-Office Department and they failed.

This investigation was ordered by the President and conducted by the Postmaster-General through the proper officer, the Fourth Assistant, who is the head of the inspection and detective service. He had at his command a great detective force. The Postmaster-General has pushed the investigation in every direction and in every part of the country; and with that detective force at his command, a force which this Congress can not command, he brought together a great mass of testimony and evidence, which is now lying at the Post-Office Department waiting to be printed under the order of Congress.

What we failed to find in our investigation they have found; and before Congress undertakes to go to work to hold a useless committee hearing the proper thing for us to do is to see what has been accomplished. We only know in a general way. My belief is that ten times as much has been done as any committee of Congress could possibly do in the way of investigation. We want to have that testimony brought here and examined, and until it is brought here and examined I for one do not propose to have the Senate or the Committee on Post-Offices and Post-Roads, of which I happen to be a member, committed and compelled to an investigation. Let us look into the testimony already gathered, let us know something about the facts in detail, and then we can tell what further investigation, if any, is needed.

Mr. President, I do not know whether the Senator from Maryland in some of the intimations he made as to higher officers referred to the officers who conducted this investigation. If he did, I can tell him that the Postmaster-General and the Fourth Assistant have pushed the investigation with all the machinery at their command—and it is very thorough—and with the utmost force in every possible direction. There is only one sensible thing to do. It is to have the testimony that they have gathered printed; to have all their evidence made a public document. Then we shall be in a position to know what to do next. To begin now to hold a public hearing, with our clumsy methods, going over what they have been months in going over, is simply a waste of the Senate's time.

This old cry about stifling investigation is something which has no meaning to me. The investigation has been made. It has been made under the authority of the President of the United States. It has been made by the Post-Office Department and by the Postmaster-General, and has succeeded where Congress failed.

I think we had better see what their investigation is before we compel a committee of Congress to give up its winter in trying to do over again what has been a thousand times better done. Let everything that has been gathered be spread before the public. I want it printed.

I favored the resolution as it was first introduced. I sincerely hope the Senate will not think of compelling the Committee on Post-Offices and Post-Roads to enter upon such a senseless business as this would be at this time without having had at least an opportunity to see for itself what has been done.

Mr. NELSON. Mr. President, when this resolution was called up yesterday I said that when it was up for consideration I intended to discuss it and state its objectionable features. I also made a motion yesterday to refer the resolution to the Committee on Post-Offices and Post-Roads, but afterwards withdrew it and stated that I would again renew the motion to-day. The junior Senator from Massachusetts [Mr. LODGE] has kindly relieved me of that duty, so that I can now proceed briefly to state the serious objections to the resolution in all its parts.

The resolution consists of two distinct propositions. The first proposition is to call upon the Post-Office Department to furnish a report of all the proceedings, documents, and papers in connection with the investigation.

Now, to my mind, the serious objection to that feature of the resolution is that under the circumstances it amounts to aiding the defendants in making their defense. In the course of that investigation facts have developed from time to time; and, in pursuance of those discoveries, the prosecuting officers of the Government have been enabled to secure indictments against many of the officials who have been guilty of malfeasance and misfeasance in office and some of their outside conspirators. These cases are all, with one exception, which has been tried in Ohio, still pending in court. To take this evidence now out of the files of the Post-Office Department and publish it to the world and make it known is simply aiding the defendants and furnishing them ammunition to make their defense.

A similar attempt was made when the postal frauds were investigated in Cuba. An effort on that occasion was made to have the Government furnish the result of that investigation to aid the guilty culprits in that case to secure evidence with which to defend themselves.

Mr. President, this investigation has brought forth a multitude of detailed facts, chiefly from the records and files and books of account and correspondence of the Post-Office Department. This testimony is now under the control of the Post-Office Department. They ought to have the opportunity to use it in the most effective way to carry on the prosecutions against the guilty parties. The part of the report which was published in the Associated Press the other day was a mere syllabus, a mere epitome of the result of the investigation. At this time to have all those facts sent to the committee, to have all the developments of that investigation laid before the committee, would be in effect to make them public and put them in the hands of the attorneys for the defendants. We all know how in cases of such prosecutions the Government labors under a disadvantage. The defendants as a rule get the ablest and most efficient attorneys. In many cases the culprits or the defendants have the sympathy of their neighbors, and it is difficult to procure conviction.

If we are interested in the public welfare, if the Senator from Maryland [Mr. GORMAN] is interested in purging the public service of fraud and corruption, he ought to be interested in securing the conviction of as many of the indicted defendants as possible. In view of that fact he ought to be utterly unwilling to furnish them with the evidence on file in the Post-Office Department as to their guilt so that they can prepare themselves to get around the damaging effect of that testimony.

Mr. CLAY. Will the Senator from Minnesota allow me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Minnesota yield to the Senator from Georgia?

Mr. NELSON. Certainly.

Mr. CLAY. I desire to ask the Senator whether it is not true that the result of the investigation that was made has already been published to the country?

Mr. NELSON. Only a mere synopsis of it; not the detailed facts.

Mr. CLAY. It has gone to the country; and is it not true that if this investigation is made by the Committee on Post-Offices and Post-Roads, the presumption is that Senators will do their duty, and not give out any evidence to the parties indicted? Can not an investigation be made by the committee without furnishing the facts to the defendants?

Mr. NELSON. I do not care what the presumption is. We know how secrets of executive sessions and from committees come out, and the moment that evidence is sent from the Post-Office Department to this Capitol it will be practically under the control of the country. We know that is true in the case of executive sessions.

Mr. PENROSE and Mr. TILLMAN addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Pennsylvania?

Mr. NELSON. Certainly; I yield to everybody.

Mr. PENROSE. I should like to state, for the information of the Senator from Minnesota, that, although I do not consider it necessary, I do not suppose there will be any objection to adopting the amendment to this resolution suggested by the senior Senator from Massachusetts [Mr. HOAR], expressly providing that the investigation shall not interfere with the due administration of justice or the detection of offenders.

Mr. NELSON. That would not help it. It would be mere surplusage.

Mr. HOAR. If the Senator will pardon me, that was not the suggestion I made. I suggested that if the resolution were passed the Postmaster-General should be warranted in withholding any fact or document the disclosure of which, in his judgment, would interfere with the due administration of justice.

Mr. NELSON. That would be more reasonable and to the point.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Carolina?

Mr. NELSON. Certainly.

Mr. TILLMAN. I desire to ask the Senator from Minnesota, who has just made allusion to the Cuban frauds and the benefits the defendants received from publicity, how many of those defendants have been punished? The Cuban investigation was an executive investigation, just as this has been, and the men who stole money down there are walking the streets, parading around here and there and everywhere; and you want to do the same thing again.

Mr. NELSON. I desire to say to the Senator that some of the chief culprits in that case were tried and convicted in the courts; and that so far as their being afterwards at liberty is concerned, they got their liberty through the pardoning power——

Mr. SPOONER. Of another Government.

Mr. NELSON. And through the laws and acts of the Cuban Government. That action in relieving those culprits in that manner can not be chargeable to our Government or to the Republican party. It must be charged up against the Government and the officials of Cuba; and the Senator should direct to that Government and those authorities his inquiry why they saw fit to grant an omnibus pardon in all those cases.

Mr. TILLMAN. If the Senator will pardon me again, I doubt whether this body has any functions in this Government at all. My idea that it has is being obliterated. With the other end of the Capitol and the other end of the Avenue pressing upon the Senate as they are doing to obliterate us, how much longer will it be before we shall be here merely as "me toos" to ratify and indorse and slavishly submit to this dictation from outside, while ignoring our own duties and failing to discharge our functions as Senators?

Mr. HOAR. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Massachusetts?

Mr. NELSON. Certainly.

Mr. HOAR. Will the Senator from Minnesota allow me at this point to make one observation in reply to the Senator from South Carolina? I do not wish to take part in this debate, but we have one function, and that is to sit as a court for the trial of all impeachments; and I submit to the Senate whether it must not be a very extreme and unusual case indeed which would warrant the Senate in investigating matters that belong to the grand inquest of the country, the House of Representatives, and especially in preceding that investigation with heated expressions of the guilt of possible defendants on whom afterwards we are to sit as judges?

Mr. TILLMAN. Will the Senator from Minnesota pardon me a moment?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Carolina?

Mr. NELSON. Certainly.

Mr. TILLMAN. I merely wish to read a sentence or two from the President's message which we received yesterday. He says:

> By similar means—that is, through frauds, forgeries, and perjuries, and by shameless briberies—the laws relating to the proper conduct of the public service in general and to the due administration of the Post-Office Department have been notoriously violated.

Now, when the Executive calls our attention to this condition—and only one subdivision of the Post-Office Department has thus far been investigated by its own officers; the entire Department may be permeated by fraud for all we know—and when we, the minority of the Senate, who are no more honest than you are, ask

for the passage of a resolution providing that a committee of the Senate shall simply take up this investigation and proceed systematically to go through the whole Department, we are met with whitewash brushes.

Mr. HOAR. Mr. President, it seems to me, speaking for one alone, that if there be a condition of things in the Department such as was described by the Senator from Maryland [Mr. GORMAN], it is extremely likely that somebody ought to be impeached, and that the investigation belongs wholly to the House of Representatives and not to us.

Mr. GORMAN. If the Senator from Massachusetts will pardon me——

Mr. HOAR. I have no doubt that the Senate may, with propriety, make certain special investigations with a view of informing itself in its legislative capacity as to what amendments of existing law are desirable. But where the main object of the investigation is to disclose and punish guilt we have no more to do with it than a judge who is to sit in a criminal court has to do with the investigations of the grand jury.

Mr. GORMAN. I want to correct the Senator from Massachusetts, if he will permit me.

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Maryland?

Mr. NELSON. Certainly.

Mr. GORMAN. I made no statement that it would involve an officer who was impeachable. The Senator misunderstood me if he so understood me. What I did say was that those who have been charged with this guilt now make the statement—and I believe it from the written evidence that I have seen—that other and higher officers than those who have been indicted are involved in this scandal.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from South Carolina?

Mr. NELSON. Certainly.

Mr. TILLMAN. With the kind consent of the Senator from Minnesota, I desire to ask the Senator from Massachusetts what would be the effect if the House of Representatives should refuse to do its duty and should refuse to investigate and to send the evidence here? Would it be entirely unconstitutional and contrary to all orders of decency and dignity and Senatorial courtesy for us to lay the facts before the country, and then say to the House of Representatives, "Gentlemen, you can bring articles of impeachment for us to try or not?"

Mr. HOAR. I suppose the situation would be the same if a grand jury in Massachusetts refused to indict somebody charged with an offense. What would be the duty of the judge in the premises?

Mr. BAILEY. Will the Senator from Minnesota permit me an inquiry?

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Texas?

Mr. NELSON. Certainly.

Mr. BAILEY. I understood the Senator from Minnesota to say the people implicated in the postal frauds in Cuba had been released by the Cuban Government; but will the Senator from Minnesota tell the Senate whether the men who were charged with these frauds were in the employment of the Government of the United States or the Government of Cuba?

Mr. NELSON. I will answer the question by stating to the Senator from Texas that while in one sense they were under the employment of the Federal Government which we temporarily maintained in Cuba, yet, as a matter of fact, they were not prosecuted under Federal laws, but under Cuban laws.

Mr. BAILEY. I understand that, but——

Mr. NELSON. They were tried and convicted under the laws of Cuba.

Mr. BAILEY. I understand, but at the same time it is true that every man charged with these offenses there was appointed to his position by the United States Government; he was responsible to the United States Government for his conduct. He was paid——

Mr. HALE. Does the Senator think we could have tried them here for their acts committed in Cuba, outside of the jurisdiction of the United States, in a country which afterwards set up its own Government and which was recognized by us?

Mr. BAILEY. If the Senator from Maine had asked me that question before the Supreme Court of the United States decided that you could try a man in a foreign port without a jury, I might have answered "No," but since the decision in that case I take it the Federal Government can punish any man anywhere acting under its authority who offends against its law.

Mr. SPOONER. "Its law."

Mr. BAILEY. That is exactly what I am trying to ascertain; and I asked the question of the Senator from Minnesota more from the purpose of information than for the purpose of argument. My understanding is that all of the men charged with this dishonest conduct in the Cuban postal service were sent to that country by the United States—were appointed to the positions they held under the authority of the United States—and I hardly think it a sufficient answer to say that having sinned against the rules of common honesty while in that employment, this Government was absolved from its responsibility for their guilt when by some means, unknown to me but professed to be known by others with better information, the Cuban Government was induced to grant an amnesty to them. Their offense was committed while in the service of the United States, and it was greater for them to oppress and steal from a people over whom they had been appointed without that people's consent, and while acting under the authority and in the name of the United States, than if they had remained at home and committed the peculations that seem to have characterized the entire postal service of this country.

Mr. CULLOM. Mr. President——

The PRESIDING OFFICER. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. NELSON. Certainly.

Mr. CULLOM. I desire to call the attention of the Senate to the fact that the bill to carry into effect the Cuban treaty was laid before the Senate by the President of the Senate, and this resolution came in afterwards.

Mr. LODGE. It is up by unanimous consent.

Mr. CULLOM. By unanimous consent.

Mr. PENROSE. Unanimous consent has been given, Mr. President.

Mr. CULLOM. What I desire to say is that under the original arrangement made between the parties in the Senate the Cuban bill was to take the preference over everything else after the morning business; and I think I must insist that it shall be taken up and adhered to until it is disposed of, unless no one desires to talk on it. The Senator from Colorado [Mr. TELLER] had the floor last evening when the Senate adjourned, and I hope he will be allowed to proceed.

Mr. NELSON. I wish to say that owing to the interruptions I have not had an opportunity to conclude what I desire to say on this resolution, but, in view of the request of the Senator from Illinois, I will defer my remarks until the resolution again comes up for consideration. Then, when I can obtain the floor, I will discuss these questions so far as I can.

Mr. PENROSE. I should like to ask whether unanimous consent has not already been given for the consideration of the resolution?

Mr. CULLOM. It was given, but I think one objection——

Mr. LODGE. At any time.

Mr. CULLOM. At any time will set aside a measure when it is temporarily under consideration by unanimous consent, and the Senate will be required to resume consideration of the main question.

Mr. GORMAN. I concur with the Senator from Illinois who is in charge of the Cuban bill. He correctly states the unanimous-consent agreement. But I ask, in view of the importance of the pending resolution, that unanimous consent may be given that it may be taken up to-morrow in the morning hour, and with that understanding that it may go over without being displaced.

Mr. TELLER. So far as I am personally concerned, I have no objection to this debate continuing until 2 o'clock if the Senate can get through with it by that time; but if it can not——

Mr. CULLOM. I hope there will be no delay in the consideration of the Cuban bill unless no one is ready to talk upon it at this time. That was the understanding. Let us adhere to it.

Mr. TELLER. I believe there are others besides myself who are ready to speak on the Cuban bill, if there is an opportunity, but I do not desire for myself to interpose any objection to the further consideration of the pending resolution.

Mr. GORMAN. I renew my request that the resolution go over until to-morrow morning without prejudice.

The PRESIDING OFFICER. The resolution will go over without prejudice. The regular order is demanded, which is the unfinished business.

Mr. LODGE. The resolution goes over, taking the motion with it?

The PRESIDING OFFICER. Taking the motion with it.

Mr. TELLER. Mr. President——

Mr. ALLISON. Before the Senator from Colorado proceeds, I should like to know just what the understanding is respecting this resolution. Is there any understanding other than that it goes over without objection?

Mr. HALE. It goes to the Calendar.

Mr. ALDRICH. It goes to the Calendar.

Mr. ALLISON. It goes to the Calendar? Very well.

The PRESIDING OFFICER. The resolution is already on the Calendar.

Mr. ALDRICH. It goes back to the Calendar.

The PRESIDING OFFICER. It goes back to the Calendar, with the motion of the Senator from Massachusetts [Mr. LODGE] to refer.

Mr. TELLER. Mr. President, if that is the proper disposition to be made of the pending resolution, I will proceed to discuss the Cuban bill.

TRADE RELATIONS WITH CUBA.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. TELLER. Mr. President, I desire before entering into a discussion of the merits of the question to call attention to the form of the bill. The chairman of the Committee on Foreign Relations yesterday disposed rather summarily of the legal and constitutional questions involved in this case. I do not know why he did so; whether it is because we have reached a point in the history of the country when legislation clearly a violation of the provisions of the Constitution may proceed unchallenged, or because he is of the opinion that such legislation is not within the constitutional provision that gives to the House of Representatives the power to initiate legislation to raise revenue. Whatever may be his reason for supposing the legal question is not here involved, I do not believe he can thus summarily dispose of this legal proposition. At some other time I will touch upon the legal question more elaborately than I shall attempt to do this morning.

I merely want to refer to it this morning sufficiently so that the opposition to this bill at least can not be charged with having admitted what the chairman of the committee asserted, that the constitutional question was not in controversy. Whether the Senate and the President can enact laws concerning the revenues of this country it seems to me ought not to admit of any controversy whatever. The Constitution specifically gives to the House of Representatives the right to originate this kind of legislation, and all legislation is given to Congress, and for myself I desire to say that I do not believe it can be maintained as a legal proposition that the President and the Senate may go on, without any authority from the House of Representatives, and legislate by treaty and change and destroy the entire system of revenue raising in this country, and subsequently come in and say, "We have entered into a treaty, which we made under the Constitution of the United States, and therefore it becomes the duty of the House of Representatives to acquiesce in it."

It may be presumed that when the President of the United States and the Senate have made a treaty the Senate will concur when a movement is made to legalize or approve such treaty by having the House of Representatives send to the Senate a bill. Such a bill will be by coercion. It will be said the Administration presented the treaty to the Senate and that the Senate has approved of it. Under those circumstances the House of Representatives would practically be coerced into approval of it, or else put themselves in opposition to the Executive and the Senate and, in the present condition, with the political party in control of the Government.

Mr. CULLOM. If the Senator will allow me to interrupt him for a moment, I will say that what I stated was that the treaty itself provided that it should not take effect until approved by Congress, and therefore I said that unless it was approved by Congress it fell.

Mr. TELLER. Oh, yes.

Mr. CULLOM. Hence it was I said the constitutional question involved in that respect was not pertinent to the subject.

Mr. TELLER. That does not remove the objection. Suppose the treaty came here with that provision in it—which was not the fact in this case; that provision was put in by the Senate.

Mr. CULLOM. Certainly.

Mr. TELLER. But suppose a treaty does so come from the President of the United States and we affirm it with a provision in it that the treaty shall not have effect until Congress shall approve it, the methods for securing that approval, which I have said are objectionable and contrary to good government, still remain.

In this case, Mr. President, it seems to me the executive department of the Government asserted its right, if it could secure the approval of this body, to ignore the House of Representatives absolutely on a question of this kind, for the Executive could not have had it in mind that there was to be approval by the legislative department of the Government of this treaty.

Now, I address myself to the American Senate, to a body the great majority of which at least are men of legal learning. Many of them are men who have spent their lives in the practice of the law. Many of them have adorned the highest benches of the States they represent. Can there be in this legal body any controversy about the right, the exclusive right, the absolute right, of the House of Representatives to initiate every measure touching, creating, reducing, collecting the revenue of this country? There ought not to be a question of this kind here, but there is.

Mr. President, the fathers of the Republic when they came to this question of revenue had in mind that the country from which they were being separated had in its growth and in its evolution and its development found it absolutely necessary to keep the power of creating revenue in the hands of the people. Long before this constitutional declaration of ours it had been declared by Parliament that the House of Commons, and it alone, could initiate taxation of the subjects of Great Britain; that the King could not do it. That is what distinguished that Government, although a monarchy, from many other governments where the King himself could under certain conditions lay burdens upon the people. They said, "Only the people of Great Britain themselves can tax themselves;" and so our forefathers declared that the House of Representatives, representing the people of the United States and not the sovereign States (the only body that does represent the people of the United States is the House of Representatives), should originate every attempt to raise revenue. It was provided that it should originate every effort to relieve the people of burdens of taxation.

And while the chairman of the committee seemed to indicate in his speech yesterday that that has been a controversy in this country over this right of the House, I assert that it has not been a controverted question for many years. From the early history of this Government that constitutional provision, plain and explicit in terms, has been the governing rule with reference to taxation.

A few moments since I heard the Senator from South Carolina [Mr. TILLMAN] talk about this body being sheared of its power. Mr. President, it may be that this body will be sheared of some of its power, but it will not be done by the House of Representatives; it will not be by any law, constitutional or statutory. It may be sheared of its rightful power when we, in obedience to the demand of the Executive, shall abdicate and abandon the prerogatives that the Constitution gives us, but it never will be done in any other way than by the cowardice, subserviency, and obedience of this body to the dictation of executive power. The other branch of Congress will never do that nor attempt to do it.

Mr. President, it was said a hundred and fifty years before Congress was created that every Englishman in England sat by his representatives in the Commons. I say here to-day, under the theory of this Government of ours, every man in the United States who holds citizenship sits by his Representative in the House of Representatives and speaks his will through that body; and any attempt on the part of the Executive, with this body assisting or conniving or approving, to take that power out of the hands of the people and to say how the people shall be taxed will fail unless the principle on which this Government was founded is destroyed. So this constitutional question is here.

Mr. President, it is as important a question as has been presented to us in a generation. Twenty-five years ago no man in this body, in my judgment, would have stood up and claimed the right of the Executive and this body to create legislation of the character included and provided for in the Cuban treaty, for if this can be done there is nothing withheld from the Executive and the Senate.

The men who were in these bodies when the civil war closed were somewhat inclined, in the emergency presented in the great new questions which came before them, to enlarge the powers of this body and to enlarge the powers of the Executive. Yet I do not believe amongst the great men who were here thirty years ago you could have found any approval of the proposition of the Senator from Illinois that this is no longer a question to be discussed in the American Senate when the right of the House of Representatives to initiate revenue laws is assailed.

Mr. President, I presume some of my associates here will say this is a technical question. We are having very many questions presented nowadays that appear to be technical in character; at least they are so called by Senators who want to accomplish certain things, which are after all vital and material. This Republic, although a government of the people, for the people, and by the people, is a government of limited power.

When the armies of Great Britain were withdrawn from the American continent there were thirteen sovereign powers on this continent. Every one of them, from little Rhode Island to Virginia with her greater population, was a sovereign in all the attributes of sovereignty equal to the mother land. Whatever Great Britain could do as a nation Rhode Island could do. Whatever Great Britain could do as a nation Virginia could do. We tried the experiment of a union of sovereigns, with each one reserving to itself the right of absolute sovereign power. We tried it for a while, and why did we quit it? Because the fathers of the Republic saw that you could not maintain a government of the people, for the people, and by the people with thirteen sovereign States acting

together in national affairs—affairs in which all had an interest—so we formed this Government, a Government with a constitution: not an unwritten constitution like that of Great Britain, but a written constitution, and every line of it meaning something when it was written.

That Constitution was the law for the government of this body, the House of Representatives, the President, and all the people. "Certain powers were surrendered by the States and given to the General Government." They were careful, however, to make this a government of the people by providing the House of Representatives as the representative of the people and this body as the representative of the States. For that reason this Government has two phases—one a government of sovereignties, and one a government of the people. They said the people shall speak through the House of Representatives on the question that was nearest to the people of the world then and is now—the question what burden the Government shall put upon the people by way of raising revenue by way of taxation. They even went so far as to say that none of the sovereign States could declare war, except the people through the House of Representatives, and this body representing the States.

Mr. President, I will not spend any further time on the question of the right of the House of Representatives, or the lack of power on the part of the Executive and this body to do what the Constitution has given to the House of Representatives—that is, the control of the first steps in the question of raising revenue or, to put it in another way, the question of taxing the people, for there is no way by which revenue comes into the Treasury of the United States except it may be from the sale of public lands, which is not a tax upon the people. Whether it comes by the way of duties on imports or from what we call internal taxes, it is, after all, the people of the United States who are paying, and the fact that the taxes are paid in a way so that they do not feel it makes it none the less a tax.

Mr. President, I hope somebody here who believes in the new doctrine of the power of the Executive and the Senate will not conclude, as the Senator from Illinois did, that this is not a live question here now, and if any Senator feels that that power exists in the Executive and in this body I trust he will present some arguments here to sustain it.

I come now to the bill itself, because I do not wish to be too lengthy, and that brings me to the history of this controversy. I need not go back to the Spanish war. All these occurrences are within the memory and recollections of everybody here. I will commence the discussion of this question with the history of the first bill for reciprocal relations with Cuba, which was introduced in the House of Representatives at the close of what we have been in the habit of calling the Spanish war. On April 18, 1902, there was passed by the House of Representatives a bill a copy of which I hold in my hand. That bill passed the House of Representatives and came to the Senate of the United States and was referred to the Committee on Relations with Cuba, and there it died the death of many a bill introduced into this body by the members of this body and of some bills that have come to us from the House of Representatives. It never received the dignity of a report from the Committee on Relations with Cuba. The committee took testimony on some questions touching on affairs in Cuba which seemed to be connected with this bill, and that was the end of it.

Mr. President, I want to see, because it will become material in this debate, what that bill was. Therefore I call attention to it. It passed the House of Representatives on the 18th day of April, 1902, and, coming here, on the 19th day of April, 1902, was referred to the Committee on Relations with Cuba. That year we adjourned in June some time, I think. At all events the bill is still in the Committee on Relations with Cuba. Let me read a part of it:

That for the purpose of securing reciprocal trade relations with Cuba, the President is hereby authorized, upon such evidence as may be given by the President of Cuba of an agreement by Cuba with the United States for a period of not exceeding five years from the exchange of ratifications of such agreement, substantially the following, to enter into an agreement with said government with a view to the arrangement for a mutual exchange of products between the United States and Cuba, in such manner as may be deemed most convenient and advantageous to the interests of the people of the United States, by means of duty which shall be less by an amount equivalent to at least 20 per centum ad valorem upon such products of Cuba as may be imported into the United States than the rates imposed upon the same articles when imported from Cuba from the most favored of other countries.

Now, I wish to read and call attention to the bill which is before the Senate. It also has passed the House of Representatives, and it has come here with the approval of the Committee on Foreign Relations of this body. It is a very different bill from the one which I have partially read. This is the present bill:

That whenever the President of the United States shall receive satisfactory evidence that the Government of Cuba has made provision to give full effect to the articles of the convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902—

That is the treaty—

he is hereby authorized to issue his proclamation declaring that he has received such evidence, and thereupon on the tenth day after exchange of ratifications of such convention between the United States and the Republic of Cuba, and so long as the said convention shall remain in force, all articles of merchandise being the product of the soil or industry of the Republic of Cuba, which are now imported into the United States free of duty, shall continue to be so admitted free of duty, and all other articles of merchandise being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of 20 per cent of the rates of duty thereon, as provided by the tariff act of the United States approved July 24, 1897, or as may be provided by any tariff law of the United States subsequently enacted.

Mr. President, I wish to call the attention of the Senate to the fact, because I think it becomes very material before we get through this discussion, that the bill of the last Congress provided that in order to have the benefit of the reciprocal reduction of duties there should be enacted by the Government of Cuba immigration exclusion and contract labor laws as fully restrictive of immigration as the laws of the United States, and that was a condition precedent to their receiving any benefits under the bill.

Mr. President, that is not in this bill. Why is it not in the bill? It is well known that there is a very large interest in Cuba held by people of the United States. I will venture to say here (and if anyone chooses to challenge it I believe I shall be able to make good my assertion) that three-quarters of all the sugar lands and the tobacco lands in Cuba—I mean those now being used for the raising of sugar and tobacco—are held either by citizens of the United States who reside in the United States, or citizens of the United States who reside in Cuba. In addition to that there is a very large amount of land held by people living in France, England, and Spain.

That provision of the bill of the last Congress is exceedingly objectionable to the citizens of the United States who own plantations in the island, whether they live there or whether they live here, because they claim the right, as they do now in the Philippine Islands, to raise sugar or anything else with just such labor as they choose to employ, without any legal restriction. The demand has been made upon the Government of Cuba that they shall not restrict the class of immigration that shall come into the country, and they have not done so. As it stands to-day Cuba may import Chinamen or Japanese or any other Asiatic servile labor that they see fit in any numbers they may wish.

Mr. President, if there was no other objection to the pending bill, I should have this objection to it, that it is a proposition to put the laboring people of the United States into actual competition with the already poor Chinamen in the island of Cuba, with as many more as they can induce to come, who will for a mere pittance perform the labor of raising sugar on that island, and thus place them in competition with the men who are making sugar in Louisiana and Texas, and sugar from beets in the great West.

I do not intend to extend my remarks upon that subject, except to say that it is our policy here, and it has been for many years, by positive enactment to exclude Chinese and all other contract labor from coming into this country to enter into competition with American labor. It is true that we do not have control over the legislative department of Cuba, but when we say to Cuba, "We are going to make you a concession," we have a right to say it shall be made upon the theory that the men who raise sugar to come in competition with the freemen of our country shall also be freemen and not serfs.

We have a law in the United States under which, if I should go to Great Britain or any other country and hire the wisest and best of their laborers to come here, I can not land them if they come here to perform labor in this country under a contract. The Government authorities recently excluded on the Pacific coast two men who were of high standing in their line of business—not colored men, not Chinese, but Anglo-Saxon men—because of the fact that they had been told, "If you come to the United States we will hire you at such and such figures;" that was, in fact, making a contract for their labor.

Does anyone believe that when Cuba attempts to exploit her sugar lands, as she will, it will be done with Cuban labor or Spanish labor? I do not know how many immigrants they have brought into the country since the departure of the American army from there, but I suppose many thousands. In 1902 it was said that already 60,000 laborers had come from Europe, mainly from Spain. Last year 9,000 came, and almost 8,000, I think, were Spaniards. They might have all come under contract. I do not know that they did. Will some one tell me why, if it was proper to put into the act of 1902 a provision of that kind, why it is not in here now?

Mr. President, it may be said that we have the right to amend this bill. I have no doubt of our legal right so to do, although I know that in a debate which we had here some time since that was questioned, and I suppose it will be questioned now. The chairman of the committee yesterday in principle questioned it. He said our power over this is a negative power; that we have to take the treaty as it is. Mr. President, we are not taking the treaty now. We are taking this bill, which is to put the treaty into operation, and if we have the power to pass the bill at all we have the power to pass such a bill as the judgment of this body

approves. We have the right to say under what conditions this treaty may become operative.

I do not myself believe that our power over this bill is a negative power. I do not think we have to take the bill as it is, and if we have not to take the bill as it is we have not to take the treaty as it is. We can amend the bill and create conditions in Cuba entirely different from what they are now by saying to Cuba, "The treaty can not be put into operation until it is approved by Congress, and it is approved by Congress on the following conditions: You shall enact a labor law that will be just to the United States. You shall not attempt to raise sugar in Cuba with cheap Chinese labor and put that sugar in the United States markets to compete with the sugar that is raised by the American laborers."

Mr. President, I know we shall not do it. We may try, but as I said once before I repeat, the edict has gone out that no amendment must be made; the treaty must be approved as it is now and not as the sentiment of the Senate is that it ought to be.

Mr. President, I wish now to say something about what benefit will accrue to the American people by the passage of this bill. That is a pertinent question to ask whenever a bill is before this body. What benefit will it be, do you imagine? What evil will it avoid or what benefit will it confer? What will it confer, not upon the people of Cuba, not upon somebody else, but what benefit will it confer upon the people of the United States?

It seems to me that the inquiry now is not what benefit will arise from its passage, but whether any interests will be injured by the passage of this bill. The President of the United States tells us on repeated occasions that no American interests will suffer by the passage of the bill. Mr. President, I challenge that. The President of the United States has a right to his opinion on that subject. I have the right to my opinion. I am here not to take his word for it, but to act upon my judgment. I believe it will injure, and seriously injure, the interests of a great number of people in the United States, and that no benefit whatever can come to the people of the United States by its passage. The advocates of the bill do not pretend that there will be any benefit to the consumer of sugar.

I saw recently in a newspaper the statement that the bill was intended to make cheaper the sugar used by the American consumer. Of all connected with the bill, from the President, who has sent repeated messages to us concerning the bill, to anyone who has advocated it on this floor, no one has suggested that the American public would be benefited by its passage because he would get cheaper sugar. On the contrary, it has been repeated over and over again that the chief merit of the bill is that it will benefit the Cuban. He is the man who is to be benefited, as he is to be relieved from 20 per cent of tariff he now pays.

Mr. President, I know it is a question whether it will be the Cuban or somebody else who will get the benefit of the reduction of duty. I have said before, and I repeat, that in my judgment the great power which has been back of this sort of legislation for more than two years, known as the sugar trust or the sugar combination, having its headquarters in the city of New York, is after all the party to be benefited more extensively by the bill than anybody else. Everyone here must admit that it is not intended to benefit the citizens of the United States, giving them cheaper sugar, but to benefit Cuba. Two years ago we had from every portion of the country ad nauseam the claim that as an act of humanity we must do something for Cuba; that we must make some commercial relation with Cuba different from what we were having with any other nation in the world, and then it was said, and repeated, not only from public lips and those holding official position, but in all the great press of the country, that the American honor was concerned. That our honor demanded this kind of legislation.

Mr. President, I followed carefully the chairman of the committee yesterday. I have gone over his speech a couple of times this morning. I looked in vain for any declaration on his part that the American honor was to be satisfied or maintained by the passage of this bill. He did not even suggest our honor was concerned. The claim that our honor was concerned was good enough for the country, it was good enough for the papers, it was good enough for the populace at large, but the Senator is too wise to make that claim in the American Senate. He knows, as I know, and as everyone else knows here, that it is not a question of American honor; that our honor is in no wise involved.

We have been told again and again in the public press that we made a promise which we must make good. There has been an undefined, uncertain pretense that the late Executive, whose loss we all mourn, made some pledge to Cuba that there should be some legislation of this kind.

Mr. President, I challenge every man who is going to vote for this bill; I challenge everyone connected with it, from the Executive down, to show a single word uttered by President McKinley which will sustain that claim. It is true he said that while our armies were still in Cuba we ought to have special and close political and commercial relations with Cuba, but there he stopped.

It is said that this is a reciprocal arrangement in line with Mr. McKinley's repeated declaration of the value and necessity of reciprocal treaties with the nations of the world. I challenge anyone here to show that he ever proposed a reciprocity treaty or reciprocity legislation except upon the plan that we would agree with the nations of the world with which we do business that we would let into this country the things that they created and we did not create, and he said again and again in so many words, "who produce the things that we do not produce." I have not myself been able, and I do not believe anyone else will be able, to find a line or a word of his which would indicate that he proposed by reciprocal treaties to put the American people in competition with the men who were producing exactly the same thing that they produced, and that, too, under conditions much more favorable than we can produce them here.

Mr. President, strip this proposition of all pretense that Cuba needs this help; look at it just as it is. What is the proposition in this bill? I submit it now to the men who profess at least to still maintain their ideas that the protective system was a valuable system and should be maintained especially to foster and stimulate the infant industries of this country. Is this consistent with the protection idea?

We have an infant industry called "beet sugar." If there is any industry in the United States now which can be called an "infant industry" that is it. All the other industries have grown hoary headed and have had protection for a great many years, and they have had it to the utmost limit. They have had it as high as they demanded or wished for. The men who have been manufacturing in this country have made the tariffs of the country, and they made them to protect their interests and not the general interests of the public.

What is this proposition? We are making sugar in the United States. We have made for a good many years some sugar. All at once we found that there was a method of making sugar from beets. We found that this country was particularly and specially adapted to the beet culture; that at least a portion of the country was much more favorable to the growth of beets than the countries of Europe, where the beet industry first grew up. The beet industry has increased the consumption of sugar. I think it is safe to say that since the beet industry came into existence there have been in the consumption of the world ten pounds of sugar per capita where there had been one before, and to-day two-thirds of the sugar consumed by mankind is the product of beets.

Mr. President, we have had in the West what is known as the arid region and the semiarid region. It is immense in area. It has not much population. It has the greatest possibilities and the greatest probabilities of any section of the American continent.

I know something of the arid West. I went there when it was a desert. I went there when every pound that we consumed came by ox teams and mule teams from the Missouri River, 650 miles. That arid region to-day in the State of Colorado will make 100,000 tons of sugar and will pay to the laborers of that State more than $5,000,000 in the raising of beets and making the sugar.

I picked up the other day one of the great magazines of this country, and I found an article by a man not unknown to the reading public who spoke of the beet-sugar industry as "that iniquitous beet-sugar scheme." It would seem that the administration of public affairs and the Republican party as a party here have become infected with the idea that the raising of sugar beets and the making of sugar for the American consumer is a disrespectful and disgraceful industry or iniquitous scheme. This is the first time in more than twenty-five years that I have been here at the national capital that an attempt has been made by legislation to destroy a great industry that promises to do more for this country than any other single industry, unless it may be the manufacture of textiles and of iron and steel.

What, then, is this proposition? What do you propose to the beet-sugar men of Michigan, of Nevada, of Montana, of Nebraska, of Kansas, New Mexico, Arizona, Utah, and Colorado? You say to them, "We will give to the Cuban one-fifth of the duty upon sugar. We will to that extent encourage him to bring his sugar here and sell it in competition with you. We will give him six to eight million dollars to enable him to produce sugar at a price that will enable him to compete with you."

It is the first time in the history of the world where any nation undertook to pay a bounty to the competitors of its own people for the production of any article. You can not disguise it. You can not deceive the American people. They will know some day if they do not to-day what you have done and what you intend to do, because every man is presumed to intend the logical results of his act. You intend to prevent the American people from creating an industry that will provide all the sugar they need by putting them in competition with Cuba, where sugar can be raised and put on shipboard free for at least a dollar and thirty

cents a hundred, and I can prove, if it becomes necessary so to do, that it has been done and with a profit.

One of the newspapers of the city of Habana within the last three months declared that all they wanted was 1 cent and four-tenths of a cent to raise sugar and raise it with a profit, and yet you fill every department of this Government with men who write what they call the statistics of this country and make the declaration that they can not raise sugar down there for less than 2 cents a pound. The officials of this Government have uttered the false declaration again and again, and put it in print, that Cuba lost last year $6,000,000 on her sugar crop. This year she doubled very nearly the crop of last year.

Do I need to spend any time to convince you or to convince the American people that that is a pretense? It is a part of the pretense with which the bill of the last Congress was ushered into the other House and brought into the Senate. It was upon the pretense that Cuba was in distress; that Cuba, having just emerged from a great war, in which they had performed but very little part and we a great deal, appealed to us that while we had given them, as they said, political liberty, we must now give them commercial liberty.

Mr. President, I have said once before in the Senate, and I repeat it now, there has never been in the history of this country any legislation proposed that has had such great powers back of it as this. It has had the eighty-odd million dollars of sugar lands held by American citizens in Cuba, according to the Cuban Club declaration which they made here two years ago. It has had the great sugar trust, with its $100,000,000 capital, that controls absolutely to-day the price of sugar in the United States; and, if we can trust the public press, they are making every year a profit on their $100,000,000 of at least 15 or 20 per cent.

It has had all those, Mr. President. They were not enough. There was another element of strength. The advocates of this measure could appeal to the kindness and the charity of the American people, and they did. They filled the public press with the claims of poverty in Cuba. They assailed practically everybody here with telegrams from Cuba and telegrams from New York: "Industrial destruction in Cuba; unless you come to our immediate relief there will be revolution in Cuba."

Witnesses went before the House committee and swore with their hands uplifted that unless there was a remission of duty upon sugar there would be political convulsions in Cuba, and before they went off the stand admitted that they were paying a price for labor equal or greater than that paid in many sections of the United States, and that they could not get labor to do the necessary work, to raise the sugar that they wanted to raise and to harvest what they had raised. They said to us again and again through the press, "We shall not be able to grind our cane. We are too poor." This was in the fall, when the grinding began. Every week and every day we were bombarded, I may say, with that cry.

Now, Mr. President, I propose for a few minutes to show how absolutely worthless that cry was. I propose to show that there was inaugurated down in Cuba a scheme to deceive the American people on this question, because the authors of it knew that they could not rely upon the merits of their case to pass the bill through the American Congress.

In 1901 we were in command of Cuba. We had a general of the Army down there. He was supreme. I do not know whether he himself originated the scheme or whether he was the victim of property holders—of men who had gone down to Cuba and bought cheap lands and wanted to exploit them and get the Government of the United States to make some concessions to Cuba that would encourage the people of the United States to go there and raise sugar, and thus increase their land values. But I am going to make this charge, that this movement was inaugurated by General Wood, the military governor of Cuba; that the demand that came from Cuba did not come from the people of that island, but came from the American people who were down there and who could influence General Wood, and did influence him; and General Wood may be said to be the author of this legislation, in which he has been very steadily supported by the Chief Executive to a degree that I have never known any other measure supported since I have been in public life.

Mr. President, I mean to exonerate the President from any knowledge of the conditions in Cuba; but I will not exonerate General Wood. He was there; he knew what the conditions in Cuba were, as every man did who went there, and he knew when telegrams came to us stating that labor was out of employment that that was not true in any part of the island of Cuba, but, on the contrary, that labor in the island had never been so well paid in its history as it was at the time that he commenced this campaign, and that there was employment for all Cuban labor.

For fear I shall forget it I want to say that the general in command—General Wood, the military governor—not only attempted to stimulate and urge the Cubans to demand this, but he did what I think no other officer ever did in the history of this country. I venture to say that every Senator on this floor received a letter from General Wood as to the necessity of this kind of legislation. I know that I did. Out of regard for General Wood and his position, this is the first time I have ever mentioned it to anybody. A more indefensible thing for an army officer to do could not be conceived of. I venture to say that under ordinary conditions any officer who would have written such a letter would have been cashiered.

Now, I make this charge, that in 1901—commencing in September, my record shows—I do not know that I shall be able to go back of that—General Wood began to send out letters and telegrams to the alcaldes of the different towns all over Cuba, urging them to take steps to demand of us concessions of this character.

I am going to read some of the proceedings on the part of communities down there. I have none of the General's telegrams, but I have the proceedings of the various municipalities in Cuba. I may not begin with the best, but I am going to begin at the beginning of this publication, following it through.

Mr. SPOONER. From what is the Senator going to read?

Mr. TELLER. I am going to read from the publication of the proceedings of the different towns of Cuba, commencing September 30, 1901. That is the first one I have, I believe, although I can not state positively; but every one of them is on file in the War Department. I have been so informed, although I have never myself examined. It is evident there is no question about this being genuine.

Mr. SPOONER. I only made the inquiry of the Senator from Colorado so that I might be able to obtain the book.

Mr. TELLER. The Senator will not be able to get many copies of it.

Mr. SPOONER. I will borrow the one the Senator has.

Mr. TELLER. The Senator can borrow this at any time. I had to borrow it myself. This book was very promptly suppressed—I do not say by the War Department—but it was promptly suppressed after it got into circulation. I know of no other copy except this one, but I know there were a good many of them at one time. I have in this publication, I suppose, a hundred of these proceedings. Some of them refer to General Wood and some do not. Now I desire to read.

SIGNAL CORPS OF THE UNITED STATES OF AMERICA,
Santa Cruz Del Sur, October 1, 1901.

PRESIDENT OF THE ASSOCIATION OF
MERCHANTS AND BUSINESS MEN,
Habana.

I will say that organization sent out letters to the towns, asking them to participate in getting up petitions and bombarding us for this relief.

Under this date I advise Colonel Scott, adjutant-general to the military governor, as follows:

This is a report made to this association—

Municipal council having met last night at an extraordinary session, your telegram of September 28—

That is, Adjutant-General Scott's telegram—

referring to the amendments to the tariff of the United States relative to the products of this island, tobacco and sugar, was read, and it was resolved that this council concurs in every way in the well known views of the Association of Merchants and Business Men and of the Association of Agriculturists of the island residing at the capital in regard to the matter under consideration. The council would be under obligations if the statements of the representatives of said economic associations were taken into consideration. And this I communicate to you in accordance with the resolution mentioned.

What I have read is what they sent to Adjutant-General Scott. And he communicated also with the association of Habana. Before I get through I will show that their proposition was very different from 20 per cent. They did not intend to rest with 20 per cent, but they wanted free trade, and if they could not get that they wanted at least 50 per cent reduction.

MUNICIPALITY OF GUIA DE MELENA, *October 2, 1901.*

PRESIDENT OF THE SOCIETY OF
MERCHANTS AND BUSINESS MEN OF THE ISLAND OF CUBA,
Habana:

In view of your esteemed communication of September last I have the honor to advise you that at an extraordinary meeting of the municipal council, of which I have the honor to be president and which has been called for the purpose, it was resolved unanimously to first congratulate the military governor for his work and efforts with the Government of the United States to secure a reduction of the duty on sugar, tobacco, and other Cuban products. Secondly, him at the same time not to falter in his efforts until he shall secure the reduction sought, this being the sole means of saving the island from ruin, and suggest as to him also, in view of your esteemed communication, that the most energetic measures in the opinion of the corporation, which the Government of the United States may adopt to protect these products as that proposed by the General Society of Merchants and Business Men of the Island. It also resolved unanimously that it may concur with the measures which is being adopted by the President of the United States by the Society whose worthy president you are, and in the persons who have been adopting measures of your institution, it is pleased to notify you in the most expressive manner that this council joins you in the petition.

I take pleasure in communicating this to you and in advising you at the same time that the merchants, business men, and the people in general, who met in large numbers in the council rooms, resolved to take part in the demonstration of your society in honor of General Wood and to appoint a commission composed of Messrs. Enrique Odrioxola, Antonio Rodriguez, José Sanchez, and Joaquin Redesa, presided by the undersigned, to represent them at the said demonstration.

That is addressed to the municipal president of the General Society of Merchants and Business Men. They wish to congratulate the military governor for his work in this particular.

Now perhaps I ought to read, so that we may have it with these others, what their original proposition was. This seems to have been sent out by the merchants' society, and all of them agreed to this:

First. That all molasses and crude sugar produced in Cuba, up to No. 16 Dutch standard, be admitted into the United States absolutely free from any tariff duties.

Second. That of the tobacco produced in Cuba classified in paragraph No. 213 of the United States tariff, wrappers shall, upon their importation into that Republic, pay $1 per pound—

I think they pay $4 now—

and unspecified and unstripped fillers shall pay 20 cents per pound.

Third. That cigars, cigarettes and cheroots of all kinds manufactured in Cuba and specified in paragraph 217 shall pay $2.50 per pound and that the ad valorem duty of 25 per cent which they pay at present shall be abolished.

Fourth. That alcohols, spirits, and rum, direct products of sugar cane, and sweets manufactured with fruits of Cuba and of the products of industries of this island, shall be granted a reduction of 40 per cent in the respective paragraphs of tariffs in the United States—

This is a very modest demand—

Fifth. That no internal tax shall be levied in the United States on tobacco of any class produced in Cuba which would nullify the reductions asked for above.

It was also resolved that this approval be duly communicated in writing to the president of the said Society of Merchants and Business Men for their action. And in compliance with this, and by orders of the alcalde, and with his countersign, I sign the present, certified at Jaguey Grande on October 2, 1901.

TOMAS TIO.

(Countersigned: The municipal alcalde, J. A. Rodriguez.)

That shows you what they wanted, and if you take the pains to go through this book you will find it run along in that line all the way through.

REMEDIOS, *October 3, 1901.*

FRANCISCO GAMBA, *President of the Society of Merchants, Habana:*

The merchants, business men, landowners, and people of Remedios, at an enthusiastic demonstration just being held, ask the alcalde and the members of the council to express to the military governor their unanimous support of the aims of the society of which you are president in relation to the reduction of the duties on sugar, tobacco, and other products depending therefrom, as well as to congratulate you upon your noble stand in favor of the interests of this island.

I take it that congratulation is intended for the military governor. Here is another. It is not dated at all, but it is addressed to—

Antonio L. Gavilan, secretary of the municipality of Caibarien, certifies:

That at an extraordinary session held by the council on October 3, 1901, the following was considered and the resolution given below was adopted:

The president called attention to the fact that the difficult economic condition in which the country finds itself owing to the paralyzation to which its two principal sources of riches—tobacco and sugar—are subjected had aroused public opinion into requesting from the Government of the United States the means of salvation from the misfortunes threatening us, and that everyone who knows of the efforts which are being made by various commercial and agricultural bodies of the island to achieve that end.

That the honorable military governor has taken the initiative in this important matter with the greatest zeal, energy, and efficiency by working for it, not only in Cuba, but also with the Government of the United States.

I can testify that that is true, so far, at least, as the letter he wrote to me, which I have already mentioned, is concerned.

Then they practically ask the same thing.

Now, I am not going to read all these. This is to the military governor of Cuba, at Habana, in which they make a report:

In consequence the council, by a unanimous vote, resolved to give its support to the memorial for the reduction of the tariff presented by the economic bodies of Cuba as the sole means of avoiding the most abject misery into which this country will unquestionably fall unless such reforms are adopted at once.

This corporation hopes that the decided and efficient action of the military governor of the island will contribute powerfully to the granting of these reforms, and for this purpose I respectfully beg for your cooperation in the efforts to normalize the conditions of the country and to assure the economic life of Cuba, to the glory of the great Republic of North America.

That is from the alcalde of the town. As that is addressed to the military governor I have no doubt he promptly responded that he would do all he could.

Mr. President, this may seem tedious to some, but I think we ought to get at the genesis of this whole proceeding if we can.

The next resolution to which I care to call attention is one passed at a meeting held at Sagua la Grande on October 3, 1901:

The alcalde said that he would at once telegraph to the military governor advising him of the petition of the people here and of the representatives from the district for the prompt adoption of ample commercial privileges which would save this island from imminent ruin.

Then, again, at another place the same day another communication was sent to advise the governor of the same condition.

I find here that at one of the meetings the governor was authorized to telegraph to General Wood about their meeting. I find that in several instances; but I am not going to try to read them—it takes too much time. I will read those more particularly of which the military governor himself seems to have had either direct or indirect knowledge:

ABREUS, *October 4, 1901.*

This is addressed to the president of the Society of Merchants. After reciting what has been going on in the meeting, it says:

At the same time and in reply to a communication of the 27th of last month from the military governor, in which the latter requests a true and direct expression of the wishes of the people of this island as to the amendment of the tariff laws in the United States in relation to our products, sugar and tobacco, this municipal council resolved at the same meeting and in the presence of a large number of residents of this place who took the matter under consideration, to make the following reply:

Then they make a reply which is at some length, practically asking for what the others had asked for.

Mr. SPOONER. If the Senator will allow me, is there in that communication any statement as to the industrial condition in Cuba?

Mr. TELLER. There is occasionally a vague reference like the one I read a moment ago as to what would happen if they did not get a reduction of the tariff on their imports into the United States. I do not find anywhere that anybody claims that there was any great distress. They did say that if we did not grant them something there would be distress. The same thing was said also by those gentlemen who came before the committees of the House and Senate—that at that time there was not any great distress, but would be if they had to pay duties on sugar.

Here is a communication that is dated October 3, signed by Miguel A. Garcia. This is a report:

Miguel A. Garcia y del Castillo, secretary of the municipality of Alquizar, certifies:

That in the book of minutes of this municipality, in the part corresponding to the meeting which was held yesterday, there is among others the following entry:

"The president stated that the principal object of this session is to call attention to the invitations which it has received from the governor-general and from the president of the General Society of Merchants and Business Men of the island of Cuba, for the consideration and support of the municipality of the economic movement started at the capital, the object being to secure for the Government of the United States the immediate reduction of the tariff duties paid in that country by sugar, tobacco, and other products of Cuba. The said communication having been read, the matter was discussed at length, and all persons present being convinced of the advantages which would accrue to the country and especially to this locality, so largely a tobacco-growing one, if the objects of the petition were secured, it was unanimously resolved:

"First. To give the fullest support to the petition which is being addressed to the President of the United States by the present Society of Merchants and industrials of the Island of Cuba in favor of various products of this island to secure easy entry for them into American ports.

"Second. To transmit this resolution to the military governor of the islands, to the civil governor of the province, and to the president of the General Society of Merchants and Business Men of the Island of Cuba."

Then I have another, where they simply sent the resolution which had been adopted by the municipality. They sent a simple resolution to the military governor. There are other cases of that kind, but I shall not read them.

I ought to say that occasionally some of these proceedings laid great stress upon the advantage it would be to us to make these arrangements, as well as to them, but as a general thing they seem to have had their own benefit in view.

Now, I have from the municipality of Managua, dated October 8, 1901—not reading all of it because it is too lengthy:

The corporation took under consideration also a communication from the general headquarters of the division of Cuba. In it was stated that the Government of the United States is ready to do something in favor of our principal products—tobacco and sugar—and the writer asks for an opinion of this municipality on such an important matter. It was resolved to reply to the authorities that the municipality of Managua supports energetically and enthusiastically every step which would tend to relieve it from the terrible economic crisis through which we are passing.

That is about the way they put it.

That the people of Managua hope that the Administration of the United States will not allow them to die of hunger since the country is under its temporary protection, and that this municipality notes with great pleasure that the representative of the Government in this island, Major General Wood, is taking such an interest in the Cubans as a loyal friend. It was also decided to advise said General Wood of the passage of the above resolutions.

That is the most severe of anything I think I have found as to their distress, where they say that they hope we will not allow them to die of hunger, etc.

I have heard a good deal about promises made. I have tried for more than two years to find where they were made and who made them, but that is the nearest to any promise that I have been able to find that anybody holding any position in the United States has made. So I assume that if there has been a promise made by anybody it has been made by General Wood. When General Wood shows authority for that promise I may possibly feel it incumbent upon me to attempt to carry it out; but the undefined and voluntary promise, the unauthorized promise of General Wood, certainly can not count anything in the affairs of this great nation. Neither would a promise by the President. Congress is the only body which can make a promise of that kind.

Here is another:

At Cabanas, on the 3d day of the month of October, 1901, the council having met at the office of the municipality to hold an extraordinary session to

which it had been duly called in the form and method prescribed by law, the presiding alcalde opened the meeting by having the secretary read an official letter from the adjutant general, Mr. Scott, a translation of which reads as follows:

"For the purpose of securing a direct expression of the wishes of the people of this island in regard to amendments to the United States laws of tariffs on our principal products—tobacco and sugar—the military governor earnestly requests that the matter be carefully considered at the last meeting of the municipal council, whose president you are, and that you give an expression of your views as to the decisions to be taken by the Cuban Congress in favor of said products which would be acceptable and satisfactory to the people of Cuba."

I do not know how that strikes Senators. It does not sound to me very much like a people in a starving condition. They could not ask much more, it seems to me, than that. If they had been in distress, it seems to me they would have been a little more humble. Perhaps they would have been satisfied with a little less.

Under the same article they say they had directed that a telegram be sent to Adjutant-General Scott, stating that they approved of this attempt to change our laws. It would seem very natural that they should, as they were to be so much benefited by it. If there are any people anywhere in the world who do not want us to change our tariff laws, I do not know who they are.

Here is another telegram:

SCOTT, *Adjutant-General, Military Governor, Habana:*

At an extraordinary meeting of the council last night, your telegram of September 28 was read in relation to amendments to United States tariff on products of this [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] of the Society of Merchants and Business Men and of the Association of Farmers of the Island of Cuba [illegible] It is hoped that [illegible] [illegible] [illegible] [illegible] will be [illegible]

Mr. President, there is more here which I will read. Then I will leave that subject, and if anybody wants to challenge what I have said of General Wood they will have an opportunity and be at liberty to do so. I find this in a communication with no date:

That in the minutes of the meeting held by this council on the 5th of the present month there appeared the following resolutions: A communication was read from the military governor of this territory, dated the 27th of last month, [illegible] Resolved, That in view of the wishes of the people of Cuba as manifested to the tariff laws of the United States upon the principal products of the islands, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

London. Do you suppose that if Cuba raised last year in round number 800,000 tons of sugar, and this year 1,250,000 tons, she is raising it at a loss? If she has increased her output from 600,000 tons two years ago to 1,250,000 tons now, and even beyond that, many say, do you not think this bounty will stimulate them to increase it next year and the following year? Can you defend this before the American people when they say to you, "It has never been the policy of the Republican or any other party to put us in competition with the cheap labor of the world by paying a bounty to our competitors, as you are doing by this legislation?"

And when the sugar coming from Cuba shall be made with Chinese labor and the American freemen of the plains ask you why you allow that to be done, what are you going to answer? Will you say to them, "$80,000,000 of American capital went down there and we wanted to help it?"

Mr. President, there is not a man who has paid a dollar down there who will not tell you to-day that he can get a better return for it than he can on any investment he can make on the American continent. We have in the Central West almost an unbroken continent. If he wants cheap land as a profitable investment he can find it there. But he goes to Cuba, and he ought to take his chances there, and the Government of the United States ought not to be stepping in to help him out. That is what you are doing, and that is the only possible excuse you can make, for you can not longer continue the deception that the Cubans needed your generosity or your charity.

Mr. President, I have said some things about the way this sentiment has been worked up. I spoke of it generally, but I want to say something in detail. Let me say that the military commander of Cuba admitted that he had spent $15,000 of Cuban money to exploit this sentiment. His records show that he sent the Cuban committee here at the expense of the Cuban Government. It can be proved that the War Department employed a man to traverse this country and preach the poverty of the Cubans, and that he received a salary for some months. Mr. Havemeyer is the head of the great sugar trust representing to-day $100,000,000, not in actual capital, but in stock that has gone up every time there appeared to be a chance to pass this bill, and it has gone down every time it appeared that it might not pass. If to-day this bill passes that stock will go up, and if this bill should fail the stock would go down. It is in proof that that concern paid for a large number of circulars that went out and Mr. Havemeyer contributed $2,500 to Mr. Thurber. It is in proof that the Cuban committee spent $20,000 here.

Here, Mr. President, I have a statement which I will put into the RECORD from the War Department, showing that Cuban money was paid to papers in the United States, as well as in Habana, to publish these stories about the distress in Cuba.

I mean, Mr. President, before we get through, to strip this case of any sympathetic claim. I do not mean that it shall be possible for any man to be so ignorant on the subject that he can satisfy his conscience by voting for this bill upon the theory that he is doing God's service by the way of charity. That can only be done on the facts, and it shall be done on the facts.

Mr. President, if you are willing to take it upon any other plan, if you want to consider it on a commercial basis, take it that way, and then why all this haste? Why are we to be denounced because we did not agree to vote at once after it came from the House? Why have we been assailed by the public press for inattention to the demands of Cuba? Simply because the people still believe that there is distress down there and that legislation is necessary to relieve such distress.

We tried reciprocity with Cuba. We tried it for three years or more, and I can demonstrate, but I shall not try to do it to-night, that the advantage was 90 per cent to Cuba and about 10 per cent to us.

Is it important that we should raise our own sugar? We are not the greatest sugar-consuming people in the world per capita, but we are the greatest consuming nation of sugar. With our great population we consume more than any other nation in the world, Great Britain not excepted. Every year we add to our consumption steadily, not only by the growth of population, but by the fact that we are using sugar in our industries. We are using it to make preserves and marmalades and things we have to make, and as the American laborer gets better wages and better conditions around him he uses more than he did before.

It has been demonstrated by the scientists of Europe that sugar is not simply a luxury, as our fathers thought it was. It is a food product of great value. Every man who uses a proper amount of saccharine matter adds to his strength and vigor. The French army are now being supplied with sugar as one of the rations, after a long trial to see what the effect would be upon the endurance of men who had sugar and men who did not have it.

It is to our interest that the American people should consume sugar as a food product, and it is to our interest that sugar should be made as cheap as it can be made. All new industries like the beet sugar must go through a formative state, through a trial state, and that is what this industry has been doing in this country.

Yet it is apparent that we can produce all the sugar we want, and we can produce in this country in ten years all the sugar that we need. You need not wait a generation. We can supply every American table with this necessary food article if we see to it that the American who raises it is not by vicious legislation brought in competition with the people of Cuba or the people of any other section of the world. Fair competition this industry can stand. It asks no special favor.

If this was a general reduction of the tariff on sugar it would inure to the benefit of the American people by a reduction in price. I say as a representative of one of the sugar-growing States, as I said two years ago, when you get ready to take off the tariff on many articles which need reduction we will not object, at least the people of Colorado will not object, to a proper reduction on the things they are interested in. But here you select the real competitor of the people who make sugar, and say to the man who is threatening their industry, "Keep on threatening it, and we will pay to a population of 1,600,000 six or seven million dollars a year for fear you may quit raising sugar." Thirty-seven dollars per head for all Cubans during the life of this convention if the sugar trust does not steal it.

Mr. President, I wish to say a few other things to my friends who sit on the other side of the Chamber. The Republicans of this country have appeared as the special champion of the laboring people of the country, and especially have they appeared of late years as the champion of the farmer; and very rightly they should, for their continuance in power is dependent to-day upon the farmer's vote. You lost that when the last Democratic candidate was elected. But you have been claiming that you specially represented them ever since you returned to power. You have been claiming that in your platform and in your campaign documents and in your campaign book that you issue every year. You have appeared as their special champion on all occasions when you want their votes.

Not only that, Mr. President, but in another place the party appeared as the farmer's special champion, and that, too, upon this question of sugar making. It was declared to the American people through Republican representative men in public life that the party was the special guardian of the infant industry of raising beet sugar. Why you have changed front on that it would not be polite, perhaps, for me to attempt to explain. I will leave it for you to explain.

Mr. President, I am going to read something here as to what has been said by Republicans on this question. It will not be forgotten that under the McKinley Act, when we thought we were getting a little too much money out of the people, there was a call for a new tariff to supersede the Wilson tariff, and one of the difficulties that committee wrestled with was this:

They said, "If we put such a tariff on all these things as is demanded by the several industries and interests of the country we shall get so much money that we will not be able to maintain it," so it was finally concluded that they should put sugar on the free list in order not to have too much revenue. In every country that I know anything of sugar has been one of the chief means of raising revenue. In Germany, where sugar in large quantities is made, in France, in Russia, there is an internal tax on it. There is a very astonishing condition of internal tax on sugar in several sections of the world, for at the same time there is, or was until recently, a bounty on the product that they exported. So Congress, in 1890, put on the statute books free sugar. Then Congress provided a bounty to be paid to the men who made sugar. When the tariff was changed by the Administration that followed they returned sugar to the dutiable list and repealed the bounty act.

Now, in 1896, this is what the Republican party said in its national platform:

> We condemn the present Administration for not keeping faith with the sugar producers of this country.

That meant the bounty they had taken.

> The Republican party favors such protection as will lead to the production on American soil of all the sugar which the American people use, and for which they pay other countries more than $100,000,000 annually.

Do you subscribe to that? I subscribed to it. While I did not support your ticket nor your platform on some other things, I subscribed to that. There was no controversy about it. It went into the platform with the approval of everybody. We believed that to be a Republican doctrine.

In 1900 you said this:

> We renew our faith in the policy of protection to American labor. In that policy our industries have been established, diversified, and maintained. By possessing the home market, competition has been stimulated and production increased.

You issued a campaign document that year. At that time there had been some question about sugar. It is the Republican campaign

text-book for 1900. I have the book lying on my table in the committee room. I am not going to quote all of it, but a little of it:

> No subject interests the farmers of the United States more than that of the possibility of their being able to supply the $100,000,000 worth of sugar which our people consume annually, and some facts which have recently been presented showing the rapid growth in the percentage which beets are now supplying of the world's sugar show that they are fully justified in their ambition.
>
> The farmers of the country have been encouraged by the Republican party in their ambition to produce the sugar of the country—

That is true—

> The experience of other nations and of other parts of the temperate zone has shown that sugar can be produced from beets in great quantities and at very small cost, and can successfully compete with cane sugar under the most favorable circumstances—

It was not necessary to throw any sop to Louisiana. You did not hope to carry Louisiana, and so your attention was directed to beet sugar, to secure if possible the western vote—

> Under the stimulus given to the beet-sugar production by Republican legislation—

I suppose that refers to the new tariff—

> beet-sugar factories sprang up all over the United States, and the production of beet sugar has already reached large proportions and is increasing with wonderful rapidity, as shown by the table on page, etc.

On another page:

> The first thought which came to the minds of the farmers when the events following the war with the Spanish nation of Cuba brought under our control certain tropical possessions was whether or not the possession and control of tropical territory by the United States would inure or perhaps destroy the prosperity of the farmers engaged in producing from their native soil the sugar which the people of the United States annually consume.
>
> Now, I want to say that was a little misstatement. We have been buying about $100,000,000 worth, and we have consumed a great deal more than that; twice that amount. Of course we have raised a large amount of sugar ourselves, especially since we got Porto Rico and Hawaii.
>
> This fear, if it reached the stage at which it could be called by that name was [illegible] in the Republican party when it passed the Porto Rican bill. The Democratic party fought it, but it did its power to prevent the enactment of that measure, which [illegible] articles coming into the United States from Porto Rico [illegible] that day we [illegible] but it was an explicit declaration by the Republican party that it possessed no such fear power to fix such tariff as it [illegible] cheap tropical labor, whenever [illegible] in [illegible] promise to the farmer that he need not fear that the Republican party would permit the [illegible] sugar of any tropical territory to be brought in as a rival with [illegible] the infant industry of beet-sugar production which the farmers of the United States have, under the fostering care of the Republican party, been building up during the last few years.

Mr. President, I want to say a word or two there as to what the effect of this legislation was. The proposition to pass the bill that had passed through the House at the last Congress absolutely suspended all efforts in the way of factory building in the United States, for some time at least, and practically up to the present time. There are some factories being built, but very few. A large number had been planned and they stood still, waiting. Some concerns have been in distress, but the most of the sugar factories, I think, have made a reasonable profit and have no great right to complain up to the present time.

I am going to read from the CONGRESSIONAL RECORD what was said by Mr. Dingley, the author of the Dingley bill. July 19, 1897, Mr. Dingley made a speech in the House of Representatives, in which he said:

> It should be borne in mind that the general increase of duty on sugar made in the proposed tariff has been made not only to increase the revenue, but also to further encourage the production of our sugar in this country and furnish a new crop for our farmers, who are being sorely pressed as to our agricultural products. [illegible] I believe that the time is come when the American farmer should be given the benefit of our market for the sugar he can produce, and that the sugar industry should be encouraged to the extent of our sugar consumption. Already, indeed, it has been demonstrated that we can produce beet sugar here, and the proposed duty [illegible] that article will gradually bring this about, while for the time being it will bring increased revenue.

Certainly [illegible] of the sugar trust as to [illegible] the effected competitors of [illegible] Congress [illegible] sugar industry in [illegible] States [illegible] grow sugar beets under the proposed tariff would speedily end the sugar trust, and would at the same time confer immense benefit on our farmers and all of our people.

Mr. PAYNE, chairman of the Ways and Means Committee of the House of Representatives, on the 25th of March, 1897, said:

> Mr. Chairman, I would tell the House how we propose to reduce revenue when it becomes necessary to do so, but I can only [illegible] at a time, as my remaining time is so limited. We propose to take off five or six millions a year of duty on the linen that we import by producing it in this country and not having to pay any duty upon it, because it will not be imported. [Applause on the Republican side.] We propose to raise beet sugar and cane sugar enough in this country to supply all our 70,000,000 people, who must have the best in the world, and in that way we will take off $50,000,000 in the course of a few years.

On the 19th of July, 1897, Mr. PAYNE said:

> What shall be done with the sugar trust? Well, I will tell you what, in my opinion, is the best way of dealing with it. Establish a beet-sugar factory in every Congressional district in the United States. [Applause on the Republican side.] Give competition, and lots of it, everywhere. Put the farmers over against the trust by passing this bill, and reduce the price of sugar so that German raw sugar can not be brought in to be refined here. Gentlemen on the other side, come over and help us, while we help the farmers out. [Laughter and applause.] You gentlemen over there, come and help us. You Populists that go up and down the streets day after day proclaiming your devotion to the interests of the farmers, help us out now when we are trying to help the farmers in this industry that we can establish so successfully. In this way you will do something toward demolishing the trust. You will accomplish more in this way than by mere invective, by tilting windmills and all that. [Laughter and applause.]
>
> Why should we not produce all of our sugar in this country? Why, it costs us, Mr. Speaker, about one hundred millions. We were looking around for proper subjects for taxation. We knew that sugar would produce an enormous revenue, and besides all that, we knew that an adequate protective tariff would build up the industry in this country, and as it was gradually built up the revenue from that source would be reduced. Beyond by this revenue will come in more largely from other sources, and when this industry is fairly established and revenue from sugar ceases, the revenue will keep pace with the increase. The tariff will regulate itself; we will not disturb our tariff in the next quarter of a century.

I think I shall refer to that when I come to another feature of this bill, the pledge that you have made in it that there shall not be any change in this tariff business for five years. I believe at the very next session of Congress from the committee there came in some proposition to change the tariff. Mr. GROSVENOR said on the 24th of March of that year:

> There is not a [illegible] interested in the formation and [illegible] suggested in its rammed [illegible] not a [illegible] duty, not a [illegible] of tariff taxation that has not been protested against by [illegible] trust, and fought to the bitter end before the Committee on Ways and Means.

Upon the same day Mr. GROSVENOR said:

> We propose the method of sending $[illegible] a year to the foreign countries [illegible] in the production of sugar, [illegible] possible for every pound of sugar that we want to be produced in the United States of America. [Applause.]
>
> The Republican party [illegible] and [illegible] to the agriculturists of this country [illegible] We will protect the industries of the country in [illegible] and we ask you to turn aside [illegible] of all of these States [illegible] put into [illegible] and perfect [illegible] sugar and give to the farmers upon the [illegible] lands of the country a better market, with less competition, than they now have.

Mr. Steele, of Indiana, on March 25, said:

> With regard to sugar, I predict that if the tariff fixed by this bill is unchanged [illegible] we will at the end of that time be producing not only enough for our own consumption but as much as we care to export, and at very little additional cost to the consumer.

Mr. David B. Henderson, in an interview published in a newspaper in the State of Illinois, put himself on record as strongly in favor of the beet-sugar industry. He said:

> One of the great questions before Congress is, "What are we going to do for Cuba?" [illegible] Cuba want a reciprocity treaty or a [illegible] between us and that country. Confronting the discussion of this question there is, first, the American sugar trust, which is here in the person of its ablest managers. Second, the capital that has been put into the construction of railroads in Cuba, where a system of railroads extending along what may be termed the backbone of the island, with arms reaching from the backbone into each part of it, is in process of construction. All the money in the enterprise, or nearly so, has been invested in building up the industries of Cuba. Thirdly, there are those that have gone into Cuba buying up tobacco plantations, and with large syndicates formed, are seeking to control the sugar industry. There are there are American [illegible] there such vast sums of money in various enterprises which are all [illegible] for this. Then again, the Cubans themselves who have the capital [illegible] to have free trade relations with the United States. These all [illegible] work the business.
>
> On the other hand the beet sugar industry of the United States and the cane [illegible] are fighting [illegible] against any reduction.
>
> The beet sugar subject has been [illegible] and so much so in the States of California, Colorado, Nebraska, Wisconsin, and Michigan that [illegible] States have [illegible] very, very much that the [illegible] being [illegible] for the first time in the history of the country, [illegible] most earnest in favor of protection. They stand upon the doctrine of protection. The Secretary of Agriculture [illegible] and [illegible] in Iowa is [illegible] and this is true of every State throughout the West and in the Mississippi Valley.
>
> I have never [illegible] an opinion against doing something, whatever we possibly can, in encouraging the raising of Cuba.
>
> I have [illegible] with the President and the Ways and Means Committee [illegible] the farmers of our country not at the same time [illegible] the consumers and [illegible] the question is brought to us from our own people that we have [illegible] money enough for Cuba now—an independent Government, so to speak, without [illegible] the farming interests of our country and the sugar industry [illegible] I do not [illegible] the combined influences we have to bring to bear on such a single or [illegible] of our States that I have missed that proposition in the beet sugar industry, which [illegible] the House. It may be that we can hit upon some other plan and harmonize matters. (Moline Mail, March 12.)

Mr. CULLOM. Did the Senator state that that was from Illinois?

Mr. TELLER. It is from an Illinois paper, published at Moline. The Senator knows where Moline is?

Mr. CULLOM. Yes; close to Iowa. I was going to ask the Senator who wrote it.

Mr. TELLER. Moline is on the river.

It may be said that we shall not suffer by giving this bounty to the Cuban sugar growers because they can not raise sugar that will threaten our industry. We shall use this year nearly 2,000,000 tons of sugar. The world's product this year will not, I suppose, exceed 10,000,000 tons.

We are using quite one-fourth of the sugar of the world. Cuba is raising this year 1,250,000 tons, according to the Government report. According to the estimates made in Cuba by those who

ought to know the crop is greater than the Government figure by 100,000 tons. The Government sent down an expert to see how rich it was, and his report is that sugar is being raised on from 400,000 to 450,000 acres, and that Cuba has 5,000,000 more acres of sugar land as good as the land upon which they are now raising sugar. It has been estimated by those who know that Cuba can practically raise the world's sugar if she can get a market to that extent. In proportion to her present production, if she should put all her sugar land under cultivation she would come very nearly producing as much as the world's production of sugar is at the present time.

We shall need every year more sugar. We shall need, according to Professor Wiley, in seven years at the present rate of the growth of consumption not $100,000,000 worth of sugar, but $268,000,000 worth of sugar.

Mr. President, I do not care to proceed further to-day. I will complete my remarks to-morrow.

Mr. CLAPP. Mr. President, there is one phase of this matter which it seems to me, in my humble judgment, has not received sufficient consideration; and I shall trespass for a short time upon the patience of the Senate in entering briefly my humble protest against the policy of submitting treaties to the approval of the Congress. It may be said, sir, that this is an academic discussion; but the trouble is that the action of the Senate in this case, and the action of the Senate in the passage of the Dingley bill, which conferred upon the Senate and upon the President powers that are clearly and distinctly conferred upon the President and Senate by the Constitution, have tended to create and strengthen an impression that a clause of the Constitution, found in Article I, purely and absolutely administrative in its character, in some way reaches over into Article II and operates as a limitation upon the plain power there conferred upon the Senate in conjunction with the President.

It therefore seems to me, in view of the growing importance of the question of reciprocity, that the time has come when this protest ought to be made. I only regret that it is not made by some one whose longer service in this body would give to his protest more weight here and more weight outside.

In the discussion of this branch of the question I want to call attention to the fact that there are three rules which ought to govern our construction of that instrument which confers these powers upon the House in the one instance and upon the Senate in the other.

The first is that the American Constitution was made for the people rather than the people being made for the Constitution. Another rule is that the several parts of this instrument, like the several parts of every instrument, ought, if possible, to be so construed that they may all stand and have force and effect. The third rule is that by the sledge-hammer logic of sequence, where there are two irreconcilably repugnant provisions in an instrument, unless there is something in the former provision which so relates it to the subject-matter that the subject-matter would fail without giving it paramount weight it must yield to the latter conflicting provision.

Let me suggest, sir, that there is absolutely nothing in the provision found in Article I of the Constitution that measures for revenue must originate in the House that bears any relation to the great matter of government, which was the subject under consideration when these various provisions were framed and adopted. It is purely and simply an administrative matter. That power might just as well have been vested in the Senate as in the House of Representatives. The Constitution would have been just as complete if it had been lodged in either House. As Mr. Madison well observed at the time, if each body was to have the right to say "yes" and to say "no," it became a matter of no consequence which body said "yes" first.

This provision at one time came near being enlarged to embrace not only bills for revenue, but bills making appropriations. At another time it was sought to so limit the Senate with reference to bills, both for appropriation and for revenue, that the Senate could not alter or amend such bills. It was finally decided that the power to originate tax measures should be vested in the House, with power in the Senate to amend or modify them.

Under these circumstances, I repeat, there is nothing in the relation which that provision bears to the plan and scope of government itself that gives it any superior weight or force when we come to analyze this instrument in the light of other and conflicting provisions. True, it was borrowed from the old English rule that had grown up in the long effort of the English people to preserve their rights by limiting the power of taxation to the House of Commons, but the conditions which made this important in the formation of the English constitution did not, in fact, exist in the form of government contemplated by our Constitution, under which President and Senators hold their offices by election.

And, I repeat—as was aptly said by Madison—it mattered not whether this power was conferred upon the House or upon the Senate, or whether by silence it was committed to either House.

The provision found in Article II of the Constitution that the President, with the advice and consent of the Senate, shall have power to make treaties is also a purely administrative matter, and in this view of the character and relation of these provisions to the subject-matter under consideration, which was government itself, neither of them bearing a superior relation to government, the rule obtains that that which comes later must prevail over that which comes first.

It has been suggested, at least in the press and in the discussions of this question, that when this instrument was adopted it was not contemplated that treaties should involve the matter of tariff schedules, and that if the Senate has this power it could materially modify tariff legislation. Imagination can always conjure the possibilities of power.

But, unfortunately for that contention, while this subject was under consideration it was proposed to give the House power, jointly with the Senate, to ratify and confirm treaties, because, it was urged, the treaty-making power would enable the Senate to interfere with the tariff schedules and reverse in some instances the policy of the framers of the Government in placing a limitation upon the power to levy export duties.

But notwithstanding that attention was thus at that time called to the possibilities involved in the exercise of this power, there was but one State that voted in favor of uniting the House with the Senate in the exercise of the power; and after the Revolution and at the time of the treaty with Great Britain, made, I think, in 1794, Washington, when he refused to comply with the request of the House to furnish the papers in that case, said that he knew—evidently referring to his association and connection with the convention that formulated this instrument—that it was not intended to place a limitation upon this power and that a treaty made in pursuance of the constitutional power was the higher law and recognized as such by that provision of the Constitution which declares:

> This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land.

Now, sir, it has been claimed that while this rule applies to instruments generally, it does not apply to constitutions. I should like to ask, if there are two irreconcilable provisions, what other theory or rule can be adopted by which to determine which of those provisions shall prevail. That the rule of construction by which superior weight is to be given the latter of two irreconcilably repugnant provisions applies to the construction of a constitution has been recognized by the courts of this country. But we do not have to depend upon judicial construction: we can summon here to-day the authority of one who helped to frame this instrument, who in discussing it, while it was before the people for their ratification, declared that where there were two provisions in it, the one irreconcilably repugnant to the other, the one last in point of time and location should prevail, because, as he said—and that authority was Alexander Hamilton—that was the latter declaration of the power that made and framed this instrument.

But, Mr. President, it does not seem to me necessary to invoke this rule. It appears to me that these two provisions each can stand by itself. As was well said by Mr. Story in commenting upon the provision relating to the origin of tax bills, that term must be taken there in its strict sense; a measure that is distinctively a revenue measure must originate in the House.

The Constitution expressly provides that a bill for raising revenue must originate in the House. The same instrument provides that the President, with the advice and consent of the Senate, may make treaties. One deals with the subject of revenue, the other with treaties. There is nothing necessarily irreconcilable in the two provisions, although, if there is, by the plainest rule of construction, as viewed by one of the authors of the instrument itself, paramount force must be given to the latter provision.

I do not share with some the apprehension that between the assumption of power in the other House and the assumption of power in other houses in this seat of government the Senate is liable to be obliterated; but it does seems to me that every time this body acquiesces in this proposition it strengthens the claim and strengthens the impression that in some way—inexplicable, I must admit—a provision found in Article I of the Constitution, purely administrative in its features, reaches over and operates, as I have said, as a limitation upon the provision found in Article II. I say these provisions should be construed together; and while it may be said it is immaterial in this instance, it would be said in the next case that it was immaterial in that instance, until finally by this construction we shall have developed and strengthened an impression that it seems to me clearly has no support in view of the plain declarations of the Constitution itself.

I wish to repeat that in my humble judgment, and, if I may be pardoned the suggestion, it seems to me that the time has come when the Senate, not in any arrogant assumption of power nor in any spirit of conflict of power, but simply in the calm and deliberate

exercise of a power conferred upon it by the Constitution, should insist upon the maintenance of its right, and that this policy of subjecting treaties made by the President to an act of Congress should be no longer continued; but, in the language of Washington, "A treaty ratified by the Senate becomes the supreme law of the land, and requires no act of Congress for its approval."

The PRESIDENT pro tempore. The bill is in the Senate as in Committee of the Whole and open to amendment.

Mr. ALDRICH. If no one is ready to proceed, I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Rhode Island.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 9, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 8, 1903.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be major-general.

Brig. Gen. Leonard Wood, United States Army, August 8, 1903, vice Young, appointed Lieutenant-General.

To be brigadier-generals.

Col. Charles A. Coolidge (since retired from active service), Seventh Infantry, August 8, 1903, vice Wood, appointed major-general.

Col. Cyrus S. Roberts (since retired from active service), Second Infantry, August 8, 1903, vice Babcock, retired from active service.

Col. J. Milton Thompson (since retired from active service), Twenty-third Infantry, August 9, 1903, vice Coolidge, retired from active service.

Col. Calvin De Witt (since retired from active service), assistant surgeon-general, August 9, 1903, vice Roberts, retired from active service.

Col. Carle A. Woodruff (since retired from active service), Artillery Corps, August 10, 1903, vice Thompson, retired from active service.

Col. David H. Kinzie (since retired from active service), Artillery Corps, August 10, 1903, vice De Witt, retired from active service.

Col. John L. Tiernon (since retired from active service), Artillery Corps, August 11, 1903, vice Carle A. Woodruff, retired from active service.

Col. James Miller (since retired from active service), Twenty-second Infantry, August 11, 1903, vice Kinzie, retired from active service.

Col. David J. Craigie (since retired from active service), Seventeenth Infantry, August 12, 1903, vice Tiernon, retired from active service.

Col. Alpheus H. Bowman (since retired from active service), Twenty-fifth Infantry, August 12, 1903, vice Miller, retired from active service.

Col. Edmund Rice (since retired from active service), Nineteenth Infantry, August 13, 1903, vice Craigie, retired from active service.

Col. Charles G. Penney (since retired from active service), Twenty-ninth Infantry, August 13, 1903, vice Bowman, retired from active service.

Col. Jesse C. Chance (since retired from active service), Fourth Infantry, August 14, 1903, vice Rice, retired from active service.

Col. Theodore F. Forbes (since retired from active service), Twenty-seventh Infantry, August 14, 1903, vice Penney, retired from active service.

Col. Daniel D. Wheeler (since retired from active service), assistant quartermaster-general, August 15, 1903, vice Chance, retired from active service.

Col. Leon A. Matile (since retired from active service), Twenty-fourth Infantry, August 15, 1903, vice Forbes, retired from active service.

Col. Charles L. Cooper (since retired from active service), Fifth Cavalry, August 16, 1903, vice Wheeler, retired from active service.

Col. John A. Kress (since retired from active service), Ordnance Department, August 16, 1903, vice Matile, retired from active service.

Col. John Simpson (since retired from active service), assistant quartermaster-general, August 17, 1903, vice Cooper, retired from active service.

Col. Camillo C. C. Carr, Fourth Cavalry, August 17, 1903, vice Kress, retired from active service.

Col. Thomas H. Barry, assistant adjutant-general, August 18, 1903, vice Simpson, retired from active service.

PROMOTIONS IN THE ARMY.

ADJUTANT-GENERAL'S DEPARTMENT.

Lieut. Col. William A. Simpson, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, August 18, 1903, vice Barry, appointed brigadier-general.

QUARTERMASTER'S DEPARTMENT.

Lieut. Col. John L. Clem, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel, August 15, 1903, vice Wheeler, appointed brigadier-general.

Lieut. Col. William S. Patten, deputy quartermaster-general, to be assistant quartermaster-general with the rank of colonel, August 17, 1903, vice Simpson, appointed brigadier-general.

Maj. William H. Miller, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, August 15, 1903, vice Clem, promoted.

Maj. Samuel R. Jones, quartermaster, to be deputy quartermaster-general with the rank of lieutenant-colonel, August 17, 1903, vice Patten, promoted.

Capt. John Elston Baxter (heretofore borne on the Army Register as "John Baxter, jr."), quartermaster, to be quartermaster with the rank of major, August 15, 1903, vice Miller, promoted.

Capt. Moses G. Zalinski, quartermaster, to be quartermaster with the rank of major, August 17, 1903, vice Jones, promoted.

MEDICAL DEPARTMENT.

Lieut. Col. Charles B. Byrne, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, August 9, 1903, vice De Witt, appointed brigadier-general.

Lieut. Col. Timothy E. Wilcox, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, September 22, 1903, vice Lippincott, retired from active service.

Maj. Louis W. Crampton, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, August 9, 1903, vice Byrne, promoted.

Maj. Edwin F. Gardner, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, September 22, 1903, vice Wilcox, promoted.

Capt. Henry C. Fisher, assistant surgeon, to be surgeon with the rank of major, August 9, 1903, vice Crampton, promoted.

Capt. Henry A. Shaw, assistant surgeon, to be surgeon with the rank of major, September 22, 1903, vice Gardner, promoted.

ORDNANCE DEPARTMENT.

Lieut. Col. John G. Butler, Ordnance Department, to be colonel, August 16, 1903, vice Kress, appointed brigadier-general.

Maj. Frank Heath, Ordnance Department, to be lieutenant-colonel, August 16, 1903, vice Butler, promoted.

Capt. Frank E. Hobbs, Ordnance Department, to be major, August 16, 1903, vice Heath, promoted.

First Lieut. Thales L. Ames, Ordnance Department, to be captain, August 16, 1903, vice Hobbs, promoted.

CAVALRY ARM.

Lieut. Col. Clarence A. Stedman, Fourth Cavalry, to be colonel, August 16, 1903, vice Cooper, Fifth Cavalry, appointed brigadier-general.

Lieut. Col. Edgar Z. Steever, United States Cavalry, assistant adjutant-general, to be colonel, August 17, 1903, vice Carr, Fourth Cavalry, appointed brigadier-general.

Maj. George H. Paddock, Fifth Cavalry, to be lieutenant-colonel, August 16, 1903, vice Stedman, Fourth Cavalry, promoted.

Maj. Samuel W. Fountain, United States Cavalry, assistant adjutant-general, to be lieutenant-colonel, August 26, 1903, vice Parker, Thirteenth Cavalry, detailed as assistant adjutant-general.

Capt. Franklin O. Johnson, Third Cavalry, to be major, August 16, 1903, vice Paddock, Fifth Cavalry, promoted.

Capt. Herbert J. Slocum, United States Cavalry, quartermaster, to be major, August 26, 1903, vice Swift, First Cavalry, detailed as assistant adjutant-general.

First Lieut. Frank R. McCoy, Tenth Cavalry, to be captain, August 16, 1903, vice Johnson, Third Cavalry, promoted.

First Lieut. Chalmers C. Hall, Fifth Cavalry, to be captain, September 19, 1903, vice Fenton, Thirteenth Cavalry, detailed as paymaster.

First Lieut. Clarence R. Day, Fourteenth Cavalry, to be captain, September 28, 1903, vice Fleming, Fifth Cavalry, detailed as quartermaster.

Second Lieut. Granville R. Fortescue, Fourth Cavalry, to be first lieutenant, August 16, 1903, vice McCoy, Tenth Cavalry, promoted.

Second Lieut. John Alden Degen, Fourth Cavalry, to be first lieutenant, September 17, 1903, vice Brees, Twelfth Cavalry, detailed in the Signal Corps.

Second Lieut. Arthur N. Pickel, Twelfth Cavalry, to be first lieutenant, September 17, 1903, vice Johnston, Fifteenth Cavalry, detailed in the Signal Corps.

Second Lieut. Brice P. Disque, Fifth Cavalry, to be first lieutenant, September 17, 1903, vice Hemphill, Third Cavalry, detailed in the Signal Corps.

Second Lieut. Alvin S. Perkins, Eleventh Cavalry, to be first lieutenant, September 17, 1903, vice Butler, First Cavalry, detailed in the Signal Corps.

Second Lieut. Robert M. Barton, Ninth Cavalry, to be first lieutenant, September 19, 1903, vice Hall, Fifth Cavalry, promoted.

Second Lieut. Walter J. Scott, Tenth Cavalry, to be first lieutenant, September 28, 1903, vice Day, Fourteenth Cavalry, promoted.

Second Lieut. Richard W. Walker, Eighth Cavalry, to be first lieutenant, October 15, 1903, vice Foley, Fifth Cavalry, dismissed.

ARTILLERY CORPS.

Lieut. Col. Asher C. Taylor, Artillery Corps, to be colonel, August 10, 1903, vice Woodruff, appointed brigadier-general.

Lieut. Col. Henry W. Hubbell, Artillery Corps, to be colonel, August 10, 1903, vice Kinzie, appointed brigadier-general.

Lieut. Col. William F. Stewart, Artillery Corps, to be colonel, August 11, 1903, vice Tiernon, appointed brigadier-general.

Lieut. Col. Anthony W. Vogdes, Artillery Corps, to be colonel, November 1, 1903, vice O'Hara, retired from active service.

Maj. Alexander D. Schenck, Artillery Corps, to be lieutenant-colonel, August 10, 1903, vice Taylor, promoted.

Maj. Sedgwick Pratt, Artillery Corps, to be lieutenant-colonel, August 10, 1903, vice Hubbell, promoted.

Maj. John M. Carter, Artillery Corps, to be lieutenant-colonel, August 11, 1903, vice Stewart, promoted.

Maj. Harry R. Anderson, Artillery Corps, to be lieutenant-colonel, August 14, 1903, vice Taylor, detailed as assistant adjutant-general.

Maj. Robert H. Patterson, Artillery Corps, to be lieutenant-colonel, November 1, 1903, vice Vogdes, promoted.

Capt. Eli D. Hoyle, Artillery Corps, to be major, August 10, 1903, vice Schenck, promoted.

Capt. Granger Adams, Artillery Corps, to be major, August 10, 1903, vice Pratt, promoted.

Capt. Frederick Marsh, Artillery Corps, to be major, August 11, 1903, vice McClellan, promoted.

Capt. Charles G. Woodward, Artillery Corps, to be major, August 14, 1903, vice Anderson, promoted.

Capt. Edward E. Gayle, Artillery Corps, to be major, August 14, 1903, vice White, detailed as assistant adjutant-general.

Capt. Hamilton Rowan, Artillery Corps, to be major, November 1, 1903, vice Patterson, promoted.

First Lieut. John T. Geary, Artillery Corps, to be captain, August 10, 1903, vice Hoyle, promoted.

First Lieut. Guy T. Scott, Artillery Corps, to be captain, August 10, 1903, vice Adams, promoted.

First Lieut. Morrell M. Mills, Artillery Corps, to be captain, August 11, 1903, vice Marsh, promoted.

First Lieut. Charles R. Lloyd, jr., Artillery Corps, to be captain, August 14, 1903, vice Woodward, promoted.

First Lieut. Edward Carpenter, Artillery Corps, to be captain, August 14, 1903, vice Gayle, promoted.

First Lieut. Henry M. Merriam, Artillery Corps, to be captain, August 27, 1903, vice Chase, detailed as paymaster.

First Lieut. Oliver L. Spaulding, jr., Artillery Corps, to be captain, August 27, 1903, vice Bottoms, detailed as commissary.

First Lieut. Hanson B. Black, Artillery Corps, Ordnance Department, to be captain, August 27, 1903, vice Cole, detailed as quartermaster.

First Lieut. Conrad H. Lanza, Artillery Corps, to be captain, November 1, 1903, vice Rowan, promoted.

Second Lieut. Charles E. N. Howard, Artillery Corps, to be first lieutenant, August 10, 1903, vice Geary, promoted.

Second Lieut. Edwin C. Long, Artillery Corps, to be first lieutenant, August 10, 1903, vice Scott, promoted.

Second Lieut. Augustus B. Warfield, Artillery Corps, to be first lieutenant, August 11, 1903, vice Mills, promoted.

Second Lieut. Howard L. Landers, Artillery Corps, to be first lieutenant, August 14, 1903, vice Lloyd, promoted.

Second Lieut. Claudius M. Seaman, Artillery Corps, to be first lieutenant, August 14, 1903, vice Carpenter, promoted.

Second Lieut. Hugh J. B. McElgin, Artillery Corps, to be first lieutenant, August 27, 1903, vice Merriam, promoted.

Second Lieut. Arthur L. Fuller, Artillery Corps, to be first lieutenant, August 27, 1903, vice Spaulding, promoted.

Second Lieut. Francis H. Lomax, Artillery Corps, to be first lieutenant, September 20, 1903, vice Green, deceased.

Second Lieut. William H. Burt, Artillery Corps, to be first lieutenant, November 1, 1903, vice Lanza, promoted.

INFANTRY ARM.

Lieut. Col. Daniel Cornman, Twenty-fourth Infantry, to be colonel, August 8, 1903, vice Coolidge, Seventh Infantry, appointed brigadier-general.

Lieut. Col. Charles B. Hall, Thirtieth Infantry, to be colonel, August 8, 1903, vice Roberts, Second Infantry, appointed brigadier-general.

Lieut. Col. Joseph W. Duncan, Thirteenth Infantry, to be colonel, August 9, 1903, vice Thompson, Twenty-third Infantry, appointed brigadier-general.

Lieut. Col. Henry Wygant, Sixth Infantry, to be colonel, August 11, 1903, vice Miller, Twenty-second Infantry, appointed brigadier-general.

Lieut. Col. Francis W. Mansfield, First Infantry, to be colonel, August 12, 1903, vice Craigie, Seventeenth Infantry, appointed brigadier-general.

Lieut. Col. P. Henry Ray, Eighth Infantry, to be colonel, August 12, 1903, vice Bowman, Twenty-fifth Infantry, appointed brigadier-general.

Lieut. Col. Benjamin C. Lockwood, Twenty-ninth Infantry, to be colonel, August 13, 1903, vice Rice, Nineteenth Infantry, appointed brigadier-general.

Lieut. Col. Philip Reade, Twenty-third Infantry, to be colonel, August 13, 1903, vice Penney, Twenty-ninth Infantry, appointed brigadier-general.

Lieut. Col. John T. Van Orsdale, Seventeenth Infantry, to be colonel, August 14, 1903, vice Chance, Fourth Infantry, appointed brigadier-general.

Lieut. Col. James A. Buchanan, Eleventh Infantry, to be colonel, August 14, 1903, vice Forbes, Twenty-seventh Infantry, appointed brigadier-general.

Lieut. Col. Joseph F. Huston, Nineteenth Infantry, to be colonel, August 15, 1903, vice Matile, Twenty-fourth Infantry, appointed brigadier-general.

Lieut. Col. William H. W. James, Twenty-fifth Infantry (since retired from active service), to be colonel, October 31, 1903, vice Rodman, Twenty-fifth Infantry, retired from active service.

Lieut. Col. Ralph W. Hoyt, United States Infantry, assistant adjutant-general, to be colonel, December 3, 1903, vice James, Twenty-fifth Infantry, retired from active service.

Maj. Charles A. Booth, Seventeenth Infantry, to be lieutenant-colonel, August 8, 1903, vice Cornman, Twenty-fourth Infantry, promoted.

Maj. Henry A. Greene, United States Infantry, Assistant Adjutant-General, to be lieutenant-colonel, August 8, 1903, vice Hall, Thirtieth Infantry, promoted.

Maj. Edwin B. Bolton, Twenty-fourth Infantry, to be lieutenant-colonel, August 9, 1903, vice Duncan, Thirteenth Infantry, promoted.

Maj. James S. Pettit, United States Infantry, Inspector-General, to be lieutenant-colonel, August 14, 1903, vice Wygant, Sixth Infantry, promoted.

Maj. Charles L. Hodges, Twenty-third Infantry, to be lieutenant-colonel, August 12, 1903, vice Mansfield, First Infantry, promoted.

Maj. Robert H. R. Loughborough, Sixth Infantry, to be lieutenant-colonel, August 12, 1903, vice Ray, Eighth Infantry, promoted.

Maj. John G. Ballance, United States Infantry, Assistant Adjutant-General, to be lieutenant-colonel, August 13, 1903, vice Lockwood, Twenty-ninth Infantry, promoted.

Maj. Frank Taylor, Fifteenth Infantry, to be lieutenant-colonel, August 13, 1903, vice Reade, Twenty-third Infantry, promoted.

Maj. Richard T. Yeatman, Twenty-second Infantry, to be lieutenant-colonel, August 14, 1903, vice Van Orsdale, Seventeenth Infantry, promoted.

Maj. Thomas F. Davis, Twenty-eighth Infantry, to be lieutenant-colonel, August 14, 1903, vice Buchanan, Eleventh Infantry, promoted.

Maj. Daniel H. Brush, Twenty-fifth Infantry, to be lieutenant-colonel, August 15, 1903, vice Huston, Nineteenth Infantry, promoted.

Maj. Charles J. Crane, United States Infantry, assistant adjutant-general, to be lieutenant-colonel, August 21, 1903, vice Pettit, detailed as assistant adjutant-general.

Maj. Hobart K. Bailey, United States Infantry, inspector-general, to be lieutenant-colonel, October 31, 1903, vice James, Twenty-fifth Infantry, promoted.

Capt. Frank B. McCoy, Seventeenth Infantry, to be major, August 8, 1903, vice Booth, Seventeenth Infantry, promoted.

Capt. Elias Chandler, First Infantry, to be major, August 9, 1903, vice Bolton, Twenty-fourth Infantry, promoted.

Capt. Charles R. Noyes, Ninth Infantry, to be major, August 12, 1903, vice Hodges, Twenty-third Infantry, promoted.

Capt. Charles W. Abbot, jr., Twelfth Infantry, to be major, August 12, 1903, vice Loughborough, Sixth Infantry, promoted.

Capt. Richard M. Blatchford, Eleventh Infantry, to be major, August 13, 1903, vice Taylor, Fifteenth Infantry, promoted.

Capt. John H. Beacom, Sixth Infantry, to be major, August 14, 1903, vice Yeatman, Twenty-second Infantry, promoted.

Capt. Willis T. May (heretofore borne as "Will T. May"), Fifteenth Infantry, to be major, August 14, 1903, vice Davis, Twenty-eighth Infantry, promoted.

Capt. Henry W. Hovey, Twenty-fourth Infantry, to be major, August 14, 1903, vice Nichols, Twenty-first Infantry, detailed as inspector-general.

Capt. Lawrence J. Hearn, Twenty-first Infantry, to be major, August 15, 1903, vice Brush, Twenty-fifth Infantry, promoted.

Capt. Walter K. Wright, Seventh Infantry, to be major, August 26, 1903, vice Evans, Twentieth Infantry, detailed as assistant adjutant-general.

Capt. Charles B. Hardin, Eighteenth Infantry, to be major, August 26, 1903, vice Starr, Twenty-fifth Infantry, detailed as assistant adjutant-general.

Capt. Edwin P. Pendleton, Twenty-third Infantry, to be major, August 26, 1903, vice Dunning, Twenty-ninth Infantry, detailed as assistant adjutant-general.

Capt. Harry A. Leonhaeuser, Twenty-fifth Infantry, to be major, September 3, 1903, vice Liggett, Twenty-first Infantry, detailed as assistant adjutant-general.

First Lieut. George M. Grimes, Twentieth Infantry, to be captain, August 8, 1903, vice McCoy, Seventeenth Infantry, promoted.

First Lieut. Thomas B. Harker, Fifteenth Infantry, to be captain, August 9, 1903, vice Chandler, First Infantry, promoted.

First Lieut. John F. Wilkinson, Sixth Infantry, to be captain, August 12, 1903, vice Noyes, Ninth Infantry, promoted.

First Lieut. Frank D. Wickham, Twelfth Infantry, to be captain, August 12, 1903, vice Abbot, Twelfth Infantry, promoted.

First Lieut. William B. Folwell, First Infantry, to be captain, August 13, 1903, vice Blatchford, Eleventh Infantry, promoted.

First Lieut. Bryan Conrad, Fifteenth Infantry, to be captain, August 14, 1903, vice Beacom, Sixth Infantry, promoted.

First Lieut. William K. Naylor, Ninth Infantry, to be captain, August 14, 1903, vice May, Fifteenth Infantry, promoted.

First Lieut. William H. Oury, Twelfth Infantry, to be captain, August 14, 1903, vice Hovey, Twenty-fourth Infantry, promoted.

First Lieut. Austin F. Prescott, Seventh Infantry, to be captain, August 15, 1903, vice Hearn, Twenty-first Infantry, promoted.

First Lieut. Edgar A. Fry, Thirteenth Infantry, to be captain, August 15, 1903, vice Brown, Fourth Infantry, deceased.

First Lieut. Harry A. Eaton, Eighth Infantry, to be captain, August 22, 1903, vice Weigel, Eleventh Infantry, detailed as quartermaster.

First Lieut. Campbell King, First Infantry, to be captain, August 26, 1903, vice Wright, Seventh Infantry, promoted.

First Lieut. Tenney Ross, Third Infantry, to be captain, August 26, 1903, vice Hardin, Eighteenth Infantry, promoted.

First Lieut. George C. Martin, Second Infantry, to be captain, August 26, 1903, vice Pendleton, Twenty-third Infantry, promoted.

First Lieut. Robert O. Van Horn, Twelfth Infantry, to be captain, August 27, 1903, vice Creary, Twelfth Infantry, detailed as paymaster.

First Lieut. Ezekiel J. Williams, Fifth Infantry, to be captain, September 3, 1903, vice Leonhaeuser, Twenty-fifth Infantry, promoted.

First Lieut. Moor N. Falls, Twelfth Infantry, to be captain, September 14, 1903, vice Perry, Thirtieth Infantry, retired from active service.

First Lieut. Joseph W. Glidden, Nineteenth Infantry, to be captain, September 23, 1903, vice Lowe, Twenty-fifth Infantry, retired from active service.

First Lieut. John R. R. Hanney, Twenty-second Infantry, to be captain, September 28, 1903, vice Wren, Seventeenth Infantry, detailed as quartermaster.

Second Lieut. Julian L. Dodge, Twenty-fifth Infantry, to be first lieutenant, August 8, 1903, vice Grimes, Twentieth Infantry, promoted.

Second Lieut. Herman Glade, Fourth Infantry, to be first lieutenant, August 9, 1903, vice Harker, Fifteenth Infantry, promoted.

Second Lieut. Frank S. Bowen, Sixth Infantry, to be first lieutenant, August 12, 1903, vice Wilkinson, Sixth Infantry, promoted.

Second Lieut. Ward Dabney, First Infantry, to be first lieutenant, August 12, 1903, vice Wickham, Twelfth Infantry, promoted.

Second Lieut. Paul M. Goodrich, Ninth Infantry, to be first lieutenant, August 13, 1903, vice Folwell, First Infantry, promoted.

Second Lieut. Frank H. Kalde, Eighth Infantry, to be first lieutenant, August 14, 1903, vice Conrad, Fifteenth Infantry, promoted.

Second Lieut. William W. Taylor, jr., Twenty-second Infantry, to be first lieutenant, August 14, 1903, vice Naylor, Ninth Infantry, promoted.

Second Lieut. Russell C. Hand, Tenth Infantry, to be first lieutenant, August 14, 1903, vice Oury, Twelfth Infantry, promoted.

Second Lieut. Henry A. Bell, Twenty-second Infantry, to be first lieutenant, August 15, 1903, vice Prescott, Seventh Infantry, promoted.

Second Lieut. Bruno T. Scher, Fifth Infantry, to be first lieutenant, August 15, 1903, vice Fry, Thirteenth Infantry, promoted.

Second Lieut. George A. Herbst, Twenty-third Infantry, to be first lieutenant, August 22, 1903, vice Eaton, Eighth Infantry, promoted.

Second Lieut. Philip J. Lauber, Twenty-fifth Infantry, to be first lieutenant, August 26, 1903, vice King, First Infantry, promoted.

Second Lieut. Thomas M. Hunter, Tenth Infantry, to be first lieutenant, August 26, 1903, vice Ross, Third Infantry, promoted.

Second Lieut. Gad Morgan, Fifteenth Infantry, to be first lieutenant, August 26, 1903, vice Martin, Second Infantry, promoted.

Second Lieut. Elverton E. Fuller, Twelfth Infantry, to be first lieutenant, August 27, 1903, vice Van Horn, Twelfth Infantry, promoted.

Second Lieut. William S. Neely, Twenty-second Infantry, to be first lieutenant, September 3, 1903, vice Williams, Fifth Infantry, promoted.

Second Lieut. Frank H. Adams, Sixteenth Infantry, to be first lieutenant, September 14, 1903, vice Falls, Twelfth Infantry, promoted.

Second Lieut. George C. Lewis, Third Infantry, to be first lieutenant, September 17, 1903, vice Voris, Eighth Infantry, detailed in the Signal Corps.

Second Lieut. William H. Patterson, Tenth Infantry, to be first lieutenant, September 17, 1903, vice Kumpe, Twenty-eighth Infantry, detailed in the Signal Corps.

Second Lieut. David A. Lindsay, First Infantry, to be first lieutenant, September 17, 1903, vice Jennet, First Infantry, detailed in the Signal Corps.

Second Lieut. Leonard J. Mygatt, Nineteenth Infantry, to be first lieutenant, September 17, 1903, vice Goodale, Nineteenth Infantry, detailed in Signal Corps.

Second Lieut. Elliott M. Norton, Sixth Infantry, to be first lieutenant, September 17, 1903, vice Briggs, Fourteenth Infantry, detailed in the Signal Corps.

Second Lieut. Roscoe H. Hearn, Sixteenth Infantry, to be first lieutenant, September 17, 1903, vice Fitzpatrick, Ninth Infantry, detailed in the Signal Corps.

Second Lieut. Nels Anderson, Seventh Infantry, to be first lieutenant, September 23, 1903, vice Glidden, Nineteenth Infantry, promoted.

PAY DEPARTMENT.

Capt. George T. Holloway, paymaster, to be paymaster with the rank of major, November 30, 1903, vice Kilbourne, deceased.

APPOINTMENTS IN THE ARMY.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Francis H. Schoeffel, Ninth Infantry, to be judge-advocate with the rank of major, December 2, 1903, vice Dunn, to be promoted.

Capt. John S. Grisard, Seventh Infantry, to be judge-advocate with the rank of major, vice Schoeffel, to be appointed and retired from active service.

First Lieut. Blanton Winship, Sixteenth Infantry, to be judge-advocate with the rank of major, vice Grisard, to be appointed and retired from active service.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

CAVALRY ARM.

Second Lieut. Charles W. Stewart, Nineteenth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Emil Engel, Nineteenth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Emmett Addis, Twentieth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Harry L. King, Twelfth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Arthur G. Hixson, Eighth Infantry, to be second lieutenant of cavalry, with rank from October 10, 1903.

PROMOTIONS IN THE NAVY.

Ensign James L. Ackerson to be an assistant naval constructor in the Navy (subject to the examinations required by law) from the 1st day of December, 1903, to fill a vacancy existing in that grade on that date.

Midshipmen Donald R. Battles and Richard D. Gatewood to be assistant naval constructors in the Navy (subject to the examinations required by law) from the 1st day of December, 1903, to fill vacancies existing in that grade on that date.

RECEIVERS OF PUBLIC MONEYS.

A. W. Gowan, of Burns, Oreg., to be receiver of public moneys at Burns, Oreg., vice Charles Newell, term expired.

Thomas V. McAllister, of Vicksburg, Miss., to be receiver of public moneys at Jackson, Miss., vice Isaiah T. Montgomery, resigned.

Mr. McAllister was appointed September 3, 1903, during the recess of the Senate, but his nomination failed of confirmation during the past session.

SECRETARY OF HAWAII.

A. L. C. Atkinson, of Hawaii, to be secretary of Hawaii, vice George R. Carter, appointed governor.

Mr. Atkinson's nomination was originally sent to the Senate December 1, but failed of confirmation during the past session.

JUDGES OF THE POLICE COURT OF THE DISTRICT OF COLUMBIA.

Ivory G. Kimball, of the District of Columbia, to be judge of the police court of the District of Columbia. A reappointment, his term expiring January 13, 1904.

Charles Fletcher Scott, of the District of Columbia, to be judge of the police court of the District of Columbia. A reappointment, his term expiring January 9, 1904.

COLLECTOR OF CUSTOMS.

William D. Crum, of South Carolina, to be collector of customs for the district of Charleston, in the State of South Carolina, in place of Robert M. Wallace, deceased.

POSTMASTERS.

ALABAMA.

Theophilus G. Fowler to be postmaster at Uniontown, in the county of Perry and State of Alabama, in place of Theophilus G. Fowler. Incumbent's commission expires December 19, 1903.

Wiley F. Kennamer to be postmaster at Demopolis, in the county of Marengo and State of Alabama, in place of Wiley F. Kennamer. Incumbent's commission expires December 19, 1903.

ARKANSAS.

R. L. Floyd to be postmaster at El Dorado, in the county of Union and State of Arkansas, in place of Jacob F. Shuler, deceased.

CALIFORNIA.

John Adams to be postmaster at Santa Maria, in the county of Santa Barbara and State of California, in place of Madison Thornburg. Incumbent's commission expires December 13, 1903.

Arthur G. Fisk to be postmaster at San Francisco, in the county of San Francisco and State of California, in place of Wilfred W. Montague, resigned.

Mary S. Rutherford to be postmaster at Truckee, in the county of Nevada and State of California, in place of W. M. Burckhalter, resigned.

COLORADO.

Henry T. Sutherland to be postmaster at Sterling, in the county of Logan and State of Colorado, in place of John C. Scott, resigned.

Edward L. Trounstine to be postmaster at Walsenburg, in the county of Huerfano and State of Colorado, in place of Frederick G. McHarg, resigned.

CONNECTICUT.

Charles A. Potter to be postmaster at Danielson, in the county of Windham and State of Connecticut, in place of Charles A. Potter. Incumbent's commission expires December 12, 1903.

INDIANA.

Edward L. Maudlin to be postmaster at New Carlisle, in the county of St. Joseph and State of Indiana, in place of Edward L. Maudlin. Incumbent's commission expires December 19, 1903.

INDIAN TERRITORY.

Francis M. Savage to be postmaster at Hartshorn, in the Choctow Nation and Indian Territory, in place of Frank D. Ungles. Incumbent's commission expires December 13, 1903.

KANSAS.

Jacob B. Boyer to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas, in place of Jacob B. Boyer. Incumbent's commission expires December 12, 1903.

Robert T. Jellison to be postmaster at Belleville, in the county of Republic and State of Kansas, in the place of Madge E. Long. Incumbent's commission expires December 12, 1903.

A. L. Utterback to be postmaster at Caney, in the county of Montgomery and State of Kansas, in place of Joseph E. Stone, removed.

KENTUCKY.

Colmore L. Barnes to be postmaster at Elizabethtown, in the county of Hardin and State of Kentucky, in place of Colmore L. Barnes. Incumbent's commission expires December 15, 1903.

Coleman C. Wallace to be postmaster at Richmond, in the county of Madison and State of Kentucky, in place of Coleman C. Wallace. Incumbent's commission expires December 15, 1903.

John B. Weller to be postmaster at Bardstown, in the county of Nelson and State of Kentucky, in place of John B. Weller. Incumbent's commission expired February 14, 1903.

LOUISIANA.

Laura Bondurant to be postmaster at St. Joseph, in the parish of Tensas and State of Louisiana, in place of Albert Bondurant, deceased.

Joseph R. Domengeaux to be postmaster at Lafayette, in the parish of Lafayette and State of Louisiana, in place of Paul Demanade. Incumbent's commission expired January 10, 1903.

Edward E. Fitzgerald to be postmaster at Minden, in the parish of Webster and State of Louisiana, in place of John N. Sandlin, resigned.

Benjamin F. Ford to be postmaster at Natchitoches, in the parish of Natchitoches and State of Louisiana, in place of Jean E Breda. Incumbent's commission expired March 9, 1902.

Caroline G. Lyman to be postmaster at Franklin, in the parish of St. Mary and State of Louisiana, in place of Caroline G. Lyman. Incumbent's commission expired May 24, 1902.

John W. Miller to be postmaster at Alexandria, in the parish of Rapides and State of Louisiana, in place of Robert P. Hunter. Incumbent's commission expired January 10, 1903.

Mildred P. T. Prescott to be postmaster at Lutcher, in the parish of St. James and State of Louisiana, in place of Mildred P. Tompkins. (Name changed by marriage.)

S. F. Steere to be postmaster at Shreveport, in the parish of Caddo and State of Louisiana, in place of Leon M. Carter, deceased.

Jessie B. Wells to be postmaster at Leesville, in the parish of Vernon and State of Louisiana, in place of Edward L. Wells, deceased.

MAINE.

Sidney G. Haley to be postmaster at Phillips, in the county of Franklin and State of Maine, in place of Sidney G. Haley. Incumbent's commission expires December 12, 1903.

Guy W. McAlister to be postmaster at Bucksport, in the county of Hancock and State of Maine, in place of Guy W. McAlister. Incumbent's commission expires December 12, 1903.

MICHIGAN.

William P. Stiles to be postmaster at Coopersville, in the county of Ottawa and State of Michigan, in place of William B. Stiles, to correct name.

MINNESOTA.

Justin Berkin to be postmaster at Morris, in the county of Stevens and State of Minnesota, in place of Justin Berkin. Incumbent's commission expires December 12, 1903.

Frank Dillingham to be postmaster at Granite Falls, in the county of Yellow Medicine and State of Minnesota, in place of Theodore H. Sorlien. Incumbent's commission expires December 12, 1903.

John Frisch to be postmaster at St. Charles, in the county of Winona and State of Minnesota, in place of John Frisch. Incumbent's commission expires December 12, 1903.

Mons Hange to be postmaster at Benson, in the county of Swift and State of Minnesota, in place of James H. McCune. Incumbent's commission expires December 19, 1903.

Eilert Koefod to be postmaster at Glenwood, in the county of Pope and State of Minnesota, in place of Eilert Koefod. Incumbent's commission expires December 12, 1903.

Fred E. Wheeler to be postmaster at Appleton, in the county of Swift and State of Minnesota, in place of Fred E. Wheeler. Incumbent's commission expires December 12, 1903.

MISSISSIPPI.

Samuel R. Braselton to be postmaster at Gulfport, in the county of Harrison and State of Mississippi, in place of Thomas A. Cleary, removed.

Wade H. Phyfer to be postmaster at New Albany, in the county of Union and State of Mississippi. Office became Presidential October 1, 1903.

MISSOURI.

William J. Godt to be postmaster at New Haven, in the county of Franklin and State of Missouri. Office became Presidential October 1, 1903.

MONTANA.

Louis V. Bogy to be postmaster at Chinook, in the county of Choteau and State of Montana. Office became Presidential July 1, 1901.

NEVADA.

Charles L. Broy to be postmaster at Eureka, in the county of Eureka and State of Nevada, in place of Charles L. Broy. Incumbent's commission expires December 15, 1903.

NEW HAMPSHIRE.

John H. Bartlett to be postmaster at Portsmouth, in the county of Rockingham and State of New Hampshire, in place of John H. Bartlett. Incumbent's commission expires December 13, 1903.

Charles Eaton to be postmaster at Littleton, in the county of Grafton and State of New Hampshire, in place of Charles Eaton. Incumbent's commission expires December 13, 1903.

Prescott B. Kinsman to be postmaster at Somersworth, in the county of Strafford and State of New Hampshire, in place of Prescott B. Kinsman. Incumbent's commission expires December 13, 1903.

Natt. F. Roberts to be postmaster at Farmington, in the county of Strafford and State of New Hampshire, in place of Natt. F. Roberts. Incumbent's commission expires December 13, 1903.

NEW JERSEY.

Henry R. Tatem to be postmaster at Collingswood, in the county of Camden and State of New Jersey, in place of Henry R. Tatem. Incumbent's commission expires December 12, 1903.

NEW YORK.

Henry R. Bryan to be postmaster at Hudson, in the county of Columbia and State of New York, in place of Henry R. Bryan. Incumbent's commission expires December 13, 1903.

George D. Davis to be postmaster at Mount Kisco, in the county of Westchester and State of New York, in place of George D. Davis. Incumbent's commission expires December 13, 1903.

George E. Marcellus to be postmaster at Le Roy, in the county of Genesee and State of New York, in place of George E. Marcellus. Incumbent's commission expires December 19, 1903.

Charles G. Norton, to be postmaster at Bainbridge, in the county of Chenango and State of New York, in place of Charles G. Norton. Incumbent's commission expires December 13, 1903.

Webster M. Richardson, to be postmaster at Mexico, in the county of Oswego and State of New York, in place of Webster M. Richardson. Incumbent's commission expires December 13, 1903.

Mortimer R. Tefft, to be postmaster at Greenwich, in the county of Washington and State of New York, in place of Mortimer R. Tefft. Incumbent's commission expires December 13, 1903.

NORTH CAROLINA.

John E. Albright to be postmaster at Mount Airy, in the county of Surry and State of North Carolina, in place of Richard K. Marshall. Incumbent's commission expired May 6, 1902.

NORTH DAKOTA.

Hans A. Alm to be postmaster at Hankinson, in the county of Richland and State of North Dakota, in place of Hans A. Alm. Incumbent's commission expires December 19, 1903.

Thomas B. Hurly to be postmaster at Bowbells, in the county of Ward and State of North Dakota. Office became Presidential April 1, 1903.

Mathew Lynch to be postmaster at Lidgerwood, in the county of Richland and State of North Dakota, in place of Mathew Lynch. Incumbent's commission expires December 19, 1903.

PENNSYLVANIA.

Jonas E. Laubenstein to be postmaster at Minersville, in the county of Schuylkill and State of Pennsylvania, in place of Jonas E. Laubenstein. Incumbent's commission expired March 3, 1903.

SOUTH DAKOTA.

Lyman J. Bates to be postmaster at Lake Preston, in the county of Kingsbury and State of South Dakota, in place of Lyman J. Bates. Incumbent's commission expires December 19, 1903.

Victor C. Wass to be postmaster at Centerville, in the county of Turner and State of South Dakota, in place of Victor C. Wass. Incumbent's commission expires December 12, 1903.

SOUTH CAROLINA.

Alfred R. N. Folger to be postmaster at Gaffney, in the county of Cherokee and State of South Carolina, in place of Alfred R. N. Folger. Incumbent's commission expires December 15, 1903.

TENNESSEE.

William M. Bray to be postmaster at Henderson, in the county of Chester and State of Tennessee, in place of William M. Bray. Incumbent's commission expires December 15, 1903.

TEXAS.

Dallas Harbert to be postmaster at Commerce, in the county of Hunt and State of Texas, in place of Charles W. Rush. Incumbent's commission expired March 31, 1902.

D. A. Robinson to be postmaster at Dallas, in the county of Dallas and State of Texas, in place of William M. O'Leary, deceased.

Gertrude Taylor to be postmaster at Llano, in the county of Llano and State of Texas, in place of James L. Taylor, deceased.

UTAH.

Edwin R. Booth to be postmaster at Nephi, in the county of Juab and State of Utah, in place of Edwin R. Booth. Incumbent's commission expires December 19, 1903.

WASHINGTON.

Grant C. Angle to be postmaster at Shelton, in the county of Mason and State of Washington, in place of Albert J. Munson, removed.

John Black to be postmaster at Fairhaven, in the county of Whatcom and State of Washington, in place of Samuel P. Tapping. Incumbent's commission expired January 22, 1902.

William M. Clemenson to be postmaster at Clarkston, in the county of Asotin and State of Washington. Office became Presidential April 1, 1903.

Richard Connell to be postmaster at Odessa, in the county of Lincoln and State of Washington. Office became Presidential October 1, 1903.

WEST VIRGINIA.

George Porterfield to be postmaster at Charlestown, in the county of Jefferson and State of West Virginia, in place of Louis D. Getzendaner. Incumbent's commission expired January 24, 1903.

WISCONSIN.

Wilbur H. Bridgman to be postmaster at Stanley, in the county of Chippewa and State of Wisconsin, in place of Wilbur H. Bridgman. Incumbent's commission expires December 19, 1903.

Emile C. Duval to be postmaster at West De Pere, in the county of Brown and State of Wisconsin, in place of Emile C. Duval. Incumbent's commission expires December 14, 1903.

Kirby Thomas to be postmaster at Superior, late West Superior, in the county of Douglas and State of Wisconsin, in place of Kirby Thomas, to change name of office.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 8, 1903.

POSTMASTERS.

CALIFORNIA.

John Adams to be postmaster at Santa Maria, Cal.

Arthur G. Fisk to be postmaster at San Francisco, Cal.

Mary S. Rutherford to be postmaster at Truckee, Cal.

PENNSYLVANIA.

Jonas E. Laubenstein to be postmaster at Minersville, Pa.

SOUTH DAKOTA.

Lyman J. Bates to be postmaster at Lake Preston, S. Dak.

Victor C. Wass to be postmaster at Centerville, S. Dak.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 8, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

COMMITTEE ON THE POST-OFFICE AND POST-ROADS.

Mr. OVERSTREET. Mr. Speaker, I offer the following resolution, and ask for its present consideration.

The Clerk read as follows:

Resolved, That the Committee on the Post-Office and Post-Roads, and any subcommittee thereof, be allowed to sit during the sessions of the Fifty-eighth Congress.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and without objection, the resolution will be agreed to.

There was no objection.

Mr. OVERSTREET. I also offer, Mr. Speaker, the following report and resolution from the Committee on the Post-Office and Post-Roads.

The Clerk read as follows:

House resolution No. 41.

The Committee on the Post-Office and Post-Roads, to which has been referred House resolution No. 41, has had the same under consideration and recommend the adoption thereof by the House. The information which papers referred to in the resolution contain will be of much value to the committee in the consideration of the bill providing appropriations for the postal service, and other legislation affecting such service which may properly come before the committee for action. In view of this the committee considers the adoption of the resolution wise, and recommends its passage.

Resolved, That the Committee on the Post-Office and Post-Roads is hereby authorized to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department.

Mr. WANGER. Mr. Speaker, reserving the right to object, I would like to hear some explanation.

The SPEAKER. The Chair will state that on examining the resolution it seems to be a report from the Committee on Post-Offices and Post-Roads of a resolution of inquiry, and, in the opinion of the Chair, does not require unanimous consent. The question therefore is on agreeing to the resolution.

Mr. WANGER. But, Mr. Speaker——

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Pennsylvania?

Mr. OVERSTREET. I understand the gentleman asked for an explanation?

Mr. WANGER. Yes.

Mr. OVERSTREET. Mr. Speaker, this resolution is unanimously reported by the Committee on Post-Offices and Post-Roads. It authorizes that committee to request the Postmaster-General to submit to the committee all papers connected with the recent investigation of his Department. The Committee on Post-Offices and Post-Roads is charged with the preparation of the largest

appropriation bill that will be considered by Congress, with one single exception. It is prudent that the committee in the preparation of that bill should have before it all possible information which would be of advantage to it in the framing of that appropriation bill. If there have been extravagant uses of former appropriations and mismanagement under the administrative authority of the Department, it is important that the committee having charge of such legislation should be advised of the suggestions contained in the report of the Postmaster-General investigating these investigations, in order that it may recommend to the House needed legislation.

It is proper, Mr. Speaker, to call the attention of the House to the fact that public notice has been given of the indictment of a large number of individuals growing out of the investigation referred to in this resolution. It is also well known to the House that a committee of the importance of the Post-Office Committee could not await the action of the executive department of the Government before it shall begin the preparation of its bill which shall provide for the expenses of the great postal service. It is therefore necessary, in the judgment of the committee, as evidenced by its unanimous indorsement of this resolution, that this information should be before it at the earliest practicable date, in order that it may know how far the recommendations of the various heads of the Departments have been influenced by the discoveries which are disclosed in this investigation and how far the committee should go in its recommendations to the House for needed legislation or in the recommendation for appropriations for the next fiscal year.

Let me say, Mr. Speaker, that this request of the committee is entirely foreign and separate from any purpose to inaugurate, or even at this time to recommend, any general investigation of the Post-Office Department. Upon that subject the committee in this recommendation has given no expression of opinion. If any necessity may exist for a further inquiry that necessity will be disclosed after the papers have been examined by the committee.

Mr. ROBB. Will the gentleman allow me a moment?

Mr. OVERSTREET. I will yield for a question.

Mr. ROBB. I desire to ask the gentleman whether he intends by this resolution that his committee shall usurp the powers and jurisdictions of the Committee on Expenditures in the Post-Office Department, which committee, under the rules, is charged with "the examination of the accounts and expenditures" of that Department "and the manner of keeping the same, the economy, justness, and correctness of such expenditures," and so forth? [Laughter.]

Mr. OVERSTREET. I will say to my friend that there is no thought on the part of the Committee on the Post-Office and Post-Roads to tread within the territory which properly belongs to the Committee on Expenditures in the Post-Office Department. Our committee has no desire to enter that field at all. We shall leave to that great committee the discharge of its duties as it may call them to the attention of the House.

The purpose of the resolution is to obtain information for one of the committees of the House—information which it can properly use in the discharge of the duties which the House has imposed upon it.

Mr. WANGER rose.

Mr. OVERSTREET. I yield to the gentleman for a question.

Mr. WANGER. Is it the purpose of the gentleman and his committee to have this information kept private or is it to be made public?

Mr. OVERSTREET. I will say to my friend from Pennsylvania [Mr. WANGER] that the sole purpose of the committee is to get the advantage of this information for our use in the framing of legislation which comes before us, especially the great Post-Office appropriation bill, in order to enable us to act wisely in framing those measures.

The question of publishing these reports has not yet been considered. Speaking for myself, I know of no objection to the publication of these reports or all of the papers connected with that investigation, so far as such publication will not embarrass the proper prosecution of cases pending under the control of the Department of Justice.

Mr. WANGER. Then, as I understand my friend, he does not know of any reason why the House should not have the papers and information. [Applause on the Democratic side.]

Mr. OVERSTREET. I have no objection to the House having all of that information; but I see no occasion for making all of it public now. Speaking only for myself, it may be proper at a future date—possibly at an early date—that all that report should be given the utmost, the most extensive publicity. But for the reasons I have stated, the committee feels that it needs all this information for its own purposes now. If, after the papers included in the investigation have been laid before the committee, it shall be found that their publication would not embarrass the Department of Justice in the discharge of its duties, I shall have no objection to their publication.

Mr. WANGER. Will the gentleman accept an amendment to his resolution striking out all after the word "*Resolved*" and inserting the following——

Mr. OVERSTREET. I will say to my friend, before he reads his proposition, that this resolution bears the unanimous indorsement of the Committee on the Post-Office and Post-Roads. In view of that, I should not feel at liberty to accept any amendment at this time.

Mr. ROBINSON of Indiana. Will the gentleman yield a moment?

Mr. OVERSTREET. I will yield for a question.

Mr. ROBINSON of Indiana. I want to ask the gentleman whether he is going to furnish any opportunity whereby I may ask for a statement from the minority of the Post-Office Committee?

Mr. OVERSTREET. Why, the committee unanimously reports this resolution.

Mr. ROBINSON of Indiana. The gentleman says it is a unanimous report. That is true; but we have, as the gentleman knows, such an organization of the committees that the majority of the House has 11 members out of 17, or 6 out of 9. And who knows that the Democratic members have passed on this proposition, without a statement from the Democratic side, which I do insist on?

Mr. OVERSTREET rose.

Mr. ROBINSON of Indiana. I beg the gentleman's pardon, but——

Mr. OVERSTREET. As the gentleman appears to doubt my word, I appeal to the gentleman from Tennessee [Mr. MOON], the senior member of the minority on the Post-Office Committee; let him testify as to whether I have told the truth.

Mr. ROBINSON of Indiana. But the gentleman ought not to place me in that attitude or strike me out in this fashion.

Mr. OVERSTREET. You placed yourself in that attitude.

Mr. ROBINSON of Indiana. If the gentleman will give me three minutes I will place myself in the proper attitude.

Mr. OVERSTREET. I yielded to the gentleman for a question, and I am now yielding to the gentleman from Tennessee that he may answer the question.

Mr. ROBINSON of Indiana. I will ask the gentleman [addressing Mr. MOON of Tennessee] to yield me a little time later on.

Mr. OVERSTREET. The gentleman from Tennessee has not any time to yield.

Mr. MOON of Tennessee. Mr. Speaker, the Committee on the Post-Office and Post-Roads was unanimously of the opinion that the information sought for in the resolution was absolutely necessary to the proper making up of the appropriation bill. It is impossible for us to say, in view of occurrences in the Post-Office Department, whether some of the estimates submitted are too large or too small. Information is needed all along the line by the committee. The only purpose of this resolution is that the committee shall be properly informed so that it may properly discharge its duties to this House. I think there ought to be no objection to the passage of this resolution. [Applause on the Republican side.]

Mr. ROBINSON of Indiana. Mr. Speaker, I would like to ask the gentleman from Tennessee a question.

Mr. WANGER. Mr. Speaker, I would like to ask the gentleman from Indiana [Mr. OVERSTREET] to yield to me for a few minutes, in order that I may present the proposed amendment.

The SPEAKER. Does the gentleman from Indiana yield?

Mr. OVERSTREET. No, Mr. Speaker, I must decline to yield to the gentleman for that purpose.

The SPEAKER. The gentleman from Indiana declines to yield.

Mr. WANGER. Will the gentleman permit me to say just a word?

Mr. OVERSTREET. I think there has been sufficient explanation of the purpose of this resolution.

Mr. WANGER. Mr. Speaker, my only desire is that the House shall have this information and that every Member of the House shall be able to inform himself of what is necessary for reform, and so forth, in the Post-Office Department.

The SPEAKER. Does the gentleman from Indiana yield?

Mr. OVERSTREET. Mr. Speaker, I think that the resolution has been fully explained and I ask for a vote.

The SPEAKER. The gentleman from Indiana declines to yield.

Mr. ROBINSON of Indiana. Well, Mr. Speaker, I do not understand that the gentleman declines to yield to me.

Mr. OVERSTREET. I demand the previous question.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. OVERSTREET. Mr. Speaker, I will withdraw that demand for a moment.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I rise for parliamentary information.

The SPEAKER. Does the gentleman from Indiana yield?

Mr. OVERSTREET. Yes.

Mr. WILLIAMS of Mississippi. Is there or will there be an opportunity to amend the resolution as it now stands? If so, I want to offer an amendment.

The SPEAKER. That will depend on whether the House orders the previous question.

Mr. WILLIAMS of Mississippi. Then I hope that the previous question will be voted down, so that the resolution may be amended.

The SPEAKER. The gentleman from Mississippi understands that debate is not in order.

Mr. ROBB. Mr. Speaker——

Mr. OVERSTREET. Mr. Speaker, I demand the previous question.

The SPEAKER. The gentleman from Indiana demands the previous question.

The question was taken; and on a division (demanded by Mr. WILLIAMS of Mississippi) the Speaker announced that there were 167 gentlemen voting in the affirmative and 113 gentlemen voting in the negative.

Mr. WANGER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WANGER. To inform the Speaker that I voted in the negative, but that I do not think the Speaker saw me.

The SPEAKER. One hundred and fourteen gentlemen voting in the negative. [Applause and laughter.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, I demand the yeas and nays.

Mr. WANGER. Oh, I hope my friend will not do that.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

The yeas and nays were ordered.

The Clerk proceeded to call the roll, and was interrupted by Mr. WILLIAMS of Mississippi, who rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILLIAMS of Mississippi. I rise for the purpose of submitting a request for unanimous consent.

The SPEAKER. The roll call can not be interrupted for that purpose.

Mr. WILLIAMS of Mississippi. But, Mr. Speaker, the unanimous consent involves doing away with the roll call.

The SPEAKER. That is in line with the roll call. The gentleman from Mississippi asks unanimous consent to dispense with the roll call.

Mr. WILLIAMS of Mississippi. Upon certain conditions.

The SPEAKER. The Chair declines to entertain the request.

The Clerk resumed and completed the roll call.

The question was taken; and there were—yeas 170, nays 121, answered "present" 8, not voting 84; as follows:

YEAS—170.

[illegible]	Dovener,	Jackson, Ohio	Pearre,
[illegible] Pa.	Draper,	[illegible]	Perkins,
[illegible] Wis.	Driscoll,	Jones, Wash.	Porter,
[illegible]tler,	Dunwell,	Kahle,	Powers, Me.
[illegible]	Dwight,	[illegible]	Powers, Mass.
Ames,	Esch,	Kinkead,	Prince,
[illegible]k,	Evans,	Kleitz,	Roberts,
[illegible]	Field,	Knapp,	Rodenberg,
[illegible]t,	Fitzpatrick,	Knox,	Scott,
Bates,	Fordney,	Kyle,	Sherman,
[illegible]	Foss,	Lafean,	Shiras,
[illegible]	Foster, Vt.	Landis, Chas. B.	Sibley,
[illegible]	Fowler,	Landis, Frederick	Sibley,
[illegible]	French,	[illegible]	Sloan,
[illegible]	Fuller,	[illegible]	Smith, Ill.
[illegible]	Gaines, W. Va.	[illegible]	Smith, Iowa
[illegible]	Gardner, Mass.	Longworth,	Smith, Samuel W.
[illegible]	Gardner, Mich.	[illegible]	Smith, Wm. Alden
[illegible]	Gardner, N. J.	[illegible]lager,	Smith, Pa.
Brown, Pa.	[illegible]	[illegible]	Snapp,
[illegible] Wis.	Gillett, Cal.	[illegible]	Southard,
[illegible]	Gillett, Mass.	[illegible], Minn.	Southwick,
[illegible]	[illegible]	[illegible], Pa.	Sperry,
[illegible]	Graff,	[illegible]	Stafford,
[illegible]	Greene,	[illegible]	Steenerson,
[illegible] Pa.	Grosvenor,	Mann,	Sterling,
[illegible],	Hamilton,	Marsh,	Stevens, Minn.
[illegible]	Haskins,	Marshall,	Sulloway,
[illegible]	Hauge,	Martin,	Tirrell,
[illegible] Pa.	Hedge,	Minor,	[illegible],
[illegible] Wis.	Hemenway,	Moon, Pa.	Van [illegible]his,
[illegible]	Henry, Conn.	[illegible]	Volstead,
[illegible]	Hepburn,	[illegible]	Vreeland,
Crumpacker,	Hildebrant,	[illegible]	Warner,
Curt[illegible]	[illegible]	[illegible]	Warnock,
[illegible]	Hinshaw,	[illegible]	Wa[illegible],
[illegible]	Hoar,	Norris,	Wiley, N. J.
[illegible] Minn.	Howell, N. J.	Otis,	Williamson,
[illegible]	Huff,	Otjen,	Wilson, Ill.
Dick,	Hughes, W. Va.	Overstreet,	Wilson, N. Y.
Dixon,	Hull,	Palmer,	Young.
Douglas,	Humphrey, Wash.	Parker,	
	Hunter,	Payne,	

NAYS—121.

Adamson,	Goldfogle,	Livingston,	Shober,
Aiken,	Goulden,	Lloyd,	Shull,
Baker	Granger,	Lucking,	Sims,
Bankhead,	Gregg,	[illegible],	Slayden,
Beall, Tex.	Griffith,	McLean,	Small,
Bell, Cal.	Gudger,	McNary,	Smith, Ky.
Benny,	Hamlin,	Moon,	Smith, Tex.
Benton,	Hardwick,	Maddox,	Snook,
[illegible],	Harrison,	Morse, Ind.	Southall,
[illegible],	Hay,	Padgett,	Spight,
Brantley,	Hill, Miss.	Page,	Stanley,
Brundidge,	Hitchcock,	Patterson, N. C.	[illegible], Tex.
Burgess,	Houston,	Pearce,	Sullivan, Mass.
Burleson,	Hughes, N. J.	Pierce,	Sulzer,
Caldwell,	Humphreys, Miss.	Ransdell,	Swanson,
[illegible],	Hunt,	Rixey, Tex.	Tate,
[illegible]ham,	James,	Rixey, La.	Taylor,
Clark,	Johnson,	[illegible], Ala.	Thomas, N. C.
Clayton,	Kehoe,	[illegible], Tenn.	Van Duzer,
Davey, La.	Kitchin, Claude	Ritter,	Wade,
Davis, Fla.	Kitchin, Wm. W.	Rixey,	Wallace,
De Armond,	Kline,	[illegible],	Wanger,
[illegible],	Lamar, Fla.	Robinson, Ark.	Webb,
[illegible],	Lamar, Mo.	Robinson, Ind.	Wiley, Ala.
[illegible]ld,	Legare,	[illegible],	Williams, Ill.
[illegible],	Lester,	[illegible],	Williams, Miss.
[illegible], Tenn.	Lever,	[illegible],	Wynn,
[illegible],	Lewis,	[illegible],	Zenor.
[illegible],	Lind,	[illegible],	
[illegible],	Lindsay,	[illegible],	
Gines,	Little,	[illegible]y,	

ANSWERED "PRESENT"—9.

Bartlett,	Currier,	[illegible],	Garner,
Brantley,	Denny,	[illegible],	Thomas, Iowa.
Cassel,			

NOT VOTING—84.

Bassett,	Foster, Ill.	Lorimer,	Robertson, La.
Bowersock,	Gillet, N. Y.	Lovering,	Scarborough,
Brenzealc,	Gooch,	McAndrews,	Sender,
[illegible],	Griggs,	[illegible],	Shackleford,
[illegible]w,	Hearst,	[illegible],	Smith, N. Y.
[illegible]h,	Henry, Tex.	Mahoney,	Spalding,
[illegible],	Hermann,	Maynard,	Sparkman,
[illegible], Mo.	Hitt,	Meekison,	Sullivan, N. Y.
Byrd,	Holliday,	Meyer, La.	Talbott,
Capron,	[illegible],	Miller,	Tawney,
[illegible],	Howard,	Mondell,	Thayer,
[illegible], Tex.	Howell, Pa.	Morrell,	Thompson,
[illegible],	Howell, Utah	Moody,	[illegible],
[illegible],	Jackson, Md.	Cansdell,	Underwood,
[illegible],	Jones, Va.	Patterson, Pa.	Vandiver,
[illegible]ugh,	Keliher,	Patterson, Tenn.	Wachter,
[illegible],	Lacey,	Pou,	Wadsworth,
Dayton,	Lamb,	Pujo,	Warson,
Dresser,	Lilley,	Reeder,	Weisse,
Finley,	Littlefield,	Reid,	Woodyard,
Finck,	Livernash,	Rhea,	Wright.

So the previous question was ordered.

The SPEAKER. The Clerk will announce the pairs.

Mr. CURRIER. Mr. Speaker, I have a general pair with the gentleman from South Carolina [Mr. FINLEY]——

The SPEAKER. This is not in order. Under the rule the pairs must be announced from the Clerk's desk.

Mr. CURRIER. I desire to have my name called, to change my vote.

The SPEAKER. One moment. The pairs will first be announced and then opportunity will be given the gentleman.

The Clerk announced the following pairs:

Until further notice:

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. WADSWORTH with Mr. LAMB.

Mr. LORIMER with Mr. MAHONEY.

Mr. THOMAS of Iowa with Mr. HENRY of Texas.

Mr. LILLEY with Mr. REID.

Mr. HENRY of Connecticut with Mr. DENNY.

Mr. CASSEL with Mr. GOOCH.

Mr. WOODYARD with Mr. GARNER.

Mr. HITT with Mr. DINSMORE.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

For the session:

Mr. CURRIER with Mr. FINLEY.

Mr. DAYTON with Mr. MEYER of Louisiana.

For this day:

Mr. DAVIDSON with Mr. FOSTER of Illinois.

Mr. LACEY with Mr. SHACKLEFORD.

Mr. MILLER with Mr. VANDIVER.

Mr. MONDELL with Mr. SCARBOROUGH.

Mr. METCALF with Mr. ROBERTSON of Louisiana.

Mr. BROWNLOW with Mr. UNDERWOOD.

Mr. BRICK with Mr. GRIGGS.

Mr. OLMSTED with Mr. SULLIVAN of New York.

Mr. MORRELL with Mr. POU.

Mr. MUDD with Mr. MAYNARD.

Mr. HERMANN with Mr. HEARST.

Mr. GILLET of New York with Mr. MCANDREWS.

Mr. LOVERING with Mr. RHEA.

Mr. JACKSON of Maryland with Mr. PATTERSON of Tennessee.

Mr. HOWELL of Utah with Mr. MCDERMOTT.
Mr. HOLLIDAY with Mr. KELIHER.
Mr. LITTLEFIELD with Mr. JONES of Virginia.
Mr. FLACK with Mr. HOWELL of Pennsylvania.
Mr. DRESSER with Mr. HOWARD.
Mr. WACHTER with Mr. WEISSE.
Mr. CROMER with Mr. COCHRAN.
Mr. CAPRON with Mr. BURNETT.
Mr. BOWERSOCK with Mr. BREAZEALE.
Mr. WRIGHT with Mr. CROWLEY.
Mr. DARRAGH with Mr. COOPER of Texas.
Mr. WATSON with Mr. TRIMBLE.
Mr. SPALDING with Mr. THOMPSON.
Mr. SMITH of New York with Mr. TALBOTT.
Mr. REEDER with Mr. THAYER.
On this vote:
Mr. TAWNEY with Mr. BARTLETT.
Mr. MCLACHLAN with Mr. SPARKMAN.

The SPEAKER. Does the gentleman from New Hampshire desire to have his name called?

Mr. CURRIER. Yes.

The SPEAKER. Has the gentleman voted?

Mr. CURRIER. I have voted, and I desire to change my vote to "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. CURRIER, and he voted "present."

Mr. DICKERMAN. Mr. Speaker, I desire to change my vote.

The SPEAKER. Did the gentleman vote?

Mr. DICKERMAN. I voted and am paired.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. DICKERMAN, and he voted "present."

Mr. DINSMORE. I voted "no." Mr. Speaker. I had a pair with the gentleman from Illinois [Mr. HITT] during the extraordinary session. The extraordinary session has adjourned, but nevertheless I desire to preserve the pair until the return of the gentleman.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. DINSMORE, and he voted "present."

Mr. BARTLETT. I voted, but I find I am paired with the gentleman from Minnesota [Mr. TAWNEY].

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BARTLETT, and he answered "present."

Mr. DENNY. Mr. Speaker, I am paired with the gentleman from Connecticut [Mr. HENRY].

The SPEAKER. Has the gentleman voted?

Mr. DENNY. I voted "no."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. DENNY, and he voted "present."

Mr. BUCKMAN. Mr. Speaker, my pair has been dissolved. I desire to vote "yea."

The SPEAKER. Did the gentleman vote?

Mr. BUCKMAN. I voted "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. BUCKMAN, and he voted "yea."

Mr. GARNER. I am recorded as voting "no." I am paired with the gentleman from West Virginia, Mr. WOODYARD.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. GARNER, and he voted "present."

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire——

The SPEAKER. One moment.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to make a point of order.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON of Tennessee. I make the point of order that this resolution is not privileged, and if it be considered that the point comes too late, I desire only to say, if the Chair will indulge me a moment——

The SPEAKER. No; not pending the announcement of the vote. Afterwards the Chair will hear the gentleman.

The result of the vote was announced as above recorded.

The SPEAKER. The ayes have it, and the previous question is ordered.

Mr. RICHARDSON of Tennessee. I want to concede that it might be contended that the point of order against that resolution is now too late; but inasmuch as the Chair misled the House of Representatives, unintentionally, I assume, in the statement that this was a resolution of inquiry, it seems to me that the Chair would not preclude the House now from the consideration of the resolution by not entertaining the point of order. When the gentleman from Pennsylvania [Mr. WANGER] objected to the resolution or reserved the objection, the Chair said that it was not necessary that unanimous consent should be had for its consideration, because the Chair said it was a resolution of inquiry addressed to the head of a Department.

Now, Mr. Speaker, the Chair, I have no doubt, from a cursory and hasty examination might have supposed that it was a resolution of inquiry provided for under the rules. But it is not such a resolution. The statement of the Chair was accepted by gentlemen, and the point of order was not then made which otherwise would have been.

Mr. WANGER. The point of order was reserved.

Mr. RICHARDSON of Tennessee. I understand the gentleman from Pennsylvania reserved the point of order. I think if the Chair will examine the resolution he will find that it is not a resolution of inquiry under the rules of the House of Representatives. It is not a resolution addressed to the head of a Department for information that is contemplated under the head of resolutions of inquiry.

Mr. PAYNE. Mr. Speaker, this all comes too late——

Mr. RICHARDSON of Tennessee. I said it comes too late.

Mr. PAYNE (continuing). And the House has acquiesced.

Mr. RICHARDSON of Tennessee. If the Chair——

The SPEAKER. The Chair does not desire to hear further discussion. If the point of order were well taken, it comes too late; and the previous question having been ordered, it is not necessary for the Chair to rule. But the Chair is of opinion at this time that if the point of order had been made in apt time the Chair would have overruled the point of order. The resolution comes in an unusual form, it is true, but the object of the resolution is to obtain information—"the letter killeth, but the spirit giveth life;" and therefore, in the opinion of the Chair, the resolution is in order.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I believe I have been recognized.

The SPEAKER. Nobody is recognized.

Mr. WILLIAMS of Mississippi. I ask to be recognized, then, to move to recommit with instructions.

The SPEAKER. The gentleman will forward his motion.

The Clerk read as follows:

Mr. WILLIAMS of Mississippi moves to recommit with instructions to the committee to report with an amendment striking out all after the word "Resolved" and insert the following:

"That the Postmaster General be, and is hereby, requested to transmit to the House of Representatives all the papers and evidence touching the investigation of alleged frauds and irregularities in the Post-Office Department and postal service."

Mr. WANGER. Mr. Speaker——

Mr. OVERSTREET. Upon that I demand the previous question.

The SPEAKER. On that the gentleman from Indiana asks the previous question.

Mr. WILLIAMS of Mississippi. I wish to submit a request for unanimous consent.

The SPEAKER. Does the gentleman yield for that purpose?

Mr. WILLIAMS of Mississippi. It comes from the Republican side. I will state to the gentleman.

The SPEAKER. Does the gentleman yield for that purpose?

Mr. OVERSTREET. I do not yield for that purpose, and insist upon my demand for the previous question.

The SPEAKER. The gentleman from Indiana declines to yield and insists on his demand for the previous question on the motion to recommit the resolution with instructions.

The question was taken on ordering the previous question; and the Speaker announced that the noes seemed to have it.

Mr. OVERSTREET. Division, Mr. Speaker.

The House divided.

Mr. WILLIAMS of Mississippi. Mr. Speaker, is there not debate for ten or twenty minutes on a side when the previous question is ordered?

The SPEAKER. On this question the ayes are 159, the noes are 119, and the previous question is ordered. The question is on the motion to recommit. There is no debate on a motion to recommit.

Mr. WILLIAMS of Mississippi. In order to save time, let us have the yeas and nays on that.

The yeas and nays were ordered.

The question was taken; and there were—yeas 129, nays 161, answered "present" 8, not voting 86, as follows:

YEAS—129.

Adamson,	Benton,	Cowherd,	Gaines, Tenn.
Aiken,	Bowie,	Davey, La.	Garber,
Bacon,	Brundidge,	Davis, Fla.	Gilbert,
Bankhead,	Burgess,	De Armond,	Gillespie,
Bartlett,	Burleson,	Dickerman,	Glass,
Beidler,	Caldwell,	Dougherty,	Goldfogle,
Bennett,	Candler,	Edwards,	Goulden,
Bland, Tex.	Cassingham,	Fitzgerald,	Granger,
Bell, Tex.	Clark,	Fitzpatrick,	Gregg,
Benny,	Clayton,	Flood,	Gudger,

Hamlin,	Lind,	Richardson, Ala.	Spight,
Hardwick,	Lindsay,	Richardson, Tenn.	Stanley,
Harrison,	Little,	Rider,	Stephens, Tex.
Hay,	Livernash,	Riggs,	Sullivan, Mass.
Hay, Mass.	Livingston,	Robb,	Sulzer,
Hitchcock,	Lloyd,	Robinson, Ark.	Swanson,
Hogan,	Lorecking,	Robinson, Ind.	Tate,
Hughes, N. J.	McClellan,	Rucker,	Thomas, N. C.
Humphreys, Miss.	McLain,	Ruppert,	Vandiver,
Hunt,	McNary,	Russell,	Van Dozer,
James,	Macon,	Ryan,	Wade,
Johnson,	Maddox,	Scudder,	Wallace,
Kahn,	Miers, Ind.	Shafroth,	Wanger,
Kitchin, Claude	Moon, Tenn.	Sheppard,	Webb,
Kitchin, Wm. W.	Padgett,	Sherley,	Wiley, Ala.
Kline,	Page,	Shober,	Williams, Ill.
Kluttz,	Patterson, N. C.	Shull,	Williams, Miss.
Lamar, Fla.	Pierce,	Sims,	Wilson, N. Y.
Lamar, Mo.	Pinckney,	Smalls,	Wynn,
Legaré,	Rainey,	Smith, Ky.	Zenor.
Lester,	Randell, Tex.	Smith, Tex.	
Lever,	Randell, La.	Snook,	
Lewis,	Rhea,	Southall,	

NAYS—161.

Acheson,	Driscoll,	Humphrey, Wash.	Payne,
Adams, Pa.	Dunwell,	Hunter,	Pearre,
Adams, Wis.	Dwight,	Jackson, Ohio	Perkins,
Alexander,	Esch,	Jenkins,	Porter,
Allen,	Evans,	Jones, Wash.	Powers, Me.
Ames,	Field,	Kennedy,	Powers, Mass.
Babcock,	Fordney,	Kerr, Iowa	Prince,
Bartholdt,	Foss,	Kinkaid,	Roberts,
Bates,	Foster, Vt.	Knapp,	Scott,
Beal,	Fowler,	Knopf,	Sherman,
Beidler,	French,	Kyle,	Shiras,
Bingham,	Fuller,	Lafean,	Sibley,
Birdsall,	Gaines, W. Va.	Lanham,	Skiles,
Bishop,	Gardner, Mass.	Lawrence,	Slemp,
Boutell,	Gardner, Mich.	Littauer,	Smith, Iowa
Bradley,	Gardner, N. J.	Longworth,	Smith, Samuel W.
Brandegee,	Gibson,	Loud,	Smith, Wm. Alden
Brooks,	Gillet, N. Y.	Loudenslager,	Smith, Pa.
Brown, Pa.	Gillett, Cal.	McCall,	Snapp,
Brown, Wis.	Gillett, Mass.	McCarthy,	Southwick,
Buckman,	Goebel,	McCleary, Minn.	Spalding,
Burke,	Graff,	McCreary, Pa.	Sperry,
Burkett,	Greene,	McLachlan,	Stafford,
Burton,	Grosvenor,	McMorran,	Steenerson,
Butler, Pa.	Hamilton,	Mahon,	Sterling,
Calderhead,	Haskins,	Mann,	Stevens, Minn.
Campbell,	Haugen,	Marsh,	Sulloway,
Conner,	Hedge,	Marshall,	Tawney,
Cooper, Pa.	Henenway,	Miner,	Thompson,
Cooper, Wis.	Henry, Conn.	Moon, Pa.	Tirrell,
Cousins,	Hepburn,	Morgan,	Van Voorhis,
Crumpacker,	Hermann,	Murdock,	Volstead,
Curtis,	Hildebrant,	Needham,	Vreeland,
Cushman,	Hill, Conn.	Nevin,	Warner,
Dalzell,	Hinshaw,	Norris,	Warnock,
Davis,	Hogg,	Otis,	Weems,
Deemer,	Holliday,	Otjen,	Wiley, N. J.
Dick,	Howell, N. J.	Overstreet,	Wilson, Ill.
Douglas,	Huff,	Palmer,	
Dovener,	Hughes, W. Va.	Parker,	
Draper,	Hull,	Patterson, Pa.	

ANSWERED "PRESENT"—8.

Brantley,	Cassel,	Garner,	Lamb,
Broussard,	Denny,	Griffith,	Thomas, Iowa.

NOT VOTING—86.

Bowers,	Dresser,	Lovering,	Slayden,
Bowersock,	Finley,	McAndrews,	Smith, Ill.
Breazeale,	Flack,	McDermott,	Smith, N. Y.
Brick,	Foster, Ill.	Maguire,	Southard,
Brownlow,	Gaston,	Martin,	Sparkman,
Burleigh,	Griggs,	Maynard,	Sullivan, N. Y.
Burnett,	Hearst,	Meekison,	Talbott,
Butler, Mo.	Henry, Tex.	Meyer, La.	Taylor,
Byrd,	Hitt,	Miller,	Thayer,
Capron,	Hopkins,	Newlands,	Townsend,
Cochran,	Howard,	Morrell,	Trimble,
Cooper, Tex.	Howell, Pa.	Mudd,	Underwood,
Croft,	Howell, Utah	Olmsted,	Wachter,
Cromer,	Jackson, Md.	Patterson, Tenn.	Wadsworth,
Crowley,	Jones, Va.	Pou,	Watson,
Currier,	Keliher,	Pujo,	Weisse,
Darragh,	Lacey,	Reeder,	Williamson,
Davidson,	Landis, Chas. B.	Reid,	Woodyard,
Davis, Minn.	Landis, Frederick	Robertson, La.	Wright,
Dayton,	Lilley,	Rodenberg,	Young.
Dinsmore,	Littlefield,	Scarborough,	
Dixon,	Lorimer,	Shackleford,	

The following additional pairs were announced:

Mr. RODENBERG with Mr. BROUSSARD.

Mr. SMITH of Illinois with Mr. SPARKMAN.

Mr. HENRY of Connecticut. Mr. Speaker, am I recorded?

The SPEAKER. The gentleman is not recorded.

Mr. HENRY of Connecticut. I was present in my place, Mr. Speaker, and listening when my name should have been called, but did not hear it.

The SPEAKER. Was the gentleman listening when his name should have been called?

Mr. HENRY of Connecticut. Yes.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. HENRY of Connecticut, and he answered "no" as above recorded.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now recurs on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

On motion of Mr. OVERSTREET, a motion to reconsider the last vote was laid on the table.

THE ISLE OF PINES.

Mr. CRUMPACKER. Mr. Speaker, I send a resolution to the Clerk's desk which I ask to have considered as a privileged matter.

The Clerk read as follows:

Whereas it is commonly reported that a treaty negotiated between the President of the United States and the Republic of Cuba, granting and ceding the Isle of Pines to the Republic of Cuba, is pending in the Senate of the United States for ratification or rejection; and

Whereas by the terms of the treaty of Paris the Kingdom of Spain relinquished sovereignty over the Isle of Pines as part of the island of Cuba; and

Whereas by the action of this Government in establishing and recognizing the independence of the Republic of Cuba it was expressly provided that the Isle of Pines should not be within the constitutional boundary of that Republic; and

Whereas this Government has been administering the affairs of and exercising sovereignty over the Isle of Pines ever since the treaty of Paris was ratified; and

Whereas section 3 of Article IV of the United States provides that "the Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States;" therefore,

Resolved, That the Committee on the Judiciary be instructed to inquire into the facts hereinbefore recited and report to this House as soon as practicable:

First. Whether the Isle of Pines is "territory or other property belonging to the United States" within the sense and meaning of that constitution.

Second. Whether a treaty granting and ceding territory of or belonging to the United States to a foreign government without action on the part of the Congress is authorized by the Constitution.

Resolved, That the Committee on the Judiciary may report at any time under the foregoing resolution.

Mr. WILLIAMS of Mississippi. To that, Mr. Speaker, I reserve the point of order.

Mr. CRUMPACKER. May I inquire what is the point of order?

The SPEAKER. The gentleman from Mississippi can do that by unanimous consent. Of course he can make the point of order now, but to reserve it will require unanimous consent.

Mr. GAINES of Tennessee. Mr. Speaker, does the gentleman from Indiana ask unanimous consent to introduce this resolution?

The SPEAKER. The gentleman from Indiana does not ask unanimous consent. The gentleman offers the resolution as a privileged resolution, and the gentleman from Mississippi asks to reserve the point of order.

Mr. WILLIAMS of Mississippi. As to its being privileged.

The SPEAKER. And the gentleman from Mississippi can do that by unanimous consent. Is there objection to the gentleman from Mississippi reserving the point of order? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. Mr. Speaker, the purpose of the resolution is quite clearly shown on its face. The political status of the Isle of Pines is unique indeed. Originally it was regarded as a part of the island of Cuba, and by the terms of the treaty of Paris the Kingdom of Spain relinquished sovereignty over the Isle of Pines as a part of the island of Cuba.

By subsequent action on the part of this Government the Cuban Republic was established, and it was expressly provided in the negotiations between this Government and the Cuban authorities that the Isle of Pines should not be included in the constitutional boundaries of the Republic of Cuba. And ever since the Paris treaty was ratified the United States has exercised sovereignty over the Isle of Pines, it has administered its affairs, and the object of this resolution is to ascertain or to take the opinion of the Committee on the Judiciary in respect to the title of the United States Government to that island.

It often occurs, as the result of belligerent operations between nations, that territory is occupied by a power as a military possession, and there is no question about the power or the right of the treaty-making authority to relinquish such possession and allow the original sovereignty to be reasserted over the territory so temporarily occupied. But in this case the original sovereign absolutely relinquished all power and sovereignty over the Isle of Pines—the island was not included in the Republic of Cuba—and the Government of the United States has been exercising control over the island under these unusual and anomalous conditions.

It is known throughout the country that a treaty has been negotiated between the President and the authorities of the Republic of Cuba granting and ceding the Isle of Pines to that Republic. It is possible under the circumstances of this particular case the treaty-making power has that right. But the Constitution of the United States expressly declares that the Congress shall have power "to dispose of and make all needful rules and regulations respecting the territory and other property of the United States." When territory has been acquired within the sense of that constitutional provision, the treaty-making power, in my judgment,

has no constitutional authority to cede it to any foreign government.

In view of the fact that we have a large number of outlying possessions, and in view of the uncertainty of our future tenure of some of those possessions, it seems to me that the House, contemporaneously with the proposed action on the part of the Senate, ought to investigate this question, and if it shall conclude that our possession of the Isle of Pines is simply that of a military occupant, that the island has never become territory of or belonging to the United States within the meaning of the Constitution, that fact ought to be found and put upon record, thereby justifying the acquiescence of the House in ceding the territory by treaty; but if, on the other hand, the Committee on the Judiciary should conclude that it is territory of the United States within the sense of the Constitution, then the House ought to assert its constitutional right and privilege to participate in the disposition of that territory.

Mr. PAYNE. Will the gentleman allow me a word right there? I understood one of the preambles to recite that the Isle of Pines had actually been by treaty transferred to the United States.

Mr. CRUMPACKER. No.

Mr. PAYNE. As it was read by the Clerk, I understood it that way. I think that would be an unfortunate position for the House to take at this time.

Mr. CRUMPACKER. The gentleman misunderstood. The preamble of the resolution declares that the Kingdom of Spain relinquished sovereignty over the Isle of Pines as a part of the island of Cuba, and that is a proposition we all agree upon.

Mr. PAYNE. I thought the third or fourth preamble went a little further than that.

Mr. RICHARDSON of Tennessee. Mr. Speaker, on this side we can not hear what the gentlemen are saying over there.

Mr. PAYNE. My question was whether one of the preambles did not recite that the Isle of Pines was ceded to the United States.

Mr. RICHARDSON of Tennessee. You mean the preamble to this resolution?

Mr. PAYNE. Yes, sir. The gentleman from Indiana says such is not the case. I was going to suggest that we have the preamble and resolution read again for the information of the House.

Mr. CRUMPACKER. Will the Clerk report again in this connection the preamble to the resolution, so as to settle the question that has been raised by the gentleman from New York [Mr. PAYNE]?

The SPEAKER pro tempore (Mr. HAMILTON). The Clerk will again read the preamble.

The preamble of the resolution was again read.

Mr. PAYNE. I see I was mistaken on the point I suggested; but the preamble does recite that the United States has been exercising jurisdiction and authority (or words to that effect) over the Isle of Pines.

Mr. CRUMPACKER. Yes.

Mr. PAYNE. Now, I do not understand that that has been done except while we were in the military occupation of Cuba. With my present understanding, I do not want to vote for that preamble.

Mr. CRUMPACKER. My understanding is that the Government of the United States now holds over the Isle of Pines all the power of sovereignty and control that is held by any government.

Mr. GAINES of Tennessee. By what authority?

Mr. CRUMPACKER. By the authority of a military occupant.

Mr. GAINES of Tennessee. By what authority do we occupy it?

Mr. CRUMPACKER. By the authority of a military occupant. Under the treaty of Paris, Spain, the rightful sovereign, relinquished sovereignty over Cuba, including the Isle of Pines.

Mr. GAINES of Tennessee. To whom?

Mr. CRUMPACKER. To nobody. She simply relinquished sovereignty over the island of Cuba, including the Isle of Pines, and the United States assumed and continued control simply as the military occupant, and subsequently established the Republic of Cuba, excluding the Isle of Pines from its boundaries.

Mr. RICHARDSON of Tennessee. Will the gentlemen allow me to read to him one article of the treaty?

Mr. CRUMPACKER. I yield to the gentleman from Tennessee [Mr. RICHARDSON].

Mr. RICHARDSON of Tennessee. Mr. Speaker, I have in my hand Article II of the treaty between the United States and Spain concluded on the 10th day of December, 1898, at Paris. Article II reads as follows:

> Spain cedes to the United States the island of Porto Rico and the other islands now under Spanish sovereignty in the West Indies.

I contended in the last Congress that the Isle of Pines was then under the sovereignty of Spain, and under this second article of the treaty of December 10, 1898, that Spain ceded to the United States the Isle of Pines.

Mr. CRUMPACKER. My judgment is that the Isle of Pines did not come to the United States under that cession. The Isle of Pines has been regarded throughout all history as practically within the territorial waters of the island of Cuba and a part of the island of Cuba, and has so been treated politically and historically, excepting when the United States established the Republic of Cuba, when it was expressly excluded from the boundaries of that Republic.

Mr. RICHARDSON of Tennessee. Will the gentleman permit me to read a letter from the War Department on this very subject? It is only a few lines.

Mr. CRUMPACKER. I will.

Mr. RICHARDSON of Tennessee. I quote now from a speech I made during the last session of Congress:

> On the 14th day of August, 1901, one of the persons now interested in this property in the Isle of Pines sent a further application to the Secretary of War, asking that the island be "taken from the jurisdiction of the Cuban Republic and placed under the control of the United States," and that a commission be appointed to investigate the claims of the parties in question. This was Mr. George Brinsmade, and the memorialists were these parties. Mr. Brinsmade said:
>
> "I am seeking for information respecting the Isle of Pines. Does it come in as Porto Rico or under the supervision of Congress? I expect to go there in November, and for this and other reasons I would thank you for a reference."
>
> This was indorsed as follows: "Respectfully referred to the Secretary of War. The War Department requests to be advised of the Secretary's views." And then the War Department replied under date August 14, 1901, as follows:
>
> "Referring to your communication of August 7, instant, soliciting information respecting the Isle of Pines, I am directed by the Assistant Secretary of War to advise you that the island was included in the cession to the United States by the treaty of Paris, and is therefore a part of the territory which, subject to the provisions of the treaty, Congress may dispose of as it may deem proper. A copy of the treaty referred to is inclosed herewith for your information, and you are advised that the disposition of public lands must await the action of Congress.
>
> "Very respectfully,
>
> "JOHN J. PERSHING,
> "*Assistant Adjutant-General.*"

So I think that the War Department held at that time that the Isle of Pines had been ceded to the United States.

Mr. CRUMPACKER. I am familiar with that correspondence, but it does not conclude the question in any manner. The object of this resolution is to refer the matter to the Committee on the Judiciary, with the expectation that that committee will go into a careful investigation of the records only, because that is all that is required, and report, first, whether the Isle of Pines is territory or other property of the United States within the meaning of the Constitution.

Mr. RICHARDSON of Tennessee. I agree with the gentleman. I do not object to his resolution.

Mr. CRUMPACKER. And, second, whether the treaty-making power has the right to dispose of it, if it be territory or other property of the United States, without the consent of Congress. That is the very object of the resolution. My judgment is that the treaty-making power has the right to dispose of this particular island, and, in my opinion, the island ought to belong to the Republic of Cuba. That, however, is my individual opinion upon the subject. The House ought to prepare the record upon this question in order that no precedent may be established that would embarrass the administration and disposition of territory in future years. The House ought to have the facts before it, and it ought to either act or acquiesce intelligently and leave a record behind it, so that its constitutional rights and privileges may not be impaired by silence and nonaction without even inquiring into the question.

Mr. RICHARDSON of Tennessee. I agree with the gentleman. The resolution ought to pass; but I think it ought to pass for different reasons. I insist that the Isle of Pines belongs to the United States, and that the resolution ought to pass in order that the question may be put at rest.

Mr. HULL. Mr. Speaker, I understand that the whole subject of the resolution is simply to investigate the question without taking sides on it one way or the other.

Mr. CRUMPACKER. That is the object of the resolution.

Mr. HERMANN. Mr. Speaker, will the gentleman permit me just one word at this time.

The SPEAKER pro tempore. Does the gentleman yield?

Mr. CRUMPACKER. I yield to the gentleman from Oregon.

Mr. HERMANN. I am in favor of the resolution, and I think all the light we can have, especially legal light, on this question would be acceptable to the House and to the country. Since the resolution will now go to the committee, it may be well to have this statement, which I desire to submit, go with it. Of my own personal knowledge I know that it was the last wish of President McKinley, after carefully looking into the question as to the ownership of the Isle of Pines and as to the right we acquired from Spain to that domain, that it should be understood to belong to the United States under the treaty; and he was so emphatic—I may say sensitive—as to that conviction that he gave specific instructions to the Department that the Isle of Pines should be noted upon the large cession map of the United States that shows the different acquisitions of public domain to our country from the various sources through which we derive original title, and

that this isle should be placed there as inuring to the United States under the Paris treaty.

That was done, and publication has been made upon each annual issue of that map since that time, and our claim and ownership of the Isle of Pines has thus been proclaimed through one of the great Executive Departments of the Government to all the world, and by and with the approval, the wish, and the direction of the Chief Magistrate of this country. For one, I think the conclusion is irresistible as to our right and title to that province, and I sympathize with the citizens of our nation who have gone there and acquired property and have engaged in various industrial occupations under the assurance of American protection and American control and, indeed, upon every reasonable interpretation of the Paris treaty, and now are about to be held to be inhabitants and property owners under Cuban jurisdiction. It may be well, however, that the Committee on the Judiciary have this opportunity of examining into the questions involved, and hence I favor the resolution.

Mr. CRUMPACKER. The gentleman from New York [Mr. PAYNE] seemed to have some solicitude respecting one proposition in the preamble of the resolution, reciting that the United States had exercised sovereignty over the Isle of Pines ever since the ratification of the treaty of Paris. I understand that to be necessarily the fact. Spain relinquished sovereignty over the island. The Republic of Cuba, by express arrangement with the United States, never acquired sovereignty over the island. There is no local government on the island that can exercise sovereignty, and therefore the only vestige of sovereignty that rests anywhere is in the United States, under whatever title it may be, whether by cession from Spain or as a military occupant.

Mr. GROSVENOR. Mr. Speaker, I should like to ask the gentleman a question or two.

Mr. CRUMPACKER. All right, sir.

Mr. GROSVENOR. I came into the House during the progress of this debate. I understand that the subject-matter of this resolution is now under consideration in the Senate in the form of a treaty.

Mr. CRUMPACKER. Yes.

Mr. GROSVENOR. Well, is it proposed to cooperate with the Senate or to furnish some information to the Senate?

Mr. CRUMPACKER. I will say to the gentleman from Ohio that the object of the resolution is to have the Committee on the Judiciary investigate the political status of the Isle of Pines, and by what, if any, title the United States exercises control over it, in order to determine whether it is territory belonging to the United States within the meaning of the Constitution, and to determine further whether the treaty-making power can constitutionally cede or grant away territory belonging to the United States without the concurrent action of Congress.

Mr. GROSVENOR. Now, would it not be wise for us, recognizing as we do that the Senate, in conjunction with the President, is the treaty-making power as provided in the Constitution, not to assume that the Senate needs any light that we can give it, and not to assume that it is going to improvidently and wrongfully dispose of any territory of the United States. I desire to say that in my opinion this is an inopportune time to make the inquiry proposed in the resolution, in view of the fact that the Senate is considering the very same question and acting within the legitimate scope of a jurisdiction that is limited to it and about which we have nothing to do.

Mr. CRUMPACKER. The gentleman altogether misunderstands the scope and purpose of this resolution. The very object of the resolution is to ascertain whether the treaty-making power of the Government has the right to take from the Congress, if it constitutionally belongs there, the privilege of ceding territory.

Mr. GROSVENOR. Ought we not to assume that the Senate will do the right thing about that?

Mr. CRUMPACKER. Well, the gentleman may indulge in that assumption, if he chooses. We have been assuming that year after year, and yet there have been occasions in the political history of this country when the House of Representatives has been called upon to assert its right against what was deemed to be the encroachment of the Senate. Some of our people fear—

Mr. GROSVENOR. Does the gentleman assume now that there is going to be any encroachment?

Mr. CRUMPACKER. I assume nothing. I simply ask that the Committee on the Judiciary be directed to investigate this question and lay the result before the House, so that the House can act intelligently and in accordance with the record; so that action by the treaty-making power will not stand as a dangerous precedent against the rights of the House in future years. The gentleman is a lawyer, and he knows something about the value of a record and the importance of keeping the record straight in order that rights may not be embarrassed in the future.

Mr. GROSVENOR. I know something about the value of a question of jurisdiction, too.

Mr. CRUMPACKER. Yes.

Mr. GROSVENOR. And we have no jurisdiction in this case until the Senate has shown some signs of a disposition to violate some of our rights.

Mr. DALZELL. Is not that the very question that is involved?

Mr. CRUMPACKER. I can cite the gentleman from Ohio to cases where resolutions were proposed and acted upon in the House under practically similar circumstances; and if we wait until the work is done perhaps it will be too late to act at all. We ought to act contemporaneously with the Senate, if we take any action. In my judgment, it is likely that the treaty-making power has the right to do what it contemplates, but let the facts fixing that right go into the record, and let the House acquiesce, if it does acquiesce, because it ascertained that the question is a proper subject to be disposed of by treaty.

Mr. GROSVENOR. Suppose the Senate decides one way and we the other?

Mr. CRUMPACKER. I suppose, of course, the House will have to surrender. [Laughter.] I suppose there is no alternative; but we will settle that question when we meet it. Now, Mr. Speaker, I move the previous question.

Mr. DINSMORE. Will the gentleman yield to me a moment?

Mr. CRUMPACKER. How long?

Mr. DINSMORE. Oh, only a minute or two.

Mr. CRUMPACKER. I will yield a minute or two to the gentleman.

Mr. DINSMORE. Mr. Speaker, I do not want to make a speech in my own time on the motion; I merely want to state to the House that I shall vote for the resolution offered by the gentleman from Indiana. I am in favor of the resolution, because I am exercised to know from whence we have derived title to the Isle of Pines. The gentleman from Indiana has correctly said that the Isle of Pines was ever held to belong to the territory of Cuba, though not contiguous, and has been considered a part of Cuba, and that it was so considered in the treaty with Spain. But after the treaty with Spain the Administration—the Government—with its coadjutors in Congress, having committed itself to a policy of nonannexation as to Cuba, and not having satisfied its voracious appetite for islands, by the Platt amendment excluded the Isle of Pines from the boundaries of Cuba and seemed to desire to take it to ourselves. I am glad that the Government now concedes that it should belong to Cuba, and I am curious to see what the Committee on Judiciary will report to the House with reference to the source whence we derived title.

Mr. SCOTT. Will the gentleman yield to me for a moment? Does not the fact that this treaty has been prepared and submitted now to the Senate for ratification rather carry with it an implication that our Government regards the Isle of Pines as belonging to the Government of the United States? Otherwise could we try by a treaty to recede what does not belong to us?

Mr. CRUMPACKER. That is a difficult question to answer. Now, as I said in explaining this resolution, the status of the Isle of Pines is anomalous. I do not know how its sovereignty and control could be disposed of in any other way than by treaty, unless it should be property of the United States, and then, in my judgment, it must be disposed of by an act of Congress. That is the question I am calling on the Committee on the Judiciary to ascertain and report upon. If the sovereignty of Spain had never been relinquished it would have been an easy proposition; but this case is without historical parallel—at least I know of none at this time. I now move the adoption of the resolution, and ask for the previous question.

The SPEAKER. The gentleman will withhold that request for a moment.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish now to make the point of order which I reserved. There is nothing in this resolution, it seems to me, that entitles it to privilege. It is a matter that can take the ordinary course of other business. So far as the House is concerned, whatever charge the House has of it can be asserted in the ordinary way. It is not a party question in any sense; it is not a practical question of any sort, but an academic question.

Now, the truth about it is this: In the treaty with Spain the Isle of Pines was regarded and treated as a part of the dominion of Cuba, and later along, in the arrangement which we made with Cuba, by the Platt amendment and otherwise, it was agreed practically and substantially that the Isle of Pines should be left for the time "in the air," to be disposed of later on by agreement between Cuba and the United States. That was substantially and from a common-sense standpoint just what was done. The sovereignty over the isle was never ceded to the United States. It was never asserted by the United States. All that was ever asserted by the United States was the fact of occupancy, just as that fact had been asserted in Cuba itself.

Then when the time came to give up occupancy the United States left the Isle of Pines in a rather anomalous sort of way,

differing from that in which we left Cuba itself, and the understanding was that the island would be left en arrière, to be disposed of later on by agreement between the two countries, Cuba and the United States.

I make the point of order that it is not a privileged question, and that it should come up, if at all, in some other manner.

The SPEAKER. The Chair is ready to rule. Of course the point of order goes to the standing of the resolution—the propriety of the introduction of the resolution. What the facts may be if the inquiry is made is no part of the duty of the Chair to inquire. The first whereas recites that—

By the action of this Government in establishing and recognizing the independence of the Republic of Cuba it was expressly provided that the Isle of Pines should not be within the constitutional boundary of that Republic.

The next whereas recites that the government existing in the Isle of Pines is by the United States. The next whereas quotes section 3 of Article IV of the Constitution of the United States, that—

The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory and other property of the United States.

And then comes the resolution:

That the Committee on the Judiciary be instructed to inquire into the facts hereinbefore recited and report to this House as soon as practicable.

Then follow "first" and "second." The Chair will read the second paragraph, which is all that is necessary to enable the Chair to rule:

Second. Whether a treaty granting and ceding territory of or belonging to the United States to a foreign government without action on the part of Congress is authorized by the Constitution.

Now, it seems, upon the face of the resolution, that this presents a question, in the opinion of the Chair, of the highest privilege. What the House may do with the resolution, or, if it be agreed to, what that committee may find to be the facts, and after the finding what the House may do with the report, is no part of the business of the Chair in ruling upon the question of order. The Chair overrules the point of order.

Mr. CRUMPACKER. Now, Mr. Speaker, I move the adoption of the resolution, and upon that I demand the previous question.

The SPEAKER. The question is on ordering the previous question.

The question was taken, and the previous question was ordered.

The resolution was agreed to.

On motion of Mr. CRUMPACKER, a motion to reconsider the last vote was laid on the table.

COMMITTEE ON MANUFACTURES.

The SPEAKER. The Chair announces the following committee appointment.

The Clerk read as follows:

Mr. LAFEAN, of Pennsylvania, is appointed a member of the Committee on Manufactures.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MCDERMOTT, for one week, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WILLIAMS of Illinois was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of Henry Glass, Fifty-seventh Congress, no adverse report having been made thereon.

CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was made: The bill (H. R. 4693) to amend the Bowman Act, volume 32, Statutes at Large, page 485—from the Committee on War Claims to the Committee on the Judiciary.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 4 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of preliminary examination and survey of Wrangell Narrows, Alaska—to the Committee on Rivers and Harbors, and ordered to be printed.

The annual report of the Secretary of the Treasury for the fiscal year ended June 30, 1903—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a combined statement of receipts and expenditures of the Government for the fiscal year ended June 30, 1903—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, submitting a statement of expenditures for contingencies for the period from February 18, 1900, to June 30, 1903—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior, submitting modifications in estimate of appropriation—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a report of the contingent expenses of the Department for the fiscal year ended June 30, 1903—to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, transmitting a statement of expenditures in the Bureau of Fisheries for the fiscal year ended June 30, 1903—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a copy of the report of the Maritime Canal Company of Nicaragua—to the Committee on Interstate and Foreign Commerce.

A letter from the Librarian of Congress, transmitting his report for the fiscal year ended June 30, 1903—to the Committee on the Library, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting copies of the journals of the house and council of the thirty-fifth legislative assembly of the Territory of New Mexico—to the Committee on the Territories.

A letter from the Secretary of the Interior, transmitting copies of the acts, resolutions, and memorials of the twenty-second legislative assembly of the Territory of Arizona—to the Committee on the Territories.

A letter from the Secretary of the Interior, transmitting copies of the journals of the senate and house of representatives of the Territory of Hawaii for the second regular session, 1903, and the extra session of 1903, and the laws passed at said sessions—to the Committee on the Territories.

A letter from the Secretary of the Interior, transmitting copies of the journal of the executive council and minutes of the house of delegates of the second legislative assembly of Porto Rico—to the Committee on Insular Affairs.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for remodeling of and addition to the keeper's dwelling at Conneaut Harbor, Ohio—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting a modified estimate of appropriation for salaries in the General Land Office—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the secretary of Hawaii submitting an estimate of appropriations for the service of the Territory for the year ended June 30, 1903—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting a supplemental estimate of appropriation for the salary of an additional clerk in his office—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of increase of appropriation for wards of lunacy—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of increased limit of cost for the post-office building at Burlington, Iowa—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General submitting a supplemental estimate of appropriation for salaries of officers and clerks for enforcement of the antitrust law—to the Committee on Appropriations, and ordered to be printed.

A letter from the Doorkeeper of the House of Representatives, transmitting an inventory of property under his charge belonging to the Government—to the Committee on Accounts, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for payment of claim of Gallatly, Hankey & Co.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for settlement of claims of the Compañía de los Ferrocarriles de Porto Rico—to the Committee on War Claims, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 4349) for the relief of Charles R. Hooper—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 529) granting a pension to Emma L. Higley—Committee on Military Affairs discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. COOPER of Wisconsin: A bill (H. R. 6273) to further define the duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SPALDING: A bill (H. R. 6274) to establish a fish hatchery and fish station in the State of North Dakota—to the Committee on the Merchant Marine and Fisheries.

By Mr. SMITH of Illinois: A bill (H. R. 6275) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River, at or near Grays Point, Missouri" approved January 26, 1901—to the Committee on Interstate and Foreign Commerce.

By Mr. LEWIS: A bill (H. R. 6276) to provide for the payment of interest on all money now deposited, or hereafter deposited, in national banks of the United States—to the Committee on Ways and Means.

Also, a bill (H. R. 6277) to provide for the purchase of a site and the erection of a public building thereon at Americus, Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6278) to amend section 5136 of the Revised Statutes of the United States, permitting national banking associations to make loans on real estate as security, and limiting the amount of such loans—to the Committee on Banking and Currency.

Also, a bill (H. R. 6279) for the purchase of a site and the erection of a public building thereon at Cordele, in the State of Georgia, and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6280) for the erection of a public building at the city of Hawkinsville, Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6281) to provide for the purchase of a site and the erection of a public building thereon at Fort Valley, in the State of Georgia, and appropriating money therefor—to the Committee on Public Buildings and Grounds.

By Mr. BADGER: A bill (H. R. 6282) to provide for emergency requirements at the post-office, Columbus, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 6283) to create a new Federal judicial district in Ohio, to be called the central district—to the Committee on the Judiciary.

By Mr. TIRRELL: A bill (H. R. 6284) to provide for the erection of a public building at Marlboro, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. BABCOCK: A bill (H. R. 6285) to authorize the Commissioners of the District of Columbia to remit fines and grant pardons—to the Committee on the District of Columbia.

By Mr. TIRRELL: A bill (H. R. 6286) to prevent the sale of intoxicating liquors in buildings and upon premises owned or controlled by the United States Government—to the Committee on Alcoholic Liquor Traffic.

By Mr. FULLER: A bill (H. R. 6287) granting an allowance of $300 per year to rural mail carriers for horse feed and other expenses—to the Committee on the Post-Office and Post-Roads.

By Mr. RUSSELL: A bill (H. R. 6288) to provide for the enlargement and improvement of the public building at Tyler, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. BABCOCK: A bill (H. R. 6289) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes—to the Committee on the District of Columbia.

By Mr. SHIRAS: A bill (H. R. 6290) to provide for the erection of a public building at Sewickley, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BOWERSOCK: A bill (H. R. 6291) to provide for the improvement and enlargement of the Fort Scott (Kans.) National Cemetery, and for other purposes—to the Committee on Military Affairs.

By Mr. FREDERICK LANDIS: A bill (H. R. 6292) to provide documents for distribution, and so forth—to the Committee on Printing.

By Mr. WARNER: A bill (H. R. 6293) to revise and codify the criminal and penal laws of the United States—to the Committee on Revision of the Laws.

By Mr. CUSHMAN: A bill (H. R. 6294) to detach certain counties from the United States judicial district of Washington, and to create a new judicial district, to be called the southern district of Washington—to the Committee on the Judiciary.

By Mr. HEPBURN: A bill (H. R. 6295) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: A bill (H. R. 6296) to authorize the purchase of the standard small arms used in the United States military service—to the Committee on Military Affairs.

By Mr. OTIS: A bill (H. R. 6297) to prevent and punish the desecration of the flag of the United States—to the Committee on the Judiciary.

By Mr. GILLETT of Massachusetts: A bill (H. R. 6298) to protect antigambling laws from nullification through interstate gambling by telegraph—to the Committee on the Judiciary.

By Mr. GOULDEN: A bill (H. R. 6299) for the completion of the Bronx River improvement—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6300) for the completion of the Harlem River Ship Canal—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6301) for the deepening and widening of the Bronx Kills—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6302) for the completion of the Westchester Creek improvement—to the Committee on Rivers and Harbors.

By Mr. HAUGEN: A bill (H. R. 6345) for the relief of the State of Iowa—to the Committee on War Claims.

By Mr. MCCLEARY of Minnesota: A joint resolution (H. J. Res. 58) providing for the editions to be printed of the annual and special reports of the Librarian of Congress—to the Committee on Printing.

By Mr. WM. ALDEN SMITH: A resolution (H. Res. 70) providing for immediate inspection of Holland Harbor, Michigan—to the Committee on Rivers and Harbors.

By Mr. PAYNE: A resolution (H. Res. 71) referring to the House committees the message of the President—to the Committee on Ways and Means.

By Mr. SULLOWAY. A resolution (H. Res. 72) authorizing the chairman of the Committee on Invalid Pensions to appoint an assistant clerk and stenographer to said committee—to the Committee on Accounts.

By Mr. HEPBURN: A resolution (H. Res. 73) authorizing the chairman of the Committee on Interstate and Foreign Commerce to appoint an additional clerk to said committee—to the Committee on Accounts.

By Mr. OVERSTREET: A resolution (H. Res. 74) authorizing the chairman of the Committee on the Post-Office and Post-Roads to employ an assistant clerk to said committee—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 6303) granting an increase of pension to John McCartney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6304) granting an increase of pension to Joseph E. McCabe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6305) granting an increase of pension to Lewis Lennox—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 6306) granting a pension to Conrad Strasser—to the Committee on Pensions.

Also, a bill (H. R. 6307) granting a pension to Elizabeth Hopper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6308) granting an increase of pension to Rinehart A. Bausman—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 6309) to reimburse A. J. Caufman, Girard, Erie County, Pa., in the sum of $300 together with interest thereon from October 16, 1862, for soldier furnished United States, being the amount paid by him to one Charles Morton, as a substitute—to the Committee on Claims.

Also, a bill (H. R. 6310) granting a pension to Robert Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6311) granting a pension to Mary E. Fisk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6312) granting a pension to Emma A. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6313) granting an increase of pension to Ezra M. Northrup—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6314) granting an increase of pension to Milton Love—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 6315) for the relief of the legal devisees of James W. Schaumburg—to the Committee on Claims.

By Mr. BURKETT: A bill (H. R. 6316) granting an increase of pension to Michael Brannan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6317) granting an increase of pension to Maggie Du Bois—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6318) granting an increase of pension to Adam Bax—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6319) granting an increase of pension to Daniel P. Babb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6320) granting an increase of pension to William A. Wentcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6321) granting an increase of pension to H. J. Shney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6322) granting an increase of pension to Baltzar Mowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6323) granting an increase of pension to Amos E. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6324) granting an increase of pension to J. H. McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6325) granting an increase of pension to Moses Davis—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 6326) granting an increase of pension to Charles Lapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6327) granting an increase of pension to Delos Van Deusen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6328) authorizing the Secretary of War to place the name of Joseph F. Ritcherdson on the rolls of Company C, One hundred and twenty-second Illinois Volunteer Infantry, and issue him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 6329) granting a pension to Robert W. Shelton—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 6330) to authorize the President of the United States to appoint William F. de Niedman captain and quartermaster in the Army—to the Committee on Military Affairs.

By Mr. CANDLER: A bill (H. R. 6331) granting an increase of pension to James M. Dickey—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 6332) granting a pension to Rachel Davis—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 6333) for the relief of John L. Thompson—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 6334) granting an increase of pension to George W. Gyger—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 6335) granting an increase of pension to James A. Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6336) for the relief of Col. James N. Wheelan, United States Army, retired—to the Committee on Military Affairs.

By Mr. DWIGHT: A bill (H. R. 6337) granting a pension to Adelbert Livingston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6338) granting a pension to Antoinette I. Sawyer—to the Committee on Pensions.

Also, a bill (H. R. 6339) granting an increase of pension to William H. Ballard—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 6340) for the relief of Sarah E. Randolph—to the Committee on War Claims.

Also, a bill (H. R. 6341) granting an increase of pension to Edward Willis—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 6342) granting a pension to Thomas Spencer—to the Committee on Invalid Pensions.

By Mr. GILLIFOGLE: A bill (H. R. 6343) granting a pension to Harry Hirschenstein—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 6344) granting an increase of pension to Clara M. Gibson—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 6346) for the relief of Philip Strickler—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 6347) granting an increase of pension to Zedekiah McNew—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 6348) conferring on the Court of Claims authority to rehear and render judgment in the case of William Donnelly and Patrick Egan—to the Committee on War Claims.

By Mr. KEIFER: A bill (H. R. 6349) for the relief of Joseph Segraves—to the Committee on Military Affairs.

By Mr. KETCHAM: A bill (H. R. 6350) for the relief of the estate of William B. Todd, deceased—to the Committee on the District of Columbia.

By Mr. CLAUDE KITCHIN: A bill (H. R. 6351) to pay J. B. McRae $99, for services as hospital steward, and so forth—to the Committee on Claims.

By Mr. LINDSAY: A bill (H. R. 6352) granting a pension to Mary Huff and her five children—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 6353) for the reference of the claim of the estate of Isaac P. Tice against the Government of the United States to the Court of Claims—to the Committee on Claims.

By Mr. LUCKING: A bill (H. R. 6354) granting a pension to George M. Simmons—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 6355) for the relief of William J. Langston—to the Committee on War Claims.

By Mr. McCALL: A bill (H. R. 6356) granting a pension to Frances E. Maloon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6357) granting an increase of pension to Joseph H. Pierce—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 6358) granting an increase of pension to William A. Bentley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6359) granting an increase of pension to Andrew C. Ranard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6360) granting an increase of pension to Melkon H. Burton—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 6361) granting an increase of pension to Arthur Linn—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 6362) to correct the military record of John McKinley—to the Committee on Military Affairs.

Also, a bill (H. R. 6363) for the relief of James E. Byram—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 6364) granting an increase of pension to Edward F. Tucker—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 6365) granting an increase of pension to John W. Hay—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 6366) granting an increase of pension to Elbridge A. Ring—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 6367) granting an increase of pension to Vincent Dancer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6368) granting an increase of pension to W. H. Carte—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6369) granting a pension to Mary E. Wallace—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 6370) granting a pension to Elizabeth Fesler—to the Committee on Invalid Pensions.

By Mr. SCUDDER: A bill H. R. 6371) for the relief of Gattlieb Schlecht and Maurice D. Higgins and for the relief of the heirs and legal representatives of William Bindhammer and Valentine Brasch—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 6372) for the relief of Lieut. David H. Cortelyou, United States Army—to the Committee on Military Affairs.

By Mr. SMITH of Pennsylvania: A bill (H. R. 6373) granting an honorable discharge to William J. Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 6374) granting an increase of pension to Jacob Henninger—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 6375) for the relief of the executors of the estate of Henry Lee, deceased—to the Committee on Claims.

By Mr. VOLSTEAD: A bill (H. R. 6376) granting an increase of pension to Erick N. Barsnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6377) granting an increase of pension to Charles H. Richardson—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 6378) granting a pension to Lewis Kraus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6379) for the relief of James E. Johnson—to the Committee on Claims.

By Mr. DOUGHERTY: A bill (H. R. 6380) granting a pension to Patrick Deneen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6381) granting a pension to Chester Heiner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6382) granting a pension to Will Dillon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6383) granting a pension to George W. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6384) granting a pension to Jacob Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6385) granting a pension to Thomas T. Pratt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6386) granting a pension to Garrett M. Brockman—to the Committee on Pensions.

Also, a bill (H. R. 6387) granting a pension to George Baxter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6388) granting a pension to W. J. Prater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6389) granting a pension to William Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6390) granting a pension to John Carroll—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6391) granting a pension to John F. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6392) granting a pension to Wesley Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6393) granting a pension to Moses Groom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6394) granting a pension to Jackson Pfeisterer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6395) granting a pension to K. D. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6396) granting a pension to Tom Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6397) granting a pension to James McFall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6398) granting a pension to Lewis David—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6399) granting a pension to David A. Creason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6400) to remove charge of desertion from military record of Aaron Norris—to the Committee on Military Affairs.

Also, a bill (H. R. 6401) granting an increase of pension to Moses C. Culver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6402) granting an increase of pension to Henry F. Peery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6403) granting an increase of pension to George A. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6404) granting an increase of pension to Lorenzo D. Valkenburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6405) granting an increase of pension to W. P. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6406) granting an increase of pension to Martha E. McIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6407) granting an increase of pension to T. W. Washington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6408) granting an increase of pension to Haywood W. Weathington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6409) granting an increase of pension to Moses C. Hutchings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6410) granting an increase of pension to James M. Cornelison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6411) granting an increase of pension to William A. Graham—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 6412) to correct the military record of Amos Abbott—to the Committee on Military Affairs.

Also, a bill (H. R. 6413) for the relief of Daniel E. Kimball and John H. Alphin—to the Committee on Claims.

Also, a bill (H. R. 6414) for the relief of Daniel E. Kimball—to the Committee on Claims.

Also, a bill (H. R. 6415) for the relief of John H. Alphin—to the Committee on Claims.

Also, a bill (H. R. 6416) for the relief of Anna S. Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6417) for the relief of John A. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6418) for the relief on J. H. McDaniel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6419) for the relief of William L. McClure—to the Committee on Claims.

Also, a bill (H. R. 6420) for the relief of Frederick Mehring—to the Committee of Invalid Pensions.

Also, a bill (H. R. 6421) for the relief of Henry Ritter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6422) for the relief of Andrew B. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6423) for the relief of Harrison Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6424) granting a pension to Harvey Thompson—to the Committee on Pensions.

Also, a bill (H. R. 6425) granting a pension to Daniel Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6426) granting a pension to David J. Beidler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6427) granting a pension to Abijah B. Abernathy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6428) granting a pension to Thaddeus P. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6429) granting a pension to John E. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6430) granting a pension to Cornelius J. Ballou—to the Committee on Invalid Pensions.

By Mr. LEWIS: A bill (H. R. 6431) granting a pension to Udariah English—to the Committee on Pensions.

Also, a bill (H. R. 6432) granting a pension to Ellender C. Miller—to the Committee on Pensions.

Also, a bill (H. R. 6433) granting a pension to Cynthia Jones—to the Committee on Pensions.

Also, a bill (H. R. 6434) granting a pension to Adaline Simons—to the Committee on Pensions.

Also, a bill (H. R. 6435) granting an increase of pension to Matilda Burks—to the Committee on Pensions.

Also, a bill (H. R. 6436) for the relief of the legal representatives of Thomas W. Johnson, deceased—to the Committee on Claims.

Also, a bill (H. R. 6437) for the relief of the legal representatives of C. M. Bozeman, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6438) for the relief of the estate of Mrs. Tabitha W. Reese, deceased—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 6439) granting a pension to Malinda McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6440) for the relief of George A. Eakins—to the Committee on Claims.

Also, a bill (H. R. 6441) granting an increase of pension to Peter Pillion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6442) granting an increase of pension to James P. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6443) granting an increase of pension to John R. Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6444) granting an increase of pension to John G. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6445) granting an increase of pension to James A. Harper—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 6446) for the relief of John J. Bell—to the Committee on Claims.

Also, a bill (H. R. 6447) for the relief of Phillip Miller—to the Committee on Military Affairs.

Also, a bill (H. R. 6448) granting a pension to Charles E. Barry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6449) granting a pension to Spencer M. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6450) to remove the charge of desertion against the name of Melanchton Borst—to the Committee on Military Affairs.

Also, a bill (H. R. 6451) granting an increase of pension to Robert Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6452) granting an increase of pension to Burr Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6453) granting an increase of pension to Franklin Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6454) granting an increase of pension to Leah Bedford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6456) granting an increase of pension to Lucius Q. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6457) granting an increase of pension to Dewitt C. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6458) granting an increase of pension to Thomas Trabilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6459) granting an increase of pension to Murray W. Woodward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6460) granting an increase of pension to Mary Ann Deline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6461) granting an increase of pension to John F. Woodard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6462) granting an increase of pension to Jacob T. Wise—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BADGER: Memorial of the United Brotherhood of Leather Workers, No. 34, Columbus, Ohio, urging the passage of an eight-hour law and anti-injunction bill—to the Committee on Labor.

By Mr. BARTHOLDT: Petition of Turngemeinde Society of Davenport, Iowa, composed of 681 members, protesting against the passage of the Hepburn bill relating to liquor traffic—to the Committee on the Judiciary.

Also, resolution of the national executive committee of the National German-American Alliance, protesting against the passage of the Hepburn bill relating to liquor traffic—to the Committee on the Judiciary.

Also, letter from American Association of Masters and Pilots

of Steam Vessels, of St. Louis, Mo., offering amendments to the Revised Statutes, etc.—to the Committee on the Judiciary.

Also, letter of R. W. Pratt, of St. Louis, Mo., relating to registration of checks, etc.—to the Committee on Patents.

Also, letter of John Weisert, tobacco manufacturer, urging the passage of the Grout bill—to the Committee on the Judiciary.

Also, letter of Ernest Mueller, relating to damage done by the Missouri River to farming lands—to the Committee on Levees and Improvements of the Mississippi River.

Also, resolution of the Business Men's League of St. Louis, favoring the passage of the Lodge bill, relating to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, petition of the Laborers' Protective Union, No. 10998, of the American Federation of Labor, of St. Louis, Mo., favoring the passage of an eight-hour law and anti-injunction bill—to the Committee on Labor.

Also, petition of the Harris Shoe Company, of St. Louis, Mo., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Harry P. Harding Post, No. 107, Grand Army of the Republic, of St. Louis, Department of Missouri, favoring the passage of a bill to restore the canteen for the Army—to the Committee on Military Affairs.

Also, a resolution of the Southwestern Lumbermen's Association, recommending an amendment to Senate bill 1261, relating to denying the use of the mails to certain literature—to the Committee on the Post-Office and Post-Roads.

By Mr. BENTON: Petition of John A. Rollins Post, No. 387, Grand Army of the Republic, Pierce City; Tiff City Post, No. 416, Grand Army of the Republic, Tiff City; Marionville Post, No. 141, Grand Army of the Republic; W. H. L. Wallace Post, No. 177, Grand Army of the Republic, Moundville, and O. P. Morton Post, No. 14, Grand Army of the Republic, Joplin, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Papers to accompany bill (H. R. 5824) granting an increase of pension to Caspar J. Scheer—to the Committee on Invalid Pensions.

By Mr. BISHOP: Resolution of Henry Dobson Post, No. 182, Grand Army of the Republic, Fremont, Department of Michigan, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BURKETT: Paper to accompany bill to pension Maggie Du Bois—to the Committee on Invalid Pensions.

By Mr. CALDWELL: Petition of citizens of New Berlin and Irving, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Resolution of Eldred Post, No. 174, Grand Army of the Republic, Medicine Lodge, Kans., favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, recommendations of S. M. McCowan, superintendent of Chilocco Agricultural College, Chilocco, Okla.—to the Committee on Indian Affairs.

Also, resolution of the Southwestern Lumberman's Association, relating to an amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. CANDLER: Papers to accompany bill granting an increase of pension to James M. Dickey—to the Committee on Invalid Pensions.

By Mr. DANIELS: Papers to accompany bill to increase pension of George W. Gygep—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of New York State Pharmaceutical Association, favoring the reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, resolution of the Rochester (N. Y.) Chamber of Commerce, urging the cooperation of the Federal Government with the State of New York to deepen Erie Canal to 21 feet—to the Committee on Rivers and Harbors.

By Mr. FULLER: Papers to accompany bill granting a pension to Thomas Springer—to the Committee on Invalid Pensions.

Also, petition of citizens of Winnebago, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Sunday school editors and publishing societies against increase of postal rates on Sunday-school periodicals—to the Committee on the Post-Office and Post-Roads.

Also, resolution of T. S. Gerry Post, No. 463, Grand Army of the Republic, Shabbona, Department of Illinois, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HAY: Paper to accompany bill for relief of Philip Strickler—to the Committee on War Claims.

By Mr. HILDEBRANT (by request): Resolution of Carr B. White Post, No. 232, Grand Army of the Republic, of Georgetown, Department of Ohio, protesting against the placing of a statue of General Lee in Statuary Hall—to the Committee on the Library.

By Mr. KLINE: Resolution of Emil Zola Lodge, No. 186, of Allentown, Pa., relative to immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Charles A. Gerash Council, No. 1004, Junior Order of United American Mechanics, against existing immigration laws—to the Committee on Immigration and Naturalization.

By Mr. MARSHALL: Resolutions of Sykeston Prohibition Alliance, No. 18, and the Christian Endeavor Society of Southeastern Wells County, of North Dakota, favoring the passage of the Hepburn bill relating to liquor traffic—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Papers to accompany bill granting increase of pension to James A. Harper—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to James P. Wallace—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to John G. Parker—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting a pension to Peter Fillion—to the Committee on Invalid Pensions.

By Mr. PEARRE: Petition of Adam Ault, of Washington County, Md., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of Jacob Snyder, of Frederick County, Md., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of the heirs of Caroline E. Keller, deceased, late of Frederick County, Md., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RYAN: Resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, favoring the appointment by the President of a permanent nonpartisan tariff commission—to the Committee on Ways and Means.

Also, resolution of the National Association of Agricultural Implement and Vehicle Manufacturers relating to irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolution of the board of trustees of the Sanitary District of Chicago, Ill., favoring a waterway from the Great Lakes to the Mississippi—to the Committee on Rivers and Harbors.

By Mr. SHULL: Papers to accompany bill (H. R. 6089) granting increase of pension to Emma Louisa Nagle—to the Committee on Invalid Pensions.

Also, papers to accompany bill (H. R. 6085) granting a pension to Anna M. Moyer—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Resolution of First Ward Citizens' Association of St. Paul, Minn., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Custer Post, No. 44, Grand Army of the Republic, Rochester, Department of Minnesota, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of E. B. Gibbs Post, No. 76, Grand Army of the Republic, White Bear, Department of Minnesota, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Petition of H. L. Bozeman and others, of Carmi, Ill., protesting against the sale of liquor at Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ZENOR: Papers to accompany bill to pension David Melton—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *December 9, 1903.*

Prayer by Rev. ERVIN S. CHAPMAN, D. D., LL. D., of Los Angeles, Cal.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FAIRBANKS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Jounrnal will stand approved.

INDIAN DEPREDATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General, transmitting, pursuant to law, a list of judgments rendered in favor of claimants against the United States and defendant Indian tribes not heretofore appropriated for; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York presented petitions of sundry citizens of Wolcott, of the Woman's Christian Temperance Union of Ellicottville, of the Portia Club of New York City, of the Woman's Missionary Society of the Fourth Presbyterian Church of Albany,

of the congregation of the Presbyterian Church of Brookhaven, of the Board of Home Missions of Stony Brook, of the Woman's Christian Temperance Union of Cato, of the Missionary Society of the Presbyterian Church of Cato, and of the congregation of the Church of Christ of Cato, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a petition of the congregation of the United Presbyterian Church of Salem, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the United Presbyterian Church of Salem, Ind., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Baptist Church of Fort Wayne, of sundry citizens of Kentland, and of the Missionary Society of the Presbyterian Church of Princeton, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLARK of Wyoming presented a petition of the Board of Trade of Saratoga, Wyo., praying for the enactment of legislation to restore the merchant marine; which was referred to the Committee on Commerce.

Mr. KEAN presented petitions of the Woman's Christian Temperance Union of Daretown, of the congregation of the Presbyterian Church of Liberty Corner, of the congregation of the Presbyterian Church of Hightstown, and of the Woman's Research Club, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented the petition of A. H. Reider, of Alaska, praying that relief be granted him for loss of outfit by fire while in the employ of the United States military telegraph line at Summit Station, on Good Pasture River, Alaska, on July 12, 1903; which was referred to the Committee on Claims.

He also presented a petition of the Woman's Christian Temperance Union of Forest Grove, Oreg., and a petition of the congregation of the Methodist Episcopal Church of Forest Grove, Oreg., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented petitions of sundry citizens of Sterling, of the Woman's Missionary Society of Iola, of sundry citizens of Wichita, and of the congregation of the West Side Presbyterian Church of Wichita, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Beloit Post, No. 147, Department of Kansas, Grand Army of the Republic, of Beloit, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. ALGER presented petitions of the congregation of the Central Presbyterian Church of Detroit; of the Young Men's Christian Association of Erie; of the Woman's Missionary Society of Adrian; of the congregation of the First Baptist Church of Adrian; of sundry citizens of Monroe County; of the Woman's Christian Temperance Union of Lansing; of the Woman's Christian Temperance Union of Cheboygan; of the Woman's Christian Temperance Union of Scottsville; of the Woman's Christian Temperance Union of Mount Clemens; of the Epworth League of Adrian; of the congregation of the First Methodist Episcopal Church of Adrian; of sundry citizens of Burt; of the congregation of the First Presbyterian Church of Wyandotte; of sundry citizens of Plymouth, and of the Westminster Woman's Missionary Society of Detroit, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a petition of the Woman's Christian Temperance Union of Roseville, Ill., praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Peterboro, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation to authorize the Commissioners of the District of Columbia to change the names of streets in any existing subdivision of land in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. FRYE presented a petition of the congregation of the Second Presbyterian Church of Wilkinsburg, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Philadelphia Turngemeinde, of Philadelphia, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

PETER P. DOBOZY.

Mr. COCKRELL. I present the affidavit of Dr. H. C. Shutte, being the medical evidence in the claim of Peter P. Dobozy. I move that the affidavit be referred to the Committee on Pensions, to accompany the bill (S. 2929) granting an increase of pension to Peter P. Dobozy.

The motion was agreed to.

COMMITTEE ON POST-OFFICES AND POST-ROADS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. PENROSE, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be, and the same is hereby, authorized to employ during the Fifty-eighth Congress a stenographer from time to time as may be necessary to report such hearings as may be had by the committee and subcommittees in connection with any matter that may be before the committee, and to have the same printed for its use, and that any expense in connection with the foregoing shall be paid out of the contingent fund of the Senate.

CHANGE OF REFERENCE.

The PRESIDENT pro tempore. The bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes, was directed to be sent yesterday to the Committee on the Philippines. The RECORD shows that it was sent to the Committee on Commerce. If there be no objection, that action will be reconsidered, and the bill and accompanying papers will be referred to the Committee on the Philippines.

BILLS INTRODUCED.

Mr. BURTON introduced a bill (S. 2265) for the relief of Joseph A. Cox; which was read twice by its title, and referred to the Committee on Claims.

Mr. DILLINGHAM (by request) introduced a bill (S. 2266) to repeal so much of an act approved March 3, 1903, as authorized the erection and completion of new buildings for the accommodation of the United States Naval Hospital, Washington, D. C., on the grounds belonging to the United States Naval Museum of Hygiene; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. LONG introduced a bill (S. 2267) granting a pension to Ruth E. Wright; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2268) to authorize the Absentee Wyandotte Indians to select certain lands, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CLAY introduced a bill (S. 2269) for the relief of Capt. Archibald W. Butt, quartermaster, United States Army; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2270) to provide for the erection of a public building in the city of Griffin, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2271) for the relief of Lieut. James B. Fowler; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCREARY introduced a bill (S. 2272) to carry out the findings of the Court of Claims in the case of Nelson Howard Smith, administrator of Sidney R. Smith, deceased, and R. Bulinn, administrator of William R. Fleming, deceased, members of the firm of Sidney R. Smith & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2273) granting a pension to Edward F. Poag; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2274) granting an increase of pension to Joseph J. Carson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. OVERMAN introduced a bill (S. 2275) to provide for the purchase of a site and the erection of a public building thereon at

Salisbury, in the State of North Carolina; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ALGER introduced a bill (S. 2276) to regulate the retirement of veterans of the civil war; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2277) to correct the military record of George L. Winslow; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2278) granting an increase of pension to Harriet H. Howlett;

A bill (S. 2279) granting an increase of pension to Thomas Williams;

A bill (S. 2280) granting an increase of pension to Edward Blanchard;

A bill (S. 2281) granting an increase of pension to Anthony Walich;

A bill (S. 2282) granting a pension to Helen McArthur; and

A bill (S. 2283) granting a pension to Alice W. Clarke.

Mr. MILLARD (by request) introduced a bill (S. 2284) for the relief of John T. Wertz and Walter H. Shupe; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

He also introduced a bill (S. 2285) granting a pension to John R. Manchester; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2286) granting an increase of pension to James Thompson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLARK of Wyoming introduced a bill (S. 2287) granting an increase of pension to S. J. Brainard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2288) granting an increase of pension to Hannibal S. Hardy (with accompanying papers);

A bill (S. 2289) granting a pension to Louisa R. Chitwood;

A bill (S. 2290) granting an increase of pension to James P. Walker;

A bill (S. 2291) granting an increase of pension to William W. Rollins;

A bill (S. 2292) granting an increase of pension to Joseph Kelble (with accompanying papers); and

A bill (S. 2293) granting an increase of pension to Jesse T. Power (with accompanying papers).

Mr. McENERY introduced a bill (S. 2294) for the relief of Marianne Morse; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 2295) granting an increase of pension to James B. Logan;

A bill (S. 2296) granting an increase of pension to Delos Van Deusen; and

A bill (S. 2297) granting an increase of pension to William K. Collins.

Mr. NEWLANDS introduced a bill (S. 2298) granting a pension to P. J. Conway; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 2299) to authorize the Commissioners of the District of Columbia to remit fines and grant pardons; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 2300) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River, at or near Grays Point, Missouri," approved January 26, 1900; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2301) construing the provisions of sections 2301 to 2320 of the Revised Statutes of the United States in certain cases; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2302) to amend section 3 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1902, and for other purposes;" which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (by request) introduced a bill (S. 2303) for the relief of Anna R. Widmayer and Edgar H. Bates; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2304) granting an increase of pension to Samuel S. Merrill; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of Samuel S. Merrill, reenforced by affidavits of Dr. Charles A. Ware and of Dr. George F. Paine, and a letter from Judges M. N. Sale and J. A. Blevins, Shepard Barclay, Valle Reyburn, and W. H. Clopton, certifying as to the disability of the claimant. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL. The bill (S. 1236) granting an increase of pension to Patrick Crossen was referred to the Committee on Pensions. I ask that the committee be discharged from the further consideration of the bill and that it be indefinitely postponed because the word "Infantry" is in it instead of "Cavalry." His service was cavalry. I introduce a new bill with the proper correction and ask that it be referred.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Committee on Pensions be discharged from the further consideration of the bill (S. 1236) granting an increase of pension to Patrick Crossen, and that the bill be indefinitely postponed. To that the Chair hears no objection, and it is so ordered.

Mr. COCKRELL introduced a bill (S. 2305) granting an increase of pension to Patrick Crossen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2306) granting an increase of pension to John A. Chambers;

A bill (S. 2307) granting an increase of pension to David Boner;

A bill (S. 2308) granting an increase of pension to Elias Bussard;

A bill (S. 2309) granting an increase of pension to John D. Deckman;

A bill (S. 2310) granting an increase of pension to William Dor (with an accompanying paper); and

A bill (S. 2311) granting an increase of pension to James D. West.

Mr. GORMAN introduced a bill (S. 2312) to provide that the Washington, Potomac and Chesapeake Railroad Company may extend its tracks in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2313) for the relief of Richard R. Conner; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 2314) granting an increase of pension to George B. Paddock; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2315) for the relief of A. H. Reider; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 2316) for the relief of Martha F. Glenn; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 2317) granting a pension to John W. Sniteman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2318) to change the name of Fourth street northeast, north of T street, in the city of Washington, D. C., to University avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. FRYE introduced a bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2320) granting an increase of pension to Samuel H. Legrow; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENT TO GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. ALGER submitted an amendment proposing to appropriate $[illegible] for burial expenses of Elmer E. Gavett, late lieutenant, Thirty-ninth Infantry, United States Volunteers, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

REPORT OF COMMISSIONER-GENERAL OF IMMIGRATION.

Mr. DILLINGHAM submitted the following concurrent resolution; which was read, and referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed in paper covers, at the Government Printing Office, 2,500 additional copies of the annual report of the Commissioner-General of Immigration for the year ended June 30, 1903, with illustrations, of which 1,000

shall be for the use of the Senate and 1,000 for the use of the House of Representatives, and the remaining 2,500 copies shall be delivered to the Bureau of Immigration for distribution.

SPANISH TREATY CLAIMS COMMISSION.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Spanish Treaty Claims Commission be requested to furnish the Senate a statement of the rules and principles governing their action in making awards upon claims, and also copies of their various opinions at any time delivered relative to such awards.

REPUBLIC OF PANAMA.

Mr. HOAR. I submit a resolution, for which I ask immediate consideration.

The resolution was read, as follows:

[illegible] the Senate [illegible] Republic of Colombia authorized the [illegible] proved by [illegible] or resistance to the Gov- [illegible]

Mr. CULLOM. I move that the resolution be referred to the Committee on Foreign Relations.

Mr. HOAR. I hope that motion will not be pressed. I think if the Senator will look carefully at the resolution he will see that everything which is asked is something the President will be very desirous indeed of an opportunity to make known to the public, and an answer to the questions will tend very strongly to compose some public discontents of more or less magnitude and importance. Certainly it is information which every member of the Senate who is expected to act soon on a treaty ought to like to have.

Mr. CULLOM. Mr. President——

Mr. HOAR. Let the resolution be printed and go over.

Mr. CULLOM. I am willing to allow the motion to stand and to let the resolution be printed and go over.

Mr. HOAR. Let it be printed and go over.

Mr. CULLOM. There is no objection to that, Mr. President

Mr. HOAR. I did not conceive in proposing the resolution that it contained anything which could excite any doubt in any man's mind.

Mr. CULLOM. The resolution is exceedingly long.

The PRESIDENT pro tempore. It will be printed and go over.

Mr. CULLOM. It seems to comprehend almost everything anyone could think of.

Mr. HOAR. It is not very long.

Mr. CULLOM. So I thought it better to look at it, at least.

Mr. HOAR. It is about a page of ordinary typewriting.

The PRESIDENT pro tempore. The resolution will go over, under the rule, objection being made.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The morning business is closed. The Chair lays before the Senate the Cuban bill, so called.

The SECRETARY. A bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole.

Mr. GORMAN. Mr. President, I understand that under the agreement this bill will come up at 1 o'clock. I supposed that by unanimous consent yesterday the resolution offered by the Senator from Pennsylvania [Mr. PENROSE] was to be laid before the Senate, if the morning business should be concluded before 1.

Mr. CULLOM. I understand that the so-called morning business yesterday went on the Calendar, when the discussion closed.

Mr. LODGE. It was not morning business. It was taken from the Calendar.

Mr. CULLOM. It was not morning business in fact, as I understand. The Senator from Colorado [Mr. TELLER] is now ready to proceed with his speech, and, under the agreement, immediately after the morning business——

Mr. ALDRICH. Routine.

Mr. CULLOM. Immediately after the routine morning business we are to proceed with the Cuban bill, so called

Mr. GORMAN. So the agreement started, but yesterday when we reached 1 o'clock I said:

I renew my request that the resolution go over until to-morrow morning [illegible]

The PRESIDENT pro tempore. The resolution will go over without prejudice. The regular order is demanded, which is the unfinished business.

Then this followed:

Mr. LODGE. The resolution goes over, taking the motion with it?

The Presiding Officer said:

Taking the motion with it.

Mr. CULLOM. Did not the Presiding Officer state that the resolution went on the Calendar?

Mr. GORMAN. I will read the whole of it. Said the Senator from Iowa [Mr. ALLISON]:

Mr. President, the Senator from Colorado proceeds. I should like to know just what [illegible] is there any under- [illegible]

Mr. [illegible] Very well.

[illegible] I [illegible] proceedings [illegible] on the Calendar.

Mr. ALLISON [illegible]

The PRESIDENT pro tempore [illegible] Calendar, with the motion of the Senator from Massachusetts [Mr. LODGE] to refer.

Mr. ALDRICH. That is plain enough.

Mr. GORMAN. I made my request and the order. I have just read followed. I made the request that the resolution might go over without prejudice and come up providing there was time between the ordinary morning business and 1 o'clock. The Presiding Officer said it would go over without prejudice

I should like this morning to understand from the chairman of the committee his construction of the agreement. He knows perfectly I do not desire in the slightest to interfere with the agreement that he and I were parties to; but does he understand now that it covers simply the introduction of bills and ordinary resolutions and that the resolution which is on the Calendar or comes over can be presented before the Senate? I ask because the resolution just offered by the Senator from Massachusetts [Mr. HOAR], proposing one of the most important inquiries which has ever been made in the Senate of the United States, goes over under the rule, to come up when? Under the rule it will come up to-morrow morning at any time before 1 o'clock.

Mr. CULLOM. The Senator from Maryland refers to me, I believe.

Mr. GORMAN. I do.

Mr. CULLOM. I simply want to adhere to the arrangement made by unanimous consent in the Senate as to the Cuban bill, and to adhere to it we must simply attend to the morning business proper, as I understand it.

Mr. GORMAN. Now, I ask the Senator——

Mr. CULLOM. A resolution such as was introduced by the Senator from Massachusetts awhile ago and laid over I should suppose to be still morning business, because it did not go to the Calendar; but after a resolution has been debated and came to the Calendar, and has been taken off and debated again, it seems to me it can not be considered as morning business. My opinion is not of much account on a question involving the rules, but it seems to me that that ought to be the common-sense view of it.

Mr. GORMAN. I want to have the understanding of the Senator now as to whether that is his construction of our agreement.

Mr. HOAR. It is impossible to hear the Senator from Maryland.

Mr. GORMAN. My only purpose is to ascertain what the chairman of the Committee on Foreign Relations understands by the agreement.

Mr. CULLOM. I have been stating what I think is the purport of the agreement.

Mr. GORMAN. Very good. Now, then, I ask the Senator——

Mr. CULLOM. Whether I am right or not, it is for the Senate to determine. I do not care what we consider. If the Senate does not desire to take up the Cuban bill, then it is in order to consider anything else the Senate sees proper to take up. But when Senators are ready to debate the bill, it seems to me that it is my duty to call the attention of the Senate to what I think is the rule. If the Senate sees proper to vary it, then it is for the Senate to take the responsibility.

Mr. GORMAN. No, Mr. President, the Senator did not put it quite so strongly. It is not with any desire to evade the agreement, but I asked him to state his construction of the agreement.

Mr. CULLOM. I have given it to the Senator so far as I am concerned.

Mr. GORMAN. I asked if it excludes all the business that properly belongs to the morning hour. Would it exclude the resolution of inquiry offered by the Senator from Massachusetts [Mr. HOAR]? That resolution comes up to-morrow at any time after presentation of petitions and the introduction of bills, and if it is

not completed, would it, under the Senator's construction, go to the Calendar, not to be reached again until after we dispose of the Cuban bill?

Mr. CULLOM. I beg the Senator to appeal to the President of the Senate, not to me, to decide what the rule is.

Mr. GORMAN. I am exceedingly anxious to have the construction of the chairman of the committee who was instrumental in making the agreement, not with a view of criticising him, but only that we may have a definite understanding.

Mr. CULLOM. I will read the agreement, if it will be agreeable to the Senator.

Mr. GORMAN. I should be very glad to hear it.

Mr. CULLOM. And let us see what he thinks it means:

That on Monday, December 7, 1903, and on each of the following days when the Senate shall be in session after the completion of the routine morning business—

Now, what is routine morning business? Is it a bill that has gone to the Calendar? It seems to me not.

Mr. SPOONER. Will the Senator allow me to interrupt him for a moment there?

Mr. CULLOM. Certainly.

Mr. SPOONER. Rule VIII, in regard to the order of business, says:

At the conclusion of the morning business for each day, unless upon motion the Senate shall at any time dispose of any pending matter, the Senate will proceed to the consideration of the Calendar of Unobjected Bills, as follows:

The distinction between morning business and the consideration of bills and resolutions on the Calendar seems to be very clear under this rule. The Senate has otherwise ordered, the Senator from Illinois contends, by the unanimous-consent agreement. Does not the Senator from Maryland think so?

Mr. GORMAN. I want to get the distinction made by the chairman of the committee on that point, and to carry out in perfect good faith the agreement which was made.

Mr. CULLOM. If the Senator is very anxious to get my opinion about it, I will adhere to the construction of the understanding just as I have done heretofore. When the President of the Senate announces that morning business is finished and lays the Cuban bill before the Senate, I shall insist upon its consideration.

Mr. GORMAN. Then it will not be in order, I understand the Senator, to take up any bill or resolution——

Mr. CULLOM. From the Calendar—no.

Mr. GORMAN. From the Calendar?

Mr. ALDRICH. Or otherwise, except by unanimous consent.

Mr. GORMAN. Very good. Mr. President.

Mr. HOAR. I suppose the resolution I introduced just now, which has been referred to by the Senator from Maryland, will be laid before the Senate to-morrow. The Chair will remember that it went over on the suggestion of the Senator from Illinois that he might have an opportunity to see it after it is printed. Undoubtedly it would be subject to this rule if it should cease to be routine morning business and become a matter of debate.

Mr. GORMAN. I will say to the Senator from Massachusetts that that was my very object in making the inquiry. I can understand from the conditions, the peculiar tint or color of the atmosphere, that the resolution of the Senator from Pennsylvania will probably be crowded out until after we dispose of the Cuban measure. But I did desire to know whether it was to come up and just how far we were to go with other resolutions, the most important of which is the one introduced by the Senator from Massachusetts.

Mr. ALDRICH. The distinction between morning business and routine morning business is, I understand, very marked and very plain. Routine morning business is the presentation of petitions, the making of reports, and the other four or five items that are included in the rule.

Mr. HOAR. And resolutions.

Mr. ALDRICH. And anything that can be done by unanimous consent would be in order, but not under any rule of the Senate. When the routine morning business is closed, which is the presentation of petitions and memorials, reports, etc., then under the rule of the Senate the Cuban bill will be in order and nothing else can be considered, not even resolutions, except by unanimous consent. That seems to be very clear. If the language used in the order of the Senate had been "at the conclusion of the morning hour," or "at the conclusion of the morning business," a different state of affairs would be in existence. But the order of the Senate says distinctly "after the completion of the routine morning business." That excludes the consideration of all other subjects, because if a resolution were to be considered it might involve an indefinite discussion every day to the exclusion of the regular order. Of course these things can be done by unanimous consent, and I assume, I trust so, at least, that when there is no one ready to speak upon the Cuban bill unanimous consent will be given to the transaction of other business. But in the absence of unanimous consent nothing can be done, it seems to me, under the agreement, except what is strictly routine morning business. That is well understood. The Senator from Maryland understands what is routine morning business as well as I.

Mr. GORMAN. I thought I did until I heard the Senator from Rhode Island. Does the Senator mean to say that a resolution which comes in under the rule in the morning hour, such as the one offered by the Senator from Massachusetts [Mr. HOAR], and goes over until the next morning, does not come up as a matter of course?

Mr. ALDRICH. Not as routine morning business.

Mr. GORMAN. I should like to ask the opinion of the Chair on that point, for I confess the Senator's proposition amuses me.

Mr. ALDRICH. The distinction between routine morning business and general morning business is very marked, I think.

Mr. HOAR. Mr. President, I agree with the Senator from Rhode Island entirely in every matter of substance he has stated, but I think he has fallen into a slight inexactness of phraseology. I understand that when a resolution is offered and goes over one day that Senators may see it or consider it, it comes up the second day exactly as it did when it was first proposed; that it is laid before the Senate as routine morning business, and does not require any unanimous consent to take it up and have it laid before the Senate. But if it become a matter of debate thereafter, if it is not adopted, as a matter of course it ceases then to be matter of routine, because matter of routine is matter which is done as a matter of course.

So I shall claim to-morrow morning that it is the duty of the Chair to lay my resolution before the Senate just as much as it was his duty to lay it before the Senate when I first proposed it. But then, if any Senator desires to debate it or object to it, I should suppose it would cease to have the character of routine business. It would not require unanimous consent to take it up; but it is pretty much the same thing, because it can only be finally considered without objection. The only difference is in phrase, not in substance.

Mr. CULLOM. Mr. President, what is before the Senate?

The PRESIDENT pro tempore. The Cuban bill.

Mr. CULLOM. If no one is going to speak, we will take up some resolution or something else.

Mr. TELLER rose.

Mr. CULLOM. The Cuban bill is now before the Senate.

Mr. TELLER. If the matter is settled and the bill is before the Senate, I am ready to proceed.

The PRESIDENT pro tempore. The Senator from Colorado is entitled to the floor.

Mr. TELLER. Mr. President, when I suspended last night I had called the attention of the Senate to the fact that the consumption of sugar was greatly increasing in the United States, and I referred to a statement made by Doctor Wiley, the Government chemist, who has made a calculation as to the probable increase of the consumption in the United States up to 1921. I prepared a statement, based on the testimony of Doctor Wiley, as to the increased consumption of sugar in the United States, which in order that I may be accurate I am going to read:

Doctor Wiley, Chief of the Bureau of Chemistry of the Department of Agriculture, in his testimony before the Committee on Ways and Means of the House on January 29, 1902, on pages 481 and 482, makes the probable consumption of sugar in the United States 3,[illegible],500 tons in 1911 and 4,723,500 tons in 1921. This is a conservative estimate, and if he estimated it on our average yearly increase since 1881 it would be much larger, and would be in 1911 3,667,000 tons and in 1921 5,667,000 tons.

If we reduce his estimate of 1911 of 3,833,500 tons to 3,000,000 tons (long tons of 2,240 pounds), at 4 cents per pound it will amount to $268,800,000.

Now, if we take the estimate for 1921, based on our annual increase for the last twenty years, or 5,667,000 tons, and reduce it, as the Doctor has, to 4,723,500 tons, to correspond with the reduction of 3,833,500 tons in 1911 to 3,000,000 tons, we will reduce the 4,[illegible],500 tons to 3,780,000, and at 4 cents per pound this amount would cost the consumer the enormous sum of $338,688,000. If we figure the consumption on what the Doctor says is our probable increased consumption in 1911, the cost to the consumer at 4 cents per pound, retail price, will be $298,680,000 instead of $268,800,000, as I have estimated, and in 1921, instead of being $338,688,000, it will be $425,235,600. I have no doubt but the first estimate—that is, in 1911 of $268,800,000 and 1921 of $338,688,000—is an underestimate, but it is sufficient to show the great importance of the necessity for the encouragement of the production of domestic sugar, not only as a matter of furnishing to our people both labor and capital opportunities, but also the advantage of producing such a great amount of food at home and not be dependent on foreign countries.

Yesterday I stated that I had some further evidence as to the complicity of General Wood with reference to the inception of

this demand for the reduction of the tariff for the benefit of Cuba. I now desire to put into the RECORD a statement of General Wood, dated Washington, D. C., July 1, 1902, in which he shows the amount that had been expended by the Cuban Government, which he had in charge, to further the cause of reciprocity. He states that he paid out of the insular funds $15,626.82. Accompanying this statement there is a statement from the War Department showing for what these amounts had been paid out.

Mr. President, I desire that the first page of the document I hold in my hand, down to Exhibit A, may go into the RECORD as part of my remarks.

The PRESIDENT pro tempore. In the absence of objection that order will be made.

The matter referred to is as follows:

[House Document No. 670, Fifty-seventh Congress, first session.]

PAYMENTS TO F. B. THURBER OUT OF CUBAN FUNDS.

Letter from the Acting Secretary of War, transmitting, in response to a resolution of the House, a copy of a letter from Brig. Gen. Leonard Wood, relating to payments to F. B. Thurber out of Cuban funds. July 1, 1902.—Referred to the Committee on Military Affairs and ordered to be printed.

WAR DEPARTMENT, *Washington, July 1, 1902.*

SIR: In response to the following resolution of the House of Representatives dated June 30, 1902—

"Resolved, That the Secretary of War be, and he is hereby, directed to furnish to the House of Representatives, if not incompatible with the public interests, the following information: What amounts, if any, have been paid out of the Cuban treasury or the funds of the Cuban people, by the military governor of Cuba, or by his direction, or by any officer of the United States, while the forces of the United States occupied Cuba, to F. B. Thurber, president of the United States Export Association, or any other person or persons, corporation, or association, for advocating a reduction in the duties upon Cuban products, with a view to present reciprocal relations with the United States; also the date or dates of any of such payments"—

I have the honor to inclose herewith a letter dated July 1, 1902, from Brig. Gen. Leonard Wood, United States Army, late military governor of Cuba, transmitting a statement of the expenditures called for by the resolution.

Very respectfully,

WM. CARY SANGER,
Acting Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WASHINGTON, D. C., *July 1, 1902.*

SIR: I have the honor to transmit herewith a statement of the expenses incurred in the cause of reciprocity between Cuba and the United States. The disbursements mentioned were made by me as military governor of the island of Cuba and were made for the purpose of presenting to the people of the United States without prejudice to any discussion, the desires of the people of Cuba as to the trade relations which should exist between that country and our own. The matter was brought to the notice of the administration officials in charge of Cuban affairs.

It received the unofficial approval of the authorities of the Republic of Cuba, and was an expenditure of Cuban funds for the purpose of promoting Cuban interests.

The expense accounts are herewith inclosed:

1. Expenses of the special commission of Cuban planters sent by me, as military governor of Cuba, with letters of introduction to the honorable the Secretary of War and the United States, with the information that they desired to appear before the committees of Congress to be heard upon the subject of trade relations between Cuba and the United States	$1,399.00
2. Salary of F. B. Thurber, together with certain expenses for travel and earth line	740.00
3. Expenses incident to the purchase and circulation of certain market reports of various United States newspapers	340.98
4. The circulation of 10,000 copies of a pamphlet entitled "Industrial Cuba"	222.50
5. The cost of circulating 320,000 circulars in four issues of 80,000 each, $11,520, to which there is to be added $27.76, travel expenses of Lieut. E. Carpenter acting quartermaster, United States Army, incurred in connection with the payment to United States Export Association of $2,880 (see voucher No. 1 to abstract herewith), making in all	11,547.76
6. The expenses incident to the circulation of 443 copies of the Outlook Magazine containing an article editorial on reciprocity	26.58
7. The expenses incident to the circulation of 18,000 copies of the Sunday editions of the Havana Post containing editorial writings on reciprocity	750.00
8. To the Havana Post, for printing and circulating certain pamphlets on reciprocity	600.00
Total	15,626.82

The foregoing is to the best of my knowledge the total amount of the disbursements for the cause of reciprocity called for in the resolution of Congress of June 30, 1902.

Very respectfully,

LEONARD WOOD,
Brigadier-General, United States Army.

The SECRETARY OF WAR,
Washington, D. C.

(Through the Adjutant-General of the Army.)

Mr. TELLER. In this document will be found a statement of what the expenditures were for. I stated yesterday that part of these expenditures had been incurred for the purpose of exploiting this scheme in the public press. Here is a statement showing the items of expenditure for the press which were made by the insular government. Senators will remember that this is a public document sent to the House of Representatives from the War Department, and here are the vouchers upon which those insular funds were paid.

[Copy.]

The United States Military Government of Cuba to the United States Export Association, Dr.

For disbursements in re Cuban tariff as follows (see exhibits annexed):

Dec.	10.	450 copies New York Journal of Commerce and Commercial Bulletin	$28.25
Jan.	8.	400 copies New York Times	12.00
	24.	827 press clippings	21.08
	30.	450 copies New York Journal of Commerce and Commercial Bulletin	31.50
Feb.	6.	500 copies New York Herald	11.25
	7.	1,000 copies New York Journal of Commerce and Commercial Bulletin	70.00
	10.	550 copies New York Journal of Commerce and Commercial Bulletin	41.40
	25.	300 copies New York Journal of Commerce and Commercial Bulletin	21.00
Mar.	17.	250 copies New York Journal of Commerce and Commercial Bulletin	16.50
		Clerk hire, addressing wrappers for above papers	12.00
		Postage paid on 2,200 of the above papers	44.00
		Printing and sending to Senators and Members of Congress inclosed leaflet marked "A," including envelopes, addressing same, and postage	16.00
		Printing and sending to Senators and Members of Congress inclosed leaflet marked "B," including envelopes, addressing same, and postage	15.00
		Total	340.98

Received payment.

UNITED STATES EXPORT ASSOCIATION,
F. B. THURBER, *President.*

NEW YORK, *March 31, 1902.*

The above payment was made April 20, 1902.

LEONARD WOOD,
Brigadier-General, United States Army.

A true copy.

First Lieutenant, Tenth U. S. Cavalry, Aid-de-Camp.

They also, for fear the people of Cuba would not be sufficiently excited on this subject, made use of the papers in Habana for the furtherance of this scheme, as will be seen from the following:

No. 2.

Paid by the military government of Cuba to the Habana Post, Habana, Cuba, for insertion of the supplements of the Sunday editions of the Habana Post, containing editorial writings on reciprocity, as follows:

October 12, 1901, for two issues	$50.00
October 28, 1901, for one issue	25.00
November 6, 1901, for one issue	25.00
November 18, 1901, for two issues	50.00
December 8, 1901, for two issues	50.00
December 10, 1901, for one issue	25.00
December 19, 1901, for one issue	25.00
December 26, 1901, for one issue	25.00
December 31, 1901, for one issue	25.00
January 7, 1902, for one issue	25.00
January 14, 1902, for one issue	25.00
January 21, 1902, for one issue	25.00
January 31, 1902, for one issue	25.00
February 4, 1902, for one issue	25.00
February 11, 1902, for one issue	25.00
February 21, 1902, for one issue	25.00
February 28, 1902, for one issue	25.00
March 6, 1902, for one issue	25.00
March 14, 1902, for one issue	25.00
March 21, 1902, for one issue	25.00
March 28, 1902, for one issue	25.00
April 4, 1902, for two issues	50.00
April 16, 1902, for one issue	25.00
April 25, 1902, for one issue	25.00
April 30, 1902, for one issue	25.00
May 7, 1902, for one issue	25.00
Total	750.00

A true copy.

FRANK R. MCCOY,
First Lieutenant, Tenth Cavalry, Aid-de-Camp.

An examination of this document will show also that at least some members of the committee called the Cuban committee who came here—as Mr. Thurber says, spent $40,000 for postage alone, and, he thought, $20,000 in all—came at the expense of this Government, for there are charges in this document for the transportation of at least two of them, costing somewhere about $193 in one case and perhaps less in the other.

I find also that an officer of the Army, a lieutenant of the Tenth United States Cavalry, Frank R. McCoy, in some way—for what particular purpose I have not been quite able by an examination of this document to determine—paid out $2,907.76. I am not an expert on figures and never was a very good bookkeeper, but I suppose that $2,907.76 is included somewhere in the total of $15,600. I rather think it is though I am not able to make it out, but not being able to state otherwise, I shall not assume that it is in addition to what General Wood certifies in the paper I sent to the desk.

I find here the following letter from General Wood, addressed to F. B. Thurber, president of the United States Export Association:

NEW YORK, *December 11, 1901.*

SIR: I have the honor to acknowledge receipt of your letter of December 11, relative to the publication of certain material for educational purposes upon the question of a reduction of the duties of Cuban products, principally

[illegible] to send [illegible]

Very [illegible], yours,

LEONARD WOOD.

A [illegible] copy.

EDW. CARPENTER,
First Lieutenant, Artillery Corps, Acting Aid-de-Camp.

Mr. F. B. [illegible]
[illegible] *States Expo[illegible]on, City.*

Mr. THURBER [illegible] these documents [illegible] editions of [illegible] would [illegible] into the [illegible] country. [illegible] that he meant by that [illegible] from [illegible]

I will [illegible] few things which I might [illegible] to me to be [illegible]

Mr. President, I [illegible] to impose—it was a [illegible] United States, the [illegible] of the United States, by these [illegible] tution and want in Cuba.

I [illegible] intended to read, and [illegible] Tribune of the 27th of January, 19[illegible]

[illegible]

Mr. President, it would be very diffic[illegible] and [illegible] in the world to [illegible] That was published in one of the [illegible] two—a newspaper that to my [illegible] last [illegible] read, a paper with which I have been [illegible] started under Mr. Greeley. [illegible] State of New York where [illegible] paper than that. It is to them what [illegible] is to the Chairman. Whatever is in that paper [illegible] be published, religious, or [illegible] it matters little di[illegible] It is taken for such a great [illegible] I can imagine. Mr. President, [illegible] up in that part of the country read [illegible] thought I was a monster of cruelty and wickedness if I con[illegible] st such an [illegible] as that, and if it had been true I could [illegible]

Mr. President, I have never [illegible] to the people who did claim [illegible] concession to Cuba, because it [illegible] generous sentiments which pervades the people [illegible] their anxiety to relieve suffering, even though at great ex[illegible] They were told also that it could be done [illegible] any industry of this country, which was [illegible] as the statement which was made that distress prevailed in Cuba.

I said yesterday that this is not reciprocity. It is not reciprocity as the Republican party a few years ago proclaimed reciprocity. I said yesterday that nobody could [illegible] the late President of the United States, Mr. McKinley, [illegible] this kind of reciprocity, or at least if they could [illegible] the city certainly can not be found in favor [illegible]

Mr. President, I do not mean to say that I am not in favor of reciprocity with certain countries on certain products. I am quite willing that there shall be reciprocity with people who produce what we do not produce and who want to buy from us what they do not produce.

I have here a report, which I want to read, that has the authority of three great names, one of them a Democrat and two of them Republicans. Two of them are no longer here, though all three have served in this Chamber with distinction, one on the Democratic side and two on the Republican side.

The committee on Finance on the 27th of February, 1883, when the present chairman of the committee was a member, had before them the question of reciprocity, and these three members differed with the majority of the committee. I have here the findings of the minority. Their report is signed by the late Senator Morrill, of Vermont, the late Senator Voorhees, of Indiana, and the present illustrious Senator from Rhode Island [Mr. ALDRICH], now chairman of the committee.

I am not aware that in the lifetime of Senator Voorhees or Senator Morrill they changed their views; I am not quite clear what the present chairman of the Committee on Finance would now say on the subject. I am going to read this minority report. I am sorry the Senator from Rhode Island is not here, but I have an idea that he has not forgotten it, and from some things which I have known of his doing in the last two years in reference to reciprocity treaties, I am inclined to think that he is still of the opinion then expressed; but if he is, he will be at outs with the present Administration and the present majority of this body.

The joint resolution reported by the majority of the committee was in these words:

[illegible] the termination of the reciprocity treaty of [illegible] States of America and His [illegible]

Whereas it is provided in the re[illegible] concluded at Washing-[illegible]

[illegible] of the President of the United [illegible] h of September, 1[illegible] that the treaty came into [illegible] for the interests of the United States to [illegible] the giving of the termination of the [illegible]

[illegible] makes and ma[illegible] ations with that power.

The views of the minority were as follows:

VIEWS OF THE MINORITY.

[illegible] framed no compact between two different na-[illegible]

[illegible] regulate commerce, whether [illegible] wer is found [illegible] Representa-[illegible]

[illegible] on [illegible] any [illegible] arrive a [illegible]

In the determination of this question our experience ought to have some weight; and that experience shows, in every instance, that a reciprocity [illegible] American interests have been sacrificed.

JUSTIN S. MORRILL,
DANIEL W. VOORHEES.
NELSON W. ALDRICH.

I wish the Senator from Minnesota [Mr. CLAPP], who spoke yesterday on this subject, was present; he would find this report instructive reading.

Mr. NELSON. May I inquire from what document the Senator has been reading?

Mr. TELLER. I will say to the Senator from Minnesota that I have been reading from the minority report made by the late Senator Morrill, of Vermont, the late Senator from Indiana, Mr. Voorhees, and the present chairman of the Committee on Finance, the Senator from Rhode Island [Mr. ALDRICH], on the Hawaiian treaty, on February 27, 1883.

That report was good law when it was written; it is good law now; and the last part of it, which states that no reciprocity treaty which we have ever made has been beneficial to us, is as true to-day as it was over twenty years ago, when that report was made.

In 1900 there was a proposition in the House of Representatives for the admission of certain articles free of duty from Porto Rico and Cuba. We were at that time in possession of Cuba, our armies being there. I hold in my hand the report made by the Committee on Ways and Means of the House of Representatives, from which I desire to read some portions.

[House Report No. 1765, Fifty-sixth Congress, first session.]

ADMISSION OF CERTAIN ARTICLES FREE OF DUTY FROM PORTO RICO AND CUBA.

MAY 26, 1900.—Laid on the table and ordered to be printed. Mr. GROSVENOR, from the Committee on Ways and Means, submitted the following adverse report. [To accompany H. J. Res. 181.]

The Committee on Ways and Means, to whom was referred House joint resolution 181, by Mr. RICHARDSON, to admit free of duty sugar, molasses, and everything entering into the manufacture of sugars from Porto Rico and Cuba, report the same back to the House and recommend that it lie on the table.

That was not so broad as is this bill. I will say that this report was made by Mr. GROSVENOR, of Ohio, who is still a Member of the other House.

This measure is one of a series of measures looking to the same result. The first was an effort during the progress of the Porto Rican tariff bill, so called, in the Senate to place on that bill an amendment restoring to persons who had paid tariff taxes upon commodities entered at the port of New York and elsewhere in the United States from Porto Rican ports the amount of duties so paid to them. The amount covered by the amendment offered by the Democratic Senators to the Porto Rican bill in the Senate on sugar and molasses was estimated to $[illegible], as appears by the report of the Secretary of the Treasury, and had that amendment been placed on the Porto Rican bill and become a law the following persons and firms would have received the benefit of the sums of money below indicated:

I desire to have the table go into the RECORD, but I do not care to read it in full, as it would take too much time.

The PRESIDING OFFICER (Mr. MCCREARY in the chair). Does the Senator desire it printed in the RECORD?

Mr. TELLER. I desire the table to be printed. I shall only read a part of the report, but I ask that it all may be inserted in the RECORD.

The PRESIDING OFFICER. The Senator from Colorado asks that the matter referred to by him may be printed in the RECORD without reading. Is there objection? The Chair hears none, and it is so ordered.

The table referred to is in full as follows:

Name of firm.	Amount of duties.	Name of firm.	Amount of duties.
American Sugar Refining Co	$937,561	D. A. De Lima & Co	$10,624
A. S. Lascelles & Co	513,223	Gustave Preston	9,196
Cornelius & McDougall (Limited)	103,065	A. A. Yatable & Son	[illegible]
L. & W. P. Armstrong	[illegible]	A. M. [illegible]	7,[illegible]
G. Amsinck & Co	32,114	Fussig & Co	4,[illegible]
B. H. Howell, Son & Co	30,224	Bowerbank & Co	3,687
H. Beste	28,044	Moses Rose	3,[illegible]
Marwood & Co	15,667	Naylor, Armstrong & Dessau	2,231
Lawrence Turnure & Co	14,775		
John Farr	11,601	Total	1,487,8[illegible]

Mr. TELLER. The report then proceeds:

It will be seen by the foregoing statement that the American Sugar Refining Company and A. S. Lascelles & Co., a part of the same concern, would have received a gross sum approximating $1,300,000. This would have been a direct gift from the public Treasury to the sugar trust of that sum of money, and would have been the first successful effort to appropriate money directly to a trust.

Mr. President, I will stop here long enough to say that that effort did not succeed, and this very likely may, and, if so, this will be the first successful effort to take money out of the Treasury to pay it to a trust if the present conditions exist, which I believe do exist, with reference to this question.

The report continues:

Following that abortive effort came this resolution, and if this resolution should pass it would mean that the American Sugar Refining Company would be entitled to have all sugars and molasses and sugar machinery imported into the United States from Cuba and Porto Rico free of duty. The gross sum of money to be paid to Porto Rico would be something like $[illegible] for the year, and would not be a correct statement of the sum of money, but when there is an [illegible] to the free list of the country the products of Cuba [illegible]

Following is a table of the imports of molasses and sugar dutiable from those two places, and the entire importations from all countries classified in proportion [illegible]

Imports of molasses and sugar, dutiable, year ended June 30, 1899.

[Quantities in pounds.]

Articles.	Total, United States.		Cuba and Porto Rico.	
	Quantities.	Value.	Quantities.	Value.
Molasses ..... galls	5,806,256	$739,084	5,077,706	$690,399
Sugar, not above No. 16 Dutch standard:				
Beet	723,326,352	15,299,997	.....	.....
Cane	2,731,868,574	60,714,089	770,346,000	18,907,773
Sugar, above No. 16 Dutch standard	62,745,763	1,692,951	5,427	759
Total	3,517,860,689	77,696,437	770,351,427	18,907,932

Cuba and Porto Rico furnished 24.5 per cent of the total importations of cane sugar imported in quantity, and 21 per cent in value.

The average rate of duty on cane sugars not above No. 16 Dutch standard was equivalent to 74.61 per cent ad valorem, and the total amount of duties collected on such sugar imported from Cuba and Porto Rico in the year ended June 30, 1899, was $14,090,801.11. The average rate of duty on sugar above No. 16 Dutch standard was equivalent to 77.7 per cent ad valorem, and the total amount of duty on such sugar imported from Cuba and Porto Rico in that year was $[illegible]. $14,090,801.11 + $[illegible] = $[illegible], the value of Mr. Richardson's proposed yearly gift to the sugar trust, calculated on the importations of 1899, which, of course, will steadily increase from year to year.

By this it will be seen that "Cuba and Porto Rico furnished 24.5 per cent of the total importations of cane sugar imported and 21 per cent in value," and that to now place these commodities upon the free list of the country would, if the same amount of sugar and molasses should be imported during the current year beginning July 1, 1900 and running forward, give to the importers of sugar and molasses something like $14,000,000. This would be a free gift from the people of the country, and measures the value of the proposed yearly gift to the sugar trust, calculated on the importations of 1899, which, of course, will steadily increase from year to year.

There is probably no commercial combination or trust with a more thoroughly well-organized and self-defending capacity than the American Sugar Refining Company, and it must be borne in mind that there is no sugar refined in Cuba, or if any, only the merest trace of small quantity, and that all cane sugar unrefined that comes from that country or subsequently out of it, is received and refined by the American Sugar Refining Company, or perhaps, one of the kindred organizations which were stated by the great manager of that company to be "under the same umbrella" with the sugar trust.

The tariff of 1897, so far as relates to sugar and molasses, was intended to be both a revenue producer and a matter of protection to the beet sugar industry of the United States. To now remove that protection would be a fatal blow to that valuable and growing industry, and would strip the Treasury at once of one of its most productive sections of revenue, and the sole effect, so far as immediate and great gains to anyone, would be to hand over to a great corporation, now enjoying enormous prosperity, a degree of aid and assistance in accumulating larger wealth that would shock the conscience of the American people.

There is to your committee no conceivable good that could come of this scheme. It would not benefit the consumer, for it would not stimulate the refining of sugar in the United States. It would take from the people of Porto Rico the small protection they now have, in the 15 per cent duty on their sugar now going to them, and it would bring into immediate contact and competition with American sugar of the United States and the best sugar of the United States the cane product of the island of Cuba. There has not been any law enacted upon the product of that island and American money, American management and American machinery will doubtless make of that island almost one undivided cane-sugar plantation, and the possibilities of its competition with the cane sugar of the United States is almost beyond estimate, and we think that to turn over the sugar producers of the United States to the devastation of this product, when the sole interest and result would be to enormously enrich the great corporations now holding practically monopolistic control of the manufacture of sugar, would be an act and measure of injustice, and we therefore recommend that the joint resolution do not pass.

The annexed official report from the Secretary of the Treasury exhibits the immense profits from the corporations who paid the duties upon goods imported from Porto Rico and the sum paid by each. These are the funds which were the subject-matter of the proposition to refund to those who paid the same.

That is from the Republican party in the House of Representatives three years ago. Who is responsible for its change on the subject of reciprocity?

Mr. President, that report refers to American capital in Cuba. I stated yesterday that there was $80,000,000 of American capital in Cuba. The Government of the United States has published a document called "Commercial Cuba in 1903." It would be a very valuable statistical publication if it were not for the fact that the author of it seems to think he is bound to exploit some particular political or economic views. So he becomes the advocate of a reciprocity system. I shall try to show that he has misrepresented the facts, either through ignorance or intentionally. I do not know which. My own judgment is that whenever a statistical statement comes from the Treasury Department, or any other Department of the Government, it should be nonpartisan and not calculated to exploit any political or economic view. I read from page 381, if any Senator desires ever to look at it:

The intimate commercial relations between Cuba and the United States have [illegible] to be [illegible] both before and since the achievement of its independence. This tendency means much strengthened during the period of intervention, and is believed to be increasing [illegible] of Affairs to [illegible] Supplied the [illegible] of the [illegible] Review of Reviews of August, 1902, from which the following quotations are made.

I think there are some gentlemen here who know Mr. Robinson, and that he is a reliable man in this matter; at all events, the Government has indorsed his statements by putting them in an official document. This is Mr. Robinson's statement:

In 1894, the year preceding that of the insurrection, it was estimated that some [illegible] of American money were invested in various properties and enterprises in the island of Cuba. During the war period there was little or no increase of that amount. The estimates for the present time are in the vicinity of $80,000,000.

I want to stop here to repeat what I said yesterday, that when this matter was before the Committee on Relations with Cuba the Habana Club, composed of Americans, as I understand, telegraphed that nearly $80,000,000 of American capital was imperiled by our failure to pass that bill.

It is impossible under existing conditions to obtain exact figures, but this [illegible] be presented as a fair approximation of American investments in Cuba at the present time. A part of this sum is represented by the holdings of [illegible] investors, a part by the property of native-born Cubans who have become American citizens by naturalization, though their property

and their homes are in the island, and a part shows as the possessions, generally small in amount, of Americans who have gone to Cuba for permanent residence and business. * * *

The railway and development scheme of the Cuba Company, in which English and Canadian capital is associated with American capital, will open to settlement and productive cultivation an area, hitherto little more than a vast wilderness, of 12,000,000 to 15,000,000 acres of the richest land in one of the most favored spots on the surface of the globe. * * *

I wish to say that the president of that company wrote a letter to the chairman of the Cuban Committee, in which he stated that they had bought 150,000 acres of that cheap land. He did not give the price, but I will venture to say that he did not pay above $3 an acre for any acre of it—

The total of American investment in Cuban sugar production is to-day [illegible] not far from $[illegible] [illegible] American capital [illegible] Americans who have [illegible] sugar [illegible] the United States [illegible] the Spanish connection. * * *

The enterprises named [illegible] prospectus [illegible] Santiago into [illegible] bonds issued by American capital, represented by Messrs. Reed and Chapman, and [illegible] * * * The Spanish-American Iron Company [illegible] American money. * * *

In several instances [illegible] Americans have bought [illegible] large and extensive [illegible] for the cultivation of oranges, pineapples, and vegetables. * * *

Mr. President, there is some more of this, but it refers more particularly to the communications which have been made in the tobacco business than to sugar. I think I will read some of it, nevertheless, because tobacco is included in this generous proposition of ours:

Nearly three years ago the Henry Clay and the Bock & Co. tobacco [illegible] combined, [illegible] a [illegible] of [illegible] and [illegible] other factories. The capital was [illegible] [illegible] known as the Havana Commercial Company. The [illegible] of the factories which had not been included in the Henry Clay and Bock & Co. combination. Both of these [illegible] cigars which they purchased. During the month of May last [illegible] the American capital [illegible] Vuelta Company. It was [illegible] its capitalization provides for [illegible] Cuban Bank corporation, the Havana Commercial Company, and the Cabanas factory. [illegible] of the most important of the Cuban cigar and tobacco factories. * * *

That will throw some light upon the anxiety of certain people in certain quarters to secure this concession.

The last tobacco business [illegible] American capital. * * * A few American [illegible] tobacco [illegible] and engaged in the cultivation of [illegible] tobacco [illegible] Havana [illegible] tobacco [illegible] known as the Havana Commercial Company. [illegible] of the factories which had not been included in the Henry Clay and Bock & Co. combination. Both of these [illegible] cigars which they purchased. During the month of May last [illegible] American capital [illegible] Vuelta Company. It was [illegible] its capitalization provides for [illegible] Cuban Bank corporation, the Havana Commercial Company, and the Cabanas factory. [illegible] of the most important of the Cuban cigar and tobacco factories. * * *

That will throw some light upon the anxiety of certain people in certain quarters to secure this concession.

Americans have gone to Cuba with various minor interests representing in the aggregate several millions of dollars. These have met with very [illegible] success. A few have gone into [illegible] lines. * * * American [illegible] opened to them [illegible] American real-estate agents [illegible]

Cuba should not be considered as a great field for legitimate enterprise [illegible] Americans [illegible] to go to Cuba. [illegible] as he should and would at home [illegible] tutes good or even [illegible] * * * [illegible] For years sugar and tobacco have been [illegible] access to the American market [illegible] Many very promising [illegible] of large or small capital. * * *

Mr. President, that is a conservative statement, and it supports the declaration I have made here as to the condition of Cuba and the claim I make that it is not necessary that we should go to its relief now or any other time—that it can and will take care of itself.

I wish to call attention briefly to the statement made by the statistician where he did not see fit to cite any authority, but forms his own conclusions and gives them to us. On page 380 of his document from which I have just read he refers to the reciprocity business, and then he goes on to say:

It is observable, therefore, that the total trade between Cuba and the United States [illegible] the reciprocity [illegible] and that after the termination of that arrangement it descended to less than [illegible] 1895.

Mr. President, that statement is correct. The reciprocity arrangement was put into operation in 1892 and expired in 1894. During that time the exports from Cuba to the United States very materially increased, and to a very limited extent, but nothing in proportion to the increase of her exports, our exports to Cuba increased. In 1890 the imports into the United States from Cuba were $83,000,000, while our exports to Cuba were $13,000,000. The imports and exports were $66,886,000. That is the trade with Cuba to which he refers. That is a very large trade, or a considerable trade, but when you take into consideration the fact that out of the $66,886,000 we sold only about $13,000,000, it is not so very valuable a trade to us after all. There was a balance of trade against us that year of $40,717,000. It is true that in 1893 the whole trade had risen to nearly $103,000,000, or in exact amount to $102,864,204. It was made up in this way: Seventy-eight million, seven hundred and six thousand, five hundred and ninety-four dollars were imports from Cuba into the United States—imports on our part and exports on the part of Cuba. The exports from the United States to Cuba were $24,157,698. That left a balance of trade against the United States of $54,548,896. So we had a greater balance of trade against us under the reciprocity arrangement than we had when we did not have any reciprocity.

It is also true that the total trade in 1895 reached $85,000,000—to be exact, $84,704,428—a total very nearly equal to what is here stated. Cuba sent us $62,942,790—practically $63,000,000—and we sent Cuba $21,000,000, and there was that year against us a balance of trade of forty-one million and some thousands of dollars. So the balance of trade was greater against us when we had $85,000,000 as the whole trade, the imports and exports, than it was when it was $67,000,000.

Mr. President, I have said so much about the richness of Cuba that I have thought perhaps I ought to [illegible] I was in calling attention specifically to what Cuba can do. I have already said, and the report I read from the House declares the same thing, that Cuba's ability to raise sugar is practically unlimited. It is [illegible] She can raise the world's sugar if she could sell it. She can not, of course, furnish all parts of the world with sugar, and so it will probably never be a fact that she will raise all the sugar that is consumed in the world, but she can raise it.

I wish to call the attention of my friends from the South to the fact that Cuba has never been a cotton-raising country. Cotton grows wild in Cuba. You can see it growing on the roadside. It is a weed. You can see it growing in the woods if you go there. She can and will, if she is allowed to go on and exploit her sugar, when she reaches the possible market in this country, turn her attention then [illegible] to raising cotton, especially if she is allowed to grow, as she will, under the bill that is now before the Senate and this treaty, and do her work with Chinese labor, as she did some years ago. She will be able to produce sugar so cheaply that no other part of the Western Hemisphere can produce it in competition with her.

Now, Cuba need not raise sugar alone. She exported last year [illegible] of tobacco, an export of tobacco alone that was practically a per capita export equal to our per capita export of all the exports from the United States. I do not want to stop to read it, but on page 384 of this report there is what is entitled "Proposed cultivation of sea-island cotton." This is the report of a special agent who was sent to Cuba by the Department to find out about the cotton business. [illegible] sea-island cotton is the most valuable cotton raised, and in Cuba, instead of planting it every year, the sea-island cotton can be allowed to grow four or five years. The only trouble with it, the expert says, is that it grows so high it would be difficult to pick; but he thinks that could be remedied by topping. I ask that this may be inserted in the RECORD.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none.

The matter referred to is as follows:

PROPOSED CULTIVATION OF SEA-ISLAND COTTON.

[illegible] cotton is being [illegible] the following report [illegible] Agricultural [illegible] the suitability of land in Cuba for [illegible] more clearly explain the possibility of a great industry [illegible]

[illegible] 1902.

After extensive examination of the farm lands in Pinar [illegible] to ascertain [illegible] to be suitable [illegible] tobacco [illegible] Western [illegible] being merely [illegible]

[illegible] sugar [illegible] Southern [illegible] proposed [illegible]

I would estimate that there is timber and fuel in sight for many years' supply.

I found cotton growing wild in the woods, without any cultivation, rich in [illegible] and full of open cotton and grown bolls. These [illegible] Cuba [illegible] of the year [illegible] and they would thrive much better [illegible]

On my visits to neighboring farms in the island I have seen tame sea-island cotton planted, [illegible] imported from [illegible] to four hundred and twenty-one the plants appeared then. Plants two weeks old were from 6 to 7 inches high; those four months old were from 4 to 6 feet in height the latter were covered with all the fruit that [illegible] good bolls, some grown bolls to small bolls, averaging eighty bolls and [illegible]

[illegible] a year's [illegible] a plant only four months old, I hesitate to estimate what the crop would be from a twelve-months-old tree, as the rapid increase

in the size of the stalk would cause it to bear much more fruit toward the latter part of the year.

I should propose a conservative estimate at 500 mature bolls per tree for the first year and would judge that every crop will be better until after the third or fourth year.

This would give a result of 4 pounds of seed cotton to the stalk in a year's growth [illegible] per acre.

[illegible] to bear full and do not shed the young bolls, as they do [illegible]

[illegible] and longer than the average sea-island cotton in the United States [illegible] with employment of a [illegible] in [illegible]

[illegible] this variety superior to our east Florida cotton, and would sell [illegible] 18 to 21 cents per pound. I believe that after the third year the [illegible] so that the cotton would get out of reach, but this [illegible] topping.

[illegible] clearing grounds early as December, and planting in [illegible] and May, hoeing up the land, placing the seed on the crests of the [illegible] alternating furrows between beds to drain off excess [illegible]

[illegible] necessary to cultivate and weed the ground frequently [illegible] to grow with [illegible] hoes.

[illegible] nothing was compared to what I have seen in Florida. I found our [illegible] caterpillars [illegible] I saw in Florida we had [illegible] of 1 tablespoonful of paris green to 1 gallon of water, and I should think the same treatment or perhaps a solution of the same poison, would exterminate the insects [illegible]

[illegible] plants in the island appeared to be attacked by the [illegible] in Florida, and I should judge the same equal [illegible]

[illegible] conditions in Cuba from every standpoint more favorable [illegible] and that with proper preparation of the soil careful [illegible] cultivation the sea-island cotton [illegible]

[illegible] variety in texture, and has a [illegible] than our best upland [illegible] on your [illegible] favorable to the [illegible] variety of long-staple cotton.

Mr. TELLER. It is impossible to say what population Cuba could sustain if she should put all her sugar land and her tobacco land and her cotton land in cultivation, but she could probably sustain a population greater than that of any two States in the Union to-day. I find in this document to which I have called attention an estimate made that it can sustain a population of 15,000,000. I have seen it placed very much higher. The island has an area of 45,000 square miles. It is a tropical country surrounded by the sea. It never has any frosts. There have been, occasionally, hurricanes, but that is the only thing, and they are not very disastrous there. It is the best tropical climate in the world for a white man to live in, so far as I know. It can be just as healthy, when proper sanitary appliances are in vogue, as any of our Southern Atlantic States. It can produce everything that the States can—rice, sugar, tobacco—and the tropical fruits which they can not produce.

That brings me to the suggestion which the Senator from Illinois [Mr. CULLOM] made in his speech that we could get some of the rice trade of Cuba. We import rice. We can not export it. We can not raise rice in competition with Cuba if Cuba undertakes to raise rice. So profitable has been the sugar and tobacco business that the Cuban has not given his attention to any of these other articles.

Mr. President, this year we exported to Cuba about $20,000,000. I have not been able to get the exact amount, because one branch of the Government gives one and another gives another, and that arises, I suppose, from the fact that the reports are not made upon the same dates. One may give you the calendar year and the other may give you the fiscal year. So sometimes there is a little confusion. But the chairman of the Committee on Foreign Relations said that in 1903 it was $20,000,000. I think it is a trifle over that. Of that amount $3,000,000, or within a shade of that figure, is free. That leaves about $16,000,000 of dutiable products that go to Cuba which will be affected by this bill.

Now, some things go there that they can never raise. One is flour. They will buy flour of us because they can buy it cheaper of us than they can anywhere else, tariff or no tariff. But of all the years I have been able to find the amount of American farm products which have gone to Cuba $5,000,000 is the highest. A pretty large proportion of that was in flour and corn and products of that character.

The chairman of the committee spoke of the shoe business. They buy a very large amount of shoes. They buy them of Spain. We do not make shoes in this country that they like. We could, I suppose, if we would make the kind of shoes they want, but we have not done it, and I do not suppose we will. The trade is not large enough to induce our manufacturers to do it.

I have a table here that I want to refer to, if I can lay my hands on it, showing that there is a very large number of things going into Cuba now from the United States; that we have the market under the present condition, and we shall not get a greater market or a better price.

Cuba bought in three years $20,000,000 worth of textiles, calicoes, sheetings, and various things, practically cotton goods. Of that we sold $2,400,000 worth. We have not got that trade, Mr. President; we can not get that trade, either. The calico and the cotton goods of all kinds which come from England are sold at a price at which our manufacturers can not sell them, if they tell the truth about what it costs to make them. We shall not get the shoe trade, we will not get the cotton trade, we will not get the woolen trade, and we will not get it because the people of Europe can undersell us with this reduction of 20 per cent.

If we were to make a reciprocity treaty with Cuba it ought to be made upon a commercial basis, and the Senate ought to know whether the claim made by the chairman is true that if we change the law we will get all the great trade he speaks of. I do not believe we will.

I assert that the reciprocity treaty we had with Spain for Cuba and Porto Rico for three years did not materially increase our exports to Cuba, certainly nothing in comparison with what the Cuban exports increased with us. We need not pass this law in order to get their sugar. They will bring it to us because this is the best market for it, and the only market they have ever had until recently. They have sent some sugar this year to Europe. They sent 5,000 tons at one time to England, and that may be the beginning of some business of that kind, although I am somewhat doubtful. Until we produce our own sugar we will buy of Cuba, tariff or no tariff.

Mr. President, there is one phase of this bill that I want to speak of, and then I shall quit, because the Senator from Alabama [Mr. MORGAN] proposes to take the floor, and I do not desire to drive him into the latter part of the day. There are some things that I shall reserve to pass in some way in the way of statistics. I do not want to do it this morning, because I can not look them over very well. I will do that when nobody else wants the floor.

Mr. President, there is one provision in this bill that the newspapers which have been anxious to secure the passage of the bill have endeavored to make the people of my section of the country believe would benefit them, and that is the provision that for the next five years this convention shall be in full force and we shall not change our tariff law so as to give any other nations in the world the benefit we are giving Cuba.

Is there anyone who does not know that such a provision has no legal weight? A writer on the power of Parliament, after declaring that Parliament had no limitations put upon it whatever—that it was a law unto itself—said, "However, Parliament can not bind the subsequent and succeeding Parliament, for it has been settled for many years that the last act repeals all acts contrary thereto." That has been the rule in this country. There is no legislative body in the world to-day that can bind its successors so that they may not exercise the functions that are given to them to make laws, and an important part of the business of laws is the repeal of laws. So that provision is simply ludicrous. That is all there is of it. It is put in there as a sop to the beet growers of the North and the West.

Mr. President, I wish to say that if anybody believes that the beet growers of Colorado can be fooled into believing that that provision is to their advantage, and that the Senate and Congress would not, whenever they took a notion, repeal it, he does not know the class of people who occupy the great beet belt of the West.

When the new chairman of the Committee on Ways and Means of the House of Representatives was discussing the Dingley bill in the House, he said, "This law will never be changed for twenty-five years." At the very next session that committee sent in a proposed change to that bill. And this is certainly a change in that bill. So I do not need to talk about that except to say that as a Senator here I will withhold my vote from any one however satisfactory every other feature may be in it, that contains such a ridiculous provision.

Mr. President, we have a great number of treaties with the so-called favored-nation clause. I suppose we have forty treaties. I looked the other day and I have forgotten, but there are as many as forty treaties which say to the people we are dealing with, "We will deal with you just as we deal with every other nation in the world. Your goods shall come into our ports on the same rate of tariff, subject to the same restrictions, and no greater than those of other people."

That is a solemn obligation the United States have made with the world, and to-day we are deliberately going to say to the world, "We withdraw that promise." What reason will you give? If you say, because it is our interest to have closer commercial relations with Cuba than with you, you admit then that you are ready to violate your pledge and plighted faith for the purpose of gain. If you say to the world that we are going to do this because Cuba needs our fostering care, you know and the world knows, that it is not true, and we will stand when that bill is

signed by the President of the United States before the world as the repudiator of our public faith.

It may be that in these modern times it is not worth while to attempt to maintain public rectitude and justice and right. I begin to think sometimes, when I see the administration of public affairs in this country, that probity and honesty and justice are to be applied to individuals and individuals alone. It is as important that the nation we represent here should be honest before the world as it is that any member of this body should be honest before his constituents. If there was some great pressing necessity, if there was something that compelled us now to withdraw from these treaties I have mentioned as containing the favored-nation clause, we might be justified in giving to one people some advantages we deny to others. But, Mr. President, if you are going to do it, the right and honest way would be to say to every one of them through the State Department, "We withdraw the pledge to give you equal rights with other nations; we can not do it now," and tell them why.

I should like to have some Senator attempt to write that diplomatic letter. I should like to see some Secretary of State who could go before the world and tell them that we were breaking our plighted faith with them and give them a good reason for it, or attempt to give a reason of any kind, because it can not be done.

Mr. President, I am going to allow the Senator from Alabama to proceed, if he desires, and some day I should like to put in a matter of, I think, public interest, some of the statistics I have gathered as to the product of sugar in the different parts of the world, etc., which I can do at any time during the morning hour or at any time when nobody occupies the floor.

Mr. MORGAN. Mr. President, if I had the opportunity of making in the lunch room the remarks I propose to submit to the Senate I would be feeling very comfortable. Inasmuch as I see the honorable chairman of the Committee on Rules in his seat, who stays through all these times of emergency, I beg to suggest to him to bring in a rule that at the conclusion of the morning business the Senate will be in recess for one-half hour, to enable Senators to take the necessary refreshments, and to then return to the Senate Chamber, if they choose to do so, for the purpose of conducting the business. But this way of conducting the business of the Senate of the United States with only two or three Senators in their seats is not complimentary to the country nor is it complimentary to our own rules. I think it ought to be changed; wisdom, common sense, and propriety suggest the change.

In my conception, Mr. President, there have been very few measures before the Senate of the United States that, considering the surroundings, the present attitude of the Government of the United States humanitarily and in its existing and proposed treaty relations, are so very important as the bill we are considering. We are in the habit of looking at it—we have been heretofore, at least—as a mere tariff act, the essence of which was the question of fair bargain in reciprocal arrangements of tariff duties. But this question reaches out, Mr. President, in the present situation into other realms of investigation that demand the most serious consideration of the Senate at this hour, as I conceive.

Mr. President, the commercial and industrial bearings of the bill before the Senate have been considered by Senators whose opinions and arguments are more impressive than any thing I could advance, or that would not be a mere repetition of what they have said.

This is especially true of the discussion by the Senator from Colorado, whose industry and candor have brought to light conditions in Cuba that are in startling contrast with the official and unofficial statements upon which this measure is based. For one, I thank him for his earnest work and his frank and courageous candor in exposing the falsehoods that have been dinned into our ears.

Some false pretense of benevolence for Cuba has been made to do duty as a mask to screen the secret work of the sugar trust and the owners of sugar estates in Cuba, who are putting up pleas of starvation in the name of those islanders, while they are robbing our people under the discriminative duties that are made virtually perpetual by this measure, the weeping of the crocodiles has nearly moved the whole country to tears.

Those gilded paupers are starving in palaces, far to the northeast, in the United States, and are working negroes and Chinese on their Cuban haciendas at what they assure us are starvation wages. So the starvation of the rich and the poor is the common fate of those who have died or must hereafter die of our benevolence.

There is another and far more important view of this measure that I wish to present, not in a mere metaphor, but in a most real and earnest statement of fact.

We are sending our argosies to Cuba bedecked with benevolent offers of trade reciprocity, and the skies are stormy and the winds are high. Everything around us is dark with the threatenings of danger, and Cuba must be in doubt as to whether our vessels are not, after all, to be a fleet of war ships.

I would caution them to be on the outlook for our pretended bounty brokers and the songs of the sugar sirens.

I need not tell this Senate that I am an honest and true friend of Cuba and that I watch its careful progress toward the highest honor and the most perfect independence that any state can possess—our statehood in the American Union—with earnest good will.

I need not tell Estrada Palma that I am a true friend of Cuba. That pure and noble patriot learned this when he and I worked together, day and night, to redeem Cuba from Spanish despotism. But I do not wish that honest Cuban to be deceived or to raise his hands to repel our overtures of pretended benevolence and utter from his quivering lips the warning to his countrymen, "Timeo Danaos et dona ferentes."

The situation in the Caribbean Sea, the Gulf of Mexico, and their coasts and islands is the most involved problem and the most difficult of interpretation, justification, and solution that is now presented to the people of the United States, who have the sole responsibility for its existence and the undisputed power to settle it. This situation bears directly on this measure.

The Senate, especially, in considering this measure and several treaties that will, for a great while to come, cast the die of the destiny of this most important group of islands and states, can not afford to be indifferent or subservient.

There is no enemy in sight, no threat of opposition, no power to oppose the policy of the United States in Cuba, Porto Rico, Panama, or even Colombia; we are, indeed, monarchs "whose will there is none to dispute."

Yet we seem to be almost paralyzed with the burden of the task set before us.

Within our own halls of legislation the quietude and indifference of repose environs us, and no tolerance is given to anything that disturbs our serene composure, to invoke such sentiments as national honor or duty.

We seem to be as free to choose between good and evil as our first progenitors were, and we are on terms as confiding as they were with the influence and power of the serpent. He is here; but we confide in his honesty and dream of safety in a supreme moment of danger to our country.

In our present attitude we certainly have the full and free opportunity to move without constraint, except as conscience may impose it, and duty requires us to move with deliberation, caution, and courage.

Our judgment is free from fear in respect of the harm we may do to others, for there are none who are powerful enough to call us to account, if there are any who have the boldness to challenge our action in the name of justice, truth, honor, or mercy.

This is the zenith of the power of the Grand Republic. It can rise to no higher empyrean, at least above this hemisphere.

In this lofty attitude we can prove the virtue of the Republic before the eyes of all mankind, or we can set its light as a beacon to warn coming generations that, even in the highest reach of power and advantage, this Republic—the cynosure of all eyes—is affected to the core with the sin of covetousness and is aflame with the consequent lust of power that is attended with the usurpations, tyrannies, and oppressions that have marked the course of the oligarchs and despots who have disgraced the history of other nations.

We must now choose between them. Whether we will stand on the firm foundations our Republican fathers established as an honest, sincere, self-governing, law-abiding, law-obeying, and God-fearing people I know not. We seem to quiver in the wind, doubtful as to our course.

For one, if I know the road that our fathers trod I will follow it. I will not willingly depart from it. So mean a temptation as a commercial advantage will not induce me to stain the honor of my State by giving my vote for measures that I know to be unjust to our people and are intended to perpetuate those wrongs indefinitely and irreclaimably.

Beginning with the President of the United States and descending to the poorest man among us, I know of but one rule that secures peace and justice to all the people and to each individual. It is that all alike shall render just obedience to the laws of the land.

Above all, for example's sake and for the sake of our oaths, this duty of obedience rests most heavily upon our sworn officers, to whom we have confided the great powers and duties established in the Constitution.

The one monster evil of the times is the general indifference to the duty of obedience to the law and a contempt for its mandates.

Our Supreme Court has had this subject before them for adjudication and, understanding the gravity of the matter, they thus speak of it.

The leading and conclusive authority on the question of the right of the President to set aside, disregard, ignore, or violate a law of Congress, or to act in any manner without the authority of law, is the great case of Kendall *v.* The United States, reported in 12 Peters. I will read from pages 610, 611, and 612 of that decision:

> Let us proceed, then, to an examination of the act required by the mandamus to be performed by the Postmaster-General; and his obligation to perform or his right to resist the performance must depend upon the act of Congress of the 2d of July, 1836. This is a special act for the relief of the relators, Stockton & Stokes; and was passed, as appears on its face, to adjust and settle certain claims which they had for extra services, as contractors for carrying the mail. These claims were, of course, upon the United States, through the Postmaster-General.
>
> The real parties to the dispute were, therefore, the relators and the United States. The United States could not, of course, be sued, or the claims in any way enforced against the United States without their consent obtained through an act of Congress by which they consented to submit these claims to the Solicitor of the Treasury to inquire into and determine the equity of the claims and to make such allowance thereon as upon a full examination of all the evidence should seem right, according to the principles of equity. And the act directs the Postmaster-General to credit the relators with whatever sum, if any, the Solicitor shall decide to be due to them for or on account of any such service or contract.
>
> The Supreme Court, in the case of Kendall *v.* The United States, reported in 12 Peters, 610, 611, and 612, in the opinion of the court, delivered by Mr. Justice Thompson, said:
>
> The first section of the act of July 2, 1836, provides that the Solicitor of the Treasury, upon the application of any person who may think himself aggrieved by any decision of the Postmaster-General, shall have power to hear and determine such complaint, and to make such allowance therein as he shall think just and equitable, and report his decision to the Postmaster-General, who is directed to credit such person with the amount so reported by the Solicitor, and to pay the same out of any money in his hands not otherwise appropriated. The fifth section provides that the Solicitor of the Treasury shall have authority to require the production of all such evidence as he may think necessary and proper to the due exercise of his jurisdiction, and to administer oaths to witnesses for the purpose of obtaining the truth touching any matter of complaint pending before him, and to do all other acts necessary to the performance of the duties assigned to him by this act.
>
> The fifth section of the act of 1836 gives a special authority to the Solicitor of the Treasury to require the production of all such evidence as he may think necessary and proper to the due exercise of his jurisdiction, and to administer oaths to witnesses for the purpose of obtaining the truth touching any matter of complaint pending before him, and to do all other acts necessary to the performance of the duties assigned to him by this act. It is under this authority that the Solicitor of the Treasury has assumed to issue his mandamus to the plaintiff in error. It is, of course, to be presumed that he would not have ventured on such a proceeding if he had not been of opinion that he had the authority to do so. It is, indeed, a strong exercise of power, and, if not authorized by the act, would be a usurpation of which the Solicitor of the Treasury would be guilty in the face of the express provisions of the act of Congress, which, in the 4th section, provides that the Solicitor of the Treasury shall have power to hear and determine such complaint, and to make such allowance therein as he shall think just and equitable, and report his decision to the Postmaster-General, who is directed to credit such person with the amount so reported by the Solicitor, and to pay the same out of any money in his hands not otherwise appropriated. The fifth section gives a special authority

In the utterances I have read from our Supreme Court is found a guaranty of the rights and liberties of the people against the unlawful assumption of power not granted by law under the Constitution that curbs the Chief Executive and compels him to obey the law. Even in cases where wrong and oppression reach forth a hand of superbleation and the victims cry out for relief the President must wait until Congress has given him the requisite authority before he can act. He does not make the laws. He only executes them, and he must obey them.

And in cases where his powers are given by direct grant of the Constitution, and include a wide discretion, if the law requires him to do a certain thing in the execution of its lawful command he must obey. He can not fall back upon a supposed discretion as a pretext to justify his disobedience.

All the power of the law is, in some cases, placed in the hands of the President by the express terms of the Constitution, but never otherwise than by an express grant. In such express grants of power he has correspondent discretion in their execution, but his discretion must be honestly and lawfully used. To compel this the President is liable to impeachment, after due trial, in a mode prescribed by the Constitution.

That power, in every sense a judicial power, stands over the President to enforce his obedience to the law of the land.

There was discussion in the House on this bill that is renewed in the Senate as to the power of the President and the Senate to enact a law in the form of a treaty that estops Congress from inquiring into its merits or its validity. As Congress can repeal any treaty, this discussion seems to be of little importance.

The one feature of the Constitution that has been claimed as giving a prerogative and uncontrollable power to the President is as follows:

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

On that subject I wish to read a very few extracts from some of the most important writings of our great statesmen in the United States, where they were acting officially as Secretary of State. In the letter of Mr. Evarts to Mr. Delmonte, February 19, 1880, he says:

TREATY POWERS—SIGNING A TREATY NO GUARANTY OF RATIFICATION.

Mere signing by the Executive of a treaty containing a clause for the appropriation in the usual form is no guaranty that the treaty will be ratified nor does the payment of money to the Executive act as a preliminary payment under such a treaty which is to become a source of public property and the Government of Italy [illegible]

I shall now read from Mr. Calhoun in his Discourse on Government, volume 1, page 201. In quoting from Mr. Calhoun, Mr. President, I do it with reverential regard for his great abilities and his absolute purity of heart and conscience. Others may not so esteem him on account of some acts in his career considered to have been rash, but there is not one shot upon the reputation of that great man which in the least affects any opinion that he ever expressed in his authority as a Senator on this floor or in his character as Secretary of State. He says:

THE TREATY POWER IS LIMITED BY THE CONSTITUTION.

The treaty-making power is limited by the provisions of the Constitution [illegible] It is also limited by the express provisions of the Constitution [illegible] examining the subject as from which decisions that no treaty could be made [illegible] Congress [illegible] the House of Representatives [illegible] a power of such importance [illegible] with reference to the great supreme powers of taxation, war and commerce and [illegible] power of which is inconsistent with the nature and structure of the Government.

In a citation by Mr. Evarts from Kent I find the following:

IF A TREATY REQUIRES ANY ACT WHICH CAN NOT BE DONE WITHOUT LEGISLATION, CONGRESS MUST LEGISLATE.

If a treaty requires the payment of money or any other special act, which can not be done without legislation, the Government [illegible] and, as it is the supreme law of the land, it must be obeyed. If that duty is not performed the result is the breach of the treaty on the nation, just as much as if the branch had been otherwise and by any other department of the union. The Constitution is responsible for the right working of the national system in which it distributes the sovereign functions and as foreign nations can not treat with it and be permitted to interfere with the control [illegible] are not to be affected or concerned by treaties to their own injury. [illegible] Kent, 1, 166-168. Heffter, 84; Vattel droit des gens, liv. iv, ch. 2 44, Martens, 8, 84.

That is the strongest statement, according to my examination and reading, that any person has ever made in favor of the doctrine that the Government is bound by a treaty concluded and ratified by the Senate in honor and in conscience to make the appropriations that are provided for in that treaty, it makes no difference how much Congress may consider that that treaty is out of line with our form of government and its antecedents, or how much they may believe it would injuriously affect the interests of our people.

I take the liberty of saying on my part that I believe it is perfectly true that in respect of every treaty enacted by the President and the Senate in concurrence with some foreign power, like the Republic of Panama, for instance, which is thereby made the supreme law of the land, Congress has got a conscientious right to say that any sum of money which you have promised must undergo investigation and scrutiny here just as if no treaty had ever been made, for we can deny the competency of one of the parties to this legislation to make supreme laws to govern the people of the United States. When you look upon the treaty power of a foreign country in that light, and come to measure up its moral, legal, or any other right to enact supreme laws to govern the United States, you can not be estopped by the assertion that the President, in his negotiations and his [illegible] of that authority or that government, has bound you to appropriate that money and recognize that government in spite of all its infirmities.

I read now from a German writer of great ability a commentary upon these features of our Constitution:

TREATY CAN NOT EVADE THE CONSTITUTIONAL PREROGATIVES OF THE [illegible]

That a treaty can not evade the constitutional prerogatives of the Legislature [illegible] degree of [illegible] from a writer in our own [illegible]

I quote this from page 26 of the Digest by Wharton on International Law:

Congress—

He says—

[illegible] as well as the [illegible] of the [illegible] to decide [illegible] Congress has the [illegible] of patents and of copyright. [illegible] by a [illegible] Congress [illegible] States would [illegible] itself to keep in the field an army of a [illegible]

[illegible] This right [illegible] by a treaty beyond the [illegible] on the credit [illegible] if [illegible] but this man[illegible] could be bound [illegible] by the [illegible] Senate, [illegible] an [illegible] majority of two-thirds.

I will insert in my remarks a few brief extracts from the Federal authorities and judicial decisions which it is unnecessary for me to read, in support of the proposition which I have just been discussing.

[illegible] Seward, Secretary of State, [illegible] emissions in a treaty any more than in a [illegible]

TREATIES RIGHTS COVERS ONLY THE RIGHTS WHICH EMANATED FROM [illegible]

A guaranty in a treaty of cession or vested rights in the ceded territory [illegible] (Hoes v. 9.)

[illegible] 16 How., 635.)

TREATY TO BE REGARDED AS AN ACT OF THE LEGISLATURE.

The words "confirmed by law" mean confirmation by the act of that power which [illegible] by treaty is a [illegible] as an act of the legislature, whenever it operates without the aid of a legislative provision. (Wharton's Digest of International Law.)

CONSTITUTION SUPREME OVER TREATY POWER.

The Constitution is to prevail over a treaty where the provisions of the one cannot be reconciled with the other. It would be [illegible] to find a tenable law [illegible] and [illegible] a treaty against to this proposition. (Mr. Marcy, Secretary of State, to Mr. Mason, Sept. 11, 1854.)

TREATY PROVISIONS ARE MUNICIPAL LAW.

The result of several late decisions in this country, as well as two, at least, of the opinions of the Attorney-General seem to lead to the conclusion that an act of Congress of a later date than a treaty, although in violation of its terms, must be obeyed as municipal law within the country, although in no manner bending on the foreign nation, and although it in no manner affords a substitute cause for a breach of treaty provisions. (Mr. Fish, Secretary of State, to Mr. Cushing, Feb. 18, 1874.)

This treaty-making power is the basis of every question that arises in the measure now before the Senate. It is also the basis of every governmental act of the United States that has been or is connected with our present relations with Cuba, Porto Rico, Colombia, and Panama, with all the vast consequences and responsibilities seen and as yet unseen that spring out of those treaty relations.

It is the power for evil or for good that has created conditions in respect of government and obedience to law that now so seriously threaten our relations with all Spanish-American states.

Time may not end until these results may be fully realized; and to Congress belongs their patient, honest, and just consideration and their final determination.

I repeat that conscience is now free to act on these conditions without any present apprehension of pressure or danger from any quarter to warp our judgment or to alarm our fears. In this propitious time it should not be said of us by posterity that we turned aside from the line of duty or honor to reap some tempting harvest of covetousness or to gratify the ambitious hopes of anyone, however powerful, or to obey the will and do the behests of some coterie or oligarchy that may combine to wield the powers or government in the Senate or in a political party.

The belief in the existence of such combinations in the Senate to which, if they exist, the President must be a party, is disclosed in a very extraordinary provision in this bill, as follows:

And provided further, That nothing herein contained shall be held as an admission [illegible] that the Congress of the United States does not possess the power to enact laws that shall have force and effect in said Island, and that the laws thereof shall continue in force until modified, amended, or repealed by the Congress of the United States, or until the same shall be superseded by the action of the legislative assembly of said Island, and that the laws of said Island can be changed otherwise than by act of Congress of the United States.

As an enactment this proviso is confessedly without effect. As a counter declaration of powers alleged to have been unlawfully assumed by the President and the Senate, as a treaty-making power, to originate revenue bills, it is of most significant importance, and illustrates some dangers I will presently endeavor to point out in the assumption by the President of treaty-making powers without the consent of Congress.

When a rebuke like this is given to the President by his political followers in Congress it can not be complained of that one not of his party in the Senate should inquire into other like abuses of power in matters of far greater importance.

The House made a timely and necessary protest against the Presidential abuse of the power to make the treaty mentioned in this act, but it should have had the grace to express this grave declaration in a concurrent resolution, so as to save the President the humiliation of being forced to sign his own condemnation or else veto the bill.

If this censure stood by itself I would vote for it, because I believe it to be both just and timely. It will have to be extended in time to other measures cognate to the one before the Senate, that seem to be kept in the background until this bill is disposed of, if Congress still insists upon asserting its rightful powers of participating with the President and the Senate in making treaties that are not completely self-executing and must have the help of Congress before they can become the supreme law of the United States.

The President and the Senate, as the legislative enactors of the supreme law of the United States, in conjunction with foreign powers—some of them very disreputable—seem to have taken a fright at our National Legislature, and exclude it, when possible, from the jurisdiction of Congress. It may not be convenient now to have this story repeated, but no Administration measure has ever had such a race for life as this Cuban scheme. If the American owners of sugar estates in Cuba and the sugar trust had not united to force this benediction on Cuba, its foreordained death in the House of Representatives in the Fifty-seventh Congress would have ended it.

But the treaty-making power was applied to for the enactment of a reciprocal revenue bill as the supreme law of the land, and the leaders of the Senate could not refuse the opportunity to exercise absolute power, and they, with Cuba and the President, originated a law to tax the people. It is here, slightly disfigured in this bill, with crepe on it. The Committee on Foreign Relations assumed it to a ward in the hospital for weak republics. The Committee on Foreign Relations and the chairman of the Finance Committee, remembering his great minority report on the Hawaiian case, concluded that it was his business to stand aloof and let its new nurses take charge of this bill. So it came back to the Senate from the Committee on Foreign Relations, the first tariff bill that ever was considered there, so far as I know.

Before further proceeding to discuss the features of this bill that affect very seriously our municipal or domestic relations or policy I desire to call attention to some projects of treaty making and legislation, now in process of completion, that may, and I believe will, compel Cuba to refuse to make provision "to give full effect," as required by this act, "to the articles of the convention between the United States and the Republic of Cuba" of the 11th of December, 1902. These difficulties have grown out of conditions that Mr. McKinley never contemplated and had no agency in creating, and which he would have spurned, when he offered reciprocity to Cuba.

Cuba, it seems, is still at liberty under this act to refuse to give full effect to its operation, as no time is fixed for her consent to the act so that it can become an operative law, binding on the revenue officers of both Governments.

Our act of Congress, if this bill passes, will be in a state of suspense during the five years, "in nubibus," as the lawyers phrase the situation. It can not be made effective within our own country until Cuba has accepted it. We postpone all our benefits and advantages that are supposed to result to our people from this act to await the pleasure or the adroit policy of Cuba to force us to make concessions to her on still other policies that are in course of arrangement.

I refer to the Pine Island treaty and to the general treaty required to be made by the Platt amendment.

No time is fixed in this bill within which Cuba is to do anything toward making it effective or operative.

Our only hope of having the benefits of this act of the "benevolent assimilation" of tariff laws is the resort by the President to the strategic dissimulation that has won him great notoriety in his substitution of the Army and Navy, and of his strenuous will and the facile subordination of his followers, under the precedent of the contemptuous disregard of the law known as the Spooner law, in his dealings with canal questions.

This clause in the bill under discussion may turn out to be a Spooner bill clause, to be obeyed or disobeyed, at the will of the President. I will quote it:

That whenever the President of the United States shall receive satisfactory evidence that the Republic of Cuba has made provision to give full effect to the articles of the convention between the United States and the Republic of Cuba signed on the 11th day of December, nineteen hundred and two, and shall have duly ratified the same, he shall issue his proclamation stating that he has received such evidence, and thereupon, during the period of time and subject to the conditions of such convention, and so long as the United States shall be entitled to the benefits of such convention, the following articles shall be imported into the United States from the Republic of Cuba and shall be exempt from all duties imposed by law on the importation of the products of the soil or industry of the Republic of Cuba which are now imported into the United States free of duty, namely: [illegible] and shall be admitted upon the payment of duties hereinafter provided, namely: [illegible] or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of 20 per cent of the duties of duty thereon as provided for the tariff act of the United States approved July 24, 1897, or as may be provided for any tariff act of the United States subsequently enacted. The rates of duty herein provided for the United States in the tariff act of Cuba are and shall continue during the term of said convention preferential in respect to the imports from other countries.

Cuba may conclude that there is a Spooner-bill clause in all our acts of Congress relating to the Spanish-American republics that even sanctions the repudiation by the President of any clause in an act of Congress while confirming other clauses, and may hasten to do what is required of her, and thereby avoid a visit of our practice fleet, now in southern waters.

By acting promptly, Cuba may still enjoy the hollow mockery of being a free, sovereign, and independent State for a season. If she delays her action on this measure, she had as well cast her proud titles into the sea and confess the simple truth that she is only a dependent province of the United States, under the Platt amendment to a very suggestive army appropriation bill.

Cuba's independence is now fettered with ropes or chains that bind her to the decks of our war ships, as the air ship of Professor Langley is fastened to the deck of his house boat.

The simile will become instantly accurate, as well as apt, if Cuba ever attempts to sift herself into the atmosphere of actual independence by claiming "a reasonable time" within which she will consider the interests and welfare of her own people as to this measure.

With a Platt amendment to define and limit her sovereignty and independence, and a license of interpretation and repudiation, such as the President has exercised under the Spooner law, and with the Navy under his orders as Commander in Chief, with no acknowledged responsibilities, how long can Cuba be indulged in the consideration of the question, whether she will conform her tax laws to the requirements of this bill?

Why should we accord this privilege to Cuba, without limit of time, and keep our commercial relations with that great island in a state of doubt and anxiety until she sees proper to ease this very dangerous and distressing situation by her acceptance of the provisions of this bill?

What reliance have we for a settled basis of trade with Cuba if Cuba is really free to deliberate on the acceptance of this law

before she consents that it shall become operative, here and in Cuba?

I will state the only reliance we can count upon to compel Cuba to come to terms: It is Presidential coercion!

If this was not the reliance of the statesmen who framed this bill in the House of Representatives, they would not have omitted, deliberately or carelessly, to fix a period at which the consent of Cuba should be given, that the full, effectual, and reciprocal operation of this law should be complete.

I am driven to the conclusion, therefore, that those eminent statesmen knew what they were doing when they framed this bill and passed it under the coercion of a rule of the House and how it would be enforced if Cuba should prove to be recalcitrant. They must have looked to a Panama intervention as the quickest and most certain means of enforcing our rights under the treaty mentioned in this bill.

They knew, at least, that come what might they were adding a new jewel to the crown of imperialistic powers that the President has assumed and is inscribing on the banners of the Republican party as its "bright particular star." This was glory enough for one day.

If Cuba does not act promptly, Cuba must be compelled to act. A "reasonable time" is all that can be allowed her, to be determined by the President, with his elastic standard, although no time is mentioned in the law. If she does not act promptly, the President will repeal the law, or a clause of it, at his option, and proceed to enforce his will, as he repealed clauses in the Spooner bill on a pretext that is not even plausible. His party can rely on him to have his way and he can rely on them to obey his will, so a happy harmony is certain to prevail under their recent adoption of the old maxim that "where there is a will, there is a way."

In respect of the importation of competitive sugar from Hawaii and the Philippines, Cuba is now protected by the railroad rates of freight across the continent and by the discriminative rates of freight now in force on the Panama Railroad. These rates are quite equal to the reduction on sugar and other products which are common to all these islands that is provided for in this bill.

This may all be changed in a trice, and it will be changed if the Senate shall ratify a treaty with Panama which is reported as being on its way to this capital.

The grotesque character of that treaty will not deceive Cuba into the belief that it is impossible of ratification by the Senate or that Congress will not give effect to it by necessary legislation, whatever may be the cost to the people of the United States.

When Cuba considers the tragic solemnities that have attended the birth of the Republic of Panama, and the fact that that Republic has already sent her a secret diplomatic agent, she will not regard this treaty as a ludicrous act in a French vaudeville, but will look carefully into its provisions and will quickly discern its disastrous effects on the cut we are offering her in this bill on sugar and other native productions of her islands.

That the Democrats in this body and elsewhere may not become a party to the deceptive offer of benevolence we are supposed to be making to Cuba in this bill, and that Cuba shall never have occasion to charge that party with bad faith, I will read to the Senate a copy of the treaty which was to be sent to Congress with the President's annual message on the 7th of November, 1903. I give it as it was printed in the New York Sun of November 21. The treaty sent in with the message of the President on yesterday seems to have been placed in the secret archives of the Senate and has not been printed for public use.

Mr. CULLOM. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Illinois?

Mr. MORGAN. Certainly.

Mr. CULLOM. The treaty was submitted to the Senate in executive session, ordered printed, and referred to the Committee on Foreign Relations, where it is now.

Mr. MORGAN. Is it a public document?

Mr. CULLOM. It is not a public document.

Mr. MORGAN. That is what I was saying.

Mr. CULLOM. It was ordered printed in secrecy.

Mr. MORGAN. I am in a public assemblage here, not in a secret conclave, and I am compelled to go upon such information as has been given to the public.

Mr. CULLOM. Do I understand the Senator to say that he is about to read from the New York Sun and not from the treaty?

Mr. MORGAN. I shall read from the New York Sun. I do not know what the House has done with this document that the Senate seems to regard as an executive or confidential communication. So I must take the Sun's copy as being correct, as I have no doubt it is. I have that copy here. It is lengthy. I wish to be excused from reading it because I shall make comments upon some portions of it which will appear in quotations in my remarks. I should like to have the opportunity of inserting it in my remarks without the labor of reading it just now.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Alabama.

The matter referred to is as follows:

[The New York Sun, Saturday, November 21, 1903.]

CANAL TREATY TEXT—SOVEREIGN RIGHTS GRANTED OVER ISTHMIAN STRIP—FREE PORTS AT EACH END—CITIES OF PANAMA AND COLON NOT INCLUDED IN THE GRANT—THE UNITED STATES GUARANTEES THE INDEPENDENCE OF THE NEW REPUBLIC—CANAL TO BE NEUTRAL—PANAMA TO GET $10,000,000 IN CASH AND $250,000 A YEAR AFTER NINE YEARS—WILL LEASE OR SELL US NAVAL STATIONS IF THEY ARE DESIRED—PROVISION FOR SANITARY REGULATIONS.

WASHINGTON, *November 20.*

Following is the treaty between the United States and the Republic of Panama for the construction, maintenance, operation, sanitation, and protection of a ship canal across the Isthmus of Panama, and the usual conditions, and granted in perpetuity of a zone of land through which the canal will pass, signed at Washington on November 18, by Secretary of State Hay for the United States and Minister Bunau-Varilla for the Republic of Panama:

The United States of America and the Republic of Panama being desirous to insure the construction of a ship canal across the Isthmus of Panama to connect the Atlantic and Pacific oceans, and the Congress of the United States of America having passed an act approved June 28, 1902, in furtherance of that object, a copy of which is hereto annexed, by which the President of the United States is authorized to acquire, within a reasonable time, the control of the necessary territory of the Republic of Colombia, and the sovereignty of such territory being authorized and required in the event of a contract being concluded with the Republic of Panama, the high contracting parties have resolved for that purpose to conclude a convention, and have accordingly appointed as their plenipotentiaries the President of the United States of America, John Hay, Secretary of State, and the Government of the Republic of Panama, Philippe Bunau-Varilla, envoy extraordinary and minister plenipotentiary of the Republic of Panama, thereunto empowered by said Government, who, after communicating to each other their respective full powers found to be in good and due form, have agreed upon the following articles:

"ARTICLE I. The United States guarantees and will maintain the independence of the Republic of Panama.

"ART. II. The Republic of Panama grants to the United States in perpetuity the use, occupation, and control of the zone of land and land under water for the construction, maintenance, operation, sanitation, and protection of said canal of the width of 10 miles, extending to the distance of 5 miles on each side of the center line of the canal to be constructed, the said zone beginning in the Caribbean Sea 3 marine miles from low water mark and extending to and across the Isthmus of Panama into the Pacific Ocean to a distance of 3 marine miles from mean low-water mark, with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities, which are included within the boundaries of the zone above described, shall not be included within this grant.

"The Republic of Panama further grants to the United States in perpetuity the use, occupation, and control of any other lands and waters outside of the zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said canal or of any auxiliary canal or other works necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said enterprise. The Republic of Panama further grants to the United States in perpetuity the use, occupation, and control of all islands within the limits of the zone above described and in addition thereto the group of small islands in the Bay of Panama named Perico, Naos, Culebra, and Flamenco. (See U. S. v. Reves, 9 How., 151, as to the definition of "property" in a treaty.)

"ART. III. The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in Article II of this agreement, and within the limits of all auxiliary lands and waters mentioned and described in said Article II, which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the entire exclusion of the sovereignty of the Republic of Panama of any such sovereign rights, power, and authority.

"ART. IV. As rights subsidiary to the above grants, the Republic of Panama grants in perpetuity to the United States the right to use the rivers, streams, lakes, and other bodies of water within its limits for navigation, the supply of water or waterpower or other purposes, so far as the use of these said rivers, streams, lakes, and bodies of water and the waters thereof may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said canal.

"ART. V. The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance, and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific Ocean.

"ART. VI. The grants herein contained shall in no manner invalidate the titles or rights of private landowners or private property in the said zone or in or to any of the lands or waters granted to the United States by provisions of any article of this treaty, nor interfere with the right of way over the public roads permitted by the said zone, or over any of the said lands or waters subject to the payment of compensation to the owners of private property thereon, or in any way affect the sovereignty or jurisdiction of the Republic over the said zone, or over any of the said lands or waters subject to the payment of compensation as aforesaid, or interfere with the exercise of such sovereignty or jurisdiction in such manner as not to impair the rights granted to the United States by the terms of this treaty, or to hinder the construction, maintenance, operation, sanitation, and protection of the said canal or of the works, structures, and properties to be constructed by the United States or of those in operation at the date of the exchange of the ratifications of this convention, and such rights, if any, shall be adjusted and settled by a joint commission appointed by the Government of the United States and of the Republic of Panama, whose decisions in each case shall be final and whose awards as to such compensation shall be paid solely by the United States. No part of the work on said canal or on the Panama Railroad or on any auxiliary works relating thereto, and authorized by the terms of this treaty, shall be prejudiced, destroyed, or impeded by or pending such proceedings to ascertain such damages. The appraisal of said private lands and private property and the assessment of damages to them shall be based upon their value before the date of this convention.

"ART. VII. The Republic of Panama grants to the United States within the limits of the cities of Panama and Colon and their adjacent harbors within the territory adjacent thereto the right to acquire by purchase or by the exercise of the right of eminent domain any lands, buildings, water rights, or other properties necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the canal, or of any work of sanitation such as the collection and disposition of sewage and the distribution of water in the said cities of Panama and Colon, which in the opinion of the United States may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said canal and railroad.

"All such works of sanitation, collection and disposition of sewage, and distribution of water in the cities of Panama and Colon shall be made at the expense of the United States, and the Government of the United States, its agents or nominees, shall be authorized to impose and collect water rents

[illegible]

of Panama agrees that the cities of Panama and Colon shall [illegible]

[illegible] any be imposed by the United States for the use of the canal or [illegible]

[illegible] either in transit or [illegible]

[illegible] of a personal char- [illegible] other indi- [illegible]

[illegible] lines when estab- [illegible] public and private [illegible] Colon or any other [illegible]

in the service of [illegible]

"ART. XII. Panama [illegible] ration and free access to the lands and [illegible] and to employees and all employees and workmen, [illegible] works upon or concerning said canal [illegible] connected with the said canal and its dependencies, with [illegible]

"ART. XIII. The [illegible] State may from time to time and [illegible] and [illegible] and [illegible]

respect of the possession, control, and sovereign ownership of either of those properties.

No political or juridical rights are reserved to the Republic of Panama in the canal zone. The only rights that are reserved are those of private owners of property within the zone, and these are expressly made subject to condemnation by the United States, in virtue of its right of eminent domain, which is granted by this treaty without reserve.

In this treaty there is nowhere reserved to the Republic of Panama any sovereign right or power, except in a way that is merely inferential and is only deducible by argument from the silence of the treaty. And this controlling fact applies to all the parts of the territory of that Republic except the 10-mile zone, in which the sovereignty of the United States is made supreme and that of Panama is excluded by the express language I again quote:

ART. III The Republic of Panama grants to the United States all the rights, power and authority within the zone mentioned and described in Article II of this agreement and within the limits of all auxiliary lands and waters mentioned and described in said Article II which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located, to the entire exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, and authority.

Language could not be stronger or more apt to make a perfect cession of that canal zone to the United States as a sovereign power.

Not only is this the effect of this cession, but it is also its distinct purpose.

If that treaty is ratified by our Senate, and if Congress enforces it by the proper and necessary legislation, it can not be questioned that the ownership and control of the Panama Railroad will be entirely under the jurisdiction of Congress.

Certain corporate rights of the Panama Railroad Company, under its New York charter, may be respected by Congress, but its present monopoly of the transit charges and tolls between the oceans will not stand for a moment after Congress gets hold of the matter. But the United States is not bound by this treaty even to respect those rights.

Cuba need not indulge the hopeless dream that Congress, in order to keep faith with her under the bill before the Senate, will continue the burden upon the productions of Hawaii and the Philippine Islands and upon all other commerce that is now imposed upon those islands and the United States by the exactions of the transcontinental railroads.

Only just rates will be permitted to be levied as tolls upon the commerce, which rates will be regulated by a cost of $23,000,000 as the price to be paid by the United States for the capital stock of the Panama Railroad.

This act of justice and public necessity is not prohibited by the bill before the Senate, and it will not be prohibited.

Hawaii and the Philippines will ship their productions and return freights across that Isthmus by rail at rates that will, probably, be lower than 5 mills per ton per mile.

Hawaiian productions will reach our eastern ports, and even Cuba, free of duty, and those of the Philippines will come with a rebate of 75 per cent of existing duties, while Cuba will get a reduction of 25 per cent on the rates of the Dingley law.

These new and hitherto incomprehensible conditions must enter into the question, whether Cuba will accept the measure now before the Senate.

If she accepts it, it will then be a fight for life against the competition of Hawaii and the Philippine Islands, to which I can not consent to be a party under any concealments that would do Cuba an injustice.

Whether this new condition, so disturbing to trade and commerce and to the good will of all Latin America, will be rushed through and consummated through the disciplinary forces of the Republican party remains to be seen, but we shall soon know how that is.

The forces at the back of this volcanic eruption are not supplied by the free will or deliberate judgment of the American people. They come from France.

They come loaded with an evil reputation that was earned by De Lesseps and his American committee, and has become a foul reproach, and has grown into an official character that damns the whole enterprise. This odious reputation given to the New Panama Canal Company in the preliminary and final reports of the Isthmian Canal Commission of which Admiral Walker was the president can not be eliminated or whitewashed by Presidential approval.

France suffered as no nation has suffered from these intestinal evils engendered by the Panama Canal Company, and she has looked on in silent but yearning anxiety that some favoring wind would drive its pollutions from her bosom to our distant shores.

As in the case of the disposal of the remains of dead lepers, she has employed living ones to transport them to the United States. The President has come to her relief.

She found her opportunity in the alleged birth of the Republic of Panama, at which he presided, and she seized it with eager grasp.

One of her citizens was made a minister plenipotentiary to the United States by a selected junta in Panama, that had no more right to appoint a minister to the United States than they had to consecrate a saint. He being in New York, was commissioned by telegraph, and at once appeared here and was recognized by the President of the United States when the Republic that he claimed to represent was less than ten days old. He came as a winged messenger of falsehood, and was dispatched on his mission by the Panama Canal Company.

It was this functionary in combination with the President that, the President says, settled definitely and irrevocably that the canal shall be built at Panama. A treaty is made by two legislative bodies, one foreign and the other domestic, that are parts of two distinct and sovereign governments. When thus made and ratified by two-thirds of our Senate, a treaty becomes the supreme law of the United States, and overrides the laws and constitutions of our States and all acts of Congress that are in conflict with it. A citizen of the United States and his property or liberties is no more in the way of a treaty than a mote on the sea is in the way of a steamship.

The treaty with Cuba, ceding the Isle of Pines, illustrates this fact. That treaty decitizenizes 300 American citizens and turns them over to the Cuban Government and flag. If Panama is a treaty power, the President and two-thirds of the Senate can agree with Panama, by treaty, to take the Nicaragua Canal route by force to avoid its competition with the Panama route, and could punish any man who should oppose it. I am not prepared to admit that Mr. Bunau-Varilla has any such power as this—to make supreme law for the United States—or that his annointment by the President has freed him from the moral leprosy which few have escaped, if any, who have served the Panama Canal Company as agent, contractor, or stockholder.

Three commissioners were sent by the junta that had created three consuls, called "prefects," who selected them as a commission to aid M. Bunau-Varilla to make the treaty I have read to the Senate.

Then France gave her official recognition to the Republic of Panama, and the funeral of Colombia's sovereignty in Panama proceeded, but not without a strong suspicion that she yet lived. If she was buried, she was buried alive.

But France made some conditions in advance of her act of recognition, without which she would still be a silent spectator at these obsequies. These were known to our Government.

I will read from the London Times of November 24, 1903, the official statement of this fine piece of diplomacy, as follows:

LATEST INTELLIGENCE—M. DELCASSÉ ON FOREIGN AFFAIRS.

[From our own correspondent.]

PARIS, November 23, 1903.

In the course of the debate on the budget for foreign affairs in the Chamber of Deputies this afternoon M. Delcassé, the minister for foreign affairs, made an important statement on some of the questions of the day. He began by congratulating himself on the circumstance that all the political parties had expressed their approbation of his conciliatory policy in foreign politics. The new procedure of giving the Chambers information of the proceedings in a large measure met with his full favor, which expressed itself more than words, and with the reserve which these functions imposed upon him.

In reply to the inquiry whether the Government had officially recognized the new State of Panama, he gave the following particulars: On the 3d instant, for reasons exactly which they were not called upon to express an opinion—

A day before the 4th and a day after the 2d—

as it was not for them to interfere in the domestic affairs of another country, the Department of Panama communicated that it was an independent Republic having received notification of that fact, and from the moment that the new Republic fulfilled the conditions necessary for the maintenance of order and security they had only to consider what advantage is offered from a French standpoint. They were not quite free from apprehension for a certain time.

For many months past it had been said at Bogota that the decision of the Colombian Government to grant an extension of six years from 1904 for the completion of the canal was contractual, and that in 1904 the concession would be declared to be forfeited. If that theory had an any consequences it certainly terminated it would never have received the sanction of France. The duties of the chief judge of the French executive to demand from the Government of Panama a preliminary declaration that all French interests, including the rights of the concession, would be respected. They had received the following formal and decisive assurance:

"The Republic of Panama solemnly, expressly, and definitely undertakes to safeguard French interests as much as possible and to interpret in the most liberal spirit the contracts concluded before November 3. Those contracts referring to the Isthmus include the transmission of sovereignty and hand the Republic of Panama. All these contracts are maintained, and particularly the contract prolonging the concession up to 1910."

M. Delcassé added that in these conditions all that remained for them to do was what as a matter of fact, had already been done by the Government of the United States, namely, to permit the Agents of France to enter into relations with all the agents of the new Republic of Panama.

There, Mr. President, is a tripartite arrangement, only two parties to which are disclosed in any communication which Mr. Hay has ever made to the people of the United States.

The commission sent by the junta at Panama, after a long sea voyage, had landed at New York and were en route for Washington

to participate in the negotiations, but the hurry for results was so great that no delay was tolerated, and the treaty was signed before they could reach Washington.

Without the help of the telegraph the Republic of Panama would now be a nonentity instead of being, as M. Varilla says it is, "the latest born" of the United States, and where he would be the imagination refuses to contemplate. France came next on the boards, with the strangled Monroe doctrine at her belt.

This treaty was in fact a pledge of the United States to France that we would make the "contemplated purchase" of the canal from the New Panama Canal Company and would pay for it. Has that contract been made? If so, why is it concealed?

This intervention of France would be an audacious attack on the Monroe doctrine if it had not been invited and provided for by the President in the treaty I have quoted.

When M. Bunau-Varilla presented his credentials from Panama to the President by telegraph, he boasted officially of his connection with the Panama Canal Company, as follows:

NEW YORK, *November 7, 1903.*
(Received 1.40 p. m.)

His Excellency JOHN HAY, *Secretary of State:*

I have the privilege and the honor of notifying you that the Government of the Republic of Panama have been pleased to designate me as its envoy extraordinary and minister plenipotentiary near the Government of the United States. In selecting for its first representative at Washington a veteran servant and friend of the Panama Canal, my Government has certainly sought to show that it considers a loyal and earnest devotion to the success of that most heroic conception of human genius as both a solemn duty and the essential purpose of its existence.

I congratulate myself, Sir, that my first official duty should be to respectfully inform you according to His Excellency the President of the United States on behalf of the people of Panama an expression of the grateful sense of American obligation to Her Government. In extending her generous hand so spontaneously to her kinsmen, being the mother of the American nationhood, assuming her noble mission as the liberator and pacificator of the peoples. In extending her protecting wings over the territory of our Republic the American eagle has sanctified it. It has rescued it from the barbarism of unconscious self-government, and gives it to the destiny assigned to it by Providence, the service of humanity and the progress of civilization.

PHILIPPE BUNAU-VARILLA.

M. Bunau-Varilla's connection with that canal company is further explained in the London Gazette of November 18, 1903, by an Englishman, who signs his name to the following letter:

G. P. O.—THE PANAMA MUDDLE.

SIR: I remarked in your special edition a telegram announcing the reception of Mr. Bunau-Varilla as minister of the Republic of Panama. Your readers will at once understand the gist of this extraordinary proclamation of a Republic of the State of Panama. The promoters of this coup d'état are all interested in the Panama Canal—past and future.

It is a venture with a taste of a comic opera. Mr. Bunau-Varilla, the quasi minister plenipotentiary and envoy extraordinary to the proposed infant Republic, is a petit Frenchman, educated partly in Germany and finally in France. He was a second-class engineer of the Ponts and Chaussées of France, and was nominated by the late Mr. Ferdinand de Lesseps in 1884, under the direction of the late Mr. James Dangler, director-general of the works in Panama, as section chief. He preferred, after a certain period of engineering work under his chief, to become associated with contractors. He contracted well and wisely, and left the Isthmus a rich man.

He must be of that glorious sixty, mentioned by Admiral Walker in his report, who had committed fraud against France until they were confined to the penitentiary and were pardoned upon the promise that they would build the new Panama Canal. I can not identify him, but I have a strong suspicion that he was of the "sixty" not named by that commission. This man seems to know a great deal about it.

His college comrade and director of the second canal company, Mr. Hutin, is the actual chief and president of the latterly canal company, who negotiated with Washington and Bogota the cession of their rights of a canal.

Everybody knows the phases and the assents of the present concession and its abortion. A second failure having taken place, the interested parties in France and on the Isthmus of Panama hatch a third-hooded nest in which the President of the United States seems to have fallen into the trap. They secretlize mercenaries to fight, and the interested group name Mr. Bunau-Varilla as their envoy to the Government at Washington. They have been unable to sell their concession to the United States and obtain the transfer from the Colombian Government. They wanted to sell the cake and eat it, but the Colombian Government did not exactly understand this process of selling and buying, as they wanted the lion's part of the cake.

The interested parties joined hands and immediately proclaim a republic similar to St Malin and send a plenipotentiary minister in the form of a French engineer and contractor to treat with President Roosevelt. It is a reputation of Lilliputy, Emperor of the Sahara, Auseim, King of Patagonia, and other bold buccaneers who fancy that they can strip a country of a province or department and proclaim an empire, kingdom, or republic. Why should not some Morgan or Kruger land in Essex and proclaim a sovereign state and appeal to the Sultan to recognize his independent republic? Is Colombia going to allow a piece of her territory to be lopped off by a foreigner? Avis aux amateurs!

TANKERVILLE CHAMBERLAIN.

LISBON, *November 10, 1903.*

I have a letter in my pocket, written to me by an engineer, a very able and splendid gentleman of our own country, when Mr. Bunau-Varilla made his first appearance in the United States as a stump orator for the Panama Canal. I do not propose to read it to the Senate, but I will furnish it to any Senator on the other side to let him see and understand how true this man writes from Lisbon.

I do not wish to make impressions or sensations upon the world, but I do wish to save this honorable Senate from the trap into which the President has been betrayed; and I have a right to do it if I can do it upon just grounds and with honest testimony. In some executive session of the Senate, when everything is concealed from the world except what they want to know, I will give the letter to the Senate. I can not do it right now.

Whatever France has done, or will do, in this matter will only be to shake off the bête noire of the Panama Canal that has so scandalized that Republic.

As the President of the United States, by a strange fiction of alleged international law, had created the Republic of Panama in a night, like Jonah's gourd, and had created its minister plenipotentiary by the breath of his nostrils, France, smiling at the witty conceit and its astounding legerdemain, accepted the situation and made a treaty with M. Bunau-Varilla, in which she stepped in to violate the Monroe doctrine, and the President said, "Amen!"

The treaty with France was that the Republic of Panama should recognize and enforce all the rights that the Panama Canal Company had derived from Colombia, and should give full protection to all the property claimed by that company on the Isthmus, and, further, that Panama should confirm the extension of the Wyse concession from 1904 to 1910.

A decree was made accordingly by the junta at Panama, and the agreement with France was confirmed. Thereupon France subscribed to the sovereignty and independence of Panama, but tied a string to it in the Hay-Varilla treaty.

Eaton and Burnside, who originated and passed through the Senate resolutions declaring such actions on the part of France to be unfriendly to the United States, slept on, in their forgotten graves, and the Senate seems to sleep on this breach of the Monroe doctrine, while the President and France again softly and reverently say, "Amen!"

I fear that all Spanish America, insulted as they must be by the thought that the Monroe doctrine is now only a convenience through which we invade those states while keeping European states aloof from the prey, will also join the chorus of "Amens" at the removal of that alleged obstacle to their perfect independence.

It was the demand of the New Panama Canal Company that brought France into this diplomatic mess and created a state of war in Panama, to which we have become a party.

We guaranteed to maintain the independence of Panama against Colombia, and Colombia rightfully considers the breach of that guaranty as a casus belli. She also considers our interference with armed forces, on the 3d and 4th of November, to prevent the assertion of her constitutional sovereignty and her laws in the Department of Panama an act of war, and Commander Hubbard, commanding the *Nashville*, at Colon, declared in a dispatch which was read in a Cabinet meeting, that the conduct of the Colombian troops at Colon on the 3d and 4th of November was war against the United States.

Both parties to the controversy have acted upon the fact that a state of war exists between Colombia and the United States that has not yet reached the stage of formal declaration.

If the President had the power to declare war against Colombia his official acts would have made that declaration express. It is war, but not declared war, that he has waged with Colombia.

It may all pass away in a commercial deal. That now is the means in common use of healing the wounds of nations by deadening the national pride and all sense of honor among social and national leaders. On our part, we are provided with money for conducting war, and for purchasing peace when it is cheaper than war, and for hypnotizing the public conscience with bargains that glitter with national gain.

The last act of a new deal, in which we are to pay money to Colombia, to heal her honor that we have wantonly wounded, because she would not sell us canal privileges at Panama, at our own price, to gratify the lust for political power, is about to close, and Reyes may get the promise of a check that will balance our account with Colombia. He will go home, if the Colombian people will receive him, with his sword turned into a pruning hook, to cultivate a vine that will yield him only dead-sea fruit.

If it is a fact that he prefers peace, with a bank check, to the honor of his country, I only regret that our Government should be a party to such a deal and that our people have to foot the bill.

But this new demand upon the generosity of the President creates a new demand upon the Treasury that may shake the credit of the nation and develop into panic the conditions that have recently lost hundreds of millions in the value of stocks, and has been kept in check only by the immense production of our agricultural industries.

I greatly fear that those new demands on the Treasury for funds to pacify Colombia will be difficult to meet when we have depleted our incomes by the sums that this bill is giving to Cuba

in the reduction in the tariff dues she is to receive under it, which, it seems, can not be less than $[illegible] annually.

If we had the money to pay our honest debts, bearing interest, and for easily liberal current expenses, I would be glad to aid the people of Cuba to the extent of their necessities. Yet I do not see that the Treasury wants that, in comparison with the condition of our own, not old and distressing. If any of our States are out of debt and have a surplus of several millions in their treasuries I am not informed of the fact; yet that is the happy condition of Cuba.

It is not our honest debts that are likely to give us trouble, but our national sins that are crying out for money to drive bargains with corporations and [illegible].

When Colombia, in her Congress, rejected the Hay-Herran treaty, which some of our statesmen have let themselves call a breach of national faith, and the President joined with them in denunciation, we were told that under the previous possession of our citizens, from the [illegible] Panama Canal Company, and an [illegible] way was open to the President, which he was [illegible] that would have given us a canal route through Panama, where power, honor, and success would have been the reward of wise and vigorous courage in action.

A law was [illegible] to pay the Panama Canal Company a fourth price for what I said is of no possible value to them and is of little value to us. The property, of whatever kind, is only the asset of a bankrupt that belongs to its creditors. We are to give the bankrupt for it and help it to defraud its creditors or give the asset per them.

In one article of this treaty there is this peculiar, queer, and disgraceful provision. That if any money, bonds, debts, obligations, liabilities, or what not, against the Panama Canal Company, the old or the new—they do not amount to anything except 2[illegible] francs—and if there are any such debts in all the world the treaty provides that they shall not come against the United States, but shall be presented for redemption to the new Republic of Panama.

Now, when we made a similar proposition or agreement with Colombia there was some little symptom of decency about it. But when we take the new bankrupt, yet unchristened, amongst the nations of the earth, and tender to mankind who held these agreements, these bonds, the credit of that concern to pay it, what does it mean? What will the world say it means? A fraudulent presentation of an irresponsible person by the United States in these guises of treaties I am quoting, that it is responsible and that fraud makes the United States responsible directly for these debts.

There is not a lawyer in the world who could meet the demand if it were the subject of a private lawsuit between individuals.

There is where we are driving to. There is, it seems, no possible recompense or refuge that can be conceived of that Bunau-Varilla could demand at the hands of the United States that has not been granted in this treaty. It is the most wretched transaction that ever took place in the name of a civilized country. I stand to it and denounce it as that, and the American people will sustain every word of that denunciation. Their consciences are clean and their judgment is free from bias.

The Hay-Varilla treaty not only does this double iniquity, but it asks the Senate to ratify a contemplated purchase from the Panama Canal Company, the terms of which, if they are fixed by agreement, are withheld from the Senate and from Congress.

Moreover, the ratification of this "contemplated purchase" is made by this treaty the condition upon which all our rights under the treaty are made to depend. I will read from Article XX in proof of what I say:

ARTICLE XX.

The Republic of Panama renounces and grants to the United States the participation to which it might have been entitled in the future earnings of the canal of the concessionary company in accordance with Decree N. 1, Wyse, issued by the Panama Canal Company, and any other rights or claims of a pecuniary nature arising under or relating to said concession or arising under or relating to the concessions to the Panama Railroad Company, any extension or modification thereof, and it does hereby transfer to the United States, now and hereafter, all the rights and property reserved in the said concessions which otherwise would belong to the Republic of Panama at or before the expiration of the terms of said concessions of the concessions granted to or held by the aforementioned parties and companies, and all right, title, and interest which it now has or may hereafter have in and to the lands, canal, works, property, and rights held by said companies under said concessions or otherwise, so far as concerned or to be acquired by the United States from or through the New Panama Canal Company, including any property and rights which may hereafter or may in the future, either by lapse of time, forfeiture or otherwise, revert to the Republic of Panama, under any contracts or concessions, with said Wyse, the Universal Panama Canal Company, the Panama Railroad Company, and the New Panama Canal Company. The aforesaid rights and properties shall be and are free and released from any present or prospective interest in or claims of the Republic of Panama, so that the use of the United States in upon the consummation of the contemplated purchase by the United States from the New Panama Canal Company, shall be absolute so far as concerns the Republic of Panama.

The following terms in that article prove all that I assert as to its meaning:

The aforesaid rights and properties (of the Panama Canal Company and of the Panama Railroad Company) [illegible] and the contemplated purchase by the United States from the New Panama Canal Company, shall be absolute so far as concerns the Republic of Panama.

The Senate of the United States, in the teeth of decisions of the Supreme Court of the United States, one of which is the case of Reynes *v.* The United States, 9 Howard, 151, are called upon now to ratify that treaty on those terms, and thereby to ratify a contemplated purchase the price and terms of which we are not informed about.

All the work done on the canal and all of the lands, [illegible] and structures thereon or appurtenant thereto, and the railroad, with all the buildings, are included in this Article XX; and the title to all, or it is made to depend upon the consummation of a "contemplated purchase" by the United States.

We get nothing under this treaty in that canal zone except an empty right to construct the canal. We get no property or anything that is appurtenant to the canal or the railroad, until we have first made a consummation—the word "consummation" is used, which means paid, of the purchase hereafter to be agreed upon as contemplated.

I do not like to indulge myself, when I am in close proximity to a column of adjectives and adverbs, with the selection of the proper one to characterize a proceeding like that.

The whole value of the canal and of the railroad is thus left in the New Panama Canal Company under this treaty, and its ownership by the United States is made to depend solely upon a "contemplated purchase" from that company.

We thus place ourselves completely in the power of that company as to these rights, both as to the cost and the terms and conditions of the contemplated purchase.

After we have paid Panama $10,000,000 cash, and have agreed to pay her a subsidy of $250,000 a year for all future time, for the lease of the right of way, beginning seven years after the date of the treaty, we do not get an absolute title, even from Panama, until we have satisfied the cormorant greed of the New Panama Canal Company in this contemplated purchase. And the Senate is expected to concur. And the newspapers allege that some Democrats are pledged to concur, which I hope is a calumny.

Nothing could have induced the Secretary of State to make such an indefinite agreement except the necessity of having it [illegible] ratified by the junta at the city of Panama, before Colombia could open active war against the Department of Panama and possibly run them out of the limits of the Republic.

He had to provide for "the contemplated purchase" of the property from the Panama Canal Company, instead of an actual purchase at a given price, to meet this emergency, and Varilla sped like the flying of the weaver's shuttle between New York and Washington, lest the commission to negotiate a treaty might cut the golden thread of diplomacy before he could tie the knot.

Articles II and III of the treaty cede to us the perpetual control, [illegible] over the lands occupied by the railroad and the canal, and for 5 miles on each side of the canal, and in Article I we guarantee the sovereignty of the Republic of Panama.

Why should we, the sovereign owners of this area, be compelled thereafter to agree with the New Panama Canal Company [illegible] purchase of property claimed by it within that area before our title to the land should become absolute? What man of ordinary business common sense in this world would put himself to that extent in the power of a corporation, it made no difference even if it were a decent one?

The reason is manifest in the situation created by the junta that controlled Panama in the agreement they made with France, to which this twentieth article binds the United States. It is a tripartite agreement, to which the official statement of Delcassé shows that France is a party.

France is placed by the Hay-Varilla treaty in a position where she can control our ownership of the canal and railroad, and can prevent it under our treaty agreement unless we pay whatever sum the New Panama Canal Company chooses to demand of us for the property. No Cromwell, either Old Ironsides or The Astute, ever had so golden an opportunity.

Under the former agreement this property was to cost us $40,000,000. What we will now be required to pay for it is not known, but the cost price will certainly be increased.

The four items, viz, purchasing our peace from Colombia; the purchase of the Hay-Varilla treaty from Panama, $10,000,000; the purchase of the property from the New Panama Canal Company, $45,000,000, and $10,000,000 to be expended in work on the canal, will not be less than $65,000,000. Add to that $30,000,000, the revenues we donate to Cuba for five years under this bill, and these will compel the United States to meet a cash demand on the

Treasury of not less than $95,000,000, that will cause our finances to gravitate rapidly to the condition of weakness that causes panics.

We would be six or seven years at work on the Nicaragua Canal before we will have expended $90,000,000, and all rights and concessions would be paid for out of this sum.

If the Government intends to plunge into this reckless expenditure of money in times like these, there is grave doubt whether Congress will give it the money.

It is the existence of this doubt and others still greater that cheer the transcontinental railroad companies with the belief that no isthmian canal will ever be opened by the Government of the United States. As no better device than the Hay-Varilla treaty could be provided to defeat all effort to get an isthmian canal, I take the facts of record, known to all men, and let them pronounce the inevitable judgment that such a thing is the real purpose of that treaty.

The undeniable duty of the President to proceed at once to construct a canal at Colombia, by the command of the Spooner Act, when the Government—not the President—had failed to secure the canal rights from the Government of Colombia, he fails and refuses to obey. I refer him, respectfully, to the authority of the Supreme Court that I have read at my desk this morning and which will appear in the CONGRESSIONAL RECORD.

His dealings were required to be with the Government of Colombia. He was not authorized to conduct proceedings with the aid of the Army and Navy, to capture or seize a canal zone at Panama, or to extort it from Colombia by duress, or by the use of money, or to purchase it from Panama or from any other locum tenens, or junta de jure, or junta de facto he might find in adverse possession to Colombia, or from any republic he might create there. None of these or any such enterprises are even hinted at in the Spooner law. Had any such suggestion been made in that bill, everybody knows that it could not have passed the Senate or the House of Representatives. To pretend that the Spooner law contemplated such a purpose, or the movement that is attempted to be sheltered under it, is so gross an absurdity that reason refuses to consider it and indignation repels it.

The Governments the President was empowered to treat with are named in the Spooner law specifically. He had as much right, or a less absurd pretense of right, to interpolate the name of the New Panama Canal Company into the Spooner law, instead of the Government of Colombia, or the Government of Nicaragua and Costa Rica, as he had to insert in that act, by way of amendment, the Government of the Republic of Panama, that then had no existence that was even thought of.

The Panama Canal Company then owned concessions and a railroad that extended across the Isthmus that even Colombia could not lawfully take from its possession. Next to Colombia and the Department of Panama, that company had rights that might have been expanded into sovereign rights by some strained construction.

Why did not the President, while preparing for a coup d'état, to enable him to execute his duty under the Spooner law, as he is now doing, as he says, create the Republic of the New Panama Canal Company and lead it into the family of nations as the latest born, uncrowned goddess of liberty?

The Hay-Varilla treaty admits her dormant sovereignty as heir prospective, not to be questioned in the ownership of all the valuable concessions and properties of the canal and railroad in the canal zone, until a "contemplated purchase" of them has been made by the United States. That is the only event that would prevent their having and enjoying in perpetuity all the rights that they gain under the Wyse concession. They are made by this treaty that we are called upon to consider and ratify, the sovereign owners of the railroad and the canal through Panama.

The New Panama Canal Company is recognized in the Hay-Varilla treaty as the owner, under the protection of France, of all these rights and properties, and the United States is to take nothing in that canal zone that is worth speaking of until a contemplated purchase of its property and concessions is "consummated."

If the President was in search of the real owner of a canal zone in Panama to represent the canal route, which he says is "the essence of the condition," and if Colombia could not convey the property, why did he accept a title from a little junta or mob that owned nothing in that canal zone, instead of the Panama Canal Company that owned everything there?

The answer is that the canal company and the junta were one, and M. Bunau-Varilla was the agent of both, while France and a former financier of the American committee, under De Lesseps, were the backers of the movement.

But I will discuss the message of the President on another occasion. What is obvious on first view will be a demonstration on a full analysis that the President has failed to invent any excuse for his determined refusal to execute an act of Congress approved by him because it imposed a plain duty on him that he is unwilling to perform. That duty stands in the way of his wishes, and if a plan is suggested to amend that law so as to remove that obstacle from his path let it be done openly and let it be fairly discussed before the American people.

Neither Congress nor the American people will consent that the President, acting with his bantling Republic of Panama, will be permitted to repeal or amend the Spooner law by the ratification of the Hay-Varilla treaty. That is an evident purpose of that so-called treaty, in which it will fail.

Cuba has two other treaties pending in the Senate, the ratification of either of which may affect the bill under consideration. They have not been made public, and I am not permitted to discuss them.

But it must be the best course to adopt, in our dealing with Cuba, to settle the broad general relations of the two Governments before proceeding to settle the special relations growing out of our respective laws of taxation.

For these reasons and those I have stated as to the effect of the Hay-Varilla treaty on the industries of Cuba I think that the Senate should vote the indefinite postponement of this bill.

Our relations with Cuba are far from being settled or satisfactory. The Platt amendment, which she carried into her constitution in changed phraseology, is the real compact between the two Republics, and is not repealable except by mutual consent of the legislative bodies of both Governments or of the political bodies that have powers to annul constitutions.

When, in accordance with the Platt amendment, this bond of union is weakened, so that our relations will depend on the agreements of a treaty that either party can repeal by an ordinary act of legislation, Cuba may find occasion, as she will have the power, to clip the thread that binds her to us and float off into the realms of unfettered liberty. She may even do the Panama act, and find a friend in Germany that will recognize her independence over night and annex her with the rising sun.

Our doctrine is that the latest treaty repeals all laws and state constitutions that it conflicts with, and in the case supposed not Germany alone, but the whole world would hold us bound by it.

If only the bond of a treaty holds the two Governments together, Cuba would be at liberty to become independent by simply repealing her treaty with us, as we repealed our treaty of alliance with France. No doubt there would be fighting, in such a case, but who has ever been more eager for a fight than William III of Germany and our own strenuous President. William sank a war ship in Santo Domingo in time of profound peace just to hear the roar of his guns in American waters, and harried the coasts of Venezuela, sinking ships and bombarding cities.

He would be glad to welcome Cuba to full citizenship in the family of nations, and with their cooperation he could cover the Gulf of Mexico with his sea power, to the great detriment of our trade and commerce. While we are debating this bill our fleets are nosing around in the ports of isthmian America and sending out scouts and schoolmasters to find hostile Indians, and if any tame ones are found, to civilize them, but, above all, to capture any of the people who still recognize the flag of Colombia or any Indians or other Colombians who may have resentments or unfriendly designs toward the junta de libertad y Dios y Varilla at Panama, who are masquerading under the name, title, and trade-mark of the Republic of Panama.

The one comfort in this search for new enemies is that it will give employment for the corps of rear-admirals, retired, who might otherwise get into mischief.

Such events arouse all Spanish America with fears as to our honor. In foreign affairs Cuba will sympathize with them as certainly as a wound in the right eye will affect the left eye.

This is no time for changing relations with Cuba, unless it might be to give her the higher liberties and the greater responsibilities of a State in the Union.

She should be let alone for the present, for in the light of recent events she will deal with us as with a suspected friend.

Our present attitude is calling for censures and regrets from the highest sources. Yesterday I met a great Democrat, who has held the highest station, next to the President, in our service and has won great renown throughout the world for statesmanship and honorable dealings with other powers and for highest manifestations of what we love to speak of as courageous Americanism. His venerable head was lower I as he looked upon the ground and said, "For the first time in my long life I am distressed at being compelled to say I am ashamed of the present attitude of my country."

Abroad our Americans of distinction in letters, science, and statesmanship, who are there to fill positions that honor our country, are most keenly affected with our present attitude, in which the Navy and treaty-making power are united in coercing the true civil authority of the Government.

The union of military power with diplomatic functions is forcing the civil authority into submission to the will of the President in setting aside the authority of the laws of Congress.

I will now read a British opinion as to what we are doing, that will at least attract the attention of our financial men. It is from the highest British authority on matters relating to finance. I read from the Financial News, of London, November 20, 1903.

[Financial News, London, November 20, 1903.]

COURSE OF THE BRITISH GOVERNMENT.

We hope sincerely that the British Government will not be lured into a precipitate recognition of the new Republic of Panama. The action of our Government has delivered one excellent reason for delay in the fact that the new State must assume a just and reasonable share of the Colombian debt, which can be recognized by Great Britain. The principle that a recognizing Power should assume liabilities of the country recognized is sound, and we hope that the Government will adhere to it. We hope, further, with all the emphasis we can command, that the Government will, if it does, when, in fact, the original and indisputable Republic of Colombia was sold from New Granada, Panama, and Venezuela on the question of the debt, make the liability a matter of treaty.

The original Republic of Colombia, as we remember, included New Granada and now covers all that is left of Colombia, including Panama, with the exception of Venezuela and the Isthmus of Panama. The Government of Colombia, after long years, after the rebellion, presented for the Hay-Herran Treaty, which would have given to the United States the right to do in Panama what Great Britain has done in Egypt, namely, to take the revenues of the country and apply them to the payment of the debt. Colombia, with many faults, is a Christian State, and the public taken right away from her by the United States. It was a good deed to do, and we hope it will be done again. It would have seemed that the political and moral interests of the United States would be served by the Hay-Herran Treaty, and we hope that the United States will be as good ere Great Britain can take offense, and we hope it will be done.

Ten miles of it that is worth all the balance of the department or territory of Panama. An awful debt threatens us.

The United States has followed "the good old rule, the simple plan, that he should take who has the power, and he should keep who can," which follow such unblushing statements. The first and most obvious consideration is actual occupant of the territory and obligations attached to the territory. That has been acted. For, despite the representations to the contrary of a treaty, there is no doubt that the strip of territory has been occupied in virtue of the presence of the United States ships of war on both coasts of the new Republic.

The question gives the deal the appearance of purchase and sale. But the sale has been made under duress. If we, the Government, are not United States being powerful enough to maintain the bargain against any probable interference.

It is for our Government to insist that a trifling degree of respectability should be introduced into the transaction and the party of the second part created out of hand. When Panama formally and solemnly accepts her share of the Colombian debt it may be time enough for British recognition. Possibly the excuse may be offered that there is not the proper elected government to undertake such obligations, but if Panama can not borrow and surrender her concessions, which belong to the United States, she can withstand, unless a guarantee the liabilities attaching to the soil. Panama can not have the power to alienate her assets unless she has the power to accept her debts.

The United States has seen to it that Panama should honestly sell her concessions for value. Perhaps Washington will hereafter direct its attention to the debt. Washington is strong as it pleases with Panama—endorse her with a resolution and deprive her of her only possession. The reason is, is to Washington that representations regarding the debt can not appear to be made. If there is a ghost of honest intention in regard to Panama's debt, the United States can not refuse to endorse and secure the interests in Panama of the Colombian bondholders. Colombia has been pulled down, she had no power and no friends, but it does not follow that Great Britain should allow her citizens interests to be sacrificed because the United States is in a hurry to build a "neutral" canal.

Mr. President, if the remarks of that great, controlling financial journal that looks at all questions with a cool, impartial eye shall go into the record and the history of the United States as the truth or as a presentation in advance of consequences that are to follow, we have got to fight Great Britain on account of this treaty or else we have got to be disgraced, unless we guarantee to the creditors of Colombia that Panama shall set apart a just proportion of the $10,000,000 we are to pay her for the debts that Colombia owes to her European bondholders, rather than repudiate that debt it is better that we should not assume it.

EXECUTIVE SESSION.

Mr. CULLOM. If there is no other Senator desiring to go on to-night, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session, the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until tomorrow, Thursday, December 10, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 9, 1903.

INDIAN AGENT.

Ira A. Hatch, of South Dakota, whose term will expire December 19, 1903, to be agent for the Indians of the Cheyenne River Agency in South Dakota. (Reappointment.)

REGISTER OF LAND OFFICE.

Lee Stover, of South Dakota, whose term will expire December 20, 1903, to be register of the land office at Watertown, S. Dak. (Reappointment.)

PROMOTIONS IN THE NAVY.

Lieut. Commander Albert B. Willits to be a commander in the Navy from the 11th day of October, 1903, vice Commander James M. Helm, promoted.

Lieut. (Junior Grade) David F. Boyd to be a lieutenant in the Navy from the 11th day of October, 1903, vice Lieut. Harry G. Leonard, promoted.

Midshipman Luke E. Wright, jr., to be an ensign in the Navy from the 15th day of April, 1903, to fill a vacancy existing in that grade on that date.

POSTMASTERS.

ARKANSAS.

Joel M. McClintock to be postmaster at Devall Bluff, in the county of Prairie and State of Arkansas. Office became Presidential April 1, 1903.

Green J. Owen, jr., to be postmaster at Conway, in the county of Faulkner and State of Arkansas, in place of Joseph P. Balmat. Incumbent's commission expired December 14, 1903.

Edward S. Parnell to be postmaster at Junction City, in the county of Union and State of Arkansas, in place of Edward S. Parnell. Incumbent's commission expires December 14, 1903.

Nannie H. Savage to be postmaster at Marianna, in the county of Lee and State of Arkansas, in place of Nannie H. Savage. Incumbent's commission expires December 14, 1903.

Fayette B. Schooley to be postmaster at England, in the county of Lonoke and State of Arkansas. Office became Presidential October 1, 1903.

CALIFORNIA.

Harry E. Meyers to be postmaster at Yuba City, in the county of Sutter and State of California, in place of Harry E. Meyers. Incumbent's commission expires December 19, 1903.

COLORADO.

Charles T. Wade to be postmaster at Buena Vista, in the county of Chaffee and State of Colorado, in place of Charles T. Wade. Incumbent's commission expires December 19, 1903.

GEORGIA.

Richard W. Tindall to be postmaster at Jesup, in the county of Wayne and State of Georgia. Office became Presidential April 1, 1903.

ILLINOIS.

Putnam Beckwith to be postmaster at Wenona, in the county of Marshall and State of Illinois, in place of Putnam Beckwith. Incumbent's commission expires December 13, 1903.

David F. Wilcox to be postmaster at Quincy, in the county of Adams and State of Illinois, in place of David F. Wilcox. Incumbent's commission expires December 13, 1903.

INDIANA.

Floyd E. Farley to be postmaster at Crown Point, in the county of Lake and State of Indiana, in place of Floyd E. Farley. Incumbent's commission expires December 13, 1903.

INDIAN TERRITORY.

Frederick W. Galer to be postmaster at Nowata, in the Cherokee Nation, Indian Territory. Office became Presidential July 1, 1903.

IOWA.

Simon D. Breuning to be postmaster at Ackley, in the county of Hardin and State of Iowa, in place of Simon D. Breuning. Incumbent's commission expires December 13, 1903.

Charles F. Le Compte to be postmaster at Corydon, in the county of Wayne and State of Iowa, in place of Charles F. Le Compte. Incumbent's commission expires December 13, 1903.

Edward Madigan to be postmaster at Clarksville, in the county of Butler and State of Iowa, in place of Edward Madigan. Incumbent's commission expires December 19, 1903.

Edward A. Snyder to be postmaster at Cedar Falls, in the county of Black Hawk and State of Iowa, in place of Edward A. Snyder. Incumbent's commission expires December 13, 1903.

Benjamin C. Wise to be postmaster at Cascade, in the county of Dubuque and State of Iowa, in place of Benjamin C. Wise. Incumbent's commission expires December 13, 1903.

KANSAS.

Harry C. Achenbach to be postmaster at Clay Center, in the county of Clay and State of Kansas, in place of Harry C. Achenbach. Incumbent's commission expires December 12, 1903.

Henry W. Conrad to be postmaster at Independence, in the county of Montgomery and State of Kansas, in place of Edwin Foster, resigned.

KENTUCKY.

Sherod Stanfill to be postmaster at Williamsburg, in the county of Whitley and State of Kentucky, in place of Sherod Stanfill. Incumbent's commission expired February 16, 1902.

MARYLAND.

M. W. Thomas to be postmaster at Chestertown, in the county of Kent and State of Maryland, in place of Marcelene Lucas. Incumbent's commission expires December 19, 1903.

MICHIGAN.

Burton F. Browne to be postmaster at Harbor Beach, in the county of Huron and State of Michigan, in place of Burton F. Browne. Incumbent's commission expires December 13, 1903.

MISSOURI.

Charles Casper to be postmaster at Belton, in the county of Cass and State of Missouri, in place of Abraham M. Johnson. Incumbent's commission expired February 14, 1903.

MONTANA.

J. E. Sheridan to be postmaster at Big Timber, in the county of Sweet Grass and State of Montana, in place of Leon C. Olmstead. Incumbent's commission expires January 8, 1904.

NEBRASKA.

James McNally to be postmaster at Edgar, in the county of Clay and State of Nebraska, in place of James McNally. Incumbent's commission expires December 19, 1903.

NEW JERSEY.

George W. Cooper to be postmaster at Somerville, in the county of Somerset and State of New Jersey, in place of George W. Cooper. Incumbent's commission expires December 12, 1903.

James L. Hays to be postmaster at Newark, in the county of Essex and State of New Jersey, in place of James L. Hays. Incumbent's commission expires December 12, 1903.

NEW YORK.

George B. Harmon to be postmaster at Brockport, in the county of Monroe and State of New York, in place of George B. Harmon. Incumbent's commission expires December 13, 1903.

Warren J. Martin to be postmaster at Port Chester, in the county of Westchester and State of New York, in place of James S. Merritt, resigned.

NORTH DAKOTA.

J. L. Killion to be postmaster at Towner, in the county of McHenry and State of North Dakota, in place of Gilbert Helgeland, resigned.

OHIO.

Charles C. Dewstoe to be postmaster at Cleveland, in the county of Cuyahoga and State of Ohio, in place of Charles C. Dewstoe. Incumbent's commission expires December 12, 1903.

OKLAHOMA.

W. T. Judkins to be postmaster at Mountain Park, in the county of Kiowa and Territory of Oklahoma. Office became Presidential April 1, 1903.

PENNSYLVANIA.

William F. Heidenreich to be postmaster at Sheridanville, in the county of Allegheny and State of Pennsylvania. Office became Presidential October 1, 1903.

TENNESSEE.

R. C. Couch to be postmaster at Bellbuckle, in the county of Bedford and State of Tennessee, in place of John B. Stong, resigned.

VERMONT.

Harlow C. Ayer to be postmaster at Richford, in the county of Franklin and State of Vermont, in place of Harlow C. Ayer. Incumbent's commission expires December 19, 1903.

Henry J. Fisher to be postmaster at Morrisville, in the county of Lamoille and State of Vermont, in place of Henry J. Fisher. Incumbent's commission expires December 19, 1903.

Charles E. Hall to be postmaster at Swanton, in the county of Franklin and State of Vermont, in place of Charles E. Hall. Incumbent's commission expires December 19, 1903.

Edward J. Tyler to be postmaster at Enosburg Falls, in the county of Franklin and State of Vermont, in place of Edward J. Tyler. Incumbent's commission expires December 19, 1903.

WASHINGTON.

Harry C. Bilger to be postmaster at Clealum, in the county of Kittitas and State of Washington. Office became Presidential October 1, 1903.

William P. Ward to be postmaster at Rosalia, in the county of Whitman and State of Washington. Office became Presidential October 1, 1903.

WEST VIRGINIA.

Robert S. Lovelace to be postmaster at Ronceverte, in the county of Greenbrier and State of West Virginia, in place of Robert S. Lovelace. Incumbent's commission expired May 28, 1902.

WISCONSIN.

George W. Burchard to be postmaster at Fort Atkinson, in the county of Jefferson and State of Wisconsin, in place of George W. Burchard. Incumbent's commission expired May 28, 1902.

August J. Seeman to be postmaster at Boscobel, in the county of Grant and State of Wisconsin, in place of Frederic A. Meyer. Incumbent's commission expires December 14, 1903.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 9, 1903.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read, corrected, and approved.

COMMITTEE ON THE CENSUS.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

[illegible] That the Committee on the Census be authorized to have printed and bound such portion of its hearings on the subject of the census as may be deemed necessary from day to day, not exceeding forty pages, ordered or to be ordered [illegible] the use of the Committee on the Census.

Mr. PAYNE. I would like to ask the gentleman if it is necessary for this committee to have this at this time? I had supposed that the Committee on the Census would have no large amount of business.

Mr. CRUMPACKER. If the Committee on the Census has no business it will have no printing to do. It will probably have some, perhaps not a great amount. It may be in the judgment of the committee that some of the statements before the committee ought to be printed. If not, they will not be printed and the resolution will carry no expense with it.

Mr. PAYNE. It seems to me, Mr. Speaker, that the committee ought to wait until the emergency arises. I want to say that I think this whole thing ought to be settled by a rule. Some committees are entitled to have printing done as a matter of course, but it seems to me that whenever a resolution comes in for additional printing it ought to go to some committee, say the Committee on Rules, or some other important committee of the House.

As I was saying, Mr. Speaker, it seems to me there ought to be some general rule on this subject allowing such committees as will undoubtedly have necessity for printing and binding to have printing and binding done without an express order of the House; but if any additional committees desire such privilege, resolutions for that purpose should go to some appropriate committee, the Committee on Rules or some other committee, to be examined and reported upon to the House. Now, here is a resolution providing for printing, which the gentleman from Indiana [Mr. CRUMPACKER], who introduces it, says that the committee does not need just now, has no pressing present necessity for, but may want at some time in the future. I suggest to him that at some future time, when the necessity may exist, he can bring in his resolution, and personally I shall have no objection to it if he should then state that the work is necessary to be done for the committee. But it seems to me that now I shall have to object under the statement made by the gentleman.

Mr. CRUMPACKER. Allow me to make a statement before the gentleman interposes an objection.

Mr. HAY. I object.

The SPEAKER. Objection is made.

DISTRIBUTION OF THE PRESIDENT'S MESSAGE.

Mr. PAYNE. I am directed by the Committee on Ways and Means to report back with an amendment House resolution 71, for the distribution of the President's message.

The Clerk was proceeding to read the resolution, when

Mr. PAYNE said: I do not desire to have the resolution read now, but simply the subject announced.

The SPEAKER. Perhaps the resolution had better be reported.

Mr. PAYNE. My idea, Mr. Speaker, was that the House should

go into Committee of the Whole at once and the resolution should be read in full there.

The SPEAKER. Very well. The resolution, with the amendment, is referred under the rules to the Committee of the Whole House on the state of the Union.

Mr. PAYNE. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of House resolution 71.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union (Mr. BURKETT in the chair) and proceeded to the consideration of House resolution 71.

The resolution was read, as follows:

Resolved, That so much of the annual message of the President of the United States to the two Houses of Congress at the present session as relates to the revenue, the bonded debt of the United States, and the treaties affecting the revenue be referred to the Committee on Ways and Means.

That so much as relates to the foreign affairs, the consular and diplomatic service, including appropriations therefor, be referred to the Committee on Foreign Affairs.

That so much as relates to the appropriations of the public revenue for support of the Government as herein provided namely, for the legislative, executive, and judicial expenses, for standing civil contingent, for fulfillments and moral obligations, for pensions, for the District of Columbia, and for all deficiencies, be referred to the Committee on Appropriations.

That so much as relates to the judiciary of the United States, to the administration of justice, to the punishment and prevention of crime, and the organization of courts be referred to the Committee on Judiciary.

That so much as relates to banks and banking and the currency be referred to the Committee on Banking and Currency.

That so much as relates to the mints of the United States and to the coinage of gold and silver bullion be referred to the Committee on Coinage, Weights, and Measures.

That so much as relates to the commerce of the United States, domestic and foreign, so far as it affects the revenue, to internal commerce, navigation, and the Isthmian Canal be referred to the Committee on Interstate and Foreign Commerce.

That so much as relates to agriculture and appropriations therefor and to forestry be referred to the Committee on Agriculture.

That so much as relates to the merchant marine and fisheries be referred to the Committee on the Merchant Marine and Fisheries.

That so much as relates to the military establishment and appropriations therefor be referred to the Committee on Military Affairs.

That so much as relates to the naval establishment and to the construction of additional vessels for the Navy, and appropriations therefor, be referred to the Committee on Naval Affairs.

That so much as relates to the post-office and post-roads and to the carrying of the foreign mails, and appropriations therefor, be referred to the Committee on the Post-Office and Post-Roads.

That so much as relates to the public domain be referred to the Committee on the Public Lands.

That so much as relates to the relations of the United States to the Indian tribes and appropriations therefor be referred to the Committee on Indian Affairs.

That so much as relates to the Territories, Alaska, and the Hawaiian Islands be referred to the Committee on the Territories.

That so much as relates to the islands which came to the United States through the treaty of 1899 with Spain, and to Cuba, except so much thereof as relates to the revenue and the appropriations, be referred to the Committee on Insular Affairs.

That so much as relates to the irrigation of arid lands be referred to the Committee on the Irrigation of Arid Lands.

That so much as relates to labor be referred to the Committee on Labor.

That so much as relates to the civil service be referred to the Committee on Reform in the Civil Service.

That so much as relates to foreign immigration and naturalization be referred to the Committee on Immigration and Naturalization.

That so much as relates to the Interior Department be referred to the Committee on the Interior Department.

That so much as relates to the industrial arts and expositions be referred to the Committee on Industrial Arts and Expositions.

That so much as relates to patents be referred to the Committee on Patents.

That so much as relates to the pensions of the civil war be referred to the Committee on Invalid Pensions.

That so much as relates to the pensions of all the wars of the United States other than the civil war, be referred to the Committee on Pensions.

Mr. PAYNE. Mr. Chairman, this is the usual resolution for the distribution of the President's message, distributing the different topics treated in the message to the various committees of the House where they would go under the rules. The original resolution follows, on page 2, in lines 15 to 19, the language of the rule on this subject, and reads thus:

That so much as relates to the islands which came to the United States through the treaty of 1899 with Spain and to Cuba, except so much as relates to the revenue and the appropriations, be referred to the Committee on Insular Affairs.

The committee thought best to recommend in that clause an amendment striking out the words "and to Cuba." When the Committee on Insular Affairs was originally organized by the House, Cuba of course was under the military authority of the United States and was governed by a military governor appointed by the President, and so it was that affairs relating to Cuba were then within the jurisdiction of the Committee on Insular Affairs. But Cuba having now become an independent nation, and the United States having relinquished all government over the island—it being now a Republic and a foreign nation—it was thought that the jurisdiction of matters relating to Cuba as embraced in the President's message should go to the Committee on Foreign Affairs, as that subject will go under this resolution.

Mr. Chairman, I have nothing further to say, and reserve the balance of my time. Perhaps the gentleman from Mississippi [Mr. WILLIAMS] wishes to say something.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I do not know that I have anything to say on this occasion. As just stated by the gentleman from New York [Mr. PAYNE], this is the resolution usually submitted at the beginning of every Congress, disposing of the matters contained in the President's message. Of course there is no sort of objection to it on this side and no occasion for any discussion.

The CHAIRMAN. The question is on agreeing to the amendment reported from the Committee on Ways and Means.

Mr. PAYNE. If no further debate is desired, I move that the committee rise and report favorably the resolution with the amendment of the committee.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BURKETT reported that the Committee of the Whole on the state of the Union, having had under consideration House resolution 71, had directed him to report the same back with an amendment and with the recommendation that as amended the resolution be adopted.

The question being taken, the amendment reported from the Committee of the Whole was agreed to.

The resolution as amended was then adopted.

On motion of Mr. PAYNE, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed Senate bill and resolutions of the following titles; in which the concurrence of the House was requested.

Senate bill (S. 2121) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents."

Senate joint resolution (S. R. 17) to provide for the printing of 8,000 copies of the Consolidated Reports of the Gettysburg National Park Commission, 1893 to 1904, inclusive.

Senate concurrent resolution No. 22.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he hereby is, authorized and directed to cause a survey to be made of Youngs Bay, [illegible] River between Tongue Point and Fort Stevens, [illegible] designated as the Astoria Harbor, with a view to widening and improving the channels and permanently improving said harbor, and to submit a plan and estimate for such improvement.

Also—

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. HENRY BURK, late a Representative from the State of Pennsylvania.

Resolved, That a committee of seven Senators be appointed by the Presiding Officer to join a committee appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

And that in compliance with the foregoing the Presiding Officer had appointed as said committee Mr. PENROSE, Mr. QUAY, Mr. BALL, Mr. HOPKINS, Mr. LATIMER, Mr. NEWLANDS, and Mr. CARMACK.

ADDITIONAL COMMITTEE ASSIGNMENTS.

The SPEAKER. The Chair desires to state that the leader of the minority, the gentleman from Mississippi [Mr. WILLIAMS], through a mistake of his secretary, omitted to suggest the name of the gentleman from Pennsylvania [Mr. KLINE] as a member of the Committee on Manufactures. The committee was otherwise filled. The Chair asks unanimous consent to appoint the gentleman from Pennsylvania upon that committee as an additional member. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Chair also desires to state that in appointing Delegates as members of the Committee on Territories, under the Rule II Delegates were entitled to appointment. The gentleman from New Mexico [Mr. RODEY] formerly had service upon that committee, but the Chair, in making the appointment, thought that the gentleman from Oklahoma [Mr. MCGUIRE] should be upon that committee on the majority side, and also, following the custom, appointed the gentleman from Arizona [Mr. WILSON] upon the minority. The Chair now asks unanimous consent to appoint as an additional Delegate upon that committee the gentleman from New Mexico [Mr. RODEY]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. DE ARMOND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. DE ARMOND. To make a parliamentary inquiry. Would it be in order for the Speaker to ask unanimous consent to place one additional Member upon the minority side upon each of the great committees having seventeen members? [Applause and laughter on the Democratic side.]

The SPEAKER. The Chair will answer that question by stating that we will cross that bridge when we get to it.

Mr. DE ARMOND. Then, Mr. Speaker, to relieve the Chair of all embarrassment, I ask unanimous consent that the Speaker be authorized to place upon each of those great committees an additional Member upon the minority side.

The SPEAKER. The gentleman from Missouri asks unanimous consent that the Chair be authorized to appoint an additional Member upon each of the committees having seventeen Members. Is there objection?

Mr. PAYNE. Mr. Speaker, I object. [Applause and laughter.]

The SPEAKER. The gentleman from New York objects.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. REEDER, indefinitely, on account of sickness in family.

Then, on motion of Mr. PAYNE (at 12 o'clock and 27 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting a letter from the Director of the Geological Survey covering the second annual report of the reclamation service—to the Committee on Irrigation of Arid Lands, and ordered to be printed.

A letter from the chief clerk of the Court of Claims, transmitting a statement of judgments rendered for the year ended December 5, 1903—to the Committee on Appropriations, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 988) to indemnify the city of New York for expenses incurred by said city in defense of the United States, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. TATE: A bill (H. R. 6463) providing for the distribution of Government publications to colleges—to the Committee on Printing.

Also, a bill (H. R. 6464) to give jurisdiction to try and dispose of all cases punishable by fine and imprisonment for less than one year—to the Committee on the Judiciary.

Also, a bill (H. R. 6465) to amend section 3331 of the Revised Statutes of the United States—to the Committee on the Judicary.

By Mr. POWERS of Maine: A bill (H. R. 6466) to extend the limit of cost of the post-office and custom-house building in the city of Bangor, Me.—to the Committee on Public Buildings and Grounds.

By Mr. BUCKMAN: A bill (H. R. 6467) for the erection and construction of a public building in the city of Brainerd for the accommodation of the United States post-office and other Government offices—to the Committee on Public Buildings and Grounds.

By Mr. GOULDEN: A bill (H. R. 6468) to commemorate the heroism and sacrifice of the officers and men of the United States monitor *Tecumseh*, lost leading the advance at the battle of Mobile Bay, August 5, 1864—to the Committee on the Library.

By Mr. PIERCE: A bill (H. R. 6469) authorizing a survey of the Obion River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6470) authorizing survey of Forked Deer River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6471) authorizing survey of Hatchie River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6472) to provide for improvement of the Forked Deer River by the constructing of a levee on south bank thereof, between the mouth of said river and high land, in Lauderdale County, Tenn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6473) authorizing survey of South Fork of Forked Deer River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6474) to provide for the improvement of the Mississippi River by the construction of a levee on the east bank thereof, between Hickman, in the State of Kentucky, and Slough Landing, in the State of Tennessee—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. BEIDLER: A bill (H. R. 6475) to regulate and increase the pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. CURTIS: A bill (H. R. 6476) to constitute Topeka, in the State of Kansas, a port of delivery, and for other purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 6477) granting a service pension to all officers and enlisted men of the United States Army and Navy and Marine Corps, both Regular and Volunteer, who have been awarded medals of honor—to the Committee on Invalid Pensions.

By Mr. LEGARE: A bill (H. R. 6478) to provide for the construction of a light-house tender for construction and repair service—to the Committee on Interstate and Foreign Commerce.

By Mr. MADDOX: A bill (H. R. 6479) to provide for a public building in the city of Marietta, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: A bill (H. R. 6480) to control grazing in forest reserves—to the Committee on the Public Lands.

By Mr. STERLING: A bill (H. R. 6481) for the erection of a post-office building at Lincoln, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. GOEBEL: A bill (H. R. 6482) to amend section 6, act of March 3, 1883, in regard to outdoor relief by Soldiers' Home—to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 6483) authorizing the Secretary of War to have erected at Hohenwald, Tenn., a monument in honor of Meriwether Lewis—to the Committee on the Library.

By Mr. BADGER: A bill (H. R. 6484) to provide for the purchase of land for a military post at or near Columbus, Ohio—to the Committee on Military Affairs.

By Mr. LEWIS: A bill (H. R. 6485) to improve road from Anderson Railway station to Prison Park, and so forth—to the Committee on Military Affairs.

By Mr. SPARKMAN: A bill (H. R. 6486) to authorize the establishment of a fish-cultural and biological station on the Gulf of Mexico within the limits of the State of Florida—to the Committee on the Merchant Marine and Fisheries.

By Mr. CURRIER: A bill (H. R. 6487) to amend chapter 4953 of the Revised Statutes—to the Committee on Patents.

By Mr. FORDNEY: A bill (H. R. 6488) amending the act of Congress approved January 26, 1897, for the benefit of telegraph operators who served during the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6489) to abolish the destinction between offered and unoffered lands in certain cases—to the Committee on the Public Lands.

By Mr. WILEY of Alabama (by request): A bill (H. R. 6490) authorizing the construction of such additional vessels as may be necessary to create a Navy adequate for the purposes of the United States—to the Committee on Naval Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 6491) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. CAMPBELL: A bill (H. R. 6492) for the relief of certain volunteer soldiers of the war of the rebellion—to the Committee on Military Affairs.

By Mr. WILSON of Arizona: A bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona—to the Committee on the Territories.

Also, a bill (H. R. 6494) to approve and ratify act No. 73 of the legislative assembly of the Territory of Arizona—to the Committee on the Territories.

By Mr. HULL: A bill (H. R. 6495) to provide for the purchase of a site and the erection of a public building thereon at Ames, in the State of Iowa—to the Committee on Public Buildings and Grounds.

By Mr. MIERS of Indiana: A bill (H. R. 6496) to provide for the erection of a public building at Bedford, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. MCGUIRE: A bill (H. R. 6497) for the suppression and punishment of bribery and official corruption in the Territories of the United States, and for other purposes—to the Committee on the Territories.

By Mr. ACHESON: A bill (H. R. 6498) to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River, in the State of Pennsylvania—to the Committee on Interstate and Foreign Commerce.

By Mr. LEGARE: A bill (H. R. 6499) to provide for the construction of a light-house and buoy tender for the inspector of the sixth light-house district—to the Committee on Interstate and Foreign Commerce.

By Mr. POWERS of Maine: A joint resolution (H. J. Res. 59) for the erection of a monument to the memory of Dorothea Lynde Dix—to the Committee on the Library.

By Mr. CURTIS: A joint resolution (H. J. Res. 60) authorizing the construction of a macadam military road from the north entrance of the grounds of the Western Branch of the National Military Home for Disabled Volunteer Soldiers to a point on Second street, in the city of Leavenworth, Kans.—to the Committee on Military Affairs.

By Mr. HEMENWAY: A joint resolution (H. J. Res. 61) providing for a survey of the Ohio River from the mouth of the Big Miami to the mouth of the Ohio—to the Committee on Rivers and Harbors.

By Mr. WANGER: A resolution (H. Res. 76) authorizing the Committee on Expenditures in the Post-Office Department to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department the publication of which is consistent with the welfare of the public service—to the Committee on Expenditures in the Post-Office Department.

By Mr. BISHOP: A resolution (H. Res. 77) authorizing the chairman of the Committee on Ventilation and Acoustics to appoint a clerk to said committee—to the Committee on Accounts.

By Mr. ACHESON: A resolution (H. Res. 78) authorizing the appointment of Thomas H. McKee as a special employee of the House—to the Committee on Accounts.

By Mr. VREELAND: A resolution (H. Res. 79) authorizing the Clerk of the House to appoint an additional clerk as calendar and docket clerk—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 6500) granting an increase of pension to Joseph Leonard—to the Committee on Invalid Pensions.

By Mr. ADAMS of Wisconsin: A bill (H. R. 6501) granting a pension to Isaiah Robinson—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 6502) granting a pension to Onslow N. McIntire—to the Committee on Pensions.

By Mr. BADGER: A bill (H. R. 6503) granting a pension to Amanda M. Morse—to the Committee on Invalid Pensions.

By Mr. BEIDLER: A bill (H. R. 6504) granting an increase of pension to Maria Dyer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6505) granting an increase of pension to Reed F. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6506) granting an increase of pension to Edward M. Rhoades—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 6507) to increase the pension of James J. Champlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6508) granting an increase of pension to Eugene Leahy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6509) to remove the charge of desertion against Michael Barley—to the Committee on Naval Affairs.

By Mr. BURKETT: A bill (H. R. 6510) granting an increase of pension to Sarah E. Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6511) granting an increase of pension to Lydia R. Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6512) granting an increase of pension to Julia Lawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6513) granting an increase of pension to Kate E. Buckham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6514) granting an increase of pension to Elizabeth Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6515) granting an increase of pension to Rebecca H. Scrafton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6516) granting an increase of pension to E. N. Melson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6517) granting an increase of pension to J. Rock Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6518) granting an increase of pension to James M. Eaman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6519) granting an increase of pension to Walker Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6520) granting an increase of pension to T. A. Willson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6521) granting an increase of pension to I. W. Penny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6522) granting an increase of pension to R. Ella Cooper—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 6523) referring the claim of William H. Diamond, of Chester, Pa., for damages for personal injuries sustained, to the Court of Claims—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 6524) for the relief of John D. Clarkson—to the Committee on Military Affairs.

Also, a bill (H. R. 6525) for the relief of John F. M. Todd—to the Committee on Military Affairs.

By Mr. CASSINGHAM: A bill (H. R. 6526) granting an increase of pension to Charles Stuart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6527) granting an increase of pension to George W. Mathews—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 6528) granting an increase of pension to Samuel Hughlett—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 6529) granting an increase of pension to Gibson Helms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6530) granting an increase of pension to Thomas Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6531) granting an increase of pension to Martin Hope—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6532) granting an increase of pension to John C. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6533) granting an increase of pension to Joseph R. Boger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6534) granting an increase of pension to Isaac Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6535) granting an increase of pension to Pascal L. Conley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6536) granting an increase of pension to Isaiah L. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6538) to correct the military record of Francis Wilhelm, of Dunbar, Fayette County, Pa.—to the Committee on Military Affairs.

Also, a bill (H. R. 6539) to correct the military record of Allen Hyatt—to the Committee on Military Affairs.

Also, a bill (H. R. 6540) to correct the military record of Daniel Rizer—to the Committee on Military Affairs.

By Mr. CURTIS: A bill (H. R. 6541) granting an honorable discharge to John W. Tiffany—to the Committee on Military Affairs.

Also, a bill (H. R. 6542) granting an increase of pension to Sanford Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6543) granting an increase of pension to Robert Liggatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6544) granting an increase of pension to William H. Houghtlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6545) granting an increase of pension to Major G. Ham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6546) granting an increase of pension to Jacob Masar—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 6547) granting a pension to John Holzer—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 6548) granting a pension to Emily C. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6549) granting a pension to Ellen H. Sharp—to the Committee on Pensions.

Also, a bill (H. R. 6550) granting a pension to John W. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6551) granting a pension to William Winkleman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6552) for the relief of Nellie H. Davis—to the Committee on Indian Affairs.

Also, a bill (H. R. 6553) for the relief of William F. Denmuer—to the Committee on Military Affairs.

Also, a bill (H. R. 6554) for the relief of Charles Holborn, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 6555) for the relief of Eli F. Bouton—to the Committee on War Claims.

Also, a bill (H. R. 6556) for the relief of H. J. Tisdale—to the Committee on Military Affairs.

Also, a bill (H. R. 6557) for the relief of Philip Brady—to the Committee on War Claims.

By Mr. DALZELL: A bill (H. R. 6558) granting an increase of pension to R. H. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6559) for relief of William H. Lippincott, late lieutenant Seventeenth New York Volunteers—to the Committee on War Claims.

By Mr. DOVENER: A bill (H. R. 6560) for the relief of Henry Snider, of Moundsville, W. Va.—to the Committee on War Claims.

By Mr. DRAPER: A bill (H. R. 6561) granting a pension to Harriet L. Park—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6562) granting an increase of pension to Frances Thompson—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 6563) granting an increase of pension to John Barriger—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 6564) granting an increase of pension to James H. Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6565) granting a pension to Adelaide B. Hawes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6566) for the relief of Nelson Root—to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 6567) granting an honorable discharge to Frank Paul—to the Committee on Military Affairs.

Also, a bill (H. R. 6568) for the relief of William Barker—to the Committee on Military Affairs.

Also, a bill (H. R. 6569) for the relief of William E. Cummin—to the Committee on Claims.

Also, a bill (H. R. 6570) granting an honorable discharge to George H. Randall—to the Committee on Military Affairs.

Also, a bill (H. R. 6571) granting a pension to William J. Tanner—to the Committee on Invalid pensions.

Also, a bill (H. R. 6572) granting a pension to Eliza Hendrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6573) granting an increase of pension to George Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6574) granting a pension to Emma M. Deal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6575) granting an increase of pension to William Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6576) granting a pension to Hannah Waldron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6577) granting a pension to Horace J. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6578) granting an increase of pension to Louis Leland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6579) granting a pension to George W. Speer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6580) granting a pension to Mary Jane Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6581) granting an increase of pension to John H. G. Wolke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6582) granting an increase of pension to Harry Heller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6583) granting an increase of pension to Charles T. Andrus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6584) granting an increase of pension to Morris B. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6585) granting a pension to George W. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6586) granting an increase of pension to Thomas McQuillen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6587) granting a pension to Martha F. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6588) granting an increase of pension to James H. Cummings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6589) granting a pension to Jacob Mock—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 6590) granting an increase of pension to Harriet L. Potter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6591) granting an increase of pension to William Champion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6592) granting a pension to Sarah C. Wilson—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 6593) granting a pension to Jefferson White—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 6594) granting a pension to Granville C. West—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6595) granting a pension to Capt. John H. McBrayer—to the Committee on Pensions.

Also, a bill (H. R. 6596) granting an increase of pension to Jesse Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6597) for the relief of the Methodist Episcopal Church South, at Harrodsburg, Ky.—to the Committee on War Claims.

By Mr. HARDWICK: A bill (H. R. 6598) for the relief of John H. May, George W. Peacock, Samuel Lang, and James K. Hines—to the Committee on Claims.

By Mr. HASKINS: A bill (H. R. 6599) for the relief of Benjamin Burrows—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 6600) granting a pension to James R. Keary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6601) granting an increase of pension to John Newsome—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6602) granting an increase of pension to B. F. Hackett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6603) granting an increase of pension to Joseph M. Fleming—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 6604) to authorize the detail of George F. Ormsby in the interest of commerce—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 6605) granting an increase of pension to George B. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6606) granting an increase of pension to Robert D. Wall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6607) granting an increase of pension to John Blair—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 6608) granting an increase of pension to Sanford P. Stitzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6609) granting an increase of pension to Alsey E. Potts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6610) granting an increase of pension to Samuel Hendrickson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6611) granting an increase of pension to Austin Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6612) granting an increase of pension to Willis G. Overstreet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6613) granting an increase of pension to John M. Swain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6614) granting an increase of pension to Milton Kinder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6615) granting an increase of pension to Noah Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6616) granting an increase of pension to Jefferson Foncannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6617) granting an increase of pension to William Kuhns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6618) granting an increase of pension to Henry C. Coffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6619) granting an increase of pension to Benjamin R. Little—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6620) granting an increase of pension to Francis H. Churchill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6621) granting an increase of pension to John T. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6622) for the relief of Edward Shopstall—to the Committee on Military Affairs.

Also, a bill (H. R. 6623) for the relief of Marshall P. Wolfe—to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 6624) for the relief of Yan Phou Lee, a Chinese resident of the State of Delaware—to the Committee on Foreign Affairs.

By Mr. HULL: A bill (H. R. 6625) granting an increase of pension to Isaac Frazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6626) granting an increase of pension to John S. G. Sperry—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 6627) granting an increase of pension to Philo J. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6628) granting an increase of pension to I. B. Wambaugh—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 6629) granting a pension to George Decker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6630) authorizing the appointment of Eugene D. Dimmick, colonel United States Army, retired, as brigadier-general—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 6631) for the relief of Lucinda E. Howard, of Pike County, Ark.—to the Committee on Claims.

Also, a bill (H. R. 6632) for the relief of Willmore R. Lee, of Logan County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 6633) granting an increase of pension to Clark Tritt—to the Committee on Pensions.

By Mr. McGUIRE: A bill (H. R. 6634) providing for the payment of certain money out of town-lot sales to Jacob Crew—to the Committee on Claims.

Also, a bill (H. R. 6635) to correct the military record of Henry Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 6636) for the relief of Christopher M. Ladd—to the Committee on Military Affairs.

Also, a bill (H. R. 6637) granting a pension to Thomas Cory—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6638) granting a pension to John P. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6639) granting a pension to Albert Eggleston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6640) granting an increase of pension to John A. Courtney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6641) granting an increase of pension to Thomas S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6642) granting an increase of pension to Jacob Amberg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6643) granting an increase of pension to Simeon Slusher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6644) granting an increase of pension to Amos W. Polley—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 6645) granting an

increase of pension to Simon W. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6646) granting an increase of pension to Lewis White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6647) granting an increase of pension to Thomas Headley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6648) granting an increase of pension to Herman Buckthal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6649) granting an increase of pension to Sampson Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6650) granting an increase of pension to Eli B. Helm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6651) granting an increase of pension to Charles T. Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6652) granting an increase of pension to Lawyer Suggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6653) granting an increase of pension to Josiah Standley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6654) granting an increase of pension to Charles R. Van Trees—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6655) granting an increase of pension to James A. Bruner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6656) granting an increase of pension to Barton P. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6657) granting a pension to Elizabeth C. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6658) granting a pension to George W. McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6659) granting a pension to Francis A. Eller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6660) granting a pension to Peter Ballenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6661) granting a pension to William F. Bunger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6662) granting a pension to William Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6663) granting a pension to Mahala Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6664) granting a pension to William F. Browning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6665) granting a pension to Cornelius Meadows—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6666) for the relief of Willis Benefield—to the Committee on the Public Lands.

Also, a bill (H. R. 6667) for the relief of William J. Alexander—to the Committee on War Claims.

Also, a bill (H. R. 6668) to correct the military record of Edward Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 6669) to correct the military record of Isaac N. Collins—to the Committee on Military Affairs.

By Mr. MINOR: A bill (H. R. 6670) granting an increase of pension to Alice M. Stafford—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 6671) granting an increase of pension to Guier Sutton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6672) granting an increase of pension to John R. Hutchison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6673) granting a pension to Vinton Myrick—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 6674) for the relief of John Conner, sr.—to the Committee on Claims.

Also, a bill (H. R. 6675) for the relief of Mary N. Westmoreland—to the Committee on War Claims.

Also, a bill (H. R. 6676) for the relief of J. M. Hines—to the Committee on War Claims.

Also, a bill (H. R. 6677) for the relief of the estate of Thomas Brooks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 6678) for the relief of the estate of William G. Harwood, deceased, late of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6679) for relief of Jesse L. Brandt, of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6680) for the relief of J. M. Hines, Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6681) for the relief of J. M. Sanders, of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6682) for the relief of Joseph B. Somerville—to the Committee on War Claims.

Also, a bill (H. R. 6683) for the relief of Elam Cooper, of Lauderdale County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6684) for the relief of Humbolt Female College—to the Committee on War Claims.

Also, a bill (H. R. 6685) for the relief of John E. Lewis, of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6686) for the relief of William B. Booker, of Haywood County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6687) for the relief of William B. Booker—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 6688) granting an increase of pension to George C. Tracy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6689) granting an increase of pension to James E. Wentworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6690) granting an increase of pension to Leander Merrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6691) granting an increase of pension to George F. Jewett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6692) granting an increase of pension to Melcolm Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6693) granting an increase of pension to Charles Lancill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6694) granting an increase of pension to Edwin Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6695) granting an increase of pension to Sophronia Q. Head—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6696) granting an increase of pension to Joseph E. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6697) granting an increase of pension to Luther F. Palmer—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 6698) granting a pension to Mary Louise Adler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6699) granting a pension to Oscar W. Davis—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 6700) granting an increase of pension to Abram B. Stoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6701) granting an increase of pension to John A. Reeds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6702) granting an increase of pension to James Slater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6703) granting an increase of pension to Levi Remick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6704) granting an increase of pension to Jasper N. Bird—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6705) granting an increase of pension to Edwin A. Foreman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6706) granting an increase of pension to James Bliss—to the Committee on Pensions.

By Mr. SCUDDER: A bill (H. R. 6707) for the relief of the heirs of George L. Davis, deceased—to the Committee on Claims.

Also, a bill (H. R. 6708) granting a pension to Annie Renssnér—to the Committee on Pensions.

By Mr. SHAFROTH: A bill (H. R. 6709) for the relief of Mrs. Julia L. Hall—to the Committee on Claims.

By Mr. SIMS: A bill (H. R. 6710) for the relief of the heirs of Margaret Kennedy—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 6711) granting a pension to Hiram Simonton—to the Committee on Pensions.

Also, a bill (H. R. 6712) for the removal of the charge of desertion from the military record of Henry Sistrunk—to the Committee on Military Affairs.

By Mr. STERLING: A bill (H. R. 6713) granting an increase of pension to John E. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6714) granting an increase of pension to George E. Pierson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6715) granting an increase of pension to James B. Cummins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6716) granting an increase of pension to Eliza Ann Roland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6717) to correct the military record of Charles O. Rider—to the Committee on Military Affairs.

Also, a bill (H. R. 6718) granting an increase of pension to James E. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6719) granting an increase of pension to Samuel Foster—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 6720) for the relief of the estates of J. J. Findley and Samuel Stephens—to the Committee on War Claims.

Also (by request), a bill (H. R. 6721) for relief of William T. Edwards—to the Committee on Military Affairs.

Also, a bill (H. R. 6722) for the relief of Jasper N. Martin—to the Committee on Military Affairs.

Also, a bill (H. R. 6723) granting a pension to Mary Pitman—to the Committee on Pensions.

Also, a bill (H. R. 6724) granting a pension to Arelia C. Pool—to the Committee on Pensions.

Also, a bill (H. R. 6725) for the relief of Moses Gillespie—to the Committee on Pensions.

Also, a bill (H. R. 6726) to correct the military record of Capt. Thomas E. Holland's company of Georgia Mounted Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 6727) for the relief of New Hope Baptist Church, of Bartow County, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 6728) granting a pension to Newton Coker—to the Committee on Pensions.

Also, a bill (H. R. 6729) for relief of Joseph Thomas—to the Committee on Military Affairs.

Also, a bill (H. R. 6730) granting a pension to Martha A. Mason, widow of Charles Mason—to the Committee on Pensions.

Also, a bill (H. R. 6731) granting a pension to Synthia Ann Mason—to the Committee on Pensions.

Also, a bill (H. R. 6732) granting a pension to Dorcus Elliott—to the Committee on Pensions.

Also, a bill (H. R. 6733) for the relief of Lucretia A. Keith—to the Committee on Pensions.

Also, a bill (H. R. 6734) for relief of Milton Holt—to the Committee on Military Affairs.

Also, a bill (H. R. 6735) for relief of Mary A. Spurlock—to the Committee on Pensions.

Also, a bill (H. R. 6736) granting a pension to Dorcas Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6737) for the relief of Sanford A. Pinjan—to the Committee on Military Affairs.

By Mr. TIRRELL: A bill (H. R. 6738) granting an increase of pension to Marcellus A. Lothrop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6739) granting an increase of pension to Waldo R. Foster—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 6740) to remove charge of desertion from military record of John W. Dailey—to the Committee on Military Affairs.

Also, a bill (H. R. 6741) granting an increase of pension to Ruth Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6742) granting an increase of pension to Truman D. Blomers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6743) granting an increase of pension to C. W. McIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6744) granting an increase of pension to John E. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6745) granting an increase of pension to Henry Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6746) granting an increase of pension to Francis Van Aernam—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6747) granting an increase of pension to Darius Ketchum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6748) granting an increase of pension to Samuel Ely, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6749) granting an increase of pension to John D. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6750) granting a pension to Ann Imus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6751) granting a pension to Isaiah V. Filkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6752) granting a pension to Issabinda Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6753) granting a pension to Elizabeth Bentley—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 6754) granting increase of pension to Dock W. Richardson—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 6755) granting a pension to Fred B. Willis—to the Committee on Invalid Pensions.

By Mr. WILSON of Arizona: A bill (H. R. 6756) granting a pension to John Hughes—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 6757) granting an increase of pension to Thomas J. O'Hara—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of A. J. Stinson and other citizens of Beaver Falls, Pa., protesting against the sale of liquor at Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, paper to accompany bill granting an increase of pension to Joseph Leonard—to the Committee on Invalid Pensions.

Also, resolution of the Pennsylvania State forestry reservation commission, relative to the preservation of the big redwood trees of California—to the Committee on Agriculture.

By Mr. BADGER: Resolution of the Board of Trade of Columbus, Ohio, favoring the creation of a new Federal court district in central Ohio—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Letter from Meyer Brothers Drug Company, St. Louis, Mo., relating to a more liberal drawback system—to the Committee on Ways and Means.

By Mr. BEIDLER: Papers to accompany bill to pension E. M. Rhodes—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension James C. Hall—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Resolution of Beloit Post, No. 147, Grand Army of the Republic, of Beloit, Kans., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Papers to accompany bill to pension John F. M. Todd—to the Committee on Invalid Pensions.

By Mr. CURTIS: Resolutions of Victor Post, No. 203, Grand Army of the Republic, of Fort Dodge, Kans.; Severance Post, No. 191, Grand Army of the Republic, Severance, Kans.; Baxter Post, No. 123, Grand Army of the Republic, Baxter Springs, Kans.; Corning Post, No. 259, Grand Army of the Republic, Corning, Kans., and Beloit Post, No. 147, Grand Army of the Republic, Beloit, Kans., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of the Commercial Club, of Topeka, Kans., relative to the revised Elkins bill—to the Commlttee on Interstate and Foreign Commerce.

Also, petition of the citizens of Perry, Kans., favoring the Hepburn bill, relating to interstate liquor traffic—to the Committee on the Judiciary.

By Mr. DALZELL: Resolution of the Pennsylvania State forestry reservation commission, relative to the preservation of the big redwood trees of California—to the Committee on Agriculture.

Also, papers to accompany bill to increase pension of Robert H. Long—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of La Crosse Council, No. 94, of the United Commercial Travelers of America, favoring the passage of the bill relative to the bankruptcy law—to the Committee on the Judiciary.

By Mr. FLACK: Petition of residents of St. Lawrence County, N. Y., protesting against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Resolution of the United Typothetæ of America, protesting against increase of rate on a portion of second-class matter—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany bill granting an increase of pension to Harriet L. Potter—to the Committee on Invalid Pensions.

By Mr. GILBERT: Petition of James Vernon, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. HAY: Papers to accompany claim of Joseph Berden—to the Committee on War Claims.

Also, papers to accompany claim of Joseph W. Harsbarger—to the Committee on War Claims.

Also, papers to accompany claim of Mathias Diehl—to the Committee on War Claims.

By Mr. HOUSTON: Petition of citizens of the State of Delaware, asking passage of an act to enable Yan Pheu Lee, a native of China and at present a resident of Delaware, to become naturalized—to the Committee on Foreign Affairs.

By Mr. HULL: Papers to accompany bill H. R. 3921, to pension M. C. Staves—to the Committee on Invalid Pensions.

Also papers to accompany bill H. R. 5691, to increase pension of Henry Rhinehart—to the Committee on Invalid Pensions.

By Mr. KNAPP: Statement of the Chamber of Commerce of Watertown, N. Y., to accompany bill H. R. 4478, relative to a public building—to the Committee on Public Buildings and Grounds.

By Mr. MIERS of Indiana: Papers to accompany bill to increase pension of Barton P. Spencer—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Thomas Headley—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Herman Buckthal—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension James W. McBride—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Eli B. Helm—to the Committee on Invalid Pensions.

Also, paper to accompany bill to increase pension of Simon L. Wilson—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Lewis Chapman—to the Committee on Invalid Pensions.

Also, papers to accompany bill to correct military record of Isaac N. Collins—to the Committee on Military Affairs.

By Mr. POWERS of Maine: Paper to accompany bill increasing the pension of Luther F. Palmer—to the Committee on Invalid Pensions.

By Mr. TATE: Papers to accompany bill granting a pension to Mary A. Spurlock—to the Committee on Pensions.

By Mr. THOMAS of Iowa: Resolution of the Society of the Army of the Potomac, of Sioux City, Iowa, favoring the establishment of a national park, including Fredericksburg and other battlefields in the State of Virginia—to the Committee on Military Affairs.

By Mr. WILSON of Arizona: Paper to accompany bill to pension John Hughes—to the Committee on Pensions.

By Mr. ZENOR: Papers to accompany bill to increase pension of David F. Lewis—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *December 10, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. REED SMOOT, a Senator from the State of Utah, and Mr. JAMES P. TALIAFERRO, a Senator from the State of Florida, appeared in their seats today.

The Journal of yesterday's proceedings was read and approved.

SURPLUS LANDS OF OTTAWA INDIANS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting from the Commissioner of Indian Affairs an agreement with the Ottawa Indians of the Indian Territory in regard to their surplus lands, and also a draft of a bill to carry the agreement into effect; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BURTON presented petitions of the congregation of the Presbyterian Church of Osage City, and of the congregation of the Presbyterian Church of Eldorado, in the State of Kansas, and of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. TALIAFERRO presented a petition of the Woman's Christian Temperance Union of Winter Park, Fla., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the Friends Meeting and First Day School of Woodstown; of the Union Grove Sabbath School, of Woodstown; of the Sabbath School of Yorktown; of Grange No. 222, Patrons of Husbandry, of Woodstown; of the Junior Order United American Mechanics, of Woodstown; of the Woman's Christian Temperance Union of Thorofare; of the congregation of the First Methodist Episcopal Church of Haddonfield, and of Woodbine Lodge, No. 156, Junior Order of Odd Fellows, of Woodstown, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented a petition of the Outlook Club, of Weiser, Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. LODGE presented a petition of the Board of Trade of Lawrence, Mass., praying for the enactment of legislation to increase the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the Lothrop Club, of Beverly, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. ALLEE presented petitions of sundry citizens of Wilmington, Dover, Milford, Lincoln, and Bridgeville, all in the State of Delaware, praying for the enactment of legislation to enable Yan Phou Lee, a native of China, to secure naturalization as a citizen of the United States; which were referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of sundry citizens of Quinnimont, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. WARREN presented a petition of the board of trade of Saratoga, Wyo., praying for the enactment of legislation to increase the American merchant marine; which was referred to the Committee on Commerce.

Mr. DOLLIVER. I present memorials of sundry citizens of Stacyville and Spencer, Iowa, remonstrating against the ratification of the treaty between the United States and Cuba relative to the Isle of Pines. As it is a matter pending in executive session, I move that the memorials lie on the table.

The motion was agreed to.

Mr. DOLLIVER presented a petition of the Hawkeyeburn Club, of Marshalltown, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PATTERSON presented a petition of the Home Culture Club, of Pueblo, Colo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented petitions of sundry citizens of Biggsville, of the Woman's Christian Temperance Union of Chenoa, and of 300 citizens of Streator, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented petitions of sundry citizens of Prescott, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the congregation of the Evangelical Church of Pawtucket, R. I., and a petition of the congregation of the West Presbyterian Church, of Central Falls, R. I., praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the National Temperance Society of New York, praying for the appointment of a commission to inquire as to the results of the traffic in alcoholic liquors, etc.; which was referred to the Committee on the Judiciary.

He also presented a petition of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of the congregation of the Pittsgrove Presbyterian Church, of Daretown; of the congregation of the Park Methodist Episcopal Church of Bloomfield; of the congregation of the Second Presbyterian Church of Camden; of the congregation of the First Methodist Episcopal Church of Haddonfield, and of sundry citizens of Andover, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of the Ministerial Association of Bay City, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DEPEW presented petitions of Lodge No. 45, Independent Brotherhood of Pattern Makers, of Deferiet; of Local Union No. 38, of Rochester; of the International Wood Carvers' Association of Rochester, of Local Union No. 202, of Gloversville; of the Glove Table Cutters' Local Union of Gloversville; of the Pattern Makers' Association of Schenectady; of Carpenters and Joiners' Local Union No. 895, of Seneca Falls; of Typographical Union No. 75, of Rochester; of Local Union No. 112, of Glens Falls; of Tobacco and Cigarette Union No. 1, of New York City; of Woodworkers Local Union No. 90, of Jamestown, all of the American Federation of Labor, and of Utica Division, No. 84, Order of Railroad Conductors, of Frankfort, all in the State of New York, praying for the passage of the eight-hour bill and also for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Education and Labor.

Mr. FAIRBANKS presented a petition of Lew Daily Post, No. 38, Department of Indiana, Grand Army of the Republic, of Bluffton, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented memorials of the Marion Ice and Cold Storage Company, of Marion; of A. F. Curtis, of Franklin; of the Crystal Ice Company, of Anderson; of the John Ebner Ice Company, of Seymour, and of the Crystal Ice and Cold Storage Company, of Marion, all in the State of Indiana, remonstrating against the enactment of legislation relative to the use of the mails for certain classes of literature and for contracts of insurance; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented the petition of John S. Hughes and 84 other citizens occupying lands in the territory of the navy-yard at

Pensacola, Fla., praying for the enactment of legislation granting to them the right of suffrage; which was referred to the Committee on the Judiciary.

He also presented a petition of General Warren Council, No. 46, Junior Order of United American Mechanics, of Brooklyn, N. Y., praying for the enactment of legislation to restrict immigration; which was referred to the Committee on Immigration.

REPORTS OF COMMITTEES.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom was referred the bill (S. 201) to establish a port of delivery at Salt Lake City, Utah, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 576) extending to the subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement, reported it with an amendment, and submitted a report thereon.

Mr. HANNA, from the Committee on Commerce, to whom was referred the bill (S. 1681) to provide for the modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn., reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2261) to amend section 4607 of the Revised Statutes, reported it with an amendment to the title, and submitted a report thereon.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 901) providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii, reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Commerce, to whom was referred the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras, reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1352) for the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb; and

A bill (S. 1748) to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California.

Mr. MARTIN, from the Committee on Commerce, to whom was referred the bill (S. 469) to restore Henry D. Hall to the Revenue-Cutter Service, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 833) for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired); and

A bill (S. 1339) authorizing Robert A. Chapman, of Alabama, his associates and assigns, to use the waters of the Coosa River, in Alabama, for the purpose of generating electricity.

Mr. CLAY, from the Committee on Commerce, to whom was referred the bill (S. 462) to construct and place a light-ship off the outer bar of Brunswick, Ga., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred Senate concurrent resolution No. 15, submitted by Mr. MALLORY on the 18th ultimo, directing the Secretary of War to cause a survey to be made of the harbor of St. Petersburg, on Tampa Bay, in Florida, with a view to securing an adequate basin at that point, etc., reported it without amendment.

Mr. WETMORE, from the Committee on the Library, to whom were referred the following joint resolution and bills, reported them severally without amendment, and submitted reports thereon:

A joint resolution (S. R. 9) authorizing the issue of duplicate medals where the originals have been lost or destroyed;

A bill (S. 39) in regard to a monumental column to commemorate the battle of Princeton, and appropriating $50,000 therefor;

A bill (S. 906) to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.; and

A bill (S. 23) for the erection of a monument to the memory of John Paul Jones.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the bill (S. 131) to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Commerce, to whom was referred the bill (S. 1380) to provide for a site for a depot for the Revenue-Cutter Service, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 2321) for the relief of the estate of Timothy Burgess, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 2322) granting a pension to Adolphus N. Pacetty; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DUBOIS introduced a bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2324) for the extension of Vermont avenue from Florida avenue to Howard University; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PROCTOR introduced a bill (S. 2325) granting a pension to Sophia P. Ellis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2326) increasing pensions of army nurses; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 2327) for the purchase of a national forest reserve in the White Mountains, to be known as the National White Mountain Forest Reserve; which was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

He also introduced a bill (S. 2328) relating to the salaries of Senators, Representatives, and Delegates in Congress; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2329) for the erection of a memorial structure at Fort Recovery, Ohio;

A bill (S. 2330) to correct the military record of Jacob McDowell;

A bill (S. 2331) to correct the military record of John N. Wood; and

A bill (S. 2332) to correct the military record of William Thomas.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2333) granting a pension to Benjamin F. Hall;

A bill (S. 2334) granting an increase of pension to William Hall;

A bill (S. 2335) granting an increase of pension to Bertha Forbriger;

A bill (S. 2336) granting an increase of pension to Julius Bracher;

A bill (S. 2337) granting an increase of pension to Edward M. Duff;

A bill (S. 2338) granting an increase of pension to Franklin Moore; and

A bill (S. 2339) granting an increase of pension to Carolina Apfel.

Mr. HANNA introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2340) for the relief of the estate of the late John Erb;

A bill (S. 2341) for the relief of William T. Alexander, jr.;

A bill (S. 2342) for the relief of Theodore D. McCaddon; and

A bill (S. 2343) for the relief of James McElroy.

Mr. PLATT of New York introduced a bill (S. 2344) for the relief of Charles Uecker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 2345) to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 2346) to provide a government for the island of Tutuila and the islands adjacent thereto within the jurisdiction of the United States; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 2347) to provide a government for the island of Guam, and for other purposes; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. MILLARD introduced a bill (S. 2348) granting an increase of pension to Hamilton S. Gillespie; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 2349) for the relief of the heirs of Nancy Montgomery; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2350) for the relief of Henry Snider; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. WARREN introduced a bill (S. 2351) to place Elias H. Parsons, late first lieutenant, Twelfth United States Infantry, and captain and assistant quartermaster of the United States Volunteers, on the retired list of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCUMBER introduced a bill (S. 2352) to forbid liquor selling in Government buildings; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McENERY introduced a bill (S. 2353) for the relief of Mrs. Hermina Martel; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 2354) for the promotion of First Lieut. Thomas Mason, Revenue-Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McCREARY introduced a bill (S. 2355) granting an increase of pension to Henry Clay; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2356) to amend section 4921 of the Revised Statutes, relating to patents; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

He also introduced a bill (S. 2357) to correct the military record of Samuel F. Hall; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2358) to remove the charge of desertion from the military record of John H. Fesenmeyer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. BURROWS introduced a bill (S. 2359) to correct the military record of James W. Houser; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 2360) granting an increase of pension to Anderson L. Gill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2361) granting an increase of pension to Clara E. Daniels; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2362) for the relief of the heirs of Melvin B. Smith; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. OVERMAN introduced a bill (S. 2363) for the relief of Elizabeth Hartgrove; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2364) granting a pension to Mary E. Haren; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2365) granting a pension to Julia A. Roberts;

A bill (S. 2366) granting an increase of pension to Jacob Henninger; and

A bill (S. 2367) granting an increase of pension to Ferdinand Merget (with accompanying papers).

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2368) granting an increase of pension to Charles F. Ferguson (with accompanying papers);

A bill (S. 2369) granting an increase of pension to George E. Oliphant (with accompanying papers);

A bill (S. 2370) granting an increase of pension to Henry C. Hendrickson; and

A bill (S. 2371) granting a pension to Julia A. F. Bassett.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2372) granting an increase of pension to David M. Davis (with an accompanying paper);

A bill (S. 2373) granting an increase of pension to Charles Cummings (with accompanying papers); and

A bill (S. 2374) granting an increase of pension to Alonzo Moses (with accompanying papers).

EMPLOYEES OF GOVERNMENT PRINTING OFFICE.

Mr. PENROSE. I submit a resolution for which I ask present consideration.

The resolution was read, as follows:

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate, in the same form as in Senate Document No. 59, Fifty-fourth Congress, second session, the names of all persons upon either the permanent, emergency, or temporary rolls of the Government Printing Office who were employed therein during the fiscal years 1902 to 1904, inclusive, who did not receive any leaves of absence during those fiscal years or pay for unused leaves of absence, and the amount which such persons would have received for each of said fiscal years, respectively, if leave pay had been allowed either in kind or pro rata upon the basis of [illegible] days for each fiscal year, the amount so computed to be according to the pay roll and the service performed by such persons during each of said fiscal years.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. CULLOM. Is it a resolution reported by a committee?

The PRESIDENT pro tempore. It is a resolution offered by the Senator from Pennsylvania [Mr. PENROSE], who asked for its present consideration.

Mr. PENROSE. It is a resolution requesting information. I believe a similar resolution has been heretofore passed by the Senate.

Mr. SPOONER. Let it be read again.

The Secretary again read the resolution.

The PRESIDENT pro tempore. Is there objection to its consideration?

Mr. SPOONER. Let it go over.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

GEORGE M. BUCK.

Mr. BURROWS submitted the following resolution; which was referred to the Committee on Privileges and Elections:

Resolved, That there be allowed and paid to George M. Buck, clerk of the Committee on Privileges and Elections of the Senate, the sum of $1,000 from the contingent fund of the Senate, for personal services and expenses in preparing for the use of the Senate the third edition of the Senate Election Cases.

ADDITIONAL CLERK TO COMMITTEE.

Mr. HANNA submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interoceanic Canals be authorized to employ an additional clerk at a compensation of $1,600 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

ORDER OF PROCEDURE.

The PRESIDENT pro tempore. Is there further morning business? [A pause.] Morning business is closed.

Mr. CULLOM. I hope the bill to carry into effect the treaty with Cuba will be laid before the Senate.

The PRESIDENT pro tempore. That depends upon the construction which should be given—the Chair thinks it should be given by the Senate, too—as to what is meant by routine morning business. If it should be left to the Chair to decide it, he would hardly decide that a resolution coming over from a previous day is routine business, because it might occupy two hours, or until 2 o'clock, in discussion. The Chair observes that the Senator from Massachusetts [Mr. HOAR], who offered the resolution yesterday, is not present.

Mr. LODGE. I ask that it may go over, holding its place.

Mr. ALDRICH. I think the Chair misunderstood the request of the Senator from Illinois. It was not that the resolution offered by the Senator from Massachusetts be laid before the Senate, but that the regular order of business should be laid before the Senate.

Mr. CULLOM. That was my request.

Mr. ALDRICH. So the question the Chair suggests could hardly be before the Senate at the moment, the Chair having declared that morning business had closed, which I suppose, of course, would mean both routine business and all morning business.

The PRESIDENT pro tempore. The Chair called attention to it because the Senator from Massachusetts stated yesterday that his resolution would come up to-day as routine morning business. Of course the Chair has not been called upon to determine whether or not it is routine morning business. If it is not routine morning business, then it is the duty of the Chair to lay before the Senate the Cuban bill.

Mr. CULLOM. I understood the President of the Senate to announce that the morning business had closed, and therefore I asked that the regular order be laid before the Senate, which is the Cuban bill.

Mr. HOAR. May I make an inquiry? I was detained from the Senate by the necessity of seeing an officer of the Government.

The PRESIDENT pro tempore. The Chair announced that the morning business was closed, and then suggested that if himself called upon to determine whether a resolution which came over from a previous day is a part of the routine morning business, he would feel obliged to decide that it was not, because it is a resolution which might occupy two hours, or until 2 o'clock, in debate.

The Senator from Massachusetts yesterday thought that it was routine morning business up to its presentation, but that if debate arose it no longer continued to be such, as the Chair understood the Senator.

Mr. HOAR. That was my idea. If I may be pardoned for stating the proposition as I understand it, a resolution is laid before the Senate by the Chair when it is first introduced, on the first day, simply as a part of routine morning business. In other words, it comes in as business which is then transacted as a matter of course, without objection. Then the rule authorizes its going over. It may go over simply that it may be printed, or understood, or examined. A single request carries it over.

Then, on the next day, the question whether it is going through as a matter of routine comes up. It has the same place the next day that it had the day before. If there were no agreement to the contrary, it might be debated to the end of the morning hour and then go to the Calendar. But when it becomes subject of debate or difference of opinion it ceases to be matter of routine or of course.

That was my understanding of it, and I understood the Senator from Rhode Island [Mr. ALDRICH], on the matter being called to his attention, to accept that as the correct view.

It is a matter of very little consequence, because undoubtedly if the resolution is going to be adopted this morning without any debate, the Senator from Illinois, who is always courteous, would allow that to be done. If it is going to be debated and objected to, it will be the duty of the honorable Senator from Illinois to insist on the agreement.

Mr. COCKRELL. The only importance in regard to this question is the correctness of the ruling. I wish to call the attention of the President of the Senate to clause 5 of Rule XIV, and to what I conceive has been the custom heretofore under that rule:

All resolutions shall lie over one day for consideration, unless by unanimous consent the Senate shall otherwise direct.

As I understand it, when a resolution is introduced in the morning hour and a Senator asks that it may lie over it lies upon the President's desk and comes up as the morning business the next morning, and then disposition is made of it. I think that has been the universal rule. A Senator says, "Let it lie over," and it goes over and comes up the next morning. That seems to me to be the proper construction of the rule.

The resolution is on the President's table and the next morning at the conclusion of the ordinary business that is presented it is laid before the Senate, or it may be done at the beginning, for that matter. That, it appears to me, is the proper procedure, and it has been adhered to, I think, nearly all the time. It is very common, I know, in presenting a resolution—I have done it, I suppose, twenty times—to say, "Let it lie over."

Mr. BURTON. May I ask the Senator from Missouri a question?

Mr. COCKRELL. Certainly.

Mr. BURTON. If it would come up for discussion, then it might be—

Mr. COCKRELL. It would come up for disposition.

Mr. BURTON. Yes; or discussion.

Mr. COCKRELL. Well, discussion, or reference, or anything else.

Mr. BURTON. Then that discussion might last without any limit, might it not?

Mr. COCKRELL. So if you take it up in the morning hour the debate might last without any limit, except that you are under the five-minute rule, and a Senator can speak only once.

Mr. BURTON. Then, in effect, it would set aside the order we have made for the consideration of the Cuban bill.

Mr. COCKRELL. Oh, not at all.

Mr. BURTON. It would, up to the hour of 2 o'clock.

Mr. COCKRELL. If the rule was enforced a Senator would have a right to speak for five minutes and only once and that would be the end. When 2 o'clock came, if it was not disposed of, it would go to the Calendar and would have no privileges over any other bill or resolution on the Calendar. I think that has been the rule and custom heretofore, and I think it ought to be adhered to. I do not know the contents of the resolution which has been referred to.

Mr. HOAR. Will the Senator from Missouri allow me to call his attention to the fact that under the rule when a resolution is introduced it is not considered the first day as a matter of routine or of course? It goes over as of course. When a Senator introduces a resolution it is as much as saying that it will be taken up to-morrow morning, unless there is unanimous consent to take it up on the first day.

Mr. COCKRELL. It requires unanimous consent to take it up on the first day.

Mr. HOAR. It does not require an objection to send it over. It goes over as of course, unless there is unanimous consent to the contrary, under the rule. The rule sends it over.

Mr. COCKRELL. I wish to say further, if it does not come up as a part of the morning business you can not do anything with a resolution; it is dead.

Mr. CULLOM. The trouble is that the agreement which has been entered into by the Senate, it seems to me, would be interfered with if we launched out into a discussion in the morning hour of resolutions which might be offered from day to day, the result of which would be that a large part of the time which, by unanimous consent, we have agreed to set apart for the discussion and consideration of the Cuban bill, so-called, would be taken up every morning by resolutions.

REPUBLIC OF PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, and always has done so. This presents a different case because there has been unanimous consent given that immediately after the routine morning business the Cuban bill shall be taken up for consideration. The Chair has made no ruling, but has simply suggested that while he would probably have no right to construe what the Senate intended by routine morning business, if compelled to make a ruling he would say that it did not include a resolution on which a debate might take up two solid hours.

Mr. CULLOM. And for every day during the time when the agreement is operative.

Mr. HOAR. Is it not a matter of mere routine and of course to lay before the Senate a resolution which comes over from a previous day? I so understand it. I respectfully ask the Chair whether the true rule is not that he lay the matter before the Senate as a matter of routine, and then if it be debated the debate is not a matter of routine, and it then is affected by the unanimous-consent agreement and goes over. My proposition seems to me to be clear.

Mr. CULLOM. I do not understand the Senator from Massachusetts to take the ground that if any Senator desires to discuss the resolution he will insist upon its being brought before the Senate.

Mr. HOAR. Not at all.

Mr. CULLOM. I wish to say on my own part that if it should come up it will be discussed. So, I think, practically the result is the same.

Mr. HOAR. Then, I ask unanimous consent that the resolution may now be laid before the Senate, and may go over until another day, losing no rights.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the resolution submitted yesterday by him be laid before the Senate and go over, retaining its present position.

Mr. ALDRICH. Whatever that may be.

Mr. HOAR. I will say subject to my call.

The PRESIDENT pro tempore. Subject to the Senator's call.

Mr. ALDRICH. That will be, of course, subject to call, with all the rights and privileges that belong to it to-day.

Mr. HOAR. The only difference is that if it goes over the other way it will have to come up every day, and if it goes over subject to my call it does not have to be laid before the Senate every day.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and the order is made.

Mr. HOAR. I wish to give notice that I shall call up the resolution on the first opportunity I shall get when calling it up will not interfere with the unanimous-consent agreement.

TRADE RELATIONS WITH CUBA.

Mr. CULLOM. Now, I suppose, the Cuban bill is before the Senate.

The PRESIDENT pro tempore. The Cuban bill is before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. CULLOM. I hope, if any Senator is prepared to speak to-day, that he will proceed. I am not aware whether any Senator is prepared to go on or not.

EXPOSITION AT PORTLAND, OREG.

Mr. MITCHELL. Mr. President, I ask unanimous consent to give a notice.

On the 11th of November I introduced the bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures,

and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes.

At my request the bill was ordered to lie on the table. I stated then that I would call it up at some convenient time for the purpose of explaining the bill.

I desire to give notice that on Thursday next, the 17th, immediately after the conclusion of Morning business, I shall ask the unanimous consent of the Senate to call up the bill for the purpose of explaining its provisions.

Mr. CULLOM. That is on Thursday?

Mr. MITCHELL. On Thursday, the 17th, the day after the consideration of the Cuban bill will be closed.

Mr. HALE. I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 38 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 11, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 10, 1903.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

PENSION APPROPRIATION BILL.

Mr. VAN VOORHIS, from the Committee on Appropriations, reported a bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1904, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. VAN VOORHIS. Mr. Speaker, in the absence of any special order for to-morrow, I desire to give notice that I will call up the bill just reported for consideration at the next session of the House.

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman a question. I suppose it is the intention of the committee having this matter in charge to allow time for general debate?

Mr. VAN VOORHIS. All the time desired.

Mr. MADDOX. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. MADDOX. I rise to a point of order. I can not hear a thing.

The SPEAKER. The House will be in order.

Mr. WILLIAMS of Mississippi. I would ask the gentleman from New York if points of order have been reserved on this bill?

Mr. PAYNE. I think not.

Mr. WILLIAMS of Mississippi. Then, Mr. Speaker, I wish to reserve all points of order.

The SPEAKER. The gentleman from Mississippi reserves all points of order on the pension appropriation bill, and entry thereof will be made in the Journal.

Mr. PAYNE. Mr. Speaker, perhaps I ought to repeat what I said. I will state to the gentleman from Georgia [Mr. MADDOX] and to the House generally that I asked the gentleman from Ohio [Mr. VAN VOORHIS] if it were the intention of the committee to allow full time for general debate upon this bill. He replied that it was. I made that inquiry, if I may be allowed to so state to the House, because now, while business is not pressing, it seems to me, it would be a good time for gentlemen who have campaign or other speeches ready to deliver to entertain the House with them. By and by, when we get more press of business, it will be more difficult for those gentlemen to get the floor, and this time, during the consideration of this bill, it seems to me, would be a good opportunity for any gentleman who has thoughts which he believes ought to be impressed on the country, on either side of the House, to unburden himself. That is the reason I made the inquiry.

Mr. WILLIAMS of Mississippi. What arrangement has been made about the time?

Mr. PAYNE. No arrangement whatever. I suppose we will just run along and, so far as I am concerned, we may have unlimited debate, with the purpose, however, of passing the bill some time during the present session.

Mr. WILLIAMS of Mississippi. Very well; then we will just run along without limit for the present.

Mr. PAYNE. Yes.

COMMITTEE ON THE PUBLIC LANDS.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on the Public Lands is hereby authorized to have printed and bound such documents as the committee may deem necessary for the use of said committee during the Fifty-eighth Congress.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. PAYNE. Mr. Speaker, I would ask the gentleman from Iowa if there is present need for this order?

Mr. LACEY. Mr. Speaker, there has always been need for this order in that committee. It has been usual to grant this authority to the committee.

Mr. PAYNE. And there is need at this time?

Mr. LACEY. I think so, beyond question. The committee work is very heavy.

The SPEAKER. Without objection, the resolution will be considered as agreed to. [After a pause.] The Chair hears none, and it is so ordered.

COMMITTEE ON INDUSTRIAL ARTS AND EXPOSITIONS.

Mr. TAWNEY. Mr. Speaker, I am directed by the Committee on Industrial Arts and Expositions to report the resolution which I send to the desk and ask to have read, and I ask unanimous consent for its present consideration.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed [illegible] at New Orleans December 13, 14, and 15, 1903, [illegible] the Senate and the Speaker of the House of Representatives [illegible] Congress [illegible] on [illegible] of the House and one [illegible] of the Senate.

The SPEAKER. Is there objection to the present consideration of the resolution reported by the gentleman from Minnesota, from the Committee on Industrial Arts and Expositions?

Mr. HEMENWAY. Mr. Speaker, I objected to the consideration of this resolution before——

Mr. TAWNEY. I trust the gentleman from Indiana will withhold his objection until I can make a statement——

Mr. HEMENWAY. I will reserve the right to object.

Mr. TAWNEY. Until I can state the reasons which induced the committee to report the resolution.

Mr. HEMENWAY. I will reserve the right to object to the request for unanimous consent.

The SPEAKER. The gentleman from Indiana reserves the right to object. The gentleman from Minnesota.

Mr. TAWNEY. Mr. Speaker, I hope that the gentleman from Indiana will reconsider his intention to object to the present consideration of this resolution. The fact is, as every Member of the House knows, the 20th of this month will be the one hundredth anniversary of the relinquishment of sovereignty over the territory of Louisiana by France and Spain to the United States. That event occurred one hundred years ago in the city of New Orleans. There were three parties to the transfer—France, Spain, and the United States. The legislature of the State of Louisiana has invited all three of the parties to this transaction to be present and participate in the exercises intended to commemorate this event. They do not ask for the appropriation of any money. They merely ask that the Congress of the United States be present, by a committee or otherwise, for the purpose of participating in the celebration.

The Government of France and the Government of Spain have both accepted the invitation. I am advised by the Secretary of the Navy that both these Governments will send their representatives on war vessels to attend this celebration. The name of the French vessel is given by the Secretary, but he was unable to give the name of the Spanish vessel. Now these two foreign Governments, parties to this great event, having accepted the invitation to attend and participate, it would be poor taste, it would be rather a serious reflection upon the House of Representatives, to decline to accept the invitation, and no individual Member should put the House in that position by imposing an objection. If France and Spain, as a Member said to me yesterday, can see anything in this event to celebrate, then the Government of the United States, being the sole beneficiary, should certainly be a participant, by having its Congress represented on that occasion. I sincerely hope the gentleman from Indiana will not object, and that he will allow the resolution to be considered.

Mr. HEMENWAY. Mr. Speaker, the gentleman from Minnesota seems to forget that the Government of the United States is expending $5,000,000 to celebrate this event at St. Louis, and I

do not believe that we should enter into additional celebrations of the event at New Orleans. I have no objection to a committee being appointed, if they want to appoint a committee, but I do object to appropriating money to pay for sending a delegation of members of this House and the Senate to New Orleans.

Mr. TAWNEY. Mr. Speaker, will the gentleman permit a question?

Mr. HEMENWAY. I will.

Mr. TAWNEY. Do you think it would comport with the dignity of the House of Representatives to appoint a committee and send them down there at their own expense or at the expense of the people of the city of New Orleans?

Mr. HEMENWAY. Well, if the gentleman is of that opinion, I suggest then that he withdraw the proposition to appoint a committee at all. I see no reason why we should expend $5,000,000 at St. Louis in celebrating this event, and then have a lot of sideshows around over the country, necessitating the expenditure of the money of the Government. Now, it is not merely a question of the $2,000; it is the principle that I contend for: that this House ought not to appropriate money to expend on a Congressional junket anywhere. If the members of this House and of the Senate appointed upon this committee do not care to pay their own expenses, then they ought not to go. Now, I have no doubt that the Secretary of the Navy will have a vessel there, which will represent the Government of the United States, just the same as Spain and France will have vessels from that country representing Spain and France; and I have no doubt that the dignity of the United States will be upheld by the officers of that vessel. I see no reason, Mr. Speaker, in view of the fact that we are celebrating this whole event at great expense to the Government elsewhere, that we should now have another committee going to New Orleans for that purpose. For that reason, Mr. Speaker, I object.

The SPEAKER. The gentleman from Indiana objects.

Mr. TAWNEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. This resolution is now on the Clerk's Calendar. If the regular order is demanded, and the call of committees is proceeded with, can not the resolution be brought up for consideration on the call of this committee inasmuch as the committee have authorized me to call up the resolution in the event that it could not be considered by unanimous consent?

The SPEAKER. Replying to the parliamentary inquiry, the Chair will state that the bill is not yet on the Calendar; and rulings have been made heretofore that a sufficient time must elapse to allow the bill to be placed upon the Calendar, presumably a day before it would be in order to consider it upon the call of committees. The Chair is reminded that in the Fifty-fourth Congress it was held that the bill must be properly upon the Calendar and actually upon the Calendar.

Mr. DALZELL. Mr. Speaker, anyhow this bill goes upon the Union Calendar.

Several MEMBERS. Oh, no.

Mr. DALZELL. It appropriates money.

Mr. TAWNEY. With all due respect to the gentleman from Pennsylvania, I have investigated the matter and find that resolutions authorizing the payment of money out of the contingent fund of the House do not need to be considered in the Committee of the Whole House on the state of the Union. The precedents and decisions are to that effect.

Mr. PAYNE. As I understand the resolution, it directs the money to be paid out of the contingent fund of the House.

Mr. TAWNEY. That is true.

Mr. PAYNE. It does not appropriate money out of the Treasury. If it appropriated money out of the Treasury it would go to the Union Calendar.

Mr. HEPBURN. Before this matter is passed over, I would like to make a parliamentary inquiry of the gentleman from New York, if this is not true. I understand that he says that it does not go to the Calendar.

Mr. PAYNE. It goes to the Calendar of the House, not to the Committee of the Whole House on the state of the Union.

Mr. HEPBURN. I understood you to say that it did not go to the Calendar.

Mr. PAYNE. Oh, no.

Mr. TAWNEY. It does not go to the Union Calendar.

COMMITTEE ON INSULAR AFFAIRS.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Committee on Insular Affairs be authorized to have printed and bound such papers and documents for the use of said committee as it may deem necessary in connection with subjects considered or to be considered by the said committee during the Fifty-eighth Congress.

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to ask the gentleman a question. It is usual for this committee to obtain an order of this kind, and I want to ask the gentleman whether, in his opinion, there is present need of this resolution for printing and binding?

Mr. COOPER of Wisconsin. There is.

Mr. PAYNE. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the resolution is agreed to.

ENGRAVING DRAWINGS AND MAPS.

Mr. BURTON. Mr. Speaker, I ask unanimous consent for the consideration of the resolution which I wish to have read at the Clerk's desk.

The Clerk read as follows:

Resolved, That during the remainder of the fiscal year ending June 30, 1904, the order of the House to print executive documents shall be held to authorize [illegible] maps unless the Speaker shall, in the case of any document, otherwise direct.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The resolution was agreed to.

IMPEACHMENT OF CHARLES SWAYNE, JUDGE OF THE NORTHERN DISTRICT OF FLORIDA.

Mr. LAMAR of Florida. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. LAMAR of Florida. Mr. Speaker, I believe that the impeachment of a civil officer by this House is a [illegible]. I have made a joint resolution [illegible] by the legislature of the State of Florida a part of the resolution which I desire to submit to this House for its adoption. In pursuance of this joint resolution of the legislature of the State, which I have the honor in part to represent, I impeach Charles Swayne, judge of the northern district of the State of Florida, of high crimes and misdemeanors; and the resolution which I have prepared in accordance with former proceedings of this House in like cases I desire to have read by the Clerk for the information of the House.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas the following joint resolution was adopted by the legislature of the State of Florida:

Senate joint resolution 4, relative to Charles Swayne, judge of the United States court for the northern district of Florida.

Be it resolved by the legislature of the State of Florida:

Whereas it has been shown to this State that Charles Swayne, United States district judge of the northern district of Florida, has so conducted himself as to prejudice the rights of the State in the administration of justice, and has been guilty of such conduct as to make him susceptible to corrupt influences and have been so corrupted by influences;

Whereas it also appears that the said Charles Swayne is guilty of a violation of section 53 of the Revised Statutes in that he does not reside in the district for which he was appointed and of which he is judge, but resides outside the State of Florida and in the State of Delaware or State of Pennsylvania in open and defiant violation of said statute, and has not resided in the northern district of Florida for which he was appointed, in ten years, and is constantly absent from said district, only making temporary visits on a pretense of discharging his official duties;

Whereas the reputation of Charles Swayne as a corrupt judge is very injurious to the interests of the entire State of Florida, and his conduct towards his adopted district causes great sacrifice of their rights and annoyance and expense to litigants in his court;

Whereas it also appears that the said Charles Swayne is not only a corrupt judge, but that he is ignorant and incompetent and that his judicial opinions do not command the respect or confidence of the people;

Whereas the administration of the United States bankruptcy act in the district of said Charles Swayne and by his appointed referee has resulted in great injustice to the owners of the assets of the bankrupt by being [illegible] unnecessary costs, expenses, and allowances to the great wrong and injury of creditors and others, and such administration is, in effect, organized robbery and a stench in the nostrils of an honest people:

Be it resolved by the house of representatives of the State of Florida (the Senate concurring), That our Senators and Representatives in the United States Congress be and they are hereby requested to cause to be introduced in the Congress of the United States proper proceedings for the investigation of the proceedings of the United States circuit and district courts for the northern district of Florida, by Charles Swayne as United States judge for the northern district of Florida, and of his acts and doings as such judge, to the end that he may be impeached and removed from such office.

Be it resolved further, That the secretary of state of the State of Florida be and is hereby instructed to certify to each Senator and Representative in the Congress of the United States under the great seal of the State of Florida a copy of this resolution and its unanimous adoption by the legislature of the State of Florida.

State of Florida, office of the secretary of state.

UNITED STATES OF AMERICA, *State of Florida, ss:*

I, H. Clay Crawford, secretary of state of the State of Florida, hereby certify that the foregoing is a true and exact copy of Senate joint resolution in reference to Charles Swayne, judge of the United States court for the northern district of Florida, passed by the legislature of Florida, session of 1903, and on file in this office.

Given under my hand and the great seal of the State of Florida at Tallahassee, the capital, this the 7th day of September, A. D. 1903.

(L. S.) H. CLAY CRAWFORD,
Secretary of State.

Resolved, That the Committee on the Judiciary be directed to inquire and report whether the action of this House is requisite concerning the official misconduct of Charles Swayne, judge of the United States district court for the northern district of Florida, and say whether said judge has held terms of his court as required by law, whether he has continuously and persistently absented himself from the said State, and whether his acts and omissions in his office of judge have been such as in any degree to deprive the people of that district of the benefits of the court therein to amount to a denial of

justice whether the said judge has been guilty of corrupt conduct in office, and whether his administration of his office has resulted in injury and wrong to litigants of his court.

And in reference to this investigation the said committee is hereby authorized and empowered to send for persons and papers, administer oaths, take testimony, and to employ a clerk and stenographer if necessary to send a subcommittee to Pensacola and wherever it may be necessary to take testimony for the use of said committee. And the said subcommittee will be empowered shall have the same powers in respect to obtaining testimony as are herein given to said Committee on the Judiciary, with a sergeant-at-arms, by himself or deputy, who shall serve the processes of said committee and subcommittee and execute its orders, and shall attend the sittings of the same wherever ordered and directed thereby. And that the expense of such investigation shall be paid out of the contingent fund of the House.

Mr. LAMAR of Florida. Now, Mr. Speaker, this formal arraignment of Judge Swayne for misconduct and criminal conduct in office does not come to this House with the informal, as it were, presentation by private memorial, or a private petition, but it comes here with the full sanction and full force of an arraignment of a judge yet in office, for conduct which, if proven, will subject him to impeachment and removal from office, and that arraignment and accusation is led by the legislative department of the State of Florida. I have gone over, Mr. Speaker, with some care, the precedents in like cases in this House in times past, from the earliest course of procedure, and I think it is entirely proper, and hope the House will let it take that course. I move the adoption of the resolution.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GROSVENOR. Mr. Speaker, I think there ought to be no haste upon a question of as vital importance as this one is. On the face of all these papers there is no impeachment proved—that is, no ground of impeachment is charged. I have not gone over the cases as the gentleman from Florida says he has; he may be entirely right about it, but I wish he would give us some information upon what has been the practice heretofore.

Now, the result of all this will be for the House to practically indorse these allegations which are not in the form of charges. My understanding is that in cases of impeachment there should be specific charges made by the Member seeking impeachment. The legislature of a State can not come into the House of Representatives and impeach or proceed to impeach the Federal office-holder. It must be done by a Member of this House upon his official prerogative. This series of resolutions of the Florida legislature are impertinent and without legal effect.

I can recollect several cases that are familiar to everyone. Take, for instance, the impeachment of Andrew Johnson, which followed a form coming down to us from the English Parliament in the case of Warren Hastings, where the Member rising to make the impeachment made the charges specifically, upon which action was sought to be taken. No Member of this House has indorsed these specifications, if they are specifications, which I think they are not. I warn the House that we ought to be at least very careful about the mode and manner of this procedure. If this can be legally carried on in the present form, then the legislature of any State can come into the House of Representatives and inaugurate or precipitate an impeachment proceeding against anybody subject to the jurisdiction of the House.

I think, Mr. Speaker, that there ought to be charges specifying what it is that the judge is charged with doing. To say that a judge of one of our courts does not know enough to be a judge is hardly a specification. It is a good argument to apply to the appointing power, and, if he is an elective man, it is a good argument to apply to the electorate, but there is here no charge against this officer that, if proved, could result in his impeachment in the Senate. I think the Senate should send back these documents and declare by resolution that there is no foundation laid for them to proceed to the impeachment of this man.

I know nothing about this case, never heard of the judge, never heard anything connected with it until now; but I wish the gentleman from Florida would state why it is that specific charges upon which the officer ought to be tried have not now been brought here and given to the country. We are not a grand jury to seek for information upon a subject of this character. There ought, at least, to be a prima facie case alleged in the charges before they go to any committee of the House to investigate it.

Mr. SMITH of Kentucky. Will the gentleman from Ohio yield for a question?

Mr. GROSVENOR. Certainly.

Mr. SMITH of Kentucky. I want to know if the gentleman's view is that the Member from Florida offering this resolution should undertake to state the evidence of the charges or simply to make a direct charge himself?

Mr. GROSVENOR. Make the direct charge, the form being "I impeach Charles Swayne of high crimes and misdemeanors for the following reasons:" First, second, and so on. There is nothing of that kind here. There is a series of resolutions that are not recognized as a part of any formality of this character adopted by the legislature of Florida. They are entitled to great respect, being the resolutions of a sovereign State, and entitled to respect as coming from the gentleman himself; but it seems to me there is no ground laid here that could authorize the procedure asked for.

Mr. LACEY. Will the gentleman from Florida yield for a question?

Mr. LAMAR of Florida. Certainly.

Mr. LACEY. I would like to ask the gentleman if he does not think the better practice would be to have this resolution referred to the Committee on the Judiciary before having the House act upon it, and passing the resolution, so that there might be that preliminary investigation which would enlighten the House as to details?

Mr. LAMAR of Florida. Why, the motion is only to adopt the resolution, and the resolution submits the matter to the Judiciary Committee for its report. This House does not commit itself.

Mr. LACEY. The resolution recites a number of things that the House ought not to adopt until it first hears from a committee after the committee has investigated the matter.

Mr. LAMAR of Florida. Mr. Speaker, the greater includes the less——

Mr. GROSVENOR. Let me make a suggestion to the Member from Florida. I do not want to impede the proceeding upon this question, but is not the gentleman willing that this resolution, which, as it now appears, is undoubtedly privileged, shall go at once to the Committee on the Judiciary, that they may report whether in their judgment there is really any ground for action by the House? The gentleman, as I understand—he can correct me if I am wrong—wants the House to vote now upon this resolution.

Mr. LAMAR of Florida. The motion is to adopt this resolution for reference to the committee.

Mr. GROSVENOR. Well, I object to that. Let the whole question go to the committee. If the gentleman will accept my good faith in this matter as cordially as I do his, it seems to me that he should be willing to have the proposition go to the Committee on the Judiciary, letting them report it back as soon as possible, the House then to act upon the report as it may deem best.

Mr. LAMAR of Florida. In a proceeding similar to this there was a resolution offered in the nature of an arraignment or impeachment, which resolution, being inartificially and untechnically drawn, went to the Judiciary Committee. The committee simply changed the phraseology and reported the resolution back to the House, directing the impeachment.

Now, in this proceeding, the House is simply asked to adopt a formal resolution referring the matter of the impeachment of Judge Swayne to the Judiciary Committee, authorizing that committee to inquire whether he has been guilty of certain charges; and to enable them to make their inquiries they are authorized to sit here or elsewhere, by subcommittee or full committee, accompanied by the Sergeant-at-Arms or his deputy, to administer oaths, to take testimony, and upon that to make report to the House.

Mr. COOPER of Wisconsin. There is some dispute among Members here as to just what this resolution declares. I suggest that the resolution be read again.

Mr. LAMAR of Florida. I ask that the Clerk reread the resolution adopted by the legislature of Florida.

The resolution was again read.

Mr. LAMAR of Florida. As I understand, the objection made by the gentleman from Ohio [Mr. GROSVENOR] is that I do not charge Judge Swayne with any specific crime. I do charge him generally with high crimes and misdemeanors. Why should I be forced to state, when the proof is to be submitted to the Committee on the Judiciary, the specific matters upon which that general allegation is made? Every single crime that this judge is capable of committing is charged when I charge him on this floor with the commission of high crimes and misdemeanors. But if the gentleman desires that I shall make my charges seriatim, I charge this judge, first, with continued, persistent, and, if you please, pernicious absenteeism from his district; second, with corrupt official conduct, based upon several matters——

Mr. OLMSTED. Will the gentleman permit an inquiry?

Mr. LAMAR of Florida. I will yield to the gentleman in a moment. Third, I charge Judge Swayne with maladministration of judicial matters in his court, so much so as to embarrass bankrupts and annihilate the assets of litigants and others appearing within his jurisdiction. If this is sufficient, Mr. Speaker, to meet the requirements of the gentleman from Ohio, I shall be glad.

Mr. OLMSTED. Now will the gentleman yield? I simply want to ask him whether his charge is not a very general charge, without any specific instance being alleged, and whether his request is not that the Committee on the Judiciary investigate to ascertain whether they can find some specific charge which can be maintained?

Mr. LAMAR of Florida. Mr. Speaker, this is simply a resolution to be adopted by this House, if it sees fit, to refer this whole matter with such proofs in writing as are already in my possession to be submitted; that the committee be authorized to sit in this city or Pensacola, Fla., or at any other point within the district, and take testimony, following the usual course of procedure to arrive at the facts, and then, if the facts warrant, that the committee shall make report to the House, which report, of course, will be subject to adoption or rejection by the House. This resolution does not propose to try Judge Swayne here on the prima facie case as presented in the resolution; it does not asperse him more than any accusation of crime must necessarily do. The proposition is simply to authorize the committee to take testimony, so that it may be enabled to report to the House whether Judge Swayne ought to be arraigned upon this impeachment. That is the simple purpose of this resolution.

Mr. LACEY. Mr. Speaker——

The SPEAKER. One moment. The Chair believes there was unanimous consent given to have the resolution again reported.

Mr. LAMAR of Florida. Mr. Speaker, I ask that the resolution on the third page of the papers I sent to the desk, containing the directions to the committee, be again read.

The SPEAKER. Without objection, it will be reported.

There was no objection.

Mr. LACEY. Mr. Speaker, one moment. I desire to make a motion, so that it may be pending while this is being read. I move to refer this entire resolution to the Committee on the Judiciary.

The SPEAKER. The motion is in order.

Mr. LAMAR of Florida. Mr. Speaker, that is identically my motion—to refer this matter under the formal instructions by the House embodied in my resolution, to be reported back by the committee to this House. That is the very gist of the whole matter.

Mr. LACEY. A general order of reference would cover the entire matter.

Mr. BURLESON. Let us have the resolution read.

The SPEAKER. The Chair will state that if a point is made against the motion of the gentleman, he will decide it. In the meantime, unanimous consent having been granted for the reporting of the resolution, the Clerk will read it.

The Clerk again read the resolution.

Mr. LAMAR of Florida. Mr. Speaker, I think that resolution referring the whole matter to the Judiciary Committee, empowering it to take such means as will enable it to make a well-informed report to the House, is all that is required by the facts and nature of the case; and that is the gist of the resolution, nothing more and nothing less. I therefore renew my motion that the resolution be adopted by this House.

Several Members rose.

The SPEAKER. The Chair recognizes the gentleman from Iowa.

Mr. LACEY. Mr. Speaker, I insist upon my motion as a privileged motion.

Mr. PAYNE. Mr. Speaker, I would ask the gentleman to withdraw his motion for a moment.

Mr. LACEY. Very well; I withdraw it for a moment.

Mr. PAYNE. Mr. Speaker, while I do not know this judge and am not yet informed of a single act of which he is charged imputing any high crime or misdemeanor, except perhaps that with reference to his nonresidence in the district, still I think we ought to be careful of his rights as well as of our own in this matter. If the humblest citizen of the United States were to be accused of crime before a magistrate or before a grand jury, some specific charge would be made. If a judge is to be impeached, if we are commencing those proceedings, there ought to be some specific charge. The gentleman from Florida [Mr. LAMAR] accuses this judge of high crimes and misdemeanors. That is a very general accusation. He accuses him of being a corrupt judge. That is a general accusation.

If he has been corrupt in the exercise of his judicial functions, then it certainly is within the power of the gentleman from Florida to state wherein he has been corrupt; that he has at a certain time or on a certain occasion received corruptly some money or thing of value to influence his decision, and has corruptly decided in certain matters pending before him. In view of these considerations, it seems to me the most that the House ought to do is to adopt the motion made by the gentleman from Iowa [Mr. LACEY], referring these resolutions to the Committee on the Judiciary, and have that committee report whether, under the circumstances and facts produced before it, or the specific allegations which the gentleman from Florida may make to that committee, this resolution ought to be adopted inaugurating this inquiry to find out whether crime has been committed.

Mr. TAWNEY. Mr. Speaker, I would like to ask the gentleman from New York a question.

The SPEAKER. Does the gentleman from New York yield to the gentleman from Minnesota?

Mr. PAYNE. I yield to the gentleman from Minnesota.

Mr. TAWNEY. A statement has been made in the vicinity of where I sit that if this was referred under the motion of the gentleman from Iowa [Mr. LACEY] the committee could do nothing at all.

Mr. PAYNE. Except report the resolution or amend it.

Mr. TAWNEY. I want to ask if it is not a fact that the committee would have jurisdiction of the whole subject and could report to the House the action that should be taken?

Mr. PAYNE. That committee would have to report this resolution with amendment or amendments germane to the resolution. I do not think it could go on and inquire and report impeachment proceedings.

Mr. WILLIAMS of Mississippi and Mr. GROSVENOR rose.

The SPEAKER. Does the gentleman yield?

Mr. PAYNE. I yield to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Speaker, it would seem to me that the Committee on the Judiciary could come back and report that these papers do not contain any charge.

Mr. PAYNE. Yes, they could do that.

Mr. GROSVENOR. And in that case I take it the gentleman from Florida [Mr. LAMAR] will at once put his indictment into proper form, and then there would be no question about the House taking proper action; but while these papers stand in the form they are my contention is that there is not any charge here against anybody.

Mr. WILLIAMS of Mississippi. Mr Speaker——

Mr. FULLER. Mr. Speaker——

Mr. DALZELL. Let me ask the gentleman——

The SPEAKER. One moment.

Mr. PAYNE. I yield to the gentleman from Pennsylvania [Mr. DALZELL].

The SPEAKER. The gentleman from New York yields to the gentleman from Pennsylvania.

Mr. DALZELL. Suppose the resolution is adopted by the House. Does it amount to anything more or less than an opportunity for the Judiciary Committee to go on an exploring expedition?

Mr. GROSVENOR. That is all there is of it——

Mr. DALZELL. To find out whether or not this man can be impeached.

Mr. GROSVENOR. That is all there is of it. There is just enough in this to be properly denominated a scandalizing set of insinuations, and the committee is to hunt around and see if it can find something on which it ought to proceed further. That is all there is of this.

Mr. LAMAR of Florida. Mr. Speaker——

Mr. LACEY. Mr. Speaker, I withdrew the motion temporarily at the request of the gentleman from New York [Mr. PAYNE]. I now renew it.

The SPEAKER. The gentleman from Iowa moves that this resolution be referred to the Committee on the Judiciary.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker——

The SPEAKER. The gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. A gentleman, a Representative upon this floor, has impeached a civil officer, from his place upon this floor, making at the time a certain statement——

Mr. GROSVENOR. Mr. Speaker, I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. GROSVENOR. Has the motion to commit this proposition to the Committee on the Judiciary been withdrawn?

The SPEAKER. It has not.

Mr. GROSVENOR. Then I make the point of order that that motion is not debatable.

The SPEAKER. The Chair thinks the motion of the gentleman from Iowa [Mr. LACEY] is debatable, as to the propriety of the proposed reference, and has recognized the gentleman from Mississippi [Mr. WILLIAMS], who will confine himself within the limits.

Mr. WILLIAMS of Mississippi. Mr. Speaker, this is a matter of the highest privilege. A gentleman rises here in his place upon this floor and makes charges. It is a mistake to say that these charges are not distinct and specific. One of the charges, at any rate, is the specific charge of constant and persistent absenteeism and neglect of official duty. That by itself would be sufficient, if there were nothing else. The express language of the United States statutes makes living outside of the judicial district a "high crime and misdemeanor," and therefore an impeachable offense in the very language of the Constitution.

Mr. HEMENWAY. Mr. Speaker, will the gentleman yield for a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. HEMENWAY. There is no time fixed when the judge was absent from his State, is there—no date?

Several MEMBERS. Ten years.

Mr. HEMENWAY. I want to suggest this to the gentleman from Mississippi, who is a lawyer: If this statement were filed in the court of a justice of the peace in the form of an affidavit, and a motion was made to quash because no specific charge had been made, would not a justice of the peace or any other court have to sustain the motion?

Mr. WILLIAMS of Mississippi. Mr. Speaker, we are not trying the case before a justice of the peace.

Mr. HEMENWAY. I am submitting that question to the gentleman. Does not the charge lack that which is necessary in any court in order to constitute a basis for the beginning of proceedings?

Mr. WILLIAMS of Mississippi. These are not the articles of impeachment. When we come to the articles of impeachment which go up to the Senate, then what the gentleman has said would be pertinent. This is a motion to impeach; that is to say, it is a motion to take testimony for the purpose of determining whether in the opinion of the Judiciary Committee an impeachment ought to follow——

Mr. HEMENWAY. Mr. Speaker, will the gentleman permit me a minute?

The SPEAKER. Does the gentleman further yield?

Mr. WILLIAMS of Mississippi (continuing). And to present articles of impeachment, if it is found right and proper to do so. Now I will yield to the gentleman.

Mr. HEMENWAY. Now, I want to ask the gentleman, in view of the fact that the reputation of a judge of the United States circuit court is at stake, why is it not right and proper that some specific charge be made, or that the resolution go to the Committee on the Judiciary, so that they may investigate; and if charges can be made, to report this resolution back with an amendment making the proper charges?

Mr. WILLIAMS of Mississippi. That is just exactly what the gentleman from Florida [Mr. LAMAR] is proposing to do.

Mr. HEMENWAY. Oh, no.

Mr. WILLIAMS of Mississippi. And he has been just as specific as he is compelled to be.

Mr. HEMENWAY. Oh, no: he wants the House to adopt the resolution now, while the motion of the gentleman from Iowa [Mr. LACEY] is to send it to the Committee on the Judiciary to report it back.

Mr. WILLIAMS of Mississippi. But the resolution which he asks the House to adopt now is a resolution to refer this matter to the Judiciary Committee, with power to send for papers and persons, and if justified to impeach.

Mr. HEMENWAY. Then everybody agrees that the resolution ought to go to the Committee on the Judiciary, and not to be adopted by the House.

Mr. WILLIAMS of Mississippi. That is what this resolution is. The gentleman from Florida [Mr. LAMAR] makes the charge of "high crimes and misdemeanors," and specifies wherein the judge has been guilty of "high crimes and misdemeanors." Now, when articles of impeachment are formally brought out, then the argument which the gentleman has made in analogy to an indictment would lie; but this is not the case now. This is a motion to have the Judiciary Committee see if "high crimes and misdemeanors" have been committed justifying articles of impeachment, and formulate the charges in case they find that to be the case. Now, that is all there is in the gentleman's resolution, and there is no reason why the verbal motion made by the gentleman from Iowa [Mr. LACEY] should take the place of the written one, which is substantially the same thing, except that it is more in detail and has a practical purpose, to wit, impeachment, at the end.

Mr. FULLER. Mr. Speaker, I understand the question here is to refer the resolution to the Committee on the Judiciary. I think it ought not to be referred. I think it ought to be voted down in this House. This is a charge against a judge of the United States court of high crimes and misdemeanors and of corruption in office, without a single specification. The humblest citizen of this Republic can not be put upon trial without the charges are specified so that he knows what he has to meet.

If this resolution as drawn were adopted, this judge would be compelled to go before the Committee on the Judiciary and defend himself against charges of high crimes and misdemeanors and corruption in office. I contend that no such charge as that can be made against a judicial officer without a single specification to show him why he is to be impeached.

It is useless to refer such a resolution to the Committee on the Judiciary. They could do nothing but report it back with the statement that there was nothing before them upon which they could put this man upon trial. It is not their duty to sit as a grand jury, to send out for witnesses and papers, to see if somewhere, in some place, they could find somebody to specify charges against him. Before this man is put upon trial either before this House or before a committee of this House we should insist that somebody rise in his place and present charges that will notify him what he has to meet. If he has been guilty of high crimes and misdemeanors, if he has been guilty of corruption in office, then it ought to be easy for somebody from the State of Florida to get up in this House and present those charges and specifications upon which the committee could act and report to this House. I insist, sir, that the resolution in its present form should be voted down by the House.

Mr. LAMAR of Florida. Mr. Speaker, I will restate the question, and unless I am so unfortunate as to be so obscure that the last gentleman—I believe from the State of Illinois—is utterly unable to understand me altogether, then, I think, Mr. Speaker, that if he does not retract his remarks or objection he will at least interpose no further. The gentleman from Ohio [Mr. GROSVENOR] characterizes the resolution sending this matter to the Committee on the Judiciary as one which invites that committee to go upon a "smelling investigation." It would be just as fair for me to characterize the remarks of the gentleman from Ohio as a disposition to embarrass before this House the investigation of the charges made here by a Member based upon the solemn arraignment of the legislative department of the State of Florida. One would be as applicable as the other.

Now, Mr. Speaker, it is useless to argue with any Member of this House who feels that the accusation of high crimes and misdemeanors is not a sufficient enumeration of those offenses subjecting an officer to impeachment, based upon the serious arraignment by the legislative department of the State. I say it would be useless to argue the question, too, with a gentleman who does not take that to be a sufficient arraignment before this House, made in conformity with past proceedings upon a motion to impeach. Further debate and further argument to a Member who does not understand that would be useless.

But I address myself to the Members on the other side of the House, from which objections seem to come, and say to them that we have one other Federal judge in the State of Florida. No charge has ever been made against him. He is entirely satisfactory to the people of Florida—my district, as well as the other. Upon every question of general judicial, political, and social life Judge Locke is held as the peer of any man in my State, but against Judge Swayne there is serious objection. It is formulated here in the serious arraignment of him by the legislative department of the Government, and in my place I charge him with the high crimes and misdemeanors enumerated. This whole matter is sought to be referred to the Committee on the Judiciary of this House, with enabling powers to inquire into those charges.

The gentleman says it is not a grand jury inquiry. Why, it partakes of the very nature of a grand jury investigation ex parte, but is even more. All the questions of guilt or innocence will be called out by the committee. They can take testimony here or elsewhere, send for persons and papers, and administer oaths, all conducted in a solemn and formal way, and then upon the testimony report whether this House will go further in the impeachment of this judge or not.

Mr. WILLIAMS of Mississippi. If the gentleman will permit an interruption?

Mr. LAMAR of Florida. I will.

Mr. WILLIAMS of Mississippi. I just want to say on the question as to whether this proposition is a resolution of inquiry or impeachment that it pursues the exact manner in which impeachment was prepared in the House of Representatives when Judge Chase was impeached away back in the early history of the country, in 1804, under Jefferson's first Administration. I will ask the gentleman from Florida to read to the House the resolution that is found here.

Mr. LAMAR of Florida. Will the gentleman from Mississippi read it?

Mr. WILLIAMS of Mississippi. It was the resolution presented by John Randolph.

Resolved, That a committee be appointed to inquire into the official conduct of Samuel Chase, one of the associate justices of the Supreme Court of the United States, and to report their opinion whether the said Samuel Chase has so acted in his judicial capacity as to require the interposition of the constitutional power of this House.

That is, the constitutional power of impeachment. A short debate arose on this motion. Several Members supported a motion postponing it, and the House on the next day resumed the consideration of the resolution and passed it.

Now, that was the question, and when it went to the committee the committee formulated the charges in the shape of articles of impeachment. We do not try the case; the Senate tries it, of course, on the articles that are drawn up on information. The motion of the gentleman from Florida is in exact keeping with the precedents.

Mr. MANN. If the gentleman from Mississippi will allow me, what were the charges in that case?

Mr. WILLIAMS of Mississippi. No charges except an inquiry into the man's official conduct, whether it was such as to demand the interposition of the constitutional power by this House.

Mr. MANN. Does the gentleman say that the resolution was adopted by the House without any charge being made against the judge?

Mr. WILLIAMS of Mississippi. The inquiry into his official conduct was adopted by the House—no further charges than that—and Randolph's assertion that he was satisfied that Chase had been guilty of misconduct deserving impeachment.

Mr. MANN. Was any charge made preliminary to the adoption of the resolution?

Mr. WILLIAMS of Mississippi. There was a charge made by a Member in Congress, just as it has been made here by the gentleman from Florida. To explain, Mr. Randolph, in speaking to the House, goes on and says:

At the last session of Congress a gentleman from Pennsylvania did, in his place (on a bill to amend the judicial system of the United States), state certain facts in relation to the official conduct of an eminent judicial character, which I then thought and still think the House bound to notice. But the lateness of the session, for we had, if I mistake not, scarce a fortnight remaining, precluding all possibility of bringing the subject to any efficient result, I did not then think proper to take any steps in the business. Finding my attention, however, thus drawn to a consideration of the character of the officer in question I made it my business, considering it my duty, as well to myself as those whom I represent, to investigate the charges then made and the official character of the judge in general. The result having convinced me that there exists ground of impeachment against this officer, I demand an inquiry into his conduct, and therefore submit to the House the following resolution:

Resolved, That a committee be appointed to inquire into the official conduct of Samuel Chase, one of the associate justices of the Supreme Court of the United States, and to report their opinion whether the said Samuel Chase hath so acted in his judicial capacity as to require the interposition of the constitutional power of this House."

Mr. MANN. Does the gentleman from Mississippi say that there was a resolution adopted for a committee of inquiry, without any specific charges made at the time?

Mr. WILLIAMS of Mississippi. Yes.

Mr. MANN. And it also appears that facts had been stated to a prior House.

Mr. WILLIAMS of Mississippi. Some facts in debate upon a motion to amend a judiciary bill.

Mr. MANN. That is true, only facts in debate, but in this case there are no facts at all.

Mr. WILLIAMS of Mississippi. Mr. Randolph merely gave that as leading up to why he had formed the opinion that the man ought to be impeached. Now, this is a resolution of the legislature of Florida, and the gentleman from Florida adopts the legislature's resolution as his own language as a reason why the conduct of this man ought to be inquired into to determine whether there is ground for the interposition of the constitutional right of impeachment. The cases are exactly similar.

Mr. MANN. Will the gentleman yield for another question?

Mr. WILLIAMS of Mississippi (continuing). The gentleman rises in his place and makes the charges, much more specific than was made by Mr. Randolph, or anybody else, in the impeachment of Mr. Chase.

Mr. MANN. We do not know what specific charges were made prior to that time.

Mr. WILLIAMS of Mississippi. There were none made at all with the view of impeachment: the other man was simply debating a motion to amend a judiciary bill, and he made certain remarks about Judge Chase. I do not know what those remarks were; I can not refer to them now; but that was not a part of the immediate proceedings at all. Then, as Mr. Randolph said, that led him to investigate, and he therefore came to the conclusion that there was ground for impeachment and moved a general resolution to have inquiry made by the committee appointed for that purpose to determine whether or not an impeachment ought to be ordered, and upon that the House ordered it.

Mr. LAMAR of Florida. I have the floor, I believe, Mr. Speaker.

The SPEAKER. The gentleman from Florida has the floor.

Mr. LAMAR of Florida. Now, Mr. Speaker, I desire to ask a question of the objectors on the other side of the House. Let us understand each other and come directly to the heart of the matter. What is the force of the objection made on the other side to the adoption by the House of this resolution? What is the difference between the two methods of proceeding? The resolution which I offer is a better form of procedure than that proposed by Members on the other side. What is the difference? The resolution I offer, if adopted by the House, simply commits the whole matter to the Judiciary Committee of the House, so that, after hearing the testimony, they may, under the enabling power of this resolution (if they see fit), report back to this House their conclusion; and if they recommend impeachment, then this House can proceed in a formal way to appoint the managers of the impeachment, and the usual course of procedure at the other end of the Capitol will be pursued.

But what would happen if these objections should prevail and the whole matter should simply be referred to the committee? The committee, with less enabling power than this resolution proposes to give them, would report the matter back to the House, and probably ask for further power. And I will say to gentlemen who think that no facts will come out that within the control of the Committee on the Judiciary—in their room—they have written accusations, piled Pelion on Ossa. The committee has affidavits and every other formal presentation of the charges in writing. The committee to whom this resolution will go, if the House should adopt it, have before them those documents charging Judge Swayne specifically and in detail with every species of crime. And do the gentlemen on the other side rise and object to giving to a committee of this House full power merely to inquire, and if upon inquiry they come to the conclusion that this judge should be impeached, to report such conclusion to the House? That is what the objectors on the other side are really objecting to.

Let us understand this matter, Mr. Speaker.

Mr. FITZGERALD. Will the gentleman yield for a question?

Mr. LAMAR of Florida. Yes, sir.

Mr. FITZGERALD. Do you not charge specifically that this judge has been for ten years a nonresident of his district in violation of the statute?

Mr. LAMAR of Florida. I have so charged in specific language, based upon his persistent absenteeism.

Mr. FITZGERALD. Is not that sufficient specification upon which to base a resolution of this kind?

Mr. MANN. Is that a ground of impeachment? Is that a high crime or misdemeanor?

Mr. FITZGERALD. It is sufficient to authorize the House to direct an investigation.

Mr. MANN. My question is whether that is ground for impeachment?

Mr. FITZGERALD. Yes; the law requires this judge to reside in his district.

Mr. MANN. Then this resolution is to be sent to the committee to determine whether that is ground for impeachment or not?

Mr. FITZGERALD. No; to ascertain whether you can avoid an investigation. [Laughter on the Democratic side.]

Mr. LAMAR of Florida. I believe I have the floor, Mr. Speaker. Now, sir, the very inquiry of the gentleman on the other side discloses in one breath how completely the object and purpose of this resolution and the character of it are misunderstood by some Members objecting to it.

Mr. MANN. Will the gentleman permit a question?

Mr. LAMAR of Florida. Yes, sir.

Mr. MANN. Does the gentleman think that if this resolution should be adopted the Committee on the Judiciary ought to proceed with this inquiry without any specification putting the accused upon notice?

Mr. LAMAR of Florida. I have just stated that already in the possession of the chairman and members of this committee—within their own room—there are accusations of specific facts in every formal shape.

Mr. MANN. I was well aware that the gentleman had so stated just now. But does he think that the Judiciary Committee, if this resolution were adopted, should proceed to make an inquiry without any specification to put the accused upon notice?

Mr. LAMAR of Florida. They have full power to hear allegations or affidavits—every form of proof. Certainly the allegations or charges already presented are specifications themselves.

Mr. MANN. Oh, no——

Mr. LAMAR of Florida. I decline to yield further at this time, as I desire to finish my remarks.

The inquiry of the gentleman from Illinois fitly characterizes a portion, at least, of the objection coming from the other side of the House. When a gentleman rises and asks whether persistent absenteeism, charged in a formal resolution of the legislature, if proven, is a sufficient ground for impeachment, he certainly ranks himself as another one of those objectors with whom it is scarcely necessary to argue. [Laughter on the Democratic side.]

Now, sir, the whole object of the resolution is to submit a direct accusation of wrongdoing or crime against a Federal judge in my State, made by me here upon my own responsibility, based and founded upon a solemn and severe arraignment of that judge by the legislative department of a State. It is stronger than the ordinary petition and memorial, which comes here by private hands, and can go into the possession of the Judiciary Committee and upon which that committee can act.

This is an indictment and arraignment by a Member upon his own responsibility, founded upon an accusation by the highest legislative authority in one of the States, and I say that it looks almost as if some of our friends on the other side did not understand the purpose of this resolution or at best desired to interpose technical objections. The whole scope of it merely goes to the point of submitting it to the committee. Suppose the committee

hears it and determines that the charges are not well founded. They will so report to this House. Suppose this committee hears all of these allegations and charges and takes every character of oral and written testimony that comes before it and determines that this man has been corrupt and should be impeached. They will so report to this House. Then when that report comes before this House it is subject to the direction and control of this House and can be adopted or rejected as this House sees fit. That is the whole scope and tenor of the motion upon my part.

Now, Mr. Speaker, I yield five minutes of my time, if I have that much, and if not so much, then as much as I may have, to the gentleman from Alabama [Mr. CLAYTON], reserving the balance of my time, if any.

Mr. CLAYTON. Mr. Speaker, the course pursued by the gentleman from Florida [Mr. LAMAR] in this case is very similar to the course pursued in like cases heretofore in this body. The gentleman from Mississippi [Mr. WILLIAMS] has referred to one. Others are cited in Jefferson's Manual and Digest, and there are quite a number of others which can be found by reference to the bound volumes of the reports of the Committee on the Judiciary, in the room of that committee at this time. The proceeding is not unusual.

Mr. MIERS of Indiana. Mr. Speaker, will the gentleman permit a question?

The SPEAKER. Will the gentleman yield to the gentleman from Indiana?

Mr. CLAYTON. Certainly.

Mr. MIERS of Indiana. Does the gentleman hold that the specific charge must be made by a Member, or that it is the duty of the Judiciary Committee to find a specific charge?

Mr. CLAYTON. There never was an impeachment proceeding inaugurated in this House based upon charges made with the degree of particularity required in an indictment, but when the House comes to formulate the charges for presentation, to which the accused must plead at the bar of the Senate, then particular specification is required. [Applause on the Democratic side.] But this is merely the inauguration of machinery for preferment of charges.

Mr. MIERS of Indiana. May I ask the gentleman another question?

Mr. CLAYTON. Certainly.

Mr. MIERS of Indiana. In view of the intimation of the gentleman from Florida [Mr. LAMAR] and the tone of the argument of the gentleman from Alabama [Mr. CLAYTON], that the majority side will hide behind a technicality and not act upon the charges, does the gentleman not think it would be much better for the gentleman from Florida to make specific charges which could not be avoided?

Mr. CLAYTON. I think not. Such a thing would be unusual, and it would weary and exhaust the patience of this House were the gentleman from Florida [Mr. LAMAR] to undertake here and now to recapitulate the high crimes and misdemeanors of which the people of Florida charge Charles Swayne. [Applause on the Democratic side.] There are in the possession of the Committee on the Judiciary a number of affidavits containing the utmost specifications. I am told that there went to the Speaker of this House papers on this subject, and this resolution merely undertakes to give the Committee on the Judiciary jurisdiction of this case and power to act.

Now, the difference between the motion of the gentleman from Florida [Mr. LAMAR] and the motion of the gentleman from Iowa [Mr. LACEY] is this: If the motion of the gentleman from Iowa is adopted, these papers will all go to the Judiciary Committee, but the Judiciary Committee have only the ordinary powers which it exercises every day in the hearing of a bill or simple resolution. If, however, the resolution of the gentleman from Florida is adopted, this whole matter goes to the Judiciary Committee with power to investigate, to send for persons and papers, to employ a stenographer, and to conduct a complete examination.

Mr. Speaker, it is in line with the action of this House, given by unanimous consent, for I find in the CONGRESSIONAL RECORD the following, which I would like to have read to the gentleman from Illinois [Mr. FULLER], who never heard of such a proceeding as this. I also commend the gentleman to read a little more law, to go back to the hornbooks and study something about impeachments, for there he will learn that an impeachment is inaugurated by the House just as a grand jury inaugurates a criminal prosecution by indictment. A grand jury must have the power to summon witnesses, to pay those witnesses, to employ other means, including an officer to draw the indictment—all of those things; so the House of Representatives is merely asked in this case to authorize a subcommittee of the Committee on the Judiciary to sit and conduct an examination analogous to the examination held by a grand jury.

Now, you will find in the record of the proceedings of the Fifty-third Congress, volume 23, part 1, page 689, that a resolution similar to this one was adopted. The resolution is the thing to which I call particular attention. I omit the preamble.

The Clerk read as follows:

Be it resolved, That the said report, charges, and evidence be referred to the Committee on the Judiciary, with instructions to thoroughly investigate the same, and to report to the House the findings and recommendations in regard thereto at any time.

And for the purpose of making the investigation hereby ordered the said Committee on the Judiciary may adopt and use as legal evidence the testimony taken in the said during the Fifty-third Congress in the case of Judge Swayne, and may hear and consider any additional or explanatory evidence of a legal character which may be offered either for or against the said judge; and in respect to this investigation the said committee is hereby authorized and empowered to send for persons and papers, administer oaths, take testimony, and to employ a clerk and stenographer, if necessary; to send a subcommittee whenever and wherever deemed necessary to take testimony for the use of said committee; and the said subcommittee, when so employed, shall have the same powers in respect to obtaining testimony as are herein given to said Committee on the Judiciary; that the Sergeant-at-Arms, by himself or deputy, shall serve the process of said committee and subcommittee, and execute its orders, and shall attend the sittings of the committee prepared and directed thereby; and that the expense of such investigation shall be paid out of the contingent fund of the House.

Mr. CLAYTON. Mr. Speaker, now it is necessary that this House adopt some sort of a resolution in order to give the Committee on the Judiciary jurisdiction of this matter. The gentleman from Florida [Mr. LAMAR] has gone through the precedents in like cases, and this seems to be the proper way. I desire to emphasize the fact that the only difference between his resolution and the motion of the gentleman from Iowa [Mr. LACEY] is that if the motion of the gentleman from Iowa should prevail the committee would be powerless to do anything except to consider just such papers as it may have, whereas under this resolution the Judiciary Committee can conduct a full and complete investigation, and either charge Judge Swayne or exonerate him. We owe this much to the people of Florida and to Judge Swayne.

Some gentlemen seem to misapprehend the purpose of this resolution. The resolution does not conflict with any law, parliamentary or other sort. It is entirely competent and proper for the House to refer this resolution to the Committee on the Judiciary and at the same time give that committee power to deal fully with the subject-matter sent to them for inquiry and report. That's all there is in this case.

Mr. SMITH of Kentucky. I should like to submit a question to the gentleman.

The SPEAKER. The time of the gentleman has expired. The gentleman from Florida.

Mr. LAMAR of Florida. Mr. Speaker, I rise to renew my motion. I can not understand, and I do not believe it will happen, that any considerable objection will be offered by the other side to the adoption of this resolution, because the very effect of this resolution is to put it into the power of Judge Swayne or his friends or his defenders to come before that committee in his defense. The appointment of this committee is public notice to the world. It will be known in Florida and everywhere at once. It will be within Judge Swayne's power, by himself in person or by attorney or by personal friends, to appear before this committee and repel these charges. Now, in view of the high character of this committee it is understood and assumed that if Judge Swayne can repel these charges fairly—so fairly that it raises a presumption of his innocence—this committee will report against a formal impeachment.

Mr. BARTLETT. Mr. Speaker, may I just for a moment interrupt the gentleman? Is it not specifically charged in this memorial that this judge has for ten years continually resided out of his district?

Mr. LAMAR of Florida. I will read just a line or two from what the gentleman has before him, if he will allow me, for the benefit of my friend from Illinois.

Mr. BARTLETT. I wanted to call your attention to that.

Mr. LAMAR of Florida. I want to read from the statute where the law makes it the duty of a district judge to reside in his district. The reason for that, of course, is to give him locality, and to give litigants a chance to appear before him without incurring undue and unnecessary expense. The object is to make him, for his salary, stay there at the convenience of the people. But it is not only a high misdemeanor under the law not to reside in that district, but by construction and implication of law it is an offense against the law to unduly absent himself from that district. Any amount of absenteeism that goes——

Mr. BOUTELL rose.

Mr. LAMAR of Florida. If the honorable gentleman will allow me to finish——

The SPEAKER. The gentleman declines to yield.

Mr. LAMAR of Florida. If this judge goes out of his district and absents himself, and remains where litigants can not reach him, where the people, who, in part at least, pay his salary, can not appear before him; if he takes himself out of that district

unduly, for private business or personal pleasure, that is an offense against the law.

Mr. WILLIAMS of Mississippi. Under the statute.

Mr. LAMAR of Florida. And he commits a high misdemeanor even if he technically resides in the district, but unduly absents himself from it. And yet the gentleman from Illinois [Mr. MANN] asked if that was a ground for impeachment.

Mr. MANN. Will the gentleman pardon a question? I fully agree with the gentleman that it ought to be a ground for impeachment, but has the gentleman found any case in which a judge was impeached for being guilty——

Mr. LAMAR of Florida. I will read you the law.

Mr. MANN. Oh, I know what the law is. The question is whether it is a high crime or misdemeanor.

Mr. WILLIAMS of Mississippi. The statute says so.

Mr. SPIGHT. It says so in express words.

Mr. LAMAR of Florida. I will merely refer to the act of Congress which prescribes that this judge shall reside in his district.

Mr. PAYNE. If the gentleman from Florida will allow me, I will state that the statute makes that a high crime and misdemeanor.

Mr. WILLIAMS of Mississippi. Yes, it does.

Mr. PAYNE. I would like to ask the gentleman a question?

Mr. LAMAR of Florida. I would like to continue my remarks and then yield.

Mr. PAYNE. Will the gentleman yield to me for a question?

Mr. LAMAR of Florida. Yes, sir.

Mr. PAYNE. Is the gentleman satisfied to have the Judiciary Committee simply investigate this one charge of absence from the State, or are there other charges he wishes to have investigated?

Mr. LAMAR of Florida. I will say to the gentleman, if you desire to effect a result and had four good grounds to base it upon, would you abandon three and submit the question on one?

Mr. PAYNE. I understand that the gentleman wants to refer it to the Committee on the Judiciary.

Mr. LAMAR of Florida. I answer the gentleman's question by asking him another.

Mr. PAYNE. I ask the gentleman this further question: Why not have his resolution referred to the Committee on the Judiciary and have them ascertain if any further charges are to be made; whether the charges are made on the responsibility of somebody, the gentleman himself, a Member of this House, other charges than this one specific charge which is made in his indictment, the specific charge of absence from the State and from the judicial district? I ask the gentleman if he is not content to have it go to that committee and make his other specific charges and let them amend the resolution and bring it in with the other specific charges to be adopted by the House; to refer it then to the Judiciary Committee on all these specific charges to take evidence and bring in, if they see fit, articles of impeachment?

Mr. LAMAR of Florida. I will say in answer to the gentleman that before I submitted this resolution I carefully considered it, and having done so, and having adopted the grounds upon which I intend to proceed, I have not the slightest idea of abandoning them; and the only way that the gentlemen from New York and others who feel like him will get rid of the resolution will be to vote it down. [Applause on the Democratic side.] I do not believe that any considerable number of gentlemen on that side will vote that way. I do not believe that any considerable number of fair-minded men in any legislative body, much less in a body of such high character as this, would upon technicalities defeat the object of this resolution, if I may be permitted to put it that way, and prevent its consideration by any mere technical objection.

It should be referred to a committee with full power to inquire. That is the purpose of the resolution. That brings out all the facts, and they can determine on the guilt or innocence, so far as their recommendation for further action goes. I think, Mr. Speaker, that it is fully obvious to Members upon both sides of this House what this resolution means, and now, having finished my remarks, I feel that it would be trespassing upon the patience and upon the intelligence of this House to argue further, so I renew my motion and ask the previous question upon it.

The SPEAKER. The gentleman from Florida demands the previous question.

Mr. LACEY. I would ask the gentleman if he will insist on the motion for the previous question, without giving the mover of the resolution, which has been debated, an opportunity to debate the question? I made the motion modifying the resolution, but have had no opportunity to argue it. I ask the gentleman to withdraw his motion.

Mr. LAMAR of Florida. I withdraw my motion for the present.

The SPEAKER. The Chair will state to the gentleman from Florida——

Mr. LACEY. I am entitled to take the floor in my own right as the mover of the proposition to modify, and the gentleman was recognized first on the other side and had his time and now proposes to cut off without debate the explanation of the motion to refer.

The SPEAKER. The Chair will state that the motion of the gentleman from Florida for the previous question is in order and will cover both the motion of the gentleman from Florida and the motion of the gentleman from Iowa.

Mr. LAMAR of Florida. Mr. Speaker, I withdrew my motion for the previous question.

Mr. LACEY. Now, Mr. Speaker, I ask to be recognized. I will not occupy very much time. Here are very grave charges, made in a somewhat loose form by the legislature of a sovereign State. These are worthy of consideration; they should not be ignored; they should be sent to a responsible committee, a committee having all the power and right to look into questions of this kind. Now, it is not at all unusual to send resolutions just such as this to a committee, in order that the phraseology of the resolution on which action is to be taken might not be vague and unsatisfactory. The committee will put it in form.

Here is the preliminary proceeding in one of the most important prerogatives of the House of Representatives, taking the first step toward the impeachment of a man holding an office under the Constitution of the United States. It is therefore important in the first step that the resolution should be in proper form. The motion made by me does not dispose of the resolution. It simply refers it to a committee representing both sides of the Chamber, to put in proper shape for adopting it or not, it being first considered by the Committee on the Judiciary.

That is all the difference that there is between the proposition of the gentleman from Florida and my own. One is for adopting the resolution without further consideration, and the other is to have the committee examine the preliminary facts and phraseology of the resolution before the House is called upon to act upon it. It may be that the powers given to the committee by the resolution introduced by the gentleman from Florida are not ample. They may want further power, and it is for them to say whether they want to go to Florida or not. Let them hear these preliminary charges, let them investigate or report it back, which they will undoubtedly do. This is a very grave matter. There is no disposition on the part of anybody to slur it over or bury it or dispose of it otherwise than on its merits, but the first step is to ascertain if it has merit and what the merits are, and if the motion which I have offered is adopted, the Committee on the Judiciary will make a preliminary examination.

Mr. BURKETT rose.

Mr. LACEY. I will yield to the gentleman from Nebraska for a question.

Mr. BURKETT. What would be the difference in the report on the motion offered by the gentleman from Iowa [Mr. LACEY] and the report on the resolution of the gentleman from Florida [Mr. LAMAR]?

Mr. LACEY. There is nothing for the committee to report on if the resolution is adopted. If the resolution is adopted, it is the action of the House, but if my motion is adopted the resolution goes to the committee and comes back with or without committee amendments for adoption or rejection by the House.

Mr. WILLIAMS of Mississippi. If the gentleman from Iowa will pardon me, this difference exists: Under the motion of the gentleman from Florida that committee is now empowered to hear testimony, to go to Florida, if necessary and it thinks proper, and to summon witnesses, while if the motion of the gentleman from Iowa is adopted it will be powerless to do those things.

Mr. LACEY. But the committee would report back the resolution with the recommendation that it have authority to go to Florida. This resolution is not disposed of, and they can report it back amended or verbatim in the form in which the gentleman from Florida has produced it. But to adopt it without first sending it to the committee would, in my opinion, be a mistake.

Mr. BURKETT. Mr. Speaker, I want to finish my question. If we adopt the resolution offered by the gentleman from Florida, do we not ask the Judiciary Committee to bring in a finding of "guilty" or "not guilty" when there are no specific charges, and have we a right to do that?

Mr. LACEY. We affirm that there is sufficient in the charges to justify them in taking testimony and investigating.

Mr. Speaker, only one specific charge is embraced in this resolution, and that is the charge of nonresidence. Now, if, on the other hand, the committee, after hearing the complaint——

Mr. COOPER of Wisconsin rose.

Mr. LACEY. I will yield to the gentleman in a moment. After hearing the statement that will be presented to that committee the committee can report the resolution back to the House with amendments recommending the enlarging of the scope and em-

bracing other charges, if there are any. They may find that there is no sufficient justification. The House can then act intelligently upon the matter. We can not here, in the hurly-burly of general debate in this great body of nearly 400 Members, investigate a matter of this kind, but the seclusion of the committee room, with both sides of the Chamber represented by eminent lawyers, is the proper place to present the preliminary charges in order that the resolution, when it is adopted, can be in proper form. I will now yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to ask the gentleman from Iowa if he is quite sure that these charges are not specific? They are indorsed, as I understand, by the gentleman from Florida, and one of the charges is this:

Whereas the administration of the United States bankruptcy act in the court of said Charles Swayne and by his appointed trustees has resulted in every instance in the waste of the assets of the alleged bankrupt—

All you have to do is to take the record of any bankruptcy case in that court, because it says that in every instance there is a waste of assets of the alleged bankrupt—

by being absorbed in unnecessary costs, expenses and allowances to the great wrong and injury of creditors and others, and such administration is, in effect, legalized robbery and a sham in the name of all good people.

Now, that is a specific charge of robbery under legalized forms in every bankrupt case in that court, and a squandering of the assets under the authority of the judge and of his trustees.

Mr. LACEY. I want to remind the gentleman that I only yielded for a question.

Mr. COOPER of Wisconsin (continuing). It says that his judicial opinions do not command respect and confidence. There are certainly two specific charges, one of nonresidence and another——

Mr. LACEY. I would like to ask the gentleman from Wisconsin if he is satisfied with my answer to his question? [Laughter.]

Mr. COOPER of Wisconsin. Mr. Speaker——

The SPEAKER. Does the gentleman from Iowa [Mr. LACEY] yield further?

Mr. LACEY. I yielded for a question——

Mr. COOPER of Wisconsin. I want to read one other specification and then ask the gentlemen whether they do not constitute specifications on which to base a proceeding of impeachment?

Mr. LACEY. I will say in advance, to save my friend from reading further, that there are some specific statements there; but the charge made by the gentleman from Florida in his place on the floor is a charge of high crimes and misdemeanors, and without specifying what they are he states that he will abundantly support this general charge with matters of a more specific nature before the committee. Now, when he does that, the committee may bring in a resolution and report back this resolution with an amendment setting out the additional charges that the gentleman thus brings before the committee, so that when the House acts on this resolution it may act intelligently—act in the light of at least preliminary evidence which would justify further proceedings.

Mr. BURKETT. What will the committee do with this resolution under your motion?

Mr. LACEY. The committee will report it back for action—report that it be indefinitely postponed, or laid on the table, or adopted, or amended and then adopted, as the case may be. The Committee on the Judiciary would have the same power over this resolution that the Committee on Appropriations would have over a resolution sent to it.

Mr. BURKETT. The committee may take up these charges and put them in proper shape?

Mr. LACEY. Yes: lick them into shape, in other words. That is one of the purposes of sending a resolution to a committee—in order that details may be examined and the resolution put in due form for the action of the House. It is not usual to pass a resolution even of privilege without consideration by a committee.

Mr. WILLIAMS of Mississippi. Allow me one question: Under your resolution, if adopted, could this committee bring in articles of impeachment? The resolution of the gentleman from Florida embodies that proposition—that the committee bring in articles of impeachment if they find such a proceeding justified by the facts. Can that be done under the motion of the gentleman from Iowa? That is the practical thing we are trying to get at.

Mr. LACEY. The answer to the gentleman from Mississippi is very simple. If the committee think that there ought to be articles of impeachment they will bring in a substitute for the resolution of the gentleman from Florida—they will ask the House to adopt a resolution directing them to prepare articles of impeachment. They might not go any further than that. This resolution is subject to amendment. I do not understand why there is anything so special about it that we must insist upon adopting it without having an opportunity to amend it either in the House or in the committee. The committee is the proper place to amend it.

I now yield five minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, I believe I am safe in saying that with possibly one exception no such resolution as this has ever been adopted by the House without reference to the Committee on the Judiciary; and for the simple reason that under the rules and precedents of the House it is not privileged and was not entitled to be entertained or discussed this morning except by unanimous consent. Under the rules it is not privileged to be considered until first reported from committee. If any gentleman wants authority for that position, he will find it in the decision of Speaker Carlisle, reported in section 148 of the book of Parliamentary Precedents prepared by Mr. Hines, page 94. This is not a resolution of impeachment. It is simply an inquiry and not privileged at all. It does not impeach, but in its preamble sets forth general charges of corruption, and asks an investigation to ascertain if there is sufficient ground for impeachment.

Now, the case to which the gentleman from Alabama referred is in exact line with the action which the gentleman from Iowa [Mr. LACEY] proposes that the House shall take in this case. A resolution had been offered, and was referred by the House to the Committee on the Judiciary, which committee reported, and the House passed an amended resolution which the gentleman from Alabama read.

Now, the one possible exception is that referred to by the gentleman from Mississippi [Mr. WILLIAMS], where Mr. Randolph of Virginia rose and stated that he had within his possession facts which convinced him that Judge Chase had been guilty of misdemeanor in office. He preferred not to state the facts. Mr. Elliot said he would not vote for any such resolution unless facts were stated specifically, whereupon Mr. Smilie of Pennsylvania rose, as reported in the annals of the first session of the Eighth Congress, January 5, 1804, page 1808, and said:

A man of the name of Fries was prosecuted for treason in the State of Pennsylvania. Two of the first counsel at that bar, Mr. Lewis and Mr. Dallas, [illegible] I mention these names to [illegible] that Judge Chase had influenced them. When the trial came on the judge informed them, in such a manner that Mr. Lewis declared that he would rather see his degrade his profession as to plead under the circumstances disclosed upon him. Mr. Dallas declared that the relations of the parties as he understood it were of the [illegible] that he entertained the opinion of the judge as a [illegible] and refused to plead.

The facts were these: The judge told the jury and the counsel that the court had made up their minds, which constituted treason; that they had communicated their opinions in writing, and that to-morrow morning these opinions would be delivered to the jury in the court-house. The counsel replied that they did not discuss the facts, but that they were prepared to show that they did not constitute treason. The end of the affair was that the counsel retired from court, and the man was tried without counsel, convicted, and sentenced to death.

After that the Attorney-General wrote a letter to Messrs. Dallas and Lewis requesting them to furnish their notes and opinions for the use of the President. They drew up an answer, in which they stated that the facts charged against Fries did not amount to treason, but were only sedition, and that they were so considered in the English courts. This letter was read to me by Mr. Dallas. After receiving the letter the President pardoned the man.

Those were the facts stated in the case referred to by the gentleman from Mississippi [Mr. WILLIAMS]. The precise case in which the judge had misbehaved was stated and the facts as to his alleged misconduct were given. Now, we have here the allegation of the gentleman from Florida [Mr. LAMAR] that this judge has been guilty of corruption. If guilty he ought to be impeached; but the charges should be specifically set forth. No case is specified; no circumstances are given. The specific charges should be laid before the Judiciary Committee, which may then report this or such other resolution as it deems proper for action by the House. It need not take more than one day longer. I say that it has never been known in the history of this or any other body that such a resolution should first be passed without being referred to a committee, and I hope the motion of the gentleman from Iowa [Mr. LACEY] will be adopted.

Mr. CRUMPACKER. Mr. Speaker, I desire to ask the gentleman from Iowa a question.

The SPEAKER. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. LACEY. I yield to the gentleman from Indiana for a question.

Mr. CRUMPACKER. This is a question of procedure, and it is one of considerable importance. I understand that if the motion of the gentleman from Florida shall be adopted it will be the expression of a desire on the part of the House that an investigation shall be had by the Committee on the Judiciary, and the pending resolution will be the basis of that investigation. The Committee on the Judiciary will be empowered to report articles of impeachment regularly if it concludes that the facts justify it.

Mr. LACEY. And that the limitations upon that investigation would also be embraced in the resolution.

Mr. CRUMPACKER. Now, if the motion of the gentleman from Iowa prevails, the responsibility will be shifted from the House to the Committee on the Judiciary. It is equivalent to a declaration that the House is not prepared to say that there ought to be an investigation at all, but that responsibility shall be with the Committee on the Judiciary, which can investigate or not, as

it pleases. That is the fundamental difference in the procedure between the two motions, is it not?

Mr. LACEY. One is an orderly procedure before a committee with ample opportunities to investigate and to determine whether there ought to be such an inquiry instituted, with expenditures incurred. The other is an attempt to pass a resolution simply upon the ex parte statement of a gentleman upon the floor of the House, without testimony, without examination, aided, it is true, however, by resolutions, which he produces, from the legislature of the State of Florida. What investigation that body made, of course, I do not know.

Mr. WILLIAMS of Mississippi. Mr. Speaker, it seems to me that this suggestion would come in there. If the resolution of the gentleman from Iowa [Mr. LACEY] is adopted, then the Judiciary Committee can not bring in articles of impeachment, because, except when it is authorized by the House to do so in the contingency of their being justified, it has no such power. Every impeachment case from the beginning of the history of the Government has originated with a reference to a standing committee or an appointed committee, with authority conferred to bring in articles of impeachment if found justified. This committee has no such power.

Mr. LACEY. I would ask the gentleman from Mississippi [Mr. WILLIAMS] if it is not true that this reference does not dispose of the resolution so far as the House is concerned, but simply leaves it open for the House to act upon and to amend, if necessary, such action as may be suggested by the Committee on the Judiciary?

Mr. WILLIAMS of Mississippi. It disposes of it, yes; but it disposes of it by getting it out of the House, without any instructions or suggestions from the House, into the committee, without power upon the part of the committee to send for testimony or witnesses and without any power to impeach in case impeachment should be necessary. In other words, it will require future action of the House to authorize the committee to go further, even to hear testimony. There is no sense in sending it there unless that committee can send for papers and witnesses. It would be unjust to the man who is being charged—Judge Swayne—not to have that committee given power to send for witnesses in his behalf as well as against him. You will send the case there upon a mere ex parte statement against him without any power upon the part of the committee to have witnesses in his behalf paid for by the Government.

Mr. LACEY. Mr. Speaker, I will simply say in answer to the gentleman that if that committee desires any further power all it has to do is to ask for it when it reports the resolution back. It can report the resolution back without requesting the power referred to or with a request for further power, as the case may be. The House then being enlightened by the report of that committee can adopt the report or refuse to adopt it, as the case may be.

Mr. Speaker, I now move the previous question on the motion to refer and the motion of the gentleman from Florida [Mr. LAMAR].

Mr. BURKETT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURKETT. Is a motion to postpone further consideration of this matter to a definite time now in order?

The SPEAKER. In reply to the parliamentary inquiry, the Chair will state that a motion to postpone to a definite time would not be in order pending the motion for the previous question. The gentleman from Iowa moves the previous question upon both resolutions.

The question was taken, and the previous question ordered.

The SPEAKER. The question now is, first, upon the motion of the gentleman from Iowa to refer the resolution to the Committee on the Judiciary.

Mr. BURKETT. Mr. Speaker, would a motion to postpone to a definite time be now in order?

The SPEAKER. Not while the previous question is being executed.

The question was taken on the motion of Mr. LACEY; and the Speaker announced that the noes seemed to have it.

Mr. LACEY demanded a division.

The House divided; and there were—ayes 53, noes 129.

The SPEAKER. The motion is disagreed to. The question now recurs on agreeing to the resolution.

The resolution was agreed to.

The announcement of the result was received with applause.

On motion of Mr. LAMAR of Florida, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives, by Mr. BARNES, one of his secretaries.

COMMERCE AND LABOR.

The SPEAKER. The Chair lays before the House the following message from the President of the United States:

The Clerk read as follows:

To the Senate and House of Representatives:

I transmit herewith the first annual report of the Secretary of Commerce and Labor.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 9, 1903.*

The message and accompanying documents were referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

SENATE BILL AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bill and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate bill (S. 2121) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents"—to the Committee on Printing.

Senate joint resolution (S. R. 17) to provide for the printing of 8,000 copies of the Consolidated Reports of the Gettysburg National Park Commission, 1893 to 1904, inclusive—to the Committee on Printing.

Senate concurrent resolution No. 22:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be and he hereby is authorized and directed to cause a survey to be made of Savage Rock and adjacent portions of the Indian River across Pamlico, Pungo and Bath Creeks, along a meandering line to be determined as the Assistant Engineer, with a view to widening and deepening the channels and permanently improving said harbor, and to submit a plan and estimate for such improvement—

to the Committee on Rivers and Harbors.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. SAMUEL W. SMITH, for ten days, on account of important business.

To Mr. BADGER, indefinitely, on account of important business.

INDIAN RESERVATIONS IN OKLAHOMA TERRITORY.

By unanimous consent, the Committee on the Public Lands was discharged from the further consideration of the bill (H. R. 3576) to open for settlement 505,000 acres of land in the Kiowa, Comanche, and Apache Indian reservations in Oklahoma Territory, and for other purposes; and the same was referred to the Committee on Indian Affairs.

GOVERNMENT RESERVATION IN THE DISTRICT OF COLUMBIA.

By unanimous consent, the Committee on the District of Columbia was discharged from the further consideration of the bill (H. R. 3577) to acquire certain ground for a Government reservation; and the same was referred to the Committee on Public Buildings and Grounds.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 1 o'clock and 57 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey at Catskill, N. Y.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Damariscotta River, Maine—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting a communication from the Chief of Ordnance relative to expenditures and arms, etc., fabricated at the Springfield Armory, Springfield, Mass.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Little Wabash River to Carmi, Ill.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Mill Cove, Wickford Harbor, Rhode Island—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for the mapping and

demarcation of boundary line between the United States and Canada—to the Committee on Appropriations, and ordered to be printed.

A letter from the commissioner of the Freedman's Savings and Trust Company, submitting his annual report—to the Committee on Banking and Currency, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the channel of Patapsco River to Sparrows Point, Maryland—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Spiegelberg Brothers against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report as to harbor of Manchester, Mass.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Ogden Landing, Kentucky—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Oswego Harbor, New York—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the secretary of the United States Government Board, Louisiana Purchase Exposition, submitting an estimate of appropriation for rent of workshop, storage, and office rooms—to the Committee on Appropriations, and ordered to be printed.

A letter from the Attorney-General, transmitting a list of judgments rendered in favor of claimants and against the United States and defendant Indian tribes—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Columbia River between Vancouver, Wash., and the mouth of the Willamette River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting a report of the annual inspection of the branches of the National Home for Disabled Volunteer Soldiers—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of harbors of refuge at Point Judith, Block Island, and Great Salt Pond and adjacent waters—to the Committee on Rivers and Harbors, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 1169) for the relief of Calvin B. Cunningham, deceased, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. VAN VOORHIS, from the Committee on Appropriations: A bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. YOUNG: A bill (H. R. 6759) for the erection of a public building at Escanaba, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. NORRIS: A bill (H. R. 6760) establishing the minimum rate of pension for the survivors of the late war of the rebellion—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 6761) for the erection of a public building at Ishpeming, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. HUMPHREY of Washington: A bill (H. R. 6762) to increase the limit of cost of the fog signal at the light and fog-signal station at Battery Point, Puget Sound, State of Washington—to the Committee on Interstate and Foreign Commerce.

By Mr. BRADLEY: A bill (H. R. 6763) granting pensions to artisans in the Construction Corps of the United States Army, and providing pensions to widows and minor children of artisans in the Construction Corps of the United States Army—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6764) granting pensions to army locomotive firemen, and providing pensions to widows and minor children of army locomotive firemen—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 6765) to provide for the election of a Delegate from the Indian Territory, and for other purposes—to the Committee on the Territories.

By Mr. ADAMSON: A bill (H. R. 6766) to create a new Federal judicial district in Georgia, to be called the southwestern district of Georgia—to the Committee on the Judiciary.

By Mr. DAVIDSON: A bill (H. R. 6767) to establish a fish hatchery and fish station in the State of Wisconsin—to the Committee on the Merchant Marine and Fisheries.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 6768) to empower the Interstate Commerce Commission to fix transportation rates in certain contingencies—to the Committee on Interstate and Foreign Commerce.

By Mr. DICK: A bill (H. R. 6769) to provide for filling a vacancy created by the detail of the head of a department or corps of the War Department to the General Staff or other duty—to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 6770) to amend section 4921 of the Revised Statutes—to the Committee on the Judiciary.

By Mr. TAYLOR: A bill (H. R. 6771) amending the statutes relating to patents, relieving medical and dental practitioners from unjust burdens imposed by patentees holding patents covering methods and devices for treating human diseases, ailments, and disabilities—to the Committee on Patents.

Also, a bill (H. R. 6772) to establish a fish-hatching and fish station in the State of Alabama—to the Committee on the Merchant Marine and Fisheries.

By Mr. CUSHMAN: A bill (H. R. 6773) establishing a fog signal at Ediz Hook light station, State of Washington, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. McNARY: A bill (H. R. 6774) for the improvement of the Weymouth Fore River in Quincy and Weymouth, Mass.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6775) for the improvement of Town River, Quincy, Mass.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6776) for the improvement of Neponset River and Dorchester Bay, in Dorchester, Mass.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 6777) providing for the erection of a public building in the city of Quincy, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. HAY: A bill (H. R. 6778) to fix the rank of certain officers in the Army—to the Committee on Military Affairs.

By Mr. BELL of California: A bill (H. R. 6779) imposing a tax on pure and compound wines, providing for the collection thereof, and for other purposes—to the Committee on Ways and Means.

By Mr. NEEDHAM: A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska—to the Committee on the Territories.

Also, a bill (H. R. 6781) fixing the time of the assembling of the Congress—to the Committee on the Judiciary.

By Mr. GROSVENOR: A bill (H. R. 6782) to limit the meaning of the word "conspiracy," and the use of "restraining orders and injunctions," in certain cases—to the Committee on the Judiciary.

By Mr. GILLESPIE: A bill (H. R. 6783) to provide for the enlargement and improvement of the public building at Fort Worth, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. SHAFROTH: A bill (H. R. 6784) creating the Colorado Cliff Dwellings National Park—to the Committee on the Public Lands.

By Mr. HERMANN: A bill (H. R. 6785) to ratify and confirm an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect—to the Committee on Indian Affairs.

By Mr. KALANIANOALE: A bill (H. R. 6786) to approve act No. 31 of the session of 1903 of the legislature of the Territory of Hawaii, approved April 22, 1903, entitled "An act providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein"—to the Committee on the Territories.

By Mr. DIXON: A bill (H. R. 6787) to confirm and validate patents to certain lands situated in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo Fork of the Bitter Root River—to the Committee on the Public Lands.

By Mr. HUGHES of New Jersey (by request): A bill (H. R. 6788) for a public building for a National Museum of War at Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. PEARRE: A bill (H. R. 6789) granting a pension of $12 per month to every person who served ninety days or more in the military or naval service of the United States during the late war of the rebellion, and who have been honorably discharged and have passed the age of 62 years, and providing for pensions

to widows and minor children—to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 6790) to provide for the examination of certain officers of the Navy, and to regulate promotions therein—to the Committee on Naval Affairs.

Also, a bill (H. R. 6791) to enable naval courts-martial and courts of inquiry to secure the attendance and testimony of civilian witnesses—to the Committee on Naval Affairs.

Also, a bill (H. R. 6792) to provide for the convening of general courts-martial at remote naval stations—to the Committee on Naval Affairs.

Also, a bill (H. R. 6793) to authorize the Secretary of the Navy to certify to the Secretary of the Interior, for restoration to the public domain, all reservations which are not needed for naval purposes—to the Committee on Naval Affairs.

Also, a bill (H. R. 6794) to authorize the use of depositions before naval courts in certain cases—to the Committee on Naval Affairs.

Also, a bill (H. R. 6795) providing for the use by the United States of devices invented by its naval officers while engaged in its service and covered by letters patent—to the Committee on Naval Affairs.

By Mr. GILLETT of Massachusetts (by request): A bill (H. R. 6796) to increase the efficiency of the public service by retirement of disabled and superannuated employees—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 6797) for the retirement of Government employees in the classified civil service and the establishment of a retirement bureau—to the Committee on Reform in the Civil Service.

Also (by request), a bill (H. R. 6798) for the appointment of a superannuation commission—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 6799) to prevent superannuation in the classified civil service—to the Committee on Reform in the Civil Service.

Also (by request), a bill (H. R. 6800) for the retirement of Government employees in the classified civil service without cost to the Government—to the Committee on Reform in the Civil Service.

Also (by request), a bill (H. R. 6801) for the retirement of Government employees in the classified civil service without cost to the Government—to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 6802) to prevent superannuation in the classified civil service, and to create a retirement fund for employees—to the Committee on Reform in the Civil Service.

By Mr. SMITH of Illinois: A bill (H. R. 6803) fixing the maximum length of rural routes hereafter to be established, and increasing the salaries of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: A bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa.—to the Committee on Ways and Means.

By Mr. BENNY: A bill (H. R. 6805) to amend an act entitled "An act to bridge the Newark Bay," approved February 18, 1895—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: A bill (H. R. 6806) to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army—to the Committee on Military Affairs.

By Mr. HUFF: A bill (H. R. 6807) to provide for the erection of a public building at Butler, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 6808) making Chester, Pa., a subport of entry—to the Committee on Ways and Means.

By Mr. FULLER: A bill (H. R. 6809) granting a pension to Union soldiers and their widows—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 6810) to refund internal-revenue taxes paid by owners of private dies—to the Committee on Claims.

By Mr. McCLEARY of Minnesota: A joint resolution (H. J. Res. 62) making an appropriation for an exhibit of the public schools of the District of Columbia at the St. Louis Exposition—to the Committee on Appropriations.

By Mr. MORRELL: A joint resolution (H. J. Res. 63) providing for a commission to revise the existing financial laws of the United States and to report a substitute therefor—to the Committee on Ways and Means.

By Mr. WILLIAMS of Mississippi: A resolution (H. Res. 80) providing for the amending of Rule X, changing the number of members of the House committees—to the Committee on Rules.

Also, a resolution (H. Res. 81) requesting all papers and evidence touching the investigation of all alleged frauds and irregularities in the Post Office Department and postal service—to the Committee on the Post-Office and Post-Roads.

By Mr. PRINCE: A resolution (H. Res. 82) requesting of Secretary of Treasury a report as to national-bank deposits—to the Committee on Banking and Currency.

By Mr. FITZGERALD: A memorial of the legislature of the State of Florida—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALEXANDER: A bill (H. R. 6811) granting an increase of pension to Andrew Switzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6812) granting a pension to Clara A. Brinker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6813) granting an increase of pension to Seymour H. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6814) granting an increase of pension to Edward W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6815) granting an increase of pension to Henry C. Stern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6816) granting an increase of pension to Frederick Ratzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6817) granting a pension to Rosa Glass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6818) granting leave to the executors or administrators of the estate of Isadore Termini, deceased, to commence action against the United States of America, for the alleged wrongful act in causing his death—to the Committee on the Judiciary.

Also, a bill (H. R. 6819) to grant authority and jurisdiction to the Court of Claims—to the Committee on the Judiciary.

Also, a bill (H. R. 6820) to remove the record of dishonorable dismissal from the military record of John Flinn, alias Flynn—to the Committee on Military Affairs.

Also, a bill (H. R. 6821) to remove the record of dishonorable discharges from the military records of John Shamburger, Louis Smith, George Heppel, and Henry Metzger—to the Committee on Military Affairs.

Also, a bill (H. R. 6822) granting an increase of pension to John A. Hayward—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 6823) granting an increase of pension to S. R. Pollard—to the Committee on Invalid Pensions.

By Mr. BENNY: A bill (H. R. 6824) for the relief of Benjamin Manning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6825) for the relief of Herbert W. George—to the Committee on Military Affairs.

By Mr. BINGHAM: A bill (H. R. 6826) for the relief of Creighton Churchill, an ensign on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. CALDWELL: A bill (H. R. 6827) granting an increase of pension to Thomas H. Padgett—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 6828) granting an increase of pension to Franklin Wise—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6829) granting an increase of pension to Joseph Brindley—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 6830) granting a pension to Charles E. Likes—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 6831) for the relief of the legal representatives of George W. Soule—to the Committee on Claims.

Also, a bill (H. R. 6832) granting an increase of pension to Nathaniel Cayes—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 6833) for the relief of Bernard W. Murray—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 6834) granting a pension to George W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6835) granting an increase of pension to Calvin H. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6836) granting an increase of pension to Elise Habercom—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 6837) granting an increase of pension to Emanuel T. Leib—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6838) granting an increase of pension to Isaac Zellers—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 6839) removing charge of desertion from the military record Robert Giffen—to the Committee on Military Affairs.

Also, a bill (H. R. 6840) granting an increase of pension to Robert F. Noah—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6841) granting an increase of pension to Hezekiah Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6842) granting an increase of pension to Thomas Brewer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6843) granting a pension to John P. Crump—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6844) granting a pension to Thomas Brachter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6845) granting a pension to George W. Carlock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6846) granting a pension to Sibba Miller—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 6847) granting a pension to Melvina J. Swiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6848) granting an increase of pension to John W. Plattenburg—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 6849) for the relief of Joseph H. Sparks—to the Committee on War Claims.

Also, a bill (H. R. 6850) granting an increase of pension to Samuel Mixel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6851) granting an increase of pension to John S. Roseberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6852) granting an increase of pension to Isaac Gerflon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6853) granting an increase of pension to Henry Brant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6854) granting an increase of pension to Jacob Dilbert—to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 6855) for the relief of Adolph Gichan—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 6856) granting an increase of pension to Nancy E. Tate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6857) granting an increase of pension to Lorenzo D. Jameson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6858) granting an increase of pension to Nelson Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6859) granting an increase of pension to William A. Sherman—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 6860) granting an increase of pension to Albert C. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6861) granting an increase of pension to Mary F. Calef—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 6862) for the relief of John W. Long, of Unitia, Loudon County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 6863) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act—to the Committee on War Claims.

By Mr. GILLETT of Massachusetts: A bill (H. R. 6864) to remove the charge of desertion standing against the name of Jerry Horan—to the Committee on Military Affairs.

Also, a bill (H. R. 6865) to remove the charge of desertion standing against the name of D. J. Mahoney—to the Committee on Military Affairs.

Also, a bill (H. R. 6866) granting a pension to Mary W. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6867) to correct the military record of Henry N. Penfield—to the Committee on Military Affairs.

Also, a bill (H. R. 6868) granting an increase of pension to George R. Hanson—to the Committee on Pensions.

Also, a bill (H. R. 6869) granting an increase of pension to Lorenzo D. Ebner—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 6870) to amend the act approved March 15, 1878, entitled "An act for the relief of William A. Hammond, late Surgeon-General of the Army"—to the Committee on Military Affairs.

By Mr. ZENOR: A bill (H. R. 6871) for the relief of the estate of Samuel H. Patterson, deceased—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. 6872) granting a pension to James H. Sale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6873) granting an increase of pension to George W. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6874) granting an increase of pension to Louis Spicer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6875) granting an increase of pension to Joseph F. Andrews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6876) granting an increase of pension to Mahlon M. Lucky—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6877) granting an increase of pension to Nelson G. Smith—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 6878) granting a pension to William Fitch—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 6879) for the relief of R. A. Finnell—to the Committee on Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 6880) granting an increase of pension to Charles T. Preston—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 6881) to pension Zachariah T. Bryant—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 6882) granting a pension to Lucy E. Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6883) granting an increase of pension to Jasper N. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6884) granting an increase of pension to Felix G. Albin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6885) granting an increase of pension to Harrison Payton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6886) granting an increase of pension to Silas Kauble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6887) granting an increase of pension to Edwin B. Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6888) granting an increase of pension to James F. Brann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6889) granting an increase of pension to Francis Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6890) granting an increase of pension to William T. Gans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6891) granting an increase of pension to Thomas W. Wiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6892) granting an increase of pension to John Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6893) granting a pension to Jennie Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6894) granting an increase of pension to Levi Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6895) granting an increase of pension to Joseph L. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6896) granting an increase of pension to John W. Landis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6897) granting an increase of pension to James M. Emmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6898) granting an increase of pension to John T. Langley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6899) granting an increase of pension to Linza Cottrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6900) granting an increase of pension to William M. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6901) granting an increase of pension to William Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6902) granting a pension to Sarah Gentry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6903) granting a pension to John Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6904) for the relief of Mary C. Stevens (formerly Mary C. Williams)—to the Committee on War Claims.

By Mr. HOUSTON: A bill (H. R. 6905) granting an increase of pension to Samuel G. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6906) granting a pension to Sallie H. Hoffecker—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 6907) granting an increase of pension to George H. French—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 6908) for the relief of Joseph Flewhart—to the Committee on War Claims.

Also, a bill (H. R. 6909) granting a pension to James H. Pool—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6910) granting a pension to Mary E. Campbell—to the Committee on Pensions.

Also, a bill (H. R. 6911) granting a pension to James H. Weston—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 6912) for the relief of William Large—to the Committee on War Claims.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 6913) granting a pension to Edward Henry—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 6914) granting a pension to Adaline R. Ranney—to the Committee on Pensions.

By Mr. LACEY: A bill (H. R. 6915) for the relief of Mary J. McClothlen—to the Committee on War Claims.

By Mr. FREDERICK LANDIS: A bill (H. R. 6916) granting an increase of pension to Alexander Hardy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6917) granting an increase of pension to Samuel Oakerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6918) granting an increase of pension to Meredith H. Kidd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6919) to correct the military record of Edward Cosgrove—to the Committee on Military Affairs.

Also, a bill (H. R. 6920) granting a pension to Susan E. Weaver—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore—to the Committee on Claims.

By Mr. LUCKING: A bill (H. R. 6922) granting a pension to Theresa Griffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6923) granting a pension to Olive Bassett—to the Committee on Pensions.

Also, a bill (H. R. 6924) granting a pension to Margaret A. Murriby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6925) to correct the military record of Joseph Nevenx—to the Committee on Military Affairs.

By Mr. LANNING: A bill (H. R. 6926) for the relief of John Treftz—to the Committee on Military Affairs.

Also, a bill (H. R. 6927) granting an increase of pension to Rebecca C. Nevin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6928) granting an increase of pension to Richard Prost—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 6929) granting an increase of pension to William F. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6930) granting an increase of pension to Jacob F. Reamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6931) granting a pension to Sarah A. McCann—to the Committee on Invalid Pensions.

By Mr. MCANDREWS: A bill (H. R. 6932) granting an increase of pension to Harvey R. King—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6933) granting a pension to L. M. Ferrier—to the Committee on Invalid Pensions.

By Mr. MCNARY: A bill (H. R. 6934) to remove the charge of desertion from the record of Thomas A. Slater—to the Committee on Military Affairs.

Also, a bill (H. R. 6935) for the relief of the owners of the schooner *Walter B. Chester*—to the Committee on Claims.

Also, a bill (H. R. 6936) for the relief of McHenry Robinson, executor of the estate of Elizabeth S. Cushing—to the Committee on Claims.

Also, a bill (H. R. 6937) for the relief of the heirs of Elizabeth Cushing—to the Committee on Claims.

Also, a bill (H. R. 6938) granting a pension to John H. Leslie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6939) granting a pension to Sue Stevens Eskridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6940) granting an increase of pension to Susannah O. Wardrop—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 6941) granting a pension to Hester A. Godman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6942) granting a pension to Frederick L. Killion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6943) granting a pension to Mary G. Edmondson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6944) for the relief of James L. East—to the Committee on Military Affairs.

Also, a bill (H. R. 6945) for the relief of Kenner Stirwalt—to the Committee on Military Affairs.

Also, a bill (H. R. 6946) granting an increase of pension to Solomon C. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6947) granting an increase of pension to Joseph H. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6948) granting an increase of pension to Joshua Parsons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6949) granting an increase of pension to Andrew Jarvis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6950) granting an increase of pension to Samuel M. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6951) granting an increase of pension to Charles G. Corr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6952) granting an increase of pension to John H. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6953) granting an increase of pension to Michael W. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6954) granting an increase of pension to John T. McKee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6955) granting an increase of pension to John G. Fessenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6956) granting an increase of pension to Ellis House—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6957) granting an increase of pension to A. C. Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6958) granting an increase of pension to Isaac Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6959) granting an increase of pension to Samuel A. Parrish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6960) granting an increase of pension to John W. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6961) granting an increase of pension to Thomas E. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6962) granting an increase of pension to Pauline N. Pearson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6963) granting an increase of pension to Hiram P. Pauley—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 6964) granting a pension to James S. Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6965) granting an increase of pension to Phœbe Buch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6966) granting an increase of pension to Roxana S. Ker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6967) granting an increase of pension to Archer Fielding—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6968) granting an increase of pension to Annie R. E. Nesbitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6969) granting an increase of pension to Robert W. Patrick—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 6970) to correct the record of Othella D. Hughes—to the Committee on Naval Affairs.

Also, a bill (H. R. 6971) granting a pension to Louisa Baumgard—to the Committee on Pensions.

Also, a bill (H. R. 6972) raising the rank of Chief Engineer Robert Potts on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. NORRIS: A bill (H. R. 6973) granting an increase of pension to Simeon Billings—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 6974) to remove the charge of desertion standing against Merida Mealor—to the Committee on Military Affairs.

Also, a bill (H. R. 6975) granting an increase of pension to George W. Lawson—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 6976) granting an increase of pension to Jane Wheeler—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 6977) granting an increase of pension to Mary A. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6978) granting an increase of pension to John T. Vincent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6979) for the relief of John L. Benson—to the Committee on War Claims.

Also, a bill (H. R. 6980) granting a pension to Maggie E. Bamford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6981) granting a pension to Edgar A. Norris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6982) granting a pension to John T. Walsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6983) for the relief of the estate of Susanna Fleming—to the Committee on War Claims.

Also, a bill (H. R. 6984) for the relief of Kate R. Sharretts and Edward A. Sharretts, administrators of George E. W. Sharretts—to the Committee on Claims.

By Mr. PORTER: A bill (H. R. 6985) granting an increase of pension to George W. Stormer—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 6986) granting an increase of pension to George Ireland—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 6987) granting a pension to Martha J. Kellogg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6988) granting a pension to Murtilla Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6989) granting an increase of pension to Thomas Ebey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6990) granting an increase of pension to William Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6991) granting an increase of pension to John Hayden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6992) granting an increase of pension to Isaac B. Vandevanter—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 6993) granting an increase of pension to Alfred D. Cannon—to the Committee on Invalid Pensions.

By Mr. RYAN: A bill (H. R. 6994) granting an increase of pension to Theresa Nebrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6995) granting an increase of pension to Joseph H. Steel—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 6996) for the relief of Boon, Bostwick & Co.—to the Committee on War Claims.

Also, a bill (H. R. 6997) granting a pension to Mary A. Woodard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6998) granting an increase of pension to Charles L. Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 6999) granting an increase of pension to Albert W. Jones—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 7000) granting an increase of pension to John White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7001) granting an increase of pension to Hiram J. Cain—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 7002) granting an increase of pension to James S. Rearden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7003) granting an increase of pension to Noah S. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7004) granting a pension to Sarah Aldrich—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 7005) granting a pension to Herbert N. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7006) granting a pension to Benson McNall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7007) to correct the military record of Benson McNall—to the Committee on Military Affairs.

By Mr. WM. ALDEN SMITH: A bill (H. R. 7008) granting a pension to Amri H. Field—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7009) granting a pension to Mary A. Goulds-bury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7010) granting a pension to Kryn Dykema—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7011) granting a pension to S. J. Fix—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7012) granting a pension to Thomas Scarvell—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 7013) granting an increase of pension to Marvin Chandler—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 7014) granting an increase of pension to J. J. Boyd—to the Committee on Pensions.

Also, a bill (H. R. 7015) for the relief of Mrs. Jennie Miller, of Henrietta, Tex.—to the Committee on Claims.

By Mr. TAYLOR: A bill (H. R. 7016) for the relief of Ella L. Demony—to the Committee on Claims.

Also, a bill (H. R. 7017) for the relief of the Medical College of Alabama—to the Committee on Claims.

Also, a bill (H. R. 7018) for the relief of the Selma and Meridian Railroad Company—to the Committee on Claims.

Also, a bill (H. R. 7019) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.—to the Committee on Claims.

Also, a bill (H. R. 7020) for the relief of the Mobile Marine Dock Company—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 7021) granting a pension to Eliza Howard—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Papers to accompany bill H. R. 1267, granting an increase of pension to D. Miller Gordon—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Resolution of the Pennsylvania State forestry reservation commission, urging the preservation of the Calaveras trees of California—to the Committee on Agriculture.

Also, copy of an eight-hour and an anti-injunction bill—to the Committee on Labor.

Also, letter from Alba B. Johnson, chairman committee on insurance of the Philadelphia Board of Trade, relating to Senate bill 1261, which excludes certain kind of literature from the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. ALLEN: Petition of George I. Abell and 23 others, for specific appropriation for paving of B street NE. between Eleventh and Twelfth streets, Washington, D. C.—to the Committee on Appropriations.

By Mr. BADGER: Resolution of the South Side Business and Improvement Association, of Columbus, Ohio, urging the establishment of a new Federal court district for central Ohio—to the Committee on the Judiciary.

By Mr. BAKER: Paper to accompany bill to correct military record of Antonio Diaz—to the Committee on Military Affairs.

By Mr. CANNON: Memorial of the Philadelphia Turngemeinde, protesting against legislation subjecting liquor in original packages to the provision of State laws—to the Committee on the Judiciary.

Also, resolution of the Merchants' National Exchange of Oakland, Cal., praying for legislation to enlarge the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial of General Warren Council, No. 46, Junior Order United American Mechanics, of Brooklyn, N. Y., praying for legislation to restrict immigration—to the Committee on Immigration and Naturalization.

By Mr. DOVENER: Papers to accompany bill to pension Oscar Parsons—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of John W. Plattenburg—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: Petition of New York State Pharmaceutical Association, favoring reduction of tax on alcohol—to the Committee on Ways and Means.

By Mr. FOSS: Resolution of the executive committee of the National Business League, favoring enlargement of the Navy—to the Committee on Naval Affairs.

By Mr. FULLER: Resolution of the board of trustees of the Sanitary District of Chicago, for a construction of a waterway connecting the Great Lakes and the Mississippi River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

Also, petition of Frank S. Regan and others, favoring anticanteen legislation—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Streator, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany bill granting a pension to Union soldiers and their widows, introduced by Mr. FULLER December 10, 1903—to the Committee on Invalid Pensions.

By Mr. HEDGE: Petition of residents of Keokuk, Iowa, relating to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. HUFF: Resolution of the Pennsylvania State forestry reserve commission, favoring the preservation of the Calaveras trees of California—to the Committee on Agriculture.

By Mr. HUGHES of West Virginia: Petition of A. J. Keenan, trustee, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of E. S. Deane, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of A. S. Leach, trustee, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. HULL: Petition of J. H. White and other citizens of Madison County, Iowa, protesting against the sale of liquor in all public buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. LACEY: Papers to accompany bill for the relief of Mary J. McClothlin—to the Committee on War Claims.

By Mr. MAHON: Papers to accompany bill for the relief of Jacob F. Reamer—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Sarah A. McCann—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of William F. Campbell—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Papers to accompany bill to correct the military record of Kenner S. Stirwalt—to the Committee on Military Affairs.

Also, papers to accompany bill to increase pension of Samuel M. Graham—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of the Business and Professional Club of Philadelphia, relative to a 35-foot channel for the Delaware River—to the Committee on Rivers and Harbors.

Also, resolution of the Pennsylvania State forestry reservation commission, for the preservation of the Calaveras trees of California—to the Committee on Agriculture.

Also, copy of an eight-hour and an anti-injunction bill—to the Committee on Labor.

Also, letter from Alba B. Johnson, chairman committee on insurance of the Philadelphia Board of Trade, relating to Senate bill 1261, for the exclusion of certain literature from the mails—to the Committee on the Post-Office and Post-Roads.

By Mr. PADGETT: Papers to accompany bill to increase pension of George W. Lawson—to the Committee on Invalid Pensions.

Also, papers to accompany bill to correct military record of Merida Mealer—to the Committee on Military Affairs.

By Mr. PAYNE: Petition of C. L. Bigelow, of Phelps, N. Y., against sale of intoxicating liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. PEARRE: Petition of the trustees of the Methodist Episcopal Church of Brunswick, Frederick County, Md., praying reference of its claim to the Court of Claims—to the Committee on War Claims.

By Mr. RAINEY: Petition of citizens of Ashland, Carrollton, and New Canton, Ill., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. A. Wells and other soldiers of the rebellion, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: Papers in claim of Samuel B. Nelson, for reference to Court of Claims—to the Committee on War Claims.

By Mr. RYAN: Papers to accompany bill to pension Julia Burke—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 5028, granting an increase of pension to James Winspear—to the Committee on Invalid Pensions.

Also, resolution of the executive committee of the National Business League, favoring enlargement of the Navy—to the Committee on Naval Affairs.

By Mr. SHAFROTH: Resolution of the Left Hand Grange, No. 9, of the Order of Patrons of Husbandry, of Niwot, Colo., favoring increase of salary for rural mail carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SHULL: Paper to accompany bill to increase pension of Anthony Bracklin—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Papers to accompany bill to increase pension of Marvin Chandler—to the Committee on Invalid Pensions.

By Mr. STERLING: Petition of merchants of Forrest, Ill., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. TIRRELL: Paper to accompany bill H. R. 2431, to remove the charge of desertion against Isaac M. Dow—to the Committee on Naval Affairs.

By Mr. WILLIAMS: Papers to accompany bill to pension Eliza Howard—to the Committee on Invalid Pensions.

SENATE.

FRIDAY, *December 11, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Journal of yesterday's proceedings was read and approved.

REPORT ON COMMERCE AND LABOR.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying report, referred to the Committee on Commerce, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the first annual report of the Secretary of Commerce and Labor.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 9, 1903.*

GOVERNMENT SALARY TABLES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, recommending the adoption of the new Government salary tables as contained in House Document No. 393, Fifty-seventh Congress, second session; which was referred to the Committee on Appropriations, and ordered to be printed.

DELEGATE FROM PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, inclosing a letter from the acting governor of Porto Rico, transmitting a certified copy of a memorial adopted by the executive council of Porto Rico, praying for the final passage of section 4 of a House resolution of the Fifty-seventh Congress, second session, providing for a Delegate to the House of Representatives of the United States from Porto Rico; which, with the accompanying papers, was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

EXPENDITURES AT SPRINGFIELD ARMORY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a statement of the expenditures at the Springfield Armory, Springfield, Mass., for the year ended June 30, 1903; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

PUBLIC LANDS IN "THE OREGON COUNTRY."

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 27th ultimo, a statement of the land, in acres, of undisposed Government lands in what was originally known as "The Oregon Country;" which, with the accompanying papers, was referred to the Committee on Public Lands, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Resolution*, Alpheus Billings, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Polly*, Joseph Eads, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop *Hawk*, Holden Langford, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Polly*, John Drummond, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Molly*, John Millett, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Mehitable*, William Orne, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PLATT of New York. I present a memorial signed by Joseph F. Smith, John R. Winder, Anthon H. Lund, and other citizens of Salt Lake City, Utah, transmitted by Arbuckle Brothers, of New York City, remonstrating against the anti-Mormon agitation directed against the junior Senator from Utah [Mr. SMOOT]. I move that the memorial be referred to the Committee on Privileges and Elections.

The motion was agreed to.

Mr. FAIRBANKS presented memorials of the Retail Merchants' Association of Evansville; of the Connersville Ice Company, of Connersville, and of the Alexandria Ice and Cold Storage Company, of Alexandria, all in the State of Indiana, remonstrating against the enactment of legislation relative to the use of the mails for certain classes of literature and for contracts of insurance; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURNHAM presented a petition of the congregation of the Methodist Episcopal Church of Derry, N. H., and a petition of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of the Home Missionary Society of Califon; of the congregation of the Centenary Methodist Episcopal Church, of Newark; of the congregation of the Presbyterian Church of Lamington; of the congregation of the Methodist Episcopal Church of Andover; of the Woman's Christian Temperance Union of Gladstone, all in the State of New Jersey, and of the National Congress of Mothers, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. NELSON presented a petition of O. P. Morton Post, No. 171, Department of Minnesota, Grand Army of the Republic, of Minneapolis, Minn., and a petition of E. B. Gibbs Post, No. 76, Department of Minnesota, Grand Army of the Republic, of Whitebear, Minn., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Coopers' International Union, No. 61, Federation of Labor, of St. Paul, Minn., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

Mr. HOAR presented a petition of the Woman's Club of Millbury, Mass., and a petition of the congregation of the Presbyterian Church of Providence, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. STEWART presented the petition of S. W. Woodward and sundry other citizens of Washington, D. C., praying for the enactment of legislation providing for a public park or reservation

at the intersection of Sixteenth and Kenesaw streets and Mount Pleasant avenue, in that city; which was referred to the Committee on the District of Columbia.

Mr. CLAPP presented a petition of the Ladies' Aid Society of the Church of God, of Maine Prairie, Minn., and a petition of the congregation of the United Evangelical Church of Maine Prairie, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented petitions of the Woman's Christian Temperance Union of Kansas City; of the congregation of the United Presbyterian Church of Tarkio; of the Woman's Missionary Society of Parkville; of sundry citizens of Parkville; of the Woman's Christian Temperance Union of Springfield; of the Woman's Missionary Society of Parkville, and of the congregation of the Reformed Presbyterian Church of Kansas City, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented petitions of the congregation of the Scandinavian Mission Church, of Superior; of the congregation of the Methodist Episcopal Church of Superior, and of the Woman's Club of Monroe, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented petitions of the congregations of the Congregational Church, the Calvary Baptist Church, and the Advent Church, and of the Young Men's Christian Association, all of Torrington, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented a petition of the National Association of Credit Men of the United States, praying for the enactment of legislation to reorganize the consular service of the United States; which was referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union of Oneida; of the congregation of the Methodist Episcopal Church of Greene; of sundry citizens of Brooklyn; of the Woman's Home and Foreign Missionary Society of New Hartford; of the congregation of the Fourth Presbyterian Church of Albany; of the congregation of the Presbyterian Church of Brookhaven; of the Woman's Christian Temperance Union of Moreau; of the Woman's Baptist Missionary Society of Wellsville; of the Woman's Missionary Society of Far Rockaway; of sundry citizens of Albany; of the Woman's Christian Temperance Union of Pine Plains; of the congregation of the United Brethren in Christ of Great Valley; of the congregation of the Presbyterian Church of Pleasant Valley; of the congregation of the Methodist Episcopal Church of Pleasant Valley; of the congregation of the United Presbyterian Church of Salem; of the congregation of the Baptist Church of Fort Ann; of the Woman's Christian Temperance Union of Fort Ann; of the congregation of the Methodist Episcopal Church of Dalton; of the Ministers' Association of Cambridge; of the congregation of the Methodist Episcopal Church of Perry; of the congregation of the Free Methodist Episcopal Church of Albion; of sundry citizens of Troy; of the congregation of the Prospect Heights Presbyterian Church, of New York City; of sundry citizens of Dunkirk; of the Woman's Christian Temperance Union of Dunkirk; of sundry citizens of Dobbs Ferry; of the congregation of the First Presbyterian Church of Sodus; of the congregation of the Main Street Baptist Church, of Binghamton; of the congregation of the Baptist Church of Deposit; of the Christian Endeavor Society of the Friends Church of Poplar Ridge; of sundry citizens of Onondaga County, and of the congregation of the Asbury Methodist Episcopal Church, of Rochester, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. TALIAFERRO presented a petition of the Woman's Christian Temperance Union of Sanford, Fla., and a petition of the Union Thanksgiving Meeting of Sanford, Fla., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of the Board of Trade of Baltimore, Md., praying that an appropriation be made to deepen the main channel of that port from 30 to 35 feet; which was referred to the Committee on Commerce.

He also presented petitions of the Woman's Christian Temperance Union of Tiffin, Ohio; of the Nineteenth Century Club, of Washington, Iowa; of the Woman's Christian Temperance Union of Lowell, Mass., and of the congregation of the Methodist Episcopal Church of Carmen, Okla., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of sundry citizens of Philadelphia, Pa., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. DUBOIS. I ask that a change of reference be made of the bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation. It was improperly referred to the Committee on Public Lands. It should have been referred to the Committee on Indian Affairs.

The PRESIDENT pro tempore. If there be no objection, the correction will be made.

Mr. DUBOIS. I desire to report the bill favorably and unanimously from the Committee on Indian Affairs.

The PRESIDENT pro tempore. The report will be received.

Mr. DUBOIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 252) relating to ceded lands on the Fort Hall Indian Reservation, moved that it be postponed indefinitely; which was agreed to.

Mr. FORAKER, from the Committee on the District of Columbia, to whom was referred the bill (S. 492) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington," reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the bill (S. 712) to provide for the service of warrants issued by United States commissioners in the district of Minnesota and for the summary disposition by such commissioners of certain cases connected with Indian liquor traffic, asked to be discharged from its further consideration, and that it be referred to the Committee on the Judiciary; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 711) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1833) conferring upon the Court of Claims authority to hear and determine certain claims of the Chippewa Indians in the State of Minnesota, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. MARTIN, from the Committee on the District of Columbia, to whom was referred the bill (S. 820) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896, reported it without amendment, and submitted a report thereon.

ASSISTANT CLERK OF DISTRICT OF COLUMBIA COMMITTEE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. GALLINGER on the 27th ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the salary of the assistant clerk to the Committee on the District of Columbia, authorized by resolution of January 18, 1900, at $1,440 per annum, be, and it hereby is, increased to $1,800 per annum, to take effect December 1, 1903.

UTE INDIAN CLAIMS.

Mr. TELLER, from the Committee on Indian Affairs, to whom was referred the bill (S. 1222) for the relief of the confederated bands of Ute Indians, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 1222) for the relief of the confederated bands of Ute Indians, now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2375) granting an increase of pension to William E. Redmond (with an accompanying paper);

A bill (S. 2376) granting an increase of pension to Henry Woods (with an accompanying paper);

A bill (S. 2377) granting an increase of pension to Hiram P. Pauley;

A bill (S. 2378) granting a pension to George Rigler;

A bill (S. 2379) granting an increase of pension to Isum Gwin; and

A bill (S. 2380) granting a pension to Jane Smith (with accompanying papers).

Mr. BERRY introduced a bill (S. 2381) granting a pension to Fannie Hay Mallitt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2383) for the relief of Harry A. E. Pickard; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 2384) to establish probate courts in the Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. GIBSON introduced a bill (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. BALL introduced a bill (S. 2386) granting an increase of pension to Fisher Ames; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2387) granting an increase of pension to John M. Burke; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2388) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2389) for the relief of the estate of James M. Ellison, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PATTERSON introduced a bill (S. 2390) for the relief of Walker McQueary; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2391) granting an increase of pension to John M. Odenheimer;

A bill (S. 2392) granting an increase of pension to William W. Misner;

A bill (S. 2393) granting an increase of pension to Daniel Clark;

A bill (S. 2394) granting a pension to Mary Ellen Beebe; and

A bill (S. 2395) granting an increase of pension to James L. Small.

Mr. SPOONER introduced a bill (S. 2396) granting a pension to Clarissa Ann La Point; which was read twice by its title, and with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2397) granting an increase of pension to William H. Vickers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HOAR introduced a bill (S. 2398) to amend an act entitled "An act to amend the laws relative to shipping commissioners," approved August 19, 1890, and for other purposes, as amended February 18, 1895; which was read twice by its title.

The PRESIDENT pro tempore. The bill is indorsed "Judiciary."

Mr. HOAR. I presume the bill should go to the Committee on Commerce, if the Chair will just look at it.

The PRESIDENT pro tempore. The Chair is inclined to think that it ought to go to the Committee on Commerce, as there will be before that committee very shortly a bill relating to the same subject.

Mr. HOAR. By an inadvertence, not due to me, but another person, the bill was marked "Judiciary."

The PRESIDENT pro tempore. The bill will be referred to the Committee on Commerce.

Mr. HOAR introduced a bill (S. 2399) granting a pension to Michael Nelligan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 2400) to approve act No. 31 of the session of 1903 of the legislature of the Territory of Hawaii, approved April 22, 1903, entitled "An act providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein," which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 2401) to approve a special act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. STEWART introduced a bill (S. 2402) to secure sanitary dairy products for the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BURROWS introduced a bill (S. 2403) for the relief of Mary E. Carey, executrix of the estate of James J. Newell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2404) for the relief of the estate of W. F. Sanderson;

A bill (S. 2405) for the relief of T. H. B. Myers, surviving partner of John Myers & Son;

A bill (by request) (S. 2406) for the relief of William C. Staples;

A bill (by request) (S. 2407) for the relief of the estate of James A. Suydam, deceased;

A bill (S. 2408) for the relief of Thomas D. Meares, administrator of Armand D. Young, deceased;

A bill (S. 2409) for the relief of Mary N. Bryan;

A bill (S. 2410) for the relief of Henry R. Bryan;

A bill (S. 2411) for the relief of the estate of H. D. Coley, deceased;

A bill (S. 2412) for the relief of George A. Russell, administrator of Stephen Chadwick, deceased; and

A bill (S. 2413) for the relief of the vestry and wardens of St. James Church, of Wilmington, N. C.

Mr. GORMAN introduced a bill (S. 2414) granting an increase of pension to Elise Habercom; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAILEY introduced a bill (S. 2415) for the relief of George W. Guyer; which was read twice by its title, and referred to the Committee on Claims.

Mr. FOSTER of Washington introduced a bill (S. 2416) granting an increase of pension to Mary Joanna Adams; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2417) for the relief of Granville R. McCubbin; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Granville R. McCubbin, praying for relief, with certificate of discharge and court-martial record attached, together with the affidavits of Dr. N. B. Woolsey, Charles L. Mowder, Sam Russell, and W. C. McCubbin, and letters of the War Department, February 26 and March 12, 1902, printed circular of September 20, 1901, and copy of muster-out roll of Granville R. McCubbin, and sundry letters to myself. I move that the bill and accompanying papers be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. NELSON introduced a bill (S. 2418) granting a pension to Marit Johnson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2419) granting an increase of pension to Jane M. Black; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 2420) for the relief of the State of California; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2421) for the relief of the holders of certain California Indian war bonds and coupons; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2422) relating to the pay of mates in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2423) granting an increase of pension to Benson C. Bellamy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH (for Mr. SCOTT) introduced a bill (S. 2424) to recognize and promote the efficiency of army chaplains; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 2425) for the relief of Thomas H. Carpenter; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2426) granting an increase of pension to Albion K. P. Dresser;

A bill (S. 2427) granting an increase of pension to Bennett Morse (with an accompanying paper);

A bill (S. 2428) granting an increase of pension to Gideon F. Pond; and

A bill (S. 2429) granting an increase of pension to John Dow (with accompanying papers).

Mr. DEPEW introduced a bill (S. 2430) for the relief of Col. James N. Wheelan, United States Army, retired; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 2431) granting an increase of pension to Nicholas Fitzgerald; which was read twice by its title, and referred to the Committee on Pensions.

He also (for Mr. HAWLEY) introduced a bill (S. 2432) granting an increase of pension to Joseph J. Fry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 2433) to amend the military record of John H. Skinner; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on the District of Columbia:

A bill (S. 2434) providing for a superintendent of the Fire Department of the District of Columbia;

A bill (S. 2435) to amend an act to regulate the height of buildings in the District of Columbia; and

A bill (S. 2436) authorizing the Commissioners of the District of Columbia to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes.

Mr. HALE introduced a bill (S. 2437) to provide for the transportation of naval and other stores and supplies in American-built ships; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BALL introduced a joint resolution (S. R. 19) to restore the status of the Fifth and Sixth Regiments Delaware Volunteers, who served during the late civil war; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR introduced a joint resolution (S. R. 20) authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow; which was read twice by its title.

Mr. HOAR. May I be allowed to state for the information of the Senate and the public that I understand the entire money has been raised by the Longfellow Memorial Association for the whole cost of the statue, and all that the joint resolution contemplates is the permission to put it in some proper public place.

The PRESIDENT pro tempore. The joint resolution will be referred to the Committee on the Library.

Mr. HOAR introduced a joint resolution (S. R. 21) authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers; which was read twice by its title, and referred to the Committee on the Library.

Mr. GALLINGER introduced a joint resolution (S. R. 22) authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

PRICES OF AMERICAN GOODS ABROAD.

Mr. BACON. I submit a resolution which I ask may be read, and that it may have present consideration.

The resolution was read, as follows:

Resolved by the Senate, That the Secretary of Commerce and Labor be and he is hereby directed to procure, so far as practicable, the information herein specified and report the same to the Senate during the present session of Congress, and not later than April 1, 1904.

First. What classes of goods manufactured in the United States have, during the year ending December 31, 1902, been sold or offered for sale in foreign countries, or for export to foreign countries, by the manufacturers thereof, or through their representatives or agents, at prices less than the same classes of goods were during the same period sold in the United States by the manufacturers thereof, or through their representatives or agents; the said report, while including so far as practicable all classes of goods so mentioned, and not to have special reference to manufactures of iron and steel and other metals, of glass and crockery, textile goods and the manufactures thereof, boots, shoes, and other manufactures of leather, hats and caps and other wearing apparel, household and kitchen utensils and wares, household and kitchen furniture, sewing machines, vehicles of all kinds, farm implements and farm machinery and other machinery of all kinds, cutlery and tools of all kinds, watches, jewelry and other articles for household and personal use, comfort, or adornment, and the said report to give the comparative prices and said sales contracted for each of the said classes of goods, and the foreign countries in which or for export to which said sales were made.

Second. What, separately stated as to each class of goods, was the general average during the said period of said comparative prices in sales in the United States and in the several foreign countries.

Third. If during the said period the said comparative prices in any instances fluctuated materially from said averages, then, stated separately, what were, in such instances, the comparative prices in said sales in the several classes of goods embraced in such instances at different periods in the year when said fluctuations occurred.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. ALDRICH. I was not sure about the reading of the resolution. For what year is the information to be secured?

Mr. BACON. The present year.

Mr. ALDRICH. I suggest that the resolution had better go to the Committee on Finance. I suppose the Senator expects it to go there.

Mr. BACON. Mr. President, if the Senator desires it to go there for the purpose of reporting it back I do not know that there will be any special objection. But I do not see why the resolution——

Mr. ALDRICH. That committee usually reports back matters which are sent to it by the Senate.

Mr. BACON. I understand, but I was going on to say that even with that intention I do not know why it should be considered by the Finance Committee. It is entirely within the usual custom of the Senate desiring information——

Mr. ALDRICH. The committee might possibly think it desirable to get further information, and it might have some question about whether the Department of Commerce ought to furnish this information or the Department of the Treasury, in which these matters are regulated. There are a great many questions involved in the suggestions of the Senator from Georgia, as I think he will admit, that ought properly to be considered by some committee.

Mr. BACON. That is no reason why they should all be embarrassed in one resolution. The Senator from Rhode Island, the distinguished head of that very honorable and prominent committee, has doubtless been revolving these matters in his mind for several years, and it does not seem from any application he has made to the Senate that there has occurred to him the need for any information. I am quite sure that if the Senator from Rhode Island had desired this information, or if he had thought it important that the Senate should have it before now, he would have brought it to the attention of the Senate.

How is it, Mr. President, that at this time a resolution which, if it is subject to any criticism it would be that it is too elaborate, should be met with the objection that it does not go far enough, and that the honorable Senator, the head of the Finance Committee, thinks it better that that committee should have the opportunity to add to it? If the Senator desires to add to it, I have no objection that he should do it. I have no objection to the resolution lying over in order that he may have time to examine it and to prepare such amendments as he may deem proper in the way of addition. I trust that the Senator will not prepare any amendment which shall in any way curtail the scope of the inquiry desired.

The PRESIDENT pro tempore. Debate is proceeding by unanimous consent. Debate is out of order.

Mr. BACON. I so understand, Mr. President, but I am only following the lead of the distinguished Senator from Rhode Island, formerly chairman of the Committee on Rules, who was presumed to be acting upon that assumption.

Mr. President, if this were proposing legislation, then the suggestion of the distinguished Senator would be entirely in order. If it were proposing any action on the part of the Senate it would be in order. But I submit that it is not according to the custom of the Senate, when legitimate information is desired from a Department, to refer the question to a committee to say whether or not the Senate shall have the benefit of the information.

We have here every day resolutions introduced instructing heads of Departments to furnish to the Senate information, and it is not customary——

Mr. ALDRICH. I suggest that the resolution go over. I did not mean to awaken all this discussion. Let it go over and be printed, and then at the proper time——

Mr. BACON. I will consent to the suggestion. I recognize its propriety.

Mr. ALDRICH. At the proper time I shall move a reference of the resolution to the Committee on Finance.

The PRESIDENT pro tempore. The resolution goes over under objection.

POWERS OF COLOMBIAN GOVERNMENT.

Mr. CULBERSON. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Whereas by the constitution of Colombia adopted in 1886, it is provided:

"ARTICLE 1. The Colombian nation is reorganized as a centralized republic.

"ART. 2. The sovereignty resides essentially and exclusively in the nation, and from it emanate the public powers which shall be exercised within the limits prescribed by the constitution"; and

Whereas by said constitution it is also provided:

"ART. 4. The territory, together with the public property therein contained, belongs exclusively to the nation;"

Resolved, That the Committee on the Judiciary of the Senate is directed to consider and report as early as practicable to the Senate, whether the inhabitants and citizens of the Department of Panama may lawfully form a distinct, separate, and independent government in that territory, and particularly whether there is any governmental authority other than Colombia empowered to grant in perpetuity the use, occupation, and control of land and waters in the territory of Panama, with full and complete sovereignty over the same.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. CULLOM. I move that it be referred to the Committee on Foreign Relations.

Mr. CULBERSON. Mr. President, it seems to me that this is a resolution of such importance it not only ought not to be referred, but that it ought to be adopted at once.

The Senate, of course, is aware of the fact that we have pending here a very important treaty. The treaty, I understand, is here, and is before the Committee on Foreign Relations. The President so announced in his message. One of the vital questions is whether any other governmental authority than the Republic of Colombia is authorized to grant the use and occupation of the public domain and any other property——

Mr. ALDRICH. I suggest that the resolution had better go over.

Mr. KEAN. Let us have the regular order.

Mr. ALDRICH. Let us have the regular order.

The PRESIDENT pro tempore. The resolution goes over under the rule.

Mr. CULBERSON. I have no objection to its going over.

Mr. CULLOM. Neither have I.

Mr. KEAN. The motion to refer is pending.

Mr. CULLOM. The motion is pending to refer to the Committee on Foreign Relations.

LABOR TROUBLES IN COLORADO.

Mr. PATTERSON. I submit a resolution, and ask that after it is read it may lie on the table that I may at some future time address some remarks upon it.

The resolution was read, as follows:

Whereas before Colorado was admitted into the Union its citizens were required to frame a constitution republican in form and which should be submitted to the President of the United States, when he should by proclamation declare Colorado to be a State in the Union; and

Whereas by reason of the fact that there is a strike of the metalliferous miners in the Cripple Creek mining district, in the county of Teller, and also in the county of San Miguel, in said States; and

Whereas it is maintained by the said striking miners and by many other good men, and among citizens that the said strike, considering its magnitude and its action, has been exceptionally free from violence and lawlessness; and

Whereas there lately occurred an explosion of dynamite in one of the mines of said Cripple Creek district, by which the superintendent of the mine and many miners were killed, and which said explosion was charged by the miners to have been the deliberate act of officers and men of the Miners' Union that sustained said strike; and by the striking miners to be the result of accident, but with which they were in no manner associated; and a coroner's jury composed of good, law-abiding citizens of said Teller County, after a long and careful, painstaking, and impartial investigation, did officially report that they were unable to determine whether the said explosion occurred by accident or design; and

Whereas upon said explosion and the finding of the jury an affidavit was filed against said officers and men of said union with murder by reason of having caused the said explosion with felonious intent and malice, whereupon the coroner and other officers did cause the arrest of said accused persons, and the district court of said county did bind the same over to the next term of said court under good and sufficient bail in the sum of $15,000 in each case; and

Whereas the governor of said State did on the 4th day of December, 1903 by proclamation of so-called and of the said explosion and of other alleged disturbances in said district issue a proclamation in which, among other things, he declares the said county of Teller to be in a state of insurrection and rebellion; and

Whereas following the said proclamation, the military authorities did, by and with the approval of the governor of the State establish a censorship over the newspapers printed in said Cripple Creek district, and did, and yet do, prohibit the publication in said newspapers of any criticisms or comments on the action of the military in possession of said district and to the acts of officers of the State in said district, and have prohibited the publication of editorials in said papers that were fair and lawful criticisms of the acts of the governor and of the military in their dealings with said district; and

Whereas the military authorities of the State of Colorado, by and with the knowledge and consent, if not the direct order, of said governor have proclaimed and are enforcing martial law in said county and, acting therunder, have seized possession of its jails and of private buildings, and have compelled the arrest of private citizens without due or any process of law and without charge of any kind preferred against them or known to exist, and hold and continue to hold them in military confinement; and

Whereas one Sherman Bell, adjutant-general of said State and brigadier-general in the militia thereof, on the strength of said governor's proclamation, and with the said governor's knowledge and consent, in his said official capacities did issue instructions for the government of the militia in the said county of Teller, in which, among other things, he did declare as follows:

"The county of Teller, in consequence of its occupation by the militia, is subject to their supreme military authority and control;"

And further—

"The militia may proclaim that the administration of all civil and penal law shall continue either wholly or in part as 'in times of peace, unless otherwise ordered by the military authorities;'"

And further—

"Military necessity admits of all direct destruction of life and limb of armed enemies and other persons whose destruction is incidentally unavoidable;"

And further—

"A spy is punishable by death, whether or not he succeeds in obtaining the information or is in the act of carrying the same;"

And further—

"Armed or unarmed resistance by citizens of the United States against the lawful movements of the militia is treason, and the punishment is death;"

Whereas subsequently, by an order of the governor of said State, one H. M. Libby, first lieutenant in the Colorado militia, and appointed by the military authorities in command to be adjutant of the said Cripple Creek district, did issue his proclamation, declaring among other things that for the causes recited in said proclamation the military district commander should cause the said county of Teller to be governed by military authority, and did in the said proclamation order that all persons in the possession of arms of any description should surrender the same on or before Tuesday, December 8 last, to the military district commander, and that any person failing to surrender the said arms should be arrested and confined in a military prison and further punished as occasion might require;

And did further in said proclamation, in effect, declare that unions of the Western Federation of Miners in said district were public enemies, and that persons who corresponded or affiliated with the same or gave them aid and comfort were subject to military arrest and punishment. And did further in said proclamation declare as follows:

"No publications, either by newspapers, pamphlets, or hand bills, reflecting in any way upon the United States and the State of Colorado, or its officers, or tending in any way to influence the public mind against the Government of the United States and the State of Colorado will be permitted; and all articles of news or editorial comment or correspondence making comment upon the action or actions of the military forces of the State of Colorado or of the organization above referred to will not be tolerated;" and

Whereas the judge of the district court of said county of Teller and the sheriff thereof claim and maintain that they have at all times performed their duty under the law, and that the sheriff of said county has promptly served every writ placed in his hands and taken prompt measures to preserve the peace, and the judge of said court has in no case discharged any prisoner or prisoners brought before him charged with crime, but, on the contrary, has either remanded them to prison or required good and sufficient bail for their appearance at the next term of said court, and other officials of said county and many good and influential citizens of said county declare that the legal authorities are amply able and have always been willing to maintain peace and order and punish all violations of the law; and

Whereas by reason of the doings and attitude of the governor of said State the courts of the State have been rendered powerless to relieve its citizens of the wrongs and outrages committed against them by the military authorities of the State and to protect the citizens thereof in all or any of their constitutional rights; and

Whereas the legislature of the State can not convene until January, 1905, unless the governor may call it in extraordinary session, which he has repeatedly said he would not do, and by reason of the inability of the courts of the State to enforce their writs for the relief of citizens from military outrage and usurpation, and because the legislature can not convene for more than a year from the present date to adopt proper remedial legislation, and the government of the State is wholly, by reason of the arbitrary and unconstitutional action of the governor of the state, at his mercy and under his control; and

Whereas the Constitution of the United States guarantees to each State a republican form of government: Therefore, be it

Resolved, That the Judiciary Committee be, and hereby is, directed to make investigation of all matters connected with existing labor strikes in the State of Colorado, and as to the manner in which the same have been conducted, and as to the conduct of the governor of the State in the use of the military in said State; as to whether or not there is at present a republican form of government in said State and in the several counties thereof, and what, if any, legislation may be proper and necessary to maintain in said State a republican form of government; and to this end said committee may appoint a subcommittee to visit Colorado for the taking of testimony, with such powers as to commanding the attendance of witnesses and the employment of clerks and stenographers as shall by the Senate be conferred.

The PRESIDENT pro tempore. The Senator from Colorado asks that the resolution may lie on the table. No objection being made, it will lie on the table.

RECESS APPOINTMENTS.

Mr. TILLMAN. Mr. President, I submit a resolution, for which under ordinary circumstances I should ask immediate consideration, but in view of the evident purpose of our friend from Rhode Island [Mr. ALDRICH] or other leaders on that side to shoot any kind of a robin that may try to fly through the Senate from this end of the Chamber. I shall content myself with the request that the resolution lie on the table until an opportunity offers itself to give the reasons why I should like to get the information asked for.

The PRESIDENT pro tempore. The resolution submitted by the Senator from South Carolina will be read.

The Secretary read the resolution, as follows:

Whereas Article II, section 2, of the Constitution of the United States provides:

"The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint * * * all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law;"

And further:

"The President shall have power to fill up all vacancies which may happen during the recess of the Senate by granting commissions, which shall expire at the end of their session;" and

Whereas it is known that certain officers appointed during the recess of Congress from March 4 last to November 9, and whose appointments were not confirmed by the Senate, are now in possession of and exercising the powers and functions of said offices; be it

Resolved, That the Judiciary Committee of the Senate be, and it is hereby, authorized and instructed to report to the Senate:

First. What constitutes a "recess of the Senate," and what are the powers and limitations of the Executive in making appointments in such cases.

Second. What legislation is necessary to prevent the holding of an office by any person or persons whose commissions issue or are held by Executive exercise of unlawful authority, if any there be.

The PRESIDENT pro tempore. At the request of the Senator from South Carolina, the resolution will lie on the table.

RECEIPTS AND EXPENDITURES IN CUBA.

Mr. PLATT of Connecticut. I offer the concurrent resolution which I send to the desk, for which I venture to ask present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 2,000 copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States, 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 500 copies for the use of the War Department.

Mr. PLATT of Connecticut. I think that resolution must be referred to the Committee on Printing. A similar resolution passed the Senate at the last session of Congress, but failed of action in the other House. I have in my possession a letter from the Secretary of War pertaining to the subject, which I will present, and which I ask may be referred with the resolution to the Committee on Printing.

Mr. BACON. As a matter of information, before the resolution passes from the consideration of the Senate by reference, I desire to ask the distinguished Senator whether or not the accounts now sought to be printed constitute part of the report of the Committee on Cuban Relations under the resolution which was adopted by the Senate requiring certain investigations and report as to expenditures in Cuba.

Mr. PLATT of Connecticut. There were, I think, only 200 copies of that report printed for the use of the Senate, and I suppose that no copies are now available. As I understand, this resolution covers the entire accounts during our occupation of Cuba, including the period covered by that report. They are the accounts that were printed for the use of the committee.

Mr. BACON. The Senator did not take my question, which was, whether or not those accounts constitute a part of what was reported by the Senator's committee—the Committee on Cuban Relations—in response to that resolution.

Mr. PLATT of Connecticut. The accounts which were reported by the Committee on Cuban Relations constitute a part of the accounts which are provided to be printed by this resolution, and it also provides for printing all of the accounts during our entire occupation.

Mr. BACON. This resolution includes all the accounts reported by the committee and embraces some others not included by the committee?

Mr. PLATT of Connecticut. Oh, yes; very much more than was reported by the committee—matters which were examined and afterwards sent to the committee.

The PRESIDENT pro tempore. In the absence of objection, the resolution will be referred to the Committee on Printing, together with the letter which the Senator from Connecticut presents.

BUREAU OF THE AMERICAN REPUBLICS.

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, which will be read.

The Secretary read as follows:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State looking to the payment of the Government's quota of a fund to be contributed by the governments forming the International Union of American Republics for the erection of a building in the city of Washington for the use of the Bureau of the American Republics.

I approve the recommendations made by the Secretary of State, and strongly recommend the matter to the favorable consideration of Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

The PRESIDENT pro tempore. If there be no objection, the message will be printed, and referred to the Committee on Foreign Relations.

Mr. CULLOM. As it relates to a public building in this city, I think the message ought to go to the Committee on Public Buildings and Grounds.

The PRESIDENT pro tempore. It will be referred, then, to the Committee on Public Buildings and Grounds, and printed.

Mr. ALDRICH. The message which has been read asks for an appropriation by Congress, and it seems to me that the message, with the accompanying papers, ought to go to the Committee on Appropriations.

Mr. CULLOM. Probably that is where the message should go, but it seemed to refer to the erection of a public building, and so I made the suggestion I did. I have no objection to the reference to the Committee on Appropriations.

The PRESIDENT pro tempore. The message and the accompanying papers will be referred to the Committee on Appropriations, and ordered to be printed, in the absence of objection.

SCHOONER LILLIE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a report by the Secretary of State, with accompanying papers, in the claim of the British schooner *Lillie*.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

DAMAGES TO CABLE COMPANIES.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a report by the Secretary of State, with accompanying papers, relative to the claims of the Eastern Extension, Australasian and China Telegraph Company, the Cuba Submarine Telegraph Company, and La Compagnie Française des Cables Télégraphiques, for damages done to their cables and property by United States naval and military authorities during the Spanish-American war.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

Mr. CULLOM. I think that message should be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. In the absence of objection, the message will be ordered to be printed, and referred to the Committee on Foreign Relations.

Mr. ALLISON. I have no objection to it being sent to the Committee on Foreign Relations, but I merely wish to say that last year the Committee on Appropriations considered this subject, and inserted an item, I think, in the general deficiency or the sundry civil appropriation bill, which failed to receive the approval of the other House. I have, however, no objection to the message first going to the Committee on Foreign Relations for examination.

Mr. CULLOM. I think that is right. Whatever finally ought to be done about the matter by appropriation should be considered by the Committee on Appropriations; but in the first instance I think the subject ought to be considered by the Committee on Foreign Relations.

The PRESIDENT pro tempore. It will be referred to that committee, and ordered to be printed, in the absence of objection.

INTERNATIONAL SANITARY BUREAU.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State relating to the International Sanitary Bureau created by the First International Sanitary Conference of the American Republics, in pursuance of a resolution of the Fifth International Conference during the winter of 1901-2, and asking for an appropriation to meet the annual share of the United States in the expenses of the Bureau.

In view of the importance of this Bureau, I recommend that the appropriation asked for be granted.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

SAILORS' HOME AT SAN FRANCISCO.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of Commerce and Labor, transmitting a copy of testimony taken in his investigation into the management of the Sailors' Home at San Francisco. The Chair is in doubt as to what disposition to make of this communication, and calls the attention of the Senators from California to it.

Mr. PERKINS. I think the communication should be referred to the Committee on Commerce.

The PRESIDENT pro tempore. And printed?

Mr. PERKINS. And printed—well, that can be determined later, Mr. President. Let it be referred to the Committee on Commerce in the first instance, and that committee will decide what further action shall be taken.

Mr. BAILEY. Is not this an investigation in respect to a sailors' home?

The PRESIDENT pro tempore. It is.

Mr. BAILEY. It looks to me as if that were not a matter of commerce, and I think the communication ought to go to the Committee on Naval Affairs. I have no care about it, but if the Commerce Committee is to be burdened with everything that comes from the Department of Commerce and Labor that committee will have very little time for the consideration of other matters.

Mr. PERKINS. I will state to the Senator from Texas that the Sailors' Home in San Francisco has no connection whatever with naval affairs or with the sailors or marines in the Navy. This refers to a Government building which was ceded or leased to the city and county of San Francisco, and is now under the direction of a board of supervisors and the mayor, who is ex officio a member of that board. They have leased the building to an association of ladies who are conducting a home in the interest of

the sailors in the merchant marine and not the Navy. It seems to me without having given it any previous consideration that it should be referred as I have indicated.

This is the first intimation that came to my knowledge that such a document had been transmitted to the Senate, though I am somewhat familiar with the home and its management. It is conducted by a society of ladies who have philanthropically given their time, their money, and their influence to help the sailors. The sailor boarding-house men, who are called by the classic name of "crimps" by all those who are connected with them, are very much opposed to this home, for it is conducted upon temperance lines. When a sailor arrives in San Francisco the agent of the home boards the vessel and takes the sailors to this home, where they are well looked after and provided for.

I think, Mr. President, the reference of this communication to the Committee on Commerce is quite proper; certainly it should not go to the Committee on Naval Affairs.

Mr. BAILEY. I agree that if it does not refer to the Navy, the communication should not go to the Committee on Naval Affairs; but it passes my comprehension a little to understand what the Department of Commerce has to do with investigating a home conducted by some charitably disposed ladies in San Francisco.

I think possibly this communication ought to be referred to the mayor of San Francisco and the board of that institution; but in view of the suggestion which the Senator from California makes that one of the objects of this home is to reduce the evil of intemperance in the Government service, I suggest that the communication might go to the committee on the alcoholic liquor traffic, if there be such a committee in this body.

Mr. PERKINS. One of the duties of the Committee on Commerce is to consider legislation in the interest of commerce. That applies to merchant vessels. Certainly they are interested in the welfare of the seamen who man our American ships, and incidentally they are interested in keeping from them any beverages which, perhaps, might muddle their brains.

I think the Committee on Commerce are quite able to deal with this question. If my friend from Texas desires to have the communication, with the accompanying testimony, printed, I have no objection.

Mr. SPOONER. I should like to inquire of the Senator from California [Mr. PERKINS], if the Senator from Texas [Mr. BAILEY] is through, upon what theory this communication comes to Congress at all?

Mr. PERKINS. I am unable to inform the Senator from Wisconsin, but the right of petition, as is well known, is sacred. I presume these people have some real or imaginary grievance. They have sent this petition here. I do not know why it did not come through the channel of their Representatives in Congress. There are one or two in the other House who were elected on a ticket which was supposed to be composed of the special champions of the sailors. Why the petition did not come through that channel, or through my colleague or myself, I am unable to answer. But, nevertheless, we have to consider it and endeavor to make such a report as will meet the approval of our friends who are interested in the maritime service of our country.

Mr. SPOONER. I was not aware from what I heard that this is a petition in any sense. The point of my inquiry, however, was simply this: The Senator stated that the building was leased by the Government to the local authorities of San Francisco. Was it leased for this purpose?

Mr. PERKINS. Yes.

Mr. SPOONER. Perhaps there is some provision in the lease which makes this report entirely within the jurisdiction of Congress. Is there or is there not? That is what I wanted to know.

Mr. PERKINS. The terms of the lease have escaped my memory for the moment, but I think this communication should be printed. I therefore move that it be printed and referred to the Committee on Commerce.

Mr. ALLISON. Mr. President, I should be glad to know how this matter comes to the Senate. Does it come from the Secretary of Commerce and Labor? If so, I hope his letter of transmittal will be read.

The PRESIDENT pro tempore. It comes from the Secretary of Commerce and Labor. The communication of the Secretary of Commerce and Labor will be read.

The Secretary read as follows:

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, December 10, 1903.

The PRESIDENT PRO TEMPORE,
United States Senate.

SIR: I transmit herewith a copy of testimony in the investigation into the management of the Sailors' Home at San Francisco.

Through the Department of State charges were preferred by the British embassy that "there existing reason for believing that this institution, under its present management, differs but little from a crimping establishment, authorities are alleged that the building is the property of the United States Government and leased at a low rent to the home for charitable purposes in connection with the care of seamen."

The testimony shows that the Sailors' Home at San Francisco is, in the main, a well-conducted sailors' boarding house. The investigation has necessarily raised a larger question than that originally presented. The act of August 11, 1876, provided:

"That all the right and title of the United States to the following described property is hereby relinquished to the city and county of San Francisco, the same being the two 50-vara lots on which the old marine hospital building now stands, fronting 275 feet on the north side of Harrison street, between Spear and Main streets, with a uniform depth of 137 feet and 6 inches, as laid down on the official map of said city, to be used by the city and county of San Francisco solely for the purpose of a sailors' home: *Provided*, That if the same shall at any time be used for any other than the purpose aforesaid, or if said home shall not be opened within one year from the passage of this act, in each such case all right and title hereby relinquished shall revert back to and again vest in the United States."

In 1876 marine hospitals were maintained by a hospital tax of 40 cents a month upon the wages of seamen of merchant vessels of the United States. Whether it was the purpose of Congress by the act of August 11, 1876, to provide that the Sailors' Home, formerly a marine hospital, should be supported by the payment of board by the seamen inmates or should be a charitable institution does not appear clearly from the act. The committee report on the bill (45th Cong., 1st sess., H. Rept. No. 286) indicates that a home for "aged and decrepit mariners" was one of the main objects of the gift, yet no provision for the maintenance of the home, unless by the payment of board, appears in the act or the report. The home now appears to be conducted principally as a sailors' boarding house for the profit of the superintendent, with incidental philanthropy.

The Department has considered the advisability of submitting the matter, through the proper channels, to the courts to determine the purpose of Congress and whether, in fact, it is being fulfilled. That course, however, would necessarily involve delay and litigation. If it were held that the property should revert back to the United States, the future disposition of the property would doubtless require action by Congress.

I have, therefore, deemed it best to transmit the papers directly to Congress to determine whether its purpose is being fulfilled, and if not what disposition shall be made of the property, which is valuable.

Respectfully,

GEORGE B. CORTELYOU, *Secretary.*

Mr. HOAR. Mr. President, I should like, with the permission of the Chair, to put a question to the chairman of the Committee on Commerce. There have been a great many bills within the last two years before the Senate in regard to measures for the benefit of the seamen in our merchant marine, including matters relating to these hospitals. Have they not uniformly gone to the Committee on Commerce?

The PRESIDENT pro tempore. They have.

Mr. BAILEY. This communication, if it have any place in Congress at all, ought to go to the Judiciary Committee. The very purpose which the Secretary of Labor and Commerce had in transmitting the communication to this body was for Congress to say what shall be done with this property; in other words, whether the Government ought to institute a suit for its recovery. It does not seem to me that that warranted that Department in setting on foot an investigation into the manner of conducting boarding houses in the city of San Francisco. The only interest the Government has in that question is that it granted this property upon condition that it should be devoted to a certain use. The suggestion here is that it has not been devoted to that use, and, therefore, the Government is entitled to recovery in an action at law.

Now, whether these people have breached the conveyance or not is certainly not a commercial question, and, with all deference to the Commerce Committee, I take it they are not as well qualified to determine that question of law as are the Committee on the Judiciary. Undoubtedly most of the Senators on the Committee on Commerce are lawyers, but it is fair to assume that those who take a special interest in that profession have been assigned to service on the Judiciary Committee.

Without intending to interfere with a matter which relates more particularly to the State of California, I am perfectly willing to let it take the course desired by the Senator from that State, yet I want to protest against the Department of Commerce assuming to investigate the manner in which boarding houses are conducted in the cities of this country, unless such investigations be conducted purely and only with a view to ascertaining the rights of the Government in relation to a particular piece of property. If you concede this investigation to have been undertaken for that purpose, then clearly it is a judicial and not a commercial inquiry.

Mr. HOAR. Mr. President, I suppose the principal question is not whether there has been a technical violation of the condition, but what is for the interest of the seamen who are intended to be benefited by this institution. The Judiciary Committee ought not to be asked to determine whether it is in the interest of the seamen that this lease shall be forfeited. The whole matter, it seems to me, is within the jurisdiction of the Committee on Commerce.

I wish to say, if the purpose be to investigate what the Secretary of Commerce describes as a boarding house "with incidental philanthropy," I think the Commerce Committee is a great deal better fitted to deal with that subject than is the Committee on the Judiciary.

Mr. BAILEY. And probably the city council of San Francisco is better qualified than either; and there is where it belongs, if that is the purpose. If the only intention here is to try to compel a boarding-house keeper to leave out the profit and keep the philanthropy, then it is not a matter which the Federal Government

has a shadow of right to deal with. The only pretense of Federal authority in it arises from the conveyance by the Federal Government of a piece of property to be used in a certain way. Undoubtedly the Federal Government has a right to have the inquiry made whether the condition of its gift is being complied with. If that condition is complied with, the title to this property in this home, to which it was conveyed, is absolute and perfect so long as the lease continues. If that has been breached, then I take it that the Federal Government ought to recover this property and not undertake to regulate the boarding houses in the city of San Francisco.

Mr. GORMAN. Mr. President, I have no desire to participate in the question as to which committee this communication, with the accompanying testimony, should be referred, but I understood the Senator from California [Mr. PERKINS] to ask that they should be referred to the Committee on Commerce without being printed. I suggest that the rule requires, unless there be some extraordinary occasion, that all such documents be printed, so that the Senate have an opportunity to see what the testimony or other matter they contain may be, and I want the rule applied on this occasion, insignificant though this particular matter may be.

There has been testimony and testimony in more than one Department, covering a wide scope and of great importance, and it seems to have been impossible up to this time to have all the data which have been produced by ex parte departmental examinations gotten before the country. I think it wise to begin now to observe the rule and to have the testimony in this case printed. Some of us have been struggling for an opportunity to have other testimony reach the Senate and have it printed, and I hope we shall succeed in doing so later. Although some of us feel that there has been a quiet but very determined opposition to getting the facts before the country, we should like to have them. I should like to have them in this case, and I therefore request the Senator from California to modify his motion and let the communication and accompanying papers be referred to the committee and printed, as usual. It is not a very formidable-looking document.

Mr. PERKINS. Mr. President, I will state that that was my motion—that the communication be printed and referred to the Committee on Commerce.

The PRESIDENT pro tempore. If there be no objection, the communication and the accompanying papers will be referred to the Committee on Commerce, and ordered to be printed.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. If there be no further morning business, the Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. BARD. Mr. President, I regret, and I believe the country will regret with me, that no other than my weak voice will be heard on this side of the Chamber in opposition to the Cuban reciprocity bill; but, though the duty is not a pleasant one, that fact should not prevent me from giving expression to the convictions which control my vote and which unfortunately may seem to separate me at this time from those of my colleagues with whom I have been proud to cooperate and with whom I expect always to cooperate in furtherance of the policies of the great political party to which they and I have the honor to belong.

This seeming separation to which I allude is not, I feel sure, caused by any essential difference between my Republican colleagues and myself concerning the basic principle of protection. If they believed, as I do, that the proposed reduction in the tariff on Cuban productions is unnecessary or that it will injure some of the industries of this country, I am quite sure that their votes would quickly defeat the bill.

I am confident that neither our Republican President, by urging the acceptance by Congress of his views in this matter, nor Republican statesmen in Congress, by aiding in the passage of this bill, are intending thereby to commit the Republican party to any deviation from its well-established policies or to ingraft upon its platform any new definition of reciprocity.

Mr. President, it is perfectly clear from the often-repeated declaration of the President in his messages to Congress suggesting the necessity of this legislation that his recommendations are founded principally upon his conviction that the United States is bound by honor and implied pledge of the faith of the nation to give to Cuba some further aid to help her "in the difficult path of self-government," and that this aid can be most appropriately extended by granting to her the preferential advantages which are provided for her in the treaty.

I think I am correct in assuming that my Republican colleagues recognize the force of the President's appeal and that they are actuated principally in this matter by what they deem a duty appealing to our honor. I have endeavored to understand the point of the statements which are made to sustain this appeal to our honor, and I have searched in vain in all the acts of our Government which resulted in the establishment of our close relations with Cuba to detect any indication that they involved the moral obligation which this legislation is intended to satisfy.

There is no stronger presentation of the matter than is contained in President Roosevelt's messages. With sincere respect, I quote the President's statements. In the message to Congress on the first Tuesday in December, 1901, two years ago, he said:

> Cuba has in her constitution affirmed what we desired, that she should stand in international matters in close and more friendly relations with us than with any other power, and we are bound by every consideration of honor and expediency to pass commercial measures in the interest of her material well-being.
>
> The greatest blessing which can come to Cuba is the restoration of her agricultural and industrial policy.

In the message sent to Congress shortly before the close of the first session of the Fifty-seventh Congress the President, evidently inspired by the cablegram from President Palma, most earnestly appealing "for legislative relief before it is too late and his country financially ruined," says:

> Cuba has assumed certain special obligations as regards her international position in compliance with our request. I ask for her certain special economic concessions in return.

But the statement is even stronger in the message explaining the reasons why the recent extraordinary session of Congress had been convened. He says:

> I deem such legislation demanded not only by our interest but our honor. When the acceptance of the Platt amendment was required from Cuba by the action of the Congress of the United States this Government thereby definitely committed itself to the policy of treating Cuba as occupying a unique position as regards this country.

And here follows the particular language that I think is the summing up of the whole matter. He continues:

> It is provided that when the island became a free and independent republic she should stand in such close relation with us as in certain respects to come within our system of international policy, and it necessarily followed that she must also, to a certain degree, become included within the lines of our economic policy.

Mr. President, I am able to find nowhere else any more definite statement attempting to explain what is the origin or foundation for this claim upon us, and though the statement is emphasized by reiteration, no further explanation is given. There can be no doubt of the President's conviction in the matter or of his earnestness in the desire to have this duty recognized by others.

The American people can always be depended upon to respond quickly when any claim made upon them demands the discharge of a moral obligation or that appeals to their patriotism or their benevolence, and there are in the world no people who are more sensitive than they are when their national honor is appealed to.

This temper and quality of our people is well understood when the suggestion is made that this legislation is demanded "not only by our interest, but by *our honor*." Such a suggestion creates at least a strong predilection in our minds that more than balances any apprehension that the measure may also involve a loss or sacrifice or questionable precedent, and the predilection is not easily set aside. But, Mr. President, I have not resisted it with intention to disregard it; neither have I allowed this predilection to prevent me from giving earnest attention to the statements which create it.

The claim that we are indebted by honor to Cuba rests, as I understand, wholly upon an implication involved in a certain interpretation of all our acts which have brought about our present relations with Cuba, and especially upon the implication that our demand for the acceptance by Cuba of the provisions of the Platt amendment, in some degree at least, was coupled with a promise that such acceptance should have some other reward than the performance by us of the specific obligations undertaken by us. I know that it has been said that President McKinley caused it to be understood that, so far as his recommendation might accomplish the purpose, a reciprocal arrangement between the United States and Cuba advantageous to both countries would be made, but that such promise was conditioned upon the acceptance by Cuba of the provisions of the Platt amendment; but whether that be true or not we are responsible as a part of the lawmaking branch of the Government for all legislation, and however much may be our respect for the memory of President McKinley we are to take nothing for granted, and even if someone here authorized to speak for the dead arose to confirm the statement to which I have referred, nevertheless we can not fail to remember that the lamented President was wise and patriotic, and that the conditions in Cuba have materially changed since his tragical death, and above all considerations we must be guided by our own consciences and convictions.

I can not, within the short time that I desire to occupy, repeat here the provisions of the Platt amendment, nor is it necessary. But a careful examination of them fails to disclose to me any indication that they imply that this Government must necessarily grant to Cuba commercial preferential advantages in our markets

for her products. The requirement that Cuba shall consent that the United States may exercise the right to intervene for the preservation of the Cuban independence implies of course that we intend to protect her. The demand that she consent that the United States may intervene for the maintenance of a government adequate for the protection of life, property, and individual liberty was necessary to secure to Cuba the assurance of a time for rest and recuperation from the often-repeated and long-continued periods of turbulence and war; and though this demand might be construed into a guaranty on our part to maintain a stable government in Cuba, and to imply a promise to do what we can to keep her people contented, it surely requires imagination to carry this implication so far as to say that in order to keep the Cuban people contented we must guarantee that her principal industries shall be made prosperous.

The argument that because we have done much for Cuba we are bound by honor to do more brings no conviction to my mind. When we turned over to the Cuban people the government which we had provisionally established there, the act implied that we had confidence in their ability to maintain a stable government. They themselves believed it, and were fretful because we retained so long our military occupation of their island. Regardful of their past history and of their inexperience in self-government, we properly insisted upon retaining certain accommodations which were absolutely necessary to enable us to fulfill all the obligations which we were under to maintain her independence and to protect her people. There is not a provision in the Platt amendment which has not in view the welfare of Cuba. The Platt amendment is, in my opinion, a statesmanlike and far-reaching piece of legislation, and I believe that it was inspired by a conscientious conviction of our duty. It was the logical sequence to and fulfillment of all our promises implied in the Teller resolution, which set forth our intentions when we undertook to deprive Spain of her tyrannical domination over the Cuban people.

Mr. President, the Cuban people certainly understood that in accepting the Platt amendment it was as a full settlement of all claims between Cuba and the United States. There could be no other meaning of the words of President Tomas Estrada Palma which were uttered upon that memorable occasion when, on the 20th day of May, 1902, General Wood, the military governor of Cuba, acting under the direction of the President of the United States, in a most impressive and formal manner declared the occupation of Cuba by the United States to be at an end, and delivered to the new Republic the Government which we had provisionally established. The Cuban constitution was in full force, and the Government of the new Republic was fully organized. President Palma, in the presence of the assembled Congress of Cuba, and there being also present representatives of the Army and Navy of the United States, officers of English and Italian warships then in the harbor, and foreign consuls, and many other dignitaries, including General Maximo Gomez, the idol of the Cuban people, accepted for the Cuban people the responsibilities of sovereignty, and after substantially repeating the facts set forth in the acts of delivery by our Government, and addressing Governor Wood, said:

> I take advantage of this solemn occasion, when there is fulfilled the honest promise of the Government and of the people of the United States in regard to the Cuban people, in the hour when the pavilion of our country is established as a sacred temple of liberty, to express to you, as a worthy representative of that great nation, the gratitude of my people and that of the people of Cuba feel for the American nation, for its illustrious President, Theodore Roosevelt, and to you personally for the efforts which you have made for the attainment of that cherished ideal.

Now, Mr. President, in my judgment this declaration that our promises were fulfilled is an acquittance, so far as any obligation rested upon us up to that date. If any obligation of honor rests upon us now, it must have originated since then.

I must confess, Mr. President, that I can not understand how this obligation can have its origin in the acceptance by Cuba of the conditions of the Platt amendment; and I also confess that I do not possess the same degree of sensitiveness which enables others to perceive that this nation is under such a peculiar obligation to Cuba that it can be discharged only in the way proposed by this bill.

It seems to me that, considering the well-known policies of this Government as now administered and as it has been administered during the greater part of the last forty years, the Cuban people had no right to expect that we would go so far as to contribute to their happiness in the way which is proposed by this measure. It is true that commercial relations with Cuba are very desirable and should be promoted, but the advantages accruing, however valuable they may appear to be, are not worth the cost if we must, in order to secure them, sacrifice some of our own industries and, what is worse, derogate from the great principles which Republicans at least are pledged to support.

Of course, if I could believe that there is a debt of honor due to Cuba not yet discharged, then I would say, let us pay it promptly, by all means, and if it could be paid in no other way than the way proposed, I would say, even then, let it be paid without faltering, though it did cause injury to some of our industries that we have fostered and have promised to protect. But when discharging the debt as of honor, do not let us be so keen to note and prone to boast that the payment secures to us incidentally economic advantages equal to those we give.

The protectionists of this country are not to be convinced by the mere suggestion that such an obligation of honor rests upon the country as a consequence necessarily following the establishment of permanent and close commercial relations between Cuba and the United States. They believe that a sentiment of benevolence which unduly elevates the consideration of the needs and the welfare of the people of another nation ought not to control in any degree when readjustments of the tariff are under consideration. They are unable to comprehend why an indefinite idea of our obligation to Cuba should be deemed more binding than the promise implied by the granting of protection years before to our own planters and horticulturists. The reduction proposed by this treaty in the tariff rates upon the most important Cuban agricultural products can have no other effect than to stimulate their production and to facilitate the sale, sooner or later, of such articles in our own markets in competition with the products of our own soil.

If this legislation, therefore, is not demanded by our honor, then we must fall back upon the other considerations which are supposed to support it. It is said that it is demanded also by our interests as well as by honor, and that the treaty secures to the United States economic advantages as great as those given to Cuba, and that not an American interest is sacrificed; that it "*will do harm to no industry*," but it will benefit many industries; that, therefore, it is in the interest of our people as a whole.

Now, Mr. President, I am unable to accept these propositions. In the first place, I do not believe that this measure is the only method by which we may expand our export trade with Cuba; but I do believe that there are other means for accomplishing that purpose.

Consul-General Steinhart, at Habana, Cuba, has pointed out in his report for July and August of this year some reasons why we have failed to increase our trade. He says:

> While the demands of the domestic trade in the United States during the present era of prosperity is responsible for the fact that the manufacturers in the United States prefer the market which Cuba offers, yet this can not be considered as an adequate reason for the loss of trade to the United States.
>
> Large shipments of hardware, both from England and Germany, are constantly being made to this Republic. An inquiry as to the cause for such shipments brings out the fact that merchants of not months but years ago, finding that the year usually set for their orders filled in the United States, naturally turn to the European market.
>
> If at some time in the near future our home market shall have been supplied and manufacturers are forced to look for other outlets for their products, a change will be experienced in conducting the trade of Cuba from established channels, and the undertaking will be found both expensive and of uncertain success. It is to be regretted that the American trade manager will anticipate the situation and take prompt steps to remedy the falling off in trade between the United States and Cuba.

This statement is introduced by the remark that the importations from the United States into Cuba since 1899 have fallen off considerably, whereas importations from Germany, especially, and other countries in Europe show a steady increase.

But the conclusions from the statement must not be reached too hastily, for we find that the total imports from all other countries except the United States in 1899 were $37,601,400, whereas the importations from the same countries in 1902 were only $36,082,069; so that there is an actual falling off in the importations from all countries other than the United States of $1,519,331; and while the falling off of our exports to Cuba has been proportionately greater, yet the fact must not be overlooked that the other countries have also lost a considerable part of their trade with Cuba. The suggestion by the consul-general of the causes why we do not have a better trade with Cuba is not original, for we find that Collector Bliss, in his report made from Habana to his military superior, August 1, 1899, said:

> In connection with the application to change the classification of or to remove or lessen the duties upon articles entering Cuba of general use in the United States with the object of increasing the importation of these articles into the island, I have sought to direct attention to the fact that the existing rates of duty do not seem rule stand in the way of importations from the United States, and that even the removal of all duties whatsoever would give little or no encouragement to such importations. Many of the articles in common use in the United States are adapted to the physical conditions of Cuba and many others from an acquired prosperity incline to their introduction in the southern independencies of the people to adopt new methods and improved material.

Mr. President, again in March, 1903, when the Cuban senate was holding conferences with sugar and tobacco planters in Habana on reciprocity, Señores Gamba and Rodrigues, of the Merchants' Union, were asked if they thought the proposed treaty would divert the greater part of the Cuban import trade to American channels. Their reply was that unless the Americans adopted different business methods and tried to suit the tastes of the Cuban merchants the increase in American imports into Cuba would not be over 20 per cent, and that the best they

could expect with new methods would be 20 per cent. They added that "there would not be much falling off of trade with Europe." And this is again referred to in the last report that General Bliss made as collector of customs at Habana, dated July 21, 1902, wherein he tells us that—

between the trade which the United States has always had with Cuba, and which even the Spanish differentials were never able to wrest from us, and the trade which the United States can but does not supply there is a wide gap, which 20 per cent will not bridge.

And he goes on to say that—

In certain agricultural and other products, such as flour, furniture, mineral oils, meats, corn, certain machinery, and iron and steel productions, this bill will not increase our trade as we have it now.

In regard to other productions he says, "A 20 per cent concession will not overcome the objections to our goods." General Bliss further says that it is not Cuban prejudice that accounts for the situation, but that—

it is the indifference shown by American manufacturers to the essential requisites for securing this foreign market. They manufacture immense quantities of various articles for the home trade, consulting in every possible way as to the material, quality, style, price, etc., the tastes and preferences of local consumers, and the surplus stock they expect to sell in Cuba, where they have consulted the tastes and preferences of no one.

He illustrates this by showing what is the trouble in Cuba with our boot and shoe and cotton goods trade. Spain has the boot and shoe trade because we do not make the style suited for the Spaniard and Cuban, which must have a high instep, and for other reasons so often set forth in consular reports.

The American—

Says General Bliss—

when he sends any of his stock of cotton goods to Habana, finds that English goods, poorer in quality and higher in invoice price, undersell him in the market, because the Englishman in manufacturing for the Cuban trade does not aim at making the best goods for a given price, but the best goods that will pass the custom-house under a given paragraph of the Cuban tariff.

Mr. President, it is quite apparent from these statements that there is not much hope that we will be able to expand our trade with Cuba in respect to many of our manufactured products until proper efforts are made to suit the wants and tastes of the Cuban people.

I enter here my earnest protest, on behalf of our agricultural producers, against any legislation that seeks to put a burden upon them in a vain attempt to help indifferent manufacturers. Until the latter adopt business methods and do what other nations do to gain more of Cuba's trade, no obligation rests upon Congress to initiate any unusual plan for promoting their interests.

Now, therefore, Mr. President, it is evident, I think, that there must be a material qualification of the general proposition that this treaty is needed to secure an increase of our export trade with Cuba.

Under present circumstances, it must be remembered that we already have 42 per cent, and that a large part of the remainder is largely made up of importations of goods which we can not supply—as, for instance, the products of South American States, amounting to 13 per cent—and in other respects it is made up of manufactured articles imported by other countries with which we have not yet earnestly attempted to compete.

This refusal by our manufacturers to accommodate themselves to the needs of Cuba is the "*shortsightedness*" which forces Cuba into making arrangements, in some respects, with other countries.

Let us try to help ourselves to gain advantages in the Cuban markets before disturbing materially our own revenues and asking Cuba to sacrifice for us a part of her needed revenues. And, Mr. President, it is not so necessary for us to consider whether the treaty secures to the United States economic advantages as great as those given to Cuba as it is to determine whether the granting of these advantages will bring harm to any of our own industries.

I design to utilize the portion of time which I will occupy mainly for the purpose of showing that this measure is harmful to some of our industries, and that it is not compensated by any interest accruing under it to our people as a whole.

Now, Mr. President, the Republican party elevates to the first place the consideration of the interests of our own producers and the welfare of our wage-earners. These interests are in mind when it adheres to its policy of protection; they were not overlooked when it adopted the policy of reciprocity. Its declarations concerning reciprocity have always been unmistakably in harmony with, and not derogatory from, its doctrine of protection.

Before proceeding further, let us have before us what is meant by reciprocity.

I accept as the best definition of reciprocity that which is found in the platforms of the Republican party and in the declarations of statesmen who are recognized as the exponents of its policies. In my judgment, no other justification of my opposition to the bill is needed than is found in these declarations:

Mr. Blaine's idea of reciprocity, as stated by the Hartford Courant in 1890, was this:

We will protect our own industries under all circumstances. We will admit from other countries free of duty such things as we can not produce, but only on condition that other countries admit free of duty such American goods as they can not produce.

At Columbus, Ohio, in 1901, the late Senator John Sherman defined true reciprocity in similar language:

Granting to foreign nations the reciprocal right of free importation into our ports of articles we can not produce in return for the free introduction into their ports of articles of American production.

Shortly before his death, Thomas B. Reed said:

If we propose to abandon any industries, we had better not let it be the agricultural industries. Between the Atlantic and Pacific stretch vast regions still untilled. The next victory for protection should be there.

Our system of protection is not for manufacturers alone. It is for farmers also. Whoever deprives our farmers of all the American market they can occupy is false to his principles, and must meet with defeat, or the system must be surrendered which proclaims that American markets are first of all for American citizens, who are engaged in developing the country we already have.

The last authoritative and binding declaration of my party in respect to this matter was enunciated at Philadelphia by the national convention of 1900, and is as follows:

We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce, in return for free markets.

Mr. President, the whole gist of these declarations is clearly that the reciprocity meant by the Republican party is a reciprocal arrangement that will not be a violation of or inconsistent with its policy of protection to American labor and industry; and this is well expressed in the second inaugural address of President McKinley, as follows:

The end in view always to be the opening up of new markets for the products of our country by granting concessions to the products of other lands that we need and can not produce ourselves, and which do not involve any loss of labor to our own people, but tend to increase their employment.

Mr. SIMMONS. When was that statement made by President McKinley?

Mr. BARD. That was in his last inaugural address.

And in the last public utterances of President McKinley at Buffalo he used the following words:

By sensible trade arrangements which will not interrupt our home production we shall extend the outlets for our increasing surplus.

And—

We should take from our customers such of their products as we can use without harm to our own industries and labor.

In his message to the two Houses of Congress, at the beginning of the first session of the Fifty-seventh Congress, President Roosevelt, referring to reciprocity as "an incident and result of the firm establishment and preservation of our present economic policy," said:

Reciprocity must be treated as the handmaiden of protection. Our first duty is to see that the protection granted to our industries by our tariff in every case where it is needed is maintained, and that reciprocity be sought for so far as it can safely be done without injury to our home industries. * * * The well-being of the wage-worker is a prime consideration of our entire policy of economic legislation.

I desire also in this connection to invite the attention of Senators to an excerpt from a resolution of the American Protective Tariff League, adopted at its last annual meeting. This league comprises a large and widely distributed membership of prominent merchants and statesmen of the country, and the excerpts I use express their opinions upon this matter. They say:

Resolved, That reciprocity in competitive products by treaty is unsound in principle, pernicious in practice and condemned by all experience. It is contrary alike to the principle of protection, to the fair treatment of domestic producers, and to friendly relations with foreign countries. It is neither ethical nor economic, since it seeks to benefit some industries by the sacrifice of others, which is the essence of injustice.

The Republicans of California are as earnestly and intelligently devoted to the principles and policies of their party as are the Republicans of any other State, and in their last State convention, held at Sacramento August 26, 1902, they gave expression to public sentiment and to their understanding of reciprocity in the following clear and vigorous statement, which is not only in accord with the national platform, but is coupled with a reaffirmation of their adherence to it:

We declare our firm opposition to all reciprocity treaties inconsistent with protection to American labor and industry, to which the Republican party stands pledged, and especially to any reciprocity arrangement with Cuba as being destructive to the beet sugar, raisin, citrus, and dried fruit industries of California, in which large amounts of capital have been invested under the assurance that the same would be safeguarded by the protective tariff as other industries are protected; and we further declare our opposition to any reciprocity policy other than that laid down in the Republican platform of 1900, which says: "We favor the associated policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce in return for free foreign markets."

The Republicans of California have no reason to fear that they will be regarded as refractory or heretical for making that declaration or protest against this treaty.

In the last State election in California, reciprocity, and particularly Cuban reciprocity, was the subject of much discussion. There was an effort made by a few interested men to prevent any expression against Cuban reciprocity by the Republican State convention. I remember quite well that, at the time, many of my neighbors who are engaged in sugar-beet farming urged, quite as strongly as horticulturists did, that some forcible declaration be made expressing the common sentiment entertained by the people, irrespective of party affiliation, that the proposed

Cuban reciprocity measure was directly inimical to their interests. This public sentiment was strong then and is strong now in the State. Whether any fear that the protest in the Republican State platform would not be heeded found expression in a materially reduced Republican majority in the State election of November 4, 1902, I am not prepared to say, but as the Republican majority of over 25,000 for McKinley in 1900 was reduced in 1902 to about 3,000 for the Republican candidate for governor, there is cause for some reflection.

The national platform uses the phrase "what we need and can no produce" as a limit and a test for determining what foreign products seeking our markets shall be entitled in reciprocity agreements to favorable terms, and it will be seen, Mr. President, that according to this definition reciprocity in competitive products is not permissible. An attempt to put such a reciprocal arrangement into effect means free trade, and I will not be surprised if many of the Democratic free traders in this chamber will claim credit for the aid they are giving to secure the enactment of this legislation.

I propose to indicate how this measure will seriously, sooner or later, "interrupt" or injure some of the agricultural industries of my State.

When the question of Cuban reciprocity was under discussion before, my attention was called to the following paragraph in one of the monthly summaries of the commerce of Cuba, prepared by the Bureau of Insular Affairs, and dated May, 1902. It reads as follows:

With regular methods and ordinary attention to business, Cuba should be able to compete successfully with California and Florida in the fruit trade of the United States. The following are some of the tropical and subtropical fruits which can be easily and successfully grown: Apricots, bananas, dates, figs, lemons, limes, mangoes, melons, nectarines, oranges, pineapples and pomegranates.

Now, Mr. President, of these named fruits, California, Arizona, and Florida are producing and are capable of fully supplying our American markets with apricots, lemons, limes, figs, nectarines, and oranges; and for home consumption, dates, melons, pineapples, and pomegranites.

Under clear skies and peculiar climatic conditions California has been given many of nature's choicest gifts. Her people are enthusiasts in their admiration of her natural beauties and capabilities, and they are intelligently devoting their energies and their wealth to the development of her varied resources. Her Sierras continue to give profitable employment to the miner and lumberman, and the waters which rise in their secluded canyons, a most precious asset, are being utilized for generating power and irrigation purposes. The foothills and plains yield petroleum in great abundance, which has taken the place of domestic and imported coal as a fuel for almost all purposes, and from her streams and waters she derives a variety of food for her people. Vast regions yet are occupied by sheep and cattle. Agriculture in all its varieties is carried on under exceptional conditions in the arid or semiarid regions, where irrigation is possible, as well as in the more favored maritime sections, and it not only provides bountifully for all the needs of our people, but also immense surpluses, which form an important part of the American foreign commerce.

I will not now speak of the importance and magnitude of the beet-sugar industry in my State nor of the vast areas of land within its borders which are especially suitable for beet culture, but which will not be devoted to that purpose until capital shall recover its confidence that promised protection to the industry will not be interrupted.

But, Mr. President, the most important of all California's varied industries at the present day is *fruit growing*. In a late publication by the California State board of horticulture it is said that the fruit-growing industry has overshadowed all others in extent and importance.

Stock raising, mining, agriculture, and viticulture have all been overtaken and passed on the road, and to-day the production, handling, and marketing of the various fruits of the State gives employment to a larger number of people and there is today more capital invested in these lines than any other class of enterprises in California. Horticulture is the staple industry of the State, and everything that will affect it for either good or bad is watched with interest.

And—

While fruit has been grown in California from the date of the first settlement, it is only within the past twenty years that the industry has come into any prominence. In that time it has become a great specialty of the State, so that California now boasts the proud distinction of being the orchard of the United States.

The total orchard products of California in 1890 was 16,195 carloads. In 1902 they amounted to 77,538 carloads. The total acreage of orchards in the State is 675,500 acres. The first carload of citrus fruits sent to the East was in 1876, 300 boxes. The estimate of the shipments for the year 1903–4 is 30,000 carloads, with 362 boxes to the car, or 10,860,000 boxes.

The statement which I will insert shows that in 1886 the shipments were 1,000 carloads; that in 1896 they were 7,350 carloads, and in 1900 the shipments were 25,000 carloads, while the present crop, partly marketed, is estimated at 30,000 carloads, or about 11,000,000 boxes.

The annual shipments from 1886 to the present time are as follows:

Year.	Carloads.	Boxes.
1886	a1,000	300,000
1887	a1,800	540,000
1888	a2,600	780,000
1889	a3,350	1,005,000
1890	a4,000	1,200,000
1891	a5,000	1,500,000
1892	a5,871	1,761,300
1893	a5,022	1,506,600
1894	b7,575	2,530,050
1895	b9,935	3,319,610
1896	b7,350	2,454,900
1897	b15,940	5,322,940
1898	c10,531	3,747,032
1899	c17,808	6,405,888
1900	c24,864	9,033,408
1901	c23,387	7,590,056
1902–3	c22,396	8,105,752
1903–4	d30,000	10,860,000

a300 boxes to the car.
b334 boxes to the car.
c362 boxes to the car.
d Estimated.

I have in my hand a letter addressed to me, officially indorsed under the seal of the San Antonio Fruit Exchange, of Pomona, Cal., and attached thereto the tabulated statement of the Southern California Fruit Exchange, showing the number of growers and the acreage under their control, and much other information concerning the citrus-fruit industry in that locality, compiled from the reports of 60 local organizations, representing 3,345 growers. It gives the average size of each grove, the number of people employed and interested in the industry, the cost of production, handling, freight, marketing the products of their groves, and the net returns realized per acre. The information is reliable, and was obtained at cost of considerable work. It serves the purpose of substantiating several of my statements, and I desire to use it as an appendix to my remarks. (See appendix.)

Some of the most able men of the State are engaged in this industry—indeed, I may say that all the men who are organized for the advancement of the industry on various lines are, as a class, prominent for their intelligence, public spirit, and enterprise. They have given their talents, energies, and fortunes to the improvement and development of the industry, to the study of the causes of the diseases of the fruits; and by dint of such intelligent study and patient research they have given to science valuable information and suggestions and found remedies for the enemies which have at times threatened the destruction of their groves and orchards. They have scoured the world in their search for such information, and to the world they have given the results of their expenditure of time, thought, and money.

Cuba, stimulated by the prospects open to her by this legislation, is profiting by this experience and research of our people, and for two years or more she has been carrying away nursery stock and buds of citrus trees, as well as all the valuable information concerning the results of the experience of our intelligent orchardists, and by adopting also their methods of culture and care and being supplied with the most improved varieties of citrus fruits, she will soon, under the rapid processes of a tropical climate, be ready to offer in our American markets fruit equal in quality to that of Florida, Arizona, and California. Under the conditions of cheap labor and cheaper cost of transportation her citrus fruits of all varieties, oranges, lemons, limes, and pomelos, improved in quality, can not be excluded from our markets by the readjustment of tariff duties which this bill provides.

As further evidence that California, Florida, and Arizona have reason to fear that Cuba will soon be ready to compete with them in our fruit markets, a writer from Cuba contributes to the Florida Times-Union the following information:

After an eight months' residence in Cuba and traversing the island from end to end—together with a lifelong experience in orange and truck growing—I feel I can say that your Florida man had better keep his eyes on * * * what is going on in Cuba about oranges. * * * It may possibly be a matter of interest. I shall only speak of what I know are planted and being planted. Number of trees is as follows:

Baracoa, one syndicate	250,000
Tanamo, Cuban Fruit Company	11,000
Banes, Boston Fruit Company	3,000
Nipe, Cuba Plantation Company	1,9[illegible]
Holguin, sundry planters	250,000
Cuego, one company	30,000
Puerto Principe, sundry growers	400,000
Baracoa, sundry growers	50,000
Santiago de las Vegas, sundry growers	60,000
Pinar del Rio, sundry growers	175,000
Total	3,500,000

3,400,000 trees will bear 14,000,000 boxes.

In this connection I will also read for the information of the Senate a letter from a gentleman, formerly of California but now of Habana, Cuba, which was published on November 7, 1903, in the weekly edition of the Pacific Fruit World. It is as follows:

I believe Cuba will beat the world on grape fruit. Tangerines and lemons also look well on Florida stock. The Americans and many of the natives are

planning to grow a large crop of vegetables here this winter. Conditions are now favorable, freight to New York being 25 cents, and with reciprocity next month they will be 16 cents on tomatoes and 56 cents on oranges (this is prospective and not actual.—Ed.), with lower freight when quantity warrants. Under the new tariff our rate is 31 cents against California's 50 cents per box, and with Samoan freight rate, which we will get soon, it will be 16 cents duty and freight against California's 50 cents. Time to New York, sixty hours from Habana, three from California, twelve days and more to New York. It is variously estimated that 1,000,000 trees are planted here, and part of the stock from Jamaica, Porto Rico, and Florida, but now we have plenty of native-grown nursery stock—2-year-old buds 6 feet high and 2½ inches in diameter.

The outcome is inevitable for both California and Florida. You can read the handwriting on the wall.

In Munson's Line Bulletin for October, 1903, I find the following:

R. B. Billingslea, a British civil engineer, who has had large experience in fruit culture in the State of Florida, the island of Jamaica, and in western Cuba, near Mariannao, has purchased lands in Camagney, near the line of the Cuba Central Railway, and in the vicinity of Jatibonico, one of the new towns which has been laid out on the old Juan Alonso tract, for the purpose of planting one of the largest orange groves in Cuba. Mr. Billingslea has already contracted with Tampa parties for most of the trees needed and expects to plant 40,000 trees during the next six months. Eventually it is Mr. Billingslea's intention to increase the number to 100,000 orange trees. He also intends to plant 100,000 sundry citrus fruits—lemons, limes, and grape fruits mostly.

And this is going on all over the island.

I do not think it is important under the circumstances to introduce here, as I might, hundreds of comments by California newspapers concerning this treaty. A consensus of their utterances is a *protest* against the injustice to the industries of the State. They believe that the reduction of one-fifth of the duties on sugar is harmful to that thriving new industry in that the encouragement thus given to the cane-sugar industry of Cuba is at the same time in effect a discouragement to the further development of the beet-sugar industry of the United States; that as the sugar product (refined) of the United States is substantially controlled by a trust the reduction in the tariff rate could be used by the factories as excuse for lowering the price which is to be paid to the beet-root grower, and therefore such reduction tends to deprive the farmer of the full reward for his labor and investment to which he is entitled, and in respect to sugar they emphasize the certainty that an injury will come to the domestic sugar industry from the stimulation of the Cuban cane-sugar industries which this bill is intended to give. Among the orchardists this same feeling and conviction exists. They are aware that Cuba is not yet ready to drive California fruits entirely out of our eastern markets, for her production of citrus fruits is now comparatively inconsiderable, and it is conceded that in a very narrow sense the effect of the injury to this important industry, against which they are protesting, will not be immediately observed.

Mr. President, these newspaper opinions are valuable, but they do not go to the heart of the matter, as do some of the strong protectionist journals like the San Francisco Chronicle, whose utterances upon such questions are always received by the whole country with much respect. I would not care to introduce here some of the criticisms in which it has been indulging concerning the action of Congress in respect to this measure; but its objections to the bill, founded upon its conception of the injury which will be inflicted, are as sound in my judgment as are its objections to it on the ground that it is in violation of the great principles involved and which are recognized as the groundwork of the Republican policy of reciprocity.

I will ask the Secretary to read the following editorial from the San Francisco Chronicle of December 6, 1902, omitting the inmaterial portion which is stricken out.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The paper sent to the desk by the Senator will be read, in the absence of objection.

The Secretary read as follows:

The [illegible] of reciprocity depends upon a general comprehension of the fact that [illegible] the principle of "reciprocity" such treaties will not stop with [illegible] protected interest over be safe, nor shall we be able to [illegible] our commercial [illegible].

[illegible] time for general principles to take hold of the public mind [illegible] political action. Meanwhile it is perhaps necessary to [illegible] the fact on the obvious material injury to American interests [illegible] from the assertion of particular American industries for the protection of foreign trade. We here in California are easily excused [illegible] when any proposal is made to sacrifice the citrus industry in a [illegible] trade. That is because there are many intelligent and vigorous people who are directly interested and who have the force to command attention. In reality, if we once accept the principle that some American industries may be sacrificed for the benefit of others, nothing can long save our little growers, except in personal vigor, the citrus interest is politically one of the weakest of our industries.

In [illegible] importance, also, it is a trifle in comparison with the sugar industry. We are enormous consumers of sugar. We import the greater part of what we consume. It is possible, on the contrary, for us to produce every pound which we use, and to do so within a very few years. But it is certain that a good acreage of land and labor in Cuba will produce much more sugar than can be produced by the same labor on the same land in the United States, and both land and labor are far cheaper in Cuba than here. Upon the free trade doctrine sugar is preeminently an article to be admitted free. On the protective theory, however, it is preeminently a subject for protection. We can not produce what we require. Without protection we shall never do so, while with protection, and within a very reasonable time, we shall produce sugar in abundance and quite as cheaply as we produce other things into whose cost labor largely enters. Sugar is an article for whose unimpaired protection we can most earnestly fight, whether upon the broad principle involved or upon the material interests immediately at stake, and the fight should be prosecuted by every means in our power.

Mr. BARD. I also ask the Secretary to read the following from another able and influential California newspaper, the Los Angeles Times, of January 27, 1903, omitting also in this case the immaterial matter, which is stricken out.

The PRESIDING OFFICER. The paper will be read, if there be no objection.

The Secretary read as follows:

CITRUS FRUIT IN CUBA.

The question of the much-debated reciprocity treaty with Cuba is now approaching a climax, and promises to cause a bitter and protracted discussion in Congress. * * *

California is probably more directly interested in this question than any other State in the Union. It is not only the beet-sugar men who have interests at stake—the growers of citrus fruits have begun to take alarm. In this connection, the following extract from an advertisement in an eastern magazine, regarding a Cuban colony enterprise, is of interest:

"Ten acres of Cuban soil will produce with little labor, more dollars than 320 acres of the best land in the United States. * * *

"The climate is perfect, frosts unknown, and the fruit crop sure. The soil and climate surpass any other on the globe for growing fruit. Since General Wood put sewerage into Habana no country can show a better health record.

"Land is low in price and sold on long time, without interest or taxation. Write at once for free prospectus, and learn about this country and the advantages we have to offer investors."

These statements are doubtless exaggerated, yet there is no reason to doubt that, with the advantage of a low tariff, Cuba would be able to compete successfully, east of the Mississippi, with some of the leading products of California. The last writer says of that section, that there the [illegible] conditions of very cheap labor and very low rates of transportation. It is not surprising to learn that many American capitalists and investors are beginning to pack up for more natural fruits in the island.

As the Times has frequently shown, the citrus fruit industry of California has been built up at great cost of money and patient persistence. It is now one of the American industries that is specially deserving of consideration at the hands of Congress so long as we maintain our system of protection under which the country has grown so great and prosperous.

Mr. BARD. Now, Mr. President, the particular point which I desire to press upon the attention of the Senate is that it is not so much the immediate injury to our industries that we fear as it is the future injury which will result from this legislation. This injury results in two ways. On the one hand, in consequence of the stimulus given by this legislation to certain industries of Cuba, which can be developed into immense proportions under such favorable conditions that they may soon successfully invade our markets, and, on the other hand, in consequence of the effectual blow that it strikes by discouraging the further development of our own resources.

Almost all of the horticultural products which Cuba is capable of producing are matched by the products of Florida, California, Arizona, and the Gulf States. Indeed, these States are capable of supplying American markets all that they are able to receive of citrus and other semitropical fruits, fresh, dried, or preserved. These products form the basis of much of their prosperity. They have been fostered by the fulfillment of the promise given by the declarations of the Republican party, and the continuance of their prosperity is largely dependent upon the continuance of the power and the disposition of the Republican party to foster them. The protection given by the Dingley bill is regarded by our orchardists as certainly not more than adequate. The competition by Porto Rico oranges in eastern markets in a part of the year has resulted in losses to our producers in the not infrequent cases where they have been forced by such competition to sell their fruits at prices barely covering the costs of transportation and commission.

It must be remembered that fresh fruit soon deteriorates and is perishable, and frequently must be sold under sharp competition, and sometimes at almost any price the buyer may choose to offer. But Porto Rico, unlike Cuba, is now a part of the United States, and it is reasonable to give her the same advantages in our market which we accord to our continental territory. These California orchardists understand this quite well and are not jealous of Porto Ricans. The existing conditions relating to this California industry are substantially the same as when the Dingley tariff law was enacted. The cost of labor, at the American appreciation of its value, and the cost of transportation over thousands of miles of railroad, as compared with the values at which labor is estimated in other countries and the cost of transportation from Cuba to our ports, are of course elements which enter into calculations to ascertain what tariff rates are necessary to prevent inordinate importations of such commodities. Labor in this country is certainly no cheaper than it was when the Dingley tariff became operative, and railroad transportation rates are no lower. If the railroads have done anything since then to encourage the industry, it is perhaps in the improvement of their methods and in furnishing more suitable facilities for the carrying of fresh fruits; but they have not reduced their rates, though the great increase in the bulk of this class of freights would seem to justify such reduction.

But, Mr. President, I gladly spare Senators and myself from any discussion on my part of the mooted question whether the benefits intended for Cuba, by giving her most important products a

rebate of 20 per cent on our tariff rates, will inure to the Cuban planters or whether such benefits will be misdirected into the pockets of the American sugar trust, which is, in fact, the only purchaser of raw sugars in this country.

President Roosevelt, in his message to Congress, with reference to reciprocity with Cuba, shortly before the close of the first session of the Fifty-seventh Congress, again urged Congress to give consideration to the subject, and referring to the objection which had been made to the granting of the proposed reduction on the ground that the substantial benefit would not go to the Cuban producer of sugar but would inure to the American sugar refiners, he said:

In my judgment, provision can and should be made which will guarantee to sugar-growing [illegible] without having recourse to a measure of doubtful policy, namely, a bounty in the form of a rebate.

This statement is substantially a qualification of the President's recommendation of the treaty, and it implies that if no way can be found for securing the guaranty which he says *can and should be given*, then in such case there would be lacking one essential provision, without which the measure might not merit his recommendation. I refer to this statement of the President for the purpose of pointing out that neither in the treaty itself nor in the bill now before us is there to be found any provision which is a guaranty preventing a misdirection or abuse of the intended benevolence to Cuba. Upon a former occasion I thought that the harm which this measure will cause to some of the industries of my State could be definitely pointed out and prevented by reasonable amendment to the treaty, and I would now introduce such amendments to the bill if that action were justified under present circumstances by any hope of success. Even if radical amendments in effect eliminating the objectionable features that relate to California productions were impracticable, an amendment fixing definitely the term during which the treaty is to continue in operation ought to be considered reasonable, and such an amendment would, in one respect, abate the permanent injury to our industries which I have said is most to be feared.

I do not believe that the so-called five-year clause is a definite limitation in respect to time of any mischief that this legislation may bring to our country. It is incorrect to say that the time for which the treaty is to continue is five years and no more. The provision is that the treaty shall continue indefinitely until notice be given by either party of its intention to terminate the same. It is to continue in operation for five years and from year to year thereafter until the expiration of one year from the day when such notice shall be given. Now, Mr. President, who is to give the notice on the part of the United States? The executive branch of the Government could not be expected to assume such responsibility without the authority of Congress.

When it shall be more clearly seen than now that our own sugar, our citrus and other fruit, our cotton, tobacco, and other industries are threatened with serious injury or destruction by the operations of this treaty, will the notice be given even then if Congress should at that time be controlled by a Democratic free-trade majority? I am sure it would not if that party should act consistently with its principles. Would not a Republican Congress under such conditions be embarrassed by the consideration that the raising of the tariff rate on Cuban sugar and her other agricultural products at that time would seem to be a cruel blow to foreign industries that we have fostered and which, by implication, we may be held by honor to protect?

I realize the futility of any opposition at this juncture, for the Senate has already by its ratification of the treaty substantially committed itself to the passage of the bill without amendments, and for that reason it is unnecessary for me to enter into an elaborate discussion, and I know that my remarks must therefore, under the circumstances, be regarded in the nature of a *protest* only.

Being convinced that this legislation is harmful to our industries and is inconsistent with Republican principles, I am impelled by a sense of duty to my party as well as to my State to record my protest against it.

But, while my remarks do not harmonize with the view of the President in regard to the necessity or the wisdom of this legislation, it is gratifying to note that in his messages to Congress he declares that "this reciprocity treaty stands by itself" and that "the reasons for it far outweigh those for granting reciprocity with any other nation;" for that declaration certainly means that the particular consideration which, according to his views, justifies the legislation is exceptional, and that in no other probable case will similar conditions recur.

Mr. President, I would be sorry if this legislation could ever be taken as a precedent interpreting the Republican policy of reciprocity, and I shall be content if my remarks serve no other purpose than to call attention to the fact that my colleagues on this side of this Chamber, though some of them may believe that the measure secures to the United States economic advantages equal to those given to Cuba, agree with the President that "*this reciprocity treaty is a proposition which stands entirely alone.*"

APPENDIX.

SAN ANTONIO FRUIT EXCHANGE,
Pomona, Cal., January 7, 1903.

Hon. THOMAS R. BARD,
United States Senator, Washington, D. C.

DEAR SIR: In order to give you the actual facts and reliable data as to the citrus industry of California, I attach hereto the tabulated statement of the Southern California Fruit Exchange, giving the actual number of growers and the actual acreage under their control during 1902 and the total number of boxes of oranges and lemons shipped by the 19 local organizations, represented by the 19 district exchanges, as shown in the statement.

The Southern California Fruit Exchange is a cooperative corporation formed for the sole and only purpose of creating a good selling agency for the district exchanges, performing the similar functions for these exchanges that a clearing house performs for the banks who are members of the same. No profit whatever accrues to either the Southern California Fruit Exchange or any of the district exchanges or local associations, all being conducted by the growers, who are members and who share in the profits pro rata according to the percentage of fruit furnished by each, the marketing being done for the members only and at actual cost. The growers have the stockholders, elect all officers and directors and own all packing and storage houses.

From this statement it will be seen that these organizations have a total membership of 3,537 growers, with a total acreage of 9,364 acres, showing the average size of each grove or the ownership of each grower to be 2 acres, which produced during the year 1902 1,320 boxes of citrus fruits to each 9 acres, equal to 146 boxes per acre, upon which the association made an expenditure of $24 for the labor performed for packing, hauling, and passing the crop of each 9-acre ranch ($3 per acre, or 18 cents per box), or a total of $79,201.

In order to get at the true, exact value and average cost of these properties I have presented a detailed statement and complete returns from 199 groves, 48 from San Bernardino County, 70 from Covina, and 81 of the best groves under our control in this valley. These statements, which I submitted to you in Los Angeles, are on file in my office, signed by the owners, and give in detail the actual cost of the grove and the actual expense for water, fumigation, fertilizer, and labor performed upon the same during the past year, as well as the actual returns from the groves.

The growers furnishing these statements are all members of the Southern California Fruit Exchange, and had better marketing facilities and larger returns than the average of the growers not members of such organization.

I am personally acquainted with the 81 groves and the growers who furnished the statements from which the tabulation has been made. I have had charge of the marketing association of these products for the past six years, and as manager of the San Antonio Fruit Exchange and active director of the Southern California Fruit Exchange I think I am qualified to speak upon this subject.

Mr. E. P. Van Duzen, who is now, and for the past eight years has been, manager of the San Bernardino County Fruit Exchange, and for years a director of the Southern California Fruit Exchange, compiled the data from 48 statements filed with him by the growers from Redlands, Highlands, etc., and

Mr. H. E. Chesebro, manager of the Covina Fruit Exchange and director of the Southern California Fruit Exchange, compiled the data of 75 of their growers. I have added and tabulated all of these statements and show the following results and summary:

199 groves, total acreage, 2,888; average each ..... acres..	14½
199 groves, total value, $2,320,315; average each	$9,954.00
199 groves, total labor and fertilizer, $[illegible]; average each	$[illegible]
199 groves, total gross receipts, $[illegible]; average each	$[illegible]
199 groves, total net returns, $[illegible]; average each	$[illegible]
199 groves, total average percentage on investment ..... per cent..	[illegible]
199 groves, total value per acre on investment	$[illegible]
199 groves, total net returns per acre on investment	$27.00

In the item of value is included cost of land and water, reservoirs, pipe lines, etc. In the item of labor and fertilizer is included cost of pumping and distributing water, labor for maintenance of reservoir, pipe lines, etc. (Copies of the circulars and statements used for above statistics are herewith attached.)

Average number of boxes per acre, according to the statement of the Southern California Fruit Exchange	134
Average number of boxes to each 14½ acres	1,910
Average cost of labor per box at packing house	$0.194
Average cost of labor on ranch per box	$0.53
Total average cost of labor per box	$0.724

A box of oranges weighs 65 pounds net, and a box of lemons 75 pounds net. The freight on a box of oranges is 16 cents. The freight on a box of lemons is [illegible]. The refrigerating charge on a box of oranges is 25 cents in addition to the freight, and on lemons [illegible] cents.

Oranges and lemons generally require refrigerating during the months from March 15 to October 15.

A carload of oranges contains not less than 362 boxes, and a car of lemons not less than 412 boxes.

The Southern California Fruit Exchange having handled 43 per cent of the entire crop of citrus fruits grown in California in 1901, it is reasonable to assume that there are 7,[illegible] acres of orange groves, with a total value of investment of nearly $[illegible]. Assuming that it takes the constant labor of 1 person to grow and prepare the product on each 4 acres, and assuming further that the average number of persons to each family is 4, it would show a total of 7,[illegible] persons sustained by the citrus industry, and an average investment of nearly $1,100 to each person, possibly a larger amount of investment per capita than can be shown by any other horticultural or agricultural industry.

From the above figures it is shown that it requires $6,592,694, or 72½ cents per box, to pay for the labor to grow and pack the crop. The transportation companies received $10,721,789 for transporting the same to market and for refrigeration, to which must be added the cost of the paper and box materials for packing the same, amounting to $1,851,244 all of which consists largely of labor, while the growers received only $2,746,956 as interest and taxes on their investment.

The above items cover the crop of 1901, which amounted to 9,156,529 boxes. From the figures given you will see that it actually cost the grower of California $2.025 per box in labor and cash outlay to produce these citrus fruits and place them in the eastern markets. Add to this a selling charge of 10 cents per box, you make the actual cost $2.125 per box.

In order to compare the cost of placing a box of our citrus fruits into the jobbers' hands in New York City with that of the importers, we call your attention to the statement of one of the largest importers in the trade, Mr. P. Brunette, of Brunette Brothers, of New York and Malaga, world famed packers, who a short time ago was furnished by him to the editor of Tuck's New York Packer, and is from the importer's standpoint.

[Tuck's New York Packer, November 30, 1901.]

In this statement Mr. Brunette says:

"Now, as to prices, you ask me if Italian exporters can not lower the cost of the product in order to meet California competition. I say no, for these reasons: My best quality of fruit is being offered to-day at 5s. 3d. and freight,

equal to about $1.20. Now, where does the grower come in? Let us see. The freight is is. 2d., equal to about 29 cents; the cost of repacking and furnishing tissel, chromos, boxes to haul to packing houses, empty boxes, straps, waste or poor fruit, hauling from the orchards to the train, and delivery to repacking station at Messina or other points, labor both in the orchard and in the packing house can not be done, all told, for less than 8s., equal to 75 cents; and then say 3d., or 6 cents, for the brokerage and rent of the packing house, brings the expense up to $1.10, or very close to it. This gives the grower 20 cents to 22 cents for his fruit in the orchard. I may go further into detail as regards an itemized expense account, instead of saying 8s. for expenses, but doubtless know that included in the itemized statement above is the expense of 14 cents for empty boxes, and another 14 cents for packing the fruit and hauling to railroad station and delivery at unloading points. So you see there is already 28 cents of the 75 cents mentioned above.

Please note this party says that he is offering foreign fruits (lemons) in New York, freight paid, at $1.20 including every cost of labor and material, hauling, waste, poor fruit, etc. Add to this the duty of 1 cent per pound, 75 cents, and you have a market value of $1.95, duty paid, as against $2.125, the actual cost of California production, or the foreign lemon costing $1.38 as against California $2.125, a difference in favor of the foreign grower of 27½ cents per box.

Assuming that the entire crop of 9,156,520 boxes averaged to the California grower on the trees 80 cents per box (which I feel safe in saying is not the case), it would show a return of little more than 1 cent per pound, just about 10 cents per box, more than the present duty, or a net return over the actual cost of production of a little over 20 cents per box, just what Mr. Brucato says the sixty grower gets out of the $1.20.

During the whole year 1901 the markets of the United States were fully supplied with citrus fruits from California and Florida, and every want and demand was met. There were possibly 2,500 cars, or 250,000 boxes, of fruit that rotted on the ground in California for want of a market.

The California growers produce enough to supply all home demand in oranges and are already compelled to look for foreign markets for their surplus. This will also be the case of lemons in a short time under proper protection.

We give here the actual shipments of citrus fruits from California during 1901:

Date.	Cars.	Boxes.
January	3,094	1,113,840
February	3,419	1,230,840
March	3,669	1,401,120
April	4,054	1,460,440
May	3,292	1,185,120
June	1,744	627,840
July	1,054	379,440
August	559	201,240
September	189	68,040
October	223	80,280
November	1,267	446,120
December	2,675	963,000
Total	25,462	9,156,520

These figures are official and can be verified by applying to either the Southern Pacific Company or to the Southern California Railway Company.

I estimate the output of Florida for 1901 at 1,500,000 boxes and the shipments of the same as follows:

November	540,000
December	810,000
January	150,000

The Florida product is increasing at an enormous rate, and in all probability will add a million boxes per year, nearly all to be marketed in November and December.

Add these Florida shipments to those from California and you have the total number of boxes shipped during each month as follows:

	Boxes.		Boxes.
January	1,263,840	August	201,240
February	1,230,840	September	68,040
March	1,401,120	October	80,280
April	1,460,440	November	986,120
May	1,185,120	December	17,730,000
June	627,840		
July	379,440	Total	10,656,520

From these figures it will be seen that more than three-fifths of the total shipments of the United States, or 6,656,520 boxes, are marketable in the United States in the months from November to March, inclusive. Our production is large enough to supply all the wants of the United States. The market should be held for us, and we should not be subjected to unfair competition from abroad. Importers now having an advantage under the present tariff, there should be no further concessions to them unless it is desired to throttle the industry which now supports over [illegible] of American citizens in California alone, besides the growers of other sections, all of whose money is spent for American products and in America.

The statement of Mr. P. Brucato as to the cost and the price is on lemons only. Oranges are packed in smaller boxes and weigh 10 pounds less per box. This reduces the cost of packages, takes less handling and repacking, less tissel and paper, costs less freight, and 10 cents per box less duty, so that it is safe to say oranges can be sold in this country for $1.80, duty paid, at the same profit to the foreign grower and dealer as in the case of lemons, or had down here at a net cost of production for $1.00 per box.

The statement of California cost is on a crop of nearly 90 per cent oranges and 10 per cent lemons, which fact should be borne in mind in considering this statement.

The above tabulation has been made from official record and is as nearly correct as it is possible to make it.

P. J. DREHER,
Manager San Antonio Fruit Exchange, and
Director Southern California Fruit Exchange.

At a regular meeting of the board of directors of the San Antonio Fruit Exchange, held this day, all members being present, the following resolution was unanimously adopted:

"*Resolved*, That we approve and indorse the foregoing letter to Senator BARD, and that the officers of this corporation are hereby instructed to make such indorsement officially under the seal of the corporation."

[SEAL.] SAN ANTONIO FRUIT EXCHANGE,
D. C. TEAGUE, *President.*
P. J. DREHER, *Secretary.*

POMONA, CAL., *January 7, 1902.*

Exchanges.	Number of growers.	Acreage of orange orchards.	Acreage of lemon orchards.	Boxes of oranges shipped.	Boxes of lemons shipped.	Average wages of ranch hands.	Estimated total amount for picking and packing entire crop.
A. C. G. Fruit Exchange, Azusa, Cal	262	2,140	240	329,707	36,692	$1.50	$32,[illegible]
Arlington Heights Fruit Co., Riverside, Cal	3	1,513	471	197,772	105,338	1.75	[illegible]
N. W. Bandmann, Santa Paula, Cal	3	70	350	2,126	24,[illegible]	1.75	28,[illegible]
Covina Fruit Exchange, Covina, Cal	125	1,100	100	166,[illegible]	15,000	1.75	[illegible]
Duarte Marmalade Fruit Exchange, Duarte, Cal	128	712	63	108,[illegible]	15,550	1.75	[illegible]
Ontario Cheneyoga Fruit Exchange, North Ontario, Cal	879	5,212	1,234	588,267	155,568	1.75	142,[illegible]
Orange County Fruit Exchange, Orange, Cal	175	1,000	100	89,000	2,000	1.75	4,[illegible]
Queen Colony Fruit Exchange, Corona, Cal	125	1,000	1,000	85,000	75,000	1.75	43,000.00
Riverside Fruit Exchange, Riverside, Cal	431	4,474	30	751,[illegible]	1,696	1.75	110,317.10
San Antonio Fruit Exchange, Pomona, Cal	472	2,657	675	414,562	70,710	1.75	[illegible]
San Bernardino County Fruit Exchange, Colton, Cal	250	2,000	150	261,173	9,837	1.75	4,[illegible]
Santa Barbara Lemon Growers' Exchange, Santa Barbara, Cal	83	.....	150	.....	30,000	1.50	10,[illegible]
Semi-Tropic Fruit Exchange, Los Angeles, Cal	380	2,300	1,650	310,000	124,000	1.75	89,[illegible]
Total	3,345	24,168	6,173	3,300,175	666,921	.....	782,941.35

Mr. McCREARY. Mr. President, the relations of Cuba to the United States are unusual and unprecedented. No nation in the world occupies such relations to the United States as Cuba. When war was declared by the United States against Spain we proclaimed to the world that our object was to give to Cuba a stable and independent government. We have complied with that promise fully and literally, and in all the history of our country there is no more glorious record than that we rescued Cuba from tyranny, gave to her people freedom and popular government, and made Cuba a free and independent republic. We must not hesitate now in the grand work so auspiciously commenced; we must not mar our nation's splendid record of justice and magnanimity, but we must, as far as possible, give to Cuba industrial prosperity and commercial progress.

I voted for the Cuban reciprocity treaty last March, which contained a proviso that it should not take effect until it was approved by the Congress, and the enactment of the pending bill is necessary to give effect to the treaty providing for reciprocal trade between our country and Cuba. The bill comes to the Senate after having received the almost unanimous indorsement of the House of Representatives—335 votes having been cast for it and only 21 against it.

A STEP TOWARD TARIFF REFORM.

The treaty is not as broad and comprehensive as it should be, but it is a step in the right direction. It is an important step in the direction of tariff reform and enlarged and freer trade, both for Cuba and the United States. If I had control I would amend the pending bill by repealing the differential duty on refined sugar and by striking out the five-year clause in regard to no further reduction of the duty on sugar. But, Mr. President, whether those amendments are adopted or not I shall vote for the bill, because I believe that the benefits derived from the passage of the bill will more than overbalance the evils that might arise from not passing the amendments.

RECIPROCAL TRADE RELATIONS PROPER AND BENEFICIAL.

Reciprocal trade arrangements between the United States and Cuba seem proper and right when we consider the contiguity of Cuba to our country, her political relations to our country, and that we should sell her a great portion of what she buys, and buy from her nearly all she has to sell; besides, the bill under consideration reduces the burdens now pressing so heavily on both Americans and Cubans, and enables Americans to buy Cuban products at more reasonable prices, and enables Cubans to buy American products at more satisfactory prices.

Reciprocity with Cuba caused our export trade to that island to nearly double in 1893, when the reciprocity treaty was in force, and it also caused our imports from the island to advance very much. We have a right to expect the same good results when the new treaty takes effect.

I may add also in this connection that when the Platt amendment was made a law by our Congress the Cubans accepted it in good faith and by our request put it in their constitution. That amendment seems to prevent Cuba from making commercial treaties with other nations, and under these circumstances our Government should, in every proper way, grant trade relief to Cuba.

If we want the trade of a people we must deal fairly with them, and buy their products if we desire them to buy our products. If there is a tariff wall in the way and we can lower it or make a breach in it, we should do so, and agree, as is provided in the pending bill, that if Cuba will allow the products of the United States to enter her ports at from 20 to 40 per cent reduction, we will allow the products of Cuba to enter our ports at a reduction of 20 per cent of our existing duty.

SIMILAR ENACTMENTS.

I shall not discuss at present the constitutional question raised against the bill by certain opponents. It is enough to say that enactments similar to this were made when reciprocal trade relations were established by the United States with Hawaii and Canada. I am satisfied, after an examination of this question, that we have the constitutional right to pass this bill, and when we put the amendment upon the treaty that it should be approved by both the Senate and House of Representatives, or by the Congress, we were keeping ourselves in line with the Constitution of the United States.

AN INTERESTING LESSON IN TARIFF REDUCTION.

Mr. President, this bill teaches an interesting lesson as regards the tendency of the times toward the reduction of tariff duties.

When Republican leaders urge the passage of a reciprocity bill which reduces tariff duties upon all the imports passing between the United States and Cuba, and the President in a special message declares "the treaty submitted for approval secures the United States advantages as great as those given to Cuba. Not an American interest is sacrificed. * * * It is demanded on considerations of broad national policy as well as our economic interests. It will do harm to no industry. It will benefit many industries," this is equivalent to an admission that the existing Republican tariff law is defective.

When we remember that in the last month the junior Senator from Massachusetts [Mr. LODGE] introduced a bill to repeal the duty imposed by the Dingley tariff law on hides of cattle, and the Republican Representative from the Seventh district of Massachusetts, Hon. ERNEST W. ROBERTS, introduced a bill in the House of Representatives to remove the duty from hides of cattle, and also from coal, and put both on the free list; and when the Republican Representative from the Fourth district of Minnesota, Hon. FREDERICK CLEMENTS STEVENS, stated in his speech published in the RECORD that "the time is near at hand when reduction must be made in some of our tariff schedules, which are admitted to be excessive, such as those on iron and steel, glass and lumber, pulp, pottery, and the like, and among them must be reduced the tariff schedule on sugar," we have a right to believe there is not only a break in the ranks of the so-called "stand-pat" Republicans, but that day is breaking for the advocates of tariff reform.

In this connection I will read also an extract from a letter sent by Augustus G. Paine, acting president of the American Protective Tariff League, to every Senator and Representative in the Congress of the United States:

He said:

Every tariff reformer favors Cuban reciprocity because it is tariff reform and not protection. Cuban reciprocity will do more to undo the tariff in 1904 than a satisfied and complacent prosperity did in 1882.

I hope the Cuban reciprocity treaty is a harbinger of other reciprocity treaties with various countries, especially with our neighbor to the north, Canada, and our neighbor to the south, Mexico.

I believe our commerce and trade should be as free and untrammeled as possible, consistent with the raising of revenue for the honest, economical administration of the Government, and with a view of not injuring our domestic industries or improperly interfering with the legitimate efforts of our own producers and manufacturers.

RECIPROCITY IS DEMOCRATIC DOCTRINE.

Republicans have no right to claim that reciprocity is exclusively a Republican policy. It is true President McKinley and Hon. James G. Blaine were conspicuously and earnestly in favor of reciprocity, but it is also true that Thomas Jefferson, the father and organizer of the Democratic party, advocated reciprocity before the Republican party was born, and the first reciprocity treaty, and perhaps the best and most beneficial reciprocity treaty our country ever had, was the reciprocity treaty negotiated by Franklin Pierce, a Democratic President, with the Dominion of Canada, which was repealed under a Republican administration in 1866. Also the Hawaiian treaty of reciprocity was renewed by a Democratic President, Grover Cleveland, and the Democratic platform of 1892 declared in favor of reciprocity, as follows:

Trade interchange on the basis of reciprocal advantage to the countries participating is a time-honored doctrine of the Democratic party.

Numerous reciprocity treaties have been proposed under the Dingley tariff law, but not one has ever been approved by a Republican Congress, and the Cuban reciprocity treaty will be the first approved.

To show that Democrats began to advocate reciprocal trade relations almost with the formation of our Republic, I read the "Report on the privileges and restrictions on the commerce of the United States in foreign countries," sent to the House of Representatives December 16, 1793, by the then Secretary of State, Thomas Jefferson, in which he says:

Such being the restrictions on the commerce and navigation of the United States, the question is, In what way may they best be removed, modified, or counteracted?

As to commerce, two methods occur: First, by friendly arrangements with the several nations with whom these restrictions exist, or, second, by the separate act of our own legislatures for countervailing their effects.

There can be no doubt but that of these two, friendly arrangements is the most eligible.

Would even a single nation begin with the United States this system of free commerce it would be advisable to begin it with that nation, since it is one by one only that it can be extended to all. Where the circumstances of either party render it expedient to levy a revenue by way of impost on commerce its freedom might be modified in that particular by mutual and equivalent measures, preserving it entire in all others.

Some nations not yet ripe for free commerce in all its extent, might still be willing to modify its restrictions and regulations for us in proportion to the advantages which an intercourse with us might offer. Particularly they may concur with us in reciprocating the duties to be levied on each side, or in compensating any excess of duty by equivalent advantages of another nature.

Mr. President, I wish to say with emphasis that instead of reciprocity treaties I would very much prefer a general revision and reduction of the existing tariff taxes, so that there would be uniformity in the collection of customs duties and all nations be treated alike, but as the party in power refuses to enact a general law, but is willing to reduce the burdens of an oppressive tariff through reciprocity measures, I am willing along proper lines to assist in lowering tariff rates through reciprocity treaties as the next best legislation to general tariff reform.

SUBSTANCE OF THE TREATY.

The treaty, of which the pending bill is the enabling act necessary to make it operative, provides in substance as follows:

Article I of the treaty stipulates that all products of either the United States or Cuba that are now on the free lists of the two countries shall continue to be on the free lists.

Article II provides that all other products of Cuba shall be admitted into this country at a reduction of 20 per cent of the regular tariff rates of the United States (and this includes sugar).

Article III provides that all the products of the United States not included in Article I and not incorporated in Article IV shall be admitted into Cuba at a reduction of 20 per cent of the regular tariff rates of Cuba.

Article IV specifies certain products of the United States which are to be admitted into Cuba at still greater reductions of the regular rate: and

Schedule A refers to iron and steel manufactures, copper manufactures, glassworks, earthenware, etc., at 25 per cent reduction.

Schedule B refers to cotton manufactures, linen goods, paper, cutlery, boots and shoes, soap, and various articles of food, etc., at 30 per cent reduction.

Schedule C refers to manufactures of cotton knitted and all manufactures of cotton not included in Schedule B, and also woolen goods, silk goods, watches, perfumeries, etc., at 40 per cent reduction.

In a subsequent article it is stipulated that all these reciprocal rates shall be preferential in respect to like imports from other countries.

Mr. President, I have not time to refer to each of the schedules mentioned in this bill, and I shall not do it, nor shall I dwell long upon tobacco as one of the questions which have been presented.

It must be remembered that our duty upon tobacco is very high. The duty on leaf tobacco is over 78 per cent; on cigars, over 100 per cent. If there is any opposition to this bill, so far as it refers to tobacco, it has never been made known to me. I have never received a petition on the subject.

I noticed in the debates in the House that the chairman of the Committee on Ways and Means said that he had received but one petition. So I assume that this duty, which is already high and which is proposed to be reduced now 20 per cent, makes no impression on the tobacco-leaf men or upon the cigar men.

To support this position I present the statement of the chairman of the Ways and Means Committee, as follows:

> The subject of tobacco has been before the Ways and Means Committee on various occasions. * * * We found out that they were introducing Sumatra tobacco into this country, a very thin leaf, a tough and pliable leaf, just the one for a wrapper.
>
> It has this peculiar feature about it: One pound of this leaf will wrap as many cigars as nearly 4 pounds of any other leaf grown in any other country. Cuba or the United States, and so 1 pound is worth almost as much as 4 pounds of any other tobacco for wrapper purposes. We had to meet that. It seemed to me that the interests of the United States and the tobacco-growing interests of the United States which gave life and prosperity to so many farms and farmers in the United States. It became necessary to put a higher duty on wrapper tobacco. * * * It was fixed at $1.85, as the law was first passed under the Dingley Act, $1.85 a pound—a good deal more than the duty on the balance of the article. * * * We had to put it there on account of the Sumatra tobacco.
>
> At the same time it appeared to us that we could get along with a much lower rate of duty if we had not anything to contend against except the Cuban leaf. That was a heavy consumption pound per pound it would wrap about the same number of cigars, and there was no reason in the world why we should put the same rate of duty on the Cuban leaf except this, that we made deal against the Sumatra and put the same rate of duty on it and good-morning, gentlemen, whether the weed came from the German states or from the island of Cuba, or wherever they came from. We could not favor one tobacco in one place and another. We could not favor one tobacco leaf more than another, and so we put on a duty sufficient to protect our native against the Sumatra leaf, but it was a great deal more than was necessary to protect it against the Cuban leaf, and when we come to cut off this 20 per cent of that duty on tobacco imported from Cuba, it does not even then reduce it to the same degree of competition in our market with our tobacco as would the Sumatra leaf with the duty of $1.85.

COTTON.

The cotton and sugar schedules are important and deserve careful consideration. The cotton-producing States of our country are entering upon a great era of progress, improvement, and development. They need, above everything, enlarged trade and more extensive markets for their products. These cotton States of the South are producing annually about 11,000,000 bales of cotton, and the proposed treaty provides for a reduction of 20 per cent of the Cuban tariff duty on cotton and the manufactures thereof, and 40 per cent on the manufactures of cotton, knitted, and all manufactures of cotton not included in Schedule B. Even if the cotton products of the South are not sent in large quantities to Cuba, the bill is in a beneficial direction for the cotton-producing States and opens the door and asserts a policy greatly to their interest.

I hope that before many years shall have passed the people of the cotton-producing States will manufacture in their own mills every bale of cotton they produce; but they are not able to do it now. As the population of the world increases the demand for cotton will increase, and in the years to come the southern cotton States of our country will be producing for the markets of the world not less than sixteen or eighteen million bales of cotton, for the cotton producing capacity of the South is almost limitless.

The Secretary of Agriculture, in his last report, says:

> The consumption of cotton in this country is greater than that of any other country in the world; yet, in addition to supporting the home market, the South exported last year over 3,500,000,000 pounds of cotton, worth $217,000,000.

The achievements of the Southern States and their progress and development have been marvelous in the last few years, and no industry has made greater strides than the cotton industry.

The Manufacturers' Record shows that more than three-fourths of the cotton of the world is produced in what we call the South, and that the South had not quite 2,000,000 cotton spindles in 1891, and now has 8,200,000 cotton spindles, which is a fourfold increase in a little over ten years. It shows also that in 1880 the capital invested in manufactures in the South amounted to $257,000,000, in round numbers, and in 1900 the capital invested in manufactures had increased to $1,153,000,268, an increase of 348 per cent. In 1880 the value of the manufactures amounted to $137,454,777. In 1900 the value had increased to $1,205,188,400, or a gain of 220 per cent.

The reduction of the rates of Cuban duties 20 per cent on cotton and manufactures thereof, and 40 per cent on manufactures of cotton knitted that are imported into Cuba, not only inaugurates a beneficial policy for the cotton-producing States, but it is very encouraging to every producer of the greatest staple of the South.

SUGAR.

The world's product of sugar amounted last year in round numbers to 10,000,000 tons, of which we in the United States consume two millions and a half tons. One-third of the amount that we consumed was furnished by our country—that is by Louisiana and the Western States that grow beet sugar, and by Hawaii and Porto Rico. The other two-thirds we obtained outside of our country, and of that amount Cuba furnished us about 1,000,000 tons.

Mr. President, if Cuba furnished us 1,000,000 tons, and we were to allow Cuba to bring her sugar free to the United States, the duty on refined sugar being 1[illegible] per cent and on raw sugar 97 per cent, $30,000,000 would be diverted from the Treasury of the United States. If we were to allow Cuba to bring in her sugar at a reduction of 50 per cent, there would be diverted from our Treasury $15,000,000. But this bill permits Cuba to bring in her sugar at a reduction of duty of 20 per cent, and according to the estimates that will divert from the Treasury of the United States only $6,000,000.

I have not heard this question discussed before; but it is an important question: Can we afford to surrender $6,000,000 from the Treasury of the United States at this time and every year for five years or longer and still be able to meet the expenditures of our Government? Can we afford to surrender $6,000,000? For that is what we do by this bill; we reduce the revenue on sugar $6,000,000.

AVAILABLE CASH BALANCE AND THE SURPLUS.

This leads to the question, Will the present condition of the United States Treasury permit the surrender of $6,000,000 of revenue annually?

The available cash balance in the United States Treasury on the 1st day of December, 1903, according to the statement of the Secretary of the Treasury, was $219,337,439.64. Of this amount $158,027,354.87 is in national-bank depositories, which pay no interest on this large amount of money, but loan it to the people at the usual rates of interest, and the amounts realized help to swell the dividends of the banks for the benefit of the stockholders. I think, therefore, when the surplus in the United States Treasury is so great that $158,000,000 can be deposited in certain national banks without interest, we can well afford to reduce the revenue derived from our trade relations with Cuba $6,000,000 to help encourage commerce and trade between the United States and Cuba.

In the State of Kentucky, which I have the honor to in part represent in the United States Senate, when we have a surplus in our treasury we usually loan the amount not needed to the banks of Kentucky at a fair rate of interest until proper legislation can be enacted to reduce taxation.

I believe this rule is wise and just, whether applied to a State or nation. No more money should be collected from the people by taxation than is necessary to pay the expenses of the government, honestly and economically administered, and when it appears that more money is collected than is needed, taxation should be reduced. Money does not flow into the Treasury like rivers flow into the sea; it does not fall like the dew in the morning, unsolicited. Every dollar in the Treasury comes from some American citizen, and usually represents his toils and trials. It is not paid by him because he wishes to donate it, but because the law compels him to pay it. Therefore he should not be coerced by taxation and made to pay more than is absolutely necessary.

A large surplus in the Treasury is neither just nor beneficial to taxpayers. It may incite corruption, and present conditions in the Post-Office Department have aroused grave apprehensions, and caused the President, in his late message, to make a remarkable statement. He said:

> Through fraudulent practices, perjuries, and by shameless briberies the laws relating to the proper payment of the public moneys [illegible] in the Post-Office Department have been [illegible] and many indictments have been found, and the cases are now pending or in course of hearing or on the eve thereof.

But this is not all. A large surplus in the Treasury is apt to incite lavish and unnecessary expenditure of the public money.

The evidence of the unwisdom of a large surplus in the Treasury is found when we compare the appropriations made by the Fifty-third Congress, which was controlled by Democrats, with the Fifty-seventh Congress, which was controlled by Republicans. The appropriations made by the Fifty-third Congress amounted to $[illegible], and the appropriations made by the Fifty-seventh Congress amounted to $1,554,108,514.84, and adding thereto the contract obligations in excess of appropriations made, namely, $362,711,465, authorized at the first session of the Fifty-seventh Congress, together with an approximate thirty-five millions authorized during the second session just closed, and we have a sum exceeding $1,850,000,000, or dangerously close to the two-billion-dollar mark for a single Congress. The statement I have given about appropriations is taken from the CONGRESSIONAL RECORD and was made by Hon. LEONIDAS F. LIVINGSTON, of Georgia, who is the ranking member of the minority of the Committee on Appropriations of the House of Representatives.

WHERE IS THE SURPLUS?

It seems to me it is pertinent now to inquire where is the money which has been taken from the Federal Treasury and deposited in national banks? There are 5,042 national banks in the United States, and this money has been deposited in 842 national banks in various States of the United States, or in less than one-sixth of the national banks.

A statement from the Secretary of the Treasury of October 31, 1903, shows that 343 national banks have $50,000 each and 99 national banks have $100,000 each. The National City Bank, of New York, has $12,937,000, and the National Bank of Commerce, of New York, has $5,615,391; the Hanover National Bank, of New York, $5,212,000; the National Shawmut Bank, of Boston, Mass., $2,429,977.39; the Merchants' National Bank, of Philadelphia, Pa., $1,663,789.08; the National Bank of Commerce, St. Louis, Mo., $2,844,981.83; the Riggs National Bank, Washington, D. C., $3,000,000, and the American National Bank, of Louisville, Ky., has $1,500,000. I present as a part of my remarks a statement of the Secretary of the Treasury, furnished Hon. J. M. ROBINSON:

State.	Population.	Deposits, 1903, United States deposits without interest.
1. New York	7,268,891	$12,724,893
2. Pennsylvania	6,302,115	14,943,499
3. Illinois	4,821,550	6,156,641
4. Ohio	4,157,545	5,593,050
5. Missouri	3,106,665	6,894,716
6. Texas	3,048,710	1,926,491
7. Massachusetts	2,805,346	10,636,199
8. Indiana	2,516,462	4,691,796
9. Michigan	2,420,982	1,277,097
10. Iowa	2,231,853	8,415,673
11. Georgia	2,216,331	1,210,584
12. Kentucky	2,147,174	5,223,656
13. Wisconsin	2,069,042	2,028,249
14. Tennessee	2,020,616	1,022,798
15. North Carolina	1,893,810	857,183
16. New Jersey	1,883,669	1,362,452
17. Virginia	1,854,184	1,362,776
18. Alabama	1,828,697	429,546
19. Minnesota	1,759,394	1,703,532
20. Mississippi	1,551,270	369,917
21. California	1,485,053	2,[illegible]
22. Kansas	1,470,495	475,730
23. Louisiana	1,381,625	896,949
24. South Carolina	1,340,316	458,894
25. Arkansas	1,311,564	53,095
26. Maryland	1,188,044	3,362,416
27. Nebraska	1,066,300	1,477,455
28. West Virginia	958,800	1,321,567
29. Connecticut	908,420	1,031,231
30. Maine	694,466	465,720
31. Colorado	539,700	1,155,586
32. Florida	528,542	573,942
33. Washington	518,103	1,190,290
34. Rhode Island	428,556	262,540
35. Oregon	413,536	489,601
36. New Hampshire	411,588	1,535,865
37. South Dakota	401,570	264,492
38. Oklahoma	398,331	264,814
39. Indian Territory	392,060	20,352
40. Vermont	343,641	1,025,624
41. North Dakota	401,570	240,021
42. District of Columbia	278,718	3,510,111
43. Utah	276,749	611,060
44. Montana	242,329	353,[illegible]
45. New Mexico	195,310	203,776
46. Delaware	184,735	15,467
47. Idaho	161,772	170,936
48. Hawaii	154,001	153,400
49. Arizona	122,931	95,499
50. Wyoming	92,531	89,507
51. Alaska	63,592	46,741
52. Nevada	42,335	.....
Total population United States	76,303,387	.....
Philippine Islands	.....	1,615,632
Porto Rico	953,243	221,000

The table shows the population by States and the amounts deposited in the banks of various States without interest of date October 31, 1903. It shows that New York in population stands about one-eleventh, but her deposits amount to $12,724,893, or over one-fourth of the whole amount deposited in all the banks. Pennsylvania, with a population of 6,302,115, has $14,943,499; Massachusetts, with a population of 2,805,346, has $10,636,199; Illinois, with a population of 4,821,550, has $6,156,641; Missouri, with a population of 3,106,665, has $6,894,716, and Kentucky, with a population of 2,147,174, has $5,223,656.

The States of Michigan, Georgia, New Jersey, Virginia, West Virginia, and Washington have each less than a million and a half dollars, and North Carolina, Alabama, Kansas, Louisiana, South Carolina, Maine, and Oregon have less than a million dollars each.

REDUCE TAXATION AND LEAVE SURPLUS IN THE POCKETS OF THE PEOPLE.

I present this statement in regard to the so-called surplus and where it is deposited not only to show that the argument presented by some, that we can not afford to carry into effect a treaty between the United States and Cuba because it reduces our revenue $6,000,000 annually, is untenable, for we seem to have far more money than is needed to pay the legitimate expenses of the Government, but I also present it to show how difficult it is to deposit United States money in such a manner as will seem equitable and just to all concerned. Instead of having high taxation in our country, which causes the collection of money from the people which is not needed, and which so fills the Treasury that it has to be deposited with many banks to be held without interest, this money should be left in the pockets of the people.

INTERESTING HISTORY.

These transactions recall some interesting history which reaches back two-thirds of a century. In 1836 a surplus had accumulated in the Treasury of the United States amounting to $37,468,000, and by act of Congress June 28, 1836, this amount was ordered to be distributed pro rata among twenty-six States then forming our Republic and was to be paid on demand, and no interest was charged. These distributions were to be made in four installments, and three of them were paid and $28,101,644.91 was distributed among the States, and then Congress repealed the act. Not one dollar of that money has been repaid. No interest was required of the States receiving this money and they held it, and the Treasurer of the United States in his annual report now refers to the various amounts as "unavailable funds."

I do not charge that the millions recently loaned to national banks will not be paid when called for, but it is reasonable to assume that when banks hold large sums of money without paying interest they will not hasten to pay it, and if the exigencies should require the Secretary of the Treasury to call in this money there would be danger of a very stringent money market.

The surplus in the Federal Treasury, which makes it possible to deposit $158,000,000 in the various national banks without interest, extorted from the people by unjust and unnecessary taxation, is a splendid exemplification of the evil results of existing tariff laws, which impose taxes higher than ever existed before in our country and greatly exceeding those of any other country.

RETALIATORY TARIFFS.

A new, important, and dangerous result of existing tariff laws has lately made its appearance. We have grown accustomed in this country to industrial monopolies, to exorbitant prices, and to trusts which sell their goods cheaper abroad than at home. The new result which now confronts us consists of retaliatory tariffs and commercial antagonisms by those countries which have been the greatest buyers of our products for many years past. I have given such attention as I could and made such an examination of this question as I was able to make, and I have used all available material that I could get hold of, and I find that nations which have heretofore been our largest and best buyers—nations with which we have the most amicable relations—have already prepared or they are now preparing retaliatory tariff laws against the United States because of our high protective tariff law.

Germany's new tariff bill has already passed and simply awaits the imperial decree to go into operation.

It may not be amiss for me to show what kind of a measure it is. It is a protective measure of the most radical kind, and the rates of duty imposed on the articles exported from the United States to Germany are so high as to imperil our future trade with Germany. I have some extracts from it. Under that tariff bill the duty on wheat is increased 115 per cent, on rye 100 per cent, on oats 148 per cent, on corn 218 per cent, and the duty on horses and mules, on cattle and beef has been increased over 100 per cent. It increases the duty on flour 149 per cent, which is $4.06 per barrel, and the duty on wheat is 58½ cents per bushel. The duty on shoes has been increased 70 per cent. This new German tariff bill increases the tariff rates from 50 to 100 per cent.

Mr. FAIRBANKS. If the Senator will allow me to interrupt him, I wish to inquire if he can state how the increased rates compare with our rates?

Mr. McCREARY. That would be a matter of comparison and investigation. I am not able to state it without having our rates before me.

Mr. FAIRBANKS. I did not know but that the Senator was prepared to give it.

Mr. McCREARY. The Senator can very easily make the comparison himself.

Mr. FAIRBANKS. It is an easy matter, and I thought perhaps the Senator had the figures to present.

Mr. McCREARY. I have them not, but the increases made by Germany in her new tariff bill over her former rates show that she has been animated by a desire to retaliate upon the United States for the high protective rates that we have been enforcing against her products.

Mr. SIMMONS. Will the Senator from Kentucky allow me?

Mr. McCREARY. Certainly.

Mr. SIMMONS. Do I understand the Senator to say that the tariff rates of Germany have been increased to that extent against the United States?

Mr. McCREARY. I do. The rates I have been giving have been increased against the United States.

Mr. BATE. And that is done in retaliation?

Mr. McCREARY. That is done, as I have alleged, by Germany to retaliate upon the United States for the existing high protective tariff laws of our country.

When we remember that Germany is the largest buyer of our

products in the world save and except Great Britain and her colonies, the situation with regard to Germany should arouse grave apprehension. In 1902 Germany purchased $132,000,000 of farm products from the United States, and during the same year we sold in Germany $173,148,280 of merchandise.

But Germany is not the only country that seems to be now studying the question of retaliation. Russia has enacted a new tariff law and is making preparations to put it into operation. Russia is remote from us, but our relations with Russia have been amicable for many years, and our trade with Russia has grown so that within the last ten years it has increased fivefold. Russia is retaliating upon us also because of our high tariff duties.

France also has inaugurated retaliation, and passed her new act on the 31st of July last. It is well known that the failure of the United States to ratify the reciprocity treaty negotiated with France caused a much higher duty to be imposed on our products, and especially on our hog products. They have in France a maximum rate and a minimum rate, and France has imposed her maximum rate upon the products of the United States.

Switzerland has also recently passed a new tariff law with higher rates upon the agricultural products of our country.

This is the commencement. Where it will end we can not tell. But serious and important as are the attacks made upon our commerce and trade, to which I have referred, there are conditions now confronting us which appear to be more disastrous and distressing.

ENGLAND'S PROPOSED TARIFF POLICY.

Great Britain has been the best buyer and the largest buyer of our products for many years, but a new tariff policy is being discussed in that great country. We exported from the United States last year, in round numbers, $1,280,000,000 of merchandise, and of that we sent to Great Britain and her colonies 55 per cent, or $732,000,000 worth. Two hundred and thirty million dollars' worth of breadstuffs and provisions alone went from the farmers of this country to Great Britain and her colonies and over $200,000,000 went from our manufacturers to Great Britain and her colonies.

Mr. President, if a time should come when our farm products and manufactures heretofore sold to the great nations of Europe should, because of their retaliatory tariffs, be left piled up in our country without foreign markets, we would have in business depression and trade stagnation a terrible object lesson of the results of the Dingley tariff law and its offspring—the trusts.

Mr. MALLORY. Will the Senator from Kentucky permit me to ask him a question?

Mr. McCREARY. Certainly.

Mr. MALLORY. In view of the disposition of foreign nations to retaliate on us for our high protective tariffs and to exclude our products, does the Senator not think it unwise on our part to obligate ourselves by this bill not to lower for any other nation the rates that we propose to put in the bill?

Mr. McCREARY. Mr. President, I know the Senator refers to the five-year clause, which I said I would vote to strike out if I had an opportunity to do it. If an amendment is offered to strike out the provision of the treaty in regard to five years, which prohibits a further reduction in that time, I will vote for it.

But I said in the beginning of my speech that the benefits to be derived from this bill more than overbalance the evil results. There is another point to consider. One Congress has no power to bind another.

Mr. MALLORY. If the Senator will permit me, I will say that if that is the case and it is a fact that we do not intend to abide by this obligation we are assuming, or pretending to assume, what is the use of putting it in?

Mr. McCREARY. I wish to strike it out.

Mr. MALLORY. Is it not bad faith?

Mr. McCREARY. I am anxious to strike it out. But this bill has benefits which more than overbalance that. This bill is a step in the direction of tariff reform. This bill begins to open the door to help the southern people with their cotton. This bill tells the world that the political party in the United States which enacted the tariff law admits it is defective.

Mr. President, I was speaking of Great Britain when interrupted by the Senator from Florida. The political agitation now disturbing that great nation may lead to the adoption of new policies, the effect of which on the business and prosperity of our country can hardly be estimated.

If, under the leadership of the able and accomplished Chamberlain, Great Britain should reverse her policy of free trade and practically close her markets to our exports by imposing tariff duties as high and comprehensive as ours on all goods imported there, and allow free trade with such of her colonies as granted her preferential rates, the effect upon the commerce and business of our country would be more disastrous and destructive than any assault ever made upon them before.

A careful review of the situation shows that the movement led by Chamberlain has been much strengthened, if, indeed, it did not originate in retaliation because of the high protective tariff duties imposed on the products of Great Britain sent to our country; and the conditions which confront our foreign commerce prove that we can not close our markets with a high protective tariff wall and have the markets of the world remain open to us.

OUR DUTY.

It is very clear to all observing men that we have reached in our country an unusual and perhaps critical situation. The retention of our present commercial supremacy, the realization of the greatness to which we aspire, the preservation and advancement of our great agricultural and manufacturing interests, the welfare of the millions who labor for wages and who suffer most in times of business depression and trade stagnation require that all proper efforts should be made to save our foreign commerce, so inseparably connected with national progress and wealth, and stop trade discrimination and retaliatory tariffs. We can at least start this good work by prompt and united action of all who favor tariff reduction, whether by general act or by reciprocity treaties. The bill now pending is only a step in the right direction, but its enactment will show the strong feeling which exists in our country for a reduction of tariff burdens. President McKinley was an extreme protectionist at one time, but his views on reciprocity were much broadened by experience and by the duties of the great office of President. He spoke with great eloquence and force in the last address he ever delivered in favor of expansion of our commerce and trade, and declared, "Reciprocity is the natural outgrowth of our wonderful industrial development; reciprocity treaties are in harmony with the spirit of the times." Many of our Democratic leaders, including three Presidents, Jefferson, Pierce, and Cleveland, supported reciprocity, and I am glad now that for the common good of our common country there is so much unanimity on the great question of reciprocity, and I hope that the bill to carry into effect the convention between the United States and the Republic of Cuba will pass the Senate with something like the unanimity with which it passed the House of Representatives.

A BREACH IN THE WALL.

Mr. TELLER. I wish to ask the Senator a question. I did not like to interrupt him while he was speaking. The Senator spoke of the threat of German retaliation. I wish to ask him whether he thinks this kind of legislation will ease the mind of Germany? Germany is a great producer of sugar, and we have bought more sugar from Germany than any other section of the world except Cuba. Now, does the Senator think that the threatened retaliation will be retarded by our making a special contract and giving a special privilege to Cuba, and thus shutting out German sugar?

Mr. McCREARY. My answer to the Senator from Colorado is as I stated in the beginning. Our relations with Cuba are unusual and unprecedented. She occupies, as it were, the position of our ward. We are taking her by the hand and trying to help her up. We do not occupy the same position toward Germany that we occupy toward Cuba. The Platt amendment, which we requested Cuba to put in her constitution, is not applicable to Germany. We made Cuba a free and independent republic. Our relations with Germany are very different from our relations with Cuba. Besides, when we can lower the tariff wall, or make a breach in the wall, we should do it.

Mr. TELLER. I should like to say to the Senator that every great European nation except Russia sends us sugar in considerable quantities—Austria, Hungary, Germany, France, Italy, the Netherlands, and so on.

Mr. SPOONER. And Russia.

Mr. TELLER. Russia does not send any considerable amount.

Mr. SPOONER. That is true.

Mr. TELLER. I wanted to impress on the Senator from Kentucky that if he is afraid of the high tariff bringing retaliation from the German Government he may also be afraid of the other nations, if we should give special rates to some sugar-producing country.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole, and open to amendment.

Mr. GORMAN. The Senator from Louisiana [Mr. FOSTER] hoped to address the Senate this afternoon, but he is ill and confined to his room for the day. He desires to speak early in the morning, and I will take the floor in his name. I think no one else on this side desires to proceed to-day.

Mr. CULLOM. The Senator from Louisiana [Mr. FOSTER] sent me word that he is unable to be present to-day, but hopes to be able to be here in the morning. I think, as the Senator from Maryland has been recognized, he may hold the floor for that Senator.

I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 3 o'clock and 42 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 12, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 11, 1903.

CONSUL.

Victor L. Duhaime, of New Hampshire, to be consul of the United States at Saltillo, Mexico, vice Horace L. Worcester, resigned.

COLLECTORS OF CUSTOMS.

Walter C. Witherbee, of New York, to be collector of customs for the district of Champlain, in the State of New York. (Reappointment.)

Charles M. Moses, of Maine, to be collector of customs for the district of Portland and Falmouth, in the State of Maine. (Reappointment.)

REGISTER OF LAND OFFICE.

Cornelius N. Van Hosen, of Springfield, Mo., to be register of the land office at Springfield, Mo., vice James P. O'Bannon, resigned.

PROMOTIONS, REVENUE-CUTTER SERVICE.

First Asst. Engineer Carl M. Green to be a chief engineer with the rank of first lieutenant, in the Revenue-Cutter Service of the United States, to succeed James A. Doyle, retired December 5, 1903.

Second Asst. Engineer Edwin W. Davis to be a first assistant engineer with the rank of second lieutenant, in the Revenue-Cutter Service of the United States, to succeed Carl M. Green, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 11, 1903.

CONSUL.

Victor L. Duhaime to be consul of the United States at Saltillo, Mexico.

POSTMASTERS.

CONNECTICUT.

Charles A. Potter to be postmaster at Danielson, in the county of Windham and State of Connecticut.

NEW JERSEY.

James L. Hays to be postmaster at Newark, in the county of Essex and State of New Jersey.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 11, 1903.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

ORDER OF BUSINESS.

Mr. TAWNEY. Mr. Speaker, I demand the regular order.

Mr. HEMENWAY. Mr. Speaker——

The SPEAKER. The gentleman from Minnesota demands the regular order, which will be the call of committees.

Mr. HEMENWAY. Mr. Speaker, the Committee on Appropriations presented to the House on yesterday the pension appropriation bill, and served notice that the bill would be called up this morning. I desire to call up that bill for consideration.

The SPEAKER. Does the gentleman from Indiana submit a motion?

Mr. VAN VOORHIS. Mr. Speaker——

The SPEAKER. The gentleman from Ohio.

Mr. VAN VOORHIS. I move that the House resolve itself into the Committee of the Whole on the state of the Union for the consideration of the bill H. R. 6758, being the pension appropriation bill.

The motion was agreed to.

PENSION APPROPRIATION BILL.

Accordingly the House resolved itself into the Committee of the Whole on the state of the Union for the consideration of the pension appropriation bill H. R. 6758, with Mr. LAWRENCE in the chair.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. VAN VOORHIS. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. VAN VOORHIS. Mr. Chairman, this bill carries an appropriation of $138,150,100, being the full estimates presented by the Department, less $2,500.

The bill is identical with that of last year, except in two instances. The first variation from the bill of last year appears in the first item, wherein there is a reduction of $1,700,000 in the amount appropriated for pensions. The second appears in the last item, which is a provision for the examination and inspection of pension agents.

This is a new provision in the bill, but I think it comes here in a proper way and is entitled to a place in this bill. The law of 1882 authorizes the examination and inspection of the various pension agencies throughout the country, the expense to be paid out of the contingent fund of the Bureau. No contingent fund, however, has been provided, and the Commissioner of Pensions thinks it is wise to make these inspections and has asked for this appropriation. He asked for $5,000. The committee felt that $2,500 would be sufficient to make these inspections, and put that amount in the bill.

The first change in the bill, as I have already said, is a reduction of $1,700,000. The Commissioner of Pensions estimates that there will be a loss to the pension roll during the next fiscal year for the most part by reason of deaths of pensioners, by remarriage, minors coming to age, unclaimed pensions, and for dropping from the roll by reason of erroneous pensions heretofore allowed under an interpretation of the law which has since been overruled. By reason of this loss to the pension roll the Commissioner estimates that the amount of $136,800,000 will be sufficient for the next fiscal year. With these two exceptions, Mr. Chairman, the bill is the same as that of last year. I feel that this brief statement sufficiently explains the bill, but I will answer any question touching the bill.

Mr. SMITH of Kentucky. Mr. Chairman, I would like to ask the gentleman a question. I did not hear the explanation of this $2,500 appropriation for inspection of pension agencies. What is to be the scope of that examination?

Mr. VAN VOORHIS. As I said before, the law of 1882 authorizes the Commissioner of Pensions to make examinations and inspections of the various pension agencies. He stated to us that these inspections had not been made except in one or two instances, for the reason that he had no funds. The law provided that the expense should be paid from the contingent fund of the Bureau. The Bureau has not had a contingent fund to draw from, and the Commissioner has been advised by the Secretary of the Interior that there was no fund in his Department to provide for these inspections.

Mr. SMITH of Kentucky. Do I understand that there has been no examination or inspection of these respective agencies since the passage of the act of 1882?

Mr. VAN VOORHIS. No; I do not understand there have been no inspections, because in the hearing the Commissioner stated that he has recently made three inspections by special examiners, and it was necessary to draw from that fund in order to make those inspections. I reserve the balance of my time, Mr. Chairman.

Mr. RIXEY. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield to the gentleman from Virginia?

Mr. VAN VOORHIS. I do.

Mr. RIXEY. Do I understand that this bill carries any appropriation for the Soldiers' Homes?

Mr. VAN VOORHIS. It only carries the appropriation for invalid and other pensions; the provision for the Soldiers' Homes comes in the sundry civil bill.

Mr. RIXEY. Can the gentleman tell me about the amount that is carried for the support of the Soldiers' Homes?

Mr. VAN VOORHIS. I am not advised on that.

Mr. MIERS of Indiana. Mr. Chairman, I would like to ask the gentleman a question. Can he state whether or not the appropriation for 1902 has been exhausted?

Mr. VAN VOORHIS. Of the appropriations made last year there will be a surplus of about $[illegible],000 in round numbers.

The CHAIRMAN. The gentleman reserves the balance of his time.

Mr. BRUNDIDGE. Is there to be any time allowed on this side?

Mr. VAN VOORHIS. I would be very glad for the gentleman from Arkansas to yield the time on his side of the House.

The CHAIRMAN. One moment. Does the gentleman from Ohio submit any request as to the time for general debate or its control?

Mr. VAN VOORHIS. Mr. Chairman, I have no desire to limit the time, and I ask unanimous consent that I be permitted to control the time on this side of the House and the gentleman from Arkansas [Mr. BRUNDIDGE] on that side of the House.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the time consumed by general debate be controlled one half by himself and one half by the gentleman from Arkansas [Mr. BRUNDIDGE]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. BRUNDIDGE. I yield one hour, or such time as he may desire, to my colleague [Mr. DINSMORE].

Mr. DINSMORE. Mr. Chairman, I ask unanimous consent that certain authorities which I wish to publish in connection with my remarks, and which I may not have time to read to the House, may be incorporated in the RECORD in the extension of my remarks.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. DINSMORE. Mr. President, availing myself of the latitude for debate given by an appropriation bill, I have concluded to address some remarks to the House upon a question which does not come within the purview of the measure, but which nevertheless is attracting universal attention throughout the country—indeed, throughout the world. I have approached this duty with some reluctance and hesitancy, because I know that even some of my colleagues upon this side of the House do not agree with me in the propriety of making these remarks, and again because, since what I shall say is in reference to a closed incident, perhaps some may think they should be withheld.

The Republic of Panama has been established. It is a fact. It has been recognized by the Government of the United States and by a number of the powers of Europe. It has been established by the power of the United States Government, and is kept in existence by the power of the United States. Without that power it never could have had its existence, and if that power should be withdrawn that Republic would become extinct inside of a fortnight. I hold it to be the duty of every Member of the House, responsible to his constituents and to the country, under his conscience, to give expression to his opinion with reference to all public questions involving either the welfare or the honor of his country.

I think that the recognition of the Republic of Panama by this Government was an international wrong. I think, furthermore, that it was a needless international wrong; that nothing was gained for us by that action except what might have been secured by straightforward, honorable action. And when I use expressions of this kind and say "honorable," I hope that such expressions may not be interpreted in any offensive sense or that I question the motives of those who have committed the Government to the situation as it exists. If I speak earnestly, it does not necessarily follow that I do so in a spirit of vituperation.

I believe, Mr. Chairman, that what has been done by the Administration with reference to Panama is wrong, and that what has been done need not have been done if the Administration had proceeded on the well-defined policies universally recognized by our Government hitherto as correct. There is no doubt as to what our policy has been with reference to recognition of newly established governments. There is one rule which has been universal in its application. Two things are to be considered—one is, has there been in fact an establishment of independence by the new government? And, secondly, is that government capable of maintaining that independence? Has it the power in itself to maintain its independence before the world and against all opposition and to discharge the responsibilities of nationality and perform its duties toward the rest of the governments of the world?

If this is true, the Government, considering the propriety of recognition, has no cause to consider the question of right in the establishment, but it considers the question of fact alone. In our past history, under strong temptations, where American hearts were in sympathy with the people struggling for independence, the United States has withheld its recognition because it felt that its position in the great society of nations required of it to pursue a dignified, prudent, consistent, and honorable course.

I wish this morning, Mr. Chairman, to make a contrast of what has been recently done by the President of the United States and his Cabinet with reference to Panama with what was done previously by different administrations of this Government when different cases have arisen—where our Government has considered the question of recognition of the independence of a newly established government. Let me say at this point that I assume that everybody wants an isthmian canal connecting the two great oceans. Particularly is this true in that section of the country from which I come. Our people are deeply interested in this enterprise. It will open up new opportunities for commerce; it will give an opportunity to break out of the isolation in which they have been so long in matters of trade, and bring up our section in development to stand side by side in commerce and prosperity with other parts of the country.

We are anxious for the construction of the canal, but, Mr. Chairman, every American citizen who loves his country and his country's honor has an earnest desire that every enterprise of this character that is undertaken by the United States shall be conducted with due regard for honorable conduct.

We could have a canal; we can have a canal; we will have a canal. When the American people have determined upon an enterprise of this kind, great indeed is the obstacle that will stand as an obstruction to their purpose; but we can not only accomplish it, we can accomplish it honorably and conforming to every obligation we owe to other governments and observing faithfully all our treaty obligations. We are anxious for a canal, and believe that whatever happens we will get it. We can not be truthfully charged with opposing the enterprise. My purpose now is to acquit myself and my party of the wrongful act by which its attainment is sought to be accomplished.

There were two proposed routes for a canal—one by the Isthmus of Panama, and the other by the way of Lake Nicaragua. The comparative merits of these routes have been considered for three or four centuries by the people of the world. The people of our country and our Government officials have taken a deep interest in it. Their interest in it has never ceased. They have cherished a desire to effect the construction of a ship canal to bring the world in closer touch with itself. In the consideration of these two routes the enterprise has been delayed, but the Government has resorted to the best methods of obtaining information that would lead it to the adoption of a correct conclusion and prevent a mistake.

The Panama Canal was for years in the hands of the French company. You know its history. There was a successor to that company—another company—the New Panama Canal Company. There were such complications in the business and interrelations between the Colombian Government and these companies that it was considered doubtful whether a canal by that route was practicable for us. Therefore our attention was turned to Nicaragua. Commissions were appointed by the Executive authority to investigate and report whether it was a practicable route. Time after time they made favorable reports and declared it to be practicable, and accordingly, with due deliberation, Congress conceived the determination of building a canal by the Nicaragua route.

The people of the country indorsed it, and the time came that we all seemed agreed, leaving out of consideration the transcontinental railroads and the members and hired agents of the New Panama Canal Company. The President of the United States took the matter into consideration and entered into negotiations with the Governments of Nicaragua and Costa Rica wherein, in the most solemn way, they expressed a willingness to cooperate with us and yield the necessary concessions.

As I have already said, commissions had reported three times favorably upon this project—that this was the route; that this route was preferable to the Panama route—assigning reasons for that conclusion which it is unnecessary for me to detail to the House. Let it suffice that Congress entered upon the duty of making provision for the construction of the canal by that route, and under the leadership of the very able gentlemen from Iowa [Mr. HEPBURN] a bill was introduced, and subsequently reported by his committee and passed through this House, providing for that measure, receiving almost the unanimous support of the House of Representatives.

That bill went to the other branch of the legislative body, and then the Panama people, alarmed by the manifest seriousness of our purpose, made overtures, and the New Canal Company proposed to sell out their interests to us on terms that were tempting and assured us of their ability to make good the title. The matter was referred to the Canal Commission that had repeatedly reported in favor of the Nicaragua route, and without making a change in their former expressed conclusions of fact they advised acceptance of the proposal of the Isthmian Canal Company. Thereupon the Spooner amendment was adopted. A law was enacted directing the President to enter into negotiations with Colombia looking to the building of the canal by the Panama route, and if Colombia should fail within a reasonable time to accept our overtures and ratify an agreement, then the President should enter into negotiations with Nicaragua and Costa Rica and proceed with the construction of the canal upon that route.

Mr. Chairman, that negotiation was begun. A treaty was made with Colombia. I remember distinctly when, after the passage of the Spooner law, the venerable Senator from Alabama, who has devoted so much of his life to the enterprise of securing for his country the benefits of this work, met me in a corridor of the

Capitol and I asked him what he thought of the action which had been taken. He said:

> It postpones the consummation of our wish, but it will ultimately result in the accomplishment of our purpose. The Panama Canal can not be completed, the terms can not be agreed upon, the purpose can not be accomplished, and under this law the President of the United States will be compelled to construct the Nicaraguan Canal.

The treaty with Colombia was signed and was submitted to the Senate and was ratified by it. It was submitted for ratification to the Congress of Colombia. In that treaty the Executive department of the Government prescribed the limit which it considered a reasonable time in which the Colombian Government should express its acquiescence in this enterprise. Within the time fixed in this treaty the Colombian Congress did not acquiesce; it withheld its consent, and therefore the treaty was dead. But if not then, at least when the Colombian Congress adjourned without having given its consent to acceptance of the treaty by ratification the hope for a canal crossing the Isthmus of Panama was dead.

What, then, was the duty of the President? Here is the law. Did he obey it? Everybody knows that he made no pretense of obeying it. Has any excuse been offered why he did not obey it? He has not even vouchsafed to the Congress whose law he has violated the slightest excuse. Is he above the law? If, indeed, this is true, Mr. Chairman, then we have come upon evil times; evil indeed if the Executive power can usurp authority and cast aside the express will of Congress declared in law, and law to which he has given his sanction.

There can be no doubt as to what was the duty of the President. The law is specific; but the President of the United States, I believe, assumes at this time that he is proceeding under the power vested in him by that law in negotiating a treaty with Panama, the new Republic which he has brought into existence. It seems that the Secretary of State has conceived in his own mind a theory, under an erroneous conception of law, that the covenant follows the land, and that the principle is applicable to the situation arising from the insurrection in Panama; that the new Government of Panama, having been established upon a part of the territory which belonged to Colombia when Colombia (or New Grenada) made the treaty with the United States, this can be extended to Panama and enforced there by virtue of it.

Mr. Chairman, what is the provision of law under which the President was acting, which outlines his duty, which directs him how to proceed? I have here a synopsis of it, eliminating that part which is unnecessary for an intelligent understanding of the law with reference to the question as I am now presenting it, but presenting actually what the law sets forth.

> The President is—
>
> Authorized to acquire from the Republic of Colombia * * * perpetual control of a strip of land, the territory of the Republic of Colombia. (Sec. 2.)
>
> The President may acquire such additional territory and rights from Colombia as in his judgment will facilitate the general purpose hereof. (Sec. 3.)
>
> That when the President shall have * * * obtained by treaty control of the concession from the Republic of Colombia, as provided in section 2 hereof, he is authorized to pay for the property * * * and to the Republic of Colombia such sum as may be mutually agreed upon. (Sec. 5.)
>
> That should the President be unable to conclude for the United States a satisfactory title to the property * * * and the control of the necessary territory of the Republic of Colombia * * * within a reasonable time after application to Colombia therefor, then the President, having first obtained * * * by treaty control of the necessary territory from Costa Rica and Nicaragua, * * * shall * * * cause to be constructed * * * a * * * canal * * * by way of Lake Nicaragua. (Sec. 4.)
>
> That in any negotiations with the Republic of Colombia * * * the President shall secure the right to the use of the Republic * * * of said canal and harbors upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof. (Sec. 6.)

This defines what the duty of the President of the United States was in the premises, that duty which he has ignored, that law which he has violated, and even without rendering to Congress the poorest excuse or explanation as to why it was done.

Mr. Chairman, why was it done? The President, it seems, had conceived the purpose of building a canal, and I would not attribute to him any selfish or any unworthy motives; but in his ambition he went about the construction of a canal by his own methods and in derogation of the will of Congress as expressed in that law. And how was this? It appears in the recognition of the independence of Panama and in the negotiations with that suddenly created Republic through its agents appointed in the brief interval which elapsed between that time and the beginning of this Congress.

The independence of Panama was declared on the 3d of November. On the 6th of November it was an established republic, having received the recognition of the United States Government, which Government had entered into relations with it by its authorized agents, and before the home Government knew of the secession, no opportunity having been given to the parent Government to enforce its authority. There was no effort upon the part of the United States to inform the Government, with which it was in friendly relation by treaty—and a treaty whose provisions, I maintain, were broken by the action of the Government of the United States in its conduct in that incident—the friendly act extended on the part of the United States to the Government of Colombia; but, on the contrary, the Government of the United States immediately entered upon the undertaking of accomplishing by its act the establishment of an independent Republic on the Isthmus of Panama, and it did accomplish it, because everybody knows that but for the action of the United States Government there would to-day have been no Republic of Panama.

In forty-eight hours a new republic lifts its head and stands among the nations of the earth! It is true some of the European Governments have recognized it after us. I do not question the propriety of any of them. France, at least, had an interest in doing so, but the question with the European powers was a different one from that presented to the Government of the United States. When they recognized the independence of Panama it was in case a Republic with the United States guaranteeing its independence and its entity, and other powers could well afford to recognize its independence; but when this Government recognized the Republic and its independence it was a motley crowd of irresponsible persons, few in number, enabled to accomplish their purpose solely by the threatening guns of our ships of war, and but for this the enterprise, as I believe, never would have been undertaken.

Let us consider what has been the course of our Government with reference to the recognition of other countries and what have been the rules that governed its conduct. At the risk of being tiresome to the House I will ask it to go with me over part of our country's history. I hope it will not be tiresome, because the subject is one that should be of the utmost interest to Members of the House and to the country. Whether or not it is to the House, our constituents are not all international lawyers, and as representatives here of the people it is our duty to put facts in the RECORD, so that there may be a clear understanding, and if I am wrong in my contention it will certainly be made manifest by some other Member or in the record of what I say myself.

I assert, Mr. Chairman, that one principle has universally been adhered to, viz, that no government asserting independence and sovereignty would be recognized by the Government of the United States until the fact appeared, first, of its determination and the actual accomplishment of its independence, and, moreover, of its power to maintain its independence and its relationship in the family of nations. There is abundance of history upon this subject. The great statesmen and international lawyers of our country in the past have gone upon record upon these questions. Here is what Secretary of State Adams said to Mr. Monroe on August 24, 1816:

> There is a stage in such (revolutionary) contests when the party struggling for independence has, as I conceive, a right to demand its acknowledgment by neutral parties, and when the acknowledgment may be granted without just offense to the adversary state. It is the stage when the independence is established as a matter of fact, so as to leave the chance of the opposite party to recover their dominion utterly desperate.

That is what Secretary Adams thought should be the situation when a great government recognized another power; when its independence is established as a matter of fact and the circumstances are such as to leave the chance of the opposite party to recover their dominion utterly desperate.

I am satisfied that the cause of the South Americans—

> Because it was with reference to the republics of South America that he was speaking—
>
> so far as it consists in the assertion of independence against Spain, is just; but the justice of a cause, however it may enlist individual feelings in its favor, is not sufficient to justify third parties in siding with it. The fact and the right combined can alone authorize a neutral to acknowledge a new and sovereign power.
>
> When a government has a reasonable hope of maintaining its authority over a province which it claims as its own, and which, if it succeeds, would be an integral part of its sovereignty, it is criminal when such sovereign is manifestly restrained from maintaining the contest.

If it has a reasonable hope of the recovery of its dominion, the recognition of the revolted State or province, says Mr. Secretary Adams, is an "international wrong." Time must be taken for consideration. There must be the necessary delay to ascertain the truth with reference to the facts. And they waited in these cases of the republics of South America for years before any recognition was given to their independence and sovereignty.

How was it in the case of Panama? Does such a condition exist as to show that the hope of the Republic of Colombia is utterly desperate? Is there hope of the Republic of Colombia being able to reassert its authority over the revolted province? Why, the President of the United States has not halted to see; but we know that if we were to withdraw our troops from that Isthmus those Colombian troops that are now hovering upon the borders of Panama will overwhelm it and reduce it to subserviency to the Government of Colombia in ten days or a fortnight.

Mr. Secretary Adams says that it is an international wrong to

deprive the sovereign or parent power of the right to reassert its authority if it can do so.

With reference to the same subject, in response to some resolutions introduced by Mr. Clay, the Great Commoner of Kentucky, in this House, Mr. Clay had been for a number of years in Congress after Congress offering resolutions to the House of Representatives with a view to the recognition of the revolted states of South America—nay, of the independent republics of South America that had asserted and maintained their independence—that had driven the governors and the armies of Spain into retirement. By the thunderings of his logic, by the persuasions of his eloquence, he demanded their recognition and maintained their authority for years. The President and the Department of State hesitated, and after these years had elapsed, in response to the resolutions of Congress, the President in his message said:

> The contest has now reached such a stage and been attended with such decisive evidences on the part of the contending nations that it marks the most profound consideration whether, from that period, we ought not to treat the new nations, with all the advantages incident to a full intercourse with the United States, as entitled to be received into the family of independent nations. Buenos Ayres assumed that rank by a formal declaration in 1816, and Chile and Mexico followed the example.
>
> The provinces composing the Republic of Colombia, after having separately proclaimed their independence, were united by a fundamental law of the 17th of December, 1819, and recognized as independent in 1821, and has since established a national form of government. The provinces of Buenos Ayres, Chile, and Mexico have also established a form of government for the assistance of Chile and Buenos Ayres, the representatives of which have arrived in this city.
>
> Of the proceedings in Mexico our information is less authentic, but it is nevertheless believed to be understood that the new government has declared the independence of that country, and there is now no opposition to it there, nor a force to remove it. Thus it is manifest that all these provinces are not only in the full exercise of their independence, but, considering the state of the war and other circumstances, that there is not the most remote prospect of their being deprived of it.

On the 4th of May, 1822, Congress recognized the independence of the South American states.

Mr. STEPHENS of Texas. From what does the gentleman read?

Mr. DINSMORE. I read from Wharton's International Law Digest. This outlines the course of the United States Government with reference to those revolted states in South America. Throughout their struggle, under the leadership of Bolivar, Miranda, Mosquero, and others, to achieve independence, to establish republics where liberty should prevail, the hearts of the whole Government of the United States, every Representative here, and every citizen throughout the land were touched. Every heart beat in response to their ambition, because it was so nearly akin to the inspiration that had given birth to our own great Republic.

Yet so careful, so prudent, were those in charge of our Government, lest they might commit some error and do that which would subject their country to censure, they waited years before they gave recognition. Now strike a contrast with the action of this Administration toward this sudden, mushroom Republic of Panama, forty-eight hours old when recognized.

Mr. GILBERT. Will the gentleman allow me to ask him a question?

Mr. DINSMORE. Certainly.

Mr. GILBERT. If it will not interfere with the continuity of your remarks, I would be glad to have you discuss what you think about the Administration having instigated and encouraged this insurrection at Panama?

Mr. DINSMORE. If the gentleman will wait a little while in patience, I will make a few remarks upon that subject.

Mr. GILBERT. All right.

Mr. DINSMORE (continuing). I hope with deference and becoming propriety.

This was the course with reference to the South American republics. This was the conduct of this Republic which at its birth became the noble ægis of liberty, of the manhood of man, of the independence of true republics throughout the world. What happened in Texas?

Mr. PERKINS. Will the gentleman allow me to ask him a question?

Mr. DINSMORE. With pleasure.

Mr. PERKINS. Do I understand the gentleman to say that he thinks the Government of the United States should not recognize another government until it is reasonably certain that that government by itself could establish its own independence?

Mr. DINSMORE. In answer to that question I will state to my friend that such has been the universal course that our Government adopts. I know there have been cases where recognition has been given to people in revolt against constituted authority, where the whole government has been overturned and a new government set up, more promptly than has been usual where a part of a government is in revolt against the parent establishment.

Mr. PERKINS. May I ask the gentleman another question?

Mr. DINSMORE. Certainly.

Mr. PERKINS. Does the gentleman think that the action of the French Government in 1778 in recognizing the Republic of the United States was justified or unjustified?

Mr. DINSMORE. Mr. Chairman, I am not here to speak for the French Government. I am here speaking in behalf of these principles which have been proclaimed and admitted by all the best and wisest of men of our own Government up to this period. [Applause on the Democratic side.]

Mr. PERKINS. Does the gentleman intend to say that when the French Government recognized and assisted the thirteen colonies in rebellion against England its conduct was justified or unjustified?

Mr. DINSMORE. There was so much noise about me that I did not quite understand the gentleman's question.

Mr. PERKINS. I ask the gentleman whether he intends to say that the conduct of the French Government when, in 1778, in our rebellion, it recognized the American colonies and assisted them, was justified or not justified?

Mr. DINSMORE. At the time that we received the recognition and assistance of the French Government she was at war with Great Britain.

Mr. PERKINS. Oh, no. The French Government recognized the United States, and as a result of that war was declared on France, and it was because she had recognized the independence of the United States. The gentleman is wrong in his recollection.

Mr. DINSMORE. England and France, Mr. Chairman, were engaged in war at that time.

Mr. PERKINS. Oh, no.

Mr. DINSMORE. I was in error.

Mr. WILLIAMS of Mississippi. They had been at peace in Europe, but at war in the East Indian countries.

Mr. PERKINS. My friend is wrong.

Mr. WILLIAMS of Mississippi. And this was a war measure.

Mr. PERKINS. For thirteen years there had been perfect and entire peace in India and in Europe.

Mr. DINSMORE. Mr. Chairman, let it suffice to say in response to my friend——

Mr. WILLIAMS of Mississippi. That is not so.

Mr. PERKINS. England declared war on France when France recognized the United States on the ground that it was an act of war.

Mr. WILLIAMS of Mississippi. It was recognized as a declaration of war; that is undoubtedly true. But another fact is historically true, and that is although there had been peace on the continent of Europe between France and Great Britain since this last great war hostilities had never altogether ceased in the Orient.

Mr. PERKINS. There my friend is wrong.

Hear what Secretary Adams wrote to Mr. Anderson May 27, 1823:

> When a sovereign has a reasonable hope of maintaining his authority against insurgents the premature acknowledgment of the independence of such insurgents would be an offensive act towards the sovereign. It is otherwise when such sovereign is manifestly disabled from maintaining the contest.

Mr. DINSMORE. Now, Mr. Chairman, whatever the facts may be with reference to what has been presented by my friend, it was done as an unfriendly act to Great Britain. But this is all irrelevant. The question has no relevancy to that which I am discussing here. As I remarked a moment ago, I am not here to stand sponsor for the correctness of the action of the powers of Europe, whether taken in our behalf or in behalf of somebody else. I am only trying, as a humble representative of the American Congress, to show that, according to the rules observed in our own country and ever adhered to, the duty is plain, and that there never has been a violation of it until this sudden action of this sudden President of the United States. [Laughter and applause on the Democratic side.]

When my friend asks me this question, I would like to know. I would like for him to inquire in his own conscience and of his own heart, whether he believes that the conduct of our Government hitherto, as shown here by what I have read to the House, has been just and proper and right, whether or not it is in keeping and harmony with the action of this Administration within the last month.

Here is the resolution:

> *Resolved*, That the independence of Texas ought to be acknowledged by the United States whenever satisfactory information shall be received that it has in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.

Suppose we should pass a resolution of that kind here. Suppose that the President of the United States had not intervened with the ships of war and the present Government of Colombia was free to overturn the rebellion which was organized on the Isthmus of Panama. Suppose that suddenly they had done what they did do and Congress was expressing its opinion. Would we pass a resolution like this; would we say that the independence of Panama ought to be acknowledged by the United States whenever satisfactory information shall be received that it is in successful operation with a civil government capable of performing its duties?

Why, the absurdity would be so great that every Member of this House would treat it as a stupid joke if it had been suggested.

There would be without our assistance an utter absence of ability to maintain its independence and perform its duties. Attend to the language of President Jackson further in regard to Texas:

> The acknowledgment of a new state as independent and entitled to a place in the family of nations is at all times an act of great delicacy and responsibility—
>
> This Administration does not seem to think so—
>
> but more especially so when such state has forcibly separated itself from another of which it had formed an integral part and which still claims dominion over it—
>
> This Administration does not seem to agree with this sentiment—
>
> It has thus been made known to the world that the uniform policy and practice of the United States is to avoid all interference in disputes which merely relate to the internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our particular interests and views or to the merits of the original controversy.
>
> "Without reference to our interests." Were the President and his Secretary of State acting without reference to our interests in recognizing this mushroom Republic? What was the motive? I leave it to each Representative to answer that question for himself. Was it a disinterested motive?
>
> It is scarcely to be imagined that a question of this character could be presented in relation to which it would be more difficult for the United States to avoid exciting the suspicion and jealousy of other powers and maintain their established character for fair and impartial dealings. But on this, as on every other trying occasion, safety is to be found in a rigid adherence to principle.

Have we come now to such conditions in this Government that we abandon principle? Have we come upon times when, whereas the ship of state used to be steered by the polar star of right, honor, and justice, to-day it is drifting with the tide and spreading its sail for every vagrant breeze that seems to bear toward a temporary gain or advantage?

But President Jackson continues:

> In the contest between Spain and the revolted colonies we stood aloof and waited not only until the political existence of the new states to protect themselves was fully established, but until the danger of their being again subjugated had entirely passed away. Then, and not until then, were they recognized. Such was our course in regard to Mexico herself. The same policy was observed in all the disputes growing out of the separation into distinct governments of those Spanish-American states who began or carried on the contest with the parent country united under one form of government.
>
> We acknowledged the separate independence of New Granada, of Venezuela and of Ecuador only after their independent existence was no longer a subject of dispute or was actually acquiesced in by those with whom they had been previously united. It is true that with regard to Texas the civil authorities of Mexico, having been expelled, its invading army defeated, the chief of the Republic himself captured, and all present power to control the newly organized Government of Texas and united within its confines. But on the other hand, there is in appearance at least an extensive disparity of physical force on the side of Texas. The Mexican Republic under another executive is marshaling its forces under a new leader and menacing a fresh invasion to recover its lost dominion.

And therefore—

Said stern old Andrew Jackson—

> as long as this condition continues, notwithstanding the armies have been defeated and expelled, notwithstanding the President of that Government has been captured, and notwithstanding that there is not within the confines of Texas any force to threaten the integrity, sovereignty, or independence of the state, yet another leader is organizing and it may be that he will be able to reassert the power and authority of Mexico, and therefore we will withhold our hand.

But President Jackson cites further on another reason why we should do so:

> Upon the issue of this threatened invasion the independence of Texas may be considered as suspended, and were there nothing peculiar in the relative situation of the United States and Texas, our acknowledgment of its independence at such a crisis could scarcely be regarded as consistent with that prudent reserve with which we have guided our conduct in all similar cases. But there are circumstances in the relations of the two countries which require us to act on this occasion with even more than our wonted caution. Texas was once claimed as a part of our property, and there are those among our citizens who, always reluctant to abandon that claim, can not but regard with solicitude the prospects of the reunion of the territory of this country.
>
> A large portion of its civilized inhabitants are emigrants from the United States, speak the same language with ourselves, cherish the same principles, political and religious, and are bound to many of our citizens by ties of friendship and kindred blood, and, more than all it is known that the people of that country have instituted the same form of government with our own, and have, since the close of your last session, positively resisted, or the acknowledgment by us of their independence, to seek admission into the Union as one of the Federal States. This last circumstance is a matter of peculiar delicacy and forms upon its consideration one of the gravest character.
>
> The title of Texas to the territory she claims is identified with her independence. She asks us to acknowledge that title to the territory with an avowed design to treat immediately of its transfer to the United States. It becomes us to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory with a view to its subsequent acquisition by ourselves.
>
> Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of that country to maintain their separate sovereignty and to uphold the Government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long-established policy of our Government, a policy which has secured to us respect and influence abroad and inspired confidence at home.

[Applause on the Republican side.]

Oh, for the presence of an Andrew Jackson to-day to bring us back to the safe and honorable course our nation pursued in his time with reference to its relations and duties to sovereign states of the great family of states. [Applause on the Democratic side.]

Now, Mr. Chairman, I have alluded to our course with reference to the South American states and to Texas. I want to call attention to another epoch in our country's history. Mr. Secretary Hay, in his young manhood, sat at the feet of Abraham Lincoln and Mr. Seward and learned statecraft.

In 1860 a number of the States in this Federal Union revolted and set up independence and attempted secession. When there were six of these States organized into a confederacy, and later on eleven, holding possession of a vast domain including the territory of those States—with no part of it in the hands of the parent Republic save a little border here in Virginia and Fort Pickens—when they had an army of 100,000 in the field, which army armed and equipped, in the first pitched battle of the war drove back the Union forces in a wild rout upon Washington from Bull Run—with a government organized, a president and his cabinet, a congress, a judiciary, State governments enforcing the law, appealing for independence to the civilized world—the officers of this Government then had a different opinion of the duty of nations with reference to the recognition of independence and sovereignty.

Instructions were sent out from this Government to our ambassadors and ministers abroad to protest against any recognition of the independence of the revolting States. The feeling of friendship of the powers was appealed to. The obligation of duty was appealed to. In presenting our case to Great Britain attention was specifically called by the Secretary of State to the fact that she had colonies around the world; that if Ireland and Scotland were in happy contentment within the dominion of the parent government, her colonies extended to the uttermost parts of the earth, and what would Great Britain think if some great sovereign power would recognize the independence of her revolted colonies?

Would she regard it as an act of friendship? Would she regard it as a proper observance of international comity and obligation? She was appealed to by the Government of the United States and its constituted authorities.

Mr. Secretary Hay is not acting to-day in accordance with his early teaching in statecraft.

The appeal went from the Federal Government of the United States to the Governments of Europe, protesting against the recognition of independence, and was viewed from the standpoint of this Federal Government at the time, and in accordance with all observances of international law, a just and correct appeal.

Mr. WM. ALDEN SMITH. Mr. Chairman, I would like to ask the gentleman from Arkansas which course he thinks was right—the one formerly pursued and taught to Secretary Hay or the one that he is now exercising.

Mr. DINSMORE. That the Secretary is exercising?

Mr. WM. ALDEN SMITH. Yes.

Mr. DINSMORE. I think the course first pursued was right, and I have just this moment said so, and I say that, coming from the Federal Government, it was a just appeal to the international conscience of the world, because this Government had not abandoned hope of coercing the seceding States. Indeed, she felt sure of doing so, and afterwards succeeded.

Mr. WM. ALDEN SMITH. Then the gentleman from Arkansas regards it as wise that the revolting States were not recognized as sovereign.

Mr. DINSMORE. Now, I can not blame my friend from Michigan. He is a skillful debater himself and is full of resources, and I know it would make his heart glad if he could divert this discussion from the merits of the question involved in it to the question of the right of secession by the Southern States; but I can not gratify my friend, much as I love him, in this respect. That question is not involved here and has no relevancy. [Applause and laughter on the Democratic side.]

I shall not pause further to read the correspondence which is recorded, to read the circular instructions which were sent out from the Federal Government at that time, but will insert them with my remarks in the RECORD.

You are aware, of course, that the election of last November resulted in the choice of Mr. Abraham Lincoln; that he was the candidate of the Republican or Antislavery party; that the preceding discussion had been confined almost entirely to topics connected directly or indirectly with the subject of negro slavery; that every Northern State cast its whole electoral vote (except three in New Jersey) for Mr. Lincoln, while in the whole South the popular sentiment against him was almost absolutely universal. Some of the Southern States immediately after the election took measures for separating themselves from the Union, and others soon followed their example. Conventions have been called in South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, and these conventions, in all except the last named State, have passed ordinances declaring their secession from the Federal Government. A Congress composed of representatives from the six first-named States, has been assembled for some time at Montgomery, Ala. By this body a provisional constitution has been framed for what it styles the "Confederate States of America."

It is not probable that persons claiming to represent the States which have thus attempted to throw off their Federal obligations will seek a recognition of their independence by the Emperor of Russia. In the event of such an effort being made, you are expected by the President to use such means as may in your judgment be proper and necessary to prevent its success.

The reasons set forth in the President's message at the opening of the present session of Congress in support of his opinion that the States have no constitutional power to secede from the Union are sound, unanswerable, and are believed to be generally accepted. The grounds upon which they have attempted to justify the revolutionary act of severing the bonds which connect them with their sister States are regarded as wholly insufficient. This Government does not acknowledgement its constitutional jurisdiction within the territory of those States, and does not desire to do so.

It must be very evident that it is the right of this Government to ask of all foreign governments that the latter shall take no steps which may tend to encourage revolutionary movements in the southern States of America, to the danger of disaffection in those that still remain loyal. The President has assured that the Government of the Emperor will not do anything in these affairs inconsistent with the friendship which has so happily subsisted and always happily so persisted from personal considerations. If the independence of the Confederate States should be acknowledged by the great powers of Europe it would tend to disturb the friendly relations now happily so prominent, now existing between those powers and the United States. All those are considerations which the sagacity of the Emperor will not fail to see are adverse to the interests of Russia as well as to those of this country.

Your patriotism knows the good of our political institutions well enable you to explain satisfactorily the causes of our present unusual troubles and the grounds of the hope that confidence that entire harmony will soon be restored. (Mr. Fox's Sec. of State, Washington, to U. S. minister 18 Sbrend, Feb. 28, 1861. MSS. Inst. Russia Dep. Corr., 186.)

My predecessor in his dispatch No. 10 addressed to you on the 28th of February last, instructed you to use all proper and necessary measures to prevent the success of efforts which were made in persons claiming to represent these States of America, in whose name a provisional government has been authorized to procure a recognition of their independence by the Government of Spain.

I am now instructed by the President of the United States to inform you that having assumed the administration of the Government in pursuance of an unquestionable election and of the functions of the Constitution, he renews the instructions which I have mentioned and relies upon the exertion of the greatest possible vigilance and fidelity on your part to counteract and prevent the designs of those who would invoke foreign intervention to embarrass or overthrow the Republic.

When you reflect upon the novelty of such designs, their unfriendliness and revolutionary character, and the long train of evils which must follow direct or consequentially from even their partial or temporary success, the President feels assured that you will justly appreciate and cordially approve the caution which prompts this communication.

I transmit herewith a copy of the address pronounced by the President on taking the constitutional oath of office. It sets forth clearly the errors of misguided partisans who are seeking to dismember the Union, the grounds on which the conduct of those partisans is disapproved, and also the general policy the Government will pursue with a view to the preservation of domestic peace and order, and the maintenance and the preservation of the Federal Union.

You will lose no time in submitting the address to the Spanish minister of foreign affairs, and in assuring him that the President of the United States entertains a full confidence in the speedy restoration of the harmony and unity of the Government by a firm yet just and liberal bearing, cooperating with the deliberate and loyal action of the American people.

The United States have had two many assurances and notable instances of the friendship and good will of Her Catholic Majesty to entertain any doubt of that these considerations, and such others as your large experience of the working of our Federal system will suggest, will have their just influence with her, and will prevent Her Majesty's Government from yielding to solicitations to intervene in any manner, by way in the domestic affairs of our country. (Mr. Seward, Secretary of State, circular, instructs instructs to United States ministers abroad, March 9, 1861. MSS. Inst. Spain; Dip. Corr., 1861.)

To recognize the independence of a new state and so favor possible determination of a portion of the family of nations is the highest prerogative of sovereign power, because it affects in many ways the welfare of both nations and often the peace of the world. In this European system this power is exercised in a manner to be expressed without invoking the consideration of congress of nations. That system has not been extended to this continent. But there is even a greater necessity for prudence in such cases in regard to American states than in regard to the nations of Europe.

A revolutionary change of dynasty or even a change of organization and recombination of existing States, therefore, do not long or deeply affect the general interests of society, because the ways of trade and business of society remain. Not the less a radical change of the kind in Europe and nations may, on occasion, be followed, as it usually has been, by wars of a magnitude, would therefore the sympathy of mankind the world.

But society has indeed little to hope for if it shall in this age of high improvement be doubted without a trial that the principle of international law which ensures nations as moral persons, bound so to act as to do to each other the least injury and the most good, is usually an abstraction to be refined to be reduced into practice by the contingencies and [illegible] of actual human society. Search the lists of this principle the several nations of the earth could unite into one great federal republic. When one of them casts its antlerges for the mountains and a new member into that republic thought to be not under a paternal system of moral obligations and to be governed by considerations as have been temporal, and elevated as the general interest. If society and the advancement of human nature.

The British Empire itself is an aggregation of divers communities which cover a large portion of the earth's surface. [illegible] Some, at least, of these communities are [illegible] powers in that system by forces as formidable as the combination of our Federal Union. The south Wales [illegible] is [illegible] by land strongly. These states, though it will be of a different kind from that which is trying to secede from our confederation. Would it be wise for Her Majesty's Government to encourage the disposition to set a dangerous precedent or provoke retaliation? If Scotland and Ireland are at last reduced to great consequence, has Great Britain no dependency, island, or province left exposed along the whole circuit of her Empire from Gibraltar through the West Indies and Canada till it begins again on the southern extremity of Africa? (Mr. Seward, Sec. of State, to Mr. Adams, Apr. 10, 1861. MSS. Inst., Gr. Brit.; Dip. Corr., 1861.)

Now, Mr. Chairman, let us for a few brief moments consider the transactions touching the new, glorious Republic of Panama.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUNDIDGE. Mr. Chairman, I yield to the gentleman such time as he may desire.

Mr. DINSMORE. I thank my colleague. I shall not consume much time further, but I do want to speak for a few moments with reference to what has been actually done in Panama, and to strike the contrast with what has been done uniformly in similar cases throughout the glorious history of the past. In the introductory part of my remarks I referred to the conditions existing in Panama.

Let us go back to the Hay-Herrera treaty, and the Spooner law authorizing and directing the President of the United States upon a failure of the terms of the agreement being carried out with Colombia to enter upon negotiations to construct the canal by the Lake Nicaragua route. All that has failed. I have already called attention to the fact that the President ignored his duty and disobeyed the law. He turned his attention to Panama.

What was the relation existing between the Government of the United States and Colombia at the time the disturbance arose? There was a treaty of commerce and friendship between those powers. The United States in 1846 negotiated and ratified and put into effect a treaty with New Granada, which was the same Government by another name as that now established in the Republic of Colombia, from which I shall read the greater part of article 35:

And in order moreover to facilitate the mutual and constant intercourse between the inhabitants of the said contracting nations, and to render it free and easy, the United States of America, on the one part, guarantee to New Granada, the rights they have and shall have, in the isthmus of Panama, from its southernmost extremity until the boundary of Costa Rica, all the privileges, properties, and possessions concerning transit, and all other which it has now or may hereafter be entitled to by Granadian citizens, their vessels and merchandise, and the facilities of those shall be equal to the passengers, correspondence and merchandise of the United States in their transit across the said territory from one sea to the other.

The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the isthmus of Panama upon any kinds of conveyance that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce manufactures or merchandise, of lawful commerce belonging to citizens of the United States, that may pass from one sea to the other, in either direction, for the purpose of exportation to any other foreign country shall not be liable to any higher duties whatever, or having paid such duties, they shall be exempt from drawback upon their exportation, nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said isthmus.

And in order moreover to insure to the United States the enjoyment of these advantages and to secure perpetuity to the said advantages and privileges they have acquired by the treaty in this and other respects of this treaty the United States guarantee positively and absolutely to the New Granada, by the present stipulation, the perfect neutrality of the isthmus aforementioned, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in time of war between any nations now at war.

Now, the President stops there in the statement of our obligation, but makes no mention of the obligation expressly assumed by us—

Efficaciously to maintain the sovereignty of the Colombian Government over the Isthmus of Panama.

Why he does refrain from doing so I can not say.

This is the language I want particularly to call attention to:

The treaty vested in the United States substantial property rights carved out of the rights of sovereignty and property which New Grenada then had and possessed over the said territory.

We acquired a right of property! In what letter or line of that treaty is property acquired that is carved out of the sovereignty of Colombia? If there was a carving of the sovereignty of Colombia it has been conveyed to us by this treaty. What sovereignty? We were given a mere easement across the land. Property!

An easement which we could not convey, trade, devise, or otherwise dispose of to anybody else in the world. There was a like obligation assumed by each in favor of the other, that each for the other would protect open communication of commerce across the Isthmus. Assuming that it is necessary in faithfully performing this obligation to Colombia, when the Department of Panama under the sovereignty of Colombia revolts the President uses the naval force to prevent Colombia from landing troops to suppress the rebellion. Not only may they not land on the railroad, the thoroughfare of commerce, but not at any other place within the Department of Panama. We find that he has ships patrolling up and down the coast for the purpose of keeping free communication of trade. He has marines posted inland for the same purpose.

Why, Mr. Chairman, it has only been a few months since there was war upon that Isthmus. There was another insurrection that would have overturned the authority of the Government, most likely, but for this same position maintained by our Government. But in that instance, while not avowedly so, it is quite clear from the conduct of the Government officials the interposition was in favor of the Colombian Government as against the rebels.

Was there any difficulty then in keeping free the communications of trade? Not at all. War was going on, the country was overrun by the contending forces, but the establishment of a sentinel in the uniform of the United States Government along the road of trade was sufficient to keep transit open. Both parties respected it. They respected the superior power of this Government. They would not interfere with or bring themselves in collision with the authority of the United States, and thus it was easy to keep open the communication.

our conduct in the infraction of that obligation. The President of the United States and the Secretary of State acting the part of a friendly power, ships of war are sent to Colon and to Panama. Immediate orders are issued not to allow any troops to be landed by the Colombian Government. Why? In the name and for the purpose of keeping open communication of commerce—in pursuance of the obligation assumed by the Government of the United States in that treaty to keep open the communication of trade.

To whom did the United States assume that obligation? It was to Colombia. It was to Colombia that she pledged her faith that that communication should be kept open. But now under that pretense—I will not say pretense, but for that express purpose—a friend by my side suggests "ostensible purpose," but I will refrain from using any term that might give offense to a sensitive nature.

Mr. GAINES of Tennessee. Will my friend yield for a moment?

Mr. DINSMORE. With pleasure.

Mr. GAINES of Tennessee. I have been absent for a few moments and I have not heard all that the gentleman has said, so pardon me for making a statement already possibly made by my friend. I saw a Colon paper a few days ago, and it stated that Captain Black, of our Navy, had raised the Panama flag, and that afterwards the municipal authorities passed resolutions thanking our officers and our marines for voluntarily aiding the Panama people in doing what they did.

Mr. DINSMORE. I thank my friend for the suggestion. But, Mr. Chairman, I was saying that it was to the Government of Colombia that we assumed the performance of this duty, and not to anybody else. It is true that the President of the United States seems to have formed a new conception of late, and in his correspondence the Secretary of State declares that the President recognizes an obligation which he owes to the world. I will read that later on; but in this connection let us refer to some other language used by the President.

In the year 1846 this Government entered into a treaty with New Granada, the predecessor upon the isthmus of the Republic of Colombia and of the present republic of Panama, by which compact it was provided that the citizens of the United States should have free transit across the isthmus by any mode of conveyance that might then exist or thereafter be established, and that in consideration of this right of way or transit the United States guaranteed to New Granada the perfect neutrality of the isthmus aforementioned, believing with the view that the free transit from the one to the other sea might not be interrupted or embarrassed.

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But in this instance the authority in Washington, the executive power of the Government, says that Colombia shall not be permitted to land any troops, and that this is necessary in performance of her treaty obligations.

It was suggested to me a moment ago to read from a paper, and I have it here, that marines have been landed and established along the lines of the railway. Let me find that communication because it gives it. Here it is. This is dated December 8, and I suppose is by the Associated Press:

CAMP OF THE MARINES AT EMPIRE IS ON TRAIL LIKELY TO BE USED BY COLOMBIAN TROOPS IN CASE OF HOSTILITIES. MORAL EFFECT ON PANAMA GOVERNMENT CONSIDERED IN LANDING MARINES. COMMISSIONERS AMADOR AND BOYD WELCOMED.

CULEBRA, *December 8.*

A company of marines from the United States auxiliary cruiser *Dixie*, under command of Capt. Wirt McCreary, were landed here this morning and took a train for Empire, a town on the railroad near Panama, where a camp was established in the canal company's buildings. Another company of marines to the number of fifty from the *Dixie* left on the afternoon train for Empire.

STATED AND ACTUAL PURPOSE.

The stated official purpose of this movement is to give the marines practice in the building of camps and to provide relief from their long confinement on the vessel. The actual purpose of the United States Government in [illegible] is to prevent the landing of the marines may have on the [illegible] Panama, the loyalty of which, though it is officially [illegible] with the landing of the marines may have on the [illegible] Panama, the loyalty of which, though it is officially [illegible] [illegible] Panama and the [illegible] effort on the part of a few army officers to persuade the garrison to revolt.

A STRATEGIC POINT.

It is considered [illegible] that the point selected for the encampment of the [illegible] is the highest and best [illegible] [illegible] mountain fastnesses, from which it would be more difficult to [illegible] that the naval authorities took into consideration the [illegible] the Colombian Government of the establishment of a marine camp at Empire.

Mr. Chairman, these troops of Colombia, whose hearts were so fired by patriotic desire to see independence established in Panama that they deserted their allegiance to the parent State and joined the rebel throng that declared independence in Panama, it seems are likely to be disloyal to their new fealty, and they are afraid of them, and the United States, according to the opinion that somebody expresses here (I do not assert it as my own), is landing marines by which to prevent the Colombian army from landing troops to overthrow that Republic.

But just in this connection here is another statement from the press, a dispatch from Panama, dated November 29, showing that these new-born patriots think it is necessary to continue to hold out inducements to secure our further protection. They seem to think that we are to be influenced through our cupidity.

The dispatch reads as follows:

[Washington Post, November 30.]

EXPANSION BEING URGED—PANAMA NEWSPAPERS ASK GOVERNMENT TO OCCUPY NUMBER OF ISLANDS.

PANAMA, *November 29.*

The newspapers of the Isthmus are asking the Government of the Republic of Panama to occupy and establish sovereignty over the islands of San Andreas, Providence, and Albuquerque as well as other smaller islands in the Caribbean Sea, in longitude 84, as the territorial limits of the new republic are between longitude 76 and 84. Jurisdiction of Bolivar through exercised by the seventy-eighth degree of longitude has hitherto exercised control over the islands, which English only is spoken.

The newspapers propose that the Government shall negotiate for the transfer of the islands to the United States for use as a coaling station.

They seem to know our weakness for islands. They have seen made manifest our extreme fondness for the acquisition of islands in the past, and they hope, according to this statement, that they may seize from the Government of Colombia some of the islands that do not belong to Panama and trade them to the United States as coaling stations, or give them to them, or negotiate for a transfer to the United States for some consideration not expressed.

Mr. GILBERT. Will the gentleman allow me to ask him a question?

Mr. DINSMORE. Certainly.

Mr. GILBERT. The gentleman has repeatedly said in his remarks the "Republic of Panama." Is there any Republic of Panama? Was not that treaty signed by a self-constituted junta?

Mr. DINSMORE. I call it "the Republic" because the United States Government has called it a republic and has recognized it as a republic and because the United States Government is able to make it a republic whether it is or not. [Applause.] I made the remark in the outset that the United States had created it, is responsible for it, and that it owes its present existence and continuance to the authority of the United States.

Mr. GILBERT. But, in fact, the treaty was signed by a self-constituted junta?

Mr. WILLIAMS of Mississippi. In that connection, if the

gentleman from Arkansas will excuse me, in reply to what has been said in sort of a disrespectful way about the Republic of Panama by the gentleman from Kentucky [Mr. GILBERT], I wish to say that I am satisfied that the gentleman from Kentucky never read the battle hymn of the Republic of Panama. If he had, he would have treated the Republic with more consideration. Will the gentleman from Arkansas permit me to read the battle hymn of the Republic of Panama?

Mr. DINSMORE. With pleasure.

Mr. GILBERT. I never made any disrespectful remarks about the Republic of Panama; I simply wanted to know if the Republic had any existence.

Mr. WILLIAMS of Mississippi. I am satisfied from the gentleman's well-known courtesy that if he had read the literature of the Republic that has already come out in the Federal capital, the "Battle hymn of the Republic," he would never have been disrespectful to them. Here it is:

BATTLE HYMN OF PANAMA.

From mountain height of freedom
Was our glad news flung outward,
And we souls of no pretensions plaudits,
Forging souls heard round the world.
Times have flagged since gory heroes
Of their lights for country bragged;
Mad no war shouts fire our standard,
But our courage never flagged.

For we sat in secret conclave
When we built up our state
Sons of freedom, men and matrons,
Sought room and to date
Lend our wires with skill artistic,
Planning against untoward caps,
With much faith in business methods
And an Uncle who knows.

No long list of dead and wounded
Came to our virgin shrine,
Though against the constitution
We set out for freedom's sake;
But we've shown how in short heroes,
Free from wind, unscathed by hate,
Can, without praise or clamor,
Build republics where you wait.

WILLIAM TIPTON TALBOTT.

[Laughter and applause.]

Mr. DINSMORE. Mr. Chairman, I thank my friend from Mississippi for this acquisition to my speech, which I think will improve it very much. [Laughter.] I want to say in this connection that I trust my friends will allow me to proceed without further interruption, because I am conscious that I am trespassing upon the patience of the House, and I promise now to be brief.

I know their suggestions are made in good part and in kindness and that if the points they suggest could be argued out it would add very much to the discussion, but I would be glad to finish my remarks briefly.

I want to call attention now to the record to show to the country what we have done with reference to this new Republic. It has been suggested that it could not rise to the dignity of a republic; that it was but the action of a little junta, irresponsible, acting under the protection of the Government of the United States; that it was and is a motley crew composed of irresponsible persons, rebel soldiers from the Colombian army, and adventurers, the rats that fled from the sinking ship of the old Panama Canal Company and took refuge in the new company, refuge from the penalties of violated laws, being allowed by France to condone for felonies by renewed effort to build the canal.

Felons, men whose acts had been accompanied with fraud and rascality—it was these who constituted a part, at least, of the patriots who put up the Panama flag and ushered into existence this new Republic.

Did the President of the United States act with the deliberation and prudence and careful regard for the honor of the country that have characterized our action in every instance in the past where we have been called upon to recognize the independence of a new state?

President Polk, as I read to you a while ago, had stated what the condition of Panama was as to population and strength. Well, what is the relative strength of Panama now as compared with Colombia?

The relative areas of Colombia and the Department of Panama are as follows: Colombia, not including Panama, 500,858 square miles; Panama, 32,388 square miles; Colombia, population, not including Panama, 3,593,000; Panama, population, 285,000.

The Colombian Government thus appears much greater in wealth, in population, and in area—greater in every respect; and no one can cherish the slightest doubt that if left to herself the Government of Panama would suppress the insurrection against her authority and reassert her dominion.

In the face of this disparity of power and population—in the face of that treaty by which the United States has pledged itself efficaciously to maintain the sovereignty of Colombia on the Isthmus of Panama—as against every precedent established by our Government in an honorable career for more than a hundred years, the President of the United States and the Secretary of State plunged into the first possible opportunity to give recognition to this new Republic and to shield it by the military force of this Government.

Let us see the correspondence as furnished to the House by the Secretary of State in response to the House resolution:

Mr. Loomis to Mr. Ehrman.

DEPARTMENT OF STATE,
Washington, November 3, 1903.
(Sent 3.40 p. m.)

Uprising on Isthmus reported. Keep Department promptly and fully informed.

LOOMIS, *Acting.*

Mr. Ehrman to Mr. Hay.

PANAMA, *November 3, 1903.*
(Received 8.15 p. m.)

No uprising yet. Reported will be in the night. Situation is critical.

EHRMAN

Mr. Ehrman to Mr. Hay.

[Telegram.]

PANAMA, *November 3, 1903.*
(Received 9.50 p. m.)

Uprising occurred to-night. 6; no bloodshed. Army and navy officials taken prisoners. Government will be organized to-night, consisting three consuls, also cabinet.

He seems to have known all about what was going to happen "to-night," and he says that these officers will be appointed to-night.

Soldiers changed. Supposed same movement will be effected in Colon. Order prevails so far. Situation serious. Four hundred soldiers landed Colon to-day Barranquilla.

EHRMAN.

Mr. Loomis to Mr. Ehrman.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 3, 1903.
(Sent 11.18 p. m.)

Message sent to *Nashville* to Colon may not have been delivered. Accordingly see that following message is sent to *Nashville* immediately:

"NASHVILLE, *Colon:*

"In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge. (Signed) DARLING, *Acting.*"

Secure special train, if necessary. Act promptly.

LOOMIS, *Acting.*

Mr. Loomis to Mr. Ehrman.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 5, 1903.
(Sent 12.02 p. m.)

Communicate with commander of gunboat *Bogota* and state plainly that this Government, being responsible for maintaining peace and keeping transit open across Isthmus, desires him to refrain from wantonly shelling the city. We shall have a naval force at Panama in two days and are now ordering men from the *Nashville* to Panama in the interests of peace.

LOOMIS, *Acting.*

Mr. Ehrman to Mr. Hay.

[Telegram.]

PANAMA, *November 5, 1903.*
(Received 7.10 p. m.)

Mass meeting held. Independence publicly declared. Three consuls approved organic government, composed Federico Boyd, José Agustin Arango, Tomas Arias. *Bogota* in sight.

EHRMAN

Mr. Ehrman to Mr. Hay.

[Telegram.]

PANAMA, *November 5, 1903.*
(Received 9.50 a. m.)

Cables *Nashville* received. *Nashville* notified. Troops will not be moved. Last night insurgent *Bogota* fired several shells on city; one Chinaman killed. *Bogota* threatens bombard city today.

EHRMAN.

Mr. Ehrman to Mr. Hay.

[Telegram.]

PANAMA, *November 5, 1903.* (Received 12.50 p. m.)

Received an official circular letter from the committee of the provisional government stating that on the political troubles occurred and the Department of Panama withdraws from the Republic of the United States of Colombia, constituting the Republic of Panama.

Requested to acknowledge the receipt of circular letter.

EHRMAN.

Mr. Loomis to Mr. Ehrman.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 5, 1903. (Sent 3.15 p. m.)

Acknowledge the receipt of circular letter and await instructions before taking any further action in this line.

LOOMIS, *Acting.*

Mr. Loomis to Mr. Ehrman.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 5, 1903.
(Sent 5.00 p. m.)

Keep Department informed as to situation.

LOOMIS, *Acting.*

Mr. Ehrman to Mr. Hay.

[Telegram.]

PANAMA, *November 5, 1903.*
(Received 9.42 p. m.)

Colombian troops reembarked per Royal Mail for Carthagena. *Bogota* supposed at Buenaventura. Quiet prevails.

EHRMAN.

Mr. Ehrman to Mr. Hay.

[Telegram.]

PANAMA, *November 6, 1903.*
(Received 11.55 a. m.)

The situation is peaceful. Isthmian movement has obtained so far success. Colon and interior provinces have enthusiastically joined independence. Not any Colombian soldiers known on isthmian soil at present. *Padilla* equipped to pursue *Bogota*. Buenaventura Varilla has been appointed officially confidential agent of the Republic of Panama at Washington.

EHRMAN.

Mr. Hay to Mr. Ehrman.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 6, 1903.
(Sent 12.51 p. m.)

The people of Panama have, by an apparently unanimous movement, dissolved their political connection with the Republic of Colombia and resumed their independence.

When you are satisfied that a de facto government, republican in form, and without substantial opposition from its people has been established in the State of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all due action so to protect the persons and property of the citizens of the United States and to keep open the isthmian transit in accordance with the obligations of existing treaties governing the relations of the United States to that territory."

Communicate above to Malmros, who will be governed by these instructions in entering into relations with the local authorities.

HAY.

(Signed)

Now, I want the House to consider the suggestions of this telegram.

When you are satisfied that a de facto government, republican in form, and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it * * * and look to it for all due action to protect the persons and property of the citizens of the United States and to keep open the isthmian transit.

Why, Mr. Chairman, while the terms of the treaty of 1846 were in force between the Government of the United States and Colombia and we were controlled by those terms, whenever there was any slight suspicion that there might be an interruption of the free communication of trade on the Isthmus of Panama the Government of the United States never was known to appeal to the Colombian Government to protect it, but we went there and said: "We will protect it; we will protect it even if we have to do so in opposition to the forces of Colombia trying to maintain its own sovereignty on the Isthmus, a sovereignty which we have pledged specifically and efficaciously to maintain ourselves."

But here Mr. Hay instructs his representative that we must rely now upon the force of this new Republic to maintain the communication of trade across the Isthmus of Panama. We have now somebody who can do it. We can rely upon Panama. We could not rely upon Colombia, if we are to judge of the action of the United States Government in assuming to do this protecting itself in every instance. Does the House think that Panama would be a sure and safe reliance?

Here is another dispatch from Mr. Hay. Now, mark you, the dispatch just read was sent at 12.51 p. m. and is signed "Hay." The next is from Mr. Hay to Mr. Ehrman and was sent at 2.45 p. m., a little less than two hours after the other. It is as follows:

DEPARTMENT OF STATE,
Washington, November 6, 1903.
(Sent 2.45 p. m.)

I send, for your information and guidance in the execution of the instructions cabled to you to-day, the text of a telegram dispatched this day to the United States minister at Bogota:

"The people of Panama having by an apparently unanimous movement dissolved their political connection with the Republic of Colombia and resumed their independence, and having adopted a government of their own, republican in form, with which the Government of the United States of America has entered into relations, the President of the United States, in accordance with the long and friendly relations which have always existed between the respective nations, and earnestly commends to the Government of Colombia and of Panama the peaceful and equitable settlement of all questions at issue between them.

"He holds that he is bound not merely by treaty obligations, but by the imperative dictates of civilization, to see that the peaceable traffic of the world across the Isthmus of Panama shall not longer be disturbed by a constant succession of unnecessary and wasteful civil wars."

HAY.

At 12.51 p. m. he says to Ehrman:

When you are satisfied that a de facto government, republican in form * * * has been established * * * you will enter into relations with it as a responsible government of the territory.

Two hours afterwards the Secretary of State, I can imagine, said to himself, "Now, Ehrman may misinterpret my instructions sent to him, and I shall send him a specific dispatch which shall be his guide in carrying out these instructions," and this is a dispatch which he sends to the minister at Bogota and in which he says that a government is established with which "the Government of the United States has entered into relations."

Less than two hours after he sent the dispatch instructing him to enter into relations with Panama when he is satisfied that a de facto government exists he sends this dispatch, telling him how to enter into those relations, he wires him that he has telegraphed to the minister at Bogota that we have entered into relations with them and that they are a government de facto and an independent State!

Mr. WILLIAMS of Mississippi. Will the gentleman from Arkansas excuse me for a moment? I would like to hand to him an editorial which appeared in the Washington Post, showing how deliberately sudden this all was. [Laughter.]

Mr. DINSMORE. Very well. In this connection, Mr. Chairman, let me ask if it does not seem to the House that these two telegrams, instead of being signed "Hay," should have been, like the others, signed "Hay, Acting?" [Applause and laughter on the Democratic side.] Does not this seem to be an opera bouffe performance, where all the dramatis personæ are acting the parts, I will not say to which they have been assigned, but which they have chosen for themselves? How well they know their lines and their cues and their comings in and goings out.

How beautifully the play proceeds! Why, in all the performance there has been but one faux pas, and that was when Loomis, in acting, came onto the stage too soon and got in ahead of the revolution, as is shown in the first dispatch. [Applause and laughter on the Democratic side.]

Uprising on Isthmus reported. Keep Department promptly and fully informed.

LOOMIS, *Acting.*

PANAMA, *November 3, 1903.*
(Received 8.15 p. m.)

No uprising yet. Reported will be in the night. Situation is critical.

EHRMAN.

That is the one faux pas in all the performance. If Loomis had not come upon the stage so early this play would have been carried through to the end as a beautiful success. What an opportunity here for histrionic genius! What a fertile field is here afforded for the Francis Wilsons and the Frank Daniels of the country!

The great respect I have for the people engaged in this drama can scarcely restrain me from anticipating the cast myself and naming it for the performance; and if, in the transformation that is constantly occurring in this erstwhile Republic of ours, there were not some doubt as to whether lèse majesté may obtain, I might expect some enterprising playwright to launch upon the stage a new but successful comic opera entitled "The Mother of Panama." [Laughter on the Democratic side.]

But, Mr. Chairman, this is not a proper subject of jest. It is a serious matter. We have reversed the precedents of a century of honorable and just dealing. We for the first time have overturned the safe doctrines laid down by such men as Adams and Monroe and Jackson, and without sufficient excuse, in my humble judgment.

They say that the course of the President is popular in the country because it simplifies the situation and makes it possible now for the President to build a canal. He could have built the canal, as I have already said, in obedience to the Spooner law, without the violation of a single principle of national integrity—without the overturning of a single precedent laid down for our safe conduct by the statesmen who have gone before us; a canal which would have served the purpose, bringing in communication the two great oceans for the carrying of trade for the world, and still the integrity of the country would have been maintained.

But, Mr. Chairman, the Administration have not seen proper to do so. They have rushed precipitously into this matter, and neglected the demands of the Spooner law.

What did we obtain in the Isthmus, and what did this supposed Republic of Panama obtain by the treaty which has just been signed, negotiated with the representatives of the Panama Republic? Read it, if you have not already done so. We get a 10-mile zone, 5 miles from each side of the center of the canal across that Isthmus, in sovereign right for the United States, that including the railroad property there, but subject to rights to be acquired hereafter.

What does Panama get? She gets the $10,000,000 and the worthless shell that envelops the kernel which she gives to us. That is what she gets. But if the Republic of Panama is indeed and in truth the new canal company, she gets whatever price we may have to pay her for that company's rights in the Isthmus, and which are mentioned in the treaty with Panama as to be subsequently acquired.

The price put upon this property when it was believed that we were about to negotiate with Nicaragua and construct a canal by that route was, I believe, $40,000,000. That was when they thought they were about to lose the opportunity to sell it to us; but when we have turned our attention from Nicaragua to Panama, when the President has been led into the trap laid for him by this Panama Canal Company, and we have paid her $10,000,000 upon the exchange of ratification of this treaty, when it shall come about, and they have the $10,000,000, then what is going to be the price on their franchise and property in the Isthmus of Panama? Do you think it will be less? If the new canal company is the Republic of Panama, they get the $10,000,000 and whatever they may exact from us in the future.

But there is another phase of this question to be considered. Already there are murmurings of discontent in Europe. The Republic of Colombia was heavily in debt, and when under international observance and obligation a sovereignty is set up within its dominion, independent of the Colombian Government, that sovereignty must assume its proportionate share of the debt which was owed by Colombia.

Is Panama responsible? Where are her assets? With what is she going to pay this debt? Will she pay it with the $10,000,000? Ah, no. If the New Panama Canal Company are into this bargain, the $10,000,000 will have already sunk into the deep pockets which engulfed so long ago so many millions of francs from the poor people of France in the old Panama Canal Company. Where will the assets come from?

But Great Britain thinks, or the press in Great Britain seems to think, that we have assumed the responsibility here for this national debt of Colombia ourselves, because we have assumed sovereignty of the 10-mile zone, to say the least, all that is worth anything in Panama, and that to this extent at least we are liable for the debt to Colombia, in proportion to what she owes to the world.

But I maintain, Mr. Chairman, that in good morals, in the sight of God, there might be a plausible claim set up against the United States for the whole part of Panama's proportionate share of that obligation, because it is we who have enabled her to accomplish a secession from the parent Government and to set up and maintain an independent Government there.

But, Mr. Chairman, I have spoken already too long. I know that I have trespassed upon the patience of the House. It may be that, as some of my friends have told me, I have made a mistake, because my position may not be popular with that class of American gentlemen up that has fallen in with this modern contest for gain, greed, and graft. I can not help it. I have expressed here my convictions upon a question which I conceive to involve the integrity and honor of my country, upon the error, the blunder, which I hope will never be repeated, and which I hope may be corrected in the future conduct of the affairs of this Government. [Applause on the Democratic side.]

Mr. Chairman, I know many of the distinguished gentlemen upon the other side of this Chamber: broad-minded, big hearted men, of profound patriotism. I know not whether any expression of dissent shall be allowed to escape their lips, because party fealty is strong and the exactions of party management remorseless; but I shall ever believe that down in their honest hearts there is a strong feeling of sorrow and disappointment at the precipitate action by our Government and the entanglement into which we have been led. [Loud applause on the Democratic side.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose and the Speaker having resumed the chair, several messages in writing from the President of the United States were communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. VAN VOORHIS. I now yield to the gentleman from Illinois such time as he may desire.

Mr. HITT. Mr. Chairman, this injection into the discussion of an appropriation bill of an elaborate speech on a question of foreign policy ought not to pass without at least an effort to correct the errors in the main line and positions which the gentleman has taken and which I have listened to with great astonishment, for while in our partisan debates in this body, when excitement arises, we often use sharp language, it is rare in discussions that relate to our position as a nation in the world that we use bitter imputations upon our own Government or on those charged with power—language that no foreigners use in regard to the high American officials who are conducting the affairs of our Government. [Applause on the Republican side.]

When you listen to the declaration that has just been made with such it rational lawbreaking of international crime perpetrated by the President of the United States, the natural inference of anyone not familiar with the question would be that such means are only taken by a bad heart to effect a wicked purpose. Is there a person in the circle of the globe who does not eagerly sympathize with the purpose and object for which the President has been striving, who does not wish that he may be successful, and that the canal may be constructed without the delay of another forty years, or, as the gentleman said, another four hundred years? Is such a desire and effort necessarily wicked?

Congress gave the initiative to this movement. This body and the Senate directed the organization of a great commission of learned men, of skilled engineers. They reduced the question to two possible canals, one at Nicaragua and the other at Panama. After the conditions had all been gone over, and some of them had been greatly changed by events, Congress determined that the canal at Panama should be constructed. The first step toward it was for the Secretary of State to negotiate a treaty with Colombia to obtain a right of way across the Isthmus. That Republic had been pressing unofficially and officially upon our Government and was eager to make a treaty which would secure the building of the canal through Panama; for if it should be built at Nicaragua, it would mean good by forever to Panama.

A treaty drawn up by the Colombian Government was presented by the representative of Colombia here, and after modification was at last assented to, was ratified by our Government, and taken back to Bogota to be ratified there. It gave them ten millions for the right of way. Then followed strange events. To the grasping men at Bogota, who now had in hand a treaty giving them ten millions, a bigger game seemed easy. The people of the United States seemed so bent upon having the canal at Panama under this new treaty that probably our Government would pay almost anything in order to obtain the canal the American public demanded. The Colombian rulers would not stop at ten millions. They already had agreed to ten millions. That was good, but there is something better—twenty millions is better than ten, and the Colombian politicians determined to strike for it. Have any of you read the debates that were published in the Bogota papers when that treaty which they had presented to us was under discussion there? Have you read the articles or the translation of the articles showing the rapacity of those charged with power determined to hold out for greater sums of Yankee money—the rich, easy-going Yankees?

Their ideas went up to fifteen millions and then to twenty millions and then to twenty-five millions. When they had convinced themselves that it was probable this amount could be obtained from the Yankees, they rejected the very treaty they had proposed and urged upon us—rejected it not by a party movement, not by a faction, but by unanimous vote, a concurrence of men in good that is rarely seen anywhere.

Under the law which this Congress had passed, the President, if successful in obtaining a treaty with Colombia, was to go on and purchase the Panama Canal from the company owning it for $40,000,000 and proceed with building the canal; but if that treaty with Colombia failed he should, after waiting a reasonable time, recur to Nicaragua and proceed with a canal there. The President waited. He waited some time, waiting to fulfill that injunction of Congress, "a reasonable time." He did not [illegible] time; he never does; he is not that kind of a man. [Applause on the Republican side.]

But while he was waiting, the action that had been taken by the men at Bogota had its natural results. The people in Panama now looked at the prospect in utter despair. They had long and anxiously hoped to see a canal constructed in their midst by a route of 47 miles, believing they had the best line, as against the 189 miles of the Nicaragua route. Now, by the greed of those at Bogota, who were a long way from them, and had very little interest in the affairs at Panama, all was thwarted. Their visions at Panama of cities of 100,000 inhabitants lining that great channel of the world's commerce were fading away, to be renewed never. For if the United States went to Nicaragua, all was gone for them.

In this waiting time men thought rapidly. They have in South America one remedy for nearly every political ill. It has been tried in every republic and in many of the departments and provinces. I recollect years ago when the Emperor of Brazil was in this city he was talking before a scientific body, for he was a learned man himself. They were discussing astronomy, and he spoke of the moon, which he said exhibited revolutions more regular but not more frequent than those of the South American republics. [Laughter.] The poor man soon after had an experience of that movement revolutionary tendency.

The people of Panama had one great interest, one common hope, one thought—the great canal—and it seemed about to be lost. Their action was immediate and unanimous, and they tossed off the central government with that South American facility not easily known to us. It was not a new experience; they had separated from the central government before, and afterwards when it was agreeable to them they went back themselves; they never were subdued. Their unanimity was great because of the vital

interest that every one of them had, and they bundled off the Colombian officials to Bogota in one train, and the few soldiers there in part stayed and a part went away.

They organized a government which had the cordial support of everyone in all the province. That is evident from the fact that a man of Panama would have been an unnatural being if he had not wished to separate himself from such a cumbrous, destructive, selfish central government that weighed upon them so hard. They had little regard for that distant and central power. It takes longer to get a letter from Panama to Bogota than it does from Panama to Washington. The men of that distant center, coldly plotting to get hold of the great spoil they hoped from the United States, the $10,000,000 swollen to twenty-five, deliberately threw away the treaty in the hope of getting still more, utterly regardless of the peril to which they put the people of the province of Panama and all others. The canal concerned them very little.

The United States, says the gentleman from Arkansas, established and upholds the Republic of Panama, and is unquestionably maintaining it by its armed forces and resources and agents, just as in other countries such means are supposed to be used by the great empires like Russia to foment troubles in adjoining nations, to cause risings in Bulgaria and the principalities, and disturb peoples in Asia. The President of the United States had no agents there except two very low-salaried consular officers and one clerk. He couldn't get any more: he had no money for any purpose except what had been appropriated by this body. Why, if there had been any such plot or scheme by the ruler of this country, if he had had any such purpose in view of kindling trouble there, would he not have had our ships there at least? There was not a ship on the Panama side. There was only one on the Colon side, and it landed its slender force to keep order and protect American property, as had often before been done by our ships.

Mr. DINSMORE rose.

Mr. HITT. Does the gentleman from Arkansas wish to say anything?

Mr. DINSMORE. I merely wanted to suggest to the honorable gentleman from Illinois, for whom I have so high a respect and regard, that I never, by one word which I uttered, charged that this Government intentionally fomented this insurrection or brought it about. I have never made any such accusation. And if my friend will permit me to avail myself a moment longer of this interruption, I wish to make another statement. He has criticised me for language that I used. I specifically disavowed, at two places in my remarks, attributing dishonorable motives to the officials of this Government.

The gentleman from Illinois is more skilled in matters of courtesy than myself and has a higher appreciation of the proprieties of debate. I unfortunately, Mr. Chairman, do not control myself as well as he does, and it may be that in the description of acts and results, which I was compelled to describe by language that I considered proper in conformity with rules laid down in the history of our Government, I have not brought myself in accord with his views of the proprieties. In addition to my disavowal of any purpose to attribute improper motives to officials of the Government, I have described the act as being, I thought, dishonorable to the country, because it did not conform to what has been declared to be just principles in the past.

I thank my friend for the privilege he has given me of making this explanation. I am sure he will do me the justice of saying, if he listened to my remarks closely, that not in a single sentence did I accuse the President of the United States or the Secretary of State or any official of the Government of bad motives in what they did. I have said that what they did was a blunder. I have said that according to the rules laid down heretofore it did not accord with honorable conduct; but the President by his message has shown what he believed in the premises, and I have not said that he was dishonorable. This is all I wish to say, and I thank the gentleman for the opportunity to say it.

Mr. HITT. The gentleman had better stop pretty soon or he will slide again into the same words which he has sought to disavow, for he has just said that the course of our Government "did not accord with honorable conduct," and he said before, just as he took his seat, that they were violators of law.

Mr. DINSMORE. So I say now.

Mr. HITT. I might remind the gentleman of what was said on one occasion by a certain judge who had called the defendant a lawbreaker—that it was bad enough to send a man to the penitentiary without upbraiding him, and so he would not say a harsh word.

Mr. DINSMORE. What I said was true; and I merely asked the opportunity of making this statement in view of what the gentleman had said, believing and hoping that he had misapprehended me.

Mr. HITT. I did not think the gentleman had said anything that was not sincere on his part. I give him that credit gladly. It was in the warmth of statement that he used so frequently in his long discourse expressions which imputed lawlessness and crime to those whose duty it is to administer the law and preserve the Government.

I spoke of the fact that our Government, which was accused of having created and sustained the Republic of Panama, which had no existence without it, had really not a ship of war on the Panama side and only one on the other side of the Isthmus at the time that Panama Government was organized; and those on the Pacific side did not get there for nearly a week.

The gentleman has made much of certain words in the telegrams, which have all been placed before the public (and first before this House), that our Government sent to all the officers, civil or naval, who were concerned in the affairs that took place in the beginning of November. He says they indicate that our Government anticipated the revolution.

Why, sir, our Government is not administered by men so ignorant as to be unaware of the current of events. There was not a man in this House, there was not an idle wayfarer who passed through the galleries, who did not know that for weeks and months preceding newspapers all over the world had been discussing the critical state of the Isthmus of Panama, the liability of those people to have disorder, and the impatient anger with which they were unanimously fired; and therefore a disturbance—not necessarily a revolution, but a disturbance—was in the order of the day the recurring to their ancient usage.

Now, our officers received the orders which the gentleman read in part and which are given fully in the official documents. Some were issued by the Secretary of State and some by the Secretary of the Navy, again and again repeating that injunction, which is a commonplace in the Navy, that naval officers at Panama are to obey the engagement of the treaty of 1846, to keep that pathway of transit open. Every President has given that injunction when disorder arose there or threatened to arise—not Republican Presidents, not Democratic Presidents, but American Presidents have all done that, keeping the solemn faith of the nation in the treaty of 1846 to clear away any and all obstruction and disorder in that transit across the Isthmus.

They have driven away government troops, they have driven away insurrectionary troops, any that came in the path of transit which we were bound to keep open, which pledge we have faithfully executed for now over fifty years. There were no American troops there, no agents of the Government there when the revolution broke out, to aid in troubles, as is insinuated. The imputations which the gentleman unconsciously made—for I see now by his disavowal that he did not intend to impute fomenting, but the manner in which he read those telegrams imputed a plot here, and a giving away by Loomis in one place of what was intended to be concealed. This was all unwarranted. It imputes to the State Department connivance, if not fomenting a revolution in that country.

But what has been our wicked purpose, what has been our evil intention and our great wrong? To build a canal which every good man wishes to see built, and not to disturb or wrong any. The gentleman said that we were fond of islands. He spoke as though we were willing to plunder the world in order to gain acquisitions of territory. There is not here an acquisition of one foot of land. There is not an annexation of a yard of space of South America by these recent events or the treaty just made with Panama. The new treaty proposes that we shall "use, occupy, and control" enough of the surface of the earth there to enable us to build a canal, which can hurt no one, which will be a blessing to everyone, which our taxpayers will spend $180,000,000 to make, fruitful of good to all peoples of the globe.

Is that despoiling those people? Is that a wrong to that grasping crowd at Bogota, who wanted so badly to get money from our Treasury in great sums that they imperiled the interests of the people who lived near the canal and brought on that desperate state of mind which resulted in revolution? The instructions of the Secretary of State to the consul when to recognize the new Government and the message sent to our minister at Bogota are almost literal reprints of the instructions of long ago to other ministers in like circumstances. The gentleman has read long didactic discussions by Secretaries and in Presidents' mess ages and by politicians in the House which took place in the many years of the great continental struggle between Spain and her colonies; but this was a sudden revolution.

Our country has had one policy, one method, consistent all the way through, in regard to events such as that which occurred at Panama. The revolution took place on the 3d of November. It was five days until the recognition of the new Government. At Paris in 1870 the Government of the Empire was overthrown on the 4th of November. Our minister on the third day thereafter recognized the new Government. Yet it was not as unopposed as Panama. There were over 100,000 men who fought desperately until they were destroyed in resistance to that Government long,

long after our recognition. The previous French Government, in 1848, after the overthrow of Louis Philippe, was at once recognized by Mr. Rush. Three days after the overthrow our minister gave notice that he would come and present his congratulations.

Lamartine he recognized as minister of foreign affairs, and all this was done by our minister, without any instructions, for there was no telegraph in those days. It was approved by our Government afterwards and the minister was lauded everywhere by all parties, because the policy of the United States had already been fixed in regard to such convulsions and changes as that. Why, when the dear old Emperor Dom Pedro, who had been here, was overthrown and put on a ship and sent away and the Empire of Brazil ceased, a gentleman who is a Member of this House was the minister at that time, and in two days he recognized the new Government, although there were extensive provinces that had not only not given their assent, but not for two weeks afterwards did they hear of it.

The Spanish Kingdom was overthrown in 1873 and we recognized the new Government in the same prompt manner. This is not a sudden, a single case. It is a line of action, of policy, wise and well grounded. Our recognition of the Republic of Panama was followed by recognition from great nations all around the globe. Almost every nation that had any relations with Panama has formally recognized that Republic as an independent Government.

The gentleman spoke of the betrayal of faith on our part and the nonfulfillment of obligations, because by the treaty of 1846 the United States, in return for the covenant of New Granada to give us free passage by the transit on the same terms as the people of Colombia, we had guaranteed the sovereignty and property of the Republic of New Granada, now Colombia, over the Isthmus. I noticed how gingerly the gentleman stepped over the history of that guaranty. He admitted there were some statesmen of dignity and celebrity who had taken the view that that was only a guaranty against foreign powers, but he insisted that they were wrong; that it was a guaranty against rebellion like this, and we had not kept it.

Why, it was not American statesmen who determined the meaning of the words of that guaranty in the treaty of 1846. Go and read what Garrido, their minister of foreign affairs, in 1866 said to Burton, our minister, that there was no right given to the United States by that treaty to take any part in their domestic broils or to put down or put up insurrections, that that guaranty concerned only their relations with foreign nations, and we could not aid or hinder in their troubles with their own citizens. That was the view that President Hayes took when he feared that the French, in building the Panama Canal, would press back and overcome the sovereignty of New Granada or Colombia: and all the way through we have protected that Isthmus from any invasion or diminution of its absolute independence as a part of Granada or Colombia by any foreign power.

Mr. Seward discusses the question. The gentleman did not read Mr. Seward's views. He said we would intervene always to keep the transit open, never to take part in insurrectionary wars. The question was sent from the State Department to the Attorney-General's Office, and in the eleventh volume of Opinions of the Attorneys General it is stated with great clearness and brevity that that was not a guaranty by us against domestic trouble, against disorder, but a guaranty solely against foreign powers, and that had there been put in any treaty between two countries a right or duty of the United States to put down insurrection it would have ended the independence of the country that gave to another the right to so interfere, for it would have given it the right to decide when there was an insurrection and when one or the other was or was not the legitimate government.

Now, that would be rather a delicate question to raise in our sister republics in the south. Take Marroquin, the man who is now the President of Colombia. Why, he got into his Presidency in that very way. He was a successful rebel. Suppose our Government had interfered in that juncture. Is it not manifest that it would have been a tyrannical interference which would have ended the independence of the country? Go over the catalogue. Call the roll of the Presidents of what are called the republics in South America and see how many of them have been elected during the last twenty years—how many of them were chosen and how many chose themselves, with enough muskets to shoot the other candidate. I was in one of those republics once, with a commission from this country.

Mr. WILLIAMS of Mississippi. May I ask the gentleman a question?

Mr. HITT. Certainly.

Mr. WILLIAMS of Mississippi. The gentleman says that when we cast our eyes over the history of South America we find abundant cases where the Presidents of those countries put themselves in because they had the most bayonets. That is absolutely true. Now, I want to ask him, as a student of history, and especially of diplomatic history, if this is not the first time that the United States ever kept the other fellow from shooting back? [Applause on the Democratic side.]

Mr. HITT. I will give the gentleman an answer.

Ordinarily, when a ship is in a foreign port and a disturbance or insurrection occurs, we land troops to protect Americans from being killed or robbed. We have done that even in France, and we would do it anywhere. In the case of Panama our situation was different from that in any other spot on earth. We had a solemn and binding engagement by treaty which had been impressed upon us all the years.

Often we were called upon by the Colombian Government, oftener by events, to enforce that obligation to keep that path open from sea to sea; not to aid nor to suppress a rebellion, but to keep the path open; and when we landed troops at Colon, when the ships came to Panama with more of the marines, their duty under the treaty was plain—to let no armed man or disturbing cause of any kind obstruct the open, free course of commerce or of movement in the pathway across the Isthmus. [Applause on the Republican side.] Now, it so happened in the course of human events, which we do not guide, but which, it is believed, an All-Wise Providence watches and directs——

Mr. WILLIAMS of Mississippi rose.

Mr. HITT. Just let me finish this statement.

The CHAIRMAN. The gentleman declines to yield at present.

Mr. HITT. It so happened that in this case our duty in good faith under the treaty to keep that highway open fell in with and brought on a consequence which was grave to Colombia. It prevented her pushing troops into the way of that transit to fight and devastate and obstruct it. She had invoked that interference before, but it so happened that always heretofore it inured to her benefit.

In this case that which we had done often before we did again for a motive of the highest order, observing the obligation of national faith. It was done sedulously and carefully, within the bounds of that duty as laid down in the treaty and described in the instructions to our naval officers; but as a matter of fact it did result in making it very difficult for troops from Bogota to be landed on that line. They could not come there. Our Government will not permit anybody on the line of that railway or the crossing of that Isthmus who would disturb free transit; and it is because the two things coincided that men who do not look at the matter calmly and fairly will say that we did it to injure Bogota, when, in fact, we did it to keep faith, though it has injured Bogota. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi rose.

The CHAIRMAN. Does the gentleman now yield to the gentleman from Mississippi?

Mr. HITT. I yield for a question.

Mr. WILLIAMS of Mississippi. First, there is no dispute between the gentleman and myself as to the duty of the United States to keep an open transit across the Isthmus. Nobody disputes that. Now, I want to ask the gentleman if the United States Government has not virtually given notice to the confederacy of Colombia that they must not land a soldier within the limits of the new alleged Republic of Panama, whether it is upon the railroad and interferes with transisthmian commerce or not, and whether we have not virtually given notice to Colombia and to all the world that the landing of a single soldier within the confines of the new Republic of Panama will be accepted as an act of war? Is not that a fact? [Applause on the Democratic side.]

Mr. HITT. It is said in the newspapers that such has been the fact. I have not heard any statement, official or unofficial, of there being such a notice or paper communicated by or between the Governments, but whether that be true or not, it is a fact that no soldier, no armed band, could be sent to Colon except to interrupt the traffic. There is nothing else there to attack, and a soldier is for attack, but that path across the Isthmus. Because he does not land right at the wharf, because he lands 6 miles away, as did General Scott when he attacked Vera Cruz, is he not certain to go there and interrupt the commerce in seeking to put down that Government?

This is done by us as a friendly act to all peoples. It is done to put an end to the perpetual strife, confusion, and turmoil prevalent among these people for so many years, interrupting that transit. The people are unanimous at Panama. There is no doubt the description given by the Secretary of State in his dispatch to Beaupré states exactly the condition of concurring opinion at Panama. Everywhere that independent Government is performing its functions and duty, with no opposition whatever. That answers the requirements of international law. It is not mere extent of territory that determines whether it is a government.

The rights of an independent government only 10 miles across are as sacred in the eyes of international law as those of far-spreading Russia. It is not a question of space. The rule of the

square mile is a mistake. Moral laws and the rights of independent peoples are not measured by the surveyor's chain. [Loud applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Nor measured by ditches, the requirements of a canal, either. [Applause on the Democratic side.]

Mr. HITT. I fail to see the appositeness of the remark of my friend, who is the Democratic floor leader. We have acquired the right to build the canal through there, and the border for 5 miles has been ceded to us for use, occupation, and control, not embarrassing the sovereignty of that country, but only for a beneficent purpose. Does the gentleman mean to imply by his covert remark that by that we violate a moral law or right of a people? Is that the rule in Mississippi? [Loud applause on the Republican side.] The one purpose which has been effected, the one which was voted for in this body and has governed the action of our Government, is one that every good American heartily sympathizes with. We are proposing to open the way to ships that will carry the crops of the gentleman's district and our districts, that will carry the fabrics of busy New England and Pennsylvania and the produce of the Mississippi Valley to far-off markets easily reached through that ditch. It will increase all values in our country, benefit labor, make people better off and happier.

That is the reason we do not apologize for the conduct of our Government in promptly following the precedents of its past history; and we rejoice that we have a President who did not wait ten years longer, halting between canal routes and quibbles in the words of statutes, but moved straight on to the great work of building a canal. [Loud applause on the Republican side.] We hear fault found with the President in this matter by some because he does not wait long enough; by some because he ought to have gone to Nicaragua at once. We have had enough of waiting, waiting. The whole civilized world has been heartily in favor of having that canal built ever since the discovery of that country. It was the dream of Charles the Fifth and has been the hope of everybody since; at last we have got a great, earnest man at the work who will soon cut it through. [Loud cheers on the Republican side.]

Mr. WILLIAMS of Mississippi. The gentleman asked me a question, and with a very subtle and able purpose. But the gentleman with all of his subtlety and all his ability will hardly be able to throw the Democracy into the attitude of being opposed to the canal.

Mr. HITT. That is not an answer to my question. That is a speech.

Mr. WILLIAMS of Mississippi. Now, the gentleman asked me a question, and I want to reply to it. The gentleman has asked me whether I believed that the Government of the United States had been virtually guilty of moral obliquity in its international relations with reference to its action concerning the Republic of Panama. I want frankly to take the burden and say, "Yes."

Mr. HITT. The gentleman who preceded my friend said "yes," and said it for about fifteen minutes; that the President was guilty of violating law wrongfully; that Congress had directed the President to go to digging the Nicaragua Canal after the treaty with Colombia was rejected there. The President was required by the Spooner law to wait a reasonable time and see if he could secure the building of the canal by way of Panama; now the gentlemen say that they want one who will go to Nicaragua, and do it more speedily than President Roosevelt. [Laughter on the Republican side.] The law said wait a reasonable time. To wait a reasonable time for a change in affairs. Why, it was perfectly understood to be the express will of Congress, after a long debate, determined by the action of both Houses, that the country preferred the canal by way of Panama. While he waited events opened, the way offered, and the promptness with which he carried out the purpose of Congress and the American people is approved by good citizens everywhere who want a canal rather than hair-splitting niceties over words. He secures the substance. He goes on to achievement.

There is a change of name: Panama is not the old word New Granada, and neither is Colombia, but the things, the isthmus and the canal route, are the same. What were the negotiations for in 1846? They were thinking about a canal across the Isthmus of Panama. That was what we guaranteed should be neutral, guaranteeing the sovereignty of what was New Granada then, Colombia afterwards, over this route, against foreign powers. Following the spirit of the treaty and of the legislation since, the President, while waiting a reasonable time, found that the will of Congress could be carried out and that he need not submit to that blackmail of twenty-five millions tried to be imposed upon the people of the United States when the ten-million treaty was rejected for the mere craving and rapacity of a band of men who abused their authority. [Applause on the Republican side.]

This is not in the spirit or temper of our people. We are not hard bargainers. The American around the world is an open-handed, free, and generous man; but when the open hand of bounty is met by the clinched fist of malice and greed the Yankee knows how to stop that business. [Applause.] David Harum has a sentiment that might be recalled—"When another is trying to do you, do him, and do it first." [Laughter.] While this attempt was made at Bogota to get into our Treasury, the current of events, as determined by Providence rather than any design here, so turned things about that the President could, with propriety and consistency, do what was a duty and was also to our advantage, and what, in carrying out a treaty, we had oftentimes before done—sometimes with reluctance, but always from a pure sense of duty.

Mr. GILBERT. General, will you permit me to ask you a question?

Mr. HITT. If you will withdraw that title. [Laughter.]

Mr. GILBERT. Is there anything in the proposition which the gentleman from Arkansas [Mr. DINSMORE] made, that the treaty between this Government and the new French company is now open and subject to modification, and that we can not require that company to deed to us or concede to us that property for $40,000,000?

Mr. HITT. The gentleman is dealing with a question that dwells in the dark recesses of financial operation and I know of no official authority on it. We simply have the declaration of the President of the United States to the House that an offer was made of that property for $40,000,000, and the Attorney-General was instructed by the President to see that the title was good. That is all our Government has done with it, waiting for the act of Congress to be carried out by successfully making a treaty with Colombia, which we have not succeeded in doing. In the meanwhile the offer, as it was stated in the message of the President of the United States, by the owners of that old canal remains for us to accept.

It is said that Colombia believed the canal charter would expire in a few months, and the canal property revert to Colombia, which hoped then to get the forty millions for the old canal, besides the ten or twenty-five millions from us for the right of way. What visions for a Colombian statesman! So they rejected the ten-million treaty.

The old canal has a tragic history that anybody can use with effect for any kind of emotion. [Laughter.] I think I never saw such a beautiful piece of raw material for campaign purposes. [Renewed laughter.] It is odious because the promoters were unlucky, and we Yankees look rather down upon a man who has not enough business success to get there. The French poured into that ditch $260,000,000 in gold. The papers, bonds, and stocks, and obligations incurred and lost in that tremendous enterprise amounted to $426,000,000. Of course they are worthless now by its failure.

The succeeding company had this property which cost so much, and which, being in the hands of those unable to complete it, is utterly worthless by itself, but which, being completed, will be the foundation of a great property. It is in very much the condition, which was familiar to gentlemen of the western country, of a railroad in construction where sections were built successively by different companies failing in succession, and the one which built the last hundred miles got the property.

Now, this canal has had that history, and you all recall the way in which famous names were tarnished and the melancholy end of the great Frenchman, M. De Lesseps, that many thought undeserved. That property is undoubtedly worth much.

I have seen able officers who were there and accept their judgment, though I am unfit to pass any judgment upon its value. Mr. Hutin, the president of that company, was here and talked with a good many Members; for I introduced him to some of you. For the canal property one hundred and six millions was demanded by him; and it was because of his high terms and tone that Congress refused to accede, and went on, under the able leadership of the gentleman from Iowa [Mr. HEPBURN], and passed the bill to proceed with the Nicaraguan Canal. Mr. Hutin's constituents or owners of the canal repudiated him, dethroned him, put the muniments of title together and offered to convey the property to the United States or anyone else for the price which was put upon it by our own commission, who said it was worth forty millions, if we could get it for that. That plain business proposition was discussed before all of you, and we accepted it practically.

Who is there in this country who has any interest in doing wrong there? Where is the ground for saying there is any corruption any more than for saying that the rapacity of the Yankee and the eager aggressiveness of our flag are going to deprive somebody of territory or of liberty? Any such imputation is unjust. And it seems to me strange that the Democratic party, which has usually assumed to be above all things intensely devoted to our honor and country and was the aggressive bearer of the American flag for many years against foreign countries, should now turn and defile the names of those who strenuously support the flag of the country and maintain the honor of the Republic. [Loud applause on the Republican side.]

I intended only to prevent an erroneous impression being created

by the gentleman's elaborate and carefully prepared statements to this House, statements which in general lines it seems easy to answer. He says there was undue haste in recognition of Panama. There was no haste. Have I not shown that by events and precedents most recent and within the observation and memories of gentlemen who sit around me?

Was there any indecent precipitation? The "secret" dispatches were all brought out for this House. Gentlemen were incited by sensational statements in the newspapers to look forward to something gratifyingly bad. [Laughter.] But what have we to hide—we who belong to the side of the Government and the country? [Applause on the Republican side.] Our purpose is one that we nail upon the wall. It is the one that is close to the hearts of the people. It is close to their interests also. They are a sensible people. They want things done in the right way and to go well for themselves and their children after them.

Our Republic is not merely great in numbers. It is not great alone because there are eighty millions of our population. It is great because each man counts in brains, in conviction, in skill, in applied and a fleeting force for four human beings in Europe. That is what makes us now so dangerously near the edge of overproduction, for we do so much work and produce so much that the world can not take care of it. Our people do not need to resort to any games or tricks in dealing with other nations. The reproaches heard so often of the diplomacy of Europe, that it seeks by concealed methods to overtaken the weaker powers, will not apply to us. The American conscience is not touched by pretension of insincerity. We do not wish to form a "Holy Alliance" of devilish purpose and godlike profession. [Laughter and applause.]

We free a rich, beautiful island at our doors—hold it in the grasp of military power, absolutely helpless, where it might be held indefinitely as European powers hold possessions. But in our case, when this island learns enough of our ways so that it can with encouragement and assistance first totter, then stand, then walk, we bid it godspeed. And with a good conscience we turn and say, "All you who have said the rapacious American Government was ravishing away the islands of Spain, find there your answer; we need no words to tell it." [Applause.]

I went with a commission years ago on an errand of annexation. General Grant believed it would be a relief to our colored people, who in 1870 were in very great disorder—that time of sad memories as to the condition of the South—if, as he learned could then be accomplished with facility, the island of Santo Domingo should be annexed. I was one of those who went there on that mission. I was quite familiar with their report, which I thought most convincing when it was finished. But when we got back I saw first the Illinois delegation, with whom I was personally acquainted.

After I had stated what I thought was a resistless position, they said, "We do not want any more land; we do not want to annex; we are not in the business; the people of the United States will never take anything unless events bring it to them." And the House was of that opinion. I think nearly all on both sides were, after they were carefully sounded, and General Grant, the most resolute man in the world, abandoned his idea.

That act was cited by Li Hung Chang to the American minister many years afterwards. Mr. John Russell Young, whom so many of you knew when he sat in that gallery and wrote those brilliant letters. He was our minister, and Li Hung Chang said to him, when they were discussing certain terms in a treaty, "You are the only people in the world that we are not afraid is trying to get away with at least one or two big towns, if not a province." This we have shown.

Our standing the wide world round, shown by now many years—not all our history, there are some checkered spots—has vindicated the fixed purpose of the people of the United States as a body, acting always with that aggregate strength which comes as a resultant of the opinions of all, to never do anything that they can not afterwards look the world in the face and answer for and which the world will not pastry.

The most powerful journal in Europe is the London Times, and two articles I have seen, and extracts from others, in which that journal has reviewed this course of our Government in regard to Central American affairs and said it was a good lesson and contrasted favorably with some of the chapters in British history where they believed that events had compelled them to lean a little toward the harsher side, but our skirts were clear. And now we have to come home here to find the President charged with being a lawbreaker, guilty of international crime.

I do not think my friend in using that intense language had any such horror of the wickedness and personal character of the President as will keep him away from the next Presidential dinner. [Laughter.] The amenities of life will continue in spite of the fierce partisan activity with which he debates a question here; but I did wonder more than once when I listened to the approval, the loud approval, by that side of the House when he stated such imputations upon those who bore our flag and maintained stoutly our interests. They forgot how really in the bottom of their hearts they felt regret that they did not have charge of the machine and run all this business with equal or greater vigor themselves. [Applause and laughter on the Republican side.] For I can imagine the eager way in which a Democratic Administration would have taken this up. I even fear that in that Jacksonian zeal they would do as was done by him with Ambruster and Arbuthnot, where Jackson, honestly, bravely pressing on, did things that we have been explaining ever since.

It is not in fault-finding that I mention the names of men in the past who were great, but who were mortal, who were intensely patriotic, and are still loved, even with the faults of overflowing rich natures. Thank God, with each exigency our people produce a fit man to meet it. In the sad and dreadful days of that war which in its time of utmost gloom has been recalled by the gentleman, a good God gave us the patient, long-suffering, and finally farseeing Abraham Lincoln. [Applause.]

And for the strife that was brought about by the inhuman cruelty and unspeakable massacres in Cuba, where a fourth or a fifth of the population of that island was put to death with fiendish horror, we were given a cautious man, McKinley, who restrained this House by his influence when generous zeal would have led us to hasten too fast; and, finally, when the crash of war came, it was, as he said, done not with eagerness to despoil another, but with such manifest cause that it wrung from everybody the approving sentiments of right-minded men.

I believe that the present Executive has followed the same course with the same spirit. I could of course recite longer details of precedents for this is shop knowledge, but I do not want to go into length. Those old-time messages of the Presidents, from which such long extracts have been read by the gentleman from Arkansas, grow more and more acute and to the point as you come down to the present time. They have plainly stated the reasons which justified action, and the actions of nations at last become international law. I have merely recited to you what we did over and over and over again in times within our lifetime. These are the precedents and the custom. They are of binding force; you may cavil at them and you may cite something from incidents a hundred years ago, but all that I have mentioned were things done, and recently done, with the assent and approval of the American people, as they would do it now. [Applause.]

This Republic of Panama exists. It is not big enough to suit the gentleman from Arkansas. I am sorry, but inasmuch as we did not create it and will not annex it we are not responsible for that or concerned with it; it is not going to have representatives on the floor. We need not either regret or rejoice about its size. That is none of our business. If we were discussing the union of that country with ours it might be a grave question whether it was a very large country, because we would not want twenty Members of Congress here who could not speak English.

But it is a little country, independent and separate forever from us, and is clothed with all the attributes of sovereign power. It has the assent of all its people, given cordially from the time it took its first breath of life. It sprang from causes that were perfectly legitimate, that would influence each one of you as citizens, and that would have influenced you, if you had been there as citizens and as Panamans, to do exactly as those people did. You would not have been quite so quick, because you are not such trained experts in revolution. [Laughter.]

Mr. Chairman, I did not hear all of the remarks of the gentleman from Arkansas, as I entered the Hall after he began, but I was told that that which preceded the part I listened to was similar in tenor and in spirit, and in what I have said I have intended only to touch upon the main questions raised by him, which seemed to me to be easily corrected by mere statement to fair-minded men familiar with our history, without going back and reciting at length numbers of precedents and details, what we have done and what our public men have said, and what those on the other side have said. I have stated simply the main points and principles, and what the best consensus of opinion of this Government has been under other Presidents in similar situations that have arisen within the history of those about me and which were received last as this has been by President Roosevelt. [Prolonged applause on the Republican side.]

Mr. BRUNDIDGE. I yield ten minutes to the gentleman from Mississippi [Mr. WILLIAMS].

The CHAIRMAN. The gentleman from Mississippi is recognized for ten minutes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it had not been my purpose to make any speech to-day. I thought that later, perhaps on Monday, I would address myself to the President's message. I note that the friends of the gentleman from Illinois [Mr. HITT] congratulate him, and they do well to congratulate him, because he has almost made actual facts appear impossible and dreams to appear actual facts.

Mr. Chairman, the gentleman's grave manner of appealing to

the amenities of life strikes me and strikes everybody else; but I want it distinctly understood that this is not Russia nor Germany, that there is no law of lèse majesté here, and that a man is not guilty of violating the amenities of life when he merely criticises a public officer; whether that public officer be the President of the United States or a justice of the peace or a constable in my bailiwick, makes no difference. The gentleman has made dreams appear almost facts and facts appear almost dreams, but there still remain some plain, palpable, obvious facts that the gentleman has not disposed of.

One of these facts is that the so-called Republic of Panama is an abortion upon the surface of the earth—misbegotten, hag-born, and, to use the words of William Shakespeare, ditch-delivered. Not all the history or all the talk in the world can do away with that one simple, plain, obvious fact.

Another fact remains, and that is that this is the first time in the history of the United States that we have ever interfered in the internecine affairs of Central or South America. All the gentleman's subtlety and all of his diplomacy can not make that fact vanish into thin air. The gentleman has virtually confessed that we have served notice upon the confederacy of Colombia that if she dares land a soldier outside or the strip of transisthmian commerce, anywhere within the confines of the newborn Republic of Panama—newborn with the birth foreseen and aided, as I believe, aided from Paris and aided from Washington, as I believe; I may be mistaken—that if Colombia dares land a soldier within the confines of the newborn Republic the United States will treat it as an act of war.

That confession involves a confession of the fact that we have for the first time taken the hitherto unprecedented step of interfering in the domestic broils of Central and South American countries. You interfere just as much by saying to the parent country, "If you dare to land a soldier it is an act of war," as you would if you had said to the insurgent country, "We will put you down." The things are exactly the same. The gentleman can not change these facts. I know how that is.

I once served on the Foreign Affairs Committee myself. We get mysterious when we get over there, and when we come here somehow or other we build things up and then we knock them down and build them up again and expect people to follow us because, you know, we are experts on diplomacy. [Laughter.] But there is one thing that even a diplomat like me can not do—and I have been an expert diplomat in some respects, not as expert as the gentleman from Illinois—I never could sink, jump, or walk over a fact, and this is a fact.

The gentleman says we have not been greedy, and then refers to the manner in which we treated Cuba. If the Democratic party and a few Republicans had not hedged up and bound this Government in the two clauses which compelled us to give Cuba her freedom and independence, you would have treated Cuba just as you treated the Philippines, and you know it. [Applause on the Democratic side.] Nothing else restrained you.

Why, the idea that you go before the world saying that "this is my Administration, this is my Government," and therefore all that it does is right, that idea is tyranny, that idea is despotism, that idea is the stopping place of analysis and criticism upon the part of citizens of their public officers.

"The amenities of life." What have the amenities of life to do with it? Why, you might just as well say that the gentleman from Iowa [Mr. HEPBURN] was guilty of violating the amenities of life when he thinks my views on the tariff are absurd, and I might just as well be accused of violating the amenities of life because I think his opinions upon the subject equally absurd. Men meet to discuss political questions according to their views, as they understand them, and nobody ever takes as personal, if he looks at things from a proper standpoint, criticism of his official conduct and his official opinion.

Now, I have been convinced by the gentleman from Illinois that there was no haste in our conduct down in Panama. I want to read something now just to show what I thought before I heard him speak. Since he has spoken I am satisfied that the most deliberate, long-reviewed, well-thought-out project ever completed or ever thought of since the world began is the birth of Panama and our connection with it. [Laughter and applause on the Democratic side.] As some gentleman may have had ideas like these that I had, let me read to the gentleman. It is this editorial in the Washington Post. It is headed "A republic while you wait." This shows what I thought before I heard the gentleman from Illinois:

A REPUBLIC WHILE YOU WAIT.

We [illegible] our proposition that the new Republic of Panama [illegible] anything that [illegible] the consummation of [illegible] the [illegible] navy [illegible] second. It is our [illegible] even [illegible] its [illegible] with [illegible] installation in the family of nations—

Is not that word "solemn" very solemn in this connection? its solemn installation in the family of nations has never been equaled—never even approached—in the whole record of legerdemain.

It is all right.

That is my notion about it. It seems to be an accomplished fact. It is settled. There is no getting around that. It is all right.

The consummation is exactly as we should have had it. Panama is and ought to be free, as we say in the purple language of diplomacy, and that being the case why waste time over it? I wonder seven hundred [illegible] at the Pueblo [illegible] and an equal number at Colon passing [illegible] with the [illegible] of Kosciusko, * * * and Toussaint l'Ouverture, to say nothing of the distinguished [illegible] and proclaimed the sacred emancipation of human liberty. By a fortunate coincidence, our war ships and marines were in the immediate neighborhood.

Mr. HITT. Is that accurate?

Mr. WILLIAMS of Mississippi (continuing to read)—

In these tempestuous upheavals of force and passion, with the destinies of great peoples trembling in the balance and catastrophes gathering from every point of the compass, shall one American hair be injured? Amidst these terrific perturbations, impacts, cataclysms, are we to stand idly by and see a single American lose even the least important of his rights? Nay, nay, Pauline!

[Laughter.]

And that's the way it came about. Fifty or sixty children of freedom invoked the listening heavens. Some hundreds of gleaming teeth were gnashed. Scowls descended on the scene like clouds, and imprecations [illegible] and pitched for devastation [illegible] and something was done.

It was the smallest thing on record. We have seen Hermann pull a rooster out of a respectable gentleman's ear. We have seen a pair of [illegible] time [illegible] before you could see "Jack Robinson." But the [illegible] "Republic of Panama" from the shell by simply a Central American pot makes the wildest dreams of absinthe look [illegible].

[Laughter.]

As we have said, however, it is all right. As a wealthy London tallow chandler once said, in [illegible] of English lords and Scotch [illegible], we commoners have done it better ourselves. There was no ransom [illegible] in the Chambers Institute. There was every reason why Panama should withdraw. The result of the outburst will be [illegible] the whole of Christendom. But it was a lightning change. We stand by that.

Now, that was my opinion a few weeks ago. Of course I no longer think that now. I think this thing was bound to happen, that is, it came around with solemn deliberateness, and that the Government of the United States acted only after prayerful consideration of the absolute necessities of the international environment, and that it would not have acted any other way.

Now, before I sit down, I want this distinctly understood that not all of the power of intellectuality on that side of the House can make this side of the House make the mistake which you want us to make. The Democracy want a transisthmian canal. It wanted it at Nicaragua. The House of Representatives wanted it at Nicaragua. Under the able leadership of the gentleman from Iowa [Mr. HEPBURN] we passed the best canal bill that has ever been passed yet. [Applause.]

If we can not get it where it ought to be, we will take it somewhere else. If we can not get it as it ought to be given to us, we will take it as it shall be given to us in some form or other. [Applause.] We wanted it at Nicaragua because the farther north the canal is the shorter the component in with transcontinental freight rates. The chief advantage of a canal is twofold—first, to benefit our intercoastal trade between the Pacific ports on the one side and the Atlantic and Gulf ports on the other, and, second, to add to our naval strength by enabling our vessels to concentrate without going around the Horn.

The question of the first price was a mere bagatelle in dealing with these two great prominent features of the canal. The great transcontinental railways and some [illegible] in my opinion misled—and some good people who differ from me have deflected public opinion toward Panama. It began to look like we could not get a canal anywhere else, among other reasons being, in my opinion, that the canal at Nicaragua would furnish too much competition to the great transcontinental railways.

Whether that be true or not, if the President refuses to obey the plain intendment of the Spooner Act, if he refuses to obey the plain words of the Spooner Act, approved by him, perhaps suggested by him, if he is going to override the law, if, after having waited a reasonable time to enter into a treaty with Colombia he now refuses to obey the language of that law and proceed to try and negotiate a treaty with Costa Rica and Nicaragua, then, in God's name, hurry up your canal. Let us have it somewhere, because, even at Panama it will benefit American commerce. It will benefit American industry, and it will strengthen the American Navy for the purposes of self-defense. [Applause.]

Now, I had not intended to speak this evening, but I was a little afraid that some things stated by the gentleman from Illinois [Mr. HITT] might put this side of the House in a wrong light. We do not condone the action of our Government in connection with the affairs at the Isthmus. We do not excuse it. Your accomplished fact can be dealt with as an accomplished fact, but

we want it distinctly understood that we are not proud of the part that our country has taken in its accomplishment. [Applause on the Democratic side.]

We are not idiots, either. When it comes to recognizing a fact, a man ought to have sense enough to do that, whether he likes the blessed fact or not, no matter how it came about or how it was accomplished, how vilely it was born or how horribly it was brought forth. [Applause on the Democratic side.]

Mr. BRUNDIDGE. Mr. Chairman, I now yield thirty minutes to the gentleman from New Jersey [Mr. BENNY].

Mr. BENNY. Mr. Chairman, as a new Member of this House, I have been much interested in its proceedings, and somewhat amused to find that the House of Representatives has resolved itself into a sort of close corporation, with the Speaker of the House owning 51 per cent of the stock, as president, secretary and treasurer, and a board of directors consisting of the gentleman from New York, the same from Iowa, and ditto from Ohio, with the gentleman from Pennsylvania acting as sergeant-at-arms [laughter], the stockholders of this corporation being the Republican Members and the lambs represented by the Democratic on-lookers, who hang around waiting for the only chance they ever get in this Congress—the chance to talk. [Laughter.]

But you might have done worse. There is the gentleman from Pennsylvania, always affable, always polite, in fact, always a gentleman; the gentleman from New York, so courteous that it hurts and so big that he has been permitted to carry your banner with the word "Leader" emblazoned thereon; and the gentleman from Ohio, good-natured and as full of fun—and stories, too—as a Republican platform is of promises or the Post Office Department is of room for improvement. [Laughter.]

And your Speaker, though rather top-heavy with offices and stock in your corporation, is compelling us to grow fonder of him every day. And then last, but not least, the gentleman from Iowa, the power behind the throne, the real big gun, the "Long Tom" of this political warfare, to be brought forth only on special occasions, when annihilation is all that is proposed to be done to the minority; the gentleman who, when he addresses himself to the Democratic side of the House, takes on that awful voice and fierce frown and to interrupt whom, even to ask a question or to set him straight, is an unpardonable offense, punishable by bluff repulse, sometimes amounting almost to insult.

From the Republican side of this House we learn that when the gentleman from Iowa speaks he gives forth simon-pure Republican belief, Republican doctrine, and Republican policy, and that no man dare contradict him or be in opposition to him, and I think the majority side of this House has shown its indorsement of that proposition. I was dumfounded a few days ago to see a large number of Members on that side laugh and applaud at the utterly unfair reference made by the Iowa thunderer to the gentleman on this side of the Chamber from New York [Mr. BAKER], who, by the way, in the face of that unfairness conducted himself in such a gentlemanly manner as to win the approbation of every man in the room. It was an exhibition of servility on the other side not to be expected in this body.

I mention these things only for the purpose of calling attention to the fact that when the gentleman from Iowa talks we hear the voice of the Republican party, or at least its chief prophet.

In view of the deference paid to the gentleman, I almost feel ashamed at finding myself opposed to him without that feeling of fear and trembling that it seems ought to entirely possess me.

On November 19 last the oracle from Iowa said on this floor:

> There is labor in every part of this country for every man who wants a place to work. And there is a compensating wage for every man who will perform a day's labor.

And on December 1 he repeated that statement in these words:

> To-day every man on the United States who wants to work finds employment in the great outer fields of the United States and at a compensating wage.

Mr. Chairman, the brilliant gentleman made only two mistakes in his proposition—

First. There is not work in the United States for every man in the United States who wants to work.

Second. There is not a compensating wage for every man who will perform a day's labor.

I bow to the gentleman's superior knowledge and information in some things, but this is not one of them. This particular time I ask him as a loyal Republican to bow to the statement of Hon. Carroll D. Wright, who says there are 1,000,000 men in the country out of work.

I live in the city of Bayonne, a city of 40,000 inhabitants. Every morning at the gates of our great manufacturing establishments—the Standard Oil Company, the Babcock & Wilcox Boiler Company, the Safety Insulated Wire and Cable Company, and other large concerns—hundreds of men congregate and beg for work. Across Newark Bay, at the works of the Singer Manufacturing Company, other hundreds gather, also looking for work. Every large factory in Jersey City, New York, and in every other city that I know of, will furnish a similar sight each morning.

Every man in public life, if he lives in a city and is known to have a heart in him, can testify that he is overrun with applications of deserving men looking for work. And the men at these factory gates are men who really want and who deserve work. In addition to this evidence, do not the newspapers almost daily contain accounts of works shutting down, certain railroad companies laying off 150,000 men within the last three months, and so on?

But men have talked before to-day just like the gentleman from Iowa.

In the middle of the last century, when one-seventh of the whole population of New York were receiving assistance and Horace Greeley was stating the cold fact that "30,000 human beings within the sound of the city-hall bell" could not find work, and Charles A. Dana was writing "the whole tendency of industry is perpetually to disgrace the laborer, to grind him down and reduce his wages," there were sweet-voiced songsters singing that all was well; and we read from the works of a political economist of the period these words:

> In Massachusetts all wage-earners have prospered and honest toil enjoys much larger pecuniary compensation. Every man knows in his own house and works in the town of which he is part owner, while we quoted from Charles Dickens, visiting America, wrote, "A beggar upon the streets of Boston would create as great astonishment as an angel with a drawn sword."

The Republican party, in its egotism, is so used to claiming everything in sight, and many things out of sight, that it requires no exertion on its part now to appropriate to its sacred tariff schedules the credit for labor's position to-day.

If the old Pharisee who used to stand on the street corner in Jerusalem and thank his Maker that he was not like other men should suddenly walk into this Chamber and listen to three ordinary Republican speeches, he would hide his face in shame and admit that in comparison with the Latter-Day Republican Saints here he in the old days in Jerusalem knew absolutely nothing about his business. [Laughter.]

But this same party, while claiming that credit, neglects to say that while it professes to protect the poor steel trust the just as poor, and no poorer, tobacco trust, and other infants of that character, it has never raised its hand to protect labor. In fact, labor to-day is wide open to the competition of every foreign laborer who cares to come here and work.

Will the leaders of the majority at this session proceed to protect the laborer by shortening the hours of labor and restricting in some degree the immigration of foreign laborers? Not while the shipowners have a seat at the table of those who control that party, nor while those who have gotten fabulously wealthy by the labor of others have a voice in that party's councils.

Your party, in power to-day from the White House to the insurrection on the Isthmus of Panama, doesn't dare to. The Republican party, Mr. Chairman, did not make labor what it is. Your party did not even help it. Labor made itself, helped along by its own distinctive papers and by a few great general newspapers.

When labor discovered its own strength and became organized, then it did for itself the one thing necessary to advance labor, and the ceaseless struggle of organized labor for the education of its members and the betterment of its condition is the force that is necessary to the maintenance of its position.

If the gentleman from Iowa had looked before he leaped, or rather before he talked, he must have discovered that for more than one hundred years labor in this country has been battling, at first for its very life and later for a betterment of its condition; that while less than one hundred years ago the leaders of the shoemakers of Philadelphia and of the tailors of New York were being fined for combining to raise wages, to-day the leaders of the coal miners and of workers in other lines are welcome guests at the table of the President of the United States. Oh, things have changed.

The whole civilized world has progressed. The people of the earth have grown better and wiser year by year. An unfettered press in America—excepting, of course, in the State of Quay and Pennypacker—continually advising the people of their rights and educating them in every line, has assisted our people tremendously. Our schools have done their share. Of course labor has risen! Why shouldn't it rise? Let us examine that rise for a moment.

We read that at one time in this country our laws arbitrarily fixed 48 cents per day as the top wage that could be paid to the best workman. There was no bottom wage. The inferior workman had his wage fixed by the village constable, and it would take a magnifying glass to find it. That the beautiful city in which we are now assembled was built largely by men working for 50 cents per day, the mechanics receiving $70 per year for a working day that commenced with sunrise and finished with sunset.

That in 1835 weavers were paid $65 per year and worked twelve hours per day.

That in 1844 factory girls received $1.25 to $2 per week, working from 5 a. m. to 7 p. m., with fifteen minutes recess for breakfast and one-half hour for dinner.

That in 1800 workmen's average wages were $65 per year, and in that year one clerk with a few pigeonholes for filing purposes conducted all the business of the Patent Office.

That in 1850 the average wages were $247.

That in 1900 the average wages were $446, and in this last year more than 27,000 patents were granted in the United States and the clerks in the Patent Office constituted an army.

That the wages of bricklayers climbed up as follows: In 1776 the wages were 50 cents per day of fourteen hours; in 1850 the wages were $1.75 per day of twelve hours; in 1901 the wages were $4.80 per day of eight hours.

The tariff didn't do that! That condition is the fruit of labor's one hundred years' fight for its own. The fight isn't over yet, but when John Mitchell forced the strongest combination of moneyed interests in this world to treat as humans and not as beasts the 147,000 coal miners in the anthracite fields labor saw the dawn break and the sun rise.

In the words of John Hay, every sympathizer with the downtrodden should continue to pray:

> Wherever man oppresses man
> Beneath Thy liberal sun,
> O God! be there Thine arm made bare,
> Thy righteous will be done.

If, as the gentleman maintains, "there is a compensating wage for every man who will perform a day's labor," how is it that in many parts of the country workingmen are striking for a wage that will be a suitable return for their day's labor?

Unless the gentleman's statement is utter nonsense, it can mean only one thing, viz, that the coal miner, the trolley conductor and motorman, the track repairer, the railroad employee in every station, the carpenter, mason, and craftsman of every kind, the ditch digger, and, in fact, every workingman "who will perform a day's labor" is now receiving a "compensating wage," or, in other words, all the wage he is entitled to, a suitable return for his labor.

What an insult to the laboring men of our land! Does the gentleman presume now to say that when the labor organizations of this country look for better wages they ask for something they are not entitled to? Doesn't he know that no man is more willing to do a full day's work for a full day's pay than the laboring man? Yes, sir; the laborer is, as a rule, more willing to do a day's work for his wage than are the Members of this House, and in order to have them do it they need not be watched any closer than our own Members. If anybody disagrees with me, look around at the empty desks. [Laughter and applause.]

The gentleman from Iowa fairly thundered forth, on December 1, these words:

> When has there been a time when the distribution of wealth was as great as it is now, and when the humblest and the poorest had so large a share of the accumulations of each year as now?
>
> There never has been a time.

Has the gentleman not read the figures in the United States census of 1900, which show that 8.99 per cent of the people own 72.67 per cent of the wealth of this country? Has he never seen the estimates of Mr. Charles B. Spahr, whereby it appears that 1 per cent of the people own 54.8 per cent of the wealth; another 10.9 per cent of the people own 32.2 per cent additional, which added together shows that 11.9 per cent of the people own 87 per cent of our wealth, the other 13 per cent of the wealth then remaining being owned by 88.1 per cent of the people? Add all these items up and you will see by these figures all of our wealth is owned by just 50 per cent of the people, the other 50 per cent of our people, or in round numbers 40,000,000 souls, owning absolutely no part of the country's great wealth.

Has it not been stated over and over again without contradiction that when the board of directors of the steel trust meets, the twenty-two men who there sit down own one-twelfth part of the entire wealth of the United States?

Does that show the present to be a time when the distribution of wealth is greater than ever before, and that the humblest and the poorest have a larger share of the accumulations of the year than ever before?

Shame on the suggestion!

On the 1st of this month the gentleman from Iowa said:

> I live in a county of 21,000 people—a farming community. There is not a protected industry in that county. On the 1st day of last October there were $5,580,000 on deposit in the little banks of that county. Ninety-five per cent of these deposits belonged to farmers, and they amounted to more than $300 for every man, woman, and child in the county.
>
> Where can you find anything like that anywhere in the world outside of the influence of our protective tariff?

Mr. Chairman, the success of the land we love, as pictured by the gentleman's description of conditions in his home county to-day, can not be duplicated, so far as I know, in any other country in the world. I congratulate him upon the prosperity of the community in which he lives, and for that prosperity, due almost solely to the fact that Providence assisted that county to raise a very large crop of wheat and other cereals during late years, ne and every other man who shared in that prosperity ought to spend less of their time in praising Dingley schedules and more of their time in thanking Almighty God. [Applause on the Democratic side.]

I despise his suggestion that these conditions exist there because of our protective tariff. It is a small reason for a big man to advance for the grand position to-day of the greatest land on earth. We have the conditions suggested by the gentleman, not because of the tariff, but rather in spite of it, or at least a part of it; not because the people at present favor his party or mine; not because of this law or that law, but because this is the United States of America, a country without parallel since time began. [Applause on the Democratic side].

Has the gentleman ever stopped to consider the land we live in and to compare it with other lands less favored? Does he recall that our country from the time of its first settlement until now has been the one place on earth to which was attracted the best blood and sinew of all the countries of the world? Does he not know that such blood and sinew, intermingling here and fostered under the freedom of our Stars and Stripes, has produced a race of men whose equal never lived before, and will he not now, in due humility, admit that this superior race of men in this beloved land has been signally favored by an all-wise Providence?

Does it count for nothing in the world's competition of nations that the American people have a land so large, so fertile, so favored by God's sun and rain in just the proper proportion, so abundantly provided with inventive geniuses, so situated as to climate and temperature, so rich in minerals and in everything else that goes to make a country great, so well equipped with seacoast and natural inland waterways as to facilitate commercial intercourse among ourselves and with foreign countries, and so placed with reference to other countries as to make us practically secure forever against any method of foreign attack, thus permitting our people to devote more of their energies to peaceful pursuits; so placed and so favored, in fact, as to constitute a marvel to every foreigner who visits our shores?

Why, sir, a people placed in these surroundings and with these advantages, who are not one whit better equipped personally than the people of other countries, ought still, by reason of the surroundings and advantages mentioned, lead all other people in every line of endeavor, but when we find this favored land and this superior people in combination, what is there on the earth to-day that can stand in opposition to it?

"Where," says the gentleman from Iowa, pointing to one of the evidences of our splendid success, "can you find anything like that anywhere in the world outside of the influence of our protective tariff?" etc.

If the protective tariff is responsible for the prosperity pictured by the gentleman, then our people and our country are not. If it is a question of tariff and not people and country, then it is quite evident that all countries should prosper in proportion to the height of their tariff schedules. Why, then, I wonder, does not the Republican party double the tariff rates, and thus increase twofold the wages and the general prosperity?

Mulhall, the greatest of all statisticians, has said: "An ordinary farm hand in the United States raises as much grain as three in England, four in France, five in Germany, six in Austria."

If I am not mistaken, the gentleman from Illinois, chairman of the Committee on Foreign Affairs, in his remarks here this afternoon said that one American workman was as good as four European workmen.

Is that not an unanswerable argument for higher wages to the American farm hand, lower prices to the American consumer of American farm products, and at the same time a better return to the owner of the farm than is possible in any of the other countries named?

If the tariff controls wages and success, why is it that the employe in the Massachusetts factory receives 27 per cent of the value of the product he turns out as against 19 per cent received by the same worker in South Carolina? It is not a question of tariff there, but of superiority of the Massachusetts man and methods employed by him, permitting him to turn out above $700 more per annum than his less-favored brother.

Is it not true that while the German blacksmith was turning out twenty beam hangers a day his American cousin, with an American machine, was making thirty-five times as many?

Does it not cost just about ten times as much to print cotton goods in England as it does in the United States?

Did our friend the enemy every read of the visit to an American silk mill of an English mill owner who, when he found that the machinery was making nearly 5,000 revolutions a minute,

exclaimed, "If we ran our machinery at that speed we couldn't keep a girl in the factories." Then contemplate, for a minute, a recently published statement that the silk-mill machinery to-day in America is run at three times that speed.

The American nail maker is paid ten times as much as the English nail maker, but he produces for that extra wage twenty-eight times as many nails as the Englishman. Why should he not be better paid? Relatively to his productive capacity he is not as well paid. [Loud applause.]

"Where," asks the gentleman, "can you find anything like that anywhere in the world outside of the influence of our protective tariff?" etc.

Where, Mr. Chairman, can you find another Declaration of Independence, another Washington, another Jefferson, another Franklin, another Lincoln, another Nelson?

Where can you find another New York or another Chicago? Where can you find another wheat field of 144 square miles where they use machines which "cut, thresh, clean, and bag the grain at the rate of three bags a minute" to match our California field?

Where outside of our country can you find them cutting down trees for one establishment and within sixteen hours turn out of that mill those same trees in the shape of a paper sheet 150 miles long and nearly 150 feet wide?

Where can you match the American man? Where, God bless her, can you equal the American woman? Nowhere on this earth; her equal does not live; she stands alone, the highest type of God's handiwork; and with the American man on the throne and the American woman the power behind him and the inspiration before him, God grant that this great land may continue to go on and on, each year exceeding in the general prosperity of all our people the years that have gone before. [Applause.]

Mr. BRUNDIDGE. Mr. Chairman, I now yield to the gentleman from Rhode Island [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, it is my intention to speak briefly, and I do so solely for the purpose of placing on record a statement in regard to the recent election in Rhode Island and to correct a statement which has been made on the floor of this House at the first session of this Congress upon that subject. When I first came to the House I was immensely impressed with the dignity and the venerableness of the gentleman from Ohio [Mr. GROSVENOR] who poses as the prophet and statistician of the Republican party. But, sir, when I began to examine his statistics, to examine a statement of fact in regard to that portion of the country from which I come, and with which I am myself familiar, I was indeed surprised. I do not know from whence the gentleman obtained the information, but I am confident it was not obtained from my colleague, for I know that my colleague would have given him only correct information in regard to the State election in that very small State.

But, sir, referring to what the gentleman from Ohio said, he told us that he had been shocked a year ago by the election of a Democratic governor in Rhode Island by over 7,000 plurality, and that he had found on looking into the recent election that that plurality had been reduced to 1,300. To a certain extent that is true. It was reduced to 1,300, but the inference which would be drawn naturally from the remarks of the gentleman from Ohio would be that the Democratic governor of Rhode Island had been reelected by 5,700 less votes than he received a year ago.

On the contrary, sir, notwithstanding the efforts that were made by the Republican party in that State, efforts that have never been surpassed at any previous election, the governor of Rhode Island was reelected by a reduced vote of only 1,700. The gentleman from Ohio proceeded to state that the candidate for lieutenant-governor had been elected by 8,000 plurality. Where the gentleman obtained those figures it is impossible for me to tell. As a matter of fact, the Republican candidate for lieutenant-governor was elected by a plurality of only 281. I must confess that I was very much shocked when I found that the statistics given by the gentleman from Ohio could not bear inspection and that his 8,000 plurality had shrunk to 281. [Laughter on the Democratic side.]

I do not know from whom he obtained his statistics, but I do know that if the gentleman from Ohio wishes to know the real political tendency in Rhode Island he should compare the vote in Rhode Island at the recent election with the vote in Rhode Island four years ago in a corresponding year, the year before the Presidential election. Four years ago we find the Republican vote was 24,268, while in 1903 it is 29,275, an increase of 4,907. The Democratic vote has increased during that period from 14,600 to 30,578, or an increase of 15,978. [Applause on the Democratic side.]

In other words, Mr. Chairman, in four years the Republican vote has increased 20 per cent and the Democratic vote over 100 per cent. [Applause on the Democratic side.]

The gentleman from Ohio has stated that the result in Rhode Island a year ago shocked him, but I fear that a careful study of the political conditions in Rhode Island to-day and in this last election will not tend to benefit his condition. [Laughter on the Democratic side.]

The gentleman has referred to the vote for the general assembly. It is true, Mr. Chairman, that the Democrats have failed to carry the general assembly in Rhode Island. It is true also that the Democrats have, by a small number—four or five—fewer votes in the general assembly than they had last year.

But, sir, it should be borne in mind that it is not the majority of the voters in Rhode Island who control the general assembly in that State. It is the minority in Rhode Island who elect the majority of the delegates. If the gentleman will turn to the statistics of the election a year ago—I have not the statistics for this year—he will find that 65 Republican members were elected to the legislature by about 12,000 votes and that 44 Democratic members were elected by 24,000 votes. In other words, if the Rhode Island voters were equitably represented in the general assembly of Rhode Island our legislature would be overwhelmingly Democratic. [Applause on the Democratic side.]

The tendency in Rhode Island has been steadily toward the Democratic party. The Democratic vote has steadily increased and the Democratic percentage of the popular vote has more than doubled within the last four years.

Rhode Island, sir, is a small State, but I am not aware that the size of a thermometer is a criterion of its worth. The tendency in Rhode Island is, I believe, the tendency in this country; and I believe that the pulse of the whole country can be felt in the small State of Rhode Island by the growth of over 100 per cent in the Democratic sentiment of that State in the last four years. [Loud applause on the Democratic side.]

Mr. VAN VOORHIS. I yield five minutes to the gentleman from Rhode Island [Mr. CAPRON].

Mr. CAPRON. Mr. Chairman, I had not expected that the late election in Rhode Island and the reference to it which has been made incidentally on this floor would be ventilated here to-day. But I am very glad to have the opportunity to supplement my colleague's statements in a manner which will perhaps throw more light upon the situation in Rhode Island than he has been able to give in the short time accorded him. For myself I will say in a general way that the late election in Rhode Island was very satisfactory from the standpoint of a Republican. As to the matter of percentages and statistics, I can not undertake to enter into that sort of calculation, because percentages are so deceiving, especially when applied to or by the Democratic party.

I find, for instance, that when the gentleman states that there was a 100 per cent reduction of Republican votes or an increase of 100 per cent in the Democratic votes in Rhode Island in the last year, it is about as satisfactory a statement as it would be to say that the Republican representation in this House had decreased 50 per cent in the last year and the Democratic representation increased a hundred times the same proportion. The facts are simply this: That at the election one year ago, in which the governor was elected by something like seven or eight thousand—and I do not remember the exact figures and I have not them at hand—it was the result of local conditions which followed a car strike, during which the militia was called out, and intense local feeling was shown in the result of the subsequent election. As was stated on this floor by the distinguished gentleman from Missouri at one time, the matter was one which he believed to be purely local; and such was the fact, and was so understood.

The governor's plurality at that time was in the vicinity of 7,500 or 8,000, if my memory serves me correctly. Whether at the last election as many less Republicans or as many more Democrats voted I have not figured out, nor do I care to do so. I only know that this result did happen in our State, viz, that every man on the State ticket in Rhode Island was elected by a handsome plurality except the governor. The lieutenant-governor——

Mr. GRANGER. Will my colleague allow me——

Mr. CAPRON. I am very glad to yield to the gentleman.

Mr. GRANGER. Will my colleague state what was the "handsome majority" by which the lieutenant-governor was elected, and will he state also the figures that were given by the gentleman from Ohio?

Mr. CAPRON. I should have to borrow my colleague's memorandum book before I could give the exact figures; but I am satisfied to state that we elected the lieutenant-governor, the secretary of state, the general treasurer, the attorney general, and a senate and house by enormously large and increased pluralities, so that we went home in a very smiling condition after the results of the election were known.

Mr. CLAYTON. You elected one Democratic Congressman also, and that made you smile.

Mr. CAPRON. We elected that Democratic Congressman one

year ago, I would state to the gentleman. We have elections annually in Rhode Island, and it is the recent State election last month which we are discussing.

Mr. STANLEY. I would ask the gentleman if, under the circumstances, he would not have gone home smiling if he had gone in with a majority of but one, knowing that he got there?

Mr. CAPRON. Well, the smile would not have been as broad as it was. Still, I would have smiled. One is a good many. We elected our secretary of state, if I remember correctly, by a plurality of about 7,000, an increase of a considerable number. Now, understand, this is on the Australian ballot, pure and simple. We have no pasters to put on the ballot. Every man's name on the ballot in Rhode Island must be marked by a cross against his name. We have no fraud, no corruption in Rhode Island, I would like to state. [Applause and laughter.] Elections are honestly conducted there, and I am glad to be able to assert here that except in a few isolated and inconsequential instances this matter of corruption which has been charged, and of bribery which has been alleged, is untrue in so far as it has been applied to the State of Rhode Island.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CAPRON. Well, Mr. Chairman, perhaps I have said enough, but I could prepare myself with statistics which would conclusively prove that the State of Rhode Island is as absolutely certain as any State in New England or in the Union to go Republican in the Presidential election next year. [Applause.]

Mr. VAN VOORHIS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6758, the pension appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LAMAR of Florida, for indefinite time, on account of important business in Florida.

To Mr. HOUSTON, till Monday, on account of important business.

ENGRAVINGS, DRAWINGS, AND MAPS.

The SPEAKER. The Chair calls the attention of the House to the fact that on yesterday, by resolution, the House ordered that certain documents should be printed with engravings, drawings and maps, at the request of the gentleman from Ohio [Mr. BURTON], chairman of the Committee on Rivers and Harbors. There are some additional documents of similar nature which came to the Speaker's desk before that order was made. Without objection, that order as made will apply to the documents the titles of which, for greater certainty, the Clerk will now report.

The Clerk read as follows:

House Document No. 39, Examination and Survey of Wrangell Narrows, Alaska.

House Document No. 33, Examination and Survey of Weymouth Fore River, Mass.

House Document No. 44, Reclamation of Arid Lands.

House Document No. 7, Sites for Naval Magazine on New England Coast.

House Document No. [illegible], Board of Managers of the National Home [illegible].

The SPEAKER. The Chair hears no objection, and it is so ordered.

EMPLOYMENT OF ADDITIONAL PAGE IN PRESS GALLERY.

Mr. HILDEBRANT. Mr. Speaker, I am authorized by the Committee on Accounts to report, with a favorable recommendation, the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House is hereby authorized and directed to employ an additional page, Hugh Williams, in the press gallery during the remainder of the present session, the compensation of said page to be paid out of the contingent fund of the House at the rate of $900 per annum.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

EMPLOYMENT OF ASSISTANT CLERK TO COMMITTEE ON ACCOUNTS.

Mr. HILDEBRANT. Mr. Speaker, I am also authorized by the Committee on Accounts to report the following resolution, which I will ask to have read:

The Clerk read as follows:

Resolved, That the chairman of the Committee on Accounts is hereby authorized to employ an assistant clerk to said committee during the illness of clerk of said committee, to be paid out of the contingent fund of the House of Representatives at the rate of $6 per day.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

SUBMARINE CABLES.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a report by the Secretary of State with accompanying papers, relative to the claims of the Pacific Telegraph Extension, Mackenzie and Orton Transpacific Company, the Union Transpacific Company, and the Commercial Pacific Cable Company for compensation for damages done to their cables and property by Federal States naval and military authorities during the Spanish-American war.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

The message and accompanying documents were referred to the Committee on War Claims, and ordered to be printed.

SCHOONER EDDIE.

The SPEAKER also laid before the House the following message from the President:

To the Senate and House of Representatives:

I transmit herewith for the consideration of the Congress a report by the Secretary of State, with accompanying papers, in the claim of the British schooner Eddie.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

The message and accompanying documents were referred to the Committee on Claims, and ordered to be printed.

INTERNATIONAL SANITARY BUREAU.

The SPEAKER also laid before the House the following message from the President:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, relative to the International Sanitary Bureau created by the Pan-American Conference of 1902, and recommending an appropriation of a specified sum for the support of said bureau during the ensuing year, such sum to be paid to the Government of Brazil in lieu of the contribution of the United States to the expenses of the bureau.

In view of the importance of this Bureau, I recommend that the appropriation asked for be granted.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

The message and accompanying documents were referred to the Committee on Appropriations, and ordered to be printed.

BUILDING FOR BUREAU OF AMERICAN REPUBLICS.

The SPEAKER also laid before the House the following message from the President:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, looking to the construction of a building in the city of Washington, for the use of the Bureau of the American Republics.

I approve the recommendations made by the Secretary of State and strongly recommend the matter to the favorable consideration of Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 11, 1903.*

The message and accompanying documents were referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ADJOURNMENT UNTIL MONDAY.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

Then, on motion of Mr. PAYNE (at 4 o'clock and 14 minutes p. m.), the House, pursuant to the above order, adjourned until Monday, December 14, 1903.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications was taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, calling attention to the desirability of the adoption of new Government salary tables—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a copy of a report from the Commissioner of Indian Affairs inclosing a copy of an agreement with the Ottawa Indians, and a draft of a bill to carry into effect the terms of the said agreement—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting, with a letter from the acting governor of Porto Rico, a copy of a memorial relative to legislation in regard to river and harbor improvements—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Public Printer submitting a recommendation as to certain unexpended balances—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Treasurer of the United

States submitting an estimate of appropriation for additional employees in his office—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for purchase of dictionaries of the Spanish language—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Public Printer submitting a recommendation as to use of certain unexpended balances—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Kaw (Kansas) River, Kansas—to the Committee on River and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Elk River, West Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Mississippi River from Quincy, Ill., to Sny Levee—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Ohio River near Elizabethtown, Ill.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Onset River, Massachusetts—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Missouri Chute, Missouri—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of St. Charles Bay, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Yamhill River, Oregon—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Pointe aux Barques, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of channel of West River, Connecticut—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to The brig *Resolution*, Alphens Billings, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to The sloop *Hawk*, Holden Langdon, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to The brig *Polly*, Joseph Eles, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to The schooner *Polly*, John Drummond, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to The schooner *Molly*, John Miller, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to The brig *Mehitable*, William Orne, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, recommending legislation in relation to the issue of medals of honor—to the Committee on Military Affairs, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 1358) for the relief of the Madison Female Institute, at Richmond, Ky.—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 1981) concerning an act entitled "An act granting pensions to the survivors of the Indian wars of 1832–1842, inclusive," approved July 27, 1892—Committee on Military Affairs discharged, and referred to the Committee on Pensions.

A bill (H. R. 5617) granting an increase of pension to William P. Hereford—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5958) granting a pension to Mrs. James Griffin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6050) granting a pension to D. W. Marshall—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6098) granting a pension to Hugh Reid—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6418) for the relief of J. H. McDaniel—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 7022) to amend section 4 of an act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901—to the Committee on the District of Columbia.

Also, a bill (H. R. 7023) to amend an act to regulate the height of buildings in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 7024) to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 7025) providing for a superintendent of the fire department of the District of Columbia—to the Committee on the District of Columbia.

By Mr. DAVIDSON: A bill (H. R. 7026) to provide for the purchase of a site and the erection of a public building thereon at Stevens Point, in the State of Wisconsin—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7027) to provide for the purchase of a site and the erection of a public building thereon at Manitowoc, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. HEARST: A bill (H. R. 7028) for the establishment of a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: A bill (H. R. 7029) authorizing the retirement of light-house keepers and the payment to them of a pension—to the Committee on Interstate and Foreign Commerce.

By Mr. GARDNER of Michigan: A bill (H. R. 7030) to refer to the Court of Claims the claims of the Peoria, Kaskaskia, Wea, and Piankashaw Indians against the United States, and for other purposes—to the Committee on Indian Affairs.

By Mr. NEEDHAM: A bill (H. R. 7031) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State—to the Committee on the Public Lands.

By Mr. HOGG: A bill (H. R. 7032) to provide for the purchase of a site and the erection of a public building thereon at Trinidad, Colo.—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: A bill (H. R. 7033) to amend an act entitled "An act providing for certain requirements for vessels propelled by gas, fluid, naphtha, or electric motors," approved January 18, 1897—to the Committee on the Merchant Marine and Fisheries.

By Mr. SPERRY (by request): A bill (H. R. 7034) to prevent the sale of intoxicating liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HUGHES of West Virginia: A bill (H. R. 7035) providing for the erection of a public building in the city of Bluefield, W. Va.—to the Committee on Public Buildings and Grounds.

By Mr. HULL (by request): A bill (H. R. 7036) for the protection of producers, manufacturers, and vendors of milk and cream, and of lawful milk beverages composed mainly of milk, in the District of Columbia—to the Committee on the District of Columbia.

By Mr. FOSTER of Vermont: A bill (H. R. 7037) to fix the number of printed copies of the Report of the Secretary of Agriculture and of the Report of the Bureau of Animal Industry—to the Committee on Printing.

By Mr. MORRELL: A bill (H. R. 7038) to provide for the transportation of Government supplies in United States vessels—to the Committee on Military Affairs.

By Mr. SHAFROTH: A bill (H. R. 7039) to fix the time for the convening of Congress—to the Committee on the Judiciary.

By Mr. WANGER: A bill (H. R. 7040) to promote economy in the administration of the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. BATES: A bill (H. R. 7041) relating to liability of common carriers by railroads in the District of Columbia and Territories and common carriers by railroads engaged in commerce between the States and between the States and foreign nations to their employees—to the Committee on the Judiciary.

By Mr. GLASS: A bill (H. R. 7042) to provide for enlarging and improving the United States building at Lynchburg, Va., containing the United States court rooms, clerk's office, post-office, and internal-revenue offices—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7043) to erect a custom-house and post-office building in the city of South Boston, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7044) for the erection of a public building at Radford, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7045) for the erection of a public building at Bedford City, Va.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7046) to grant franking privilege to agricultural departments of States and Territories—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 7047) for the relief of gaugers, storekeeper-gaugers, and storekeepers—to the Committee on Ways and Means.

Also, a bill (H. R. 7048) to amend section 3255, Revised Statutes of the United States, concerning the distilling of brandy fruits—to the Committee on Ways and Means.

Also, a bill (H. R. 7049) for the erection of a monument to Andrew Lewis—to the Committee on the Library.

Also, a bill (H. R. 7050) to return to the several States the amount remaining to the credit of captured and abandoned property—to the Committee on War Claims.

By Mr. BINGHAM: A bill (H. R. 7051) fixing the rank of senior sergeant-majors and senior quartermaster-sergeants in the Marine Corps, and for other purposes—to the Committee on Naval Affairs.

By Mr. GROSVENOR: A bill (H. R. 7052) to require the employment of vessels of the United States for public purposes—to the Committee on Military Affairs.

By Mr. PERKINS: A bill (H. R. 7053) to regulate the naturalization of aliens—to the Committee on Immigration and Naturalization.

By Mr. MORRELL: A bill (H. R. 7054) for establishing a National Bureau of Insurance, and so forth—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: A bill (H. R. 7055) to provide for the transportation of naval and other stores in American-built ships—to the Committee on Military Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. CURTIS: A bill (H. R. 7057) permitting railroad companies owning railroads in the Indian Territory to sell and convey the whole or any part thereof, and for other purposes—to the Committee on Indian Affairs.

By Mr. GLASS: A bill (H. R. 7105) to restore in part proceeds of captured and abandoned property—to the Committee on War Claims.

By Mr. MAHON: A bill (H. R. 7201) for the relief of the State of Pennsylvania—to the Committee on War Claims.

By Mr. VREELAND: A bill (H. R. 7262) to provide for the allotment of lands in severalty to the Indians in the State of New York, and extend the protection of the laws of the United States and of the State of New York over such Indians, and for other purposes—to the Committee on Indian Affairs.

By Mr. MARSHALL: A bill (H. R. 7263) to ratify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making an appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. SMALL: A bill (H. R. 7264) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

By Mr. ALLEN: A bill (H. R. 7265) to change the name of Madison street to Samson street—to the Committee on the District of Columbia.

By Mr. BABCOCK: A joint resolution (H. J. Res. 64) authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington—to the Committee on the District of Columbia.

By Mr. GIBSON: A joint resolution (H. J. Res. 65) to promote peace among nations—to the Committee on Foreign Affairs.

By Mr. DAVIDSON: A resolution (H. Res. 87) to authorize the chairman of the Committee on Railways and Canals to appoint a janitor for said committee—to the Committee on Accounts.

By Mr. MINOR: A resolution (H. Res. 88) authorizing the chairman of the Committee on Expenditures in the Interior Department to appoint a clerk—to the Committee on Accounts.

By Mr. SOUTHWICK: A resolution (H. Res. 89) authorizing the chairman of the Committee on Education to appoint a janitor—to the Committee on Accounts.

By Mr. MORRELL: A resolution (H. Res. 90) asking Secretary of War for detailed statement of the progress made in work on filtration plant in District of Columbia—to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 7058) granting a pension to Louisa E. Satterfield—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 7059) granting an increase of pension to James Redshaw—to the Committee on Invalid Pensions.

By Mr. BASSETT: A bill (H. R. 7060) granting an increase of pension to Palin H. Sims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7061) granting an increase of pension to David Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7062) granting a pension to Kate M. A. Mortensen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7063) granting a pension to Ellen F. Lynch—to the Committee on Invalid Pensions.

By Mr. BOUTELL: A bill (H. R. 7064) granting an increase of pension to Charles von Lukowitz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7065) granting an increase of pension to Albert Nimmerguth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7066) granting a pension to Elizabeth B. Constant—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 7067) granting an increase of pension to Jerome R. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7068) increasing the pension of Ruth M. Lyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7069) granting an increase of pension to George L. Cooley—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 7070) granting an increase of pension to Hiram Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7071) granting an increase of pension to Thomas A. Carson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7072) granting a pension to Mary McCall—to the Committee on Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 7073) for the relief of Lieut. Jerome E. Morse, United States Navy, retired—to the Committee on Naval Affairs.

By Mr. CANNON: A bill (H. R. 7074) granting an increase of pension to Jesse Sims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7075) granting an increase of pension to Thomas B. Monser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7076) granting a pension to Sarah A. Pitt—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 7077) granting a pension to Elias Knupp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7078) granting a pension to Rachel B. Denny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7079) granting an increase of pension to John J. Fleming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7080) to rectify and complete the military record of John Houpt—to the Committee on Military Affairs.

By Mr. CUSHMAN: A bill (H. R. 7081) granting an increase of pension to Mary J. Adams—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 7082) to correct the record by removing charge of absent without leave against the military record of Peleg T. Griffith—to the Committee on Military Affairs.

By Mr. DAVIDSON: A bill (H. R. 7083) granting an increase of pension to Albert P. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7084) granting an increase of pension to Edwin V. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7085) granting an increase of pension to William Spiegelberg—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 7086) granting a pension to Isaac D. Caldwell—to the Committee on Invalid Pensions.

By Mr. DE ARMOND (by request): A bill (H. R. 7087) to indemnify Gilbert Shaw, of Henry County, Mo., for homestead land by granting other lands in lieu thereof—to the Committee on the Public Lands.

By Mr. DOVENER: A bill (H. R. 7088) granting a pension to Enoch F. Blackwell—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 7089) granting an increase of pension to James R. Werts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7090) granting an increase of pension to Jacob N. Lowe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7091) granting an increase of pension to John W. Gammo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7092) granting an increase of pension to William S. Sayers, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7093) for the relief of Harriet Kyler—to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 7094) granting a pension to Herbert Mueller—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 7095) granting an increase of pension to Harrison H. Hakes—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 7096) granting an increase of pension to Eva A. Burgess—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7097) granting an increase of pension to John W[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7098) granting relief to certain members of the Seventh Michigan Cavalry, war of the rebellion—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 7099) granting an increase of pension to Samuel M. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7100) granting an increase of pension to James Rodkard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7101) granting a pension to John H. Ragle—to the Committee on Invalid Pensions.

By Mr. GLASS: A bill (H. R. 7102) for the relief of Edward Fountain—to the Committee on Naval Affairs.

Also, a bill (H. R. 7103) for the relief of E. W. Donnelly—to the Committee on War Claims.

Also, a bill (H. R. 7104) for relief of parties for property taken by the United States—to the Committee on War Claims.

Also, a bill (H. R. 7105) for the relief of Mrs. Susan A. Dinwiddie—to the Committee on War Claims.

Also, a bill (H. R. 7107) for the relief of Albert F. May—to the Committee on War Claims.

Also, a bill (H. R. 7108) for the relief of S. Plummer Morton, alias Marion Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7109) for the relief of Dr. W. E. Pittman—to the Committee on War Claims.

Also, a bill (H. R. 7110) for the relief of the State Savings Bank, of Roanoke, Va.—to the Committee on Claims.

Also, a bill (H. R. 7111) for the relief of R. T. Priddy, executor of John D. Priddy, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7112) for the relief of R. L. Johnson—to the Committee on Claims.

Also, a bill (H. R. 7113) for the relief of the Free and Accepted Order of Masons, in the town of Keysville, Charlotte County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7114) for the relief of D. A. Brown—to the Committee on War Claims.

Also, a bill (H. R. 7115) for the relief of Joseph White—to the Committee on War Claims.

Also, a bill (H. R. 7116) for the relief of David Sloan—to the Committee on War Claims.

Also, a bill (H. R. 7117) for relief of W. S. Hodges—to the Committee on War Claims.

Also, a bill (H. R. 7118) for the relief of E. H. Murrell—to the Committee on Claims.

Also, a bill (H. R. 7119) for relief of C. T. Bowen—to the Committee on War Claims.

Also, a bill (H. R. 7120) for the relief of W. R. Perfater—to the Committee on War Claims.

Also, a bill (H. R. 7121) for the relief of Z. B. Moorman—to the Committee on Claims.

Also, a bill (H. R. 7122) for the relief of Susan Sloan—to the Committee on War Claims.

Also, a bill (H. R. 7123) for the relief of Elijah Poage—to the Committee on War Claims.

Also, a bill (H. R. 7124) for the relief of Gertrude S. Tarlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7125) for relief of Dr. R. Gordon Simmons—to the Committee on War Claims.

Also, a bill (H. R. 7126) for the relief of the Methodist Protestant Church—to the Committee on War Claims.

Also, a bill (H. R. 7127) for the relief of Hugh C. Preston—to the Committee on Claims.

Also, a bill (H. R. 7128) for the relief of John B. Ferguson—to the Committee on War Claims.

Also, a bill (H. R. 7129) for the relief of James D. Hankins—to the Committee on War Claims.

Also, a bill (H. R. 7130) for the relief of the legal representatives of Benjamin Wilkes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7131) for the relief of Mrs. Pinnie L. Carr—to the Committee on Claims.

Also, a bill (H. R. 7132) for the relief of J. W. Chandler—to the Committee on Claims.

Also, a bill (H. R. 7133) for the relief of R. T. Vaughn—to the Committee on War Claims.

Also, a bill (H. R. 7134) for the relief of Hugh C. Preston—to the Committee on Claims.

Also, a bill (H. R. 7135) for the relief of I. O. B. Palmer—to the Committee on War Claims.

Also, a bill (H. R. 7136) for the relief of W. S. Rodden—to the Committee on War Claims.

Also, a bill (H. R. 7137) for the relief of the estate of Zachariah F. Calbreath—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. 7138) granting an increase of pension to Daniel W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7139) granting an increase of pension to St. Clair T. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7140) granting a pension to Lithe A. Baker—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 7141) for relief of the heirs of J. A. J. Rooker, deceased, James Deatherage, administrator of estate of deceased—to the Committee on War Claims.

By Mr. HEMENWAY: A bill (H. R. 7142) granting an increase of pension to Jeremiah Painter—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 7143) granting an increase of pension to Robert Gray—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 7144) granting an increase of pension to Frederick Lockley—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 7146) granting a pension to Martha E. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7147) granting an increase of pension to Joe F. Allison—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 7148) for the relief of C. W. Merrick, of Pueblo, Colo.—to the Committee on the Post-Office and Post-Roads.

By Mr. HOLLIDAY: A bill (H. R. 7149) granting an increase of pension to Daniel W. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7150) granting an increase of pension to Edward Bland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7151) granting an increase of pension to Jonathan Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7152) granting an increase of pension to Jeff. K. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7153) granting an increase of pension to Mahlon Stretchbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7154) granting a pension to Riley Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7155) granting an increase of pension to John E. Link—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7156) granting an increase of pension to George W. Harmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7157) granting an increase of pension to Lucien R. Whipple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7158) granting an increase of pension to Albert Hertel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7159) granting an increase of pension to Samuel J. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7160) granting an increase of pension to John S. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7161) granting an increase of pension to Edward Maxwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7162) granting an increase of pension to Cyrus H. Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7163) granting an increase of pension to John Tindall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7164) granting an increase of pension to Salina T. Helms—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7165) granting an increase of pension to Daniel H. Strange—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7166) granting an increase of pension to William Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7167) granting an increase of pension to John W. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7168) granting an increase of pension to Enos Day—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7169) granting an increase of pension to William Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7170) granting an increase of pension to George Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7171) granting an increase of pension to Cynthia A. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7172) granting an increase of pension to Alexander W. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7173) granting an increase of pension to William H. Piper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7174) granting an increase of pension to Isaac Hoover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7175) granting an increase of pension to John M. Swaim—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7176) granting an increase of pension to Allen W. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7177) granting an increase of pension to William H. Lucas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7178) granting a pension to Martha Rankin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7179) granting a pension to Malinda K. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7180) granting a pension to John Hurst—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7181) for the relief of Charles Plumb—to the Committee on Military Affairs.

Also, a bill (H. R. 7182) for the relief of Thomas Doyle—to the Committee on Military Affairs.

Also, a bill (H. R. 7183) for the relief of Albert M. Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 7184) for the relief of George H. Gibson—to the Committee on Military Affairs.

Also, a bill (H. R. 7185) for the relief of Andrew B. Ritter—to the Committee on Military Affairs.

Also, a bill (H. R. 7186) to correct the military record of Benjamin Cornwell—to the Committee on Military Affairs.

Also, a bill (H. R. 7187) granting a discharge to James M. Powell—to the Committee on Military Affairs.

By Mr. KEHOE: A bill (H. R. 7188) granting an increase of pension to John H. Groves—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 7189) for the relief of Louis H. Legler—to the Committee on Military Affairs.

By Mr. KLUTTZ: A bill (H. R. 7190) for the relief of the Bank of North Wilkesboro—to the Committee on Claims.

Also, a bill (H. R. 7191) for the relief of John F. Foard—to the Committee on War Claims.

Also, a bill (H. R. 7192) for the relief of Oliver Dockery—to the Committee on Claims.

Also, a bill (H. R. 7193) for the relief of A. H. Boyden, executor of Nathaniel Boyden—to the Committee on Claims.

Also, a bill (H. R. 7194) for the relief of George W. Fisher—to the Committee on War Claims.

Also, a bill (H. R. 7195) for the relief of J. B. Fitzgerald—to the Committee on War Claims.

Also, a bill (H. R. 7196) for the relief of John W. Gray—to the Committee on War Claims.

By Mr. LANNING: A bill (H. R. 7197) for the relief of Daniel Dills—to the Committee on Invalid Pensions.

By Mr. LEWIS: A bill (H. R. 7198) for the relief of the heirs of William Wesley Turner, deceased—to the Committee on Claims.

By Mr. LIVINGSTON: A bill (H. R. 7199) for the relief of James A. Kennedy—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 7200) granting a pension to Thomas Larunore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7202) for the relief of Compañia de los Ferrocarriles de Puerto Rico—to the Committee on War Claims.

By Mr. McCARTHY: A bill (H. R. 7203) granting an increase of pension to Robert W. Mills—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 7204) for the relief of Jacob Rinehart—to the Committee on Military Affairs.

Also, a bill (H. R. 7205) granting a pension to Mary Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7206) granting a pension to Robert Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7207) granting a pension to Reuben Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7208) granting an increase of pension to Thomas S. Fields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7209) granting an increase of pension to John W. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7210) granting an increase of pension to William T. Harden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7211) granting an increase of pension to James A. J. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7212) granting an increase of pension to Stewart Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7213) granting an increase of pension to Isaac Graham—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 7214) to remove the sentence of court-martial from the military record of Morgan Everts—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 7215) for the relief of D. C. Owings—to the Committee on Claims.

Also, a bill (H. R. 7216) granting an increase of pension to John Brown—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 7217) granting a pension to Elizabeth E. Schultz—to the Committee on Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 7218) granting an increase of pension to Alfred F. Clarke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7219) granting an increase of pension to George W. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7220) granting an increase of pension to Herbert A. Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7221) granting an increase of pension to John Ryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7222) granting a pension to Charles A. Hunter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7223) granting a pension to Eva D. Kellogg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7224) authorizing the payment to the administrator of late Ephraim Perkins, captain, of the value of his three-quarters of brigantine *Eliza* and cargo, illegally captured by the French, as ascertained by the Court of Claims—to the Committee on Claims.

By Mr. PRINCE: A bill (H. R. 7225) to correct the military record of Samuel F. Hall—to the Committee on Military Affairs.

By Mr. RIXEY: A bill (H. R. 7226) for the relief of the legal representatives of Charles W. Adams, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7227) granting an increase of pension to Rebecca Tolson—to the Committee on Pensions.

Also, a bill (H. R. 7228) for the relief of Stonewall Cockrill, of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7229) for the relief of William Bushby—to the Committee on Claims.

By Mr. ROBINSON of Arkansas: A bill (H. R. 7230) granting a pension to Fanny Hay Maffitt—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 7231) granting a pension to John White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7232) granting an increase of pension to John S. Stanger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7233) granting an increase of pension to Eli Newsom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7234) granting an increase of pension to W. A. Gunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7235) granting an increase of pension to Azariah S. Ellwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7236) granting an increase of pension to W. R. McCullough—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 7237) granting a pension to Anna E. Hethrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7238) granting an increase of pension to Evana E. Meyers—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 7239) granting a pension to Lydia M. Hill—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 7240) granting an increase of pension to Mary E. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7241) granting an increase of pension to Philip H. Strunk—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 7242) for the relief of W. B. Whitfield—to the Committee on War Claims.

By Mr. WACHTER: (by request) A bill (H. R. 7243) granting an increase of pension to Ann A. Botsford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7244) granting an increase of pension to Williamina R. Allenbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7245) granting an increase of pension to Priscilla C. Dodd—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 7246) granting an increase of pension to Ingroll W. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7247) to remove the charge of desertion from the record of William Ridge—to the Committee on Military Affairs.

Also, a bill (H. R. 7248) granting a pension to R. H. Cooke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7249) granting a pension to Mary Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7250) granting a pension to James Gillen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7251) granting a pension to Mary T. Easton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7252) granting a pension James M. Garrett—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 7253) granting an increase of pension to William M. Pomroy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7254) for the relief of Franklin Woodford—to the Committee on Claims.

By Mr. ZENOR: A bill (H. R. 7255) to correct the military record of Henry W. Hardman—to the Committee on Military Affairs.

By Mr. SMALL: A bill (H. R. 7256) for the relief of John L. Brown and the estates of A. T. Reddit and William G. Judkins—to the Committee on War Claims.

Also, a bill (H. R. 7257) for the relief of T. H. B. Myers, surviving partner of John Myers & Son—to the Committee on War Claims.

Also, a bill (H. R. 7258) for the relief of the estate of W. F. Sanderson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7259) for the relief of Walter T. Dough—to the Committee on War Claims.

Also, a bill (H. R. 7260) for the relief of the estate of Esau Berryd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7261) for the relief of the estate of Thomas A. Dough, deceased—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BATES: Petitions of citizens of Slippery Rock, Butler County, Pa., favoring the passage of the Hepburn bill, relating to the interstate liquor traffic—to the Committee on the Judiciary.

By Mr. BINGHAM: Memorial of residents of Pensacola Navy-Yard, Fla., complaining of conditions existing and praying that Congress grant to the State of Florida such portions of the naval reservation as lie outside the navy-yard—to the Committee on Naval Affairs.

By Mr. BOUTELL: Papers to accompany bill to increase pension of Albert Nimmergath—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Petition of the National Temperance Society, of New York, asking for the appointment of a commission of inquiry into the liquor traffic and its effects—to the Committee on Alcoholic Liquor Traffic.

Also, letter from New York Board of Trade and Transportation, favoring restoring our merchant marine to its former condition—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of a mass meeting of citizens of Wichita, Kans., favoring enlargement of powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, letter from the Southwestern Kansas and Oklahoma Implement and Hardware Dealers' Association, of Wichita, Kans., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BRUNDIDGE: Papers to accompany bill granting increase of pension to Hiram Ward—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Thomas A. Carson—to the Committee on Invalid Pensions.

By Mr. BURKETT: Letter from W. B. Glasgow, Pawnee City, Nebr., and W. B. Harter, Nebraska City, Nebr., in favor of the passage of the McCumber bills forbidding the sale of liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CALDERHEAD: Resolution of a meeting of citizens of Wichita, Kans., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Woodson Post, No. 185, Grand Army of the Republic, Yates Center, Department of Kansas, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the executive committee of the Southwestern Lumbermen's Association, of Kansas City, Mo., relating to an amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, letters from J. C. Froelich, Navarre, Kans., and Southwestern Kansas and Oklahoma Implement and Hardware Company, of Wichita, Kans., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Petition of B. U. Sharon, of Cowley County, and Harry E. Halsey, of Chetopa, Kans., against sale of intoxicating liquors in all Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of a meeting of citizens of Wichita, Kans., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. COOPER of Pennsylvania: Papers to accompany bill to pension Mrs. Rachel B. Denny—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: Resolution of Oliver B. Smith Post, of Minnesota, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DRAPER: Papers written by Charles Stoughton, of New York, relating to the Harlem River project—to the Committee on Rivers and Harbors.

Also, resolution of G. L. Willard Post, No. 34, Grand Army of the Republic, of Troy, Department of New York, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DENNY: Resolution of the Board of Trade of Baltimore, Md., relative to a 35-foot channel of the main ship channel from the port of Baltimore—to the Committee on Rivers and Harbors.

By Mr. DE ARMOND: Papers to accompany bill for the relief of Gilbert Shaw—to the Committee on the Public Lands.

By Mr. DOVENER: Paper to accompany bill to pension Enoch Foley Blackwell—to the Committee on Invalid Pensions.

By Mr. ESCH: Papers to accompany bill H. R. 958—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of the standing committees of the National Business League, in favor of a greater navy—to the Committee on Naval Affairs.

Also, papers to accompany bill granting an increase of pension to Harrison H. Bakes—to the Committee on Invalid Pensions.

By Mr. GIBSON: Papers to accompany bill for the relief of T. L. Anderson, administrator—to the Committee on War Claims.

By Mr. GRIFFITH: Letter from the Fire Underwriters' Association of the Northwest, Indianapolis, Ind., favoring passage of bill H. R. 3585, amending sections of the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMILTON: Resolution of the constitutional convention at Juneau, Alaska, against a Territorial form of government for Alaska at this time—to the Committee on the Territories.

By Mr. HAMLIN: Papers to accompany bill for the relief of the heirs of J. A. J. Rocker, deceased—to the Committee on War Claims.

By Mr. HEMENWAY: Petition of Farragut Post, No. 27, Grand Army of the Republic, Department of Indiana, praying for the passage of bill H. R. 17205—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: Resolution of the United Society of Christian Endeavor, of New Britain, Conn., against sale of liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. HERMANN: Resolution of the Board of Trade of San Francisco, recommending an appropriation for the improvement of Stockton Harbor—to the Committee on Rivers and Harbors.

By Mr. HINSHAW: Papers to accompany bill H. R. 1494, granting an increase of pension to Isaac D. Neihardt—to the Committee on Invalid Pensions.

Also, resolution of Mission Ridge Post, No. 149, Grand Army of the Republic, Greenwood, Department of Nebraska, favoring passage of service-pension law—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of business men of Monroe Center, Ill., protesting against enactment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, resolution of John O. Duer Post, No. 399, Grand Army of the Republic, Hanover, Department of Illinois, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LANNING: Papers to accompany bill to increase pension of Daniel Dilts—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: Petition of A. R. Andrews and other citizens of Atlanta, Ga., praying that services of convicts of Federal penitentiary at Atlanta, Ga., be dispensed with on granite and ground work—to the Committee on the Judiciary.

By Mr. LORIMER: Paper to accompany bill for relief of Valentine Lapham—to the Committee on Claims.

By Mr. McCLEARY of Minnesota: Resolution of Hecker Post, No. 48, Grand Army of the Republic, of New Ulm, Department of Minnesota, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Custer Post, Grand Army of the Republic, No. 41, of Rochester, Department of Minnesota, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of the Pennsylvania State Forestry Reserve Commission, favoring the preservation of the Calaveras trees in California—to the Committee on Agriculture.

By Mr. McLAIN: Memorial of the mayor and board of aldermen of the city of Natchez, Miss., favoring passage of bill H. R. 4498, for the protection and improvement of Natchez Harbor—to the Committee on Rivers and Harbors.

By Mr. MORRELL: Paper to accompany bill to increase pension of Charles P. Clark—to the Committee on Invalid Pensions.

Also, paper to accompany bill for advancement on retired list of the Navy of Robert Potts, Chief Engineer, United States Navy, retired—to the Committee on Naval Affairs.

By Mr. OLMSTED: Resolution of the Pennsylvania State Forestry Reserve Commission, favoring the preservation of the big redwood trees of California—to the Committee on Agriculture.

By Mr. POWERS of Massachusetts: Petition of the National Association of Credit Men, favoring passage of Lodge bill for the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. PRINCE: Papers to accompany bill H. R. 1595, in claim of Louisa McCall, administratrix, etc., of McCall & Co.—to the Committee on Claims.

By Mr. ROBINSON of Indiana: Petition of J. C. Dunfee and others, of Dunfee, Ind., favoring the passage of the McCumber bill relating to the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. STERLING: Petition of citizens of Saybrook, Ill., favoring passage of McCumber bill, relating to sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. THOMAS of North Carolina: Papers to accompany bill for the relief of W. B. Whitfield—to the Committee on War Claims.

By Mr. TIRRELL: Papers to accompany bill to increase pension of Marcellus A. Lothrop—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Waldo A. Foster—to the Committee on Invalid Pensions.

By Mr. WACHTER: Paper to accompany bill granting increase of pension to Williamina R. Allenbaugh—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting increase of pension to Priscilla A. Dodd—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petition of business men of North Tonawanda, Niagara County, N. Y., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Illinois: Paper to accompany bill to correct military record of William Ridge—to the Committee on Military Affairs.

Also, paper to accompany bill to increase pension of I. W. Williams—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Mary Jenkins—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension R. H. Cooke—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension John M. Garrett—to the Committee on Invalid Pensions.

By Mr. ZENOR: Papers to accompany bill for the relief of Henry W. Hardman—to the Committee on Military Affairs.

SENATE.

SATURDAY, *December 12, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. STEPHEN B. ELKINS, a Senator from the State of West Virginia, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

DON LUIS BOGRÁN H.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a request of the Government of Honduras, together with a draft of a joint resolution authorizing the Secretary of War to receive Don Luis Bográn H., of Honduras, as a student at the Military Academy at West Point at the expense of the Government of Honduras; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

EXPORT DUTY ON MANILA HEMP.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting translations of notes from the British, French, German, and Italian ambassadors and the Belgian and Dutch ministers, seeking the extension to their respective countries of the privileges granted by the United States in the matter of the export duty on Manila hemp and fiber levied in the Philippine Islands, etc.; which, with the accompanying papers, was referred to the Committee on the Philippines, and ordered to be printed.

JAMES A. VERRET.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of James A. Verret, administrator of Adolph Verret, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of sundry citizens of Rockford, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on Interstate Commerce.

Mr. QUARLES presented a petition of the Social Economic Club, of Milwaukee, Wis., and a petition of the Woman's Board of the Home Missionary Society of the Baptist Church of Eau Claire, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the Manufacturers and Jobbers' Union of La Crosse, Wis., remonstrating against the enactment of legislation to extend the scope of the act for the suppression of lottery traffic, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Board of Trade of La Crosse, Wis., praying for the enactment of legislation to provide for the revival of the American merchant marine; which was referred to the Committee on Commerce.

Mr. CLAPP presented a petition of the New Century Club, of St. Paul, Minn., and a petition of the congregation of the Baptist Church of Fair Haven, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALGER presented petitions of the Ministerial Association of Bay City; of the Woman's Christian Temperance Union, the congregations of the Methodist Episcopal, Congregational, and Baptist churches of Sylvan, and of the Woman's Missionary Society of the Scovel Memorial Presbyterian Church, of Detroit, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Woman's Christian Temperance Union of Middleboro, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of the Board of Trade of Baltimore, Md., praying that an appropriation be made to increase the depth of the main ship channel at that port; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens occupying lands on the naval reservation at Pensacola, Fla., praying for the enactment of legislation granting to them the right of suffrage; which was referred to the Committee on the Judiciary.

Mr. FRYE presented memorials of the Labor Lyceum Association; the Gesangverein Vorwärts Verein; the Columbia Equal Interest Verein, No. 2; the Court Germania, No. 159; the Gutenberg Lodge, No. 6; the Teutonia Lodge, No. 4, and William Penn Conclave, Nos. [illegible], all of Philadelphia, in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on Interstate Commerce.

SUPPRESSION OF FRAUDULENT INSURANCE COMPANIES.

Mr. COCKRELL. I present a resolution adopted by the Southwestern Lumbermen's Association at a meeting held in Kansas City, Mo., relative to the bill (S. 1261) to extend the scope of the act for the suppression of lottery traffic, etc., and mentioning a proposed amendment thereto. The resolution is very long, a page and a half, and I move that it be printed as a document and referred to the Committee on Post-Offices and Post-Roads for consideration in connection with that bill.

The motion was agreed to.

REPORT OF COMMITTEE ON INDIAN AFFAIRS.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the bill (S. 708) authorizing the Secretary of the Interior to authorize the building of a bridge across Pine River, in the State of Minnesota, reported it with amendments, and submitted a report thereon.

BILLS INTRODUCED.

Mr. BERRY introduced a bill (S. 2438) to correct the military record of Andrew J. Wilhoit; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. QUARLES introduced a bill (S. 2439) further to define the duties and powers of the Interstate Commerce Commission; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 2440) granting an increase of pension to George Olsen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2441) granting an increase of pension to Frank Lee; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 2442) granting a pension to Samuel D. Butler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2443) granting an increase of pension to James S. Reardon;

A bill (S. 2444) granting an increase of pension to John R. McCullough;

A bill (S. 2445) granting an increase of pension to George M. Waters; and

A bill (S. 2446) granting a pension to John C. Besier.

Mr. CULLOM introduced a bill (S. 2447) for the relief of Commander Augustus G. Kellogg, retired, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HANSBROUGH introduced a bill (S. 2448) for the relief of pensioners of the Metropolitan police funds; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CLAPP introduced a bill (S. 2449) granting a pension to Frederick S. Chamberlain; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2450) granting a pension to Adaline Blowers;

A bill (S. 2451) granting a pension to James O. Lawlis;

A bill (S. 2452) granting an increase of pension to Elizabeth Gregg;

A bill (S. 2453) granting an increase of pension to William H. R. Snyder (with an accompanying paper); and

A bill (S. 2454) granting an increase of pension to Mathusalem D. Cook (with accompanying papers).

Mr. TILLMAN introduced a bill (S. 2455) granting an honorable discharge to George W. Casey; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2456) granting a pension to William G. Bradley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 2457) granting a pension to William H. Chambers; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2458) granting a pension to J. H. Carey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 2459) for the relief of John H. McBrayer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2460) granting an increase of pension to Joseph H. Kennedy; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PETTUS introduced a bill (S. 2461) to abolish the office of Judge-Advocate-General of the Navy and create the office of Naval Solicitor; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DEPEW introduced a bill (S. 2462) granting a pension to Sara A. Wardelle; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2463) to amend the act of December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the promotion of such commerce, and for other purposes"; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. CLAPP submitted an amendment proposing to appropriate $2,856.11 for payment of the balance due various merchants of Chicago and Fond du Lac, Wis., from certain Pottawattomie Indians for supplies furnished, etc., as ascertained by the Secretary of the Interior under the provisions of the act approved June 10, 1896, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

MISSOURI STATE CLAIMS.

Mr. COCKRELL. I submit a resolution and ask for its present consideration. It is for such information as has been heretofore called for by the Senate in regard to the States named in it.

The resolution was read, as follows:

[illegible]

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. ALLISON. I suggest to the Senator that he add the words "if any" after the words "what amount."

Mr. COCKRELL. Yes; let it read "what amount, if any." That is right. The resolution was drawn at the Treasury Department and I did not [illegible]

The PRESIDENT pro tempore. The resolution will be so modified.

The resolution as modified was agreed to.

SUPPRESSION OF FRAUDULENT INSURANCE COMPANIES.

Mr. BURTON. I ask that 300 copies be printed of the hearings before the Committee on Post-Offices and Post-Roads on the bill (S. 1261) to amend sections 3894 and 3929 of the Revised Statutes and the first section of the act of Congress of March 2, 1895, chapter 191, entitled "An act for the suppression of lottery traffic through national and interstate commerce and the postal service subject to the jurisdiction and laws of the United States," so as to apply the provisions of existing laws to letters, postal cards, circulars, pamphlets, and publications concerning any business of and contracts and policies of life, fire, or other insurance transmitted into any State, District, or Territory by companies or persons not authorized to transact such business in the State, District, or Territory from which the same are transmitted.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Kansas, and the order is made.

Mr. ALLISON. The copies are to be printed for the use of the Senate?

The PRESIDENT pro tempore. They are to be printed for the use of the Senate.

EMPLOYEES OF GOVERNMENT PRINTING OFFICE.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. PENROSE on the 10th instant, as follows:

Resolved, That the Public Printer be and he is hereby directed to furnish [illegible] who were employed therein during the fiscal years 1898 to 1902, inclusive, who did not receive any leaves of absence during those fiscal years or who for unused leaves of absence, and the amount which such person would have received either in full or pro rata upon the basis of thirty days for each fiscal year, the amount [illegible] be determined by the Secretary of the Treasury, and the services performed by such [illegible] during each of said fiscal years.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. SPOONER. I think the resolution requires some explanation. The Senator who introduced it is not here. I ask that it may go over without losing its place.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Wisconsin. The resolution will go over without losing its place.

PRICES OF AMERICAN GOODS ABROAD.

The PRESIDENT pro tempore. The Chair lays before the Senate the following resolution, coming over from a previous day.

The SECRETARY. Senate resolution 43, by Mr. BACON.

Mr. ALDRICH. If the Senator from Georgia is willing to have the resolution referred without debate, I am quite willing that that should be done.

Mr. BACON. I am certainly not willing, because I can see no reason why it should be referred. I see a good many reasons why it should not be referred.

Mr. ALDRICH. I shall have to object to its consideration.

Mr. BACON. I speak with the utmost deference to the Senator, of course, he will understand. I wish to present some reasons why the resolution should not be referred.

Mr. ALDRICH. I suppose the Senator will undoubtedly have an opportunity to do that after the present order of business is disposed of.

Mr. BACON. As I understand the disposition made of other resolutions coming over in the same way, they are allowed to remain in their present status without prejudice, to be called up when the present order has been discharged.

Mr. ALDRICH. I have no objection to that course.

Mr. BACON. Is that correct?

The PRESIDENT pro tempore. That is what has been done with several resolutions. The Chair was inclined to rule, if compelled to make a ruling, that the consideration of these resolutions is not a part of the routine morning business, but he has not made any such ruling and was laying the resolutions before the Senate. The Chair is very decidedly of opinion that it would be better to have these resolutions lie over until the Cuban bill is disposed of under the unanimous-consent agreement.

Mr. BACON. I am perfectly content that that direction shall be given to the resolution I offered. The resolutions, as I understand it, will, after the special agreement has been discharged or accomplished, stand exactly before the Senate as they would stand to-day.

The PRESIDENT pro tempore. It is that all the resolutions to which any objection is made will be allowed to lie on the table, retaining their parliamentary position.

Mr. BACON. All right.

The PRESIDENT pro tempore. The Chair hears no objection.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The morning business is closed. The Chair lays before the Senate the bill known as the "Cuban bill."

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a reciprocal trade agreement between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

The PRESIDENT pro tempore. The Senator from Louisiana [Mr. FOSTER] is entitled to the floor.

Mr. BAILEY. Before the Senator from Louisiana begins, I wish to submit to the chairman of the Committee on Foreign Relations a question.

The unanimous-consent agreement provides that on Tuesday and Wednesday the time for debate shall be equally divided between the opponents and the advocates of the bill. I take it that contemplates that both days shall be practically occupied by gentlemen representing the two views. The Senator from Rhode Island [Mr. ALDRICH] nods his assent, and that was about my own construction of the agreement.

I had desired to address the Senate, and was postponing it as long as I could in view of getting my throat in the best possible condition. But anxious to avoid any transgression of the unanimous-consent agreement, of course I will forego the idea of speaking on Tuesday, because in what I have to say I will possibly be compelled to occupy practically the entire session of the Senate. If that is the understanding, of course I yield to it and will speak on Monday.

Mr. CULLOM. There was almost a tacit understanding that the Senator's side of the Chamber would probably take up all of the present week, or substantially so, and that the last two days should be regarded as the time in which each party, those opposed as well as those in favor of the treaty or the bill, should have an opportunity of speaking, there being substantially an equal division of the time.

That is the reason why I once or twice suggested to the Senator from Texas that if he has a long speech to make it would be better to get it in before that time comes.

Mr. BAILEY. Frankly, Mr. President, I had supposed that we could occupy on this side the whole of Tuesday, leaving the whole of Wednesday to be occupied on the other side, until on examining the unanimous-consent agreement a moment ago it occurred to me that that was not possible. I thought, however, I would have an understanding of it.

That being true, of course I must change my purpose. I shall occupy the attention of the Senate on Monday, leaving the agreement to operate for the two following days.

Mr. CULLOM. I am unable to state whether there are very many Senators on this side of the Chamber or in favor of the bill who desire to talk. But it is only fair, as the Senator from Texas can see, that they shall have an equal chance to speak the last two succeeding days.

Mr. BAILEY. I perfectly recognize that.

Mr. SPOONER. Then I understand the Senator from Texas to give notice that he will address the Senate on this bill upon Monday?

Mr. BAILEY. Well, if that is the usual way, in order to make it certain that no one takes the floor from me, I desire to do that.

Mr. FOSTER of Louisiana. Mr. President, the bill under consideration may well be termed an enabling act, the object and purpose of which is to carry into effect the treaty which was ratified by the Senate on the 11th day of December, 1902. It is almost vain and useless to enter into any discussion of the merits of this measure, because I presume that every Senator has practically made up his mind how he shall vote, and nothing that may be said could change that determination. But there are those who believe it to be their duty to their constituencies and their States, as well as their duty to their country, to register their dissent to this measure and to record their opposition.

The discussion of the pending bill necessarily involves the discussion of the treaty, and I shall briefly call the attention of the Senate to that document. The first article of the treaty between this Government and the Republic of Cuba provides that—

During the term of this convention all articles of merchandise being the product of the soil or industry of the United States which are now imported into Cuba from foreign countries, shall be admitted into Cuba at a reduction of 20 per cent from the rates of duty now established therein, or as may be hereafter provided in the customs tariff of Cuba, in favor of the United States, so long as the United States shall continue to be entitled to the benefits of the reduction of duty granted by the Government of Cuba to the products of the soil or industry of Cuba when imported into the United States, and the products of the United States shall continue to be accorded by the respective countries free of duty.

Article II provides that all articles of merchandise not included in the article which I have read imported from Cuba into this country shall be admitted at 20 per cent reduction of the present tariff laws of this country, or any tariff laws which may hereafter be passed by Congress. I call special attention to the fact that this article provides for the admission of all articles the product of the soil or industry of Cuba at the reduction mentioned during the continuance of the treaty.

The third article provides that during the term of the convention all articles of merchandise being the product of the soil or industry of the United States shall be admitted into Cuba at a reduction of 20 per cent of the rates thereon, as now provided or as may hereafter be provided in the customs tariff of said Republic.

The fourth article provides that during the term of this convention the articles of merchandise, as enumerated and described therein, being the product of the soil or industry of the United States, imported into Cuba shall be admitted at a reduction of 25, 30, and 40 per cent of the tariff now existing or as may hereafter be provided by that Republic.

It is perfectly evident from a reading of the treaty and the provisions in these articles that a trained diplomat of our Government has secured a decided advantage over our young and inexperienced sister so far as a cold bargain is concerned, as we have obtained a much larger reduction on the products of our soil and industry going into Cuba than she has secured for her own.

Mr. President, there are three reasons assigned for the passage of this bill by those who favor it:

First, it is alleged that from a humane and benevolent consideration to Cuba this Government should give this relief to her.

Second, that there is some kind of a moral obligation on the

part of this Government to accord these reciprocal relations to that young Republic.

And, third, that it is in the interest of the manufacturing industries of this country that a new market shall be opened for their surplus products.

If it can be shown or demonstrated by indisputable evidence that none of these all-good reasons are founded on facts, and there are no humane nor moral obligations incumbent on the people of this country to enact into a law this or any other commercial convention of a similar character, and that the business interests do not demand this legislation, nor are our manufacturing interests in need of it, nor will they be materially benefited thereby, but, on the contrary, great and irreparable injury will result from this legislation to the large and vital agricultural interests of our country, then the treaty ought not to be put into operation.

I admit that the first two reasons, the one of humanity and the one of moral obligation, always appeal to the big-hearted, noble-minded, generous American people. If Cuba is in need, if her people are in distress, then no stronger appeal could be made to the American people than the appeal of charity. Wherever that appeal comes from, Mr. President, it never falls upon deaf ears in this country. Disaster or calamity may overtake the people of any part of this world, and our people are always eager and anxious to relieve their suffering and want.

I distinctly remember in my own State some years ago, when we were stricken with pestilence and the ravages of the flood, the pockets of the rich and the poor in every section of this country emptied their dollars and dimes into that stricken State, and though at that period sectional feeling ran high there was no city in the American Union which responded more generously and liberally than did the city of Boston.

So, Mr. President, this appeal to the charity and benevolence of our people, if founded in truth and fact, would and ought to receive a ready response.

Mr. President, the war with Spain was a war largely in the interest of humanity. The sufferings of Cuba and the wrongs endured by that people appealed so strongly to the American public that our Government readily took up arms to relieve them of the tyrannies and oppressions of Spain.

Immediately after the restoration of peace, when the flag of Spain had left that island, there went from this country a number of long-sighted, clear-headed American speculators. They saw a rich field for adventure and for riches. They bought large tracts of idle, vacant land. They purchased extensive sugar plantations. They invested in magnificent banana and fruit estates, while wealthy American corporations projected a splendid railway system across the island.

These Americans quick to understand that any reciprocal treaty this Government might make with Cuba would not only enhance their own investments but at the same time offer inducements for other investors, thereby advancing their own interests, appealed to the same sentiment in this country that lay behind the war. General Wood was at that time the military governor of Cuba. His services were enlisted and he became an earnest coadjutor in this movement to appeal to the sympathies and to the sentiments of the American people on account of the alleged needs and distresses in Cuba.

I ask if the history of this country will ever show a more systematic and organized effort to deceive and dupe the American people and play upon their sympathies and charities than this movement on the part of these Americans, aided and assisted by the representatives of this Government in that island. Every hamlet, every city and municipality gathered together its citizens and sent appeals to the American people for aid. Letters and telegrams were forwarded all over the country, and the American press, ever responsive to the noble cause of humanity, wherever found, readily espoused the cause of what was thought to be suffering Cuba.

The services of the pulpit were enlisted, and the ministers of the gospel throughout the length and breadth of this land thundered forth their eloquent appeal to the American people to come to the help and rescue of the Cuban people, whom they actually believed to be in sore distress and in the suffering and want.

Every agency was industriously employed to build up a sentiment in this country for the relief and aid of the economic conditions of that island.

The President of the United States in his message to Congress declared:

> Elsewhere I have discussed the question of reciprocity. In the case of Cuba, however, there are special reasons for immediate and of far-reaching interest why the policy should be adopted in her particular case. Intimately and intensely has your attention been drawn to the wisdom, indeed to the extent, needed of protecting the manufacturers and farmers in the tariff duties and Cuban products by the United States. Cuba has in her constitution affirmed what we desired, that there should exist between the two countries, in closer and more friendly relationship than with any other power, and we are bound by every consideration of honor and expediency to pass commercial measures in the interests of her material well-being.

Then, again, in his special message to the Senate of June 13, 1902, he states:

> Yesterday, June 12, I received by cable from the American minister in Cuba a most earnest appeal from President Palma for reciprocal relief before it is too late and this country financially ruined.

So when Congress assembled the work had been well done. The press and the pulpit and all the agencies that work up public sentiment had been successful in impressing upon the American people the need of this legislation.

There appeared before the Committee on Ways and Means of the House delegations of representative Cubans and Spaniards, planters and merchants, and representative Americans, both from Cuba and this country, who related the most thrilling and heart-rending stories of Cuba's pitiable and distressful condition.

Not only were its financial and economic conditions pictured in the darkest colors, but the people of the island were represented as not only in absolute want and need, but on the borders of actual starvation.

It was boldly and unblushingly proclaimed both by the Spanish planter and the American adventurer that unless relief was furnished, and without delay, turmoil and strife and bloodshed would be the inevitable result.

Before that committee appeared the now famous Mr. Thurber, who with pharisaical hypocrisy pleaded the cause of "suffering Cuba," while at the same time his pockets were comfortably filled with some twenty-five hundred dollars of the sugar trust's money, and over $8,000 from the coffers of the Cuban treasury, illegally taken therefrom by General Wood, the military governor of the island.

But, Mr. President, the relief was not furnished. The House of Representatives passed its measure, it came to the Senate, and died in the Committee on Foreign Relations. That bill reflected the will of the lower House of Congress. After full and mature consideration that bill came from the other House as a reflection of the wishes and of the will of that great body.

I wish to call the attention of the Senate to some of the very radical and substantial differences in the requirements of that bill and the provisions of the present treaty.

That bill provided, first, that after the enactment by the Government of Cuba of immigration, exclusion, and contract-labor laws similar and equally as restrictive as the laws of the United States on those subjects, the President of the United States would be authorized to negotiate with the Government of Cuba a commercial agreement, wherein reciprocal and equivalent concessions would be secured to each of the contracting parties in favor of the products and manufactures of the two countries upon a reduction of the rate of duties equivalent to 20 per cent ad valorem upon the tariff duties of the Governments of the two contracting parties, and this commercial agreement was limited in its operation to the 1st day of December, 1903.

It was further provided in that bill that the differential on refined sugar should be abolished.

Mark you, sir, this bill carried with it the will of the majority of the House, the only body known to the Constitution of our country as having the right to originate revenue measures.

It declared in unmistakable and unequivocal terms that no reciprocal relations or commercial union should be entered into between this Government and the Republic of Cuba until the latter Government had adopted such immigration and contract-labor laws as would prevent either the cheap labor of Europe or the serf labor of the Orient from coming in competition with the agricultural labor of this country. This was not only a wise and safe but it was a patriotic provision.

Again, this House bill proposed an abolition of the differential on refined sugar. The manifest object of this provision was twofold—first, to cheapen the commercial article of sugar to the consumer, and, secondly, to strike a blow at the American sugar trust, which an overwhelming majority of the Members of Congress believed was the real force and agent behind this bill; not for any benevolent or patriotic object, but rather for the selfish purpose of securing such legislation as would enable it to buy the raw sugar cheaper and at the same time maintain the present price on its own refined product.

But, as I stated, this House measure went to sleep and died in the Committee on Foreign Relations.

Mr. BACON. If the Senator from Louisiana will permit me, I think he is mistaken in his statement as to the committee of the Senate to which that bill was referred. If I am not very much mistaken, it went not to the Committee on Foreign Relations, but to the Committee on Finance.

Mr. FOSTER of Louisiana. I am much obliged to the Senator from Georgia for his correction.

Mr. ALDRICH. The Senator from Georgia is equally mistaken with the Senator from Louisiana as to which committee the bill was referred. It was referred to the Committee on Cuban Relations.

Mr. BACON. True; I had forgotten for the moment that it was referred to the Committee on Cuban Relations.

Mr. FOSTER of Louisiana. But, Mr. President, that bill failed. No relief was given to Cuba at that session of Congress. The lugubrious prophecies of disaster, of uprising, of turmoil and strife in the island were never realized.

On the contrary, Cuba, with marvelous strides, moved onward and upward on lines of industrial and economic progress. The emotional and frantic appeals to the charity, to the benevolence of our people were all hushed and silent; the voices of Thurber and Wood were no longer heard in the land, and Cuba has been comforted, not by any tariff reduction nor by any reciprocal trade agreement, but by the abounding wealth which lies in every acre of her fertile fields.

The truth and the fact is that Cuba to-day is not only richer in per capita wealth than this country, but her promises of expanding prosperity exceed the hopes or dreams of her best wishers.

Let me read what Mr. BABCOCK, one of the leading public men in this country, says. This is taken from the Washington Evening Star:

> Cuba is prosperous. She has a big sugar crop and she will get 100 per cent more for it than last year. Her people show this change in their faces, the cities show it in improved sanitary conditions, the country shows it in well-kept places. It is not "starving Cuba" any longer. The financial condition of the Government is good, and there is money enough to do business.
>
> ARGUMENT FOR RATIFICATION.
>
> All of this is the strongest argument for the ratification of the Cuban treaty. There is a great market in Cuba for American goods. With the proposed trade conditions there it will be absolutely impossible for the United States to get the market without the adjustment of tariff concessions. The business of the island has been in the hands of Spanish and German merchants for the past hundred years. These merchants are good businessmen. They know the goods they want, they know their customers and they well know that the goods going as they are not competed with in the way of lower prices. The sent of competition would be possible on our part if the pending Cuban treaty, which would admit new American goods to go into the island at a 20 per cent reduction on the present tariff, were made operative.
>
> To me, to modify this treaty would be a great business oversight on the part of the American Congress. Cubans are trading to Americans. They are anxious for the reciprocal trade arrangement. Their two principal products are sugar and tobacco, and these they export. All or practically all of their products of the soil they export, and the United States would get absolutely all of this trade under the treaty concessions.
>
> SITUATION HAS REVERSED ITSELF.
>
> To my mind the situation as to Cuba has reversed itself since the question of commercial relations was up during the last session. She was then just finishing her war. Today she is doing business. That business may be more profitable to us or it may be left to others. If we undertake to share in it we are sure to find that both Cuba and the United States will continue the prosperity and develop Cuba's necessities and buying possibilities.

Mr. President, this is from a representative gentleman who visited that island and saw for himself its condition.

I propose now to read from the Diplomatic and Consular Reports of the trade of Cuba by the English representative in that island, presented to both Houses of Parliament in October, 1902:

> [illegible] shown by Cuba in the rapid rehabilitation of its sugar industry [illegible] with the increased production [illegible] in which [illegible] last annual report, has been still more so. [illegible] the year 1901 [illegible] the value of sugar and the other principal exports of the island. The upward movement which proceeded to manifest itself during the last year has proceeded in the same direction, and the total value of the exports for the year 1902 [illegible] the value of sugar exported in comparison with the previous year, and the fact which contributed in considerable measure to this result was the increased demand for Cuban sugar in the principal markets existing the [illegible] which proceeded the active support of the [illegible] the United States [illegible] to the United States Government to grant a [illegible] of the Cuban sugars [illegible] It was positively evident that if [illegible] of the industries would be [illegible] and off, and [illegible] producing in future disorders. Would be the result.
>
> After months of agitation in the press of the United States as well as of Cuba [illegible] without having [illegible] in the [illegible] the sugar industry [illegible] home was successfully [illegible] and [illegible] the [illegible] which [illegible] passed. Not [illegible] in view of the [illegible] the sugar, in view of the [illegible] sugar, if any [illegible] that in previous years, any [illegible] the sugar was [illegible] the [illegible] sugar [illegible] the customs receipts have shown no [illegible] the threatened several cases to in[illegible] have been pressing to be without disturbance, and [illegible] have had, of course, been sufficient to meet [illegible] Cuba. I have [illegible] the well-supplied estates on which the working expenses are not among [illegible], besides leaving, in many cases, a small margin of profit.
>
> The [illegible] then, far from being disastrous, has really been of immense service to the island, in giving the planters [illegible] to the same agreement [illegible] and in taking those good and [illegible] that [illegible] with the result that whereas those [illegible] it was thought impossible that sugar could be made profitably for less than [illegible] per lb. [illegible] there are not [illegible] who hope to bring the cost of the production down to [illegible] per pound.
>
> [illegible] Cuba has little or nothing to fear from the competition of other countries in the production of sugar, whether cane or beet, and there is every reason to expect that when the bounties on beet sugar are abolished she will regain the dominant position she formerly occupied in the world's markets, which she will have fairly won, thanks to the energy and tenacity of her planters.

On page 22 he says:

> In the same report are mentioned that a number of cattle for breeding purposes had been imported by the Government and distributed among the small farmers on easy terms of payment. This experiment has had very good results, more than half the value of the cattle having been already refunded, and I accordingly urged the Secretary of Agriculture to ask for a grant from Congress to enable him to repeat it on a more extensive scale.

Now he sums up:

> The production of sugar has risen from 325,000 tons in 1899 to over 900,000 tons in 1902, and will probably reach 1,000,000 tons in the coming crop. The cultivation and manufacture of tobacco, as well as the minor industries, show considerable improvement; the stock of cattle in the islands, thanks to the large importations, now numbers upward of [illegible] head, as compared with less than 300,000 head at the beginning of 1899, and finally, the value of the exports has increased from [illegible] to [illegible], and would have reached a much higher figure but for the fall in the price of sugar.
>
> Considering how little financial assistance the Cubans have received from abroad, it speaks very highly for their energy and industry that they should have achieved so much in so short a time and with such limited resources at their command, and affords strong grounds for believing that the work of developing the island's industries anew commenced under such difficult conditions, will be persevered in.

Let me read to you again from the report of Mr. Austin in "Commercial Cuba in 1903," one of our own governmental publications. He says, on page 363:

> The new era of improvement has only just begun, and it is the concurrent opinion of all the best-informed observers that with the additional improvements which may be certainly expected soon to follow—the reconstruction of the plantations ravaged by war, the establishment of new ones, the liquidation of old debts and other debts incurred under the former regime and the new general adoption of up-to-date machinery and industrial methods—the cost of production will be still further reduced. Improved roads and transportation facilities will probably also reduce the cost of transportation.
>
> It is deeply worthy of consideration that, although nearly the whole island is well suited for the successful raising of cane sugar of the best quality, the largest crop ever produced on the island (that of 1894) was raised on plantations covering about [illegible] acres, or only about one-fourteenth of the total acreage of Cuba. Owing to the terrible devastation wrought during the years of the revolutionary war, many plantations were abandoned or partially crippled, and the recovery from these ravages is by no means yet complete, so that the present sugar acreage is somewhat less than the acreage of 1894. Considering this fact, and also the other fact that without doubt at least [illegible] acres of the best virgin quality and easily be turned into first-class sugar plantations, in addition to the plantations already existing and in operation, and granting that all these plantations be managed on the most approved modern systems, the imagination is startled by the contemplation of what Cuba would be capable of doing in the sugar-producing line in the near future.

Again, he says:

> In considering the figures as to the acreage of the cane plantations of Cuba, it must be borne in mind that not by any means the whole area of these plantations is devoted to cane cultivation. The larger part of every plantation, in all probability, is utilized for building sites, gardens, the raising of vegetables, fruits, tobacco, and other crops besides sugar, pasturage for cattle, the growth of timber, etc. At the same time it is essentially a sugar plantation, as sugar production is its most active and main source of revenue.
>
> So, in remember, the cotton plantations of our Southern States and the hop farms of central New York are not devoted exclusively to the raising of cotton and hops, and the areas actually covered by cotton and hops in these plantations or farms are probably in most cases only a small fraction of the whole estates. So which it is stated, as above, that the sugar crop of 1894, amounting to a little over 1,000,000 tons, was raised on about 2,000,000 acres, the meaning is that it was raised on plantations covering that acreage. In point of fact, the actual acreage of the cane fields themselves was only about [illegible] acres. A crop of 1,000,000 tons raised on 400,000 acres, as will be seen, gives an average yield of 2½ tons an acre.

These citations show beyond doubt or controversy that the island is more prosperous than many of the States of the American Union, and that her great industries within the remarkably short period of three years have nearly quadrupled in value.

The American authority which I have cited shows that a million tons of sugar can be produced upon 400,000 acres of land, equal to two and a half tons per acre, showing that the value of the product of 1 acre of land in the markets of this country is equal to $80.

When it is remembered that the cane grows almost spontaneously in that island, practically without cultivation, and will reproduce itself for ten years, it will readily be seen that there is not a cotton farm or a wheat farm or a rice farm or a sugar farm anywhere within the borders of this country that will yield such a revenue.

And, Mr. President, when we remember what is said of the wonderful productive capacity of the island so far as sugar is concerned applies with equal force to its capacity for the production of tobacco, fruits, and vegetables, the wonder still grows why any American citizen should wish to stimulate and encourage and bring into active competition the products of that island against similar products in our own country.

I have read the above excerpts for the purpose of showing to this Senate that now at least there is no justification or excuse for the passage of this measure for the relief of Cuba, and for the further purpose of showing that this treaty defeats the will of an overwhelming majority of the House and is not in the interest of this country or Cuba, but for the sole and single purpose of benefiting and further enriching the sugar-refining interest of the United States.

But, sir, we are told that there are moral obligations——

Mr. TILLMAN. Mr. President, will the Senator allow me, before he leaves that point, to ask him what is the average production of sugar in Louisiana on the best lands?

Mr. FOSTER of Louisiana. Our average production from our best lands is about a ton—about 2,000 to 2,500 pounds.

Mr. SPOONER. About what?

Mr. FOSTER of Louisiana. About a ton of sugar—2,000 to 2,500 pounds. It is [illegible] in Cuba.

Mr. TILLMAN. This would mean, then, that the sugar industry of Louisiana will be obliterated and destroyed.

Mr. FOSTER of Louisiana. I think so. As I proceed further I shall come to that.

We are then told, Mr. President, that this Government is under some kind of moral obligation, that the pledge of this people has been given to Cuba to pass some measure of this kind, and that the honor of our Government is bound up in this obligation.

Now, I wish to say that if the honor of this Government has been pledged to Cuba, or the faith of this people has been plighted to the people of that country, and if the execution of that pledge would involve an absolute ruin and destruction of many of the industries of this country, it should be carried out. For me at least, the honor of my country is more precious than mountains of wealth.

But I deny that there is any such obligation. I ask, When was the obligation made? By what right and authority was any such obligation contracted? There was no such authority or power lodged by or in the Constitution or laws of this country in the Chief Magistrate of this people or the governor-general of Cuba, or any man or set of men, empowering or authorizing them to tie up the honor and the good faith of this Government in any such obligation or responsibility.

I demand of those who charge that this moral obligation rests on this Government to enact a commercial treaty modifying trade relations between these countries to make full proof of the charge. I ask of them to tell this Senate when, where, by whom, and by what authority such an obligation was ever created.

We are told, however, Mr. President, that this moral obligation arises from the provisions of the Platt amendments. I have read those provisions with some care, given to them my best study and reflection, and I can not see wherein there is any moral responsibility or obligation upon the part of this Government to pass a measure of this kind springing from the passage of these amendments.

The first amendment provides:

> That the Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which may impair or tend to impair the independence of Cuba, nor in any event shall Cuba permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgments in or control over any portion of said island.

Now, under the provisions of this amendment, the treaty-making power of the Republic of Cuba may be limited, but such limitations are fully set forth and described, and Cuba has the express power and authority to enter into treaty relations with any foreign government or power, restricting, however, the treaty to the limitations of the Platt amendment.

In fact, the distinguished chairman of the Committee on Foreign Relations, and even the President in his last message to this body, tells us, of rather threatens us, that unless treaty is made and there is danger of Cuba making a similar one with England.

The second article of the Platt amendment relates to the inhibition of Cuba to assume or contract debts.

The third relates to the consent of Cuba to the United States exercising the right of intervention for the preservation of Cuban independence, and the maintenance of a government adequate for the protection of life, property, and liberty, and for the discharge of obligations with respect to Cuba imposed on the United States by the treaty of Paris.

The fourth relates to the ratification and validation of all acts of the United States while in Cuba during the military occupation of the island and for the maintenance and protection of lawful rights acquired during that occupancy.

The fifth relates to the exercise and inspection of the sanitation of the island.

The sixth is the Isle of Pines.

The seventh relates to the sale or lease by Cuba to the United States of lands necessary for coaling and naval stations.

There is nothing in the Platt amendment, so far as I can see, that places any moral obligation on this Government to pass a treaty affecting the commerce between that country and this. There may be moral obligations assumed by this Government by virtue of these amendments, which require of us to carry out and fulfill all of the duties and all of the responsibilities which these amendments impose and by reason of which the sovereignty of that Republic may be recognized, but I can see nothing in these amendments which imposes upon the people of this country the obligation of entering into reciprocal trade relations as are expressed in this treaty.

I think, Mr. President, this whole situation has been more aptly described than I can do it by Mr. Reed in the American Economist of June 29, 1902, where he said:

> [illegible] men are trying to govern them. All [illegible] sympathy for Cuba are now apparent. [illegible] Anything [illegible] to them that [illegible] four months [illegible] by skillful artists and were [illegible] can or not, we have not done what they demanded, [illegible] Those [illegible] three [illegible] If so, [illegible] right to [illegible] If we [illegible] who made it [illegible] that [illegible] men [illegible] or the interests of their own [illegible] true friends of the [illegible] can see it. [illegible] 1902—A. The [illegible] no; they asked it to be done. [illegible] money to Cuba?—A. Not at all; [illegible] their rights [illegible] litigated self- [illegible] of the [illegible]

Mr. TILLMAN. I am not sure I caught the name of the author. Did the Senator from Louisiana say it was Thomas B. Reed?

Mr. FOSTER of Louisiana. Yes, sir: Thomas B. Reed.

Mr. TILLMAN. A very good authority.

Mr. FOSTER of Louisiana. But, failing in the effort to successfully demonstrate that this Government is under any moral obligation or under any humane obligation to pass this bill, its advocates appeal now to the self-interest and to the greed of trade and commerce on the part of a few interests in this country. We are told that in order to extend the trade of our country and to find a market for the surplus products of our manufacturers we should pass this bill.

Mr. President, in the first instance, that appeal involves, to me, a pitiable confession and a humiliating acknowledgment: pitiable because it appeals to the cruel greed and avarice of one industry to the injury and harm of another, and humiliating because it acknowledges the incompetence and inability of our manufacturing interests to compete successfully with their rivals in the Cuban markets, and requires of Cuba to give to our imports special reductions and privileges as against similar imports from competing countries.

It is the boast and the proud boast of our country that all we ask and all we demand in the markets of the civilized world is equality of treatment for the products of our manufactories. All we ask is the same chance and the same treatment that are accorded our competitors, and with similarity of treatment we can successfully compete with our rivals in all the markets of every civilized country on the globe.

To-day we are standing guard over the East with a declaration fresh and strong upon our lips that we can successfully compete with England, Germany, or France not only in the markets of the Orient, but in the markets of the civilized world if we are accorded equality of treatment and similar and like advantages.

We declare, and I believe it is true, that we can not only successfully compete with our rivals, but that we can invade and conquer the trade of the world under these conditions.

But in this instance, with Cuba right at our door, with freight charges cheap and to our advantage, with transportation facilities safe, certain, and quick, with a people friendly, with the great volume of the business of that island controlled by our own resident citizens, we here confess that in order to compete with Germany and England in the markets of that Republic it is necessary that she should discriminate against them and in our favor, and that she should build up around that island a tariff wall so high that it will practically exclude the trade of all the world except from this country.

Further on, Mr. President, I shall discuss not only the viciousness and the wrong of such a policy on the part of this Government, and especially on the part of the Democratic members of this body, but I will dwell on the commercial hostility and retaliation which such a course will provoke on the part of foreign governments toward the interests of this country.

But for the present let us look at this trade proposition purely and simply from a business standpoint, and let us see if we are really making such a good bargain as the advocates of this measure would have the country believe. There are certain facts which are self-evident and indisputable in the present trade relations with Cuba, and which in no manner will be changed by this treaty.

In the first place, we now receive from Cuba practically all of her exports, and this treaty will not increase the volume of that business. This is her natural market and her only market. It has always been and always will be, and the 20 per cent reduction, which her exports enjoy under the provisions of this convention, will in no manner increase the volume of that business, nor will it cheapen to the consumer of this country the price of the article upon which the reduction is made.

Then, if the people of this country are not to be benefited in the way of encouragement of importation of products which we need, nor in the reduction of the price of those products when received, the benefit of the treaty to the business interests of the country must go to the manufacturing interests, whose trade it is claimed would be increased with that island.

Let us analyze this treaty and see how our factories will be benefited on account of the reduction of tariff on the articles imported into that country. General Bliss says, on page 23:

> If you will look at the summary of the commerce of the island of Cuba for May, 1902, on page 1 92 et seq., in the [illegible] the period of American occupation, you will see that the United States has six-sevenths of the trade in machinery.

Now, Mr. President, it seems we ought to be satisfied with six-sevenths of the trade in machinery.

But the blanket concession of 20 per cent—

He says—

> will give us the rest. And so with the trade in machinery and manufactures of iron and steel. Out of a total trade of $15,209,67[illegible] the United States have over [illegible]

A fair share of the trade of that country. Again he says:

> As we all know, the cotton trade is one of the most valuable and one of the [illegible] in Cuba. During our occupation the [illegible] $[illegible] of this last large [illegible] the United States in this trade are Great Britain and Spain. There is no doubt that if our manufacturers would really work to secure this trade they could get a large part of it without any concession. * * *
>
> The trade in boots and shoes [illegible]

He says—

> is similar to that in cotton goods, and that the American manufacturers could doubtless secure a large part of it without any concessions if they would work for the market.

But let us see further. I presume it will be considered a fair statement to say that if this treaty went into effect and we should increase our trade there $10,000,000 per annum it would be a reasonable increase in our business relations with that country. Ten million dollars, with 10 per cent profit, would give to the manufacturers of this country $1,000,000 out of the increased trade.

It will be seen from the statement of General Bliss, who negotiated this treaty, that the cotton-goods trade and the shoe trade of this country can be secured by the manufacturers of these articles if they will simply work for it, and I submit that they do not deserve this trade unless they are willing to work for it, especially as it can only be secured by a sacrifice of some of the great agricultural industries of this country.

It is a well-known fact that England and Germany are now manufacturing and importing into that island such cotton goods and such shoes as the people of Cuba consume and our manufacturers are not at present catering to the tastes and habits of that people, and, as General Bliss says, they could easily secure this trade if they would simply work for it.

It strikes me as a monstrous economic proposition to require of this Government the sacrifice of any of its legitimate industries for the benefit of an already special and favored class which, in the arrogance and insolence of its wealth, will not even seek to advance its own interests, but expects to use the agencies of this Government for that purpose.

On the other hand, by the 20 per cent reduction on the Cuban imports into this country we will keep out of the Treasury of the United States Government, and thus decrease our revenues, at least $9,000,000 per annum—$7,000,000 on account of the reduction on 1,000,000 tons of sugar and at least two millions on the other imports.

This $9,000,000 if collected, and it would be collected if it were not for the provisions of this treaty, would go to the support of this Government and the consequent benefit of the great body of the American people. And this enormous sum of money is thus lost to the Government in order that a few manufacturing interests of our country should increase the profits on their business $1,000,000 per annum.

Mr. President, as I have before stated, there will be shipped from Cuba to this country during the present year over 1,000,000 tons of sugar. Place it at an even million, there will be, on account of this 20 per cent reduction, a loss of a little over $7 per ton to our tariff revenues. Place it at $7 per ton, that is equal to $7,000,000 per annum alone lost to the Treasury on the importation of sugar.

It must be remembered that the development of the sugar industry in that island will largely increase and the importation to this country likewise will increase. In the five years in which this treaty has to run there will be kept out of the Treasury of the United States thirty-five millions, or nearer forty millions of dollars.

Where is that $40,000,000 to go? If in keeping it out of the Treasury of the United States we at the same time kept it in the pockets of the American people, there might be some justification or excuse for this treaty. If in the reduction of the tariff duties on sugar the price of that article to the consumer was decreased in proportion to the decrease of the tariff, then the advocates of this measure might comfort themselves with the fact that they had benefited the great body of the American consumers.

But no one has contended or pretended to contend that the American people will be in any manner benefited by a reduced price of commercial sugar.

While it is true that the lowering of tariff taxation as a rule lowers the price to the consumer, yet it must be remembered that the American people are not the consumers of Cuban sugar, but the American sugar trust and refiners of the east are the only buyers and consumers of that article. And any reduction which may result from the lowering of the tariff will go to these manufacturers and not to the American people. This, Mr. President, is the belief and theory of those who oppose this treaty, but the theory of those who advocate its passage is that it goes to the Cuban planter.

Think, Mr. President, during the life of this treaty nearly $40,000,000 will be lost to the Treasury of the United States Government. Under the theory of those who favor this bill, this enormous sum will go into the pockets of the sugar planters of Cuba.

Admit, if you please, that this is true, in what an anomalous position we are placing the Government of the United States. In five years this Government and this people are making a free gift to a special class of Cuban people of nearly $40,000,000 in order to encourage and aid them in building up an industry which competes with one of the important industries of our own country. For five consecutive years we are making to the people of that island a rich donation of over $7,000,000 annually in order to stimulate and encourage them in the growth and development of an industry which is already upon a safer and surer foundation than the rival industry of our own country.

And we are not paying this $7,000,000 per annum to suffering Cubans; we are not paying it to the men who fought for the freedom and liberty of that island, but we are paying the $7,000,000 into the pockets of the Spanish planters who joined Weyler in his oppressions and in his wrongs against the people who fought for their liberty and the few Americans who went down there in a spirit of adventure and enterprise. What a strange turn the charity of the American people has taken!

The bill, in my judgment, is not only a political and economic blunder, but it falls little short of a legislative crime. The great fundamental wrong in this measure is that it makes the great agricultural interests of this country bear the burden of tariff reduction, while it maintains the high protection on those articles which are necessarily consumed by the agriculturist in the production, operation, and conduct of those industries. It reduces the tariff on the few agricultural interests which the policy of

this Government has accorded to those industries, while it preserves inviolate and sacred the high duties on the output of the manufacturing interests.

If the advocates of this measure wish to be fair and just in their dealings with all the interests of their country, then I tell them that fairness and justice requires that they reduce the tariff 20 per cent on those articles which are necessarily used and consumed by these agricultural interests upon which the burden of this treaty falls.

The fruit and vegetable interests of Florida, the citrus fruits of California, the tobacco and sugar interests of the whole country bear the burden of this reduction of 20 per cent, while the manufacturing interests which are to be benefited by this bill in the way of increased trade with Cuba still enjoy the same protection.

Mr. President, I want to see our manufacturers prosper. I want to see them grow rich. I want to see our commerce upon every sea and the products of our industries in the markets of the civilized globe successfully contending with the wares and products of all the nations on the earth.

But I do not wish to build up that interest at the sacrifice of the great agricultural interests of this country. I do not wish to see them grow rich upon the ruins of agriculture. The latter is as important in the development, growth, and progress of our country and the happiness of its people as the other. Such a policy is lopsided, and will inevitably break up the equilibrium of our prosperity.

The farmers of this country ask but little from the Government and they get little. They bear all of its burdens. They, in the main, bear the burdens of State taxation, of local taxation, and of national taxation. In times of peace they build up the wealth of our country, and in times of war they are the first to go to the front to uphold their country's honor and defend their country's flag. And, sir, this measure unjustly strikes at them, and unjustly discriminates against them in behalf of special classes who are already enjoying special privileges.

A further examination of this measure shows a distinct violation of the treaties of this Government with other governments, wherein it is provided that if either party may hereafter grant to any other parties favors in navigation or commerce it shall become common to the other party freely, where it is freely given to said other nation, and on yielding the same compensation where the grant is conditional. Mr. President, this stipulation exists in some twenty-odd treaties which this Government has with other governments, and the preferential clause in this treaty violates the spirit if not the letter of our conventions with other countries, and is bound to bring on a tariff war not only with these countries, but with other countries enjoying trade relations with us. Article 8 of the present treaty provides:

> The rates of duty herein granted by the United States to the Republic of Cuba are, and shall continue during the terms of this convention, preferential in respect to all like imports from other countries, and in return for said preferential rates of duty granted to the Republic of Cuba by the United States it is agreed that the concessions herein granted on the part of the Republic of Cuba to the products of the United States shall likewise be and shall continue during the term of this convention, preferential in respect to all like products from all other countries.

The clear purpose and unequivocal declaration of this article is to give preferential rates to all Cuban imports into this country during the continuance of this treaty, and is a gross and unjust discrimination against all the countries of the world enjoying trade relations with this Republic.

Every product of Cuba, whether manufactured or agricultural, coming into this country is to enjoy these preferred rates.

Now, Mr. President, I am not discussing at present the legal or moral features of this treaty. I am simply discussing what will be the effect of this bold and defiant discrimination against the commerce of other countries who deal with us.

It is true that Cuba in herself, comparatively speaking, is a small territory, but under the showing which I have made to you that island is amply competent, not only to produce sufficient sugar to supply the demand of the United States, but under the reduced tariff of this treaty and the preferential treatment which her imports are to enjoy it will practically exclude from the markets of this country the sugar of those nations which now export that article to us.

More than this, Mr. President, we not only discriminate against these countries in the matter of their exports to this country, but we go further. We practically compel Cuba to discriminate against these countries in their trade with that island. We are not satisfied with discriminating against them so far as the trade of our country is concerned, but we likewise force Cuba to discriminate against them and in our favor in their trade with her.

In other words, we say to England that in the shipment of the sugar of her possessions to this country we purpose to discriminate against her for five years, at least, in favor of Cuba, and we also say to her we not only intend to drive her sugar from the markets of this country by these preferential rates with Cuba, but we are going to drive her trade out of Cuba by compelling Cuba to discriminate against her in trade with that island by preferential rates with us. This is not only our policy toward England, but it is our declared policy to all other exporting countries of the world.

Mr. President, we have trade relations with nearly every country on the civilized globe. During the fiscal year ending June, 1903, we imported into this country over 4,162,000,000 pounds of sugar, coming from the various sugar-making countries and islands of the world—from Germany, from the Netherlands, from the West Indies, from the British possessions. Under this bill every pound of sugar coming from those countries will be discriminated against. Cuba will enjoy a 20 per cent reduction upon sugar and all other products which she may ship here.

Mr. President, I take the liberty of making a short quotation from a speech made in the House by Mr. SHERMAN, of Michigan:

> To consider it practically it would be good business policy for us to appropriate [illegible] vast foreign [illegible] with other sugar [illegible]

FOREIGN TRADE.

> What did that trade amount to last year? We sold Cuba $[illegible] worth of goods. We sold the United West India islands $[illegible] worth of goods. We bought of them during the same time $[illegible]. We sold Japan $[illegible]. We sold to the South American republics $[illegible]. We bought sugar to the amount of $41,114,000. We sold to Germany $[illegible]. We sold to Austria $[illegible]. We sold to Belgium $[illegible]. We sold to France $[illegible]. We sold to the Netherlands $[illegible]. We sold to the British possessions which export sugar to us $[illegible]. We sold the British possessions which export sugar to us $[illegible]. We sold the British possessions which export sugar to us $[illegible]. This does not include Great Britain, which purchased more than $[illegible] last year.

Now, Mr. President, all of these countries will naturally resent this discrimination against one of their most important products. It is true that Cuba in itself is a small island, comparatively speaking, but under the statement which I have read to you it is perfectly competent for that island to make enough sugar to supply the demands of the United States and nearly the demands of the world, and under the preferential treatment which her sugar is to receive it practically excludes from the markets of this country the sugars from those exporting countries.

Mr. SPOONER. Who gets the better of the bargain?

Mr. FOSTER of Louisiana. Well, it is very hard to say. I can not. I will strive to prove as I go along that the interest which is behind this treaty will get all the benefit, both from Cuba and from this country.

I know it will be answered that Cuba is an independent country and this is her free and voluntary act.

Mr. President, I suppose Cuba is free. This very treaty recognizes her independence and her national capacity to enter into a convention of this character. But at the same time the Americans and American interests dominate now and will continue to dominate in that island for years to come. It is that interest, in my judgment, here and within the borders of that island, which has demanded and secured the passage of this treaty.

But, sir, already the rumblings of commercial hostility and retaliation are heard throughout the European countries. Already England and Germany are threatening us with commercial reprisals, and the wrongs, inequalities, and discriminations of this measure not only invite, but will provoke retaliatory commercial legislation.

Mr. President, what have the nations of the world the right to demand of this country in their commercial and trade relations with us? They have the right to demand, and they will demand, absolute equality of treatment.

As long as we treat them justly, equally, and identically possibly they have no right to complain of any tariff legislation or any tariff wall, however high it may be, that we may build around our country. But when we discriminate against their products or imports into this country in favor of competing products from another country, we at once place them at a disadvantage and justly subject ourselves to similar discriminations on their part against the products and exports of this country.

For instance, Germany, the Netherlands, and British possessions, and the southern Republics are large exporters to this country of sugar and similar products to those exported by Cuba, and which by the preferential rates of this treaty will be practically excluded from the American market.

The sugar of Germany, the British West Indies, and the Danish possessions can not compete in this market with Cuban sugars when thus unjustly discriminated against.

Mr. President, we have loudly protested against the European bounties on sugars exported to this country and established a countervailing duty equal to the bounty enjoyed under the fiscal system of the exporting countries. Largely as a result of this protest and agitation the great sugar convention at Brussels was held, resulting practically in the abolition of the bounty system.

Now, sir, this Government by this treaty and its unjust discrimination against all the other sugar and sugar-exporting countries

of the world will and ought to bring down upon its commerce and its trade the hostility and retaliation of those countries.

Mr. President, let me call attention to the treaty with Denmark and articles 2 and 4 of that convention.

> The contracting parties, desiring to live in peace and harmony with all the other nations of the earth, by means of a policy frank and equal, equally friendly with all, entirely free from the spirit of monopoly and exclusive privileges, which may at any time hereafter, in some one quarter of the world, trouble the commerce and navigation of their respective subjects, or give occasion to complaints or even to hostilities between the contracting parties, agree that they will not grant any favor, privilege, or immunity in matters of commerce and navigation to any other nation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession were freely made, or on allowing the same compensation, if the concession were conditional.
>
> Article 4 provides that—
>
> No higher or other duties shall be imposed on the importation into the United States of any article the produce or manufacture of the dominions of His Majesty the King of Denmark, and no higher or other duties shall be imposed on the importation into the said dominions of any article the produce or manufacture of the United States than are or shall be payable on the like articles being the produce or manufacture of any other foreign country.
>
> The treaty, or convention, as it is termed, between the King of the Hawaiian Islands and the United States, was concluded January 30, 1875, and was ratified May 31 following. In the first article it declares that "for more fully secure and perpetuate the friendship established by His Majesty the King of the Hawaiian Islands" and "as an convenient therefor" the United States agrees to admit all the articles enumerated free of duty, the same being the growth, produce, and manufacture of the Hawaiian Islands, into all the ports of the United States free of duty. Then follows the schedule which among other articles, includes brown and all other unrefined sugars and molasses.

The court in its opinion says:

> That the act of Congress as amended authorized and required the duties imposed upon the goods in question, if not exempted by the treaty with Denmark, after the ratification of the treaty with the Hawaiian Islands there can be no question. And it did not lie with the officers of customs to refuse to follow its directions because of the stipulations of the treaty with Denmark. Those stipulations, so far as connected to be self-executing by the way of a proviso or exception to the general law imposing the duties, depended upon conditions like those made to the Hawaiian Islands for a valuable consideration.
>
> They were pledges of the two contracting parties—the United States and the Kingdom of Denmark—to confer each to the importations of dutiable goods imported into one of the countries from the other, the privilege of admission free of duty of like articles imported from any other country, in consideration of the same privilege being conferred by the other upon articles imported from the other country. They depended upon both conditions for their force and operation in that respect. But they were not intended to interfere with special arrangements with other countries touching such a subject of commercial concession.
>
> The stipulations were mutual, for peace and harmony. "No higher or other duties may be imposed on the one side on the articles specified, coming from any particular land, or shall be granted any favor, privilege, or immunity in matters of commerce or navigation, that shall not immediately become common to the other party upon the same terms, if the concession were freely made, or on allowing the same compensation if the concession were conditional."
>
> The treaty with the Hawaiian Islands makes no provision for the repeal, nor does it even give the privilege of notice of such intention, as does the treaty with the United States. It provides for admission free of duty of certain goods thus imported, the consideration of such admission being a similar concession on the part of the Hawaiian Islands to the United States. There is in such exchange no intention of the government to limit the treaty with Denmark, nor is there any such limitation in respect to countries not parties to the treaty. It can only be claimed by Denmark upon the compensation to the United States.
>
> It does not appear that Denmark has ever objected to the imposition of duties upon goods from our dominions imported into the United States, to secure the exemption from duty of similar goods imported from the Hawaiian Islands, such exemption being in consideration of reciprocal concessions which she has never proposed to make.
>
> Our conclusion is that the treaty with Denmark does not bind the United States to extend to that country, without compensation, privileges which they have conceded to the Hawaiian Islands in consideration of valuable concessions. On the contrary, the treaty provides that such compensation is to be given for such special favors. When such compensation is made it is the time to consider whether sugar from her dominions shall be admitted free from duty. (122 U. S. Reports, Barthess v. Robertson, 125, 130.)

The conclusion of the court in this decision leaves the question still open, for it distinctly declares that when such compensation is made—that is, when Denmark shall avail herself of her right under the treaty—then it will be time to consider and determine whether she is entitled to the privileges set out in the convention. But whether this be a violation of any legal rights or not of the parties to the treaty, there is the great moral obligation to give to these nations enjoying these treaty stipulations with us the identical concessions under the same conditions.

We have similar provisions in our treaties with Costa Rica, Brazil, and other Central and South American countries adjacent to Cuba, neighboring countries, as we might term them, that will gladly tender to this country the same concessions upon equivalent terms as are embraced in this Cuban treaty, and under the great moral law and every code of honor between those nations and this country they should have identical treatment under their solemn international compact. Yet this Government, great and strong and powerful as it is, and, thank God, growing greater and stronger and more powerful every day, by this treaty with Cuba proclaims to all the powers with whom it has international compacts, binding her to treat these nations identically as she does all other nations in trade and commerce, that these solemn stipulations are annulled and set aside and that they are to be discriminated against in favor of this new Republic.

I do not know how others look at it, but it looks to me like that enunciation of principle on the part of this Government is absolutely and unequivocally against the best political ethics of the age.

But this reciprocity seems to cover a multitude of sins, Mr. President, and it seems to be the most convenient doctrine that is abroad. The Republican party calls it the handmaid of protection, and some of our Democratic friends call it the handmaid of free trade. In modern practice and under this age of commercialism, if I may so use the term, reciprocity is the handmaid of special interests.

Reciprocity between noncompetitive articles is ideal and attractive in theory, but reciprocity practical and real must be between competitive articles, and that interest which is greatest and strongest in the country is the interest which is going to control the reciprocity treaty. Have we not seen it in the history of this country?

Look at the reciprocity with France. Here was a treaty abounding in benefits to the agricultural interest of this country and prolific in benefits to the manufacturing interest. That treaty went to the wall. Why? Because the few manufacturing interests of the East—the knit-goods industry and some other cheap trinket industries up there—felt that their interests would be injured, and that treaty was killed or left to die a natural death.

Just let me read what Mr. Kasson says about that treaty:

> France had adopted a peculiar legislative commercial policy. She has a maximum and minimum tariff for the same articles. Certain imports of raw materials are free, like cotton and wool, that her manufacturers of these articles may compete with other nations on equal terms. On some other articles there is but a single rate of duty.
>
> Other nations are only allowed to enjoy this minimum tariff by reciprocity, which is only effected by reciprocal treaties. Our European competitors had years ago made such treaties, and thus obtained access to her markets at the lower rates. In 1895 she imported France annually with about $[illegible] worth of manufactured goods. The United States owned only sugars less than $4,000,000 worth, while England and Germany alone supplied about $5,000,000. This startling fact led to further investigation.

We found that of such dutiable articles as we could enter on equal terms we [illegible] of [illegible] which we suffered a [illegible] the United States [illegible] per cent. The [illegible] that we could [illegible] percentage of these other more [illegible] imports if we could be [illegible] on equal terms. That would mean an additional outlet for our exports to the value of at least $[illegible].

Now, let us see what were the influences that defeated this measure. Says Mr. Kasson:

So far as I am informed, the center of opposition is with the cotton knit-goods industry.

And then he goes on and gives the facts and figures connected with these interests, showing that from his standpoint they would suffer but little, if any. He concludes by saying:

Is there, then, the slightest reason to believe that this well established industry, now having [illegible] its material as cheaply as the foreign [illegible] into foreign markets [illegible] is [illegible] interruption?

As I before said, the treaty with France which is here mentioned by Mr. Kasson was admittedly a treaty of vast importance to the commercial interests of the United States and would have opened to the products of our fields and factories a profitable market. Yet that treaty, as is well known, was defeated by interests which Mr. Kasson has indicated, and so, Mr. President, it is with the present treaty. The agricultural interests of this country, great in material importance to this nation, but weak and with but few friends at court, is to be sacrificed upon the altar of one of the greatest and most powerful monopolies in the land.

Mr. President, behind this treaty we all know and realize there is some mysterious and powerful influence. It is an influence that can be better felt than seen, and is a power that more than once before has been felt in this Congress, and that influence and that power is the American Sugar Refining Company.

Briefly let me give my reasons for that statement. This, like every other great industry, has keen-sighted, clear-headed men in control of its enterprise. They study trade, its evolutions and its laws, just as an astronomer studies the movements of the stars and the evolutions of the heavenly bodies.

The product of the sugar cane and the product of the beet root are natural rivals. The history of the commerce and trade development of the world show that the warfare between these interests is unceasing and unremittent. The first represents, if you please, the Tropics, and the other the Temperate Zone. The first is the product of a naturally rich, fertile, and productive country, and the other is the product of the skill, labor, intelligence, and enterprise of the people of the Temperate Zone, and in this race for supremacy, as it always will be, the intelligence and brawn and brain of the man of the Temperate Zone has always outstripped the thriftlessness and indolence of the man of the Tropics.

Mr. President, the history of the struggle between these industries can not be better told or appreciated than by the study of the sugar production of the world, which appears from a statement that I herewith submit, and which reads as follows:

STATEMENT OF SUGAR WORLD'S

Sugar production of the world, [illegible] to 1901-2.

[Tons of 2,240 pounds.]

Year.	Cane.	Beet.	Total.
	Tons	*Tons*	*Tons*
1853-54	1,277,000	[illegible]	[illegible]
1860-61	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
1865-66	[illegible]	[illegible]	[illegible]
1870-71	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
1885-86	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]

industry, and it is further indisputable that the only beneficiary of the destruction of this industry will be the American sugar trust.

The beet farmers of the West and the cane producers of Louisiana can not compete with the cane sugar of Cuba in the present stage of their development.

All development will cease; capital will not invest in the beet factories of the West or the sugar properties of Louisiana, but would rather go to the fertile fields of Cuba.

Why, Mr. President, when this legislation was first agitated it was shown before the committee that over 300 beet factories were in the process of construction, all of which, except two or three, have been abandoned on account of prospective favorable action on this treaty, and I predict that this great and promising interest will be checked and dwarfed in any of its further growth and development.

Let me read you from the Cuban paper, La Lucha, of February 5:

> At a recent meeting of a local committee of the Planters' Society Señor García made a speech in which he gave the usual outline of the plans of the society.
>
> The following is what he had to say about the outlook for the sugar industry in Cuba:
>
> "It is almost sure that in the coming September the Brussels convention will be put in force [illegible] will surpass a reduction in the production of beet sugar. If to this be added the augmentation of the productivity [illegible] with the United States in the American market we will acquire a greater benefit than that represented by the actual reduction of 2 per cent granted to Cuban sugar, a benefit to which those who despise the many here have not given their attention.
>
> "The great number of beet sugar is put the German, Belgian, or Javan product, our great competitor is American beet sugar. If the production of beet sugar continues [illegible] in the United States, our prospects become [illegible] and [illegible] anything that detracts or [illegible] tends to prevent the increase of the same favors us and we ought to accept it."

There, Mr. President, is the whole truth and the whole secret of this fight.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Indiana?

Mr. FOSTER of Louisiana. Certainly.

Mr. FAIRBANKS. I should like to ask the Senator a question for information, if it will not interrupt him.

Mr. FOSTER of Louisiana. Not at all.

Mr. FAIRBANKS. It has perhaps been stated in the course of the debate, but I have overlooked the fact if it has been, what the relative cost of the production of sugar in Cuba is compared with the cost in the United States. If it has not been stated, I would be obliged to the Senator if he would inform the Senate what the cost of the production of Cuban sugar is, and also what is the cost of the production of beet and cane sugar in the United States.

Mr. FOSTER of Louisiana. Of course, the cost of the production of Cuban sugar can not be stated with any accuracy on my part. I can simply give what I have already stated. The British consul stated that he thought with improved machinery and improved methods sugar in Cuba can be made for a cent a pound.

The sugar planters from my State, who have gone down and visited Cuba, and who are practical sugar men, estimate that sugar can be made in Cuba at from a cent and a quarter to not exceeding a cent and a half a pound. The estimate that has been placed upon the cost of making sugar from sugar cane in my State is about 3 cents a pound or a little over. The cost of making beet sugar, I believe, is probably a little more, though I am not certain.

Mr. TELLER. It costs more than that now.

Mr. CULLOM. More than 3 cents?

Mr. FOSTER of Louisiana. That is what the Senator from Colorado [Mr. TELLER] tells me. You must understand, Senators, that in Cuba the cane will grow for about ten years without replanting. With the sugar cane in Louisiana it takes about one-fifth of a crop annually to plant it. We require the most expensive machinery, implements of the finest and the most approved kind, plows, cultivators, spades, hoes, shovels, everything most costly; expensive mules, harness, carts, and everything of that character, and it is one continuous cultivation from January to January.

Mr. FAIRBANKS. The query that arose in my mind was this: Whether the cost of the production of sugar in Cuba is not so far below the cost of the production of sugar in this country that a reduction of 20 per cent of the duty upon sugar imposed by the United States would serve to inundate us with more sugar than we are receiving now? There is a great disparity between the cost of the production of sugar in Cuba and in this country, according to the Senator's statement. The query in my mind was whether the reduction of 20 per cent of our duty would seriously affect the question.

Mr. FOSTER of Louisiana. I think it will so far as the industry in my State is concerned.

Now, Mr. President, I was stating the beet and cane industry of this country will be capable within ten years of supplying the demands of our own market.

Think of the magnitude of this proposition! It means the construction of a vast number of new factories, at an expense of nearly $300,000,000 and the opening up and cultivation of over 1,600,000 acres of land to beets, the products of which, added to the cane industry of our own country, would yield a revenue of $170,000,000 to be distributed among our own people.

It means the establishment of one of the world's greatest industries, which will furnish occupation and remunerative employment to hundreds of thousands of citizens who have built up that magnificent empire of the West which is to-day the admiration of the world.

It means the establishment of a domestic and interstate trade that will far exceed the paltry benefits that can possibly accrue to the manufacturing interests of this country by any increased importation of their products into Cuba. It means benefits to railroads, to manufactories, to laborers, and every enterprise and interest in the country, far beyond the exporting and importing trade of Cuba combined.

Mr. President, I have stated before that this treaty differs materially from the first bill passed by the House, in that it fails to incorporate in its provisions any requirements on the part of Cuba to restrict the introduction of cheap European or Chinese labor into that island.

Whatever may be the rules and regulations of that Republic at present on that subject, yet it is as certain as the night follows the day that in less than a year after this treaty goes into effect that island will be flooded with Asiatic cheap labor, which will thus be brought into competition with that magnificent and hardy manhood of this country which to-day is engaged in building up this our great industry.

Mr. NEWLANDS. Will the Senator from Louisiana permit me to ask him a question?

Mr. FOSTER of Louisiana. Certainly.

Mr. NEWLANDS. I understood the Senator to say a few moments ago that the effect of this bill would be to take $40,000,000 within the next five years, which would otherwise go into the Federal Treasury, and give it to the Cuban planters. I wish to ask him whether it is not likely that the production of sugar in Cuba will very rapidly increase during the next five years, and instead of the island producing as now only a million tons, whether it is not likely that before the end of five years she will be producing double that amount, or 2,000,000 tons? And will not the argument be made then, at the time of the expiration of this treaty, that the future of Cuba absolutely demands an extension of the treaty, because otherwise Cuba will lose the market which the treaty has afforded her and be driven into economic distress?

I ask, therefore, whether the passage of this bill now does not mean an indefinite extension of the treaty at the end of five years, if we are to yield to the same considerations five years hence that we yield to now?

Mr. FOSTER of Louisiana. I certainly think so.

Mr. NEWLANDS. And, as I understand, that Cuba would gradually absorb the production of the entire amount that would be necessary to supply this country?

Mr. FOSTER of Louisiana. Yes.

Mr. TELLER. That is the purpose of this legislation.

Mr. FOSTER of Louisiana. When this Government pursues the unstatesmanlike and suicidal policy which must ultimately result in the destruction of all hopes of further development of the sugar interests, think again of the magnitude of that proposition.

It not only means the destruction of the most promising agricultural industry in the United States, with all of its vast possibilities and benefits, but it gives to the American sugar trust the absolute domination of the sugar markets of this Republic. That corporation becomes the only buyer and seller of sugar not only for the 70,000,000 people now in this country, but for the unborn generation to come.

The great consuming public of this prime necessity of life will be at the mercy of this gigantic concern, and in order to make its victory certain and complete, and to secure its permanent enthronement, this treaty generously bestows upon it over $7,000,000 annually for five years for the accomplishment of that end.

Mr. President, in conclusion permit me to say that the citizens of the State which I have the honor in part to represent in this body, relying on the good faith of this Government, have invested in sugar properties and sugar factories over $100,000,000. More than 200,000 of our people are directly dependent on this industry for their livelihood and occupation, and this to them means the ultimate destruction of this great interest.

I can not now, nor will I in the future, stand silently by and witness the consummation of a Congressional act which unjustly and ruthlessly seeks to injure or destroy that great interest of my State, and especially so when its destruction is not for the benefit of my country or its people nor for any other people on the face of the globe, but rather for the advantage and enrichment of an already overrich and overpowerful corporation.

The citizens of Florida have invested their capital in orange groves, pineapple farms, and vegetable estates.

We in Louisiana, as I have already said, have largely invested in sugar, just as Georgia, North Carolina, and South Carolina have invested in their cotton factories, and I hope I may be pardoned when I say that it looks almost like the refinement of injustice and wrong to expect the representatives of these States, who have shared with us the trials and sufferings of the years gone by, to join in this unjust assault upon this industry of a neighboring Commonwealth, to secure the few paltry dollars that will flow into the coffers of their own cotton factories.

It seems almost a cruel act to inflict this blow upon a neighboring sister State for the few paltry dollars that it is claimed will be placed in the coffers of their cotton factories, and I can scarcely believe that their Representatives will do it.

Mr. President, I stated in the beginning of my remarks that the Spanish-American war was a war largely in the interest of humanity.

When this war was declared, and when the President of the United States issued his proclamation calling upon the various States of the American Union to furnish their quota of troops, the people of the entire South responded with prompt and patriotic alacrity to that appeal.

The people of the South, Mr. President, did not want war. They had had enough of war. The graves were too fresh, the scars were too deep, and the wounds were too tender.

We wanted no war, but when the summons came the old and young responded with patriotic zeal. The hope and the inspiration of the people of the South was to demonstrate to the armed powers of the world that this was a reunited country and wherever the flag of our country floated, whether upon land or sea, it carried with it the love, patriotism, and bravery of the whole American people.

My State in proportion to its population contributed more soldiers than any other State in the American Union, and it seems to me that I can justly call upon all the Senators in this body not to make her the first and most certain victim of this great war of humanity.

Mr. DEPEW. Mr. President, I have listened with great interest to the very able and exhaustive speech of the Senator from Louisiana [Mr. FOSTER]. I am always impressed by the presentation of the sectional view where it means that old differences shall be forgotten and that the country shall be one. But it seems to me that the appeal with which the Senator has closed his eloquent argument has no place in this discussion. There is no sectionalism; there is no revival of old feelings between the South and the North. It is not a Southern, it is not a Northern question.

While Louisiana is interested, yet there are also interested the Territories of Arizona and New Mexico, and the States of Colorado, Kansas, Michigan, Montana, Nebraska, Nevada, Utah, and New York, all of them Northern States, all of them sugar-producing States, and producing in the aggregate three times as much as does the State of Louisiana.

Now, after listening to what has been said by the Senator from Louisiana, together with the very able and exhaustive remarks of the Senator from Colorado [Mr. TELLER] the other day, I think we have presented to the Senate and to the country all that can be said against this legislation. If we are to admit the facts upon which they base their opposition, then there is little justification for the bill which has been presented by the President, which has passed the House of Representatives by an unprecedented majority and is now before the Senate.

We are at the beginning of a Presidential year, when all statesmen and all parties are tremendously interested in the result and exceedingly sensitive as to the sentiment of the people upon proposed legislation. When the President makes his proclamation and sends this treaty and bill to Congress, when after full debate it receives in the House of Representatives the vote of practically every Republican and of a large number of the Democrats, when it receives the support of nearly every newspaper in the United States, there must be some other reason than politics, some other reasons than selfish ones, some other reason than anxiety to oblige an overgrown trust which brings these tremendous and almost unanimous forces of the country to bind this measure.

The basis, mainly, of the opposition which has been so ably stated by the Senator who has just taken his seat is first, our violation of treaties, and next an economic one. If we stood in the same relations to Cuba as we do to Germany, Great Britain, or France, then I would say that if we enacted this legislation we would be violating the 22 treaties which have been brought out by the Senator. Certainly if we stood in the same relation to Germany there would be every reason why we should not advance any further with this bill. We sold to Germany last year $3,000,000 of our products and to Cuba only $20,000,000. Cuba has 1,600,000 people; Germany has between fifty and sixty millions.

By reciprocity arrangements with Germany and preferential tariffs, we could undoubtedly make a better bargain, if a bargain only is to be made, for the exchange of products than we can possibly make with Cuba. But our relations with the Republic of Cuba differ from those with any other country in the world. Our obligations to Cuba are different from our obligations, responsibilities, and duties, moral or legal, to any other country in the world.

Cuba is no new element in the politics of the United States or in the consideration of our statesmen. For four hundred years Cuba has been a storm center of American difficulties—military, naval, commercial, and epidemic. It was from Cuba that the expedition of Cortez was organized which conquered Mexico; that the expedition of De Soto was organized which conquered the mouth of the Mississippi and the whole of the Gulf coast; that the expeditions were organized which conquered Florida. It was from Cuba in our Revolutionary war that Spain gathered her forces for the purpose of forever prohibiting the new Republic, if it succeeded in its efforts for independence, from securing a foothold upon the Gulf of Mexico or an outlet by the Mississippi River.

Cuba, with her great fertility, her many harbors, and her possibilities for offense and defense, is planted where she commands the Gulf of Mexico, our southern Atlantic coast, and our Isthmian transit, and for over a hundred years—aye, ever since the Revolutionary war—she has been an object of solicitude to American statesmen and to the American people.

During the period when Spain for many years was endeavoring to prevent the independence of her South American and Isthmian colonies Cuba remained faithful, and it was from Cuba that expeditions were fitted out for the purpose of attacking the ports of those South American countries. Buccaneers went from there and harried the Spanish Main and the coasts of the Gulf of Mexico and preyed upon and almost annihilated American commerce in the South Atlantic and the Caribbean Sea.

During the civil war Louis Napoleon, in possession of Mexico, and seeking from that vantage ground to divide the United States so that he might prevent the formation of one republic such as the United States is to-day, also made the ports of Cuba the reservoir and the supply stations of his fleets and armies. It was during our civil war a rendezvous for Confederate cruisers and blockade runners.

But our relations with Cuba go back in diplomacy for a hundred years and more. The greatest genius ever created for formative government, who seemed to have the ability by divine intuition to strike from the unknown and without precedent systems and structures for the future, Alexander Hamilton, saw the importance of Cuba, and he early suggested the necessity of its acquisition by the United States.

The two statesmen of our early history who were always antagonistic on every question were united on this, and they were Alexander Hamilton and Thomas Jefferson. I was surprised, knowing the pacific character of Mr. Jefferson and his opposition to the acquisition of foreign territory, to read in this compilation of his utterances his views upon Cuba. In a letter to President Monroe in 1823 he said:

> I candidly confess that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The gulf in which, with Florida Point, this island would give us exclusive control of Mexico and the countries and isthmus bordering on it as well as all those whose waters flow into it, fill up the measure of our political wellbeing.

Again to Monroe he said:

> Certainly her addition to our confederacy is exactly what is wanting to round our power as a nation to the point of its utmost interests.

Again he writes a year afterwards:

> It is better to lie still in readiness to receive that interesting incorporation when solicited by herself.

As early as 1809 he wrote:

> Bonaparte, although with difficulty, will consent to our receiving Cuba into our Union to prevent our aid to Mexico and the other Spanish provinces. That would be a price, and I would immediately erect a column on the southernmost limit of Cuba and the tribe on it as the plus ultra as to us in that direction.

In another letter he advocated that the United States should take the position of employing its armies and its navies for the purpose of keeping any other country than Spain holding Cuba, and that the world should be given notice that the United States would prevent, so far as it could, Great Britain or France from securing a foothold on the island.

Now, we come down to Monroe's own action, and when we examine the history of his Administration we find that the real crux of the Monroe doctrine was Cuba. Great Britain at that time in her struggle with the Holy Alliance had the same fear. Canning and Monroe, when they formulated the Monroe doctrine, did so for the purpose, among others, of preventing Napoleon from getting possession of Cuba, with the power and the dominance

which it would give him over our Atlantic coast and the Gulf of Mexico and over the British islands in the Caribbean Sea.

President Polk did his best by negotiation to purchase the island. The main policy of Pierce's Administration was to buy Cuba, and he made a great offer to Spain of a hundred million dollars for its transfer. A hundred millions then, compared with our resources now and the value of money, would be at present at least a [illegible] dollars.

[illegible] was minister to England; Mason, of Virginia, minister to France; Soulé, of Louisiana, minister to Spain. Sugar was then as now the great product of Cuba and [illegible] of Louisiana. And yet when these three ministers of the United States met on the soil of Belgium at Ostend, in Belgium, Soulé wrote the manifesto that is now the historical duty of the United States to acquire Cuba by purchase, and if Spain would not agree to the purchase to take it by force. That was the view of the Louisiana statesman of 1854. There would have been no tariff had he succeeded, but free trade between Cuba and the United States, because she would have come in as a State.

Now, the feeling in the United States was so strong at that time, as it had been since the foundation of the Government, in relation to Cuba and the possible possession of her possession by a foreign power that that manifesto, of which Mr. Buchanan got the credit, carried him through the Democratic convention with unanimity and made him President of the United States. Buchanan was an honest Democrat and stated then he began to negotiate for the purchase or annexation of Cuba in some form, and he also asserted that the United States ought to take possession of the Isthmus of Darien, because California was then beginning into importance, by our armies and navies to prevent any interference with transit across that isthmus.

Really the utterances and [illegible] of statesmen living within the recollection of most of the Senators here are interesting comments upon the present fright, real or imaginary, in the Democratic and the Mugwump mind as to the action of our Administration in the present crisis in Panama.

Of course when the civil war came on there was necessarily a cessation of our activities in regard to Cuba. But since the civil war there has been no month in any year when there has not been an agitation among the American people because of intolerable conditions on the island, and when there has not been as intense feeling throughout our country [illegible] with the Cuban people of the necessity of driving Spain out, and that we ought to have our hand in some form upon her affairs and destiny.

The relations between Cuba and the United States on the sea have been dramatic. As I have already said, from her position on sea she has interfered with our commerce, our trade, and our peace. By sea she has been the pest hole where terrible diseases, [illegible] have been generated and ravaged our southern country. But by sea have happened three remarkable pictures and historic events.

In 1854 a Spanish governor stopped the *Black Warrior* in the Caribbean Sea, searched her, took her to Habana, and the crew was confined. A demand was made for her release or that Spain should [illegible] up Cuba; and except for the troubles [illegible] of the necessity of driving Spain out, and that we ought to have our hand in some form upon her affairs and destiny, the military and the naval forces of the United States would have seized Cuba after Spain refused the offer of Buchanan. I will state to parties that Buchanan stated that offer to me [illegible].

In 1873 the *Virginius* was captured. She was carried into Santiago. A [illegible] of her crew were shot in the middle of the night. There was no American ship there, but [illegible] a British man-of-war, the *Niobe*, and the British Admiral wrote to the Spanish authorities that if another Englishman or another American was shot he would bombard and destroy the town. The [illegible] surrendered the remaining men and they were brought back to the United States.

Grant wrote a strong message to our minister at Madrid to demand that the Spanish Government should make a salute of the flag and ample apology and remuneration for the victims of the outrage, or [illegible] which would [illegible]. It so happened that at that time the Spanish Government was [illegible] in Congress and in trouble, but [illegible] to personal affairs. Castelar had just succeeded the Spanish Republican that he had proclaimed on the morrow of a thousand years and inaugurated a republic in Spain. Our Administration and our people were very sensitive in Cuba at that time and possessing position of that republic, which was [illegible] and seeking to destroy it and helping the Spanish [illegible] with its existence and [illegible] for a poor pittance of $[illegible] to the relatives of the Virginius an ample apology.

Once more there came a tragedy upon the ocean. The battle ship *Maine* was in the harbor of Havana. She was blown up there under conditions which sent a thrill of horror through the United States and all around the civilized world. Then it was that the feelings of the people of the United States, pent up for one hundred and twenty-five years, could no longer be restrained. The [illegible] of the country swept Congress and the peaceful McKinley into a declaration of war.

Now, there had been insurrections in Cuba four times from 1829 to 1880, four years from 1840 to 1845, four years from [illegible] to 1878, a year or two from 1850 to 1860, and between the sixties and [illegible] there were ten years of insurrection and revolution [illegible] except those in savage lands under savage conditions.

In every one of these insurrections the United States had a hand. Every one of them was fomented within our territory, and [illegible] from our soil. Every one of them had the sympathy of the people of the United States, and it required the restraining power of every Administration and of our courts, and sometimes of our Army and Navy, to prevent our people from going over and driving Spain from the Queen of the Antilles.

[illegible] has been our interest historically in this island, an interest we never had in Spain or Germany or France or Great Britain.

In one hundred days the war was over, unexpectedly to us, unprecedented in hundred years. New questions and difficulties were [illegible] to us, [illegible] and [illegible] world, from what it had been from the formation of our Government.

In the spirit with which we went into that contest and before we foresaw how it would extend, we adopted a resolution, proposed by the Senator from Connecticut, and known as the Teller resolution. In my own judgment, looking back now, I deeply regret that we ever adopted it. I suppose if I had been in the Senate when there was such a wave of passionate sentiment, patriotism, and humanity going through this Chamber I might have voted for it. But it would have been infinitely better for the United States and for Cuba if there had been no declaration of independence, and if Cuba was now in the same relations to the United States and under the same general territorial conditions which have rescued Porto Rico and given her prosperity and progress never dreamed of by her past generations of people, and which are doing so much for the Philippines in their resurrection, education, and advancement toward self-government.

But we did enter into that relation; we did make that promise. There was not a statesman in any cabinet in Europe who believed we would carry it out. There never was a promise of that sort carried out by any government made under such conditions. But when Spain had been driven from the island, when after two years we had turned the brigands into farmers and the guerrillas into [illegible], when we had not only restored order and made [illegible] possible, but courts of justice were established and the law and the country was reported to be in a condition for independence, we invited the Cuban people to call a constitutional convention and to form a republic. When that constitution was adopted and the republic formed, then occurred the [illegible] of the history of nations. As the flag of the new republic was raised in Havana [illegible] and the conquering army carried back to the [illegible] the flag not only of victory, but of justice, humanity, and generosity.

Now, my friends, the Senator from Colorado [Mr. TELLER] and the Senator from Louisiana [Mr. PERKINS] have risen in his seat, say that we have no greater obligations to Cuba than to any other country in the world. They say that [illegible] we have paid; that we have saved millions of our money; that we have [illegible] her independence, to make her [illegible]; that we have received nothing in return; and if there are any duties or any obligations, they are entirely upon the island of Cuba by way of gratitude to the people and the Government of the United States.

Now, let us consider what terms the Republic of Cuba was created. A government is never completely independent until it possesses every attribute of independence. Sovereignty means the absolute right to make treaties, without the interference or consent of any other power, with all the countries of the world. Sovereignty means the right to raise armies and navies for domestic defense, for foreign invasion, for war. Sovereignty means the right to administer internal affairs without any interference from anybody. Even the sovereignty of the States of this Union is modified under the Federal Government, except under specified conditions and by the request of the States, to act in their internal affairs. Health, police, sanitation, diplomacy, finances, territory, and war, are all essential powers of independent and sovereign governments.

Now, what are our relations to Cuba? Believing we would permit Cuba to be independent and free, believing we would loosen our grasp, we asked her, and she assented, to put into her fundamental law what is known as the Platt amendment. First, the Platt amendment reads:

> That the government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes or otherwise, lodgment in or control over any portion of said island.

If we have no obligations to Cuba, what business had we to demand this of her? Could we ask this of Germany and succeed? Of Great Britain and win? Of France or Russia and have it assented to? In every treaty that she makes we are a part. In every negotiation for a coaling station we are asked. Now, second:

> That said government shall not assume or contract any public debt, to pay the interest upon which, and to make reasonable sinking fund provision for the ultimate discharge of which, the ordinary revenues of the island, after defraying the current expenses of government, shall be inadequate.

There is no attribute of sovereignty which is so important as the ability of the state, of the nation, to raise money and to pledge securities for payment for its necessary purposes in peace or war. But Cuba can not raise money except under conditions imposed by us; and who is to see that those conditions are carried out? The President of the United States. She is trying now to borrow $36,000,000, and she is not in the position of other nations, because she has nothing to pledge for it. She can not give coaling stations; she can not mortgage her revenues. She can not promise anything except her credit and prospective prosperity. The bankers of Europe will hardly take this loan, because the United States will not permit their governments to enforce its collection. Her only opportunity is in the United States. The bankers of the United States will loan the money because our Government possesses the power to enforce the payment.

> That the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken, by the Government of Cuba.

Under that provision we are present behind every policeman from one end of the island to the other. We are present whenever a band of guerrillas or of insurrectionists rises, as they are in the habit of doing in Latin-American countries, because of some fancied or real grievance, or following some ambitious leader. We are there to preserve order and put down insurrection if Cuba is unable to do it; and we do not wait for Cuba to ask us. We are to determine when we shall land our forces on the island to preserve order and the independence of the country.

> That the government of Cuba will execute, and as far as necessary extend, the plans already begun by the military authorities of the United States looking to the sanitation of the cities of the island, to the end that a recurrence of the epidemics and pestilences which have been so destructive to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

Why, Mr. President, the laws of health, the protection from disease, the sanitation of every city and of every hamlet in Cuba are subject to the keen supervision of the Surgeon-General of the United States. If Cuba fails to protect herself, then our sanitary powers and our Marine-Hospital Service go into the infected regions of Cuba for the safety of its own people and to prevent epidemics coming here and ravaging the United States.

Section VII further provides that—

> to enable the United States to maintain the independence of Cuba and to protect the people thereof, as well as for its own defense, the government of Cuba will sell or lease to the United States such necessary lands or coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

Under that provision we have our coaling stations, our harbors, our Navy, and our forces wherever we select around the island to carry out the provisions of the Cuban constitution, and to protect the Republic against aggressions from all the world.

In view of this recitation of historical events and of the relations which have been accepted by Cuba and placed in her constitution and imposed by us in the Platt amendment, who can say that there are no obligations, moral or legal, upon the United States to the Republic of Cuba? Who can say that we violate the compact for equal treatment in 22 treaties with foreign governments if we make reciprocal concessions to that Republic? Let the nation which makes such a claim come forward and say, "We accept the Platt amendment." Let Germany say, "We accept the Platt amendment." Let Great Britain say, "We accept the Platt amendment for our islands and our dependencies;" and then there will be an equality upon which they may assert that reciprocal concessions to the Republic of Cuba violate the treaties we have with them.

Mr. President, the contention here is that the conditions in Cuba are such that, unless we make this concession in our tariff, Cuba can not support her people. Three-fourths of the people of Cuba are dependent upon sugar, its production, and its manufacture. The other fourth are dependent mainly upon tobacco. If it be true that Cuba can not sell her product to the United States except at a loss, then we have a very serious obligation. Bad as was the Government of Spain, Cuba had concessions in the Spanish tariff which took care in a large measure of her sugar and of her tobacco. By the severance of her relations with Spain, the tariff wall went up against her, and it is against her in every country in Europe. By these new relations which she has established with the United States she has no market except in our country.

If it be true—and I understand it to be, after reading this testimony—that, unless we make this concession, there will be economic and industrial conditions in Cuba which will result in an industrial paralysis which will throw a large portion of her people out of employment, then what will happen? The past will be repeated. People of the Tropics are neither patient nor peaceful under suffering. There will naturally be an insurrection and riots, and then we will be called upon to put down with our Army and Navy an insurrection which we have created, fomented, and kept alive. We can not with honor and decency occupy such a position to this ward of ours, in whose welfare we are so interested and for whose future we are so hopeful, and, in a measure, responsible.

We consume in this country 2,500,000 tons of sugar. We raise about 1,000,000 tons, in round numbers, and that leaves 1,500,000 tons to be imported.

Mr. ALDRICH. Would it interrupt the Senator from New York if I were now to put in what seems to me rather an interesting historical statement connected with what he has been saying?

Mr. DEPEW. I shall be very glad to have the Senator do so.

Mr. ALDRICH. At the time the distinguished representative of Louisiana was preparing the Ostend manifesto in 1854 the domestic production of sugar in Louisiana was 495,000,000 pounds per annum, which was 50 per cent of the total consumption in the United States. This production was not again equaled until the industry received the impetus of a bounty under the McKinley Act. The highest amount reached in any year since is about 700,000,000 pounds; in other words, the domestic production of Louisiana, under natural causes, has been reduced from 50 per cent of our total consumption to one-eighth of our total consumption. The duty in 1854 was 30 per cent ad valorem, which upon the price of sugar at that time would have been equal to about nine-tenths of a cent a pound as against the present duty of 1 1/4 cents; the ad valorem rate imposed by a Democratic Administration of 30 per cent, as against a specific duty equivalent to about 100 per cent ad valorem imposed by a Republican Administration.

Mr. PATTERSON. I should like to ask the Senator from Rhode Island a question.

Mr. ALDRICH. I should be very glad to answer, but I do not want to answer in the time of the Senator from New York.

Mr. DEPEW. I am willing the Senator shall do so.

Mr. PATTERSON. I ask the Senator from Rhode Island whether or not the anxiety in those days for the annexation of Cuba did not arise more out of the institution of slavery than any commercial interest or necessity for defense? Was not the purpose of it to maintain at least the balance between the free and slave States; in reality, to add another slave State to the Union?

Mr. ALDRICH. I should be unwilling to ascribe any motives to the representatives of Louisiana in 1903 or in 1854. I assume that to the best of their ability they were and are looking out for the interests of their own people.

Mr. TELLER. May I ask the Senator from Rhode Island a question?

The PRESIDING OFFICER (Mr. DRYDEN in the chair). The Senator from New York [Mr. DEPEW] has the floor. Does he yield to the Senator from Colorado?

Mr. DEPEW. Yes.

Mr. TELLER. I should like to ask the Senator from Rhode Island if the only sentiment in this country in favor of the annexation of Cuba when the Ostend manifesto was issued was not that of the Southern people, and whether a wave of popular dissent did not pass over the entire North on that occasion?

Mr. ALDRICH. It would not seem so from the fact that the usually accredited author of that manifesto, Mr. Buchanan, was almost immediately made the nominee of the Democratic party at its convention, as stated by the Senator from New York, and elected President of the United States.

Mr. DEPEW. And carried most of the Northern States.

Mr. ALDRICH. Yes; and carried most of the Northern States.

Mr. TELLER. That was in the days of the strength of the Democratic party, backed by the wealth of the country and backed by the solid South, for the South had practically become solid, the Whig party having disappeared. The protest of the North, which was insisted upon by the men who did not support that ticket, was that it was in the interest of slavery, and slavery alone, that the proposition to make Cuba a State of the Union was being exploited.

Mr. MITCHELL. I call attention to the fact that the Republican party in that year also denounced the Ostend manifesto, but their candidate was defeated and Mr. Buchanan was elected.

Mr. DEPEW. I will say, in answering the Senator, that Jefferson's anxiety for Cuba was long before there was any slavery agitation. The anxiety of John Quincy Adams for the annexation of Cuba was entirely on other grounds than slavery. The slavery reason for the acquisition of Cuba did not arise until about 1850. Prior to that time it had been the general wish of the people of the country, on account of the strategic position of Cuba to our Southern and Gulf ports.

Mr. President, as I was saying, in round numbers we consume in this country 2,500,000 tons of sugar. Of this we raise about 1,000,000 tons. Of this 1,000,000 tons Louisiana produces about 300,000 tons, the Hawaiian Islands 300,000 tons, the beet sugar industry of the country 240,000 tons, and Porto Rico 93,000 tons, making about 1,000,000 tons from our continent and our island possessions. Of the 1,500,000 tons which we buy, last year 1,250,000 tons came from Cuba and the rest from the British Islands, from Germany, and other countries.

Mr. CULLOM. About one-half of our purchases from other countries was from Cuba.

Mr. DEPEW. More than one-half. Two-thirds of our purchases were from Cuba. Cuba raises about one million tons a year, and the 250,000 tons extra is accounted for by having come over from the year before, when, on account of loss by tariff conditions in our market, it could not be sold.

The average duty upon all products coming into the United States is about 50 per cent, taking high and low, with the exception of sugar and tobacco. The duty upon sugar is 73 per cent, or, on its selling price, about 100 per cent. The duty upon tobacco is 110.63 per cent. If we take 20 per cent off of sugar, the duty will be still 60 or 70 per cent, or 30 per cent higher than the average duty upon other products, and higher than the duty imposed upon anything except tobacco.

The testimony shows that at present the tariff of 1.68 cents on Cuban sugar it can not be sold in New York except at a loss, sufficient to ruin the ordinary sugar planter of Cuba, though a few very large planters who have capital, exceptional machinery, and particular locations may barely survive. With the concession of 20 per cent there is a moderate profit to the Cuban planter.

Anyone who will read the testimony of the planters will see that the whole of this difference goes to them. The Senator from Louisiana says yes, but only to a few planters and none to labor. The production of sugar employs three-fourths of the workingmen of Cuba. Its prosperity is theirs also. Their wages and living are dependent as much upon its remunerative sale as are those of the artisans in any industry anywhere upon its prosperity or decay.

Cuba imports $60,000,000 worth of goods annually, of which we sell $20,000,000. They are all articles we either produce or manufacture, and we have a ferry to the island as against the Atlantic Ocean to our competitors. With the concessions in our favor by this treaty we ought to have all of Cuba's market. It will grow with the population and in time amount to $200,000,000.

Now, as to fears of the trouble which will come to the beet-sugar interests of the country and cane-sugar interests of Hawaii and Louisiana, the testimony shows that the profits upon beet sugar at present are such that 20 per cent can be yielded in the tariff and the beet-sugar interests still receive a very handsome profit.

The beet-sugar men testified that if uncertainty is removed and they can be secure by this legislation for five years they will feel much safer and more ready to increase their factories and areas of planting than they would if uncertainty and agitation continue. This testimony also shows that there is an increase of consumption in the United States proportionate to the increase in production, amounting in the neighborhood of 6 per cent per year. The beet and cane sugar production so far have not grown any more rapidly, or hardly appreciably more rapidly, than the consumption of sugar in the United States.

The speech of the Senator of Louisiana developed what I suspected before, what every man who has studied this question knows—that there is to be an internal fight to the death in this country between the beet and the cane interests and between the beet and beet interests in different sections. The Senator says that cane will produce 1 ton of sugar to the acre in Louisiana. The beets in Michigan and States which are farther north, having a more humid climate, and with less sunshine, will produce about 8 tons to the acre, while in the favored land of my friend from Colorado beets yield up to 10 tons per acre, and the same can be done in California.

With this difference of three times the production per acre of saccharine matter in certain sections of the country over others, when production becomes greater than the demand, then Colorado, Nevada, Utah, and California will make for Kansas, Michigan, and New York sugar producing difficult. The future will regulate itself. The fact that 3-ton-per-acre land can prosper while other territories produce 10 tons to the acre bears remarkable testimony to the profits of the business.

We are in the habit in this country of predicting trouble. It is almost a national peculiarity. We are a highly imaginative, a sensitive, and apprehensive people. Two-thirds die before their time from worrying about what never happens. When Hawaii was about to be annexed, the wail which went up in both Houses of Congress, which shook the rafters of the sugar planters' houses in Louisiana, and sent terror through the beet-sugar States, is only equaled by the peril which so scares my distinguished friends now.

When Porto Rico received a reduction to 15 per cent of the rates of the Dingley tariff we all remember that you could cut the blue in this Chamber with a knife. Even those of us who were on the Committee on Pacific Islands and Porto Rico, who had examined the question and knew by the facts that these dreadful disasters could not happen, had our apprehensions aroused. Now Porto Rico's products are admitted free and the ghost has vanished.

So it will be with Cuba. To be sure there is, as stated by the Senator from Louisiana, land enough in Cuba possibly to raise all the sugar that we could consume in the United States, and maybe all the sugar enough for the world. So there is land enough in the United States to raise all the wheat, if devoted entirely to that; or all the corn, or oats, or barley. But in these several production peoples and neighborhoods adjust themselves to conditions, and if there is more sugar land than it is profitable to cultivate, that same land will be devoted to the raising of other products which are more profitable, and for which there is a better demand.

There is a cotton shortage in the world. It has enabled speculators in the market to advance that staple to prices which threaten the employment of thousands in this country and abroad, and will distress consumers who are dependent upon this cheap article for clothing. The area of cotton cultivation might possibly be extended to Cuba, whose lands, I understand, are capable of raising almost anything, so as to minimize this danger and to meet this difficulty.

But, sir, we are only on the threshold of Cuba—a land, which, in productive power and climatic conditions, has no equal anywhere on earth, and whose soil has scarcely been scratched. One million six hundred thousand people are there, but 15,000,000 can be supported comfortably within its boundaries. American capital is there to the extent of $80,000,000, and is pouring in every year. Now that the conditions of law and its equal enforcement and for the safety and free movement of property and people are secure, American capital will exploit these opportunities at our doors. Our capital is going to the Arctic Circle seeking for gold, our enterprising men are enduring every hardship in the wilds of Alaska and British Columbia and up in regions of eternal snow.

We are sending hundreds every year to look into possibilities for investment in the Philippines, 6,000 miles away, where there are already 10,000,000 natives. But here is a near neighbor, a republic created by ourselves, offering security for life, property, investment, development, and exploitation. Our capital and enterprise are there now. I believe, sir, that before the five years are over, when this protocol or treaty expires, instead of Cuba raising nothing but sugar, swamping the beet and the cane interests in the United States, there will be a large population in Cuba engaged in divers industries and requiring their share of this product.

Already American capitalists have built a railroad from one end of the island to the other at an expense of between $12,000,000 and $20,000,000. They have not built that railroad to carry sugar or tobacco alone—that would be madness—but to take enterprise and enterprising people all over the territory, to establish summer resorts and sanitariums, to raise different agricultural products, to build factories, and to do all those things in Cuba which have happened along the lines, as they have been extended, of our western and northwestern railroads.

I can remember the time when the farmers of the Middle States and New England looked upon every mile of Western railroad extended as a menace to themselves, as a nail in their industrial coffins. I can remember when there was a feeling that it was a calamity to the agricultural interests of the Middle and Eastern States to have the cheap lands of the West come in competition if transportation rates were to be so low that their products could reach the seaboard almost upon the same terms.

All those apprehensions have disappeared. The catastrophe failed to materialize. It is an axiom of settlement and development that if any territory is so governed that people and capital dare go there, it will not be exploited in one line or in one production, but varied industries, which make a country great and prosperous, will follow settlement along the railroads and transportation routes.

Mr. President, as an illustration of the difficulties the opponents of this measure contend with, my friend the Senator from Louisiana

[Mr. FOSTER], after stating that this treaty was wholly for the benefit of Cuba, and that while it might and would give to her great prosperity and the command of our market, to the injury of our cane and beet sugar producing interests, said we were going to force it upon her. In other words, that we were going to force upon the beneficiary a jug-handled contract, when the beneficiary had the jug and we only the handle. [Laughter.]

I do not wish it understood, Mr. President, because I have entered into this historical survey of the views of our statesmen from the time of Hamilton and Jefferson for the acquisition of Cuba, that I am in favor of the proposition of my friend, the Senator from Nevada [Mr. NEWLANDS] for the annexation of the island. I think it would be a misfortune both to Cuba and to the United States if at this time that island should be admitted as a sovereign State. We have been entirely too careless for one reason and another in admitting States. As our Government is constituted, with each State, no matter what its population or what its interests, equal to every other State in the Senate, we have been progressing rapidly toward a government by minorities, and I certainly would not favor the annexation as yet of Cuba or of any of these dependencies of ours.

I would regard it as a misfortune to admit any of our dependencies as States until they are Americanized—Americanized in their population; Americanized in their language; Americanized in their school systems; Americanized in their understanding of American liberty and American law and order. With the opportunities which Cuba offers I look to such an immigration from the United States, especially from the Southern States, that within five years from now there will be from two to three million Americans in that island. With closer relations Cubans will become more American year by year. The day is not far distant when Cuba, resembling the United States in its constitution, laws, and liberties—and in all which goes to make up a country desirable to live in for people brought up and educated as are Americans—will have from five to six million people who are educated upon American lines and worthy of all the rights of American citizenship. Then, with the initiative from Cuba, we can welcome another star to our flag.

The Cuban people after generations of misgovernment and oppression, of insurrection and anarchy, were suddenly clothed with the powers and responsibilities of government. They have risen to these duties with intelligence and self-restraint, and their President has shown a genius for his difficult position which places him in the front rank among constructive rulers. The President, Congress, and people of Cuba are neither disheartened by delays nor discouraged by opposition in their unquestioning faith in the honor and friendship of the United States.

They are entitled to this legislation by every consideration of their worthiness and of our honor, obligations, and interests.

Mr. TELLER. Mr. President, I do not intend to discuss the fourth resolution. I assumed until the last few moments that the Senator from New York [Mr. DEPEW] was making a speech in favor of the introduction of Cuba into the union of States as a State. He has denied that in the last moments of his remarks.

In the first place, the Senator said that he thinks the fourth resolution adopted in the spring of 1898 with unanimity by both bodies of Congress was a mistake. He thinks it ought not to have been passed. He must necessarily, then, think that our subsequent treatment of Cuba was also a mistake, because the treatment we accorded to Cuba was in accordance with and under the provisions of that resolution.

It could not have been a mistake unless it was also a mistake to accord to those people such rights as we accorded to them during the temporary occupation of that island by the United States. I do not know, and no man can tell, what would have been the condition of Cuba to-day if that resolution had not been passed. Certainly, if the Senator from New York had had his way, it would not have been an independent republic, nor would it have been what he thinks it is—a semidependent republic, or a dependency of the United States.

The Senator, after saying it was a mistake, after thereby putting himself in the attitude of a critic of the subsequent conduct of the Government of the United States, as well as the resolution, goes somewhat into heroics about the great spectacle of the Cuban flag going up and the flag of the United States coming down and the peaceable establishment of a republican government in Cuba.

Mr. President, it seems to me, from my standpoint, that that was the logical result of the resolution.

Mr. SPOONER. That was the intention of the resolution.

Mr. TELLER. Certainly, as the Senator from Wisconsin says, that was the intention of the resolution. I have congratulated myself that the fourth resolution had accomplished its work, and that the Government of the United States having made a pledge to the world, the like of which, he said, was never before made and performed, we had at least acquitted ourselves before the world in a way that there could be no criticism from any moral standpoint. But if the Senator from New York is right, if Cuba to-day is not a nation with full sovereign powers, we have not complied with the provisions of that resolution.

Mr. President, I resent that. I resent it for the American people, for the American nation. We said to all the world what we were going to do, and when I was in Cuba, before we had taken our troops away, I asked the man who had more to do with securing the freedom of Cuba than any other living man in Cuba—General Gomez—in the presence of my colleagues, "General, do you doubt that this Government will carry out the provisions of the fourth resolution?" He said, "Senator, a great nation like yours can not afford to fail to carry it out, and I know you are going to carry it out."

Mr. President, it was a pledge that we would exercise no sovereignty, no jurisdiction, no control. The Senator says now that it is a dependency. I do not know that he used the term, but he says Cuba is not a sovereign power. Is it a dependency? I do not intend to go into a general discussion of that question, except to deny that it is a dependency and to assert it is a sovereign power. And if we said to Cuba, "You must do certain things before we take away our troops, provided these things do not interfere with the fourth resolution," it was a right which we had.

I did not vote for the Platt amendment, but standing in my place I said: "I do not object to this because it impairs in the slightest degree the sovereignty of that people, but because I am afraid that they will feel, if it is made now, that it is made by us for the purpose of securing delay, and they may show temper and decline to accept it, and then you will have a controversy between us and them which would be difficult to settle." There was not a man on this floor who favored it and who spoke on it who did not deny that it interfered with the sovereignty of that country.

I do not intend to elaborate on this point——

Mr. SPOONER. I suppose the Senator from Colorado——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. TELLER. Certainly.

Mr. SPOONER. I suppose the Senator from Colorado remembers that almost every great government in the world sustains diplomatic relations with the Republic of Cuba——

Mr. TELLER. To-day.

Mr. SPOONER. To-day, and receives envoys and ministers from that Republic.

Mr. TELLER. I was going to say that I do not intend to extend my remarks except to say the very fact that there is a treaty here pending ought to satisfy any logical mind that we in all our intercourse with that people recognize Cuba as an absolute sovereign. There is no such thing as a halfway sovereign.

Mr. SPOONER. We recognize it as an international equal.

Mr. TELLER. As an international equal, as the Senator says. Not only that, but every great nation of the world has its minister there. Recognizing the fact that if they put the Platt amendments in their constitution they might change their constitution, as any sovereign power might, we said, "You shall make a treaty with us, a perpetual treaty," and they said they would.

Mr. CULLOM. There are two of them here now.

Mr. TELLER. And as the Senator from Illinois, the chairman of the Committee on Foreign Relations, says, there are two of them here now. That is a fact. One of them the Senate of the United States has ratified. The other I have no doubt will be ratified before this session adjourns.

Mr. President, it is time that this claim should cease in the Senate. It is time that the people of Cuba should know that we are not claiming the right to control their conduct except for their benefit and only for their benefit.

There has been, I will admit, for many years a desire for the acquisition of Cuba. It was infinitely greater when I came of age than it has ever been since. I recall very well when the three ministers of our country met at Ostend. I recall very well when they sent out to the world what they said was to be the position of the Government of the United States, that if Spain declined to take what we offered her for the island it was our right to take it. There is not here a man of my age who does not know that that movement was the movement of the great slave power that at that time was in power in this country and making demands upon us which eventually brought us to the greatest civil war that mankind has ever seen.

The Senator knows, if he knows anything about public sentiment in the North, that there was practically nobody except those who bowed down to that great power who did not denounce the Ostend manifesto. I will venture to say that every liberty-loving community entered its protest against it. I can say I think truthfully that the occupant of nearly every pulpit, with few and very rare exceptions, denounced it publicly. That declaration did not stand for the sentiment of the American people, and if later on they elected one of those men to a high position it was not by the best

judgment of the American people, but by the combined wealth and the combined arrogance and domination of the slave power.

But that election, and not Mr. Lincoln's, is what brought us into a war—not a war between the States, but a civil war amongst our own people. Had we elected the opponent of Mr. Buchanan, there would have been no civil war. It is possible, and probably true, that the institution of slavery would not have been destroyed without the force of arms; but if the candidate who ran against Mr. Buchanan had been elected the slave power in this country would not have grown so arrogant as to demand what we could not admit; and then, because the people of the United States, in a constitutional manner, had elected a President of the United States that they did not like they went to war with us and not we with them until compelled to do so by their first attack.

There will be a demand for the acquisition of Cuba, a demand to make it a State. I said the other day that there were $200,000,000 of American capital invested in that island. Turning to a document here on my table which came out a few days ago, I find that the Government of the United States says there are a hundred millions of American money invested in Cuba. A hundred millions of American money in Cuba, with the Spanish money and Spanish population, can dominate that island absolutely when they get to work.

The Senator from Louisiana [Mr. FOSTER] said rightly that the Cubans who carried the Cuban flag would get none of the benefit of this, even if every dollar of it went to Cuba. There are from a hundred and twenty-five to a hundred and fifty thousand Spaniards who stood by the Spanish Government and who were what Mr. Thurber would call the leaders of thought and best people of Cuba, the property owners of that island. These, with the American property owners who have gone there since or who went there just before the war, can and will dominate the Cuban Government.

I desire to say another thing. The Senator from New York does not understand the American people if he believes that the blowing up of the *Maine* was the cause of the war between us and Spain. Nobody knew and nobody can prove and never did prove, and it can not be proven to-day, that either Cuban or Spaniard had anything to do with the blowing up of the ship. I heard one of the best military men now in the service of the United States say within a month that he believed that ship was blown up by the powder that it had on board, which went off without any action of Cuban or Spaniard either.

Mr. President, it was Weyler who brought us into that conflict. It was the cruel acts of Spanish officials in Cuba that excited the American people all over the country and brought here in the Senate, long before the *Maine* was blown up, a practically unanimous demand for the recognition of the Cubans as belligerents, and, secondly, 64 to 6, that we should recognize the Republic of Cuba, then in arms against Spain.

It was the sentiment of the American people that the people of Cuba were entitled to liberty, that they were not receiving it under the Spanish law, that they were our neighbors, and that there was an obligation upon us because of their contiguity to our land, which does not exist as to any other people, first, because they were a suffering and weak people, not able to contend against Spain, and, secondly, every interest of ours was jeopardized by the conditions then existing there.

Mr. President, I have been led to say this in the interest of history. The Senator from New York has delivered to us an oration on the history of Cuba. He has not gone back very much beyond the remembrance of some who are here to-day. Very few have forgotten the acts of 1854.

Nobody, I think, has forgotten the acts of Spain in Cuba in 1873, and if we had not been the most patient and law-abiding nation in the world, if we had not maintained, as we had up to that time and did long afterwards, the declaration we had made to the world that while we were anxious to promulgate the doctrine of the freedom of the human race we would not actively engage in any propaganda thereof, we would have gone to Cuba and driven the Spanish into the sea in 1854, and if not then, in 1873.

Mr. NEWLANDS. Mr. President, I desire to say a few words in reply to the Senator from New York [Mr. DEPEW], and especially to that portion of his remarks which were directed to the resolution inviting Cuba to become a State of the Union.

I am sure that I listened with great interest, as did all the Senators present, to the historical review which the Senator from New York gave of the attitude of this Government toward Cuba—the desire that Cuba should form a part of the Republic; that the boundaries of the Republic should be extended so as to include this military outpost in the ocean, controlling access to the Gulf of Mexico and isthmian transit. I regret that after the very eloquent exposition of this question which was presented by the Senator he did not reach out and give us the full logical conclusion to be derived from it, and that would be that it is desirable now, just as it was desirable a hundred years ago, just as it was desirable fifty years ago, that Cuba should become a part of the Republic.

The Senator says that Cuba will be better fitted to become a part of the Republic five years hence, ten years hence. He believes in union, but he wishes to postpone it until a sturdy American citizenship can be created there fit to assume the responsibilities of government with us. I insist upon it that the best way to secure a sturdy American citizenship there is to incorporate Cuba in the Union now and not to postpone it five or ten years hence.

Let us assume that this bill is passed. Let us assume that the production of sugar in Cuba, which has increased in the last three years from 300,000 tons to 1,000,000 tons per annum, increases in the next five years to 2,000,000 tons.

Let us assume that then the argument is made to us that the whole political and economic future of Cuba depends upon a continuation of the treaty; that America is her only market; that we have encouraged her to expand her cultivation and production of sugar, and that we should not leave her in the lurch. Let us assume that another treaty for five years is adopted and that her production goes up to 4,000,000 tons, as it is likely to do, sufficient to supply the entire United States, and let us assume that she obtains the wealth and the prosperity which the Senator predicts. What kind of wealth and what kind of prosperity will it be? Will it be the wealth of the many? Will it be the prosperity of the many? No. It will be the wealth and prosperity of a small oligarchy there—the planters of Cuba, reenforced from America, employing half slave labor throughout the island.

Cuba, without restrictive immigration laws, will be the refuge of the refuse labor of the world, and the people will be freemen in name only—serfs, attached to the soil without interest in it, laboring for the great combinations and syndicates which will control the land. Will Cuba then be better fitted for incorporation into our Union than now?

I hear it often said that Cuba would be desirable if for a half hour she could be sunk into the sea and then emerge after all her inhabitants had perished. Everyone admits the richness of the soil. Everyone admits the salubrity of the climate. Everyone admits the inexhaustibility of her natural resources. The only objection that is urged is to the people themselves. And yet to-day Cuba has been practically dipped into the sea. As a result of the civil war her population has been diminished—cut almost in half—and if Cuba is incorporated into the Union today it will be incorporated at the period of its lowest development as to population. It has a population of only 1,500,000 people, while capable of supporting twelve or fifteen million people.

Assume, then, that Cuba is taken into the Union as a sovereign State of the Union, what would be the result? Our immigration laws would apply—the immigration laws that prevent the vicious and the uneducated from coming from foreign soil to our own; the immigration laws that are likely to be made more restrictive in the interest of good citizenship—and then the population of our country would pour into that island, and within three, four, or five years that island would be thoroughly Americanized, just as California was Americanized. So I insist upon it that the speedy and practicable way of Americanizing Cuba is to take her into the Union as soon as possible.

Hitherto I have only presented the considerations that appeal to us from the standpoint of Cuba, dependent as she is upon the markets of this country, debarred as she is from the markets of the world; but I claim it would be an equal advantage to this country in harmoniously rounding out the boundaries of the Republic and including this great military outpost and this great and rich and productive island, capable of supporting twelve or fifteen million people.

All this is to be done without outrage, without force, by a simple invitation, which, extended by the people of this country to those people, will be certainly accepted—if not to-day, to-morrow; if not this year, the next. The logic of the argument is such as to make it impossible for her to refuse to accept the position of a sovereign State in the greatest Union the world has ever known, with all the blessings, political and economic, attendant upon it.

This is a part of the proper expansion of the Republic, the traditional expansion of the Republic, not the modern expansion of the empire over countries in distant seas. Hawaii is a military outpost in the Pacific controlling our defensive line. Why should we have her? She occupies such a position as she would if she were only a hundred miles from San Francisco, and practically protects the entire coast from foreign invasion. No fleet can sail from the Orient and reach the Pacific coast without coaling, and with Hawaii in our possession the ships of such a fleet would be derelicts upon the ocean before reaching our shores. And so as a matter of economy and of wise administration and of wise adjustment of the boundaries of this country we have taken Hawaii into the Union as a Territory with a Delegate. She has to-day

the position of an infant State, is in a transitional stage toward statehood, not, perhaps, independent statehood; but I trust that some method will be found in the future to incorporate her in the State of California as a county, and thus give her that representation in the Union to which every foot of ground over which the American flag floats is, in my judgment, entitled.

So it is with Cuba. She ought to be a part of the Republic, and it has always been so, and I contend that now is the opportune time to issue the invitation for her incorporation into the Union.

Mr. CLAY. Mr. President, I shall occupy only a few minutes of the time of the Senate in giving my reasons for voting in favor of this measure.

There is no State in this Union for which I have a more kindly feeling than the State of Louisiana, and I esteem her Senators most highly. But I do not take the same view of the situation that they have taken upon this occasion. Georgia, with her solid delegation, voted in favor of going to war with Spain to free Cuba. Georgia voted to give her money, and she spilled her blood to give Cuba independence and start her on the way as a new republic. I am not willing to stand here, Mr. President, and say that now and for all time to come we shall treat Cuba as we do Great Britain, France, or Germany, or any other foreign power.

Now, in attempting to discuss the measure which we have before us, let us briefly get down to the real issue. In the first place, what is the existing law between Cuba and the United States in regard to our tariff relations with Cuba? We know that we have the same tariff relations with Cuba that we have with every other government. Now, what change do we propose to make? In the first place, when we attempt to amend a law we want to consider the old law, we want to consider the new law, and determine what is best for the interests of our country.

Now, let us see what we do when we put this treaty in operation. We simply reduce the tariff between Cuba and the United States 20 per cent on certain articles, 25 per cent on others, 30 per cent on others, and 40 per cent on other articles. There is nothing in the world in this treaty except to reduce the tariff between the island of Cuba and the United States.

Now, what does it mean? Does any Senator on this side of the Chamber contend that if a proposition were presented here to-day to reduce the tariff to a revenue basis, say a reduction of 10 per cent or of 20 per cent generally with Germany, France, England, or with any other foreign country, we would not all vote for it? If this is simply a reduction of 20 per cent between Cuba and the United States on everything, if I remember correctly, and then 25 per cent, and then 30 per cent, and then 40 per cent, I feel it to be my duty to give this measure my support.

Mr. ALDRICH. I think the Senator from Georgia is creating a rather erroneous impression in the Senate by his last statement. The duty on goods coming from Cuba to the United States is reduced only 20 per cent, and uniformly reduced to that extent.

Mr. CLAY. I understand.

Mr. CULLOM. Except those on the free list.

Mr. ALDRICH. Except those that are on the free list.

Mr. CLAY. I understand that. The duty on all goods coming from Cuba to our country is reduced 20 per cent.

Mr. ALDRICH. Yes.

Mr. CLAY. And on goods going out it is reduced 20, 30, and 40 per cent. That is my recollection in regard to it.

Mr. CULLOM. That is correct.

Mr. CLAY. Now, let us see this treaty. I do not propose to discuss anything except the treaty itself. I will simply ask that the treaty be inserted here as a part of my remarks without reading it.

[House Document No. 2, Fifty-eighth Congress, first session.]

RECIPROCAL COMMERCIAL CONVENTION BETWEEN THE UNITED STATES AND CUBA.

Message from the President of the United States, transmitting the text of a reciprocal commercial convention between the United States and Cuba, signed at the City of Mexico, and ordered to be printed. Referred to the Committee on Foreign Relations.

To the Senate and House of Representatives:

In compliance with the resolution of the Senate of March 19, 1902, that the President of the United States be requested to negotiate with the Government of Cuba such reciprocal commercial agreements as may be deemed expedient for the mutual benefit of the trade between the United States and Cuba, I transmit herewith the text of the said convention, which has been signed by the plenipotentiaries.

THEODORE ROOSEVELT.

WHITE HOUSE, *November 10, 1903.*

The President of the United States of America, the Hon. Gen. Tomás H. Islas, the President of the Republic of Cuba, the Hon. Carlos de Zaldo y Hernández, secretary of state and justice, and the Hon. José M. Gómez y Mendoza, secretary of the treasury, who after mutual exchange of their full powers found to be in good and due form, have agreed upon and do conclude the following convention for the respective concessions and engagements made by each to the other as hereinafter recited, agreed and do hereby agree upon the following articles for the regulation and government of their reciprocal trade, namely:

ARTICLE I.

During the term of this convention all articles of merchandise being the product of the soil or industry of the United States which have now imported into the Republic of Cuba from duty free, and all articles of merchandise being the product of the soil or industry of the Republic of Cuba which are now imported into the United States from duty shall continue to be so admitted by the respective countries free of duty.

ARTICLE II.

During the term of this convention all articles of merchandise not included in the foregoing Article I and being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of 20 per cent of the rates of duty thereon as provided by the tariff act of the United States approved June 24, 1897, or as may be provided by any tariff law of the United States subsequently enacted.

ARTICLE III.

During the term of this convention all articles of merchandise not included in the foregoing Articles I and II, and being the product of the soil or industry of the United States imported into the Republic of Cuba shall be admitted at a reduction of 20 per cent of the rates of duty thereon as now provided or as may hereafter be provided in the customs tariff of said Republic of Cuba.

ARTICLE IV.

During the term of this convention the following articles of merchandise as enumerated and described in the schedules hereunder, being the product of Cuba being the product of the soil or industry of that island shall be admitted into the United States free of duty, or remain free of duty thereon as now provided or as may hereafter be provided in the customs tariff of the Republic of Cuba:

Schedule A.

To be admitted at a reduction of 25 per cent:

Musical instruments and apparatus of every description not specially enumerated in this schedule, and parts of musical instruments and apparatus in which copper or its alloys enter as a component of chief value; cast iron, wrought iron, steel, and manufactures thereof, except articles of crockery and glass, except window glass; steam and water boilers, condensers and tanks; fish, whether packed, smoked, or preserved in oil or other food in any articles of tinware or manufactures not specified under paragraphs 21 and 22 of the customs tariff of the Republic of Cuba.

Schedule B.

To be admitted at a reduction of 30 per cent:

Indian corn or wheat; corn flour or meal or corn meal; chemical and pharmaceutical products, not specially enumerated in this schedule, including medicinal preparations in bottles, packages, or otherwise prepared for the use of the sick; perfumery, including perfumed waters, essences, essential oils, pomades, cosmetics, and other toilet preparations; pipes, cigar and cigarette holders, and parts of the same, not specially enumerated; pencils of every kind; tips or points of lead, gold, silver, platinum, or other metal; and other vegetables, fruits, and flowers not specially enumerated under the paragraphs of group 2, Class V, of the customs tariff of the Republic of Cuba, preserved in sugar, syrup, or brandy; paper, except the manufactures of paper specially enumerated in this schedule; paper hangings; cotton, except knitted goods and manufactures of cotton, not specially enumerated; gloves and slippers, now specified under paragraphs 19, and 199 of the customs tariff of the Republic of Cuba; gold and silver plated wares; dry goods, piece goods, clothing, and manufactures of wool, not specially enumerated; manufactures of flax, hemp, or ramie, not specially enumerated; linen and cotton thread, twine, cordage, and manufactures of cordage, not specially enumerated; hats, bonnets, and hoods for women and children, and all other articles of apparel and personal adornment, not specially enumerated; brooms, brushes, and wooden ware for household or other purposes, and all other articles not specially enumerated; soap and candles; paints and colors; and manufactures of iron and steel, not specially enumerated; and all other articles not specified in this schedule, now classified under paragraphs 19, and 199 of the customs tariff of the Republic of Cuba and subject to a duty of 30 per cent ad valorem, and all other articles not specified in this schedule, now classified under paragraphs 19, letters A and B, of the customs tariff of the Republic of Cuba, manufactured or prepared in any manner and not specially enumerated in this schedule, now classified under paragraph 270 (a) of the customs tariff of the Republic of Cuba.

Schedule C.

To be admitted at a reduction of 40 per cent:

Manufactures of cotton, knitted, and all manufactures of cotton not included in the preceding schedules; cheese; fruits, preserved; paper pulp; pastes and cements; articles of pottery and earthenware now classified under paragraph 270 of the tariff of the Republic of Cuba; pressed or molded articles of fibrous materials, now classified under paragraph 270 of the customs tariff of the Republic of Cuba; mattresses and pillows, stuffed with feathers, down, or other material; wood and manufactures thereof; willows, wood and manufactures thereof; silk and manufactures thereof; flax, cotton.

ARTICLE V.

It is understood and agreed that the laws and regulations adopted or that may be adopted by the United States and by the Republic of Cuba to prevent the importation of products of the other country which are imported free of duty or at a reduction of duty under this convention may apply to the products or manufactures of the other country, respectively, which shall not comply with such laws or regulations, or which may be imported, exported, or transported from, through or out of any place, district, or country from, through or out of which articles may be imported into one country from the other under the laws of the country to which such articles are destined, or which may be imported into one country from the other under the laws of the country from which such articles are exported, or which may be imported into one country from the other under the laws of the country from which such articles are exported, or which may be imported into one country from the other under the laws of the country from which such articles are exported

ARTICLE IX.

In order to maintain the mutual advantages granted in the present convention by the United States to the Republic of Cuba and by the Republic of Cuba to the United States, it is hereby understood and agreed that any duties or charges that may be imposed in the Republic of Cuba on the importation of articles of the growth, produce or manufacture of the United States, or in the United States on the importation of articles of the growth, produce or manufacture of the Republic of Cuba, shall be equally imposed on like articles imported from the respective countries from all foreign countries without discrimination upon any other article whatsoever imported.

ARTICLE X.

It is hereby understood and agreed that in case of changes in the tariff of either country which deprive the other of the advantage which is represented by the percentage agreed upon on the actual rates of the tariff now in force, the country so deprived of this protection reserves the right to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operations thereof.

And it is further understood and agreed that if at any time during the term of this convention, after the expiration of the first year, the production herein granted to the products and manufactures of the United States on the basis of the actual rates of the tariff of the Republic of Cuba now in force, should appear to the Government of the said Republic to be excessive in view of a new tariff law that may be adopted by it, after this convention has become operative, then the said Republic of Cuba may reopen negotiations with a view to securing such modifications as may appear proper to both contracting parties.

ARTICLE XI

The present convention shall be ratified by the respective authorities of the respective countries, and the ratifications shall be exchanged in Washington [illegible] day of January [illegible] after the exchange of ratifications and shall continue in force for the term of five years from date of going into effect, and from year to year thereafter until the expiration of one year from the day when either of the contracting parties shall give notice to the other of its intention to terminate the same.

This convention shall not take effect until the same shall have been approved by the Congress.

In witness whereof we, the respective plenipotentiaries, have signed the same in duplicate, in English and Spanish, and have affixed our respective seals, at Habana, Cuba, this 11th day of December, in the year 1902.

TASKER H. BRUCE. [SEAL.]
CARLOS DE ZALDO. [SEAL.]
JOSÉ M. GARCIA MONTES. [SEAL.]

Now, Mr. President, Articles I, II, III, and IV, including Schedule A, are as follows:

ARTICLE I.

During the term of this convention all articles of merchandise being the product of the soil or industry of the United States which are now imported into the Republic of Cuba from foreign ports and all articles of merchandise being the product of the soil or industry of the Republic of Cuba which are now imported into the United States from ports of Cuba shall continue to be admitted by the respective countries free of duty.

ARTICLE II.

During the term of this convention all articles of merchandise not included in the foregoing Article I and being the product of the soil or industry of the Republic of Cuba imported into the United States shall be admitted at a reduction of 20 per cent of the rates of duty now in force or hereafter to be established by the tariff act of the United States approved July 24, 1897, or as may be established by any tariff law of the United States subsequently enacted.

ARTICLE III.

During the term of this convention all articles of merchandise not included in the foregoing Articles I and II, manufactured being the product of the soil or industry of the United States, imported into the Republic of Cuba shall be admitted at a reduction of 20 per cent of the rates of duty thereon as now provided or as may hereafter be provided in the customs tariff of said Republic of Cuba.

ARTICLE IV.

During the term of this convention the following articles of merchandise [illegible] being the product of the soil or industry of the United States, imported into the Republic of Cuba shall be admitted at a reduction of 20 per cent of the rates of duty thereon as now provided or as may hereafter be provided in the customs tariff of the Republic of Cuba:

Schedule A.

To be admitted at a reduction of 20 per cent:

Machinery and apparatus of copper or its alloys or machines made of materials in which copper or its alloys enter as the component of chief value, cast iron, wrought iron and steel, and manufactures thereof, not [illegible] and glass, except window glass plain and water bottles, tumblers, [illegible] of iron or steel, workers and manufactures thereof, [illegible] paper, [illegible] under paragraphs 84 and 87 of the tariff of the Republic of Cuba.

Mr. President, take this treaty. There are certain things in the United States that we will be able to send into Cuba cheaper by 20 per cent than any other countries in the world will be able to send the same articles into Cuba. Now, what will be the result? The result will be simply that the United States will have the advantage over every other country in the world in regard to the sale of these articles. There are certain things that we can get into Cuba at a reduction of 20 per cent and certain things at a reduction of 40 per cent. Now, what will be the result? In my opinion the result will be simply this: Instead of the United States today selling to Cuba $[illegible] worth of its agricultural products and of its manufactured products we will sell them in all probability $[illegible] or $[illegible] worth per year.

I do not put much stress on the argument that we violate the favored-nation clause with other nations when we give to Cuba a discrimination as against other countries. Take the decision read by my friend the distinguished Senator from Louisiana [Mr. FOSTER], for whom I have the kindest feeling and the warmest friendship. In reciprocity treaties, which provide for reciprocal trade relations, we give benefits and we receive benefits, and I have never understood that such treaties could be construed as violating the favored-nation clause in the numerous treaties we have with other countries. The rule has been just the reverse.

The decision of the Supreme Court read by my friend from Louisiana in the able argument which he has just concluded clearly sustains this contention, otherwise we would be entirely cut off in the future from making reciprocity treaties. The rule only applies when we give tariff advantages to one country without receiving similar reductions which we do not give to another country.

If we had permitted Cuba to ship her goods into our country at a reduction without Cuba granting to us the privilege of sending goods into Cuba with a corresponding reduction, then Germany, France, Great Britain, or any other foreign power might have cause to complain; it were not for the fact that we sustain different relations to Cuba than any other country in the world.

Again, the argument has been made, and on its face there would be some force in it, that we will reduce our revenues six or seven million dollars annually, and that loss in duty for the next five years will go to enrich the sugar planters or the sugar trust.

Mr. TELLER. Ten million dollars.

Mr. CLAY. Well, say, $10,000,000 a year. I have not estimated it to be that much. Suppose that by reason of the reduction the Cubans really get $6,000,000 or $7,000,000 per year. Let us turn around and reverse the position. We to-day sell to the people of Cuba, if I remember correctly, about $26,000,000 worth of goods per year.

Mr. TELLER. Twenty-one million dollars.

Mr. CLAY. It was $21,000,000 last year; that is correct. In the year preceding it was $25,000,000.

Mr. CULLOM. Twenty-six million dollars.

Mr. CLAY. Twenty-five million dollars or $26,000,000, one or the other. If Cuba reduces her tariff, in all probability there will go from the United States to Cuba during the next five or six years, instead of $26,000,000 per year, $40,000,000 or $50,000,000 per year; and is it not true that we will reap in the United States $7,000,000 or $8,000,000 a year to counterbalance the amount that goes to Cuba?

I say, Mr. President, there are two sides to the proposition. Cuba has not come to us begging in regard to this measure. Cuba has come to us and asked reciprocal trade relations. She said she was our neighbor, living within a few miles of our coast. She said: "Buy our goods and we will buy yours. We will be your best customer."

Mr. President, it has been said on the floor of the Senate that Germany buys from us $193,000,000 per year and that Great Britain and her colonies buy $600,000,000 or $700,000,000; the Netherlands and its colonies, I believe, amount to $80,000,000; France about $80,000,000, and that other foreign countries will take exception to the course which we have pursued and retaliate and cease to buy our products.

Mr. President, I do not think so. I do not think they will have any right to do so either in morals or in equity or in law. In the first place, they will recognize the fact, as has well been said, that this Government sustains relations to Cuba that she does not hold toward any other country in the world and will recognize the fact by establishing a reciprocity treaty with Cuba. We do not discriminate against them, for we both give and receive benefits.

Now, Mr. President, just a few minutes more. I have taken the trouble and pains during the last few days to investigate our trade relations with Cuba. I am frank to confess that I have not been able to understand why it is that Cuba only buys from us about $[illegible] per year, when she buys from other countries about $[illegible] per year.

But, Mr. President, it is something worthy of investigation, worthy of our attention, and I took the trouble to see what constitute the $[illegible] sold to Cuba by Germany, by France, by England, and other countries. What did I find? Let us see. These figures are partly taken from a speech made by Hon. W. G. BRICKNER, a Member of Congress from my State, a painstaking and accurate Member, and a comparison with the Treasury Department will show them absolutely to be correct.

I will take 1901 first, and then 1902. For the year 1901 Cuba's imports amounted to $65,030,141. Now, let us see how much of this trade the United States received. She received $2[illegible],702, leaving the balance of $37,000,000 that went to other countries.

Now, let us see what constituted that $37,000,000. I find that in 1901 Cuba bought $[illegible] of cotton goods. How much of it did she buy from the United States? Four and one-half per cent of it.

Again, Mr. President, I find that Cuba bought nearly $700,000 worth of woolen goods. How much did the United States supply? Only $22,000. She bought $2,000,000 of vegetables. How much did we supply? One hundred and seventy-one thousand

dollars. She bought $2,700,000 of wines, and we supplied her only $329,000. She bought $2,589,000 worth of oil, and we sold her only $713,000, when we ought to have supplied her every gallon that she bought.

Again, Cuba bought $1,053,000 worth of chemicals and drugs. How much did we sell her? We sold her $422,000 worth. She bought $8,000,000 worth of cattle, and we supplied her with only $1,994,000 worth. She bought $1,638,000 worth of manufactured leather, and we ought to have sold it all to her. Of this amount we sold her $405,000 worth. She bought $3,335,000 worth of rice, and we sold her $3,000 worth.

Now, take the year 1902, and I desire, Mr. President, to be exceedingly brief. In the year 1902 Cuba's imports amounted to $62,135,464; Cuba's exports amounted to $64,948,804. Now, how much did we sell Cuba in 1902? In 1902 we sold to Cuba $26,053,395. Cuba imported into this country $49,498,587, and Cuba bought the same year from other countries $36,082,069. The balance of trade with Cuba has been against us for some time. She sold to other countries $15,450,217.

Now, let us look at cotton. In 1902 she bought $5,285,517 worth of cotton goods. We sold to her only $401,107 worth. She bought of vegetable matter $2,307,279 worth, and we sold her only $789,713 worth. Again, she bought of animals for that year $12,881,681, and we sold to her about 50 per cent of that amount.

Mr. President, the total amount of all her dairy products that she bought was $1,096,340, and of this amount we sold her $355,554.

Cuba is within a few miles of our coast, and, reviewing this matter as I do, I do not believe there are any States in the Union that will receive more benefit from this measure than the Southern States. I believe that Georgia and North Carolina and South Carolina will be the great recipients of any benefits that are to flow from this measure.

Take Georgia. She is gradually becoming a manufacturing State. Georgia to-day is manufacturing one-third of her cotton. The same can be said of South Carolina and North Carolina. All through our hills and valleys in Georgia millions of dollars are being placed in cotton factories. We expect at no distant day to manufacture in the South 75 per cent of our cotton crop. I do not speak disparagingly of New England. I love every section of my country, but I tell you to-day that the South is manufacturing as much raw cotton for the year 1903 as all of New England combined.

Do you know that twenty years ago the South manufactured less than 6 per cent of her raw cotton? The South is bound to be a manufacturing country. Our marble interest is being developed. Our coal interest and iron interest are being developed. We expect to sell cotton goods to all sections of the world; and let me tell you we expect Cuba to be our best market. I expect to see the time come, if I live, when Cuba will have five or six or seven million people. I expect to see her buy from the United States, instead of $26,000,000 per year, $50,000,000 or $100,000,000. I expect to see Cuba buy 80 per cent of all she buys from foreign countries from the United States. Mr. President, we fought to free her; we started her on the way as a new republic, and we should stand by her. We ought to stand by her and be proud of the work which we began.

Mr. President, I am the last Senator who would strike a blow at any industry of my country. I love Louisiana. I do not desire to injure her sugar industry. I do not believe this legislation will in any way affect the sugar interests of that State.

Now, let us see. We know that the United States is the greatest sugar-consuming country except Great Britain in the world.

Mr. TELLER. Per capita.

Mr. CLAY. I mean per capita. If I remember correctly, the figures will show that during the present year we will consume about 2,800,000 tons of sugar. You may take the sugar produced in the Hawaiian Islands, and produced in Cuba, and produced in the United States, and produced in Porto Rico, and produced in all America, Central and South America, the Western Continent, and we consume as much sugar as the whole of America produces. If I remember correctly, and I do not believe that it can be disputed, the whole world produces about 10,000,000 tons of sugar, and the United States consumes nearly one-third of all the sugar produced in the world.

Now, suppose every single pound of sugar produced in Cuba should come to the United States. We produce here, if I remember correctly, about 233,000 tons of beet sugar. We produced also this year, I understand, about 261,000 tons of cane sugar in the United States, leaving out Porto Rico and the Sandwich Islands. With those two combined, we produced about 900,000 tons of sugar, about one-third of what we consume in the United States. Bring all the sugar that Cuba produces here and then we will have to send to other countries and get 700,000 tons in order to meet the consumption of our own people.

Mr. President, now mark you it is estimated that it will take at least five or six years to enable Cuba to produce 2,000,000 tons of sugar, and by the time Cuba produces enough sugar to supply the demands of the United States this treaty will be at an end, the five years will have passed. Tariff laws are not made for always; they are made for to-day. It is expected in every civilized and progressive country that tariff relations will change, that schedules will be changed every four or five or six or seven or eight years.

I do not want under any circumstances to strike down an industry of Louisiana. Far be it from me. I love her like I do Georgia. I believe that we are mistaken in regard to the effects of this legislation.

Now, Mr. President, there is one thing in this treaty to which I wish to refer, and I am through. I regret it is there. When this treaty was originally negotiated it did not have this proviso in it. When the contracting parties entered into this agreement there was nothing in this treaty which provided that we could not change our tariff relations with other countries for a period of five years so far as sugar is concerned. It came to the Senate; it went to the Committee on Foreign Relations, and that provision was inserted, not to satisfy Cuba, but, if I remember correctly, to satisfy certain interests in our own Republic.

I maintain now that if we desire to change our tariff laws during the next five years in regard to our sugar schedule with any country in the world there is nothing to prevent us from doing so in law or in morals. In making a treaty with Cuba fixing our tariff relations I do not believe we ought to mention what shall be our tariff relations with other countries at all. In fact, it was not just to do so. But, notwithstanding that fact, I am not going to vote against this bill.

Now, let us see whether we have the right to change our tariff relations with other countries. This treaty contemplates that Congress may do it. Look at the tenth article of the treaty. It is intended that it shall always be reciprocal.

It is hereby understood and agreed that in case of changes in the tariff of either country which deprive the other of the advantage which is represented by the percentages herein agreed upon, on the actual rates of the tariffs now in force, the country so deprived of this protection reserved the right to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operations thereof.

The membership of Congress may change. Tariff relations may change in the future. Cuba and the United States recognize the fact that if we do make different tariff relations then they shall have the right to give notice and this treaty will at once come to an end.

Mr. TELLER. At the end of a year.

Mr. CLAY. That is right; at the end of a year.

Mr. SPOONER. They recognize the fact that they may change their tariff.

Mr. CLAY. They do it, looking after their own interests as well as ours. If they have to change their tariff relations, then we could give the notice and the treaty would be at an end.

Mr. TELLER. Mr. President, I wish to correct the Senator. I do not think we could. Cuba in this treaty simply says, "If we raise our tariff, which we have a right to do, we will still give you 20 per cent advantage over anybody else." That is what they say. We would have no right to complain if Cuba raised her tariff to 100 per cent to-morrow.

Mr. CLAY. The tenth article of the treaty reads as follows:

It is hereby understood and agreed that in case of changes in the tariff of either country which deprive the other of the advantage which is represented by the percentages herein agreed upon on the actual rates of the tariffs now in force, the country so deprived of this protection reserves the right to terminate its obligations under this convention after six months' notice to the other of its intention to arrest the operations thereof.

And it is further understood and agreed that if at any time during the term of this convention, after the expiration of the first year, the production herein granted to the products and manufactures of the United States on the basis of the actual rates of the tariff of the Republic of Cuba now in force, should appear to the Government of the said Republic to be excessive in view of a new tariff law that may be adopted by it, after this convention has become operative, then the said Republic of Cuba may reopen negotiations with a view to securing such modifications as may appear proper to both contracting parties.

Undoubtedly, Mr. President, the parties to this agreement or contract contemplated that Congress might change tariff legislation in the future. No one would contend that we should sit down here and enact a law fixing what shall be our tariff relations for five years in the future, or for three years in the future, binding future Congresses.

Suppose Congress to-day, Mr. President, should pass a bill changing the present tariff, lowering or making it higher, fixing new schedules from beginning to end, changing the Dingley law; suppose there was a proviso in the tariff bill saying that the rates so fixed shall not be changed for a period of eight years. We all know that political parties change, and when a political change occurs we know that the then majority party could come into Congress and repeal that tariff law or modify it at any time in the future. Clearly those who negotiated this treaty for the Cuban people had that idea.

Now, what is the real issue before us? What changes will be made in our tariff relations with Cuba when this treaty goes into operation? When we get right down to the kernel in the nut, there is nothing that will occur, except simply this: We will ship our goods into Cuba cheaper than any other country can ship their goods there and so we shall enjoy an advantage which no other country can enjoy. In the course of time we shall get Cuba's trade. And, Mr. President, Cuba likewise will ship her goods into our country more cheaply than any other country can ship its goods there. They are simply reciprocal relations, or, as I say, benefits. We get certain benefits and the people of Cuba get certain benefits.

To tell you the truth, Mr. President, I should be glad to see the United States have the trade of Cuba and that of all the Central and South American republics. I want to live to see the day when our trade relations with the South American and Central American republics and Cuba shall be closer, and when we shall do more business with them than we now do. It is mortifying to me to read the statistics of our exports and imports and to see the business that Germany and Great Britain do with those republics and with Cuba.

So far as the resolution of my friend from Nevada [Mr. NEWLANDS] is concerned, I have just a word to say, and then I shall be through.

Mr. President, I am not in favor of any resolution inviting Cuba to come to us, but I do say that I see no harm in the resolution of the Senator from Nevada. He simply proposes, in a kind and friendly way, to invite the people of Cuba to come and join us as a state of this Union. So far as that is concerned, I do not favor any action on it, but I see no harm in it. The criticisms which have been made against the resolution I do not believe are just.

I sincerely hope, Mr. President, that the time will come when we shall have something to say of a friendly nature in regard to our neighbors, the South American and Central American republics, including Colombia.

I do not believe that any injury to any of the great industries of our country will flow from the passage of this bill. I believe that in the future great benefits will accrue to my State and to her sister States, that such benefits will accrue to Louisiana, to Mississippi, and to North Carolina, as well as to Massachusetts and to Maine and to every other State in this great Union.

Believing this to be for the best interests of the American Republic, to be right in principle and morals, and to be for the best advancement of the people of Cuba, I feel it my duty as a Senator to vote in favor of this measure.

EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, I suppose, as this is Saturday evening, no other Senator desires to speak at this hour. If not, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were opened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, December 14, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 12, 1903.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

William J. Buchanan, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Panama, to fill an original vacancy.

ASSISTANT TREASURER.

Thomas J. Akins, of Missouri, to be assistant treasurer of the United States at St. Louis, Mo., to succeed Bernard G. Farrar, whose term of office will expire by limitation December 22, 1903.

COLLECTOR OF INTERNAL REVENUE.

Edward E. Butler, of Tennessee, to be collector of internal revenue for the second district of Tennessee, to succeed Alonzo J. Tyler, resigned.

COLLECTOR OF CUSTOMS.

Fred W. Wight, of Maine, to be collector of customs for the district of Waldoboro, in the State of Maine. (Reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 12, 1903.

POSTMASTERS.

GEORGIA.

Richard W. Tindall to be postmaster at Jesup, in the county of Wayne and State of Georgia.

MAINE.

Sidney G. Haley to be postmaster at Phillips, in the county of Franklin and State of Maine.

Guy W. McAlister to be postmaster at Bucksport, in the county of Hancock and State of Maine.

NEW HAMPSHIRE.

John H. Bartlett to be postmaster at Portsmouth, in the county of Rockingham and State of New Hampshire.

Charles Eaton to be postmaster at Littleton, in the county of Grafton and State of New Hampshire.

Natt. F. Roberts to be postmaster at Farmington, in the county of Strafford and State of New Hampshire.

NEW JERSEY.

George W. Cooper to be postmaster at Somerville, in the county of Somerset and State of New Jersey.

Henry R. Tatem to be postmaster at Collingswood, in the county of Camden and State of New Jersey.

PENNSYLVANIA.

William F. Heidenreich to be postmaster at Sheridanville, in the county of Allegheny and State of Pennsylvania.

SENATE.

MONDAY, *December 14, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. ALBERT J. BEVERIDGE, a Senator from the State of Indiana; Mr. EDWARD W. CARMACK, a Senator from the State of Tennessee, and Mr. WILLIAM J. STONE, a Senator from the State of Missouri, appeared in their seats to-day.

The Journal of the proceedings of Saturday last was read and approved.

CAPT. JOSEPH M. SIMMS.

Mr. LODGE. I ask unanimous consent to take from the Calendar the bill (S. 855) for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired). A similar bill passed the Senate in the last Congress unanimously, and it will take only a moment.

The PRESIDENT pro tempore. The bill will be read to the Senate for its information.

The Secretary read the bill, as follows:

[illegible] of his said rank.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SPANISH TREATY CLAIMS COMMISSION.

The PRESIDENT pro tempore laid before the Senate a communication from the Spanish Treaty Claims Commission, transmitting, in response to a resolution of the 9th instant, copies of the announcements of the Commission on April 28, 1903, of the principles governing their action in making decisions upon demurrers, together with copies of various opinions delivered relative to such announcements; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Baptist Church of Tullahoma, Tenn., v. The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented memorials of sundry citizens of Chicago, Ill., and a memorial of sundry citizens of Cincinnati, Ohio, remonstrating against the ratification of the Cuban reciprocity treaty; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Hoopeston, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SCOTT presented a petition of the congregations of the Christian Church of West Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of the Christian Endeavor Society of the Second Presbyterian Church of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Whitefield, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. LONG presented a petition of the Southwestern Grain and Flour Journal of Wichita, Kans., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Reformed Church of Whitewater; of the congregation of the Methodist Episcopal Church of Whitewater; of the Woman's Christian Temperance Union of Whitewater; of the congregation of the Zion Lutheran Church, of Whitewater; of the Woman's Christian Temperance Union of Lecompton; of the Woman's Missionary Society of Iola; of sundry citizens of Burlingame and Reeder; of the congregation of the Presbyterian Church of Osage City, and of the congregation of the United Brethren Church of Ottawa, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented sundry papers to accompany the bill (S. 1790) for the relief of Simon Regnier; which were referred to the Committee on Military Affairs.

He also presented sundry affidavits to accompany the bill (S. 1793) for the relief of John C. Brown; which were referred to the Committee on Claims.

He also presented a paper signed by sundry citizens of Anthony and Harper counties, Kans., to accompany the bill (S. 1802) granting an increase of pension to Isaac M. Couch; which was referred to the Committee on Pensions.

He also presented sundry papers and affidavits to accompany the bill (S. 1806) granting a pension to Mary J. Haas; which were referred to the Committee on Pensions.

He also presented the affidavit of David [illegible], Kans., praying that he be granted an increase of pension; which, with the accompanying paper, was referred to the Committee on Pensions to accompany the bill (S. 1806) granting an increase of pension to David Bennett.

He also presented sundry papers to accompany the bill (S. 1796) granting an increase of pension to Mary [illegible]; which were referred to the Committee on Pensions.

He also presented a paper signed by sundry citizens of Belle Plaine, Kans., to accompany the bill (S. 2267) granting a pension to Ruth E. Wright; which was referred to the Committee on Pensions.

He also presented the affidavit of John M. Morgan, of Baldwin, Kans., praying that he be granted an increase of pension; which was referred to the Committee on Pensions, to accompany the bill (S. 1792) granting an increase of pension to John M. Morgan.

Mr. [illegible] presented a petition of the congregation of the Tabernacle Presbyterian Church, of Houston, Tex., praying for the enactment of legislation to regulate the interstate [illegible]; which was referred to the Committee on Interstate Commerce.

Mr. TALIAFERRO presented petitions of the congregations of the Methodist Episcopal Church, Presbyterian [illegible], all of De Land, in the State of Florida, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. [illegible] presented a petition of the Missionary Society of the Methodist Episcopal Church, of St. Paul, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of the Board of Trade of Grand Rapids, Mich., praying for the enactment of legislation to promote American merchant marine; which was referred to the Committee on Commerce.

He also presented petitions of sundry citizens of Detroit, Grand Haven, Elk Rapids, and Whitewater, of the Woman's Christian Temperance Union of Michigan, all in the State of Michigan, and of the Woman's Presbyterian Society for Home Missions of the District of Columbia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCREARY presented a petition of the Woman's Club of Louisville, Ky., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. WARREN presented a memorial of the legislature of Wyoming, relative to the extension for a period of ten years the time within which desert lands may be segregated, which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

State of Wyoming, } Office of the secretary of state, United States of America, State of Wyoming, ss:

I, Fenimore Chatterton, secretary of state, of the State of Wyoming, do hereby certify that the annexed has been carefully compared with the original House joint memorial No. 1, and is a full, true, and correct copy of same and of the whole thereof.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Wyoming.

Done at Cheyenne, the capital, this 21st day of February, A. D. 1903.

FENIMORE CHATTERTON,
Secretary of State.

(SEAL.)

House joint memorial No. 1, memorializing the Congress of the United States to extend for a period of ten years the time within which desert lands may be segregated and reclaimed under the provisions of section [illegible]

Whereas [illegible] and not [illegible] on [illegible] Congress approved June 11, 1894, [illegible] in the State of Wyoming [illegible] to [illegible]

Whereas great interest is now being taken in the reclamation of desert lands [illegible]

[illegible] proclamation [illegible] for the sale then [illegible] New Hampshire, built [illegible] States a [illegible] proposed to extend [illegible] Congress of [illegible] For a [illegible] with request that they urge such [illegible] of Congress.

C. A. GUDGESKY,
President of the Senate.
J. [illegible],
Speaker of the House.

Approved February 21, 1903.

DE F. RICHARDS, Governor.

Mr. WETMORE presented petitions of the congregation of the Embury Methodist Episcopal Church, of Central Falls; of the congregation of the First Baptist Church of Newport; of the congregation of the Second Church of Presbyterian and of the Woodville Woman's Christian Temperance Union, of North Providence, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MILLARD presented a petition of the congregation of the United Presbyterian Church of Minden, Nebr., and a petition of sundry citizens of Fairmont, Nebr., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BATE presented petitions of the congregation of the First Methodist Episcopal Church of Knoxville; of the congregation of the Second Presbyterian Church, of Knoxville; of the congregation of the First Presbyterian Church, of Knoxville; of the Woman's Society of the Fifth Avenue Presbyterian Church, of Knoxville; of the Children's Mission Home of Knoxville, and of the Providence Crittenton Home Board of Knoxville, all in the State of Tennessee, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of the congregation of the Methodist Episcopal Church of Fort Dodge, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregations of the Presbyterian Church of Marion, the Second Presbyterian Church of Mediapolis, the Second Congregational Church of Dubuque, the Congregational Church of Independence, the Presbyterian Church of Davenport, the First Congregational Church of Davenport, the Home and Foreign Missionary Society of the Congregational Church of Davenport, and of sundry citizens of Davenport, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HEYBURN presented a petition of the mayor and city council of Pocatello, Idaho, praying for the enactment of legislation permitting homestead entries on the Fort Hall Indian Reservation; which was referred to the Committee on Public Lands.

Mr. ALGER presented sundry papers to accompany the bill (S. 2279) granting an increase of pension to Thomas Williams; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 2281) granting an increase of pension to Anthony Walich; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 1395) granting a pension to Mary McGilvary; which were referred to the Committee on Pensions.

Mr. PENROSE presented a memorial of the Trades League of Philadelphia, Pa., remonstrating against the enactment of legislation to extend the scope of the act for the suppression of lottery traffic, etc.; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Union No. 69, Iron Molders' Union, of Middletown, Pa., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Reformed Presbyterian Church of Parnassus; of the Young Men's Christian Association of New Kensington; of the Woman's Club of Media; of sundry citizens of Gravity; of the congregation of the Trinity Evangelical Lutheran Church, of Lebanon; of the Woman's Home Missionary Society of the Presbyterian Church of Allentown; of the Central Methodist Episcopal Church, of Philadelphia; of the Woman's Christian Temperance Union of New Holland; of the Woman's Christian Temperance Union of Wyoming; of the congregation of the Baptist Church of Mehoopany; of the congregation of the United Brethren Church of Lebanon; of the congregation of the Church of Intercession, of Philadelphia; of the Clay Public School, of Williamsport; of the Young People's Society of Christian Endeavor of Lebanon; of the congregation of St. Mark's Reformed Church, of Lebanon; of the Woman's Christian Temperance Union of Lawrence County; of the congregation of the Park Avenue Baptist Church, of Scranton; of the congregation of the Presbyterian Church of Media; of the Woman's Christian Temperance Union of Oil City; of sundry citizens of Slippery Rock; of the Woman's Christian Temperance Union of Delaware County; of the Epworth League of Worthington; of the congregation of St. Luke's Reformed Church of Kittanning; of the congregation of the Methodist Episcopal Church of Greenfield; of the Christian Endeavor Society of the Presbyterian Church of Burgettstown; of sundry citizens of Starrucca; of the congregation of the Methodist Episcopal Church of Coudersport; of sundry citizens of Zelienople; of the congregation of the First Presbyterian Church of Mount Carmel; of sundry citizens of Evans City; of the congregations of the Methodist Episcopal and Presbyterian churches of Nicholson; of sundry citizens of McKeesport; of the congregation of the Central Presbyterian Church, of Erie; of the Woman's Christian Temperance Union of Lancaster, and of the congregation of the United Presbyterian Church of Muddy Creek Forks, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of Columbus, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented memorials of Goethe Lodge, No. 4, Order of Sons of Hermann, of Stamford, Conn.; of Concordia Conclave, No. 21, Order of Seven Wise Men; of Ascher Harmonie, of Alemania Singing Society; of Kaiserchen und Wagenbauer Unterstützungs Verein; of Concordia Gesang Verein, of the Hermann Unterstützungs Bund, and of the German Benevolent Union, District No. 105, all of Philadelphia, in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on Interstate Commerce.

HART FARM SCHOOL.

Mr. GALLINGER. Mr. President, I present some papers relating to the Hart Farm School that are of interest to the Committee on the District of Columbia. I move that they be printed as a document and referred to that committee.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (S. 137) granting a pension to Hannah Kelly, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 899) granting an increase of pension to John B. Carter, reported it with an amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 1705) granting a pension to Esther G. Wharton, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1772) granting an increase of pension to Louise K. Bard, reported it with an amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 172) granting a pension to Elizabeth McClaren;

A bill (S. 11) granting a pension to John L. Sullivan;

A bill (S. 9) granting an increase of pension to David E. Burbank;

A bill (S. 1756) granting an increase of pension to Zebedee M. Cushman;

A bill (S. 473) granting an increase of pension to Byron D. Babcock;

A bill (S. 549) granting an increase of pension to Stephen Thomas;

A bill (S. 798) granting an increase of pension to James A. Templeton;

A bill (S. 1359) granting an increase of pension to John M. Stanyan;

A bill (S. 565) granting an increase of pension to James E. Barnard;

A bill (S. 190) granting an increase of pension to Charles H. Bell;

A bill (S. 478) granting an increase of pension to Olive J. Bailey;

A bill (S. 112) granting an increase of pension to Henry G. Hammond;

A bill (S. 1819) granting a pension to Charles P. Skinner;

A bill (S. 182) granting an increase of pension to Charles F. Holt;

A bill (S. 1755) granting an increase of pension to Thomas Banks;

A bill (S. 484) granting a pension to Nancy Marsh; and

A bill (S. 1827) granting an increase of pension to Harris A. P. Lewis.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1497) granting an increase of pension to Walter F. Chase;

A bill (S. 1913) granting an increase of pension to Lorenzo E. Harrison;

A bill (S. 1826) granting an increase of pension to Mary E. Cutts;

A bill (S. 471) granting an increase of pension to Silas Meserve;

A bill (S. 12) granting an increase of pension to Francis E. Chase;

A bill (S. 1825) granting a pension to Josephine L. Webber; and

A bill (S. 14) granting an increase of pension to Samuel M. Perry.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 339) granting an increase of pension to Ebenezer H. Richardson;

A bill (S. 338) granting an increase of pension to Jane M. Watt; and

A bill (S. 847) granting a pension to John L. Beveridge.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 1832) granting an increase of pension to George W. Herron, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1402) granting an increase of pension to William Paul;

A bill (S. 2125) granting an increase of pension to Marcus T. Caswell;

A bill (S. 959) granting an increase of pension to Andrew C. Ranard;

A bill (S. 1491) granting an increase of pension to James A. Hoover;

A bill (S. 200) granting an increase of pension to Austin Almy;

A bill (S. 578) granting an increase of pension to John Bullamore;

A bill (S. 2078) granting an increase of pension to Hampton C. Watson; and

A bill (S. 215) granting a pension to Mary D. Perry.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 458) granting an increase of pension to Charles Beattie;

A bill (S. 589) granting an increase of pension to George W. McMullen;

A bill (S. 555) granting an increase of pension to Royal A. S. Kingsley;

A bill (S. 586) granting a pension to Annie H. Zoll;

A bill (S. 929) granting an increase of pension to Charles Stermer;

A bill (S. 456) granting an increase of pension to Andrew J. Pierce;

A bill (S. 744) granting an increase of pension to Stephen Gascoigne;

A bill (S. 1929) granting an increase of pension to George W. Spahr; and

A bill (S. 1439) granting an increase of pension to Elizabeth C. Paquin.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1952) granting an increase of pension to John Monahan;

A bill (S. 1437) granting an increase of pension to Clarence E. Bullard;

A bill (S. 1543) granting an increase of pension to William W. Jackson;

A bill (S. 451) granting an increase of pension to William T. Conant;

A bill (S. 930) granting an increase of pension to Ferdinand Wiedemann;

A bill (S. 937) granting an increase of pension to Rudolph Siebelist;

A bill (S. 452) granting an increase of pension to Albert W. Bullock;

A bill (S. 745) granting a pension to John Swenson; and

A bill (S. 587) granting an increase of pension to Anson P. Williamson.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 821) granting an increase of pension to W. Neil Dennison;

A bill (S. 99) granting an increase of pension to Joel C. Shepherd;

A bill (S. 78) granting a pension to E. C. Curtis; and

A bill (S. 368) granting an increase of pension to Charles M. Wilcox.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 65) granting an increase of pension to Charles R. Allen, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 367) granting an increase of pension to George W. Richardson, reported it without amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 270) authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., reported it with amendments, and submitted a report thereon.

REPORT OF SUPERINTENDENT OF INDIAN SCHOOLS.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Public Printer be, and he is hereby, authorized and directed to print, from stereotype plates, with illustrations, 1,000 additional copies of the report of the superintendent of Indian Schools for 1903, for the use of the Commissioner of Indian Affairs.

REPORT OF COMMISSIONER-GENERAL OF IMMIGRATION.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. DILLINGHAM on the 9th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed in paper covers, at the Government Printing Office, 5,000 copies of the annual report of the Commissioner-General of Immigration for the year ended June 30, 1903, with illustrations, of which 2,000 shall be for the use of the Senate and 3,000 for the use of the House of Representatives, and the remaining 2,500 copies shall be delivered to the Bureau of Immigration for distribution.

COLUMBIAN UNIVERSITY, WASHINGTON, D. C.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College, in the District of Columbia, and the acts amendatory thereof, to report it favorably without amendment, and submit a report thereon. As it is extremely important that this bill be passed at an early day, I ask for its present consideration.

The PRESIDENT pro tempore. The bill will be read to the Senate for its information.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act to incorporate the Columbian College, in the District of Columbia, approved February 9, 1821, and the amendatory acts supplemental thereto, be, and the same are hereby amended by striking out the said charter [illegible] in section 1 of the act approved April 1, of Maryland in 1826 [illegible] Two trustees of said trustees, and [illegible] the universe [illegible] regular Baptist churches, that is to say, members of churches of that denomination [illegible] known and recognized under the name of the regular Baptist churches [illegible].

SEC. 2. That section 1 of the amendatory charter of February 9, 1821, which provides "That persons of every religious denomination [illegible] of being elected trustees, nor shall any person, or persons, [illegible] or people, be excluded from [illegible] any of the privileges, immunities, or advantages [illegible] the university," be, and the same is hereby repealed, and said section 1 [illegible] be hereafter in full force as a part of said charter.

SEC. 3. That power is hereby given to the board of trustees of said university to change the name of said university at any regular meeting by a vote of not less than two-thirds of the total number of members of the board as prescribed by the charter. That upon such action being taken a certificate, under the seal of the university, stating the name adopted, and the time when the same shall go into effect, and not less than ninety days nor more than six months from the date of its adoption, together with the old and said name, has been adopted by said board, as [illegible] shall be filed in the office of the recorder of deeds and thereupon upon the date specified for the name to go into effect, the university shall be known and recognized by the name adopted, and by said new name [illegible] shall be vested with, and control of, its real estate, held [illegible] under endowments and gifts of money and property heretofore made to or for the benefit of the university, and to do and perform all acts which it now has the power to do under its said charter. Such change of name shall not in any other way change, affect, or modify in any degree the rights, privileges, obligations, and powers of the said university under the charter of February 9, 1821, and the amendatory acts thereto.

SEC. 4. That all acts and parts of acts inconsistent with this act are hereby repealed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HALE. Mr. President, one moment. There was so much confusion in the Chamber that though I tried to listen I did not get the whole scope of the bill. As I understand it from the reading, it removes the so-called sectarian feature of the institution, which I suppose was established under the auspices and patronage of the Baptist Church, and makes it a purely nonsectarian college. I so understood from the reading, and I ask the Senator if that is true?

Mr. GALLINGER. Mr. President, I will say to the Senator from Maine that four or five years ago the charter of this institution was amended, making it a sectarian institution. They now ask that that shall be repealed, and that they shall be permitted to operate under their old charter. It is simply that.

Mr. HALE. So that the original charter was nonsectarian?

Mr. GALLINGER. It was nonsectarian.

Mr. HALE. Now, another feature which I thought I discovered is that the name of the university may be changed, not subject to the approval of Congress, but by the act of the trustees. I ask the Senator whether that is what is covered by the provision, and whether he knows what is in contemplation as to the name of the institution?

Mr. GALLINGER. I will say frankly, Mr. President, I do not know what is in contemplation. I simply know that Doctor Needham, who is at the head of the Columbian Institution, says there is great embarrassment constantly arising because of the similarity between the names "Columbian University" and "the Columbia University." He cited to me several instances where it has been a matter of considerable embarrassment, and he thought that the trustees in their discretion might desire at some future time to make a change in the name.

Mr. HALE. I had thought of that and supposed it to be the underlying reason for this change.

Mr. GALLINGER. It is.

Mr. HALE. The Senator does not know what name is contemplated?

Mr. GALLINGER. I do not.

Mr. HALE. Those two features, then, cover the bill?

Mr. GALLINGER. They do, absolutely.

Mr. HALE. They desire a return to the nonsectarian feature, and the privilege of changing the name because it occasions embarrassment with another institution of almost the same title.

Mr. GALLINGER. That is all there is to it.

Mr. McCOMAS. Mr. President ——

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CULLOM. I wish to say ——

Mr. McCOMAS. I should like to ask a question, if the Senator from Illinois will pardon me.

Mr. GALLINGER. I hope the Senator from Illinois will allow the Senator from Maryland to ask a question.

Mr. CULLOM. I will yield that the Senator may ask a question, but under the rule or arrangement we ought to go on with the discussion of the subject that is specially set aside for consideration. The Senator who is to speak to-day was not in his seat

a moment ago and hence I consented that the bill might be taken up and put on its passage, if it would not lead to discussion.

Mr. McCOMAS. I will take but a moment.

Mr. CULLOM. I cannot yield much longer.

Mr. McCOMAS. I was in favor of the bill and of a change to the more modern features, and I have no objection to the change now. I should like to ask the chairman of the committee whether it is fair in changing the name for the pioneer seminary (the university may come to call it an American University or the University of the United States or such other name as Congress might hereafter in their wisdom think proper). Is the chairman quite satisfied that it is such a name for the purpose?

Mr. GALLINGER. Mr. President, we have to trust to the good sense of the good men who are at the head of the institution. I did ask Doctor Newlon that question as to the name "University of the United States," and he said they certainly would not adopt that name.

Mr. McCOMAS. I did not think they would, but I thought it might relieve us also from a question that it is just coming to mind.

Mr. HALE. I should prefer that thoroughly understood. Otherwise I should like to have the bill go over.

Mr. McCREAN. Mr. President, I call for the regular order.

The PRESIDENT pro tempore. Objection being made, the bill goes to the Calendar.

Mr. GALLINGER. I do very reluctantly to say that I shall endeavor to call it up at an early day for consideration; and so far as the change of name is concerned I will see that a proper amendment is placed in the bill, so that the name will have to be agreed to by the Secretary of the Interior or some other competent official.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 2464) granting an increase of pension to John Aylers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PETTUS introduced a bill (S. 2465) to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. LONG introduced a bill (S. 2466) granting an increase of pension to Florence M. Metz; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Louisiana introduced a bill (S. 2467) for the relief of the Citizens' Bank of Louisiana; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 2468) providing for the erection of a public building at the city of Ocala, Fla., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2469) granting an increase of pension to Orville E. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2470) granting an increase of pension to Joseph D. Harvey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 2471) to carry out the findings of the Court of Claims in the case of James H. Lewis; which was read twice by its title, and referred to the Committee on Claims.

Mr. WARREN introduced a bill (S. 2472) granting to railroads and water companies the right of way through public lands and reservations of the United States for reservoirs and pipe lines; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2473) to extend the time for the selection and segregation of public lands provided for by section 4 of the act approved February 16, 1891, making appropriations for supply civil expenses of the Government for the fiscal year ending June 30, 1893, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McCOMAS introduced bills (S. 2474, 2475, 2476) which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2474) granting an increase of pension to Sister Mary Vincent;

A bill (S. 2475) granting an increase of pension to Jeremiah Wood; and

A bill (S. 2476) granting an increase of pension to John M. Brown.

Mr. McCOMAS introduced a bill (S. 2477) for the relief of Sarah C. Harris; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2478) for the extension of Seventeenth street northwest from Florida avenue to Columbia road; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HOAR introduced a bill (S. 2479) granting an increase of pension to James J. Lowden; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2480) granting an increase of pension to William Hoar (with accompanying papers);

A bill (S. 2481) granting an increase of pension to Harmon M. Billings (with an accompanying paper);

A bill (S. 2482) granting an increase of pension to Frederick Kurz (with accompanying papers);

A bill (S. 2483) granting an increase of pension to Joseph Kibble; and

A bill (S. 2484) granting an increase of pension to Jason Dame.

Mr. FAIRBANKS introduced a bill (S. 2485) to correct the military record of Isaac Thomson; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2486) to correct the military record of Peter Parker;

A bill (S. 2487) to remove the charge of desertion from the military record of Louis Quain;

A bill (S. 2488) to remove the charge of desertion from the military record of Joseph Shenevere (with accompanying papers); and

A bill (S. 2489) to remove the charge of desertion from the military record of Wright Farnsworth (with accompanying papers).

Mr. ALGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2490) granting a pension to Naomi Green (with accompanying papers);

A bill (S. 2491) granting a pension to Theresa B. Nash;

A bill (S. 2492) granting an increase of pension to George G. Tuttle (with accompanying papers);

A bill (S. 2493) granting an increase of pension to Alfred Tichurst; and

A bill (S. 2494) granting a pension to George Hutton (with accompanying papers).

Mr. ALGER introduced a bill (S. 2495) to amend the naval record of Nathaniel P. Jacobs; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. McCREARY introduced a bill (S. 2496) granting an increase of pension to Benjamin Wing; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 2497) for the relief of Mary F. B. Grice; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2498) for the relief of Jean Michel Vandenhiem, a citizen of Belgium, now resident in the United States; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2499) to authorize the President to appoint Captain Arthur K. Bennett on the retired list of the United States Navy with the rank of chief engineer, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. McBRIDE introduced a bill (S. 2500) for the relief of Mary E. McKenney; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2501) to correct the naval record of [illegible]; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced bills (S. 2502, 2503, 2504) which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2502) granting a pension to Robert W. Patrick (with accompanying papers);

A bill (S. 2503) granting an increase of pension to Nathan B. Fowler (with accompanying papers);

A bill (S. 2504) granting a pension to M. Kate Monteith (with accompanying papers).

A bill (S. 2505) granting an increase of pension to John I. Fleming;

A bill (S. 2506) granting a pension to Susannah Ryan;

A bill (S. 2507) granting an increase of pension to Aaron B. Myers;

A bill (S. 2508) granting an increase of pension to Morris H. [illegible];

A bill (S. 2509) granting an increase of pension to Abner B. Edson;

A bill (S. 2510) granting an increase of pension to Robert B. Paul;

A bill (S. 2511) granting an increase of pension to Mary Douglas (with an accompanying paper);

A bill (S. 2512) granting an increase of pension to Joseph Stonaker (with an accompanying paper); and

A bill (S. 2513) granting an increase of pension to Roxana S. Ker (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 2514) to amend the act of March 2, 1895, entitled "An act for the suppression of lottery traffic through national and interstate commerce and the postal service, subject to the jurisdiction and laws of the United States;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. CLARK of Wyoming (for Mr. CLAPP) introduced a bill (S. 2515) to extend the United States pension laws to participants in the battles of New Ulm and Fort Ridgely, Minn., in the Sioux war of 1862; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 2516) for the relief of Nye & Schneider Company; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BURNHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2517) granting an increase of pension to Elijah Farr;

A bill (S. 2518) granting an increase of pension to Clarinda A. Spear (with an accompanying paper);

A bill (S. 2519) granting an increase of pension to Charles W. Atwood (with accompanying papers); and

A bill (S. 2520) granting an increase of pension to Joseph W. Legro (with an accompanying paper).

Mr. FOSTER of Washington introduced a bill (S. 2521) to detach certain counties from the United States judicial district of Washington, and to create a new judicial district, to be called the southern district of Washington; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SCOTT introduced a bill (S. 2522) for the relief of the trustees of the Free Church of Burlington, W. Va; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2523) for the benefit of officers who served over three years during the civil war and over thirty years since, and who have retired on account of disability incurred in the line of duty since the close of the Spanish-American war; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2524) granting an increase of pension to James W. Griffitts; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2525) authorizing the purchase of sites for buildings for the accommodation of the Interior, Treasury, and War Departments of the United States, the District of Columbia, and for other public purposes, in connection with removing the Botanic Garden fence and improving the grounds, together with the development and encouragement of ramie fiber, silk, and flax preparation and manufacture and their production and profitable home market in the United States, under the supervision of the Secretary of the Treasury; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PROCTOR introduced a bill (S. 2526) to establish a national military park at the battlefield of Fort Stevens, in the District of Columbia; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2527) granting an increase of pension to Joseph Roberts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 2528) granting a pension to Maggie D. Chapman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 2529) granting a pension to Sarah Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2530) to authorize certain persons who have intermarried with Cherokees to sue for their interest in certain moneys of the tribe from which they were excluded; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2531) to provide an American register for the steamer *Beaumont*; which was read twice by its title, and referred to the Committee on Commerce.

Mr. KEAN introduced a bill (S. 2532) granting an increase of pension to Elizabeth E. Meekly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURTON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2533) granting an increase of pension to James H. Verner (with accompanying papers);

A bill (S. 2534) granting an increase of pension to Jackson Donald; and

A bill (S. 2535) granting an increase of pension to Joel Maxwell.

Mr. BURTON introduced a bill (S. 2536) for the relief of Elijah G. Steely; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2537) for the relief of C. E. Moore; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. HEYBURN introduced a bill (S. 2538) granting an increase of pension to Samuel A. Thomas; which was read twice by title, and, with the accompanying papers, referred to the Committee on pensions.

Mr. GALLINGER introduced a bill (S. 2539) to create in the Department of Agriculture a bureau to be known as the Bureau of Public Roads, and to provide for a system of national, State, and local cooperation in the permanent improvement of the public highways; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 2540) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also (by request) introduced a bill (S. 2541) relating to clerks to pay officers in the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2542) granting an increase of pension to James E. Larkin;

A bill (S. 2543) granting an increase of pension to Ella B. Green; and

A bill (S. 2544) granting an increase of pension to Albert T. Severance (with accompanying papers).

Mr. HALE (by request) introduced a bill (S. 2545) providing for the restoration to the navy list of certain officers, graduates of the United States Naval Academy, who have been heretofore honorably discharged under the act of Congress approved August 5, 1882; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2546) to amend the naval record of Charles H. Brigham; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2547) for the relief of the owners and crew of the schooner *Ella M. Doughty*; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2548) granting an increase of pension to Emma McFarland; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2549) granting an increase of pension to Charles W. Jellison; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 2550) for the relief of Emile M. Blum; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2551) granting a pension to Elizabeth P. Gates; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2552) for the relief of Amos Woodruff;

A bill (S. 2553) for the relief of the estate of Reese Brabson, deceased;

A bill (S. 2554) for the relief of William B. Bayless;

A bill (S. 2555) for the relief of William G. Tidwell; and

A bill (S. 2556) for the relief of Alexander Anderson (with accompanying papers).

Mr. CARMACK introduced a bill (S. 2557) granting a pension to Johniken L. Mynatt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2558) granting an increase of pension to Sallie H. Kincaid; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DUBOIS introduced a bill (S. 2559) granting a pension to James Graham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 2560) for the relief of G. G. Martin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 23) amending section 1 of an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903; which was read twice by its title, and referred to the Committee on Immigration.

PURCHASE OF CANAL PROPERTY IN PANAMA.

Mr. MORGAN. I offer a concurrent resolution which I ask may be read and printed, and go over under the rule.

The concurrent resolution was read, as follows:

Resolved by the Senate, the House of Representatives concurring, 1. That it is the right of Congress under the Constitution to be informed of and to consider and pass upon any contemplated purchase of any property or claim of right or concession or other interest in property in Panama from the New Panama Canal Company [illegible] of the United States before such contemplated purchase is attempted to be consummated by any order or act of the President of the United States.

2. That such purchase from the New Panama Canal Company can not be lawfully made [illegible] by the President or by the President and the Senate for treaty-making power of the United States without the legislative consent of Congress.

3. That it is the duty of the Department of the Government charged with making such contemplated purchase, or in obtaining the [illegible] thereof, whether or not a treaty or any other form is contemplated to be used in part for the treaty-making power of the Government, to lay before Congress full information [illegible] the Government contemplated such a purchase for its consideration and action before the same is attempted to be consummated by such department.

The PRESIDENT pro tempore. What is the request of the Senator from Alabama?

Mr. MORGAN. I ask that the resolution may be printed and go over under the rule.

The PRESIDENT pro tempore. The rule applies to Senate resolutions alone. This is a concurrent resolution. Does the Senator desire to have it lie on the table subject to his call?

Mr. MORGAN. Yes.

The PRESIDENT pro tempore. Is there any objection to that request? The Chair hears none.

CHAPLAIN OF THE SENATE.

Mr. ALLISON submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Rev. Edward Everett Hale be appointed Chaplain of the Senate, the appointment to take effect on the 1st day of January, 1904.

ASSISTANT IN DOCUMENT ROOM.

Mr. ALLISON. I offer a resolution, which goes necessarily to the Committee to Audit and Control the Contingent Expenses of the Senate. I will state in offering it that it relates to the efficiency of the document room of the Senate, and I am informed by those having charge of the document room that it is essential to the conduct of the business there, for the convenience of Senators.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That the Secretary of the Senate be authorized to employ one additional assistant in the Senate document room, at a compensation of $[illegible] per annum, to be paid out of the contingent fund of the Senate until other provision is provided by law.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed a concurrent resolution providing that when the two Houses adjourn on Saturday, December 19, they stand adjourned until 12 o'clock meridian Monday, January 4, 1904; in which it requested the concurrence of the Senate.

HOLIDAY RECESS.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution of the House of Representatives; which was read, and, on motion of Mr. ALLISON, referred to the Committee on Appropriations:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Saturday, December 19, they stand adjourned until 12 o'clock meridian Monday, January 4, 1904.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. Morning business is closed. The Chair lays before the Senate the bill known as the "Cuban bill."

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 9931) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

Mr. BAILEY. Mr. President, entertaining as I do a profound respect for the wisdom of the Senate as a whole and a proper respect for the judgment of each individual Senator, I am compelled to distrust in some degree my own conclusion when it requires me to antagonize a measure which is supported by such a decided majority of this body. Indeed, this feeling of unaffected and sincere diffidence is so strong that if the bill now under consideration appeared to me less than a most pernicious one, I would not occupy the time of the Senate in debating it, but would content myself with simply voting against it on the final roll call. But, sir, it seems to me so utterly indefensible from every point of view that if I should suffer it to pass without stating my objections to it, I would feel that, out of deference to my associates, I had failed in the full performance of my duty.

This bill is vicious both as a matter of law and as a matter of policy. It is vicious as a matter of law because it violates the wise and well-established constitutional principle that all revenue bills must originate in the House of Representatives, and it asserts the right of the President to initiate legislation of that kind. Then, sir, as if to compensate the House for the loss of its only exclusive and its most valuable privilege that body is invited to share with the President and the Senate the treaty-making power of this Government—the authors of this legislation seeming to suppose that they can atone for one breach of the Constitution by committing another.

As a matter of policy this legislation must be vicious, because, paradoxical as the statement may seem, it is repugnant alike to Republican and to Democratic tariff doctrine. It offends against the position of the Republican party by withdrawing from our only agricultural product susceptible of tariff protection a part of the advantage which it now enjoys, and exposing the American sugar farmer to the competition of the cheaper labor, the cheaper land, and the more favorable climate of the island of Cuba. It also offends against the Republican claim that the chief concern of the protective tariff is the welfare of the American wage-earner, because it reduces the duty on cigars made by Cuban labor tenfold more than it reduces the duty on Cuban tobacco, out of which American labor can make exactly the same cigar.

It runs counter to our Democratic creed because it reduces the duty on raw sugar, which is purchased by a few manufacturers for the sake of the profit they can make in refining it, without making any reduction whatever on refined sugar, which is purchased as an article of wholesome and daily food for 80,000,000 consumers. It also contradicts our Democratic advocacy of freer trade by projecting into the island of Cuba a complicated system of discriminating and preferential tariff duties designed expressly and only for the purpose of protection.

These, Mr. President, are the charges which I prefer against this legislation, and I ask the patient attention of the Senate while I endeavor to sustain them with evidence and by argument.

The natural and orderly discussion in this body upon any measure involving both questions of law and questions of policy is for us to consider the questions of law first, and that is especially desirable in a case like this, where the question of law goes to the very power of Congress to do what has been proposed; because plainly if any Senator should decide in his own mind that we have no power to enact this legislation, it would then be wholly immaterial to him whether the legislation itself would be wise or otherwise. Observing this proper and natural order, I shall first address myself to the law question involved, and I begin by laying down three legal propositions.

My first proposition is that—

The House of Representatives alone has the right to originate revenue bills; and neither the President alone nor the President and the Senate jointly possesses that power.

My second proposition is that—

The Constitution commits the treaty-making power of this Government to the President and the Senate; and the House of Representatives has no right to approve or to disapprove a treaty.

My third proposition is that—

The President and the Senate, acting in conjunction with the House of Representatives, can not validate an invalid law or treaty; and that what is null and void from the beginning must remain null and void to the end.

HOUSE MUST ORIGINATE

Mr. President, in declaring that all revenue bills must originate in the House of Representatives I merely repeat the very language of the Constitution, and it follows as a corollary from that that neither the President alone nor the President and the Senate acting together can initiate such a measure. Until I heard the speech delivered in this Chamber by the Senator from Minnesota [Mr. CLAPP] on the 8th day of the present month I did not suppose that it would be necessary to pay any heed to the debates of the Constitutional Convention to establish either the meaning or the purpose of that provision. I had supposed that the history of that provision was familiar even to the school boy, and that its meaning was universally admitted until I heard the Senator from Minnesota discuss it in these remarkable words:

[illegible] there is absolutely nothing in the provision found in Article I of the Constitution that prohibits the initiation of revenue measures in the House [illegible] the general [illegible] of government, which [illegible] Senate [illegible] which [illegible] Senate [illegible] Senate. It is [illegible] and [illegible] all [illegible] That power might just as well have been vested in the Senate as in the House of Representatives.

Against that statement of the Senator from Minnesota I oppose

the statement of Elbridge Gerry, who was a distinguished and influential member of the Constitutional Convention from the State of Massachusetts, and who in addressing that Convention on this very point used these words:

Taxes and representation are strongly associated in the minds of the people, and they will not agree that any but their immediate representatives shall meddle with their purses. In short, the requirement of the part will inevitably fail, if the Senate be not restrained from originating money bills.

The Senator from Minnesota can not have forgotten that direct and positive statement of Mr. Gerry, nor can he have forgotten that George Mason—in my opinion the ablest Virginian of his generation, with the exception of Mr. Jefferson alone—concluded a severe arraignment of the Senate with the emphatic declaration that the purse strings of the Government should remain in the hands of the representatives of the people. When the Senator from Minnesota tells us that this provision is a mere matter of administration, without importance, I tell him that this was one question upon which George Washington changed his vote in the Constitutional Convention. He had first voted with Pinckney and Madison against the House the right of the House to originate revenue bills, but afterwards changed his vote, joining Randolph and Mason in favor of that exclusive right, and assigning as his reason for his change that without that provision the Constitution might be rejected by the several States.

Mr. President, surely I do not need to call these illustrious witnesses to prove that this provision was one of the compromises which rendered the Constitution acceptable, first, to the Convention which framed it, and afterwards, to the several States which adopted it. In the beginning, sir, there was a great, and at one time it seemed an irreconcilable conflict of opinion as to the representation of the several States in Congress. The larger States contended for a proportional representation based on numbers, and the smaller States contended for an equal representation, based upon the sovereignty of the States as a unit.

After long and earnest discussion it was finally determined to meet the demand of the smaller States in this body and of the larger States in the House of Representatives. Accordingly it was provided that the representation of each State in the Senate should be equal, and that the representation of every State in the House of Representatives should be according to its population. As is usual in all compromises, this arrangement did not fully satisfy either side, and the larger States were only induced to accept it when it was coupled with the provision that the right to originate revenue bills should be exclusively vested in the House, where the representation was based upon population.

I believe, with General Washington, that without that provision the Constitution under which we live could never have been adopted, and, for one, I shall not palter with it in any double sense. I shall keep it in its spirit as well as in its letter.

A BILL IN THE SENATE.

While the Senator from Minnesota is perhaps the only one who has ever been bold enough to waive aside this constitutional provision as of no importance, he is not the first who has sought to destroy its effect. Other Senators before him have been impatient under its restraint, and have sought to refine it away by argumentative subtleties. Half a century ago a Senator of splendid ability and of exalted character professed to believe that while a bill increasing taxes must originate in the House of Representatives, a bill reducing them might properly emanate from this body. In accordance with that view, Senator McDuffie, of South Carolina, introduced his famous bill repealing the Whig tariff act of 1842 and restoring the compromise tariff act of 1833. That bill was referred to the Committee on Finance; and that committee reported these resolutions:

Resolved, That the bill [illegible] "A bill to revive the act of March 2, 1833, usually called the compromise act," [illegible] proceeding thereon on Tuesday, if public business [illegible] with the [illegible] bill for raising revenue [illegible] the act of March 2, 1833, [illegible] the Constitution, and [illegible] the Senate.

Resolved, That the consideration of the bill be postponed.

This report was submitted to the Senate on the 9th day of January, 1844, and it was made a special order for January 11. Other business of the Senate, however, intervening, the debate upon it did not begin until the 18th day of January, and continued at intervals and with some interruption until the 31st of May. Of course Senators will perceive that the resolutions in question present only the naked question of jurisdiction; and the chairman of the Committee on Finance, in opening the debate, confined himself closely to that single question. But when Senator McDuffie addressed the Senate he expressed upon a general discussion of the tariff question, thus provoked, an answer in kind from Senators who supported the protective policy.

Many Senators frankly avowed that they were more anxious for a test vote upon the tariff question than they were for a test vote upon the question of jurisdiction, and Senator McDuffie himself at the close of the debate and without time formally postponing the vote, declared that there could be no useful purpose served by voting on the committee's resolutions, because, said he, "the question of jurisdiction is one which I have not argued at any length." So anxious were they for a test vote upon the main question of the tariff that Senator Allen proposed an amendment striking out all after the word "That" in the first resolution and inserting the words—

the duties imposed on importations by existing laws are unjust, and oppressive and ought to be repealed.

On this amendment Senator Evans, of Maine, who was then chairman of the Committee on Finance, demanded the yeas and nays, and the roll call resulted in 18 affirmative and 28 negative votes, the division here occurring plainly upon the line of the general tariff policy of the two parties. It was expecting much of human nature to hope that immediately following such a pronounced partisan division party lines would be obliterated and that the vote on these resolutions would be taken upon their own merits. And yet, sir, the vote upon these resolutions, though following immediately the vote upon the tariff question, shows that thirty-three Senators voted for the resolutions, denying the jurisdiction of the Senate, while only four Senators voted against them. The four Senators who voted in the negative were the two Senators from South Carolina, one Senator from North Carolina, and one Senator from the State of New Hampshire.

Without intending in the least to impeach the sincerity of Senator McDuffie, I venture to say that no thoughtful man can read the proceedings without becoming convinced that the South Carolina Senator himself did not believe in the jurisdiction of the Senate, and that his sole and only purpose was to precipitate a tariff debate and to secure a test vote on that question. But, sir, whatever may have been the object of Senator McDuffie, the fact remains that the Senate pronounced an almost unanimous judgment that the House of Representatives alone can originate a bill reducing taxes.

I have heard it asserted, however, that there is a distinction between a bill, as in the case I have recited, and a treaty like that which we now have before us. There may be, Mr. President, a distinction; indeed, I think it would be easy to show that there is a distinction, but the distinction is in favor of the bill, which is the act of the House of Representatives, the President, and the Senate, and against the treaty, which is the act of the President and the Senate alone. But, sir, instead of spending my time in showing that this distinction would strengthen rather than weaken our argument, I think I can employ it more profitably in directing the attention of the Senate to the fact that the question arose in another instance over a treaty when the decision was precisely the same.

A TREATY.

In 1843 the President of the United States negotiated what is commonly known as the "Zollvereincommercial treaty," and transmitted it to the Senate for its ratification. That treaty was referred to the Committee on Foreign Relations, and from that committee, on the 14th day of June, Senator Choate, of Massachusetts, submitted a report in which he states the case against the President's right and power to negotiate a treaty of this kind so much better than I could hope to state it that I shall ask the Secretary to read it.

I commend this report to the careful attention of all Senators, but I especially commend it to the attention of the Senators from Massachusetts. I do not need to remind them that Rufus Choate was not a strict-construction Democrat, who insisted upon the cold letter of the Constitution. He was a Whig, and a leader in the party which had opposed the President who had negotiated this treaty and urged its ratification. But over and above his political affections he was a profound lawyer, whose learning and eloquence are still cherished by the Massachusetts bar, even if his advice is not followed by the Massachusetts Senators.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[Executive Journal, 1843-1845, page 833.]

Mr. Choate also made the following report:

That the Senate expect not to advise and consent to the ratification of the [illegible]

[illegible] the committee do not think it necessary to say [illegible] nation, [illegible] by [illegible] government. If [illegible] to the particular [illegible] exhibition of [illegible] usurped their [illegible] so large an innovation [illegible] department of Government [illegible] the convention which has been [illegible] by [illegible] or it usages [illegible] through which the for- [illegible] It is the President and Senate [illegible] instrumentality of negotiation, [illegible] or material very [illegible] of constitutional [illegible] usages which Congress had ordained. More than this, the executive department, by the mere instrumentality of

negotiations, places it beyond the power of Congress to exceed the stipulated maximum of import duties for at least three years, whatever exigency may intervene to require it.

In the judgment of the committee, the legislature is the department of government by which commerce should be regulated and laws of revenue be passed. The Constitution, in terms, communicates the power to regulate commerce and to impose duties to that department. It communicates it, in terms, to no other. We have struggled at times in an evasive way beyond the express limits, and assumed the power to make treaties, the constitution intimates that the general theory of our system is substantially that the control of trade and the function of taxing belong, without the assignment or participation, to Congress.

They infer this from the language of the Constitution, from the nature and principles of our government, from the theory of representative government, from the unvaried practice extending the greatest part of our life in all periods and all parties and opinions. They think, too, that as a general rule, the representatives of the people sitting in their legislative assemblies with doors open under the eye of the country, assembling among their constituents, may exercise this power more generally, more concretely, may acquire more a greater and more minute information concerning the employments and the interests on which the determination of Congress will press and may better discern what true policy prescribes and rejects. Then is within the competence of the executive department of the Government.

To follow, not to lead; to fulfill, not to evaden the laws, to carry into effect by negotiation and compact with foreign governments the legislative will, when it has been ascertained, upon the great subjects of trade and revenue, and to intervene with conciliating influence that it may go forward with less embarrassment, these seem to the committee to be the appropriate functions of the Executive.

Heeding this as the general rule upon the subject the committee discern nothing in the circumstances of this case, including the [illegible] attained or in the difficulties in the way of obtaining it, which should induce a departure from the rule. If Congress think the proposed arrangement a beneficial one, it is quite easy to pass a law which shall supersede Article 3 thus contemplated by 2. So, if Congress think, when subsequently informed, [illegible] by the President that the proposed arrangement is not worth securing.

Upon this single ground, then, the committee advise that the treaty be rejected.

Mr. BAILEY. That is sufficient. The remainder of it relates merely to its advantage or disadvantage.

Mr. STEWART. Would it interrupt the Senator from Texas if I were to ask him a question here?

Mr. BAILEY. Not at all.

Mr. STEWART. As I understand, this is a House bill, and I should like——

Mr. BAILEY. A House bill for what?

Mr. STEWART. A House bill relating to the revenue.

Mr. BAILEY. This bill itself says it is a bill "to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902."

Mr. STEWART. That I understand; but it is a House bill for that purpose, and there must be power somewhere to originate bills to raise revenue, and I understand the Constitution vests that power in the House.

Mr. BAILEY. Yes, sir.

Mr. STEWART. And the fact that this is a revenue bill, originating in the House, seems to me to constitute a very strong argument in favor of its validity when passed. Now, I should like to ask the Senator this question: If the pending bill should pass the Senate and be signed by the President, would it be a law?

Mr. BAILEY. He would be a rash Senator who will undertake to say what will be decided by the Supreme Court. I take it that it would be decided there very much as it will be decided here. But I will say to the Senator from Nevada that if the House had met this question exactly in accordance with the language of the treaty I have not the shadow of a doubt that the Supreme Court would have held it unconstitutional and void; and therefore, the House, though merely intending to ratify the treaty, inserts under in the bill, so as to give the court an opportunity to sustain it.

But, Mr. President, let us deal with objects rather than with words which conceal objects. The Senator from Nevada knows, as I know, that the whole purpose of this bill is to approve the treaty, and the only reason that it was ever introduced was that the treaty requires Congress to approve it before it becomes effective. Whatever the form of the bill, the purpose and intent of it is not to raise revenue, but simply to ratify a treaty which the President has negotiated.

Mr. STEWART. Can the courts inquire into the purpose and effect of the bill when that purpose and that effect are unexpressed on the face of it?

Mr. BAILEY. They can not. Under that unfortunate—no; I withdraw that word. I think it a fortunate rule of construction. Because I would not consent to the courts of this country the right to look into the hearts and minds of Senators and Representatives and determine what motive controlled them. Therefore I will say that under the sensible rule of construction long ago adopted and steadfastly adhered to by the courts they can not inquire what was in the hearts and minds of Senators. But Senators know; and the Senator from Nevada, when he votes for this bill, votes for it because he wants to ratify a treaty made by the President with the Government of Cuba.

Mr. STEWART. If the Senator will allow me, I do not think it was necessary to put in that clause. I myself believe that the President and the Senate could have made this treaty without reference to the House. I have not time to argue that.

Mr. BAILEY. I had hoped that all of the other side would adopt that view.

Mr. SPOONER. Why?

Mr. BAILEY. Because I might then persuade all of this side to vote right. [Laughter.] The President of the United States, however, agrees with the Senator from Nevada, because when he negotiated this treaty there was not a syllable in it requiring it to wait upon the approval of Congress.

Mr. STEWART. He must be a pretty good lawyer, then.

Mr. BAILEY. I have never heard him described as a lawyer. The Senator from Nevada knows more about him than I do, but I think I know enough about him to know that while he has spent many days and nights in the pursuit of lighter literature he has never known the drudgery of the law; and more is the pity for his country.

The vote was taken on a motion to table the treaty, and resulted in 25 yeas against 18 nays. The debate, if any, occurred in executive session and has not been reported. It is therefore impossible to say how many of the eighteen who voted against the motion to table intended by their votes to assert the right of the President to negotiate such a treaty and how many simply intended to protest against that summary and somewhat discourteous manner of defeating it.

A SECOND REFERENCE.

But, Mr. President, this vote of the Senate did not end the matter. The President, who had negotiated that treaty, was still insistent, and in his annual message to Congress the following December renewed his recommendation, and the treaty was again referred to the Committee on Foreign Relations. That committee again considered it, and again reached the same conclusion on the law. The report on the second reference was prepared by Senator Archer, of Virginia, who differed slightly with Senator Choate as to the commercial advantages of the treaty. Senator Choate in his report had said they were not a compensation. Senator Archer in his report said as a purely commercial arrangement it was a desirable one. But upon the legal questions involved he pays the great Massachusetts Senator the compliment of repeating his argument against the power assumed by the President, and concludes his report with the statement that however desirable as a commercial arrangement the treaty might be, the functions which it performed belonged to Congress in its legislative capacity and not to the treaty-making power. He repeated those magnificent words of Choate that upon these questions it was the President's duty—

to frame and to lend a willing ear to embody the law, to carry into effect the will of the people, to execute the will of Congress, to collect the revenue, to [illegible] these enterprises, these seem to the committee to be the appropriate functions of the Executive.

THE HOUSE SOMEWHAT SENSITIVE.

The House itself is somewhat sensitive on this subject, and it has manifested its sensitiveness by incorporating into the body of this bill a proviso which reads as follows:

That nothing herein contained shall be held or construed as an admission on the part of the House of Representatives that Cuba should not be changed otherwise than by an act of Congress originating in said House.

Which, being interpreted, means that the House consents this time, but must not be understood as promising to consent the next time. This mild protest, Mr. President, is in striking contrast with the aggressive way in which the House has asserted and vindicated its prerogative on former occasions.

In 1835 the Senate added to the Post-Office appropriation bill an item increasing certain rates of postage and sent it to the House for concurrence in its amendment. The House by an overwhelming majority refused to consider that item, and sent it back to the Senate with the suggestion that such an amendment would not be tolerated.

In 1837 an extraordinary session had been convened to meet an emergency confronting the country. As one means of meeting that emergency the Senate passed a bill authorizing the issuance of Treasury notes and sent it to the House, where it was promptly referred to the Committee on Ways and Means and as promptly reported back to the House from that committee. The chairman of the Ways and Means Committee moved that the House resolve itself in Committee of the Whole on the state of the Union to consider that bill. The motion prevailed, and the House went into Committee of the Whole. It took up the Senate bill, but before any progress had been made more than one Member objected that it was a revenue bill and could not originate in the Senate. Mr. Wise moved that the committee should rise and report that objection to the House. The chairman of the Ways and Means Committee protested, because there was the greatest possible anxiety to pass the bill with the least possible delay; but notwithstanding all of this the chairman of the Ways and Means Committee

was compelled to yield, and upon his own motion the Senate bill was left unconsidered and the House took up its own bill on the same subject and with the same provisions.

In 1871 the Senate passed a bill repealing the tax on incomes and sent it to the House. Immediately the House adopted the following resolution:

Resolved, That Senate bill No. 1081, to repeal so much of the act approved July 14, 1870, entitled "An act to reduce internal taxes and for other purposes," relating to the income tax after the first day of January, 1871, be returned to that body with the respectful suggestion on the part of the House that section 7 of Article I of the Constitution vests in the House of Representatives the sole power to originate such measures.

That resolution was communicated in a due and orderly course to the Senate. The Senate insisted upon its bill and asked for a conference, and a conference was agreed to by the House. I shall not now review that controversy, though it is a very interesting one, but I desire to read in this connection and in this presence one or two short extracts from speeches delivered in the House.

Mr. Garfield, then a Member of the House, declared:

I wish to say merely that the House has never, at any time, so far as I can find, when the matter was challenged or called up, surrendered the right claimed in the resolution now pending, and if any House should ever make such surrender I should look upon it as a dark day for the liberties of the country.

Another most interesting contribution to that discussion was made by the distinguished Senator from Iowa [Mr. ALLISON], then a leading Member of the House, as he is now a leading member of the Senate. The Senator from Iowa said:

Mr. Speaker, I do not wish to detain the House. I only desire to say that whether the question be settled by the analogies of the British constitution and the customs of the British Parliament or whether it be settled in view of the circumstances which were made when our own constitution was established, it seems to me clear that by the letter and the spirit of the Constitution bills directly affecting the subject of taxation, whether for the imposition or the remission of taxes, shall originate in the House of Representatives.

The Senate, however, asserting in that case a power which, with practical unanimity, it had denied itself in 1844, refused to yield, leaving the bill die in conference.

At the very next session of Congress the question again arose. This time the House passed a bill repealing the duties on coffee and tea and sent it to the Senate for its action. The Senate concurred with sundry important amendments, some reducing and others abolishing duties, and returned the bill to the House with the request that the House should concur in the Senate amendments. In response to that action the House adopted certain resolutions. Without reading them, I will say that they were practically the same as the resolutions adopted by the House on the income-tax bill episode and declared that the amendments of the Senate were in conflict with the Constitution and in derogation of the privileges of the House. My own judgment is that in this latter case the House was wrong. It had sent a revenue bill here, and the Senate in pursuance of its power had amended it.

The resolution of the House was referred to the Senate Committee on Privileges and Elections, from which committee Senator Carpenter, a great lawyer, submitted a report on the 24th day of April. In that report, though he maintains that the Senate was right in that particular instance, he concedes as no longer open to argument that a bill either increasing or reducing taxes is within the constitutional provision and must originate in the House of Representatives.

Mr. BACON. In what Congress was that?

Mr. BAILEY. It was in the second session of the Forty-second Congress.

But, Mr. President, if neither the Senate nor the House had ever spoken on this question; if there were no debates to enlighten and no precedents to guide us, the Constitution itself is so plain that no man who honestly desires to understand its meaning and to obey its commands ought to be led astray.

The President of the United States himself, in the beginning of this controversy, recognized that the orderly and constitutional way to secure this relief for Cuba, if relief it be, was through a bill originating in the House of Representatives. Twice, sir, in messages to Congress—once by a general message and again by a special message—he urged Congress to make these concessions. In accordance with his recommendations a bill was introduced in the House, reported, and passed that body. True enough, it did not pass in a form exactly pleasing to the President and his advisers, but their objections were not so much against those features of it which related to Cuba as to another feature of it which affected a certain great and special interest in this country. That bill gave Cuba all which this treaty concedes, but having given something to the Cubans, it sought to give something to the people of the United States, and it was that which provoked the hostility of the President and his friends. The bill reduced the duty on raw sugar which the sugar trust imported, and having done that, it then abolished the differential duty, which is the peculiar protection of the sugar trust.

It seemed to me then, and it seems to me now, a singular circumstance that American statesmen should reject a bill relieving the Cuban people, for whose relief they had so earnestly implored us, simply because that bill also carried some small measure of relief for the American people. But, sir, rather than take the chance of passing that bill with the amendment abolishing the differential in favor of the sugar trust, the President and his friends abandoned concessions by law, left that bill to perish in a committee of the Senate, removed the whole question from the jurisdiction of the lawmaking power, and undertook to deal with it by a treaty—a gross violation of the Constitution and an insolent affront to both Houses of Congress.

Mr. President, if the House of Representatives consoles itself for the surrender of its power to originate revenue bills with an intangible assurance that revenue treaties can not become effective until approved by it, it will find when it is too late to rectify its error that it has exchanged a substantial power for one more elusive than a shadow. Under such a proceeding as this, sir, the House not only loses its right to originate revenue bills, but it is denied the poor privilege of amending them. In saying this I do not refer to any rule of the House by which it is alleged that the right of amendment has been abridged. That is a matter of procedure entirely for the House and is not a proper subject for comment or criticism here. But aside from the rules of the House and looking at it in a broader way, every thoughtful man must know that in time, and in all time, as at this time, if the House is to deal with revenue treaties at all it will be confined to the simple right of saying yes or no. In the nature of things this must be true.

If the House should exercise its independent judgment and incorporate in the bill approving a treaty a provision contrary to the treaty itself, it would defeat the treaty; and it does not need any long experience in legislative affairs to know what would happen under such circumstances. A treaty having been negotiated by a President elected by a certain party, ratified by a Senate, and sent to the House for its approval, would become a matter of moral and political coercion upon a House elected by the same party; and if any doubt exists in any mind what course would be followed, I point to this particular instance.

The imagination of man can not conceive an instance where the House can ever have a greater provocation to withhold its approval than in this very case. It had passed a bill embodying its best judgment and conceding to Cuba what Cuba prayed for, but accompanying that concession with other provisions which it deemed important. And yet, Mr. President, after the House had passed the bill, and while it was pending in the Senate, this strenuous President of ours walks, as it were, into the legislative Chamber, silences the consideration of a bill raising revenue, and takes the whole matter under his own control.

The House ought to have answered the President's demand for the approval of this treaty by substituting the bill which it passed by an overwhelming majority for the bill which the President has pressed upon them. Yet, strange to say, this body of accomplished, enlightened, and brave representatives of the people, foregoing the independent judgment which they had exercised two years ago, have done the President's will. They seem to have forgotten how he invaded their privileges, and with the stripes of the Executive lash still throbbing upon their backs they have meekly passed under the Presidential rod. If they will do so in this case, where is the man who expects them to do otherwise in any other case?

They have the right, I grant you, under this system to disapprove. But how long will that right be recognized, even if it were a substantial one for the House to exercise? The Senator from Nevada has just announced to the Senate that it is in no wise necessary to submit a revenue treaty to the approval of the House; and I concur in the view that if the President can make the treaty and the Senate can ratify it it need not be submitted to the House.

HOUSE CAN NOT APPROVE A TREATY.

Whence does the House derive the power to reject or ratify a treaty; or, if the expression please you better, whence does it derive the power to approve or to disapprove a treaty? The House has no power over treaties. I perfectly understand, Mr. President, that in the case of many treaties there must be legislative action on the part of Congress before the treaties can be executed. To illustrate, if the President were to negotiate and the Senate were to ratify a treaty with Great Britain agreeing to pay to that Government the sum of $10,000,000 in satisfaction of such claims as British subjects had lodged with their Government against the United States, that stipulation could not be fully complied with until Congress had appropriated the $10,000,000 to discharge the obligation. That, however, does not come from any right or power of the House over a treaty. It comes from that other and that wise provision of the Constitution—which perhaps may hereafter be disregarded by the treaty-making power—that "no money shall be drawn from the Treasury except in consequence of appropriations made by law." It is in obedience to that prohibition

that it becomes necessary for the House to act before certain treaties are ratified.

But, Mr. President, if the United States were to make the treaty with Great Britain which I have just described, and Congress should refuse to appropriate the money, that would be a circumstance affecting the obligation and not the validity of the treaty. The treaty would remain a valid and binding obligation on the part of this Government, to be fulfilled when the House would agree to an appropriation of the money.

Alexander Hamilton, considered the exclusion of the House from the treaty-making power one of the wisest provisions in the Constitution, and I desire to lay before the Senate a quotation from the seventy-fourth number of the Federalist. In the course of it, however, I expressly agree with any amendment which the opinion he expressed underwent in the Convention. Hamilton, a few more years' experience like this last, probably led are the country the opinion which he held concerning that body. Here is what Mr. Hamilton says:

[illegible]

Among other things which he says the House was not expected to possess

a sound and well-matured attachment to the same views—

How therefore, only the ninth year within two years justifies that!—

a nice and unbiased sensibility to national character—

I venture to say that the House of Representatives is not second to the Senate in a sensibility for national honor—

decision, secrecy and dispatch, are incompatible with the genius of a body so variously and numerously constituted.

Alexander Hamilton italicizes the word "secrecy" as one of the essential attributes of the treaty-making power, but secrecy is incompatible with the proper registration of tariff duties in this great Republic. I confess I have no very great respect for diplomacy or diplomats. Long ago I accepted Talleyrand's definition of a diplomat as one who has been sent abroad to lie for the benefit of his country, and I am not willing to permit the taxation of our people to be negotiated by such in secret conference.

There are there have been, and there always will be national and international questions which must be adjusted by men trained in the diplomacy of the world; but the levy of taxation does not belong to that class of questions. As a rule diplomats know more about social functions than they do about the mechanism of taxation; and they are more responsive to special interests than are the representatives of the people. I should never consent that a body which sits behind closed doors shall determine what burdens are to be levied upon the consumption and the commerce of this Republic. Yet, Mr. President, that is precisely what we are asked to do when we are asked to sanction a treaty regulating our tariff duties.

WHAT IS THE OBJECT?

Mr. President, why shall the Constitution be set aside? Why shall the House be stripped, even with its own consent, of its ancient and valuable prerogative? What useful and beneficent purpose is to be accomplished? If some imminent peril had been suspended over the Republic, if some great disaster had fallen upon our people, then I could understand how both Representatives and Senators in their eagerness to avert the danger might [illegible] the Constitution to be so hastily amended. But, sir, the Constitution is to be so amended, the House is to be stripped of its prerogative, the Senate is to divide its authority in framing treaties, and all, so far as appears, a mere trade arrangement of no great consequence to anybody.

Congress has had ample warrant of the fact that in the beginning the President asked that this legislation was not adjourned to be a trade-at-vantage. I am aware that to the contrary it was said that Cuba was suffering, starving and that nothing but a tariff adjustment of her products in the markets of the country could rescue her from ruin and Farmers from hopeless bankruptcy. From every quarter we were assailed with the false pretense. The President of the United States himself, without ascertaining entire responsibility for a description like that communicated to Congress a message in which he declares that he had received from the American representative in Cuba a despatch communicating an earnest appeal from President Palma, pending that the legislation should be speedily passed to save his country from financial ruin.

General Wood, who, in addition to his other duties, titles, and pretensions there, was the captain-general of this agitation, has himself declared in a magazine article that the most distressing conditions existed in Cuba. They sent committees to Congress and telegrams to all the generous of the land. In the pulpit, through the press, and with every agency that could influence public sentiment, the effort was made to arouse public sympathy for Cuba and public indignation against the few of us who could not be clamored out of our convictions. Pictures of suffering, of helplessness, of bankruptcy were set before the public eye at every turn, and they were urged to despise the American who was so hard of heart that he would not respond to these touching appeals.

They wrought upon a sympathetic public until that public did demand the passage of a law. With the adjournment of Congress and with the investigation of the question, however, there came a clear understanding. Men representing Cuba were compelled to admit that the picture had been overdrawn. The truth was extracted from unwilling witnesses upon the stand by the committee of the Senate having charge of the investigation.

That when the appeal of sentimental humanitarians had passed, when the paid attorneys of special interests could no longer deceive an overcredulous American people, they accompanied that argument. Up to that time they had said that this bill was a kindly office which in charity we owed the Cubans. Driven from that, they now proclaim it a commercial opportunity which, in avarice, we ought to embrace for our own advantage.

SUGAR TRUST THE BENEFICIARY.

I had some patience with the plea of charity, though I knew it to be ill founded in fact; but I have none with this plea of commerce, because I know the advantage falls where it is not deserved. We aver that the benefit of these concessions goes to the sugar and tobacco trusts of this country. Our friends on the other side say that it does not, and I allow them credit for all sincerity in saying it. My own judgment is that there is no difference between the two sides of this Chamber as a matter of honesty. I concede that they are as honest in saying that the benefit of this bill will inure to the Cuban farmer as I am in saying that it will inure to the tobacco and sugar trusts. Let the country decide between us upon the facts.

First, Mr. President, let us understand that almost the entire importation from Cuba into this country consists of sugar and tobacco. The chairman of the Committee on Foreign Relations, who has charge of this bill, says that by its provisions the United States will lose $6,000,000 annually in revenue. My own opinion is that the loss will be rather $8,000,000; but in order to avoid obscuring the issue by an argument over the details let us admit it to be only $6,000,000. We know the Government loses that much. That is admitted on all sides. The disputed question is, Where does it go—into the coffers of the sugar and tobacco trusts, as we assert, or into the pockets of the Cuban farmers, as our adversaries contend? I believe I can conclusively prove that it goes into the pockets of the tobacco trust and the sugar trust, but I know that if I fail to prove that, I can prove that there is no justice in giving it to those whom our adversaries claim will receive it.

Mr. President, while the treaty reduces the duty on all forms of sugar, refined as well as raw, it is a matter of common knowledge that we import no refined sugar from Cuba, and therefore the reduction is entirely upon raw sugar. Who uses the raw sugar which is imported into this country from Cuba? The trust! Let me give you answer: I almost offend the intelligence of the Senate by declaring what is so thoroughly known to everybody—that raw sugar is not the form in which the public consumes it, and that the sugar trust is practically the only buyer for it. Therefore, if you reduce or abolish the duty on Cuban sugar it is a reduction or an abolition in effect purely, and only for the benefit of the sugar trust.

I know, too, that Democratic doctrine that the consumer pays the tax on every imported article. Every Democrat knows that every Republican knows that the tariff is a tax which the foreigner pays for the privilege of trading in our markets. There is some difference among them upon that statement of their position, as there is on national questions among us as to our position, but the position almost universally of the Democratic party is that the consumer pays the tax. If so, then, as the sugar trust is the consumer of raw sugar, the sugar trust must pay the tax. If the sugar trust pays the tax on the sugar when imported, does it not follow, as certainly as the night follows the day, that when you reduce the tax on raw sugar you relieve the sugar trust to that extent?

Every manufacturer in this land understands that when you levy a tax on his raw material you levy a tax upon his enterprise. Why does the shoe manufacturer in New England want the duty taken off of hides? Simply in order that he may reduce the manufacturing cost of his shoes, and in furtherance of that object the junior Senator from Massachusetts [Mr. LODGE] has introduced in this body a bill to place hides on the free list. The Senator from Massachusetts desires to repeal the duty on hides in order to reduce the manufacturing cost of shoes, so that the shoe manufacturers of his State can compete for the shoe trade in the markets of the world. The Republican party perfectly understands this and acts upon it. When it lays a duty on wool which the woolen

manufacturer must import for use in his factory, it lays at the same time what they call a compensatory duty on woolen goods, the very purpose of which is to enable the woolen manufacturer to collect from the people who buy his woolen goods what he has paid to the Government on the importation of his wool.

A school of thought in the Democratic party, which was potent a few years ago, but which I think has passed forever, maintained the absurd doctrine that manufacturers could be taxed their raw material admitted free of duty. And what was their argument? It was that if you will remove the duty from the manufacturers' raw material he can produce his goods at such a reduced cost that he can then take them into the markets of the world and conquer its trade. A very alluring kind of argument, I grant you; but when you come to analyze it it is worse than the Republican doctrine of protection, because the Republican doctrine does require everybody to pay something, and this Democratic doctrine of free raw material requires everybody except the manufacturer to contribute toward the support of the Government. The sole and only argument that was made, that free raw material should be in the Democratic party was that by removing the tax from raw materials we would thus reduce the manufacturer's cost of his finished product. Now apply it. Reduce the tariff on raw sugar and you thus reduce the taxation which the sugar trust pays to the Government for the privilege of importing its raw material; and the difference between the cost of raw sugar now and the cost of raw sugar when the treaty becomes effective will go to the sugar trust.

The sugar trust knows perfectly well that it is to be the beneficiary of this legislation. Mr. Thurber testified unwillingly before a committee of the Senate that the president of the sugar trust had contributed $2,500 toward that campaign of enlightenment, which they conducted partly with the money of Cuba, partly with the money of the United States, and partly with the contributions of the sugar trust. Does anybody believe that the American sugar trust is an eleemosynary institution? Does anybody believe that it gives the money which under the tariff differential it wrings from the labor of this land for the purpose of enlightening "bodies of thought?"

I have no complaint to make against the president of the sugar trust because he attempts by law to increase the profits of his business; nearly everybody else in this land is trying to do the same thing, but it is our duty to see that no man does it to the injury of the American people. Not only does the sugar trust understand that this legislation is in their interest, as was evidenced by their contribution, but that they understand it is also indicated by the fluctuations in their stock.

Mr. President, I do not mean to say that it is a conclusive argument that a law will benefit a certain corporation because the stock of that corporation rises in anticipation of that law. Men who gamble in stocks—and I use that word advisedly, for it is gambling pure and simple, and the greatest gambling hall in all this land is the white marble building in New York, which they call the stock exchange, where financial jackals revel and speculate in the products and properties of industrious and enterprising people—are not always wise, but those who congregate there generally know their business. What has been the course of this sugar stock? Every time a bill is about to pass the stock goes up, and every time it is about to fail the stock goes down. When this Congress convened the price of that stock was around 110. Since then the sugar trust has paid a dividend, and yet with that dividend paid out of its earnings that stock is above 123. At a time when other great industrial stocks were falling in price and could find no buyers, this particular stock was steadily advancing, because it was believed by the buying public that the sugar trust would be largely benefited by this bill.

The Senator from Colorado handed me yesterday a circular advertisement to sell stock, inviting his customers to buy sugar stock, and it concludes in this wise:

With the additional benefits to be derived from this Cuban reciprocity bill and the signed contracts for sugar, the prospects of the Sugar Trust are the brightest they have ever been, and we believe that the stock is now a good investment. Sugar has been a good dividend payer for many years, and we believe that the Sugar Trust is in a better position than any other industrial corporation to pay good dividends on its stock. Sugar is a necessary of life, and the demand for it is always large. The Sugar Trust is the largest and most powerful corporation in its line, and its stock is now selling for $[illegible] and [illegible] dividends. We strongly advise the purchase of American Sugar common at any and all prices.

Six million dollars from the Treasury of the United States into the overflowing coffers of the sugar trust and the tobacco trust, the stock of one having already risen above 200 cents on the dollar and the stock of the other promising soon to follow it. Yet, Mr. President, we are asked, first in the name of charity to the Cuban people and next in the name of our own commerce, to give this $6,000,000 to enrich those who have stifled competition and driven their competitors into bankruptcy and despair.

But, Mr. President, I must not dwell too long upon this line of thought, because I desire to examine the claim of those who advocate the bill that its benefactions will go to the Cuban planters. Let us suppose that the $6,000,000 which this Government is to remit in taxes will go into the pockets of Cuban sugar planters and tobacco growers.

A BOUNTY TO CUBA.

Do they need it? There was a time when undoubtedly great distress prevailed in Cuba owing to the abnormally low price of sugar, and that was the ground upon which, when this bill was first reported to the House of Representatives, its passage was justified. The distinguished chairman of the Ways and Means Committee of that body declared:

The provisions of the bill have been [illegible] this year and the total [illegible] of the present crop of the European continent. What is [illegible] and the Senate's substitute [illegible] the [illegible] of consumption [illegible] Which [illegible] and [illegible] [illegible] 2 per cent upon the cost of the crop, and tariff concessions on our part in that event will not be longer needed.

The payment of bounties on export sugar was discontinued by the governments represented in the Brussels conference after September 1, 1903, and sugar returned to a price of possible production in Cuba. The cane lands of that island produce from 18 to 20 tons of cane to the acre.

Mr. FOSTER of Louisiana. They produce from 25 to 40 tons per acre.

Mr. BAILEY. The Senator from Louisiana, who is incomparably more familiar with this subject than I am, says that those lands produce from 25 to 40 tons per acre. I have chosen to take the lowest estimate I have heard from anyone, and this makes an average production of 24 tons of cane to the acre. That cane produces over 220 pounds of sugar to the ton. Thus, the average acre of Cuban cane land produces over 5,280 pounds of sugar, which will sell in ordinary times for more than $125.

Be it remembered that the lands are cheap and that the labor necessary in the cultivation of a cane crop is limited. A crop grown upon cheap land, which needs only to be planted once in nine years, and which, with moderate cultivation, will produce a revenue of over $100 an acre, is not an industry that calls for a gift from the Treasury of the United States. Sir, the concession in this bill alone of 33 cents on every hundred pounds of sugar means a gift of $18 per acre from the Government of the United States for every acre of Cuban land devoted to the production of sugar.

I well remember that when a Republican Congress incorporated in its tariff law a bounty to the sugar growers of our own country all Democrats denounced it, and properly so, as both unjust and unconstitutional. At that time the State of Texas was utilizing some portion of its unfortunate citizens, who had come there from other States and been sent to the penitentiary for their crimes, in the production of sugar. The legislature passed a bill authorizing our officers to receive the money due to the State as bounty upon the sugar which we had produced; but our governor was wise enough and brave enough to veto the legislature's bill, and declared that the taint of such a dollar should never touch the treasury of Texas. That money was left in the Treasury of the United States: it has never been and never will be accepted by our State. And yet some Senators who here and elsewhere have denounced a bounty to American farmers are freely giving it to Cuban planters. Eighteen dollars an acre to people whose acres average three times as much as American farmers realize from their cotton or their grain lands!

THE TOBACCO TRUST ALSO PROFITS.

What is true of sugar is equally true of tobacco. As the American sugar trust is practically the only customer Cuba has for her sugar, so the American tobacco trust is practically her only customer for tobacco. Until within the last two years or less the cigar trade of Cuba was practically controlled by two corporations, an American and an English corporation, the English corporation at one time controlling about 60 per cent and the American corporation controlling about 40 per cent. Finally these two corporations, realizing that combination was more profitable than competition, combined, and I will ask the Secretary to read a statement in reference to the tobacco trade from a Government publication entitled "Commercial Cuba in Peace."

The PRESIDING OFFICER (Mr. PETTIGREW in the chair). In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Nearly three years ago the Henry Clay and the Bock & Co. began their manoeuvring for control of the tobacco industry, which ended in the formation of a number of other factories. The contest was bitterness itself, some of them going to extreme lengths, the Bock & Co. [illegible] patent against the Havana Commercial Company. This company [illegible] a large number of the factories which had been taken in by the Henry Clay-Bock combination. Both of these organizations had very large financial concerns which they purchased, forming the month of May last a new company was incorporated under the laws of New Jersey, a combination known as the Havana Tobacco Company. It is a consolidation of the so-called Tobacco Trust, and its capitalization includes the formation of common stock $[illegible] of preferred stock and $[illegible] in bonds. This organization takes over the Henry Clay-Bock combination, the Havana Commercial company and the Cabanas factory, thus giving it control of much the greater part, and practically all of the important part, of the Cuban cigar and cigarette trade. * * *

Mr. BAILEY. Thus, Mr. President, we have, upon the authority of a Government publication, the statement that this combination now controls "practically all of the important part of the Cuban cigar and cigarette trade." That this is true has not been and can not be successfully denied, and yet under the provisions of this bill the reduction upon Cuban cigars will be more than $12 per thousand. Even if that $12 a thousand went to the Americans who smoke cigars I should resist the reduction, because the American who smokes a Habana cigar is amply able to pay high taxes to the Government, and the cheaper cigars which men of moderate means and men of narrow circumstances are compelled to smoke do not come from Cuba, and therefore could not be affected by this reduction.

Twelve dollars and a half is what this bill concedes to the importers of Cuban cigars in this country, and those importers, a gigantic trust, controlling, according to the testimony of a Government publication, practically our entire importation. Within the last month it has been well-nigh impossible to buy Cuban cigars in any quantities in New York, because the men who control their importation have been waiting for the passage of this bill. If the benefit was going to the Cubans and if the importers were going to pay the Cubans as much after the bill passes as before, there would have been no good business reason for waiting. But those importers are wiser than Senators in Congress; and I will digress far enough to say that it is no reflection upon a Senator to say that in matters of trade the trader is his superior. Those cigar dealers know that they will get the benefit of this reduction, and they have simply desisted from the importation of Cuban cigars until the duty on them has been reduced, so that the twelve dollars and a half per thousand will go to increase their already enormous profits.

DISCRIMINATION AGAINST LABOR.

But while the reduction on the cigars will be $12.50 per thousand, the Republican tariff law, which this treaty seeks to amend, is so constructed that the reduction will be less than a dollar and a half upon a quantity of tobacco sufficient to make a thousand cigars. Our Republican friends have long misled American laborers into the belief that protection is of the most supreme importance to them, and I am not willing to charge that the Republican leaders have been insincere in this statement. I am willing to grant that they have been sincere in saying it, however mistaken they may have been in thinking it. But I shall have a right hereafter to doubt them if they refuse now to follow their argument. Under your tariff policy you have built up a cigar-manufacturing business in certain cities, although you have built it up by compelling the people who smoke cigars to contribute, by larger prices, to the laborers who have made them. That, however, was a contribution from the American citizen who smokes to the American citizen who works, and did not seem a gross and irreparable hardship. But here and now you have falsified your constant profession and your former practice by reducing the duty on the material to be used by the American laborer, less one-tenth of the reduction which you make upon the product of the laborers of another country.

Mr. President, I will ask the Secretary to read resolutions adopted by a cigar makers' union in the city of New York.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

Whereas the Cuban reciprocity bill now before the Senate proposes a reduction of the duty on cigars coming today upon $1.25 per thousand while the duty on the amount of tobacco sufficient to make a thousand cigars is to be reduced only $1.05, which means a decrease of $1.50 in the protection now accorded to American labor; and

Whereas this measure which has just passed the House of Representatives discriminates in favor of the tobacco trust while it threatens the working wages of boxers, men and women employed in the cigar industry in the United States; be it

Resolved, That the Central Federated Union of New York, representing 200,000 organized working men and women, protest against this measure as a piece of trank trust legislation aimed at the living of the 500,000 people who depend upon the cigar making industry of this country, and we demand of the Senate of the United States the rejection of that part of the Cuban reciprocity bill, and be further

Resolved, That a copy of this resolution be sent immediately to the United States Senate and to the President of the United States.

Mr. BAILEY. In verifying the statements of those resolutions I did not find my calculations to agree exactly with the figures given there. Those resolutions state the reduction as only $1.05, while I made it, as I now recall, something like $1.25. But the fact remains that at worst or, if you prefer the expression, at best the reduction on the product finished by Cuban labor is more than ten times as great as the reduction on the material to be used by American labor, and that, too, by a party which iterates and reiterates that it advocates and maintains a protective tariff in the interest of the American workingman. I do not believe that there is a Republican in this Senate who, if confronted with the naked proposition of reducing the duty on a raw material to be used by American labor one-tenth of what he was asked to reduce the duty on the finished product made by the labor of another country, would support it. But when it is put forward by the President and covered up by soft phrases, they support it without the least remonstrance.

I can not comprehend how any sincere friend of American labor can vote to reduce the duty on a product made by the laborers of other countries by a greater per cent than he would reduce the duty on the material out of which American laborers can produce the same article. That, Mr. President, is precisely what this bill does; and I have wondered if those who negotiated it understood its effect. If, however, you excuse this rank injustice against the labor of the country upon the score of ignorance, you make an unanswerable objection to the regulation of tariff duties in the secrecy of diplomatic correspondence by those who know more about the fashions of the rich than they do about the interests of the poor.

These two articles, tobacco and sugar, comprise substantially the entire Cuban commerce into this country, and I repeat that in respect to them the concession is all to the manufacturer and none to the people. It is not even pretended that the remission of the duty on raw sugar will reduce the price of refined sugar; but, on the contrary, the admission that it would not has been distinctly made. Indeed, our friends on the other side could not consistently claim that it would reduce the price of sugar to the consumers of this country, because that argument would refute their other argument that the benefit is going to the people of Cuba; and they have at least maintained their consistency by admitting that this reduction enures in no wise to the benefit of the American sugar consumer.

JEFFERSON'S RECIPROCITY.

Mr. President, I have heard it declared in this Chamber—and it has also been declared elsewhere—that Thomas Jefferson was the first apostle of reciprocity, and under the authority of his great name all Democrats have been commanded to support this legislation. But, sir, I affirm that in all the voluminous writings of that immortal Democrat there is not a line which, when read in connection with its context and properly understood, can justify that claim. The quotation which has been relied on to prove that Mr. Jefferson was an advocate of reciprocity is taken from his famous report upon the restrictions on American commerce and navigation made in response to a resolution of the House of Representatives asking the Secretary of State for certain information. After detailing at some length the restrictions upon our commerce and navigation, Mr. Jefferson says:

Such being the restrictions on the commerce and navigation of the United States, the question is in what way they may be best removed, or modified, or counteracted. As to commerce two methods occur: 1. By friendly arrangement with the several nations with whom these restrictions exist. 2. By the separate act of our own legislatures for countervailing their effect.

Before reading from the argument of Mr. Jefferson enforcing his suggestion that a friendly arrangement is better than countervailing restrictions—a view in which Democrats will universally concur—I beg the Senate to remember that no unfriendly regulation against our commerce now exists in Cuba, and therefore this is not a situation where either Mr. Jefferson's suggestion of a friendly arrangement or of countervailing restrictions can apply. After stating the two methods by which restrictions on our commerce might be removed, modified, or counteracted, Mr. Jefferson advances what is in reality an argument for freer trade with all nations; or, where that is unobtainable, freer trade with any nation willing to enter into such an agreement. He says:

Instead of embarrassing commerce under piles of regulating laws, duties, and prohibitions, would it be wished there all the shores on all parts of the world could freely receive our produce, and we to purchasing that which nature has bestowed on the productions of each, in the free exchange with others, mutual services for mutual wants, the greatest quantity possible would then be produced of those things which constitute the happiness and human happiness, the happiness of human life, wants to be supplied and supplied in return.

Would such a single nation, looking with fear to the United States, pursue a system of free commerce, it would be advisable to begin it with that nation, since it would be obviously that it can be extended to all. When the circumstances of either party render it expedient to levy a revenue, by way of impost, on consumption, the foreign article to be specified, in that particular, by mutual and equivalent measures, preserving it entire in all others.

Mr. Jefferson lays down for our guidance in dealing with these restrictions this rule:

Where a nation imposes a high duty on our products it may be proper for us to do the same by theirs, first burdening or excluding those productions which they bring here in competition with our own of the same kind.

Mr. President, if any advocate of this bill can show me that Cuba has restricted or prohibited the importation of our products, then, sir, I will cheerfully join with him in following the advice of Thomas Jefferson first to affect a friendly arrangement, or failing in that better way of relieving our commerce, I will then agree to meet restriction with restriction and prohibition with prohibition. But, sir, so far from it being true that Cuba now

discriminates against our commerce by high duties, the contrary is the fact; and instead of attempting to secure by this treaty an equality of trading privileges, we are discriminating in favor of Cuba here and are contracting for Cuban discrimination in our favor there—the very conduct which Mr. Jefferson has said would justify retaliation on our part against other nations, and which must therefore justify other nations in retaliating against us.

No friend of this bill has given as his reason for supporting it that Cuba's duties against our imports are too high; and it is a matter of common knowledge, sir, that they are now lower than the rates imposed by our own law. It is not pretended that the purpose of this bill is to reduce Cuban duties against our imports, and the chairman of the Committee on Foreign Relations, with a candor which does him credit, has said in his speech to the Senate that the passage of this bill will compel the Cuban Government to increase its tariff duties. He said in opening this debate:

But there are a number of causes why Cuba's revenue concessions are so small and ours so large. In the first place her tariff is very much lower than ours. In fact, as soon as this treaty goes into effect she must raise her tariff on a great many articles of commerce the United States producing, say 30 to 40 per cent less of taxes of duty than any other nation in the world. Immediately the differential in the two tariffs will be reduced and valorem duty on Cuban products approximate, say, 20 per cent. Cuba's average ad valorem duty on American products amounts to 30 or 40 per cent.

Wonderful forbearance! We concede 20 per cent; we require Cuba to concede from 25 to 40 per cent; and yet the amiable chairman of the Committee on Foreign Relations describes our concessions of 20 per cent as "so large" and Cuba's concessions of 25 to 40 per cent as "so small."

DEMOCRACY AND RECIPROCITY.

But, Mr. President, I have been told that even if Mr. Jefferson did not advocate reciprocity except under certain conditions which do not exist in this case, it is nevertheless true that reciprocity must be a Democratic doctrine, because it tends to freer trade. That statement has been repeated so often and with such emphasis that some men have accepted it as a traditional Democratic tenet, and there is serious danger that our party may be placed in a false position on this question. I desire for one moment only—because one moment will suffice—to reason with my Democratic associates upon this proposition; and I believe that a due reflection upon it will satisfy all of them that it is a mistake for anybody to contend that reciprocity is necessarily a Democratic policy.

I can easily conceive circumstances under which a Democrat might feel it to be his duty to vote for a bill originating in the House of Representatives, and mitigating the injustice of a protective tariff by providing for reciprocal exchanges on a basis of freer trade. But, sir, with an ideal Democratic tariff law upon our statute books I can not conceive a state of circumstances under which I could vote for a reciprocity bill. What I mean by that is this: An ideal Democratic tariff law would be one in which every duty was fixed at the lowest rate consistent with the revenue necessities of the Government, and under such a law how could a Democratic Congress find it possible to make concessions to any nation? With every duty fixed at the lowest rate consistent with the needs of the Government, if Congress should pass a bill reducing some of those duties, it would be compelled to pass a second bill increasing others, and thus the harmony of the whole system would be disturbed, its equality would be destroyed, and inequality would be introduced. Those who imported some articles would be permitted to pay less than their just rate of taxation, while those who imported other articles would be compelled to pay more than their just rate.

Mr. President, while a reciprocity bill can have no place under an orthodox Democratic tariff system, if this were a bill reducing the duty on Cuban imports into this country in return for a reduction of Cuban duties on our imports into that country, I might cordially support it as an improvement upon the existing law. But, sir, that is not the proposition with which we have been called upon to deal. Instead of reciprocating freer trade with freer trade, this is a bill to reciprocate protection with protection. It concedes 20 per cent of our protection against Cuban products in this country, in order to secure a protection of 40 per cent for our products in that country; and all that can be predicated of it with any certainty now is that whether the duties against our products hereafter shall be higher or lower than they were before this bill becomes effective, they shall still be lower than the duties levied against the similar products of other nations. Willing as I might be to vote for a bill exchanging freer trade with Cuba, I can not vote to exchange protection with them and still call myself an advocate of freer trade.

Senators have spoken of this bill as lowering our tariff wall, but they have not spoken accurately. It does not lower our tariff wall the breadth of a single hair except at the one point where Cuban goods are admitted. At that place it may be fairly said that we take off a single brick, and leaving out for the moment the discrimination against other nations, it might be claimed with some fair show of reason that this is desirable as far as it goes. But, sir, the whole prepossession of a Democrat in favor of it disappears when he learns by an examination of the treaty that in taking down a single brick at a single place in the tariff wall of this country we are adding two bricks to every inch of the tariff wall with which Cuba is surrounding herself. In other words, Mr. President, we are simply reducing our protection at a single point here in order to obtain a greater protection at all points over there. It is not an exchange of freer trade; it is an exchange of protection; and while I would cheerfully exchange protection for freer trade, I will not exchange a small protection for a greater one.

Some of the more enthusiastic supporters of this policy seem to think that they have sufficiently answered all that has been said, and all that can be said, on this subject when they claim with a sort of mysterious air that in voting against this bill we are voting to continue the rates of the Dingley Act. That, sir, does not deserve to be dignified by the name of an argument. The Republican party could propose many bills reducing the high rates of the present Republican tariff law which I would deem it my duty to oppose. If, sir, the Republican majority in the House of Representatives should send us a bill reducing the present Republican tariff upon silks and champagne would any Democratic Senator feel constrained to support that bill because it makes a reduction in the duties levied by the Dingley Act? If we were asked to vote for a bill reducing the duty on hides without any reduction in the duty on shoes and other leather products, what answer would the Democrats of the Senate make to that proposition? Mr. President, it underestimates the intelligence and patriotism of a Democrat to tell him that he must vote for any bill amending a Republican tariff law without reference to its constitutionality or its justice.

THIS BILL ESSENTIALLY PROTECTIVE.

Mr. President, the human mind could not contrive a measure more essentially protective than the one before us. It is the essence of protection, applying that hurtful doctrine of commercial restriction at once to Cuba and to the United States. I have here the treaty, and I desire to call attention to some of its provisions. In the eighth article we find this stipulation:

The rates of duty herein granted by the United States to the Republic of Cuba are and shall continue during the term of this convention preferential as compared with those payable from other countries, and in return for said preferential rates of duty granted to the Republic of Cuba by the United States it is understood that the concession herein granted on the part of the said Republic of Cuba to the products of the United States shall likewise be and shall continue during the term of this convention preferential in respect to all like imports from other countries.

A preferential duty is, as its very name implies, a protective duty; and this treaty itself speaks of it as a protection in article 10 when it declares:

The protection herein granted to the products and manufactures of the United States, etc.

Yet I am told that an agreement stipulating for preferential duties, and described in the words of the agreement itself as a protection, must be in line with our Democratic advocacy of freer trade. Democratic Senators, I put it to you, if you vote for a bill to protect American manufacturers in Cuba how can you consistently denounce a bill that protects American manufacturers in our own country? I am aware that in one case the extortion is practiced against our own people while in the other case it is practiced against the Cubans, but that is only a different application of it and not a different principle. If protection is an economic fallacy in the United States it is an economic fallacy in Cuba, and you have no right to mar the record of the Democratic party by voting for a bill to apply the doctrine of protection to a helpless and neighboring people, thus provoking other countries to apply it to us and our products.

For years Democratic statesmen have warned our friends on the other side and have warned the commercial interests of this country that our own protective tariff was breeding a spirit of retaliation in the minds of other nations. Our warnings have not been heeded, but they are being justified. Already some great nations have discriminated against some of our products, and others are contemplating such action, and in the face of it all we are now asked to add another and a stronger provocation to those already on our statute books.

The mere fact that we have levied taxes for the purpose of excluding the citizens of other nations from trading in our markets is of itself a strong and constant temptation for them to levy duties intended to prevent our citizens from trading in their markets. We have even gone beyond that point, and against these articles from nations which seek to stimulate their commerce by export bounties we have levied a countervailing import duty equal to their export bounty, and this is especially applied

to sugar. Not content with giving our Cuban customers the advantage of this countervailing duty in addition to their cheaper carriage charges, we are now urged to further supplement these advantages as against our German friends and customers by giving Cuba a preferential reduction of 20 per cent on her sugar. Hereafter, and when this bill becomes a law, the German who comes to exchange his sugar for our shoes will be told at the custom house that he must pay 20 per cent more for the privilege of bringing his sugar into our markets than his Cuban competitor pays. Can it be a matter of just surprise if German self respect, combined with German interest, resents this discrimination against their country? If it should happen that German statesmen answer our discrimination against their sugar by a like discrimination against our meat products, what explanation will Senators offer to their constituent packing-house interests? Mr. President, in commercial affairs neither nations nor individuals receive good for evil. They generally, and very justly, receive according as they give.

What a spectacle do we present to the world in demanding an open door in the Orient for our trade when we are striving to close every door in the Western Hemisphere? If we negotiate treaties to keep other people from trading with this New World, how shall we complain if the Old World applies to us among them the same rule which we have applied to them amongst us? Reciprocity of the right kind might lead to better conditions than the present protective tariff, but a reciprocity which stipulates for discriminating and preferential duties is protection run mad, and a Democrat who supports it sentenced his party and himself.

Mr. President, these grave offenses against the principles of sound government and of the Democratic party are condoned in order that Democratic Senators may say to their constituents that they have made a new market for cotton cloth, for cattle, for flour and for wheat. Of course there are other articles upon which the tariff is reduced. The first reductions are in Schedule A; and it reduces the tariff on whiskies and brandies. Oh, charitable benefactors! An inexperienced and struggling people engaged in the painful and difficult task of establishing their self government must have their cheaper whisky and cheaper brandy! It is fit that they shall also have the cheaper sugar to sweeten it!

I hope Senators from our Southern States will analyze the benefits of this bill to their people. The Senator from Illinois [Mr. CULLOM] says that as to two of the only three agricultural products which will find a market in Cuba we do not need any concession. Describing the reductions article by article and line by line, that Senator says:

Four of them. We supply the entire Cuban market, amounting to [illegible]. We supply also her entire import of corn, amounting to a million dollars.

So far as obtaining a greater part of the Cuban market in flour and corn is concerned, it was unnecessary to pass any concession at all, but this 20 per cent concession will go into the pockets of our millers.

Giving up the revenues of the Government in order to put 20 per cent of Cuban tariff duties in the pockets of our millers; and yet I am told that that is in accord with Democratic policy. The Senator further says:

Cuba gives us a 40 per cent concession on rice.

The Senator must know that the United States to-day does not produce enough rice for its own consumption, and is compelled to import large quantities to meet the demand of our own people. I believe, and I confidently hope, that the time will come when the marshes and lowlands of Texas and Louisiana will become great rice fields; but that time has not come, and it will not come within the five years during which this convention is to last, and consequently the Cuban concession on rice is of no importance.

The expectation is, and they lay great stress upon it, that Cuba will afford a market for certain cotton goods produced by our Southern cotton mills. I am myself inclined to believe that we can increase our trade with Cuba in that respect. I believe that for a time at least that trade may grow; but while the cotton manufacturer is reaping some small profit from the Cuban trade we are stimulating in Cuba a competitor against the Southern cotton farmer. Those who imagine that the cotton-cloth trade with Cuba is the only Southern interest or injury involved in this legislation know little about the agricultural possibilities of that island. Again referring to this Government publication entitled "Commercial Cuba in 1903," I beg especially the Senators from Southern States to hear this:

Cotton is a plant indigenous to Cuba, but it has not been cultivated there to any great extent. It is claimed that the conditions are most favorable for its production on a large scale in the island, and in some quarters the inception of an important Cuban cotton interest is being seriously canvassed. In fact, during the present season a commercial yield of several thousand bales of sea-island cotton has been secured in Puerto Principe. The subject is treated somewhat at length in the accompanying report by the United States consul-general at Habana.

The same stimulus which you administer to Cuba in order to make a market for the southern manufacturer's cotton goods must also stimulate the cultivation of cotton to compete against the southern farmer. Looking at the question from the narrow and selfish interests of our Southern States, what profit is it that you encourage the development of Cuba in order to make a market for a few of your cotton goods when the encouragement results in the production of a large quantity of cotton, thus reducing the price of the cotton grown by southern farmers?

Not only has that argument been addressed to the selfish interests of the Southern cotton manufacturer, but it has been made with peculiar force to those of us who represent cattle-growing States. Just after the Spanish evacuation of Cuba, when the island had been desolated and its live stock had perished in that dreadful guerilla warfare, the cattlemen of Texas sold many cattle to people who purchased them for shipment to Cuba. These gentlemen successfully brought to bear their business sagacity but blindly assumed that this trade would continue, and they began. I presume, in response to that campaign of education among "the leaders of thought" to deliver me with letters to show that the cattle interests of Texas were vitally concerned in this Cuban market, and urging me to support this reciprocity treaty.

I had the frankness to say to those gentlemen, as I trust I shall always have the frankness to say to the people who honor me with their confidence, that even if it did serve the cattle interests of Texas I could not be induced to support this measure, because it was vicious in spite of any particular good that might come to our people. Upon a further examination of the question, of course, I soon discovered the folly of the men who were seeking to open a market which they could supply in a few months and which, being supplied, would in a few years compete against them.

The truth is, Mr. President, it is extremely doubtful if any State in this Union affords such excellent advantages for cattle raising as can be found in the island of Cuba. In addition to her mild climate, her grasses are succulent and perennial. They have no winter there to wither the earth's vegetation, as we have even in our Southern States, and cattle of every kind can be maintained at a minimum cost throughout the entire year.

I made this statement to one gentleman, who very promptly and very pertinently asked me why it was they had never been able to build up a live-stock industry of any consequence in that island. I answered him then, without having read what I now intend to read, that it was due to the course of the Spanish Government in pursuing with systematic vigilance her determination to allow Cuba to produce nothing but sugar and tobacco.

I now read again from the Government publication entitled Commercial Cuba in 1903—and by the way, Mr. President, while I am sure all Senators have read it, if they will take the time to read it through carefully they will find that this publication seems to have been prepared expressly to support this reciprocity policy. This document contains the following statement:

However numerous may have been the live stock in Cuba in the most prosperous [illegible] numbers the [illegible]

A little preceding that statement comes the verification of what I said about the determination of Spain to combine the soil and energy of Cuba to the production of sugar and tobacco. This publication says:

The attendance of good grasses for pasturage in the island naturally suggested the importation of the best breeds of cattle [illegible] ing industry before the last revolution broke out. Horses were taxed $50 apiece; mules, $32; oxen, $22; cows, $10; hogs, $7.

Mr. President, if Spanish greed was compelled to levy a tax like this in order to restrict the live-stock industry of that island, how long will it afford a market for our cattle when these taxes are removed and the growth and multiplication of live stock encouraged? Already, so the reports of the agricultural department of that island disclose, the island is practically restocked, and Cuba will be selling live stock to the world before she is ever compelled to buy again in any considerable numbers.

Mr. President, I am not only detaining the Senate beyond its own patience, but I find my throat unequal to the task of continuing longer, and in order that I may hope to be in condition to-morrow morning briefly to consider one other phase of this question, I am going now to resume my seat. I desire to say that if that interferes with the arrangement or the convenience of any other Senators I shall of course leave their arrangements and their convenience to be first respected, and shall govern myself accordingly.

The one question which I desire yet to discuss is that phase of the subject under which it has been contended, and will be contended with still greater force when the Senator from Wisconsin [Mr. SPOONER] comes to address the Senate, that while all I have said about the right of the House of Representatives to originate revenue bills, and about the disability of the President and the Senate in that respect, true as it may be generally, it is not applicable here, because the matter under our consideration is a bill which did originate in the House of Representatives, and, as I desire to show—as I believe I can—that that is a mere subterfuge which does not bring this proposition within the rule, or, rather, I would be more accurate in saying, which does not take this proposition without the rule, I hope I shall find a time when it is convenient to other Senators to conclude my argument on this point.

Perhaps, however, before I yield the floor I ought to say that it is not my purpose to save that argument until after other Senators have spoken. Unless I am able to present it to the Senate before the Senator from Wisconsin addresses this body, I shall not present it at all. I have no disposition to take any advantage of that kind, seeking the last say upon the only possible ground on which this legislation can be defended.

The PRESIDENT pro tempore. The senior Senator from California [Mr. PERKINS] gave notice to the Chair, but not to the Senate, that he desired to take the floor in the morning on the pending bill.

Mr. CULLOM. Mr. President, the Senator from North Carolina [Mr. SIMMONS], I think, desired to address the Senate, but I do not see him at this moment in the Chamber.

Mr. CARMACK. He was here a little while ago.

Mr. CULLOM. I hope we shall wait a little while to see if he comes in.

Mr. TELLER. The Senator from North Carolina has been sent for, and I think will soon be here.

Mr. CULLOM. I hope nothing will be done until the Senator comes in and we can ascertain whether or not he desires to speak to-day.

Mr. TELLER. We do not wish to adjourn for the present, at any rate.

Mr. CULLOM. I find that a great many Senators are anxious to speak to-morrow and the next day; and there will be too many, perhaps, to be heard; so I should be very glad, if any Senator desires to speak, if he would take the floor when he has the opportunity to do so.

Mr. TELLER. I think the Senator from North Carolina will be here in a few minutes.

Mr. CULLOM. I am willing to wait for a little while.

Mr. SCOTT. I move that the Senate proceed to the consideration of executive business.

Mr. CULLOM. I hope the Senator from West Virginia will not make that motion for a few moments. The Senator from North Carolina possibly may not desire to speak to-day, and at any rate we shall have an executive session before adjournment.

Mr. SCOTT. I propose an executive session now in order to save time.

Mr. TELLER. I think the Senator from North Carolina was expected to follow the Senator from Texas, and is now in the building. I think he will soon be in the Chamber.

Mr. SCOTT. Then I will withdraw the motion for an executive session for the present.

Mr. TELLER. Mr. President, I wish to introduce some data upon which I made my remarks the other day. The first of the statements is relative to domestic exports from the United States to Cuba, etc. I should like to introduce these papers in the order in which I send them to the Reporter. They are taken from different publications of the Government. I put these statements in because they will give the opportunity for the acquisition of a thorough knowledge of this whole question to anyone who may examine them.

Mr. CULLOM. I did not catch the Senator's statement as to what these documents are.

Mr. TELLER. They are statements of the exports from the United States to Cuba and imports into the United States from Cuba from 1892 to 1903, etc. Then I have a statement showing the revenues and expenditures of Cuba from 1898 to 1903. I have here also tables showing the production and consumption of cane sugar in the various sugar-producing countries of the world; the consumption of sugar per capita in Europe and the United States from 1889 to 1900; the production of beet sugar in the principal European countries from 1898 to 1900——

Mr. CULLOM. Are they official documents?

Mr. TELLER. All of the statements I present, with one exception, are taken from official documents—from Government publications.

I have also a statement giving the production of sugar in Cuba and the insular possessions of the United States—Porto Rico, Hawaii, and the Philippines.

I wish also to introduce an extract from a work published by the Government of the United States entitled "Progress of the United States in Material Industries." This shows the expenditures of the Navy, interest on the public debt, etc., from 1860 to 1902. It also shows our imports and exports of merchandise during those years. I desire that these tables may go into the RECORD just as I send them to the Reporter.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Colorado, and the papers referred to by him will be inserted in the RECORD.

The statements referred to are as follows:

Commerce of the United States with Cuba during the years ending June 30, 1892–1902.

DOMESTIC EXPORTS FROM THE UNITED STATES TO CUBA.

	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
Total domestic exports	$17,682,411	$23,694,094	$19,855,997	$12,589,260	$7,312,348	$7,509,757	$9,953,894	$17,947,[illegible]	[illegible]	[illegible]	[illegible]
Total foreign exports	381,159	555,604	270,084	274,401	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total exports	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	8,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Gold	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	4,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Silver	2,700	19,598	37,610	12,986	5,577	[illegible]	931	[illegible]	[illegible]	[illegible]	14,450
Total gold											$59,099,663
Total silver											540,982

IMPORTS INTO THE UNITED STATES FROM CUBA.

	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
Total free of duty	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	$1,854,973	$2,091,587	$2,644,017
Total dutiable	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	17,156,[illegible]	14,[illegible]	24,877,[illegible]	30,317,381	36,761,561	32,050,607
Total imports	77,981,071	78,700,506	75,678,261	52,871,299	46,097,780	18,406,815	15,222,477	25,408,[illegible]	[illegible]	[illegible]	34,694,624
Gold	1,803,410	1,984,860	[illegible]	[illegible]	5,185,[illegible]	[illegible]	5,165,063	[illegible]	2,[illegible]	[illegible]	[illegible]
Silver	494,707	199,603	38,146	39,348	12,541	[illegible]	2,[illegible]	25,[illegible]	45,771	200	[illegible]
Total gold											$36,487,398
Total silver											962,124

Imports into the United States from Cuba for four years preceding the reciprocity treaty of 1903.

1886	$49,315,087
1889	[illegible]
1890	[illegible]
1891	61,774,[illegible]
Total	216,961,700

Or an average of $54,240,447.

Exports to Cuba for the same time.

1888	$1[illegible]
1889	[illegible]
1890	[illegible]
1891	[illegible]
Total	47,064,174

Or an average of $11,766,043.
Average balance of trade against United States, $42,476,905.

Commerce of the United States with Cuba from 1851 to 1903.

Year ending June 30—	Domestic exports from United States to Cuba.	Imports from Cuba into United States.		
		Free.	Dutiable.	Total.
1851	$5,[illegible]	$302,154	$10,395,730	$10,697,884
1852	[illegible]	[illegible]	[illegible]	[illegible]
1853	[illegible]	[illegible]	[illegible]	[illegible]
1854	[illegible]	[illegible]	[illegible]	[illegible]
1855	[illegible]	[illegible]	[illegible]	[illegible]
1856	[illegible]	[illegible]	[illegible]	[illegible]
1857	9,379,582	395,191	24,216,904	[illegible]
1858	11,673,167	513,562	[illegible]	[illegible]
1859	11,217,298	594,675	[illegible]	[illegible]
1860	11,747,913	[illegible]	[illegible]	[illegible]
1861	9,441,982	348,815	[illegible]	[illegible]
1862	9,071,781	598,745	[illegible]	[illegible]
1863	[illegible]	[illegible]	[illegible]	[illegible]
1864	[illegible]	[illegible]	[illegible]	[illegible]
1865	18,847,582	[illegible]	[illegible]	[illegible]
1866	14,984,546	[illegible]	[illegible]	[illegible]
1867	[illegible]	[illegible]	[illegible]	[illegible]
1868	[illegible]	[illegible]	[illegible]	[illegible]
1869	[illegible]	[illegible]	[illegible]	[illegible]
1870	[illegible]	[illegible]	[illegible]	[illegible]
1871	[illegible]	[illegible]	[illegible]	[illegible]
1872	[illegible]	[illegible]	[illegible]	[illegible]
1873	[illegible]	[illegible]	[illegible]	[illegible]
1874	[illegible]	[illegible]	[illegible]	[illegible]
1875	[illegible]	[illegible]	[illegible]	[illegible]

Commerce of the United States with Cuba from 1851 to 1903—Continued.

Year ending June 30—	Domestic exports from United States to Cuba.	Imports from Cuba into United States.		
		Free.	Dutiable.	Total.
1876	$13,746,058	$[illegible]	$55,712,002	$56,007,866
1877	[illegible]	[illegible]	[illegible]	[illegible]
1878	[illegible]	[illegible]	[illegible]	[illegible]
1879	[illegible]	[illegible]	[illegible]	[illegible]
1880	[illegible]	[illegible]	[illegible]	[illegible]
1881	[illegible]	[illegible]	[illegible]	[illegible]
1882	[illegible]	[illegible]	[illegible]	[illegible]
1883	[illegible]	[illegible]	[illegible]	[illegible]
1884	[illegible]	[illegible]	[illegible]	[illegible]
1885	[illegible]	[illegible]	49,345,029	51,110,780
1886	[illegible]	[illegible]	47,462,229	49,515,434
1887	[illegible]	[illegible]	47,[illegible]	[illegible]
1888	[illegible]	[illegible]	[illegible]	[illegible]
1889	[illegible]	[illegible]	[illegible]	[illegible]
1890	[illegible]	[illegible]	[illegible]	[illegible]
1891	[illegible]	26,044,502	[illegible]	61,714,395
1892	[illegible]	[illegible]	[illegible]	77,931,671
1893	[illegible]	[illegible]	[illegible]	78,706,506
1894	[illegible]	[illegible]	[illegible]	75,676,291
1895	[illegible]	17,684,785	[illegible]	[illegible]
1896	[illegible]	2,074,[illegible]	[illegible]	[illegible]
1897	[illegible]	1,270,169	17,136,756	18,406,815
1898	[illegible]	276,100	14,956,477	15,232,577
1899	[illegible]	1,[illegible]	24,[illegible]	25,498,828
1900	[illegible]	[illegible]	[illegible]	31,374,704
1901	[illegible]	[illegible]	[illegible]	43,423,988
1902	[illegible]	[illegible]	[illegible]	[illegible]
1903	[illegible]	3,114,807	59,827,893	62,942,700

Revenues and expenditures of Cuba from 1899 to 1903.

[From data compiled by the Bureau of Insular Affairs, War Department, Washington, for the years 1899–1902; since May 20, 1902, from official records of the Cuban Government.]

Year.	Revenues.	Expenditures.
July 18, 1898, June 30, 1899	[illegible]	$[illegible]
July 1, 1899, June 30, 1900	[illegible]	[illegible]
July 1, 1900, June 30, 1901	[illegible]	[illegible]
July 1, 1901, May 19, 1902	14,708,[illegible]	[illegible]
May 20, 1902, December 31, 1902	9,729,[illegible]	[illegible]
January 1, 1903, June 30, 1903	8,197,940.09	a5,229,250.72

a Unofficial.

Quantity of sugar consumed in the United States from 1877 to 1901.

[Data furnished by Messrs. Willett & Gray, New York.]

Calendar year.	Refined product of sugar imported.a	Domestic product.					Total.	Consumption per capita.
		Manufactured from imported molasses.a	Of cane.	Of maple.	Of beet.	Of sorghum and other.		
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Pounds.
1877	606,750	35,500	[illegible]	12,000	446	1,554	746,250	[illegible]
1878	[illegible]	40,000	71,000	11,000	223	1,377	[illegible]	[illegible]
1879	[illegible]	44,000	112,000	10,000	357	1,443	[illegible]	38.1
1880	866,[illegible]	50,017	88,892	10,000	537	1,943	[illegible]	42.7
1881	855,261	39,940	127,397	9,000	699	[illegible]	[illegible]	44.2
1882	973,720	64,456	76,372	20,000	446	[illegible]	[illegible]	48.4
1883	[illegible]	40,722	142,297	18,000	[illegible]	[illegible]	[illegible]	51.1
1884	[illegible]	50,000	135,245	25,000	[illegible]	[illegible]	[illegible]	53.4
1885	[illegible]	47,759	109,816	25,000	[illegible]	[illegible]	[illegible]	51.8
1886	[illegible]	72,613	185,158	18,000	754	[illegible]	[illegible]	56.9
1887	[illegible]	62,274	85,394	20,000	[illegible]	[illegible]	[illegible]	52.7
1888	[illegible]	58,840	167,814	20,000	1,660	380	[illegible]	56.7
1889	[illegible]	43,715	188,909	22,000	2,400	680	[illegible]	51.8
1890	[illegible]	53,282	195,593	25,000	2,800	1,500	[illegible]	52.8
1891	[illegible]	31,320	[illegible]	[illegible]	5,400	570	[illegible]	66.3
1892	[illegible]	30,000	[illegible]	[illegible]	12,000	500	[illegible]	63.8
1893	1,465,[illegible]	20,000	250,000	[illegible]	18,000	500	[illegible]	64.4
1894	1,700,695	15,000	271,396	[illegible]	[illegible]	500	[illegible]	66.7
1895	1,572,488	15,000	[illegible]	[illegible]	[illegible]	300	[illegible]	63.4
1896	1,670,983	[illegible]	[illegible]	[illegible]	[illegible]	300	[illegible]	62.3
1897	1,[illegible]15,607	190	[illegible]	[illegible]	[illegible]	.....	[illegible]	64.3
1898	1,798,097	1,700	262,[illegible]	[illegible]	[illegible]	.....	[illegible]	61.5
1899	1,844,642	5,200	160,400	[illegible]	[illegible]	.....	[illegible]	62.0
1900	1,980,014	7,647	174,450	[illegible]	[illegible]	.....	[illegible]	65.2
1901	b1,982,380	17,977	202,150	5,000	124,859	.....	2,372,316	68.4

a Leading refiners state that little or no sugar is manufactured from domestic molasses; also that in refining there is only about 2 per cent waste of original weight. Messrs. Willett & Gray, New York, state that of the sugar consumed in 1899 only about 53,934 tons were unrefined.
b Includes 309,070 tons Hawaiian, 66,279 tons Porto Rican, and 5,100 tons Philippine.

Summary tables of the production and consumption of cane sugar, 1884 to 1894.

[Compiled mainly from information supplied by Messrs. Rueb & Co., London, England.]

[In gross tons of 2,240 pounds.]

Countries.	1884.	1885.	1886.	1887.	1888.	1889.	1890.	1891.	1892.	1893.	1894.
Java	338,866	396,372	328,577	398,831	370,973	353,104	365,798	450,615	485,135	458,300	455,595
Dutch and French Guiana	5,286	4,500	6,263	8,458	6,207	7,588	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Cuba	560,604	631,967	731,726	646,588	656,749	547,792	675,353	[illegible]	[illegible]	761,[illegible]	808,750
Manila	122,925	203,400	183,148	173,918	184,565	218,843	187,564	[illegible]	[illegible]	[illegible]	[illegible]
Porto Rico	48,685	[illegible]	[illegible]	81,355	62,087	62,403	58,[illegible]	[illegible]	69,405	[illegible]	[illegible]
Brazil	268,395	[illegible]	[illegible]	270,602	230,484	120,000	175,407	[illegible]	[illegible]	[illegible]	[illegible]
Martinique	49,370	[illegible]	39,199	39,582	[illegible]	35,665	35,664	[illegible]	[illegible]	[illegible]	[illegible]
Guadeloupe	55,257	41,131	36,678	54,940	48,544	45,173	40,400	[illegible]	46,[illegible]	[illegible]	[illegible]
Reunion	37,800	37,973	34,732	31,399	32,031	25,418	[illegible]	[illegible]	39,685	[illegible]	[illegible]
Louisiana	128,443	94,375	127,958	90,562	167,814	162,294	[illegible]	[illegible]	163,700	[illegible]	[illegible]
[illegible]	37,587	45,035	51,700	48,283	42,075	32,742	[illegible]	[illegible]	57,400	[illegible]	[illegible]
Mauritius	120,589	127,500	114,198	102,300	124,073	132,171	[illegible]	[illegible]	111,[illegible]	[illegible]	[illegible]
British India	82,749	84,349	59,253	48,606	51,437	51,087	60,592	50,901	a55,000	[illegible]	[illegible]
Natal	17,172	16,000	13,250	9,000	6,005	7,129	7,044	7,800	15,803	[illegible]	[illegible]
Australia	59,869	87,245	87,000	107,000	a100,000	a100,000	a100,000	a100,000	a100,000	a100,000	[illegible]
Jamaica	28,888	25,301	25,000	28,750	25,014	22,950	30,273	30,000	28,375	[illegible]	[illegible]
Barbados	55,722	56,200	40,280	61,885	63,108	57,226	70,092	44,345	54,500	[illegible]	60,886
Trinidad	61,875	64,624	49,175	69,140	55,777	49,940	[illegible]	46,144	48,575	[illegible]	[illegible]
British Guiana	125,322	[illegible]	111,856	134,875	108,076	108,367	[illegible]	130,[illegible]	114,800	[illegible]	[illegible]
Peru	[illegible]	31,719	35,000	30,000	a35,000	a30,000	a40,000	a40,000	44,780	[illegible]	[illegible]
Hawaii	69,948	70,496	92,000	101,712	115,307	125,450	120,000	120,000	125,000	[illegible]	[illegible]
Total of above countries	2,327,084	2,390,161	2,470,245	2,538,040	2,522,442	2,295,541	2,434,837	2,747,556	2,921,300	[illegible]	[illegible]
Fiji	.....	.....	.....	.....	17,254	23,000	15,497	20,859	17,302	[illegible]	[illegible]
Minor British West India possessions and British Honduras	56,921	44,387	44,518	51,617	51,162	53,004	50,653	44,123	b46,784	b42,161	b42,088
China	113,613	93,657	86,586	118,000	61,596	60,[illegible]	57,944	[illegible]	.....	.....	.....
Jessore	.....	.....	.....	.....	a44,000	a40,000	[illegible]	45,000	.....	.....	.....
Mexico	.....	.....	34,500	30,000	a30,000	a30,000	[illegible]	a35,000	.....	.....	.....
Argentina	20,000	25,280	28,000	33,000	a33,000	a30,000	[illegible]	[illegible]	a180,000	a180,000	a180,000
Haiti	[illegible]	15,484	12,200	11,900	17,083	17,415	21,[illegible]	[illegible]	.....	.....	.....
Danish West Indies	9,277	12,257	11,130	13,074	14,285	14,87[illegible]	9,354	9,380	.....	.....	.....
Other foreign cane-growing countries	12,107	11,421	15,552	10,058	9,073	8,538	8,308	9,043	.....	.....	.....
Total from cane-growing countries	2,547,531	2,592,647	2,792,850	2,895,795	2,795,805	2,572,461	2,697,823	2,984,901	3,165,286	2,959,731	3,437,774
Europe	2,360,314	2,545,889	2,137,351	2,728,810	2,451,950	2,785,844	3,670,782	3,695,568	3,455,744	3,399,583	3,840,266
Total	4,907,845	5,138,536	4,840,201	5,534,545	5,247,755	5,358,305	6,368,605	6,680,469	[illegible]	6,399,314	7,278,030

a Estimated. b Exports.

Consumption of sugar per capita in Europe and in the United States, years ending July 31, from 1889 to 1900.

[From Licht's Journal of Sugar Manufactures, August, 1899; data for the United States from the Statistical Abstract of the United States, 1900.]

Countries.	1888–89.	1889–90.	1890–91.	1891–92.	1892–93.	1893–94.	1894–95.	1895–96.	1896–97.	1897–98.	1898–99.	1899–1900.
	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.	Pounds.
Austria-Hungary	19.6	16.1	15.0	16.0	17.2	16.6	19.8	19.6	18.2	17.8	18.3	17.6
Belgium	21.2	21.3	21.6	21.3	21.1	21.7	31.3	22.7	23.1	23.1	23.2	23.3
Bulgaria	4.1	4.2	4.1	5.2	6.1	7.1	8.6	5.0	6.0	5.5	5.6	6.7
Denmark	38.3	39.0	41.0	43.6	40.5	43.0	42.8	46.7	47.6	48.8	45.8	54.3
France	25.3	28.5	28.7	30.5	[illegible]	27.8	30.6	28.4	32.8	30.9	33.0	37.0
Germany	11.7	22.8	24.0	23.6	[illegible]	26.7	26.8	31.3	26.3	30.2	30.7	33.9
Greece	[illegible]	10.3	10.1	8.6	7.4	7.3	10.7	5.9	6.0	6.2	[illegible]	7.2
Italy	[illegible]	8.0	7.0	7.2	8.3	7.1	5.1	6.0	6.1	6.3	[illegible]	6.1
Netherlands	17.9	25.0	27.7	26.3	23.6	23.6	11.0	25.6	25.5	34.4	[illegible]	32.5
Portugal and Madeira	12.1	12.5	13.8	12.4	12.5	13.1	13.7	12.8	13.8	14.2	[illegible]	14.7
Roumania	4.9	5.1	3.9	3.9	4.5	4.1	6.7	6.7	7.1	7.2	[illegible]	7.8
Russia	10.2	9.9	10.0	10.3	11.0	11.1	11.0	10.1	11.8	12.6	12.9	14.0
Servia	4.7	8.7	8.8	3.8	4.2	4.3	6.3	4.3	4.8	4.7	5.1	5.3
Spain	8.8	9.2	9.3	11.1	12.4	12.5	4.0	10.9	9.4	8.1	12.3	10.6
Sweden and Norway	21.1	21.9	22.5	24.1	23.7	24.8	45.4	30.1	33.2	40.7	[illegible]	38.2
Switzerland	30.0	32.4	32.9	31.3	31.6	42.3	29.7	44.2	31.5	52.1	[illegible]	60.3
Turkey	6.0	6.4	8.1	9.3	[illegible]	7.2	4.0	7.8	7.2	7.1	7.7	8.0
United Kingdom	73.2	77.8	78.7	80.7	77.4	84.8	79.1	87.5	86.1	93.3	88.4	91.6
Total Europe	19.9	21.9	22.2	22.6	22.0	23.3	24.6	24.3	24.1	25.4	25.7	27.1
United States[a]	51.8	52.8	66.3	63.8	64.4	66.7	63.4	62.5	64.8	61.5	62.6	65.2
Total	24.5	26.4	27.6	28.9	28.0	29.4	31.3	29.6	30.4	30.6	32.0	33.0

a Calendar year.

Production of beet sugar in the principal and other European countries from 1828 to 1900.

[From Jules Belot: Le Sucre de Betterave en France 1891–1900.]

Crop year.	France.	Germany.	Austria-Hungary.	Russia.	Belgium.	Holland.	Other countries.
	Metric tons.	Metric tons.	Metric tons.	Metric tons.	Metric tons.	Metric tons.	Metric tons.
1827–28	2,000	.....	.....	.....	.....	.....	.....
1828–29	4,000	.....	.....	.....	.....	.....	.....
1829–30	5,500	.....	.....	.....	.....	.....	.....
1830–31	7,000	.....	.....	.....	.....	.....	.....
1831–32	9,000	.....	.....	.....	.....	.....	.....
1832–33	12,000	.....	.....	.....	.....	.....	.....
1833–34	20,000	.....	.....	.....	.....	.....	.....
1834–35	30,000	.....	.....	.....	.....	.....	.....
1835–36	40,000	.....	.....	.....	.....	.....	.....
1836–37	35,000	1,[illegible]	.....	.....	.....	.....	.....
1837–38	48,968	7,077	.....	.....	.....	.....	.....
1838–39	38,000	8,157	.....	.....	.....	.....	.....
1839–40	23,000	12,659	.....	.....	.....	.....	.....
1840–41	27,000	14,295	.....	.....	.....	.....	.....
1841–42	31,000	15,740	.....	.....	.....	.....	.....

Production of beet sugar in the principal and other European countries from 1888 to 1900—Continued.

Crop year.	France.	Germany.	Austria-Hungary.	Russia.	Belgium.	Holland.	Other countries.
	Metric tons.	*Metric tons.*	*Metric tons.*	*Metric tons.*	*Metric tons.*	*Metric tons.*	*Metric tons.*
1882-4	[illegible]	[illegible]					
1883-5	[illegible]	[illegible]					
1884-6	36,000	12,000					
1885-7	46,000	15,[illegible]					
1886-8	56,000	20,120					
1887-9	[illegible]	[illegible]					
1888-0	39,000	[illegible]					
1889-1	62,000	42,373					
1890-2	75,000	[illegible]					
1891-3	69,000	[illegible]					
1892-4	75,000	[illegible]					
1893-5	[illegible]	71,000	[illegible]	19,000	12,[illegible]		
1894-6	[illegible]	78,[illegible]	[illegible]	22,000	[illegible]		
1895-7	[illegible]	[illegible]	[illegible]	21,000	11,000		
1896-8	[illegible]	[illegible]	[illegible]	17,000	15,000		
1897-9	[illegible]	[illegible]	[illegible]	15,000	20,000		
1898-0	[illegible]	[illegible]	[illegible]	20,000	22,000		
1899-1	[illegible]	[illegible]	[illegible]	11,000	23,000		
1900-2	[illegible]	[illegible]	[illegible]	22,000	26,000	1,000	
1901-3	[illegible]	[illegible]	[illegible]	30,000	19,000	[illegible]	
1902-4	[illegible]	[illegible]	[illegible]	40,000	22,000	[illegible]	
1903-5	[illegible]	[illegible]	[illegible]	50,000	30,000	[illegible]	1,000
1904-6	[illegible]	[illegible]	[illegible]	70,000	25,000	[illegible]	1,000
1905-7	[illegible]	[illegible]	[illegible]	60,000	24,000	[illegible]	1,000
1906-8	[illegible]	[illegible]	[illegible]	[illegible]	50,000	7,000	1,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	48,000	10,000	1,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12,000	12,000	2,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	46,000	13,000	3,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	40,000	16,000	3,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	84,000	19,000	5,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	80,000	25,000	5,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	52,000	[illegible]	8,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	40,000	[illegible]	7,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	115,000	30,000	7,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	60,000	[illegible]	6,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	62,000	36,000	7,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	93,000	[illegible]	7,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	23,000	8,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	28,000	9,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	9,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	108,000	29,000	12,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	130,000	40,000	15,000
[illegible]	[illegible]	1,[illegible]	[illegible]	[illegible]	115,000	40,000	21,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	25,000	24,000
[illegible]	[illegible]	1,[illegible]	[illegible]	1,[illegible]	[illegible]	37,000	30,000
[illegible]	[illegible]	[illegible]	[illegible]	41,[illegible]	[illegible]	38,000	29,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	36,000	30,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	56,000	37,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	72,000	80,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	37,000	80,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	65,000	90,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	79,000	108,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	157,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	103,000	163,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	145,000	181,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	130,000	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	152,000	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	180,000	275,000

Production of beet sugar (in tons) in Fin[illegible] countries in five-year periods from 1857-62 to 1897-1902.

1857-[illegible]	2,455,653
1862-[illegible]	2,690,583
1867-[illegible]	4,698,358
1872-[illegible]	5,370,000

[illegible]

Sugar crops of the world from 1897 to 1904.

[Estimated by Messrs. Willett & Gray, New York.]

[In gross tons of 2,240 pounds.]

	1894-95.	1895-96.	1896-97.	1897-98.	1898-99.	1899-1900.	1900-1901.	1901-2.	1902-3.	1903-4.
United States:										
Louisiana	317,[illegible]	237,720	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	300,000	[illegible]
[illegible]	[illegible]	50,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	95,000
Exports and [illegible]	[illegible]	201,652	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	355,000	375,000
Cuba [illegible]	1,040,000	240,000	219,500	314,000	345,260	[illegible]	[illegible]	855,000	889,000	1,130,000
British West Indies:										
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	53,430	[illegible]	[illegible]	[illegible]	45,000	[illegible]
[illegible] exports	[illegible]	47,800	[illegible]	[illegible]	45,[illegible]	[illegible]	[illegible]	40,000	30,000	35,000
Jamaica	[illegible]	30,000	30,000	30,000	27,000	27,000	[illegible]	18,[illegible]	18,000	15,000
[illegible] and St. Kitts	20,000	24,000	29,000	25,000	22,000	18,000	25,000	[illegible]	18,000	19,000
French West Indies:										
[illegible] exports	29,000	35,000	35,000	35,000	31,689	30,000	32,000	32,000	32,000	33,000
[illegible]	43,000	45,000	45,000	[illegible]	39,200	[illegible]	[illegible]	35,000	38,000	40,000
Dutch West Indies and [illegible]	7,000	8,000	[illegible]	[illegible]	12,000	[illegible]	10,000	13,000	13,000	15,000
Dutch East Indies	38,000	50,000	[illegible]	[illegible]	50,000	[illegible]	[illegible]	45,000	45,000	45,000
[illegible] not named above	8,000	8,000	[illegible]	[illegible]	8,000	[illegible]	[illegible]	8,000	12,000	13,000
New Zealand	2,000	2,000	2,000	2,000	50,000	[illegible]	[illegible]	95,000	115,000	125,000
Central America:										
[illegible]	[illegible]	[illegible]	8,000	9,000	11,000	12,000	9,000	9,000	10,000	10,000
[illegible]	500	500	3,000	4,000	4,500	5,000	5,000	5,000	5,000	5,000
[illegible]	500	500	500	1,500	3,750	4,000	3,500	3,500	4,000	4,000
[illegible]	[illegible]	[illegible]	200	500	250	1,000	1,500	1,500	4,000	4,000
South America:										
[illegible] (Demerara) exports	95,919	105,000	99,789	106,070	82,000	[illegible]	[illegible]	95,000	121,570	125,000
[illegible] (Surinam) crop	6,000	6,000	6,000	6,000	6,000	[illegible]	[illegible]	6,000	13,000	13,000
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	3,000	3,000	2,000
[illegible] exports	68,000	68,000	[illegible]	105,463	[illegible]	100,331	105,000	105,000	140,000	140,000

Sugar crops of the world from 1895 to 1904.—Continued.

	1894-95.	1895-96.	1896-97.	1897-98.	1898-99.	1899-1900.	1900-1901.	1901-2.	1902-3.	1903-4.
South America—Continued:										
Argentina, crop	90,000	120,000	165,000	110,000	72,000	91,507	114,252	[illegible]	130,000	84,000
[illegible]	275,000	275,000	210,000	195,000	154,[illegible]	192,700	190,000	[illegible]	[illegible]	237,000
Total in America	2,343,467	1,552,[illegible]	1,669,989	1,727,657	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2,854,000
Asia:										
[illegible] exports	50,000	50,000	28,000	20,000	[illegible]	[illegible]	15,000	[illegible]	[illegible]	15,000
Siam, crop (consumption 30,000 tons)	7,000	7,000	7,000	7,000	7,000	7,000	7,000	[illegible]	[illegible]	[illegible]
[illegible]	486,051	[illegible]	498,434	531,201	688,284	721,[illegible]	710,120	765,000	[illegible]	880,000
Japan, consumption 170,000 tons, most-	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Philippine Islands, exports	180,000	240,000	202,000	[illegible]	93,000	62,785	52,000	[illegible]	[illegible]	125,000
China (consumption large, mostly im-	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total in Asia	723,051	[illegible]	735,434	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Australia and Polynesia:										
[illegible]	91,712	75,000	100,774	97,916	164,241	123,289	92,554	117,000	[illegible]	[illegible]
[illegible]	35,000	85,000	81,000	[illegible]	[illegible]	[illegible]	[illegible]	19,000	[illegible]	[illegible]
Fiji Islands, exports	27,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	33,000	[illegible]	[illegible]	[illegible]
Total in Australia and Polynesia	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Africa:										
Egypt, crop	90,000	[illegible]	100,000	80,000	87,000	98,500	[illegible]	95,000	[illegible]	90,000
Mauritius	115,000	145,000	132,677	121,000	[illegible]	[illegible]	175,277	145,000	[illegible]	175,000
Réunion	35,000	44,500	40,082	31,[illegible]	[illegible]	[illegible]	35,000	[illegible]	[illegible]	[illegible]
Total in Africa	240,000	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Europe:										
[illegible] (W. & G.)	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible] (W. & G.)	4,792,539	4,265,429	4,916,586	4,891,774	4,982,101	5,518,048	6,088,994	6,710,000	5,521,829	[illegible]
[illegible] (W. & G.)	20,443	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Grand total cane and beet sugar	8,269,443	[illegible]	[illegible]	[illegible]	8,110,[illegible]	8,455,951	[illegible]	10,710,000	9,821,991	10,988,400

Estimated increase in the world's production, 620,839 tons in 1903-4.

Production of sugar in Cuba and the insular possessions of the United States, 1868 to 1903.

Year.	Cuba.	Porto Rico.	Hawaii.	Philippine Islands.	Year.	Cuba.	Porto Rico.	Hawaii.	Philippine Islands.
	Tons.	[illegible]	*Tons.*	[illegible]		*Tons.*	*Tons.*	*Tons.*	[illegible]
1868	209,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	701,723	50,[illegible]	[illegible]	[illegible]
1869	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	646,[illegible]	[illegible]	[illegible]	[illegible]
1870	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1871	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	218,926
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	147,[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1874	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1875	[illegible]	[illegible]	11,196	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1876	[illegible]	[illegible]	11,040	[illegible]	1894	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	11,418	[illegible]	1895	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	17,157	118,141	1896	[illegible]	[illegible]	[illegible]	[illegible]
1879	[illegible]	[illegible]	21,884	184,089	1897	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	28,[illegible]	181,520	1898	[illegible]	[illegible]	[illegible]	[illegible]
1881	[illegible]	[illegible]	41,570	200,161	1899	[illegible]	[illegible]	[illegible]	[illegible]
1882	[illegible]	[illegible]	50,971	153,247	1900	[illegible]	[illegible]	[illegible]	52,000
[illegible]	[illegible]	[illegible]	50,940	212,738	1901	[illegible]	[illegible]	[illegible]	70,000
1884	[illegible]	[illegible]	63,732	122,926	1902	[illegible]	[illegible]	325,000	100,000
1885	[illegible]	[illegible]	76,495	268,491	1903	1,[illegible]	[illegible]	420,000	[illegible]

Progress of the United States in its material industries, 1880 to 1902.

Year.	Receipts.				
	Total deposits.	Deposits in savings banks.	Total net credit [illegible]	Customs.	Internal revenue.
1880	[illegible]	[illegible]	$10,848,749	$9,080,934	[illegible]
1881	[illegible]	[illegible]	[illegible]	8,583,369	7,401
1882	[illegible]	8,685	[illegible]	15,005,616	100,261
[illegible]	[illegible]	96,485	[illegible]	21,922,391	12,161
[illegible]	[illegible]	78,701	[illegible]	19,489,[illegible]	1,682
[illegible]	[illegible]	231,354	[illegible]	49,682,889	[illegible]
[illegible]	[illegible]	277,189	[illegible]	52,555,000	[illegible]
[illegible]	[illegible]	316,[illegible]	49,846,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	61,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	58,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	55,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	74,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	46,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	52,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	41,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	51,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	112,[illegible]	[illegible]	37,040,[illegible]
[illegible]	[illegible]	[illegible]	263,412,97[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	322,091,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	349,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	402,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	371,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	357,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	266,[illegible]	[illegible]	[illegible]
[illegible]	1,902,067	374,481,[illegible]	290,251,[illegible]	143,098,154	

Progress of the United States in its material industries, 1800 to 1902—Continued.

Year	Receipts. Total deposits.	Depositors in savings banks.	Total net ordinary.a	Customs.	Internal revenue.
1872		1,992,925	$364,694,250	$216,370,287	$130,642,178
1873		[illegible]	[illegible]	[illegible]	113,729,314
1874		[illegible]	[illegible]	[illegible]	102,409,765
1875	[illegible]	2,359,884	[illegible]	[illegible]	110,067,494
1876	[illegible]	2,398,650	[illegible]	[illegible]	116,700,732
1877	[illegible]	2,395,354	[illegible]	[illegible]	118,520,468
1878	1,878,434,270	[illegible]	[illegible]	[illegible]	110,581,025
1879	[illegible]	2,398,[illegible]	[illegible]	[illegible]	133,959,011
1880	[illegible]	2,395,582	[illegible]	[illegible]	[illegible]
1881	[illegible]	2,528,749	[illegible]	[illegible]	[illegible]
1882	2,755,938,053	2,710,354	[illegible]	[illegible]	[illegible]
1883		2,876,428	[illegible]	[illegible]	144,[illegible]
1884		[illegible]	[illegible]	[illegible]	121,586,073
1885		[illegible]	[illegible]	[illegible]	112,498,726
1886		[illegible]	[illegible]	[illegible]	116,305,598
1887	3,255,772,194	[illegible]	[illegible]	[illegible]	118,820,594
1888	[illegible]	3,828,256	[illegible]	[illegible]	124,206,872
1889	[illegible]	4,021,523	[illegible]	[illegible]	130,881,514
1890	[illegible]	4,258,863	[illegible]	[illegible]	142,606,706
1891	[illegible]	4,533,217	[illegible]	[illegible]	145,098,249
1892	[illegible]	4,781,605	[illegible]	[illegible]	153,071,073
1893	[illegible]	[illegible]	[illegible]	[illegible]	161,027,624
1894	[illegible]	[illegible]	[illegible]	[illegible]	147,111,233
1895	[illegible]	[illegible]	[illegible]	[illegible]	143,421,672
1896	[illegible]	[illegible]	[illegible]	[illegible]	146,702,865
1897	[illegible]	[illegible]	[illegible]	[illegible]	146,688,574
1898	[illegible]	[illegible]	[illegible]	[illegible]	170,900,641
1899	6,675,471,743	[illegible]	[illegible]	[illegible]	273,437,162
1900	7,464,719,145	[illegible]	[illegible]	[illegible]	295,327,927
1901	8,559,053,136	6,398,[illegible]	[illegible]	[illegible]	307,180,664
1902	9,315,193,912	6,666,672	562,478,233	254,444,708	271,880,122

Year.	Expenditures. Total net ordinary.b	War.	Navy.	Interest.	Pensions.	Total number of pensioners.	Imports of merchandise. Total.	Per capita.c	Exports of merchandise. Total.	Per capita.d
1860	$7,411,370	$2,560,879	$3,448,716	$3,462,601	$54,131		$91,252,768	$17.19	$70,071,780	$13.35
1861	[illegible]	[illegible]	[illegible]	[illegible]	83,744		[illegible]	11.80	[illegible]	9.22
1862	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	7.71	[illegible]	[illegible]
1863	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	4.87	[illegible]	5.57
1864	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		[illegible]	5.76	[illegible]	7.25
1865	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		178,[illegible]	7.48	[illegible]	8.23
1866	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		216,771,429	8.75	[illegible]	7.87
1867	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]		297,[illegible]	[illegible]	[illegible]	6.73
1868	[illegible]	[illegible]	[illegible]	[illegible]	1,156,106		[illegible]	[illegible]	[illegible]	7.94
1869	[illegible]	[illegible]	[illegible]	[illegible]	1,232,695		[illegible]	[illegible]	[illegible]	8.97
1870	[illegible]	[illegible]	[illegible]	[illegible]	1,477,612		[illegible]	[illegible]	[illegible]	8.03
1871	[illegible]	[illegible]	[illegible]	[illegible]	1,806,291		[illegible]	[illegible]	[illegible]	10.01
1872	[illegible]	[illegible]	[illegible]	[illegible]	1,810,381		[illegible]	12.05	[illegible]	10.16
1873	[illegible]	[illegible]	[illegible]	[illegible]	1,219,768		224,[illegible]654	8.85	[illegible]	9.14
1874	[illegible]	[illegible]	[illegible]	[illegible]	1,222,822		261,383,741	10.83	[illegible]	9.57
1875	[illegible]	[illegible]	[illegible]	[illegible]	1,100,892		235,616,119	11.25	[illegible]	10.61
1876	[illegible]	[illegible]	[illegible]	[illegible]	1,094,691		[illegible]	[illegible]	[illegible]	8.85
1877	[illegible]	[illegible]	[illegible]	[illegible]	852,170	8,159	[illegible]	[illegible]	[illegible]	5.83
1878	[illegible]	[illegible]	[illegible]	[illegible]	1,078,513	14,791	[illegible]	[illegible]	[illegible]	6.11
1879	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	51,145	[illegible]	[illegible]	[illegible]	4.57
1880	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	85,[illegible]	[illegible]	[illegible]	[illegible]	4.[illegible]
1881	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	120,782	[illegible]	[illegible]	[illegible]	9.84
1882	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	7.73
1883	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	761,066	10.44	[illegible]	7.28
1884	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	9.53	[illegible]	7.29
1885	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	10.45	[illegible]	7.29
1886	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	9.77
1887	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	10.83
1888	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	10.56
1889	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12.12
1890	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	13.33
1891	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11.36
1892	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11.63
1893	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	866,104	9.49	[illegible]	12.72
1894	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	635,868	9.21	[illegible]	14.30
1895	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	14.29
1896	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12.51	[illegible]	16.44
1897	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	17.23
1898	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	13.46	[illegible]	13.97
1899	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	14.98
1900	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	13.20
1901	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	365,783	10.80	[illegible]	12.84
1902	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	446,075	11.05	[illegible]	11.60
1903	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	521,[illegible]	11.88	[illegible]	11.98
1904	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	725,[illegible]	12.10	[illegible]	11.49
1905	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11.92
1906	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	13.70
1907	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	13.66
1908	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	15.01
1909	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12.98
1910	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12.85
1911	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11.51
1912	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12.39
1913	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11.02	[illegible]	14.42
1914	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	714,616,049,654	8.05	[illegible]	16.90
1915	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	16.99
1916	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	17.[illegible]
1917	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	18.81
1918	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	17.49
1902	442,032,813	112,272,216	67,803,128	29,108,045	138,488,560	999,446	903,320,948	11.43	1,381,719,401	17.49

a "Net ordinary receipts" include receipts from customs, internal revenue, direct tax, public lands, and "miscellaneous," but do not include receipts from loans, premiums, Treasury notes, or revenues of Post Office Department.

b Net ordinary expenditures include expenditures for War, Navy, Indians, pensions, and "miscellaneous," but do not include payments for interest, premiums, or principal of public debt, or expenditures for postal service.

c Based on total imports prior to 1866, after that on imports for consumption only.

d Based on total exports prior to 1866, after that on domestic exports only.

Mr. TELLER. I have also a statement in relation to the Cuban finances taken from the message of President Palma to the Cuban Congress, November 1, 1902. I ask that that also may be inserted.

The PRESIDENT pro tempore. The statement referred to by the Senator will be printed in the RECORD in the absence of objection.

The paper referred to is as follows:

CUBAN FINANCES.

[Extracts from President T. Estrada Palma's message to the Cuban Congress, November 1, 1902.]

I fulfill with true satisfaction the duty imposed upon me under section 5 of [illegible] the project of the [illegible] year of [illegible]. . . .

[illegible] I have the honor to submit to Congress the endeavor [illegible] with the [illegible] I [illegible] of Santiago [illegible] as well [illegible] so as to [illegible] which reason [illegible] of the [illegible] of revenue and basing upon actual data and [illegible]

[illegible] purpose the expenses have been limited to the [illegible] upon the State in conformity with the laws [illegible] of the [illegible] in what relates to the [illegible]

[illegible] summary of the project is as follows:

REVENUES.

Customs	$14,781,000.00
[illegible]	1,200,000.00
[illegible]	250,000.00
[illegible]	[illegible]
[illegible] (posts and telegraphs)	429,000.00
Properties and funds of the State	310,000.00
Various sources	[illegible]
Total	17,514,000.00

EXPENSES.

Legislature	[illegible]
Executive:	
Presidency	85,700.00
Department of state and justice	[illegible]
Department of government	4,529,968.00
Department of [illegible]	[illegible]
Department of public instruction	[illegible]
[illegible]	[illegible]
Department of agriculture, industry, and commerce	[illegible]
Total	[illegible]
Judiciary	[illegible]
Grand total	14,889,[illegible].72
Surplus	2,614,032.28

[illegible] of the amount of the [illegible] is compared with those of the last three years [illegible]

Year.	Income.	Expenses.	Surplus.	Deficit.
1899 to 1900	[illegible]	$15,[illegible]	$1,094,452.24	
1900 to 1901 a	[illegible]	17,644,[illegible]		$490,095.53
1901 to 1902 b	18,[illegible]	19,514,[illegible]		723,139.06
1903	17,514,000.00	14,889,967.72	2,614,032.28	

a Data from the report of the Secretary of War of the United States of America.

b Data from the report of the general treasurer of the island.

c Estimated.

Mr. TELLER. I have another statement here which I do not desire to put in the RECORD at this time, but I wish to call the attention of the Senate to it. It is a statement made from the Willett & Gray publication of New York. A careful examination of this statement shows that in eight months there was received by independent purchasers of sugar from the world 128,124 tons, and that the refiners of sugar received 1,084,494 tons. I simply want to show that sugar is practically bought and consumed by the refiners. Though bought by the importer, it must ultimately go to the refiner, because there is no other way for the importer to dispose of the sugar. It is barely possible that some small part of that might have been refined sugar and might have been sold on the market.

Mr. DEPEW. Mr. President, I did not intend to participate further in this discussion, but a thought occurred to me in listening to that part of the very able and exhaustive speech of the Senator from Texas [Mr. BAILEY] where he referred to the disasters that would come to this country from the productive power of the island of Cuba.

We have heard in this debate that Cuba might raise citrus fruits and tropical fruits and vegetables to an extent that would seriously interfere with our Southern States, especially Florida, and with California. We have heard also from the Senator from Texas that Cuba might become a factor in the raising of cotton to such an extent as to affect materially the Southern planters who are engaged in the production of cotton.

It has been stated repeatedly here by Senators from many States that Cuba would raise sufficient sugar to swamp the cane-sugar and beet-sugar interests of the United States.

We heard also this afternoon that Cuba has the capacity to support, and will probably support, a sufficient number of cattle to render the raising of cattle by the States and Territories now engaged in that business an unprofitable occupation. If all this be true, then Cuba is the most remarkable country on the face of the globe.

Cuba has 44,000 square miles, and twenty-nine States of the American Union have from a half to three times as many square miles. New York has 47,620 square miles; Pennsylvania has more square miles than Cuba, and so have North Carolina, Georgia, and Florida. All the Northwestern States have one-third to one-half, and two of them twice as many more square miles; and Texas, which is to suffer so severely in her cotton and in her cattle production by what Cuba may do under the stimulus of this tariff, has 262,290 square miles, as against 44,000 square miles for Cuba.

Sir, it seems to me that if all these predictions can be realized, then in the 44,000 square miles of Cuba is to be a production of cotton, of cattle, of sugar, of cereals, and of citrus fruits which will wipe out of existence about 2,000,000 square miles in the United States.

Mr. TELLER. Mr. President, I made the statement the other day that Cuba would produce sugar enough practically to supply the world's consumption. In the official statement of the Government of the United States the amount of sugar raised this year is put down, in the different publications, all the way from 1,130,000 tons to 1,250,000 tons—I do not know which is right—and the statement is that that quantity of sugar is raised on from 400,000 to 450,000 acres. The statement is also made by the Government that there are 5,000,000 acres more of just as good sugar land as the land now being cultivated with sugar. The Government also in this statement, from which the Senator from Texas [Mr. BAILEY] read and which I have not had time to look up because I did not think this question was coming up here again, asserts that Cuba can raise 6,000,000 tons of sugar. There are about 10,000,000 tons raised in the world. So that, Mr. President, I do not think the statement as to the amount of sugar is exaggerated, because if you take the 5,000,000 acres of additional land in Cuba which are adapted to the cultivation of sugar, and estimate the sugar that they would produce in proportion to the quantity produced on the 450,000 acres now used for sugar cultivation, the total amount would almost equal the present world's product.

What the Senator from New York said about cattle is undoubtedly true. Since the war Cuba has bought nearly a million cattle. She did not buy very many of them from the United States; she bought most of them from South America, because the cattle from that country are especially adapted to the Cuban climate and are healthier than the cattle that went from the United States, although, of course, cattle may be imported from the United States into Cuba. Before the war Cuba had something over two and a half million head of cattle, and, as the Senator said, they had a large number of horses also; I do not remember how many. They had raised cattle under very serious embarrassments, because Spain did not intend that they should raise cattle, for cattle could not very well be exported to Spain, and Spain intended to confine the products of Cuba practically to sugar and tobacco.

The Senator speaks about citrus fruits. If anybody will go to Cuba he will find what I found down there. I found the orange growing wild in the woods. In Florida I also found oranges growing wild in the woods, but they are not edible oranges. They are not poisonous, but they are not pleasant to the taste, because they are bitter. But in Cuba oranges grow wild and are sweet. They have not been cultivated in the island for many years because of the same difficulty—the treatment of Spain, and probably because of the high duty imposed by this country on the importation of oranges. Cuban oranges are not as good as the California oranges, which have been cultivated for many years; but I was told in Cuba that by grafting the California orange upon the wild orange they would be able in five years at least to produce a very great number of oranges. It is not out of reason, Mr. President, to say that the reduction of the tariff will stimulate orange growing in Cuba, and I believe that they can compete with California today, with the present tariff, if they choose to do so. I have been in California and have there seen oranges

raised. I went into an orange grove in California where I found gas pipes extending all over the orange orchards, and they were prepared to light the gas whenever frost was likely to come. They frequently lose their groves in California because of frost, but there never has been any frost known in the island of Cuba, so far as I know.

Mr. DEPEW. Mr. President, the point I was making is simply this: It was addressed to the alarming speeches as to what will occur from the productive power of the island of Cuba. Here is a territory which has nearly 4,000 less square miles than the State of New York, and yet the assertion is gravely made by Senators that this territory, which is so much less in area than New York, can impair, if not ruin, the productive industries in four or five great lines of States, each of which is from one to three times as large as the island of Cuba and possesses soil, climate, and every quality necessary to competition in the line of its production. It seems to me to be a reductio ad absurdum.

Mr. LODGE. Mr. President, I observed in the speech of the Senator from Colorado [Mr. TELLER] and I have looked up to see if I was correct about the same remarks he made in regard to Chinese labor in which I think he must have overlooked the facts as they are. The Senator from Colorado said:

As it stands to-day Cuba may import Chinese or Japanese or any other Asiatic service labor that they see fit in any numbers they may wish.

Under the military government of the United States our laws excluding the Chinese were put in force. In fact, were enacted there under that government and have been adopted by the present Government of Cuba. In other words, our laws about the Chinese are in force in the island to-day——

Mr. TELLER. I think differently.

Mr. LODGE. Unless they have been repealed very lately.

Mr. TELLER. I think not. I want to show the Senator that Chinamen are now going into Cuba if I can turn to the matter.

Mr. LODGE. I made some inquiry in regard to it, and I will show the Senator the law in a moment. I have sent for it.

Mr. TELLER. I knew that was the law, but I find the statement here that some Chinamen have gone there this year.

Mr. LODGE. Under our law some Chinamen may come into the United States.

Mr. TELLER. I do not believe that law is in force in Cuba.

Mr. LODGE. Our law was adopted there. The only information I was able to get—and I will say that I might have got it in greater detail, but I have not had the time—was from the Cuban minister, who informed me that the law of Cuba to-day is exactly the same as our law about the exclusion of the Chinese; that it had not been changed in any way, and that no Chinese labor could be imported. That is my authority for making the statement, and I assume that the Cuban minister knew about the action of his own Government.

Mr. TELLER. Mr. President, I can not say as to that, but I find that some Chinamen are coming in. There are some Chinamen there now in large numbers—20,000 of them.

Mr. LODGE. There were Chinamen there before, but the Cuban minister told me that no Chinese labor could be imported, for the Cuban law on that subject is the same as our law.

Mr. TELLER. I want to say that I got this information from a gentleman who came from Cuba during the last month. I may be mistaken.

Mr. LODGE. I have given the Senator my authority.

Mr. TELLER. Mr. President, the Senator from New York [Mr. DEPEW] naturally thinks the State of New York is the greatest state in the Union because it has the greatest population. Having been born, brought up, and educated there, I do not wish to say anything to disparage that claim, but I think the Senator understands the difference between a tropical climate and its production and a temperate climate and its production. A good deal, at least, of the State of New York is not yet cultivated, and probably never will be. The document which I hold in my hand, published by the Government of the United States, and which, I suppose, is not intended to misrepresent the possibilities of Cuba, declares that Cuba is capable of supporting a population of 15,000,000. I do not imagine the Senator from New York will claim that the State of New York can support 15,000,000, for she can not support now the population she has of 7,000,000 and over without the assistance of our Western States in furnishing her with food. She buys a good part of the food we raise in the West—meat, flour, and all sorts of food products.

EXECUTIVE SESSION.

Mr. CULLOM. Mr. President, as the Senator from North Carolina [Mr. SIMMONS] has been spoken of as desiring to speak to-day, I wish to say that I am informed by that Senator that he is not now prepared to speak, and will not be until to-morrow. If there is no other Senator desiring to speak, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and (at 4 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, December 15, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 14, 1903.

RECEIVERS OF PUBLIC MONEYS.

Fred Butler, of Colorado, to be receiver of public moneys at Leadville, Colo., his term having expired April 21, 1903. (Reappointment.)

Daniel J. Foley, of Eureka, Cal., to be receiver of public moneys at Eureka, Cal., vice James F. Thompson, removed.

COLLECTOR OF CUSTOMS.

John A. Thornton, of Louisiana, to be collector of customs for the district of Teche, in the State of Louisiana. (Reappointment.)

POSTMASTERS.

ALASKA.

William B. Sampson to be postmaster at Skagway, Alaska, in place of William B. Sampson. Incumbent's commission expired December 13, 1903.

CONNECTICUT.

Edmund E. Crowe to be postmaster at South Norwalk, in the county of Fairfield and State of Connecticut, in place of Edmund E. Crowe. Incumbent's commission expires December 19, 1903.

George E. Scofield to be postmaster at Greenwich, in the county of Fairfield and State of Connecticut, in place of George E. Scofield. Incumbent's commission expired December 12, 1903.

Rufus F. Seymour to be postmaster at Ridgefield, in the county of Fairfield and State of Connecticut, in place of William C. Barhite. Incumbent's commission expired December 12, 1903.

IDAHO.

George E. Hovey to be postmaster at Burke, in the county of Shoshone and State of Idaho, in place of Arthur C. Cogswell, resigned.

ILLINOIS.

William E. Cummings to be postmaster at Highwood, in the county of Lake and State of Illinois, in place of William E. Cummings. Incumbent's commission expired May 4, 1902.

Thomas S. Green to be postmaster at Gardner, in the county of Grundy and State of Illinois, in place of Thomas S. Green. Incumbent's commission expired December 13, 1903.

William Hawley to be postmaster at Dundee, in the county of Kane and State of Illinois, in place of Chauncey H. Parmely. Incumbent's commission expired December 13, 1903.

David Herriott to be postmaster at Morgan Park, in the county of Cook and State of Illinois, in place of David Herriott. Incumbent's commission expires December 15, 1903.

Horace H. Fassett to be postmaster at Naperville, in the county of Du Page and State of Illinois, in place of Samuel Marker. Incumbent's commission expired December 13, 1903.

Richard R. Puffer to be postmaster at Odell, in the county of Livingston and State of Illinois, in place of Richard R. Puffer. Incumbent's commission expired December 13, 1903.

Harry E. Spear to be postmaster at Paw Paw, in the county of Ogle and State of Illinois, in place of Harry E. Spear. Incumbent's commission expired December 13, 1903.

INDIANA.

John C. Row to be postmaster at Osgood, in the county of Ripley and State of Indiana, in place of John C. Row. Incumbent's commission expired December 13, 1903.

IOWA.

Cornelius C. Platter to be postmaster at Red Oak, in the county of Montgomery and State of Iowa, in place of Cornelius C. Platter. Incumbent's commission expires December 19, 1903.

Charles A. Reynolds to be postmaster at Harlan, in the county of Shelby and State of Iowa, in place of Charles W. Rhinesmith. Incumbent's commission expired December 13, 1903.

Lovett E. Sherwood to be postmaster at Shellrock, in the county of Butler and State of Iowa, in place of Lovett E. Sherwood. Incumbent's commission expires December 19, 1903.

KANSAS.

Joseph S. Stone to be postmaster at Burrton, in the county of Harvey and State of Kansas, in place of Joseph S. Stone. Incumbent's commission expired December 12, 1903.

KENTUCKY.

Thomas Boggess, jr., to be postmaster at Ashland, in the county of Boyd and State of Kentucky, in place of Thomas Boggess, jr. Incumbent's commission expires December 15, 1903.

George W. Hutcheson to be postmaster at Lawrenceburg, in the county of Anderson and State of Kentucky, in place of George W. Hutcheson. Incumbent's commission expires December 15, 1903.

Ethel E. Johnson to be postmaster at Vanceburg, in the county of Lewis and State of Kentucky, in place of Ethel E. Johnson. Incumbent's commission expires December 15, 1903.

Will P. Scott to be postmaster at Dawson Springs, in the county of Hopkins and State of Kentucky. Office became Presidential July 1, 1903.

MICHIGAN.

Charles H. Baird to be postmaster at Holly, in the county of Oakland and State of Michigan, in place of Charles H. Baird. Incumbent's commission expired December 15, 1903.

Charles A. Cline to be postmaster at West Branch, in the county of Ogemaw and State of Michigan, in place of Charles A. Cline. Incumbent's commission expired December 13, 1903.

Archibald K. Dougherty to be postmaster at Fort Recovery, in the county of Ottawa and State of Michigan, in place of Archibald K. Dougherty. Incumbent's commission expires December 19, 1903.

Loren A. Sherman to be postmaster at Port Huron, in the county of St. Clair and State of Michigan, in place of Loren A. Sherman. Incumbent's commission expired December 13, 1903.

Hamilton A. Macklem to be postmaster at Saginaw, in the county of Saginaw and State of Michigan, in place of George Weaver. Incumbent's commission expired December 13, 1903.

William H. Pomeroy to be postmaster at Wayne, in the county of Lorain and State of Michigan, in place of William H. Pomeroy. Incumbent's commission expired December 13, 1903.

Gerrit Van Scheiven to be postmaster at Holland, in the county of Ottawa and State of Michigan, in place of Gerrit Van Schelven. Incumbent's commission expired December 13, 1903.

MINNESOTA.

Charles W. Paige to be postmaster at Dawson, in the county of Lac qui Parle and State of Minnesota, in place of Charles W. Paige. Incumbent's commission expires December 19, 1903.

Newton H. Dankerth to be postmaster at Morris, in the county of Stevens and State of Minnesota, in place of Newton H. Dankerth, resigned.

Charles F. Searle to be postmaster at Milaca, in the county of Millelacs and State of Minnesota, in place of Charles F. Searle. Incumbent's commission expires December 19, 1903.

MISSISSIPPI.

Irene F. Elliott to be postmaster at Okolona, in the county of Chickasaw and State of Mississippi, in place of Irene F. Elliott. Incumbent's commission expired December 13, 1903.

John R. Matthews to be postmaster at Walnut, in the county of Coahoma and State of Mississippi, in place of John R. Matthews. Incumbent's commission expired December 13, 1903.

MISSOURI.

J. W. S. Dillon to be postmaster at Grant City, in the county of Worth and State of Missouri, in place of Jerry F. Okey, resigned.

MONTANA.

Lawrence Hanck to be postmaster at Philipsburg, in the county of Granite and State of Montana, in place of Lawrence Hauck. Incumbent's commission expired December 12, 1903.

NEW HAMPSHIRE.

Lewis W. Davis to be postmaster at East Jaffrey, in the county of Cheshire and State of New Hampshire, in place of Lewis W. Davis. Incumbent's commission expires December 19, 1903.

NEW YORK.

Stephen P. Barker to be postmaster at Richfield Springs, in the county of Otsego and State of New York, in place of Stephen P. Barker. Incumbent's commission expired December 13, 1903.

George T. Eveland to be postmaster at Franklin, in the county of Delaware and State of New York, in place of George T. Eveland. Incumbent's commission expires December 19, 1903.

Alonzo E. Hadley to be postmaster at Springville, in the county of Erie and State of New York, in place of Alonzo E. Hadley. Incumbent's commission expired December 13, 1903.

Charles C. Johnson to be postmaster at Antwerp, in the county of Jefferson and State of New York, in place of Charles C. Johnson. Incumbent's commission expired December 13, 1903.

Elbert E. Makepeace to be postmaster at Alexandria Bay, in the county of Jefferson and State of New York, in place of Elbert E. Makepeace. Incumbent's commission expired December 13, 1903.

Aloysius McArdle to be postmaster at Victorhill (late West Seneca), in the county of Erie and State of New York, in place of Aloysius McArdle. Incumbent's commission expired December 13, 1903.

Lillian I. Pearsall to be postmaster at Sea Cliff, in the county of Nassau and State of New York, in place of Lillian I. Pearsall. Incumbent's commission expires December 19, 1903.

Willard F. Sherwood to be postmaster at Hornellsville, in the county of Steuben and State of New York, in place of Willard F. Sherwood. Incumbent's commission expired December 13, 1903.

Orlando W. Sutton to be postmaster at Bath, in the county of Steuben and State of New York, in place of Orlando W. Sutton. Incumbent's commission expired December 13, 1903.

OHIO.

Chandler W. Carroll to be postmaster at St. Clairsville, in the county of Belmont and State of Ohio, in place of Chandler W. Carroll. Incumbent's commission expired December 13, 1903.

Andrew J. Hamilton to be postmaster at Beaver, in the county of Belmont and State of Ohio, in place of Andrew J. Hamilton. Incumbent's commission expired December 13, 1903.

Robert C. Stewart to be postmaster at Toronto, in the county of Jefferson and State of Ohio, in place of Martin S. Hawkins, jr. Incumbent's commission expired December 13, 1903.

OKLAHOMA.

Elta H. Jayne to be postmaster at Edmond, in the county of Oklahoma and Territory of Oklahoma, in place of Elta H. Jayne. Incumbent's commission expired December 13, 1903.

Thomas J. Palmer to be postmaster at Medford, in the county of Grant and Territory of Oklahoma, in place of Thomas J. Palmer. Incumbent's commission expired December 13, 1903.

SOUTH DAKOTA.

William T. Ellis to be postmaster at Salem, in the county of McCook and State of South Dakota, in place of William T. Ellis. Incumbent's commission expired December 12, 1903.

O. H. La Craft to be postmaster at Clark, in the county of Clark and State of South Dakota, in place of George G. Jennings. Incumbent's commission expires December 19, 1903.

TENNESSEE.

William O. Douglas to be postmaster at Jellico, in the county of Campbell and State of Tennessee, in place of William O. Douglas. Incumbent's commission expires December 15, 1903.

TEXAS.

Henry T. Vaughan to be postmaster at Mart, in the county of McLennan and State of Texas. Office became Presidential October 1, 1903.

VERMONT.

Martha W. Arnold to be postmaster at Bethel, in the county of Windsor and State of Vermont, in place of Martha W. Arnold. Incumbent's commission expires December 19, 1903.

Henry G. Blanchard to be postmaster at Newport, in the county of Orleans and State of Vermont, in place of Henry G. Blanchard. Incumbent's commission expires December 19, 1903.

VIRGINIA.

S. W. Tardy to be postmaster at Buenavista, in the county of Rockbridge and State of Virginia, in place of Joseph W. Waddy, deceased.

WEST VIRGINIA.

William H. Glover to be postmaster at Terra Alta, in the county of Preston and State of West Virginia, in place of William H. Glover. Incumbent's commission expires December 19, 1903.

WISCONSIN.

John F. Gillmore to be postmaster at Durand, in the county of Pepin and State of Wisconsin, in place of John F. Gillmore. Incumbent's commission expires December 19, 1903.

William H. Dobson to be postmaster at Newcastle, in the county of Weston and State of Wyoming, in place of Elmer E. Waite. Incumbent's commission expired December 13, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 14, 1903.

COLLECTOR OF CUSTOMS.

Charles M. Moses, of Maine, to be collector of customs for the district of Portland and Falmouth, in the state of Maine.

POSTMASTERS.

COLORADO.

Henry T. Sutherland to be postmaster at Sterling, in the county of Logan and State of Colorado.

Edward L. Trounstine to be postmaster at Walsenburg, in the county of Huerfano and State of Colorado.

Charles T. Wade to be postmaster at Buena Vista, in the county of Chaffee and State of Colorado.

INDIAN TERRITORY.

Frederick W. Galer to be postmaster at Nowata, in the Cherokee Nation, Indian Territory.

IOWA.

Simon D. Brenning to be postmaster at Ackley, in the county of Hardin and State of Iowa.

Charles F. Le Compte to be postmaster at Corydon, in the county of Wayne and State of Iowa.

Edward Madigan to be postmaster at Clarksville, in the county of Butler and State of Iowa.

Edward A. Snyder to be postmaster at Cedar Falls, in the county of Blackhawk and State of Iowa.

Benjamin C. Wise to be postmaster at Cascade, in the county of Dubuque and State of Iowa.

KANSAS.

Harry C. Achenbach to be postmaster at Clay Center, in the county of Clay and State of Kansas.

Jacob B. Boyer to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas.

Henry W. Conrad to be postmaster at Independence, in the county of Montgomery and State of Kansas.

Robert T. Jellison to be postmaster at Belleville, in the county of Republic and State of Kansas.

A. L. Utterback to be postmaster at Caney, in the county of Montgomery and State of Kansas.

MARYLAND.

M. W. Thomas to be postmaster at Chestertown, in the county of Kent and State of Maryland.

MICHIGAN.

Burton F. Browne to be postmaster at Harbor Beach, in the county of Huron and State of Michigan.

William P. Stiles to be postmaster at Coopersville, in the county of Ottawa and State of Michigan.

MINNESOTA.

Justin Berkin to be postmaster at Morris, in the county of Stevens and State of Minnesota.

Frank Dillingham to be postmaster at Granite Falls, in the county of Yellow Medicine and State of Minnesota.

John Frisch to be postmaster at St. Charles, in the county of Winona and State of Minnesota.

Mons Hange to be postmaster at Benson, in the county of Swift and State of Minnesota.

Ellert Koefed to be postmaster at Glenwood, in the county of Pope and State of Minnesota.

Fred E. Wheeler to be postmaster at Appleton, in the county of Swift and State of Minnesota.

MISSOURI.

Charles Casper to be postmaster at Belton, in the county of Cass and State of Missouri.

William J. Goit to be postmaster at New Haven, in the county of Franklin and State of Missouri.

VERMONT.

Harlow C. Ayer to be postmaster at Richford, in the county of Franklin and State of Vermont.

Henry J. Fisher to be postmaster at Morrisville, in the county of Lamoille and State of Vermont.

Charles E. Hall to be postmaster at Swanton, in the county of Franklin and State of Vermont.

Edward J. Tyler to be postmaster at Enosburg Falls, in the county of Franklin and State of Vermont.

WISCONSIN.

Wilbur H. Bridgman to be postmaster at Stanley, in the county of Chippewa and State of Wisconsin.

Emile C. Duval to be postmaster at West De Pere, in the county of Brown and State of Wisconsin.

August J. Seeman to be postmaster at Boscobel, in the county of Grant and State of Wisconsin.

George W. [illegible] to be postmaster at Fort Atkinson, in the county of Jefferson and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 14, 1903.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Friday last was read and approved.

COMMITTEE ON MILITARY AFFAIRS.

Mr. HULL. Mr. Speaker, I submit the following resolution and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Military Affairs be authorized to sit during the sessions of the House of Representatives.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

HOLIDAY RECESS.

Mr. PAYNE. Mr. Speaker, I offer the following concurrent resolution and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring). That when the two Houses adjourn on Saturday, December 19, they stand adjourned until 12 o'clock meridian January 4, 1904.

The resolution was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

COMMUTATION OF RATIONS FOR MIDSHIPMEN.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Resolved, etc. That the provision under the heading "Supplies and Accounts, Navy," shall not be so construed by the accounting officers of the Treasury as to deprive midshipmen on sea duty of the benefit of commuted rations, as provided by section 1971, Revised Statutes.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. SMITH of Kentucky. Mr. Speaker, reserving the right to object, I should like to hear some statement relative to the matter.

Mr. HEMENWAY. I ask that the Clerk read the letter of the Secretary of the Navy.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

NAVY DEPARTMENT,
Washington, December 9, 1903.

SIR: For many years past annual provision has been made for the payment of all midshipmen [illegible]

[illegible] (32 Stat., 639) [illegible] terms

"For [illegible] commuted rations for officers on sea duty (other than commissioned officers [illegible] swains, [illegible]

In the corresponding provision in the current naval appropriation act, approved March 3, 1903 [illegible]

[illegible] respect thereto on the same footing as the other classes of officers excepted [illegible]

[illegible] the consideration of this subject [illegible] and passed to the chief of the Bureau of Supplies and Accounts.

Very respectfully,

W. H. MOODY, *Secretary.*

Hon. JAMES A. HEMENWAY,
Chairman Committee on Appropriations, House of Representatives.

NAVY DEPARTMENT,
BUREAU OF SUPPLIES AND ACCOUNTS,
Washington, D. C.

SIR: In the [illegible] fiscal year 1904, appropriations [illegible] men and marines, which [illegible] and [illegible] stopped on account of [illegible] which [illegible] fund.

[illegible] above is apparently to deprive [illegible] of the second parenthetical [illegible] raised for [illegible]

[illegible] the Navy shall be entitled to one ration, [illegible] and this has been the uniform ruling since the passage of the act. There would seem to be no doubt that under the section quoted midshipmen will be

entitled each to a ration in kind during the coming fiscal year, whether ashore or at sea, and also that all those not on sea duty will be entitled to commutation therefor, but the question remains with regard to the midshipmen on sea duty. Under the phraseology of the appropriation bill for 1904 are they deprived of the usual commutation for rations?

A [illegible] copy of the bill on file in the State Department has been examined, and the bill as printed (copy inclosed) agrees therewith in regard to the appropriation now under discussion.

It is respectfully suggested to the Comptroller of the Treasury, with request for an early decision on the question herein presented, in order that timely publication to the service at large may be made.

Respectfully,

A. S. KENNY,
Paymaster-General, United States Navy.

The SECRETARY OF THE NAVY.

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, April 20, 1903.

The honorable the SECRETARY OF THE NAVY.

SIR: I have by your reference a letter to you from the Paymaster-General of the Navy of date March 14, 1903, with the accompanying papers, relating to the appropriation "Provisions, Navy," under the heading of "Supplies and Accounts," contained in the act of Congress approved March 3, 1903, making appropriations for the fiscal year 1904. My decision is requested as to whether [illegible] will be available for the payment of commuted rations to midshipmen on sea duty.

The particular provision of said act which gives rise to the question is as follows:

"For provisions and commuted rations for the seamen and marines * * * commuted rations for officers on sea duty (other than commissioned officers of the Marine and Pay Corps, and chief boatswains, chief gunners, chief sailmakers, and chief carpenters, and midshipmen, and commuted rations stopped on account of sick in hospital and credited to the naval hospital fund * * *."

The act of July 1, 1902, making appropriations for the naval service for the fiscal year ending June 30, 1903, and for other purposes (32 Stat., 639), contained the following appropriation under the heading of "Supplies and Accounts":

"For provisions and commuted rations for the seamen and marines * * * commuted rations for officers on sea duty (other than commissioned officers of the Marine and Pay Corps, and chief boatswains, chief gunners, chief sailmakers, chief carpenters, and midshipmen, and commuted rations stopped on account of sick in hospital and credited to the naval hospital fund * * *."

It will be observed that in said act of July 1, 1902, the words "and midshipmen" are outside of and immediately follow the words included in the parenthesis, which in the act of March 3, 1903, the words "and midshipmen" are inclosed in the parenthesis, and the words "chief carpenters" which immediately follow them and the words "chief carpenters" which immediately precede them, and it will be further observed that the act of March 3, 1903, is a later act than the act of July 1, 1902.

I am of opinion that the act of March 3, 1903, is not ambiguous and that the words therein employed expressed the will of Congress and must be permitted to perform their legitimate functions in the ascertainment of that will. Congress expressed by the words used in the above provision of said act, so far as concerned in respect to commuted rations while on sea duty [illegible] is concerned, with commissioned officers of the Marine and Pay Corps, and chief boatswains, chief gunners, chief sailmakers, and chief carpenters.

All papers transmitted by you are herewith returned.

Respectfully,

L. P. MITCHELL,
Assistant Comptroller.

[First indorsement.]

NAVY DEPARTMENT, *April 22, 1903.*

Referred to the Bureau of Supplies and Accounts for its information, in connection with the letter No. [illegible] of the 14th instant, and return.

The Bureau will prepare the estimates for the fiscal year 1904-5 as to give [illegible] in the fiscal year 1903-4, have received, and will, upon the reassembling of Congress, prepare and submit for the consideration of the Department an estimate to be embraced in the urgent deficiency bill, giving them such ration for the fiscal year 1903-4.

MOODY, *Secretary.*
S. C. L.

[Second indorsement.]

BUREAU OF SUPPLIES AND ACCOUNTS, *September 25, 1903.*

1. Respectfully returned to the Department.

2. The Bureau's estimate for "Provisions, Navy," for the fiscal year 1904-5 has been prepared and submitted, as indicated in the first clause of paragraph 2 of the first indorsement. With reference to the current fiscal year, no additional appropriation is necessary, and that is regarded being that Congress [illegible] in the act for the current year. It is therefore suggested that recommendations be made to the proper authorities of Congress [illegible] in the words and figures following, viz: "Provisions, Navy: For all expenses under the appropriation for 'Provisions, Navy,' for the current year, so far as concerned March 3, 1903, shall be construed and held by the accounting officers of the Treasury as not depriving officers of the benefit of commuted rations as provided by section 1971, Revised Statutes."

H. T. B. HARRIS,
Paymaster-General, United States Navy.

NAVY DEPARTMENT,
Washington, October 1, 1903.

SIR: Reference is acknowledged of the Bureau's indorsement (2d, 70416) of the 24th ultimo, in which it is suggested that the failure of midshipmen to receive commutation of rations under the current naval appropriation act may be remedied by a deficiency appropriation, but by the section to the effect that the accounting officers should not, because of the phraseology [illegible] "Provisions, Navy," in said act, whereby midshipmen were [illegible] commutation of rations, so construed and held as to deprive midshipmen on sea duty of the benefit of commuted rations as provided by section 1971 of the Revised Statutes.

The suggestion of the Bureau is approved, and the Department will at the proper time make recommendation to Congress accordingly.

Very respectfully,

H. C. TAYLOR,
Acting Secretary.

The CHIEF OF THE
BUREAU OF SUPPLIES AND ACCOUNTS.

COMMITTEE ON NAVAL AFFAIRS,
HOUSE OF REPRESENTATIVES UNITED STATES,
Washington, D. C., March 9, 1903.

SIR: In the consideration of the naval appropriation act for 1904 I find on page 18 of pamphlet document No. [illegible] the Bureau of Supplies and Accounts, "Provisions, Navy," lines 4 and 5, the word "carpenters," and the word "midshipmen." This parenthesis should be after the word "carpenters," line 6.

If you will examine the estimates you will find the provision submitted by the Department as I have [illegible]

An error was made in printing as I have examined the copy for the printer and find [illegible]

You will observe the effect the language as now printed in the act would have upon the [illegible] of rations, a purpose which I feel was not intended by the [illegible] Congress.

I think [illegible] before the proper officers in the near future so that the [illegible] navy not suffer through an error.

Very respectfully,

FRED. B. WHITNEY.

Rear Admiral A. S. KENNY,
Bureau of Supplies and Accounts,
Navy Department, Washington, D. C.

The SPEAKER. Is there objection?

Mr. MADDOX. Mr. Speaker, what is the proposition?

Mr. HEMENWAY. It is this: By a typographical error which occurred in the naval appropriation bill the mids[illegible] are cut out of commutation money, amounting to about a hundred dollars a year, which was evidently not intended to be done.

Mr. MADDOX. Does this provide for correcting that?

Mr. HEMENWAY. The allowance is authorized by law, and this provision cutting them out of it was a mistake. The boys need their money for Christmas.

Mr. MADDOX. I could not hear a word, there was so much confusion.

Mr. GAINES of Tennessee. I should like to ask the gentleman what the change will be if the so-called error is eliminated? What difference is it with it in and with it out?

Mr. HEMENWAY. The money is provided and has been provided in the past. It is authorized by statute law. Simply by a typographical error they are cut out of it this year, and the reason for now coming in with this provision is because the urgent deficiency bill will not pass before the holidays and these boys will be left without their money for Christmas.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

COMMITTEE ON THE TERRITORIES.

The SPEAKER. The Chair desires to state to the House that the gentleman from Michigan [Mr. HAMILTON], chairman of the Committee on Territories, represents to the Chair that it is desirable that the Delegate from Hawaii be appointed as a member of that committee. Is there objection? The Chair hears none, and the Delegate from Hawaii [Mr. KALANIANOALE] will be appointed as a member of the Committee on Territories.

PENSION APPROPRIATION BILL.

Mr. VAN VOORHIS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6758.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LAWRENCE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6758, being the bill making appropriations for the payment of invalid and other pensions, and the gentleman from Ohio [Mr. VAN VOORHIS] is recognized.

Mr. VAN VOORHIS. Mr. Chairman, I yield thirty minutes to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. Mr. Chairman, the House is in Committee of the Whole considering the annual appropriations for the stipend which our Government gives to those men who sacrificed their limbs and their health in the service of their country that this Union might be preserved. I do not know whether it was this idea that suggested itself the other day to the gentleman from Arkansas, whose mind seemed to become very much agitated at what he termed as the secession of a State belonging to the country of Colombia, but he felt moved in the spirit to criticise the action of the Administration in control of

our Government, and more particularly that branch in control of its foreign affairs, for what he deemed to be a gross violation of propriety, both of comity and international law.

The gentleman in the beginning of his remarks disavowed that he spoke for his party, and said that he spoke but in his individual capacity. I let it pass off for the gentleman, as the ranking representative of the minority on the Committee on Foreign Affairs, to disassociate himself from his party. He is in a position on such questions, and he can not help very well but speak for them. But it is emphasized in the fact that later in his remarks he distinctly said that he wished to acquit himself and his party. I wish to quote him correctly.

Mr. DINSMORE. [illegible] the wrongful act by which he asserted it was done in accordance.

Mr. CHAIRMAN. [illegible] participation as recognized throughout the world [illegible] the relation of one country to world foreign nations is, [illegible] right or wrong. And I submit that an individual or a party who [illegible] to criticise the foreign relations of the country [illegible] stand [illegible] he very little of standing on which grounds on the occasion, and that they are not carrying at the conduct of their country the [illegible] political [illegible].

It is a fine spectacle to be declared that the composition of our Government seems to be such that domestic [illegible] the patriotism in the foreign policy. A nation whose [illegible] with her sister states is [illegible] to be changed or reversed in the course of long years is greatly hampered in her negotiations. There is no long-lived province of perpetuity in her continuous [illegible] other nations have a right to expect and which may make them hesitate in binding themselves perpetually to a compact which the forbearance [illegible] rescind. It is one of the few strong points in the proposed form of government that a foreign policy can be laid down and pursued without fear of interruption or change by domestic political interference. This is now inaugurated in the foreign policy of Russia, where [illegible] and foreign policy with a steady persistence which [illegible] invisible, and I commend it to the minority party of our country. In view of what political complexion it may in the future, that it is the part of wisdom to restrain political criticism and to follow this policy which seems to be the best for our country in its relations with the outside world.

More than that, Mr. Chairman, the gentleman admitted, and his party believes the position, that the construction of the canal across the Isthmus is not only worthy of consummation but must be absolutely necessary to it. Why, the very object, the very purpose that the gentleman and his party believe is about being accomplished in the [illegible] owing to some change in the affairs beyond reasonable hope of the gentleman [illegible] but forsooth, they must criticise the way in which it is accomplished. It strikes me, Mr. Chairman, that it is carrying patriotism far beyond legitimate [illegible] which represents the [illegible] of our country [illegible].

I propose, Mr. Chairman, to [illegible] why this is [illegible] the gentleman [illegible] Surely that is strong language, and when he [illegible] he must [illegible] its use he only [illegible] no doubt [illegible] the management of these affairs [illegible] that the course of our Administration [illegible] Republic.

Mr. Chairman, the gentleman from Arkansas [Mr. DINSMORE] advances two propositions. First, that in order to recognize the new Government in its de facto existence it must absolutely have achieved its independence. On this ground the gentleman from Arkansas is entirely correct.

There can be no question but that the Republic of Panama had actually achieved its independence; no question as to the size of the territory or any question of duration of time comes into the question of international law. Panama had actually occupied the territory with the consent of its citizens. At Panama the Colombian soldiers actually joined with the insurrection in the establishment of the new Republic. And at Colon there were 450 troops, quite a sufficient force to put down any insurrection in Panama, or even to compel the United States to maintain the power of the parent Government, to have shown if they meant to maintain their sovereignty over this portion of the territory, and what did they do? They got on a ship and calmly sailed away.

I will not refer to the methods so common in South American countries, which was a much more potent factor than any alleged act on the part of the United States. But we are informed that the general took away the snug little sum of $8,000, and his troops refused to embark on the ship until he had divided with them. That was the potent factor that took away these troops from Colon, and not any act or influence on the part of the United States Government.

Mr. Chairman, the second proposition of the gentleman was that there must be an undoubted ability on the part of the newly formed Republic to maintain independence. The gentleman will find no such maxim laid down by the writers of international law. He was obliged, in order to find authority for that statement, to go back to the insurrection of the Spanish provinces against their mother country of Spain. He cited somebody's messages and opinions of the statement of that period in control of our country.

Mr. Chairman, the situation at that time was entirely different from what it is now. The Republics of the United States were not then in a position to take a strong action in regard to that matter. It was a great question, which involved all the South American colonies, which had been in rebellion a long time. Spain still contended that she was endeavoring to put down the rebellion and reestablish her authority. Her forces did not march away and resign the territory to the peaceful occupation of the new republic. The situation was entirely different.

The gentleman and his party are not always up-to-date on public questions which come before this Congress or the nation at large for discussion. I have been very much hampered in my investigation of this subject, as I only returned to the city last Saturday and, unfortunately, the libraries of the State Department and the Congressional Library were closed, and I could not get access to the authorities, but in my hurried search this morning I came across two authorities, one of the most recent English authorities on international law, which says:

[illegible] that it may be reasonably expected to be permanent, beyond [illegible] control, however—

That is Twiss, page 89, fourth edition, the latest authority on English international law. I will now quote from one of the most recent authorities, a name that stands preeminent, not only in military science, but also as a writer on constitutional and international law in our country—Major-General Halleck. He says (Vol. I, third edition, p. 84):

A question of policy and [illegible] each State must determine for itself the [illegible] and new governments.

Now, Mr. Chairman, if there ever was an occasion when the question of policy should be brought in it is surely in regard to the recognition of Panama. For centuries the idea has been in the mind of men to build a canal across the Isthmus to connect the great waterways of the Pacific and the Atlantic Ocean. For years our country has been desirous of accomplishing that end. For years the project has been delayed by various obstacles, both physical and international; by the Clayton-Bulwer treaty and other causes which have prevented the consummation of that project. In the meantime the Panama company came in and obtained the right from Colombia to build the canal and undertook to do so, with the [illegible] that we all know.

Now, what has been the policy of our Government in regard to this question? The position stated in his remarks is that our Administration was again in error, because it was not acting in obedience to the law; that this House had passed unanimously a bill for the construction of a Nicaraguan canal and had sent it over to the Senate, where it had been [illegible] so as to provide for a route via Panama. That statement, Mr. Chairman, needs some [illegible]. If the gentleman had been Chairman of the Committee on Interstate and Foreign Commerce [illegible] to Nicaragua [illegible] the Nicaragua route; but the gentleman entirely omitted the fact that the bill was reported, and before the knowledge was [illegible] the distinguished chairman of the committee on the Republican side, the Panama company, that had all along refused to have any part of it, [illegible] and [illegible] the Commission at once changed its opinion and reported to the United States Senate absolutely that physically, economically, from an engineering standpoint, and from almost every other standpoint—the shortness of the hours for passage, the reduced number of locks—that on almost every point the considerations were in favor of the Panama route. And for these reasons the Senate adopted that provision and returned the bill to the House, where it was passed.

Why, Mr. Chairman, some portions of the gentleman's speech sounded almost like an argument in favor of a Nicaraguan canal instead of the Panama route. But the Congress of the United States has determined that the route should be via Panama; and the President was given a reasonable time in order to carry that out.

Now, Mr. Chairman, the gentleman went on further to say that the Colombian Congress having repudiated the treaty the President was at once bound to proceed to construct a canal by the Nicaraguan route.

Mr. DINSMORE. Will the gentleman yield for a question?

Mr. ADAMS of Pennsylvania. Certainly.

Mr. DINSMORE. The gentleman has stated that the President was given "reasonable time" in which to effect an agreement by which the canal should be built across the Panama route. I would like him to state to the House what the President was to do under the law in case of failure, after a "reasonable time," to effect that agreement with the Colombian Government. What, according to the provision of law, was the President required to do in that case?

Mr. ADAMS of Pennsylvania. I state frankly that it was provided that in case of a failure of the negotiations with Panama within a reasonable time the President was to proceed to build a canal by the way of Nicaragua. The very choice of the words, "a reasonable time"—and they were chosen after mature judgment—was for the purpose of putting the President in such a position that if the project of a Panama Canal should fail he should then be obliged to build a canal by way of Nicaragua. To that extent the language used in the law was imperative; the President was to have no option. But it was necessary that the President should exercise the greatest judgment and wisdom, so that when Colombia had rejected the treaty, and when at once a new opportunity arose for carrying out the mandate of Congress, the law should be carried out and the Panama route maintained. Conditions had changed; and I am glad to say the opportunity has so far improved that in the judgment of many, including myself, the President would have been criminally wrong if he had tried to evade the mandate of Congress and not construct this canal by the way of the Panama route.

Why, sir, in the minds of the enthusiasts for this canal the only point of dispute, the only question for serious consideration, was that Colombia professed that under her constitution she could not grant the right of sovereignty to the strip of land over which the canal was to pass. At [illegible] the revolution, owing to the [illegible] by the establishment of this new Republic, by having a new Congress, we had the opportunity hoped for in our original hopes of getting the absolute sovereign control of the land through which the canal is to pass.

Why, Mr. Chairman, throughout the negotiations and through all the [illegible] everybody knows [illegible] the [illegible] are far better and far superior, with the canal passing through this new Republic, with the strip of land entirely under our control, with sovereignty over and with the right to protect and fortify the two ends of the canal, than it would otherwise have been, and that we have gained more than we could possibly hope for.

The next criticism of the gentleman was as to the suddenness of the birth of the Republic of Panama. Mr. Chairman, we all have experiences in life as we go along in the public service, and it so happened that I had one in regard to the birth of a population. Why, sir, the suddenness of the birth of the Republic of Brazil is to be counted by hours as against days which were consumed during the birth of the Republic of Panama. The birth of the Republic of Brazil happened in this way, and I shall refer to the House the incidents as they occurred. One day at about 1 o'clock I saw the Emperor, Dom Pedro, drive in his carriage to the station at Petropolis to go down to Rio Janeiro, for there had been some reports of disturbances there. When we received the afternoon papers had announced the Republic was established, the Government [illegible], the Emperor a prisoner in the royal palace.

Mr. GAINES of Tennessee. Does the gentleman think that we want to follow the example of Brazil or any of those South American countries that we have been taking care of and protecting by virtue of the Monroe doctrine for nearly a century?

Mr. ADAMS of Pennsylvania. Why, we can not follow the example of Brazil——

Mr. GAINES of Tennessee. We can follow the example of Satan or anyone else at any time.

Mr. ADAMS of Pennsylvania. We could not follow the example of Brazil, for Brazil was following the example of the Republic of the United States in throwing off the monarchical form of government and entering into the family of republics of America, thereby wiping out the last vestige of royalty which existed on the Western Hemisphere. [Applause on the Republican side.]

Mr. GAINES of Tennessee. Will the gentleman admit or deny that if we had not assisted them they could have achieved this so-called independence which he talks about?

Mr. ADAMS of Pennsylvania. I would only say to the gentleman——

Mr. GAINES of Tennessee. Just answer the question yes or no.

Mr. ADAMS of Pennsylvania. I will answer the gentleman. I will only say that I did know whether he was in the House at the beginning of my remarks——

Mr. GAINES of Tennessee. Yes, I was.

Mr. ADAMS of Pennsylvania. Then if he had been listening he would have heard that Panama [illegible] body. The recognized forces that were to enforce the sovereignty of the parent country sailed away. They made [illegible] force the power of Colombia over the new Republic. [illegible] in Panama joined the ranks. The soldiers at Colon sailed away and left the territory in undisputed possession of the new Government.

Mr. GAINES of Tennessee. They sailed away after their officers had voluntarily left their ships and taken their [illegible] guns and turned them on these forces which came up, and told them that if they did not leave they would be fired on immediately, and after that these men [illegible] and men for voluntarily leaving their ships and doing what they did. In acknowledgment of that, Colonel Black, of the Navy, at the time the flag was raised, was accorded the honor and high privilege of first raising the flag of the new Republic of Panama.

Mr. ADAMS of Pennsylvania. Mr. Chairman, the gentleman from Tennessee, with his usual patriotism, is paying the highest compliment to the marines of the United States that any body could possibly pay.

Mr. GAINES of Tennessee. Do not lay it to the marines. They were ordered to do what they did.

Mr. ADAMS of Pennsylvania. Mr. Chairman, I decline to yield further.

The CHAIRMAN. The gentleman declines to yield.

Mr. ADAMS of Pennsylvania. The gentleman from Tennessee is very fond of rules as opposed, but he does not make them on Tuesday in my time. As I said, the gentleman is paying the greatest compliment to the United States marines that could possibly be paid. I believe we had at the outset a force of two marines on shore, put there to protect American property; and I hope as long as this country retains a navy that its men will be employed in that righteous occupation. Yet the gentleman proposes to say that the 100 marines with their officers, permitted the Colombian troops, with five brigadiers and three native major-generals, and I don't know how many more officers, informing them that they must leave their country or that they would be forced to do so. Why, the absurdity of the proposition is plain to everyone except the gentleman from Tennessee.

Now, Mr. Chairman, to go back, we were viewing the Emperor of Brazil driving to the station with the purpose of going and possibly by his presence putting down the insurrection. As I said, when we received the evening papers of that day the Republic was actually in existence. That was on the 15th of November. I succeeded in getting a dispatch off to that great statesman, James G. Blaine, recounting the facts that had taken place.

The cable was then closed against foreign communications. On the 17th I sent a dispatch to Mr. Blaine:

The imperial family sailed today. [illegible] de facto with ministry established. The [illegible] recognized. Important as we acknowledge first.

On the 19th as soon as the cable was opened, Mr. Blaine replied:

You may maintain diplomatic relations with the Provisional Government of Brazil.

I would like to call the attention of our Democratic friends in this connection to the reason why I stated that it was important that we recognize first. I felt it proper that the first Republic of our hemisphere should be the first to acknowledge the establishment of the new Republic. I wished to open trade relations with Brazil and get the good will of that country. We did get the good will of that people, and Mr. Blaine negotiated a reciprocity treaty with Brazil with 25 per cent reduction in the tariff in our favor, the like of which we will never get again with that country or with any other South American state. And I would remind gentlemen who in the recent debate have said on that side of the

Chamber that they supported the reciprocity treaty with Cuba because it was one step toward their favorite doctrine of free trade, the moment the Democratic party came into power Grover Cleveland repealed that treaty, and we will never get another one so favorable.

Therefore you can see why it was important to give prompt recognition to the new Government. So our Administration was justified in recognizing this new Republic of Panama, because the great canal for which this country is morally responsible to the world must be constructed. Here was an opening and a chance to do it, and our great, far-seeing Secretary of State, who stands to-day the peer of any man engaged in the diplomatic service of the world, was too clever and too wise, too far-seeing, not to take advantage of the occasion which enabled that little Republic to be the pathway for the construction of this canal, which is to change the commerce of the world, in which we have so great an interest.

The recent recognition of the Republic of Brazil is not the only example of the promptitude of our Government in such events. The provisional government of the new Republic of France was proclaimed on the morning of February 25, 1848, and recognized by Mr Rush, the American minister, on the 28th, three days thereafter, and at the close of the Franco-Prussian war on the proclamation of the Republic by Gambetta on the 4th of September, Mr. Washburne, our minister at Paris, was authorized to recognize the Republic, and did so on September 6, on the second day. So anxious was our Government to recognize the provisional government that these orders were sent on the same day authorizing recognition if the new Government was "in possession and control," thus defining, so far as our country was concerned, the conditions for the legal and proper recognition of a new form of government.

The gentleman from Arkansas attempted to cast the imputation that our Government, in spite of its official denial, was aware of the proposed insurrection in Panama, if not having aided and abetted in its institution, and in proof of that allegation quoted the dispatch of Acting Secretary Loomis, dated November 3, which was as follows:

DEPARTMENT OF STATE,
Washington, November 3, 1903.
(Sent 3.40 p. m.)

Uprising on Isthmus reported. Keep Department promptly and fully informed.

LOOMIS, *Acting.*

As it antedated a cable from our consul at Panama, Mr. Ehrman, as follows:

PANAMA, *November 3, 1903.*
(Received 5.15 p. m.)

No uprising yet. Reported will be in the night. Situation is critical.

EHRMAN.

The former dispatch was sent on receipt of the news brought by a representative of the Associated Press, who came to the State Department and announced an outbreak on the Isthmus of Panama, and anyone reading the dispatch of Mr. Loomis will readily see that it seeks information and does not convey it.

Now, Mr. Chairman, I would like to call the attention of the House to our policy toward Colombia when the treaty with that country was under consideration. Her whole course of conduct in regard to these negotiations has been shameful.

There is no other word to apply to it. When we began to negotiate and protocols were made with Nicaragua and Costa Rica, which we had to do in order to balance them against Colombia, seven millions was the price she asked for a right of way over the Isthmus of Panama. She then "bluffed" us up to $10,000,000, and, with that liberality which characterizes our country, rather than keep the negotiations longer delayed we agreed to give the ten millions. The treaty was negotiated by her authorized agent and our President, confirmed by the Senate, and was sent to the Congress of Colombia for ratification.

Now comes in a very peculiar piece of history in regard to the negotiations for this canal. The Congress began to dicker and say that we should pay fifteen or twenty millions, then they began to look for what the French company and say that they would never ratify the treaty unless the French company paid to Colombia a part of the forty millions the company was to get from us, and they went on quarreling among themselves; but that is no new feature when the Governments of our South American Republics when any money is to be paid. The first thing that is to be settled is as to which of the political parties is to control; and I am credibly informed that the politicians in Colombia were quarreling among themselves as to who was to handle this money; and, while doing so, they allowed the time to slip by until it was too late.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMS of Pennsylvania. I wish the gentleman would yield me further time.

Mr. VAN VOORHIS. I yield the gentleman fifteen minutes more time.

Mr. ADAMS of Pennsylvania. Now, Mr. Chairman, the proceedings in the institution of the Republic of Panama was a common thing in that region. If anyone will take the trouble to look into the various revolutions in the several states composing what was or used to be the Republic of New Granada, he will see a part of it became Venezuela, a part of it became Colombia, and the other part Costa Rica. But gentlemen who examine the history of these countries will see that Panama has been an unwilling member for many years.

The fact is that all of the revenues of the country of Colombia are gathered at the ports of Panama and Colon. The interior of Colombia, except the high grounds around Bogota, produce very little that adds to the wealth of the country. The result has been that all the money so raised in Panama was sent up to Bogota, and there Congress appropriated the money, not principally for the benefit of the Isthmus of Panama, where it was raised. On the contrary, there has been one long complaint in Panama that she did not receive her just proportion of the revenues which were raised in her ports. The supreme moment came when the construction of this canal was proposed. Everyone knows that if you take that canal away from Panama she is ruined. If you go to Nicaragua her revenues cease, her sale of supplies to passengers and traffic will be over, and she will sink down to that state from which she has a right to free herself if she can.

Panama watched with great interest the proceedings on the ratification of the canal treaty at Bogota, and she sent word distinctly and plainly to that Congress what she would do if that treaty was not ratified. It was in pursuance of that resolution of her people and that firm determination that she would not be treated in this way any longer by the central Government at Bogota, that when the treaty failed she rebelled, as she had a right to do, and set up an independent government. It was not so sudden as some of our friends have alleged. It was a long thought-out matter, and the best proof of that is that when the time came the people were ready, and the best proof that it was justified is that all her people, without exception, made the officers who represented the parent Government at Bogota join in the revolution, and only turned out the representatives of the parent Government who held the offices at Panama and Colon.

Now, Mr. Chairman, I have gone over most of the ground. I have not been able to cite as many authorities as I would like for two reasons. Yesterday the libraries were closed, and I only returned to the city on Saturday afternoon. In conclusion, I wish to say that it is a dangerous thing to criticise any Republican Administration. Our party represents the spirit and progress and the advance of this Republic which, under its guidance, has been great throughout the past year. The gentlemen who represent the party on the other side of the Chamber seem to take great delight in obstruction. As I said in the opening part of my remarks, they can not even allow things to go through that they want themselves. They must say, "Oh, but you didn't do it in the right way."

But, Mr. Chairman, we have done it in the right way, under the guidance of a President who will take care of this country, who has guided it in the right way; and we have done it under the guidance of a Secretary of State who, as the gentleman from Arkansas [Mr. DINSMORE] said, learned his lesson at the feet of Lincoln, and who, with his great ability, has arisen from the office of private secretary of the President to be the secretary of the nation. [Applause.] So long as he is at the helm we need not meddle and try to find fault. He will guide us, as he has done, against all the ablest diplomats in Europe. [Applause on the Republican side.] He stands that high that not a power in Europe will take a step on any question that involves the whole relations of the world without first asking the opinion and advice and what will be the action of the Secretary of State.

Mr. Chairman, the Republican party will be maintained in power, and it will go on and construct this great waterway, and there will be no act in the Administration of Theodore Roosevelt that will cause in the future greater gratitude and greater renown to himself and his party than seizing this legitimate opportunity, within the strict limits of international law, to construct this great waterway that is going to unite the vast oceans whose trade will bear the products of the American people to the doors in the East, and will enable us to go on in that period of prosperity which has been instituted in recent years by the laws enacted by the Republican party. [Applause on the Republican side.] And, unless I am mistaken, Mr. Chairman, judging from the intelligence and patriotism of the American people, this prosperity of our country will be allowed to continue under the able leaders for future ages to come. [Applause on the Republican side.]

Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD and leave to print a speech made by President Roosevelt on the proper attitude of our Government in international affairs.

There was no objection.

REMARKS OF PRESIDENT ROOSEVELT AT ROCHELLE, ILL., JUNE 3, 1903.

MY FRIENDS AND FELLOW CITIZENS, MEN, WOMEN, AND CHILDREN OF ROCHELLE. It is a real pleasure to be here to-day. I must say first, as ever, a word of special greeting to the veterans of the great war who have turned out to see the third a word of greeting to the children. As you know, I believe in children, and as I like your stock and want to see it kept up, I want to say that I am pleased to see that the children seem all right in quality and in quantity. To them I have one word to say: I believe in play and I believe in work. Play hard while you play, and when you work don't play at all. [Applause.] That is being good and fine for the others now.

It is always a fortunate thing when one is able to illustrate a doctrine by example. Now, I am not in the habit of saying what I intend to do on the strength of the stump, so you can see my words of fine value when I congratulate the people in this district in having in public life the kind of public servant that Congressman HITT. [Applause.] Congressman HITT has served for two Congresses. By his presence the tone of all public service in the Congress of the nation is raised; but it is not the mere fact of being a member of Congress, but it is the fact that he has taken the position of the head of the Foreign Affairs Committee of the House. That kind of service counts for the nation; but it also counts for the district, and it is a matter very dear to my heart, as it should be to the district, that the Navy had that man at its head in Congress. I hope that the Navy had that a man at its head in Congress, for we need a fine United States force to get him quite the recognition to that he is entitled to in that particular position which is so fundamental to the welfare of the United States. I want to thank you and congratulate you, the people of this district, for having had a so valuable public servant, a man who has made your interests Mr. HITT in Congress. You have set a good example in sending him back to represent you in Congress.

The point of view our forefathers saw forming a State was that we ought to get just about as good a class to serve in public life. The man who knows how, who knows, who intends, who believes, is always a disinterested and usually a worthless member of a community; and if, in addition to knowing and intending, when he believes he takes to make good, he becomes what we contemplate. The man we like to see as a public servant is the man who is something of a boy, who is proud, but who feels his own, who is not going to permit any of his neighbors to get ahead of him, who is not going to permit any of his neighbors to get ahead of his country, who is not going to permit any of his neighbors to get ahead of his State, who is not going to see that they do not wrong him. That is just the attitude that I wish always to see taken by Americans in international affairs. It is a poor thing to talk bombastically and insolently of other nations. It does not do any good. It does harm. It is a poor thing, above all, to take a position from which we may have to recede. Let us make sure of our rights, but let us, if we have rights, never boast of them, but when we have them we should see that a proper respect is commanded by the interests and honor of the United States, say what we have to say in plain and simple words and back it up by deeds. [Applause.] I don't think that is anything good in common sense. [Cries of "That's good."] I want to see our foreign policy guided by common sense. I want the United States Navy built up and kept up. I think that foreign powers are disposed to deal fairly with us and to mean well by us, but I think it helps to think that we have a good navy. [Applause.]

The man that is able to hold his own is a good neighbor, is able to hold his own in a good neighborly way and carry a big stick, you will go far. The United States Navy is our big stick, and it helps to make each one of us to see to it that there is no slip in the business and that keeping in the shape of that Navy. I am not speaking 5-r a navy for purposes of war; I am speaking for the Navy for the purpose of keeping the peace. The Navy is the surest guaranty against war. It is the best guarantee of peace and honor we have. If we have a thoroughly good navy there is a fair chance that we shall not in our day be engaged in war, and there has been war we had reason to be proud of the conduct of its leading officers and men, and we raised the flag to new lustre and added such glory upon our fathers in the days of the civil war. [Cheers and applause.]

Mr. SMITH of Kentucky. Mr. Chairman, I now yield one hour to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, I wish to invoke the attention of this Committee of the Whole House on the state of the Union while I discuss a means of relief I have proposed for the tobacco growers of the United States, to do which in the last Congress, March 22, 1902, I introduced a measure entitled "A bill for the relief of tobacco growers," H. R. 12909, but no action was taken thereon. In view of the fact that the evils that I undertook to remedy by this measure are still in existence, oppressing our tobacco growers, at the extra session of this Congress I introduced, November 19, 1903, the first and second sections of my former bill, hoping that by undertaking to cure a portion of these evils we may succeed during the present session of Congress in securing some remedial legislation "for the relief of tobacco growers."

The first section of my bill proposes to give "any person" the right of free, or unrestricted, trade in leaf tobacco; that is, trade in leaf tobacco without license or tax. As the law now is, as I shall show, the grower of tobacco can dispose of his tobacco in the leaf of his own growth, and no other, without tax or license; but the purchaser of such tobacco must pay a tax as a dealer or manufacturer.

This places the grower of tobacco at the mercy of his customer, who usually is a manufacturer, notably the tobacco trust, or his representative, or the exporter who is also in the tobacco trust, directly or indirectly.

The man to whom he sells the leaf tobacco, let that man be whom he may, whether an exporter or manufacturer of snuff, or tobacco, or cigarettes, or any other thing that we make out of tobacco, must pay a tax of 6 cents per pound or more.

The second section of this bill provides that the tobacco grower shall have a right without tax to stem or twist his tobacco. As the law now is the tobacco grower has not the right to stem or twist his tobacco, except for his own personal use, without paying 6 cents per pound. He can not even stem and twist it and give it away to his neighbors or to anybody else unless he pays this tax. He can only grow his tobacco and stem or twist it for his own private use without being taxed. If he does stem or twist or change the "natural condition" of the tobacco, except merely to cure it, he becomes a manufacturer and is at once subjected to all its onerous conditions.

Now, Mr. Chairman, in order that the committee may hear literally the measure which I have introduced to cure these evils I ask the Clerk to read the bill I introduced November 19, 1903.

The Clerk read as follows:

A bill (H. R. 4482) for the relief of tobacco growers.

Be it enacted, etc., That it shall be lawful for any person to buy and sell tobacco unstemmed and in the leaf without license or the payment of any tax of any kind.

SEC. 2. That it shall be lawful for any grower of tobacco to sell his own product, or to deliver to another person who is a grower of tobacco, or himself to be by such person carried to market and sold for the benefit of the grower any tobacco grown by such grower in the leaf or in the leaf, or stemmed, or stemmed and lated twisted, or stemmed and lated pressed, or lated twisted, or lated pressed, without license and without the payment of any tax of any kind: *Provided*, That such grower shall furnish to the person to whom he sends it to market or others to take a written authorization for that particular transaction, specifying the number of pounds.

Mr. GAINES of Tennessee. The purpose of the proviso at the end of this bill is simply to protect the producer of tobacco against its being stolen and sold. It is a police regulation to protect the farmer and, being self-operative, I think will greatly aid him in this way.

Mr. Chairman, there was considerable doubt amongst some Members of the last Congress with whom I discussed this bill as to what the law is as to this tax. Some who should have known better contended that this oppressive law had been repealed, which I denied not only in the House, in private conversation, but in my canvass for renomination for Congress. In view of this and the enormity of the evil in question, I concluded to address a letter on the subject to the Commissioner of Internal Revenue, Mr. Yerkes, asking him, categorically, certain questions, which that distinguished official promptly answered, clearly showing that my contention of the law was correct.

Omitting his argument, for the sake of brevity, I will read that portion of his letter containing my questions substantially and his answers thereto, as follows:

MR. YERKES'S LETTER.

WASHINGTON, *March 19, 1903.*

Hon. JOHN W. GAINES,
Member of Congress, House of Representatives,

SIR: I have [illegible] your letters, dated 7th and 9th instant, respectively, presenting the following questions:

1. You ask, first, if the Fifty-seventh Congress relieved tobacco growers of tax on tobacco raised by them; and if so, under what statute and [illegible]?

2. Does the law tax—and if so, how much—tobacco growers when they stem or twist their tobacco for their own use or for [illegible]?

3. Can tobacco growers stem or twist their tobacco for their own personal use without paying a tax?

4. Can tobacco growers stem or twist their tobacco for the purpose of giving it away without paying a tax?

5. You ask for the departmental or judicial definition of the term "dealer in tobacco."

6. You ask for the definition of the term "manufacturer of tobacco."

7. You ask whether a tobacco grower who stems or twists his tobacco grown on his own farm or purchased from a tobacco grower is a manufacturer, or, in other words, whether stemming or twisting tobacco is manufacturing.

Mr. Yerkes replies to these questions as follows:

From the foregoing premises, I [Mr. Yerkes] am constrained to answer your questions [illegible]:

1. That Congress has power to impose a tax on natural leaf tobacco in the hands of farmers, but only upon leaf tobacco which they may have sold [illegible].

2. Under the present law a tax of 6 cents per pound is imposed upon all tobacco manufactured or treated by a process not included in [illegible] natural [illegible].

3. A farmer may stem or twist his own tobacco [illegible] without incurring liability to tax on such tobacco.

4. Stemming or twisting tobacco is regarded as manufacturing, and a grower or producer who so treats his tobacco for sale or for the purpose of giving it away is liable to payment of tax. It is believed change in this regard should be made, but [illegible] as it now stands [illegible] provisions [illegible] sell or offer for sale manufactured [illegible] in tobacco."

5. My answer to question [illegible] is defined in the first and second paragraphs of section [illegible] of Act of August 28, 1894, amending Revised Statutes, [illegible]:

"[illegible] manufacturer of snuff for [illegible] or any person who shall make for sale or barter any quantity of snuff or tobacco, or shall make cigars, cigarettes, or cigarettes, or any other product of tobacco, or who shall make for sale or barter any quantity of leaf tobacco, tobacco stems, scraps, or clippings, or who shall make any other product which shall be regarded as a manufacturer of tobacco."

[illegible] second paragraph of that section provides that—

"[illegible] whose business is to buy leaf tobacco [illegible] or [illegible] with the approval of the Secretary of the Treasury shall [illegible] with [illegible] of tobacco who sell leaf tobacco of their own growth and raising shall not be regarded as manufacturers of tobacco, and

so much of section 3244 of the Revised Statutes of the United States, and acts amendatory thereof, as [illegible] are hereby repealed."

Commenting on these sections the Commissioner says:

In the first paragraph every person is regarded as a manufacturer of tobacco who in any manner prepares his leaf tobacco for consumption by crushing, [illegible] grinding, or otherwise changing the tobacco from its natural condition.

In the second paragraph every person is regarded as a manufacturer of tobacco [illegible] who delivers his leaf tobacco in its natural condition to consumers, or to persons other than manufacturers, in bulk [illegible] manufacturers of tobacco or cigars, or [illegible] and all leaf tobacco [illegible] to be regarded as a manufacturer of tobacco [illegible] their own growth and raising.

By even "changing the tobacco from its natural condition" (except by "curing" it in the usual way) the producer becomes a "manufacturer" and liable for a tax as a manufacturer.

Mr. Chairman, the first tax on cigars, chewing and smoking tobacco was levied in July, 1862, on cigarettes in 1864, and on cigars, manufacturers and producers in 1866. You will all remember, particularly some of you gentlemen who are a little more grizzled than I, that this internal revenue tax was imposed as a war tax.

Possibly the distinguished gentleman [Mr. HILL of Connecticut] now occupying the chair is particularly familiar with these enactments. It will be remembered that Congress passed or undertook to pass in 1861 or 1862 a tax on both cotton and tobacco for the purpose of providing means for crushing the Confederate States. Out of that spirit of legislation, out of the desire, as it were, to crush the Confederates and the civil war of forty years ago, this tax was first levied on tobacco, and that tax, gentlemen, has remained upon the statute books in different forms down to the present hour of this year of our Lord 1903.

We allow any person to shell his corn and sack it and take it to town and sell it, as I have done. We allow a man to gin his cotton and separate the seed from the cotton, take the cotton to town and sell it—seed and all. But we do not tax the man who shells or sacks his corn. We do not tax the cotton grower who gins and sells his cotton.

Why, in the name of heaven, is the tobacco man, the tobacco grower, required to pay the last dollar of tax of 6 cents for stemming and twisting his tobacco to sell or give away, when 30-day [illegible] that same tobacco is selling in the leaf at 4 and 5 cents a pound?

Hence it is that the farmers in Tennessee and [illegible] Virginia, North Carolina, Missouri, and Ohio and the farmers of Connecticut, Pennsylvania and New York, and throughout the United States, are crying out against such an unnecessary and oppressive law—a war tax in time of peace, if you please.

It is not simply a tax or a burden, but it has gotten to the point where the farmer must raise a [illegible] cent in his tobacco patch, because he can not raise it [illegible] and sell it in the leaf or twist it and pay 6 cents tax on it and make a dollar. There is this much about the tobacco soil, and my handsome, able, and eloquent friend from Kentucky [Mr. STANLEY], who does me the honor to listen to me now, who knows [illegible] the tobacco soil than I can convince me if I am in error in this. That is the farmer can not raise another crop [illegible] on tobacco [illegible] [Mr. STANLEY assented.]

The gentleman from Kentucky [Mr. STANLEY] is doubtless versed in tobacco and tobacco culture [illegible] with all the pests the tobacco farmer encounters [illegible] has enough to kill the worms and other pests [illegible] looking after it, but he can not raise a crop [illegible] has to pay a tax of 6 cents a pound [illegible] tobacco for actually exempt himself, when his tobacco is selling and was selling the other day in Louisville and in Cincinnati, a tobacco market in my own district, at 4 and 5 cents a pound.

Mr. Chairman, here is a [illegible] power which we have to take our tax money out of the overflowing Treasury and place it in the hands of the country in order that it may be put in circulation and prevent panics. We have an obsolete or [illegible] war tax—not simply a tax levied for revenue—but a war tax [illegible] forty years after the law was first enacted and the [illegible] war ended!

The Secretary of the Treasury in his able report, makes a most remarkable statement, which I do not undertake for a moment to dispute. He says that notwithstanding the fact that we repealed in 1898 what is known as the "Spanish war tax," for the purpose of reducing the internal taxation, nevertheless, last year, [illegible] the internal revenue amounted to [illegible] millions more than it did in 1898, before we repealed the Spanish-war tax. Here is his language:

The total receipts for the fiscal year which ended June 30, 1898, were $170,866,919 [illegible] the fiscal year ending June 30, 1902, [illegible]

I will read all Secretary SHAW says on the subject, at page 29 of his last report:

INTERNAL REVENUE.

The collections in the Internal Revenue Bureau have been variable during the past five years because of the passage of Spanish war revenue taxing laws, which for three years increased the collections by $100,000,000 per year. Congress, by act approved March 2, 1901, reduced materially the receipts of the Bureau by a partial repeal of these laws, and by act approved April 12, 1902, the Spanish war taxes were totally repealed.

During the past fiscal year, therefore, the objects and rates of internal-revenue taxation have been practically the same as those existing prior to the act of July, 1898. By reason largely of general business conditions, the income of the Government from internal revenue receipts is much larger than prior to the Spanish war. The total receipts for the fiscal year which ended June 30, 1902, were [illegible] The receipts for the past fiscal year were $[illegible] in round [illegible] The following summarized statements show the operations of the Bureau during the year:

Receipts from internal revenue, as shown by collectors' reports, in 1902 and 1903.

Objects of taxation.	Fiscal year ended June 30— 1902.	1903.	Increase.	Decrease.
Distilled spirits	[illegible]	[illegible]	$10,815,459.26	
Manufactures of tobacco	[illegible]	[illegible]		$8,423,144.95
Fermented liquors	[illegible]	[illegible]		[illegible]
Oleomargarine	2,244,[illegible]	[illegible]		[illegible]
Opium [illegible]	[illegible]	[illegible]	6,421.20	
Playing cards	2,212.85	1,795.[illegible]		417.85
Adulterated [illegible]	[illegible]	[illegible]	[illegible]	
Special taxes	[illegible]	[illegible]	[illegible]	
Miscellaneous	[illegible]	[illegible]		[illegible]
Total	[illegible]	[illegible]	[illegible]	[illegible]

a Advance collections under act of May 9, 1902.

b Including special taxes, legacies, Schedules A and B, excise tax, etc., repealed [illegible] 1902, [illegible] 90 from legacies on which the tax had accrued prior to the repeal [illegible]

With "practically the same objects and rates of internal taxation" in [illegible] ing in from internal taxation than we had when we [illegible] war tax upon our statute books in 1898. Now [illegible] to reduce taxation [illegible] and thus confer a substantial [illegible]

[illegible] Dingley tariff of 1897 would [illegible]

I will grant you, Mr. [illegible] ture" means something done with the [illegible] and faceo, to make—I believe [illegible] Is that not [illegible] ion very large [illegible] who is now a [illegible] I turn around, [illegible] I am a manufacturer under this [illegible] law.

Mr. BOUTELL. I would say to my genial friend from Tennessee that I think it is [illegible] like to ask me [illegible] ter of [illegible] tax [illegible] and [illegible]

Mr. GAINES of Tennessee. No; I disagree with my friend on that. It is not an honorable and upright industry to engage in making and [illegible] "oleo" as "oleo" is honestly [illegible]

Mr. BOUTELL. I should like to ask my genial friend from [illegible]

Mr. GAINES of Tennessee. Let me tell the gentleman why I voted for a [illegible] "oleo." Because this tax was to be levied and the [illegible] only upon the fraudulent [illegible] of "oleo." If it is sold as "oleo" no tax attaches or liability is incurred. When I go to a store and ask for butter I mean cow butter, and the grocer knows I do, and if he sells me "oleo" he not only misleads his neighbor and friend, but he practically lies to him and perpetrates a fraud, as well. [Applause.]

Hence, as I contend, this 10-cent tax or liability is a tax on vice, not virtue. It is not a tax on a natural right. It was the best we could do to protect the honest farmer [illegible] manufacture and sale of cow butter. This fraud could have been prohibited otherwise, and I would have freely and without any

reluctance whatever supported that law. As it was I voted for a makeshift. If the "oleo" manufacturer or vender perpetrates this fraud, he ought to pay the penalty for that sin against his neighbor whom he is in duty bound to love as himself.

Mr. BOUTELL. And yet——

Mr. GAINES of Tennessee. I have always tried to oppose fraud and wrongs in Congress and elsewhere, and I hope my friend will give me the credit to believe that I acted conscientiously in thus acting in behalf of the honest farmer as against the fraudulent manufacturer or vender.

Mr. BOUTELL. And yet my friend from Tennessee—whose opinion about the oleomargarine industry is entirely contrary to my opinion of it—had to go outside and away beyond any precedent ever established by the Democratic party in the matter of Federal taxation in order to enforce a police power within the limits of a sovereign State, and I think the sooner that law, and the principle which that law presents, is wiped off our statute books the sooner we will return to the grand old principles of Andrew Jackson, of Tennessee.

Mr. GAINES of Tennessee. Andrew Jackson, of everywhere, if you will permit me.

Mr. BOUTELL. Just one moment, as my friend has brought me into this discussion.

Mr. GAINES of Tennessee. I yield with pleasure. I am always glad to have something good in my speech, and I get it from the gentleman, my friend.

Mr. BOUTELL. Why not also favor the repeal of the present high tax on distilled spirits and give some free alcohol in the arts?

Mr. GAINES of Tennessee. But would it aid the arts to tax corn? My friend from Illinois has reminded me of a strong point, just as I expected he would do, in favor of my bill, which is this: When I went to the Department the other day to find out about how much this bill, if law, would reduce the revenues to the Government, this argument was used: "Why don't you take the tax off of whisky? Why don't you take it off this, that, and the other?" "Well," I said, "I will tell you why. That is not exactly a parallel case. You take corn that is incapable of doing any harm to anybody on earth, unless you give a horse too much of it or [illegible] bread—and I ate that until I came to Congress and I am very sorry that I do not get a chance to eat it now three times a day. Then the corn is changed from corn into whisk[illegible] from corn. That is manufacturing, pure [illegible] But when the farmer stems or twists his tobacco [illegible] and not manufactured tobacco. It is still [illegible] tobacco. Here is the difference between the two propositions.

Now, Mr. [illegible] Congress has gone along and said stemming and twisting [illegible] Congress says other things [illegible] on Sunday, and we are [illegible] constitutional right to do so, yet we [illegible] the legislation [illegible] Congress [illegible] ct a thing we had in fact and law done on Sunday, [illegible] it appears that it was not done in fact or law on Sunday, [illegible] had. So we go along and do [illegible] We try sometimes to call a [illegible] in other words [illegible] a long story short.

Now, gentlemen, I [illegible] your candor and your fair-minded[illegible] manufacture when he [illegible] day in the barn when neither he nor his hands can work outdoors? He either goes into the barn and shells corn and sends somebody to mill or he goes in there and stems tobacco and [illegible] them away or fertilizes his ground with them. Is this manufacturing?

Now [illegible] they almost use the long [illegible] of the Supreme Court of the United States [illegible] in 5 Cranch, page 284, in a case decided by Chief Justice Marshall of the United States v. Potts and others, in 1809. The [illegible] in the case said:

[illegible]

It was [illegible] edges" as [illegible] In this [illegible] was [illegible] used. But Chief Justice Marshall repudiated this contention. He said:

The opinion of this court is that copper plates that stand up at the edge are [illegible] producers it would therefore be necessary to contract [illegible]

Stemming or twisting does not "produce." We "produce" when we make a cigar, snuff, or plug tobacco. There is no "skill," but there is labor employed in stemming or twisting tobacco; but it is still tobacco—raw tobacco.

In the case just cited the court said:

Webster defines manufactures to be "anything made from raw materials by the hand, by machinery, or by art; as cloths, iron utensils, shoes, machinery, saddlery, etc." (149 N. Y., 370.)

Each of these articles is a new product, not raw material. "Shoes" are not hides. "Cloths" are not cotton or wool. "Saddlery" is made of raw hides and raw iron by skill and labor. The court in this case held that "mixing teas, roasting, mixing, and grinding coffee is not manufacturing." The tea was bought in "its original state and the coffee in the raw bean."

The court said:

No new article is produced, as it is still coffee and tea that is placed upon the market.

The court cited and followed the leading cases: Frazee v. Maffit, 29 Blatch., Cir. Ct. Rep., 267; Hartranft v. Wiegeman, 121 U. S., 609; People v. Knickerbocker Ice Company, 99 N. Y., 181.

In the Hartranft case the court cites and approves the 5 Cranch case, the Frazee case, and other cases.

In the Hartranft case the court held as "unmanufactured" shells that had been cleaned by acid and are intended to be sold as shells. They are still shells. The court held—

We grave[illegible] that the shells in question have not [illegible] shapes of shells [illegible] 25 per cent upon such manufactures, but we [illegible]

They were still shells. They have not been manufactured into a new and different article, having a distinctive name, character, or use from that of a shell.

The application of labor to an article, either by hand or by mechanism, [illegible] that it [illegible] a particular dried article, within the [illegible] tax laws.

[illegible] resulting wool [illegible] (In re Blatch, supra); a publisher [illegible] (In re Capital Publishing Co., 3 Mc[illegible]

[illegible] blocks for convenient transportation is not manufactured. (121 U. S., supra.)

But Congress can prohibit any person a manufacturer, regardless of what that person does. If Congress so chooses, it can [illegible]

The supreme court of the State of Massachusetts has declared that mowing grass is not manufacturing, and that ice harvesting is not manufacturing. The grass is still grass, and the ice is still ice. (106 Mass., 131; 135 Mass., 162; Hibbinger v. Westford.)

It used to be, as I remember when I was a boy at my native home, 12 miles from Nashville, that I could go down to my old neighbor whose spirit long since took its everlasting flight, and there in his barn I could see long strands of twisted tobacco; all this he would sell. Then I have seen him cut it for smoking purposes, which he would put in boxes and give away to his [illegible] as a Christmas gift, and so on.

Now, the farmer of to-day is not allowed to do that. Everything of that kind is done away with. That business is really [illegible] of the tobacco trust by the law. The tobacco trust [illegible] has the control of everything. But the farmer comes in for the pleasure of [illegible] so save that he consumes himself. Like for [illegible] year, there were about 4,340,816 pounds of tobacco left in the hands of the farmers and their neighbors, according to the census report, out of 868,163,275 [illegible] of it. The [illegible] tobacco" and exported. This is shown by the following letter:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF CENSUS,
WASHINGTON, D. C., [illegible]

DEAR SIR: Replying to your verbal inquiry [illegible] Supreme Court of the United States [illegible] in 5 Cranch, page 284, in a case decided by Chief Justice Marshall of the United States v. Potts and others, in 1809. The [illegible] in the case said:

[illegible]

The amount manufactured and exported [illegible] 868,163,341

	Pounds.
The loss by sweating between the farm and the factory or export dock	a 165,704,565
The loss by stemming	b [illegible]
The loss by fire	c 4,340,816

a Loss of 20 per cent. b Loss of 3½ per cent. c Loss of one-half of 1 per cent.

Combining these four totals, the amount manufactured and exported, the weight lost by sweating, the loss by stemming, and the loss by fire, produces a total of 833,249,457, which, subtracted from the total product, 868,163,275

pounds, would leave a total of 4,913,818 pounds unaccounted for, and presumably retained by the farmers. It is proper to add that this tobacco is only [illegible] in agreement with the census report, which [illegible] farmers and the amount of tobacco to their [illegible] land of 1 per acre of this total crop, which would be 4,340,816 pounds.

Very truly, yours,

O. P. AUSTIN, *Chief of Bureau.*

Hon. J. W. GAINES, *Member of Congress,*
1325 O street NW., Washington, D. C.

Now, my idea is to give the farmer free trade in his tobacco. Let him sell it to Smith, and let Smith sell it to Jones, and let Jones trade it off for coffee, for cows or horses, or buy himself more land, or trade it again throughout the country, and in that way do the best he can with it, instead of forcing the farmer to take his tobacco to the cities and be compelled to sell it to the tobacco trust and take their trust-set price. Leave them the same control over it they had in former days, and maintain that industry in the country. In this way you will maintain the tobacco industry and prevent the people from leaving their homes in the country and seeking employment in our cities, thus doing away with those conditions that cause the population of the cities to grow so rapidly, leading more and more to the decadence of our municipal governments.

You will thus add to the good citizenship of the people in our rural districts, maintaining the local institutions and giving each and every man the right to take his own hands and his own [illegible] and stem and twist his tobacco, trade in the fruits of his own labor—trade on the sunny hillsides of the South, the nutmeg valleys of Connecticut, or the prairie farms of the West.

Mr. Chairman, a great deal, I guess, will be said about the revenue that will be taken from the Government by making this bill the law.

Free trade in leaf tobacco will not lessen the manufacture of cigars, cigarettes, and snuff, and very little, if any, reduce the making of "chewing and smoking tobacco."

During the calendar year 1902, Mr. Yerkes says, we manufactured tobacco, etc., as follows:

Quantity of tobacco and snuff manufactured.

	Pounds.
Quantity of plug and twist tobacco produced	[illegible]
Quantity of fine cut chewing tobacco produced	[illegible]
Quantity of smoking tobacco produced	[illegible]
Quantity of snuff produced	[illegible]
Total quantity of tobacco and snuff produced	347,615,472

Cigars and cigarettes manufactured.

Number of cigars weighing more than 3 pounds per 1,000 produced	6,231,714,558
Number of cigars weighing not more than 3 pounds per 1,000 produced	676,115,466
Number of cigarettes weighing not more than 3 pounds per 1,000 produced	2,981,229,132
Number of cigarettes weighing more than 3 pounds per 1,000 produced	10,131,315

Leaf tobacco.

	Pounds.
Unstemmed used in the production of large cigars	[illegible]
Unstemmed used in the production of small cigars	[illegible]
Unstemmed used in the production of cigarettes	11,816,159
Unstemmed and stemmed used in the production of chewing and smoking tobacco and snuff	[illegible]
Total leaf tobacco used	[illegible]

Average quantity of leaf tobacco used per 1,000 large cigars	[illegible]
Average quantity of leaf tobacco used per 1,000 small cigars	3.57
Average quantity of leaf tobacco used per 1,000 cigarettes	8.05
Average quantity of leaf tobacco used per pound of manufactured tobacco	3.98

The gross internal revenue from each source during the fiscal year ended June 30, was as follows:

From spirits distilled	$18,640,059.[illegible]
From fermented liquors	[illegible]
From tobacco, snuff, and cigars	[illegible]
From oleomargarine	[illegible]
From adulterated butter	[illegible]
From process or renovated butter	2[illegible]
From filled cheese	295,425.17
From opium, morphine, and other products	[illegible]
Total collections	43,513,816.[illegible]

Such a law will not stop the exportation of the leaf tobacco, because that will go on as it has always gone on. But what will it do? It will give the farmers, it will give the manufacturers, the broker, the dealers, and people who desire to deal on a small or a large scale in leaf tobacco, under the first section of this bill, the right to buy it, to make it into manufactured products without paying the tax of 6 cents, and then afterwards to make cigars and other productions out of it. That will do what? It will lower the price of cigars in all probability unless the trust keeps up the price. It will not lessen the making of cigars, cigarettes, snuff, plugs, etc., not in the least.

Suppose the farmer stems and twists his tobacco, it will only be on a small scale; he will do it with his own hand. He will not buy machinery, for he has not the money to thus invest. Then he dare not do so. If he did have the money and invested it in machinery, he would come in competition with the tobacco trust and their machinery for twisting and stemming, and he would be practically driven out of the business in a short while. Still, it would be great blessing for the farmer, in his little way, to have the chance to twist and stem his tobacco like any other man; to have the same right as he does to manipulate his corn and other farm products. It will bring trade into his neighborhood; it will be practically legal tender, as it used to be in Virginia, when 12 pounds of "bright Virginia" bought a wife, and some of us now couldn't get her with a thousand pounds [laughter]—belles have gone up so and tobacco down.

Mr. MACON. Will the gentleman allow me to ask him a question?

Mr. GAINES of Tennessee. With pleasure.

Mr. MACON. I want to ask the gentleman from Tennessee if the farmer now stems and twists any tobacco at all?

Mr. GAINES of Tennessee. Only for his own personal use.

Mr. MACON. He does not do it for sale?

Mr. GAINES of Tennessee. He does not stem or twist any for sale unless he pays the tax, and I do not believe he does either.

Mr. MACON. If the gentleman's bill is enacted into law the revenue will not be cut down a single cent, because the farmer now pays nothing into the revenue by reason of the tax for stemming and twisting tobacco.

Mr. GAINES of Tennessee. He does not pay any tax unless he stems and twists it for sale.

Mr. MACON. Then it will not cut down the internal revenue if the gentleman's bill is enacted into law, because the farmer now stems and twists none for sale.

Mr. GAINES of Tennessee. The gentleman may be right. I contend that it will not materially cut down the revenue if this bill is passed. If it does cut it down it ought to be cut down, because the tax is unjust. We are paralyzing the farmer, robbing him of his right to labor that God Almighty has given him, and we ought to repeal this unjust tax. I am for the farmer first and the superstrata of society next. If you destroy the farmer, you destroy the manufacturers, cities, and our institutions. My heart goes out to the farmer. All my interest in this measure is to take care of the farmer, his wife and children first.

Mr. MACON. If the gentleman will allow me, my reason for asking the question was simply this: I thought it would be in favor of the gentleman's proposition, that if his measure was enacted the revenue would not be cut down.

Mr. GAINES of Tennessee. I appreciate the suggestion. It is a good one. Section 1 would only cut down the revenue in this way, that the farmer's little amount of twisted and stemmed tobacco would come in contact with the trust's stemmed and twisted tobacco, and lessen that amount which the tobacco trust, as well as the manufacturers, now pay in revenue to the Government. In other words, it would create a competitor to the trust, but only in a very small way. And what would be the result? The tobacco grower would be made more independent, and you would protect him from the tobacco trust. To-day his unstemmed [illegible] from leaf sells, some of it, at 4 and 5 cents, but a year ago it sold for 6 and 7.

Why, we hear a great shout in and out of Congress, and I hope it is absolutely true, that all the people are in a prosperous condition, that there is more money in the country than ever before. Listening to the speech of my friend from Iowa the other day, why, my goodness alive! you would have supposed that money was growing on the trees, and that prosperity was washing away the country. [Laughter.] And yet you find the farmer's leaf tobacco to-day cheaper in the markets than last year, and possibly for years.

Clarksville, Tenn., is a great tobacco market. The Daily Leaf-Chronicle, Clarksville, of December 12, says:

CLARKSVILLE TOBACCO MARKET.

[From the Leaf-Chronicle of December 12.]

Our receipts this week from [illegible] sales forty-six hogsheads [illegible] We quote:

[illegible] at	$3.00 to $3.50
[illegible] at	3.50 to 4.00
[illegible] at	4.00 to 4.50
[illegible] at	4.50 to 5.25
[illegible] at	4.50 to 5.25
[illegible] leaf at	5.25 to 5.75
[illegible] leaf at	6.00 to 6.75
[illegible] at	7.00 to 8.00

The Leaf Tobacco Exchange of Louisville, in the press December 11, 1903, compared the prices of tobacco for 1902 and 1903, as shown by the following:

LEAF TOBACCO.

[Louisville Courier-Journal, Friday morning, December 11, 1903.]

The market for the week [illegible] of market conditions. Burley continues [illegible] a [illegible] decline.

The offerings [illegible] of 89 hogsheads, 13 burley and 76 dark; 43 [illegible] inspections, and 43 reviews. Rejections yesterday amounted to 26 hogsheads.

The first sale Tuesday will be held at the Planters' warehouse.

The receipts for both the 1902 and 1903 crops of tobacco is practically unchanged this week. Today [illegible] hogsheads [illegible] paired with [illegible] the corresponding week a year ago, 2,884 in 1901, and 4,[illegible] [illegible] of the total for the week, 548 hogsheads were sold at auctions and [illegible] privately. The receipts for the year to date amount to 102,[illegible] hogsheads, as compared with [illegible] in 1902, 98,[illegible] in 1901, and [illegible] in 1900.

Sales of dairy for the week to the manufacturers [illegible] of new crop and 317 of old. The prices [illegible] for the week were [illegible] for the corresponding period in 1902 and 11,987 in 1901.

The cold, dry weather has made it impossible to move tobacco to market [illegible] come heavy shortly after the first general rain.

WEEKLY REPORT.

The following are the revised quotations as prepared by the quotations committee of the Leaf Tobacco Exchange:

1902 crop.

	Burley.		Dark.	
	Red.	Colory.	Rehandling.	Export.
Trash (green or mixed)	$4.00 to $4.50	5.00 to $5.50		$3.25 to $3.50
Trash (sound)	4.50 to 5.50	6.50 to 8.50		3.50 to 3.75
[illegible]	[illegible]	[illegible]		3.75 to 4.25
[illegible]	6.00 to 6.50	8.50 to 10.00		4.25 to 4.[illegible]
[illegible]	[illegible]	[illegible]	$4.00 to $4.50	4.[illegible]
[illegible] (short)	[illegible]	[illegible]	[illegible]	4.50 to [illegible]
[illegible]	[illegible]	[illegible]	[illegible]	4.75 to [illegible]
[illegible]	9.50 to 11.00	10.50 to 12.50	5.25 to 6.50	6.00 to 7.00
[illegible]	11.50 to 13.[illegible]	12.50 to 15.00	6.50 to 7.50	7.00 to 8.50
Fine and selections	15.00 to 16.75	15.00 to 20.50		

1903 crop.

	Burley.		Dark.	
	Red.	Colory.	Rehandling.	Export.
Trash (green or mixed)	$[illegible]	[illegible]		$2.00 to $2.25
Trash (sound)	[illegible]	[illegible]		2.25 to 2.75
[illegible]	[illegible]	[illegible]		2.75 to 3.00
[illegible]	[illegible]	[illegible]		3.00 to 3.50
[illegible]	[illegible]	[illegible]		[illegible]
[illegible] (short	[illegible]	[illegible]	$3.50 to $3.75	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	4.00 to [illegible]	[illegible]
[illegible]	[illegible]	[illegible]	5.00 to 6.00	5.00 to 6.00
Fine and selections	[illegible]	[illegible]	6.00 to 7.50	6.00 to 7.50

N. B. Un[illegible] condition, length, or color, or mixed packages from [illegible]

M. H. Clark & Bro. write [illegible] concerning the Clarksville tobacco market [illegible] sales. There were no public offerings [illegible] of leaf at the late ruling [illegible] which makes were [illegible] ment in the loose tobacco market in p[illegible] of [illegible] favorable [illegible] leaf, $6.50 to $7.50; good leaf, $7.50 to $8.50; fine and selections, non[illegible]

Mr. HENRY of Connecticut. Mr. Chairman, may I interrupt the gentleman?

Mr. GAINES of Tennessee. Certainly, with pleasure.

Mr. HENRY of Connecticut. Do I understand the gentleman to say that the farmer has not the right to manipulate his tobacco, to prepare it for market?

Mr. GAINES of Tennessee. What do you call "manipulating" it?

Mr. HENRY of Connecticut. To sort it, to strip it.

Mr. GAINES of Tennessee. No, sir; he can not stem or twist it without paying a tax of 6 cents per pound unless for personal use.

Mr. HENRY of Connecticut. We do it in Connecticut with our seedling tobacco, our wrapper tobacco. Our farmers do that without paying a license.

Mr. GAINES of Tennessee. Well, I tell you right now they are acting contrary to law.

Mr. HENRY of Connecticut. We are a law-abiding people.

Mr. GAINES of Tennessee. I know that; but this just shows that the good people of Connecticut, though they rarely make a mistake in the matter of sending good men to Congress, may be ignorant of some things in regard to the law. Commissioner Yerkes, in his letter to me March 12, 1903, thus expounds the law on that point:

2. Under the present law a tax of 6 cents per pound is imposed upon all tobacco stemmed or twisted by a farmer not intended for his own personal use.

3. A farmer may stem and twist tobacco for his own use without incurring liability to tax on such tobacco.

4. Stemming or twisting tobacco is regarded as manufacturing, and a grower or planter can not lawfully stem or twist his tobacco for sale, or for the purpose of giving it away, without paying internal tax. If he should engage in that business he would be required to make a return as a manufacturer of tobacco, and be required to qualify as such by registration with the collector of the district, filing statement and bond, and to pack, label, and stamp his product, as provided by regulations No. 5, pages 8 and 9.

This is the law of April 12, 1902, which the gentleman helped to make.

It will thus be seen that the farmer is required to put the tobacco up in "packages" of a certain shape and size and weight, which he can not do because he has not the means of doing so. So that he is not allowed to stem or twist his tobacco, but he has not the machinery with which to put it into packages. Thus it is clearly shown that the tobacco trusts have this law in their favor on the statute book, and they are trying to perpetuate it here, with Congress, I believe, ignorant of what is being done or what it has done. I know that my friend from Connecticut is, as I am, a friend of the farmer. He has shown that often.

When the farmer, although he has a legal right to sell his tobacco without tax while in the leaf only, tries to sell it, the would-be purchaser says: "I can not pay you so much for your tobacco because of this tax; you must cut down the price below what you asked last year." That is the result.

Mr. Chairman, I want to go a little further and read some testimony that I have here, showing how much this measure will affect the revenues. That question has been asked me before today. I have shown already that in 1865, before we had any Spanish war tax, we collected $175,000,000 of internal revenue, and now, after we have taken off the Spanish war taxes, we are collecting $80,000,000 more in 1902 than we did in 1868.

Mr. M. H. Clark, one of the ablest and best writers on the subject of tobacco, an experienced tobacconist of Clarksville, Tenn., as well as a good citizen, has written several articles on this subject, some of which have fallen into my hands. Here is what he says about this revenue question:

If these revenue laws are made, then a new line of customers will be [illegible] the [illegible] Italian types which would find the readiest sale in the Southern [illegible]

It would [illegible] be a new demand, which might take little or none from the [illegible] the law [illegible] the [illegible] and a [illegible] the planters and others interested in the great [illegible]

Now, I want to say that the negroes and laborers in the South, and possibly elsewhere, rarely ever buy cigars. They rarely ever buy manufactured tobacco. If they do it is "plug," for chewing. They prefer what they call "old long green," or "old Lincoln twist," as a distinguished Republican called it the other day, when talking about the twisted tobacco which he saw down South during the civil war.

In another article Mr. Clark goes farther, and says:

GIVE JUSTICE TO THE [illegible] PLANTER.

[M. H. Clark, Montgomery County, Tenn., 1902.]

All agricultural products [illegible] corn, cotton, hemp, and the [illegible] tax [illegible] tax is [illegible] leaf tobacco, like all other agricultural products [illegible] as a positive prohibition to the sale of [illegible] the [illegible] petition [illegible] the [illegible]

WANT RAW LEAF FREE FROM TAX.

The facts are that in the states south of North Carolina, Kentucky, Tennessee and Missouri there are many [illegible] who [illegible] to buy the raw leaf tobacco [illegible] the [illegible] the [illegible] the

[illegible] United States and sue for $150,000 [illegible]

[illegible] Ohio and Mi-

[illegible] in the West only two have opened

PRICE TO GROWERS SHOULD BE [illegible]

[illegible] crying so loud for just relief

[illegible] farmers in the towns, and if representatives [illegible] justice to the country people they will return home [illegible]

[illegible] people
[illegible]
[illegible]
[illegible] God save the people!

[illegible] farmers in Tennessee and Kentucky met in Clarksville, Tenn., [illegible] a year ago and passed a resolution in the [illegible], of a petition, which is as follows:

To the honorable Senators and Representatives of [illegible]

The tobacco planters of Tennessee and Kentucky [illegible] great [illegible] from the law passed in 1886 restricting [illegible] that leaf tobacco [illegible] a tax of 2 cents per pound, [illegible] the same as of 2 cents per pound, [illegible] of what they [illegible]

[illegible] crop to the local agent [illegible] upon the [illegible]

[illegible] Congress to [illegible] and repeal all [illegible] consumed by [illegible] tobacco and lift a burden from the tobacco planters, and we will ever pray, etc.

JANUARY, 1903.

This is a matter which appeals peculiarly to me. I am constantly appealed to by letters and petitions, every one asking that some relief be given. When I presented the bill a few days ago to a distinguished member of the Ways and Means Committee, the very moment that he scanned the bill he said that it was important, a very important matter, not only to the farmers of the country, but immediately asked me how much it would reduce the revenues of the Government.

I have shown, I think, as you can all see, that it will not materially reduce the revenues of the Government, but if it does that the relief asked for should be given. It is a tax upon the farmers' hands. He can not use the land that God Almighty tells him he must use to make a living. He becomes a pauper, a vagrant, if he does not do so. Under the law as the land lie is [illegible] and put out on the vagrant [illegible] So that we have a law that [illegible] the hands of the farmer, but, as you must see, it so [illegible] his natural [illegible] that it is practically [illegible] must quit raising tobacco or become bankrupts if this relief is not [illegible]

Again, is it better, Mr. Chairman, to destroy the tobacco growers of this country [illegible] from which we gathered millions of war tax [illegible] during the recent war, than to grind and grind and [illegible] and bankrupt [illegible] It is an outrage to permit the tobacco trust to control [illegible] rather than to have the Congress control [illegible] laws in the interest of the farmers and laborers.

I say give the God-made man a chance to go on with his tobacco raising, as it was intended he should do by the great God who made him, and as the preservation of society and his own fireside and family require him to do. Hence it is, not only at the instance of the people I represent, but of Members of the House to whom I have addressed myself in private, that I have to-day thus at great length and in a rumbling way [illegible] to be heard especially to the attention of this great law-making power the unhappy conditions of the tobacco farmer, hoping that I may [illegible] that Congress in [illegible] relief to the farmer, which he [illegible] and which [illegible] that I have stated he must have, to remain a tobacco grower of this country.

Mr. Chairman, in order that I may have the opportunity of revising out my speech, I ask unanimous consent to insert some papers to which I have alluded and from which I have quoted in part, but not entire, and I reserve the balance of my time and yield it to my colleague, the gentleman from Tennessee [Mr. SIMS].

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

APPENDIX.

[illegible] THE TRUST [illegible] AND WHAT THEY [illegible]

[Nashville Tennessean and American, January 24, 1903.]

Tobacco growers in [illegible] Congress. While it is hoped [illegible] and they are [illegible] legislation, [illegible] the law passed in 1886 restricting [illegible] of what they [illegible] crop to the local agent [illegible] upon the [illegible] and repeal all [illegible] consumed by [illegible] tobacco and lift a burden from the tobacco planters, and we will ever pray, etc. [illegible] the crop, and [illegible] be a few farm crops and [illegible] tobacco. [illegible] because it so [illegible] affects the average [illegible] tobacco shop.

[illegible] we submit a very rosy view of the tobacco-growing business, [illegible] to the market until the life is [illegible] legislation and conditions freed from monopoly are made such that individuals can safely engage in business on their own hook without the fear of being crushed by trust combination.

LET THE TOBACCO PLANTER HAVE JUSTICE.

The following letter explains itself:

CLARKSVILLE, TENN., *January 21, 1903.*

Editor AMERICAN AND AGRICULTURIST:

In a [illegible] was called to the great injustice done to the tobacco [illegible] which [illegible] the payment of the [illegible] upon the [illegible]

[illegible] new line of [illegible] It would virtually be a new demand, which might take little or none from [illegible] have been to let matters stand [illegible] lead of these enterprising jobbers and com- [illegible] the gratitude of the planter as a competitor [illegible] to add a new [illegible]

Respectfully, yours,

M. H. CLARK.

MR. YERKES'S LETTER.

WASHINGTON, *March 12, 1903.*

Hon. JOHN W. GAINES,
Member of Congress, House of Representatives.

SIR: I have received your letters, dated [illegible] and 9th instant, respectively, presenting the following questions:

[illegible] or Fifty-seventh Congress relieve tobacco [illegible] tax on tobacco raised by them; and if so, under what statute and [illegible]

[illegible] tobacco growers when they stem or [illegible] their own personal [illegible]

[illegible] stem or twist their tobacco for the purpose of giving [illegible]

[illegible] legal or judicial definition of the term "dealer in [illegible]

[illegible] for the definition of the term "manufacturer of tobacco."

[illegible] tobacco growers who stem or twist the tobacco [illegible] or, [illegible] for [illegible] or that which he purchases from another farmer who [illegible] and to the [illegible] can take [illegible] April 12, 1902, section 3, the following [illegible] any substitute for tobacco, ground, [illegible] on tobacco twisted by hand or re- [illegible] or in any manner other than the ordinary [illegible] a tax of [illegible] per pound.

[illegible] cut, cavendish, plug, or twist, [illegible] on natural-leaf tobacco in the [illegible] but only upon leaf tobacco which they may have sold di- [illegible] be regarded as manufacturing, and a [illegible] who is [illegible] to twist, stem, or other wise change his tobacco and prepare it [illegible] and stamp his product, as pro- [illegible]

[illegible] amendment of section 2503 of the Revised Statutes of [illegible] 28, 1898, section 61, and which last act first imposed a stamp tax on tobacco.

[illegible] of law has been in force continuously, without change except as [illegible] of tax since 1898.

Sections [illegible] of the Revised Statutes, and amendatory acts, require that all manufactured tobacco and cut and stamp, be prepared and put up in the manufacturer's factory [illegible] for sale or consumption, and provides that all smoking, plug, and twist tobacco shall be put up in certain packages, and smoking tobacco and all cut and granulated tobacco in certain other packages; and this section [illegible] of the Revised Statutes, as amended by section 60, act of August 28, 1894.

[illegible] section 60 provides that—

[illegible] hours to manufacture [illegible] or other [illegible] and paragraph of that section provides that—

[illegible] be regarded [illegible] tobacco in quantities [illegible] partners, or to [illegible] they register [illegible] from the [illegible]

In this [illegible] every person is regarded as a manufacturer of [illegible] manufacturers for selling leaf tobacco of [illegible]

I ask for a departmental or judicial definition of the term a "dealer in [illegible]

[illegible] as it is to sell or offer for sale manufactured [illegible] tax provision and [illegible] in any place [illegible]

[illegible] tax against the sale of leaf tobacco at re- [illegible] of March 3, 1883, only so far as it imposed a special tax [illegible] amount of leaf tobacco sold in ex- [illegible]

[illegible] however, that farmers and producers of tobacco could [illegible] a prohibitory tax against the sale of leaf tobacco [illegible] of October 1, 1890, [illegible] sales on sales were continued, although the spe- [illegible]

[illegible] I am [illegible] to answer your questions [illegible]

[illegible] a tax on natural-leaf tobacco in the [illegible] but only upon leaf tobacco which they may have sold di- [illegible] be regarded as manufacturing, and a [illegible] who is [illegible] to twist, stem, or other wise change his tobacco and prepare it [illegible] and stamp his product, as pro- [illegible]

[illegible] definition of term "dealer in [illegible]

My answer to question 4 is an answer to question 7.

The term "manufacturer of tobacco" is defined in the first and second paragraphs of section 60, quoted on page 3 of my letter.

Respectfully,

J. W. YERKES, *Commissioner.*

The CHAIRMAN. The gentleman from Tennessee [Mr. SIMS] is recognized for six minutes.

Mr. SIMS. Mr. Chairman, in this morning's Washington Post appears the following editorial:

GOVERNMENT ESTIMATES ON COTTON.

[illegible]

[illegible] and with apparent force, that it is the duty of the [illegible]

[illegible]

[illegible] of estimates was announced [illegible]

[illegible]

This editorial is an attack upon the correctness of the report made by the Department of Agriculture on the present year's cotton crop. It attacks it almost viciously, and if the high source and high standing of this paper did not preclude the idea one would think that it was inspired, from the fact that it does not state the facts, but misstates almost every fact attempted to be stated.

The Washington Post is quoted by more newspapers than perhaps any other newspaper in the United States, and the character and standing of this paper are such as to warrant belief in any statement it makes without investigation. So much the greater the harm done by misstatements of fact from such a source.

This is my excuse, Mr. Chairman, for giving this matter attention in this manner and at this time.

This editorial says, among other things:

[illegible] manufacturers against the further [illegible]

The editorial charges that the Agricultural Department is doing this work, so far as the cotton crop is concerned, for the benefit of manufacturers and exporters, leaving the grower out of sight entirely. It criticises the accuracy of these reports as to cotton, but does not say one word about wheat, corn, and oats crops, that are treated in exactly the same way. It further says:

It would seem that the mill men have offered pretty sound arguments in support of their contention. The Government estimates are made before the cotton is picked, and before it even looks like anything to the cotton grower or to the cotton manufacturer.

That statement is absolutely inaccurate. The report was made on the 8d day of December this year, and information was received from all sources up to the 26th of November. And now to say that this report is made up before a bale of cotton is picked is an absolute inaccuracy, and is not true in substance or in detail. Then further the editorial says:

The only result, apparently, is to supply the cotton brokers with information upon which they are able to juggle with the futures, forcing prices for the entire crop up or down before a bale of it is picked.

Before a bale is picked! The report here referred to is the report made by the Agricultural Department on December 3. People who live in the cotton-growing country know this statement is absolutely untrue, but there is an attempt being made to manufacture a sentiment in Congress to deprive the Agricultural Department of this function. The farmers and producers are interested in knowing the facts about the crop, as much so as the purchaser of the product of their toil, and they have a right to demand this information from an absolutely reliable and unbiased source.

The cotton farmers can not send agents out all over the country at great expense to bring them these facts, but the Government is doing it for the benefit of no particular class, but for the benefit of everybody in general who is concerned in this industry—the exporters, the manufacturers, the growers, the dealers, consumers, everybody.

This article further says:

When the last Government bulletin of [illegible]

[illegible]

This statement is on a par with the others referred to. Cotton did not advance several cents, not even 1 cent. It went up about 75 points, which means three-quarters of a cent. There is not a [illegible] market in the United States that has not been three-quarters of a cent higher since that report was published than it was before, and that increase is here with us and is going to remain. The Agricultural Department has made an effort to be absolutely fair and absolutely correct and truthful, and conditions warrant the conclusion at which they have arrived, notwithstanding such misleading statements as the editorial referred to.

Mr. Chairman, I have not by me the detailed information as fully as I would like to have to reply to this editorial, but will use such as I have. The great spot-cotton markets of the United States are New Orleans, Galveston, and Savannah.

The price of spot cotton middling in quality quoted November 5 at New Orleans was 10¾ cents per pound. On December 1—just two days before the Government report was published—the price in New Orleans was 11⅛ cents per pound, showing an advance of 112½ points, or 1½ cents, per pound. During this period of twenty-five days no Government report of estimated yield had been made, but cotton advanced more than 100 points. On December 1—just before the Government report was published—spot cotton was selling in the largest spot market in the United States at 11½ cents per pound. At noon on December 3 the Government report of estimated yield was made public and spot cotton jumped in the same market to 12¼ cents per pound, or 75 points.

On last Saturday, the last day for which we have quotations, spot cotton middling in quality sold in New Orleans at 12⅜ cents per pound, or in one-eighth of a cent of as much as it sold for on the day the report was published, showing a net gain of 62½ points, or $3.25 per bale. Mr. Chairman, think of the many millions of dollars this means to the cotton farmers whose cotton had not been marketed when this report was published, and the Washington Post is clamorous to have these reports discontinued. Has not the farmer as much right to know facts beneficial to him at Government expense as any other class of citizens?

Mr. Chairman, it is altogether whose ox is gored as to the source of these complaints against the Agricultural Department. I remember quite well that when the report of the Department as to the August condition of cotton was published about the 1st of September last, showing a condition of over 80 per cent, and about 8 per cent above the ten-year average, that there was a great clamor went up from the bull speculators in New York and elsewhere to the effect that the estimate of condition was much too high, and was made in the interest of the mills, and was intended to put the price of the new crop down when it came into the market. Now, after the crop has been practically gathered, and with much better and more accurate and reliable sources of information, the Department makes an estimate of the size of the present crop, and the accusation is now made that the estimate is much too small and made in the interest of the speculators.

Mr. Chairman, the object of the Government report is to place the growers on an equal footing with the dealers in cotton. The Department speaks to everybody, and its benefits are general and confined to no class, while the reports and estimates coming from private sources are made to subserve private interests and are never made public unless it is in the interest of private gain.

The Department seeks information from every available source, including growers, ginners, manufacturers, merchants, bankers, carriers, State agents, traveling agents, the records of statistical bureaus showing which source gave best information in the past. This year additional agents from the Department reported from Texas. The greatest possible effort has been made to give reliable

information as to the probable yield of cotton and the report is entitled to the highest consideration.

The argument made in the Post as to cotton is equally applicable to reports made by the same Department on wheat, corn, and oats, but there appears no demand to abolish them. The whole fight is made against the cotton grower. It has been charged that the report of the Government as to cotton leaked. This is positively denied by the Department, and is entirely disproved by the course of the market on December 3, the day the report was made public. The Cotton Exchange in New York opens at 10 o'clock a. m. and closes at 3 o'clock p. m. The Government report was made public and read in the exchange at 12 o'clock noon. On December 3, 1903, the December option opened at 11.65 per pound and sold down to 11.59 just before noon. The report was read at noon, and the December option closed that day at 12.32, showing a gain of seventy-three points from noon, after the report was read, until 3 o'clock, when the exchange closed. Now, if any speculator or broker had had a tip as to what the report would be, does it stand to reason that futures would have declined just in advance of the publication of the report? No, indeed. If advance information had been given of the character of the report cotton would have advanced instead of declining, as it did.

The methods of the Statistical Office of the Department of Agriculture make leaking impossible.

The more important reports are not opened until the morning of the day when the report goes to the public, and not until after the door of the office of the Statistician and his assistants who do the final tabulating is locked, no one being permitted to go in or come out until the report is made up and brought to the Secretary for his signature. It is then given to the public, to the whole world, at one and the same moment.

Mr. Chairman, these repeated attempts to discredit the good faith and honesty of one of our great Departments of Government are to be deplored and frowned upon.

The late report of the Government has saved to the farmers, who toil in the cold and in the heat, many millions of dollars. Most usually the price of cotton is kept down during the gathering and ginning season, and until the European and American spinners have purchased their supplies, after which speculators have taken hold of the small remnant of cotton and run the prices up and made fortunes for themselves. But, thanks to the Agricultural Department, the farmers of the South this year are getting the benefit of information as to the actual size of the crop that they were of themselves unable to procure.

Mr. VAN VOORHIS. Mr. Chairman, there is no one here at the present time who desires to speak on this side, so I give way to the gentleman on the other side.

Mr. SMITH of Kentucky. Mr. Chairman, I now yield thirty-five minutes to the gentleman from Minnesota [Mr. LIND].

Mr. LIND. Mr. Chairman, in the brief time that I shall occupy I shall not attempt any general discussion of the tariff. I shall discuss only certain phases of the question. One reason is that I do not think that a general discussion of that question at this time is called for—certainly not so far as the general merits of the policy of free trade or protection is concerned.

It seems to me that since the decision by the Supreme Court of the United States in the income-tax cases the possibility of free trade in this country, were it desirable, no longer exists. By that decision the country is irrevocably committed to a tariff policy for purposes of revenue at least, and a tariff for any purpose is necessarily protective to a greater or less extent under present industrial conditions.

By modern processes, not only in this country but the world over, the cost of manufacture has been cheapened to such an extent that any tariff on a commodity produced at home is necessarily protective. I can imagine that twenty, thirty, forty, or fifty years ago a 20 or 30 per cent tariff might not have been highly protective, but with the modern and cheaper processes of production it is now necessarily so in many industries.

We hear a great deal said on both sides of the Chamber in regard to a protective tariff and a revenue tariff, as though the two terms represented distinct and opposed policies. They may have in the past, but there is little ground for distinction any longer. What is imposed to-day as a revenue tariff is also a protective tariff, and from this time on, when our industrial activity covers almost the entire field of human endeavor, any tariff levied upon the commodities that we produce within our own domain—and we produce everything—is necessarily a protective tariff to its extent.

In the future it will be more accurate to speak of the tariff as "high" or "low" than to speak of a revenue tariff or a protective tariff.

Aside from this there is another reason why any academic discussion of the question has ceased to be of importance, and it is this: We are to-day absolutely the greatest industrial nation in the world, not only in our capacity to produce, but in the amount and character of our industrial production. My Republican friends will undoubtedly suggest that the protective policy has made us such.

Granting this to be true, and I do not care to discuss the question, for no one advocates a free-trade policy, let me suggest to you that the other great industrial nation of the world, England, relatively greater than we are—not in fact, because her domestic trade is much smaller and her population is less—has attained her industrial greatness under a different fiscal policy, the policy of free trade. So that here we have an historical and absolutely incontestible fact, that the two leading nations of the world have attained industrial greatness, one under an almost constant policy of protection and the other under a continuous policy of free trade.

With these facts before us it seems to me that it is economic folly to predicate absolute right or wrong of either protection or free trade. Like other economic policies, either may be right or wrong, according to the circumstances or situation of the country for which it is proposed. In a country such as England was when it adopted the policy of free trade, with its favorable situation and facilities for commerce, with its large amount of capital, and with the industrial progress that it had already made, free trade was undoubtedly the best adapted and most beneficent fiscal policy to develop and advance its industrial greatness.

So in the United States, a young country, rich in natural resources, richer than any other in the world in raw materials, not rich in capital, with a sparse population, and that population not skilled in manufactures, there is every reason to believe that the protective policy has had a beneficent effect in stimulating its industries.

If these suggestions are true, and they seem to me incontestible in the light of history, then the question that presents itself to us to-day is not protection or free trade, but the practical question, What shall we do under existing conditions to further our industrial and commercial interests in the greatest degree? I am delighted to see perhaps the leading advocate of the protective policy before me [Mr. HEPBURN], the gentleman who certainly has made the most eloquent appeal to the House that has been made for the preservation of conditions as they are. I will submit to him this proposition, because it is the basis upon which I shall present the questions that I propose to discuss.

The proposition is this: A fiscal policy is useful to any country in connection with its industrial development to the extent to which it tends to develop and extend the demand for domestic products without unduly burdening the consumer. A fiscal policy is injurious in the same respect to the extent that it tends to destroy, reduce, or embarrass the demand for home products or home manufactures.

Now, to the extent that the protective policy has furthered our industrial and general growth—because I will concede that under the conditions that have prevailed it has had a stimulating effect, although I do not concede that it does not produce other effects that possibly counterbalance its good effects, but which are largely ethical rather than economic—to the extent that the protective policy has benefited American industry, it has been by restricting and burdening the importation of foreign manufactures by the tariff, thereby increasing the demand for the domestic product.

By increasing the demand, by broadening the field for the domestic product, it has tended to increase the price of that product, because, in increasing the demand for a commodity, necessarily, other factors being equal, it increases the price. By reason of increasing the price it has invited additional capital and additional labor into industrial production, and, by that means, it certainly has extended the scope of labor, and possibly increased wages.

The effect of the free-trade policy in England has been identically the same. By reason of her greater industrial advance and progress than any other nation in the world at the time, by reason of her commercial situation, by reason of the fact that she was ready to supply the civilized world with the results of modern invention and industry to a greater degree and earlier than any other people, she wisely adopted a policy of free trade and invited the commerce of the world to come without let or hindrance, and thereby created the greatest possible demand for her domestic products.

Now, our situation was different from that. What worked well in England and created the greatest possible demand for domestic products—I mean that fiscal system—might not have worked well here.

Now, then, starting from this premise, the virtue in the policy of protection rests on the proposition that it affords the greatest possible demand for domestic products.

Whenever any legislation, whenever any tariff schedules,

whether denominated protective or otherwise, cease to have that effect, and, on the contrary, have a deterrent effect on production and commerce, curtailing consumption at home, harassing and restricting trade, reducing the demand for our products abroad, and only burdens the domestic consumer, it ceases to be justifiable, gentlemen of the majority, even on your own ground, on the grounds of protection; and that is the great difficulty with our tariff to-day.

It has ceased to be an economic policy that tends to develop, foster and bring forth the greatest industrial activity within our domain, and to make the largest, broadest domestic and foreign market for our products. It is this that we complain of, it is for this reason that we appeal to you to [illegible] interests for the moment and meet the present necessities of our situation.

Why, I read in a Republican Philadelphia paper that came to my desk [illegible] Now, [illegible] a mill plant in Philadelphia has received a large order of steel rails in Asia, of which I am very glad, for we are all proud of any conquest made by American capital and American industry.

I read the statement:

[illegible]

Now, I am proud of the fact that American industry should reach a point where a mill of steel rails can be produced in Asia; [illegible] I would be proud of the fact if [illegible] such that the American people could have part in the benefits of it. [Laughter.]

[illegible] Pacific coast for a couple of weeks past [illegible] I have never heard, as I remember, of an occurrence that [illegible] the [illegible] notice.

As you all know, there is a big lumber packing industry on the Pacific coast. A great deal of the plate is used in that industry. There is also a large demand for the same [illegible] Alaska. [illegible] to Asia. I am not going to give a speech, but what I shall say is called for by conditions by anyone who [illegible]. The Northern Pacific Railroad Company, to which I shall refer, will give you the data and the facts.

A firm in Portland, Oreg., dealing in hardware and handling large quantities of tin plate and black steel found that they needed some six or seven carloads of such material. This was about a year ago last summer. They wrote to Pittsburg, the only place where these commodities could be bought, to one of the subsidiary companies of the steel trust, and received quotations. These prices Portland found that the prices made by the Pittsburg company were exorbitant, [illegible] left no profit to them on the basis of the contracts that they had entered into, so they sent on to Vancouver, a thriving town just over the Canadian line, I think within 15 miles of the United States boundary, and there presented a form of Canadian brokers to write to the same concern a letter similar to that which they had sent, to ascertain at what prices they could buy these seven carloads of tin plate and black steel.

The Canadians were given quotations ranging from eight to eleven dollars per ton less than the quotations to the American concern. At the instance of the Portland firm that American brokers immediately ordered the tin plate and the black steel. In due course of time the cars were loaded and the bills of lading, with drafts attached, were sent to the bank at Vancouver. Those of you who are at all familiar with dealings in that kind of commodities know that the manufacturer usually advances the freight charges, the cost of shipment, and sends draft with bill of lading. These cars had been routed from Pittsburg to Chicago, from Chicago to St. Paul via the Burlington road, and from St. Paul to the Pacific via the Northern Pacific Railroad.

In due time, as I say, the bills of lading, with drafts attached, arrived in Vancouver, and the Vancouver brokers promptly paid the drafts, indorsed the bills of lading, and sent them to their Portland customers.

They immediately put themselves in communication with the Northern Pacific Railroad and found that the cars were in transit somewhere in North Dakota. They demanded that the cars should be diverted, so as to be sent—three to Portland, two to Seattle, one to Tacoma, and one to another point, I think, instead of being carried through to Vancouver. They had the title papers—the bills of lading—indorsed the drafts duly paid. The railroad company could do nothing else than comply with the demand, and the cars were diverted, and this clever Portland firm saved about $3,000 by the transaction.

Now, gentlemen, speaking to you as American citizens, what do you think of a condition of affairs that compels our own citizens to resort to lying and subterfuge to get that decent treatment that they ought to be entitled to as a matter of right under our own laws? And still you say, "We stand pat." Party policy, the exigencies of a prospective campaign, will not justify you, you say, in remedying these evils at this time; nor do you promise to do it at any future time.

If my time permitted, I should like to call your attention to some of the schedules in the present law, and comment on the burdens that they impose upon our people, but I can not go into details, and will insert them in my remarks.

Ad valorem duties collected on the following commodities in 1902.

	Per cent.
[illegible] ware	28
[illegible]	30
[illegible]	32
[illegible], up to	45
[illegible]	78
[illegible] molasses	80
[illegible]	241
[illegible]	[illegible]
W[illegible] de	105
[illegible]	61
[illegible] jute	65
[illegible]	52
[illegible]	31
[illegible]	91
[illegible] over 7 cents per yard	57
[illegible]	32
[illegible]hed cotton, valued at not more than 7 cents per yard	[illegible]

In the iron and [illegible] duce more iron and [illegible] of ad valorem duty on the items named, as shown by Treasury returns for the year 1902:

	Per cent
Hoop iron or steel	40
[illegible]	57 to [illegible]
[illegible]	50
[illegible]	57
[illegible] than 3 cents per pound	40
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	51
[illegible]	45 to [illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] average	[illegible]
[illegible]	[illegible]
[illegible] than 1 inch wide)	[illegible]
[illegible]	[illegible]
[illegible] railway)	[illegible]
[illegible]	[illegible]

Schedules like these, in view of the present state of the industry, do not stand for protection—you can not justify them as such. They only afford opportunity for "graft." They retard railroad development and other construction at home, and handicap our manufactures abroad.

There is hardly a village in the North having a population in excess of 5,000 where there is not a factory of some kind manufacturing implements, manufacturing engines, tools, carriages, and what not. My city of Minneapolis sends hundreds and thousands of machines and engines abroad every year—threshing machines, harvesters, plows, cultivators, bicycles, gasoline engines, steam engines, wagons, carriages, and a variety of manufactured articles requiring iron and steel—and there are many smaller cities in our State developing manufacturing in numerous similar lines.

But they have been hampered and restricted for years in their work. Why? Steel and iron are their raw materials, and unless they can get their raw material, their steel and their iron, substantially on the same basis of prices which prevails in the markets of the world they are handicapped. By these exorbitant schedules you enable the trust to hold up these hundreds of smaller manufacturers and prevent them from getting the raw material that they need to engage in the world's competition, which they are otherwise better equipped for in many lines than any manufacturers in the world.

In these and many other schedules your tariff has ceased to be a protective tariff, because instead of furthering and increasing the demand for domestic production it has decreased it. Instead of encouraging industry it retards industry. Mr. Chairman, I am really not to speak on these questions so much as to call attention to another situation connected with our tariff, which to me itself is more important to the American people than is any other pending question.

The fact that I have grown up in the North Star State, that I have lived a neighbor to Canada all my life, perhaps enables me to speak, not only with stronger personal convictions, but with greater familiarity than most of you. I remember when I was in this House, a young fellow, fifteen or sixteen years ago, I had occasion to discuss our Canadian relations. I remember one occasion when the House passed a bill pellmell, at the suggestion of President Cleveland, to retaliate against Canada for some imaginary wrong.

The whole performance was absurd; but there were only two men in the House, the gentleman from Pennsylvania [Mr. DALZELL] and myself, who recorded our votes in the negative. The bill died in the Senate. If you will look at the map of North America which is usually displayed in the lobby, you will find that on our northern border, extending from the Atlantic to the Pacific, a distance of over 4,000 miles, is a country much larger in area than ours. It is peopled by the same people—that is, it has drawn its population from the same source. They speak the same language. They read the same literature as we do and have on the whole the same system of government, at least so far as self-government is concerned. They are actuated by the same ideals.

They are Americans just as intensely as are we. Those of you who justify the protective policy on the ground that it protects our own people against the competition of a lower population, a lower standard of living, a lower standard of wages, can not truly say, if you know the Canadians as I know them, that we are justified in maintaining a tariff wall against them on that ground.

The standard of living in Canada, excepting possibly in the Province of Quebec, is just as high, just as promising for the future as the average standard in the States, and I think possibly a little better. What about this country to the north? Some of you say it is a cold, barren, worthless region. There was a time, gentlemen, when our country was less known and less regarded, when the population of this country was much less than Canada's six millions.

When this country became one of the nations of the world in its own right it had less than 3,000,000 people. The place occupied by the magnificent city of Minneapolis, which I now have the honor to represent, was not a village fifty years ago. The great State of Iowa, so ably represented by the gentleman before me [Mr. HEPBURN], was a frontier settlement fifty, or, at the utmost, sixty years ago.

But look at that map again, as I suggested, and you will observe that the great American [illegible] North America extends without interruption from the Great Mississippi up to the Arctic Ocean. This basin in the aggregate comprises the largest, richest, most valuable agricultural area in the world. In physical conformation it is a unit. It ought to be commercially. It will be. It is destined to be a unit commercially and economically, whether it will be politically or not. I do not care for political unity.

You are familiar with the portion of this area south of the boundary line. The tillable area north of our boundary line is placed as large. I speak from personal knowledge. A year ago last summer I started from Minneapolis and went 1,700 miles north and west into Canada. I traversed the larger portion of the northwestern Provinces, whose area and population are as follows:

	Area.	Population, 1901.
	Sq. miles.	
Ma[illegible]	73,956	255,[illegible]
A[illegible]	100,000	95,[illegible]
A[illegible]	90,700	67,[illegible]
[illegible] Columbia	300,000	178,657
[illegible]	114,000	25,[illegible]

This immense domain is more than twice the size of Texas; three times the size of the original thirteen States; larger than Minnesota, the two Dakotas, Iowa, Wisconsin, and Illinois, with Michigan, Ohio, and New York thrown in. And what about this vast territory? Let me tell you that for a distance of over 1,200 miles in that country I saw wheat fields dotting the prairie—grain fields as good as I ever saw in our State or in Dakota. I was up in that region some twelve years ago, when I was a Member of this House before. Then it was a wilderness west of Manitoba, but now it is dotted with settlements all the way up the Saskatchewan River and into the Peace River country. Within the last three years grain production in that region has more than doubled. The wheat crop has increased from 25,000,000 bushels per annum to upward of 50,000,000, and I presume it will reach 60,000,000 or 65,000,000 this season. I do not assume to speak with absolute accuracy in these figures, but the statistics are readily accessible.

This immense region is destined to raise more grain, more cereals other than corn, than any equal area in the United States. But notwithstanding these conditions and this development at our own borders, taking place before our eyes, with a wanton shortsightedness influenced by the party notions that prevail in New England and have dictated the policy of this great and growing nation for the last quarter of a century, we have shut ourselves by a tariff barrier from participating in the development and in the trade of that magnificent territory.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUNDIDGE. Does the gentleman desire any further time?

Mr. LIND. I should be glad to have fifteen or twenty minutes more.

Mr. BRUNDIDGE. I yield to the gentleman twenty minutes more.

The CHAIRMAN. The gentleman is recognized for twenty minutes.

Mr. LIND. This region not only will raise immense quantities of grain, but is capable of developing and maintaining as high a degree of prosperity and civilization as we have in Iowa, Wisconsin, Minnesota, and the two Dakotas. It is bound to come, and in a short time. The young men from Iowa, the young men from Dakota, the young men from our State, the young men from Illinois, are going there, went there last year and the year before, not by thousands but by tens of thousands, to participate in the development of that magnificent domain.

Do you blame them for going? Did you not do the same when you came out to the prairies in Illinois; when you ventured to Oregon? Did not my father do the same when he came to Minnesota? Some of you before me ventured to go to the frontier prairies of the Dakotas. It is in destiny—although I almost despise the word after the way it has been prostituted of late—but it is [illegible] I say it is in the [illegible] be part and parcel of ourselves, economically at least. [Applause.]

Why stand in the way? Why will you not permit those of our own blood, of our own language, of our own ideals, and our own manners—in fact, I heard it said that my colleague from the Red River district strayed to Canada [illegible] last fall, and did not discover that he had strayed until he was told. [Laughter.] I say, why will you not permit those people to trade with us, to be part of us economically?

Mr. GARDNER of Massachusetts. Will the gentleman yield for a question?

Mr. LIND. I will, if my time can be extended. What is the question?

Mr. GARDNER of Massachusetts. I should like to ask the gentleman from Minnesota whether he thinks the people of the Province of Quebec are of the same standard of living and of the same standard of blood as the people of the United States?

Mr. LIND. If I understand the statistics correctly of the stock from which the gentleman hails, the standard of living, or at least the antecedents, of a considerable portion of the population of Massachusetts is very similar to the standard of living and the antecedents of the people of the Province of Quebec. [Applause.] And I was very careful in my preliminary statement to except——

Mr. GARDNER of Massachusetts again rose.

The CHAIRMAN. Does the gentleman yield?

Mr. LIND. I will yield for a question.

Mr. GARDNER of Massachusetts. Are you not aware of the fact that the standard of living is very much higher among the people of Massachusetts, although perhaps some few of them are of similar descent? Are you not also aware of the fact that the French population in Quebec is increasing in far greater ratio than any other birth rate in the Dominion of Canada?

Mr. LIND. I am not familiar with the rate of increase of the population in French Canada. I have never had an opportunity to investigate. My acquaintance with Canadians has been wholly in the West, and that is the future of Canada, as it is of the United States. [Applause.] Now, I said the suggestion has been made that those people might sell a few dozen eggs, that they might sell an occasional mutton, that possibly they might skip a little cream and an occasional cheese to the New York market. Supposing they do! If they shipped their entire product—every pound of it—it would be less than 2 per cent of the American product.

Now, gentlemen, do you think seriously that that would embarrass our markets? If you will consult the statistics you will find that we have sold to Canada this year as much agricultural produce—yes, over 100 per cent more—than Canada has sold to us. Our farmers and produce merchants have found a market in Canada during the first ten months of 1903, for $40,000,000 worth of meat and dairy products, breadstuffs, cotton, fruit, and livestock.

The reason for that is, in part, that the whole Klondike or Yukon region, the gold region in Canada, is largely tributary in trade to the west coast of the United States.

I am glad to see a gentleman from the west coast before me. I say to him that if we had freer trade relations with Canada, if we

had free trade with Canada in natural products, his State and his neighboring State of Washington would supply every pound of food that goes into the Klondike. Is not that true?

Mr. HERMANN. We are practically doing it now.

Mr. LIND. You are doing it now in face of the restrictions that are now imposed. You sent them over $[illegible] worth last year, and that amount could readily be doubled.

It is said also that the Canadians would sell us some lumber. It is unfortunately true they do send a few clapboards to the New England coast, and that is where our weakness lies. If Canada had kept her clapboards off the New England coast we would have no tariff wall. They have sold us this year about $8,000,000 worth of lumber, and we sold them $5,000,000 worth. Is that a great difference? Some of the gentlemen before me, who were members of the Committee on Ways and Means in the last Congress, and one again, if I read the report aright, argued that it would not be to be suspected the coal tariff; that such action would injure the American coal industry. Congress did temporarily put it on the free list. Will you continue it there, or will you contend again that the American coal industry is threatened? Let us look at the facts.

We bought from Canada during ten months of this year, ending with October 31 last, some $[illegible] worth of coal, and sold the Canadians some $[illegible] worth in round numbers. Should we object to such exchanges? Is it not ridiculous for a great, powerful nation like ours to use such a petty argument? Why, I dislike in a discussion to devote so much time to figures, but there is a class of figures here that I wish to interest you in. I selected some of our exports to Canada and imports during Canada months ending on the 31st of October, 1903, in just a few, but they indicate the character of the trade.

Exports to Canada.

Agricultural implements	$3,461,714
Cotton	[illegible]
Manufactures of cotton	[illegible]
Cattle	[illegible]
Cotton and printed matter	1,491,620
Fish	[illegible]
Paper and manufactures of paper	2,903,465
Leather, hides and manufactures of leather	[illegible]
Oils and chemicals	8,645,094
Coal, anthracite	[illegible]
Coal, bituminous	[illegible]
Iron and steel	[illegible]
Copper and manufactures	4,822,734
Wood products	3,449,565
Machinery, steam engines, apparatus, sewing machines, locomotives, cycles, typewriters, vehicles	5,644,563

Imports from Canada.

Horses	[illegible]
Cattle	3,591,248
Cotton and cotton goods	2,388,082
Cotton yarn	1,618,192
Fish	[illegible]
Fruits and nuts	[illegible]
Grain and flour	[illegible]
Hay	[illegible]
Leather	[illegible]
Lumber	[illegible]
Potatoes	[illegible]
Sugar	[illegible]
Tobacco	359,585

We sold the Canadians in the last fiscal year, ending June 30, [illegible] worth, while they sold us a little over $[illegible]. I make no claim to correct in these figures, but they are approximately right. Now, these figures do not tell half the tale. They [illegible] raw material, [illegible] the forest, the mines, and the soil. We sold them industrial products—sewing machines, typewriters, electrical instruments, [illegible] engines, and manufactures of all kinds. If there is any one rule well settled in economics it is that profitable export is in articles that have been carried to the highest point of industrial finish.

Here are the figures of United States trade with Canada for three years, 1901–1903:

Year ending June 30.	Exports to Canada.	Imports from Canada.
1901	[illegible]	[illegible]
1902	[illegible]	[illegible]
1903	[illegible]	[illegible]
Total 3 years	[illegible]	[illegible]

There is ten times the profit to America in exporting an Elgin or a Rockford watch at $30 than there is in sending out $30 worth of grain. Now, our exports to Canada were largely of that profitable class—industrial goods—and our imports were chiefly of the raw-material kind. That is not all. If we had trade relations which permitted our commerce to follow the natural channels of trade, not only the present but the future trade of the great interior region from the Minnesota State line to the Arctic Ocean, which I have referred to, would be ours. Its natural outlet would be down the Mississippi Valley, to Lake Superior, and to Lake Michigan.

Geographically and physically that great interior country is cut off from the rest of Canada. There is a physical barrier of nearly a thousand miles of rock and morasses to be traversed without profit, without local freight, between Winnipeg and Ontario. While, as I say, if you would give the natural factors in commerce the opportunity to operate, that entire traffic would come through our State.

I speak to my colleagues from the Northwest with full assurance that they will not deny the statement that the one factor that has contributed the most to make Minneapolis great is the development of her milling industry—through the development of that magnificent industry, the greatest in the world, and through the energy and foresight of our earlier business men, Charles Pillsbury and others, living and dead.

Minneapolis has become the greatest primary wheat market in the world. It makes every bushel of wheat raised in Minnesota and the Dakotas worth 2 to 6 cents a bushel more than it would be if our section were dependent on Chicago or any other eastern point. Some of us know what has made Milwaukee famous. [Laughter.] All of us know what has made Minneapolis famous—"Pillsbury's Best." To maintain the standard of that magnificent bread and of all of our flour, our mills must have a certain proportion of hard wheat; and let me tell you confidentially that wheat raised in Iowa and southern Minnesota and South Dakota is deteriorating somewhat from year to year, both in quantity and in quality.

Mr. DAVIS of Minnesota. Will the gentleman permit a question?

Mr. LIND. Certainly.

Mr. DAVIS of Minnesota. Is it not true, as a matter of fact, that the mills of Minneapolis grind a considerable portion of the grain that is raised within, say, 100 or 150 miles tributary thereto, the Dakotas and Minnesota?

Mr. LIND. Certainly.

Mr. DAVIS of Minnesota. Is it not also true that the cash price of wheat raised in that vicinity at various times in the year is from 1 to 4 and 5 cents higher than in any portion of the northwest market or the market in Chicago?

Mr. LIND. Possibly.

Mr. DAVIS of Minnesota. If that is true, is the speech of the gentleman in the interest of the farmers of the Northwest or is it in the interest of the milling industry in Minneapolis? If it is in the interest of the milling interest at Minneapolis, will not the breaking down of the barriers and allowing this great quantity of wheat to come in across the border and pass to these mills have a tendency to reduce the cash price of the wheat grown by the farmers in the Dakotas and in Minnesota?

Mr. LIND. The gentleman is making a speech. Let me proceed to answer his question. I want to say to my friend, who represents a portion of the old district I had the honor to once represent——

Mr. DAVIS of Minnesota. Adjoining the gentleman's district at the present time.

Mr. LIND. Let me say that I am not here to represent any one interest of Minnesota. I own one of the good farms in the gentleman's own county.

Mr. DAVIS of Minnesota. The gentleman is a constituent of mine. [Laughter.]

Mr. LIND. What little property I own in this world is invested in farms. I speak on this question as a farmer. I am thoroughly familiar with wheat farming in our State. The gentleman only supplemented my statement by his question. His question [illegible] by reason of the mills in Minneapolis and the resulting large demand for wheat, wheat frequently commands at Minneapolis 4 to 5 cents per bushel more than the general market price. That is true. I started to say, and the gentleman will not deny the fact, that the wheat in his section, in Iowa, and in the southern portion of Dakota is somewhat deteriorating in quality.

What has made Minneapolis flour great? What has given it a world-wide market? Is it not its superior quality and the faith [illegible] of that quality? But, to maintain that standard, we must have the stronger wheat, that wheat rich in gluten which comes now only from the prairies of the Dakotas and from the northern part of our State and, in decreasing amount, but which we must obtain from Manitoba and from the other Canadian Provinces in the future.

If for possible present temporary gain you think that our mills should be prohibited from maintaining the quality of their goods and maintaining their world-wide market, where will your farmer neighbors and mine land when "Pillsbury Best" has ceased to stand for what it now stands? You know, as I know, that our local wheat commands the price that it does only because our mills can as yet obtain enough of the stronger northern wheat to mix with it.

But I trust, my friend, that you and my other colleagues from our State, who are men given to economic thought and study, will

take a broader view of this whole question, one commensurate with its importance to the future of our State. Do you think that a tariff of 20 cents a bushel helps the price of grain in Minnesota? Do you think that the tariff on hog products helps the price of hogs? Last year hogs were 5, 6, and 7 cents a pound; this year they are 3 cents a pound; steers, last year, 7 and 8 cents a pound; this year, under 3 cents. If the tariff helps those prices, for God's sake give us more tariff on hogs and more tariff on steers.

But you know as well as I do that it is absurd to contend that the tariff can help the price of a commodity of which we produce millions upon millions of pounds or bushels, as the case may be, for export. In some corner in Minnesota or Michigan, away from railroads, the tariff on these commodities might have a local effect, but it can not influence the market price of our staple exports. But this is the weakness of extreme protection; that is, the ethical weakness of the policy which makes men come here as exponents, agents, advocates for this little special interest or that, instead of standing by the great general economic interests of the nation that need attention. [Applause on the Democratic side.]

Mr. TAWNEY. May I ask the gentleman a question?

The CHAIRMAN. The gentleman's time has expired.

Mr. TAWNEY. I ask that his time be extended two minutes that I may ask him one question.

Mr. LIND. Would not the gentleman make the extension a little longer?

Mr. TAWNEY. I am willing to make it five minutes.

Mr. BRUNDIDGE. I yield the gentleman from Minnesota [Mr. LIND] fifteen minutes more.

The CHAIRMAN. The time of the gentleman is extended for fifteen minutes. Does he yield to his colleague?

Mr. LIND. Certainly.

Mr. TAWNEY. I wish to ask my colleague whether he thinks a tariff of 20 cents a bushel on wheat affects the price of that article in Minnesota or the Northwest generally? I will answer the question in the language of a gentleman from his own town or city who came here during the last Congress——

Mr. LIND. My colleague is not asking me a question.

Mr. TAWNEY. And urged upon me the idea of removing that tariff, but when he was asked what effect that would have upon the price of wheat in Minnesota and vicinity, he said it would reduce the price of wheat to the farmers by perhaps 4 to 5 cents a bushel. That was the answer of that advocate for the removal of the duty on wheat.

Mr. LIND. Now, Brother TAWNEY, I do not claim a monopoly of the folly in Minneapolis. [Laughter.] There are men there wiser than myself and also those who are not wiser. [Laughter.] Before the gentleman asked his question I was suggesting that we take, if you please, a larger view of this wheat question than that suggested by him and my other friend.

We all know that next to cotton our chief export consists of wheat and wheat products. It will so continue for many years. Our principal American competitor is Argentine in the south, and Canada on the north is rapidly becoming a factor not to be despised in the markets of the world. Now, let me ask the gentleman from Winona, my colleague, if this is not a true statement of an economic principle, that the price of any commodity is regulated by the number of competing factors, either as sellers or buyers?

The more competitors offering a commodity for sale, the less price it will bring; the more competing buyers, the higher price it will bring. If you permitted natural causes to operate in trade; if you permitted the great future wheat crop of that region to be handled along nature's route and by the men and means the best equipped in the world to handle a great grain crop, viz, the people of Minneapolis and of the Northwest, every bushel of that wheat would pass to the markets of the world through our country and through our commercial channels, or at least under conditions which we in part controlled.

Instead of reaching Europe as a competing factor at unseasonable times, to be dumped on the market when not wanted, at a low price, it would go there as part and parcel of the one great American wheat crop. The American wheat crop would then be offered to the foreign consumer as required, instead of being subjected to a dual competition in its sale, and that in the aggregate would mean infinitely more than any possible temporary gain of a cent or two in a locality, but I do not concede that the repeal of the tariff would effect the price except for the better.

But wheat is only one out of a score of commodities that might be mentioned. Why, Canada has mines, forests, water power, coal, oil—all of the natural resources that have made the United States great, all in the infancy of their development. Will you continue to deprive our young men of the opportunity to assist in their development? Will you forever compel them to renounce intercourse with their kinsmen if they go there?

In another aspect the upbuilding and development of Canadian trade merits consideration. When established it will be a permanent trade. It will not be of the temporary character of the trade which results from mere differences of industrial development. It will be as permanent as the differences in climate and latitude. What have the farmers of Minnesota and Pennsylvania to exchange? Absolutely nothing. If the industrial development of Minnesota were the same as the industrial development of the State of Pennsylvania, there would be little commerce between the two States.

Trade along lines of parallels continues only so long as there is a marked difference in industrial development. All permanent trade—Jefferson saw this and Blaine saw it—between nations, the trade that is not dependent on differences in industrial development, extends along lines of longitude instead of lines of latitude. I said the Pennsylvania farmers and the Minnesota farmers can not trade. Tennessee farmers and Minnesota farmers can trade and do trade. We send them the old-fashioned cheerful Minnesota "Murphy;" they send us the sweet potato. They send us tobacco, and we send them flour. The South sends us fruits and early vegetables, and we return the products peculiar to our section.

One of the large items of imports to Canada, over a million dollars, was fruit. I left Minneapolis in July—strawberries selling three boxes for a quarter. When I reached Winnipeg the next morning they were selling at 25 cents a box. At that very time we had bushels—hundreds of bushels—in my own county to be shipped, the same as we shipped every day into the Red River Valley during the season and into the Dacotas, but on account of the tariff barrier we could not send them to Canada. Now, that is wicked. I believe it to be wicked in the sight of God to thus prevent the good people of Canada from enjoying the luscious fruits that we produce to the southward. [Applause and laughter on the Democratic side.]

Nor do we profit by it. You, my Republican friends, are prone to talk about Democratic inefficiency and Democratic shortsightedness. If at any period in the history of our country it has been worse than yours is now, all I can say is, may the Lord have mercy on the memory of Democracy. On this question the only rational, efficient legislation the country has had it received at the hands of the Democratic party. In 1854, foreseeing the possibilities and the future of our great neighbor to the north, the Democratic Administration then in power negotiated a treaty providing for free trade in natural products between Canada and the United States.

In the year before the negotiation of that treaty we exported eight millions to Canada. In the year following the negotiation of that treaty our exports increased to $15,000,000 and our imports grew almost apace, not quite; and so our trade increased from year to year until the treaty, without any human being having given a tangible reason for the act, was abrogated by us in 1866.

Ever since that time, by a persistent course of irritation, littleness, unbecoming a nation as great as ours, we have done everything to annoy and estrange our Canadian friends.

Mr. TAWNEY. Will my colleague permit an interruption there?

The CHAIRMAN. Does the gentleman yield?

Mr. LIND. Yes.

Mr. TAWNEY. That treaty of 1855 was a treaty merely for the exchange of natural products, was it not?

Mr. LIND. Yes.

Mr. TAWNEY. And the balance of trade the year before that treaty took effect was how much in favor of the United States, can the gentleman state?

Mr. LIND. Well, it was very trifling.

Mr. TAWNEY. From thirty-two to thirty-four millions the year before.

Mr. LIND. Oh, the whole trade, my friend, between the two countries was less than $15,000,000.

Mr. TAWNEY. Well, the report of the Bureau of Statistics shows that it was between thirty-two and thirty-three million dollars. Now, the year before the treaty was abrogated the balance of trade had changed so that it was almost $30,000,000 in favor of Canada. Is not that a fact?

Mr. LIND. No.

Mr. TAWNEY. That is the fact as shown by the figures furnished by the Bureau of Statistics. Now, I will ask the gentleman just one question more.

Mr. LIND. Yes.

Mr. TAWNEY. Is it not also a fact that since the abrogation of that treaty our trade with Canada has been constantly increasing, and has increased every year?

Mr. LIND. It has been increasing.

Mr. TAWNEY. And the balance of trade in favor of the United States has been increasing every year?

Mr. LIND. Yes. Now, there is the point. So long as American statesmanship is based upon such arguments as that, that because we have the advantage of a sister nation—for we have it—and so long as that advantage tends to our profit, no matter how it irritates, no matter what desperation it drives the other

nation to, no matter what retaliation or foreign alliances it may drive that nation into, we must persist in it, forsooth, because it pays.

Mr. TAWNEY. I understand my colleague is pleading for charity in trade.

Mr. LIND. I am not pleading for charity. If there has been any pleading for charity in my remarks up to this moment I would like to have some gentleman call my attention to it. [Applause on the Democratic side.] The Canadians need not our charity. They have a dominion as magnificent as ours, and they are beginning to have just as much pride and self-sufficiency as we have, but you and your party, by persisting in the policy that has prevailed for the last five years, have driven English statesmen into the advocacy of a counter policy which, if it prevails, will cause you to plead for charity for your farmer constituency. [Applause on the Democratic side.]

I wish to say to my friend from the Fifth District of Minnesota [Mr. TAWNEY], who has just spoken, by things that he is representing his farmer constituents well. I know he means to, and I only regret that he can not take a broader view of his duties and of the interests. [Applause on the Democratic side.] You raise a good deal of pork in your district. I raise some on my farm. However, we have been selling hams and packed pork as well as flour to Germany. In the fiscal year which expired on October 31 last we sold to the United Kingdom, Germany, and France of these commodities, as follows:

[illegible] for the months ending October 31, 1903.

Country.	Quantity.	Value.
	Barrels.	
United Kingdom	7,989,492	$20,942,[illegible]
Germany	[illegible]	2,[illegible]
France	[illegible]	12,594

[illegible]

Country.	Hams.	Value.	Pork.	Value.
	Pounds.		*Pounds.*	
United Kingdom	[illegible]	[illegible]	[illegible]	$6,111,712
Germany	[illegible]	[illegible]	2,[illegible],493	248,272
France	[illegible]	10,418	183,437	12,815

This shows how tariff war affects our exports to the Continent.

By reason of the retaliatory tariffs which the "graft" schedules in our tariff law have raised against us, and upon which you "stand pat," our farmers have virtually been cut out of the markets of continental Europe. And if Chamberlain's proposed policy should be adopted and Canada become part of the proposed imperial commercial union, our farmers will be cut out of the English market as well, and it will be a sorry day for us if they are.

I believe that even in national affairs instead of pursuing a narrow, selfish, and short-sighted policy it is better to act on the principle of "Live and let live." [Applause on the Democratic side.]

The Canadian tariff is reasonable as compared to ours. It averages less than 25 per cent ad valorem, and ours is nearly 50 [illegible]

That the Canadians should complain of this treatment is natural, [illegible] as they are our largest customer next to England. The Canadians desire free trade in natural products. I believe that we can well afford this concession. Our trade relations were mutually profitable under that arrangement during the time that the treaty was in force. I call attention to the following table:

[illegible]

[Treaty period, March 19, 1855, to March 17, 1866.]

Year ending June 30—	[illegible]	[illegible]
[illegible]	$[illegible]	$[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[

The United States freely acknowledges and recognizes this sovereignty and disclaims any property or other impair in any way whatever, or to increase its territory at the expense of Colombia or of any of her sister republics of South or Central America. But, on the contrary, it desires to strengthen the powers of the [illegible] and to promote, develop, and maintain their prosperity and independence.

It was provided by the Hay-Herran treaty, ratified by the Senate on March 17, 1903, that before it became operative it must be ratified by the United States of Colombia on or before September 22, 1903. This was not done. Two special complaints are waged against Colombia—one that she refused to ratify a treaty from which we expected to derive a manifest advantage, and the other that this refusal was brought about by corrupt means, and proceeded also from a desire to drive a better bargain with the United States in order to secure $20,000,000 or $25,000,000 instead of $10,000,000 provided for in the treaty, and that the failure of Colombia to ratify the treaty would delay the United States in its purpose to construct the canal.

In so far as the first complaint is concerned, it can be dismissed with but [illegible] consideration. It is a right inherent in every nation to decide for itself whether or not a treaty negotiated by its representative shall be ratified where ratification is required.

The President and Secretary of State of the United States negotiated the Hay-Concha treaty, but it was not ratified by the Senate. Colombia had no just cause of complaint because of this. In 1884 we negotiated a treaty with Nicaragua for the construction of the canal, but the Senate refused to ratify it. Nicaragua did not make war upon us because of this failure. Within recent years we negotiated a treaty with Great Britain which our Senate rejected, and yet Great Britain did not feel aggrieved.

Nor can justification be found for our conduct because Colombia attempted to "drive a sharp bargain." We drove a "sharp bargain" with the New Panama Company ourselves, compelling them, under threat of building the canal by the Nicaraguan route, to agree to accept our valuation upon their concessions and property.

Nor can we defend our conduct because corrupt influences may have conspired to delay the construction of the canal by the rejection of the treaty. It took half a century in the United States to educate the people with respect to the canal project, to overcome the tremendous influences opposing it, absentee and seeking to defeat it by delay. Against it were arrayed powerful influences in the North and East, because the South and West, by reason of their geographical position, might reap the prime advantage, and the great transcontinental railroads have made their influence felt because the canal threatens to destroy the monopoly of transportation which they have so long enjoyed and upon which they for so long feasted and fattened.

At the very time the Spooner amendment to the Hepburn bill was passed, by which the canal route was changed from Nicaragua to Panama, the very contingency that has happened—the rejection of the treaty by Colombia—was provided for when it directed the President to construct the canal by the Nicaraguan route should Colombia fail, after a "reasonable time," to ratify the treaty with the United States. That law has never been repealed. It should have been obeyed. The President in his recent message used the following language:

> No man is above the law and no man is below it, nor do we ask any man's permission when we require him to obey it. Obedience to the law is demanded as a right, not asked as a favor.

How hollow and insincere these words seem in the light of the flagrant violation of the law by the President himself.

Now, Mr. Chairman, let us briefly examine into the part played by the United States in the recent revolution in Panama and see how it comports with fair and honorable dealing with a sister republic and with the established precedents of our Government. This revolution was not indigenous to the soil of Panama. It was of foreign birth and foreign parentage. The eggs from which it was hatched were laid in the United States and in Paris. Mr. Roosevelt and his Administration were not ignorant of the events that were transpiring, nor were they disinterested spectators of what was occurring. It was known to the conspirators against Colombia that if the United States lived up to its treaty obligations the revolution would fail. It was not expected that it would do so. It must have been known that our Government would not do so. Indeed, it has been current in the press that a prominent promoter of the revolution had the audacity to visit the Secretary of State before the revolution occurred to discuss with him coming events. It was an open secret for weeks and months that a revolution was coming as soon as the plotters in the United States and France were ready for it, and it was openly proclaimed that it would have the moral support of the Administration.

Mr. WILLIAMS of Mississippi. May I interrupt the gentleman?

Mr. BEALL of Texas. With pleasure.

Mr. WILLIAMS of Mississippi. In June, or July or August, the Baltimore Sun accurately foretold the whole business, and said it was being concocted in Paris and here. I will give the articles to the gentleman to insert in the RECORD if he wishes them.

Mr. BEALL of Texas. I will be very much obliged to the gentleman. It was also an open secret that such a revolution was being fomented, and if the Administration didn't know about it the Administration was practically all there was in this country in ignorance of what was occurring. [Laughter on the Democratic side.]

I will insert in the RECORD these extracts from the Baltimore Sun of different dates, long prior to the revolution, which show that something was expected to happen.

BOLD STEPS FOR CANAL—STATES OF PANAMA AND CAUCA MAY SECEDE FROM COLOMBIA [illegible] THROUGH THEM—DRASTIC MEASURES ARE THREATENED UNLESS [illegible] GOVERNMENT MAKES HASTE TO RATIFY TREATY.

WASHINGTON, *June 11.*

[illegible] treaty [illegible] an independent republic favorable to the in[illegible] that [illegible] and they [illegible] Panama and Cauca will secede [illegible] State Department [illegible] a [illegible] N[illegible] is felt at [illegible] Colombia [illegible] between the [illegible] States will obtain the [illegible] of construction [illegible]

In the event of a coalition between Panama and Cauca it is more than [illegible] the treaty will be ratified by [illegible] President to draw in [illegible] time [illegible] being ratified. [illegible] by a report [illegible] that the treaty [illegible]

This appeared three months before the limit given to Colombia to ratify the treaty had expired and indicated that at that time a revolution would follow the defeat of the treaty, and that the President would wait such revolution rather than obey the mandate of Congress as expressed in the Spooner amendment, and that "drastic measures" would be resorted to by this Government in order to procure the right of way across the Isthmus. In the light of subsequent events this article has the appearance of being inspired. The treaty did fail, the President did wait for the revolution to occur, the Administration did resort to "drastic measures."

Permit me to direct the attention of the House to another special from Washington to the Baltimore Sun of July 28, 1903, more than three months before the revolution occurred:

MORAL AID TO UPRISING—UNITED STATES MAY SUPPORT THE MOVEMENT IN PANAMA—SITUATION REGARDED GRAVE.

WASHINGTON, *July 27.*

Not for several months has the feeling of the State Department [illegible] of the Isthmus so [illegible] receipt of news from [illegible]

* * * * * * *

[illegible] of the canal, who have been greatly discouraged [illegible] for a revolution [illegible] and the appearance [illegible] of revolution [illegible]

[illegible] to believe that the United States will give encouragement [illegible] and [illegible] that the United States would be responsible for the present Government [illegible]

[illegible] the treaty [illegible] President [illegible] Panama [illegible] United States [illegible] the United States [illegible] the United States [illegible] would give moral aid to the movements, even though it acted within the boundaries of international law.

This special emphasizes several facts:

First. The "State officials" felt "encouraged" because a revolution was threatened.

Second. That certain "canal advocates" have been hoping for a revolution.

Third. That the revolutionists would be encouraged by the United States with "moral" support.

Fourth. That the French Panama Company (the company selling their possessions to the United States for $40,000,000) would "finance" the revolutionists.

Fifth. That the "interests" of the United States favored the insurgents. Yet at this time the United States was at peace with Colombia, and bound by solemn covenants to protect her against dismemberment.

I direct your attention now to what appeared in the Baltimore Sun of August 20, 1903.

SECRET PLOT IN PANAMA—FOREIGN RESIDENTS INVOLVED IN THE CANAL AGITATION—ALREADY PREPARING A BLOW—IT IS EVEN DECLARED THAT THE NEW GOVERNMENT TO TAKE CHARGE HAS ALREADY BEEN SELECTED.

SAVANNAH, GA., *August 19.*

An English owner of valuable properties in Panama, who came to buy machinery, said to-day:

[illegible] for a governmental revolution in Panama at any time [illegible] recent attempt was premature, but he and I understand very for[illegible] of the Isthmus know that a de facto government has been se[illegible] that it has the support of the troops available for service, and [illegible] that is needed to see Gov[illegible]

[illegible] canal [illegible] surprising to those of us who have [illegible] at stake, the foreign [illegible] has been a foregone conclusion for months. Failure on the part of the United States to complete the Panama Canal [illegible] the powers in Bogota easy to arrange. The army has not been paid for months, and a promise by the foreigners to pay each enlisted man $50 in gold and officers sums proportionately larger has gained an enthusiastic, though secret, allegiance.

But if it be said that these extracts represent only the opinions of the newspaper correspondents and do the President and his Administration an injustice, let me call your attention to a remarkable interview given out by Senator McCOMAS, of Maryland, on August 26, 1903, and appearing in the Baltimore Sun of August 27, 1903. Let it be remembered that Mr. McCOMAS is a Republican Senator, a close personal and political friend of the President, called by the President into council in his efforts to win Maryland for the Republicans, and in every way situated so as to reflect the sentiment of the President.

McCOMAS'S VIEWS—WHAT HE THINKS ABOUT NATIONAL AND STATE AFFAIRS, FINANCES, PANAMA, AND CUBA—THE ADMINISTRATION MAY SUPPORT SECESSION.

HAGERSTOWN, MD., *August 26.*

* * * Senator McCOMAS also believes that the extra session of Congress will not begin before November 9. * * *

He is also satisfied that nothing can stop the nomination and election of Mr. Roosevelt next year, and he believes that the Isthmus [illegible] Panama. [illegible] them, in the Senator's opinion, the State of Panama and possibly one or two other States will secede and set up a government which will treat with the United States, and that in seceding they will receive the moral support of the Administration at Washington.

* * * * * * *

Discussing national affairs, Senator McCOMAS said to the the Sun correspondent:

* * * The Panama Canal will be built. There will be a revival of the agitation for Nicaragua followed by the [illegible] refusal of Congress to ratify the treaty [illegible] last March. I believe Nicaragua will [illegible] and we will [illegible] If we do not I believe Panama, with or without [illegible] will declare her independence, if necessary, to [illegible]

"The [illegible] South American countries. In the [illegible] of America [illegible] international law this enlightened country, which wants what the world wants—the Isthmian canal. Our moral influence would strongly support Panama. However, the Colombian Government may yet prevail, and this treaty is backed by the Marroquin [illegible] Administration, which is potent with the Colombian Congress."

Among the great metropolitan papers of this country none has been more loyal to the Republican party nor more earnest in the support of its policies than the New York Times. On November 6, 1903, this paper contained a remarkable editorial under the caption "A national disgrace," in which the policy of the Administration was criticised in the severest way. In the course of this editorial the following statement of facts was made:

[illegible] the consideration of the treaty at Bogota the prediction was [illegible] that if ratification should be refused the State [illegible] would be organized and upon [illegible] with [illegible] the building of the canal. In proof of the fact that this [illegible] revolution we have now before us the discovery that three months ago 4,000 Winchester rifles, 1,500,000 rounds of ammunition and other implements of war to the value of $50,000 were shipped from Montreal [illegible] purposes purporting to be [illegible] The [illegible] Panama [illegible] Bogota [illegible] Panama [illegible] Panama [illegible] Panama

Mr. Loomis to Mr. Ehrman.

[Telegram.]

DEPARTMENT OF STATE,
Washington, November 2, 1903.

Sent 5.03 p. m.)

Keep Department informed as to situation

LOOMIS.

Mr. Ehrman to Mr. Hay.

(Telegram.)

PANAMA, [illegible]

[illegible] Mail for Cartagena. *Bogota* sup[illegible]

EHRMAN.

Mr. Ehrman to Mr. Hay.

(Telegram.)

PANAMA, [illegible]

The situation is peaceful. Isthmus [illegible] Panama at Washington.

EHRMAN.

Mr. Loomis to Mr. Ehrman.

(Telegram.)

DEPARTMENT OF STATE,
Washington, November 6, 1903.

[illegible] 10.51 a. m.

The people of Panama have by an apparently unanimous movement dissolved their political connection with the Republic of Colombia and have established themselves as a free, independent, sovereign state, with a de facto government, republican in form, and with every prospect of maintaining itself. The President and Cabinet have been received by the people of Panama with every evidence of satisfaction, and no opposition to the new government is anticipated. The President of the United States has instructed me to express through you to the people of Panama the profound interest with which the government of the United States has witnessed the events which have led to the establishment of the new government, and the President will be glad to receive at the earliest practicable moment a duly accredited representative of the government of Panama to discuss the matter of a treaty to be negotiated between the United States and Panama in connection with the existing treaties between the United States and Colombia relating to the Panama canal and the sovereignty of the territory.

Communicate access to Minister, who will be governed by these instructions in case of being first recognized by the local authorities.

HAY.

But that is not all. On November 2, 1903, the day before the "revolution" occurred, the Administration was preparing for it and was carrying out its plan to prevent the Government from landing, not on the canal strip alone—the only strip in which the Government had an interest—but at any place within 50 miles of Panama; and our war vessels are now patrolling the coast of Colombia to prevent the landing of any Colombian troops upon Colombian soil, and our marines are stationed along the border line of Colombia to prevent her army from marching overland into Panama to put down the revolution which our own Government helped to incite.

The gentleman from Pennsylvania [Mr. ADAMS] this morning in an attempt to defend the Administration related the occurrence of the abdication by old Don Pedro of the Brazilian throne. The gentleman from Pennsylvania was the representative of the United States in the capital of Brazil at the time. He says he saw the Emperor in his carriage ride through the streets one afternoon; that a revolution was in progress; that the empire tottered and fell, and the Emperor rode away. The gentleman from Pennsylvania makes an admission that should have caused him no end of shame. He admits that he knew of this revolution before it actually occurred. We have constantly advertised Minister Beaupre, at Bogota. We have an Ehrman on guard at Panama now, and Loomis and Darling are at their posts at Washington. Ehrman was a grocery in the house when the gentleman from Pennsylvania was in times past, because Ehrman knew before the revolution ever occurred that it was going to occur. [Laughter and applause on the Democratic side.] By some sort of mental telepathy Loomis here in Washington knew in advance that it was going to occur, and it may be that the fear that it did not occur on time led Loomis to send a telegram to remind, suggesting to him that something ought to be done.

Mr. ADAMS of Pennsylvania. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. BEALL of Texas. Why, certainly.

Mr. ADAMS of Pennsylvania. The same allegation was made by the gentleman from Arkansas [Mr. DINSMORE]. A rumor that a revolution had broken out in Panama was brought to the State Department by a person representing the Associated Press. The response was that precisions which should be expressed by the State Department, a telegram was sent to our representative there, asking if the rumor was true, not informing him that a revolution was expected to take place. This is evidenced by the note at the head of the correspondence sent to the House of Representatives at their request by the President, showing how that dispatch was sent.

Mr. BEALL of Texas. I yielded for the purpose of a question only, but if what the gentleman states was sufficient authority for the State Department to act, then it ought to have acted weeks and months before, because the press of this country teemed with suggestions that a plot against the integrity of the United States of Colombia was being formed, and the details of that plot were known under the very shadow of this Capitol.

Mr. ADAMS of Pennsylvania. Will the gentleman permit an interruption?

Mr. BEALL of Texas. Certainly.

Mr. ADAMS of Pennsylvania. That telegram was sent to find out whether the rumor was true.

Mr. BEALL of Texas. In order, if it was true, I presume, that recognition might [illegible] the Republic. [Laughter and applause on the Democratic side.] That illustrates the grounds of my complaint against the gentleman from Pennsylvania. He is entirely too slow. He couldn't report the details of the Brazilian revolution until it had occurred. The gentleman from Pennsylvania should sit at the feet of Ehrman and Loomis. They don't do things that way. [Laughter.]

Mr. ADAMS of Pennsylvania. If we were as slow as the Democratic party the canal would never be built. [Laughter on the Democratic side.]

Mr. BEALL of Texas. I did not understand the remark of the gentleman.

Mr. ADAMS of Pennsylvania. If the gentleman had listened to my remarks this morning he would have heard me say that the Administration is to be commended for seizing the opportunity to construct a canal under more favorable conditions than has ever happened before.

Mr. BEALL of Texas. Of course the gentleman would commend the Administration for "seizing" anything; that is what we are objecting to of late years. There is a disposition manifested by the Republican party to "seize" anything that is lying around loose. [Laughter on the Democratic side.] There is too much "seizing" and too much "Caesarism" being displayed in this country.

The State Department evidently wanted a revolution; it expected a revolution. It inquired whether one had reported for duty. The representative at Panama answered, "No uprising yet." But he afforded Loomis consolation in what followed, for it notified him that the revolution would come off in the night, and it did come off at 6 p. m. [Laughter.] Two hours and twenty minutes after the secession special was due by Loomis's time card is Washington it hove in sight in Panama. Loomis was the acting chief dispatcher for the Roosevelt Revolution Road, and Ehrman ran an information bureau. One hour and twenty-five minutes after the Department of State was advised by Ehrman that a revolution was expected it was notified by the same party that the revolution had already occurred and that a government would be organized during the night "consisting of three consuls and also a cabinet."

But the gentleman said this morning that it was dangerous to reflect upon this Republican Administration. That sounds like Russia. I suppose that it is dangerous for a Republican to reflect upon it, because this Administration is not slow to back and bite, and if a gentleman on the other side doesn't praise himself he is likely to suffer mutilation. The gentleman from Pennsylvania dare not reflect upon this Administration. He has postoffices and patronage at stake; his portion of the "official pie" would look smaller than a cousin's [illegible]. "Pie" is the favorite Republican provender. In a contest between principle and "pie" the gentleman had better take to the woods so far as the Republican party is concerned. [Laughter and applause on the Democratic side.]

Mr. ADAMS of Pennsylvania. Will the gentleman allow me a question?

The CHAIRMAN. Will the gentleman from Texas yield to the gentleman from Pennsylvania?

Mr. BEALL of Texas. If the gentleman will not make a speech.

Mr. ADAMS of Pennsylvania. I want to say to the gentleman that there is only one post-office in my district, and the Senators from my State take care of that.

Mr. BEALL of Texas. Well, I don't know much about Pennsylvania. I accept his statement that there is but one post-office in his district, but there must be other "plum trees" for him to shake. The gentleman from Pennsylvania flaunted the Stars and Stripes this morning and said he stood for the sentiment "Our country, right or wrong." We echo the sentiment. Adopting the expression of a distinguished orator of the North we are for our country, "If it is right, to keep it right; if it is wrong, to get it right." It is because we love our country that we protest against this course of dishonor—this departure from the traditions of the past.

The gentleman from Arkansas [Mr. DINSMORE] a few days ago denounced the conduct of this Government in its dealing with Colombia and Panama as unprecedented in our history and

unwarranted by international law. Complaint has been made that the opinions quoted were not modern enough to suit the case. Until now I have cherished the belief that it was far wiser and better for one seeking to fortify his position by authorities to go back to fundamental principles and to the founders of the Government—to seek counsel from those who guided our country in days past and gone. It is not a matter of surprise that the President refuses to heed the example of many of his predecessors for his estimate of their character is wholly at variance with the popular conception. We have been taught to look with deference and respect back to the fathers and founders, to heed their admonitions, and to follow their examples. But the President has disillusionized us. Instead of giants in those days, there were pigmies; instead of statesmen, there were mountebanks and impostors, the vaunted statecraft of the fathers was a myth, and the glories achieved upon the field pale before the incomparable splendors of this peerless soldier of San Juan.

The President once wrote a history of Thomas H. Benton, and in this book he consigns to oblivion many hitherto historic characters; and for the information of the House and as a warning against the folly of ever looking to their words or examples in times of national stress I desire to read what he has to say in regard to these "little Americans."

JAMES MADISON.—Scholarly, timid, and shifty doctrinaire, who supplanted the elder Adams.

MONROE.—Was a courteous, high-bred gentleman of moderate ability, but was [illegible] President by perhaps a strong the peculiarly quiet years and years of good feeling which lasted from 1816 to 1824.

JOHN QUINCY ADAMS.—Was cold, hard, unlovable, and strangely warp; of strong, narrow mind and bitter prejudice, with few statesmanlike qualities.

VAN BUREN.—Was served the mammon of unrighteousness, both in his early days and later at Washington.

HARRISON.—Young Harrison had already shown himself to be a good soldier and a loyal and honest public servant, although he [illegible] in the first battle he ever fought against Indians, just [illegible] his subordinates improperly, misrepresented the facts or suppressed facts that he lived in a log cabin, drank hard cider, and was a democrat with coon skins, and that [illegible] hard cider from a party as being more important than his capacity as a statesman or his past services to the nation.

TYLER.—He has been called a time-serving, but this is unwarranted flattery. He was a backbone of mediocrity. * * * He gathered about him men of mediocrity, pretty, ordinary, pretentious, incapable of honest and far-seeing patriotism, and the ability to [illegible] over [illegible] an independent party that was blended long enough together with him really think that he was the man to be nominated for the Presidency.

POLK.—Was the prime, if not the very strongest of the small line of Presidents who came in between Jackson and Lincoln.

TAYLOR.—He was a great and good man, but not a great commander.

PIERCE.—A sweet, pleasant, well-meaning, well-mannered man, but not a statesman. He was [illegible] and upon surroundings, proud to [illegible] but not a statesman. He was [illegible] to be President, with "undaunted [illegible]."

The Panama "revolution" occurred at 6 p. m. November 3. Its independence was recognized at 2.45 p. m. on November 6 by the United States. What justification was there for this action? What was there to recognize? No stable government had been formed. A self-constituted junta had assumed power under the protection of the United States war vessels. Press reports were responsible for the statement that the flag of the insurgents was raised by a naval officer of the United States. It had no army; no navy. It had not enough citizens of Panama in its support to fill its offices, and it had to conscript Frenchmen interested in the old canal company.

If the support of the United States had been withdrawn, this Government of Panama would have vanished in an hour. Yet it was recognized. By what right was this done? That "timid doctrine" of Madison's said that to be entitled to recognition it "must be made by the will of the nation substantially declared." The Government of Panama did not represent the "will of the nation," nor was it substantially declared.

John Quincy Adams, when Secretary of State, said recognition would be premature

the independence is established as a matter of fact, so as to leave the chance of the opposite party to recover their dominion utterly desperate.

In 1823, in discussing the attitude of this Government toward certain revolted colonies in South America, he used the following language:

Without pretending to have the reasonable hope of maintaining permanently peace in our country, but in the announcement of the independence of such of these governments which [illegible] it is preferable to do so when such sovereigns as manifest a disposition to maintain the existence.

That "Presidential figurehead" (James Monroe) refused to recognize the independence of certain South American States until—

it is manifest that all these provinces are not only in full enjoyment of their independence, but exhibiting the settled war and attitude of nations, that there is not the least prospect of their being deprived of it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRUNDIDGE. Mr. Chairman, I yield ten minutes more to the gentleman.

Mr. BEALL of Texas. Mr. Chairman, the Republican party has reversed itself upon the two great principles that gave it birth and life. It was born as a protest against slavery. Within recent years it has recognized and permitted slavery in the Philippine Islands. Its first success precipitated secession, and its first President made war upon it and destroyed it by the sword. This last Republican Administration sets its seal of approval upon secession, not only by encouraging it in Panama but in using the Navy—and if need be, the Army—of the United States to prevent its suppression.

In 1836 Texas declared her independence of Mexico. Her people had been largely drawn from the United States and were one in language, one in tradition, one in sentiment, and one in aspiration with the people of the Union. By their valor in the field they had enriched the history of the world. They had made that era the heroic age of the Southwest. They had given the Alamo to the world as a shrine dedicated to imperishable heroism; at Goliad they had furnished the world the inspiring spectacle of heroes dying for liberty; at San Jacinto they had vindicated their right to be free; they had dispersed and driven from their soil the invading army; they had captured its leader; they applied to the United States for recognition. Mr. Clay of Kentucky, in a report made in the Senate on June 18, 1836, used the following language:

About three months only have elapsed since the establishment of an independent government in Texas, and it is not unreasonable to wait a short time to see what its operations will be, and especially whether it will afford the guaranties which foreign countries have a right to expect before they institute relations with it.

At that time the "ignorant, headstrong" Jackson, of "narrow mind and bitter prejudice, with few statesmanlike qualities," was President. He had been the close personal and political friend of Houston and of Crockett. He had been a soldier; he knew how to appreciate valor. All the impulses of sympathy, of sentiment, and of interest urged upon him the recognition of Texas. In his message to Congress in December, 1836, however, he used the following language:

The acknowledgment of a new State as independent and entitled to a place among the family of nations is at all times an act of great delicacy and responsibility, but more especially so when such State has come into existence through the separation of a portion of the territory of a country with which we are at peace, and which we have formed an integral part and still claim dominion over it.

And again he says:

It has thus made known to the world that the uniform usage and practice of the United States is to avoid all interference in disputes which may relate to internal government of other nations, and eventually to recognize the authority of the prevailing party without reference to our partiality for the interests and views or to the merits of the original controversy.

* * * * * * *

We acknowledged the separate independence of New Granada, of Venezuela, and of Ecuador only after their independence was no longer a matter of dispute or war was actually suspended on the part of those with whom they had been previously united. It is true that such request in Texas [illegible] of Mexico had been expelled its invading armies, defeated the chief of the Republic himself captured, and no present power to control the new government of Texas existed, at least in its entirety. But on the other hand there is no assurance that such independence is secure from future invasion of Texas. The Mexican Republic, under another president, is said to be taking steps for a war of conquest under a new leader and threatening a fresh invasion to recover its lost dominion.

But it is said in this House that we are interested in Panama; that it is to our commercial advantage to recognize Panama in order to hasten the construction of the canal. Compare this spirit of to-day with the spirit of 1836 as viewed by Jackson:

But there are circumstances in the relation of the two countries which require us to act on this occasion with even more than our wonted caution. Texas has not, as a part of Mexico, been recognized as an independent nation by any one of the numerous governments with which we have relations of amity and commerce. Her own political character, moreover, has been, and is, in some respects, equivocal. Her population, too, is in a great degree composed of our citizens, who have, by their emigration, been severed from their allegiance to their country, and who, in their new residence, have not been long enough to become assimilated in character to the people among whom they have established themselves. It is known that the people of Texas have declared their independence of Mexico, and have maintained it by their own arms, and that there is every reason to believe that the government established by them is firmly established. But these facts are not of a character, in the opinion of the Executive, to authorize us to take any decisive step in the matter without a more full and satisfactory knowledge of the condition of things in that country. Our own laws, our own interests, and our own duties, are the guides which must lead the Executive in this matter. Our laws have not been adapted to the case of a country situated like that of Texas, and our interests and our duties forbid us to take any step which may not be in perfect accordance with the sentiments of the nation at large upon the subject. Under these circumstances I have felt it my duty to decline, for the present, the acceptance of the proposed diplomatic intercourse.

A large portion of the population of Texas are emigrants from the United States, and the language and sentiments of the United States predominate among them. Their ancestors came from the United States, and they themselves are, generally, connected by ties of blood, and kindred feelings, and opinions with the people of the United States. It is known that the people of Texas have declared themselves independent of Mexico, and have maintained their ground against the parent country for more than two years. This government has been established by the people of Texas, and has been in operation long enough to seek acknowledgment from other nations of the world. The question of recognition is a question of great importance and difficulty, and has been, and will be, maturely considered by the general government.

The United States has been the nation to which Texas has looked for her acknowledgment. She seeks to be received into the family of nations, and to be treated as an independent power by the United States. It is proper, then, that we should be deliberate in our course, and that we should not be hurried into a precipitate recognition of her independence, lest we be thought to have been influenced by the importunity of seeking to embroil the country of our neighbors in a war, with a view to its subsequent acquisition by ourselves.

Prudence, therefore, seems to dictate that we should still stand aloof and suspend our personal judgment of and until decision itself of some of the great European powers shall recognize the independence of the new Government, or at least until the lapse of a sufficient number of months shall have proved beyond doubt or dispute the stability of the power of that country to maintain itself against Mexico, and to render the government established by those who are in possession of the country the settled government of the country. By proceeding at this time with such caution, we shall act in perfect accordance with the long established policy of our Government, a policy which has uniformly been found to be the safest and most respected guide to follow in our intercourse with foreign nations.

In 1849 the Hungarian patriots were struggling for liberty under the leadership of Louis Kossuth. The splendid heroism they displayed and the fact that they were in revolt against the most intolerable oppression stirred this country most profoundly.

Inspired by the most commendable sympathy, there came a demand from all sections upon the President of the United States to recognize the independence of Hungary. Taylor was President. "He was neither a great statesman nor a great commander," and he refused recognition to Hungary.

In a special message to Congress he gave his reason, as follows:

[illegible]

But if all other precedents were lacking the course pursued by the Government of the United States in the great civil war settled beyond all cavil the policy of the United States. Eleven States seceded from the Union. They established a government of their own. They had a president, a vice-president, a cabinet, a congress. They were performing all the functions of government. In population they had a third, in area a half, of what was then the territory of the States. They had the nucleus for a navy which was driving the commerce of the United States off the seas. They had an army of the best soldiers the world ever saw. The superiority of the southern soldiers stand to-day attested by Mr. Roosevelt himself. He says that to the decline of the militant spirit of the northeast was—

[illegible]

The Southern soldiers were led by Beauregard, by Joseph E. Johnston, by Albert Sydney Johnston, by Hood, by Jackson, and, above all, by Lee, who, according to Mr. Roosevelt—

will undoubtedly rank as without any exception, the very greatest of all the great captains that the English-speaking peoples have brought forth, and this although the war had ended in his own defeat—they himself [illegible] to stand as the fullequal of Marlborough and Wellington.

That army of the South had routed the forces of the Government, had driven back the invading army, and was in sight of the Capitol. The Confederacy applied to foreign governments for recognition. Mr. Seward was Secretary of State. England's "interest" would have been subserved by the recognition of the Confederacy, except that it would have involved her in war with this Government. Mr. Seward, in the course of his very able correspondence on this subject, committed his Government to the policy that—

[illegible] of a new state, and so forth, possibly determining the [illegible] of nations, is the highest possible exercise of sovereign power, because it affects in any case the welfare of two nations and often the peace of the world.

And he further says:

Humanity has indeed little to hope for if it shall be the [illegible] of high political [illegible] to be deemed [illegible] that the [illegible] as moral persons bound to act for each other [illegible] and the great good is merely an incidental [illegible] to be produced in the performance of the [illegible] and [illegible] duties. Such is the nature of this principle, the essential nature of the entire system of the new group of federal governments. When one of them comes to exchange for the independence of some other one that possesses it, it ought to act under a profound sense of moral responsibility, and to be governed by considerations of a purer character than those which are called for in the general contests of society and the advancement of human nature.

At that time Abraham Lincoln was President of the United States. Mr. Chairman, I was born in the South, reared in the South; my father, my brother, my kindred, fought in the armies of the South. I love her history, her traditions, her memories. I would not exchange the heritage thus bequeathed to me for all the gold of the barons of trade. But we of the South are forgetting many of the better memories of the past. We join to-day with all other sections in doing honor to the memory of Abraham Lincoln.

In this crisis of my country's history, when precedent seems abandoned, when principle seems forsaken, when we are beginning to worship new and strange gods, when our destiny as a nation is "quivering in the wind," I say, World to God that in such an hour and such a crisis there stood at the helm a man with the gentleness and courage, with the honesty and experience, with the wisdom and statesmanship of Abraham Lincoln to guide the old ship on its wonted way, avoiding the shoals and the narrows and the dangers which it must encounter if it sweeps on in the course it is now going. [Applause on the Democratic side.]

Mr. Chairman, for forty years the Republican party has been hiding behind the tombstones of its great men—first of Lincoln, then of Grant, then of McKinley. It can not in this instance invoke the example of Lincoln, nor of Grant, nor of McKinley. For almost ten years, beginning with 1868, the Cuban patriots were struggling for their liberty. Grant's sympathies were with them. The interests of our people would have been subserved by the freedom of Cuba. The insurgents there were, under all the rules of international law, a thousand times more entitled to recognition than the Republic of Panama; but with Grant "strenuosity" was not a mania, and this stern and silent soldier chose to abide by the example of the fathers.

Again in 1895 the struggle began anew in Cuba. It was of a character to appeal to our sympathies; it stirred our hearts; the trade of our nation with Cuba was destroyed; the property rights of our citizens were imperiled; the wail of starving thousands in Cuba assailed our ears; the condition was intolerable. Cuba was appealing to McKinley for help, for recognition, for a place amongst the nations of the world. McKinley applied to Cuba the test applied by Jefferson and Monroe, by Jackson and by Taylor, by Lincoln and by Grant, and would not yield to Cuba's importunities, but chose in preference to send the armies and the fleets to Cuba as an act of war, to check and stop the unspeakable horrors being enacted there.

Mr. Chairman, it is better to follow the old landmarks. We are too great to play the bully over the weak. The world hates a bully; it honors a man or a nation that dares always to do right. The weaker the other nation the more careful, the more considerate, we should be. It is better for us to honor the memory of the fathers by walking in their footsteps than to dishonor and discredit them as we are doing at this time. They chose the path of safety; so should we. They chose the way of honor; so should we. They chose the way of right; so should we. The rights of other nations, the honor of our own, and the safety of our people all plead for this Government to stop before it goes too far; before it molds wrong into a precedent; before it enthrones force; before it destroys liberty. [Prolonged applause on the Democratic side.]

Mr. BRUNDIDGE. Mr. Chairman, I yield thirty minutes to the gentleman from New York [Mr. BAKER].

Mr. BAKER. Mr. Chairman, I had not expected to take up the time of the House so early in the session. I had thought of exercising that modesty which is becoming in a new Member; but there have been two statements made upon the floor recently, by men conspicuous in leadership on the other side—one economic and the other political—which, it seems to me, demand a reply, even if it be by a new Member.

The gentleman from Iowa [Mr. HEPBURN], in his speech on the 19th of November, said:

There is labor in every part of this country for every man who wants a place to work.

And that sentiment found, as it necessarily and properly would, applause upon the Republican side. There was no reason why there should not be applause upon the Democratic side, if it were true! And then the gentleman from Iowa proceeded:

And there is a compensating wage for every man who will perform a day's labor.

It is because my views are so entirely at variance with what the gentleman evidently regards as a "compensating" wage that I have asked for the privilege here now of making some comments upon what in my estimation is a most extraordinary statement.

What constitutes a compensating wage? In my humble judgment a compensating wage means the entire product which any laborer gives to an article by his toil, and if any part of the value of that labor which he has implanted upon that article is subtracted or taken away by some other power, then to that extent that labor does not obtain a compensating wage.

Is there any man, even upon the Republican side, who will claim to-day that, as we see growing up on the one hand gigantic fortunes almost beyond calculation, and as we see in our great cities especially hundreds of thousands of individuals who scarcely know where their breakfast is coming from in the morning, who will pretend that these men, these hundreds of thousands of individuals, having none of the wealth of the world, have received compensating wages for their past toil?

Mr. Chairman, I want to cite a few authorities to show the lack of proper compensation, the lack of a compensating wage to the laborers of this country. A year ago a hearing took place which attracted the attention not merely of the people of the United States but of the whole civilized world. A great contest had been waged in this country for months, in which on the one hand were arrayed the most powerful band of monopolists that probably ever afflicted any country and on the other hand 140,000 of almost helpless toilers. That struggle had gone to such an extent, had continued so long, the industries of the country had been so seriously affected, that there arose an almost universal demand that the contest should cease, and a commission was appointed—whether properly or not I am not going to discuss—and that commission

gave a hearing. I want to read from the New York American some of the comments on that hearing.

SCRANTON, *December 9, 1902.*

The members of the strike commission wept to-day when a miner told his simple stranded story of incredible treatment of inhumanity that astonished the judges.

Just think of it! In the United States of America, in a country that it is boasted possesses greater freedom than any other country in the world, and where protectionists at least claim labor gets a higher wage, we are told this body wept when they heard of the inhumanities which had been perpetrated upon some of the men then out on strike. It goes on—

The veil was raised a few inches and the commissioners were astonished as they looked beyond.

I will not burden the House with all the details. Let me call attention only to one or two things, as set forth in the reports appearing in the New York American and Journal. That paper's comment follows:

Coal had had every bone in his body, except his neck, broken in the service of these people, and after a life spent [illegible] place, it is true, but [illegible] Year [illegible] and the children of two companions who had been killed at work, and were living for [illegible] had started his home. They had [illegible] out of a [illegible] had died as the result of the exposure, and he had just come from burying her to tell his story.

THE TALE OF KATE BURNS.

Mrs. Kate Burns, whose husband was killed in the Markle mines at Jeddo fourteen years ago, testified that since then she and her children have been [illegible]

I have lived at Jeddo all my life," she said. "My father was a miner and I married a miner. For nine years he worked hard, and when he was carried home dead I had no money saved to bury him. He had been run over by a locomotive in the mines, but there was no redress. I was left with four children, the eldest [illegible] years of age. We had been living in a four-room house, but after his death I moved to a two-room house.

"I contributed my husband with the money contributed by his friends, and got nothing from company [illegible] I had [illegible] as soon as my child was born. I took in washing, [illegible] work, and everything that was possible to keep together my little family.

NOTHING FOR HER WORK.

"For the two-room house I was charged $3.65 per month. I found that I got nothing from the company for my work in the offices, as my earnings were credited to the rent bill. For six years I got no credit from the company store.

"When my eldest boy was 14 years of age I sent him to the mines, as I needed the money desperately. He was to get 78 cents a day, but his first pay day he got a due bill [illegible]

"I kept on working as long as I could to pay that bill. I had received nothing from the company for my husband's death. Two years later I sent my second son to the mines, and he, too, kept working for nothing in cash. We have been working ever since, and at last have worked off our rents, but have nothing else to show for all these years."

Where is the "compensating" wage for the Burns boys and their heroic mother? Remember the latter years of this tragedy were enacted during the vaunted period of prosperity, terminating if the tragedy has really terminated—in May, 1902, the very zenith of this period.

"Compensating wages" we are told exist in the United States for every man who desires to work, and yet the evidence was brought out that under this system of slavery that existed in the anthracite coal regions of Pennsylvania these children worked for fourteen years and never received one solitary penny of cash in wages.

Who were the men that had brought that great industry into this condition? To find the origin of the formation of the coal trust you must go back to the time when Franklin B. Gowen first started to form that combination. Gradually the combination became greater, gradually the power of the monopoly became stronger, until the time came when over 90 per cent of the production of anthracite coal was carried on and controlled by the men who, according to the constitution of the State of Pennsylvania, were acting illegally in everything they did in the mining of that coal.

A former Secretary of State of the United States—a former Attorney-General—characterized these men in this language. Mr. Richard Olney said:

Who are they that are so insistent upon the suppression of lawlessness in the mining regions? Why, the most unblushing and persistent of lawbreakers.

For years they have defied the law of Pennsylvania, which forbids combinations [illegible] mining.

For years they have discriminated between customers in the freight charges on their railroads in violation of the interstate-commerce law.

[illegible] commerce in violation [illegible]

[illegible] explanation of their astonishing attitude [illegible] so many laws for so [illegible] they are wholly immune from either punishment or reproach.

Does any man in this country believe that these 140,000 anthracite toilers received a "compensating wage?" Does any man here believe they were in receipt of a "compensating wage?" The most remarkable agreement, probably, ever made in this country is that agreement which these monopolists have tricked these miners into. "For each increase of 5 cents in the average price of white ash above $4.50 at tidewater the miners are to secure an addition of 1 per cent in their pay."

But it is based upon a minimum price of $4.50 a ton. Four and a half dollars a ton, of which $2 is absolutely nothing but monopoly.

THE RECURRING ANTHRACITE COAL PROBLEM.

If there were any doubt from any other feature of the Anthracite Commission report that the anthracite monopolists were able to exert an hypnotic influence over their [illegible] it. It certain [illegible] from the contemplation of the operators, but it is the [illegible] of a hypnotist. If Captain Kidd had dared to assume to be a descendant of the ships he acted on the basis of [illegible] to them and to [illegible] proceeded they [illegible] the "sphere of his influence." No wonder they have [illegible] such a unilateral sided bargain than that the operators have "dished" the miners with in this clause.

Observe the cool effrontery of the proposition: The miners are to reap no advantage, so far as this proposition is concerned; there is to be no amelioration of the insufferable conditions that were the cause of their striking, until when? Not until their oppressors have secured a price for the product of these very miners when gives the operators at least $1.00 a ton over and above what would yield large dividends on the actual capital invested. Monopoly is to receive at least four times as much profit as will pay a much more of dividend on actual capital; $2 a per ton would satisfy that [illegible] who risk their lives in digging the coal are to derive any benefit from this clause.

But even this does not disclose the real malignity of the "agreement" [illegible] that [illegible] gave [illegible] of their [illegible] yet there was a [illegible] that they were not receiving an [illegible] and that a sudden rise in the price of anthracite [illegible] to receive the [illegible] gentlemen who [illegible] the people through [illegible] the [illegible] of the people [illegible] of the poor. They say in effect, "You ought not to [illegible] $4.50 a ton, you [illegible] to pay the miners in the wages we were [illegible] the poor. The [illegible] were low, surely you will not complain of paying a [illegible] more, now that you know that for every 5 cents increase in price the miners are to receive an increased wage."

A "compensating" wage, I suppose.

So far as the [illegible] pleading it is tantamount to [illegible] $4.50 is a fair price [illegible] an equipped company [illegible] an extraordinary [illegible] But note the [illegible] of the proposition from another point of view. Notice approximate terror [illegible] the [illegible] that the [illegible] of the past four or five years have resulted their [illegible] are bound to fall now [illegible] the [illegible] of [illegible] Mr. Morgan's [illegible] is [illegible] strong [illegible] are tired of [illegible] until the "lambs" take them off their hands for [illegible] price. Therefore, possessing as they do an almost [illegible] monopoly, and being able to fix the price at which they please they possess [illegible] of drawing consumers to the use of bituminous. Natural gas is an [illegible] competitor, and [illegible] to fix the price of anthracite high enough to [illegible] $4.50 [illegible] the people during much [illegible] "the [illegible] [illegible] that the price was [illegible] why not [illegible] price from which may be [illegible] in the wages of the miners more [illegible]

On the other hand, the miners will find their hands tied should they again [illegible] against the prices and conditions under which they are employed. They will be told, "Why you agreed that all demands for an increase of [illegible] from $4.50 [illegible] that the figure was a [illegible] on the [illegible] our prices at a loss as we are [illegible] our loss [illegible] allow us [illegible] possible [illegible] to pay a higher [illegible] we have paid in wages by being compelled to sell at a loss. If the operators [illegible] to keep open [illegible] we will probably [illegible] that the miners are [illegible] a [illegible] reduction in wages until such time as the price of coal shall again reach $4.50.

I can think of nothing that so aptly illustrates the value of this concession by the coal barons as the story of the boy who, munching an apple, is asked by a smaller boy standing by, to "save me the core;" to which modest request comes the rejoinder, "There ain't going to be no core."

And this is called a "compensating wage" by gentlemen on the other side.

I want, with the permission of the House, to read another clipping. It is a clipping from a paper that in my judgment is doing more than any other newspaper in the United States to call the attention of the country to the distressing conditions which exist in many industries—the New York American. This is an extract from a sermon delivered by Cardinal Gibbons a few days ago, in which the Cardinal spoke of the conditions obtaining in the clothing industry in the city of Baltimore. It is as follows:

In a careful investigation I have discovered that after laboring for six [illegible] the [illegible] are living on starving wages. The moment a time in a few years they become incapacitated for work.

I would ask gentlemen on the other side when these toilers in the clothing sweatshops of Baltimore become incapacitated for work—the evidence showing that they receive only six to eight dollars a week, and therefore obviously can not lay by anything to maintain them in their old age—from whence are they to receive the "compensating wage" which is to support them when they become incapacitated for work? This is not a unique condition. The conditions in the coal industry and the clothing industry are not unique in the United States. Right in my own city, New York, in the Borough of Brooklyn, where I live, for two years men have climbed my door stoop nearly every day, asking me to use what influence I possessed, which is extremely little, to get them a job in the parks of that city.

And what do these men receive in the park department under the government of that great city? They receive $2 a day in wages, and if they work every day in the week they earn $12. These men who do not have to go through a civil-service examination have got to take the chance that climatic conditions will be favorable, so that they can work. A friend of mine who is a foreman in one of the parks tells me that on an average the men do not work more than four days in a week. In other words, these men are begging for an opportunity to get a job where they can not expect to earn more than $8 a week in the great city of New York, where rents are so high, and where prices have been increased in this period of "prosperity," where trusts have been able to squeeze labor down and raise prices up. In that great city these men beg for an opportunity to earn $8 a week. The cost of living has gone up [illegible] this period of so-called prosperity [illegible] wages have not gone up more than 10 per cent.

A [illegible] wage. It is a [illegible] wage that gives to the toiler a [illegible] pay [illegible] Bureau [illegible] a little [illegible] appeared in the New York [illegible] It is [illegible] headed [illegible] is a [illegible] me, that [illegible] American people [illegible] of what the [illegible] Congress this [illegible] Wood [illegible]

[illegible]

Mr. [illegible]

One of the [illegible] paid workers in Baltimore; out of the pockets of 140,000 [illegible] of Pennsylvania [illegible] people of this land; because it is only the poor people that need to illuminate their houses. One hundred and twenty-five million dollars is the price that we have got to pay to the Standard Oil Company alone for this glorious period of prosperity. One hundred and twenty-five million dollars—or a large portion of it—goes into the pockets of a half dozen men, who are already in possession of such great wealth that they could not throw it away if they tried.

It would not be possible for John D. Rockefeller to throw away in silver dollars, one every second, if he began on the 1st day of January and devoted every moment of the year—never stopping to eat or sleep—to the close of the year of December, it would not be possible for him to throw his income away. He does his profit. And yet we are told that this is prosperity. Prosperity! Yes, prosperity has come during the past four years to those who have control of the great monopolies of this country. It has enabled these men with what reputation they formerly had to delude the American people into a belief that "prosperity" somewhere, [illegible] of which is water, and the American people are finding that they can not digest that proportion of water. [Laughter.]

I spent last summer in the highly protected State of Pennsylvania, in a place where practically every man bows down to this idol "protection," and if that theory worked in that State at least you would think that prosperity would be found. And [illegible] the farmhouse where I stopped a farm laborer who was asked, to my positive knowledge, to go to work on two other farms received a wage of $5 a week and a small house to live in. It was a [illegible] paying wage. Fortunate for him he was only a wife and one small child, but if he had raised an [illegible] his wages would have been no higher. Five dollars a week for eight months in the year is all that that man is sure of receiving.

Mr. OLMSTED. Mr. Chairman, will the gentleman allow an interruption?

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Pennsylvania?

Mr. BAKER. I want to say, this being the first time I have spoken upon this floor, that I shall maintain the invariable rule I have followed outside of this House, to answer every question that may be addressed to me, no matter who the gentleman may be. [Applause.]

Mr. OLMSTED. I want to ask the gentleman where in Pennsylvania this occurred?

Mr. BAKER. In Pike County.

Mr. OLMSTED. That county is [illegible].

Mr. BAKER. I will be [illegible] it was near Milford.

Mr. OLMSTED. That man must have been a man of feeble mind, because there isn't an able-bodied man in Pennsylvania that can not get $2 a day. [Laughter.]

Mr. BAKER. Let me say that the farm upon which this man was employed the whole of last summer is situated 2 miles from the city of Port Jervis, in a town called Matamoras, and for the gentleman's own information I will give him the name of the farmer if he wishes. That man to my positive knowledge received a wage of $5 a week and a small house in which to live.

Mr. OLMSTED. I want to call the gentleman's attention to the fact that Port Jervis is not in Pennsylvania. [Laughter.]

Mr. BAKER. I said it was 2 miles from Port Jervis, over in Pennsylvania, at a town called Matamoras, and if the gentleman is familiar with the geography of his own State he will know that Matamoras is in Pennsylvania. [Laughter and applause.] A gentleman on my left calls attention to the singular fact that Port Jervis is in three States, one of them Pennsylvania, so it might have taken place in Port Jervis and still have been in Pennsylvania.

But, as I have already said, this situation is not unique. It is not unique to the mining industry; it is not unique to the clothing industry. It is not unique to the farm laborers. Why, sir, in the great State of Iowa, where we are told every man has his bank account, the farm laborer [illegible] the whole year as [illegible] is paid to the gentlemen from Iowa [illegible] to Congress. [Laughter and applause on the Democratic side.]

Now, I want to call a little more to this House. A gentleman who I suppose is a [illegible] for the great State of Pennsylvania (in the [illegible] any other man was, at the time of the great labor struggle at Homestead. [illegible] careful to remain [illegible] at Skibo Castle, was very careful not to respond to [illegible] sent to him asking that he use his influence to see that the [illegible] be brought to an end. [illegible] men who were laid down at Homestead, but he [illegible] "benevolent" system instituted by the United States Steel Corporation, which is called a "bonus" plan for [illegible]. What does Mr. Carnegie say?

At a meeting of the Iron and Steel Institute, in London, May 7, referring to the stock-bonus plan for employees, Mr. Carnegie said:

> In the bonus granted to employees we have proof of regard for them—

Heaven save the mark! "Regard for the employees" is the way in which Mr. Carnegie speaks of this little "arrangement"—

> which can not but tell, and the distribution of shares in the concern has an advantage which so far even no partnership has enjoyed.

True! Never before in any large way, on any large scale, has an industrial corporation been able to foist upon its workmen—as a favor—stock at 82½ which is selling to-day in New York at 52⅝. This is the way they "regard" their workmen. This is the way that great protected industry, the United States Steel Corporation, "takes care" of its employees.

That this infant industry would perish from the land, that the storage areas of its starving workmen would [illegible] up, that its tall chimneys would topple and fall, that the ore and coal in the ground which this corporation owns would secrete itself nearer to the center of the earth, perhaps finally coming to the surface at the other side of the globe—China, if it were not for the tariff, we have the highest authority for [illegible].

[illegible] president, Charles M. Schwab (a man after the President's own heart), in one of those confidential communications which occasionally pass between captains of industry, but which rarely see the light of day, writing to Mr. Frick under date of May 15, 1890, said:

> WAGE [illegible] PROTECTIVE TARIFFS.
>
> As to [illegible] positively [illegible] $11.50 [illegible] would [illegible] this [illegible] the whole year as [illegible] this [illegible] year [illegible] cruise. The result of all this is that we will be able to sell our surplus abroad, run our works full, and [illegible] get the best [illegible] in this way.

The following is the comment of the New York Herald on Mr. Schwab's letter:

> A time, when steel rails could be made here at $12 a ton and sold abroad at [illegible] to the records of the American Iron and Steel Association, wages [illegible].

With the stockholders receiving 100 per cent on actual cost of plants, etc., or $133,000,000, and 150,000 employees receiving $120,000,000, one naturally asks, even in this case, who is getting

the "compensating" wages? Is it the stockholder or the employee? Only this very day an Associated Press dispatch reports:

> STEEL TRUST CUTS WAGES—AN ERA OF RETRENCHMENT WILL BE ENTERED UPON JANUARY 1.
>
> NEW YORK, *December 14, 1903.*
>
> The statement was made to-day by a leading official of the United States Steel Corporation that, beginning January 1, 1904, about 90 per cent of the [illegible] will [illegible] wage [illegible] [illegible] Amalgamated Association of Iron, Steel, and Tin Workers [illegible] June 1, 1904.
>
> [illegible] corporation has [illegible] already discharged, but no statement on this point was forthcoming here.
>
> It [illegible] employees of the [illegible] stock to which they are [illegible] $2.50.
>
> "Unfortunate conditions" is good. I suppose it was an unfortunate condition that caused the stock, which the employees were [illegible] permitted as a favor to purchase at $82.50, to be [illegible] when the insiders—the promoters—unloaded. It is [illegible] an "unforeseen technicality" that requires these [illegible] wage [illegible], so as to bring them, I suppose, down to what the gentleman from Iowa calls a "compensating" wage. The New York Tribune's report says:
>
> [illegible]
>
> What an admirable arrangement! The men are [illegible] to earn as much as formerly. We never hear of the stockholders having "passed" a cut in dividend! It is always the employee who must suffer. Will my Republican friends maintain that their idolized system of "protection" compels the employer to pay the [illegible] wages [illegible] that system of taxation "enables" them to pay?
>
> As a result of this—the ability to produce steel rails in the United States at $12 and less per ton, as against a net cost to produce in England of $19—and as a result of "protection," the United States Steel Corporation was able to earn profits to the [illegible] a total of $244,000,000, after making deductions for depreciation of plants, etc. The wages paid during these two years amounted to $112,000,000 in 1901 and $120,000,000 in 1902.
>
> When it is considered that it is extremely doubtful if it would [illegible] duplicate all plants, machinery, wharves, railroads, etc., of the company, it will be seen that its earnings have really amounted about 100 per cent a year.

Innumerable instances of the great disparity between what labor receives in wages in a protected industry and the "compensation" which goes to the trust controlling such industry could be cited, but I admit that none are more glaring than—

BORAX.

Most of the borax produced in the world is obtained in the barren and sterile region of California, where Chinamen and Indians who dig it receive the high wage of $1 to $1.25 a day—when they work. Borax is controlled by a trust known as "Borax Limited," an English corporation whose stock, however, is largely owned by Americans. Because Great Britain has no tariff for "protection," "Borax Limited" sells its borax there for 2½ cents while charging 7½ cents a pound here.

Who gets the "compensating" wage in this case? The Chinaman or the Indian who dig the borax in as inhospitable a region as exists probably on the globe, where no vegetation can grow, and gets the munificent pay of $1 to $1.25 a day, or "Borax Limited" (which is to its ability to squeeze the American people) which makes at least 300 per cent on the actual cost to it of every pound of borax it mines and manufactures?

If this prosperity of which we hear so much boasting as being due to Republican policies really exists, how is it that every week's trade paper and almost every issue of our daily newspapers contain accounts of lockouts and shutdowns and reductions of wages? Is it that the wages heretofore paid in these industries have been more than "compensating?" Do the protected barons feel that the workingmen have been getting too large a proportion of this prosperity, even after they have paid 40 per cent more for the necessaries of life, and they (the monopolists) have not been getting their share? If this is so, why do we hear that more millionaires were made in that garden spot, that very Alhambra of "protection" (Pittsburg) during 1900, 1901, and 1902 than previously existed in the entire country? Not so much boasting, I know, is made of 1903, as it is currently reported that "oil and philanthropy" have been getting in some fine work, as a result of which some budding millionaires there are now counting their wealth in six or even five figures instead of in sevens as before.

I will not take the time of the House to read this imposing list of shut-downs, lockouts, and wage reductions, called chiefly from good Republican newspapers. I will ask leave to insert them in the RECORD as part of my speech. I will, however, quote now what the International Mercantile Agency, of which ex-Director of the Census Merriam is the head, said, about December 5:

> The week is [illegible] by further shutdowns in industry. Wages of [illegible] industrial enterprises have [illegible] more, and preparations are making [illegible] reduction with respect to [illegible] others in various branches of mental industry.

As indicating the slackening in industry, we may note the falling off in the production of pig iron. The Iron Age of December 10 says that the production fell from an average of 1,[illegible] tons a month for July, August, and September to 1,[illegible] tons for November, and that "such a drop within the short space of two months is altogether unprecedented in the American iron industry." Yet it says that not only did the stock of iron greatly increase during November, but that for the first week in December the [illegible] of [illegible] was falling off in production.

On October 22 the Boston Transcript, a leading Republican paper, said:

> Orders [illegible] ploy[illegible] the country [illegible].

On November 11 the New York Journal of Commerce and Commercial Bulletin, the greatest journal of this class in this country, said:

> It would be folly to shut our eyes to the fact that industrial and in turn [illegible] of the financial [illegible].

WORKINGMEN ARE ANXIOUS.

The National Labor Tribune, of Pittsburg, in its last issue, gives this pointer:

> [illegible]

Apparently a new idea has occurred to these labor papers. If it can be made to work, the [illegible] in the future have to carry the heavier end of the burden of industrial depressions. They will unload on somebody else. When the demand for goods falls off and the manufacturer's profits begin to diminish the manufacturer reduces his working force or reduces wages, or both. When the demand for labor slackens and labor's earnings grow less why can not he have his rent, taxes, and other costs of living reduced accordingly? How nice it would be if he could pass this trouble along.

But the workers will not get relief in these directions. Landlords refuse to reduce rents, because they know that there are just as many houses and as many people who have to live somewhere; that is, until they freeze or starve. The total taxes of the average family are about $125 a year, of which $40 goes for State and local taxes, $25 for external revenue, and $60 for tariff taxes. Of the tariff taxes only about $15 goes to the Government, the remaining $45 going to the tariff trusts and other protected interests.

There is no good reason why this $45 a year of tariff taxes which goes to the protected trusts should not be taken off even when times are good and when wages are high. When wages are low and men are out of work every unnecessary burden should be lifted from the laborer's back. This burden can be lightened only by the action of Congress; but, unfortunately for the workingman, they have elected the wrong set of men to Congress. The "stand patters" are now on deck here, and they would see the workingmen of this country bleed before they would think of offering the relief that could be given only by stopping the "graft" of the trusts.

President Roosevelt in his message has not mentioned the word tariff. He has joined the "stand patters." Every Republican now says that the tariff should not be disturbed until after the Presidential election. Of course the real reason for this is that the protected manufacturers have paid for the privilege of tariff taxing the people and will not consent to let go of the privilege.

WAGE REDUCTIONS, CLOSED MILLS, ETC.

As indicating the continued and rapidly increasing decline in wages and in the number of workers employed, the following additional news items are quoted:

> [From the Iron Age, December 10, 1903.]
>
> The independent sheet mills are demanding of the Amalgamated Association [illegible] Wages in sheet mills be reduced 20 per cent, [illegible] the nonunion mills of the American Sheet Steel Company. In case the association refuse to accept

[illegible] this reduction [illegible] is expressed that at least [illegible] of the mills will be closed down and [illegible] will be pressed and worked off at the mills running.

Where will union labor be then!

[illegible] Tuesday December 1 the wages of 20 men employed at the [illegible] were reduced 17 per cent. Common labor was reduced 8½ per cent.

How nicely graded these reductions are!

[illegible] all blast [illegible] the [illegible]

To help out the "bonus" plan, I suppose!

[illegible] Steel Company's Edgar Thompson group, at [illegible] Works Monongahela Mills have published wages to be [illegible] & Sharp [illegible] 5 per week.

Why does not this company "leave well enough alone" and "stand pat"—keep their works running?

[illegible] agreement is reached. The molders have been notified of a reduction in [illegible] of the Wheeling [illegible] Works, Wheeling, W. Va., have been notified of a reduction in wages of [illegible] per cent, effective December 1.

RAILWAYS CUTTING DOWN.

About October 14 the New York Times, under the above headline, reported as follows:

[illegible] W. C. Brown, of the New York Central, admitted [illegible] that a ma- [illegible] to strikers. Was undoubtedly true (especially if it dealt with the Pennsylvania) 25 per cent. That means 25 per cent less stock and also 25 per cent less business [illegible]

Of course, those who choose to do so can accept the interested optimistic vaporings of Republican statesmen and discard the disinterested warnings of our great trade and labor journals and [illegible] But if, as has heretofore been supposed, the iron and steel industry is the barometer of business, then a great industrial storm will soon be upon us.

CREATOR AND PRESERVER OF PROSPERITY.

A significant letter appeared on November 23 in the Youngstown (Ohio) Vindicator. It is addressed to "Senator M. A. HANNA" (creator and preserver of prosperity), and reads as follows:

[illegible] you said this and I [illegible] figure by December 1 and come [illegible]

To this letter, which [illegible] Hanna meaning, October 15, there is a postscript admonishing that "if you don't do something soon there will be soup houses in this valley."

Soup houses! Why, the man must be crazy! Our Republican friends tell us that soup houses are [illegible] And yet it [illegible] cally bury the man whom the monopolists all over the country [illegible] other man—Tom L. Johnson), should have [illegible] out of town? For the sake [illegible] of the reputation of the Republican party, I hope prosperity's guardian will catch the first train to Youngstown and take prosperity back there with [illegible] charge that the Republican party is giving [illegible]

[illegible] who were largely responsible for foisting a [illegible] upon an unsuspecting public [illegible] another trust known as the "shipbuilding trust," which is practically all water. I suppose that was in order to enable the ships to have some of their natural element in which to float. [Laughter on the Democratic side.]

What [illegible] the president of that corporation say? He says that the formation of the company is an "artistic swindle." Just think of it!

A gentleman who has been a member of the other House, a gentleman who is sufficiently responsible in the great State of New Jersey to be selected as trustee for this defunct corporation and its few assets, says the formation of that company was an "artistic swindle," and it was to the gentleman who was mainly responsible for the flotation of that company that the Member from Ohio a year ago sent that frantic telegram, "There are 10,000 frantic miners in my district: for God's sake stop the strike!" He knew—the Member from Ohio knew—where was the seat of power in the United States. He did not send any telegram to the other end of Pennsylvania avenue. No! He sent his telegram to the corner of Wall street and Broad street. He knew that there was the seat of power in the United States, and he sent his telegram there beseeching that the influence of the power of government which was situated there should be used to settle the coal strike, which otherwise meant, in his judgment, the loss of his seat in Congress.

These gentlemen have been guilty not only of an "artistic swindle," according to the language used by ex-Senator Smith, but they have also been guilty of wholesale plunder. Even Republicans must admit that if there is any plunder going on, the men or body of men engaged in plunder can only plunder those who are in possession of wealth, and if the plunder is effected, then the men who previously had the wealth are shorn of it while the plunderers walk off with the booty.

Now, if plundering has been going on in the United States under the ægis of these great financial magnates, then it necessarily follows that the people have been plundered. But that does not surprise the gentlemen from Pennsylvania. You have been so accustomed for years to laying the whole American people under tribute that it does not surprise you that a financial magnate should only lay a few thousand investors in stocks under tribute. [Applause on the Democratic side.]

I am absolutely impartial in my denunciation of robbery. I not merely say that it is wicked under the so-called theory of "protection" for a few men to be given the power to put their hands into the pockets of the American people, but I also say it is equally wicked when a corporation does what it is charged by the present government of the city of New York with having done. The city of New York charges that one of the great trusts, not satisfied, I suppose, with putting its hands into the pockets of the American people to the extent of $70,000,000 a year—the sugar trust—but because, I imagine, it needed a few more dollars to declare another one-fourth of 1 per cent dividend—has stolen $525,000 worth of water from the city of New York.

Gentlemen, any man that understands the influences that control men must know that when you confer the power on a man or a body of men to rob legally, just as sure as they get the opportunity to do it they will rob illegally, as the sugar trust is charged with doing. [Applause on the Democratic side.] While the demoralizing effect upon many who possess no legal power to rob, unless their moral nature has been fully developed, is to throw the glamour of respectability, of "shrewdness," over stealing when carried on on a large scale, which incites them to petty peculation and breaches [illegible]

Incidentally I might call the attention of the gentlemen on the other side to the fact that there are some 75,000 textile workers whose wages have recently been reduced from 15 to 25 per cent. I am curious to know which the gentleman from Iowa regards as the compensating wage. Was it the wage paid before the reduction or that now paid? If it is the wage formerly paid to these textile workers, then how comes it that having performed their part of the bargain entered into between them and the boss of the Republican party in Ohio, if not of the country, when he invited them to stand "pat," to "leave well enough alone," and they have stood "pat" and voted for the Republicans and "prosperity"—why, I ask, is faith broken with them? Why are their wages reduced? Is it claimed that the wages these men received before the 15 per cent to 25 per cent reduction went into effect was more than "compensating?"

The newspaper which puts this item in circulation very properly suggests that it would be well for these men, the men employed in that industry, to "let well enough alone" and not rank themselves with those who are termed "agitators!" And yet, referring again to the remarks of the distinguished cardinal, I want to say, as he says in speaking of the condition that exists in the clothing business of Baltimore, "You can agitate the question: by agitation the air is stirred, the sky is cleared, healthy discussion is provoked, you arouse public attention to pressing grievances, you invoke popular sympathy." I doubt, however, the ability of even a cardinal to invoke sympathy from the beneficiaries of protection.) "You remove the veil so that one-half of the world can know how the other half lives."

It is because a few individuals have the power conferred upon them by legislation to rob the great mass of the people. It is because of that that one-half of the people do not know how the other half—the lower submerged tenth—live in this country.

Why is it that a "compensating" wage is not paid to the coal miner; to the worker in the clothing sweat shop; to the farm laborer; to the factory operative, whether in cotton, worsted, woolen, and paper goods, boots and shoes, or other industries; to the sales girl of our city department stores; even to the clerks and bookkeepers—most of whom regard themselves as superior to factory operatives—thousand of whom, even in New York, with its high cost of living, receive less than $12 a week? Why is it that despite the manifold inventions which more than anything else mark the latter half of the nineteenth century, inventions which in some industries have increased the power of labor to produce ten, twenty, and, in some few instances, forty fold—why is it that capital even (capital not engaged in monopolistic enterprises or having some monopoly privileges) finds its return steadily diminishing, except, maybe, during a few years of particularly flush times? The answer to one is the answer to all of these queries—monopoly! I am well aware that in the public mind the word monopoly is associated almost exclusively with what has become known as the "trusts," but these combinations are merely the more glaring illustrations of the effects of monopoly. The ownership of valuable land in our large cities, of water powers and water privileges—wharves, etc—of mineral and timber lands, constitute monopoly privileges, and their ownership confers a power quite distinct from the possession of capital by the same individuals.

The exclusive franchises to perform certain public functions in our cities, such as the supplying of gas, water, and electricity, street-car and elevated railroad service, as well as interstate transportation, are monopoly privileges of the highest value, the possession of which gives the power to continuously tax the people. Colossal fortunes have been secured ("earned" is the mistaken term most generally used) by the few men controlling these enormously valuable privileges, which have been used to lay the whole people under tribute. The factory girl and the sales lady of our great stores many of whom receive as little as from $3.50 to $5 per week, have their scanty earnings reduced by the extortionate toll which the street-car monopolies exact. A service which it requires a stretch of the mind to figure as costing one-half of the 5 cents collected (even if seats were provided for all), and for which a 3-cent fare would yield a generous dividend on the actual capital invested in the lines and their equipment. This 2-cent excess collected twice a day constitutes during the week a serious depletion of the meager wages which these girls receive, and has, undoubtedly, been the means of driving many of them to the streets.

How is this condition to be altered? By what means can we prevent the further appropriation by monopoly of an ever-increasing proportion of the wealth which labor and capital produces? The answer is simple. Complex as our present civilization appears to those who have not studied economic principles, it is complex only in the subdivision of labor. The effects of monopoly are as clearly apparent to those who will study the matter as though primitive civilization existed and all wealth was produced directly from the land. To secure a "compensating" wage to labor, to secure a just and full return to capital, we must strike at the causes which produce monopoly. We must strike at the roots. We can do this by substituting in place of the cumbersome, unintelligent, discordant, complex system—or lack of system—which taxes production and accumulation, which says, in effect, to every individual that the more industrious and more effective your methods of production, the greater judgment and skill displayed therein the greater burden of taxes shall you bear: while it says to monopolists, in effect, the more you monopolize natural opportunities (thereby depriving labor and capital of the means of production) the greater the extent and scope of your monopoly, and the less use you permit these opportunities to be put to the less burden of taxation shall you bear. To secure a "compensating" wage to every toiler it is but necessary to restore natural law, to institute the "natural" system of taxation—the single tax. No words that I can use can so clearly and graphically portray the benefits that would follow if this were done as those contained in Ethics of Democracy, by Louis F. Post, who in this book has illumined fundamental Democratic principles, and who, week by week, in the columns of the Public comments upon current events of the day from the standpoint of real Democracy in a manner that can not fail to clarify the thought of those who read his paper, and I therefore commend it to my Republican friends on the other side, who stand so much in need of it. He says on page 141:

> By means of the single-tax principle the abolition of land monopoly can be fully accomplished. By means of the single-tax method it can be far advanced. Under this simple land reform, sound in economics and unassailable in morals, no one could hold any kind of land out of use without suffering serious and continual loss. Land would have to be used and be well used, or be abandoned. There would be no profit in mere ownership. That goal being reached—indeed long before it had been fairly reached—trade having meanwhile had its fetters loosened by the abolition of constitutional and industrial laws and of highway obstacles, the incentive of economic improvement would be generally diffused and the evil spirit of the trust would be exorcised.
>
> With the annual value of special landed advantages applied to common use and no longer retained by private owners with taxes on industries thus made [illegible] special privileges were [illegible] and every source made freely accessible and the burdens of [illegible] taxes laid down, were demanded for productive work, [illegible] to extend slowly and unevenly the law of wages, pay of all the economic forces of consumption and production proportionately to measure that excess—with these commutation effects of the single tax realized, there would be no more possibility of [illegible] and monopolizing business with paper [illegible] than of holding back the waters of Niagara with a paper dam.

GOD HELP RHODE ISLAND!

I now come to the political matter that I expressed a desire to discuss at the opening of my remarks. A few days ago I was impelled to ask the Member from Ohio this question on the occasion of his annual antelection prophecy: "Does the gentleman know that the reelected governor of Rhode Island is the same kind of a man as Tom L. Johnson—a Single-Tax Democrat?" and as the only reply he made was, "God help Rhode Island!" and as I now learn that that portion of his remarks wherein he spoke of the recent election in that State does not conform to the facts, I take this, the earliest opportunity, to state just what the facts are, and also why I, a resident of another State, deem it of importance that the country and also the prophet of the Republican party should know for what these men stand.

It will not do for my Republican friends to insinuate that the people of Rhode Island do not know for what Governor Garvin stands. They know he stands for—

EQUAL ELECTORAL REPRESENTATION.

So that 200 votes in a Republican rural community shall not have equal political representation with 10,000 Democratic votes in Providence.

THE INITIATIVE.

So that not more than 5,000 voters shall be required to initiate amendments to the Constitution, to be submitted directly to the people.

TAXATION OF PUBLIC FRANCHISES.

So that the exploiters of special privileges shall not escape taxation—the farmer and workingman now bearing nearly all the burden of taxation.

THREE-CENT RAILWAY FARES IN PROVIDENCE.

So that shop girls shall not be forced to give quite so large a proportion of their scanty earnings to monopoly.

TEN HOURS' LABOR IN TWELVE HOURS FOR MOTORMEN AND CONDUCTORS.

So that these men can occasionally see their children during daylight.

THE REFERENDUM.

So that no franchise shall be valid until approved by a majority vote of the electors.

He has been several times a member of the State senate as well as of the lower house, having been elected some thirteen times, as well as having been a candidate for Congress at four successive Congressional elections, while as the Democratic candidate for governor in 1902 and 1903 he polled on each occasion from two to five thousand more votes than the other Democratic candidates for State offices.

General GROSVENOR, among other things, said that the Republicans last year elected the lieutenant-governor by 700 or 800 and this year by some 8,000. I have here a letter from Governor Garvin's secretary, in which he gives the figures which show that the Democratic candidate for lieutenant-governor was elected in 1902 by 2,164, and that so far from the Republicans electing their candidate in 1903 by 7,000 to 8,000 he only had a plurality of 281, sufficient, it is true, to elect him, but indicating no such change of political sentiment in Rhode Island as the gentleman would have the country believe.

"God help Rhode Island!" It would seem that this appeal is unnecessary, as the people of that State at the last two elections have given the best evidence of their ability to help themselves. For years that little State has been the happy hunting ground of the boodler and corruptionist. Immense sums have been annually spent to make certain that the State would remain in the "right" column, the column which the gentleman from Ohio states is to aggregate some 260 votes in the electoral college.

Like Tom L. Johnson, in Ohio, Governor Garvin is one of those few men in public life who will not spend one illegal or corrupt dollar to influence political results, not even to secure his own election. As he is by repute a poor man, it is very doubtful whether, even if he had the disposition, he could raise pennies

where the Republicans raise dollars. The beneficiaries of "protection" are not contributing to the support of real Democrats—those who oppose every form of special privilege. But the gentleman from Ohio says, "We have not only both branches of the legislature, but we have them by a larger majority than we elected them by one year ago." What does the gentleman mean by a larger majority? Does he mean to imply that a majority or even plurality of the voters in Rhode Island last year, or even this year, voted for the Republican candidates for the senate and the assembly? I imagine not. Yet I can not see how the uninitiated could draw any other inference from his language.

What are the facts? We find that in these twenty towns—with a total population of 36[illegible] and but [illegible] voters, and in which the aggregate vote cast for all these twenty Republican senators was but [illegible], or 48 per cent of the vote—[illegible] a majority of the senate, [illegible] senators. While [illegible] Republican votes were [illegible] under the grossly unfair apportionment existing in Rhode Island, [illegible] twenty senators. [illegible] 75,[illegible] votes [illegible] twenty-[illegible] senators in Democratic districts. We thus get a glimpse of what the Democrats, under the leadership of Governor Garvin, have been up against in that State. Under the law there, as amended in [illegible], these twenty senators [illegible] the senate in effect, constitute the government of the State of Rhode Island, as the senate is really the executive power. All that these twenty men have to do is to refuse to confirm any appointment by Governor Garvin, and then, under this strange law, they can in the course of a stated number of days (very few) proceed to nominate and confirm whoever they may select.

In addition, and for the information of the gentleman from Ohio, I wish to call attention to the fact that it took 10,997 Democratic votes in the city of Providence to elect the one Senator which the Republican apportionment permits that city to have.

The marvel is, not that the Republicans have a majority of both houses of the legislature, but that the Democratic representation is half as large as it is where such gross inequality prevails.

It is entirely true that, as the General says, they—the Republicans—have the legislature, and that is what they wanted. Of course they wanted the legislature. Without it "oil and philanthropy" would be deprived of their most skillful leader and strongest supporter at the other end of the Capitol. But the Rockefellers do not boast of the methods employed to retain control of "their" legislature, while I notice that the gentleman from Ohio is content to let that phase of the subject severely alone. Even he will not boast of the scandals of corruption and political chicanery which the Republicans have resorted to to retain control of the legislature of that State, for without wholesale corruption, without the expenditure of an immense secret fund—the extent and persistent use of which one would think should make even Republicans blush with shame—they could not, even with their shockingly indecent apportionment, elect a majority of the legislature.

WHAT JOHNSON AND GARVIN STAND FOR.

But why is it that I am so interested in the governor of Rhode Island, and what induced me to call attention to the fact that he is the same kind of a Democrat as the last Democratic candidate for governor of Ohio? It is because these two men represent the highest ideals of Democracy, because they stand for its noblest aspirations, because of all the candidates of the Democratic party in the United States at the last election, who were known outside of their own districts, these two men alone stand unreservedly, unequivocally, and unquestionably for that fundamental Democratic principle—"equal rights to all and special privileges to none."

It is because the United States has strayed far from this principle; it is because the people have not been alert to the insidious attacks that have from time to time been made upon that principle; it is because as a whole they have never yet fully realized its great import; it is because they have listened to the siren song of those who wished to emasculate it, it is because the people have permitted this and other legislative bodies to nullify it by granting special privileges to this and to that special interest, until they became drunk with the power and immense wealth which the possession of special privileges has enabled them to wring from the people; that monopolists have become so insolent and domineering that they have come to regard these special privileges as their inherent and inalienable rights, threatening with annihilation, political and commercial, any who may have the temerity to challenge their right to continue to oppress the people.

It is because these two men, Tom L. Johnson and Lucius C. F. Garvin, are devoting their lives to the endeavor of educating the people to see the causes which produce monopoly, well knowing that, once its primal cause is understood, the people will make short work of the whole system of special privilege, that I hope the public will know more of them.

It has been said that the recent election in Ohio means the political death of Tom L. Johnson. Those who thus prophesy do not know the man nor the power of the truths for which he stands. To such men, imbued with a great moral purpose, the determination to devote their lives to the uplifting of humanity by the only effective way that mankind can be permanently benefited, by abolishing monopoly, defeat is nothing more than a temporary obstacle.

Johnson and Garvin, as well as less conspicuous workers in the cause for which Henry George gave his life, know full well the forces massed against them. They well know that every artifice of which shrewd, able, unscrupulous and extremely wealthy men are capable are and will be exerted to deceive the people as to the principles for which they contend. They know that [illegible] that monopolistic wealth can control—financial, commercial, and social—is being organized and marshaled against them. That the great daily and weekly newspapers with few exceptions are hopelessly controlled and are used to misrepresent them and their cause. But even this combination does not appall them. No temporary defeat will deter them from continuing the battle against every form of special privilege, against every law which gives one man an advantage over his fellows, and for the establishment upon this earth here and now of an order of universal justice which shall secure to even the weakest and poorest the full value of his toil.

The leading monopolists of this country, the men who during recent years have piled up fortunes of scores and hundreds of millions of dollars, know them, whether the Members of this House do or not, and they also know that the principles for which Governor Garvin and Tom L. Johnson contend, and of which they are the most conspicuous advocates in the United States, would, if applied, solve the anthracite coal problem as well as any and all other monopoly problems. It is because of this knowledge that these two men were especially singled out for attack in the last campaign by all the great exponents of special privileges, whether Republicans or wolves masquerading as Democrats, whether residents of New York, Philadelphia, Boston, and Chicago, or residents of Ohio and Rhode Island.

Of one thing the Members of this House may be assured—that the big monopolists of this country have a keen perception of the danger to their monopolies that would follow the complete triumph of men like Tom L. Johnson and Governor Garvin. The monopolists fully realize that these two men mean business, that no sneers or calumnies will deter them from their purpose to aid in overthrowing every monopoly in the country, and that the way to accomplish this is to deprive them of their special privileges, for it is through the possession of special privileges that men obtain the power to rob their fellow-men.

These men are two of the most conspicuous of those in the United States of whom Henry George, with that profound faith in man's inherent sense of justice which was his most marked characteristic, with a seer's vision, prophesied in the closing chapter of Progress and Poverty when he said:

> The truth that I have tried to make clear will not find easy acceptance. If that could be it would have been accepted long ago. If the world needed only [illegible] [illegible] [illegible]

in the Territory of New Mexico as a public park, to be known as the Pueblo Cliff Dwellers' National Park, for the purpose of preserving the prehistoric caves and ruins and other works and relics thereon—to the Committee on the Public Lands.

By Mr. CUSHMAN: A bill (H. R. 7270) authorizing and directing the Secretary of War to survey and construct a military wagon road from Valdez to Eagle City, in Alaska, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 7271) granting an increase in salary to the foreman of printing and foreman of binding in the Government Printing Office, and changing the names of said positions to superintendent of printing and superintendent of binding, respectively—to the Committee on Printing.

By Mr. MARSHALL: A bill (H. R. 7272) to ratify and confirm an agreement with the Turtle Mountain band of Chippewa Indians, in the State of North Dakota, and to make appropriations for carrying the same into effect—to the Committee on Indian Affairs.

By Mr. WILSON of Arizona: A bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Arizona Territory, severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a irrigating and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.—to the Committee on the Territories.

By Mr. ROBINSON of Indiana: A bill (H. R. 7274) to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii"—to the Committee on the Territories.

By Mr. NORRIS: A bill (H. R. 7275) for the erection of a public building at Grand Island, Nebr.—to the Committee on Public Buildings and Grounds.

By Mr. MILLS of Indiana: A bill (H. R. 7276) for the erection of a public building at Bloomington, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. HAY: A bill (H. R. 7277) to complete the Jefferson Memorial Office Building—to the Committee on Agriculture.

By Mr. SHERLEY: A bill (H. R. 7278) to amend section 933 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. POWERS of Massachusetts: A bill (H. R. 7279) for an additional circuit judge in the first judicial circuit—to the Committee on the Judiciary.

By Mr. SHEPPARD: A bill (H. R. 7280) for the improvement of Sulphur River—to the Committee on Rivers and Harbors.

By Mr. TIRRELL: A bill (H. R. 7281) authorizing the Secretary of War to procure suitable medals for the survivors, and the families of such as may be dead, of the forlorn-hope storming party of Port Hudson—to the Committee on Military Affairs.

By Mr. KYLE: A bill (H. R. 7282) for the remodeling and enlarging of the Government building at Springfield, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. PEARRE: A bill (H. R. 7283) for the extension of School street southward to Kenesaw avenue, and for other purposes—to the Committee on the District of Columbia.

By Mr. CURRIER: A bill (H. R. 7284) for the purchase of a national forest reserve in the White Mountains, to be known as the National White Mountain Forest Reserve—to the Committee on Agriculture.

By Mr. LITTLE: A bill (H. R. 7285) to remove the restrictions upon the sale of lands in the Indian Territory in certain cases—to the Committee on Indian Affairs.

Also, a bill (H. R. 7286) to create recording district No. 26 in the western district of the Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. TAYLOR: A bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Warrior River in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian—to the Committee on Interstate and Foreign Commerce.

By Mr. JONES of Washington: A bill (H. R. 7289) to extend to citizens of the United States who were owners, charterers, masters, officers, and crews of certain vessels registered under the laws of the United States, and to citizens of the United States whose claims were rejected because of the American citizenship of the claimants, or of one or more of the owners, by the international commission appointed pursuant to the convention of February 8, 1896, between the United States and Great Britain, the relief heretofore granted to and received by British subjects in respect of damages for unlawful seizures of vessels or cargoes, or both, or for damnifying interference with the vessels or the voyages of vessels engaged in sealing beyond the 3-mile limit, and beyond the jurisdiction of the United States, in accordance with the judgment of the fur-seal arbitration, at Paris, in its award of August 15, 1893, and so that justice shall not be denied to American citizens which has been so freely meted out to British subjects—to the Committee on the Judiciary.

By Mr. BISHOP: A bill (H. R. 7290) providing for the erection of a public building at Manistee, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. WALLACE: A bill (H. R. 7291) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: A bill (H. R. 7292) making Vinalhaven, Me., a subport of entry—to the Committee on Ways and Means.

By Mr. SIBLEY: A bill (H. R. 7293) for the erection of a postoffice building at Sharon, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. WALLACE: A bill (H. R. 7294) to regulate the practice, pleadings, forms, and mode of proceeding in civil causes in equity in the circuit courts of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 7295) to provide for the sale of the timber and other material growing or being on public forest reserves and for renting or leasing of the lands therein—to the Committee on the Public Lands.

Also, a bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States—to the Committee on the Public Lands.

By Mr. RANSDELL of Louisiana: A bill (H. R. 7297) to quiet certain land titles in the State of Louisiana—to the Committee on the Public Lands.

By Mr. LITTLEFIELD: A bill (H. R. 7298) to remove discriminations against American sailing vessels in the coasting trade—to the Committee on the Merchant Marine and Fisheries.

By Mr. DAYTON: A bill (H. R. 7299) to amend section 13 of an act entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," approved March 3, 1899—to the Committee on Naval Affairs.

By Mr. SHEPPARD: A bill (H. R. 7300) for the continuance of experiments by the Department of Agriculture in reference to the boll worm and for investigation of the cotton wilt disease—to the Committee on Agriculture.

By Mr. SHAFROTH: A bill (H. R. 7301) to establish soldiers' home near Denver, Colo.—to the Committee on Military Affairs.

By Mr. HULL: A bill (H. R. 7302) to recognize and promote the efficiency of army chaplains—to the Committee on Military Affairs.

By Mr. ALLEN: A bill (H. R. 7303) for the widening of V street northwest—to the Committee on the District of Columbia.

By Mr. BURLESON: A bill (H. R. 7304) for the establishment of agrostological stations and demonstration farms in Texas, and for other purposes—to the Committee on Agriculture.

By Mr. WACHTER: A bill (H. R. 7305) to acquire title to additional property for the erection and completion of the new United States custom-house now being erected in the city of Baltimore, in the State of Maryland, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. WARNER: A bill (H. R. 7614) for the establishment of a food bureau in the Department of Agriculture, and for preventing the adulteration and misbranding of foods in the District of Columbia and the Territories, and for regulating interstate commerce therein, and for other purposes—to the Committee on Agriculture.

By Mr. CUSHMAN: A concurrent resolution (H. C. Res. 16) that the Secretary of War be authorized and directed to present a report showing the estimated cost of continuing the harbor improvements at Everett, Wash.—to the Committee on Rivers and Harbors.

Also, a concurrent resolution (H. C. Res. 17) that the Secretary of War be directed to cause a survey to be made and estimate of cost of removing Starr Rock, Bellingham Bay, Washington—to the Committee on Rivers and Harbors.

Also, a concurrent resolution (H. C. Res. 18) that the Secretary of War be authorized and directed to present a report showing cost of removing obstructions to navigation of upper Columbia River, Washington, etc.—to the Committee on Rivers and Harbors.

Also, a concurrent resolution (H. C. Res. 19) that the Secretary of War be authorized and directed to cause a survey to be made and estimates of cost of dredging and improving harbor of South Bend, Wash., etc.—to the Committee on Rivers and Harbors.

Also, a concurrent resolution (H. C. Res. 20) that the Secretary of War be directed to cause an examination and survey to be made and estimate of cost of improving Chehalis River, Washington—to the Committee on Rivers and Harbors.

By Mr. JENKINS: A resolution (H. Res. 93) that the Clerk of the House furnish the Committee on Judiciary with the following works and books, namely: Three sets of United States Compiled Statutes and Supplement, three sets of United States Compiled Statutes and Supplement, Rose's Notes (13 volumes) of United States Reports, Rose's Digest (3 volumes), United States Reports, and Russell & Winslow's Syllabus-Digest of United States Supreme Court Reports—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 7306) for the relief of Laura A. Wagner—to the Committee on Claims.

By Mr. BABCOCK: A bill (H. R. 7307) granting an increase of pension to Mary Tichenor—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 7308) granting an increase of pension to Lucius E. Mills—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 7309) granting a pension to Johan Frank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7310) granting a pension to Maria V. E. Bitters—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 7311) granting a pension to Thomas Large—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 7312) granting a pension to Horace W. Gleason—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 7313) for the relief of C. E. Moore—to the Committee on the Post-Office and Post-Roads.

By Mr. CANDLER: A bill (H. R. 7314) for the relief of Dr. O. R. Early, of Lowndes County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7315) for the relief of the estate of Richard Mann, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7316) for the relief of the estate of Andrew J. Kincaid—to the Committee on War Claims.

Also, a bill (H. R. 7317) for the relief of the Methodist Church of Kossuth, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7318) for relief of heirs of Coleman Rogers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7319) for the relief of heirs of Sylvia Cannon—to the Committee on War Claims.

Also, a bill (H. R. 7320) for the relief of the heirs of M. A. McAnulty, deceased, late of Alcorn County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7321) for the relief of estate of D. R. Hubbard—to the Committee on War Claims.

Also, a bill (H. R. 7322) for the relief of the heirs of George W. Gardner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7323) for the relief of Jeremiah Walton—to the Committee on Military Affairs.

Also, a bill (H. R. 7324) for relief of estate of W. R. Smith, of Burnsville, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7325) for the relief of estate of W. F. Young, of Burnsville, Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7326) for the relief of the heirs of Abel Walker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7327) for the relief of J. R. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 7328) for the relief of Nancy H. Jones—to the Committee on War Claims.

Also, a bill (H. R. 7329) for the relief of the estate of J. W. Hopkins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7330) for the relief of Mrs. E. A. Hubbard—to the Committee on War Claims.

Also, a bill (H. R. 7331) for the relief of Mrs. E. A. Hubbard, of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7332) for the relief of the estate of Josiah White, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7333) for the relief of the estate of R. C. Bumpass, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7334) for the relief of Mrs. Mary Johnson—to the Committee on War Claims.

Also, a bill (H. R. 7335) for the relief of the estate of Mary H. Moore, deceased, Iuka, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7336) for the relief of the estate of William Clement, deceased, late of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7337) for the relief of Matilda H. Reed, of Iuka, Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7338) for relief of George Kimberley and Sam Kimberley, heirs of M. P. Kimberley, deceased, late of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7339) for the relief of Francis E. Whitfield and Lucy G. Whitfield, of Alcorn County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7340) for the relief of David Ingram, of Itawamba County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7341) for the relief of Isabella Rowsey, of Alcorn County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7342) for the relief of the estate of W. F. Young—to the Committee on War Claims.

Also, a bill (H. R. 7343) for the relief of the Presbyterian Church of Kossuth, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7344) for the relief of A. W. McClure, of Alcorn County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7345) for the relief of the estate of J. K. Morrison, deceased, late of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7346) for the relief of the estate of Richard D. Fielder, of Tishomingo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7347) for the relief of Susan C. Robinson, Iuka, Miss.—to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 7348) granting an increase of pension to Ira Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7349) granting an increase of pension to Riley Stroud—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7350) granting an increase of pension to John C. Besier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7351) granting an increase of pension to William Smith—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 7352) to restore to the active list of the Navy the name of Homer Lycurgus Law—to the Committee on Naval Affairs.

By Mr. CASSEL: A bill (H. R. 7353) granting an increase of pension to William H. Shreiner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7354) granting an increase of pension to John Shisler—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 7355) granting an increase of pension to Henry Barrett—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 7356) for the relief of Benjamin F. Massie—to the Committee on War Claims.

By Mr. CLAYTON: A bill (H. R. 7357) granting a pension to Georgia A. Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7358) granting a pension to Martha E. Nolen—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 7359) granting a pension to Mary Degman—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 7360) granting a pension to William T. Mefford—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 7361) granting an increase of pension to James A. Murch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7362) granting an increase of pension to Philetus G. Burch—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 7363) granting an increase of pension to Frank Gibbons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7364) granting an increase of pension to Leonard M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7365) to remove the charge of desertion from the military record of Samuel Gordon—to the Committee on Military Affairs.

By Mr. DENNY: A bill (H. R. 7366) granting an increase of pension to Thomas J. Cannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7367) granting an increase of pension to John M. Barron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7368) granting a pension to Annie G. Norwood—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 7369) for the relief of John N. Trussell—to the Committee on Claims.

By Mr. DALZELL: A bill (H. R. 7370) granting an increase of pension to Andrew Ivory—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 7371) granting an increase of pension to Maj. William Jackson—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 7372) granting a pension to Albert J. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7373) granting a pension to Harriet J. Woodbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7374) granting an increase of pension to Jabez Perkins—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 7375) removing charges of desertion and granting an honorable discharge to Samuel Pheasant—to the Committee on Military Affairs.

Also, a bill (H. R. 7376) granting a pension to Josephine Colbath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7377) granting an increase of pension to Virginia B. Mullan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7378) granting an increase of pension to Israel Purdy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7379) granting an increase of pension to Henry Zimmerman—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 7380) granting a pension to Harrison S. Cates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7381) granting a pension to Susan E. Potter—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 7382) granting a pension to Ellen A. Harman—to the Committee on Invalid Pensions.

By Mr. GILBSON: A bill (H. R. 7383) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act—to the Committee on War Claims.

Also, a bill (H. R. 7384) granting an increase of pension to William R. Maples—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 7385) granting an increase of pension to Robert McMullen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7386) granting an increase of pension to Elisha Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7387) granting an increase of pension to John L. Fleece—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7388) granting an increase of pension to John Baer, jr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7389) granting an increase of pension to David M. Shaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7390) granting a pension to Rhymas F. Wilkins—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 7391) for the relief of the widow and heirs of John A. Stephens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7392) for the relief of the widow and heirs of Jesse A. Stevens, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7393) to grant a pension to Gevert Schutte—to the Committee on Invalid Pensions.

By Mr. HAYES: A bill (H. R. 7394) granting an increase of pension to Amelia Hot Linse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7395) for the relief of Emile M. Blum—to the Committee on Claims.

By Mr. HAY: A bill (H. R. 7396) for the relief of Elisha M. Wood, administrator of Thomas B. Van Buren, deceased—to the Committee on Claims.

By Mr. HEMENWAY: A bill (H. R. 7397) granting a pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7398) granting a pension to Mary Ettie Osborn—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 7399) for the relief of John Wesley Moore, of Portland, Oreg.—to the Committee on Claims.

By Mr. HOLLIDAY: A bill (H. R. 7400) granting an increase of pension to Franklin Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7401) to correct the military record of James Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 7402) for the relief of the Indiana State Bank—to the Committee on Claims.

By Mr. JENKINS: A bill (H. R. 7403) granting a pension to William L. Hammond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7404) for the relief of Thomas O. Moore, of Boone County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7405) for the relief of the estates of J. M. Fitzpatrick and T. O. Moore, of Boone County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7406) for the benefit of Emily Byrd, of Wolfe County, Ky.—to the Committee on Claims.

Also, a bill (H. R. 7407) for the benefit of Elizabeth Bevins, of Pike County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7408) for the benefit of the estate of B. S. Hogg—to the Committee on War Claims.

By Mr. JOWELL of Utah: A bill (H. R. 7409) to place Elias H. Parsons on the retired list of the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 7410) granting an increase of pension to Enos D. Hogge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7411) granting an increase of pension to Matthew Caldwell—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 7412) granting an increase of pension to Mary E. Potter—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 7413) granting an increase of pension to J. C. Beckwith—to the Committee on Invalid Pensions.

By Mr. JONES of Virginia: A bill (H. R. 7414) for the relief of William H. Howard and Oliver D. Lewis—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 7415) for the relief of Robert Barnett—to the Committee on Military Affairs.

Also, a bill (H. R. 7416) for the relief of Henry C. Prater—to the Committee on Military Affairs.

Also, a bill (H. R. 7417) granting an increase of pension to Jefferson S. Keeton—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 7418) granting an increase of pension to Peter Minkler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7419) granting a pension to Alice R. Cronkite—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 7420) granting an increase of pension to Ira D. Marston—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 7421) granting a pension to William Penn Mack—to the Committee on Invaild Pensions.

By Mr. KNAPP: A bill (H. R. 7422) to pay Orville Jennings, of Fulton, N. Y., for work done under contract of March 25, 1889—to the Committee on Claims.

By Mr. KYLE: A bill (H. R. 7423) granting an increase of pension to Thomas D. Fitch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7424) granting an increase of pension to John V. Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7425) granting an increase of pension to William Wiggins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7426) granting an increase of pension to Lemuel Rodarmel—to the Committee on Pensions.

Also, a bill (H. R. 7427) granting an increase of pension to Francis M. Wall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7428) granting an increase of pension to William A. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7429) granting an increase of pension to John Q. Converse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7430) granting an increase of pension to David L. Yarnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7431) granting an increase of pension to Charles N. Burns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7432) granting a pension to Hannah Dowd Vanderford—to the Committee on Pensions.

By Mr. LACEY: A bill (H. R. 7433) granting an increase of pension to Alexander E. Fine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7434) granting an increase of pension to Milton T. Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7435) granting an increase of pension to James D. Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7436) granting an increase of pension to James Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7437) granting a pension to Everett Jonte—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 7438) granting an increase of pension to Corinne Tolman—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 7439) granting a pension to Helen M. Bates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7440) granting a pension to Lewis Gouldinz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7441) granting a pension to Charles W. Smith—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 7442) granting an increase of pension to Marcus Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7443) granting an increase of pension to William Henry Lewis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7444) granting a pension to Washington Dutcher—to the Committee on Invalid Pensions.

By Mr. LUCKING: A bill (H. R. 7445) granting a pension to Alfred Rauland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7446) granting a pension to Abijah J. Whitmore—to the Committee on Invalid Pensions.

By Mr. MCCLEARY of Minnesota: A bill (H. R. 7447) granting an increase of pension to William Bailey—to the Committee on Invalid Pensions.

By Mr. MCLAIN: A bill (H. R. 7448) for the relief of George Rea, deceased, late of Copiah County, Miss.—to the Committee on Claims.

Also, a bill (H. R. 7449) for the relief of James H. Shannon—to the Committee on Pensions.

Also, a bill (H. R. 7450) for the relief of Ann M. Brown—to the Committee on War Claims.

Also, a bill (H. R. 7451) for the relief of the estate of George G. Noland, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7452) for the relief of the estate of William R. Tinsley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7453) for the relief of the estate of John R. Powers, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7454) for the relief of the estate of William M. Bowles, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7455) for the relief of Samuel S. Coon—to the Committee on War Claims.

Also, a bill (H. R. 7456) for the relief of D. O. Perkins—to the Committee on War Claims.

Also, a bill (H. R. 7457) for the relief of Mrs. Catherine P. Byrnes—to the Committee on War Claims.

Also, a bill (H. R. 7458) for the relief of the heirs of Mrs. Nancy Mitchell—to the Committee on War Claims.

Also, a bill (H. R. 7459) for the relief of the estate of William E. Bolls, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7460) for the relief of Caleb Perkins—to the Committee on War Claims.

Also, a bill (H. R. 7461) for the relief of the estate of Claham Blackman, deceased, late of Claiborne County, Miss.—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 7462) granting an increase of pension to Eli Cooprider—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7463) granting an increase of pension to Sarah A. Nugent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7464) granting an increase of pension to Annis Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7465) granting a pension to Abigal Tharp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7466) for relief of the estate of Sewell Coulson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7467) for the relief of Martin All—to the Committee on Military Affairs.

By Mr. NORRIS: A bill (H. R. 7468) granting a pension to Joseph A. Dudgeon—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 7469) granting an increase of pension to Gustave Freudenthal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7470) granting an increase of pension to Isaac B. Goforth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7471) granting an increase of pension to John Schade, sr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7472) granting an increase of pension to Henry McQuirter—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 7473) granting an increase of pension to Nicholas Correll—to the Committee on Invalid Pensions.

By Mr. RANSDELL of Louisiana: A bill (H. R. 7474) granting an increase of pension to Fannie C. Morey—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 7475) granting an increase of pension to Margaret Oldsen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7476) granting a pension to August W. Diercks—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 7477) granting an increase of pension to Cyrenius Dennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7478) granting a pension to Eli Tippett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7479) granting a pension to Eli Tippett—to the Committee on Invalid Pensions.

By Mr. RIDER: A bill (H. R. 7480) for the relief of Joseph Mahon—to the Committee on Military Affairs.

By Mr. RIXLEY: A bill (H. R. 7481) fixing the status of Louis Weber, under section 4756, Revised Statutes—to the Committee on Naval Affairs.

By Mr. ROBB: A bill (H. R. 7482) granting an increase of pension to Jennie Pittit Morrison—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 7483) granting an increase of pension to Richmond G. Howlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7484) granting a pension to Caroline C. Kuhn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7485) for the relief of James W. Kingon—to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 7486) granting an increase of pension to Frank B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7487) granting an increase of pension to Francis Knapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7488) granting an increase of pension to Albert Grayem—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 7489) granting an increase of pension to Safford R. Hamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7490) granting an increase of pension to John H. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7491) granting an increase of pension to Jesse Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7492) granting an increase of pension to Angeline E. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7493) granting an increase of pension to William H. Seip—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7494) granting a pension to Richard J. Van Valkenburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7495) granting a pension to Charles J. Clark—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 7496) granting a pension to Emeline Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7497) granting a pension to Emma A. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7498) granting a pension to Miranda Berkhead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7499) granting a pension to A. Hausman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7500) granting a pension to Mary E. Springer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7501) granting an increase of pension to Emily Catlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7502) granting an increase of pension to John W. Moore—to the Committee on Invalid Pensions.

By Mr. SHOBER: A bill (H. R. 7503) granting an increase of pension to Leroy S. Smith—to the Committee on Invalid Pensions.

By Mr. SHULL: A bill (H. R. 7504) granting an increase of pension to Morris H. Jones—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 7505) for the relief of Henry H. Wynn—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 7506) for the relief of the estate of John Avritt, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7507) to correct the military record of Daniel F. Tracey—to the Committee on Military Affairs.

Also, a bill (H. R. 7508) granting a pension to W. B. Scroggy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7509) granting a pension to William L. Chamberlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7510) granting an increase of pension to Humphrey Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7511) granting an increase of pension to Joan T. Stosel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7512) granting an increase of pension to Larkin Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7513) granting an increase of pension to Wiley R. Edwards—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 7514) granting an increase of pension to Patrick Tierney—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 7515) granting a pension to Rebecca A. Mathias—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 7516) granting an increase of pension to Thomas A. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7517) granting an increase of pension to Lennel N. Bishop—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: A bill (H. R. 7518) granting an increase of pension to Eliza Flynn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7519) granting an increase of pension to James Lyons—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: A bill (H. R. 7520) for the relief of W. W. Norris—to the Committee on War Claims.

By Mr. THOMAS of North Carolina: A bill (H. R. 7521) granting a pension to Julia Elgie—to the Committee on Pensions.

By Mr. TOWNSEND: A bill (H. R. 7522) granting an increase of pension to Thomas Hanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7523) granting an increase of pension to Aaron D. S. Knisley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7524) granting an increase of pension to George F. Ford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7525) granting an increase of pension to Henry C. Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7526) granting an increase of pension to Orville W. Sage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7527) granting a pension to David E. Boyse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7528) granting a pension to Lizzie S. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7529) to remove the charge of desertion from the record of Edward H. Beebe—to the Committee on Military Affairs.

Also, a bill (H. R. 7530) to remove the charge of desertion from the record of Edward Montgomery—to the Committee on Military Affairs.

Also, a bill (H. R. 7531) for the relief of Robert M. Jack, Daniel F. Jack, Henry Hayden, John Kennedy, Wright H. Calkins, and James E. Barrett—to the Committee on Claims.

Also, a bill (H. R. 7532) to remove the charge of desertion from the record of Henry D. Cutting, alias Henry C. Stratton—to the Committee on Military Affairs.

By Mr. TRIMBLE: A bill (H. R. 7533) to correct the military record of Charles Wells—to the Committee on Military Affairs.

Also, a bill (H. R. 7534) authorizing and directing the repayment to George W. Jordon, of Sadieville, Scott County, Ky., the sum of $[illegible] that he paid to avoid the draft in 1864—to the Committee on Claims.

Also, a bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district—to the Committee on Claims.

Also, a bill (H. R. 7536) for the relief of Oldham County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7537) for relief of J. S. Janus, of Shelby County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7538) for the relief of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7539) for the relief of the African Methodist Episcopal Zion Church—to the Committee on War Claims.

Also, a bill (H. R. 7540) for the relief of the Colored Baptist Church—to the Committee on War Claims.

Also, a bill (H. R. 7541) for the relief of Mrs. Joanna Edwards—to the Committee on War Claims.

Also, a bill (H. R. 7542) for the relief of J. R. Roberts—to the Committee on War Claims.

Also, a bill (H. R. 7543) for the relief of Uriah Edwards—to the Committee on War Claims.

Also, a bill (H. R. 7544) for the relief of D. W. Price—to the Committee on War Claims.

Also, a bill (H. R. 7545) for the relief of Frank H. Church, administrator of the estate of Cornelius Clay Cox—to the Committee on Claims.

Also, a bill (H. R. 7546) for the relief of James Miller, of Bourbon County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 7547) for the relief of Mrs. Lizzie R. Asburst, administratrix of the estate of William Ashurst deceased—to the Committee on War Claims.

Also, a bill (H. R. 7548) for the relief of Robert Langston—to the Committee on War Claims.

Also, a bill (H. R. 7549) to remove the charge of desertion from the military record of John C. Kane—to the Committee on Military Affairs.

Also, a bill (H. R. 7550) to remove the charge of desertion from the military record of Turner Rogers—to the Committee on Military Affairs.

Also, a bill (H. R. 7551) to remove the charge of desertion from the military record of William Henry Linn—to the Committee on Military Affairs.

Also, a bill (H. R. 7552) to remove the charge of desertion from the military record of Samuel I. Pearce—to the Committee on Military Affairs.

Also, a bill (H. R. 7553) granting a pension to Mary E. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7554) granting a pension to Cynthia A. Embry—to the Committee on Pensions.

Also, a bill (H. R. 7555) granting a pension to William P. Hanlon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7556) granting a pension to Mary A. Weigand—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7557) granting a pension to William G. Mandeville—to the Committee on Pensions.

Also, a bill (H. R. 7558) granting a pension to Francina Waller—to the Committee on Pensions.

Also, a bill (H. R. 7559) granting a pension to Caroline Hurley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7560) granting a pension to Martha Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7561) granting a pension to Elizabeth King—to the Committee on Pensions.

Also, a bill (H. R. 7562) granting a pension to John Hedrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7563) granting an increase of pension to W. W. Rowlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7564) granting an increase of pension to Samuel D. McMeekin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7565) granting an increase of pension to James Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7566) granting an increase of pension to Ellen Walsh, widow of John Walsh, late private Company D, Fifth Regiment Kentucky Volunteer Infantry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7567) to increase the pension of John F. Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7568) granting an increase of pension to Albert Costigan—to the Committee on Pensions.

Also, a bill (H. R. 7569) granting an increase of pension to Waller G. Bond—to the Committee on Pensions.

Also, a bill (H. R. 7570) granting an increase of pension to William Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7571) granting an increase of pension to Davis Preston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7572) granting an increase of pension to Jason M. Case—to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 7573) for the relief of the estate of Ramsay Crooks—to the Committee on Indian Affairs.

Also, a bill (H. R. 7574) for the relief of the estate of Ramsay Crooks—to the Committee on Indian Affairs.

By Mr. WALLACE: a bill (H. R. 7575) for the relief of Jacob P. Stroope—to the Committee on War Claims.

Also, a bill (H. R. 7576) for the relief of William Crow—to the Committee on War Claims.

Also, a bill (H. R. 7577) for the relief of E. C. Young, O. P. Young, and the estate of J. A. McGinnis, deceased—to the Committee on Claims.

Also, a bill (H. R. 7578) for the relief of the heirs of John W. Barton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7579) for the relief of the heirs of John C. Eckels—to the Committee on War Claims.

Also, a bill (H. R. 7580) for the relief of J. C. Karr—to the Committee on War Claims.

Also, a bill (H. R. 7581) for the relief of the heirs of William T. Stone, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7582) for the relief of S. N. Caughey—to the Committee on War Claims.

Also, a bill (H. R. 7583) for relief of estate of Joshua Hill—to the Committee on War Claims.

Also, a bill (H. R. 7584) for the relief of Nathaniel S. Word, deceased, late of Ouachita County, Ark.—to the Committee on War Claims.

By Mr. WARNOCK: A bill (H. R. 7585) to correct the military record of Larkin Tongnet—to the Committee on Military Affairs.

Also, a bill (H. R. 7586) to correct the military record of William Loar—to the Committee on Military Affairs.

Also, a bill (H. R. 7587) for the relief of the estate of John H. Piatt, deceased—to the Committee on Claims.

By Mr. WACHTER: A bill (H. R. 7588) to remove the charge of desertion from the military record of William A. Stewart—to the Committee on Military Affairs.

By Mr. WARNER: A bill (H. R. 7589) granting a pension to Nancy Peltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7590) for the relief of Francis M. Watrous—to the Committee on Military Affairs.

Also, a bill (H. R. 7591) granting an increase of pension to John L. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7592) granting an increase of pension to William V. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7593) granting an increase of pension to Charles H. McGee—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 7594) granting an increase of pension to Charles H. Miller—to the Committee on Invalid Pensions.

By Mr. WILEY of New Jersey: A bill (H. R. 7595) granting a pension to Ella Hatfield—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 7596) granting an increase of pension to Cornelius C. Maynis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7597) granting an increase of pension to John M. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7598) granting a pension to Mastin W. Bond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7599) granting a pension to Lucinda McCorkle—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7600) granting a pension to Nelson Thomas—to the Committee on Pensions.

By Mr. WILLIAMSON: A bill (H. R. 7601) granting an increase of pension to Eleazar Jones—to the Committee on Pensions.

By Mr. CANNON: A bill (H. R. 7602) granting a pension to Mary A. Dickson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7603) granting a pension to James Foltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7604) granting a pension to Mary Amanda Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7605) granting a pension to Nancy Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7606) granting a pension to Sarah E. Haynes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7607) granting a pension to Rev. Joel W. Nye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7608) granting an increase of pension to Elizabeth A. Swan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7609) granting an increase of pension to Mary A. Ryon—to the Committee on Pensions.

Also, a bill (H. R. 7610) for the relief of the heirs of Alpha A. Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7611) for relief of William Martin—to the Committee on Military Affairs.

By Mr. DUNWELL: A bill (H. R. 7612) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands—to the Committee on Claims.

By Mr. HEMENWAY: A bill (H. R. 7613) granting a pension to Caroline Bittrolff—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Papers relating to the eight-hour bill and the anti-injunction bill—to the Committee on Labor.

Also, petition of the Grain Dealers' National Convention, relative to legislation to render the decisions of the Interstate Commerce Commission effective—to the Committee on Interstate and Foreign Commerce.

By Mr. BIRDSALL: Paper to accompany bill (H. R. 5250) granting increase of pension to Levi G. Cunningham—to the Committee on Invalid Pensions.

By Mr. BURKETT: Petition of citizens of Verdon, Nebr., favoring passage of the McCumber bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. CALDERHEAD: Resolution of the executive committee of the Southwestern Lumbermen's Association, of Kansas City, Mo., relating to an amendment to Senate bill 1261, which denies use of the mails to certain class of literature—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the settlers of the Indian Pasture Reserve, No. 3, Comanche County, Okla., relating to the treaty between the Kiowa and Apache tribes of Indians, in Oklahoma, and the United States regarding the Neutral Strip and other lands in Oklahoma—to the Committee on Indian Affairs.

Also, petition of citizens of Duncan, Ind. T., favoring passage of a bill opening to settlement the Apache, Kiowa, and Comanche Indian Pasture Reserve, No. 3, in Comanche County, Okla.—to the Committee on Indian Affairs.

By Mr. CAMPBELL: Resolution of Colonel Givens Post, No. 200, Grand Army of the Republic, Hallowell, Department of Kansas, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the executive committee of the Southwestern Lumbermen's Association, relating to an amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Grain Dealers' National Convention at Minneapolis, Minn., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CAPRON: Paper to accompany bill for relief of Homer Lycurgus Law—to the Committee on Naval Affairs.

By Mr. COWHERD: Paper to accompany bill granting a pension to William T. Mefford—to the Committee on Invalid Pensions.

By Mr. DANIELS: Paper to accompany bill to increase pension of William Jackson—to the Committee on Invalid Pensions.

By Mr. DAYTON: Petition of J. S. Wilson, trustee, Mineral County, W. Va., praying for reference of war claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, papers to accompany claim of John N. Trussell—to the Committee on Claims.

By Mr. DRAPER: Resolution of the Grain Dealers' National Convention at Minneapolis, Minn., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Petition of citizens of La Crosse, Wis., favoring the improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of the La Crosse (Wis.) Manufacturers and Jobbers' Union, favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Board of Trade of La Crosse, Wis., relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, papers to accompany bill to pension Nicholas Gruber—to the Committee on Invalid Pensions.

Also, resolution of Grain Dealers' National Convention, at Minneapolis, Minn., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Resolution of the Grain Dealers' National Convention, at Minneapolis, Minn., favoring enlargement of power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, in favor of the appointment of a permanent nonpartisan tariff commission—to the Committee on Ways and Means.

By Mr. HEDGE: Petition of citizens of Keokuk, Iowa, for improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. HAMILTON: Petition of Rev. Francis Z. Rossiter, against sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. GRIFFITH: Papers to accompany bill to increase the pension of John L. Files—to the Committee on Invalid Pensions.

Also, petition of officers of Twenty-seventh Indiana Regiment, in favor of bill to increase the pension of John L. Files—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Lieut. Elymas F. Wilkins—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to John Baer, jr.—to the Committee on Invalid Pensions.

By Mr. GREENE: Petition of Board of Trade and citizens of New Bedford, Mass., for breakwater in Buzzards Bay, Massachusetts—to the Committee on Rivers and Harbors.

By Mr. GIBSON: Petition of William Stone, heir of Mark Stone, Maury County, Tenn., praying for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, petition of Mitchell H. Butt, Maury County, Tenn., administrator on the estate of Diana Butt, praying for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, petition of John M. Speed, Maury County, Tenn., praying for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, petition of J. W. Wallis, Clayton County, Ga., praying for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, petition of S. J. Carmichael, Loudon, Tenn., praying for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. HITT: Petition of Rev. Charles E. Dunn, of Freeport, Ill., favoring Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of business men of Ashton, Ill., protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Rev. M. S. Newcomer and others, of Mount Carroll, Ill., favoring the anticanteen bill, the McCumber bill, and urging investigation of delay in building gymnasiums at army posts—to the Committee on Military Affairs.

Also, petition of W. S. Smith, of Ellanoville, Ill., favoring Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUFF: Resolution of the Grain Dealers' National Association Convention, at Minneapolis, Minn., favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. HULL: Petition of citizens, favoring passage of McCumber bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. KETCHAM: Petition of Hamilton Post, Grand Army of the Republic, Poughkeepsie, N. Y., favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KNAPP: Petition of residents of Fulton, N. Y., praying for legislation prohibiting the use of intoxicating liquors in Government institutions—to the Committee on the Judiciary.

By Mr. LITTLE: Papers to accompany bill H. R. 6623, granting an increase of pension to Clark Tritt—to the Committee on Pensions.

Also, papers to accompany bill H. R. 6632, claim of W. R. Lee against United States—to the Committee on War Claims.

By Mr. MOON of Tennessee: Papers to accompany bill H. R.

5609, granting a pension to B. F. Grigsby—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of the Grain Dealers' National Convention, relative to legislation to render the decisions of the Interstate Commerce Commission effective—to the Committee on Interstate and Foreign Commerce.

Also, petition relative to the eight-hour bill and the anti-injunction bill—to the Committee on Labor.

By Mr. MILLS of Indiana: Papers to accompany bill granting a pension to Annie Robinson—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Sarah A. Nugent—to the Committee on Invalid Pensions.

By Mr. McMORRAN: Petition of citizens of Marine City, Mich., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. POWER: Resolution of the Outdoor Art League, of California, urging that legislation be enacted to preserve the Calaveras trees of California—to the Committee on Agriculture.

Also, papers to accompany bill H. R. 7217, granting a pension to Frank E. Stanton—to the Committee on Invalid Pensions.

Also, petition of the Grain Dealers' National Association, relative to legislation to render the decisions of the Interstate Commerce Commission effective—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON of Tennessee: Papers to accompany bill granting a pension to Nora Stokes—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: Papers to accompany bill granting an increase of pension to Cyrenius Dennis—to the Committee on Invalid Pensions.

By Mr. RIXLEY: Paper to accompany bill to remove charge of desertion from record of Joseph Mahon—to the Committee on Military Affairs.

Also, paper to accompany bill granting an increase of pension to Ira Brown—to the Committee on Invalid Pensions.

By Mr. ROBB: Petition of Angus Post, G. A. R., for increase of pension—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Resolution of the Grain Dealers' National Convention, at Minneapolis, Minn., relative to the enforcement of powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Papers to accompany bill H. R. 6691, granting increase of pension to Theresa Nebrich—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 6699, to pension Oscar W. [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 6695, granting an increase of pension to Joseph H. Steel—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 6698, granting a pension to Ella L. [illegible]—to the Committee on Invalid Pensions.

By Mr. SCOTT: Resolution of Wheeling Post, No. 1, Grand Army of the Republic, Wheeling, Kanawha County, W. Va., relative to the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Grain Dealers' National Association, relative to legislation to render the decisions of the Interstate Commerce Commission effective—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Petition of residents of New York Mills, N. Y., praying for legislation against polygamy—to the Committee on the Judiciary.

By Mr. SLAYDEN: Paper to accompany bill to correct military record of Henry H. Wade—to the Committee on Military Affairs.

By Mr. STERLING: Petition of citizens of Carlisle, Ill., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLIVAN: Paper to accompany bill granting increase of pension to Ira Brown—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Resolution of Dustin Post, No. 166, Grand Army of the Republic, Grand Meadow, Minn., favoring passage of bill granting a pension of $12 a month to soldiers who served ninety days or more in the war of 1861-1865—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: Resolution of citizens of North Carolina, asking for legislation against the cotton-boll weevil—to the Committee on Agriculture.

By Mr. WACHTER: Resolution of Board of Trade of Baltimore city, relating to the deepening of the main ship-channel from the port of Baltimore to a depth of 35 feet—to the Committee on Rivers and Harbors.

By Mr. WALE: Petition of East Davenport Turnverein, of Davenport, Iowa, against the passage of the Hepburn bill, relative to interstate liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. WARNER: Petitions of citizens of Bement, Platt County; of citizens of Strasburg, Shelby County; of citizens of Cowden, Shelby County, and of Philo, Champaign County, Ill., protesting against the passage of any parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WILEY of New Jersey: Papers to accompany bill granting pension to Mrs. Hedwig A. Maas—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Paper to accompany bill to increase pension of Lucinda McCorkle; also, papers to accompany bill to increase pension of John M. Stevens; also, papers to accompany bill to pension John Whitehead; also, papers to accompany bill to increase pension of Cornelius C. Mangis—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, December 15, 1903.

Prayer by Rev. J. WESLEY SULLIVAN, chaplain of the State senate, Harrisburg, Pa.

Mr. ANSELM J. McLAURIN, a Senator from the State of Mississippi, appeared in his seat to-day.

The Secretary proceeded to read the journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. It is approved.

KIOWA INDIAN AGENCY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting the results of the investigation made by the agent of the Kiowa Indian Agency, which, with the accompanying paper, was referred to the Committee on Indian Affairs, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Plains Lodge, No. 135, Free and Accepted Masons, of East Baton Rouge Parish, La., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented petitions of sundry citizens of West Bay City and Lyons, and of the Ladies' Literary Club of Grand Rapids, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented petitions of B. Frank Maxson Post, No. 428, of Attica; of L. O. Morris Post, No. 121, of Albany; of William E. Avery Post, No. 438, of New York City; of A. A. Curtin Post, No. [illegible], of Geneseo; of Abraham Wendell Post, No. 95, of Peekskill; of Gordon Granger Post, No. 7, of Cliffside; of [illegible] Post, No. [illegible], of Gouverneur; of C. L. Willard Post, No. [illegible], of Port Jervis; of Post, No. 271, of Fulton, and of the Department of New York, Grand Army of the Republic, in convention at New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Woman's Home and Foreign Missionary Society of the Presbyterian Church, of Montclair; of the Woman's Christian Temperance Union of Dobbs Ferry; of the congregation of the Presbyterian Church of Pinebush; of the Woman's Christian Temperance Union of Halsey Valley; of the congregation of the Presbyterian Church of Westfield, of sundry citizens of Elmsford, and Scarsdale; of the congregation of the First Presbyterian Church of Lansingburgh; of the congregation of the Presbyterian Church of Cuba; of the Woman's Christian Temperance Union of Cuba; of the Sabbath School of the Presbyterian Church of Cuba; of the congregation of the Presbyterian Church of Lake George; of the National Sabbath Alliance of New York City, of sundry citizens of Corinth; of the congregation of the First Presbyterian Church of Brunswick; of the congregation of the Presbyterian Church of Brookhaven, and of sundry citizens of New York Mills and Troy, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented memorials of the New Albany Ice Company, of New Albany, of the Retail Merchants' Association of Evansville, and of E. E. Perry, of Indianapolis, all in the State of Indiana, remonstrating against the enactment of legislation relative to the use of the mails for certain classes of literature and for contracts of insurance; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregation of the Presbyterian Church of Rochester, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the congregation of the First Presbyterian Church of Cranford, of sundry citizens of Oak Ridge, of the congregation of the Presbyterian Church of Lamington, of the congregation of the Second Presbyterian Church of Belvedere, of sundry citizens of Westfield, and of the Mothers' Section of the Haddon Fortnightly of Haddonfield, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MILLARD presented petitions of the Woman's Christian Temperance Union of Adams, of sundry citizens of Waterloo, of the Ladies' Missionary Society of the First Presbyterian Church of Laurel, of the congregation of the First Presbyterian Church of Laurel, of the Christian Endeavor Society of the Presbyterian Church of Winnebago, of the Woman's Christian Temperance Union of Clarks, of the congregation of the First Presbyterian Church of Ponca, of the Woman's Missionary Society of Winnebago, and of the Synod of the Presbyterian Church of Plattsmouth, all in the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MILLARD (for Mr. DIETRICH) presented petitions of the congregation of the First Methodist Episcopal Church of Wayne, of the congregation of the Presbyterian Church of Wayne, of sundry citizens of Wayne, of the Synod of the Presbyterian Church of Plattsmouth, of the Woman's Christian Temperance Union of Tecumseh, of sundry citizens of Nelson, and of the congregation of the Methodist Episcopal Church of Tecumseh, all in the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BALL presented a petition of the congregation of the Presbyterian Church, of St. Georges, Del., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HANNA presented petitions of the Young People's Union of the Methodist Protestant Church, of Canton; of the Hygienic Club, of Athens; of the congregation of the United Presbyterian, Presbyterian, and Methodist Episcopal churches of Richmond; of the congregation of the United Presbyterian Church of Reynoldsburg, Wellsville, Wooster, Youngstown, and Wheat; of the Woman's Christian Temperance Unions of Oberlin, Delta, New London, Richmond, Columbus, Dover, and [illegible]; of the Temperance Council, Chief of Women, of sundry citizens of Salem, and of Lorain, all in the State of Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 34, United Brotherhood of Leather Workers, of Columbus, Ohio, praying for the passage of the [illegible] bill and also the anti-injunction bill; which was referred to the Committee on Labor and Labor.

He also presented petitions of the Columbus Iron and Steel Company, of Columbus, and the Silver Manufacturing Company, of Salem; and of the Acme Machinery Company, of Cleveland, all in the State of Ohio, praying for the enactment of legislation to reorganize the consular service; which were referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Plymouth, Ohio, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented memorials of the Jackson Ice and Fuel Company, of Jackson, of the Lake Ice Company, of Cincinnati; of the Hamilton Ice and Cold Storage Company, of Hamilton; of the John Shillito Company, of Cincinnati; of A. & H. Knorr, of Cincinnati; of the Arctic Ice Company, of Cincinnati; of Jacob Bonesteele, of Bellaire; of L. Beecher, of Hillsboro; of the City Ice Delivery Company, of Cleveland; of the Banner Ice Company, of Cincinnati, and of the J. B. McNab Ice Company, of Salem, all in the State of Ohio, remonstrating against the enactment of legislation relative to the use of the mails for certain classes of literature and for contracts of insurance; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented memorials of the Cigar Makers' International Local Union No. 128, of Hamilton; of Local Union No. 96, of Akron; of Local Union No. 48, of Toledo; of Local Union No. 75, of Columbus; of Local Union No. 45, of Springfield, and of Local Union No. 79, of Sandusky, all in the State of Ohio, remonstrating against the ratification of the Cuban reciprocity treaty; which were referred to the Committee on Foreign Relations.

Mr. BEVERIDGE presented a memorial of sundry ministers of the Methodist Church of Indianapolis, Ind., remonstrating against the repeal of the anticanteen law; which was referred to the Committee on Military Affairs.

He also presented a memorial of sundry citizens of Juneau, Alaska, remonstrating against a territorial form of government for Alaska; which was referred to the Committee on Territories.

He also presented a petition of Lew Dailey Post, No. 33, Department of Indiana, Grand Army of the Republic, of Bluffton, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Butler, of the Local Council of Women of Indianapolis, of sundry citizens of South Bend, of the congregation of the Third Presbyterian Church of Fort Wayne, of the congregation of the Baptist Church of Fairmount, of the congregation of the Presbyterian Church of Bloomington, of the Woman's Home and Foreign Missionary Society of Sullivan, and of the congregation of the Presbyterian Church of Legonia, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented petitions of the Christian Endeavor Society of Frankford; of sundry citizens of Coatesville, Warren, and Redcliff; of the Ladies' Aid Society of the First Baptist Church of Coatesville; of the Young People's Bible Union of the First Baptist Church of Coatesville; of the Salvation Army of Coatesville; of the congregation of the First Presbyterian Church of Kittanning; of the congregation of the Fourth-third Street Presbyterian Church, of Pittsburg, of sundry citizens of Parkers Landing; of the congregation of the United Episcopal Church of North Clarendon; of the Women's Foreign and Home Missionary Society of West Pittsburg; of the Women's Club of McKeesport; of the congregation of the Emanuel Methodist Episcopal Church, of Roxboro; of sundry citizens of Knoxville; of the congregation of the Belmont Avenue Baptist Church, of Philadelphia; of the congregation of the Memorial Baptist Church, of Philadelphia; of the Luther League of New Berlin; of the congregation of the Twentieth Street Methodist Episcopal Church, of Philadelphia; of the congregation of the United Presbyterian Church of New Alexandria; of the congregation of the First Lutheran Church of Warren; of the Woman's Christian Temperance Union of Warren; of the congregation of the First Presbyterian Church of Warren; of the congregations of the United Evangelical Methodist Episcopal churches and Woman's Christian Temperance Union of Sugar Grove; of the Woman's Christian Temperance Union of Landisville; of the Woman's Missionary Society of the Homewood Avenue Presbyterian Church, of Pittsburg; of the congregation of the Evangelical Lutheran Church of the Atonement, of Kittanning; of the congregation of the First Baptist Church of Warren, and of the congregation of the North Broad Street Presbyterian Church, of Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BRADLEY presented petitions of the congregation of the Wickliff Street Presbyterian Church, of Newark; of the congregation of the Park Street Presbyterian Church, of Newark; of the congregation of the Clinton Avenue Reformed Church, of Newark; of the Mothers' Section of the Haddon Fortnightly, of Haddonfield; of the Woman's Christian Temperance Union of Andover; of the Roseville Young Women's Christian Temperance Union, of Newark, and of the congregation of the Presbyterian Church of Danville, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the legislative committee of the National Cigar Leaf Tobacco Association, of New York City, remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

Mr. BERRY presented petitions of the congregation of the Methodist Episcopal Church, the Epworth Leagues, the Methodist Episcopal Church, the Christian Church, the Woman's Foreign Missionary Society, and the Woman's Christian Temperance Union, all of Springdale, in the State of Arkansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BATE presented petitions of the congregations of the Methodist Episcopal Church and the Cumberland Presbyterian Church, and of the Woman's Christian Temperance Union, all of

McMinnville, in the State of Tennessee, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURTON presented a petition of Colonel Givens Post, No. 20, Department of Kansas, Grand Army of the Republic, of Hadlowell, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the National Business League, praying for the enactment of legislation providing for an increase of the United States Navy; which was referred to the Committee on Naval Affairs.

He also presented the petition of H. A. Chambers and sundry other citizens of Warrington, Fla., praying for the enactment of legislation granting them the right of suffrage; which was referred to the Committee on the Judiciary.

He also presented petitions of the Current Literature Club, of Salina, of sundry citizens of Barnhart, and of the congregation of of the First Methodist Episcopal Church of Burlingame, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented a petition of the Young People's Society of Christian Endeavor of the South Congregational Church, of New Britain, Conn., praying for the enactment of legislation to prohibit the sale of intoxicating liquors on all Government premises; which was referred to the Committee on Public Buildings and Grounds.

Mr. FRYE presented a memorial of the Siniachriger Maenner Unterstutzungs Verein, of Philadelphia, Pa., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented the petition of A. P. Randall and 17 other citizens of Brownell, Kans., and the petition of A. A. Hartley and 22 other citizens of Brownell, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1539) granting an increase of pension to Marie A. Rask; and

A bill (S. 1652) granting an pension to Minerva A. McMillan.

Mr. GIBSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1704) granting an increase of pension to Lucretia Ritchart; and

A bill (S. 844) granting a pension to Mamie H. Thayer.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (S. 1985) granting an increase of pension to Jonathan Hites, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1984) granting an increase of pension to Levi Roberts, reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 1694) granting an increase of pension to Mary A. Bishop, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1796) granting a pension to Mary McLaughlin, reported it without amendment, and submitted a report thereon.

Mr. PENROSE, from the Committee on Finance, to whom was referred the bill (S. 2551) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa., reported it without amendment.

RECEIPTS AND EXPENDITURES IN CUBA.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. PLATT of Connecticut on the 11th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate, the House of Representatives concurring, That there be printed [illegible] copies of the report of the War Department showing the receipts and expenditures in Cuba during the occupation of the United States, 1,000 copies for the use of the Insular Bureau, 5,000 copies for the use of the Senate, and 2,000 copies for the use of the War Department.

LUIS BOGRÁN H.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred a communication from the Secretary of State, transmitting a request of the Government of Honduras to authorize the Secretary of War to receive Don Luis Bográn H., of Honduras, as a student at the Military Academy at West Point, at the expense of the Government of Honduras, to report a joint resolution, and I ask for its present consideration.

The joint resolution (S. R. 24) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Luis Bográn H., of Honduras, was read the first time by its title and the second time at length, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he hereby is, authorized to receive [illegible] Luis Bográn H., of Honduras, a citizen of Honduras, as a student at the United States Military Academy at West Point, [illegible] the provisions of sections 1320 and 1321 of the Revised Statutes shall be suspended.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ASSISTANT IN DOCUMENT ROOM.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. ALLISON, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be authorized to employ one additional assistant in the document room, at a compensation of $[illegible] per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2561) granting an increase of pension to Mathias S. Friend (with accompanying paper);

A bill (S. 2562) granting an increase of pension to Amos Hart (with an accompanying paper);

A bill (S. 2563) granting an increase of pension to Elizabeth M. Banta (with an accompanying paper);

A bill (S. 2564) granting an increase of pension to John W. Branch;

A bill (S. 2565) granting an increase of pension to Webster Macy (with an accompanying paper);

A bill (S. 2566) granting an increase of pension to Joseph Kent (with an accompanying paper);

A bill (S. 2567) granting an increase of pension to Francis M. Abbott (with an accompanying paper);

A bill (S. 2568) granting an increase of pension to Winfield S. Conde (with an accompanying paper); and

A bill (S. 2569) granting an increase of pension to John W. Allen.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2570) granting a pension to Alfred Cunningham (with accompanying papers);

A bill (S. 2571) granting an increase of pension to Alice McLeod (with accompanying papers);

A bill (S. 2572) granting an increase of pension to Thomas J. Lucas (with accompanying papers);

A bill (S. 2573) granting an increase of pension to Robert L. Bailey; and

A bill (S. 2574) granting an increase of pension to Nelson Purcell.

Mr. PLATT of New York introduced a bill (S. 2575) for the relief of the estate of William Wheeler Hubbell; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2576) granting an increase of pension to James Kirkshaw; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 2577) granting an increase of pension to Albert Marshall; which was read twice by its title and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 2578) granting an increase of pension to Sylvester Beezley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2579) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM introduced a bill (S. 2580) granting an increase of pension to Susan F. Hill; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DILLINGHAM introduced a bill (S. 2581) granting an increase of pension to Myron D. Hill; which was read twice by its title and referred to the Committee on Pensions.

He also introduced a bill (S. 2582) granting an increase of pension to Harry M. Sherman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2583) to compensate A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic church on the Government reservation at Old Point, Virginia (with accompanying papers);

A bill (S. 2584) for the relief of Mrs. Sarah C. Jones and Mrs. Lucy F. Tyler;

A bill (S. 2585) for the relief of Wesley Rankins;

A bill (S. 2586) for the relief of Edgar M. Wilson, administrator of Thomas B. Van Buren, deceased;

A bill (S. 2587) for the relief of the legal representatives of Charles W. Adams, deceased;

A bill (S. 2588) for the relief of Gilbert Vandenbergh;

A bill (S. 2589) for the relief of George T. Larkin;

A bill (S. 2590) to provide for the payment of overtime claims of letter carriers excluded from judgment as barred by limitation;

A bill (S. 2591) for the relief of the estate of Zachariah F. Calbreath, deceased;

A bill (S. 2592) for the relief of the estate of Robert N. Blake, deceased; and

A bill (S. 2593) for the relief of William Crosby.

Mr. PENROSE introduced a bill (S. 2594) for the relief of the State of Pennsylvania; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2595) granting an increase of pension to George F. Bailey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TALIAFERRO introduced a bill (S. 2596) granting a pension to Frances F. Hopkins; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2597) for the relief of the estate of Eliza Turner, deceased, Richard H. Turner, and Eliza Turner; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2598) for the relief of the estate of Henry E. Lawrence;

A bill (S. 2599) for the relief of the estate of Archibald D. Palmer, deceased;

A bill (S. 2600) for the relief of E. H. Flory;

A bill (S. 2601) for the relief of the estate of Rosemond Le Blanc, deceased;

A bill (S. 2602) for the relief of Florville Kerlezan; and

A bill (S. 2603) for the relief of the estate of Jacob A. Wolfson, deceased.

Mr. PETTUS introduced a bill (S. 2604) for the relief of Christopher McDonald; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 2605) to authorize the appointment of Acting Asst. Surg. Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. McLAURIN introduced a bill (S. 2606) for the relief of G. D. Hearn; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2607) for the relief of E. M. A. Owen; which was read twice by its title, and referred to the Committee on Claims.

Mr. BERRY introduced a bill (S. 2608) for the relief of the heirs and legal representatives of George R. Johnson, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2609) granting a pension to Charlotte M. Kittredge;

A bill (S. 2610) granting a pension to Henry B. Wise;

A bill (S. 2611) granting a pension to Ellen J. Throckmorton;

A bill (S. 2612) granting a pension to Sarah H. Bellamy; and

A bill (S. 2613) granting an increase of pension to Robert J. Miller.

Mr. CARMACK introduced a bill (S. 2614) for the relief of H. J. Brewer; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2615) for the relief of the estate of Wiley B. Brigance, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. LODGE introduced a bill (S. 2616) making appropriation to pay the estate of Samuel Lee, deceased, in full for any claim for pay and allowances made by reason of the election of said Lee to the Forty-seventh Congress and his services therein; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 2617) to authorize Mr. H. H. D. Peirce, Third Assistant Secretary of State, to accept a decoration conferred upon him by the Government of the French Republic; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2618) granting an increase of pension to Mary Foster (with an accompanying paper);

A bill (S. 2619) granting a pension to Augustus Nelson (with accompanying papers); and

A bill (S. 2620) granting an increase of pension to Ira Bacon (with an accompanying paper).

Mr. GALLINGER introduced a bill (S. 2621) for the widening of V street northwest; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2622) to remove the charge of desertion from the military record of John R. Thomas; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MORGAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2623) for the relief of David W. Hollis (with an accompanying paper);

A bill (S. 2624) for the relief of the estate of Jonathan Paulk, deceased (with an accompanying paper);

A bill (S. 2625) for the relief of the estate of Elizabeth Blakemore, deceased; and

A bill (S. 2626) for the relief of the estate of Mary McCaa, deceased.

Mr. HOAR introduced a bill (S. 2627) for the relief of Agnes W. Hills and Sarah J. Hills; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 2628) granting an increase of pension to William H. Durham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 2629) granting a pension to William M. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURTON introduced a bill (S. 2630) for the relief of W. H. De Long; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FOSTER of Louisiana introduced a bill (S. 2631) to protect the Mississippi Valley from destructive floods; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLATT of Connecticut. I introduce a bill to establish a court of patent appeals, and for other purposes. I believe these bills in former sessions have been referred to the Committee on Patents, and I will ask to have this bill referred to that committee. I desire to say that I have not read the bill sufficiently to be willing to commit myself to its provisions.

The bill (S. 2632) to establish a court of patent appeals, and for other purposes; was read twice by its title, and referred to the Committee on Patents.

Mr. PLATT of Connecticut introduced a bill (S. 2633) granting an increase of pension to John Allen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2634) granting a pension to Delphina P. Lovering (with an accompanying paper);

A bill (S. 2635) granting an increase of pension to Joseph Lapham (with an accompanying paper); and

A bill (S. 2636) granting an increase of pension to Alvin D. Lane (with accompanying papers).

Mr. HEYBURN introduced a joint resolution (S. R. 25) requesting the President to acquire, by annexation or otherwise, the Island of Santo Domingo and the dependencies of Santo Domingo and Haiti, which was read twice by its title, and referred to the Committee on Foreign Relations.

AMENDMENT TO DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. MILLARD submitted an amendment proposing to increase the salary of the United States consul at Stuttgart, Germany, to $[illegible] intended to be proposed by him to the diplomatic and consular appropriation bill, which was referred to the Committee on Foreign Relations, and ordered to be printed.

ESTATE OF JOHN J. SHIPMAN.

Mr. PLATT of New York. I move that the Committee on the District of Columbia be discharged from the further consideration of the bill (S. [illegible]) for the relief of [illegible] J. Shipman, administrator of the estate of John J. Shipman, deceased, for work done and materials furnished to the District of Columbia, and that it be referred to the Committee on Claims.

The motion was agreed to.

A. R. CRUZEN.

Mr. CARMACK submitted the following resolution, which was read:

Resolved, That the Secretary of the Treasury be directed to inform the Senate whether any report has been made to the Treasury Department by L. Cullom, special agent of the Treasury, with respect to the conduct of A. R. Cruzen, collector of customs in Porto Rico, and, if so, to transmit the same to the Senate with a statement of what action, if any, has been taken thereon.

The PRESIDENT pro tempore. Is there objection to the consideration of the resolution.

Mr. PLATT of Connecticut. The passage of the resolution involves a matter of policy and that is whether the reports of inspectors of the Treasury Department, the Interior Department, or any other Department should be called for to be made public while the proceedings have not been completed. I hesitate about passing resolutions calling for the reports of special agents or inspectors who have been asked to consider charges of misconduct against public officers. I wish that the resolution may lie over. I should like to make some inquiries about it.

The PRESIDENT pro tempore. The resolution will go over under the rule and under the unanimous consent given on Saturday it will lie on the table until after the bill under consideration has been disposed of.

Mr. CARMACK. So I understood. I have not asked for the present consideration of the resolution. I ask that it may lie over until the present order is disposed of.

The PRESIDENT pro tempore. It will lie over.

Mr. CARMACK. I had not asked for its present consideration.

OLD GOVERNMENT PRINTING OFFICE BUILDING.

Mr. HOAR submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That [illegible] be directed to report to the Senate whether any persons have at any time prior to the [illegible] herein by the Government [illegible] the report, and

Mr. HOAR. I should like to have referred to the Committee on Public Buildings and Grounds, without having it read, a communication under the authority of the writer, to which his name is signed, in the Washington Post of yesterday morning on this subject. It is a paper accompanying the resolution and explaining it.

The PRESIDENT pro tempore. Without objection, the paper will accompany the resolution and be referred to the Committee on Public Buildings and Grounds.

RECORDS OF THE VIRGINIA COMPANY OF LONDON.

Mr. LODGE submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That under the direction of the Librarian of Congress there be printed and bound in cloth 1,000 copies of the Virginia records of London, now in the custody of the Library of Congress, 500 copies for the Senate and 500 copies for the House of Representatives, for use and distribution by the Library of Congress.

PURCHASE FROM NEW PANAMA CANAL COMPANY.

Mr. MORGAN submitted the following resolution; which was read:

Resolved, That the Attorney General be directed to inform the Senate whether no has made, or is making, on behalf of the United States, a purchase from the New Panama Canal Company of any property, rights, privileges, or possessions that were possessed by the Republic of Colombia in N. B. Wyse for the concession to a canal in Panama, or any interest in the Panama Railroad, or any part of the stock of the Panama Railroad Company, chartered under the laws of New York, and if such purchase has been made, or is being prosecuted, or negotiated, under what state or government is the title to any or all such property authorized to be made by the New Panama Canal Company.

2. And that he will advise the Senate as to the terms of such proposed purchase, or contemplated purchase, including the sum to be paid for such property and all rights and privileges, and that he will send to the Senate copies of all papers, documents, letters, that are or have been in his possession or under his control, so far as from the Senate fully as to the entire transaction.

3. That he will inform the Senate as to any participation of the Government of France in such purchase or sale, whether the same is proposed or contemplated, and whether any such word representing the government of France between France and the Republic of Panama in respect of said purchase and sale of the property and rights of the New Panama Canal Company.

The PRESIDENT pro tempore. What does the Senator request?

Mr. MORGAN. I ask that under the rule, as I understand it, the resolution may lie on the table, subject to call.

The PRESIDENT pro tempore. It will lie on the table, if there be no objection, subject to call.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. [illegible]) to [illegible] commuted rations for midshipmen; in which it requested the concurrence of the Senate.

PRINTING OF MAP.

The PRESIDENT pro tempore. There is a bill (S. 2525) which was introduced yesterday by the Senator from West Virginia [Mr. SCOTT] and referred to the Committee on the District of Columbia. It provides for an illustration, and under the law the order to print must be made. The Chair will take the liberty of making the order to print the illustration as well as the bill.

COMMUTED RATIONS FOR MIDSHIPMEN.

Mr. HALE. I ask that the joint resolution which has just come from the House of Representatives be laid before the Senate.

The joint resolution (H. J. Res. 66) in relation to commuted rations for midshipmen was read for the first time by its title.

Mr. HALE. I ask that the joint resolution be read at length, and then I will move an amendment.

The joint resolution was read the second time at length, as follows:

[illegible] provision made for the heading "Supplies [illegible] as provided by section 1577 of the Revised Statutes.

Mr. HALE. This is simply a measure to correct a mistake in punctuation in a clause in the naval act. The House has corrected it. I ask the Senate to concur with the joint resolution from the House with an amendment striking out the words "on sea duty" in line 9. That will leave the law just as it is at present.

The PRESIDENT pro tempore. The Senator from Maine asks for the present consideration of the joint resolution.

There being no objection, the joint resolution was considered as in Committee of the Whole.

Mr. HALE. In line 9 I move to strike out the words "on sea duty" after the word "midshipmen."

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time, and passed.

VANDERGRIFT CONSTRUCTION COMPANY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed:

To the Senate and House of Representatives:

Referring to section [illegible] approved April [illegible], entitled "An act temporarily to provide [illegible] Porto Rico, [illegible] between the Government of Porto Rico and the Vandergrift Construction Company [illegible] I transmit herewith a report from the Secretary of War, with accompanying papers, showing the proceedings had under the provisions of the act referred to.

This corporation was approved by the President of the United States on March 24, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

LOUISIANA PURCHASE EXPOSITION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Select Committee on Industrial Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, showing a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of October, 1903, furnished by the Louisiana Purchase Exposition Commission in compliance with section 2 of the Act to provide for commemorating the one hundredth anniversary of the purchase of the Louisiana Territory, etc., approved March 3, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

GOVERNMENT LANDS CONTROLLED BY WAR DEPARTMENT.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and referred to the Committee on Appropriations:

To the Senate and House of Representatives:

I transmit herewith a supplemental report by the Secretary of War, submitting additional data required by the United States and [illegible] of the War Department, in pursuance of the provisions of the act contained in the sundry civil appropriation act approved June 28, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

NOTE.—Papers accompanied similar message to the House of Representatives.

LIEUT. COL. L. R. SCOTT.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying papers, showing the action taken by the Government of the United States in the matter of the detention of Lieutenant Colonel L. R. Scott, United States Army, of a system of sighting of which he is the inventor.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

NORWEGIAN STEAMER NICARAGUA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Congress of the United States:

I transmit herewith a report from the Secretary of State, with accompanying papers, showing the action taken by the Government of the United States in the matter of the detention of the Norwegian steamer Nicaragua.

THEODORE ROOSEVELT.

WHITE HOUSE.
Washington, December 15, 1903.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate House bill 1921.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

The PRESIDENT pro tempore. Under the unanimous-consent agreement the time will be equally divided to-day between those who favor the bill and those who oppose it. It will be a courtesy, therefore, for the Chair if a Senator rising to address the Senate would state whether he speaks for or against the bill.

Mr. CULLOM. I suppose that the question of dividing time will depend upon the hours or minutes Senators speak. Some Senators will make brief speeches and others long ones. So I think it might be well——

The PRESIDENT pro tempore. The Chair will try to recognize that and divide the time as well as it can be divided.

Mr. PERKINS. Mr. President——

Mr. LODGE. I ask the Senator from California to yield to me for a moment.

Mr. PERKINS. Certainly.

Mr. LODGE. I merely wish to put into the RECORD certain papers in connection with a discussion I had with the Senator from Colorado [Mr. TELLER] yesterday in regard to the immigration laws of Cuba.

I ask leave to have printed in the RECORD the order from the Acting Secretary of War of April 14, 1899, which put in force in Cuba by general order all the laws of the United States.

I should also like to have printed in the RECORD the sections relating to Chinese labor which are taken from our laws, and which were formally enacted by the military government on the 15th of May, 1902, just before we withdrew from the island.

I also submit a letter from Colonel Edwards, the head of the Insular Bureau, transmitting these papers to me. He says, at the end of the letter:

I have just made inquiry of the State Department, and they tell me that, as far as they have any knowledge, this order of May 15, 1902, has not otherwise been modified since our occupation ceased.

I also made inquiry of the minister of Cuba, and he informs me that our laws in regard to the prohibition of Chinese labor are in force in Cuba to-day and have not been modified by his Government.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and the papers will be printed in the RECORD.

The matter referred to is as follows:

[Circular No. 13.]

WAR DEPARTMENT,
DIVISION OF CUSTOMS AND INSULAR AFFAIRS,
Washington, April 14, 1899.

The following is published for the information and guidance of all concerned:

The laws and regulations governing immigration to the United States are hereby declared to be in force in the territory under the government by the military forces of the United States, and [illegible] shall be enforced and said laws and regulations with the exceptions of [illegible] as prescribed for customs districts.

G. D. MEIKLEJOHN,
Acting Secretary of War.

SEC. VII. None of the foregoing paragraphs shall apply to Chinese persons who may be employed as laborers [illegible] shall not be taken to be laborers in the meaning of this section.

The master of any vessel who shall knowingly bring to Cuba on such vessel, and land, any person not entitled to land under the provisions of this section, or any such Chinese laborer so brought into Cuba, and may also be imprisoned for a term not exceeding one year.

Any Chinese person found upon any within Cuba shall be deemed to be removed therefrom to the country whence he came, at the expense of Cuba, after being brought before some judge or other officer of Cuba and found to be one not lawfully entitled to be or to remain in Cuba; and in such cases the person who brought or caused to be brought such person into Cuba shall be liable to the Government of Cuba for all necessary expenses incurred in such prosecution and removal, and it shall be the duty of the officers of the Government of Cuba to institute such prosecutions and report all such cases to the district attorney of the district in which such Chinese person may be found, for the purpose of enforcing such liability by civil suit.

SEC. VIII. The prohibition and punishment of Chinese shall apply to all subjects of China and persons but shall not apply to diplomatic officers of the Chinese Government, or other government recognized as such by the United States, or to persons traveling upon the certificate mentioned in the preceding section, or other persons traveling for pleasure or business, and not coming for work, who have received, as the character of such persons, a description of such merchants or persons. The secretaries, the interpreters and attaches of diplomatic officers of such Chinese Government or other government traveling upon the business of those governments, and Chinese laborers and merchants who were in Cuba on April 11, 1899, and have since then continued to be in Cuba, or who may come to Cuba from Porto Rico or the United States and who shall be able to establish their identity, are not exempted from the provisions applying to other Chinese persons.

WAR DEPARTMENT, BUREAU OF INSULAR AFFAIRS,
Washington, April 16, 1902.

MY DEAR SENATOR: In obedience to your telephone request I hasten to inclose herewith Order No. 155, Headquarters Department of Cuba, Habana, May 15, 1902, issued by General Wood, the assignment of the Secretary of War has been personally given this matter, and to your attention Sections VII and VIII, [illegible] the immigration of Chinese.

I would [illegible] to your attention the inclosed circular No. 13, Division of Customs and Insular Affairs, War Department, Washington, April 14, 1899, [illegible] Cuba.

I hope that [illegible] as far as [illegible] have any knowledge, the order of May 15, 1902, has not in any way been modified since our occupation ceased.

Very sincerely,

CLARENCE R. EDWARDS,
Colonel, United States Army, Chief of Bureau.

Hon. H. C. LODGE,
United States Senate.

Mr. PERKINS. Mr. President, the opponents of the Cuban reciprocity treaty seem to me to be on the wrong tack. They are like the captain who shapes the course of his vessel by dead reckoning north-northeast to reach a certain port, when the true course, which he might have ascertained had he taken the trouble, is northeast. He therefore must not be surprised if he brings up on the rocks.

It is asserted by those who oppose this treaty that it will injure certain great interests of the United States—sugar, citrus fruits, and tobacco. But I think that if they had taken "an observation," as the captain referred to should have done—in reality, have ascertained the facts—their argument would not have been in danger of shipwreck. It is true that Cuba competes with American sugar producers, beet and cane, but our sugar growers are protected against her by, I think, the highest tariff which we enforce, which amounts to 102 per cent ad valorem at the present prices for the same grade as beet sugar.

The Cuban treaty does not by any means put our producers at the mercy of Cuban planters, for the proposed reduction will leave a protection of 78 per cent on raw sugar and 82 per cent on refined, which should be quite sufficient for the encouragement of any enterprise. Our Secretary of Agriculture, in his latest annual report, states that the beet-sugar industry is well established and that its future depends on the adoption of economic methods in field and factory. If our farmers and beet-sugar manufacturers are not enterprising enough to adopt such methods and prosper under a protective duty of 82 per cent, it must be that they, too, have gone off on a north-northeast course, which, as in the case of the captain, would be their own fault.

NO REDUCTION IN PRICE OF SUGAR.

The fears expressed as to the dolorous fate of our domestic cane and beet sugar growers arises from the fact that it is feared that the market price of sugar may be reduced. If it is not reduced, domestic sugar will not, of course, feel any effect from the reduction in the duty.

If the opponents of this treaty think that sugar prices are about to fall, they have got still farther away from their true course. If they will read the accounts which come from our consuls in Europe they will find that the results of the Brussels sugar conference mean shipwreck of their arguments.

These results are already appearing. The abolition of the export bounty has caused 12,670 acres to be withdrawn from sugar-beet culture in Germany, 14,647 acres in France, and 80,296 acres in Russia, and this in the present year, although the convention did not go into effect until September. And already the effect is becoming observable in exports from Germany, for it is pointed out by our consul in Leipsig that there was for the first quarter of 1903 a decrease of exports of beet sugar to England amounting to 62,000 long tons.

In addition to the disappointment of export there is a governmental encouragement of domestic consumption of sugar in the sugar-producing countries of Europe, beginning with an increase in the allowance to laborers and followed by the reduction of internal taxes, resulting in the lowering of price to domestic consumers. Under this policy it is estimated by eminent French authorities that the increase of the consumption of sugar in France will reach 50,000 tons per annum, and Germany hopes to increase her consumption 1,000,000 tons. This would greatly relieve the pressure of overproduction on the world's sugar market that has been depressing prices since the inauguration of the "cartel" in 1900, when the Brussels sugar convention abolished. Thus the tendency to export is weakened in two ways, and, according to a high American authority, when Germany's consumption of sugar, which is now only 20 pounds per capita per year, equals that of England, which is 95 pounds, as says a German author, Max Sippel, in his book on sugar production, Germany will have no sugar whatever for export.

Another important fact is that nonsugar-producing countries which have been supplied by Germany, France, and Russia are now, because of the diminution in their beet-sugar supplies, increasing their purchases of cane sugar. It is noted that for the first time in twenty-five years England has bought sugar from Cuba.

PRICES IN THE WORLD MARKET WILL BE RAISED.

These facts mean this: That less beet sugar will be imported into the United States, that more of the cane sugar of the world will be consumed by foreign nations; that a larger and larger proportion of Cuban sugar will go to other markets than our own. The falling off in exports from beet-sugar countries will relieve the pressure upon the sugar market of the world, which will not only prevent a fall, but will probably increase domestic prices, which increase will surely come if our own consumption increases at its past rate. Our own consumption per capita has increased from 40 pounds in 1897 to 65 pounds in 1894, and [illegible] pounds in 1902. That shows an increase of 253,400 tons in eight years—over 6 pounds per capita.

We are the greatest sugar-consuming nation on earth except Great Britain, and if we were to deduct from our consumption the amount that goes into canned and jelly industry, largely for export, it would probably show that our per capita consumption nearly equals theirs.

And it must be remembered that the reduction of 20 per cent is on the raw sugar only, which forms but one-third part of our sugar imports. As against the other foreign sugars, American refined sugar will still have a protection of 102 per cent ad valorem at the present price of sugar in the American market.

Mr. CULLOM. May I ask the Senator a question?

Mr. PERKINS. Certainly.

Mr. CULLOM. I inquire of the Senator if he is sure he is correct in his statement as to the percentages? I have had some investigation made of the matter, and I thought the percentage was less than the Senator has stated.

AD VALOREM PROTECTION ON SUGAR.

Mr. PERKINS. I will state to the Senator from Illinois that I have examined into the matter, and that the figures I am giving have been obtained from the Treasury Department. They are as follows:

Foreign ad valorem duty on sugar.

	1901.	1902.	1903.
	Per cent.	*Per cent.*	*Per cent.*
Raw sugar	70.48	85.06	97
Refined sugar	70.88	82.23	101.06

This refined sugar is the same grade of sugar as the beet sugar which is granulated when it comes from the beet-sugar factory.

I think there is no question, Mr. President, but that these figures are correct, as they were given to me, as I have already stated, by the Treasury Department.

Mr. CULLOM. I only desired, if the Senator would allow me, to interrupt him sufficiently long to get the exact statement as the Treasury Department gives it, so that we may rely upon its being accurate.

WHY CUBAN SUGAR WILL NOT AFFECT PRICES.

Mr. PERKINS. The other foreign sugars are those which fix the price at which Cuban sugar will be sold here, for the cost to us has always depended on the cost of sugar at Hamburg, and will so depend whether Cuba sells us 1,000,000 or 2,000,000 tons or more a year.

Cuba can get in our market only what we are obliged to pay in the world market. No matter how much she may pour into the American market, Cuba can not change the price a shade. If she can produce cheaper than any other country on the globe, all her yearly product would not affect the American market, for we are compelled to buy two-thirds of our sugar from other foreign sources, and the price of Cuban sugar would conform to the price we paid her rivals. If she were able to supply our entire consumption, the price of Cuban sugar would still be governed by the world price. She could not go above it and would not go below it. And this world price, plus freight and a duty of 102 per cent ad valorem, is the price with which our domestic producers have to compete. Cuban sugar does not enter into the price problem at all.

WHAT THE REPUBLICAN PARTY HAS DONE.

What the Republican party has done for the domestic sugar-producing interests can be told briefly. In 1890 sugar was on the free list, and a bounty of 2 cents per pound was paid on beet and cane sugar produced in the United States. The Wilson-Gorman bill abolished the bounty and placed a duty of 40 per cent ad valorem on imported sugar. By the Dingley bill this duty was increased so that now it equals 98 per cent ad valorem on the price of raw sugar in the New York market. Then there is this consideration: Whenever there is any great strain or pressure at a given point, something is liable to give way. That there has been severe pressure, for a great many reasons, to grant some reductions of duty to Cuba we all know, and we probably avoid what might have happened—even greater reductions or possibly no duty—by granting 20 per cent; and besides this, the question of tariff is settled for five years.

THE CITRUS-FRUIT INDUSTRY.

There is another point where the opponents of the treaty think that we may be injured by Cuban competition if our tariff is reduced. This point is the citrus-fruit industry. The objections to the treaty on this score might be met with a chapter like the famous one dealing with snakes in Ireland. At least, if there are oranges and lemons in Cuba, there are so few as to cut no figure whatever in a question of competition with California and Florida citrus fruits. Cuba never has raised enough oranges and lemons to develop an export trade, in spite of all the advantages of proximity to a vast market, a favorable climate, cheap land, and low freights.

Less than three-tenths of 1 per cent of the soil under cultivation is devoted to citrus culture, and it is unlikely that under the most favorable conditions there would be an increase in production that would enable Cuba to become a rival of American growers. Citrus-fruit growing is what may be called a scientific occupation, requiring for good results great intelligence, great care, great botanical knowledge as far as relates to trees of this character, and great patience and industry. The ordinary native planters of Cuba possess none of these qualities, and in consequence turn to horticultural pursuits, in which nature does all the work required except that of the crudest kind, which is within the scope of native ability.

In consequence, although there is a vast market for citrus fruits in the United States, "the cultivation of oranges," as the Cuban consul states, "has been generally abandoned since the development of oranges cultivated in Florida and California."

REDUCTION IN IMPORTS OF CITRUS FRUITS.

The value of the imports of Cuban oranges from 1898 to 1902, inclusive, were, by years, as follows: $1,991, $622, $474, $2,187, $560. The value of lemons ranged from $4 to $545 per year. The duty on oranges is now 71 per cent ad valorem, and a reduction of 20 per cent would still leave a protection of 57 per cent ad valorem for the American grower, and it is hard to see how this slight reduction, leaving as it does the Cuban grower at a great disadvantage, can stimulate his intellectual faculties and imbue him with the energy that will be necessary if he is to raise citrus fruits for the American markets. It is impossible for him to compete with the American grower now, for he has no oranges to

sell, and it would be five or six years before groves planted this year could be brought into bearing, and this fact, if there were nothing else, would act as a deterrent to planting citrus-fruit trees.

Quick returns are what the Cuban desires. He is constitutionally averse to waiting a year or two for things to grow. In consequence sugar and tobacco will receive his attention in the future as in the past, and the Florida and California growers will be left in possession of our citrus-fruit market. The United States consul-general at Habana thinks that steps should be taken to ascertain the cause of the insignificance of the exports of fruit from Cuba. The cause is the less skill required in the cultivation of sugar and tobacco and the greater and more immediate the returns therefrom.

HIGH AD VALOREM DUTY ON CITRUS FRUITS.

It will be remembered that when the Dingley bill was under consideration the California delegation secured a material increase in the duty on citrus fruits, from 12 per cent under the Wilson-Gorman bill to 71 per cent ad valorem, the present rate of duty. This increase was urged not on account of danger from Cuban competition, but because of that of Jamaica, which has large and long-established orange orchards, on which greater and greater reliance would be placed as sugar growing diminishes, as has been the case for years, and as it will continue in the future. This bar against Jamaica oranges was effectual, and still remains at the very high notch at which we placed it.

While I know it is not fashionable to indulge in prophecy, yet I believe, Mr. President, so long as the Republican party has control of the administration of governmental affairs in this country that duty will not be reduced from its present rate either upon citrus fruit, sugar, or any great industry from which California has given such splendid results to the country.

There can be no question as to the adequacy of the protection of California citrus fruits against competition from an island that does not grow enough to export, and which will not increase its output to any appreciable extent until its hundreds of thousands of acres of sugar and tobacco land are brought under cultivation.

What protection has accomplished for the citrus-fruit interests of Florida and California is fully illustrated in the fact that in 1882 we imported $5,500,000 worth of oranges, and in 1902 only $784,000, worth, of which $720,000 came from Italy, the British West Indies, and Mexico, against which the high tariff of 71 per cent ad valorem will still operate if the proposed reduction is made.

IN CASE CUBA IS ABLE TO INVADE OUR MARKETS.

The Senate's attention has been called to certain newspaper articles and private letters which state that a great number of orange trees have been or are about to be planted in Cuba, and that planting of such trees is going on all over the island. Assuming that this is true, I submit that the rejection of this treaty would neither prevent the planting of the new groves contemplated nor kill the trees already planted. If it be true that capital is being invested in citrus fruits in Cuba, we have no means of preventing it, and if Cuban oranges should by chance be able to drive California fruits from eastern markets in spite of a protective duty of 57 per cent ad valorem, after deducting the 20 per cent, I am very sure that whatever reduction in the cost of placing California fruits on the eastern market which would be necessary to hold that market would be made by the railroad companies, which otherwise would lose a very considerable part of their revenue.

The policy of railroads, like all other transportation companies that have a single right of way, is to charge all the traffic will bear, and that has kept the rates from California at a high figure—higher, in my opinion, than they should have been; but it would necessarily cause a reduction of rates on the part of the railroad companies, or they would lose the transportation of the products of these great industries from the Pacific to the Atlantic shore. The railroad companies, like others, are always alive and keen in protecting their own interests, and surely this small reduction of 20 per cent, if it be necessary, would not only be made up by the railroad companies, but even a greater reduction, in order that they may retain the business.

THE ENORMOUS DUTY ON TOBACCO.

In tobacco Cuba is a competitor of the United States, but our own producers are protected against this competition by a tariff which, reduced by 20 per cent, is still enormous. The average value of our tobacco crop of 1902 was 10 cents per pound, yet it is protected by a tariff of from $1.85 to $2.50 per pound on tobacco for wrappers, and from 35 to 50 cents per pound on tobacco for fillers. Our own production is principally tobacco of a quality suitable for fillers, yet it is protected by a tariff from three and a half to five times its average market valve. If a reduction in protection to 28 and 40 cents a pound on tobacco whose invoice value averages 45 cents is not sufficient to protect our own growers, I am unable to see how we can help them unless we give them, in addition to a protective tariff, a good big bounty. That the tobacco interests will not be injured by the proposed reduction is made clearly evident by the lack of protests against it from tobacco growers and manufacturers. I have received only two, I think, since the Senate voted on the treaty last March.

CALIFORNIA PRODUCTS WELL PROTECTED.

So far as my own State of California is concerned I think the measure of protection afforded to it by the Republican tariff is satisfactory. I have already shown that the importation of oranges has fallen from $5,500,000 to $784,000 per annum in twenty years, though California has not received the entire gain, Florida being also a producer. But in raisins, prunes, and currants she is the only producer, and in these staples the result is even more marked than in the case of citrus fruits. In 1892 we imported over 10,000,000 pounds of prunes; in 1902, only 500,000 pounds. In 1892 we imported nearly 21,000,000 pounds of raisins; in 1902 a little over 6,000,000 pounds. She has driven the foreign Zante currant from the market, and the French and German prune can now be found only in very isolated cases. And in spite of our growth in population and the increased consumption attending the extraordinary increase in wealth in the past ten years, our imports of still wines, which California makes, has remained absolutely stationary since 1892.

WHY THERE SHOULD BE RECIPROCITY.

I think it may be accepted as proven beyond a reasonable doubt that the proposed reduction in the Cuban tariff will injure no American industry. If it will not, and the reciprocal reduction of the Cuban tariff on American goods will benefit us, there can be no valid reason why the treaty shall not be made effective. In 1899 we sold Cuba products worth $29,000,000 and bought from her $37,000,000 worth. In 1901 we sold to her $25,000,000 worth and bought $49,000,000 worth. Thus, while we bought more from her, we sold less, which is not a satisfactory condition of affairs. Our percentage of sales to Cuba has fallen from 43 per cent to 41 per cent, while Germany has in the same period doubled her percentage of sales to Cuba, and England, France, and other European countries have materially increased their own. These facts show that we are being beaten by Germany, France, and England in the market which is at our very doors—in fact, are being crowded out of it.

Unless the tide can be stemmed we shall find our enemies, in an industrial sense, in possession of a market which should be virtually ours exclusively, and while we buy all, or nearly all, of Cuba's products, we shall sell them next to nothing. It seems to me that this is a state of affairs that should appeal to every business man, and should enlist him on the side of a treaty which will give us an advantage of from 20 to 40 per cent over our competitors, and will enable us to maintain and strengthen our commercial foothold in Cuba. It is unnecessary to call to mind the many staple products of our fields and factories that meet with strong competition in the Cuban market. They will occur to everyone. But I will refer to the case of my own State, California, for an illustration.

WHERE CALIFORNIA WOULD BE BENEFITED.

Our olive oil, raisins, canned and preserved fruits, onions, beans and peas, canned salmon, preserved, canned, pickled, and salted vegetables, wines, and salt come into direct competition with the same class of goods imported into Cuba from France, Germany, Spain, and other countries. Our sales of these goods to Cuba amounted in 1902 to $485,000, while the value of the imports from the other countries named in 1902 were $4,000,000. What share of the $485,000 went to California I do not know, but I do know that with suitable encouragement by a reduction in the Cuban tariff my State will, if it makes the effort, receive much of that $4,000,000 which now goes to Spain, Germany, and France.

California makes the best olive oil in the world, yet Cuba bought in our markets in 1902 only $2,414 worth, while she bought from Spain $887,125 worth and from France $13,275 worth. She bought of us only $1,026 worth of raisins, while Spain sold her $39,563 worth. She bought from us $77,000 worth of canned and preserved fruits, and from Spain and France $170,000 worth. We sold her $400,000 worth of onions, peas and beans, and other vegetables, excluding potatoes, while she bought of Spain, France, Germany, Mexico, and American countries other than the United States over $1,000,000 worth. Of potatoes we sold her $390,000 worth, while other countries sold her nearly as much. She bought of us wines worth $8,529, and from Spain alone $1,550,000 worth. Salt from the United States cost her $575, while she paid $70,000 to Spain and Germany alone.

CAN WE NOT CAPTURE THE CUBAN MARKET?

Here are a number of products which California produces itself it can supply in as good as good quality as can be found elsewhere in the world. Yet the people of Cuba buy ten times as much of them from other countries as from the United States. Can it be possible that a favorite wine is well known as an advantage on the average of 40 per cent in Cuban markets over our competitors will not enable us to secure for our wines a very large proportion of that trade which now goes to France, Spain, and Germany? It seems to me we should be able to secure a share of our incapacity if we are in touch [illegible] such an opportunity.

But there are also other reasons that the odds are in our favor. In the matter of wine, our wines at Lyons, France, after a careful study of the conditions of the French, Spanish, and American wine trades, written by the chief chemist of New York, Ohio, and especially California, stating that [illegible] and this without the proposed reduction of 20 and 30 per cent in the Cuban tariff.

THE DELEGATION'S LOYALTY TO CALIFORNIA'S INTERESTS.

I think the facts I have given relating to citrus fruits, sugar, wines, raisins, prunes, and other products of California demonstrate the anxiety my loyalty to the State which has honored me by electing me again and again one of her representatives in this body.

In the framing of the Dingley bill the California delegation as all know, struggled for protection for the industries of our State. The results of those struggles are seen in our immense citrus groves, our vast vineyards, our forests of prune trees, our immense berry and orange growers' unions, and our hundreds of square miles of sugar-beet fields. Not one of that delegation would advise a step which would tend in the least to retard the growth of these great industries.

When it was proposed two years ago to authorize the negotiation of a treaty with Cuba, in terms which gave such latitude that there was a chance that the tariff bars might be let down too low for the safety of California producers, it is well known that I was one of that body of recalcitrants who successfully and, I think, wisely combated the measure. And in the opposition the delegation was backed by the California Republican State convention, which declared against that measure. When the treaty that we now propose to make effective was placed before us last winter, it was seen that no interest of California was endangered. Yet desiring to secure the views of my constituents, to whose kindness and consideration I feel that I owe all I am and all I ever hope to be, I sent copies of the treaty to the legislature, which was then in session, and which had just again re-elected me for the third time to the seat I now have the honor of occupying.

THE TREATY PLACED BEFORE THE LEGISLATURE.

The legislature had been elected a few months before, and was therefore fresh from the people. I sent the copies with an expression of my views as to the bearing of the treaty on our industries, but with the declaration that, should the legislature take an opposite view and instruct me to oppose a measure that I believed to be advantageous to the entire country and to contain no element of danger to any California interest, I would vote against it or resign my seat. No action was taken by the legislature, and in March I acted on my best judgment and voted to ratify the treaty. I believed then, as I believe now, that it is destined to expand the market for American products, which has been gradually closing against us through foreign competition, and that in this expansion California has a chance to profit, while there is no chance that she can be injured.

AN INCONSISTENCY.

In passing, I desire to call attention to a glaring inconsistency which is apparent here and there on the other side, but which has evidently escaped the notice of those who are afflicted with it. It is this: Some of my friends, like the Senator from Nevada, oppose this treaty, presumably, on the ground that it will expose certain productive industries of the United States to serious competition and hence be injury.

Yet, on the other hand, they believe that Cuba should be a part of the United States, and would support a movement to bring her under the American flag. Were this done, what would become of the protection to the great American industries they are now so anxious about—sugar, tobacco, and citrus fruits? Would not free sugar, free tobacco, and free oranges be far more disastrous than the slight reduction of tariff on those products as provided by the treaty we are considering? It seems to me that the advocates of annexation would be more consistent if they insisted that the proposed reductions were not sufficient to give that measure of prosperity to Cuba and ourselves which they must have in view when they favor the hoisting of the American flag over that island.

BENEFICIAL RESULTS OF RECIPROCITY.

If there is any doubt as to the effect of reciprocal reductions in tariff on the exports of the United States to Cuba, one has only to turn back to the time of James G. Blaine, whose theories of reciprocity were adopted by the Republican party and by it developed in practice. Reciprocity with Cuba under the terms of the tariff act of 1891 went into effect in September of that year, and it will be interesting and instructive to see what was the result upon our export trade with Cuba. These exports from 1887 to 1890 averaged about $11,000,000 per year. In 1891, which had only four months of reciprocity, they increased to over $12,000,000. The year 1892, however, when reciprocity was in full swing, showed exports amounting to $17,932,570, and the next year, 1893, to $24,157,698. Our exports to Cuba doubled in two years.

In view of these figures and the succeeding years which told another story, there is no wonder that the Republican national convention of 1896 condemned the repeal of the reciprocity measures by the Democratic party as a "national calamity." And in the platform which was then framed it demanded the renewal and extension of the reciprocity provisions of the tariff act which embodied Mr. Blaine's ideas on that subject. "Protection and reciprocity," said the platform, "are twin measures of Republican policy and go hand in hand. Democratic rule has recklessly struck down both and both must be reestablished."

It seems to me if that was good Republican doctrine in 1896 it is good doctrine now, because the tree is known by the fruit it bears, and the best results have accrued from it. A course taken in opposition to it will place us in the position of the Democratic party, whose course we have so vigorously condemned. It seems to me we are but carrying out Republican ideas in the treaty with Cuba, and that to refuse our sanction to it is to announce greater fealty to Democratic doctrines than to those of our own party.

In no respect is this proposed legislation in conflict with the Dingley tariff law. The rates fixed in 1897 on sugar and other products were largely specific on all products, and the law provides for reciprocal agreements or treaties with foreign nations on the basis of a 20 per cent reduction, and therefore I am not able to discover what objection any friend of the McKinley protective policy or the Dingley law can have to this legislation. There is no infraction of that statute in this Cuban bill or treaty.

BUSINESS SENSE, NOT SENTIMENT, SHOULD GOVERN.

As to Cuba herself, I think she has done too well to warrant us in being guided wholly by sentiment in our dealings with her. Our arms liberated her, and with our assistance she was set upon her feet. We fed her starving, clothed her naked, restored her finances, and gave her a rich revenue; we cleaned her cities, abolished disease, built roads, repaired her public works, and set her in the way of helping herself. And that she has made good use of the aid we gave her is made evident in the growing prosperity of her people. Her trade is expanding, wealth is being accumulated, and she is well started on the road to happiness and riches.

We as Republicans rejoice in her prosperity. And now we think that we have a right to share in some of the prosperity that we have rendered possible, and we support this treaty that we may not see all the fruits of our labors go to our industrial rivals. To secure a fighting chance to save our trade by a reciprocal tariff reduction which still safeguards all of our own interests is, it seems to me, our duty.

Mr. SIMMONS. Mr. President, it is not my purpose to enter into an elaborate discussion of the measure under consideration. I desire merely to define my position upon it, and to state the reasons which impel me in the action I shall take.

When the Philippine revenue bill was under discussion in this body during the last Congress, I submitted some remarks in which I attempted to show that those islands were not only extensive in area but that they were exceedingly rich and productive; that if we retained them as a permanent possession of this Government American capital and enterprise would inevitably go there and develop, clear, and bring under cultivation those rich lands; that development and cultivation would not be accomplished through and by the employment of native labor, because it was too lazy and shiftless, nor yet by white labor, because the white man can not successfully labor in that climate, but that that development and cultivation would be accomplished through the employment of Chinese labor, and to that end means would be found to suspend or repeal the anti-Chinese legislation applicable then and now to those islands.

I then pointed out that by reason of soil and climate those islands were especially adapted to the growth of sugar, rice, tobacco, and, perhaps, cotton, all of which are staple products in this country, and especially in the southern portion of the country. And I argued that in this way, through the policy of the Government and the employment of American capital, the agriculture of this country would be brought into competition with the richer soil of the Tropics, tilled and cultivated by the cheapest labor in the world.

I was then making an argument against the retention of the Philippine Islands, and in that connection I expressed the opinion that if the agricultural interest of those islands was ever developed so as to become seriously competitive with us it would be through the employment of American capital, and only in the event we should retain them; that it would never be done by native enterprise; for should we retire from the islands we would certainly guarantee their independence and thereby prevent them from falling into other hands.

Mr. President, I mention that matter in this connection because it may seem that the position which I then took is somewhat inconsistent with the position I shall take upon the measure now before the Senate, and there probably would be some inconsistency but for the fact that the situation with reference to Cuba is very different from the situation with reference to the Philippine Islands. The soil of Cuba is indeed rich, even richer than that of the Philippines, and it is likewise adapted to the growth of some of the staple crops of this country.

But there, Mr. President, the analogy between the two ceases. The agricultural interest of the Philippines is in a crude and primitive condition; that of Cuba is already in a tolerable state of development. If the agricultural interest of the Philippines is ever developed, it will have to be by the employment of outside capital; but, whether we annex Cuba or not, whether this legislation becomes effective or not, the agricultural interests of Cuba are going to be developed, either by American or European capital, or by native enterprise. I think there can be nothing more certain than that.

But, Mr. President, whether the agricultural interest of Cuba shall be developed by American or European capital or by native enterprise, it will not be developed through the employment of Chinese labor. Cuba is not now using, never has, and, in my judgment, never will use Chinese labor.

In fact, there is not a single West Indian island that, to any extent, employs in its agriculture Chinese labor, and possibly, with one exception, there is no country in the world to-day, not excepting the South, chiefly dependent upon black labor, that uses Chinese labor.

I have simply said this, Mr. President, by way of explanation of my position upon these two subjects, bearing some relationship the one to the other.

Mr. President, I voted for the treaty and I am going to vote for this bill. But I did not vote for the treaty, neither do I intend to vote for this bill, upon any idea that Cuba is in distress and needs this legislation as a matter of grace. I did not believe at the time I voted for the treaty that Cuba was in distress. I thought then that under all the circumstances she was in a reasonably good condition.

I am sure that Cuba is not now in distress or need of charity from the United States. On the contrary, from the best information I have been able to obtain, I have reached the conclusion that the condition of Cuba to-day is one of comparative prosperity.

Neither am I going to vote for the bill on any assumption of national honor, duty, and obligation from this Government to Cuba. I agree entirely with the senior Senator from California [Mr. PERKINS], who has just taken his seat, that we have already done all that duty requires for that country and that people. We drove Spain from Cuba. We lifted the yoke of oppression from her neck. We gave her liberty and independence, and we helped her to establish a government republican in form at an expense to this country of something over $300,000,000 and the sacrifice of many precious lives. That, I think, is the full measure of our duty; at least, Mr. President, it is more than any other nation has ever done for an alien people since the beginning of time.

I shall not vote for this legislation for any of these reasons nor for all of them combined. I shall vote for it in part because I think it will be a great advantage to Cuba, and we ought to be glad to help her if we can without injury to ourselves, because she is our neighbor and we are responsible for her national existence. I am going to vote for it in part because I believe it will be a means for the establishment of a desirable and permanent trade relationship between Cuba and this country.

But, Mr. President, my chief reason for voting for this measure is not that it will help Cuba, although I have no objection to doing that, and would be glad to help in doing it, but because, in my judgment, this legislation will be of great benefit to the people of the United States considered as a whole.

It is possible, I think highly probable, that the benefits which will accrue to us from this treaty will be very much greater in my State and section than in some other States and sections of this Union. But I will not vote for this measure for the reason intimated by one Senator on this floor, in speaking about certain southern Senators whose States were supposed to have a special interest in the adoption of the treaty; I am not going to vote for it because it will benefit my section particularly, but I am going to vote for it because I believe that balancing all the advantages and disadvantages, for probably there are both advantages and disadvantages in connection with it, the sum total of benefits will be in the interest of the whole people of the United States.

Mr. President, it is suggested that this slight reduction in the duty upon sugar will destroy the sugar industry of this country. That is a familiar argument. It is an argument that we are in the habit of hearing in this Chamber and around this Capitol and from certain special interests in this country whenever it is suggested that there should be a repeal or reduction in any of the existing rates of tariff duties.

But that aside, I do not believe that this slight reduction of duty on sugar will destroy any sugar interest in this country or even materially cripple it. If I thought the passage of this bill would destroy the sugar industry of Louisiana or the beet industry of the West, or even materially cripple those industries, one or both, I would not care to vote for it. But I do not believe it will have that effect.

Everyone, I believe, admits that the passage of this bill and the reduction of the duty upon sugar will not affect, certainly in the immediate future, the price of sugar in this country, for everyone knows, and concedes, that the price of sugar in this country is the world's price of sugar, with the duty imposed by our tariff and the transportation in bringing it from other countries added.

If the treaty with Cuba becomes effective and the duty on Cuban sugar is reduced as therein provided, the price of sugar in this country will, other conditions being the same, continue the same it now is, and that price will be the price of sugar in Hamburg, where the world's price of sugar is regulated, plus the duty and freight to New York. The German and the Frenchman will get the same price for his sugar in this market; the American producer will get the same price for his sugar; the American consumer will get his sugar for no less; the Cuban will get the same price in our market for his sugar, but he will have a larger net profit than his foreign competitors, because he will not have to pay quite so much duty on his sugar sold in this country as will his foreign competitors.

But, Mr. President, the opponents of the proposed legislation, conceding the force of that argument, suggest that the passage of this bill will greatly stimulate the production of sugar in Cuba, thereby increasing the world's supply of sugar and pressing down the world's price of sugar, and as a result the American price of sugar.

That contention would undoubtedly be true if the increase in the production of sugar in Cuba as a result of the passage of this measure should be so great as to affect the world's price of sugar, and if that increase in production would not come about inevitably from other causes independently of this legislation and beyond our control.

Mr. President, can anyone who is familiar with the facts with reference to the possibilities of Cuba in the culture of sugar, whether this treaty becomes a law or not, whether this concession is granted to Cuba or not, doubt that that island will increase, and rapidly increase, its production of sugar until in the near future it reaches the full extent of its capabilities?

The Senator from Louisiana [Mr. FOSTER], in his very able speech upon this subject delivered in this Chamber a few days ago, told us that the average output of sugar in Cuba per acre is about 2½ tons, worth, I am advised, in the markets of Cuba, on the plantation of the producer, at least $100. Can anybody doubt that lands, easily cultivated as Cuban lands are, yielding an income of a hundred dollars an acre right upon the plantation will be developed to the fullest extent possible without tariff or artificial stimulation of any kind? I know it is suggested that if this measure is not passed the price of sugar in Cuba will possibly fall so low that the Cuban planters will be forced to go out of the sugar business and put their lands in something else besides sugar; but I do not think the facts sustain that contention.

Mr. President, we have in the western part of this country exceedingly fertile land adapted to the growth of wheat but not adapted to the growth of cotton. If the price of wheat in this country shall fall to 60 cents and the price of cotton shall go up to 15 cents, those lands will probably continue to be cultivated in wheat. We have exceedingly rich lands in the South adapted to the cultivation of cotton but not to the growth of wheat. If the price of cotton go down to 5 cents a pound and the price of wheat go up to a dollar or a dollar and a quarter a bushel, those lands will probably continue to be cultivated in cotton, and why? Simply because there is nothing else to do but to cultivate cotton. There is like diversity of soil in Cuba. Some of her lands are especially adapted to the growth of sugar, but they will not successfully produce tobacco. For the same reason that the South continued to grow cotton when it went to 5 cents, below the cost of production, Cuba will continue in the cultivation of sugar, though it fall below the price of profitable culture as compared with other lines of agriculture.

Mr. President, I doubt very much whether Cuba will ever produce, as is contended it can produce, enough sugar to supply the American demand, which will increase as Cuban production of sugar increases, but if she is capable of producing enough sugar for that purpose I have no doubt she will produce it whether she gets these tariff concessions from us or not.

Mr. President, I know that the sugar producers of this country, especially those of Louisiana, are not upon an equality in all respects with Cuba in the production of sugar. In some respects, however, there is apparently an equal condition, especially in the case of Louisiana. There is substantially the same condition as to the kind of labor employed in Louisiana and in Cuba, and about the same condition as to the price of labor applies in Cuba and in Louisiana. The kind of labor employed in Louisiana is the native white labor and black labor. The kind of labor employed in Cuba is native white and black labor.

From the best information I have been able to obtain, and I have made quite a thorough search, the wages paid labor in the sugar fields of Louisiana range from $15 to $30 per month. The rate of wages paid labor in the cane fields of Cuba ranges from $15 to $25 per month, the difference being slightly in favor of Louisiana in that respect.

I know, that there is a disparity to Louisiana's disadvantage in the soil and possibly in climatic conditions. The soil of that island is richer than that of Louisiana. It averages a greater yield per acre than that of Louisiana. But, Mr. President, difference in fertility of soil is not always nor generally an insuperable obstacle to successful competition. To draw another illustration from this country, my State and a number of other Southern States will not yield near so much per acre in corn as the rich lands of Kansas and other western corn-growing States possibly will not yield over one-half as much per acre, and yet with free trade between the States North Carolina raises and sells corn in competition with Kansas and makes a living profit upon it.

My State will not produce nearly so much cotton per acre as the State of Texas, and yet, Mr. President, we have been making and we are making cotton to-day in competition with Texas and at a good profit.

The Senator from Louisiana told us the other day that the average output of the sugar lands of his State was about 1 ton of sugar per acre. From the best information I have been able to obtain the output of the best sugar States ranges from [illegible] pounds of sugar per acre. The price of these different kinds of sugar is about the same. With this great disparity between the output of sugar in Louisiana and the best sugar States of this country, with absolute free trade to domestic producers in the home market, Louisiana during all these years has been able to meet this domestic competition and sustain itself in the cultivation of cane sugar.

I have no doubt, Mr. President, as I said before, the soil of Cuba is more fertile and better adapted to the growth of sugar than that of this country. But that is a disadvantage which we have to confront with in competition with tropical countries in other things as well as sugar, but the superior labor, efficiency, and intelligence of labor the Temperate Zone over labor in the Tropics has generally been able to overcome those disadvantages of soil and climate competition encountered with, which otherwise be impossible.

But, if our boasted superiority in labor conditions and machinery conditions is not sufficient to enable us to overcome these disadvantages in competition with Cuban sugar, then I submit that after we have taken 20 per cent of of the duty on sugar in favor of Cuba there will still remain a sufficient duty to compensate any disadvantage growing out of better conditions of soil and climate.

I have been taught, and I believe, that the Dingley tariff is an abomination; that it is exorbitant and excessive taxation, and that after levying a sufficient sum to make up the difference between the labor and the material cost between this country and competing countries it imposes heavy additional duties, in many instances for no other purposes than private enrichment.

The average ad valorem duty under this highly protective measure is only about 57 per cent, I believe. The present duty upon sugar is about 87 per cent, or about 30 per cent in excess of the average Dingley rate. After deducting the 20 per cent conceded to Cuba by this legislation, there will still remain a duty upon sugar of about 60 per cent—I have not made the calculation accurately, but that is approximately correct, I think—leaving a duty upon sugar after this reduction of 12 per cent above the average Dingley rate. I submit that is enough protection to overcome the differences in conditions of sugar cultivation here and in Cuba. If it is not, then sugar can not be produced in this country on conditions just to the American consumer of sugar.

My State is a great tobacco-producing State. I believe there are about thirty counties in my State in which tobacco is one of the chief agricultural products. Last year three towns in my section of the State, within 50 miles of each other, each sold on their warehouses nearly 20,000,000 pounds of leaf tobacco. Last year the manufacturers of my State manufactured over 100,000,000 pounds of leaf tobacco.

This bill reduces the duty upon tobacco to the same extent that it does upon sugar. And yet I am not complaining. I stand ready to vote for the bill. Why? Because if the tobacco of my State needs protection against Cuban tobacco the present tariff upon tobacco is about 75 per cent ad valorem, 21 per cent above the average Dingley rate and after deducting the 20 per cent conceded to Cuba by this legislation there will still remain a duty of about 65 per cent upon Cuban tobacco imported into this country, or about 8 cents more than the average Dingley tariff rate. It seems to me this is sufficient to overcome any disadvantage in competition with Cuba. At least it is but a moderate reduction from what appears to be a high rate of protection.

Mr. President, I would not contend for a minute that the Senator from Louisiana [Mr. FOSTER] and other Democratic Senators who have opposed any reduction of the present Dingley rate as it applies to sugar are to be taken as advancing protection theories when they make the contention that any reduction in those rates in favor of Cuba will destroy the sugar industry of their section. I understand, and we all understand, and it is a natural feeling, and one entirely justifiable, that if high protective rates are to be in the law they should not be applied with discrimination toward any industry or toward any section. If that policy is to obtain, then it is perfectly natural for Louisiana to come here and to demand that she shall be given her share of the bounty. I appreciate that argument. I can sympathize with it. But this is but a moderate reduction from an exceedingly high rate of duty, and I must confess I do not feel the force of the argument when applied to the legislation under consideration.

Mr. President, I said that I was going to vote for this bill chiefly because, in my judgment, after counterbalancing all the advantages and disadvantages, it would, I believed, be greatly in the interest of the people of this country. I want to address myself for a few moments to that phase of the subject.

The senior Senator from Colorado [Mr. TELLER], in the very interesting speech made by him upon this subject the other day, informed the Senate that Cuba was the richest island in the world. I think he might have said the richest country in agricultural possibilities in the world. He informed us that even under present conditions, only two or three years out of a devastating and destructive civil war, with its labor demoralized, today Cuba's exports per capita were four or five times greater than ours. Understanding that as true, Mr. President, Cuba does not only export per capita more than we do, but I think more than any other nation in the world.

With the return of prosperity, with the establishment of normal conditions, and with just and wise laws and administration, the yearly output of Cuba will rapidly increase, and her export trade will correspondingly grow. In fact, Mr. President, in a little over two years, less than three, the sugar exports of Cuba have risen from less than 400,000 tons to a million tons. What does this mean, Mr. President? It means that in the near future Cuba is going to be an enormously rich country. But Cuba is an agricultural country and will continue to be an agricultural country, and her agricultural products will continue to be confined chiefly to the production of sugar, tobacco, and fruits. With this great wealth will come new wants and the ability to supply those wants. Sugar, tobacco, and fruits won't feed the people of Cuba. Sugar, tobacco, and fruit won't clothe the people of Cuba. These things they must buy largely from other countries.

Cuban imports last year were, I believe, about $60,000,000; probably a little more than that. I do not recollect.

Mr. CLAY. Nearly $62,000,000.

Mr. SIMMONS. Nearly $62,000,000 worth, the Senator from Georgia suggests to me. In the near future it may be predicted, within the five-year life of the proposed treaty, although I do not mean to go into the business of prophecy, but it may with reasonable certainty be predicted that within that time the import trade of Cuba will reach $100,000,000. That is not, I think, too high an estimate. We now get only about 42 per cent of her import trade. The balance of it goes to European countries—to France, to Germany, to England, to Spain. If this treaty shall become operative by the passage of the pending bill, we shall be given in the Cuban markets an advantage in the sale of our goods ranging from 20 to 40 per cent over our German, our Spanish, and our English competitors, and with that advantage, instead of selling her $25,000,000, as now, upon the basis of her present trade, we ought to sell her $50,000,000 worth of our goods,

and in the life of this treaty we ought to sell her, instead of $50,000,000 worth, $80,000,000 or $90,000,000 worth.

Cuba purchased last year about $6,000,000 worth of cotton goods. Before this treaty expires she will buy over $12,000,000 worth, I have no doubt. We now get only about $400,000 worth of this cotton trade. With the advantage this treaty will give us over our European rivals (an advantage ranging from 20 to 40 per cent) we ought to sell Cuba all the cotton goods she consumes. Cuba uses the cheaper grades of cotton goods, such as we make in the South, such as we make in my State, where we are now manufacturing all the raw cotton we make. The treaty gives this class of goods a concession of 20 per cent. Knit goods, now largely made in my State, get a concession of 40 per cent.

With this advantage over our foreign competitors, when we are able to go to the Cubans and sell them our goods with this advantage over those competitors, can there be any doubt that we shall be able to control the import trade of Cuba?

Mr. President, we have been told by distinguished representatives of the Republican party in this debate that the reciprocity enunciated by Blaine, by Republican national conventions, and by the late lamented Mr. McKinley only extended to articles which we do not produce in this country—non-competitive articles. If that is a correct definition of Republican reciprocity, then this treaty manifestly does not illustrate Republican reciprocity. The Democratic party believes in low tariff. It believes the present high tariff rates should be revised and greatly reduced.

We have to raise in this country an enormous amount of money through customs duties to defray the necessary expenses of the Government. In levying these duties for this purpose, if provision is made for the actual and bona fide difference in labor and material cost in this country and in competing countries, that will not be wrong or unjust, but the Democratic party is in favor of pulling down, destroying, and trampling under foot all duties that are levied for the purpose of the enrichment of special interests.

With that definition of the Democratic idea of tariff, this bill, while not based and built upon the lines of Republican reciprocity, is, in my judgment, founded upon and builded upon the lines of Democratic tariff reduction, call it reciprocity or what not.

The junior Senator from California [Mr. BARD], who addressed the Senate upon this subject the other day in an exceedingly entertaining speech, in discussing the question of the possible control by our manufacturers of Cuba's import trade, said that even now, without this treaty, our manufacturers could control the Cuban market if they would only model their goods to suit the wants and the requirements of the Cuban people. That is true. It is equally true that if our manufacturers would model their goods so as to suit the wants and requirements of Central and South America they could control a large part of that valuable trade.

This is not a new idea. The trade journals have been presenting to our manufacturers this idea for some time. They are presumably entirely familiar with it, and I have no doubt they accept as true the proposition laid down by the Senator from California; but the fact remains that American manufacturers have not so modeled their goods as to suit the wants and requirements of these markets. Why? In the first place, the manufacturers of this country know that it is doubtful whether they could successfully turn the trade of those countries from established channels. Secondly, they know that even if they should succeed in getting that trade they would have to wrest it from Europe in a sharp and fierce competition, and that the profits would probably be nominal.

Besides these considerations, Mr. President, the expense of adjusting old machinery and purchasing new machinery in order to so model goods as to suit the wants of those people would be considerable. For these reasons our manufacturers, though probably just as thoroughly convinced as is the Senator from California that they could get these markets if they would do what he says is necessary to get them, have not seen fit to do these things. But suppose we should negotiate a treaty to-day with the countries of Central and South America by which we would be given an advantage over our European competitors in those markets of from 20 to 40 per cent, does any man doubt that our manufacturers would at once employ the means and incur the expense necessary to get that trade and that they would get it? The same is true with reference to Cuba. Give our manufacturers these concessions, give them this advantage of from 20 to 40 per cent over their English, German, and Spanish competitors, who are now getting 58 per cent of that trade, and our merchants will at once begin diligently to seek this trade. They will model their goods so as to suit the nicest and most delicate requirements of the Cuban consumer, and will incur any and every expense necessary to do that, and they will sell to Cuba practically all that she buys from abroad.

Mr. President, one more suggestion and I will have finished. I have already spoken longer than I expected. The opponents of this measure tell us that this concession to Cuba will be a bounty pure and simple. I do not want to quibble about words or terms. I do not know whether or not it can be correctly and properly described as a bounty, but I do know that if it be a bounty to Cuba we will get from Cuba a bounty in return.

The difference in the two bounties will be against us in the beginning, but, Mr. President, if Cuba shall fulfill the just expectation of her friends and of intelligent men throughout the world during the next five years, I am prepared to think by the end of that time the balance of bounty will not only be in our favor but that it will be sufficiently in our favor to overcome any difference against us in the beginning.

But this much is certain, that, bounty or no bounty, it is not money taken out of the pockets of the people of this country. It is a mere remission of a tax, not as a gratuity, but in expectation of compensating benefits. If this bill does not pass, that tax will possibly be collected and go into the Treasury; but what need has the Treasury for it? It is already overflowing to the bursting point. It has already over $200,000,000 more than it has any use for, and has only recently deposited in the national banks of this country over $150,000,000 without interest, because there was no other way to get that money back into circulation and make it perform the functions for which it was created. The Treasury of the United States does not need this tax, but the people of the United States do need this trade this increase of trade, which we may reasonably expect as a result of the passage of this bill and the remission of this small tax.

Mr. President, before I take my seat I want to say that I wish certain amendments might be made to this bill, but I recognize the fact that if any amendment should now be made it would destroy the treaty. But I do not want the opportunity to escape without expressing my condemnation of certain provisions of the bill. I am going to vote for it notwithstanding these provisions, because I think the good in it greatly overbalances the evils of it.

I especially object to what is known as the "five-years' clause," that clause by which we have stipulated that the Dingley rate of duty upon sugar shall not during the life of this treaty be reduced below its present rate. If I believed that that provision of the treaty and this bill is legal, is constitutional, would be legally operative, if I believed that it is binding upon the treaty-making power or the lawmaking power of this country, I would hesitate before voting for it. I would not care to sanction any such precedent as that, however great the benefits might be.

But, Mr. President, as a lawyer I know full well that as a legal proposition this Congress has no right or power to bind future Congresses; that the next Congress may reduce the rate of duty if it chooses to do so notwithstanding this five years' clause.

But it is said that provision is a part of the treaty and therefore part of a contract, and being part of a contract the faith and honor of the nation is plighted to its fulfillment and the keeping of its spirit and its letter. That argument has little force with me. Why? Because it is a contract between Cuba and the United States, and this provision was not put in the treaty for the benefit of Cuba, for certainly Cuba does not object to the reduction of duties provided in our sugar schedule; on the contrary, Cuba is asking now that they be reduced, and she would be glad to see every cent of protection taken off of sugar imported into this country.

It would be, therefore, no violation of faith with Cuba to reduce the duty on sugar, but would be just exactly what Cuba would like to have done. If it be said that it is the result of an understanding with the beet-sugar and the cane-sugar growers of this country, my answer is that if there had to be made such an understanding as that to secure the consent of this interest to this legislation, everybody connected with that understanding knows, or should know, that Congress has no right to make any such promise and write it in the laws of the country, and they can not complain if the next Congress disregards that which this Congress has no right to do.

There are other provisions of this treaty, Mr. President, to which I object, but I shall not take the time of the Senate in their discussion.

Mr. McCUMBER. Mr. President, when a bill which is seemingly, at least, at variance with ancient, time-honored, and time-tried Republican principles, is to be enacted into law by a Republican Congress, it seems to me that it becomes not only a right, but a moral duty for every Republican who votes for the passage of the measure to give his reasons for so seemingly departing from the tenets of his own party.

Not all the reasoning nor all the eloquence of the Senators who have interested us and who have sought to enlighten us upon this proposition can bring the terms of this bill to harmonize with absolute protection to our own home industries, and the very most that can be said of it is that it leaves them protected to a

certain degree, four-fifths as great as they would be protected without the bill.

Mr. President, that means one of two things; either the tariff schedules upon sugar and tobacco and other Cuban products which we have carried upon our Dingley tariff act for years have been too high, or more than necessary for absolute protection, or else if we modify them they will be less than adequate. One of these two propositions must be adopted. I believe there are few Republican Senators who do not stand exactly pat upon the tariff schedule, and if it is good for the balance of the world, there must be some special reason why it is not equally good when we consider our relations with the Cuban trade.

We seek to explain our deviation from these ancient rules of our party on one or all of three separate grounds: First, that, having by our own arms freed Cuba from the dominion of her home Government, having released her from the tyrannous acts of the Spanish Government, a moral duty, as well as a sense of national pride and national consistency, demands that we should, so far as lies in our power, see also that she have greater prosperity than she had under the Spanish rule, and that her people be made more prosperous and more happy; second, that by reason of the reciprocal diminution of our own tariffs upon our own products imported into Cuba we will reap a benefit that will correspond, at least, with our losses; and third, that by our own act or by our own influence we induced the Cuban Government to surrender a part of her own independence to this country, giving us control over her internal and external affairs, and that she did so with the understanding, at least, that we would give her some reciprocal benefits in the markets of our own country.

Mr. President, the first proposition must be answered in the negative. We owe the island of Cuba absolutely nothing. For hundreds of years she had to tug at the tether which bound her to the Spanish Government, and when by our action we severed those bonds it was never understood for a single moment that we should further, at our own expense, make those people happy and prosperous. It was understood when we took our first steps toward the breaking of those bonds that we would shield that country against foreign aggression; that we would apply to it our Monroe doctrine; that she should be shielded not only against external dangers but possibly against internal anarchy, but beyond that our duty did not go for a single moment.

Mr. President, national pride and national sense of justice will not allow us for a single moment to see this foster child, which we have wrested from an unnatural parent, suffer any great loss or be subject to the control or influence of any foreign country. But beyond that I say we did not agree to protect her. It was not expected that the moment we changed the national condition of the island the national character of those people would change. The world knew and we knew the natural instability of Spanish-American republics, and it was never thought that by reason of the sudden change of national character those people would suddenly take upon themselves Anglo-Saxon stability and adaptability for self-government or Teutonic frugality and industry. That was not in the least expected by us.

With a country, and a climate capable of producing with the same amount of labor, with an equal amount of expended energy, from three to five times what may be produced in our own country it was never expected, but we should not make this island, at our own expense, a prosperous island. There is such a thing as philanthropy gone daft; and when, in a case of this character we exert ourselves very much concern for the commercial interest of Cuba at the expense of our own, and we come when every Senator and everybody else knows the conditions there are better off than they have ever been known in the history of the island, I say to them it is doing well very close to the line.

I am aware that our duty did not cease with the close of the war; that having by our own act broken the bonds which bound that country to the mother country it was our duty to protect her against foreign aggression, and possibly of war between herself and Spain, but I say that we did do that, and we had good stable government in the island; but what I insist upon is that there was no duty imposed upon us to keep her prosperous at our own expense.

Mr. President, our sugar beet growers work labor from ten to twelve hours per day. Not only do they, but their wives and children, but it is true of every chick and child that is able to pull a weed or lift a beet.

Now, is it just or proper that we should take these laborious people, even supposing they are making a great profit, and set to them they shall share half profit with the Cuban laborer, who does not work ten hours or twelve hours in an entire week. That is upon the supposition that our people can stand this reduction. I believe they can stand a reduction of 25 per cent and still make a profit out of the sugar-beet industry. Every American farmer must not only labor in the field during the day, in the heat of the summer, for ten or twelve hours, but he must, in order to live in a country like ours, make more and receive greater profits than he would if he lived in the island of Cuba, and that should be taken into consideration in our relations with the new Cuban Republic. I am straight and squarely against the proposition that the American farmer, who labors for this length of time, should divide his profits, even admitting that he has a goodly profit and more than he may be entitled to from the standpoint of reciprocity, with the Cuban laborer.

Why is a tariff ever necessary between two countries? It must be based on one or all of three simple propositions: That labor in this country is higher than it is in the country against which we levy our import duties; second, that the amount of labor required to produce an article is greater than in that country; and third, that the standard of living in this country is very much higher, and it requires a greater amount of labor and a greater profit in order that a man may exist, and exist well, in his home community.

When we compare these conditions so far as they concern our Cuban trade relations, every one of these propositions is glaringly obvious. Like all lands in other than tropical regions, our lands will not produce by themselves. They are not self-productive in foods of any character or in other articles that amount to anything. Everything that we get out of mother earth is obtained by constant, continuous, and arduous toil in order to lure it from the earth.

The condition is entirely different in Cuba. Should we, therefore, as a nation and as a people be compelled to put ourselves in actual competition with a people who require so little? Not only this, but every American farmer must build a good substantial home. He must expend large sums for fuel and clothing, and why, as a matter of duty and justice, should he be compelled to compete with the people of a nation who live outside the greater portion of the time, whose cost of fuel is practically nothing, and whose epidermis answers for clothing the greater portion of the year? I submit, therefore, that upon the ground of justice alone we are not bound to grant this concession to Cuba.

But, Mr. President, the ardent friends of this measure assure us that if at our own expense we make the Cuban people prosperous—that is, if we take out of the profits of the sugar-beet raisers and the tobacco growers of this country enough to make the Cuban people prosperous—the latter will buy more of our goods. That is one way of seeking a foreign market for our goods; but it is a method which has never before been adopted by the American people, and I doubt if we will ever again try the experiment. The sacrifice is not justified by any of the conditions as they appear to us. When we look over our trade relations with Cuba during the period of reciprocity, and before and after that period, we find that in every instance, while reciprocity has given us but a little benefit, it has given the foreign country a benefit far in excess of that which we have received.

The Senator from California [Mr. PERKINS], who so seductively enlightened us on this question a few moments ago, saw fit to give some of the figures in relation to our relations with Cuba prior to, during, and after our reciprocity arrangement. He gave only one side of them, however, and I think he will pardon me if I quote the other side. I will take 1890, before reciprocal relations were established. In that year Cuba exported to this country $[illegible] we exported to Cuba in the year 1890 $13,084,415. The balance of trade against us was $40,717,176. Now we will run over to 1892, when the reciprocal law was in force. We sold Cuba $13,958,570 worth, approximately the same as before, but she sold us $77,893,671 worth, increasing the balance of trade against us to $60,040,101. Taking the next year, we raised our trade somewhat. We sold Cuba in the year 1893 $24,157,698 worth. She sold us $58,706,596 worth, and there was a balance of trade against us of $34,548,908. Taking the last year, 1894, Cuba sold to us $75,678,261 worth, and we sold to her $[illegible] worth, giving a balance of trade in her favor of $[illegible].

Then we come to 1895. The balance of trade against us dropped down immediately to $40,063,598. In 1896 the balance of trade against us was only $32,476,850. In 1898 it had dropped down to $[illegible]. Taking the last year, 1902, the balance of trade was $8,071,184. In other words under present conditions the balance of trade is $8,071,184 as against $60,040,101 in 1892. And where has the change been? Let us glance at the figures for a single moment. I will take our exports to Cuba.

In 1890 they were $13,084,415; in 1892, $13,958,570; in 1893, $[illegible]; in 1894, $[illegible]; in 1895, $12,807,661; in 1896, $[illegible]; in 1897, $[illegible]; in 1898, $9,561,656; in 1899, $[illegible]; in 1900, $[illegible]; in 1901, $25,964,808; in 1902, $[illegible]. So we see that our exports to Cuba to-day are far more than they were when she was selling us $77,000,000 worth of goods.

I will ask permission to insert this table in my remarks.

The table referred to is as follows:

Cuban exports and imports.

Year.	Imports.	Exports.	Excess of imports.
1890	$53,801,591	$13,084,415	$40,717,176
1891	[illegible]	[illegible]	[illegible]
1892	78,000,241	13,958,570	64,041,671
1893	76,655,261	20,105,561	55,549,700
1894	87,471,269	19,805,961	67,665,308
1895	40,067,759	7,560,880	32,506,879
1896	18,400,575	8,259,776	10,147,069
1897	15,252,477	9,581,656	5,670,821
1898	25,488,808	18,696,277	6,792,531
1899	31,571,704	26,583,493	4,988,211
1900	43,423,088	25,964,808	17,458,280
1901	34,094,684	26,023,503	8,071,184

Mr. PERKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from California?

Mr. MCCUMBER. With great pleasure.

Mr. PERKINS. If my friend will permit me, during the years to which he has referred there was a reciprocity treaty by which sugar from Cuba virtually came into this country free. We were paying 2 cents a pound bounty upon sugar produced in this country. The other years that he refers to were those during the civil war in Cuba, and of course trade naturally fell off.

Mr. MCCUMBER. The falling off in the trade is more with the Cuban trade than with our own. Her trade has been subject to every character of exigency. Sometimes it has been great; the next year it has been much smaller; but the figures as a whole show that Cuba has benefited far more than we have under our reciprocal arrangements.

Mr. President, the real benefit which one country obtains in its trade with another is not so much the volume of trade as it is the surplus in its favor. The things which we trade to another country are for the most of a perishable character. We sell abroad $60,000,000 worth of breadstuffs and fabrics from our factories, and they are gone in a year. We receive in sugar, tobacco, and other produce $60,000,000 worth, and they are gone in a year. But give us $60,000,000 worth of balance of trade which is paid in gold dollars and we have something that is good to-day, good to-morrow, and good for a hundred years from to-day. What has given us all our great prosperity in the last five years? Has it been so much the volume of trade between the States or the great volume between this country and other countries? No; it has been in the vast volume of the balance of that trade.

Give us $60,000,000—gold dollars—in balance of trade a year from the old country landed on this side of the water, and continue that for five years and we have $2,500,000,000 in substantial property, property that remains here, and that is the character of trade for which we should always look. That, I repeat, is what has given us the great prosperity in the last five years. While a certain proportion of that vast sum of money, of course, has gone back in the payment of interest on bonds, and has been expended by tourists in the old country, a great portion of it has remained here. It has filled up our banks to overflowing; it has given confidence to our speculators and our business men; it has raised the price of our commodities from 25 to 500 per cent; it has filled the whole country with prosperity during all this time. It has not been because of the volume of trade, but because of the surplus of our exports over our imports. When we apply that to Cuba, it simply makes a leak for so much more profit.

But there is another side to this question, and a side which sinks deep into the heart and conscience of every American citizen who takes pride in his country beyond the mere question of financial gain or loss, and that is the honor of the country itself. We received from Cuba when she adopted her constitution certain concessions. She not only made herself perpetually the ward of this country; not only was this country made her guardian for all time, not merely over her external but her internal relations, but she also contracted to give us a coaling station, placing herself entirely at our mercy.

Now, what induced her to do this? The understanding, express or implied, that in lieu of what she had granted to us—and certainly there can be no greater grant than that of absolute independence—she would receive not only protection abroad, but in our country a market for her goods which would not be accorded to the balance of the world. I know there are many present here who will say that neither a Representative nor a Senator nor the President himself had the right to induce those people to that belief. Mr. President, that does not answer the question. As residents of a Spanish-American country those people understood that whatever was the wish of the head of any country there would be a Congress which would accede to those wishes and that she would receive what she contracted for.

What else would induce her to do this? Some of my friends tell me that she would have done this simply because we agreed to protect her. She did not have to surrender her independence in order to get that promise from us. Cuba knew of our Monroe doctrine. She knew that it protected her against all foreign invasion; that it cleared her path of all foreign difficulties. She did not believe that she needed us to take care of her internal affairs. She did not struggle for two hundred years against Spanish rule without the belief or understanding that she could take care of her own affairs. Therefore there was but one thing that weighed heavily upon her, and that was the question of providing a market for her home products.

We received that benefit. Is there a Senator here to-day who would surrender it if he could? Would he give back to Cuba her absolute independence, her control over her foreign relations, and over her internal affairs? Would he yield to her again our coaling station and our naval base which we have established there? If he would not, then there is but one thing in honor that he can do, and that is to pay the price for which these things were given.

Upon that theory, and upon it alone, I shall vote for this bill—upon the proposition that we are bound in honor either to return what we have received from Cuba or give her certain concessions upon her products when imported into our own country.

Mr. PATTERSON. Mr. President, I am led to ask the indulgence of the Senate for a short time by reason of a colloquy that occurred before the close of the session yesterday between the junior Senator from Massachusetts [Mr. LODGE] and my colleague [Mr. TELLER], in which the exclusion of Chinese from Cuba was the topic. In the course of my colleague's remarks he discussed the cheapening effect of Chinese labor upon the principal product of Cuba and the necessary evil result it would have when its products were brought into competition with American sugar unless duties to counterbalance the low price of Cuban labor were retained.

The junior Senator from Massachusetts evidently felt the logic of the argument, and that if the claims of my colleague were not impaired his argument would go with peculiar force to the farmers of the country, especially to the farmers of the great Northwest and of the Pacific coast. He appreciated that it could not conduce to Republican popularity in any section of the country if the agriculturists should realize that the policy of the Republican party brought what the agriculturist produced into direct competition with the product of cooly labor from other countries with little attempt by the dominant party to counteract vail against the cheap labor.

The question of Chinese labor in Cuba is a very important one in connection with this Cuban controversy, for certainly if the sugar fields of Cuba are to be tilled by Chinese labor and the protection afforded by the present tariff to American sugar is to be seriously impaired, then I submit that the sugar industry of the United States, whether it be cane or beet sugar, has been dealt a serious blow.

Toward the close of the session yesterday the junior Senator from Massachusetts [Mr. LODGE] said:

> I observed in the speech of the Senator from Colorado [Mr. TELLER]—and I have looked it up to see if I was correct about it—some remarks he made in regard to Chinese labor in which I think he must have overlooked the facts [illegible]
>
> [illegible] Chinamen or Japanese or any other Asiatic servile labor that they see fit to use [illegible] they may wish.

Then the Senator from Massachusetts continued:

> I know the treaty [illegible] laws covering the Chinese were [illegible] adopted by the present government of Cuba. In other words, our laws regarding the Chinese are in force in the island to-day——
>
> Mr. TELLER. I [illegible]
>
> Mr. LODGE. [illegible] I have been informed very [illegible]
>
> Mr. TELLER. I think not. I want to [illegible] the matter that Chinamen are now [illegible] Cuba at long [illegible]
>
> Mr. LODGE. I made some [illegible] to it, and I will show the Senator the law in a moment. I have [illegible] for it.
>
> Mr. TELLER. I know that was the law, but I find the statement here that some Chinamen have come there this year.
>
> Mr. LODGE. Under our law some Chinamen may come into the United States.
>
> Mr. TELLER. I do not believe that law is in force in Cuba.
>
> Mr. LODGE. Our law was adopted there. The only information I was able to get—and I will say that I might have got it in greater detail, but I have not [illegible] the law of Cuba [illegible] as our own [illegible] Chinese; that it had not been changed in any way, and that not a Chinaman could be imported. [illegible] I assume that the Cuban minister knew about the action of his own Government.

I am not prepared, Mr. President——

Mr. LODGE. Will the Senator allow me a moment?

Mr. PATTERSON. Certainly.

Mr. LODGE. I do not know whether the Senator was in the Chamber this morning——

Mr. PATTERSON. Yes.

Mr. LODGE. But this morning I put in the RECORD, first, the general military order, then the enactment of the military government, which enacted by sections our entire Chinese immigration law, and then a statement from the Bureau of Insular Affairs that the State Department reported that these laws are still in force. I made further inquiry of the Cuban minister in order to confirm that statement, and he did confirm it. He says the law has not been changed in any way, and that Chinese laborers can not be imported into Cuba any more than they may be imported into this country. That the laws are the same.

Mr. PATTERSON. I wish to say to the Senator from Massachusetts that I have before me the documents to which he referred, and I intend to refer to them. If any cause is laid upon the sentiment that the Chinese laborers are not important, then perhaps he may have reached a correct conclusion. But it is not a question of the right to import Chinese labor. It is the question of Chinese immigration. In the United States we not only prohibit the importation of Chinese, but we prevent the immigration of Chinese.

Mr. LODGE. That is the present law in Cuba prohibiting the immigration. There are three or four sections there.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The Senator from Massachusetts omitted to address the Chair.

Mr. PATTERSON. I will come to it all in time. I can not cover everything in a few moments. But there is a serious mistake somewhere, for if the Senator is right the House of Representatives, the Committee on Ways and Means of the House, and different Departments of the Government have been laboring under a singular delusion about Chinese immigration into the island of Cuba.

Mr. President, the Senator from Massachusetts this morning presented the letter, to which he refers with proper introductory remarks, for insertion in the RECORD. It is a letter dated at the Bureau of Insular Affairs of the War Department, December 13, 1903, and is as follows:

WAR DEPARTMENT,
BUREAU OF INSULAR AFFAIRS,
Washington, December 13, 1903.

MY DEAR SENATOR: In obedience to your telephone request, I begin to [illegible] Mr. Hanna, May 5, 1902, based by General Wood upon approval of the Secretary of War having been previously given, therein, and call to your attention sections 7 and 8 thereof, concerning the importation of children.

I would [illegible] Circular No. 13, Division of Customs and Insular Affairs, War Department, Washington, April 14, 1902, [illegible] United States immigration laws are [illegible] I have put immigration at the State Department, and they tell me that so far as they know the order of May 13, 1902, has not in any way been changed since our occupation ceased.

Very sincerely,

CHARLES E. EDWARDS,
Colonel, United States Army, Chief of Bureau.

Hon. H. C. LODGE,
United States Senate.

I take it, Mr. President, that the circular No. 13, of date April 14, 1902, referred to in Colonel Edwards's letter, is fully as effective in prohibiting the immigration of Chinese into Cuba as the later order of Governor-General Wood dated May 15, 1902. They are both orders of officers of the United States. They both relate to a country of which we were in full temporary occupation.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Massachusetts?

Mr. PATTERSON. Yes, sir.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. LODGE. The first one is an order. The second one, if the Senator will look at the beginning, is an enactment under the form in which laws were all enacted during our occupation. It is not merely a military order. It is an unimportant point, but it was [illegible] under the military government were enacted by the Cuban Government subsequently.

Mr. PATTERSON. I suppose the Senator from Massachusetts will admit that so long as the United States Army occupied Cuba, and before the order of May 15, 1902, was made, the order of April 14, 1902, was effective in prohibiting the immigration of Chinese into Cuba as that of May 15, 1902. Those were the order No. [illegible] of Governor-General Wood is an enactment. I desire to read its introduction:

I, Leonard Wood, military governor of Cuba, by virtue of the authority vested in me, direct the publication of and hereby reenact in such form as to enable their continued enforcement, pending such action as the Congress of Cuba may take thereon, the following provisions of law relating to immigration:

This is a new model for legislative enactments. Following what I read is a number of sections, and among them Sections VII and VIII, to which the Senator from Massachusetts particularly referred.

Now, what we have is this: An enactment by General Wood in the form of an order. By it he reenacts, to use the language of Governor-General Wood, a certain order relating to immigration into the island of Cuba of the year 1899. That is all. To create the belief that that has resulted in permanent Chinese-exclusion laws by Cuba the insular department, in its letter to the Senator from Massachusetts, says:

I have put [illegible] inquiry at the State Department and they tell me that so far as they know the order of May 13, 1902, has not in any way been changed since our occupation ceased.

Somewhat equivocal language, I suppose. It falls far short of a statement that such laws [illegible].

Before I proceed further I desire to call the attention of the Senate to a report sent by the acting chief of the insular division to the senior Senator from Connecticut, Hon. ORVILLE H. PLATT, in which is contained the statement of immigration into Cuba for the fiscal year 1901. That was when the order of 1899 was in full force and effect; when, according to the Senator from Massachusetts, Chinese exclusion was in full operation. By these statements we find that, except from Spain, there was a larger immigration from China into Cuba that year than from any other country. I have [illegible] upon the face of the tribe is apparently given in this table. We discover from it that of American [illegible] were 314 immigrants, that there were but 349 Cubans, [illegible] 735 Porto Ricans there were 14,393 Spaniards, but from China there was an immigration of 795 persons.

The Senator from Massachusetts suggested that Chinese may come into this country now under our exclusion laws. That is true, but will the Senator from Massachusetts suggest that Chinese laborers may come into this country? Certain specified classes may come into the country, and then under many most effective restrictions, certainly not laborers. When we turn to an additional table we find that of the 795 Chinese who immigrated into Cuba in 1901, 398 were laborers, 120 were merchants, dealers and clerks of the railroads, so that with an alleged Chinese-exclusion law in effect in Cuba in 1901, with the United States in full and complete possession of the island, we find in the face of the laws that over 795 Chinese immigrated into that island, of whom more than one-half were ordinary Chinese laborers.

I take it, Mr. President, that, having in mind the necessity for labor in Cuba and the manner of the enactment of this so-called law, it will not be any more rigidly enforced in the future than it was while the United States was in possession of the island. I want to show to the Senator that he is the only one in either branch of Congress who up to this time has had the temerity to even intimate that there are Chinese-exclusion laws now in force in the island of Cuba. The Cuban reciprocity bill of the Fifty-seventh Congress, which was the forerunner of the treaty bill now under discussion, was prepared and introduced by Mr. PAYNE, who is the Republican leader on the floor of the House and chairman of the Committee on Ways and Means. That bill in its first section provided as follows:

That for the purpose of securing reciprocal trade relations with Cuba, the President is hereby authorized, as soon as may be after the establishment of an independent government in Cuba—

Mark the language—

and the enactment by said Government of immigration and exclusion laws as fully restrictive of immigration as the laws of the United States, to enter into negotiations with said Government, etc.

The House chairman of the Committee on Ways and Means on March 19, 1902, it is very evident, was not aware that anyone would suggest that exclusion laws at that time existed in Cuba.

Again, in the body of the bill, Mr. PAYNE—its author—says:

And whenever the Government of Cuba shall enact such immigration and exclusion laws and shall enter into such commercial agreement with the United States authorized by this act, and shall be in full operation, or, upon proclamation by the President as aforesaid, shall be in full operation, and shall have been so for the space of one year, then and thereafter such immigration and exclusion laws and the enforcement of such laws, and thereafter upon the issue of proclamation by the President as aforesaid, the duties on all articles imported into Cuba from the United States shall be levied, collected, and paid at a rate not exceeding 20 per centum of the rates of duty imposed by the tariff act of July 24, 1897, on such articles when imported from foreign countries.

So if the law that passed the House at the last Congress and came to the Senate, and now sleeps the sleep of death with the Committee on Foreign Relations, had gone into effect, it would have provided that there should be no reciprocity between Cuba and the United States until the President had become satisfied that Cuba had enacted just such exclusion laws as are on the statute books of the United States.

Then, further, Mr. President, this bill that represented the views of the chairman of the House Committee on Ways and Means, and no doubt represented the views of his Republican colleagues, provided that—

The President shall have power, and it shall be his duty, whenever he shall be satisfied that either such immigration or exclusion laws or such commercial agreement as aforesaid are being fully enforced by the Government of Cuba, to notify such Government thereof, and thereafter there shall be levied, collected, and paid upon all articles imported from Cuba the full rate of duty provided by law upon articles imported from foreign countries.

That is pretty strong testimony as to the true state of the law; that is, the absence of exclusion laws in Cuba. The bill went to the Committee on Ways and Means, and it was reported back from the committee, retaining practically the identical provisions to which I have called the Senate's attention.

I will not stop to read the provisions of the bill as reported, but I desire to read in this connection the report of the majority of the Committee on Ways and Means that accompanied the bill as it was reported from that committee and put before the House for its consideration.

On page 4 of this report I find the following:

On the hearings before the committee it was generally conceded that no [illegible] to our own sugar industry [illegible] the Cuban [illegible] was generally conceded that such a treaty would be [illegible] under the time limit of the present bill every danger of future injury to our own industries was entirely eliminated.

Mark the language, Mr. President. The report not only gives the reasons why the Republican majority of the House of Representatives of the last Congress insisted that Cuba should enact restrictive immigration laws as strong in every way as our own, but the statement is made that—

Under the time limit of the present bill every danger of future injury to our [illegible] was eliminated.

Surely, Mr. President, in view of the bill as introduced by the chairman of the Committee on Ways and Means of the other House, in view of the bill as reported, in view of the report of the majority of that committee, in view of the free immigration of Chinese into Cuba in 1901, and in view of the evasive and noncommittal character of whatever communications have been read here, there is little room to doubt but that Cuba is as open to Chinese to-day as is the Chinese Empire.

But this fact should be noticed in this connection. The reciprocity provided for in the bill that passed the House of Representatives and was sent to the Senate during the last Congress expired by its express terms on the 1st of the month. Relief was then deemed necessary for Cuba but for a little over a year; relief was to cover but two crops of sugar in Cuba. In addition to the short duration of the convention, less than two years from the time it would have been enacted if it had gone through, however speedily, we have provisions to safeguard the industries of the sugar-beet farmer requiring that Chinese should be rigidly excluded from the island. It was the equivalent of the expression of a conviction by the Republican House of Representatives, if not of the Republican members of the Senate, that there should be no lowering of the wall of protection around the sugar product of this country, however slight, unless there was an absolute certainty that a law would be enacted by Cuba to prevent the introduction of the cheap labor that would enable the Cuban sugar to so undersell American sugar as to arrest the development of the great new American industry.

Mr. President, what interests intervened to induce the President to omit these provisions for Chinese exclusion from this treaty? The Senator from Texas [Mr. BAILEY] correctly expressed the situation in his remarkably clear and forceful and lucid speech yesterday. The action of the President in taking this whole question of change in our tariff laws from Congress, where it properly belonged, and while the House bill was yet being considered by the proper Senate committee and covering the same identical things as were in the bill by treaty with Cuba, was an insult to the House of Representatives, to which body is given the sole power to originate revenue measures.

But, Mr. President, in addition to that this bill which the House has sent to the Senate not only decreases the safeguards that the bill of the last Congress provided for the agriculturists of the country, but it increases the time for which this tariff reduction is to extend to about three times that which was fixed by the Administration bill of the last Congress. If the President of the United States believed when, through his Secretary of State, this treaty was negotiated that these carefully worded provisions in the House bill with reference to Chinese exclusion were in force in Cuba, something would have been said in the message or by other means of communication to Congress explaining why these provisions were omitted from the treaty.

It is not for me to assail the motives of any official, however high or however low. I know, though, and the country knows, that in the bill which was framed at the last session by command of the President there were provisions carefully worded providing that Cuba should enact laws rigidly excluding Chinese, and without which the reciprocity it provided for should never go into effect, while the treaty which the President made later and that is now up for adoption omits all reference to such requirements.

Mr. President, I put these facts to the Senate. I have no doubt about the sincerity of the Senator from Massachusetts [Mr. LODGE]. He does not, however, pretend to speak of his own knowledge. The Insular Department simply gives what the Senator has stated as its opinion, because it has heard nothing to the contrary. I take it that Cuba is not now paying much attention to any of the orders of General Wood, now that it has its own President, its own Congress, and its own executive and judicial departments.

There is nothing in the make-up of the population of Cuba, Mr. President, to exclude Chinese labor. Why are the Chinese excluded from the United States? Not because the New England manufacturers favored such exclusion; not because the manufacturers in any section of the country saw a necessity for it. Their ideal of a manufacturing heaven is cheap raw material and the cheapest labor to be secured, and they would be only too glad to see every exclusion law wiped from the statute books, that competition in labor might become the same as competition in the purchase and sale of rags. The elements in the United States that secured the Chinese-exclusion law were the laboring elements.

The labor unions, representing the different trades and callings, led in the educational campaigns; and soon the common people living in every section of the country recognized the justice of the proposition labor was advocating. They came to labor's support, and Congress was forced by the sentiment they aroused to place such exclusion laws upon the statute book. Have the Spanish owners of sugar plantations any views except those of profit upon that grave social and industrial question? The labor of Cuba can not be compared in intelligence and vigor and independence with the labor of the United States. American labor will not go to Cuba. Americans who do go there will go there to exploit and get rich quickly. They will be people of wealth and those ambitions for wealth. They will go to exploit. Their force and intelligence and selfishness will so overpower labor that the voice of labor can not be heard to defend itself from the yellow curse. Though there were an exclusion law upon the statute book, it would be as much a dead letter as the statutes against swearing or the city ordinances against expectorating upon the sidewalks.

The farmers of the United States, especially those engaged in the production of the sugar beet, the fruits, and the vegetables with which the products of Cuba come in competition, may as well recognize as an immovable fact that they will have in Cuba the cheapest labor of the world to compete with, and that just as soon as these reciprocal arrangements between the United States and Cuba are perfected, when everything is settled to the notion of the American sugar trust, then, Mr. President, you will see the influx of Chinese and Japanese labor into Cuba commence in earnest, and what is predicted now will then become an accomplished fact.

Mr. President, when we view the attempted legislation in Congress there appears to be a settled and determined effort through some agency, of which the Republican leaders of the Senate and House appear to be the mouthpiece, to destroy the beet-sugar industry of the country and to supplant it with the product of the cane. We know that beet sugar is a menace to the profits of the sugar trust. We know that beet sugar leaves the factory in the refined state; that crude beet sugar is unfit for domestic or manufacturing use; that it is offensive to the smell and odious to the taste.

So beet sugar must be refined before the maker of it can find a market. For every ton of beet sugar consumed in the United States there is wrested from the sugar trust the profits on a ton of raw cane sugar produced in Cuba or the Philippines or elsewhere, upon which it not only loses the profit of refining, but since the trust in connection with the Hamburg dealers are able to fix the price of refined cane sugar it loses the artificial profit upon it. Therefore, Mr. President, when we find the sugar trust invading Michigan and closing the mouths of Michigan representatives, when we find the sugar trust invading Colorado and buying up stock in the beet-sugar companies, we realize that it is not for the welfare of the beet-sugar industry, but for the purpose of controlling as far as it can the production of beet sugar, that it may carry on with more certainty of success the scheme on foot to limit as much as possible, if not destroy, the beet-sugar industry altogether. Its design is to maintain for the future, as they have today, practically an absolute control over the sugar supply for the United States.

Mr. President, in struggling against the reduction of the tariff on Cuban sugar, I do not understand that I am offending any Democratic doctrine. I stand, as I have heard others say they stand, ready to unite with the rest of Congress in any general and

fair revision of the tariff, and am ready, when that is done, to submit to any reduction in sugar duties as justice will require. I insist on that point. When the tariff is reduced upon sugar the tariff should be reduced upon every article upon the sugar raiser needs and produces. When he sells, through such reduction, buy his agricultural implements, his lumber, his nails, his clothing, and contribute to the prosperity of his family and industrial life at the lessened cost that the reduction of the tariff will bring about, he can then afford to accept a reduction in sugar rates. The sugar schedule was fixed at the time schedules upon every other line of American products were fixed. They were systematically and, I suppose, scientifically arranged. They should stand as they were fixed to be considered and modified together. To select one schedule for consideration is unfair to the producer of the goods in that schedule, and I protest against it.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. Does the Senator think that a rate which will be equitable between rates and sugar——

The PRESIDING OFFICER. The Senator from Rhode Island is out of order.

Mr. ALDRICH. I will address the Chair. Mr. President——

The PRESIDING OFFICER. The Senator must get permission from the Chair——

Mr. ALDRICH. I addressed the Chair.

The PRESIDING OFFICER. And of the Senator from Colorado.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Certainly.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. ALDRICH. I was about to ask the Senator from Colorado if he thought the establishment of equitable rates of that kind upon nails, upon sugar, and upon each of the other articles that he has named would be a proper thing to do, and would he be willing that sugar should receive the same ad valorem rate that these other articles receive? Would he think that was proper protection?

Mr. PATTERSON. I am ready, Mr. President, taking the present tariff schedules as the basis, to stand for a fair and equitable reduction of rates all along the line.

Mr. ALDRICH. Why does the Senator take the present tariff as the basis? Does he think that is equitable?

Mr. PATTERSON. No, sir; of course it is not equitable; and I have very, very grave question as to whether the Senator from Rhode Island believes it to be equitable.

Mr. ALDRICH. I think it is too high——

Mr. PATTERSON. I think it is too high. I am very glad we have that deliberate admission from the Senator from Rhode Island.

Mr. ALDRICH. I beg the Senator's pardon. When I was interrupted by the Chair I was about to say——

The PRESIDING OFFICER. The Senator from Rhode Island is out of order.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Certainly, Mr. President.

Mr. ALDRICH. I was about saying when I was interrupted that I think the present rates upon sugar are higher, in view of all the circumstances, than they ought to be, and I believe the Senator from Colorado agrees with me; but he is willing to have the duties reduced, as I understand him now, upon other articles, but is not willing to have them reduced upon sugar.

Mr. PATTERSON. Mr. President, how the Senator from Rhode Island can reach a conclusion such as that, in view of my statement, I am at a loss to determine. With the exception I do not agree, and if I had the time I could demonstrate to him that it is too high upon sugar, that with the tariff as it exists to-day beet sugar, taking an entire season's crop as the basis, is almost a losing proposition. The margin of profit for the beet-sugar raiser is so small that if the tariff upon Cuban sugar is reduced as the pending bill proposes you will find the production of the sugar beet very largely curtailed and the progress of the industry arrested.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Yes, sir.

Mr. ALDRICH. Does the Senator mean to enunciate as a doctrine of his party that the possibility of producing at a profit articles in the United States is the sole element to be taken into consideration in fixing duties? Is that the contention of the Senator from Colorado?

Mr. PATTERSON. Mr. President, I will answer the Senator from Rhode Island and answer some of my Democratic colleagues by quoting the words of Thomas Jefferson. I say now, I am willing to stand by what that great apostle of Democracy said about American industries; and I insist that the true Democratic doctrine, measured by Jefferson's teachings, is that where an article of moment may be produced in this country, if it needs protection in its infant state, the tariff should be high enough to afford that protection from the destructive competition of the cheaper foreign article until, if it can be accomplished within a reasonable time, it is able to hold its own in the American market.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Yes, sir; I yield to the Senator from Rhode Island.

Mr. ALDRICH. Is that Democratic doctrine? Is that doctrine sustained by the Senator's associates on that side of the Chamber?

Mr. PATTERSON. I propose to read what Thomas Jefferson said.

Mr. SPOONER. What does the Senator from Colorado say?

Mr. PATTERSON. I approve what Mr. Jefferson said, and I add, Mr. President, that when you can demonstrate that an article such as beet sugar is capable of the tremendous production to which that article can be brought within certain portions of the United States, when, with reasonable protection, there can be raised within this country every pound of sugar that will be consumed within it, and thus save to the country and retain in the pockets of its people $100,000,000 annually, and more, that would otherwise go to enrich foreign countries, if protection is to be the rule, that product is entitled to sufficient protection.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. Does the Senator think that the rule he has enunciated in regard to beet sugar ought to apply to the other products of the United States?

Mr. PATTERSON. When you name a product upon a parity with beet sugar, capable of such tremendous expansion, capable of resulting in such revenues to the farmer, an article of prime necessity, capable of retaining in this country within the course of a few years the immense sum of a hundred million dollars and over, then I have no hesitation in saying, if protection is to be the rule, that article, if it needs it, is entitled to protection.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Certainly, Mr. President.

Mr. ALDRICH. Does the Senator think there is any other product in the United States that comes within the rule which he has named except beet sugar?

Mr. PATTERSON. Oh, yes, Mr. President. It may be that the things the Senator has in mind and that I have in mind may be produced in such quantities and at such figures by reason of our vast area, the productiveness of our soil, and the ease with which they are cultivated and gathered that they will get along and have gotten along for nearly a century without any protection. The status of each article is what determines its claim upon Congress in the matter of tariff.

The Senator from Rhode Island [Mr. ALDRICH] would not insist, nor will any of his associates, that every article that may be produced within the United States is to be secured by the same percentage of protection. It may be a relatively small duty for one, a higher duty for another, and a yet higher duty for another. The things to be taken into consideration, as I understand, are: Is it a product of which this country may be made the home? Is it a useful article, and may it be supplied to American consumers at a profit with reasonable protection?

If I have not read the literature of my Republican friends in vain, then I am right in what I have suggested, however crudely I may have explained it. But for the information of my Republican friends and some of my Democratic friends let me read what Thomas Jefferson said. In a letter to David Humphreys, found in Ford's edition of his works, Volume V, page 416, this is the question he announced:

My idea is that we should encourage home manufactures to the extent of our own consumption of everything of which we have the raw material.

In his second annual message Mr. Jefferson said:

To prevent the possibility that unforeseen events may occasion * * * (is quoted the attention of) to a wise and to gentle government and our proceedings.

In his eighth annual message he said:

[illegible] manufacturing establishments formed and forming, under the auspices of certain patriots and encouraged the most of near from taxation with us, and of protecting duties and prohibitions, become permanent.

Again, speaking of infant industries—and the sugar beet in the United States, however vigorous an infant it may be, is an infant that has the sunshine of but six or seven years upon its head—Mr. Jefferson said:

I do not mean to say that it may not be for the general interest to foster for a while certain infant manufactures until they are strong enough to stand against foreign rivals.

That is what we say about beet sugar. It is an infant industry, and it ought to be fostered until it is strong enough to stand against foreign rivals. It is not an industry that is hoary headed, that has grown so strong that it not only supplies the American demand but is able to enter free-trade countries across the ocean and successfully compete with the products of those lands.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Yes, sir.

Mr. ALDRICH. I wish the Senator from Colorado would tell me frankly whether he thinks Mr. Jefferson's doctrines are liable to be indorsed by the Democratic caucus in these modern times?

Mr. PATTERSON. Mr. President, the Democratic party is not a free-trade party. Ask a Democratic Senator to-day, and I doubt if you will find one who says he is in favor of free trade. There have been times when tariff for revenue only was a cult, and, as was said by the Senator from Texas [Mr. BAILEY] yesterday, when free raw material was a cult, but conditions have changed the views of many. There was a time when a vast section of this country was almost wholly agricultural, with little prospect in the future of becoming manufacturing, and it appeared to be to the interest of those sections, "intelligent selfishness," as it has been denominated, that they should struggle for free trade, because their desire and interest were to secure everything they consumed at the lowest price at which it could be obtained.

I discover, Mr. President, that now in the State of Georgia, in North Carolina, in the State of Maryland, and in other Democratic States tariff views have changed considerably. Their people now stand for a revenue sufficient to meet the necessities of the Government, economically administered, with all the protection that is incidental to such a revenue; and I am willing to stand upon that proposition.

There is a wide difference between a tariff that will raise the revenue for a government economically administered, with incidental protection, and a tariff that offers a refuge to every trust and monopoly that can break its way into the country. There is a wide difference between the tariff for which I stand, and for which my Democratic colleagues stand, and the one which enables the American manufacturer to send abroad what he makes and sell it to the foreigner at anywhere from 30 to 50 per cent less than he sells it to the American customer. There is a wide difference between a tariff which provides revenue for a government economically administered, with incidental protection, and one that may be so manipulated that all the steel and iron and leather and cotton products of this country can be practically placed under the control of one head that possesses the power to raise prices until the profits make the monopolists multimillionaires—every one of them—almost within a year.

I wish to read from a letter written by Mr. Jefferson to Thomas Lieper. He says:

Every syllable uttered in my name becomes a text for the Federalists, who torture it into the public mind by their paraphrases and perversions. I have lately inculcated the encouragement of manufactures to the extent of our own consumption at least, of those articles of which we raise the raw material.

Is there any article consumed in the United States of which more of American raw material enters than into beet sugar? From the time the seed is planted in the ground until the product as sugar is emptied into the sack at the sugar mill everything associated with the industry is American. The labor is American, the soil is American, the sun is American, the machinery is American, the limestone, the coal, the coke, the sulphur, the barrels, the sacks are all American. There is no finished article the product of American intelligence, labor, and skill that is so distinctively American as is beet sugar when ready to be placed upon the market.

But I continue to read from Mr. Jefferson's letter to Mr. Lieper:

I have lately inculcated the encouragement of manufactures to the extent of our own consumption, at least of those articles of which we raise the raw material. On this the Federal papers and meetings have raised the cry that Congress passed laws to encourage manufactures. That is to say, the iron which we import must not be wrought here into plowshares, axes, hoes, etc., in order that the shopkeeper may have the profit of carrying it to Europe and bringing it back to us manufactured form, as if after manufacturing our own raw material for our own use there would not be a surplus produced sufficient to employ a due proportion of our population in carrying it to market and exchanging it for those articles of which we have not the raw material.

Yet we should be not only laughed at but hated to propose New England. Their delusion goes to the sacrificing agriculture and mechanical arts to commerce, to the drawing off our people from the interior country to the seashore to turn merchants, and to convert this great agricultural country into a city of Amsterdam. But I trust the good sense of our country will see that its greatest prosperity depends on a due balance between agriculture, manufactures, and commerce, and not in this protuberant navigation which has kept us in hot water from the commencement of our Government and is now engaging us in war.

Mr. President, I am quite willing to stand by every sentence of what I have quoted. He who reads the works of Mr. Jefferson intelligently will discover that what I have read is a fair epitome of the views he expressed upon the subject of protection to American industries.

There is another matter, now that I am on my feet, to which I desire to call the attention of the Senate. It is the loss of the sugar and tobacco duties to the Government. It is admitted that by this measure some $10,000,000 of the present revenues will be lost. If what the President in his last annual message says is true, if the figures as supplied by the Committee on Appropriations are true, then I give the Senate warning that before the close of the next biennial period the Government will need the revenue that it is proposed to remit by this bill, and the Government will be forced to make good the deficiency by curtailing proper expenditures—it may be for the Navy; it may be for the Agricultural Department; it may be elsewhere—or else the Government will be compelled to impose additional taxes upon other commodities. In his annual message, read in this Chamber a few days ago, the President said, after giving figures which show a continuous and accelerated decrease in the public revenues:

Should this decrease continue at the same rate throughout the fiscal year, the surplus would be reduced by approximately $40,000,000. Should the revenue from customs suffer much further decrease during the fiscal year, the surplus would vanish.

Then he says:

Such being the case it is of great moment both to exercise care and economy in appropriations and to scan sharply any change in our fiscal revenue system which may reduce our income. The need of strict economy in our expenditures is emphasized by the fact that we can not afford to be parsimonious in providing for what is essential to our national well-being. Careful economy wherever possible will alone prevent our income from falling below the point required in order to meet our genuine needs.

Mr. President, some documents were distributed, as I understand, by the Committee on Appropriations but a few days ago. They are evidently authentic, and I desire to call the attention of the members of that committee to what they disclose.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. Before the Senator leaves the branch of the subject in which I am interested, I should like to read for the information of the Senator a very short extract from a speech recently made elsewhere, in a place to which I am not permitted to allude here, but so interesting and so much to the point that I am sure the Senator from Colorado will be anxious to hear it.

Mr. CARMACK. Where does the Senator from Rhode Island say the speech was made?

Mr. ALDRICH. It was made elsewhere. I quote:

Protection, Mr. Chairman, is a system of taxation whereby many are robbed to enrich those who are fortunate enough to be born into artificial prosperity. Laughed and applauded on the protectionist side, Aye, supposedly a method prescribed by a science of taxation whereby customs and other duties collected from specially protective purposes are entirely cast into the pockets of natural or artificial persons in and enterprises. Applause and laughter on the protectionist side. And, as a corollary, the method whereby those are enriched by the enormous profits resulting from the support by the people of protected enterprises at a higher price than with a free commerce the consumer would have to pay.

Now, this speech, I understand, was the announcement of the doctrines and policy of the new Democracy. It was made by the selected representative of that new Democracy. It was the initial announcement of the Presidential campaign. In justice, however, to the Senator from Colorado, I am bound to say that it was made before the elucidation of these important questions and principles made this day by him, and I suppose that the speaker quoted did not understand what Mr. Jefferson's views were upon this subject. He certainly was not in line with the interpretation of Mr. Jefferson which has been offered by the Senator from Colorado.

Mr. PATTERSON. Will the Senator from Rhode Island tell us who made that speech and where it was made?

Mr. ALDRICH. I am not permitted to do so by the rules of the Senate. It was made in another place.

Mr. PATTERSON. Then, Mr. President, I submit that he ought not to bring into this controversy anonymous communications. When a man is prohibited by any known rule from giving either the author of that from which he quotes or the place, he ought, in common fairness—I was going to say decency, but that is too harsh a word—keep his mouth closed.

Mr. ALDRICH. I will say that he is a representative, the most conspicuous——

The PRESIDING OFFICER. This conversation is out of order.

Mr. ALDRICH. Mr. President, I will say that the gentleman to whom I have referred is the most conspicuous representative of modern Democracy.

Mr. CARMACK. Oh, no.

Mr. ALDRICH. I think so.

Mr. PATTERSON. Mr [illegible]—

Mr. ALDRICH. I think I am justified in making the statement.

The PRESIDING OFFICER. The Senator from Rhode Island is out of order.

Mr. ALDRICH. Mr. President, I was [illegible] to the Senator. The Senator from Colorado [illegible] I beg pardon [illegible]

The PRESIDING OFFICER. The Senator can speak on, but [illegible]

Mr. ALDRICH. I shall take my seat.

Mr. PATTERSON. Mr President, I have great respect for the views of the senior Senator from Rhode Island [illegible] finance [illegible] is or is not the most [illegible] I must say [illegible] of the Senate [illegible] I [illegible] because [illegible] square his tariff views with the views [illegible] I was.

Mr. ALDRICH. I try to.

Mr. PATTERSON. You find that you make a lamentable failure. If current history speaks the truth, and the Senator from Iowa may be able to throw some light upon the subject, the [illegible] of Iowa [illegible] had an interview at the White House and there spent hours and persuaded the Senator from Iowa to write [illegible] which the governor had written in the past.

Mr. DOLLIVER. Mr President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. PATTERSON. I wish to say that I did not have the junior Senator from Iowa in my eye, but I am quite willing that he shall answer.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. PATTERSON. Certainly.

Mr. DOLLIVER. As the junior Senator [illegible] Senators have alluded to the question of Iowa as having [illegible] has [illegible] views upon the tariff question. I feel at liberty to say that I know of nothing in the record which indicates that he has surrendered any of his convictions, and the returns of the late election [illegible] that he surrendered any of his majority.

Mr. PATTERSON. The returns of the late election [illegible] that the modification of his views, as expressed in the Iowa platform, said to have been prepared by the senior Senator from Iowa, received the approval of the voters of Iowa and not the platform of a year or two years ago, which were distinctively his or the oft-repeated public declarations of the governor of Iowa upon the subject of the tariff.

Mr. DOLLIVER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. PATTERSON. Certainly.

Mr. DOLLIVER. If it will not disturb the Senator—

Mr. PATTERSON. Not at all.

Mr. DOLLIVER. I will add that it is a common opinion in Iowa that as between the two platforms there was no substantial or debatable difference.

Mr. PATTERSON. There was seemingly a difference, but not a substantial difference. There was simply a difference such as a difference as the senior Senator from Iowa knows so well how to promulgate. It was sufficiently different, however, to bring the clashing Republican tariff forces of Iowa together upon a platform, I imagine the junior Senator and the senior Senator yielding some of their views and the governor of Iowa yielding some of his.

I simply refer to this to show that there are differences upon the tariff question between Republicans as well as between Democrats. No machine can make a Procrustean bed and put a Democrat or a Republican upon it to chop off his extremities to fit the measure. There are differences, and there should be differences, but after all there is a happy mean in Democratic views which, when all are considered, amounts to about the conclusions I have stated.

But on the Republican side what do we find? The protective tariff lobby and your tariff commission are bombarding and berating Republican Senators for abandoning protection by reason of their support of the measure. And I am inclined to believe that about four out of five of the Republican Senators upon this floor will hold their noses while voting for it. They do not believe in it, and know it is distinctly against the Republican doctrine of protection and that its inevitable tendency will be to destroy a great American home industry.

I am sometimes reminded, when I witness the avidity with which my Republican friends swallow whatever comes from the White House, of a nest of young robins, with mouths extended, [illegible] any worm, though it is a [illegible] worm, that has dropped from the parent bird at the White House. I suppose [illegible] party discipline. It may be that Secretary [illegible] that that is what is to call them through the coming campaign. But it will be a good [illegible] to cure anything from a broken leg to a case of [illegible] the propounder of the nostrum adds [illegible] testimonials. One [illegible] is this [illegible]:

[illegible] My mother-in-law was stricken for nearly a year. For thirty [illegible] She took one bottle of your wonderful remedy [illegible] her recovery.

[Laughter.]

Before I recur to the figures to which I was giving attention when interrupted by the Senator from Rhode Island I want to add a few more lines to demonstrate that there is a conspiracy [illegible] with it—to place the [illegible] in some one control of all the sugar that is consumed in the United States.

We not only are to have sugar from Cuba under the present bill, but we have the Philippines, which also produce sugar, and which are equally as well adapted to sugar production as that of Cuba, with a sugar area far in excess of Cuba's area, with legislative propositions to convey vast tracts in the Island to syndicates with the view of turning them into sugar plantations.

Here is a bill introduced by the junior Senator from Massachusetts [Mr. LODGE], which proposes to reduce the present tariff upon sugar the product of the Philippine Islands to 50 per cent of the existing rate. With the tariff [illegible] on Cuban sugar, with this bill enacted into law, as it will be, if not at the present session, as soon as the election is over, the death knell of American beet sugar is sounded.

We consume sugar to the neighborhood of 2,000,000 tons. Already the United States, the American Islands, Porto Rico, Cuba, and the Philippine Islands produce [illegible] of the total consumption, and [illegible] Cuba increases its product from about 1,100,000 tons, which it is now, to 1,500,000 tons the increase in the Philippine Islands certain to follow the adoption of the Lodge bill will more than supply the American demand. When Cuba is annexed, Porto Rico, sugars of Cuba, the Philippines, Sandwich Islands, and the Hawaiian Islands will replace American beet sugar as rapidly as their production is increased. It has become a mere question of time under this new Republican policy when American beet sugar must have its epitaph written.

This is the policy which the Republican party, under the guidance of the President, has entered upon. This is the policy that was commenced in dealing with the Philippine [illegible] at the last session of Congress, and its extension is now insisted upon by the President and the junior Senator from Massachusetts, the Senator from Ohio, and other leading Administration Senators. I want to say to my Republican friends that if they wish to retain the support of the farmers of the great Northwest it will be well for them to halt, and to halt suddenly. Men do not enjoy seeing the products of their industries destroyed. They will not stand by with indifference while their investments are being undermined for the profit of distant islands and the enrichment of trusts.

Mr. ALDRICH. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Rhode Island?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. Is not the Senator aware that if this measure becomes a law, as it probably will, it will become so by and with the support of a large majority of the Democratic representatives in both Houses?

Mr. PATTERSON. I am sorry to say, Mr. President, that such will be the case, so far as the House is concerned; but it is not so with the Senate. In the Senate the measure receives very meager Democratic support. I do not know what influence moves Democrats. They must answer to their own convictions and to their own constituencies. I know that their attitude is not a wise one and will not commend them to the farmers of the country. But this is in no sense a Democratic measure. It is the President's measure, and it is he, moved by what influences we must only surmise, who negotiated it and now presses it upon Congress.

Mr. President, so far as I am concerned, I believe in a revision of the tariff, but I do not believe in the American sugar trust revising it for me. I stand ready to see many articles placed upon the free list, where they may be so placed without serious impairment to worthy American industries, but I do not propose that the American sugar trust shall point out to me what particular items shall go upon the free list nor upon what particular items the tariff shall be reduced.

If officials high and influential in the Republican party are willing to occupy a different attitude, it is for them to answer. For Democrats who will follow, it is for them to answer. I speak for myself. What I say is the outgrowth of my own mature convictions. I know I represent the views of my constituents, irrespective of party, and I know that there are fifteen or sixteen Republican Senators upon this floor who, if they could break away from the influences of the White House and vote against this measure, as their convictions tell them they should, they would bring rejoicing to the hearthstones of an all but unanimous constituency at home.

To return to the loss of revenue which this measure will entail. The actual appropriations for 1904 were $728,651,607.12. The total estimates for 1905 are $783,974,206.19. In other words, the excess of estimates for 1905 over appropriations for 1904 is $55,322,599.07. It can not be said that Congress will eliminate from the estimates an amount to bring the appropriations within the revenue; for we find that the appropriations for the present year were but $5,000,000 below the estimates, and when you add to the appropriations about $20,000,000 of deficiencies and miscellaneous bills you find that the actual appropriations by the last Congress were in excess of the estimates.

The President in his annual message estimated that the revenues from all sources except postal revenues this year would be $560,396,674. We have not the estimates of revenues for this year from the postal service, but I take the postal revenue for the fiscal year 1903, and it amounted to $159,472,060.72. If we add the estimate of the President of revenues from all sources except the postal revenue to the postal revenue of the present year—and it is not likely to be increased much next year—we find that the total is $719,868,734.72, or the full revenue for 1905, adding the postal revenues for last year as the postal revenue for this, and the total revenues will fall below the estimates $64,105,471.47.

Yet, with this condition staring Congress in the face, with Congress appropriating up to estimates and usually exceeding them by the deficiencies that are voted and added, the proposition is to give to Spanish sugar planters and the American sugar trust ten millions of the current Government revenue.

Mr. President, what is it for? The plea of suffering Cuba has been abandoned. Now, it is all made to rest upon some asserted obligation of honor, and why? The claim is made that by forcing the Platt amendment upon Cuba a moral obligation rests upon the United States to help Cuba through reciprocal tariff relations, even though in aiding Cuba serious injury will result to the American farmer.

I deny it. I deny that anything was forced upon Cuba except that which the United States would force upon it whether the Platt amendment had been adopted or not. I assert that the Platt amendment no more interferes with the independence of Cuba than does the enforcement of the Monroe doctrine as to Mexico, the Central American States, and the South American States. What are the provisions of the Platt amendment? Let me very briefly recur to them. The first prevents Cuba from entering into a treaty with any foreign power which will impair or tend to impair the independence of Cuba, and will not permit any foreign power to obtain by colonization or for military or naval purposes lodgment in or control over any portion of the island. Must not impair the independence of Cuba. That means the subversion of Cuba by some foreign power. It is to prevent the lodgment within the island of Cuba of some foreign power. That is proper and [illegible].

Under a fair construction of the Monroe doctrine, so far as the first section of the Platt amendment is concerned, it simply puts into effect the Monroe doctrine. Cuba accepts it, and why should not Cuba accept it? There is not a South American or a Central American State that is not grateful to the United States for its assertion of the Monroe doctrine. Not one of them that does not feel more secure in the morning and in the evening and in the darkness of midnight by reason of it.

The second clause of the amendment declares that Cuba—

shall not assume or contract any public debt to pay which, etc., the ordinary revenues of the island after paying the current expenses of the Government will be inadequate.

That does not prevent Cuba from enacting laws for the collection of whatever revenue it sees fit. So the indebtedness is within the limits of its revenue as fixed and collected by the Cuban Government, there is no infringement of the second clause. It is simply another safeguard to make the Monroe doctrine the more effective. It is to prevent such governments as Germany, Great Britain, and France, from setting up claims of indebtedness and using those claims as excuses for sailing their ships of war into Cuban harbors, and landing their armies upon Cuban soil, and ultimately securing lodgment for foreign colonies within its limits. It is a fair, just, and considerate extension of the Monroe doctrine, and within the limits of the Monroe doctrine it does not interfere with the actual indebtedness of Cuba at all. The next is:

The United States may intervene for the preservation of Cuban independence.

The United States does not insist upon any particular form of government in Cuba. So far as the Platt amendment goes Cuba may be a republic or a monarchy. Independence and freedom may exist without a republican form of government. This clause is a simple provision that the United States may see that there is Cuban independence, and—

the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba.

Could the United States have done less? By the treaty of Paris the United States undertook for Cuba, then about to become a sovereign government, certain obligations that Cuba in the end was bound to perform and should perform. This latter clause is but a proper provision to secure the performance by Cuba of the obligations that the United States assumed for her under the treaty of Paris.

The next clause validates the acts of the United States in Cuba, "lawful acts." I think is the term, during the American occupancy, and why should it not? Why should not Cuba agree that in recognition of the services of its deliverer from the tyranny and oppression of Spain at the cost of blood and treasure, a deliverance that the Cubans were utterly unable to secure for themselves, it would validate the acts of the United States while we were in possession, providing for the institution of a stable government therein?

Then Cuba assumes obligations to execute plans devised or that might after be mutually agreed upon for the sanitation of the seacoast cities. There is no proposition to interfere in that. It is a moral obligation resting upon Cuba to prosecute the sanitary reforms that were inaugurated while the island was in the possession of the United States, and for very plain and palpable reasons.

Then the Isle of Pines was to be omitted from the constitutional boundaries of Cuba. I understand that even the Senators who constituted the Commission upon the part of the United States agree that under the terms of the treaty the Isle of Pines does not belong to Cuba. The United States proposed in the Platt amendment that Cuba for that reason should omit it in declaring its boundaries; and what is the United States doing? Out of the abundance of its generosity, because the Isle of Pines is close to and may be of advantage to Cuba, the United States generously gives it to Cuba by a treaty that has not yet been acted upon, but which I suppose will be ultimately ratified.

The only exaction that the Platt amendment puts upon Cuba that is not legitimately within the reason of the Monroe doctrine is that it will cede or lease coaling stations to the United States.

Well, Mr. President, I think that more has been paid for these coaling stations than was ever paid by one government to another before for such uses. It is not unusual for governments to negotiate with one another for the purchase and sale of coaling stations. The price that we paid for these in Cuba can never be estimated in dollars and cents. It can hardly be estimated in suffering and in deaths. It can hardly be estimated in the pension lists that will follow as the result of the war for the liberation of that island.

Tell me that by reason of the provisions of the Platt amendment there is an obligation, moral or otherwise, resting upon the United States to concede to Cuba except what we would concede to any other country as a free gift without moral or other coercion! Mr. President, the claim of moral obligation is not an honest one. No man who has in mind the price that this Government paid for the freedom of Cuba—the price in money and blood and lives and pension lists and woe and travail—can believe for a moment that there is any moral claim which calls upon the United States to concede to Cuba beyond that which the Government should concede to any other nation that deals fairly and justly by it.

Mr. President, I have occupied much more time than I intended. The question of the industry to which I have especially directed my attention is with me an important one, an overpowering one. I have seen the investments of the millions of dollars that the people of the Northwest and of my State have made in this industry. I have seen in Colorado alone, where six years ago not a pound of sugar was produced, this year 100,000 tons added to the world's supply.

Colorado is the third beet-sugar producing State of the country. California and Michigan alone exceed Colorado in sugar production. I would be false to every obligation that rests upon a Representative were I to sit idly and silently by while legislation was being enacted that Congress itself does not desire, that is forced upon an unwilling Congress by an overzealous President, and that Senators can not sustain under any plea of right or justice.

The time will come, Mr. President, when what I have predicted about the impact to the great beet sugar industry will be realized in every letter, syllable, word, and line. The time will come when the Philippine measure will be added to this [illegible] and when it does come the American sugar industry [illegible] the money that has been [illegible] will be lost and the sufferers will be those whom the Republicans have invoked the aid of to secure their protection.

Mr. SPOONER. Mr. President ——

Mr. TELLER. Will the Senator from Wisconsin allow me to make a request of the Senator?

Mr. SPOONER. Certainly.

Mr. TELLER. I ask unanimous consent that the amendment of Mr. [illegible] be reported and be laid upon the Cuban treaty and the amendments thereto.

Mr. HOAR. That ought to be done, I suppose, in executive session.

Mr. ALLISON. I do not see any reason why it should.

Mr. HOAR. I do. So I object.

The PRESIDENT pro tempore. Objection is made.

Mr. ALLISON. If objection is made, I will let it go.

Mr. SPOONER. Mr. President, I desire to address the Senate briefly upon some phase of the subject. The Senator from Colorado [Mr. TELLER] has yielded the floor. I will take the floor, if I may, subject to the Senate, and yield to the Senator from Colorado for such remarks as he wants to make. I shall not make long.

Mr. TELLER. Mr. President, I do not intend to make a speech, but the speech of the Senator from Rhode Island [Mr. ALDRICH] seemed to be very anxious to know whether the friends of beet sugar were asking some special privilege for it. There has been no speech made here or anywhere else which indicated that the opponents of this bill and the advocates of "standing pat" on this particular duty have ever thought or suggested that this was an industry they wanted special legislation for.

If there is anything that the Republican party has in its lifetime created and propagated, it is that the protective system was for infant industries. It is that enterprises first starting might be benefited by the tariff. That has been one of the things the Democrats have frequently complained of, and said it was not the province of the Government to foster any enterprise or industry. But it does not lie in the mouth of any man who belongs to the Republican party to complain when we say that this is an infant industry and it falls within the rule that you have laid down and upon which the country has proceeded for the greater part of the time at least for the last twenty years.

Now, Mr. President, I want to say to the Senator from Rhode Island that we ask no special favors for this Colorado and western industry. We simply ask that you shall treat that industry as you treat any other. But we do stand here and protest against the infamy of this great Government saying to an enterprise that is certainly meritorious and respectable, "We will withdraw from you one-half of the protection granted to other enterprises." If you stopped there, if you withdrew that from all the sugar which comes into the United States, we might not have a just complaint. But you do not do that. You keep up the tariff on every other pound of sugar that comes in except that which comes from Cuba. You say that we will reduce to the Cuban planter on the duty now paid a dollar and a quarter on a hundred pounds of sugar, and that will go into his pocket. There is not anybody here so stupid nor is there anybody in my State so stupid who does not know that that is a bounty which you are paying the competitor of the Colorado beet sugar raiser.

Mr. President, you might as well face that, and you have got to face it. You can not excuse it; you can not palliate it. You have got to where you can not even claim that there is any occasion to build up the sugar industry in Cuba. It will take care of itself, and you know it.

Mr. President, there is but one conclusion that any man of logical mind can come to, and that is, if you believe, as you say you do, that the Cuban is to get the benefit of the reduction, you mean to destroy the beet-sugar industry in this country. As my colleague has said, you have another bill here, and when that shall have become a law you will have another bill; and so you will go on and destroy that industry.

I do not know whether it is because of its geography; I do not know whether it is because in this great industry the West is to come to the front and practically produce the sugar; but I do know, Mr. President, that in the many years I have been associated with this question it has never been the policy of the Republican party, or of any other party, to pick out an industry in one section of the country and ruin it. And that is what you propose to do in this case. You propose to do it without any excuse whatever. You propose to give to the people of Cuba, you say, not $6,000,000 a year, as has been said, but more than $6,000,000 on sugar alone; and then you make them a present of about $4,000,000 a year on the tobacco that they will bring to the United States.

Mr. President, the Senator from Illinois [Mr. CULLOM], the chairman of the Committee on Foreign Relations, said that this year the reduction of duty would amount to $10,000,000. He intimated that next year it would not be quite that large. I venture to say that next year it will be somewhat greater than it will be this year, because the sugar production in Cuba will be much above what it is this year, and the Cubans will sell us more sugar next year than they sell us this year.

It is true that we get a concession. It is true that we get something in return in the way of a remission of duties. We remit $10,000,000 of duties and put $10,000,000 of burdens in addition to what would have been put upon our people if those duties had been paid by Cuba, and we get the magnificent sum of $1,100,000 as a concession or rebate, you may say, of Cuban duties. It is a concession of $10,000,000 on our part and of $1,000,000 on the part of the Cubans.

Mr. SPOONER. Will the Senator from Colorado yield to me for a question?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. SPOONER. I merely wish to ask the Senator a question for information.

Mr. TELLER. Certainly.

Mr. SPOONER. It is not to provoke debate or controversy. Does the Senator agree with his colleague that the present duty on sugar is not more than adequate for protection to the beet-sugar industry?

Mr. TELLER. I am not called upon to pass upon that question.

Mr. SPOONER. I only wanted the Senator's opinion. I do not know myself.

Mr. TELLER. I want to say that the duty was put upon it by the party in power at the time it was enacted, which is the party in power now. If it is the opinion of the party in power that it is higher than it ought to be, then they have the unquestionable right and the unquestionable power to reduce it to a degree which they think is equitable and just.

I have said again and again that when you attempt a revision of the tariff I will join in any reasonable revision of it; but I shall not, without a protest, allow you to take the duty off practically the only thing in my State which is protected by the tariff.

Mr. PATTERSON. Will my colleague yield to me for a moment?

Mr. TELLER. Certainly.

Mr. PATTERSON. Apropos of the question propounded by the Senator from Wisconsin [Mr. SPOONER], I want to state that the Agricultural Department, in a very full exposition of the beet-sugar industry, taking the entire product of the last year, demonstrates that beet sugar when ready for the market costs 4 cents and a fraction a pound.

Mr. ALDRICH. Where?

Mr. PATTERSON. Here in the United States. When ready for shipment, the Department says, it costs 4 cents and a fraction a pound. If there is any controversy about it, I shall have the figures here to-morrow to demonstrate what I say.

Now, then, when you take the cost of making Cuban sugar and add to it the tariff, it is perfectly demonstrable and clear beyond peradventure that the present tariff duty on beet sugar is not sufficient. That is the truth about it. The Louisiana cane-sugar planter lost on his crop last year and there was the merest fraction of a cent a pound made upon the beet-sugar crop of last year. I will demonstrate it if there is any question made about it.

Mr. HOAR. I should like to ask the junior Senator from Colorado a question, if I may, on this point. What per cent ad valorem would he consider to be a reasonable protection for beet sugar?

Mr. PATTERSON. I have not figured it out, and have not attempted to do so. I have demonstrated to my own satisfaction that the present rate of duty is not at all excessive, and that you can not afford to deduct any fraction of protection from it.

Mr. HOAR. What does the Senator consider the ad valorem of the present rate of duty? I mean in round numbers, of course.

Mr. PATTERSON. I do not understand the Senator's question.

Mr. HOAR. What does the present rate of duty afford ad valorem as a protection, according to the Senator's understanding?

Mr. PATTERSON. I suppose that depends upon the price of sugar.

Mr. HOAR. Of course.

Mr. PATTERSON. If I am not mistaken, I think it is somewhere between 70 and 80 per cent. I am not clear about it. I am giving the Senator my best recollection, yet I may be mistaken, for I have not carried the figures out in detail.

Mr. HOAR. I am not very learned or wise on this particular question, and while I shall, of course, support this bill, I am not myself very enthusiastic about it. Yet I have put the question

to several leading sugar advocates within the last twelve months, and everyone who has been to see me or communicated with me—and a good many have—and I have received from no one of them an answer which indicated that he thought there ought to be a duty which should be higher than an average of 60 per cent ad valorem. That is what they have substantially agreed on.

Mr. TELLER. Who has agreed on that?

Mr. HOAR. I can not give the names. I would not of course, if I could, and I could not if I would; but everybody who has made a communication to me on this subject has made the statement that the duty should not be higher than 60 per cent ad valorem. The question is whether, so far as this particular part of this thing is concerned—the junior Senator from Colorado talks about destroying this infant industry and this legislation being the grave of the beet-sugar industry—60 per cent ad valorem is not a good living protection for beet sugar?

Mr. PATTERSON. I simply want to suggest to the Senator ——

Mr. HOAR. I do not understand the Senator himself, although he is a representative of this great industry in his State, which we all respect, has any information which prepares him to say what would be a proper protection.

Mr. PATTERSON. Mr. President, I have never made any efforts to reduce it to the ad valorem.

Mr. ALLISON. Will the Senator allow me?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from Iowa?

Mr. PATTERSON. Yes, sir.

Mr. ALLISON. The ad valorem for the present year on raw sugar is 97, and on refined sugar 101.

Mr. PATTERSON. I have never attempted to reduce it to the ad valorem basis, but there is one thing we know. I would say in reply to the Senator from Massachusetts: We know what it costs to produce beet sugar, so far as we can learn it from the careful investigation and the truthful report of the Department of Agriculture. We know approximately to-day what Cuban sugar can be produced for, we know what it can be sold for if you plus its cost of production with the tariff, and we know that, with that as the basis and the guide, the sugar industry of the United States is languishing to-day in Louisiana and in the beet-sugar States, and that you can not afford to reduce the duty, however it may figure out ad valorem, without seriously injuring that industry.

Mr. HOAR. If I may ask the Senator a question, is it languishing ——

Mr. TELLER. I think, Mr. President, I must resume the floor.

Mr. HOAR. I will finish the sentence, with the Senator's leave. If the sugar industry be languishing, is it languishing in consequence of Cuban competition?

Mr. PATTERSON. Certainly; and Porto Rico and the Philippines will add their quota. All you have got to do is to take down the bars and the industry is gone. That is exactly what we are fighting against. We are fighting against Cuban competition, and against making the effort to produce sugar in this country more difficult.

Mr. TELLER. Mr. President, it is not a question whether the sugar duty is too high as compared with other duties. The question is whether you should revise the tariff and reduce the tariff on one single article when the demand, if there is any demand at all, is that all articles included in the tariff should be considered.

I do not myself believe, and I think I know perhaps as much about the matter as anybody who is not engaged in the sugar industry, that the present tariff is too high for the protection of the infant industry of beet sugar. I am not one of those at whom the Senators on the other side can throw clubs. I have been voting a good many years here with them on the tariff question.

I thought it was a Republican principle, and I thought it ought to be a Democratic principle, that any infant industry is entitled to the care of the Government. I know that theorists have said otherwise, and I know that there was a time when the Democratic party, as a party, insisted that the Government should be bloodless and heartless and heedless of any interest. But, Mr. President, that has not been the policy of this Government. You have taken care of the New England factories; you have taken care of every industry on the Pacific coast; and when there is an attempt to meet a great and growing want in this country by raising our own sugar, thus saving to our people from $100,000,000 to $125,000,000 a year which we have sent out of the country for many years for foreign sugar, that attempt should not be resisted.

Mr. President, the raising of beet sugar is one of the infant industries in this country. I know there are more sugar factories in Michigan than there are in Colorado.

I do not wish to make any statement that will hurt any industry, but I know that there has been more than one beet-sugar factory in this country which has been on the very verge of bankruptcy even under the present tariff. That industry is young, Mr. President. Every little while the manufacturer of beet sugar finds that there is another method which perhaps would be better than the one he employs; and at great expense he changes his machinery. That industry is going through the same experience which every other infant industry has undergone since the world began. It is being brought to perfection by degrees. The time will come when beet sugar can be made for 3 cents a pound; but it can not be made at any such price now, nor can it be made and sold for 4 cents a pound; and yet I look forward to the day when it will be profitable to sell beet sugar from the factories at even 3 cents a pound.

What is the theory upon which you have been legislating for many years? I have voted with you on every tariff bill passed here for twenty-five years or more, except in one instance. Your theory is that an infant industry is entitled to the protecting care of this Government. If there is anything that you have boasted of since you were organized as a political party, it is that.

Mr. President, whether it is right or whether it is wrong, whether we can submit to a reduction or whether we can not, that is not the way to revise the American tariff. To pick out a single item and reduce the duty on that item is not the way to revise the tariff. If we should find that a tariff duty was too high and that it brought about hardships upon the people of the country by putting too high a price upon the article, then there might be some reason for reducing the tariff on that article.

Nobody has declared here that sugar is to be made cheaper as a result of the passage of this bill. On the contrary, it has been declared over and over again that the same price is to be paid by the American consumer under this tariff, modified as you are modifying it, as has been paid under the existing tariff.

You say Cuba, struggling Cuba, needs our fostering care. Some on this side of the Chamber within my recollection, who have inveighed against the protecting hand of the Government being extended to any industry, are telling us that they think the particular industry in their section needs the protecting care of the Government to-day, but seem to be willing to take it off of this one article, beet sugar, whose production is practically confined to the great plains of the West.

Mr. SPOONER. That is practically what General Hancock said.

Mr. TELLER. Mr. President, there was a very distinguished gentleman who ran for the Presidency—he was distinguished as a warrior, though not so much so perhaps as a statesman—who said one day that the tariff question was a local question, and there went up a guffaw all over the country as if he were making an ignoramus of himself. In the twenty-five years and more that I have been here I have found that the tariff question is an absolutely local question. I have found that New England stands for a tariff on its cotton goods to an extent away beyond this in amount. I never found any of them complaining that the tariff was too high. If the tariff on cotton goods is not high enough, there is nobody who has had more to do with the fixing of that tariff for the manufacturers of New England than the chairman of the Committee on Finance of this Senate [Mr. ALDRICH]. If that duty is not high enough to protect New England and New England industries, he, and he alone, is to blame.

The Senator from Massachusetts [Mr. HOAR] would seem to indicate that he thinks the tariff duty on sugar is too high. I did not intend to touch on that question, but I want to say just a word or two. When the House committee were taking evidence a year ago last winter, I note they brought before it a gentleman from the city of Baltimore who, with his associates, had invested about $2,000,000 in the sugar industry in Colorado. They had bought a large tract of land; they had built a factory to make sugar, and they had constructed ditches. In all my experience, Mr. President, I have never seen a better illustration of the benefits of a protective-tariff system than I saw in that instance. They selected for their operations a prairie without an inhabitant on it—growing nothing but wild grass. They dug a ditch many miles in length and at great expense; then they built a factory, and to-day there are at least 2,500 or 3,000 intelligent American citizens who get their living by raising beets on that piece of land and making sugar in that factory. They took a raw prairie and in two years they had a town on it of 2,000 people. They had churches and schools and all the institutions of civilized life.

A gentleman connected with the beet-sugar industry—not a Democrat, but a Maryland Republican—appeared before the House committee and in substance stated that the reduction of one-fifth of the duty on sugar would put that great enterprise into the scrap heap, using that very term. I did not bring the report of the testimony taken by that committee here for the purpose of reading from it, and perhaps I may not have discovered the best things that this gentleman from Baltimore, Mr. Carey, said.

Mr. CAREY. Raw sugar went up yesterday. I expect refined sugar has gone up, too. The last report I had was $4.48 per 100 pounds f. o. b. Kansas City. That is the market in which I am chiefly interested.

Mr. NEWLANDS. Now, can the producers of sugar in this country escape loss at that price?

Mr. CAREY. I am not aware that question cannot be asked. My opinion is that we are in the Mississippi Valley, geographically, [illegible] to a gentleman [illegible] producing at 2½ would put them out of the ring. That [illegible] sugar [illegible] and storage charges [illegible] at the [illegible] period.

Mr. NELSON. What is [illegible] from 4½ to 6 cents is not far from the permanent price of sugar today.

That was a year ago last January. I believe the sugar factories of Colorado can produce sugar more cheaply than it can be produced in any other portion of the world. We have invested in Colorado up to the present time not less than $6,000,000, largely our own money. All of the sugar or beet industries have been prosperous except one. I do not like to say anything about the beet sugar industry of any other State for fear I may be charged with making a comparison between my own State and another, but I do not know of another State in which the sugar industry has been so largely developed and in which a sugar consumer are more prosperous than they are in Colorado, where a number of factories have not been in business. I only know one in Colorado that has had any special trouble.

We produce in Colorado beets much richer than those found—I ought not to say in Colorado, because the same statement generally is found in the beets of all that area of country from Utah, Wyoming, Montana, and so on, in what might be called the irrigating region. We produce there beets that are very much richer than can be raised in places where rain is common. One trouble in raising beets for sugar is that if you have a rainy fall you must continue to grow until the sugar is not injured in the beet. In Colorado we rarely have a rainy fall. Any person who will take the pains to walk into the Mississippi Valley and look at the land there will see that we have, day in and day out, clear weather. It has been said by the Department which takes cognizance of such matters that for nearly [illegible] in the fall of the year we have absolutely a [illegible] to-day, while Michigan, the rival in beet sugar [illegible] with snow, our State, aside from the high mountains, is bare of snow, and our farmers are plowing and gathering the beets, if they have not already done so.

The beet sugar industry to-day promises more to the American people than any industry, unless it be the great iron and textile manufactures. The American people are using very nearly 90 pounds of sugar for every man, woman, and child, but the per capita consumption has to be increased 10 pounds before we reach the average per capita consumption of Great Britain. The sugar consumption of that country largely goes into marmalades and preserves, which in the United States is represented by the American laborer [illegible]. There are no people in the world who eat half as much sugar per capita as we do. It has now become a well-known fact in a hundred articles that sugar is not a luxury, but a necessity for health and strength and growth. The French Government has demonstrated that rations of sugar are one of the best foods they can give their army, and every French soldier who goes out to fight the battles of France or [illegible] in their rations has a ration of sugar.

Mr. President, I do not want to [illegible] because it is time [illegible]. Much might be said about the beet sugar industry. We have been sending out from a hundred to a hundred and twenty-five million dollars a year, and sometimes even more, for foreign sugar. We have bought our sugar of people who [illegible] of us, and we will continue to do it. We have been buying the best sugar of Java, raised by men who get 10 cents a day. Our sugar growers get six times [illegible]. We have been buying the best sugar of Ceylon. We have been buying it all over the world. We bought it from Cuba, where a man can live on less than he can in the United States. Here the men demand more than they do in Cuba.

I do not wish to say anything against the Cuban laborer, but he is not the American laborer. He does not live as the American laborer does. He does not demand what the American laborer demands. He lives in a hut. If you go down there you will find thousands of them living in huts that did not cost $50 apiece. You will not find the American sugar grower living in a hut of that kind, and you do not want to see him living in a hut of that kind.

I agree with my colleague that the protection which is being given to sugar in this country is not too high for the present, but I do see the time when, in my opinion, a very great reduction can be made in the tariff, because when these great enterprises are once established, when we shall have learned exactly how to raise beets and how to make sugar, we will be able to do it for very much less, and the American consumer will get his sugar 25 or 30 or 40 per cent cheaper than he is getting it to-day.

Mr. President, I started in to say something about the amount of sugar in a beet. When the French under Napoleon began to raise sugar, it was said that 4 per cent was just about the amount of sugar in a beet. They raised it to 6 per cent; they raised it to 8 per cent; they raised it to 10 and 12 per cent. The average in the United States is not to exceed probably 14 or 15 per cent. We have raised beets in Colorado that were nearly one-third sugar. We raised those beets because we could take off the water and ripen the beet when we wanted to. The difficulty which the Michigan and the Wisconsin man and men from other sections encounter in trying to raise beets is that the heavens do not always favor them in the ripening of the beets. The rains come and the beets continue to grow.

I have seen beets growing in Arizona that grew all the year round and never stopped growing. The beet must stop growing, it must ripen, then the sugar comes into the beet. The sugar [illegible] the beet is usually in the last month of its growth, and unless you can take off the water and ripen the beet you will not be certain of the amount of sugar you can raise. Thirty-two per cent of some beets has been found to be sugar. Of course that is not the usual amount. I met one of the active sugar growers of Colorado, a man who put his own money into the business, not only in one factory but in two or three, and he said to me, "Last year we ground tons and tons of beets that went 22 per cent sugar," and in Europe 10, 12, 13, or 14 per cent is considered fair.

I do not want to make any extended remarks on this subject at this hour, but I do desire to say, in reply to the Senator from Rhode Island [Mr. ALDRICH], who would seem to indicate that he thought we were asking something unusual, that we do not ask any favors. If it is the policy of the Government to put the tariff 20 per cent lower, put it there, and we will try to make our calculations correspond to it; but we do insist that an industry which promises to provide one of the articles of food and one of the necessaries of life to a high civilization—and in twenty years it will require at least $100,000,000 a year to supply the American people with sugar, if the consumption continues to grow as it has been growing for some years—is entitled to the same protection to which any other industry is entitled.

Mr. President, we were told two years ago that there was great suffering in Cuba and that, because of the distress in Cuba, we should ameliorate their condition by buying their sugar, which we could only do by putting down the tariff duty. We took all the sugar that Cuba made, and we took it at prices that gave to her a profit; and Cuba, instead of raising 650,000 tons, raised [illegible] tons, and this year will raise 1,250,000 tons. Do you suppose it raises it because it can not do anything else? That it does can raise tobacco; and they send into the markets of the world [illegible] worth of tobacco, manufactured and unmanufactured, [illegible] that was practically a per capita export equal to our per capita export of all the exports from the United States. Cuba has the greatest net exports in the world; that is, the greatest net between the exports and the imports has been found in Cuba. Cuba can make sugar at a rate at which no American cane grower or beet-sugar grower can make it.

If you are in favor of free trade, and if every industry must take care of itself, that is one thing. I am not in favor of that. I believe it is righteous and just to consider the condition of every infant industry in the country, and if an industry is one of that class which, by the fostering care of the Government, can be made a great industry, beneficial to the American people, I am in favor of it, and I have always given my vote upon that principle, and I always shall. But will any man tell me to-day why you should [illegible] sugar? Why should you say to Cuba, "We will let your sugar in here at a reduction of one-fifth of the rate at which we let in other people's sugar?" Do you expect to give to the American sugar consumer any benefit by that reduction? On the contrary, you declare that the money shall go into the hands of the sugar producer in Cuba. I say here, as I said before, that this is the most wicked and ridiculous economic proposition that ever was submitted to the human race. I challenge you gentlemen on the other side to show anywhere in the history of the world where any nation has been so forgetful of the interests of her own people that she has given a bounty to build up an industry in a foreign land to compete with her own.

Mr. President, if this wickedness shall be completed and if this great outrage shall be perpetrated upon the American nation, because it is an outrage upon every man in it, in that it is a violation of the fundamental principles of a free government and a free people, there ought to be an end of any such thing as an attempt to foster industries by a tariff.

Mr. President, I shall not, even under such conditions as these, abandon my conviction of the wisdom of taking care of infant industries. I can not be driven from the convictions of many years by the improper conduct of my associates here or anywhere else. But I know it is absolutely indefensible, and I want some Senator on the other side of the Chamber to tell me how he reconciles it

with justice and right to select for such treatment one industry, and that too, an infant one needing our assistance, and one which promises some day to be a great and magnificent blessing to the whole people of this country in providing one of the health-giving foods.

I want some one to tell me what excuse there is for it. We had the same pretense here for more than two years that there were poverty and distress in Cuba. There is not a section of the United States anywhere in better industrial condition now than is the island of Cuba.

I have no doubt this crime will be completed by the passage of this bill. I have had an idea that I would try to amend it. I thought I would offer a provision that the sugar should at least be raised by the hands of freemen and not serfs. But I know the edict has gone forth that no amendment shall be made to the bill, and if I should spend my time here in attempting to do it, I should destroy an opportunity for somebody to discuss the bill upon its merits and not upon the technicality which would be raised if I should offer the amendment.

Mr. President, I am going to dismiss this case. I do not expect to utter another word on it during the debate. I am going to leave it with the declaration that in my judgment the sugar duty remitted will not go into the hands of the Cubans. There is not even that pretense to be made. It will go into the pockets of the great sugar trust. I have in my desk a statement which shows that for many years we have had a countervailing duty on sugar coming from Germany. I charge here and now, and if anybody denies it I will prove it from the record, that the great sugar trust has absorbed that countervailing duty, amounting to 28 cents a hundred, ever since it was put on, and has not given to Cuba the benefit of it, not even when Cuba was in the throes of revolution and distress. The trust will not do it now, when the Cuban planter and the laborer are in better condition than those of any agricultural section on the main continent.

Mr. President, influences that I can not understand, influences that I can not comprehend, have declared that this bill shall be enacted into law. I say to Senators, vote as your judgment dictates, for I have no right to do otherwise, but if the high and strong hand of Executive favor had not been used here, and if there were no fear of Executive disfavor, I do not believe this bill would ever have passed either body of Congress. It may be that that is beyond the rules of the Senate and of proper debate, but I can not help but believe that this bill represents not the judgment of the American people, but the judgment of somebody else.

I have had so much relation with this subject that I know that the great combination known as the sugar trust had control of the newspapers of this country to an extent no other enterprise ever did, and they filled the papers from one end of the land to the other with the lying statement that Cuba needed our generosity and our assistance. When that disappeared, when that lying pretense could no longer be made, then they overwhelmed us with the declaration that this was to our interest. Is it our interest to surrender on this main continent the production of an article of food for which in a few years we will pay, unless we raise it on our own land, from $250,000,000 to $400,000,000 a year? We have paid $125,000,000 since this discussion began for sugar raised on other lands.

If there ever was in the history of legislation a case which justified the doctrine of protection, this is it. If there ever was an industry that needed the fostering care of the Government of the United States and promised, with slight and temporary assistance, to become a great profitable industry, it is the sugar industry.

Mr. President, I wish to say a word or two more. Not only have the newspapers of this country been filled with appeals to us, but the Government publications have been filled with appeals to us. I have now on my table a Government publication, published with the money wrung from the people of the whole nation and not of the few, in which there is an attempt to make it appear that the beet-sugar industry of this country does not need this protection, and that honor and justice demand that we should give to Cuba this remission of duties. Mr. President, nobody has shown us why. Nobody has pretended here that there is suffering in Cuba. Nobody here who has any regard for truth will pretend that there is any suffering there.

I say here that, in my judgment, the Cubans will practically get no benefit from the reduction, but it will go into the pockets of the great combination known as the "sugar trust," which has the capacity to secure legislation of this kind against an industry of a great portion of the West, where it is being built up.

I do not know whether the nine factories in Colorado will go into the scrap heap, as said Mr. Carey, from whom I read: I do not know but that they may live. I do not believe that many of these in other sections of the country will. I can not speak for Michigan; I have no right to speak for other States; but I do say that if the result of this legislation goes into the pockets of the Cubans it will stimulate that industry there to the extent that it will eventually drive the sugar business out of the United States. Bad as it is, wicked as I think it is to put money into the hands of this great trust, I believe it is infinitely better for us that the sugar trust should steal it than that Cuba should get it when it does not need it.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to: and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, December 16, 1903, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *December 15, 1903.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Monday was read and approved.

PENSION APPROPRIATION BILL.

Mr. VAN VOORHIS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6758, the pension appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. LAWRENCE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 6758, being the bill making appropriations for the payment of invalid and other pensions, and the gentleman from Ohio [Mr. VAN VOORHIS] is recognized.

Mr. VAN VOORHIS. Mr. Chairman, I yield such time as the gentleman may desire to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. CRUMPACKER. Mr. Chairman, I have been gratified in some particulars at the course this debate has taken. I am glad that gentlemen on the other side of the aisle found it consistent with their sense of duty to give expression to their views upon the Panama question. I am glad indeed to know that the Democratic minority is in favor of the construction of the Panama Canal, notwithstanding they oppose all of the means and measures that have been suggested and adopted for its construction.

That kind of support, Mr. Chairman, is not very efficacious; it will not dig many canals; but it is in keeping with the attitude of that party upon all great measures that come up for consideration. In relation to the Cuban treaty, for instance, Members on the other side of the House declared repeatedly in the recent debate that they were in favor of the treaty and yet persistently undertook to load the bill making that treaty operative with amendments which, if adopted, they must have known would have resulted in its defeat.

During the Congress before substantially the same question was up for consideration, and the same amendment that gentlemen on the other side undertook to engraft upon the bill at this session was put upon the proposition in the last Congress, and the result was the absolute defeat of the treaty. That sort of support, Mr. Chairman, is not the kind that will inspire confidence in the wisdom and good faith of the Democratic party in relation to these great questions.

I have a fair appreciation, I believe, of the functions and responsibilities of the minority party in the administration of the affairs of this great Government. It has great opportunities and grave responsibilities, and it may contribute much toward wise legislation and pure administration. But there is always a danger that a minority party will degenerate into a party of captious critics and caviling fault-finders and become a party of expediency, without character or conviction, ready to seize any opportunity that may appear to afford temporary advantage against its adversary; and I fear, Mr. Chairman, that the Democratic party of to-day has evolved into that deplorable condition.

I speak of the Democratic party as an organized entity. I have no reference to the individual members of that party, for as individuals and citizens they are wise, patriotic men; but the party as an organized entity has its own character and attributes, and as such it is responsible to the people of this country for the discharge of its duties.

The press reports in the last few days have announced that there is great liability of war upon the Isthmus of Panama; that the Republic of Colombia is preparing to make war against the United States and the Republic of Panama to reestablish its sovereignty over the Isthmus.

In the Washington Post of yesterday was a dispatch from a special correspondent at Barranquilla discussing the condition of public sentiment in Bogota and throughout the United States of Colombia generally in regard to the independence of Panama and to the present hostile position of the United States recognizing the independence of the newly born Republic.

I ask, Mr. Chairman, that the Clerk be permitted to read portions of that account, the parts that I have indicated.

The clerk read as follows:

[Special to the Washington Post, by cable and Smyth, former United States minister at Bogota.]

BARRANQUILLA, Colombia, Sunday, November 29.

Doubtless in the United States the sentiment against Colombia will fight unless proper explanation is made to the people of the United States. [illegible] to hold its sufficient [illegible] in Colombia [illegible] to be [illegible] in Colombia [illegible] within twenty-four hours sol- [illegible]

It was [illegible] I did not see the United States that [illegible] national [illegible] Colombia [illegible] Panama [illegible] Colombia [illegible] Panama [illegible] Colombia [illegible] Panama

last Congress on the Philippine and Porto Rican bills. [Applause and laughter on the Republican side.]

Mr. CRUMPACKER. Mr. Chairman, I am heartily glad of these testimonials, and "while the lamp holds out to burn," etc.

Mr. MADDOX. Oh, yes.

Mr. CRUMPACKER. I supposed until these expressions from gentlemen on the other side of the aisle that the gentlemen who spoke the other day were speaking for the minority. There were several very better and demonstrative speeches delivered by the Administration for the [illegible] of this great enterprise, and not a single word was [illegible] been uttered upon the Democratic side indorsing the measure advocated by the President to bring about the construction of the canal.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. CRUMPACKER. I do.

Mr. WILLIAMS of Mississippi. I do not understand just what the gentleman means. He says there were bitter denunciations of the consummation of this great enterprise. Does the gentleman mean by that that he heard from this side of the House any bitter denunciations of the building of a transisthmian canal?

Mr. CRUMPACKER. Oh, no.

Mr. WILLIAMS of Mississippi. Because if he meant that, I wish to take issue with the gentleman.

Mr. CRUMPACKER. Mr. Chairman, I must have spoken to little purpose if my ideas are so confused as they seem to be in the mind of the gentleman. I have heard repeated protestations on the part of the minority that they were in favor of the construction of a canal connecting the two great oceans; that that was the historical policy of the Democratic party, and that party favored the project at this time; but those who have expressed themselves upon that side have declared against the very means that are essential for the consummation of that great undertaking.

Mr. DALZELL. They are in favor of the law, but not of its enforcement.

Mr. CRUMPACKER. Yes, as has been suggested, they are in favor of the law, but opposed to its enforcement. That is the attitude of the Democratic party, as I understand it.

Mr. WILLIAMS of Mississippi. In other words, if the gentleman were prohibitionist and in favor of passing a prohibition law he would commit me to the position that I was in favor of fraud and wrongdoing in passing such a law. Is that your position?

Mr. CRUMPACKER. No; not by any manner of means.

Mr. WILLIAMS of Mississippi. Well, all that this side has protested against is the reckless disregard of international [illegible] to the sudden, lawless manner in [illegible].

Mr. CRUMPACKER. The gentleman seems willing to accept the stolen goods, and has so announced, proceeding [illegible] to relieve his qualms by denouncing the thievery. That is his attitude as I understand it. [Laughter on the Republican side.]

Mr. WILLIAMS of Mississippi. Not a particle; if the gentleman will excuse me. I am [illegible] of the birth of a child and I deal with the child as an existing entity on the surface of this globe.

Mr. CRUMPACKER. Certainly.

Mr. WILLIAMS of Mississippi. That is all there is to this.

Mr. CRUMPACKER. The gentleman is willing to take the child into his family, provided he can [illegible] the house the designer of its birth and [illegible] upon the [illegible] in front of the [illegible]. Is that the philosophy of the gentleman?

Mr. WILLIAMS of Mississippi. Not at all; but I recognize it simply as your existing child, and I deal with it as an existing thing. [Applause on the Democratic side.]

Mr. CRUMPACKER. Well if the gentleman is satisfied with that explanation of this situation of the minority, I am sure we are satisfied.

Mr. HUGHES of New Jersey rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from New Jersey?

Mr. CRUMPACKER. I do.

Mr. HUGHES of New Jersey. I suggest to the gentleman from Indiana on the other side that, as I take it, we on this side of the Chamber are not opposing the methods by which this situation of affairs was brought about, but that we oppose those methods. [Laughter on the Republican side.]

Several Members in the Democratic side). We are opposed to the methods.

Mr. CRUMPACKER. Is there any other gentleman to hear from? Are there any other theories to be advanced? I suspect, Mr. Chairman, that there is not absolute unanimity of sentiment on the minority side of the House against the Administration, even in the inauguration of this new born Republic, this abortion, this "hag-born," "ditch-delivered" Republic, as the leader of the minority characterized it in a speech a few days ago. He is willing, he says, to take to his bosom and love this "hag-born," "ditch-delivered" progeny, but he wants the world to know the story of its shame.

I think, Mr. Chairman, the Democratic party is in a dilemma from which it would gladly escape, and I have no doubt that it is in the heart of many Members on that side of the aisle to repudiate some expressions that have been used in the debate against the Administration upon this question. As I have said, I speak of the Democratic party as an organization, as an existing entity. I have great respect for the individuals who compose the organization, but as a [illegible] I have little regard for it. It is about as impotent in the way of doing business and doing it intelligently as is the United States of Colombia.

Mr. HAMILTON. Is it not a rather violent assumption to call it a collection?

Mr. CRUMPACKER. Well, I should thank the gentleman for a proper name for it.

Now, Mr. Chairman, I said a moment ago that the Democratic party had come to be decidedly pessimistic. That is the result of habit, education, and tradition. I do not know that that party is altogether to blame for being in that attitude. It has been on the wrong side of every great question in the politics of this country for the last forty-five years, and that is not altogether its fault. It has been on the outside all the time, and I am sure members of that party will agree that that is the wrong side. But it has been the minority party.

The party in charge of the affairs of the Government has a great vantage ground. It makes the issues, and the Republican party during those vital years, those years so fraught with great interests, those years that have made so much for the welfare of our country and the glory of the entire world, in selecting issues had first choice and has chosen with marvelous wisdom; and the poor old Democratic party had to take what was left. And about all there was left was the policy of obstruction, of objection, of vituperation, of calumniation, and it has come to be second nature for the Democratic party to obstruct.

It can not help it. I have great sympathy for it. A few years ago it was charged with the responsibility for the affairs of the entire Government. It had come to believe in its own philosophy, and it undertook to put some of its old theories into practice. You know the result, my fellow-citizens. It demonstrated that a party that has been out of power for so long, and has acquired these chronic habits of opposition and of obstruction, has no fitness or capacity to carry on and dispatch the public business.

Now, I have said this much in defense of that party. I want gentlemen to understand that I have no malice in my heart toward Democrats as individuals, or even toward the party. I love them as individuals and the party for what it has been. The Republican party, on the other hand, is a party of achievement, a party of progress, a party of action. It believes in God and humanity, and it sees in the future of this country a mighty and a glorious destiny. It has the courage and the capacity to march forward notwithstanding the caviling criticism that it hears in the rear. It has the courage to march forward and carry out the great policies that make so much for the destiny of the American people. [Applause on the Republican side.]

Mr. BRUNDIDGE. I yield thirty minutes to the gentleman from Georgia [Mr. MADDOX].

Mr. MADDOX. Mr. Chairman, the gentleman from Indiana [illegible] about the Democratic party and about this side of the House for some criticism, which was claimed to be in [illegible] at the time it was made, of the method and manner in which the new Panama Republic was brought about. There is [illegible] party can claim a monopoly of, and that is cheek and gall, as suggested over here. Another thing is a want of [illegible] at all or having any recollection. I would like to ask gentlemen on that side of the House who was supporting Aguinaldo about two years ago over there? Who was [illegible] the Democratic party at that time? Did anybody hear anything from the gentleman from Iowa who has just spoken now? Where did you [illegible]?

Mr. CRUMPACKER. I saw the folly of it.

Mr. MADDOX. Just think of it. Who has heard any such argument of the Democratic party for not being "up to date," when only two years ago there were [illegible] there not less than [illegible] own party for traveling outside of the Constitution? Now you come up here and propose to [illegible] the Democratic party for what some one or two [illegible] said, and especially disclaimed at the time that they were speaking not for the party, but said they were speaking for themselves.

Mr. CRUMPACKER. Will my friend allow me to interrupt him?

Mr. MADDOX. Yes.

Mr. CRUMPACKER. I beg to say that I supported the Administration in relation to its Philippine policy as earnestly and sincerely and effectively as it was possible for me to do during its entire course. I was not an insurgent and not against the Administration, and I made no speech the headlines of which headed the columns of the press against it.

Mr. MADDOX. How about the lobby?

Mr. CRUMPACKER. The same of the lobby.

Mr. MADDOX. We remember here what you have done and said. It is unnecessary to tell us that you are going to stand by the Administration. That goes without saying, and reminds me of a story of John Allen, which I am going to tell, even at the risk of some of you gentlemen ringing the chestnut bell on me; and it is this:

Away down South there were a couple of darkies, an old man and a boy, who were out fishing on a mill pond. There was a white man who stood a little above them on a bridge and who was looking at what was going on. The boy was moving around and about, and the old nigger said: "Sit down dar, boy; the fust thing you know you will fall in the mill pond." The boy did not keep still, but was up and down and around, and finally he tumbled into the mill pond headforemost. There was about 20 feet of water. The old man got up, shucked himself, and proceeded to go right down after the boy. The white man on the bridge rushed down to assist in the rescue, and finally the old darky brought the boy up and carried him out. As he got him out of the water the white man said: "That was well done. I am glad that you rescued your son. It was heroic work." They took the boy and got the water out of him, and finally the old man run his hand down in the boy's pocket and pulled out a box and said to the white man: "I don't know nuthin' about heroism or heroic work. That boy had the bait box, and I had to get him or this fishin' had to stop." [Laughter.]

Now, the Administration has got the bait box, and the gentleman from Indiana will stand by it, and he is going to camp on his trail when it gets ahead; and the gentleman does not need to give us any assurance that he is going to stand by the Administration. The President has the control of the patronage, and with that out what has the Republican party to count on? It is a party of spoils and offices. But it was not my purpose to talk about Panama, the tariff, or anything of that sort, but simply to illustrate that when it comes to standing by the pie counter Indiana can not be surpassed in anything of that kind except by Iowa. [Laughter.]

I want to talk about something nearer home—the rural free-delivery service. Now, we know that this is a question that is sort of "touchous" in the House. We wanted the other day to get some report from that Department, but a number of Republicans kept going about saying "Hush!" "Don't!" "You will give out something that will let these fellows that have been indicted get away. They will get away."

But there is something peculiar about this rural free-delivery business. I want to call the attention of the House, especially this side of the House, to the fact that there were 15,119 rural delivery routes established up to June 30, 1903. When we first began this business, some three or four years ago, we made complaint in this House at that time that this business was not being carried on impartially; that we were being discriminated against. But I was told then that I was mistaken. I offered an amendment to equalize the distribution of these routes so that every part of the country and every district should be placed upon an equality in establishing these routes. The chairman of the Post-Office Committee, at that time Mr. Loud, made a point of order on my amendment, and it was ruled out; but I was assured at that time that there would be no partiality shown against any district; that it would be carried on all alike, and everybody should have his share, equally and justly.

Now, gentlemen, what have we got? There were 15,119 routes granted up to the 30th day of June of this year, 1903. One-third of those routes, more than one-third, are located in four States of this Union—Iowa leads, with Indiana, Ohio, and Illinois. They seem to have got there with every foot down. Iowa, Illinois, Indiana, and Ohio have 5,039 of these 15,119 routes. Seven States have nearly one-half of them, and this statement does not include the great States of New York and Pennsylvania. They are left out of the calculation; but seven States in the Union practically have one-half of all the routes that are established in the United States—Iowa, Indiana, Ohio, Illinois, Michigan, Wisconsin, and Kansas.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. MADDOX. Certainly.

Mr. SHACKLEFORD. How many Democratic States are included in that seven?

Mr. MADDOX. My friend, that is exactly what I want to show, that we are not in it when we are standing at the pie counter where they are dealing out these things. [Laughter.] They meant, when they said that it would be equally divided, it was going to be equally divided among the Republicans. They have not done that by any means, as I will call your attention to later. Here are seven States with 19,000,000 population, with one-half of the rural routes of the whole country established in these States.

But, gentlemen, the most startling proposition remains. I could not take any Democratic State, and more especially a Southern State, and compare with any of these States, for that would be absurdly ridiculous, so I take the whole twelve Southern States, that is, beginning with Virginia, North Carolina, South Carolina, Georgia, Alabama, Mississippi, Missouri, Florida, Louisiana, Texas, Arkansas, Kentucky, and I tell you to-day on this side of the House the official record, and I am speaking from the official record, shows that the two States of Iowa and Indiana have more of these rural routes than the entire twelve States combined.

Mr. HAMILTON. May I interrupt the gentleman?

Mr. MADDOX. Yes.

Mr. HAMILTON. Please state what is necessary to set in motion the establishment of a rural route.

Mr. MADDOX. The rule, as I understand it, is that we must have a petition, and that petition must be signed by at least 100 heads of families; the route must be not less than 20 nor more than 25 miles long, and the routes must be accessible—that is, streams easily crossed, etc.

Mr. HAMILTON. Do I understand from the gentleman from Georgia that petitions complying with the requirements of the Department have been filed from certain States in the Union, which the Department has refused to act upon?

Mr. MADDOX. Yes; that is precisely what I am going to give you.

Mr. CLAYTON. Yes; it takes a year, and frequently longer for the Department to act upon these petitions.

Mr. HAMILTON. In reply to the gentleman from Alabama, I understand that they are frequently not acted upon for a year and sometimes two years, even in the States which the gentleman complains of.

Mr. MADDOX. The petitions filed by twelve States were 7,270. Iowa and Indiana filed 4,068. Yet, with all this vast expanse of territory, Iowa and Indiana stand here today with more rural routes in force and in effect than the entire twelve States I have mentioned.

Mr. HEPBURN. May I ask the gentleman a question, Mr. Chairman?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Iowa?

Mr. MADDOX. I believe I will, if the gentleman from Iowa will allow me to ask him a question.

Mr. HEPBURN. Very well.

Mr. MADDOX. Does the gentleman know anything about the Golden Rule. "Do to others as you wish to be done by?" Where is the man that can ask the gentleman from Iowa a question when he is on the floor? [Laughter on the Democratic side.] Nevertheless I will yield.

Mr. HEPBURN. I think the gentleman has asked me questions and I have replied to him. I think I have never failed to treat the gentleman with absolute courtesy.

Mr. MADDOX. Well, I will not fail to treat the gentleman from Iowa with courtesy now. What is it?

Mr. HEPBURN. I do not think, Mr. Chairman, that I will ask the gentleman the question.

Mr. MADDOX. I did not intend to be disrespectful to the gentleman from Iowa.

Mr. HEPBURN. If the gentleman from Georgia will permit me, I can not recall an instance where I have failed to treat him with absolute courtesy.

Mr. MADDOX. I did not intend to be disrespectful to the gentleman from Iowa. It was only a bit of pleasantry.

Mr. HEPBURN. Mr. Chairman, I withdraw the declination to ask the gentleman a question. [Laughter.] I want to ask the gentleman from Georgia how many petitions in proper form, containing the requisites he has named, he has filed from his district?

Mr. MADDOX. I really could not answer that question.

Mr. HEPBURN. How many routes have been established in the gentleman's district?

Mr. MADDOX. I think about ninety-one up to this time.

Mr. HEPBURN. What proportion of the petitions have been favorably acted upon?

Mr. MADDOX. I should say 40 per cent.

Mr. HEPBURN. Forty per cent?

Mr. MADDOX. Yes: I have the figures here. I am coming to that.

Mr. HAMILTON. That is a pretty good record.

Mr. MADDOX. A good record compared with what? Compared with what has been done for some of my Southern friends,

it is a good record, but compared with what has been done with your people it is not. As I said, there have been 7,270 petitions filed from these twelve Southern States; 4,068 from the States of Iowa and Indiana. From these twelve Southern States 1,239 routes were rejected; petitions still pending, 3,497; routes rejected from Iowa and Indiana combined, 322.

Now, is not that remarkable? Three hundred and twenty-two applications rejected out of all these 4,068 applications from Iowa and Indiana, and out of these others 1,239 rejected, whilst there are 3,497 still pending.

Mr. HEPBURN. Will the gentleman yield for another question?

Mr. MADDOX. Yes, sir.

Mr. HEPBURN. Is it not the fact that these rejections are frequently dependent upon the density of the population, and that in the rural regions of Iowa and Indiana there is a denser population than in the regions the gentleman has spoken of?

Mr. MADDOX. I have investigated all that. That explanation will not do. Speaking at least for my own State, and for many others so far as I know anything about them, I will say that so far as population is concerned you will not find any that have not come up completely and perfectly to the requirements of the Department.

Now, there is another remarkable thing about this matter that I want to call attention to. The States of Iowa and Indiana, with far fewer applications and practically no objections, have got more rural routes than the entire twelve Southern States.

Then there are a few more statistics in regard to what they call the county routes, in other words, places where the rural service is extended all over the county that is supposed to be served.

Now, take these States, Iowa and Indiana. They have eighteen of these county routes, while the twelve States I have named have only fourteen; and of these fourteen seven are located in one district, and that happens to be a Republican district. [Laughter on the Democratic side.] Eight of these routes are located in the State of Tennessee, and of these seven are in one district—in the district represented by my distinguished friend from Tennessee [Mr. BROWNLOW]. I have no war to make on my friend BROWNLOW, because I believe that but for him and his assistance I possibly would not have obtained half the routes that I have now, for I have called upon him to go around and help me in this matter. Yet this country is supposed to be run by the Congress of the United States, not by men who crawl and grovel in the dust before some official of the Department.

Mr. HEMENWAY. Will the gentleman yield for a question?

Mr. MADDOX. Yes, sir.

Mr. HEMENWAY. It seems that the gentleman has succeeded in securing ninety-one routes in his district. The same proportion extended over all the districts in the United States would amount to 34,944. I want to inquire of the gentleman how he has succeeded in doing so well?

Mr. MADDOX. As to those ninety-one, a number of them have been put in effect since the date to which I referred. But I did not catch the whole of the gentleman's question.

Mr. HEMENWAY. I said that if the other Members of Congress had been as successful as the gentleman from Georgia there would be 34,944 of these routes. I understand there are in fact only about half that number; so that the gentleman has secured more than his share. I was wondering whether he would explain this fact by saying that the gentleman from Tennessee had helped him.

Mr. MADDOX. Well, that is exactly true. [Laughter.] Many of the districts have none of these routes at all, especially districts where there are cities. Take the seven States that I have been talking about, in localities where they have the rural service, and take out the cities, and you will find about seventy-five of the liveliest Members of this House.

Now, take these figures. They speak for themselves.

Mr. FOSTER of Vermont. Will the gentleman yield a moment?

Mr. MADDOX. I have but thirty minutes; but I will yield for a question.

Mr. FOSTER of Vermont. Is it not a fact that since the 1st of July these applications for routes are considered in the order in which they are received at the Department?

Mr. MADDOX. I am very glad that the gentleman has called my attention to that point, because I might have forgotten it. When this service first went into operation I began to believe that under the rule that had been established I could get whatever I might be entitled to in this respect. I was told at that time that under the rule then established they were putting in 50 per cent of those for which applications were made; but they told me that running over the list they found that I had nearly gotten my share, and that my State had more routes than any Democratic State.

Well, thought I, if I am doing as well as anybody else I ought not to complain, but I soon found out that was not true. I then went to work to try and get my pro rata share for the people I represented and run up against another rule. They now said, "We propose to take them in the order in which they are presented." But they have not done that. That is not true. There has not been an agent in my district in twelve months—not one—notwithstanding the fact that I have appealed time and again. I have been promised—was promised the other day. I get promises all the time, but I do not get the agent; he does not come.

Go up and look at that map in the office of the superintendent of rural delivery, if any here do not know what I mean. They have a little pin with a flag on it, and they will take that with the agent's name and set it out in the different States all over the country. Out there in the Middle West—the country that I am talking about now—it looks like a dense forest, even down in Panama. Then look over this vast territory, which many of the gentlemen on this side represent, and you will see what looks like an occasional cottonwood on a bald prairie. That is it. It is there to show for itself, and by and by you will come along and want more appropriations.

Mr. CLAYTON. I would suggest that the speech of the gentleman is illustrated there.

Mr. MADDOX. Yes; that would be a fair illustration. I wish I had the map here, if it still exists as it did a day or two ago. I do not know what the gentlemen who have charge of this matter at present are going to do. They may improve on this business and treat us all fairly and justly when they get the matter in their hands; but up to this date, so far as I am individually concerned, I see no light whatever, notwithstanding I live so close to the gentleman from Tennessee [Mr. BROWNLOW], who represents the First district of that State, and who has seven county routes that traverse the whole country, and how many he has in the other five counties in his district he alone knows. While my State has more of these rural routes than any other State that is represented by Democrats alone, yet I am constantly being told by the people of my district what the gentleman from Tennessee [Mr. BROWNLOW] has done in his district.

The only answer that I can give them is to say that the gentleman has a front seat at the pie counter.

Mr. CLAYTON. I would like to ask the gentleman a question. Are not the general characteristics of the district of the gentleman from Tennessee [Mr. BROWNLOW] less favorable for the establishment of these routes than is the district of the gentleman himself? That is, is not the population in the gentleman's district as good and are not the roads as good as are those in the district of the gentleman from Tennessee?

Mr. MADDOX. Why, I could not undertake to say about that accurately. It seems to me from the contour of the country that my district is much better situated for carrying on this work than is the district of the gentleman from Tennessee, so far as that is concerned.

Mr. CLAYTON. Does the gentleman not think that his north Georgia district is a little better district in point of population, resources, and roads than the district of the gentleman from Tennessee [Mr. BROWNLOW]?

Mr. MADDOX. Oh, Mr. Chairman, so far as that is concerned, my district is the best on earth for anything. [Applause and laughter.]

Mr. FOSTER of Vermont. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. MADDOX. Yes.

Mr. FOSTER of Vermont. How many applications has the gentleman now pending?

Mr. MADDOX. I have answered that once before by saying that I do not exactly know.

Mr. FOSTER of Vermont. How many?

Mr. MADDOX. Well, probably 125; may be more. Is that satisfactory?

Mr. FOSTER of Vermont. Why, Mr. Chairman, I asked the question in perfect good faith. I believe in having that department of the Post-Office Department administered impartially. I believe the gentleman should be treated just as fairly as I am. I have endeavored to get everything I can for my district and I want to see the gentleman get what he is entitled to, and every other Representative here, from the Post-Office Department, for that is a great business Department. [Applause.]

Mr. MADDOX. Mr. Chairman, I object to the gentleman taking my time, but I am glad he is going to assist us in seeing that this is done.

Mr. SHACKLEFORD. But the gentleman has not said that he is going to do that. He stated that he believed it should be done.

Mr. MADDOX. Well, that is another thing. In any event, I wish to call the attention of the House to these inequalities. I have a great many figures here which I shall put in the RECORD

for the benefit of the gentlemen who read. I will show in that way just exactly what has been done, and whether this thing has been fairly distributed. Those who read can see where it is all located. Your constituents and my constituents have to help pay these expenses just the same as the people in Iowa and Indiana. I think I can even astonish some of the gentlemen on that side of the House, for I can show more rural routes in seven counties in one district than many of you have in a whole State.

For instance, nearly twice as many as there are in the State of Connecticut altogether and nearly twice as many in one district as there is in the whole State of Massachusetts, and so on all the way down. Now, is it fair and just that the people of this great Republic should be treated alike, and that is what I am speaking for to-day, and I hope before this Congress adjourns that the patriotism and the fairness of this body will see to it that it is done. [Applause.]

The following table of figures will make this matter plain:

State.	Petitions filed.	Routes established.	Adverse reports.	Petitions pending.	Per cent investigated.
Alabama	497	129	99	269	45
Arizona	9	3	0	4	56
Arkansas	89	43	4	36	56
California	244	144	38	62	74
Colorado	109	48	19	42	61
Connecticut	188	180	22	24	89
Delaware	111	81	9	21	81
District of Columbia	3	2	1	0	100
Florida	31	3	8	20	35
Georgia	1,389	475	308	626	54
Hawaii	1	0	1	0	100
Idaho	40	12	14	14	65
Illinois	2,280	1,362	269	852	65
Indiana	1,882	1,113	164	605	67
Indian Territory	9	1	0	7	0
Iowa	2,186	1,483	158	544	75
Kansas	1,451	786	115	580	60
Kentucky	439	184	47	208	52
Louisiana	26	5	4	17	94
Maine	362	148	49	155	58
Maryland	374	272	40	62	83
Massachusetts	211	129	20	62	70
Michigan	1,519	816	135	568	62
Minnesota	1,149	628	49	472	58
Mississippi	90	58	15	17	29
Missouri	1,390	739	92	559	59
Montana	19	1	3	15	21
Nebraska	889	368	80	421	51
Nevada	2	0	1	1	50
New Hampshire	185	124	23	38	80
New Jersey	175	93	23	61	64
New Mexico	3	2	0	1	66
New York	1,542	962	139	441	72
North Carolina	991	322	259	409	57
North Dakota	132	31	24	77	41
Ohio	2,185	1,104	193	888	59
Oklahoma	292	21	2	179	11
Oregon	147	78	23	46	69
Pennsylvania	1,600	885	128	627	60
Rhode Island	25	18	4	6	79
South Carolina	673	258	215	220	67
South Dakota	259	125	22	92	61
Tennessee	1,462	573	135	784	47
Texas	742	289	59	403	45
Utah	45	27	10	8	82
Vermont	246	127	37	85	65
Virginia	740	255	182	303	50
Washington	113	52	15	46	59
West Virginia	152	70	11	71	53
Wisconsin	1,166	632	68	466	60
Wyoming	9	5	3	1	88
Total	30,009	15,119	3,190	11,700	61

Mr. VAN VOORHIS. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. HEMENWAY].

The CHAIRMAN. The gentleman from Indiana is recognized for five minutes.

Mr. HEMENWAY. Mr. Chairman, I simply rise to make some comments upon statements made while the gentleman from Georgia occupied the floor. The gentleman suggested that it was necessary for Members of the House in some way to put themselves under obligation to officials of the Department in order to secure free rural-delivery routes. Now, every man who knows the gentleman from Georgia knows that he would not do anything of that kind. I do not think that any other Member of this House would do anything of that kind. The truth is, in securing these routes, a great deal has depended upon the territory, as to the population, and a great deal has depended upon the activity of the Member of Congress. We should all be very glad if that day could come when without effort on our part——

Mr. MADDOX. Will the gentleman allow me to interrupt him just there?

The CHAIRMAN. Does the gentleman yield?

Mr. HEMENWAY. Certainly.

Mr. MADDOX. Knowing my friend to be a very active man, I should like to ask him how many free rural-delivery routes has he in his district?

Mr. HEMENWAY. I do not know. I think, though, it is in the neighborhood of a hundred, perhaps more than that. I am not sure as to the number I have, but I know that the active Member of Congress does get the most routes established. The gentleman from Georgia is an active Member of Congress, because that has been demonstrated here; and if he would compare the number of routes in his district with the average number it would be found that he has twice as many routes in his district as he is entitled to. He has 91 routes, and when you divide the number of routes that there are in the United States among the Congressional districts you will find that on that basis each district is entitled to about forty.

Mr. MADDOX. Just a word.

Mr. BATES rose.

The CHAIRMAN. To whom does the gentleman yield?

Mr. HEMENWAY. I will yield first to the gentleman from Pennsylvania.

Mr. BATES. I should like to ask the gentleman from Indiana if, in the awarding or allowing of free rural-delivery routes, not only the activity of the Member of Congress and the interest of the postmaster, but also the desires of the people who have petitioned, are consulted by the agent and reflected in his report, and not only the desire of the people for the service, but the use which they would make of it if it were given them?

Mr. HEMENWAY. Why, I have no doubt that in many districts the people do not want free rural delivery at all—do not petition for it. There are many districts all over the United States where the people are not asking for it now.

Mr. MADDOX. In making that calculation, when I said I had ninety-one routes, there are some twenty, and probably thirty, of those routes that have been put in force in my district since this estimate of 1903, which was surveyed last year.

Mr. HEMENWAY. Yes. Well, I congratulate the gentleman on getting so many routes recently, and I congratulate the people of his district upon having such a Representative in Congress, who does get for them all they are entitled to.

Mr. MADDOX. The gentleman is misled again. They were put in operation lately, but they were absolutely surveyed out and recommended nearly twelve months before they were put in operation.

Mr. HEMENWAY. Well, the same condition exists in other districts. The same condition existed in the district that I have the honor to represent. I had routes laid out more than twelve months before they were put in operation. They were put in operation on December 15—to-day. Now, I have no doubt the Members of the House have been active, the Members of the Senate have been active, and routes were laid out faster than there was money to put them in operation. The Department can not now put in operation all the routes that are laid out with the appropriation they have, and the result is that there has been a delay.

Now, Mr. Chairman, this is a great service. It is going to cost the country millions and millions of dollars before we get through with it, and it is in the experimental stage yet. We have hardly got started before the carriers think they are entitled to more pay, and perhaps they are; and the Members of Congress become impatient because they do not all get the same number of routes at the same time, just as my friend from Georgia did; but when the figures are presented here he has more than twice as many routes as he is entitled to if they were divided fairly among the Representatives of the different districts of the country.

Now, the people of my district were not anxious, to start in with, to have free rural delivery. They were slow about taking hold of it, and many districts in Indiana had seven or eight routes to my one; but finally my people caught on and said they wanted this service, and we went to getting it for them as fast as we could. I have no doubt there are many districts yet in the United States that have not made very many applications for these routes. The reason why Indiana and Iowa and the Central States had some routes laid out before other States—routes that were put in operation away back several years ago—is that when they were experimenting with rural free delivery they started out in those States.

Mr. MADDOX. They had two of them in my county at the very earliest day.

Mr. HEMENWAY. That is another reason why the gentleman is ahead of the other districts.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VAN VOORHIS. I yield to the gentleman further time.

Mr. HEMENWAY. The people were educated up to rural delivery in the district of the gentleman, and in Iowa and Indiana and in the other States where the question was first discussed, and the result is that the Members from those States have more of those routes now. Now, as time rolls on I have no doubt that

other gentlemen will have established in their districts a sufficient number of free rural delivery routes——

Mr. SHACKLEFORD. I should like to ask the gentleman from Indiana whether his view of it is not contradicted by the statement of the gentleman from Georgia that there were 4,000 routes that had been applied for that had not been established in that territory of which he spoke?

Mr. MADDOX. Three thousand nine hundred.

Mr. SHACKLEFORD. In round numbers that is 4,000. Now, the Members of Congress are active enough in presenting petitions and the people are active enough in asking for the routes, and yet they are not established, while other routes are being established in Iowa and these other Republican States.

Mr. HEMENWAY. You can not figure on the number of petitions filed, because that depends upon what the policy of different Members of Congress has been. I know some Members of Congress have opposed the filing of petitions, and have said to the Department that they did not want two or three routes established in a county. They wanted county service, and when the Department should take up a county that they were to supply all of it. They have thus discouraged the filing of petitions. I know of many Members of Congress who have asked their constituents not to file petitions.

Mr. CLAYTON. May I interrupt the gentleman to suggest to him that perhaps that is the reason that you have not got more routes for your side? We thank you for that mild protest you made.

Mr. HEMENWAY. I extend my sympathy to the distinguished gentleman, who seems to be unable to get what he desires.

Mr. CLAYTON. I have been exceedingly active, but did not happen to be a member of the Committee on the Post-Office and Post-Roads, and did not happen to be a Republican.

Mr. HEMENWAY. I am not a member of the Committee on the Post-Office and Post-Roads and I do not think the gentleman from Georgia is either, and that is what I stated at the outstart. I do not think the gentleman made an insinuation about the means by which these routes were to be secured. I do not think they will have to cater to anyone to secure their routes.

I know the gentleman from Georgia is too proud-spirited a man, and I know he would not cater to any living man on earth to secure a favor. So that I know that so far as the routes in his district are concerned they have come on account of the activity of the people in putting in petitions and his activity as a Member of Congress in looking after their business. The result has been that he has secured ninety-one routes in his district. I think I have the same number and possibly a few more. I simply rose for the purpose of protesting against this idea going out that you have got to be a member of some particular committee to secure recognition.

Mr. MADDOX. Does the gentleman understand that a Member had to be a member of the committee?

Mr. HEMENWAY. You are not the gentleman I am speaking of; it was the gentleman who just took his seat who said that.

Mr. CLAYTON. I did not say any such thing. The members of the Post-Office Committee and Republicans have gotten more of these routes than other men; and those of us who happen not to be members of certain committees and do not happen to be Republicans have been discriminated against, and the figures of the office will show it.

Mr. HEMENWAY. The gentleman, in making his statement as one man——

Mr. MADDOX. The gentleman must not understand that I made any insinuation in any way myself. I was simply speaking from the record.

Mr. HEMENWAY. The gentleman has not insinuated anything, and I say to the gentleman that I know him so well that I can take his statement as an illustration of the man who does make this insinuation. The man who goes after the offices has succeeded in getting ninety-one routes, and he is not a member of the Post-Office Committee and not a Republican.

Mr. ROBINSON of Indiana. I hope my colleague will not take his seat until he disavows that the rural free-delivery service has been used for partisan purposes in Indiana.

Mr. HEMENWAY. How many routes has the gentleman in his district?

Mr. ROBINSON of Indiana. The gentleman has misconceived my question.

Mr. HEMENWAY. How many routes has the gentleman in his district?

Mr. ROBINSON of Indiana. I am not able to say, but I hope the gentleman, as chairman of the Committee on Appropriations, who is familiar with this service, will disavow that that service has been used in Indiana for partisan purposes.

Mr. HEMENWAY. If the gentleman will answer my question, it will answer his.

Mr. ROBINSON of Indiana. I believe I have nearly a hundred.

Mr. HEMENWAY. And the gentleman is a Democrat.

Mr. ROBINSON of Indiana. And for that reason I asked the gentleman to disavow that in Indiana at this time it is used for partisan purposes. Will he do it?

Mr. HEMENWAY. It is not necessary to disavow it. Here are two Democrats, neither members of the Committee on the Post-Office and Post-Roads, and neither having their seats upon this side of the House, with more than twice the number of routes that they are entitled to be given. The Member always gets the credit of securing those routes, and it is well understood in Indiana that "JIM ROBINSON" can get more free-delivery routes than anybody else in Indiana. [Laughter.]

Mr. ROBINSON of Indiana. I only wanted the gentleman to disavow that they were used for partisan purposes in Indiana.

Mr. HEPBURN. Mr. Chairman, I think in the district I represent there are now something over 190 established rural routes—not as many as I want and not as many as I intend to have, if it is possible to get them. [Laughter.] I have been diligent in the filing of petitions, diligent in striving to have the routes examined, and diligent in trying to secure the establishment of the routes. I live in a district that is of a peculiar shape—long and narrow. I can start from the western limit of that district and travel 168 miles due east through a continuous lane, with a schoolhouse every 2 miles along these roads. [Applause.] I undertake to say that there is no other district, or scarcely one, in the United States where there are so many arable acres in proportion to the entire aggregate. There is not a mountain, there is not a lake, there is not a sand reach, there is not a morass to diminish the great aggregate of arable acres. It is all now in use, and, for a country of farms, densely populated.

I undertake to say that, while there are that number of routes, the mail handled and the number of routes is not disproportioned to those in the district of the gentleman from Georgia [Mr. MADDOX]. Some of these routes handle over 6,000 pieces a month. Has the gentleman from Georgia a route in his district where the same service is rendered?

Mr. MADDOX. I will say that I believe I have. I have no way of knowing, for I have not investigated.

Mr. HEPBURN. If the gentleman has I am glad of it. I say that the routes in my district will average 4,000 pieces of mail per month. Now, ought there not, in communities of that kind, to be a larger number of routes than in a district where the illiteracy is very much greater, where the number of newspapers taken is infinitely less, where the mail matter handled is inconsiderable?

Mr. MADDOX. But the argument was in behalf of these rural delivery routes, that it was for the purpose of educating the people.

Mr. HEPBURN. Of course it is, but you have got to have the schoolhouse first. [Applause.] There is another thing, Mr. Chairman, that ought to be considered here, perhaps. The Republican party favored this enterprise, and our people were taught early its advantages. The Democratic party opposed it.

Mr. MADDOX. Mr. Chairman, that is not correct.

Mr. HEPBURN. We made two appropriations that a Democratic Postmaster-General refused to expend because he stated that he could not administer the law.

Mr. MADDOX. The gentleman from Iowa is not correct. The first appropriation that was ever made in Congress for rural delivery service was made on the motion of a gentleman from my State, Tom Watson.

Mr. HEPBURN. Yes; and a Democratic Postmaster-General refused to expend it. He said he could not administer the law. He permitted two appropriations to remain in the Treasury, and no attempt was made to establish the routes until McKinley came in.

Mr. MADDOX. Mr. Chairman, that statement by the gentleman from Iowa is a mistake. Postmaster-General Wilson was the first man that put them in operation, and these routes were absolutely at work before McKinley was ever elected. The gentleman from Iowa is off on that.

Mr. HEPBURN. The gentleman from Georgia is clearly mistaken; it was Postmaster-General Wilson that refused to administer the law.

Mr. MADDOX. There were several routes in operation before McKinley was elected.

Mr. HEPBURN. Did not President Cleveland, in one of his messages, say it was impracticable?

Mr. MADDOX. I do not know about that.

Mr. HEPBURN. You ought to know. [Laughter.]

Mr. MADDOX. I will say that there were routes in operation before McKinley was elected. The first appropriation was for $10,000 in the Fifty-second Congress, and in the Fifty-third Congress there were $50,000 appropriated, and Postmaster-General Wilson put them in operation.

Mr. HEPBURN. The gentleman is right about the appropriations, but he is wrong as to the use of the appropriations, and the gentleman is wrong as to the spirit in which the Democratic party received this appropriation. They were opposed to it.

Mr. MADDOX. I say that Postmaster-General Wilson put the free-delivery service into operation as an experiment before McKinley was nominated for President or thought of. [Laughter on the Democratic side.]

Mr. HEPBURN. I have no doubt the gentleman thinks he is correct, but he is mistaken.

Mr. SMITH of Kentucky. I wish to say, Mr. Chairman, from actual knowledge, that there was a rural route in operation in my district before the McKinley Administration.

Mr. CLAYTON. I can say the same thing for mine.

Mr. FLOOD. There were two routes in operation in the district I represent before the election took place in 1896. I know that.

Mr. HEPBURN. Gentlemen have proven too much. The whole of this argument was to show that there was unfairness and discrimination upon the part of the Republican Administration against the Democrats [laughter]; and now a number of you gentlemen belonging to the Democratic party are telling us that you have been in the enjoyment of routes which we have never heard of. [Renewed laughter.]

Mr. BURLESON. The statements of the gentleman from Iowa with reference to rural routes are just as accurate as his statements the other day with reference to the tariff.

Mr. VAN VOORHIS. I yield to the gentleman from Massachusetts [Mr. GARDNER] as much time as he may desire.

Mr. GARDNER of Massachusetts. Mr. Chairman, the gentleman from Minnesota [Mr. LIND] spoke yesterday for a long time on a combination of two subjects. One was the question of the future annexation of Canada; the other was the question of the closer trade relations of our people with the Canadians. As the gentleman's remarks have not yet been published in the RECORD I am somewhat at a loss how to reply to him without necessarily making some errors, and attributing to him things he may not have said.

I wish to take up the question of closer trade relations with Canada from the point of view of a man whose neighbors are the maritime provinces, whereas the gentleman from Minnesota has spoken to us entirely from the point of view of a man whose neighbor is the great wheat-producing country of Manitoba.

I am well aware that the State of Massachusetts is a very small part of the earth's surface. I am very well aware that we should be lost in the gigantic territory of Minnesota. But I can not forbear calling to the gentleman's mind the fact that after all we have about 1,000,000 more people in Massachusetts than there are in his State. And it is not a question of acreage when we come to measure human interests, but rather a question of population, and perhaps to a lesser extent a question of valuation.

Now, I suppose that we all in a general way believe in the propriety of closer trade relations with Canada and perhaps in reciprocal treaty arrangements with Canada in such products as are noncompetitive, but as Americans we are very much inclined to look around first and see whether any particular proposition which may be made is what we call a "good bargain." I submit to this House that when 80,000,000 people propose to throw open their trade in return for the trade of 5,000,000 people, it requires a good deal more comprehensive view of the situation than was given yesterday by the gentleman from Minnesota before we can establish any general rules which will not result in a bad bargain for the 80,000,000.

I can very well understand that the millers of Minneapolis may wish to reduce to flour the wheat that is grown in the great northwestern portion of the Dominion of Canada; but it becomes a very different proposition to the people of Massachusetts whether or not they are going to see established amid the cheap labor of the maritime Provinces the cotton mills and the shoe shops which give us our life. The gentleman from Minnesota told us how last summer he went through the gigantic Provinces of Assiniboia and Alberta and Manitoba and Saskatchewan; he told us how each of these Provinces is covered with grain fields; and he went on to say that in a few years they will be populated by our own people. Now, the gentleman has exaggerated the state of affairs existing in those great Provinces of the Canadian northwest—Provinces which by reason of the nature of their territory as it now exists can not support a dense population. I wish to call the attention of this House to the fact that the combined population of Manitoba, Alberta, Assiniboia, and Saskatchewan can be fitted into eighteen wards of the city of Boston and then take up only two-thirds of the territory.

Now, it is not fair to speak of the Dominion of Canada as if its population were all of the same race and all speaking the same language. I am a near neighbor to the Province of Quebec, which has nearly 2,000,000 of the 5,000,000 inhabitants of all Canada. Do they speak the same language? I venture to say that on the line of the Intercolonial Railway you can go from village to village and not even find a single man to act as interpreter of the English language. Do they have the same standard of living? Ask any French-Canadian who comes down and earns his living in Massachusetts, and he will tell you "no." Their standard of living is of necessity far inferior to ours; they do not speak the same language; and undoubtedly if, by a reciprocity measure or any other form of legislation, you choose to lay open the markets of the United States to the products of the inhabitants of the Province of Quebec, the result would be that the French-Canadian and every other man in our cotton mills and our shoe shops in Massachusetts would be called upon to compete with the low pay and low standard of living of the inhabitants of that Province.

The French-Canadians in our shoe shops are workmen of the highest skill. They maintain in the United States the same high standard as other men. Undoubtedly the men of their race whom they have left behind are just as skillful, but they work for small pay and their labor laws are undeveloped.

God help the people in the cotton mills of Massachusetts if they have to compete with any more communities that have no child-labor laws and with any more underpaid labor. We have on the south gigantic competitors in coarse cotton goods employing underpaid and child labor. I venture to say that not more than two States to the south of Washington have efficient and proper child-labor laws. Are you going by reciprocity or under the guise of academic propositions in regard to closer trade relations to add to this southern competition the competition of the Dominion of Canada, with equally underpaid labor and almost as inefficient labor laws?

It is not only the Province of Quebec which must be considered by those who inhabit the northeastern part of the United States. That is not the only maritime province, though, as I have said, there are nearly 2,000,000 of people, mostly of French descent, in that province; and I raised the question yesterday as to whether the gentleman from Minnesota [Mr. LIND] was aware of the prolixity of those same people. He seemed to think it was not a material point of the argument, but it is. When France ceded the Dominion of Canada to Great Britain in the latter part of the eighteenth century, there were only 90,000 Frenchmen in the whole Dominion. Since that time every twenty-five years has shown that same French population to have been doubled without the influx of any emigrants from the mother country, until to-day there are probably 2,300,000 or 2,500,000 people of French descent in North America, of which perhaps 800,000 may be in New England and the rest in the Province of Quebec. That is a very material question when you are talking about establishing closer trade relations with Canada by means of reciprocal measures or otherwise.

I do not mean to say that a treaty can not be devised which will not be of advantage to both nations. I do not mean to say that I oppose reciprocity with Canada, but I do mean to say that before we go seriously into this subject let us see a reciprocity treaty which reciprocates. Let us see one that gives us a good bargain. That is the essence of the question, whether it is a good bargain or not, not whether it meets with the academic proposition that we must have closer trade relations with Canada. I am not ready to sacrifice the fishing interests, the cotton interests, and the shoemaking interests of my district in order to enable the inhabitants of the city of Winnipeg to obtain the surplus supply of strawberries from the State of Minnesota. [Laughter.]

Mr. Chairman, as I have said, the Province of Quebec is not our only neighbor. There is Nova Scotia and there is Newfoundland, the latter, to be sure, outside of the Dominion, but for the purposes of this discussion classified as a part of Canada. My constituency comes in direct competition with those people in the fisheries. The fisheries is a very important industry for us. It is an important industry for the whole nation, as it is in the fleets of Gloucester that the best men are turned out for petty and warrant officers in the Navy in times of war. You have no other such nursery for seamen in the country.

I could scarcely believe my ears yesterday when I heard the gentleman from Minnesota accusing the United States of continually nagging, irritating, and misusing Canada. Human nature must be very different in his part of the country. With us it is the Canadians that are continually nagging and misusing and ill-treating our Gloucester fishermen.

I could multiply instance upon instance, but I shall not. I shall only name perhaps two or three instances which come to my mind.

I hold in my hand the CONGRESSIONAL RECORD of 1900, and I quote from a speech of my predecessor, Secretary Moody, referring to the *Frederick Gerring* case. A certain fisherman, by many years of toil upon the sea, had gathered together money enough to own a little vessel. He was out fishing some years ago

off the coast of Nova Scotia, more than 6 miles from any part of the mainland. He was fishing upon the high seas, upon God's highway, where American citizens have the same right as the citizens of Great Britain. That man consulted a Canadian cruiser on the spot as to whether or not he was fishing outside of the 3-mile limit. The Canadian cruiser replied that he was doing so. As he pulled up his catch his vessel drifted a little toward shore, and another Canadian cruiser came along and took him into port, went through the necessary proceedings, claimed his capture inside the 3-mile limit, and forced him to give up his ship and his catch. Poor Captain Morris was totally ruined.

Now, I am going to tell you facts in this case that are a matter of record and not a matter of the opinion of some individual. The Canadian courts conceded that he was fishing outside the 3-mile limit, where he had a right to fish. The Canadian courts conceded that when he attempted to pull in his catch he was still outside the 3-mile limit if measured from headland to headland; and they had to take a little rock, uninhabited and of no account, far out in the ocean and measure from that rock in order to bring the man within the 3-mile limit. Moreover, after the Secretary of State had moved in the matter time and again; after the Senators from my own State had appealed again and again, finally the Canadian authorities conceded the wrongdoing and offered to give the man back his ship if he would pay the costs of its detention. Meanwhile these costs had mounted up to far more than the value of the ship and the catch. What folly! What a graceless concession and what a real injustice.

Now, Mr. Chairman, that is one instance. Listen to what follows. We have had the treaty right since 1819 to fish in the Bay of Islands for herring or such other fish as we may catch. Can we fish there? No; we can not fish there. No man who sails out of Gloucester can fish there, because the inhabitants of Newfoundland come out at night with their guns and tear up our nets. What is more, they are supported by the Canadian cruisers, and no United States cruiser on the ground. We have the undoubted right to fish in the Bay of Islands, but we can not do it because they will not recognize our treaty rights.

A third illustration came to me within the week.

The mackerel fleet is a very important element in the fishing industry of my district. The captain whom we call the "high-liner" of the mackerel fleet—that is to say, the skipper who year in and year out has the greatest average catch—is a man by the name of Captain Jacobs. He is a progressive man and he has introduced auxiliary steam in fishing, which is an innovation. The Canadian government last year granted him a license, as they were bound to do under their regulations. For this license he paid, enabling him to tranship his crew, to refit, and so on, and three days later, when they found that he had auxiliary steam, they canceled his license without rhyme or reason. That man has been protesting ever since, and not one atom of justice can he get from these neighbors of ours on the north, whom we were told yesterday that we were continually irritating and abusing.

Now, I wish to say a word about the whole subject of reciprocity treaties, and I can but suppose that it was in support of such treaties that the gentleman from Minnesota spoke yesterday. I can not suppose that the question of the annexation of Canada is pressing on the American people to-day; but one of the great questions which is continually agitating the United States, and more especially the community I represent, is this very question of reciprocity.

I know that many people in my district are in favor of reciprocity when it does not tread on their particular corns. I am well aware that throughout the United States you can find the same sentiment and even a more general sentiment in favor of reciprocity confined to noncompetitive articles. But when you come down to reciprocity in competitive articles I should like to tell this House about the only reciprocity treaty with the country north of us that I know anything about. I understand thoroughly the provisions of the Hay-Bond treaty, so called, which was before the Senate for ratification last year. I do not pretend to know about other Canadian reciprocity treaties, but I know all about that treaty; and, if the other treaties are anything like that one, I think it would be well for even the gentleman representing the city of Minneapolis to reconsider before he advocates rushing headlong into closer trade relations with Canada.

The Hay-Bond treaty, so far as the concessions of the United States were concerned, was a proposition to admit free into the United States all the products of the cod fishery and the cod itself. That was substantially the proposition, and it would have utterly ruined the cod fisheries of Gloucester. It would have utterly ruined the packing industries for fish in Massachusetts. If these products had been admitted free, in ten weeks the people in St. Johns could have set up establishments in Newfoundland for packing and curing fish. It was death to Gloucester, and yet resolutions in favor of the treaty were passed by the Board of Trade of the city of Boston. It was supported by most of the salt-fish dealers in Boston, naturally enough, and by a great many other bodies. Why? Because that treaty ostensibly put on the free list of Newfoundland seventy-one different articles produced in the United States. My constituents said to me again and again, "Why, here is so-and-so that they have put on the free list. You are not going to oppose that?" My invariable answer was, "My dear sir, have you examined the Newfoundland tariff as it exists to-day, to see whether that article is not already on the free list?"

Out of those seventy-one articles which they ostensibly put on the free list sixty-three were already on the free list, and there was no concession whatever. Of the remaining eight, seven were different kinds of agricultural implements, which could be imported into Newfoundland for use, but not for sale; and the seventy-first and sole article in which they made a real concession was gas engines, when protected by patent. Now, think of that for a treaty; think of that having passed muster without one single soul taking the trouble to compare the tariff existing in Newfoundland to-day with what it was proposed to establish by the Hay-Bond treaty.

Now, Mr. Chairman, I can not go at length into the various other modifications of the treaty. That is a sample of what I might in other places refer to as the "gold brick" that was handed to us. I will venture to say that if you will look into Canadian reciprocity treaties of the future you will find that, although they can not be any worse for us than the Hay-Bond treaty, they may be very nearly as bad.

Mr. SWANSON. If the gentleman will permit me, who negotiated that treaty? Was it negotiated by President Roosevelt?

Mr. GARDNER of Massachusetts. Mr. Chairman, I am obliged to admit that the treaty was negotiated by a Republican State Department. I will admit that sometimes my own party is capable of making just such errors as the gentleman invited my attention to; but it does not, on the whole, speak well for the care with which the members of his party examine reciprocity propositions in which they are so much interested. That such a state of affairs as the submission of that treaty to the Senate with those provisions in it escaped the notice of them all is remarkable in view of the fact that they, more than anyone else, are interested in the academic proposition of reciprocity. [Applause on the Republican side.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. HAMILTON having taken the chair as Speaker pro tempore, sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. BRUNDIDGE. Mr. Chairman, I yield twenty-five minutes to the gentleman from Illinois.

Mr. RAINEY. Mr. Chairman, in the brief time I propose to speak I shall address my remarks to the recent events occurring on the Isthmus of Panama which have attracted the attention of the civilized world. I propose to consider the building of the Panama Canal in its relation to a deep waterway from the Great Lakes to the Gulf of Mexico. The Republic of Panama is an established fact. Nothing I can say will in any manner alter existing conditions. It has been recognized by the great world powers, and so far as I am concerned as a citizen of this Republic and representing here in part one of its greatest States, I would not alter existing conditions if I could.

Looking at the matter as a question merely of ethics, the present Administration might be subjected to some criticism; but great world movements do not wait upon questions of ethics. I have no word of criticism or condemnation for the high officials of this Government who have conducted and carried to a successful issue these negotiations. The canal is now an assured fact. It will be constructed along the route already selected by the Congress. It is too late now to discuss the Nicaragua route. The deliberate judgment of this House was in favor of the Panama route, and that matter is settled now forever.

It may be that the Republic of Panama sprung quickly into existence. It is true it was quickly recognized by this Administration; but things happen quickly in this new century. It was not recognized too soon to suit me. I am in favor of recognizing republics wherever and whenever they are established. This is Democratic doctrine. It is in harmony with our own origin and with the spirit of our own Constitution. I see no harm in protecting infant republics from the encroachment and tyranny of older and stronger powers.

If the Republican party takes upon itself credit as a party for the events which have just occurred, I sincerely hope it will recognize and follow the precedent it has set and join with the representatives of the Democratic party on this side of the House in

recognizing the rights of self-government in the islands of the seas. It is hardly consistent to recognize the right of 300,000 Spaniards, Indians, and negroes on the Isthmus to govern themselves and to continue to compel the millions of people who live 5,000 miles farther away, beyond our natural boundaries, in the south Pacific Ocean, to yield an unwilling obedience to our Government.

I trust the Republican party will further extend its generous impulses and join with us and say to the people of the Philippine Islands, "You have contended in battle with one of the greatest of the Old World powers; you have earned the right to govern yourselves." If the policy now advocated by the gentlemen on the other side of this House is carried to its logical conclusion, they must soon join with us in proclaiming this doctrine. I congratulate them upon the tendency they are now displaying.

I heard with great interest the eloquent remarks of the gentleman from my own State on the other side of the House [Mr. HITT]; but not until we have accorded complete justice to the people in the Philippine Islands will the following statement made by him be true in substance and in fact. He said:

> Our standing the wide world round, by now many years—not all our history there are some checkered spots—has vindicated the fixed purpose of the people of the United States, as a body, acting always with that aggregate strength which comes as a resultant of the opinions of all, to never do anything that they can not afterwards look the world in the face and answer for and which the world will not justify.

If our recent conduct as a nation in other parts of the world is one of the checkered spots to which the gentleman from Illinois referred, I trust he will now join with us in an effort to expunge from our history this darkest spot of all.

But, in the great events which have just occurred, I do not think the President and his advisers have acted at the dictation of any party or in the interest of any party. They have simply become the instruments to carry into effect the fixed determination of 80,000,000 people. In the history of the centuries the time has come to build the isthmian canal, and the strongest nation in all the world proposes now to build it. For this great work the world has waited through four long busy centuries, and the hour has come. No man or party can afford to stand in the way of this great world movement, for such a man or party there impends certain and immediate disaster.

This is an era of canal building. The Suez Canal is open to the commerce of the world. The great Baltic Ship Canal is now in operation. Almost two thousand four hundred years ago, in the time of Alexander the Great, they planned and projected a canal across the Isthmus of Greece. They waited for three hundred years, and in the time of Nero commenced to build it; but it remained for the present generation, a few years ago, to complete it. We do not propose to wait that long for the Panama Canal.

The era of railroad building is about to come to an end, and the water controlling period of the world is upon us.

The greatest dam ever constructed by man has just been completed across the Upper Nile in Egypt, and the flow of that ancient river through its fertile valley is now absolutely controlled.

The city of Chicago has started to build a road to the sea for its own shipping and for the shipping of the Great Lakes, and without the aid or assistance of the State government or the National Government has already expended for that purpose $35,000,000, and has already constructed a great canal, through which almost any vessel that is able to go through the Suez Canal can pass. Already the city of Chicago has restored to the Great Lakes their ancient outlet, and the blue waters of these inland seas are now again flowing through the Illinois and Mississippi rivers to the Mexican Gulf.

The State of New York has just determined to expend millions of dollars in enlarging the Erie Canal. The citizens of Philadelphia are clamoring for a 35-foot channel to the sea. This is not the time to object or protest; this is the time to act. I see no reason why we should not police the seas in the vicinity of the proposed canal. [Applause.] We ought to prevent the landing of troops by Colombia on the Isthmus. The personal ambitions of a few professional agitators and revolutionists in that part of the world must not be permitted to stand in the way of such an enterprise as this.

But there is another and a more potent reason why no man who lives in the Mississippi Valley ought now to complain of recent events or object.

The time has arrived in the history of the western world when the east and west movement of commerce is, in a measure, about to end, and when the north and south movement of commerce is about to commence. The building of this canal is a most important step in this direction, and its immediate construction becomes a matter of vast importance to every man, woman, and child living in that part of our country which lies between our great mountain ranges.

During the past century and a quarter of our national existence commerce has moved along east and west lines. Our development has been from the East toward the West. Raw material has been brought from the West to the Eastern States. The manufactured product has been shipped back from the East to the West.

As a result of these conditions great transcontinental railways have been constructed. The idea heretofore has prevailed that there is some normal law which compels the movement of commerce across meridians of longitude. As a matter of fact, the natural direction for commerce to move on this continent and in the world is across parallels of latitude. The north and south movement is about to commence.

Our country is now practically fully occupied. There is no longer any considerable westward movement of our population. On the contrary, immigration on this continent has been deflected, and an army of farmers are crossing our northern boundary and occupying the wheat lands of Canada. Already, and within the last twelve months, 100,000 men have left this country and crossed into Canada. The peaceful conquest of that country has commenced.

Our manufacturing establishments are seeking a location near the fuel they burn and the raw material they consume. Within the last five years fires have been started in thousands of factories throughout the Southland.

We are beginning to realize that the omnipotent God has provided the great central portion of our continent with the grandest system of natural waterways in all the world, intended for the purpose of conveying to the sea the products of the Mississippi Valley.

Upon this great system of rivers we have expended during the last century the beggarly sum of $40 per mile each year in a weak attempt to keep them in condition to carry the commerce of those great States where the major portion of our population live. We expend more money than that each year per mile to keep an ordinary country road in repair.

What we need in this country now is an expenditure of less money for navies to sail the seas and the expenditure of more money for the benefit of the people who live at home.

We are arranging to celebrate the one hundredth anniversary of the Louisiana purchase. We are reminded in this connection that the thought underlying that purchase was the Mississippi River and its tributaries as an outlet for a great continental valley.

The dream of the old French voyageurs was a great New France, under a feudal government, extending from the frozen North, along the Lakes, the Illinois and the Mississippi rivers, to the Southern Gulf. That dream is about to be realized by a different race of men, under different conditions, and under a free government.

The great city of Chicago is destined within the next decade to become the commercial and financial center of the country, and is destined to become in the decade after that the commercial and financial center of the world. The time has come when her great interests and the interests of the millions of people who live in the Mississippi Valley demand that she shall have an outlet to the sea. [Applause.]

The different sections of our country are becoming self-sustaining. When that happens commerce must naturally travel across parallels of latitude in order that the products of colder climes may be more readily exchanged for the products of tropical countries.

The northward movement of our agricultural population, the completion by Chicago of her great canal, large enough to permit the passage of almost any vessel that sails the seas, and the prospect that this Government will in the immediate future complete the canal commenced by the French across the Isthmus, thus opening the entire Pacific Ocean to the north-and-south movement of commerce—all these things concur and mark unmistakably the beginning on this continent of a movement of commerce across parallels of latitude.

The development of a great waterway from the Lakes to the Gulf, and through the Gulf to Atlantic ports, and through the isthmian canal to the South Pacific Ocean is now almost an assured fact. It requires only a little more excavation between the Chicago Drainage Canal and the Illinois River, the removal of the locks and dams in that river, a little dredging, some provision for protecting valley lands by levees against the increased flow of water through the rivers, and the thing is done, and the coast line of the United States is, in effect, doubled.

The people of New York State have recently determined to expend an enormous sum of money in deepening and widening the Erie Canal. The citizens of Philadelphia are asking that millions be appropriated by the National Government to connect that city with the sea. While I commend the citizens of New York and the citizens of Philadelphia for the zeal they display, I am constrained to call attention to the fact that their energy is misdirected.

The expenditure of fabulous millions of money can not compel commerce to move again on east and west lines. The Erie Canal

has had its period of usefulness. It will not be a considerable factor in the movement of heavy freight in the years to come, and the expenditure of millions of money will not be able to accomplish an unnatural movement of commerce on east and west lines.

[Here the hammer fell.]

Mr. RAINEY. I ask that my time be extended.

Mr. VAN VOORHIS. How much more time does the gentleman want?

Mr. RAINEY. Ten minutes.

Mr. VAN VOORHIS. I yield to the gentleman ten minutes more.

Mr. RAINEY. With the advent of the new era the necessity for making a seaport out of Philadelphia has disappeared. The needs of commerce do not now demand that sort of thing.

The expenditure of as much money as they propose to expend on the Erie Canal and on the Delaware River would almost complete the improvement of the Lakes to the Gulf waterway. An irresistable rival would be then furnished to the great east and west railroad lines, which propose to merge in spite of governors and courts and laws. A great north and south highway would be opened up which any man might launch his boat and carry his goods free of all charges.

The people of New York and Philadelphia may as well recognize the inevitable. Even in darkest Africa they realize the impending north and south movement of commerce and still cling fondly to the "Cairo to the Cape" railroad project of the late Cecil Rhodes.

The backbone of the Isthmian Canal has always been considered in connection with a "Lakes to the Gulf" waterway. In 1845, just prior to the canal treaty entered into between this Government and New Granada, the state which preceded Panama on the Isthmus, and while the then proposed treaty was being discussed, a great deep-waterway convention met in the city of Memphis, Tenn., presided over by John C. Calhoun and attended by 353 delegates. This convention adopted the following resolution:

Resolved, That the project of connecting the Mississippi River with the lakes of Canada by a canal, and thus with the Atlantic Ocean, is a measure worthy the enlightened consideration of Congress.

Over a half a century passed by, and on the 27th day of October of this year, just prior to the making of the present treaty with the successor of New Granada on the Isthmus and while it was being discussed, another great deep-waterway convention met, this time in the city of New Orleans, and adopted the following resolution:

Be it resolved, That the convention of delegates representing the States of the great Mississippi Valley from Lakes to the Gulf of Mexico, gives its unqualified approval to the movement for the construction of a waterway connecting the great Lakes at the North with the Mississippi River and the Gulf of Mexico at the south. We recognize the expenditure of Sanitary by the Sanitary District of Chicago as a practical demonstration of the furtherance of this project. We express the hope that the Senate and Representatives in Congress from the various States represented in this convention will give their encouragement and assistance to Congressional legislation in favor of the completion of the deep waterway, to which the Mississippi Valley States have already given their approval and to which the State of Illinois and the Sanitary District of Chicago are committed as a matter of policy and by the great financial expenditures already made.

Is it by accident these two great questions always present themselves for consideration side by side? I think not. They are both presented at the same time by the irresistible logic of events. The dream of fifty years ago is about to become the reality of to-day.

No man who lives in the great central portion of this country can now occupy upon this floor an attitude hostile to the immediate completion of the isthmian canal along the only route now possible and go home and make a satisfactory explanation to the people who sent him here.

It is the duty of every citizen, wherever he may live, to bow to inevitable conditions and assist in bringing about the completion of the isthmian canal and "the Lakes to the Gulf" waterway, which go hand in hand, and upon both of which depend so largely and so vitally the future development and prosperity of our country. [Prolonged applause.]

Mr. VAN VOORHIS. Mr. Chairman, a number of gentlemen on this side of the House have expressed a desire to address the committee, but they are not present at this time. One gentleman has expressed his wish to address the committee to-morrow. I have also learned from my colleague that gentlemen on the other side of the House will want some time to-morrow. In view of this I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker pro tempore, Mr. DALZELL, having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6758, the pension appropriation bill, and had come to no resolution thereon.

LOUISIANA PURCHASE EXPOSITION COMPANY.

The SPEAKER pro tempore laid before the House the following message from the President of the United States: which, with accompanying papers, was referred to the Committee on Industrial Arts and Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of October, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

LIEUT. COL. L. K. SCOTT.

The SPEAKER pro tempore laid before the House the following message from the President of the United States: which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying papers, in the matter of the claim of Lieut. Col. L. K. Scott, a British subject, for damages, of two American ships destroyed by American forces during the war of 1812, a statement regarding which I lay before the Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

NORWEGIAN STEAMER NICARAGUA.

The SPEAKER pro tempore laid before the House the following message from the President of the United States: which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed:

To the Congress of the United States:

I transmit herewith, as a case not covered by the Fifty-seventh Congress, a report upon the investigation of facts and circumstances relating to the request for authority authorized to be appointed in connection with the settlement of the United States by the owners of the Norwegian steamer Nicaragua.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 15, 1903.

VANDEGRIFT CONSTRUCTION COMPANY.

The SPEAKER pro tempore laid before the House the following message from the President of the United States: which, with the accompanying papers, was referred to the Committee on Insular Affairs, and ordered to be printed.

To the Senate and House of Representatives:

Referring to section 8 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico and for other purposes," I transmit herewith a copy of a contract entered into between the Secretary of War and the Vandegrift Construction Company, of New York, on March 2, 1903, granting to the Vandegrift Construction Company the right to erect and operate a dam and hydraulic power plant, including a reservoir and the land, rights of way, in the island of Porto Rico, for the purpose of supplying energy for water or other power for distribution and sale for lawful business and public purposes.

This contract was approved by the President of the United States on March 31, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 15, 1903.

UNITED STATES LAND UNDER CONTROL OF WAR DEPARTMENT.

The SPEAKER pro tempore laid before the House the following message from the President of the United States: which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a supplemental report by the Secretary of War submitting additional data regarding land owned in the United States under control of the War Department, in further compliance with an item contained in the sundry civil appropriation act approved June 28, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

PAY OF EMPLOYEES.

Mr. HILDEBRANT. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Joint resolution H. J. Res. 93, to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month.

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the Capitol police, their respective salaries for the month of December, 1903, on the 18th day of said month.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the joint resolution.

The resolution was ordered to be engrossed and read a third time, read the third time, and passed.

CLERK OF MINORITY COMMITTEE ROOM.

Mr. HILDEBRANT. Mr. Speaker, I submit the following privileged report from the Committee on Accounts.

The Clerk read as follows:

The Committee on Accounts, to whom was referred the resolution H. Res. 65, having had the same under consideration, report in lieu thereof the following:

Resolved, That the Clerk of the House be, and is hereby, authorized and directed to appoint Charles A. Edwards as clerk for the committee room known as the minority committee room, as provided for by the act approved February 25, 1903.

Also, that the Doorkeeper of the House is hereby authorized and directed to appoint a messenger for the committee room known as the minority room, to be paid at the rate of $100 per month, until otherwise provided by law.

The committee recommend the passage of the substitute.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. MANN was granted leave to withdraw from the files of the House without leaving copies, the papers in the case of Harriet N. Parr, Fifty-seventh Congress, no adverse report having been made thereon.

Then, on motion of Mr. VAN VOORHIS (at 2 o'clock and 45 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Indian Island Slough, North Carolina—to the Committee on Rivers and Harbors and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Patapsco River, Maryland—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Menominee, Milwaukee, and Kinnekinnick rivers, in the city of Milwaukee, Wis.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of South Haven Harbor, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Shrewsbury River, New Jersey—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Huron Harbor, Ohio—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a report of rental collections on account of public buildings and sites—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from Col. T. W. Symons, United States Army, a recommendation for an appropriation for the Grant Memorial—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Quincy Harbor and Bay, Illinois—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Cypress Bayou, with the lakes between the city of Jefferson, Tex., and the Red Rixer—to the Committee on Rivers and Harbors, and ordered to be be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Manatee River, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of resurvey of the harbor of South Milwaukee, Wis.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Trinity River, Texas, between Dallas and the East Fork—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Newport Harbor, Rhode Island—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 2510) for the construction of a steam revenue cutter adapted to service in the waters of Albemarle and Pamlico sounds, North Carolina, reported the same without amendment, accompanied by a report (No. 9); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HAMILTON, from the Committee on the Territories, to which was referred the bill of the House (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz., reported the same without amendment, accompanied by a report (No. 10); which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2089) for the relief of Joseph L. Brown—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3047) for the relief of Cave Johnson—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3671) for the relief of Elenor W. Smith—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3673) for the relief of the heirs of the late William H. Finch—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3677) for the relief of Ralls Lodge, No. 33, Ancient Free and Accepted Masons—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3678) for the relief of Mrs. Catharine Bedell—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3679) for the relief of George W. Payne—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3680) for the relief of F. H. Hunicke—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 3682) for the relief of John Harper, Alexander Hammontree, and others—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3760) for the relief of the heirs of the late Joseph M. Carrico—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 3891) for the relief of Wesley C. Owens—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 4117) to pay the Standard Steel Casting Company for one 6-inch gun casting—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 4258) for the relief of Maurice Langhorne—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 4570) to provide an American register for the steamer *Beaumont*—Committee on Interstate and Foreign Commerce discharged, and referred to the Committee on the Merchant Marine and Fisheries.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RUSSELL: A bill (H. R. 7615) to provide for a public building at Terrell, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: A bill (H. R. 7616) to amend section 608 of the code of law for the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 7617) to amend section 607 of the code of law for the District of Columbia—to the Committee on the District of Columbia.

By Mr. STEVENS of Minnesota: A bill (H. R. 7618) authorizing the Secretary of War to enlarge, strengthen, widen and improve the bridge across the Mississippi River at Fort Snelling, Minn.—to the Committee on Military Affairs.

By Mr. SHACKLEFORD: A bill (H. R. 7619) construing the provisions of sections 2291 to 2299 of the Revised Statutes of the United States in certain cases—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 7620) defining the limit of navigation of the Osage River in the State of Missouri—to the Committee on Interstate and Foreign Commerce.

By Mr. GRANGER: A bill (H. R. 7621) to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters—to the Committee on Interstate and Foreign Commerce.

By Mr. SIMS: A bill (H. R. 7622) authorizing a survey of the Obion River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7623) authorizing survey of South Fork of Forked Deer River, and for other purposes—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7624) authorizing survey of Forked Deer River, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7625) to reduce taxation on American citizens who use hides, leather, boots, shoes, saddles, and harness—to the Committee on Ways and Means.

By Mr. LIVINGSTON: A bill (H. R. 7626) to provide for the erection of a public building at Atlanta, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 7627) to authorize the erection of a public building at Crookston, Minn.—to the Committee on Public Buildings and Grounds.

By Mr. HOUSTON: A bill (H. R. 7628) authorizing and directing the Secretary of War to cause to be made a survey of Indian River in Sussex County, State of Delaware—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7629) to refund the cotton tax to the States wherein collected—to the Committee on War Claims.

By Mr. CASSINGHAM: A bill (H. R. 7630) for the erection of a public building in the city of Newark, State of Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BELL of California: A bill (H. R. 7631) to open to homestead settlement the relinquished portions of the Round Valley Indian Reservation, in the State of California, and for other purposes—to the Committee on the Public Lands.

By Mr. DENNY: A bill (H. R. 7632) to establish a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. MONDELL: A bill (H. R. 7633) to authorize the Secretary of the Department of Agriculture to execute laws relating to forest reserves—to the Committee on Agriculture.

By Mr. HOUSTON: A bill (H. R. 7634) to establish a life-saving station in Sussex County, State of Delaware—to the Committee on Interstate and Foreign Commerce.

By Mr. BRANTLEY: A bill (H. R. 7635) to place three lighted buoys on the outer bar at Brunswick, Ga.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7636) to construct and place a light-ship off the outer bar of Brunswick, Ga.—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 7637) for survey and estimate of cost of deepening Brunswick (Ga.) inner harbor and outer bar—to the Committee on Rivers and Harbors.

By Mr. ALLEN: A bill (H. R. 7638) to extend the lines of the Capital Traction Company—to the Committee on the District of Columbia.

By Mr. BRANTLEY: A bill (H. R. 7639) for survey and estimate of cost of improving St. Marys River, Georgia—to the Committee on Rivers and Harbors.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7640) for the further protection of interstate trade and to amend "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890—to the Committee on Inter-state and Foreign Commerce.

Also, a bill (H. R. 7641) to prevent and punish overissue of stock by combinations, corporations, companies, or trusts engaged in interstate commerce—to the Committee on the Judiciary.

By Mr. RANSDELL of Louisiana: A bill (H. R. 7642) to protect the Mississippi Valley from destructive floods—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. WANGER: A bill (H. R. 7643) to secure the Government of the United States against unjust demands by postmasters to be paid or credited with the amount of losses resulting from burglary, fire, or other unavoidable casualty—to the Committee on the Post-Office and Post-Roads.

By Mr. BANKHEAD: A bill (H. R. 7644) for the erection of a public building at Tuscaloosa, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. DE ARMOND: A bill (H. R. 7645) to increase the efficiency of the Army by providing for the ranking and promotion of officers according to merit—to the Committee on Military Affairs.

By Mr. PUJO: A bill (H. R. 7646) for checking sporadic outbreaks of the Mexican cotton-boll weevil—to the Committee on Agriculture.

By Mr. CURTIS: A bill (H. R. 7647) to restore the rights of certain militiamen, and for other purposes—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 7648) providing for medals of honor—to the Committee on Military Affairs.

By Mr. BOWIE (by request): A bill (H. R. 7649) authorizing R. R. Asbury and associates to use the water power at Locks 1, 2, and 3 in Coosa River, Alabama—to the Committee on Rivers and Harbors.

By Mr. CHARLES B. LANDIS: A bill (H. R. 7650) for the erection of a public building at Kokomo, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. CRUMPACKER: A bill (H. R. 7679) to establish probate courts in the Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi: A joint resolution (H. J. Res. 67) to amend the Constitution of the United States in relation to income and succession taxes—to the Committee on the Judiciary.

By Mr. DIXON: A joint resolution (H. J. Res. 68) to direct the Secretary of Commerce and Labor to inquire into the cost and feasibility of constructing a wire fence along the Canadian boundary between the Lake of the Woods and Point Roberts—to the Committee on the Public Lands.

By Mr. BARTLETT: A joint resolution (H. J. Res. 69) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month—to the Committee on Accounts.

By Mr. TAYLOR: A concurrent resolution (H. C. Res. 21) for survey and estimate of the cost of dredging the channel at Mobile, Ala., to a depth of 30 feet—to the Committee on Rivers and Harbors.

By Mr. JENKINS: A resolution (H. Res. 94) providing a messenger for the Committee on the Judiciary—to the Committee on Accounts.

By Mr. GRAFF: A resolution (H. Res. 95) that the chairman of the Committee on Claims be authorized to appoint an assistant clerk—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BASSETT: A bill (H. R. 7651) granting a pension to Judson E. Walker—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 7652) for the relief of the personal representatives of James Rhodes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7653) for the relief of Thomas T. Dunn and others—to the Committee on Private Land Claims.

Also, a bill (H. R. 7654) for the relief of the surviving heirs of Isaac Hulse, deceased—to the Committee on Claims.

Also, a bill (H. R. 7655) for the relief of the estate of Martha J. Bailey, deceased, Martha J. Ozment, Alabama Bell, Eugene A. Bailey, and estate of Amanda Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7656) for the relief of Dora Terrell—to the Committee on War Claims.

Also, a bill (H. R. 7657) for the relief of the estate of Daniel H. Avery—to the Committee on Claims.

By Mr. BELL of California: A bill (H. R. 7658) granting an increase of pension to Joseph A. W. Hostetler—to the Committee on Invalid Pensions.

By Mr. BOUTELL: A bill (H. R. 7659) granting a pension to Emma M. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7660) granting an increase of pension to Francis M. Baker—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 7661) for the relief of Nancy Rose—to the Committee on Interstate and Foreign Commerce.

By Mr. BRANTLEY: A bill (H. R. 7662) granting a pension to Arminta C. Wood—to the Committee on Pensions.

Also, a bill (H. R. 7663) for the relief of B. C. Thompson—to the Committee on Claims.

Also, a bill (H. R. 7664) granting an increase of pension to George P. Malloch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7665) to remove the charge of desertion now standing against Furman D. Lee—to the Committee on Military Affairs.

Also, a bill (H. R. 7666) granting an increase of pension to Laura F. Hine—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 7667) granting an increase of pension to Cary D. Chapman—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 7668) granting a pension to Mary Anderson—to the Committee on Pensions.

Also, a bill (H. R. 7669) granting a pension to Josiah Campbell—to the Committee on Pensions.

By Mr. CROWLEY: A bill (H. R. 7670) granting an increase of pension to William H. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7671) granting an increase of pension to Thomas J. Boring—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7672) granting an increase of pension to D. M. Roney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7673) granting an increase of pension to George A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7674) granting an increase of pension to James Gowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7675) granting an increase of pension to William Neely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7676) granting a pension to Hannah Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7677) granting an increase of pension to William K. Spencer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7678) granting an increase of pension to Louis Montjar—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom—to the Committee on Pensions.

Also, a bill (H. R. 7681) granting an increase of pension to Joseph R. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7682) granting an increase of pension to William H. Howard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7683) granting an increase of pension to John W. Jennings—to the Committee on Pensions.

Also, a bill (H. R. 7684) granting an increase of pension to Minor B. Monaghan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7685) granting an increase of pension to Ida C. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7686) granting an increase of pension to Malinda Haley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7687) granting an increase of pension to John Wurster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7688) granting an increase of pension to Jacob Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7689) granting an increase of pension to Ezekiel M. Gribble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7690) for the relief of James Gillieece—to the Committee on Military Affairs.

Also, a bill (H. R. 7691) for the relief of John W. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 7692) granting an honorable discharge to James Coughlin, of North Topeka, Kans.—to the Committee on Military Affairs.

Also, a bill (H. R. 7693) granting a pension to Jessie K. Sirlott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7694) granting a pension to Caroline L. Rouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7695) granting a pension to Josiah C. Ury—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 7696) granting an increase of pension to Silas Mosher—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 7697) granting an increase of pension to Richard H. Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7698) granting an increase of pension to Benjamin Mockabee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7699) granting an increase of pension to Martha del' Banco Cunningham—to the Committee on Pensions.

By Mr. DRESSER: A bill (H. R. 7700) granting a pension to Susannah Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7701) granting an increase of pension to J. H. English—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7702) granting an increase of pension to Jackson Gearheart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7703) granting an increase of pension to William C. Robins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7704) granting an increase of pension to William G. Derrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7705) granting an increase of pension to George W. Brink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7706) granting an increase of pension to John W. Detwiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7707) granting an increase of pension to Louise K. Bard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7708) granting an increase of pension to George W. Gates—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7709) granting an honorable discharge to Jeremiah Dressler—to the Committee on Military Affairs.

Also, a bill (H. R. 7710) granting an honorable discharge to Samuel Bailey—to the Committee on Military Affairs.

By Mr. DRISCOLL: A bill (H. R. 7711) granting a pension to Henry W. Desaw—to the Committee on Pensions.

Also, a bill (H. R. 7712) granting a pension to Emma Crosier—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 7713) for the relief of Elmer Stickle—to the Committee on Military Affairs.

Also, a bill (H. R. 7714) granting a pension to Eunice M. Stickle—to the Committee an Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 7715) granting a pension to Mary L. Alverson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7716) granting an increase of pension to John W. McIntyre—to the Committee on Invalid Pensions.

By Mr. FIELD: A bill (H. R. 7717) for the relief of W. J. Gordon, sr.—to the Committee on War Claims.

By Mr. FOSTER of Vermont: A bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson—to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 7720) granting a pension to William E. Coffin—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 7721) granting a pension to Eliza Clark—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 7722) for the relief of the Nicholasville Baptist Church—to the Committee on War Claims.

By Mr. GOULDEN: A bill (H. R. 7723) granting a pension to Kate H. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7724) for the relief of certain officers of the United States Army—to the Committee on Military Affairs.

By Mr. GUDGER: A bill (H. R. 7725) granting a pension to Alfred M. Hooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7726) granting a pension to Jasper W. N. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7727) granting a pension to Stephen Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7728) granting a pension to Robert M. Boyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7729) for relief of F. M. Rhincheardt—to the Committee on Military Affairs.

By Mr. BASSETT: A bill (H. R. 7730) to reimburse Quong Hong Yick for one case of opium erroneously condemned and sold by the United States—to the Committee on Claims.

By Mr. HAMLIN: A bill (H. R. 7731) granting a pension to Andrew J. Pitts—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 7732) granting a pension to Mary Chenowith—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 7733) granting an increase of pension to Thomas L. Sims—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7734) granting an increase of pension to Lucius E. Frink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7735) granting an increase of pension to Alonzo H. H. Baxter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7736) granting an increase of pension to George Beckley—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 7737) granting an increase of pension to Haward McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7738) correcting the record of Moses Adams—to the Committee on Military Affairs.

Also, a bill (H. R. 7739) for the relief of Mrs. J. W. Yates—to the Committee on War Claims.

By Mr. HITT: A bill (H. R. 7740) granting an increase of pension to Jacob Howe—to the Committee on Invalid Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 7741) granting a pension to Jacob Kisling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7742) granting an increase of pension to Charles E. Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7743) to remove charge of desertion and grant an honorable discharge to James Burroes—to the Committee on Military Affairs.

Also, a bill (H. R. 7744) to remove charge of desertion and grant an honorable discharge to George W. Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 7745) granting an increase of pension to Hiram Lewis—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 7746) for the relief of the trustees of the Methodist Episcopal Church South, at Paducah, Ky.—to the Committee on Military Affairs.

By Mr. KENNEDY: A bill (H. R. 7747) for the relief of J. W. Crawford, postmaster at Riverton, Ky.—to the Committee on Claims.

By Mr. KENNEDY: A bill (H. R. 7748) granting an honorable discharge to John B. Hudson—to the Committee on Military Affairs.

Also, a bill (H. R. 7749) granting an honorable discharge to Benjamin F. [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 7750) granting an honorable discharge to Pierce [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 7751) granting an honorable discharge to James H. [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 7752) granting a pension to William L. Rutter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7753) granting an increase of pension to James Grimsby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7754) granting an increase of pension to Jeremiah Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7755) granting a pension to Barbara Seidel—to the Committee on Invalid Pensions.

By Mr. KEIFHAM: A bill (H. R. 7756) granting an increase of pension to Charles Schroder—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 7757) granting an increase of pension to Cyrus Davidheiser—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 7758) granting an increase of pension to Charles E. Thomas—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 7759) for the relief of the estate of William Crabtree, deceased—to the Committee on War Claims.

By Mr. LORIMER: A bill (H. R. 7760) granting a pension to Sarah R. Pierce—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 7761) granting a pension to Quincy Farman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7762) granting a pension to William J. Allmond—to the Committee on Pensions.

By Mr. MILLER: A bill (H. R. 7763) granting an increase of pension to Eliza Chivott—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 7764) granting an increase of pension to Elizabeth Shaw—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 7765) granting a pension to William Bo[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7766) to correct the military record of and grant a pension to Gideon M. Burriss, of McMinn County, Tenn.—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 7767) for the relief of John Martin—to the Committee on Military Affairs.

Also, a bill (H. R. 7768) for the relief of William H. Sprinkle—to the Committee on War Claims.

Also, a bill (H. R. 7769) granting an increase of pension to Alexander Fiske—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7770) granting an increase of pension to John [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7771) granting an increase of pension to William H. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7772) granting a pension to Robert Leach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7773) granting an increase of pension to Samuel H. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7774) for the relief of Jarius Atkinson—to the Committee on Military Affairs.

Also, a bill (H. R. 7775) for the relief of Martin Lunsford—to the Committee on Military Affairs.

Also, a bill (H. R. 7776) granting an increase of pension to George W. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7777) granting a pension to Chester A. Dryden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7778) granting a pension to Frank H. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7779) for the relief of Peter Scott—to the Committee on Military Affairs.

Also, a bill (H. R. 7780) for the relief of John Welty—to the Committee on Military Affairs.

Also, a bill (H. R. 7781) granting a pension to Mark Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7782) granting an increase of pension to Minerva A. Bing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7783) granting an increase of pension to James A. Gunning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7784) granting an increase of pension to Watson B. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7785) granting an increase of pension to Joshua B. Willis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7786) granting an increase of pension to Lewis Keaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7787) granting an increase of pension to Victoria Pemberton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7788) granting an increase of pension to Mary A. Hunt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7789) for the relief of Frank E. Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 7790) for the relief of Moses J. Robertson—to the Committee on Claims.

Also, a bill (H. R. 7791) granting a pension to Charles C. Jones—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 7792) granting an increase of pension to Lazarus Minnich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7793) to correct the military record of Philip D. Beidel—to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 7794) granting a pension to Louisa R. Chitwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7795) granting an increase of pension to Andrew M. Banks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7796) granting an increase of pension to John W. Coons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7797) granting an increase of pension to George W. Spahr—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 7798) granting an increase of pension to Andrew Black—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7799) to increase the pension of John O. Rice—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 7800) granting an increase of pension to Joseph Timmens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7801) granting an increase of pension to Della J. Rutherford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7802) granting an increase of pension to Elizabeth S. Gannon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7803) for the relief of Andrew Jackson Moudy—to the Committee on War Claims.

Also, a bill (H. R. 7804) granting a pension to Amelia Gertrude Henshaw—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 7805) granting an increase of pension to William N. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7806) for relief of Alice M. Stafford, administratrix of the estate of Capt. Stephen R. Stafford—to the Committee on War Claims.

By Mr. POU: A bill (H. R. 7807) for the relief of the estate of H. D. Coley, deceased—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 7808) for the relief of Mason Shipman, of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 7809) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Va.—to the Committee on War Claims.

By Mr. SHIRAS: A bill (H. R. 7810) granting an increase of pension to Henry A. Harkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7811) granting an increase of pension to William S. Hosack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7812) for the relief of W. J. Kountz—to the Committee on Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 7813) granting a pension to John H. Sumner—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 7814) granting an increase of pension to James G. Andrews—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 7815) for the relief of the heirs of Robert May and others—to the Committee on War Claims.

Also, a bill (H. R. 7816) granting an increase of pension to William J. P. Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7817) granting a pension to Leverett C. Lindley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7818) granting an increase of pension to William John Stewart—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 7819) granting a pension to William T. Edgemon—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 7820) for the relief of John Albright—to the Committee on Military Affairs.

Also, a bill (H. R. 7821) granting an increase of pension to Lovisa M. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7822) granting an increase of pension to G. J. Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7823) for relief of James R. Wyrick—to the Committee on War Claims.

Also, a bill (H. R. 7824) granting an increase of pension to Mary E. Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7825) granting a pension to John Melvin—to the Committee on Naval Affairs.

By Mr. WALLACE: A bill (H. R. 7826) granting an increase of pension to Wiley H. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7827) granting an increase of pension to James W. Ferrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7828) granting a pension to Eraster Coyle—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 7829) granting a pension to Mrs. T. W. Mittag—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7830) granting a pension to H. F. Jones—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7831) for the relief of Mrs. Susan Davis, of Mississippi—to the Committee on Pensions.

Also, a bill (H. R. 7832) for the relief of the estate of J. J. Gaitney, deceased, late Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7833) to carry out the findings of the Court of Claims in the case of the estate of John Willis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7834) for the relief of Robert M. Lay, administrator of Nancy Lay, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7835) for the relief of the legal representatives of Benjamin Roach, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7836) for the relief of R. R. McMullen, administratrix of Thomas J. McMullen, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7837) for the relief of Smith Summers, administrator of John Waters, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7838) for the relief of the estate of Reuben Millsaps—to the Committee on War Claims.

Also, a bill (H. R. 7839) for the relief of the estate of Dr. J. P. Davis, deceased, late of Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7840) for the relief of William D. Wilson—to the Committee on War Claims.

Also, a bill (H. R. 7841) for the relief of John L. McClendon—to the Committee on War Claims.

Also, a bill (H. R. 7842) for the relief of Mrs. M. M. Champion—to the Committee on War Claims.

Also, a bill (H. R. 7843) for the relief of the Methodist Episcopal Church South, of Phoenix, Yazoo County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 7844) for the relief of the estate of Tillman Loggins—to the Committee on War Claims.

Also, a bill (H. R. 7845) for the relief of Mrs. Susan Davis, of Mississippi—to the Committee on Pensions.

Also, a bill (H. R. 7846) for the relief of Caroline V. English—to the Committee on Military Affairs.

Also, a bill (H. R. 7847) for the relief of F. P. Brower—to the Committee on the Post-Office and Post-Roads.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BOUTELL: Paper to accompany bill granting a pension to Francis M. Baker—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: Paper to accompany bill H. R. 6526, granting an increase of pension to Charles Stuart—to the Committee on Invalid Pensions.

By Mr. CROWLEY: Papers to accompany bill for increase of pension to William K. Spencer—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Thomas J. Boring—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 4159, to pension James Morris, and to accompany bill H. R. 3768, to increase pension of Joel D. Baker—to the Committee on Invalid Pensions.

By Mr. CURTIS: Resolution of Woodson Post, No. 185, Grand Army of the Republic, of Yates Center, Kans., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of the Association of Commissioners of the Levee Drainage Districts, relating to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. DRISCOLL: Paper to accompany claim of Charles E. Hill—to the Committee on Claims.

By Mr. ESCH: Resolution of the Milwaukee Chamber of Commerce, relating to fractional paper currency—to the Committee on the Post-Office and Post-Roads.

By Mr. GILBERT: Paper to accompany bill granting increase of pension to Samuel McClure—to the Committee on Invalid Pensions.

Also, paper to accompany bill to pension Robert T. Mattingly—to the Committee on Invalid Pensions.

By Mr. GUDGER: Papers to accompany bill granting a pension to Jasper N. W. Rogers—to the Committee on Invalid Pensions.

Also, petition of citizens of Madison County, N. C., to grant a pension to Stephen Rice—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompany bill H. R. 5558, for the relief of William L. Thompson—to the Committee on War Claims.

Also, papers to accompany bill H. R. 5554, for the relief of Cordelia N. Brooks—to the Committee on Pensions.

Also, papers to accompany bill H. R. 4925, for the relief of John Boyle—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 5550, for the relief of Elihu Millikan—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 5555, for the relief of James R. Hauptley—to the Committee on Invalid Pensions.

Also, petition of Henry P. Lay et al. and map to accompany bill to define the head of navigation of Osage River, in the State of Missouri—to the Committee on Rivers and Harbors.

By Mr. HINSHAW: Resolution of Robert Anderson Post, No. 32, Grand Army of the Republic, Department of Nebraska, favoring passage of bill H. R. 4067, providing for service pension—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill granting a pension to Gideon M. Burriss—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to William Boyd—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolution of board of directors of the Chamber of Commerce of the city of Milwaukee, Wis., in favor of a fractional postal currency—to the Committee on the Post-Office and Post-Roads.

By Mr. PAYNE: Paper to accompany bill to increase pension of Nicholas Carroll—to the Committee on Invalid Pensions.

By Mr. RYAN: Resolution of the Upper Mississippi River Improvement and Levee Drainage Association, favoring erection and maintenance of levees by the Government—to the Committee on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Convention, favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Protest of citizens of Portland, Mich., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SNOOK: Paper to accompany bill H. R. 3460, granting an increase of pension to Louis P. Anschutz—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: Papers to accompany bill H. R. 1901, to increase pension of Warren F. Barnes—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *December 16, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. ALBERT J. HOPKINS, a Senator from the State of Illinois, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

STATUE OF GENERAL SHERMAN.

The PRESIDENT pro tempore laid before the Senate a communication from Gen. Grenville M. Dodge, president of the Sherman Statue Commission, relative to an appropriation for the improvement of the grounds in the vicinity of the Sherman statue, and that they be known as the "Sherman Plaza;" which, with the

accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF ATTORNEY-GENERAL OF PORTO RICO.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney-General transmitting pursuant to law the annual report of the attorney-general of Porto Rico; which, with the accompanying report, was referred to the Committee on Pacific Islands and Porto Rico, and ordered to be printed.

REPORT OF ISLAND GOVERNMENT OF GUAM.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Navy, transmitting the annual report of the Governor of the Island of Guam, for the year ended June 30, 1903; which, with the accompanying report, was ordered to lie on the table, and be printed.

GEOLOGICAL SURVEY MAPS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a list of maps of the United States and Territories published during the fiscal year ended June 30, 1903, and a list of maps so published which are exhausted; which, with the accompanying papers, was referred to the Committee on the Public Lands, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Rockland, of the Woman's League, the Woman's Christian Temperance Union, and the congregation of the Methodist Episcopal Church of Lincoln, all of the county of Penobscot, and of the Methodist Episcopal and First Baptist Churches of Cambridge, of the congregation of the First Baptist Church of San Bernardino, of the Woman's Christian Temperance Union of Farmington, of the Woman's Christian Temperance Union of Lemon Grove, and of the Woman's Missionary Society of the First Congregational Church of San Diego, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the State Grange of Delaware, praying that Yan Phon Lee, lecturer of Kent County Pomona Grange, in that State, be granted naturalization as a citizen of the United States; which was referred to the Committee on the Judiciary.

Mr. NELSON presented sundry papers in support of the bill (S. 2056) providing for the erection of a public building at Alexandria, Minn.; which were referred to the Committee on Public Buildings and Grounds.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Keene, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HALE presented petitions of the congregation of the Warren Congregational Church, of Westbrook; of the Young People's Society of Christian Endeavor of Westbrook, and of the Woman's Christian Temperance Union of Westbrook, all in the State of Maine, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PROCTOR presented petitions of the Woman's Christian Temperance Union of St. Johnsbury, of the Woman's Christian Temperance Union and congregation of the Baptist Church of Montgomery Center, and of the congregation of the First Congregational Church of Brattleboro, all in the State of Vermont, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BARD presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the enactment of legislation to restrict Japanese immigration; which was referred to the Committee on Immigration.

He also presented a petition of the Merchants' Exchange of Oakland, Cal., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the California Central Coast Counties Improvement Association of San José, Cal., praying for the enactment of legislation providing for the establishment of a Government military training camp on the Nacimiento Ranch, in San Luis Obispo and Monterey Counties, in that State; which was referred to the Committee on Military Affairs.

He also presented a petition of the Board of Trade of San Francisco, Cal., praying that an appropriation be made for the improvement of Southern Harbor, which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Diego, Cal., praying for the enactment of legislation providing for the fortification of the Panama Canal; which was referred to the Committee on Fortifications.

He also presented resolutions of the [illegible] of the First [illegible] Club, of San [illegible], Cal., and of the Presbyterian [illegible] of Los Angeles, Cal., remonstrating against the ratification of the Panama Canal treaty; which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Grange No. 322, Patrons of Husbandry, of Vassalboro, Me., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Southwestern Lumbermen's Association of Kansas City, Mo., remonstrating against the enactment of legislation relative to the use of the mails for certain classes of lottery contracts of insurance; which was referred to the Committee on Post-Offices and Post-Roads.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont; and

A bill (S. 352) for the relief of the representatives of M. F. Merritt, deceased.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 178) for the relief of the owners of the British ship *Boscolia* and cargo, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 175) for the relief of Robert D. McAfee and John Chiatovich;

A bill (S. 177) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada; and

A bill (S. 384) for the relief of N. F. Palmer, jr., & Co.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 1842) to provide for compensation for certain employees of the Treasury, War, and Navy Departments, reported it with an amendment, and submitted a report thereon.

Mr. CULLOM, from the Committee on Foreign Relations, to whom the subject was referred, reported an amendment proposing to appropriate $25,000 for the purchase of grounds and building, and repair of the same, for a United States consulate at Chefoo, China, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the message from the President of the United States transmitting the report of the Secretary of State relative to the claims of the Eastern Extension, Australasia and China Telegraph Company, the Cuba Submarine Telegraph Company, and La Compagnie Française des Cables Télégraphiques, asked to be discharged from its further consideration, and that it be referred to the Committee on the Philippines; which was agreed to.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 147) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom was referred the bill (S. 421) for the relief of W. J. Kountz, reported it without amendment, and submitted a report thereon.

Mr. KEAN, from the Committee on Foreign Relations, to whom was referred the bill (S. 1585) for the relief of Sadie Thome, reported it without amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Public Lands, to whom was

enactment of legislation to reduce the tariff on articles imported from Cuba; which was ordered to lie on the table.

Mr. FRYE presented memorials of Logan Stamm, No. 2, Unterstützungs Verein Germania Lodge, No. 6; Goethe Lodge, No. 7; the German Sunday School Society; Humboldt Lodge, No. 558; Blucher Lodge, No. 76; Eintsockt Lodge, Germantown Maennerchor; Germania Park Gesellschaft; Wurttemberger Grenadia Lodge, the Employees' Beneficial Society, all of Philadelphia, in the State of Pennsylvania; of South Side Turner, of Fond du Lac; of the Germania Society of Racine; of St. Joseph's Society, of Fond du Lac, and of the Kroeger Verein, of Fond du Lac, all of the State of Wisconsin; of the German Benevolent Society, of Springfield, Ohio; of the M. G. Verein Arion, of Bridgeport, Conn.; of the German-American Union of Birmingham, Ala., and of the First German Aid Society, of Pullman, Ala., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors, which were referred to the Committee on Interstate Commerce.

He also presented a petition of Local Grange No. 322, Patrons of Husbandry, of Vassalboro, Me., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Southwestern Lumbermen's Association of Kansas City, Mo., remonstrating against the enactment of legislation relative to the use of the mails for certain classes of lottery contracts of insurance; which was referred to the Committee on Post-Offices and Post-Roads.

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Mr. BARD, from the Committee on Public Lands, to whom was referred the bill (S. 372) authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers, reported it without amendment, and submitted a report thereon.

Mr. GIBSON, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 121) granting additional lands adjacent to its site to the University of Montana; and

A bill (S. 122) authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 903) providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins, reported it with amendments.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 371) granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry, reported it without amendment, and submitted a report thereon.

ESTATE OF FELICITE NEDA CHRETIEN.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 903) for the relief of the estate of Felicite Neda Chretien, deceased, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 903) for the relief of the estate of Felicite Neda Chretien, deceased, be referred to the Court of Claims, pursuant to and for jurisdiction under the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and the amendments thereto, and that the Court of Claims shall proceed with the same in accordance with the provisions of such act, and report to the Senate its findings therewith.

BILLS INTRODUCED.

Mr. PROCTOR introduced a bill (S. 2637) authorizing the appointment of Eugene D. Dimmick, colonel, United States Army, retired, as brigadier-general; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2638) for the relief of William H. Quinn; which was read twice by its title, and referred to the Committee on Claims.

Mr. McLAURIN introduced a bill (S. 2639) for the relief of the New Hope Madison Church; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2640) for the relief of the Presbyterian Church of Batesville, Miss.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 2641) to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States, and for the construction of a suitable vessel to be used for such purpose by the Navy Department; which was read twice by its title.

Mr. HALE. I ask that the bill be referred to the Committee on Naval Affairs.

The PRESIDENT pro tempore. There is already a bill pending in the Committee on Commerce, on which a report has been drawn, relating to the same subject.

Mr. HALE. Very well; let it go there. I have provided in the bill for a naval vessel, and I thought it should go to the Naval Committee, but there is no conflict between the two committees.

The PRESIDENT pro tempore. If the Senator prefers that the bill shall go to his committee, of course it will be sent there.

Mr. HALE. Perhaps, as it provides for a naval vessel, it should go there, and then on consultation with the Chair we will have one bill reported.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Naval Affairs.

Mr. HALE introduced a bill (S. 2642) granting an increase of pension to Leonard G. Freeman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2643) granting an increase of pension to Melinda J. Chapman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 2644) granting a pension to William C. Cox, alias William Martin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2645) granting an increase of pension to La Roy B. Church; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2646) to correct the military record of Bernhard Franz; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2647) to remove the charge of desertion against Joseph W. Johnson; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BURTON introduced a bill (S. 2648) granting an increase of pension to William H. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2649) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. [illegible]) to transfer Capt. Seth Mitchell [illegible] to the active list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2651) granting an increase of pension to Augustus J. Norwood; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 2652) in relation to [illegible] which was read twice by its title, and with the accompanying paper, referred to the Committee [illegible].

He also introduced a bill (S. 2653) for the relief of certain extensors to [illegible] company, of the [illegible] with the accompanying papers, referred to the Committee [illegible].

He also introduced a bill (S. 2654) to amend chapter 55 of an act entitled "An act to [illegible] of law for the District of Columbia," which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary of Congress.

Mr. PENROSE introduced a bill (S. 2655) granting an increase of pension to [illegible] Zimmerman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2656) granting an increase of pension to Sam Mowbray; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2657) granting an increase of pension to Robert T. Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. [illegible]) for the casting in bronze and erection in the city of Washington of [illegible] known as "The [illegible]"; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 2659) for the relief of Frances M. Egan, administratrix of Patrick Egan, deceased, surviving partner of Hennessy & Egan; which was read twice by its title, and referred to the Committee on Claims.

Mr. ANKENY introduced a bill (S. 2660) for the relief of the estate of D. M. Flournoy, deceased; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. ALLEE introduced a bill (S. 2661) granting an increase of pension to John H. Klagler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2662) granting an increase of pension to John H. Carrow; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 2663) granting a pension to Amerson Carpenter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2664) granting an increase of pension to Martin L. Weiks; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM by request introduced a bill (S. 2665) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government; which was read twice by its title, and referred to the Committee on Printing.

Mr. TILLMAN introduced a bill (S. 2666) granting a pension to Dora D. Walker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2667) for the relief of the estate of R. W. Baldock, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2668) granting an increase of pension to Alpheus Fawcett;

A bill (S. 2669) granting an increase of pension to Willis W. Dawson (with an accompanying paper);

A bill (S. 2670) granting an increase of pension to Samuel R. Glenn (with an accompanying paper);

A bill (S. 2671) granting a pension to Alfred Cunningham (with an accompanying paper);

A bill (S. 2672) granting an increase of pension to Harriet D. Cotton (with an accompanying paper);

A bill (S. 2673) granting an increase of pension to James B. White (with an accompanying paper);

A bill (S. 2674) granting a pension to Ellen Orr (with accompanying papers);

A bill (S. 2675) granting a pension to Emma W. Stafford (with an accompanying paper);

A bill (S. 2676) granting an increase of pension to Louisa J. Gelvin (with an accompanying paper);

A bill (S. 2677) granting a pension to Isaac W. Best; and

A bill (S. 2678) granting an increase of pension to William A. Mathes (with accompanying papers).

Mr. BEVERIDGE introduced a bill (S. 2679) for the relief of Lemuel Stokes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2680) for the relief of William Taylor; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2681) to reimburse Allen W. Phillips for moneys paid for a [illegible];

A bill (S. 2682) to correct the military record of Jacob L. Stough; and

A bill (S. 2683) to correct the military record of James Henry.

Mr. NELSON introduced a bill (S. 2684) to grant to the State of Minnesota certain public lands for forestry purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2685) to amend an act entitled "An act authorizing the construction of additional light-house districts," approved July 26, 1899; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2686) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2687) for the relief of Edwin Bell; which was read twice by its title, and referred to the Committee on Patents.

He also (for Mr. KITTREDGE) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2688) granting an increase of pension to George M. Lynch;

A bill (S. 2689) granting an increase of pension to David M. Kamouse; and

A bill (S. 2690) granting an increase of pension to James Gary (with accompanying papers).

Mr. PERKINS introduced a bill (S. 2691) to increase the number of light-house districts; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2692) to establish a life-saving station at Cape Nome, Alaska; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CLAPP introduced a bill (S. 2693) fixing the status of the Porto Rico Regiment of Infantry of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2694) granting a pension to Ernestine Lavigne; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 2695) granting an increase of pension to Maria L. Roberts; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60, and so forth; which was read twice by its title, and referred to the Committee on Claims.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. CARMACK. I offer a resolution which I ask to have read for information.

The resolution was read, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and violations of law in the administration of the affairs of the Post-Office Department, is hereby instructed to [illegible] papers contained with the [illegible] of the United States, and such other [illegible] the said Department, and make report thereof to the Senate upon completion of said investigation, or before the 1st day of May, 1904.

Resolved, That said committee shall have power to send for persons, books, and papers; examine witnesses under oath, and sit, by subcommittee or otherwise, during the sessions of the Senate, at such times and places as the committee may determine.

Mr. PLATT of Connecticut. Who introduced the resolution?

The PRESIDENT pro tempore. The Senator from Tennessee [Mr. CARMACK].

Mr. GALLINGER. Has it gone to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. LODGE. Let it go over.

Mr. CARMACK. Let it go over.

The PRESIDENT pro tempore. It will go over anyway under the general understanding that all resolutions shall go over until to-morrow morning.

Mr. GALLINGER. I will ask if, under the law, it does not go to the Committee to Audit and Control the Contingent Expenses of the Senate?

The PRESIDENT pro tempore. It does not provide for an appropriation from the contingent fund of the Senate.

Mr. ALDRICH. It involves it.

The PRESIDENT pro tempore. It involves it.

Mr. GALLINGER. Yes; it involves it, and I think that is equivalent to providing for it.

EMPLOYMENT OF STENOGRAPHER.

Mr. FORAKER submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate, That the Committee on Pacific Islands and Porto Rico be authorized to employ a stenographer from time to time, as may be necessary, to report such testimony as may be taken by said committee and [illegible] such stenographer to be paid from the contingent fund of the Senate.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; in which it requested the concurrence of the Senate.

PAY OF EMPLOYEES.

The PRESIDENT pro tempore laid before the Senate the joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; which was read the first time by its title.

Mr. ALLISON. This is the usual joint resolution passed before a recess of the two Houses. I ask that it may be taken up for consideration at this time. It will take but a moment.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Secretary of the Senate and the Clerk of the House of Representatives be, and they are hereby, authorized and instructed to pay the officers and employees of the Senate and House of Representatives, including the capitol police, their respective salaries for the month of December, 1903, on the 18th day of said month.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TRADE RELATIONS WITH CUBA.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate the Cuban bill, so called.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

[Mr. SPOONER addressed the Senate. See Appendix.]

Mr. BAILEY obtained the floor.

Mr. HOAR. Mr. President——

Mr. BAILEY. I yield to the Senator from Massachusetts.

Mr. HOAR. The Senator from Texas kindly allows me to take the floor for two or three minutes only.

Mr. President, while agreeing with the whole Senate in admiration for the very interesting and powerful argument of the Senator from Wisconsin [Mr. SPOONER], and agreeing heartily with nearly every proposition he has laid down, I wish simply to put on record my dissent from one. I do not propose to enter into the argument at all, but the question of the powers of the House and the Senate in regard to treaties affecting revenue is one which has frequently arisen between the two Houses since the beginning of the Government, and it is likely to arise in the future.

A concession, even limited like that of the Senator from Wisconsin, so justly esteemed as a Senator as he is, is likely to be quoted again and again hereafter against the view which has generally been adopted by this body, and it is more likely to be quoted if it can be said of it that, while it was made in a full Senate, nobody dissented. I wish therefore to state for myself my dissent from the proposition which I understood him to lay down, that the Senate can not make a treaty affecting the revenue, either by raising it or diminishing it, without the assent of the House, and that the general treaty-making power is in that respect limited by the familiar provision of the Constitution that all bills for raising revenue shall originate in the other body.

My belief upon that proposition is this: The Constitution provides for two methods of legislation. It declares that bills passed in accordance with the Constitution and treaties shall be the law of the land. They have equal authority, and the latest bill or treaty is the latest declaration of the law and repeals all others in conflict with it. Then the Constitution proceeds to say, not that measures or even laws for raising revenue shall originate in the House, but that bills for that purpose shall do so—that is, in substance, that when the method of doing this is by majority vote the method of accomplishing it is by statute, the origin of which is a bill, the popular branch shall have the sole prerogative of originating it. But the Constitution leaves untouched, by any suggestion of a provision, direct or indirect, the otherwise unlimited authority to make any kind of law by treaty.

It is true there are many treaties which, while pledging the faith of the Government, require an act of Congress to give them effect, just as there are many laws which, while pledging the faith of the Government, require a supplementary act of Congress to give them effect. A law providing for a public debt and authorizing the Secretary of the Treasury to sign the evidences of the public debt requires a future law making an appropriation for its payment, but it is operative and pledges the faith of the Government to the public creditor, and it becomes the bounden duty of both Houses to make the appropriation, just as much as it becomes the bounden duty of both Houses to carry into effect any other provision of the Constitution whatever. So in the matter of the salaries of judges. But it is not necessary to carry the illustration further.

There may be treaties affecting revenue—and it makes no difference, as I agree with the Senator from Wisconsin, whether their effect is the diminution or the raising of revenue—which require future legislation to carry them into effect. It is not necessary to illustrate that. And there may be treaties which require no further legislation to carry them into effect. For instance, suppose, being in the habit of charging $100 head money on every passenger brought into the United States, we should make a treaty with Spain in these words: "Hereafter no officer of the United States shall receive or exact any head money from any passenger coming from Spain." That would be a complete, perfect enactment. It would be the law of the land, by the express provision of the Constitution, requiring no further act of Congress to give it effect or to provide any mechanism for carrying it out. I hold that such a treaty, although it affects revenue and never has been in the House, is as absolutely, by the plain meaning of the Constitution, the law of the land as if those same words were put into a statute enacted by both Houses.

Mr. President, while saying this and putting on record my dissent from so much of the very clear and powerful argument of the Senator from Wisconsin as stated to the contrary, I desire, at the same time, to go on record as utterly disapproving the policy of fixing our tariff by treaty. I have had great difficulty in supporting the treaty and in supporting this bill to give it effect. It is contrary, it seems to me, to a sound public policy when we can by a simple act of Congress, requiring a majority only in each branch, pass concurrent legislation providing that when another country has enacted a certain law, and the President has issued his proclamation that it has gone into effect, such and such shall be the provision in this country.

The treaty puts a fetter on our limbs in regard to a matter solely of domestic importance and interest. If you can ratify a treaty by two-thirds of the Senate, and if you can get the assent of the House to it by a majority, of course you can more easily get the assent of a majority of the Senate and a majority of the House to the same proposition. It is an easier way of accomplishing any international arrangement, if it be expedient, and it is a method which, if we find we have made a mistake, or the circumstances change, remains wholly within the power of Congress.

So, Mr. President, I have found great difficulty in supporting the present treaty, even with Cuba, and I wish to put this declaration on record in order that I may not hereafter have my own vote cited to me as a precedent for approving any other measure of the same kind. But it seems to me, for the reasons so well stated by the Senator from Wisconsin and the Senator from Illinois who has charge of thismeasure, that the cause of Cuba is a special case, dependent upon its own considerations and never to be drawn into a precedent for any other case.

I do not quite like what has been said about promises made to Cuba. I do not know who has authority to make such promises, except the President and the Senate, and I do not know in what way they can be lawfully made except by the treaty-making power.

I did not quite like one phrase in the President's message in which he said that if we did not pass this measure we would come perilously near a national breach of faith. But I do not propose to stick in the bark about that. Whether or not these phrases are apt or not, it was not unreasonable that the President or the Secretary of State or eminent Senators who may be supposed to know the public opinion of the country or the prevalent opinion in Congress should have said to the Cubans, when they were in this [illegible] position in interpreting whether or not they would accept the Platt Amendment, that, from their knowledge of conditions in this country, they thought the Cubans might reasonably and safely depend upon some future action of Congress. If such things have been said, whether by members of this body or members of the executive department of the Government, I for one should decline to go into a [illegible] I can go consistently with my sense of duty to my own conscience and to my own country, to carry them into effect.

I do not remember the occasion when the Senators from Colorado took an interest in the sugar matter. I do not myself find that the industries of the country will not have the sugar interest in this country, whether the interest of the trust or the interest of refiners, with an ample protection [illegible] to put capital by the sugar and beet sugar industries. I confess I am not now being alarmed by this bugaboo of the sugar trust. There has not been a measure proposed since I have been in public life, at any time for [illegible] years, in regard to which each side did not claim that the other was in the interest of the sugar trust.

Mr. President, there are [illegible] and so fatuous about this matter that they even say the Colorado beet-sugar industry is very largely owned by the sugar trust. I presume my friends from that State know better and will assure us that into whatever parts of the country the influence or interest of the sugar trust has penetrated, it has kept off the sacred soil of Colorado.

However that may be, I propose, for the reasons I have stated, to give my support and my vote to this bill, and at the same time I wish to put on record my opinion that it never must be or properly can be cited as a precedent in regard to reciprocity treaties with any other country or any other future condition.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Before the Senator from Texas commences to speak, the Chair calls the attention of the Senate to the fact that the advocates of the bill have now occupied two hours more of time than the opponents. So the Chair will regard it as perfectly in order to recognize for the next two hours, at any rate, opponents to the pending bill.

Mr. BAILEY. Mr. President, during my service in this body I have had frequent occasion to differ with the junior Senator from Wisconsin [Mr. SPOONER], but never until to-day have I had the least occasion to complain of him. I do not think that when the heat of the debate has passed he will be entirely satisfied with his suggestion that I have been influenced in my opposition to this measure by any desire to protect the cattle interest of my State. The Senator from Wisconsin is an honor to the American Senate, and when he misconceives a Senator [illegible] himself a very much greater misfortune than he does the Senator whose position he misstates. And I am sure [illegible] been said to-day, he will, as do other Senators who remember what in what I said about the cattle business of Texas I proceed on a good deal of its protection. But on the contrary I gathered that I had received many urgent requests to vote for this measure, those requests assigning as their reason for its passage that it would be to the benefit of the cattle growers of our State.

The Senator also, when pressed and [illegible] able about the conversation we had relating to the last Congress in about 15 cents per hundred from the present protection on sugar [illegible] to an amount of [illegible] a hundred——

Mr. ALDRICH. Will the Senator from Texas permit me?

Mr. BAILEY. Certainly.

Mr. ALDRICH. In the absence of the Senator from Wisconsin I think the Senator ought to state that the amendment of 15 cents proposed was in addition to the 20 cents a hundred pounds incorporated in the bill, and not in place of it.

Mr. BAILEY. I will say to the Senator from Rhode Island that it is not my purpose to enter into a discussion of that matter. I simply stated it for the purpose of saying that the Senator from Wisconsin rather put aside that inquiry with the suggestion that we were proposing that the small island of Cuba was about to destroy all of the agricultural industries of the United States.

Now the Senator will remember—and if he is so unfortunate as to forget the Senate will remember—that what I said about the cotton-manufacturing industry of the South was not that Cuba threatened to destroy either the cotton-manufacturing or the cotton-growing industry of our section, but I simply reminded the Senators, who hoped to be able to say to their people as an explanation for their support of this bill that they had made a new market for cotton cloth, that they would also be called upon to account to the cotton farmers for having stimulated a Cuban competition against them. I disclaimed then, and I disclaim now, the support of any bill, as I disavow opposition to any bill, upon the theory of protection for any interest.

I have sometimes been accused of being "tainted with protection"—the Senator from Rhode Island [Mr. ALDRICH] smiles at the expression "tainted with protection." It is commendable in you gentlemen who openly proclaim that policy to advocate protection, but it is a taint for a gentleman on this side to believe in levying taxes which are intended to enable one man to charge another man more for the goods which he must buy. I have, however, been accused of protection views only by those who do not understand my position, and because I have resisted the attempt, unnecessary, and, as I believe, the un-Democratic doctrine of free raw materials. I have never contended for a tax upon the raw material with any idea of protecting the man who produces it, any more than I have been willing to levy a tax upon the finished product for the sake of enabling the man who manufactures it to realize a higher price from its sale.

When I vote for a duty on woolen goods I do so without any thought of protecting the woolen manufacturer, and when I vote for a duty on wool I do so without any purpose to protect the wool-grower. I vote for a duty on woolen goods for the purpose of raising revenue to support the Government and not to enable the woolen manufacturer to charge more for his goods; and I vote for a tax on wool for the purposes of raising revenue to support the Government, with no idea of enabling the farmers of the West and the South to charge the manufacturers more for their wool. I vote for a duty on each for the purpose of raising money to support the Government, and I demand a duty on both because I know that if one shall be relieved from the payment of its just proportion, a double burden must be borne by them the other.

Mr. SPOONER. Will the Senator from Texas allow me for a moment?

Mr. BAILEY. Certainly.

Mr. SPOONER. I understand that in my absence for a moment the Senator has said that in my reference to what he said about Texas cattle I did him an injustice, as imputing to him a purpose to protect Texas cattle. Is that it?

Mr. BAILEY. I understood your reference to be that.

Mr. SPOONER. No; I beg to say to the Senator that if he thinks that, I did him an injustice.

Mr. BAILEY. I said——

Mr. SPOONER. Because I never suspected the Senator of being a protectionist on anything. But I thought unconsciously, in a lucid interval, just for about a second——

Mr. BAILEY. That I had lapsed into a Republican doctrine?

Mr. SPOONER. That is it.

Mr. BAILEY. I am sure the Senator from Wisconsin did not intend to do me an injustice.

Mr. SPOONER. I did not.

Mr. BAILEY. And I took occasion to preface my complaint with a statement that I [illegible] by those who do not understand my position, and expressing no more than my real opinion of the Senator's ability.

Mr. SPOONER. If what I said may be imputed as attributing to the Senator a thought of protecting Texas cattle, I did him an injustice.

Mr. BAILEY. That disclaimer disposes of that matter entirely and satisfactorily. While I would probably not have taken the floor [illegible] on account of what I understood the Senator from Wisconsin to say in that respect, now that I am on it I desire to [illegible] if the Senate to what I believe to be a very [illegible] from Wisconsin.

He intimates with me that the President can not negotiate and [illegible] a treaty raising revenue so as to make it the supreme law of the land. That far we agree perfectly, and I am delighted to have his concurrence in my views. But the Senator from Wisconsin contends that while a revenue treaty negotiated by the President can not be ratified by the Senate is invalid, it may be made valid by the subsequent approval of Congress; and this is the point we have to discuss. The Senator from Massachusetts, however [Mr. HOAR], seems to have the Senate the remarkable doctrine that the power of the President in the negotiation of treaties is practically unlimited. The Senator perhaps would not state it in that way, but that seems to me the effect of his statement.

Mr. HOAR. If the Senator will pardon me, I think he does not quite make my statement as I did. What I said was that the constitutional distribution of the initiation of revenue measures in the Senate applied in express terms only to bills. The Constitution gives the treaty-making power, whatever it is, however limited in other respects, to the President and the Senate, and the legislative power to the two Houses of Congress, by statute, which is inaugurated by bill. Then it proceeds to say that bills, not

measures, for raising revenue must be originated, as between the two Houses, in the other House, leaving the treaty-making power, whatever else may be its limits, not affected by that at all. In other words, whatever we may do by treaty we can do without reference to the particular clause in the Constitution which says that if we undertake to do it by bill the House shall begin it. That is my proposition.

Mr. BAILEY. Mr. President, I shall not at this time reply to what has been said by the Senator from Massachusetts, because it is not involved in the proposition now before the Senate. I will, however, observe in passing that if the Senator from Massachusetts is correct in his view of the Constitution, and if the President can do by a treaty what the Constitution expressly provides that Congress shall do by a bill originating in the House, then, sir, the President under his treaty-making power can nullify every limitation which the Constitution has imposed upon the various departments of the Government.

I agree with the Senator from Wisconsin that the correct rule with respect to the treaty-making power was that laid down by the Supreme Court of the United States when it said:

> The treaty-making power, as expressed in the Constitution, is in terms unlimited except by the restrictions which are found in that instrument against the exercise of legislative power in the departments.

If I could be permitted to criticise the phraseology of the Supreme Court, I would say that the form of expression was not the most felicitous that could have been chosen. The court was exact in saying that "the treaty-making power, as expressed in the Constitution, is in terms unlimited;" but it is a little confusing to say in the same sentence "except by restraints which are found," etc., because these restraints are not "in terms" as has been stated by the court. If I could rewrite that sentence, I would say that while the treaty-making power, as expressed in the Constitution, is in terms unlimited, it is, however, by necessary implication, subject to all of those restraints which the Constitution imposes upon the Government or any of its departments. The Senator from Wisconsin does not subscribe to that more fully than I do, and it is a matter of surprise to me that he does not further agree with me that when the Constitution specifically, and for a well-defined purpose, expressly limited the origin of revenue bills to the House of Representatives, it restrained, by necessary implication, the treaty-making power over that subject.

At one time it was seriously proposed in the Constitutional Convention not only to confine revenue bills in their origination exclusively to the House, but it was further proposed, following the rule of the British Parliament, to forbid their amendment in the Senate; though it was finally agreed, as an adjustment of many differences, that, while all revenue bills must originate in the House, the Senate should have the power to amend them.

The essential power of the House, Mr. President, is the right to originate, and not the right to approve. The House of Representatives would be entitled to exercise its right of approval or disapproval under that other and entirely different clause of the Constitution which declares:

> Congress shall have the power to lay and collect taxes, duties, imposts, and excises.

This is the first in the long list of enumerated powers which the Constitution grants to Congress, and under it no taxes can be levied without the approval of the House of Representatives. That, sir, however, did not satisfy the jealousy of those who made the Constitution, in respect to this question of taxation, and they not only secured to the House as well as to the Senate the right to lay and collect taxes, but they specifically provided that no tax could even be proposed except by the immediate representatives of the people.

The Senator from Wisconsin, with that skill in argument for which he is so distinguished and which makes him such a formidable adversary in debate, while admitting that the President and the Senate can not levy taxes by a treaty, works out by a distinction too nice for my comprehension a justification of the present bill. He contends that because the bill now under consideration originated in the House the constitutional requirement is satisfied, although he hardly ventured to deny that the treaty and not this bill is the substantial part of this whole transaction. It is true enough that this bill did originate in the House of Representatives; but even those who framed it could not escape the real nature of it, and they were compelled in the very title of it to describe it, not as a bill raising revenue, but as "A bill to carry into effect a convention between the United States and the Republic of Cuba."

The Senator from Wisconsin finds his only saving argument in the fact that the treaty itself provides that it "should not take effect until it had been approved by Congress." My answer to that argument is that the President and the Senate have no power under the Constitution to submit a treaty to the House of Representatives, and that the stipulation referring that treaty to the approval of Congress so far from curing the President's violation of the Constitution in negotiating a revenue treaty simply aggravates his offense by requiring the House of Representatives to exercise a function which the Constitution studiously withholds from it.

My contention is that the House of Representatives was excluded from the treaty-making power of this Government by the framers of the Constitution, and that the action of the President and the Senate can not confer upon it the right to approve or disapprove a treaty any more than they could to confer the same power upon the judicial department. Will the Senator from Wisconsin tell this Senate that the President could negotiate and that the Senate could ratify a treaty deciding a lawsuit between a foreign ambassador and a citizen of the United States, and that such a treaty could stipulate that it would become effective when approved by the Supreme Court of the United States?

Undoubtedly, sir, the President could negotiate and the Senate could ratify a treaty with a foreign nation whose ambassador was maltreated or injured, making a satisfactory reparation; but, sir, they have no power to negotiate a treaty for the settlement of any litigation between a foreign ambassador and one of our own citizens because such litigation is beyond the Executive and the Senate and within the cognizance only of the judiciary. If, however, the proponents of this legislation are right, the President can settle all judicial controversies in the first instance if only he will refer his settlement of them to the courts for their approval.

To carry this analogy of the judicial department one step further, let us suppose that the Supreme Court of the United States should render a decision in a case pending before it, and should conclude its opinion by declaring that its judgment in that case should not take effect until ratified by the Congress. Such an abdication of its power by the highest court in the land would so shock the common sense of every Senator that without a dissenting voice we would condemn the action of that court, and we would all unite in declaring that the Congress could no more exercise the judicial functions of that court than it could exercise the legislative functions of Congress. These cases, sir, are precisely analogous. The President and the Senate in this treaty have stipulated that it must be approved by Congress, and as Congress includes the House of Representatives, it must, of course, be approved by that body; and yet as an original proposition no Senator here would venture to maintain that the House possesses or that it can be given any control over the treaty-making power of this Government.

The Senator from Wisconsin has paid a high tribute to John Randolph Tucker, who was once chairman of the Judiciary Committee of the House, and he can pronounce no eulogy upon that distinguished lawyer which I will not repeat with fervent emphasis. It is true, sir, as the Senator from Wisconsin has said, that in Mr. Tucker's report he has gone no further than to say that the President and the Senate can not make a revenue treaty which will be binding in law until that treaty has received the approval of Congress. It is true also, as stated by the Senator from Wisconsin, that I go further than Mr. Tucker went in this particular report, but the Senator can find no reason for saying that I have gone further than Judge Tucker would go if he were here to-day.

It is a remarkable fact that, notwithstanding his exhaustive study of the question, Judge Tucker was not able to interest his associates on the committee in this most important subject, and not one of them joined him in his report. They all signed it, but signed it with the distinct statement that they were not responsible for the views which it expressed; and the fact that he could not induce his associates on the committee to examine the question might well have deterred him going to the full extent which his judgment would warrant. But whether I go further than Judge Tucker or not, the Senator from Wisconsin himself admits that I have gone no further than the famous report of Senator Choate; and I can not feel embarrassed over my disagreement with others so long as I agree with the greatest of all those lawyers, with a single exception, who have made the Massachusetts bar the foremost in this Republic. As he said it before me, so I repeat now:

> The treaty-making power is a power which has been given to every government by necessary implication, and which has been exercised by every government with which it has been in relation, and which it has been necessary for it to exercise in order to interpose with authority, when it has been thought fit to do so, and with beneficial consequences, in the affairs of its own people, and in the enterprise—these seem to be the appropriate functions of the Executive.

If I had the power, Mr. President, I would inscribe those words in letters of gold upon the four walls of this Senate Chamber, and they should constitute my reply to all who insist upon clothing the President with the extraordinary and dangerous power which he has attempted to exercise.

The Senator from Wisconsin says that I have complained because he and his party friends did not pass the House bill of the last Congress, which bill he thinks subject to serious constitutional objection. The Senator is mistaken in saying that I complained because the House bill was not passed. What I complained of was that it was not even reported to the Senate for discussion;

but I charged that rather against the President's interference than against the disposition of the Senate, because while the bill was still before the Senate committee the President interrupted its consideration by entering upon the negotiation of a treaty.

The Senator from Wisconsin is quite right in saying that Congress can not add to the powers of the President as defined in the Constitution. Congress can add to his duties by enacting laws, which he, in his turn, he is required to execute, but we can neither add to nor take from his treaty-making power. That old House bill, however, did not enjoin upon him. It merely authorized him to negotiate a treaty, an authority which, in my judgment, he possesses without any action of Congress, so far as he can possess it at all. In other words, I mean to say that Congress can not empower the President to negotiate any treaty which he would not have the right to negotiate without the enabling act of Congress.

The Senator from Wisconsin argues that it must be competent for the President to negotiate and the Senate to ratify a revenue treaty which is to become effective when approved by Congress, because, unless such a right does exist on the part of the President, it would be extremely difficult to consummate reciprocal trade agreements with other nations. That there is some force in that argument, considered from a practical point of view, I freely admit, but there is no force whatever in it as a matter of law. I have no doubt that it would be easier for a representative of this Government and the representative of a foreign government to reach an agreement upon any question than it would be for the Congress of the United States to reach an agreement with the legislative body of the other country, but the framers of the Constitution, whether they thought it convenient or inconvenient, desired to leave the question of taxation primarily to the House of Representatives, whose bill may be amended by the Senate. The practical difficulty is not so great as the Senator from Wisconsin seems to suppose, and when he and his party friends undertook to perfect the McKinley Act by adding to it a reciprocity provision they prepared one which did not leave it to the President to negotiate revenue treaties, and only clothed him with the power to issue his proclamation under certain circumstances; and even the constitutionality of this power was assailed with great force of reasoning.

At this point, Mr. President, it will not be amiss to briefly review the action of Congress on the reciprocity provision of the McKinley Act, and the litigation with respect to that act which afterwards occurred in the courts. When the Republican party was framing the tariff act of 1890, Mr. Blaine, who was then Secretary of State, plied his party with arguments day after day urging them to adopt his scheme of reciprocity with the countries to the south of us. He was not successful, however, in securing a recognition for his views in the House of Representatives, and he followed the bill to the Senate, where an amendment which was said to have been prepared by him was presented. That amendment was not acceptable to Republican Senators, though they finally concluded to embody some provision on the subject in their bill, and accordingly the Senator from Rhode Island [Mr. ALDRICH], who knows more about the intricacies of the tariff than any Senator on either side of this Chamber, prepared and submitted the amendment which afterwards became the third section of that act.

The Senator from Rhode Island will bear me witness that it was not such a provision as the Secretary of State had desired; and yet, Mr. President, it was incomparably better than the present bill, because it did provide for a certain kind of free trade with all of the South American countries, while the present bill provides a reciprocal protection with only one of them. It will doubtless surprise some of my Democratic friends who are supporting this unconstitutional measure when I tell them that every Democrat in the Senate voted against the proposition of the Senator from Rhode Island. Here is the roll call, and every Democratic Senator voted in the negative. Not only so, but, without intending any invidious comparison, I can afford to say that two of the greatest lawyers on the Republican side, Edmunds and Evarts, joined our Democratic predecessors in voting against the reciprocity provision of the McKinley Act.

Except that it would be tedious, I would call that roll. And then, too, it would produce in this Chamber a feeling of unspeakable sadness, for many of those who then honored their country by their service here have gone from amongst us. On this side we miss the knightly Walthall and his colleague, the profound lawyer and wise statesman, Senator George; Voorhees, whose long and brilliant service was an honor to his State; Isham G. Harris, whose fidelity won for him the first place in the hearts of all Tennesseans; the incorruptible and lion-hearted Coke, whose successor I am not worthy to be, have all been called to "where beyond these voices there is peace." Others like Vest and Reagan in voluntary retirement are spending the evening of their lives in a well-earned repose. But there are still some here who helped to make that record, and I have the right to confidently expect they will help to sustain it. Among the Senators now here who voted against the reciprocity provisions of the McKinley Act were the distinguished Senator from Alabama [Mr. MORGAN], the distinguished Senator from Kentucky [Mr. BLACKBURN], the distinguished Senator from Maryland [Mr. GORMAN], the distinguished Senator from Arkansas [Mr. BERRY], the distinguished Senator from Tennessee [Mr. BATE], and the distinguished Senator from Virginia [Mr. DANIEL]. They were here when that roll was called and they voted to outlaw this policy from the favor of the Democratic party.

Afterwards, when that bill was passed over their protest and the validity of it was tested before the Supreme Court, the only two Democrats on that bench held it unconstitutional and void. Not because it did not originate in the House; for that question was not presented, and the papers before the Supreme Court contained a certificate that the bill had originated in the House of Representatives. Here it is:

Approved, October 1, 1890.

BENJAMIN HARRISON.

I certify that this act originated in the House of Representatives.

EDWARD McPHERSON, *Clerk.*

The objection in that case was not half so strong as the objection here. That bill originated in the House of Representatives.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER (Mr. MARTIN in the chair). Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. BAILEY. I do, very cheerfully.

Mr. SPOONER. Only for a moment. The Senator, of course, will admit that no such question as has been under discussion in this debate, especially between the Senator himself and other Senators, was involved in that case?

Mr. BAILEY. That is true.

Mr. SPOONER. The treaty-making power was not involved in it.

Mr. BAILEY. Oh, no.

Mr. SPOONER. It was simply a question whether Congress had not in an unconstitutional way delegated the legislative power to the President.

Mr. BAILEY. I am stating another reason why this bill ought not to be passed, and that reason was considered ample in the estimation of great Democrats. I have not stated them all. I could not state them all within the limits of a single session of the Senate.

Mr. SPOONER. I was not going into that. I was merely asking the Senator if he claimed that it touched the treaty-making question.

Mr. BAILEY. I do not; neither do I claim that it touches the question as to the power of the House to originate. That question was entirely taken out of the case by the certificate of the Clerk that the act did originate in the House. The contention in that case was that the reciprocity provision of the McKinley Act was unconstitutional because it conferred upon the President of the United States a power to levy taxes and to regulate our commerce with foreign nations.

The court was divided in its opinion with respect to the constitutionality of this reciprocity provision, and the majority sustained the constitutionality of that provision very much more by legislative precedents than by judicial reasoning. After reviewing at some length the legislative precedents, the court says:

For the purpose [illegible] producing and [illegible] I determined [illegible] that is, which he found to be, reciprocally unequal and unreasonable.

Now, here is the meat of it:

Congress itself prescribed, in advance, the duties to be levied.

Precisely what Congress has not done in the present case. The President of the United States selected the articles and fixed the duty, and Congress is simply permitted to approve what he has done. The majority of the court, in holding the reciprocity provisions of the McKinley Act constitutional because Congress itself had first selected the articles and fixed the rates, condemn by that reasoning this act as unconstitutional, because Congress did not "first prescribe the duties to be levied."

Mr. SPOONER. I should like to ask the Senator a question, if he will permit me.

Mr. BAILEY. Certainly.

Mr. SPOONER. Does the Senator claim that that case has the slightest relevancy to the question we are discussing?

Mr. BAILEY. It is entirely relevant in this way: Democrats are urged to vote for a reciprocity bill as the essence of Democracy, and I am showing that all the Democratic Senators and the only two Democratic judges who passed upon this question on another occasion decided against it.

Mr. SPOONER. If it is a question of Democracy, I yield to the Senator.

Mr. BAILEY. The Senator from Wisconsin is not an expert on that.

Mr. SPOONER. I thought it was a question of law.

Mr. BAILEY. I do not make it a question of law, because the Supreme Court, by a majority, decided it the other way. If, however, I be permitted to borrow an expression from Mr. Lincoln, I would say that the decision of the Supreme Court on a political question can not bind my conscience. Lincoln said that in an inaugural address and Jefferson had said it long before him. So great as my respect is for the Supreme Court, and willingly as I submit to its adjudications on all questions involving personal rights, upon those great questions involving political duties and political precedents I must reserve, as does the Senator from Wisconsin, the right to decide for myself.

Mr. SPOONER rose.

Mr. BAILEY. Does the Senator desire to interrupt me?

Mr. SPOONER. If it is not agreeable to the Senator, I will not do so.

Mr. BAILEY. It is entirely agreeable.

Mr. SPOONER. The quotation from Mr. Lincoln, of course, is accurate and one that ought always to be remembered. But the Senator will pardon me if I challenge its application here. For the life of me I can not understand what possible relevancy that decision has, in any view of it, to the question whether, admitting that the President and the Senate can not by a treaty change tariff rates, the President and the Senate may not by an executory agreement, to be supplemented by legislation originating in the House, change tariff rates.

Mr. BAILEY. The Democratic judges here said they——

Mr. SPOONER. Oh, no; that question was not involved in that case.

Mr. BAILEY. Let me read——

Mr. SPOONER. Wait a minute, if the Senator will allow me.

Mr. BAILEY. Certainly.

Mr. SPOONER. I was here when that bill was passed. I do not know whether the Senator was or not.

Mr. BAILEY. No; I came later.

Mr. SPOONER. It involved no treaty; it authorized no treaty; it contemplated no treaty; but the question was whether, by authorizing the President to determine the facts upon which the Congress said certain rates should become operative, Congress had violated the Constitution by delegating to the President the legislative power. The Democratic members of the court, I think erroneously—I say that not because I am a Republican—decided that it was a delegation of the legislative power. The Republican members of the court decided that it was not; and in deciding that it was not they followed several decisions which had been made by the court theretofore.

Mr. BAILEY. They really followed only one decision.

Mr. SPOONER. Two.

Mr. BAILEY. The brig *Aurora* case was the only one.

Mr. SPOONER. Two, I beg the Senator's pardon.

Mr. BAILEY. Only one case seemed to be exactly in point. There had been legislative precedents like those to which the Senator from Wisconsin has referred, but when those precedents are examined it will be found that this Government never entered upon the policy of negotiating these commercial treaties until the Zollverein treaty, to which I called the attention of the Senate day before yesterday. The first treaty of this kind negotiated and ratified was the Canadian treaty, which, I am told, was negotiated by a Democratic President. But, without diverting myself from this decision, I will attend to that a moment later.

A majority of the court held that the reciprocity provisions of the McKinley Act were constitutional because it was in accordance with the legislative history of the country. The Democratic members of that court held that it was not constitutional because it delegated to the President a power that belonged to Congress. In that case there was an act originating in the House of Representatives authorizing the President, under certain conditions, not to negotiate a treaty, but to suspend the law, and the two Democrats on that bench held that the President could not be authorized, even by an act of Congress originating in the House of Representatives, to suspend the tariff laws of the United States.

Now, Mr. President, in calling attention to the fact that the decision of that court fell along the lines of political division I imply no censure against that tribunal. I do not think it any just ground for criticism against a man that he thinks according to the same rules of logic on the Supreme Bench as he would on the floor of the Senate. To expect that the same man would decide the same question differently as a judge from what he would have decided it as a Senator is to imply either that a Senator is less honest than the judge or else that he is less wise. That a court, whose constant and only duty it is to consider questions of law, should be better qualified to decide all cases of private rights than a Senator would be is, of course, a self-evident proposition; but upon those great questions of fundamental and constitutional law which lie at the foundation of this Republic Senators, whose duty it is to make the law, ought to be as well informed as the judges who are to construe it.

As for my part, I have never complained and shall never complain because a man carries with him to the highest judicial tribunal in the world the principles and opinions which he has adopted and matured during a lifetime of diligent study. I have no doubt, sir, that the same mental process which would lead me as a Senator to believe that a given measure is a wise one would lead me as a judge to believe that same measure to be valid when enacted into a law; and my only purpose in calling the attention of the Senate to the fact that in the case of Field *v.* Clark the court divided according to their political affiliations and antecedents was to point out to this side of the Chamber and to the country that those of us who are assailed for refusing to consider reciprocity as a time-honored Democratic doctrine are confirmed in our position by the unanimous vote of Democratic Senators and by the opinion of Democratic judges.

Mr. SPOONER. What does the Senator mean by that? Is it the Senator's proposition that because the Democratic judges thought alike all the Democratic Senators should vote alike?

Mr. BAILEY. No; all Democratic Senators ought to think alike, and therefore ought to vote alike. On this side it is thinking before voting; but our friends belonging to an Administration party are sometimes compelled to think after they vote. [Laughter.] That mental condition unfortunately is not peculiar to your party. It happened to us when we were in power, or, rather, I ought to say, when we were partly in power, for we have never been wholly in power since the war; but when we were partly in power we had some loyal Administration Senators over there just as you occasionally have some over here. But mark my word, there will be no Senators from the White House on this side hereafter. Remember that. You will have to take care of your own Administration and you will get no help from us.

Mr. SPOONER. Suppose we suggest a sufficient reason for such support?

Mr. BAILEY. When the reason is sufficient you will get all of us; but if it is not sufficient you will get none of us. Hereafter it will be all or none.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Rhode Island?

Mr. BAILEY. I do.

Mr. ALDRICH. Will the Senator please state to the Senate why he makes such an assertion?

Mr. BAILEY. The Senator from Rhode Island knows; but to set him an example in candor I will tell him that we have resolved that it shall be so. Does that satisfy the Senator from Rhode Island?

Mr. ALDRICH. Yes.

Mr. BAILEY. The Senator can unite his party without a resolution. [Laughter.] Somehow or somehow else they have maintained a military discipline on his side, and when a man mutinies they shoot him on the spot. [Laughter.] They here carried their discipline to the point of abject submission, and we have carried our independence to the point of insubordination. This shall be true of us no longer. When you are right, we will all help you; when you are wrong, we will all oppose you. Then we will have a division on party lines, which is after all the best division. Does the Senator from Wisconsin not think that the best division?

Mr. SPOONER. No; I think the best division, if the Senator wants to put the question to me, is for every Senator to vote as he thinks, not as two-thirds happen to think.

Mr. BAILEY. The Senator from Wisconsin does not exemplify that doctrine in his life [laughter], because the Senator has more than once pointed out obnoxious bills, and then, just as I might have done under the same circumstances, voted for them as a party duty.

Mr. SPOONER. To what bills does the Senator refer?

Mr. BAILEY. A number of them. I can not enumerate them.

Mr. SPOONER. If the Senator will permit me—of course my position upon this bill or that, whether I am consistent or inconsistent, is of no consequence—I will say I have not always voted with my party on every measure. I voted against the acquisition of Hawaii; I voted against the ship-subsidy bill. But no matter; the Senator does me an injustice; that is all.

Mr. BAILEY. The Senator from Wisconsin is a most honorable exception now and then. [Laughter.] The others never are exceptions.

I will say very frankly, Mr. President, that I have no patience with a mugwump. I believe in a sturdy and thorough-going partisanship. Burke never uttered a profounder truth than when he declared that "political parties are indispensable in free governments," and political parties can only be maintained through organization and discipline. Whenever I reach the point where I feel that two-thirds of my party are apt to be wrong, I shall be ready to

leave it. Whenever I set my judgment over and above the judgment of my party, I will abandon the claim of being a party man and set up the claim of being an independent.

Mr. President, I do not wonder that it worries our friends on the other side that they are to get no further help from our side. They have been getting just as much as they needed. They could always find some one who, like the senator from Wisconsin, was ready to make an honorable exception of himself if called upon to agree with us and vote with us; and, unlike the Senator from Wisconsin, who voted against his party when his vote did not defeat a party measure, we have been voting with you when our votes were needed.

Mr. President, a Democrat who has been accustomed to look to the treasury and unfortunate discussions in our party can well be pardoned for pointing to the belief that it is a company [illegible] and confident strength [illegible] in contest against [illegible] that we will [illegible] opinion. Nobody is so sanguine as to hope that we will [illegible] all differences among ourselves in the future, but I consider [illegible] believe that [illegible] if that hope shall be realized [illegible] will remain. During the [illegible] years [illegible] President's first inaugural [illegible] by the [illegible] at Charleston the Democratic party lost [illegible] and never lost two in succession. All Democrats do not then think alike on every question, any more than they do to-day, but they submitted their differences to the arbitrament of our national conventions and loyally abided by their decisions.

During those years the Democratic party made its mistakes and suffered its punishment at the hands of the people, but the banishment from power was always brief and followed each defeat it was restored to the confidence and affection of the people at the succeeding election. Its adversaries in that time were as wise and as patriotic as those who confront it to-day, but one after another they passed out of existence and into history, and the Democratic party alone was able to survive a single generation of voters. In the Presidential elections of [illegible] encountered a defeat more overwhelming than any of the recent past. That election followed the great panic of 1857, and the Democratic party carried but six of the twenty-six States which then composed the Union. States which had never before wavered in their allegiance forsook it and its old enemies were encouraged with a new hope. The disaster was so complete that it seemed irreparable, and a party with a less unconquerable spirit or less devoted to its principles and to the welfare of its country would have disorganized and disintegrated. But, sir, it was not so with our Democratic fathers. The leaders of that generation wasted no time and spent no strength in quarreling among themselves over the responsibility for their common defeat. With a singleness of purpose they set themselves to the grateful task of reuniting the discordant and wavering factions, and at the very next Presidential election the tall, weird, and spotless statesman, Henry Clay, marshaled at the head of the Whig party, went down to an irretrievable defeat before the Democratic hosts marshaled under the leadership of James K. Polk.

Again in 1848 the undergraduate division over the slavery question, culminating in the candidacy of Martin Van Buren as an independent and Free Soil Democratic nominee, distracted our counsels, divided our numbers, and accomplished our defeat; but that defeat was at short lived as the [illegible] and in the election of 1852 our legions were again victorious.

Oh, sir, if we can catch again the inspiration of our fathers; if we can subordinate our differences, even on questions to our greater arguments upon issues, we will again unite under the flag of a [illegible] and [illegible] Democracy the millions who still believe in an honest, a frugal, and a constitutional administration of this Republic. Ours shall become a party without the bitterness of sectional strife and comprehending the highest good of all the Union. There shall be no loss of caste with us, the greatest shall not be above our power, nor the lowest beneath our protection; the right shall find in us an advocate, and the wrong shall find in us an adversary. With such an organization espousing such a lofty and unselfish purpose, those who [illegible] with their power, now affect to despise us shall learn that it is as true in politics as it is in Holy Writ that "Pride goeth before a fall."

Mr. TILLMAN. "Pride goeth before destruction."

Mr. BAILEY. The Senator from South Carolina corrects my quotation, and I would be glad to amend by making it "destruction" if the party will carry his amendment into effect.

Mr. TILLMAN. "Pride goeth before destruction, and a haughty spirit before a fall."

Mr. BAILEY. The Senator from South Carolina is so much better versed in the Bible——

Mr. TILLMAN. That is the law.

Mr. BAILEY. He is so much better versed in the Bible than I am that I always yield to his corrections.

Coming back, Mr. President, from this digression to the history of reciprocity, I want to refer for a moment only, for I am disinclined to take all the time which belongs to the opponents of the bill, to the assertion that the Democratic party negotiated the Canadian reciprocity treaty of 1856.

That is true. But it is not the whole truth. When reciprocity with Canada was recommended by a great Democratic Secretary of the Treasury, Robert J. Walker, he advised that it should be effected by the concurrent legislation of the two Governments. In fact a distinguished Representative from Kentucky, Mr. Breckinridge, introduced into the House of Representatives a resolution asking the President to negotiate that treaty, and although negotiated, under those circumstances nobody believed that it would be ratified by the Senate, and one of the most disgraceful episodes in the history of this body arose out of the efforts to secure its passage.

It was denounced at that time as having been "floated through the Senate on champagne and bought with British gold." I do not believe it was bought, because I do not believe a Senate has ever assembled under this Constitution which could be purchased, but it was the truth to say that Lord Elgin and his staff used all the blandishments of which diplomats are such consummate masters. That wine, women, and song constituted a more potential factor in the ratification of that treaty than argument must be accepted as true from all the history of the time.

Mr. President, I have detained the Senate the day before yesterday and to-day much longer than the merits of what I have said would justify. I should not have ventured to pursue the line of thought I have followed this afternoon except prompted to do so by the Senator from Wisconsin, who confesses to the Senate that this treaty is a violation of the Constitution unless it is saved from that by the provision which it contains requiring—the Senator shakes his head in dissent. I do not want to misstate his position; but as I understand him, he agrees with me that if the President had negotiated this treaty and the Senate had ratified it without any provision in it submitting it to the approval of Congress it would have been an unconstitutional exercise of power.

Mr. SPOONER. Oh, no, Mr. President.

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Wisconsin?

Mr. BAILEY. I do.

Mr. SPOONER. What I said was this: That the question the Senator has discussed as to the power of the President and the Senate by treaty alone to change tariff rates, was not raised by this treaty, because it is part of the agreement itself that it should not take effect until it had been approved by Congress. I did not say, nor do I say, nor do I think that if that provision had not been in the treaty the treaty would have been unconstitutional, although I assume, for the purposes of argument, and I should be strongly inclined to the opinion, that it would have remained executory until legislation originating in the House had given effect to it.

Mr. BAILEY. Then, Mr. President, the Senator from Wisconsin leads me—and I shall not be led very far—to inquire if he maintains that the President of the United States can negotiate a treaty, that the Senate can ratify it, that the two countries can exchange ratifications, and yet the treaty negotiated by the President and ratified by the Senate is not the supreme law of the land?

Mr. SPOONER. I do not.

Mr. BAILEY. That is not what the Senator contends?

Mr. SPOONER. If it be a treaty which requires legislation it is executory. What about the treaty of Paris? That contained no provision that it should not be operative until it had been approved by Congress, and it was not until Congress had appropriated money.

Mr. BAILEY. Congress appropriated $20,000,000.

Mr. SPOONER. Yes; Congress appropriated the money.

Mr. BAILEY. It is not correct to say that the treaty was not binding until Congress made the appropriation, but it would be correct to say that it remained unexecuted until then. It is indisputably true that the President can negotiate a treaty stipulating for the payment of money, and yet the money can not be paid until its payment is provided for by Congress; but the treaty is none the less valid if the money is never paid.

Mr. SPOONER rose.

Mr. BAILEY. Now, if the Senator will pardon me, let me put this question to him: Suppose the House of Representatives had never appropriated the $20,000,000, would not the treaty of Paris have been valid and would not the United States have stood bound to the Government of Spain for the payment of that money?

Mr. SPOONER. That is a question of international obligation which stands by itself. It would not become the law of the land in this country.

Mr. BAILEY. The treaty would have become a law of the land, and it was the law of the land at the time the House of Representatives appropriated the money. There can be no kind of question about that. I happened to be in the House of Representatives at that time, and the very reason, and the only reason,

I voted for that appropriation was that I thought I was conforming to the law of the land and discharging a subsisting and valid obligation of this Government.

There can be no such thing in this country as a law that is not a law; there can be no such thing as a conditional law in this country. Congress can pass a law with conditions in it, but that law must take effect when approved by the President, unless it be otherwise stipulated in the body of it. To say that Congress can pass a law and suspend it in its effect is to attribute to it a power never yet claimed by any statesman or lawyer.

The only way to keep a law from going into effect immediately after the President approves it is to stipulate in the body of the law that "this act shall not take effect until so many days from and after its passage." The only way to keep a treaty from going into effect is to stipulate that it shall take effect upon some contingency which is lawful.

Now, I say to the Senator from Wisconsin that it would be perfectly competent to negotiate a treaty with any foreign government stipulating that, at the happening of a certain event, the treaty should operate; but the moment that treaty was ratified and ratifications exchanged the treaty would become effective waiting only upon the event to operate.

Mr. SPOONER. Mr. President, I think the Senator is utterly wrong in his statement that a treaty can not be executory in its character.

Mr. BAILEY. I do not say that.

Mr. SPOONER. Wait a minute. There are many authorities upon it. Here is a quotation from Wheaton—if the Senator will pardon me a moment.

Mr. BAILEY. The Senator need not read that to me. I do not contradict the statement that a treaty may be executory, but I mean to say that the moment the ratifications are exchanged the treaty becomes valid and binding and to be performed under the conditions specified.

Mr. SPOONER. I understand——

Mr. BAILEY. The Senator does not quite catch my point.

Mr. SPOONER. I think I do.

Mr. BAILEY. I say a provision could have been incorporated into this treaty that it should not become effective until something happened that could lawfully happen, but it can not lawfully happen that the House of Representatives shall approve a treaty. Neither the making of a treaty nor the approval of a treaty is within the powers conferred upon the House by the Constitution.

Mr. SPOONER. Mr. President, if the Senator will permit me, I certainly can not agree that where a treaty is of such a character that it can not become effective until Congress has supplied the legislation to carry it into effect it becomes a perfect obligation unless there is a provision in the treaty itself that it shall not become effective until it has been approved by Congress. The Constitution itself is written into the treaty, and if it can not take effect under the organic law without affirmative action by Congress, that is in the body of the treaty. The nations must take notice of the limitations upon the treaty-making power.

If the Senator will pardon me a moment, Wheaton says:

> The treaty, when duly signed as obligatory upon the contracting states, independently of the executory legislation which may be necessary on the part of Congress to give it full effect. Where international law leaves a power to decide the society its government of some branch of foreign intercourse, the treaty-making power, expressed in the constitutional laws of the state, or necessarily implied—

As the Senator from Texas thinks in this case—

> from the distribution of its constitutional powers—such, for example, as a power of declaring war, the treaty may be considered as complete, the obligation and the national assent has been given in the forms required by the constitution.

And so it is said by Mr. Story; and so it is said in Foster *v.* Neilson by Chief Justice Marshall; and so it is said by Mr. Justice McLean, who, in the case of Turner *v.* The American Baptist Union, expressed himself as follows:

> A treaty under the Federal Constitution is declared to be the supreme law of [illegible] the treaty-making power [illegible] Congress can [illegible] to be [illegible] law of the land where the contracting [illegible] to be in effect.

That is either where it provides as a part of the agreement that it shall not take effect until approved by Congress or where it is provided as a part of the Constitution that it shall not take effect until approved by Congress. Justice McLean continues:

> Until this power is exercised, as where the appropriation of money is requisite, the treaty is not perfect. It need operate, in the sense of the Constitution, as money can not be appropriated by the treaty making power. This results from the limitations of our Government.

Mr. BAILEY. The statement that a treaty may depend, not for its validity, but for its execution, upon a subsequent act of Congress is undoubtedly correct. For instance, the Government of Cuba and the Government of the United States could well enter into a treaty which provided that "this treaty shall not become effective until Congress appropriates the money," because Congress undoubtedly has the power to appropriate the money, and that kind of a stipulation in a treaty would be sensible as well as valid. But when they insert in a treaty a provision that it shall not become effective until the House of Representatives approve it, they incorporate a provision contrary to the Constitution of this country, because the House has no power over treaties as such. That is my contention.

Mr. SPOONER. That depends upon what is meant by the word "approve." If it were meant by that word until the House of Representatives ratifies it; if it is to be construed as an attempt to make the House of Representatives a party to the treaty proper, then the Senator is undoubtedly correct. But if it means until it is so far approved as to have been carried out by legislation, that is another matter, and that is the technical meaning in the making of treaties of the word "approve." Take this bill. It does not use the word "approve."

Mr. BAILEY. In the title it says——

Mr. SPOONER. It says "to carry into effect." The treaty itself says "until it shall have been approved by Congress." Does the Senator think this bill is an approval by Congress?

Mr. BAILEY. Undoubtedly, if Congress has the power to approve; but the Senator argues in a circle. My contention is, first, that the President has no power to negotiate a treaty without that provision in it, and, second, that the Senate can not cure the want of Presidential power by inserting the approval provision in it, because to submit a treaty to the approval of the House of Representatives is contrary to the Constitution. In other words, it requires the House of Representatives to perform functions which are not within its power.

Now, I want to read to the Senator from Wisconsin the correct doctrine on this matter. It was once stated in this Chamber by Mr. Evarts, and it is a quotation from Chancellor Kent, which my friend the Senator from Tennessee [Mr. CARMACK] is kind enough to call to my attention at this moment:

> If a treaty requires the payment of money, or any other special act which can not be done without legislation, the treaty is still binding on the nation and it is the duty of the nation to pass the necessary law. If that duty is not performed, the result is the breach of the treaty by the nation.

In other words, a treaty, according to Chancellor Kent and according to all the best authorities, made by the Government is perfectly binding; it is the supreme law of the land; but that treaty may depend for its execution or enforcement upon some subsequent event. That event may be a physical or a political event. It might be that the treaty should become effective in three years. That is a physical event. It might be that the treaty should become effective when Congress appropriates the money to discharge the obligation. That is a political event. Both of them are perfectly valid stipulations in a treaty.

But what I contend is—and it seems to me the Senator must understand me, although he may not agree with me, and if he does not I must at least fear I am wrong—that the provision upon which the treaty is made to depend is an action of the House of Representatives which it has no constitutional power to take. Do I make myself plain? I may or may not be right, but surely there is no excuse for misunderstanding my position.

Now, will the Senator from Wisconsin contend before the Senate that the House of Representatives is empowered by the Constitution to approve treaties?

Mr. SPOONER. No; of course not.

Mr. BAILEY. That is the end of the argument with me.

Mr. SPOONER. It is the beginning of it with me. [Laughter.] The Senator must remember that there is no such provision in this treaty. If there were, it would be folly——

Mr. BAILEY. No such provision here——

Mr. SPOONER. No, sir.

Mr. BAILEY. That this treaty must be approved by the Congress?

Mr. SPOONER. "The Congress."

Mr. BAILEY. Is not the House of Representatives a part of Congress?

Mr. SPOONER. Oh, yes; but it does not follow from that that it must simply be approved by the House. The point of the Senator's argument was that the House was no part of the treaty-making power. That is true. A treaty which the President and the Senate may lawfully enter into would be no better if it provided for approval by the House, but would be an attempt to confer by contract a power upon the House which under the Constitution it does not possess, which it claimed long ago in President Washington's day, but which it abandoned then and has never since asserted.

But a provision that the treaty shall not take effect until approved by Congress is a valid provision unless the Senator takes the narrow view of the word "approved," that it involves a ratification of the treaty by the House and by the Senate as legislative bodies. You will find the word "approved" in the provision of the Dingley Act as to commercial treaties. If that word means

what the Senator seems to think it does, it is bad; there is no sense in it. If it means what I think it means, until the House, where it relates to duties, shall approve by legislation the duty provisions of the treaty, it is entirely harmonious with my contention that it is constitutional. It is a different proposition from that which the Senator was making a moment ago.

Mr. BAILEY. Now, Mr. President, it begins to simplify. The Senator agrees that if the President and the Senate had made a treaty which they had the power to make and referred it to the House of Representatives the reference would be invalid.

Mr. SPOONER. And foolish.

Mr. BAILEY. And foolish; both. I agree with that; but the Senator then pursues the curiously inconsistent position that if the President and the Senate negotiate a treaty which they have no power to negotiate, they can refer it to the House of Representatives for approval.

Mr. SPOONER. The Senator begs the question at issue between us. He says if the President and the Senate negotiate a treaty which they have no power to negotiate——

Mr. BAILEY. The Senator has just said they had the power in one case, and I presume he meant to state the opposite in the other.

Mr. SPOONER. No, sir. The Senator says they have no power. I say they have the power. I admit, for the purpose of the argument, that legislation may be necessary to carry it into effect, and that that legislation must be supplied by a bill originating in the House, whether or not the treaty provides as part of the agreement for that legislation.

Mr. BAILEY. I can state it so that there will be no difference. The Senator from Wisconsin says that if the President negotiated and the Senate ratified a treaty which would be complete by the action of these two departments, then a provision referring it to the approval of Congress would be nonsensical and void.

Mr. SPOONER. I did not say that.

Mr. BAILEY. Of course, I have no right to insist that the Senator did say it when he says he did not, and when he says he did not say it I know he thinks he did not. The Senator has been arguing in a circle, and I have been arguing in a circle simply because I have been trying to follow him. But now let me restate the proposition.

My contention is that the President and the Senate have no power to negotiate a treaty of any kind and refer it to the House of Representatives for approval; and this is not only because the Senate and the President have no power to make such a reference but also because the House has no power to approve a treaty. The limitations upon the House. Its functions are legislative. It can neither appoint officers of the United States nor confirm such officers; it can neither negotiate nor ratify a treaty. I undertake to say that the President of the United States has as much right to send an appointment to this body for a postmaster in Mississippi and the Senate has as much right to consent to that appointment, with the proviso that it is acceptable to the House of Representatives, as they have to negotiate a treaty with that proviso in it.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Maine?

Mr. BAILEY. I do.

Mr. HALE. It is risky business to interpose in any way between two combatants who are so amply capable of taking care of themselves and their sides as the Senator from Texas and the Senator from Wisconsin.

But I should like to ask the Senator from Texas a question, premising by saying that I agree with him fully, in the most complete way, in his proposition that the provision in the Constitution that the President, with the advice and consent of the Senate, may make treaties is in absolute subordination to the other great proposition which has been inherited by us, maintained by us, and should always be maintained, that the power to originate revenue measures is in the popular branch. I agree with him on that.

Now, admitting that in negotiating a treaty with a foreign power, which is understood by the provisions of the President, with the approval of the Senate, the treaty-making power is confronted with the necessity of some provision relating to the collection and imposition of duties between the two countries, as the country negotiating with the United States is new. It has no fiscal system. It must have one. It is largely dependent upon the United States. Therefore the treaty-making power is confronted with that necessity. Now, what better method, what method is there that reserves all rights and all propositions and all the features that the Constitution has adopted, than for the treaty-making power, when it is confronted with that necessity, to declare that it does not propose, by the President and the Senate, to make a provision which shall be the supreme law of the land, but that it assigns that subject and that question to the approval of Congress?

As the Senator from Wisconsin says, "approval" is only a word. It is not an approval in the sense of ratification. But will the Senator tell us, when confronted with that question as the treaty-making power has been, what better, what fairer solution is there than to refer that whole subject to Congress, which includes the House and Senate, and in which the House of Representatives must take the initiative?

I have listened with the greatest pleasure to the powerful speech of the Senator from Texas, and am glad to see that in this matter he has taken so strongly not only the popular but the true ground; but I ask him to answer that question: When the treaty-making power was confronted with this condition, how could it have emerged so successfully as to refer all of that power, and by referring it confer it upon Congress and not attempt to decide it itself?

Mr. BAILEY. The very pertinent and very lucid question of the Senator from Maine presented itself in the Constitutional Convention, and the very considerations which he has urged with so much force were there urged against the exclusive right of the House to originate revenue measures. It is true enough that up to that time there had perhaps never been a reciprocity treaty negotiated by either our own or the mother country; but these arguments as to the inconvenience were thoroughly considered, and it was finally determined that as between the inconvenience of the one and the safety of the other the decision was in favor of safety.

Now, that the House can not by law quite so well adjust the duties as could two diplomats in the secrecy of a personal conference I grant you. But notwithstanding that the Constitution makers would not commit it to those two men. They may be able to do it much easier than the House and the Senate, but it was feared that they might not do it so wisely or so justly as Congress will. Nobody doubts that if the House of Representatives were reduced to the size of the Senate it could perform a great many of its functions with more dispatch, not to say with more accuracy, but the rather unwieldy size of it—and its numbers was one of the very reasons which Alexander Hamilton assigned for excluding it from the treaty-making power—can be no sufficient argument for withdrawing from it a power with which the Constitution has clothed it.

Mr. President, the Senator from Maine has long been an honored member of this body, and he has known how to obviate the very difficulty which he now suggests, because, as I recall it, the Senator from Maine proposed a reciprocity amendment to the McKinley bill before even the Senator from Rhode Island had proposed his, and the Senator from Maine then pointed out a very convenient way of making these reciprocal trade arrangements. Indeed, he provided a more convenient way than some of his associates on the other side of the Chmber desired to see adopted. They accepted his method, however, and incorporated it into their law, which was sustained by the court as legal and was shown by its operation to have been practical.

Mr. HALE. Will the Senator from Texas allow me?

Mr. BAILEY. Certainly.

Mr. HALE. I did not mean to intrude into this discussion——

Mr. BAILEY. The Senator does not intrude. I welcome him.

Mr. HALE. The question of the history of reciprocity. Sometime during the session it may more legitimately come in. I shall not vote for this bill on account of its being called a reciprocity measure. I shall vote for it notwithstanding that. Reciprocity has traveled very far from the reciprocity of Blaine and Arthur and Harrison—the reciprocity which was then opposed solidly by the party of which the Senator is an honored member and which it has taken up lately. Reciprocity as urged to-day, not as a handmaiden of protection, but as an instrument to emasculate protection, is as far from the original reciprocity as the east is from the west. However, I do not propose to go into that.

What I sought to elicit from the Senator from Texas—he sees everything, not only what he advances and proposes, but what is advanced and proposed by the other side; his mind is clear; he knows what my question meant—is an answer to the practical question, that if a treaty made by the recognized power which alone makes treaties is made dependent upon an event, which the Senator admits it may be, what better, what more fitting event, when you come to deal with the question of revenue, all of which provisions must be originated by the House of Representatives, than to make that event the approval of the adoption by Congress, which must be subject to the unvarying rule that all such provisions shall originate in the House?

I ask the Senator would he abandon the treaty-making power? Would he do nothing about it? If the treaty-making power is confronted by that proposition, what better event, I repeat, than to make it dependent upon the action of the entire Congress?

Mr. BAILEY. If I were devising a reciprocity system, to be both practical and constitutional, I would borrow the provisions which the Republican party incorporated into the McKinley Act. They have not only been sustained by the court as constitutional, but I think they were effective in accomplishing their object.

But going to the other branch of the Senator's question, my objection to referring a treaty to the House of Representatives is that the House of Representatives has no more right to approve or disapprove a treaty than it has to approve or disapprove a judgment of the Supreme Court. One would be a judicial function wholly beyond its jurisdiction and the other is an executive function equally beyond its jurisdiction.

Mr. HALE. Has it not a right to originate the proposition upon which the treaty is made dependable?

Mr. BAILEY. I think not.

Mr. HALE. Has it not the right to originate the event which, in the terms of the treaty, is made the one event upon which the treaty shall become operative? I hope the Senator will not stick in the bark, and will not insist that this is a proposition for the House to approve a treaty. That, as the Senator from Wisconsin has said, is silly. Nobody claims that. Nobody has asked for that.

Mr. BAILEY. The treaty provided for it in express words.

Mr. HALE. But when you come to an event which it is declared is absolutely indispensable to the operation of the treaty, an act by Congress, what better can you have than that? I can see none, and that is the reason why I am going to vote for this bill, that all the rights of the great body of popular Representatives of the Government are preserved.

I do not agree with certain Senators here that the President and the Senate can ride roughshod over the popular branch, and that the power, which is given in terms, to negotiate treaties undermines and destroys the fundamental proposition that revenue measures must originate in the House. I do not agree with Senators in that. My education in the House and all my thought and reflection since have been in the other direction. I shall vote for this bill because it has been so amply guarded in that direction that the right of the House is maintained, and the treaty is dependent upon a single event which must be initiated and started and adopted by the House and the Senate as Congress.

Mr. BAILEY. I am delighted to hear both the Senator from Maine and the Senator from Wisconsin stigmatize as senseless or foolish a proposition that the House can approve a treaty. But I desire to say that in doing this they are applying those epithets to this transaction, because in the tenth and last article of the treaty, and in the last paragraph except one, I find these words:

This convention shall not take effect until the same shall have been approved by Congress.

Now, if that is such a senseless thing to require, it seems to me the wisdom of the Senate would have been equal to devising an expression that did not require an absurd and foolish proceeding on the part of Congress.

Mr. President, I feel that the Senate is impatient, as it has a right to be, for the vote. I have already——

Mr. HOAR. I should like to ask the Senator one question before he sits down.

Mr. BAILEY. Certainly.

Mr. HOAR. It is possibly worthy, also, of the consideration of the Senator from Maine. Who originated this revenue measure? The treaty-making power fixes it where no man can amend it. If it is to pass the House of Representatives, the Senator——

Mr. BAILEY. If the Senator from Massachusetts asks me, I say it was originated by the treaty-making power.

Mr. HOAR. Certainly.

Mr. BAILEY. And if this is proper legislation the Senator from Massachusetts is correct in saying that the President and the Senate have a right to make such a treaty.

Mr. HOAR. In other words, have you not got to say that the constitutional provision is filled——

Mr. HALE. No; I do not agree——

Mr. HOAR. I am asking the Senator from Texas. Have you not got to say that the Constitution means exactly what it says: that when you do a certain thing by a bill it shall be originated there, and leave the treaty-making power unaffected?

Mr. HALE. Or, in other words, that the President and the Senate can go on and exhaust the whole subject of raising revenue and leave no opportunity for a bill. That is what the Senator means, if anything. I do not subscribe to that narrow doctrine.

Mr. HOAR. It absorbs the whole subject in the treaty-making power, whatever it is, and they did not originate this measure in the House.

Mr. BAILEY. They did not.

Mr. HOAR. Everyone knows that they did not. It originated in the White House.

Mr. BAILEY. The Senator from Massachusetts is supported by the very first words of the bill:

A bill to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

The very title of this proposed act recognizes that there was something behind it, and that which was behind it was originated by the President of the United States.

Mr. HALE. Undoubtedly it was, because——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Maine?

Mr. BAILEY. I do.

Mr. HALE. Undoubtedly it was, because it was a treaty. Nobody denies that. No part of the Government ever in any way interferes. The President has to initiate a treaty. It can not originate anywhere else. That law is immutable. The President must initiate the treaty. It must go to the Senate for its approval. All through this matter the saving condition of it has been, and we have recognized it, and the President has not protested, that before this treaty can become operative it shall go before the other branch of the Government, the great popular branch, which must initiate not the treaty, but all the law that makes it operative. It must give it life, and it has no life without it.

Mr. BAILEY. Mr. President, I thoroughly agree with the Senator from Maine that a treaty can only originate with the President; and I firmly assert that a revenue measure can only originate in the House of Representatives. It is as unconstitutional for the President to originate a revenue bill as it would for the House to negotiate a treaty; and such a thing as a revenue treaty must be unknown to our constitutional system. I state it over and I am done. If this is a treaty, it could only originate with the President. If it is a revenue measure, it could only originate with the House of Representatives; and, being both in one, it could not lawfully originate with either, and therefore it ought to be defeated.

Mr. CULLOM. Mr. President, if the debate is closed so far as the Senators who have been on the floor are concerned, and if no other Senator is prepared to make a speech or desires to do so, I take the floor, not to make a speech, but to state that in view of the long session to-day and the disposition on the part of both sides of the Chamber, I think, to vote. I will withhold any speech I might possibly be expected to make, and ask for a vote now upon the bill.

Mr. PLATT of Connecticut. Mr. President, I trust I may be permitted one moment, not to make a speech, but in view of the discussion which has arisen here to-day on the right of the President and the Senate to make treaties of this character, to say that I do not agree with the Senator from Wisconsin or the Senator from Texas, or any other Senator who maintains that the President, by negotiation and with the ratification of the Senate can not make a treaty affecting customs duties.

There is no opportunity now to make the argument, but I hope at some time to be able to give the reasons for my belief in that respect.

Mr. FORAKER. Mr. President, I rise not to make a speech, because I am one of the impatient members of the Senate desiring to take a vote. I regret, however, that the circumstances are such that I can not at length state the reasons why I agree with the Senator from Connecticut and dissent from the proposition to which he refers, that the President and the Senate can not make a commercial treaty or a treaty affecting the revenue, as well as any other treaty, without consultation with the House, if they see fit to do so. I shall take advantage of the first opportunity afforded me to present arguments in support of my position.

Mr. GORMAN. I ask for the yeas and nays on the bill.

The PRESIDENT pro tempore. The bill is as in Committee of the Whole, and open to amendment. If there is no amendment as in Committee of the Whole, it will be reported to the Senate.

The bill was reported to the Senate without amendment.

The PRESIDENT pro tempore. The bill is open to amendment in the Senate. If there be no amendment, shall it be ordered to a third reading? Does the Senator from Maryland desire the yeas and nays on ordering the bill to a third reading or on its final passage?

Mr. GORMAN. On its final passage.

The bill was ordered to a third reading, and it was read the third time.

The PRESIDENT pro tempore. Shall the bill pass? On this question the Senator from Maryland demands the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BEVERIDGE (when his name was called). I have a general pair with the senior Senator from Montana [Mr. CLARK]. I transfer that pair to the junior Senator from Connecticut [Mr. HAWLEY], and I vote "yea."

Mr. GORMAN (when the name of Mr. CLARKE of Arkansas was called). The junior Senator from Arkansas [Mr. CLARKE] is paired on this question with the Senator from Nebraska [Mr. MILLARD]. If present, the junior Senator from Arkansas would vote "nay."

Mr. GIBSON (when his name was called). I have a general pair with the senior Senator from Utah [Mr. KEARNS]. Were he present, I should vote "nay."

Mr. PLATT of Connecticut (when Mr. HAWLEY's name was called). My colleague [Mr. HAWLEY] is unable to be present in the Senate on account of illness. He is paired with the Senator from Montana [Mr. CLARK]. If my colleague were present, he would vote "yea."

Mr. MILLARD (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. CLARK]. If he were here, I should vote "yea."

Mr. McLAUREN (when Mr. MONEY's name was called). My colleague [Mr. MONEY], is unavoidably absent from the Senate by reason of sickness in his family. He is paired with the Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. PETTUS (when Mr. MORGAN's name was called). The senior Senator from Alabama [Mr. MORGAN] is paired with the Senator from [illegible]. If the senior Senator [illegible] present, he would vote "nay."

Mr. PATTERSON (when his name was called). I am paired with the Senator from [illegible] [Mr. KEAN]. I am not informed as to his vote.

The PRESIDENT pro tempore. He has not answered to his name.

Mr. PATTERSON. If he were present, he would vote "yea" on this proposition.

Mr. KEAN (when Mr. CULLOM's name was called). My colleague [Mr. CULLOM] is paired with the Senator from Louisiana [Mr. MILLIKEN]. If my colleague were present, he would vote "nay."

Mr. WALLAS (when his name was called). I have a standing pair with the Senator from [illegible] [Mr. MORGAN]. In his absence I vote "nay." I understand that if he were present he would vote "yea."

Mr. GALLINGER. I wish to state that my colleague [Mr. CLARK of Montana] is paired with the Senator from [illegible] [Mr. HAWLEY]. If my colleague were present and voting, he would vote "nay."

The result was announced—yeas 37, nays 18, as follows:

YEAS—37.

Allison,	[illegible],	Hanna,	Perkins,
Alger,	[illegible],	Hansbrough,	[illegible] Y.
Allen,	[illegible],	Heyburn,	[illegible],
Allison,	[illegible],	Hoar,	[illegible],
[illegible],	[illegible],	Hopkins,	[illegible],
[illegible],	[illegible],	[illegible],	[illegible],
[illegible],	[illegible],	Lodge,	[illegible],
[illegible],	[illegible],	Long,	[illegible],
[illegible],	[illegible], Wash.	McComas,	[illegible],
[illegible],	[illegible],	McCumber,	[illegible],
[illegible],	[illegible],	Mitchell,	Wetmore.
[illegible],	[illegible],	Nelson,	
Clark, Wyo.	[illegible],	Owen,	
Clay,	[illegible],	Pettigrew,	

NAYS—18.

Bailey,	[illegible]son,	McLaurin,	[illegible]ero,
Bard,	[illegible],	Mallory,	[illegible],
Bate,	[illegible],	Martin,	Tillman.
Berry,	[illegible], La.	Newlands,	
Carmack,	[illegible]bery,	Pettus,	

NOT VOTING—15.

Clark, Mont.	[illegible],	Latimer,	Patterson,
Carter, Ariz.	[illegible],	Millard,	Quay,
Dietrich,	[illegible],	Money,	Warren.
Gamble,	[illegible],	Morgan,	

So the bill was passed.

Mr. LODGE. Mr. President, I simply wish to say that I did not desire to detain the Senate while the vote was about to be taken, but I hope at some future time to express my dissent from some of the doctrines laid down as to the power of the Senate and the President to make a treaty, holding very different views from those expressed this afternoon, and believing that the President and the Senate have the power to make treaties.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; and it was thereupon signed by the President pro tempore.

HOLIDAY RECESS.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the following concurrent resolution of the House of Representatives, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved by the House of Representatives (the Senate concurring), That when the two Houses adjourn on Saturday, December 19, they stand adjourned until 12 o'clock meridian Monday, January 4, 1904.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 17, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 16, 1903.

COLLECTORS OF CUSTOMS.

Albert R. Day, of Maine, to be collector of customs for the district of Bangor, in the State of Maine. (Reappointment.)

Charles H[illegible] to be collector of customs [illegible] state of R[illegible] land, in place of Charles D. Eddy, deceased.

PROMOTIONS IN THE ARMY—ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Henry R. Casey, Artillery Corps, November 4, 1903, vice Wood, resigned.

[illegible] R. Ross, Artillery Corps, November 14, 1903, vice Livingston, retired from active service.

POSTMASTER.

Frank W. Rollins to be postmaster at Ellsworth, in the county [illegible] W. Rollins [illegible]

INTERSTATE COMMERCE COMMISSION.

Joseph W. Fifer, of I[illegible], to be interstate commerce commissioner for the term of six years from M[illegible] (Reappointment.)

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 16, 1903.

SECRETARY OF HAWAII.

A. L. C. Atkinson, of Hawaii, to be secretary of Hawaii.

RECEIVER OF PUBLIC MONEYS.

A. W. Gowan, of Burns, Oreg., to be receiver of public moneys at Burns, Oreg.

COLLECTORS OF CUSTOMS.

Edward E. Butler, of Tennessee, to be collector of internal revenue for the second district of Tennessee.

Walter C. Witherbee, of New York, to be collector of customs for the district of Champlain, in the State of New York.

Fred W. Wight, of Maine, to be collector of customs for the district of Waldoborough, in the State of Maine.

POSTMASTERS.

ARKANSAS.

R. L. Floyd to be postmaster at El Dorado, in the county of Union and State of Arkansas.

Joel M. McClintock to be postmaster at Devall Bluff, in the county of Prairie and State of Arkansas.

Edward S. Parnell to be postmaster at Junction, in the county of Union and State of Arkansas.

Nannie H. Savage to be postmaster at Monticello, in the county of Drew and State of Arkansas.

Fidelles B. Schooley to be postmaster at England, in the county of Lonoke and State of Arkansas.

CALIFORNIA.

Harry E. Meyers to be postmaster at Yuba City, in the county of Sutter and State of California.

INDIANA.

Floyd E. Farley to be postmaster at Crown Point, in the county of Lake and State of Indiana.

Edward L. Maudlin to be postmaster at New Carlisle, in the county of St. Joseph and State of Indiana.

INDIAN TERRITORY.

Francis M. Savage to be postmaster at Hartshorn, in the Choctaw Nation and Indian Territory.

KENTUCKY.

Colmore L. Barnes to be postmaster at Elizabethtown, in the county of Hardin and State of Kentucky.

Coleman C. Wallace to be postmaster at Richmond, in the county of Madison and State of Kentucky.

John B. Weller to be postmaster at Bardstown, in the county of Nelson and State of Kentucky.

MAINE.

Frank W. Rollins to be postmaster at Ellsworth, in the State of Maine.

NEVADA.

Charles L. Broy to be postmaster at Eureka, in the county of Eureka and State of Nevada.

NEW YORK.

George B. Harmon to be postmaster at Brockport, in the county of Monroe and State of New York.

OKLAHOMA.

W. T. Judkins to be postmaster at Mountain Park, in the county of Kiowa and Territory of Oklahoma.

SOUTH CAROLINA.

Alfred R. N. Folger to be postmaster at Gaffney, in the county of Cherokee and State of South Carolina.

TENNESSEE.

William M. Bray to be postmaster at Henderson, in the county of Chester and State of Tennessee.

R. C. Couch to be postmaster at Bellbuckle, in the county of Bedford and State of Tennessee.

WEST VIRGINIA.

Robert S. Lovelace to be postmaster at Ronceverte, in the county of Greenbrier and State of West Virginia.

George Porterfield to be postmaster at Charlestown, in the county of Jefferson and State of West Virginia.

PANAMA CANAL.

The injunction of secrecy was removed December 16, 1903, from a convention between the United States and the Republic of Panama for the construction of a ship canal to connect the waters of the Atlantic and Pacific oceans, signed on November 18, 1903.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *December 16, 1903.*

The House met at [illegible]

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON THE JUDICIARY.

Mr. JENKINS. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Resolved, That the Committee on the Judiciary, and any subcommittee thereof, have leave to sit during the sessions of the House.

The SPEAKER. Without objection, the request will be agreed to.

There was no objection.

QUESTION OF PERSONAL PRIVILEGE.

Mr. LIND. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. LIND. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. LIND. I have just received a copy of the Minneapolis Journal, one of the leading papers in my State, which, in an editorial, reflects upon the personal relations between the leader of the minority in this House and myself. The editorial is of some length. I will not ask to have it read. It comments upon my committee assignments and in that connection insinuates that the relations between the minority leader and myself are not cordial. Such is not the fact, Mr. Speaker, so far as I am advised and know. Our personal and political relations are cordial. Besides that, the minority leader recommended my assignment to two other committees regarded by this House as more prominent than the assignments which I received.

Mr. PAYNE. Mr. Speaker, I make the point of order that this is not a question of personal privilege. I have no objection, however, to the gentleman proceeding for five minutes by unanimous consent.

Mr. LIND. If the gentleman will permit me to finish my sentence, that is all I desire to say.

Mr. PAYNE. The gentleman states no question of privilege.

The SPEAKER. Is there objection to the gentleman making a personal explanation? The Chair hears none.

Mr. LIND. I desire to make no further explanation. I think it is a matter of privilege when a Member's relations with his party leader are impugned.

The SPEAKER. The Chair does not agree with the gentleman touching that matter, but the gentleman is proceeding by unanimous consent.

Mr. LIND. I will not pursue it any further, except to state the fact which I have from the gentleman from Mississippi [Mr. WILLIAMS], as well as from the Speaker himself, that the gentleman from Mississippi [Mr. WILLIAMS] recommended my assignment to the Committee on Labor, which assignment could not be made by the Speaker, it seems, and likewise recommended my assignment to the Committee on Naval Affairs, in which recommendation the Speaker did not concur.

PENSION APPROPRIATION BILL.

On motion of Mr. VAN VOORHIS, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. 6788, the pension appropriation bill, with Mr. OLMSTED in the chair.

Mr. VAN VOORHIS. Mr. Chairman, I yield to the gentleman from Tennessee [Mr. GIBSON] one hour.

The CHAIRMAN. The gentleman from Tennessee [Mr. GIBSON] is recognized for one hour.

Mr. GIBSON. Mr. Chairman, the bill now before the committee is entitled "A bill making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1904, and for other purposes." For the last four or five days this committee has been entertained with [illegible] every matter of political debate other than [illegible] this bill.

I know it is very [illegible] and very interesting for a member to discuss the Panama canal and the tariff question and the general politics of the country. It is a tempting opportunity. So far as I am concerned I have been interested in a Nicaraguan canal question for over forty years. I [illegible] when the question came prominently to the front at the close of the Mexican war.

THE PANAMA CANAL.

I have always favored the canal and have twice spoken on this floor in behalf of a canal, and so far as the great mass of the American people are concerned they have favored a canal across the Isthmus. For the last fifteen years it has been a question of choice of routes other than at Panama for the reason that the French company had already preoccupied Panama, and the only other route that was at all feasible was the Nicaragua route. That is why the attention of the American people has been concentrated upon the Nicaragua route. It was the only one open to the people of the United States. If the Panama route had been equally open, I take it there never would have been any question as to which route we would have selected.

The best engineers of the world are agreed that the Panama route is by far the best, by far the cheapest to construct, and the cheapest to maintain. But when Panama was in the hands of the French company, we had to look elsewhere, and, looking elsewhere, finally concluded that the Nicaragua route was not the best, but the next best; and as we could not build by Panama, we at last concluded to build through Nicaragua.

But at last the chance came to us to build through Panama, and the American people, as represented in the Congress of the United States, after considering the pros and cons, and investigating the matter in all its bearings through the instrumentality of the most competent agencies, decided by an overwhelming vote in favor of the Panama route. President McKinley favored the Panama route, and President Roosevelt and his Cabinet favor the Panama route. Without going into any details of the many questions that have sprung up in the last two months, it is sufficient to say that we now have an opportunity to construct that canal by the Panama route, which is the best route, according to the deliberate judgment of the Congress of the United States and in the opinion of the best engineers of the world.

PRESIDENT ROOSEVELT RIGHT.

It would be an act of childishness when we have the best route on which to construct the canal, and the very opportunity we have been so long praying for, that we should now stop to fuss about the circumstances whereunder and whereby we have obtained the territory and the right to build, like a spoiled child that cries for an apple, and when the apple is at last given it, in a fit of petulant anger, throws it upon the ground. Mr. Chairman, we are in no danger of acting the fool in this matter. A few politicians may fume and froth, and roll their eyes, and tear their hair, and swing their arms frantically, but in the judgment of the vast majority of the American people President Roosevelt has done a wise thing, has done a prudent thing, in recognizing Panama and negotiating the treaty for the canal, and he has done it in the right way and at the right time, and I doubt not, Mr. Chairman, that if a Democrat had been in the Presidential chair he would have done exactly the same thing. It ought not to be a political question, and I am glad to know that there are enough patriotic Democrats to take this question out of the domain of politics and make it an American question—a question as broad and as long as our whole country, as deep as our patriotism and as high as our aspirations.

TARIFFS NECESSARY.

So far as the South is concerned, it is prospering to-day under Republican tariff legislation, prospering as it never prospered before. Now, does the South want to continue to prosper under a Republican isthmian canal, when that canal will make more for the people of the South than for the people of the North? It ought not to be a question of politics; ought not to be a question of North or South, or of East or West. We ought to broaden ourselves into the magnitude of an American and elevate ourselves to the height of a patriot, and consider that we are legislating, not for a section, but for a nation; not for a campaign, but for a hundred years. [Applause.]

So far as the tariff is concerned, my views on that question are well understood by the House and by the people of my district and State. Nobody can argue successfully against the tariff. Tariffs are necessary to raise revenue to run the Government, and at the same time protect American labor. Tariffs are like our suspenders, apt to be too tight in some places and too loose in others; but Uncle Sam needs them to keep up the expenses of the Government—and his breeches. [Laughter.]

It is not profitable now to discuss the details of the tariff; and as a result I have nothing to say on that question. Whatever party comes into power it will be obliged to enact a tariff law of some sort; and our Democratic friends now agree that the tariff in the main is right and say that if they get in they will remove only a course or two of the bricks on the top of the wall. [Laughter.]

PENSION APPROPRIATIONS.

What is the question, then, before this committee? It is a question of pension appropriations; and on that matter I propose to make a few remarks. In a short time we will have before the House bills on the Calendar granting special pensions to particular persons. In order to obviate some of the discussion that may then arise and consume precious time, with the favor of the House I will say a few words on the subject of special pensions. I think there is an idea prevailing in the minds of a great many very excellent gentlemen that we are loading the pension rolls down with special pensions.

Now, Mr. Chairman, what are the facts which I have collated from the last annual report of the Commissioner of Pensions? How many pensioners are there? Nine hundred and ninety-six thousand. How many by special act of Congress?—5,676. Only five thousand six hundred and seventy-six pensioners to-day on the roll by special acts of Congress, out of 996,000, and only 2,924 of them soldiers, the others being widows.

To what class do they belong? To the war of 1812, eighteen pensioners—one soldier and seventeen widows. Of all the mighty host of over 600,000 men that went into the war of 1812–1814, or I ought to say 1812–1815, for the war did not end until 1815, although the treaty was concluded in 1814. The battle of New Orleans was fought in 1815. Of all that mighty host of over 600,000 men only one soldier pensioned by special act.

Then take the numerous Indian wars we have had. The Creek war, the Florida war, the Black Hawk war, the wars with the Sioux, with the Apaches, with the Comanche, with the Navaho, with Captain Jack and the Modocs, and the wars with other Indian tribes, in which first and last 100,000 soldiers were engaged. How many men are pensioned by special acts on account of these wars?—33! How many widows?—48. Only thirty-two men pensioned by special acts out of the 100,000 engaged in our Indian wars!

PENSIONS BY SPECIAL ACTS.

How about the Mexican war? One hundred and thirty-two soldiers and 88 widows pensioned because of the Mexican war. One hundred and thirty thousand soldiers and sailors in the Mexican war and only 220 people put on our pension rolls by special acts because of that great war—a war lasting two years and in an unhealthy climate.

Now come to the civil war. There are now on the pension roll 2,924 men by special acts of Congress—only 2,924 men out of the 2,000,000 who served upon the Federal side from 1861 to 1865. And yet, Mr. Chairman, the men south of the Ohio, and north of the Ohio, and east of the Mississippi, and west of the Mississippi who read some of the speeches printed in the CONGRESSIONAL RECORD would imagine that there were a half a million of men and a quarter of a million of widows on our pension rolls by virtue of special acts of Congress. How many have been on the pension rolls in the aggregate, men and women, from the foundation of our Government to the present day, one hundred and twenty-six years, by virtue of special acts of Congress? Just a little over ten thousand, nearly one-half of whom are in their graves.

Why, Mr. Chairman, the men and the women that are pensioned by special act of Congress often die before the pension certificates reach them. It is sufficient to say that the average life of a soldier pensioned by special act does not exceed ten years. Think of it! What does it prove? It proves that the men so pensioned are so disabled as to be near death's door, and only live a few years after they are pensioned.

PENSIONS A MATTER OF PATRIOTISM.

Now, I beg of Congressmen—I was going to say on this side of the House and on that side of the House—but, Mr. Chairman, on the question of pensions, on this question of patriotism, there should be no sides in the American House of Representatives. [Applause.]

I take advantage of this occasion to say, as a member of the Committee on Invalid Pensions, that the Democratic members of that committee, and an overwhelming majority of the Democratic members of this House, have stood up nobly and valiantly and patriotically in behalf of the pension legislation that has been proposed in behalf of the surviving Union soldiers and the widows of those who are dead. I consider it a complimentary thing to the patriotism of this House that we have spent five days on a bill that proposes to appropriate $138,000,000 to pay the pensioners of our country, and not one man has arisen in this House to say one word against it.

THE PENSION ROLL A ROLL OF HONOR.

We hear no more talk of pensioning "deserters," no more talk of pensioning "coffee coolers," "bounty jumpers," and "camp followers." These words that were such a slogan in politics in days gone by have fallen into "innocuous desuetude," and we hear no more of them. They never were truthful, they always were calumnious, and, rightly understood, always discreditable to the men who made the accusation. No deserter has been pensioned since I have been in Congress so far as I know, and my means of information have been good. And, Mr. Chairman, we hear no more talk of "pension frauds." The old soldiers have lived down that cruel slander. The pension roll has been declared by the nation to be a "Roll of Honor." The slanderers no longer bark at it in the open, and only a few of them are left to growl and whine in their foul dens.

Mr. Chairman, when the pension committees bring up their special bills, which will not be until after the recess, I hope and pray that the average Member of the House will consider it a patriotic privilege that he has the opportunity, by his vote, to contribute somewhat to smoothing the pathway of some old soldier or soldier's widow to the grave. The record and the facts I here present show that the average life of a pensioner who obtains his pension by special bill at this late day does not exceed ten years. Many of them die before we get their bills through the House. Look at the records of the last Congress and the records of the previous Congresses and see how many cases there are where the chairmen of our committee got up and said, "Mr. Chairman, I move that that bill lie on the table; the claimant has died since the bill was reported."

SERVICE PENSIONS.

There is another matter that this House will probably be called upon to consider, and that is the question of a service pension; and I want to submit a few figures on that question from the report of the Commissioner of Pensions. According to the report of the Commissioner of Pensions there are about 200,000 ex-Union soldiers now living and not on the pension rolls. When we consider, Mr. Chairman, the age of the Union soldier and the infirmities consequent upon age, and when we consider the inclination of a man to get what the Government offers to him, I question very much whether there are as many as 100,000 ex-Union soldiers not drawing pensions to-day. But let us put them at 100,000. A great many of them never served ninety days and a great many of them have defective records, and these two facts explain why many men are not applying for pensions. But put them at 100,000 and how will it figure out? There are 37,000 soldiers now drawing pensions at $5 a month. Suppose we raise them to $12; that adds $2,664,000 to the annual pension payments.

There are 34,000 soldiers drawing $8 a month; put them up to $12, and that adds $1,632,000 to the annual pension payments. There are 24,000 soldiers drawing $10 a month; put them up to $12, and that will add $576,000 to the annual pension payments. Adding these three classes together, the aggregate is $4,872,000 added to the annual pension payments. Now let us suppose there are 100,000 men not drawing anything who would be pensioned under a service law giving every one of them $12 a month. That would add $14,400,000 to the annual pension payments. But, Mr. Chairman, when we cut out the men who served less than ninety days—when we cut out those with defective army records—when we limit the age to 60 years, and perhaps require them to have served six months in the Army, how many thousand do you think a conservative service pension will add to the pension roll? It will never add 50,000 names. Before they all get on that roll 50,000 of those now on will drop off by death.

SERVICE PENSIONS NOT BURDENSOME.

I say the year has come and ought not to be allowed to end—the day has come and the clock ought not to be allowed to strike again, if it be within the power of this House under parliamentary rules, without our adding to our pension roll the name of every ex-Union soldier with an honorable discharge who served six months or more and is sixty years of age or over. The country can stand it—the country will never know it. Mr. Chairman, when we get to appropriating $138,000,000 a year for pensions, the people of the United States do not care a nickel whether it is ten millions more or ten millions less. This pension appropriation never has hurt our country. It goes into every section. It is taken out of the pockets of the rich and put into the pockets of the poor. It is taken out of the pockets of those who have prospered—the result of the prosperity of our country—and is put into the pockets of those who saved our country that it might be prosperous.

It goes into the pockets of the widows of those who now sleep under the sod, having given their lives that our country might keep its life. We honor those who are dead when we honor those who survive.

Four hundred thousand men,
The brave, the good, the true,
In tangled wood, in mountain glen,
On battle-plain, in prison pen,
Lie dead for me and you.
Four hundred thousand of the brave
Have made our ransomed soil their grave
For me and you, for me and you.

I have no patience and no sympathy with the men who will go into vulgar fractions in order to find a way to prevent the men who served in the Federal Army from 1861 to 1865 from obtaining such a pension from the Federal Treasury that in their last days, when they behold the last sun setting upon their lives and the flag of their country still high in the heavens, they may feel that that country which they stood by in her hour of need is now standing by them in their hour of need. [Applause.]

So far as I am concerned, Mr. Chairman, I know where I stand on this issue; and I hope there will be enough gentlemen on both sides of this House when that question is presented to give the ex-Union soldier who served six months and has an honorable discharge a service pension of $12 a month.

JUSTICE TO SOLDIERS' WIDOWS.

Now, Mr. Chairman, I want to say a few things in reference to widows' pensions. The surviving Federal soldier has his vote; he can call his Congressman to time; but the widow has no vote, and she can not call anybody to time, but everybody is calling her to time. I lay down the broad assertion that there are undue obstacles placed in the way of the widows of our soldiers in obtaining their pensions. In many cases the widow dies and her children are in the poorhouse before her pension is allowed.

And no wonder, Mr. Chairman, when you consider the ordeal through which she has to pass. The first thing she is called on to do is to prove the death of the soldier. That is not always an easy thing; for there are cases in which a soldier, before his death, goes to some new section of the country to make his home. We are a migratory people; we are moving about from place to place. This is a very great country. Plenty of my people go West—to Texas, California, Oregon. And the soldier thus leaving the place where he has resided in many cases never returns. The widow waits seven years. Congress passed an act about eight years ago providing that the unexplained absence of the soldier for seven years should be proof of death when his wife or widow was applying for a pension, and providing that if it should turn out the soldier was living, the pension granted under the act should terminate.

What does the Pension Bureau say? They say that this act is simply in affirmance of the common law, and so the Bureau has made no change in their ruling. In short, the Bureau has repealed the act of Congress.

Well, after she has proved the death of the husband, what is she next called on to do? To prove she was married to the man. She has to produce a record, or the testimony of persons present at her marriage. She may have been married in my district, or in South Carolina, or in North Carolina, which frequently happens, and have moved to Texas, and the soldier died there. This was so in a case which was recently brought to my attention. The soldier had been married before and divorced, but the courthouse had been burned down and the record of the divorce destroyed. What was she to do? She had been married to the soldier many years, and had a large family by him—all poor. In this case my friend Judge Sheppard, father of the present Representative from that district, was kind enough to introduce a special bill to pension the woman, and Congress passed the bill without objection.

ARBITRARY EVIDENCE REQUIRED.

What ought to be the law, Mr. Chairman? The same sort of law that the probate court acts on, namely, to bring up two or three neighbors who will show that this woman was reputed to be the wife of the dead man, reputed by her friends and neighbors as such and had been living with him as his wife for years, upon which the probate court declares her the widow, gives her a year's support, and assigns her dower. What does the Pension Bureau say? Nay, Pauline; nay; we want more [laughter]; we want a record, we want witnesses that were present and who saw you married! Well, suppose she gets those, what then? Why, she must prove by witnesses who have known her all along the line that she never was divorced from him. That is a requirement of the Pension Bureau—never divorced. She has to prove a negative. What next? She gets up affidavits of witnesses. That is not an easy thing to do where we have a migratory population.

Here are a Tennessee man and woman—a soldier and his wife—who have moved to Kansas, or to Arkansas, or Texas, and who have been there twenty years. How is this widow going to prove these things—a lone widow, surrounded by five or six children in her distress, perhaps among strangers—how is she going to prove, by at least two credible witnesses, that her husband never was married before he married her, and that she never was married before she married him? Remember most of these marriages occurred thirty or forty years ago. What next? I want to read in this connection a case to show you the atrocity and absurdity of this ruling. It is the case of Selena Brewer, wife of Daniel Brewer, Company E, Third Tennessee Mounted Infantry, claim No. 590484. This woman was 80 years of age, and she was called on to prove, by two or more credible and disinterested witnesses who had known her continuously ever since 1832, when she was 16 years old, that she had never been married before she married the soldier, or, if married, had never been divorced from him.

THE ORDEALS OF DELAY AND DEATH.

Well, what next? Then she is required to file an affidavit of every service that her husband had been engaged in before his alleged muster and after the date of his alleged discharge. How can she swear what service he was engaged in before his alleged muster? What next? When the Congressman calls up the case to learn its status, he is told, We are awaiting answers to letters of inquiry addressed to persons supposed to have knowledge of the facts! How long does she have to wait, Mr. Chairman? A year, or until the Congressman, outraged, goes to the Bureau and demands that that case shall be acted upon. What then? Oh, it is sent to "the field"—put in the hands of a special examiner, who perhaps has 100 cases already in his hands. It lingers there another year, and the special examiner—that is, the average special examiner—thinks that he is doing God service and himself service if he can recommend a rejection. Every case that he turns down he considers an additional star in the crown of his glory. [Laughter.] Finally the case goes to the bureau of adjudication; and I believe I will read a thing or two out of the Commissioner's report, because it may be that the average Member will hardly believe it.

According to the report of the Commissioner (and it is only a statement of rules that have been in existence in the Bureau for many years), after a case has passed the adjudicating division, it then goes to the board of review for its concurrence. Within the board of review is a re-review section, where claims receive another consideration before final action, and after it passes the board of re-review there is also an appeal section. Now, the Commissioner says, it has to take all of those steps before a claim is rejected. Oh, no, Mr. Commissioner, not before it is rejected. Strike out the word "rejected" and insert "before it is allowed." Before it is allowed it must take all of those steps. The Commissioner should have inserted the words "or allowed" after the word "rejected."

Every case takes this course, whether rejected or allowed. Finally, after the lapse of years, the certificate issues, if it ever issues, goes to the widow's post-office, and oftentimes is returned by the postmaster with a statement that the widow is dead, or, if not dead, she and her children may be in the poorhouse. Yet we are supposed to be here for the purpose of seeing, among other things, that the widows of the soldiers receive justice at the hands of the Government, whose life those soldiers died, it may be, to help to save.

OUR DUTY AS CONGRESSMEN.

Now, there are bills proposing a remedy for these things before the Committee on Invalid Pensions, and, as I remarked to some gentlemen a few days ago when we were discussing these things, we are not a lot of politicians at a crossroads store, whittling and telling yarns and spitting around, and suggesting changes in the laws; we are Congressmen, clothed with the duty and the responsibility of attending to these matters and righting these wrongs, of smoothing the ways of the soldier's widow and not forgetting the soldier himself.

I hope, Mr. Chairman, that when the record of the Fifty-eighth Congress is made up there will be found shining like a gorgeous

jewel in its heart" a statute which will enable a widow to get her pension within three months after her husband dies. Then let the Bureau make an investigation if it wants to; let them dig up the past; let them call for the records; and if they can turn her down let them do so. But don't bind the widow off until she and her children are turned into the poorhouse just because, as a prominent pension official said before the other day, "We sometimes discover that she is not the lawful widow." In order to give the Bureau a chance to discover that she is not the true widow it must hold up the just claims of thousands and thousands of awful widows and deprive them of their legitimate dues from the Government of the United States.

There is a market opinion, by outsiders, however, that it is better for ninety and nine guilty men to escape than for one innocent man to suffer; but the pension Bureau seems to think it is better for ninety and nine innocent widows to suffer than for one guilty widow to escape.

SUFFERINGS OF THE SOLDIER'S WIFE AND MOTHER.

Mr. Chairman, we do not always appreciate the sufferings of the wife who has a husband, or a mother who has a son, absent in the Army in time of war. In silence and sorrow she toils through the day to provide and feed the family, and at night she hatches her tender wish and prayer for the absent one, and haunted by fears of his death or illness. Well has the poet described the grief of the sweetheart, the wife, and the mother in parting with the soldier they may never see again.

The maid who binds her warrior's sash
With smile that belie her anguish,
And the widow who kissed the boy she clasped
Ere he went to the wars in boyhood's days,
Yet who, when the last of her family lay
Stiffening in death at her feet,
Bade God take the one left to her heart as they
Had taken husband and sons before,
And prayed, ere the sod had covered his face,
Her heart broken in twain by the blow,
Not for the life of her child, but for grace
That she might be worthy to follow and know,
The widow who gives her husband's sword
Or musket to march with the morning's morn,
And, with a smile on her lips, strains to the door
Her last born child, and, with pride, watches her go,
Proud regardless of her—perhaps to meet
The bullet of death, aimed with rapture,
Or, worse than death, a coward's retreat,
Was poured upon the field of battle!

The mother who proudly has given
Her to her country for sake of glory,
Then, heartbroken, low, drops wordless down,
Kissing the pallid brow she caresses,
When one that her starved heart
Knew through pangs that were given upon her,
Stands only based as over the sod
Stretched on Freedom's field of honor.

Mr. Chairman, all honor to the soldier who goes to the front, and endures hardships, privations, and disease, and faces death in many shapes on guard, on picket, and in open battle, but let us not forget the honor due the toiling, suffering wife and mother at home, willing to sacrifice her husband or her son for the sake of her country. Let us ever honor the soldier's widow, and let us not allow her to suffer by unreasonable delay in getting her pension.

So, Mr. Chairman, I say in conclusion, I hope this Congress will pass a law providing for a service pension at the rate of $12 a month. The country can spare it and will never know the difference, but the men who ought to know the difference will know it. And I hope this Congress will pass another law, providing that the claims of widows shall be adjudicated upon proof of marriage to the dead soldier and his death, and that she was cohabiting with him and recognized by reputable friends and neighbors as his lawful wife shall be deemed proof of marriage. When that is done, justice will have been done. Until that is done justice will be denied. Don't let us forget that justice delayed is justice denied. I hope that the Fifty-eighth Congress will see that justice is done and done quickly. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

Joint resolution (S. R. 24) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Luis Bográn H., of Honduras.

Senate concurrent resolution.

Resolved by the Senate (the House of Representatives concurring), That there be printed 1,000 copies of the report of the War Department on the Philippines and 500 copies thereof for the use of the Senate, 1,000 copies for the use of the Department of Commerce, 500 copies for the use of the Senate, and 250 copies for the use of the War Department.

The message also announced that the Senate had passed with amendment joint resolution of the following title; in which the concurrence of the House was requested:

Joint resolution (H. J. Res. 66) in relation to commuted rations for enlisted men.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. SMITH of Kentucky. Mr. Chairman, I now yield fifteen minutes to the gentleman from New York [Mr. BASSETT].

The CHAIRMAN. The gentleman from New York [Mr. BASSETT] is recognized for fifteen minutes.

Mr. BASSETT. In Brooklyn, which in part I represent, there is undoubtedly a strong sentiment in favor of the isthmian canal. I do not understand that either there or here it is to any extent a party question, and I do not [illegible] that it ought to be. I do not believe, and I do not believe that the people of my locality and the State of New York believe, that it should be a party question, because this great beneficent work is wanted by all, regardless of party.

But, Mr. Chairman, I do know that the people of my city, and not only there but throughout the country and right here in this House, on [illegible] want to know that the steps by which the isthmian canal is obtained are founded upon just rules of practice and morality, upon the same rules of conduct that are expected of private individuals and which they are supposed to use in transacting their own affairs.

I believe that the sentiment of my party, as well as the position of [illegible] party all over this country, is that they want to know and they want to know whether the steps that have been taken and are being taken in regard to the canal treaty are founded upon justice and right. They want to know that they do not want success that is obtained in any manner overriding through those fundamental principles of right that we followed during the early days of this country, and that ought to be followed now.

They want to know whether the formation of the new Republic of Panama was assisted in any extent by the responsible agents of this Government or by its controllable employees. It is right that they should know, and they have a right to suppose that the Administration, which is in a position to know these facts before it acts, should act upon the rules of justice in deciding them. They also wait to know and want to know whether at the time the Panama Government was recognized it had attained the fair position of an independent state.

The facts controlling the moral proposition were known to the Administration fully and before others could learn, and the country has a right to presume that the Administration acted upon the moral right of that question. The Democratic party desires to support the Administration. The country wants to know and it wants to know whether the Republic of Panama at the time the Administration said that war against Panama would be prevented on the Isthmus by the force of the United States, and under the treaty of 1846, had obtained its independence from Colombia, either by constitutional facts of relative position or by its power to hold its own, or by reason of such an extreme and powerful argument for rebellion as would appeal to all civilized nations and justify protection from them.

The people want to know whether that new country had founded its independence so firmly that it was right and just for this country to consider that the treaty of 1846 applied to Panama as the possessor of the soil of the Isthmus instead of to Colombia.

These are questions the answers to which the country wants to know, and as a member of the minority party I have the right to stand here and say that it is for them that the facts square with right, without being open to the accusation of hostility to the proposed treaty.

In the early days of this Republic James Madison said that the strength of the Republic was founded on doing justice, and certainly in the days of the greatness of this country we can afford to place the strength of the country upon that same foundation of justice and right.

These questions, it seems to me, are simple, and because they are simple they are sometimes passed over. The people of the country are not only in favor of success regarding the canal, but they want success to be founded upon right principles, and the main anxiety of the country, the main interest of the Democratic party, is to be sure that the Administration is proceeding in accordance with those same rules of moral conduct which are expected from individuals.

It is very easy to consider that success justifies. Success, Mr. Chairman, does not justify anything that is done by individuals or by governments. Success is only justified when it is reached through means that are founded upon justice.

This moral feature of the Panama question, it seems to me, although simple, if facts could be fully known, is very important. The public conscience is not dull. The people are alert on a question of right and wrong. We support the President. But it is not out of place to state now and then that progress must be founded on right, and that the people have the right to assume

that governmental progress is so founded. The public suspect, and in some cases know, that the trusts do not act upon these same rules of moral right which are expected from individuals.

There has been a tendency during recent years to let down the standard of right action and justify results by success. The Government should especially set an example of conduct that can be justified by the same rules of moral right which we expect from individuals.

When the National Government, which is keenly watched, is respected, is supported by the people of a great country like this, adopts short cuts toward getting at a conclusion, whether that conclusion is success or not, it has an effect upon the people of the country, and that effect is to lower the standard of integrity. It is better sometimes not to succeed than to succeed in a way that dulls the moral sense of the people of a nation. Ill fares the land where wealth accumulates and men decay.

The great success of France during the reign of Louis XIV was marked by the Government departing from the rules of justice and acting according to the rule that success justifies; and although the nation was increasing the people were decaying.

In the time of the early Stuarts in England everything appeared to be progressing, yet because the example of the Government at that time was not the practice of the same rule of morals that is expected of individuals the people were affected, their ideals lowered, and the moral fiber weakened, and not until the Commonwealth, under Oliver Cromwell, was that country put again upon a safe basis of moral right.

Success does not justify, because a nation is not growing great unless the people of that country are retaining their perception between what is right and what is wrong. If this Government, that should be a light to the people of other nations and an example to the people of this country, shall act under any other rules than those founded on justice, it is then cutting from the standard of moral sentiment of the people.

These considerations I present, Mr. Chairman, and although simple are yet fundamental. I believe that the greatest questions of government are after all simple questions, and those who regard them from their intricacies and in their details sometimes are more apt to err than those who look upon the general and simple aspects.

There is no general adverse opinion among the people or in our party against the Panama Canal, but there is the utmost anxiety and solicitude to know that success, if attained, is rightly and fairly attained. We can always afford to wait to do things right.

With Madison, we want the strength of this Republic to be founded upon doing justice. [Applause on the Democratic side.]

Mr. SMITH of Kentucky. Mr. Chairman, I now yield one hour to the gentleman from Arkansas [Mr. DINSMORE].

Mr. DINSMORE. Mr. Chairman, there is no probability, I think, that I shall consume all the time so generously yielded to me; but inasmuch as probably everything has been said which can be said to justify the action of the Government with reference to the recognition of the new Government in Panama, and inasmuch as I am responsible for bringing the discussion of that subject before the committee at this time, I shall ask the indulgence of the committee for a brief interval while I attempt in such manner as I may be able to command to respond to the positions assumed by gentlemen upon the other side of the question.

The President of the United States and his Administration are very fortunate in having for champions to espouse their cause the very able gentlemen who have done so upon this floor. The distinguished and able chairman of the Committee on Foreign Affairs [Mr. HITT], thoroughly skilled in diplomacy, profoundly read in international law, having a familiar knowledge with the whole history of our country, is as capable a person as could have assumed that task. It is safe to assume that he would not leave anything unsaid that could be said in support of the course pursued by the Government.

He did me the honor to listen to the remarks which I made upon a former day in this committee, and to reply to me in a most admirable address—plausible, rhetorical, skillful, and adroit—and I wish, Mr. Chairman, to join in the general commendation of the excellence of his speech, as strong a speech as could have been made in support of his contention, a contention which I regret is an unfortunate one—the position assumed by our Government I can not but believe an unfortunate one, fraught with evil for the country.

But the gentleman from Illinois [Mr. HITT] and other gentlemen have seemed somewhat irritated by the language which I used when I had the honor to address the committee hitherto, and the gentleman from Illinois criticised me for using language which he considered too strong and not sufficiently respectful. He said that I had characterized the action of the Government as "lawlessness" and "crime." The honorable gentleman was not accurate in that accusation, Mr. Chairman. He did not hear, in what I uttered on that day, the use of the word "crime."

The gentleman from Illinois knows what crime is. I used no such expression, nor did I use language which imputed crime. He said I charged lawlessness against the Administration. If the meaning of this expression is to be given which is frequently given to it—a general condition of lawlessness—that is not accurate; but if, on the other hand, the true meaning was intended to be given to the term "lawlessness"—the act of violating the law, a disregard of the law—then the gentleman was warranted in his statement to the House that I had accused the Administration of lawlessness.

It is difficult, Mr. Chairman, when we attempt to describe an act which in itself is wrong to use such expressions as shall be entirely agreeable to the ears of the wrongdoer or his friends. If I was unfortunate, I regret it; but with due care I hope to be able to keep myself within the bounds of proper expression. I did conscientiously describe the act, as I understood it, which was done; and if gentlemen are not pleased with that they can not blame me for it, but must charge it up to the wrongfulness of the act itself which demanded such description.

Lawlessness! Why did I say it was unlawful? Because it was in palpable violation of the enactment of the Legislature of the United States, of a law which had received the sanction of the President by his signature and approval. I made this accusation, and the gentleman from Illinois made scarcely a serious effort to disprove it; the gentleman from Pennsylvania admitted it. He admitted that the President did act in violation of the law of Congress. Then, if he did, may we not properly charge him with lawlessness to that extent? Do I quote the gentleman from Pennsylvania correctly? Examine the RECORD of this morning and find his remarks. They are printed in the morning RECORD. I propounded to the gentleman a question as follows:

Mr. DINSMORE. Will the gentleman yield for a question?

Mr. ADAMS of Pennsylvania. Certainly.

Mr. DINSMORE. The gentleman has stated that the President was given "reasonable time" in which to effect an agreement by which the canal should be constructed across the Panama route. I ask the gentleman if the time between when the President was twice notified that he was to secure Colombia within a "reasonable time" to effect that agreement with the Colombian Government, which according to the provision of law, was the President required to do in that case?

Mr. ADAMS of Pennsylvania. I state frankly that it was provided that in case of a failure of the negotiations of Panama within a reasonable time the President was to proceed to build a canal by the way of Nicaragua. The very terms of the act, "a reasonable time," and there were no specific instructions, indicate that the purpose of putting the President upon a question that a treaty of a Panama Canal should fail beyond that he obliged to build a canal by way of Nicaragua.

Here is an admission by the gentleman from Pennsylvania, a champion of the Administration, that the law had been expressly constructed to leave no discretion to the President of the United States, but to require him, upon failure after a reasonable time to effect the direction of Congress with Colombia, to construct a canal along the Nicaraguan route.

Mr. ADAMS of Pennsylvania. Will the gentleman permit me?

Mr. DINSMORE. Certainly.

Mr. ADAMS of Pennsylvania. Will the gentleman do me the favor to read a little further along and not stop just where he did?

Mr. DINSMORE. Ah, Mr. Chairman, I have not the time to read all of the gentleman's speech.

Mr. ADAMS of Pennsylvania. No, the gentleman has not time in this particular.

Mr. DINSMORE. Does the gentleman from Pennsylvania deny that he used the language?

Mr. ADAMS of Pennsylvania. No.

Mr. DINSMORE. Is not the language specific? Is it not direct? Did he mean what he said? He says that the law was constructed so as to leave the President of the United States no discretion, but to require him to construct a canal along the Nicaraguan route if after a reasonable time he was unable to secure an agreement with Colombia for the Panama route.

Mr. ADAMS of Pennsylvania. After it had failed; and if the gentleman will read on he will see that I said it had not failed; that the President would have been criminal if he had not carried out the mandate of this act.

Mr. DINSMORE. Does the gentleman say that it had not failed?

Mr. ADAMS of Pennsylvania. I said so, and I said so in my speech, but the gentleman only reads a part of it.

Mr. DINSMORE. I do not want to do the gentleman from Pennsylvania injustice. The gentleman can read that part himself.

Mr. ADAMS of Pennsylvania. It is like reading half of a quotation and leaving out the other half.

Mr. DINSMORE. I can not take the time, Mr. Chairman, but I have asked the gentleman from Pennsylvania to read it himself, in my time—that part of the RECORD which justifies his position.

Mr. ADAMS of Pennsylvania. Shall I read it now?

Mr. DINSMORE. I shall be glad to have you do so.

Mr. ADAMS of Pennsylvania (reading):

Mr DINSMORE. Will the gentleman yield for a question?

Mr ADAMS of Pennsylvania. Certainly.

Mr DINSMORE. The gentleman has stated that the President was given "reasonable time" in which to effect an agreement by which the canal should be built across the Panama route. I would like to ask the gentleman what the President was to do under the law in case he failed within a "reasonable time" to effect that agreement with the Colombian Government. What mandate was issued to the President of the United States in the premises? What was mandatory on the President to do in that case?

Mr ADAMS of Pennsylvania. I state frankly that it was intended that in case of a failure of the negotiations with Panama within a reasonable time the President was to pursue and to build a canal by the way of Nicaragua. In the early stages of the matter, "a reasonable time" and "they were allowed a fair mature judgment" was left for the purpose of putting the President in a position that if the project of a Panama Canal could not be carried into effect, then it could be built by way of Nicaragua. To that extent the language used in the law was imperative; the President was to have no option.

Here is where the gentleman stopped. I read on:

But it was necessary that the President should secure the greatest publicity and information, so that when Congress met it might be in a position to act at once and intelligently upon the matter. If Congress, the new should be unprepared and the Panama route [illegible] had changed, and I am glad to see the [illegible] in the judgment of [illegible] the President [illegible] criminally, [illegible] of Congress and not construct this canal by the way of the Panama route.

No wonder the gentleman stopped quoting at the point where he did.

Mr. DINSMORE. My friend from Pennsylvania certainly does not believe that I had any intention to misrepresent him. The fact that I just yielded to him out of my time to read such part of his remarks as showed a different position assumed by him, is evidence that I had no such desire.

But what is his language? He says:

Congress [illegible] and I am glad to say the [illegible] in the judgment of [illegible] would have been criminally wrong if [illegible] Congress and not construct the canal by the way of the Panama route.

But he had failed to secure an agreement with Colombia. He was directed to pursue the agreement with Colombia and upon failure of this to build the canal by the Nicaragua route. If, as the gentleman says, the President would have been criminally wrong not to obey the mandate of Congress, the gentleman has been more severe on the President than I, for he did fail. He did not obtain an agreement with Colombia, and he did not try to build the canal by the Nicaragua route. The gentleman, admitting his failure and admitting the terms of the law as I have recited, did admit, as I have said, that the President violated the law.

What was the mandate of Congress? I ask the House and I ask the gentleman from Pennsylvania. It was to enter into negotiations with the Colombian Government for the right to construct a canal by the Panama route; and in a case of failure to accomplish that result within a reasonable time, then the President was directed to turn his attention to negotiations with the view of constructing the canal by the Nicaraguan route and to enter upon the construction of that canal—not to do as he did—not to recognize a new government which might give this Government the right or the power to construct that canal by the Panama route. He was to negotiate with Colombia, and if after a reasonable time the negotiations should be a failure, then he was to enter upon the construction of a canal by the Nicaraguan route or to enter into negotiations for that purpose.

So that the remark I made, that the gentleman from Pennsylvania admitted that the President of the United States did act contrary to the express provision of the statute which he had signed, was a correct and just remark as made. "A reasonable time" after what? For what purpose were the words "after a reasonable time" used? To limit the time within which negotiations with Colombia might be conducted for the purpose of effecting the construction of a canal by the Panama route—not a reasonable time after the failure of those negotiations with Colombia, but a reasonable time within which to conclude those negotiations.

The President waited a reasonable time. He waited until he saw that there would be no action on the part of Colombia to authorize us to enter upon this work; and then when he did ascertain that there was to be no consent obtained from the Colombian Government it was his plain duty, under the law, to do what he was directed to do by Congress—not to enter upon a scheme of his own unparalleled in history for the suddenness with which he recognized a new government, called into existence, it would seem, for the very purpose of carrying out the construction of this canal, and not because it was entitled to recognition as a government with sovereign power and able unaided to perform the duties as a government toward its citizens and toward the world.

In this connection I wish to call the attention of the committee to the fact that last night, in New York City, there was, according to the press, a little Panamanin symposium. Certain gentlemen met and regaled each other with their views upon the glorious achievement of the United States in bringing into existence this new government in Panama. The Assistant Secretary of State, Mr. Loomis, was present on that occasion and made a speech. It is presumable that he was acting, if not under the direction, at least with the approval, of his chief, because in so delicate a matter as this and on a subject of this character he certainly would not presume to go before the public and into print unless he had the approval of his chief, the Secretary of State, or the President. What does Mr. Loomis say in the course of his remarks about this matter of a "reasonable time:"

Mr. Loomis says:

The rejection of the treaty at Bogota was an unfriendly act from the view point of international law. It [illegible] friendly to [illegible] Government and Congress [illegible] The executive branch of the Government which had negotiated it [illegible] to secure its [illegible].

How the Assistant Secretary of State became informed as to this I do not know. I am not here to defend the Colombian Government; nor to say that the Government of Colombia acted in good faith. That is not a part of the duty which I assume in discussing this question. My only purpose is, if it may be possible, [illegible] a correct position on the part of our own Government in its relation with foreign countries. This is the language to which I wish to call specine attention.

It became evident shortly after the opening of the Colombian Congress in June that there was not the least [illegible] the Hay-Herran treaty.

It became manifest so long ago as in the month of June last, says the Assistant Secretary of State, "that there was not the slightest intention" on the part of the Colombian Government to put into effect that treaty, to ratify it. Does this bring knowledge home to the Administration that the time had come to act? Is not this convicting the Administration out of its own mouth of having intentionally failed to fulfill its duties in complying with the requirements of the law of Congress?

In June last, says Loomis, the Government knew that there was no purpose on the part of the Colombian Government to ratify the treaty. Then, if that were true, the duty of the President of the United States was plain. The provisions of the law are direct and specific. He is directed by the law to enter upon negotiations for the construction of a route by Nicaragua, and he can offer no excuse for failing to do this at the very time that he became convinced that the Congress of Colombia would not ratify that treaty.

But when the time fixed in the treaty itself, which, according to the opinion of the President of the United States himself was defined a reasonable time, and which was ratified and approved by the Senate, September last, had arrived, certainly a reasonable time had elapsed for the Colombian Government to act. There had been failure then, but still the President did not act. What justification follows when the President's own servant, a member of the State Department, tells you that there was not in June last the slightest hope that there would be a ratification of the treaty by which Colombia would give to us the right to construct the canal?

Mr. Chairman, was I justified in saying that the President, in pursuing the course he did, had violated the law, had violated the enactment which he himself had helped to make a part of the law of this land? It is difficult to restrain one's feeling and utterance within temperate terms when we consider an act like this. I would speak respectfully of the President of the United States and of all in high authority in our Government, but there is no reason why I shall not call attention to errors and blunders committed by him—aye, and to a violation of law committed by him, if, as I truly believe, he has broken, has violated the law.

In monarchical countries there is a fiction that the king can do no wrong; but there is no such fiction existing in the United States with reference to our Presidents. We know that that expression simply means that the king shall not be held responsible for his wrongdoing; that if mistakes are made, the ministers of state must take the responsibility; but in the United States, in this great Republic of ours, built up by the hands of a people devoted to a sacred purpose, where liberty was ever the inspiring motive and equal manhood the end sought, there is no place for such sentiment as this. There is no reason where freedom of speech is allowed and exercised to withhold criticisms of the President of the United States when he has done wrong, as I believe he has in this instance, and as, I think, is abundantly proven, even out of the mouths of the people who stand with him and support him and give him their assistance.

But let me make further reference to the speech made by Mr. Loomis last night in the city of New York. He said:

We have no desire to annex Panama, and we have not done so. The President [illegible] the wishes of the American people, with due regard to international law and rights. He was instructed by Congress to secure a canal route on the Isthmus of Panama, if possible. He waited until the adjournment of the Colombian Congress.

In less than a week and before the President could be reasonably expected to turn to grave consideration of the Nicaragua route, a long expected and inevitable revolution in Panama came to pass, the people rose as one man, etc.

The President, it seems, had not time to turn to the grave consideration of the Nicaragua route within a week after the adjournment of the Congress of Colombia, but Mr. Loomis tells us that it was known before the adjournment of Congress that there was absolutely no purpose to ratify the treaty. When there was no ratification the President, it seems, had not time to turn to the grave consideration of this question. A week is not sufficient. No, a week is insufficient time for the President to perform a duty which he owes to his own country in strict compliance with the requirements and demands of law, but a week is more than sufficient time for him, with the strong power of our Government, to bring into existence a new republic. Two days is sufficient for that.

But the President acted from another and separate consideration in respect to his conduct in this regard. It seems that notwithstanding that you and I knew nothing about it, notwithstanding the country had not suspected, the President, with the intuition for which he is highly praised by the gentleman who made the speech last night in the city of New York, discovered that there was pending over civilization the happening of a great international cataclysm, and that unless we intervened and took possession of Panama ourselves France would come on with her ships of war and other nations of the earth might follow, and that we might expect the powers of the world to be involved in warfare with each other and with us.

Is this a justification for his violation of the law? Might we not have avoided this in one of several different ways? We have not been unfortunate in appealing to the spirit of arbitration. Our country has made a history in that regard which does credit to our diplomacy, and there is no reason for saying that any question arising with France touching the protection of her interests in Panama might not have been settled by arbitration as other questions have been settled.

If the President had turned his attention to carrying out the direction of Congress by constructing a canal by the Nicaragua route a great deal of intense feeling about the Isthmus of Panama would have been avoided and the public mind put at rest, when we by that means and by that route were about to construct the great artery that was to connect the two oceans and open it to the commerce of the world.

But other considerations are expressed by Mr. Loomis, and I invite your attention to at least this one.

THE GRAVE POSSIBILITIES.

Reflect for a moment—

Says he, in his speech last night—

on the grave possibilities which confronted this Government as it peered into the future and sought to provide intelligently for the many serious complications and contingencies which the President foresaw.

"If the revolution in Panama had not occurred; if the American people, guided by the opinions of its most learned, efficient, and highly trusted engineers, continued to think the Nicaragua route an impracticable one; if the people and Congress of this country had insisted that we wait for a year, or until such time as the partisans at Bogota were ready to negotiate a new canal treaty, and in the meantime their Congress had declared invalid the renewal of the French concession, which might have reopened on the Isthmus, I may safely assert, without fear of contradiction by any well-informed persons, that the Government of France would not have stood serenely by and witnessed the plunder of thousands of her people through the act which Bogota politicians devised for the looting of the French company of $40,000,000.

"If the revolution in Panama had not occurred; if the American people, guided by the opinions of its most learned, efficient, and highly trusted engineers, continued to think the Nicaragua route an impracticable one"—here is the language which I wish your mind to dwell upon. The Assistant Secretary of State in this speech assumes that by the most intelligent, skilled, and scientific engineers it has been demonstrated that the Nicaragua route was impracticable; that the people of the United States believed it to be impracticable.

Was it because they believed it to be impracticable that Congress, this House, under the leadership of the very distinguished and able gentleman from Iowa [Mr. HEPBURN], passed a bill requiring the construction of the canal by the Nicaragua route? Was that done without consideration? Was that done without reflection, without due regard for the consultation and advice of great engineers of this country?

Why, Mr. Chairman, it was done after the engineers selected by the Government had declared three times that Nicaragua was a practicable route.

But this gentleman says that the people of the United States, under instructions from the best engineers, did not believe it to be practicable. He says this notwithstanding the action of Congress; notwithstanding the action in the other branch of Congress when, under the Spooner amendment, it was also provided, upon the failure of that, that the President should enter upon the construction of a canal through Nicaragua. If Mr. Loomis is correct, our Government should have secured the advice of more competent engineers. If he was right, Congress—both Senate and House—was forcing upon the country an enterprise costing millions of dollars which was not practicable.

Mr. SIMS. May I interrupt the gentleman to ask him a question?

Mr. DINSMORE. Certainly; with pleasure.

Mr. SIMS. In view of the manner in which this so-called Republic has been brought about and recognized by our Government, does the gentleman favor ratifying the treaty that has been made with that Republic?

Mr. DINSMORE. Mr. Chairman, I am called upon by the gentleman from Tennessee to say whether I favor the ratification of that treaty. I shall reply to him, not in a word, but in extenso. We are called upon to ratify a treaty made with a government which was provisional in form at the time when it was recognized, only a few days afterwards, having its independence guaranteed by us. It was composed in its officials of men who were not citizens, at least not citizens who were imbued with the spirit of patriotism looking to the first interests of the country, but by persons who were there for the purpose of advancing their own schemes to make money.

The independence of that government as a republic was recognized almost immediately afterwards, before it was a republic, before it had any organic law, before it had a constitution, before it had administrative departments to enforce and administer its authority; without the power to protect the rights of its own citizens, much less the rights and interests of the people of the United States.

Should we ratify a treaty with that Republic, made under those terms? I say no. For the honor of my country I say no, not to ratify it. Rather than do this, although the Panama route may be the more practicable, although it would be cheaper to build the Panama Canal than the Nicaraguan Canal, I believe we should maintain our own self-respect and honor as a nation and if need be adopt the Nicaragua route, which is practicable, which a law of Congress ordered to be adopted in case of failure with Colombia for the other, and that this is preferable to the establishment of a republic by forcible intervention by the United States simply to secure a canal, and this in violation of a treaty with a friendly power and despoiling that power of a part of its sovereignty; a republic that could not exist for a day without our sheltering protection.

Mr. RICHARDSON of Alabama. Will my friend from Arkansas allow me?

Mr. DINSMORE. What are an additional $10,000,000; what are an additional $20,000,000 to the cost of the Panama route, by which we could have obtained it from Colombia if we had given them sufficient money? What are fifty millions compared to the good name of this great American Republic, its honor, its dignity, and its standing before the world, in the light of a glorious past, of an honorable record, made enduring by our greatest, our most eminent statesmen?

I say we should adopt the other route. The President of the United States, in my opinion, should have done it. It might have been, if he had attempted to do as he was directed by Congress, that means might have opened up by which we might ultimately have acquired the Panama route, if it is more desirable. We can not tell.

Mr. RICHARDSON of Alabama. Will the gentleman allow me?

The CHAIRMAN. Does the gentleman from Arkansas yield to a question by the gentleman from Alabama?

Mr. DINSMORE. If he insists. I should be glad to proceed with my remarks, however.

Mr. RICHARDSON of Alabama. It is simply upon the line of argument of my friend from Arkansas, which he has made most elaborately, as to the policy of the Government in recognizing republics and governments. I should be glad if the gentleman would allow me to read it to him for his comment.

Mr. DINSMORE. I intend to make some references to that in another part of my remarks, and I should be glad if my friend would allow me to proceed.

Mr. RICHARDSON of Alabama. It will take me only a moment, with the gentleman's courtesy, and it relates to a point that the gentleman is discussing with great ability. It is as follows:

It is the established policy of the United States to recognize all governments without question of their origin or reorganization, or of the means by which the constituted persons attain their power, provided there be a government de facto accepted by the people of the country, and with reserve only of the times to the recognition of revolutionary governments arising out of the subdivision of parent States with which we are in relations of amity.

We do not go behind the fact of a foreign government exercising actual power to investigate questions of legitimacy; we do not inquire into the causes which may have led to a change of government. To us it is indifferent whether a successful revolution has been aided by foreign intervention or not; whether insurrection has overthrown existing government and another has been established in its place according to previously prescribed forms or in a manner adopted for the occasion by those whom we may find in the actual possession of power. All these matters we leave to the people and public authorities of the particular country to determine, and their determination,

whether it be by positive action or by ascertained acquiescence, is to us a sufficient warranty of the legitimacy of the new government.

* * * * * * *

It is the more imperatively necessary to apply this rule to the Spanish American republics, in consideration of the frequent and not seldom abrupt changes of organization or administration which they undergo and the revolutionary nature of most of those changes, of which the recent series of revolutions in the Mexican Republic is an example, where five successive revolutionary governments have made their appearance in the course of a few months and been recognized successively, each as the political power of that country, by the United States.

That is the declaration of a Democratic President, Franklin Pierce, made on the 15th day of May, 1856.

Mr. DINSMORE. Mr. Chairman, I might fill up the RECORD with expressions akin to what the gentleman has just read. Indeed, I have inserted in the RECORD a long series of authorities upon the same line. It is a needless consumption of time to go on forever in this direction. My only purpose to-day was to endeavor to reply to the arguments made upon the other side in defense of the action of the Government of the United States. Nevertheless, what the gentleman has read is an addition to the strength of our position, and I am glad to have it placed before the House and in the RECORD, and he has my thanks.

It is true my friend from Pennsylvania [Mr. ADAMS] in his speech complained that the authorities which I had read were ancient and obsolete, that they did not come down to modern precedents and modern conditions. Mr. Chairman, it will be a sad day for us, the well being of our country and its good name, when these noble sentiments, as expressed by the statesmen from whom I read the other day, are out of date and rejected in the administration of our international affairs. [Applause.]

But these teachings were not controverted by the distinguished gentleman who spoke so early on the other side. My purpose now is, and if I fail in doing so, gentlemen of the House and of the committee will see that I have failed—to briefly examine the cases cited by the two gentlemen who have spoken from the Committee on Foreign Affairs as justifying the action of the President in his sudden recognition of the independence of the Government of Panama.

I assert, Mr. Chairman, that these cases which the gentleman cited are not in conflict, but are in full harmony with what I read from the writings of Monroe, Adams, and President Jackson.

I stated on Friday last that there were cases in which the Government was not called upon to exercise that caution and care, that deliberation that is proper when a part of a country has separated itself from the parent government, and when it may more promptly recognize a new government established, and I had in my mind the very cases cited by the gentleman from Illinois and the gentleman from Pennsylvania. Indeed, I am not sure but I referred to the case of France at the time. I did not see proper at that time to arrange upon it. They are not in conflict with the doctrine as I stated it.

But why was it the United States Government was so prompt in giving its recognition in the instances cited by them? Take the two instances given of France. In 1848 the Government then existing within the whole confines of French territory was overthrown. Louis Philippe, the last one, he had left the royal palaces in full possession of the Government that he represented and powers. It was the Government of France—the same Government, but under a different form. There were American interests there, American residents; there was an American minister, and there must be a government with whom to deal in the business action of the business of interest to the country. There was but one government there to recognize even in the first instance, and the Government of the United States promptly and with propriety recognized that Republic at once.

And so afterwards, in 1852, when Louis Napoleon was overthrown, when we gave recognition to the succeeding government, the armies of the Empire had been captured, almost or more of them, captured under Mac Mahon and Marshal Bazaine. There was no army left sufficient to enforce the Imperial authority. Whenever the Imperial troops were confronted by those of the government of National Defense the former invariably reversed their guns in token of their sympathy and their approval of the Republic. They were in full possession of the Government; they exercised all the powers of the Government; Louis Napoleon was captive, overthrown, the Empire crumbled to dust, and again the United States most properly recognized the Republic of France, rejoicing to see a republic erected over the ruins of a monarchy. The Government had again changed its form; the same conditions existed as described in the former instance; there was no other government in France.

Again, the case of Spain was cited by the distinguished gentleman from Illinois, the chairman of the Committee on Foreign Affairs. Our prompt recognition of the Republic in Spain in 1873 was referred to by him as a precedent for the President's most extraordinary action toward Panama. What were the circumstances under which that recognition was given? Exactly similar to the two instances in France. The Spanish Cortes had elected a King in 1870, King Amadeo, an Italian. He was elected against the protest of a very large portion of the subjects of the Kingdom of Spain. He held his kingly authority and exercised his rule for about three years, and then, seeing that the conflicting and adverse elements in his Government made his rule a failure, recognizing the absolute impossibility of conducting his Government with success, he abdicated, on the 11th day of February, 1873, turned the Government over to the Republic in the hands of skillful statesmen.

It was a Republic in esse, in fact, possessed of all the attributes of government without effective opposition, and there was no other government in Spain to exercise authority or to be recognized by the United States in the transaction of business of mutual interest to the two countries. The Spanish dominion had changed its form of government. Can this avail the President as a precedent in encouraging and making good the secession of Panama from Colombia, our neighboring Republic, bound to us in commerce and friendship by the bonds of a solemn treaty?

But our friends invoked the authority of one more precedent, that of Brazil. The gentleman from Pennsylvania [Mr. ADAMS] described the circumstance of the overthrow and expulsion of the unfortunate Emperor Dom Pedro most graphically in his excellent speech on Monday last in the Committee of the Whole on the state of the Union. Recall how that old man, stricken and broken in power, left his Empire and the scene of his glory, escorted in his carriage with his family, to embark upon a ship of the sea and be conveyed out of his dominion, to find refuge in a foreign land.

The gentleman from Pennsylvania was then representing our Government as minister at the court of Brazil, and notified his Government in a dispatch that by the acceptance of money proffered to him by the new Government Dom Pedro was considered to have abdicated his authority. He left the Empire. There was universal assent to the action of the revolutionists all over the land. The Government changed its form. A republic took the place of a monarchy. There was no other government there with which to transact the business of government, to assume the powers of government over the Brazilian people. The Empire was gone—extinct, dead. The United States recognized the existence of the new Government, and later on (not immediately) recognized the Republic as a power among the nations of the world.

Mr. STANLEY. Will the gentleman allow me to ask him a question, which he can answer "yes" or "no?"

Mr. DINSMORE. Certainly.

Mr. STANLEY. In those instances which the gentleman has cited was there even a nominal conflict of authority between the Government overthrown and the Government established?

Mr. DINSMORE. I have already stated that there was a complete overturning of the whole fabric of government within the dominion or the territory where these revolutions occurred. There was no other government. There was no antagonistic government, and no effective opposition from any source. Now, then, can gentlemen invoke these cases to justify the President of the United States in taking and giving his support to a political policy to secession against the legally constituted authority of the Colombian Republic, which is by treaty of friendship and commerce with us by the most sacred bond, and I beg to express it—

I say, as I have hitherto said, I believe there is not a gentleman in this House who does not believe that but for the action of the President and his officers in their intervention in the prevention of the landing of troops on the Isthmus of the canal on the Isthmus, but in the whole Department of Panama (for they were excluded by the orders of this Government from every part of that Department); but for the action of the United States Government in taking this step there never would have been a revolution or government of Panama to-day. That Government would have lasted no longer than it would have taken the Colombian Government to bring sufficient troops (which she had at hand) and crush it. It would not have lasted, in my judgment, a week.

Gentlemen on the other side say, and officers of the Department of State say, that we had a solemn duty to perform under the provision of the treaty, and that duty was to keep open communication of trade. I suppose I shall subject myself to the criticism of the opposition, inasmuch as I am now repeating a certain part of what I said the other day, indulging in "reiteration;" but if the President of the United States intervened at that time to keep open the trade across the Isthmus he should have intervened in the spirit and the terms of the treaty with Colombia itself. Colombia, that had ample power to suppress the rebellion, was prevented from exercising that power only by the action of the United States Government, by the intervention or threatened intervention with force.

Mr. Chairman, we can not too often refer to that treaty of 1846.

In my remarks on Monday I stated distinctly what the position of the President as expressed in his message to Congress was, and discussed the subject with reference to the views of Mr. Cass, Mr. Seward, and Attorney-General Speed, and from the standpoint of their construction of the treaty that the obligation we assumed in guaranteeing the sovereignty of Colombia was as against foreign foes and not as against rebellious subjects or citizens of the Colombian Government. I stated in my speech that I would argue the question from the view taken by the President, which, after looking at all the authorities, might properly be contended to be the correct one. It is true it was not universally accepted. There is a distinct and specific agreement by the Government of the United States. But I will read the language:

In order to secure to themselves the tranquil and undisturbed enjoyment of these advantages, and such other commercial advantages as they may acquire by the favorable situation of their country, the United States guarantee positively and unconditionally to New Granada, by this present stipulation, the perfect neutrality of the Isthmus aforementioned, in the same way that the free passage of persons and property across the Isthmus shall belong to the citizens of the United States and the government of New Granada, which now exists in that country, shall be secured by the United States, and guaranteed by the latter to the government of New Granada, while the treaty exists, upon the payment of such compensation as the government of New Granada and the citizens of the United States may mutually agree upon, for the services they are to render by affording a military force, or transit, for the troops or property of the government of New Granada, while passing over the Isthmus.

Now, in this connection President Polk, said with reference to this provision of the treaty:

The guaranty of the sovereignty of New Granada over the Isthmus is a [illegible] of the neighboring and friendly States not seem to be good reason why we should not engage in the same guaranty. New Granada would not exchange for it a like guaranty of her sovereignty over her own territory, and it would place us in a better and a stronger position to protect the rights of our citizens and maintain an independent sovereignty.

But, Mr. Chairman, let us concede the contention of the President, and, as I remarked before, the opinions of men like Cass and Seward and Attorney-General Speed are not to be cast aside indifferently. I say again there is ground upon which to assume that contention, and I do not ask you to decide whether it is the right or the wrong one; but what I do contend is that that treaty and the performance of its stipulations should be carried out in the spirit and under the guidance of its first article, which is as follows:

There shall be a perpetual peace and a firm and unalterable friendship between the United States of America and the Republic of New Granada. Neither shall hereafter make war or seizure upon the other, or attempt to annoy the citizens of the other within the territories or jurisdiction of the other, but shall live in peace and friendship with all nations and between their citizens, [illegible] without distinction or preference of persons or property.

Mr. Chairman, when this little coterie, this piebald crowd, set up an independent government in Panama, and the President of the United States, with one ship already there, issued orders for others to hasten to the scene of action at once, issued orders to prevent the landing of troops—when he excluded Colombian forces from the whole territory of the Department of Panama, which was within her jurisdiction and under her sovereignty—I say that was not an act of one to be indulging and encouraging and promoting peace, nor was it justified either in good conscience or before the international courts of the world.

I feel that the President did not conform to the requirements of duty. I feel that he did not conform to the requirements of treaty obligations, that he did not endeavor to promote peace permanent and enduring and good friendship between the two powers, and it does not satisfy the conscience for gentlemen to enter into denunciations of the Colombians themselves. Whatever they may do, the Government of the United States should always pursue a course that will not be questioned in the court of conscience. Colombia was grasping? Yes. She did not meet us in a spirit of fairness; but when all is said, she had a constitutional right to reject the treaty, and that is the sum of her offending.

I believe I have noticed all of the cases invoked by the gentleman from Illinois [Mr. HITT] and the gentleman from Pennsylvania [Mr. ADAMS]. It is true that the distinguished gentleman from Illinois, with a majestic sweep of his hand, said there are plenty of instances; that it is a mere matter of the workshop; that he could cite more of these cases. Well, he is familiar with them all, and I think, Mr. Chairman, that the country will feel that the gentleman from Illinois was unfortunate in the selection of cases which he claimed proved that the action of this Administration was justified in its interposition in Panama.

If there were cases in point, the gentleman from Illinois would certainly have brought them into notice. If there were cases that were applicable here, there is none so skilled as the gentleman from Illinois to find those cases, and while he has knowledge in the workshop it occurs to me that it would have been better for him to have selected a shoe that would fit the foot, a glove that would adjust itself to the hand, rather than cases which we do not controvert as authority, which are not in conflict with what I have already declared to be the invariable rule for our conduct, but are in conformity and harmony with it.

If the gentleman can find a case in the history of this country where action has been taken by our own Government, which comes up to the case at bar, which justifies the action of the President in this particular instance, he will do more than I have been able to do. If there is such a case, the gentleman can find it. I only say that up to this time he has not found it; he has not offered it for the consideration of the committee; he has not invoked it to justify the action of the Government. In my opinion he will not and can not.

Mr. WILLIAMS of Mississippi. If the gentleman will permit an interruption, is it not true that every case cited by the gentleman from Illinois [Mr. HITT] was a case where a country changed its form of government?

Mr. DINSMORE. The gentleman from Mississippi perhaps was not present all of the time, but I have gone over that and shown that in every instance it was.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Kentucky. Mr. Chairman, I yield to the gentleman from Arkansas such further time as he may wish.

Mr. DINSMORE. Mr. Chairman, I thank the gentleman from Kentucky, but I shall not abuse his indulgence. I shall hastily close. I have not been animated by unworthy motives in this discussion. I stated to the House, when I opened it on a former day, that I was aware of the fact that I was assuming an unpopular position.

I have only done it out of a desire to speak for the honor and the integrity of my country as I understand it. I have done so to acquit myself and my party, in so far as I am authorized to speak for it, from any of the just censure that should come because of the action of this Administration in this matter.

We have longed for the construction of a canal. We sail long for it as a great business enterprise that will bring the world closer together; that will bring rich returns to our country from commerce and trade, and we will have it. But, as for myself, I would have it constructed, however great the price, without the sacrifice of stern and strict adherence to right. Our country is too great to do so small and unworthy a thing as we are witnessing. [Applause on the Democratic side.]

Mr. MARSH. Mr. Chairman, I yield to the gentleman from Illinois [Mr. HITT] such time as he may desire.

Mr. HITT. Mr. Chairman, the gentleman from Arkansas has with great care and at interesting length amplified to-day what he ably said before, and in many cases has endeavored to repair minor breaches in his walls; but I think the whole of his speech reduces itself to an accusation against our President of having been too slow in going from the Panama Canal to the Nicaragua Canal, when he waited a week and the revolution interrupted further waiting, and in having been too fast in recognizing the government of the people of Panama after they organized a republic, when he waited nearly a week.

The gentleman stated in an admirable manner the political and moral sensibility that inflames his spirit when he sees what has been done by the President in trying in his own way to obey an act of Congress which aimed at the construction of the Panama Canal. He thinks the President was unjustly hasty in abandoning the possibility of coming to some agreement with Colombia. Why did he let those little obstacles that had arisen prevent a treaty? Why let the Colombian exaction of $10,000,000 more, or even $15,000,000 more, stand in the way? That was a delicious statement, coming from a gentleman whose lips had just before expressed his sensibility on questions of public honor and virtue. A treaty by which we generously gave $10,000,000, at their demand, had been rejected by them, with the bald and palpable intention of attempting to blackmail us out of ten or fifteen million dollars more, and the gentleman would yield to their demand. What is ten or fifteen millions in this great question of a canal?

The gentleman says he knows he is on the unpopular side. I will certify to that on this point. All the Democrats, and all the Republicans joining with the Democrats, would pour out upon President Roosevelt their withering execration and hissing scorn if he had submitted to that blackmail. [Applause.] The American people do not want their affairs conducted in that way. When the conclusion came of that long and weary negotiation begun by the Colombian Government, the duty of the President was plainly marked out. He had been directed, as first choice, to secure, if possible by negotiation, the Panama route from those who had domination or dominion over it; and if that could not be done and the treaty failed, after waiting a reasonable time—that is the language of the statute—after a reasonable time he was to turn to Nicaragua. The gentleman thinks that enormous interval of time which took place after the failure of the treaty with Colombia was ample for him to have acted, and commenced on the Nicaragua Canal. It was an entire week! He might have telegraphed to order a dredging machine. He might have commenced some negotiation in some new telepathic or magnetic method, but he let an entire week go by when Congress had commanded him to wait a reasonable time.

Is not such an objection mere quibbling? Is it not searching for a method of creating an obstruction to canal building? Is it not captiously scrutinizing the conduct of our Executive, who is

not usually reproached with being a slow man? Is it not an excuse for finding fault with what he does, whatever it may be? He was commanded by the law to endeavor to secure in treaty the right of way and the facilities for constructing the Panama Canal. After the folly of the Colombian Government had produced such a revulsion of feeling on the part of the people of Panama and its vicinity, who saw all their future hopes of a canal dashed; after they had risen in revolution and had organized a government, the mandate of Congress to build the Panama Canal as the first choice was still upon the President of the United States, to secure that route, if possible, by treaty with the government holding it. Names had changed. The government, once Colombia, was now Panama. The names had changed before under another law, a law enacted by our Government in treaty form in 1846. That was not with Colombia by that name. It was not with Panama, but it is binding upon us at this hour. It was made in 1846 with New Granada.

Did the change of name change the facts or the rights or the duties under it? We are not concerned about the Andes Mountains or other parts of New Granada or Colombia, 700 miles away. The treaty of 1846 was made with the Government that had domain over the Isthmus which is mentioned so often in the treaty, where the canal was contemplated, which Isthmus is all the treaty deals with; and when the President found an opportunity of obeying Congress and of negotiating with the Government which had domain over that Isthmus, fulfilling exactly the conditions of the act of Congress, except that a name had changed, just as a name had changed in the treaty of 1846, which was made with New Granada and was for many years with Colombia and is to-day binding upon the Republic of Panama, was it not his duty to take advantage of that opportunity?

The gentleman from Arkansas found much fault with the President for recognizing the Government of Panama that was in existence. He says it was too hastily done by the President, who was too slow to go to Nicaragua. The gentleman disregards as not in point the many examples I cited of similar and more prompt recognitions of new governments in recent years. He spoke in a defiant manner, challenging me to go on and cite other instances.

Well there are many, and perhaps it would be more satisfactory if I cited them from Democratic sources. A distinguished Democrat who is near me, a Democrat of the robust old school, hands me a memorandum of President Pierce, a sound Democrat, recognizing five successive governments in Mexico in six months.

The gentleman reviles the Republic of Panama as composed of a few unorganized and disreputable adventurers—hardly a dozen—and we dealt with them; that it had no parallel or likeness in the examples I cited and which he went over. He referred to our just conduct in recognizing the Republic of France in 1870.

When Minister Washburne went out to recognize the Government of France it was not then a republic, and it did not call itself by any name except "National Defense." There appeared at the window of the Hotel de Ville a dozen men with a flag and showed it to the people, and Mr. Gambetta made a famous speech to the crowd and said, "We are the committee which represents the French people." They had just walked over from the hall where their Parliament sat. They took power. Mr. Washburne recognized them as the Government. The gentleman says they had unanimous support of all the people. Why, of that Parliament over 400 were monarchists. The army was Bonapartist—that which was left, the main body having been crushed by the Prussian army. But the great body of the people were not in sympathy with the Republic.

The gentleman is very far from correct in his history when he said that a republic was accepted. It was so far from being accepted that they could not get the name of republic for it for five years by their own Parliament, and members were elected, and elected for five years, before they overcame the majority in favor of the old Bonapartists and royalist government. Yet we recognized that Government immediately. There was no such unanimity there as in that Republic which President Roosevelt recognized in Panama, where a people in their desperation were exasperated at the action of their Government sacrificing all Panama's interests in reaching for more millions in the Treasury of the United States. The new Government of Panama has been confirmed since by the formal assent of every municipality in the Republic of Panama. It has the assent and support of everybody. There have been no signals of discontent—no disturbances.

It would have been a departure from the continuous policy of our Government through so many years, a policy stated admirably in the extract read from President Pierce by the gentleman from Alabama [Mr. RICHARDSON] but a few moments ago, if we had not gone forward in the plain path of duty and recognized that Government.

But there was a reason stronger still. It is the duty everywhere, even in semicivilized countries, of our officers, naval, consular, and diplomatic, to at once recognize any organization that has a form and power of government, if they can thus protect the lives and property of Americans.

In this instance Americans were numerous and their property vast on the line of railway. A great deal was owned by them. It was the duty at once of our representatives to put themselves in communication with the existing authority. There was but one power, the authority of the Republic of Panama, and the remarks of the gentleman about there being a body of disreputable men is absolutely gratuitous. There is not the faintest shadow of basis for that, except that they were doing something that he now disagrees to. They were taking a step which tended rapidly to bring about that for which millions of our people are very anxious—the building of a canal. There seems to be the place where the shoe pinches. I believe a great mistake is being made by men in assuming a position here which has only one objective or result—it may delay the canal.

The change in the situation at Panama since the recognition of the Republic has not disclosed any change of sentiment. This Government answers in all respects the requirements of international law and the precedents of our Government. Having all the requisites for an independent government, they are and were entitled to recognition. The same recognition has been given by all the great powers of the world, and that after careful examination. That Republic to-day exists as a fact, and it will continue to exist. It is a part now of the political system of this continent. We are deeply interested in it by the old treaty of 1846 and by our projected canal. Gentlemen who think they can impede it or obstruct the wish of the American people by caviling and fault-finding, by sticking in the bark, and calling that a violation of law which was, in fact, carrying out the true intent of the law, are greatly mistaken as to the sentiments of the people of our country.

We are a plain, direct people, and we are trying to do what is right. In this we would do what is to all others a benefit, a generous act, while it is also for our benefit. All is done openly, day by day. There is no dark chamber, no great officials close under a king or an emperor to plan and carry out his wishes. Our affairs will go as the people want them. [Applause on the Republican side.]

They have said that they want, first, a Panama Canal, and if they can not get it they want a Nicaragua Canal. Congress has said—and it speaks for the people—emphatically, after long consideration, that it prefers the Panama Canal. The President has obeyed that order—obeyed it carefully. But he can never do anything, take any step that will meet the approval of those who are his professional critics, who are hunting places to find fault. He has made a step which they say is too slow, and he made the second step, which they say is too fast. Both were in the direction of a canal, which the American people desire, and they will soon have it. [Applause on the Republican side.]

We are tired of waiting; we are tired of delays; we have had enough lawyers and great lobbyists around here on behalf of rich companies trying to obstruct the wish of the people. We have seen this sinister influence in the lobby for years, and on the floor, and some said it was visible in the press; but public sentiment and determination will keep right on, unchanged like the resistless tide of the sea. Those who try to breast it or divert it with cavil and quibble about forms of words the real meaning of which is plain, who have such tender sensibilities about the morals of our Government that they would thwart its progress, will be passed by while they are finding fault, and the people will stand by their honest and energetic President. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOVERING having taken the chair, as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment joint resolution of the following title:

Joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. MARSH. Mr. Chairman, I now yield such time as he may desire to the gentleman from New Jersey [Mr. PARKER].

Mr. PARKER. Mr. Chairman, the members of the committee who have heard the careful, learned, painstaking speech of that trained member of the Committee on Foreign Affairs who is at the head of the minority will have noticed in it certain parts that I shall not answer. Perhaps we can say fairly that the main mo-

tive of that speech is a lament that the Nicaragua route was not chosen rather than the Panama route. With that we have nothing to do. The statute told us to get the Panama route by preference. We have now found it possible to obtain a treaty for the Panama route; and the President obeys the law and does not disobey it.

The second part of my friend's speech complained of the President of these United States for being, like the people of these United States, forceful, determined, willing to recognize facts, to do as this Government has always done, to protect American life and property, and in this case to protect the railroad now existing, in which Americans are largely interested—protect them by recognizing the powers that be in the land, and hold these powers responsible for what is done. In that I shall not answer the gentleman. He has been answered. But the gentleman from Arkansas went further. He made an attack, covert, it is true, but an attack which he has twice made, and the second time after he had been corrected, in which he reads to the committee the guaranty of the treaty of 1846, in which the United States of America—

guarantees positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

And then he says, Mr. Chairman, that there are high authorities which maintain that that guaranty only extends to foreign nations, and argues on the assumption if it be conceded that it only extends to foreign nations. May I ask whether he concedes it, because on that matter of honor the people and the President and Congress insist, and it must be conceded by them if we make any move upon the Isthmus? In fact, it is not only conceded by every American authority, but it has been conceded by history, and it has been conceded by Colombia herself.

I can not put the doctrine as it stands better than in certain words used not very many years ago. In the year 1885 there was a revolution or a disturbance upon the Isthmus of Panama. Mr. Bayard was Secretary of State. The Government of Colombia, through our minister, cabled to us:

This Government solicits fulfillment of article 35 of the treaty, etc., to secure the neutrality and sovereignty of the Isthmus of Panama. It desires that for that purpose some land forces be sent to disembark upon the Isthmus.

Let me point out to the gentleman and to the committee that at that time the doctrine had been so well settled that there was not even a letter in reply. They did not even print the answer in our foreign relations. I found, however, that this cable dispatch was answered by cable on the 29th of April:

United States operations restricted to transit. We guarantee international neutrality, not intervention with local strife.

Mr. Bayard, Secretary of State, thus expresses the universal decision of every authority of both countries before that time. Perhaps it would be more interesting to state this matter historically.

The Republic of Panama is no new republic. It was the Republic of Panama which established its independence from the Crown of Spain. It includes the important neck of land just at the Isthmus where, for fifty or sixty years, long before the treaty that I shall refer to, we have had a consul. There is the important city of Panama and a number of harbors, San Blas, Aspinwall, Chagres, and so on, but it is, oddly enough, separated from South America by a range of absolutely wild country—inhabited by savage Indians, broken by steep mountains, and intersected by tremendous gorges; where there is nothing but merest Indian trails to connect South America with Panama. It is said that a few years ago it was thought to be a very great thing that some dozen inhabitants of Colombia, on horseback, managed to pass along that trail to Panama.

In the survey of the Intercontinental or International Railway which was to connect North and South America our engineering parties did not go through that Isthmus of Darien. It is well known what awful starvation only a few years ago was suffered by Lieutenant Strange and his party when they attempted to cross that isthmus. Panama is an outlying district, commercial in its character, but it joined its fortunes to the great Republic of Colombia, which included not only the present United States of Colombia, but also Ecuador, Venezuela, and I believe Peru, and which after the victories of Bolivar expected to rival the greatness of the United States in the union of these different countries.

They were, however, impassably separated by mountains and streams. There were enormous differences in conditions. The highlands about Bogota have a temperate climate, where they raise horses and cattle and have two or three crops of corn a year. The lowlands and marshes swelter under a tropical climate and fevers. It is a different population that inhabit the low grounds about the mouth of the Magdalena. In fact, these separate States were so cut off from each other by tremendous natural obstacles that the Republic fell apart.

In 1846 Colombia had been divided into three countries. One of them was New Granada. It was substantially in territory what is now the United States of Colombia. It included the Department of Panama, which, however, had its own town authorities, its own aldermen, its own people. And in 1846 this treaty was made by which the United States agreed that if a railroad or other means of transit were put upon the Isthmus there should be no duties charged for taking goods over the Isthmus other than would be imposed upon citizens of New Granada. It was to be practically a free zone for the transit of goods.

Thereupon, in order to get capital to go there and in order that the investor should feel safe that the riches which would be amassed there would not be seized upon by some foreign country, there had to be some guaranty. A letter has been published lately from the secretary of state of New Granada showing that that country feared that England would seize any such transit. That letter was kept a secret from 1848 and only published the other day from the secret archives of the Senate. The minister of the United States was told that this treaty could only be signed if we would guarantee the Isthmus against foreigners, especially against England.

Our minister, rightly believing that the guaranty against foreign countries was only a part of the Monroe doctrine which had already been declared by one of our great Presidents, signed the treaty without authority and sent it to Washington with the explanation contained in that letter, which declared the fear that England would take possession of the Isthmus. The President and Senate ratified his act. That guaranty went into effect and the letter remained in the archives of the Senate. The treaty was to guarantee against foreign intervention. As afterwards expounded by our Attorney-General, it did not mean that we should interfere in revolutions in Colombia or that we should prevent Panama from revolt. That was not declared in so many words for some time, but history settled its meaning. The treaty was made in 1846.

In 1853 there was a revolution in New Granada. A new constitution was adopted which transformed that State and took away the very sovereignty of New Granada over the Isthmus of Panama, for it constituted a federation of States, nine or thirteen, I think, in number, of which Panama was one, expressly providing that any one of those States could secede at any time at its will. The sovereignty of New Granada, said to be guaranteed by this treaty, was thus abolished at that time, and the sovereignty of New Granada has never been reestablished.

Our consul remained at Panama. We thus recognized the new federation. That constitution was perhaps the first in the world until the constitution of the Confederate States in which it was attempted to change a government into a federation, with express provision for secession. In the year 1857 Panama actually did secede from the union. Panama remained out of that union with the will of all parties for some years.

While she was separate as the Republic of Panama our consul remained there. The treaty of 1846 was recognized by the Republic of Panama and was recognized by the United States of America. It remained between those two sovereign States, as it remains now with the present Republic of Panama. For the present I shall pass over the disturbances and revolutions which occurred there. Well, she came back again, and a new constitution was adopted about 1861 which made the union closer. Mosquera was made President.

The Government itself was made more powerful, and he was dictator. Our consul remained, and the treaty still guaranteed against foreign intervention. In 1865 a new revolution occurred. Toro, the President, was turned out and imprisoned. A new President came in, and while those disturbances were in progress revolting inhabitants of the district of Cauca were marching on Panama.

Our minister at Bogota, reading over this treaty for the first time and being impressed with the idea which has been so plausibly and pleasantly suggested, that we had guaranteed the whole Isthmus as against revolt, represented to our home Government in a series of dispatches that many foreigners had come to live upon the Isthmus and that it was obvious that the treaty was intended to guard against them, and begged that we should thereupon protect the Isthmus for the government that was then struggling for its life at Bogota. The matter was thought of sufficient importance to be put before our Attorney-General, and I will ask the Clerk to read in my time the opinion of the Attorney-General upon this subject.

The Clerk read as follows:

Panama. Opinions of the Attorney-General, volume 11, page 391. The Isthmus of Panama.

The thirty-fifth article of the treaty between the United States and New Granada does not oblige this Government to protect the Isthmus of Panama from invasion by a body of insurgents from the United States of Colombia.

ATTORNEY-GENERAL'S OFFICE,
November 2, 1867.

SIR: I have the honor to acknowledge the receipt of your letter of the 31st of October last, together with a dispatch from Commander H. K. Hoff, [illegible] of the Navy, then acting as commander of the United States of Panama, and [illegible] the obligation of this Government under the thirty-fifth article of its treaty with New Granada to comply with the requisition of the President of the United States of Colombia for a force to protect the Isthmus of Panama from invasion by a body of insurgents of that country.

The most important provision contained in the treaty of the United States under the thirty-fifth article of that treaty is the right of transit from one to another of the Isthmus for themselves and their property without being liable to military force or charges of any kind to which native citizens of New Granada are not subjected for their passage by persons, and in order to secure this "neutrality and security of transit of them and other citizens mentioned in the treaty the United States agree to guarantee positively and effectually to the Isthmus such the form that the free transit from one to the other may not be interrupted or molested at any time while the treaty exists, and to maintain the rights of sovereignty and property which New Granada has and possesses over said territory.

Among the treaty it can not be supposed that New Granada invited the United States to become a party to the treaty for the purpose of [illegible] the United States to the domestic [illegible] of New Granada. The United States guarantee New Granada its sovereignty and property over the territory. It is [illegible] foreign governments. Without [illegible] and [illegible] the United States [illegible] New Granada the [illegible] of the United States [illegible] guarantee to New Granada against the consent of the authorities of the latter.

The acceptance of such a guaranty would amount to a surrender of sovereignty on the part of New Granada and the United States by virtue of the treaty would [illegible] the right to intervene with a party in New Granada [illegible] keep and perform the treaty and which [illegible] and keeps in power the party thus assisted. The history of the [illegible] which this Government has [illegible] toward Colombia [illegible] forbids that it ever accepted or believed it [illegible] such [illegible] the [illegible] of any other government. The position [illegible] guaranty of perfect neutrality contained in the treaty [illegible] be regarded as having relation to foreign powers.

In the treaty [illegible] a guaranty [illegible] between the high contracting parties that [illegible] shall [illegible] any of the [illegible] responsible for the [illegible] such party [illegible] way to prevent the [illegible] of property belonging to the United States in more power over [illegible] of New Granada than it does to New Granada [illegible] of the United States [illegible] the United States [illegible] country.

My opinion is [illegible] Panama [illegible] protect the isthmus of Panama [illegible] country.

I am, sir, very respectfully,

JAMES SPEED.

Hon. WILLIAM SEWARD,
Secretary of State.

Mr. PARKER. Thus by history and this opinion it is perfectly plain that we did not mean by the treaty to make ourselves a party to the [illegible] of New Granada. In this very [illegible] the minister of New Granada at Washington had made a special request of the State Department that they would interpose against the revolutionists. After the revolution had succeeded Mosquera, the President of the Republic, in a formal communication to the United States Foreign Relations, 1866, p. [illegible], expressed his thanks, commending the Government of the United States for refusing to intervene at the call of the Colombian Legation authorities, saying that that [illegible] policy of the American Government, with the [illegible] estimate [illegible] has fixed definitely the meaning of the treaty and will serve as a point of departure for whatever political emergency may occur.

These are the words of Colombia to us now, declaring that we are not bound to maintain their sovereignty as against their own people.

That declaration was made with the knowledge that Panama was disaffected. It was in that same year that our minister wrote that he had—

reported a conversation with a prominent [illegible] in relation to the projected separation of the State of Panama from the Republic.

He says that—

this idea still subsists with the [illegible] that State; that the Federal Government fear their inability to hold it, that they contribute $[illegible] a year to the local government really in order to attach the people to the confederation.

And he continues:

The latter think that, free from the interior, for which they have a strong aversion, and under the protection of some strong power, they would own the national interest in the railroad, establish custom-houses, and thus enjoy abundance.

This is not all. Our minister thought the matter of sufficient importance to bring it before the direct attention of the minister of foreign affairs of Colombia. He asked them whether they felt themselves authorized by treaty to request aid of the United States for the suppression of an insurrection, rebellion, or other disturbance on the Isthmus on the part of Colombian citizens, and they said no, not even on an invasion by another Colombian State, unless such movement be intended to detach the State of Panama from the Colombian Union and attach it to a foreign power.

And Mr. Burton adds:

This leaves the Isthmus free for independence, if not for annexation.

I am not stating this correspondence at hearsay. I find it in the Diplomatic and Foreign Relations of the United States for 1866 and 1867. On page 565 is the acknowledgment of the conduct of the United States in not interfering. On page 570, under date of September, 1866, the minister of foreign affairs of Colombia, reciting our letter as to the interposition due from the Government of the United States by the treaty between the two nations in the event that an insurrection by armed force should take place on the Isthmus for the purpose of segregating it from the union, says:

The Government of Colombia understands that if an insurrection should have [illegible] with a view of making that portion of [illegible] independent and attaching it to another [illegible] power, they would not be [illegible] to any [illegible] whatever [illegible] Government [illegible] that Congress [illegible] of [illegible] the [illegible] of the Isthmus [illegible] the [illegible] of the [illegible] and [illegible] the [illegible] of the [illegible] and [illegible] the [illegible] of the [illegible] Colombian citizens.

Mr. SCOTT. I believe gentlemen on the other side—most of them, at least—concede that under our treaty the United States have no obligation to preserve the autonomy of Colombia as against domestic revolt; but as I understand their contention it is that our Government does wrong now in preventing Colombia from reasserting her sovereignty on the Isthmus. I should be glad to have the gentleman discuss that question.

Mr. PARKER. I have not got to that question and may not get to it. I do not admit, in the first place, that we have prevented them from asserting sovereignty. That has not been proved by anything that has been done here. The important matter, however, and what I am trying to answer, is that of our duty under the treaty as against internal revolt. Gentlemen on the other side concede with an "if" and a sneer.

Gentlemen on the other side concede, but with a covert attack upon the honor of the Government of the United States and upon its President, and it is time that that [illegible] should be [illegible] in such a way that that question should be barred. It is time that this House should not see gentlemen rising on the other side with an attack upon the honor of this country in its dealings with another power.

If we are free from any duty to maintain Colombia against her own revolted [illegible] I [illegible] that we find a government that can [illegible] the [illegible] of the treaty and that can maintain the transit. It is principle and policy to recognize that government. It is principle and it is [illegible] we must have some power on which we may rely. It is principle and policy to act quickly if we are free to act. But we will not have Mosquera [illegible] in this House [illegible] that there is even a doubt as to whether we are breaking treaties. I stand here to repel that insinuation against the President and the Government. Such a charge is made against all of us. [Applause.]

We have come down to 1885. Afterwards there were disturbances. We were continually protecting the railroads from time to time and trying to find out who was in power. There were revolutions——

Mr. LAMB. Will my friend allow a question?

Mr. PARKER. On this point.

Mr. LAMB. Do you accuse this side of disloyalty in making objection to the course taken by the President because of what one Member said? He, I think, disavowed expressing the opinion of this side, and declared that he spoke only his individual opinions.

Mr. PARKER. If my friend please, I do not accuse anybody. I do not accuse that side of doing it, nor do I accuse anyone of intentionally doing it; but it is equally certain that the words used by the gentleman from Arkansas, if only for himself, show doubt at least in his mind and may cause other men to have doubt in their minds on that subject. I disclaim any attack on gentlemen on the other side. I hope before I have done they will all concede that the guaranty was only against foreign intervention.

Mr. LAMB. Will the gentleman pardon one suggestion? There are some of us over here who contended forty years ago for the right of secession, and if it was wrong then how can it be right now?

Mr. PARKER. That is not a question. It is perfectly certain that if any foreign power had chosen under the circumstances to do a wrong to the United States by recognizing you they could have done it. I do not say that it would have been a legal wrong, but an actual wrong and injury to the United States, and if it had been to their advantage to do it or to the advantage of the world they would have done it. Fortunately, they saw it was not to the advantage of the world nor to their own advantage to break up this great Republic. As to Panama, I will put the question to the gentleman whether it is to the advantage of the world to maintain the rule of Colombia over a remote district separated from the mountains of Bogota by a month's journey, a district which remains no longer in the possession of Colombia, especially when the new Republic will forward the progress of the civilization of the world, and when its inhabitants have established a Government in which they all concur?

Mr. Chairman, in 1873 the United States had been occasionally landing marines to take care of the transit across the Isthmus. A protest was made by the Colombian Government. The question came up whether the United States forces should simply protect the railway or whether they should put down disturbances.

The United States claimed that they needed to have some government there who was really in power and who could put down disturbances. Thereupon our minister, Mr. Scruggs, communicated on December 19 of that year with Colunje, the minister for foreign affairs of Colombia, stating his view that there was violence on Panama, and that the treaty did not engage the United States to protect the road from local factions. Colunje replied that the treaty did not include the obligation to protect the railroad against the class of violences referred to."

And he "makes known for the President that the Colombian Government has considered and will consider it its exclusive function and duty to give that protection, a protection which this Government has never refused, although it may have proved inadequate during the recent disturbances on account of the magnitude of the acts committed at so great a distance from the capital." He then promises to keep an adequate force there. And Mr. Fish in his dispatch to our minister said:

This engagement, however, has never been acknowledged to embrace the duty of protecting the road across it from local factions; but it is regarded as the indisputed duty of the Colombian Government to protect it against at least [illegible].

You are consequently requested to address a representation upon this subject to the Colombian minister for foreign affairs, and to ask that a sufficient force be kept on the Isthmus to deter attacks upon the road, its officers, or [illegible].

So matters went on until the revolution in 1885, when the dispatches already read were sent and received, our minister telegraphing that the Government solicits the fulfilment of article 35, to secure the neutrality and sovereignty of the Isthmus of Panama and desires that for that purpose land forces be sent to disembark on the Isthmus. Mr. Bayard answered that question by saying that our operations were restricted to transit; that we guaranteed international neutrality, not intervention with local strife.

That is the last of these constructions by words of that treaty. It is not the last in fact. In that year, 1885, Nunez, the retiring President, could not be reelected; he annulled the constitution, declared an interregnum, appointed provisional governors in nine States. He asked these provisional governors each to send two delegates to Bogota, which they did. They then drafted a constitution which made the President supreme. That constitution was nominally sent to the various parts of the whole country to be approved by the boards of aldermen, and came back with the statement that it had been so approved. Panama never has agreed or admitted that she ever did approve that constitution.

That constitution abolished the states and made them departments; it constituted provincial governments, each responsible to the President of the nation; it made the [illegible] of the legislature absolutely supreme; it provided an exclusively federal judiciary appointed at Bogota; it allowed arbitrary arrests; it limited the suffrage and the press; it increased the offices; it lengthened the terms of those who were in office; it created a standing army; it permitted monopoly and capital punishment; it exempted the clergy from civil jurisdiction, and put the schools entirely in their power.

There had been a provision in the former constitution that passports should not be demanded in time of peace, and that was abolished. I have analyzed that constitution in part, but the most important and curious clause is in the tail:

ARTICLE 20. The Department of Panama shall be subject to the direct authority of the Government, and it shall be administered by laws especially enacted therefor.

It made Panama, by these words, the subject of special tyrannical direct control from an assembly distant over two weeks in time in the mountains of Bogota, without allowing it one word in its own defense, and without its having the right to be governed by the laws which belong to the rest of the country.

Next, in 1900, there came a revolution. Sanclemente, a man of 93, who had been a lawyer, statesman, diplomat, scholar, and soldier with Bolivar, and who had been elected to the Presidency after he was 90 years old, was deposed from that Presidency by a revolution. It was headed by Marroquin, the Vice-President, who has remained in power, if not until now, until lately.

Under his dictatorship, practically under the terms of that constitution, he has remained the ruler in spite of frequent revolution in some of the States. The fine population of the hills, for I give them that credit, made up of the descendants of the Spanish conquerors of South America, have maintained their hold, not only in Panama, but in all of the lower districts that do not love their power, by force of arms and the strength of character inherited from the conquistadors. They are greedy for gold, as their forefathers were.

That country was conquered for gold, and they mean to make all they can out of it yet. Now comes the last act. After hundreds of millions have been spent by the French company in trying to cut through the Isthmus; after their own Government has negotiated a treaty by which the United States pays something toward that company for the value of their works and $10,000,000 in cash, with some hundreds of thousands of dollars a year to the Government at Bogota, their last act is to say: "You are coming here anyhow. We are not afraid now that you will go to Nicaragua. You are coming here, and we will forfeit the French concession. We will make you wait a year, and we will put the forty millions, as well as the ten millions, in our own pocket, and you will have to defend us under the treaty against France if she does not wish her citizens to be despoiled."

Mr. Chairman, when great crises like these occur, there must be some one Executive—some one man, with wise counselors, who does not talk, but acts, and who must be supported by the people of his country. [Applause.] And there must be a Congress made up of patriots who feel it their first duty to remember that within his lawful authority the President of the United States represents more responsibilities to the people of this country, carries more weight, and should have more undying and unfaltering support than any Executive the world over. [Loud applause.]

Mr. VAN VOORHIS. I yield thirty minutes to the gentleman from Iowa [Mr. BIRDSALL].

Mr. BIRDSALL. Mr. Chairman, I desire to vary this discussion for a few minutes with a few observations upon our industrial policy in connection with the farmer. I conceive, sir, that of all the factors among our people—of all its elements—no element is more interested or deeply concerned in the economic policy of the nation than the agriculturist. With this thought in my mind I have not risen to chant the praises of the protective policy. That is sung in the humming spindle, in the roar of countless thousands of iron horses that draw the products of our land from ocean to ocean, in the sunny faces of happy children, in the millions of homes of comfort and contentment. Indeed, sir, we can say as Richelieu did of old:

Look without—no foe not humbled; look within—the arts quit for our shores the ancient Hesperia—the queen Italy, while through the veins of this vast empire flow instreaming tides trade, the calm health of nations.

I rise rather to enter a mild protest against the assumed authority of the gentleman from Mississippi and the gentleman from Texas to speak for the agriculturists of the great Northwest in general and that district which I have the honor to represent in particular. It seems impossible for the gentlemen to comprehend, for the Democratic party to comprehend, why the farmers of Iowa, of Nebraska, of Kansas, of Illinois, and of Minnesota are not with them. I can answer the gentlemen by the statement that it is because the people are guided by the safest guide in human affairs—the lamp of experience.

In 1892 the farmers of my State were beguiled into helping turn out a Republican Administration and instituting the Democratic Administration of Grover Cleveland. It was a time of unexampled prosperity throughout the agricultural regions of the West. But they were fooled—I use the term advisedly—fooled into believing that they were paying too much for manufactured articles; and at the behest of our then Democratic governor of Iowa they decided to clasp hands with the free-trade barons of Wall street and install in power the Democratic party and the policy of a tariff for revenue only. What was its effect upon the farms and the farmers of Iowa? The answer to this question will completely remove the difficulty under which the gentlemen rest.

I desire to call the attention of the committee to only a few statistics bearing upon this proposition. In 1890 the value of all farm property in Iowa was $1,100,000,000 in round numbers. In 1900 (and this increase was from 1896 to 1900) the value of the farm property in Iowa was $1,834,000,000 in round numbers. I have before me, and shall insert in the RECORD, a statement of the

auditor of the State of Iowa showing the amount of deposits in the savings banks and State banks of our State. Private banks, under our law, are not compelled to make reports, hence it is impossible to arrive at the amount deposited in them.

On June 30, 1891, the amount deposited in the State and savings banks was, in round numbers, $33,000,000. On June 30, 1892, this sum had increased to $42,467,000—an increase of about $9,000,000. In 1893 it stood substantially at the same figure—$42,000,000. In 1894 it had decreased to $41,000,000. In 1895 it had increased to $4[illegible]. In 1896 it stood at $43,000,000. In 1897 it had increased to $5[illegible], in 1898, to $59,000,000; in 1899, to $77,000,000. [illegible] increased each year from 1896 to 1903, when in February of that year, as shown by this report, the amount on deposit in the State and savings banks of Iowa was $151,406,000. In other words, during the experience of the Democratic "tariff reform," from 1892 to 1896 the deposits in the State and savings banks remained stationary throughout our State, while from 1897 to 1903 they increased $[illegible]. The State and savings banks are peculiarly the places of deposit for the farmer and the laborer.

Statement of deposits in State and savings banks of Iowa from 1891 to 1903.

Date.	Number.	Due depositors.
June 30, 1891	205	$33,781,703.67
June 30, 1892	245	42,467,[illegible]
June 30, 1893	325	42,161,484.45
June 30, 1894	360	41,987,[illegible]
June 30, 1895	394	46,697,[illegible]
June 30, 1896	370	46,[illegible]
June 30, 1897	372	4[illegible]
June 30, 1898	393	59,[illegible]
June 30, 1899	402	77,[illegible]
June 30, 1900	448	91,142,[illegible]
June 30, 1901	474	1[illegible]
June 30, 1902	531	[illegible]
September 13, 1902	545	[illegible]
December 8, 1902	556	[illegible] 241,[illegible]
February 6, 1903	564	131,406,980.29

This is only one item. The Union Stock Yards in the city of Chicago are the great market place for the live stock of the Northwest. They were established in 1866, and from the date of their establishment down to 1892, with the exception of a single year, the value of live stock sold increased from year to year. In 1892 the value of live stock disposed of in the Union Stock Yards of the city of Chicago amounted to the grand total of $253,000,000. That value declined every year from 1892 to 1896, when the total reached the mark of $188,000,000, a decline of sixty-five millions during the Democratic Administration, a loss to the farmers of the Northwest in those four years upon the item of live stock alone, as shown by the record of the Union Stock Yards in the city of Chicago, amounting to over $150,000,000.

Mr. STEPHENS of Texas. Will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. BIRDSALL. Certainly.

Mr. STEPHENS of Texas. I will ask the gentleman if it is not a fact that the cattle industry of the United States for the last three months has fallen off several millions of dollars?

Mr. BIRDSALL. That is true.

Mr. STEPHENS of Texas. Does the gentleman attribute that to the Democratic party?

Mr. BIRDSALL. No. [Applause on the Democratic side.]

I am about to give, Mr. Chairman, from a Democratic source—a paper published in my own town—for the purposes of comparison, prices upon farm products to-day. Horses selling in my section bring from $80 to $150. Milch cows bring from $25 to $35 a head. Oats are worth 25 to 30 cents a bushel; corn 35 cents; hogs $4 to $4.25 per hundred; hay $6 a ton. I want the gentlemen of the committee to bear these figures in mind while I call their attention to the values in 1896, the closing year of the Democratic Administration, and I propose to read from an inventory in the estate of one William W. Lord, pending in my county in that year. This appraisement is made under the following oath:

We, [illegible], do solemnly swear that we will well and truly, without partiality or prejudice, value and appraise the goods, chattels, and personal estate of William W. Lord.

This appraisement is made by W. C. Keith, a Republican; a Mr. Wadsworth, a Democrat, and S. G. Kennedy, a Prohibitionist, so that we have no politics in the appraisement. If the gentlemen will bear in mind the figures I have stated as being the value of property at this time, I will read a little from this appraisement.

"One light gray mare, 5 years old, named Doll, $40; one dark iron-gray mare, 4 years old, named Daisy, $35; one matched span of gray drivers, 7 years old, named Topsy and Kit, $75; one dark-brown gelding, 18 years old, named Tom, $5." Why, Mr. Chairman, there is a whole five-act tragedy in that appraisement. Poor old Tom served his master for fourteen or fifteen years faithfully, but his good master is dead and gone, and old Tom is put in the shambles and sold under a Democratic Administration, under a policy of tariff for revenue only, for $5. Let us proceed: "One dark-brown mare, 12 years old, named Nellie, $12." Nellie is getting old, too. Passing down through the balance of the horses, we come to the cows: "One roan cow, white forehead, 6 years old, $18; one red milch cow, $20;" a dozen others ranging in price from $15 to $20. So on down through farm machinery and household goods upon about the same basis. Then we come to the crops: "Eight hundred bushels of old ear corn in the crib, at 10 cents per bushel; 1,300 bushels of oats in the bin, 18 cents per bushel; 20 bushels of wheat, at 30 cents per bushel; 18 tons of hay, at $2.50 a ton; 50 acres of corn in the field, at $2.50 per acre."

These are prices under Democratic times, such as the gentlemen propose to give us, and still they wonder that the farmers of Iowa have not judgment and sense enough to see that their salvation rests in the Democratic party. Continuing this inventory is the final item—"Cash on hand at time of decease, $1." This appraisement was made October 5, 1896, and if the Democratic party had succeeded that year the widow's dollar would have been worth but 50 cents. [Applause and laughter on the Republican side.] Is it any wonder that Mr. Lord laid down his burden and went to his Lord? He had at least one consolation. He could leave the country at that time with as little regret probably as at any time he had ever known. [Laughter.] Now, I want my Democratic friends to take this inventory with them. The gentleman from Missouri a short time ago advised them to pray, and while they are in that devotional attitude let them read this inventory, and then I commend to them that good old Presbyterian hymn we used to hear when we were boys:

And are we still alive and do we still rebel?
'Tis mercy, 'tis exceeding grace, that we are not in hell.

[Laughter and applause.]

COMMISSION TO APPRAISERS.

[In probate. Estate of William W. Lord, deceased.]

STATE OF IOWA, *Wright County, ss:*

To W. C. KEITH, EPH. WADSWORTH, S. D. KENNEDY:

You are hereby appointed to appraise all the personal property of William W. Lord, late of said county, deceased, as set forth in the following copy of inventory, so far as the same shall come to your knowledge. You will proceed after first being duly sworn, proceed to make such appraisement as above required.

Witness my hand and official seal hereto affixed, at Clarion, this 2d day of October, 1896.

[SEAL.] W. V. PALMER, *Clerk District Court.*

OATH OF APPRAISERS.

STATE OF IOWA, *Wright County, ss:*

We, [illegible], do solemnly swear that we will well and truly, without partiality or prejudice, value and appraise the goods, chattels, and personal estate of William W. Lord, now deceased, as far as the same shall come to our knowledge, and perform the duties of appraisers in the estate of said deceased, as required by the foregoing commission.

W. C. KEITH,
EPH. WADSWORTH,
S. D. KENNEDY.

Subscribed and sworn to this 5th day of October, 1896, before me. [SEAL.] W. J. FRENCH, *Notary Public.*

General assets of personal property.

1 light gray mare, 5 years old, name, Doll	$40.00
1 [illegible]	35.00
1 [illegible] Topsy and Kit	75.00
1 dark-brown gelding, [illegible]	5.00
1 dark-brown mare, 12 years old, name, Nellie	15.00
1 [illegible]	20.00
1 [illegible] 6 years old	18.00
1 [illegible]	20.00
1 [illegible]	20.00
1 [illegible]	48.00
[illegible]	16.00
[illegible] per head	35.00
[illegible]	64.00
[illegible]	10.00
[illegible]	.50
1 set double work harness	20.00
[illegible]	3.00
[illegible]	8.00
[illegible] New Boston wagon	25.00
[illegible] wagon	8.00
[illegible]	3.00
1 [illegible] "frysicle"	20.00
[illegible]	25.00
[illegible]	10.00
[illegible] grass seed fixture	10.00
[illegible]	10.00
[illegible] Avery cultivator	5.00
[illegible] sleighs	1.00
[illegible]	3.00
[illegible]	15.00
1 [illegible] hay rake	1.00
[illegible] 50 cents each	1.00
[illegible] 25 cents each	3.00
[illegible] 40 cents per bushel	80.00
[illegible] 8 cents per bushel	104.00
[illegible] 30 cents per bushel	6.00
18 tons hay in stack, $1.50 per ton	27.00
1 stack [illegible] hay	6.00
[illegible] that cut and lying on ground. (No value.)	
[illegible] corn in the field, $2.50 per acre	125.00
1 complete outfit household furniture	25.00

1 16-inch breaking plow	$5.00
1 corn planter	.50
1 sandblade cultivator	.15
1 disk harrow	.50
Cash on hand at time of decease	1.00

STATE OF IOWA, *Wright County, ss:*

We, the undersigned appraisers, do certify that we have appraised the personal property set forth in the foregoing copy of inventory, as indicated in the column marked "Appraised value."

W. C. KEITH,
EPH. WADSWORTH,
S. D. KENNEDY,
Appraisers.

Yet, in the face of this record, with the memory of the blighting and blasting years from 1893 to 1896 full upon them, the gentleman from Mississippi and the gentleman from Texas tell us that the farmers are ripe for revolt and ready for tariff reform. I do not believe it. The farmer is a thinking, acting, conservative individual and can be safely relied upon to reflect upon disastrous conditions he was beguiled into fostering in 1892 by the specious argument of the free trader. The farmer is interested in the prosperity of the laboring man more than any other factor, because he knows that the better paid the laboring man is the more bread he will eat, the more meat he will consume, and the better clothes he will wear, and by increasing consumption will increase the demand for the products of the farm.

He knows that from 1893 to 1896 three millions of honest men were trudging over this country in search of labor at any wage, and that his products which theretofore had been consumed by them then lay rotting in the field and in the granary. He knows more than this. He knows that idleness breeds disorder and discontent. He knows that every one of these three million men carried an empty stomach, and that empty stomachs are the storage batteries for revolution.

The farmers, sir, constitute the great conservative balance wheel of this Government. There are in my State 250,000 farms and more individual owners of their lands than in the whole of England, Ireland, and Scotland combined. We can not have an aristocracy of wealth under our system. The rich man of to-day is the poor man of to-morrow.

Mr. MACON. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. BIRDSALL. Yes.

Mr. MACON. The gentleman spoke a little while ago about 3,000,000 empty stomachs. I would like to know when those stomachs first became empty.

Mr. BIRDSALL. They became empty, sir, the moment that it became apparent in 1892 that Democracy was about to succeed.

Mr. MACON. When did that become apparent?

Mr. BIRDSALL. It became apparent after the election of 1892, when the Democratic party was successful.

Mr. MACON. Then does the gentleman mean to say that up to the national election of 1892 there were no empty stomachs in this country?

Mr. BIRDSALL. I mean to say that in 1892 this country presented a spectacle that had never before been presented in its history of prosperity and contentment.

Mr. MACON. Does the gentleman from Iowa know that what he is attempting to cram down the throats of the members of this committee and the country is nothing more nor less than campaign rot of the most common character and against the facts as to the conditions of our country as shown by its history at the time of which he is talking?

Mr. BIRDSALL. It may be such in the gentleman's comprehension. Of course the difficulty with my friends upon the other side is that they have always considered argument of this character, consisting of facts and experiences, as rot, and that is the difficulty with them. The farmers of the great Northwest know better.

I was about to remark, sir, that the farmers constitute the great conservative balance wheel of this Republic. Look over the list of our ablest and wisest men and observe that they come not from the lap of pampered luxury, but from the fields of labor and from the farms. It is not from the crowded cities, not from the heat of commercial activity that such men are born and perfected, but, rather, in the quiet of agricultural and rural life, where reflection goes hand in hand with honest toil.

There, amid the fragrance of the clover blossoms and the perfume of a thousand flowers, is laid the foundation for the battles of after life. The victories of manhood are the result of the struggles of boyhood, and with the maturity of years come the fruits of that industry and that development of character that mark the early life. Thank God, no trust can be put upon human character or individual effort in this direction, and henceforward, as in the past, let gentlemen say what they please, the highest walks of statesmanship and citizenship are open to the humblest toiler of the land. He who sits in the White House to-day and guides the helm of this Republic is beloved of the people because he left the paths of luxury and ease to climb by the rugged steps of labor and activity to honor and renown. His heart beats with the masses of the people. With him no man or set of men, however rich or powerful, are above the law; no man, however poor or however humble, is beneath it. A man with a mind deep enough and broad enough to comprehend our destiny as a nation, he stands to-day, sir, the best prototype of the American citizen and the brightest exponent of our civilization. [Applause on the Republican side.]

Mr. SMITH of Kentucky. I yield thirty minutes to the gentleman from California [Mr. LIVERNASH].

Mr. LIVERNASH. Mr. Chairman, almost every day this Chamber is filled to the bursting point with sweating expressions of solicitude for the millions who toil. This afternoon, even, has not been free from the experience, though for a time it seemed it would be. One can hear the defenseless English language creak and crack under the strain to which it is subjected by that intense concern for the masses which expends itself in the expressing. It seems a pity, and I rise to suggest, not in a spirit of violent partisanship, nor with any purpose of radicalism, the substitution of thoughtful action for puffing, canting rhetoric.

Gentlemen who prefer the stock reports to the Sermon on the Mount, and other gentlemen whose statesmanship begins and ends with the distribution of Government seeds, may ask what action can be required while Opulence spreads its golden wings over all the land. Indeed, some of the Members of this House, as witness the gentleman from Iowa who has just resumed his seat, profess amazement that any of us can feel discontent or anxiety with conditions as they run to-day in a country declared to be, as the gentleman has pictured our America, incapable of yielding an "aristocracy of wealth."

But much can be done, sir, if gentlemen are, as they profess to be, in earnest in their fervid assertions of friendship for the working classes of this nation, and especially the men and women who have banded themselves in labor unions. Commissioned as I have been by Organized Labor, I feel it to be a duty to protest on this floor against that policy of so-called "conservatism" which has found vulgar expression in the phrase "stand pat." [Applause on the Democratic side.]

I would be for "standing pat," and I believe the organized labor of America would be for "standing pat," if "standing pat" meant standing for policies so satisfactory in themselves or tending toward policies so desirable that departure from them might prove to be experimenting with danger. But "standing pat" with conditions as they are is not conservatism—it is assenting to much that tends toward grave disaster in the industrial world, unsoundness in finance, and decline of popular government. The bearing of the "stand-pat" doctrine on our foreign relations I shall not to-day discuss, but something may with possible profit be said concerning domestic problems injuriously affected by inaction.

The unhappy truth is that our national prosperity (and we are as a people exceptionally prosperous, and if not misgoverned ought always to be) is not counting so much for the working classes at present as it counted a year ago. I am not engaging in mere conjecture in saying this. I speak after careful and cautious investigation.

By reason of direct identification with important arbitration proceedings having to do immediately with the cost of living in various cities of the United States and with the relation between cost of living and the wages of labor, I have gone to bed-rock on this question; and I say with confidence that the cost of living in this country for the average worker who leads a simple life is today 25 per cent greater than it was a twelvemonth back.

The increase has not been so sharp with classes habitually using luxuries; but even as to them I am convinced that the advance has been much more than has been reported by the Department of Commerce and Labor, though I submit to the House that official statistics put forth by the Department indicate a material increase in the cost of living for all classes of our people.

Side by side with the mounting cost of living there has been an increase of wages, take the country as a whole, an increase forced by the power of collective bargaining as exerted by the labor unions; but the rise in wages has not been so great as the rise in commodity prices. There is the most significant fact of contemporary life for gentlemen who are interested in the money welfare of the working classes, and it gains in significance when it is considered that the rise in commodity prices has been greater in America than in Europe. The movement is not a world movement; we must seek in domestic conditions the explanation of the change.

Nor is this all. Now, in the midst of the opulence of which gentlemen speak so often and so glowingly, wages are falling—not in a few localities and for clearly local reasons, but throughout the country and because of some general condition. I commend this serious fact to the careful thought of Members of this House who are in earnest in professing concern for the welfare of the toilers.

Gentlemen can not doubt in this regard. One can not pick up a newspaper of fair methods of news presentation without finding in its columns some report of wage reduction effected or in contemplation. None of us can have failed to note the most important of these reports—that which told the nation of the intent of the steel trust to cut the wages of its multitude of workmen employed through many districts of our land.

I hope gentlemen who run to superlatives in talk as to the rightness of Labor will feel it worthy of attention that this vast enterprise, operating on the boasted wealth of our America, plans to cut the bread and butter allotment of thousands on thousands of its employees. I hope they will not be for "standing pat" as to the possibility of living at the bottom of this contemplated cut. [Applause on the Democratic side.]

And just as are some tendencies affecting the men and women who work, so are some tendencies affecting the men who work at sea. "Standing pat" in the case of American seamen means approving practices which are unworthy, and unpatriotic practices making sea life something to scorn, rather than something allowing to our boys and men, practices dear to the heightened progress of our merchant marine and the strength of our Navy.

I shall not now pause to discuss the large question thus suggested, one of the most important questions before the nation, though not as yet perceived by many in the full scope and dignity. But at some other time I shall turn again to it.

I repeat, Mr. Chairman, that gentlemen should forthwith address themselves to the grave problem presented by falling wages amidst rising tides of wealth. Here is a field for action and not merely for words. Something is wrong. Find out what it is and then apply a remedy.

It is my earnest faith that no man who inquires with intelligence and diligence can avoid the conclusion that the monopoly trust is the controlling cause of the increase of cost of living in America, and a potent influence for driving wages to low levels and treating workmen as machines.

The money lords have capitalized their greed, have issued stocks and bonds based on the dreamiest dreams of Hope and Wall street's wildest gambling by discount on the genuine prosperity of many a year to be. Small wonder that, in the debauch of avarice and daring, prices of commodities have lost normal moorings and dangerous advances have been general.

No sane observer can believe that industry can be for long grossly overcapitalized without disaster; and I think most inquirers are agreed that pending the sound reorganization of overcapitalized monopolies in the industrial field the greatest sufferers are the men at the bottom, the workers who earn more than they get and are obliged to pay more than they should.

Already in this country we are experiencing the ill effects of overcapitalization. The reaction has set in. Some of the extravagance is being forced out—some of the water disappearing. But in the reaction Labor is being hurt. Capital is seeking the lost of confidence occasioned by its own criminal excesses as a justification for cutting wages, though commodity prices are not falling and though wealth profits from consumers unabated.

What should be done? What does Labor ask to have done? Does Labor look with fear on the monopoly trust—that disease of our material prosperity, a disease produced by dishonest commercialism and government by coterie? If it does, what has it to propose in remedy?

I have tried to gain trustworthy answers to these questions—answers not colored by partisanship, but having intelligent and patriotic regard for the sustained progress of the whole people.

In my pursuit of the truth I have visited the principal industrial centers of the country, have spoken directly with a multitude of workingmen who are not politicians, and have corresponded with hundreds of recognized leaders of the labor movement of the United States.

In a general way my investigations have established that the working classes are doing much hard thinking and are for real conservatism in dealing with industry—conservatism as heedful of the just interests of Capital as the large rights of Labor. I do not doubt that Labor would throw itself against anything having the appearance of radicalism affecting American industries, even radicalism in the application of remedies to wrongs under which the toilers suffer.

In so far as the monopoly trust is concerned (and that is the only kind of trust I am speaking of this afternoon), my inquiries have led to the conclusion that the working classes are of one mind in regarding it as a danger to them and to the representative character of the Republic, but hold it should be intimately studied before being attacked along new lines. It appears to be the general belief that the Congress should proceed further against the monopoly trust, but that legislation should be preceded by thorough investigation immediately begun.

The working people see that they are harmed by the trust which kills competition and then raises prices, and by the trust which destroys small factories, economizes labor and material, and gives the community nothing of the resulting money benefits; but they see also the complexity of industry—the network of relations between investments, between prices and tariffs, between cost of production and wage rates, and, seeing, they fear changes not based on exact knowledge. Moreover, they do not believe the Congress has exact knowledge as to particular trusts.

The best suggestion coming from Labor, it has seemed to me, has been this: That the Congress should commission a joint committee of the House and Senate to make a searching investigation as to trusts, taking testimony in a number of cities, and holding sessions with the utmost publicity. Labor, I feel, would be glad of such a course and would applaud immediate action along the suggested line.

Let it not be supposed that the working classes favor the sort of inquiries characterizing the Department of Justice or the kid-glove methods indicated by the report of the Department of Commerce and Labor. There seems to be pretty general understanding that the Department of Justice has confined its work to comparatively insignificant or dead matters, like the salt trust, and betrayed no consciousness of the existence of such bandit concerns as the Standard Oil Company and the sugar trust, though their operations have polluted the very Capitol of the Republic. [Applause on the Democratic side.]

For myself, I wish to say that the suggestion thus coming from Labor seems wise. I feel, as many others in this House must feel, that something should be done to put down criminal aggressions of capital operating through monopoly trusts; yet if given authority to write a binding plan of attack I would hesitate to put pencil to paper without more detailed information than is now available for even the most painstaking statesman.

But, sir, I deeply feel that if gentlemen really wish to help the toilers, and do not wish to delude them with empty words, they should begin forthwith the inquiry for which millions wait. There is no partisanship in the proposal. I would not under any circumstances stand for a moment for using the trusts in a way were designed to serve the interests of office-holders rather than of the whole nation.

Mr. MANN. Will the gentleman allow me a question?

Mr. LIVERNASH. With pleasure.

Mr. MANN. The gentleman refers to what he calls the "kid-glove" report of the Department of Commerce and Labor. I suppose the gentleman is aware that the Department of Commerce and Labor has not been in operation very long. What report does the gentleman refer to?

Mr. LIVERNASH. The report very recently issued, explaining with impressive emphasis that—that nothing has been done. [Laughter and applause on the Democratic side.]

Mr. MANN. The gentleman refers to what he calls a "kid-glove" report?

Mr. LIVERNASH. I do. I find abundant evidence that in dealing with the trusts the Department has used kid gloves instead of a battle-ax. [Applause on the Democratic side.]

Mr. MANN. Does the gentleman express a similar opinion in regard to Mr. Carroll D. Wright?

Mr. LIVERNASH. I regard Mr. Carroll D. Wright, with his distorted figures, as one of the greatest living enemies of Organized Labor.

Mr. MANN. Does the gentleman believe that the Department of Commerce and Labor should be given opportunity to show whether it can do anything or not?

Mr. LIVERNASH. Under the law it must be given opportunity. That good will come from the work of the Department as to trusts I do not believe. In any event, while the Department is using its opportunity we should not be idle. The Congress should act.

Mr. MANN. The gentleman's opinion, as I understand, is founded upon mere belief; he has determined in his own mind that there shall be nothing done by the Department of Commerce and Labor. He settles that in advance for himself without waiting for the Department to act.

Mr. LIVERNASH. I have such respect for the gentleman from Illinois that I can not believe he quite means what his words imply. I am not disposed to be ungenerous in my estimate of the Department of Commerce and Labor, but neither am I disposed to be fancifully sanguine.

In the course of time, doubtless, something will come out of the new Department; but assuming that it will act as to trusts with the celerity characteristic of other executive branches of the Government dealing with them, it does not seem unreasonable to fear that before the Department can be ready to lay before the Congress specific information as to the specific trusts in which the nation is most interested the echoes from Gabriel's trumpet will have been dead. [Applause on the Democratic side.]

Mr. MANN. Does the gentleman doubt that the Department of Commerce and Labor will make an investigation and report as to specific trusts?

Mr. LIVERNASH. "The gentleman" does not doubt that the head of the Department will seek to make an inquiry. However, "the gentleman" has heard enough to know that already the Department has learned the difference between seeking facts and getting them, for already it has encountered unwillingness on the part of certain trusts to permit the sort of inquiry which inquires. And "the gentleman" feels sufficiently conscious of the gravity of the situation and the importance of promptness in getting light on the dark places to regard it as a high duty of the Congress to go forth directly in pursuit of the truth instead of loitering for action by an Executive Department.

Mr. MANN. I have the highest respect for the opinion of the gentleman now on the floor. I presume he is aware—although it may happen that in the press of his various duties he is not aware of it—that the Department of Commerce and Labor or the Commissioner of Corporations was given the very widest latitude of examination into all these questions by compelling every corporation or its officers to testify personally before him.

Does the gentleman doubt that that power if sustained by the courts will be exercised to the fullest extent, and that the courts will be called upon soon to pass upon the question whether Congress may confer such authority upon that officer?

Mr. RICHARDSON of Alabama. Will the gentleman from Illinois [Mr. MANN] allow me a suggestion in this connection?

The CHAIRMAN. The Chair will suggest that the gentleman from Illinois has not the floor.

Mr. LIVERNASH. Mr. Chairman, I hope the gentlemen will not within my time enter upon lengthy speeches.

Mr. RICHARDSON of Alabama. I will state I served as a conferee with the gentleman from Illinois [Mr. MANN] on that question, and we know the fact to be that the power given the Department of Commerce and Labor now is to investigate and find out facts through the Secretary of the Department of Commerce and Labor, and when he finds those facts in reference to corporations, he is bound to submit them to the President of the United States, and the President will say what facts shall be made public. That is the Nelson substitute.

Mr. MANN. Oh, that is purely a technical question.

Mr. RICHARDSON of Alabama. And it is the only law that governs the Department of Commerce and Labor in their investigations of corporations.

Mr. LIVERNASH. Mr. Chairman, I reluctantly object to having the small remnant of my time consumed in colloquies in which I have no part.

Mr. MANN. Oh, the gentleman has not been here as long as some of us. The gentleman will be given all the time he wants.

Mr. LIVERNASH. The suggestion that I shall be given all the time I want in this House is comforting, coming from the gentleman from Illinois. I hope he will remain of that opinion, permitting me to stay in this assembly long enough to accomplish what I came here to do. [Laughter on the Democratic side.]

Mr. MANN. I simply wish to remark to the gentleman that if I doubted that the Bureau of Corporations would pursue its authority that has been conferred upon it, to worm information out of all the trusts, including the Standard Oil trust, I would be most heartily in favor of the inquiry the gentleman suggests.

Mr. LIVERNASH. I believe the gentleman would, under the condition mentioned, manifest the favor of which he speaks; but I think he is a notable exception on his side of the Chamber.

Mr. MANN. Oh, not at all.

Mr. LIVERNASH. I am open to conviction, but I should be glad of proofs. If the walking delegate for the majority, the gentleman from New York [Mr. PAYNE], were of the same mind as the gentleman from Illinois, and would pass the glad tidings along the line, I should feel more hopeful. [Laughter and applause on the Democratic side.]

Now, Mr. Chairman, I have spoken at some length as to the monopoly trust, because I deem it to be the question of questions with which the Congress should now be dealing. I trust gentlemen will appreciate that I have done this with a view to national welfare rather than partisan advantage, remedial action proposed having no design to influence that Presidential election which seems to engage, almost exclusively, the energy of the majority of this House.

However, gentlemen who differ with me as to the monopoly trust, might find other means of promptly serving Organized Labor than the means suggested by immediately passing the eight-hour bill for which the American Federation of Labor has been for years petitioning the Congress. The American Federation of Labor, two millions strong, is the greatest organization of toilers the world has ever known. Its will is entitled to great respect, and this House can be in no doubt concerning its desire as to the hours of labor.

The eight-hour bill, though supported by the organized labor of all America, seems incapable of getting on the statute books, no matter how vehemently legislators declaim professions of eagerness to serve the workers of the nation. Why can not the loquacious friends of labor pause long enough to bring out of committee and hasten to the Senate this bill which has hung fire in Congress for years?

The bill is now before the Labor Committee of this House, and is supported by the American Federation of Labor and all other organizations which speak for the workingmen of this country; and I represent that if gentlemen meant to do things instead of to talk platitudes we could, even before the holiday recess, pass the eight-hour bill and send it to the Senate.

I should be gratified, though much surprised, to find this House applying to important proposals affecting the working classes of our own land somewhat of the celerity which the Administration applies in the recognition of new republics. [Applause on the Democratic side.]

So, if gentlemen favor action, let them turn to the American Federation of Labor's anti-injunction bill. All of us know that the workingmen of America wish that bill to become a law, and all of us know that this desire of Labor is rational and conservative.

The truth is, Mr. Chairman, and I say it with sorrow rather than with bitterness, that most of this House talk of friendliness to Labor is insincere.

Mr. CAMPBELL. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Will the gentleman from California yield to the gentleman from Kansas?

Mr. LIVERNASH. For a question, with pleasure; for a speech, no, my time having almost expired.

Mr. CAMPBELL. Does not the gentleman assume in that expression that he is speaking for the demagogy of the Democratic party?

Mr. LIVERNASH. If the earnest expression of genuine solicitude for Labor makes one a demagogue, within the gentleman's definition of that term, then I should rejoice to be the greatest demagogue in America. [Applause and laughter on the Democratic side.] However, the gentleman has a wrong conception of what is required to constitute a demagogue.

I resent and regret the suggestion that advocacy of the adoption of a resolution providing for an inquiry concerning the monopoly trust and that advocacy of the passage of the American Federation of Labor's eight-hour bill and anti-injunction bill indicate the demagogue. I have believed that the practice of the demagogue is such practice as professes right action and pursues inaction or wrong action.

There is the utmost sincerity, I believe, in the labor movement of this country; and the man who pleads for earnest attention on the part of the Congress to the proposals of the millions who toil can not, with justice, be put down as a demagogue because of his associations and his sympathies.

It is very easy for thoughtless or prejudiced men to pronounce our labor movement shallow and dangerous and its champions not sincere or well informed; but the strong truth is, as Lecky has well said, that—

> the best security of the industrial fabric is to be found in the wide division and diffusion of property, which softens the lines of class demarcation and gives the great masses of the people a close and evident interest in the security of property, the maintenance of contracts, the credit and well-being of the state.

And, as he clearly perceived, the labor union tends directly, through influencing wages, to bring about that wide division and diffusion of property which yields the best conservatism and is the immediate enemy of anarchy. Lecky, the gentleman from Kansas will concede, was not a demagogue. With his views, were he living and an American, his place would not be with the majority in this House.

The labor movement of America is in essence the application of morality to industry. It makes for the full dinner pail, increasing comfort, enlarging culture. It tends to prevent such inequitable distribution of wealth as gives us, side by side with starvation, John D. Rockefellers and Andrew Carnegies, men suffered through abuse of state, through un-American special privilege, to absorb an undue proportion of the wealth produced by the industry of our nation.

Mr. Chairman, the will of the men who work, when conservative, must prevail. Nothing is settled until it is settled right, and the problems affecting labor will not be settled aright until substantial justice shall have been done the millions at the bottom. I have no fears for the future of the Republic. Sooner or later the Government will respond to the true interests of the multitude, as the fathers intended it should always respond.

I do not speak, therefore, in a spirit of pessimism, but in the hope of prompting reasonable Members of this House to immediate effort along lines of strict conservatism. Sooner may we make the sea lie still than prevent the uplift of the masses. The principles at the base of our Union are imperishable, and those principles, when given play, promote the welfare of the many

and prevent the privilege of the few. It is for us to do our part toward giving them just application to contemporary life. [Applause on the Democratic side.]

[Here the hammer fell.]

Mr. BRUNDIDGE. Mr. Chairman, there are some other gentlemen on this side of the Chamber who have spoken for time in this debate who do not care to occupy it before to-morrow. Hence I suggest that the committee do now rise.

Mr. GIBSON. Mr. Chairman, before the committee rises, I wish to obtain unanimous consent for leave to extend my remarks.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. DINSMORE. Mr. Chairman, I make a similar request.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LIVERNASH. Mr. Chairman, I ask the same privilege.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

And then, on motion of Mr. VAN VOORHIS, the committee rose; and the Speaker pro tem. resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6758, the pension appropriation bill, and had come to no resolution thereon.

COMMITTEE ON TERRITORIES.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk to be read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Territories or such subcommittee as the committee shall have power to detail during the sessions of the House during the Fifty-second Congress shall have the power—

The SPEAKER. Is there objection?

There was no objection, and it was so ordered.

COMMITTEE JURISDICTION.

Mr. WANGER. Mr. Speaker, I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. WANGER. On yesterday there was introduced in the House a bill (H. R. 7643) to secure the Government of the United States against unjust demands by postmasters to be paid or credited with the amount of losses resulting from burglary or other unavoidable casualty, which I see, by the RECORD, was referred to the Committee on the Post-Office and Post-Roads, ordered to be printed, etc.

The Committee on Expenditures in the Post-Office Department this morning adopted a resolution claiming jurisdiction over the bill, and directing me to endeavor to secure a change of reference. In accordance with the action of that committee, I move that the Committee on the Post-Office and Post-Roads be discharged from the further consideration of the bill.

The SPEAKER. The Chair finds, on examining the rule, that at no time is this a question of privilege, but rather a privileged question concerning a matter of procedure; but it is only a privileged question immediately after the reading of the Journal.

Mr. WANGER. If the Chair will do me the justice to allow me, I will say that I tried to present the matter this morning. I presume the Chair is aware that I got a request that I would please refrain from raising the question at that time, but bring the matter up after the Committee of the Whole had risen.

The SPEAKER. The matter was not called to the attention of the Chair, but the Chair has no doubt that the gentleman states the fact about it. This would be a privileged question on to-morrow, or on the next legislative day, after the reading of the Journal, so that no rights have been lost.

Mr. WANGER. Oh, no. I cheerfully yield at this time, and withdraw the matter.

SENATE RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution 24:

Resolved by the Senate (the House of Representatives concurring), That there be printed 2 thousand copies of the report of the War Department on the receipts and expenditures in Cuba during its occupation by the United States, 1,000 copies for the use of the House of Representatives, 500 copies for the use of the Senate, and 500 copies for the use of the War Department—

to the Committee on Printing.

Joint resolution (S. R. 24) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Luis Bográn H., of Honduras—to the Committee on Military Affairs.

COMMUTING RATIONS FOR MIDSHIPMEN.

The SPEAKER. The Chair lays before the House the following joint resolution, with a Senate amendment.

The Clerk read as follows:

Joint resolution (H. J. Res. 66) in relation to commuting rations for midshipmen.

The amendment of the Senate was read, as follows:

In line 9, strike out the words "on sea duty."

The SPEAKER. The question is on concurring in the Senate amendment.

The question was taken; and the Senate amendment was concurred in.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month; which was thereupon signed by the Speaker.

LEAVE OF ABSENCE.

By unanimous consent, Mr. FIELD was granted leave of absence for the remainder of the week, on account of important business.

Mr. VAN VOORHIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 4 o'clock and 15 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Postmaster-General, transmitting papers relating to the claim of Kirby Thomas, postmaster, at Superior, Wis.—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting the annual report of the Director of the Bureau of the American Republics—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Aaron Bullock against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Silas T. Rosser, administrator of estate of George N. Rosser, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of N. W. Baker, administrator of estate of Elizabeth Nicholas, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John R. Fauver, sole heir and legatee of estate of Richard Anderson, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Reuben Jones, administrator of estate of Theophilus Weaver, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the president of the Sherman Statue Commission, recommending the appropriation of a certain sum and the reappropriation of other sums for payment of models—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for Marine Corps and magazine for Naval Academy—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Attorney-General, transmitting a copy of the annual report of the attorney-general of Porto Rico—to the Committee on Insular Affairs.

A letter from the Secretary of the Treasury, transmitting report of the auditor of Porto Rico of receipts and disbursements from November, 1902, to October, 1903—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting report of receipts and disbursements by the treasurer of Porto Rico

from November, 1902, to October, 1903—to the Committee on Insular Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a letter from the Director of the Geological Survey and the draft of a bill, a recommendation in regard to the use of certain moneys received from the sale of maps and folios—to the Committee on Printing, and ordered to be printed.

CHANGES OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5016) for the relief of Andrew Grady—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5017) for the relief of N. A. Kraft, sr.—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5018) for the relief of Dan Fry—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5019) for the relief of F. H. Cleveland—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5020) for the relief of A. J. Nalls—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5021) for the relief of A. L. Lewis—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5022) for the relief of T. L. Weedon—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5023) for the relief of Thomas Fletcher—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5024) for the relief of R. B. Warren—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5025) for the relief of Charles Dearborn—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5026) for the relief of James Sheridan—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. 5282) for the relief of C. L. Reid, Shap G. Wright, and others, trustees—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 5583) for the relief of Edward Lautenschlaeger—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 6385) granting a pension to George W. Graves—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6663) granting a pension to Mahala Alexander—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6951) granting an increase of pension to Charles G. Carr—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7230) granting a pension to Fannie Hay Moffitt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. WILLIAMS of Mississippi: A bill (H. R. 7848) governing deposits by Secretary of Treasury with national and State banks and requiring payment of interest on said deposits—to the Committee on Ways and Means.

By Mr. MACON: A bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State—to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON: A bill (H. R. 7850) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims presented on behalf of churches, schools, libraries, hospitals, and establishments conducted for the benefit of churches, or for charitable purposes, arising from the occupation and use of the buildings, grounds, and other property of various kinds occupied, used, taken away, injured, consumed, or destroyed by the United States or its Army during the civil war, or for its benefit in any way—to the Committee on War Claims.

By Mr. LITTLEFIELD: A bill (H. R. 7851) to provide for the purchase of a site and the erection of a building thereon at Auburn, in the State of Maine—to the Committee on Public Buildings and Grounds.

By Mr. JACKSON of Ohio: A bill (H. R. 7852) for the purchase of a site and the erection thereon of a public building at Tiffin, Ohio—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7853) for the purchase of a site and erection of a public building at Fremont, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. BARTLETT: A bill (H. R. 7854) to reappropriate and make available the appropriations for rent of temporary quarters for the Government officials at Macon, Ga., made by the acts of June 6, 1900, and March 3, 1901—to the Committee on Appropriations.

By Mr. HOUSTON: A bill (H. R. 7855) to amend an act entitled "An act making appropriations for the construction of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902—to the Committee on Rivers and Harbors.

By Mr. PUJO: A bill (H. R. 7856) for the improvement of the mouth and passes of Calcasieu River, Louisiana—to the Committee on Rivers and Harbors.

By Mr. THOMAS of North Carolina: A bill (H. R. 7857) for the improvement of Trent River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7858) for the improvement of Neuse River, North Carolina—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7859) for the improvement of Black River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. FINLEY: A bill (H. R. 7860) providing for the erection of a monument at Cowpens battleground, Cherokee County, S. C., commemorative of Gen. Daniel Morgan and those who participated in the battle of Cowpens, on the 17th day of January, 1781—to the Committee on the Library.

By Mr. HOPKINS: A bill (H. R. 7861) extending provisions of act of June 27, 1890, to Kentucky State Militia and Provisional Kentucky Militia—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 7862) to open to settlement 22,656 acres of land known as the Kiowa, Comanche, and Apache Indian Pasture Reserve No. 3, in Oklahoma Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 7863) to enable the Secretary of the Treasury to purchase a site for the erection of a Federal building in the city of Oklahoma, Territory of Oklahoma—to the Committee on Public Buildings and Grounds.

By Mr. PAYNE: A bill (H. R. 7864) to amend an act entitled "An act to simplify the laws in relation to the collection of the revenues," approved June 10, 1890, as amended by the act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. BROUSSARD: A bill (H. R. 7865) making an appropriation for the improvement of commerce of certain rivers and harbors of the United States by the destruction of the plant known as the water hyacinth—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7866) making an appropriation for the improvement of the navigation and commerce of Bayou Teche, in the State of Louisiana—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 7867) to provide for an additional survey of an inland water route, surveyed under act of Congress of March 3, 1873, along the margin of the Gulf of Mexico, from Donaldsonville, in Louisiana, to the Rio Grande, in Texas, by cuts and canals, as a means of military and naval defense, and for commercial purposes—to the Committee on Rivers and Harbors.

By Mr. BABCOCK: A bill (H. R. 7868) to amend chapter 55 of an act entitled "An act to establish a code of law for the District of Columbia"—to the Committee on the District of Columbia.

Also, a bill (H. R. 7869) in relation to bonds on contracts with the District of Columbia—to the Committee on the District of Columbia.

By Mr. WADE: A bill (H. R. 7870) to enable the widows of soldiers and sailors to make proof of lawful widowhood by proof of public recognition of the relation of husband and wife for ten years—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: A bill (H. R. 7871) to prevent interstate telegraph and telephone lines being used to promote gambling—to the Committee on the Judiciary.

By Mr. RANSDELL of Louisiana: A bill (H. R. 7872) to construct Locks 3 and 8 on the Ouachita River, Louisiana and Arkansas—to the Committee on Rivers and Harbors.

By Mr. CURTIS: A bill (H. R. 7873) granting pensions to officers and enlisted men of the military and naval service of the United States, to restore pensions discontinued, to establish uniform rates of pension, to facilitate the allowance of pensions in matters of proof, and for other purposes—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 7874) for the consolidation of third and fourth class mail matter under the title of "merchandise," and for the insurance of all mail matter against loss or damage, and for the establishment of a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. BROWNLOW: A bill (H. R. 7875) to establish the tenth judicial circuit and to provide for a circuit court of appeals therein, and for other purposes—to the Committee on the Judiciary.

By Mr. GILLETT of Massachusetts (by request): A bill (H. R. 7876) for the improvement of the civil service of the United States—to the Committee on Reform in the Civil Service.

By Mr. GOLDFOGLE: A bill (H. R. 7877) to amend section 839 of the Revised Statutes, relating to United States district and circuit courts—to the Committee on the Judiciary.

By Mr. JENKINS: A bill (H. R. 8128) extending the provisions of the act of July 1, 1902, for the further distribution of Reports of the Supreme Court, and for other purposes—to the Committee on the Judiciary.

By Mr. VREELAND: A bill (H. R. 8129) authorizing the appointment of a nonpartisan commission to inquire into the past and present condition of the American merchant marine, especially into its relation to promotion of the commerce and increase of the foreign trade of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. NEVIN: A bill (H. R. 8130) to establish Dayton, in the State of Ohio, as a subport of entry, and to extend the privileges of the act approved June 10, 1880, to the port of Dayton, in the State of Ohio—to the Committee on Ways and Means.

By Mr. BURNETT (by request): A bill (H. R. 8131) authorizing and empowering the Secretary of the Treasury to issue Treasury notes to be used in the purchase of bonds of the several States, and counties and parishes thereof, for the purpose of improving the public roads of such States, counties, and parishes, and to provide for the purchase of such bonds—to the Committee on Agriculture.

By Mr. NEVIN: A bill (H. R. 8132) to increase to $30 per month certain persons pensioned under the act of June 27, 1890—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A joint resolution (H. J. Res. 71) amending section 1 of an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. SULZER: A concurrent resolution (H. C. Res. 23) providing for a joint committee to investigate international navigation, etc.—to the Committee on Rules.

By Mr. SPARKMAN: A concurrent resolution (H. C. Res. 23) to cause a survey to be made of the harbor of St. Petersburg, on Tampa Bay, in Florida, etc.—to the Committee on Rivers and Harbors.

By Mr. WILEY of New Jersey: A concurrent resolution (H. C. Res. 24) providing for a survey for a ship canal in the city of Newark, N. J., etc.—to the Committee on Rivers and Harbors.

By Mr. CRUMPACKER: A resolution (H. Res. 98) providing for a clerk for the Committee on the Census—to the Committee on Accounts.

By Mr. RICHARDSON of Tennessee: A resolution (H. Res. 99) employing Joseph L. Pearcy as a special employee of the House of Representatives—to the Committee on Accounts.

By Mr. HILDEBRANT: A resolution (H. Res. 100) providing for an additional official reporter of debates of the House—to the Committee on Accounts.

Also, a resolution (H. Res. 101) authorizing the Speaker to appoint an assistant stenographer to committee—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 7878) granting a pension to Richard Jones—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 7879) for the relief of Mrs. Ann E. Sanders, of Tuscaloosa, Ala.—to the Committee on War Claims.

By Mr. BIRDSALL: A bill (H. R. 7880) to correct the military record of Walter Brown—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 7881) for the relief of Frank J. Lauer—to the Committee on the Public Lands.

Also, a bill (H. R. 7882) for the relief of June Poitevent, administrator of the estate of William J. Poitevent, deceased—to the Committee on War Claims.

By Mr. BROUSSARD: A bill (H. R. 7883) for the relief of the heirs of Henry Ware—to the Committee on Claims.

Also, a bill (H. R. 7884) for the relief of the estate of Pierre Jolivet—to the Committee on War Claims.

Also, a bill (H. R. 7885) for the relief of Charlotte Fontenette—to the Committee on War Claims.

Also, a bill (H. R. 7886) for the relief of Natalie Boudreaux—to the Committee on War Claims.

Also, a bill (H. R. 7887) for the relief of the estate of Louis C. De Blanc—to the Committee on War Claims.

Also, a bill (H. R. 7888) for the relief of the estate of Joseph Ursin Broussard—to the Committee on War Claims.

Also, a bill (H. R. 7889) for the relief of the estate of Dr. Joseph Richard Martin—to the Committee on War Claims.

Also, a bill (H. R. 7890) for the relief of Augustin Campo, administrator—to the Committee on Claims.

Also, a bill (H. R. 7891) for the relief of Marie Vives—to the Committee on War Claims.

Also, a bill (H. R. 7892) for the relief of the estate of J. Aucoin—to the Committee on War Claims.

Also, a bill (H. R. 7893) for the relief of Mrs. E. H. Briant—to the Committee on War Claims.

Also, a bill (H. R. 7894) for the relief of the estate of Raphael Segura—to the Committee on War Claims.

Also, a bill (H. R. 7895) for the relief of the estate of William Burgess—to the Committee on War Claims.

Also, a bill (H. R. 7896) for the relief of Thomas C. Gibbons—to the Committee on War Claims.

Also, a bill (H. R. 7897) for the relief of Kate Gibbons—to the Committee on War Claims.

Also, a bill (H. R. 7898) for the relief of E. H. Flory—to the Committee on War Claims.

Also, a bill (H. R. 7899) for the relief of Leolede Le Blanc—to the Committee on War Claims.

Also, a bill (H. R. 7900) for the relief of Prospere Lopez—to the Committee on War Claims.

Also, a bill (H. R. 7901) for the relief of T. B. Ulger Bourque—to the Committee on War Claims.

Also, a bill (H. R. 7902) for the relief of Jules J. Boudreaux—to the Committee on War Claims.

Also, a bill (H. R. 7903) for the relief of the estate of Dornville Fabre—to the Committee on War Claims.

Also, a bill (H. R. 7904) for the relief of Leo P. Dupuis, administrator—to the Committee on War Claims.

Also, a bill (H. R. 7905) for the relief of the legal representatives of Nathaniel and William Offut, late of the parish of St. Martin, La.—to the Committee on War Claims.

Also, a bill (H. R. 7906) for the relief of the estate of François Feray—to the Committee on War Claims.

Also, a bill (H. R. 7907) for the relief of Eli C. Brown, of East Baton Rouge Parish, La.—to Committee on War Claims.

Also, a bill (H. R. 7908) for the relief of the estate of François Herpin—to the Committee on War Claims.

Also, a bill (H. R. 7909) for the relief of the estate of Prosper D. Olivier—to the Committee on War Claims.

Also, a bill (H. R. 7910) for the relief of Joseph D. Broussard—to the Committee on War Claims.

Also, a bill (H. R. 7911) for the relief of the successions of Appoline Fournier, deceased, late of Iberia Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7912) for the relief of Felicité Monette, of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7913) for the relief of the estate of Pierre Z. Doucet, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7914) for the relief of the estate of Valerie Breaux, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7915) for the relief of Mrs. Raymond Riu, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7916) for the relief of the estate of Mrs. Celestine Vavasseur, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7917) for the relief of George Henderson, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7918) for the relief of the estate of John A. Rigues, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7919) for the relief of P. Emile Arceneaux, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7920) for the relief of the estate of Camille Berard, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7921) for the relief of Mrs. Marguerite Arnaud, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7922) for the relief of the estate of Owen Conlen—to the Committee on War Claims.

Also, a bill (H. R. 7923) for the relief of Arvillen Broussard, of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7924) for the relief of Lessin Guidry—to the Committee on War Claims.

Also, a bill (H. R. 7925) for the relief of William Rose—to the Committee on War Claims.

Also, a bill (H. R. 7926) for the relief of Celestine Pecot—to the Committee on War Claims.

Also, a bill (H. R. 7927) for the relief of the estate of Francis E. Harding—to the Committee on War Claims.

Also, a bill (H. R. 7928) for the relief of Mrs. Sidonie de la Houssaye—to the Committee on War Claims.

Also, a bill (H. R. 7929) for the relief of Mrs. Victor Fabre—to the Committee on War Claims.

Also, a bill (H. R. 7930) for the relief of Mrs. Frank Deslonds—to the Committee on War Claims.

Also, a bill (H. R. 7931) for the relief of Mrs. Celina Landry—to the Committee on War Claims.

Also, a bill (H. R. 7932) for the relief of Mary H. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 7933) for the relief of the estate of Jean Crouchet, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7934) for the relief of the estate of F. O. Darby—to the Committee on War Claims.

Also, a bill (H. R. 7935) for relief of estate of Romain Verdin—to the Committee on War Claims.

Also, a bill (H. R. 7936) for the relief of the estate of Henry E. Ledet—to the Committee on War Claims.

Also, a bill (H. R. 7937) for the relief of Samuel Carey—to the Committee on War Claims.

Also, a bill (H. R. 7938) for the relief of Pierre Breaux—to the Committee on War Claims.

Also, a bill (H. R. 7939) for the relief of the estate of Joseph Boudreau, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7940) for the relief of Eugene Augustin Bourcy, of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7941) for the relief of the estate of Charles Armelin, deceased, late of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7942) for the relief of Mrs. Joseph Kittredge—to the Committee on War Claims.

Also, a bill (H. R. 7943) for the relief of Marian Simoneaux—to the Committee on War Claims.

Also, a bill (H. R. 7944) for the relief of Arthur Taylor, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7945) for the relief of Clervile Richard, of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7946) for the relief of the estate of Joseph Devezin Olivier, deceased, and Celeste Olivier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7947) for the relief of the estate of George Mitchelltree, deceased—to the Committee on War Claims.

Also a bill (H. R. 7948) for the relief of the estate of Joseph Melançon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7949) for the relief of Valerien Martin, of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7950) for the relief of Bennett Lilly, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7951) for the relief of the estate of Desire Le Blanc, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7952) for the relief of the estate of Onezime Leleux, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7953) for the relief of Augustin Lastrappes, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7954) for the relief of the estate of Joseph Knight, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7955) for the relief of Louis Journey, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7956) for the relief of William Guchereau, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7957) for the relief of Mrs. Catherine Hilbert, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7958) for the relief of Mary M. Hopkins, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7959) for the relief of Louis Hymelle, of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7960) for the relief of Mrs. Irene Granger, of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7961) for the relief of Corrinne Perrett Fusilier—to the Committee on War Claims.

Also, a bill (H. R. 7962) for the relief of the estate of John H. Ellis, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7963) for the relief of Toussaint Ecby, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7964) for the relief of Zachine Dugat, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7965) for the relief of Onesiphor Delahoussaye, sr., of St. Martin Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7966) for the relief of estate of Jean Constantin, deceased, late of Lafayette, La.—to the Committee on War Claims.

Also, a bill (H. R. 7967) for the relief of Belisaire Cormier, of Lafayette Parish, La.—to the Committee War Claims.

Also, a bill (H. R. 7968) for the relief of the estate of Charles Clerc, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7969) for the relief of the estate of J. M. Charpentier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7970) for the relief of Samuel Cary, of St. Marys Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7971) for the relief of Susan L. Bailey, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7972) for the relief of the estate of Louis Broussard, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7973) for the relief of Edgar Breaux, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7974) for the relief of Charles Broder, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7975) for the relief of Auguste Alvarado, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 7976) for the relief of the estate of Louisa Breaux, deceased, late of Lafayette, La.—to the Committee on War Claims.

By Mr. BUCKMAN: A bill (H. R. 7977) for the relief of Nelson Dalbec—to the Committee on Claims.

By Mr. BURNETT: A bill (H. R. 7978) for the relief of the heirs of John Edwards, deceased—to the Committee on War Claims.

Also, a bill (H. R. 7979) granting a pension to William Hurst—to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. 7980) granting an increase of pension to Francis E. Wood—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 7981) for the relief of Benjamin Day—to the Committee on Military Affairs.

Also, a bill (H. R. 7982) for the relief of William Blundell, alias David Robinson—to the Committee on Military Affairs.

Also, a bill (H. R. 7983) for the relief of J. W. Garrison—to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 7984) granting an increase of pension to Joseph P. Sailer—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 7985) granting a pension to Alice Jenifer—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 7986) granting an increase of pension to Stephen Bricker—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 7987) granting an increase of pension to Francis Scott—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 7988) to provide for the refunding of certain money, and so forth—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 7989) granting an honorable discharge to Benjamin F. Helmick—to the Committee on Military Affairs.

By Mr. DAVIS of Florida: A bill (H. R. 7990) for the relief of the estate of W. A. D. Roberts—to the Committee on War Claims.

By Mr. DICKERMAN: A bill (H. R. 7991) granting a pension to Sabina O'Donnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7992) granting a pension to Isadore F. Chamberlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7993) granting a pension to William Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7994) granting a pension to Thomas McCann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 7995) granting a pension to Jacob Miller—to the Committee on Pensions.

Also a bill (H. R. 7996) to remove the charge of desertion from the military record of Sebastian Delsite—to the Committee on Military Affairs.

Also, a bill (H. R. 7997) to correct the military record of Milton McPherson—to the Committee on Military Affairs.

Also, a bill (H. R. 7998) to correct the military record of Francis Treas—to the Committee on Military Affairs.

By Mr. DRESSER: A bill (H. R. 7999) granting an increase of pension to David W. Williamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8000) granting an increase of pension to Martin Funk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8001) granting a pension to Timothy Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8002) granting a pension to Ida A. Douglass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8003) granting an increase of pension to William H. Bartholomew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8004) to correct the military record of Edward A. Smith—to the Committee on Military Affairs.

By Mr. FINLEY: A bill (H. R. 8005) granting an increase of pension to Nannie J. McGurkin—to the Committee on Pensions.

Also, a bill (H. R. 8006) for the relief of David H. Cork—to the Committee on War Claims.

Also, a bill (H. R. 8007) for the relief of Mount Zion Society—to the Committee on War Claims.

Also, a bill (H. R. 8008) for relief of estate of John G. Brice—to the Committee on War Claims.

Also, a bill (H. R. 8009) for the relief of Edward P. M. Robinson—to the Committee on War Claims.

By Mr. GARBER: A bill (H. R. 8010) granting a pension to Josiah B. Dester—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 8011) to correct the military record of Cyrus Dean—to the Committee on Military Affairs.

By Mr. GILLETT of Massachusetts: A bill (H. R. 8012) granting a pension to William H. Chamberlain—to the Committee on Invalid Pensions.

By Mr. GOEBEL: A bill (H. R. 8013) granting an increase of pension to Isaac N. Skillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8014) granting an increase of pension to Thomas Audos—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 8015) granting an increase of pension to Charles McAllister—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8016) granting a pension to Moses F. Reece—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 8017) for the relief of the estate of Jacob Good, deceased—to the Committee on War Claims.

By Mr. HILL of Mississippi: A bill (H. R. 8018) granting a pension to Leonard S. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8019) granting a pension to Jonathan F. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8020) granting an increase of pension to Thomas B. Franks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8021) for relief of estate of John Dear, deceased, of Attala County, Miss.—to the Committee on War Claims.

By Mr. HOPKINS: A bill (H. R. 8022) granting an increase of pension to Hiram Flint—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8023) granting an increase of pension to Solomon May—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8024) granting an increase of pension to William W. Fergusen—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 8025) granting a pension to James Payton—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 8026) for the relief of the estate of the late John Jacoby—to the Committee on the District of Columbia.

By Mr. HUGHES of West Virginia: A bill (H. R. 8027) to remove charge of desertion from records of War Department of Jefferson Mullins—to the Committee on Military Affairs.

Also, a bill (H. R. 8028) to remove the charge of desertion from the record of John W. Shelton—to the Committee on Military Affairs.

Also, a bill (H. R. 8029) for the relief of Leroy Douglass—to the Committee on Claims.

Also, a bill (H. R. 8030) for the relief of William H. Jones—to the Committee on War Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 8031) granting an increase of pension to David Frazier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8032) granting an increase of pension to Martin B. Doty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8033) granting an increase of pension to Christopher Terflinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8034) granting a pension to Catherine Spier—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 8035) for the relief of M. A. McCafferty, of O'Neill, Nebr.—to the Committee on Military Affairs.

By Mr. FREDERICK LANDIS: A bill (H. R. 8036) granting an increase of pension to Charles S. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8037) granting an increase of pension to Matthias Friend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8038) granting a pension to Rebecca Farrar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8039) granting a pension to Simon Burris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8040) granting a pension to Alexander Little—to the Committee on Invalid Pensions.

By Mr. LANNING: A bill (H. R. 8041) for relief of Adolphus Yuncker—to the Committee on Military Affairs.

Also, a bill (H. R. 8042) granting an increase of pension to James H. T. Hummer—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 8043) granting an increase of pension to John S. Sears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8044) granting an increase of pension to Seymore F. Burlingame—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8045) granting a pension to Edward T. Blodgett—to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 8046) for the relief of the trustees of the German Lutheran Church of Orangeburg, S. C.—to the Committee on War Claims.

By Mr. LIVINGSTON: A bill (H. R. 8047) granting a pension to William Henry McMurtry—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 8048) to authorize Malcolm S. Potter to raise and remove certain sunken vessels, boats, floats, or other structures from Lake Champlain—to the Committee on Interstate and Foreign Commerce.

By Mr. MACON: A bill (H. R. 8049) granting an increase of pension to John S. Parker—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 8050) granting an increase of pension to John I. Lose—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8051) granting an increase of pension to Daniel Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8052) granting a pension to F. E. Hills—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8053) to remove the charge of desertion from the military record of James Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 8054) to remove the charge of desertion from the military record of Cyrus McCue—to the Committee on Military Affairs.

Also, a bill (H. R. 8055) to remove the charge of desertion from the military record of John Friedlan—to the Committee on Military Affairs.

Also, a bill (H. R. 8056) to amend the military record of Alfred F. Washburn, deceased, and granting a pension to Sarah E. Washburn—to the Committee on Military Affairs.

Also, a bill (H. R. 8057) to reimburse Ulysses G. Winn for moneys erroneously paid into the Treasury of the United States—to the Committee on Claims.

By Mr. MINOR: A bill (H. R. 8058) granting an increase of pension to William M. Underhill—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 8059) granting a pension to Hannah Tomlinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8060) granting a pension to Emma C. Matlack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8061) granting an increase of pension to Levi Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8062) granting a pension to Mrs. William H. H. Porter—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 8063) granting an increase of pension to Cyrus Stanley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8064) granting an increase of pension to Hanniel P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8065) granting an increase of pension to David Edminston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8066) granting a pension to Martin Seiler—to the Committee on Pensions.

Also, a bill (H. R. 8067) granting a pension to Ruth E. Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8068) granting a pension to Sarah M. Nettleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8069) granting an increase of pension to R. F. Nugent—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 8070) for the relief of Dilly Williams, of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8071) for the relief of Matthew Williams, of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8072) for the relief of the estate of Wiley B. Brigance, deceased, late of Crockett County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 8073) for the relief of James N. Richards, of Crockett County, Tenn.—to the Committee on War Claims.

By Mr. PORTER: A bill (H. R. 8074) granting an increase of pension to William H. H. Chester—to the Committee on Invalid Pensions.

By Mr. RANSDELL of Louisiana: A bill (H. R. 8075) for the relief of Mrs. Kate T. McCulloch, the estate of Mrs. Mary Tucker McFarland, deceased, and the estate of Nathan Trotter, deceased—to the Committee on War Claims.

By Mr. RUSSELL: A bill (H. R. 8076) for the relief of the legal representatives of Hon. O. M. Roberts, David G. Burnett, and the four Representatives elected to Congress from the State of Texas in 1866—to the Committee on Claims.

By Mr. RYAN: A bill (H. R. 8077) granting an increase of pension to John McFarlane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8078) granting an increase of pension to Henry J. Mosier—to the Committee on Invalid Pensions.

By Mr. SHOBER: A bill (H. R. 8079) granting an increase of pension to Charles H. La Forest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8080) granting an increase of pension to Alexander Wilson—to the Committee on Invalid Pensions.

By Mr. SHULL: A bill (H. R. 8081) to correct the military record of Patrick O'Conner—to the Committee on Military Affairs.

By Mr. SIBLEY: A bill (H. R. 8082) granting a pension to Caroline S. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8083) granting a pension to Mary Ellen Clark—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 8084) for the relief of the legal representatives of James H. Napier, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8085) for the relief of the legal representatives of George W. Wray, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8086) for the relief of W. T. Newbill—to the Committee on War Claims.

Also, a bill (H. R. 8087) for the relief of Houston Medlin—to the Committee on War Claims.

Also, a bill (H. R. 8088) for the relief of S. S. Littlejohn—to the Committee on War Claims.

Also, a bill (H. R. 8089) for the relief of the legal representatives of A. K. Jones, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8090) for the relief of the legal representatives of Jack Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8091) for the relief of the legal representatives of Richard Odle, deceased—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 8092) granting a pension to Rose Anna Griffith—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 8093) granting an increase of pension to Samuel L. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8094) to correct the military record of Henry Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 8095) authorizing the President to appoint Louis Knapp captain and paymaster, United States Army—to the Committee on Military Affairs.

By Mr. SMITH of Pennsylvania: A bill (H. R. 8096) granting an increase of pension to William W. Nesbit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8097) granting an increase of pension to George W. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8098) granting an increase of pension to William C. Gordon—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 8099) granting an increase of pension to Stephen L. Richardson—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 8100) to increase pension of Margaret Pember—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8101) granting an increase of pension to William Percival—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8102) granting an increase of pension to Allen S. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8103) granting an increase of pension to Mary Simmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8104) granting an increase of pension to Josephine D. Williston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8105) granting an increase of pension to John McLaughlin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8106) granting an increase of pension to Daniel J. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8107) granting a pension to Ruel Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8108) to pension Elizabath Murcer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8109) to pension Thomas Hart, alias Thomas Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8110) granting a pension to Jennie R. Hunt—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 8111) granting an increase of pension to Marie J. Smyth—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 8112) granting a pension to W. F. Bottoms—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 8113) for the relief of Agnes W. Hills and Sarah J. Hills—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 8114) granting an increase of pension to Orville W. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8115) granting an increase of pension to Anna E. Worden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8116) granting a pension to Jane Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8117) providing for the payment of $137 to Hugh A. Ernst for services rendered overtime and use of typewriter in the Bureau of Immigration, in the Treasury Department—to the Committee on Claims.

By Mr. TRIMBLE: A bill (H. R. 8118) to carry out the findings of the Court of Claims in the case of James H. Dennis—to the Committee on Claims.

By Mr. WARNOCK: A bill (H. R. 8119) granting an increase of pension to A. P. Weaver—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 8120) granting an increase of pension to Delzon Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8121) granting an increase of pension to J. M. Ellis—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 8122) granting a pension to Adonijah Richards—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 8123) granting a pension to Eliza Stoddard Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8124) granting a pension to Elizabeth Hatfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8125) granting an increase of pension to Samuel Rollins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8126) granting a pension to Annie Colt McCook—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 8127) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River, and letter from the Travelers' Protective Association of America, relating to the improvement of the harbor of Philadelphia—to the Committee on Rivers and Harbors.

Also, petition of the National Veteran Women of America, of Toledo, Ohio, relating to a national home—to the Committee on Military Affairs.

By Mr. BOWERS: Petition of descendants of Mississippi Choctaws, relative to the allotment of land and money—to the Committee on Indian Affairs.

By Mr. BRICK: Petition of members of Charles W. Howell Post, No. 90, Department of Indiana, Grand Army of the Republic, for further extension of the pension laws—to the Committee on Invalid Pensions.

By Mr. CANNON: Petition of the Sheldon, Ill., business men, protesting against the passage of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the German-American Union, of Birmingham, Ala., and 43 similar organizations in the United States, protesting against legislation to subject original packages to the operation of State sumptuary laws—to the Committee on the Judiciary.

By Mr. CROMER: Petition of Major May Post, No. 244, Grand Army of the Republic, Department of Indiana, favoring passage of the Hemenway bill for service pensions, and of the John Murry Post, No. 124, Grand Army of the Republic, Department of Indiana, and of soldiers and sailors of the civil war, of Bluffton, Ind., favoring passage of the National Tribune service-pension bill—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: Petition of W. B. Fleming Post, No. 316, Grand Army of the Republic, of West Lebanon, Department

of Indiana favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DALZELL: Paper to accompany bill for the relief of the Phœnix Brewing Company, of Pittsburg, and Ober Brothers Brewing Company, of Allegheny, Pa—to the Committee on Claims.

By Mr. DRAPER: Resolution of A. M. Cook Post, No. 326, Grand Army of the Republic, of Greenwich, Department of New York, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Convention, favoring enlargement of powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of San Miguel Improvement Club, favoring Nacimiento ranch as a military camp—to the Committee on Military Affairs.

Also, paper to accompany bill granting increase of pension to Ira Bacon—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: Petition of citizens of Grand Ledge, Mich., to accompany bill to correct the military record of Cyrus Dean—to the Committee on Military Affairs.

By Mr. GROSVENOR: Papers to accompany bill for the relief of James P. Barney—to the Committee on Claims.

Also, resolutions of the Chamber of Commerce and other organizations of Cincinnati, Ohio, protesting against passage of Senate bill 1655, creating a new Federal district court in Ohio—to the Committee on the Judiciary.

By Mr. GUDGER: Paper to accompany bill to pension Moses F. Reese—to the Committee on Invalid Pensions.

By Mr. HINSHAW: Paper to accompany bill H. R. 1482, granting an increase of pension to George C. Vance—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Paper to accompany bill granting an increase of pension to James Payton—to the Committee on Invalid Pensions.

By Mr. KETCHAM: Resolution of the board of supervisors of Columbia County, N. Y., favoring the passage of the Brownlow bill relating to the improvement of the highways—to the Committee on Agriculture.

By Mr. M ANDREWS: Paper to accompany bill H. R. 6932, to pension Harvey R. King—to the Committee on Invalid Pensions.

By Mr. MACON: Paper to accompany bill increasing pension of John S. Parker—to the Committee on Invalid Pensions.

By Mr. MARSH: Petition of residents of Keithsburg and vicinity, Illinois, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. MORRELL: Petition of the president of the Society of the United States Military Telegraph Corps, requesting recognition for the telegraph operators of the civil war—to the Committee on Military Affairs.

By Mr. MURDOCK: Resolution of a mass meeting of citizens of Wichita, Kans., favoring the enlargement of the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Weedsen Post, No. 185, Grand Army of the Republic, Yates Center, Department of Kansas, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

Also, letter from H. C. Taylor, of Lyons, Kans., protesting against certain features of Senate bill 1261; letter from A. Graff, Wellington, Kans., and resolutions of the executive committee of the Southwestern Lumbermen's Association—to the Committee on the Post-Office and Post-Roads.

By Mr. OTJEN: Resolution of the Glass Bottle Blowers' Association, Branch 15, of Milwaukee, Wis., favoring passage of an eight-hour law and an anti-injunction bill—to the Committee on Labor.

By Mr. PADGETT: Paper to accompany bill H. R. 1098, for the relief of J. J. Walker—to the Committee on War Claims.

By Mr. PORTER: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. ROBB: Petition of citizens of Puxico, Mo., against sale of liquors in Soldiers' Homes and all Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. RUSSELL: Petition of Dames of 1846, of Fort Worth, Tex., praying for increase of pension to veterans of the Mexican war—to the Committee on Pensions.

By Mr. SIMS: Petition of the heirs of John Arnold, deceased, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: Papers to accompany bill granting a pension to Rose Anna Griffith—to the Committee on Invalid Pensions.

Also, resolutions of Grand Rapids Board of Trade, requesting enlargement of powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Grand Rapids Board of Trade, regarding rehabilitation of the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Ionia County, Mich., requesting the passage of the McCumber bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPARKMAN: Resolution of the Chamber of Commerce of Pensacola, Fla., urging the revival of American shipping in foreign trade—to the Committee on the Merchant Marine and Fisheries.

By Mr. SPERRY: Paper to accompany bill H. R. 7815, for the relief of Robert May et al.—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of the Dames of 1846, of Fort Worth, Tex., favoring passage of law granting increase of all Mexican-war veterans to $30 per month—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *December 17, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

KIRBY THOMAS.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, relative to the claim of Kirby Thomas, postmaster at Superior, Wis., and recommending that he be reimbursed for the loss sustained by him from the burglary of his office on October 20, 1903; which was referred to the Committee on Post-Offices and Post-Roads.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a report of the chief of the supply division, War Department, stating the proceeds derived from the sale of useless papers, etc.; which, with the accompanying paper, was referred to the Select Committee on Disposition of Useless Papers in the Executive Departments.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the causes of Clementine Vaughn, administratrix of William Vaughn, deceased; Francis E. Mack, son of Eugene Mack, deceased; Nannie H. Duvall, daughter of John Watters, deceased; William I. More; John F. Merry; William Wilkins Carr, administrator of the estate of Overton Carr, deceased; Sophia A. Wight, widow of Danforth P. Wight, deceased; Susan I. Bordman, widow of Charles Bordman, deceased; Fidelia S. Prindle, widow (remarried) of George L. Mead, deceased; Annie H. Eastman, widow of Thomas H. Eastman, deceased; William F. Low; George L. Hall, executor of Elbridge D. Hall, deceased; Grace T. Arms, executrix; T. Bascom Watkins; Hamilton Hutchins; Charles Miller; Arthur Burtis; J. M. Emanuel; Henry R. Baker; Robert M. Doyle; George P. Lumsden; Charles A. Schmitz; Byron Wilson; Cornelius Dugan; George M. Book; J. M. Bowyer; George A. Norris; Clifford J. Bonsh; Elizabeth D. Marthon, executrix of Joseph Marthon, deceased; William H. Rush; Emily J. Kenney, administratrix of Edward Kenney, deceased; Henry T. Percy; Robert Potts; George R. Durand; N. E. Mason; Frank C. Cosby; William F. Hodgkinson; E. Whitfield, brother of William E. Whitfield, deceased; Kate R. Morgan, widow of William A. Morgan; James D. Adams; William A. Cooper; Linnæus Fussell; Peter O'Conner; Mary Lowrie, heir and legatee of John Lowrie; Marie Elizabeth Horner, widow of Frederick Horner, deceased; Marion L. Thompson, widow of August F. Thompson, deceased; Charles W. Abbott, administrator de bonis non of Joel Abbott, deceased; Arthur B. Hoff, administrator of Henry K. Hoff, deceased; Nannie Glover Kaufman, widow (remarried) of William K. Mayo, deceased; John J. Read; Hannah Cooper, widow of James M. Cooper, deceased; Emma L. Barry, widow of James J. Barry; Adele W. Elmer, widow of Horace Elmer; Evaline V. Ferguson, widow of William J. Ferguson, deceased; the Real Estate Title Insurance and Trust Company of Philadelphia, administrator of the estate of Charles Miller, deceased; Sarah A. Wyckof,

widow of John Wyckof, deceased; Susan and Mary P. Woodman, executrices of Edward Woodman, deceased; Harvey E. Macconn, widow of Robert T. Macconn, deceased; John E. Roller; Francis M. Gunnell; David B. Harmony; Philip J. Miller, son of Philip J. Miller, deceased; Josephine Q. Carpenter and Anna L. Q. Hayes, daughters of John M. Quackenbush, deceased; Frank A. Burbeck, administrator of Christopher Jordan, deceased; Alex. G. Brinckerhoff, administrator of Isaac Brinckerhoff, deceased; George M. Engle, son of Frederick Engle, deceased; Francis E. Hunt and Alice M. Hunt, heirs at law of George P. Hunt, deceased; Emma M. Clark, administratrix, and Wallace S. Clark, administrator of Ambrose J. Clark, deceased; John A. B. Smith; David M. Fulmer; Walter McLean; Herbert M. Griffitls; Charles A. Davis, son and next of kin of George L. Davis, deceased; John Gaskins; Robert L. Meade, son of Richard W. Meade, deceased; Edward Shippen; Safe Deposit and Trust Company of Baltimore, executor of Edward Donaldson, deceased; Robert A. Williams; Anna L. Coghlan, executrix of the estate of Jasper Coghlan, deceased; Aaron K. Hughes; Mary E. Braine, widow of Daniel L. Braine, deceased; Alexander W. Cassell; Nicholas Mager, jr., executor of the estate of Nicholas Mager, deceased; Eleanor Sirian, widow of George Sirian, deceased; Charles Martin; Thomas S. Phelps; Edward Kershner; Mary A. McCarty, widow of Stephen A. McCarty, deceased; Florence Hayward, daughter of George W. Hayward, deceased; Isabella Jauretche, Rose Jauretche, and Blanche V. Jauretche, heirs at law of L. C. Sarteri, deceased; Edward H. Gheen; Cromwell G. Macy, nephew of Thomas M. Gardner; Mae H. Tyler, widow of Hanson E. Tyler, deceased; J. P. Andre Mottu, administrator of John C. Burnett, deceased; Phoebe A. Hardy, sister of De Witt Clinton Kells, deceased; P. J. Horwitz; Francis H. Delano; A. N. Stocker, widow of Henry T. Stocker, deceased; Charles U. Gravatt; Alice E. Whitmarsh, daughter of Zachariah C. Whitmarsh, deceased; M. Annette Upham, administratrix of Charles C. Upham, deceased; Webster Doty; J. B. Murdock; Nelson M. Ferebee; Mary H. Woodward, widow of Edwin T. Woodward, deceased; Fidelity Trust Company, administrator of Francis G. Dallas, deceased; Nelson T. Houston; Winslow Allderdice; Francis H. Swan; W. W. Low, son of W. W. Low, deceased; Theodore M. Etting; Henry C. Keene; Walter K. Scofield; William Little; George T. Douglass; Edward M. Wood, administrator of John De Camp, deceased; Annie E. Deering, widow of George A. Deering; David O. Lewis; Kate W. Ingraham, daughter of Samuel Larkin, deceased; John H. Rowland, and Albert J. Smith, administrator of Samuel L. Wilson *v.* The United States; which, with the accompanying papers, were referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 66) in relation to commuting rations for midshipmen.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (H. R. 9211) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1903; and

A joint resolution (H. J. Res. 66) in relation to commuting rations for midshipmen.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of Marbach Lodge, No. 125, of Bracken; of Waller Lodge, No. 129, of Waller; of Lodge No. 33, of Fort Worth; of Henschkel Lodge, No. 70, of New Ulm; of Frohsinn Lodge, No. 50, of Fayetteville; of Texas Lodge, No. 44, of Columbus; of Lodge No. 61, of Rockdale, all in the State of Texas; of Maumee Lodge, No. 12, of Maumee, Ohio; of Brewery Workers' Local Union, No. 73, American Federation of Labor, of Birmingham; of the German Turn Verein, of Birmingham; of the Quartette Club, of Pullman, all in the State of Alabama; of Wausau Schiehzen Verein, of Wausau; of the Appleton Maennerchor, of Appleton; of the Gesangverein Frohsinn, of Broadhead; of the Turn Verein, of Mayville, all in the State of Wisconsin; of the Kreuzuacher Saengerbund, the Quartette Club, the Delaware Bund, No. 30, and the Drill Corp Turnier, No. 8, all of Philadelphia, in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Club of Freeport, Ill.; of the Century Club, of Chillicothe, Ohio; of the Ladies' Aid Society of Newberry; of the congregation of the Methodist Episcopal Church of Williamsport; of the Epworth League of Williamsport; of the Woman's Christian Endeavor Society of Newberry, and of the congregation of the Presbyterian Church of Newberry, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented petitions of the Woman's Christian Temperance Union of Dicksonburg; of sundry citizens of Clearfield, Washington, Easton, and Sheridan; of the congregation of the Baptist Church of Corry; of the congregation of the First Baptist Church of Kittanning; of the congregation of the Oxford Presbyterian Church, of Philadelphia; of the Woman's Missionary Society of Florence; of the Oxford Sabbath School, of Philadelphia; of the Oxford Young People's Society of Christian Endeavor, of Philadelphia; of the congregation of the United Episcopal Church of Myerstown; of the congregation of the Zion Lutheran Church, of Lebanon; of the Christian Endeavor Society of Lebanon; of the congregation of the First Reformed Church of Lebanon; of the congregation of the Moravian Church of Lebanon; of the Christian Endeavor Society of the Zion Lutheran Church, of Lebanon; of the Tabor Reformed Christian Church Endeavor Society, of Lebanon; of the Woman's Christian Temperance Union of Washington County; of the congregation of the Presbyterian Church of Washington; of the congregation of the Methodist Episcopal Church of Coatesville; of the Trinity Lutheran Sunday School of New Holland; of the Woman's Christian Temperance Union of Greenfield; of the Woman's Foreign Missionary Society of Coatesville, and of the congregation of the Presbyterian Church of Brownsville, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented petitions of Philip H. Sherman Post, No. 630, of Waterford; of Bingham Post, No. 74, of Naples; of John B. Burrud Post, No. 444, of Marion; of Hiram Clark Post, No. 154, of Marathon; of Otis H. Tillinghast Post, No. 548, of Morrisville, all of the Department of New York, Grand Army of the Republic, in the State of New York, and of the National Encampment of the Grand Army of the Republic, of San Francisco, Cal., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Floral Avenue Presbyterian Church, of Binghamton; of the congregation of the Oakland Avenue Presbyterian Church, of Troy, and of sundry citizens of Onondaga County, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of the Porch Club, of Riverton; of the Woman's Christian Temperance Union of Vineland; of the congregation of the First Methodist Episcopal Church of Vineland; of the congregation of the Central Avenue African Methodist Episcopal Zion Church, of Red Bank; of the Woman's Home Missionary Society of the Baptist Church of Haddonfield; of the congregation of the First Presbyterian Church of Vineland; of sundry citizens of Red Bank and Rivertor, all in the State of New Jersey, and of David Henry Wright, of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULBERSON presented a petition of the Commercial Club, of Dallas, Tex., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on the Judiciary.

Mr. DEPEW presented petitions of the congregation of the Free Methodist Episcopal Church of Kendall; of the Woman's Christian Temperance Union of Warrensburg; of the Presbyterian Missionary Society of Cuba; of the congregation of the Hamilton Grange Reformed Church, of New York City; of the Woman's Christian Temperance Union of Kenmore; of the congregation of the Methodist Episcopal Church of Davenport Center; of the Presbyterian Epworth League, of Hulburton; of sundry citizens of Troy; of the congregation of the Methodist Episcopal Church of New York City; of the Woman's Missionary Society of Edinburg; of the Woman's Christian Temperance Union of Cambridge; of sundry citizens of New York Mills; of the congregation of the Congregational Church of Binghamton; of the Young People's Society of Christian Endeavor of the First Presbyterian Church of Saratoga Springs; of the Ladies' Reading Club, of Wilson; of the Epworth League of Warrensburg; of the Woman's Christian Temperance Union of Kingston; of the congregation of the Third Presbyterian Church of Rochester; of the Ladies' Aid and Home Missionary Society of Warwick; of sundry citizens of Geneseo, Saratoga Springs, and New York City; of the congregation of the Methodist Episcopal Church of Rockland, and of the congregation of the Presbyterian Church of Brookhaven, all in the State of New York, praying for an investigation of the charges made

and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of the Christian Endeavor Union of Seattle, Wash., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. QUARLES presented a petition of the Chamber of Commerce of Milwaukee, Wis., praying for the enactment of legislation to provide a fractional paper currency; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Manufacturers and Jobbers' Union of La Crosse, Wis., and a petition of the Grain Dealers' National Association, of Chicago, Ill., praying for the enactment of legislation to further define the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Wisconsin State Federation of Labor and Glass Bottle Blowers' Local Branch No. 15, of Milwaukee, Wis., praying for the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Wisconsin State Federation of Labor and Glass Bottle Blowers' Local Branch No. 15, of Milwaukee, Wis., praying for the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

Mr. McCOMAS presented a petition of the Chamber of Commerce of Baltimore, Md., praying that an appropriation be made for deepening the main ship channel to the port of Baltimore; which was referred to the Committee on Commerce.

Mr. DILLINGHAM presented petitions of the Woman's Christian Temperance unions of Chester, Newport, Wilmington, Montpelier, Newbury, Canaan, Holden, and Plainfield; of the congregations of the Congregational churches of Wilmington, Chester, and Wardsboro; of the Woman's Christian Temperance Union of East Hardwick; of the congregation of the Grace Methodist Episcopal Church, St. Johnsbury; of the Methodist churches of Wilmington, Canaan, and Wardsboro; of the Baptist churches of Middlebury and Wilmington; of the Ladies' Missionary Society of Chester; of the Woman's Home Missionary Society of the Methodist Episcopal Church of Middlebury; of sundry citizens of Wardsboro, Newport, Irasburg, Holden, Cuttingsville, Brandon, Pittsford, Greensboro Bend, Barnet, and Sheffield, all in the State of Vermont, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of the Young People's Society of Christian Endeavor of the Presbyterian Church of Clayton, of sundry citizens of Riverton and Princeton, of the Woman's Home and Foreign Missionary Society of the Presbyterian Church of Clayton, and of the Woman's Home and Foreign Missionary Society of the Presbyterian Church of Passaic, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a petition of sundry citizens of Elk Mound, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. McLAURIN presented a petition of the descendants of the Mississippi Choctaw tribe of Indians, praying that they be granted their distributive share in lands and money adjudged to be due under the latest treaty with the Five Civilized Tribes; which was referred to the Committee on Indian Affairs.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Greenville, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented memorials of sundry citizens of Spencer and Stacyville, in the State of Iowa, remonstrating against the ratification of the Isle of Pines treaty; which were ordered to lie on the table.

He also presented petitions of the Woman's Home Missionary Society of Sioux City, of sundry citizens of Fort Dodge, of the Epworth League of Terril, of the congregation of the Congregational Church of Washington, of the congregations of the Methodist Episcopal and Presbyterian churches of Bloomfield, and of the congregation of the First Congregational Church of Terril, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented petitions of the Woman's Christian Temperance Union of Hanover, of sundry citizens of Albion, of the congregation of the Methodist Episcopal Church of Hanover, and of the Ministerial Alliance of Kalamazoo, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a petition of sundry citizens of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. ELKINS presented petitions of sundry citizens of Buckhannon, of sundry citizens of Mannington, of the Woman's Missionary Society of Fairmont, and of the Home and Foreign Missionary Society of Mannington, all in the State of West Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALGER presented a petition of the Ladies of the Maccabees of Hanover, Mich., and a petition of sundry citizens of Cheboygan County, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

CONSULAR CERTIFICATION OF IMMIGRANTS.

Mr. LODGE. I present a letter from the Second Assistant Secretary of State, transmitting certain papers relative to consular certification of immigrants. I move that the letter and accompanying papers be printed as a document, and referred to the Committee on Immigration.

The motion was agreed to.

REPORT ON DISEASES.

Mr. MORGAN. I present a document to the Senate, published by the Board of Public Health and Marine-Hospital Service, relating to diseases in many countries, and particularly in the tropical countries of America. I move that it be printed as a document, and referred to the Committee on Public Health and National Quarantine.

The motion was agreed to.

GRAZING ON FOREST RESERVES.

Mr. DUBOIS. I present a resolution of the Wool Growers' Association of Idaho, and ask that it be printed in the RECORD. It treats of the relations between the stock growers of the West and the forest reserves, is very short, temperate, and [illegible]

The PRESIDENT pro tempore. The Senator from Idaho asks that the paper sent to the desk by him may be printed in the RECORD.

Mr. ALDRICH. Let it be read.

Mr. PLATT of Connecticut. And then it will go into the RECORD.

Mr. ALDRICH. I should like to have it read.

Mr. DUBOIS. I will ask the Chair to send me the resolution, and then I will take the privilege of reading [illegible]

Mr. ALDRICH. I do not see any reason why that should be done. The Secretary can read it.

Mr. HANSBROUGH. Let it be read at the desk.

Mr. DUBOIS. I beg the Senator's pardon. I thought he objected.

The PRESIDENT pro tempore. The Chair hears no objection to the resolution being printed in the RECORD. Does the Senator from Rhode Island ask that it be read?

Mr. ALDRICH. I do.

The PRESIDENT pro tempore. It will be read.

The memorial was read, and referred to the Committee on Agriculture and Forestry, as follows:

Whereas the members of the Idaho Wool Growers' Association in annual [illegible] [illegible] in the present policy in the management of some forest reserves in which are included large tracts of grazing and agricultural lands from which in many instances stockmen are excluded from grazing and [illegible]

Whereas the argument advanced that the grazing of live stock on forest reserves [illegible] has been proven a fallacy for the reason that [illegible] grass and weeds and thereby prevents fires, which are the greatest destroyers of forests: Therefore be it

Resolved, That this association protests against the present policy of the Government [illegible] and that such reserves be [illegible] and be it further

Resolved, That the forest reserves of the United States shall be placed under the direction and control of the Secretary of the Department of Agriculture and be [illegible]

Resolved, That this association heartily indorse the recommendation of President Roosevelt in his last message and Congress, and of the Commissioner of the General Land Office, W. A. Richards, upon this subject.

REPORTS OF COMMITTEES.

Mr. COCKRELL, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 59) for the relief of Charles W. Howard;

A bill (S. 56) for the relief of the legal representatives of Napoleon B. Giddings;

A bill (S. 61) for the relief of M. E. Saville;

A bill (S. 54) for the relief of William B. Parnes;

A bill (S. 57) for the relief of Laura S. Gillingwaters;

A bill (S. 58) for the relief of James W. Howell;

A bill (S. 62) for the relief of Richard C. Silence;

A bill (S. 63) for the relief of Charles Stierlin;

A bill (S. 60) for the relief of Gottlieb C. Rose; and

A bill (S. 64) to correct the military record of William B. Thompson.

Mr. LODGE, from the Committee on the Philippines, to whom was referred the bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1482) authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $798.28, asked to be discharged from its further consideration and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 2081) to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. BLACKBURN. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 126) for the relief of Rudolf Herlst, to report it without amendment, the committee adopting the report made upon the same bill at the last Congress.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. DUBOIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 2686) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1891, asked to be discharged from its further consideration and that it be referred to the Committee on Indian Depredations; which was agreed to.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 2300) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo.," approved January 26, 1901, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. 1741) for the relief of the county of White Pine, State of Nevada, reported it without amendment, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Indian Affairs, to whom was referred the bill (S. 197) to establish an Indian agricultural school at or near the city of Walhalla, in the State of North Dakota, reported it without amendment, and submitted a report thereon.

Mr. WETMORE, from the Committee on the Library, to whom were referred the following joint resolutions, reported them severally without amendment, and submitted reports thereon:

A joint resolution (S. R. 21) authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers; and

A joint resolution (S. R. 20) authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow.

Mr. QUARLES, from the Committee on Commerce, to whom was referred the bill (S. 540) providing for additional officers in the district of Chicago, in the collection district of Indiana and Illinois, reported it with amendments, and submitted a report thereon.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (S. 2262) to provide for the removal or destruction of derelicts, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 746) to remove the charge of desertion from the military record of Charles K. Bolster, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom the subject was referred, submitted a report, accompanied by a bill (S. 2697) to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army; which was read twice by its title.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 2114) to fix the rank of certain officers in the Army, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 146) for the relief of Leonard L. Dietrick, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL, from the Committee on Pacific Islands and Porto Rico, to whom was referred the bill (S. 2400) to approve act No. 31 of the session of 1903 of the legislature of the Territory of Hawaii, approved April 22, 1903, entitled "An act providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein," reported it with amendments.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 2692) to establish a life-saving station at Cape Nome, Alaska, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2225) to provide a depot for the Revenue-Cutter Service, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 180) to provide an American register for the barkentine *Hawaii*, reported adversely thereon; and the bill was postponed indefinitely.

Mr. BATE, from the Committee on Military Affairs, to whom was referred the bill (S. 6190 making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla., reported it without amendment, and submitted a report thereon.

Mr. BLACKBURN, from the Committee on Pacific Islands and Porto Rico, to whom was referred the bill (S. 2401) to approve a special act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii, reported it without amendment, and submitted a report thereon.

He also (for Mr. HAWLEY), from the Committee on Military Affairs, to whom was referred the bill (S. 970) to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant, reported it without amendment, and submitted a report thereon.

EMPLOYMENT OF STENOGRAPHER.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. FORAKER, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate, That the Committee on Pacific Islands and Porto Rico be authorized to employ a stenographer, from time to time, as may be necessary, to report such testimony as may be taken by said committee and its subcommittees in connection with subjects considered or to be considered during the Fifty-eighth Congress, such stenographer to be paid from the contingent fund of the Senate.

EXHIBITORS AT LOUISIANA PURCHASE EXPOSITION.

Mr. McCOMAS. I am instructed by the Committee on Patents, to whom was referred the bill (S. 2022) to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition, to report it favorably with an amendment striking out one word. The bill is a unanimous report from the committee, and I ask for its present consideration.

The PRESIDENT pro tempore. The bill will be read.

Mr. McCOMAS. Would it be in order to state the substance without reading?

Mr. BERRY. Oh, no; let it be read.

The PRESIDENT pro tempore. It will be read.

The Secretary read the bill.

Mr. COCKRELL. I hope unanimous consent will be given for the consideration of the bill. It has been approved by the Committee on Patents of both the Senate and House, and was prepared by the Librarian of Congress. It affects only foreign publications. The Senator from Massachusetts [Mr. LODGE] introduced a similar bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. GORMAN. There will not be any objection if the bill is to pass through without debate in the morning hour. I have no objection to the bill, but if it elicits debate I shall feel constrained to object.

The Senate, by unanimous consent, proceeded to consider the bill.

The amendment of the Committee on Patents was, in section 1, page 1, line 14, to strike out the word "and" before the word "upon;" so as to make the section read:

"That the author of any book, map, chart, dramatic composition, musical composition, engraving, cut, print, photograph or photograph negative, or painting, drawing, or other work of art, intended to be perfected and completed within the limits of the United States, shall be entitled to the sole control of printing, reprinting, publishing, copying, and vending the same within the limits of the United States for the term herein provided for upon complying with the provisions of this act."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. MITCHELL introduced a bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2699) for the relief of William H. Crook; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 2700) granting an increase of pension to Fannie C. Morey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2701) for the relief of the heirs of Bosman Lyons, deceased;

A bill (S. 2702) for the relief of the estates of Joseph Devezin Olivier and Celeste Olivier, deceased;

A bill (S. 2703) for the relief of the heirs of Henry Ware; and

A bill (S. 2704) for the relief of Mrs. Kate T. McCulloch, the estate of Mrs. Mary Tucker McFarland, deceased, and the estate of Nathan Trotter, deceased.

Mr. GIBSON introduced a bill (S. 2705) for the relief of the wandering American-born Indians of Rockyboy's band, Montana; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also (for Mr. CLARK of Montana) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2706) granting an increase of pension to David Noble;

A bill (S. 2707) granting an increase of pension to James M. Clemens; and

A bill (S. 2708) granting an increase of pension to Andrew J. Cupples.

Mr. PROCTOR introduced a bill (S. 2709) granting an increase of pension to John H. Evans; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2711) granting an increase of pension to Fannie S. Moore; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 2712) granting an increase of pension to Harriet Billings; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2713) granting an increase of pension to Robert Firth; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 2714) to amend section 839 of the Revised Statutes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

Mr. SPOONER introduced a bill (S. 2715) granting an increase of pension to Andrew Patrick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 2716) authorizing the President of the United States to nominate Joseph C. Byron, late a captain and assistant quartermaster, to be a captain and assistant quartermaster on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2717) granting an increase of pension to Alfred G. Lewis;

A bill (S. 2718) granting an increase of pension to Robert Stonesifer;

A bill (S. 2719) granting an increase of pension to Della J. Rutherford; and

A bill (S. 2720) granting an increase of pension to Elizabeth S. Gannon.

Mr. CARMACK introduced a bill (S. 2721) for the relief of the heirs of Hardin P. Franklin, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. HEYBURN introduced a bill (S. 2722) limiting the right of selection of public lands of the United States in lieu of surrendered railroad land-grant lands; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McLAURIN introduced a bill (S. 2723) for the relief of the heirs of Mrs. C. M. J. Williamson; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 2724) for the relief of Clotilda Freund, assignee of Frank W. Freund; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUARLES introduced a bill (S. 2725) to provide for the purchase of a site and the erection of a public building thereon at Waukesha, in the State of Wisconsin; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 2726) granting an increase of pension to Rosa Olds Jenkins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2727) granting an increase of pension to Alice M. Stafford; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 2728) to protect the right of women citizens of the United States to register and vote for Members of the House of Representatives; which was read twice by its title, and referred to the Select Committee on Woman Suffrage.

Mr. HOPKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2729) granting an increase of pension to George Warner;

A bill (S. 2730) granting an increase of pension to Jasper N. Jennings; and

A bill (S. 2731) granting an increase of pension to John R. McCullough.

Mr. HOPKINS introduced a bill (S. 2732) for the relief of occupants and owners of property at Camp Tyler, in Cook County, Ill.; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2733) to provide for the payment of an attorney fee from accrued pensions in certain cases;

A bill (S. 2734) granting an increase of pension to Marion F. White; and

A bill (S. 2735) granting an increase of pension to Jasper H. Keys.

Mr. SIMMONS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2736) for the relief of the heirs of Nancy Burfield, deceased;

A bill (S. 2737) for the relief of K. H. Lewis and W. F. Lewis;

A bill (S. 2738) for the relief of John L. Brown, and the estates of A. T. Redditt and William G. Judkins;

A bill (S. 2739) for the relief of the widow and heirs at law of Charles Wilkes, deceased, late a rear-admiral in the United States Navy;

A bill (S. 2740) for the relief of the estate of Thomas A. Dough, deceased;

A bill (S. 2741) for the relief of Walter T. Dough; and

A bill (S. 2742) for the relief of the estate of Esau Berry, deceased.

Mr. PENROSE introduced a bill (S. 2743) for the relief of Thomas H. Carpenter; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2744) for the relief of Mary V. Shaw; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced a bill (S. 2745) granting an increase of pension to Thomas Howard; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2746) granting a pension to Joseph N. Lorio; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2747) to amend the act of September 19, 1890, entitled "An act to amend certain sections of the Revised Statutes, relating to lotteries, and for other purposes;" which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. FOSTER of Washington introduced a bill (S. 2748) for the relief of A. W. Curtis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2749) for the relief of Henry Bash; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2750) granting an increase of pension to Fidelia A. Boyd; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 2751) for the relief of Leroy Douglass; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2752) referring to the Court of Claims the claim of the legal heirs of John Harper, deceased, to certain lands in the State of Virginia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2753) to remove charge of desertion from John Lyons; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2754) granting a pension to I. W. Allen;

A bill (S. 2755) granting a pension to Eliza Lewis; and

A bill (S. 2756) granting a pension to Henry King.

Mr. CULLOM introduced a bill (S. 2757) to correct the military record of Stephen W. Coakley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2758) for the relief of R. H. Hayden and Emma Hayden, executrix of the estate of Logan F. Hayden, deceased (with an accompanying paper);

A bill (S. 2759) for the relief of Mount Oliver Protestant Methodist Church, of Alexandria County, Va.;

A bill (S. 2760) for the relief of the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va.;

A bill (S. 2761) for the relief of the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va.;

A bill (S. 2762) for the relief of the vestry of St. Paul's Episcopal Church, of Culpeper County, Va.;

A bill (S. 2763) for the relief of the trustees of Berea Baptist Church, of Stafford County, Va.;

A bill (S. 2764) for the relief of Andrews Chapel, of Stafford County, Va.;

A bill (S. 2765) for the relief of the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va.;

A bill (S. 2766) for the relief of the trustees of Black Lick Church, in Fairfax County, Va.;

A bill (S. 2767) for the relief of the Culpeper Baptist Church, at Culpeper, Va.;

A bill (S. 2768) for the relief of the trustees of Calvary Protestant Episcopal Church;

A bill (S. 2769) for the relief of the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va.;

A bill (S. 2770) for the relief of the vestry of St. Mark's Episcopal Church, Fairfax County, Va.;

A bill (S. 2771) for the relief of the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va.;

A bill (S. 2772) for the relief of the trustees of Hartwood Presbyterian Church, of Stafford County, Va.;

A bill (S. 2773) for the relief of the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va.;

A bill (S. 2774) for the relief of the trustees of Union Church, of Falmouth, Stafford County, Va.;

A bill (S. 2775) for the relief of the trustees of Broad Run Baptist Church;

A bill (S. 2776) for the relief of the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va.;

A bill (S. 2777) for the relief of the vestry of the Episcopal Church of Remington, Fauquier County, Va.;

A bill (S. 2778) for the relief of the trustees of the Methodist Episcopal Church South, of Marshall, Va.;

A bill (S. 2779) for the relief of the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va.;

A bill (S. 2780) for the relief of the Presbyterian Church at Warrenton, Va.;

A bill (S. 2781) for the relief of the vestry of Lambs Creek Protestant Episcopal Church;

A bill (S. 2782) for the relief of the trustees of Round Hill Church, of King George County, Va.;

A bill (S. 2783) for the relief of Pohick Church, in Fairfax County, Va.;

A bill (S. 2784) for relief of the vestry of St. Paul's Episcopal Church, of Alexandria, Va.;

A bill (S. 2785) for the relief of Miss L. E. Bowen;

A bill (S. 2786) for the relief of Joseph E. Funkhouser (with an accompanying paper); and

A bill (S. 2787) for the relief of the estate of John B. Brown, deceased (with an accompanying paper).

Mr. BACON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims.

A bill (S. 2788) to execute the findings of the Court of Claims in the case of Clementine Vaughan, administratrix of William M. Vaughan, deceased;

A bill (S. 2789) for the relief of James A. Kennedy; and

A bill (S. 2790) for the relief of Isabella R. Napier.

AMENDMENTS TO BILLS.

Mr. STEWART submitted an amendment intended to be proposed by him to the bill (S. 275) to amend an act entitled "An act to provide for the adjudication and payment of claims arising from Indian depredations," approved March 3, 1901; which was referred to the Committee on Indian Depredations, and ordered to be printed.

Mr. WARREN submitted an amendment intended to be proposed by him to the bill (S. 17) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897; which was referred to the Committee on Finance, and ordered to be printed.

Mr. PERKINS submitted an amendment intended to be proposed by him to the bill (S. 5) to refer to the Court of Claims the war claims of the State of New Hampshire; which was referred to the Committee on Claims, and ordered to be printed.

NATIONAL FOREST RESERVE IN WHITE MOUNTAINS.

Mr. GALLINGER. I ask for a reprint of the bill (S. 2827) for the purchase of a national forest reserve in the White Mountains, to be known as the "National White Mountain Forest Reserve." The call for copies of this bill is coming in to an extent that will require a reprint of it.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator, and the order is made.

REMOVAL OR DESTRUCTION OF DERELICTS.

On motion of Mr. MALLORY, it was

Ordered, That 500 additional copies of the bill (S. 2262) to provide for the removal or destruction of derelicts, and accompanying report, be printed as one document for the use of the Senate.

PENOBSCOT RIVER IMPROVEMENT IN MAINE.

Mr. HALE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the South Branch of the Penobscot River near Frankfort, Me., with a view to widening and deepening the channel, and to submit a plan and estimate for such improvement.

RENTAL OF BUILDINGS.

Mr. ELKINS. I submit a resolution and ask for its immediate consideration.

The resolution was read, as follows:

Resolved, That the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Attorney-General, the Postmaster-General, the Secretary of the Navy, the Secretary of the Interior, the Secretary of Agriculture, the Commissioner of Labor, the Librarian of Congress, the Civil Service Commission, the Public Printer, and the Commissioners of the District of Columbia are hereby requested to inform the Senate at the earliest practicable moment the number of buildings rented by each of said Departments and Commissions in the District of Columbia and the various States and Territories, and the annual rental in each case.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. PLATT of Connecticut. I should like to have the resolution read once more. It seems to me, as I caught it, that it requires each Secretary to make a report as to all buildings rented.

Mr. ELKINS. In each Department.

Mr. PLATT of Connecticut. If it applies to each Department it is all right.

Mr. ELKINS. Each Secretary, etc., is to report on the rent of buildings in his Department.

The PRESIDENT pro tempore. "Quarters and buildings rented by each" is the language.

Mr. PLATT of Connecticut. That is right.

The resolution was agreed to.

REPORT ON RECLAMATION SERVICE.

Mr. BARD submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed [illegible] of the First Annual Report of the Reclamation Service, from June 1 to December 1, 1902, with the accompanying maps, of which 2,000 copies shall be for the use of the Senate and 3,000 copies for the use of the House of Representatives.

LAURA J. SNAPP.

Mr. McCUMBER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the papers on file with the Secretary of the Senate accompanying S. 2966, a bill granting an increase of pension to Laura J. Snapp, introduced in the fifty-seventh Congress, be returned to the chairman of the Senate Committee on Pensions, to be by him delivered to Laura J. Snapp, widow of Samuel C. Snapp, deceased, no adverse report having been made thereon.

GLEN HAVEN CHANNEL, WISCONSIN.

Mr. SPOONER. I submit a resolution to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was read, as follows:

Resolved, That the Committee on Commerce be instructed to investigate and report at [illegible] to confirm said investigation [illegible] have power to send for persons, papers, and witnesses, administer oaths, employ a stenographer, and sit during the sessions of the Senate and during recesses and adjournments of the Senate, as the committee may deem advisable, and shall have the necessary expenses of said investigation, including [illegible] upon vouchers approved by the chairman of the committee.

The PRESIDENT pro tempore. The resolution will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. ALLISON. With reference to the resolution, I wish to say to the Senator from Wisconsin and the Senate that I understand the Secretary of War has already selected a committee of engineers to make this investigation. I think perhaps that investigation will be sufficient without involving the attention of a committee of this body.

Mr. SPOONER. Of course I was aware and am aware of the fact that the Secretary of War has designated certain engineers to make the investigation. I take the liberty of very much preferring, if I can induce the Senate to do it, to have the investigation made by a committee of this body. There is no constitutional objection to my introducing the resolution——

Mr. ALLISON. None whatever.

Mr. SPOONER. And having it referred to the Committee to Audit and Control the Contingent Expenses of the Senate. The Senator and myself will have some interchange of views probably when the resolution is reported by that committee and the question arises for its adoption.

Mr. ALLISON. Very well.

Mr. SPOONER. I will not call it up in the Senator's absence.

Mr. ALLISON. That is entirely satisfactory. It is a matter of great moment——

Mr. SPOONER. So it is.

Mr. ALLISON. And I would be very much gratified, of course, to have the Committee on Commerce go out there and make this investigation.

Mr. SPOONER. It is a matter of so much moment that I want the Senate to get the facts and ascertain whether the engineer officers of this Government can destroy a channel in an interstate stream. I do not want to interfere with the Iowa channel——

Mr. ALLISON. I understand it.

Mr. SPOONER. But I should like to have the Wisconsin channel protected.

The PRESIDENT pro tempore. The resolution has been referred. Debate is proceeding by unanimous consent.

Mr. SPOONER. I was proceeding by unanimous consent. Does the Chair object?

The PRESIDENT pro tempore. The Chair does not object.

Mr. SPOONER. I am through.

CHESAPEAKE BAY IMPROVEMENT.

Mr. MARTIN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be and he is hereby directed to cause an examination and survey to be made of the channel from deep water in Hampton Roads to the Norfolk Navy Yard, with a view to widening and straightening the same and increasing the depth thereof to 35 feet, and to report to the next session of Congress estimates for such improvement to that depth, and also estimates for such improvement to a depth of 30 feet.

REPORT OF COMMISSIONER OF NAVIGATION.

On motion of Mr. FRYE, it was

Ordered, That there be printed 500 additional bound copies of the report of the Commissioner of Navigation for 1902, for the use of the Bureau of Navigation.

MILITARY POST NEAR COLUMBUS, OHIO.

Mr. FORAKER. I ask unanimous consent for the consideration at this time of a bill of only twelve lines, with respect to which there is considerable urgency. It is the bill (S. 1656) to provide for the purchase of land for a military post at or near Columbus, Ohio.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to add the following as a new section:

SEC. 2. That the act approved June 30, 1902, appropriating a sum of money for commencing the purchase of a site for Columbus Barracks, Ohio, for the purchase of land, is modified accordingly.

So as to make the bill read:

Be it enacted, etc., That to enable the Secretary of War, in his discretion, to purchase about [illegible] acres of land for a military post at or near Columbus, Ohio, the sum of $[illegible], or so much thereof as may be necessary, to be immediately available, is hereby appropriated out of any money in the treasury not otherwise appropriated.

SEC. 2. That the act approved June 30, 1902, appropriating a sum of money for commencing the purchase of a site for Columbus Barracks, Ohio, for the purchase of land, is modified accordingly.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPUBLIC OF PANAMA.

The PRESIDENT pro tempore. If there be no further morning business, the Chair will lay before the Senate resolutions coming over in their order. The Chair will state that there are a few of these resolutions on the table subject to the call of the respective Senators offering them. The Chair will not now lay those before the Senate, but will lay before the Senate the following resolution——

Mr. MITCHELL. Mr. President——

Mr. HOAR. I desire to call up the resolution I offered the other day.

The PRESIDENT pro tempore. The Chair will then lay that resolution before the Senate.

Mr. HOAR. I desire to speak for only a few minutes upon the resolution.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution heretofore submitted by the Senator from Massachusetts [Mr. HOAR], which will be read.

The Secretary read the resolution submitted by Mr. HOAR on the 9th instant, as follows:

Resolved, That the President be requested, if not in his judgment incompatible with the public interest, to communicate to the Senate such [illegible] of the Executive Departments as may be in his judgment compatible with the public interest, with the Republic of Panama [illegible] which said treaty purports to have been made in pursuance and [illegible] thereof.

And [illegible] Panama at that time, its capacity for [illegible] of the provisions of said treaty [illegible] part [illegible] any provision, or provisions in relation to the construction of a canal across the Isthmus of Panama.

[illegible] the Republic of Colombia authorized the [illegible] the United States or any officer or force under the United States [illegible] and whether such authority was approved or disapproved by the Government of the United States.

And if at any time information of any resistance to the Government of Colombia in Panama was received by the Government of the United States, or any department thereof, and what, if any, information was received of the intended or intended revolution before it occurred, and the date of such information.

Mr. HOAR. Mr. President, I wish to say a few words upon that resolution. I shall refer to nothing except what is already contained in the documents which have been sent to Congress. If at any time I shall say anything which would seem to any Senator to belong to the executive session, I shall desist.

No man in this country desires more eagerly than I do—I doubt if there be a man living who desires so eagerly as I do—to support the Administration and to act with my Republican associates in this matter. I desire the building of the canal. It is one of the great landmarks, rarely found once in a century, in the progress of humanity, bringing nations together and making the whole world kin. I hope it is a laudable ambition—at any rate it is my ambition—that this may be accomplished in my time by the party with which I have acted from my youth and by the Administration of my choice. Nothing can be more delightful to me than that it shall be accomplished by the President of whom I have supposed I had the right to speak as an honored and valued personal friend. It is a dear ambition, also, that my vote may be recorded in its favor. But let this great transaction be wrought in the great way which alone

is worthy of it. Let it be brought to pass, if it may be, by the unanimous consent of all parties and the united action of all the people. If, unhappily, that be impossible, at least let it be without the taint or the suspicion of national dishonor.

Now, Mr. President, I do not care to inquire too scrupulously whether the President has waited long enough for his recognition of the de facto government in Panama. The question whether and when he shall recognize any government is left, in general, by the Constitution to his sole discretion, a discretion which must be binding upon all other departments. There are, I think, cases where the lawmaking power has a like discretion. But this need not be discussed now. I do not think he could get much light to guide his feet in dealing with Panama from the conditions which occurred during our civil war. During the impeachment of Warren Hastings, when the lawyers in the House of Commons complained of the delays and the slow process of the trial, Burke answered that when these gentlemen cited the precedents of their own courts as guides for the procedure of that great tribunal it was as if a rabbit that bred four times a year should seek to prescribe the period necessary for the gestation of an elephant. Certainly the reverse is true. The elephant that breeds once in twelve months can afford no rule for judging of the period of gestation of a field mouse or a humming bird.

What we want to know is this: Whether our Administration, knowing or expecting beforehand that a revolution was coming, so arranged matters that the revolution, whether peaceable or forcible, should be permitted to go on without interruption, and only took measures to stop the Republic of Colombia from preventing it. Did the President, or the Secretary of State, or any other Department of our Government, purposely prevent Colombia from anticipating and preventing a breach of the peace and a disturbance of the transit across the Isthmus by sending her troops there before it happened, and so virtually let the revolution take place, and say to Colombia, "You shall take no precautions to stop it?" Did we, in substance, say to Colombia, "We will not allow you to prevent a revolution in your province of Panama by moving your forces there" before it broke out?

Now, it appears that the uprising took place in the city of Panama at about 6 o'clock in the afternoon of the 3d of November. That appears by the dispatch of Mr. Ehrman, United States vice-consul-general (H. Doc. No. 8, 58th Cong., part 2, p. 3), and by the dispatch from Mr. Hubbard, from Colon (H. Doc. No. 8, 58th Cong., part 1, p. 21).

There is no intimation anywhere that our Administration had any knowledge of any disturbance before that time, except that at 3.40 on the 3d of November Mr. Loomis, Acting Secretary of State, sends a telegram that an uprising on the Isthmus is reported—that is before it actually broke out or was known in Colon and Panama or to Colombia—and received a reply at 8.15 of the same day, "No uprising yet. Reported will be in the night." (H. Doc. No. 8, part 1, p. 2.)

Now, at 11.18 p. m. Mr. Loomis sends a telegram to the *Nashville*, instructing the commander of that vessel to make every effort to prevent Government troops at Colon from proceeding to Panama. (H. Doc. No. 8, part 1, p. 2.)

At 4.28 p. m. on the 3d of November Mr. Loomis telegraphs to Mr. Malmros at Colon, asking him whether he received and delivered to the *Nashville* a message "last night or early this morning." (H. Doc. No. 8, part 1, p. 7.)

At 4 p. m. November 3 the Department of State asks our consul at Colon whether troops from the Colombian vessel *Cartagena* are disembarking or preparing to land. Twenty-eight minutes after he asks whether message to *Nashville* men to stop them has been delivered. (H. Doc. No. 8, part 1, p. 7.)

Why this great anxiety on the part of the Government at Washington before any disturbance whatever? The answer is found in the fact that at 2.35 p. m. the *Cartagena* had arrived, which was not expected until November 10. (H. Doc. No. 8, part 1, p. 7.)

At 8.45 p. m. our Department sends orders that the troops landed at Colon must not proceed to Panama. (H. Doc. No. 8, part 1, p. 8.) This was before receipt of any tidings of the revolution, which was first heard of at 9.50 on the same day. (H. Doc. No. 8, part 1, p. 2.)

Up to this time nobody has obstructed or threatened to obstruct the railroad or interfere in any way with transit across the Isthmus. (Same, pp. 8 and 9.)

Our commander, before the occurrences at Panama were known at Colon, or before there was any knowledge of an expected rising there, had refused to allow Government forces to proceed peacefully to Panama from Colon. This was by direct orders from Washington. (Same, pp. 19, 21.) These orders had been given November 2, not only to the *Nashville*, but to the *Marblehead*, to the *Atlanta*, and I suppose to the *Concord*, though that does not distinctly appear. (See pp. 19–21.)

On November 7, 1903, at 1.40 p. m., the Department of State received a communication from Philippe Bunau-Varilla, dated at New York, in which he says: "In selecting for its first representative at Washington the veteran servant and champion of the Panama Canal, my Government has evidently sought to show that it considers a loyal and earnest devotion to that most heroic conception of human genius as both a solemn duty and the essential purpose of its existence."

The Republic of Panama was recognized by the President on or before November 6. (Same, p. 13.) The precise date of that recognition is not given in these documents.

It does not appear from the President's communication or, so far as I know, in any document conveniently accessible to the Senate that any one of the revolutions that have taken place in that country has heretofore disturbed the transit across the Isthmus, although that has sometimes been apprehended.

The following order was sent to the *Nashville* on November 2 (Monday):

NAVY DEPARTMENT,
Washington, D. C., November 2, 1902.

NASHVILLE (care American consul), *Colon:*

Maintain free and uninterrupted transit. If interruption threatened by armed force occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point. Send copy of instructions to senior officer present at Panama upon arrival of *Boston*. Have sent copy of instructions and have telegraphed *Dixie* to proceed with all possible dispatch from Kingston to Colon. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, *Acting.*

So it is clear, if this be the whole story that we have in these documents, that at least twenty-four hours, perhaps forty-eight hours, before the revolution broke out our Government had instructed its man-of-war to prevent the Government of Colombia from doing anything in anticipation of the revolution to prevent it. This message, as appears from the dispatch of November 3, Tuesday, had been sent on November 1, Sunday, three days before the revolution. November 3, at 8.45 p. m., before our Government had received any notice of the revolution, orders had been sent to the consul at Colon that the troops should not be allowed to proceed to Panama. The intended revolutionary movement had been known to a very few persons only at Colon up to 8 a. m. on the 4th of November. It was not known by the Government party in Colon, by the Conservative party, or by the Colombian forces at Colon when the dispatch received at 3.35 in the afternoon of November 4 was sent. (Same, pp. 8 and 9.)

Now, Mr. President, I want to know. I think the American people want to know, and have a right to know, whether this mighty policeman, instructed to keep the peace on that Isthmus, seeing a man about to attack another, before he had struck his blow, manacled the arms of the man attacked, so that he could not defend himself, leaving the assailant free, and then instantly proceeded to secure from the assailant the pocketbook of the victim, on the ground that he was de facto the owner?

Mr. President, it may be said that it is almost an affront, certainly a great incivility, to ask such a question. It may be said that anybody who knows the President knows that he is incapable of intrigue or indirection or artifice. And there is very great force in that suggestion. From all I have ever seen or known, Mr. Roosevelt is the last man living who would be capable of such a thing as that. His faults, if he have them, I have always expected would come from a brave and honest and perhaps somewhat impetuous nature that would ever seek to attain great objects in a great way. But the President himself has suggested and invited the desire for this explanation. He has thought it due to himself that the American people should know that nothing of the kind could be imputed to him. He has repelled with scorn the suggestion of such an imputation. He has taken the uncommon step of communicating to the press extracts from a message which he had prepared to send to Congress, written before the revolution occurred in Panama, in order that the American people might know that it was impossible that he had expected it and still more impossible that he had done anything to bring it about. I did not think myself that such an assurance to the public was at all necessary. If the President had sent for any member of the Senate and had proposed to show him that message, he would, I think, have been told there was no occasion for him to seek to prove by any evidence beyond that of his own character that he had had nothing to do with any indirection or artifice. But he decided otherwise. And having decided otherwise, I suppose he will like to have the imperfect evidence afforded by the communication to the House of Representatives and by the message at the beginning of the present session made complete, and whatever is lacking to a complete answer to the charges which have been made in the press supplied.

Now, Mr. President, as the matter stands on the information given to the House in Document No. 8, the shores of Colombia were patrolled by armed vessels of the United States in order that that Government—the Government of the country—should not take any steps to prevent it.

It does not appear in that document where or from whom our Administration secured the information that led to these orders.

According to the documents sent to the House by the President the first tidings of any revolution that came either from Panama or Colon, or any expected revolution, came November 3, the day the revolution happened. As the statement is now left in the official communication to Congress, this revolution was known at Washington before it was known on the Isthmus. All our Government, by its own statement, seems to have done in its anxiety that transit should not be disturbed was not to take measures that violence should not occur, but to take measures that violence should not be prevented. It performed its duty of keeping uninterrupted the transit across the Isthmus only by interrupting it itself—interrupting it itself in its most sacred and rightful use, that of the lawful Government of the country moving its own troops over its own territory that it might prevent a breach of its peace and an unlawful revolution against its authority.

Mr. President, is there any doubt that, as now standing unexplained, this was an act of war?

Colombia was a friendly nation. She owned that territory. We have admitted all that by receiving a minister from her, and sending a minister to her, and negotiating with her for a purchase of her rights.

It is said that she negotiated a treaty with us by her Executive, and then that her Executive took no steps to persuade her Congress to ratify it. Indeed, she did exactly what we did with Denmark thirty years ago, in the case of St. Thomas; what we have done lately with several commercial treaties, and what the present Administration did with Great Britain within a year in the matter of the Newfoundland fishery treaty.

Is not this an act of war upon a friendly though weak nation as it stands in these imperfect documents? Suppose under the Pauncefote treaty, where Great Britain guarantees the neutrality of the canal, she were to send an armed force to keep us off when we were sending our troops in a ship to do the same thing? Should not we repeat to his lordship at the foreign office Mr. Adams's simple and sublime sentence, "It is superfluous to observe to your lordship that this is war?"

There is another thing upon which, it seems to me, it might not be unbecoming even the dignity of the Department of State, or that of the President himself, to afford his countrymen the satisfaction of an explicit denial. Of that, however, the judgment of either of these high officials will be better than mine. Some weeks ago the editor of a newspaper in Panama, named Joseph Duque, visited this country in the interest of a projected revolution. He had a conference with the Secretary of State, if the statements widely circulated in the newspapers be true.

He has since said in his paper that he told the Secretary that it was proposed to have a revolution on the 23d of September, and that the Secretary told him "that was too early; that revolutions commonly required some preparation." The revolution was, in fact, postponed until November 3, the evening after our elections.

Now, it may be true that that story is not worth contradicting. I confess I do not believe a word of it myself. It does not seem to me, I am frank to say, to be Mr. Secretary Hay's style. But it will be remembered that the President thought he owed it to his countrymen to give to the press parts of a message never sent in that he might so refute a charge of dishonor made against him by a newspaper in New York. I suppose the Senate, certainly, to be as much in his confidence as the newspapers of the country. I suppose the explicit statement of an editor in Panama whom he does not know may possibly seem to him as deserving of notice as the charge of an editor in New York whom he does know. At any rate, in this, as in the whole inquiry, the matter is left to his judgment, in which I hope and believe we shall all of us, the Senate and his countrymen, be very desirous to acquiesce.

One thing more. I do not observe that any country on this continent has yet recognized the Republic of Panama. Russia and Germany and Austria and China have hastened to recognize it. France, whose people have a strong pecuniary interest in the sale of the old canal property, has joined them, and, I believe, three or four of the northern European states, but, except France, no republic from the Gulf to Cape Horn. The nations so far stand aloof. Do you think it well to proclaim to the sixteen republics at the south that if they are weak, or even if they are liable to frequent revolution, we will deal with them hereafter, if we fancy it for our interest, as we are charged with having dealt with Colombia?

Are we willing to say that if this revolution had not happened we meant to take that strip of territory by the strong hand and to pay Colombia what we should think proper damages? Do you claim that every South American nation holds its property subject to our right of eminent domain?

We have decided that the Panama route is the best route. But there are a good many people who think the Nicaragua route better and that we must yet go there. We all thought so three years ago. If that turn out to be true, are we going to take that in the same way? Mr. Webster—a wise man in his day—thought the best route was the route by Tehuantepec. If Panama had no right to make terms for her Isthmus, Mexico will have no right to make terms for hers, if in the exigencies of a growing commerce we think that to be the better route or that the commerce of the world needs another. Is this doctrine of eminent domain, of which we have heard so much, likely to help us get the coveted markets of South America or to make them like us better as customers or producers? I think, Mr. President, that we ought to have, and that we ought to have now, and if this resolution be adopted we shall have, the authoritative declaration by the President of the United States and Congress which will compose and forever put an end to these fears, whether they exist at home or abroad.

If this be our policy and it go on, if any disaster come to the great Republic—which Heaven avert—and our country shall perish, she will be mourned only by despots, and her overthrow will be hailed with exultation and triumph by every people in the Western Hemisphere from the Arctic Ocean to Cape Horn.

Mr. President, the question of one revolution more or less in a little South American republic may seem of infinitesimal importance. The question whether we wait five minutes, or five days, or five years before we recognize a new government is not of great importance, if that be all. Even then, if this five-minute act of revolution be absolutely contemporaneous with our getting for ourselves the larger part of the country against whom the revolution takes place, it seems to me to be due to our own character to walk circumspectly. But we are setting a great precedent in international law and declaring by an example far more impressive than any precept what rule of conduct we propose to observe in the future toward sixteen South American republics who are all existing to-day under like conditions. We are saying to every despotic country in Europe that, so far as we are concerned, there will never be any objection, any active opposition, or even any moral condemnation on our part if they do the same thing when they shall see fit.

Now, I do not undertake to say—I do not say—that there has been anything, so far, on the part of our Government liable to any just criticism. But the American people and the Senate, as yet, know only part of the story. They are, in my judgment, entitled to know the whole, and to know it now, before action be taken upon the Panama treaty.

We are entitled to know it in the way prescribed by the established custom of the Government for a century—by an official communication from the Executive to one or the other House of Congress, and not to get it through some individual Senator, whose information may be colored, unconsciously, by his own wishes, or by what he fancies to be the wishes of anybody else, still less by the unofficial public utterances of the representatives of foreign states, or even of officials in our own Executive Departments.

Mr. GORMAN, Mr. CULLOM, Mr. MITCHELL, and Mr. FORAKER addressed the Chair.

The PRESIDENT pro tempore. The Senator from Maryland.

Mr. MITCHELL. Will the Senator from Maryland yield to me for a moment?

Mr. GORMAN. I will for a question. I simply wish to say a word.

Mr. MITCHELL. I simply desire to call attention to a notice which I gave some days ago that I would address the Senate to-day on another subject immediately after the conclusion of the morning business. I yield——

Mr. GORMAN. I understand that. That will come at 2 o'clock. If the Senator will pardon me, I will not be long, as he is aware. Of course I do not want to interfere with him and shall not.

Mr. MITCHELL. I yield to the Senator from Maryland.

Mr. GORMAN. Mr. President, I think the matter now pending before the Senate is of such importance that I should say one or two words in response to the distinguished Senator from Massachusetts [Mr. HOAR.]

First, I think I can say, with perfect confidence in the accuracy of the statement, that, with one or two exceptions, there is no Senator on this side of the Chamber who is opposed to a canal, or who is not as earnestly in favor of its construction across the Isthmus at one of the two points selected by the Congress of the United States as is any Senator on the opposite side, and that whatever may be said here will relate only to the merits of the case now before us, being always favorable to the construction of a canal.

Mr. President, I think the country is to be congratulated that again the Senator from Massachusetts, a great leader on the other side of the Chamber, whose reputation is world-wide, has followed the examples that we have witnessed in this body time and time again. When some question arises wherein the honor of the American people is involved, there are always enough patriotic Senators to join the minority in staying the Executive power

when it trenches upon the right of the Senate or of Congress, or attempts, without the consent of Congress, by an improper and inexcusable act, to involve the country in war.

Massachusetts, Mr. President, during the time I have witnessed the deliberations of this body has had other statesmen who have pursued the same course. I remember well the action of the magnificent Senator from Massachusetts, Mr. Sumner, notwithstanding all his loyalty to the Republican party and his extreme views as opposed to those of Democrats. It was when General Grant, who had been the great captain of the Union Army, and who was beloved by the people of the North and respected by the South for his generosity at the surrender, was President of the United States, with a power greater than that possessed by any man since President Washington. He attempted, in a little insignificant case in Santo Domingo, to override and ride ronghshod over the will of Congress, and Massachusetts had a statesman who sacrificed his position in his own party. But he will live in history as a patriot, as will the present Senator from Massachusetts.

Mr. President, the facts are what we desire. The undue influence of the executive branch of this Government in the consideration of treaties and in legislation has been growing and growing until the Senate has in many cases only complied with the wish of the Executive. Unwisely, I think, even in the matter of treaties, Presidents have come to the Senate to select commissioners to negotiate them. It is an unfortunate precedent in my judgment. But the power of the Administration goes on and on. We see Cabinet officers traveling over the country, presenting the political views of the Administration, with the sole view of political control and the Associated Press naturally gets from the executive branch of the Government suggestions and information desired to be communicated to the country.

The President of the United States, with doubtful propriety, in my judgment, telegraphs his instructions to conventions in the States as to their political action. But in this case there has occurred the most flagrant action by the Executive Department that has ever taken place in the Government, and, in my judgment, outside of the question of a canal at Nicaragua or at Panama, it ought to be resented by the Senate without regard to party.

The Senator from Wisconsin [Mr. SPOONER] says a two-thirds majority is required to ratify a treaty. Yes; and I say there ought to be two-thirds in the Senate who will say to the executive branch of this Government, "When under the seal of secrecy you have communicated to the Senate a treaty with a foreign power, whether a substantial one or one only manufactured for a purpose, when your mouth, Mr. President, and mine are closed to the public discussion of matters heretofore considered sacred between the Senate and the President, that your Assistant Secretary of State shall not, before the injunction of secrecy has been removed, which was only done yesterday, either on his own motion or by the suggestion or permission of any one in higher authority, invade the rights of this body by discussing the question at a banquet in New York before a miscellaneous audience, giving to the banqueters greater information, if it be information, as I suppose it is, than the Senate of the United States has had from any branch of the executive department."

When Mr. Loomis made this speech in the city of New York, coming from him as an Assistant Secretary of the State Department, he told the country not alone the facts furnished us, but also made the broad assertion that the President of the United States had the courage and the knowledge and the patriotism to direct the landing of marines.

Here is Mr. Loomis's exact language, as reported in the New York Herald:

> The President directed our meager naval force ashore, consisting of forty marines, to do what they could to preserve peace, order, and unimpeded transit across the Isthmus. He promptly recognized the de facto government as soon as he learned that it was in peaceful possession of the country.

In a previous paragraph of Mr. Loomis's speech, he informs us that—

> The Colombian Congress, in utter bad faith, had rejected the treaty and adjourned; and, in less than a week's time and before the President could be reasonably expected to turn to the grave consideration of the Nicaragua route, the long-expected and inevitable revolution in Panama came to pass.

So, according to Mr. Loomis, the new Government, under the protection of our marines, was established. We virtually seized, by military power, a part of the territory of Colombia.

That, Mr. President, with the facts before us, is usurpation. No head of an autocratic government ever was guilty of a more audacious act. Newspaper critics draw a parallel between our President and Napoleon. Has it come to this, Mr. President, that we have a Napoleon, not only conducting the executive branch of the Government, which he is charged to do under his oath within the restrictions of the Constitution, but also taking action amounting to a declaration of war, which the Constitution says Congress alone has the power to declare, and then omitting to give Congress all the facts but sifting out information through a Deputy Secretary of State at a banquet in New York?

Mr. ALDRICH. Will the Senator from Maryland allow me to ask him a question?

Mr. GORMAN. With pleasure.

Mr. ALDRICH. I do not know that I precisely understood the nature of the opening statement of the Senator from Maryland. I understood him to say in effect, speaking, I suppose, as the official organ of the reconcentrated Democracy on the other side, that a treaty which is now before the Senate for its consideration is to be refused consideration or rejected on account of some acts or alleged acts of the President of the United States or of some official of the United States. I think that purpose, if such be his purpose, should be made plain.

Mr. GORMAN. Mr. President, I have dealt with the Senator on this floor for a good many years, and I have never yet been able to make him fully understand me.

Mr. ALDRICH. That is not my fault, Mr. President.

Mr. GORMAN. Probably not.

Mr. ALDRICH. I have always been able to understand the Senator's proposition when he stated it in definite terms.

Mr. GORMAN. I state it so that anyone, except the Senator from Rhode Island, can understand it.

Mr. President, I am not to be diverted from what I desire to say in the few minutes that I have by the Senator from Rhode Island; but I will state to him that never, since I have occupied a seat upon this floor in the eighteen years I have now served, have I desired to consider any matter such as a treaty or our relation with a foreign government as a party man. I have known it to be done but once, and then by a united vote on the Republican side of the Chamber when Mr. Cleveland was President of the United States. I have never known a treaty to be ratified by an absolute party vote, but I have seen a treaty imperfect and, in my judgment, disgraceful in its terms forced to a vote by your party in its imperfect and acknowledged imperfect form.

Sir, the matter under discussion, I repeat, ought to be considered, as suggested by the Senator from Massachusetts, with all the facts, and I hope, I believe—no, I scarcely believe, but I hope—that the Senator from Rhode Island may get out of his thorough partisan shell and join us in considering it as an American Senator without regard to politics.

Now, Mr. President, what does this gentleman from the State Department in his address tell us? That but for the fact that we had this prompt Napoleonic action on the part of the President the war ships of France would have been on hand to coerce Colombia in the matter of the rights of the canal company and to prevent the forfeiture of the charter. What information could he have possessed? The revolution was manufactured in forty days. It was put in execution, and the recognition took place within thirty-six hours—indeed, by our time a little before it occurred, as I understand.

We recognize a Government of only three or five men, selected by nobody, but made secure by our naval officers and our agents who were looking after the canal. We negotiate with it a treaty, written here in Washington by our own officers, and the form gone through of signing the document with our agents, or the canal company's agents, claiming to be the Government of Panama. Mr. President, it is a time to inquire and to get the facts, and I say again to the Senator from Rhode Island, speaking for nobody but myself, if the facts are as I believe them to be, if it is not clearly shown that we have a better case than is presented to us now, I think it would be a patriotic duty for every Senator in the minority to assert the power given by the Constitution and say while we must have a canal, the first thing that we shall guard and protect is the honor of the American people. The Senator can not misunderstand that.

Mr. ALDRICH. Does the Senator go a step farther and say that they will reject this treaty?

Mr. GORMAN. No, Mr. President——

Mr. ALDRICH. I understand that what he says is tantamount to that, but I would be glad to have him put it in words.

Mr. GORMAN. I say to the Senator from Rhode Island that if the case stands as it is now, with only the information the Administration has furnished us up to this hour, we consider it a most objectionable transaction; and let me say to the Senator from Rhode Island when he talks about the responsibility, we can take the responsibility and say to the Administration, "Congress has directed you to do one of two things—to construct the canal and to do it without delay. When you can not get it at Panama, go to Nicaragua and construct it there, and at once." Yet Mr. Loomis in this speech has the audacity to say that the reason why no negotiations have been attempted with Costa Rica or Nicaragua, as provided by the Spooner Act, is because eminent engineers have said Nicaragua is not the proper route for the construction of the canal.

That statement I challenge. It can not be verified, for no engineer of importance in this country, and but one member of the Commission, I believe, expressed a doubt as to the feasibility of the Nicaraguan route.

After the speech was made I wanted to get the opinion of one of the civil engineers, a man of international reputation, regarded as among the best on the Commission. I sent for him last night and asked him if such a statement had ever been made by any important engineer in this country. His answer was unquestionable. "No; it is perfectly feasible. We believed that owing to the press and it was only the paltry sum of $40,000,000 that they valued it on Panama was the best route." But as to the feasibility, no one questioned it except this volunteer from the State Department who, in violation of all rules that ought to govern the two branches of the Government, propounded it at a banquet board in New York. Congress has determined, almost unanimously, that the Nicaraguan route is feasible; and the Canal Commission has likewise so decided, and has never reversed it.

Mr. President, I do not desire to do the President of the United States any injustice. I respect the office. I believe that whoever occupies it ought to have fair consideration. But the Executive must have a respect for Congress and special consideration for the Senate of the United States when it comes to the negotiation of treaties, for he can not make one without its consent. When the attempt is made to deprive us of all the facts I resent it; and it is not the first instance of such action and of such direction to Congress. I have resented it in the past at the cost of estranging some of my political associates when we had a Democratic President of the United States. I accord President Roosevelt the same treatment. I ask of him, I demand of him, the right of the Senate to be informed of all the facts. Open your books and give us the information. If he fails to do it and will not give us any further information, speaking for myself, I can not sustain him, and I believe there is sufficient courage and patriotism on this side of the Chamber to stay him or any impetuous officer who attempts an imprudent act that may affect the entire country.

What I want, Mr. President, and what I believe the people want, not only in this case, but in all cases that may likely arise, is that there shall be nothing to disturb the business interests of this country, nothing that will put in jeopardy, because of the fear of some extreme action on the part of the Executive, the thrift and enterprise that we have so long enjoyed. Every thoughtful man recognizes the fact that we have for four years and more passed through an era of unexampled prosperity, of expansion, of reckless expenditures, of imprudent investments, and now the balance of the world, jealous of our prosperity, is putting obstacles in our way, and will continue to put in our way obstructions that will impair, have impaired, and are now seriously affecting every business interest.

A war party, it may be said, is in this country never defeated.

Mr. SPOONER. What kind of a party?

Mr. GORMAN. A war party—a party that is conducting a war. Can it be in the mind of any man that a desperate political chance, growing out of the depressed conditions, makes it necessary for political success that the flag and the armies of the country may be exhibited in some foreign land to strengthen the party and secure party power? If such a thought has entered the mind of any man, here is the body to stay it. Who can be seriously troubled if the Senate in this case, as in all others, will stand for the safety of the business interests, for the peace and prosperity of the mechanic and the wage-earner? The fathers created this body so that it could prevent unwise and imprudent action. It has but seldom permitted the excitement of the hour and the desires of ambitious men to sway the Government and put in jeopardy the honor of the country or its commercial prosperity.

Mr. FORAKER. Mr. President, when I read in the morning paper of yesterday——

The PRESIDENT pro tempore. Before the Senator from Ohio proceeds, if he will pardon the Chair, the hour of 2 o'clock has arrived, when, under the rule, the Senate will proceed to the general Calendar. This resolution has now received the usual consideration in the morning hour up to 2 o'clock. There are other resolutions on the desk which have been by unanimous consent laid over for this morning. What disposition will the Senate have made of this resolution and all the others which have been lying over, which, without any instructions, would go to the Calendar?

Mr. FORAKER. I was about to make a motion with respect to the resolution which has been under consideration. Is it in order for me to proceed now?

The PRESIDENT pro tempore. The Chair would like to have the direction of the Senate as to what shall be done with the resolutions that are still on the table.

Mr. FORAKER. I move that the resolution which has been under consideration, the one offered by the Senator from Massachusetts [Mr. HOAR], be referred to the Committee on Foreign Relations; and I desire to make some remarks on the resolution.

Mr. TILLMAN. Mr. President——

Mr. ALLISON. I ask unanimous consent that the Senator from Ohio may complete the remarks that he has undertaken.

Mr. TILLMAN. Would it be fair to the rest of us that the thoughts we now have in our minds shall be bottled up until the subject——

Mr. SPOONER. Until to-morrow.

Mr. TILLMAN. I am afraid they might effervesce. I protest that the Senator from Oregon [Mr. MITCHELL] having a speech ready to deliver and having given notice, he ought to be allowed to go on and leave this matter to come up to-morrow, so that we shall all have an equal show, or else let him subside and let the Senate as a whole proceed in this interesting discussion.

Mr. FORAKER. Mr. President——

The PRESIDENT pro tempore. The Chair has recognized the Senator from Ohio and he has the floor. What will happen to the resolutions must be an after consideration.

Mr. FORAKER. I wish to say before I proceed that the Senator from Oregon gave a notice, and I do not wish to interfere with his right to address the Senate at this time if he desires to insist upon it.

Mr. MITCHELL. Mr. President——

Mr. BACON. Will the Senator from Oregon pardon me just a moment?

Mr. MITCHELL. Certainly.

Mr. BACON. The Chair has stated that in the absence of action on the part of the Senate with reference to the various resolutions they would go over on the Calendar. Therefore, I think before the Senator from Oregon proceeds there ought to be a disposition made as to the resolutions. I simply desire to say as to one of them, the one introduced by myself, that after conference with the Senator from Rhode Island [Mr. ALDRICH] he agreed to ask that the Senate would consent that that resolution might continue to lie on the table subject to call. I think I am correct in that.

Mr. GALLINGER. Mr. President, I rise to make a request.

Mr. BACON. I make the same request as to all of them, if in order.

Mr. GALLINGER. I rose to make the same request. I ask that all of the resolutions may go over without prejudice.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the resolutions will go over without prejudice. Then, on the resolution submitted by the Senator from Massachusetts, the Senator from Ohio is entitled to the floor.

Mr. MITCHELL. I understand that under the unvarying rule of the Senate I would be entitled to proceed now if I so insisted. I yield to the Senator from Ohio, but at the conclusion of his remarks I shall desire to take the floor.

Mr. BAILEY. Mr. President, I dislike to interfere with that arrangement, and I think it shall not be necessary to interfere. I suggest to the Senator from Oregon that upon a controverted point, which it now appears will take on somewhat of political division, it is hardly fair to yield to one side, serving notice at the same time that he would not yield to the other.

Mr. President, I am not going to make a point of order that a Senator can not yield the floor to another Senator without unanimous consent, though I remember distinctly that point of order was made against me here one afternoon, and the Chair sustained it. I shall be glad to hear the Senator from Ohio. I can not always agree with him, but it always delights me to hear him. But if it should be that the Senator from Ohio says what calls for an answer I hardly think it fair to cut this side off.

The PRESIDENT pro tempore. The Chair had recognized the Senator from Ohio, and he is now occupying the floor.

Mr. MITCHELL. Will the Senator yield to me?

The PRESIDENT pro tempore. The Senator from Texas has been speaking in the time of the Senator from Ohio.

Mr. BAILEY. Then the Senator from Oregon was mistaken in saying that he yielded to the Senator from Ohio, and that is what misled me.

The PRESIDENT pro tempore. The Chair recognized the Senator from Ohio.

Mr. MITCHELL. Will the Senator from Ohio yield to me for a moment?

Mr. FORAKER. Certainly.

Mr. MITCHELL. I have been placed in a false position by the Senator from Texas, and I wish to straighten matters out. My understanding has been that there have already been two speeches made on one side of this question and none on the other side; and I thought it nothing but fair that the other side of the controversy should have a hearing from one Senator. Both the Senator from Massachusetts and the Senator from Maryland have spoken on the same side, as I understood their speeches. There has been no answer to either of those speeches on this side. I thought it

nothing more than fair and right in the interest of fair play and decency that there should be at least one speech on this side as a kind of offset to the two speeches on the other side.

Mr. MORGAN. Mr. President, I rise to an inquiry as to the order.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. MORGAN. I understood the Chair to announce a while ago a unanimous agreement that all the undisposed of resolutions were to be passed over without prejudice.

The PRESIDENT pro tempore. Except those that were on the table subject to the call of the Senator who offered them. Of course they remain there subject to call.

Mr. MORGAN. The resolution of the Senator from Massachusetts has been called?

The PRESIDENT pro tempore. It has been called.

Mr. MORGAN. Is it not then passed over under the unanimous consent just now given?

The PRESIDENT pro tempore. Under the present unanimous consent it will go over.

Mr. MORGAN. I think it has gone over under the unanimous consent.

Mr. ALDRICH. I do not think it has.

The PRESIDENT pro tempore. The Chair has recognized the Senator from Ohio, who is entitled to the floor from that recognition.

Mr. FORAKER. I have not yielded the floor except for an interruption. The Senator would not have insisted upon my yielding to him if I had not shown him that courtesy. I do not understand that the Senator from Texas does make any such point.

Mr. BAILEY. Oh, no. Will the Senator yield to me just a moment?

Mr. FORAKER. Certainly.

Mr. BAILEY. I desire simply to say, in response to the Senator from Oregon, that it is very far from any purpose of mine to do him or any other Senator an injustice; and in making the suggestion that in common fairness when he yielded to one side he ought to yield to the other, I had for the moment overlooked the fact that the Senator from Massachusetts had taken a position similar to that of the Senator from Maryland, the effect of which is——

Mr. HOAR. Will the Senator allow me to say I had overlooked that fact, too? [Laughter.]

Mr. BAILEY. I leave that to be reconciled between the Senator from Massachusetts and the Senator from Oregon. A friend from another State called me out of the Chamber at the time and I had overlooked that, or else I would not have suggested that it was unfair.

The PRESIDENT pro tempore. The Senator from Ohio is entitled to the floor.

Mr. FORAKER. Mr. President, I was about to say, when interrupted, that when yesterday morning I read in the paper an account of the proceedings of the Democratic caucus held the previous evening I knew there was trouble ahead, for the account of those proceedings I read stated that at that caucus it had been resolved and determined that every member of the Democratic party in the Senate should vote as two-thirds of that membership should decide on every question voted upon in the Senate in every instance, except only when such a vote would interfere with the conscience of some Democratic member.

Mr. TILLMAN. Something you have not got on that side. [Laughter.]

Mr. FORAKER. I knew then that the vote would be, under all circumstances, when a two-thirds membership had so decreed it, a unit vote. I must confess, however, that my confidence in that idea was somewhat shaken when in the course of the debate in the Senate yesterday the Senator from South Carolina, who has just interrupted me, showed such remarkable familiarity with the Scriptures. [Laughter.] I concluded then that in all probability he was the particular Senator who was had in mind when that provisional exception was made. [Laughter.]

I was prepared, Mr. President, by that account of what had occurred in the Democratic caucus to hear without surprise the remarks of the eloquent and distinguished Senator from Texas [Mr. BAILEY] in the course of his speech yesterday when he told us there would be hereafter no White House Democratic Senators; that the Democratic party, which had ruled this country for sixty years practically without interruption before the war, but for reasons satisfactory to the American people had not been allowed to govern the country since, except for a brief four years, had at last become rejuvenated, reorganized, concentrated, and that they were now prepared to go into the national contest of 1904 shoulder to shoulder, determined to carry their flag to victory.

I was not surprised, therefore, when I realized that an attack was being made in this Chamber upon the Administration, an attack especially directed at President Roosevelt; but I was surprised when I saw that attack made by the distinguished Senator from Massachusetts [Mr. HOAR]; and I believe the whole country will be surprised when they read the character of speech that has been made, and when reading it they realize the sincerity of the eloquent tribute paid to the Senator from Massachusetts by the distinguished Senator from Maryland [Mr. GORMAN], who now leads, according to popular report, the Democratic party in the Senate, and hopes to lead the Democratic party in the campaign of 1904.

Mr. President, I do not intend here in this open session to say all that I feel prompted to say about the character of the speech which has been made by the Senator from Massachusetts.

He remarked in his opening sentences that if any Senator felt as he proceeded that his speech should be made in executive instead of open session he would at any time yield, as I understood him, for that order to be made. It is possible that is a sufficient apology and explanation for him to make, entertaining the views he did, for making that speech in open session; but I submit to the judgment even of our Democratic friends, who have united for the purposes of victory in the next campaign, that, looking in a nonpartisan way, as we all should and as the Senator from Maryland [Mr. GORMAN] says he always does when we consider international questions and relations, that speech should have been made in executive session and not in the open Senate, or, Mr. President, as some one suggests to me within my hearing, it should never have been made at all. But, Mr. President, it has been made, and it is for us to consider and to deal with as we may think we should.

It ought to have been made in executive session, if it was to be made at all, not alone because it involved an attack upon the Administration, but because it involved an attack upon our country as well. There is a treaty now before the Senate with respect to this identical matter, a treaty concerning a great transaction, of which the whole world is witness. All the nations have our action under consideration. It does seem to me that it would have been the part of both patriotism and wisdom, certainly the part of conservatism, for the Senator from Massachusetts to have waited until that treaty, involving all these transactions which he has discussed, could be considered in the committee where it is pending, and then be considered here in executive session of the Senate, where international relations and international questions can be considered without offense to anyone——

Mr. TILLMAN. Mr. President——

Mr. FORAKER. Wait a minute—and where, Mr. President, all the information called for by this resolution could have been secured just as well as here in the open Senate.

Therefore it is, I say, I criticise that speech because of the fact that any purpose the Senator could have had in mind to subserve, so far as giving information and the benefit of his views to his brother Senators is concerned, could have been subserved better behind the doors in executive session than in the open Senate, where the words spoken will be taken up and spread broadcast before the world as words of criticism coming from the Senate of the United States upon the President of the United States in this great matter. I doubt not the President has acted from sentiments as honest as of the highest and the purest patriotism and the purest intention to subserve American good.

Now I yield to the Senator from South Carolina.

Mr. TILLMAN. I should like to ask the Senator from Ohio, who seems to be informed on this question and has assumed the rôle of championing the President's action, defending and explaining it, if he knows, and is willing to tell the Senate and the country, anything about the authenticity or reliability or truthfulness of the reports which we read in the daily newspapers of the preparations now actively in progress by our Chief of Staff and his subordinates for mobilizing 5,000 American soldiers to march on Bogota? Is that all a part of the same policy as to this nebulous or baby Republic that was born in some back room? If we are going to have war precipitated by the Executive while we are trying to discuss a treaty, we ought to know it.

Mr. FORAKER. I am always glad to be interrupted by the Senator from South Carolina when he simply wants to ask a question. He has asked one now, and I should take pleasure in answering it if I could, but I have no knowledge of any such matters as his question is directed to. I have only the knowledge in regard to these matters that is common knowledge to all Senators, or at least to all Senators who seek light.

Mr. TILLMAN. Was not such information given out at the White House?

Mr. FORAKER. Nothing has been given out to me at the White House.

Mr. TILLMAN. Ah!

Mr. FORAKER. If the Senator desires any information from the White House, I suggest that he apply.

Now, Mr. President, having said that much in a prefatory way, I want to say something about the merit of this transaction which has been so severely criticised by the Senator from Massachusetts. He reads a lot of telegrams and draws therefrom an inference, which he states as his conclusion, to the effect that this Government, although denying, as it has been denied over and over again, any part whatever in any connivance or intrigue in regard to the matter, was yet proceeding in such a way that no other conclusion could be deduced therefrom.

Mr. President, as I read these telegrams in the light of our duty and obligation to Panama with respect to the transit across the Isthmus, I see no occasion to draw therefrom any inference except only that the President of the United States was alert to do, in a patriotic way, his duty as the President of the United States.

Mr. HOAR. Will the Senator allow me to say a word?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. FORAKER. I do.

Mr. HOAR. I wish to say that the Senator totally misunderstands and, misunderstanding, totally perverts what I have either said or thought.

Mr. FORAKER. I do not know to what particular remark of mine the Senator from Massachusetts has reference, but I submit to Senators who listened to the Senator from Massachusetts that I have said nothing in answer to the speech of the Senator from Massachusetts that I was not warranted in saying; and I will add that I have not said, and I will not say here in this presence, to go into the RECORD and to be spread before the world, all that I feel I should say in answer to that speech.

Mr. HOAR. If the Senator will permit me. I do not propose to be put by the Senator from Maryland [Mr. GORMAN] or by the Senator from Ohio [Mr. FORAKER] into any false position. The Senator is welcome—and I do not think he will find anybody afraid of him—to make any comment on anything I say in the Senate that he chooses, here or anywhere else, publicly or privately. I said this——

Mr. FORAKER. Mr. President, I do not——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Massachusetts?

Mr. FORAKER. No; I do not yield any longer——

Mr. HOAR. Very well.

Mr. FORAKER. Unless the Senator will tell me that he is going to be very brief about it. The Senator came in here and read a carefully prepared speech, which will go into the RECORD precisely as he read it to the Senate, and every Senator and all the country can see precisely what he said. What I am saying will be reported and printed in that same RECORD precisely as I say it here. I do not understand that I am saying anything about the Senator's speech that I am not warranted in saying.

Mr. HOAR. Does the Senator decline or consent to permit me to state wherein he misstates my position?

Mr. FORAKER. Well, I have such a profound respect and regard and sincere friendship for the Senator from Massachusetts that I always yield to any request he makes, but I beg the Senator from Massachusetts, if he is to interrupt me, speaking, as I am, without thought that there was to be a speech to be answered in the Senate at this time, that he will speak briefly, and let me proceed with my remarks.

Mr. HOAR. I shall be very brief.

Mr. FORAKER. I can assure the Senator that I had no thought or desire to misrepresent him. He knows that, I think.

Mr. HOAR. I can not understand the respect and regard the Senator has for me which imputes to me something which I clearly disclaimed when I spoke, and that is the kind of respect and regard my honorable friend from Ohio has for me, as is shown in what he said. I certainly have great respect for him.

I can state my point in two minutes, and anybody who doubts whether I am sincere or not, either my countrymen or my associates in the Senate, or whether I state the exact truth, will found that doubt on a belief or a disbelief of whether I state or misstate my proposition when I now reaffirm it.

I say that the President has said to the public and to the Senate that he disclaims certain conduct as unworthy of him by giving evidence to the press that the charge of it was false and by sending a message to the House of Representatives; and I called attention to the fact that the documents which he sent in failed to make that clear by not distinctly disclaiming that he had or the Administration had notice of that revolution; and that as the documents were left, it appeared that the first thing our forces had done was to prevent a lawful government from anticipating the outbreak; that I believed, from my knowledge of the character of the President, that his statement was actually true—and who does not?—and, therefore, asked him to supply the lacking information by stating on what ground the Administration proceeded in taking steps for the restraint of Colombia. That is all.

I do not propose, after thirty-four years' service within these walls, to trouble myself to contradict again an imputation to me of any other meaning, of any indirectness or artifice on my part. If the Senator from Ohio chooses to charge me with it, of course I can not help it. He will do his duty, and I will take care of myself.

Mr. FORAKER. Mr. President, I am delighted to know that the Senator from Massachusetts is not afraid of anybody. [Laughter.]

Mr. HOAR. I said I did not think the Senator would find that anybody was afraid of him.

Mr. FORAKER. I do not know of any reason why the Senator should talk of being afraid of anybody. He made a speech, and I am undertaking to make some answer to it. I am undertaking to answer him under embarrassing circumstances and without the slightest preparation. I know nothing about the Senator's speech, except the language as I learned it from his lips as the speech fell from them. I submit to every Senator here that I have not, no matter what the Senator from Massachusetts has just now seen fit to say, misrepresented or perverted a single idea that he expressed. Certainly I have not, so far as I have understood him. A man can not make any headway in argument among intelligent men by perverting what is said by his antagonist, especially when it has been said in almost the same minute in which the answer is made.

I regret that the Senator from Massachusetts does not appreciate my respect and my esteem. But yet, Mr. President, I can not understand how anyone can escape from what I said I understood to be the effect of his speech, that from the telegrams read the Senator inferred a conclusion that was in direct contradiction of the statement of the President of the United States.

The President has stated that there was no connivance and no intrigue, and yet the Senator from Massachusetts, reading these telegrams, talks about gestation, which seems to have brought forth an idea in his mind that the President shall submit proof to him that he was telling the truth when he made the statement that he had not connived and had not intrigued. But I shall pass from that. The remarks of the Senator will be in the RECORD, and my remarks will be there precisely as I have uttered them, and Senators can judge, and all who read can judge, whether or not the Senator from Massachusetts has any cause to criticise anything I have said.

What I was proceeding to say when the Senator from Massachusetts interrupted me was this, Mr. President: That the situation in Panama was one as to which there was common knowledge to all informed newspaper-reading people throughout this country. When we ratified the treaty providing for the construction of the canal across the Isthmus and sent it to the United States of Colombia for ratification, we did that pursuant to other steps which had been previously taken. Let us recall what they were.

In the first place, Mr. President, when it was resolved that we would build an isthmian canal, negotiations were entered into not only with Colombia, but with Costa Rica and with Nicaragua. Then protocols were signed with all those countries. A protocol was signed with Colombia, one condition of which was that we should pay her $7,000,000 if finally we determined that we would accept the Panama route. We then undertook the negotiation of a treaty with Colombia in accordance with the terms and conditions of that protocol; but when we had turned from the Nicaragua route, and had accepted the Colombia route, and had expressed our preference for it, Colombia did not seem willing to make a treaty with us in accordance with her protocol.

Instead of a cash payment of $7,000,000, she demanded the payment of $10,000,000 in cash. She exacted from us other terms and conditions that were severely criticised in this Chamber, but finally, after a long debate, the treaty was ratified. We sent it there. That treaty embodied every demand that Colombia had made of us, whether of money or other kind of terms and conditions. What happened? Instead of ratifying it with these increased payments and other terms and conditions that she had demanded and we had generously granted, months passed, when finally the treaty was rejected unanimously, without any consideration whatever having been given to it by the ratifying power of Colombia.

No official explanation was offered to this Government for such action. The only explanation ever given was an informal explanation given out by a distinguished citizen of Colombia, who apparently journeyed all the way from Colombia to New York to give us that information. He gave it in the shape of a newspaper interview, in which he announced that they could not agree to the treaty unless we struck out $10,000,000 and inserted $25,000,000.

Mr. MORGAN. Mr. President, may I ask the Senator a question about that?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. FORAKER. Certainly.

Mr. MORGAN. It was with President Marroquin with whom we negotiated the treaty. That is admitted, I suppose, by everybody. Was the Congress of Colombia ever in any way consulted or committed to the Hay-Herran treaty before it was ratified by the Senate of the United States?

Mr. FORAKER. The treaty was negotiated in the ordinary way, as I understand it. I do not suppose it was submitted to them before it had been submitted to us.

Mr. MORGAN. That Congress was not even in existence at the time.

Mr. FORAKER. I understand it was not.

Mr. MORGAN. And I do not understand how the Colombian Congress by rejecting that treaty could be guilty of a breach of faith.

Mr. FORAKER. I am reciting the fact that they did reject it. I have no time in this hurried debate to go into detail and elaborate any of these matters. That is what was done.

The very moment we sent that treaty to the United States of Colombia for action there, for them to ratify it, there was evidenced a disposition unfriendly to it, a disposition that grew stronger and stronger in its manifestation, until finally the rejection came.

What did that mean to Panama? Take the map and look at it—a mere isthmus, as it is properly called. Colombia situated in South America; Panama as disconnected as a State could possibly be, both by water and by the nature of the land that intervened. To that little Department of Panama the construction of the canal at that point meant the most important advantage to her that you could possibly conceive. For that canal not to be constructed there, but to be constructed at some other place, meant the most positive disadvantage to her.

She was intensely in favor, therefore, of this canal being constructed at that place, and in favor, therefore, of the ratification of that treaty. But despite all she could do the treaty was rejected. At once it became known through the newspapers—not by any agent sent here or sent elsewhere, but as common knowledge, reported by the Associated Press and otherwise—that the people of Panama were in a state of discontent and that they would not submit to such disregard of their interests by the Government under which they were then living. It became at once known, in other words, that she was proposing to secede and set up an independent government for herself.

That was published everywhere. I read of it. I spoke about it in public speech during the campaign in Ohio. No agent came to the President of the United States. The President of the United States sent no agent to Panama. It was not necessary. Panama was acting in her own interest. She was exercising her right to object to the action of her Government, and her Government persisting in wronging her, she had a right, if she saw fit, to go into rebellion.

In other words, weeks before she declared her independence it became known that she would take that step—not officially, but it became known to every man who studied the situation and considered what human nature would do under such circumstances. The clouds were gathering. Should the United States, through its Administration at Washington, be unmindful of that fact? Not at all. It was our duty to be watchful with respect to it under any circumstances, but particularly so in view of our obligations to preserve that transit free from interruption.

Ever since 1846, when the treaty between this Government and New Granada, as that country was then called, was entered into, we have been under that obligation. Time and again we have landed our marines to preserve order and to protect that transit from interruption and embarrassment. Repeatedly we have done that at the request of Colombia; we have done it in a number of instances on our own motion. The President of the United States, seeing the storm coming, seeing the action that was threatened, remembering his obligation to preserve peace and order and protect that transit from interruption, but did his duty in taking all preliminary necessary steps to preserve order when such a contingency should arise.

Mr. President, as is suggested to me, suppose he had not done it; suppose the rebellion had come; that secession had been accomplished; that war had ensued, and all the results that accompany war had followed, what would have been the criticism then of our friends on the other side? It would have been a criticism, not that the President had acted precipitately, not that he had acted without cause, but that he had not acted at all; that he had lost the canal after the United States had expressed her preference for it, and after the people of the whole country, without regard to party and without regard to section, had demanded it.

But, Mr. President, it was in view of just such a contingency, not knowing what might happen, but to be prepared for the worst and to discharge our duty in any event, that the President took the steps indicated by the telegrams read by the Senator from Massachusetts, from which he derives such criticising conclusions.

We are given the date when the secession occurred; we are given the date when the recognition was accorded, and we are asked to believe, if we agree with the Senator from Massachusetts, that there was inordinate haste, indecent haste, in granting that recognition.

Mr. HOAR. Mr. President, will the Senator allow me to say that I distinctly stated that I had no criticism to make on that subject, and that the time in which such a thing should be done—a little matter like that—could not be at all affected by the time we should have taken in our civil war. It was a field-mouse transaction, so far as that was concerned. I not only disclaimed what the Senator imputes to me, but I gave what I thought the strongest argument and the most apt illustration I could think of to show that so far as that was concerned there was no criticism whatever. If the Senator will read my speech in the RECORD he will find it to be so.

Mr. FORAKER. Mr. President, I am glad the Senator from Massachusetts has reconsidered, and that he has concluded to interrupt me.

Mr. HOAR. I have not reconsidered.

Mr. FORAKER. Well, the RECORD will show as to that also. Mr. President, it is true the Senator from Massachusetts said it did not matter whether it was five minutes, or five days, or five months, or some other specified time that intervened between secession and the establishment of an independent government and its recognition; but I understood the Senator—and if I misunderstood him I withdraw the statement I made a moment ago—to be arguing in that connection that there was not any necessity for haste, because it did not matter whether the recognition came five minutes afterwards, or five days afterwards, or five months afterwards, it was just as effective when it did come.

Mr. HOAR. Mr. President——

Mr. FORAKER. I object to being interrupted any more.

Mr. HOAR. I think the Senator ought not to misstate my position.

Mr. FORAKER. Have I misstated again?

Mr. HOAR. I stated as distinctly and as clearly as I could put it into words the exact contrary of what the Senator has said. I said that, in my judgment, there was no criticism to be made in the matter of haste.

Mr. FORAKER. Did I not withdraw that? What is the use of arguing it again?

Mr. HOAR. The Senator said he would withdraw it, and then he added that he was glad I reconsidered my statement.

Mr. FORAKER. That was the Senator's statement, not to interrupt me again. [Laughter.]

Mr. HOAR. I did not make any such statement, Mr. President. I made no statement that I would not interrupt the Senator again.

Mr. FORAKER. Then I hope the Senator will make it now and adhere to it. [Laughter.] I am not going to misrepresent the Senator intentionally or knowingly.

Mr. HOAR. I am sure of that.

Mr. FORAKER. The Senator from Massachusetts may be certain of that.

Mr. HOAR. And therefore the Senator from Ohio will like to have me interrupt him when he misstates my position. [Laughter.]

Mr. FORAKER. Mr. President, that is the way the good nature of the Senator from Massachusetts always enables him to get the better of everybody. Yes: he may interrupt me whenever he likes. But I wish the Senator would remember when he has interrupted me to tell me before he quits where I was when he interrupted me. [Laughter.]

Mr. HOAR. I will tell the Senator where he was. He was making misstatements of my position when I interrupted him. [Laughter.]

Mr. FORAKER. That does not help me any. According to my interpretation there are so many misstatements that I am hopelessly at a loss when the Senator tells me I was discussing one of them. There are several of them I wanted to discuss. I am reminded now by the Senator from Illinois [Mr. HOPKINS] that I was speaking on the question whether or not there was any undue haste in the recognition of the Republic of Panama.

What are the facts? What are the precedents, first? In 1871, when the Republic of France was established, we recognized it immediately. We did not wait a day, or two days, nor three days, nor five days, or any other length of time. It was established one day. The date of our cablegram instructing Minister Washburne to recognize the Republic of France was dated the next day. That apparent delay of a day was only because of the difference in time. It was sent in the evening. It was already the next day

when it got here and was answered. France had no constitution, but it was not a humming bird or any other thing of a diminutive character, but a great, mighty people, forty millions or more, who had set up a Republic dedicated to freedom and to human liberty, and this great Republic at once responded with recognition.

Mr. ALDRICH. We did not even ask France, as I remember, whether the Government which had been overthrown consented.

Mr. FORAKER. No.

Now, in 1873 they established a republic in Spain. There was no delay! Immediately our minister there, General Sickles, was advised by our Government to recognize, and he did recognize, the Republic of Spain. Later, when the Emperor of Brazil was deposed, the Republic that followed him was instantly recognized, and other examples might be cited.

Mr. President, there was no reason in the case of France or Spain or Brazil for precipitate or hasty action; we had no special duties there; but in the case of the Republic of Panama it was different. What are the conditions, according to international law, that are sufficient to justify us in instantly recognizing a new government, as we did in the case of France, Spain, and Brazil?

The only condition necessary—and it does not make any difference, in the language of the Senator from Massachusetts, whether it be brought about in five minutes or five days or five months—is that the new government shall be the sole authority throughout the region over which it undertakes to govern, and that there is no contention and no disputed authority. It is not necessary to go that far. But when those conditions exist to that extent, then according to all international canons of law a recognition is in order at the option of the recognizing government. In the case of France I say there was no special necessity for haste, but these conditions existed, as we understood, and we recognized it.

It was the same as to Spain, and the same as to Brazil in a general way. But in the case of Panama it was not only true that the Republic of Panama was the only authority there of a governmental nature, that that authority was supreme throughout her borders, but it was also true that there was not even a policeman representing Colombia within the Department of Panama. They had a little army there when the trouble commenced—400 men, with some generals and colonels—and they were all quietly picked up, without the shedding of one drop of blood, and put on a transport and sent back to their own home. That completed the revolution.

But, Mr. President, there was a necessity in the case of Panama which required prompt action on our part, as there was no necessity in the other cases to which I have referred. These conditions existing, we would have been without excuse if we had halted in recognition. The necessities to which I have referred are these: Under the treaty of 1846 we had a duty at that time incumbent upon us, as it has been ever since the ratification of that treaty down to the present moment, to preserve that transit free from interruption.

War being threatened, a condition of things being threatened that promised an interruption, it was the duty of this Government to be prepared to prevent it; and instead of criticising President Roosevelt for the action he took, he ought to receive and he will receive from the American people their unqualified appreciation for that which he did in this respect, because that which he did was but to redeem the promises and obligations of our Government, just as other Administrations have done the same thing over and over again.

We do not have to wait until there is actual war. We do not have to wait until there is a hostile force landed and engagements actually commence and blood is being actually shed. It is much better, Mr. President, foreseeing the situation of which all have come to know, to take steps to prevent those conditions that would have followed but for our intervention.

Mr. President, other nations have recognized the Republic of Panama. I do not remember how long they delayed. It was quite natural, perhaps, as the Senator from Massachusetts suggested, as I understood him, that France should promptly recognize, but I do not know of any reason why Germany should recognize or Russia should recognize or China should recognize the Republic of Panama, except only the reason that according to international law, as I have stated it, the conditions existed that warranted and justified recognition, and they recognized at their option.

Mr. President, no Senator on this side, I am sure, has the slightest objection to all possible information being given with respect to this whole transaction; no Senator on this side has the slightest objection to all the light being had on this transaction that can be shed on it, but there is a time and there is a place for Senators to discuss propositions of this character. Here in this open session is not the time nor the place. I have undertaken to say enough only in answer to the Senator from Massachusetts to show that the President in this matter did not act hastily; that he did not act without precedent or without the warrant and authority of international law, and that he did not act contrary to, but strictly in conformity with, his official obligation, charged as he is, as the head of this nation, with the faithful execution of all our treaty obligations.

I have no hesitancy in saying, Mr. President, that I have the profound conviction that when this matter is thoroughly understood even our Democratic friends will hesitate to criticise him. Certainly they will hesitate, at any rate, when they make their nonpartisan speeches, of which we have heard so much, and then give their nonpartisan votes.

But, Mr. President, as I have already intimated, I do not want to discuss the question at any greater length than I have. I do not think it proper to do so. I have undertaken to say just enough to express the view I entertain with respect to it and the view which I believe my brother Senators entertain and the view which I believe the American people have and will approve with respect to it, and with that, for the present, I am content.

EXPOSITION AT PORTLAND, OREG.

Mr. MITCHELL. Mr. President, now, at the conclusion of this political duel, I ask the Chair to lay before the Senate the bill providing for the celebration of the one hundredth anniversary of the exploration of the Oregon Country.

Mr. McLAURIN. Will the Senator from Oregon yield to me for a moment, in order that I may call up a bill?

Mr. MITCHELL. I yield if it will lead to no discussion.

Mr. McLAURIN. It will lead to no discussion.

Mr. MITCHELL. Very well.

LAND TITLES IN MISSISSIPPI.

Mr. McLAURIN. I ask unanimous consent that the bill (S. 1344) to quiet certain land titles in the State of Mississippi may be now considered. It is a bill which has the unanimous approval of the Committee on Public Lands. It is a short measure, being only about twenty-five lines long.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in all cases in which lands in Mississippi have heretofore been sold by authority of the State, or by claim of authority of that State, and the right to make such sales was claimed to be by virtue of an act of Congress entitled "An act to enable the State of Arkansas and other States to reclaim the 'swamp lands' within their limits," the lands so sold shall be held to be of the class and kind mentioned in the act of Congress, and the sales are ratified and confirmed, and the titles to the lands are validated and vested in the purchasers.

Mr. ALLISON. I think in certain respects this is a bill of some importance, and I should like to look into it before it is passed.

Mr. McLAURIN. A similar bill passed the Senate at the last session of Congress. It passed the Committee on Public Lands of the House with an amendment, which was recommended by the land division of the Interior Department, and with that amendment the land division of the Interior Department has expressed itself as satisfied with the bill. It passed the Senate unanimously at the last session.

Mr. ALLISON. Is the amendment embodied in the bill?

Mr. McLAURIN. The House amendment is embodied in the bill.

Mr. ALLISON. I do not object to the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIDS TO NAVIGATION AT CAPE HATTERAS, NORTH CAROLINA.

Mr. ALGER. I ask unanimous consent for the present consideration of the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. ALGER. In line 7, page 3, where evidently a mistake has been made, I move that the name be changed to "Minots Ledge" instead of "Minots Rock."

The PRESIDENT pro tempore. That change will be made. It is a mistake in the name.

Mr. ALLISON. I feel constrained to ask the Senator from Michigan not to press this bill to-day. I have considerable knowledge respecting it, derived from the Light-House Board. It is a very important matter. I think it will do no harm to allow it to lie over, retaining its place. I hope the Senator from Michigan will consent to that.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

HARBOR OF ST. PETERSBURG, FLA.

Mr. MALLORY. Will the Senator from Oregon yield to me for a moment?

Mr. MITCHELL. I yield to the Senator from Florida.

Mr. MALLORY. I desire to call up for immediate consideration Senate concurrent resolution No. 15.

The concurrent resolution submitted by Mr. MALLORY November 18 was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War is authorized and directed to cause a survey to be made of the harbor of St. Petersburg, on Tampa Bay, in Florida, with a view to ascertaining the cost of a project for deepening and widening a channel 200 feet in width and 24 feet in depth from the main ship channel in Tampa Bay.

FORT HALL INDIAN RESERVATION.

Mr. DUBOIS. Will the Senator from Oregon yield to me for a moment?

Mr. MITCHELL. I yield.

Mr. DUBOIS. By the courtesy of the Senator from Oregon, I ask unanimous consent to call up the bill (S. 2328) relating to ceded lands on the Fort Hall Indian Reservation.

I will say that a similar bill has heretofore passed the Senate; that it was unanimously reported in the House, and was recommended by the Secretary of the Interior and the Commissioner of the General Land Office.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that all lands of the former Fort Hall Indian Reservation, in the State of Idaho, within 5 miles of the boundary line of the town of Pocatello, offered for sale at public auction on and after July 17, 1902, and which remain unsold after such offering, shall be subject to entry, etc.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THE LIGHT-HOUSE SERVICE.

Mr. NELSON. I wish the Senator from Oregon would yield to me for a moment.

Mr. MITCHELL. I yield to the Senator from Minnesota.

Mr. NELSON. I am directed by the Committee on Commerce, to whom was referred the bill (S. 2685) to amend an act entitled "An act authorizing the construction of additional light-house districts," approved July 26, 1886, to report it. It is a very short bill, and if the Senator from Oregon has no objection I would like to have it passed.

Mr. MITCHELL. If it leads to no discussion I shall not object.

Mr. NELSON. There will be no discussion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend section 4670 of the Revised Statutes so as to read:

SEC. 4670. The Light-House Board shall arrange the ocean, gulf, lake, and river coasts of the United States into districts, and place an officer of the engineer corps or navy or revenue marine service, being commissioned in the light-house service of the United States, of not less than 45 years of age, in each district, who is hereby, repealed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMMISSION ON INTERNATIONAL EXCHANGE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Finance, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the report of the Commission on International Exchange constituted under authority of the act of March 3, 1903, in compliance with the request of the governments of Mexico and China, for the cooperation of the United States in an effort to bring about a fixed relationship between the moneys of the gold-standard countries and the present silver-using countries.

The attention of Congress is invited to the accompanying report of the Secretary of State, whose request for an appropriation of $10,000 for the completion of the work of the Commission in China, and other expenditures incidental to the work of the Commission, I heartily indorse.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

EXPOSITION AT PORTLAND, OREG.

Mr. MITCHELL. I ask the Chair to lay before the Senate the bill providing for the celebration of the one hundredth anniversary of the exploration of the Oregon country.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill indicated by the Senator from Oregon, which will be read by title.

The SECRETARY. A bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes.

Mr. MITCHELL. Mr. President, during the first session of the Fifty-seventh Congress, on June 27, 1902, I had the honor of briefly addressing the Senate, when I called attention to the fact that the State of Oregon, and the people of the other Pacific States and Territories, which have been carved out of what was originally known as the "Oregon Country," were then engaged in making preparations for a national and international industrial exposition, to be held at Portland, Oreg., in the summer of 1905, in commemoration of the centennial anniversary of the crossing of the continent in that memorable and historic expedition by Captains Meriwether Lewis and William Clark, in the years 1804, 1805, and 1806.

In the remarks I then made I took occasion to say to the Senate that it was not expected that any Congressional action in recognition or aid of this enterprise would be had in that Congress, but that in the present Congress we hoped to be able to present such a state of facts, such a result of patriotic effort upon the part of the people and States of the far West and of the Pacific Northwest, as would not only elicit admiration and commendation of the people of the United States generally, but which would justify prompt and cordial recognition and liberal aid upon the part of the Congress of the United States.

It is my purpose at this time to show to the Senate, the Congress, and the country, what has already been done by the people and States of the "Oregon country," supplemented by the people of and several States never included in that country, in aid of a great national, oriental, and international industrial exposition, for the purpose and at the time and place stated.

The initiatory public act looking to the inauguration of the Lewis and Clark Centennial Industrial Exposition in 1905 was taken by the legislature of the State of Oregon in February, 1901, by the unanimous adoption by both houses of a concurrent resolution, approved by the governor on February 25, 1901.

This resolution expressed the belief that the holding of such an exposition would be of great benefit to the people of the Pacific Northwest, to the people of the General Government of the United States, and to all oriental countries, and it was therefore resolved that Congress be earnestly requested to make a suitable appropriation for a national exhibit at said fair, and also that proper acts be passed, and proper resolutions be presented to oriental countries and to other foreign governments and the Dominion of Canada, requesting them to make industrial exhibits at such fair. These resolutions further requested the Senators and Members of the House of Representatives from the State of Oregon to use every effort in their power to secure the proper legislation by Congress to carry out the spirit and intent of the resolution.

Subsequently, on October 12, 1901, a corporation was incorporated and organized under the general laws of the State of Oregon, under the name of the "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair," for the purpose of carrying on a celebration and exposition, the purpose of all of which is to be the commemoration of the one hundredth anniversary of the exploration of the "Oregon Country" by Captains Meriwether Lewis and William Clark, under a commission issued by Thomas Jefferson, President of the United States.

The capital stock of this corporation was fixed at $500,000, divided into 50,000 shares of the par value of $10 each. It was authorized to receive donations of money and of real and personal property in aid of the proposed exposition.

Up to November 1, 1903, this corporation had sold 41,510.7 shares of its capital stock, of the aggregate value of $415,107, and is now still engaged in selling additional stock at the rate per month of about 200 shares, valued at $2,000. In addition it has received donations amounting to $1,800 making the total amount of money available to this corporation alone at the present time, for the purpose of the exposition, the sum of $416,907.

LEGISLATIVE ACTION AND AID GIVEN BY DIFFERENT STATES.

Affirmative action has heretofore been taken and aid extended, as I shall show hereafter, in aid of this exposition, by the States of Oregon, California, Washington, Idaho, Utah, Montana, North Dakota, Minnesota, and Missouri.

The legislative assembly of the State of Oregon, by an act approved January 30, 1903, appropriated $150,000 for a State exhibit at the Lewis and Clark Centennial Exposition. This money is being expended under the direction of a State commission appointed by the governor.

Of this total appropriation, $50,000 is required by the act creating the commission to be expended in the erection of a Lewis and Clark memorial building at Portland, Oreg., provided that the said corporation shall appropriate $50,000 for said building.

Up to November 1, 1903, the State commission had appropriated $300,000 (exclusive of the $50,000 set aside for the memorial building) toward the construction of buildings for the exposition. The name of the State commission and by which it is officially known is the "Lewis and Clark Centennial Exposition Commission."

The legislature of the State of California, at its session of 1903, appropriated $20,000 for a California exhibit at the Lewis and Clark Centennial Exposition. This amount will in all probability be increased at the session of 1905, while a considerable part of the St. Louis exhibit will be transferred to Portland.

The legislature of the State of Washington, at its last session, put a clause in one of the appropriation bills appropriating, I think, $50,000 in aid of the exposition. This bill, however, was vetoed by the governor for reasons, as I have been advised, other than opposition to the proposed exposition or to aid in its behalf, and it is confidently expected the next session of the legislature of that State will make liberal appropriations in aid of the exposition. In fact, the legislature has already provided for a Washington exhibit, but no appropriation is as yet available for the purpose. The State of Washington, it is understood, will aim to preserve the best of its St. Louis exhibit for transfer to Portland.

The legislature of the State of Idaho of 1903 appropriated $10,000 for an Idaho exhibit at the Lewis and Clark Centennial Exposition. This amount will also doubtless be increased by the legislature of 1905. Assurances to this effect have been given, and also that the State exhibit at St. Louis will be transferred to Portland.

The legislature of the State of Utah, at its session of 1903, the present year, appropriated $50,000 for a State exhibit at the Lewis and Clark Centennial Exposition, and assurances have been given that this amount will be increased by the next legislature.

The State of Montana, by an act approved May 27, 1903, appropriated $50,000 for an exhibit of the State's resources at the Louisiana Purchase Exposition, and further provided in section 8 of the act as follows:

That at the close of said Louisiana Purchase Exposition the commission shall remove exhibits which it may be permitted to do to be transferred to the city of Portland, Oreg., for the purpose of having the same exhibited at the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair to be held in that city in 1905, and for that purpose the sum of $[illegible] of the appropriation herein made shall be available. The exhibits thus transferred shall be kept intact and remain under the control of the commission unless otherwise provided by law.

The legislature of North Dakota of 1903 appropriated $50,000 for a State exhibit at St. Louis and Portland, the St. Louis exhibit to be transferred to Portland.

The State of Minnesota, at the session of its legislature of 1903, appropriated $[illegible] for an exhibit at St. Louis and Portland, the St. Louis exhibit to be transferred to Portland.

While the State of Missouri, through its legislature, by section 55 of an act entitled "An act to appropriate money for the support of the State government," etc., passed by the joint assembly of that State at its session of 1903, provided as follows:

There is hereby appropriated for the years 1903 and 1904 the sum of $[illegible] to provide an exhibit of the resources of Missouri at the Lewis and Clark Centennial Exposition, to be held in Portland, Oreg., from May 1 to November 1, 1905. The money herein appropriated shall be expended under the direction of the governor of Missouri.

Thus it will be seen nine of the States of the West and Pacific Northwest and as far east as the States of Minnesota on the north, and Missouri on the south, have already indorsed the proposed exposition and extended money aid in its behalf, amounting in the aggregate to $7[illegible] cash.

The total amount of money, however, made available to date, November 1, 1903, from *all* sources for the purposes of the Lewis and Clark Centennial Exposition is $1,126,907, and from the following sources: From the sale of stock and donations, $416,907; from State appropriations, State of Oregon alone, $450,000; States other than Oregon, $260,000; making a total, as I have stated, of $1,1[illegible].

In this statement of funds available there is not included of course any estimates of revenue from admissions, concessions, or other sources, all of which will be used for exposition purposes.

PREPARATIONS FOR THE EXPOSITION.

A magnificent site has already been secured for the exposition, and great progress has been made in its preparation and in the distribution of its area.

This site is in the northwestern part of the city of Portland, Oreg., about 2 miles from the business center of the city and directly opposite the highest point reached on the Willamette River by Captain Clark in 1806. It comprises 185 acres of land and 220 acres of water (what is known as Guilds Lake). The lake is being dredged and diked, so as to give uniform depth of water and a straight alignment throughout.

Of the land area 50 acres are to be used for buildings, 20 acres for concessions, 25 acres for a park, 5 acres for an experiment station, and the remainder for agriculture, dairy farm, stock shows, and concession purposes. The park referred to contains over 40 varieties of native trees and bushes.

The grading and landscaping have been practically completed, and the water and sewer systems are well under way. The macadamizing is finished. The estimated cost of landscaping, grading, and the water and sewer systems is $200,000. The plan of the exposition contemplates the erection of 10 main buildings. Plans and specifications for these are now under preparation and building work will begin in early spring of 1904.

THE PROVISIONS OF THE BILL.

In pursuance of the request embodied in the legislative memorial of the State of Oregon of February 25, 1901, and of the earnest solicitation of the management, and following my own inclinations in the matter, I have presented for the consideration of the Senate and the Congress the bill now before the Senate, and I deem it appropriate and proper I should briefly explain the provisions of the measure before it is referred to the appropriate committee. The bill, as you will observe, is entitled:

A bill to provide for the celebration of the one hundredth anniversary of the exploration of the "Oregon country" by Captains Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806, and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State, and to provide and assist in the erection of a memorial building in said city of Portland, to be known as "The Lewis and Clark Memorial Building," and to authorize an appropriation for all said purposes.

The measure recites that—

Whereas the State of Oregon has heretofore appropriated the sum of $[illegible] and the citizens of the city of Portland in said State have subscribed an additional sum of $[illegible] and are raising an additional sum of $[illegible] to commemorate the one hundredth anniversary of the exploration of the "Oregon country" by Captains Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806, and inasmuch as said exposition marked an epoch in the history of the United States and in the extension of its territory by prior discovery and occupation by American citizens; and

Whereas it is fit and proper that said anniversary be commemorated by an exhibition of the resources of the United States, their development, and the progress of national growth upon the Pacific coast, and furthermore, that such exhibition should be of a national, international, and oriental character, so that not only the people of the "Oregon country" but of the United States, and of all oriental and other countries interested in the development of the commerce of the United States upon the Pacific coast and in the Pacific Ocean may participate, and should therefore have the sanction and approval of the Congress of the United States.

The bill therefore proposes to enact by section 1 that an exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea, as further provided, to celebrate the one hundredth anniversary of the exploration of the "Oregon country" by Captains Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806, shall be, and the same is, by the bill authorized and required to be held at the city of Portland, in the State of Oregon, commencing May 1, 1905, and ending November 1, 1905, or, commencing June 1, 1905, and ending October 1, 1905, if said last-mentioned period shall be designated hereafter by the legislative assembly of the State of Oregon.

While by section 2 of the bill it is provided that a nonpartisan commission shall be constituted, to consist of seven commissioners, to be known and designated as the "National Lewis and Clark Centennial Exposition Commission," who shall be appointed within thirty days from the passage of the act by the President of the United States, and who shall also be subject to removal by him. Vacancies in such commission to be filled in the same manner as original appointments.

Section 3 of the bill provides that the commissioners so appointed shall be called together by the Secretary of State of the United States in the city of Portland, State of Oregon, by notice to the commissioners as soon as convenient after their appointment, but within thirty days thereafter. Such commissioners at their first meeting are to organize by the election of their officers, and they may then and there appoint such executive or other committees as may be deemed expedient, and a secretary at a salary of $3,000 per annum, and in addition to the salary of such secretary there is allowed, out of any money appropriated by the bill, to aid in carrying forward said exposition, the sum of $5,000 per annum, or so much thereof as may be necessary, for the purposes of defraying the clerical, office, and other necessary expenses of said commission.

It is provided by section 4 of the bill that said commission when fully organized shall appoint two of their number to act in conjunction with a like number appointed by the "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair," a corporation organized and existing under the general corporation laws of the State of Oregon and having its office and principal place of business at Portland, in said State, said two to

be chosen from the executive committee of said corporation, and a like number from the "Lewis and Clark Centennial Exposition Commission" of the State of Oregon, to constitute a board of arbitration, to whom all matters of difference arising between said national commission and said company concerning the administration and management or general supervision of said exposition shall be referred for determination; and in case of the failure of said board of arbitration to agree upon such matters as may be so referred said board of arbitration shall appoint a seventh member thereof, such seventh member, so agreed upon, to be then appointed by the Secretary of the Treasury; the decision of such board to be final in all matters presented to it for consideration and determination.

Section 5 of the bill provides that said commission be empowered to and it shall accept for the purposes of the exposition such site as may be selected and offered, at the expense of and tendered by the "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair," a corporation, as I have stated, organized and existing under the laws of the State of Oregon.

While section 6 of the bill provides that the allotment of space for the exhibitors, classification of exhibits, plan and scope of the exposition, the appointment of all judges and examiners for the exposition, and the awarding of premiums, if any, shall all be done and performed by the said corporation, the "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair."

It is further provided by section 7 that after the plans for said exposition shall be prepared by said company and approved by said commission the rules and regulations of such corporation governing the rates of entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors or of the public, shall be fixed or established by said company.

While by section 8 it is stipulated that said commission shall provide for the opening and dedication of the buildings and grounds of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, in said city of Portland, on the 1st day of May, 1905, or as soon thereafter as shall be practicable, with proper ceremonies; and that thereafter such exposition shall be declared open and continue open until the 1st day of November, 1905, or until the 1st day of October, 1905, if such date shall be designated by the legislative assembly of the State of Oregon as the date for the closing of the exposition.

Section 9 of the measure provides that whenever the President of the United States shall be notified by the national commission that provision has been made for grounds upon which such exposition is to be held he shall be authorized to make proclamation of same through the Department of State, setting forth the time at which such exposition will be held and the purposes thereof; that he shall communicate to the diplomatic representatives of foreign nations copies thereof, with such regulations as may be adopted by the commission for publication in their respective countries, and that he shall in behalf of the Government and the people invite foreign nations to take part in such exposition and to appoint representatives thereto.

While by section 10 it is stipulated that all articles which shall be imported from foreign countries, or shall be in the country by reason of the exposition to be held at St. Louis in the year 1904 in celebration of the anniversary of the purchase of the Louisiana territory, and upon which there shall be a tariff or customs duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but that it shall be lawful at any time during the exposition to sell, for delivery at the close thereof, or to transfer from St. Louis as aforesaid for the purposes of the exposition at Portland, Oreg., any goods or property imported from and actually on exhibition in the exposition buildings at St. Louis or on the grounds thereof, or at Portland, Oreg., subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe.

It is provided, however, by this section that all such articles when sold or withdrawn for consumption in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of importation, and all penalties prescribed by law shall be applied and enforced against said articles and against the person who may be guilty of any illegal sale or withdrawal.

By section 11 of the bill it is provided that such commission shall make reports monthly to the President of the United States, showing receipts and disbursements, together with a general summary of the financial condition of such exposition, and a final report within six months after the close of the exposition, presenting the results and a full exhibit thereof.

And it is further provided that said commission shall cease to exist on the 31st day of December, 1906.

All liability upon the part of the United States, except as to the amount of the appropriations made by the bill, is carefully guarded by section 12 of the bill, which provides that the United States shall not in any manner nor under any circumstances be liable for any of the doings, acts, proceedings, or representations of the said "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair," its officers, agents, or employees, or any of them, or for the services, salaries, labor, or wages of such officers, servants, agents, or employees, or any of them, or for any subscriptions to the capital stock, or for any certificates of stock, bonds, mortgages, or obligations of any kind issued by said corporation, or for any debts, liabilities, or expenses of any kind whatsoever, attending such corporation or accruing by reason of the same.

Further provision is made by section 13 of the bill that there shall be exhibited at such exhibition, by the Government of the United States, from its Executive Departments, the Smithsonian Institution, the National Museum, and the United States Commission of Fish and Fisheries, such articles and materials as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people.

Furthermore, this section of the bill provides that the Bureau of American Republics shall be invited to make an exhibit, illustrating the resources and international relations of the American republics, and space in the United States Government building is to be provided for the purpose of such exhibit. And to secure a complete and harmonious arrangement of such Government exhibits, a board, to be known as the "United States Government Board," is to be created, independent of the commission provided for by this bill, to be charged with the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles and materials as the heads of the several Executive Departments, the Smithsonian Institution, the Commissioner of Fish and Fisheries, and the Director of the Bureau of American Republics may, respectively, decide shall be embraced in such Government exhibit.

The bill also provides that the President may also designate additional articles for exhibition.

The board to be provided for shall be composed of one person to be named by the head of each Executive Department, one by the Secretary of the Smithsonian Institution, one by the Commissioner of Fish and Fisheries, and one by the Director of the Bureau of American Republics. The President is to name one of such persons so detailed as chairman, and the board itself to appoint its secretary, disbursing officer, and such other officers as it may deem necessary. The members of such board of management, with other officers and employees of the Government who may be detailed to assist them, including officers of the Army and Navy, shall receive no compensation in addition to their regular salaries, but they shall be allowed their actual and necessary traveling expenses, together with a per diem in lieu of subsistence to be fixed by the Secretary of the Treasury, while necessarily absent from their homes and engaged upon the business of the board, while officers of the Army and Navy shall receive this allowance in lieu of the transportation and mileage now allowed by law. Any provision of law which may prohibit the detail of persons in the employ of the United States to other service than that which they customarily perform shall not apply to persons detailed for duty in connection with said Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair. Employees of the board not otherwise employed by the Government shall be entitled to such compensation as the board may determine. The disbursing officer shall give a bond in the sum of $30,000 for the faithful performance of his duties, such bond to be approved by the Secretary of the Treasury. The Secretary of the Treasury, it is provided, shall advance to such disbursing officer, from time to time, under such regulations as the Secretary of the Treasury may prescribe, a sum of money, from the appropriation proposed to be made by the bill for the Government exhibit, not exceeding at any one time the penalty of his bond, to enable him to pay the expenses of the exhibit, as authorized by the board of management created by the bill.

Section 14 of the bill provides that the Secretary of the Treasury shall be authorized and directed to place on exhibition, in connection with the exhibit from his Department, upon such grounds as shall be allotted for the purpose, one of the life-saving stations authorized to be constructed on the coast of the United States by existing law, and to cause the same to be fully equipped with apparatus, furniture, and appliances now in use in all life-saving stations of the United States.

Section 15 provides that the Secretary of the Treasury shall cause a suitable building or buildings to be erected on the sites selected by the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair for the Government exhibits as provided by the bill, and he is authorized and directed to contract therefor as soon as convenient after the passage of the bill in such

manner as he may deem expedient, but the contracts for such building or buildings shall not exceed the sum of $250,000, which sum, or so much thereof as may be necessary, is by this section of the bill appropriated out of any money in the Treasury not otherwise appropriated to defray the expenses of erecting such Government building or buildings thus authorized.

The bill further provides that the Secretary of the Treasury shall cause such building or buildings to be constructed from plans to be approved by said Government board, and he is authorized and required to dispose of such building or buildings, or the material composing the same, at the close of the exposition, giving preference to the city of Portland or to the said Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair to purchase the same at an appraised value, to be ascertained in such manner as he may determine.

Section 15 of the bill provides that said commission shall be authorized and required to accept and receive from the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair the site in the city of Portland, upon which there shall be erected a building, to be known as the "Lewis and Clark Memorial Building," which said building and site shall be conveyed, donated, or dedicated to the State of Oregon, to be held in trust for all the people of said State and the nation for the following purposes: For the purpose of receiving and safely keeping therein the official records, arms, exhibits, literature, collections, and property of the Oregon Historical Society and under the control of said society, and for the purpose of receiving and safely keeping therein statues, works of art, publications, maps, charts, or other property that may be given, donated, devised, or granted to the State of Oregon in trust, as aforesaid, or authorized by the United States or any Territory thereof, or any foreign country, and for the purpose of receiving and safely keeping therein any works of art, library, or property that may be given, donated, granted, or bequeathed to the State of Oregon in trust, as aforesaid, by any person whatsoever, and for the purpose of receiving and safely keeping therein valuable paintings, works of art, or other property that may be loaned, donated, granted, or bequeathed to the State of Oregon in trust for the adornment of said building or the education of the people. And this memorial building is also to be in part a museum, devoted thereafter to history, literature, arts, sciences, and particularly as a repository of the history of the "Oregon Country," and is to be a memorial building in commemoration of the exploration of the "Oregon Country" by Captains Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806, and in and about which building shall be placed by the United States, acting by and through said commission, suitable and appropriate statues, of bronze, marble, or other material, of Thomas Jefferson, Captains Meriwether Lewis and William Clark, and Thomas H. Benton and Lewis F. Linn, former Senators from the State of Missouri; also that of Robert Gray, the American navigator and discoverer of the Columbia River; John Jacob Astor, the American fur trader in the "Oregon Country," and such other great historic figures as have been connected with the acquisition and settlement of the "Oregon Country" as a part of the United States as may be designated by said commission, and such other works of art, manufactures, maps, charts, and publications as may from time to time be authorized or published by the United States.

This section provides further that plans and specifications for said memorial building shall be prepared by the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair; and there is by this section of the bill appropriated, out of any money in the Treasury not otherwise appropriated, to assist in the erection of said building, the sum of $250,000; and to provide for said statues and other works of art and the contents of said building a further sum is proposed to be appropriated by this section of the bill of $100,000, or so much thereof as may be necessary.

The bill provides, as a condition to the appropriations provided for by this section, that the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair shall set apart, to be used in the construction of said building, the sum of $50,000, and that the State of Oregon, acting by and through the Lewis and Clark Centennial Exposition Commission, shall have made available the appropriation toward the construction of said building in the sum of $[illegible], as authorized by the act of the legislative assembly of the State of Oregon, approved January 30, 1903, it being the intention, as declared by the bill, that the appropriation authorized by Congress by this section shall be available whenever and as soon as said commission shall have been satisfied that the sum of $[illegible], whether appropriated by the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, or by the Lewis and Clark Centennial Exposition Commission, of Portland, Oreg., or both, has been used, or has been set aside to be used in the construction of such building; said sum so proposed to be appropriated by this section of the bill to be available upon the order of the commission, payable as other sums are authorized to be paid by this proposed act.

It is provided, further, by this section that if said building shall not be completed on or before December 31, 1906, then the same shall be carried on to completion under the direction and supervision of the Secretary of the Treasury.

It is provided by section 17 of the bill that the commissioners to be appointed by the President under this proposed act shall receive as compensation for their services and expenses the sum of $4,000 each per annum, the same to be paid by the Secretary of the Treasury, and deducted from any money appropriated by the bill for said exposition.

While section 18 provides that no member of said commission or of said Government board, whether an officer or otherwise, shall be personally liable for any debt or any obligation which may be created or incurred by said commission or by the United States Government board authorized by the bill.

Section 19 of the bill recites in the nature of a whereas that inasmuch as the State of Oregon has appropriated the sum of $500,000 to assist in holding said exposition, and the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair has created a fund of $400,000, with an additional fund to be raised of $100,000, to assist in holding said exposition, aggregating $1,000,000 raised by the people of the State of Oregon toward the celebration of this epoch in American history, and inasmuch as States and Territories of the United States and several foreign countries have already signified their intention to participate in said exposition, and have appropriated large sums of money to assist in holding the same, therefore it is provided by this section of the bill, that there shall be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,500,000, in addition to the sums thereinbefore proposed to be appropriated by the bill, to aid in carrying forward said exposition, to pay the salaries of the members and secretary of the commission by the bill authorized, and such other necessary expenses as may be incurred by said commission in the discharge of its duties in connection with said exposition, and to discharge all such other obligations incurred by the Government on account of said exposition, except for the erection of its own buildings and the making and care of its own exhibits at said exposition, and excepting also the sum proposed to be appropriated for the erection of the Lewis and Clark memorial building and to provide the contents thereof, as authorized by other sections of the bill.

This section further provides that the money thus appropriated shall be disbursed under the direction of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, under such rules and regulations as may be prescribed by the Secretary of the Treasury and upon vouchers to be approved by such commission, acting by and through its president and secretary.

While by section 20 it is made the especial duty of said national commission to provide a full and complete exhibition at said exposition of the arts, industries, manufactures, and products of the soil, mines, forest, and other resources of the Territory of Alaska, the Hawaiian Islands, the Philippine Islands, and the oriental countries, and to illustrate the commerce of the Pacific Ocean; and to that end the President of the United States is authorized to designate any consul, vice-consul, or officer of the military or naval service of the United States to assist said commission in the collection of said exhibits.

By section 21 the Secretary of War is authorized, at his discretion, to detail for special duty in connection with the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair such officers of the Army as may be required, to report to the general commanding the Department of the Columbia; and the officers thus detailed shall not be subject to loss of pay or rank on account of such detail, nor shall any officer or employee of the United States receive additional pay or compensation because of his services connected with such exposition from the United States or from such exposition.

Section 22 of the bill proposes to appropriate the sum of $25,000, or so much thereof as may be necessary, to defray the expenses of an exhibition of the Indian industrial schools of the United States, to be placed in charge and under the control of the officers in charge of the Chemawa Indian Training School, near Salem, Oreg., and to be expended at the exposition by such officials, under the direction of said commission, so as to illustrate the work of the Government of the United States in this field; and such officials are authorized and required by the bill to make a special effort to represent therein the Indian tribes of the United States, and particularly to represent the Indian tribes of the "Oregon Country," their relics, memorials, customs, religions, numbers, and history.

It is provided by section 23 that nothing shall be so construed in the bill as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, or for any claim for

aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debts or obligations created by said commission.

Section 24 provides that medals with appropriate devices, emblems, and inscriptions commemorative of the Lewis and Clark Exposition, and of the awards to be made to exhibitors thereat, shall be prepared at some mint of the United States for the board of directors of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, a corporation; and in addition thereto such numbers of what is commonly called the "Jefferson medal," the same to be in facsimile of the medals bearing the medallion portrait of Thomas Jefferson, President of the United States, distributed among the Indian tribes by Captains Meriwether Lewis and William Clark in their expedition from the Mississippi River to the Pacific Ocean, as the board of directors of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair may deem advisable, shall in like manner be prepared at some mint of the United States, for the board of directors thereof, the same to be distributed by sale or otherwise by such board of directors, in commemoration of the one hundredth anniversary of the exploration of the "Oregon Country" by Captains Meriwether Lewis and William Clark; and also facsimiles of the "beaver money of Oregon Territory" shall in like manner be prepared at some mint of the United States for the board of directors of the association, for distribution, by sale or otherwise, by said board of directors, which said "beaver money" was authorized to be coined by the provisional government of Oregon by an act of the legislature thereof of February 16, 1849 (all subject, nevertheless, to the provisions of the twenty-seventh section of the coinage act of 1893), and upon payment of a sum not less than the actual cost thereof; and all provisions, whether penal or otherwise, of said coinage act against counterfeiting or imitating of coins of the United States are made to apply to the medals struck and issued under this bill.

It is further and finally provided in the bill that the total appropriations provided for by the bill of $2,425,000 shall take effect and become available immediately upon the passage of the act.

A final provision of the bill is to the effect that the Postmaster-General of the United States shall be authorized and directed, under such rules and regulations as he may prescribe, to grant to the commission to be created by this bill, and to the president, secretary, and director-general of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, a corporation, and to said corporation, and to the president and secretary of the Lewis and Clark Centennial Exposition Commission of the State of Oregon, the franking privilege, by means of which the free use of the United States mails, until December 31, 1906, shall be enjoyed by said commission, president, secretary, director-general, and corporation aforesaid.

DO NATIONAL INTEREST AND PATRIOTISM AND THE GENERAL WELFARE JUSTIFY THE PROPOSED LEGISLATION?

Such, Mr. President, are the provisions and extent of the bill submitted for the consideration of the American Congress.

In this connection the inquiry naturally suggests itself. Is the enterprise in whose interest the bill is drawn, and for the promotion of which the appropriation is asked, of such a national character as to justify the proposed legislation? Is the enterprise one which justly and properly appeals to national pride and the patriotism of the American people? Is it one which, if consummated, will be not only a fitting monument to the foundation builders of one of the grandest epochs in American history, but which will at the same time be an industrial exposition of arts, industries, manufactures, and of the manifold products of the rivers, soil, mines, forests, and sea of the far West, and of the great Pacific Northwest, which will give a tremendous impetus to the development and extension of the commerce of the Pacific Ocean and of oriental trade?

In answer to these inquiries it is respectfully and confidently suggested that no other historical event in our national existence of an individual nature has done so much toward the development of American occupation and settlement, American commerce, domestic and foreign, and American civilization as has the geographic, scientific, and military expedition across the then trackless American continent by Captains Meriwether Lewis and William Clark one hundred years ago. In fact, since the beginning of time history fails to record any geographic and scientific exploration into the solitudes and dangers of an unexplored wilderness, and having for its purpose the reclamation from the dominion of the barbarian more than one-half of a desolate continent and savage empire, and the extension of the dominion of civilization, comparable with that planned by the immortal Jefferson and so successfully executed by his courageous and intrepid military officers, Lewis and Clark.

Indeed, so faithfully and successfully did these chosen military agents execute the dangerous and herculean task imposed upon them that on its consummation President Jefferson made the following declaration:

> Never did a similar event excite more joy throughout the United States. The humanitarian sentiments have taken a fresh interest in the issue of this journey and looked with impatience for the information it would furnish. Nothing short of the official journals of this extraordinary and interesting journey will exhibit the importance of the service—the courage, devotion, and [illegible] under circumstances calculated to discourage, which animated this little band of heroes throughout the long, dangerous, and tedious travel.

The character of this expedition and the mighty consequences flowing from it were clearly and succinctly stated by President Roosevelt in a speech at Portland, Oreg., on the 21st day of May last, when, during his visit to that city, he laid the corner stone, in its beautiful park, of a monument the people of Oregon are erecting there in commemoration of the great historic achievement of Lewis and Clark. Among other things, President Roosevelt said:

> We come here to-day to lay a corner stone that is to call to mind the greatest exploring feat in this continent, the voyage of Lewis and Clark—which is connected not the least with the statesmanship of Jefferson and has endowed by giving to the United States all of the domain between the Mississippi and the Pacific.

The sailing of Columbus, with his three galleys and ninety men, from the port of Palos, in Spain, four hundred and eleven years ago on the 3d day of August last, in search of a new world, was an undertaking scarcely more courageous, venturesome, and daring, or threatened with greater possible hardships and dangers, than was the starting from the Missouri River of Lewis and Clark and their small band of associates on May 14, 1804, on their perilous expedition across the continent.

The one expedition sought and found a new world—a then hitherto unknown continent and adjacent islands, while the other had for its purpose the reclamation of one-half of the continent thus discovered by Columbus from a state of deep isolation and dark barbarism, and its conversion to a high state of civilization. Each was a mighty undertaking. Each was menaced by manifold unseen dangers. Each was planned by a prescience, genius, and courage seldom possessed by man or exemplified by human action. Each marked the beginning of a series of events incomparable in importance and in the character and magnitude of their results. Each was the initiatory step in an epoch pregnant with consequences of the most gigantic and far-reaching character. Each was the beginning of a cycle that has but few, if any, parallels in the world's history of physical development and human progress. Each marked the beginning of an era—the one in the history of the world's development, the other in that of America, incomparable in character, unparalleled in fruitful results, and inestimable in its value in the promotion of the general welfare and progress of the human race.

The conspicuous part taken by Thomas Jefferson in the purchase of the Louisiana Territory from France in 1803, and in inaugurating about the same time and subsequently carrying to successful completion the Lewis and Clark expedition, is in and of itself enough to keep the name of Thomas Jefferson among the immortals, enduring as the sun, and fadeless as the stars. To the author of the Declaration of Independence and the founder of the University of Virginia the present generation and all the unborn generations of America owe a debt of lasting gratitude, of momentous magnitude, and which can never be fully liquidated. And no less does this demand on a nation's and a people's gratitude result from the part he took in the purchase of Louisiana Territory and in the Lewis and Clark expedition than from the fact that he was the author of the Declaration of Independence and the founder of the University of Virginia.

While it is the intention of the management of the proposed Lewis and Clark Exposition—which, by the way, is in the hands and under the control of a large corps of able, energetic, wide-awake, successful business men of the Pacific coast States—to have not only a national but an oriental and international exposition that will demand the attention and admiration and receive the consideration and generous support, not only of the people and governments of the Orient, but of the people and governments of Europe, it is not expected it will be on the grand or extensive and expensive scale of the Louisiana Purchase Exposition. That exposition, it is now conceded by all, will undoubtedly be the most elaborate and magnificent national and international industrial exposition the world has ever seen. But if the United States can properly and appropriately contribute, as it has already done to the success of this grand universal exposition at St. Louis, the sum of $8,478,000 in honor of the Louisiana Purchase, then the great empire of the Far West—the people of the Pacific States and of the great Pacific Northwest feel warranted in expressing the belief that they are entitled to a fraction less than one-third of that amount in aid of an exposition that will exhibit not only to the people of this country, but European and oriental countries, the wonderful products of a land which one hundred years ago was a territory incognito—the uninhabited, unsettled "Oregon

Country"—and all in commemoration of the marvelous achievement of Lewis and Clark, by whose daring and courageous enterprise this great domain was rescued from barbarism, saved to this country, and brought within the pale of a high state of physical development, human progress, and advanced civilization.

APPROPRIATIONS HERETOFORE MADE IN AID OF THE LOUISIANA PURCHASE EXPOSITION AT ST. LOUIS, MO.

The total appropriations to date in the interest of the Lonisiana Purchase Exposition at St. Louis, Mo., amount to $6,478,000. The sum is made up of the following items:

Expenses of the Louisiana Purchase Commission, act of June 6, 1900	$10,000
Aid to Louisiana Purchase Exposition, St. Louis, Mo., act March 3, 1901	5,000,000
Buildings, by same act	250,000
Government exhibit, act June 28, 1902	800,000
Life-saving exhibit, act June 28, 1902	5,000
Buildings, act June 28, 1902	200,000
Indian exhibit, act June 28, 1902	40,000
Agricultural exhibit, act March 3, 1903	100,000
Alaska exhibit, act March 3, 1903	50,000
Indian Territory exhibit, act March 3, 1903	25,000
Expenses Senate committee, dedication of Louisiana Purchase Exposition	2,000
Expenses House committee, dedication of Louisiana Purchase Exposition	3,000
Total, as above	6,478,000

In this connection let it be borne in mind that in comparison with other sections of the country, East, Central, North, and South, the great West and the Pacific Northwest have not had much encouragement or aid from the General Government—none in fact in the way of aid to any industrial exposition.

THE CONTRIBUTIONS OF THE "OREGON COUNTRY" TO THE NATIONAL TREASURY.

It is both interesting and instructive to consider the vast money contributions made to the National Treasury by the "Oregon Country" in the last fifty-two years, commencing with the year 1851 and counting to the present date.

The total customs receipts from Oregon alone for the years 1851-1903 was $13,715,043.12; from the territory included in the State of Washington, $6,015,362.71; and from that included in the State of Idaho, $627,098.17; making the total of customs receipts alone in the last fifty-two years from the "Oregon Country," not including contributions from those portions of the States of Montana and Wyoming which were originally parts of the "Oregon Country," 1851-1903, inclusive, $20,357,504; while the total internal-revenue receipts from the "Oregon Country" for the fiscal years 1863-1903, inclusive, covering the last forty years, was $14,255,809.23; thus making a grand total from customs and internal-revenue receipts paid into the Treasury by the "Oregon Country" in the last fifty-two years, to say nothing of the large amounts paid in prior to that date, of $34,613,313.23; while the amount of cash received from the sale of public lands in the "Oregon Country" for the fiscal years 1854-1903, inclusive, amounted to $20,255,744.37, making a grand total of $54,869,057.70, all within a fraction of less than one-half of a century.

A balancing of the books, as will be presently seen, will show at a glance that the money contributions made to the General Government and the United States Treasury by the "Oregon Country" are many millions of dollars in excess of the expenditures on the part of the Government for development, improvement, and maintenance in such territory, including appropriations for rivers and harbors, the construction and repair of public buildings, for the establishment of light-houses, revenue vessels and other aids to commerce, surveys of the public lands, for maintenance of the Federal courts, and the Indian service, including salaries of all Federal officials. A careful estimate will show that the contributions exceed the expenditures in the sum of about $37,000,000.

Notwithstanding these large contributions to the Treasury of the United States by the "Oregon Country," and notwithstanding the fact of the great number of important rivers and harbors located within the "Oregon Country," all in need of improvement by the National Government, there have been expended all told for rivers and harbors in that area since the beginning of the Government to the present time but $13,181,751.85, while the total amount expended in the balance of the area of the United States, since the beginning of the Government, for the improvement of rivers and harbors is $388,378,602.98.

While the amount expended by the National Government during the same time in the "Oregon Country" in the erection and improvement of public buildings was but $2,344,794.90; for the construction of light-houses and other aids to commerce, but $1,608,596.20; and for surveys of public lands, but $2,177,830.82.

The statement, therefore, that the great West, formerly known as the "Oregon Country," has not received that national recognition to which it is justly entitled, especially in view of the fact of its large contributions to the National Treasury, can hardly be questioned.

THE "OREGON COUNTRY" HAS CONTRIBUTED $125,979,918.23 TO THE WEALTH OF THE NATION IN PRECIOUS METALS ALONE.

But in addition to this the fact must not be lost sight of that the "Oregon Country" has, since its first settlement, contributed to the wealth of the nation, from the bowels of the earth, in the output of the precious metals, gold and silver, as follows:

That portion of the "Oregon Country" now included in the State of Oregon alone has contributed $27,465,639.47 in gold and $191,080.18 in silver; that portion now included in the State of Washington has contributed $2,217,781.19 in gold and $46,558.79 in silver; that portion included in the State of Idaho has contributed $42,161,108 in gold and $2,087,750.67 in silver; that portion of Montana formerly a part of "Oregon Country" has contributed approximately $40,000,000 in gold and $11,000,000 in silver, while that portion of Wyoming which formerly was a part of the "Oregon Country" has contributed approximately $800,000 in gold and $10,000 in silver, making a total contribution to the wealth of the nation in the precious metals since the beginning of the Government from the "Oregon Country," in gold, of $112,644,528.66 and $13,335,389.57 in silver, or a total of $125,979,918.23 in precious metals alone.

That the amounts shown by these statistics, which are taken from the Mint reports, are less to the extent of many millions of dollars than the actual output of the precious metals in that Territory, I think will be conceded by all familiar with the history of the mining industries of the Pacific coast.

Based upon these considerations, therefore, we feel justified in confidently appealing to the representatives of other sections of the country to aid in the manner and to the extent of the pending bill in a great national and international enterprise which it is believed will be of incalculable interest and benefit, not alone to the people of the "Oregon Country" but to the people of every section of the United States.

THE EXALTED PURPOSES OF THE LEWIS AND CLARK EXPOSITION.

But the proposed exposition is not intended merely as a glorification over the progress that has been made in the physical development of the "Oregon Country," or of hilarious exaltation over the manifold and immensely valuable products of field, and mine, and forest, and river of the "Oregon Country," but above and beyond all this it must not be forgotten that the successful expedition of Lewis and Clark was the solving of a mighty geographical, political, and commercial problem which gave to this country and the people of this country an outlet to the Pacific Ocean, and the trade and commerce of the world; thus making it possible for the present and all future generations to realize and enjoy the political, social, religious, educational, and commercial advantages and blessings which flow from the very highest order of modern uncircumscribed civilization.

But not this alone. The planting and development in that vast region of ethical, social, educational, and religious germs, the door for all of which was opened by the grand expeditionary enterprise of Lewis and Clark, was a work of momentous character and of great national utility, whose authors are deserving of national homage and their acts of national commemoration.

THE GEOGRAPHICAL EXTENT, AND TITLE OF THE UNITED STATES TO THE "OREGON COUNTRY."

The history of the manner in which the territory formerly known as the "Oregon Country" became a part of the public domain of the United States, and the nature of the title under which we hold, its extent territorially, and its general characteristics, are all matters of the highest interest. Although the present State of Oregon includes within its boundaries an area of more than 30,000 square miles more than that included in the whole of the six New England States, it is but a fraction less than one-fifth in size of the original "Oregon Country" as claimed first by Spain, and subsequently by the United States. Something of its magnitude and territorial extent can be realized when it is remembered that after losing about 300,000 square miles by unprofitable and unwise compromise 385,123 square miles remained, and out of which three great States, and large portions of two others—namely, Oregon, Washington, Idaho, and parts of Montana and Wyoming—have been carved.

The history of the various titles under which our Government asserted title to this vast domain in the prolonged diplomatic contest with Great Britain for the supremacy is highly interesting. Our title was of a triple character:

First. Discovery and settlement by Spain, to which title we succeeded:

Second. Discovery in our own right in 1792, followed by the scientific exploration of Lewis and Clark, and subsequently by actual settlement: and

Third. Cession from France of the Louisiana territory.

The Lewis and Clark scientific exploration was one of the first steps following discovery by Captain Gray looking to its reclamation and settlement, and which was followed by the two Winship brothers, of Boston, who made the first attempted settlement on

the Columbia River after Gray's discovery. They sailed from Boston in 1809 in two ships, the *O'Kaine*, of which Jonathan was captain, and the *Albatross*, of which Nathan was master. The *O'Kaine* went direct to California, while the *Albatross* went to the Sandwich Islands and thence to the Columbia River, arriving there with 50 men on board early in the spring of 1810. The vessel proceeded up the river a distance of 40 miles, opposite the place now known as "Oak Point," where they disembarked, cleared a small tract of land, erected a building, and planted vegetables, all of which, however, were demolished and swept away by the June floods of the same year, when Captain Nathan Winship recembarked with his men, joined his brother in California, and, learning of Astor's expedition, never returned.

This was followed by the establishment of the town of Astoria by John Jacob Astor in 1811. The war of 1812 coming on, the English captured Astoria, hauled down the American flag, and hoisted the English ensign, and changed the name of the fort from Fort Astor to Fort George; but at the close of the war in 1818 it was restored to the United States by the treaty, which stipulated the restoration of "all territory, places, and possessions whatsoever taken by either party from the other during the war." In this restoration the English denominated it "the settlement." However many may have been the occupants of this country, or those employed by the Hudson Bay Company prior to that, this was unquestionably the first permanent settlement made by white men in the valley of the Columbia or in the territory of Oregon, and this was by American citizens. The claim, therefore, to rightful settlement of the "Oregon Country," now comprising the whole of the States of Oregon, Washington, Idaho, and parts of Montana and Wyoming, can rightfully attach only to the United States.

The Lewis and Clark scientific exploration, therefore, and the acts of settlement which followed constitute one of the highest, if, indeed, not the very highest, element of the second claim to title to that country made by our Government in its prolonged diplomatic controversy with Great Britain, namely, that of "discovery in our own right in 1792, followed by scientific exploration and actual settlement."

In connection, however, with the proposed centennial exposition and the passing of the continent by the great explorers, Lewis and Clark, it is interesting to note briefly the respective claims made by the different governments to the "Oregon Country," and also to call attention to the character of the diplomatic controversies by which these several claims were finally disposed of and settled.

It is a matter of history that for nearly three centuries prior to 1790 Spain had been making claim, on account of alleged discovery, to all of the Oregon territory, extending from the forty-second degree of north latitude, not only to 54° 40', but to the sixty-first parallel, and extending from the Pacific Ocean eastward to the central heights of the Rocky Mountains. It was in dimensions a vast empire. Its geographic extent was about 760 miles from north to south and about 650 miles from east to west, embracing an area of about 494,000 square miles, or seven and one-half times greater than all of the New England States put together, two and one-half times as large as the whole of Spain, and more than 50,000 square miles more than all of Spain, France, and Portugal combined.

This claim of Spain dated back two hundred and seventy-seven years prior to 1790, or about three hundred and ninety years ago, the inceptive right being based by some on the alleged discovery of the Pacific Ocean by Balboa in 1513, when he assumed possession of it as a private sea in the name and for the benefit of the Spanish Crown. But this claim had slight ground; indeed, no really good ground of support, though it was somewhat strengthened from time to time by the navigation of its coasts and the occupation of its territory by the Spanish navigators, Maldonado in 1528 and Farrello in 1543. In 1592 San Juan de Fuca, a Greek navigator in the Spanish service, entered the strait bearing his name, which now separates the United States from the British possessions. He then for the time supposed he had discovered the great northwestern passage connecting the two oceans. In 1774 the navigator, Juan Peres, sailed from San Blas January 25, landing first on the northeastern coast of Queen Charlotte Island, near the fifty-fourth parallel. Humboldt says he was the first of all the European navigators to anchor in Nootka Sound, in latitude 49° 30'. This he named Port San Lorenzo. Four years later it was by Captain Cook called King George's Sound. Heceta, the Spanish navigator, visited the coast in 1775, and Galiano and Valdes in 1792; that they explored the entire Oregon coast and even farther northward is an historical fact which can not be questioned.

Prior to 1790 the vague claim of Spain to this vast territory was not seriously disputed by any power, although Great Britain had been feebly making a claim scarcely less ancient, though based on a more fragile and less defensible title. This claim on the part of Great Britain rested originally (although subsequently that source of title was virtually abandoned) on the acts, familiar to all, of Sir Francis Drake, the English buccaneer and filibusterer, who in 1577 with five armed vessels had sailed from England, with the connivance of Queen Elizabeth, ostensibly for a voyage to Egypt, but in fact on a filibustering expedition against Spain. Two years later, in 1579, having reached the waters of the Pacific Ocean through the Straits of Magellan, his fleet encountered storms, reducing it to one schooner of 100 tons burden and his naval force to sixty men. Just how far Drake sailed northward along the California and Oregon coasts is a matter of doubt, some historians asserting he went as far as 42°, others 43°, and some say as far as 48°. All agree, however, that having encountered storms, he returned to the thirty-eighth parallel and landed in a bay, now supposed to be either the present bay of San Francisco or the Bay of Bodega, where, as one historian tells us, he accepted from the savages of the far West, in the name of Queen Elizabeth, "coronation, scepter, and sovereignty." Great Britain, however, in her prolonged contest with the United States placed no reliance on the acts of Drake, but based her claim on the right of discovery of the "Oregon Territory" by Captain Cook in 1778, and subsequently on alleged discoveries by Captain Mears in 1788, and by Captain Vancouver in 1792, 1793, and 1794.

It was claimed, moreover, that Great Britain was the first to acquire what was termed a "beneficial interest in those regions by commercial intercourse."

Resting on these respective titles—that of Great Britain certainly lacking in every respect all those essential elements which constitute a real foundation for a valid claim of sovereignty—these two great rival powers, Spain and Great Britain, came into contention over their respective claims to and in this vast territory in 1790, resulting in what is known in history as "The Nootka Convention." The claim of England was then hardly one of sovereignty, but rather, as she asserted, "an indisputable right to the enjoyment of a free and uninterrupted navigation, commerce, and fishing and to the possession of such establishments as they should form, with the consent of the natives of the country, not previously occupied by any European nations."

In the assertion of these alleged rights on the part of Great Britain and the Spanish contention on the part of the Spanish Crown the conflicting and rival claims to sovereignty were attempted to be upheld, as one historian tells us, "by an occasional visit by vessels, temporarily trading with the natives, some fishing, and a few shanties." The Spanish authorities, denying the rights asserted by Great Britain, seized and confiscated her vessels and other property employed in the assertion of her claims to occupation, if not indeed to sovereignty. It was this conflict which resulted in the "Nootka Convention of 1790."

That Great Britain gained nothing by that treaty in respect of her alleged rights as to sovereignty, tenancy, or commerce in any of the countries bordering on the Pacific Ocean is conceded by all historians. That her claims, both as to discovery and prior occupation, submitted to that convention were absolutely baseless as against those of Spain or any other power must be conceded. Even should we concede all that has ever been claimed by the most ardent historian in respect to the achievements of Sir Francis Drake and others, it amounts to nothing as against the Spanish claim; and so in reference to the alleged discovery by the British captains, Cook, Mears, and Vancouver, for the evidence is conclusive that this same coast had been navigated and the land discovered more than two hundred and sixty years before by the Spanish navigator Maldonado in 1528. If, then, Great Britain gained nothing in her claim either as to sovereignty or occupancy by the "Nootka Treaty" of 1790, as she clearly did not, she certainly had no right to complain.

When this treaty was submitted to the British Parliament, it was denounced by the opposition as a cowardly surrender. Sir Charles Fox said:

> Nothing has been gained, but, on the contrary, much has been surrendered.

And speaking further, Mr. Fox said:

> Our right before the convention, whether admitted or denied by Spain, was of no consequence, was to settle any part of South or Northwestern America not fortified against us by previous occupancy, and we are now restricted to settle in certain places only and under certain conditions. Our rights of fishing extended to the whole ocean, and now it is limited and not to be exercised within certain distances of Spanish settlements. Our right of making settlements was not as now a right to build huts, but to plant colonies, if we thought proper. In renouncing all right to make settlements in South America we have given to Spain what she considered as inestimable and have in return been contented with dross.

But whatever rights Great Britain had by virtue of the "Nootka treaty" of 1790 were lost and totally destroyed when in 1796 Spain declared war against Great Britain, as it is a principle of public law that a declaration of war destroys all treaties between the belligerents.

The claim of Spain to all of the Oregon territory south of the sixty-first parallel was acknowledged by the Russian Government, the only power holding claims of any value which conflicted with

Spain. In 1790 complaints had been made to the Russian court against Russian subjects for invading Spanish territory south of 61° of north latitude. To this complaint the Emperor of all the Russias, through the proper channels, replied in the following words:

> The Emperor assures the King of Spain he is extremely sorry that the repeated orders issued to prevent subjects of Russia from violating in the smallest degree the territory belonging to another power should have been disregarded.

This was a clear and unequivocal recognition of the sovereignty of Spain to all territory south of the sixty-first parallel.

The contention on the part of Great Britain that whatever rights the United States acquired in the Oregon territory in virtue of the treaty with Spain, known as the "Florida treaty" of 1819, were subject to certain rights of Great Britain as to alleged joint occupancy with Spanish subjects existing in virtue of the "Nootka" treaty of 1790, was completely annihilated, first by Secretary Calhoun in 1843 and subsequently by Secretary Buchanan in 1845. They clearly demonstrated two propositions: First, that not only had Great Britain acquired no rights of sovereignty in virtue of the treaty of 1790 with Spain, but by that treaty the sovereignty of Spain was directly conceded; for the only rights fully recognized to Great Britain in that treaty were that her subjects should not be disturbed in landing on the coasts in places already occupied for the purpose of carrying on trade with the natives. Second, that the treaty of 1790 was abrogated by the declaration of war by Spain against Great Britain in 1796, that by that war it fell to the ground and was never resurrected, and therefore every right which Great Britain had in virtue of its provisions vanished. In their discussion the principle of public law that war terminates all subsisting treaties between the belligerent powers was discussed with great ability. It was clearly shown that the only exception to this general rule is in cases of a treaty *recognizing* certain sovereign rights as belonging to a nation which had previously existed independently of any treaty engagement—that is to say, those rights which the treaty did not *create*, but simply *recognized*, can not be destroyed by war between the governments constituting parties to the treaties.

The treaty of peace, for instance, between this country and Great Britain of 1783, wherein Great Britain acknowledged that the United States was "free, sovereign, and independent" is of this exceptional character—a right *recognized*, but not *granted* by treaty, and hence a right which can not be destroyed by war.

The claim of Spain to the "Oregon Country," that is, the territory lying on the Pacific Ocean north of the forty-second parallel, and extending to 54° 40', did not rest alone on discovery and settlement, but also as being embraced in and a part of the ancient Louisiana, ceded by France to Spain in 1762, and by a secret arrangement receded to France in 1800, then ceded by France again to the United States in 1803, known as the "Louisiana Purchase."

Whatever claim, therefore, Spain had to the "Oregon country" in 1800 prior to her cession to France, in virtue either of discovery and settlement on the one hand, or by cession from France as a part of the ancient Louisiana on the other, vested in the United States by the Louisiana purchase. That Spain, therefore, was the real and sole sovereign owner of the whole of Oregon Territory as against Great Britain there can be no doubt, and the United States succeeded to all the rights which Spain ever had—first, by the cession from France in 1803, and, second, by virtue of the Florida treaty and cession from Spain in 1819.

THE REAL DISCOVERER OF THE "OREGON COUNTRY."

Whatever may be said as to discovery, tenancy, occupation, exploration, and settlement of that vast region of the mighty West lying north of the forty-second parallel and extending to the ridge of the Rocky Mountains, or whatever may be the character of those claims on the part of any country, the glory of the *actual discovery* and of the real *scientific exploration* and *actual settlement* belongs to America and the United States, and on that high and unimpeachable title, irrespective of all others, has our country forever stood, and can forever stand, in its claim to the territory of Oregon. The only regrettable thing is that the United States should ever by compromise have bartered away unnecessarily any portion of that vast territory. The claim 54° 40', made by the Democracy in the campaign of 1844, should in my judgment never have been abandoned, but maintained to the bitter end.

The first real assertion of sovereignty in all that vast region occurred when on May 11, 1792, Captain Gray, of Boston, an American citizen and navigator and naval officer during the Revolutionary war, master of the merchant ship *Columbia*, discovered and entered the mouth of that great river of the West. He ascended its waters a distance of 25 miles, remaining there nine days, and named the river "Columbia," in honor of his ship, planted the American flag on its shores, and took possession of the country in the name of the United States. Indefatigable were the efforts of Great Britain to wrest this honor from the United States, and in support of this effort all manner of claims were from time to time set up. A suspicion had been entertained for many years, perhaps a century prior to 1792, in the minds of Spanish and English navigators that a large river emptied somewhere into the waters of the Pacific Ocean, and the English navigators, Mears and Vancouver, had been instructed by their respective Governments to make every effort to discover it. They spent months in the years 1791 and 1792 in this effort, but without result.

"Mears," said one historian, "failed to find the mouth of the supposed river when he was led to explore for it in the Straits of Fuca, and made permanent record of his failure in the two titles he left there—'Cape Disappointment' and 'Deception Bay.'"

The same historian in speaking of Vancouver says: "Vancouver scrutinized that coast for about 250 miles and so minutely that the surf was constantly seen from the masthead to break on its shores. Thus he failed to discover the mouth of the Columbia, mistaking evidently the breakers on its fearful bars for coast surf."

This entry was made in his journal April 29, 1792, only twelve days prior to the date when Captain Gray made the discovery, and yet because the English navigator Vancouver subsequently sailed farther up the river than did Captain Gray, the latter directing him how to find the entrance, Great Britain insisted that he, and not Captain Gray, was the discoverer of the Columbia, and that all the rights which attached to such discovery belonged to England and not to the United States. In discussing this phase of the Oregon question, Professor Twiss, of Oxford University, in an elaborate paper said: "Captain Gray's claim is limited to the mouth of the river." The historian, Barrows, in commenting on this character of reasoning very pertinently says: "Thus the discovery of a river is made a progressive work by English claimants, as if one should discover the Mississippi at New Orleans, another at Memphis, another at Cairo, another at the mouth of the Missouri, and so on to the Falls of St. Anthony, as if the discovery of a lost cable were progressive as the separate links of the chain were hauled on board." "If," says the historian, "this had not been said by plenipotentiaries we should call it puerile."

Mears not only did *not* discover the Columbia River, but, on the contrary, he expressly declared there was no such river emptying into the Pacific Ocean. "We can now safely assert" said he in his report, "that there is no such river as that of St. Roque, as laid down on the Spanish charts." And, as if to emphasize the failure of his expectations, he named the promontory lying north of the inlet where he had expected to discover it "Cape Disappointment" and the inlet itself "Deception Bay," names by which they have been known ever since.

Gray's discovery and the purchase of Louisiana territory were quickly followed by scientific exploration on the part of the Government of the United States, followed by settlement on the part of its citizens. The expedition of Lewis and Clark organized before and sent out immediately after the Louisiana purchase was one of the most daring, difficult, dangerous, and at the same time successful, of all expeditions of which history of this or any other country gives record. There seems to be some difference in the statements of historians as to the number composing that expedition. According to Barrows it consisted of 28 persons in all—Lewis and Clark voyageurs, 9 young Kentuckians, 14 United States soldiers, 2 Canadian voyageurs, and 1 negro, the body servant of Captain Clark. According, however, to the probably accurate notes of Doctor Coues to his new edition of the history of that expedition, it consisted of 45 men from Missouri to the Mandan country, and of 32, including Lewis and Clark, thereafter across the continent, the others returning from that point, as was the original programme.

The authority under which Captains Lewis and Clark acted, as stated in the commission issued to them by President Jefferson, was "to explore the river Missouri and its principal branches to their sources, and then to seek to trace to its termination in the Pacific some river, whether the Columbia, the Oregon, the Colorado, or any other which might offer the most direct practicable water communication across the continent for the purposes of commerce."

The time occupied by these courageous men in consummating the important and hazardous duty assigned them by their Government was two years four months and nine days, during which time they traveled more than 9,000 miles through an unbroken and trackless wilderness.

The start was made May 14, 1804, from their camp on the Mississippi near the mouth of the Missouri, and, returning, they reached St. Louis September 23, 1806. They discovered the headwaters of the Missouri and the Columbia, and followed the waters of the latter until they landed at Cape Disappointment, at the mouth of the Columbia River, in Oregon, November 15, 1805. They remained there in camp until March 23, 1806, a period of more than four months, when they commenced their ascent of the Columbia River in their canoes on their return trip.

The hardships experienced by these brave men and by the courageous pioneers—men and women—who in the next half century followed in their footsteps and braved the innumerable hardships and dangers of the far West have never been, nor can they be, fully depicted by pen or tongue. To them are the people of America greatly indebted, for they have hewn out with willing hands, borne on stalwart shoulders, and set with stability in its everlasting resting place the foundation stone of one of the grandest pillars, upon which, in part, rests to-day the superb superstructure of American development and American civilization.

How strangely interesting and pathetic is the history, and how peculiar the vicissitudes surrounding the lives of some men! Both of these intrepid explorers subsequently became governor, at different periods, of Missouri Territory. Captain William Clark, seven years after his return from the great exploring expedition that has rendered the name of Meriwether Lewis and William Clark immortal, became governor of Missouri Territory, serving in that capacity from 1813 to 1821, and as superintendent of Indian affairs at St. Louis from 1822 until his death. While Captain Meriwether Lewis, after passing through all the untold hardships and perils of that memorable expedition, returned to serve a brief time as governor of the Missouri Territory from 1807 to 1809, and then at a comparatively early age, to find a lonely grave in the forests of Tennessee, either as a *felo de se* or as a victim at the hand of an assassin, just which, history has never yet definitely determined. But where or when or how they died, they can each exclaim with the blind poet of old, "*Exegi monumentum aere perennius.*"

THE UNITED STATES COUPLED SCIENTIFIC EXPLORATION AND ACTUAL SETTLEMENT WITH OCCUPANCY.

But not only by succession to every right which both France and Spain had to the "Oregon Country," either in virtue of occupancy or otherwise, not only by the right of sovereignty which attaches to the discoverer of a new country, nor yet by those rights which follow in the wake of scientific exploration, did the Government of the United States rest its claim to the territory of Oregon; but added to all these is that other accumulated right, which is the result not simply of *occupancy*, but of *actual settlement*. The law of nations recognizes a wide difference between those rights which attach to mere *occupancy* and those which attach to *actual settlement*. The natives of this territory in their wild, uncivilized state were mere *occupants*, mere *tenants*, they were not *settlers*. The Hudson Bay trappers and traders who invaded Oregon territory in pursuit of peltries and furs, were mere *occupants*, similiar in all respects in the light of the law in regard to territorial rights which result from such occupancy as those which attach to the natives; they were not *settlers* within the legal signification of that term, nor did they attract to themselves those territorial and sovereign rights which international law accords to settlers. The interests of civilization, says the law of that civilization, can not permit a great empire of wild country to remain as such for the use of wild men for a game life; no less could the law of that civilization permit this great foreign monopoly, the Hudson Bay Company, to occupy such country for the sole purpose of accumulating and speculating on the spoils of the hunter, and without any effort whatever to either develop or increase the natural productions of the country, or locate or promote a single settlement.

It was, therefore, by mere *occupancy* and not by *settlement* that England sought originally to strengthen her claim and to assert rights in the Oregon territory. With the United States and the people of the United States it was entirely different. With the latter *occupancy* was coupled with that other and higher attribute of development and civilization, namely, *scientific exploration* and *actual settlement*.

For instance, Aster's project contemplated not merely the occupancy of this distant territory for purposes similar to the Hudson Bay Company; his purposes were of a much higher order; they embraced *settlement*, the establishment of civil society, the proposed development of the country, the leveling of the forests, the construction of houses, the cultivation of the land, the building of homes, the erection of schoolhouses and churches, the making of towns and cities, the establishing of marts, the creation of commercial arteries, and the establishment of such civil institutions as would tend to attach the new territory with bonds indissoluble to the States of the American Union, and thus weaken and finally and forever sever every adverse claim, and at the same time expand and develop the country and the commercial and political prestige and power of the nation. Irving, in his "Astoria," summarizes the plans and expectations of Astor in these words:

> He considered his projected establishment at the mouth of the Columbia as the emporium to an immense commerce; as a colony that would form the germ of a wide civilization; that would, in fact, carry the American population across the Rocky Mountains, and spread it along the shores of the Pacific, as it already animated the shores of the Atlantic.

THE HUDSON BAY COMPANY—A POWERFUL AND INFLUENTIAL AGENT OF THE BRITISH GOVERNMENT.

That Great Britain, operating through divers influential channels, notably the Hudson Bay Company, reenforced as it was in 1821 by consolidation with the Canadian Northwest Company of Montreal, exerted a most formidable power against the settlement of Oregon territory by Americans, and the waves of whose influence reached Washington, and for a time threatened the loss of the whole territory, is an historical fact well established. That Daniel Webster, as Secretary of State, was by these influences at one time convinced that the whole territory was an unbroken waste of sandy deserts, impassable mountains and impenetrable jungles there can be no room for doubt. These powerful influences had been operating in divers ways prior to 1842 for more than a third of a century. Their effect on the individual and public mind in the East, and on the official mind as well in Washington, was marked in the highest degree. That Webster, as Secretary of State, had seriously contemplated including the whole of this territory in the Ashburton treaty, and subsequently in a separate treaty, in exchange to Great Britain for certain cod fisheries in Newfoundland, is beyond question.

The insidious and powerfully effective influences and the remarkably successful aggressions of the Hudson Bay Company are best illustrated by the triumphs it achieved in the face of what seemed insurmountable obstacles. Although its original charter dates back to Charles II of England, in 1670, by which it was granted certain important rights, forty years prior to that a similar charter had been granted to the Canadian Northwest Fur Company by Louis XIII of France. Prior to 1821 this company was in numbers, capital, influence, and power vastly superior to and a most formidable rival of the Hudson Bay Company; yet the latter, notwithstanding all this, through its superior management and great diplomacy, compelled the former in 1821 to yield to and accept its own terms as to union and consolidation, and from that date the Hudson Bay Company, thus reenforced in capital, numbers, and influence, and in the number and extent of its outposts, directed all its vast energies and immense powers to wrest from the United States and obtain eventually for Great Britain the whole of the "Oregon Country."

But notwithstanding these superior rights on the part of the United States, in virtue not only of occupancy but also of scientific exploration and settlement entitling this country to exclusive sovereign rights in the whole of the Oregon territory, the fact that the Hudson Bay Company had extended its operations into that region, and was engaged in trade there with the Indians, induced our Government to make the fatal mistake of entering into a treaty with Great Britain in 1818 providing for joint occupancy for a period of ten years. This stipulation was extended indefinitely by another treaty with Great Britain in 1827, promulgated May 15, 1828.

These treaties, however, were not intended, nor did they or either of them in any manner attempt, to determine the respective sovereign claims of the United States and Great Britain, or in fact those of any other government, to this territory; they were intended only, as expressly stated in the treaties, "to prevent disputes and differences among the occupants of that territory."

That the Government of the United States made a fearful mistake in ever consenting by treaty stipulation that Great Britain should, through its subjects, occupy the "Oregon Territory" jointly with our citizens for a period of twenty-eight years, instead of standing, in 1817, on our rights as sovereign and insisting that they should be respected, is now, I think, pretty generally conceded. The value of the furs of which this country was stripped by the Hudson Bay Company in that time was immense, amounting to many millions of dollars. In the four years, 1834 to 1837, the Hudson Bay Company alone, according to reliable statistics, killed in that region (the Oregon country) over 3,000,000 fur-bearing animals, including beaver, marten, otter, fox, muskrat, bear, ermine, fitchew, lynx, mink, wolf, badger, and raccoon. The American fur traders could not compete with the Hudson Bay Company, as all the supplies of the latter came in free of duty.

But the fact that by the joint occupancy this great monopoly was enabled to strip the country of its wealth was as nothing compared with the powerfully hostile influence it constantly exerted against the settlement of the country by Americans and the foothold it afforded Great Britain, enabling that power to successfully postpone for nearly a century the final settlement of the question as to our rights, and which in the end compelled us to compromise and deprived us of that vast extent of territory lying between the forty-ninth parallel and 54° 40', the Rocky Mountains and the Pacific Ocean. Thomas H. Benton and many other leading men denounced this policy of joint occupation. Senator Benton, in 1845, referring to the treaty of joint occupation, said: "I have been clear against joint occupation for twenty-eight years as a treaty of unmixed mischief to the United States." Histo-

rians agree that this company stripped the "Oregon Country" of furs of the value of over $1,000,000 annually, amounting to perhaps $40,000,000 in the twenty-one years of joint occupancy.

It was the entirely too ready disposition on the part of our Government in the years 1818, 1827, and 1829, to compromise our rights in the Oregon territory which resulted eventually in a loss to this country of territory the value of which can not be estimated. Both Presidents Tyler and Polk were handicapped by the offer of settlement made to Great Britain under former administrations, to which the Government had consented, treating the same to a compromise on the forty-ninth parallel. Thus, then, was the status of the "Oregon Country" from the date of our treaty with Great Britain in 1818 until our treaty of 1846, a period of twenty-eight years. It was one of joint occupancy in virtue of treaty stipulations between the two countries, and it was during these twenty-eight years that the great battle as to the ultimate ownership of Oregon was fought and won. It was not wholly, though in part, a battle of words, the field of carnage. It was a mighty, a peaceful, in one sense a peaceful, and in another sense a diplomatic contest between the representatives of two civilizations and of two mighty nations, each contending with the other for the supremacy, and each also with the aborigines, the savages whose country was being invaded, though for their civilization and ultimate good. Such was the political status, emphasized by treaty stipulation, as to induce the belief on the part of Great Britain that the ultimate right to the whole territory would be determined, not so much by the question of *prior right of discovery, exploration*, and *settlement*, but rather by the *character and extent of settlement* in the years that should intervene during the period of joint occupancy, and before the final decision should be made by arbitration or otherwise.

During this period two processes seemed to inspire the Government of Great Britain as a means of ultimately securing to herself the absolute ownership of the whole of the vast "Oregon Country." One was to impress on our public men and the Government at Washington in every possible manner the alleged worthlessness of the territory; the other was to push forward unremittingly through the instrumentality of the great governmental organ, the Hudson Bay Company, actual settlements in the territory. That they succeeded in a very large degree in impressing many of the prominent officials of our Government that the whole territory was a worthless waste, not worth having, much less worth contending for, is made clearly apparent from the Congressional debates during the twenty-eight years of joint occupancy, and for many years thereafter, even as late as 1846.

In view of the present status of this mighty empire of civilization and human progress it would not be uninteresting, but rather amusing, to recall some of the declarations made in the Senate of the United States by prominent men who had been thus influenced by misleading representations and reports from these sources. For instance, Senator McDuffie, of South Carolina, in discussing in the United States Senate in 1843 the bill of Senator Linn, of Missouri, extending the laws of the United States over the territory of Oregon, and proposing grants of the public lands to American citizens as an inducement to settlers, which bill first passed the Senate February 3, 1843, said:

> The whole region between the Rocky Mountains and a vast tract beyond that chain of the Mississippi is a desert, without value for agricultural purposes, and which no American citizen should be compelled to colonize even as a punishment for crime. When we of West [illegible] talking of the agricultural purposes. I would be for [illegible] purposes [illegible] the whole territory. I wish to God we had [illegible] I would [illegible] possible barrier to separate us from the [illegible] of this country. We are [illegible] honest farmers in Pennsylvania, New York, or [illegible] and Missouri, to abandon their farms to go upon any such enterprise. [illegible] any man is to go to that country [illegible]

Finally Senator McDuffie concluded his speech by saying: "If I had a son who was a fit subject for Botany Bay, I would urge him to go there."

But not only leading statesmen of the country but eminent historians of that time were laboring under the fearful delusion as to the character and value of the Oregon country. Greenhow, writing in 1844, in his "History of Oregon and California," after stating his knowledge and views as to the region included in Oregon Territory, says:

> Thus, on reviewing the agricultural, commercial, and other [illegible] advantages of Oregon, there appears to be no reason, [illegible] any state [illegible] of that country [illegible] own provinces to the other [illegible] a very moderate competence.

Even Senator Benton, of Missouri, who subsequently became one of the great defenders of our rights in Oregon, though unfortunately never to the full extent of our rights of claim to territory in the North, but only to the forty-ninth parallel, as late as 1825 regarded Oregon as not worth holding. In that year, in his place in this Senate, he said:

> The line of the Rocky Mountains may be named as a convenient, natural, and enduring boundary. Along this ridge the western limits of the Republic should be drawn, and the statue of the fabled god "Terminus" should be erected on its highest peak, never to be thrown down.

But, thanks to the brave pioneer heroes whose names and memories are rightfully forever emblamed in the affections of every true American, the western limits of the Republic were not drawn on the ridge of the Rocky Mountains. The fabled god "Terminus" was never stationed there. Providence had willed it otherwise and a brave and courageous people executed that will.

But still more startling is the fact that twenty-one years after Senator Benton made the declaration I have just quoted, Senator Winthrop, of Massachusetts, as late as 1846, quoted what Benton had said in 1825, and then remarked:

> This country will not be straitened for elbow room in the West for a thousand years [illegible] the West nor the country at large has any real interest [illegible]

Mr. HOAR. Mr. President —

The PRESIDING OFFICER (Mr. FULTON in the chair). Does the Senator from Oregon yield to the Senator from Massachusetts?

Mr. MITCHELL. Certainly.

Mr. HOAR. I should like to make a brief statement, if the Senator has no objection; and if he has, I will not have what I am about to say put into his speech, even after I have said it.

Mr. MITCHELL. I have no objection. I yield.

Mr. HOAR. But I should like to say, in justice to Mr. Winthrop, that that declaration of his was made one year before the discovery of the electric telegraph.

Mr. MITCHELL. That is true.

Mr. HOAR. To that extent Mr. Winthrop lived to see his mistake. The statements in question were made when a transcontinental railroad was considered a mere chimera, and there was no telegraphic communication known at that time.

If the Senator from Oregon does not object to having my statement in regard to Mr. Winthrop go into his speech, I should be glad to have it go in.

Mr. MITCHELL. That is all very true, and I have no objection to the Senator's statement going into the RECORD. It should be borne in mind, however, that in addition to the lack of means of information the Hudson Bay Company, as the active agent of Great Britain, was constantly conveying the impression to the public men of the country that the Oregon country was a worthless waste.

Mr. HOAR. I suppose my honorable friend himself would say that he has very grave doubt whether a union between the Pacific and Atlantic States could be maintained without railroad communication and without telegraphic communication.

Mr. MITCHELL. They are very important instrumentalities, great factors in consolidation and national cohesion.

The Hudson Bay Company, through whose active influence this false sentiment was mainly created, was in every essential sense the direct, active, and all-powerful agent of the British Government. It held its charter and its licenses from that Government. Its officers were superintended by a governor and deputy governor and a committee of directors resident in London, while a resident governor superintended and directed its vast operations in America. The officers and members of the Hudson Bay Company were, as a rule, under the domination of the home government. One grand exception, however, stands out in history. Dr. John McLaughlin was a true friend of the American pioneer. Brave, generous, noble, his house, his larder, his horses, his cattle were all at the service of the poor, travel-worn, weary, and discouraged immigrant. But for this disposition and these noble qualities he was ostracized by the company and by the British Government, driven into exile at Oregon City, there to end his days, yet respected, venerated, honored by the pioneers of Oregon and all who knew him and his history.

PRESIDENT POLK'S ADMINISTRATION—54° 40' OR FIGHT.

Pending discussions in Cabinet and Congress at Washington as to the supposed valueless character of the whole "Oregon Country," and as to the inadvisability of any particular effort being made to retain it, Doctor Whitman made his memorable ride across the continent in the winter of 1842 and 1843. The fame of this winter journey upon the part of Doctor Whitman extended throughout the nation, and the subject of Oregon and the rights of the United States in respect to the "Oregon Country" were matters of wide discussion in all political circles. Public sentiment was wrought up to the highest pitch, and as a result the Democratic national convention which met at Baltimore in 1844 had as one of its planks "Fifty-four forty or fight," and on this platform the Polk Administration came into power. The embarrassments, however, with which it was surrounded, growing out of the Oregon question and this particular plank in the platform, were many. President Polk found that preceding negotiations during the Administrations of his predecessors, Monroe, Adams, and Tyler, had not proceeded on the part of the United States on

the theory of our right to fifty-four forty; that the negotiations proceeded rather on the idea that they should treat the respective claims of the two countries in the Oregon territory with a view to establishing a permanent boundary between them west of the Rocky Mountains to the Pacific Ocean, and in this compromising spirit these Administrations had proposed to fix the boundary on the forty-ninth parallel.

To add to the embarrassment, many leading Democratic Senators, including Benton, of Missouri, scouted at the idea that our rights extended to fifty-four forty and insisted that we had no rights extending northward farther than the forty-ninth parallel. To add still further to the embarrassment of the situation, Great Britain, through her minister, on June 6, 1846, before the Administration of Mr. Polk was cleverly launched, submitted a proposition, the same that was finally agreed on, of the forty-ninth parallel, and coupled with it the suggestion that it must be accepted at once and without delay, if at all. In this great political dilemma President Polk resorted to a course which, though adopted a few times in the early years of our Government, had not been resorted to for nearly one-half a century—that is, of asking the advice of the Senate of the United States in advance of action on the part of the Executive. Consequently, on June 10, 1846, President Polk transmitted to the Senate the proposal, in the form of a convention presented to the Secretary of State on the 6th of that month by the British envoy, for its advice. Mr. Polk's message transmitting this convention concluded as follows:

> Should the Senate by the constitutional majority required for the ratification of treaties advise the acceptance of these propositions, or advise it with such modifications as they may think fit, I shall consider them proper. I shall conform my action to their advice. Should the Senate, however, fail to give by such constitutional majority to give such advice, or to express an opinion upon the subject, I will consider it my duty to reject the offer.

In other words, President Polk, encompassed on the one hand by the plank in the platform on which he was elected of "Fifty-four forty or fight," and on the other hand by the action of preceding Administrations in conflict with the proposition, his party leaders divided on the question, and the issue brought directly to the front by Great Britain, concluded to and did throw the whole responsibility on the Senate of the United States. Two days subsequently, June 12, 1846, the Senate adopted a resolution advising the President to accept the proposal of the British Government, and as a result the convention was finally agreed to June 15, 1846. So, although this memorable controversy had remained unsettled for nearly half a century, it is a remarkable historical fact that but nine days elapsed between the submission of the final proposition to compromise by Great Britain and the signing of the treaty.

Notwithstanding the fact that one hundred and eleven years have elapsed since the discovery of the Columbia River by Captain Gray, one hundred years since the cession of Louisiana, and eighty-four years since our cession from Spain, the settlement of our title to a certain portion of Oregon was held in abeyance until October 21, 1872, only thirty-one years ago—that was the island of San Juan. The treaty of June 15, 1846, between the United States and Great Britain, which was intended to settle all questions relating to our northern boundary, inadvertantly left the question as to the title to this island an open one. The treaty in defining the northern boundary of the United States from a point in the Rocky Mountains on the forty-ninth parallel (from which point east the boundry line had been fixed by the second article of the treaty of Washington in 1842) read as follows:

> Shall be continued westward along the said forty-ninth parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island, and then southerly through the middle of said channel and Fuca Strait to the Pacific Ocean.

This island is located in the "channel" mentioned in this treaty, and the question at once arose, and for a period of twenty-five years was a source of aggravating controversy between this country and Great Britain, at one time very nearly involving the two nations in war, as to which was the "channel" referred to in the treaty. Great Britain, true to a national tendency, insisted that the "channel" referred to in the treaty was on the south side of the island, while the United States contended that Haro Channel, on the north side of the island, was the main channel within the meaning of the treaty.

This minor boundary controversy was finally adjusted by the provision in our treaty with Great Britain of May 6, 1871, submitting the question to the arbitration of the German Emperor, who on October 21, 1872, made his award, sustaining the contention of the United States; and thus after a period of nearly eighty years, dating from the discovery of the Columbia by Captain Gray, and after a period of nearly seventy years from the date of crossing the continent by Lewis and Clark, the whole question as to the ownership of the Oregon country was finally determined. Not, however, without a sacrifice of important rights as to our northern boundary in the interest of compromise.

THE DIPLOMATIC CONTROVERSY BETWEEN GREAT BRITAIN AND THE UNITED STATES OVER THE OWNERSHIP OF THE "OREGON COUNTRY."

The history of the diplomatic controversy between the United States and Great Britain involving the Oregon country is highly interesting.

One contention of Great Britain respecting the Oregon territory which was very earnestly and with some degree of facetiousness asserted by the British minister, Packenham, was that the different titles under which we claimed were conflicting, and therefore destroyed each other, namely, discovery by Spain, cession from France, and discovery and settlement by American citizens.

But Mr. Calhoun, as Secretary of State, in his letter to Mr. Packenham, disposed of the assertion as follows:

> It has been objected that we claim under various and conflicting titles which mutually destroy each other. Such might indeed be the fact were they to be considered as joint parties, but since we have carefully excluded both these of Spain and France, it is [illegible] they pursue. [illegible] chain of title against the opposing claims of all others, [illegible]

While Mr. Buchanan, as Secretary of State, in referring to this phase of the case, said:

> This is a most ingenious method of making two distinct and independent titles, held by the same nation, worse than one, of acting as a bar against each other, and thus destroying the sequence of both. Spain has indeed Spain transferred all her rights to the United States and possessed no conflict between the two titles exists, both being united in the same party. Two titles which might have conflicted, therefore, work thus united together. The European nation in the United States is just as strong as though every act of the very extinction and settlement on the part of both powers had been performed by Spain. No sooner she transferred all her rights to the United States. The two persons are one in this respect; the two titles are one, and they serve to confirm and strengthen each other.

Again, Great Britain, through her plenipotentiaries, sought to discredit the effect of the discovery of the Columbia River by Capt. Robert Gray, for the reason, as suggested, that his ship, the *Columbia*, was a trading and not a national vessel. This contention, however, was speedily disposed of by Mr. Buchanan with this remark:

> The British plenipotentiary attempts to depreciate the value to the United States of Gray's discovery because forsooth, the Columbia was a trading and not a national vessel. As he furnishes no reason for this distinction, the undersigned will confine himself to the remark that a merchant vessel bears the flag of her country at the masthead and carries under its protection and protection in the same manner as the ship that has been commissioned for the express purpose of making discoveries.

In this long, interesting, and able diplomatic contest one of the most interesting questions discussed was as to what extent continuity of boundary furnishes a just claim in connection with those of discovery and occupation. This question grew out of the claim on the part of the United States that the Lonisiana Territory extended to the Pacific Ocean. This claim was denied on the part of Great Britain. It was insisted, however, with great ability, by Secretary of State Calhoun, and subsequently by Secretary Buchanan, as follows:

First, that the claim was valid under public law; and

Second, that Great Britain having asserted the validity of the doctrine in reference to her possessions in this country as against France, even to the extent of going to war with that power in 1763, she was estopped from denying the validity of the doctrine as against the United States, especially inasmuch as our people had contributed so much to the result in that contest favorable to Great Britain; and it was further contended by our diplomatists that Great Britain, whatever may have been her rights in Oregon territory, relinquished all to France by the seventh article of the treaty between Great Britain and France at the close of that war in 1783.

The controversy in regard to the correct northern boundary of the Oregon territory, whether the forty-ninth parallel, as now agreed upon, except along the Straits of Fuca, or 54° 40' north, is familiar to all. Spain unquestionably always asserted claim as far north as the sixty-first parallel, but in her treaty with Russia 54° 40' was recognized. It was claimed, however, that by the treaty of Utrecht in 1713, which provided for determining "the limits to be fixed between the Bay of Hudson and the places appertaining to the French," the boundary between Louisiana and the British territories north of it was actually fixed by commissioners on latitude 49°. Whether this is true or not is a matter of very serious disputation. A careful examination of all history bearing upon the point leads me to the conclusion that such was not the fact.

In reply to the claim of the United States to go to 54° 40' it was asserted that whatever might have been the right of Spain, the latter in ceding to France in 1800, stipulated to convey only as far north as the forty-ninth parallel. To this contention the United States replied, and with much force, and the contention should never have been abandoned: "If this be so, and if it be true the right of Spain is good to 54° 40', then the strip between the forty-ninth parallel and 54° 40', which it was alleged was not included in the cession of Spain to France in 1800, was included

in the [illegible] of Spain to the United States in the treaty of Florida [illegible] every right she had on the [illegible] In discussing this [illegible] Mr. Secretary Buchanan, in his reply to [illegible]

[illegible]

Still [illegible] in 1818 and down to the final settlement of the boundary question in 1846 [illegible] difference in the views of American [illegible] was as to whether the [illegible] to 54° 40' or only to the forty-ninth parallel. All [illegible] our claim was pressed [illegible] the latter, which many of our statesmen and diplomatists, strengthened and supported by a powerful sentiment among the people, insisted that our claim extended to 54° 40'.

FINANCIAL FAILURES HERETOFORE NO ARGUMENT AGAINST FUTURE EXPOSITIONS.

The fact that some expositions in the past have been financial failures is no valid argument in opposition to the promotion of expositions. The basic principles upon which the advocates of the propriety, the beneficiary, and advisability of expositions rely as a conclusive argument in their favor and in favor of their recognition and support by the General Government is not by any means that of financial benefit to the promoters and managers of such expositions. If this were so, the claim for Government recognition and aid would, I concede, rest on a most unsubstantial and [illegible] basis. Considerations of a vastly higher nature and of infinitely more importance than the mere question of immediate financial gain in dollars and cents are involved. They are [illegible] are in a physical, intellectual, and moral sense to national growth and patriotism and [illegible] itself.

PRESIDENT ROOSEVELT'S CORDIAL INDORSEMENT AND EARNEST RECOMMENDATION.

It is gratifying that the present Chief Executive of the nation feels in [illegible] tion and warrant [illegible] governmental recognition and aid. In President Roosevelt's recent message he says:

I trust that the Congress will [illegible] Louisiana Purchase Exposition [illegible] tion and warrant [illegible] governmental recognition and aid. In President Roosevelt's recent message he says:

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THE "OREGON COUNTRY"—THE STATES OF OREGON, WASHINGTON, IDAHO, AND PARTS OF MONTANA AND WYOMING CAN FURNISH HOMES FOR MANY PEOPLE.

As evidence of what the "Oregon Country" is to-day, the character, variety, and extent of its products, will illustrate not only its present productive capacity but the possibilities of that vast country in the capacity to furnish homes for many people. Even then, the density of population will be relatively less than that of many European countries. And it is not a fact that any enterprise that tends to the upbuilding of this portion of the American domain will not only redound to the general welfare, prosperity, and happiness of the people of this country, but to the permanent benefit of the best and most enlightened government on the face of the earth, the Government of the United States? And in this connection I believe, Mr. President, there is no thing this Government can do, or that the people of the "Oregon Country" can do, contributing as it will and ought to do to this general commemoration as well the proposed national, international, and oriental exposition, in the aid of which the pending bill has been presented.

In support of the statement I have just made of the capacity of what was [illegible] as the "Oregon Country" to furnish homes for [illegible] people I call attention to the fact that there were, on June 30, last, [illegible] acres in the State of Washington, [illegible] acres in the State of Idaho, while in that part of the State of Montana which was formerly part of the "Oregon Country" there were, on June 30 last, approximately 7,[illegible] acres, and in that portion of Wyoming formerly part of the "Oregon Country" 3,291,136 acres.

This is an age of advancement; it is an age of development; it is an age of progress; it is an age of expansion; it is an age in which the very highest ideals of American enterprise and civilization are being promoted. A spirit of genuine strenuosity and patriotic advancement pervades the American mind. This spirit is being rightfully and patriotically led with commendable vigor by one of the most genuine [illegible], vigorous, and patriotic Presidents that has ever occupied the Presidential chair. The President is a thorough believer in the great beneficial effects of a national and international [illegible] in and has the courage to declare in favor of national [illegible] and governmental aid of the proposed Lewis and Clark Exposition. I, therefore, for this and other reasons, am [illegible] and properly for the President, for the Lewis and Clark Exposition, and, above all, I am for the flag and for the appropriation.

A contrast between the status of the "Oregon Country" one hundred years ago and its present status presents a historical lesson of marvelous importance and profound interest.

The displacement of the hut of the savage and the home of the barbarian by the schoolhouse, the academy, seminary, and university, and the innumerable homes of civilized, educated, Christianized and happy people, illustrates the civilizing and Christianizing influences that naturally and necessarily followed in the way opened to them by the grand expeditionary enterprise of Lewis and Clark. We find in this century a wilderness covering nearly one-half of the continent transformed into a land of beauty, of promise, of production, of elevation to a position of civilization second to none in all the history of nations; a country now productive in the highest degree in agriculture, in commerce, in manufactures, in fisheries, in mineral wealth, in fruits and berries of every description—apples, cherries, peaches, pears, prunes, grapes—and in cereals of every character.

The salmon fisheries of the Columbia River, producing annually hundreds of [illegible]ls of the finest fish that ever satiated the palate of man; the vast lumbering establishments scattered throughout this vast domain, turning out every hour millions of feet of fir, pine, cedar, hemlock, maple, myrtle, and other [illegible] of the finest lumber ever manufactured; its innumerable highly productive mines of gold and silver and copper and cinnabar and coal and asbestos; its flocks and herds of [illegible] cattle, sheep, goats, and other live stock; its schools and colleges and other institutions of learning; its churches, its asylums and other chee[illegible] of [illegible] trade all bear testimony of the [illegible]st and most interesting character to the marvelous development of the "Oregon Country" in the last one hundred years.

RAILROADS IN THE "OREGON COUNTRY."

As an evidence of the marvelous industrial development of the "Oregon Country" in [illegible] forty years ago there was not a single mile of railroad in the whole "Oregon Country," there is to-day constructed, magnificently equipped, and in operation in that territory more than 7,459 miles of first-class railroad. Of these there are in Oregon, 1,844.22 miles; in the State of Washington, [illegible] miles; in the State of Idaho, [illegible] and in those portions of Montana and Wyoming formerly in the "Oregon Country," about 1,000 miles; and [illegible] representing a money value of more than $372,[illegible]

But here is not the time or place to exploit at great length the [illegible] magnitude or the value of the present [illegible] of the Oregon Country. To do this in a more appropriate [illegible] but earnestly implore the aid of [illegible] land, Oregon, we may be able to present to the people, not alone of America, but [illegible] and [illegible] the islands of the seas and [illegible] people of the United States and [illegible] the Orient, the grand progress made in the past one hundred years in physical, intellectual, and moral development in what one hundred years ago was known as the "Oregon Country."

We desire to make an exhibit, not only to the people of the United States, but also to those of all nations, of the unlimited prospective capacity and present products of the "Oregon Country" [illegible] elements that constitute the highest standard of [illegible] in development, human progress, and civilization.

[illegible] by the [illegible] of the [illegible] and Philippine Islands [illegible] American enterprise. By [illegible], the western boundary line of the Republic, instead of being located along the ridge of the Rocky Mountains, as suggested by Thomas Benton in 1825, is extended so as to include the thousand or more of the Philippine Islands, and the statue of the fabled god "Terminus," so far from being erected on the ridge of the Rocky Mountains, as suggested by Benton in 1825, as the western boundary of the Republic, must now be located on the

most western limits of the most western island of the Philippine Archipelago, there to stand forever and forevermore the far western outpost of the American Republic.

To promote and advance our trade, to develop and increase our commerce not only with our island possessions, but also with the people and nations of the Orient, with Russia and China and Japan in the Far East, is the proud ambition of the brave, energetic business men, not only in the cities of San Francisco, of Portland, of Tacoma, and Seattle, but of all who now control the commercial and trade destinies of what was once the "Oregon Country."

The exposition, which it is their purpose shall be held in Portland, Oreg., in 1905, will be a most beneficial factor in promoting not only domestic commerce, but will also stimulate and promote the national and international trade and commerce in which the whole people and the Government of the United States are so vitally interested. This is a question that is not in its effect and operation limited to the interests of the people and States of the Pacific coast. New England, the Southern, and the Central States, and the distinguished representatives of these great sections of our common country, will, I am sure, not hesitate to lend their cordial cooperation in aid of the grand centennial exposition in behalf of the great historical achievement of Lewis and Clark.

A spirit of national pride, of national patriotism, and of national desire upon the part of the distinguished representatives of all sections of this great country will, I am sure, stimulate them to join hands with the representatives of the great West and Pacific Northwest in enabling them to exhibit in an appropriate manner what they and their predecessors have done in the interest of human progress and American civilization in the past one hundred years.

THE UNITED STATES GOVERNMENT HAS IN THE LAST FORTY-ONE YEARS AIDED ELEVEN HOME EXPOSITIONS AND TEN FOREIGN EXPOSITIONS, AND HAS APPROPRIATED IN THE AGGREGATE FOR THIS PURPOSE THE SUM OF $21,107,852.15.

The Congress of the United States has since 1875 extended aid in behalf of expositions held in the United States at the following places and in the following amounts:

Philadelphia, Pa., 1876	$2,533,184.59
New Orleans, La., 1884	1,050,000.00
Louisville, Ky., 1884	10,000.00
Cincinnati, Ohio, 1885	157,750.00
Chicago, Ill., 1893	5,810,329.64
Atlanta, Ga., 1894	200,000.00
Nashville, Tenn., 1896	130,000.00
Omaha, Nebr., 1897	240,000.00
Buffalo, N. Y., 1902	1,015,000.00
Charleston, S. C., 1902	250,000.00
For St. Louis Exposition next year	6,478,000.00

Since the year 1861 the Congress of the United States has aided ten foreign expositions, as follows:

London, England, 1862	72,000.00
Vienna, Austria, 1873	[illegible]
Sidney, New South Wales, 1879	[illegible]
Melbourne, Australia, 1880	58,000.00
Berlin, Germany, 1880	20,000.00
Barcelona, Spain, 1888	28,289.26
Brussels, Belgium, 1888	35,000.00
Madrid, Spain, 1892	25,000.00
Bergen, Norway, 1898	20,000.00

While aid has been extended to three expositions in Paris, France, as follows:

1867	$212,703.00
1878	190,000.00
1900	1,722,504.66
Making a total in aid of Paris expositions of	2,125,207.66
Making a grand total of	21,107,852.15

And yet, notwithstanding all this magnificent aid in favor of expositions, national and international, not one dollar has been appropriated in aid of any such enterprise west of the Rocky Mountains, and, with the exception of the aid extended to the Omaha Exposition, not a dollar has been appropriated in aid of any exposition west of the Missouri River.

CLIMATE—SCENERY.

The city of Portland, Oreg., has one decided and most important advantage over the city of St. Louis as a place for an exhibition. In no part of the United States can there be found a more superbly delightful summer climate than in Portland, Oreg. The atmosphere is clear, cool, invigorating, and such a thing as oppressive summer heat is a thing unknown. The city is clean and healthful and supplied with the very best cold water from a mountain stream. The scenery in and around Portland is unequaled by any other on the continent. Five stalwart mountain peaks, covered with perpetual snow, stand in imperial grandeur at its very gates. These are Tacoma, or Rainier, St. Helens, Adams, Hood, and Jefferson. These are the joy and adoration of its own people and the wonder and admiration of the thousands of tourists who annually visit the Pacific coast. No summer watering place of seaside or mountain in any part of the United States furnishes any greater or better advantages for rest and enjoyment than does the climate and scenery of Portland, Oreg.

THE NAME "OREGON."

It has been a subject of some considerable and interesting speculation among writers of distinction as to the origin of the name "Oregon." Some of these have declared with some degree of positiveness that it is derived from the Spanish, signifying "wild thyme," so called on account of the abundance of that herb found by early explorers. Others insist that it is an Indian word, in use about the headwaters of the Columbia to designate the waters of that river and meaning the "great river of the west," and obtained from them by Jonathan Carver, a native of Connecticut, in 1766–1768, who spent two years among the Indians on the waters of the upper Mississippi, now the State of Wisconsin.

Carver's accounts, however, in reference to many matters, are contradictory and unreliable, though in reference to this it is very probable he was quite right. It is more than probable that an article published about sixty-one years ago, in 1842, in Hunt's Magazine, and reproduced by the historian Brown in his political history of Oregon, presents the correct solution of the question. Speaking of Oregon Territory and the discovery of the Columbia River by Captain Gray, this article says: "The territory watered by this river and its tributaries has since"—that is, since the discovery of the river—"been called the 'Oregon Country,' from a tradition said to have prevailed among the Indians near Lake Superior of the existence of a mighty river rising in that vicinity and emptying its waters into the Pacific, and which was supposed to be the Columbia." Bryant in his celebrated "Thanatopsis," written in 1815, refers to the Columbia River as the "Oregon:" "Where rolls the Oregon, and hears no sound save his own dashings."

THE BENEFITS OF NATIONAL AND INTERNATIONAL EXPOSITIONS.

National, international, and scientific expositions in commemoration of great historic events, such as the discovery by Columbus of the Bahama group in 1492 and of the continent in 1498; the landing of the Pilgrims in 1620; the first permanent English settlement in America at Jamestown, Va., by the brave 105 colonists under Christopher Newport in 1607; the Declaration of Independence, July 4, 1776; the purchase of Louisiana territory by Thomas Jefferson in 1803, and the military expedition of Lewis and Clark are, as was so tersely and beautifully said by the late President McKinley in his last public address to his countrymen, "timekeepers of progress." They correspond to the balancing of the books of the National Treasury at the close of each fiscal year. They are, as great historical landmarks, in a sense similar to the epochs covered by the lives of great men who tower in history here and there along the great march of human events, such as Washington, Jefferson, Jackson, Calhoun, Clay, Webster, Lincoln, Grant, and McKinley, and many others that might be named, whose names and achievements an appreciative people delight to honor and whose deeds will ever be held in grateful remembrance.

Such expositions, in commemoration of such great historical events, to which allusion is made, are mighty national object lessons, pregnant with instruction, inspirational in their tendency, and which unfold to the general public, to all people, and all nations the character and degree of progress made in physical, intellectual, and moral development, and in all that pertains to national growth and human progress during the period covered by the epoch.

By these expositions the rapidity of the materialization, of the progress and development of all those essential elements which constitute the highest type of modern civilization is clearly exemplified, while they serve to encourage and stimulate our people and our Government to greater activities and into the adoption and promotion of more exalted ideals, and more forceful, persistent, and determined effort in all relations of individual and national life.

CONCLUSION.

Let us, therefore, have an exposition worthy the name of the illustrious men, and their grand achievements, in whose commemoration it is to be held; an exposition worthy the patriotic pioneers who established the foundations of a mighty empire of

political and commercial power in the far West: an exposition worthy of the present generation of intelligent, stalwart, and enterprising people now occupying the "Oregon Country;" but above all an exposition worthy the cordial recognition and liberal aid of the National Government; an exposition that will disclose not only to all of the people of the United States, both of the mainland and islands, but also to the people of the Orient and of Europe, something of our present and rapidly increasing greatness as a people, and the present status, politically, commercially, and otherwise, of one of the most interesting, virile, and enterprising sections of the American Union. *Fiat lux.*

Mr. FULTON. Mr. President, I desire to address the Senate briefly on the bill on which my colleague [Mr. MITCHELL] has just spoken, and, therefore, I wish now to give notice that to-morrow morning, after the conclusion of the routine business, I shall ask unanimous consent of the Senate to be heard upon the subject. I wish to say that my remarks will be brief. I shall not take more than twenty minutes or half an hour.

Mr. BACON. I ask the Senator, as he used the expression "routine business," does he mean after the morning hour?

Mr. FULTON. After the morning hour, I should have said.

MONUMENT ON PRINCETON BATTLEFIELD.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. KEAN. I ask the Senator to withhold the motion for a few minutes in order that I may ask for the consideration of a small bill.

Mr. CULLOM. I will withhold the motion for that purpose.

Mr. KEAN. I ask unanimous consent for the present consideration of the bill (S. 39) in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000 therefor.

The PRESIDENT pro tempore. The bill will be read for information, subject to objection.

The Secretary read the bill, as follows:

Whereas the Princeton Battle Monument Association, a corporation, has been created under and by virtue of the laws of the state of New Jersey for the purpose of erecting a monument on or near the battlefield of Princeton, in the State of New Jersey; and

Be it enacted, etc., That the sum of $30,000 be and the same is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be expended by said association under the direction of the Secretary of War to aid in erecting and completing on the battlefield of Princeton, in the State of New Jersey, a suitable monument: *Provided*, That no part of the same hereinbefore appropriated shall be paid to said Princeton Battle Monument Association shall have raised an additional sum of $30,000 to be expended in the erection of said monument, and the plans and specifications of the site, the proposed inscriptions, and the design for said monument shall be approved by the Secretary of War.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

MONUMENT TO HENRY WADSWORTH LONGFELLOW.

Mr. HOAR. If there be no objection, I should like to call up a joint resolution which was reported this morning from the Committee on the Library by the Senator from Rhode Island [Mr. WETMORE]. It is the joint resolution (S. R. 20) authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow.

The PRESIDENT pro tempore. The joint resolution has gone to the Public Printer and has not yet been returned. It will be here in the morning.

Mr. HOAR. Very well.

EXECUTIVE SESSION.

Mr. CULLOM. I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-three minutes spent in executive session the doors were reopened, and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Friday, December 18, 1903, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 17, 1903.

INDIAN AGENT.

Luther S. Kelly, of New York, to be agent for the Indians of the San Carlos Agency, in Arizona, vice George D. Corson, removed.

MARSHALS.

Gilbert B. Deans, of Alabama, to be United States marshal for the southern district of Alabama, vice Frank Simmons, resigned.

William H. Grimshaw, of Minnesota, to be United States marshal for the district of Minnesota. A reappointment, his term expiring December 18, 1903.

SURVEYOR OF CUSTOMS.

Charles J. Robb, of Indiana, to be surveyor of customs for the port of Michigan City, in the State of Indiana. (Reappointment.)

POSTMASTERS.

ALABAMA.

James M. Ragan to be postmaster at Anniston, in the county of Calhoun and State of Alabama, in place of Lansing T. Smith. Incumbent's commission expires December 19, 1903.

Hattie N. Tabb to be postmaster at Thomasville, in the county of Clark and State of Alabama. Office became Presidential January 1, 1903.

CALIFORNIA.

Horace B. Gardiner to be postmaster at Crockett, in the county of Contra Costa and State of California, in place of Horace B. Gardiner. Incumbent's commission expires December 19, 1903.

Charles S. Graham to be postmaster at Pleasanton, in the county of Alameda and State of California, in place of Charles S. Graham. Incumbent's commission expired December 13, 1903.

COLORADO.

Frank E. Baker to be postmaster at Fort Morgan, in the county of Morgan and State of Colorado, in place of Frank E. Baker. Incumbent's commission expired December 13, 1903.

John F. Morgan to be postmaster at Colorado City, in the county of El Paso and State of Colorado, in place of John F. Morgan. Incumbent's commission expires December 19, 1903.

Daniel M. Sullivan to be postmaster at Cripple Creek, in the county of Teller and State of Colorado, in place of Daniel M. Sullivan. Incumbent's commission expired December 13, 1903.

DELAWARE.

Joseph M. Harrington to be postmaster at Felton, in the county of Kent and State of Delaware. Office became Presidential July 1, 1903.

GEORGIA.

John I. Fullwood to be postmaster at Cedartown, in the county of Polk and State of Georgia, in place of William A. Chapman. Incumbent's commission expires December 19, 1903.

IDAHO.

William J. Turner to be postmaster at Mountain Home, in the county of Elmore and State of Idaho, in place of William J. Turner. Incumbent's commission expired December 13, 1903.

ILLINOIS.

David H. Baker to be postmaster at Tiskilwa, in the county of Bureau and State of Illinois, in place of David H. Baker. Incumbent's commission expired December 13, 1903.

Thomas E. Ballinger to be postmaster at Chenoa, in the county of McLean and State of Illinois, in place of Thomas E. Ballinger. Incumbent's commission expired December 13, 1903.

INDIANA.

Knode D. Porter to be postmaster at Hagerstown, in the county of Wayne and State of Indiana, in place of William H. H. Pitman. Incumbent's commission expired December 13, 1903.

INDIAN TERRITORY.

Frederick S. Walker to be postmaster at Afton, in the Cherokee Nation, Indian Territory. Office became Presidential July 1, 1903.

IOWA.

Hamline W. Robinson to be postmaster at Colfax, in the county of Jasper and State of Iowa, in place of Hamline W. Robinson. Incumbent's commission expired December 13, 1903.

KANSAS.

George H. Leisenring to be postmaster at Ellis, in the county of Ellis and State of Kansas, in place of Frank J. Brettle. Incumbent's commission expired December 12, 1903.

LOUISIANA.

Albert H. Bassett to be postmaster at Kentwood, in the parish of Tangipahoa and State of Louisiana. Office became Presidential October 1, 1903.

Ernest A. Dupont to be postmaster at Houma, in the parish of Terrebonne and State of Louisiana, in place of John M. Haggerty. Incumbent's commission expired December 14, 1903.

MASSACHUSETTS.

Everett I. Nye to be postmaster at Wellfleet, in the county of Barnstable and State of Massachusetts. Office became Presidential July 1, 1903.

MICHIGAN.

Charles Bidwell, jr., to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan, in place of Charles Bidwell, deceased.

Willard E. Holt to be postmaster at Bellevue, in the county of Eaton and State of Michigan, in place of Willard E. Holt. Incumbent's commission expires December 19, 1903.

NEBRASKA.

George B. Guffy to be postmaster at Elgin, in the county of Antelope and State of Nebraska. Office became Presidential April 1, 1903.

NEW YORK.

Harry M. Glen to be postmaster at Seneca Falls, in the county of Seneca and State of New York, in place of Harry M. Glen. Incumbent's commission expired December 13, 1903.

De Witt C. Titus to be postmaster at Hempstead, in the county of Nassau and State of New York, in place of De Witt C. Titus. Incumbent's commission expired December 13, 1903.

NORTH DAKOTA.

Walter A. Stafford to be postmaster at Velva, in the county of McHenry and State of North Dakota. Office became Presidential October 1, 1903.

Jared C. Thompson to be postmaster at Dickinson, in the county of Stark and State of North Dakota, in place of Jared C. Thompson. Incumbent's commission expired March 2, 1903.

OHIO.

William P. Gillam to be postmaster at Nevada, in the county of Wyandot and State of Ohio. Office became Presidential October 1, 1902.

Vernie E. Humphrey to be postmaster at Fayette, in the county of Fulton and State of Ohio, in place of Vernie E. Humphrey. Incumbent's commission expired December 12, 1903.

Charles W. Jones to be postmaster at Waverly, in the county of Pike and State of Ohio, in place of Charles W. Jones. Incumbent's commission expired December 12, 1903.

Robert S. King to be postmaster at Gloster, in the county of Athens and State of Ohio, in place of Robert S. King. Incumbent's commission expires December 19, 1903.

David H. Perrin to be postmaster at Maumee, in the county of Lucas and State of Ohio. Office became Presidential July 1, 1903.

Charles B. Saxby to be postmaster at Weston, in the county of Wood and State of Ohio, in place of Charles B. Saxby. Incumbent's commission expired December 12, 1903.

Nellie F. Sheridan to be postmaster at Somerset, in the county of Perry and State of Ohio, in place of Nellie F. Sheridan. Incumbent's commission expires December 19, 1903.

OREGON.

William M. Yates to be postmaster at Hood River, in the county of Wasco and State of Oregon, in place of William M. Yates. Incumbent's commission expired December 13, 1903.

PENNSYLVANIA.

Robert S. Bowman to be postmaster at Berwick, in the county of Columbia and State of Pennsylvania, in place of Robert S. Bowman. Incumbent's commission expires December 20, 1903.

John M. Chase, jr., to be postmaster at Clearfield, in the county of Clearfield and State of Pennsylvania, in place of John M. Chase, jr. Incumbent's commission expired February 14, 1903.

Julius L. Malcolm to be postmaster at Uniontown, in the county of Fayette and State of Pennsylvania, in place of Clarence H. Beall. Incumbent's commission expired March 3, 1903.

Gustavus C. Schrink to be postmaster at Pottsville, in the county of Schuylkill and State of Pennsylvania, in place of Gustavus C. Schrink. Incumbent's commission expired December 12, 1903.

RHODE ISLAND.

John A. Allen to be postmaster at Peace Dale, in the county of Washington and State of Rhode Island, in place of John A. Allen. Incumbent's commission expires December 19, 1903.

William M. Gorhan to be postmaster at Bristol, in the county of Bristol and State of Rhode Island, in place of William M. Gorhan. Incumbent's commission expired December 13, 1903.

Benjamin B. Martin to be postmaster at Warren, in the county of Bristol and State of Rhode Island, in place of Benjamin B. Martin. Incumbent's commission expired December 13, 1903.

SOUTH DAKOTA.

Charles F. Allen to be postmaster at Brookings, in the county of Brookings and State of South Dakota, in place of Reuben Matson. Incumbent's commission expires December 19, 1903.

VIRGINIA.

Benjamin P. Gay to be postmaster at Smithfield, in the county of Isle of Wight and State of Virginia, in place of Benjamin P. Gay. Incumbent's commission expired December 14, 1903.

WEST VIRGINIA.

John B. McNally to be postmaster at Wellsburg, in the county of Brooke and State of West Virginia, in place of John B. McNally. Incumbent's commission expired December 12, 1903.

WISCONSIN.

Ralph E. Arnold to be postmaster at Fairchild, in the county of Eau Claire and State of Wisconsin, in place of Ralph E. Arnold. Incumbent's commission expired December 14, 1903.

George W. Dodge to be postmaster at Menasha, in the county of Winnebago and State of Wisconsin, in place of George W. Dodge. Incumbent's commission expires December 19, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 17, 1903.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

William J. Buchanan, of New York, to be envoy extraordinary and minister plenipotentiary of the United States to Panama.

ASSISTANT TREASURER.

Thomas J. Akins, of Missouri, to be assistant treasurer of the United States at St. Louis, Mo.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer Carl M. Green to be a chief engineer with the rank of first lieutenant in the Revenue-Cutter Service of the United States.

Second Asst. Engineer Edwin W. Davis to be a first assistant engineer with the rank of second lieutenant in the Revenue-Cutter Service of the United States.

REGISTER OF LAND OFFICE.

Cornelius N. Van Hosen, of Springfield, Mo., to be register of the land office at Springfield, Mo.

RECEIVERS OF PUBLIC MONEYS.

Daniel J. Foley, of Eureka, Cal., to be receiver of public moneys at Eureka, Cal.

Fred Butler, of Colorado, to be receiver of public moneys at Leadville, Colo.

Thomas V. McAllister, of Vicksburg, Miss., to be receiver of public moneys at Jackson, Miss.

APPOINTMENTS IN THE ARMY.

Judge-Advocate-General's Department.

Capt. Francis H. Schoeffel, Ninth Infantry, to be judge-advocate with the rank of major, December 2, 1903.

Capt. John S. Grisard, Seventh Infantry, to be judge-advocate with the rank of major.

First Lieut. Blanton Winship, Sixteenth Infantry, to be judge-advocate with the rank of major.

Cavalry Arm.

Second Lieut. Charles W. Stewart, Nineteenth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Emil Engel, Nineteenth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Emmett Addis, Twentieth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Harry L. King, Twelfth Infantry, to be second lieutenant of cavalry, with rank from October 9, 1903.

Second Lieut. Arthur G. Hixson, Eighth Infantry, to be second lieutenant of cavalry, with rank from October 10, 1903.

PROMOTION IN THE ARMY.

Pay Department.

Capt. George T. Holloway, paymaster, to be paymaster with the rank of major, November 30, 1903.

POSTMASTERS.

ALASKA.

William B. Sampson to be postmaster at Skagway, Alaska.

CONNECTICUT.

Edmund E. Crowe to be postmaster at South Norwalk, in the county of Fairfield and State of Connecticut.

George E. Schofield to be postmaster at Greenwich, in the county of Fairfield and State of Connecticut.

Rufus H. Seymour to be postmaster at Ridgefield, in the county of Fairfield and State of Connecticut.

ILLINOIS.

Putnam Beckwith to be postmaster at Wenona, in the county of Marshall and State of Illinois.

William E. Cummings to be postmaster at Highwood, in the county of Lake and State of Illinois.

Thomas S. Green to be postmaster at Gardner, in the county of Grundy and State of Illinois.

William Hawley to be postmaster at Dundee, in the county of Kane and State of Illinois.

David Herriott to be postmaster at Morgan Park, in the county of Cook and State of Illinois.

Horace H. Peaslee to be postmaster at Naperville, in the county of Du Page and State of Illinois.

Richard R. Puffer to be postmaster at Odell, in the county of Livingston and State of Illinois.

Harry E. Spear to be postmaster at Polo, in the county of Ogle and State of Illinois.

David F. Wilcox to be postmaster at Quincy, in the county of Adams and State of Illinois.

INDIANA.

John C. Row to be postmaster at Osgood, in the county of Ripley and State of Indiana.

IOWA.

Cornelius C. Platter to be postmaster at Red Oak, in the county of Montgomery and State of Iowa.

Charles A. Reynolds to be postmaster at Harlan, in the county of Shelby and State of Iowa.

Lewis E. Sherwood to be postmaster at Shellrock, in the county of Butler and State of Iowa.

KANSAS.

Joseph S. Stone to be postmaster at Burrton, in the county of Harvey and State of Kansas.

KENTUCKY.

Thomas Berggess, jr., to be postmaster at Ashland, in the county of Boyd and State of Kentucky.

George W. Batterson to be postmaster at Lawrenceburg, in the county of Anderson and State of Kentucky.

Ethel E. Jackson to be postmaster of Vanceburg, in the county of Lewis and State of Kentucky.

Will P. Sweat to be postmaster at Dawsonsprings, in the county of Hopkins and State of Kentucky.

MICHIGAN.

Charles H. Baird to be postmaster at Holly, in the county of Oakland and State of Michigan.

Charles A. Cline to be postmaster at West Branch, in the county of Ogemaw and State of Michigan.

Arenigad K. Dougherty to be postmaster at Elk Rapids, in the county of Antrim and State of Michigan.

William McGillivray to be postmaster at Oscoda, in the county of Iosco and State of Michigan.

Hamilton A. Macklem to be postmaster at Marlette, in the county of Sanilac and State of Michigan.

Loren A. Sherman to be postmaster at Port Huron, in the county of St. Clair and State of Michigan.

Gerrit Van Schelven to be postmaster at Holland, in the county of Ottawa and State of Michigan.

MINNESOTA.

Charles W. Paige to be postmaster at Dawson, in the county of Lac qui Parle and State of Minnesota.

Raleigh M. Pope to be postmaster at Mora, in the county of Kanabec and State of Minnesota.

Charles F. Searle to be postmaster at Milaca, in the county of Mille Lacs and State of Minnesota.

MISSOURI.

J. W. S. Dillon to be postmaster at Grant City, in the county of Worth and State of Missouri.

NEW HAMPSHIRE.

Lewis W. Davis to be postmaster at East Jaffrey, in the county of Cheshire and State of New Hampshire.

NEW YORK.

Stephen P. Barker to be postmaster at Richfield Springs, in the county of Otsego and State of New York.

Henry R. Breen to be postmaster at Hudson, in the county of Columbia and State of New York.

George D. Davis to be postmaster at Mount Kisco, in the county of Westchester and State of New York.

George F. Eveland to be postmaster at Franklin, in the county of Delaware and State of New York.

Alonzo E. Hadley to be postmaster at Springville, in the county of Erie and State of New York.

Charles C. Johnson to be postmaster at Antwerp, in the county of Jefferson and State of New York.

Aloysius McArdle to be postmaster at Victorhill (late West Seneca), in the county of Erie and State of New York.

Elbert E. Makepeace to be postmaster at Alexandria Bay, in the county of Jefferson and State of New York.

George E. Marcellus to be postmaster at Le Roy, in the county of Genesee and State of New York.

Warren J. Martin to be postmaster at Port Chester, in the county of Westchester and State of New York.

Charles G. Norton to be postmaster at Bainbridge, in the county of Chenango and State of New York.

Lillian I. Pearsall to be postmaster at Sea Cliff, in the county of Nassau and State of New York.

Webster M. Richardson to be postmaster at Mexico, in the county of Oswego and State of New York.

Willard F. Sherwood to be postmaster at Hornellsville, in the county of Steuben and State of New York.

Orlando W. Sutton to be postmaster at Bath, in the county of Steuben and State of New York.

Mortimer R. Tefft to be postmaster at Greenwich, in the county of Washington and State of New York.

OHIO.

Chandler W. Carroll to be postmaster at St. Clairsville, in the county of Belmont and State of Ohio.

Andrew J. Heinlein to be postmaster at Bridgeport, in the county of Belmont and State of Ohio.

Robert C. Stewart to be postmaster at Toronto, in the county of Jefferson and State of Ohio.

OKLAHOMA.

Etta H. Jayne to be postmaster at Edmond, in the county of Oklahoma and Territory of Oklahoma.

Thomas J. Palmer to be postmaster at Medford, in the county of Grant and Territory of Oklahoma.

PENNSYLVANIA.

Julius L. Malcolm to be postmaster at Uniontown, in the State of Pennsylvania.

TENNESSEE.

William O. Douglas to be postmaster at Jellico, in the county of Campbell and State of Tennessee.

TEXAS.

Henry T. Vaughan to be postmaster at Mart, in the county of McLennan and State of Texas.

VERMONT.

Martha W. Arnold to be postmaster at Bethel, in the county of Windsor and State of Vermont.

Henry G. Blanchard to be postmaster at Newport, in the county of Orleans and State of Vermont.

VIRGINIA.

S. W. Tardy to be postmaster at Buena Vista, in the county of Rockbridge and State of Virginia.

WEST VIRGINIA.

William H. Glover to be postmaster at Terra Alta, in the county of Preston and State of West Virginia.

WISCONSIN.

John F. Gillmore to be postmaster at Durand, in the county of Pepin and State of Wisconsin.

WYOMING.

William H. Dobson to be postmaster at Newcastle, in the county of Weston and State of Wyoming.

HOUSE OF REPRESENTATIVES.

THURSDAY, *December 17, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. VAN VOORHIS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 6758, being the pension appropriation bill.

Mr. HAMILTON. I hope the gentleman will withhold his motion for a moment, in order that I may have an opportunity to make a unanimous consent for the consideration of a bill which has been reported unanimously by the Committee on the Territories, granting permission to the people of certain towns in Arizona to bond themselves for the construction of a freight and wagon road.

The SPEAKER. Does the gentleman from Ohio withhold his motion temporarily?

Mr. VAN VOORHIS. I withhold the motion.

SALT RIVER VALLEY FREIGHTING AND WAGON ROAD.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

The bill was read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BURKETT. Reserving the right to object, I would like to ask the gentleman a question or two. First, has the Government been heard in connection with the consideration of this bill by the committee?

Mr. HAMILTON. The Government has been heard in this, that the Director of the Geological Survey, who under the national irrigation act has supervision of the construction of the dam of the Salt River Valley, in Arizona, has been consulted by the committee, and the committee have been advised by him quite fully in the premises.

Mr. BURKETT. Has he been before the committee?

Mr. HAMILTON. No. The committee has quite fully informed itself, however, in relation to it, and the committee has taken testimony in relation to the construction of this dam.

Mr. BURKETT. What is the Government proposing to do in connection with this?

Mr. HAMILTON. The Government is proposing, under the national irrigation law, to construct a dam on the Salt River Valley, in Arizona, at a point half a mile west of where the Tonto Creek flows into Salt River. That dam will be 200 feet across the bottom and about 800 feet across the top, 188 feet thick at the base, 16 feet thick at the top, and 280 feet high from bed rock. The dam so constructed will impound 1,480,000 acre-feet of water. This reservoir will be 25 miles long, with an average width of 1 mile to a mile and a half.

Mr. BURKETT. The gentleman does not understand my question. What does the Government propose to do with reference to this road?

Mr. HAMILTON. As to the construction of the road, this dam at the point where it is proposed to construct it will be 75 miles east of the city of Phoenix, and the only means of reaching the dam site at present is, first, by way of what is known as the Reno Pass, a way which is a mere rough mountain trail, dangerous to man or horse, reaching an altitude of a little over 5,000 feet; and, second, by rail and by stage, a distance of about 400 miles, 45 miles of that distance being from Globe to the dam site by stage.

Now, the Government must have a means of transportation for the poles and wire necessary to be used in the transmission of electric power from the dam to the valley of Salt River, which it is proposed to irrigate by the construction of this dam and reservoir; hence the Government finds it necessary to construct a rough way over Superstition Mountains and at least as far as Goldfields.

To do this will cost the Government, in connection with this enterprise, the sum of $25,000. Now, it is proposed by the citizens of these three towns—Phoenix, Mesa, and Tempe—to bond themselves by a two-thirds vote to raise money to construct a wagon and freight road from Phoenix to this dam site. The Government of the United States puts $25,000 into it in carrying out this irrigation enterprise. These towns supplement that by bonding themselves, so as to make a safe freight and wagon road. That road will be only 75 miles long.

Mr. BURKETT. I asked the gentleman what the Government proposed to do?

Mr. HAMILTON. It proposes to put $25,000 into the construction of the road.

Mr. BURKETT. Where did the committee get that proposition from?

Mr. PAYNE. Let me ask the gentleman, do they not propose that the Government put in $50,000 if this bill passes and the bonds issue and the money is raised?

Mr. BURKETT. Does not this bill look toward the proposition that the Government shall put enough money into it to build the road, whatever it is?

Mr. HAMILTON. Oh, no.

Mr. BURKETT. Isn't that the proposition—if they will bond themselves for this amount the Government will see the road built?

Mr. HAMILTON. That is not the purpose at all.

Mr. PAYNE. Let me read from the report of the committee.

Mr. ROBINSON of Indiana. The Government offers $25,000 additional in case the hundred thousand dollars is raised. Perhaps that is what the gentleman alludes to.

Mr. BURKETT. The Government makes this proposition: That if they will bind themselves for 2 per cent, which takes them above the 4 per cent as provided by law——

Mr. ROBINSON of Indiana. Slightly above.

Mr. BURKETT. Two and one-tenth above—that the Government will put in whatever is necessary if assured that this road will be built. Is not that about the proposition?

Mr. ROBINSON of Indiana. The $25,000 comes out of the reclamation fund.

Mr. BURKETT. Oh, it all comes out of the reclamation fund.

Mr. HAMILTON. The gentleman is mistaken about that; it does not all come out of the reclamation fund.

Mr. BURKETT. All but what the citizens raise.

Mr. HAMILTON. Certainly, but the citizens raise enough to construct the road. The Federal Government does not propose to make a continuous road. There is a precipice near Fish Creek a thousand feet high. The Government does not propose to construct its road over that, but to carry the poles and wire from each way, as I understand. The Government constructs road enough to carry out the irrigation enterprise and only puts $25,000 into it. But it is stated that the Government will save money by putting $25,000 more into the enterprise if the citizens will construct the road.

Mr. BURKETT. Has the committee had any representative of the Government before it to show what the cost of the road will be?

Mr. METCALF. Perhaps I may be able to answer the gentleman. Mr. Newell says that it will cost $100,000 to construct the road into the Tonto basin. They have got to take in all their supplies and machinery for constructing it. It seems to me that the proposed grant is in the interest of the Government.

Mr. POWERS of Maine. Those that appeared before the committee said that the proposed cost of the road would be about a hundred thousand dollars. The parties representing the town before the committee assured us that the hundred thousand dollars would build the road. The citizens of these towns are to bond themselves by a two-thirds vote of the taxpayers. They desire this road so much that they are ready to bond themselves to the extent of 2 per cent of the last valuation.

Mr. BURKETT. Let me ask the gentleman a question. I have gone through all the printed hearings on this matter, and I have not found any suggestion or intimation of any less cost than $100,000. Furthermore, so far as I have been able to consult with Mr. Newell, there is, as I gather, no expectation that this road will cost less than $150,000; and they can not tell how much it is going to cost to build through that mountainous pass for a dozen miles, as they will have to do.

Furthermore, if the road is going to cost less than $100,000, these cities already have under the law a right to bond themselves, as I have figured out, according to their own statements, to the amount of about $86,000. They can raise $86,000 without any special act of Congress.

Now, if this road is going to cost less than $100,000, and the Government is willing to put in $25,000, as seems to be brought out in the hearings, what is the necessity for the passage of this bill?

Mr. POWERS of Maine. I will answer the gentleman. I did not say that this road was to cost less. I said simply that the representatives of the city of Phoenix, who came before us, when asked by me (I do not know what may be said in the record) as to the necessity of bonding to the extent of $100,000, replied that on the reports they had that sum would certainly enable the road to be built, and they hoped to do it for a much less sum.

I asked him about the Government furnishing $50,000. He told me it would cost the Government $25,000 for the building of this road, which sum would be necessary for getting the poles and the wires; but that such an arrangement would not be a very convenient one; that it would be very much more convenient for the Government in building this large dam to have a good road; that he believed (though he said he did not care to be responsible for making that statement positively) that if the Government would contribute $25,000 more toward the enterprise the cities would take care of the rest.

Mr. BURKETT. Allow me to ask the gentleman whether in the committee, in response to a question something like the gentleman has said he asked, this was not said. I read from the report:

> That part from Goldfields—

Which I understand is the edge of the valley. Of the 75 miles of road to be constructed, about 40 will go across the valley, which will not be very expensive; the remaining 35 will go through the mountains—

> That part from Goldfields to the dam site will lie through the Superstition Mountains for a distance of 34 miles, and in the construction of it many engineering difficulties will have to be overcome, among them that at Fish Creek, where a sheer precipice of over 1,000 feet will have to be gotten over.

So much the gentleman has suggested. The report continues:

> There are 11 miles of the proposed road near Fish Creek which engineers estimate will cost $100,000 to construct.

Mr. POWERS of Maine. Let me say to the gentleman that that is the difficulty in the case. With this $25,000 we should have about $125,000.

Further, I fail to see in this bill anywhere anything that commits the Government to the expenditure of one cent in building this road.

It simply allows the people of these towns and cities to aid the Government in the building of the road. It does not commit the Government to do anything.

Mr. HILL of Connecticut. Allow me to put a question to the gentleman in charge of this bill. I should like to know whether the amount which is to be expended here is to come out of the Treasury of the United States, or whether it comes from the reclamation fund?

Mr. HAMILTON. The $25,000 comes from the reclamation fund which the people benefited by irrigation restore to the Government. The rest of it is all raised by the bonds proposed here to be issued.

Mr. HILL of Connecticut. What I want to know is, clearly and distinctly, whether the money which is to be appropriated for the construction of this road comes from the funds received from the sale of lands, and which under the bill passed a year or two ago were set aside for irrigation purposes.

Mr. HAMILTON. Oh, no.

Mr. HILL of Connecticut. It does not?

Mr. HAMILTON. No; not at all.

Mr. HILL of Connecticut. Then it can come from but one source, and I will have to object to the bill.

Mr. HAMILTON. Let me make myself understood. The bill proposes to allow certain towns—namely, Phoenix, Tempe, and Mesa—to bond themselves by a two-thirds vote to raise money for the construction of a certain road 75 miles long.

Now, that is an independent, separate proposition of itself, in which the Government is not concerned; but it supplements the Government operations to this extent, that the Government in the construction of its dam of the Salt River at Tonto Creek must necessarily expend $25,000 in the construction a road over which to carry its poles and wires. The citizens simply want to follow that trail with a perfect road. That is all there is to it. It does not cost the Government of the United States anything. This levies no charge upon the Government. I would further state that this is a unanimous report of the Committee on Territories.

Mr. HILL of Connecticut. What I would like to know is this: Is the Government involved in any expense whatever——

Mr. HAMILTON. None.

Mr. HILL of Connecticut. Upon this proposition over and above the amount which would naturally become a part of the construction of the dam and come from the reclamation fund?

Mr. HAMILTON. Not one cent.

Mr. PAYNE. I would state, if the gentleman from Michigan will permit me, that that question is answered in the report, and I will read from the report.

Mr. HAMILTON. Very well. It will not cost one cent.

Mr. HILL of Connecticut. I withdraw my objection, if that is the case.

Mr. PAYNE. The report says:

> For the purpose of the construction merely of the transmission and telephone lines above mentioned, by the Federal Government from the dam site to Phoenix, the Government will have to spend not less than $25,000, and the Government, through the Director of the Geological Survey, proposes, if the freight and wagon road sought to be constructed by this bill is built, to increase the sum of $25,000, which it would otherwise expend in the construction of a mere rough way for the purpose of connecting poles and wires, the construction of its poles and electric lines before mentioned, to enable a full sum is to be expended from the reclamation fund under the national irrigation act, the Government reimbursing itself for its expenditure upon said road and the expenditure for said dam and reservoir in accordance with the provisions of said act.

Mr. BURKETT. Let me make another suggestion, and then the gentleman can answer them both. Right in connection with what the report has said and in answer to the suggestion of the gentleman from Connecticut [Mr. HILL], let me also say that in the hearings of Mr. Fowler, who was here to represent those towns, this statement is made——

Mr. HILL of Connecticut. I will state that the chairman of the committee told the gentleman from Nebraska a moment ago that it did not come out of the reclamation fund.

Mr. BURKETT. That the estimated cost of the transmission road is $25,000. In addition to that, the Government proposes to put in $25,000 more than the cost of the mere transmission roads, or, in other words, in round numbers, to bear one-third of the entire estimated cost of the freight and wagon road, providing the towns will put in the other two-thirds.

Mr. HAMILTON. Now, will the gentleman permit me to make that clear?

Mr. BURKETT. Yes, that is the object of asking the question.

Mr. HAMILTON. Now, the Government proposes to put the $25,000 into the construction of this rough way for the carriage of poles and wire. This is necessary in connection with the irrigation project. The Government has not said it will add $25,000 to this, but it may do it. It is hoped that it may do it and it ought to do it. After this dam is constructed, first, there will be a large number of people employed upon the construction of that dam and it will be necessary to get people who might be injured in the construction of the dam to hospitals as rapidly as possible. It would be a great hardship to take them 400 miles around by rail and stage or to take them 110 miles around Roosevelt Pass on horseback. There ought to be a road across there.

Now, there are 15 car loads of structural steel and other material necessary to be used in the construction of that dam. It is necessary that that material shall be transported over some road; for in the construction of the dam the Government has got to have it. It is a simple business proposition. If the gentleman from Nebraska [Mr. BURKETT] wants to save the Government any money, the way to save it is by the construction of a road there which will enable the Government to carry its material and supplies for the men employed there by a short road from Phoenix down to this dam site. The Government could well afford to put $25,000 more in there, if it chose to do it, simply to cheapen the cost of construction of that dam. It is money in the Treasury of the United States to do so. The Government is not bound to do so. It is tentative; it is simply a suggestion. There is no reason why we should be alarmed about that additional $25,000.

Mr. BUTLER of Pennsylvania. I would ask the gentleman if the proposed construction of this road is a part of the irrigation scheme.

Mr. HAMILTON. No; only to this extent——

Mr. BUTLER of Pennsylvania. Is it absolutely necessary in order to promote that scheme of irrigation to have this road constructed?

Mr. HAMILTON. Yes.

Mr. BUTLER of Pennsylvania. And therefore it is proposed to take the $25,000 out of the irrigation fund?

Mr. HAMILTON. To the extent of $25,000.

Mr. NEEDHAM. That is all paid back.

Mr. OLMSTED. Will the gentleman yield for a question?

Mr. HAMILTON. Yes.

Mr. OLMSTED. Mr. Speaker, according to the statement of the gentleman from Michigan, this bill proposes to dam Salt River. Now, as there is a political party represented here upon the other side of this Chamber which, by its attacks upon the tariff and upon the course of the Government in the Panama matter, is preparing to take a notable trip up that river next year, I should like to ask the gentleman from Michigan if the gentleman from Mississippi [Mr. WILLIAMS] has been consulted on this matter. [Laughter on the Republican side.]

Mr. HAMILTON. I assume that the gentlemen on the minority side of the committee have consulted the gentleman from Mississippi [Mr. WILLIAMS]. I understand that the minority of the committee are perfectly satisfied with the bill. I want to say this to my friend from Nebraska [Mr. BURKETT], that the bill was first considered by the committee as a whole. Next it was referred to a subcommittee, which gave it careful consideration. It was referred back to the full committee and some amendments were made to the bill, which was given the most careful consideration by the gentleman from Missouri [Mr. LLOYD], the gentleman from Maine [Mr. POWERS], and myself, acting as a subcommittee. The committee feel very well satisfied that this is an enterprise to which the Government ought to lend its sanction.

Next, I want to supplement the statement of my friend from from Maine [Mr. POWERS] in respect to these bonds. He made a statement in response to the gentleman from Nebraska [Mr. BURKETT] in regard to the amount. These towns are able to raise almost the amount necessary under the 4 per cent limitation. Authority by this Government to these towns to bond themselves would give the bonds a certain standing in the market which they might not otherwise have. It does not cost the Government anything.

Mr. PAYNE. I should like to ask the gentleman a question, Mr. Speaker.

Mr. HAMILTON. Yes.

Mr. PAYNE. I understand that under the present law these towns can bond themselves for $86,000, a sum within $14,000 of the one hundred thousand?

Mr. HAMILTON. That is the estimate of the gentleman from Nebraska [Mr. BURKETT].

Mr. BURKETT. Those are the figures in the report, not anybody's estimate.

Mr. PAYNE. Now, this looks to me as though this came in here to get the sanction of Congress in the initiative, in the hope that if the $150,000 was not enough to build this road Congress would be asked to go on with this dam site and other improvements there, just as we have been compelled in other instances, where Congress gave a very little recognition to some scheme, to come in to save it, or at the end to pay the debts of an exposition, or something of that kind, in order to save the credit of the Government. It looks to me as though that might be the object, instead of trying to get some sanction to issue these bonds, because the Government has already given sanction to the bonds.

Mr. TAWNEY. Mr. Speaker, I make the point of order that there are not ten men on the floor of this House outside of the coterie standing over there who know what is under consideration. [Applause.] I submit that we ought to have a chance to know.

Mr. MONDELL. Mr. Speaker——

The SPEAKER. The point of order made by the gentleman from Minnesota is well taken. The House will be in order.

Mr. POWERS of Maine. One moment, if the gentleman will

permit me. I wish to say to the gentleman from New York that I made a similar suggestion to Mr. Fowler about their being able to raise this amount of money without getting any special legislation. He said they might want more than the 4 per cent, but whether they did or did not, if he took these bonds to New York to sell, and he had an act of Congress showing the right to issue them, that there could be no question about it, that he would have no difficulty in selling them; and for that reason all these municipalities desire permission, by a two-thirds vote of the taxpayers, to tax themselves or bond themselves to this extent. It seems to me to be a reasonable and proper request, to the end that they might sell their bonds at a higher rate and pay less interest.

Mr. PAYNE. I want to ask the gentleman from Maine a question.

Mr. POWERS of Maine. Yes.

Mr. PAYNE. Have not these towns already authority to issue bonds to the extent of 2 per cent?

Mr. POWERS of Maine. I was explaining that.

Mr. PAYNE. Have not they got that power now?

Mr. POWERS of Maine. They have.

Mr. PAYNE. What higher legality and what higher value does it give to the bond if the Government puts itself in the attitude of allowing these towns to bond themselves for $14,000 more?

Mr. POWERS of Maine. I will answer; because the gentleman knows, as he has had more to do with bonds than I have, that when they take these bonds to New York to sell, the first question that would be asked would be, "What authority have you to issue the bonds?" If they take them there under this special act of Congress authorizing them to issue the bonds, with the statement as to the amount of the last valuation, and showing that it is within the 2 per cent limit, then they could readily sell their bonds.

Mr. PAYNE. Why, by the general act they are allowed to issue bonds to 2 per cent of the assessed value of the property. How would they know that that was not overrunning the per cent?

Mr. POWERS of Maine. They would have to make an examination in order to show it. They undertake to tax themselves; they desire their bonds to sell at the lowest possible price; and therefore they ask the privilege of having this act under which to issue the bonds; and I think they ought to have it.

Mr. MONDELL. Mr. Speaker, I am in full sympathy with some of the objections that have been raised by the gentleman from Nebraska

Mr. HAMILTON. I ask for order, that the gentleman may be heard.

The SPEAKER. The House will be in order.

Mr. MONDELL. I am in full accord with the gentleman from Nebraska with regard to some of the objections which he has urged to the bill. I think, however, that the bill, if considered, could easily be amended so as to overcome those objections.

It seems to me the only possible objectionable feature of the bill is contained in the paragraph relative to the use of the funds that are to be raised by the sale of the bonds. I think there can be no possible objection on the part of any Member of the House to giving the citizens of these municipalities the right to bond themselves for the construction of a wagon road. But the bill should not contain any provision which, by any possibility, could be construed as extending the power or authority of the Secretary of the Interior, under the irrigation law, to expend the irrigation fund. I believe if the bill when considered were amended by striking out certain words, so that it would provide simply that the funds arising from the sale of bonds should be used in the construction of a freight and wagon road between the points referred to, then there can be no objection to the bill.

As the bill now reads I think there is some ground for this fear that it might be construed to authorize the use of a sufficient sum from the irrigation fund to complete the road in question; in other words, to use more than was necessary for purposes directly or necessarily in connection with irrigation work. I am delighted on this occasion to note how carefully the irrigation fund is being guarded by the gentlemen who voted against it, as well as by the friends of the fund.

I believe with the amendment suggested the people of these three municipalities can use $100,000 for the purpose of making a road of the trail, which the Government must of necessity build in order to construct this dam. We should remember that this is not the only road from the Salt River dam site, and that a large portion of the material, if I am correctly informed, will come in from another direction. But the Salt River Valley and the communities on Salt River are the communities to be benefited by this irrigation.

Mr. HAMILTON. And they pay the freight.

Mr. MONDELL. The water that is to be conserved on Salt River is to be used in the vicinity of these municipalities. The people of that locality must repay to the Government the approximately $3,000,000 that the works will cost.

Mr. HAMILTON. Within ten years.

Mr. MONDELL. In addition to this, they now propose to tax themselves for the purpose of making a better road between the dam and the towns than it would be necessary for the Government to construct in order to carry on the work.

There certainly can be no objection to that being done, provided there be nothing in the bill suggesting that the Government is bound to the completion of a "practical" freight road, and that that sum necessary can be taken out of the irrigation fund. If the amendment I suggest is made, then the bill simply provides for the bonding of these three municipalities for the purpose of constructing a wagon road. If they desire to do so, we ought to give them the power and authority to do it.

This is a necessary purpose, and I think we ought to give them the authority asked for in the bill, with the amendments that will remove all doubt as to any responsibility on the part of the Government for the completion of the road to an extent not necessary for Governmental purposes; and, in that connection, I think the bill should be amended in the last section so that the fund shall be expended entirely under the direction of the municipalities. In that way expenditure is entirely divorced from the work of the Federal Government in connection with irrigation work. This bill provides that it shall be expended under the direction of the Director of the Geological Survey. Certainly if expended in this way it will be expended economically and to the best advantage. This provision is open to the objection, however, that it might be construed to connect the Government with the betterment of this road by the people of Salt River Valley, and, therefore, that provision should be amended so that the expenditure of the fund shall remain in the hands of the municipalities. If the people themselves conclude to have the Government reclamation engineers, under the Director of the Geological Survey, direct and superintend the expenditure they can of course do so, and if they are wise they will so arrange it.

Mr. HAMILTON. I think the committee will agree to that.

Mr. HEPBURN. I would like to ask the gentleman a question.

The SPEAKER. Does the gentleman from Michigan yield to the gentleman from Iowa?

Mr. HAMILTON. Certainly.

Mr. HEPBURN. I would like to ask if, in the gentleman's opinion, it is competent for the officers in charge of this reclamation fund to expend $50,000 in constructing this highway——

Mr. HAMILTON. It is not a highway.

Mr. HEPBURN (continuing). If they deem it an auxiliary or aid to the construction of the dam?

Mr. HAMILTON. They construe the expenditure of this money for the construction of this road as a part of the reclamation enterprise, and as necessary. The gentleman will perceive that in a very mountainous country——

Mr. HEPBURN. I want to get the gentleman's opinion if they have a right to do it.

Mr. HAMILTON. That is the committee's construction of it, and it is my construction.

Mr. HEPBURN. Then if they should conclude that they can secure some other method that would be better than the highway, would they have a right to construct that, if it was clearly better? For instance, if they may build a highway, may they not build a trolley road if they conclude that it is necessary?

Mr. HAMILTON. No.

Mr. HEPBURN. Why not?

Mr. HAMILTON. Because the Government can only proceed so far as necessary in the enterprise.

Mr. HEPBURN. Who determines the necessity?

Mr. HAMILTON. It is a plain and reasonable necessity. They must have poles and wires to connect the dam with the valley.

Mr. HEPBURN. This is reclamation by electricity? [Laughter.]

Mr. HAMILTON. I did not quite catch what the gentleman said; but this is an electric age, and no one knows it better than the gentleman from Iowa.

Mr. POWERS of Maine. Let me say to the gentleman that in this scheme of irrigation there is only one way, in accordance with the scheme, that has been devised, and that is to build this dam and then send the water to the valley and pump it up by means of the power generated at this dam.

Mr. HEPBURN. You get it down and then get it up?

Mr. POWERS of Maine. And this electric power is to be transmitted by wires and poles along this road. That is the scheme as devised by the engineers in charge.

Mr. HEPBURN. Now, will the gentleman answer the question that I put to the chairman of the committee? Is it a matter of discretion on the part of those in charge of this work to determine what will facilitate the work?

Mr. POWERS of Maine. I apprehend it is.

Mr. HEPBURN. And it is under that rule that they have a right to appropriate $50,000 for the purpose?

Mr. POWERS of Maine. I will answer the gentleman if I understand it.

Mr. HEPBURN. Suppose they determine that there is another method that will facilitate the enterprise. Have they a right to determine that—as, for instance, a trolley road?

Mr. POWERS of Maine. In building the dam they must have some method of getting in and of getting out.

Mr. HEPBURN. And they determine the method?

Mr. POWERS of Maine. This scheme for irrigating the Salt River Valley contemplates the transmission of this power through that valley.

Mr. HEPBURN. I wish the gentleman would be ingenuous.

Mr. POWERS of Maine. And anything that is necessary and proper——

Mr. HEPBURN. "Anything that is necessary and proper." Now, if they should determine that they could get greater facilities by a common railway, have they the power to construct that in pursuance to—

Mr. POWERS of Maine. I do not apprehend they would attempt it.

Mr. HEPBURN. Have they the power; and if not, why not?

Mr. POWERS of Maine. Simply because I think a careful examination would show that that is not a necessary adjunct of the system.

Mr. HEPBURN. Who is to determine the necessity?

Mr. POWERS of Maine. The scheme already adopted and being put in force has determined the necessity of transmitting this power by electric wire, and I suppose that is admitted.

Mr. HEPBURN. I desire to ask the gentleman from Michigan [Mr. HENEY] whether he will not yield——

Mr. HAMILTON. I was about to yield to the gentleman from Nebraska for a suggestion.

Mr. HENEY. Probably that suggestion is the same as mine, which is that this bill go back to the committee to be perfected and brought up again to-morrow. I must object unless gentlemen agree to take the bill and perfect it on the lines suggested by the gentleman from Iowa, and I think that had better be done in committee and the bill be brought back again to-morrow. We can not here on the floor of the House, in a hurry, go over this bill as we ought to go over it.

The SPEAKER. The gentleman from Indiana [Mr. HENEY] objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed without amendment the following resolution:

Resolved by the Senate (the House of Representatives concurring), That when the two Houses adjourn [illegible] December 19, they stand adjourned until 12 o'clock meridian Monday, January 4, 1904.

The message also announced that the Senate had passed without amendment the bill (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902.

PENSION APPROPRIATION BILL.

On motion of Mr. VAN VOORHIS, the House resolved itself into Committee of the Whole on the state of the Union (Mr. OLMSTED in the chair) and resumed the consideration of the pension appropriation bill.

Mr. VAN VOORHIS. I yield thirty minutes to the gentleman from Kansas [Mr. SCOTT].

Mr. SCOTT. Mr. Chairman, it requires but a casual acquaintance with the political history of our country to disclose the strange predilection of the Democratic party for claiming the authorship of measures which in their inception it opposed, but which in their development and operation have become successful and popular.

This peculiar Democratic attribute of out-Heroding Herod in the support of that which it first opposed finds a striking illustration in the attitude of that party toward Republican leaders who have passed away. A former speaker of this House once defined a statesman as a politician who is dead. If you will pardon the paraphrase I might describe with equal accuracy a Democratic hero as a Republican statesman who is dead.

On the spur of the moment I can not recall hearing on this floor any utterances more touching and pathetic than those with which our friends on the other side of the aisle have attested their veneration for the memory of Abraham Lincoln, although while he was living, while he was doing the deeds for which they now praise him, he was the cross for which they now weep, the Democratic party. North as well as South, exhausted the vocabulary of vituperation in reviling and maligning and reviling him.

I bear witness also that during the two years in which I have been a Member of this House references to the wise words and the patriotic acts and the pure motives of William McKinley have been hardly less frequent on that side of the Chamber than on this. And the other day my friend from Georgia, I believe—perhaps it was the gentleman from Alabama—having occasion in the course of his remarks to speak the name of James G. Blaine, paused reverently to invoke the blessing of God upon his memory.

I do not allude to this strange Democratic peculiarity, Mr. Chairman, to criticise or condemn it. On the contrary, I applaud it. I believe that it is better to be right "in the cold gray dawn of the morning after," or forty years after, than never to be right at all; and since an all-wise Providence has apparently put it out of the power of the Democratic party to get right in the inception of any great public measure, I certainly can not find it in my heart to desire, even if I had the power, to rob it of whatever consolation may come from an eleventh-hour repentance. I can appreciate the motive, if I can not approve the morals, of a political organization which seeks to have its former opposition to a popular measure forgotten in the loud clamor of its present approbation.

But I believe that the historic verities should be preserved, and it is in the hope of contributing something to that end that I venture to call the attention of the House to some of the official records touching the inauguration and establishment and development of our system of free rural delivery of mails.

In a colloquy the other day with the gentleman from Iowa several gentlemen on the other side made assertions which left the impression that the Democratic party was the author and finisher of this system of free rural mail delivery which has become so popular during the past few years. These gentlemen spoke on the spur of the moment and their mistake could therefore be easily pardoned, and yet it seems to me it ought not to pass without correction.

I apprehended that this sort of a scheme would make its first appearance [illegible] and I [illegible] the United States. I have [illegible] reports with some care and for some years back. The first reference which I find to this system appears in the report of the Hon. John Wanamaker, Postmaster-General during the Harrison Administration, in which he says:

My ideal for the American postal service is a system modeled upon a [illegible] and [illegible] over the country.

That is the first allusion I find to free rural delivery of mails.

Mr. CRUMPACKER. What report is that?

Mr. SCOTT. That is the report of 1892.

Mr. CANDLER. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Kansas yield to the gentleman from Mississippi?

Mr. SCOTT. Yes.

Mr. CANDLER. I will ask the gentleman if he has examined the report of Postmaster-General Wilson in reference to a rural free delivery?

Mr. SCOTT. If the gentleman will bear with me, I will come to that further on in my remarks.

Mr. CANDLER. This is the fact, that a bill was passed establishing a rural free-delivery system during a Democratic Administration.

Mr. SCOTT. I will state that it is my purpose to take this up in an orderly manner, and the answer to the gentleman's question will appear when I reach the point to which he refers.

Mr. CANDLER. Was it not put into effect by the Postmaster-General under the Cleveland Administration?

Mr. SCOTT. I will show to the satisfaction of the gentleman just exactly when it was put into effect, under what Administration, and by whose orders.

Mr. CANDLER. Then I understand the gentleman will do that later in his speech?

Mr. SCOTT. That is my purpose, if the gentleman will be kind enough to permit me to proceed.

The recommendation which was made by Postmaster-General Wanamaker, and to which I have just alluded, was followed up by the Administration and resulted in an appropriation for experiments in the direction suggested. These experiments in the first place were in the nature of extending free delivery to villages and small towns. At the close of the Harrison Administration the experiments which had been set on foot under the direction of Mr. Wanamaker were proceeding with great satisfaction to the country and to the people, and propositions had been made to extend these systems so as to include the rural regions. That was the situation which prevailed when a Democratic Administration, the second Cleveland Administration, came into power. Referring to this matter, the First Assistant Postmaster-

General under that Administration made the following report. After having discussed in a discouraging way the entire system, he says:

It would require an appropriation of at least $20,000,000 to inaugurate a system of rural free delivery throughout the country.

Following the recommendation of the First Assistant, the Postmaster-General, Bissell, incorporated the following in his annual report:

Although it was provided by Congress in the appropriation bill for the fiscal year ending June 30, 1894, that $10,000 should be devoted, at the discretion of the Postmaster-General, to testing the feasibility of establishing a system of free delivery in rural districts, it has been found impossible, by reason of the pressure of more important questions, for the officers having that subject in charge to give the matter the careful study and consideration that it demands, much less to inaugurate such rural free delivery.

It was soon discovered, furthermore, that the appropriation for this experiment is not at all sufficient for thorough and reliable tests, for in order to give the rural free-delivery system a fair and thorough trial tests would have to be made in many localities, differing materially in density of population, topography, class of interests and conditions of highways and thoroughfares. To inaugurate a system of rural free delivery it would require an appropriation of at least $20,000,000.

He then refers to the report of his First Assistant, and indorses the recommendation made there that the attempt be not made.

The next official reference which I find to this matter appears in the second report of William L. Wilson as Postmaster-General, in which he says, referring to the appropriation which had been made in the preceding year and which he had not used:

Should Congress see fit to make it available for the current year, I will make the experiment ordered by the best tests I can devise; but the difficulties in the way of such experiments and the pressure for opening the whole plan as a matter of new party policy in the report of the House committee on the post-office appropriation bill, second session of the Fifty-third Congress.

It will be seen, therefore, that Mr. Cleveland's Postmaster-General, after two years of study and reflection upon the subject, after having absolutely refused to use the money which Congress placed at his disposal for this purpose, gave it as his opinion that the whole plan was impracticable and should be abandoned. The Postmaster-General, in the extract which I have just read, referred to the report on the appropriation bill in the Congress of that year. That report was made by the Hon. John B. Henderson, of North Carolina, who was at that time chairman of the Committee on the Post-Office and Post-Roads, and in the course of that report, accompanying the appropriation bill, he says:

Although it was provided by Congress in the appropriation bill for the fiscal year ending June 30, 1894, that $10,000 should be devoted, at the discretion of the Postmaster-General, to testing the feasibility of establishing a system of free delivery in rural districts, it has been found impossible, by reason of the pressure of more important questions, for the officers having that subject in charge to give the matter the careful consideration that it demands, much less to inaugurate such rural free delivery. It was soon discovered, furthermore, that the appropriation for this experiment is not at all sufficient for thorough and reliable tests, for, in order to give the rural free-delivery system a fair and thorough trial tests would have to be made in many localities, differing materially in density of population, topography, class of interests and conditions of highways and thoroughfares. To inaugurate a system of rural free delivery it would require an appropriation of at least $20,000,000.

The matter came up for discussion in the Senate very soon after this report was made, and in the debate in that Chamber the senior Senator from South Carolina gave it as his opinion that to inaugurate and carry into effect this system would cost not less than $200,000,000 every year.

The next official allusion to this matter to which I wish to call the attention of the House appears in the message of President Cleveland to Congress, under date of December 4, 1893. Referring to the matter of free rural delivery he says:

I am decidedly of the opinion that the provisions of the present law permit as general an introduction of this feature of mail service as is necessary or desirable, and that it ought not to be extended to smaller communities than are now designated.

Referring, of course, to the fact of the general law, which grants free delivery to cities of 10,000 inhabitants or to offices doing a business of $10,000 a year, and declaring that in his judgment free delivery ought not to be extended to smaller communities.

I next call the attention of the committee to a single sentence from the annual message of the following year, by President Cleveland, in which he says:

The estimated cost of rural free delivery generally is so very large that it ought not to be considered in the present condition of affairs.

Thus dismissing it with a wave of the hand as an utterly impracticable scheme by reason of the vast expense that would be involved.

It appears, therefore, Mr. Chairman, that a Democratic Postmaster-General, the Democratic chairman of the Committee on the Post-Office and Post-Roads, and a Democratic President all united in agreeing that the establishment of free rural delivery was an impracticable proposition.

Notwithstanding this unfriendly official attitude, however, the demand among the people for this great convenience was so insistent and the pressure continued so strong that in the last year of the Cleveland Administration the Postmaster-General felt constrained to yield to it, and the Democratic House felt constrained to yield to it. Consequently the $10,000 which had been appropriated for each of three successive years preceding, but none of which had been used, was gathered up and $10,000 more added, so that an appropriation of $40,000 was made for beginning experiments in this line.

Pursuant to the provisions of this appropriation the Postmaster-General instituted forty-four routes. But after what fashion were they instituted? The answer to that question is found in the report of the First Assistant Postmaster-General of the year succeeding, the year which witnessed the inauguration of William McKinley as President. That report reads as follows:

All the details in regard to the inauguration of the service were placed in the hands of officers of the division of postal service, superintendents and mail depositories. In order to perform this unprecedented work upon inspectors were detailed from other pressing duties, upon the unprecedented proposition of work, almost from the inception of their division, their attention must be paid at just the same moment demanded. It is but just to say that they display best [illegible] and under the circumstances certainly were assisted by orders which [illegible] the direction. They were instructed to select experimental routes of rural delivery in sparsely settled districts, no matter whether the conditions seemed to them favorable or unfavorable. Some of them became depressed with the idea that the tests assigned to them had been made to show that rural free delivery was impracticable and were inclined to be of exceedingly. Of the forty-four selected routes in which the experimental test was made, some of them were deliberately laid out through country where the people did not want the service and where the personal conditions were such that it cost over 6 cents for every pieced mail delivered.

This extract from the official report certainly makes it absolutely clear that in reluctantly yielding to the demand of the country for the establishment of this service a Democratic Administration had deliberately located the routes at places where the service could not possibly prove satisfactory or of such a nature as to warrant the continuance of the experiment. It is perfectly clear that the experiments were made in such a manner as would bear out the expectation that failure could be reported as the result.

That is the condition that confronted the country, therefore, at the close of Cleveland's Administration. Forty-four experiments were being tried. We all know what has happened since that time. We all know that under the leadership of an Administration friendly, sagacious, and wise this service has been extended until, instead of forty-four feeble and foredoomed-to-failure experiments, there are now over 20,000 free rural routes in actual operation, serving a population, probably, of not less than 10,000,000 people, and the cost has not exceeded in any one year $12,000,000.

It seems to me, therefore, that the records which I have produced abundantly answer the question which was asked a few moments ago from the other side, as to when and by whom free rural delivery was established in this country. We note by these records that the system was suggested and inaugurated by John Wanamaker under the Harrison Administration; that it was practically abandoned by his Democratic successor, who declared that it would cost $20,000,000 to inaugurate it, and whose political associate in the Senate declared that to carry it into actual effect would cost $200,000,000 a year.

We find them trying experiments in such a way as to lead to the conclusion that failure must have been desired and intended. We find the Republican Administration taking hold of this system in this stage of its utmost feebleness and developing it until now it has become one of the most deservedly popular features of our postal system.

I venture to say that with the sole exception of the advance in the price of their products which the past few years has witnessed, no boon has ever come to the farmers of America which is at all to be compared with that of the establishment of the free delivery of their mail; and they owe it absolutely and altogether to the business sense, the sagacity, and the wisdom of the Republican party as carried into effect by a Republican Administration. [Loud applause on the Republican side.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives, by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill and joint resolutions of the following titles:

On December 17, 1903:

An act (H. R. 1921) to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902;

Joint resolution (H. J. Res. 66) in relation to commuted rations for midshipmen; and

Joint resolution (H. J. Res. 70) to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month.

PENSION APPROPRIATION BILL.

The committee resumed its session.

Mr. SMITH of Kentucky. I now yield thirty minutes to the gentleman from Indiana [Mr. MIERS].

Mr. MIERS of Indiana. Mr. Chairman, this bill having been under consideration for six days, I thought it might be proper for me to address a few remarks to the bill and the beneficiaries thereunder. The gentleman from Pennsylvania [Mr. ADAMS] in referring to this bill spoke of it as "the annual appropriation for the stipend which our Government gives," etc. I do not like the word "gives" in this connection. I would rather regard it as a payment on the obligation of the Government, for which it received an adequate consideration on a debt due, not a gift. Nor do I think this obligation can be met with a mere stipend. [Applause.]

This Government has paid to soldiers, their widows, children, and dependent relatives for all the wars in which the United States has been engaged $3,038,623,590.16.

Revolutionary war, estimated	$70,000,000.00
War of 1812	45,186,197.22
Indian wars	6,284,414.55
War with Mexico	33,483,309.91
War of the rebellion	2,878,240,400.17
War with Spain	5,479,268.31
Total	3,038,623,590.16

This in a very small way represents the Government's obligation and debt of gratitude to the men who sacrificed, endured, and fought all the battles of all of the wars in which the United States has been engaged.

This bill appropriates $138,150,100, being $7,095,130 less than the appropriation of 1902.

The pension roll of June 30, 1903, bears 996,545 names. The Commissioner's report shows that during the year ending June 30, 1903, there were dropped from the pension roll by reason of death 40,907 names.

I said this in some measure represents the obligation of the Government to the men who fought its battles. I say "obligation" advisedly.

There has been much talk about our duty to the Cubans, our national honor, the theories of free trade, high protection—in fact, nearly everything has been talked about except the merits of this appropriation. The greatness of the country has been ascribed to nearly everything and to nearly everybody except the men who are the beneficiaries of this bill. I beg leave to suggest that but for the men who fought the battles of the Revolution we would have had no republic; that up to 1861 the right of secession was unsettled. It was a question up to that time whether the Government was a mere compact or a union of States. But for the men who fought the battles of 1861 to 1865 these questions would have been settled against us. We would not have been the strong Union of States that we are to-day and would have been unable to extend a helping hand to suffering Cuba. We would not now be the great, patriotic, liberty-loving, prosperous nation that we are.

The discussion under this bill has furnished a theme to place this glory to the credit of a high protective tariff, to free trade, or whatever happens to be the hobby of the Member. The men who fought the battles and made all these glories possible seem to have been almost forgotten.

This is not the first time these men have been forgotten. In 1864, when General Grant was organizing and assembling a great army at Culpeper Court House, General Sherman at Chattanooga, and Sigel down the Shenandoah Valley, and other organizations of soldiers great and small, the wage of battle was uncertain, the very life of the Republic was being despaired of, these men had to be fed and clothed. The national debt had already grown to nearly $2,000,000,000. The same greed for gain was abroad then as now. The men who controlled the great money markets would loan no more money. The greenbacks went down to 61.4 cents in March, 57.9 in April, 56.7 in May. The soldiers were enduring and fighting for the Union as no other soldiers had done or have since. The money power, that demands so much now, refused to strengthen the credit of the Government and the value of greenbacks depreciated to 47.5. The man who had $100 in gold wanted $210.76 for it.

This was not the end. General Grant had lost nearly 70,000 men in the Wilderness; no one could predict what the end would be. General Lee with a force almost at the limits of the Capitol, and this same money power that had $100 was demanding $285 for it, and actually refused to loan the Government any more money. The Treasury turned to the people and the men who were fighting its battles in the field, and secured a loan of $20,000,000. If anyone doubts this statement let him turn to the report of the Secretary of the Treasury to Congress in 1864. The interest paid on the seven-thirties was $141,536,427.73.

June 30, 1864, Congress authorized the Secretary of the Treasury to make another effort to negotiate a loan on bonds redeemable in five years and payable in twenty years, with an interest of 6 per cent in coin. Four hundred million dollars were authorized, but only $125,561,300 were taken. Greenbacks were worth less than 50 cents on the dollar. The $125,561,300 were bought for $62,780,650, thus drawing the equivalent of 12 per cent in coin on the amount invested. In five years' time these bonds were redeemed for $125,561,300, making to the bondholder 12 per cent annually on his investment for five years, then redeemed at 200 per cent of the original loan.

Fathers, sons, husbands, and brothers were being shot to death in battle for the Union; many were dying of wounds and disease. This same money power was depreciating the value of greenbacks in order that gold might flow back to them from the Treasury. Which class is entitled to the greatest credit; which did the most for the Union? The courage and patriotism of the soldiers, who hesitated at no sacrifice, at no cost of life or health, to save the Union.

Things began to look better in 1865, and Congress authorized a loan at 6 per cent, payable in coin, with greenbacks below half face value; $203,327,250 were placed, when the gold value was not over $100,000,000, thereby putting the difference in the pockets of the bondholders, besides the interest at 6 per cent in coin, amounting to over 12 per cent in greenbacks, thus giving the bondholder over two dollars for one. As shown by a very able article in the National Tribune, the man who lent $221 got back his $221, $110 in the advance on his bonds, and $168 in interest, making a return of $500 for his loan of $221; but for the beneficiaries of this bill it would all have been lost.

Who begrudges to these men, who endured such hardships, made such terrible sacrifices, and saved the Union, this small payment on the Government's obligation? These men were paid in the depreciated greenback dollar. The bondholder was paid his interest in coin, and finally his bond was paid in gold. The soldiers' courage never failed; they never winced under hardship nor flinched in battle. They made all things possible to this Republic. Now that we have grown strong, let us not forget the obligation that once laid so close to everyone's heart nor the debt of gratitude that we owe. [Applause.]

This great Government gladly and willingly grants a liberal pension, which in a small degree compensates for the maimed limb, wounded and diseased body. Let us not forget these men who sacrificed and endured so much to preserve the Union our forefathers established.

If it was right, which I never believed, to meet all the bondholders' obligations in gold, what is the just desert of these men—the nation's protectors? They were paid in a depreciated dollar. Now that we are at peace and prosperous, with an overflowing Treasury, it would be but right to treat these men as fairly as we did the bondholder, and meet his obligation by payment in kind. This should be done by paying these men now what they should have received forty years ago, the difference between the depreciated currency and gold.

In heralding the glories of the Republic and in referring to our duties of honor, let us not forget the most deserving of all. Let us always be mindful how prone human nature is, how natural it is for the strong to bear down on the weak. How natural it is for a great army to seek for some controversy that it may show its skill in battle. In this day of progress and commercialism let us emulate the example of the founders, and remember that our proud Republic had its inception in throwing off the tyranny of a strong power. The bed rock of our Republic was laid in liberty's cause. That the sweetest word and fondest dream of the forefathers was "liberty." That their rule of action was "the golden rule." [Loud applause.]

Mr. SMITH of Kentucky. I now yield twenty minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I will not violate in the least the general rule that has been observed in this discussion by saying anything about what is in the pending bill. There has been a great deal said about the so-called Republic of Panama, and I have failed to see any division of sentiment upon the other side, but there seems to be some division on this side. I think we will all acknowledge the fact that the building of an isthmian canal is the milk in the cocoanut.

I think if it had not been for the question of the canal we might never have heard in our time of the Republic of Panama. It seems that the so-called secession in Panama was brought about primarily and for no other purpose than to secure the building of a canal where the present partially built canal is located. Therefore I think the practical question before the country is the

question of whether or not the treaty that has already been negotiated with the so-called Republic of Panama shall be ratified or not.

In treating this question I do not think that it ought to be treated from a political standpoint or a standpoint of party advantage or disadvantage, from the fact that the question of whether we should have an isthmian canal has never been treated as a political question. Both the great parties in their conventions have declared for it repeatedly, and when the matter was before this House the vote was not whether we should have a canal or not.

The only question was whether it should be built at Nicaragua or Panama. We had before us the opinions of the same engineers of the United States Government. We had expert evidence as to both routes; that both were feasible, that both were practicable.

Panama was regarded as the more favorable route, provided that what had already been done there could be purchased for a price stipulated. I believed from the evidence presented that Panama was the more desirable route. To my mind from the evidence it was only a question of routes, as both were declared feasible; and while the House voted by an overwhelming majority in favor of constructing the canal at Nicaragua, when the bill came back from the Senate so amended that it might be built at either place, preferring Panama, and authorizing the President and giving him the same authority to build at either place, we voted for the amended Senate bill.

We negotiated a treaty to build it at Panama, in accordance with the recommendations of the engineers. The statute provides conditions under which the President, not may, but must construct it at Nicaragua. Now, the practical question is, Shall we have it at Nicaragua or Panama? I, for one, do not believe that if the treaty is not ratified the President of the United States will refuse to obey the plain statute and refuse to construct it at Nicaragua.

I believe the President will obey a plain statute of Congress, and the only question to be considered now is as to whether we shall have it at Panama or Nicaragua, for we are going to get it at one or the other place. Some of our friends on this side use the most vigorous language in denunciation of the Panama Republic, characterizing it as only a subterfuge of our own devising; that it was brought about by the agency of the United States, and was really and in fact not an uprising of the people of Panama on their own motion, but instigated and brought about by ourselves for the purpose of obtaining more advantageous terms for the building of the Panama Canal than we could get from the Republic of Colombia.

Then I say to those gentlemen that take that view of it—and I am not saying that they are not correct—how can you turn around and say you are in favor of ratifying the treaty that was made in pursuance of such design? The people are not all fools; they can see through this matter as well as we can. A mere play is worth nothing. If we want to rebuke the action of the Administration in setting up this Republic, as it is claimed it has done, the only practical way to do it is to let the Democratic members of the Senate vote to a man against ratification of the treaty, and then you will have the canal at Nicaragua, and you will not have to indorse the wrong, if there be one, for building the canal at Panama.

I think the gentleman from Arkansas [Mr. DINSMORE] was entirely logical. After he had denounced the Administration in the terms he had, how could he justify a ratification of the treaty brought about by a republic created as he said this was? He said he could not, and therefore he would oppose the ratification of the treaty.

But I do not think we will gain any ground to stand here and denounce the action of the Administration in setting up this Republic and at the same time say we are going to ratify the treaty made with it and for which it was brought into existence. It does not strike me as a common-sense course. It does not strike me as logical but that they who denounce the Republic should denounce the treaty.

Mr. Chairman, we know it is the law of all the world that they who receive stolen property, knowing it to be stolen, are liable morally and legally. It is not the fact that the canal is not just as good built under this treaty, but what authority have the people to make that treaty? None, except the authority resulting from this movement.

If it is a movement indefensible, covered with turpitude and crime, then to treat with that so-called Government is equivalent to accepting stolen property knowing it to be stolen. The thief may have a stolen horse that will cultivate my crop and draw my cart just as well as though he was the legal owner of it, and the fact that I can make the same use of it does not justify me in buying it, knowing the lack of title. Should I buy it and pay every dollar it is worth to the thief, I become a party to the original crime, punishable by statute, and certainly by every code of morals.

Now, if this matter is as bad as stated by some of those opposed to it, how can they vote to accept the fruits of the crime? For one I can not do it. If this movement was instituted by the connivance or suggestion of the Administration, if it is as black and dark and damnable as it has been painted, I say, for the sake of our own character, we should never ratify the treaty. Never! But if we are going to ratify the treaty and benefit by the fruits of the wrong, the less we say about the crime the better.

I want to say further that we can not dodge the responsibility. If this thing is to be made a party question, the treaty with Panama can not be ratified without Democratic votes in the Senate. What is ratification but approval? It approves not only the document presented on its face, but all of the moral considerations and responsibilities preceding it. I say if it is going to be ratified by Democratic votes in the Senate, there is no use in talking about the enormity of the crime that brought about the Republic. It is idle and useless. Therefore it seems to me that denunciation is indiscreet, unless we are going to take a stand against the ratification of the treaty. That is the reason I asked the gentleman from Arkansas [Mr. DINSMORE] in all candor whether he was in favor of ratifying the treaty, and he boldly said "no."

Mr. Chairman, the treaty of Paris was brought before the Senate which provided for the taking over of the Philippine Islands and paying $20,000,000 for them. A majority of the Democrats were opposed to that part of the treaty, but thirteen Democrats voted for it and made it possible, for it could not have been ratified by the Senate without these Democratic votes. How often have you heard from the other side of the House, when criticism concerning our action in the Philippines was being indulged in, the remark, "You made it possible." Without the help of the Democratic Senators we should have had no Philippines. In that case we had only to guess what the Administration would do, and it was not much of a guess, because they voted down the Bacon resolution, and every amendment offered by us, looking to the establishment of a policy.

Yet many Democrats, condemned what followed in the Philippines, that a plowboy ought to have seen beforehand would follow. Now, if we are going to condemn this Panama Republic, let us do it in the only practical way, and that is, vote against the ratification of the treaty. If we are going to accept the fruits of it, if we are going to accept the benefits of the wrong, and so announce it in advance, for self-respect and for our standing in the world let us say nothing more about it. [Applause.]

I again say I regret that I am unable to agree with some of my colleagues on this side who have characterized this so-called Republic as an abortion on the face of the earth, misbegotten, hag-born, and ditch-delivered, but who are, for the sake of commercial advantages to accrue to us, willing to ratify the treaty with Panama and regard its rejection by the Democrats as a mistake which the Republicans would like for us to make.

I hope the ideals of this side have not sunken to the commercial level; that the action of the Democratic party with regard to the ratification of the treaty with this "hag-born" Republic will not be governed by a dollars-and-cents consideration. We had better be right than rich. National character is more to be desired than national wealth; a splendid history rather than a splendid country.

The very moment the treaty is rejected by the Senate, under the plain, unambiguous terms of the act of Congress, the President must—not may—begin negotiations for the construction of the canal at Nicaragua. How amazing it is that any Member of this House preferring the Nicaragua route should advocate the ratification of this treaty!

Mr. Chairman, as before stated, I believed from the evidence before us at the time that the Panama route was the best, and on equal terms should be selected over Nicaragua, and so voted; but if we have to condone, approve, or even wink at what is alleged to have been the conduct of the Administration in this matter, I for one say perish the thought of ever digging a canal that will in all future times, if not in our own, be regarded as the grave of American honor rather than a monument of American achievement. We had better never have the canal than secure it at the sacrifice of all that is most to be cherished in American history and tradition.

Away with all sordid considerations of gain and greed, and let us look at this matter from the standpoint of national morality. Simply to secure hoped-for commercial advantages is this treaty to be ratified by Democratic votes, thereby accepting the fruits of the work of the Administration, with a full knowledge of what it is and has been; with the responsibility that it will involve us in a war with a neighboring Republic, in which the sympathy of the whole Christian world will be with them; in which much American blood must flow and millions of American treasure be expended? For myself alone, I say most emphatically, No.

I believe the President will not hesitate to discharge his duty,

and will, upon the rejection of the treaty with Panama, at once enter into negotiations to construct the canal at Nicaragua. But if in this I am mistaken, and he should fail to do his plain duty, instead of digging a canal he will most effectually dig his own political grave. With such a refusal on his part, as the nominee of the Republican party he would not carry half a dozen States in the next election. Should this be the case, the Democrats will have saved the national honor, secured the canal where they want it, and sweep the Republican party from power. For all of which let us pray.

Mr. VAN VOORHIS. I understood that some gentleman on the other side desires to speak thirty minutes.

Mr. SMITH of Kentucky. I do not think there is anyone on this side who desires to speak now.

Mr. VAN VOORHIS. Then I yield thirty minutes to the gentleman from Kansas [Mr. CALDERHEAD].

Mr. CALDERHEAD. Mr. Chairman, the late hour to-day will not permit me to make any very extended remarks. I intended to pay some attention to the report of the Commissioner of Pensions and to ask the attention of Members to that report and to the amount of work that has been done by the Pension Bureau during the last year.

The administration of that Bureau is showing a very gratifying progress. There is much difficulty in the administration of it. The pension system of the United States has never been a well-planned or well-organized or well-considered system. It has grown up gradually from time to time; and legislation upon that subject has been largely piecework. The general pension law which was passed during the time of the civil war was intended to meet the requirements of the pension system at the time and was added to the pension laws which were then in existence.

Those laws had had a long and singular history. There was a time when the administration of the pension laws was under the Secretary of War, and another time when the administration of the pension laws was under the Secretary of the Treasury. There was a time when some legislation proposed that the circuit courts of the United States should hear the claimants and decide who were entitled to pensions and determine the amount and certify their names to the Secretary of War.

The circuit courts, to whom such application was made at the time, declined to hear the applications or to adjudicate such claims for the reason that their judgment upon the matter could not be final in any event, but must always be subject to any subsequent legislative action of Congress. So the courts refused to entertain jurisdiction of such cases when their judgment might be vacated or modified or set aside by the action of Congress afterwards.

Since the general pension law of 1862 a great many amendments have been added to it. As each successive act was passed, new rules for the administration of the law were necessary, and in each case the Bureau was to a large extent bound by the precedents that had been set under the former legislation.

They were necessarily bound by these precedents, for if they attempted to enlarge them or make new rules, then those who had been pensioned under the former law felt that an injustice had been done them and immediately made application for a relief which the law did not provide for in their cases.

Time passed, and as the years passed it became more and more difficult for the soldiers who had survived to prove the origin of their disabilities in the service. A vast number of men who had served faithfully in the Army, and who had become disabled either from injuries received in that service or from disease and injuries received after that time, felt themselves justly entitled to the relief of the pension laws, and yet no provision was made for them in case they would be unable to prove the origin of their disabilities in the service.

The act of 1890 was passed for the purpose of providing pensions for all of that class.

The men who served in the ranks of the Union Army were not hasty in calling upon the Government for relief by pensions. Ten years after the war closed only 6 per cent of the men who served in the ranks of the Union Army had made application for pension at all, even including all those who had actually received wounds or suffered injuries or contracted disease or other disabilities which were incidents of the camp.

Most of the comrades felt when the war closed and for years afterwards that the nation was overwhelmed with the burden of a national debt and that the first duty of the country was to redeem its honor by the payment of it, and that after the national debt had been paid or put in a condition that it could be paid without being a burden to the country it would be time enough to appeal to the country for attention to their wants.

There was a degree of patriotism in this that has been seldom witnessed in the whole history of our country. Citizenships in a republic is usually ready and free to get the aid of the government in any emergency, and in every possible direction in which it can be distributed to the individual. The soldiers of the Union Army were not hasty to seek that kind of aid. Most of them felt, and a large per cent of them still feel, that the pension ought to come graciously from the hand of the country as a mark of honor.

No compensation in dollars and cents can pay for the suffering of wounds, or of disease, or for the loss of health—for long years of pain. The pension should be given graciously by the nation itself as a mark of honor for services voluntarily given to the nation.

It is estimated, I think, by the Commissioner of Pensions and by General Ainsworth, the efficient chief of the record and pension division of the War Department, that 25 per cent of the soldiers of the Union Army now living have never applied for pensions at all. All that vast number of men have still felt themselves able to provide for their own necessities, or have felt that the pension itself should come as the gift of the nation and not as a reward at their hands.

It is estimated, I think, that there are 200,000 soldiers now living who have never asked for a pension at all. I intended to have had along with me to-day the report of the Commissioner of Pensions showing the small number of pensioners, comparatively, who are drawing pensions for injuries received in the service. I think that there are about 264,000. These figures I shall correct in the RECORD. I am giving them now only from memory and approximately.

There are about 430,000 soldiers drawing pensions under the act of June 27, 1890, for disabilities incurred since the service, or for disabilities incurred in the service which they are not able to prove directly under the general law. Of the 430,000 soldiers who are drawing pensions under the act of June 27, 1890, more than one-half of them are drawing only six or eight dollars a month. The amount is comparatively small for each one. I know that it took a vast aggregate in millions when the total of the pension roll is added up.

I know that one hundred and thirty-six or one hundred and thirty-eight millions paid out annually for pensions to individual pensioners seems like a vast sum, and yet nobody complains when the Postal Department of this Government costs one hundred and fifty-six millions; nobody inquires how much the work of the War Department costs; nobody hesitates about the expense of the Naval Department.

There are few expenses of the Government that are ever questioned or inquired into or complained of, and there is no reason why anyone should say for a moment that a pension roll of one hundred and thirty-six or one hundred and thirty-eight millions is a burden upon the country. Outside of the demagogue who is playing before an audience, and outside of some discussions that we sometimes hear in this Hall, I have never heard any man or woman in all the land utter a complaint that the amount distributed by the general pension roll was too great, or that it was a burden upon the country.

The pension law of 1890 grants a pension of $12 a month for a total disability to earn a support by manual labor. Under the general law which grants pensions for disabilities incurred in the service, $30 a month is allowed for total disability to perform manual labor. Now, the soldier who is drawing only $12 a month under the act of 1890 must be as completely disabled for labor as the soldier who is drawing $30 a month under the general law, and in the neighborhood where the comrades live, when the comrades look at each other and see one man totally disabled for any kind of labor, helpless with paralysis or totally blind, dependent upon his pension for subsistence, drawing only $12, while beside him is another neighbor disabled for labor only, walking about ordinarily at his own will, drawing $30 a month, they feel that there is an inequality in it; and it has been a difficult matter to explain to them and to the country why there should be such a difference. The soldiers themselves soon learn it.

There is another distinction which arises out of the administration of the law that seems to be still more inequitable. The soldier is allowed $12 a month for a total disability to earn support by manual labor, and the Department is allowed to proportion that rate for less disabilities, so that some receive $10, and some $8, and some $6, but the man who receives $6 per month receives it upon a rating of one-half total disability for labor. The man who receives $8 a month receives it upon a rating for a little more than one-half of total disability for labor.

The place where it seems to be inequitable is this, that no man who is one-half disabled for manual labor will be employed by anybody for manual labor. He gets the labor only as an object of charity. A man who is two-thirds or three-fourths disabled for labor and who gets a pension of $8 or $10 a month is not employed by anybody for labor, except when he is employed either as a charity or when he obtains the employment through hard necessity.

He is as utterly prevented from supporting himself by manual labor in many cases, and in most cases, indeed, as the man who is

actually shown to be disabled and drawing his $12 a month. Now, looking at that condition of things, the soldiers of the Union Army, the men who rendered the service themselves, think that it might be remedied by a general law, and their reason for it is based upon illustrations of this kind.

I think, if I remember the regiment correctly, the Fifth New York Heavy Artillery was a regiment of 1,400 men when it went into the battle of the Wilderness on the morning of the 5th of May. It went through that campaign. It stacked arms in front of Petersburg on the 10th of October with 36 muskets! The 36 men who went through the whole of that terrible campaign without a wound, or without an hour's loss of duty, who saw it all and who remained until the expiration of the war upon duty, and came home without a record of any injury incurred in the service, are precisely the 36 men who can not now prove any disability incurred in the service.

Yet they saw it all. They endured it all. Broken now by years and in many cases by injuries which were received then, but which they can not prove now because the witnesses are all dead, these men and such men as these must seek their relief under the law of 1890, and when one of them shows himself to be totally disabled, instead of getting $30, as his old comrade does who proves his disability in the service, he gets but $12; and when he proves himself to be one-half disabled for any kind of labor, instead of getting $17 or $24 a month under the general law, he gets but $6.

His feeling is that all this might be made more equitable by a general law, and for that reason in due time I intend to ask this House to consider a general law, a service pension, granting $12 a month to all the soldiers of every rank on account of their service without regard to any disability. It is time for it now. It is nearly forty years since the last gun was fired.

I know that legislation of this kind will relieve the Bureau of a vast amount of work which it is now called upon to do. I know, too, that in many cases it will relieve Congress and the Committee on Invalid Pensions of a great burden which is now imposed upon them.

I want to call attention to one thing more. The Committee on Invalid Pensions is not organized as a court of appeals from the Pension Bureau. It is organized for the consideration of cases that can not be decided by the Pension Bureau; organized for the purpose of granting relief in cases where the Bureau can not grant it under any existing law.

There are some cases in which the Bureau can not grant pensions, for the reason that the evidence does not satisfy them and is not sufficient to comply with the letter of the law. Sometimes serious complaint is made about the Bureau, that it requires a literal compliance with the letter of the law. Now, it is true that some discretion is given to the Commissioner of Pensions in construing the evidence, and whenever he shall be satisfied that the evidence is sufficient to authorize a pension he may grant it. The law gives him that latitude.

But you can easily see that he can not distribute that discretion through the 134 men who are merely his clerks and who must necessarily hear and consider and pass upon this testimony. He can not personally examine the thousands of cases. If he distributed his discretion to the board of review or even to the board of appeals in his Bureau, then no limit could be placed upon the administration of the law. One clerk might exercise his discretion liberally in one case, and another less liberally in another case exactly like it, and the discrepancy between these two would destroy the effect of the law and would involve the Bureau in perpetual contention with the claimants. There are many cases that can not be allowed by the Bureau.

The work of the Committee on Invalid Pensions, with which I have become familiar during the last two terms of Congress, has been made unwittingly burdensome by the Members of Congress themselves. I do not speak now for the purpose of criticising any man or any Member of the House, and yet, although we have only been in session since the 7th of this month in this session, there are now in that committee room over 4,000 bills for private pensions.

Every Member of this House knows when he introduces his bills that he can not possibly obtain more than seven or eight, by the most liberal favor of the committee. There is not time either to consider them in the committee or to pass upon them in the House. But when a Member introduces 100 or 200 private pension bills, mailing to each claimant a copy of his bill and advising him that his case is pending before the Invalid Pensions Committee, the claimant immediately writes to the committee and the committee is burdened with an answer to him, telling him why his case can not be taken up and considered at that time.

The claimant believes that the committee is doing him an injustice, or else he feels that the committee is showing favoritism to some one else. This is a matter of injustice which you are working toward the members of the committee.

It would be an easy matter for the Members of the House to select five, or six, or seven, or eight cases from their districts—cases of the greatest distress, cases that are clearly entitled by the evidence in their possession to this special relief—and to present them to the committee. We could accomplish our work and present it to the House much sooner.

Just one thing more concerning the work of that committee. Although we were called in session upon the 9th of November, the committee was not named until the 5th of December, and during all that time the Members of the House were introducing their private bills and sending them to the committee as if it were organized and ready for work. During that time there was no organization of the committee, there were no clerks, there was no procedure by which we could make a record of the bills.

Now, since the 5th of December, when the committee was appointed, we have the regular clerk of the committee and we have a man detailed from the Pension Bureau for the purpose of examining these cases and making an abstract of them to give to us. These two men labor together to make an index of the bills, to put them upon a docket, and make an index of them, so that they can be found when we want them for consideration. During all of the last term of Congress, with the same two men, and with a stenographer and two additional clerks, that force was compelled to work from the time they came to the Capitol in the morning, at 8 or 9 o'clock, until 10 or 11 o'clock at night, just simply to keep records of that kind for the committee in order that we might have the bills ready for consideration when we met.

This is not fair to the committee. The House has not yet allowed that committee any additional clerks. The House will take its holiday recess on Saturday. There will be no provision for additional clerks before that time. We will not assemble again until the 4th of January. We can not have any additional clerks until you grant them after a report from the Committee on Accounts, when that time comes, and then we can begin the consideration of your private bills.

You can see for yourselves, if you think about it, that it will be the last Friday in January before that committee can make a report upon any bill in the House. You are delaying the matter in which you yourselves are interested by the manner in which you are burdening the committee with bills that you do not intend to ask to have passed, and yet which must be recorded, docketed, and indexed for action of the committee. This is a matter that you can care for yourselves.

There are some other matters concerning the pension laws about which I desire to speak, but I will take the time some other day. The older nations have learned by experience, and when a soldier is discharged from the army of France, or from the army of Spain, or from the army of Germany a medical record is made showing his physical condition, showing what injuries he received in the service.

If he is married, a record is made of the residence of his wife and children and their number. From that time on while he lives a record is maintained of his family and of his wife and children while they live. When he dies, by operation of law the widow and children become entitled to pension.

It is a matter which is ascertained by the Government, not by the widow and children. In our country they must become claimants. They must make proof, and to make proof in accordance with the exact letter of the law is in many cases impossible now. It is forty years since the war closed. In some cases it is fifty or sixty years since the soldier married the widow which he has left.

Now it is impossible for her to prove by record or by living witnesses the fact of her marriage, the fact that she was never married before, and that she had never been divorced, and that he had never been married to another, and facts like these. Yet until these facts are shown, she does not show herself to be the only claimant in the case entitled to the pension.

It is true that the Department may waive some matters of the proof in cases where the evidence may seem satisfactory with her own statement in reference to these facts and assume them to be true. Yet the Department can not permit, as I said, the clerks who are doing the work to exercise that discretion, for if they did one might violate a sound discretion, and by liberality in one case and by strict requirement in another case there would not be an equal administration of the law.

I think there might be some amendment in the general law which would enable the Department to ascertain now, while the soldier is living, who his wife is, and who his children are that will become entitled to pension at his death. This matter might be remedied, and until it is remedied by law there can be no relief through the Bureau or from it.

I spoke a little while ago of the general relief that might be given to the work of the Bureau by the passage of a general service-pension law at the rate of $12 per month. It is time for it. I know by my acquaintance with the men in the ranks that the

average age of the survivors must be nearly 65 years now. I am only speaking from my general knowledge of the men who were in the ranks when I was.

It is time for this service pension. Long before the men reached that age a service pension was granted to the survivors of the Revolutionary war thirty-five years after it closed. A service pension was not granted to the survivors of the war of 1812 till a late date, but a service pension was granted to the survivors of the war with Mexico before they reached the average age of 65.

There is no reason now why the same liberal pension, the same generous recognition by the Government, should not be given to the soldiers of the Union Army, except the fact that it will largely increase this appropriation. But this is a diminishing roll. The years carry them away very rapidly now.

I said before, and I repeat it now, that outside of the discussions we may have here, outside of the orations of some demagogue talking for partisan purposes upon the stump, you never hear a man, woman, or child in all the land complain that the amount appropriated and paid for pensions is too much or that it is burdensome in any way.

Following the policy of our party, we have provided a generous revenue for the support of the Government. We have done it not only with a view of providing a revenue, but for the purpose of protecting the labor and industral energy of our country; and in its administration the revenues have been large enough to pay this roll which we are now appropriating for and to pay all the other expenses of the Government upon a most generous and most magnificent scale and still leave a surplus going into the Treasury.

Now, this roll is decreasing annually by death. Can it not be made up by some general legislation that will reach the men who have never yet had any relief, that never yet had the recognition which a generous nation owes to men who tendered their lives and their services that the Government might live?

It was not merely a battle to decide a question of constitutional law; it was not merely a battle to ascertain which political party was right in the policy of the nation; it was not merely a battle to determine whether there should be freedom or slavery in the land, it was a battle for the preservation of the Union; a battle for the preservation of the Government; a battle to maintain for the world a Government founded upon liberty and equality before the law.

It was the utter destruction of the Government that was threatened. It was the preservation of that Government and its institutions that was maintained. It was the war of self-defense and of self-preservation, and these men to whom this recognition is given are the men who voluntarily gave their service for that preservation. [Applause.]

They are the men to whom this recognition is due. They ought not to be required to come as claimants. They ought to be sought out by the nation and this distinguished honor carried and delivered to them in testimony of the gratitude of the nation for their services. [Applause.]

Mr. Chairman, I will avail myself of unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. CALDERHEAD. Under this leave the following is appended, taken from the report of the Commissioner of Pensions:

The following table shows the number of pensions and the monthly rate thereof. Total number of pensions June 30, 1903, was as follows:

Rate.	Number of pensions.
$8 and under	129,634
From $8 to $10, inclusive	244,921
From $10 to $12, inclusive	86,626
From $12 to $14, inclusive	296,484
From $14 to $17, inclusive	22,931
From $17 to $20, inclusive	3,182
From $20 to $24, inclusive	9,654
From $24 to $30, inclusive	43,284
From $30 to $36, inclusive	793
From $36 to $50, inclusive	7
From $50 to $72, inclusive	26
From $72 to $100, inclusive	114
From $100 to $125, inclusive	14,112
From $125 to $150, inclusive	0
From $150 to $200, inclusive	3,593
From $200 to $250, inclusive	3,354
From $250 to $300, inclusive	8,787
Over $300	77
At $400	1
At $500	3
At $600	1
At $700	2
Total	996,545

The average value of a pension is $133.49. Over one-half of the pensions are $8 or under.

The whole number now receiving pensions by special acts is as follows:

SOLDIERS AND SAILORS.

203 at	$12.00
40 at	14.00
16 at	15.00
43 at	16.00
102 at	17.00
5 at	18.00
14 at	20.00
156 at	24.00
3 at	25.00
379 at	30.00
35 at	32.00
130 at	40.00
44 at	45.00
152 at	50.00
71 at	72.00
1 at	75.00
9 at	100.00

WIDOWS.

114 at	8.00
4 at	10.00
86 at	12.00
7 at	14.00
5 at	15.00
1 at	16.00
67 at	17.00
51 at	18.00
183 at	20.00
2 at	22.00
2 at	24.00
2 at	25.00
134 at	30.00
1 at	32.00
17 at	35.00
4 at	40.00
1 at	42.00
2 at	45.00
1 at	50.00
1 at	60.00
1 at	75.00
16 at	100.00
1 at	125.00
3 at	166.66
1 at	208.33
2 at	416.66

Mr. BURGESS. Mr. Chairman, I propose to discuss briefly the recent much-used expression which has been injected into political literature. It consists of two words, "Stand pat." It could not be expected that a Texan could understand what this means. [Laughter.] Out of deference to the gentleman from Iowa [Mr. HEPBURN], who is prone to twit the Texans with being uninformed, I took occasion to look into the origin and history of this expression. It comes from the lips of one of the greatest players in the great American game of politics, Senator HANNA, of Ohio, who might, in the light of recent events, be aptly termed the suppressed possible President of the United States.

Knowing the gift of the Senator as I do for being apt in phrase, as in other things, I was led to inquire more diligently into the meaning of this expression. I found that it belongs to the great American game commonly called "poker," and that it means to play a hand as dealt without drawing for any more cards. I found upon further investigation, however, that it is not invariably true that a player who "stands pat" has a hand that justifies him in betting his money. [Laughter and applause.] But that occasionally it happens, and possibly it will in the coming Presidential campaign, wherein the hand of the Senator from Ohio has been turned over to be played by the strenuous gentleman from New York; that in the show down the player may be bluffing and may have only a "bobtailed flush." [Laughter.]

Now, seriously, gentlemen, this expression stands for something, as might be expected, coming from the source it does. I understand the purpose and design of the junior Senator from Ohio in his use of this expression to be simply this: "The Republican party went into power, it enacted the Dingley law, and the country became prosperous; here is cause and effect, and voters should oppose any change of this party and its policies." This expression is invoked not only against Democratic success, but against the "Iowa idea" as well. It involves the assertion that the prosperity of the country has been produced by the Republican party and its protectionism and the unwisdom of any change of either.

Those who use it in effect say, "We take our present hand: let others draw to better their hands, but we 'stand pat.'" They are "it." The acme of government has been reached. "Stand pat!"

Now, this furnishes food for thought to every patriot, for, unhesitatingly, I proclaim, so far as I am concerned, that if it be true that the Government can produce prosperity, and that Republican Government has produced prosperity for the past six years, every patriot would owe it to himself and his country to oppose any break in this prosperity.

But, I undertake to say, Mr. Chairman, that the contention voiced in this expression "stand pat" involves a false economic doctrine to start with: that it is untrue, in fact, and is a pernicious theory, destructive to the self-reliance of our citizens in its educative suggestion.

I belong, I am proud to say, to that school of political thought which believes that power and prosperity go hand in hand; that both originate with the people and travel upward and bless every class and section that they touch. I deny that prosperity can be produced by any government, or that it ever has been produced by any government at any period of the world's history. Of course I do not speak of prosperity of the individual or of a class, or a mere locality that is bound up in the fortunes of that individual or that class, for these may be favored by government. A hothouse, circumscribed, individual class or local prosperity may be produced by government.

That I admit, though I contend it will be at the expense of all other individuals, classes, and localities than those favored. But that permanent and universal prosperity can be produced in this country by the Government is not sound as an economic theory. Prosperity does not flow down from the powers that be, but springs up from the soil and seasons and the industry and intelligence of our citizens. [Applause.] Prosperity, my countrymen, is a hybrid—half divine, half human—born of the blessing of God in soil and season, and of the industry and intelligence of mankind. Prosperity comes to our country in no other way than this natural way, which augments the national wealth by the products of the soil. God made this country to feed the world, and keyed its potent forces upon its fertile soil and favorable climate. The American farmer, who plants in faith, cultivates in hope, and reaps in grace, is the uncrowned king of the world. Long may he reign, unfettered to pour out his products into the markets of the world, to bless foreign nations, and to enrich his own. [Applause.]

Long ago a great thinker said, "The best governed people is the least governed," and thoughtful consideration for a century since has only confirmed the wisdom of that vital governmental proposition. The reason of it is simply this: That in an ideal republic like ours, where all power emanates from the people, the closer the proper functions of government can be bounded and controlled within the limitations of its design of preventing crime and protecting the weak against the strong, reserving to the people the sources of power, the better for the people and the better for their public servants. The nearer prosperity can be kept in its natural channels, untouched by the legislative hand, the better for the country where it has its birth. Every time you attempt by the hand of law to interfere with the natural channels of prosperity, you only obstruct, restrict, hinder, localize, that which would be wider, more natural, more beneficent, if left to its natural pathway and its ordinary progress.

I take it, it will scarcely be denied by any thoughtful man that prosperity must originate in the homes of the people, where the real source of production is. Let us trace for a moment the natural pathway and progress of prosperity. European agriculture has not prospered, and there is a demand for meat and bread in the markets of Europe; seasons have been favorable in these United States; there is a great wheat crop here; there is a great cotton crop here, and the cattle raiser with his cattle on a thousand hills has been successful and has prospered in the breeding and raising of cattle. What happens then? So much is produced as that not only 80,000,000 inhabitants of the United States are supplied, but an immense surplus is borne down the lines of railway to the sea, and into the holds of the vessels of the world, and by them carried into the markets of the world, under the banner, if you please, of absolute free trade, and in competition in the markets of the world with all these products.

In turn for these products the gold of Europe is poured in a great tide back into American homes. Then what happens? There is an increased capacity to buy on the part of those engaged in the production of these great products, and wherever there exists such an increased capacity on the part of the people to satisfy their needs or their desires more purchases occur. This people, thus blessed by soil and season and their intelligent industry, go about in the stores of the land and buy the various things they need to satisfy their wants or desires—aye, their fancies and whims—and retail trade, closest to and most dependent upon the people, rapidly responds to this birth of prosperity.

The retail dealers begin to buy through drummers, and by letters, of the wholesale houses. Wholesale houses, realizing the impetus to their trade, make larger drafts upon the manufacturer, and the manufacturer gets a move on him; the smoke begins to rush faster and higher out of the factory chimneys, and the railroads get busy, and all along the pathway thus described, from the field to the foreign market, back again, and from the home people to the manufacturer and back again, labor everywhere gets increased employment, and an added capacity to buy, predicated upon the original capacity to buy, occurs. And thus in an endless chain in God's ordained way prosperity rolls on unfettered and blesses the American people regardless of whether the President is named Grover Cleveland or William McKinley. [Applause.]

Mark it, my countrymen, a man teaches a dangerous and pernicious doctrine to the people when he urges them to look to party and government rather than to God and himself for prosperity and success. I have said that this position of "stand pat" not only involves an economic fallacy, but that it is false in fact. What are the facts? What has the Republican party done to produce this prosperity of which they boast to be the divine authors—a claim that has been a lie in the mouth of every imperialist that ever cursed mankind since the dawn of history—that contention which prompts its advocates to say from the thrones of earth, "We pour out our blessings on the people; we take care of our children?" Nero taught that, Cæsar taught that, all the infamous oppressors in history advocated that doctrine. It is the dogma of despotism!

What have you done? True, you passed the Dingley tariff bill. Very well; what of it? If there had not been on the part of the American people increased capacity to buy, how would your spindles have turned faster, how would more labor have been called for, how would more goods have been sold, how would your manufacturing industries have been stimulated?

You talk of foreign trade; but you know it is a bagatelle in comparison with the enormous American demand for American goods. This increased capacity to buy has come from what? From the blessings of God in soil and season and the intelligent industry of our citizens, reenforced by an economy taught them by those bitter years which afflicted our country, and especially the South, from 1890 to 1896, when the prices of cotton, cattle, and wheat were so low as scarcely to cover the cost of production.

These conditions rapidly changed. The price of cattle jumped from $10 to $20 per head, the price of wheat rose from 48 cents to more than $1 per bushel, and cotton has advanced from 4 cents to 12 cents per pound. Naturally the people could buy more, and naturally they did buy more, and prosperity came to our country in its natural way. And what we got from God and our own industry the Republican party proceeds to proclaim as its gift to the nation, and cries, "Stand pat!" The fact is that during these years of prosperity the farmer and the stockman, the producers of our country, have been robbed of much of this prosperity by the extortions in price of the trusts, operated under the shelter of protection. And over against this cry of "Stand pat!" the Democratic party cries, "Right about face, and as rapidly as possible, consistent with existing conditions, revise and reduce the tariff, tear the shelter off monopoly, administer economic, honest government, and let prosperity be divided among the people in accordance with heaven-ordained methods." [Loud applause on the Democratic side.]

The record of production and exportation of crops and meats for the last ten years shows that the facts are in accord with the true economic theory of prosperity as I have outlined it, and that prosperity came in this land not as a result of McKinley and his policies, but as a result of the energy of the American people and the fertility of their soil, favorable seasons, and an advantageous world market, which, if affected at all, was affected adversely by the Dingley Act. [Applause on the Democratic side.] The recent report of our able Secretary of Agriculture—and it affords me pleasure to digress to say that, in my judgment, he is one of the best the country has ever had—contains abundant, in fact, unanswerable, evidence of the truth of the position I have taken, and his statement is so complete that I insert it at some length, beginning on page 8, as follows:

Out of their continued abundance, during the past year, the farmers of the nation have contributed food and raw materials for manufactures to hundreds of millions of people in foreign countries, besides sustaining 80,000,000 at home.

A survey of half a century discovers the remarkable character of the movement in which the farmers of this country have become the chief purveyors of the world.

In 1851 our shipments of farm products were valued at $147,000,000, while half a century later, in 1901, they amounted to $[illegible], an increase of $[illegible],000,000, or about 500 per cent. The farmers' export trade for the decade 1891 to 1900 amounted to $[illegible],000,000, and in the following decade, in spite of the transfer of [illegible] millions of men from productive to unproductive life, the total was $[illegible]. In the decade after 1851 the exports from [illegible] and amounted to $[illegible]. In the last decade the amount grew fourfold, and the total for the decade of 1891 to 1900 was [illegible] or an average of over $[illegible] a year. Subsequent to the last named period this trade has gone on increasing and reached its highest amount in 1901, with exports valued at $[illegible]. The export trade in farm products for 1903 was valued at over $[illegible], an amount exceeded only by that of 1901.

The consumption of cotton in this country is now greater than that of any other country, and yet the cotton planters of the South not only supplied this market last year but exported a surplus of [illegible] pounds, valued at $[illegible], or for every working day in the year about 12,000,000 pounds, worth more than $[illegible].

Represented in value, the exports of grain and grain products had about twofold the importance of cotton in the last fiscal year, the value of the export being more than $[illegible]. From 46,000,000 acres of wheat there was a surplus for foreign months amounting to [illegible] bushels and 20,000,000 barrels of flour, amounts that together represent 200,000,000 bushels of wheat.

Third in importance are the exports of meats and meat products, with a grand total of $[illegible], to which may be added $[illegible] for live animals. Quantities that are beyond the grasp of the mind represent the exports of

[illegible] meats and their products. The pounds of beef were 385,000,000; of pork, [illegible] of lard, [illegible], and of poultry, [illegible].

The foregoing figures it should be borne in mind, do not stand for the total production of the farms, but for the surplus production after the wants of the people at home have been satisfied.

THE FARMER'S BALANCE OF TRADE.

The immense exports from the farms of the country lead to an examination of the so-called balance of trade. This examination reveals what seems to have escaped the attention of the [illegible] and that [illegible] balance of trade, everything [illegible] due to the st[illegible] more [illegible] balance of trade in the products of the farm.

During the thirteen years 1890-1902 the average annual excess of domestic exports over imports amounted to $[illegible], and during the same time the annual average in favor of farm products was [illegible] apparent that there was an average annual [illegible] balance of trade in products other than those of the farm amounting to $[illegible] which the farmers offset and had left a balance [illegible] country.

Taking the business of the [illegible] the farmers that during the preceding [illegible] year period, when the value of domestic produce exports was [illegible] imports were [illegible] only to offset the manufacturers' balance of trade of $[illegible] those of the farm, but to more than above stated, there was a favorable balance of $[illegible].

In [illegible] there was a balance of trade in favor of farm products, which [illegible] year, that amounted to $[illegible]. Against this was an adverse balance of trade in products other than those of the farm of $[illegible] and the farmers met this [illegible] balance, leaving a balance in favor of farm products of $[illegible] to the credit of the nation when the books of account came to be balanced.

These figures between exports and imports indicate national reserve-sustaining power of the farms of the country under present conditions of production. It is the farmers who have paid the foreign securities.

MAGNITUDE OF PRODUCTION.

The height to which farm production has risen to supply the demands of domestic and foreign consumption should not be overlooked. Taking the [illegible] year period, there was an average of [illegible] to [illegible] bushels, worth $[illegible]. On these [illegible] $[illegible] of corn, with a value of $[illegible], and the business of corn, with a value which ran up [illegible] on the farm, in 1902.

The oat crop have reached [illegible] bushels, with a value of $[illegible]; the barley crop overturns [illegible] bushels, worth $[illegible], and the rye crop [illegible] bushels, worth $[illegible].

Onward the march [illegible] farms of the farm crops is that of hay aggregating [illegible] tons, worth [illegible] dollars on the farms, [illegible] and in 1902 was about [illegible] tons, [illegible] the last four years and in 1902 was about [illegible] tons, [illegible] the tobacco [illegible] in round years ranging from [illegible] to [illegible], [illegible] the value of [illegible] in the production of tobacco is as [illegible] $[illegible] for 1902 out of the soil is [illegible] tobacco.

Cotton is another staple [illegible] the production of which the prospect now is that within a few years ten million bales will be required to represent the annual production. This crop has now climbed [illegible] pounds, valued at $[illegible].

Only some of the principal farm products have been mentioned, but these are sufficient to [illegible] the farm [illegible] year 1902, which it was $3,742,000,000.

NATIONAL STOCK OF FARM ANIMALS.

The Department's statement of farm animals January 1, 1903, discloses that [illegible] the number of horses, mules, and asses on farms January 1, 1903, with a value of [illegible] The gains have increased to 2,728,000, with a value of nearly [illegible].

I commend the above statement, coming from a distinguished citizen of the State of Iowa, to the other distinguished citizen of Iowa [Mr. HEPBURN], who seems to place a just value upon information, and in passing I will say to him that Texans may be unsentimental, but that we have a better university, a better free school system, and a bigger free school fund than has the State of Iowa. We have a school fund of $11,000,000 in Texas, invested in State and county bonds, the interest from which, together with interest on permanent school lands and leases on public lands, [illegible] the way, is prorated equally among the blacks and whites according to school census population, and which runs five months' free schools without a cent's taxation upon the property of any citizen.

Mr. Chairman, this stand pat policy is not only an economic fallacy, and every [illegible] in it is permanent and evil in its educational tendencies, and this, in my judgment, is the greatest indictment, the most serious arraignment of the Republican doctrine of protection. The debates attending the adoption of the Constitution of the United States, under which we now live, and the speeches of the great thinkers who went home from that convention to help secure its adoption in the States, show that every class of thinker then recognized that the tariff provision in the Constitution of the United States was a mere power to tax the people of the United States to raise revenues to run an honest government. And for years and years and years no man belonging to any school of political thought contended otherwise than that.

The tariff is a tax on consumers. To that doctrine the Democrats have adhered with unswerving devotion. Our opponents in protection lie in the fundamental theory of the doctrine, which leads to false ideas along the whole line of constitutional government, as it must. Let a man embrace in religion the right one fundamental false tenet, and it leads him on into an endless embrace of false doctrine after false doctrine, in order to have a consistent system, although he accepts them as true. It is exactly so in politics.

The Republican has taken the opposite idea, that the taxing powers of this Government can be perverted from the constitutional purpose originally by the founders of it and used for the purpose of conferring directly a class benefit for the purpose of conferring indirectly an alleged universal benefit. They say that by using the taxing power to restrict commerce, to restrict competition, that you protect the American manufacturer by shutting off his competitors, enabling him to have increased prices, benefiting him directly, and indirectly the whole country; and you have taught the people that taxing powers can be used for the direct and personal benefit of a class of individuals engaged in a given industry. You admit it; you can not deny it.

Protection would not protect if it did not increase the price of the product of the manufacturer upon which the tariff is laid, and the very doctrine of protection assumes a class benefit at the start; and the best contention you have made or ever can make is that indirectly flowing through the pockets of the manufacturer it blesses, first, labor, and then all others in touch with it. It educates the people at the start into a false idea that they can look to government for help; that they can look to government for prosperity in their business; that they can look to government to aid their profits; look to government to strengthen their revenues, to enhance and swell their gains.

Is it possible that the Government of Washington, of Jefferson, of Franklin, of Adams, in a little over a hundred years has become so degraded, corrupt and contemptible that [illegible] can be prevailed upon from the hilltops the [illegible] doctrine of "stand pat;" that it is right—right to use the taxing powers of the Government to benefit classes and individuals and [illegible]? I can not believe that it is right, and I doubt either the judgment or the sincerity of the man who contends for that position.

You have taught for years not only that the taxing power of the Government ought to be used to aid the manufacturer in an increase of price, but you have added to that big cur dog the little tail that labor would be benefited by this philanthropic manufacturer under that system. [Applause on the Democratic side.] I think possibly a few misguided fanatics, a few wild theorists, may have believed in that, but I do not believe that any really profound thinker who ever advocated the doctrine of economic protection ever believed that it inured to the benefit of labor in general.

I say you have talked to all the great labor unions of the country, all the toilers in the factories and everywhere—you have pretended to them that if they help you in maintaining this theory it is for their benefit. Why, some years ago the doctrine of protection was keyed, not upon the commercial advantages to the manufacturer, not upon building up commerce and enabling it to make a struggle for [illegible] trade [illegible]; that is a new modern invention. The original contention was that it would build up the home market and increase the wage of the American workingman.

You said that in your platforms, and yet the pathway of your protective theory and your giant trust-organized manufacturing concerns is marked by a death struggle between organized labor and organized capital to wring from the pockets of greed and avarice, protected by your policy, a just wage for its daily sweat. [Applause on the Democratic side.] If labor sometimes be presumptuous, if labor sometimes in its strenuous fight for its rights goes perhaps farther than it ought and clamors for more than it ought in justice to receive, the Republican is the last man to complain, for he taught labor to do that. [Applause on the Democratic side.] He taught labor the theory that the taxing powers of this Government were to be used not only to benefit the manufacturer but the laborer.

If these misguided people rise up and make a demand upon you for their rights you had better yield some of the dollars out of the pockets of the trusts and permit them to flow into the pockets of the laborers of the country, and do the dead square thing. [Applause on the Democratic side.]

What can be more corrupting, more debasing to an American citizenship than to teach the lesson that by letting the people reach in the pocket of every other human being it is better to stand to teach the people to look, not to God and themselves, but to government and the Republican party? The lesson, my colleagues, is pernicious. It is evil. It is bearing bitter fruit, and must ever go on bearing it as long as this policy can be maintained and foisted upon the American people.

If the taxing power can be used for class privilege, if government is for the benefit of producing a kind of hothouse prosperity, what reason is there that any class, in any contingency, may not appeal to government? What is the matter with Edward Bellamy and his Looking Backward, if it be true that prosperity is the child of government? Why not resolve the government into two forces—the employer and the employed—knock out all intermediates, and have a kind of universal reign on earth of peace and good

will to men, in which the property is evenly distributed, and government is the parent of all, and protects all its children with all the blessings that it has?

It is only a difference of distance, and not of direction. It is only a difference in extent of application of theory, and not character of doctrine. The basic line must be drawn just here. Just here the Democratic party has ever drawn it, and will draw it sharply in the next campaign. And while the "Iowa idea" may get off in some dark recess and juggle with the "stand-pat" policy, and stifle its voice in practical politics and in the press, yet at the polls, where honest men will vote their sentiments, it will not be stifled. The American people, in my judgment, are rapidly coming to the point of realizing that this theory of protection is basically false economically, that it is false in fact, pernicious in teaching, leading to the centralization of wealth and power, and ultimately will be destructive of the perpetuity and safety of this Republic.

I hear a great deal of talk in these days about the reorganization of the Democratic party. That is laughable; that is silly. Reorganize a party that has 6,000,000 votes and over! I will tell you what these people fear who prate about the reorganization of the Democratic party. They fear the reunion of all the patriots of this country against oppression and tyranny and vice in government. That is what they dread, and that, in my judgment, is what is certain to happen in the next Presidential election.

I am not so much concerned about the Panama question or about pensions for those who fought in the civil war. The war is over. We will survive any mistake about Panama. But I am deeply concerned about the vital economic theories upon which this Government shall be administered for all time. Protection is either right or wrong, either radically wrong or fundamentally right. It is either, as Grover Cleveland's platform proclaimed it to be, "a fraud, a robbery of the many to enrich the few," or it is a blessing to mankind. The issue needs to be sharply joined. Let the American people determine which is best for the country, government administered by the organized trusts, in the interest of the trusts and protection their pet, or to have it utterly dominated by those in favor of a prosperity that flows from the people in their industry and economy and the blessings of God in soil and season.

Once in a while you will hear some small two-by-four fellow talking about the tariff being a "local issue." Oh, yes; it is local for every fellow voting for his locality regardless of what is right for all the others. Yes, that is true, if a man is willing to violate fundamental principles, willing to vote against the Constitution, willing to grab some prosperity from the country "for me and my wife, my son John and his wife," regardless of all that happens to all the rest. To him it is a local issue.

It is a local issue with all the Republicans, in which those who have the longest pull and the strongest pull get together and crowd out the little fellows. That is practical protection under Republican régime. Upon the tariff Democrats stand for protection for nobody, nowhere, and at no time.

Mr. OVERSTREET. That is right. [Applause on the Republican side.]

Mr. BURGESS. The original doctrine of the tariff was a tax levied upon consumption which yielded revenue for the support of the Government—not a bad tax and not an unfair one for this reason.

There were scarcely any factories, and wealth was practically evenly distributed. All that we bought we bought practically abroad, and bought practically in equal quantities, man to man, so that a tax upon consumption was a fair tax then. But time rolled on. Factories began to spring up, and then clamors arose about different things, asking for a tariff for this purpose and then for the other. The Democratic party took its position and has maintained it ever since. Occasionally we hear some man speaking of Grover Cleveland's famous tariff message in 1887 as if he had invented a new thing for the Democratic party.

Why, Mr. Chairman, that identical proposition of "a tariff for revenue only" as advocated by him is in every Democratic platform written prior to the war. It is the ancient continued Democratic doctrine; and the Democracy says now, "Levy a tariff for revenue sufficient to meet the honest needs of the Government; levy it carefully and fairly, with no disposition to break existing hothouse enterprises," but put a stop to the appealing of anybody to protect his interests against the interests and rights of others.

Let protection go. Turn out all these people who come here to lobby and urge that this schedule and that schedule be fixed so as to build up their locality at the expense of the rest of the country. It is wrong. That is the Democratic view. What we stand for is a tariff for revenue so adjusted as to operate fairly upon all classes and all sections, not for the purpose of giving protection to anybody, but for the purpose of raising enough and no more revenue than is made necessary by the needs of an honest and economical government.

The tariff is a tax, and under existing conditions a bad system of taxation in that inherent in it it has the evil of an incidental class benefit to the manufacturers of those articles upon which the tariff is laid. But this can not be avoided. It is inherent in the system. Do not make the mistake, however, of taking the incidental evil of the system and making it the basis of operating the system. On the other hand, levy the tariff so as to lessen and spread out this evil as widely as the system will admit and to equalize the burdens of taxation paid under the system by the consumers of the country to the greatest possible degree by taxing all articles of import.

Take this simple ground for tariff enactments, namely, divide all imported articles into three classes—necessities, comforts, and luxuries. Levy the lightest rate upon the first, a higher rate upon the second, and a still higher rate upon the third, but the same rate on all articles of the same class and such a rate upon all as that enough will be raised under its operation to meet the needs of an honest, economic government. By this simple Democratic method all selfish contentions between classes and sections will be avoided, and justice will be as perfect as the system of taxation admits. No man can be expected to do more, and no honest one can in conscience do less.

Now, in conclusion, my colleagues, this gaming expression, "stand pat," is a forceful one, and peculiarly appropriate to the Republican idea of politics as a practical game. Gaming, whether in the hovels of the poor or the palaces of the rich, whether in the faro, monte, or faro exchanges, or in the wheat, cotton, and stock exchanges of the country, is undoubtedly wrong. The acquisition of money by gambling can not be morally defended. But there is honor even among thieves, and if politics is to be played as a game, and you are to "stand pat" with your hand, we have the right to run out the analogy and insist upon an honorable game.

Let us play the game out like gentlemen; let us have no purchased votes, no intimidated voters, but let every American intelligent cast his ballot for the right as God gives him to see it. I will tell you right now I don't care how fast and furious you play the game, how "pat" you stand, we are going to have a showdown in the next Presidential election. We are going to call that "pat" hand and inspect it, spread out flat, face upward [laughter and applause], and we don't intend to be bluffed by any "bobtailed flush" business. [Renewed laughter and applause.] Don't you imagine that you are going to run off with the game. [Laughter.] We are not as badly scared as we look. [Laughter.] "Stand pat" if you will, but let us have a fair game, play it out to a finish, shake hands like gentlemen when it is over, and we hope to be able to capture the Presidential "pot." [Laughter and applause.]

Mr. VAN VOORHIS. Mr. Chairman, I demand the reading of the bill.

The CHAIRMAN. The gentleman from Ohio moves that the bill be now read.

The motion was agreed to.

The Clerk read the bill at length.

Mr. VAN VOORHIS. Mr. Chairman, I move that the committee now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6758, the pension appropriation bill, and had instructed him to report the same back with the recommendation that it do pass.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. VAN VOORHIS, a motion to reconsider the last vote was laid on the table.

COMMISSION ON INTERNATIONAL EXCHANGE.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered printed and referred to the Committee on Appropriations:

To the Senate and House of Representatives:

I transmit herewith the report of the Commission on International Exchange [illegible] March 3, 1903, in compliance [illegible] Congress [illegible] a fixed metallic [illegible] the [illegible] present silver-using countries. [illegible] Congress is invited to the accompanying report of the Secretary of State, whose request for an appropriation of $100,000 for the

completion of the work of the Commission in China and other expenditures incidental to the work of the Commission I heartily endorse.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 15, 1903.*

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles; when the Speaker signed the same:

H. R. 1921. An act to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902;

H. J. Res. 66. Joint resolution in relation to commuted rations for midshipmen;

H. J. Res. 70. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month:

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bills and resolutions of the following titles:

H. R. 1921. An act to carry into effect a convention between the United States and the Republic of Cuba, signed on the 11th day of December, in the year 1902;

H. J. Res. 66. Joint resolution in relation to commuted rations for midshipmen; and

H. J. Res. 70. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1903, on the 18th day of said month.

ASSIGNMENT OF SESSION CLERKS.

Mr HILDEBRANT. Mr. Speaker, I offer the following report from the Committee on Accounts.

The Clerk read as follows:

The Committee on Accounts having considered the question of the designation [illegible]

Mr HILDEBRANT, from the Committee on Accounts, reported the following resolution:

[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
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[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.
[illegible] a clerk.

The resolution was agreed to.

COMMITTEE CLERKS.

Mr. HILDEBRANT also, from the Committee on Accounts, reported the following resolutions as a substitute for resolutions of the following same tenor, referred to the committee: 29, 31, 38, 60, 61, 66, 72, 73, 74, 87, 89, 92, 94, and 98:

1 *Resolved*, That the chairman of the Committee on Industrial Arts and Expositions be authorized to appoint a clerk to said committee for the session of the Fifty-eighth Congress, to be paid out of the contingent fund of the House at the rate of $1,200 per annum.

2 *Resolved*, That the chairman of the Committee on the Post-Office and Post-Roads is hereby authorized to appoint an assistant clerk to said committee to be paid out of the contingent fund of the House until otherwise provided for by law, at the rate of $1,200 per annum.

3 *Resolved*, That the chairman of the following named committees are hereby authorized to appoint assistant clerks to said committees to serve during the session of the Fifty-eighth Congress to be paid out of the contingent fund of the House at the rate of $1,200 per annum, to wit: Chinese Exclusion, Accounts, Foreign Commerce, Invalid Pensions, Pacific Railroads, and Private Land Claims.

4 *Resolved*, That the chairman of the Committee on Invalid Pensions is hereby authorized to appoint a stenographer for said committee during the Fifty-eighth Congress at a salary of $6 per day, to be paid out of the contingent fund of the House.

5 *Resolved*, That the chairman of the Committee on Enrolled Bills hereby authorized to appoint a stenographer to said committee at the compensation of $6 per day, to be paid out of the contingent fund of the House, until otherwise provided for by law, during the present Congress.

6 *Resolved*, That the chairmen of the following-named committees are hereby authorized to appoint an assistant clerk to said committees to serve during the Fifty-eighth Congress to be paid out of the contingent fund of the House at the rate of $1,200 per annum, to wit: Elections No. 1, Elections No. 2, Elections No. 3, Elections No. 4, Elections No. 5, Elections No. 6, Elections No. 7, Elections No. 8, Elections No. 9, Elections No. 10, Elections No. 11, Elections No. 12, Elections No. 13, Elections No.

By Mr. McGUIRE: A bill (H. R. 8154) to open to settlement the granted lands set apart for the Kiowa, Comanche, and Apache Indians in Comanche County, Oklahoma Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 8155) to amend an act entitled "An act to amend an act entitled 'An act to supplement existing laws relating to the disposition of lands, and [illegible] approved March 3, 1901,'" approved June 13, 1902—to the Committee on the Public Lands.

By Mr. CAMPBELL: A bill (H. R. 8156) providing for notice before issuance of certain orders and writs by the courts and judges of the United States courts—to the Committee on the Judiciary.

By Mr. HARDWICK: A bill (H. R. 8157) to provide for the erection of a public building in the town of Sparta, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8158) to provide for the erection of a public building in the city of Sandersville, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8159) to provide for the erection of a public building in the town of Thomson, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. DAVIS of Minnesota: A bill (H. R. 8160) to declare a portion of the Mississippi River, in the State of Minnesota, not navigable and authorizing the construction of bridges thereon—to the Committee on Interstate and Foreign Commerce.

By Mr. GOULDEN: A concurrent resolution (H. C. Res. 25) requiring the Secretary of War to furnish Senators, Representatives, and Delegates of the Fifty-eighth Congress one set of the Official Records of the Rebellion—to the Committee on Printing.

By Mr. GRIFFITH: Memorial of the legislature of Indiana, in favor of a service pension to all soldiers of the civil war—to the Committee on Invalid Pensions.

Also, memorial of the legislature of Indiana, in favor of the improvement of the Ohio River—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 8161) granting a pension to James D. Gay—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 8162) for the relief of John W. White, of Tuscaloosa County, Ala.—to the Committee on War Claims.

By Mr. BARTLETT: A bill (H. R. 8163) granting a pension to Nancy A. [illegible]—to the Committee on Invalid Pensions.

By Mr. BARTLETT: A bill (H. R. 8164) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. BAYNES: A bill (H. R. 8165) granting a pension to John C. [illegible]—to the Committee on Invalid Pensions.

By Mr. BOARMAN: A bill (H. R. 8166) granting an increase of pension to Martha A. Johnson—to the Committee on Invalid Pensions.

By Mr. BROWN of Wisconsin: A bill (H. R. 8167) granting a pension to Josiah P. Sanders—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: A bill (H. R. 8168) granting a pension to Emma J. Shepler—to the Committee on Military Affairs.

By Mr. BROWNLOW: A bill (H. R. 8169) for the relief of George Killeen—to the Committee on Claims.

By Mr. BURNETT: A bill (H. R. 8170) granting a pension to Thomas R. C. Gibson—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 8171) granting a pension to Milton Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8172) granting a pension to Cordelia Rodgers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8173) granting an increase of pension to Anna Walters—to the Committee on Pensions.

Also, a bill (H. R. 8174) granting a pension to Marion Skinner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8175) removing the charge of desertion from the record of Timothy O'Leary—to the Committee on Military Affairs.

Also, a bill (H. R. 8176) for the relief of the heirs of William H. [illegible]—to the Committee on War Claims.

By Mr. DRESSER: A bill (H. R. 8177) for the relief of J. M. Bloom—to the Committee on Claims.

Also, a bill (H. R. 8178) appropriating money to pay William Tuck [illegible] as acting captain and drillmaster of Company D, [illegible] and 8th Regiment Pennsylvania Volunteers—to the Committee on Claims.

Also, a bill (H. R. 8179) granting an increase of pension to David L. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8180) granting an increase of pension to William Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8181) granting a pension to Alice N. Payne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8182) granting a pension to Louisa D. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8183) granting a pension to Daniel Robb—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 8184) granting an increase of pension to Vernon L. Johnson—to the Committee on Pensions.

By Mr. DUNWELL: A bill (H. R. 8185) granting a pension to Herman Lemmerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8186) for the relief of Robert D. Benedict—to the Committee on Claims.

Also, a bill (H. R. 8187) granting an increase of pension to George Jeffrey—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 8188) granting an increase of pension to Mary A. Aldrich—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 8189) granting an increase of pension to Benjamin A. Sawyer—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts (by request): A bill (H. R. 8190) for the relief of heirs of Edmund Bell, deceased—to the Committee on Claims.

By Mr. GILBERT: A bill (H. R. 8191) granting an increase of pension to James K. Parker—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. 8192) granting a pension to Samuel C. Gildersleeve—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 8193) granting an increase of pension to Almerin Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8194) granting a pension to Nancy L. Stone—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 8195) granting an increase of pension to Joseph F. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8196) to amend the military record of Peter Tigan—to the Committee on Military Affairs.

By Mr. HOLLIDAY: A bill (H. R. 8197) granting an increase of pension to Jeremiah Skelton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8198) granting an increase of pension to Jeremiah R. Tryon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8199) granting an increase of pension to Absalom E. Gentry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8200) granting an increase of pension to Charles Wehr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8201) granting an increase of pension to George W. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8202) granting an increase of pension to [illegible]—to the Committee on [illegible].

Also, a bill (H. R. 8203) granting a pension to James M. Hempbill—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 8204) for the relief of James H. Reed for use and occupation of land by the Light-House Establishment for range light as an aid to navigation—to the Committee on Claims.

By Mr. JAMES: A bill (H. R. 8205) for the relief of S. Hodge—to the Committee on War Claims.

Also, a bill (H. R. 8206) for the relief of the estate of Timothy Burgess, deceased—to the Committee on War Claims.

By Mr. LAFEAN: A bill (H. R. 8207) granting an increase of pension to Charles Johnson—to the Committee on Invalid Pensions.

By Mr. FREDERICK LANDIS: A bill (H. R. 8208) granting a pension to Burleigh C. D. Read—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8209) granting a pension to Paul H. Bahr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8210) granting a pension to Susan E. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8211) for the relief of the firemen of Isaiah W. Eurit, late postmaster at Macy, Ind.—to the Committee on Claims.

Also, a bill (H. R. 8212) granting an increase of pension to John Lazro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8213) granting an increase of pension to Thomas Murray—to the Committee on Invalid Pensions.

By Mr. LANNING: A bill (H. R. 8214) granting a pension to Lewis R. Runkle—to the Committee on Invalid Pensions.

By Mr. LESTER: A bill (H. R. 8215) granting a pension to Thomas Burney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8216) granting a pension to David Houston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8217) granting an increase of pension to Caroline M. Bird—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 8218) granting an increase of pension to John J. Martin—to the Committee on Pensions.

By Mr. LOUD: A bill (H. R. 8219) granting an increase of pension to William H. Broadwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8220) granting an increase of pension to Edward B. Nugent—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 8221) for the relief of Robert Gordon, administrator of estate of Jamison W. Rice, deceased—to the Committee on War Claims.

By Mr. MAYNARD: A bill (H. R. 8222) for the relief of the widow of Joseph Culley—to the Committee on Claims.

By Mr. MOON of Pennsylvania: A bill (H. R. 8223) granting a pension to John J. MacEntee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8224) for the relief of John W. Dampman—to the Committee on Military Affairs.

Also, a bill (H. R. 8225) granting a pension to Hattie E. Fonse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8226) granting a pension to Elizabeth Burniston—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 8227) granting a pension to Lucius E. Polk—to the Committee on Pensions.

By Mr. PEARRE: A bill (H. R. 8228) for the relief of Richard T. Gott, administrator of Thomas N. Gott, deceased—to the Committee on Claims.

Also, a bill (H. R. 8229) for the relief of Nathan Shaw—to the Committee on War Claims.

Also, a bill (H. R. 8230) to remove the charge of desertion from the record of Samuel A. Motter—to the Committee on Military Affairs.

By Mr. PORTER: A bill (H. R. 8231) granting an increase of pension to John Gangwisch—to the Committee on Invalid Pensions.

By Mr. RIDER: A bill (H. R. 8232) granting an increase of pension to John D. Terry—to the Committee on Invalid Pensions.

By Mr. ROBERTS: A bill (H. R. 8233) granting a pension to Sarah E. Merritt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8234) granting a pension to Mary A. Armstrong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8235) granting a pension to John L. Rumery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8236) granting a pension to Catherine B. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8237) granting a pension to Ellen J. Tuttle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8238) granting an increase of pension to Eli Veazie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8239) granting a pension to Sarah E. Holbrook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8240) granting an increase of pension to Thomas F. Rowley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8241) granting an increase of pension to Cyrus Conduit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8242) granting an increase of pension to Asa T. Tarbox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8243) granting an increase of pension to Samuel F. Oliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8244) granting an increase of pension to George W. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8245) granting an increase of pension to Stephen Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8246) granting an increase of pension to George F. Hubbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8247) granting an increase of pension to Mary V. Wentworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8248) granting an increase of pension to George W. Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8249) granting an increase of pension to Oliver Farrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8250) to amend the records on file at the War Department—to the Committee on Military Affairs.

Also, a bill (H. R. 8251) to amend the military record of Henry W. Dunbrack—to the Committee on Military Affairs.

Also, a bill (H. R. 8252) for the relief of Ebenezer S. Bigelow—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 8253) granting a pension to Sara D. Bereman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8254) granting a pension to S. Ellie Parkhill and the minor heirs of Clayton Parkhill—to the Committee on Pensions.

Also, a bill (H. R. 8255) granting an increase of pension to Sarah A. Creed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8256) granting an increase of pension to Harry M. de Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8257) granting an increase of pension to John M. Berkey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8258) granting an increase of pension to Charles Christy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8259) granting an increase of pension to Mary P. Scovel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8260) granting an increase of pension to Orlando J. Hopkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8261) granting an increase of pension to Henry H. Geiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8262) granting an increase of pension to Henry Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8263) for the relief of James Inman—to the Committee on War Claims.

Also, a bill (H. R. 8264) for the relief of George G. Wortman—to the Committee on War Claims.

Also, a bill (H. R. 8265) granting a pension to Madison M. Burnett—to the Committee on Invalid Pensions.

By Mr. SKILES: A bill (H. R. 8266) granting a pension to Maranda Russ—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8267) granting a pension to Walter R. Behr—to the Committee on Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 8268) granting a pension to Sidney D. Mackey—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 8269) to correct the military record of Capt. Daniel H. Powers—to the Committee on Military Affairs.

Also, a bill (H. R. 8270) granting a pension to Samuel Hooper—to the Committee on Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 8271) granting an increase of pension to Franklin Eckenroade—to the Committee on Invalid Pensions.

By Mr. STAFFORD: A bill (H. R. 8272) granting an increase of pension to Stephen Elliott—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 8273) granting an increase of pension to Lydia A. McNier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8274) granting an increase of pension to Julia A. Moore—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: A bill (H. R. 8275) granting an increase of pension to William McBride—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8276) for the relief of Charles Uerkvitz—to the Committee on Claims.

By Mr. THOMAS of North Carolina: A bill (H. R. 8277) for the relief of the heirs of Elijah D. Guthrie—to the Committee on Claims.

By Mr. TAYLOR: A bill (H. R. 8278) granting an increase of pension to John C. Cavanaugh—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 8279) granting a pension to Mary E. Roberts—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 8280) granting an increase of pension to James A. Morrison—to the Committee on Pensions.

Also, a bill (H. R. 8281) for the relief of Sarah E. Jenkins—to the Committee on Naval Affairs.

By Mr. WADE: A bill (H. R. 8282) granting an increase of pension to Chauncey R. Dickinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8283) granting an increase of pension to Henry Herkes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8284) granting an increase of pension to Samuel G. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8285) granting an increase of pension to W. S. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8286) granting an increase of pension to Benjamin Owen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8287) granting a pension to Abram T. Carney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8288) granting a pension to Andrew J. Speed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8289) granting a pension to Milton Wintersteen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8290) for the relief of George Humphrey—to the Committee on Military Affairs.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 8291) for the relief of James K. Hamblen, of Madison County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8292) for the relief of Mrs. M. M. Champion—to the Committee on War Claims.

Also, a bill (H. R. 8293) for the relief of the estate of James P. Smith—to the Committee on War Claims.

Also, a bill (H. R. 8294) for the relief of J. B. Hall, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8295) for the relief of the estate of Henry E. Windley—to the Committee on War Claims.

Also, a bill (H. R. 8296) for the relief of the estate of Evan Cook, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8297) for the relief of the estate of James Roach, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8298) for the relief of the estate of Wirt Adams—to the Committee on War Claims.

Also, a bill (H. R. 8299) for the relief of Abner P. Bush, of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 8300) for the relief of the estate of W. T. Collins, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8301) for the relief of the estate of Thomas S. Maben, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8302) for the relief of the estate of James S. Winters, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8303) for the relief of the estate of Wesley Crisler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8304) for the relief of Charlotte Spears—to the Committee on War Claims.

Also, a bill (H. R. 8305) for the relief of Mary Ann Jackson—to the Committee on War Claims.

Also, a bill (H. R. 8306) for the relief of L. A. Whitehead—to the Committee on War Claims.

Also, a bill (H. R. 8307) for the relief of J. E. Whittington—to the Committee on War Claims.

Also, a bill (H. R. 8308) for the relief of the estate of Jesse Mabry, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8309) for the relief of Mattie J. and W. P. Horn, heirs of Preston A. Horn—to the Committee on War Claims.

Also, a bill (H. R. 8310) for the relief of the estate of William M. Bridle, deceased—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 8311) granting an increase of pension to Walter Fobar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8312) granting an increase of pension to William Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8313) granting an increase of pension to A. H. Noble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8314) granting an increase of pension to John C. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8315) to remove the charge of desertion from the record of George A. Crisel—to the Committee on Military Affairs.

By Mr. VAN VOORHIS: A bill (H. R. 8316) granting an increase of pension to James W. Swords—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8317) granting an increase of pension to Willis D. Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8318) granting an increase of pension to William H. Vermillion—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: A bill (H. R. 8319) to remove the charge of desertion from the military record of John T. Booth—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTHOLDT: Letters from St. Louis Cooperage Company, Larkin & Scheffer Chemical Company, the Parker-Russell Mining and Manufacturing Company, Anthony Ittner Brick Company, and the Broderick & Bascom Rope Company, protesting against passage of an eight-hour law—to the Committee on Labor.

Also, letters from Hamilton Brown Shoe Company, Gauss-Langenberg Hat Company, and the Brown Shoe Company against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BRICK: Petition of James Nelson and 10 other Irish-American citizens of South Bend, Ind., urging the erection of a monument to Capt. John Barry—to the Committee on the Library.

By Mr. BROWN of Pennsylvania: Resolution of the board of directors of the Grain and Flour Exchange of Pittsburg, Pa., favoring enlargement of power of the Inter-state Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Pennsylvania State Forestry Reservation Commission, favoring the preservation of the big trees of California—to the Committee on Agriculture.

By Mr. BURNETT: Paper to accompany bill granting pension to Thomas K. C. Gibson—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Resolution of the Association of Commissioners of the Levee Drainage Districts, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, petition of San Miguel Improvement Club, favoring Nacimiento ranch as a military camp—to the Committee on Military Affairs.

By Mr. CANNON: Petition of the Philadelphia Quartette Club and 15 similar clubs of German-Americans, protesting against legislation for subjecting articles of interstate commerce to local sumptuary laws—to the Committee on the Judiciary.

Also, petition of residents of Danville, Ill., against the repeal of the law abolishing the army canteen—to the Committee on Military Affairs.

By Mr. CASSINGHAM: Papers to accompany bill H. R. 892, granting an increase of pension to Abram H. Hunt—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: Memorial of citizens of the State of Washington and Alaska, urging Government appropriation for the construction of a submarine telegraph cable from Sitka to Valdez—to the Committee on Appropriations.

By Mr. DAVIS of Minnesota: Resolutions of Dudley P. Chase Post, No. 22, Grand Army of the Republic, Minneapolis, Department of Minnesota; J. K. Mertz Post, No. 144, Grand Army of the Republic, New Auburn, Department of Minnesota; John Ball Post, Grand Army of the Republic, Winona, Department of Minnesota, and Custer Post, No. 44, Grand Army of the Republic, Rochester, Department of Minnesota, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DENNY: Resolution of the Baltimore Chamber of Commerce, relative to increasing depth of main ship channel—to the Committee on Rivers and Harbors.

By Mr. DUNWELL: Paper to accompany claim of Laura P. Jones—to the Committee on Claims.

By Mr. GARDNER of Massachusetts: Paper to accompany bill to increase pension of Benjamin A. Sawyer—to Committee on Invalid Pensions.

By Mr. GRIFFITH: Paper to accompany bill granting a pension to Samuel C. Gildersleeve—to the Committee on Invalid Pensions.

By Mr. HAY: Papers to accompany claim of William Trenton—to the Committee on War Claims.

By Mr. HINSHAW: Resolution of Staire Post, No. 201, Grand Army of the Republic, of Plymouth, Department of Nebraska, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HITT: Paper to accompany bill for the relief of Peter Tigan—to the Committee on Military Affairs.

Also, paper to accompany bill granting a pension to Luela Swartbout—to the Committee on Invalid Pensions.

Also, petitions of John T. La Forge, of Rockford, Ill.; H. W. Heckman, of Dixon, Ill., and W. G. Squier and 26 others, of Rockford, Ill., against sale of liquors in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. WILLIAM W. KITCHIN: Resolution relating to the spread of the Mexican boll weevil—to the Committee on Agriculture.

By Mr. LAFEAN: Papers to accompany bill granting an increase of pension to Charles Johnson—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: Paper to accompany bill H. R. 7447, to pension William Bailey—to the Committee on Invalid Pensions.

By Mr. MACON: Papers to accompany claim of Robert Gordon, administrator—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: Paper to accompany bill H. R. 2403, for the relief of M. H. Carr—to the Committee on War Claims.

By Mr. ROBB: Petition of citizens of Bollinger County, Mo., against sale of liquors in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPALDING: Resolution of J. J. Crittenden Post, No. 31, Grand Army of the Republic, of Minnewaukan, N. Dak., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: Petition of citizens of Hillsboro, N. Mex., favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: Resolution of the Grain Dealers' National Convention, favoring enlargement of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, paper relative to the improvement of the Harlem River—to the Committee on Rivers and Harbors.

Also, paper to accompany claim of Charles Merkvitz—to the Committee on Claims.

Mr. THOMAS of North Carolina: Papers to accompany bill for the relief of the heirs of Elijah D. Guthrie—to the Committee on Claims.

By Mr. VAN VOORHIS: Papers to accompany bill to increase pension of Willis D. Reed—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension William H. Vermillion, and papers to accompany bill to pension James W. Swords—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolution of the Baltimore Chamber of Commerce relative to deepening main ship channel—to the Committee on Rivers and Harbors.

Also, paper to accompany bill granting increase of pension to James A. Morrison—to the Committee on Invalid Pensions.

Also, paper to accompany bill for the relief of Sarah E. Jenkins—to the Committee on Naval Affairs.

By Mr. WILLIAMS of Illinois: Paper to accompany bill to increase pension of William Clark—to the Committee on Pensions.

Also, paper to accompany bill granting increase of pension to A. H. Noble—to the Committee on Pensions.

Also, petition of E. A. Martin and others, of Fairfield, Ill., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

SENATE.

FRIDAY, *December 18, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

NAMING A PRESIDING OFFICER.

Mr. PERKINS (at the Vice-President's desk) directed the Secretary to read the following communication:

PRESIDENT PRO TEMPORE UNITED STATES SENATE.
December 18, 1903.

To the honorable Senate of the United States:

I hereby appoint GEORGE C. PERKINS, Senator from California, to perform the duties of the Chair during my absence.

WM. P. FRYE,
President pro tempore.

Thereupon Mr. PERKINS took the chair as Presiding Officer, and directed the Secretary to read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

REPORT OF INTERSTATE COMMERCE COMMISSION.

The PRESIDING OFFICER (Mr. PERKINS in the chair) laid before the Senate the seventeenth annual report of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce, and ordered to be printed.

AGRICULTURAL COLLEGES.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Interior, transmitting a report of the disbursements for the fiscal year ending June 30, 1904, made in the States and Territories under the provisions of an act to apply a portion of the public lands to the more complete endowment and support of the colleges for the benefit of agricultural and mechanical arts, etc.; which, with the accompanying paper, was referred to the Committee on Public Lands, and ordered to be printed.

PROPOSED GRAVING DOCK.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 19th ultimo, certain information relative to the Government constructing and owning a graving dock on the Gulf of Mexico; which was referred to the Committee on Naval Affairs, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. BARD presented a petition of the congregation of the First Presbyterian Church of Fresno, Cal., and a petition of the Woman's Christian Temperance Union of Watsonville, Cal., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ANKENY presented a petition of sundry citizens of the United States interested in the welfare of Alaska, praying for the enactment of legislation providing for the extension of the Alaska cable from Valdes to Dutch Harbor, on the coast of the Territory of Alaska; which was referred to the Committee on Military Affairs.

Mr. GIBSON (for Mr. CLARK of Montana) presented a petition of sundry citizens of Ravalli County, Mont., praying for the enactment of legislation to validate the title of certain lands in that locality; which was referred to the Committee on Public Lands.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Ashland, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of the congregation of the Presbyterian Church of Crawfordsville, Iowa, and a petition of the Conversational Club, of Des Moines, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER. I present a petition in reference to the Isle of Pines treaty, which I ask may lie on the table, as that treaty is pending.

Mr. LODGE. I make the point of order that the petition is executive business.

The PRESIDING OFFICER. It will lie on the table.

Mr. LODGE. I know, but ought it not to be presented in executive session?

The PRESIDING OFFICER. The Chair thinks the Senator from Massachusetts is correct. Therefore the Senator from Iowa will please retain the petition and present it in executive session.

Mr. BATE presented petitions of the Woman's Missionary Society, the congregation of the Methodist Episcopal Church, the Ladies' Aid Society, the congregation of the Central Presbyterian Church, the Woman's Missionary Society of the Baptist Church, the Wednesday Afternoon Club, and the Woman's Missionary Society of the Presbyterian Church, all of McMinnville, in the State of Tennessee, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the congregation of the Methodist Episcopal Church of Middletown, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. LONG presented a petition of Sherman Post, No. 30, Department of Kansas, Grand Army of the Republic, of Ness City, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Missionary Society of Columbus, of the Ladies' Reading Circle of Olathe, of sundry citizens of Conway Springs, and of the congregation of the United Presbyterian Church of Walton, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the affidavit of Dr. J. B. Draper, of Fort Dodge, Kans., to accompany the bill (S. 1807) granting an increase of pension to James Gray; which was referred to the Committee on Pensions.

He also presented the petition of Florence M. Metz, of East Hutchinson, Kans., to accompany the bill (S. 2466) granting an increase of pension to Florence M. Metz; which was referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 1803) granting an increase of pension to John M. Morgan; which were referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. WETMORE, from the Committee on the Library, to whom was referred the bill (S. 1634) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H., reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60, etc., reported it without amendment, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 8) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of Order Book of Gen. Arthur St. Clair, reported it without amendment, and submitted a report thereon.

FRENCH COMBATANTS IN REVOLUTIONARY WAR.

Mr. PLATT of New York, from the Committee on Printing, reported a resolution; which was considered by unanimous consent, and agreed to, as follows:

Resolved, That the usual number of the book recently published and issued by the French Government entitled "Combattants Français de la Guerre Américaine, 1778-1788," be printed for the use of the Senate, with the accompanying illustrations.

RECORDS OF THE VIRGINIA COMPANY OF LONDON.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. LODGE on the 15th instant, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That under supervision of the Librarian of Congress there be printed and bound [illegible] of the records of the Virginia Company of London, now in the custody of the Library of Congress, 500 copies for the Senate, 1,000 copies for the House of Representatives, and 5,000 copies for use and distribution by the Library of Congress.

BILLS INTRODUCED.

Mr. MORGAN introduced a bill (S. 2791) to fix the compensation of the members of the Isthmian Canal Commission to be appointed under the provisions of the act "to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902, and for other purposes; which was read twice by its title, and referred to the Committee on Interoceanic Canals.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 2792) for the extension of Twenty-fourth street northeast, and for other purposes;

A bill (S. 2793) to provide for payment of damages on account of changes of grade due to construction of the Union Station, District of Columbia (with an accompanying paper);

A bill (S. 2794) to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,'" approved May 13, 1892 (with an accompanying paper);

A bill (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892 (with an accompanying paper); and

A bill (S. 2796) for the relief of Elizabeth L. W. Bailey, administratrix of the estate of Davis W. Bailey, deceased (with an accompanying paper).

Mr. GALLINGER introduced a bill (S. 2797) granting an increase of pension to Edward A. Cotting; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 2798) to remove the charge of desertion against and grant an honorable discharge to Benjamin Brothers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2799) granting a pension to Charles A. Wheeler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 2800) granting a pension to Benjamin Pitman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2801) for the relief of Joachim Deter, widow of John F. W. Dette, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2802) granting an increase of pension to Vernon L. Johnson; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Capt. Vernon L. Johnson, together with the affidavits of Dr. T. C. Benlware, George W. Newberry, J. D. Allen, and J. S. Pierce, and a copy of the claimant's military, hospital, and Pension Office record. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. DOLLIVER introduced a bill (S. 2803) granting an increase of pension to William H. Ijams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2804) granting a pension to Thomas Glynn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 2805) for the relief of the estate of William B. Todd, deceased; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 2806) for the relief of the heirs of Edmund Wolf; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCREARY introduced a bill (S. 2807) for the relief of David A. Greene; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 2808) to authorize the Secretary of War to cause a survey or surveys to be made to determine the practicability and cost of a tide-water ship canal across the State of Florida; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2809) granting an increase of pension to Jesse J. Finley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2810) for the relief of William Mickler; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced a bill (S. 2811) for the relief of Foster W. Van Kirk and Stephen B. Moore; which was read twice by its title, and referred to the Committee on Claims.

Mr. LONG introduced a bill (S. 2812) for the relief of J. W. Patterson; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAY introduced a bill (S. 2813) for the relief of the personal representatives of George R. Powell, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM introduced a bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FOSTER of Washington introduced a bill (S. 2815) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the ports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also introduced a bill (S. 2816) to amend section 3095 of the Revised Statutes of the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. McCUMBER introduced a bill (S. 2817) to remove the charge of desertion against George W. Posey; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. NELSON introduced a bill (S. 2818) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2819) granting an increase of pension to Jacob Stegges; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 2820) for the relief of Hamilton D. South; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2821) granting a pension to Julia A. Roberts; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 2822) establishing a United States court at Wapanucka, Ind. T.; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FOSTER of Washington introduced a bill (S. 2823) for the relief of Emily M. Hooe; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FAIRBANKS introduced a bill (S. 2824) to increase the salary of rural free-delivery carriers; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

WITHDRAWAL OF PAPERS.

On motion of Mr. FAIRBANKS, it was

Ordered, That leave be granted to withdraw from the files of the Senate [illegible] in the Fifty-seventh Congress, no adverse report having been made thereon.

THE CONGRESSIONAL RECORD.

Mr. HOAR. I offer a resolution for which I ask immediate consideration.

The resolution was read, as follows:

Resolved, That the Committee on Printing be instructed to report at the next regular session of the Congressional Record, or at the close of the present session of Congress, if practicable, a report showing how the Record may be improved in its typography, so as to make it more agreeable and attractive to look at, and more convenient for the use of the members of the present Congress, be printed with better type than that now used.

Mr. HOAR. Mr. President, I ask leave to make one observation about this matter, which is of interest to all Senators.

I think we all agree that the CONGRESSIONAL RECORD is very hard to read, as are the documents which are printed from the same type and in the same style, especially those parts which are in smaller type than the rest, and that it is very hard for old eyes or for all eyes in a dim light.

If anyone will look at the daily reports of the House of Commons in Canada or the English Daily Hansard, he will see that, while the size of the type in Canada is not much, if any, larger than ours, it is by reason of some mechanical result very much more easy to read, and the Hansard, of which I have a volume here, while not very much larger, but chiefly by reason of the spaces between the lines and letters (I believe they call it "leading;" I am not sure about that), is a very agreeable and attractive page to look at. It does not seem to me, though I am ignorant of these matters, that it can make much proper additional cost to the public to have an improvement in the style of the RECORD.

The resolution merely instructs the Committee on Printing to make an inquiry; and I suppose it would not be expedient, if they should come to any conclusion about it, to have any change take effect until the end of the Congress, which will be nearly two years hence. So they can take their own time about the inquiry.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. CULLOM. I understand that it is a mere inquiry.

Mr. COCKRELL. Let it be read again.

The resolution was again read.

Mr. GALLINGER. Mr. President, I presume there is no objection to the inquiry being made, but I do not quite see any practical result which can be accomplished. In larger type, of course, in place of nine or ten or twelve volumes the RECORD would make eighteen or twenty volumes. But as the resolution only contemplates an inquiry, I have no objection to it.

Mr. HOAR. My friend will allow me to say that the difference between him and me is that he does not quite see the expediency of doing this thing and I do not quite see the page I have to read.

Mr. GALLINGER. There is one other difference between the Senator and myself. I have some knowledge of the printing business and he has not.

Mr. HOAR. That is true, Mr. President; it is absolutely true. I have very little knowledge of the printing business, and therefore I very carefully confined myself to asking the question.

Mr. GALLINGER. Mr. President, I have no objection to the resolution.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. SPOONER. It says "better type." I should like to ask the expert Senator——

Mr. HOAR. I ask the Senator to look at this volume of Hansard. I suppose the resolution will bring the whole matter before the committee. Whether the phraseology of the resolution should include "different type" or if "better type" is a good phrase, I do not know. I find, at any rate, that it is almost impossible for me to read the CONGRESSIONAL RECORD in the evening by lamplight.

Mr. SPOONER. I find it difficult. I think there can be an improvement, and I think there ought to be. I believe the CONGRESSIONAL RECORD ought to be printed in a type which will make it as easy as possible for men of different ages and degrees of——

Mr. KEAN. Comprehension.

Mr. SPOONER. No: but of eyesight, to read it.

Mr. HOAR. The phrase in the resolution is "better type." I could put in the words "or be otherwise improved," if that is thought to be better. I presume the resolution is right.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

Mr. BACON. Mr. President, as the subject of the CONGRESSIONAL RECORD is before the Senate temporarily, I take advantage of the opportunity to say what I have previously said in the Senate, that I think the most important change which is needed in regard to the RECORD is that the price of it should be so changed as to put it within the reach of those who desire to subscribe for it and who are not able to procure it from the limited number Congressmen have at their disposal.

In the last Congress I introduced a resolution upon this subject asking for an investigation and a report from the Committee on Printing as to the feasibility of reducing the price of the CONGRESSIONAL RECORD to a point which would make it practicable for the general reading public to avail themselves of it if they desired so to do. The committee made no report whatever on that resolution, and unless the committee shall see fit to do so without a further resolution after the holidays I shall again introduce that resolution. I think it is really important that that part of the American public which desires to do so should have the opportunity to subscribe for the CONGRESSIONAL RECORD without having to pay what is practically a prohibitory price.

Mr. NEWLANDS. Mr. President, I wish to say one word in regard to this matter of printing. It seems to me that the inquiry suggested by the Senator from Massachusetts is very pertinent. I am sure that I would be pleased, and I think Members of Congress generally would be pleased, if the inquiry were extended to the printing of public documents.

I believe it is the experience of almost everyone that the public documents are printed in such a way as to bring the print too close to the stitching of each volume. I know if you have the report of a Department with all the bureaus printed in one volume it is almost impossible to read it without tearing the stitching.

I have had occasion recently to examine the printing of public documents by other governments—by England and Germany—and they seem to be very much superior in this particular. I think it would be a very timely inquiry if the Committee on Printing should take this matter in hand also.

The PRESIDING OFFICER. The question is on agreeing to the resolution.

The resolution was agreed to.

PROTECTION OF CHRISTIANS IN OTTOMAN EMPIRE.

Mr. PENROSE submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

Resolved, etc., That the President be requested to use the good offices of the United States to induce the signatory powers of the Berlin Congress of 1878 to convene, to the end that the provisions of the said treaty which guaranteed protection and returns to the Christian populations of the Ottoman Empire, may be faithfully carried out, because the interests and security of citizens of the United States are endangered by the internal transactions of the Government of Turkey.

SECESSION OF PANAMA.

Mr. MORGAN submitted the following resolution; which was read:

Resolved, That neither the President, nor the President and the Senate as the treaty-making power of the United States, has the lawful power to wage a civil war against any foreign power without the consent of Congress, when such country is at peace with the United States, and when the diplomatic relations with the United States are unbroken, and when its diplomatic representatives are recognized by the President as the representatives of a friendly power. And the consent of the Senate, as a part of the treaty-making power, to a war waged by the President against such a friendly power under such circumstances, can not confer upon him such authority under the Constitution of the United States, or under the laws of nations, or under the municipal laws of the United States.

2. That a state of war exists between Colombia and an organization in the Colombian department of Panama that claims to have accomplished the secession of Panama from Colombia and to have established its independence and sovereignty through the recognition of the President of the United States and of some European and Asiatic states; and that [illegible] to have established a republic under the flag and the name and title of the Republic of Panama. And Colombia refuses to concede the validity of the act of secession and the independence of the sovereignty of any government so organized on the Isthmus of Panama, and is engaged in military and naval operations to assert and enforce her claim of those prerogatives of government in and over the territory described in her laws and constitution as the department of Panama.

3. That, if Columbia is not prevented by some powerful foreign nation, she is manifestly able to maintain her prerogatives and to repress the said secession organization and to restore her sovereignty over said department of Panama. And the President of the United States having engaged into treaty relations with the persons who claim to have seceded from Colombia and assumed the powers of supreme government in and over the territory included in said department of Panama, and having made agreements with the secessionists relating to the right and privilege of constructing and owning in perpetuity a ship canal across the Isthmus of Panama, all based on the following secession manifesto:

"1. The United States guarantees and will maintain the independence of the Republic of Panama."

Said stipulation is in effect a declaration of war with Colombia, and is not within the lawful and powers conferred upon the President by act of Congress or the Constitution, or by the laws of nations.

4. That the President has no lawful right or power, without the consent of Congress, and after the secession had existed in Panama, to use the military and naval forces of the United States to prevent Colombia from enforcing her claim to the proper exercise of her sovereignty and to execute her laws in the Department of Panama by any form of coercion that is inconsistent with the laws of nations and is not in conflict with any right of the United States.

5. That the Senate repeats its resolution of 1889, in the following words:

"*Resolved, etc.*, That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

"Sec. 2. That the President be and he is hereby requested to communicate this expression of the views of the Government of the United States to the governments of the principal powers of Europe."

6. That the United States, in the Revised Statutes, has defined neutrality and the penalties for its violation as follows:

"Sec. 5286. Every person who, within the territory or jurisdiction of the United States, begins or sets on foot or provides or prepares the means for any military expedition or enterprise to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people with whom the United States are at peace, shall be deemed guilty of a high misdemeanor, and shall be fined not exceeding $3,000 and imprisoned not exceeding three years."

"[illegible] by the President, with armed forces of the United States and without the authority of Congress, to prevent the exercise of military or civil authority by Colombia, or any other power, for the assertion or exercise of her sovereignty and the enforcement of her constitution and laws over the Department of Panama is contrary to said law of neutrality enacted by the Congress of the United States, and is contrary to the laws of nations.

Mr. BLACKBURN. That is an important resolution, Mr. President. I think it should go over, and lie on the table.

The PRESIDING OFFICER. Objection being made, under the rule the resolution will go over.

SHALLOTTE RIVER (NORTH CAROLINA) IMPROVEMENT.

Mr. OVERMAN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Shallotte River, North Carolina, from the bar at the mouth of said stream to the town of Shallotte, in Brunswick County, said survey with a view of dredging, straightening out, and widening the channel, and to submit a plan and estimate for such improvements.

ASSISTANT CLERK TO COMMITTEE ON CLAIMS.

Mr. WARREN submitted the following resolution: which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the salary of the assistant clerk to the Committee on Claims authorized by resolution of December 12, 1903, at $1,440 per annum, be and it is hereby, increased to $1,800 per annum, to take effect January 1, 1904.

HOUSE BILL REFERRED

The bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes, was read twice by its title, and referred to the Committee on Pensions.

AIDS TO NAVIGATION AT CAPE HATTERAS, NORTH CAROLINA.

Mr. ALGER. I ask for the present consideration of the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDING OFFICER. The bill was read in full to the Senate yesterday.

The bill was reported to the Senate without amendment.

Mr. ALGER. On page 3, in line 7, I called attention yesterday to an amendment in a name. It should be "Minots Ledge" instead of "Minots Rock," as in the bill.

The PRESIDING OFFICER. The Chair is informed that it was a typographical error and that it has been corrected in accordance with the wish of the Senator from Michigan.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSIDERATION OF PENSION BILLS.

Mr. McCUMBER. I ask unanimous consent that at the hour of 4 o'clock this afternoon one-half hour be given to the consideration of unobjected pension bills.

The PRESIDING OFFICER. The Senator from North Dakota asks unanimous consent that after 4 o'clock to-day consideration be given to unobjected pension bills on the Calendar. Is there objection? The Chair hears none, and such is the order of the Senate.

NATIONAL APPALACHIAN FOREST RESERVE.

Mr. BURTON. I wish to give notice that at an early time after the convening of the Senate after the holidays I shall call up the bill (S. 887) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve." I give the notice at this time, as the bill stands near the head of the Calendar: I think the junior Senator from North Carolina [Mr. OVERMAN] and the junior Senator from New York [Mr. DEPEW] will want to submit some remarks upon the bill, and I wish to have it considered early in the session.

COLUMBIAN UNIVERSITY, WASHINGTON, D. C.

Mr. GALLINGER. A few days ago the bill (S. 1498) supplemental to the act of February 9, 1821, incorporating the Columbian College, in the District of Columbia, and the acts amendatory thereof, was read and somewhat considered. I should like now to ask unanimous consent for the consideration of the bill, and will suggest that I have an amendment to offer which I think will remove the objection to it.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire?

Mr. GORMAN. I have no objection to the consideration of the bill, of course, if it does not lead to debate; but the Senator from Virginia [Mr. DANIEL] desires to take the floor this morning, as is pretty well understood on both sides. If the bill leads to no debate there will be no objection to its consideration.

Mr. GALLINGER. I will say to the Senator that I will promptly withdraw it if it leads to any debate.

Mr. GORMAN. With that understanding, and that the Senator from Virginia will have the floor on the resolution of the Senator from Massachusetts [Mr. HOAR], I make no objection.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The PRESIDING OFFICER. The bill has been read.

Mr. GALLINGER. I move to amend the bill in line 19, on page 2, by adding after the word "charter" the words:

"subject to the approval of the Secretary of the Interior and the Commissioner of Education."

This relates to the change of name, and it is agreed on all hands that the amendment I propose will properly guard it in that respect.

The amendment was agreed to.

Mr. GALLINGER. In line 24, after the word "adopted," I move to strike out the words "by said Board," and in line 25, after the words "recorder of deeds," to insert "of the District of Columbia."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

APPROVAL OF HAWAIIAN LEGISLATION.

Mr. MITCHELL. Mr. President, I hold in my hand a bill of such an emergent nature that it ought to be passed at once. I therefore ask unanimous consent of the Senate for the present consideration of Senate bill 2400.

The PRESIDING OFFICER. The bill will be read for information, subject to objection.

The Secretary read the bill (S. 2400) to approve act No. 31 of the session of 1903 of the legislature of the Territory of Hawaii, approved April 22, 1903, entitled "An act providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein."

Mr. CULLOM. I should like to know from what committee that bill comes.

Mr. MITCHELL. The bill was reported from the Committee on Pacific Islands and Porto Rico. I will state, in a word, what is the character of the bill which has been reported unanimously from that committee.

The last Senate of the Territorial legislature of Hawaii passed an act organizing counties and districts in that Territory and also providing for the establishment of a board of public works. The title of the bill did not express both the subjects provided for in the body of the bill, as required by the organic act of the Territory. The supreme court of the Territory has declared the act void in so far as it relates to public works, and there is also very great doubt whether the balance of the act is not void. This bill is simply to correct that mistake.

Mr. CULLOM. Not knowing what was the substance of the bill, I only desired to know whether it came from a committee. I now understand that it is merely to correct a bill that has already been passed, and I have no objection to it.

Mr. HALE. Mr. President, of course I do not object to anything that simply proposes to cure a mistake, but I did not clearly understand from the reading of the bill or from the statement made by the Senator from Oregon [Mr. MITCHELL] that that alone is covered; but this I do know, Mr. President, that in any legislation touching the laws or the operations of the laws in Hawaii we ought to proceed with great carefulness and scrutiny. Letters that I have received from lawyers and other prominent citizens there show that a good deal of controversy is going on in the island about almost everything, and I should not want to see any legislation enacted here without the proper committee giving it a thorough examination, giving hearings whenever they are required and hearing all sides upon all subjects. Bills go through committee frequently without much scrutiny.

Mr. MITCHELL. Mr. President, I will state to the Senator from Maine that there was a hearing in regard to this bill before the full committee yesterday. This bill was introduced by the chairman of the committee, the Senator from Ohio [Mr. FORAKER]. At the hearing the Territory was represented by several parties, including its Delegate. There is no difference of opinion in regard to this bill; all parties in all sections agree that the bill ought to pass. There is no controversy about it. The bill organizing counties in the Territory of Hawaii passed the senate unanimously and passed the house unanimously with the exception of two votes. The governor of the Territory recently appointed, Mr. Carter, strongly urges the passage of the bill.

Mr. MORGAN. May I ask the Senator from Oregon a question?

Mr. MITCHELL. Yes, sir.

Mr. MORGAN. Is there anything more in this bill than merely a change of title?

Mr. MITCHELL. Not a solitary thing.

Mr. HALE. That is what I wanted the Senator to state.

Mr. CLARK of Wyoming. Mr. President——

The PRESIDING OFFICER. The Senator from Wyoming rises to ask a question.

Mr. HALE. Mr. President, I had not yielded the floor, but I will yield to the Senator from Wyoming.

Mr. CLARK of Wyoming. I was merely going to suggest to the Senator from Maine about this bill—though I am not a member of the committee my attention has been called to the matter, and if I am wrong the Senator from Oregon will correct me—that under an act of the legislative assembly changing the counties in that Territory the elective machinery was put into operation.

Mr. MITCHELL. That is right.

Mr. CLARK of Wyoming. All the counties elected their officers, who entered upon the discharge of their duties. Thereafter a question arose as to the legality of the act, and the objection was urged before the supreme court of Hawaii that all the subjects mentioned in the act were not mentioned in its title, and on that account the supreme court of Hawaii was constrained to hold that the act, so far as that particular part of it was concerned, was void. The object of the bill now pending here is to validate the almost unanimous action of the legislative assembly.

Mr. MITCHELL. That is correct.

Mr. HALE. But what is the particular thing that this legislation proposes to cure in the way of title, names of counties, or whatever it may be?

Mr. CLARK of Wyoming. As I understand the bill, it only assumed to legislate, first, in creating counties; next, in creating boards of public works and other machinery of government.

Mr. HALE. The Senator now refers to the original bill?

Mr. CLARK of Wyoming. I refer to the bill that was passed by the legislature of Hawaii. In other words, all the subjects-matter of the act were not mentioned in its title, and the object of the bill before the Congress of the United States, as I understand, at the present time is to validate the action of the legislature upon which they have proceeded to operate, notwithstanding the fact that the first bill failed to mention in the title all the objects which the bill seemed to affect.

Mr. MITCHELL. That is correct.

Mr. HALE. Mr. President——

Mr. BACON. Will the Senator from Maine permit me for a moment?

Mr. HALE. I yield to the Senator from Georgia.

Mr. BACON. I have no disposition to antagonize unduly a measure of this kind, but I do think that any bill which provides that a territorial act shall be the law, anything in the provisions of an act of Congress of the United States to the contrary notwithstanding, ought to be very seriously considered before we pass upon it.

Mr. MITCHELL. Let me correct the Senator there. The bill has been carefully considered. I will state to the Senator, if he will allow me, that the organic act simply provides that the title of an act must include a statement of the several subjects covered by the proposed legislation. This particular measure did not happen to do that, and therefore the supreme court of Hawaii was necessarily compelled to say that the act was void in the particular mentioned.

Mr. BACON. If the Senator will pardon me, the only object I had in making the suggestion to the Senator was to show the impossibility at this time of giving proper consideration to so important a question, and I hope the matter may go over.

Mr. HALE. Yes; let it go over.

Mr. MITCHELL. Before the bill goes over, I wish to say that I shall endeavor to call it up at the first convenient opportunity.

The PRESIDING OFFICER. Objection being made, the bill goes over.

ALASKAN BOUNDARY TRIBUNAL.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith a communication from the Acting Secretary of State covering the report of the agent of the United States before the Alaskan boundary tribunal, with appendices.

The attention of Congress is invited to the request of the Acting Secretary of State that 500 copies of the report and appendices be printed for the use of the Department of State.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 18, 1903.

Mr. HOAR. Mr. President, if I may be permitted, I should like to inquire of either the chairman of the Committee on Printing or my colleague or some other Senator whether there are accessible in this country any copies of the British case? I have had several requests for copies. The matter is an important one, and I think it ought to be provided for.

Mr. LODGE. Do I understand the message which has been laid before the Senate transmits the arguments presented before the Alaskan tribunal, together with the opinions of the tribunal?

The PRESIDING OFFICER. The Chair understands the papers are all in the office of the Secretary of the Senate.

Mr. LODGE. Those, of course, ought to be printed, and I suppose it would be proper that they should be referred to the Committee on Foreign Relations and printed, and they ought to be properly bound. It is a volume for which I think there is going to be a good deal of request.

The PRESIDING OFFICER. The Chair will state that the message is also accompanied by maps.

Mr. LODGE. So that the printing, I suppose, will require an expenditure of more than the $500 limit; and I do not know but what the question ought to be referred to the Committee on Printing.

Mr. CULLOM. I think that would be better.

Mr. LODGE. I think I shall ask that the message and accompanying papers be referred to the Committee on Printing.

The PRESIDING OFFICER. Such will be the order of the Senate, in the absence of objection.

Mr. LODGE. I will state, in reply to what my colleague [Mr. HOAR] has asked, that duplicate copies of the British case and counter cases were furnished to the American counsel and the American members of the tribunal. So far as I am aware, that is all we have. We may have some copies in our State Department, but they are very few in number. There was not a large number, as I understand, of the British case or counter cases or arguments printed.

If it is desired to have any considerable supply of the cases and counter cases, we shall have to make an order for printing those, as there is no supply in existence which can be drawn upon to meet any public demand. The maps that accompanied the cases, especially the British contour map, were extremely expensive in preparation, and only a few copies were printed. I do not suppose that it will be contemplated for a moment to reprint those that involve a very large expenditure of money, but the cases, both American and British, I think, might very well be printed here. My own experience would lead me to suppose that there will be a considerable demand for them from libraries.

The PRESIDING OFFICER. The Chair is informed that the papers are very voluminous. They have been brought into the Senate.

Mr. LODGE. Those are not the cases and counter cases; those are simply the arguments made before the tribunal, taken down in shorthand, and the opinions of the tribunal, together with the maps, showing the line agreed upon by the tribunal as the dominant range intended by the negotiators.

REPUBLIC OF PANAMA.

Mr. DANIEL. Mr. President, I ask that the Chair lay before the Senate the resolution offered on the 9th instant by the Senator from Massachusetts [Mr. HOAR].

The PRESIDING OFFICER. The Chair lays before the Senate the resolution referred to by the Senator from Virginia, which will be read.

The Secretary read the resolution submitted by Mr. HOAR on the 9th instant, as follows:

Resolved, That the President be requested, if not, in his judgment, incompatible with the public interest, to communicate to the Senate such facts as may be in his possession, or in that of any of the Executive Departments, as will show whether at the time of the ratification of the treaty with the Republic of Panama, lately communicated to the Senate, Panama had successfully established its independence, had lawfully adopted a constitution, and had given authority to the persons with whom said treaty purports to have been made to negotiate and ratify the same.

Also, the population of said Republic of Panama at that time, its capacity for self-government, and the race and character of the persons composing it.

Also, whether the officials negotiating or ratifying the treaty on the part of Panama had any personal or private interest in or relation to the construction of a canal across the Isthmus of Panama.

Also, whether the constitution of the Republic of Colombia authorized the secession of Panama therefrom, and whether Colombia was prevented by the action of the United States or by any civil or military force under the jurisdiction of the same from attempting to assert its authority or to prevent such secession, and what instructions, if any, had been given by the Government of the United States to such officers, whether civil, military, or naval, and whether, if any action had been taken by such officers without special authority, what action was so taken, and whether such action has been approved or disapproved by the Government of the United States.

Also, at what time information of any revolution or resistance to the Government of Colombia in Panama was received by the Government of the United States or any Department thereof, and whether any information was received of any expected or intended revolution before it occurred, and the date of such information.

Mr. DANIEL. Mr. President, there is a treaty pending in this body between the United States and the so-called new Republic of Panama. That treaty has been largely discussed by the President of the United States in his annual message to Congress, amply in some respects and the reverse in others.

Mr. CULLOM. Will the Senator allow me to interrupt him for a moment?

The PRESIDING OFFICER. Does the Senator from Virginia yield?

Mr. DANIEL. I do.

Mr. CULLOM. The Senator is starting out as though he intends to discuss the treaty. I will state that the treaty is now in the possession of the Committee on Foreign Relations of the Senate, and has not yet been considered by that committee. I feel that it would be hardly fair that the treaty should be discussed here in public session before the committee having charge of the subject has had an opportunity to consider it.

Mr. DANIEL. The copy of the treaty lies upon my desk, and on it are stamped the words "made public."

Mr. CULLOM. It was made public a few days ago.

Mr. DANIEL. Then can I not address my speech to it?

Mr. CULLOM. Of course, if the Senator desires to take up the treaty before the committee has had any time at all to consider it, I suppose technically he would have the right to do so; but it seems to me it would be somewhat premature for the Senate to take charge of and discuss a treaty before the committee to whom it has been referred has had an opportunity to consider it.

Mr. DANIEL. So much nervousness exists on the other side of the Chamber every time a resolution of inquiry is offered that gentlemen are apt to jump before they are spurred.

Mr. CULLOM. I am not excited or premature.

Mr. DANIEL. I am not either.

Mr. CULLOM. I simply wanted to inform the Senator of the fact if he did not know it.

Mr. DANIEL. I know it.

Mr. CULLOM. The treaty has not yet been considered by the Committee on Foreign Relations, which I have charge of, and it has not been brought into the Senate. With that knowledge, the Senator can act as he thinks proper.

Mr. DANIEL. Mr. President, we know that the treaty being in the premises of the Senate and a proceeding pending in the committee, the President of the United States has seen fit to send a message to Congress engaging in the discussion of that treaty, quite amply, as I have observed, in some respects, and sparingly in others. The Acting Secretary of State of the United States has gone before the New York Bar Association and discussed it there as far as he has seen proper, having regard with reference to anything concerning the treaty, secrecy, publicity, and general information was the object to be sought.

THE FRESH ATTORNEY-DIPLOMAT, AND THE OPEN DIPLOMATIC AND SENATORIAL DISCUSSION.

Further than this, Mr. President, a new diplomat has been received by the President of the United States, who quickly assumed that role immediately upon the discovery that there was such a thing as a new Republic of Panama. It has been said that—

All the world's a stage,
And all the men and women merely players:
* * * * * *
And one man in his time plays many parts.

But this distinguished foreign ambassador has played more parts in a shorter time than any other actor who ever challenged the attention of the players or the pit before the footlights—counsel of the Panama Canal Company, general operator in Panama; friend, claimant, and veteran of the Panama Canal, and patron of the new Republic, ambassador, and all of a sudden a general campaigner and stump speaker from city to city; a species of transformation that outdoes anything that we read of in Ovid's Metamorphoses, an introduction of new manners into the court of the United States.

Furthermore, Mr. President, in this very body, where my distinguished friend of the Foreign Relations Committee seeks to guard the secrets of the Senate, we have already had a debate and the passage of compliments between the leaders of the parties upon this very subject. That a debate inter se amongst the members of the party which seeks to become the parent of the young Republic and is here as its champion.

I am not aware that in any degree I have ever at any time violated, however unintentionally, the injunction that impresses upon Senators the desirability of observing silence as to those matters concerning other nations which may be the subject matter of their judgment. But there never has been, Mr. President, on the part of any party in power, from the highest to the most subordinate of its representatives, so thorough a defiance and disregard of such doctrine.

I do not need the warning of my kind friend from Illinois to advise me that I should not here and now undertake to discuss the terms of this treaty any more amply than they have already been discussed by the public officials of this Government, not in the bodies where they were constituted to discuss them by what may have been said by one and the other, but out in the open, where they might be heard of all men. And if I should allude to the subject, Mr. President, it will be only because there seems to have been a challenge—a glove thrown down on the hustings, in the banner's room, and everywhere—to those of us who may perchance differ with what seems to portend, to give some of our own views on the cognate subjects.

ISTHMIAN CANAL CONSTRUCTION ALREADY PROVIDED FOR.

Let no one suppose that defeat of any pending measure impedes or thwarts the consummation of an isthmian canal. That is what we want. That receives general favor. Few care whether the canal is through Panama or through Nicaragua and Costa Rica. The canal is the thing desired. The statute of June 28, 1902, provides the law to get it and the means to get it, and get it we will, whether by Panama or Nicaragua. That statute has more to say about Nicaragua than Panama. Prior to its passage the Nicaraguan route had been most favored. So much was it favored that the Senate some time ago passed a bill for its construction, and so did the thought of it fasten itself on the mind of Congress that even when preferring the Panama route it provided for the Nicaragan route in the event that we failed to get from Colombia the necessary title to property and the necessary territory in Panama. If we failed as to Panama, "within a reasonable time and upon reasonable terms," then the President is instructed to go on and consummate the Nicaraguan project.

Further than this, $10,000,000 are already appropriated by Congress and put in his hands for use "toward the project herein contemplated by either route"—i. e., Panama or Nicaragua. I will append the provisions of this statute to my remarks so that it may be plainly seen how well assured is the canal and how the President could now, if he chose, be engaged in forwarding the canal through the Nicaraguan route.

LIBERTY WITH LAW AND PEACE WITH HONOR.

Liberty with law and peace with honor are the sublime ideals of this Republic—the one because liberty is essential to the development of manly, fearless, and perfect manhood; the other because it can not be fully enjoyed unless it be crowned with the blessings of peace. We have had these two ideals of this Republic held up before us in notable examples in recent years. One was when a Democratic President of the United States, seeing the flag insulted, hovered over a great city and which assailed international law, the penal laws of the United States, sent troops to guard and protect the Federal rights which were therein involved. Counted amongst those, Mr. President, who are for State rights, I hold myself to be just as loyal for Federal rights. Without consulting any of my constituents, who I knew would stand for order, I was glad to uphold the Federal rights there involved, and was glad that the Senate, without a dissenting vote, indorsed that act of a Democratic President.

More recently, Mr. President, we saw illustrated our ideal of peace with honor when we stood upon the eve of war with Spain. We saw a calm, patient, forbearing, and considerate President restrain all influence that might tend to involve this country in war and to hold back the passions and influences that might bring it about needlessly, and that President won and had the respect and confidence and good will of the whole American people to a degree which few men have ever reached anywhere at any time.

It is upon these ideas, Mr. President, that prompt me, however little I may be able to serve them, to make some few observations on the resolution that is now before us.

There are certainly pertinent inquiries in this resolution. They bring before the mind the standards of international law which should control the action of a great Republic like this and every orderly nation, and they seek only to elicit opinions and facts which are necessary to enable us to compare the present transaction, whatever it may be, to those standards and see what may be the relation between them.

For one, Mr. President, I do not wish to see my country involved in war either with France or with Colombia. I take with a grain of salt the horrible vision that was lifted before this nation in yesterday's paper, when the sensational lines "The world at war" were printed over the speeches that were made in New York by our Acting Secretary of State and by the new ambassador, and that vision was held to "fright the souls of fearful adversaries" to a pending measure. The fact is, Mr. President, these two gentlemen, or at least one of them, seemed to be in favor of a wide-open republic, as if some prodigious Tammany were about to take the country, and they are shaking their red lights wherever they can get an audience to behold them.

THE PROPOSED INQUIRIES.

What are these inquiries, and what is the pertinence of them?

Resolved, That the President be requested, if not, in his judgment, incompatible with the public interest—

That deference is shown him which should always be shown—

[illegible] to the Senate [illegible] or in [illegible] the Executive Department [illegible] the relations of the United States with the Government of the Republic of Panama and the circumstances attending the recognition of the same by the United States, with the date of the recognition, the name of the person first informed of the same, and the date when such information was received by the President; also the date of the first official communication between the Government of the United States and the Government of the Republic of Panama, and the date of the first official communication between the Government of the United States and the Government of the Republic of Colombia touching the matter of the proposed treaty between the United States and the Republic of Colombia, and the date of the rejection by the Government of Colombia of said treaty; and whether any proposals have been made to modify said treaty to meet the views of the Government of Colombia, and whether such proposals have been made to the Government of the United States; also the date of the first intimation received by the President that a revolution was contemplated in the Isthmian Province of Panama, and the date of the first information received by the President that such revolution was to be attempted; also the date of the first information received by the President that such revolution was to be undertaken, and the date of the first information received by the President that such revolution was to be undertaken before it occurred, and the date of the same; also the date of the first information received by the President that such revolution was to be undertaken without any interference by the forces of Colombia

On the 2d day of November, 1903, Colombia, recognized as an independent nation and as yet on friendly terms with the United States, was marching her own troops, on her own acknowledged and recognized territory, and some information from somewhere had come to the State authorities of the United States and some design was upon the mind of the State authorities of the United States which indeed them to order a man-of-war to go into the territory of Colombia and intercept her own national troops and not allow them to land in a peaceful port of her own possessions.

So far as they may have been properly sent there to preserve the open transit of that Isthmus, there is no room to take exception. Nay, such has been the course of events that if they were to land to protect American property, however untimely or unnecessary might be the circumstances, few would take exception. But without a declaration of war on the part of Congress against the State of Colombia, I respectfully submit the inquiry, what right had an armed vessel of the United States to go and put itself in armed opposition to the troops of another country marching on their own soil? Or sailing over their own waters? Or seeking to land on their own country?

On this same November 2 Admiral Glass, of the *Marblehead*, was addressed at Acapulco as follows:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

GLASS, *Marblehead*, *Acapulco*:

[illegible] with as possible dispatch to Panama. Telegraph in cipher your [illegible] Maintain free and uninterrupted transit [illegible] as may authorized by treaty [illegible] protect property and transit [illegible] force [illegible] Government forces [illegible] the Isthmus of Panama.

Somebody was watching what the Government of Colombia, a government friendly with us, was doing. Somebody had reported to the Navy Department that her troops were marching or sailing to points within her own territory. Here is an instruction to prevent their landing:

Prevent their landing if in your judgment landing would precipitate a conflict.

CAN A REPUBLIC BE RECOGNIZED BEFORE IT IS BORN?

There was nobody then in esse who had any idea of any conflict with the Government troops of Colombia, and, Mr. President, I do not know of any title in international law that treats of the recognition of republics or other governments before they are born and before they have a local habitation, body, or name.

Then, November 3:

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

CRUISER ATLANTA, *Kingston, Jamaica*:

Proceed with all possible dispatch to Colon.

Then to the *Nashville* at Colon, and then four or five other dispatches of similar tenor.

When the morning of November 3 dawned, Mr. President, there was yet peace in Colombia, although it seemed to be an eve like that of Waterloo, and when the United States and Colombia alone had troops or vessels in motion.

NOVEMBER 3, 1903, AND THE SCARE-CROW REPUBLIC.

Now, what happened on the 3d? Things were happening here before there was any demonstration whatever in Panama. The first communication we have in the correspondence sent to the House is this:

A [illegible] having [illegible] work on the Isthmus, the following cablegram was sent both to the consulate-general at Panama and the consulate at Colon:

DEPARTMENT OF STATE.
Washington, [illegible] 3, 1903—[illegible] p. m.)

Uprising on Isthmus reported. Keep Department promptly and fully informed.

LOOMIS, *Acting*.

Then Mr. Ehrman, vice-consul at Panama, replies:

PANAMA, *November 3, 1903*. (Received 8.15 p. m.)

No uprising yet. Reported will be in the night. Situation is critical.

Then, again, under the same date:

(Received 9.50 p. m.)

Uprising occurred to-night. 6: no bloodshed.

JACK OUT OF THE BOX.

Whether the insurrection uprose so silently and unobservedly that two hours had passed in Panama ere the vice-consul of the United States knew it had happened, we can hardly tell; but when at 8 [illegible] our Government was advised "no uprising yet," it was a little later told that uprising took place at 6, without bloodshed.

Uprising occurred to-night. 6: no bloodshed. Army and navy officials taken [illegible] government will be organized to-morrow.

This is his dispatch of 9.50—

[illegible] consisting [illegible] Students disarmed. Situation satisfactory. No movement will be offered [illegible] Four business members arrived south [illegible] Barranquilla.

EHRMAN.

Then came a new series of dispatches and messages hastening United States vessels and marines to the seat of war.

Mr. President, we have been referred in some of the literature which has come to us on this subject to certain passages and statements of American principles as contained in the dispatches or letters of Secretary Seward and Secretary Cass. This is not the first time that we have had trouble with South American republics. The President gives us a list of revolutions, riots, émeutes, disturbances of one sort or another which have been very frequent in that section. But here we have a new departure. It is a departure from the settled policy of the United States as expressed, defined, and expounded by eminent leaders of our country, both Democratic and Republican.

We have seen to it that there was no oppression of our own interests in the South American republics. We have guarded sacredly the rights of our citizens. We have landed troops to protect American property and persons. We would send them at any time to keep the Isthmus and its transit open, for this we have a right to do. But when, where, at what time, and in what region of all America has any Administration ever undertaken before to send American forces to resist the national forces of any country in keeping the peace within its borders?

So far, Mr. President, as we can gather from the public documents before us this little weakling shade of a republic was perfectly unable to defend itself, much less to defend anyone else. It must have had such soliloquy about itself as Richard the hunchback: I—

Have no delight to pass away the time,
Unless to spy my shadow in the sun
And descant on mine own deformity.

* * * *

Cheated of feature by dissembling nature,
Deformed, unfinished, sent before my time
Into [illegible] world, scarce half made up,
And that so lame and unfashionable
That dogs bark at me, as I halt by them.

THE PANAMA ACCOUNT—CITY OF COLON DISINCLINED.

Mr. President, there was not a republic nor the germ or outward phantom or shade of a republic in Panama, and her own accounts of herself, as far as we may discern them in the meager literature officially furnished us, are, I confess, exceedingly modest. We are given in one of these public documents from the Department a declaration of independence, a manifesto, in an extract from the Star and Herald, of Panama, Republic of Panama, Thursday, November 5, 1903. In that account, which is officially furnished us, we read:

The cry of independence was started on the evening of the 3d and taken up by every individual in the town as soon as the news became known. Dr. Manuel Amador was called for amid cheers, and responded in a few patriotic words. The people then proceeded to the house of Gen. E. Huertas, second in command, and [illegible] themselves on the balcony in sympathy with the movement and thanking themselves on the success of the enterprise. All bloodshed, fighting, etc., has been avoided, the greatest order and quietude reigning on all sides.

The movement had been postponed to take place later on, but was precipitated by the arrival of the gunboat Cuenca, [illegible] Colombian ports Colon and Amaya, on the Colombian side, on the 2d and 3d instant.

Three hundred troops were the troops reported to the United States as moving, and they were landing at Colon to go to Panama and keep the peace. It was those 300 troops moving to Panama that the armed forces of the United States were directed to intercept, and the intended revolution, which has been afoot of that number, hurried up, the cables two hours early that they might proclaim themselves before there could be any question as to their getting there or no. Further on we read:

From latest information we regret to state that Colon does not appear inclined to join the movement for independence. A [illegible] arrived [illegible] armed men and [illegible] hope that the differences of opinion existing may be amicably settled in order to avoid all disturbance.

Panama is over on the Pacific side, Colon on the Atlantic side, and here, according to their account of themselves, while everything was lovely in Panama, it was quite the contrary in Colon, and Colon is the place where our troops were ordered to intercept the troops that were about to arrive there.

THE MUNICIPAL EMEUTE IN PANAMA, AND DECLARATION.

On the night of November 3 this Republic organized itself and called itself, in its declaration of independence made on the 4th of November following, the Republic of Panama. It was not the State of Panama, Mr. President, that attempted to organize the revolution. Let no one be deceived by the Panama name. We have a great city in this country named New York. We have also a State named New York. There is a city named Panama and there was a department, province, or district, something of that sort, named Panama, one of the nine departments or States of the Republic of Colombia. It was the municipality, common council, and citizens of Panama and not the people of the State of Panama who organized this revolution and went into it.

Here is the local account of the declaration of independence:

DECLARATION OF INDEPENDENCE.

In the city of Panama, capital of the district of the same name, at 4 o'clock in the afternoon of the 4th day of November, 1903, the municipal council, by its [illegible] assembled, there being present the following functionaries of the city council: Augusto Boloez Aranzo, Ricardo M.; Arias, F. Agustin; Arosemena, Pablo; Boyd, Roberto; [illegible] Chiari, R. José María; Cucalon, P.; Manuel, J.; D'Antuez, Alcides; Lewis, Samuel; Linares, Enrique; McKay, Oscar M.; Mendez, Manuel María, and Vallarino, Darío, the mayor of the district and the municipal attorney, and having for its exclusive object to debate regarding the conflict in which the country is at present, and to decide regarding what should be most conducive toward the tranquillity for the [illegible] and guarantees demanded by the citizens that constitute the ethnological [illegible] of this city, decreed the Independence of Panama.

Gen. Manuel Arias, F. Arosemena, Gen. José Domingo de Obaldía, Augusto Lewis, and Linares carefully took note of the speeches delivered by the historical facts by virtue of which the Isthmus of Panama, by its own free will and in hopes of procuring for their descendants the benefits of liberty and liberty cut asunder, on the 28th of November, 1821, its ties with Spain, and spontaneously joined its destinies with that of the great Republic of Colombia. Reflections were made tending to show that the union of the Isthmus with the old and modern Colombia did not produce the benefits that were expected from this act, and on mature consideration full justice was made of the great and unanswerable inquiry, but this in no way caused the Isthmus of Panama in its material and moral interest at all times by the governments of the nation which have succeeded each other during the intervals of the federation, as well as those of the confederation, to be neglected, being looked after and patriotic sacrifices rendered by those who dwell therein were being augmented each day and increasing in importance with a persistency and [illegible] that has existed in the ties of the Department of Panama the [illegible] which were spontaneously felt for Colombia, thus demonstrating to them that, their cup of bitterness overflowing, and all hope of their improvement, the moment had arrived in which to discover that [illegible] which would drag back to civilization, which placed insurmountable barriers to all progress, and which, on the whole, has produced unhappiness, unsettling and undoing the ends of the political union in which they entered, moved by the necessity to satisfy the desire of prospering within the right respected and liberty assured.

In view of the circumstances mentioned, the municipal council of the district of Panama, as a faithful interpreter of the sentiments of those they represent, declares in a solemn form that the people under their jurisdiction from to-day and henceforth sever their ties with Colombia [illegible] form, with [illegible] sons of the Department of Panama that accept the separation and form with them the State of Panama, so as to constitute a republic with a representative government, democratic, representative, and responsible, that should lead to the [illegible] of the natives and of the other inhabitants of the territory of the Isthmus.

In order to perfect [illegible] the fulfillment of the resolution of the peoples of Panama, [illegible] from the Government of Colombia [illegible] and their autonomy in order [illegible] and a free quality free from all foreign contribution, the municipal council of the district of Panama, [illegible] in the exercise of their municipal councils of the Department, pending the authorization, working and direction of affairs [illegible] the new Republic be constituted, in a board of government composed of Messrs. José Agustin Arango, Federico Boyd, and Tomas Arias, in what and without as a reserve whatsoever it gives powers, authorizations, and [illegible] necessary and sufficient for the satisfactory consummation of the duties which in the name of the Isthmus are confided to them. (S. Doc. 5, part 2, p. 1.)

The Baltimore American of December 12—a Republican journal—contains a letter from Mr. Merrill A. Teague, a Republican lawyer of Baltimore, which explains in some degree the situation at Panama. I will append some extracts from it to my remarks and not pause to read them. They may be more instructive than some skeleton reports.

ARE THREE MEN A REPUBLICAN FORM OF GOVERNMENT?

Of Arango, Arias, and Boyd, two of them were members of the municipal body or council. It was this municipal body that had the meeting to declare the revolution, and it was the citizens of Panama who made the revolution, and it was the Battalion of Colombia, under General Huertas, that furnished them the military force. This body constituted the three persons I have named—Arango, Arias, and Boyd—consuls, or a committee, or junta, or directory, syndicate, or anything that might properly describe three men who took into their hands the destinies of the State of Panama, and who on the next day led a motion to proclaim the Panama Republic.

Are these three men "a republican form of government?" Can they give away the political rights and property of a State? Can they appoint ministers plenipotentiary?

THREE MEN SEND THE ATTORNEY OF THE PANAMA CORPORATION HERE AS MINISTER TO SELL OUT.

Events move swiftly. On the 6th of November they appointed a minister to the United States. Speedily he arrived here, and if the State of Panama was an independent nation from and after the 4th day of November, when the city of Panama so proclaimed it, that independent nation was soon practically snuffed out like a farthing candle, through the agency of her minister to this country.

I have collected some of the dates of this transaction. On November 9 the House passed a resolution asking for correspondence. On November 13 some of the correspondence was submitted by the Secretary of State. On November 16 it was communicated by the President. On November 18 there was a treaty prepared for adoption, which may be read by those who desire to know what is the fate of the independent nation of Panama.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The morning hour having expired, it is a question for the Senate to determine whether the Senator from Virginia shall proceed.

Mr. FULTON. Mr. President, I had given notice that at this time I would address the Senate, and of course I want to observe the utmost good faith——

Mr. CULLOM. Will the Senator from Oregon allow me to make a remark?

Mr. FULTON. Certainly.

Mr. CULLOM. I merely wish to say that it is evident——

Mr. DANIEL. I do not wish to speak very much longer, if it be agreeable for me to proceed.

Mr. CULLOM. I was going to suggest that the Senator from Virginia will not be able to finish to-day, and as the Senator from Oregon is anxious to go on with his speech, of which he gave notice, we may as well let this matter go over for the rest of the day.

Mr. FULTON. I was going to ask the Senate that the Senator from Virginia may have time to continue and complete his remarks.

Mr. DANIEL. I thank the Senator from Oregon very much.

Mr. FULTON. I only referred to the fact that I had given notice because I want to observe perfect good faith with the Senate, and I shall deliver my remarks when I may have an opportunity.

The PRESIDING OFFICER. The Senator from Virginia will proceed.

Mr. DANIEL. Allusion has been made in the course of the discussion of this subject to the statements of Secretary Seward, made, I believe, in 1865. I desire to read and call attention to the purport of one of those statements. He is referring to the thirty-fifth article of the treaty with New Granada as to the obligation of the Government of the United States to comply with the requisition of the President of the United States of Colombia for a force to protect the Isthmus of Panama from invasion by a body of insurgents of that country. The opinion is given—

that neither the text nor the spirit of the stipulation in that article by which the United States engages to preserve the neutrality of the Isthmus of Panama, impose an obligation on the Government to comply with a requisition like that referred to. The purpose of the stipulation—

Says Mr. Seward—

was to guarantee the Isthmus against seizure or invasion by a foreign power only. It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party.

RECOGNIZED DUTY OF COLOMBIA, NOT OF UNITED STATES, TO PROTECT THE PANAMA LINE.

A little later, in the year 1873, we hear the doctrine of Secretary of State Fish upon this subject:

This Government—

He says—

by the treaty with New Granada of 1846, has engaged a guaranty of neutrality of the Isthmus of Panama. This engagement, however, has never been acknowledged to impose the duty of protecting the road across it from the violence of local factions. Although such protection was of late efficiently given by the force under the command of Admiral Almy, it appears to have been granted with the consent and at the instance of the local authorities. It is, however, regarded as the undoubted duty of the Colombian Government to protect the road against attacks from local insurgents. The discharge of this duty will be insisted upon.

So, then, Mr. President, our treaty with New Granada of 1846 and the rights and duties to which Colombia and the United States alike succeed have been interpreted by the State Department of the United States and by so eminent a man as Hamilton Fish to mean that it is "the undoubted duty of the Colombian Government to protect the road against the attacks from local insurgents," and, further, the assertion of the policy of the United States that "the discharge of this duty will be insisted upon." This is the reverse of what is being done.

NO ATTACK OR MENACE OF OPEN TRANSIT.

Mr. President, we have often suggestions throughout the correspondence and the documents in this case of the duty of the United States to see that the open transit of the Isthmus is protected and observed. There is not, that I have been able to discover, the first suggestion that the open transit of that Isthmus has been menaced or assailed by either Panama or Colombia. It is not likely that it would be assailed under present circumstances.

Both Panama and Colombia are aware that the eye of the world is upon that Isthmus; both of them are under the mandate and injunction of self-interest not to interfere with that transit, and no one has interfered with that transit. But the troops of Colombia going to Colon were moving right in the line and in furtherance of the duties which our State Department has said we will insist that they shall discharge in protecting that line from attacks of insurgents. We do not know fully this history. They may have been simply putting themselves in a position to do it.

VIEWS OF SECRETARY HAMILTON FISH.

A little later Mr. Fish, our Secretary of State, wrote to Mr. Seruggs, one of our ministers, as follows:

[illegible] rest of general commerce, [illegible] carrying trade of that route, that those disturbances [illegible]

That is, local disturbances in the Central American Republics [illegible] guarantee [illegible] from local insurrections.

VIEWS OF SECRETARY WILLIAM M. EVARTS—HOW THE UNITED STATES HAVE GUARANTEED COLOMBIAN SOVEREIGNTY AND PROPERTY IN THE ISTHMUS.

A little later, in 1880, William M. Evarts, of New York, was Secretary of State. He put his hand [illegible] upon this treaty. No man has ever opposed its ratification and his readiness to defend every American interest. In discussing it in a communication to Mr. Dichman of April 19, 1880, he said:

[illegible] treaty of 1846 [illegible] the rights of sovereignty and property which New Granada has and possesses over said territory.

SIMILAR VIEWS OF SECRETARY JAMES G. BLAINE.

Now, Mr. President, I desire to read a few words from Mr. Blaine, [illegible] Secretary of State, to Mr. Lowell, written June 24, 1881. He says:

The United States [illegible] to the [illegible] treaty of 1846, upon which he comments as follows:

[illegible] is, and these, Mr. President, are significant words, which [illegible] November [illegible]

SHALL THE PEACEABLE, ORDERLY, AND LAWFUL DOCTRINES OF THE PAST BE SEVERED?

Mr. President, I need not say, after reading from Seward, from Fish, from Evarts, from Blaine, from Lowell, and [illegible] well [illegible] set forth, and [illegible] Mr. President, the quietude [illegible] and the [illegible] war [illegible] for [illegible] of that subject as they are [illegible] to be in the [illegible]

statements that have come to us. I have but held "the mirror up to nature," accepting Panama by her own imperfect description of herself.

We have had a foreign policy handed down to us from generation to generation, of which we are justly proud—a policy of defense represented by the Monroe doctrine and a policy of general assent represented by those noble words of Jefferson, "Peace and friendship with all nations, entangling alliances with none." Let us hope that day has not come to its sunset, but that we shall proceed in the future, as in the past, slowly, deliberately, and in [illegible]

I ask unanimous consent to add to my remarks the first part of the act of June 28, 1902, concerning the construction of the Nicaragua Canal, and, second, an extract from a correspondent in Panama [illegible]

THE PRESIDENT OFFICER (Mr. PERKINS). If there be no [illegible] of the Senator from Virginia will be granted. The Chair hears none.

APPENDIX 1.

[Parts of act of Congress of June 28, 1902, authorizing construction of Nicaragua Canal [illegible] for that purpose, and authorizing also [illegible]

[illegible]

[illegible] a sum of $10,000,000 is hereby appropriated, out of any money [illegible] appropriated, toward the project herein con- [illegible] upon, for all vessels owned [illegible] discharge of the duties the [illegible]

SEC. 8. That the Secretary of the Treasury is hereby authorized to borrow on the credit of the United States from time to time, as the proceeds may be required to defray expenditures authorized by this act (such proceeds when received to be used only for the purpose of meeting such expenditures), the sum of $[illegible], or so much thereof as may be necessary, and to prepare and issue therefor coupon or registered bonds of the United States in such form as he may prescribe, and in denominations of $20 or some multiple of that sum, redeemable in gold coin at the pleasure of the United States after ten years from the date of their issue, and payable thirty years from such date, and bearing interest payable quarterly in gold coin at the rate of 2 per cent per annum; and the bonds herein authorized shall be exempt from all taxes or duties of the United States, as well as from taxation in any form by or under State, municipal, or local authority: *Provided*, That said bonds may be disposed of by the Secretary of the Treasury at not less than par, under such regulations as he may prescribe, giving to all citizens of the United States an equal opportunity to subscribe therefor, but no commissions shall be allowed or paid thereon; and a sum not exceeding one-tenth of 1 per cent of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

Approved, June 28, 1902.

APPENDIX 2.

[Extracts from letter of Merrill W. Teague, esq., of Baltimore, Md., printed in the Baltimore American of December 12, 1903, and dated at Panama, December 7.]

MONEY WAS THEIR MOTIVE.

The motive underlying the creation of the Republic was, consequently, more selfish than patriotic—more sordid than sentimental. The people of Panama, knowing better than do any other people the enormous sums to them of a ship canal across the isthmus, played for that advantage instead of for any real improvement in the conditions of their Government. The riches they will realize from the construction and operation of the canal were prospective [illegible] with them [illegible] was the right of personal liberty and fortunately for their purpose they found the United States ready to join hands with them. The effect of bringing a republic into existence under such circumstances is daily becoming more and more apparent.

The instigators of the movement for independence having no such thing as Panamanian patriotism to appeal to, were forced, in order to carry out their project, to wield an influence as sordid as were their own motives. These men who figure now as the responsible heads of the Republican Government will very frankly admit that they proceeded with the scheme for [illegible] by retaining themselves in the course of the isthmians [illegible] from [illegible] collection, but by actually corrupting those who were in position to hinder execution of their purpose.

[illegible] are admissions of this nature made that last evening one of the members of the provisional junta, frankly and without hesitation, and in return for [illegible] leave to your correspondent a list of the men who were being [illegible] government and government paid to each one. These payments are termed "business" here, and the payment of them is freely [illegible] in the streets and places, nor does any Panamanian seem to think [illegible] men who sold their influence for stated sums in Colombian currency have in any manner compromised themselves.

To such an extent was the plan of winning by corruption carried out that every dollar of public money in the former Department of Panama was attached by the revolutionists and has since been paid out to those men who were prime movers in the instigators of the movement for independence. Nor was this sum sufficient to insure the success of the plan. It was used as far as it went, and when it was exhausted the revolutionists resorted to promises, which have since been redeemed by the payment of sums taken from the loan of $40,000,000 made about the middle of the month to the new Republic by J. P. Morgan & Co., of New York.

FAITH IN THE UNITED STATES.

The promoters of the revolution are therefore compelled by experience to distrust a large portion of those upon whom they are now forced to rely. They know that the army and the police were purchased to support the revolution, and knowing that these factors are susceptible to corruption, they do not know to-day whether the military and police officials are true or untrue to the Republic. The Panamanian naval establishment stands in exactly the same position as does the army and the police force, and since it is upon these agencies that the new Government must depend in greater or less degree for its security there is fear and suspicion disseminated upon every hand. The weakness of the present government, its lack of purpose and indecision, are therefore explicable in a measure.

The revolutionists know that they have to deal with a good-sized company of Colombian Benedict Arnolds, and they deal cautiously and suspiciously. All they hope for is that they can keep things going as they now are until after the canal treaty is signed by the members of the junta. That act of ratification accomplished, the revolutionists will have little interest left in the Republic, and just here there enters into the consideration an element which is most perfunctorily little understood in the States. That element is the land and abiding faith of the revolutionists in the Government of the great American Republic.

It matters not what statements may be made at Washington or what stories may be current in the States, all Panama believes that the revolution was made possible by Washington's foreknowledge of what was proposed and an expressed determination by the Government at Washington to give moral and physical support to the revolutionists. There is reason for this belief, for it was not actually decided to attempt the coup which resulted in the creation of the Republic until advices were received from the States to the effect that if the coup were attempted the United States would back it up.

These advices were unofficial so far as the Administration was concerned, but they were of such a character, as will be shown in subsequent letters, as to convince the revolutionists that all they had to do was to take the initiative and then rely upon the United States to insure the success of the project. This they did and their earlier confidence in the support to be afforded by our Government was justified by the occurrences of the 3 and 4th of November at Panama, when the states were landed from the Nashville and employed to prevent Colombia's military interference for the suppression of the revolution.

THE CANAL ALL THEY WANT.

Having, therefore, had ample proof that the United States stands ready to guarantee the independence of the Republic, the revolutionists now place all their trust in America. For themselves, they are helpless in their ignorance of ways and means and in their distrust of their own people. To no other power in the world would the decision to permit ratification of the canal treaty by the junta instead of waiting the election of a congress and the formal creation of a republican government. Upon such a contingency as an election the revolutionists dare not wait.

The treaty will, therefore, be ratified by the junta, which has no existence in fact so far as the Republic of Panama is concerned, and the Panamanian ratification will have been deposited at Washington by the time this letter is published. Why such haste? Simply because the revolutionists look forward to only one thing beyond what they have already accomplished, and that one thing is to get the United States so bound by contract that it will be compelled through self-interest to protect the Republic against invasion from without and against internal disturbance.

So keen is this desire that it is not exaggerating fact in the slightest to say that once the treaty is ratified and contractual relations with the United States assumed the revolutionists will practically lose interest in the fate of Panama. They will, as a matter of course, be compelled to proceed with the erection of a regular government, but that duty will become in which they will have little enthusiasm. The treaty will insure the canal; the canal is all that Panama wants, and with it assured the Panamanians would be content to drift along for an indefinite period without proceeding further toward realizing the fruits of independence.

Proof of this lack of national interest in the Republic itself is nowhere concealed. Everybody in Panama, including the members of the junta and the cabinet, will declare, if interrogated, that Panama wants nothing except the canal; that the United States can have anything it wishes if it will only construct that waterway. Such are admissions of the nature that I have had it from the lips high up in the Government that had the United States demanded sovereignty over the entire Republic it would have been ceded without question. As a matter of fact, the Panamanians would very gladly have relinquished the duty of organizing a government and attempting its administration. It is to this sentiment that the certainty of immediate ratification of the treaty is due.

AFRAID OF TOO MUCH MONEY.

The Panamanians wished to be relieved of responsibility for the integrity and security of the Republic they have created, and although the treaty is more liberal in its concessions to the United States than was originally proposed it would be, the junta has not for a moment considered such a thing as rejecting it or even[illegible] over its terms. "We would have been entirely willing to sign our names to blank paper," said a member of the junta last evening, "and to have left it to Secretary Hay to fill in, over our signatures, whatever he wished to write, stipulating only, upon our part, that the covenant should contain a pledge by the United States to build the canal."

That statement exactly expresses the state of affairs in Panama to-day, and in the hope that subsequent negotiations with the United States may result in that Government assuming even more responsibility than it has assumed under the canal treaty the Panamanian revolutionists are proceeding with halting steps toward the organization of the Republic.

They are afraid of themselves, of the people with whom they will have to deal, and thoroughly suspicious of their own abilities. Senor Espanoza, one of the members of the junta, exposed the nature of this feeling on yesterday when he said to your correspondent that Panama has only one substantial objection to the canal treaty.

"We are in a dilemma," said Senor Espanoza, "because our revenues will be reduced at least three-fifths by that clause of the treaty which makes Colon and Panama free ports, thereby cutting off the import taxes now collected, but one chief objection to the treaty is that by its terms we are compelled to accept the entire original payment in cash. We must, in some way or other, by subsequent negotiations, have our share of that requirement. It is too much money for us to undertake to handle; it is certain to be wasted and misspent if it is turned over in bulk to the Government, and in self-protection we must devise some scheme whereby not more than $[illegible] in cash comes into our hands for current use. The remainder must be so invested and secured and held out of the country that it will stand as a revenue-producing asset for the Government, no matter what changes may take place or who may be in charge."

THEIR UNUSUAL POSITION.

The spectacle of an independent nation being afraid to assume responsibility for the handling of such a sum as $[illegible] in cash is doubtless unique in the history of governments, but it affords a accurate key to the situation on the Isthmus of Panama. Starting with that sum in its treasury, having no funded debt and but $300,000 of a floating debt, with the taxes at a nominal figure, revenues sufficient for all requirements guaranteed by the canal treaty, and the peace and integrity of its domain assured by United States protection, Panama is actually helpless. Her helplessness is born of an absence of patriotism, knowledge among the more intelligent classes of the corrupt and unscrupulous character of the majority of the peoples of all Latin-American countries, and of the thoroughly mercenary motives for her own creation into a republic. Envy and pity must, therefore, play equal parts in any consideration of the state of affairs on the Isthmus. Envy for the opportunity which stretches away before a people whose independence has been so easily won; pity for the moral, physical, and personal conditions which combine to make it almost impossible for this people to avail themselves of their opportunity.

Any other people would, under such circumstances, bring themselves very quickly to the consideration of an indeterminate season of prosperity and dignity. Cuba, with fewer apparent advantages than Panama possesses, is doing that very thing, while here in Panama there is nothing more inspiring or admirable than an alleged republic in which the leaders have no more patriotic sentiment than a wish to avoid responsibility and a hope that the United States may do for them that which other people from the beginning of time have gloried in doing for themselves—secure and preserve their political independence.

EXPOSITION AT PORTLAND, OREG.

Mr. FULTON. Mr. President, in accordance with the notice I gave yesterday, I ask the Chair to lay before the Senate the bill providing for the celebration of the anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The Chair lays before the Senate the bill referred to by the Senator from Oregon, which will be read by title.

The SECRETARY. A bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of

Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes.

Mr. FULTON. Mr. President, I intend to speak but briefly on this bill, as my colleague [Mr. MITCHELL] has fully and clearly explained all its provisions, and with equal force and clearness has presented the arguments in its favor. I shall endeavor simply to emphasize some of what seem to me to be the principal reasons favoring the passage of the bill.

In the first place, I desire to emphasize the fact that the event which we propose to commemorate is not one of local interest or importance only, but it is one that is as wide as the nation itself; one that has contributed much, very much, indeed, Mr. President, to the strength, the power, and the influence of this country.

I wish also to impress on the members of this Senate the fact that we are not asking Congress to provide for us an exposition or a celebration of this event. That has already been provided for. We are simply asking that Congress shall provide for participation in that celebration by the Government.

The State of Oregon has already appropriated for this exposition the sum of $500,000, while the citizens of the city of Portland, in the State of Oregon, have subscribed, in addition to that amount, over $[illegible], and they expect to increase the amount of their subscription, and I have no doubt they will, to a half million dollars, while a number of other states have already appropriated considerable sums of money in aid of this exposition, as shown by my colleague in his remarks yesterday.

Consequently, Mr. President, even if we shall be so very unfortunate as to fail to secure the appropriation of a single dollar by Congress in aid of this celebration, nevertheless in the year 1905, at the city of Portland, in the State of Oregon, an exposition will be held in commemoration of the one hundredth anniversary of the journey of Lewis and Clark from the Mississippi River to the Pacific Ocean.

While that celebration will be held in the State of Oregon, it will in fact be a joint celebration of that interesting and important event by all the States in the Northwest and by every State whose territory was traversed by Lewis and Clark in making that memorable journey.

It seems to me, Mr. President, in view of the wide interest that is entertained in this event, in view of the contributions that are being made by the States of the West to assist in carrying it forward, that Congress can not afford to let the event pass without providing for participation in that celebration by the General Government.

When it was first determined that we should apply to Congress for aid in this matter, we were afraid we would discover here a growing spirit of opposition to any further appropriations of this character; but I am gratified to be able to state that since the proposition has been generally discussed and the great importance and historic value to this country of the event proposed to be commemorated has been realized to mind, we have met with so much of kind encouragement and received so many promises of support from Members of both Houses of Congress that we now look forward with great confidence to a just recognition of our request.

It is true that Congress has in the aggregate devoted a considerable sum of money to centennial celebrations, but I do not recall any one of those appropriations that has not had the support and the approval of the people, as evidenced by the statements and resolutions in the columns of the public press.

For instance, I think it will be generally admitted that the events commemorated by the Philadelphia Exposition in 1876 and the Chicago Exposition in 1893 were of such a nature and character as to fully justify the appropriations made in their aid by Congress, and that the character of each exposition was such as comported with the dignity and standing of this nation.

Mr. President, the truth is that neither of those expositions could have been permitted to pass unorganized by Congress without giving great evidence to the patriotic sentiment of the American people.

In 1904 there will be witnessed at the city of St. Louis the most splendid exposition of the products of the field, the forest, the mine, the factory, and of the arts and sciences ever held in this or any other country.

Congress has made liberal appropriations in aid of that celebration, and it is most fitting and proper that it should have done so, for it will be a celebration by the greatest nation of the earth of one of the most interesting and important events in her history, for in all the history of this country, Mr. President, since the adoption of the Declaration of Independence and the successful issue of the war in support of its principles, no event has contributed so largely to the growth, the grandeur, the power, and the influence of this nation as did the acquisition of the territory of Louisiana.

It was absolutely necessary to our growth and advancement to the position we occupy to-day as the foremost nation of the earth.

When we of this generation recall to mind the great and splendid States that have been carved out of that territory and consider how great a portion of our domain they constitute, of our population they support, and of our wealth they represent, and then remember how almost beyond our grasp that entire domain had once passed and would irretrievably have gone but for the farseeing statesmanship of one man, we can even now scarcely suppress a feeling of nervous agitation.

The acquisition of the Northwest Territory, or the Oregon country, Mr. President, was second only in importance to the acquisition of Louisiana, if, indeed, when we take into consideration its vast natural resources, its important rivers and harbors, its great extent of coast line, and its relation to our other possessions, and the influence it had in bringing within the jurisdiction of the American Republic the California territory and the territory of Alaska, it was not in truth of equal importance to the acquisition of the territory of Louisiana.

But there is one circumstance in connection with the acquisition of the Northwest Territory that must ever associate it in the minds of the American people with the Louisiana purchase, and that is the fact that our title to both is the result of the wisdom, the patriotism, and the statesmanship of one and the same man.

In the world's history there are few examples of one man being permitted to serve his country conspicuously, so frequently, and so effectively as it was the fortune of Thomas Jefferson to serve his country. To have been the author of the Declaration of Independence was of itself a sufficient guaranty of immortality, and for one man to have been chiefly instrumental in acquiring for his country that vast region extending from the middle channel of the Mississippi River to the summit of the Stony Mountains was again of itself sufficient to have enrolled his name among the immortals; but the genius of Thomas Jefferson was not content even with these unimpeachable titles to enduring fame.

As soon as he had succeeded in securing our title to the Louisiana territory, indeed before his success in that behalf was assured, he was taking steps to acquire by exploration the great region beyond the mountains, and for that purpose and to that end he organized the Lewis and Clark expedition.

I do not intend to take up the time of the Senate in attempting any description of that marvelous journey, either to picture the hardships they endured or the dangers they encountered. It is familiar history to the American public. The undertaking was without precedent in history at the time and it has continued without parallel.

When they had crossed the Mississippi River and turned their faces toward the setting sun there was in front of them nearly 3,000 miles of unknown and unexplored country, infested by wild beasts, inhabited only by predatory bands of the most cruel, crafty, and bloodthirsty savages that the world has ever known.

No pathway had been marked out for them; no trail was blazed; without protection, without guide, excepting the compass and such protection as their own courageous hearts afforded them, they went out upon that great and marvelous journey. For nearly two and a half years that little band of less than thirty men faced the dangers of the wilderness, the storms and the tempests, traversed deserts, scaled mountains, forded rivers, under the blistering heat of the summer sun and against the freezing blasts of the winter winds. They suffered, of course; suffered terribly, yet not complainingly, for they realized that they were battling for an empire. But for their courage, their fortitude, their devotion to duty, and their consummate skill, the great Northwest, with all its vast and varied resources, its mighty rivers and its matchless forests, would not to-day be a part of the domain of this Republic.

But I do not intend to take up the time of the Senate in discussing the particulars or giving in detail any description of that trip. Suffice it to say, that after having prosecuted it for near two and one-half years and after having traveled over 7,000 miles that little band of less than thirty men returned again to the city of St. Louis, having lost but one of their number.

It was, indeed, an undertaking of surpassing importance and one that is well worthy of being commemorated by this nation.

I do not wish to be understood, however, as undervaluing in the least the great services that were performed by others in the acquisition of the Oregon country.

That was a service of incalculable value performed by that splendid old mariner, Capt. Robert Gray, a native of Rhode Island, who sailed the good ship *Columbia* out of the port of Boston and in 1792 discovered the Columbia River. That, of course, was a very strong link in our chain of title to the Northwest Territory.

Nor would I undervalue the services performed by John Jacob Astor, who made the settlement at the point now known as Astoria, near the mouth of the Columbia River, in 1811. It may be said that he was actuated by mercenary motives and purposes, because he was engaging in the fur trade; but, even if that be true, this Government got the benefit of his enterprise.

It is not true, however, that he was actuated entirely by mercenary motives or purposes. It is well authenticated in history that Mr. Astor was actuated as much by a purpose to aid this Government in securing title by occupation and settlement as by any other motive.

Indeed, it is stated by Washington Irving, in his interesting work called "Astoria," that that was the principal purpose and motive that actuated Mr. Astor in forming his fur-trading company and making that settlement in the Far West. I have no doubt that he was largely influenced by those patriotic motives and purposes.

That, Mr. President, was New York's contribution to the acquisition of the Northwest Territory, while the substantial service rendered by Captain Gray was the contribution of New England to the acquisition of that territory.

Then there are the splendid services of Thomas Benton, of Missouri. Had it not been for the war he waged in this Senate month after month in favor of the retention of the Northwest Territory, it is not improbable that the statesmanship of Jefferson, the genius of Gray, and the enterprise of Astor would all have been without avail. That was Missouri's contribution to the great work of acquiring the Oregon country.

It was, as I have said, an event of surpassing importance in our history and well worthy of commemoration by this nation. It gave to us the great States of Washington, Oregon, Idaho, and a considerable portion of the territory constituting the State of Montana. It gave to us our second greatest river in length, our greatest river in scenic beauty and grandeur, in its capacity to serve commerce, and in the extent and value of its fisheries. It gave to us Puget Sound, that matchless harbor of the world.

It gave to us mineral belts that even now in the infancy of their development are yielding annually over five and a half millions of dollars in gold, over twenty and a half millions in silver, over thirty-six and a half millions in copper, and over seven millions in lead, or a grand total of over $70,000,000 annually. It gave to us the most splendid forests, the finest fruit-growing and grain-producing region on the Western Hemisphere, a region that is now, though its development has but just begun, yielding annually more than 40,000,000 bushels of wheat. I present here a table which contains a partial statement of the products for one year, 1900, of the territory constituting the old "Oregon Country."

Production of precious metals.

State.	Gold.	Silver.	Copper.	Lead.	Total.
Oregon	$1,834,821.15	$211,870.73	$4,103.71	$1,631.50	$2,052,427.09
Washington	661,536.61	467,927.16	4,757.74	9,396.44	1,143,618.95
Idaho	1,017,395.00	7,398,717.00	.....	7,814,382.00	16,230,494.00
Montana[a]	1,278,927.80	12,620,197.70	36,505,220.36	19,019,580.50	69,423,905.44
Total	5,692,801.56	20,549,658.59	36,514,081.81	7,344,935.52	70,100,077.48

[a] So much of Montana as was in the old "Oregon Country."

Farm products for 1900.

Product.	Oregon.	Washington.	Idaho.	Montana.[a]	Total.
Barley bushels	1,515,150	3,641,056	969,214	34,990	6,160,410
Buckwheat do	7,110	[illegible]	68	0	9,743
Corn do	399,923	[illegible]	111,[illegible]	600	690,397
Oats do	6,725,[illegible]	5,8[illegible]	1,356,[illegible]	1,471,320	15,890,132
Rye do	[illegible]	44,945	16,540	15,700	198,459
Wheat do	14,[illegible]	21,186,327	5,940,[illegible]	701,340	41,737,893
Hay tons	1,147,400	826,[illegible]	[illegible]	2[illegible],822	3,146,244
Potatoes bushels	3,761,387	3,557,876	1,[illegible]	521,625	8,876,058
Onions do	298,592	107,111	24,885	18,774	449,362
Sugar beets tons	14,462	6,149	.....	.....	20,611
Hops pounds	14,655,577	6,813,830	58,870	.....	21,548,277
Wool do	18,349,660	5,268,088	15,474,447	857,591	39,949,786

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Value of farm, dairy, and orchard products and manufactures of Oregon country for 1900.

Product.	Oregon.	Washington.	Idaho.	Montana.[a]	Total.
Orchard products	$906,015	$999,487	$265,224	$47,009	$2,317,735
Livestock	33,917,048	22,159,207	21,657,974	5,[illegible]	83,[illegible]
Farm products	18,[illegible]	34,[illegible]	16,[illegible]	4,[illegible]	85,[illegible]
Manufactures	46,090,587	86,[illegible]	4,[illegible]	38,[illegible]	135,[illegible]
Dairy products	3,550,953	3,519,691	1,243,195	679,209	8,290,050

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Mr. President, even these considerations, I submit, are sufficient to fully justify this nation in making a suitable appropriation for an exposition in commemoration of that great event.

But, sir, while we propose that this exposition shall be primarily for the purpose of commemorating the Lewis and Clark exploration expedition, we are not dealing entirely with the past.

We have had in mind, in preparing for this exposition, the fact that this Government within the last few years has become the most considerable proprietor in the Pacific. The march of events has carried our boundary line far beyond the shores of the western sea.

We have assumed great and grave obligations and responsibilities in the Far East. We could not, in my judgment, have avoided the assumption of these obligations and responsibilities; but be that as it may, we have assumed them, and it now concerns our honor as it concerns our interest that we shall discharge those obligations and meet those responsibilities wisely, to the end that the social, commercial, and industrial interests of the peoples there for whom and for whose welfare and good conduct we have become in a large measure answerable shall be advanced in the utmost possible degree.

This, I say, concerns our honor, as it concerns our interest. It concerns our honor, Mr. President, as a powerful, humane, and Christian people, proud of our country, chary of its good name, and confident of its mighty destiny. It concerns our interest commercially and industrially, because the greatest development along those lines within the present century will be in the Pacific.

Within comparatively recent years Japan has developed into a great world power—has taken a leading position in the great procession of the nations of the world. Her awakening has aroused all the slumbering forces of the Far East. China can not much longer continue immune to the fever of progress.

It may work her political dissolution; but, if it shall, then on the ruins of the empire that for so many years has withstood the assaults of the waves of progress and commercial and industrial development will be founded other states that will prove more responsive to the growing demands of civilization.

Mr. President, we who reside on the Pacific look forward to the time, not far distant, when the commerce of the Pacific will equal that of the Atlantic.

With the completion of the isthmian canal, and by reason of recent events with which we had nothing to do and for which we were in no wise responsible, but which have been wisely taken advantage of by the present able Administration, its construction can not now long be deferred, the products of the great Mississippi and Ohio valleys, floating down those rivers to the Gulf, will be largely transshipped for the ports and the islands of the Orient and the Pacific seas, while that great fertile region beyond the mountains, finding a ready market for all its products in the multiplied demands of the oriental trade, will support a population as dense and will throb with an industrial and commercial life as intense as any other portion of our country.

Mr. President, this is what we of the Pacific look forward to, and having had these views and believing all this, we believe it is the duty of this nation to cultivate by all feasible and practicable means the commercial friendship and good will of all the nations bordering on the Pacific seas; and having this purpose in mind, while we intend that this exposition shall be commemorative of the great event which has assured the title of this nation to the Northwest Territory, we have also determined that one of its most pronounced and distinguishing features shall be the bringing together of the peoples and an exhibition of the products of all the countries of the Orient. In these purposes every section of our country is equally interested with another, and hence should equally join in the effort to bring it about.

Now, in conclusion, Mr. President, let me say that while this Government has appropriated many millions of dollars in aid of expositions in almost every other portion of our country, it has never appropriated a single dollar in aid of one on the Pacific coast.

We do not complain of this; we never have complained of it. On the contrary, the representatives from the Pacific coast have at all times supported these measures, because they thought they were right in doing so, and the people have supported them in doing it. But I submit that the event which we propose to commemorate, the objects and purposes we have in view, will fully justify the appropriation that this bill carries.

Mr. MITCHELL. I move that the bill on which my colleague has spoken be referred to the Committee on Industrial Expositions.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 2022) to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition.

The message also announced that the House had passed a joint resolution (H. J. Res. 64) authorizing the Commissioners of the

Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes.

Mr. FULTON. Mr. President, I intend to speak but briefly on this bill, as my colleague [Mr. MITCHELL] has fully and clearly explained all its provisions, and with equal force and clearness has presented the arguments in its favor. I shall endeavor simply to emphasize some of what seem to me to be the principal reasons favoring the passage of the bill.

In the first place, I desire to emphasize the fact that the event which we propose to commemorate is not one of local interest or importance only, but it is one that is as wide as the nation itself, one that has contributed much, very much, indeed, Mr. President, to the strength, the power, and the influence of this country.

I wish also to express to the members of this Senate the fact that we are not asking Congress to provide for us an exposition or a celebration of this event. That has already been provided for. We are simply asking that Congress shall provide for participation in that celebration by the Government.

The State of Oregon has already appropriated for this exposition the sum of $100,000, which the citizens of the city of Portland, in the State of Oregon, have contributed, in addition to that amount, over $50,000, and they expect to increase the amount of their subscription, and I have no doubt they will, to a half million dollars, while a number of other states have already appropriated considerable sums of money in aid of this exposition, as shown by my colleague in his remarks yesterday.

Consequently, Mr. President, even if we shall be so very unfortunate as to fail to secure the appropriation of a single dollar by Congress in aid of this celebration, nevertheless in the year 1905, at the city of Portland, in the State of Oregon, an exposition will be held in commemoration of the one hundredth anniversary of the journey of Lewis and Clark from the Mississippi River to the Pacific Ocean.

While that celebration will be held in the State of Oregon, it will in fact be a joint celebration of that interesting and important event by all the States in the Northwest and by every State whose territory was traversed by Lewis and Clark in making that memorable journey.

It seems to me, Mr. President, in view of the wide interest that is entertained in this event, in view of the contributions that are being made by the States of the West to assist in carrying it forward, that Congress can not afford to let the event pass without providing for participation in that celebration by the General Government.

When it was first determined that we should apply to Congress for aid in this matter, we were told that we would discover here a growing spirit of opposition to any further appropriations of this character; but I am gratified to be able to state that since the proposition has been more widely considered and the great importance and historic value to this country of the event proposed to be commemorated has been recalled to mind, we have met with no indication of such opposition, and I received so many promises of support from Members of both Houses of Congress that we now look forward with great confidence to a just recognition of our request.

It is true that Congress has in the aggregate devoted a considerable sum of money to national celebrations, but I do not recall any one of those appropriations that has not had the support and the approval of the people, as evidenced by the statements and reflected in the editorials of the public press.

For instance, I think it will be generally admitted that the events commemorated by the Philadelphia Exposition in 1876 and the Chicago Exposition in 1893 were of such a nature and character as to fully justify the appropriations made in their aid by Congress, and that the character of each exposition was such as to correspond with the dignity and standing of this nation.

Mr. President, the truth is that neither of those occasions could have been permitted to pass unrecognized by Congress without doing great violence to the patriotic sentiment of the American people.

In 1904 there will be witnessed at the city of St. Louis the most splendid exposition of the products of the soil, the forest, the mine, the factory, and of the arts and sciences ever held in this or any other country.

Congress has made liberal appropriations in aid of that celebration, and it is most fitting and proper that it should have done so, for it will be a celebration by the greatest nation of the earth of one of the most interesting and important events in her history, for in all the history of this country, Mr. President, since the adoption of the Declaration of Independence and the successful issue of the war in support of its principles, no event has contributed so largely to the growth, the grandeur, the power, and the influence of this nation as did the acquisition of the territory of Louisiana.

It was absolutely necessary to our growth and advancement to the position we occupy to-day as the foremost nation of the earth.

When we of this generation recall to mind the great and splendid States that have been carved out of that territory and consider how great a portion of our domain they constitute, of our population they support, and of our wealth they represent, and then remember how almost beyond our grasp that entire domain had once passed and would irretrievably have gone but for the farseeing statesmanship of one man, we can even now scarcely suppress a feeling of nervous agitation.

The acquisition of the Northwest Territory or the Oregon country, Mr. President, was second only in importance to the acquisition of Louisiana. If, indeed, when we take into consideration its vast natural resources, its important rivers and harbors, its great extent of coast line, and its relation to our other possessions, and the influence it had in bringing within the jurisdiction of the American Republic the California territory and the territory of Alaska, it was not in truth of equal importance to the acquisition of the territory of Louisiana.

But there is one circumstance in connection with the acquisition of the Northwest Territory that must ever associate it in the minds of the American people with the Louisiana purchase and that is the fact that our title to both is the result of the wisdom, the patriotism, and the statesmanship of one and the same man.

In the world's history there are few examples of one man being permitted to serve his country so conspicuously, so frequently, and so effectively as it was the fortune of Thomas Jefferson to serve his country. To have been the author of the Declaration of Independence was of itself a sufficient guaranty of immortality, and for one man to have been chiefly instrumental in acquiring for his country that vast region extending from the middle channel of the Mississippi River to the summit of the Stony Mountains was again of itself sufficient to have enrolled his name among the immortals; but the genius of Thomas Jefferson was not content even with these unimpeachable titles to enduring fame.

As soon as he had succeeded in securing our title to the Louisiana territory, indeed before his success in that behalf was assured, he was taking steps to acquire by exploration the great region beyond the mountains, and for that purpose and to that end he organized the Lewis and Clark expedition.

I do not intend to take up the time of the Senate in attempting any description of that marvelous journey, either to picture the hardships they endured or the dangers they encountered. It is familiar history to the American public. The undertaking was without precedent in history at the time and it has continued without parallel.

When they had crossed the Mississippi River and turned their faces toward the setting sun there was in front of them nearly 3,000 miles of unknown and unexplored country, infested by wild beasts, inhabited only by predatory bands of the most cruel, crafty, and bloodthirsty savages that the world has ever known.

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It was, indeed, an undertaking of surpassing importance and one that is well worthy of being commemorated by this nation.

I do not wish to be understood, however, as undervaluing in the least the great service that were performed by others in the acquisition of the Oregon country.

That was a service of incalculable value performed by that splendid old mariner, Capt. Robert Gray, a native of Rhode Island, who sailed the good ship *Columbia* out of the port of Boston and in 1792 discovered the Columbia River. That, of course, was a very strong link in our chain of title to the Northwest Territory.

Nor would I undervalue the services performed by John Jacob Astor, who made the settlement at the point now known as Astoria, near the mouth of the Columbia River, in 1811. It may be said that he was actuated by mercenary motives and purposes, because he was engaging in the fur trade; but, even if that be true, this Government got the benefit of his enterprise.

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That, Mr. President, was New York's contribution to the acquisition of the Northwest Territory, while the splendid service rendered by Captain Gray was the contribution of New England to the acquisition of that territory.

Then there are the splendid services of Thomas Benton, of Missouri. Had it not been for the war he waged in this Senate month after month in favor of the retention of the Northwest Territory, it is not improbable that the statesmanship of Jefferson, the genius of Gray, and the enterprise of Astor would all have been without avail. That was Missouri's contribution to the great work of acquiring the Oregon country.

It was, as I have said, an event of surpassing importance in our history and well worthy of commemoration by this nation. It gave to us the great States of Washington, Oregon, Idaho, and a considerable portion of the territory now constituting the State of Montana. It gave to us our second greatest river in length, our greatest river in scenic beauty and grandeur, in its capacity to serve commerce, and in the extent and value of its fisheries. It gave to us Puget Sound, that matchless harbor of the world.

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Buckwheat...do	7,070	1,885	[illegible]	68	9,743
Corn ....do	[illegible]	[illegible]	[illegible]	620	[illegible]
Oats ....do....	[illegible]	5,[illegible]	1,[illegible]	1,471,320	15,[illegible]
Rye ....do....	[illegible]	[illegible]	[illegible]	15,700	[illegible]
Wheat ....do....	14,[illegible]	21,[illegible]	5,[illegible]	701,340	41,[illegible]
Hay ....tons..	[illegible]	[illegible]	899,195	[illegible]	[illegible]
Potatoes..bushels..	[illegible]	3,[illegible]	1,095,[illegible]	[illegible]	[illegible]
Onions ....do	[illegible]	107,111	21,865	[illegible]	[illegible]
Sugar beets..tons	14,942	6,149	....	....	[illegible]
Hops ....pounds..	14,675,577	6,613,830	58,870	....	21,[illegible]
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[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Farm products	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Manufactures	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Dairy products	[illegible]	[illegible]	1,248,197	670,[illegible]	[illegible]

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But, sir, while we propose that this exposition shall be primarily for the purpose of commemorating the Lewis and Clark exploration expedition, we are not dealing entirely with the past.

We have had in mind, in preparing for this exposition, the fact that this Government within the last few years has become the most considerable proprietor in the Pacific. The march of events has carried our boundary line far beyond the shores of the western sea.

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District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington; in which it requested the concurrence of the Senate.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. PLATT of Connecticut (to Mr. CULLOM). Pension bills are to be considered.

Mr. McCUMBER. Will not the Senator from Illinois give way until the pension bills are disposed of?

Mr. CULLOM. The Senator's order does not come on until 4 o'clock, and in the meantime we are probably hearing of a treaty, and it is a very important thing to do.

Mr. McCUMBER. My idea was to take up the pension bills now, and then we could take the executive session afterwards.

Mr. CULLOM. I think the better way is to have the executive session right now, and when the time comes we will give way to the Senator's order.

Mr. McCUMBER. I have no objection to that course if the Senator prefers it.

Mr. CULLOM. I insist upon my motion.

The PRESIDING OFFICER. Mr. PLATT in the chair. The Senator from Illinois moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and five minutes spent in executive session the doors were reopened.

TEMPORARY OVERHEAD WIRES.

The joint resolution (H. J. Res. 64) authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington was read the first time by its title.

Mr. GALLINGER. Mr. President, I ask unanimous consent for the present consideration of the joint resolution. It will take but a moment. If there is objection to it I will immediately withdraw it.

I wish to state that in the work on the Union Station it would be necessary to have [illegible] and of course that would be unless after the work was completed. We are very jealous not to a low overhead wires to be strung in this city, and the joint resolution simply permits them for a short distance, to string overhead wires temporarily, and then the conduits will be put in after the fall is made. I trust it may be passed. I will state that the work by the company is going on now.

The PRESIDING OFFICER. The joint resolution will be read the second time at length.

The joint resolution was read the second time at length, as follows:

Resolved, etc., That the Commissioners of the District of Columbia be, and they are hereby authorized to permit the [illegible] and within such [illegible] in the [illegible] of Congress [illegible] City of Washington and the District of Columbia [illegible] and shall be granted [illegible] Commissioners [illegible] and no cost shall be incurred by the United States or the District of Columbia.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMANDA B. TISDEL.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (S. 2218) granting an increase of pension to Amanda B. Tisdel, to report it favorably with an amendment, and I ask for immediate action upon the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the Committee on Pensions was, in line 7, before the word "Company," to strike out the word "of;" so as make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda B. Tisdel, widow of James M. Tisdel, late captain Company B, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The unobjected pension bills on the Calendar will be proceeded with in their order.

ALFRED WOODMAN.

The bill (S. 7) granting an increase of pension to Alfred Woodman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred Woodman, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CORA M. CONVERSE.

The bill (S. 6) granting a pension to Cora M. Converse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cora M. Converse, widow of Oscar L. Converse, late first lieutenant, Fourteenth Regiment United States Infantry, and to pay her a pension of $25 per month.

Mr. GALLINGER. Mr. President, I desire to amend the bill by inserting in line 6, after the word "late," the words "of Company A, First New Hampshire Light Infantry, and."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PERRY KITTREDGE.

The bill (S. 8) granting an increase of pension to John Perry Kittredge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," to strike out the name "Jonathan;" and in the same line, after the word "late," to strike out "of Company B" and insert "hospital steward;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Perry Kittredge, late hospital steward, Company A, Twenty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

Mr. GALLINGER. I desire to move a further amendment. This is an insane soldier who is under guardianship in the insane hospital of my State. The purpose was to make the rate $30 per month, but it was printed by accident $20. I move to amend the bill by striking out, in line 8, before the word "dollars," the word "twenty" and inserting the word "thirty."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Perry Kittredge."

IRVING W. COOMBS.

The bill (S. 547) granting an increase of pension to Irving W. Coombs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Irving W. Coombs, late of Company H, Fifteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMY C. BOSWORTH.

The bill (S. 1334) granting a pension to Amy C. Bosworth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amy C. Bosworth, widow of George W. Bosworth, late captain Company F, Eighteenth Regiment New Hampshire Volunteer Infantry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CALVIN DAWS.

The bill (S. 1335) granting an increase of pension to Calvin Daws was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Calvin Daws, late of Company A, Twentieth Regiment Maine Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM CLARK.

The bill (S. 13) granting an increase of pension to William Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Clark, late of Company F, Second Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WINSLOW P. EAYRS.

The bill (S. 1498) granting an increase of pension to Winslow P. Eayrs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Winslow P. Eayrs, late of Company C, Nineteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HANNAH KELLY.

The bill (S. 137) granting a pension to Hannah Kelly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hannah Kelly, widow of Joseph J. Kelly, late colonel of One hundred and seventh Regiment Illinois Volunteer Infantry, and to pay her a pension of $30 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN B. CARTER.

The bill (S. 898) granting an increase of pension to John B. Carter was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Carter, late of Company E, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTHER G. WHARTON.

The bill (S. 1705) granting a pension to Esther G. Wharton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Esther G. Wharton, widow of George W. Wharton, late of Companies L and I, Tenth Regiment United States Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUISE K. BARD.

The bill (S. 1772) granting an increase of pension to Louise K. Bard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise K. Bard, widow of John P. Bard, late first lieutenant Company K, Forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WALTER F. CHASE.

The bill (S. 1497) granting an increase of pension to Walter F. Chase was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Walter F. Chase, late of Company F, Eleventh Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH McCLAREN.

The bill (S. 172) granting a pension to Elizabeth McClaren was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth McClaren, widow of James McClaren, late of Company F, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary Elizabeth McClaren, helpless and dependent child of said James McClaren, the additional pension herein granted shall cease and determine.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Elizabeth McClaren."

JOHN L. SULLIVAN.

The bill (S. 11) granting a pension to John L. Sullivan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, after the word "month," to strike out "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Sullivan, minor and dependent son of Richard T. Sullivan, late of Company C, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID E. BURBANK.

The bill (S. 9) granting an increase of pension to David E. Burbank was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of," and insert "first lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David E. Burbank, late first lieutenant Company E, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LORENZO E. HARRISON.

The bill (S. 1913) granting an increase of pension to Lorenzo E. Harrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo E. Harrison, late of Company K, Fifteenth Regiment Connecticut Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY E. CUTTS.

The bill (S. 1826) granting an increase of pension to Mary E. Cutts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Cutts, widow of James Madison Cutts, late captain Company F, First Battalion, Eleventh Regiment United States Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said James Madison Cutts until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ZEBEDEE M. CUSHMAN.

The bill (S. 1756) granting an increase of pension to Zebedee M. Cushman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Zebedee M. Cushman, late second lieutenant Company D, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SILAS MESERVE.

The bill (S. 471) granting an increase of pension to Silas Meserve was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas Meserve, late of Company F, Twentieth Regiment Maine Volunteer Infantry, and to

pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BYRON D. BABCOCK.

The bill (S. 473) granting an increase of pension to Byron D. Babcock was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Byron D. Babcock, late [illegible] Company [illegible], Fourteenth Regiment Maine Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STEPHEN THOMAS.

The bill (S. 516) granting an increase of pension to Stephen Thomas was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen Thomas, late [illegible] Company [illegible], Fourteenth Regiment Vermont Volunteers, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. TEMPLETON.

The bill (S. 799) granting an increase of pension to James A. Templeton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Templeton, late of Company [illegible], Fourteenth Regiment Maine Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. STANYAN.

The bill (S. 1250) granting an increase of pension to John M. Stanyan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "captain," to strike out "of," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Stanyan, late captain Company B, Fourteenth Regiment New Hampshire Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES E. BARNARD.

The bill (S. 545) granting an increase of pension to James E. Barnard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Barnard, late sergeant Company K, Ninth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. BELL.

The bill (S. 120) granting an increase of pension to Charles H. Bell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Bell, late [illegible] Company [illegible], Fourteenth Regiment Maine Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

OLIVE J. BAILEY.

The bill (S. 478) granting an increase of pension to Olive J. Bailey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "captain," to strike out "of," and insert "first lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Olive J. Bailey, late first lieutenant Company B, Fourteenth Regiment Maine Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS E. CHASE.

The bill (S. 12) granting an increase of pension to Francis E. Chase was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis E. Chase, late of Company E, Tenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPHINE L. WEBBER.

The bill (S. 1825) granting a pension to Josephine L. Webber was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josephine L. Webber, widow of William W. Webber, late private, United States Marine Corps, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY G. HAMMOND.

The bill (S. 112) granting an increase of pension to Henry G. Hammond was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry G. Hammond, late [illegible] Company [illegible], Fourteenth Regiment Maine Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES P. SKINNER.

The bill (S. 1879) granting a pension to Charles P. Skinner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles P. Skinner, late [illegible] Company C, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles P. Skinner."

CHARLES F. HOLT.

The bill (S. 182) granting an increase of pension to Charles F. Holt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Holt, late [illegible] Company [illegible], Fourteenth Regiment New Hampshire Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS BANKS.

The bill (S. 1868) granting an increase of pension to Thomas Banks was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "and Company H, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Banks, late [illegible] Company [illegible], Fourteenth Regiment Maine Volunteers, and Company H, Third Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NANCY S. MARSH.

The bill (S. 484) granting a pension to Nancy Marsh was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy S. Marsh, widow of Charles H. Marsh, late unassigned, Twenty-fourth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Nancy S. Marsh."

SAMUEL M. PERRY.

The bill (S. 14) granting an increase of pension to Samuel M. Perry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel M. Perry, late of Company H, Fourteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HARRIS A. P. LEWIS.

The bill (S. 1827) granting an increase of pension to Harris A. P. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "and Company B, Thirty-first Regiment Maine Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harris A. P. Lewis, late of Company H, Twenty-third Regiment Maine Volunteer Infantry, and Company B, Thirty-first Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EBENEZER H. RICHARDSON.

The bill (S. 339) granting an increase of pension to Ebenezer H. Richardson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ebenezer H. Richardson, late of Company H, Sixteenth Regiment United States Infantry, war with Mexico, and Company A, Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JANE M. WATT.

The bill (S. 328) granting an increase of pension to Jane M. Watt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane M. Watt, widow of John Watt, late [illegible] Seventeenth Regiment United States Infantry, and Company C, Thirty-eighth Regiment [illegible] Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. HERRON.

The bill (S. 1832) granting an increase of pension to George W. Herron was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Volunteer," to strike out "Mounted," and in line 8, before the word "dollars," to strike out "seventy" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Herron, late first lieutenant Company A, Fifty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN L. BEVERIDGE.

The bill (S. 847) granting a pension to John L. Beveridge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Beveridge, late second lieutenant Company A, Forty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John L. Beveridge."

WILLIAM PAUL.

The bill (S. 1402) granting an increase of pension to William Paul was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Paul, late of Company D, Twenty-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARCUS T. CASWELL.

The bill (S. 2125) granting an increase of pension to Marcus T. Caswell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marcus T. Caswell, late of Company I, Sixty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW C. RANARD.

The bill (S. 959) granting an increase of pension to Andrew C. Ranard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew C. Ranard, late of Company I, Twenty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES A. HOOVER.

The bill (S. 1491) granting an increase of pension to James A. Hoover was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Hoover, late second lieutenant Company D, Second Regiment West Virginia

Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AUSTIN ALMY.

The bill (S. 200) granting an increase of pension to Austin Almy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Austin Almy, late of Company D, Tenth Regiment United States Infantry, war with Mexico, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN BULLAMORE.

The bill (S. 578) granting an increase of pension to John Bullamore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Bullamore, late of Company G, Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HAMPTON C. WATSON.

The bill (S. 2078) granting an increase of pension to Hampton C. Watson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hampton C. Watson, late of Company F, One hundred and twenty-fifth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN MONAHAN.

The bill (S. 1952) granting an increase of pension to John Monahan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Monahan, late of Company [illegible], Twenty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLARENCE E. BULLARD.

The bill (S. 1437) granting an increase of pension to Clarence E. Bullard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "and second lieutenant Company C, Thirty-sixth Regiment Wisconsin Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clarence E. Bullard, late of Company B, Sixty-fourth Regiment Wisconsin Volunteer Infantry, and second lieutenant Company C, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES BEATTIE.

The bill (S. 58) granting an increase of pension to Charles Beattie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Company," to strike out "of" and insert "first lieutenant;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Beattie, late first lieutenant Company F, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. M'MULLEN.

The bill (S. 589) granting an increase of pension to George W. McMullen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "sergeant;" in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" and in line 9, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. McMullen, late of Company H, Twenty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM W. JACKSON.

The bill (S. 1543) granting an increase of pension to William W. Jackson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Jackson, late captain and commissary of subsistence, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROYAL A. S. KINGSLEY.

The bill (S. 555) granting an increase of pension to Royal A. S. Kingsley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "Indiana," to insert "Regiment;" and in line 9, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Royal A. S. Kingsley, late of Company A, Seventeenth Regiment Indiana Volunteer Infantry, and Company D, Fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RUDOLPH SIEBELIST.

The bill (S. 937) granting an increase of pension to Rudolph Siebelist was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Regiment," to strike out "Twenty-third" and insert "Twenty-sixth;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rudolph Siebelist, late of Company H, Twenty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT W. BULLOCK.

The bill (S. 452) granting an increase of pension to Albert W. Bullock was considered as in Committee of the Whole.

The bill was reported from the Committee on pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert W. Bullock, late of Company B, Twenty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE H. ZOLL.

The bill (S. 586) granting a pension to Annie H. Zoll was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "helpless," to strike out "indigent and permanently;" in line 7, before the word "child," to insert "and dependent;" and in the same line, before the word "late," to strike out "deceased;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie H. Zoll, helpless and dependent child of Rudolphus B. Zoll, late of Company D, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM T. CONANT.

The bill (S. 451) granting an increase of pension to William T. Conant was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William T. Conant, late of Company E, Thirty-second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FERDINAND WIEDEMANN.

The bill (S. 930) granting an increase of pension to Ferdinand Wiedemann was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ferdinand Wiedemann, late of Company E, Twentieth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES STERMER.

The bill (S. 929) granting an increase of pension to Charles Sterner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Artillery," to strike out "Siege" and insert "Volunteer Heavy;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Sterner, late of Company A, First Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN SWENSON.

The bill (S. 745) granting a pension to John Swenson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Swenson, late of Company G, One hundred and fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. PIERCE.

The bill (S. 456) granting an increase of pension to Andrew J. Pierce was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Sharpshooters," to strike out "Berdan's" and insert "United States Volunteer;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Pierce, late of Company G, First Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANSON P. WILLIAMSON.

The bill (S. 587) granting an increase of pension to Anson P. Williamson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anson P. Williamson, late of Company C, Twenty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STEPHEN GASCOIGNE.

The bill (S. 744) granting an increase of pension to Stephen Gascoigne was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "and Company B, Seventeenth Regiment Wisconsin Volunteer Infantry;" and in line 9, before the word "dollars," to strike out "fifty" and insert "thirty-six;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen Gascoigne, late of Company E, First Regiment Wisconsin Volunteer Infantry, and Company B, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. SPAHR.

The bill (S. 1929) granting an increase of pension to George W. Spahr was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments.

The first amendment was, in line 6, before the word "Indiana," to insert "Regiment;" and in line 7, before the word "Cavalry," to insert "Volunteer;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Spahr, late of Company F, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to read: "$30 per month."

Mr. FAIRBANKS. Mr. President, I hope this amendment will be disagreed to. The reason for my hope is that Mr. Spahr is in a very hopeless condition. He was one of the most gallant soldiers that went into the service from the State of Indiana. He was long entitled to draw a pension because of disabilities received, but his health was not so far impaired that he was unable to support himself. He was a proud-spirited and patriotic man and declined to apply for a pension until his disabilities were such that it became impossible for him to support himself.

I read from the report of the committee:

He is 64 years of age, and when he was last medically examined, June 17, 1903, he was found to be suffering from various ills and infirmities of age, which rendered him totally unable to perform any manual labor.

Accompanying the bill is a statement of Dr. Albert E. Sterne, of Indianapolis, Ind., who says that for the past year especially the claimant has been in a condition approximating total helplessness on account of lesions of organic character in various organs of the body, especially the heart and brain; that these have so far affected the heart and blood vessels of the brain, as

well as the [illegible] that at the present time he is broken down, with little [illegible]

[illegible] but because of his impaired health and [illegible] of his business and is left without any means of support [illegible] from his pension. He has no property.

The [illegible] in New York no professional business. My opinion is that if the pension is granted he will not live long to enjoy it, and I think it is but the merest justice, Mr. President, that we should [illegible] for this worthy old soldier the amount asked for in the bill.

Mr. McCUMBER. Mr. President, I desire to state in reference to the pending bill that the amount was fixed according to the rules which have heretofore been adopted by the Senate Committee on Pensions, and those rules have generally fixed at $30 per month the rate for a soldier who is helpless and unable to earn anything. Upon this statement, as the report shows, we proposed to grant him the usual amount.

If [illegible] that more evidence has been furnished to the committee showing not only that the applicant is [illegible] but also that he has been absolutely helpless [illegible]. The facts which have been presented to the chairman of the committee at least since the report was made, justify me in concurring in the request of the Senator from Indiana be granted.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Pensions.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY D. PERRY.

The bill (S. 215) granting a pension to Mary D. Perry was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary D. Perry, widow of George Perry, late of Company C, Thirteenth Regiment Iowa Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELIZABETH C. PAQUIN.

The bill (S. 1429) granting an increase of pension to Elizabeth C. Paquin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6 after the words "widow of," to strike out "the late;" in line 7, before the word "of" to insert "late;" in the same line, before the word "Fourth," to insert "and hospital steward," and in lines 8 and 9 after the word "Volunteer," to strike out "Infantry," and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth C. Paquin, widow of [illegible] Company A, and hospital steward, Fourteenth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

W. NEIL DENNISON.

The bill (S. 821) granting an increase of pension to W. Neil Dennison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "captain," to strike out "of Battery H;" and in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. Neil Dennison, late captain Second Regiment United States Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOEL C. SHEPHERD.

The bill (S. 99) granting an increase of pension to Joel C. Shepherd was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "and," to insert "war were discharged;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joel C. Shepherd, late of Company D, Sixth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES R. ALLEN.

The bill (S. 65) granting an increase of pension to Charles R. Allen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles R. Allen, late of Company A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELJEROY C. CURTIS.

The bill (S. 78) granting a pension to E. C. Curtis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eljeroy C. Curtis, late musician Fourth Regiment United States Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Eljeroy C. Curtis."

GEORGE W. RICHARDSON.

The bill (S. 367) granting an increase of pension to George W. Richardson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Richardson, late chaplain Eleventh Regiment United States Colored Volunteer Infantry and Seventh Regiment United States Colored Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES M. WILCOX.

The bill (S. 368) granting an increase of pension to Charles M. Wilcox was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" and in the same line, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Wilcox, late of Company I, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIE A. RASK.

The bill (S. 1559) granting an increase of pension to Marie A. Rask was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marie A. Rask, widow of Gust H. Rask, late first lieutenant, United States Marine Corps, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MINERVA A. M'MILLAN.

The bill (S. 1652) granting an increase of pension to Minerva A. McMillan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "brigadier-general United States Volunteers, and pay her a pension at the rate of $100 per month in lieu of that she is now receiving," and insert "colonel Twenty-first Regiment Indiana Volunteer Infantry and brigadier-general United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Minerva A. McMillan, widow of [illegible] McMillan, late colonel Twenty-first Regiment Indiana Volunteer Infantry and brigadier-general United States Volunteers, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUCRETIA RITCHHART.

The bill (S. 1704) granting an increase of pension to Lucretia Ritchhart was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out the letter "a;" and in line 7, after the word "musician," to strike out "of the;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucretia Ritchhart, widow of John Ritchhart late musician Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Hattie Ritchhart, the helpless and dependent child of said John Ritchhart, the additional pension herein granted on account of said child shall cease and determine.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MAMIE THAYER.

The bill (S. 814) granting a pension to Mamie H. Thayer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mamie Thayer, helpless and dependent daughter of Orson H. Thayer, late of Company B, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $12 per month, payable to her duly constituted guardian.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Mamie Thayer."

JONATHAN HITES.

The bill (S. 1985) granting an increase of pension to Jonathan Hites was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan Hites, late of Company B, Forty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEVI ROBERTS.

The bill (S. 1984) granting an increase of pension to Levi Roberts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi Roberts, late of Company H, Fiftieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. BISHOP.

The bill (S. 1604) granting an increase of pension to Mary A. Bishop was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Bishop, widow of Wesley Bishop, late corporal, Seventh Regiment Missouri Volunteers Cavalry, and pay her pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY M'LAUGHLIN.

The bill (S. 1206) granting a pension to Mary McLaughlin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary McLaughlin, foster mother of Thomas McLaughlin, late of Company I, First Regiment Florida Volunteer Infantry, war with Spain, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDING OFFICER. The special order has been completed. What is the pleasure of the Senate?

Mr. McCUMBER. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Saturday, December 19, 1903, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate December 18, 1903.

COLLECTOR OF CUSTOMS.

I. Snowden Haines, of New Jersey, to be collector of customs for the district of Burlington, in the State of New Jersey, to succeed Roland Billingham, whose term of office will expire by limitation on January 7, 1904.

WITHDRAWAL.

Executive nomination withdrawn December 18, 1903.

Harry M. Glen to be postmaster at Seneca Falls, Seneca County, in the State of New York.

CONFIRMATIONS.

Executive nomination confirmed by the Senate December 17, 1903.

INTERSTATE COMMERCE COMMISSIONER.

Joseph W. Fifer, of Illinois, to be an Interstate Commerce Commissioner for the term of six years from March 9, 1904.

Executive nominations confirmed by the Senate December 18, 1903.

DISTRICT POLICE COURT JUDGE.

Charles Fletcher Scott, of the District of Columbia, to be judge of the police court of the District of Columbia.

REGISTER OF LAND OFFICE.

Lee Stover, of South Dakota, whose term will expire December 20, 1903, to be register of the land office at Watertown, S. Dak.

MARSHALS.

Gilbert B. Deans, of Alabama, to be United States marshal for the southern district of Alabama.

William H. Grimshaw, of Minnesota, to be United States marshal for the district of Minnesota.

COLLECTORS OF CUSTOMS.

Albert R. Day, of Maine, to be collector of customs for the district of Bangor, in the State of Maine.

Charles Henning, of Rhode Island, to be collector of customs for the district of Bristol and Warren, in the State of Rhode Island.

PROMOTIONS IN THE ARMY—ARTILLERY CORPS.

To be first lieutenants.

Second Lieut. Henry R. Casey, Artillery Corps, November 4, 1903.

Second Lieut. Moses R. Ross, Artillery Corps, November 13, 1903.

PROMOTIONS IN THE NAVY.

Lieut. Commander Albert B. Willits to be a commander in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) David F. Boyd to be a lieutenant in the Navy from the 11th day of October, 1903.

Ensign James L. Ackerson to be an assistant naval constructor in the Navy (subject to the examinations required by law) from the 1st day of December, 1903.

Midshipmen Donald R. Battles and Richard D. Gatewood to be

assistant naval constructors in the Navy (subject to the examinations required by law) from the 1st day of December, 1903.

Midshipman Isaac E. Wright, jr., to be an ensign in the Navy from the 15th day of April, 1903.

POSTMASTERS.

GEORGIA.

John H. Fullwood to be postmaster at Cedartown, in the county of Polk and State of Georgia.

NORTH DAKOTA.

Thomas B. Hurly to be postmaster at Bowbells, in the county of Ward and State of North Dakota.

OHIO.

Robert S. King to be postmaster at Glouster, in the county of Athens and State of Ohio.

Nelle F. Strayhan to be postmaster at Somerset, in the county of Perry and State of Ohio.

PENNSYLVANIA.

John M. Chase, jr., to be postmaster at Clearfield, in the county of Clearfield and State of Pennsylvania.

SOUTH DAKOTA.

Charles F. Allen to be postmaster at Brookings, in the county of Brookings and State of South Dakota.

COMMERCIAL RELATIONS WITH CHINA.

The injunction of secrecy was removed December 18, 1903, from a treaty between the United States and China for the extension of commercial relations between them, signed at Shanghai on October 8, 1903.

HOUSE OF REPRESENTATIVES.

FRIDAY, *December 18, 1903.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

TEMPORARY OVERHEAD WIRES IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 64, authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Commissioners of the District of Columbia be, and they are hereby, authorized to permit the temporary erection of poles and the stringing of overhead wires thereon for lighting and power purposes over and along such streets and avenues and alleys in the District of Columbia as in their opinion are necessary and proper for carrying out the provisions of the act of Congress providing for the elimination of grade crossings in the city of Washington and the construction of a union station, approved February 12, 1901. That said poles and wires shall be used only for the work authorized by said act and shall be erected under the supervision of the Commissioners of the District of Columbia, and shall be removed whenever, in the judgment of said Commissioners, they shall no longer be necessary. Provided, that the expense or damage on account of or due to the erection, operation, or removal of the said temporary poles and wires shall be incurred by the United States or the District of Columbia.

The SPEAKER. Is there objection?

Mr. BABCOCK. Mr. Speaker, reserving the right to object, I should like to hear the gentleman explain what this is.

Mr. BABCOCK. Mr. Speaker, this bill provides for the stringing of wires to furnish light in the construction of the tunnel and the Union Station. It becomes necessary that this resolution be passed now or it will cause delay before Congress meets after the holidays. The same thing has been done time and again by Congress, permitting the temporary stringing of wires subject to the will of the Commissioners. That is all there is to it.

The SPEAKER. Is there objection?

There was no objection.

The joint resolution was ordered to be engrossed and read a third time, and it was accordingly read the third time, and passed.

On motion of Mr. BABCOCK, a motion to reconsider the last vote was laid on the table.

SALT RIVER TRADING AND WAGON ROAD, ARIZONA.

Mr. WANGER and Mr. HAMILTON rose.

The SPEAKER. The gentleman from Michigan.

Mr. HAMILTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freight and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site, in Maricopa County, Ariz. I will state that if consent be given for the consideration of the bill I propose to offer certain amendments, resulting from the discussion of yesterday.

Mr. HEMENWAY. I reserve the right to object, Mr. Speaker.

The SPEAKER. The gentleman will suspend for one moment. For what purpose did the gentleman from Pennsylvania [Mr. WANGER] rise?

Mr. WANGER. To report and move the adoption of a privileged resolution.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

S. 2022. An act to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition;

S. 39. An act in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000 therefor;

S. 1344. An act to quiet certain land titles in the State of Mississippi;

S. 1656. An act to provide for the purchase of land for a military post at or near Columbus, Ohio;

S. 2323. An act relating to ceded lands on the Fort Hall Indian Reservation;

S. 2685. An act to amend an act entitled "An act authorizing the construction of additional light-house districts," approved July 26, 1886; and

Senate concurrent resolution No. 26.

Resolved by the Senate (the House concurring), That under the direction of the Librarian of Congress there be printed and bound in cloth a new edition of the records of the Virginia Company of London, now in the custody of the Library of Congress; 500 copies for the Senate, 1,500 copies for the House of Representatives, and 5,000 copies for use and distribution by the Library of Congress.

Senate concurrent resolution No. 30.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of Roanoke River, North Carolina, from the bar at the mouth of said river to the town of Scotland Neck, in Bertie County, said State, with a view of dredging, cleaning out, and widening the channel, and to submit a plan and estimate for such improvement.

Senate concurrent resolution No. 28.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to examine and survey a channel of the width from deep water in Hampton Roads to the Norfolk Navy-Yard, with a view to widening and straightening the same and increasing the depth thereof to 35 feet, and to submit estimates for such improvement to that depth; and also estimates for such improvement to a depth of 30 feet.

Senate concurrent resolution No. 27.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the Sassy Branch of the Penobscot River, near Frankfort, Me., with a view to obtaining a plan and estimate for such improvement.

Senate concurrent resolution No. 15.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the harbor of St. Petersburg, on Tampa Bay, in Florida, with a view to securing an adequate harbor in said place for loading and discharging vessels, with a minimum 200 feet in width and 24 feet in depth from said basin to the main ship channel in Tampa Bay.

POST-OFFICE DEPARTMENT.

The SPEAKER. The Clerk will report the resolution of the gentleman from Pennsylvania.

The Clerk read as follows:

House resolution No. 76.

Resolved, That the Committee on Expenditures in the Post-Office Department be hereby authorized to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department the publication of which is consistent with the welfare of the public service.

Mr. WANGER. Mr. Speaker, by direction of the Committee on Expenditures in the Post-Office Department, I report House resolution 76, which was referred to that Committee, and considered, and move its passage.

Mr. OVERSTREET. Mr. Speaker ——

Mr. WANGER. I would ask the indulgence ——

Mr. WILLIAMS of Mississippi. Mr. Speaker, I hope the gentleman will not demand the previous question right on the jump on this resolution. It is very important.

Mr. WANGER. I would ask the indulgence of the House for a few moments.

Mr. OVERSTREET. Mr. Speaker ——

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Indiana?

Mr. WANGER. Yes.

Mr. OVERSTREET. I should like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. OVERSTREET. Is that a privileged resolution, or will it require unanimous consent?

The SPEAKER. The Chair will examine the resolution.

Mr. WANGER. Mr. Speaker, I will say that the resolution is a paraphrase of the resolution which on the 8th of December was held to be privileged.

Mr. DALZELL. This resolution is reported back from the committee?

Mr. WANGER. This resolution is reported back to the House by the committee.

The SPEAKER. As the Chair understands it, this is a report from the Committee on Expenditures in the Post-Office Department.

Mr. WANGER. It is.

The SPEAKER. Of a resolution that was referred to that committee?

Mr. WANGER. Exactly.

The SPEAKER. For information?

Mr. WANGER. Yes.

The SPEAKER. The Chair thinks it is privileged.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, a question.

The SPEAKER. Does the gentleman yield?

Mr. WANGER. For a question.

Mr. WILLIAMS of Mississippi. A parliamentry inquiry. Is the resolution open for amendment?

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. WILLIAMS of Mississippi. Then I wish to propound the parliamentary inquiry to the gentleman from Pennsylvania. Does he propose to permit us to amend this resolution?

Mr. WANGER. I am unable to answer that question at this time.

Mr. WILLIAMS of Mississippi. This is the time when it must be answered, if at all.

Mr. WANGER. Well, I will not take any snap judgment.

The SPEAKER. The gentleman from Pennsylvania declines to yield further. The gentleman from Pennsylvania.

Mr. WANGER. Mr. Speaker, the committee which has considered and reported this resolution has done so in accordance with its sense of duty under section 42 of Rule XI of this House, which charges it, among other things, with an examination of the accounts and expenditures of the Post-Office Department. So much misapprehension has arisen that, with the kind indulgence of the House for a few minutes, I will endeavor to explain the position of the committee, as I understand it, and my own position in regard to the matter. The question was asked on December 8 by a number of Members whether it was my purpose to interfere with the jurisdiction of the Committee on the Post-Office and Post-Roads, as if it were possible for me to do such a thing.

Mr. TAWNEY. Will the gentleman yield to me for a question?

Mr. WANGER. Not at this time.

The SPEAKER. The gentleman declines to yield.

Mr. WANGER. The question was also asked whether it was my purpose to have brought into the House for display before that committee and the country the testimony taken in the Post-Office Department, when, if I had been permitted to read the resolution which at that time I was instructed by the committee to seek to have adopted, it would have been noticed that it was left to the discretion of the President as to what was consistent with the interest of the public service. The further question was asked, "Does your committee purpose undertaking a great investigation of that Department?" Now, as to the last, I may say that the committee, being charged, among other things, with seeing that expenditures are in accordance with the appropriations, would be the very last object which would undertake expenditures on its own account without the previous authority and direction of the House.

If there is any question well settled by the practice of this House, it is the question that these committees on expenditures are to consider the accounts of these Departments and report to the House such inaccuracies and such misexpenditures as they may observe to have occurred.

In the Forty-ninth Congress, I think it was, on motion of the chairman of the Committee on the Judiciary of this House, these several committees on expenditures were directed by a vote of the House to undertake an investigation of the several Departments, and directed to proceed to the discharge of the duties laid down in the rules of the House. Now, it was under that resolution that the investigation was made by the Committee on Expenditures in the War Department which resulted in the presentation of articles of impeachment against the lately before Secretary of War.

On Wednesday, after, again by direction of the committee, I had raised the question of the reference of the bill H. R. 7643, the question was submitted to me by my distinguished and courteous friend the chairman of the Committee on the Post-Office and Post-Roads as to how many of the bills introduced the Committee on Expenditures claimed jurisdiction over. I am free to say, Mr. Speaker, that, having cursorily, it is true, but none the less with some care, examined the measures which have been referred to the Committee on the Post-Office and Post-Roads, to this time I have only discovered two over which this Committee on Expenditures may justly claim jurisdiction. One of them is the bill to which I have referred.

I desire to say, further, as to the misconception in respect to this matter, that when I called upon my very good friend from Indiana [Mr. OVERSTREET] he amazed me with the declaration that that bill had been before the last Congress and before several preceding Congresses. As that bill was a matter of original dictation from myself—and I am not the least proud of either its phraseology or its completion, and I do not allude to it for that purpose—I was amazed that any similar proposition generally resembling it should have heretofore been presented. It did not occur to me at the time that the measures to which he referred were bills to provide for the payment of claims of postmasters, not a bill such as H. R. 7643, to protect the Government against unjust claims. I was told by some of the Members that during past Congresses bills of a similar character to H. R. 7643 had been referred to the Committee on the Post-Office and Post-Roads.

Mr. Speaker, I submit that there have not been many, if any, bills presented before this session for several Congresses which were capable of the construction which might justly be put upon this bill (H. R. 7643) and the other bill to which I referred (H. R. 740), both of which are practically in the language of the rule which defines the jurisdiction of the Committee on Expenditures of the funds of the Department, neither of which by the most strained construction can be held to refer in any way to post-offices or to post-roads.

I do allege the production of a similar measure; and in order that this question may have due consideration, I shall not renew the motion which I submitted on Wednesday until after the holiday recess, in order that it may have that calm, that serious, and that careful consideration which I well know you, Mr. Speaker, will be delighted to give, and which also many other Members of the House will give to the subject.

Simply because nearly all the bills which happen to have been introduced into this body in past Congresses have been bills which related to the province of the Committee on the Post-Office and Post-Roads, the reference of them to it certainly sets no precedent as against the Committee on Expenditures in the Post-Office Department. And no custom, by general consent, either by failure of the proper committee to claim the legislation which belongs to it or by their indifference as to the question, could establish a custom which can at all prevail in this Congress in the formal adoption of these rules containing the language in which they recite the duties of the several committees on expenditures. Now, if my friend from Indiana desires time, I will ask him how much.

Mr. OVERSTREET. Oh, five or seven minutes.

Mr. WANGER. I yield ten minutes to the gentleman from Indiana [Mr. OVERSTREET].

Mr. OVERSTREET. Mr. Speaker, the gentleman from Pennsylvania, in presenting this resolution, has departed somewhat from the resolution in order to call attention to his desire to have reference to the committee of which he is chairman of certain other bills, but I shall not address myself to that portion of his remarks, for the reason that that subject is not now before the House.

The resolution which is under consideration requests the Postmaster-General to send to the Committee on Expenditures in the Post-Office Department the papers connected with the recent investigation of his Department the publication of which is consistent with the welfare of the public service.

I submit, Mr. Speaker, that this resolution should not pass because it has already been anticipated, and the very papers which the resolution calls for are now in the possession of the Members of this body. And should the resolution pass it would only be a duplication of the work.

In obedience to a resolution passed on the 8th day of December, authorizing the Committee on the Post-Office and Post-Roads to call for papers of this same official, I, as chairman of that committee, addressed a communication to the Post-Office Department, transmitting a copy of the resolution, in this language:

Resolved, That the Committee on the Post-Office and Post-Roads is hereby authorized to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department.

And in the letter of the Postmaster-General, replying to that communication, which states that he had that day—December 15—transmitted all of the papers connected with that recent investigation, except such as in the judgment of the Department of Justice, concurred in by the Post-Office Department, would embarrass and interfere in the prosecution of cases now pending under indictment of parties growing out of that very investigation.

I hold in my hand a printed copy of these papers which the Post-Office Committee, under its authority granted by this House,

printed and circulated; and on yesterday there was placed in the mails of the post-office of this House seven separate copies, delivered to each Member of Congress; and if the gentleman from Pennsylvania [Mr. WANGER] has not yet received his copy, I should be very glad to send him other copies of the same papers. I [illegible] first, that if the resolution should pass, it would [illegible] the work; and, in the second place, Mr. Speaker, I [illegible] that there is not a dual jurisdiction of committees. I do not speak lightly of my friend from Pennsylvania, but [illegible] the committee of which he is chairman has not for more than ten years been regarded as a committee having jurisdiction of the great Department.

Mr. HAY. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Virginia?

Mr. OVERSTREET. I have not yielded.

Mr. HAY. I want to ask by what authority the Post-Office Committee has limited its inquiries to the Members of the House.

Mr. OVERSTREET. That committee has the authority to place within certain limits

Mr. HAY. I know it has.

Mr. OVERSTREET. It was through courtesy to the House that we furnished the copies.

Mr. HAY. Why not let the House do it in the first place?

Mr. OVERSTREET. The House has possession of the papers now.

Mr. HAY. No; the House has not possession of the papers.

Mr. WILLIAMS of Mississippi. Each member has only seven copies, sir.

Mr. OVERSTREET. The House has the right, unquestionably, to order further copies printed for its members.

Mr. HAY. Unquestionably it has, if they can get the opportunity to do so.

Mr. OVERSTREET. It does not call for the Committee on Expenditures in the Post-Office Department to do it; that committee has not jurisdiction to print. [illegible] Mr. Speaker, the Members of the House know how to come to possession of this very information, and in the letter that is printed part of the pamphlet the Postmaster-General states that he has transmitted all the papers.

For my part, Mr. Speaker, in the multiplicity of the committees of the House it would be well to consider that in the very growth of business and practice of the affairs of the House some committees have a larger and broader scope than others. The committees on expenditures in the Departments, I am informed, originated in the Forty-two[illegible] ago, and in their day had more or less important business to consider. In the development of the House in the growth of the business of this body, there have come into existence committees of jurisdiction whereby other committees have been broadened in their scope and jurisdiction. I find, for instance, that each one of the Departments of the Government is represented in its organization by a committee on expenditures.

There is, for instance, the Committee on Expenditures in the State Department, which reasonably might claim some jurisdiction of bills before the Committee on Foreign Affairs. In the same way the Committee on Expenditures in the War Department might claim a dual jurisdiction with the Committee on Military Affairs. The same thing may be said of the Committee on Expenditures in the Interior Department and the Committee on Expenditures in the Navy Department. So the Committee on Expenditures in the Post-Office Department may claim jurisdiction of this kind of investigation as well as other proposed legislation. But the House has only seven committees. The larger committees have larger memberships, better facilities for investigation than the smaller committees.

Mr. WM. ALLEN SMITH. I should like to ask the gentleman from Indiana [Mr. OVERSTREET] whether he denies to the Committee on Expenditures in the Post-Office Department the jurisdiction in question.

Mr. OVERSTREET. I do not believe it would have jurisdiction of an investigation of this character.

Mr. WM. ALLEN SMITH. Then I think the gentleman has not read the rule.

Mr. OVERSTREET. The rule very clearly shows authority for such investigations, but it shows dual authority, and should the House undertake to give that authority, it would exaggerate the situation as Members will readily see. The Committee on the Post-Office and Post-Roads has been charged with the jurisdiction of legislation of this kind. It has before it the large appropriation bill carrying the expenditures for the entire postal service, and naturally it would be expected to inquire into all that relates to the postal service in the making up of that great bill, while the Committee on Expenditures in the Post-Office Department has not had before it a bill—at least a bill that has been reported—since I came, as I am informed.

Other committees on expenditures in the various Departments have been treated with equal fairness, but have had the same amount of neglect. There has been no discrimination against this committee any more than there has been against the Committee on Expenditures in the Navy Department, because that committee has not had referred to it measures which have been considered by the Committee on Naval Affairs.

Members will readily see that the growth, the evolution of the committees of the House naturally tends to a diminution of the jurisdiction of the smaller committees. I do not speak with [illegible] asperity, but I have no doubt that in the make-up of committees in the [illegible] of twenty years, no [illegible] of measures of larger importance by the [illegible] committees. That is not any discredit to the personnel of those committees, but it is incident to the business of the House, just as the Committee on Appropriations has become a dual jurisdiction on this floor with having more jurisdiction than it is entitled to.

I think, therefore, Mr. Speaker, that this resolution, if it should pass, would merely duplicate the work of the House. It does not withdraw from another committee the consideration of the matter; but it would necessarily and naturally result in a duplication of the work, with the possibility at least of conflict in recommendations made to the House.

In the second place, if that committee desires these papers they are all available. The committee would not get any additional papers, and could only have one set of the papers unless the House should order, through the Printing Committee, larger copies to be printed.

I believe, therefore, Mr. Speaker, that aside from possibly satisfying the Members of the minority, who might wish to inject trouble among the majority, and possibly to duplicate the work of the House, no good could follow from the adoption of this resolution.

If there were any charge or suspicion that the Committee on the Post-Office and Post-Roads is not going to discharge its work fairly and properly, there might be some complaint raised; but in the absence of any such charge, which I feel no man would care to intimate, and having in mind [illegible] the House and the proper discharge of its work, I believe that this resolution should not prevail.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. WANGER. I yield five minutes to the gentleman from Missouri [Mr. ROBB], a member of the committee.

Mr. WILLIAMS of Mississippi. I should like to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. I should like to be enlightened with the parliamentary situation with regard to this resolution. Will there be an opportunity to offer a substitute for it or an amendment? Will there be an opportunity to do anything except to adopt or to vote down the resolution just it has been offered by the gentleman from Pennsylvania?

The SPEAKER. The gentleman from Pennsylvania reports a resolution from his committee; he has been recognized by the Chair and is entitled to an hour, during which he has the parliamentary control of the situation.

Mr. WILLIAMS of Mississippi. After he has exhausted his hour, will there be any opportunity to discuss or to amend the resolution, or to offer a substitute for it?

The SPEAKER. Oh, that depends upon what the House desires to do. The House has the sole power in the premises. The gentleman understands the parliamentary situation, as the Chair assumes, better than the Chair does.

Mr. WILLIAMS of Mississippi. I do not; if I did, I should not be inquiring about it.

I have requested to be recognized by the gentleman from Pennsylvania [Mr. WANGER] for the purpose of offering a substitute. I now ask if the gentleman will recognize me for that purpose?

Mr. WANGER. Mr. Speaker, I yielded to the gentleman from Missouri [Mr. ROBB] and I do not care to be interrupted at this juncture.

The SPEAKER. The gentleman from Missouri is recognized.

Mr. WILLIAMS of Mississippi. Will the gentleman from Missouri yield to me?

Mr. ROBB. Before I get through I will yield to the gentleman.

Mr. WILLIAMS of Mississippi. I wish to offer a substitute.

Mr. ROBB. Mr. Speaker, when a similar resolution was reported from the Committee on the Post-Office and Post-Roads, I thought that the best course to pursue would be to have the information communicated to the House for the use of the House and each individual Member, but the resolution as reported was adopted by this House. During the discussion on that resolution by the gentleman from Indiana [Mr. OVERSTREET], chairman of

the Committee on the Post-Office and Post-Roads, I had some suspicions that his great committee, in addition to the duties and powers which it possesses under the rules, would attempt in this Congress, as it has done in previous Congresses, to usurp the powers and jurisdiction of the Committee on Expenditures in the Post-Office Department. I asked the gentleman if that was his purpose. He disclaimed any intention of that kind, and expressed a belief that the Committee on Expenditures in the Post-Office Department should have all the rights and all the privileges guaranteed it by the rules of this House.

If the Committee is to exercise intelligently the duties devolving upon it under the rules of this House, then the same information which was called for by the Committee on the Post-Office and Post-Roads should go to the Committee on Expenditures in the Post-Office Department. I desire to call attention to this rule, section 42 of Rule XI, defining the subjects of legislation which this committee shall deal with. It is as follows:

"The [illegible] of the several Departments [illegible] the same; the economy, [illegible] the several Departments.

Now, if there is any committee that ought to have this information, in view of the frauds and corruptions and briberies and forgeries to which the President of the United States has called the attention of Congress, and which are current report in that Department, surely this committee ought to have it.

The SPEAKER. The time of the gentleman has expired.

Mr. ROBB. Mr. Speaker, I did not understand that my time was limited.

The SPEAKER. The Chair understood that five minutes was yielded to the gentleman

Mr. ROBB. I would like to have five minutes more.

Mr. WANGER. Mr. Speaker, I can not give the gentleman five minutes more. I will give him, however, two minutes more.

The SPEAKER. The gentleman from Missouri is recognized for two minutes.

Mr. ROBB. Now, if this committee is to perform its duty under the rules, I want to ask why it is not entitled to the same information as the committee over which the gentleman from Indiana [Mr. OVERSTREET] presides? The President of the United States, in his message, has called the attention of this Congress to the forgeries, briberies, corruptions, and perjuries in that Department, and has asked that an appropriation, to be immediately available, be made, in order that proper prosecutions may be carried on. I believe that not only is the Committee on the Post-Office and Post-Roads entitled to this information, but that the committee now asking for it is entitled to it. I believe that possibly before the end of this Congress the Judiciary Committee may be entitled to this information and may have occasion to use it, and every Member of this House is entitled to this information, as is the public.

The gentleman need not be afraid of the minority. That is the secret of his opposition to this resolution. He virtually admitted it. He is afraid that the minority may cause the majority some trouble here upon this question. All that the minority wants is to have this corruption brought to full public view in order that the public may know and that the individual membership here may know what has been going on in that Deparment—what has been done which is wrong, and what has been done which is right—in order that it may pass whatever legislation may be necessary in the premises. I think that committees such as the Committee on Expenditures in the Post-Office Department ought to know and this House ought to know what their functions are, and they ought to be allowed to do their duty or they ought to be wiped out of existence.

Now I will yield, if I have any time to yield.

Mr. WANGER and Mr. WILLIAMS of Mississippi rose.

The SPEAKER. The gentleman from Pennsylvania.

Mr. WANGER. I should like to ask the gentleman from Mississippi if he desires five minutes to discuss this?

Mr. WILLIAMS of Mississippi. Mr. Speaker, the gentleman says he will yield five minutes to me to discuss this matter. I ask to be recognized for the purpose of offering a substitute.

The SPEAKER. The gentleman from Pennsylvania has the floor.

Mr. WANGER. I did not yield five minutes to the gentleman from Mississippi. I asked him whether he desired it.

Mr. WILLIAMS of Mississippi. Will the gentleman give me a frank answer to a question? Does the gentleman propose to call the previous question without opportunity for amendment?

Mr. WANGER. I decline to answer that question.

Mr. WILLIAMS of Mississippi. Let the House and the country know.

The SPEAKER. The gentleman from Pennsylvania declines to yield further.

Mr. WILLIAMS of Mississippi. Then I will accept the five minutes for the purposes of discussion, Mr. Speaker.

Mr. WANGER. I yield it.

The SPEAKER. The gentleman from Pennsylvania yields to the gentleman from Mississippi five minutes.

Mr. WILLIAMS of Mississippi. And later on, if I have any rights in the House at all, or if the minority have any rights, we will find out about it.

Now, Mr. Speaker, I have heard two phrases this morning that struck me. One was a fear that we might "complicate the situation." That is an awfully diplomatic sort of a phrase. I do not know just what it means. I do not know that I am at all afraid of "complicating a situation." If a situation of dishonesty and general administrative corruption can be complicated by inquiring into it, then I want to complicate it. Another phrase was that the minority might "raise trouble." Now, Mr. Speaker, I do not know precisely what that means, but if it means that a man on the floor of the House of Representatives is to be accused of raising trouble because he wants to inquire into corruption and dishonesty and administrative rottenness, then we are going to raise all the trouble we know how to raise. [Applause on the Democratic side.] And when we raise that trouble we will not stand here as the minority at all. We will stand here with the American people behind us demanding honest government, demanding incorruptibility in public office.

Now, Mr. Speaker, I do not care whether the Committee on Expenditures in the Post-Office Department investigates this matter or not. I am in favor of their investigating it; and as to the duplication of committees investigating this matter I do not care whether they are duplicated or not. I would like to have two committees investigating this matter, because I think that with two committees investigating it possibly we might come nearer arriving at the absolute truth than with one committee investigating it. Now, what the minority wants to have, Mr. Speaker, is to give this information not to one committee and not to two committees, and not to give seven copies of it to each Member of the House, but to give this information to the American people, and there is but one way of doing it—that is, by the adoption of a substitute which I propose to offer, if I am recognized for that purpose later on, and that is to substitute for the resolution of the gentleman from Pennsylvania the following:

That the Postmaster-General be, and he is hereby, requested to transmit to the House of Representatives the papers and evidence showing the investigation of alleged frauds and irregularities in the Post-Office Department and postal service.

Are you afraid of that? Why is it that upon a former occasion you voted it down, and why is it that now you almost serve notice beforehand that you will not give an opportunity to vote it up? Are you afraid of it? Are you afraid that the House may get it? Are you afraid that the country may get it? Are you afraid that the report of your own Fourth Assistant Postmaster-General may be issued by the minority as a campaign document? Is that what you are afraid of? Let us have it. He is your own officer. He has not investigated the matter as fully and as frankly as it might have been investigated, but fully and frankly enough for the American people and for us to show that there is rottenness in Denmark, and very exceeding great rottenness at that. And I tell you frankly that I want the American people to have that, and seven copies of it for a Congressional district are not enough.

Now, Mr. Speaker, I believe the gentleman from Pennsylvania [Mr. WANGER] has the floor and I am speaking in his time, and therefore I can not now offer a substitute. I want to ask the gentleman from Pennsylvania now, so that the House and the country will understand it, whether later on he will or will not yield to allow me to offer a substitute?

Mr. WANGER. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. PAYNE].

Mr. WILLIAMS of Mississippi. Does the gentleman decline to answer the question which I have asked him?

Mr. WANGER. I decline to answer the question.

Mr. WILLIAMS of Mississippi. I hope the RECORD will show that he has declined.

Mr. PAYNE. Mr. Speaker, under the rules of the House either the Committee on the Post-Office and Post-Roads or the Committee on Expenditures in the Post-Office Department might have jurisdiction of this matter in all probability, but the House has already acted upon the subject. First, in the distribution of the President's message that portion of it relating to the postal frauds and postal matters was referred, by order of the House, to the Committee on the Post-Office and Post-Roads. In the second place, the gentleman from Indiana [Mr. OVERSTREET] early in the session introduced a similar resolution with the one now before the

House, referring to this report, and authorizing the Committee on the Post-Office and Post-Roads to procure it from the Postmaster-General. This has already been done. The House has acted.

I do not agree with the gentleman from Mississippi that the more committees having charge of this matter the better. I think the way to get at the truth is to put it in the hands of one committee and keep it in the hands of that committee.

Now, the gentleman from Mississippi has a great deal of zeal in passing a resolution calling on the Post-Office Department for this investigation, and he threatens that if this side of the House does not agree to do what that side of the House wants, why, that side of the House is going to assert itself in some way or other. Why do they not assert themselves in an intelligent way, under the rules? It is a rule of the House that if the gentleman from Mississippi or any other Member of the House desires information from a Department ad he has to do is to submit a proper resolution by placing it in the basket.

Mr. WILLIAMS of Mississippi. That is precisely what was done, and your committee have buried it so far.

Mr. PAYNE. Wait a minute. By placing it in the basket, if the committee to whom that resolution is referred does not report it within a week, then the gentleman can call it up in the House as a privileged question and get a vote upon it. The gentleman from Mississippi certainly knew that when we commenced with the extra session of Congress, and if he had any such zeal as he seems to have now, when some more politics has been injected in his career—if he had any such zeal as that on the first day of this session he could have had action on his resolution within a week after Congress assembled.

Now, what does he want? He wants the public to have this report. We have called for the report; we have obtained the report; the report is printed; seven copies of it are in the hands of every Member, and if the House wants more copies it is very easy to have them—

Mr. WILLIAMS of Mississippi. Will the gentleman allow me?

Mr. PAYNE (continuing). By sending a resolution to the Committee on Printing, and when their report comes into the House it is a privileged matter.

The SPEAKER. Does the gentleman yield to the gentleman from Mississippi?

Mr. WILLIAMS of Mississippi. I want to ask the gentleman from New York whether he contended that all this evidence had been sent to the committee?

Mr. PAYNE. I understand that all of it has been sent except——

Mr. WILLIAMS of Mississippi. Such portions as they desired to keep back.

Mr. PAYNE (continuing). Where there are prosecutions they did not desire it to be made public for the use of the defendants in those prosecutions. Does the gentleman's zeal lead him to that? Is the gentleman the friend of the men indicted? Is that his position?

Mr. WILLIAMS of Mississippi. I say "no:" and I hope the gentleman from New York does not even think so, and I know that he even will not say he thinks so.

Mr. PAYNE. Then why are you so solicitous about that publication?

Mr. WILLIAMS of Mississippi. The country understands that it has been asserted that this report was edited before it was sent to the Post-Office Committee.

Mr. PAYNE. I have not seen a statement of that kind.

Mr. OVERSTREET. If the gentleman will permit me a moment.

Mr. PAYNE. I yield to the gentleman from Indiana.

Mr. OVERSTREET. In the letter to the Postmaster-General transmitting that evidence he says:

[illegible]

Referring to my letter—

I have the honor to transmit herewith the full report of the Hon. J. L. Bristow, Fourth Assistant Postmaster-General, dated October 24, 1903, together with other letters, reports, and [illegible] bearing upon the subject matter referred to in said letter of transmission.

[illegible] General refer[illegible] made to [illegible] of the Department of Justice, [illegible] not be some [illegible] publication would be [illegible] would not be to the public interest.

Mr. WILLIAMS of Mississippi. Will the gentleman permit me a question?

Mr. PAYNE. That man of straw seems to be disposed of. I can not yield all of five minutes to the gentleman.

Mr. WILLIAMS of Mississippi. We will get your time extended for you.

Mr. PAYNE. Thank you. With that assurance of my friend I will yield to him.

Mr. WILLIAMS of Mississippi. Although we may not be able to get it for ourselves we will manage it for you. What I want to ask the gentleman from Indiana is this: I have heard, but I do not know whether it is true or not, and I do not want to make an assertion unless it is true, and therefore I want to get him to answer, and his word will be taken by the country and the House. Is it or not true that the Fourth Assistant Postmaster-General appeared before your committee and stated that his report had been edited after he made it?

Mr. OVERSTREET. That is not true. He has not been before the committee, nor has he made any such statement to me. I do understand though, fully, that these papers printed under the authority of the Post-Office Committee contain all the papers of the Fourth Assistant Postmaster-General's report except those which the Department of Justice feels would embarrass that Department in the trial of the cases of those men who have been indicted.

Mr. WILLIAMS of Mississippi. Do I understand that the report that he made to the Executive was not altered or edited?

Mr. OVERSTREET. This is the full report.

Mr. WILLIAMS of Mississippi. As he originally made it?

Mr. OVERSTREET. As he originally made it.

Mr. WILLIAMS of Mississippi. Very well: I do not want the country to understand me as making any reckless assertion.

Mr. PAYNE. Mr. Speaker, I want to say one word further in closing. We have been accused by gentlemen on the other side of trying to cover up something. Who was it that started this investigation? Was it not the Administration that is in sympathy with this side of the House, or was it somebody on the other side? Who made this investigation?

The SPEAKER. The time of the gentleman from New York has expired.

Mr. PAYNE. Mr. Speaker, I would like two minutes more.

Mr. WANGER. I am sorry, Mr. Speaker, that I am unable to give the gentleman any more time.

Mr. PAYNE. Then I ask it. Mr. Speaker, by unanimous consent.

The SPEAKER. The gentleman from New York asks unanimous consent that he may have two minutes more.

Mr. WILLIAMS of Mississippi. I hope unanimous consent will be given.

Mr. WANGER. I object.

The SPEAKER. The gentleman from Pennsylvania objects.

Mr. WANGER. Mr. Speaker, my friend from New York will concede, if he will give me his attention, that the reference of the parts of the President's message to the Committee on the Post-Office and Post-Roads was only so much of it as referred to post-offices and post-roads. There was nothing in that resolution which in any way took from the Committee on Expenditures in the Post-Office Department any of the jurisdiction which might attach to it under the rule.

Mr. PAYNE. Will the gentleman allow me a suggestion? There was nothing in the message but what was included in the resolution.

Mr. WANGER. That is the opinion of the gentleman, who has very sound opinions on most subjects, and in reply to a suggestion or threat made in the heat of debate some time since "to brush away" the rules of this House my friend said:

When we consider that these rules are the [illegible] with of the best [illegible] ment of the best men and [illegible] who have [illegible] in the House of Representatives [illegible] the past fifty years, they are [illegible] comment as [illegible] to be [illegible] comes to decide the question. I trust, decide it upon his conscience and his honor as a judge in the case.

This is what I ask every Member of this House to do in considering this rule, which reads as follows:

42. The examination of the accounts and expenditures of the several Departments of the Government and the manner of keeping the same; the economy, fidelity, and correctness of accounting; [illegible] with appropriations [illegible] and extravagance; [illegible] the expenditures in the several Departments.

Now, if I understood my friend from Indiana, his proposition was that this was a small committee, and in the naming of these smaller committees the Speaker had not given much consideration to the personnel of the appointees. In other words, that the smaller committees are shelves for "job lots." I take it that the House will not so treat its own rule; that its clear language is truth and not hypocritical cant.

Mr. OVERSTREET. Will the gentleman yield for a moment?

Mr. WANGER. I can not yield now.

Mr. OVERSTREET. I know the gentleman does not want to misrepresent me.

Mr. WANGER. Oh, the gentleman did not use those words, but he said that the Speaker had not given much consideration——

Mr. OVERSTREET. Consideration to the character of the legislation that would come before it. I had no reference to the personnel.

Mr. WANGER. Now, the Committee on Expenditures in the Post-Office Department does not want to oust the Committee on the Post-Office and Post-Roads from anything appertaining to its jurisdiction, but it wants all proper rights in the discharge of its own duties, and therefore we ask the passage of this resolution. We ask the information direct from the Department as a matter of right under our recently adopted rules, and not as a matter of grace from some other committee; and now, Mr. Speaker, I ask for the previous question on the passage of the resolution.

The SPEAKER. The gentleman from Pennsylvania demands the previous question on the passage of the resolution.

The question was being taken.

Mr. WILLIAMS of Mississippi. Mr. Speaker, let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 107, nays 107, answering "present" 11, not voting 158, as follows:

YEAS—107.

Adams, Pa.	Evans,	Knapp,	Roberts,
Alexander,	Foss,	Lacey,	Rodenberg,
Allen,	Gaines, W. Va.	Ladoux,	Sherman,
Babcock,	Gardner, N. J.	Lafferty,	Shiras,
Birdsall,	Gibson,	Lawrance,	Sibley,
Bishop,	Giller, N. Y.	Longworth,	Sides,
Bowersock,	Gillett, Mass.	Lorimer,	Sloan,
Brown, Pa.	Goebel,	Loud,	Smith, Ill.
Burke,	Graff,	Lovering,	Smith, Pa.
Burkett,	Hamilton,	McCleary, Minn.	Southard,
Burton,	Haskins,	McLachlan,	Southwick,
Calderhead,	Heatwole,	Mann,	Spalding,
Cooper, Pa.	Henry, Conn.	Marsh,	Sperry,
Cooper, Wis.	Hermann,	Metcalf,	Steenerson,
Crumpacker,	Hitchcock,	Miller,	Stevens, Minn.
Currier,	Hill, Conn.	Mondell,	Sullaway,
Curtis,	Hogg,	Moody,	Tawney,
Cushman,	Holliday,	Nevin,	Thomas, Iowa
Dalzell,	Howell, N. J.	Norris,	Volstead,
Daniels,	Hughes, W. Va.	Olmsted,	Vreeland,
Davidson,	Hunter,	Otis,	Wachter,
Davis, Minn.	Jackson, Md	Otjen,	Wadsworth,
Dixon,	Jackson, Ohio	Overstreet,	Weeks,
Dovener,	Jenkins,	Parker,	Wiley, N. J.
Driscoll,	Jones, Wash.	Payne,	Woodyard.
Dwight,	Kennedy,	Porter,	
Esch,	Ketcham,	Powers, Me.	The Speaker.

NAYS—107.

Aiken,	Gaines, Tenn.	Lind,	Ryan,
Baker,	Garber,	Little,	Scarborough,
Bankhead,	Garner,	Lloyd,	Shackleford,
Bartlett,	Gillespie,	McAndrews,	Shafroth,
Bassett,	Glass,	McClellan,	Sheppard,
Beall, Tex.	Gregg,	Macon,	Sherley,
Benny,	Gudger,	Maddox,	Shober,
Bowie,	Harrison,	Mahoney,	Sims,
Burgess,	Hay,	Miers, Ind.	Slayden,
Burnett,	Henry, Tex.	Padgett,	Smith, Tex.
Butler,	Hill, Miss	Page,	Snook,
Candler,	Hopkins,	Patterson, N. C.	Spargur,
Cantrill,	Howard, Ga.	Pearre,	Stephens, Tex.
Cassingham,	Hughes, N. J.	Pendleton,	Sullivan, N. Y.
Clark,	Humphreys, Miss	Pou,	Sulzer,
Clayton,	Hunt,	Pujo,	Swanson,
Cooper, Tex.	James,	Rainey,	Tate,
Crowley,	Johnson,	Randell, Tex.	Thomas, N. C.
Davis, Fla.	Jones, Va.	Ransdell, La.	Trimble,
Denny,	Kehoe,	Rhea,	Underwood,
Dinsmore,	Kitchin, Claude	Rider,	Wade,
Dougherty,	Kitchin, Wm. W.	Riggs,	Wallace,
Elder,	Klutz,	Robbins, Ala.	Webb,
Finley,	Knopf,	Robinson, Ark.	Williams, Ill.
Fitzgerald,	Lamar, Mo.	Robinson, Ind	Williams, Miss.
Flood,	Lamb,	Rucker,	Zenor.
Foster, Ill.	Lamar, Fla.	Russell,	
	Lassiter,		
	Lever,		
	Lewis,		

ANSWERED "PRESENT"—11.

Burke, S. D.	Cassel,	Griffith,	Townsend,
Flynn,	Deemer,	Kline,	Wanger.
Brownlow,	Dickerman,	Mahon,	

NOT VOTING—158.

Acheson,	Broussard,	Dayton,	Gillett, Cal.
Adams, Wis.	Brown, Wis.	De Armond,	Goldfogle,
Adamson,	Brownlow,	Dick,	Gooch,
Ames,	Buckman,	Douglas,	Goulden,
Badger,	Burleigh,	Draper,	Greene,
Bartholdt,	Butler, Mo.	Dresser,	Gregg,
Bates,	Butler, Pa.	Dunwell,	Griggs,
Bede,	Byrd,	Field,	Grosvenor,
Beidler,	Campbell,	Fitzpatrick,	Hamlin,
Bell, Cal.	Capron,	Flack,	Hardwick,
Benton,	Cochran,	Fleming,	Haugen,
Bingham,	Conner,	Foster, Vt.	Hearst,
Bradley,	Cousins,	Fowler,	Hedge,
Brandegee,	Cowherd,	French,	Hepburn,
Brantley,	Croft,	Fuller,	Hinshaw,
Breazeale,	Cromer,	Gardner, Mass.	Hitchcock,
Brick,	Darragh,	Gardner, Mich.	Hitt,
Brooks,	Davey, La.	Gilbert,	Houston,
Howard,	McCall,	Perkins	Stanley,
Howell, Utah	McCarthy,	Powers, Mass.	Sterling,
Huff,	McCreary, Pa.	Prince,	Sullivan, Mass.
Hull,	McDermott,	Reeder,	Talbott,
Humphrey, Wash.	McLain,	Reid,	Taylor,
Kinkead,	McMorran,	Richardson, Ala.	Thayer,
Kitchin, Claude	McNary,	Richardson, Tenn.	Thompson,
Kitchin, Wm. W.	Marshall,	Robertson, La.	Tirrell,
Knopf,	Martin,	Rodey,	Vandiver,
Kyle,	Maynard,	Sawyer,	Van Duzer,
Lamar, Fla.	Meyer, La.	Scudder,	Van Voorhis,
Landis, Chas. B.	Minor,	Shull,	Warner,
Landis, Frederick	Moon, Pa.	Small,	Warnock,
Lester,	Moon, Tenn.	Smith, Iowa	Watson,
Lilley,	Morgan,	Smith, Ky.	Weisse,
Lindsay,	Morrell,	Smith, N. Y.	Wiley, Ala.
Littauer,	Mudd,	Smith, Samuel W	Williamson,
Littlefield,	Nevin,	Smith, Wm. Alden	Wilson, Ill.
Livernash,	Palmer,	Snapp,	Wilson, N. Y.
Livingston,	Patterson, Pa.	Southard,	Wright,
Loudenslager,	Patterson, Tenn.	Spight,	Wynn,
Lucking,	Pearre,	Stafford,	Young.

So the previous question was ordered.

The following pairs were announced:

For the session:

Mr. DEEMER with Mr. SHULL.

Mr. MORRELL with Mr. KLINE.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. WANGER with Mr. ADAMSON.

Until further notice:

Mr. MARSHALL with Mr. WEISSE.

Mr. GREENE with Mr. MCNARY.

Mr. GILLETT of California with Mr. WYNN.

Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.

Mr. BUCKMAN with Mr. GILBERT.

Mr. BROWNLOW with Mr. BENTON.

Mr. LOUDENSLAGER with Mr. RICHARDSON of Alabama.

Mr. CAMPBELL with Mr. BADGER.

Mr. BOUTELL with Mr. GRIGGS.

Mr. CROMER with Mr. GRIFFITH.

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. LILLEY with Mr. REID.

Mr. MUDD with Mr. MAYNARD.

Mr. SMITH of New York with Mr. TALBOTT.

Mr. REEDER with Mr. THAYER.

Mr. WRIGHT with Mr. BOWERS.

Mr. MAHON with Mr. HOUSTON.

Mr. DRAPER with Mr. BELL of California.

Mr. BRADLEY with Mr. GOULDEN.

For this day:

Mr. CONNER with Mr. DE ARMOND.

Mr. LITTAUER with Mr. RUPPERT.

Mr. SAMUEL W. SMITH with Mr. POU.

Mr. DICK with Mr. HEARST.

Mr. CHARLES B. LANDIS with Mr. LAMAR of Florida.

Mr. BARTHOLDT with Mr. RICHARDSON of Tennessee.

Mr. GARDNER of Michigan with Mr. SOUTHALL.

Mr. WM. ALDEN SMITH with Mr. WILSON of New York.

Mr. WARNOCK with Mr. VAN DUZER.

Mr. WATSON with Mr. THOMPSON.

Mr. STAFFORD with Mr. SPIGHT.

Mr. NEVIN with Mr. SMALL.

Mr. PEARRE with Mr. SCUDDER.

Mr. MINER with Mr. PATTERSON of Tennessee.

Mr. LITTLEFIELD with Mr. MOON of Tennessee.

Mr. HULL with Mr. MCLAIN.

Mr. SMITH of Iowa with Mr. TAYLOR of Alabama.

Mr. CAPRON with Mr. BYRD.

Mr. BUTLER of Pennsylvania with Mr. GOLDFOGLE.

Mr. PERKINS with Mr. HARDWICK.

Mr. HITT with Mr. ROBERTSON of Louisiana.

Mr. SCOTT with Mr. LUCKING.

Mr. HEPBURN with Mr. MCDERMOTT.

Mr. PRINCE with Mr. LIVERNASH.

Mr. POWERS of Massachusetts with Mr. LINDSAY.

Mr. HAUGEN with Mr. LESTER.

Mr. HEDGE with WILLIAM W. KITCHIN.

Mr. ACHESON with Mr. BREAZEALE.

Mr. BATES with Mr. BROUSSARD.

Mr. MCMORRAN with Mr. DAVEY of Louisiana.

Mr. BEIDLER with Mr. BRUNDIDGE.

Mr. BINGHAM with Mr. COCHRAN.

Mr. BRANDEGEE with Mr. BUTLER of Missouri.

Mr. GROSVENOR with Mr. LIVINGSTON.

Mr. COUSINS with Mr. COWHERD.

Mr. GARDNER of Massachusetts with Mr. HOWARD.

Mr. FOWLER with Mr. CLAUDE KITCHIN.

Mr. FOSTER of Vermont with Mr. CROFT.

Mr. FLACK with Mr. FIELD.

Mr. DUNWELL with Mr. FITZPATRICK.
Mr. DARRAGH with Mr. GREGG.
Mr. BLACK with Mr. HAMLIN.
Mr. FORNEY with Mr. SMITH of Kentucky.
On this vote:
Mr. VAN VOORHIS with Mr. VANDIVER.
Mr. ADAMS of Wisconsin with Mr. WILEY of Alabama.
Mr. KYLE with Mr. ROBERTSON.

Mr. BOWERS. Mr. Speaker, I desire to withdraw the vote which I cast in the negative. I am paired with the gentleman from Pennsylvania [Mr. WRIGHT]. I voted with the understanding that he was present. I find that he was not.

The SPEAKER. Call the gentleman's name.

The Clerk called the name of Mr. BOWERS, and he answered "present."

Mr. WANGER. Mr. Speaker, I would ask if the gentleman from Oregon [Mr. ALLEN] has voted?

The SPEAKER. He has not voted.

Mr. WANGER. Then I desire to withdraw my vote.

The SPEAKER. Did you vote?

The Clerk called the name of Mr. WANGER, and he answered "present."

Mr. KLINE. Mr. Speaker, I desire to withdraw my vote, having voted in the negative. I am paired with Mr. MORRELL.

The SPEAKER. Did you vote?

The Clerk called the name of Mr. KLINE, and he answered "present."

Mr. WILLIAMSON. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman from Oregon present and his name erroneously called?

Mr. WILLIAMSON. No; I was not.

The SPEAKER. Then the gentleman can not vote.

The Clerk will state that the vote is close and orders a recapitulation.

The Clerk accordingly recapitulated the vote.

Mr. VANDIVER. Mr. Speaker, I desire to know if the gentleman from Illinois [Mr. FOSS] has voted.

Mr. FOSS. I will state to the gentleman that I have.

The SPEAKER. The gentleman from Illinois is recorded as having voted.

Mr. VANDIVER. I refrained from voting, supposing that I was paired with the gentleman from Illinois. As he has voted, I would ask to cast my vote recorded.

The SPEAKER. The gentleman from Missouri is not recorded, but under the rules the gentleman is not entitled to vote.

Mr. WILLIAMS of Mississippi. Mr. Speaker, did I understand that the Chair did not permit the gentleman from Missouri [Mr. VANDIVER] to record his vote?

The SPEAKER. Under the rules the gentleman is denied the privilege of voting. The Chair will state that he has enforced the rule in two cases, one in the case of the gentleman from Oregon [Mr. WILLIAMSON] and the other in the case of the gentleman from Missouri [Mr. VANDIVER].

Mr. WILLIAMS of Mississippi. The gentleman from Missouri, as I understand, was paired with the gentleman from Illinois, Mr. FOSS, and the gentleman from Illinois voted; and I think that either that vote should be withdrawn or the other should be cast.

The SPEAKER. The question of pairs is a question for gentlemen to settle. The Chair is informed at the desk that the gentleman from Missouri made no response to his name.

Mr. MACON. Mr. Speaker, I rise for information. I would like to ask the Chair whether, as a matter of honor, if the gentleman, being paired, has voted——

The SPEAKER. Oh, the Chair can not decide questions of honor. The question of pairs is one that lies with the Members.

Mr. FOSS. Mr. Speaker, I would like to say a word in explanation. I was paired with the gentleman from Missouri, Mr. VANDIVER, before I went home lately. I understood at that time that the pair was to remain in force only during my absence. That was my understanding at the time.

Mr. VANDIVER. Mr. Speaker, I accept the explanation. It was only a difference of understanding; that is all. The gentleman is right about it.

The SPEAKER. The Clerk will call my name.

The Clerk called the Speaker, and he voted "aye."

The SPEAKER. On this vote the yeas are 109 and the nays are 107. The ayes have it, and the previous question is ordered. The question now is upon agreeing to the resolution.

The question being taken,

Mr. OVERSTREET demanded a division.

The House divided, and there were—ayes 77, noes 85.

Mr. WANGER. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken on agreeing to the resolution; and there were—yeas 109, nays 100, answered "present" 12, not voting 163, as follows:

YEAS—109.

Aiken,	Granger,	[illegible]	Sheppard,
Baker,	[illegible]	[illegible]	Sherley,
Bankhead,	[illegible]	[illegible]	Sholer,
Bassett,	[illegible]	[illegible]	Sims,
Beall, Tex.	Heare, Tex.	[illegible]	Slayden,
[illegible]	[illegible]	[illegible]	Smith, Pa.
[illegible]	[illegible]	[illegible]	Smith, Tex.
[illegible]	[illegible]	[illegible]	Smook,
[illegible]	[illegible]	[illegible]	Southard,
[illegible]	[illegible]	[illegible] on, N. C.	Spargo,
[illegible]	[illegible]	[illegible]	Stephens, Tex.
[illegible]	[illegible]	[illegible]	Sulzer,
[illegible]	[illegible]	[illegible]	Swanson,
[illegible]	James,	[illegible]	Tate,
[illegible] Tex.	[illegible]	[illegible]	Thomas, N. C.
[illegible]	[illegible]	[illegible] Tex.	[illegible]
[illegible]	[illegible]	[illegible]	Underwood,
[illegible]	Kellher,	[illegible]	Vandiver,
[illegible]	[illegible]	[illegible]	Wade,
[illegible]	Lamar, Mo.	[illegible]	Wallace,
[illegible]	Lamb,	[illegible] n, Ark.	Wanger,
[illegible]	[illegible]	[illegible] n, Ind.	Webb,
[illegible]	Lewis,	[illegible]	Williams, Ill.
[illegible] Penn.	Lilley,	[illegible]	[illegible] Miss.
Garber,	Lind,	[illegible]	Zenor.
Garner,	Little,	[illegible] gh,	
[illegible]	[illegible]	[illegible]	
[illegible]	[illegible] ows,	[illegible]	

NAYS—100.

[illegible] Wis.	[illegible]	[illegible] n, Ohio	[illegible]
[illegible]	[illegible]	[illegible] Wash.	Pas[illegible]
[illegible]	W. Va.	[illegible]	Payne,
[illegible]	N. J.	[illegible]	Porter,
[illegible] k,	[illegible]	Kluttz,	Robe[illegible]
Birdsall,	Y.	Knapp,	[illegible]
Bishop,	[illegible]	[illegible]	[illegible]
Bowersock,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible] or,	Lo[illegible] th,	[illegible]
[illegible]	[illegible] n,	Lorimer,	[illegible]
Cantrell,	[illegible]	Loud,	[illegible]
Cooper, Pa.	[illegible]	[illegible]	[illegible]
Cooper, Wis.	[illegible] ay,	[illegible]	[illegible]
Currier,	[illegible] nn.	[illegible]	[illegible]
Curtis,	[illegible]	Mann,	[illegible]
[illegible]	[illegible] ant,	Marsh,	[illegible] wa
[illegible]	[illegible] n,	[illegible]	[illegible]
[illegible] Minn.	[illegible]	Miller,	[illegible]
[illegible]	[illegible]	Minor,	[illegible]
[illegible]	Hogg	Mondell,	[illegible] th,
Dwight,	[illegible]	Morgan,	[illegible]
[illegible]	[illegible] N. J.	Murdock,	Wiley, N. J.
Evans,	[illegible] W. Va.	Needham,	Williamson,
Finley,	[illegible]	Norris,	Woodyard.

ANSWERED "PRESENT"—12.

Bartlett,	[illegible]	[illegible]	Olmsted,
[illegible]	[illegible]	Griffith,	[illegible]
Bowers,	[illegible]	Kline,	[illegible]

NOT VOTING—163.

[illegible]	Dayton,	Kyle,	Richardson, Tenn.
[illegible] Pa.	[illegible] Amund,	[illegible] Fla.	[illegible] n, La.
[illegible]	[illegible]	[illegible] Chas. B.	[illegible]
Barton,	Dick,	Landis, Frederick	[illegible]
Barthldt,	Dixon,	Lagare,	Scudder,
[illegible]	Douglas,	Lester,	Sherman,
[illegible]	Draper,	Lindsay,	Shiras,
[illegible]	Dresser,	Littauer,	Shull,
[illegible] tal.	Dunwell,	Littlefield,	Small,
Benton,	Field,	[illegible]	Smith, Iowa.
Bingham,	Fitzpatrick,	[illegible]	Smith, Ky.
Bradley,	Flack,	Loudenslager,	[illegible] Y.
[illegible]	[illegible]	[illegible]	Smith, Samuel W.
[illegible]	[illegible] Vt.	McCall,	Smith, Wm. Alden
[illegible]	[illegible]	McClearv, Minn.	Snapp,
[illegible]	[illegible]	McCreary, Pa.	Southall,
Brooks,	[illegible] Mass.	[illegible]	Spight,
[illegible]	[illegible] Mich.	McMorran,	Stafford,
[illegible] WIS	[illegible]	McNary,	Stanley,
[illegible]	[illegible] al.	Mahon,	[illegible]
[illegible]	[illegible] gle,	Marshall,	[illegible] Mass.
[illegible]	[illegible]	Martin,	Sullivan, N. Y.
[illegible]	[illegible] n,	Maynard,	Talbott,
[illegible] r, Mo	[illegible]	Meyer, La	[illegible]
[illegible] r, Pa.	[illegible]	[illegible] Pa	[illegible]
[illegible]	[illegible]	Moon, Tenn.	Thompson,
Campbell,	[illegible] k,	Morrell,	Tirrell,
Capron,	[illegible]	Mudd,	Townsend,
Cassel,	Hedge,	Nevin,	Van Duser,
Cochran,	Hermann,	Palmer,	Van Voorhis,
Conner,	Howard,	Patterson, Pa.	Wanger,
Cousins,	Howell, Utah	Patterson, Tenn.	Wa[illegible] k,
Cowherd,	Huff,	Pearre,	Watson,
Croft,	Hull,	Perkins,	[illegible]
Cromer,	Humphrey, Wash	Powers, Me.	Wiley, Ala.
Crumpacker,	Jackson, Md.	Powers, Mass.	Wilson, Ill.
Daniels,	Jenkins,	Prince,	Wilson, N. Y.
Darragh,	Ketcham,	Ransdell, La.	Wright,
[illegible] ks,	Kitchin, Claude	Reeder,	Wynn,
Davidson,	Kitchin, Wm. W.	Reid,	Young,
Davis, Fla.	Knopf,	Richardson, Ala.	

The Clerk announced the following pairs:

Until further notice:

Mr. VAN VOORHIS with Mr. CASSINGHAM.

Until the holiday recess:

Mr. KYLE with Mr. GARBER.

For the balance of this day:
Mr. DRESSER with Mr. BANKHEAD.
On this vote:
Mr. MARTIN with Mr. RANSDELL of Louisiana.
Mr. BROOKS with Mr. LEGARE.
Mr. ADAMS of Pennsylvania with Mr. SULLIVAN of New York.
Mr. BUTLER of Pennsylvania with Mr. BARTLETT.
Mr. MCCALL with Mr. DAVIS of Florida.
Mr. JENKINS with Mr. ROBERTSON of Louisiana.
Mr. HUFF with Mr. BURKETT.
Mr. CASSINGHAM. Mr. Speaker, when my name was called I voted "aye." Being paired with the gentleman from Ohio, Mr. VAN VOORHIS, I desire to withdraw my vote and to answer "present."

The result of the vote was announced as above recorded.

On motion of Mr. WANGER, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

ALASKAN BOUNDARY TRIBUNAL.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Acting Secretary of State, covering a summary of the proceedings of the United States before the Alaskan Boundary Tribunal, with appendices.

The honorable Secretary refers to the request of the Acting Secretary of State that the report and appendices be printed for the use of the Department of State.

THEODORE ROOSEVELT.

WHITE HOUSE,
WASHINGTON, December 16, 1903.

ADDITIONAL REPORTER OF DEBATES.

Mr. HILDEBRANT. Mr. Speaker, I submit a resolution unanimously reported from the Committee on Accounts.

The SPEAKER. The Clerk will read the resolution.

The Clerk read as follows:

Resolved, That the Speaker of the House is hereby authorized to appoint an additional official reporter of debates of the House, at the rate of $[illegible] per annum, the same to be paid from the contingent fund of the House until otherwise provided for by law.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken, and the resolution was agreed to.

SALT RIVER VALLEY FREIGHTING AND WAGON ROAD.

Mr. HAMILTON. Mr. Speaker, I now renew my request for unanimous consent for the consideration of the bill H. R. 7273; and if consent is given I will offer amendments, resulting from the discussion of yesterday.

The SPEAKER. The Clerk will report the title of the bill.

The bill was reported by its title, as follows:

A bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

The SPEAKER. The gentleman from Michigan asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. BURKETT. Mr. Speaker, reserving a right to object, I desire to make this statement. I desire to ask the chairman of the committee a question for the purpose of seeing what is covered. When the matter was brought up yesterday I reserved an objection, and the matter finally went over. The bill as presented yesterday provided for the Government going into, or intimated a way in which the Government might go into, the building of this road. My objection was that it might get into the building of the road. So far as I am concerned, I think the Government ought not to enter into that kind of a proposition. As I understand the committee, they now propose to offer amendments to this bill, if it is to be considered, and offer them as committee amendments, that will entirely divorce the Government in every way from the building of this road.

Mr. HAMILTON. That is true. All the objections raised by the gentleman have been obviated by the amendments to be offered.

Mr. BURKETT. So that the Government is neither expected to appropriate any money nor asked to take part in the movement for the building of the road, as was contemplated by the hearings before the committee.

Mr. HAMILTON. The Government is not expected to do so. It never was expected to do so. It was not contemplated in the bill as originally introduced, and is not contemplated now in the bill as amended.

Mr. BURKETT. It was in the remarks during the hearing.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HAMILTON. I offer the following amendments.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Strike out the preamble. On page 2, in lines 10 and 11, strike out the words "the purpose of aiding in." On page 2, line 13, strike out the word "practicable." On page 4, lines 15 and 16, strike out the words "upon the requisition of the Director of the United States Geological Survey."

The SPEAKER. The question is on agreeing to the amendments.

Mr. HEMENWAY. I would like to have the bill read now as it will read after the amendments are made.

The SPEAKER. The Clerk will report the bill as it would read if the amendments were adopted in the sections referred to in the amendments.

The Clerk read as follows:

Be it enacted, etc., That the city of Phoenix, the town of Tempe, and the town of Mesa, all situated in Maricopa County, in the Territory of Arizona, are hereby severally authorized and empowered to issue their several bonds in any sum not exceeding 2 per cent of the assessed valuation of the real and personal property within the jurisdiction of said municipalities, respectively, as the same appears upon the last assessment roll of said municipalities, respectively, for the construction of a freighting and wagon road from any convenient point in the Salt River Valley in Maricopa County, Territory of Arizona, to what is known as the Salt River reservoir dam site in said Maricopa County, Ariz.

SEC. 2. That said bonds shall be sold only in such amounts as the governing body of the municipality issuing the same shall direct, and the proceeds thereof, when expended, shall be expended under the order and direction of said governing body from time to time, as the same may be required for the purposes aforesaid.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

Mr. LACEY. I offer the following amendment:

The Clerk read as follows:

Strike out the words "said city or town," in line 23, page 3, and insert "each of said cities or towns."

Mr. LACEY. I think it is evident that this would complete the transaction for the building of this road. If, for instance, Tempe and Mesa should be favorable to it and Phoenix should be against it, it ought not to be so that one town would be compelled to issue the bonds. Phoenix is the only city; Tempe and Mesa are towns. Under the language of the bill it could be left to one city or town, but with the amendment "each of said cities or towns" it will be placed in such a way that all three must concur. If it is left that if either one of the two towns should vote down the proposition and one should vote it up, the effect of the bill as drawn would be that the bonds would be issued by that particular town, while the other city and town would take no part in the issue.

Mr. HAMILTON. It would be better to leave it so that if two towns wanted to go into the bonding proposition they might, and leave out one. If one does not care to go into it, that one might be left out, and the other two be permitted to issue the bonds. I think the language of the bill is preferable.

Mr. ROBINSON of Indiana. Let me suggest here to the gentleman from Iowa that the two towns referred to are so small comparatively that it will scarcely make any difference at all. I think the amendment of the gentleman would be injurious to the bill. It should pass as it is.

Mr. LACEY. My understanding is that one or each of these two towns is a town of 2,000 inhabitants, but I do not care about it and shall not insist on the amendment. I therefore withdraw the amendment.

The SPEAKER. The amendment is withdrawn. The question is on ordering the bill to be engrossed for a third reading.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HAMILTON, a motion to reconsider the vote by which the bill was passed was laid on the table.

PROTECTION TO EXHIBITORS AT THE LOUISIANA PURCHASE EXPOSITION.

Mr. SULZER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5059) to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the author of any book, map, chart, dramatic composition, musical composition, engraving, cut, print, chromo, lithograph, or photograph published abroad prior to November 30, 1903, but not registered for copyright protection in the United States copyright office, or the heirs and assigns of such author, shall have in the case of any such book, map, chart, dramatic composition, musical composition, engraving, cut, print, chromo, lithograph, or photograph intended for exhibition at the Louisiana Purchase Exposition the sole liberty of printing, reprinting, publishing

copying, and vending the same within the limits of the United States for the term herein provided for and upon complying with the provisions of this act.

SEC. 2. That one copy of such book, map, chart, dramatic composition, musical composition, engraving, cut, print, chromo, lithograph, or photograph to be exhibited as herein provided shall be delivered at the copyright office, Library of Congress, at Washington, D. C., with a statement [illegible] described herein stating that the book or other article is intended for such exhibition and that the copyright protection herein provided for is desired by the copyright proprietor, whose full name and legal residence is to be stated in the application.

SEC. 3. That the register of copyrights shall record the title of each book, engraving, cut, print, chromo, lithograph, or other article herein provided for, or of the article for a time-limited copyright, [illegible] a brief description of it sufficient to identify it, in a special series of record books to be designated the "International copyright record books," and shall furnish to the exhibitor of such article a copy of such record under seal of such proposed title or description, and the said title or description is to be included in the Catalogue of Title Entries provided for in section 4 of the act of March 3, 1891.

SEC. 4. That a fee of $1.50 shall be paid to the register of copyrights for each title or description to be recorded and a certified copy of the record of the same, and in the case of a work in more than one volume the same amount [illegible] shall be paid for each volume, and the register of copyrights shall deposit all such fees paid into the Treasury of the United States and report and account for the same in accordance with the provisions in relation to copyright fees of the appropriation act approved February 26, 1895.

SEC. 5. That the copyright protection herein provided for shall be for the term of two years from the date of the receipt of the book or other article in the copyright office.

SEC. 6. That if, at any time during the term of the copyright protection herein provided for, two copies of the original text of any such book, or of a translation of it in the English language, printed from type set within the limits of the United States or from plates made therefrom, or two copies of any such photograph, chromo, or lithograph printed from negatives or drawings on stone made within the limits of the United States or from transfers made therefrom are deposited in the copyright office, Library of Congress, at Washington, D. C., such deposit shall be held to extend the term of copyright protection to such book, photograph, chromo, or lithograph for the full term provided for in Title LX, chapter 3, of the Revised Statutes of the United States, computed from the date of the receipt of the book, photograph, chromo, or lithograph, and the registration of the title or description as herein provided for.

SEC. 7. That in the case of an original work of the fine arts (a painting, drawing, statue, statuary, and a model or design intended to be perfected as a work of the fine arts) which has been produced without the limits of the United States prior to the 30th day of November, 1904, and is intended for exhibition at the Louisiana Purchase Exposition, the author of such work of art or his heirs and assigns shall be granted copyright protection therefor during a period of two years from the date of being in the copyright office, Library of Congress, at Washington, D. C., a description of the said work of art and a photograph of it, and upon paying to the register of copyrights $1.50 for the registration of such description, and a copy of record under seal of such recorded description.

SEC. 8. That, except in so far as this act authorizes and provides for temporary copyright protection during the period and for the purposes herein provided for, it shall not be construed or held to repeal, modify, alter, or repeal any of the provisions of the Revised Statutes relating to copyrights and the acts amendatory thereof. That no registrations under this act shall be made after the 30th day of November, 1904.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would like to make some inquiry of the gentleman from New York. This is a very important bill, embracing a good many subjects, a bill under which, it seems to me from listening to the reading, people can bring in books and works of art, photographs, etc., that could not now be copyrighted under the law, under pretense of exhibition at St. Louis, and get a copyright for a full term. I would like to ask if the committee had any opinion from the Librarian of Congress on this subject?

Mr. TAWNEY. If the gentleman from New York will allow me, the bill is one prepared by the Librarian of Congress, and the letter of the Register of Copyrights is in the report.

Mr. SULZER. Mr. Speaker, I ask to have the report I made on this bill read; that will give all the information that the gentleman from New York desires.

The Clerk read as follows:

The Committee on Patents, to whom was referred the bill (H. R. 5669) to afford protection to exhibitors of foreign literary, artistic, and musical works at the Louisiana Purchase Exposition, have had the same under consideration and beg leave to report:

The bill is intended for the temporary protection of exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition. It has for its purpose the avoidance of the risk that would be incurred under the wording of the existing statutes by exhibitors of such productions that their designs or the texts of their books or their works of music might be appropriated to their disadvantage.

Under provisions of the present copyright statutes it is necessary that a work to secure protection in the United States must be manufactured within the territory of the United States, or must be brought into publication in this country not later than the day of its publication in the country of origin. It is, of course, however, almost a matter of routine that the works, the copies of which will be exhibited at St. Louis, will already have been brought into publication in the country of origin.

It is partly through the fact of such publication that the work of art or the work of literature or musical composition has been tested and shown to possess sufficient merit and prestige to warrant the expenditure of interest and money for the presentation of copies for exhibition. On account of the ground of this doubt in regard to the protection of the copyright in their exhibits through publishers, together with their artists, authors, and composers, had found ground for hesitancy in regard to making up exhibits for St. Louis. The Association of German Publishers had, a year back, actually passed a resolution declining to make any exhibit of books at St. Louis. This resolution has been rescinded with the understanding that legislation would be secured under which their exhibits could be protected. It seems of essential importance, if exhibits of individual literary, artistic, and commercial value are to be secured, that this protection should be insured for the exhibitors or for the owners of the several copyrights.

It is to be noted that the protection to exhibits extends for a term of two years, that is to say, from one year from the day of the close of the exposition. For such articles as are likely to produce interest to American purchasers the exhibitor or owner of copyright is at liberty, within that term, to take the necessary steps for securing American copyright. Such copyright [illegible] or impression of a work which shall have been first published or produced within the term of two years from the date of its first exhibition at the Louisiana Purchase Exposition, or any work of art or any drawing or plan or model or design intended to be perfected as a work of fine art, or any photograph of any picture or of any work of sculpture or any photograph, negative, or any chromo or lithograph or any other

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of board of engineers on Wilson Harbor, New York—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Grand River, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Snohomish River, Washington—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of channel of Detroit River—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Gladstone Harbor, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Club and Plantation creeks, Georgia—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Livingston Creek, North Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Carrot Island Slough, North Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Weepecket Rock, Massachusetts—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Little Harbor, Woods Hole, Massachusetts—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of New River, North Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Ontonagon Harbor, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Hiwassee River, Tennessee—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Ticonderoga River, New York—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Yaquina Bay, Oregon—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Port Royal Bar, South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Pond River, Kentucky—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Big Hatchie River, Tennessee—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Tradewater River, Kentucky—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Raritan Bay, New Jersey—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Bayou Grossetete, Louisiana—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Cheat River, West Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Inner Harbor, at Lake City, Minn.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Stone Haven, Wisconsin—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Lockwoods Folly River, North Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Hampton River and Harbor, New Hampshire—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Ile au Haut Thoroughfare, Maine—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of channel from Biloxi to Ship Island Harbor, Mississippi—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Wabash River, Indiana—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Duncan Rocks, Straits of Juan de Fuca, Washington—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Guadalupe River, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Colorado River, Arizona and California—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Chickasahay River to Bucatunna, Miss.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Susquehanna River near Wilkesbarre, Pa.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Tangipahoa River, Louisiana—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Alexandria Harbor, Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Cape Small Harbor, Maine—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Belvedere Harbor, San Francisco Bay, California—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Mississippi River in front of Wickliffe, Ky.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Susquehanna River, Pennsylvania—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of harbor at Grand Marais, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Estero River, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Frederica

River, Georgia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Santa Cruz Bay, California—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Calumet River, Illinois—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Colorado River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of St. Louis River, Minnesota—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Little Kanawha River, West Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Rock River, Illinois—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Bayou Tiger, Louisiana—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Vermilion Harbor, Ohio—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Napa River, California—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Sabine River, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Greenbrier River, West Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the two entrances to St. Andrews Bay, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Mound City Harbor, Ohio River, Illinois—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of bay at mouth of Split Rock River, Minnesota—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Muskingum River, Ohio—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting, with a letter from the Commissioner of the General Land Office, a report of the acreage surveyed under the act relating to the adjustment of railroad land grants—to the Committee on the Public Lands, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Edisto River, South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Medomac River, Maine—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Charlevoix Harbor, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Beaver River, Pennsylvania—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Wateree River, South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Charlotte Harbor, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Oyster Harbor, Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Yalobusha River, Mississippi—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Matagorda Bay and Lavaca Bay, Texas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Little Red River, Arkansas—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Portage River, Ohio—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Red River from Fulton, Ark., to Denison, Tex.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Elk River, Tennessee and Alabama—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Black River, South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Big Black River, Mississippi—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Sand Island, in the Ohio River—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Obion and Forked Deer rivers, Tennessee—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Tallahatchie River, Mississippi—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Olcott Harbor, New York—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of East Chester Creek, New York—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Beaufort River, South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. ROBINSON of Indiana, from the Committee on the Territories, to which was referred the bill of the House (H. R. 7266) to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii, reported the same without amendment, accompanied by a report (No. 18); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COWHERD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 7023) to

amend an act to regulate the height of buildings in the District of Columbia, reported the same without amendment, accompanied by a report (No. 45); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3875) for the relief of Dr. Thomas J. Coward, deceased, reported the same with amendment, accompanied by a report (No. 20); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1766) for the relief of the legal representatives of Warren Mitchell, deceased, reported the same without amendment, accompanied by a report (No. 21); which said bill and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 201) for the relief of the contractor, or his legal representatives, for the construction of the light-draft monitor *Lafayette*, reported the same without amendment, accompanied by a report (No. 22); which said bill and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 6345) for the relief of the State of Iowa, reported the same with amendment, accompanied by a report (No. 23); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7402) for the relief of the Indiana State board of agriculture, reported the same without amendment, accompanied by a report (No. 24); which said bill and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1513) for the relief of the estate of George W. Sanlpaw, reported the same without amendment, accompanied by a report (No. 25); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1655) for the relief of the board of trustees of the Memphis Conference Female Institute, of Jackson, Tenn., reported the same with amendment, accompanied by a report (No. 26); which said bill and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3214) for the relief of Ann Stewart, administratrix of William Stewart, deceased, reported the same without amendment, accompanied by a report (No. 27); which said bill and report were referred to the Private Calendar.

Mr. JOHNSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2849) for the relief of St. John's Lodge, of Newbern, N. C., reported the same without amendment, accompanied by a report (No. 28); which said bill and report were referred to the Private Calendar.

Mr. GRIGGS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3426) for the relief of the heirs of George T. Howard, reported the same without amendment, accompanied by a report (No. 29); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House H. R. 3392, reported in lieu thereof a bill (H. R. 8389) for the relief of Margaret Dalton, widow of George Dalton, deceased, accompanied by a report (No. 30); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4989) to carry out the findings of the Court of Claims in the case of Sidney R. Smith & Co., reported the same with amendments, accompanied by a report (No. 31); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4362) for the relief of the heirs and legal representatives of John W. Hancock, deceased, reported the same without amendment, accompanied by a report (No. 32); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7366) for the relief of the Methodist Episcopal Church (colored), corner of Fifth avenue and East Second street, at Rome, Ga., reported the same without amendment, accompanied by a report (No. 33); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3200) for the relief of Joseph B. McClintock, reported the same with amendment, accompanied by a report (No. 34); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 2376) for the allowance of claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas and march from Camp Alger to Thoroughfare Gap, Virginia, as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer soldiers during the war with Spain, reported the same with amendments, accompanied by a report (No. 35); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7202) for the relief of the Compañía de los Ferrocarriles de Puerto Rico, reported the same with amendment, accompanied by a report (No. 36); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4360) for the relief of Ellen Mansfield and Mattie Mansfield, reported the same without amendment, accompanied by a report (No. 37); which said bill and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3345) for the relief of heirs of Mrs. Tellisse W. Wilson, reported the same without amendment, accompanied by a report (No. 38); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3224) for the relief of Thomas C. Isgrigg, reported the same without amendment, accompanied by a report (No. 39); which said bill and report were referred to the Private Calendar.

Mr. OTJEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3024) for the relief of Erick Haugen, reported the same without amendment, accompanied by a report (No. 40); which said bill and report were referred to the Private Calendar.

Mr. JOHNSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4975) for the relief of the legal representatives of J. H. Brantly, deceased, reported the same without amendment, accompanied by a report (No. 41); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill H. R. 5316, reported in lieu thereof a bill (H. R. 8340) for the relief of Dr. A. E. Boozer, accompanied by a report (No. 42); which said bill and report were referred to the Private Calendar.

Mr. ALLEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 819) to quitclaim all interest of the United States of America in and to all of square 1131, in the city of Washington, D. C., to Sidney Bieber, reported the same with amendment, accompanied by a report (No. 43); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following titles, which were thereupon referred as follows:

A bill (H. R. 2109) granting a pension to Carrie L. Thornton—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6347) granting a pension to John Holzer—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7358) granting a pension to Martha E. Nolen—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7482) granting an increase of pension to Jennie Pettit Morrison—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7502) granting an increase of pension to John W. Moore—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7766) to correct the military record of and grant a pension to Gideon M. Burris—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MORRELL: A bill (H. R. 8320) to promote the merchant marine of the United States, and so forth—to the Committee on Ways and Means.

By Mr. LAMAR of Missouri (by request): A bill (H. R. 8321) providing for public administrators in the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

By Mr. KEHOE: A bill (H. R. 8322) for the erection of a public building at Catlettsburg, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. DIXON: A bill (H. R. 8323) to amend the laws relating to mineral veins or lodes within the boundaries of placer claims—to the Committee on Mines and Mining.

Also, a bill (H. R. 8324) for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment—to the Committee on Indian Affairs.

By Mr. WANGER: A bill (H. R. 8325) for the recognition of the military service of the officers and enlisted men of certain Pennsylvania military organizations—to the Committee on Military Affairs.

By Mr. COOPER of Texas: A bill (H. R. 8326) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims presented on behalf of churches, schools, libraries, hospitals, and establishments conducted for the benefit of churches, or for charitable purposes, arising from the occupation and use of the buildings, grounds, and other property of various kinds occupied, used, taken away, injured, consumed, or destroyed by the United States or its Army during the civil war, or for its benefit in any way—to the Committee on War Claims.

By Mr. BABCOCK: A bill (H. R. 8327) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empirism in relation thereto," approved June 6, 1892—to the Committee on the District of Columbia.

Also, a bill (H. R. 8328) to provide for payment of damages on account of changes in grade due to construction of the Union Station, District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 8329) to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,'" approved May 13, 1892—to the Committee on the District of Columbia.

Also, a bill (H. R. 8330) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia—to the Committee on the District of Columbia.

By Mr. BARTLETT: A bill (H. R. 8331) to provide for the erection of a public building in the city of Barnesville, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8332) to provide for the erection of a public building in the city of Forsyth, Ga.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8333) to provide for the erection of a public building in the city of Thomaston, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. EVANS: A bill (H. R. 8334) to increase the limit of the appropriation for a site for a public building at Johnstown, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. MINOR: A bill (H. R. 8335) to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, 1892, chapter 28—to the Committee on the Judiciary.

By Mr. SHAFROTH: A bill (H. R. 8336) prescribing the size of the field and for the rearrangement of the stars in the field of the flag of the United States of America—to the Committee on the Judiciary.

By Mr. FITZGERALD: A bill (H. R. 8337) to amend section 1395 of the Revised Statutes, to increase the number of chaplains in the Navy—to the Committee on Naval Affairs.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 8338) to provide for the improvement in breeding of horses for general purpose, uses, and to enable the United States to procure better remounts for the cavalry and artillery service—to the Committee on Military Affairs.

By Mr. MAHON, from the Committee on War Claims: A bill (H. R. 8339) for the relief of Margaret Dalton, widow of George Dalton, deceased, in lieu of H. R. 3392—to the Private Calendar.

By Mr. JOHNSON, from the Committee on War Claims: A bill (H. R. 8340) for the relief of Dr. A. E. Boozer, in lieu of H. R. 5316—to the Private Calendar.

By Mr. SHAFROTH: A joint resolution (H. J. Res. 72) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: A concurrent resolution (H. C. Res. 26) authorizing Secretary of War to furnish transportation for teachers in public schools of Porto Rico, etc.—to the Committee on Insular Affairs.

By Mr. HAY: A resolution (H. Res. 107) to appoint a committee to investigate the recent postal frauds—to the Committee on the Post-Office and Post-Roads.

By Mr. BABCOCK: A resolution (H. Res. 108) for an assistant clerk to Committee on the District of Columbia—to the Committee on Accounts.

By Mr. COOPER of Wisconsin: Memorial of house of delegates of Porto Rico, concerning constitution for said island—to the Committee on Insular Affairs.

Also, memorial of the house of delegates of Porto Rico, concerning revenues for said island—to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BURNETT: A bill (H. R. 8341) granting an increase of pension to Sarah Cantrell—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 8342) granting a pension to Horace E. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8343) granting a pension to Annie P. Erving—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 8344) for the relief W. Hayes Grier—to the Committee on Military Affairs.

By Mr. COOPER of Pennsylvania: A bill (H. R. 8345) granting an increase of pension to William E. Pullin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8346) to correct the military record of John Kelso, of Confluence, Pa.—to the Committee on Military Affairs.

By Mr. COOPER of Texas: A bill (H. R. 8347) for the relief of the legal representatives of Sarah J. Montgomery, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8348) for the relief of Mrs. Anna Franks—to the Committee on Claims.

Also, a bill (H. R. 8349) granting to the Alabama tribe of Indians in the State of Texas 25,000 acres of land—to the Committee on Indian Affairs.

Also, a bill (H. R. 8350) to confirm certain Rio Hondo claims unto Pedro Flores, Elizabeth Lafitte, Maria Cordova, Louis Lafitte, Antoine Dubois, and Vital Flores—to the Committee on the Public Lands.

By Mr. DEEMER: A bill (H. R. 8351) granting an increase of pension to Wilbur Churchill—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 8352) granting an increase of pension to John Salsbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8353) for the relief of Jacob J. Blue—to the Committee on Military Affairs.

By Mr. FLACK: A bill (H. R. 8354) granting a pension to Mary A. Sands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8355) granting a pension to James Monty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8356) granting a pension to Mary Coats—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8357) granting an increase of pension to Joseph Gardner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8358) for the relief of Silas Darling—to the Committee on Military Affairs.

Also, a bill (H. R. 8359) removing the charge of desertion from the military record of Edward Minnie—to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 8360) for the relief of the Methodist Episcopal Church South, at Bryantsville, Ky.—to the Committee on War Claims.

By Mr. GROSVENOR (by request): A bill (H. R. 8361) granting American register to the American bark *Homeward Bound*—to the Committee on the Merchant Marine and Fisheries.

By Mr. HILDEBRANT: A bill (H. R. 8362) granting an increase of pension to Samuel N. Weeks—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 8363) granting a pension to Rebecca C. Gregg—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 8364) to correct the military record of George Coburn—to the Committee on Military Affairs.

Also, a bill (H. R. 8365) correcting the military record of Harvy H. Robinson—to the Committee on Military Affairs.

By Mr. JACKSON of Maryland: A bill (H. R. 8366) granting an increase of pension to George T. Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8367) granting an increase of pension to William E. Tarr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8368) granting a pension to James Brantlinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8369) for the relief of Company K, First Regiment Eastern Shore Volunteers—to the Committee on Military Affairs.

By Mr. JAMES: A bill (H. R. 8370) for the relief of the estate of James A. Gregory, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8371) for the relief of the estate of Seth Wright, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8372) for the relief of J. C. Glenn—to the Committee on War Claims.

Also, a bill (H. R. 8373) for the relief of the estate of P. F. Warterfield—to the Committee on War Claims.

Also, a bill (H. R. 8374) for the benefit of W. H. Dupree—to the Committee on War Claims.

Also, a bill (H. R. 8375) for the relief of the estate of S. F. Crider—to the Committee on Claims.

By Mr. JENKINS: A bill (H. R. 8376) granting an increase of pension to J. J. Smith—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 8377) granting an increase of pension to Luther Bratton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8378) granting an increase of pension to Christian Bothman—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 8379) granting an increase of pension to J. B. Wambaugh—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: A bill (H. R. 8380) granting an increase of pension to Edward E. Ousborne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8381) granting a pension to Mary A. Brady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8382) removing charge of desertion from military record of William L. Dunnavan—to the Committee on Military Affairs.

Also, a bill (H. R. 8383) for the relief of John W. Watkins, of Dallas County, Mo.—to the Committee on War Claims.

By Mr. LORIMER: A bill (H. R. 8384) granting an increase of pension to Emma R. Wallace—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 8385) for the relief of Mrs. A. McD. Morris—to the Committee on Claims.

By Mr. MANN: A bill (H. R. 8386) granting an increase of pension to Andrew Esdell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8387) granting a pension to Emma R. Wallace—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 8388) granting a pension to Isaac M. Lamb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8389) granting a pension to Robert Owens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8390) granting a pension to Absalom Grubb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8391) granting an increase of pension to George B. Hase—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8392) granting an increase of pension to Eli B. Helm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8393) granting an increase of pension to David M. Barton—to the Committee on Invalid Pensions.

By Mr. MORRIS: A bill (H. R. 8394) granting a pension to Reuben W. Eastman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8395) granting a pension to James Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8396) granting a pension to John T. Willey—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 8397) granting an increase of pension to Hiram G. Hoke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8398) granting an increase of pension to Laura P. Stentzel—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 8399) to confer jurisdiction upon the Court of Claims to hear and determine the claim of David Ryan against the United States—to the Committee on Claims.

By Mr. RYAN: A bill (H. R. 8400) granting a pension to Sarah J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8401) granting an increase of pension to James W. Jones—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 8402) granting an increase of pension to Edward J. Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8403) granting an increase of pension to Henry T. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8404) granting an increase of pension to Thomas Herran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8405) granting an increase of pension to Isabella Chivington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8406) granting an increase of pension to John Murray—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 8407) for the relief of C. P. Cammack, of Jefferson County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 8408) for the relief of Catherine B. Jones—to the Committee on War Claims.

By Mr. SHULL: A bill (H. R. 8409) granting a pension to Mary N. Haintz—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 8410) granting an increase of pension to George B. Fairhead—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 8411) for the relief of John A. Meroney—to the Committee on War Claims.

By Mr. SMITH of Illinois: A bill (H. R. 8412) granting an increase of pension to Martin V. Dial—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 8413) for the relief of John Gretzer, jr.—to the Committee on Military Affairs.

By Mr. STEVENS of Minnesota: A bill (H. R. 8414) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 8415) granting a pension to Sarah Babcock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8416) granting an increase of pension to Edward F. Overmoyer—to the Committee on Invalid Pensions.

By Mr. TRIMBLE: A bill (H. R. 8417) for the relief of James S. Clark—to the Committee on War Claims.

Also, a bill (H. R. 8418) for the relief of Thomas H. Clay, administrator de bonis non of Benjamin Gratz, deceased—to the Committee on War Claims.

By Mr. WANGER: A bill (H. R. 8419) granting an increase of pension to George F. Bailey—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 8420) granting an increase of pension to John Patton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8421) for the relief of Russel A. McKinley—to the Committee on Military Affairs.

By Mr. WOODYARD: A bill (H. R. 8422) granting an increase of pension to Elijah C. Snodgrass—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 8423) granting a pension to Joseph Hepworth—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 8424) for the relief of Hazleton L. Ward—to the Committee on Military Affairs.

Also, a bill (H. R. 8425) granting an increase of pension to Solomon D. Sturtz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8426) granting a pension to Caroline Moore—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BURLESON: Memorial of the national commandant of the Dames of 1846, in favor of increasing the pension of veterans of the Mexican war—to the Committee on Pensions.

By Mr. DANIELS: Resolution of the Chamber of Commerce of San Francisco, Cal., indorsing the action of the President of the United States in his efforts toward securing the construction of an isthmian canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of San Francisco, favoring granting American registry to Belgian bark *Pyrenees*—to the Committee on Merchant Marine and Fisheries.

By Mr. ESCH: Papers to accompany bill for the relief of Jacob J. Blue—to the Committee on Military Affairs.

Also, papers to accompany bill to increase pension of John Salsbury—to the Committee on Invalid Pensions.

By Mr. FLOOD: Petition of employees of the Norfolk and Western Railway Company, favoring passage of an eight-hour law—to the Committee on Labor.

By Mr. FRENCH: Resolution of the Idaho Wool Growers' Association, against present policy of the Government in handling forest reserves—to the Committee on the Public Lands.

By Mr. HILDEBRANT: Paper to accompany bill to increase pension of Samuel N. Weeks—to the Committee on Invalid Pensions.

By Mr. HINSHAW: Paper to accompany bill to increase pension of Guy W. Gibson—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Petition of citizens of Edgewood, Iowa, favoring passage of Hepburn bill relating to the interstate liquor traffic—to the Committee on Interstate and Foreign Commerce.

Also, letter from the Cudahy Packing Company, of South Omaha, Nebr., protesting against passage of Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. JONES of Virginia: Petition of William Phillips, of Spottsylvania County, Va., praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. LLOYD: Paper to accompany claim of D. W. Price—to the Committee on Claims.

By Mr. MARSH: Petition of citizens of Moline, Ill., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MIERS of Indiana: Papers to accompany bill for the relief of James L. East—to the Committee on Invalid Pensions.

By Mr. SKILES: Paper to accompany bill to remove charge of desertion from record of Edward Merrel—to the Committee on Military Affairs.

Also, papers to accompany bill granting increase of pension to William A. Ritchey—to the Committee on Invalid Pensions.

By Mr. WACHTER: Papers to accompany bill (H. R. 5649) granting increase of pension to Augustus A. Rhodrick—to the Committee on Invalid Pensions.

By Mr. WANGER: Papers to accompany bill granting increase of pension to George F. Bailey—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, *December 19, 1903.*

Prayer by Rev. F. J. PRETTYMAN, of the city of Washington.

Mr. MATTHEW S. QUAY, a Senator from the State of Pennsylvania, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

MISSOURI STATE CLAIMS.

The PRESIDING OFFICER (Mr. PERKINS) laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 12th instant, certain information relative to the amount of money due the State of Missouri for raising and equipping troops for the war of the rebellion; which, on motion of Mr. COCKRELL, was referred to the Committee on Appropriations, and ordered to be printed.

JOHN I. ROWLAND.

The PRESIDING OFFICER laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John I. Rowland *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 7373) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., respectively to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of the Chicago Training School, of Chicago; of the congregation of the Methodist Episcopal Church of Harvey; of the congregations of the Presbyterian churches of Bates and New Berlin, and of the congregation of the Presbyterian Church of Buffalo Hart, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented the petition of Priscilla J. Shipman, of Washington, D. C., administratrix of John J. Shipman, deceased; which, together with a copy of the referee's report, relative to her claims for work done and labor performed by her husband for the District of Columbia, was referred to the Committee on Claims.

Mr. BURNHAM presented petitions of the Woman's Christian Temperance Union of Whitefield, of the Woman's Christian Temperance Union of Keene, and of the Epworth League of Londonderry, all in the State of New Hampshire, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the Mount Pleasant Citizens' Association, of the District of Columbia, praying for the enactment of legislation to connect Euclid street with Erie street; which was referred to the Committee on the District of Columbia.

Mr. SCOTT presented a petition of the United Presbyterian congregation of Roneys Point, W. Va., and a petition of the Woman's Christian Temperance Union of Roneys Point, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented petitions of McClellan Council, Junior Order United American Mechanics, of Haddonfield; of the congregation of the Roseville Methodist Episcopal Church, of Newark; of the Woman's Christian Temperance Union of Elmer; of the Woman's Home Missionary Society of Woodstown; of the congregation of the First Methodist Episcopal Church of Vineland, and of sundry citizens of Orange, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented petitions of the Woman's Club of Spencer, of the congregation of the Methodist Episcopal Church of Storm Lake, and of the congregation of the Baptist Church of Storm Lake, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of the Board of Trade of Milton, Pa., praying for the enactment of legislation to increase the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of Courtland Saunders Post, No. 21, Department of Pennsylvania, Grand Army of the Republic, of Philadelphia, Pa., praying for the enactment of a service pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the Chestnut Hill Baptist Church, of Philadelphia; of the Ministerial Association of Kittanning; of the congregation of the Methodist Episcopal Church of Kittanning, of the Woman's Christian Temperance Union of Mount Carmel; of the congregation of the United Presbyterian Church of Olivet; of the congregation of the Third United Presbyterian Church of Allegheny; of the Epworth League of Apollo; of the congregation of the Methodist Episcopal Church of Dayton; of the congregation of the Presbyterian Church of Mill Hall; of the congregation of the Baptist Church of Apollo; of the congregation of the Little Stone Presbyterian Church, of Kenneth; of the Woman's Christian Temperance Union of Apollo; of the Young People's Christian Temperance Union of Apollo; of the Woman's Missionary Society of Blairsville; of the congregation of the Presbyterian Church of Brownsville; of the congregation of the West Hope Presbyterian Church, of Philadelphia; of the congregation of the Methodist Episcopal Church of Titusville, of the City Mission of Williamsport; of the congregation of the Snyder Avenue Congregational Church, of Philadelphia; of the Friday Club of Burgettstown; of the Sorosis Club, of Langhorne; of the congregation of the Zion African Methodist Episcopal Church, of Williamsport; of the Woman's Christian Temperance Union of Williamsport; of the congregation of the Grace Methodist Episcopal Church, of Williamsport; of sundry citizens of Bloomsburg; of the congregation of the Presbyterian Church of Bloomsburg; of the Woman's Christian Temperance Union of Washington; of the Century Club, of Bloomsburg; of the Woman's Christian Temperance Union of Bloomsburg; of the congregation of the Methodist Episcopal Church of Tryonville; of the congregations of the Methodist Episcopal churches of Troy, White Oak, and Bradetown; of the Ladies' Home and Foreign Missionary Society of Shenandoah; of the congregation of the First Presbyterian Church of Wilkinsburg; of the congregation of the United Presbyterian Church of Darlington; of the congregation of St. Peter's Church, of Butler; of the congregation of the First Baptist Church of Kittanning; of the Christian Endeavor Society of the First Presbyterian Church of Oakdale; of the Woman's Christian Temperance Union of Media; of the congregation of the Reformed Presbyterian Church of Canonsburg; of the Woman's Club of Titusville; of the Woman's Christian Temperance Union of Stoneham; of the congregation of the Pine Street Methodist Episcopal Church, of Williamsport; of the Woman's Christian Temperance Union of Montoursville; of the congregation of the Third United Presbyterian Church of Pittsburg; of the Woman's Missionary Society of the Presbyterian Church of Crafton; of the congregation of the Penn Avenue Baptist Church, of Scranton; of the Woman's Home and Foreign Missionary Society of Delta; of the Monday Night Club, of Canonsburg; of the congregation of the Tabernacle Presbyterian

Church, of Philadelphia; of the Woman's Club of Brighton; of the Woman's Club of McKeesport; of sundry citizens of Duke Center and Kensington; of the congregation of the United Presbyterian Church of Grady; of the congregation of the Calvary Reformed Church, of Reading; of the congregation of St. Paul's Reformed Church, of Reading; of the congregation of the Eighth United Presbyterian Church of Pittsburg; of the congregation of the Grace Methodist Episcopal Church, of Oil City; of Prohibition Alliance No. 56, of Williamsport; of the Woman's Christian Temperance Union of Newcastle; of the congregation of the Reformed Church of Huntingdon; of the Young Men's Christian Association of Washington; of the congregation of the Calvary Methodist Episcopal Church, of Philadelphia; of the congregation of the Methodist Episcopal Church of Harlansburg; of the Presbyterian Missionary Society of Marion Center; of the congregation of the Moravian Presbyterian Church, of Saxonburg; of the congregation of the Summit Presbyterian Church, of Germantown; of the congregation of the United Brethren Church in Christ of New Holland; of the congregation of the Presbyterian Church of Columbia; of the congregation of the Presbyterian Church of Green City; of the congregation of the First Presbyterian Church of Johnstown; of the Epworth League of Honesdale; of sundry citizens of Pittsburg; of the congregation of the Methodist Episcopal Church of Tioga; of the Woman's Christian Temperance Union of Erie; of sundry citizens of Newcastle; of the congregation of the Fourth Lutheran Church of Altoona; of the congregation of the United Presbyterian Church of Butler; of the congregation of the First Baptist Church of New Kensington; of the congregation of the Presbyterian Church of Parnassus; of the congregation of the Second United Presbyterian Church of Verona; of the Woman's Club of Phoenixville; of the congregation of the First Presbyterian Church of Glenfield; of the Woman's Missionary Society of Carnegie; of the congregation of the Bethany Reformed Church of Butler; of the congregation of the First Methodist Episcopal Church of Columbia; of the congregation of the United Presbyterian Church of Newville; of the Christian Endeavor Society of Waterford; of the Woman's Missionary Society of the Second Presbyterian Church of Johnstown; of the congregation of the First Presbyterian Church of Beaver Falls; of the Christian Endeavor Society of Claysville; of the congregation of the Lower Buffalo Presbyterian Church, of Independence; of sundry citizens of Independence; of the congregation of the Methodist Episcopal Church of Mount Carmel; of sundry citizens of New Galilee; of the congregation of the First United Presbyterian Church of West Newton; of sundry citizens of Pittsburg; of the Woman's Christian Temperance Union of Harrisburg; of sundry citizens of Carbondale and West Alexandria; of the congregation of the United Presbyterian Church of Homestead; of the Rehoboth Christian Endeavor Society, of Belle Vernon; of the congregation of the Dunlaps Creek Presbyterian Church, of Merrittstown; of the congregation of the New Salem Presbyterian Church, of Merrittstown; of the congregation of the Trinity Reformed Church, of New Kensington; of the congregation of the First Evangelical Lutheran Church of New Kensington; of the congregation of the Methodist Episcopal Church of Petrolia; of the congregation of the Free Methodist Episcopal Church of Butler, and of the congregation of the Reformed Presbyterian Church of Allegheny, all in the state of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the Roger Williams Baptist Sunday School, of Providence, R. I., and a petition of the Epworth League of Middletown, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BERRY presented a memorial of sundry citizens of Grove, Ind. T., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 2090) granting a pension to Daniel J. Cooney; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 2087) granting an increase of pension to George Rilea; which were referred to the Committee on Pensions.

Mr. MILLARD presented a petition of the Christian Endeavor Society of the Presbyterian Church of Tecumseh, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in buildings owned or used by the United States Government; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the congregation of the Presbyterian Church of Tekamah, of the congregation of the Presbyterian Church of Hebron, of the congregation of the Presbyterian Church of Lexington, of the Woman's Club of Omaha, and of the Woman's Christian Temperance Union of Nebraska City, all in the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented petitions of the congregations of the Methodist Episcopal, Second Congregational, and First Baptist churches and the Woman's Christian Temperance Union, all of Winsted; of the congregation of the Washington Park Methodist Episcopal Church, of Bridgeport; of the congregation of the Park Street Congregational Church, of Bridgeport, and of the Woman's Home Missionary Society of Norwich, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCUMBER presented a petition of the congregation of the Presbyterian Church, of the Woman's Christian Temperance Union, of the Missionary Society, of the congregation of the Methodist Episcopal Church, and of the Woman's Home Missionary Society, all of Pembina, in the State of North Dakota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

VERNON L. JOHNSON.

Mr. COCKRELL. To accompany the bill (S. 2802) granting an increase of pension to Vernon L. Johnson I present the affidavit of Dr. E. V. Green. I move that the affidavit be referred to the Committee on Pensions.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. DUBOIS, from the Committee on Public Lands, to whom was referred the bill (S. 250) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home, reported it without amendment, and submitted a report thereon.

Mr. ELKINS, from the Committee on Commerce, to whom was referred the bill (S. 468) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson, reported it without amendment, and submitted a report thereon.

Mr. FULTON, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon; and

A bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands."

Mr. COCKRELL. For the Senator from Ohio [Mr. FORAKER], who is not able to be in the Senate to-day, I report back favorably from the Committee on Pacific Islands and Porto Rico the bill (S. 2345) to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes.

The PRESIDING OFFICER. The bill will be placed on the Calendar.

ALASKAN BOUNDARY TRIBUNAL.

Mr. PLATT of New York, from the Committee on Printing, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the report of the agent of the United States before the Alaskan Boundary Tribunal, with appendixes, including maps, be printed as a document.

BILLS INTRODUCED.

Mr. FAIRBANKS introduced a bill (S. 2825) granting an increase of pension to Harriet Billings; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 2826) for the relief of the estate of Roger A. Francis, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 2827) for the relief of Thomas C. Sweeney; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2828) granting a pension to Phoebe F. Lyda; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 2829) for the relief of the heirs of G. W. Rogers; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2830) granting a pension to John L. Creech; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2831) granting an increase of pension to Amanda Lucas; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULBERSON introduced a bill (S. 2832) authorizing and directing the Secretary of the Treasury to pay to the heirs of Peter Johnson certain money due him for carrying the mail; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 2833) to authorize the extension, construction, and operation of the Great Falls and Old Dominion Railroad into the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DUBOIS introduced a bill (S. 2834) for the extension of Twenty-third street from S street to California avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. QUAY introduced a bill (S. 2835) for the relief of the estate of Richard W. Meade, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2836) granting an increase of pension to Edward M. Duff;

A bill (S. 2837) granting an increase of pension to Samuel Stewart;

A bill (S. 2838) granting a pension to Louisa Lyon (with an accompanying paper);

A bill (S. 2839) granting an increase of pension to Josiah Musselman;

A bill (S. 2840) granting an increase of pension to Joseph F. Dunlap (with accompanying papers); and

A bill (S. 2841) granting a pension to Jane Patterson.

Mr. PETTUS introduced a bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. CULLOM introduced a bill (S. 2843) for the relief of Joshua Jenkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2844) granting an increase of pension to William L. Baldwin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 2845) to authorize the appointment of Ricardo Iglesias as a midshipman in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2846) granting a pension to Sarah E. Foote; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2847) for the relief of Penelope B. Piper; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Patents.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 2848) granting an increase of pension to William H. Lewis;

A bill (S. 2849) granting an increase of pension to Mark R. Jones;

A bill (S. 2850) granting an increase of pension to Sallie J. Calkins;

A bill (S. 2851) granting a pension to Sarah E. Thompson; and

A bill (S. 2852) granting a pension to Edward T. White.

Mr. MITCHELL introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Indian Affairs:

A bill (S. 2853) to provide for a final settlement with the Tillamook tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties, dated August 7, 1851; and

A bill (S. 2854) to provide for a final settlement with the Clatsop tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties, dated August 7, 1851.

Mr. GORMAN introduced a bill (S. 2855) granting an increase of pension to Ira G. Phillips; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 2856) granting an increase of pension to George Carey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 2857) granting an increase of pension to Onne H. Ropka; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2858) granting an increase of pension to Delia B. Stuart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 2859) granting American register to the American bark *Homeward Bound*; which was read twice by its title, and referred to the Committee on Commerce.

BRITISH CLAIMS.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the President be requested, if not incompatible with the public interests, to transmit to the Senate a list of any claims now pending in the State Department by British subjects against the United States, or of citizens of the United States against Great Britain.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. GORMAN. I submit a resolution and ask unanimous consent for its consideration.

The resolution was read, as follows:

Resolved, That the Postmaster-General be, and he is hereby, instructed to send to the Senate the reports upon the investigation of the irregularities in the Post-Office Department by Assistant Postmaster-General Bristow, together with the reports of Messrs Holmes Conrad and Charles J. Bonaparte, special counsel for the Government, on the charges made by S. W. Tulloch, formerly cashier of the Washington City post-office.

Mr. GORMAN. Mr. President, I simply wish to say a word. I hope there will be no objection to the resolution. The first report referred to, the report of Assistant Postmaster-General Bristow, has been furnished to a committee of the House of Representatives and some five or six hundred copies of it have been printed, but it is not strictly an official document. A few of us have been able to obtain copies of that report. All ought to have it. Every Member of the other branch is, I understand, supplied with one copy.

The last report referred to, that of Mr. Conrad and Charles J. Bonaparte, the commission appointed by the President of the United States to investigate the Tulloch charges, has, as the newspapers inform us, been directed to be made public by the President of the United States. Therefore there ought not to be and can not be a single objection to its coming before the Senate officially, and I trust there will be no objection to the resolution.

Mr. LODGE. Mr. President——

Mr. HALE. Let the resolution be read again.

Mr. LODGE. I was just going to ask that it be read again, as I was out of the Senate at the moment.

The PRESIDING OFFICER. The resolution will be again read for the information of the Senate.

The Secretary again read the resolution.

Mr. HALE. Let it stand for a moment. I have sent for the chairman of the Committee on Post-Offices and Post-Roads. I would rather that he should be here before agreeing to it.

Mr. GORMAN. The chairman of the Committee on Post-Offices and Post-Roads has been trying to get the information for some time. I will say to the Senator, and I hold in my hand——

Mr. HALE. I would rather that he should be here.

Mr. GORMAN. If we have time. It is a mere matter of information that is public and printed.

Mr. QUAY. Will the Senator from Maryland permit me to interrupt him?

Mr. GORMAN. With great pleasure.

Mr. QUAY. If the presence of my colleague [Mr. PENROSE], the chairman of the Committee on Post-Offices and Post-Roads, is a matter of consequence I may state to the Senator from Maryland, the Senator from Maine, and the Senate that I think he is absent from the city, and that it is not his intention to be here to-day. So in that case the resolution had better go over. I suppose there is no immediate necessity for its passage.

Mr. GORMAN. I do not know that objection to information has ever been made because of the absence of any Senator, particularly when the information is here and in print. Five or six hundred copies of it have been printed, and it has been circulated to that extent. All I desire is that this information may be before the body officially. For the life of me I do not see what objection can be made, particularly when the colleague of the Senator from Pennsylvania has been striving for more than two weeks for the consideration of a resolution which authorizes the Postmaster-General not only to furnish this information but proposes to go beyond it and ascertain what facts there are behind it. So it is entirely proper, I think, to waive the objection and to pass

over the fact that the Senator from Pennsylvania is absent when it is known by his utterances that he desires it himself.

Mr. LODGE. Mr. President——

Mr. QUAY. Will the Senator from Massachusetts pardon me for a moment?

Mr. LODGE. Certainly.

Mr. QUAY. I desire to say to the Senator from Maryland that I have no objection to the passage of the resolution, and I would not have said a word on the subject had it not been that my attention was called to the fact that the presence of the chairman of the Committee on Post-Offices and Post-Roads was thought desirable by the Senator from Maine.

Mr. HALE. I did not know that he is out of town.

Mr. QUAY. Yes, he is out of town.

Mr. LODGE. The Senator from Pennsylvania [Mr. PENROSE], the chairman of the committee, introduced a resolution which would have brought to the Senate two weeks ago all the material that is now before the House, but amendments were offered by the Senator from Maryland [Mr. GORMAN] to that resolution which totally changed its character and led to its going over.

There is no question in the world that for the convenience of Senators this report which the House has should be printed. I think it will be very convenient to have it. But I understand that the report is for a good deal more than what the House has, and, in the absence of the chairman of the committee, without consulting with him, I should feel very unwilling to have the resolution passed as it stands. I have no objection to the resolution being passed so far as the report printed for the House is concerned.

Mr. CULBERSON. Before the Senator from Massachusetts takes his seat, I call attention to the fact that the very matter asked by the Senator from Maryland to be printed is in the document which has been printed for the use of the House Committee on Post-Offices and Post-Roads alone. The Senator from Maryland simply asks that the same matter be sent officially to the Senate and be printed here as a Senate document, or for the use of the committee of this body, so that each member of the Senate may secure a copy.

Mr. LODGE. Very well, let the Senator from Maryland ask for a reprint of the House document.

Mr. HALE. That is it.

Mr. LODGE. That is easily done. I have no objection to that, of course.

Mr. GORMAN. It is not a House document. It is a communication to the Committee on the Post-Office and Post-Roads of the House, which has been printed and circulated. All I desire, I repeat, as there is no matter——

Mr. LODGE. Very well; have that document reprinted.

Mr. GORMAN. But it is not in the form of a document.

Mr. LODGE. It has a name, I suppose, of some sort.

Mr. GORMAN. The Senate ought to have it direct from the Department. It will be nothing in the world except to transmit to the Senate this private print, and there is no single item of inquiry made in the resolution that is not in this document——

Mr. LODGE. I understood——

Mr. GORMAN. Including the Bonaparte report.

Mr. LODGE. I understood the Senator from Maryland to say that it is a document in the possession of the House.

Mr. GORMAN. It is in the possession of a committee of the House.

Mr. QUAY. Mr. President, I object to the consideration of the resolution.

Mr. GORMAN. Very good; then it goes over.

The PRESIDING OFFICER. Objection being made to the present consideration of the resolution, under the rule it will go over until the next legislative day.

HOUSE BILL REFERRED.

The bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz., was read twice by its title, and referred to the Committee on Territories.

EMPLOYEES OF GOVERNMENT PRINTING OFFICE.

The PRESIDING OFFICER. If there are no further concurrent or Senate resolutions, it becomes the duty of the Chair to place before the Senate the resolutions which have been lying on the table. The first in order will be stated.

The Secretary read the resolution submitted by Mr. PENROSE on the 10th instant, as follows:

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate, in the same form as in Senate Document No. 59, Fifty-fourth Congress, second session, the names of all persons upon either the permanent, emergency, or temporary roll of the Government Printing Office who were employed therein during the fiscal years 1895 to 1902, inclusive, who did not receive any leaves of absence during those fiscal years or pay for unused leaves of absence, and the amount which such persons would have received for such fiscal years, exclusive of extra pay had been allowed either in full or pro rata upon the basis of thirty days for each fiscal year, the amount contemplated to be accounted for by the pay received and the service performed by such persons during each of said fiscal years.

Mr. COCKRELL. I think the resolution ought to go to the Committee on Printing.

Mr. HALE. Or, in the absence of the Senator from Pennsylvania [Mr. PENROSE], let it go over—either way.

The PRESIDING OFFICER. If there be no objection, it will go over.

Mr. HALE. Yes; holding its place.

The PRESIDING OFFICER. The resolution will go over without prejudice.

PRICES OF AMERICAN GOODS ABROAD.

Mr. CARMACK. I should like to inquire the present status of the resolution offered by myself.

The PRESIDING OFFICER. The resolutions are being laid before the Senate in their order at this time. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. BACON on the 9th instant, as follows:

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, requested to furnish to the Senate a statement showing the prices of American goods sold in foreign countries during the fiscal years ending June 30, 1901, and June 30, 1902, and the prices at which the same goods were sold during the same period of time in the United States, the same to be arranged in such form as to show the difference between the prices of the same goods in the foreign countries in which or for export to which such goods were sold and the prices at which such goods were sold in the United States, and the average difference in such prices during the said period of time, and the average difference in such prices during the said period of time between the prices of such goods in the foreign countries in which or for export to which such goods were sold and the prices at which such goods were sold in the United States during the same fiscal years.

Second. What, separately stated as to each class of goods, was the general average during the said period of said comparative prices in sales in the United States and in the various foreign countries.

Third. If during the said period of time such comparative prices in any instance disclosed material differences, then, stated separately, what had been in such instances the comparative prices in and sales in the several countries considered, as shown by quotations at different periods in the year when such fluctuations occurred.

Mr. BACON rose.

Mr. LODGE. I have no objection to the resolution, but I hope the Senator from Georgia will allow it to go over without prejudice, because the Senator from Rhode Island [Mr. ALDRICH], who objected, is absent, and I am very sure from what he said to me that he desires to say something on the resolution.

Mr. BACON. If the Senator from Massachusetts had permitted me, I was about to inquire by what process the resolution came up this morning. My attention was withdrawn.

The PRESIDING OFFICER. The Chair was informed that the resolution went over December 17 without prejudice, retaining its place.

Mr. BACON. I announced in the Senate, and a reference to the RECORD will recall what I then said, that upon conference with the Senator from Rhode Island [Mr. ALDRICH] it had been agreed that we would ask that the resolution should lie on the table subject to my call. That is already stated in the RECORD, and I did not know that the resolution was up until I heard the reading progress. I did not know but that it had been called up by some one.

Mr. LODGE. I trust the Senator from Georgia will excuse me. I supposed from its being up that he had called it up, of course.

Mr. BACON. No; when the title was read my attention was distracted at the time or I should have interrupted it then. If there is any doubt whatever as to the parliamentary status of the resolution, I now ask unanimous consent that it may lie on the table subject to my call, my intention being not to call it except when the Senator from Rhode Island [Mr. ALDRICH] may be present.

The PRESIDING OFFICER. That will be taken as the sense of the Senate, and the proper notation will be made upon the resolution.

RESOLUTIONS PASSED OVER.

Mr. MORGAN. There are several resolutions lying on the table subject to the same order, subject to the call of Senators who offered them. There is business that comes over from yesterday on an objection made by the Senator from Kentucky [Mr. BLACKBURN] to a resolution that I offered, which I think is the regular

order this morning under this call, unless there is some resolution in a like situation earlier than that.

The PRESIDING OFFICER. The Chair is of opinion that the resolution submitted by the Senator from Tennessee [Mr. CARMACK] has precedence, it being in a prior position.

Mr. HALE. Let us have an understanding now that any other resolutions which come over shall go over again, and then be subject to being called up by the Senators who offered them.

Mr. MORGAN. No; I do not wish to do that.

Mr. HALE. I except the Senator's resolution.

Mr. MORGAN. I understand that my colleague [Mr. PETTUS] desires to be heard on the resolution I offered yesterday.

Mr. HALE. I do not include the Senator's resolution. I refer to the resolutions that have come over for several days. Let them all go over, retaining their place.

The PRESIDING OFFICER. The Senator from Tennessee [Mr. CARMACK] asks for the consideration of his resolution, which is next in order.

Mr. KEAN. Is it resolution No. 58, relative to the collector of customs in Porto Rico?

The PRESIDING OFFICER. The Chair is informed that there are two resolutions submitted by the Senator from Tennessee—one is No. 58 and the other is No. 60.

Mr. KEAN. I ask that the first resolution may go over. The Senator from Iowa [Mr. ALLISON] is interested in that resolution, and he is absent. Let it go over, retaining its place.

Mr. CARMACK. Do I understand that the Senator from Alabama desires to address the Senate now?

Mr. PETTUS. Mr. President——

Mr. MORGAN. Before my colleague proceeds, I will ask that the resolution be laid before the Senate.

Mr. HALE. What resolution is it?

Mr. MORGAN. The resolution I offered yesterday, resolution No. 66.

The PRESIDING OFFICER. It is the resolution presented by the Senator from Alabama yesterday.

Mr. HALE. Let it be read and then we will understand what it is.

Mr. KEAN. Do I understand that the other resolutions go over?

The PRESIDING OFFICER. They go over without prejudice.

SECESSION OF PANAMA.

The PRESIDING OFFICER. The Chair lays before the Senate a resolution submitted by the Senator from Alabama [Mr. MORGAN], coming over from a previous day. It will be read.

The Secretary read the resolution submitted yesterday by Mr. MORGAN, as follows:

Resolved, That neither the President, nor the President and the Senate as the treaty-making power of the United States, has the lawful power to wage an offensive war against any foreign power without the consent of Congress, which such consent is not given with the United States, and when its diplomatic relations with the United States are untaken, and when its diplomatic representatives are unrecognized by the President as the representatives of a friendly power. And the consent of the Senate, as a part of the treaty-making power, to a war waged by the President against such a nation, under such circumstances, can not confer upon him such lawful authority under the Constitution of the United States, or under the laws of nations, or under the neutrality laws of the United States.

2. That a state of war exists between Colombia as an organization in the Colombian Department of Panama that claims to have accomplished the secession of Panama from Colombia and to have established its independence and sovereignty through the recognition of the President of the United States and of some European and Asiatic states; and that claims also to have established a republic under the flag and the name and title of the Republic of Panama. And Colombia refuses to recognize the validity of the act of secession and the independence or the sovereignty of any government so organized on the isthmus of Panama, and is engaged in military and naval operations to assert and enforce her claim of the supreme right of government in and over the territory described in her laws and constitution as the Department of Panama.

3. That, if Colombia is not prevented by some powerful foreign nation, she is manifestly able to maintain her present effort to repress the said secession organization and to restore her sovereignty over said Department of Panama. And the President of the United States having entered into treaty relations with the persons who claim to have seceded from Colombia and assert the powers of supreme government in and over the territory included in such Department of Panama, and having made agreements with the seceders to assist in the right and privilege of constructing and owning in perpetuity a ship canal across the Isthmus of Panama, all based on the following stipulation, namely:

"The United States guarantees and will maintain the independence of the Republic of Panama."

Said stipulation is in effect a declaration of war with Colombia, and is not within the limits of any power conferred upon the President by act of Congress or the Constitution, or by the laws of nations.

4. That the President has no lawful right or power, without the consent of Congress, and under the conditions that exist in Panama, to use the military and naval forces of the United States to prevent Colombia from enforcing her claim to the proper exercise of her sovereignty and to execute her laws in the Department of Panama by any form of coercion that is consistent with the laws of nations and is not in conflict with any right of the United States.

5. That the Senate repeats its resolution of 1889, in the following words:

"*Resolved, etc.*, That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare.

"Sec. 2. That the President be, and he is hereby, requested to communicate this expression of the views of the Government of the United States to the governments of the countries of Europe."

6. That the United States in the Revised Statutes has defined neutrality and the penalties for its violation as follows:

"Sec. 4083. Every person who, within the territory or jurisdiction of the United States, begins, or sets on foot, or provides or prepares the means for, any military expedition or enterprise, to be carried on from thence against the territory or dominions of any foreign prince or state, or of any colony, district, or people, with whom the United States are at peace, shall be deemed guilty of high misdemeanor, and shall be fined not exceeding $3,000 and imprisoned not more than three years.

"The intervention by the President, with armed forces of the United States and without the authority of Congress, to prevent the exercise of military or civil authority by Colombia, with whom we are at peace, for the assertion or exercise of her sovereignty over the enforcement of her constitution and laws over the Department of Panama is contrary to said law of neutrality enacted by the Congress of the United States, and is contrary to the laws of nations.

Mr. PETTUS. Mr. President, Panama, as we are informed by the Administration, is an "independent republic." If that is a correct statement, the serious question for our consideration is, How, and by what agencies, did Panama become an independent nation?

Was the new State born under and according to the law of nations, or was it unlawfully and "untimely ripped" from its mother's womb? And, if this new nation was so unlawfully and untimely ripped, was the honor of our country neglected or tarnished by this unlawful birth?

Our country is now a national giant. God forbid that this Republic should ever be too great to earnestly and diligently guard and preserve the honor of our people.

Mr. President, my purpose is simply to discuss the law of this case on the facts known to the Senate; not on any supposed existence of facts, but on facts known and admitted of all men. It is not my purpose to indulge in invectives. If I say hard things, they will be in the language of the law writers, in the language of our great statesmen, and merely in the form of quotations, and if the law bears hardly on anyone it will not be my fault.

I desire first to call the attention of the Senate to the general duties of one nation to another. Mr. Vattel lays it down that—

All nations are therefore under a strict obligation to cultivate justice toward each other, to observe it scrupulously, and carefully to abstain from everything that may violate it. Each ought to render to the others what belongs to them, to respect their rights, and to leave them in the peaceable enjoyment of them. (Vattel's Law of Nations, Cap. V, p. 160.)

Mr. President, I shall not now pause to comment on this great principle of moral and international law. I call it the law of common honesty, and every nation and every man ought to be bound by it.

I next call your attention to the circumstances under which, under the law of nations, one nation may acknowledge the independence of another nation—a newborn nation. That law has been settled for many years. It was settled, in fact, or considered as settled, by the law writers before this nation was born.

But the United States more than any other country on earth has by its acts and by the declaration of its statesmen enforced the general proposition which I shall now read from Chancellor Kent, the great Blackstone of American law, the man who did more than almost any other writer who ever lived to establish the law as it existed, and to enforce it with an energy and terseness of language not equaled by others, unless it was the great Englishman who wrote his commentaries on the common law. This great writer lays it down in a short sentence. He says:

Recognition of the independence of a revolted state is only lawful when such independence is de facto established. (1 Kent's Commentaries, p. 25, note 1.)

My God, what a commentary on what we have been doing down in Panama! "Established." The meaning of "established" is not left by these great statesmen and writers to any sort of construction; it can not be frittered away by the logic of a man who brings his great powers of learning and logic to defend an indefensible act.

Here is a writing that will be acknowledged, at least in Massachusetts, and if it is not they will have repudiated one of their greatest statemen. John Quincy Adams, when Secretary of State, on this identical subject—he was talking about the Spanish colonies in South America, which had long been in rebellion against the parent State and in combination with each other to secure their individual independence—says:

There is a stage in such revolutionary contests when the party struggling for independence has, as I conceive, a right to demand its acknowledgment by neutral parties—

He had some idea that we had some obligations of neutrality. All of the great statesmen in the past have had that idea. He continues—

and when the acknowledgment may be granted without departure from the obligations of neutrality. It is the stage when the independence is established as a matter of fact, so as to leave the chance of the opposite party to recover their dominion utterly desperate.

That this great Massachusetts statesman had a clear and unmistakable knowledge and a facility of expressing that knowledge equal to any man we have had in this country I think will be admitted by all, unless it may be by those who do not like some of his peculiar ideas.

General Jackson, in his message of December 21, 1836, in reference to the independence of Texas, had made a declaration on this subject, and you will pardon me if I read a few sentences from that message:

In the contest between Spain and her revolted colonies we stood aloof and watched from every point the progress of the new States to political maturity. We saw their birth, we heard the language of their infant wants, we witnessed their struggles, we noted the growth of their intellect, we marked the development of their resources, and when, at last, they presented themselves among the nations of the earth, we recognized their sovereignty and welcomed their entrance into the family of independent powers. What we had foreseen and foretold with the certainty of human foresight has been realized. Spain has ceased to be the mistress of South America. Her colonies have become nations. Their revolutions have run their course, and they enjoy the blessings of liberty, civil and religious. Their commerce is free, their ports are open to the industry and enterprise of the adventurer from every quarter of the globe, and their soil, which for more than a century and a half had been almost closed against the footsteps of a stranger, is now trodden by the feet of travelers who come from the most remote regions to gaze at the splendid monuments of art which have been erected under the auspices of liberal institutions and free principles. We have seen our own flag, which floated over the standards of Spain when her sway was acknowledged throughout this hemisphere, now recognized as the protector of commerce in the southern seas, and our citizens welcomed as friends in every port where they have occasion to land. In the midst of these events, so auspicious to the cause of liberal government, a province of Spain, situated in the valley of Mexico, has proclaimed her independence and maintained it for more than a year, notwithstanding the efforts which have been made by the parent country to recover her dominion. The character of the population, the contiguity of the province to the United States, the facilities which its ports afford to our commerce, the rapid growth of towns and villages in its bosom, the industry of its inhabitants, and the fertility of its soil, all combine to make it a most interesting portion of the globe. Nature has done her part to render it the abode of wealth and happy men, and it only needs the fostering care of a wise government to ripen into maturity the germs of prosperity which are every where scattered over its surface. Under the influence of such a government, with a population of intelligent, industrious, and enterprising freemen, it would become the abode of wealth and happiness. Such was Texas when it sought to be received into the family of nations. Such it would have been had its application been then attended to as it was entitled to be. Such it would have been had it been received as it should have been when it first declared its independence and established a government for itself. Such it would have been had we been permitted to act toward it as we had been accustomed to act toward the infant States of this hemisphere when they first broke the chains of their colonial dependence. But we were not permitted to act thus. Mexico refused to acknowledge the independence of her revolted province, and we were compelled to see that province, which we had watched in its infancy and nourished in its youth, which we had seen emerge from the shade of colonial dependence and take a place among the nations of the earth, which we had hailed as a sister republic and welcomed to a participation of our political principles and institutions, and which we had fondly hoped would be the first of her race to follow our footsteps in the path of civil liberty and political prosperity, reduced by her former parent to her ancient state of vassalage, or else to see her plunged into all the horrors of a war of extermination. Texas was our neighbor. We could not be ignorant of the character of her population, of the character of her institutions, of the character of those who were her enemies and those who were her friends. We could not be ignorant of the character of the war which was waged between her and her parent country, of the cruelties which were practiced upon her citizens and soldiers taken in arms, of the principles on which her independence was finally declared, of the prospect of success which her struggle for independence had given to her cause, of the character of her population, of her political and religious creed, and of her capacity for self-government. All these we had seen and heard and known, and we had seen and heard and known that she was in every respect, except that of her color, a fit member of our confederacy. We had seen and heard and known that she had been for years a province of a country which had been for years a province of Spain, that she had been for years a province of Mexico, that she had been for years a province of the Aztecs, that she had been for years a province of the Indian nations, that she had been for years a province of the forest and the wilderness, that she had been for years a province of the hunter and the savage, that she had been for years a province of civil despotism and military oppression, that she had been for years a province of priestcraft and superstition, that she had been for years a province of ignorance and slavery, that she had been for years a province of all that was degrading to the human mind and all that was degrading to the human body, that she had been for years a province of all that was revolting to the human heart, that she had been for years a province of all that was hateful to the human eye, that she had been for years a province of all that was odious to the human ear, that she had been for years a province of all that was disgusting to the human nose, that she had been for years a province of all that was bitter to the human taste, that she had been for years a province of all that was cursed to the human touch, that she had been for years a province of all that was blasted by the human breath, that she had been for years a province of all that was blighted by the human blight, that she had been for years a province of all that was blasted by the human malediction, that she had been for years a province of all that was crushed by the human foot, that she had been for years a province of all that was trodden upon by the human herd, that she had been for years a province of all that was spurned by the human kicking, that she had been for years a province of all that was scourged by the human scourging, that she had been for years a province of all that was tormented by the human tormenting, that she had been for years a province of all that was racked by the human racking, that she had been for years a province of all that was tortured by the human torturing, that she had been for years a province of all that was burned by the human burning, that she had been for years a province of all that was roasted by the human roasting, that she had been for years a province of all that was blistered by the human blistering, that she had been for years a province of all that was freezing by the human freezing, that she had been for years a province of all that was cursed by the human cursing, that she had been for years a province of all that was damned by the human damning, that she had been for years a province of all that was damned by the human damning, that she had been for years a province of all that was damned by the human damning

I admit that you have a perfect right to declare war and to make war on Colombia, if you want to do it. When I say "perfect right," I mean according to the laws of nations and according to the Constitution of the United States. But whoever heard that the President of the United States could make war without the authority of Congress?

War is being made, according to the President's own declaration. He is making war on the Republic of Colombia without any authority from Congress, both by the Navy and the Army, and for the purpose of securing that 10 miles of land through that country. God forbid that Congress or the people of the United States either should ever approve such a war!

Mr. MORGAN. Mr. President, I have said to some Senators on the opposite side of the Chamber that I did not expect to be able to press the resolution to a vote to-day, particularly on account of the that condition of the Senate in view of our expected recess until the 6th day of January. I will therefore ask unanimous consent that this matter may go over without prejudice.

Mr. LODGE. I hope that will be done.

Mr. HALE. There will be no objection to that course.

Mr. LODGE. I myself desire to speak upon the Senator's resolution.

The PRESIDING OFFICER. If there is no objection, the resolution will go over without prejudice, retaining its place on the Calendar.

Mr. MORGAN. Not on the Calendar, Mr. President.

The PRESIDING OFFICER. Before the Senate.

ESTHERAN CANAL.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, which was read:

To the Senate and House of Representatives:

I transmit herewith a report by the Isthmian Canal Commission, in connection with the correspondence already transmitted, relating to the present revolution on the Isthmus of Panama and contained in House Document No. 8. I suggest that House Document No. 8 be printed with these papers, so that we may have them all together.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 19, 1903.

The PRESIDING OFFICER. Unless otherwise directed by the Senate, the message and accompanying papers will be referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. LODGE. The papers accompanying the message just read were sent in in connection with the correspondence already transmitted relating to the present revolution on the Isthmus of Panama and contained in House Document No. 8. I suggest that House Document No. 8 be printed with these papers, so that we may have them all together.

Mr. CORNELL. That is right.

Mr. PLATT of Connecticut. Both parts?

Mr. LODGE. Both parts, so that we may have all of the papers together in convenient form.

The PRESIDING OFFICER. Both parts will be printed in accordance with the request of the Senator from Massachusetts.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty-five minutes spent in executive session the doors were reopened, and (at 2 o'clock and 15 minutes p. m.) the Senate adjourned, the adjournment being, under the concurrent resolution of the two Houses, until Monday, January 4, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate December 18, 1903.

POSTMASTERS.

CALIFORNIA.

Laura J. Hannon to be postmaster at Redondo, in the county of Los Angeles and State of California. Office became Presidential April 1, 1903.

COLORADO.

Orange W. Richardson to be postmaster at Longmont, in the county of Boulder and State of Colorado, in place of Orange W. Richardson. Incumbent's commission expired December 20, 1902.

CONNECTICUT.

William H. Brown to be postmaster at Jewett City, in the county of New London and State of Connecticut, in place of William H. Brown. Incumbent's commission expired December 12, 1903.

William Holmes to be postmaster at Shelton, in the county of Fairfield and State of Connecticut, in place of William Holmes. Incumbent's commission expires December 19, 1903.

ILLINOIS.

Hugh Bennett to be postmaster at Coal City, in the county of Grundy and State of Illinois, in place of Hugh Bennett. Incumbent's commission expires December 19, 1903.

INDIANA.

Thompson Turner to be postmaster at Walkerton, in the county of St. Joseph and State of Indiana, in place of Thompson Turner. Incumbent's commission expired December 13, 1903.

IOWA.

Frank V. D. Bogert to be postmaster at Paullina, in the county of O'Brien and State of Iowa, in place of Frank V. D. Bogert. Incumbent's commission expired December 18, 1903.

KANSAS.

W. S. Baxter to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas, in place of Jacob B. Boyer, deceased.

Harvey J. Penney to be postmaster at Hays, in the county of Ellis and State of Kansas, in place of James H. Downing. Incumbent's commission expired December 12, 1903.

B. L. Taft to be postmaster at Parsons, in the county of Labette and State of Kansas, in place of John J. Benz, removed.

MAINE.

James H. DeCoster to be postmaster at Mechanic Falls, in the county of Androscoggin and State of Maine, in place of James H. DeCoster. Incumbent's commission expired December 12, 1903.

MASSACHUSETTS.

Paul R. Bridgman to be postmaster at Ware, in the county of Hampshire and State of Massachusetts, in place of Paul R. Bridgman. Incumbent's commission expired December 13, 1903.

William L. Lathrop to be postmaster at Orange, in the county of Franklin and State of Massachusetts, in place of William L. Lathrop. Incumbent's commission expires December 19, 1903.

Henry S. Mason to be postmaster at Hudson, in the county of Middlesex and State of Massachusetts, in place of Henry S. Mason. Incumbent's commission expires December 19, 1903.

Edward G. Spooner to be postmaster at Fairhaven, in the county of Bristol and State of Massachusetts, in place of William C. Stoddard. Incumbent's commission expired December 13, 1903.

Charles E. Wallace to be postmaster at Fitchburg, in the county of Worcester and State of Massachusetts, in place of Charles E. Wallace. Incumbent's commission expired December 13, 1903.

James H. Whetton to be postmaster at Highlandville, in the county of Norfolk and State of Massachusetts, in place of John J. Whetton, deceased.

MICHIGAN.

George Burkhart to be postmaster at Saline, in the county of Washtenaw and State of Michigan, in place of George Burkhart. Incumbent's commission expired December 13, 1903.

Edward F. Evarts to be postmaster at Chesaning, in the county of Saginaw and State of Michigan, in place of Edward F. Evarts. Incumbent's commission expired December 13, 1903.

MISSOURI.

Edward W. Flentge to be postmaster at Cape Girardeau, in the county of Cape Girardeau and State of Missouri, in place of August Bierwirth. Incumbent's commission expired December 15, 1903.

NEBRASKA.

Samuel B. Hall to be postmaster at Ashland, in the county of Saunders and State of Nebraska, in place of Samuel B. Hall. Incumbent's commission expired December 14, 1903.

Leander H. Jewett to be postmaster at Broken Bow, in the county of Custer and State of Nebraska, in place of Leander H. Jewett. Incumbent's commission expired December 14, 1903.

John M. Jones to be postmaster at Clay Center, in the county of Clay and State of Nebraska, in place of John M. Jones. Incumbent's commission expired December 14, 1903.

NEW JERSEY.

Leslie I. Cooke to be postmaster at Hackettstown, in the county of Warren and State of New Jersey, in place of George W. Smith. Incumbent's commission expired December 12, 1903.

NEW YORK.

Austin Hicks to be postmaster at Great Neck, in the county of Nassau and State of New York, in place of M. A. Le Cluse. Incumbent's commission expired December 13, 1903.

Hiram B. Odell to be postmaster at Newburgh, in the county of Orange and State of New York, in place of Hiram B. Odell. Incumbent's commission expires February 19, 1904.

NORTH DAKOTA.

Elmer H. Myhra to be postmaster at Wahpeton, in the county of Richland and State of North Dakota, in place of Alice Davidson, resigned.

OHIO.

George W. C. Perry to be postmaster at Chillicothe, in the county of Ross and State of Ohio, in place of Samuel H. Hurst. Incumbent's commission expires January 31, 1904.

Charles S. Putnam to be postmaster at Conneaut, in the county of Ashtabula and State of Ohio, in place of Charles S. Putnam. Incumbent's commission expired December 12, 1903.

PENNSYLVANIA.

Charles W. Huy to be postmaster at Schuylkill Haven, in the county of Schuylkill and State of Pennsylvania, in place of Irving W. Tyson. Incumbent's commission expires December 19, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate December 18, 1903.

DISTRICT POLICE COURT JUDGE.

Ivory G. Kimball, of the District of Columbia, to be judge of the police court of the District of Columbia.

COLLECTORS OF CUSTOMS.

I. Snowden Haines, of New Jersey, to be collector of customs for the district of Burlington, in the State of New Jersey.

John A. Thornton, of Louisiana, to be collector of customs for the district of Teche, in the State of Louisiana.

SURVEYOR OF CUSTOMS.

Charles J. Robb, of Indiana, to be surveyor of customs for the port of Michigan City, in the State of Indiana.

POSTMASTERS.

ALABAMA.

Wiley F. Kennamer to be postmaster at Demopolis, in the county of Marengo and State of Alabama.

Theophilus G. Fowler to be postmaster at Uniontown, in the county of Perry and State of Alabama.

MISSOURI.

Edward W. Flentge to be postmaster at Cape Girardeau, in the State of Missouri.

NEBRASKA.

James McNally to be postmaster at Edgar, in the county of Clay and State of Nebraska.

NEW HAMPSHIRE.

Prescott B. Kinsman to be postmaster at Somersworth, in the county of Strafford and State of New Hampshire.

NORTH DAKOTA.

Hans A. Alm to be postmaster at Hankinson, in the county of Richland and State of North Dakota.

J. L. Killion to be postmaster at Towner, in the county of McHenry and State of North Dakota.

Mathew Lynch to be postmaster at Lidgerwood, in the county of Richland and State of North Dakota.

RHODE ISLAND.

John A. Allen to be postmaster at Peace Dale, in the county of Washington and State of Rhode Island.

William M. Gorhan to be postmaster at Bristol, in the county of Bristol and State of Rhode Island.

Benjamin B. Martin to be postmaster at Warren, in the county of Bristol and State of Rhode Island.

SOUTH DAKOTA.

O. H. La Craft to be postmaster at Clark, in the county of Clark and State of South Dakota.

William T. Ellis to be postmaster at Salem, in the county of McCook and State of South Dakota.

HOUSE OF REPRESENTATIVES.

SATURDAY, *December 19, 1903.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read.

The SPEAKER. It is the duty of the Chair to call the attention of the House to the fact that the vote yesterday on ordering the previous question upon the resolution reported by the gentleman from Pennsylvania [Mr. WANGER] was incorrectly reported. The yeas were reported as being 108 and the nays 107. A correct count afterwards shows that the yeas were 107 and the nays 107—a tie vote. Therefore the motion upon ordering the previous question was lost. Without objection, the Journal will be amended in accordance with the facts, and all proceedings touching this resolution had subsequent to that erroneous announcement will be vacated. [After a pause.] The Chair hears no objection. The question now is upon the approval of the Journal as amended. Is there objection? [After a pause.] The Chair hears none, and the Journal is so approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 2218. An act granting an increase of pension to Amanda B. Tisdel;

S. 7. An act granting an increase of pension to Alfred Woodman;

S. 6. An act granting a pension to Cora M. Converse;

S. 8. An act granting an increase of pension to John Perry Kittredge;

S. 547. An act granting an increase of pension to Irving W. Coombs;

S. 1384. An act granting a pension to Amy C. Bosworth;

S. 1385. An act granting an increase of pension to Calvin Daws;

S. 13. An act granting an increase of pension to William Clark;

S. 1498. An act granting an increase of pension to Winslow P. Eayrs;

S. 137. An act granting a pension to Hannah Kelly;

S. 398. An act granting an increase of pension to John B. Carter;

S. 1705. An act granting a pension to Esther G. Wharton;

S. 1772. An act granting an increase of pension to Louise K. Bard;

S. 1497. An act granting an increase of pension to Walter F. Chase;

S. 173. An act granting a pension to Elizabeth McClaren;

S. 11. An act granting a pension to John L. Sullivan;

S. 9. An act granting an increase of pension to David E. Burbank;

S. 1913. An act granting an increase of pension to Lorenzo E. Harrison;

S. 1826. An act granting an increase of pension to Mary E. Cutts;

S. 1756. An act granting an increase of pension to Zebedee M. Cushman;

S. 471. An act granting an increase of pension to Silas Meserve;

S. 473. An act granting an increase of pension to Byron D. Babcock;

S. 549. An act granting an increase of pension to Stephen Thomas;

S. 798. An act granting an increase of pension to James A. Templeton;

S. 1259. An act granting an increase of pension to John M. Stanyan;

S. 565. An act granting an increase of pension to James E. Barnard;

S. 190. An act granting an increase of pension to Charles H. Bell;

S. 478. An act granting an increase of pension to Olive J. Bailey;

S. 12. An act granting an increase of pension to Francis E. Chase;

S. 112. An act granting an increase of pension to Henry G. Hammond;

S. 1825. An act granting a pension to Josephine L. Webber;

S. 1819. An act granting a pension to Charles P. Skinner;

S. 182. An act granting an increase of pension to Charles F. Holt;

S. 1755. An act granting an increase of pension to Thomas Banks;

S. 484. An act granting a pension to Nancy Marsh;

S. 14. An act granting an increase of pension to Samuel M. Perry;

S. 1827. An act granting an increase of pension to Harris A. P. Lewis;

S. 339. An act granting an increase of pension to Ebenezer H. Richardson;

S. 338. An act granting an increase of pension to Jane M. Watt;

S. 1882. An act granting an increase of pension to George W. Herron;

S. 847. An act granting a pension to John L. Beveridge;

S. 1402. An act granting an increase of pension to William Paul;

S. 2125. An act granting an increase of pension to Marcus T. Caswell;

S. 959. An act granting an increase of pension to Andrew C. Ranard;

S. 1491. An act granting an increase of pension to James A. Hoover;

S. 200. An act granting an increase of pension to Austin Almy;

S. 578. An act granting an increase of pension to John Bullamore;

S. 2078. An act granting an increase of pension to Hampton C. Watson;

S. 1952. An act granting an increase of pension to John Monahan;

S. 1437. An act granting an increase of pension to Clarence E. Bullard;

S. 458. An act granting an increase of pension to Charles Beattie;

S. 589. An act granting an increase of pension to George W. McMullen;

S. 1443. An act granting an increase of pension to William W. Jackson;

S. 573. An act granting an increase of pension to Royal A. S. Kingsley;

S. [illegible]. An act granting an increase of pension to Rudolph Stroman;

S. 452. An act granting an increase of pension to Albert W. Bullock;

S. 586. An act granting a pension to Annie H. Zoll;

S. 451. An act granting an increase of pension to William T. Conant;

S. 930. An act granting an increase of pension to Ferdinand Wiedemann;

S. 929. An act granting an increase of pension to Charles Stermer;

S. 745. An act granting a pension to John Swenson;

S. 456. An act granting an increase of pension to Andrew J. Pierce;

S. 587. An act granting an increase of pension to Anson P. Williamson;

S. 748. An act granting an increase of pension to Stephen Gascoigne;

S. 1929. An act granting an increase of pension to George W. Spaker;

S. 215. An act granting a pension to Mary D. Perry;

S. 1439. An act granting an increase of pension to Elizabeth C. Pappen;

S. 581. An act granting an increase of pension to W. Neil Dennison;

S. 99. An act granting an increase of pension to Joel C. Shepherd;

S. 65. An act granting an increase of pension to Charles R. Allen;

S. 78. An act granting a pension to E. C. Curtis;

S. 367. An act granting an increase of pension to George W. Richardson;

S. 368. An act granting an increase of pension to Charles M. Wilcox;

S. 1439. An act granting an increase of pension to Marie A. Rask;

S. 1632. An act granting an increase of pension to Minerva A. McMillan;

S. 1744. An act granting an increase of pension to Lucretia Ritchart;

S. 814. An act granting a pension to Mamie H. Thayer;

S. 1985. An act granting an increase of pension to Jonathan Hites;

S. 1984. An act granting an increase of pension to Levi Roberts;

S. 1604. An act granting an increase of pension to Mary A. Bishop;

S. 1796. An act granting a pension to Mary McLaughlin;

S. 3349. An act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina at Cape Hatteras; and

S. 1166. An act supplemental to the act of February 9, 1871, incorporating the Columbian College in the District of Columbia, and for its amendatory thereof.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 64. Joint resolution authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 39. An act in regard to a monumental column to commemorate the battle of Princeton, and appropriating $30,000 therefor—to the Committee on the Library.

S. 1344. An act to quiet certain land titles in the State of Mississippi—to the Committee on the Public Lands.

S. 1656. An act to provide for the purchase of land for a military post at or near Columbus, Ohio—to the Committee on Military Affairs.

S. 2323. An act relating to ceded lands on the Fort Hall Indian Reservation—to the Committee on the Public Lands.

S. 2685. An act to amend an act entitled "An act authorizing the construction of additional light-house districts," approved July 26, 1886—to the Committee on Interstate and Foreign Commerce.

Senate concurrent resolution No. 26:

Resolved by the Senate (the House concurring), That under the direction of the Chairman of Congress there be printed and bound in cloth 7,000 copies of the proceedings of the Congress of Congresses held in Louisville, under the auspices of the Louisville Board of Trade, for the benefit of the members of the Congress of Congresses, for the Senate, 2,000 copies for the use of the Senate, 5,000 for the House of Representatives, and 5,000 copies for use and distribution by the Library of Congress—

to the Committee on Printing.

Senate concurrent resolution No. 30:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be and he is hereby authorized and directed to cause a survey to be made of Snow Hill River, North Carolina, from the bridge at the mouth of said river to the town of Snow Hill, in Greene County, said survey to be for the purpose of determining and locating the channel, and for a depth of 6 feet, and estimates for such improvement—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 28:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination and survey to be made of the channel from deep water in Hampton Roads to the Norfolk Navy Yard, with a view to widening and straightening the channel, and for deepening the depth thereof to 30 feet, and for such other improvements as may be necessary to that depth; and also estimates for such improvement to a depth of 35 feet—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 27:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the South Branch of the Penobscot River near Frankfort, Me., with a view to submit a plan and estimate for such improvement—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 15:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be directed to be hereby, authorized and directed to cause a survey to be made of the harbor of St. Petersburg, in Tampa Bay, in Florida, with a view to securing an adequate harbor at said point for the long-shore coasting vessels, with a minimum depth of 16 feet in width and 24 feet in depth from such point to the main ship channel in Tampa Bay—

to the Committee on Rivers and Harbors.

PRINTING ILLUSTRATIONS OF HOUSE DOCUMENTS.

The SPEAKER. The Chair asks unanimous consent that the printing of illustrations of the following documents be granted by the House.

The Clerk read as follows:

House Document No. 112, Fifty-eighth Congress, second session: Survey of Quincey Harbor and [illegible]

House Document No. [illegible], Fifty-eighth Congress, second session: Survey of South Gloucester Harbor, Massachusetts.

House Document No. [illegible], Fifty-eighth Congress, second session: Survey of Mamaroneck, Mamaroneck, and Rye Harbors, Westchester County, New York.

House Document No. [illegible], Fifty-eighth Congress, second session: Examination of Newport Harbor, Rhode Island.

House Document No. 122, Fifty-eighth Congress, second session: Survey of Bayou Bartholomew, Arkansas.

House Document No. 123, Fifty-eighth Congress, second session: Survey of Shinnecock Bay, New York.

House Document No. 158, Fifty-eighth Congress, second session: Yaquina Bay, Oregon.

House Document No. 159, Fifty-eighth Congress, second session: Clubs and Plantations, Virginia.

House Document No. 160, Fifty-eighth Congress, second session: Channel in Saginaw River, Michigan.

House Document No. 161, Fifty-eighth Congress, second session: Marquette Harbor, Michigan.

House Document No. 162, Fifty-eighth Congress, second session: Little Harbor, Woods Hole, Mass.

House Document No. 163, Fifty-eighth Congress, second session: Snohomish River, Washington.

House Document No. 164, Fifty-eighth Congress, second session: Survey of Westport River, Massachusetts.

House Document No. 165, Fifty-eighth Congress, second session: Gladstone Harbor, Michigan.

The SPEAKER. Without objection, it will be so ordered.

There was no objection.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying papers, was ordered printed and referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

I transmit, for the information of the Congress in connection with the correspondence already transmitted, a report on the Panama Canal by the Isthmian Canal Commission, created by Foreign Relations Document No. [illegible], Fifty-eighth Congress, first session, and a supplemental report by the Secretary of State, with accompanying papers, concerning the negotiations between the United States and Colombia for the construction of an interoceanic canal across the Isthmus of Panama.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, December 18, 1903.

POST-OFFICE DEPARTMENT.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the previous question on the resolution of the gentleman from Pennsylvania [Mr. WANGER] having been voted down, his resolution is now open for amendment under the rules of the House. I therefore

offer as a substitute the following, which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Postmaster-General be, and is hereby, requested to transmit to the House of Representatives all the papers and evidence touching the investigation of alleged frauds and irregularities in the Post-Office Department and postal service.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in support of that resolution, I desire to be heard very briefly, because I have been heard already substantially upon the question. The substitute explains itself to those who have listened to it. It is the expression of a desire on my part, which I believe is entertained by the country, that all of the evidence in connection with the alleged irregularities and frauds in the Post-Office Department go to the House, and through the House should go to the country as public documents.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. TAWNEY. As I understand the gentleman's resolution, it would require sending and making public information which the Department of Justice requests should not be made public until the trial has been had of those who have been indicted for these frauds, on the ground that it would embarrass the prosecution of those cases. The resolution of the gentleman would call for that information, would it not?

Mr. WILLIAMS of Mississippi. I think the gentleman is mistaken. My resolution is addressed to the Postmaster-General and not to the Department of Justice. The Department of Justice has certain evidence which has not gone to the Post-Office Department.

That is not called for by the resolution. I call simply for all of the testimony which the Postmaster-General has in connection with these irregularities and frauds.

The secret service, as I understand it—I may be mistaken about the fact——

Mr. TAWNEY. The gentleman is mistaken.

Mr. WILLIAMS of Mississippi. But, unless I am mistaken, the secret service in the Department of Justice has certain testimony and certain proceedings that have not been reported by the Postmaster-General.

Mr. COWHERD. I think my friend is mistaken with regard to that.

Mr. TAWNEY. The gentleman is mistaken in that statement.

Mr. WILLIAMS of Mississippi. I do not think I am.

Mr. TAWNEY. The gentleman from Missouri [Mr. COWHERD], a member of the Committee on the Post-Office and Post-Roads, I think, knows the fact and I would like to have him state it.

Mr. COWHERD. I would like to suggest to the gentleman from Mississippi that, if I understand it, this investigation was made entirely by the Post-Office Department through the post-office inspectors, and the information that was gathered, the vouchers, and things of that kind, were gathered by the inspectors and are held in the Post-Office Department.

Mr. WILLIAMS of Mississippi. Then, Mr. Speaker, I wish to amend the resolution, and I will ask the Clerk to take down the amendment:

Except such testimony as in the opinion of the Postmaster-General would defeat the ends of justice.

Mr. TAWNEY. That then leaves your resolution, so far as the effect of it is concerned, identically the same as the resolution of the gentleman from Pennsylvania [Mr. WANGER] that was adopted yesterday.

Mr. WILLIAMS of Mississippi. Oh, no; his resolution merely sent certain information to a committee, and gives each Member of the House about six or seven copies. I want this testimony to go through the House to the country, and I want it to come in voluminous style, just all of it that we can spread.

Mr. TAWNEY. I will ask the gentleman from Mississippi if it is not competent for the House now to publish as a document the report that has already been made to the Committee on the Post-Office and Post-Roads?

Mr. WILLIAMS of Mississippi. That would be competent, but I am attacking this matter directly and not indirectly; and in addition to that I want this resolution passed, because, while it may not be true, it has at any rate been charged that the report of the Fourth Assistant Postmaster-General was subsequently edited. Now, I understand from the gentleman from Indiana that that charge is a mistake. If it is a mistake, why then we will get the identical report. If it is not, we will get a different report.

Mr. TAWNEY. The substance of the report has already gone to the country through the Associated Press, has it not?

Mr. WILLIAMS of Mississippi. Oh, no.

Mr. TAWNEY. Not the evidence.

Mr. WILLIAMS of Mississippi. There is a general outline statement that a great many frauds and irregularities have existed. That statement has gone to the country.

Mr. TAWNEY. Not the evidence, but the substance of the Bristow report.

Mr. BURLESON. About one-thousandth part of it.

Mr. WILLIAMS of Mississippi. The general fact as to certain frauds and irregularities has gone to the country, connecting certain people with those frauds and irregularities in a very indefinite way. There are other people connected with this matter who have not been directly attacked and brought to light, but the fact will bring them to light, and I want the country to see it.

Mr. BURGESS. If the gentleman from Mississippi will permit me——

Mr. WILLIAMS of Mississippi. Yes.

Mr. BURGESS. I should like to make this suggestion. I do not understand as a lawyer how the purpose of the Government in these prosecutions can be subserved by the secrecy of the facts that exist in the Department, for this reason: If these men who have been indicted are innocent, they are entitled to know the facts. If they are guilty they must know them already, and the country should know them. How can the secrecy of these papers developed in this investigation aid the Government in its prosecution of thieves, if there be such, for they know the facts already, if they are guilty?

Mr. WILLIAMS of Mississippi. I appreciate what the gentleman from Texas says; but I understand that now and then certain information might put a criminal on notice and enable him to get out of the way of justice—flee the country, or do something of that kind. I do not want to defeat the ends of justice in any way.

Mr. COWHERD. Before my friend yields the floor, I should like to know if he will yield to me about five minutes?

Mr. WILLIAMS of Mississippi. I want to keep control of the situation; that is all.

Mr. DALZELL. Mr. Speaker, let us have the resolution read as amended.

The SPEAKER. The resolution has been read, but it can be read again by unanimous consent.

Mr. DALZELL. As amended.

The SPEAKER. Without objection, the resolution will be read as amended by the gentleman from Mississippi.

The Clerk read as follows:

Resolved, That the Postmaster-General be, and he is hereby, requested to transmit to the House of Representatives all the papers and evidence touching the investigation of alleged frauds and irregularities in the Post-Office Department and postal service, except such testimony as, in the opinion of the Postmaster-General, would defeat the ends of justice.

The SPEAKER. This is offered as a substitute for the pending resolution, as the Chair understands it.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I find that by an awkwardness of expression I have incorporated in the amendment "such as in the opinion of the Postmaster-General." I mean, of course, "in the opinion of the Attorney-General."

The SPEAKER. The gentleman amends his amendment by substituting the words "Attorney-General" for the words "Postmaster-General."

Mr. PAYNE. I want to say to the gentleman that I see not the slightest objection to that. It simply gives the House what they already have.

Mr. WILLIAMS of Mississippi. What the House already has not; but if the gentleman has no objection to it, this will be the most amicable fracas we have ever had.

Mr. PAYNE. If the gentleman has completed his speech, I think we can pass it unanimously.

Mr. WILLIAMS of Mississippi. Reserving my time, I want to yield five minutes to the gentleman from Missouri [Mr. COWHERD], and immediately after that, five minutes to the gentleman from Virginia [Mr. HAY].

Mr. COWHERD. Mr. Speaker, in the absence of the chairman of the Committee on the Post-Office and Post-Roads, I should like to make a short statement to the House as to the present situation of this matter. It seems to me that there has been an endeavor to create the impression, or at least a belief seems to exist in certain quarters, that the Committee on the Post-Office and Post-Roads had been attempting to suppress this information. I want to say for the chairman of the committee that it was on his resolution, in the first instance, that the House asked a reference of these papers to that committee, and it was his statement in the committee that they should be given the widest publicity possible.

But, Mr. Speaker, we did not know what actually might be in those papers. We did not know the position the Department would take about publishing the matter. In connection with the interest of justice, and that we might not in any way hamper that Department, we desired that the committee might have an opportunity to go through the papers furnished before demanding that absolutely all papers should be published. The intention, I know, on the part of the minority, and the intention on the part of the

majority of that committee (and I give them credit for equal candor and fairness) was that nothing should be kept back, but that all should be published. Nothing was attempted to be covered up, and that committee gave to this House all the information furnished by the Postmaster-General.

By the passage of the resolution of the gentleman from Mississippi the House will get the same papers that the Post-Office Committee has already obtained, in the printing of which that committee, in the endeavor to put the matter fully and fairly before the country and the House, has already expended almost to the full extent the sum they are authorized to use for printing under the general resolution of the House, and they have divided those publications with every Member of this House.

Mr. WILLIAMS of Mississippi. I want to suggest to the gentleman that it has been reported, as shown by portions of the report of Messrs. Bonaparte and Conrad, that certain things had been covered up, especially in connection with Mr. Perry Heath.

Mr. COWHERD. I have read that report.

Mr. WILLIAMS of Mississippi. If that is true, then under this resolution we will get the truth about Mr. Heath.

Mr. COWHERD. I think the gentleman from Mississippi misunderstands the report as published in the newspapers. I understand the report of Messrs. Conrad and Bonaparte to be on the action of the Post-Office Department on the Tulloch charges, where, it was said, there was an attempt to cover up something in regard to Mr. Heath. I do not understand that report to say that the report of Fourth Assistant Postmaster-General Bristow as printed, covering about 400 pages, was in any way an attempt to cover up anything in regard to that gentleman or anybody else. My impression is, if the gentleman will examine that report which is found in the newspaper accounts, he will see that the covering up referred to was the act of the Postmaster-General in refusing to investigate the Tulloch charges.

I see no objection to the resolution of the gentleman. It will simply give the House more copies to distribute, and for my part I think they ought to be distributed widely and get in the hands of everybody that cares to look into the matter. What I do object to is what appears to be a belief that is expressed that the Post-Office Committee, either the majority or the minority, have attempted in this matter to cover up or keep anything from the public or from the House.

Mr. WILLIAMS of Mississippi. Well, I must say to the gentleman that I have never had any such idea.

Mr. COWHERD. I think the House had, from some talk I have heard on the floor.

Mr. WILLIAMS of Mississippi. I certainly would feel very much hurt if the gentleman thought I think so. I yield five minutes to the gentleman from Virginia [Mr. HAY] for the purpose of discussion.

Mr. SPERRY. Will the gentleman allow me?

The SPEAKER. Does the gentleman yield to the gentleman from Connecticut?

Mr. WILLIAMS of Mississippi. How much time does the gentleman want?

Mr. SPERRY. Just a minute.

Mr. WILLIAMS of Mississippi. I will yield to the gentleman.

Mr. SPERRY. Mr. Speaker, I want to say that I concur fully in the statements made by the gentleman from Missouri [Mr. COWHERD]. I believe he gave clearly and succinctly just what took place in the Post-Office Committee. I agree with him entirely that that was the course which we pursued.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. HAY].

Mr. HAY. Mr. Speaker, I desired to get the floor for the purpose of offering an amendment as a substitute for the one offered by the gentleman from Mississippi. The gentleman from Mississippi declines to yield for that purpose, and therefore I have nothing to say.

Mr. WILLIAMS of Mississippi. Mr. Speaker, if no one wishes to be heard further, I ask for the previous question.

The previous question was ordered.

The SPEAKER. The question now is on the amendment, in the nature of a substitute, offered by the gentleman from Mississippi.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken; and the resolution as amended was agreed to.

On motion of Mr. WILLIAMS of Mississippi, a motion to reconsider the last vote was laid on the table.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 28 minutes p. m.) the House, under its previous order, adjourned until Monday, January 4, 1904, at 12 o'clock meridian.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting estimates of appropriations required by the several Departments of the Government to complete the service for the fiscal year ending June 30, 1904, and prior years, and for the postal service, payable from the postal revenues—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of State, asking authority to deliver to certain officers of the United States decorations and other things presented or conferred by foreign governments—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation for service of the fiscal year ending June 30, 1905—to the Committees on Appropriations and Military Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting a deficiency estimate of appropriation for reimbursement of the government of the Philippine Islands—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting papers relating to the claim of J. W. Webster—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Frederick S. Corbett and Henry C. Corbett, administrators of estate of Sewell B. Corbett, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of increased limit of cost of public building at Minneapolis, Minn.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 6289) to provide for the abatement of nuisance in the District of Columbia by the Commissioners of said District, and for other purposes, reported the same with amendments, accompanied by a report (No. 47); which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House H. R. 1987, reported in lieu thereof a bill (H. R. 8460) providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture, accompanied by a report (No. 48); which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5558) granting a pension to Jane Elizabeth Bullock—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5552) granting a pension to Vina Lindenboner—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5553) granting a pension to Fielding W. Means—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5554) granting a pension to Columbus N. Brooks—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5694) granting an increase of pension to Logan O'Banion—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5917) granting a pension to Perry Abbett—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6127) granting a pension to Louis H. Leland—

Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6128) granting a pension to Birdie M. Wedge—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6129) granting a pension to Edwin M. Raymond—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6338) granting a pension to Antoinette I. Sawyer—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6708) granting a pension to Anne Reussner—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 6868) granting an increase of pension to George R. Hansen—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7449) for the relief of James H. Shannon—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7601) granting an increase of pension to Elezar Jones—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7683) granting an increase of pension to John W. Jennings—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. TRIMBLE: A bill (H. R. 8427) for the enlargement of the United States post-office building at Frankfort, Ky.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8428) for the enlargement of the United States post-office building at Lexington, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. HOPKINS: A bill (H. R. 8429) for the improvement of Kentucky River—to the Committee on Rivers and Harbors.

By Mr. BRUNDIDGE: A bill (H. R. 8430) to grant certain mineral lands to the State of Arkansas for the benefit of Searcy College—to the Committee on the Public Lands.

Also, a bill (H. R. 8431) to amend the laws regulating appeals and writs of error from the circuit court of appeals to the Supreme Court of the United States—to the Committee on the Judiciary.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 8432) to provide for the purchase of a site and the erection of a public building thereon at Yazoo City, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

By Mr. LAMAR of Missouri: A bill (H. R. 8433) to amend section 17 of an act of Congress approved June 30, 1880, so as to include certain court records and copies thereof in the third class of mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. PUJO: A bill (H. R. 8434) making appropriation for the repair of the Government road to the national cemetery at Pineville, La.—to the Committee on Military Affairs.

By Mr. LAMAR of Missouri: A bill (H. R. 8435) to amend the act of Congress of March 11, 1902, relating to homesteads—to the Committee on the Public Lands.

By Mr. FRENCH: A bill (H. R. 8436) providing for the establishment of a Government building in the town of Moscow, Idaho—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8437) providing for the establishment of a Government building at the town of Pocatello, Idaho—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8438) providing for the establishment of a Government building at Lewiston, Idaho—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8439) for the appropriation of $5,350 for paving in the streets adjoining the United States Government building at Boise, Idaho—to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: A bill (H. R. 8440) to authorize the readjustment of the accounts of army officers in certain cases, and for other purposes—to the Committee on Claims.

By Mr. COOPER of Pennsylvania: A bill (H. R. 8441) to provide for the erection of a public building at Connellsville, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BURLESON: A bill (H. R. 8442) authorizing the Secretary of Agriculture to gather statistics relating to production of cotton, and raising revenue to defray the expense thereof—to the Committee on Ways and Means.

By Mr. PIERCE: A bill (H. R. 8443) for the purchase of a site and erecting a public building at Dyersburg, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8444) for purchase of site and erection of a public building at Union City, Tenn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8445) for the purchase of a site and erection of a public building at Trenton, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. GIBSON: A bill (H. R. 8446) granting carriers in the rural free-delivery service an annual leave of absence with pay—to the Committee on the Post-Office and Post-Roads.

By Mr. LITTLE (by request): A bill (H. R. 8447) to establish and provide for probate courts in the Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. SHAFROTH: A bill (H. R. 8448) to protect the coins of the United States from destruction—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 8449) to provide for the purchase of a site and the erection of a public building thereon at Boulder, in the State of Colorado—to the Committee on Public Buildings and Grounds.

By Mr. DAVIS of Florida: A bill (H. R. 8450) to authorize the Secretary of War to cause a survey or surveys to be made to determine the practicability and cost of a tide-water ship canal across the State of Florida—to the Committee on Rivers and Harbors.

By Mr. HINSHAW: A bill (H. R. 8451) for the erection of a public building at York, Nebr.—to the Committee on Public Buildings and Grounds.

By Mr. WADSWORTH: A bill (H. R. 8452) for the extension of V street, District of Columbia—to the Committee on the District of Columbia.

By Mr. ROBINSON of Indiana: A bill (H. R. 8453) for the extension of Twenty-third street from S street to California avenue—to the Committee on the District of Columbia.

By Mr. McLACHLAN: A bill (H. R. 8454) to authorize the issue of national-bank currency secured by clearing-house certificates of reserve cities and to cause its early retirement—to the Committee on Banking and Currency.

Also, a bill (H. R. 8455) for the relief of men who enlisted in the United States Army, Navy, or Marines prior to July 1, 1861—to the Committee on War Claims.

Also, a bill (H. R. 8456) to establish on the coast of the State of California a station for the investigation of problems connected with the marine fishery interests of that region—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 8457) for the erection of a statue of Commodore John D. Sloat in the city of Monterey, Cal.—to the Committee on the Library.

Also, a bill (H. R. 8458) amending section 13 of Title I, chapter 1, of the political code of Alaska—to the Committee on the Public Lands.

Also, a bill (H. R. 8459) authorizing the Secretary of the Interior to sell, under regulations to be prescribed by him, yucca plants on Government land—to the Committee on the Public Lands.

By Mr. MONDELL, from the Committee on the Public Lands: A bill (H. R. 8460) providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture, in lieu of H. R. 1987—to the House Calendar.

By Mr. LEGARE: A concurrent resolution (H. C. Res. 27) authorizing the Secretary of War to furnish the House of Representatives information regarding deeper draft in Charleston Harbor, South Carolina—to the Committee on Rivers and Harbors.

By Mr. ALLEN: A resolution (H. Res. 111) authorizing the Doorkeeper to appoint three assistants in the document room, at $1,000 each per annum, and one janitor, at $720 per annum—to the Committee on Accounts.

By Mr. FRENCH: Memorial from the Idaho legislature praying for appropriation for locating the boundary line between the States of Idaho and Wyoming—to the Committee on the Public Lands.

Also, memorial from the mayor and city council of Pocatello, relative to the Fort Hall Indian Reservation—to the Committee on the Public Lands.

Also, memorial from the governor and legislature of the State of Idaho, concerning the control and regulation of trusts—to the Committee on the Judiciary.

Also, memorial from the legislature of Idaho, concerning the Priest River Forest Reserve—to the Committee on the Public Lands.

Also, memorial from the Idaho legislature, concerning the rights of owners of live stock—to the Committee on the Public Lands.

Also, memorial from the Idaho legislature, concerning a system of artesian wells in Idaho—to the Committee on Irrigation of Arid Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BENTON: A bill (H. R. 8461) to remove charge of desertion from George H. Dunn—to the Committee on Military Affairs.

Also, a bill (H. R. 8462) granting an increase of pension to James Waltz—to the Committee on Invalid Pensions.

By Mr. BOWIE: A bill (H. R. 8463) for the relief of John Codman Soley—to the Committee on Naval Affairs.

By Mr. BRUNDIDGE: A bill (H. R. 8464) granting a pension to Susan T. Bunch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8465) for the relief of Arcme B. Forbess—to the Committee on War Claims.

Also, a bill (H. R. 8466) for the relief of the heirs of Benjamin F. Bell—to the Committee on War Claims.

Also, a bill (H. R. 8467) for the relief of William A. Haley—to the Committee on Military Affairs.

Also, a bill (H. R. 8468) for the relief of certain occupants and owners of land in Monroe County, Ark.—to the Committee on Claims.

Also, a bill (H. R. 8469) granting a pension to Silas R. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8470) for the relief of the estate of S. I. Evans—to the Committee on War Claims.

Also, a bill (H. R. 8471) for the relief of the estate of T. H. Goodloe, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8472) for the relief of the heirs of A. J. Howard and J. H. Spears—to the Committee on War Claims.

Also, a bill (H. R. 8473) to supplement an act of Congress approved February 27, 1899, entitled "An act for the relief of the Fourth Arkansas Mounted Infantry"—to the Committee on Military Affairs.

Also, a bill (H. R. 8474) for the relief of J. S. Siddall—to the Committee on War Claims.

Also, a bill (H. R. 8475) for the relief of John Smith, of Arkansas—to the Committee on Military Affairs.

By Mr. BRENNER: A bill (H. R. 8476) granting a pension to Rolan J. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8477) granting a pension to John W. Guest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8478) granting a pension to John H. Pepper—to the Committee on Pensions.

Also, a bill (H. R. 8479) granting a pension to J. H. E. Guest—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 8480) granting an increase of pension to Elijah Rearick—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 8481) granting a pension to Ora Agnes Carter—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 8482) granting an increase of pension to John C. Foos—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 8483) granting a pension to William P. Parr—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 8484) for the relief of James H. Farah—to the Committee on Claims.

Also, a bill (H. R. 8485) granting an increase of pension to Jarvis Hardin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8486) granting a pension to Jacob A. Leabo—to the Committee on Invalid Pensions.

By Mr. LAWRIE: A bill (H. R. 8487) for the relief of Aaron B. Gordon—to the Committee on Military Affairs.

Also, a bill (H. R. 8488) granting an increase of pension to James Hall—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 8489) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1887, and commonly known as the Bowman Act—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. 8490) to increase the pension of Isaac Wimmer—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 8491) granting an increase of pension to William Hoar—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 8492) granting an increase of pension to James Elliott—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 8493) granting a pension to H. F. E. Schoene—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: A bill (H. R. 8494) to correct the military record of Isaac Todd—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 8495) for the relief of Charles Simmons—to the Committee on War Claims.

By Mr. LAWRENCE: A bill (H. R. 8496) granting an increase of pension to Joseph Howard—to the Committee on Invalid Pensions.

By Mr. ROBB: A bill (H. R. 8497) for the relief of Henry Bisch—to the Committee on War Claims.

By Mr. RODENBERG: A bill (H. R. 8498) granting an increase of pension to Jonathan Klingenfus—to the Committee on Invalid Pensions.

By Mr. McLAIN: A bill (H. R. 8499) granting an increase of pension to E. G. De Lap—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 8500) granting a pension to A. P. Wishon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8501) granting an increase of pension to Wilson Nance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8502) for the relief of William Abbott—to the Committee on War Claims.

Also, a bill (H. R. 8503) granting an increase of pension to George W. Schachleiter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8504) to make Lieut. Commander Arthur P. Osborn a commander on the retired list—to the Committee on Naval Affairs.

By Mr. MAHON: A bill (H. R. 8505) for the relief of the heirs of Cyrus D. Hottenstein, deceased—to the Committee on Claims.

Also, a bill (H. R. 8506) for the relief of the legal representatives of Merrick, Merrick & Cope—to the Committee on War Claims.

By Mr. McLACHLAN: A bill (H. R. 8507) to pay John H. Lillie six months' interest coupons, and so forth—to the Committee on Claims.

Also, a bill (H. R. 8508) for the relief of Elisha D. W. Shekell—to the Committee on War Claims.

Also, a bill (H. R. 8509) to authorize the payment of moneys due John J. Gosper—to the Committee on Claims.

Also, a bill (H. R. 8510) to amend section 715 of the Revised Statutes of the United States, regulating the compensation and number of criers and bailiffs in the United States courts—to the Committee on the Judiciary.

Also, a bill (H. R. 8511) for the relief of Mrs. Louise E. Ord—to the Committee on Claims.

Also, a bill (H. R. 8512) to correct the military record of Peter L. Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 8513) to remove the charge of desertion from the military record of John Sullivan—to the Committee on Military Affairs.

Also, a bill (H. R. 8514) to remove the charge of desertion from the military record of Benjamin L. Gorsuch—to the Committee on Military Affairs.

Also, a bill (H. R. 8515) to remove charge of desertion against James Dorsey—to the Committee on Military Affairs.

Also, a bill (H. R. 8516) to remove the charge of desertion from the military record of Charles R. Stevens—to the Committee on Military Affairs.

Also, a bill (H. R. 8517) to correct the military record of Henry S. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 8518) to remove charge of desertion from the military record of Charles Williams—to the Committee on Military Affairs.

Also, a bill (H. R. 8519) to remove charge of desertion from the military record of John O'Mara—to the Committee on Military Affairs.

Also, a bill (H. R. 8520) to remove the charge of desertion now standing against Phillip Hahn—to the Committee on Military Affairs.

Also, a bill (H. R. 8521) to correct the military record of George Hare, alias Frank Waters, alias George F. Waters—to the Committee on Military Affairs.

Also, a bill (H. R. 8522) for the relief of Sarah A. Cady—to the Committee on Military Affairs.

Also, a bill (H. R. 8523) to remove the charge of desertion from the military record of Robert Coleman—to the Committee on Military Affairs.

Also, a bill (H. R. 8524) to remove charge of desertion against Benjamin F. Moore, alias Henry F. Hunt—to the Committee on Military Affairs.

Also, a bill (H. R. 8525) to remove the charge of desertion from the military record of John G. Falkner—to the Committee on Military Affairs.

Also, a bill (H. R. 8526) for the relief of Peter S. Burke—to the Committee on Military Affairs.

Also, a bill (H. R. 8527) granting a pension to John Kirk, alias Charles Byrne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8528) for the relief of Margaret Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8529) granting a pension to S. A. Merrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8530) granting a pension to Charles A. Sewall—to the Committee on Pensions.

Also, a bill (H. R. 8531) granting an increase of pension to Dr. John McCoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8532) granting an increase of pension to William W. Herron—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8533) granting an increase of pension to G. K. Glenn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8534) granting a pension to M. A. Durkee—to the Committee on Pensions.

Also, a bill (H. R. 8535) granting an increase of pension to Ashley A. Youmans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8536) granting an increase of pension to Lieut. Horace A. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8537) granting an increase of pension to Eleanore C. Ransom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8538) granting an increase of pension to James R. Scarfe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8539) granting a pension to John M. Leader—to the Committee on Pensions.

Also, a bill (H. R. 8540) granting an increase of pension to James F. Cosgro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8541) granting a pension to Harriett A. Tappan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8542) granting a pension to Annie E. Wallace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8543) granting an increase of pension to H. L. Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8544) granting an increase of pension to Samuel W. Bryming—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8545) granting an increase of pension to George H. Phar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8546) granting an increase of pension to Adam L. Bourquin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8547) granting a pension to Henry Hinckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8548) granting a pension to Edwin R. Fox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8549) granting an increase of pension to William Lonsberry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8550) granting a pension to Lucie Place—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8551) for the relief of Lucy M. Cleveland—to the Committee on Pensions.

Also, a bill (H. R. 8552) granting an increase of pension to Robert Hendry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8553) granting an increase of pension to Annie C. Fletcher—to the Committee on Pensions.

Also, a bill (H. R. 8554) granting an increase of pension to J. M. Kiehl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8555) granting a pension to Dr. H. H. Maynard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8556) granting an increase of pension to James H. Prettyman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8557) granting a pension to Mary E. Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8558) granting an increase of pension to Charles H. Edmonds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8559) granting an increase of pension to Stephen B. Yeoman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8560) granting a pension to William A. P. Fellows—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8561) granting a pension to Charles E. Colton—to the Committee on Pensions.

Also, a bill (H. R. 8562) granting an increase of pension to Daniel M. Shepherd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8563) granting a pension to Reuben Barnhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8564) granting an increase of pension to Mary M. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8565) granting an increase of pension to James Wesley Brooks—to the Committee on Pensions.

Also, a bill (H. R. 8566) granting an increase of pension to John H. Volckmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8567) granting a pension to Eliza C. Laycock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8568) granting an increase of pension to Henry C. Small—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8569) granting a pension to Harriet E. Carr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8570) granting an increase of pension to S. A. Rickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8571) granting an increase of pension to James Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8572) granting an increase of pension to William Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8573) granting an increase of pension to John Dick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8574) granting an increase of pension to Edward M. Heaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8575) granting an increase of pension to John Tanner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8576) granting an increase of pension to Mary (Fox) Everett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8577) granting an increase of pension to James Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8578) granting an increase of pension to Benjamin C. Harter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8579) granting an increase of pension to Franklin De R. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8580) granting an increase of pension to Albert E. Meigs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8581) granting an increase of pension to Albert W. Birkbeck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8582) granting an increase of pension to John J. Overton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8583) granting a pension to Catharine L. Edgar—to the Committee on Pensions.

Also, a bill (H. R. 8584) granting a pension to Benjamin Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8585) granting an increase of pension to Charles Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8586) granting a pension to Samuel Vance Conner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8587) granting an increase of pension to Charles M. Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8588) granting a pension to Samuel M. Doolittle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8589) granting an increase of pension to Emmer Bowen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8590) granting a pension to Anna McNamara—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8591) granting a pension to Henry J. Ackley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8592) granting an increase of pension to Susan A. Volkmar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8593) granting a pension to Louise G. Orr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8594) granting an increase of pension to John A. Lennon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8595) granting an increase of pension to John W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8596) granting an increase of pension to Isaac D. Stine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8597) granting an increase of pension to James H. Whitny—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8598) for the relief of Estaloee H. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8599) granting an increase of pension to Henrietta J. Hazel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8600) granting a pension to O. P. Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8601) granting an increase of pension to Dotha J. Whipple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8602) granting a pension to Zenobia Bueb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8603) granting a pension to Charles W. Landree—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8604) granting a pension to Samuel Ackroyd—to the Committee on Pensions.

Also, a bill (H. R. 8605) granting an increase of pension to Thomas Bunford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8606) granting a pension to Allen Neighbors—to the Committee on Pensions.

Also, a bill (H. R. 8607) granting an increase of pension to Charles Charnock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8608) granting an increase of pension to Theodore Kluge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8609) granting an increase of pension to Samuel W. Bryning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8610) granting an increase of pension to Edward F. Charnock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8611) granting an increase of pension to Charles W. De Motte—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8612) to remove the charge of desertion from the military record of Oliver M. Shaw—to the Committee on Military Affairs.

Also, a bill (H. R. 8613) to remove the charge of desertion from the military record of Julius Bosley—to the Committee on Military Affairs.

Also, a bill (H. R. 8614) granting an increase of pension to Susan Hall Barry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8615) granting a pension to John Maybohm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8616) granting a pension to John C. Culp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8617) granting an increase of pension to Chester M. Thwing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8618) granting an increase of pension to Howard S. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8619) granting an increase of pension to James Sherwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8620) granting an increase of pension to Celia M. Viven—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8621) granting an increase of pension to Clemens Schnitz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8622) granting a pension to Almira Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8623) granting an increase of pension to Charles T. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8624) granting an increase of pension to John L. Beverlee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8625) granting an increase of pension to Neeta H. Marquis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8626) granting an increase of pension to Rose Rossiter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8627) granting a pension to Hannah Kelly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8628) granting an increase of pension to Edward Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8629) granting a pension to Amelia Noell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8630) granting a pension to Anna R. A. Milner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8631) granting an increase of pension to John W. Medler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8632) granting an increase of pension to Isaac Kinley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8633) for the relief of Elizabeth Adams—to the Committee on Claims.

Also, a bill (H. R. 8634) granting an increase of pension to John F. Detwiler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8635) granting a pension to Matilda S. Lawler—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 8636) for the relief of Norman C. Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8637) granting an increase of pension to Sylvester T. Jones—to the Committee on Pensions.

By Mr. SHAFROTH: A bill (H. R. 8638) granting an increase of pension to Walter S. Wikoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8639) granting a pension to Mary E. Kellerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8640) granting an increase of pension to Diana D. Howard—to the Committee on Pensions.

Also, a bill (H. R. 8641) granting an increase of pension to Michael McKenzie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8642) for the relief of Mary Nolan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8643) for the relief of John Wilkes Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8644) granting a pension to James R. Hicks—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 8645) for the relief of Mrs. M. L. Baker—to the Committee on Claims.

Also, a bill (H. R. 8646) for the relief of George W. Guyer—to the Committee on War Claims.

Also (by request), a bill (H. R. 8647) granting an increase of pension to Abner T. Rollins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8648) granting a pension to Shadrach D. Bardin—to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 8649) granting a pension to William B. Millor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8650) granting a pension to Hannah Gaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8651) for the relief of the estate of John H. Grimes, deceased—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 8652) granting a pension to William Anderson—to the Committee on Invalid Pensions.

By Mr. SWANSON: A bill (H. R. 8653) for relief of T. J. Coleman—to the Committee on Claims.

Also, a bill (H. R. 8654) for the relief of Charles L. Boone—to the Committee on Claims.

Also, a bill (H. R. 8655) granting a pension to Jane Townsend—to the Committee on Pensions.

Also, a bill (H. R. 8656) granting a pension to Christina Wilson—to the Committee on Pensions.

Also, a bill (H. R. 8657) for the relief of the estate William M. Hedges, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8658) for the relief of R. C. Payne—to the Committee on Claims.

Also, a bill (H. R. 8659) for the relief of William A. Brown and Frederick R. Brown and John R. Brown, surviving partner of himself and Frederick R. Brown—to the Committee on the Judiciary.

By Mr. TALBOTT: A bill (H. R. 8660) for the relief of the heirs of Edmund Wolf—to the Committee on War Claims.

By Mr. WOODYARD: A bill (H. R. 8661) granting an increase of pension to Samuel F. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8662) granting a pension to Elijah Sullivan—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Central Lodge, No. 123, O. D. H. S., and 56 other lodges and clubs of German-Americans, protesting against the passage of bills known as the Hepburn and Dolliver bills—to the Committee on the Judiciary.

By Mr. BENTON: Petition of Cameron Garrett Post, No. 115, Grand Army of the Republic, Carl Junction, Mo., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to James Walts—to the Committee on Pensions.

By Mr. CALDERHEAD: Petition of business men of Mound Valley, Kans., protesting against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, papers from the National Fraternal Congress, of Flint, Mich., protesting against the passage of Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. DAVIS of Minnesota: Resolution of John A. Rawlins Post, No. 126, Department of Minnesota, Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, protest of citizens of Minnesota against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DRISCOLL: Petition of Lilly Post, Grand Army of the Republic, Syracuse, N. Y., for a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Otis H. Tillinghast Post, No. 548, Morrisville, Grand Army of the Republic, Department of New York, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Italian-American Republican Club, of Syracuse, N. Y., protesting against a restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. DOUGHERTY: Petition of Lorenzo Cooper Post, No. 81, and others, of Lathrop, Mo., Grand Army of the Republic, for the relief of Jacob A. Leabo—to the Committee on Invalid Pensions.

By Mr. DOVENER: Affidavits in support of bill to pension William P. Parrill—to the Committee on Invalid Pensions.

Also, petition of old soldiers and Grand Army of the Republic of West Virginia, in support of H. R. 2972—to the Committee on Invalid Pensions.

By Mr. DWIGHT: Petition of citizens of Dryden, N. Y., favoring the passage of the Hepburn interstate liquor law—to the Committee on the Judiciary.

By Mr. FRENCH: Petitions of citizens of Idaho and Washington against repeal of stone and timber act—to the Committee on the Public Lands.

By Mr. GRIFFITH: Petitions of J. R. T. Gordon Post, No. 201, Grand Army of the Republic, of Haneys Corner, Ind., and of McKeehan Post, No. 36, Grand Army of the Republic, of North Vernon, Ind., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of Gust. Swanson, of Rockford, Ill., urging the passage of the McCumber bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. LACEY: Petition of Charles Simmons for allowance of claim—to the Committee on War Claims.

Also, petition of citizens of Baxter, Iowa, in favor of the Hepburn bill—to the Committee on the Judiciary.

By Mr. LLOYD: Remonstrance of business men of Queen City, Mo., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Memorial of the American Society for the Prevention of Cruelty to Animals, against the passage of bill H. R. 3573—to the Committee on the Judiciary.

By Mr. SLAYDEN: Letters and papers relating to the claim of Shadrach D. Bardin, for a pension—to the Committee on Pensions.

Also, letter to accompany claim of Abner T. Rollins, for a pension—to the Committee on Invalid Pensions.

Also, papers to accompany the bill for the relief of Mrs. M. L. Baker—to the Committee on Claims.

By Mr. WM. ALDEN SMITH: Papers to accompany bill H. R. 6203, granting a pension to William R. Barrett—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *January 4, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of the proceedings of Saturday, December 19, 1903, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

ORDNANCE AND ORDNANCE STORES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a general staff report relating to the issue of obsolete ordnance and ordnance stores for the use of State and Territorial educational institutions, etc.; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

FORT PECK RESERVATION, MONT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs, relative to the Indians of the Fort Peck Reservation, Mont., concerning the division of their reservation into town lots, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

HARBOR OF MANILA.

The PRESIDENT pro tempore laid before the Senate a joint communication from the Secretary of War and the Secretary of the Navy, transmitting a letter from the Joint Army and Navy Board, relative to the defense of the harbor of Manila and the proposed naval station at Subig Bay; which, with the accompanying paper, was referred to the Committee on Naval Affairs, and ordered to be printed.

REPORT ON THE CONGRESSIONAL LIBRARY BUILDING.

The PRESIDENT pro tempore laid before the Senate the annual report of the Superintendent of Buildings and Grounds, Library of Congress, for the year ended June 30, 1903; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

ACCEPTANCE OF DECORATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, requesting that certain officers of the United States Army may receive decorations bestowed on them by the Chinese Government; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also laid before the Senate a communication from the Secretary of State, representing, pursuant to law, authority to deliver to officers of the United States, civil, naval, and military, certain decorations bestowed upon them by foreign governments and rulers; which was referred to the Committee on Foreign Relations, and ordered to be printed.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 17th ultimo, a statement of the quarters and buildings rented by that Department in the District of Columbia and the various States and Territories, and the annual rental paid in each case; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also laid before the Senate a communication from the Attorney-General, transmitting, in response to a resolution of the 17th ultimo, certain information relative to the buildings rented throughout the United States by the Department of Justice; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 17th ultimo, a statement of the quarters and buildings rented by the government of the District of Columbia, and the annual rental paid in each case; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also laid before the Senate a communication from the Civil Service Commission, transmitting, in response to a resolution of the 17th ultimo, certain information relative to the buildings rented throughout the United States by the Civil Service Commission; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

VESSEL BRIG PILGRIM.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Pilgrim*, John Thissel, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Raleigh Sherman, administrator of Isaac Hollingsworth, deceased, devisee under the will of Harriet B. Hollingsworth, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Mrs. Elizabeth W. Hays, sole heir of Mary A. Walker, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Edmund McKenna, administrator of Jackson Foster, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

REPUBLIC OF PANAMA.

Mr. LODGE. Mr. President, I desire to give notice that tomorrow morning, immediately after the routine business, with the permission of the Senate, I shall ask leave to make some remarks in regard to the pending resolution relating to the Republic of Panama.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of Blucher Lodge, No. 25, of Colchester; of Germania Lodge, No. 11, of Norwich; of Teutonic Lodge, No. 9, of Hartford; of Eichenkranz Lodge, No. 21, of Thompsonville; of Admiral Schley Lodge, No. 32, of New Britain; of Harmonia Lodge, No. 1, of Meriden; of Lessing Lodge, No. 5, of Seymour, and of the Socialer Turner Society, of New Britain, all in the State of Connecticut; of Teutonia Lodge, No. 1, of Cullman; of the Concordia Society, of Birmingham; of the Workmen's Sick and Death Benefit Fund, Branch No. 199, of Bessemer; of the German Association of Cullman; of the Workmen's Sick and Death Benefit Fund, Branch No. 128, of Blocton, and of the Kruger Verein of Cullman, all in the State of Alabama; of the Wilhelm Circle, of Springfield; of Local Union No. 45, of Springfield; of the St. Ignatius Society, of Chillicothe; of Walhalla Division, No. 1, of Toledo; of Germania Lodge, No. 135, of Portsmouth; of the German Pioneer Society of Toledo; of the Germania Lodge, No. 12, of Toledo; of the Bavarian Benevolent Society of Springfield; of Harugari Lodge, No. 666, of Toledo, and of the Bavarian National Society of Springfield, all in the State of Ohio; of the Schiller Society, of Springfield; of Lodge No. 115, of Dessaic; of the Gesang Verein of York Creek; of the Uhland Lodge, of Dallas; of the Singing Club of Frohsinn; of Casper Real Lodge, No. 104, of Cranes Mill; of the Casino Association, of Cibolo Valley; of the Sons of Hermann of Lavernia; of Lodge No. 197, of Clifton; of Anton Wenzel Lodge, No. 174, of San Antonio; of Lodge No. 187, of Cleburne; of Lodge No. 3, of Taylor; of the Sons of Hermann of Needville and Flatonia; of Lodge No. 206, of Cypress Top; of Sedan Lodge, No. 128, of Raisin; of the Agricultural Society of Cat Spring; of Fernando Lodge, No. 71, of Castroville; of

Paul Kruger Lodge, No. 192, of Port Arthur; of Helvetia Lodge, No. 173, of Tayler; of Golf Lodge, No. 46, of Galveston; of Central Lodge, No. 128, of Waco; of Clara Grethe Lodge, No. 103, of Brenham; of Lodge No. 4, of Waco; of the Sons of Hermann of Austin; of Tarrant Lodge, No. 92, of Fort Worth; of the Singing Society of Bertholdia, of Lodge No. 53, of Kenney; of Widukind Lodge, No. 9, of Denison; of Stephen Lodge, No. 75, of Bergheim; of Lodge No. 22, of San Antonio; of the Sons of Hermann of El Paso; of Lodge No. 18, of Houston; of Lodge No. 102, of Germantown; of Lodge No. 5, of Temple; of Lodge No. 28, of Shelby; of Wieland Lodge, No. 26, of San Marcos; of Lodge No. 60, of Mason; of Cora Schura Lodge, of Hallettsville; of Lodge No. 171, of Weser; of the Singing Club of Brenham; of Lodge No. 204, of Gainesville; of Lodge No. 78, of Sweet Home; of Lodge No. 188, of Eagle Pass; of Humboldt Lodge, No. 16, of Kyle; of Lodge No. 66, of Dallas; of Lodge No. 170, of Galveston; of Magnolia Lodge, No. 7, of Houston; of Lodge No. 160, of Austin; of Lodge No. 2, of Austin; of the Woodmen of the World of Shelby; of Lodge No. 47, of Sherman; of Wartburg Lodge, No. 62, of Denison; and of Lodge No. 111, of Round Rock, all in the State of Texas, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LODGE presented petitions of the Woman's Christian Temperance Union of Fall River, of the Waltham Woman's Club, of Wellesley, of the congregation of the Broadway Baptist Church, of Cambridge, and of the congregation of the Second Baptist Church of Fall River, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Denniker, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the North Capitol and Eckington Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the opening and grading of S and T streets from Lincoln avenue east to Second street NE., in that city; which was referred to the Committee on the District of Columbia.

He also presented a memorial of sundry citizens of Washington, D. C., remonstrating against the laying of a street-car line on First street SE., between B and E streets south, in that city; which were referred to the Committee on the District of Columbia.

He also presented a memorial of the Sailors' Union of the Pacific Coast, of San Francisco, Cal., remonstrating against the enactment of legislation to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce in respect to allotments; which was referred to the Committee on Commerce.

Mr. ALGER presented petitions of the Woman's Missionary Society of the Highland Park Church, of Highland Park; of Fairbanks Relief Corps, No. 10, Department of Michigan, of Detroit, and of the Woman's Christian Temperance Union of South Jackson, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SCOTT presented a petition of the Woman's Literary Club of Wheeling, W. Va., and a petition of the Presbytery of Washington, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented a petition of the New York Board of Trade and Transportation, of New York City, praying that an appropriation be made for the improvement of Bronx Kills, an arm of the East River, at that city; which was referred to the Committee on Commerce.

He also presented petitions of the Central Trades and Labor Council of Ogdensburg, of the Wood Carvers' Association of Syracuse, of Typographical Union No. 75, of Syracuse, all of the American Federation of Labor, and of Utica Division No. 90, Order of Railroad Telegraphers, of Frankfort, all in the State of New York, praying for the passage of the so-called eight-hour bill, and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of New York City and Walkill, in the State of New York, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also presented petitions of Reed Post, No. 151, of Syracuse; of N. G. Lyon Post, No. 43, of Canoga; of E. D. Farmer Post, No. 119, of Oneonta; of Frank Norton Post, No. 116, of Schuylerville; of G. K. Warren Post, No. 286, of Brooklyn; of W. T. Wickham Post, No. 655, of Otto; of Union Post, No. 407, of Findley Lake; of Francis E. Pierce Post, No. 455, of Rochester; of Ketcham Post, No. 495, of Woolseys Hall; of George E. Meade Post, No. 38, of New York City; of Moses F. Odell Post, No. 443, of Brooklyn; of Carroll Post, No. 279, of Port Jervis; of Mark L. Scoville Post, No. 459, of Mount Morris; of George Huntsman Post, No. 50, of Flushing, and of Wallace B. Ranson Post, No. 432, of Clarence, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of the organization of seamen of the port of New York, remonstrating against the enactment of legislation to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce in respect to allotments; which was referred to the Committee on Commerce.

He also presented petitions of sundry citizens of Orange County, Herkimer County, Seneca County, Oneida County, Livingston County, Columbia County, Steuben County, and Oswego County, all in the State of New York, praying that an appropriation be made for the improvement of the highways of the country; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregation of the Second Presbyterian Church of Peekskill; of the congregation of the North Presbyterian Church, of New York City; of the Woman's Missionary Society of Goshen; of the congregation of the Washington Heights Presbyterian Church, of New York City; of the congregation of St. Paul's Church, of Pleasant Valley; of the Woman's Society of Webster; of the Colonia Club, of Brooklyn; of sundry citizens of Oakfield; of the Woman's Christian Temperance Union of Sodus; of the Woman's Christian Temperance Union of Lenox; of the congregation of the Presbyterian Church of Oakfield, and of the Woman's Council of the New York Association of the New Church, of New York City, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented petitions of the congregation of the Pleasant View Baptist Church, of Pawtucket; of the congregation of the Methodist Episcopal Church of Arnold Mills, and of the Woman's Christian Temperance Union of Cumberland, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented a petition of the Baptist Ministers' Association of Milwaukee, Wis., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of the Clio Club, of Manitowoc; of the Woman's Missionary Society of Pleasant Valley, and of sundry citizens of Eau Claire, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Massachusetts State Board of Trade, praying for the enactment of legislation to increase the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. FOSTER of Washington presented a petition of the Washington Brick, Lime, and Manufacturing Company, of Spokane, Wash., praying for the enactment of legislation providing for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of sundry citizens of Washington, praying for the enactment of legislation for the relief of telegraph operators who served during the war of the rebellion; which was referred to the Committee on Pensions.

Mr. PENROSE presented a petition of the Board of Trade of Milton, Pa., praying for the enactment of legislation to increase American shipping; which was referred to the Committee on Commerce.

He also presented a petition of Courtland Saunders Post, No. 21, Grand Army of the Republic, Department of Pennsylvania, of Philadelphia, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of the Weger Brothers Beneficial Association, of Philadelphia, Pa., remonstrating against the passage of the so-called Dolliver bill regulating commerce between the several States in certain cases; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Eldred, Bradford, and Kushequa, all in the State of Pennsylvania, praying for the enactment of legislation prohibiting the sale of intoxicating liquors in Soldiers' Homes and all Government buildings; which were referred to the Committee on Military Affairs.

He also presented a petition of the Central Labor Union of Easton, Pa., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Christ Reformed Episcopal Church, of Philadelphia; of the Foreign Missionary Society of the Christ Reformed Episcopal Church, of Philadelphia; of the congregation of the Blockley Baptist Church, of Philadelphia; of the congregation of St. Matthew's Methodist Episcopal Church, of Philadelphia; of the Woman's Foreign Missionary Society of the Calvary Methodist Episcopal Church, of Philadelphia; of the congregation of the Congregational Church of Corry; of the Woman's Christian Temperance Union of Dawson; of the congregation of the United Presbyterian Church of Apollo; of the Woman's Christian Temperance Union of Dalton; of the Parents and Teachers' Club, Heston School, of Philadelphia; of the Elkland Charge of the Wesleyan Methodist Church, of Millview; of the Woman's Christian Temperance Union of State Lick; of the Presbyterian Sunday School of Ford City; of the Woman's Christian Temperance Union of Ford City; of the congregation of the Methodist Episcopal Church of Coatesville; of the congregation of the First Presbyterian Church of Oakdale; of the congregation of the United Presbyterian Church of Kittanning; of the congregation of the Fourth Baptist Church of Philadelphia; of the congregation of the First Presbyterian Church of Ford City; of the Woman's Foreign Missionary Society of the First Baptist Church of Coatesville; of the congregation of the Presbyterian Church of Slate Lick; of the Woman's Christian Temperance Union of Mohnsville; of the congregation of the Baptist Church of Indiana; of the congregation of the Presbyterian Church of Wellsboro; of the congregation of the First Baptist Church of Wellsboro; of the Woman's Club of Conshohocken; of the Mothers and Teachers' Club of Williamsport; of the Keystone League of Christian Endeavor Zion of the United Episcopal Church of Mohnsville; of the congregation of the Methodist Church of Coatesville; of the Woman's Foreign Missionary Society of Coatesville; of the congregation of the United Presbyterian Church of Sheakleyville; of the congregation of the Lutheran Church of the Ascension, of Mount Airy, Philadelphia; of sundry citizens of Millersville; of the congregation of the Presbyterian Church of Elderton; of the Young Men's Christian Endeavor Association of Susquehanna University, Selinsgrove; of the congregation of the Methodist Episcopal Church of Churchtown; of the congregation of the First Lutheran Church of Apollo; of the congregation of the First Baptist Church of Coudersport; of the Woman's Christian Temperance Union of Norristown; of the Christian Endeavor Society of Selinsgrove; of the congregation of the United Brethren Church of Corry; of the congregation of the Memorial United Brethren Church, of Reading; of the congregation of the Methodist Episcopal Church of Ilderton; of the Young People's Society of Christian Endeavor of Pittsburg; of the Woman's Christian Temperance Union of Berks County; of the congregation of the Baptist Church of Apollo; of the congregation of the Calvary Lutheran Church, of Philadelphia; of the congregation of the Emanuel Presbyterian Church, of Philadelphia; of sundry citizens of Bloomsburg; of the congregation of the Grace Lutheran Church, of Philadelphia; of sundry citizens of Hydetown; of the congregation of St. John's Reformed Church, of Lebanon; of the Woman's Christian Temperance Union of New Providence; of the Epworth League of Apollo; of the congregation of the Roxborough Presbyterian Church, of Philadelphia; of the Woman's Christian Temperance Union of Lititz; of the Ministerial Association of Kittanning; of the Woman's Christian Temperance Union of Ellisburg; of the congregation of the Presbyterian Church of New Alexandria; of the congregation of the Presbyterian Church of Reynoldsville; of the congregation of the Methodist Episcopal Church of New Alexandria; of the Woman's Missionary Society of New Alexandria; of the congregation of the Reformed Presbyterian Church of New Alexandria; of the Anti-Saloon League of New Alexandria; of the Lutheran Charge of New Salona; of the congregations of the Methodist Episcopal and Presbyterian churches of Lawrenceville; of the Tioga Union, of Philadelphia County; of the congregation of the United Presbyterian Church of Reading; of the congregation of the First Baptist Church of Scottsdale; of the congregation of the Methodist Episcopal Church of Tunkhannock; of the Woman's Christian Temperance Union of Chester County; of the congregation of the Presbyterian Church of Pittsburg; of the Woman's Christian Temperance Union of Tunkhannock; of the Young People's Society of Christian Endeavor of Tunkhannock; of the congregation of the First Presbyterian Church of Tunkhannock; of the congregation of the Methodist Episcopal Church of Carbon Black; of sundry citizens of Williamsburg; of the Woman's Christian Temperance Union of Williamsburg; of the congregation of the First Presbyterian Church of Olney, Philadelphia; of the congregation of the Lutheran Church of Lafayette Hill; of the congregation of the Presbyterian Church of Concord; of the congregation of the Presbyterian Church of North Butler; of the congregation of the Methodist Episcopal Church of Cambridge Springs; of the Stanfer Woman's Christian Temperance Union, of Reading; of sundry citizens of Mount Pleasant; of the congregation of the Church of God of Mount Pleasant; of the United Brethren in Christ of Dubois; of the Woman's Christian Temperance Union of Dubois; of the congregation of the Methodist Episcopal Church of Scottsdale; of the congregation of the Presbyterian Church of Scottsdale, and of sundry citizens of Butler, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. NELSON presented a petition of sundry citizens of Minnesota, praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of Minnesota, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Southwestern Lumbermen's Association, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Commercial Club of Duluth, Minn., praying for the enactment of legislation providing for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Christian Temperance Union of Brown's Valley, Minn., and a petition of the congregation of the Oakgrove Presbyterian Church, of Bloomington, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PERKINS presented a petition of the Chamber of Commerce and Board of Trade of San Francisco, Cal., praying that an appropriation be made for the improvement of Siuslaw Harbor, Oregon; which was referred to the Committee on Commerce.

He also presented petitions of the Seminary Presbyterian Church, of San Anselma; of the San Francisco Preachers' Meeting, of San Francisco; of the Woman's Christian Temperance Union of Woodridge; of the Woman's Missionary Society of the First Presbyterian Church of Oakland; of the First Presbyterian Church of Fresno; of the Woman's Christian Temperance Union of Palermo, and of sundry citizens of San Rafael, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURTON presented a petition of the congregation of the Congregational Church of Chanute, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of Thomas Brennan Post No. 380, of Leavenworth; of Sherman Post, No. 30, of Ness City; of Judson Kilpatrick Post, No. 36, of Newton, all of the Department of Kansas, Grand Army of the Republic, in the State of Kansas, and of Cushing Post, No. 231, Department of New York, Grand Army of the Republic, of Brooklyn, N. Y., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Downs; of sundry citizens of Cherryvale; of the Ladies' Reading Circle of Olathe; of the Chaldean Club, of Topeka; of the Ladies' Reading Club of Junction City; of the Home Culture Club of Columbus; of the congregation of the Methodist Episcopal Church of Harveyville; of sundry citizens of Topeka; of the Woman's Christian Temperance Union of Topeka, and of the Woman's Christian Temperance Union of Codell, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented a petition of 39 citizens of Greenfield, Mo., praying for the issuance of land warrants to the amount of 160 acres to soldiers of the Union Army; which was referred to the Committee on Public Lands.

He also presented petitions of the Woman's Christian Temperance Union of Carthage; of the Nautilus Club, of Sedalia; of the Sorosis Club, of Moberly; of the congregation of the Central Presbyterian Church, of Montgomery City; of the Council of Jewish Women of Kansas City, and of the congregation of the Presbyterian Church of La Belle, all in the State of Missouri, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Adrian, Mo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of Local Union No. 1444, of Stahl; of Laborers' Protective Union No. 10529, of Brookfield; of Cigar Makers' Local Union No. 76, of Hannibal; of Federal Labor Union No. 9868, of Jackson; of Laborers' Protective Union No. 10998, of St. Louis; of Local Union No. 7429, of St. Louis; of Local Union No. 2961, of Huntsville; of the Glass Bottle Blowers' Association of St. Louis; of Local Union No. 70, of Springfield; of Local Union No. 377, of Higginsville; of the Pattern Makers' Association of St. Louis; of Local Union No. 919, of Bevier; of the Electrotypers' Local Union No. 28, of St. Louis; of Local Union No. 116, of California; of Local Union No. 602, of Mason, and of Local Union No. 4, of Bogle, all of the American Federation of Labor, in the State of Missouri, praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

Mr. KEAN presented petitions of the congregation of the Baptist Church of Newmarket; of sundry citizens of Rahway; of sundry citizens of Clayton; of Methodist Council, No. 21, Junior Order United American Mechanics, of Haddonfield; of the Ladies' Missionary Society and the Ladies' Aid Society of the Presbyterian Church of Stewartsville; of the Woman's Home Missionary Society of the Baptist Church of Haddonfield; of the Parish Club of Riverton, and of the Memorial Presbyterian Church of Woodcliff, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 5, Chair Makers' National Union, of Trenton, N. J., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. LONG presented a petition of the congregation of the Presbyterian Church of Burlton, Kans., and a petition of the congregation of the First Presbyterian Church of Newton, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Southwestern Kansas and Oklahoma Implement and Hardware Dealers' Association, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Reno Post, No. 83, Department of Kansas, Grand Army of the Republic, of Nickerson, Kans., and a petition of Thomas Brennan Post, No. 380, Department of Kansas, Grand Army of the Republic, of Leavenworth, Kans., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 1807) granting an increase of pension to James Gray; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Downs, Plainville, and Burlington; of the Woman's Missionary Society of Larned; of the Ladies' Missionary Society of Waverly, and of sundry citizens of Crystal Springs, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented a petition of the Board of Trade of Elizabeth, N. J., praying for the construction of a new channel in Newark Bay, north of Shooters Island, between Elizabethport and the Kill van Kull Channel; which was referred to the Committee on Commerce.

He also presented petitions of the congregation of the West Baptist Church, of Vineland; of the congregation of St. John's Methodist Episcopal Church, of Keyport; of the Woman's Home and Foreign Missionary Society of Pluckemin; of the congregation of the First Presbyterian Church of Jersey City; of the Woman's Christian Temperance Union of Dover; of the Wednesday Afternoon Club, of Montclair; of the congregation of the Presbyterian Church of Stewartsville, and of the congregation of the First Baptist Church of Bayonne, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the Honolulu Trades and Labor Council, of Honolulu, Hawaii, remonstrating against the employment of aliens on Federal work in Honolulu; which was referred to the Committee on Education and Labor.

Mr. DUBOIS presented a petition of the congregation of the Bethel Baptist Church, of Caldwell, Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FORAKER presented a petition of the house of delegates of Porto Rico, praying that the Constitution of the United States be extended to Porto Rico; which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of the house of delegates of Porto Rico, praying that section 18 of "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," approved April 12, 1900, be amended so that the legislative power, both in personnel and its functions, shall be separated from the executive power in Porto Rico; which was referred to the Committee on Pacific Islands and Porto Rico.

Mr. QUAY presented a petition of the Chamber of Commerce of Pittsburg, Pa., praying that an appropriation be made for the completion of a large employed labor [illegible] that [illegible]; which was referred to the Committee on Appropriations.

He also presented petitions of the congregation of the Church of the Covenant, of Williamsport; of the Home Missionary Society of Muncy; of the congregation of the First Presbyterian Church of Kittanning; of the congregation of the United Presbyterian Church of Linesville; of sundry citizens of Mannsville and Scottsville; of the congregation of the Methodist Episcopal Church of Pittsburg; of the Woman's Foreign Missionary Society of Pittsburg; of the Mozart Club of Philadelphia; of the Woman's Christian Temperance Union of Livermore; of the Ladies' Home Missionary Society of Sharpsburg; of the Woman's Club of Conshohocken; of the congregation of the Presbyterian Church of Evans City; of the Woman's Union Missionary Association of Allegheny; of the Woman's Christian Temperance Union of Beaver; of the Young People's Christian Union of Carnegie, and of the congregation of the Methodist Episcopal Church of Bandaline, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented petitions of the Woman's Missionary Society of the Presbyterian Church of Indianapolis; of the congregation of the First Presbyterian Church of Kendallville; of George W. Hoke and sundry other citizens of Elizabeth; of the Tabernacle Missionary Society, of Indianapolis; of the congregation of the First Presbyterian Church of Fort Wayne, and of the congregation of the Home Presbyterian Church, of Indianapolis, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented memorials of the Hunter Company; of the Kitchel Elevator Company, of Kitchel; of Marion Finch, of Lebanon; of C. M. Barlow, of Kokomo; of Beary & Dean, of Ossian; of W. F. Starz & Co., of Fowler; of the Goshen Milling Company, of Goshen; of Edward Lee, of Mellott; and of B. L. Archibald, of Morocco, all in the State of Indiana, remonstrating against the passage of the so-called McCumber bill, providing for the classification of grains; which were referred to the Committee on Agriculture and Forestry.

Mr. PLATT of Connecticut presented petitions of the congregations of the Baptist Church of Groton; the Newfield Protestant Episcopal Church, of Bridgeport, and the Evangelical Church of Bridgeport, and of the Woman's Christian Temperance Union of Groton, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of sundry citizens of Blakesburg, Iowa, praying for the enactment of legislation for the relief of military telegraphers who served through the war of the rebellion; which was referred to the Committee on Pensions.

He also presented a petition of the Twentieth Century Club of Fayette, Iowa, and a petition of the congregation of the Presbyterian Church of Paullina, Iowa, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Boone, Iowa,

praying for the repeal of the bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of the Baptist Young People's Union of Clinton, Iowa, and of the congregation of the Congregational Church of Edgewood, Iowa, praying for the enactment of legislation to prevent the nullification of the State liquor law, etc.; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of the Woman's Christian Temperance Union of Walworth; of the Woman's Missionary Society, of Wausau, and of the Clio Club, of Manitowoc, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of the Muenster Schuetzen Verein, of Cooke County, Tex., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Freeport, of the Young People's Society of Christian Endeavor of North Yarmouth, of the Woman's Christian Temperance Union of North Yarmouth, and of the congregation of the Congregational Church of North Yarmouth, all in the State of Maine; of the congregation of the Church of Christ of Marion, of the congregation of the First Presbyterian Church of Marion, of the Woman's Missionary Society of the Presbyterian Church of Huntington, of the congregation of the Grace Methodist Episcopal Church, of Marion, and of the Ladies' Missionary Society of Marion, all in the State of Indiana; of the congregation of the First German Baptist Church of Williamsport, of the Ladies' Missionary Society of McDonald, of sundry citizens of Preston, and of the congregation of the Methodist Episcopal Church of Westchester, all in the State of Pennsylvania; of the Emerson Club of Dayton, Ohio; of the Ladies' Home Missionary Society of Laurens, Iowa; of the congregation of the Presbyterian Church of Goldendale, Wash.; of sundry citizens of Perth Amboy, N. J., and of sundry citizens of Stevens Point, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

DELAWARE INDIAN LANDS.

Mr. QUAY. I present a memorial of the Delaware tribe of Indians, residing in the Cherokee Nation, praying for relief relative to their rights in and ownership of certain lands within the boundaries of that nation. I move that the memorial be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 2465) to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala., reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER. From the Committee on the District of Columbia I report back adversely the joint resolution (S. R. 22) authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington, and I ask that it be indefinitely postponed. To avoid any misapprehension regarding this matter, I will state that a similar resolution came from the House of Representatives prior to the holiday recess, and it was acted upon by the Senate.

The joint resolution was postponed indefinitely.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor, reported it with an amendment, and submitted a report thereon.

PORT OF CHESTER, PA.

Mr. PENROSE. I am directed by the Committee on Commerce, to whom was referred the bill (S. 652) relative to the port of Chester, Pa., to report it favorably, with an amendment in the nature of a substitute, and I ask for its present consideration. I also submit a written report to accompany the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on Commerce was to strike out all after the enacting clause and insert:

That Chester, in the State of Pennsylvania, be, and is hereby, constituted a subport of entry in the customs collection district of Philadelphia, Pa.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill making Chester, Pa., a subport of entry."

MICHAEL VOLZ.

Mr. COCKRELL. I move that the Committee on Pensions be discharged from the further consideration of the bill (S. 105) granting an increase of pension to Michael Volz, and when the bill is before the Senate that it be indefinitely postponed, on account of the death of the claimant.

The PRESIDENT pro tempore. The Senator from Missouri asks that the Committee on Pensions be discharged from the further consideration of the bill, and that it be indefinitely postponed. Without objection, it is so ordered.

J. M. BLOOM.

Mr. PENROSE. I move that the Committee on Claims be discharged from the further consideration of the bill (S. 1586) for the relief of J. M. Bloom, and that it be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. COCKRELL. At the instance of the Southwestern Lumbermen's Association, of Kansas City, Mo., I introduce a bill.

The bill (S. 2860) to further amend an act to amend an act approved January 21, 1903, entitled "An act to amend an act entitled 'An act to provide for the use of timber and stone for domestic and industrial purposes in the Indian Territory,' approved June 6, 1900," was read twice by its title and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. COCKRELL introduced a bill (S. 2861) to compel and regulate the carriage of interstate freight on all railroads engaged in interstate transportation; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 2862) granting a pension to Francis M. Davis; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Francis M. Davis, praying that he be granted a pension, together with the affidavits of Jacob M. Cummings, Jefferson Johnson, and Dr. E. Williams, certificate of county clerk, and letters from the War Department and Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2863) granting an increase of pension to David C. Coleman; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of David C. Coleman, praying for an increase of pension. I move that the bill and accompanying paper be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2864) granting an increase of pension to Calvin C. Leaming; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Calvin C. Leaming, together with the affidavits of Dr. A. L. Carpenter, W. E. Smith, John Wilson, and S. D. Chitwood, and copy of the claimant's military and hospital record. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2865) granting an increase of pension to Lionel N. McKensie; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition and affidavit of Lionel N. McKensie, together with the affidavits of Dr. Zacheus L. Kay, Granville Kittrell, and John C. Brown; also copy of the military and hospital record of the claimant and letters from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 2866) granting a pension to Eliza J. Glover; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 2867) granting an increase of pension to Nathan T. Slinker; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 2868) granting a pension to Beverly Mac Millan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DRYDEN introduced a bill (S. 2869) to correct the status and record of Bvt. Col. Thomas F. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LONG introduced a bill (S. 2870) granting an honorable discharge to John W. Tiffany; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2871) granting an increase of pension to Justin M. Cooper; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2872) granting an increase of pension to Ruth A. Schermerhorn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DILLINGHAM introduced a bill (S. 2873) granting an increase of pension to Cary P. Taplin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2874) granting an increase of pension to David C. Nizh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 2875) for the relief of Andrew Jackson Moudy; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2876) for the relief of Sarah E. Jenkins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 2877) to create an army pension for Sebastian Brown; which was read twice by its title and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 2878) authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes;

A bill (S. 2879) to amend the law relating to taxation in the District of Columbia;

A bill (S. 2880) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes;

A bill (S. 2881) for the relief of James T. Petty, Charles B. Church, Jesse B. Wilson, and George T. Dearing;

A bill (S. 2882) to regulate appointments and promotions in the municipal government of the District of Columbia;

A bill (S. 2883) authorizing the sale of Chesapeake and Ohio Canal bonds belonging to the District of Columbia;

A bill (S. 2884) to amend section 895 of the code of law for the District of Columbia; and

A bill (S. 2885) to transfer jurisdiction and control over reservation No. 32, in the city of Washington, D. C.

Mr. FORAKER introduced a bill (S. 2886) for the relief of Brig. Gen. Thomas M. Anderson, United States Army, retired; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2887) for the relief of William R. Lowe; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2888) for the relief of Priscilla R. Burns; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2889) granting an increase of pension to John Beaird;

A bill (S. 2890) granting a pension to Andrew C. Kemper;

A bill (S. 2891) granting an increase of pension to Charles H. Miller;

A bill (S. 2892) granting a pension to Wilson Zurmehly;

A bill (S. 2893) granting an increase of pension to Emanuel Merter;

A bill (S. 2894) granting a pension to Clara G. Garretson; and

A bill (S. 2895) granting a pension to Benjamin F. Cory (with an accompanying paper).

Mr. PENROSE (for Mr. MILLARD) introduced a bill (S. 2896) for the relief of Joseph Crow; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

Mr. PENROSE introduced a bill (S. 2897) to provide for the improvement in breeding of horses for general-purpose uses, and to enable the United States to procure better remounts for the cavalry and artillery service; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 2898) for the relief of G. W. Ebert;

A bill (S. 2899) to execute the findings of the Court of Claims in the case of Hiram R. McCalmont, administrator of the estate of A. Lawrence Foster, deceased; and

A bill (S. 2900) for the relief of John W. Heald (with accompanying papers).

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 2901) for the relief of W. Hayes Grier;

A bill (S. 2902) for the relief of Charles H. Stockley;

A bill (S. 2903) to correct the military record of Aaron Loughner;

A bill (S. 2904) to correct the military record of John McMurray;

A bill (S. 2905) to correct the military record of Samuel Bailey;

A bill (S. 2906) for the recognition of the military service of noncommissioned officers and enlisted men of the United States Volunteers and commissioned officers in certain State military organizations; and

A bill (S. 2907) to correct the military record of Henry Burrowes (with accompanying papers).

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2908) granting an increase of pension to William Magarvey (with an accompanying paper);

A bill (S. 2909) granting an increase of pension to Henry A. Sampson;

A bill (S. 2910) granting an increase of pension to Philip Loney;

A bill (S. 2911) granting a pension to Eliza C. Fink;

A bill (S. 2912) granting an increase of pension to Almira Carico (with accompanying papers);

A bill (S. 2913) granting an increase of pension to Elizabeth F. Given (with an accompanying paper);

A bill (S. 2914) granting a pension to William H. Small;

A bill (S. 2915) granting a pension to Mary Williamson;

A bill (S. 2916) granting a pension to Michael Salter;

A bill (S. 2917) granting an increase of pension to John Murray;

A bill (S. 2918) granting a pension to Joseph Nickel;

A bill (S. 2919) granting a pension to Bertha Bierworth Schier (with an accompanying paper);

A bill (S. 2920) granting an increase of pension to John McPherson (with an accompanying paper);

A bill (S. 2921) granting an increase of pension to Alexander Bentley (with an accompanying paper);

A bill (S. 2922) granting a pension to Mary R. Koehl (with an accompanying paper);

A bill (S. 2923) granting a pension to Alexander Hendricks;

A bill (S. 2924) granting an increase of pension to Samuel E. Cormany;

A bill (S. 2925) granting an increase of pension to Levi Peters;

A bill (S. 2926) granting a pension to Annie Graves (with an accompanying paper);

A bill (S. 2927) granting an increase of pension to Joseph R. Duffield; and

A bill (S. 2928) granting a pension to G. D. Cowen (with accompanying papers).

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2929) granting an increase of pension to James Thompson (with accompanying papers);

A bill (S. 2930) granting an increase of pension to Harvey T. Peirce;

A bill (S. 2931) granting an increase of pension to Hugh L. English; and

A bill (S. 2932) granting an increase of pension to George W. North (with accompanying papers).

Mr. PLATT of New York introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2933) granting a pension to Henrietta Sherman (with accompanying papers);

A bill (S. 2934) granting an increase of pension to Mary G. Bonesteel (with an accompanying paper); and

A bill (S. 2935) granting an increase of pension to David Parker.

Mr. QUARLES introduced a bill (S. 2936) for the establishment of a depot for the engineer of the ninth light-house district at or near the city of Milwaukee, Wis.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 2937) granting an increase of pension to Julius Bodenstab; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2938) granting an increase of pension to James L. Ackley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SMOOT introduced a bill (S. 2939) to reimburse George W. Young, postmaster at Wanship, Utah, for loss of postage stamps; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 2940) granting an increase of pension to Margaret Liddle; which was read twice by its title, and with the accompanying papers, referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 2941) to carry out the findings of the Court of Claims in the case of Emma N. Warwick, administratrix of the estate of John W. Warwick, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2942) to grant an honorable discharge to Samuel A. Steele; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2943) granting an increase of pension to Absolom Shiltz (with an accompanying paper);

A bill (S. 2944) granting an increase of pension to Solomon H. Longer;

A bill (S. 2945) granting an increase of pension to Sallie M. Nuzum (with accompanying papers); and

A bill (S. 2946) granting an increase of pension to Joshua Day (with an accompanying paper).

Mr. McCUMBER introduced a bill (S. 2947) granting an increase of pension to Thomas Bratton; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 2948) granting an increase of pension to George Hyde; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2949) to establish a permanent military camp ground in the vicinity of Tacoma, in Pierce County, Wash.; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 2950) to remove the charge of desertion from the military record of James B. Boyd; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. CLARK of Wyoming introduced a bill (S. 2951) to establish a laboratory for the study of the criminal, pauper, and defective classes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PLATT of Connecticut introduced a bill (S. 2952) granting an increase of pension to William J. P. Buck; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2953) authorizing the President to appoint Lieut. Commander Frederick Augustus Miller, retired, United States Navy, a commander on the retired list; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2954) to establish a United States court of patent appeals, and to define and regulate the jurisdiction thereof, and to define and regulate, in certain cases, the jurisdiction of other courts of the United States, and for other purposes; which was read twice by its title.

Mr. PLATT of Connecticut. Accompanying the bill is a report of the American Bar Association, which I move be referred with the bill to the Committee on Patents.

The motion was agreed to.

Mr. DOLLIVER introduced a bill (S. 2955) granting an increase of pension to John Hogarth Lozier; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 2956) to amend section 2165 of the Revised Statutes of the United States, relative to naturalization; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 2957) to amend section 3878 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. LATIMER introduced a bill (S. 2958) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of such highways; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. QUAY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2959) granting an increase of pension to Ada Johnson;

A bill (S. 2960) granting an increase of pension to Jacob Horning; and

A bill (S. 2961) granting an increase of pension to Andrew J. Conlton (with the accompanying papers).

Mr. PERKINS introduced a bill (S. 2962) granting to paymasters' clerks, United States Navy, in recognition of extraordinary merit in the performance of duty, preference in appointments to the grade of assistant paymaster, which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2963) to amend section 13 of "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States," approved March 3, 1899, which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2964) to refer to the Court of Claims the war claims of the State of California; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2965) granting a pension to John Herzinger;

A bill (S. 2966) granting a pension to William Conover;

A bill (S. 2967) granting a pension to Mae H. Tyler

A bill (S. 2968) granting an increase of pension to Lulu F. Menefee;

A bill (S. 2969) granting a pension to Henry Dority;

A bill (S. 2970) granting an increase of pension to Patrick Bogan;

A bill (S. 2971) granting a pension to Amelia Walsh; and

A bill (S. 2972) granting an increase of pension to Thomas Boyle.

Mr. BURROWS introduced a bill (S. 2973) to amend section 14 of the Revised Statutes of the United States, prescribing the time when Senators of the United States shall be elected; which was read twice by its title, and referred to the Committee on Privileges and Elections.

Mr. KITTREDGE introduced a bill (S. 2974) granting an increase of pension to Oliver Brown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2975) granting a pension to Claude C. Swafford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 2976) to provide compensation for injuries received by George E. Giles, of Watertown, Wis., at the Ford's Theater disaster, which occurred June 9, 1893; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2977) granting an increase of pension to Andrew J. Larrabee;

A bill (S. 2978) granting an increase of pension to George C. Wachsmuth (with an accompanying paper); and

A bill (S. 2979) granting an increase of pension to James O. Ackerman (with accompanying papers).

Mr. BURTON introduced a bill (S. 2980) authorizing the taxation of arid public lands under certain conditions for the purpose of settlement and reclamation; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2981) granting a pension to Alice A. Siverd (with an accompanying paper);

A bill (S. 2982) granting a pension to Guy Glesner (with accompanying papers);

A bill (S. 2983) granting an increase of pension to Caswel P. Ford;

A bill (S. 2984) granting an increase of pension to Marshall Ray;

A bill (S. 2985) granting an increase of pension to William Wallace;

A bill (S. 2986) granting an increase of pension to William Barkis (with an accompanying paper);

A bill (S. 2987) granting an increase of pension to Hiram Wing (with an accompanying paper);

A bill (S. 2988) granting an increase of pension to John M. Baker; and

A bill (S. 2989) granting an increase of pension to David A. Davis;

Mr. HALE introduced a bill (S. 2990) to establish a naval militia and define its relations to the General Government; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2991) to provide for the enrollment and organization of a United States naval reserve; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 2992) granting an increase of pension to William Rogers; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2993) to amend the first section of an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories of Utah and Arizona to fell timber on the public domain for mining and domestic purposes," approved June 3, 1878; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 2994) to amend an act entitled "An act authorizing the citizens of Colorado, Nevada, and the Territories to fell and remove timber on the public domain for mining and domestic purposes," approved June 3, 1878, so that the provisions of said act shall be extended to and include the States of Oregon, Washington, and California; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 2995) granting an increase of pension to Edwin B. Lufkin;

A bill (S. 2996) granting a pension to Lucretia R. Gardner (with an accompanying paper);

A bill (S. 2997) granting an increase of pension to George P. Underwood;

A bill (S. 2998) granting an increase of pension to Calvin C. Hussey;

A bill (S. 2999) granting an increase of pension to Melvina C. Buzzell;

A bill (S. 3000) granting a pension to Anna E. Hale (with an accompanying paper);

A bill (S. 3001) granting an increase of pension to Adrianna Lowell;

A bill (S. 3002) granting an increase of pension to John Holland (with accompanying papers); and

A bill (S. 3003) granting a pension to Denis Cronin (with accompanying papers).

Mr. HANSBROUGH introduced a bill (S. 3004) providing for the appointment of a supervising engineer, who shall have immediate charge of all construction work under the act of June 17, 1902, and for other purposes; which was read twice by its title, and referred to the Committee on Irrigation and the Reclamation of Arid Lands.

Mr. FRYE introduced a joint resolution (S. R. 26) providing for the publication of a set of four charts on food and diet; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Printing.

Mr. PENROSE introduced a joint resolution (S. R. 27) authorizing the Secretary of War to award the Congressional medal of honor to Rue Rossinger; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

DELAWARE INDIAN LANDS.

Mr. QUAY submitted the following resolution; which was referred to the Committee on Indian Affairs:

Whereas by the twenty-fifth section of the act of Congress approved June 28, 1898, entitled "An act for the protection of the property of the Indian Territory and for other purposes," it was provided as follows:

"Sec. 25. That before any allotment of lands in the Cherokee Nation there shall be segregated therefrom by the Commission hereinbefore mentioned, in separate allotments, enough to the extent of 320 acres purchased by the Delaware tribe of Indians from the Cherokee Nation under agreement of April 8, 1867, subject to the final determination of the rights of said Delawares and the Cherokee Nation under said agreement," etc., and

Whereas by the twenty-third section of the act of Congress entitled "An act to provide for the allotment of lands in the Cherokee Nation, for the disposition of town sites therein, and for other purposes," approved July 1, 1902, it was provided:

"Sec. 23. All Delaware Indians who are members of the Cherokee Nation shall take lands and share in the funds of the tribe as their rights may be determined by the judgment of the Court of Claims, or by the Supreme Court if appealed, in the suit instituted thereon by the Delawares against the Cherokee Nation, and now pending; but if said suit be not determined before said Commission is ready to begin the allotment of lands of the tribe as herein provided, the Commission shall cause to be segregated 320 acres of land, including lands which have been selected and occupied by Delawares in conformity to the provisions of their agreement with the Cherokees dated April 8, 1867, such lands so to remain, subject to disposition according to such judgment as may be rendered in said cause; and said Commission shall thereupon proceed to the allotment of the remaining lands of the tribe as herein provided:

Whereas the Dawes Commission, with the approval of the Secretary of the Interior dated April 3, 1901, informed the Delaware Indians that the segregation under said act of Congress, would be completed upon filing of a list of lands selected and the marking of the same as provided from section and entry, which list and schedule of lands so selected for segregation was duly filed with said Commission in December, 1902; and

Whereas, on the 5th day of December, 1902, the said Commission having accepted said schedule and marked the lands therein mentioned upon the map, as withdrawn from allotment and entry, passed a resolution as follows:

"*Be it resolved by the Commission*, That the acreage now found to be set aside and segregated 157,440 acres of land in the Choctaw Nation in accordance with the provisions of section 23 of the act of Congress approved July 1, 1902 (Public, No. 241), subject to disposition according to such judgment as may be rendered in the case of the Delaware Indians vs. the Cherokee Nation, now pending in the United States District Court of Claims and to be held by the Commission on the basis in the application of counsel for parties in said case, dated Washington, D. C., December 18, 1902;" and

Whereas said Dawes Commission, after making said segregation as aforesaid, proceeded to the allotment of lands to the Cherokee Nation as provided in said act of Congress, and as had for its final result the expenditure of great expense by the Government, and as to which many questions have become attached which it would be hard to foresee and probable litigation, as well as questions of time and history, should said allotments be now destroyed. Therefore, be it

Resolved, That it is the sense of the Senate that the segregation of the 157,440 acres of land purchased by the Delaware Indians, in conformity with said agreement, should be accepted and the final determination of the said controversies between the Delaware Indians and the Cherokee Nation under said agreement, and as to which no question arises as to the power of said Commission to so segregate said land, should not be disturbed, and that the Commission should be directed to so segregate said land, and proceed with the allotment of the lands of said Nation under a purchase of fee, the same having been in the nation and from the possession of a Cherokee Indian at the time such agreement was made, and Commission, in which case the Delaware Indians should have the right to the rights of citizenship in the Cherokee Nation, and be entitled to share in the funds of said nation in lieu of the lands so segregated; and that the necessary legislation be passed by Congress, if necessary, that the Cherokee Nation could have the full force and effect contemplated in said Congressional enactment act.

THE PANAMA CANAL.

Several messages in writing from the President of the United States were communicated to the Senate by Mr. B. F. BARNES, one of his secretaries.

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, which the Secretary will read.

The Secretary read the message, as follows:

To the Senate and House of Representatives:

I lay before the Congress for its information a statement of my action up to this time in executing the act entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," approved June 28, 1902.

By the said act the President was authorized to secure for the United States the property of the Panama Canal Company and the perpetual control of a strip 6 miles wide across the Isthmus of Panama. It was further provided that "should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia * * * within a reasonable time and upon reasonable terms, then the President" should endeavor to procure for a canal by the Nicaragua route. The language quoted defines with exactness and precision what was to be done, and what as a matter of fact has been done. The President was authorized to go to the Nicaragua route only if within a reasonable time he could not obtain "control of the necessary territory of the Republic of Colombia." This control has now been obtained; the provision of the act has been complied with; it is no longer possible under existing legislation to go to the Nicaragua route as an alternative.

This act marked the climax of the effort on the part of the United States to secure, so far as legislation was concerned, an interoceanic canal across the Isthmus. The effort to secure a treaty for this purpose with one of the Central American republics did not stand on the same footing with the effort to secure a treaty under any ordinary conditions. The proper position for the United States to assume in reference to interoceanic canals, and therefore to the governments of the Isthmus, had been clearly set forth by Secretary Cass in 1858. In my annual message I have already quoted what Secretary Cass said; but I repeat the quotation here, because the principle it states is fundamental:

"While the rights of sovereignty of the states occupying this region (Central America) should always be respected, we shall expect that these rights be exercised in a spirit befitting the occasion and the wants and circumstances that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if administered with more regard to the just demands of other nations than they have been, would be permitted in a spirit of Eastern isolation to close the gates of intercourse on the great highways of the world and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them, or, what is almost equivalent, to encumber them with such unjust relations as would prevent their general use."

The principle thus enunciated by Secretary Cass was sound then and it is sound now. The United States has taken the position that no other government is to build the canal. In 1889, when France proposed to come to the aid of the French Panama Company by guaranteeing their bonds, the Senate of the United States in executive session, with only some three votes dissenting, passed a resolution as follows:

"That the Government of the United States will look with serious concern and disapproval upon any connection of any European government with the construction or control of any ship canal across the Isthmus of Darien or across Central America, and must regard any such connection or control as injurious to the just rights and interests of the United States and as a menace to their welfare."

Under the Hay-Pauncefote treaty it was explicitly provided that the United States should control, police, and protect the canal which was to be built, keeping it open for the vessels of all nations on equal terms. The United States thus assumed the position of guarantor of the canal and of its peaceful use by all the world. The guarantee included as a matter of course the building of the canal. The enterprise was recognized as responding to an international need; and it would be the veriest travesty on right and justice to treat the governments in possession of the Isthmus as having the right, in the language of Mr. Cass, "to close the gates of intercourse on the great highways of the world, and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them."

When this Government submitted to Colombia the Hay-Herran treaty three things were, therefore, already settled.

One was that the canal should be built. The time for delay, the time for permitting the attempt to be made by private enterprise, the time for permitting any government of anti-social spirit and of imperfect development to bar the work, was past. The United States had assumed in connection with the canal certain responsibilities not only to its own people, but to the civilized world, which imperatively demanded that there should no longer be delay in beginning the work.

Second. While it was settled that the canal should be built without unnecessary or improper delay, it was no less clearly shown to be our purpose to deal not merely in a spirit of justice, but in a spirit of generosity with the people through whose land we might build it. The Hay-Herran treaty, if it erred at all, erred in the direction of an overgenerosity towards the Colombian Government. In our anxiety to be fair we had gone to the very verge in yielding to a weak nation's demands what that nation was helplessly unable to enforce from us against our will. The only criticisms made upon the Administration for the terms of the Hay-Herran treaty were for having granted too much to Colombia, not for failure to grant enough. Neither in the Congress nor in the public press, at the time that this treaty was formulated, was there complaint that it did not in the fullest and amplest manner guarantee to Colombia everything that she could by any color of title demand.

Nor is the fact to be lost sight of that the rejected treaty, while generously responding to the pecuniary demands of Colombia, in other respects merely provided for the construction of the canal in conformity with the express requirements of the act of the Congress of June 28, 1902. By that act, as heretofore quoted, the President was authorized to acquire from Colombia, for the purposes of the canal, "perpetual control" of a certain strip of land; and it was expressly required that the "control" thus to be obtained should include "jurisdiction" to make police and sanitary regulations and to establish such judicial tribunals as might be agreed on for their enforcement. These were conditions precedent prescribed by the Congress; and for their fulfillment suitable stipulations were embodied in the treaty. It has been stated in public prints that Colombia objected to these stipulations, on the ground that they involved a relinquishment of her "sovereignty;" but in the light of what has taken place, this alleged objection must be considered as an afterthought. In reality, the treaty, instead of requiring a cession of Colombia's sovereignty over the canal strip, expressly acknowledged, confirmed, and preserved her sovereignty over it. The treaty in this respect simply proceeded on the lines on which all the negotiations leading up to the present situation have been conducted. In those negotiations the exercise by the United States, subject to the paramount rights of the local sovereign, of a substantial control over the canal and the immediately adjacent territory, has been treated as a fundamental part of any arrangement that might be made. It has formed an essential feature of all our plans, and its necessity is fully recognized in the Hay-Pauncefote treaty. The Congress, in providing that such control should be secured, adopted no new principle, but only incorporated in its legislation a condition the importance and propriety of which were universally recognized. During all the years of negotiation and discussion that preceded the conclusion of the Hay-Herran treaty, Colombia never intimated that the requirement by the United States of control over the canal strip would render unattainable the construction of a canal by way of the Isthmus of Panama; nor were we advised, during the months when legislation of 1902 was pending before the Congress, that the terms which it embodied would render negotiations with Colombia impracticable. It is plain that no nation could construct and guarantee the neutrality of the canal with a less degree of control than was stipulated for in the Hay-Herran treaty. A refusal to grant such degree of control was necessarily a refusal to make any practicable treaty at all. Such refusal therefore squarely raised the question whether Colombia was entitled to bar the transit of the world's traffic across the Isthmus.

That the canal itself was eagerly demanded by the people of the locality through which it was to pass, and that the people of this locality no less eagerly longed for its construction under American control, are shown by the unanimity of action in the new Panama Republic. Furthermore, Colombia, after having rejected the treaty in spite of our protests and warnings when it was in her power to accept it, has since shown the utmost eagerness to accept the same treaty if only the status quo could be restored. One of the men standing highest in the official circles of Colombia, on November 6, addressed the American minister at Bogota, saying that if the Government of the United States would land troops to preserve Colombian sovereignty and the transit, the Colombian Government would "declare martial law; and, by virtue of vested constitutional authority, when public order is disturbed, [would] approve by decree the ratification of the canal treaty as signed; or, if the Government of the United States prefers, [would] call extra session of the Congress—with new and friendly members—next May to approve the treaty." Having these facts in view, there is no shadow of question that the Government of the United States proposed a treaty which was not merely just, but generous to Colombia, which our people regarded as erring, if at all, on the side of overgenerosity; which was hailed with delight by the people of the immediate locality through which the canal was to pass, who were most concerned as to the new order of things, and which the Colombian authorities now recognize as being so good that they are willing to promise its unconditional ratification if only we will desert those who have shown themselves our friends and restore to those who have shown themselves unfriendly the power to undo what they did. I pass by the question as to what assurance we have that they would now keep their pledge and not again refuse to ratify the treaty if they had the power; for, of course, I will not for one moment discuss the possibility of the United States committing an act of such baseness as to abandon the new Republic of Panama.

Third. Finally the Congress definitely settled where the canal was to be built. It was provided that a treaty should be made for building the canal across the Isthmus of Panama, and if, after reasonable time, it proved impossible to secure such treaty, that then we should go to Nicaragua. The treaty has been made; for it needs no argument to show that the intent of the Congress was to insure a canal across Panama, and that whether the Republic granting the title was called New Granada, Colombia, or Panama mattered not one whit. As events turned out, the question of "reasonable time" did not enter into the matter at all. Although, as the months went by, it became increasingly improbable that the Colombian Congress would ratify the treaty or take steps which would be equivalent thereto, yet all chance for such action on their part did not vanish until the Congress closed at the end of October; and within three days thereafter the revolution in Panama had broken out. Panama became an independent State, and the control of the territory necessary for building the canal then became obtainable. The condition under which alone we could have gone to Nicaragua thereby became impossible of fulfillment. If the pending treaty with Panama should not be ratified by the Senate this would not alter the fact that we could not go to Nicaragua. The Congress has decided the route, and there is no alternative under existing legislation.

When in August it began to appear probable that the Colombian Legislature would not ratify the treaty, it became incumbent upon me to consider well what the situation was and to be ready to advise the Congress as to what were the various alternatives of action open to us. There were several possibilities. One was that Colombia would at the last moment see the unwisdom of her position. That there might be nothing omitted, Secretary Hay, through the minister at Bogota, repeatedly warned Colombia that grave consequences might follow from her rejection of the treaty. Although it was a constantly diminishing chance, yet the possibility of ratification did not wholly pass away until the close of the session of the Colombian Congress.

A second alternative was that by the close of the session on the last day of October, without the ratification of the treaty by Colombia and without any steps taken by Panama, the American

Congress on assembling early in November would be confronted with a situation in which there had been a failure to come to terms as to building the canal along the Panama route, and yet there had not been a lapse of a reasonable time—using the word reasonable in any proper sense—such as would justify the Administration going to the Nicaragua route. This situation seemed on the whole the most likely, and as a matter of fact I had made the original draft of my Message to the Congress with a view to its existence.

It was the opinion of eminent international jurists that in view of the fact that the great design of our guarantee under the treaty of 1846 was to dedicate the Isthmus to the purposes of interoceanic transit, and above all to secure the construction of an interoceanic canal, Colombia could not under existing conditions refuse to enter into a proper arrangement with the United States to that end, without violating the spirit and substantially repudiating the obligations of a treaty the full benefits of which she had enjoyed for over fifty years. My intention was to consult the Congress as to whether under such circumstances it would not be proper to announce that the canal was to be dug forthwith; that we would give the terms that we had offered and no others; and that if such terms were not agreed to we would enter into an arrangement with Panama direct, or take what other steps were needful in order to begin the enterprise.

A third possibility was that the people of the Isthmus, who had formerly constituted an independent state, and who until recently were united to Colombia only by a loose tie of federal relationship, might take the protection of their own vital interests into their own hands, reassert their former rights, declare their independence upon just grounds, and establish a government competent and willing to do its share in this great work for civilization. This third possibility is what actually occurred. Everyone knew that it was a possibility, but it was not until towards the end of October that it appeared to be an imminent probability. Although the Administration, of course, had special means of knowledge, no such means were necessary in order to appreciate the possibility, and toward the end the likelihood, of such a revolutionary outbreak and of its success. It was a matter of common notoriety. Quotations from the daily papers could be indefinitely multiplied to show this state of affairs; a very few will suffice. From Costa Rica on August 31 a special was sent to the Washington Post, running as follows:

"SAN JOSÉ, COSTA RICA, *August 31.*

"Travelers from Panama report the Isthmus alive with fires of a new revolution. It is inspired, it is believed, by men who, in Panama and Colon, have systematically engendered the pro-American feeling to secure the building of the Isthmian canal by the United States.

"The Indians have risen, and the late followers of Gen. Benjamin Herrera are mustering in the mountain villages, preparatory to joining in an organized revolt, caused by the rejection of the canal treaty.

"Hundreds of stacks of arms, confiscated by the Colombian Government at the close of the late revolution, have reappeared from some mysterious source, and thousands of rifles that look suspiciously like the Mausers the United States captured in Cuba are issuing to the gathering forces from central points of distribution. With the arms goes ammunition, fresh from factories, showing the movement is not spasmodic, but is carefully planned.

* * * * * * *

"The Government forces in Panama and Colon, numbering less than 1,500 men, are reported to be a little more than friendly to the revolutionary spirit. They have been ill paid since the revolution closed and their only hope of prompt payment is another war.

"General Huertes, commander of the forces, who is ostensibly loyal to the Bogota Government, is said to be secretly friendly to the proposed revolution. At least, all his personal friends are open in denunciation of the Bogota Government and the failure of the Colombian Congress to ratify the canal treaty.

"The consensus of opinion gathered from late arrivals from the Isthmus is that the revolution is coming, and that it will succeed."

A special dispatch to the Washington Post, under date of New York, September 1, runs as follows:

"B. G. Duque, editor and proprietor of the Panama Star and Herald, a resident of the Isthmus during the past twenty-seven years, who arrived to-day in New York, declared that if the canal treaty fell through a revolution would be likely to follow.

"'There is a very strong feeling in Panama,' said Mr. Duque, 'that Colombia, in negotiating the sale of a canal concession in Panama, is looking for profits that might just as well go to Panama herself.

"'The Colombian Government, only the other day, suppressed a newspaper that dared to speak of independence for Panama. A while ago there was a secret plan afoot to cut loose from Colombia and seek the protection of the United States.'"

In the New York Herald of September 10 the following statement appeared:

"Representatives of strong interests on the Isthmus of Panama who make their headquarters in this city are considering a plan of action to be undertaken in cooperation with men of similar views in Panama and Colon to bring about a revolution and form an independent government in Panama opposed to that in Bogota.

"There is much indignation on the Isthmus on account of the failure of the canal treaty, which is ascribed to the authorities at Bogota. This opinion is believed to be shared by a majority of the Isthmians of all shades of political belief, and they think it is to their best interest for a new republic to be formed on the Isthmus, which may negotiate directly with the United States a new treaty which will permit the digging of the Panama canal under favorable conditions."

In the New York Times, under date of September 13, there appeared from Bogota the following statement:

"A proposal made by Señor Perez y Soto to ask the Executive to appoint an antiseccessionist governor in Panama has been approved by the Senate. Speakers in the Senate said that Señor Obaldia, who was recently appointed governor of Panama, and who is favorable to a canal treaty, was a menace to the national integrity. Senator Marroquin protested against the action of the Senate.

"President Marroquin succeeded later in calming the Congressmen. It appears that he was able to give them satisfactory reasons for Governor Obaldia's appointment. He appears to realize the imminent peril of the Isthmus of Panama declaring its independence.

"Señor Deroux, representative for a Panama constituency, recently delivered a sensational speech in the House. Among other things he said:

"'In Panama the bishops, governors, magistrates, military chiefs, and their subordinates have been and are foreign to the department. It seems that the Government, with surprising tenacity, wishes to exclude the Isthmus from all participation in public affairs. As regards international dangers in the Isthmus, all I can say is that if these dangers exist they are due to the conduct of the national government, which is in the direction of reaction.

"'If the Colombian Government will not take action with a view to preventing disaster, the responsibility will rest with it alone.'"

In the New York Herald of October 26 it was reported that a revolutionary expedition of about 70 men had actually landed on the Isthmus. In the Washington Post of October 29 it was reported from Panama that in view of the impending trouble on the Isthmus the Bogota Government had gathered troops in sufficient numbers to at once put down an attempt at secession. In the New York Herald of October 30 it was announced from Panama that Bogota was hurrying troops to the Isthmus to put down the projected revolt. In the New York Herald of November 2 it was announced that in Bogota the Congress had indorsed the energetic measures taken to meet the situation on the Isthmus and that 5,000 men were about to be sent thither.

Quotations like the above could be multiplied indefinitely. Suffice it to say that it was notorious that revolutionary trouble of a serious nature was impending upon the Isthmus. But it was not necessary to rely exclusively upon such general means of information. On October 15 Commander Hubbard, of the Navy, notified the Navy Department that, though things were quiet on the Isthmus, a revolution had broken out in the State of Cauca. On October 16, at the request of Lieutenant-General Young, I saw Capt. C. B. Humphrey and Lieut. Grayson Mallet-Prevost Murphy, who had just returned from a four months' tour through the northern portions of Venezuela and Colombia. They stopped in Panama on their return in the latter part of September. At the time they were sent down there had been no thought of their going to Panama, and their visit to the Isthmus was but an unpremeditated incident of their return journey; nor had they been spoken to by anyone at Washington regarding the possibility of a revolt. Until they landed at Colon they had no knowledge that a revolution was impending, save what they had gained from the newspapers. What they saw in Panama so impressed them that they reported thereon to Lieutenant-General Young, according to his memorandum—"that while on the Isthmus they became satisfied beyond question that, owing largely to the dissatisfaction because of the failure of Colombia to ratify the Hay-Herran treaty, a revolutionary party was in course of organization having for its object the separation of the State of Panama from Colombia, the leader being Dr. Richard Arango, a former governor of Panama; that when they were on the Isthmus arms and ammunition were being smuggled into the city of Colon in piano boxes, merchandise crates, etc., the small arms received being principally the

Gras French rifle, the Remington, and the Mauser; that nearly every citizen in Panama had some sort of rifle or gun in his possession, with ammunition therefor; that in the city of Panama there had been organized a fire brigade which was really intended for a revolutionary military organization; that there were representatives of the revolutionary organization at all important points on the Isthmus; that in Panama, Colon, and the other principal places of the Isthmus police forces had been organized which were in reality revolutionary forces; that the people on the Isthmus seemed to be unanimous in their sentiment against the Bogota Government, and their disgust over the failure of that Government to ratify the treaty providing for the construction of the canal, and that a revolution might be expected immediately upon the adjournment of the Colombian Congress without ratification of the treaty."

Lieutenant-General Young regarded their report as of such importance as to make it advisable that I should personally see these officers. They told me what they had already reported to the Lieutenant-General, adding that on the Isthmus the excitement was seething, and that the Colombian troops were reported to be disaffected. In response to a question of mine, they informed me that it was the general belief that the revolution might break out at any moment, and if it did not happen before, would doubtless take place immediately after the closing of the Colombian Congress (at the end of October) if the canal treaty were not ratified. They were certain that the revolution would occur, and before leaving the Isthmus had made their own reckoning as to the time, which they had set down as being probably from three to four weeks after their leaving. The reason they set this as the probable inside limit of time was that they reckoned that it would be at least three or four weeks—say not until October 20—before a sufficient quantity of arms and munitions would have been landed.

In view of all these facts, I directed the Navy Department to issue instructions such as would insure our having ships within easy reach of the Isthmus in the event of need arising. Orders were given on October 19 to the *Boston* to proceed to San Juan del Sur, Nicaragua; to the *Dixie* to prepare to sail from League Island; and to the *Atlanta* to proceed to Guantanamo. On October 30 the *Nashville* was ordered to proceed to Colon. On November 2 when, the Colombian Congress having adjourned, it was evident that the outbreak was imminent, and when it was announced that both sides were making ready forces whose meeting would mean bloodshed and disorder, the Colombian troops having been embarked on vessels, the following instructions were sent to the commanders of the *Boston*, *Nashville*, and *Dixie*:

"Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, at any point within 50 miles of Panama. Government force reported approaching the Isthmus in vessels. Prevent their landing if, in your judgment, the landing would precipitate a conflict."

These orders were delivered in pursuance of the policy on which our Government had repeatedly acted. This policy was exhibited in the following orders, given under somewhat similar circumstances last year, and the year before, and the year before that. The first two telegrams are from the Department of State to the consul at Panama:

"JULY 25, 1900.

"You are directed to protest against any act of hostility which may involve or imperil the safe and peaceful transit of persons or property across the Isthmus of Panama. The bombardment of Panama would have this effect, and the United States must insist upon the neutrality of the Isthmus as guaranteed by the treaty."

"NOVEMBER 20, 1901.

"Notify all parties molesting or interfering with free transit across the Isthmus that such interference must cease and that the United States will prevent the interruption of traffic upon the railroad. Consult with the captain of the *Iowa*, who will be instructed to land marines, if necessary, for the protection of the railroad, in accordance with the treaty rights and obligations of the United States. Desirable to avoid bloodshed, if possible."

The next three telegrams are from and to the Secretary of the Navy:

"SEPTEMBER 12, 1902.

"RANGER, *Panama:*

"United States guarantees perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. * * * Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you nor should use of road be permitted which might convert the line of transit into theater of hostility.

"MOODY."

"COLON, *September 20, 1902.*

"SECRETARY NAVY, *Washington:*

"Everything is conceded. The United States guards and guarantees traffic and the line of transit. To-day I permitted the exchange of Colombian troops from Panama to Colon, about 1,000 men each way, the troops without arms in train guarded by American naval force in the same manner as other passengers; arms and ammunition in separate train, guarded also by naval force in the same manner as other freight.

"MCLEAN."

"PANAMA, *October 3, 1902.*

"SECRETARY NAVY,
"*Washington, D. C.:*

"Have sent this communication to the American consul at Panama:

"'Inform governor while trains running under United States protection I must decline transportation any combatants, ammunition, arms, which might cause interruption traffic or convert line of transit into theater hostilities.'

"COSBY."

On November 3 Commander Hubbard responded to the above-quoted telegram of November 2, 1903, saying that before the telegram had been received 400 Colombian troops from Cartagena had landed at Colon; that there had been no revolution on the Isthmus, but that the situation was most critical if the revolutionary leaders should act. On this same date the Associated Press in Washington received a bulletin stating that a revolutionary outbreak had occurred. When this was brought to the attention of the Assistant Secretary of State, Mr. Loomis, he prepared the following cablegram to the consul-general at Panama and the consul at Colon:

"Uprising on Isthmus reported. Keep Department promptly and fully informed."

Before this telegram was sent, however, one was received from Consul Malmros at Colon, running as follows:

"Revolution imminent. Government force on the Isthmus about 500 men. Their official promised support revolution. Fire department, Panama, 441, are well organized and favor revolution. Government vessel, *Cartagena*, with about 400 men, arrived early to-day with new commander in chief, Tobar. Was not expected until November 10. Tobar's arrival is not probable to stop revolution."

This cablegram was received at 2.35 p. m., and at 3.40 p. m. Mr. Loomis sent the telegram which he had already prepared to both Panama and Colon. Apparently, however, the consul-general at Panama had not received the information embodied in the Associated Press bulletin, upon which the Assistant Secretary of State based his dispatch; for his answer was that there was no uprising, although the situation was critical, this answer being received at 8.15 p. m. Immediately afterwards he sent another dispatch, which was received at 9.50 p. m., saying that the uprising had occurred, and had been successful, with no bloodshed. The Colombian gunboat *Bogota* next day began to shell the city of Panama, with the result of killing one Chinaman. The consul-general was directed to notify her to stop firing. Meanwhile, on November 4, Commander Hubbard notified the Department that he had landed a force to protect the lives and property of American citizens against the threats of the Colombian soldiery.

Before any step whatever had been taken by the United States troops to restore order, the commander of the newly landed Colombian troops had indulged in wanton and violent threats against American citizens, which created serious apprehension. As Commander Hubbard reported in his letter of November 5, this officer and his troops practically began war against the United States, and only the forbearance and coolness of our officers and men prevented bloodshed. The letter of Commander Hubbard is of such interest that it deserves quotation in full, and runs as follows:

"U. S. S. NASHVILLE, THIRD RATE,
"*Colon, U. S. Colombia, November 5, 1903.*

"SIR: Pending a complete report of the occurrences of the last three days in Colon, Colombia, I most respectfully invite the Department's attention to those of the date of Wednesday, November 4, which amounted to practically the making of war against the United States by the officer in command of the Colombian troops in Colon. At 1 o'clock p. m. on that date I was summoned on shore by a preconcerted signal, and on landing met the United States consul, vice-consul, and Colonel Shaler, the general superintendent of the Panama Railroad. The consul informed me that he had received notice from the officer commanding the Colombian troops, Colonel Torres, through the prefect of Colon, to the effect that if the Colombian officers, Generals Tobal and Amaya, who had been seized in Panama on the evening of the 3d of November by the Independents and held as prisoners, were not

released by 2 o'clock p. m., he, Torres, would open fire on the town of Colon and kill every United States citizen in the place, and my advice and action were requested. I advised that all the United States citizens should take refuge in the shed of the Panama Railroad Company, a stone building susceptible of being put into good state for defense, and that I would immediately land such body of men, with extra arms for arming the citizens, as the complement of the ship would permit. This was agreed to and I immediately returned on board, arriving at 1.15 p. m. The order for landing was immediately given, and at 1.30 p. m. the boats left the ship with a party of 82 men under the command of Lieut. Commander H. M. Witzel, with Midshipman J. P. Jackson as second in command. Time being pressing I gave verbal orders to Mr. Witzel to take the building above referred to, to put it into the best state of defense possible, and protect the lives of the citizens assembled there—not firing unless fired upon. The women and children took refuge on the German steamer *Mexico* and Panama Railroad steamer *City of Washington*, both ready to haul out from dock if necessary. The *Nashville* I got under way and paralleled with her along the water front close to and ready to use either small-arm or shrapnel fire. The Commander commended the building of the railroad company almost immediately after we had been possession, and for about one and a half hours their attitude was most threatening, it being evident their purpose to provoke an attack. Happily our men were cool and steady, and while the tension was very great no shot was fired. At about 3.15 p. m. Colonel Torres came into the building for an interview and expressed himself as most friendly to Americans, claiming that the whole affair was a misapprehension and that he would like to send the alcalde of Colon to Panama to see General Tobal and have him direct the discontinuance of the show of force. A special train was furnished and safe-conduct guaranteed. At about 5.30 p. m. Colonel Torres made the proposition of withdrawing his troops to Monkey Hill if I would withdraw the *Nashville's* force and leave the town in possession of the police until the return of the alcalde on the morning of the 5th. After an interview with the United States consul and Colonel Shaler as to the probability of good faith in the matter, I decided to accept the proposition and brought my men on board, the disparity in numbers between my force and that of the Colombians, nearly ten to one, making me desirous of avoiding a conflict so long as the object in view, the protection of American citizens, was not imperiled.

"I am positive that the determined attitude of our men, their coolness and evident intention of standing their ground, had a most salutary and decisive effect on the immediate situation and was the initial step in the ultimate abandoning of Colon by these troops and their return to Cartagena the following day. Lieutenant Commander Witzel is entitled to much praise for his admirable work in command on the spot.

"I feel that I can not sufficiently strongly represent to the Department the gravity of this outrage and the insult to our dignity, even apart from the savagery of the threat.

"Very respectfully,

"JOHN HUBBARD,
"*Commander, U. S. Navy, Commanding.*

"The SECRETARY OF THE NAVY,
"*Navy Department, Washington, D. C.*"

In his letter of November 8 Commander Hubbard sets forth the facts more in detail:

"U. S. S. NASHVILLE, THIRD RATE.
"*Porto Bello, U. S. Colombia, November 8, 1903.*

"SIR: 1. I have the honor to make the following report of the occurrences which took place at Colon and Panama in the interval between the arrival of the *Nashville* at Colon on the evening of November 2, 1903, and the evening of November 5, 1903, when by the arrival of the U. S. S. *Dixie* at Colon I was relieved as senior officer by Commander F. H. Delano, U. S. Navy.

"2. At the time of the arrival of the *Nashville* at Colon at 5.30 p. m. on November 2 everything on the Isthmus was quiet. There was lack of precaution by the police of Panama, but no definite action had been taken and there had been no disturbance of peace and order. At daylight on the morning of November 3 it was found that a vessel which had come in during the night was the Colombian gunboat *Cartagena*, carrying between 400 and 500 troops. I had her boarded and learned that these troops were for the garrison at Panama. Inasmuch as the Independent party had not acted and the Government of Colombia was at the time in undisputed control of the Province of Panama, I did not feel, in the absence of any instructions, that I was justified in preventing the landing of these troops, and at 8.30 o'clock they were disembarked. The commanding officers, Generals Amaya and Tobal, with four others, immediately went over to Panama to make arrangements for receiving and quartering their troops, leaving the command in charge of an officer whom I later learned to be Colonel Torres. The Department's message addressed to the care of the United States consul I received at 10.30 a. m.; it was delivered to one of the ship's boats while I was at the consul's and not to the consul as addressed. The message was said to have been received at the cable office at 9.30 a. m. Immediately on deciphering the message I went on shore to see what arrangements the railroad company had made for the transportation of these troops to Panama, and learned that the company would not transport them except on request of the governor of Panama, and that the prefect at Colon and the officer left in command of the troops had been so notified by the general superintendent of the Panama Railroad Company. I remained at the company's office until it was sure that no action on my part would be needed to prevent the transportation of the troops that afternoon, when I returned on board and cabled the Department the situation of affairs. At about 5.30 p. m. I again went on shore and received notice from the general superintendent of the road that he had received the request for the transportation of the troops and that they would leave on the 8 a. m. train on the following day. I immediately went to see the general superintendent and learned that it had just been announced that a provisional government had been established at Panama—that Generals Amaya and Tobal, the governor of Panama, and four officers, who had gone to Panama in the morning, had been seized and were held as prisoners; that they had an organized force of 1,500 troops and wished the Government troops in Colon to be sent over. This I declined to permit, and verbally prohibited the general superintendent from giving transportation to the troops of either party.

"It being then late in the evening, I sent early in the morning of November 4 written notification to the general superintendent of the Panama Railroad, to the prefect of Colon, and to the officer left in command of the Colombian troops, later ascertained to be Colonel Torres, that I had prohibited the transportation of troops in either direction, in order to preserve the free and uninterrupted transit of the Isthmus. Copies of these letters are hereto appended; also copy of my notification to the consul. Except to a few people, nothing was known in Colon of the proceedings in Panama until the arrival of the train at 10.45 on the morning of the 4th. Some propositions were, I was later told, made to Colonel Torres by the representatives of the new Government at Colon, with a view to inducing him to return with the *Cartagena* and return to the port of Cartagena, and it was in answer to this proposition that Colonel Torres made the threat and took the action reported in my letter No. 96, of November 5, 1903. The *Cartagena* left the port just after the threat was made and I did not deem it expedient to attempt to detain her, as we have no law would certainly, in the then state of affairs, have prevented a conflict on shore which I was not prepared to meet. It is my understanding that she returned to Cartagena. After the withdrawal of the Colombian troops on the evening of November 4, and the return of the *Nashville's* force on board, as reported in my letter No. 96, there was no disturbance on shore, and the night passed quietly. On the morning of the 5th I discovered that the commander of the Colombian troops had not withdrawn so far from the town as he had agreed, but was occupying buildings near the outskirts of the town. I immediately inquired into the matter and learned that he had some trivial excuse for not carrying out his agreement, and also that it was his intention to occupy Colon again on the arrival of the alcalde due at 10.45 a. m., unless General Tobal sent word by the alcalde that he, Colonel Torres, should withdraw. That General Tobal had declined to give any instructions I was cognizant of, and the situation at once became quite serious as on the day previous. I immediately hoisted an signal from, recovered the same buildings also hoisted two 3 pounders and prepared them on platforms carefully protected by cotton bales, and then in company with the United States consul had an interview with Colonel Torres, in the course of which I informed him that I had relanded my men because he had not kept his agreement; that I had no interest in the political party question; that my attitude was strictly neutral; that the troops of neither side should be transported; that my sole purpose in landing was to protect the lives and property of American citizens if threatened, as they had been the preceding day, and to maintain the free and uninterrupted transit of the Isthmus, and that purpose I should maintain by force if necessary. I also strongly advised him in the interests of peace, and to prevent the possibility of a conflict that could not but be disastrous, to abide by my carry out his agreement of the previous evening and withdraw to Monkey Hill.

"Colonel Torres's only reply was that it was unhealthy at Monkey Hill, a reiteration of his love of Americans, and persistence in his intention to occupy Colon, should General Tobal not give him directions to the contrary.

"On the return of the alcalde at about 11 a. m. the Colombian troops marched into Colon, but did not assume the threatening demeanor of the previous day. The American women and children again went on board the *Mexicomania* and *City of Washington*, and through the British vice-consul I offered protection to

British subjects as directed in the Department's cablegram. A copy of the British vice-consul's acknowledgment is hereto appended. The *Nashville* I got under way as on the previous day and moved close in to protect the water front. During the afternoon several propositions were made to Colonel Torres by the representatives of the new Government, and he was finally persuaded by them to embark on the Royal Mail steamer *Orinoco* with all his troops and return to Cartagena. The *Orinoco* left her dock with the troops—474 all told—at 7.35 p. m. The *Dixie* arrived and anchored at 7.05 p. m., when I went on board and acquainted the commanding officer with the situation. A portion of the marine battalion was landed and the *Nashville's* force withdrawn.

"3. On the evening of November 4 Maj. William M. Black and Lieut. Mark Brooke, Corps of Engineers, U. S. Army, came to Colon from Culebra and volunteered their services, which were accepted, and they rendered very efficient help on the following day.

"4. I beg to assure the Department that I had no part whatever in the negotiations that were carried on between Colonel Torres and the representatives of the provisional government; that I landed an armed force only when the lives of American citizens were threatened and withdrew this force as soon as there seemed to be no grounds for further apprehension of injury to American lives or property; that I relanded an armed force because of the failure of Colonel Torres to carry out his agreement to withdraw and announced intention of returning, and that my attitude throughout was strictly neutral as between the two parties, my only purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the Isthmus.

"Very respectfully,

"(Signed) JOHN HUBBARD,
"*Commander, U. S. Navy, Commanding.*

"The SECRETARY OF THE NAVY,
"*Bureau of Navigation, Navy Department,*
"*Washington, D. C.*"

This plain official account of the occurrences of November 4 shows that, instead of there having been too much prevision by the American Government for the maintenance of order and the protection of life and property on the Isthmus, the orders for the movement of the American war ships had been too long delayed, so long, in fact, that there were but forty-two marines and sailors available to land and protect the lives of American men and women. It was only the coolness and gallantry with which this little band of men wearing the American uniform faced ten times their number of armed foes, bent on carrying out the atrocious threat of the Colombian commander, that prevented a murderous catastrophe. At Panama, when the revolution broke out, there was no American man-of-war and no American troops or sailors. At Colon, Commander Hubbard acted with entire impartiality towards both sides, preventing any movement, whether by the Colombians or the Panamans, which would tend to produce bloodshed. On November 9 he prevented a body of the revolutionists from landing at Colon. Throughout he behaved in the most creditable manner. In the New York Evening Post, under date of Panama, December 8, there is an article from a special correspondent, which sets forth in detail the unbearable oppression of the Colombian Government in Panama. In this article is an interesting interview with a native Panaman, which runs in part as follows:

"* * * We looked upon the building of the canal as a matter of life or death to us. We wanted that be carried out, with the United States in control of it, peace and prosperity for us. President Marroquin appointed an Isthmian to be governor of Panama, and we looked upon that as of happy augury. Soon we heard that the canal treaty was not likely to be approved at Bogota; next we heard that our Isthmian governor, Obaldia, who had scarcely assumed power, was to be superseded by a soldier from Bogota. * * *

"Notwithstand ng all that Colombia has drained us of in the way of revenues, she did not bridge for us a single river, nor make a single roadway, nor erect a single college where our children could be educated, nor do anything at all to advance our industries. * * * Well, when the new generals came we seized them, arrested them, and the town of Panama was in joy. Not a protest was made, except the shots fired from the Colombian gunboat *Bogota*, which killed one Chinaman lying in his bed. We were willing to encounter the Colombian troops at Colon and fight it out; but the commander of the United States cruiser *Nashville* forbade Superintendent Shaler to allow the railroad to transport troops for either party. That is our story."

I call special attention to the concluding portion of this interview which states the willingness of the Panama people to fight the Colombian troops and the refusal of Commander Hubbard to permit them to use the railroad and therefore to get into a position where the fight could take place. It thus clearly appears that the fact that there was no bloodshed on the Isthmus was directly due—and only due—to the prompt and firm enforcement by the United States of its traditional policy. During the past forty years revolutions and attempts at revolution have succeeded one another with monotonous regularity on the Isthmus, and again and again United States sailors and marines have been landed as they were landed in this instance and under similar instructions to protect the transit. One of these revolutions resulted in three years of warfare; and the aggregate of bloodshed and misery caused by them has been incalculable. The fact that in this last revolution not a life was lost, save that of the man killed by the shells of the Colombian gunboat, and no property destroyed, was due to the action which I have described. We, in effect, policed the Isthmus in the interest of its inhabitants and of our own national needs, and for the good of the entire civilized world. Failure to act as the Administration acted would have meant great waste of life, great suffering, great destruction of property; all of which was avoided by the firmness and prudence with which Commander Hubbard carried out his orders and prevented either party from attacking the other. Our action was for the peace both of Colombia and of Panama. It is earnestly to be hoped that there will be no unwise conduct on our part which may encourage Colombia to embark on a war which can not result in her regaining control of the Isthmus, but which may cause much bloodshed and suffering.

I hesitate to refer to the injurious insinuations which have been made of complicity by this Government in the revolutionary movement in Panama. They are as destitute of foundation as of propriety. The only excuse for my mentioning them is the fear lest unthinking persons might mistake for acquiescence the silence of mere self-respect. I think proper to say, therefore, that no one connected with this Government had any part in preparing, inciting, or encouraging the late revolution on the Isthmus of Panama, and that save from the reports of our military and naval officers, given above, no one connected with this Government had any previous knowledge of the revolution except such as was accessible to any person of ordinary intelligence who read the newspapers and kept up a current acquaintance with public affairs.

By the unanimous action of its people, without the firing of a shot—with a unanimity hardly before recorded in any similar case—the people of Panama declared themselves an independent Republic. Their recognition by this Government was based upon a state of facts in no way dependent for its justification upon our action in ordinary cases. I have not denied, nor do I wish to deny, either the validity or the propriety of the general rule that a new state should not be recognized as independent till it has shown its ability to maintain its independence. This rule is derived from the principle of nonintervention, and as a corollary of that principle has generally been observed by the United States. But, like the principle from which it is deduced, the rule is subject to exceptions; and there are in my opinion clear and imperative reasons why a departure from it was justified and even required in the present instance. These reasons embrace, first, our treaty rights; second, our national interests and safety; and, third, the interests of collective civilization.

I have already adverted to the treaty of 1846, by the thirty-fifth article of which the United States secured the right to a free and open transit across the Isthmus of Panama, and to that end agreed to guarantee to New Granada her rights of sovereignty and property over that territory. This article is sometimes discussed as if the latter guarantee constituted its sole object and bound the United States to protect the sovereignty of New Granada against domestic revolution. Nothing, however, could be more erroneous than this supposition. That our wise and patriotic ancestors, with all their dread of entangling alliances, would have entered into a treaty with New Granada solely or even primarily for the purpose of enabling that remnant of the original Republic of Colombia, then resolved into the States of New Granada, Venezuela, and Ecuador, to continue from Bogota to rule over the Isthmus of Panama, is a conception that would in itself be incredible, even if the contrary did not clearly appear. It is true that since the treaty was made the United States has again and again been obliged forcibly to intervene for the preservation of order and the maintenance of an open transit, and that this intervention has usually operated to the advantage of the titular Government of Colombia, but it is equally true that the United States in intervening, with or without Colombia's consent, for the protection of the transit, has disclaimed any duty to defend the Colombian Government against domestic insurrection or against the erection of an independent government on the Isthmus of Panama. The attacks against which the United States engaged to protect New Granadian sovereignty were those of foreign powers; but this engagement was only a means to the accomplishment of a yet more important end. The great design of

the article was to assure the dedication of the Isthmus to the purposes of free and unobstructed interoceanic transit, the consummation of which would be found in an interoceanic canal. To the accomplishment of this object the Government of the United States had for years directed its diplomacy. It occupied a place in the instructions to our delegates to the Panama Congress during the Administration of John Quincy Adams. It formed the subject of a resolution of the Senate in 1835, and of the House of Representatives in 1839. In 1846 its importance had become still more apparent by reason of the Mexican war. If the treaty of 1846 did not in terms bind New Granada to grant reasonable concessions for the construction of means of interoceanic communication, it was only because it was not imagined that such concessions would ever be withheld. As it was expressly agreed that the United States, in consideration of its onerous guarantee of New Granadian sovereignty, should possess the right of free and open transit on any modes of communication that might be constructed, the obvious intent of the treaty rendered it unnecessary, if not superfluous, in terms to stipulate that permission for the construction of such modes of communication should not be denied.

Long before the conclusion of the Hay-Herran treaty the course of events had shown that a canal to connect the Atlantic and Pacific oceans must be built by the United States or not at all. Experience had demonstrated that private enterprise was utterly inadequate for the purpose; and a fixed policy, declared by the United States on many memorable occasions, and supported by the practically unanimous voice of American opinion, had rendered it morally impossible that the work should be undertaken by European powers either singly or in combination. Such were the universally recognized conditions on which the legislation of the Congress was based, and on which the late negotiations with Colombia were begun and concluded. Nevertheless, when the well considered agreement was rejected by Colombia and the revolution on the Isthmus ensued, one of Colombia's first acts was to invoke the intervention of the United States; nor does her invitation appear to have been confined to this Government alone. By a telegram from Mr. Beaupré, our minister at Bogota, of the 7th of November last, we were informed that General Reyes would soon leave Panama invested with full powers; that he had telegraphed the President of Mexico to ask the Government of the United States and all countries represented at the Pan-American Conference "to aid Colombia to preserve her integrity;" and that he had requested that the Government of the United States should meanwhile "preserve the neutrality and transit of the Isthmus" and should "not recognize the new Government." In another telegram from Mr. Beaupré, which was sent later in the day, this Government was asked whether it would take action "to maintain Colombian right and sovereignty on the Isthmus in accordance with article 35 [of] the treaty of 1846" in case the Colombian Government should be "entirely unable to suppress the secession movement there." Here was a direct solicitation to the United States to intervene for the purpose of suppressing, contrary to the treaty of 1846 as this Government has uniformly construed it, a new revolt against Colombia's authority brought about by her own refusal to permit the fulfillment of the great design for which that treaty was made. It was under these circumstances that the United States, instead of using its forces to destroy those who sought to make the engagements of the treaty a reality, recognized them as the proper custodians of the sovereignty of the Isthmus.

This recognition was, in the second place, further justified by the highest considerations of our national interests and safety. In all the range of our international relations, I do not hesitate to affirm that there is nothing of greater or more pressing importance than the construction of an interoceanic canal. Long acknowledged to be essential to our commercial development, it has become, as the result of the recent extension of our territorial dominion, more than ever essential to our national self-defense. In transmitting to the Senate the treaty of 1846, President Polk pointed out as the principal reason for its ratification that the passage of the Isthmus, which it was designed to secure, "would relieve us from a long and dangerous navigation of more than 9,000 miles around Cape Horn, and render our communication with our own possessions on the northwest coast of America comparatively easy and speedy." The events of the past five years have given to this consideration an importance immeasurably greater than it possessed in 1846. In the light of our present situation, the establishment of easy and speedy communication by sea between the Atlantic and the Pacific presents itself not simply as something to be desired, but as an object to be positively and promptly attained. Reasons of convenience have been superseded by reasons of vital necessity, which do not admit of indefinite delays.

To such delays the rejection by Colombia of the Hay-Herran treaty directly exposed us. As proof of this fact I need only refer to the programme outlined in the report of the majority of the Panama canal committee, read in the Colombian Senate on the 14th of October last. In this report, which recommended that the discussion of a law to authorize the Government to enter upon new negotiations should be indefinitely postponed, it is proposed that the consideration of the subject should be deferred till October 31, 1904, when the next Colombian Congress should have met in ordinary session. By that time, as the report goes on to say, the extension of time granted to the New Panama Canal Company by treaty in 1893 would have expired, and the new Congress would be in a position to take up the question whether the company had not, in spite of further extensions that had been granted by legislative acts, forfeited all its property and rights. "When that time arrives," the report significantly declares, "the Republic, without any impediment, will be able to contract, and will be in more clear, more definite, and more advantageous possession, both legally and materially." The naked meaning of this report is that Colombia proposed to wait until, by the enforcement of a forfeiture repugnant to the ideas of justice which obtain in every civilized nation, the property and rights of the New Panama Canal Company could be confiscated.

Such is the scheme to which it was proposed that the United States should be invited to become a party. The construction of the canal was to be relegated to the indefinite future, while Colombia was, by reason of her own delay, to be placed in the "more advantageous" position of claiming not merely the compensation to be paid by the United States for the privilege of completing the canal, but also the forty millions authorized by the act of 1902 to be paid for the property of the New Panama Canal Company. That the attempt to carry out this scheme would have brought Colombia into conflict with the Government of France can not be doubted; nor could the United States have counted upon immunity from the consequences of the attempt, even apart from the indefinite delays to which the construction of the canal was to be subjected. On the first appearance of danger to Colombia, this Government would have been summoned to interpose, in order to give effect to the guarantees of the treaty of 1846; and all this in support of a plan which, while characterized in its first stage by the wanton disregard of our own highest interests, was fitly to end in further injury to the citizens of a friendly nation, whose enormous losses in their generous efforts to pierce the Isthmus have become a matter of history.

In the third place, I confidently maintain that the recognition of the Republic of Panama was an act justified by the interests of collective civilization. If ever a government could be said to have received a mandate from civilization to effect an object the accomplishment of which was demanded in the interest of mankind, the United States holds that position with regard to the interoceanic canal. Since our purpose to build the canal was definitely announced there have come from all quarters assurances of approval and encouragement, in which even Colombia herself at one time participated; and to general assurances were added specific acts and declarations. In order that no obstacle might stand in our way, Great Britain renounced important rights under the Clayton-Bulwer treaty and agreed to its abrogation, receiving in return nothing but our honorable pledge to build the canal and protect it as an open highway. It was in view of this pledge, and of the proposed enactment by the Congress of the United States of legislation to give it immediate effect, that the second Pan-American Conference, at the City of Mexico, on January 22, 1902, adopted the following resolution:

"The Republics assembled at the International Conference of Mexico applaud the purpose of the United States Government to construct an interoceanic canal, and acknowledge that this work will not only be worthy of the greatness of the American people, but also in the highest sense a work of civilization, and to the greatest degree beneficial to the development of commerce between the American States and the other countries of the world."

Among those who signed this resolution on behalf of their respective governments was General Reyes, the delegate of Colombia. Little could it have been foreseen that two years later the Colombian Government, led astray by false allurements of selfish advantage, and forgetful alike of its international obligations and of the duties and responsibilities of sovereignty, would thwart the efforts of the United States to enter upon and complete a work which the nations of America, reechoing the sentiment of the nations of Europe, had pronounced to be not only "worthy of the greatness of the American people," but also "in the highest sense a work of civilization."

That our position as the mandatary of civilization has been by no means misconceived is shown by the promptitude with which the powers have, one after another, followed our lead in recognizing Panama as an independent State. Our action in recognizing the new Republic has been followed by like recognition on the part of France, Germany, Denmark, Russia, Sweden and Norway, Nicaragua, Peru, China, Cuba, Great Britain, Italy, Costa Rica, Japan, and Austria-Hungary.

In view of the manifold considerations of treaty right and obligation, of national interest and safety, and of collective civilization,

by which our Government was constrained to act, I am at a loss to comprehend the attitude of those who can discern in the recognition of the Republic of Panama only a general approval of the principle of "revolution" by which a given government is overturned or one portion of a country separated from another. Only the amplest justification can warrant a revolutionary movement of either kind. But there is no fixed rule which can be applied to all such movements. Each case must be judged on its own merits. There have been many revolutionary movements, many movements for the dismemberment of countries, which were evil, tried by any standard. But in my opinion no disinterested and fair-minded observer acquainted with the circumstances can fail to feel that Panama had the amplest justification for separation from Colombia under the conditions existing, and, moreover, that its action was in the highest degree beneficial to the interests of the entire civilized world by securing the immediate opportunity for the building of the interoceanic canal. It would be well for those who are pessimistic as to our action in peacefully recognizing the Republic of Panama, while we lawfully protected the transit from invasion and disturbance, to recall what has been done in Cuba, where we intervened even by force on general grounds of national interest and duty. When we interfered it was freely prophesied that we intended to keep Cuba and administer it for our own interests. The result has demonstrated in singularly conclusive fashion the falsity of these prophecies. Cuba is now an independent Republic. We governed it in its own interests for a few years, till it was able to stand alone, and then started it upon its career of self-government and independence, granting it all necessary aid. We have received from Cuba a grant of two naval stations, so situated that they in no possible way menace the liberty of the island, and yet serve as important defenses for the Cuban people, as well as for our own people, against possible foreign attack. The people of Cuba have been immeasurably benefited by our interference in their behalf, and our own gain has been great. So it will be with Panama. The people of the Isthmus, and as I firmly believe of the adjacent parts of Central and South America, will be greatly benefited by the building of the canal and the guarantee of peace and order along its line; and hand in hand with the benefit to them will go the benefit to us and to mankind. By our prompt and decisive action, not only have our interests and those of the world at large been conserved, but we have forestalled complications which were likely to be fruitful in loss to ourselves and in bloodshed and suffering to the people of the Isthmus.

Instead of using our forces, as we were invited by Colombia to do, for the twofold purpose of defeating our own rights and interests and the interests of the civilized world, and of compelling the submission of the people of the Isthmus to those whom they regarded as oppressors, we shall, as in duty bound, keep the transit open and prevent its invasion. Meanwhile, the only question now before us is that of the ratification of the treaty. For it is to be remembered that a failure to ratify the treaty will not undo what has been done, will not restore Panama to Colombia, and will not alter our obligation to keep the transit open across the Isthmus, and to prevent any outside power from menacing this transit.

It seems to have been assumed in certain quarters that the proposition that the obligations of article 35 of the treaty of 1846 are to be considered as adhering to and following the sovereignty of the Isthmus, so long as that sovereignty is not absorbed by the United States, rests upon some novel theory. No assumption could be further from the fact. It is by no means true that a state in declaring its independence rids itself of all the treaty obligations entered into by the parent government. It is a mere coincidence that this question was once raised in a case involving the obligations of Colombia as an independent state under a treaty which Spain had made with the United States many years before Spanish-American independence. In that case Mr. John Quincy Adams, Secretary of State, in an instruction to Mr. Anderson, our minister to Colombia, of May 27, 1823, said:

"By a treaty between the United States and Spain concluded at the time when Colombia was a part of the Spanish dominions * * * the principle that free ships make free goods was expressly recognized and established. It is asserted that by her declaration of independence Colombia has been entirely released from all the obligations by which, as a part of the Spanish nation, she was bound to other nations. This principle is not tenable. To all the engagements of Spain with other nations, affecting their rights and interests, Colombia, so far as she was affected by them, remains bound in honor and in justice. The stipulation now referred to is of that character."

The principle thus asserted by Mr. Adams was afterwards sustained by an international commission in respect to the precise stipulation to which he referred; and a similar position was taken by the United States with regard to the binding obligation upon the independent State of Texas of commercial stipulations embodied in prior treaties between the United States and Mexico when Texas formed a part of the latter country. But in the present case it is unnecessary to go so far. Even if it be admitted that prior treaties of a political and commercial complexion generally do not bind a new state formed by separation, it is undeniable that stipulations having a local application to the territory embraced in the new state continue in force and are binding upon the new sovereign. Thus it is on all hands conceded that treaties relating to boundaries and to rights of navigation continue in force without regard to changes in government or in sovereignty. This principle obviously applies to that part of the treaty of 1846 which relates to the Isthmus of Panama.

In conclusion let me repeat that the question actually before this Government is not that of the recognition of Panama as an independent republic. That is already an accomplished fact. The question, and the only question, is whether or not we shall build an isthmian canal.

I transmit herewith copies of the latest notes from the minister of the Republic of Panama to this Government, and of certain notes which have passed between the special envoy of the Republic of Colombia and this Government.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 4, 1904.*

The PRESIDENT pro tempore. The message and the accompanying papers will lie on the table, and be printed.

Mr. GORMAN. I take it the documents accompanying the message will also be printed.

The PRESIDENT pro tempore. They will be printed.

EMPLOYEES OF GOVERNMENT PRINTING OFFICE.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day; which will be read.

The Secretary read the resolution submitted by Mr. PENROSE December 10, 1903, as follows:

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate, in the same form as in Senate Document No. 39, Fifty-fourth Congress, second session, the names of all persons upon either the permanent, emergency, or temporary roll of the Government Printing Office who were employed there in during the fiscal years 1895 to 1902, inclusive, who did not receive any leaves of absence during those fiscal years or pay for unused leaves of absence, and the amount which such person would have received for each of said fiscal years, separately, if leave pay had been allowed either in full or pro rata upon the basis of thirty days for each fiscal year, the amount so computed to be according to the pay received and the service performed by such persons during each of said fiscal years.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. ALLISON. I did not gather the full purport of the resolution. I ask that it may lie over until to-morrow. I should like to examine it.

The PRESIDENT pro tempore. Retaining its place?

Mr. ALLISON. Retaining its place.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

SECESSION OF PANAMA.

Mr. MORGAN. The President pro tempore of the Senate was not present at the time of the adjournment for the holidays. At the time of adjournment there was under consideration a resolution which I had the honor to offer in the Senate, No. 66, and it was agreed that the consideration of that resolution should go over until this morning.

The PRESIDENT pro tempore. That would not displace the resolution just laid before the Senate. The resolution to which the Senator refers is in the list of resolutions and will come up in its proper place.

Mr. MORGAN. That resolution was under consideration by the Senate, and the consideration of it was stopped by an agreement of the body that it should go over until to-day, not losing its privilege, just as if the session of the Senate had continued on after 2 o'clock. I am not at all anxious about it, but I should like to know the status of the resolution.

The PRESIDENT pro tempore. Under that agreement it retains its place, and its place is a certain number here.

Mr. MORGAN. The agreement went further than that. I should be glad, if the clerks have it, that it should be read.

Mr. HALE. Will the Senator allow me a moment?

Mr. MORGAN. Certainly.

Mr. HALE. My recollection agrees with that of the Senator from Alabama. The resolution submitted by the Senator had been taken up by the Senate by unanimous consent, and it was before the Senate. As it had been taken out of its proper place, in the middle of a row of resolutions, when the adjournment occurred, the resolution being before the Senate, I know I had the impression that as the Senate had taken up the resolution out of its order, it would be before the Senate when it met again. But if the Senator makes no point on that, there is no practical question involved.

Mr. MORGAN. That was the understanding.

Mr. HALE. My recollection agrees with that of the Senator.

Mr. MORGAN. I want to get the resolution up now, not with a view of discussing it this morning, unless it is required that I shall go on, but in order that on to-morrow the resolution shall retain the precedence it has today.

The PRESIDENT pro tempore. The request of the Senator as it appears here was that the resolution should go over without prejudice, and having gone over without prejudice, the Chair would be almost compelled to rule that it simply went to its place by its terms just as it was entered on the Senate.

Mr. MORGAN. That is merely the conclusion of the clerks as to what took place in the Senate. It is not a recitation of the actual state of facts.

The PRESIDENT pro tempore. It is the RECORD the Chair was reading from—the official RECORD.

Mr. McCOMAS. Mr. President, if the distinguished Senator from Alabama does not insist upon the matter being taken up, I would be very glad [illegible] that it be now taken up for the purpose of [illegible] remarks.

Mr. MORGAN. [illegible] I should be very glad if the Senator from Maryland [illegible] to proceed on personal leaving.

The PRESIDENT pro tempore. Is there objection to proceeding to the consideration of the resolution referred to by the Senator from Alabama [illegible] Without unanimous consent the resolution would be now to be taken up by unanimous consent [illegible] come up to-morrow morning without unanimous consent.

Mr. McCOMAS. I understand the Senator from Alabama to desire that the resolution should lie on the table and come up to-morrow for consideration. I therefore asked unanimous consent that it should now be taken up, that I might briefly submit some remarks.

Mr. MORGAN. I ask as an additional request that if the resolution is not disposed of today it shall receive on to-morrow the same privileges that are granted by the Senate now.

Mr. SPOONER. The Senator from Massachusetts [Mr. LODGE] has given notice that on to-morrow he would like to address the Senate.

Mr. MORGAN. The Senator from Massachusetts gave notice on a former occasion that he wanted to speak on my resolution to-day.

Mr. SPOONER. He gave notice this morning that he would speak to-morrow.

Mr. McCOMAS. That is the second notice he gave.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama that if the resolution is not disposed of to-day it shall be laid before the Senate as the first resolution to-morrow morning? The Chair hears no objection, and the resolution is now, by unanimous consent, before the Senate.

Mr. McCOMAS rose.

Mr. BACON. Mr. President, I simply desire, in this connection, in order that the record may not be confused, to call the attention of the presiding officer to the fact that this is one of several resolutions standing in the same relation to the business of the Senate and to refer to what occurred on the 19th of December, I [illegible] the chair was absent. The presiding officer will find it on page [illegible] of the RECORD. My remark is not intended to apply in any manner to the action the Senate has taken relative to the resolution of the Senator from Alabama, but I wish to call the attention of the presiding officer to another resolution in the Senate as to another resolution standing in the same relation with that of the Senator from Alabama.

The resolution offered by myself, and which I presume is in the pigeon-hole which the presiding officer now holds in his hand, was without my knowledge or agency called upon the 19th of December to be first in order. This was not my understanding at the time, and I so stated; and in order that the matter might not be misunderstood thereafter, I then asked unanimous consent that the resolution should lie on the table subject to my call, and it was so ordered.

The PRESIDENT pro tempore. That resolution is on the Calendar in its condition now.

Mr. BACON. I only took the precaution in order that what the presiding officer said relative to the resolution offered by the Senator from Alabama should not be deemed to apply to the resolution which I offered.

The PRESIDENT pro tempore. The remark the Chair made referred only to those resolutions which were allowed to go over retaining their place. There is a separate list of resolutions which were put on the table subject to the call of the Senators offering them. That is a separate list. Under the agreement, the Senator offering such a resolution has a right to call it up at any time after the conclusion of the regular morning business. The resolution of the Senator from Alabama is now before the Senate.

Mr. McCOMAS. Mr. President——

The PRESIDENT pro tempore. Nothing was done in relation to the other resolutions, which have from day to day been laid over, retaining their places. Is it the wish of the Senate that the other resolutions shall be laid over again, retaining their places? Is there objection? The Chair hears none, and that order will be made.

The resolution before the Senate will be read.

The resolution submitted by Mr. MORGAN, December 18, 1903, was read as follows:

Resolved, That neither the President, nor the President and the Senate as the treaty-making power of the United States, have the power, [illegible] to declare war against any foreign power, without the concurrence of Congress, with which country is at peace with the United States and with whom no [illegible] exists with the United States, and [illegible] recognized by the President as the [illegible] of a foreign power. And the concurrence of the Senate as a part of the treaty-making power, in a war waged by the President against a [illegible] [illegible] or not, or upon [illegible] is a usurpation of the United States of power [illegible] law of the United States.

[illegible] a state of war exists between Colombia and the Government of Panama that seems to be [illegible] Government of Panama [illegible] the Government of the United States [illegible] Panama. And [illegible] Panama [illegible] as the Government of Panama.

3. That if Colombia is not permitted to assert sovereignty over the territory [illegible] Panama. And the United States [illegible] with the patriots who [illegible] the United States guarantees and will maintain the independence of the Republic of Panama.

[illegible] offered a declaration of war with Panama, as we do not within the limits of any power conferred upon the President by the Constitution, or by the laws of nations.

4. That the President has no [illegible] without the consent of Congress and under the [illegible] laws of the United States, as [illegible] the United States.

5. That the Senate repeats its resolution of 1889, in the following words:

"Resolved, [illegible] with foreign governments and [illegible] of any government with which the United States [illegible] the United States, as a matter of [illegible] Statutes, has defined neutrality and [illegible] jurisdiction of the United States [illegible] or [illegible] by the Congress of the United States, and is contrary to the laws of the [illegible]

Mr. McCOMAS. Mr. President, I had desired to submit some observations upon the question passed by the resolutions of inquiry presented by the distinguished senior Senator from Massachusetts [Mr. HOAR]. The present resolution offers the same opportunity of relevant discussion. But the message of the President of the United States, which has just been read, discourages anyone holding my views of the matters involved in the Panama incident from the vain effort of adding to what has been so clearly, copiously, conclusively stated and proved by the message of the President just read.

However, there is one paragraph in the President's message today which ought to impel every patriotic Senator to express his approval of the action of the Executive in respect of the Isthmus in the month of November. The President says, with suppressed indignation:

> I hesitate to refer to the injurious insinuations which have been made of connivance by the Government of the United States in the late revolutionary movement in Panama. They are as baseless as they are groundless. The only excuse for my mentioning them is the fear lest unthinking persons might mistake for acquiescence the silence of the Executive.
>
> I think proper to say, therefore, that no one connected with this Government had any part in preparing, fomenting, or encouraging the late revolution on the Isthmus of Panama, and that save from the reports of our military

and naval officers, given above, no one connected with this Government had any previous knowledge of the revolution except such as was accessible to any person of ordinary intelligence who read the newspapers and kept up a current acquaintance with public affairs.

The President says well what he must feel strongly, that any person of ordinary intelligence who read the newspapers ought to have known that the revolution of the Isthmus was neither inspired, connived at, nor in any way abetted by the Government of the United States, and if the patient dignity and self-respect of the President restrains him in referring to such unworthy insinuations, Senators ought to feel the more anxious to repel such false and petty accusations.

I first note the remarkable circumstance that the Republic of Panama has been recognized already by the United States, France, Denmark, Russia, Sweden and Norway, Great Britain, Italy, China, Germany, Austria-Hungary, Japan, and Belgium. All Europe and all Asia have recognized the new Republic. It has been recognized by Cuba, Peru, Nicaragua, Costa Rica, and I am very safe in predicting that within a very few days it will be recognized by all of the principal republics of South America.

Mr. MORGAN. May I ask the Senator a question just there?

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Alabama?

Mr. McCOMAS. With pleasure.

Mr. MORGAN. Can the Senator point out from the recognition that has been given to the Republic of Panama by any of these governments the fact that the independence of Panama has been recognized?

Mr. McCOMAS. The instances are of the recognition of a de facto government——

Mr. MORGAN. All.

Mr. McCOMAS. In respect of the United States.

Mr. MORGAN. Yes; and all the rest.

Mr. McCOMAS. In the case of the United States and of France it has been a recognition of independence, as I understand.

Mr. MORGAN. Is the Senator certain of that?

Mr. McCOMAS. I am pretty confident of it.

Mr. MORGAN. I have never seen any statement of it.

Mr. McCOMAS. At present I feel confident enough to say that.

Mr. MORGAN. My impression is that no government except one—and that Costa Rica—has gone any further than to acknowledge merely the de facto existence of that Republic. Our Government certainly has not.

Mr. McCOMAS. If it be true that many have not, I think it very likely from this unanimity it soon will be true that all nations will have recognized the independence of Panama. It is safe to say that when the whole of Europe and Asia recognize a de facto government and a young republic an existing organized government, which they have with remarkable celerity and unanimity recognized, the second stage of actual recognition of independence will soon take place.

Mr. MORGAN rose.

Mr. McCOMAS. Unless the Senator desires to ask me a further question——

Mr. MORGAN. No, I will not ask anything further. The Senator has made all the statement I wanted him to make.

Mr. McCOMAS. I am safe also in predicting that the republics of South America will specially recognize this new Republic, and I may add to that the [illegible] n——

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Texas?

Mr. McCOMAS. I yield for a question.

Mr. CULBERSON. Following the question of the Senator from Alabama and the answer of the Senator from Maryland that he understands the United States Government has recognized the independence of Panama, I will ask him if he takes the position that the Executive of the United States is empowered by the Constitution to recognize the independence of a revolutionary government without the concurrence of Congress or of the Senate?

Mr. McCOMAS. Mr. President, I emphatically take that position, which has so often been taken by this Government from its earliest history. Our Supreme Court looks alone to the Executive for the recognition of all new governments. That is true in the jurisprudence of all the great nations, but from a republic like our tripartite division of power it is the essential thing that the Executive should have the power of recognition, that the courts should follow the Executive, and that Congress at intervals in session should follow the Executive. I answer with great confidence that it is a question for the Executive, and the President properly put it in the conclusion of his admirable message, when he said:

> In conclusion, let me repeat that the question actually before this Government is not that of the recognition of Panama as an independent republic. That question is not in question. The question, and the only question, is whether or not we shall build an isthmian canal.

The question whether or not a de facto government be recognized by our Government and enter into relations with it is a question for the Executive. The question of the recognition of a de facto government likely to endure is an Executive question pure and simple and is necessarily exclusively an Executive question, and as much so in our country as in other countries where the same rule also obtains.

Mr. TILLMAN. Will the Senator allow me a question?

Mr. McCOMAS. Certainly.

Mr. TILLMAN. Does the Senator from Maryland contend that the President of the United Stat s can do anything more than give official recognition, which will amount to nothing unless backed up by Congress?

Mr. McCOMAS. Story and John Randolph Tucker well state the reasons why the President is properly vested with the power to determine whether the representatives of an insurgent power shall be recognized. He can do nothing more than to give official recognition, but that official recognition, in case of a dismemberment by revolution, is binding upon the courts, and the President will have to answer for the wisdom of the decision. Mr. Tucker well states the strong reasons why this power in the President must be exclusive of any like power in the Senate.

Mr. TILLMAN. In other words, the Executive can embroil us in a war if he sees fit, without Congress declaring it.

Mr. McCOMAS. I believe I can bring to the Senator's attention two incidents—I will not take time now to mention or discuss them—in which the Executive of the United States has practically brought on war with the United States by Executive action without the intervention of Congress.

Mr. TILLMAN. The Senator is going to give us instances. I hope, in his speech. In other words, the Senator is not going to assert it without proving it.

Mr. McCOMAS. I think I had better try to do that later on; I will not undertake it now.

My point which I now want to impress is that what we have done in the instance of the new Republic all the world has done in like fashion and with remarkable promptitude. It is, as I have said, the familiar rule of our Government and of all governments within the pale of international law to recognize and enter into relations with any actual government within defined territory in full possession of effective power with the consent of the people. Secretary Hay, in his dispatch to Mr. Ehrman, our consul at Panama, stated with accuracy that familiar doctrine:

> When you are satisfied that the de facto government possesses the real and without substantial opposition on the part of its own people has been established in the State of Panama, you will assume such relations with it as it is possible for you to assume, if the best interests of trade, and duty to protect the persons and property of the citizens of the United States, and to keep open the transit across the Isthmus in accordance with the stipulations of existing treaties governing the rights of the United States in that territory.

This revolution occurred on the 3d day of November. Mr. Hay's telegram was sent on the 5th of November. We formally recognized the independence of Panama on the 13th of November, and before the end of the year the whole world had done likewise. I say, therefore, that the world has accepted our intervention, because what took place there was not simply recognition of an existing government, but it was an intervention within the power and privilege of the Executive under international law; and it was also an intervention under the power and scope of treaties which we had made in respect of that Isthmus. The whole world has, therefore, accepted our act and our recognition as just and humane.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from South Carolina?

Mr. McCOMAS. For a question, with pleasure.

Mr. TILLMAN. I desire, if I can, to get the Senator's position. I want to know whether he contends that the Executive, without the instruction or consent of Congress, can employ the Army and Navy of this Government to defend his Executive action in warning away and preventing Colombia from asserting its supremacy in every part of the Isthmus except the railroad, the transit? Do our treaty obligations confer or does the Constitution give anybody authority to do that without Congressional action?

Mr. McCOMAS. That matter is so admirably argued in the last pages of the message just read that I feel hesitation in enlarging upon it, but later on I intend to make some observations on that subject. I want to answer frankly to the Senator from South Carolina that I believe the Executive has the right and it is an Executive right to recognize a de facto government and afterwards to recognize the independence of a government, and that if improvidently done and that government proves to be unstable the Executive might unhappily involve us in a war. I believe that Executive action brought us into a war when public sentiment coincided with the executive action.

Mr. TILLMAN. I do not want to interrupt the Senator unless he desires. I merely want to get his position. The Senator has spoken of precedents for his position. But the question for us here as Senators to determine is whether or not the President has transcended his authority.

Mr. BACON. Will the Senator kindly state to the Senate what are the two instances to which he has just alluded?

Mr. McCOMAS. I do not want to discuss that point now. I do not want to be diverted by a dispute upon it.

Mr. BACON. I simply want the Senator to state the instances, if he will, so that we may have the information.

Mr. McCOMAS. If the Senator will indulge me. I prefer to state my reasons when I can give my reasons for my position.

Mr. BACON. Precisely. But I thought the Senator was passing upon that point, and I wanted to know.

Mr. McCOMAS. That point is not within the range of my discussion at present, nor necessary to it. I prefer to deal with facts which the Senator can not dispute.

Mr. President, the new Republic, as has been said, is the result of a sudden revolution. I admit that the new Republic of Panama is the child of revolution. So is our Government the child of a revolution, and so is every government on this hemisphere, to the south of our own Government, the child of a revolution. But many of them are the offspring of just and righteous revolutions, and many of them, our own at the forefront, will endure; and I think this young Republic of Panama will endure longer than the parent State of Colombia, which is now threatened with other revolutions.

Mr. BACON. Will the Senator permit me to ask him a question there?

Mr. McCOMAS. If it is on this matter.

Mr. BACON. It is right on that particular point.

Mr. McCOMAS. Very well.

Mr. BACON. The Senator expresses a very ardent belief that the Panama Republic will continue to exist for an indefinite period. The question I desire to ask the honorable Senator is this. How long does he think the Republic of Panama would last if the sustaining power of the United States were withdrawn from it?

Mr. McCOMAS. I think it would last for many years.

Mr. BACON. Does the Senator think it would last a day?

Mr. McCOMAS. I am trying to show that but for our repeated intervention to suppress Panama when Colombia oppressed her there would have been a Panama republic before to-day, and that if we had earlier refused to intervene to hold down Panama the independence of Panama would have been settled years ago.

Mr. BACON. Of course I do not desire to enter into a discussion with the Senator or to unduly interrupt him. The purpose of my inquiry was simply to get the views of the Senator as to whether or not the Republic of Panama could maintain itself against the Republic of Colombia if it did not have the support of the United States Government.

Mr. McCOMAS. When I get an opportunity to go further along with my own statement of the proposition I will state briefly the reasons why I think it can. I sincerely think so.

Mr. BACON. That is what I want.

Mr. McCOMAS. I will say just now that I have talked with a number of people who have been in Panama of late years, and some of whom have just returned, persons who were citizens and persons in official relation, either civil, military, or naval, and I have been impressed with the statements of those who reported to me that in the condition of Panama, with the natural bulwarks guarding Panama, if the United States had not intervened Colombia could not overcome the new Republic of Panama.

Mr. BACON. If the Senator will allow me—and I shall promise not to interrupt him again, because I recognize the impropriety of unduly disturbing the current of his remarks—but will the Senator in that connection state to the Senate, if he has the information, and, if not accurately, then approximately, what are the respective populations of Colombia and Panama?

Mr. McCOMAS. I will state that now. One of them has about 300,000 and the other about 4,500,000.

Mr. BACON. Colombia four and a half millions and Panama 300,000?

Mr. McCOMAS. Yes.

Mr. BACON. And they are contiguous in territory?

Mr. McCOMAS. They are.

Mr. BACON. And yet the Senator thinks that those 300,000 people could maintain themselves against four and a half million people. Is that the proposition of the Senator?

Mr. McCOMAS. Such things have happened in the history of the world. The Senator must not say that I am rash in thinking that a united people in such a country, buttressed by land and by sea, could not easily be overcome by a discordant and corrupt, a bankrupt and decadent people much more numerous. The march of the ten thousand, which the Senator read in his youth, illustrates what a small body of men can do against a great body.

Mr. BACON. I always thought that the march of the ten thousand was a retreat.

Mr. McCOMAS. But after the death of Cyrus the retreat of the Greeks was an attack as well, a continuous attack upon invaded provinces.

Mr. BACON. No.

Mr. McCOMAS. For about——

Mr. BACON. The Senator will recall—I have no doubt he remembers his Xenophon—the cry of the ten thousand as they reached the shore—"The sea! The sea!" That was their deliverance. They were on the retreat, and not on the advance.

Mr. McCOMAS. According to my recollection, the march of the ten thousand, of which Xenophon has told the story, was a march of a solid phalanx through other countries to its own, and it ceased to be a retreat when it began to be an invasion of other countries.

Mr. BACON. I just want to ask the Senator this question, and this will be the last, if the Senator will answer it. The Senator has stated that there are many instances known in history similar to that suggested by this question, where approximately four and a half million people were unable to conquer 300,000 people. I wish to ask the Senator, since he says there are so many, that he will at least tell us of one where in contiguous territory that was the case.

Mr. McCOMAS. The Senator asking me offhand does not enable me to give several instances now. I know that one——

Mr. BACON. That was not the question.

Mr. McCOMAS. Take the case of the long defense of Iskander and his Croats against the Turkish Empire; take the case of Venice repelling the East; take in more recent days the successful war of Japan and China—35,000,000 against 400,000,000——

Mr. BACON. But I said in a case where the countries occupied contiguous territory.

Mr. McCOMAS. That territory is as contiguous as can be across a narrow channel—35,000,000 against 400,000,000. The history of the world is full of such instances. The Senator himself can recall twenty if he will sit down and refresh his recollection, for I have recalled four or five.

Mr. BACON. I will say that the Senator can not present any instance in history where in contiguous territory 300,000 people have maintained themselves and their independence against the attack of four and a half million people.

Mr. McCOMAS. I think if the Senator from Georgia will look up the story of Croatia he will find that for two centuries those people kept up their independence against Turkey. If the Senator will turn to the history of Montenegro in the last century he will find that in our day those unconquered mountaineers have maintained their independence, being defended by the barriers of mountains, just as the people of Panama are now defended. Such achievements are not unusual.

Mr. President, I said that the new Republic of Panama is the child of a revolution, as is our Government and that of every government on this hemisphere to the south of us. It is idle, therefore, to criticise the promptness of our recognition of that Government by the United States. A document I have here, but will not read, contains the long roll of the recognitions by this Government of other governments from its foundation until a recent date. It is a long roll of prompt and speedy recognitions, and it shows what might be expected, that the United States has been swift, wherever it safely could, to recognize in this world a new republic.

Mr. Fish, our Secretary of State, telegraphed our minister, Mr. Washburn, to recognize the French Republic, not waiting until the provinces had been heard from, but as soon as Gambetta and his friends had proclaimed it in the Hotel de Ville in Paris. So earnest were we that, although that Government was disputed and war to crush it followed, bloody and monumental in its cruelty, three telegrams had gone from our Secretary of State under President Grant, recognizing the Republic when war against the Republic was impending by the Commune in Paris.

Mr. Blaine telegraphed Mr. ADAMS, now an honored Member of the other House, then our minister at Brazil, on the second day of the existence of the Republic of Brazil, to recognize that Republic.

The question whether or not a government is likely to endure and be able to withstand assault and to maintain its effective power within the defined territory which it rules or undertakes to govern is a matter of nice discrimination for the Executive.

We were in haste to recognize the Republic of Spain, and where is the Republic of Spain to-day? It was soon followed by a monarchy, and no one, so far as I am aware, found fault with the recognition of that republic or now censures our sympathy and confidence in the republic of Emilio Castellar.

President Harrison was swift, it was said, to recognize the new Republic of Hawaii; but yet not too swift, as the after time proved, and we immediately proceeded to annex those islands as a Territory.

The eminent senior Senator from Massachusetts [Mr. HOAR] was the first to refute President Cleveland's charge that the Government of Hawaii had been subverted with the active aid of our representative to that Government through the intimidation caused by the presence of an armed naval force of the United

States, which was landed for that purpose at the instance of our Minister Stevens. That eminent Senator justly replied that "the suggestion that the United States may have acted with undue haste in the recognition of this Hawaiian Government or that it may have violated international law by taking part in the revolution which established it, will not, in my judgment, bear examination for a moment." And he was right.

In a most convincing discussion of international law applied to the facts in the case of Hawaii, the Senator from Massachusetts maintained that there had been no violation of international law; that there had been no haste in recognition; that there had been no wrong in the action of Mr. Stevens; and the Senator from Massachusetts was right.

Mr. President, the case of Panama is far simpler and far clearer than was that of Hawaii. It now appears that the people were unanimous in Panama. When we consider the justice and correctness of the recognition of the de facto government followed by a recognition of the independence of that Government, we are to include not simply the facts as they stood at the time when Executive recognition took place, but all the subsequent history; and now we know, and the world knows, that the people of Panama were unanimous.

The de facto government then possessed, and it now possesses, by the unanimity of its people, all the territory of Panama coextensive with the new Republic. The Colombian troops had departed and had not waged war. The provisional government has proceeded to hold a popular election and to call a constitutional convention, and the most recent information from Panama is that, whatever may be said in respect of the uncertainty and the unfairness of elections in South American and Central American republics, the testimony from all hands is that those elections were not only orderly, but absolutely fair, perhaps because the people were united and of one mind in those elections.

Panama will soon have a constitution like our own. All governments except that of the parent State welcome Panama into the family of nations, and the young Republic, I repeat, will endure, taking into consideration the disorganized and discordant condition of Colombia and Panama's natural barriers against invasion.

Those who criticise the President are few, and when all the facts become known will be fewer still. I am sure that when the message just read goes to the country it will diminish the small number of those who now criticise the President to an easily negligible body of persons among the 80,000,000 Americans who will nearly all approve every act and every utterance in this transaction of our President and of our Secretary of State.

Under the treaty of 1846 we have often been called on to intervene for New Granada and Colombia, as now we have intervened for Panama, the third successor to this isthmian territory. The treaty guarantees that "The right of way or transit across the Isthmus of Panama upon any of the modes of communication that now exist, or that may be hereafter constructed, shall be free to the Government and citizens of the United States," while the United States in turn guarantee for that consideration "the perfect neutrality of the above-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time," being, as the President well says, not only an undertaking by us in respect of the present transit, but other modes of communication, such as the canal to be excavated there, which we undertake to protect and defend. To protect that canal when it shall be cut from sea to sea is plainly conceded to be within the terms of that treaty.

To protect the initiative of that canal when in the eyes of the world, by our Hay-Pauncefote treaty, by our treaty with Panama, which we will have, and by our existing treaty of 1846 we now have with Panama as the successor of New Granada, it was surely, as has been so ably argued in the message to-day read to the Senate, within the compass and scope of the obligation undertaken by us, within our power, and within our duty to protect the situs of the canal which might hereafter be dug and which this very treaty of 1846 contemplated should be dug as the other mode of communication over that Isthmus.

President Polk, therefore, well said, in transmitting this treaty, that "We are deeply and directly interested in the subject of the guaranty than New Granada herself or any other country."

Bound by this treaty of 1846, against foreign invasion, against domestic dissension, we have time and again intervened to protect the transit of the Isthmus.

For half a century, as I remarked to the Senator from Georgia [Mr. BACON] a while ago, we have again and again repressed the aspirations of the people of Panama for liberty. We have helped put down their revolutions. We have upheld their oppressors. It may have been stern; as President Polk has said, our people were then perhaps looking to their greater interests and neglecting Panama's lesser interests—we may have been deaf to the call of humanity.

This people have again revolted when Colombia's corrupt scheming was about to drive away from their Isthmus the great canal. Are we now to be asked to suppress the established Republic, recognized by all the world? Are we to repeat the Hawaiian folly of 1893? Are we to make war on Panama merely to destroy a republic?

Are we now required by a strained construction of the treaty of 1846 to join hands with Colombia and thereby delay indefinitely the beginning of the Panama Canal, to the completion of which we have pledged ourselves to the civilized world, first by the treaty with New Granada in 1846; again by the treaty with Great Britain, the Hay-Pauncefote treaty, from which time we became, as the President has said, the mandatory before the world in respect of this great enterprise?

If the President had not been so prompt, so decided; if he had kept our ships away from the Isthmus, whereon we were bound to keep peace and to keep open the transit, we might now behold devastation and massacre there. We might now expect the French Republic, when called upon by the French canal company to protect its franchises and interests, to send French ships and French soldiers to hold its unfinished canal to defeat the shameless spoliation of the French company by Colombia. Recall the intervention in Venezuela, when we saw a pacific blockade applied for the collection of debts.

Why should we say that we could warn France to depart because of our being the trustees on the Isthmus for the safe transit of the canal? Why should we say that the French Republic in behalf of the tremendous creditor account of her own citizens, expended on her canal with our tacit permission all these years that they might expend their money there—why should we say that France can not in some such fashion endeavor to intervene and prevent the spoliation and the repudiation by Colombia of the French concession for further time in which to prosecute the canal which Colombia had agreed they should make and which we assented they should complete?

The correspondence sent to Congress by the President acquaints us with the spirit and the proceedings of the Colombian Congress. The treaty we ratified was never really considered by that Congress. In this document, which I will now read, the instances reported by Minister Beaupré make an astonishing exhibition of the suppression of discussion on this canal treaty in the Congress at Bogota called upon to ratify that treaty after it had been promptly ratified by the American Senate.

Instead the discussion, the reports, and the newspaper statements from that country all the time—those mentioned to-day by the President in his message, those mentioned in the London papers, and those mentioned even in the papers on the Isthmus and at Bogota—indicate that there was, instead of serious discussion of the Hay-Herran treaty, a corrupt scheme formed by the Colombian Government—whether it emanated from the Senate or from the President is not plain, but it seems to have been concurred in by both—a corrupt scheme to repudiate the French Panama Canal concession, so that Colombia might claim the $40,000,000 which by act of Congress, we had expressed our willingness to pay for the French concessions and rights and property there, and that it might so bargain with us as to extort from us not the $10,000,000 we had generously agreed to pay, but, instead, twenty or twenty-five million dollars from the United States for the use of the way from sea to sea over the Panama Isthmus.

The Colombians, with an impoverished treasury and corrupt leaders, risked the loyalty of Panama to carry out this desperate scheme. In the late summer I apprehended and stated in the press and on the stump, and other Senators here apprehended and stated in the press and on the stump, as I have heard them say, that there was impending a revolution in Colombia, and that it would surely occur if this treaty were defeated and Panama was robbed of her canal. Every thoughtful American either did foresee or ought to have foreseen that a Panama revolution would follow the rejection of the Hay-Herran treaty, as the President has stated in this message of to-day.

After citing in this message three pages of extracts, statements of officers who went from Venezuela across the Isthmus and then came back and reported to the President here, on their casual visit, that they saw preparations for the revolution soon to break out, and then, after summing up all these matters in the press and the public sources of abundant information of the impending revolution, the President says:

> Suffice it to say that it was notorious that revolutionary trouble of a serious nature was impending upon the Isthmus. But it was not necessary to rely exclusively upon such general means of information.

The President then proceeds to give numerous instances of information coming from army officers and coming from officers of our Navy who were in those waters, all of whom warned our Executive that if the treaty were defeated, and warned our Executive that the people of Panama expected the treaty to be defeated, then there would come a revolution.

In the documents sent by the President to Congress it has appeared that the Colombians, with an impoverished treasury and currency bankrupt, asked the loyalty of Panama to carry out this [illegible] risked that in respect to Panama by long years of [illegible]. Mr. President, it appears that several million [illegible] have been annually raised for some years from the income of the ports of Panama and that Colombia had not expended in [illegible] years enough money in Panama to build a road or to mend a bridge, that out of the millions taken from her people and her ports they had not expended money to build a public road.

Senator Obaldia, the governor of Panama, lived at the expense of Costa Rica and, nearest the ocean, in the stock-raising, cattle-producing part of this isthmian country, where the climate is said to be healthy, and the pasturs as good as those of Cuba for cattle raising, and yet between that part of the Republic and the cities of Panama and Colon there are impassable forests, and not a dollar of the millions taken from the Panamanians in all these years has ever been expended to build even a bridge or a road to any part of that country.

I [illegible] the startling collection of instances from the President's message, the correspondence we now have shows that in August, only a few days after the revolution, that the newly arrived minister of Colombia from Panama declared that Panama would [illegible] if the canal treaty were not ratified. In August our Minister Barnard reports that a senator, in accepting the governorship of Panama, told the acting President of Panama that in only four days Panama found it necessary to revolt to secure the canal by which Colombia lost Panama.

On August 15 Minister Beaupré advised Secretary Hay that "the Panama representatives in Congress have lately become so imbued with the idea of an independent republic that they are indifferent to the fate of the treaty." In September the appointment of Obaldia as governor of Panama was characterized in the Colombian senate as the forerunner of the separation of that State, and the new governor is said to have declared that should the canal treaty not pass the Department of Panama would declare its independence and would be right in doing so.

This same Senator Obaldia went to Panama as governor. The efficiency of the Colombian Government induced his appointment, although he said if the treaty were not ratified Panama would revolt against the Government of Colombia; and when the Colombians found that was simply an expedient of the President of the Republic, and that Senator Obaldia, whose landed interests were large and whose people lived at David, on the far side toward Costa Rica, in the Isthmus of Panama, might be removed, the friends of Panama hastened the revolt, and when the revolt took place they arrested Obaldia.

He was arrested by Arango, who had been lately a governor of Panama, and then, knowing his official peculiarities, they treated him with courtesy and care. Regardless of his official duty as governor of Panama, submitted to arrest, and Arango, the former governor, took his parole and Obaldia spent his time in the house of Arango. These revolutionists were not desperado and bloodthirsty men. The others, leaders of the Republic, who have been active in this matter, like Arango, Lefevre Amador, and the rest of the party, are the most substantial people in the State of Panama.

These people, who have to do with responsible property rights, risked their lives and their fortunes. The risking of lives may be a rash impulse, but the risking of fortune and property is founded and enduring basis of a revolution which founds a government that is thereafter to endure. Such were the men who were the active participants in the revolution in Panama.

Throughout October our newspaper reports that the Bogota Government apprehended the Panama revolt; that the Colombian minister for foreign affairs assured the Colombian Senate that in case of a Panama insurrection the United States would be bound to support the Colombian Government, and at the conclusion of the Congress a leading senator, Caro, said he "feared the United States might take the Isthmus from us under the just plea that we had acted in bad faith with them."

There is an undisputed declaration in the Colombian Congress that the whole conduct of Colombia had been in bad faith, confessed by one of the negotiators and the leading senator who had opposed the ratification of the treaty.

It was plain that a revolution was inevitable in Panama. Colombia seeking peace and gold, was willing to risk the ruin of the isthmian State. It is manifest that the people in our country, that the press and people and responsible Government at Bogota, knew the Panama revolution was coming. The troops that were sent to Panama were sent to prevent or overcome it.

Four hundred had arrived, and they were trying to levy 6,000 troops to send to Panama because of the coming revolution. It was known throughout Central America. The New York and London papers foretold the revolution. The Associated Press anticipated it. From the papers of London, Paris, Bogota, and New York, from the public debates in the Colombian Congress, from their minister of foreign affairs, from the governor of Panama, and repeatedly from our own Minister Beaupré, President Roosevelt knew a Panama revolution was apt to break out any day.

The London and New York press discussed it and foresaw it, and from all the sources named in the message of the President to-day, as well as from the press of South America, England, and America, as well as from the direct personal information of officers of the Army and Navy and the direct and continued warnings of our minister at Bogota, the President knew—what every ordinary citizen knew—from all these channels of information, as well as from additional direct information, news which he received officially from our minister and our officers, that a revolution in Panama was inevitable.

He did his best to get war ships there. The world is large and our Navy small. We are becoming more and more proud of its prowess and power, but it could not be everywhere. He contrived to have what? Not a fleet, but one cruiser there in time to protect American life and property and to keep open the transit. He ought to have had a war vessel on each side, but the revolution was advanced too quick for his resources. The President has since hurried other war ships and marines to both sides of the Isthmus to guard the transit. He did his duty, and no more.

As he said in the message which he sent us to-day:

> This plain official account of the occurrences of November 4 shows that instead of there being any unwarranted interference by the American government for the maintenance of order and the protection of life and property on the Isthmus the orders for the movement of the American war ships had been too long deferred; so long, in fact, that there were but forty-two marines and sailors available to land and protect the lives of Americans and women.
>
> It was only the coolness and gallantry with which this little band of men [illegible] the Government of Colombia from carrying out the evident purpose of the Colombian commander that prevented a most disastrous catastrophe. At Panama, where the population is [illegible], there were no American troops nor ships of war to land. At Colon, Commander Hubbard, acting on his own responsibility, landed some sailors, preventing any movement whatever by the Colombians or the Panamanians, which would tend to precipitate bloodshed.

So the President says, in his frank and clear way, that it was not too much provision, but too much delay in getting ships, and there were not enough ships there at a time when these petty insinuations of connivance are most unworthily made.

The Government of the United States, in a near-by sea, where last year at this time we had the whole fleet under Admiral Dewey, happened to have in November one vessel which could land forty-two marines on one side of the Isthmus, and yet for fifty-seven years, during which we had been bound to protect that transit, were we never so ill prepared to land forces from one side and from the other side to protect that isthmian transit and the life and property of Americans in that country.

This duty so often performed by our Navy and our marines was never more promptly, more discreetly, or more bravely done than in November last. American lives and property were protected. The isthmian railway was guarded. Was it our next duty to stand aloof until the new Republic be drowned in blood or wasted by long civil war? Should we have waited for years until Panama succeeded, as she would have succeeded, in defending her independence against Colombia? Colombia, emerging from civil war, is bankrupt and unable to pay her soldiery in peace. Panama, inaccessible by land, guarded by mountains, forests, jungles, and swamps, is safe from invasion by land. Colombia's lack of money, navy, and transports render Panama reasonably safe from attack by sea.

We beheld fifty-three risings and revolts in a half century since the treaty of 1846. Uniformly, our intervention under that treaty served to prolong the unstable control of Colombia over Panama. We repeatedly repressed the aspirations of Panama for independence. Just when Colombia had goaded this people to desperation by denying to Panama the international canal, her one aspiration during four centuries, just when Colombia had robbed the isthmian cities, Panama and Colon, of their destiny—Panama's dream for ages—was it our duty to again suppress a republic of Panama, whose mission is to give the canal to the commerce of the world?

It was not a revolution of blood and devastation, but a pacific revolution, joined in by all the Panama people. What quixotic scruples constrain Senators to delay for years the fulfillment of our pledge to the world to construe the great canal?

If under the treaty of 1846 our latest intervention does not repress but recognizes the Republic of Panama, its justification rests not alone upon the benefit which accrues to our east and west coast, but the like benefit to the commerce of all nations and to the interests of civilization which impels us to put an end to frequent and wasteful civil wars distracting the world's traffic across the Isthmus.

This intervention, I repeat, has been quickly approved by the nations within the pale of international law. They recognized this new Republic. They agree with President Roosevelt that

Colombia has forced us "to take decisive steps to bring to an end a condition of affairs that had become intolerable." The time had come and the justification is already plain.

We undertook a treaty with this new Republic, successor to the obligation of New Granada and Colombia, not to annex her territory, but to secure a right of way for the canal for the commerce of the world and to fulfill the international mission to excavate a canal across the Isthmus for the world's commerce, which by the Hay-Pauncefote treaty we had assumed with the approval of the world.

By rights and obligations under several treaties we have become so charged with the transit of commerce across the Isthmus that we are upon the Isthmus the trustees of civilization. Our intervention was taken with this one object in view. This is now made plain.

As was said by the President in this message, speaking of the principal article of the treaty of 1846:

> The great design of the article was to assure the dedication of the Isthmus to the passage of mankind and commerce across the oceanic transit, the consummation of a project which has been in the mind of more than one century.

And again the President says:

> I [illegible] that the new government of the Republic of Panama was [illegible] by the interests of humanity [illegible] to effect an [illegible] the necessity of which was demanded by the interest of mankind, the United States is in this position with regard to the interoceanic canal.

How narrow, how mistaken, how clouded is the vision that does not perceive that paramount obligation in respect of this Isthmus held by the country by reason of the several treaties to which we have solemnly become parties, and to which we became parties by our own volunteer act!

That Panama has acquired the right to be treated with as an independent state is amply proven by the recognition of that right by the whole family of civilized states.

History rarely shows such prompt and unanimous action. It is evidence that our intervention was approved by the nations of the world in consideration of the unquestionably extraordinary character of the facts which compel the intervention and because of the manifest singleness of our purpose.

It is because the countries of the world realize the plain and singularly pure purpose of this Government in respect of the Isthmus that they have been so prompt and so unanimous in recognizing this new Republic, thereby approving our conduct in leading that way, in supporting by our own recognition and our moral support the new Republic. I doubt whether there is a more undisputed instance of recognition than this in history. It is because the world knows we are not seeking territory. We are guarding the transit across the Isthmus, and are going to dig the canal to develop better transit.

The most pacific statesman of the last century, Mr. Gladstone, for an average lifetime contended against interventions by England. In power, out of power, in all his ministries he constantly resisted intervention by England in other countries. He was the purest and most conscientious leader of the English people in the last century. Twenty years ago it became his duty as prime minister to intervene in Egypt for the protection of the Suez Canal, and he reluctantly but firmly performed that duty. It was criticised by other governments.

All the foreign cabinets in Europe criticised it, and this statesman, whose life had been a constant protest against intervention for selfish purposes on the part of any nation, found himself constrained to intervene in the case of the Suez Canal, and he found the European cabinets almost unanimously protesting against the intervention of England in Egypt. But twenty years have passed by, and now the world seems everywhere to admit that Gladstone's intervention in Egypt was justifiable and has been justified by the years.

Sir, all the governments which criticised British intervention in behalf of the Suez Canal now approve our intervention in respect of the isthmian canal. The sentiment of the world could not be more strikingly presented than when the states of Europe, which almost in a body protested against British intervention in the Suez Canal, now approve what we have done in respect to the isthmian canal.

Mr. President, the people of the United States approve the transaction in Panama in November. They welcome the new Republic. They applaud the wise, prompt, and decisive action of our President.

What will Senators do who ascribe dishonor to the Administration, who discover moral wrong which the people of their own country and the nations of the world can not perceive? If objections of Senators are based on principle, how can they vote to approve the result if they disapprove the method? They can not denounce the outrage and straightway approve it.

They can not condemn all that has been done and forthwith condone it. Far better is it that they review the facts. It will be revealed to them that the President was not wrong, that the Secretary was not wrong, that the Navy was not wrong, that the people of the United States and the whole world are not wrong in the Panama matter, but that some excellent men have made a political blunder—have mistaken their partisanship for their moral sense. It is not infrequent that men mistake their partisanship for the superior agitation of an innate moral sense.

Events move swiftly forward and some Senators will look back only to find they have again ranged themselves on the wrong side.

American Senators in matters of foreign policy should first seek to find a defense rather than a wrong motive for the acts of their own Government. Political opponents in foreign policy should be slow to censure our common country. Party spirit should not tempt Senators to unjust criticism.

The great Secretary of State who helped President McKinley to consummate the freedom of Cuba, whose Christian statesmanship in China opened her ports and restored that Oriental Empire to relations of amity with the civilized world, was scarcely the official who ought to be suspected or accused of wronging a South American Republic.

Such opponents knew and ought to have remembered that when President McKinley intervened for humanity's sake to free Cuba, Theodore Roosevelt resigned his office under the Administration and as colonel of his regiment risked his life in battle for the oppressed of that island; that in every fiber the President of the United States is, beyond any other man in our country, incapable of bullying the weak. They ought to have remembered that the President who so lately appealed for justice for the sufferers at Kishenef would be slow to deny justice to a State or Central America.

We were told that the Democracy of the grandfathers' days was coming back to its own. Early in December certain wise men here predicted the advent of the Democracy of the grandfathers' days. The Democracy of the grandfathers' days defended the public credit, championed sound money, advocated expansion, annexed territories, enlarged the United States, and in every instance expanded the country for its benefit.

The Democracy of the grandfathers' days was the Democracy of Polk and the Democracy of Secretary Cass, and the President well says that if it was sound in Cass's day it is sound to-day. Secretary Cass, who protested "that the local government of the Isthmus would not be permitted in a spirit of eastern isolation to close the gates of intercourse on that great highway of the world and justify the act by the pretension that those avenues of trade and travel belonged to them."

Mr. President, these alleged wise men are false prophets who predicted the second coming of the Democracy of the grandfathers' days. They have mistaken the type of Democracy which now afflicts this country. This Panama incident shows it. We have, instead, the same Democracy we have had during all this generation. In Hawaii, under Republican President Harrison, the flag went up, and for the good of its people and our own Republic we were proceeding to annex it. Under Democratic President Cleveland the flag was hauled down, and we were thereby seen in a tangled web of unconstitutional meddling in those islands.

It was a muddle out of which nobody could escape and which the Democracy failed to untangle until under Republican President McKinley these tangles were cut, and Hawaii was annexed and the flag went up and will never come down again.

It is the same Democracy which hurried us into war with Spain for Cuba and then incontinently ran away from the consequences of that war. It is this same Democracy which objected, when we annexed and took possession of Porto Rico, to our plan of government. Porto Rico is under the flag, and is a happy and well-governed Territory to-day.

It is the same Democracy which met the Philippine problem without patriotism and without practical wisdom. It is the same Democracy which accused President McKinley and the Secretary of War, who now bears the honored commission of the State of Michigan as a Senator on this floor, with having schemed to precipitate a war at Manila in order to procure the ratification of the Spanish treaty in Washington. No one dare repeat that base slander now. The Philippines are prosperous. President Roosevelt, Secretary Root, and Congress solved this great problem. In spite of the same Democratic obstruction, those islands will be fostered and developed under our flag for generations.

It is the same Democracy which appeared to be consuming itself with sympathy with Cuba when a colony of Spain, but delayed President Roosevelt a whole year before we could give 20 per cent discrimination in tariff duties in favor of the new Cuban Republic.

Now, this Democracy, which was wrong in Hawaii, wrong in Cuba, wrong in Porto Rico, wrong in the Philippines, is wrong to-day in Panama, and it is not the Democracy of the grandfathers' days.

The world and the country now realize that the Republican Administration was right in Hawaii, right in Cuba, right in Porto Rico, right in the Philippines, and the world has already acknowledged, so far as the world can, and the country, too, if the press indicates the country aright, that the Republican Administration is right again in the Panama incident of November.

I do not say the opposition are purposely unpatriotic. I do say the opposition is consistently, perversely, and uniformly wrong. The opposition is not the Democracy of the grandfathers' days. It is the Democracy of the grandfathers' clause—narrow, confined, circumscribed, by a race prejudice. Its vision is narrow and clouded. It is against the country and uniformly against the greatest interests of the South, which it especially affects to represent.

In the tariff, as in the Panama Canal, it hinders southern development. It obstructs, and is never more than an obstructionist. It will never rise to the statesmanship of the Democracy of the grandfathers' days. It is wrong now as usual. Within a twelve-month it, too, will applaud President Roosevelt and Secretary Hay and the Army and Navy for doing the acts which solved the isthmian canal problem.

The Democracy of the grandfathers' clause can not be trusted with the foreign problems, with the domestic prosperity, with the honor and glory of this Republic. Upon the Panama Canal issue the country will uphold President Roosevelt. It will reelect him and make sure the isthmian canal.

Mr. STEWART. Mr. President, the suggestion of connecting the two oceans by an isthmian canal has been under discussion so long that it would be presumptuous in me to suppose that I could present new views upon the subject. The construction of such a canal, however, seems possible in the near future and the restatement of well-known facts may be in order.

While I, in common with many if not most of the American people

FAVORED THE NICARAGUA ROUTE

and thought it could be built on that line quicker and cheaper than elsewhere, I was also influenced to some extent by the fact that Nicaragua is nearer to our own country than Panama. But when Congress decided that Panama, all things considered, was the most desirable route, I bowed to the will of Congress. If an interoceanic canal is to be constructed, Congress alone can give the authority and furnish the means. It is idle for any man or any party of men who desire the construction of a canal to refuse to cooperate with the majority because they differ as to the location of the canal. Opposition coming in such form can not aid the work, but may postpone it for centuries.

THE PANAMA ROUTE IS NO NEW IDEA.

Columbus, on his last voyage to America, in 1502, expressed the belief that a waterway would be found through the Isthmus somewhere between Honduras and the river Orinoco in Brazil. His last party consisted of 150 men, and when they arrived at the mouth of the Orinoco these men insisted upon exploring the country for gold. Columbus could not control them. After his supplies were so far exhausted that further exploration was impossible, he returned to Spain a broken-hearted man because he had not been able to complete the research which he believed would reveal a waterway between the two oceans.

The efforts of Columbus, however, together with the hopes expressed by him,

INSPIRED THE PEOPLE OF THE OLD WORLD

with a spirit of exploration and adventure which caused them to continue the research which he had begun. It was soon ascertained that no waterway existed between the two oceans. To Balboa and Pizarro are due the discovery of a passage up the Chagres River and across the narrow strip of land which divides the two oceans. This river was found to be navigable for flatboats up to what is now the town of Cruces. From Cruces to Panama the Spaniards constructed a magnificent macadamized highway, the ruins of which still remain. The work was grand and costly, both in labor and money. It was much more costly than a modern railroad. At the end of this road, on the Bay of Panama, a city was built, which became the distributing point for the merchandise of the Old World to the west coast of America and to the Spice Islands of the Orient.

Within fifty years from the time of the first voyage of Columbus,

PANAMA BECAME THE GREATEST CITY IN AMERICA,

and so remained for nearly two centuries. The Chagres River was navigable for flatboats for nearly 60 miles, where it connected with the great Spanish highway. The various expeditions under Pizarro and others, which conquered and took possession of the entire western coast of South America, were fitted out at Panama. The Panamian Isthmus was emphatically the highway of travel and commerce between Europe, the western coast of America, and the islands of Asia. The direct communication between Spain and the Philippines was over the Isthmus of Panama, and the city of Panama became and was the leading city of America for nearly two centuries.

In the winter of 1849–50, in going to California, I was delayed for many days waiting for transportation from Panama to San Francisco. I spent much of my time examining the ancient city, its fortifications, its cathedrals, and other public buildings, but

THE MOST REMARKABLE RUIN

which I observed was a national highway built centuries ago, when Spain was in her glory.

The rule of Colombia on the Isthmus of Panama at that time and ever since has been conspicuous for its avarice and lack of stability. Colombia is as foreign to Panama as Alaska or Japan. The only productive resources which have been developed on the Isthmus are contributions exacted from the commerce of the world as it passes through the gateway between the two oceans. The great majority of the inhabitants of the Isthmus live along the line of transit and subsist by the employment which the passing commerce furnishes.

Between Panama and Colombia

THERE IS AN IMPASSABLE REGION

of about 200 miles, interspersed by rugged mountains, swamps, and jungles, populated by hostile Indians, through which no road has ever been constructed. The passage of officials and soldiers from Colombia to Panama is by water alone. It takes longer for a letter from Panama to reach Bogota, the capital of Colombia, by mail than it does to communicate by the regular mail with the city of Washington from the same point. The only interest Colombia has in Panama is the revenue which Colombian officials can extort from the railroad, projected canals, and the collection of customs. The only grant for any purpose made by Colombia without demanding a subsidy was the concession to a gentleman named Wyse, which concession was transferred to the French company.

The reason for this unexampled generosity of Colombia was the fear that the canal would be built at Nicaragua and that she would

FOREVER LOSE THE OPPORTUNITY

of blackmailing that enterprise. A commission appointed by President Grant, composed of General Humphreys, Admiral Ammen, and Mr. Carlisle Patterson, had reported in favor of the Nicaragua route. Colombia immediately after that report made the concession to Mr. Wyse. But when the Panama company required an extension and was struggling for existence, the generous Colombians squeezed them to the extent of 5,000,000 francs. Colombian officials have compelled the Panama Railroad from the outset to pay them an annual license fee of $250,000. This subsidy has all been taken to Bogota, except the paltry sum of $25,000 distributed among Colombian officials at Panama. These extortions, together with the customs dues, have enriched a small oligarchy at Bogota.

Panama was never recognized by the Colombian Government as a state of a republic.

BOGOTA TREATED PANAMA

from the beginning as a subject colony from which to derive revenue. Panama had no voice in the government and no control over its own affairs. Nearly all the officers were appointed from Bogota, and the pretended elections were conducted by soldiers and were a sham and a farce. The only object of these elections was to make it appear to the outside world that Panama had some rights, while they denied to Panama from the beginning any voice in the management of her own affairs. Any person who has visited Panama and given the slightest attention to the subject within the last fifty years will bear witness to what I say. If the people of Panama were asked why they did not build roads, bridges, and public works, they invariably answered that Bogota took all their money. Can any good reason be assigned why Colombia, separated as she is from Panama by mountains and jungles inhabited by hostile Indians, should be allowed to blackmail the commerce of the world in its transit across the Isthmus?

President James K. Polk informs us in his message of February 15, 1847, transmitting the treaty of 1846 with New Granada, that "communication across the Isthmus has attracted the attention of the United States ever since the independence of the South American republics," and that on March 3, 1835, a resolution passed the Senate in the following words:

Resolved, That the President of the United States be respectfully requested to ascertain the expediency of opening negotiations with the governments of other nations and particularly with the governments of Central America and New Granada, for the purpose of effectually protecting by suitable treaty stipulations with them such routes as may be established by private enterprise across the Isthmus of Darien, or elsewhere in those countries, for the passage of the mails and merchandise of such nations as may be interested in the transportation, and of securing to such nations on the payment of such reasonable tolls as may be established for compensation to the capitalists who may engage in such undertaking and complete the work.

On the 7th of July, 1846, Commodore John D. Sloat landed at Monterey in California, and, acting under orders from President Polk,

MADE FORMAL DECLARATION

that the land was thenceforth a part of the territory of the United States. The claim of California, proclaimed by Sloat, under orders of President Polk, was followed by energetic governmental action. The interest expressed in the right of way across the Isthmus by the resolution of the Senate of 1835 became an important one upon the acquisition of California, and President Polk so regarded it.

I am glad to see that a bill is now pending before Congress to erect a monument to Commodore Sloat for his great service in planting the flag of the United States upon the soil of the Golden State.

On the 12th of December, 1846, a treaty was concluded with New Granada, the predecessor of Colombia, which was ratified by the Senate, and the ratifications exchanged June 12, 1848. Among other things in the thirty-fifth article of that treaty it is provided that—

The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall be open and free to the Government and citizens of the United States. * * * And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and absolutely to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from one sea to the other may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States guarantee, even at the expense of their blood and treasure, the sovereignty and property which New Granada has and possesses over those territories.

With regard to these guaranties, President Polk in his message of February 10, 1847, said:

But such a guaranty is almost indispensable to the construction of a road or canal across the territory. Neither capitalists nor individuals would expend their capital in the construction of these expensive works without some such security for their investments.

The wisdom and foresight of President Polk in making the treaty with New Granada in 1846

ENTITLE HIM TO ALL HONOR AND RESPECT.

It was the guaranties in this treaty, and the presence of the power of the United States on the Isthmus, that enabled the emigrants to California to pass over or remain on the Isthmus practically unmolested. It was the feeling when I was there that, although we were sojourning in a country misgoverned by foreign rule, the strong arm of the United States had undertaken to protect us, and we felt that we were safe. The guaranty of sovereignty to Colombia was a great boon to the oligarchy which governed that country; it was a sore grievance in many respects to the inhabitants of Panama. It prevented Panama throwing off the yoke of the oppressor and obtaining her independence. During the fifty-five years after the exchange of ratifications of the treaty of 1846 fifty-three uprisings and revolutions occurred on the Isthmus of Panama,

ALL THESE UPRISINGS AND REVOLUTIONS

were efforts to throw off the grievous rule of Bogota. If these revolutions did not succeed, who can say they would not have succeeded if the United States had been neutral? What would have been the condition of the transit across the Isthmus? Would it have been possible for the United States to furnish the Pacific coast with mail facilities? Would it have been possible for citizens of the United States to have resided on the Isthmus in safety? Would it have been possible for the vast number of emigrants to cross the Isthmus in order to reach our western possessions? Certainly not. No faith was ever imposed by American citizens in the fidelity or honesty of Colombia's minions who swarmed on the Isthmus. The people relied on the United States, whose duty it was, under the treaty of 1846, to protect the transit across the Isthmus.

Mr. QUARLES. If it will not interrupt the Senator——

The PRESIDING OFFICER (Mr. FULTON in the chair). Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. STEWART. Certainly.

Mr. QUARLES. I should like to ask the Senator for information whether, as a matter of history, after the treaty of 1846, to which he has referred, the Republic of New Granada levied a tax of $2 a head on the steamboats for all the "forty-niners" who went across the Isthmus?

Mr. STEWART. The Colombians levied a tax upon the steamboats, which the latter paid,

BUT NOT WITHOUT PROTEST.

They paid it, however, for a long time to avoid trouble, and, under the compromise, they had to continue it. The Panama Railroad Company had to pay $250,000 a year to secure peace. The Bogota officials on the Isthmus, who were constantly interfering with the commerce across the Isthmus, had no interest in the welfare of Panama. Steamships, railroads, and business men were constantly required to appease the appetites of these officials by loans and subsidies. Every possible tax was levied that could be conceived by the greedy and unscrupulous Colombian officials. This conduct on their part is familiar to all Americans who have had dealings on the Isthmus.

It is true that Colombia made one concession to the French without a levy because she thought she was going to lose the canal altogether, but with that exception she has lost no opportunity to levy tribute and enforce loans, not only upon the transit but upon the business of the Isthmus.

When the Congress of the United States adopted the Spooner amendment and gave preference to the Isthmus of Panama for an interoceanic canal

THE REAL CHARACTER OF THE COLOMBIAN GOVERNMENT

was forcibly displayed. The $10,000,000 offered in the Hay-Herran treaty to Colombia for the privilege of constructing the canal was rejected at Bogota without debate. It now appears, however, that the treaty would have been discussed if it had been $25,000,000 instead of $10,000,000, but there is every reason to believe that no action would have been taken until the expiration of the concession to the French company. The "patriots" of Bogota would then have supposed that they would be in a position to demand the whole thing—the forty millions and the twenty-five millions—and as much more as they desired. These facts are well known to the American people. They have appeared for the last five or six months in the public press.

Notwithstanding the greed and oppression of Colombia,

A COUNTRY FOREIGN TO THE ISTHMUS,

there are sentimentalists in the United States who pretend to sympathize with her. The inconsistency of such sympathy is illustrated by the feelings of resentment expressed by these same sympathizers for highwaymen who stop a train and fail to secure plunder. Is it not time to have a little consideration for the inhabitants of Panama, after they have struggled for nearly a century to throw off the oppressive yoke of Colombia, when Colombia during all that time has robbed them of everything they possessed and returned nothing?

WHEN COLOMBIA REJECTED THE HAY-HERRAN TREATY

and put in jeopardy the construction of any canal across the Isthmus, had not the people of Panama a right to rebel? They did it openly and aboveboard. They announced their purpose before the treaty was rejected that Panama would declare her independence in case of such rejection. When Panama did declare her independence and was in visible possession of the entire Isthmus, what was the duty of the President? Was he compelled, under the treaty of 1846, to land marines and fight for the sovereignty of Colombia? Had not the power of the United States kept the dark shadow of Colombian sovereignty over the Isthmus long enough? Had it not enabled the oligarchy at Bogota to levy enough tribute upon the highway of nations?

The President had the alternative either to recognize the Republic of Panama or

TO CRUSH IT BY FORCE OF ARMS,

because in any event the United States was under obligations to keep the Isthmus open for the transit of commerce. Suppose the President had put down the Panama rebellion and reinstated the Colombian Government, would the plundering scheme of the oligarchy at Bogota have succeeded? Would they have succeeded in securing twenty-five millions from the United States for the right of way? If they could have done that, would they have also succeeded in their other scheme to delay action until the French concession expired and then claim the forty millions that the United States proposed to pay to the French company? Would France have tolerated such robbery of her citizens? Might we not have expected in such an event a French squadron in the harbors of the Isthmus demanding satisfaction? How would such proceedings have affected the construction of a canal on the route selected by our Congress?

THE PEOPLE OF THE UNITED STATES ARE NOT PLEASED

with the conduct of Colombia, Costa Rica, or Nicaragua. The building of a canal is a vast undertaking, involving many millions of expenditure in the country where it is located. Its advantages to that country are beyond calculation. Why should not the country which will be more benefited than any other contribute to the construction of the canal, and not be allowed to play the dog in the manger? That play has been tolerated too long. The backing and filling of Nicaragua and Costa Rica were bad enough, but the extortion proposed by Colombia passes the bounds of reason. That Colombia's game was a "stand-and-deliver" game is demonstrated by the late offer of her leading men to ratify the

treaty, or do anything else, if the United States would only crush Panama. The words of Colombia, under all the circumstances, sound very much like the lamentations of a gang of highwaymen when the train they intended to rob has passed and gone out of their reach.

Among the fortunate circumstances connected with this transaction is the fact that

THE PRESIDENT HAS DEMONSTRATED

that he is neither a quibbling pettifogger nor a slippery diplomat, but a straightforward, courageous man, who acts promptly within certain limits. It is understood that, in my opinion, he is in accordance with the wishes of the President's political friends and his constituents enthusiastically approved what he has done. We decided to Panama devote themselves [illegible] They suggested that he [illegible] that Panama was going to declare her independence. Was that a crime? Did not every body in Washington know that Panama was going in a few months before? It is then suggested that our ships were in the Isthmus. Where else should they have been, when it was the duty of the United States to keep the transit across the Isthmus open? That, again, it is suggested that the President was not [illegible] President wanted to have worked. The people of Panama have been always in practical revolt against the authority of the foreign rule of Colombia. Is not a revolution every year for many years enough to satisfy anyone that the people of Panama desire their independence? Is not the fact that the revolution was successful and that all the people favored it and now acquiesce in it sufficient?

I do not intend to the level of argument that we have heard with regard to the Republic of Panama. The fact that they are small [illegible] only goes to prove that

THE MAIN ACTION WAS RIGHT.

It has given the American people what they wanted—a right of way across the Isthmus to construct a canal, a right that no honest man ever claimed to have constituted. The world has a right of way across the Isthmus of Panama, which was constituted by the engineers of the last hundred years ago. The impudence and arrogance of any country, pretending the Isthmus, demanding tribute for the use of that ancient right of way outrages the good sense of honest men. The United States would have been justified at any time in going ahead with the work and constructing the canal, asking no questions, because a passage across the Isthmus is not the property of anybody, whether living on it or off it. That right of way was dedicated to all the world. The fact that the United States was willing to pay a bounty of ten millions to the greed of the oligarchy at Bogota does not alter the case. Colombia was not entitled to ten millions or any other sum, but for the sake of peace and harmony the liberality of the United States was generous and magnanimous.

The common people of Colombia knew nothing of the transactions of which I speak.

THEY ARE AS IGNORANT OF THE GOVERNMENT

of their own country as the Sioux or Apaches are of the Government of the United States. It is the few cunning, plausible ones, who live by extortion and who control and enslave the masses, with whom we have to deal. There are no sharper politicians and diplomats in the world than are found in Central America, but the people at large are honest and ignorant. The people of Panama are not the most enlightened and patriotic. They, however, have been made to feel the heavy hand of despotism, and they are sufficiently intelligent to know that they have been robbed, and they have sufficient courage to protest against robbery and oppression. They will give us no trouble when the canal is being constructed, because they will be within the sphere of our influence and subject to the control of the United States sufficiently to be compelled to submit to government and law.

The fact that

COLOMBIA HAS OUTRAGED THE GOOD SENSE OF MANKIND

by her extortionate demands will shortly be forgotten. Her waiting and pleading for the loss of the opportunity to extort money from the commerce of the world will soon be a thing of the past. The people of the United States, conscious that the President has done right and gratified that he has obtained a right of way free from further blackmail, will strengthen the hands of our Government. The will of the people will be carried out, the construction of the canal will proceed. The people of the United States have so determined. The fault-finders who criticise the way the thing has been accomplished will subside, as they have always done when any great governmental enterprise has been undertaken and successfully carried out. It will be as it was with the acquisitions of Louisiana, Florida, Alaska, the Sandwich Islands, Porto Rico, and the Philippines. In all these acquisitions complaints were made as to the manner of bringing them about regardless of the beneficial results obtained.

THERE IS NO POLITICAL CAPITAL

in criticising the manner of acquiring the right of way across the Isthmus of Panama or in complaining of the fact that it has been acquired. Candidates for popularity, if they consult their own interest, will get out of the line of obstruction.

The people are satisfied with the acquisition by President Roosevelt of a right of way for an interoceanic canal which was dedicated to the public hundreds of years ago. They have been annoyed long enough by the obstruction of irresponsible intruders on that highway. Not only the people of the United States, but those of the commercial nations of the world, are glad that the [illegible] of Colombia can no longer delay work on the canal. The people would have [illegible] the United States if they had taken the Panama route, without asking leave of anyone, and constructed the canal. The President will not be beaten for his prompt [illegible]

COMMENDED BY ALL HONEST, PATRIOTIC MEN.

An effort by any party to aid Colombia [illegible] The people did not command the [illegible] the Sioux, the Comanches, or the Apaches to stop the laying of the various Pacific railroads, nor will they lend their aid upon the conduct of the more unmanageable [illegible]

Mr. MORGAN. Mr. President, I believe this Senate is proceeding by unanimous [illegible] I am in order in continuing it. The message of the President which came to the Senate [illegible] or at least any [illegible] is expected to [illegible] President's annual message accompanied by a treaty with the Republic of Panama.

It seems to be an argument, or rather a vindication, by the President of [illegible] by him on that occasion, remarks made by my [illegible] [Mr. [illegible] I believe it is the first message of a President that contains only a stump speech.

I will not to-day undertake an analysis of that message, Mr. President, for the purpose of pointing out its incorrect statements of fact or propositions of law and its omissions and its concealments. At a future day during the discussion of this great and important question, which seems to absorb the attention of almost the whole world as well as the United States, I will attempt to present an analysis of that document, which I think will reveal the powers that the President has assumed to himself in respect of conducting matters in his diplomatic character on behalf of the United States, so as, according to the suggestion of the Senator from Maryland [Mr. McCOMAS], to bind the United States Government to certain [illegible] and to [illegible] the right to transfer the territory of Colombia to us by treaty.

The resolutions which I had the honor to offer and which are now the subject of consideration, but not by any means of discussion—for no Senator as yet has referred to them, but they have referred entirely to this message sent in to-day—I will ask to incorporate as part of my remarks without reading.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

The resolutions submitted by Mr. MORGAN December 18, 1903, are as follows:

Resolved, That whether the President [illegible] of the Senate as the [illegible] making power of the United States, I am not making [illegible] of Congress war against [illegible] without such authority to get possession of the Isthmus of Panama and secure the right of way across the Isthmus which the United States are [illegible] by the President, as I have [illegible] treaty power. And the [illegible] President [illegible] a war waged by the President against [illegible] passion, to a war waged by the President against [illegible] citizens of the United States [illegible] government of the United States.

Resolved, That a state of war exists between Colombia [illegible] in the Colombian Department of Panama [illegible] the secession of Panama from Colombia and [illegible] the people [illegible] United States and of some European and American states, and that [illegible] the Republic of Panama. And [illegible] President [illegible] of success in [illegible] government on the Isthmus of Panama and is engaged in military and naval operations against and enforcing the claim of the sovereign right of government in and over the territory described in her laws and constitution as the Department of Panama.

Third, That if Colombia is not prevented by some powerful foreign nation, she is manifestly able to maintain her present claim of jurisdiction over the said territory, organized and [illegible] Department of Panama. And the President of the United States, having entered into treaty

relations with the persons who claim to have seceded from Colombia and assumed the powers of supreme government in and over the territory included in said Department of Panama, and having made agreements with the said persons relating to the right and privilege of constructing and owning in perpetuity a ship canal across the Isthmus of Panama, all based on the following assumption, namely:

"The United States guarantees and will maintain the independence of the Republic of Panama."

[illegible] is in effect a declaration of war with Colombia, and is not within the powers of any power conferred upon the President by act of Congress or by [illegible] of nations.

[illegible] That the President has no general right or power, without the authority of Congress, to make war upon any people that exist in Panama to use the military and naval forces of the United States to prevent Colombian troops from [illegible] government of Panama by any [illegible] consistent with the laws of nations, and is not inconsistent with any right of the United States.

[illegible] Resolved, That the [illegible] President [illegible] government of the United States [illegible] rights and interests of the [illegible] government of the United States to the [illegible] Revised Statutes, has defined neutrality [illegible] fined not exceeding $1,000 and imprisoned [illegible] contrary to the laws of nations.

Mr. MORGAN. Mr. President, if I had no more worthy purpose than to serve a personal ambition, I would hasten to adopt the situation into which the country is now betrayed. Or, if I believed that a canal at Panama was practicable, I would say not a word against the eager desire of some of my constituents for a canal, except to warn them of the danger of "following the multitude to do evil," and I would abandon to them the task of working out what I am satisfied will be a costly and disastrous failure. I do not believe that a ship can ever pass through the Isthmus of Panama. Yet I yield that opinion to the majority in the Senate, and would go with them in a lawful effort to work out their will.

If I could wish the country a disastrous experience that will cost it thousands of lives and many millions of dollars and frequent if not constant, conflicts, ending in the disappointment of their hopes, I could not select a better occasion than is now presented. We have a canal route for which Congress has voted more than $[illegible], a route that all our best and most experienced engineers have approved, for another route that no one has said is certainly practicable, with no appropriation now existing for its construction.

I can not assist in breaking down our fixed policy of neutrality between belligerents with neither of whom Congress has declared war, or in enlarging the diplomatic powers of the President, by construction, until they reach and cover the whole ground that is possible for usurpation by the Executive. Neither can I assist or justify any officer of the United States in the open and defiant disregard of official duty, in express disobedience of the laws of the United States.

Mr. President, I have drawn these resolutions in such form as to present justly and truly the facts, and the principles of the laws of nations, and the statute laws and the Constitution of the United States that are violated by the recent action of the President in his dealings with Colombia, as the facts are stated in his annual message sent to Congress at the beginning of this session.

I am quite aware that I occupy a disagreeable position in making this arraignment. I must be prepared to vindicate these resolutions to the satisfaction of just men who are properly jealous of the good name of the Republic and respect the distribution of our constitutional powers of government.

I also hold a position with reference to the location of a canal at Panama that is unjustly attributed to me by those who would pervert my course on this subject, to my disadvantage, that I must restate from the records of the Senate, as I have several times done in speeches and reports to this body, as to what is and has been my attitude toward this subject.

I have no preference for the Nicaragua route that would cause me to oppose the location of the canal at Panama against the expressed will of Congress, but when that has ceased to be possible, under existing laws, if the action of the President is followed, I turn to the Nicaragua route, because I believe that a canal can never be safely and permanently built at Panama. I stand out to the bitter end for obedience to the act of June 28, 1902, and, if that is accorded, no power can prevent the construction of the canal at Nicaragua without any further assistance from Congress.

In company with, or rather in following the lead of all our Presidents from Lincoln to McKinley, and of all our Secretaries of State during that period, and the votes of almost every Senator in this body since 1877, and of every committee of this body that has reported on this subject, and of every canal commission, of which there have been four, I have held and still hold that the Nicaragua route is practicable and feasible.

This fact is affirmed by the law, known as the Spooner law, so fully and with such emphasis, that the vast money appropriation carried in that law is applied to the Nicaragua route, subject to a condition that has no reference to the question of practicability or feasibility of that route, these questions being settled in that act.

The appropriation of $[illegible] for the construction of a canal on the Nicaragua route is as valid and obligatory as that for the Panama route.

The validity or effect of this affirmative vote of Congress has been questioned by no one that I have heard of, except the President, and not by him in any open and official statement.

I am also compelled by the concurrent weight of the conclusions and facts, stated in every solemn form by every chief engineer who ever surveyed or explored the Nicaragua route, to believe that it is both practicable and feasible.

In this statement I include the report of Admiral Walker, who was chief of the Nicaragua Canal Commission, made in May, 1899, and by the preliminary report of the Isthmian Canal Commission, of which he was chief, made November 30, 1899, and adopted and acted upon by President McKinley in making solemn agreements with Nicaragua and Costa Rica, and the final report of that Commission made to President Roosevelt November 30, 1901.

I also include the fact that every member of that Commission has, on oath, affirmed the position on which their recommendation was made in favor of the Nicaragua route. If their evidence and the vote of Congress based upon it, has not established the feasibility and practicability of the Nicaragua route against the ex dixit of the President, Congress must have reached a very low estate.

It is not necessary for my present duty that I should enter upon any statement of the causes that induced the Isthmian Canal Commission to change the ground in favor of the Nicaragua route, as being the more feasible and practicable route, as was twice reported by it—and then giving that preference to the Panama route, except to state that in making such change the Isthmian Canal Commission did not in the least change or modify any fact stated or omitted in their preliminary report or their final report, to which I have referred. The only new fact stated by them to justify the change is that in their estimates of cost the purchase of the Panama Canal at $40,000,000 would be an advantage of $5,500,000 in favor of the Panama route.

When the Spooner bill was passed it had been agreed between Colombia and the United States that the concessions would cost us $7,000,000. It had also been agreed between Nicaragua and Costa Rica and the United States that the concessions of Nicaragua would cost $6,000,000 and that of Costa Rica $1,000,000, thus making the cost of concessions on both routes the same. With this understanding—that was as justly and honestly a part of the Spooner law as any part of the act—I voted to give the preference in the selection of the location of the canal to the Nicaragua route, but the Senate voted to give the preference to the Panama route by six majority, and so the bill was passed on a report of the committee of conference, for which I voted, believing, of course, that no American President would violate that law because of his preference for the Panama route.

When the Hay-Herran treaty departed from that agreement with Colombia and gave to her $10,000,000 for the concessions instead of $7,000,000, and added to that a guaranty of $1,000,000 for her stock in the New Panama Canal Company and at least $4,500,000 in the value of lands, for which we were to pay the New Panama Cable Company that sum in money, my judgment and sense of justice and right revolted at this blackmail, and I refused to vote for the Hay-Herran treaty.

That treaty was also so heavily loaded with other objectionable features, especially as to the military command of the canal zone, that I offered a number of amendments to it in the Senate, that I will not now attempt to restate. These amendments were conceded to be proper and necessary, but the majority declined to vote them, on the ground that the Colombian Congress would refuse to ratify the treaty if any amendment to it was made.

How that could be known as to the action of a Congress that was not then in existence was a puzzle that I could not solve. I naturally concluded that there was some understanding of a hard and fast sort between the diplomatic authorities of Colombia and the United States that was hidden at the bottom of a deep well.

If it is ever opened by General Reyes or President Marroquin, I fear that our Government will suffer in the disclosures.

My colleagues from the South, except three, concluded to vote for the Hay-Herran treaty because in the purport of the President's annual message, they then believed, what he has now confessed, that his purpose has all the time been that no canal should be constructed unless it was located at Panama.

It is now impossible, through the action of these Governments, to construct a canal at Panama under the Spooner law, and I hope to cooperate with my Democratic colleagues in the demand for the honest, faithful, and complete execution of that law.

Having failed to coerce the Congress of Colombia to ratify the Hay-Herran treaty by such threats of Congressional action as he declared, on the 26th of June, 1903, that every friend of Colombia would regret, and having failed to alarm the Congress of Colombia from its propriety by such a bulldozing, they rejected the treaty, not with contempt but with great politeness. It was not authorized by the Colombian constitution, and had exceeded their authority to ratify it. This action our President has denounced as a "contemptuous refusal" of the Congress that has just closed its session, and he declares in his message that—

> [illegible]

If that question is still open and not decided, it is not the fault of the Spooner law. It is the fault of the President in his defiant refusal to obey that law.

The Spooner law answers that question honestly, lawfully, and distinctly, but the President repudiates it.

My colleagues from the South can not now fail to see that the present purpose of the President, boldly declared in his annual message and renewed to-day, is the same that forced them to vote for the Hay-Herran treaty, which is that it shall be a canal at Panama, or no canal.

I stated in the Senate, in justification of my vote against the Hay-Herran treaty, that it was, in effect, a declaration of war against Colombia, because, if it was ratified by those treaty powers, its provisions were such as to cause friction, then conflict, and finally war between the two Republics, and, if it was not ratified by Colombia, it would lead to commotions in Panama that would result in the annexation of Panama to the United States either by purchase or as a result of war. I called the attention of the Senate to the advocacy of forcible compulsion by the United States as the declared policy of certain great Republican journals, and read those articles in the open Senate.

I now state it as a conviction that few, if any, will dispute, that the Hay-Herran treaty, if ratified by the Senate, will be a declaration of war against Colombia by the Senate, in approval of war already existing, which the President is conducting against Colombia in support of the effort of Panama to accomplish its independence by secession from Colombia.

I also stated in the Senate that the provisions of the constitution of Colombia forbid the President from entering into negotiations with us for the territorial rights insisted in the Hay-Herran treaty without previous authorization from the Congress of Colombia, and pointed out the fact that we were only aiding Marroquin to violate the constitution of his own country.

Yet I announced that I would, in good faith, aid by my vote in the effort to execute the Spooner law in the location of the canal at Panama, if the Hay-Herran treaty was absolutely rejected, which amendments were admitted by the friends of that treaty to be correct. Yet I never for a moment believed that the Congress of Colombia, when elected, for it did not then exist, would vote for the approval of the Hay-Herran treaty.

This is enough to say now as to my course in opposing that treaty.

My reasons for opposing the present treaty, so far as they relate to the dignity of our Government and the involvement of our country in war, and as to its effect upon the Monroe doctrine and our subordination to France as the present avowed guardian of the Panama Canal Company, and its necessary effect in repealing the Spooner law, are necessary to be stated in support of the resolution now before the Senate, in order that it may be seen that I am not opposing the action of the President on factious or slight grounds, but for causes that I believe seriously impugn the honor of the Republic and the stain its integrity.

The first article of the treaty, I repeat, is a declaration of war with Colombia, to be made by the Senate as the treaty-making tribunal of our Government, instead of by Congress, which alone, under the Constitution, has the power to declare war. It has the additional and unlawful purpose of making the Government a party to a war with Colombia that is already waged by the order of the President as Commander in Chief of the Army and Navy.

It is, indeed, the chief purpose of the President in making this treaty to gain the support of two-thirds of the Senate for the ratification of his illegal acts already committed, and to obtain a declaration of war against Colombia, for which he is unwilling to ask Congress.

In his message to Congress he is careful to state the limit to which he has gone in recognizing the Government of Panama, with which he has established relations on the part of the United States. He distinctly declares that it is a de facto government.

That such a government can be a lawful belligerent and declare war is settled in Prize Cases, in 2 Black's Reports; but that it has no power to sell or convey the territory in which its operations are conducted is equally as well settled in Williams v. Bruffy (96 U. S., 176), and in the text of the cases cited in 1 Butler's Treaty-Making Powers of the United States, page 72, that it is essential that the contracting powers should be fully sovereign in order to act [illegible] territorial rights.

The message to Congress is the only official document that defines the character of the Government, as recognized by him, and it is therein expressly defined as a de facto government. I will read this careful statement from his message:

> The Government of Panama was recognized in the following telegram: Mr. HAY—
>
> [illegible]
>
> United States [illegible]

Why did he only venture, as President, in his recognition of an existing government in Panama, to make the declaration of its de facto character? He knew what power of self-protection this de facto government possessed, which was no greater than that of an infant in its cradle, and that this essential element of sovereignty was without the shadow of reality.

He knew that no government, even in form republican, existed in Panama under the control of the insurgents, and that whatever government might afterwards exist there had to be built up, molded into shape, and organized after and in consequence of this act of recognition.

He knew that he had stretched his powers of recognition to the limit in declaring that it was a de facto government.

He knew that, as matters then stood, his recognition of a de facto government in Panama did not destroy any right of Colombia, as the rightful and sovereign power in that Department—the government de jure. And, to our shame as a nation, the President knew that he had recognized a de facto government in Panama as the only way in which he could obtain concessions in that Isthmus and that this was the real purpose of this recognition.

It is not a picture to stir the martial spirit of our people, in vindication of their rights, when they are attempted to be assessed by treaty with an infant protege of the President, that he is not willing to dub as a sovereign power, while he holds it in his arms against the protest of its mother, whose sovereign rights, acknowledged by all nations, he is procuring from the nursling.

Yet he avowed his purpose to protect the de facto government against the government de jure, because Colombia might interfere with the transit—the railroad traffic—across the Isthmus if she was permitted to coerce the people of Panama to obey the laws and constitution of Colombia, the actual government de jure over that Department.

He at once caused the United States marines to be posted so as to prevent the Colombian troops at Colon from proceeding to Panama for any purpose and especially for the purpose of releasing from prison the commandant of those troops, who had been captured by the insurgents and imprisoned at Panama City.

This was war, by the President's direct command, against Colombia.

It was war to protect the de facto government against the government de jure in Panama under the pretext of a necessity that was assumed and wholly gratuitous, that military intervention against Colombia and in favor of Panama was necessary to protect commercial transit or traffic across the Isthmus.

Colombia was at war with the insurgents when this treaty was signed. She had been at war with Panama, as war is defined by our Supreme Court in the cases I have cited, since the 3d day of November, 1903, and is still at war with her people in rebellion at Panama.

Her troops at Colon were sent there to prevent the alleged uprising of the people "as one man," as the President phrases the uprising of eight men, two of them the agents of the Panama Canal Company, in charge of the Panama Railroad, and one of them a consul of the United States, all of whom had been in close conspiracy against the Government of Colombia for months prior to the so-called "uprising of the people" of Panama. These troops were on a lawful mission to protect the sovereignty of Colombia in the Department of Panama and also to protect the railroad transit, especially to protect it against the treacherous

railroad agents who were conspiring with others to destroy the sovereign Government of Colombia over the very ground on which the railroad track was laid by the permission of that Republic.

The troops of Colombia in Panama were first scattered in search of her public enemies that were falsely reported as invading Panama at a distance from the city of Panama. Those left in barracks were corrupted with money robbed from the public treasury of Panama, through the connivance of the treasurer—one of the conspirators—and were enticed to desert the flag. I will here state that our consul there is the leading member of the banking firm that turned that money over to the troops.

Mr. BACON. How much money?

Mr. MORGAN. A good many thousand dollars. I do not know how many. Twenty-five thousand, I believe. I do not state the figures, because I do not recall.

Many imprisonments and banishments were made of persons who were suspected of being friendly to the Government of Colombia, and bodies of armed citizens were terrorizing all who were loyal to Colombia.

To repress these lawless combinations at Panama, Colombia sent a gunboat that fired upon the fortress there and the city, killing one person, and it was ordered off by a United States ship of war. Such acts were war between Colombia and the insurgents. The United States ships and marines were ordered by the President to prohibit and prevent the landing of any forces by Colombia at any port or place in the Department of Panama, and they thus blockaded the ports of that department against the access of all national vessels of Colombia, or other vessels carrying Colombian soldiers.

These acts and many others of the same character establish the fact, beyond dispute, that Colombia, on the 3d of November, 1903, and until the present time, has been engaged in war with the insurrectionists in Panama, whom the President has recognized as a government de facto, and the President has been giving them protection and aid.

This will not be denied, I suppose, for its denial would shock the sense of truth and justice of all who know the facts.

The grounds on which the President justifies these acts of war are thus stated in his message, quoting a dispatch which he caused to be sent to Colombia:

> He holds that he is bound not merely by treaty obligations, but by the interests of civilization, to see that the peaceful traffic of the world across the Isthmus of Panama shall not longer be disturbed by a constant succession of unnecessary and wasteful civil wars.

It is enough to say of this grandiloquent declaration of national rights and powers, without giving heed to his personal assumption of dictatorial powers, that neither the Constitution nor the laws of the United States confer upon the President any such powers as he declares, in this absurd statement, he will exercise.

If any such right or national policy exists in any department of the Government, as the guardianship of "the interests of civilization" it is lodged with Congress and is not left to blaze on the lance's point of any American Sancho Panza, to be thrust into the bosoms of American republics.

With such foundations of power conceded to the Presidential office, to be exercised even when Congress is in session to gratify the resentment of a President or a romantic love of notoriety, the Congress of the United States might well emulate the conduct of the Congress of Colombia when they had voted down the contract made with the Panama Canal Company in 1898 for $1,000,000 for an extension of the concession from 1904 to 1910.

Sanclemente having stated that he would ratify the contract and take the money under his own decree, the Congress adjourned sine die and went home to hear the drums and bugles of civil war. That will not come to us from any usurpation, but even a worse condition will follow when Presidents can violate the laws with impunity and the people shall have become too dead in spirit to hold them to account.

The President has paused in his usurpation of the war power, but not until he had gone to so great a length that he believed Congress would be compelled to follow the flag to save appearances and adopt a war that he was actually waging against Colombia under the guise of treaty obligations to protect the transit across the Isthmus of Panama.

To obtain this ratification of his excessive adventure he comes to the Senate and appeals to the special treaty-making power to join him in giving its sanction to the war he has begun and is conducting with a display of war power at sea that is far greater than was mustered in the war with Spain, all under the pretext of protecting the isthmian transit. He asks the Senate to usurp the power of Congress to declare war, instead of making his appeal to Congress.

The steps in this adroit movement are worthy of some counsellor who is, probably, in this body, who has inherited the spirit of Talleyrand and is practicing some of his cold diplomatic strategies. A recent example of such skill was given in the Cuban reciprocity act, to which Congress was compelled to assent with a mild protest. When that bill came to the Senate from the House and was sent to the Committee on Foreign Relations, the apparently innocent and even frivolous reasons assigned for this new departure were not unnoticed or undervalued by thoughtful men. It was then understood that a precedent was being established under which the Senate could declare war with Colombia, and that the Government being thus, apparently, committed to war, Congress would be forced to follow it up with a declaration of war.

The steps in this progress are now too plain for further concealment. Whether the final step shall be taken depends on the votes of three or more Democrats.

The President's first step is a recognition of the de facto government, which admits, necessarily, a de jure government over Panama in Colombia. When there is a de facto government anywhere there must be a de jure government somewhere else. This is as far as he has ventured in the exercise of his diplomatic powers of recognition. In doing this much he reached the utmost limit, even with the support of the junta at Panama and the "champion" of the Panama Canal, as its minister plenipotentiary, ready to do anything he might think necessary to create a republic with full sovereign powers.

His second step was the protection of his alleged de facto government, created alone by his recognition, against any effort of Colombia to assert, in Panama, any act of its rightful jurisdiction either of sovereignty or to protect the transit and preserve its neutrality.

To do this he interposed military forces on land and fleets of war ships on both oceans that bound Panama to prevent Colombia from exercising any of its rightful authority in Panama.

His next step was to guard all the coasts of Colombia against the coming of all military forces and of all Colombian agents and citizens who refuse to acknowledge the independence of Panama.

His next step was to hear the complaints of Colombia, through Reyes, and to endeavor to buy the independence of Panama from Colombia.

In the meantime, the concentration of war fleets on both coasts of Panama and the outfitting of transports to carry the army to Panama and to Colombia, if the Senate will aid him to declare war, is as great as if some first-class power were ready to make war against the United States.

Within the territorial limits of the Department of Panama this situation is actual war, as indisputable as if the fires of battle lit up the seas and the mountains of all that Department.

The President could not be induced to reduce the forces in and around that Department to a detail altogether sufficient to guard the transit across the Isthmus, for he has notified Colombia (I quote the language of his message) that "he" (not Congress) "holds that he is bound, not merely by treaty obligations, but by the interests of civilization, to see that the peaceful traffic of the world across the Isthmus of Panama shall not be longer disturbed by a constant succession of unnecessary and wasteful civil wars." It may require, in the years to come, very strong military forces in Panama to prevent the recurrence of civil wars and to protect the canal, if we dig it. We are not likely to find much protection for the canal in the good will of Colombia unless we can purchase it.

Colombia could not mistake the meaning of this message of our President, even if it had not been attended with overt acts of war, nor can the Senate misunderstand it.

It means that to prevent any hostilities in the Department of Panama, unless conducted by the United States, he—the President—has resolved to protect the de facto government at the city of Panama against any effort of Colombia to assert its authority anywhere in the Department of Panama.

It seems to excite no surprise in our minds that the President should thus offensively inform Colombia that a mob engaged in breaking the peace at a terminal of the railroad, by armed assault upon Colombian officers and their imprisonment, should be protected in their outbreak and in their marand upon the treasury of Panama, for the sole reason that if Colombia should be permitted to assist even in putting them down and restoring peace regulated by law there would be a recurrence of "unnecessary and wasteful civil war" in Panama.

He also assumed the position, for which there is no semblance of justification, that Colombia has no right to keep and perform her treaty obligation to protect the neutrality and the freedom and safety of traffic across the Isthmus.

Such arrogance toward a weaker sister republic ill becomes the President of the Republic of the United States. For one, I will not vote to ratify this wrong and to empower the President to violate the treaty of 1846 and to take from Colombia all the rights and duties it confers upon her.

Having done all this under a specious pretension of lawful authority, the President halted at the limit of his tether, long and

loose as he had made it, and looked around for further powers. He looked first to Congress, and found seated in the House of Representatives men of power and courage who had refused to submit the fate of Cuban reciprocity to the treaty-making power; and when they enacted a law to ratify a treaty which the Senate had already ratified, rebuked him for his effort to employ that power in measures for raising revenue.

He dreaded another rebuke and came to the Senate for support.

He found in the House a narrow party majority that he feared he could not control, and in the Senate a party majority of two-thirds, less three votes, that he hoped to control, to ratify any treaty he saw proper to make with the junta at Panama, on the promise—that he can not keep without the consent of Congress—that he will at once proceed to construct a canal at Panama.

He looked to the ratification of that treaty as the final step in his journey, which would make lawful all that had gone before. Without that step his campaign of usurpation was a failure: with it his march was a triumph, not merely in the diplomacy of violence and spoliation with armed forces, but a triumph whose glory would be complete in the political campaign of 1904.

If the treaty should fail, the Republic of Panama will not have been created by the act of Bunau-Varilla and the President, because they have no lawful power to create it without the consent of Congress.

And so that Republic would neither be independent nor sovereign, for it requires the consent of Congress to confer upon it such attributes at the hands of the Government of the United States. It would only continue in the groove where the President's recognition had placed it as a government de facto, and it would perish there, at the hands of Colombia, unless France or the United States would shelter it or unless the United States would buy Panama from Colombia.

The President in his official declarations has not pretended to confer independence or sovereignty on the Republic of Panama, or that such a Republic was recognized when that treaty was signed, or that it is an organized Republic up to the present hour.

He relies upon at least three Democrats in the Senate to do for him what he and his party can not accomplish without their assistance. He depends upon their votes to create a law, in conjunction with the junta at Panama, that authorizes him to recognize that junta as a government, republican in form, and to confer upon it, as against Colombia and all other powers, perfect independence and full sovereignty over the Department of Panama. As such a law, enacted by the junta at Panama in this treaty, as one of the law-making powers of the United States, would violate our Constitution and deeply shade our national character, I could not vote for it.

I would much prefer to vote money for the purchase of Panama from Colombia and free those people from a government with which they can never be at peace.

If any of my esteemed Democratic colleagues aspire to such honors and responsibilities, I can only say that they are very costly and should not be accepted as a necessity forced upon them by the fear that, if they are not accepted, the President will execute the threat in his message, that he has reached such a stage of power, through usurpation and the disobedience to the Spooner law, that—

> The question now, therefore, is not by which route the Isthmian canal shall be built, for that question has been definitely settled and irrevocably decided. The question is simply whether or not we shall have an Isthmian canal.

The Spooner law settled that question in favor of the Nicaragua route, after the effort to locate the canal at Panama, by treaty, had failed. Mr. Hay admitted this in a dispatch he sent to the Colombian Congress through our minister at Bogota, dated August 29, 1903, which I will read:

Mr. Hay to Mr. Beaupré.

[Telegram.]

DEPARTMENT OF STATE,
Washington, August 29, 1903.

> The President is bound by the Isthmian canal statute, commonly called the Spooner law. By its provisions he is given a reasonable time to arrange a satisfactory treaty with Colombia. When, in his judgment, the reasonable time has expired and he has not been able to make a satisfactory arrangement as to the Panama route, he was then pressed to carry into effect the alternative of the statute. Meantime the President will enter into no engagement restraining his freedom of action under the statute.
>
> HAY.

The President's policy in Panama was strongly foreshadowed in the dispatch of Mr. Hay. It was then settled on one of three lines of action then perfectly known to Mr. Bunau-Varilla, and by him communicated to the Matin, a paper conducted in Paris by his brother. I ask the Secretary to read the article.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[Washington Post, December 19, 1903.]

FORETOLD BY VARILLA—WARNED COLOMBIA OF TROUBLES IN STORE FOR HER—DANGER IN TREATY REJECTION—PROPHETIC ARTICLE PRINTED IN HIS BROTHER'S PAPER, LE MATIN, OF PARIS, EARLY IN SEPTEMBER—MORE OF THE PANAMA MINISTER'S PHILADELPHIA ADDRESS BEFORE THE ACADEMY OF POLITICAL SCIENCES.

The address of P. Bunau-Varilla, minister from Panama to the United States, delivered before the American Academy of Political and Social Science at Philadelphia on Thursday, contained in detail the negotiations between this country and Colombia for the canal rights and set forth M. Varilla's own efforts in behalf of the project.

In Le Matin, of Paris, issue of September 2, 1903, he printed an article warning Colombia of the perils of the situation if she should reject the pending treaty. In that article, which is the most significant part of his address, he said:

> "September 2, 1903, will be a memorable date in this Panama operation, which has already resulted in so many such events in the last five days. Three events from now—the period will end at midnight—will see the Hay-Herran treaty concluded between Colombia and the United States, must be ratified. If Colombia, regarding only her own interests, which are also those of civilization, goes back on her decision and ratifies the treaty, then the canal may be definitely considered as constructed. But if Colombia, continuing in suspicious delays and hesitations, allows the moments to slip by, perhaps finally rejecting the treaty as interpreted amendments which would upset its whole construction, then the unknown opens before us, the way open to all sorts of complications.
>
> "The situation is clear and President Roosevelt's duty is indicated by law—the Spooner law of 1902. Should the President, says the law, be unable to obtain a satisfactory title to the property of the New Panama Company and the control of necessary territory of the Republic of Colombia, he is then authorized to open the Nicaragua Canal, after having first secured for the United States perpetual control by treaty of the necessary territory from Nicaragua and Costa Rica.
>
> "Therefore, if the control of the necessary territory of the Republic of Colombia can not be obtained, President Roosevelt can begin negotiations with Nicaragua from it is ready with Costa Rica, and the Chagres, the projected bridge across the Panama Canal, everything shall have been tried to obtain the control of the necessary territory of the Republic of Colombia. Now, everything has not been tried yet.
>
> "President Roosevelt, as was his duty, has tried one method alone, the more easy one in such cases, namely, that of trying to come to an amicable understanding with the Republic of Colombia. He has at least two other methods that he may try.

"REVOLUTION SMOLDERING.

> "He may, in the second place, wait for the outbreak of the revolution, which, as may be seen elsewhere in our journal, has been smoldering in the State of Panama, and urge the State to proclaim its independence as it did twice in the last century, in 1840 and in 1885—then he will have to treat directly with the State of Panama. But he may, above all, in the third place, refuse from the Representative Congress, on the strength of formal engagements, what it refuses to grant with good grace.
>
> "There exists in fact a treaty made in 1846 between the Republic of New Granada, the former nation of the Republic of Colombia, and the Government of the United States. Article 35 of this treaty reads as follows:
>
> "The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama by all means of communication that exist or may come into existence shall always belong to the Government and to the citizens of the United States, and for the transport of all products, manufactures, and lawful merchandise whatsoever belonging to the citizens of the United States.
>
> "The right of way, in the legal language, of the United States is the right of passage in its highest sense—that is to say, not merely the right of bodily locomotion, but the right of making all the artificial works needed for locomotion in any shape whatsoever. The right of way is, in reality, the right of establishing the works needed for the passage of trains, if it is a matter of a railroad, and for the passage of vessels, if it is a matter of a canal.

"LEGAL COERCION OF COLOMBIA.

> "If our information is correct, it is to this third method, to this legal coercion, exercised on the strength of a treaty, that President Roosevelt has resolved to have recourse, in order to obtain from the Republic of Colombia immediately what it has to grant him to have on the territory needed for the working of the canal. No doubt the canal bears President Roosevelt for instant use even of force in order to obtain that which right secures to him and which can not be refused greatness.
>
> "The Government of the United States has entered upon one of the most bold undertakings in the world, one which may well make any country proud above all others. Instructed by the world, under such circumstances, security, sympathies, the great majority of the world has been on our side. The sympathy of the American people, that way of every land, and which France, in consequence of an unpardonable error, has been trying to restrain herself.
>
> "In opposing a serious obstacle in the realization of the greatest project that man can carry out in the arrangement of our planet, Colombia shows herself extraordinary rights. In standing in the path of progress she makes herself a wrongdoer who, having her back on the flames, should endeavor to prevent a rescuer or a lighting from crossing his domain. The rights of property of individuals, even those of nations, are limited by the higher right of the need of community of commercial intercourse.
>
> "It is in the higher sense that President Roosevelt has decided to enforce; that he will, enforce, the Hay-Herran treaty.

HIS WARNING WENT UNHEEDED.

> "I hoped," said M. Varilla, in continuance of his address, "that this open and public warning would perhaps at the last moment cast a flood of light in those who are entrusted of the interests of the country and certain that was futile and in vain and certainly the worst disorder of appropriating thanks to the misrepresentation of the negotiations between the Panama Canal Company and the Republic of Colombia, the proposition of the French company, was too strong for the Bogota politicians, and in closing the door in a fools' paradise they left the door of free fruit of success for a without having shown any disposition to comply with the requisitions of a ranger courtesy toward the United States.

Mr. MORGAN. That document of Mr. Bunau-Varilla, minister plenipotentiary of the Republic of Panama to the Republic of the United States, which the United States in the person of its President held as close to its bosom as a mother ever held a sick child, he being the minister between the two—that declaration of Bunau-Varilla, made in September, 1903, foreshadows, forecasts,

and defines particularly and carefully the three contemplated measures by which the President might get around the fact that Colombia, as he said, had rejected his treaty with indignation or contempt.

How did that inflated Frenchman, who seems not to be able to keep his tongue any more than a chanticleer is to keep his voice down when he is on the top rail of a fence and day is dawning, ever become possessed, as he says he was before informed, of this line of policy which the President has worked out in both his messages, his annual message and the one that came here to-day, with as absolute precision as is possible for a man to do? If the President did understand the situation at that time and did not state it to him, Mr. Bunau-Varilla is a great mind reader. He found it somewhere, either in the mind of the President or in the mind of the Secretary of State. Here is the plan worked out exactly which he projected and prognosticated in September, 1903. The thing was too good to keep and he had to let it out.

The President in his message informs Congress that that effort has failed by the "contemptuous refusal of the Congress which has just closed its session to consider favorably such a treaty." I quote his words.

And, again quoting from his message, he says:

> Nevertheless the Government of Colombia not merely repudiated that treaty but repudiated it in such a manner as to make it evident by the time the Colombian Congress adjourned that not the scantiest hope remained of ever getting a satisfactory treaty from them.

Thus the door of hope was closed against the President's efforts to locate the canal at Panama, according to law, through the utmost pressure of his civic powers. Then he rose to the occasion and opened that door again with the military powers of the United States, with the war cry, "That question has been definitely and irrevocably decided."

If it was so decided, in favor of the Panama route, was it by the Spooner law or was it by the "irrevocable" will of the President in contempt of the statute? The answer to this question is not debatable.

But one construction of the President's action is possible. It is that he is above the law, that it is in the way of his personal ambition, and he spurns it with contemptuous indifference.

I will read a section of the Spooner Act, to state the will of Congress.

If we are to obey the will of the President, let us repeal that part of the Spooner law I will read. If we are not forced to eat our words and reverse our action at the President's bidding, let us stand by this enactment:

> SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights, franchises, and lands of said company and of said Republic within a reasonable time and upon reasonable terms, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, and protection of a ship canal connecting the Caribbean Sea with the Pacific Ocean, by what is commonly known as the Nicaragua route, shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship-canal and waterway leading from a point on the shore of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean.
>
> Such canal shall be of such capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from one ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal, and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereinafter provided to be acquired by the United States are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.
>
> The President shall cause the said Isthmian Canal Commission to make such surveys as may be necessary for said canal and harbors to be made, and in the construction of said canal and in the construction of said canal may employ such persons as he may deem necessary, and may fix their compensation.
>
> In the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

To invite the Senate, as a treaty-making tribunal, to repeal section 4 of the Spooner Act by hostile legislation, is to ask it to repeal the appropriation for a canal that is carried by that act.

Section 5 of that act is as follows:

> SEC. 5. That the sum of $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated by either route so selected.
>
> And the President is hereby authorized to cause to be entered into such contract or contracts as may be deemed necessary for the proper excavation, construction, completion, and defense of said canal, harbors, and defenses, by the route finally determined upon under the provisions of this act. Appropriations therefor shall from time to time be hereafter made, not to exceed in the aggregate the additional sum of $135,000,000 should the Panama route be adopted, or $180,000,000 should the Nicaragua route be adopted.

The route to which these distinct and different appropriations applies is the one route so selected; that is, the route selected under and in accordance with the statute. A route selected otherwise or by treaty with any other nation except Colombia for the Panama route or Nicaragua and Costa Rica for the Nicaragua route is not "so selected" and can not be the recipient of the respective appropriations. If the selections fail to be so made, the appropriation falls and must be renewed by act of Congress. Otherwise they fall to the ground. But the selection of the Nicaragua route is made by statute, and it stands until the President has made the effort and has failed to make a satisfactory treaty with Nicaragua and Costa Rica. His effort now is to repeal the appropriations in the Spooner law by the treaty with Panama, which he hopes to make a part of the supreme law of the United States.

There can be no remedy through a forced construction of this statute that would save the appropriation if this treaty is ratified. Any person or corporation interested adversely to the construction of an isthmian canal could by application to a court of competent jurisdiction prevent the application of the appropriation to a canal that is not selected and acquired as to canal rights and concessions under and in accordance with the Spooner Act.

Mr. OVERMAN. Do I understand the Senator to say that if we ratify this treaty there is no money with which to build the canal?

Mr. MORGAN. I do.

Mr. OVERMAN. There is no money appropriated to build it?

Mr. MORGAN. None at all.

Mr. OVERMAN. We ratify the treaty for a canal with no money to build it?

Mr. MORGAN. Not a dollar.

The President's draft or warrant on the Treasury would have no effect against an injunction, mandamus, or prohibition from a court of competent jurisdiction. This act of the President would be purely a ministerial act, and subject to the authority of the courts.

All possibility of acquiring canal rights from Colombia ceased on the adjournment of that Congress sine die on the 31st of October, 1903. Then, if not on the 22d of September, the appropriation for a canal at Panama lapsed. It was no longer available after that date. Mr. Hay says the entire subject was closed beyond recall under the Spooner law on the 22d of September.

When this occurred it became at once possible for the appropriation for the Nicaraguan route to be applied to it, if the President had done his duty under the Spooner law. It is still possible if the President should open negotiations with Nicaragua and Costa Rica.

There can be no doubt that if such negotiations were ratified by the Senate that the appropriation in the Spooner law would be available for the construction of the canal. No additional legislation would be required.

I take it for granted that, as a matter of law, no one will be found to dispute this fact.

If I could feel assured that the good faith of Senators in the enactment of the Spooner law will be observed, I could have no doubt of the result of that law in locating the canal on the Nicaragua route. But a strenuous party demand is made upon the majority for their assistance of the President in the open repudiation of the unexecuted parts of that law, which I conclude will be acquiesced in by the majority.

When men in high station break faith with each other in matters of the greatest importance, those who have been deceived and misled should not be censured for not accepting assurances of good faith in verbal promises that are offered as a substitute for pledges in a public statute that are violated in order to make room for such promises.

For one, I do not accept them and can find no reason for believing them.

The ratification of this treaty, if it is sustained by Congress, will be held by the Republicans to sweep away all the appropriations of the Spooner law, and will leave any canal across Isthmian America as distant and uncertain as it has been in the last half century if Mr. Roosevelt is elected to the Presidency for the ensuing term.

I do not necessarily impeach his personal integrity in this statement, but he will find himself unable to get the support of his own followers in Congress in the face of the disasters, frauds, and scandals that have gathered about this canal enterprise at Panama, and the disease, death, and pestilence that will attend it, and the war of interference that Colombia will stealthily wage against it, and the difficulties of a treacherous soil and of the Chagres floods, and the dam at Bohio, and the creeping soils in the deep cuts at Culebra and Emperador that will drive Congress to despair of success at Panama.

But the question of immediate importance is the fact that the ratification of this treaty will annul all the appropriations in the Spooner Act by driving the Nicaragua route from further consideration, and by making it impossible to apply the appropriation to a canal to be acquired by treaty with a government that had no existence, when Colombia had made it impossible, by her

own act, to apply the appropriation in the Spooner Act to the canal route we were to acquire from Panama.

My Southern colleagues who will aid in doing this rash thing, would pay it by reading again the wise fable of Æsop, about the dog that let go of the bone he was carrying in his mouth across a stream to seize that of another dog below him, which turned out to be only his shadow.

I will not ask the question whether my Democratic colleagues have any such purpose as to destroy the appropriations made in the Spooner law, as will be done if this Hay-Varilla treaty is ratified. I am quite aware that nothing could induce them, consciously, into such a course. On the contrary, they fear to trust the majority in the Senate so far as to give them any opportunity to destroy that appropriation on the promise that they will vote another appropriation to construct a canal at Panama.

They will not make the promise. No Republican Senator in this body will introduce a bill to appropriate that money for the benefit of the Panama Canal in the event that this treaty is ratified. They will not introduce a bill, sir. I announce it now, because I am satisfied they will not dare to do it.

It is the belief of Southern Senators in the desire of the President that a canal shall be constructed at Panama, and of his power to construct it with the money already appropriated in the Spooner law for that purpose, that may cause some of them to vote their approval of all he has done to bring this treaty into existence by voting for its ratification. Their feelings are those of desperation, which stops at no impediments or consequences that may obstruct their hope of a canal.

They may be willing to cast aside the Nicaragua Canal, for the construction of which the Spooner law appropriates, specifically, more than $180,000,000, and to uphold the President in his open refusal to execute that law, whose mandate is as clear as sunlight, in exchange for his bare promise of constructing a canal at Panama. They may be willing to submit to the disgrace of the country by assisting to build up the Panama conspirators into a free, sovereign, and independent republic, which could not be accomplished without their votes by any power that all the people of Panama possess if they were disposed to make every possible sacrifice for that purpose.

They may be ready to consent to the war with Colombia that the President is unlawfully conducting, and to adopt and declare it as the war of this Republic, if the Senate has the power so to declare war, rather than take the further risk of the President's further refusal to obey the Spooner law. Fearing his inidelity to the law, they prefer to trust his ambition.

Some of them insist that I am a man of a single idea, and that it is limited to a canal at Nicaragua. They ask me to abandon what they conceive to be a stubborn folly. I will not complain of them for weakness and vacillation, while they censure me for voting convictions that no one has ever attempted to refute or to overcome by facts or disinterested argument. I will only ask them, in justice to the truth, to answer a few propositions.

On what ground or principle, as to the construction of statutes, is it possible that the money appropriated for a canal at Panama can be applied to that purpose on the warrant of the President, when he has officially proclaimed in his annual message to Congress that Colombia had refused to sell to the United States and convey any right to construct a canal at Panama before any uprising took place in Panama to create a successor government to Colombia in that department?

When the Spooner law was enacted, and when the Hay-Herran treaty was negotiated and ratified by the Senate of the United States, and when it was rejected by the Congress of Colombia, and when the Congress adjourned sine die, Panama was a municipal department of Colombia with no political or diplomatic relations with the United States, and no possibility of such relations while it remained a department of Colombia. Was it not, then, bound by the official acts and conduct of Colombia, even as to covenants, or conditions that some statesmen contend, run with the land? When they got the land its condition was fixed, under the operations of the Spooner law, and Panama could not change it. All it could do, if anything, was to make a new contract, for the dead one could not be resurrected.

Are they not still bound by that condition in which they found the title to this Panama Canal property, when their sovereign Government had refused absolutely to enter into a treaty with the United States, and the Congress that was expected to approve it had adjourned sine die and the President of the United States in an annual message to the Congress of the United States announced that all possibility of making a treaty with Colombia had ceased?

Up to the 4th of November Panama had no power, without being guilty of treasonable insurrection, to make or propose a treaty with the United States for canal concessions anywhere within the territorial limits of Colombia. Now, on this state of facts, which I think no man can have any ground to dispute or to question, did not the Spooner law, by its own effect, create two conditions that Colombia and Panama and the President and every citizen of the United States is bound to respect?

The first condition is that, by the act of the Congress of Colombia in rejecting or refusing to approve and ratify the Hay-Herran treaty, and by the official act of the President in accepting that refusal as a bar to further proceedings with Colombia under the Spooner law, the specific appropriation of $180,000,000 for the construction of a canal ceased to be operative and fell because of the conditions annexed to it in that act.

Since the official conclusion of that effort to purchase canal concessions from Colombia, whether it was on the 22d of September, 1903, which was the true date of the official failure or death of the Hay-Herran treaty, or whether it might have been the 31st of October, 1903, the date of the final adjournment of the Colombian Congress, after the date of such final and official dealings with Colombia, the President had no authority to use the appropriation in the Spooner law for the purchase of canal concessions from Colombia, or to draw money from the Treasury of the United States to construct a canal at Panama.

The other condition created by the Spooner law is that the appropriation for the purchase of canal concessions from Nicaragua and Costa Rica then took effect and was immediately available for that purpose and could be drawn from the Treasury on the warrant of the President. It is still in force, and the President can use it for the purposes defined in the statutes. He could not draw both; he could only draw one. The appropriation of $180,000,000 for the construction of a canal on the Nicaragua route took effect, thereby supplanting the appropriation for the construction of a canal at Panama, and it became available when the President should perform certain acts required of him by the Spooner law.

The appropriation to purchase certain canal rights from Colombia, to be fixed by treaty, and also the appropriation for the construction of a canal at Panama have ceased to be operative and are covered in the Treasury, where no warrant of the President can lawfully reach either of them.

The appropriation for the Nicaragua route alone remains effective.

The President has failed to take any of the steps required by the statute to make these appropriations available, but his refusal to perform his duty does not repeal the Spooner law.

Instead of performing that duty or of taking any step in that direction, he has announced in his message to Congress that it is decided "definitely and irrevocably" that no isthmian canal will be constructed except at Panama.

Is Congress willing to be thus snubbed and degraded from its constitutional authority by an act of arrogant usurpation?

So far as I am concerned, I can look at this arrogant decree with composure, because the Ruler of nations and men has charge of our destiny, and all things, in the end, will be done rightly.

I can see the President, in his fancied superiority of wisdom and virtue, join hands with the infamous Panama Canal Company and with Varilla, its announced champion, and with Cromwell, its hired attorney, and with Arango, its railroad agent at Panama, who was one of the junta of conspirators on the 3d of November, 1903, at Panama, not without sorrow, but without shame, because I am not of those "who bow the pregnant hinges of the knee that thrift may follow fawning."

I have no party relations or prospects that bind me in fealty to all the great American statesmen, engineers, and contractors who for fifty years have come like a cloud of witnesses to bear testimony to the superior advantages of the canal route through the splendid valley of the San Juan River and across Lake Nicaragua, through a healthy climate and a beautiful country. They were nearly all Republicans. Yet I must lament that such men no longer weigh, in their honorable history, against the commercialism of sordid men or the vain ambitions of men who are frantic for notoriety.

I am glad that some of those noble men do not witness the contempt of men of different mold for their opinions, learning, and advice. I was not the political supporter of President McKinley, but I had abiding faith in his wisdom and integrity, and I deeply regret to see his proudest monument—the Nicaragua Canal—torn down by irreverent and ungrateful hands, to perish under the contemptuous kick of a professed friend.

I know, as you will soon discern, that one isthmian canal will no more accommodate the world's traffic by water through this hemisphere than one canal at St. Mary's River would accommodate the traffic of the small area whose commerce is tributary to the Great Lakes.

I believe that a canal through the Nicaragua route, constructed by American States, will be in successful operation years before we have cut the Culebra and Emperador heights down to a level that is 80 feet above sea level and before we have constructed a dam at Bohio—the key of the canal—that will control the torrential

waters of the Chagres River. They can get labor for half the price we will have to pay at Panama, and their men will be at work, while ours will fall asleep forever in a miserable death and will be thrown into the ditches they tried to dig.

When Nicaragua and Costa Rica acknowledged the independence of Panama, I deeply regretted that they could not pay homage in that act to the honor, justice, or magnanimity of the United States. They could not so humiliate themselves while they held the broken compacts we have made with them that were signed, sealed, and exchanged between the Governments at the solicitation of Mr. McKinley, as President.

They were made in the same period when McKinley was causing the protocols to be signed with China and great European powers that have never been laid before the Senate for ratification. Yet they are held by us to be as obligatory as any treaties that the Senate ever ratified.

Costa Rica altered her constitution, at our suggestion, that these protocols might be binding on her; and Nicaragua reserved her lands, within a canal zone of 10 miles, from all disposal, that she might keep the obligations of a treaty we had fully negotiated with her under these protocols, but had not concluded, because we could not, so we said, honorably conclude these treaties under the Spooner law that required that we should give the preference, in point of time, to Colombia.

They waited with honorable and dignified patience until the doors of negotiations with Colombia were forever sealed up and were so announced by the President, only to find that our solemn agreements with them, ratified in the Spooner law, were contemptuously kicked out of the pathway of the President as being unworthy of his notice.

Nicaragua and Costa Rica will, in withdrawing for other and more reliable alliances, have a better friend in the head of the Army and Navy of the United States.

The Spooner law, in effect, accepted and ratified the protocols of William McKinley, and some day the American people will rise up and insist that they are a part of that act and will enforce them.

The real question presented by the President is whether the isthmian canal shall exist at Panama, if Congress shall provide for its construction, or whether it shall not exist, if the President concludes, after all, that it is better to have no appropriation for its construction anywhere. This question will not be settled at this session of Congress if the Republicans prefer to leave it open until after the elections in November. In the meantime, if the treaty is ratified, they will say they have no appropriation to construct a canal at Panama, and the ratification of the treaty has repealed the Spooner law as it applies to the Nicaragua route. If not ratified, that party must go to the Nicaragua route or suffer defeat at the hands of the people.

On that question I am a Democrat, as I believe I am on all other questions, and I will not aid the Republicans by giving my vote for a treaty in the Senate that is only a political exploit to defeat any canal, in the hope of taxing its defeat on the Democratic party.

If there are Democrats who think that the best way to defeat the Republicans is to follow their lead, I must still remain an obstinate man of one idea and stand by that rather than be led or driven into commercial practices in politics on what are called "business principles," or into political gambling with the laws, as pawns on the chess board, to be moved back and forth at the will of the player, with the use of the Army and Navy, in unlawful war, to give spectacular effect to the leader of a campaign for the Presidency.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 5 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 5, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 4, 1904.

SECRETARY OF WAR.

William H. Taft, of Ohio, to be Secretary of War, to take effect February 1, 1904, vice Elihu Root, resigned.

CIVIL SERVICE COMMISSIONER.

John C. Black, of Illinois, to be a Civil Service Commissioner, vice John R. Procter, deceased.

CONSUL-GENERAL.

Henry D. Saylor, of Pennsylvania, to be consul-general of the United States at Coburg, Germany, vice Oliver J. D. Hughes, resigned.

ASSISTANT SECRETARY OF COMMERCE AND LABOR.

Lawrence O. Murray, of Illinois, to be Assistant Secretary of Commerce and Labor, to fill an original vacancy.

PROMOTIONS IN THE PUBLIC HEALTH AND MARINE-HOSPITAL SERVICE.

Asst. Surg. Gustave M. Corput, of Georgia, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from January 6, 1904.

Asst. Surg. William C. Billings, of Massachusetts, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from December 29, 1903.

Asst. Surg. John W. Kerr, of Ohio, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from December 31, 1903.

MARSHAL.

James A. Toler, of Mississippi, to be United States marshal for the northern district of Mississippi, vice George M. Buchanan, whose term expired January 2, 1904.

CIVIL GOVERNOR OF THE PHILIPPINE ISLANDS.

Luke E. Wright, of Tennessee, to be civil governor of the Philippine Islands, vice William H. Taft, nominated to be Secretary of War.

VICE-GOVERNOR OF THE PHILIPPINE ISLANDS.

Henry C. Ide, of Vermont, to be vice-governor of the Philippine Islands, vice Luke E. Wright, nominated to be civil governor.

POSTMASTERS.

CALIFORNIA.

George F. Beales to be postmaster at Visalia, in the county of Tulare and State of California, in place of George F. Beales. Incumbent's commission expires January 17, 1904.

William C. Campbell to be postmaster at Los Gatos, in the county of Santa Clara and State of California, in place of William C. Campbell. Incumbent's commission expires January 23, 1904.

Angelo Genelly to be postmaster at Los Banos, in the county of Merced and State of California. Office became Presidential January 1, 1904.

Sarah Laird to be postmaster at Alturas, in the county of Modoc and State of California. Office became Presidential October 1, 1903.

John W. Loyd to be postmaster at Portersville, in the county of Tulare and State of California, in place of John W. Loyd. Incumbent's commission expires January 17, 1904.

Albert L. Paulsen to be postmaster at Weaverville, in the county of Trinity and State of California, in place of Albert L. Paulsen. Incumbent's commission expired December 19, 1903.

CONNECTICUT.

Edward B. Bennett to be postmaster at Hartford, in the county of Hartford and State of Connecticut, in place of Edward B. Bennett. Incumbent's commission expires January 17, 1904.

George H. Ford to be postmaster at Waterville, in the county of New Haven and State of Connecticut, in place of George H. Ford. Incumbent's commission expires January 18, 1904.

John R. Merrick to be postmaster at Totoket, in the county of New Haven and State of Connecticut. Office became Presidential January 1, 1904.

Theodore F. Rose to be postmaster at Ivoryton, in the county of Middlesex and State of Connecticut. Office became Presidential January 1, 1904.

GEORGIA.

Lizzie Hamilton to be postmaster at Buford, in the county of Gwinnett and State of Georgia, in place of Lizzie Hamilton. Incumbent's commission expired December 19, 1903.

IDAHO.

Francis Ball to be postmaster at Pocatello, in the county of Bannock and State of Idaho, in place of Francis Ball. Incumbent's commission expires January 22, 1904.

ILLINOIS.

Tracy W. Buckingham to be postmaster at Potomac, in the county of Vermilion and State of Illinois. Office became Presidential January 1, 1904.

Thomas E. Burgoyne to be postmaster at Melrose Park, in the county of Cook and State of Illinois, in place of Thomas E. Burgoyne. Incumbent's commission expired January 3, 1904.

Henry J. Cheesman to be postmaster at Princeville, in the county of Peoria and State of Illinois, in place of Henry J. Cheesman. Incumbent's commission expires January 29, 1904.

E. J. Krampff to be postmaster at Havana, in the county of Mason and State of Illinois, in place of Oscar H. Harpham. Incumbent's commission expired December 19, 1903.

John F. Newlin to be postmaster at Chrisman, in the county of Edgar and State of Illinois, in place of John F. Newlin. Incumbent's commission expires January 25, 1904.

Charles F. Renich to be postmaster at Woodstock, in the county of McHenry and State of Illinois, in place of Charles F. Renich. Incumbent's commission expired December 19, 1903.

INDIANA.

Charles O. Johnston to be postmaster at Hobart, in the county of Lake and State of Indiana. Office became Presidential July 1, 1903.

James Pickering to be postmaster at Oxford, in the county of Benton and State of Indiana, in place of Jesse S. Birch. Incumbent's commission expires January 17, 1904.

INDIAN TERRITORY.

Robert B. Rose to be postmaster at Tahlequah, in the Cherokee Nation, Ind. T., in place of Joseph L. Worthington. Incumbent's commission expired December 18, 1903.

IOWA.

George Banger to be postmaster at Laporte City, in the county of Black Hawk and State of Iowa, in place of Leroy H. Camp, deceased.

Ferdinand A. Christensen to be postmaster at Lake Mills, in the county of Winnebago and State of Iowa, in place of Ferdinand A. Christensen. Incumbent's commission expires January 17, 1904.

Samuel H. Hedrix to be postmaster at Allerton, in the county of Wayne and State of Iowa, in place of Samuel H. Hedrix. Incumbent's commission expired December 19, 1903.

Gilbert Knudson to be postmaster at Jewell, in the county of Hamilton and State of Iowa, in place of Gilbert Knudson. Incumbent's commission expires January 17, 1904.

Caleb H. Wickersham to be postmaster at West Branch, in the county of Cedar and State of Iowa, in place of Caleb H. Wickersham. Incumbent's commission expires January 17, 1904.

KENTUCKY.

Joseph P. Bozarth to be postmaster at La Grange, in the county of Oldham and State of Kentucky, in place of Joseph P. Bozarth. Incumbent's commission expired December 19, 1903.

MAINE.

Horace Mitchell to be postmaster at Kittery Point, in the county of York and State of Maine. Office became Presidential January 1, 1904.

John M. Thurlough to be postmaster at Fort Fairfield, in the county of Aroostook and State of Maine, in place of John M. Thurlough. Incumbent's commission expires January 17, 1904.

Charles C. White to be postmaster at Orono, in the county of Penobscot and State of Maine, in place of Charles C. White. Incumbent's commission expires January 4, 1904.

MARYLAND.

Richard E. Bouldin to be postmaster at Bel Air, in the county of Harford and State of Maryland, in place of Nicholas N. Nock. Incumbent's commission expires January 26, 1904.

MASSACHUSETTS.

Clara S. Hill to be postmaster at Amherst, in the county of Hampshire and State of Massachusetts, in place of Thomas R. Hill, deceased.

Charles Newhall to be postmaster at Danvers, in the county of Essex and State of Massachusetts, in place of Charles Newhall. Incumbent's commission expires January 18, 1904.

Agnes J. Smith to be postmaster at Stockbridge, in the county of Berkshire and State of Massachusetts, in place of Agnes J. Smith. Incumbent's commission expired January 3, 1904.

MICHIGAN.

Edwin P. Ruddock to be postmaster at Hermansville, in the county of Menominee and State of Michigan. Office became Presidential January 1, 1904.

Bangs F. Warner to be postmaster at Paw Paw, in the county of Van Buren and State of Michigan, in place of Bangs F. Warner. Incumbent's commission expires January 17, 1904.

MINNESOTA.

Hakon E. Glasoe to be postmaster at Lanesboro, in the county of Fillmore and State of Minnesota, in place of Hakon E. Glasoe. Incumbent's commission expires January 17, 1904.

Barker C. Grover to be postmaster at Zumbrota, in the county of Goodhue and State of Minnesota, in place of Barker C. Grover. Incumbent's commission expired December 12, 1903.

William B. Strom to be postmaster at Hector, in the county of Renville and State of Minnesota, in place of William B. Strom. Incumbent's commission expires January 23, 1904.

Larmon G. Townsend to be postmaster at Blackduck, in the county of Beltrami and State of Minnesota. Office became Presidential April 1, 1903.

MISSISSIPPI.

Thomas F. Logan to be postmaster at Friar Point, in the county of Coahoma and State of Mississippi, in place of Thomas F. Logan. Incumbent's commission expired December 13, 1903.

MISSOURI.

Louis Baum to be postmaster at Montrose, in the county of Henry and State of Missouri. Office became Presidential January 1, 1904.

Benjamin F. Carter to be postmaster at Browning, in the county of Linn and State of Missouri. Office became Presidential January 1, 1904.

Charles L. Mowder to be postmaster at Braymer, in the county of Caldwell and State of Missouri, in place of Charles L. Mowder. Incumbent's commission expired December 15, 1903.

MONTANA.

James W. Wedum to be postmaster at Glasgow, in the county of Valley and State of Montana. Office became Presidential January 1, 1903.

NEBRASKA.

Thomas A. Healey to be postmaster at Milford, in the county of Seward and State of Nebraska. Office became Presidential January 1, 1904.

John M. Mills to be postmaster at Laurel, in the county of Cedar and State of Nebraska, in place of John M. Mills. Incumbent's commission expires January 23, 1904.

NEW HAMPSHIRE.

Charles E. Buzzell to be postmaster at Lakeport, in the county of Belknap and State of New Hampshire, in place of Charles E. Buzzell. Incumbent's commission expires January 17, 1904.

Henry E. Merrick to be postmaster at Hermon, in the county of Merrimac and State of New Hampshire, in place of Henry E. Merrick. Incumbent's commission expires January 18, 1904.

Edwin B. Pike to be postmaster at Pike, in the county of Grafton and State of New Hampshire. Office became Presidential January 1, 1904.

George D. Stevens to be postmaster at Durham, in the county of Strafford and State of New Hampshire. Office became Presidential January 1, 1904.

NEW MEXICO.

Louis O. Fullen to be postmaster at Carlsbad, in the county of Eddy and Territory of New Mexico, in place of Louis O. Fullen. Incumbent's commission expires January 23, 1904.

NEW YORK.

Thomas H. Dickinson to be postmaster at Champlain, in the county of Clinton and State of New York, in place of Thomas H. Dickinson. Incumbent's commission expired December 19, 1903.

Henry E. Harms to be postmaster at Allegany, in the county of Cattaraugus and State of New York, in place of Henry E. Harms. Incumbent's commission expired December 13, 1903.

Alexander M. Harriott to be postmaster at Rye, in the county of Westchester and State of New York, in place of Alexander M. Harriott. Incumbent's commission expired December 13, 1903.

John Heald to be postmaster at Wappingers Falls, in the county of Dutchess and State of New York, in place of John Heald. Incumbent's commission expires January 17, 1904.

Charles T. Knight to be postmaster at Monroe, in the county of Orange and State of New York, in place of Charles T. Knight. Incumbent's commission expired January 3, 1904.

Samuel H. Parsons to be postmaster at East Hampton, in the county of Suffolk and State of New York, in place of Samuel H. Parsons. Incumbent's commission expired December 13, 1903.

NORTH CAROLINA.

Edwin H. Morris to be postmaster at Mocksville, in the county of Davie and State of North Carolina. Office became Presidential January 1, 1904.

Mary A. Timberlake to be postmaster at Wake Forest, in the county of Wake and State of North Carolina. Office became Presidential January 1, 1904.

NORTH DAKOTA.

Joseph Powles to be postmaster at Milton, in the county of Cavalier and State of North Dakota, in place of Joseph Powles. Incumbent's commission expires January 17, 1904.

OHIO.

Edgar M. Kane to be postmaster at Vermilion, in the county of Erie and State of Ohio, in place of Edgar M. Kane. Incumbent's commission expired December 19, 1903.

Frederick G. Withoft to be postmaster at Dayton, in the county of Montgomery and State of Ohio, in place of Frederick G. Withoft. Incumbent's commission expired January 4, 1904.

OKLAHOMA.

Benjamin F. Williams to be postmaster at Savre, in the county of Roger Mills and Territory of Oklahoma. Office became Presidential April 1, 1903.

OREGON.

Alfred F. Linegar to be postmaster at Coquille, in the county of Coos and State of Oregon. Office became Presidential January 1, 1904.

Albert R. Martin to be postmaster at Junction City, in the county of Lane and State of Oregon. Office became Presidential January 1, 1904.

John F. Miller to be postmaster at Jacksonville, in the county of Jackson and State of Oregon. Office became Presidential January 1, 1904.

William E. Tate to be postmaster at Wasco, in the county of Sherman and State of Oregon. Office became Presidential January 1, 1904.

PENNSYLVANIA.

Frank R. Hammond to be postmaster at Bolivar, in the county of Westmoreland and State of Pennsylvania. Office became Presidential January 1, 1904.

Francis A. Thompson to be postmaster at Lilly, in the county of Cambria and State of Pennsylvania. Office became Presidential January 1, 1904.

Michael Weyand to be postmaster at Beaver, in the county of Beaver and State of Pennsylvania, in place of Michael Weyand. Incumbent's commission expires January 18, 1904.

SOUTH DAKOTA.

David E. Ward to be postmaster at Dell Rapids, in the county of Minnehaha and State of South Dakota, in place of David E. Ward. Incumbent's commission expires January 17, 1904.

TENNESSEE.

William C. Cassady to be postmaster at Lenoir City, in the county of Loudon and State of Tennessee. Office became Presidential January 1, 1904.

UTAH.

Hugh M. Dougall to be postmaster at Springville, in the county of Utah and State of Utah, in place of Catherine M. Dougall. Incumbent's commission expired December 19, 1903.

VERMONT.

Henry S. Webster to be postmaster at Barton Landing, in the county of Orleans and State of Vermont. Office became Presidential January 1, 1904.

WASHINGTON.

Oscar C. Truax to be postmaster at Tekoa, in the county of Whitman and State of Washington, in place of Oscar C. Truax. Incumbent's commission expired January 3, 1904.

WEST VIRGINIA.

John A. Dinsmore to be postmaster at Keystone, in the county of McDowell and State of West Virginia. Office became Presidential October 1, 1903.

John F. Lewis to be postmaster at Point Pleasant, in the county of Mason and State of West Virginia, in place of William Chambers. Incumbent's commission expired December 19, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 4, 1904.

POSTMASTERS.

CALIFORNIA.

Horace B. Gardiner to be postmaster at Crockett, in the county of Contra Costa and State of California.

Charles S. Graham to be postmaster at Pleasanton, in the county of Alameda and State of California.

COLORADO.

Frank E. Baker to be postmaster at Fort Morgan, in the county of Morgan and State of Colorado.

John F. Morgan to be postmaster at Colorado City, in the county of El Paso and State of Colorado.

Daniel M. Sullivan to be postmaster at Cripple Creek, in the county of Teller and State of Colorado.

DELAWARE.

Joseph M. Harrington to be postmaster at Felton, in the county of Kent and State of Delaware.

ILLINOIS.

David H. Baker to be postmaster at Tiskilwa, in the county of Bureau and State of Illinois.

Thomas E. Ballinger to be postmaster at Chenoa, in the county of McLean and State of Illinois.

INDIANA.

Knode D. Porter to be postmaster at Hagerstown, in the county of Wayne and State of Indiana.

INDIAN TERRITORY.

Frederick S. Walker to be postmaster at Afton, in the Cherokee Nation, Ind. T.

IOWA.

Hamline W. Robinson to be postmaster at Colfax, in the county of Jasper and State of Iowa.

KANSAS.

George H. Leisenring to be postmaster at Ellis, in the county of Ellis and State of Kansas.

MASSACHUSETTS.

Everett I. Nye to be postmaster at Wellfleet, in the county of Barnstable and State of Massachusetts.

MICHIGAN.

Charles Bidwell, jr., to be postmaster at Tecumseh, in the county of Lenawee and State of Michigan.

Willard E. Holt to be postmaster at Bellevue, in the county of Eaton and State of Michigan.

NEBRASKA

George B. Guffy to be postmaster at Elgin, in the county of Antelope and State of Nebraska.

NORTH DAKOTA.

Walter A. Stafford to be postmaster at Velva, in the county of McHenry and State of North Dakota.

Jared C. Thompson to be postmaster at Dickinson, in the county of Stark and State of North Dakota.

OREGON.

William M. Yates to be postmaster at Hood River, in the county of Wasco and State of Oregon.

PENNSYLVANIA.

Charles W. Huy to be postmaster at Schuylkill Haven, in the county of Schuylkill and State of Pennsylvania.

VIRGINIA.

Benjamin P. Gay to be postmaster at Smithfield, in the county of Isle of Wight and State of Virginia.

WEST VIRGINIA.

John B. McNally to be postmaster at Wellsburg, in the county of Brooke and State of West Virginia.

WISCONSIN.

Ralph E. Arnold to be postmaster at Fairchild, in the county of Eau Claire and State of Wisconsin.

George W. Dodge to be postmaster at Menasha, in the county of Winnebago and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 4, 1904.*

The House met at 12 o'clock noon.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We bless Thee, Almighty God, our Heavenly Father, for the inheritance which has come down to us out of the past, making luminous the present with its discoveries, its inventions, its experiences, its vast and accumulated knowledge and wisdom; for the part which our nation has contributed to the civilizing forces of the world; and we most fervently pray that it may move forward under the white banner of peace till its sacred institutions shall cover the earth as the waters cover the seas. Increase the efficiency of each department of state, that good government may more and more obtain. Avert, we beseech Thee, the threatened war between Japan and Russia by a peaceable and amicable adjustment of their differences, and grant that all nations shall henceforth vie with each other in cementing the bonds of fraternity and love, that Thy kingdom may come and Thy will be done in all the earth. We thank Thee that we are permitted once more to assemble within these historic walls after the home gatherings of the season in health and strength. Let Thy spirit come mightily upon the Speaker and each Member, that each may fulfill to the uttermost the obligations resting upon him. Be graciously near to the Member who is detained by sickness, and grant that he may soon be restored to health and his place upon the floor of this House.

And Thine be the praise through Jesus Christ our Lord. Amen.

The Journal of Saturday, December 19, 1903, was read and approved.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

An act (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

An act (S. 1496) supplemental to the act of February 9, 1891, incorporating the Columbian College in the District of Columbia, and the acts amendatory thereof—to the Committee on the District of Columbia.

An act (S. 2218) granting an increase of pension to Amanda B. Tisdel—to the Committee on Invalid Pensions.

An act (S. 2125) granting an increase of pension to Marcus T. Caswell—to the Committee on Invalid Pensions.

An act (S. 2078) granting an increase of pension to Hampton C. Watson—to the Committee on Invalid Pensions.

An act (S. 1985) granting an increase of pension to Jonathan Hites—to the Committee on Invalid Pensions.

An act (S. 1984) granting an increase of pension to Levi Roberts—to the Committee on Invalid Pensions.

An act (S. 1952) granting an increase of pension to John Monahan—to the Committee on Invalid Pensions.

An act (S. [illegible]) granting an increase of pension to George W. Spahr—to the Committee on Invalid Pensions.

An act (S. [illegible]) granting an increase of pension to Lorenzo E. Harrison—to the Committee on Invalid Pensions.

An act (S. [illegible]) granting an increase of pension to George W. Herron—to the Committee on Invalid Pensions.

An act (S. 1857) granting an increase of pension to Harris A. P. Lewis—to the Committee on Invalid Pensions.

An act (S. 1879) granting an increase of pension to Charles P. Skinner—to the Committee on Invalid Pensions.

An act (S. 1774) granting an increase of pension to Louise K. Bard—to the Committee on Invalid Pensions.

An act (S. [illegible]) granting an increase of pension to Charles M. Wilcox—to the Committee on Invalid Pensions.

An act (S. 897) granting an increase of pension to George W. Richards—to the Committee on Invalid Pensions.

An act (S. 329) granting an increase of pension to Ebenezer H. Richardson—to the Committee on Invalid Pensions.

An act (S. [illegible]) granting an increase of pension to Jane M. Watts—to the Committee on Invalid Pensions.

An act (S. 2715) granting a pension to Mary D. Perry—to the Committee on Invalid Pensions.

An act (S. [illegible]) granting a pension to Austin Almy—to the Committee on Pensions.

An act (S. [illegible]) granting an increase of pension to Charles H. Bell—to the Committee on Invalid Pensions.

An act (S. 182) granting an increase of pension to Charles F. Holt—to the Committee on Invalid Pensions.

An act (S. 172) granting an increase of pension to Elizabeth McClaren—to the Committee on Invalid Pensions.

An act (S. 137) granting a pension to Hannah Kelly—to the Committee on Invalid Pensions.

An act (S. 112) granting an increase of pension to Henry G. Hammond—to the Committee on Invalid Pensions.

An act (S. 99) granting an increase of pension to Joel C. Shepherd—to the Committee on Pensions.

An act (S. 65) granting an increase of pension to Charles R. Allen—to the Committee on Invalid Pensions.

An act (S. 14) granting an increase of pension to Samuel M. Perry—to the Committee on Invalid Pensions.

An act (S. 13) granting an increase of pension to William Clark—to the Committee on Invalid Pensions.

An act (S. 12) granting an increase of pension to Francis E. Chase—to the Committee on Invalid Pensions.

An act (S. 11) granting a pension to John L. Sullivan—to the Committee on Invalid Pensions.

An act (S. 9) granting an increase of pension to David E. Burbank—to the Committee on Invalid Pensions.

An act (S. 8) granting an increase of pension to Perry Kittredge—to the Committee on Invalid Pensions.

An act (S. 7) granting an increase of pension to Alfred Woodman—to the Committee on Invalid Pensions.

An act (S. 6) granting a pension to Cora M. Converse—to the Committee on Invalid Pensions.

An act (S. 1795) granting an increase of pension to Zebedee M. Cushman—to the Committee on Invalid Pensions.

An act (S. 1775) granting an increase of pension to Thomas Banks—to the Committee on Invalid Pensions.

An act (S. 1794) granting an increase of pension to Lucretia Ritchhart—to the Committee on Invalid Pensions.

An act (S. 1652) granting an increase of pension to Minerva A. McMillan—to the Committee on Invalid Pensions.

An act (S. 1604) granting an increase of pension to Mary A. Bishop—to the Committee on Invalid Pensions.

An act (S. 1498) granting an increase of pension to Winslow P. Eayrs—to the Committee on Invalid Pensions.

An act (S. 1497) granting an increase of pension to Walter F. Chase—to the Committee on Invalid Pensions.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

RESIGNATION OF REPRESENTATIVE M'CLELLAN.

The SPEAKER. The Chair lays before the House the following resignation.

The Clerk read as follows:

NEW YORK, *December 21, 1903.*

To the SPEAKER HOUSE OF REPRESENTATIVES,
Washington, D. C.

SIR: I have the honor to inform you that I have this day forwarded to the governor my resignation as a Representative in Congress from the Twelfth district of the State of New York.

Very respectfully, your obedient servant,

GEORGE B. MCCLELLAN.

STATE OF NEW YORK,
OFFICE OF THE SECRETARY OF STATE,
Albany, December 22, 1903.

Hon. JOSEPH G. CANNON,
Speaker House of Representatives, Washington, D. C.

DEAR SIR: The resignation of George B. McClellan as a Representative in Congress from the Twelfth district of New York has this day been received at this office and the same placed on file.

Yours, respectfully,

J. B. M. MCMANUS,
Deputy Secretary of State.

AUTHORIZATION FOR PRINTING ILLUSTRATIONS.

The SPEAKER. The Chair lays before the House the following paper:

The Clerk read as follows:

Resolved, That authorization is hereby given for the printing of illustrations with the following documents:

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, the Clerk read that authorization was given for illustrations of the following documents, but he did not read what the documents are.

The SPEAKER. The Clerk will read the paper in full.

The Clerk read as follows:

House Document No. 51, Fifty-eighth Congress, second session: Breverton Channel, Massachusetts.

House Document No. 55, Fifty-eighth Congress, second session: Oswego Harbor, N. Y.

House Document No. 56, Fifty-eighth Congress, second session: Columbia River, Washington and Oregon.

House Document No. [illegible], Fifty-eighth Congress, second session: Ogden Landing, Kentucky.

House Document No. 58, Fifty-eighth Congress, second session: Harbor at Marblehead, Mass.

House Document No. 59, Fifty-eighth Congress, second session: Catskill Creek, New York.

House Document No. 60, Fifty-eighth Congress, second session: Harbors of refuge, Great Salt Pond, Block Island.

House Document No. 73, Fifty-eighth Congress, second session: Channel of West Branch, Cuyahoga River, Ohio.

House Document No. [illegible], Fifty-eighth Congress, second session: United States and Canadian waters in the Niagara River.

House Document No. 111, part [illegible], Fifty-eighth Congress, second session: Annual Report of the Director of the Bureau of Mines, Alaska, and Alaska Geological Survey.

House Document No. 211, Fifty-eighth Congress, second session: Muskingum River, Ohio.

The SPEAKER. Is there objection?

Mr. ROBINSON of Indiana. Mr. Speaker, reserving the right to object, I should like to make some inquiry as to the nature of these publications, the extent of them, and something about the price. Under rule 45, when the report comes from the committee it shall be accompanied by an estimate of the probable cost.

The SPEAKER. The Chair would state that he is informed by the clerk at the Speaker's desk that they are the ordinary executive documents, touching river and harbor improvements, transmitted in pursuance of law, with a few others which have been mentioned, and which are official. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURGESS, for two weeks, on account of important business.

To Mr. SAMUEL W. SMITH, for ten days, on account of important business.

To Mr. MCMORRAN, for ten days, on account of important business.

To Mr. CALDERHEAD, for five days, on account of important business.

To Mr. ALLEN, for four days, on account of death in family.

To Mr. TOWNSEND, for ten days, on account of important business.

To Mr. BURLEIGH, for ten days, on account of illness in his family.

To Mr. FULLER, for one week, on account of important business.

QUESTION OF PRIVILEGE.

Mr. HAY. I offer the following privileged resolution.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas Fourth Assistant Postmaster-General J. L. Bristow in his report to the Postmaster-General [illegible] has been transmitted to a committee of this House, has charged that "some other business [illegible] the rent increased upon the recommendation of a Member of Congress";

And whereas it is charged in the same report that "if a Member of Congress recommended an increase in the rent he should also recommend a postmaster, Beavers [illegible]";

And whereas the charges of an grave character are cited on pages 134 and 135 of said report, [illegible] charges;

And whereas on page [illegible] of said report it is charged that Members of Congress have charged and received [illegible] and that "an [illegible] of this statute Beavers has [illegible] Members of Congress for the rental of premises, either in their own names, the names of their agents, or some member of their family";

And whereas these charges and others contained in said report reflect upon the integrity of the membership of this House, and upon individual members of this House whose names are not mentioned. Therefore,

Be it resolved, That the Speaker of this House appoint a committee consisting of five members of this House to investigate said charges; and in connection therewith any frauds or irregularities in the conduct of the Post-Office Department; and that said committee have power to send for persons and papers, to visit the place of the scene, to examine witnesses under oath, to have the assistance of a stenographer, and to have power to sit during the sessions of the House, and to exercise all functions necessary to a complete investigation of said charges, and to report the result of said investigation as soon as practicable.

Mr. PAYNE rose.

The SPEAKER. The gentleman from New York.

Mr. HAY. Mr. Speaker, I believe that I have the floor.

Mr. PAYNE. The gentleman did not claim the floor.

Mr. HAY. I was standing claiming the floor all of the time.

The SPEAKER. The Chair supposed that the gentleman from New York rose to a question under the rules. The gentleman from Virginia is entitled to the floor.

Mr. PAYNE. Certainly. I had no desire to take it from the gentleman, but he did not seem to desire the floor.

Mr. HAY. I was addressing myself to the Speaker.

Mr. GILLETT of Massachusetts. Mr. Speaker, I make the point of order that the resolution the gentleman offered is not a privileged resolution.

Mr. HAY. Does the gentleman wish to address himself to that point?

Mr. GILLETT of Massachusetts. I should like to.

Mr. HAY. How much time does the gentleman desire?

Mr. GILLETT of Massachusetts. That is a matter which is in the discretion of the Chair, I suppose.

The SPEAKER. The Chair will state that it is competent for the gentleman to make the point of order.

Mr. HAY. I understand, and he is entitled to the floor for that purpose in his own time.

The SPEAKER. The time for discussion on the point of order, the Chair takes it, is in the discretion of the Chair.

Mr. GILLETT of Massachusetts. What strikes me, Mr. Speaker, at first blush, after listening to the reading of this resolution, is that it is obnoxious to a point of order for the reason that when a privileged resolution is offered it must deal exclusively with the question of privilege. Now, the gentleman in his resolution asks that a committee be appointed, not only for the purpose of investigating matters in this House, but also for the purpose of making a sweeping investigation of irregularities and frauds and charges against the Post-Office Department. If I correctly recall the rules of this House, they provide that when a question of privilege is raised and a resolution offered upon it, that resolution must deal exclusively with that question of privilege. It seems to me that the gentleman's resolution violates that rule, and I make that point of order.

The SPEAKER. The Chair will hear the gentleman from Virginia touching the point of order made by the gentleman from Massachusetts.

Mr. HAY. Mr. Speaker, under Rule IX of the House it is declared that—

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of Members individually in their representative capacity only.

Now, Mr. Speaker, while this resolution does provide for an investigation of the frauds and irregularities in the Post-Office Department, it only does so in connection with the charges which have been made in this report against Members of this House. If gentlemen will read the report—if the Speaker will examine the report of the Fourth Assistant Postmaster-General, he will find that Members of Congress are brought into almost all charges which are made against the officials of the Post-Office Department.

But if there is any question about the privilege of that part of the resolution, I will, at the proper time, strike out that part which is obnoxious to the rule, or which the gentleman from Massachusetts may think obnoxious to the rule, in the event the Chair holds that the gentleman from Massachusetts is correct in his point of order.

Mr. GILLETT of Massachusetts. Mr. Speaker, I will make this further suggestion: The gentleman from Virginia by implication almost seems to admit that my point of order will stand. At the same time he attempts to obviate that by saying that he will amend or modify his resolution. I do not know how many times a Member can be allowed to try to draw a proper privileged resolution if he fails the first time. But it seems to me that there is still a further point of order which can be raised against this resolution. I have read the full report of Mr. Bristow, and, as I remember, there is in that report no charge at all against any Member of the House by name. The report simply alleges certain things in regard to "Members of Congress." It does not appear, consequently, by the report of the Postmaster-General whether it applies to any present Member of the House or not. The term of this Congress only began the 4th of March last, and the facts investigated occurred mostly long before then; and it seems to me that unless a charge is made against some present Member of the House it is not a matter affecting the privileges of this House.

The gentleman does not show by his motion or by his statement that this is a matter of privilege affecting the present membership of this House, and any attack which can be made against past Congresses or against Members of a past Congress who are not now Members does not involve a question of privilege for this Congress. It seems to me that the gentleman must explicitly show that there is a charge against some Member of this Congress before the matter can become a question of privilege.

Therefore I suggest that point of order also—that this is not a question of privilege to be entertained by this House, because thus far the gentleman does not show that any Member of this Congress is affected by it.

Mr. HAY. Mr. Speaker, this report is dated, I believe, October 24, 1903, after the present membership became a part of the Fifty-eighth Congress; and, as a matter of fact, the report does name a Member of the House.

Mr. GILLETT of Massachusetts. But, if I remember correctly, the gentleman making the report says that he thinks the conduct of that gentleman proper and makes no charge against him, so that there is certainly no question of privilege there.

Mr. HAY. Very well; but there is a Member of this House named, and the gentleman making the report says generally in the report that Members of Congress have violated section 3739 of the Revised Statutes.

Mr. GILLETT of Massachusetts. Will the gentleman allow a question?

Mr. HAY. The "Members of Congress" referred to must have been Members of this Congress, because there were no other Members of Congress at the time the report was made. There is no way of getting away from that. I can not conceive how the Fourth Assistant Postmaster-General in making the report and charging that Members of Congress had violated this statute could mean Members of some other Congress when this Congress was the only Congress then in being or that is now in being.

I do not understand the animus that seems to actuate the gentleman from Massachusetts and to make him flee from this investigation. I can not perceive how it can possibly be anything but a benefit to this House and to the country that this investigation should be made. And the point of order does not seem to be well taken when it is a matter of newspaper notoriety that a Member of this Congress—not of this House, but of this Congress—was charged with violating the statute and that the matter was settled in the Post-Office Department and the incident declared closed, because it was said that the rent of the building referred to in the town of that Member of Congress was not as high as the rent of some other building in the town would have been if it had been rented for post-office purposes.

Now, this report must refer to the Members of the present Congress. It can not refer to the Members of any other Congress, and it must be taken to refer to Members of this Congress, if it refers to any Congress at all.

Mr. GAINES of Tennessee. Will my friend state what is the date of that report?

Mr. HAY. October 24, 1903.

Mr. GAINES of Tennessee. And the language used is "Members of Congress?"

Mr. HAY. "Members of Congress"—"influential Members of Congress."

Mr. GAINES of Tennessee. It must at least mean Members of the present Congress who were Members of the last Congress. There are no other "Members of Congress" except Members of the present Congress.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the question is a point of order upon the resolution.

The resolution recites that the charges have been made against "Members of this House." That is the language of the resolution. The point of order is to the language of the resolution itself. It seems to me that that settles that point. Now, the gentleman makes the point of order, confessing himself, mark you, that a part of the resolution does raise a matter of privilege; that there are other parts of the resolution outside of the matter of privilege, and says the rule is that the resolution must be exclusively a matter of privilege. If I catch his meaning, that is it. Now, the gentleman has failed to point out a single part of the resolution that is outside of the purview of the privileges of the House; and I say now that if my memory of the resolution as read, and my memory of it as I read it beforehand, cursorily and quickly, is correct, the gentleman can not point out a part of the resolution which does not concern itself solely with this question, to wit, whether the Members of the House have violated this section of the statute and other laws, thereby enabling a charge to be made against the "integrity" of the House. Now, whether a particular Member is named or not in the report is one

thing. Whether the House generally is named—"Members of Congress" generally are named—is another thing.

It is a much higher question of privilege if Members of Congress generally are named, without designation, or even more than if a particular person is named, because when a particular person is designated that is a matter of individual privilege; but when the general term "Members of Congress" is used, and no further designation is made, it is a reflection upon the entire House. It is a reflection upon the gentleman from Massachusetts; it is a reflection upon the gentleman from Virginia. It is a reflection upon me, because an employee of the Government has charged the House, the membership of Congress, without designating which particular Members he means, and therefore leaves every one of us to bear a cloud of suspicion and become a suspect.

Now, Mr. Speaker, the gentleman from Virginia [Mr. ALDEN SMITH] stated that part of his proposition was not properly [illegible]. The gentleman from Massachusetts [Mr. GILLETT] stated that part of his proposition was not in order. I would agree to striking that part out. I would be perfectly willing to strike that part out. I do not know that I have the right to do it, but I am willing, if the House should have the right, to have it stricken out. I have consulted with the Postmaster-General, who is charged by law with the duty of issuing the final report, and he informs me that a Member of the House who has been a member of the Fifty-fifth Congress, and who has been a member of the Fifty-sixth Congress, and who is a member of the Fifty-seventh Congress, has been charged by the Postmaster-General with having violated the law in connection with the conduct of the Post-Office Department. I do not know that that is true, and I have heard that the gentleman from Virginia will be willing that that part of the resolution be stricken out, and I have no doubt that the gentleman from Massachusetts will be willing that that part of the resolution be stricken out. But as I have read the resolution it does not provide for a general investigation of the conduct and conduct in the Post-Office Department, but for an investigation of those charges of peculation, larceny and fraud which have been made against Members of Congress with whom, as a Member of Congress, I am not willing to be associated.

Mr. GILLETT of Massachusetts. Mr. Speaker——

The SPEAKER. The Chair is ready to rule. Turning to page 586 of the Manual, the Chair reads as follows:

The recording of matter not privileged destroys the privileged character of a [illegible].

A resolution of inquiry loses its privileged character if matter not privileged be made part thereof.

A privileged proposition may not be amended by adding thereto matter not germane to the original question.

Citing the various decisions of the House.

The rulings of the House heretofore have been that you can not, under the guise of a privileged matter, couple therewith matters not privileged. It seems to the Chair that the House heretofore has decided wisely in that respect.

If a contrary ruling were adopted, there would be questions of privilege presented that might drag through many questions that were not privileged, and the House would be compelled to pass on the two together. In view of these rulings in the House from time to time, the Chair will call attention to this resolution.

The preamble seems by recitation to present a question of privilege. The resolution, however, is broader than the preamble. It is this:

Be it resolved, That the Speaker of this House appoint a committee consisting of five members of this House to investigate said charges—

What follows—

and to examine thoroughly into any frauds or irregularities in the conduct of the Post-Office Department.

Again:

And to have power to sit during the sessions of the House, and to exercise all functions necessary to a complete investigation of said charges, frauds, and irregularities.

The resolution on its face couples nonprivileged matters with privileged matters under sound rulings and determinations of the House heretofore; and for that reason, in its present shape, the Chair is compelled to sustain the point of order.

Mr. HAY. Mr. Speaker, I offer the resolution, striking out the words "and in connection therewith any frauds or irregularities in the conduct of the Post-Office Department;" and the further words, at the end of the resolution, "frauds and irregularities." That will leave the resolution as changed and offered so that it will contain only a privileged question.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Whereas Fourth Assistant Postmaster-General J. L. Bristow in his report to the Postmaster-General dated October 21, 1903, and which report has been transmitted to this House, has charged that long-term leases for post-office quarters were secured and rent increased upon the recommendation of influential Congressmen; and

And whereas it is charged in the same report that "if a Member of Congress requested an increase in the rent he was served; a postmaster, Beavers usually complied regardless of the merits of the case;" and

And whereas certain [illegible] are cited on pages 132, 134, and 135 of said report; [illegible] that Members of Congress have [illegible] in connection with the conduct of the Post-Office Department; [illegible] committee consisting of five Members of this House be appointed by the Speaker of this House, with power to sit during the sessions of this Congress, to examine into the charges made in said report, and to report the facts and their conclusions thereon to this House as soon as practicable, and to report by bill or resolution such legislation as may be necessary to remedy the evils complained of; and

Mr. GARDNER of New Jersey. I raise a point of order against the resolution as changed and now offered.

The SPEAKER. The gentleman will state his point of order.

Mr. GARDNER of New Jersey. [illegible] The question is, I have had occasion [illegible] Assistant Postmaster-General [illegible] lar House? The only [illegible] refer to that report as [illegible] or less. I [illegible] was at least [illegible] of years have violated a certain section of the Revised Statutes [illegible] not become privileged [illegible] report on which it is based [illegible] and I think it [illegible] report and say that Members of this Congress who [illegible] have violated section 3739 is a sweeping charge. I know Members of this House who have been elected by Congressmen. The charge is that the statutes have been violated by Members of the House. Of what House? The Fifty-fifth, the Fifty-sixth, or the Fifty-seventh? What we want to know is to Members of what particular House and what particular Congress the resolution applies, and whether it is proposed to go back and find out as a matter of privilege if Members of the Fifty-fifth or Fifty-sixth Congress violated the law. Would that proposition raise a question of privilege?

Would a proposition that a Member of the Fifty-seventh Congress violated the law, the Member having become a Member of the new Congress, make a privileged question of the proposition to investigate his conduct while a Member of a Congress which has expired? I think, Mr. Speaker, that in order to make this a privileged question at all there must be an exhibit of some allegation in the report accusing some Member of this House, of this particular Congress, of an act committed while he has been a Member of this Congress.

Mr. HAY. Mr. Speaker, as I said before, this investigation began after the election of the present membership of this House. It began after the 4th of March last. It is not necessary, nor is it possible, for me or any other Member on this floor to state the name of any individual that was referred to in the report. That is what we want to know. The fact that there might be some individual or individuals in this House who have violated the law makes this a question of privilege. The report does not disclose the name, but it makes a sweeping charge against the membership of this House.

The report, as I said, was drawn in October of last year, and the very fact that this report does not single out any particular individual or any particular Member of this House makes it all the more necessary that we should have a right to defend the integrity of the Members of this House from the attack or an assault made upon it by an executive officer.

Mr. WM. ALDEN SMITH. Mr. Speaker, I would like to ask the gentleman a question.

Mr. HAY. Certainly.

Mr. WM. ALDEN SMITH. Would it not be possible for you to obtain the very information you want by a resolution of inquiry?

Mr. HAY. Certainly not.

Mr. WM. ALDEN SMITH. Would such an inquiry not be a privileged resolution?

Mr. HAY. Oh, it is a privileged resolution, but it will be voted down, perhaps.

Mr. WM. ALDEN SMITH. But I do not think it will be voted down. Why should it be voted down?

Mr. HAY. Well, there have been two resolutions passed by this House, and this report has come to us as the result of one of them. Now, in this report there is nothing said about any particular Member except one, but there is a general charge that Members of Congress have violated the law.

Mr. WM. ALDEN SMITH. Now, let me ask the gentleman from Virginia if it would not be better to get the names of the people who must be in the mind of the Fourth Assistant Postmaster-General, rather than to make a general charge against the whole House of Representatives?

Mr. HAY. I am not making a charge.

Mr. WM. ALDEN SMITH. Well, it is an insinuation.

Mr. HAY. I am not making an insinuation; the Fourth Assistant Postmaster-General makes the insinuation, and the Postmaster-General sends this insinuation to this House. I do not say that any Member of this House has violated the law, but what I want is to vindicate the Members of this House by an investigation as to whether or not the charges of the Postmaster-General are correct.

Mr. PAYNE. May I ask the gentleman a question?

Mr. HAY. Certainly.

Mr. PAYNE. I understand that his resolution refers to charges in reference to clerk hire, and is contained on certain pages—pages 132, 133, and 134 of the report; am I correct in that?

Mr. HAY. No; the gentleman is not correct. That is one of the charges——

Mr. PAYNE. One of the charges——

Mr. HAY. But the main charge is, Members have violated section 3739 of the Revised Statutes, which prohibits Members of Congress——

Mr. PAYNE. One of the charges of the preamble as it stands now relates to pages 132, 133, and 134 of the report. Now, is it not a fact that the date is given in each one of these cases and that that date is prior to the 4th of March, 1903, and before there was any Member of this House?

Mr. HAY. That may be true. I do not recall it now because I have not the report before me.

Mr. PAYNE. I have just been looking at the report.

Mr. HAY. But the charge that the Members of this House have violated section 3739 is a sweeping charge, and no dates are given.

Mr. PAYNE. No date is given in that, except it was made by Beavers, and of course we all know Beavers resigned early in the season of last year; I do not know the exact date.

Mr. HAY. The other dates are given.

Mr. PAYNE. Oh, the other dates are given, but the report shows that it was not a Member of this House, but a Member of the former House who was dealt with.

Mr. HAY. The report does not show anything of that sort. What I want to know is who are the people who have violated the law.

Mr. GROSVENOR. Mr. Speaker, I would like to ask the gentleman from Virginia this question: Would it not be better for us, concerned to adopt a resolution here calling upon the Fourth Assistant Postmaster-General to furnish to Congress the names of the Congressmen whom he charges with having been guilty of some of these crimes and irregularities? Now, would not that furnish a basis upon which intelligent and just action could be taken by the House? Here are serious insinuations—or call them what you like—and no names are given, as I understand.

Ought not this House, before it attempts a general sweeping investigation, inasmuch as the presumption is that the Fourth Assistant Postmaster-General knows the names of the men against whom he has made this allegation, call upon him to furnish the House with the names of the men he means to attack and the evidence upon which he bases it? Then the House can act intelligently.

But what would the gentleman do now supposing he was the chairman of this committee? What would he do in order to get at what he wanted to know?

Mr. HAY. I would get at the names.

Mr. GROSVENOR. You would send for the Fourth Assistant Postmaster-General, and you would say to him, "What do you mean? Where are they? Put your finger on them, and give us the names, and tell us what they did." Now, would it not be better, therefore, inasmuch as naturally that would be the course of procedure, to ask him by resolution, or rather demand of him by resolution, that he make good his general charge by giving us the names of the men against whom he intended to lodge this indirect charge?

Mr. HAY. If the gentleman from Ohio wishes to introduce a resolution of that sort, I have no objection to his doing it, and I would take very great pleasure in voting for it, but I must insist that the resolution which I have offered will accomplish everything that the resolution suggested by the gentleman from Ohio would do, and mine is before the House and can be acted upon. Therefore I ask the ruling of the Chair.

Mr. GARDNER of New Jersey. Mr. Speaker, while this discussion has been going on I have found the items of the report on which this resolution is entirely based, as I understand it, and I find that the first case stated was on January 12, 1899; the next on January 1, 1901; the next July 1, 1898; the next July 1, 1900; the next April 1, 1896; the next May 1, 1897. Every case given fixes a date prior to the existence of this Congress, and it is utterly impossible that it can charge against any Member of this House any offense while he has been a Member of the Fifty-eighth Congress, because all of the transactions, all the alleged violations of the statute antedate the existence of the Fifty-eighth Congress.

Mr. HAY. Mr. Speaker, I was just going to read a page of the report, if the gentleman will permit me, which does include the Members of this House.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in reply to what the gentleman from New Jersey has just said, the fourth clause of the resolution recites the charges that have been made that Members of the House have violated section 3739 of the Revised Statutes, and what the gentleman has read refers to the charges made in the first three clauses of the resolution and not to the charge made in the fourth clause of the resolution. Now, if it is left *in doubt* as to whether Members of this House have been generally charged, without naming them, with a violation of this section of the statute, and are therefore amenable to punishment or expulsion from this House if found guilty by the House; if it is *in doubt* as to whether that is the case or not, then this is a matter of privilege; and it is a matter of privilege much more, as I said before, when the general allegation is against this House than if the Members were named. In fact, if I were specifically named, or if a Member was specifically named, then it would become a matter of personal privilege as well, but as it is it is purely House privilege, going to the integrity of the House.

I want to say this further, and I would not say anything not bearing on the point of order except that others have talked of matters that do not apply to it: Why resist this resolution? Why keep us from trying to find out whether Members of this House are included in the charge that the Fourth Assistant Postmaster-General has made? Why try to cover up and conceal anything in connection with the conduct of the Members of this House in their relationship to the Post-Office Department? Do not you think it would be better for each individual Member of it, since you are talking about the merits of the proposition as well as the point of order—if there is any Member of the House guilty of the alleged charge—to have an inquiry into it? Why not find the guilty Members and mete out appropriate punishment to the guilty, thereby relieving the innocent from the stain of suspicion?

Why do we want to go home, each and every one of us, smirched by this report? Because, as long as it is a general allegation and no names are mentioned, you are smirched and I am smirched. There is a stain on each of us. I think it would be well to give an opportunity to show, if it be true, that no Member of this House was concerned in these transactions; and, if it be true, upon the other hand, that some Member or any Member of this House has been concerned in this sort of transaction, then it would be well to point out the guilty party and punish him, as the House of Representatives ought to do, and thus relieve the imputation from the others.

Mr. HAY. Mr. Speaker, on page 145 of this report the Fourth Assistant Postmaster-General states the language of section 3739 of the Revised Statutes, and then, after stating that language, says:

Yet, in the face of this statute, Beavers has made contracts with Members of Congress for the rental of premises either in their own names or the names of their agents or some members of their families.

Mr. GARDNER of New Jersey. But when, when?

Mr. HAY. Now, that does not preclude the idea that any Member of the Fifty-eighth Congress has made any contract. It is a direct charge. That charge refers to "Members of Congress." The only Members of Congress now in existence and who could be properly charged in this report are Members of the Fifty-eighth Congress, not Members of the Fifty-seventh or of the Fifty-sixth. Therefore, the House, by the report of this executive officer, is charged with violating the law. Yet, because nobody is mentioned, it is said that therefore we should sit down under this imputation and not undertake to vindicate ourselves from these charges. I insist, sir, that the point of order made by the gentleman from New Jersey [Mr. GARDNER] is not well taken.

The SPEAKER. The Chair is ready to rule. The gentleman from New Jersey [Mr. GARDNER] makes the point of order that the resolution does not present a question of privilege. The Chair will read from the preamble of the resolution:

And whereas on page 145 of said report it is charged that Members of Congress have violated section 3739 of the Revised Statutes and that "in the face of this statute Beavers has made contracts with Members of Congress for the rental of premises either in their own names, the names of their agents, or some member of their families."

The gentleman from New Jersey says that for anything which appears in that branch of the preamble a Member of some former Congress, who may not be a Member of this Congress, may be the one referred to as having made the contract. The gentleman also cites from the report to which the resolution refers that

matters therein referred to are stated to have occurred in 1899, some in 1900 and some in 1901, if the Chair's recollection of the gentleman's remarks is correct.

The Chair is frank to say that if this were an indictment and the Chair were acting as a court that part of the indictment if separated from other portions of the instrument would, in the opinion of the Chair, be not sufficient; that the allegation ought to be made with particularity and refer to Members of this Congress. But the next clause of the resolution is as follows:

And whereas these charges and others contained in said report reflect upon the integrity of the membership of this House, and upon individual Members of this House whose names are not mentioned: Therefore, etc.

It does not appear from that allegation or from anything, so far as the Chair is informed in the report, that these alleged improprieties or offenses were committed since the 4th day of March last.

Waiving, however, the want of particularity in the resolution—and the Chair refers to the same in stating the position of the gentleman from New Jersey—this resolution is presented by a Member of this House, and, while its allegations are general, perchance they may include a Member of the House touching an act committed since the 4th day of March last, when the term of office began. The Chair therefore would be slow to hold that it does not present a question of privilege. It is the duty of the Chair to rule and say, subject, of course, to the subsequent action of the House, whether or not this resolution does present a question of privilege. If in doubt, the Chair would let the House pass upon that question. The Chair, however, is not in doubt, and overrules the point of order made by the gentleman from New Jersey. [Applause on the Democratic side.]

Mr. HAY. Mr. Speaker, if nobody desires any time—

Mr. GILLETT of Massachusetts. Will the gentleman yield me five minutes?

Mr. HAY. I yield five minutes to the gentleman.

Mr. GILLETT of Massachusetts. Mr. Speaker, I simply wish to say a word in response to the insinuation made against me by the gentleman from Virginia [Mr. HAY]. When I first made the point of order to the gentleman's resolution as first presented, the gentleman from Virginia [Mr. HAY] asked why it was that I flew to the defense of the alleged lawbreakers, or some remark of that sort.

I made the point that this resolution included an investigation not covered by the gentleman's question of privilege, and therefore was out of order, not because I wanted to shield anybody, but for two valid reasons: First, in behalf of good parliamentary proceeding, for I do not think it right, under the guise of the privilege of this House to bring in, as he attempted to do, a sweeping investigation of the Post-Office Department, not at all related to this House; and for the sake of good parliamentary order I made the point, thinking it was always better in such cases of privilege to stand strictly by the rules and not set a bad precedent. And I will admit, Mr. Speaker, I did it for the further reason that I did not know of the existence of this resolution until I heard it read at the desk, and I presume every other Member on this side of the House was equally in the dark and taken by surprise, and I did not like a dragnet investigation of this sort to be suddenly brought into the House and sprung on us by the minority when there is another committee that already has jurisdiction of the subject, and when there has already been an investigation made, and I think now in progress, by two men of the high standing, as thorough impartiality, as entirely outside of any bearing to this side of the House as could possibly be found.

And I wish to call the gentleman's attention to the fact that although I made, in connection with my point of order, the suggestion, which was afterwards elaborated by the gentleman from New Jersey, that it did not appear that the charges be referred to affected this Congress and therefore it was not privileged. Yet after the Chair had sustained my contention that the resolution was not privileged so long as it provided for an investigation of the Post-Office Department, and the gentleman had eliminated from his original resolution what I thought was objectionable, I did not insist upon the other point of order. I was quite willing then, and am now, that this committee should be appointed, and that any improper conduct of Members of this House shall be investigated, and I simply wished to say this in reply to the gentleman to show that it was from no desire to shield anyone and from no wish to prevent investigation that I made the point of order.

Mr. PAYNE. Will the gentleman from Virginia allow me a moment?

Mr. HAY. How much time does the gentleman wish?

Mr. PAYNE. Three or four minutes—perhaps five.

Mr. HAY. I yield five minutes to the gentleman from New York.

Mr. PAYNE. Mr. Speaker, when an opportunity is given I shall move to refer this resolution to the Committee on the Post-Office and Post-Roads. I think that what has occurred in the House this morning has demonstrated the propriety of such a motion. I felt inclined at the beginning to make a point of order against the resolution. I thought it ought to go to that committee. I am not satisfied now that the resolution as I heard it read, with the matters referred to eliminated, is privileged. As I understood the preamble, it recited certain cases referred to on pages 132, 133, 134, and 135 of the report.

As the gentleman from New Jersey demonstrated, every one of those cases was prior to the 4th of March last. If the resolution in its present form, with its reference to that matter, should pass the House, it would give the committee that may be appointed jurisdiction to investigate those cases. Some of the Members referred to in those allegations have retired from the House. I do not know but that all of them have done so. I do not think it fair for this Congress to take up and investigate such a matter of a former Congress, relating to clerk hire, as contained in the resolution as it now stands, according to my understanding of it.

If the gentleman from Virginia during the vacation was not able to draw a resolution that related simply to the privileges of this House and which was not obnoxious to the point of order by reason of containing matters not pertaining to the privileges of the membership of this House, I do not think the House upon this hasty reading of the preamble and resolution as they now stand should accept and adopt the resolution. It should go to a committee; and when the time comes and I can be recognized for that purpose, as I can be after this debate is over, I shall move to refer the whole matter to the Committee on the Post-Office and Post-Roads.

Mr. HAY. Does any other gentleman desire to speak on that side? [A pause.] Then, unless some one wishes to speak, I only desire to say that I made no insinuation, so far as I know, against the gentleman from Massachusetts.

As for the question of referring this resolution to the Committee on Post-Office and Post-Roads, I wish to say, in the first place, that that would not be a proper committee to which to refer it, as the resolution does not deal with that class of legislation which the rules lay down as belonging to the Committee on Post-Office and Post-Roads. The adoption of the resolution itself would create a special committee, to be appointed by the Speaker, to take this matter into consideration.

Mr. PAYNE. Will the gentleman allow me a moment? I do not mean that the resolution should be referred to that committee for investigation, but referred simply that the committee might put the resolution in proper shape and report it back to the House.

Mr. HAY. I understand that. But I say that if the gentleman is going to make a motion to refer the resolution to any committee for that purpose, the Committee on the Post-Office and Post-Roads is not the proper committee to which to refer it. If referred, it should be the Committee on Rules.

Now, Mr. Speaker, if there is nobody else who desires to say anything, I call for the previous question on the resolution.

Mr. PAYNE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman from Virginia [Mr. HAY] demands the previous question. For what purpose does the gentleman from New York [Mr. PAYNE] rise?

Mr. PAYNE. For the purpose of making a parliamentary inquiry. Is now the proper time to move to refer this matter to the Committee on the Post-Office and Post-Roads?

The SPEAKER. It would have been if the gentleman had had the floor and had made the motion prior to the demand for the previous question; but the Chair is of the opinion that pending the demand for the previous question the motion which the gentleman indicates would not be in order.

Mr. PAYNE. Then I hope the motion will be voted down.

The SPEAKER. The gentleman from Virginia demands the previous question.

The question was taken on ordering the previous question; and the Speaker announced that he was in doubt.

The House divided; and there were—ayes 55, noes 78.

Mr. HAY. Mr. Speaker, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 78, nays 78, answered "present" 9, not voting 218, as follows:

YEAS—78.

Adamson,	Denny,	Humphreys, Miss.	Livernash,
Bartlett,	Gaines, Tenn.	Hunt,	Lloyd,
Benny,	Garner,	Johnson,	Macon,
Bowers,	[illegible]	Jones, Va.	Miers, Ind.
[illegible]	[illegible]	Kehoe,	Miner,
Burleson,	[illegible]	Kellher,	Moon, Tenn.
Burnett,	[illegible]	Kitchin, Claude	Padgett,
Candler,	[illegible]	Lacey,	Page,
Clark,	Harrison,	Lamar, Fla.	Pierce,
Cochran,	Hay,	Lester,	Pinckney,
Cooper, Wis.	Henry, Tex.	Lever,	Prince,
Croft,	Howell, Pa.	Lewis,	Rhea,
Davis, Fla.	Hughes, N. J.	Little,	Richardson, Ala.

Richardson, Tenn.	Sheppard,	Stephens, Tex.	Wanger,
Rixey,	Shull,	Swanson,	Warner,
Robb,	Sims,	Talbott,	Williams, Ill.
Robinson, Ind.	Slayden,	Taylor,	Williams, Miss.
Rucker,	Smith, Tex.	Underwood	Zenor.
[illegible]	Snook,	Van Duzer,	
Scudder,	Stanley,	Wallace,	

NAYS—78.

Adams, Pa.	Dresser,	Hull,	Parker,
Bates,	Fordney,	Humphrey, Wash.	Payne,
Bedler,	Foss,	Jackson, Ohio	Potter,
Bingham,	French,	Jenkins,	Scott,
Birdsall,	Gaines, W. Va.	Jones, Wash.	Shiras,
Bishop,	Gardner, Mass.	Kennedy,	Sloan,
Bradley,	Gardner, Mich.	Lafean,	Smith, Wm. Alden
Brandegee,	Gardner, N. J.	Landis, Chas. B.	Snapp,
Brooks,	Gibson,	Lanning,	Sperry,
Brownlow,	Gillet, N. Y.	Lawrence,	Stafford,
Buckman,	Gillett, Mass.	Longworth,	Sterling,
Burkett,	Graff,	McCall,	Sulloway,
Burton,	Grosvenor,	McCleary, Minn.	Thomas, Iowa
Campbell,	Hamilton,	McCreary, Pa.	Volstead,
Conner,	[illegible]	McLachlan,	Wachter,
Cassingham,	[illegible]	Mann,	Warnock,
Cushman,	[illegible]	Metcalf,	Weems,
Dalzell,	[illegible]	Miller,	Williamson.
Davis, Minn.	Henshaw,	Murdock,	
Deemer,	[illegible]	Needham,	

ANSWERED "PRESENT"—9.

Boutell,	Emerich,	Kline,	Patterson, Pa.
[illegible]	Gillett, Cal.	Mahon,	Wadsworth.
Currier,			

NOT VOTING—218.

Acheson,	Draper,	Lamb,	Robinson, Ark.
Adams, Wis.	[illegible]	Landis, Frederick	Rodenberg,
Aiken,	Dugwood,	Legare,	Ruppert,
Alexander,	Dwight,	Lilley,	Ryan,
Allen,	Esch,	Lind,	Scarborough,
Ames,	Evans,	Lindsay,	Shackleford,
Babcock,	Field,	Littauer,	Shafroth,
Badger,	Finley,	Littlefield,	Sherley,
Baker,	Fitzgerald,	Livingston,	Sherman,
Bankhead,	Fitzpatrick,	Lorimer,	Shober,
Bartholdt,	Flack,	Loud,	Sibley,
Bassett,	Floyd,	Loudenslager,	Skiles,
Beall, Tex.	Foster, Ill.	Lovering,	Small,
Bede,	Foster, Vt.	Lucking,	Smith, Ill.
Bell, Cal.	Fowler,	McAndrews,	Smith, Iowa
Benton,	Fuller,	McCall,	Smith, Ky.
Bonceneck,	Garber,	McDermott,	Smith, N. Y.
[illegible]	Glass,	McLain,	Smith, Pa.
Brazeale,	Goebel,	McMorran,	Smith, Samuel W
Brick,	Goldfogle,	McNary,	[illegible]
Broussard,	Gooch,	Maddox,	Southard,
Brown, Pa.	Gordon,	Mahoney,	[illegible]
Brown, Wis.	Granger,	Marsh,	[illegible]
Brundidge,	Greene,	Marshall,	Sperman,
[illegible]	Griffith,	Martin,	Spight,
[illegible]	[illegible]	Maynard,	Steenerson,
Burleigh,	Hamlin,	Meyer, La.	Stevens, Minn.
Butler, Mo.	Haugen,	Mondell,	Sullivan, Mass.
Butler, Pa.	Hearst,	Moon, Pa.	Sullivan, N. Y.
Byrd,	Hedge,	Morgan,	Sulzer,
Calderhead,	Henenway,	Morrell,	Tate,
[illegible]	Henry, Conn.	Mudd,	Tawney,
[illegible]	Hildebrant,	Nevin,	Thayer,
Cassingham,	Hill, Miss.	Norris,	Thomas, N. C.
[illegible]	Hitchcock,	Olmsted,	Thompson,
Cooper, Pa.	Hitt,	Otis,	Tirrell,
Cooper, Tex.	Holliday,	Otjen,	Townsend,
Cowherd,	Hopkins,	Overstreet,	Trimble,
Cromer,	Houston,	Palmer,	Vandiver,
[illegible]	Howard,	Patterson, N. C.	Van Voorhis,
Crumpacker,	Howell, N. J.	Patterson, Tenn.	Vreeland,
[illegible]	Howell, Utah	Pearre,	Wade,
Daniels,	Huff,	Perkins,	Watson,
Darragh,	Hughes, W. Va.	Pou,	Webb,
Davey, La.	Hunter,	Powers, Me.	Weisse,
[illegible]	Jackson, Md.	Powers, Mass.	Wiley, Ala.
Dayton,	James,	Pujo,	Wiley, N. J.
De Armond,	Ketcham,	Rainey,	Wilson, Ill.
Dick,	Kinkaid,	Randell, Tex.	Wilson, N. Y.
Dickerman,	Kitchin, Wm. W.	Ransdell, La.	Woodyard,
Dinsmore,	Knutz,	Reeder,	Wright,
Dixon,	Knapp,	Reid,	Wynn,
Dougherty,	Kropf,	Rider,	Young.
[illegible]	Kyle,	Roberts,	
[illegible]	Lamar, Mo.	Robertson, La.	

No quorum present.

The SPEAKER. The Clerk will announce the pairs.

The Clerk announced the following pairs:

For the session:

Mr. MORRELL with Mr. KLINE.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. SHERMAN with Mr. RUPPERT.

Mr. CURRIER with Mr. FINLEY.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Mr. BOUTELL with Mr. GRIGGS.

Mr. CASSEL with Mr. GOOCH.

Until further notice:

Mr. FOSTER of Vermont with Mr. POU.

Mr. ALEXANDER with Mr. SPARKMAN.

Mr. ALLEN with Mr. BADGER.

Mr. MAHON with Mr. HOUSTON.

Mr. PEARRE with Mr. BROUSSARD.

Mr. BOWERSOCK with Mr. SHACKLEFORD.

Mr. BROWN of Pennsylvania with Mr. BYRD.

Mr. WRIGHT with Mr. GOULDEN.

Mr. GREENE with Mr. MCNARY.

Mr. TIRRELL with Mr. SULLIVAN of Massachusetts.

Mr. CROMER with Mr. GRIFFITH.

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. STEVENS of Minnesota with Mr. PATTERSON of Tennessee.

Mr. REEDER with Mr. THAYER.

Mr. CALDERHEAD with Mr. SPIGHT.

Mr. CAPRON with Mr. GRANGER.

Mr. BABCOCK with Mr. LIND.

Mr. MCMORRAN with Mr. BURGESS.

Mr. EVANS with Mr. HILL of Mississippi.

Mr. KETCHAM with Mr. JAMES.

Mr. DWIGHT with Mr. CROWLEY.

Mr. VAN VOORHIS with Mr. CASSINGHAM.

Mr. POWERS of Maine with Mr. EMERICH.

Mr. NEVIN with Mr. GARBER.

Mr. HITT with Mr. DINSMORE.

Mr. FLACK with Mr. LAMAR of Missouri.

Mr. LORIMER with Mr. MAHONEY.

Mr. KNAPP with Mr. MCANDREWS.

Mr. HILDEBRANT with Mr. MAYNARD.

Mr. STEENERSON with Mr. KLUTTZ.

Mr. WADSWORTH with Mr. LAMB.

Mr. SMITH of Iowa with Mr. BENTON.

Mr. WOODYARD with Mr. WEISSE.

Mr. HENRY of Connecticut with Mr. COWHERD.

Mr. DOUGLAS with Mr. BELL of California.

Mr. DRISCOLL with Mr. RYDER.

Mr. FREDERICK LANDIS with Mr. MADDOX.

Mr. DUNWELL with Mr. BAKER.

Mr. MUDD with Mr. WILLIAM W. KITCHIN.

Mr. SKILES with Mr. RANDELL of Texas.

Mr. GILLETT of California with Mr. WYNN.

For this day:

Mr. SMITH of Illinois with Mr. SULZER.

Mr. SOUTHARD with Mr. SMITH of Kentucky.

Mr. SAMUEL W. SMITH with Mr. THOMAS of North Carolina.

Mr. SPALDING with Mr. TRIMBLE.

Mr. TAWNEY with Mr. THOMPSON.

Mr. TOWNSEND with Mr. VANDIVER.

Mr. VREELAND with Mr. WEBB.

Mr. WATSON with Mr. WADE.

Mr. WILSON of Illinois with Mr. WILEY of Alabama.

Mr. RODENBERG with Mr. SHOBER.

Mr. ROBERTS with Mr. SMALL.

Mr. POWERS of Massachusetts with Mr. SHERLEY.

Mr. PERKINS with Mr. TATE.

Mr. PALMER with Mr. RYAN.

Mr. OVERSTREET with Mr. SCARBOROUGH.

Mr. OTJEN with Mr. ROBINSON of Arkansas.

Mr. OTIS with Mr. REID.

Mr. OLMSTED with Mr. ROBERTSON of Louisiana.

Mr. MORGAN with Mr. RANSDELL of Louisiana.

Mr. MONDELL with Mr. RAINEY.

Mr. MARTIN with Mr. PUJO.

Mr. MARSHALL with Mr. PATTERSON of North Carolina.

Mr. MARSH with Mr. MCLAIN.

Mr. LOVERING with Mr. MCDERMOTT.

Mr. LOUDENSLAGER with Mr. LUCKING.

Mr. LITTLEFIELD with Mr. LIVINGSTON.

Mr. HUGHES of West Virginia with Mr. LEGARE.

Mr. HUFF with Mr. HOWARD.

Mr. HOWELL of New Jersey with Mr. HOPKINS.

Mr. FULLER with Mr. HITCHCOCK.

Mr. HOLLIDAY with Mr. HAMLIN.

Mr. HEDGE with Mr. GOLDFOGLE.

Mr. HAUGEN with Mr. FOSTER of Illinois.

Mr. FOWLER with Mr. FITZPATRICK.

Mr. ESCH with Mr. FIELD.

Mr. DRAPER with Mr. BUTLER of Missouri.

Mr. DOVENER with Mr. SHAFROTH.

Mr. DAVIDSON with Mr. LINDSAY.

Mr. CURTIS with Mr. FITZGERALD.

Mr. CRUMPACKER with Mr. CALDWELL.

Mr. BUTLER of Pennsylvania with Mr. COOPER of Texas.

Mr. BURKE with Mr. BEALL of Texas.

Mr. BRICK with Mr. BASSETT.

Mr. BROWN of Wisconsin with Mr. BRUNDIDGE.

Mr. LILLEY with Mr. AIKEN.

Mr. ADAMS of Wisconsin with Mr. HEARST.

Mr. BARTLETT with Mr. BANKHEAD.
Mr. DARRAGH with Mr. DAVEY of Louisiana.
Mr. ACHESON with Mr. BREAZEALE.
Mr. LEVERE with Mr. SULLIVAN of New York.
Mr. BARNWAY with Mr. DE ARMOND.
Mr. [illegible] with Mr. RIDER.
Mr. [illegible] with Mr. FLOOD.
Mr. KYLE with Mr. SOUTHALL.
Mr. SAUNDERS with Mr. GLASS.
Mr. DICK with Mr. WILSON of New York.
On this vote:
Mr. SMILEY with Mr. CLAYTON.
Mr. SMITH of New York with Mr. DOUGHERTY.
Mr. GILLETT of California. Mr. Speaker, I would like to know if the gentleman from California [Mr. WYNN] is recorded?
The SPEAKER. He is not recorded.
Mr. GILLETT of California. I would like to withdraw my vote.
The name of Mr. GILLETT of California was called, and he voted "present."
Mr. BOUTELL. Mr. Speaker, I would like to inquire whether the gentleman from Georgia [Mr. GRIGGS] has voted?
The SPEAKER. He is not recorded.
Mr. BOUTELL. I am paired with him, and I therefore desire to change my vote.
The name of Mr. BOUTELL was called, and he voted "present."
Mr. CLAYTON. Mr. Speaker, I would like to know if the gentleman from Pennsylvania [Mr. SIBLEY] has voted? I am paired with him.
The SPEAKER. He is not recorded.
On this question the yeas are 78, the nays are 78, present 9—not a quorum. The doors will be closed.
Mr. PAYNE. Mr. Speaker, if the House will bear just a moment for a statement. I do not think it is much use to endeavor to get a quorum to-day. We will undoubtedly get a quorum to-morrow. I do not know of any pressing business, and I move that the House adjourn.
The SPEAKER. The gentleman from New York moves that the House do now adjourn.
Mr. WILLIAMS of Mississippi. It is a little out of order, but as the gentleman has marked the pathway, it seems to me we might just as well adjourn until to-morrow.
The motion was agreed to.
Accordingly (at 1 o'clock and 34 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for construction and repair of hospitals—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the upper Hudson River in relation to gorges and freshets between Albany and Troy—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of York Harbor, Maine—to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of survey of Merrimac River, Massachusetts—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Big Kanawha River, West Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Salem Harbor, Massachusetts—to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

A letter from the Secretary of the Treasury, transmitting reports of receipts and expenditures of contingent fund of the War Department—to the Committee on Expenditures in the War Department, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Umpqua River, Oregon—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Surgeon-General of the Army, a recommendation of increase of the limit of cost within which permanent structures may be erected without submitting specific estimates to Congress—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting the annual report of the Surgeon-General of the Public Health and Marine-Hospital Service—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of certain locks and dams in the Little Kanawha River, West Virginia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for payment of claims arising from an explosion near Frankford Arsenal, Philadelphia—to the Committee on Claims, and ordered to be printed.

A letter from the Superintendent of the Library Building and Grounds, submitting his report for the fiscal year ended June 30, 1903—to the Committee on the Library, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Ohio River from Mound City to Cairo, Ill.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for elevators in public building at Minneapolis, Minn.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a list of judgments rendered by the Court of Claims—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a communication from the Commissioner of Indian Affairs relating to the platting of lands within the Fort Peck Reservation in Montana—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for a memorial amphitheater at Arlington, Va.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, recommending an appropriation for enlargement of the drafting room of the office of the Supervising Architect—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for a small light-draft steam tender for light-house service—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Oconee River, Georgia—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for completion of light station in Patapsco River, Maryland—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Perquimans River, North Carolina—to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Miniscongo River, New York—to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of appropriation for completion of post-office building at Alexandria, Va., and recommendation for an increase of the limit of cost—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Navy, transmitting a copy of a communication from the Joint Army and Navy Board relating to the defense of the harbor of Manila and the naval station at Subig Bay—to the Committees on Naval Affairs and Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for transcript of letters and plates in the General Land Office—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting an estimate of appropriations for rental of the Builders' Exchange

building for one of the bureaus of the Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, recommending legislation to authorize the acceptance of donations of land adjacent to the reservation at Fort Missoula, Mont.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting documents relating to the claim of John and David West—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting the draft of a bill to authorize the acquirement of additional land at Fort Sheridan, Ill.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a report of the General Staff of the Army relating to issue of certain obsolete ordnance and ordnance stores to educational institutions—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for salaries in the office of the Commissary-General—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Acting Secretary of State, making application for authority to deliver certain presents of foreign governments to officers of the Army—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for Coast and Geodetic Survey—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, recommending legislation in relation to the hire of cavalry and artillery horses for the National Guard at joint maneuvers—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, recommending legislation in relation to the hire of cavalry and artillery horses and draft animals for the militia in actual camp and field service—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting a copy of a letter from the Surgeon-General relating to purchase of medical supplies by civilian employees of the Army—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for support of the National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting estimates of appropriations for collecting the revenue from customs for the fiscal year ending June 30, 1905—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Secretary of State, papers relating to the claim of Wiel and Anundsen—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of deficiency appropriation for the Department of Commerce and Labor—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Superintendent of Buildings and Grounds of the Library of Congress submitting an estimate of appropriation for fuel, lights, etc.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Acting Secretary of State submitting an estimate of appropriation for consular service in Manchuria—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of deficiency in appropriation for contingent expenses, Executive Office—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Agriculture submitting an estimate of appropriation for eradicating the foot-and-mouth and other diseases of animals and to meet the ravages of the Mexican cotton-boll weevil—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for service of the Marine Corps—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting papers relating to the claim of Jose Cardell—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for expenditures on fortification work—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting documents relating to the claim of Col. J. M. Marshall—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting additional papers relating to the claim of John Stewart—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of G. R. Lipscomb, administrator of estate of Mary A. Branch, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. J. Bryson, administrator of estate of Joseph H. Bryson, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Charles R. Holmes, administrator of estate of Nelson Cowan, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William H. Landrum against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Charles S. McClard, administrator of estate of Arthur Mayberry, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of S. E. Stephenson, administrator of estate of Henry A. Dacus, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Sarah J. Bonner, administratrix of estate of Thomas Lanier, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of D. P. Haste, administrator of estate of William Varnor, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Sallie J. Adams, administratrix of estate of Herbert Smith, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Floyd H. Gillum, administrator of estate of Josiah Springer, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Russell M. Kilburn against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Sterling Beeson, Granville Beeson, Frank Dugger, Penelope Foster, and George R. Dugger, guardian of Georgia K. Dugger, heirs of and representing one-fifth interest in the estate of one William H. Springer, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Eveline Nixon and Mary Parker against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of C. M. McRee, administrator de bonis non of estate of Robert C. McRee, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Robert Watt, jr., administrator of estate of Robert Watt, sr., against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Martha A. Carter, sole heir of estate of Jerome C. Simmerman, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John W. Sapp, administrator of estate of Arthur Pierce, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John J. Saunders, administrator of estate of Henry S. Saunders, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of R. A. Dunn, administrator of estate of Elijah Y. Toney, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of M. [illegible] Smith, administratrix of estate of John Hollingsworth, jr., against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of R. W. McGrudder, administrator of estate of Thomas B. McGrudder against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Daniel W. Core, administrator of estate of Hugh Core, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John S. Brigman, administrator of estate of Thomas Brigman, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Stephen Eason against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Pilgrim*, John Thissel, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Edward Crusselle, administrator and heir at law of estate of G. W. Crusselle, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Hillsboro Bay, Florida—to the Committee on Rivers and Harbors, and ordered to be printed.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 2367) granting a pension to Merton C. Sanborn—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6553) for the relief of William F. Denmuer—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 6582) granting an increase of pension to Harry Haller—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6825) for the relief of Herbert W. George—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 7055) to provide for the transportation of naval and other stores in American-built ships—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 7098) granting relief to certain members of the Seventh Michigan Cavalry, war of the rebellion—Committee on Invalid Pensions discharged, and referred to the Committee on War Claims.

A bill (H. R. 7746) for the relief of the trustees of the Methodist Episcopal Church South, at Paducah, Ky.—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 8035) for the relief of M. A. McCafferty, of O'Neill, Nebr.—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 8174) granting a pension to Marion Skinner—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8191) granting an increase of pension to James K. Parker—Committee on War Claims discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8312) granting an increase of pension to William Clark—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8462) granting an increase of pension to James Wlats—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8483) granting a pension to William P. Parrill—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8643) for the relief of John Wilkes Moore—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. CUSHMAN: A bill (H. R. 8663) to amend section 3291 of the Revised Statutes of the United States—to the Committee on Patents.

By Mr. METCALF: A bill (H. R. 8664) providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins—to the Committee on Coinage, Weights, and Measures.

Also, a bill (H. R. 8665) providing for the purchase of a site and the erection of a public building thereon at Berkeley, in the State of California—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8666) providing for the purchase of a site and the erection of a public building thereon at Vallejo, in the State of California—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8667) providing for the purchase of a site and the erection of a public building thereon at Alameda, in the State of California—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8668) fixing the compensation of customs inspectors at the port of San Francisco, Cal., now or hereafter classed as discharging inspectors, in lieu of compensation for night services hereafter to be rendered in the examination of baggage, and for other purposes—to the Committee on Ways and Means.

By Mr. SMITH of Illinois (by request): A bill (H. R. 8669) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government—to the Committee on Printing.

By Mr. BOWERS: A bill (H. R. 8670) for a survey of the present channel leading from the wharf at Biloxi, Miss., to Ship Island Harbor, Mississippi—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 8671) for continuing improvement of the harbor at Biloxi, Miss.—to the Committee on Rivers and Harbors.

By Mr. WILSON of Arizona: A bill (H. R. 8672) to provide for the payment of claims for losses by old pioneers in the Territory of Arizona and other Territories and States in the western part of the United States during the years 1859 to 1875, inclusive, by Indian depredations committed upon these pioneers while they were settling and attempting to settle and develop that western country, and while emigrating thereto for that purpose—to the Committee on War Claims.

Also, a bill (H. R. 8673) to provide for the payment of claims for losses by old pioneers and citizens in the Territory of Arizona and other Western Territories and States, during the years 1859 to 1875, inclusive, by Indian depredations committed upon these pioneers and people while attempting to settle and improve the West and while immigrating to the various sections in the West—to the Committee on War Claims.

By Mr. CUSHMAN: A bill (H. R. 8674) to establish a permanent military camp ground in the vicinity of Tacoma, in Pierce County, Wash.—to the Committee on Military Affairs.

Also, a bill (H. R. 8675) granting right of way for telegraph and telephone lines in the district of Alaska—to the Committee on the Public Lands.

Also, a bill (H. R. 8676) to refund the amount of duties paid without protest into the United States Treasury on goods shipped

to Hawaii prior to July 7, 1898, and shipped therefrom into the United States subsequent to June 14, 1900—to the Committee on Claims.

Also, a bill (H. R. 8677) to amend section 3095 of the Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. ADAMS of Wisconsin: A bill (H. R. 8678) to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof—to the Committee on Agriculture.

By Mr. GIBSON: A bill (H. R. 8679) for the erection of a public building at Morristown, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Arizona: A bill (H. R. 8680) to authorize the entry, location, operation, and development of stone and mineral lands on the Indian reservations in the Territory of Arizona, and for other purposes—to the Committee on Indian Affairs.

By Mr. RUCKER: A bill (H. R. 8681) to detach the county of Linn, in the State of Missouri, from the western and attach it to the eastern judicial district of said State—to the Committee on the Judiciary.

By Mr. MONDELL: A bill (H. R. 8682) granting to railroads and water companies the right of way through public lands and reservations of the United States for reservoirs and pipe lines—to the Committee on the Public Lands.

Also, a bill (H. R. 8683) to provide for medical care and surgical treatment of honorably discharged soldiers, sailors, and marines—to the Committee on Military Affairs.

Also, a bill (H. R. 8684) to extend the time for the selection and segregation of public lands provided for by section 4 of the act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes"—to the Committee on Irrigation of Arid Lands.

By Mr. GREGG: A bill (H. R. 8685) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company—to the Committee on Indian Affairs.

By Mr. BABCOCK: A bill (H. R. 8686) to amend section 805 of the code of law for the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 8687) authorizing the sale of Chesapeake and Ohio Canal bonds belonging to the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 8688) to transfer jurisdiction to reservation No. 32, in the city of Washington, D. C.—to the Committee on the District of Columbia.

Also, a bill (H. R. 8689) to regulate appointments and promotions in the municipal government of the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 8691) authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes—to the Committee on the District of Columbia.

By Mr. WM. ALDEN SMITH: A bill (H. R. 8693) to fix the compensation of criers and bailiffs in the United States courts—to the Committee on the Judiciary.

By Mr. FLACK: A bill (H. R. 8694) to commemorate the battle of Plattsburg and to provide a monument in honor of American sailors and soldiers killed in defense of Plattsburg—to the Committee on Military Affairs.

By Mr. RODEY: A bill (H. R. 8695) to make the provisions of an act of Congress with reference to the selection of school lands, approved February 28, 1891 (26 Stat., p. 796), applicable to the Territory of New Mexico—to the Committee on the Public Lands.

By Mr. SULLOWAY: A bill (H. R. 8697) fixing the date of termination of the war of the rebellion under the act of June 27, 1890, as amended by the act of May 9, 1900—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 8698) relative to appeals from the Spanish Treaty Claims Commission—to the Committee on the Judiciary.

Also, a bill (H. R. 8699) to amend section 5409 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. LORIMER: A bill (H. R. 8700) for the amendment of the patent laws—to the Committee on Patents.

By Mr. SHIRAS: A bill (H. R. 8701) to give all holders of bonds of the United States the privilege of depositing said bonds with the Treasurer of the United States and securing therefor certain legal-tender Government notes, and so forth—to the Committee on Banking and Currency.

By Mr. BINGHAM: A bill (H. R. 8702) for establishing further aids to navigation in Delaware Bay and River—to the Committee on Interstate and Foreign Commerce.

By Mr. BURNETT: A bill (H. R. 8703) granting certain lands belonging to the United States and situated in the State of Alabama to the State of Alabama for the use and benefit of the common schools of that State—to the Committee on the Public Lands.

By Mr. HERMANN: A bill (H. R. 8704) granting pensions to certain officers and enlisted men of the Life-Saving Service and to their widows and minor children—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8705) to authorize the establishment of a life-saving station at or near the mouth of the Siuslaw River, in the State of Oregon—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8706) for the establishment of a fish hatchery in the State of Oregon for propagation of trout and other game and food fishes—to the Committee on the Merchant Marine and Fisheries.

By Mr. WACHTER (by request): A bill (H. R. 8707) relating to clerks to pay officers in the Navy—to the Committee on Naval Affairs.

By Mr. DALZELL: A joint resolution (H. J. Res. 73) providing for a survey of the Ohio River from Pittsburg to Cairo—to the Committee on Rivers and Harbors.

By Mr. HERMANN: A joint resolution (H. J. Res. 74) authorizing the issue of duplicate medals where the originals have been lost or destroyed—to the Committee on Military Affairs.

By Mr. BURLESON: A resolution (H. Res. 112) requesting the Secretary of War to transmit to the House of Representatives the history and statistics of claims of the State of Texas against the United States for expenses incurred in the defense of the frontier from 1854 to 1860 and subsequent to 1865—to the Committee on Military Affairs.

By Mr. GOLDFOGLE: A resolution (H. Res. 113) relating to treatment and protection of American citizens traveling or sojourning abroad—to the Committee on Foreign Affairs.

By Mr. STEPHENS of Texas: A resolution (H. Res. 114) requesting certain information from the Attorney-General of the United States relative to the enforcement of the antitrust laws—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. LITTLE: A bill (H. R. 8696) to authorize the Secretary of War to revoke and vacate sentence of court-martial against Daniel Smith—to the Committee on Military Affairs.

By Mr. BABCOCK: A bill (H. R. 8708) granting an increase of pension to David C. Posey—to the Committee on Pensions.

Also, a bill (H. R. 8709) granting an increase of pension to James A. Porter—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 8710) granting a pension to Solomon Eshnour—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8711) granting an increase of pension to James W. Aiken—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 8712) granting a pension to Lucinda Matkins—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 8713) granting an increase of pension to Elam Allen—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 8714) granting an increase of pension to Henry J. Main—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 8715) granting a pension to Alice A. Siverd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8716) granting a pension to Peter Creager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8717) granting a pension to Henry Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8718) granting a pension to Caswell P. Ford—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 8719) granting an increase of pension to Moses B. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8720) granting an increase of pension to John Snowden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8721) granting an increase of pension to Henry M. Carrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8722) granting an increase of pension to Martha E. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8723) granting an increase of pension to Mary E. McReynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8724) granting an increase of pension to Mary J. Allsands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8725) granting an increase of pension to John A. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8726) granting an increase of pension to William C. Sligh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8727) granting an increase of pension to Peter Kaufman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8728) granting a pension to Matilda Lafferty—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 8729) granting an increase of pension to Gustus S. Renick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8730) granting an increase of pension to Charles E. McIntire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8731) granting a pension to Mary A. Sanborn—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 8732) granting a pension to Jenkin Morgan—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 8733) granting an increase of pension to Capt. Benjamin F. Morrow—to the Committee on Invalid Pensions.

By Mr. DRESSER: A bill (H. R. 8734) granting an increase of pension to T. M. McKelvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8735) granting an increase of pension to Wait C. Simons—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 8736) granting an increase of pension to Jerusha H. Wiles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8737) granting an increase of pension to Edmund O. Beers—to the Committee on Pensions.

By Mr. FLACK: A bill (H. R. 8738) to correct the military record of John E. Wool—to the Committee on Military Affairs.

Also, a bill (H. R. 8739) granting an increase of pension to Marens Cressman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8740) granting an increase of pension to Mary G. Benesteel—to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 8741) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act—to the Committee on War Claims.

By Mr. GILBERT: A bill (H. R. 8742) granting an increase of pension to Jason Robinson—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 8743) for the relief of Thomas W. Higgins—to the Committee on War Claims.

By Mr. HARRISON: A bill (H. R. 8744) for the relief of Stephen [illegible]—to the Committee on War Claims.

By Mr. HAMILTON: A bill (H. R. 8745) granting an increase of pension to Augustus J. Newton—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 8746) to correct the military record of William Ryan—to the Committee on Military Affairs.

Also, a bill (H. R. 8747) granting an increase of pension to Daniel Gilson—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 8748) for the relief of Serenus Kilbourne—to the Committee on Military Affairs.

Also, a bill (H. R. 8749) for the relief of George H. Mellen, deceased—to the Committee on Naval Affairs.

By Mr. HEMENWAY: A bill (H. R. 8750) granting a pension to James M. Hudson—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 8751) granting an increase of pension to Hiram W. White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8752) granting an increase of pension to George W. Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8753) for the relief of J. G. and I. N. Day—to the Committee on Claims.

Also, a bill (H. R. 8754) granting an increase of pension to John P. Covert—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 8755) granting an increase of pension to Eugene Schilling—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 8756) granting a pension to Margaret J. Robbins—to the Committee on Invalid Pensions.

By Mr. HOGG (by request): A bill (H. R. 8757) for the relief of George Ivers, of Boone, Pueblo County, Colo., administrator of William Ivers—to the Committee on Claims.

Also, a bill (H. R. 8758) granting an increase of pension to Henry Wise Bach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8759) granting a pension to Orson P. Matthews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8760) granting an increase of pension to Valentine M. Windbigler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8761) granting an increase of pension to Baronet Gow—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 8762) granting a pension to John H. Givens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8763) to correct the military record of William F. Lynn—to the Committee on Military Affairs.

Also, a bill (H. R. 8764) granting an increase of pension to John E. Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8765) granting an increase of pension to Alfred R. Glover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8766) granting an increase of pension to Nathan C. Sackett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8767) granting an increase of pension to Levi Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8768) granting an increase of pension to Albert Morrison—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 8769) granting an increase of pension to Samuel S. Petty—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 8770) for the relief of Lewis D. W. Shelton—to the Committee on Claims.

Also, a bill (H. R. 8771) granting a pension to Walter F. Horner—to the Committee on Invalid Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 8772) granting an increase of pension to John H. Eversole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8773) granting an increase of pension to Harvey B. Ragon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8774) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8775) granting a pension to Louise L. Kerr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8776) granting a pension to Annie Godfrey—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 8777) granting an increase of pension to John C. Beckwith—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 8778) granting an increase of pension to William P. Kinney—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 8779) to correct the military record of Edward T. Lewis—to the Committee on Military Affairs.

Also, a bill (H. R. 8780) granting an increase of pension to F. F. Buckingham—to the Committee on Invalid Pension.

Also, a bill (H. R. 8781) granting a pension to Angelina Fisher—to the Committee on Invalid Pensions.

By Mr. LITTLE (by request): A bill (H. R. 8782) granting an increase of pension to David Calhoun—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8783) granting an increase of pension to Mary Ann Phipps—to the Committee on Pensions.

By Mr. LORIMER: A bill (H. R. 8784) granting an increase of pension to James Buggie—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 8785) to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, one hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion, of [illegible]—to the Committee on Military Affairs.

By Mr. METCALF: A bill (H. R. 8786) granting an increase of pension to Sewell F. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8787) granting an increase of pension to Robert W. Brasher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8788) granting an increase of pension to William E. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8789) granting an increase of pension to [illegible] K. Knowlton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8790) granting a pension to C. Annette Buckel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8791) granting a pension to Mae H. Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8792) granting a pension to Cornelia A. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8793) granting a pension to C. C. Marsh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8794) for the relief of Jeremiah Cutler Burnett—to the Committee on Naval Affairs.

Also, a bill (H. R. 8795) to correct the military record of August E. Bouquet—to the Committee on Military Affairs.

Also, a bill (H. R. 8796) to correct the military record of Fred R. Nugent—to the Committee on Military Affairs.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 8797) granting an increase of pension to Emma V. Gile—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8798) mustering into the United States Army Frank Skinner as second lieutenant, Company F, Twelfth Regiment New Jersey Volunteers—to the Committee on Military Affairs.

By Mr. BIRDSALL: A bill (H. R. 8799) granting an increase of pension to Joseph Mitch—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 8800) granting an increase of pension to Florence M. Metz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8801) granting an increase of pension to William E. Means—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8802) granting an increase of pension to Charles E. Decker—to the Committee on Pensions.

Also, a bill (H. R. 8803) granting an increase of pension to David D. Page—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8804) granting an increase of pension to Marion J. Barr—to the Committee on Pensions.

Also, a bill (H. R. 8805) for the relief of William H. H. Center—to the Committee on War Claims.

By Mr. REEDER: A bill (H. R. 8806) for the relief of Alvin W. Harper—to the Committee on War Claims.

Also, a bill (H. R. 8807) removing charge of desertion from the military record of David Kunkle—to the Committee on Military Affairs.

Also, a bill (H. R. 8808) granting a pension to William Mollenkamp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8809) to correct the military record of Thomas Keating—to the Committee on Military Affairs.

Also, a bill (H. R. 8810) granting an increase of pension to Benjamin Shaffer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8811) granting an increase of pension to James Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8812) granting an increase of pension to Sarah E. Douglas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8813) granting an increase of pension to John Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8814) granting an increase of pension to Harry R. Dunn—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 8815) for the relief of the legal representatives of Alfred Carter, late of Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8816) for the relief of the vestry of St. James Protestant Episcopal Church, of Culpeper County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8817) for the relief of the legal representatives of Alexander F. Butler, late of Louisa County, Va.—to the Committee on War Claims.

By Mr. ZENOR: A bill (H. R. 8818) granting a pension to William Mathers—to the Committee on Invalid Pensions.

By Mr. ROBB: A bill (H. R. 8819) to remove the charge of desertion from the military record of James Coad—to the Committee on Military Affairs.

Also, a bill (H. R. 8820) granting an increase of pension to Thomas L. Judd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8821) granting a pension to Solomon Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8822) granting a pension to Bird L. Francis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8823) to authorize the Secretary of War to furnish an artificial leg to Allan P. Dace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8824) to remove the charge of desertion from the military record of James Dunlap—to the Committee on Military Affairs.

Also, a bill (H. R. 8825) for the relief of the heirs of John Buford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8826) for the relief of George W. Mattingly—to the Committee on War Claims.

Also, a bill (H. R. 8827) for the relief of Thomas G. Johnson—to the Committee on War Claims.

Also, a bill (H. R. 8828) for the relief of J. S. Sartin—to the Committee on War Claims.

Also, a bill (H. R. 8829) for the relief of Francis O'Bannon—to the Committee on War Claims.

Also, a bill (H. R. 8830) for the relief of Anderson Coleman—to the Committee on War Claims.

Also, a bill (H. R. 8831) for the relief of the heirs of L. W. Pritchett—to the Committee on War Claims.

Also, a bill (H. R. 8832) for the relief of the heirs of George Kinnard—to the Committee on War Claims.

By Mr. ROBERTS: A bill (H. R. 8833) to amend the military record of William F. Welch—to the Committee on Naval Affairs.

Also, a bill (H. R. 8834) granting an increase of pension to Joseph H. Richardson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8835) granting an increase of pension to Charles H. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8836) granting a pension to Benjamin Pitman—to the Committee on Pensions.

By Mr. RUCKER: A bill (H. R. 8837) granting an increase of pension to William H. Bradley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8838) granting an increase of pension to Gabriel H. Hart—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 8839) granting an increase of pension to Thomas N. Hicks—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 8840) granting an increase of pension to Stella B. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8841) granting an increase of pension to Isaac N. Hughey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8842) granting an increase of pension to Thomas F. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8843) granting an increase of pension to Eunice A. Starr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8844) granting an increase of pension to William Jennings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8845) granting an increase of pension to Matthew Fletcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8846) granting a pension to W. F. Nichols—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 8847) granting a pension to Eliza J. Morgan—to the Committee on Pensions.

Also, a bill (H. R. 8848) to pay Elizabeth A. Ballew $100 for cattle taken by United States soldiers in October, 1865—to the Committee on War Claims.

Also, a bill (H. R. 8849) to pension James S. Lauderdale—to the Committee on Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 8850) granting a pension to Thomas Joyce—to the Committee on Pensions.

Also, a bill (H. R. 8851) granting a pension to Virginia E. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8852) for the relief of the heirs of James Goodloe, deceased—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: A bill (H. R. 8853) granting a pension to Mary E. Connor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8854) granting a pension to George Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8855) granting a pension to Elizabeth F. Champlin—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 8856) for the relief of the heirs of William W. Leftwich—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 8857) granting an increase of pension to John T. Beach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8858) granting an increase of pension to Benjamin Bickford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8859) granting an increase of pension to Charles J. Esty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8860) granting an increase of pension to Frederick M. Gibson—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 8861) granting an increase of pension to Samuel A. Rask—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8862) granting an increase of pension to Alida M. Utter—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 8863) granting an increase of pension to Edward O'Malley—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 8864) to correct the military record of John Estep—to the Committee on Military Affairs.

Also, a bill (H. R. 8865) granting an increase of pension to Charles W. Mann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8866) granting an increase of pension to W. H. Boulton—to the Committee on Invalid Pensions.

By Mr. WILSON of Arizona: A bill (H. R. 8867) for the relief of the estate of George W. Curtis, deceased—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Papers to accompany bill H. R. 5523, granting an increase of pension to James A. Smith—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Petition of residents of Cedar Falls, Iowa, in favor of certain legislation for better moral conditions—to the Committee on Rules.

By Mr. CAMPBELL: Papers to accompany bill granting an increase of pension to Alice A. Siverd; also, petition of citizens of Girard, Kans., in support of a bill granting a pension to Peter Creager; also, papers to accompany bill granting an increase of

pension to Henry Edwards; also, paper to accompany bill granting a pension to Caswell P. Ford—to the Committee on Invalid Pensions.

By Mr. CANNON: Petition of Mozart Lodge, of Erie, Pa., and 349 similar societies of German-Americans, protesting against legislation subjecting articles of interstate commerce in the original package to State legislation—to the Committee on the Judiciary.

By Mr. CASSINGHAM: Papers to accompany bill H. R. 2554, granting a pension to Belle Weller; also, papers to accompany bill H. R. 7555, granting an increase of pension to Henry Barrett; also, papers to accompany bill H. R. 2357, granting an increase of pension to James Carr—to the Committee on Invalid Pensions.

By Mr. FLACK: Papers to accompany bill H. R. 5459, to correct military record of Edward Manne—to the Committee on Military Affairs.

Also, papers to accompany bill granting increase of pension to Mary E. Benested—to the Committee on Pensions.

By Mr. HEMENWAY: Petition of Stone River Post, No. 65, Grand Army of the Republic, of Frankfort, Ind.; also, petition of Bruce Post, No. 253, Grand Army of the Republic; also, petition of Joseph Sissel and others; also, petition of Major Henry Post, Grand Army of the Republic, of Pendleton, Ind.; also, petition of Royal Center (Ind.) Post, Grand Army of the Republic; also, petition of General Willich Post, No. 543, Grand Army of the Republic, of Haubstadt, Ind.; also, petition of Fort Wagner Post, No. 381, Grand Army of the Republic, of Evansville, Ind.; also, petition of Harter Post, No. 256, Grand Army of the Republic, favoring the passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Memorial of the Irish Language Society of Bridgeport, Conn., in behalf of bill H. R. 62, for the erection of a monument to the memory of Commodore John Barry, United States Navy—to the Committee on the Library.

By Mr. HINSHAW: Petition of Holland Post, No. 75, Grand Army of the Republic, Department of Nebraska, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 4232—to the Committee on Military Affairs.

Also, resolution of John Brown Post, Exeter, Department of Nebraska, favoring the passage of bill H. R. 4087, for service pension—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1483, to increase pension of J. W. Black—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension H. F. E. Schroer—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 4939, to increase pension of Ruson J. Bullock—to the Committee on Invalid Pensions.

By Mr. KNAPP: Petition of the board of supervisors of the county of Lewis, N. Y.; resolutions adopted by the board of supervisors of Oswego County, N. Y., and petition of the Farmers' Institute of Lewis County, N. Y., favoring the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of W. B. Wait Post, No. 581, Grand Army of the Republic, of New York, for a general service-pension law; also, papers to accompany bill granting an increase of pension to William P. Kinney—to the Committee on Invalid Pensions.

By Mr. LACEY: Papers to accompany bill granting increase of pension to Alexander E. Fine—to the Committee on Invalid Pensions.

Also, petition of citizens of Blakesburg, Iowa, asking for relief of military telegraph operators in the civil war—to the Committee on Military Affairs.

Also, resolution of the Massachusetts Forestry Association, favoring the preservation of the big trees in California—to the Committee on the Public Lands.

Also, resolution of Grain Dealers' National Association, at Minneapolis, Minn., in opposition to the McCumber bill, S. 199—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Retail Implement Dealers' Association of South Dakota, in opposition to parcel-post bill and relative to other measures—to the Committee on the Post-Office and Post-Roads.

By Mr. MAHON: Resolution to pay a sum equal to six months' salary to Eliza Deardorff, widow of John W. Deardorff—to the Committee on Accounts.

By Mr. MURDOCK: Petition of Sherman Post, No. 30, Grand Army of the Republic, Department of Kansas, favoring a service-pension law—to the Committee on Invalid Pensions.

By Mr. PORTER: Paper to accompany bill granting increase of pension to William H. H. Chester; also, papers to accompany bill granting increase of pension to John Gangwisch—to the Committee on Invalid Pensions.

Also, petition of residents of Pittsburg, Pa., against sale of liquor in public buildings and Soldiers' Homes, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. REEDER: Papers to accompany bill for the relief of Alvin W. Harper—to the Committee on War Claims.

Also, paper to accompany bill granting increase of pension to Benjamin Shaffer—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Papers to accompany bill H. R. 8249, granting an increase of pension to Oliver Farrington; also, papers to accompany bill H. R. 8279, granting a pension to Sarah E. Holbrook—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Charles H. Jackson; also, papers to accompany bill granting an increase of pension to Joseph H. Richardson—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Benjamin Pitman; also, papers to accompany bill granting pension to Ellen J. Tuttle—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: Petition of Iron Molders' Union No. 31, of Grand Rapids, Mich., in favor of an eight-hour law and the anti-injunction bill—to the Committee on Labor.

Also, concurrent resolution of Michigan legislature, favoring the erection of a monument in Arlington National Cemetery to the memory of Capt. Charles Vernon Gridley—to the Committee on the Library.

By Mr. SPERRY: Petition of the locomotive engineers of the civil war, asking for pension—to the Committee on Invalid Pensions.

Also, resolution of the Connecticut Civil Service Reform Association, favoring reform in the consular service—to the Committee on Foreign Affairs.

By Mr. WILEY of New Jersey: Papers to accompany bill H. R. 4457, granting an increase of pension to Mary E. Meldrum—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *January 5, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

Mr. JAMES P. CLARKE, a Senator from the State of Arkansas, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Public Printer, transmitting, in response to a resolution of the 17th ultimo, a statement of the quarters and buildings rented by the Government Printing Office in the District of Columbia and the annual rental in each case; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of E. L. Brien, administrator of Ann Lunn, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of John A. Johnson, administrator of Maria Johnson and Sarah E. Ware, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Honolulu Trades and Labor Council, American Federation of Labor, of Honolulu, Hawaii, praying for the enactment of legislation to prohibit the employment of Asiatic and noncitizen labor on all public work done under contract for the Federal Government in that Territory; which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Mill Brook, Pa.; of the congregation of the Methodist Episcopal Church of Mountain Grove, Mo.; of the Ladies' Centennial Book Club, of Ottawa, Ohio; of the Woman's Home Missionary Society of Rochelle, Ill., and of the congregation of the First Baptist Church of Chetopa, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented memorials of the Germania Verein of West Side; of the Turn Verein of Elkader; of Lodge No. 2, of Sioux

City; of Lodge No. 7, of Charter Oak; of the Grand Lodge of the Sons of Hermann, of Sioux City, and of the Germania Verein of Minden, all in the State of Iowa; of the Maennerchor Lodge of Memphis, and of the Gruetli Verein of Memphis, in the State of Tennessee; of Lodge No. 46, of New Orleans; of Lodge No. 1, of New Orleans; of the German Benevolent Association, of New Orleans; of the Deutscher Militaer Verein, of New Orleans, and of the Turn Verein of New Orleans, all in the State of Louisiana; of the Baden Sick Benefit Society, of Kansas City; of the German Workingman Benevolent Society, of Kansas City; of the German Hospital Association, of Kansas City; of the German-American Pioneer Society, of Sedalia; of the California Saengerbund, of California, and of the Schweizer Verein of Hermann, all in the State of Missouri; of the German Library Association, of Wilmington, Del.; of Lodge No. 56, of Janesville; of Lodge No. 49, of Wells; of Lodge No. 31, of Minneapolis; of Lodge No. 5, of Ceylon; of Lodge No. 16, of St. Paul; of Lodge No. 3, of Stillwater; of Lodge No. 61, of Owatoma; of Lodge No. 7, of Lake City; of Lodge No. 48, of Hutchinson; of Lodge No. 10, of Chaska; of Lodge No. 21, of New Ulm; of Lodge No. 30, of St. Paul; of Lodge No. 54, of Wadena; of Lodge No. 1, of St. Paul; of Lodge No. 27, of Minneapolis, and of Lodge No. 52, of North St. Paul, all in the State of Minnesota; of the St. Michaels Society, of Fond du Lac; of the Maennerchor Teutonia, of Mayville; of Lodge No. 112, of Fond du Lac; of the Maennerchor Lodge of La Crosse; of Lodge No. 15, of Mayville, and of the Eighth Ward Aid Society, of La Crosse, all in the State of Wisconsin; of Lodge No. 8, of Denver; of the Turn Verein of Leadville; of Lodge No. 1, of Denver, and of Lodge No. 585, of Denver, all in the State of Colorado; of the Zoellner Maennerchor, of Buffalo; of the Gesang Verein of Utica; of the German Club, of Troy; of the German Hall Association, of Troy; of Lodge No. 234, of Buffalo; of the German Veteran Society, of Albany; of Lodge No. 437, of Utica; of Lodge No. 594, of Buffalo; of the Garfield Benevolent Association, of Buffalo; of Lodge No. 137, of Buffalo; of the Turn Verein of Rochester; of Lodge No. 1, of Buffalo; of Lodge No. 298, of Buffalo; of Lodge No. 598, of Buffalo; of the St. Joseph's Verein, of Albany; of Lodge No. 521, of Buffalo; of the German Young Men's Association, of Buffalo; of Lodge No. 168, of Buffalo; of the Maenner Quartette, of Troy; of Lodge No. 35, of Buffalo; of Lodge No. 116, of Troy; of Lodge No. 7, of Buffalo; of Lodge No. 11, of Albany; of Lodge No. 110, of Albany; of the Turn Verein of Rochester, and of Lodge No. 676, of Buffalo, all in the State of New York; of Lodge No. 5, of Lawrence; of the Turn Verein of Westfield; of Lodge No. 299, of Turners Falls; of Lodge No. 110, of Lawrence; of Lodge No. 601, of Athol; of Lodge No. 1, of Holyoke; of the German Spiritual Society, of Lawrence; of the Gesang Verein of Lawrence; of the Turn Verein of Springfield; of the Gymnastic Club, of Holyoke; of the Turn Verein of Clinton; of the Singing Society of Lawrence; of Lodge No. 255, of Greenfield; of Lodge No. 7, of Turners Falls, and of Lodge No. 2, of Adams, all in the State of Massachusetts; of the Lafayette Hose Company, of Egg Harbor; of Lodge No. 44, of Egg Harbor; of the Singing Society of Egg Harbor; of Lodge No. 119, of Egg Harbor; of Lodge No. 228, of Somerville, and of the German-American Central Verein, of Newark, all in the State of New Jersey; of Lodge No. 84, of Evansville; of Lodge No. 49, of Evansville; of Lodge No. 464, of Evansville; of the Central Turn Verein, of Evansville; of the Walther League, of Fort Wayne; of the German Benevolent Association, of New Albany; of Lodge No. 355, of New Albany, of the Turn Verein of Fort Wayne; of the German Benevolent Society, of Wabash; of the Saengerbund Lodge of Hammond, and of the German Federation of Indianapolis, all in the State of Indiana; of the Deutscher Krieger Verein, of Quincy; of Lodge No. 138, of Belleville; of the Singing Society of East St. Louis; of the Singing Society of Belleville; of Lodge No. 1, of Belleville; of the Germania Society of Freeport, and of the Turn Verein of Belleville, all in the State of Illinois; of the Turn Verein of Grand Island; of the Orpheus Society of Columbus; of Lodge No. 8, of Bloomfield; of Lodge No. 7, of Hooper; of the Turn Verein of Omaha; of Lodge No. 12, of Columbus; of the Maennerchor of Columbus; of Lodge No. 14, of Humphrey, and of the Germania Verein of Grand Island, all in the State of Nebraska; of the Knights of the Golden Eagle of Scranton; of Lodge No. 139, of Erie; of Lodge No. 18, of Philadelphia; of the Leiderkranz Lodge of Reading; of the Prospect Employees' Relief Association, of Philadelphia; of Lodge No. 1, of Philadelphia; of the German Hancock Benevolent Association, of Philadelphia; of the Junger Maennerchor of Philadelphia; of Lodge No. 1, of Philadelphia; of the Maennerchor Lodge of Philadelphia; of the Turn Bezrik of Philadelphia; of Lodge No. 203, of Philadelphia; of Lodge No. 37, of Philadelphia; of the Beneficial Society No. 1, of Philadelphia; of Lodge No. 1012, of Philadelphia; of the Beneficial Society No. 2, of Philadelphia; of Lodge No. 30, of Philadelphia; of Lodge No. 299, of Erie, and of the Turn Verein No. 1, of Philadelphia, all in the State of Pennsylvania; of the St. Joseph Verein, of Spokane; of Lodge No. 9, of Spokane; of Lodge No. 12, of Walla Walla; of Harmonia Lodge, of Chehalis; of Lodge No. 11, of Uniontown, and of the German Society of Fairhaven, all in the State of Washington; of the Moltke Lodge No. 19, of Livingston, Mont.; of the Turn Verein of Topeka; of the Harmonia Lodge, of St. Marys, and of Lodge No. 6, of Topeka, all in the State of Kansas; of Lodge No. 4, of Grand Rapids; of Lodge No. 17, of Grand Rapids; of Lodge No. 171, of Grand Rapids; of the Turn Verein of Grand Rapids, and of the Germania Maennerchor of Grand Rapids, all in the State of Michigan; of Schiller Lodge No. 1, of Salt Lake City, Utah; of Koerner Lodge, No. 3, of Richmond, Va.; of the Grand Lodge of the Sons of Hermann of San Francisco; of the Concordia Turn Verein, of San Diego, and of Lodge No. 22, of San Diego, in the State of California, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. SMOOT presented a petition of the Weber Club and the Business Men's Association of Ogden, Utah, praying for the enactment of legislation to improve the American merchant marine; which was referred to the Committee on Commerce.

Mr. BURROWS presented petitions of the Benjamin Woman's Christian Temperance Union, of Grand Rapids; of the Woman's Home and Foreign Missionary Society of the Immanuel Presbyterian Church, of Grand Rapids; of the congregation of the Forest Avenue Presbyterian Church, of Detroit; of the Woman's Home Missionary Society of the Presbytery of Detroit; of the Woman's Club of Lansing; of the Lakeside Club of Manistee; of the Woman's Missionary Society of Lapeer; of the congregation of the Second Avenue Presbyterian Church, of Detroit; of the Fairbanks Woman's Relief Corps, of Detroit; of the Louisa St. Clair Chapter, Daughters of the American Revolution, of Detroit, all in the State of Michigan, and of sundry ministers of the Methodist Episcopal Church of Washington, D. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. NELSON presented memorials of the Sailors' Union of the Pacific, of Seattle, Wash.; of the Sailors' Union of the Pacific, of Portland, Oreg., and of the Sailors' Union of the Pacific, of Port Townsend, Wash., remonstrating against the enactment of legislation relating to allotments of seamen's wages; which were referred to the Committee on Commerce.

Mr. DUBOIS presented petitions of the Coeur d'Alene Treble Clef, of Wallace, and of sundry citizens of Weiser, Idaho, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented petitions of the congregation of the Bethany Presbyterian Church, of Fort Wayne; of the congregation of the Presbyterian Church of Newtown; of the Deer Creek Monthly Meeting of Friends; of the Woman's Home and Foreign Missionary Society of the First Presbyterian Church of Indianapolis; of the Missionary Society of the Presbyterian Church of Vincennes; of the congregation of the First Presbyterian Church of Jeffersonville; of the Young Woman's Missionary Society of the Second Presbyterian Church of Indianapolis; of sundry citizens of Salem, and of the Woman's Christian Temperance Union of Valparaiso, all in the State of Indiana, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOPKINS presented a petition of 30 citizens of Rockford, Ill., praying for the passage of the so-called McCumber bill to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of 103 citizens of Paxton; of 39 citizens of Kirkwood, of 51 citizens of Minonk; of 16 citizens of Princeton; of the Woman's Christian Temperance Union of Galesburg; of the Woman's Christian Temperance Union of Prophetstown; of the congregations of the First Congregational Church of Woodstock and the Methodist Episcopal Church of Woodstock; of 21 citizens of Woodstock; of the congregation of the First Presbyterian Church of Woodstock; of the Woman's Christian Temperance Union of Woodstock; of the congregations of the First Baptist Church of Woodstock and the Presbyterian Church of Sheldon; of 17 citizens of Hancock County; of the Illinois Baptist General Association, of Chicago; of 2,000 citizens of Cook and adjacent counties; of the Woman's Christian Temperance Union of Laclede; of the Woman's Christian Temperance Union of Evanston; of the Springfield Baptist Association, of Pleasant Plains; of the Synod of Illinois, of Kirkwood; of 11 citizens of St. Charles; of the congregation of the First Congregational Church of Wheaton; of the Woman's Christian Temperance Union of Harvard; of the congregation of the First Presbyterian Church of Austin; of the Woman's Club of Cairo; of the Woman's Christian

Temperance Union of Langham; of the Woman's Christian Temperance Union of Belvidere; of the Woman's Christian Temperance Union of Verona, and of the congregation of the Methodist Episcopal Church of Lostant, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of the congregation of the Methodist Episcopal Church of Espyville, Pa., and a petition of sundry citizens of Clifton Heights and Alden, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of Grand Lodge, Brotherhood of Railroad Trainmen, praying that the Department of Labor be made a separate and distinct department; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Shipowners' Association of the Pacific Coast, and a memorial of the Lake Seamen's Union, remonstrating against the enactment of legislation relating to allotments of seamen's wages; which were referred to the Committee on Commerce.

He also presented a petition of Grand Lodge, Brotherhood of Railroad Trainmen, praying for the passage of the so-called Hoar anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of Grand Lodge, Brotherhood of Railroad Trainmen, praying for the enactment of legislation making common carriers engaged in interstate commerce liable to their employees for injuries, etc.; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Grand Lodge, Brotherhood of Railroad Trainmen, praying for the enactment of more stringent immigration laws; which was referred to the Committee on Immigration.

REPORTS OF COMMITTEE ON CLAIMS.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, asked to be discharged from their further consideration, and that they be referred to the Committee on Pensions; which was agreed to:

A bill (S. 2843) for the relief of Joshua Jenkins; and

A bill (S. 2840) for the relief of the estate of the late John Erb.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, asked to be discharged from their further consideration, and that they be referred to the Committee on Military Affairs; which was agreed to:

A bill (S. 2842) for the relief of Theodore D. McCaddon;

A bill (S. 2844) for the relief of James McElroy; and

A bill (S. 1429) for the relief of Andrew A. Kelly.

BILLS INTRODUCED.

Mr. SCOTT introduced a bill (S. 3005) for the relief of the trustees of the Presbyterian Church of Beverly, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3006) for the relief of the trustees of the Presbyterian Church of Hardy County, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3007) for the relief of Maramon A. Martin, late private of Company A, Sixth Regiment West Virginia Volunteer Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3008) granting an increase of pension to John R. McMannomy (with accompanying papers);

A bill (S. 3009) granting an increase of pension to James Devor;

A bill (S. 3010) granting a pension to Malinda Householder (with an accompanying paper); and

A bill (S. 3011) granting a pension to William F. Bunger (with accompanying papers).

Mr. PENROSE introduced a bill (S. 3012) to correct the military record of Patrick O'Connor, alias Patrick Kennedy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3013) granting an increase of pension to Randolph Hayman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3014) to equalize the rank and pay of certain retired officers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3015) to provide for an additional judge of the district court of the United States for the eastern district of Pennsylvania; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. PERKINS introduced a bill (S. 3016) making an appropriation for the erection of a permanent restrum in the national cemetery at the Presidio, San Francisco, Cal.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HEYBURN introduced a bill (S. 3017) granting a pension to Justin H. Wixom; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3018) granting an increase of pension to George W. Sullivan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3019) granting an increase of pension to Charles Sweet (with an accompanying paper);

A bill (S. [illegible]) granting an increase of pension to Theodore O. Winans (with accompanying papers);

A bill (S. [illegible]) granting an increase of pension to Samuel B. Davis (with accompanying papers);

A bill (S. [illegible]) granting a pension to John S. Richie (with accompanying papers);

A bill (S. [illegible]) granting an increase of pension to Sanford S. Henderson (with accompanying papers);

A bill (S. 3024) granting an increase of pension to Francis H. Churchill;

A bill (S. 3025) granting an increase of pension to Lewis Crider (with accompanying papers);

A bill (S. 3026) granting an increase of pension to Mary Fields;

A bill (S. 3027) granting an increase of pension to Joseph P. Pullis (with an accompanying paper); and

A bill (S. 3028) granting an increase of pension to Aaron H. Watts.

Mr. LODGE introduced a bill (S. 3029) granting a pension to Margaret French; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3030) granting a pension to Charles O. Fargo; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 3031) granting an increase of pension to Jane E. Lusha; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3032) to authorize the appointment of Creighton Churchill, now an ensign on the retired list of the Navy, a lieutenant on the active list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3033) granting an increase of pension to Charles B. Williams; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3034) to fix the compensation of criers and bailiffs in the United States courts; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. MITCHELL introduced a bill (S. [illegible]) to amend an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 3036) for the protection of the Bull Run Forest Reserve and the sources of the water supply of the city of Portland, State of Oregon; which was read twice by its title, and referred to the Committee on Forest Reservations and the Protection of Game.

Mr. FRYE introduced a bill (S. 3037) to authorize the President of the United States to appoint Wilson B. Strong captain and quartermaster in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCREARY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3038) granting an increase of pension to Joseph H. Kennedy; and

A bill (S. 3039) granting a pension to Edward A. Poag.

Mr. McCREARY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 3040) to correct the military record of William Riley; and

A bill (S. 3041) to correct the military record of Calloway Taylor.

Mr. FOSTER of Washington introduced a bill (S. 3042) to amend an act relating to the sale of gas in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

MILTON STRATTAN—WITHDRAWAL OF PAPERS.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Milton Strattan, accompanying Senate bill 5527, Fifty-seventh Congress, first session, copies of the same to be left in the files, as provided by clause 2 of Rule XXX.

PENSIONS TO EX-PRISONERS OF WAR.

On motion of Mr. PENROSE, it was

Ordered, That there be printed for the use of the Senate 3,000 copies of Senate [illegible], relating to pensions to soldiers and sailors confined in so-called Confederate prisons.

THEATERS, ETC., IN THE DISTRICT OF COLUMBIA.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the District of Columbia are directed to report to the Senate as to the practicability, advisability, and expediency of a thorough inquiry into the condition of all theaters, moving picture exhibitions, and places of entertainment in the District of Columbia, in the course of which inquiry such witnesses as may be required and examined, and such books, papers, and documents as may be required and examined in connection with the statutes and regulations of the District of Columbia, and the enforcement thereof, and such theaters or places of entertainment are being and have been conducted, and such other matters as may be material to the inquiry. The District Commissioners shall make report of the results of said inquiry to the Senate.

SECESSION OF PANAMA.

The PRESIDENT pro tempore. The morning business is closed. The Chair lays before the Senate a resolution, which will be read by its title.

The SECRETARY. Senate resolution No. 66, submitted by Mr. MORGAN December 18, 1903, that neither the President, nor the President and the Senate, as the treaty-making power of the United States, has the lawful power to wage or declare war against any foreign power without the consent of Congress, when such country is at peace with the United States, etc.

Mr. LODGE. Mr. President, there is now pending before the Committee on Foreign Relations a treaty with the Republic of Panama. I have no intention of discussing that treaty or its terms. It would be manifestly improper for me to do so, because the terms and provisions of that treaty must be the subject of discussion in executive session. But the events, sir, which led to the making of that treaty are entirely public. They have been made the subject of much discussion here already and of much wider discussion in the press of the country. It is in regard to those events I desire to speak this morning.

I wish first to say something about the general law and the precedents affecting the right and methods of the recognition of a new state. I feel as if I ought to apologize for entering upon a review of the authorities and the precedents, not merely because the subject is necessarily a dry one, but because all those precedents and all that law are or ought to be familiar to every member of this body. But there have been so many misstatements in regard to the law and the precedents affecting the right of recognition by one country of the independence of another, there has been such a cloud of misapprehension resting upon the subject that it has seemed to me impossible to refrain from making some statement in regard to it. I shall try to be extremely brief in what I have to say on that subject, but I wish to bring the authorities together in such a manner that they can be easily examined by anyone who takes sufficient interest in the question to make such examination.

I think, Mr. President, we may accept it as settled by all the writers on international law, as a general proposition, that a revolted state or colony may under certain circumstances be recognized as sovereign and independent by a neutral nation without necessarily departing from an attitude of strict neutrality or giving just cause of offense to the parent state. The conditions necessary before such a recognition of independence is proper have been clearly defined by competent authorities.

Halleck, in his International Law, says:

> When * * * a state changes its government or a province or colony [illegible] the question is in the progression of the figures of a [illegible] the possession of a sovereignty de facto is known to be possessing de [illegible] and any foreign power is at liberty to recognize such sovereignty by [illegible] with the possessor of it as an independent state. Where sovereignty [illegible] to the validity of its act, it is or ought to be made [illegible] sovereignty founded on a good or bad title. * * * In international [illegible] possession is sufficient.

In Lawrence's Wheaton's International Law (pt. 1, chap. 2, p. 36) is found the following discussion of what actually constitutes sovereignty in a state:

> Sovereignty is acquired by a state either at the origin of the civil society of which it is composed when it separates itself from the community of which it previously formed a part, or from which it was dependent. * * * The national sovereignty of a state does not in any degree depend upon its recognition by other states. * * * The existence of the state de facto is sufficient in this respect to establish its sovereignty de jure. It is a state because it exists.

Precisely the same definition of a sovereign state is found also in Kluber, Droit des Gens Moderne de l'Europe, section 23.

Further, in Lawrence's Wheaton, page 47, is the following:

> Where a revolted province or colony has declared and shown its ability to maintain its independence the recognition of its sovereignty by other foreign states is a question of policy and prudence only.

And again, on page 48 of the same work, Lawrence's note No. 19, it is said:

> Before a formal recognition by sending ambassadors and entering into treaties by foreign powers, there should be a practical cessation of hostilities on the part of the old state which may long precede the theoretical renunciation of her rights, and there should be a consolidation of the new state so far as to be in a condition of maintaining international relations with other countries, an absolute bona fide possession of independence as a separate kingdom, not the enjoyment of perfect and undisturbed tranquillity—a test too severe for many of the older kingdoms—but there should be the existence of a government acknowledged by the people over whom it is set, and ready to prove its responsibility for their conduct when they come in contact with foreign nations.

The same doctrine is declared in Historicus 1, page 9, by Sir William Vernon Harcourt, which was published at the time of our civil war:

> Recognition of the independence of a revolted state is only lawful when such independence is de facto established.

W. E. Hall, who I take it is the first of the English authorities and one of the most recent on international law, says:

> The recognition of the independence of the Spanish-American republics by the United States and England may be taken as a typical example of recognition [illegible] upon unimpeachable grounds, and bearing in mind the principle that recognition can not be withheld when it has been earned, it may be said generally that—
>
> (1) Definitive independence can not be held to be established, and recognition is consequently not legitimate, so long as a substantial struggle is being maintained by the formerly sovereign state for the recovery of its authority; and that
>
> (2) A mere pretension on the part of the formerly sovereign state or a struggle so insignificant as to offer no reasonable ground for supposing that success may all utterly be hopeless is not enough to keep alive the right of the state and so to prevent foreign countries from being under an obligation to recognize as a state the community claiming to have become one.

In a note of Dana's to Wheaton's International Law he says that the tests which should determine the recognition of a foreign state are "the necessities of the foreign recognizing state and the fruits of the facts proclaiming that the state treated with was at the time in the condition de facto to be independent." (Extract and note from W. E. Hall's International Law, Part II, Chap. I, p. 38.)

I will not multiply further citations from writers on international law, for I think it is perfectly clear to anyone who has examined the subject that they all unite in the proposition that the question of the recognition of a new state, whether formed originally or by separation from another state, is a question for the sole determination of the recognizing power, that it is not necessarily in any sense an act of war, and that it may be done with a strict observance of neutrality.

Before coming to the question of recognition, as illustrated by our own law and history and as carried out under our Constitution, I desire to say one single word in regard to a matter which has been used somewhat to cloud the question, and that is the introduction of the theory that because it is a case of secession the United States having prevented the secession of a portion of the States in a great civil war is thereby in some manner debarred from recognizing the independence of a seceding state elsewhere.

Of course, Mr. President, to anyone who pauses to reflect upon it it is obvious at once that practically the only manner in which a new state can now be formed is by separation. It always must have been one of the modes in which a new state was formed. Therefore recognition must be given constantly to states which owe their origin to secession from a parent state or from another state.

An effort has been made to show, as I have said, that there is a glaring inconsistency in our action on Panama. But this view will not bear examination. Although the question of the right of secession under the Constitution was elaborately discussed for many years preceding the war, and although that discussion may have served a useful purpose and was entirely characteristic of a race so fond of law as ourselves, it never to my mind had any very real significance. The right of secession in its essence has nothing to do with constitutions or law. Secession is revolution, and the right of secession is the right of revolution. It is purely a question of fact. Secession, even if it is from a loosely joined league which authorizes the withdrawal of one of the states forming the league, is always destructive. In the case of a league the secession of a member changes its character and may lead to its dissolution. In the case of a government formed under a written constitution like our own, secession is revolution in its broadest sense. If it succeeds a new nation is brought into being, as was the case with us in 1776. If it fails, it is only an abortive attempt at secession and revolution.

The fact that France recognized us when we separated from England did not bind France to submit to the secession of a portion of her own territory. Frenchmen, I think, would have been much surprised if they had been told that because they recognized the United States they were therefore bound not to interfere with Brittany or La Vendée when those provinces rose against the government of the Revolution. The fact that we recognized Texas when she separated from Mexico had no bearing on our acceding to the secession of the Southern States. We have recognized seceding States in South America, not only in the case of

Texas, but in other cases. The State which originally comprised Colombia herself, Venezuela and Ecuador, dissolved into three States, and we recognized the three new States. Within a few years some of the Central American States formed a confederation which we recognized, and when, as it happened, it quickly dissolved we recognized once more the component parts. The right of secession, in short, has no bearing on the question of recognition. I shall have something to say later as to the constitutional position of Panama under the several constitutions of Colombia, but that is simply to show the relation of Panama to Colombia, and has no bearing on the question of recognition, which is all I desire to deal with at this moment.

I wish now, Mr. President, to say a word as to the general rule of the United States in regard to recognition, first in principle and then in practice.

Turning from the general question of international law to the question of the established usage of the United States in the recognition of foreign governments or nations, it will be found that the United States has always assumed that the government de facto was the government de jure, and that in recognizing such a government the United States has consulted solely necessary questions of policy and prudence. When the Revolutionary Government of France was established after the overthrow of the monarchy, General Washington had no hesitation in recognizing that Government and receiving its accredited minister. The same promptness of recognition was accorded to the Government of the Directorate, the Consulate, and the Empire, which followed in rapid succession the Government of the first French Republic. In regard to the recognition of the South American colonies of Spain after they had revolted and established their independence, the following letter of Mr. Gallatin, United States minister at Paris, to Mr. J. Q. Adams, Secretary of State, November 5, 1818, clearly defines the attitude of the United States:

We had not—

He writes—

either directly or indirectly, excited the insurrection. It had been the spontaneous act of the inhabitants and the natural effect of causes which neither the United States nor Europe could have controlled. We had lent no assistance to either party; we had preserved strict neutrality. But no European government would be surprised or displeased that in such a cause we should be in favor of the success of the colonies or that we should treat as independent powers those among them who had in fact established their independence.

Mr. Adams, Secretary of State, in a note to Mr. Monroe, President of the United States, of August 24, 1816 (MSS. Monroe Papers, Dept. of State), defines in the following manner the conditions which would lead the United States to recognize the independence of a foreign government or nation:

There is a stage in such revolutionary contests when the party struggling for independence has, as I conceive, a right to demand its acknowledgment by neutral parties, and when the acknowledgment may be granted without departure from the obligations of neutrality. It is the stage when the independence is established as a matter of fact so as to leave the chance of the opposite party to recover their dominion utterly desperate. The neutral nation must, of course, judge for itself when this period has arrived.

Practically the same doctrine is found in a note of Mr. Jefferson, Secretary of State, to Mr. Morris, November 7, 1792 (MSS. Inst. Ministers):

It accords with our principles, to acknowledge any government to be rightful which is formed by the will of the nation substantially declared.

So, in a note to Mr. Anderson of May 27, 1823 (MSS. Inst. Ministers), Mr. Adams, Secretary of State, restates his position on this question as follows:

When a sovereign has a reasonable hope of maintaining his authority over insurgents the acknowledgment of the independence of his antagonists would be an international wrong. It is otherwise when such sovereign is manifestly disabled from maintaining the contest.

The principle of recognizing a de facto government without regard to its nature or the manner in which it is established was again affirmed by Mr. Clay in a debate in the House of Representatives in March, 1818, on the proposition to appropriate $18,000 to defray the expenses of a minister to Buenos Ayres. Mr. Clay said:

We had constantly proceeded on the principle that the government de facto was that which we could alone notice. * * * and so far as we are concerned the sovereign de facto is the sovereign de jure.

Almost the same words were employed by Mr. Van Buren, Secretary of State, in a note to Mr. Moore, June 9, 1829 (MSS. Inst. Am. St.):

So far as we are concerned that which is the government de facto is equally so de jure.

Again, Mr. Livingstone, Secretary of State, in a note to Sir Charles Vaughan, April 30, 1832 (MSS. Foreign Legation Notes), says:

It has been the principle and the invariable practice of the United States to recognize that as the legal government of another nation which by its establishment in the actual exercise of political power might be supposed to have received the express or implied assent of the people.

The same doctrine was even more forcibly expressed by Mr. Clay in a report from the Senate Committee on Foreign Relations, June 18, 1836 (S. Doc. 406, 24th Cong., 1st sess.):

The policy which has been pursued by the government of the United States in respect to new powers has been to act on the fact of their existence without regard to their origin or further than that has been the ostensible result of a prevailing government or by the peaceable or voluntary separation of one from another part of a common nation.

Again, Mr. Forsyth, Secretary of State, in a note to Mr. Castillo, the Mexican minister, March 17, 1837 (MSS. Notes Mex.), says:

The independence of other nations has always been regarded by the United States as a question of fact upon which that of every people has been allowed to decide for itself. It was recognized as soon as it was ascertained by them to be established, and it was accompanied by satisfactory evidence of their power and determination permanently and effectually to maintain it.

Almost the same language was used by Mr. Buchanan, Secretary of State, to Mr. Rush, United States minister to Paris, on March 31, 1848 (MSS. Inst. France). He says:

In its intercourse with foreign nations the Government of the United States has been its origin always recognized de facto governments. * * * It is sufficient for us to know that a government exists capable of maintaining itself, and then its recognition on our part follows of course.

So Mr. Clayton, Secretary of State, in a note to Mr. Donelson, July 8, 1849 (MSS. Inst. Prussia), says:

We as a nation have ever been ready and willing to recognize any government de facto which appears capable of maintaining its power.

The question was treated at length by Mr. Webster, Secretary of State, in a note to Mr. Hülsemann, December 21, 1850 (MSS. Notes, Germ. St.), in regard to the revolution in Hungary, which the United States had held itself in readiness to recognize had it been successful. He says:

It is the right of every independent state to enter into friendly relations with every other independent state. Of course questions of prudence have usually arisen in reference to new states brought by successful revolution into the family of nations, but it is felt to be inconsistent with principle that they should await the recognition of the old government from which they have separated themselves. No political principle is more frequently acted upon, or more clearly established by the practice of the last thirty years by the great powers of the world than this. Within that period eight or twelve states have established their independence, and in the cases of the several dominions of Spanish origin this recognition has taken place. The same thing has occurred in the Portuguese colonies. The existence of all these governments was recognized by some of the leading powers of Europe as well as by the United States before it was acknowledged by the states from which they had separated themselves.

Again the question of recognizing a foreign state as independent was carefully discussed by President Jackson in his message to Congress, relating to Texas, of December 21, 1836. He says:

The acknowledgment of a new state as independent and entitled to a place in the family of nations is at all times an act of great delicacy and responsibility, but more especially so when such a state has formerly existed as a part of another nation with which it had formed a compact of union and which still claims dominion over it. A premature recognition under these circumstances, if not followed upon as just cause of war, is always liable to be regarded as a proof of an unfriendly spirit by the parent nation. All questions relative to the government of foreign nations, whether of the old or New World, have been treated by the United States as questions of fact only, and our predecessors have carefully abstained from deciding upon the merits of the contest where two nations were at war, preferring to abide the result and then to decide correctly, but to shield their decisions from every unworthy imputation.

Mr. Seward, Secretary of State, in a note to Mr. Culver, November 19, 1862 (MSS. Inst. Venez.), declared that—

A revolutionary government is not to be recognized until it is established by the great body of the population of the state it claims to govern.

The policy of the United States in regard to this matter was again declared by Mr. Fish, Secretary of State, to Mr. Sickles, December 16, 1870. (MSS. Inst. Spain, Foreign Relations, 1871.)

It has been—

He says—

the policy of the United States to recognize the governments de facto of the countries with which we hold diplomatic relations. Such was our course when the Republic was established in France in 1848 and again in 1870 and in each case accepted by the French people. Such was our course in Mexico when the Republic was maintained by the people of that country in spite of foreign intervention and a monarchy by military force. We have always accepted the general acquiescence of the people in the political change of government as a conclusive evidence of the will of the nation.

Mr. Evarts, Secretary of State, in a note to Mr. Baker, June 14, 1879 (MSS. Inst. Venez.), discusses the question from the point of view of policy. He says:

The capacity of a state in itself for recognition and the fact of recognition by other states are two different things. The question is not one wholly depending on the constitutional form of organization of a foreign government, but is not independently determined by the people of the another nation between the two governments. * * * In other words, while the United States regard their international compacts and obligations as entered into with nations rather than with political governments, it behooves them to be watchful lest their course toward a government should affect the relations to the nation. Hence it has been the customary practice of the United States to be satisfied on this point and to act upon it when the question is one of doubt as to the legitimacy of the interlocutory change which may occur in another state.

From the extracts I have read I think the following conclusions may be drawn as to the principle adopted by the United States:

First. It is an absolutely well-established principle of international law that in regard to the recognition of a new state or government a neutral nation has but two questions before it: (*a*) Whether or not the new state or government is de facto established sufficiently to be answerable for its international obligations, and (*b*) whether or not it accords with the dictates of national prudence and policy to recognize it. If these two questions are answered affirmatively, the neutral nation may recognize without in any way departing from the strict observance of neutrality. The question of right is never considered.

Second. The United States has throughout its history followed the above principle. It has always recognized de facto states and governments without the slightest regard to their origin or right, and the promptness of the recognition it has accorded to such de facto states or governments has been determined solely by questions of its national prudence and policy. Two extreme cases will illustrate this point. In the case of the revolution in Hungary the United States stood in readiness to recognize the revolutionary government before it was really established, and was only prevented from doing so owing to the fact that the revolution failed. Remonstrances were made by the diplomatic representatives of Austria, but there is no doubt that had the government of Kossuth ever been sufficiently successful to be recognized these remonstrances would have been of no avail, for they were powerless to prevent the President from taking all the preliminary steps to recognition. The fact was that the cause of Hungarian independence was extremely popular in the United States, and in addition the United States had nothing either to get or to fear from the Austrian Government. It therefore contented itself with remaining merely within the strict limits of neutrality as defined in international law.

In the case of the revolted colonies of Spain in South America, on the contrary, the recognition of the United States was delayed long after the time when the colonies were de facto independent and when hostilities had ceased on the part of Spain. The Spanish minister, Mr. De Onis, made constant complaints and protests to the Government of the United States in regard to supposed acts of assistance given to the revolted colonies by American citizens. All these complaints were carefully considered by the Department of State, and the Government preserved an absolutely inactive neutrality despite the sympathies of the people of the United States for the colonies and despite pressure from Congress. The reason of the delay was that, in the opinion of the Executive, it would have been contrary to the dictates of prudence and policy for the United States to have taken any action which might antagonize Spain in the condition of the country and the state of relations between the two nations at that time, for the United States was not then a strong power and the question of the cession of the Floridas was imminent. Therefore the United States construed the obligations of neutrality far more liberally in this case than in the case of Hungary, and was much slower to decide that the South American colonies were de facto independent. The same principle was maintained in both cases, but owing to questions of policy its application was widely different.

In other words, to repeat the proposition once more, the question of recognition is to be decided solely by the recognizing state on its own interests, wishes, and sympathies. All that is required in the recognized state is a de facto government in possession.

Such was the nature of the recognition of the United States by France. We had a revolutionary government. We had no constitution. The Articles of Confederation passed Congress just on the eve of the treaty of alliance, too late to have affected it in the slightest degree. France recognized the revolted colonies as an independent State when they had no constitutional government whatever, simply a revolutionary Congress sitting at Philadelphia. The attitude then taken by France is that which has been adopted by all nations, and by none more than the United States—that is, that it lies with the recognizing power to determine whether it is for her interest and in conformity to her sympathies and wishes to recognize the revolted state.

Now, Mr. President, as to the methods and time of recognition. The President has been given by the Constitution the power to receive foreign ministers and ambassadors. By the language of the Constitution that power is given to him alone. I think if we consider the nature of that duty we shall see at once that the makers of the Constitution were guided, as they universally were, by common sense and by their knowledge of the practice of nations. It was impossible in dealing with foreign relations, which, in the language of Hamilton in the Federalist, above all others require "secrecy and dispatch," to leave them to the slow and clumsy operation of a legislative body which must be called together perhaps in order to meet the exigency. An emergency in foreign relations may easily arise during a recess of Congress. It may demand the most instant action on the part of the Executive, an action which the entire country would deem of the utmost necessity. Such action would be absolutely impracticable and impossible if the Executive was obliged to wait until Congress could be summoned in extraordinary session in order to take some of the steps which must be taken without delay in the foreign relations of any great country. I conceive that to be the explanation of the very simple clause in the Constitution which gives the President the right to receive foreign ministers. He also has the right to nominate and with the advice and consent of the Senate to appoint ambassadors, ministers, and consuls. In other words, he has placed in his hands two methods of recognition, and on the principal method of recognition, that of receiving a minister from a state, there is no limitation placed whatever. The language of the Constitution, which I may properly repeat, is "the President shall receive ambassadors and other public ministers."

I wish next to review, historically, the action which has been taken in practice by the United States and the authorities in regard to recognition since the foundation of the Government. Mr. Curtis, in his great work of authority, the Constitutional History of the United States, volume 1, page 580, says:

As the President was to be the organ of communication with other governments, etc.

thus interpreting this passage of the Constitution to mean that all communications between the Government of the United States and foreign governments shall be made solely through the President.

In 1793 the question of recognizing the new French Republic, and whether or not the treaties with King Louis XVI were still binding, was discussed in the President's Cabinet, and there decided. A minister from the new Republic was accordingly received, and in view of the war between France and allied Europe a proclamation was issued by President Washington, in which he said:

I have, therefore, thought fit to declare the disposition of the United States to observe the conduct aforesaid (friendly and impartial) toward those powers, respectively, and to exhort and warn the citizens of the United States.

In other words, our first President, Washington, conceived that he had the right to recognize the new French Republic by receiving her minister, despite the division of parties on the question, and despite the fact that we had binding treaties with the France of the old monarchy. He went even further, however, than this when he took the ground that he had the right as the Chief Executive to declare the neutrality of the United States in the situation that had thus arisen. I think, Mr. President, that the action of Washington as interpreting the constitutional right of the President is one of the most significant that we have, especially as it comes at the very beginning of our Government.

I ought to say that in the citations I am about to make on this point I am very largely indebted to two extremely valuable memoranda which were presented in 1898 by the Senator from Maine [Mr. HALE]. I have added one or two citations which seem to me of importance, but anyone who desires to see with the utmost minuteness what the practice has been in that respect should consult those two memoranda, which were printed as Senate documents.

The view taken by Washington of the constitutional powers of the Executive was strongly held by Mr. Ellsworth, a leading member of the convention which framed the Constitution, Senator from Connecticut, and afterwards Chief Justice of the United States, when, in the Senate on January 6, 1796, on the motion of Mr. Tazewell to strike out a complimentary reply to the French Republic, he said that—

Nothing could be found in the Constitution to authorize either branch of the Legislature to keep up any kind of a correspondence with a foreign nation.

Early in the nineteenth century the revolutions in South America made the question of recognition a very immediate and pressing one. Soon after the conclusion of our war with England in 1815 John Quincy Adams, in his Diary, speaking of the Cabinet, says:

That at the time the questions were proposed whether the Executive was competent to acknowledge the independence of Buenos Ayres, and, if so, whether it was expedient; that it had been concluded the Executive was competent, but that it was not expedient to take the step without the certainty of being supported in it by the public opinion, which, if decidedly favorable to the measure, would be manifested by measures of Congress.

Therefore the Cabinet of President Monroe, after full discussion, John Quincy Adams being Secretary of State, decided that it was competent for them to recognize the independence of a revolted state.

On the 11th of March, 1818, Vincente Pazos, representing himself as the deputed agent of the authorities acting in the name of the Republics of Venezuela, New Granada, and Mexico, presented to the House of Representatives, through the Speaker, a memorial complaining of "the occupation by the United States of Amelia Island." (Annals of Congress, first session, Fifteenth Congress, 1251.)

An animated discussion immediately ensued. Forsyth said:

The question, then, for the House to consider was whether, when the Constitution has placed the conduct of our foreign relations with the Executive, a foreign agent shall be permitted to appeal from the Executive to this House. (Ibid. 1262.) The House by a vote of 127 to 28 refused to receive the memorial. (Ibid. 1268.)

At this same period, in the first session of the Fifteenth Congress, Mr. Clay, then Speaker, proposed to amend the appropriation bill under consideration by a clause appropriating $18,000 to defray the expenses of a minister to be sent to Buenos Ayres, the capital of the united provinces of the Rio de la Plata, at the discretion of the President. On this proposition there was much discussion in the House of Representatives during the month of March, 1818, and in the course of this debate one of the chief points under consideration was whether or not the House was competent to take any step tending to the recognition of a foreign nation before action had been taken by the Executive in the matter and whether it was justified in urging the Executive by any legislative act to take such action. In the course of discussing this point the following opinions were expressed by various Members of the House at different times.

Mr. Clay said that—

[illegible] a foreign power by receiving a minister with the consent of the House.

Mr. Baldwin opposed the resolution on the ground that recognition of a foreign state should be made by all three branches of the Government and not by the President alone.

Mr. Brown said:

He believed the executive branch of the Government possessed of the constitutional power of performing those acts which would amount to a recognition.

Mr. Smith, of Maryland, opposed on the ground that the resolution "attributed to the President a power [that of recognition] too important to be exercised by any authority less than the three branches of the Government."

Mr. Clay, with respect to the mode of recognition of foreign powers, reviewed the various opinions which had been expressed at different times as well as to-day on this subject. He concluded that both Congress and the Executive had this power, but that the most regular, ordinary, and usual course was by the Executive, and it was therefore proper to assure him of the support of this House. That was the proposition Mr. Clay was trying to establish, but great as was his influence he failed to carry the House of Representatives with him on that theory at that time.

On January 2, 1819, the Cabinet of President Monroe considered the question of the power to recognize Buenos Ayres. Mr. Calhoun advised acting in concurrence with Great Britain, which was only possible through Executive action. Mr. Crawford advised sending a minister—

[illegible]

Mr. Adams thought that the first minister should come from the country seeking recognition and said:

As to impeachment, I was willing to take my share of risk of it for this [illegible]

Mr. Crawford said:

He did not, however, deny, but admitted, that the recognition was strictly within the powers of the Executive alone. (Diary of J. Q. Adams, vol. 4, pp. [illegible])

In 1833 Edward Livingston, a great lawyer and then Secretary of State, sent out a circular letter of instructions to the consular and diplomatic officers of the United States, which is as follows: No. 18.]

DEPARTMENT OF STATE,
Washington, March [illegible], 1833.

HENRY WHEATON, Esq.,
Chargé d'Affaires of the United States to Denmark.

SIR: [illegible] from foreign powers interested [illegible] the President [illegible] a proposal to [illegible]

This subject was duly considered under the forms and discussion and was then personally present [illegible] the President [illegible] a minister from France [illegible] a note to the minister for foreign affairs [illegible] that it is customary [illegible] addressed "To the President of the United States of America," without any other addition.

You will, of course, observe that this notice [illegible] of ceremony which are made [illegible] example, instead of having [illegible] route to the ordinary diplomatic intercourse, *which is to be carried on as usual through this Department.*

I am, respectfully, your obedient servant,

EDWARD LIVINGSTON.

President Jackson, in his message to Congress of December 21, 1836, said:

Nor has any deliberate inquiry ever been instituted in Congress or in any of our legislative bodies as to whom belongs the power of originally recognizing a new state; a power the exercise of which is equivalent under some circumstances to a declaration of war, a power nowhere especially delegated and only granted in the Constitution as it is necessarily involved in some of the great powers given to Congress, in that given to the President and Senate

to form treaties with foreign powers and to appoint ambassadors and other public ministers, and in that conferred upon the President to receive ministers from foreign nations.

[illegible] to the resolution of the House of Representatives (the resolution referred to is as follows: "That the independence of Texas ought [illegible] be acknowledged by the United States whenever satisfactory information shall be received that it has in successful operation a civil government [illegible] the duties and fulfilling the obligations of an independent power. It is only finally intimated that the expediency of recognition [illegible] Texas should be left to the discretion of Congress. In [illegible] of a resolution I am disposed to concur and do not, [illegible] consider it necessary to express any opinion as to the strict constitutional rights of the Executive either apart from or in conjunction with Congress in the premises. It is to be presumed that on no future occasion [illegible] arise as none has hitherto arisen to be contested between the Executive and Congress the question of the power of recognition. It will always be a question of delicate character, to be decided in connection with the spirit of the Constitution and most safely [illegible] when probable leading to a war, with the provisions [illegible] by which war can alone be declared and by which the resources for sustaining its perils must be furnished.

On June 18 of the same year, and referring to the same matter of the independence of Texas, Mr. Clay, in a report from the Senate Committee on Foreign Relations (S. Doc. No. 406, 24th Cong., 1st sess.), said:

[illegible] an independent power may be made by the United States in various ways. First, by treaty; second, by the presence of a minister in this country; third, by receiving a minister from the two powers [illegible] with the usual credentials or lastly, by [illegible] receiving and accrediting a diplomatic representative from [illegible] which would be a recognition as far as the Executive [illegible] to make it. In the first and third modes the concurrence of the Senate in its executive capacity would be necessary, and in [illegible] in its legislative character.

[illegible] of some other branch of the [illegible] to recognize the existence of new power [illegible] of the United States, by the Constitution, has the charge of [illegible] intercourse. Congress ought to take the Executive as the [illegible] of the independence of any new power. But in this case he has not yet done it, for reasons which he, without doubt, deems sufficient. If, in such instance, the President should be tardy, he may be quickened in [illegible] of his power by the expression of the opinion, or by other acts, of the two Houses of Congress, as was done in relation to the republics of South America.

Together with this report a resolution was submitted to the Senate from the Committee on Foreign Relations that was as follows:

Resolved, That the independence of Texas ought to be acknowledged by the United States whenever satisfactory information shall be received that it has in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.

On July 1, 1836, this resolution being in debate in the Senate, Mr. Webster said he was willing to go so far as to vote funds to enable the President to send out a proper minister, but against a direct recognition he thought there existed strong objections, because it was the proper function of the President to take the lead in this matter.

In a debate in the House in the following year John Quincy Adams said (February 27, 1837) he objected to the proposition before the House on the ground that the act of recognition of a foreign power had heretofore always been an executive act of this Government. It was the business and duty of the President of the United States, and he (Mr. A.) was not willing to set the example of giving that recognition on the part of the legislative body without recommendation of the Executive.

In a note from Mr. Buchanan, Secretary of State, to Mr. Rush, on March 31, 1848 (MSS. Inst. France), we find the following language:

[illegible] right and proper that the envoy extraordinary and minister plenipotentiary from the United States should be the first to recognize, so far as his powers extended, the provisional government of the French Republic. [illegible] in President Polk's special message to Congress of August [illegible], 1848, also distinctly implies the power of the President, through his ministers, to recognize the existence of a foreign government. He says:

[illegible] prompt recognition of the new Government by the representative of the United States at the French Court meets my full and unqualified approbation. Congress has been authorized in a similar manner to make known this fact [illegible] of the French Republic.

President Taylor, in his first annual message to Congress of December 4, 1849, says:

[illegible] purpose I invested an agent then in Europe with the power to declare our willingness promptly to recognize her (Hungary) independence in the event of her ability to sustain it.

There a President authorized an agent to recognize the independence of a country contingent on the happening of some future event.

President Taylor again, in a special message to Congress, March 2, 1850, says:

[illegible] clearly avowed in this correspondence, was to have acknowledged the independence of Hungary had she succeeded in establishing a government de facto on a basis sufficiently permanent in its character to have justified me in doing so.

Thereby he clearly asserted his right as President of the United States to recognize the revolutionary government of Hungary without Congressional action of any kind.

In 1864 the House passed a resolution in regard to the attempt of France to set up the empire of Maximilian in Mexico. Mr. Seward writes that the French minister, having asked an explanation of the resolution, he inclosed it, with the statement that it "truly interprets the uniform sentiment of the people of the United States in regard to Mexico." He says, further:

It is, however, another and distinct question whether the United States would think it necessary or proper to express themselves in the form adopted by the House of Representatives at this time. This is a practical and purely executive question, and a decision of it constitutionally belongs not to the House of Representatives, nor even Congress, but to the President of the United States.

Again, Mr. Seward, in a note to Mr. Dayton, of April 7, 1864 (MSS. Inst. France), says:

The question of recognition of foreign revolutionary or reactionary governments is one exclusively for the Executive and can not be determined internationally by Congressional action.

President Grant, in his second annual message, 1870, says:

As soon as I learned that a republic had been proclaimed at Paris and that the people of France had acquiesced in the change, the minister of the United States was directed by telegraph to recognize it and to tender my congratulations and those of the people of the United States.

Still another precedent for the recognition of a foreign government by the President or officers appointed by him is found in a note from Mr. Fish, Secretary of State, to Mr. Sickles, December 16, 1870 (MSS. Inst. Spain, Foreign Relations, 1871):

Should there be circumstances which lead you to doubt the propriety of recognizing the Duke of Aosta as King of Spain, it will be easy to communicate with the Department by telegraph and ask further instructions. Should there be such circumstances, the general policy of the United States, as well as their interests in the present relations with Spain, call for an early and cheerful recognition of the change which the nation has made.

In 1876 the Republic of Pretoria sent us certain resolutions of congratulations on our centennial celebration of the Declaration of Independence. Congress passed a resolution of acknowledgment. It went to the President. Nothing could have been more harmless or have met with more uniform agreement. But on January 26, 1877, President Grant vetoed the resolutions on constitutional grounds (p. 1112). His veto message was referred to the Committee on Foreign Affairs and never reported therefrom. The President said:

[illegible] as I do in the spirit of courtesy and friendly recognition which has prompted the passage of these resolutions, I can not escape the conviction that their adoption has inadvertently involved the exercise of a power which belongs upon the constitutional question to the Executive. [illegible] The Constitution of the United States, following the established usage of nations, has intrusted the President as the agent to represent the national sovereignty in the intercourse with foreign powers, and to promote and cultivate commercial ties with them. [illegible] by him, in the language of one of the most eminent writers on constitutional law, "the exclusive organ of communication with foreign states." If Congress can direct the manner of expression of the sovereignty of a State with foreign governments, a case may be conceived from that now under consideration in which such direction might be deemed to present to a sovereign foreign government entirely different and antagonistic views or sentiments.

He vetoed, therefore, a mere resolution of acknowledgment, in response to a resolution from the Republic of Pretoria congratulating us on our centennial anniversary, and he did so upon the ground that the whole conduct of our foreign relations rested in executive hands and not even so slight an invasion of it as that could be permitted.

In a note to Mr. Christiancy, May 9, 1881 (MSS. Inst. Peru, Foreign Relations, 1881), Mr. Blaine, Secretary of State, says:

If the Calderon government is supported by the character and intelligence of Peru * * * you may recognize it as the existing provisional government.

And in relation to the same matter President Arthur, in his third annual message to Congress, 1883, says:

When the will of the Peruvian people shall be manifested I shall not hesitate to recognize the government approved by them.

Also the power of the President or officers appointed by him to recognize a new government is distinctly implied in a note from Mr. Frelinghuysen, Secretary of State, to Mr. Logan, March 17, 1884. (MSS. Inst. Chile.) He says:

The Department of State will not recognize a revolutionary government claiming to represent the people in a South American state until it is established by a free expression of the will of that people.

Thus, Mr. President, I have reviewed the action and the interpretations based upon that clause of the Constitution which authorizes the President to receive foreign ministers as a full and exclusive power of recognition by a series of Presidents and Secretaries of State. I now wish to call attention to the decisions of the Supreme Court and to the opinions of writers upon constitutional law.

By the act of February 28, 1795 (1, Statutes at Large, 424), Congress specially delegated to the President the power to decide whether a government organized in a State (of the Union) is the duly constituted government of that State, and this power of the President was reaffirmed by the Supreme Court in Luther v. Borden (7 Howard), the celebrated case growing out of the troubles in Rhode Island, known as the "Dorr rebellion." In that case, Mr. Webster, who appeared for the defendant in error, said:

How did the President of the United States treat this question? Acting under the Constitution and law of 1795, he decided that the existing government

was the one which he was bound to protect. He took his stand accordingly, and we say that this is obligatory upon this court, which always follows an executive recognition of a foreign government.

Webster made that statement in argument, and in the decision Chief Justice Taney, delivering the opinion of the court, said:

In the case of foreign nations the government acknowledged by the President is always recognized in the courts of justice.

Mr. President, it is pretty hard to go beyond that statement as a recognition by the Supreme Court of the power of the President to recognize foreign governments.

United States *v.* Hutchings (2 Wheeler's Criminal Cases, 543), in 1817, was a prosecution for piracy. The question arose whether at a certain date the Republic of Buenos Ayres was independent. Counsel argued that our independence began with the Declaration of Independence in 1776, and therefore that the independence of Buenos Ayres "commenced with their declaration of independence;" was a matter of notoriety throughout the world, and was proved by certain correspondence between President Monroe and the Spanish minister. Chief Justice Marshall was of opinion—

That a nation became independent from the declaration of independence only as it restored its own government and the various departments thereof. That before it could be considered independent by the just and usual foreign relations it was necessary that the independence should be recognized by the executive authority of those nations that usually Executive has never recognized the independence of Buenos Ayres, it was not competent to the court to pronounce its independence.

Here we have the decision of Marshall to add to that of Taney as well as to the statement of Mr. Webster in argument.

In United States *v.* Palmer (3 Wheat., 610, 634), arising two months later, the Chief Justice used language applicable to the legislative as well as to the executive department, and this is the only exception to the general rule above stated in regard to such cases.

Williams *v.* Suffolk Insurance Company (3 Sumn., 270, 273) involved the question whether the fisheries at the Falkland Islands belonged to Buenos Ayres. It was decided by Mr. Justice Story, whose remarks are of especial interest because he had discussed this very question in his commentaries on the Constitution, and had, according to the general plan of the commentaries, left it there an open one. He now said:

It is very clear that it belongs exclusively to the executive department of our Government to recognize from time to time any new governments which may arise in the political revolutions of the world, and such as have a government so established they can not be adjudged by our courts of justice to have or to exercise the common rights and prerogatives of sovereignty.

Mr. Justice Story further goes on to say that "this doctrine was fully recognized by the Supreme Court of the United States in Gelston *v.* Hoyt (3 Wheat., 246, 324)." In that case the opinion had been written by himself and used simply the word "government." The learned justice's interpretation of the opinion would indicate that whenever the word "government" had been used in this connection the executive department has been intended; and it is also noticeable that the case thus referred to was decided at the same term of court with the Palmer case above referred to; so that these remarks of Mr. Justice Story tend to confirm the inference which may be drawn from the Hutchings case, that the reference to the legislative department of the Government in the Palmer case was an inadvertence. We now can add Story to the authority of Marshall and Taney.

Williams *v.* Suffolk Insurance Company, above quoted, came up for review in the Supreme Court of the United States (13 Pet., 415). Mr. Justice McLean said (p. 420):

And there can be no doubt that when the *executive* branch of the Government, with which alone our foreign relations are made, so recognizes a foreign nation as entitled to be regarded in the exercise of any sovereignty or authority, it is binding on the judicial department. And in this view it is not material to inquire, nor is it the province of the court to determine, whether the recognition be right or wrong. It is enough to know that in the exercise of the constitutional functions he has decided the question. Having done this, under the responsibilities which belong to him, it is obligatory on the people and the Government of the Union.

In Kennett *v.* Chambers (14 How., 30) the question arose whether Texas was an independent government in September, 1836. Chief Justice Taney said (p. 46) that it "belonged to the Government" to decide when Texas became independent. He then refers to the President's message of December 22, 1836, as evidence that it had not yet become independent at that time, and says (pp. 50–51):

It is a sufficient answer to the argument to say that the question whether Texas had or had not at that time become an independent state was a question *for that department* of government exclusively *which is charged with our foreign relations.*

The department thus referred to is clearly indicated by its further characterization (p. 51) as "the treaty-making power."

The Prize Cases (2 Bl., 665) are not strictly in point, because they refer to domestic, not to foreign, difficulties. Mr. Justice Grier (p. 670), however, says:

Whether the President in fulfilling his duties as commander-in-chief, in suppressing an insurrection, has met with such a armed hostile resistance and a civil war of such alarming proportions as will compel him to accord to them the character of belligerents, is a question to be decided *by him*, and this court must be governed by the decisions and acts of the *political* department of the Government, to *which this power was intrusted.*

The italics are the court's own.

In the recent case of the United States *v.* Trumbull (48 Fed. Rep., 99, 104), referring to the late civil war in Chile, Judge Ross says:

It is beyond question that the status of the people composing the Congressional party at the time of the commission of the alleged offenses is to be regarded by the court as it was then regarded by the legislative or executive department of the United States. This doctrine is firmly established.

In the *Ilata* (56 Fed. Rep., 505, 510) the circuit court of appeals for the ninth circuit, speaking through Judge Hawley, said:

The law is well settled that it is the duty of the courts to regard the status of the Congressional party in the same light as they were regarded by the *executive* department of the United States at the time the alleged offenses were committed.

The law and practice as to appointing and receiving ministers and consuls has been elaborately set forth and discussed by Caleb Cushing (7 Op. of Attorneys-General, p. 242), who concludes:

Further, to show that this act can not be reasonably construed as intending to require the President to do what the Congress, on considerations of public policy, has intrusted to the executive department of the Government, may be mentioned the clause of the act which says, in words, that the President may appoint a consul, at Port-au-Prince. This, if doubtful, would be resolved according to the usage and practice of placing the Haytian ports in diplomatic relation with the United States. It is not practicable at such ports, or any other, for the President and Senate, the necessary officers, to have, in the words, shall appoint, any functionaries in operation. If they are mandatory in any case they are in all; if not mandatory in one case, they are so in none. * * *

The President can, with concurrence of the Senate, appoint consuls at any place whatever, whether they be mentioned in the act or not.

I will now cite the writers upon our Constitution:

In W. Rawle's View of the Constitution of the United States, pages 195 and 196, is found the following in regard to the President's power of recognition of a foreign nation:

The power of receiving foreign ambassadors carries with it, among other things, the right of judging, in the case of a revolution in a foreign country, whether the new rulers ought to be recognized. The Legislature, indeed, possesses a superior power, and may decide its disapprobation by the Executive recognition or refusal; but until that sense is declared the act of the Executive is binding.

The power of Congress on this subject can not be controlled. They may, if they think proper, as the weaker and helpless community, though with the certainty of drawing a war upon their country, withhold any grant of money requested from the President, who, not having the constitutional power to declare war, ought ever to abstain from a measure likely to produce it.

Judge Story says, in his Commentaries on the Constitution (2 Story on the Constitution, secs. 1566 and 1567):

But a much more delicate occasion is when a civil war breaks out in a nation, and two nations are formed, or two parties in the same nation, each claiming the sovereignty of the whole, and the contest remains as yet undecided. Suppose both. * * * The recognition of a foreign government belongs to the Executive department of the Government. It is an executive function of great importance, which requires the utmost caution and discretion. * * * If such recognition is made it is conclusive upon the nation, unless barred, it may be presumed by an act of Congress repudiating it. If, on the other hand, such recognition has been refused by the Executive, it is said that Congress may, notwithstanding, solemnly acknowledge the sovereignty of the nation or party (citing Rawle). These, however, are propositions which I have doubts whether, as a general rule, it is wise for the Executive and Legislature can be responsible; but as a possibility it may happen that such questions may arise in the course of our foreign relations. The Constitution has expressly intrusted the Executive with power to receive ambassadors and other ministers. It has not expressly invested Congress with the power either to repudiate or acknowledge them. * * *

That a power so extensive in its reach over our foreign relations could not properly be confided to any other than the executive department will admit of no question. That it should be exclusively confided to that department without any participation of the Senate in the functions which body in its consultative capacity with the treaty-making power is not to be concealed. It is a consequence that in all foreign governments the power was intrusted to the executive department, and the other branches, by keeping the Senate constantly in session, and the sudden rupture of the negotiations which might result, the action of the Government, confined to the Senate, instead of the majority in its present form. It is not, indeed, a power lightly to be exercised though it is pregnant with consequences often fatal to war, the substitute of peace or war. And recent events exemplify the power. Intervention in France and the revolutions in South America have recently placed the Executive functions for international character and the necessity of having at the head of the Government an Executive of sober judgment, enlightened views, and firm and exalted patriotism.

Clearly only the general plan of not deciding open questions in these commentaries was the learned justice's only reason for not more positively expressing dissent from the propositions of Mr. Rawle; and, as has already been shown, his views upon this point were in accord with those of Chief Justice Marshall as expressed upon the Hutchings trial in 1817. He refers also to the chapter on M. Genet and the neutrality proclamation of 1793, in Marshall's Life of Washington, and all through that chapter it is clear that the Chief Justice agrees with Washington and his Cabinet in considering the recognition of a new government to be an Executive function.

Mr. Pomeroy is much more positive in the statement of his opinion. He says (Pomeroy's Constitutional Law, pp. 669, 670, and 672):

All foreign relations are thus confided exclusively to the President or to him in connection with the Senate. * * *

Of the immense and certain transcendent importance of this function thus confided to the Executive, either alone or in connection with the Senate, there can be no doubt. * * *

Congress may pass resolves in relation to questions of an international character, but these can only have a certain moral weight; they have no legal

effect; they can not bind the Executive. The necessity for this is evident; negotiations generally require a certain degree of secrecy; one mind and will must always be more efficient in such matters than a large deliberative assembly. * * *

The President can not declare war; Congress alone possesses this attribute. But the President may, without any possibility of hindrance from the Legislature, so conduct the foreign intercourse, the diplomatic negotiations with other governments as to force a war, as to compel another nation to take the initiative; and this step once taken the challenge can not be refused.

Mr. Wharton expresses his opinion in the following headnote: "Such recognition determinable by Executive." (Wharton's International Law Digest, 2d ed., p. 551.)

The number of instances in which the Executive has recognized a new foreign power without consulting Congress because not anticipating consequences which made such consultation necessary has been very great. No objection has been made by Congress to such action. The legislative power has thus for nearly hundred years impliedly confirmed the view that the right to recognize a new foreign government belonged to the Executive, and if it is correct doctrine that the same power can not be exercised for the same purposes by two different branches of the Government, this implied assent is conclusive of the whole present controversy. (54th Cong., 2d sess., S. Doc. 56.)

I should like next briefly to call attention to what the United States, acting upon the principles just stated, has done in practice as to the time accorded before recognition was given and as to the manner in which recognition was given.

In the case of the French Republic of 1793, President Washington received Monsieur Genet, and recognized the Republic in that way.

The President authorized the recognition of the Empire in 1804 through sending a new letter of credence to our minister. He recognized the monarchy of 1814 in the same way. When the Republic of 1848 was proclaimed on the morning of February 25, it was recognized by Mr. Rush, the American minister, on the 28th, three days later. That action was executive. It was within three days, and it was approved by the President. The second Empire was recognized in the same manner.

The Republic of 1870 was recognized by the Executive through our minister, Mr. Washburne, after an interval of two days. There was then no constitution established in France; it was a purely revolutionary government, and the Republic was recognized by us with the utmost rapidity. The telegrams are cited in the Senate document presented by the Senator from Maine [Mr. HALE] in the Fifty-fourth Congress.

When Brazil threw off the imperial rule, the minister telegraphed:

LEGATION OF THE UNITED STATES,
Rio de Janeiro, November 17, 1889.

The imperial family sailed to-day. Government de facto, with ministry, established. Perfect order maintained. Important we acknowledge Republic first.

ADAMS.

Mr. Blaine telegraphed to Mr. Adams:

DEPARTMENT OF STATE,
Washington, November 19, 1889.

You will maintain diplomatic relations with the provisional government of Brazil.

BLAINE.

Thus we recognized the new government within two days.

The Central American Federation was recognized by the President's reception of Mr. Canaz as envoy extraordinary in 1824. The Kingdom of Hawaii was recognized, in 1826, by Captain Jones, a naval officer, being sent there by the Executive to negotiate a treaty. The United States recognized the existence of Belgium by the issuance of an exequatur to the Belgian consul at New York—a purely Executive act. The President recognized Texas by sending Mr. La Branche as chargé d'affaires. Again, when the independence of Greece was recognized, it was an Executive act through our minister in London.

In the case of Hungary, to which I have already alluded, President Taylor sent an agent out to recognize Hungary the moment it could be said the revolution was in any degree successful. The recognition of the Republic of Haiti was an Executive act, as were the recognitions of the Republic of Liberia, the Dominican Republic, the Kingdom of Korea, the Empire of Germany, the Orange Free State, the Principality of Roumania, Servia, and the Kongo Free State. Costa Rica was recognized by the reception of a minister. Guatemala, Honduras, Nicaragua, Salvador, the Greater Republic of Central America in 1896, Bolivia, Ecuador, Paraguay, Peru, the Peru-Bolivian Confederation, Uruguay, Venezuela, New Granada, and the Kingdom of Samoa were all recognized by Executive act. In every instance it was a case of purely Executive recognition, almost all by the method of receiving a minister.

Mr. BACON. Will the Senator from Massachusetts permit me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Massachusetts yield to the Senator from Georgia?

Mr. LODGE. Certainly.

Mr. BACON. Does the Senator from Massachusetts claim that that is an Executive function exclusively?

Mr. LODGE. To receive a minister?

Mr. BACON. No, sir; to recognize the independence of a nation.

Mr. LODGE. I do not think it has ever been done in any other way. My own impression is that it can only be done by the methods which are confined to the Executive.

Mr. BACON. That was a preliminary question to the one I now ask the Senator. Did not the Senator himself vote for the resolutions which recognized Cuba as a free and independent country?

Mr. LODGE. No, Mr. President; I voted to strike out that clause.

Mr. BACON. Did not the Senator, after he failed to strike out that clause, vote for the resolution?

Mr. LODGE. I think I probably did, Mr. President.

Mr. BACON. In that case, then, the Senator did not hold to the opinion which he now expresses.

Mr. LODGE. I certainly did not, Mr. President.

Mr. BACON. The Senator took action which was in conflict with that which he now asserts to be the fundamental law of this country.

Mr. LODGE. That clause, however, if the Senator remembers, went out of the resolution.

Mr. BACON. I beg the Senator's pardon.

Mr. LODGE. Certainly, the recognition of the Republic of Cuba was stricken out from the resolution as passed.

Mr. BACON. I am not speaking of republics particularly, but of the recognition of states.

Mr. LODGE. Oh, I thought the Senator asked me if I voted for the recognition of the Republic of Cuba. No; I voted against that clause.

Mr. BACON. I asked the Senator if he did not vote for the resolution which declared that Cuba was of right free and independent.

Mr. LODGE. We declared, I think, that the people of Cuba were of right free and independent, but I think we distinctly refused to recognize the Republic.

Mr. BACON. Exactly. But, then, the question is as to the recognition of the independence of a country and not the recognition of the particular form of government which may be set up in it.

Mr. LODGE. Of course.

Mr. BACON. That is the important fact; whether or not a country has become independent by reason of its severance from the parent country and the establishment of a new sovereignty.

Mr. LODGE. The question is as to the recognition of an independent state, the test being whether it has a de facto government in possession.

Mr. BACON. Then, if I understand the Senator correctly, his position is this: That it is the function of the executive department to recognize the particular government which may be established, and that it is the function of the legislative department of the Government to recognize the fact of independence. Am I stating the Senator's position correctly?

Mr. LODGE. No, Mr. President; the Senator does not understand me to say anything of that kind. He may understand me to say so, but I did not say so.

Mr. BACON. Of course I may have misunderstood the Senator's language in that regard; but I understand that when I asked the Senator whether he voted for the resolutions, the Senator replied, "Yes; but those resolutions did not recognize the Republic of Cuba. They simply recognized the independence of Cuba."

Mr. LODGE. Not at all.

Mr. BACON. And it was upon that statement that I predicated the question whether the Senator differentiated those two functions.

Mr. LODGE. Mr. President, we did not recognize the independence of Cuba. In those resolutions, borrowing the phraseology which is very familiar to us, I think we put it that "the people of Cuba are and of right ought to be free and independent."

Mr. BACON. Is not that recognizing the independence of Cuba?

Mr. LODGE. They recognized that the people of Cuba are and of right ought to be free and independent.

Mr. BACON. Certainly. Therefore I am not incorrect in the statement that the Senator by that act recognized that it was a function of the legislative department to recognize the independence of a country.

Mr. LODGE. Not at all, Mr. President. We expressed, as a matter of opinion, in the resolutions that we sent to the Executive, that under the then existing condition of facts those people were of right and ought to be free and independent.

Mr. BACON. Is not that recognizing their independence?

Mr. LODGE. We had no means of recognizing the state of Cuba, and there was no state of Cuba to recognize.

Mr. BACON. I am not speaking of that.

Mr. LODGE. I have been trying to talk about the recognition of a state and a government——

Mr. BACON. And I was trying to get at what was the exact meaning of the Senator, and therefore I asked him the question whether or not in voting for the resolution with reference to Cuba he did not recognize it as a function belonging to the legislative department to recognize the independence of the people, if you please, and he contended the right to recognize the particular government which might be set up by the people in question.

Mr. LODGE. I think very likely I voted, Mr. President, that the Congress of the United States could join with the President in recognizing the freedom and independence of those people.

Mr. BACON. That is what I wanted to find out from the Senator.

Mr. LODGE. I think it probable that I did. If the Senator finds me upon reflection discovering any inconsistency there, I am delighted. If it proves here, it does not trouble me at all.

My proposition, therefore, as to the recognition of a state and government is that it is primarily and may be, as has always happened, an exclusively Executive function. The precedents are uniform to a most extraordinary degree. The position has been held by every Secretary of State, I think, without exception, it has been held by the Supreme Court in the cases I have read that the Executive recognition is the only recognition admitted by the courts, and I do not think it is possible to go beyond that.

The other method of recognition in the Constitution is by the Chiefs which gives the President the right to nominate ambassadors, ministers, and consuls. Recognition has almost invariably occurred in what Mr. John Quincy Adams pointed out to be the best and most proper way—the reception of a minister from the state seeking independence—but the power of the President to nominate a minister where no such office had been created by Congress and which, therefore, implies his ability to recognize in that way, has been established beyond a doubt. I have heard the right of the President to nominate a minister to Panama questioned because no such office had been created by Congress, and I thought it would not be amiss to call the attention of the Senate to the practice in that respect.

On December 22, 1791, President Washington sent a message to the Senate nominating Governeur Morris, Thomas Pinckney, and William Short as ministers to Paris, London, and The Hague, respectively. There were no provisions of law for any such officers. Various motions declaring that there was no need for these missions were debated and were rejected, and the nominations of Morris and Pinckney were confirmed. A similar motion was made that there was no occasion for a minister to The Hague, and that was postponed until the following Monday, when it was taken up and defeated, and immediately after the nomination of a minister to The Hague was confirmed.

On the 16th of April, 1794, Washington nominated John Jay as envoy extraordinary to Great Britain. Mr. Pinckney was minister plenipotentiary, but he was not envoy extraordinary, which office did not exist. President Washington therefore nominated Mr. Jay to an office which had no existence. He was confirmed by the Senate.

On the 8th of February, 1799, John Adams nominated Rufus King minister to Russia. No such office existed. He said in the nominating message that it was to open relations with Russia. No action was taken, and the Russian mission was not established until 1809, I think, when Mr. John Quincy Adams was sent.

On the 29th day of May, 1813, Mr. Madison nominated a minister to Sweden to open diplomatic relations with that country. No such office had been created by Congress.

John Adams sent in the names of Ellsworth and Patrick Henry to be commissioners to France in conjunction with William Vans Murray. No such offices existed.

On the 11th of January, 1803, Jefferson nominated Livingston to negotiate with France and Charles Pinckney to negotiate with Spain in conjunction with Monroe. No such offices existed.

Until Mr. Madison's second term appropriations for the diplomatic service were made in a lump sum, and Congress thus left it for many years to the Executive to appoint ministers when he pleased without ever taking any action which could be construed as the creation of any one of these offices.

Of course, Mr. President, with the extension of our diplomatic service cases of nominating to offices for which there is no appropriation have practically disappeared, but the cases which I have cited—of Washington, John Adams, and Madison—show that the men most familiar with the Constitution in its early days conceived that they had an entire right to nominate a minister to a country where there was no provision for a mission made by Congress and that the Senate in all instances confirmed those nominations just as if a specific appropriation had been made, thereby recognizing the right of the President. It is a method by which recognition could be extended. It is a method which, in practice, has not lately been used at all for that purpose, because very naturally the reception of the minister or ambassador of the state seeking recognition has been the obvious way to meet it.

Mr. President, I have tried to lay down the general international law. I have tried to show the general practice of the Government of the United States and the precedents which we have in regard to it. Having shown, as I believe, that all the authorities hold that recognition is an executive function which can not be invaded or controlled by the legislative body, that whatever dangers it may carry the Constitution has placed it in executive hands, I now come to the exercise of that power in the present case of Panama. The right of the President to recognize being demonstrated by law and precedent, I wish to inquire whether that undoubted right has been properly exercised in this particular case.

In section 4 of the act approved June 28, 1902, which provided for the construction of the canal, occur these words:

> That, should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and to the territory in which the canal of said company is located, and should he be unable to secure a satisfactory treaty with the Republic of Panama for the control, occupation, and sovereignty of such territory, and for the construction, maintenance, and operation of the canal therein, then the President is authorized to adopt the canal and canal route across the Isthmus of Panama by way of the Panama Canal and Panama Railroad, upon such terms as may be obtained, not in violation of the laws of the United States or of the rights of any private owners, and not in violation of a treaty with a foreign power owning the territory through which said canal may be constructed, controlling the territory through which said canal may be constructed, and connecting the Caribbean Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, etc.

In other words, the President was instructed by that act to secure a right of way through a given piece of territory with a view to building a canal. It was entirely secondary and of no vital importance to whom that territory belonged. At that time that territory was within the boundaries of the Republic of Colombia, and Colombia sought to make a canal treaty with us. If Senators will turn to page 18 of Senate Document No. 51, Fifty-eighth Congress, they will see there a letter from Mr. Hay to Mr. Beaupré, in which he says:

> The canal negotiations were initiated by Colombia, and were energetically pressed upon this Government for several years. The propositions presented by Colombia, with slight modifications, were finally accepted by us. In spite of the act this agreement our Congress reversed its previous judgment and decided upon the Panama route.

In other words, the treaty was sought by Colombia, had been sought by Colombia for years, and was made with Colombia on the terms she asked, with comparatively slight modifications. The treaty was dated the 22d of January, 1903. As to the character of the treaty, which is fresh in everybody's mind, I need only say that the sole objection that I heard made to it in the Senate—and that sole objection was made at considerable length and during a pretty long period of time—was that we went a great deal too far in what we conceded to Colombia. Therefore Colombia sought the treaty; she got the treaty; she got what she asked, with trifling modifications, and she got concessions which it was very difficult for many of us to accede to, and which only the universal desire for the building of the canal made it possible for us to accept.

Now, what was the treatment of that treaty by Colombia? I wish to call attention——

Mr. DANIEL. Will the Senator from Massachusetts allow me to interrupt him for a moment?

Mr. LODGE. Certainly.

Mr. DANIEL. Before the Senator speaks on that subject, I should be very glad if he would state whether or not the Department of Panama took part in that action of Colombia, and, if so, what part?

Mr. LODGE. I will answer the question in one moment.

Mr. DANIEL. I have seen it stated that one or more of the revolutionary consuls of Panama took part in the action of the Colombian Congress, but I have not been able——

Mr. LODGE. The Senator means in the Congress which discussed the treaty?

Mr. DANIEL. Which discussed and rejected the treaty.

Mr. LODGE. I have analyzed that very carefully and will show the Senator from Virginia exactly what the representatives of Panama did.

Mr. DANIEL. I wish the Senator would do so.

Mr. LODGE. When the treaty reached Bogota, Colombia, as I think I shall be able to show by the extracts I shall read from Mr. Beaupré's correspondence, from the beginning sought to extort more money from the United States and from the company, and it will appear also that the feelings of Panama found very early expression. Mr. Beaupré, whom I know only from this correspondence which has been sent to the Senate, appears to me to have been a man of great clearness of vision, great firmness, and great tact. I think the correspondence does him the utmost credit, and I think anyone who will read it will agree with me on that point.

On page 7 of his correspondence, on April 24, 1903—see how early that was—he says to Mr. Hay:

> I have the honor to refer to your telegram of the 7th instant, confirmed elsewhere, in regard to the negotiations for the cancellation of the present concessions of the Panama canal and railroad companies.

Now, in the first article of that treaty, as he points out in the letter of April 28—

> The Government of Colombia authorizes the New Panama Canal Company to sell and transfer to the United States its rights, privileges, properties, and concessions as well as the Panama Railroad and all the shares or parts of shares of said company.

In other words, the very first thing that Colombia did after the treaty had been ratified by our Senate was to try to destroy and annul the concessions which in that treaty she agreed should be continued to the Panama Canal Company. It was clearly in violation of the treaty which her own representatives had signed.

On the 4th of May Mr. Beaupré writes to Mr. Hay:

> Private discussion which perhaps more clearly reflects the real situation is the subject matter of a cipher cable received by me yesterday, that a much greater sum of money is to be asked and that the United States will be asked to guarantee the sovereignty of Colombia over the Department of Panama against the invasion or attempt to invade by foreign countries. I have pointed out to my friends, however, on the ground that the price can be greatly augmented.

That was on May 4. They were trying already to get more money out of it.

Now, on the 7th of May—and this is the first allusion to what the Senator from Virginia asked me—he says:

> The president stated that when the measure is presented to Congress there will be a strong opposition and a long debate. Meanwhile the representatives of the same department in Colombia, Panama and Bogota, will ask for a prolongation of the consideration and urge a postponement of the exchange of ratifications, preventing the secession of those departments and the attempt to constitute of their territories an independent republic.

As early as the 7th of May, therefore, the representatives of Panama were giving it to be understood at Bogota that if the treaty were not ratified it would lead to the secession of the State which they represented.

On page 22, June 10, Mr. Beaupré says:

> Mr. Manzini, the local agent of the Panama Canal Company, has informed me that he has received an offer from Senor Don Carlos Calderon, President, stating that if it did not block that the concession would be ratified because of some points that the compensation was insufficient, but that if the canal company would pay to Colombia about $10,000,000 ratification could be secured. Mr. Manzini has notified his company of this bids.

Then they were trying, as was obvious, to squeeze the company. They sent to the agent of the French company and said they wanted ten millions from them.

On page 26, June 20, at 5 p. m., when the extra session had convened, Mr. Beaupré telegraphed:

> Extra session of Congress convened to-day. Joaquin Velez, president of the Senate; José Medina Calderon, president of the Chamber of Representatives. The President's message deals with canal exclusively as follows: "In my Government has been presented two dilemmas, either it lets our sovereignty suffer permanent or temporary certain possible advantages, to which, according to the opinion of many, we have a right. In the first case it would be less sacrifice of our sovereignty and not acquiring treasure in return, than the just wishes of the inhabitants of Panama and other departments would be satisfied if the canal were opened, but the Government would be exposed to the charge afterwards that it did not defend our sovereignty and that it did not defend the interests of the nation.

That is, the President, who had caused the treaty to be made, sends in a message in which he vibrates between the two propositions, that there is doubt about their right to cede territory, and, on the other hand, that there are great pecuniary advantages; and he transmits this treaty which he had caused to be made, with that shuffling message, to the Congress called to consider it.

Mr. Beaupré says on June 20:

> As I have heretofore predicted, there is a full and ample majority of the friends of the Government in both houses of Congress, and such legislation as the Government may seriously desire will be enacted.

The Government itself, which had made the treaty and had the power then, Mr. Beaupré says, to have passed it, subsequently had excited so much feeling against it and against themselves that all action became hopeless. But at that time they had the power, and the Government that had made the treaty was holding back in the hopes of getting more money out of us or more money out of the canal company. Their constitutional scruples, which now play so large a part, were then only used for purposes of blackmail, and would have disappeared at once before the offer of a few extra millions. It is altogether a pretty picture of a responsible government supposed to be fit to maintain international relations.

June 27 our minister says again:

> Friends of the Government have control in Congress. I believe any legislation seriously desired by the Government will pass.

That was brought to a test. He telegraphed on the 28th:

> Opposition Chamber of Representatives opened canal discussion yesterday demanding documents relating to the treaty. The Government objected because it was not ready to present the treaty. The Government was sustained; vote 38 to 5.

That shows the control which the Government had at that time.

Now, again, I come to a passage which will throw light on the question which the Senator from Virginia has asked me. Mr. Beaupré writes on July 5, and, after acknowledging the receipt of a cipher telegram, says:

> This and the statement of just arrived members of Congress from Panama that this Department would revolt if the treaty is not ratified caused alarm, and the effect is favorable.

He means favorable, of course, to the ratification of the treaty. Again, he writes on the 9th of July that he has been asked by a gentleman, evidently of importance, whose name is not given, if the payment can not be increased to $15,000,000. He says on July 11:

> The majority in the Senate are opposed to treaty. Apparently the Government—

> The Government that made it—

> is not defending the treaty, although it may intend to later.

He further says on July 11:

> Ex-President Caro has been the leader of the opposition in this debate and has made many brilliant speeches. He has charged the Government with lack of patriotism, with sacrificing the rights of the Colombian people, in not defending a treaty of its own making and for endeavoring to throw the whole responsibility upon Congress.

Thus we learn that the opposition had pictured this attitude, this discreditable attitude, of the Government which had made the treaty, which would not take responsibility for it, which would not carry it through, although it had the majority, but was holding back evidently with the hope of getting more money out of somebody. That was openly charged in the debate. Our minister says again:

> The Vice-President—

> That is, Marroquin, who was acting as President and who had caused the treaty to be made—

> has positively declined to sign, and if the motion as presented should prevail and he refuses his signature, the Senate will not consider the treaty at all, and in all probability Congress will be dissolved.

On the 21st of July he says:

> The Government has continued to triumph on every important question.

Now I come to a passage to which I ask the careful attention of the Senate, inasmuch as we are considering the good faith of the people with whom we had these dealings and what sort of treatment they are entitled to from us. Mr. Beaupré, July 21, said:

> I have certain, but private information that Doctor Urrutedeu, a member of the special senate committee heretofore referred to, and who lived a great many years in Germany, owned an baron fortunate, the German charge d'affaires, to inquire what would be the attitude of the Germans Government in case of trouble arising out of the matter, and whether it would be wrong to negotiate or aid the construction of the canal in case the treaty with the United States should not be ratified. Baron Gutmann replied that he had no instructions bearing upon the subject, but that to the best of his positive opinion that, considering how desirous his Government was at the present moment to retain on friendly terms with the United States, it would not take any steps with reference to the establishment of the canal or to any controversy growing out of the present negotiations, that he would, however, submit the matter to his Government.

My English colleague, with whom I have the most pleasant personal relations, and whose attitude I know has been one of unswerving friendliness to our interests in this matter, informs me—

This is direct—

> that one of the deputies of the Chamber of Representatives called on him with an inquiry similar to the above mentioned. To this he replied that this question was thoroughly considered by His Majesty's Government at the time the modifications were made in the Bunau-Varilla treaty, and that his Government was of the opinion that the safeguards contained in the Hay-Pauncefote arrangement formed a sufficient guaranty for the commerce of the world and was therefore willing now to leave the United States quite free as regards any further negotiations with reference to the construction of a canal.

There they were, Mr. President, members of the House and the Senate of Colombia, seeking to make arrangements with Germany or England, trying to discover if Germany or England was ready to make arrangements to build that canal in case they rejected the treaty with us, and these are people whose very existence depends upon the maintenance of the Monroe doctrine which we uphold, who are defended by the shield we throw over them. At that very moment, with our treaty pending, these honest patriots were sneaking up to two of the great powers of Europe, fortunately our friends, fortunately awake to the situation and its conditions, and inviting them to come into the American hemisphere and build the canal. Those are the people who would now ask consideration at our hands.

Mr. President, I do not know that it is necessary for me to follow out the history of the amendments which were proposed in the Colombian Congress. They all ended practically in a demand by these patriots for more money. But on August 12 the Senate rejected the treaty and Mr. Beaupré says:

> Referring to my telegram of August 12, 7 p. m., I do not believe that rejection of treaty is final, for the following reasons: Yesterday's debate and vote was undoubtedly previously arranged.

In other words, it was a step—a trick, if you please—to try to extort further concessions from us.

I come now to another passage which again throws light on the question asked by the Senator from Virginia. Mr. Beaupré says that there is nobody supporting the treaty; that its support has

failed; that the Government has retreated from its position and hostility to the Government is growing. Then he adds:

Even the Panama representatives have lately become so thoroughly imbued with the idea of an independent republic that they have been more or less indifferent to the fate of the treaty.

On September 5 he wrote that the committee had reported a law by which they authorized the President to open new negotiations, in which they were to ask for an increase all around of rental and $20,000,000 from the United States.

On September 10 he speaks of the appointment of Obaldia as governor of Panama, and says:

Fierce attack to-day in the Senate upon the appointment of Obaldia as governor of Panama. The appointment is regarded as being the forerunner of separation.

Obaldia was supposed to be very friendly to Panama.

Of several Senators who spoke, only the son of the President defended the action of the Government.

Resolution passed by almost unanimous vote, which is equivalent to vote of censure against the Government.

That censure upon the Government was for appointing a man whom they thought friendly to the separatist movement in Panama.

Again he says, on the 11th of September:

SIR: I have the honor to report that events of interest have taken place in connection with the appointment of Senator Obaldia to the post of governor of the Department of Panama.

Senator Obaldia's separatist tendencies are well known, and he is reported to have said that, should the canal treaty not pass, the Department of Panama would declare its independence, and would be right in doing so.

That was a senator speaking at Bogota; and yet people hold up their hands and say the revolution in Panama was a surprise.

Yesterday a session of the Senate the feeling of opposition to Señor Obaldia's appointment was given expression by a resolution proposed by Senator Perez y Soto, to the effect that

"The Senate of the Republic cannot see with indifference the appointment which has been made for the post of governor of the Department of Panama, which it regards as a menace to the safety of the Republic."

That shows that the matter was thoroughly under discussion at that time.

On the 30th of September our minister writes:

It is said and generally believed in this city that there is a proposition afoot among certain Senators to annul the arrangement entered into by the Colombian Government and the French Canal Company in 1893, extending the franchise and privileges of that company.

Now, Mr. President, I think the extracts which I have read show the manner in which the Congress of Colombia dealt with this treaty, made at their solicitation and carrying not only the concessions they wanted, but also a great sum of money for the benefit of their people. I think it is a pretty sorry picture, this description of the manner in which our treaty was dealt with at Bogota. Their actions resemble those of irrational highwaymen much more than responsible public men of even indifferent honesty.

It also comes out from this correspondence that back in May, before the Congress met, there was already talk in Bogota of a revolution and of the secession of Panama; that it was openly spoken of by the representatives of Panama when they arrived; and that later they became so imbued with the idea of independence that they were indifferent to the fate of the treaty, because they proposed to seek their own independence.

All these facts were matters of notoriety in the Colombian capital. The Colombian President and Congress did not conceal their attempt to extort more money, and they did not hesitate to make more—as has to the representatives of European nations to see whether they could make a bargain with them. If these performances, Mr. President, constitute the serious acts of a serious and honorable government, or of a government acting in good faith, then I am very much mistaken in my judgment of what constitutes honor and good faith in governmental action.

Mr. President, I desire to call attention now to the feelings and the attitude of Panama. I want to show to the Senate that the revolution, absent which Senators speak as if it were the creation of a moment, represents not only the preparations of months, but that it expresses the feelings and the hostilities of years. I am going to read from a speech made by the Senator from Alabama [Mr. MORGAN] on the 20th of December, 1902. I could not hope myself to put in better or in such eloquent language the feelings of the people of Panama toward the Government of Colombia. The Senator then said:

They remember what the people of Panama can never forget—that their State, once sovereign and independent, was the first State of this hemisphere after the United States of North America, that achieved their independence and sovereignty.

Neither can they forget that the church party has stripped that badge of honor and power from their national flag and has reduced Panama to a department of Colombia ruled by a governor appointed at Bogota. It is as if Massachusetts had sunk to the former condition of a part of our Northwestern Territory. Above all, they can not forget the degrading exhibition of the contempt that the church party in Colombia has forced upon them in the agreement of 1888 with Pope Leo XIII. While memory of these events lasts in Panama peace will have only a precarious and temporary residence there.

These thoughtful men knew that agitation in Panama will be necessary to enlarge the canal concession we may obtain from Colombia into a bond of union with the United States, and no occasion that promises success will be overlooked to promote and intensify that feeling; and they know that when the security of the canal property will be made a reason why the United States should accept the annexation of Panama as a measure of necessity. This is not a new thought or an absentminded hope in Panama. I dread the thought of putting such a temptation, so lit up with the hope of restored power, honor, and sovereignty, before those people, unless they could be again realized in their ancient independence.

If Panama could be again restored to her sovereign independence, I would hail the event with joy, but I will not consent to an agreement with Colombia that may drive Panama into our Union to escape her present bondage to Colombia.

Above all else, we should be careful and entirely frank in our dealings with Colombia. The belief or the passage that we will even and her authority in possessing upon Panama the fetters of the cruelest of bondage, including her land on Panama against the will of her people, if she pleased, I know it. It will prove to be a mistake that may deceive Colombia, for our people will not sustain us in such a policy.

We propose to negotiate with Colombia in the attitude of wrong and injustice upon the people of Panama at the will and pleasure of that Government, and this appears to be the policy we are asked to pursue. They will never voluntarily consent to the exercise of the right of liberty, independence, and sovereignty in Panama, which we claim for that land, and which from the beginning of the Spanish possession by the Franciscan friars of Colombia. A central government, adverse to participation in the prosperity of the United States for an age, that is so far from us, I would be far better pleased to make of the $40,000,000 we are asked to pay the Panama Canal Company for a right to lease a strip of land in Panama, and the Panama Canal Company, if it pays $40,000,000 of its own money for the property, should be independent of Colombia and pay rent to Panama for the concession, or buy the New Panama Canal Company. The Panamanians would then work and labor as much as they wish to do so, and if they can get the money, or, if not, they could perfect it to the United States.

* * * * * * *

When the treaty of 1846-1848 was made Panama was a State with sovereign powers. Now she is a department of Colombia, and that treaty has made the United States responsible for her degradation. I can never vote for its renewal. I consider this jurisdiction of Colombia as they now exercise it over the separate sovereignty of Panama as much as any act of power over those people is to put our country to assist Colombia in any policy she may choose to adopt toward them. It is not a pleasant jurisdiction for Colombia, but it is a degradation, but a degradation for which our Government assumed responsibility when it made the treaty of 1846 with Colombia, by which we undertook to guarantee to her the sovereignty of Panama to any power or law Colombia may choose to impose upon a people who are already degraded in their political rights from the proud position of sovereign statehood to that of a mere department that is governed from Bogota.

Mr. MORGAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield?

Mr. LODGE. Certainly; with pleasure.

Mr. MORGAN. I have no word in that statement to change—no sentiment, no thought, no word. I have not changed it, and I do not propose to change it.

Now, may I ask the honorable Senator from Massachusetts, did he not vote to put back on Panama those very bonds against which I was declaiming?

Mr. LODGE. I voted for the treaty with Colombia.

Mr. MORGAN. Did it not do that very thing?

Mr. LODGE. I did not think so.

Mr. MORGAN. Was it not an exact repetition of the treaty of 1846, word for word, with an addition applying it particularly to certain special localities in Panama? So the Senator reads that for the purpose of reproaching me, I suppose, for a change of opinion—an opinion that I have not changed in the slightest degree.

I will ask the Senator again, is he now willing to take that $40,000,000 that these condemned felons in France are to get from us and pay Colombia for Panama?

Mr. LODGE. No, Mr. President; I am not willing that the United States should break any agreement it has made.

Mr. MORGAN. The United States has no agreement to-day with the Panama Canal Company, so that we are as free as the wind with respect to an agreement. Now, is the Senator, in the absence of any agreement with Panama, willing to pay Colombia that $40,000,000 which we propose to pay to the Panama Canal Company and buy the peace of Colombia toward the United States and toward Panama?

Mr. LODGE. I am not willing to take money which I honestly think should be paid to the Panama Canal Company for its property rights there and give it to anybody else.

Mr. MORGAN. I understand it all now. I am glad I got the reply.

Mr. LODGE. I did not read that quotation for the purpose of charging the Senator either with consistency or with inconsistency. I do not think that matters of consistency or inconsistency—"the bugbear of weak minds"—are of much importance or consequence. I read it because it was an extremely strong statement of the feelings of the people of Panama, showing that those feelings were the growth of years and because it alluded to Panama's constitutional relations with Colombia, which I now wish to touch upon.

In 1819 Colombia was included under the constitution of Bolivar, and had all the territory now occupied by Colombia, Ecuador, and Venezuela.

In 1830 Colombia separated into New Granada, Venezuela, and Ecuador, and the constitution of 1832 was formed. That was the constitution of New Granada.

There was a new constitution of New Granada in 1843. Article 232 of that constitution makes secession an act of rebellion, and it

was due to the revolt of certain provinces, including Panama, in 1840. This was amended by Congress in 1855 by a law making Panama a federal state, sovereign in itself, and dependent on the Government of New Granada only on certain points. Other States followed, and New Granada became practically a federated republic. This resulted in the constitution of 1858, which recognized the sovereignty of the several States, and the name was changed to the Granadine Confederation. That is the last constitution to which Panama ever gave its assent.

Then followed a liberal revolution in 1860 against the election laws, which was conducted under General Mosquera and based upon the sovereignty of the States. There was then a pact made at Cartagena to form the United States of Granada, and in 1861 the name was changed to United States of Colombia by the further pact of Bogota. In 1862 the liberal revolution was completely victorious, and in 1863 a new constitution was made by the "plenipotentiaries of the States," as they were called. Article 93 of that constitution provided that this constitution should take effect only on unanimous ratification of State deputations, and if any State refused to ratify it should not be binding. The result was an "organized anarchy," and the constitution which was imposed simply by the party victorious in war and never had any complete assent was followed by constant revolts and insurrections, especially on the Isthmus.

In 1884 Rafael Nunez seized the Government as a dictator and suspended the constitution of 1863. He had delegates from the nine States called to council, and in 1885 the council passed a resolution for a convention to frame a new constitution subject to the ratification of the people of the State. In 1886 the new constitution was adopted annulling the constitution of 1863. It was the exact reverse of the constitution of 1863 and centralized power entirely. It took away the autonomy of the States, and was never submitted to the popular vote. The constitution of 1886 has been suspended and inoperative since 1900. The last constitution accepted by Panama was in 1858. When her constitutional relations are considered, I think it is well to bear that little bit of constitutional history in mind.

Mr. MORGAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield?

Mr. LODGE. With pleasure.

Mr. MORGAN. If the Senator will allow me a question, does he think that the constitutional duty of Panama is any less toward Colombia than it was when she was a free, sovereign, and independent State, after she had been denationalized, broken down as a State, and reduced to a department?

Mr. LODGE. As a matter of constitutional law, I do not think it makes a particle of difference in considering this question, for I consider under any constitution her separation from Colombia as an act of revolution. I merely put that statement in in order to show what her actual constitutional position was, as I understand it.

Mr. MORGAN. The Senator's remark was a very painful reminder to me of the fact that after the civil war had closed and politicians got hold of the destinies of the country Alabama was forced, before she could receive any right of representation on this floor, to pass a constitution that renounced her well-cherished and well-established doctrine of the right of secession. We gave it up. Other States in the Union were not required to do that. The State of the Senator from Massachusetts was not required to yield up her sovereign right of secession, which she proposed to exercise in the year 1812.

Now, I wish to ask this question of the Senator: Suppose that Great Britain, with a view to trying to restore to us in Alabama our ancient rights of sovereignty as they existed before our constitution was changed on the demand of the Republican party in the United States, should say to Alabama, "We are willing to recognize your independence; we acknowledge that you have resumed the sovereignty you had before you passed your act renouncing it," does the Senator think that Great Britain by that act of recognition or that promise would restore Alabama even to her former prestige and right or that she could separate Alabama from the United States as a matter of international law?

Mr. LODGE. Of course, Mr. President, I do not think that the recognition of Great Britain could restore to Alabama or to any other State rights which under the Constitution of the United States, as I understand it, she never had. I do not want to enter into the old discussion of the constitutional right of secession, because to my mind it is simply a question of fact, a question of successful or unsuccessful revolution. What I wanted to call attention to here was merely the fact that, so far as the constitutional question is involved at all the last constitution to which Panama gave her assent was the constitution of 1858, which assured to her and to every State of the Granadine Confederation, as it was then called, the right of withdrawal, and guaranteed their autonomy.

Now, still further, in regard to the treatment of Panama and the reason why there was revolution there, I have here a letter which appeared in the New York Evening Post of December 17, dated Panama, December 8. I shall ask to have it all printed with my remarks, because it is extremely interesting, and the New York Evening Post is a newspaper which for many years has been so absolutely crazed with hostility to the Republican party or to any Administration which seemed to be advancing the interests of the United States that I am perfectly certain it can not be supposed to be a biased witness; and this is an admission against itself. This letter is worth reading, because it shows, I think, on its face why those people were ripe for revolution.

The matter referred to is as follows:

[Special correspondence of the Evening Post.]

PANAMA, REPUBLIC OF PANAMA, *December 8.*

Next to that of the negro republics the most exasperating government is doubtless that which is known as "Latin American." Panama had an experience of it which may well be indicated as an excuse for separation. To get to the point, every member of the present junta was among the company of twenty-three Conservatives of Panama called together by Governor Alban a few years ago.

"Gentlemen," he said, when they assembled in the Yellow Room of the Palacio del Gobierno, "the Conservatives need $50,000. I will withdraw while you arrange the matter."

Retiring, he summoned his soldiers and placed a cordon around the building. Government, for much of the time, being actual martial rule, this meant that any one who sought to come out without subscribing his fine share, according to his riches, would be thrown into prison. Governor Alban returned to the Yellow Room. He was met with protests.

"There are soldiers all about this house," he replied. "Before you pass through them you will subscribe $50,000." Again he withdrew, and when he returned the paper had been signed.

These subscriptions were prettily called "voluntary subscriptions," as recruits for the army were tied with rope, yes, and "volunteers." They were rather worse, as "business," than corporation contributions to Tammany Hall, because there came in return for them no adequate advantages, moral or immoral. Sometimes, if one of the eventual contributors was obstinate, he was made to take chili sauce and salt water. The suffering from this is too shocking, one is assured, that "when the man recovered he was fit for treason." At any rate he was in a receptive mood for suggestions of secession and only bided his time.

VOLUNTARY SUBSCRIPTIONS.

Hermadio Arosemena, of the banking house of that name, suffered frequently from the "voluntary subscription," for all the Arosemenas were known to be Liberals. One day a notice was posted on his door saying that before a certain hour of a certain day he must pay $25,000. He had it reported that he was out of town—that he had gone to Ecuador. Troops were quartered in his house. "Cable him for the money," the governor recommended to the family. Arosemena was not in Ecuador, but hiding in his own home. But he would not allow the money to be paid. For nine months he was a prisoner there, never stepping beyond his threshold. Besides, the soldiers on guard during that period had to be fed from his own larder. That was the practice. At different times, not reckoning the billeting of troops, the Arosemenas paid within a few years more than $150,000 in "voluntary subscriptions" to Colombian governors.

Oscar Müller, a jeweler, shows receipts for "war loans" of $50 to $100 a month. He was born on the Isthmus. Though of German parents, he had no protection. One day he was asked for a "voluntary subscription" of $1,250. He removed everything from his safe and refused to pay. A commission came from General Alban to force the safe. Müller gave the combination rather than see the safe blown up. Nothing but old papers were found in it. "Lock his house and let no one in or out," ordered Alban. For twenty-four hours Müller's family were thus besieged. Then Müller compromised for $800. He had to pay $1 additional for the man who had come to blow up the safe. The man did not need to do the job, but he had "lost his time." Müller had also to pay $6 for the advertisement of the intended sale of his store. Your correspondent has seen all these receipts and the witnesses.

Carlos Müller, brother to Oscar, was similarly treated. His haberdashery was locked up for four days, till he should subscribe $1,250. Advertisement of a public sale of his goods was made, and then he yielded. At the house of Domingo Diaz the soldiers occupied the bedroom of Señora Diaz, and the women folk had for two nights to place to sleep. They could not leave the house. Merchants were assessed $5 to a day for the colonel's horse when the colonel was on duty in town. The impression was that several merchants would each be assessed for the same $5.50. They always paid rather than go to jail. Out at the barracks an Italian egg peddler was asked to leave two additional eggs for two that had been handed out good. When he refused, he was taken by soldiers and given 50 lashes on his bare back.

ASSESSMENTS FOR INDIFFERENCE.

Federico Boyd was held up for $40,000, but settled for $5,000. Espriella ran away to Costa Rica—he had only just returned—to avoid a "voluntary subscription" which he heard was to be required of him. Yanes, before he could escape, was levied upon for $3,000. It did not make any difference if the governor wanted money, whether a man was of his own party or not. The twenty-three whom he imprisoned in the Yellow Room were Conservatives, like himself. If a man were neither Liberal nor Conservative, he was still liable to assessment. J. G. Duque, who holds the lottery privilege, had a partner, Conte, Francisco, who was a Conservative, but took no partner interest in politics. He was assessed $2,000 for being an indifferente. "The governor gave me that opinion on himself," Mr. Duque says. Soon after the clerk was assessed $400. "I had just lent the Government some money without charging interest," Mr. Duque tells me. "I went to Alban and demanded that if he did not leave my clerk alone I would charge interest. At that he erased the assessment."

Officers would select saddles and swords and not pay for them. The cost would be as a charge against some designated school or allowed to go to the assessment of the merchant's schoolbook. If one mentioned matters to another the conversation happened that the borrower would present for and compelled to hand over the borrowed money to the Government. The lender would have to stand the loss, as the papers would be canceled.

Importers for a while were assessed arbitrary sums instead of an import tax. Banks were forced to make loans. Government, indeed, was a kind of piracy, of buccaneering almost as lawless as that which Henry Morgan carried on along these coasts, with headquarters at Bocasta instead of at Porto Bello. Indirectly, foreigners were affected by the methods. Mr. Duque, for example, who is a Costa Rican, saw his cattle at Chiriqui driven away by foragers for a marching army. He could get no one to testify to it (and so could not collect damages), "for witnesses would be flogged if they gave

such evidence." Soldiers turned his country house into a barracks, "and I, myself," he relates, "saw them and their women bringing my furniture to town, piece by piece, to sell it at the pawnshops." One hears of several foreigners who lost money because "voluntary subscriptions" left men unable to pay their just debts.

RAISING THE COST OF LIVING.

Monopolies were granted in ice, tobacco, salt, pearl fishing, lotteries, gambling establishments. Ice, which is a necessity of life in this climate, was 25 cents a pound. A farmer could not kill his own cattle for market without paying $50 a head to the concessionaire. Swine had to yield $4 a head. Salt the Government bought from the concessionaire at $1.50 a hundred-weight and sold it to the people at $3. Nobody could sell tobacco except Isaac Brandon & Bro. Nobody could sell cigarettes except Piza Piza. The prices were "all the traffic would bear." If the people were squeezed too much, they bought less. So it was more profitable not to kite rates too high. The ice monopoly paid the government $1,000 a month for a while, and the price of ice to the consumer was 10 cents a pound. Then Bogota raised the penal to $2,000 and permitted the concessionaire to charge the consumer 25 cents a pound. On this basis the concessionaire lost money. The sale of ice decreased and at last he could not pay the rent of his monopoly, and Mr. Duque was appointed to run the business for the Government itself, reducing the price to "what the traffic would bear."

GOVERNOR ALBAN.

Alban seems to have been the most oppressive of the military governors. Yet there was a quality in him which now and then touched the hearts of the people. He was exceedingly brave, and was killed at last in a naval battle in Panama Bay and he went to the bottom with his ship.

Two sisters came to him to seek the release of their brother from prison.

"Bring me $100," he answered them, "and he can go free."

The girls sold all their jewelry, but could raise only $20. "I must have the full $100," he insisted. The girls borrowed the other $100 of a usurer, and returned with the money.

"Ah, I thought you could get it," he remarked. "How did you do it?"

They showed him the receipts for the jewelry; they showed him the contract with the usurer.

"What!" he exclaimed, "10 per cent a month!" He sent at once for the usurer.

"You took the jewels of these girls, giving them only $80, and then you charge them 10 per cent a month on the other $100? Bring those jewels to me. Bring also their contract to pay." When the usurer came back Alban gave the jewels to the sisters, tore up the papers, sent the money lender back to his pawnshop, wrote out a full pardon for the brother of the girls, and kept the $80 as punishment to the usurer.

OTHER EFFORTS AT SEPARATION.

Natives make out that the revolutionary or separatist spirit has been long years growing. Seventy years ago, when the Isthmus cut loose from Spain, it spontaneously joined Colombia.

That country acquired it free of expense, without the cost of a penny or a life, "as one of them puts it," but she did not properly value it, for only insults and oppression followed. The Isthmus was used merely as a source of revenue. Pondering this, our people grew resentful. Several attempts to separate from Colombia were made. One of Bolivar's soldiers, General Espinar headed a revolution in 1903 and he set up a free state, but by reason of sweet words the Isthmus was went back to Colombia. The sweet words meant nothing. Old practices were resorted to. Remonstrances were of no avail—stand petitioners "meekness like sheep than brothers."

In 1840 there was a revolution which gave another opportunity of breaking away. Under Colonel Bonilla Independence was once again proclaimed. It was short lived.

"In 1855 Panama was permitted to be governed by its own special laws, and there appeared to be a vista of a brighter day ahead, when General Maquera rose up, overthrew the government at Bogota, became Dictator, and sent Murgeo there to Panama to attach it to his cause. A fair treaty was entered into with him. But the Dictator repudiated his work and sent down an army to compel submission by force. Panama became as a conquered land, and was treated accordingly. Her governor was replaced by one of the Dictator's creatures.

HIGHER EXPENSES IMPOSED.

"During the three years' war, which ended one year ago, we were subjected to numberless oppressions, heavily taxed, and charged enormously for the necessaries of life. That has taught us several things about Colombia and about ourselves. It taught us, for one thing, the extent of our own resources, and we began to think once more of separation. We looked upon the building of the canal as a matter of life or death to us. We wanted that because it meant, with the United States in control of it, peace and prosperity for us. President Marroquin appointed an isthmian to be governor of Panama; and we looked upon that as of happy augury.

"Soon we heard that the canal treaty was not likely to be approved at Bogota. Next we heard that our isthmian governor, Obaldia, who had scarcely assumed power, was to be superseded by a soldier from Bogota. We thought that the days of months were upon us once more. We decided to strike a blow for freedom. General Huertas, in command of the troops here, gladly joined us. General Tovar was coming to take his place. General Huertas was getting $1,500, whereas Huertas had been getting only $400. Tovar was to have a salary of $3,000, although Obaldia's had been only $800. Tovar was penalty imposed because Bogota had heard that Panama had thoughts of disloyalty and independence.

"Notwithstanding all that Colombia has drained us of in the way of revenues, she did not bridge for us a single river, nor make a single roadway, nor erect a single college where our children could be educated, nor do any thing at all to advance our industries. * * * Well, when the new generals came, we seized them, arrested them, and the town of Panama was in a joy. Not a protest was made, except the same came from the Colombian consul-general, which killed one Chinese living in Panama. We were willing to compensate the Colombian troops at Colon and fight them, but the commander of the United States cruiser *Nashville* for sale superintendent Shaler to allow the railway to transport troops for either party. That is our story."

LITTLE OPPOSITION.

Panama evades much, gains more, and loses nothing at all in achieving separation with American bayonets to maintain it. She will not guarantee canal rights; will have her two main towns owned by the United States, and will derive obvious and tremendous benefits from the incoming of the thousands of canal workmen.

Her material advantages are so clear that it is natural that opposition to her new direction should be difficult to find. The church, of course, will have to read out its manner of support, as it did in Cuba and the Philippines, but Saturday's outbreak in the barracks was of no account as signal of opposition.

If the Spanish method of doing things was not still unconsciously influential with the provisional government, there would have been no deportation of soldiers, for the evidence on which, without a hearing, they were adjudged guilty of conspiring to kill the commanding general, Huertas, was very flimsy and the action somewhat hysterical.

Two letters were written from Port Limon, one to Huertas telling him he'd better read one which was coming to Colonel Ferral. He intercepted the one addressed to Colonel Ferral. It seemed to hint at an attempt to recapture the garrison for Colombia, and forthwith he arrested everybody mentioned in the Ferral letter, ran them at point of bayonet aboard a train for Colon to be taken out of the country.

"I shall be landed on the beach at Port Limon," remarked Colonel Lorano, good humoredly, "with only $2 silver in my pocket. I am sorry now I took the trouble to pay all my bills before leaving Panama."

He protests that he would like to stay in the new Republic. "Why should I plot against it? I signed allegiance to it, with the rest, and thereby sacrificed connection with Colombia. If I should go to Colombia, I'd be shot for treason."

F. C.

Mr. LODGE. That, I think, is pretty good testimony as to the conditions down there in Panama.

Now I come to the question of the incidents which led up immediately to the recognition of Panama by the United States. I will first show how they knew of it in Bogota. Mr. Beaupré, on the 21st of October, wrote:

SIR: I have the honor to inform you that there is no disguising the alarm existing as to the possible action of the Government of the United States should the feeling of disaffection undoubtedly existing in the Department of Panama find expression in overt acts. This alarm took the form of a heated debate in the Senate yesterday, when the Government was again attacked for the appointment of Señor Obaldia as governor of Panama.

On October 29 he telegraphed:

October 29, 1 p. m. Please give instructions to consul-general at Panama keep me advised by cable matters of consequence.

At that time it was so well known in Bogota what was impending that he thought it important he should be in immediate communication with the consul-general.

The PRESIDENT pro tempore. Will the Senator from Massachusetts suspend for one moment? The hour of 2 o'clock has arrived, and under the rule the Senate should proceed to consider the Calendar of General Orders.

Mr. FAIRBANKS. Mr. President, I ask that the Senator from Massachusetts may be permitted to proceed with his remarks to their conclusion.

Mr. MORGAN. I should like to ask in this connection whether there will be any objection to making the resolution the regular order for 2 o'clock until it is disposed of. I should like to have that question put to the Senate.

Mr. LODGE. I have no objection, of course, Mr. President——

Mr. SPOONER. Let that——

Mr. HALE. The Senator can gain all he requires without committing the Senate to an order of continuing business if the Senate consents now unanimously that the consideration of the resolution may be proceeded with. I should not want to agree that it shall be made the continuing standing order, but I have no objection to its being considered, and that the consideration may be proceeded with.

Mr. MORGAN. Does the Senator mean for to-day?

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Maine to this: Two o'clock has arrived. Suppose that by unanimous consent the resolution is proceeded with, does it not become unfinished business, and would that not be its position to-morrow?

Mr. HALE. I should want the agreement made in such a way that it was not hard and fast to exclude all other business. I have no objection to its being proceeded with for the rest of the day. Then we can deal with it at the end of the day and the situation at that time. I should object to anything else.

Mr. MORGAN. There is a difficulty in the way of proceeding with it for the rest of the day, provided we reach a vote on it, for the reason that the Senate has not been notified of any such proposition, and it is very thin, particularly on this side of the Chamber. I would suggest that the Senator from Massachusetts be permitted to finish his remarks this morning, and that the resolution go over to take a place to-morrow morning at the close of the routine business.

Mr. LODGE. That it shall go over without prejudice.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that the Senator from Massachusetts may proceed with his remarks, notwithstanding the fact that the hour of 2 o'clock has arrived, and that this resolution shall be considered in order to-morrow morning immediately after the conclusion of the morning business.

Mr. HALE. That does not make it a continuing order after the termination of the morning hour?

Mr. MORGAN. Not at all.

The PRESIDENT pro tempore. The Chair would rule that it did not make it the unfinished business.

Mr. HALE. Then I have no objection.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is agreed to.

Mr. LODGE. Mr. President, it will be noticed that on October 29 Mr. Beaupré in Bogota thought the revolution was impending and on the 31st he says:

The people are current anxiety over conflicting reports of secession movements in the Cauca and Panama.

In other words, on the 31st of October people in Bogota had reports that revolution had actually broken out, and on November 18 he heard from our Government the action that we had taken.

Now, that is what was known in Colombia. The talk had begun in Bogota as early as May about a probable revolution in Panama. It was the common talk of the city. It was openly spoken of by the representatives of Panama in the Congress. It was openly discussed every where days before it occurred. So expected was it that there were rumors in Bogota that it had occurred before November 3. All the world knew last summer that there was revolution impending. The correspondent of the New York Evening Post for December 8 says that they were planning revolution in Panama early in May. I happened to be out of the country, seeing only foreign newspapers in London and elsewhere, but it was a matter of common knowledge, both in Europe and in England, that revolution was impending in Panama if the treaty was not agreed to.

That knowledge of course, came to the Executive. He had information also from our naval and military officers, which has been cited in his message. It was his business to keep informed. But the fact of information does not imply assurances or connivance, and the insinuations of connivance and incitement have already been denied in a manner which requires neither repetition nor support from me or anyone else. Those insinuations have been spread abroad for political purposes and by persons outside the Capital for much more discreditable objects. The President would have been in the highest degree censurable if he had not taken every proper precaution to prepare for the event which the reports of the disturbance on the Isthmus suggested. He was bound to carry out the provisions of the treaty of 1846. We have always construed that treaty to mean that we were charged with the responsibility of keeping open the transit across the Isthmus; that we were not charged with the duty of enforcing the power of Colombia if there was a revolt; that we were there to protect it against foreign aggression, but that our primary duty was to keep it open and uninterrupted.

All this information had come in upon the President, and he had as in duty bound considered it and watched events. Finally there came what constitutes the first act of our Government. News arrived that Colombia was about to land a force of 6,000 men at Colon, and the Acting Secretary of the Navy on November 2 sent this dispatch:

Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*. Have sent copy of instructions and have telegraphed *Dixie* to proceed with all possible dispatch from Kingston to Colon. Government force reported approaching the Isthmus in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

That was the first step. The next day, November 3, a press bulletin having announced an outbreak on the Isthmus, the Acting Secretary of State telegraphed to the consul at Panama:

Uprising on Isthmus reported. Keep Department promptly and fully informed.

The reply came back that there was no uprising, that it was expected that night. Within a short time, a little more than an hour, came the dispatch:

Uprising occurred to-night, 6; no bloodshed, etc.

The rest of the story is fully set forth in the dispatches from the State and Navy Departments which the President has transmitted to Congress.

Mr. President, the preparations that have been very largely talked about, and which I have no doubt were adequately made, really resulted in the presence of one vessel of war at Colon. We landed from that vessel forty-two sailors and marines. The landing party was commanded with judgment. The captain of the *Nashville* showed the utmost discretion and firmness. He prevented with an even hand either party from using the railroad. He prevented bloodshed. He kept peace on the Isthmus. Mr. President, the President of the United States has been assailed for landing troops. He has landed no troops. Some sailors and some marines have been landed, and he has been charged with having made war by the act of recognition and by the landing of the forces of the United States.

It is perfectly certain, Mr. President, that the act of recognition by all the best authorities is held not to be in itself an act of war. As for the landing of those sailors and marines to keep order, we have done it over and over again. We did it in 1900; we did it in 1901; we did it in 1902. The dispatches of 1901 and 1902 were read in the President's message here yesterday. The Admiral there at that time telegraphed to the Department that he had only allowed the troops to go without their arms and under our naval guard, and that he had allowed the arms to go by a freight train—a separate train—also under guard. Colombia has asked us to keep that line of transit open over and over again. She asked us to do it on this very occasion. Under the treaty of 1846 the President had no choice except to maintain order and peace across that line of transit, and yet he is charged with having made war.

Well, Mr. President, if he did make war by that act he had a good Democratic precedent for an Executive making war. Mr. Webster said in a speech in Faneuil Hall, and I use his words because they are particularly good:

The Mexican war is universally odious throughout the United States, and we have yet to find any Sempronius who raises his voice for it.

Some one in the gallery asked who voted for the war and Mr. Webster replied, "Nobody at all; the President made it without any vote whatever."

That is good Democratic precedent if it is held that war has been made by the executive authority; but, Mr. President, there is no need of citing President Polk's action or that of anybody else. There has been no war on the Isthmus, and the result of our landing troops is that, instead of that Isthmus being drenched in blood by contending factions, there is absolute peace. There has been no life lost except that of the unfortunate and inevitable Chinaman, who was killed in his bed by a shell from a Colombian gunboat. I think it is a good thing to have stopped the fighting there, even if nothing else was effected.

We have seen, therefore, that the President, in common with all the rest of the world, knew a revolution was impending. He had certain duties to perform; he made reasonable preparations, if anything too inadequate, for what he anticipated. When the revolution came he prevented fighting and kept the transit open. I think that was a wise and proper step to take, one which it was his plain duty, even if he had not desired to do so.

The matter of recognition followed quickly, because it was an occasion in which it was in the interest of the United States, as the recognizing Government, to act quickly. I think myself, Mr. President, that the President of the United States would have been in the highest degree blameworthy if he had not taken precautions and if he had not protected the transit across that Isthmus. Our naval forces there prevented those people from getting at each other's throats. They held back one as much as the other, and the result has been the establishment of that Republic by the people of Panama without any serious opposition to it within its own borders.

That we are not alone in so judging the event is shown by the list of governments which have recognized the independence of Panama, and which I shall ask to have printed with the dates of recognition. It is worth while to read them over again, for people forget that the world has given full assent to the justice of our action.

The United States recognized Panama on November 13, then France, China, Austria-Hungary, Germany, Denmark, Russia, Sweden and Norway, Belgium, Nicaragua, Peru, Cuba, Great Britain, Italy, Japan, Costa Rica, and Switzerland.

List of governments which have recognized the independence of Panama, with the dates of recognition.

United States	Nov. 13, 1903	Nicaragua	Dec. 15, 1903
France	Nov. 16, 1903	Peru	Dec. 19, 1903
China	Nov. 26, 1903	Cuba	Dec. 23, 1903
Austria-Hungary	Nov. 27, 1903	Great Britain	Dec. 24, 1903
Germany	Nov. 30, 1903	Italy	Dec. 26, 1903
Denmark	Dec. 1, 1903	Japan	Dec. 28, 1903
Russia	Dec. 6, 1903	Costa Rica	Dec. 28, 1903
Sweden and Norway	Dec. 7, 1903	Switzerland	Dec. 28, 1903
Belgium	Dec. 9, 1903		

Those recognitions indicate that the rest of the civilized world do not think it was a very unreasonable thing for us to have recognized that new Republic quickly.

Among the multiplicity of objections brought forward to our action is the objection that Panama ought to pay a part of the debt of Colombia. I should like to know when it became a principle of international law that a seceding state, if it succeeded in establishing itself as a separate government, ought to pay any part of the debt of the country from which it separated. When we separated from England I do not recollect that we took up any portion of the imperial debt for payment, and I never thought any dishonor attached to us because we did not offer to pay our share of that debt. When Cuba was freed by our hands we insisted above all things that she should not be held liable for a single dollar of the Spanish debt, and we would not permit that that separating state should be responsible for any part of the debt of the mother country.

Mr. SPOONER. Will the Senator permit me to make a suggestion on that point?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Wisconsin?

Mr. LODGE. Certainly.

Mr. SPOONER. I wish also to allude to the fact that a part of that debt was secured by the hypothecation of Cuban revenue, and still we would not permit Cuba to be held liable for it.

Mr. LODGE. Certainly. As the Senator from Wisconsin has well suggested, though the revenues of Cuba were particularly hypothecated for that debt, though it was made a special Cuban

debt, we would not permit it to become any part of the obligation of the new State.

Mr. MORGAN. Will the Senator from Massachusetts permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Alabama?

Mr. LODGE. Certainly.

Mr. MORGAN. The Senator has read a list of governments which have recognized something in Panama. I do not know whether it is a government de facto or a government de jure, or whether the independence or sovereignty of Panama has been recognized by these countries. Does the Senator know?

Mr. LODGE. I do not understand the Senator's question.

Mr. MORGAN. I say I do not know whether the form of recognition by these various governments as to the Government of Panama was that it was a de facto, a de jure, or a sovereign and independent government. Does the Senator know?

Mr. LODGE. Mr. President, it was a recognition of the Government as an independent de facto government with whom they could transact business—the usual recognition.

Mr. MORGAN. That is independence.

Mr. LODGE. I never heard of a recognition with a reservation. Perhaps the Senator has.

Mr. MORGAN. That is a new phrase to me—"an independent de facto government."

Mr. LODGE. The Government was de facto. They recognized it as an independent government without any qualifications whatsoever, of course.

Mr. MORGAN. Is the Senator sure of that?

Mr. LODGE. I never knew of recognition being accorded with qualifications or limitations.

Mr. MORGAN. I was merely inquiring as to the fact.

Mr. LODGE. I understand it was a complete recognition in every case—as complete as ours.

Mr. MORGAN. My understanding has been quite the reverse, and therefore I asked the Senator.

Now, may I ask the Senator whether any of those governments, having recognized whatever they have recognized, have not in effect insisted that Panama is obliged under the laws of nations to assume a part of the debt of Colombia?

Mr. LODGE. I do not understand that any government has insisted on it.

Mr. MORGAN. Or was insisting?

Mr. LODGE. I do not understand that any has insisted.

Mr. MORGAN. Then the newspapers are in error.

Mr. LODGE. I think that highly probable, though I make that statement, of course, with great reservation and great hesitation. Undoubtedly the British bondholders and other bondholders have been talking about their Colombian bonds, but I do not understand that any government has put any qualification on their recognition of Panama.

Mr. MORGAN. The Senator never knew a Britisher to joke about money, did he?

Mr. LODGE. As a matter of fact, in the papers sent in yesterday——

Mr. SPOONER. The Senator will, of course, see that the recognition of the liability of a government and the demand that they agree to pay a part of the debt of the government from which they have separated could not be anything else than a recognition of the former's independence.

Mr. MORGAN. And nothing else.

Mr. LODGE. But, Mr. President, as a matter of fact Panama has made an offer, and authorized it through her minister here, and has announced her intention and her willingness, as appears in the correspondence transmitted yesterday, to assume one-fifteenth of the debt—her population being one fifteenth of the population of Colombia—and she has also proposed that $8,000,000 of the $10,000,000 should be held in trust by the United States. These do not seem unreasonable or unfair propositions.

Mr. MORGAN. May I ask the Senator is there any condition annexed to that proposition requiring that we are to furnish the money?

Mr. LODGE. We are to furnish what money?

Mr. MORGAN. To pay the debt she insists she is ready to assume.

Mr. LODGE. Of course we have to pay the $10,000,000 under the treaty. I suppose she means to take part of that $10,000,000 to pay her share of the debt.

Mr. MORGAN. I was only thinking it would be a pretty bad debt if we did not furnish the money.

Mr. LODGE. I think it is undoubtedly a very bad debt now so far as Colombia is concerned, but I think if Panama undertakes to pay it it will be a very good debt.

Mr. President, this question is an American question, and our interests in it are very profound indeed. The portion of the country which I have the honor to represent in part is far removed from the canal, and yet it is of immense interest to the people of New England that there should be that quickened communication to the East. Deep as our interest is far up there on the Atlantic coast, it is nothing to the interest of the people of the Gulf—to the people who are selling their cotton as well as their manufactures in the East. Most important of all, Mr. President, more important than any commercial advantage, is the fact that it makes the coast of the United States practically continuous from the Columbia River to the extremest boundary of Maine.

Mr. President, the commercial interests, the interests of our self-protection, involved in that canal are of the largest possible kind. It seems to me that it gives us a stake in that Isthmus which can not be overestimated. We also stand before the world as the nation which has taken up this great task of opening communication between the Atlantic and the Pacific. The civilized world has committed that work to us and has done so gladly. We stand in relation to that Isthmus not only for our own interest, but as the trustee of the interests of the whole civilized world. The people who live there, who own it if any people in the world own it absolutely, are anxious that we should go there and build a canal on our own terms. We are not taking it from the people who dwell there. They are only too anxious to have us come. But there are a few people up in the mountains and on the great plateaus in the interior, farther removed from Panama, so far as actual communication goes, than we are in the United States, and they have undertaken to say that Panama shall not have that canal; they propose to take from Panama, if they could make a treaty, every dollar that is involved in it—people who do not own the territory and whose interests are trivial compared to the rest of the world. I do not think, Mr. President, that those people have the right to stand across the pathway of the world's commerce and say, "Here it shall not come." I think that it is part of our duty to do just what we have done. I think we should have been false to our duty if we had not done it, and there is nothing whatever in all the action of the Colombians, of whom our treatment has been more than generous, which should make us repent of any act that has there been committed.

Mr. President, this seems to me—if it can be said truly of any question—to be a question that is not one of party. Certainly it is a question in which the interests and the hopes of all the people of the United States—North and South, Democrat and Republican—are alike bound up. I think it is a great achievement, in which we should all be proud to take a part. I never in my life, I think, questioned the motives of anybody who differed from me, and I do not now; still less should I impugn the patriotism of Senators who hold a different view of this question from my own. I only ask from them the same belief in my sincerity that I accord to theirs; but I do think that it is fairly open to discuss this question from a political standpoint, and I confess the attitude assumed by some portions, at least, of the Democratic party is very curious and interesting.

I know well that there are some members of that party here and large numbers of that party outside of Washington who are as zealous and as eager for the promotion of this canal and the ratification of this treaty as any people can possibly be. I know too that there are others—for I have read debates which have occurred elsewhere—who, while they protest their hatred of the sinner, seem perfectly willing to embrace the sin. But, Mr. President, there is still another element which seems desirous to make this a party question and to extract from it political capital. It seems to me that a stranger idea than that never entered into the head of man.

I quite agree with the saying of Disraeli that "the business of an opposition is to oppose," but I think that great parliamentary leader, when he uttered that epigram, postulated that the opposition should be intelligent, for he knew perfectly well that the duty of an opposition was to be always ready to take up the government from the hands of those who were then administering it, and that nothing could so soon prevent the rise of an opposition to power as their convincing the electorate that they were not fit to govern. Such unfitness is very easily shown by the attitude of an opposition; and when a party thinks that there is political capital to be gathered in resisting the policy which would begin at once the opening of that great canal, I think, Mr. President, if I may be pardoned for saying so, that it exhibits a misapprehension which it is hard to fathom. I have been reminded by this Democratic opposition on several occasions of Doctor Johnson's remark about Thomas Sheridan, the father of the great dramatist and orator. He said: "Sherry is dull, sir, naturally dull, but he must have taken great pains to arrive at his present position. Such an excess of stupidity is not in nature, sir." [Laughter.]

Mr. President, think of the proposition of making political capital out of a question of this nature. As a Republican I should ask nothing better than to have the Panama Canal made the issue in the impending campaign. I think, indeed, that a good deal of valuable material has already been given us in that direction, but

I should be very sorry, as an American, to see the work of building the canal delayed, and I believe, Mr. President, that when it is thought over seriously by the Democratic party they will see that there are more judicious courses than to oppose simply because the other party proposes. There must be grounds of opposition more relative than that if you would satisfy the American people, and I am sure that the Democratic party will not always be deceived by the solemn face of an apparent wisdom which sometimes proves to be nothing but that ordinary cunning which overreaches itself.

Mr. President, my own feeling about this policy in regard to Panama I can best express by comparison with the great event which we are about to celebrate at St. Louis. When Mr. Jefferson bought the Louisiana territory in 1803, he met with deep opposition, chiefly from men representing my own part of the country. They were honorable, high-minded men, although they made then a great mistake. But what I wish to call attention to is this: Mr. Jefferson believed that when he made that purchase he was transcending his constitutional powers. I do not think that he was; posterity does not think so; but he thought so at the time, and even went so far as to suggest the passage of a constitutional amendment. And yet, thinking so, he went boldly on and performed what I regard as the greatest act of his life; did what I consider one of the great acts of American history; certainly reared to himself the most splendid and enduring monument that any man could rear. Mr. President, there has been no occasion here for any man to doubt about constitutional powers. Laws and constitutions are not disregarded by men as familiar with the history of their country as the President and the Secretary of State. The Secretary of State is one of the most accomplished men who ever held that great place. I doubt if anyone has ever rivaled him in his familiarity with what has gone before and with the acts of all his predecessors. The President and the Secretary of State have regarded this question with the deep sense of responsibility which comes upon men who in high executive position are called upon to take a momentous step. I believe they acted as patriots and as far-seeing Americans; and when that canal is completed—and I hope not many years will pass until that happens—I believe that then the voice of the American people will acclaim the action of this Administration, which threw open the gateway between the Atlantic and the Pacific oceans, even as they acclaim the action of Jefferson when he bought the territory of Louisiana.

Mr. President, I had meant to stop here, but these are days when new events tread fast upon each other's heels. This morning I had the pleasure of reading the account of a great banquet in New York and I can not properly finish without an allusion to something that was said there. It seemed to me a most interesting occasion. Tammany Hall and the remnants of the Democratic reform administration nestling under the wings of Mr. David B. Hill! I do not know which was the lion and which were the lambs, but they were certainly all lying down together. [Laughter.] Among others present was a very distinguished citizen of my own State, whom I am very proud and happy to call my personal friend. I very rarely agree with him on any political question, but he made a single statement last night with which I think I am in more or less agreement. He referred in a picturesque way to the dreadful career that has been run by the Republican party since it came into power in 1896. He said that we had passed from "a needless war with Spain to a wanton war with Colombia."

"Needless war with Spain!" Mr. President, I am inclined to think that the adjective was well chosen. If, when the first stirrings for independence had come in that island, the Administration of Mr. Cleveland had behaved with sense and courage; if they had told Spain that the time had come when the United States could no longer hold back and that Cuba must be free, I have always believed—I believed then, and I believe now—that Cuba would have obtained her independence, perhaps after some protracted negotiations, but without any war by us. I have always thought that if that Administration, instead of taking counsel with the minister of Spain and a great sugar planter in Cuba, had been guided by a sound and brave American spirit before Spain had squandered blood and treasure in the island, we might indeed have been saved from the war.

And, Mr. President, I look forward with great interest and great pleasure to the picture that was there drawn by the ex-Secretary of State when he eulogized the last Democratic President. Apparently in twenty years he is the only candidate they can produce, and Mr. Olney seems to think he is the only one they can run. Very well, Mr. President, whatever his strength or whatever his weakness, I can not refrain from saying that his nomination would present me at least with one great source of pleasure. His Administration has never been discussed. I do not regard the Democratic party—this, I suppose, is a partisan remark, but I shall make it—I do not, I say, regard the Democratic party as always abounding in good sense, but they had too much sense to fight the campaign of 1896 on the performances of Mr. Cleveland's Administration. They repudiated him and his Administration, and we were deprived of the opportunity of discussing it. We may say what we will about the silver issue, but it was a better issue for the Democratic party to meet the country on than what had gone before; and when I saw the accounts of this delightful banquet in New York and read those inspiriting speeches and observed the Democratic party once more, through its chosen leaders there present, preparing to stand across the pathway of American progress and proposing to put at their head the man who last held power in their name I confess my spirits rose higher than ever about Republican prospects. I thought of what a pleasure it would be to contrast the policy which tried to set up Liliuokalani in Hawaii with the policy of the Republican party which has made those islands a part of the United States; to contrast the tariff which they passed, and which their own President called the "tariff of perfidy and dishonor," with the tariff we passed; to examine the history of the loans which they made in a time of profound peace to the bankers of New York with an interest rate far above what the United States could borrow at even then, and contrast them with the popular loan which we made in time of war; above all I should like to compare that era of panic and depression with the prosperity which followed. The whole field fairly bristles with delightful contrasts. I think, Mr. President, that nothing could be happier for us—and we have had a great deal of good fortune in time past showered on us by our Democratic friends—than to have them nominate the last Democratic reform President, with the agreeable record of his last Administration as a theme for debate, on a policy of sustaining Colombia and opposing the United States in digging the canal at Panama. [Manifestations of applause in the galleries.]

The PRESIDENT pro tempore. Under the unanimous-consent agreement the resolution takes its place immediately after the conclusion of the morning business to-morrow.

MISSISSIPPI RIVER BRIDGE AT GRAYS POINT, MO.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 2300) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo.," approved January 26, 1901. This bill has been favorably reported from the Committee on Commerce, and it is important that it should be passed at once, as it is only an extension of the time for the construction of the bridge. It will take but a moment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INTERVENTION IN COLOMBIA.

Mr. GORMAN. In view of the fact that by consent the morning hour to-day was taken up in order that the Senate might hear the Senator from Massachusetts [Mr. LODGE], I ask unanimous consent to submit at this time a resolution of inquiry on the subject discussed by the Senator from Massachusetts. It calls for some additional papers in connection with the matter pending before the Senate. I offer the resolution which I send to the desk.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent to present at this time a resolution. Does the Senator ask for its present consideration?

Mr. GORMAN. I do, sir.

The PRESIDENT pro tempore. And he asks for its consideration now. The resolution will be read to the Senate for its information.

The Secretary read the resolution, as follows:

Resolved, That the President be requested, if not in his judgment incompatible with the public interest, to inform the Senate:

1. The date when and the circumstances under which the United States intervened for the first time and each succeeding time with a military force in the internal affairs of New Granada or Colombia under the treaty of 1846, whether such intervention was on the initiative of the United States or by the request of New Granada or Colombia, or in consequence of any official representation made either to the United States or to the Senate copies of the letters or notes in the Department of State, and of the orders by the Navy Department relating to such intervention.

2. Also to inform the Senate whether or not the United States has been asked in New Granada or Colombia or any other representative of either two countries to intervene for the guaranty of the neutrality of the Isthmus or the sovereignty of New Granada or Colombia over the same, and if the United States has been so asked, then the dates and circumstances thereof, and to send to the Senate copies of the letters or notes in each case conveying the application and what was done thereunder by the United States.

3. And also to inform the Senate in which, if any, of the disturbances on the Isthmus of Panama referred to by the President in his last annual message the United States intervened by the employment of military force solely on its own initiative and uninvited by the Government owning the Isthmus, and also to inform the Senate of the circumstances in each case which required such intervention, and transmit copies of the orders issued by the Navy Department for such purpose.

4. And also that he will inform the Senate of the dates when and circumstances under which the United States has intervened in the internal affairs of New Granada or Colombia by military force in aid of a revolt or rebellion

or disturbance of the peace therein, or to suppress such revolt, rebellion, or disturbance.

5. And also to inform the Senate which words, if any, in the treaty of 1846 authorized the United States, in the opinion of the President, to enter by military force and uninvited into the territorial jurisdiction of New Granada—arrangements in order to prevent the interruption or embarrassment of free traffic across the Isthmus.

The PRESIDENT pro tempore. Is there objection to receiving the resolution at the present time?

Mr. ALLISON. I do not object to receiving it.

The PRESIDENT pro tempore. The Chair hears none. Is there objection to its present consideration?

Mr. ALLISON. I object, Mr. President.

The PRESIDENT pro tempore. The resolution will go over under the rule.

Mr. PLATT of Connecticut and Mr. KEAN. And be printed.

The PRESIDENT pro tempore. And be printed.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 3 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, January 6, 1904, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 5, 1904.

INDIAN AGENT.

Ira A. Hatch, of South Dakota, to be agent for the Indians of the Cheyenne River Agency in South Dakota.

POSTMASTERS.

CONNECTICUT.

Edward B. Bennett to be postmaster at Hartford, in the county of Hartford and State of Connecticut.

William H. Brown to be postmaster at Jewett City, in the county of New London and State of Connecticut.

William Holmes to be postmaster at Shelton, in the county of Fairfield and State of Connecticut.

INDIAN TERRITORY.

Robert B. Ross to be postmaster at Tahlequah, in the Cherokee Nation, Ind. T.

KANSAS.

W. S. Baxter to be postmaster at Baxter Springs, in the county of Cherokee and State of Kansas.

Harvey J. Penney to be postmaster at Hays, in the county of Ellis and State of Kansas.

MAINE.

James H. DeCoster to be postmaster at Mechanic Falls, in the county of Androscoggin and State of Maine.

MASSACHUSETTS.

Paul R. Bridgman to be postmaster at Ware, in the county of Hampshire and State of Massachusetts.

William L. Lathrop to be postmaster at Orange, in the county of Franklin and State of Massachusetts.

Henry S. Moore to be postmaster at Hudson, in the county of Middlesex and State of Massachusetts.

Edward G. Spooner to be postmaster at Fairhaven, in the county of Bristol and State of Massachusetts.

Charles E. Wallace to be postmaster at Fitchburg, in the county of Worcester and State of Massachusetts.

James H. Whetten to be postmaster at Highlandville, in the county of Norfolk and State of Massachusetts.

MICHIGAN.

George Burkhart to be postmaster at Saline, in the county of Washtenaw and State of Michigan.

Edward F. Evarts to be postmaster at Chesaning, in the county of Saginaw and State of Michigan.

OHIO.

William P. Gillam to be postmaster at Nevada, in the county of Wyandot and State of Ohio.

Vernie E. Humphrey to be postmaster at Fayette, in the county of Fulton and State of Ohio.

Charles W. Jones to be postmaster at Waverly, in the county of Pike and State of Ohio.

David H. Perrin to be postmaster at Maumee, in the county of Lucas and State of Ohio.

Charles S. Putnam to be postmaster at Conneaut, in the county of Ashtabula and State of Ohio.

Charles B. Saxby to be postmaster at Weston, in the county of Wood and State of Ohio.

PENNSYLVANIA.

Michael Weyand to be postmaster at Beaver, in the county of Beaver and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 5, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

THE JOURNAL.

The Journal of yesterday's proceedings was read and approved.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I rise for the purpose of correcting the Journal. I think there is a clerical error. As I understood the reading, it was stated in the Journal that "Mr. GARDNER of Massachusetts" raised the point of order against the resolution, when it was the gentleman from New Jersey [Mr. GARDNER]. It is only a clerical error.

The SPEAKER. The Journal is correct.

SYMPATHY AND CONDOLENCE FOR THE PEOPLE OF CHICAGO.

Mr. EMERICH. Mr. Speaker ——

The SPEAKER. For what purpose does the gentleman rise?

Mr. EMERICH. To offer a resolution of sympathy and condolence for the grief-stricken people of the city of Chicago, which I ask the Clerk to read.

The SPEAKER. The gentleman asks unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Be it resolved by the House of Representatives of the United States of America, That the sincere and tender sympathy of this body be extended to the grief-stricken citizens of the city of Chicago in their sad bereavement and desolation.

Resolved, That the terrible calamity which has lately occurred in the city of Chicago has aroused the deepest sympathy, and this House on behalf of the people of the United States, would express its profound sorrow and deepest condolence to the survivors, and would express its sympathy with the maimed and stricken and the families of those who have lost their lives.

Resolved, That a copy of these resolutions, duly authenticated by the Speaker and Clerk of this House, be transmitted to the mayor of the city of Chicago.

Mr. TAWNEY. Mr. Speaker, I would suggest that the resolution ought to be amended because of the fact that there were citizens from very many States who were injured or killed in the catastrophe, and the resolution ought to read "citizens of Chicago and elsewhere."

Mr. EMERICH. Mr. Speaker, I have no objection to the amendment. I am satisfied that the loss is mourned not only in this country, but throughout the civilized world, as the calamity has proven so serious and so widespread that expressions of sympathy and condolence have been received from all over the world.

Mr. TAWNEY. I am informed that burial permits were granted for 238 outside of the city of Chicago.

The SPEAKER. Does the gentleman accept the amendment?

Mr. EMERICH. Yes, sir; I accept the amendment.

The SPEAKER. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none. The question is on agreeing to the resolution as amended.

The resolution as amended was unanimously agreed to.

ORDER OF BUSINESS.

The SPEAKER. The Chair lays before the House the following message from the President.

Mr. HAY. A parliamentary inquiry, Mr. Speaker. Does the reading of the message of the President interfere with the matter of privilege that was up when the House adjourned?

The SPEAKER. It would come up as unfinished business, being a matter of privilege. Does the gentleman demand the regular order?

Mr. HAY. Yes, sir; I demand the regular order.

RULING.

The SPEAKER. The Chair desires at this time to correct a ruling made by the Chair yesterday. After the previous question had been moved upon this resolution yesterday the gentleman from New York [Mr. PAYNE] proposed a motion to refer. The Chair had in mind clause 4 of Rule XVI, which is as follows:

When a question is under debate no motion shall be received but to adjourn, to lay on the table, for the previous question (which motions shall be [illegible] to postpone to a day certain, to refer, or to amend, [illegible] which, on several questions, have precedence in the foregoing order.

Now, with that rule standing alone, the ruling of the Chair was strictly in accordance with the letter of the rule; but the Chair had overlooked Rule XVII, which is as follows:

There shall be a motion for the previous question, which, being ordered by a majority of Members voting, if a quorum be present, shall have the effect [illegible] all debate and bring the House to a direct vote upon the immediate question or questions on which it has been asked and ordered. The previous question may be asked and ordered upon a single question, a series of [illegible] question under the rules, or an amendment or amendments, or may be made to embrace all authorized motions or amendments and include the bill in its passage or rejection. It shall be in order, pending the motion for, or after the previous question shall have been ordered on its passage, for the Speaker to entertain and submit a motion to commit, with or without instructions, to a standing or select committee.

In the opinion of the Chair, if called upon to rule for the first time and harmonize Rule XVI with Rule XVII, the Chair would hold that Rule XVI applies to resolutions and that Rule XVII applies to joint resolutions and bills.

Evidently, under Rule XVII, it was the intention of the House, by the adoption of the same, to give the House an opportunity after a bill had been engrossed and read a third time, if there were accidents, or for any reason it was the sense of the House that the bill ought to be recommitted, to have that opportunity. In practice that motion is in constant use in the ordinary business of the House in cases where the previous question is ordered upon the bill to its passage after the bill has been engrossed and read a third time. But the Chair does not feel at liberty or believe that it would be a correct ruling, in view of the practice of the House heretofore, to so harmonize these two rules. It has been the practice of the House, certainly from the time of Speaker Crisp, to hold that Rule XVII applies to resolutions as well as to bills. That was followed by Speaker Reed and also by Speaker Henderson.

Gentlemen are familiar with that fact, for the reason that in cases of resolutions reported from Election Committees in the determination of election contests it has been the constant practice after the substitute was voted on to move to recommit with or without instructions. So the practice of the House having been to substantially nullify Rule XVI, and the Chair, not feeling at liberty to depart from that practice, so far as the motion to commit is concerned, holds that under Rule XVII it is in order, pending a motion for the previous question upon a resolution or after the previous question upon the resolution has been ordered, either, at the election of the House, to commit the resolution.

The Chair thought proper to call the attention of the House promptly to the error that the Chair fell into yesterday.

QUESTION OF PRIVILEGE.

The SPEAKER. The question now is upon the motion for the previous question upon the resolution offered by the gentleman from Virginia [Mr. HAY], upon which the yeas and nays are ordered.

The question was taken; and there were—yeas 103, nays 111, answered "present" 7, not voting 162, as follows:

YEAS—103.

Adamson,	Harrison,	Macon,	Shull,
[illegible]	Hay,	Maynard,	Sims,
[illegible]	Henry, Tex.	Miers, Ind.	Slayden,
[illegible]	Hitchcock,	Minor,	Smith, Ill.
[illegible]	Houston,	Moon, Tenn.	Smith, Tex.
[illegible]son,	Howell, Pa.	Padgett,	Snook,
Burnett,	Hughes, N. J.	Page,	Southall,
Candler,	Humphreys, Miss.	Pierce,	Spalding,
[illegible]	Hunt,	Pinckney,	Stanley,
[illegible]	Johnson,	Prince,	Stephens, Tex.
[illegible]	Jones, Va.	Rainey,	Sullivan, Mass.
[illegible] Wis.	Kehoe,	Reid,	Sulzer,
[illegible]mard,	Kellher,	Rhea,	Swanson,
Croft,	Kitchin, Claude	Richardson, Ala.	Talbott,
Davis, Fla.	Kline,	Richardson, Tenn	Taylor,
Denny,	Lamar, Fla.	Rider,	Thayer,
Flood,	Lamb,	Rixey,	Thomas, N. C.
Gaines, Tenn.	Lester,	Robb,	Underwood,
Garner,	Lever,	Robinson, Ark.	Van Duzer,
[illegible]	Lewis,	Robinson, Ind.	Wallace,
[illegible]ge,	Lind,	Rucker,	Wanger,
	Little,	Russell,	Warner,
Goulden,	Livernash,	Sandlar,	Williams, Miss.
Gregg,	Lloyd,	Shackleff,	Young,
Gudger,	McLain,	Sheppard,	Zenor.
Hardwick,	McNary,	Sherley,	

NAYS—111.

Acheson,	Davis, Minn.	Howell, N. J.	Otis,
Adams, Pa.	Deemer,	Humphrey, Wash.	Otjen,
Ames,	Dixon,	Jenkins,	Overstreet,
Bates,	Dresser,	Jones, Wash.	Parker,
Bede[illegible]	Driscoll,	Kahn,	Payne,
[illegible]ham,	Dunwell,	Kehr,	Porter,
Birdsall,	Dwight,	Knapp,	Rodenberg,
Bishop,	Fordney,	Lacey,	Scott,
Boutell,	Fess,	Lafean,	Shiras,
Bradley,	French,	Lamson, Chas. B.	Slemp,
Brantley,	Gaines, W. Va.	Lanning,	Smith, Wm. Alden
Brick,	Gardner, Mich.	Lawrence,	Smith, Pa.
Brooks,	Gardner, N. J.	Longworth,	Snapp,
Brown, Pa.	Gibson,	Loud,	Sperry,
Brownlow,	Gillet, N. Y.	Lovelace,	Stafford,
Buckman,	Gillett, Mass.	McCall,	Sterling,
Burke,	Graff,	McCleary, Minn.	Stevens, Minn.
Burkett,	Grosvenor,	McCleary, Pa.	Sullloway,
Burton,	Hamilton,	McLachlan,	Tawney,
Butler, Pa.	Haskins,	Mahon,	Thomas, Iowa
Campbell,	Hedge,	Mann,	Van Voorhis,
Conner,	Henenway,	Martin,	Volstead,
Cooper, Pa.	Hepburn,	Metcalf,	Warnock,
Cousins,	Hermann,	Miller,	Weems,
Curtis,	Hill, Conn.	Mondell,	Wiley, N. J.
Cushman,	Hinshaw,	Moon, Pa.	Williamson,
Dalzell,	Hogg,	Morrell,	Woodyard.
	Holliday,	Murdock,	
		Needham,	

ANSWERED "PRESENT"—7.

Cassel,	Dickerman,	Gillett, Cal.	Wadsworth.
Currier,	Emerich,	Patterson, Pa.	

NOT VOTING—162.

Adams, Wis.	Dovener,	Klutts,	Roberts,
Aiken,	Draper,	Knopf,	Robertson, La.
Alexander,	Esch,	Kyle,	Ruppert,
Allen,	Evans,	Lamar, Mo.	Ryan,
Babcock,	Ewin,	Lamb, Frederick	Scarborough,
Badger,	Finley,	Legare,	Shackleford,
Baker,	Fitzgerald,	Lilley,	Sherman,
Bankhead,	Fitzpatrick,	Lindsay,	Snodgrass,
Bartholdt,	Flack,	Littauer,	Southard,
[illegible]	Foster, Ill.	Littlefield,	Stokes,
[illegible], Tex.	Foster, Vt.	Livingston,	Small,
[illegible]	Fowler,	Loemer,	[illegible], Iowa
[illegible]	Fuller,	Lord,	[illegible], Ky.
[illegible]	Garber,	Lovering,	Smith, Samuel W.
[illegible]	Gardner, Mass.	Lucas,	[illegible], N. Y.
[illegible]	Goebel,	McAndrews,	[illegible],
[illegible]	Goldfogle,	McCleary, Minn.	[illegible],
Brown, Wis.	Gooch,	McDermott,	Stevens,
[illegible]	Granger,	McMorran,	Sperry,
[illegible]	Greene,	Machen,	[illegible],
[illegible]	Griffith,	Madden,	[illegible], N. Y.
Butler, Mo.	Griggs,	Marsh,	Tate,
Byrd,	Hamlin,	Marshall,	Thompson,
Calderhead,	Haugen,	Meyer, La.	Tirrill,
[illegible]	Hearst,	Morgan,	Townsend,
[illegible]	Henry, Conn.	Mudd,	Trimble,
[illegible]ham,	Hill, Miss.	Nevin,	Vreeland,
[illegible]	Hitt,	Norris,	Vreeland,
[illegible]	Hopkins,	Olmsted,	Weeks,
[illegible]ker,	Howard,	Palmer,	Wheeler,
[illegible]	Howell, Utah	Patterson, N. C.	Wade,
[illegible]	Huff,	Patterson, Tenn.	Watson,
Dayton, La.	Hughes, W. Va.	Pearre,	Wood,
Davidson,	Hull,	Perkins,	Wooten,
Dayton,	Hunter,	Pou,	Wiley, Ala.
De Armond,	Jackson, Md.	Powers, Me.	Williams, Ill.
Dick,	Jackson, Ohio	Powers, Mass.	Wilson, Ill.
Dinsmore,	James,	Pujo,	Wilson, N. Y.
Dougherty,	Ketcham,	Randell, Tex.	Wright,
Douglas,	Kitchin, Wm. W.	Ransdell, La.	Wynn.
		Reeder,	

So the motion for the previous question was rejected.

The following pairs were announced:

Until further notice:

Mr. SMITH of Iowa with Mr. BENTON.

Mr. LORIMER with Mr. MAHONEY.

Mr. FLACK with Mr. LAMAR of Missouri.

Mr. HITT with Mr. DINSMORE.

Mr. NEVIN with Mr. GARBER.

Mr. POWERS of Maine with Mr. EMERICH.

Mr. VAN VOORHIS with Mr. CASSINGHAM.

Mr. KETCHAM with Mr. JAMES.

Mr. EVANS with Mr. HILL of Mississippi.

Mr. MCMORRAN with Mr. BURGESS.

Mr. CAPRON with Mr. GRANGER.

Mr. CALDERHEAD with Mr. SPIGHT.

Mr. FOSTER of Vermont with Mr. POU.

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. VREELAND with Mr. HEARST.

Mr. CROMER with Mr. GRIFFITH.

Mr. HENRY of Connecticut with Mr. CROWLEY.

Mr. BABCOCK with Mr. DE ARMOND.

Mr. WRIGHT with Mr. BYRD.

Mr. ALEXANDER with Mr. SPARKMAN.

Mr. BOWERSOCK with Mr. SHACKLEFORD.

Mr. PEARRE with Mr. BROUSSARD.

Mr. STEENERSON with Mr. KLUTTZ.

Mr. DUNWELL with Mr. BAKER.

Mr. DOUGLAS with Mr. BELL of California.

Mr. MUDD with Mr. WILLIAM W. KITCHIN.

Mr. GILLETT of California with Mr. WYNN.

Mr. SKILES with Mr. RANDELL of Texas.

For the session:

Mr. CASSEL with Mr. GOOCH.

Mr. CURRIER with Mr. FINLEY.

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

For this day:

Mr. HUNTER with Mr. PATTERSON of North Carolina.

Mr. REEDER with Mr. WILEY of Alabama.

Mr. POWERS of Massachusetts with Mr. THOMPSON.

Mr. PERKINS with Mr. TATE.

Mr. PALMER with Mr. SHOBER.

Mr. SOUTHARD with Mr. WILLIAMS of Illinois.

Mr. MARSHALL with Mr. PUJO.

Mr. MARSH with Mr. SMALL.

Mr. MCCLEARY of Minnesota with Mr. SCARBOROUGH.

Mr. LOUD with Mr. RYAN.

Mr. KYLE with Mr. PATTERSON of Tennessee.

Mr. JACKSON of Ohio with Mr. LUCKING.

Mr. HULL with Mr. RANSDELL of Louisiana.

Mr. HOWELL of Utah with Mr. LEGARE.

Mr. HUGHES of West Virginia with Mr. HOWARD.

Mr. HAUGEN with Mr. HOPKINS.

Mr. GOEBLE with Mr. GOLDFOGLE.

Mr. GARDNER of Massachusetts with Mr. FOSTER of Illinois.
Mr. FULLER with Mr. BEALL of Texas.
Mr. ESCH with Mr. BASSETT.
Mr. ALLEN with Mr. BADGER.
Mr. LITTAUER with Mr. SULLIVAN of New York.
Mr. DOVENER with Mr. MADDOX.
Mr. DAVIDSON with Mr. LINDSAY.
Mr. BARTHOLDT with Mr. BANKHEAD.
Mr. DARRAGH with Mr. DAVEY of Louisiana.
Mr. FOWLER with Mr. WEISSE.
Mr. HILDEBRANT with Mr. HAMLIN.
Mr. DICK with Mr. WILSON of New York.
Mr. DRAPER with Mr. BUTLER of Missouri.
Mr. LOVERING with Mr. McDERMOTT.
Mr. TIRRELL with Mr. BREAZEALE.
Mr. ROBERTS with Mr. FITZGERALD.
Mr. WACHTER with Mr. VANDIVER.
Mr. SOUTHWICK with Mr. BRUNDIDGE.
Mr. WILSON of Illinois with Mr. DOUGHERTY.
Mr. MORGAN with Mr. McANDREWS.
Mr. HUFF with Mr. FIELD.
Mr. GREENE with Mr. COOPER of Texas.
Mr. ADAMS of Wisconsin with Mr. FITZPATRICK.
Mr. FREDERICK LANDIS with Mr. GRIGGS.
Mr. SAMUEL W. SMITH with Mr. SMITH of Kentucky.
Mr. SIBLEY with Mr. TRIMBLE.
Mr. LILLEY with Mr. AIKEN.
Mr. CRUMPACKER with Mr. CALDWELL.
Mr. LITTLEFIELD with Mr. LIVINGSTON.
Mr. OLMSTED with Mr. ROBERTSON of Louisiana.
Mr. WATSON with Mr. WADE.
Mr. TOWNSEND with Mr. WEBB.

On this vote:

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

The result of the vote was then announced as above recorded.

Mr. PAYNE. Mr. Speaker, I move to commit the preamble and resolution to the Committee on Post-Offices and Post-Roads, and on that I demand the previous question.

The question was taken; and the previous question was ordered.

The SPEAKER. The question now recurs on the motion of the gentleman from New York to commit to the Committee on the Post-Office and Post-Roads.

Mr. UNDERWOOD. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. UNDERWOOD. For a parliamentary inquiry. The previous question having been ordered on a new motion, a motion to commit, I ask if it is not in order for twenty minutes of debate on each side, there having been no debate on this particular motion at this time?

The SPEAKER. The Chair will attempt to find out. [Laughter.]

Mr. PAYNE. Mr. Speaker, debate has been had on the resolution, and it is not in order to debate this. Debate has been had and exhausted on the resolution.

The SPEAKER. The Chair will hear the gentleman from Alabama upon the point.

Mr. UNDERWOOD. Mr. Speaker, the original proposition before the House was a motion that had not been referred to any committee because it was a question of privilege. That question of privilege was debated when the question of privilege was carried, the proposition of appointing a committee to investigate the matters involved in the question of privilege. The previous question not having being ordered on that proposition, the gentleman from New York makes a new motion, a motion the discussion of which is not involved and the matters of which are not involved in the original motion. He makes a motion to refer this to a standing committee to consider whether they will report the resolution. The original debate on this question was whether the matter contained in the resolution should be debated. That was discussed, but the question whether this should be referred to a standing committee before action being taken on it at all has never been discussed. So I say it is new matter, and, being new matter, debate has never occurred on that question, and twenty minutes' debate on each side should be allowed.

The SPEAKER. The Chair is ready to rule. On page 438 of the Manual it says: "The word 'proposition' in the rule providing for forty minutes of debate after the previous question is ordered means the main question and does not refer to incidental motions."

Now, the main question has already been debated. This is an incidental motion to dispose of the resolution, namely, to refer it to a committee. The Chair thinks that debate has already been had under the rule and that further debate is not in order. The question is now on the motion of the gentleman from New York to refer the resolution to the Committee on the Post-Office and Post-Roads.

Mr. HAY. And on that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 118, nays 98, answered "present" 5, not voting 162, as follows:

YEAS—118.

Acheson,	Dixon,	Humphrey, Wash.	Overstreet,
Adams, Pa.	Dresser,	Jenkins,	Parker,
Ames,	Driscoll,	James, Wash.	Patterson, Pa.
Bates,	Dunwell,	Kennedy,	Payne,
Bede,	Dwight,	Kinkaid,	Porter,
Beidler,	Fordney,	Knapp,	Rodenberg,
Bingham,	Foss,	Lacey,	Scott,
Birdsall,	French,	Lafean,	Shiras,
Bishop,	Gaines, W. Va.	Landis, Chas. B.	Slemp,
Bowersock,	Gardner, Mass	Lawrence,	Smith, Wm. Alden
Brandegee,	Gardner, Mich.	Longworth,	Smith, Pa.
Brick,	Gardner, N. J.	Loudenslager,	Snapp,
Brooks,	Gillet, N. Y.	McCall,	Sperry,
Brown, Pa.	Gillett, Mass.	McCarthy,	Stafford,
Brownlow,	Goulden,	McCreary, Pa.	Sterling,
Burke, Pa.	Graff,	McLachlan,	Stevens, Minn.
Burke, S. D.	Grosvenor,	Malby,	Sulloway,
Burleigh,	Hamilton,	Mann,	Tawney,
Butler, Pa.	Haskins,	Martin,	Thomas, Iowa
Calderhead,	Haugen,	Metcalf,	Van Voorhis,
Campbell,	Hedge,	Miller,	Volstead,
Candler,	Hemenway,	Minor,	Warner,
Carter, Pa.	Hepburn,	Mondell,	Warnock,
Cassidy,	Hermann,	Moon, Pa.	Weems,
Cole,	Hitchcock,	Morrell,	Wiley, N. J.
Cushman,	Hinshaw,	Murdock,	Wolverton,
Dalzell,	Hogg,	Needham,	Woodyard,
Davis, Minn.	Holliday,	Otis,	Young.
Deemer,	Howell, N. J.	Otjen,	

NAYS—98.

Adamson,	Hardwick,	McLain,	Sherley,
Aiken,	Harrison,	McNary,	Shull,
Barnett,	Hay,	Macon,	Sims,
Bartlett,	Henry, Tex.	Maynard,	Slayden,
Beall, Tex.	Hitchcock,	Miers, Ind.	Smith, Ill.
Brantley,	Houston,	Moon, Tenn.	Smith, Tex.
Brownson,	Howell, Pa.	Padgett,	Snook,
Burnett,	Hughes, N. J.	Page,	Southall,
Candler,	Humphreys, Miss.	Pierce,	Stanley,
Clark,	Hunt,	Pinckney,	Stephens, Tex.
Clayton,	Johnson,	Prince,	Sullivan, Mass.
Cochran,	Jones, Va.	Rainey,	Sulzer,
Cooper, Wis.	Kehoe,	Reid,	Swanson,
Cowherd,	Kellher,	Rhea,	Talbott,
Davey,	Kitchin, Claude	Richardson, Ala.	Taylor,
Fleitman,	Knox,	Richardson, Tenn.	Thayer,
Floyd, Ark.	Latimer, Fla.	Ryan,	Thomas, N. C.
Fornes,	Lamb,	Rixey,	Underwood,
Gaines, Tenn.	Lester,	Robb,	Van Duzer,
Garber,	Lever,	Robinson, Ark.	Wallace,
Garrett,	Lewis,	Robinson, Ind.	Wanger,
Gillespie,	Lind,	Rucker,	Williams, Miss.
Glass,	Little,	Russell,	Zenor.
Gregg,	Livernash,	Saunders,	
Gudger,	Lloyd,	Sheppard,	

ANSWERED "PRESENT"—5.

Cassel,	Gillett, Cal	Pou,
Currier,		Wadsworth.

NOT VOTING—162.

Adams, Wis.	Douglas,	Knopf,	Ruppert,
Alexander,	Dovener,	Kyle,	Ryan,
Allen,	Draper,	Lamar, Mo	Scarborough,
Babcock,	Esch,	Landis, Frederick	Shackleford,
Badger,	Evans,	Legare,	Shafroth,
Baker,	Field,	Lilley,	Sherman,
Barkesdale,	Finley,	Lindsay,	Shober,
Bartholdt,	Fitzgerald,	Littauer,	Sibley,
Bassett,	Fitzpatrick,	Littlefield,	Skiles,
Beall, Tex.	Flack,	Livingston,	Smith,
Bee, Cal.	Foster, Ill.	Lorimer,	Smith, Iowa
Benton,	Foster, Vt.	Loud,	Smith, Ky.
Bowersock,	Fowler,	Lovering,	Smith, N. Y.
Brantley,	Fuller,	Lucking,	Smith, Samuel W.
Brownson,	Garber,	McAndrews,	Southard,
Burnett,	Goebel,	McCleary, Minn.	Southwick,
Brown, Wis.	Goldfogle,	McDermott,	Spalding,
Brundidge,	Gooch,	McMorran,	Sparkman,
Burgess,	Granger,	Maddox,	Spight,
Burke, Tex.	Greene,	Mahoney,	Steenerson,
Butler, Mo.	Griffith,	Marsh,	Sullivan, N. Y.
Byrns,	Griggs,	Marshall,	Tate,
Candler,	Hamlin,	Meyer, La.	Thompson,
Cockrell,	Hearst,	Morgan,	Tirrell,
Capron,	Henry, Conn.	Mudd,	Townsend,
Cassingham,	Hildebrant,	Nevin,	Trimble,
Cooper, Tex.	Hill, Mass.	Norris,	Vandiver,
Croft,	Hitt,	Olmsted,	Vreeland,
Cromer,	Hopkins,	Palmer,	Wachter,
Crowley,	Howard,	Patterson, N. C.	Wade,
Crumpacker,	Howell, Utah	Patterson, Tenn.	Watson,
Daniels,	Huff,	Pearre,	Webb,
Darragh,	Hughes, W. Va	Perkins,	Weisse,
Davey, La.	Hull,	Powers, Me.	Wiley, Ala.
Davidson,	Hunter,	Powers, Mass.	Williams, Ill.
Davis, Fla.	Jackson, Md	Pujo,	Wilson, Ill.
Dayton,	Jackson, Ohio	Randell, Tex.	Wilson, N. Y.
De Armond,	James,	Ransdell, La.	Wright,
Denk,	Ketcham,	Reeder,	Wynn.
Dinsmore,	Kitchin, Wm. W.	Roberts,	
Dougherty,	Kluttz,	Robertson, La.	

So the motion of Mr. PAYNE to refer the resolution to the Committee on the Post-Office and Post-Roads was adopted.

The following additional pair was announced:

Mr. DANIELS with Mr. SHAFROTH, for this day.

The result of the vote was announced as above stated.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

THE PANAMA CANAL.

The SPEAKER laid before the House a message from the President of the United States; which was read.

[The message will be found in the Senate proceedings of yesterday, beginning on page 418 of the RECORD.]

At the conclusion of the reading there was loud applause on the Republican side.

The SPEAKER. The message will be referred to the Committee on Foreign Affairs and ordered to be printed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed a bill of the following title; in which the concurrence of the House was requested:

S. 652. An act making Chester, Pa., a subport of entry.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 451. An act granting an increase of pension to William T. Conant—to the Committee on Invalid Pensions.

S. 452. An act granting an increase of pension to Albert W. Bullock—to the Committee on Invalid Pensions.

S. 456. An act granting an increase of pension to Andrew J. Pierce—to the Committee on Invalid Pensions.

S. 458. An act granting an increase of pension to Charles Beattie—to the Committee on Invalid Pensions.

S. 471. An act granting an increase of pension to Silas Moserve—to the Committee on Invalid Pensions.

S. 473. An act granting an increase of pension to Byron D. Babcock—to the Committee on Invalid Pensions.

S. 478. An act granting an increase of pension to Olive J. Bailey—to the Committee on Invalid Pensions.

S. 484. An act granting a pension to Nancy S. Marsh—to the Committee on Invalid Pensions.

S. 547. An act granting an increase of pension to Irving W. Coombs—to the Committee on Invalid Pensions.

S. 549. An act granting an increase of pension to Stephen Thomas—to the Committee on Invalid Pensions.

S. 555. An act granting an increase of pension to Royal A. S. Kingsley—to the Committee on Invalid Pensions.

S. 565. An act granting an increase of pension to James E. Barnard—to the Committee on Invalid Pensions.

S. 578. An act granting an increase of pension to John Bullamore—to the Committee on Invalid Pensions.

S. 586. An act granting a pension to Annie H. Zoll—to the Committee on Invalid Pensions.

S. 587. An act granting an increase of pension to Anson P. Williamson—to the Committee on Invalid Pensions.

S. 589. An act granting an increase of pension to George W. McMullen—to the Committee on Invalid Pensions.

S. 744. An act granting an increase of pension to Stephen Gascoigne—to the Committee on Invalid Pensions.

S. 745. An act granting a pension to John Swenson—to the Committee on Invalid Pensions.

S. 929. An act granting an increase of pension to Charles Starmer—to the Committee on Invalid Pensions.

S. 930. An act granting an increase of pension to Ferdinand Wiedemann—to the Committee on Invalid Pensions.

S. 937. An act granting an increase of pension to Rudolph Siebelist—to the Committee on Invalid Pensions.

S. 959. An act granting an increase of pension to Andrew C. Ranard—to the Committee on Invalid Pensions.

S. 1206. An act granting a pension to Mary McLaughlin—to the Committee on Pensions.

S. 1259. An act granting an increase of pension to John M. Stanyan—to the Committee on Invalid Pensions.

S. 1334. An act granting a pension to Amy C. Bosworth—to the Committee on Invalid Pensions.

S. 1335. An act granting an increase of pension to Calvin Daws—to the Committee on Invalid Pensions.

S. 1402. An act granting an increase of pension to William Paul—to the Committee on Invalid Pensions.

S. 1429. An act granting an increase of pension to Elizabeth C. Paquin—to the Committee on Invalid Pensions.

S. 1437. An act granting an increase of pension to Clarence E. Bullard—to the Committee on Invalid Pensions.

S. 1491. An act granting an increase of pension to James A. Hoover—to the Committee on Invalid Pensions.

S. 1705. An act granting a pension to Esther G. Wharton—to the Committee on Pensions.

S. 1826. An act granting an increase of pension to Mary E. Cutts—to the Committee on Invalid Pensions.

S. 1825. An act granting a pension to Josephine L. Webber—to the Committee on Pensions.

S. 1543. An act granting an increase of pension to William W. Jackson—to the Committee on Invalid Pensions.

S. 821. An act granting an increase of pension to W. Neil Dennison—to the Committee on Invalid Pensions.

S. 78. An act granting a pension to Elijeroy C. Curtis—to the Committee on Pensions.

S. 1559. An act granting an increase of pension to Marie A. Rask—to the Committee on Pensions.

S. 798. An act granting an increase of pension to James A. Templeton—to the Committee on Invalid Pensions.

S. 814. An act granting a pension to Mamie Thayer—to the Committee on Invalid Pensions.

S. 847. An act granting an increase of pension to John L. Beveridge—to the Committee on Invalid Pensions.

S. 898. An act granting an increase of pension to John B. Carter—to the Committee on Invalid Pensions.

S. 652. An act making Chester, Pa., a subport of entry—to the Committee on Ways and Means.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. J. Res. 64. Joint resolution authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 2022. An act to afford protection to exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition.

PRESERVATION OF FRIGATE CONSTITUTION.

Mr. GILLETT of Massachusetts. Mr. Speaker, I ask unanimous consent that there may be read from the Clerk's desk a memorial of the Massachusetts Historical Society, asking for the preservation by Congress of the famous old frigate, the *Constitution*. I do not ask any action on this matter at present, but simply that the memorial may be referred to the Committee on Naval Affairs. The memorial is very short. The reading will take but a few minutes, and will, I think, interest the House, and I am sure very much gratify the distinguished signers.

There being no objection, the memorial was read, as follows:

Memorial.

To the Senate and House of Representatives of the United States:

Your memorialists, the council of the Massachusetts Historical Society, acting under its instructions, would respectfully call the attention of your honorable bodies to certain facts connected with the United States frigate *Constitution:*

That vessel is now lying at Charlestown, Mass., in a dock also used by the steamships of the so-called White Star Line; she is dismantled, out of repair, and liable at any time to injury from carelessness or accident, if not to destruction. Your memorialists further represent that in the American mind an historical interest attaches to the *Constitution* such as attaches to no other ship in maritime annals, except, possibly, the *Santa Maria*, the flagship of Columbus, and the *Mayflower*, both of which disappeared centuries ago. The *Constitution* still remains; and it was the *Constitution* which, in the gloomiest hour of the war of 1812-1814, appeared "like a bright gleam in the darkness." On the 16th of August of that year Detroit, with all its garrisons, munitions, and defenses, was surrendered to the British forces; on the same day Fort Dearborn, at what is now Chicago, was in flames, and with it "the last vestige of American authority on the western lakes disappeared." The discouragement was universal and the sense of national humiliation extreme, for it seemed doubtful if even the interior line of the Wabash could be successfully held against an enemy flushed with success. The prophet of yet other disasters immediately impending was abroad, and, accepting to his wont, further depressed the already disheartened land. It was in this hour of deepest gloom that, on the morning of Sunday, August 30, the Sabbath silence of Boston was broken and the town stirred to unwonted excitement "as the news passed through the quiet streets that the *Constitution* was below, in the outer harbor, with Dacres" of the *Guerriere*, "and his crew prisoners on board." Thus it so chanced that the journal which the next morning informed Bostonians of the latest humiliation, in another column of the same issue announced that naval action which, "however small the affair might appear on the general scale of the world's battles, raised the United States in one half hour to the rank of a first-class power in the world."

The jealousy of the Navy, which had until then characterized the more recent national policy vanished forever "in the flash of Hull's first broadside." The victory, moreover, was most dramatic—a naval duel. The adversaries—not only commanders, but ships, companies to a man—had sought each other out for a test of seamanship, discipline, and gunnery—arrogance and the confidence of prestige on the one side, a passionate sense of wrong on the other. They met in mid-Atlantic, fragate to frigate. It was on the afternoon of August 19, the wind blowing fresh, the sea running high. For about an hour the two ships maneuvered for position, but at last a few minutes before 6 o'clock, "they came together side by side, within pistol shot, the wind almost astern, and running before it they pounded each other with all their strength.

As rapidly as the guns could be worked the *Constitution* poured in broadside after broadside, double-shotted with round and grape, and, without exaggeration, the echo of those guns startled the world. Of her first broadside in that action the master of an American brig, then a captive on board the British ship, afterwards wrote: "About 6 o'clock I heard a tremendous explosion from the opposing frigate. The effect of her shot seemed to make

the *Guerriere* reel and tremble as though she had received the shock of an earthquake." "In less than thirty minutes from the time we got alongside of the enemy," reported Captain Hull to the Secretary of the Navy, "she was left without a spar standing, and the hull cut to pieces in such a manner as to make it difficult to keep her above water."

Commodore Hull was nephew to the [illegible] general who, three days before the *Constitution* overcame the *Guerriere*, had capitulated at Detroit, and perhaps the shattered hulk of the *Guerriere*, which the nephew left at the bottom of the Atlantic ocean, was in some sort of Revolutionary was worth, for the moment the whole population [illegible] the news had fled swiftly to the westward. * * * No experience [illegible] ever went to the heart of New England more directly than [illegible] perhaps the event, but the delight was not confined to New England, and extreme though it seemed, it was still not extravagant.

Therefore, it is that the Massachusetts Institute of Technology, already in 1862 an organization more than twenty years in existence, now [illegible] proposed to be submitted after the usual manner to the Congress of the United States, [illegible] New England. It is needless to enter into the merits and [illegible] it was thus [illegible] the [illegible] of the land that [illegible] Congress [illegible] with [illegible] and [illegible] Congressmen [illegible] Congressmen [illegible] Congress [illegible] Congressmen [illegible] Congressmen [illegible] Congressmen

pension to Josephine C. Chase, reported the same with amendment, accompanied by a report (No. 70); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to whom was referred the bill (H. R. 3743) granting a pension to Charles E. Foley, reported the same with amendments, accompanied by a report (No. 72); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 5507) granting an increase of pension to Marvin Nash, reported the same with amendments, accompanied by a report (No. 73); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 3013) granting an increase of pension to John A. Mavity, reported the same with amendment, accompanied by a report (No. 74); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to Richard L. Cook, reported the same with amendments, accompanied by a report (No. 74); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 1624) granting an increase of pension to Charles W. Beyer, reported the same with amendments, accompanied by a report (No. 75); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 6619) granting an increase of pension to Benjamin R. Little, reported the same with amendment, accompanied by a report (No. 76); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 7374) granting an increase of pension to Jabez Perkins, reported the same with amendments, accompanied by a report (No. 77); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 942) granting an increase of pension to James F. Hardy, reported the same without amendment, accompanied by a report (No. 78); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 5615) granting an increase of pension to Eri Summy, reported the same with amendment, accompanied by a report (No. 79); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 2424) granting a pension to Emma Butler, reported the same with amendments, accompanied by a report (No. 80); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 722) granting an increase of pension to Zebulon B. Stuart, reported the same with amendments, accompanied by a report (No. 81); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 1485) granting an increase of pension to James W. Black, reported the same without amendment, accompanied by a report (No. 82); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to De Witt C. Parker, reported the same with amendments, accompanied by a report (No. 83); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to Thomas M. Parkison, reported the same with amendment, accompanied by a report (No. 84); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to Worthington S. Locke, reported the same with amendments, accompanied by a report (No. 85); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 1515) granting an increase of pension to George W. Hutchison, reported the same with amendment, accompanied by a report (No. 86); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 1856) granting an increase of pension to Alexander H. Covert, reported the same with amendment, accompanied by a report (No. 87); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 12888) granting an increase of pension to Jason Stevens, reported the same with amendments, accompanied by a report (No. 88); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 4999) granting an increase of pension to Allen M. Pierce, reported the same with amendments, accompanied by a report (No. 89); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to James M. Dickey, reported the same with amendment, accompanied by a report (No. 90); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 4707) granting a pension to Margaret J. Snook, reported the same with amendment, accompanied by a report (No. 91); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 4935) granting an increase of pension to Edward T. Miller, reported the same with amendment, accompanied by a report (No. 92); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 5075) granting a pension to Theresa B. Nash, reported the same with amendments, accompanied by a report (No. 93); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 5010) granting a pension to Mary F. Hamilton, reported the same with amendments, accompanied by a report (No. 94); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to Thomas Kelly, reported the same without amendment, accompanied by a report (No. 95); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 237) granting a pension to Margaret Cotter, widow of John A. Cotter, Company B, Second Tennessee Volunteer Cavalry, reported the same with amendments, accompanied by a report (No. 96); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to George W. Day, reported the same with amendment, accompanied by a report (No. 97); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting a pension to Mary Gowans, reported the same with amendments, accompanied by a report (No. 98); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 2091) granting an increase of pension to Lydia A. Topping, reported the same without amendment, accompanied by a report (No. 99); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 3000) granting an increase of pension to William C. Best, reported the same with amendment, accompanied by a report (No. 100); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 895) granting a pension to Margaret M. Walker, reported the same with amendments, accompanied by a report (No. 101); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. [illegible]) granting an increase of pension to James W. Eight, reported the same with amendment, accompanied by a report (No. 102); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 2616) granting a pension to Joseph K. Wait, reported the same with amendments, accompanied by a report (No. 103); which said bill and report were referred the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 864) granting an increase of

pension to Albert Moulton, reported the same with amendment, accompanied by a report (No. 104); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 196) granting a pension to Grace E. Carson, reported the same without amendment, accompanied by a report (No. 105); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6441) granting an increase of pension to Peter Fillion, reported the same with amendment, accompanied by a report (No. 106); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 5043) granting a pension to William H. Harrison, reported the same with amendments, accompanied by a report (No. 107); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 3903) granting an increase of pension to George C. Sherman, reported the same with amendment, accompanied by a report (No. 108); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 5528) granting a pension to Maria Lindhorst, reported the same with amendment, accompanied by a report (No. 109); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 616) granting a pension to Sarah Chrysler, reported the same with amendments, accompanied by a report (No. 110); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 2472) granting an increase of pension to David F. Lewis, reported the same with amendment, accompanied by a report (No. 111); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 661) granting an increase of pension to Elizabeth E. Meekly, reported the same with amendments, accompanied by a report (No. 112); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden, reported the same with amendments, accompanied by a report (No. 113); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 2435) granting a pension to Reuben Vermillion, reported the same with amendment, accompanied by a report (No. 114); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill (H. R. 5990) for the relief of the legal representatives of Samuel Schiffer, reported the same without amendment, accompanied by a report (No. 116); which said bill and report were referred to the Private Calendar.

Mr. GREGG, from the Committee on War Claims, to which was referred the bill (H. R. 4933) for the relief of the representatives of M. F. Merritt, deceased, reported the same without amendment, accompanied by a report (No. 117); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill (H. R. 3893) for the relief of the First Presbyterian Church of Knoxville, Tenn., reported the same without amendment, accompanied by a report (No. 118); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill (H. R. 1020) to authorize the readjustment of the accounts of army officers in certain cases, and for other purposes, reported the same without amendment, accompanied by a report (No. 119); which said bill and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill (H. R. 6599) for the relief of Benjamin Burrows, reported the same with amendment, accompanied by a report (No. 120); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on War Claims, to which was referred the bill (H. R. 3211) for the relief of the administrator of the estate of Marcus L. Broadwell, reported the same without amendment, accompanied by a report (No. 121); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 3215) for the relief of Thomas V. Stirman's estate, reported the same without amendment, accompanied by a report (No. 122); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill (H. R. 6871) for the relief of the estate of Samuel H. Patterson, deceased, reported the same with amendment, accompanied by a report (No. 123); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill H. R. 3894, reported in lieu thereof a resolution (H. Res. 116) for the relief of the Presbyterian Church of Loudon, Loudon County, Tenn., accompanied by a report (No. 124); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill H. R. 3899, reported in lieu thereof a resolution (H. Res. 117) for the relief of Thomas J. Wear, accompanied by a report (No. 125); which said resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 6067) for the relief of Ste. Genevieve County, Mo.—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 7699) granting an increase of pension to Martha del Banco Cunningham—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4946) to restore James F. Wheeler to the pension roll—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5886) granting an increase of pension to Frances Cowie—Committee on Invalid Pensions discharged, and referred to Committee Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MONDELL: A bill (H. R. 8868) to apply a portion of the proceeds of the sales of public lands to the endowment of schools or departments of mines and mining in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for similar purposes, being a further supplement to said act—to the Committee on Mines and Mining.

By Mr. CUSHMAN: A bill (H. R. 8869) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900—to the Committee on the Public Lands.

By Mr. SMITH of Pennsylvania: A bill (H. R. 8870) to repeal an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved July 1, 1898, and the amendment to said act approved February 5, 1903—to the Committee on the Judiciary.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 8871) providing for the striking of a medal in memory of Benjamin Franklin—to the Committee on the Library.

By Mr. GUDGER: A bill (H. R. 8872) to provide for the enlarging of the United States court building at Asheville, N. C., containing the United States court room, post-office, clerk's office, and internal-revenue offices—to the Committee on Public Buildings and Grounds.

By Mr. ACHESON: A bill (H. R. 8873) to establish lights on the Monongahela River—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 8874) to provide for the purchase of additional ground and the enlargement and improvement of the public building at Beaver Falls, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. CURTIS: A bill (H. R. 8875) to remove the limitation in the payment of arrears of pensions—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8876) to remove the limitation in the payment of arrears of pensions on account of gunshot wounds received

in the service in the line of duty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8877) extending provisions of an act granting pensions to soldiers and sailors, approved June 27, 1890, to the Eighteenth and Nineteenth Regiments of Kansas Cavalry Volunteers—to the Committee on Pensions.

Also, a bill (H. R. 8878) to extend the provisions of the act of January 21, 1902, to the Osage Reservation, in Oklahoma Territory—to the Committee on Indian Affairs.

Also, a bill (H. R. 8879) providing for probate courts and probate judges for the Indian Territory, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 8880) providing for the appointment of additional judges in Indian Territory to increase the population of the United States commissioner in the Indian Territory, and for other purposes—to the Committee on the Judiciary.

Also, a bill (H. R. 8881) authorizing and directing the Secretary of War to improve the Kansas River and for other purposes—to the Committee on Rivers and Harbors.

By Mr. DRESSER: A bill (H. R. 8882) to enlarge the post-office and court house building in the city of Williamsport, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. SLEMP (by request): A bill (H. R. 8883) to regulate the powers and privileges of corporations—to the Committee on the Judiciary.

By Mr. PINCKNEY: A bill (H. R. 8884) making an appropriation for a public building at Houston, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8885) making an appropriation for improvement of Galveston Ship Channel and Buffalo Bayou, Texas—to the Committee on Rivers and Harbors.

By Mr. FORDNEY: A bill (H. R. 8886) granting a pension of $12 per month to all soldiers' widows over 60 years of age—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 8887) to establish probate courts in Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. BURLESON: A bill (H. R. 8888) making an appropriation for completing the improvement of the Brazos River from its mouth to Old Washington, Tex.—to the Committee on Rivers and Harbors.

By Mr. DALZELL: A bill (H. R. 8889) to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES of Tennessee: A bill (H. R. 8890) to establish a subtreasury at Nashville, Tenn.—to the Committee on Ways and Means.

By Mr. GILLETT of California: A bill (H. R. 8891) to permit actions commenced in a State court to be removed to the circuit court of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 8892) to amend section 2275 of the Revised Statutes of the United States—to the Committee on the Public Lands.

Also, a bill (H. R. 8893) to provide for the examination and classification of certain lands in the State of California—to the Committee on the Public Lands.

By Mr. SOUDER: A bill (H. R. 8894) granting an increase of compensation to employees of railroad operations—to the Committee on Interstate and Foreign Commerce.

By Mr. CONNER: A bill (H. R. 8895) for the purchase of a site for post-office building at Fort Dodge, Iowa—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 8896) for the erection of a public building at Webster City, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. WILSON of Arizona: A bill (H. R. 8897) to appropriate $7,000 for the construction and preparation of a target range for use of troops stationed at Prescott, Ariz.—to the Committee on Military Affairs.

By Mr. McCALL: A bill (H. R. 8898) to provide rebate of duties on all coal imported into the United States—to the Committee on Ways and Means.

By Mr. GIBSON, from the Committee on War Claims: A resolution (H. Res. 116) referring to the Court of Claims the bill H. R. 8894—to the Private Calendar.

Also, from the same committee, a resolution (H. Res. 117) referring to the Court of Claims the bill H. R. 3899—to the Private Calendar.

By Mr. HAY: A resolution (H. Res. 118) relative to report of J. L. Bristow, Fourth Assistant Postmaster-General, concerning long-time leases for post-office premises—to the Committee on the Post-Office and Post-Roads.

By Mr. DIXON: A resolution (H. Res. 119) directing the Secretary of Commerce and Labor to inquire into the cost and feasibility of constructing a wire fence along the Canadian boundary between the Lake of the Woods and Point Roberts—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 8899) to correct the military record of George Collins—to the Committee on Military Affairs.

Also, a bill (H. R. 8900) granting a pension to George Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8901) granting a pension to Deborah E. Green-Childs—to the Committee on Pensions.

Also, a bill (H. R. 8902) granting an increase of pension to Joseph W. Whessen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8903) granting a pension to Sarah F. Craig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8904) granting an increase of pension to Joseph J. Lloyd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8905) granting an increase of pension to William W. Jobes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8906) granting an increase of pension to James W. Milligan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8907) granting an increase of pension to Cassius M. McNickle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8908) granting an increase of pension to William Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8909) granting an increase of pension to William R. Wilkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8910) granting an increase of pension to James R. Todd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8911) granting an increase of pension to Joseph Greist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8912) granting an increase of pension to Samuel Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8913) granting an increase of pension to Reuben Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8914) granting an increase of pension to Milo G. Gibson—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 8915) granting an increase of pension to Warren McCracken—to the Committee on Invalid Pensions.

By Mr. BENNY: A bill (H. R. 8916) for the relief of Susie G. Seabury—to the Committee on Pensions.

Also, a bill (H. R. 8917) for the relief of Michael Marx—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8918) for the relief of John Hunter—to the Committee on Military Affairs.

By Mr. BOWERSOCK: A bill (H. R. 8919) granting an increase of pension to William L. Jobe—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 8920) granting a pension to Harriet A. Tucker—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 8921) granting an increase of pension to John McCollister—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 8922) granting a pension to Martha E. Nolen—to the Committee on Pensions.

Also, a bill (H. R. 8923) granting a pension to Elizabeth Cotter—to the Committee on Pensions.

Also, a bill (H. R. 8924) granting a pension to Georgia A. Whitehead—to the Committee on Pensions.

By Mr. CONNER: A bill (H. R. 8925) granting an increase of pension to John Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8926) granting an increase of pension to John Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8927) granting an increase of pension to Irvin Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8928) granting an increase of pension to Eliza A. Hughes—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 8929) to restore the pension of Oliver Grubbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8930) for the relief of Frederick M. George—to the Committee on Military Affairs.

Also, a bill (H. R. 8931) for the relief of Curtis M. Benton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8932) for the relief of Charles Artzt—to the Committee on War Claims.

Also, a bill (H. R. 8933) for the relief of Annie Catharine Mettier—to the Committee on War Claims.

Also, a bill (H. R. 8934) for the relief of Caleb H. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8935) for the relief of G. W. Seaman, late postmaster at Red Mountain, Colo.—to the Committee on Claims.

Also, a bill (H. R. 8936) for the relief of John A. Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 8937) for the relief of Christ Schrey—to the Committee on Claims.

Also, a bill (H. R. 8938) granting an increase of pension to George Wiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8939) granting an increase of pension to Samuel B. Marks—to the Committee on Pensions.

Also, a bill (H. R. 8940) granting an increase of pension to William Henthorn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8941) granting an increase of pension to John Brown—to the Committee on Pensions.

Also, a bill (H. R. 8942) granting an increase of pension to J. H. Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8943) granting an increase of pension to John P. Wager—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8944) granting an increase of pension to B. B. Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8945) granting an increase of pension to John H. Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8946) granting an increase of pension to Frederick K. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8947) granting a pension to George Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8948) granting a pension to Frances Chandler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8949) granting a pension to Sarah M. Reasoner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8950) granting a pension to Adam Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8951) granting a pension to Lizzie J. Boatman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8952) granting a pension to Robert Kennish—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 8953) granting a pension to John Ashworth—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 8954) granting an increase of pension to Allen M. Haight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8955) granting an increase of pension to Joseph M. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8956) granting an increase of pension to Joseph R. Duffield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8957) to remove the charge of desertion from the military record of Hiram B. Wilson—to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 8958) amending the military record of Frederick Soloten—to the Committee on Military Affairs.

Also, a bill (H. R. 8959) granting a pension to Sarah Bauk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8960) granting a pension to Louisa Nesmith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8961) granting a pension to Frances E. Grisson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8962) granting an increase of pension to William R. Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8963) granting an increase of pension to John H. G. Welke—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 8964) granting an increase of pension to Andrew J. Power—to the Committee on Pensions.

Also, a bill (H. R. 8965) granting an increase of pension to Joseph K. Cameron—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 8966) granting an increase of pension to James M. Fink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8967) granting an increase of pension to William A. Hanken—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8968) granting a pension to Emily J. Sherman—to the Committee on Invalid Pensions.

By Mr. GILLETT of California: A bill (H. R. 8969) granting an increase of pension to John Herzinger—to the Committee on Pensions.

Also, a bill (H. R. 8970) granting an increase of pension to Charles B. Hart—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 8971) for the relief of Sarah E. Massey, of Madison County, N. C.—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 8972) for the relief of the Presbyterian Church of Strasburg, Shenandoah County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8973) for the relief of the St. Thomas Methodist Episcopal Church, of Middletown, Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8974) for the relief of the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8975) for the relief of Joseph E. Funkhouser, of Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8976) for the relief of the Methodist Episcopal Church of Middletown, Frederick County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8977) for the relief of the Muhlenburg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 8978) for the relief of James T. Betty, Charles B. Church, Jessee B. Wilson, and George T. Dearing—to the Committee on the District of Columbia.

By Mr. HEPBURN: A bill (H. R. 8979) granting a pension to Sarah J. Boles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8980) granting an increase of pension to Henry Towns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8981) granting an increase of pension to Ezra Shanks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8982) granting an increase of pension to John H. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8983) granting an increase of pension to Johnathon R. Cox—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 8984) granting an increase of pension to John I. Rundeberg—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 8985) for the relief of Simon W. Scott—to the Committee on Claims.

By Mr. LAMB: A bill (H. R. 8986) for the relief of Algernon L. Wilkinson, Kate E. Wilkinson, and Laura M. Powell, sole heirs of Laura E. Wilkinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 8987) for the relief of the estate of Isaac Burnett, deceased—to the Committee on War Claims.

By Mr. LANNING: A bill (H. R. 8988) granting a pension to Sarah M. C. Silvers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8989) for the relief of Stephen W. Stryker—to the Committee on Military Affairs.

Also, a bill (H. R. 8990) granting an increase of pension to Matthew S. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8991) granting an increase of pension to William E. Mattison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8992) granting an increase of pension to William C. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8993) granting an increase of pension to Melvina Bottles—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 8994) for the relief of Michael Kries—to the Committee on War Claims.

Also, a bill (H. R. 8995) for the relief of Abijah Macy—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 8996) granting an increase of pension to Diah Lovejoy—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 8997) granting an increase of pension to James Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8998) granting an increase of pension to Henry L. Beach—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 8999) for the relief of the estate of H. B. Henegar, deceased—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 9000) granting an increase of pension to Charles Frye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9001) granting an increase of pension to Isaac J. Getchell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9002) granting an increase of pension to Gibson S. Budge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9003) granting an increase of pension to James Bowley—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 9004) granting an increase of pension to Josiah Tilden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9005) granting an increase of pension to George P. Convers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9006) granting a pension to Mary J. Mock—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 9007) granting an increase of pension to Edward O. C. Anthony—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9008) granting an increase of pension to George Nulton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9009) granting an increase of pension to William C. Garner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9010) granting an increase of pension to Elias Fought—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 9011) to correct the military record of Edmond Judkins—to the Committee on Military Affairs.

By Mr. RODENBERG: A bill (H. R. 9012) granting an increase of pension to Jacob W. Gerstenecker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9013) for the relief of Ellen R. Stearns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9014) for the relief of Isaac N. Enloe—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 9015) granting an increase of pension to Horace H. Sickels—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9016) granting an increase of pension to George W. Neely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9017) granting an increase of pension to Pierce McKeough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9018) granting an increase of pension to Perry L. Hubbard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9019) for the relief of Louisa A. Brown—to the Committee on War Claims.

By Mr. SHIRAS: A bill (H. R. 9020) granting a pension to Mary Saylor—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 9021) granting an increase of pension to Joseph Whitman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9022) granting a pension to Warren Hughes—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 9023) granting an increase of pension to George Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9024) granting an increase of pension to Jacob Laird—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 9025) granting a pension to Sarah Kyle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9026) granting a pension to Susan R. Estell—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 9027) for the relief of Hinton J. Smith, and to pay him for his services as a letter carrier—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 9028) granting an increase of pension to Elizabeth F. Miner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9029) granting a pension to Georgia S. Barbour—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 9030) granting an increase of pension to John Daly—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 9031) granting a pension to Cullom E. Cline—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 9032) for the relief of W. T. Ratliff, administrator of estate of S. N. Clark, deceased—to the Committee on War Claims.

By Mr. WILSON of Arizona: A bill (H. R. 9033) granting an increase of pension to James H. McClintock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9034) granting a pension to Isabella J. Wray—to the Committee on Pensions.

Also, a bill (H. R. 9035) granting an increase of pension to Joseph Branen—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 9036) for the relief of George E. Rogers—to the Committee on Military Affairs.

Also, a bill (H. R. 9037) granting a pension to Alice W. Clarke—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 9038) granting a pension to Franklin Palmer—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Papers to accompany bill granting an increase of pension to James R. Todd; also, papers to accompany bill granting an increase of pension to William W. Jobes; also, papers to accompany bill granting an increase of pension to Joseph W. Whisen; also, papers to accompany bill granting an increase of pension to Joseph Leonard; also, papers to accompany bill granting an increase of pension to Milo G. Gibson—to the Committee on Invalid Pensions.

Also, papers to accompany bill to correct the military record of George Collins—to the Committee on Military Affairs.

Also, resolution of the Presbytery of Washington, Pa., in favor of the Dolliver-Hepburn bills—to the Committee on the Judiciary.

By Mr. BARTLETT: Petition of R. F. Strickland & Co. and others, of Griffin, Ga., protesting against the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BIRDSALL: Papers to accompany bill granting an increase of pension to Joseph Mitch—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Resolution of Thomas Brennen Post, No. 380, Grand Army of the Republic, at the National Military Home, Kansas, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BURKETT: Papers to accompany bill granting a pension to W. F. Thompson—to the Committee on Invalid Pensions.

Also, resolution of the Nebraska Association of Postmasters, indorsing the recommendations of the First Assistant Postmaster-General relative to clerk hire allowance of third-class postmasters—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Farragut Post, No. 25, Grand Army of the Republic, of Lincoln, Nebr., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Woman's Christian Temperance Union of Tecumseh, Nebr.; of the Christian Endeavor Society of the Presbyterian Church of Tecumseh, Nebr., and of Dr. T. J. Merryman, of Lincoln, Nebr., against the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Tecumseh, Nebr., and of the Christian Endeavor Society of the Presbyterian Church of Tecumseh, Nebr., favoring passage of the Hepburn interstate liquor act—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Military Order of the Loyal Legion, Commandery of Nebraska, relative to placing statues in Statuary Hall of the Capitol—to the Committee on the Library.

By Mr. CANNON: Petition of Joseph Burnham and others, asking that the sale of liquor be abolished in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition for a bill to correct the military record of Thomas Riley—to the Committee on Military Affairs.

By Mr. CASSINGHAM: Papers to accompany bill H. R. 8480, granting an increase of pension to Elijah Rearick—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 6829, granting an increase of pension to Joseph Brindley; also, papers to accompany bill H. R. 6332, granting a pension to Rachel Davis—to the Committee on Invalid Pensions.

By Mr. CURTIS: Resolution of Thomas Brennan Post, No. 380, Department of Kansas, Grand Army of the Republic, of National Military Home, in favor of a service-pension act—to the Committee on Invalid Pensions.

By Mr. FLACK: Papers to accompany bill increasing pension of Marens Crossman—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: Papers asking for an increase of pension to James M. Fink—to the Committee on Invalid Pensions.

By Mr. GIBSON: Petition of Liddie Dillard, of Maury County, Tenn.; also, petition of Annie M. Smith, of Accomack County, Tenn.; also, petition of Wiley Good, of Maury County, Tenn.; also, petition of Joseph Ewing, of Maury County, Tenn.; also, petition of H. W. Hipkins; also, petition of Rial Foster, of Maury County, Tenn.; also, petition of G. H. Allen, of Floyd County, Ky.; also, petition of William A. Hannah, all praying reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. GROSVENOR: Papers to accompany bill for the relief of Thomas W. Higgins—to the Committee on War Claims.

Also, petition of McKill Post, No. 42, Bainbridge, Ohio, favoring passage of service-pension law—to the Committee on Invalid Pensions.

Also, memorial of Independent Tobacco Manufacturers, against bills H. R. 5 and 97—to the Committee on Ways and Means.

By Mr. GUDGER: Papers in claim of Sarah E. Massey for an increase of pension—to the Committee on Invalid Pensions.

By Mr. HARRISON: Letter of the assistant clerk of the Court of Claims in the case of Spiegelberg Brothers against The United States—to the Committee on War Claims.

By Mr. HERMANN: Resolution of the Board of Trade of San Francisco, recommending an appropriation for the improvement of Siuslaw Harbor—to the Committee on Rivers and Harbors.

By Mr. HOWELL of New Jersey: Petition of residents of Barnegat, N. J., urging the improvement of Double Creek—to the Committee on Rivers and Harbors.

By Mr. LAFEAN: Resolution of General John Sedgwick Post, No. 37, Grand Army of the Republic, of York, Pa., favoring the passage of Senate bill to correct military record of Edward T. Lewis—to the Committee on Military Affairs.

By Mr. MOON of Tennessee: Papers to accompany H. R. 1030—to the Committee on War Claims.

By Mr. NEEDHAM: Resolution of the Chamber of Commerce of San Francisco, relative to an American register for the British bark *Pyrenees*—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Chamber of Commerce of San Francisco, for the establishment of a life-saving station at Half Moon Bay—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of San Francisco, indorsing action of the President on isthmian canal matter—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of San Francisco, favoring the employment of vessels of United States for public purposes—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Chamber of Commerce of San Francisco, that none but American vessels shall be used in transportation between ports of the United States and Philippine Islands—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the board of supervisors of San Luis Obispo County, Cal., relative to the Nacimiento rancho as a site for military reservation—to the Committee on Military Affairs.

Also, letter of H. C. Murphy, M. D., relating to health conditions of Nacimiento rancho as a military reservation—to the Committee on Military Affairs.

By Mr. OTJEN: Resolution of members of the Grain Dealers' National Association of Milwaukee, in opposition to the McCumber bill (S. 199)—to the Committee on Interstate and Foreign Commerce.

By Mr. PAYNE: Papers in support of bill H. R. 5177, granting increase of pension to William H. Clark; also, petition of D. H. Becker Post, Grand Army of the Republic, urging passage of service-pension bill; also, letter in reference to claim of Mrs. Jane E. Sutfin for a pension—to the Committee on Invalid Pensions.

Also, petition of the Ministerial Association of Auburn, N. Y., for passage of Dryden bill (S. 1261)—to the Committee on the Post-Office and Post-Roads.

By Mr. PORTER: Papers to accompany bill H. R. 8231, granting an increase of pension to John Gangwisch; also, papers to accompany bill H. R. 6365, granting an increase of pension to John W. Hay—to the Committee on Invalid Pensions.

By Mr. RIXEY: Papers to accompany bill for the relief of the legal representatives of Alexander F. Butler—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of Daniel Falvy, Fort Wayne, Ind., favoring passage of bill providing for the erection of a monument to the memory of Commodore John Barry in the city of Washington, D. C.—to the Committee on the Library.

Also, petition of Elkhart Carriage Company, of Auburn, Ind., in favor of reduction of taxes on alcohol—to the Committee on Ways and Means.

By Mr. SCOTT: Petition of the Presbyterian Church of Chanute, Kans., favoring passage of the Hepburn interstate liquor bill—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of Thomas Brennan Post, No. 380, Grand Army of the Republic, at National Military Home, Kans., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SHULL: Paper to accompany bill to pension Mary D. Haintz—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Papers to accompany bill for the relief of Elizabeth A. Ballew—to the Committee on War Claims.

Also, petition of citizens of Mills County, Tex., favoring increase of pension for Mexican-war veterans—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 1795, granting a pension to Lucy B. Culver—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: Petition of citizens of Ava, Ill., protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WM. ALDEN SMITH: Resolutions of the Detroit Branch of the National League of Commission Merchants, favoring increase in scope of powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: Resolutions of Daniel Miller Post, No. 78, Department of Ohio, Grand Army of the Republic, in favor of a service-pension law; also, paper to accompany bill granting a pension to Susan R. Estell; also, paper to accompany bill granting a pension to Sarah Kyle—to the Committee on Invalid Pensions.

By Mr. SPALDING: Petition of citizens of Mayville, N. Dak., protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Petitions of German Farmers' Mutual Fire Insurance Association and of the Muenster Schutzenverein, of Muenster, Cook County, Tex., in opposition to the Hepburn and Dolliver bills—to the Committee on the Judiciary.

By Mr. STERLING: Petition of citizens of Lexington, Ill., favoring a constitutional amendment forbidding polygamous marriage—to the Committee on the Judiciary.

Also, petition of citizens of Saybrook, Ill., favoring passage of service-pension law—to the Committee on Invalid Pensions.

By Mr. SULZER: Memorial of New York Board of Trade and Transportation, for the improvement of Bronx Kills, an arm of the East River—to the Committee on Rivers and Harbors.

Also, a statement of the San Miguel Improvement Club, of San Miguel, Cal., concerning the Nacimiento Rancho as a proposed military camp—to the Committee on Military Affairs.

Also, resolutions of Moses F. Odell Post, No. 443, Department of New York, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Grain Dealers' National Association, at Minneapolis, October 8, 1903, in opposition to the McCumber bill—to the Committee on Interstate and Foreign Commerce.

By Mr. TAWNEY: Papers to accompany bill to increase pension of Alida M. Utter; also, papers to accompany bill to pension Samuel A. Rask—to the Committee on Invalid Pensions.

By Mr. WARNOCK: Resolutions of J. E. Conner Post, No. 281, Grand Army of the Republic, of Ohio, in favor of a service-pension law—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *January 6, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

Mr. THOMAS KEARNS, a Senator from the State of Utah, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BEVERIDGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Mary E. Henstis, executrix of David Henstis, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Cornelius Donato, administrator of Auguste Donato, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Virginia A. Jones, administratrix of Samuel J. Jones, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law, and the opinion of the court, filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Maria*, Edward Watts, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims, set out in the findings by the court relating to the vessel brigantine *Speedwell*, James Crawford, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ACCEPTANCE OF ROYAL DECORATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, requesting authority for Capt. (now Rear-Admiral) D. H. McCalla, of the United States Navy, to accept a decoration conferred upon him by the King of

Great Britain, etc.; which was referred to the Committee on Foreign Relations, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bill and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 2929) to afford protection to exhibitions of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition; and

A joint resolution (H. J. Res. 64) authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington.

PETITIONS AND MEMORIALS.

Mr. HANSBROUGH presented a petition of the American Forestry Association, praying that an appropriation be made for the improvement and construction of roads and trails within the national forest reserves; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Granville, N. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of St. Thomas, N. Dak., and a petition of sundry citizens of Ward County, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GORMAN presented a petition of the congregation of Montford Avenue Methodist Episcopal Church, of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BALL presented a petition of sundry citizens of Middletown, Del., and a petition of the congregation of the Presbyterian Church of Glasgow, Del., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented petitions of sundry citizens of Redkey, of the congregation of the Methodist Episcopal Church of Centerville, and of the congregation of the Methodist Episcopal Church of Redkey, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. TELLER presented petitions of sundry citizens of Denver, of the congregation of the German Evangelical Church of Leroy; of the Woman's Christian Temperance Union of Colona; of the congregation of the Congregational Church of Grand Junction; of the congregation of the First Presbyterian Church of Grand Junction; of sundry citizens of Grand Junction; of the congregation of the Baptist Church of Grand Junction; of the congregation of the Presbyterian Church of Lasalle; of the Woman's Christian Temperance Union of Canon City; of the congregation of the First Baptist Church of Canon City; of the congregation of the First Christian Church of Canon City; of the congregation of the First Presbyterian Church of Boulder; of the congregation of the First Presbyterian Church of Lamar; of the Woman's Christian Temperance Union of Idaho Springs; of the Woman's Christian Temperance Union of Montrose; of the congregation of the Christian Church of Colorado City; of the congregation of the First Methodist Episcopal Church of Colorado City; of the Woman's Christian Temperance Union of Denver; of the Woman's Christian Temperance Union of Georgetown; of the Epworth League of Cedar Ridge; of the congregation of the First Baptist Church of Colorado Springs; of the congregation of the Twenty-third Avenue Presbyterian Church, of Denver, and of the congregation of the Hyde Park Presbyterian Church, of Denver, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a petition of Local Union No. 10977, American Federation of Labor, of Polo, Ill., and a petition of Local Union No. 1964, United Mine Workers of America, of Morris, Ill., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Lexington and Bloomington, of the congregation of the Central Presbyterian Church, of Rock Island, and of the Woman's Christian Temperance Union of Ottawa, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented petitions of the Woman's Christian Temperance Union of Mill Town, of sundry citizens of Philadelphia, and of sundry citizens of Mill Town, all of the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to require the employment of vessels of the United States for public purposes; which was referred to the Committee on Commerce.

He also presented a petition of the New York Board of Trade and Transportation, of New York City, praying that an appropriation be made for the improvement of Bronx Kills, an arm of the East River in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that American vessels be used between the ports of the Philippine Islands and the United States; which was referred to the Committee on Commerce.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 324) granting a pension to Chancy Akin; which were referred to the Committee on Pensions.

REPORT OF COMMITTEE ON PUBLIC LANDS.

Mr. NELSON, from the Committee on Public Lands, to whom was referred the bill (S. 1558) to grant to the State of Minnesota certain vacant lands in said State for forestry purposes, reported it with amendments, and submitted a report thereon.

BILLS INTRODUCED.

Mr. BALL introduced a bill (S. 3043) for the relief of the estate of the late John Jones; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3044) granting a pension to Lucy McEntee Andrews;

A bill (S. 3045) granting an increase of pension to Taylor Pugh;

A bill (S. 3046) granting a pension to Martha Downham; and

A bill (S. 3047) granting an increase of pension to Fisher Ames.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3048) granting an increase of pension to Marie J. Spicely (with an accompanying paper);

A bill (S. 3049) granting an increase of pension to Erastus Van Eaton (with an accompanying paper); and

A bill (S. 3050) granting an increase of pension to Clara M. Mitchell (with an accompanying paper).

Mr. BEVERIDGE. I introduce a bill for the relief of Thomas Lutz Stitt, an ensign in the United States Navy. Accompanying the bill are certain papers. I ask that fifty copies of these papers be printed for the use of the Committee on Naval Affairs.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The bill (S. 3051) for the relief of Thomas Lutz Stitt, an ensign in the United States Navy, was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. BEVERIDGE introduced a bill (S. 3052) to correct the military record of Henry T. Phillips; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3053) granting an increase of pension to Emma E. S. Wright; and

A bill (S. 3054) granting an increase of pension to Kate M. Sevenson (with an accompanying paper).

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3055) for the relief of the legal heirs of the late L. Claiborne Jones;

A bill (S. 3056) for the relief of the Presbyterian Church of Strasburg, Shenandoah County, Va. (with an accompanying paper);

A bill (S. 3057) for the relief of the St. Thomas Episcopal Church, of Middletown, Frederick County, Va. (with an accompanying paper);

A bill (S. 3058) for the relief of the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va. (with an accompanying paper);

A bill (S. 3059) for the relief of the Methodist Episcopal Church of Middletown, Frederick County, Va. (with an accompanying paper); and

A bill (S. 3060) for the relief of Robert H. Beverley.

Mr. CULBERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3061) for the relief of Frank H. Church, administrator of the estate of Cornelius Clay Cox;

A bill (S. 3062) for the relief of the heirs of William W. Leftwich;

A bill (S. 3063) for the relief of Michael W. Loeb and Frederick Manzenheimer; and

A bill (S. 3064) to confer jurisdiction on the Court of Claims in the case of Elizabeth A. Gill and others, legatees and heirs at law of W. H. Gill, deceased (with accompanying papers).

Mr. TELLER introduced a bill (S. 3065) to extend the term of certain letters patent of the United States issued to David H. Foreman; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 3066) for the relief of William H. Gowdy and his sureties; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 3067) for the relief of Joseph A. Jenkins; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3068) for the relief of James Inman; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 3069) to remove the charge of desertion against Charles L. Thompson;

A bill (S. 3070) granting an honorable discharge to Henry B. Wise, alias Henry W. Bach;

A bill (S. 3071) for the relief of Wilbur F. McCue; and

A bill (S. 3072) for the relief of Charles F. Leimer.

Mr. TELLER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3073) granting an increase of pension to John H. Smith (with accompanying papers);

A bill (S. 3074) granting an increase of pension to Isaac Davisson;

A bill (S. 3075) granting an increase of pension to Emma J. Kanady;

A bill (S. 3076) granting a pension to Arthur W. Post (with an accompanying paper);

A bill (S. 3077) granting an increase of pension to Louisa A. Brown (with an accompanying paper);

A bill (S. 3078) granting an increase of pension to Baronet Gow;

A bill (S. 3079) granting a pension to Helen J. Savage;

A bill (S. 3080) granting an increase of pension to Hannibal H. English; and

A bill (S. 3081) granting an increase of pension to Sarah A. Creed.

Mr. BURNHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3082) granting a pension to Verona Harriman;

A bill (S. 3083) granting a pension to Mary Sherman;

A bill (S. 3084) granting an increase of pension to Helen F. Nichols; and

A bill (S. 3085) granting an increase of pension to Alexander Lane.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3086) to pension volunteer army nurses;

A bill (S. 3087) granting an increase of pension to Maria Lenckart (with an accompanying paper); and

A bill (S. 3088) granting an increase of pension to Mary Jane Schnure (with an accompanying paper).

Mr. PLATT of Connecticut introduced a bill (S. 3089) to authorize deputy United States marshals to sign official checks in certain cases; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3090) granting an increase of pension to Camel L. Farmer (with an accompanying paper);

A bill (S. 3091) granting a pension to David P. Mering;

A bill (S. 3092) granting an increase of pension to James Hill;

A bill (S. 3093) granting an increase of pension to Carlton R. Gatton;

A bill (S. 3094) granting an increase of pension to James Breeze;

A bill (S. 3095) granting an increase of pension to W. P. Renfro;

A bill (S. 3096) granting an increase of pension to Lewis W. Whittington;

A bill (S. 3097) granting an increase of pension to George W. White;

A bill (S. 3098) granting a pension to Napoleon B. Greathouse;

A bill (S. 3099) granting a pension to Jennie C. Curtis;

A bill (S. 3100) granting an increase of pension to Howard Wiley (with an accompanying paper);

A bill (S. 3101) granting an increase of pension to Albert Nimmerguth (with an accompanying paper); and

A bill (S. 3102) granting a pension to Thomas Summers.

Mr. CULLOM introduced a bill (S. 3103) for the relief of J. C. Brooks; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3104) to correct the military record of Stephen W. Coakley; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3105) for the relief of Elias E. Barnes; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 3106) granting a pension to John N. Davis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 3107) providing for rank and pay for certain retired officers of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. GORMAN introduced a bill (S. 3108) authorizing the appointment and retirement of Charles Chaille-Long with the rank of colonel, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HALE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Naval Affairs:

A bill (S. 3109) to provide for the examination of certain officers of the Navy, and to regulate promotions therein;

A bill (S. 3110) to provide for the convening of general courts-martial at remote naval stations;

A bill (S. 3111) to authorize the Secretary of the Navy to certify to the Secretary of the Interior for restoration to the public domain all reservations which are not needed for naval purposes;

A bill (S. 3112) to enable naval courts-martial and courts of inquiry to secure the attendance and testimony of civilian witnesses;

A bill (S. 3113) providing for the use by the United States of devices invented by its naval officers while engaged in its service and covered by letters patent;

A bill (S. 3114) to authorize the use of depositions before naval courts in certain cases; and

A bill (S. 3115) authorizing the transfer to the Secretary of the Treasury, for quarantine purposes, of dismantled naval vessels or hulks.

Mr. HALE introduced a bill (S. 3116) granting an increase of pension to Horace R. Weston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 3117) to expedite business in the district court of the United States for the district of Oregon; which was read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENT TO NAVAL APPROPRIATION BILL.

Mr. PENROSE submitted an amendment providing that in any benefits by the navy personnel act of March 3, 1899, there shall be no discrimination between officers with Union war service who were transferred to the retired list prior to said act and officers with like service so transferred subsequently thereto, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

SUSAN ELIZABETH CURTIS.

Mr. PLATT of New York submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and empowered to pay to Susan Elizabeth Curtis, widow of Oscar H. Curtis, late clerk in the office of the Secretary of the United States Senate, a sum equal to six months' pay at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

SECESSION OF PANAMA.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate a resolution which will be read by title.

The SECRETARY. Senate resolution No. 66, submitted by Mr. MORGAN December 18, 1903, that neither the President, nor the President and the Senate, as the treaty-making power of the United States, has the lawful power to wage or declare war against any foreign power without the consent of Congress, when such country is at peace with the United States, etc.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. MORGAN. Mr. President, I would be very much obliged to the Senate if it should indulge me by allowing this resolution to go over until to-morrow without prejudice, for the reason that my duties upon the Committee on Foreign Relations and some other duties that are absolutely imperative have prevented me from having an opportunity of even reading the speech to which I desire to make some reply, that is, the speech of the junior Senator from Massachusetts [Mr. LODGE], a very able and extensive speech, involving great questions of law. I should very much prefer, if the Senate would indulge me, to go on to-morrow.

Mr. SPOONER. I hope that will be done.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that this resolution may be taken up for consideration to-morrow immediately after the completion of the routine business of the Senate. Is there objection? The Chair hears none, and that order is made.

EMPLOYEES OF GOVERNMENT PRINTING OFFICE.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr PENROSE December 10, 1903, as follows:

Resolved, That the Public Printer be, and he is hereby, directed to communicate to the Senate, in the same form as in Senate Document No. 70, Fifty-fourth Congress, second session, the names of all persons employed in the permanent, emergency, or temporary force of the Government Printing Office who were employed during the fiscal years 1902 to 1904, inclusive, who did not report any leaves of absence during those fiscal years; also for unused leaves of absence and the amount which such persons would have received for such of said fiscal years separately, if leave pay had been allowed, reckoning labor per calendar month upon the basis of eight days for each fiscal year, the amount so computed to be according to the pay received and the service performed by such persons during each of said fiscal years.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

The resolution was agreed to.

POWERS OF COLOMBIAN GOVERNMENT.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary proceeded to read the resolution submitted by Mr. CULBERSON December 11, 1903, which is as follows:

Whereas by the constitution of Colombia adopted in 1886, it is provided:

"ARTICLE 1. The Colombian nation is reorganized as a centralized republic.

"ARTICLE 4. The sovereignty resides essentially and exclusively in the nation, and from it emanate the public powers which shall be exercised within the limits prescribed by this constitution;" and

Whereas by said constitution it is also provided:

"ARTICLE 1. The territory, together with the public property therein contained, belongs exclusively to the nation;"

Resolved, That the committee on the judiciary of the Senate is directed to consider and report as early as practicable to the Senate whether the inhabitants and residents of the Department of Panama may lawfully form a distinct sovereignty and independent government in that territory, and justifiable have a sufficient force to any governmental authority other than Colombia empowered to grant to perpetuate the use, occupation, and control of land and waters in the territory of Panama, with full and complete sovereignty over the same.

Mr. CULBERSON. Mr. President, that resolution lies on the table subject to my call, under the general understanding.

The PRESIDENT pro tempore. That request has not been made or complied with. Does the Senator make it now?

Mr. CULBERSON. A general request was made several weeks ago by the Senator from Georgia [Mr. BACON] and again several days ago, and it included, or was intended to include, this resolution. However I make the request now.

The PRESIDENT pro tempore. The Senator from Texas asks that the resolution may lie on the table subject to his call.

Mr. SPOONER. As I recollect it, when the Senator introduced the resolution he moved its reference to the Committee on the Judiciary.

Mr. CULBERSON. No; the motion was made, I think, by the Senator from Illinois [Mr. CULLOM]. It was made by some Senator on the other side.

Mr. CULLOM. The motion was made, I think, by the Senator himself to refer it to the Judiciary Committee for investigation.

Mr. CULBERSON. Not at all.

Mr. SPOONER. What does the RECORD show?

Mr. CULLOM. If that is not true, I am very glad of it, because I should regard it as an absolute insult to the Committee on Foreign Relations to have it go to any other committee. I am glad to know that the Senator from Texas did not make the motion.

Mr. CULBERSON. I would regret very much indeed if the Senator from Illinois should put any such construction upon the resolution. The resolution presents, or undertakes to present, a legal question, and it provides that the Senate Committee on the Judiciary shall be directed to investigate and report upon that question. I made no motion to refer the resolution to any committee. I want to have it adopted by the Senate at the proper time if I can secure that action.

Mr. CULLOM. I hope the resolution will be referred to the Committee on Foreign Relations.

The PRESIDENT pro tempore. The Senator from Illinois entered that motion at the time the resolution was offered.

Mr. CULLOM. I thought so, but I did not know whether it was entered or not.

The PRESIDENT pro tempore. The Senator from Texas now asks that the resolution may lie on the table subject to his call. Is there objection?

Mr. CULLOM. I have no objection.

The PRESIDENT pro tempore. The Chair hears none, and that order is made.

A. R. CRUZEN.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. CARMACK December 15, 1903, as follows:

Resolved, That the Secretary of the Treasury be directed to inform the Senate whether any report has been made to the Treasury Department by L. Cullom, special agent of the Treasury, with respect to the management of A. R. Cruzen, collector of customs in Porto Rico; and, if so, to transmit the same to the Senate with a statement of what action, if any, has been taken thereon.

The PRESIDENT pro tempore. Will the Senate agree to the resolution?

Mr. ALLISON. I ask the Senator from Tennessee to allow the resolution to lie over for a day or two.

Mr. CARMACK. Has the Senator any special reason why it should lie over? I should like to see the resolution adopted. I do not see any special objection to it.

Mr. ALLISON. I have a special reason, which I will indicate to the Senator.

Mr. CARMACK. Very well, Mr. President, let the resolution go over.

The PRESIDENT pro tempore. The Chair wishes to understand just how it is to go over.

Mr. ALLISON. I ask that the resolution may go over to-day without losing its place.

Mr. CARMACK. Subject to call.

The PRESIDENT pro tempore. That changes it entirely. The Senator from Tennessee asks that the resolution may lie on the table subject to his call.

Mr. CARMACK. No; I do not make that request.

Mr. ALLISON. I have no objection to it.

Mr. CARMACK. I do not care if it comes up to-morrow.

The PRESIDENT pro tempore. The request, then, is that it lie on the table, retaining its place. Is there objection to that request? The Chair hears none.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be read.

The Secretary read the resolution submitted by Mr. CARMACK December 16, 1903, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads, in view of the charges of corruption, extravagance, and criminal neglect in the administration of the affairs of the Post-Office Department, is hereby instructed to direct the Postmaster-General to send to the committee a full, complete, and with the result of his investigation of his Department, and such other, if any, matters pertinent to the inquiry, and the committee may deem expedient, and said Department and make report thereon to the Senate upon the first Monday in January, or as soon thereafter as may be.

Resolved, That said committee shall have power to send for persons, books, and papers, administer oaths, and call to its assistance any other committee of Congress during the sessions of the Senate or at such times and places as the committee may determine.

Mr. LODGE. I move to refer the resolution to the Committee on Post-Offices and Post-Roads.

The PRESIDENT pro tempore. The Senator from Massachusetts moves to refer the resolution to the Committee on Post-Offices and Post-Roads.

Mr. CARMACK. Is debate in order under that motion?

The PRESIDENT pro tempore. It is in order.

Mr. CARMACK. Mr. President, I do not care to make any extended speech, but it seems to me that there can be no objection in the world to the adoption of the resolution, if the Senate really

desires to have all the facts in regard to the matter. I know it has been urged that Congressional investigations are unnecessary and futile; that they accomplish nothing; but I think the facts are very far otherwise. There have been some very important Congressional investigations that have accomplished a great deal in the way of exposing wrongdoing, fraud, and corruption in the various Executive Departments of the Government. The reports thus far made indicate and declare that further investigation is needed in this case.

It seems a very strange principle to me to announce that we can only have an investigation of the Executive Departments conducted by themselves. If that is to prevail, if every charge of wrongdoing, corruption, and malfeasance made against any of the Executive Departments of the Government is to be investigated only by the Executive Departments of the Government, it will not be many years until every Department in the city of Washington will be a stench in the nostrils of the people. The only safeguard is to have a thorough investigation by committees of Congress of the Executive Departments, and not leave the Executive Departments to investigate themselves, and to be the only witnesses with respect to charges of fraud and corruption.

We had an investigation some years ago of the War Department, resulting in the Belknap impeachment. That was initiated by a committee of the House of Representatives of which the Senator from Kentucky [Mr. BLACKBURN] was the chairman, resulting, as I said, in the impeachment of the Secretary of War. We had the star-route investigations and exposure, also initiated and carried on by a committee of Congress; the investigation of the Navy Department, showing a condition of rottenness there, and the Crédit Mobilier investigation. The whisky-ring investigation was begun, I believe, by an Executive Department and carried on by an Executive Department of the Government, but it is a notorious fact that that investigation was hampered by the Executive; that President Grant's known propensity for standing by his friends to a very large degree thwarted that investigation, and to such an extent that Secretary Bristow resigned his office.

I say there ought to be an investigation of all these scandals by a committee of the Senate, and it seems to me there ought to be no objection to such a course, if the Senate really desires, as I have no doubt the Senate does, to get at all the facts and let the country know the true condition of affairs in the Post-Office Department.

Mr. TELLER. Mr. President, I do not care to express any opinion as to the immediate necessity of this investigation. I simply wish to join the Senator from Tennessee in saying that under no circumstances or conditions ought the legislative branch of the Government ignore its power and its right to investigate charges of fraud in the executive department of the Government. There never has been a time in the history of this country when the legislative branch has not asserted that right. I do not myself think it is any answer to a resolution to say that the Department will do this work thoroughly. Admit it, and I admit now that the Department will do that work thoroughly; nevertheless, charges having been made, the people of the United States are entitled to have an examination of all the charges and all the facts by a body that has no immediate connection with the transaction. It will be infinitely better for any Administration to have any such questions settled, not by the Department itself, but settled by this or the other body of Congress.

Without expressing any idea that there is any lack of zeal or honesty or anything of that kind on the part of the Department, I think we owe it to ourselves and we owe it to the country when these scandals are brought to the public, if there is any question raised by anybody here or anywhere else, that we should assert the right to examine them and exercise the power of examination.

Mr. LODGE. Mr. President, I think a Congressional investigation by either House is more or less a serious matter, and generally it is pretty worthless in its results, because the machinery is clumsy. But it is a serious thing to enter upon. I do not think it is good practice ever to order an investigation of this kind until the facts and everything connected with the subject have been first considered by a committee of this body. I believe that is a general rule which ought to be followed. I do not think it is good practice to enter upon sweeping investigations simply on the request of one Senator and without any committee having examined into the subject and decided whether an investigation should be entered upon or not. That is the reason why I made the motion, and I hope it will prevail.

Mr. CLAY. Mr. President, I wish to call the Senator's attention to the fact that the chairman of the Committee on Post-Offices and Post-Roads introduced a resolution similar to the one we are now discussing. That resolution was referred to a standing committee and was reported back with a recommendation that it be adopted, except that it instructed the committee to proceed to make this investigation if the Committee on Post-Offices and Post-Roads deemed it necessary. The junior Senator from Maryland [Mr. GORMAN] submitted an amendment directing the Committee on Post-Offices and Post-Roads to make this investigation. The chairman of the Committee on Post-Offices and Post-Roads rose in his place and accepted that amendment, and, Mr. President, I expected that the resolution as amended would be adopted without any opposition.

Mr. LODGE. If the Senator will allow me to correct him——

Mr. CLAY. With pleasure.

Mr. LODGE. That resolution was never amended.

Mr. CLAY. I am not mistaken.

Mr. LODGE. I beg the Senator's pardon; objection was made to the amendment.

Mr. CLAY. I understand it, I think, thoroughly. The amendment was offered by the junior Senator from Maryland and the Senator from Pennsylvania did accept the amendment, but there was objection to it.

Mr. LODGE. He could not accept it.

Mr. SPOONER. It was not in his power to accept it when objected to.

Mr. CLAY. It was not in his power, but the chairman of this great committee rose in his place and accepted that amendment so far as he himself was concerned, and I am surprised that there should be any objection to it.

I have no criticism, Mr. President, to make upon the investigation so far as it has gone; none in the world. But I simply say that this is a branch of the Government investigating itself. If you will read the report of the Fourth Assistant Postmaster-General you will find that he says himself that this investigation ought to go further, and that further investigation doubtless will show guilty parties both in the Department and outside of the Department. And now the special attorneys appointed to make this investigation have come forward themselves, and they have said that further investigation ought to be had. I simply say that the people expect Congress to make this investigation, and to make it thorough, with a desire to do injustice to no one.

If you will take the report of the Fourth Assistant Postmaster-General, and read it through from beginning to end, I lay down the proposition that his report demonstrates beyond question the absolute guilt of, not the present First Assistant Postmaster-General, but a retiring First Assistant Postmaster-General. I lay down the proposition, Mr. President, that he says himself that that high official—once high official—was the leading guilty party, and that the testimony was overwhelming against him. If that be true he ought to be indicted.

Mr. President, I desire to take up but a few minutes of the time of the Senate. So far as the present First Assistant Postmaster-General is concerned, when I refer to that office I have no reference to him. My observation has taught me that Mr. Wynne is a faithful officer and has done much to bring about this investigation. If you will read the report of the special attorneys appointed to make the investigation and if you will read the report of the Fourth Assistant Postmaster-General you will find they all ask that a most thorough investigation be had of this entire transaction from the beginning to the end.

Now, Mr. President, take the first report of the Fourth Assistant Postmaster-General, and what does he say?

No mention is made in the President's memorandum of ex-Assistant Postmaster-General Heath's part in the irregularities of the Department, except in a parenthesis, calling attention to what Fourth Assistant Bristow has to say regarding him. In Mr. Bristow's allusions to Heath he says that official had knowledge of some of the remarkable transactions in his branch of the Post-Office Department.

Mr. BEVERIDGE. What does the Senator read from?

Mr. CLAY. I read from the report of the Fourth-Assistant Postmaster-General:

A letter is quoted, containing an inference that it would be well to cultivate the friendship of Heath and Beavers, "if not by kind words, by dollars and cents."

Mr. Bristow asserts that the transactions in the Brandt-Dept automatic cash registers would have justified the immediate removal of both Heath and Beavers. He relates statements of different witnesses that Mr. Heath received a check in more than one case, payment furnishing the Department with different kinds of supplies, and also the statements of witnesses that shares of stock were in certain instances went to Mr. Heath, although all the evidence submitted to the law officers was not of a character to warrant attempting to secure his indictment.

Now, Mr. President, if you will go a little further, if you will take the synopsis of that report and go through with it from the beginning to the end, he absolutely charges that in the office of Mr. Heath, the First Assistant Postmaster-General, all these frauds originated, and that he must have had cognizance of these frauds. Without reading them now, Mr. President, I will do credit to the Fourth Assistant Postmaster-General to say that he calls attention to the fact that in his office these frauds originated and that he was cognizant of these frauds. Then why ought subordinates to be indicted and why ought the principal to escape?

This is a synopsis of the report of the Fourth Assistant Postmaster General. Now, again, let us see what he says regarding Mr. Heath

[illegible]

Says Mr. Bristow, the Fourth Assistant Postmaster-General—

[illegible] could have in a systematic [illegible] of [illegible] cash in the larger post-offices.

[illegible]

Many of them have never been [illegible] from the [illegible] were stamped. The aggregate amount of money paid to the Brandt-Dent Company for these useless canceller was [illegible].

Starting from [illegible] of fraud and passing over the [illegible] of Fourth Assistant Postmaster-General Heath and George W. Beavers.

[illegible]

And well does he say that it can not be eliminated.

[illegible] merely waste the public resources in such a [illegible] manner. A bribe of $[illegible] was paid Congressman Edmund H. [illegible] to secure the order for 250 machines.

Mr. President, if you will take this report of the Fourth Assistant Postmaster General, and if you will go through with all of it, if it speaks the truth, Perry Heath, in his office, originated all this fraud from the beginning to the end.

Again, Mr. President, I want to call your attention to another fact, and that is that certain bonds were almost traced to his office in the city where he lived. I say that the ends of justice demand that a thorough, honest, and complete investigation shall be had. I stand here in my place and say that I am incapable of doing Mr. Heath or any other man an intentional wrong, but, Mr. President, justice to him, justice to all the officials, and justice to us demand that there shall be a thorough, complete, and honest investigation. If Mr. Heath has been slandered by this report of the Fourth Assistant Postmaster-General, we ought to know it. If he is guilty of the wrong that has been charged against him, he ought to be [illegible] and he ought to be convicted. Now, again:

THE MONTAGUE INDICATOR.

The Montague indicator is a device attached to street letter boxes showing the hours of collection. It was promoted by W. W. Montague, postmaster at San Francisco, [illegible] and D. S. Richardson, a member in that city.

A company was organized in 1899 with a capitalization of $[illegible] consisting of [illegible] par value $5. Immediately after the company was organized Richardson and James W. Beavers, at that time a post-office inspector, visited Washington for the purpose of securing the adoption of the device by the Post-Office Department.

Richardson acquainted George W. Beavers, who told him that to insure success he ought to distribute stock among the officials who had charge of the matter. Acting upon this suggestion, Richardson gave Machen 1,000 shares of the stock, which he requested that it be issued in the name of H. G. Seger, and Beavers 2,000 shares of the same value issued in the name of Richardson. A short time after this gratuitous distribution of stock an order was given for 7,000 indicators at $[illegible] each.

Seger, in whose name the stock donated to Machen was issued, says he bought this stock from Machen and paid him $1,200 for it. There is a mystery about the true ownership of the 2,000 shares given to Beavers. It was issued in the name of D. S. Richardson and it appears to have been assigned to John R. McDonough. The first dividend, consisting of $120, was forwarded to Beavers February 6, 1901, and acknowledged by him in the following letter:

This to my mind is a very suspicious transaction.

[Personal.]

WASHINGTON, [illegible]

MY DEAR MR. RICHARDSON: Yours of [illegible] received. [illegible] I will hold the papers in your name for the present, simply [illegible] being as safe as anywhere. I am glad to know that the matter promises well. I have not seen Mr. Heath, but will make another effort to-day. He is [illegible] hard to locate just now.

And he is mighty hard to locate, it seems by this testimony—

[illegible] on national committee matters. Give my regards to all inquiring friends and believe me,

Very truly, yours,

G. W. BEAVERS,
Superintendent.

MR. D. S. RICHARDSON,
Room 7, Mills Building, San Francisco, Cal.

This was in February, 1901, and the stock was still in Richardson's name and apparently in Beavers's possession. In August, 1902, Beavers again wrote:

[Personal.]

WASHINGTON, *August 21, 1902.*

DEAR RICHARDSON: Our friend in Salt Lake—

That is Mr. Heath: that is where he resides—

wants the inclosed stock drawn in the name of Edwin B. Bacon. Kindly issue new certificates and have these destroyed. Forward same to me by registered mail.

Yours, very truly,

G. W. BEAVERS.

MR. D. S. RICHARDSON,
(Care Instruments, San Francisco, Cal.).

These [illegible] were [illegible] on the face [illegible] of H. H. E. [illegible] and the [illegible] Wood Tongue and [illegible] Heath [illegible] that time. The [illegible] letter consisted of 1,000 of the shares [illegible]

Edwin B. Bacon [illegible] Ky. [illegible] Edwin B. Bacon was [illegible] of a [illegible] [illegible] was [illegible] for this company was at the earnest solicitation of an Congressman [illegible].

But that is all denied. There is no reflection in the report upon Mr. Loud, and I do not [illegible] could make any reflection upon him, for personally I believe Mr. Loud is an honest man.

I want to say, however, Mr. President, that if you will take the report of the Fourth Assistant Postmaster-General and read it through from beginning to end, you will find that there is but one conclusion to be reached, that he was satisfied beyond doubt that the guiltiest person among all these parties charged with this wrong was the retired First Assistant Postmaster-General. As a matter of justice, I ask myself, in examining this report, Why should fourteen subordinates be indicted, why should they be arraigned in indictment after indictment, when the Fourth Assistant Postmaster-General himself says that the real guilty party was the First Assistant Postmaster-General who has retired from office?

Mr. President, I take the position that the fact that a man has a high public office is no reason why he should be excused for wrongdoing. I do not hesitate to say that if this report reflects upon Mr. Heath wrongfully, then he ought to be vindicated, and that vindication ought to come most cheerfully from the Committee on Post-Offices and Post-Roads. I am sure for one that I can do justice to him or to any other person charged with wrong.

I say, however, Mr. President, that if you will read the summing up of this case by the President himself, you will find that the President reflects most severely upon the conduct of Mr. Heath. We know that the newspapers have told us that the President of this great Republic wanted Mr. Heath to retire from the high position he now holds in the councils of his party. We know that we are told, Mr. President, from other sources that, regardless of the great wrongs with which Mr. Heath is charged, he shall never be retired from that important position which he holds.

I lay down the proposition that one in high life and holding an important and responsible position should be held to the strictest account. If he has been wronged let this Congress vindicate him, let the Committee on Post-Offices and Post-Roads make a most thorough and complete investigation, and let that investigation reveal the truth. Undoubtedly the two special attorneys expected a further investigation to be made. Much valuable information has been given to us by Mr. Wynne, the First Assistant

Postmaster-General, and when I take up this report and go through with it I am astounded at the frauds which have been committed in the Post-Office Department.

I make no criticism upon those investigations so far as they have gone; but I stand here and say that I am astounded to find that notwithstanding the testimony which has been produced against the late First Assistant Postmaster-General, which is overwhelming, he has never been indicted nor has never been arrested.

In the interest of justice, in the interest of fair play, in the interest of good government, in the interest of honest and clean and just administration, this investigation ought to be had.

Mr. President, I had before me a minute ago, and I want to call attention to it, the report of Mr. Bonaparte and Mr. Conrad. They recommend that a most thorough and complete investigation be ordered. We know that the President has himself said that this matter ought to be investigated; we know that the Fourth Assistant Postmaster-General has said the same; we know that the chairman of the Committee on Post-Offices and Post-Roads was willing to accept an amendment directing that this investigation be made, and I am surprised that my friend the junior Senator from Massachusetts [Mr. LODGE], a member of the Committee on Post-Offices and Post-Roads, should object to it.

Mr. President, an investigation ought to be had so as to let both sides of the Chamber see exactly what has been done. The Department has investigated itself, but are we here simply to say that when a branch of the executive department investigates itself we are through with it? I do not hesitate to say in the interest of good government—and I do not care what party may be in power, whether it be the Republican or the Democratic party—I believe all the Departments of the Government ought to be investigated every four years. There ought to be a thorough accounting in the interest of good government. I do not speak as a partisan. I simply speak as one who desires to see justice done, and nothing more.

Mr. PENROSE. Mr. President, I am as earnestly in favor of the passage of a resolution to investigate the Post-Office Department as is the Senator from Georgia [Mr. CLAY], a distinguished member of the Committee on Post-Offices and Post-Roads. The resolution which was offered by me was offered in good faith. I cheerfully accepted the amendment of the junior Senator from Maryland [Mr. GORMAN] fixing a date prior to which that resolution called for a report, and directing the committee to make it. There seems, however, to be some diversity of opinion as to the phraseology and details of such a resolution. I therefore move that the resolution of the Senator from Tennessee [Mr. CARMACK], the resolution offered by myself, the amendment offered by the junior Senator from Maryland, and those which may have been offered by any other Senator pertaining to this subject, be referred to the Committee on Post-Offices and Post-Roads, and, as chairman of that committee, I pledge myself to call the committee together at an early date and to make a prompt report on this subject.

Mr. TELLER. Mr. President, I do not know, as a question of orderly procedure, that there is any serious objection to the motion just made by the Senator from Pennsylvania [Mr. PENROSE].

I addressed some brief remarks to the Senate a few moments since because I did not want a wrong practice to grow up here, either by precedent or by what has been said, to the effect that this body is not as capable as any other tribunal of investigating any question of this character. We have the right, and more than that, it is the duty of this body to make such investigations at the proper time.

The PRESIDENT pro tempore. Will the Senator from Colorado suspend for a moment?

Mr. TELLER. Certainly.

The PRESIDENT pro tempore. The Senator from Massachusetts [Mr. LODGE] entered a motion to refer the pending resolution to the Committee on Post-Offices and Post-Roads. The Senator from Pennsylvania [Mr. PENROSE] has also made a similar motion, covering other resolutions and amendments connected with the same subject. Does the Senator from Massachusetts withdraw his motion?

Mr. LODGE. I withdraw my motion, as the motion of the Senator from Pennsylvania covers the whole subject.

The PRESIDENT pro tempore. Then the motion of the Senator from Pennsylvania [Mr. PENROSE] will be regarded as the pending motion.

Mr. TELLER. The junior Senator from Massachusetts [Mr. LODGE] has told us, if I understood him correctly, that this body is not properly equipped for an investigation of this kind, or not so thoroughly equipped as is the other House.

Mr. LODGE. Oh, no. The Senator misunderstood me entirely.

Mr. TELLER. What did the Senator say?

Mr. LODGE. I referred to Congress. I said Congressional investigations, I thought as a rule, have proved pretty worthless; that the machinery of a Congressional investigation was exceedingly clumsy, and I think it is.

Mr. TELLER. Mr. President, so far as the House of Representatives is concerned, it acts independently upon these questions if it sees fit to do so, and there are some cases where evidently the House of Representatives ought to proceed—as, for example, in a case where there is a liability of an impeachment of some executive officer; but in every other case this Senate has absolutely the same authority that the House has, and we can not afford to avoid inconvenience or to avoid embarrassment, when a question of this kind comes here to make a precedent, by declining to enter upon an investigation.

I am not complaining, and I want it distinctly understood that I am not complaining, of the investigation so far as it has gone. It does not seem to be satisfactory to some, and it can not be satisfactory when you consider the fact that this incipient investigation has charged a violation of the statutes upon members of this body and members of the other branch of the legislative department of the Government.

The report of itself indicates that there has been a violation of a statute that has been upon our statute book for many years in that contracts have been made by the Post-Office Department with Members of the House of Representatives and members of the Senate. If there was no other reason why this Senate should investigate, that charge, which is a charge of a penitentiary offense against members of this body, is sufficient ground for such an investigation.

I do not suppose it is necessary for me to read the statute. I assume everybody understands what it is—that I have no right to contract with the Government for the use of a building for a post-office nor to contract for a post-road, or anything of that kind.

Mr. SPOONER. Anything in which you have an interest.

Mr. TELLER. Anything in which I have an interest is precluded and prohibited from being the subject of a contract between the Government and me by the very plain and explicit terms of a statute that has been on the statute book for I do not know how long, but at least as long as I have been in public life.

Mr. COCKRELL. Ever since 1862.

Mr. TELLER. Recently there was a statement made in the public press that a contract had been made with a member of this body for the lease of a post-office building in plain violation of that statute. What is the answer to it? What answer comes apparently from the Post-Office Department? "We could make a better contract with the Senator than we could make with anybody else." Mr. President, is not that a most remarkable and astonishing declaration? I do not know that it came from the Post-Office Department. If it did, I do not know that it came from anybody with authority; but that is the best reason given why this contract was made. Where does the Postmaster-General, where does the President of the United States, or where does anybody else get the right to suspend a statute of this kind?

Mr. FORAKER. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from Ohio?

Mr. TELLER. I will yield to the Senator in a moment. I do not say here that any such contract has been made, but I do say that there is an inference in the report of the Fourth Assistant Postmaster-General that such contracts have been made in violation of the statute. The public press has so declared, and it has named the Senator who has made such a contract. Now I yield to the Senator from Ohio.

Mr. FORAKER. Mr. President, I rose simply to say that while I have no positive knowledge on the subject, yet I understand that the lease to which the Senator refers of a post-office building now belonging to a Senator, a member of this body, was made before that Senator became the owner of that building; that when he became the owner he did not even have knowledge of that fact, and that he has been trying ever since he learned the facts to get rid of the lease, and had petitioned the Post-Office Department, long before anything was said about it in the newspapers, to cancel the lease and take the post-office to some other building. I think it is due to the Senator, if I understand the reference that the Senator from Colorado has made, that this statement should be made, the Senator to whom reference has been made being now absent from the Chamber and out of the city.

Mr. TELLER. If the statement made by the Senator from Ohio is correct—and I will accept it as being so—then a gross slander has been perpetrated upon the Senator referred to.

Mr. FORAKER. Undoubtedly.

Mr. TELLER. And if it is not correct——

Mr. FORAKER. Mr. President, if the Senator will allow me, I interrupted him only because I knew he would not want to make a statement that was not justified by the facts in the absence of that Senator who is away, being out of the city on business. I have no personal knowledge on the subject, but I understand the facts to be as I just now stated.

Mr. TELLER. Mr. President, I did not assume that the charge against the Senator was true. I assumed, as the public press had so the latest, that a common decency and common self-respect required such a denial of such a charge.

I would not have alluded to a public press statement of that kind if there had not been a similar statement in the report of Fourth Assistant Postmaster-General Bristow, or a statement equivalent to that. This matter has already attracted the attention of Members of the other body, and they, too, are standing under the charge that some Member of that body has been guilty of a penitentiary offense under our statute.

Mr. President, I do not want to give this matter any political cast. I am saying here what I would say if the party with which I am affiliated were in power, and it were a question of the investigation of a Department presided over by a Democrat.

I am speaking in the interest of good government. I am speaking in the interest of letting the people of the United States know, if there have been infractions of the law either by the taking of money by some subordinates or by making contracts in violation of the statutes of the United States, that at least the Senate of the United States does not mean to condone such violations, either in the interest of party or in the interest of individuals.

It is unfortunate that this scandal as to the Post-Office Department arose. Nobody regrets it more than I do. I believe that for many years we have had a fair record for honesty and integrity in the Executive Departments of the Government. I should think, if I was not compelled to believe otherwise, that there is not now any particular truth in these statements; but the investigation which has been so thoroughly conducted by the Fourth Assistant Postmaster-General shows the necessity for further investigation, and I say here now that no party which may be in power can afford to stifle an investigation when it is demanded by any respectable person, certainly not when it is demanded by a member of this body.

I will make no allusion to individuals. I know some of the men charged, and I was surprised beyond measure when I heard that they had been charged with an offense. I do not mean to assume here that they are guilty of any offense, but I do mean to assume that there has been dereliction in office of a character to attract the attention of almost the entire people of the United States—or a considerable part of them—for I will venture to say that there is not a reputable newspaper in the United States that has not had more than one article upon it. Do you think, fellow-Senators, that we who believe it is almost as important that the people should believe we are honest as it is that we should be honest can afford to sit here inactive under these circumstances? The very foundation and support of free government is in the belief in the integrity and the intelligence of the representatives, whether of the States or of the people.

I myself did not move in this matter, Mr. President. I did not know that I should until within the last few days, when further developments came to light, but the President of the United States, as the Senator from Georgia [Mr. CLAY] has said, has given his support to the proposition for a further examination and a further investigation of these alleged frauds.

Mr. President, I ask to insert as part of my remarks the sections of the Revised Statutes to which I have referred.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The sections referred to are as follows:

SEC. 3739. No Member of or Delegate to Congress shall directly or indirectly himself, or by any other person in trust for him, or for his use or benefit, or on his account, undertake, execute, hold, or enjoy, in whole or in part, any contract or agreement made or entered into in behalf of the United States. Every officer or person authorized to make contracts on behalf of the United States. Every person who violates this section shall be deemed guilty of a misdemeanor, and shall be fined $3,000. All contracts or agreements made in violation of this section shall be void; and whatever any sum of money or any thing has been paid or done on the part of the United States in consideration of any such contract or agreement it shall be lawful to recover back and to compel to repay the same when demanded by the proper officer of the Department under whose authority such contract or agreement shall have been made or entered into, every person so receiving or obtaining, together with the property or effects, shall be liable to be prosecuted at law for the recovery of any such money or thing so obtained.

SEC. 3741. Nothing contained in the preceding section shall extend, or be construed to extend, to any contract or agreement, made or entered into, or accepted by any incorporated company where such contract or agreement is made for the general benefit of such incorporation or company, or to the purchase or sale of bills of exchange or other property by any Member of or Delegate to Congress, where the same are ready for delivery, and payment therefor is made at the time of making or entering into the contract or agreement.

SEC. 3742. In every such contract or agreement to be made or entered into, or accepted by or on behalf of the United States, there shall be inserted an express condition that no Member of or Delegate to Congress shall be admitted to any share or part of such contract or agreement, or to any benefit to arise therefrom.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Pennsylvania [Mr. PENROSE].

Mr. CARMACK. Mr. President, I shall make no objection to the motion of the Senator from Pennsylvania, but I want to say that one or two Senators have indicated a desire to address the Senate upon this resolution, who did not expect it to come up to-day and are not prepared. They would, therefore, like to have it go over. If that is satisfactory to the Senator from Pennsylvania, I should be glad to have the resolution go over until to-morrow, and then be disposed of according to his motion.

Mr. SPOONER. Mr. President, I suggest to the Senator that notice has been given by the Senator from Alabama [Mr. MORGAN] that he will address the Senate on his resolution to-morrow immediately after the conclusion of the morning business, and the pending resolution had, therefore, better go over until the day after to-morrow.

Mr. CARMACK. That will be perfectly satisfactory to me.

Mr. PENROSE. I am perfectly willing to let the resolution go over with the understanding that it will be disposed of when it comes up again.

Mr. CARMACK. I am satisfied it will be, Mr. President. I simply want to add a few words on this matter.

I do not think the Senator from Massachusetts [Mr. LODGE] is justified in what he says with regard to the incompetency or the inefficiency of Congressional committees in the matter of investigations. I think when a Congressional committee has entered upon an investigation with a determination to make a real and genuine investigation it has been a thorough investigation, and I think the history of Congressional investigations will sustain that view.

There is one thing that may be said with reference to Congressional investigations of charges affecting the Executive Departments of the Government, and that is that in the nature of things it is more likely to be an honest, earnest, and impartial investigation than an investigation conducted by the Executive Department itself or by the Executive.

Every Department in the city of Washington is under the constant supervision of the Chief Executive, who is charged in the Constitution with the duty of taking care that the laws are faithfully executed. Wherever the law has been unfaithfully executed, wherever there has been a systematic violation of the law, it argues lack of diligence on the part of the Executive, and it constitutes an accusation, a charge of negligence, at least, against the Executive. So in conducting an investigation into a wrong perpetrated by the officials of any Executive Department of the Government the Executive is investigating an accusation against himself with reference to his own subordinates. Congress is in no such position.

I do not charge that there has been any disposition on the part of the Executive to conceal any facts, but I know there have been indications that the Postmaster-General was not in sympathy with this investigation. It has been reported in the newspapers that he described the Tulloch charges as hot air, and that he uttered some very denunciatory epithets with respect to the author of those charges. We know that the investigations thus far made have disclosed a surprising state of rottenness in the Post-Office Department, and we know from the statement of the Conrad-Bonaparte commission that further investigation is needed. We are not proceeding upon mere rumor. It is not necessary for a committee to report whether or not there is anything in these charges and to give us information whether any investigation is needed. We know that there has been a condition of rottenness in the Post-Office Department, and we know from the investigators themselves that further investigation is needed, and the only question is whether or not we shall have an impartial investigation by a committee of the Senate.

The Senator who made the request of me a few moments ago has withdrawn his request, and we can now dispose of the motion.

Mr. SPOONER. Mr. President, I desire to say a word in reply to the Senator from Tennessee [Mr. CARMACK], and only a word, and that is as to his reference to the Postmaster-General. I shall have more to say upon the subject later. I only take the time now to say that he does great injustice, unintentionally, I know, to the Postmaster-General, and that so far as the investigation covered by the Bristow report is concerned no man ever held a public office more completely in sympathy with a merciless investigation, most searching and rigorous, or from day to day and from hour to hour placed the resources of his Department and his position at the command of those who were conducting in detail the investigation. I shall be glad to prove that to the satisfaction of the country before this debate is ended.

Mr. CARMACK. Well, Mr. President, it ought to be proved.

Mr. SPOONER. It does not need to be proved.

Mr. LODGE obtained the floor.

Mr. CARMACK. Will the Senator from Massachusetts allow me for just a moment?

Mr. LODGE. Certainly.

Mr. CARMACK. I do not propose to make any charges against the Postmaster-General in regard to this matter, but I do say it

has been reported and published in the newspapers, and so far as I have heard it has never been denied, that the Postmaster-General in the beginning pooh-poohed these charges and described them simply as hot air, and characterized the author of the charges as a slanderer and a calumniator.

Mr. SPOONER. That refers to what are denominated the Tulloch charges?

Mr. CARMACK. Yes, the Tulloch charges.

Mr. SPOONER. I am referring to the great body of the charges covered by the investigation made under the direction of the Fourth Assistant Postmaster-General. I shall have something to say about the Tulloch charges so far as concerns their relation to the Postmaster-General. But the Postmaster-General sat in his seat day after day, in the utmost of ill health, as devoted in an effort to investigate and arrive at the truth, that that Department might be purged of every element of graft, if I may use that word, or of infidelity in the discharge of public duty, as any man in the world could be.

Mr. CARMACK. I want to say that I do not mean to intimate for a moment that the Postmaster-General had any complicity in any of the wrongs which were perpetrated in the Post-Office Department.

Mr. SPOONER. No.

Mr. CARMACK. I do not mean to intimate that he had any sympathy with the wrongdoing. The suggestion attributed to him in this statement was a lack of diligence in investigating charges that had been made and a disposition to cast them aside, showing, not that he had any sympathy with the wrongdoing in his Department, but that he felt that there was no necessity for an investigation, and if it had been left to him there would have been no investigation.

Mr. SPOONER. The Senator from Tennessee is not acquainted with the facts.

Mr. CARMACK. Perhaps I am not altogether acquainted with the facts.

Mr. SPOONER. Of course he need not acquit the Postmaster-General of having had complicity in the frauds.

Mr. CARMACK. I am simply trying to acquit myself of having made that charge.

Mr. SPOONER. Yes. He practically says the Postmaster-General had no sympathy with the wrongs perpetrated, but possibly had sympathy with the wrongdoers.

Mr. CARMACK. I did not say that, either.

Mr. SPOONER. Practically that.

Mr. CARMACK. Not practically that, either.

Mr. SPOONER. It is easy to impugn the good faith of public officials. It ought not to be done in this body as to an officer amenable in the last analysis to this tribunal.

Mr. President, I will show, as to the Postmaster-General, that long before the investigation was instituted he took steps to secure an appropriation of money to pay the expense of conducting it, and that no step of that investigation was taken except by his order and with his thorough sympathy and every personal and official help.

I know my friend the Senator from Tennessee would not willingly do injustice to any man, and I have said, and felt constrained to say what I have said, not for any motive on earth other than promptly to disclaim for the Postmaster-General the inference from that which fell from the lips of the Senator from Tennessee. I acquit him of any purpose to do injustice to the Postmaster-General, but now that the subject has arisen I doubt if the debate on the resolution will be finished day after to-morrow. I want to devote a little attention to the phase of the subject which has been alluded to by the Senator from Tennessee, and I will.

Mr. BURROWS and Mr. CARMACK addressed the Chair.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. LODGE] has the floor.

Mr. BURROWS. I was about to ask the Senator from Massachusetts to permit me for a moment?

Mr. LODGE. Certainly.

Mr. BURROWS. I hold in my hand the memoranda of the President, in one part of which reference is made to the Postmaster-General, which I think will be found to be in conflict with the suggestion of the Senator from Tennessee. I will read it:

It appears that in December, 1902—

Long before this investigation was inaugurated—

Postmaster-General Payne and Congressman B. F. Loud, chairman of the Committee on the Post-Office and Post-Roads, held various consultations regarding the postal service, and as a result of these interviews it was determined that as soon as possible after the necessary appropriation to be made by the Congress an investigation should be made of the service, both Messrs. Payne and Loud agreeing as to the need for the investigation and the time when it should take place. Accordingly, an increase of $5,000 in the appropriation bill reported in January was made for the express purpose of carrying on the investigation in question. The reasons for the increase in the appropriation were known only to the Postmaster-General, to Congressman Loud, and to Congressman Bromwell.

Mr. Loud was chairman of the Committee on the Post-Office and Post-Roads of the House.

So it appears from the memoranda of the President that long before this investigation was begun the Postmaster-General, together with the chairmen of the two committees, consulted in regard to it and asked an appropriation for the very purpose of making the investigation.

Mr. LODGE. Mr. President, I do not want to be misunderstood in what I said in regard to Congressional investigations. I of course did not refer to investigations relating to legislation or the subjects of legislation. With those I think Congressional investigations are not only necessary, but, as a rule, are extremely important and valuable. I was referring to investigations for the purpose of discovering crimes and misdemeanors in the service, and I say those investigations as a rule, so far as my observation goes, are pretty worthless.

A committee of the House investigated Mr. Machen. A committee of the Senate investigated Mr. Machen, and they both cleared him at the very time when he was engaged in the precise practices for which he is now under indictment, those practices having been discovered by the departmental investigation.

Now, it may be very necessary for the Committee on Post-Offices and Post-Roads to take up this investigation, but it seems to me a too important matter to be settled by a few speeches in the Senate, and that it requires the careful consideration of a committee. That was the whole point I desired to make. If after the committee have considered it they conclude that an investigation is necessary, it will be held, or, after the Senate hears from the committee on the subject, this body can then decide whether one shall be held.

Before I sit down, Mr. President, I wish to say, in reference to the remarks made about the Postmaster-General, that he not only directed this investigation; that it was not only made under his order, but that within my own personal knowledge, at the risk of his health and in physical discomfort at times during the past summer, he caused the investigation to be pushed in every direction, and he has not flinched from any part of it. He and his very able assistant, Mr. Bristow, have carried it to the utmost extreme in every direction in the service. I am sure that is the case, and although it is not my place, perhaps, to say anything about it, still as a member of the Committee on Post-Offices and Post-Roads I wished, as his conduct had been called in question, to bear my individual testimony to these facts.

Mr. TELLER. Mr. President, it seems to me it is rather unfortunate that we can not consider a matter of this kind without giving it a personal and political aspect. I desire to disclaim as well as I can—and I thought I had done so, but desire to do it again—any intention to reflect upon any executive officer whatever. I am speaking now of the Postmaster-General and the heads of Departments and not the subordinates. I have not complained—and I wish to make that clear—and I am not now complaining that the examination was not made in time, nor do I question that it originated just as the Senator from Michigan [Mr. BURROWS] showed that it did. The appropriation was made, and it was understood that there was to be an investigation.

But I simply insist that the Senate shall not abandon its right to make an investigation at all times whenever any member of the body believes it ought to be made. Of course we shall sometimes make examinations and investigations without any benefit or advantage to anyone, and perhaps without getting at the truth, as very likely did the investigation made by the committee, as shown by the Senator from Massachusetts [Mr. LODGE]. We may make investigations and fail to arrive at a just conclusion. But that is not the point in the controversy. The point is whether, when charges are made, we shall sit still and say they are worthless and not to be considered and decline to go into an investigation of them.

Mr. CARMACK. The Senator from Massachusetts referred to the fact that there had been a sort of an investigation of Mr. Machen made by a committee of Congress, and they discovered nothing at all.

Mr. LODGE. One was made by both Houses.

Mr. CARMACK. Both Houses?

Mr. LODGE. One by the Senate and one by the House.

Mr. CARMACK. By separate committees?

Mr. LODGE. By separate committees

Mr. CARMACK. That fact constitutes a greater impeachment of the executive and of the efficacy of executive investigations than it does of investigations by committees of Congress, because Mr. Machen and that whole Department were constantly and always, every day and every hour, under the supervision of the executive and subject to its examination all the time, and the executive is charged in the Constitution with the express duty of seeing that no such things are done. Yet they were done. Shall you blame Congress because a committee, at that time suspecting nothing, and relying upon the efficiency of the executive, failed

to find anything wrong when the Chief Executive and the Postmaster-General and all the other executive officials, charged in the Constitution with making these examinations all the time, exercising constant supervision, had never found anything wrong?

Mr. President, just one word more in regard to Postmaster-General Payne. The discussion grew out of an incidental remark of mine. The Senator from Wisconsin is right in supposing that I do not wish to do any injustice to the Postmaster-General. I have not charged him with any complicity in any of these matters. I do not mean to charge him with any sympathy with these crimes and misdemeanors or with the criminals themselves. If I did any injustice to the Postmaster-General, it was in misquoting him. If I quoted him correctly in saying that he described the Tulloch charges as "lurid," and that he spoke of the author of them as a calumniator and a slanderer, who was it has been subsequently demonstrated that the charges are true—if he did that, and it has not been denied that he did, then he did show in the inception a lack of sympathy with the investigation. He may have had, to him, good reasons for believing that there was nothing in the charges. He may have believed that his predecessor had looked into the matters and reported to him. If that is true, it simply carries it one step backward. It will to some extent relieve the present Postmaster-General, but it will still show carelessness and inefficiency at the very head of the Post-Office Department of the Government.

Mr. SPOONER. That there has been inefficiency of administration nobody will dispute. It began under Mr. Cleveland's Administration. He was an honest man in administration. It began while Mr. Bissell was Postmaster-General. He is dead now. He was an honest man. It does not follow in every instance, although greatly to be deplored, that you can charge the Postmaster-General with inefficiency because there happens to be in an army of employees some man who can not resist temptation or some man who is inherently vicious.

There have been defalcations occurring in the States under Republican administrations and under Democratic administrations. There was one in Maryland some years ago. They had one in Tennessee some years ago. That was no any justification for the impeachment of the administration generally.

Mr. CARMACK. I do not know, Mr. President. I think it was. I think if a proper investigation had been made, the defalcation which occurred in Tennessee would have been discovered many years before.

Mr. SPOONER. That was a Democratic administration.

Mr. CARMACK. I am not making a partisan matter of this.

Mr. GORMAN. Mr. President, to the suggestion made by the Senator from Pennsylvania [Mr. PENROSE], the chairman of the Committee on Post-Offices and Post-Roads, that these various resolutions for an investigation shall be referred to that committee, I shall not object, in view of the Senator's statement that the committee will act upon the resolutions promptly and report them back to the Senate. I know the earnestness of that Senator and his very great desire that this investigation shall be proceeded with under a proper resolution.

Mr. President, I desire to call the attention of the Senate to the fact that the debate to-day emphasizes the necessity for this investigation. I have not had any doubt, and I am quite sure that neither the Senator from Tennessee nor any other Senator on this side had any desire to investigate any particular officer of the Department. It is much broader than that in my view. This corruption has crept into the Department by degrees, probably under both Administrations or three Administrations. It has been the outgrowth of legislation giving to the officers of that Department greater power in the expenditure of money and the fixing of salaries than in any other Department of the Government until it reached the point where the men who were themselves corrupt have exposed the corruption.

It has not ended with this report, in my judgment. Only half has been told. The importance of an investigation will be not so much in exposing the corrupt officer as in providing by law methods to prevent the recurrence of the wrong in the future.

Mr. SPOONER. Will the Senator from Maryland allow me?

Mr. GORMAN. Certainly.

Mr. SPOONER. Does not the Senator think that that ought to be supplemented by periodical searching investigations by Congress?

Mr. GORMAN. I do; but I am content to deal with this present question.

I want to say that I have no acquaintance whatever with the present Postmaster-General. He has but recently entered that office. It was impossible for him, under the conditions, to have been a party to any of this fraud, unless it was within three or four months of the time when it was exposed. I do believe, from a careful investigation and from reading all the documents which we have been permitted to have, that the inference which has been drawn by the newspapers and by many of us has been drawn through no fault of ours, but results from the injustice done to the Postmaster-General by the President himself, if injustice has been done.

It is true that in this memorandum the President states that Mr. Payne and Mr. Lond and one other Member of Congress secured an appropriation of $5,000 to make this investigation, and again that the Postmaster-General was consulted with when the Assistant Postmaster-General was selected to make it. But following that, knowing, as the President does, his Cabinet officers, he gives to a Mr. Sonderorf, a very intelligent editor of a newspaper, and a Mr. White, unknown to me (whether or not he has an official position I do not know), the whole credit of furnishing evidence that there was corruption by Beavers and others; and naturally the inference of the public press and the inference drawn by a great many who want to be entirely just to the Postmaster-General was that his own chief had passed him over in such a way as, I think, reflected upon the activity or desire of the Postmaster-General.

I accept what the Senator from Wisconsin says as to his activity in this matter. It ought to be brought out, and if it is as he has stated it, all the Senators on the floor, undivided by this aisle, will be perfectly willing and will be glad to do the Postmaster-General justice. This trouble arises from his own household.

Mr. President, I wish to call the attention of the Senate to the fact that now, for the first time since I have been a member of this body, there has been an apparent determination on the part of the Senators on the other side to prevent us from having officially sent here statements that have already been made. Twice in the early hours of the extra session the Senator from Tennessee [Mr. CARMACK] attempted to secure the passage of a resolution by which this investigation should be properly made. The Senator from Pennsylvania [Mr. PENROSE], the chairman of the committee, also attempted it, and I also upon one occasion.

Every time a resolution has been offered providing for a fair investigation, with those on the other side of the Chamber constituting a majority of the committee, and only a minority from this side participating to cross-question the witnesses and ascertain the facts, the junior Senator from Massachusetts [Mr. LODGE] has been foremost to throttle any investigation and to prevent us from having officially documents already published elsewhere. Why is it, Mr. President, when we ask that this document, which has been sent to a committee of the House of Representatives, be printed as a public document, so that every Senator may obtain a copy, an objection has been made and the resolution lies upon your desk unacted upon? For a month and a half we have asked you to give us only information known to be in existence, and the denial has been as prompt as it was possible. So with every resolution asking for information that would enlighten the body on the measures upon which we are to act. Such resolutions have been suppressed in this body, in my judgment, for the first time in its history. Can it be that the party in power are afraid of having daylight turned upon their acts? Why is it that you prevent us from getting from the State Department or the Post-Office Department that which is official which would show misconduct on the part of officers of this Government?

Mr. SPOONER. What Department?

Mr. GORMAN. Every Department from which we have asked information so far. The only explanation I can conceive of is contained in the remarks of the Senator from Massachusetts yesterday—his great desire for the welfare of the Democratic party, that it shall not make any more mistakes. He is so anxious for our success or for our well-being that he wants to suppress all the facts, all the frauds and rascality in the Post-Office Department, and he would exclude us from a sight of the orders and messages and correspondence of the State Department.

Well, Mr. President, the majority of the Senate, nearly two-thirds on the other side, may continue to suppress information; but there is a great power in the country, the press, that will get in some share a statement of the facts that exist. The tendency naturally and inevitably will be, as in this matter of the Postmaster-General, that inferences may be drawn which are not supported by all the facts; but the country will believe that a great party as long in power as you have been that denies us the information which is official must be in such a condition that it ought not to be trusted by the people of the country.

Now, sir, I accept the statement of the chairman of the Committee on Post-Offices and Post-Roads that this resolution shall go before that committee merely for the purpose of perfecting it, so as to cover all branches of the proposed investigation, and that it will be had; and I trust that from this day forward ordinary resolutions of inquiry, couched in proper language, will be granted to us, as has always been done in the Senate.

Mr. LODGE. Mr. President, I am extremely sorry that the few humorous remarks I permitted myself in speaking about the

Democratic party yesterday so annoyed the Senator from Maryland.

Mr. GORMAN. Oh, not "annoyed."

Mr. LODGE. But I suppose he really can not bear to hear me make fun of the last Democratic President.

Mr. President, it is quite true that the Republican party has nearly a two-thirds majority in the Senate. They are responsible, while they have the majority, for what is done, and while they have the majority and the power they propose to do the business of the Senate in their own way. They are not afraid of the daylight; still less are they afraid of the Senator from Maryland; and least of all are they afraid of that old, stale, witless talk about "suppressing information." There has been no information suppressed on any subject, but the Republican party in control of the Senate proposes to ask for information in its own way when it is asked for by the Senate.

The Senator from Maryland spoke of our objection to having the document he held up printed. We did not object to having it printed, but he had seen fit to change it and asked in his resolution for matters that were not in that document.

Mr. GORMAN. Mr. President, the Senator of course does not intend to make a misstatement.

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield?

Mr. LODGE. Certainly.

Mr. GORMAN. There is nothing in the resolution which calls for the printing of anything except the identical matter in the document.

Mr. GALLINGER. We gave consent for that.

Mr. LODGE. When I said, "Very well, print that document; we have no objection to it," the Senator from Maryland did not want it. He had some additions made to it. What they were I did not know——

Mr. GORMAN. No, Mr. President ——

Mr. LODGE. And I thought I had a right to know before I voted to ask for them.

Mr. GORMAN. I am sure the Senator does not desire to make a statement that is not entirely accurate. What I said was that I had asked for nothing except what was in the document, but that I desired to ask it from the Department, as the document I held in my hand was a communication only to a committee of another House, and I wanted to hear from the Department officially. That is the reason I gave.

Mr. LODGE. The resolution, as I understood it, included additional matter not included in the document which the House had printed.

Mr. GORMAN. Not at all.

Mr. LODGE. If I can put my hand on the RECORD, I will show that I at that time assented to it.

Mr. GORMAN. All right.

Mr. LODGE. I have not had the least objection to the resolution submitted by the Senator from Pennsylvania [Mr. PENROSE]. Here is what happened on that day:

> Mr. LODGE. Very well, let the Senator from Maryland ask for a reprint of the House document.
> Mr. HALE. That is it.
> Mr. LODGE. That is easily done. I have no objection to that, of course.
> Mr. GORMAN. It is not a House document. It is a communication to the Committee on the Post-Office and Post-Roads of the House, which has been printed and reprinted. As I remember, I repeat, as I have no matter——
> Mr. LODGE. Very well, let that document be reprinted.
> Mr. GORMAN. But it is not in the form of a document.
> Mr. LODGE. It has a name. I suppose it is a document.
> Mr. GORMAN. The Senate ought to have it direct from the Department. It is a matter of no importance in the world except to transmit to the Senate this private letter, and there is no single item of inquiry made in the resolution that is not in the document.
> Mr. LODGE. I understand ——
> Mr. GORMAN. Including the Bonaparte report.
> Mr. LODGE. I understood the Senator from Maryland to say that it is a document in the possession of the House.
> Mr. GORMAN. It is in the possession of a committee of the House.
> Mr. QUAY. Mr. President, I object to the consideration of the resolution.

There was every opportunity to print that document exactly as it stood, and I understood the resolution to call for additional matter. That is why I asked the question I did.

The resolution did not go over on my objection, but I entirely sympathized with the objection made.

The Senator from Pennsylvania [Mr. PENROSE] introduced a resolution here, which I entirely agreed to, proposing that the committee should call for all the papers and then, after they had considered them, they should decide whether an investigation was necessary. To that the Senator from Maryland [Mr. GORMAN] proposed an amendment, which provided that we should investigate every portion of the Post-Office Department.

It has taken a trained force of inspectors some eight months to investigate one branch of the Post-Office, and we were called upon by that amendment of the Senator from Maryland to investigate the whole Department with a view to discovering wrongs and misdemeanors, and by that amendment, if it had been adopted, the committee was compelled to make its report in May, less than six months away. Of course it is not to be supposed that that had any reference to the coming election, because we know that this is proposed by the Senator from Maryland simply in the interests of the public service and for the protection of the honor of the country and the honor generally of the Administration. But we were to have it out by the month of May.

Mr. SPOONER. Or quit.

Mr. LODGE. Or quit, as the Senator from Wisconsin observes.

Mr. CARMACK. Will the Senator from Massachusetts permit me a question?

Mr. LODGE. Certainly.

Mr. CARMACK. I should like to ask the Senator if his objection to having a report as early as May had any reference to the coming election?

Mr. LODGE. My objection was to having an incomplete investigation, if one was entered on. It has taken eight months for trained inspectors to investigate one branch. If you are going to investigate it at all, and a committee are to do it, you must not tie their hands and make them come in with a partial report. All they may have done up to that time will be public; but you can not bind them in the way you propose, because it shows you do not mean a thorough investigation, that all you are after is a little campaign capital.

Now, there is nothing in this that I have the least objection to having investigated and torn open as much as possible. It has all been done in one branch under the present Administration. All the facts we have and that have been read here to-day have come from a Republican Assistant Postmaster-General under an investigation directed by a Republican Postmaster-General. It is we who have probed it to the bottom and carried it back through more than one Administration, even to the last Administration of Democratic reform, where we find Mr. Machen originated.

Mr. President, let us have all the daylight there is. There is not a document that I am not willing to have from any Department at any time; but I do say, and I say without hesitation, that what we shall ask for and the way we shall ask for it is in the hands of the responsible majority of this Chamber, and we do not propose, at least I for one do not propose, to submit to having that responsibility taken out of our hands. If there is an inquiry to be made and questions to be asked, they shall be asked in a way which the majority approves and not in a way dictated by the leader of the minority.

I believe that the party in power, which is responsible for the Government and responsible to the people, and ready to face the people on this and all other questions, should have that power in the fullest degree. They should assume it, and should bear the responsibility for it. If they allow anybody else to come in and act for them, then they are indeed without defense.

I object, and I shall object, to any resolution which I think improper in form, which I think asks for papers in a way they should not be asked for, or for information already before us. I shall vote for resolutions which accord with the views of the party on this side, which is responsible for the Government; and no cry about stifling investigation and shutting off the light, the old talk that we have heard here year in and year out about first one thing and then another, is going to deter me, or, I believe, my colleagues, or have the slightest effect on my action or my vote on this floor.

Mr. TELLER. Mr. President, I do not desire to prolong this debate, but I think this is a good time to enter a caveat as to one statement of the Senator from Massachusetts.

I myself recognize the fact that in existing conditions here the Republican party can secure and can defeat any legislation that they desire, and that without much reference to the individual consideration of the subject by the Senators, because I understand from what the Senator says now, and from what you have done, that the caucus will settle for us what shall be the proceeding in this body.

Mr. SPOONER. We have no caucus.

Mr. TELLER. Mr. President, the Senator from Wisconsin says they have no caucus. It is barely possible they have a leader on the other side who is so persuasive in his methods that he manages to secure the united body in a way that I will venture to say those who have had a long service in this body never saw the equal of before. In the last two years, or nearly so, there has been upon every question of any consequence, and innumerable questions of no consequence, a united Republican Senate, as we saw it the other day, with one single dissenting voice. Does anyone in this country believe that every Senator who voted for that bill on the other side of the Chamber, save the one from California, voted for it willingly, cheerfully, and because of his conscience? Mr. President, we know very well the influence of party upon a vote of that kind.

Mr. SPOONER. Mr. President, what about the votes for the bill on the other side? Were they influenced by Republican leadership?

Mr. TELLER. The votes on the other side were divided according to individual opinion. They were not divided according to the individual opinion——

The PRESIDENT pro tempore. The Senator from Colorado will please suspend. The Chair lays before the Senate the Calendar of General Orders.

Mr. TELLER. What is the General Order?

The PRESIDENT pro tempore. The first General Order relates to this very question. It will be read to the Senate.

Mr. TELLER. Then I suppose I will be in order to proceed.

The PRESIDENT pro tempore. The Secretary will state the first General Order.

The SECRETARY. Order No. 12. Senate resolution 27, submitted by Mr. PENROSE December 1, 1903, reported by Mr. KEAN December 7, 1903, from the Committee to Audit and Control the Contingent Expenses of the Senate, instructing the Committee on Post Offices and Post Roads to request the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department, etc.

Mr. TELLER. Mr. President, I do not care to continue this discussion. What I wanted to say, and I want to say it now once for all, is that while the Republican party is in power and while the country will hold them to some extent responsible for legislation or a failure of legislation, yet I do not like to see a Senator stand on the floor and practically say: "Why, you have on the other side nothing to do with this question. We are going to settle this matter. We are the party in power. We have got the votes, and if you do not like it, in the language of old Tweed, 'What are you going to do about it?'"

Mr. LODGE. I trust the Senator does not mean to misstate what I said.

Mr. TELLER. I do not mean to misstate it.

Mr. LODGE. I said I did not for one think that the minority had any right to dictate to us what we should do.

Mr. TELLER. Mr. President, we have no right to dictate, nor have the majority a right to dictate to us. Every Senator on this floor should act upon his judgment and his conscience.

Mr. SPOONER. That is right.

Mr. TELLER. Every Senator is the equal of every other Senator on this floor when it comes to a question of determining what he shall do. I can not avoid my responsibility by saying there is a majority here that is determined to do a certain thing. My duty here requires me to enter my protest, and to enter it exactly in the same way when I know what the conclusion shall be as when I do not. I have seen a majority go into a minority under discussion in this Chamber.

The PRESIDENT pro tempore. The Chair dislikes very much to interrupt the Senator from Colorado, but if he will pardon the Chair, there are three other resolutions lying here on the table, and unless some disposition is made of them, as has been heretofore made, they will go to the Calendar.

Mr. GALLINGER. I ask that they may go over without prejudice.

The PRESIDENT pro tempore. The Senator from New Hampshire asks that these resolutions, one offered by the Senator from Maryland [Mr. GORMAN] on the 19th ultimo, another offered by the Senator from Maryland [Mr. GORMAN] on yesterday, and one offered by the Senator from Tennessee [Mr. CARMACK], which was under consideration when the hour of 2 o'clock arrived, shall go over without prejudice, holding their places for to-morrow. Is there objection to the request? The Chair hears none, and it is so ordered.

Mr. TELLER. Mr. President, in my judgment nothing more unfortunate could happen to the American people than to have this body or the other composed of all the partisans of one political party. It would be almost impossible in this country to have such a condition. It is equally unfortunate, Mr. President, when there is a majority so great and when their methods carry the minority, who might resist and differ with the great majority, as to practically cut out the opposition or minority from having any voice in legislation. I do not believe there is a Senator here of long experience who does not agree with me that it would be exceedingly unfortunate if there was no minority in this Chamber.

Mr. President, I have been here long enough to see a Democratic majority, and a considerable Democratic majority, in this Chamber, and a Democratic majority in the other House of 148. It was not a healthy condition then. It is not a healthy condition now, when one of the political parties gets such absolute control. I want to enter my caveat in the strongest language I can that the majority, great or small, on the other side of the Chamber does not absolve any man from doing his duty on this side of the Chamber.

Mr. CARMACK. Will the Senator permit me a moment?

Mr. TELLER. Certainly.

Mr. CARMACK. I suggest to the Senator that the idea advanced by the Senator from Massachusetts was at one time carried to such a length as to result in the practical declaration of that Senator that the minority party had no right here, even when by uniting with the minority on the other side of the Chamber it became a majority of the Senate, and that members on the other side were justified in filibustering to prevent such a majority from having its will on this floor.

Mr. TELLER. We had an example of that during the last Congress. I am not going into that. I wish simply to enter my protest against a sentiment that has prevailed here the last two years, and that has prevailed somewhat in the minds of the editors of the public press of the country. I want to enter it before it grows any stronger, and to say, at least for myself, that I feel the responsibility of a Senator here as much in the minority as I ever did when I sat in the majority, as I did for the greater part of my public service.

Not long since one of the great Republican papers of the United States addressed a letter to me with reference to a public question, and for the first time in my life I answered such a letter. I have been in the habit of ignoring letters of that kind. Then it returned to the question and said, "It does not make any difference what Senator TELLER thinks about it; he has no responsibility; he is in the minority, and therefore it is no matter what he thinks or what he is going to do."

Mr. President, that is not a true statement. It is not proper legislation to say that we on this side of the Chamber shall remain mute; that if we think investigations are required we shall not have the right to offer resolutions creating them. It is true that the other side may put them in such shape that there shall be no benefit derived from the investigation. It is true that they may put on the committee a majority of their members who may not make a fair report. Yet it is our duty to make the effort, if we think the investigation ought to be made, and we do not absolve ourselves from duty to our constituents by saying, "We could not effect anything; therefore why should we proceed?"

Mr. President, some of the greatest debates that have ever taken place in this body, some of the most important debates in the interest of human liberty and good government, occurred on this floor when there was a small, intelligent, patriotic, liberty-loving minority, who stood here and defied the powers that then had control of this great Government. We are indebted, in all the history of the world, much more to the minority for the success of freedom and liberty and good government than we ever were to the majority, because the minority has compelled by force, year after year, in the last five hundred years concessions from the majority that never would have been made but for the minority.

A vigorous minority, an intelligent minority, a patriotic minority, is essential to the maintenance of a free representative government. It can not be maintained, and it never has been maintained, when the people forgot that it was their duty to assert their principles everywhere, although they might not command for the time being the plaudits of the multitude.

Mr. President, we will yield to the majority when it registers its vote; but we will only do it when it does register its vote. We will not yield the right to debate; we will not yield the right to amend, if we can, and to propose legislation here as if we were in the majority. No man on this side of the Chamber who properly understands his duty will refrain, any more than he would if he was in the majority, from offering any amendment, or any bill, or any measure, or any project that he believes ought to pass.

So I repeat, I hope the Senator from Massachusetts will not make any more charges of that kind against us. We will admit that you may go on, and you may outrage us if you see fit; you may pass legislation here that ought not to be passed; but we will reserve the right to enter our protest, and the public expects us to enter our protest. You represent the majority of the States, but you do not represent them all. Every State you represent has some men who do not agree with you on the fundamental questions that are now agitating the public mind.

You may think it is your duty to represent only those of your political organization. I have never conceived it to be my duty. I believe it to be the duty of the representatives on this floor to represent the great fundamental principles of our Government and to stand for them, not, Mr. President, with a mere mouthing about being an American, which means absolutely nothing unless you stand for American principles.

Mr. President, I do not care to be apparently out of order in discussing this question, although I do not know but that I am entirely in order. However, this is all I care to say on the subject.

Mr. SPOONER. Mr. President, I want in a word to express my great gratification for one over the remarks in part which the Senator from Colorado [Mr. TELLER] has submitted to the Senate as to the individual duty of a Senator. He has spoken

words of truth and soberness. I recognize in the Senator a man of great ability and wisdom, as he is a Senator of great experience; and I wonder sometimes how a Senator of so great ability and so great wisdom and experience can get so far away from what seems to me to be a wise and righteous thing for the Senate to do. That, however, is a difference of opinion.

The Senator from Colorado will not controvert the statement I made sotto voce to him, that we have no caucus in the strict sense of the word, in substance or in fact, on this side of the Chamber, and never have had, Mr. President, since I have had the honor to be a member of this body. I have attended conferences in the old days when the Senator from Colorado was one of the leaders in this Chamber of the party to which I belong, and I have heard him state, as he has heard me state, in a Republican conference that he would not be bound by the action of a majority on the question then under debate.

We meet to discuss; we try to persuade our colleagues to a particular view; but the caucus never binds the conscience or the judgment, and that is the underlying understanding of any Senator who attends it. Am I right, I ask the Senator from Iowa?

Mr. ALLISON. Absolutely.

Mr. TELLER. Will the Senator allow me to interrupt him?

Mr. SPOONER. Certainly.

Mr. TELLER. I did not intend to question what the Senator said.

Mr. SPOONER. I know the Senator did not. I am explaining what I said, and I said you did not.

Mr. TELLER. I agree with the Senator from Wisconsin that while I was a member of the Republican party no caucus ever attempted to bind—well, I will not say that, but no caucus ever did bind the members, though I have seen it tried.

Mr. SPOONER. The party is just as good now in that respect as when the Senator belonged to it.

Mr. TELLER. Well, I am glad to find there is still some virtue left in that party.

Mr. SPOONER. Mr. President, one thing the Senator from Colorado said especially attracted my attention which is true, and which is too often forgotten, and that is that a Senator of the United States is not here simply a Senator from a State. The Senator from Colorado is a Senator from the State of Colorado, but he is a Senator of the United States; and as a Senator of the United States it is his right and his duty, as it is mine, upon public questions to do in this great arena what, after due deliberation and thought, we think is for the benefit of the whole country. And, Mr. President, I would not hold a seat in this Chamber if it were upon condition that my vote and my action on every measure could be constrained and controlled for me by mere numbers of the party here to which I happen to belong. That is an abdication and surrender. Mr. President, which is not in the public interest; which is not in harmony with individual self-respect, and not in the interest of the people of the country or of the Senator's own sovereign State. He is to be the keeper, under his oath, of his own conscience.

The Senator from Colorado made that broad statement and the Senator from Tennessee called his attention to one case—and there are others—when he spoke of us as massed on all questions on this side behind some persuasive leader. I can recall instances within the last two or three years when Senators on this side upon great public measures, which enlisted great public interest, voted with Senators on that side from a sense of conviction. I am one; the Senator from Iowa [Mr. ALLISON] is another, and there are still others. I would not permit myself to be bound on such a subject by any other man's dictum. The Senator, of course, is right that, although his side are in the minority in this Chamber, they are Senators sworn to discharge the duty of Senators, bound, if they have self-respect, to express their views fearlessly and frankly, and to follow their views by their independent judgment crystallized into votes.

Mr. President, I hope the day will not come when on either side of this Chamber Senators shall be bound upon great questions of public policy, far-reaching in their influence upon the future of this country, to vote not as they think, but as others think.

The Senator from Colorado is right, Mr. President. Senators of the United States are made by the people of the United States. A Senator may be chosen in a State by a party, but when he takes the oath of office he is a Senator of all the people of that State without regard to party.

Although no question I have discussed in these remarks is before the Senate, I could not forbear to express my hearty gratification with and approval of the suggestion of the Senator from Colorado to which I have alluded.

Mr. TELLER. Mr. President, I fear that I may have done injustice to the Senator from Wisconsin——

Mr. SPOONER. No; I did not mean that.

Mr. TELLER. For I do recall former Congresses where that Senator has given many independent votes. What I meant to complain of was that in recent times there seemed to be more of a disposition on the part of Senators on the other side of the Chamber to mass themselves together than had theretofore been the case. I said this was under the persuasive powers of a leader. I do not know any Senator on that side who comes nearer fitting that description than the Senator from Wisconsin [Mr. SPOONER], for I think he is about as persuasive as anybody ever was, and certainly he is always persuasive when he tries to be so on any subject.

Mr. President, I did not mean to say that there were not independent votes on the other side of the Chamber. In the long service of the Senator from Iowa [Mr. ALLISON] who now sits in front of me I recall very many instances where he has voted according to his own independent judgment, and sometimes in opposition to the majority of his party.

I have seen sitting on this side of the Chamber a sufficient number of Senators voting with those on the other side of the Chamber to pass important bills, and I have seen that reversed. I have seen a sufficient number of Senators sitting on this side voting with Senators on the other side—when the Senate was close—to pass important bills. That is what I regard as a healthy and proper condition of public affairs. In all that there was an individual independence—a recognition of individual responsibility that I am contending for. Such a condition will never exist, in my judgment, unless that principle shall be the pervading principle in the mind of every man who sits in this Chamber.

Mr. BURTON. Mr. President, I have just come into the Chamber, and, if it will not interrupt the Senator from Colorado, I should like to inquire just the line of his remarks. Do I understand that he is addressing himself against the action taken by the other side of the Chamber in deciding that two-thirds shall rule in the caucus?

Mr. TELLER. Mr. President, the Senator from Kansas is anxious, it seems to me, to give this discussion a political direction. I, personally, do not know anything about any action on this side, but I know, I will say to the Senator from Kansas, that many years ago, when I attended what was sometimes called a Republican caucus and sometimes a conference, I never yielded my judgment to that of the majority. While I know that this is a Government of majorities and that the majority must rule, yet I never agreed to vote with the majority because there was a majority which wanted a certain vote; and I never expect to do it so long as I sit in this Chamber. For nearly a quarter of a century I have followed my own judgment. I was frequently wrong, undoubtedly, and I might have given wiser votes, perhaps, if I had followed my associates; but when I took the oath of office as a Senator I thought I took it to do my duty here as I understood it and not as somebody else understood it. I did not believe then, and I do not believe now, after having taken the oath six times at that desk, that I can excuse myself for casting any particular vote by saying that my party wanted me to vote in that way, that my party thought that was the right thing to do.

Mr. President, upon questions of mere policy, upon nonessentials, I know that a party must and will naturally act together; but upon great questions of principle it is impossible that all the men of any political party will think alike and all want to go together, and unless they do submit either to the persuasive influence of a leader—which is no better than a caucus—or a caucus, there always will be diversity of opinion.

While I shall not, of course, question for a moment the statement made by the Senator from Wisconsin that the old rule which prevailed for many years in the Republican party is still in existence, nevertheless I wish he would tell me how it happens that in these later days, upon questions as to which there must be naturally differences of opinion, where different interests must exist amongst men coming from different sections, all align themselves together. And sometimes that happens in other bodies—not speaking of it ever happening here—where men who had stood on the platform and advocated one set of principles have ultimately voted for another. Of course I do not charge that to the Senate.

Mr. TILLMAN. But we have had that here time and again.

Mr. TELLER. I do not care about giving it a personal direction at all, but I do know that there has been very recently an exhibition of the most remarkable unanimity that I have ever known in my legislative experience on a question upon which, it seemed to me, there ought to have been diversity of opinion.

The PRESIDENT pro tempore. The Chair is informed that while he was temporarily absent it was agreed that all of these resolutions should go over until Friday morning, except the one offered by the Senator from Alabama [Mr. MORGAN], which is to come up to-morrow morning immediately after the conclusion of the morning business. Is the Chair correctly informed?

Mr. SPOONER. The Senator from Tennessee [Mr. CARMACK] asked that the pending resolution go over until to-morrow, when I certainly would call his attention to the fact that the Senator from Alabama [Mr. MORGAN] had secured unanimous consent that his resolution should come up in the morning immediately after the morning business, that he had given notice he would address the Senate upon it, and I suggested to the Senator from Tennessee that the resolution should go over until the day after to-morrow, to which he assented. That was the understanding.

The PRESIDENT pro tempore. And that is the understanding of the Senate.

Mr. SPOONER. Let the resolutions go over, Mr. President, until the day after to-morrow.

The PRESIDENT pro tempore. It is the understanding of the Senate as the Chair understands, that all of these resolutions, except the one offered by the Senator from Alabama [Mr. MORGAN], shall go over until Friday morning; and the one offered by the Senator from Maryland [Mr. GORMAN] on yesterday retains its place as a resolution to come up hereafter. It will be displaced temporarily by the resolution of the Senator from Alabama.

Mr. GORMAN. It will; and therefore I ask that it may be included in the general order and go over until Friday.

The PRESIDENT pro tempore. If there be no objection, that resolution will be included in the general order. The Chair hears no objection.

Mr. GORMAN. Meantime, Mr. President, I ask unanimous consent——

The PRESIDENT pro tempore. The Chair does not wish to have any misunderstanding about this matter. Since 2 o'clock the Senate has been discussing the first resolution on the Calendar of General Orders. Is that resolution included in the unanimous-consent agreement as to the others?

Mr. GORMAN. Oh, no, Mr. President. I trust the resolution I offered December 19, if there is no objection to it, may now be considered and passed. It provides merely for a reprint of this document and asks the Post-Office Department to send it in official envelopes. I think that there is no objection to that, and therefore I ask that that resolution may be voted on. I trust it will be adopted now.

Mr. PLATT of Connecticut. Which resolution is that? Let us know what it is.

Mr. ALDRICH. Has there been any suggestion that that resolution should be taken from the Calendar?

The PRESIDENT pro tempore. The Senator from Pennsylvania [Mr. PENROSE] made a motion that all the resolutions touching the Post-Office Department be referred to the Committee on Post-Offices and Post-Roads. That motion was made before 2 o'clock, and it will be the pending motion, the Chair supposes, on Friday morning instead of to-morrow morning, because by unanimous consent the resolution of the Senator from Alabama [Mr. MORGAN] comes up to-morrow immediately after the morning business. Now, what the Chair wishes to know is whether the resolution upon which the discussion has taken place is to be included or is included in the unanimous-consent agreement; otherwise it stands at this moment as the unfinished business.

Mr. ALDRICH. Let it go over as the unfinished business.

Mr. GORMAN. Mr. President, the resolution, if the Chair will kindly have it read, is the one proposing merely a reprint of the document which has been laid before the other House. The resolution simply asks the Postmaster-General to forward it officially to the Senate and have it printed. I understand there is not the slightest objection to it.

Mr. SPOONER. Let it be read, Mr. President.

The PRESIDENT pro tempore. The resolution first on the Calendar of General Orders will be read.

The Secretary read the resolution submitted by Mr. PENROSE December 1, 1903, as follows:

Resolved, That the Committee on Post-Offices and Post-Roads be, and the same hereby is, authorized and directed to have printed the report of the Postmaster-General relating to the Post-Office Department, and the accompanying documents, and that the Postmaster-General be requested to transmit to the Senate the proper estimate of the Department therefor, if necessary, to make the report and documents printed under the provisions of this resolution.

Such committee shall have power to send for persons, books, and papers, to administer oaths, and to employ such stenographic and other assistance as may be necessary during the session of Congress at a cost not exceeding the proceeds of sales of the document herein mentioned, and to sit during the recess of Congress at such places and times as the committee may direct, and the expenses of said investigations, when approved by the chairman of the committee, to be paid out of the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

Mr. SPOONER. If that is the resolution, it must go over.

Mr. GORMAN. That resolution, of course, goes over under the general understanding, with the remainder of the resolutions. I want to secure the adoption of the resolution providing for a reprint, the resolution stated a while ago. That is the one I offered. Any resolution relating to an investigation, as a matter of course, comes under the understanding and goes over.

The PRESIDENT pro tempore. The Secretary read the resolution which is the first on the General Calendar.

Mr. SPOONER. That is included in the understanding. It goes over.

Mr. GORMAN. That is included, as a matter of course.

The PRESIDENT pro tempore. Is it the understanding of the Senate that the resolution which has just been read is included in the unanimous-consent agreement as to all other resolutions touching the Post-Office Department?

Mr. ALDRICH and Mr. GORMAN. Yes.

The PRESIDENT pro tempore. The Chair hears no objection, and will so understand it. The Secretary will state the next business on the Calendar.

The SECRETARY. A bill (S. 887) for the purchase of a national forest reserve in the southern Appalachian Mountains, to be known as the National Appalachian Forest Reserve.

Mr. ALDRICH. I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 7, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 6, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read, corrected, and approved.

FOREST RESERVES.

The SPEAKER. The regular order is the call of committees.

The Clerk proceeded with the call of committees.

The Committee on the Public Lands was called.

Mr. LACEY. Mr. Speaker, I call up the bill (H. R. 8460) providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture.

The SPEAKER. The Clerk will report the bill.

The bill was read.

Mr. HEMENWAY. Mr. Speaker, I should like to have the gentleman from Iowa consent to let that bill go over. There are certain Members of the House who desire to look into it, and possibly to oppose it; or there might be some agreement made about the bill. I should very much like to have the chairman of the committee consent that the bill go over.

Mr. LACEY. It is a unanimous report, Mr. Speaker, but the bill has its place upon the House Calendar and can lose nothing by delay. If the gentleman desires time to look into it, I shall not insist on taking it up at this time.

Mr. ROBINSON of Indiana. I did not gather the force of the gentleman's remarks. I did not hear him.

Mr. HEMENWAY. The chairman of the Committee on the Public Lands does not insist on having the bill considered at this time.

Mr. ROBINSON of Indiana. All right.

Mr. BURKETT. Mr. Speaker, I should like to ask the gentleman a question. I understand this is substantially the same bill that was before the House some time last year.

Mr. LACEY. This bill covers one feature of the bill which was before the House last year. That bill contained several features, and this is limited to only one proposition.

Mr. BURKETT. Last year the Departments were in conflict about it, were they not?

Mr. LACEY. Not at all.

Mr. BURKETT. As I understand it, this bill is indorsed both by the Department of Agriculture and the Land Department of the Department of the Interior. Is that correct?

Mr. LACEY. Yes; that is correct. Last year, however, there was opposition, led by the gentleman from Wyoming [Mr. MONDELL] upon the floor of this House and also very strongly supplemented by the gentleman who now occupies the chair. The bill last year was a combination bill containing a number of propositions. This bill, however, has only the single proposition as to the transfer.

Mr. BURKETT. It makes the transfer in accordance with the request of both Departments?

Mr. LACEY. Yes.

Mr. BURKETT. In accordance with the request of the man who does not want charge of the matter, and also in accordance with the request of the Secretary of Agriculture?

Mr. LACEY. Yes. In accordance with the request of the gentleman from Indiana, I shall not press the bill at this time.

Mr. ROBINSON of Indiana. May I ask the gentleman whether this bill in any way, directly or indirectly, involves the question

of the assembling of the public lands or the destruction of the checkerboard system in the West?

Mr. LACEY. Not at all. The only proposition—and I would like to say this to the House at this time in order that no gentleman may have any misunderstanding as to the importance of the bill—the only thing involved in it is as to the administration and control and management of the forest reserves as they are now established, or as they may be hereafter established, as to whether they shall be managed by officers under the Secretary of the Interior or whether their control and supervision shall be under the direction of the Secretary of Agriculture. That is the only proposition involved, and this bill proposes to transfer their administration to the Department of Agriculture.

Mr. ROBINSON of Indiana. And this bill in no way involves a proposition for the assembling of the public lands?

Mr. LACEY. No. There is a bill pending that perhaps may come up further on.

Mr. BURKETT. What I wish to ask the gentleman is this: Does the bill transfer the division having in charge forest reservations to the Agricultural Department? And if the transfer is made, does it take the clerical force and whatever equipment there is, almost entirely? Does it do that?

Mr. LACEY. No; all matters of title will remain with the Department——

Mr. BURKETT. I am speaking of the working force.

Mr. LACEY. All the working force would go to the other Department.

Mr. BURKETT. As I am informed, all but about four or five or six clerks are transferred over.

Mr. STEPHENS of Texas. I would like to ask the gentleman a question, and it is this: Does the bill take away from the President the power to make these reservations?

Mr. LACEY. Not at all. There is no question involved in it except one of administration.

Mr. STEPHENS of Texas. Does it give the Secretary of Agriculture the right to make temporary forest reserves?

Mr. LACEY. That can only be done by the President.

Mr. STEPHENS of Texas. I understand the Secretary of the Interior has been holding up these reservations temporarily, and thus keeping them from settlement for a number of years, which has given great trouble in the West, as I apprehend. I hope the Secretary of Agriculture will not do so, if this matter is transferred to him.

Mr. LACEY. That is not involved at all.

ELECTRIC LIGHT AND POWER ON THE ISLAND OF OAHU.

Mr. ROBINSON of Indiana (when the Committee on the Territories was called). I call up for consideration the bill which I send to the Clerk's desk, from the Committee on the Territories.

The Clerk read as follows:

A bill (H. R. 7266) to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii.

Mr. PAYNE. I want to call attention to the fact that this bill is on the Union Calendar, and not on the House Calendar.

Mr. ROBINSON of Indiana. I would suggest to the gentleman that it was first placed on the Union Calendar by error, and subsequently corrected in the usual form, and it will be found on the House Calendar, not being a subject for the Union Calendar.

Mr. PAYNE. That may be very true; but if it is upon the Union Calendar it can not be considered under this order.

Mr. ROBINSON of Indiana. The calendar clerk will confirm my statement that it is upon the House Calendar, although the printed Calendar may not show it.

The SPEAKER. The House Calendar shows the bill upon it.

Mr. PAYNE. I find it on the House Calendar of this morning. It was not shown to be on the House Calendar that I had in my hand. The Calendar this morning does not show that it is on the House Calendar, to which it belongs.

The SPEAKER. The Chair is informed that by error this bill appeared on the Union Calendar, but it now appears on the House Calendar.

Mr. PAYNE. I find that it is on the House Calendar.

Mr. ROBINSON of Indiana. I desire to have order during the reading of this bill.

Mr. HILL of Connecticut. I also desire to ask for order, because I want to ask the gentleman from Indiana a question.

The SPEAKER. The House will be in order. The Chair will state to the gentleman from Connecticut that the bill is now being reported.

Mr. HILL of Connecticut. I wish to ask the gentleman a question.

Mr. ROBINSON of Indiana. There will be ample opportunity when the bill is reported.

Mr. HILL of Connecticut. I want to ask it at this stage of the proceedings.

The SPEAKER. By unanimous consent it can be done.

Mr. HILL of Connecticut. I would like to ask the gentleman if there was not a tacit understanding that the bill should not come up until the member of the committee from Connecticut was present?

Mr. ROBINSON of Indiana. I had no authority from the Committee on the Territories to make such an agreement, and no such agreement was made. Yesterday was the first time that I had any information that there was any objection to the consideration of the bill by the gentleman from Connecticut, member of the Committee, that would extend to opposition to the bill on the floor.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 7266) to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii to authorize and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii.

Whereas the legislature of the Territory of Hawaii did, by an act duly passed at the 1903 session thereof, grant to the Hawaiian Electric Company (Limited) a special franchise and special privileges for the purpose of maintaining and operating an electric light and power system on the island and Territory aforesaid; and

Whereas the governor of said Territory did approve said act on the 28th day of April, 1903; and

Whereas the act to provide a government for the Territory of Hawaii, duly passed by the Congress of the United States on the 27th day of April, 1900, and approved on the 30th day of April, 1900, provides that the legislature of the Territory of Hawaii shall not grant to any corporation, association, or individual any special privilege or franchise without the approval of the Congress of the United States; Now, therefore,

Be it enacted, etc., That the Congress of the United States of America does hereby ratify, approve, and confirm that certain act duly enacted by the legislature of the Territory of Hawaii at the session thereof, known and designated as act No. 48 of the laws of the Territory of Hawaii, session of 1903, the said act last mentioned being an act entitled "An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii," and that the said act last mentioned, and each and every part thereof, be, and the same is hereby, ratified, approved, and confirmed, which said last-mentioned act is as follows:

"ACT NUMBERED FORTY-EIGHT.

"An act to authorize and provide for the manufacture, maintenance, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii.

"Whereas, pursuant to a franchise granted by the government of the Hawaiian Islands, the Hawaiian Electric Company (Limited) has constructed and developed an electric light and power system on the island of Oahu, Territory of Hawaii; and

"Whereas said company is at the present time supplying light and power to the inhabitants of the said island of Oahu; and

"Whereas said franchise expires on the 26 day of May, 1903; Now, therefore,

"*Be it enacted by the legislature of the Territory of Hawaii:*

"DEFINITIONS.

"SECTION 1. The following words and phrases, wherever they are used or appear in this act, shall, unless the same be clearly inconsistent with the context, be construed to mean and be held to have the force and effect as follows:

"(a) The 'company' shall mean, include, and represent the Hawaiian Electric Company (Limited) and its successors and assigns.

"(b) 'Honolulu,' or 'district of Honolulu,' shall refer to, include, and mean all that portion of the island of Oahu included in the taxation, educational, and judicial district now defined by law as the 'Honolulu district' or the 'district of Honolulu.'

"SEC. 2. That the right is hereby granted to the Hawaiian Electric Company (Limited), as a body corporate under that or such other name as the said company may hereafter adopt, and its successors and assigns, for the term of thirty-five years from and after the passage of this act, to manufacture, sell, furnish, and supply electric light, electric current, or electric power in the district of Honolulu, and elsewhere on the island of Oahu, Territory of Hawaii, for lighting the streets, roads, public or private buildings, or for motive power, or for any other purpose which it or they may deem advisable, and from time to time for said thirty-five years, for the purposes above mentioned, to construct, maintain, and operate suitable poles, lines, wires, cables, lamps, lamp-posts, conduits, converters, motors, and such appurtenances and appurtenances as may from time to time be necessary for the transmission, distribution, or supply of electricity to consumers thereof, under, along, upon, and over the streets, sidewalks, roads, highways, bridges, alleys, and lanes in said District of Honolulu and elsewhere on said island of Oahu, and to connect the said lines, wires, and conduits with any manufactories, warehouses, public buildings, lamp, lamp-posts, or other structure or object with the power supply.

"BUILDINGS AND STATIONS.

"SEC. 3. Said company shall also have the right to maintain and operate its present light and power station on the corner of Beretania and Alakea streets, in said Honolulu, and also to construct, maintain, and operate at such points as may from time to time be necessary such and power stations or houses, or such other buildings and structures as may be necessary and proper, and to use machinery therein for the purposes of the company.

"METERS, RATES, AND CHARGES.

"SEC. 4. Said company shall also have the right to maintain, operate, and use such meters and other means of measuring electric light, power, or current supplied from time to time, and to locate the same at such places as may be deemed necessary for their protection; and said company shall also have the right to charge, receive, and collect from all consumers of electricity such prices as may from time to time be fixed and determined by the company, but such charge shall not at any time exceed 20 cents per kilowatt hour or 1,000 watt hours. The company shall have the right to charge, receive, and collect from each consumer of electricity for lighting the minimum sum of $2 per month, and from each consumer of electricity for power the minimum sum of $1 per month per horsepower of apparatus connected to the service of the company.

"CONNECTIONS.

"SEC. 5. [illegible] company shall also have the right to charge consumers, or [illegible] one-half of the cost and expense of [illegible] company's main lines and the premises [illegible] of all wires [illegible]

"SUPPLY OF ELECTRICITY.

"SEC. 7. The company shall have the right to discontinue or cut off the supply of [illegible] any consumer who shall refuse or fail to pay [illegible] time as said company may fix for the payment of the same, and such discontinuance of service or supply of electricity shall not prejudice the right of the company to [illegible] which may hereafter be authorized by law for the recovery and collection of said amount.

"RULES AND REGULATIONS.

"SEC. 8. The superintendent of public works is hereby authorized to make, [illegible] the installation of wires and [illegible] and the maintenance in good repair of poles, wires and appurtenances, and generally concerning the installation and supply of electricity, which may be necessary or proper for the public safety and welfare.

"No person, firm, or corporation shall be allowed to place or maintain poles or wires along, upon, or across any public street except such as are authorized by law so to do. Any person violating this provision shall upon conviction be fined [illegible] or imprisoned [illegible] or both, at the discretion of the court. [illegible] shall be prosecuted at the expense of the public [illegible] or corporation [illegible] recovered from the company by the Territory.

"SUPERVISION.

"SEC. 9. The entire plant, operation, books, and accounts of the company shall from time to time be subject to the inspection of the superintendent of public works or other officer [illegible]

"PAYMENTS TO THE GOVERNMENT.

"SEC. 10. The said company shall within six months after the expiration of each year, [illegible] of the gross receipts of the company [illegible] or power furnished to consumers during the preceding year.

"PURCHASE OR LEASE.

"SEC. 11. The said company shall have the right to acquire, hold, or take [illegible]

"BORROWING OF MONEY AND ISSUANCE OF BONDS.

"SEC. 12. The said company whenever from time to time it shall be deemed [illegible] company shall have the power to borrow money and to issue the bonds thereof, with the usual powers [illegible] of the company, [illegible] and the maintenance of said plant [illegible] company of like nature.

"SEC. 13. [illegible] Territory of Hawaii [illegible] Dole [illegible] Hawaii [illegible] Senate [illegible] Speaker of the House of Representatives [illegible] WILLIAM P. FREAR, President of the Senate [illegible] Hawaii [illegible] approval of this act.

The letters are as follows:

"HONOLULU, HAWAII.

"Hon. JOSEPH G. CANNON, [illegible] D. C.

"[illegible] company [illegible] as [illegible] Territory of Hawaii [illegible] the Honolulu Electric Company [illegible] and supply of electric light and power in Honolulu.

"I have the honor to be, respectfully,

"SANFORD B. DOLE."

to any consumer by the company, or change or shunt the wiring leading to or from any such meter, or by any device, appliance, or means whatsoever, tamper with any such meter so as to cause the same [illegible] will not measure or record the amount of electric current supplied to any consumer by the company, shall be guilty of a misdemeanor and, upon conviction thereof, in the district court of the [illegible] or other court having [illegible] shall be punished by a fine not exceeding $500 or by imprisonment with hard labor [illegible] and the said company may recover by action at law damages for any injury done by such unlawful acts.

"GRANT NOT EXCLUSIVE.

"SEC. 15. It is hereby expressly provided that nothing herein contained shall [illegible] company the exclusive right to furnish, [illegible]

"SEC. 16. This act shall take effect and become law from and after the date of its approval.

"Approved this 28th day of April, A. D. 1903.

"SANFORD B. DOLE,
"*Governor of the Territory of Hawaii.*"

Mr. ROBINSON of Indiana. Mr. Speaker, the committee labors under some disadvantage this morning by reason of the absence of the Delegate from the Territory, who introduced this bill. However, I am assured that he has no objection to its consideration, and the committee will do its best to present the matter fully to the House in his absence. I desire first, in my time, to have the report read, and I will ask order during the reading of the report.

The SPEAKER. The Clerk will read the report of the committee in the time of the gentleman from Indiana.

The report (by Mr. ROBINSON of Indiana) was read, as follows:

By the organic law entitled "An act to provide a government for the Territory of Hawaii," passed in 1900, it is provided:

"SEC. 56. That the legislative power of the Territory shall extend to all rightful [illegible] consistent with the Constitution and laws of the United States [illegible]

"[illegible] general right of the legislature, in the same [illegible] shall not grant to any corporation, association, or individual [illegible] exclusive privilege, immunity, or franchise without the [illegible]

"[illegible] grant of power to the Hawaiian legislature [illegible] which was approved on the 2d day of [illegible] H. R. 7800, which was reported to the House [illegible] passed and which provided that the power of legislation is [illegible] the same, which is quoted as follows: "An act to authorize [illegible] and supply of electric light and power in Honolulu.

"[illegible] the foregoing [illegible] and approved by the Congress of the United States of America and passed at the first session of the [illegible] of the Territory of Hawaii, according to the Hawaiian Electric Company, Limited, [illegible] and supply of electric light and power throughout Honolulu and elsewhere on the Island of Oahu. The proposed [illegible] that the [illegible] light and power system [illegible] and approval of the petition.

"I have the honor to be, respectfully,

"SANFORD B. DOLE."

"EXECUTIVE CHAMBER, TERRITORY OF HAWAII,
"*Honolulu, November 20, 1903.*

"Hon. JOSEPH G. CANNON,
"*Speaker of the House of Representatives of the United States,*
"*Washington, D. C.*

"HONORED SIR: Relative to the matter of the act to provide for the manufacture and supply of electric light and power by the Hawaiian Electric Company, Limited, [illegible] Territory [illegible] Hawaiian Electric Company has [illegible] and supply of electric light and power [illegible] the Territory [illegible] the Hawaiian Electric Company [illegible] the Legislature of the Territory of Hawaii [illegible] the power of legislation [illegible] the Congress of the United States [illegible] the Hawaiian Electric Company [illegible] the right to [illegible] and supply of electric light and power [illegible] the Territory of Hawaii [illegible] the public welfare.

I have the honor to be, respectfully,

"G. R. CARTER,
"*Governor of the Territory of Hawaii.*"

This bill was introduced by the Delegate from the Territory of Hawaii who [illegible] the Legislature of the Territory [illegible] F. M. [illegible] and a number of other prominent citizens [illegible] Hawaii [illegible] the Senate President, and the Speaker of the House of Representatives [illegible] and wise policy to give as large a measure of home rule to [illegible] as is consistent with the provisions of the organic law, which gives [illegible] power to the legislature on this subject, except in the manner before [illegible]

[illegible] a very rare case that Congress would be [illegible] the act of the Territorial legislature [illegible] as the no objection appears and [illegible] conclusion by the indorsements [illegible]

[illegible] Hawaiian Electric Company [illegible] of ten years, upon a payment to the Government of a royalty [illegible] per cent of the gross receipts. This required an increase in the plant, [illegible] March [illegible] crew the [illegible] On [illegible] all [illegible] The largest single holding is 580 shares, and [illegible] divided as follows:

Stock holders holding between—

[illegible]	1
[illegible]	4
[illegible]	9
[illegible]	10
1 and [illegible]	80

[illegible] but 4 stockholders [illegible] outside of the islands with a combined holding of 31 shares [illegible] on the Island of Maui with 42 shares, on the Island of Hawaii with 62 shares, on the island of Kauai with 583 shares, and on the Island of Oahu [illegible] It will be seen from the above figures that [illegible] the control of the company [illegible] the business [illegible] the control of the company [illegible] the business [illegible] 27, shows the increase in the plant account within the period of three years.

From a statement presented to the superintendent of public works on June 1, 1902, the gross receipts from June 1, 1901, to June 1, 1902, were $[illegible] paid to the Treasurer of the Government of Hawaii, the superintendent of public works was $[illegible] Other taxes paid by the company for the year amounted to $[illegible] or a total of $[illegible] being a very [illegible] the gross receipts to the Government. The company pays a royalty of [illegible] per cent of the gross receipts to the Government.

The company was incorporated in the year 1891 and began business in 1892. The capitalization has been heretofore given, and the dividends that have been paid to the present date, covering a period of eleven years, are as follows:

	Dividend.	Per cent.		Dividend.	Per cent.
1892	0	0	1898	$10,750	7.9
1893	0	0	1899	20,[illegible]	10.5
1894	0	0	1900	14,000	4.9
1895	0	0	1901	17,500	3.5
1896	0	0	1902	32,500	6.5
1897	$6,750	2.7			

From this table it will be seen that for several years the company paid no dividend, and even during the past year the dividend has been very small. The average dividend which any stockholder has received during the entire period of the operation of the company has been but 3.2 per cent. At the present time the company is paying a dividend of one-half of 1 per cent per month, and the prospects for the ensuing year are that no greater dividend will be paid.

On November 1, 1902, the company furnished lights to 1,689 consumers, with a total connected [illegible] power [illegible] At the same time it was supplying power service to [illegible] industries in Honolulu as elevators, electric fans, to [illegible] and to a [illegible] at the wharf.

The pay roll on November 1, 1902, showed 96 men in the employ of the company at the average monthly wages of $[illegible] per man. These employees received $[illegible] and $[illegible] per month. Some [illegible] were paid $[illegible] per month. One [illegible] of expense [illegible] New Zealand, Norway, and New South Wales [illegible] per ton.

[illegible] the first [illegible] cents per kilowatt hour for the first [illegible] per month, 2 cents per kilowatt hour [illegible] 10 cents per kilowatt hour. $2 a month for a 16-candle-power lamp burning all night.

The company is a substantial well-organized company which has established in the past and is now supplying to the population of Honolulu [illegible] at a [illegible] and other [illegible] Hawaiian [illegible] purpose of [illegible] power system for the purpose of [illegible] Honolulu [illegible] and [illegible] with the Territorial [illegible] and [illegible] The government of the Territory [illegible] The possession by the government system [illegible] any emergency or [illegible] the above-mentioned supply if, through a change of management or otherwise, such a [illegible] be attempted.

It is [illegible] that the management of the company be rendered secure by the acquisition of the franchise on the part of the United States.

The report of the committee of the House of Representatives of the Territory of Hawaii, where the bill was first introduced, is attached to this report as an appendix.

The committee believes that it will be to the interest of the people of Hawaii [illegible] with the organic law and consistent with the policy in the direction of local self-government in Hawaii to approve this legislation by the legislature of the Territory, and recommends the passage of this bill.

Mr. PAYNE. I would like to ask the gentleman a question.

Mr. ROBINSON of Indiana. Will the gentleman wait until I make a brief explanation of a few sentences and then supplement what has already been read at the Clerk's desk by two other letters?

Mr. PAYNE. Certainly.

Mr. ROBINSON of Indiana. Mr. Speaker, from what has been read from the desk we have the information that the Territorial legislature of Hawaii in April last passed a measure that was before it from February 25 till it was approved by the governor April 28, 1903, and it is presented in hæc verbæ to this House for approval.

In addition to that, ex-Governor Dole, who is now on the bench of the United States district court of Hawaii, recently appointed, sends a letter to the Speaker of this House and the President pro tempore of the Senate, recommending to Congress the approval of this act of the Hawaiian legislature. In addition to that, Governor Carter, recently appointed as such, in a like letter to these officers asks Congress to approve this act.

I now desire to present a letter addressed to the Speaker of this House from the superintendent of public works of Honolulu, who is appointed by the governor.

The Clerk read as follows:

HONOLULU, HAWAII, *November 26, 1903.*

Hon. JOSEPH G. CANNON,
Speaker of the House of Representatives, Washington, D. C.

HONORED SIR: The [illegible] Hawaiian [illegible] distribute and supply the [illegible] were [illegible] to the Congress of the United States for [illegible] I would state that during [illegible] and as superintendent of public works I have [illegible] with the Hawaiian Electric Company [illegible] power system for the purpose of [illegible] power [illegible] to state that the electric [illegible] and [illegible] of the obligations [illegible] And I feel [illegible] the company is [illegible] be taken upon [illegible] Hawaiian Electric Company [illegible] Honolulu and elsewhere on the island of Oahu, Territory of Hawaii, inasmuch as the company is the only company now in Honolulu supplying electric light and power.

Respectfully, yours,

HENRY E. COOPER.

Mr. ROBINSON of Indiana. Mr. Speaker, not being an expert electrician I sought the services of the chief electrician of the Capitol building, who runs a plant here for us almost equal in capacity and in the supply of current to the one in Honolulu.

Mr. PAYNE. Now, I want to ask the gentleman a question.

Mr. ROBINSON of Indiana. I might say that this contains electrical information, and it might be better to have the letter read first.

Mr. PAYNE. Oh, the letter is to be read now. I thought it had been read.

Mr. ROBINSON of Indiana. And immediately after the reading I will gladly yield.

The Clerk read as follows:

COMMITTEE ON THE TERRITORIES,
HOUSE OF REPRESENTATIVES U. S.,
Washington, D. C., December 21, 1903.

C. P. GLIEM, Esq., *Electrician, Capitol.*

[illegible] meeting in your workshop in Capitol, on Saturday [illegible] to my mind that I have information [illegible] Report No. [illegible] H. R. [illegible]. I passed in your shop [illegible] which, with your technical knowledge, [illegible] questions will be directed to the cost of furnishing [illegible] and I appreciated you will take the statement [illegible] latter course, will you kindly state the source of your information [illegible]

[illegible] the Government yourself, I desire the best information I [illegible] to bear your official testimony as [illegible] be used in the House in explanation of the bill, if required.

[illegible] on which information is desired follow.

I [illegible] you return to me with your answer this letter and the [illegible] to [illegible].

Yours,

J. M. ROBINSON.

---

1. What [illegible] in the operating expenses of a plant furnishing electric [illegible] what percentage would be [illegible] by the item of expense for coal?

[illegible] at $[illegible] per ton, delivered at Capitol, would be 11 [illegible] per 1,000 watts, or kilowatt [illegible] at $4.[illegible] per ton, delivered at power-house in Washington [illegible] cents per 1,000 watts. A thousand watts would supply current for 17½ lamps of [illegible] candle-power standard [illegible].

2. What is the price of coal used at Washington, D. C.? [illegible] wherever permitted.

3. What [illegible] per pound, guaranteed of power [illegible]

4. What [illegible] per pound or per ton [illegible] delivered at Capitol.

5. What is the [illegible] per cent or table of coal thus [illegible]

6. [illegible] per pound; for anthracite [illegible] per pound.

7. The [illegible] Washington, State of Oregon, coal?

Washington [illegible] Bay, 12 to [illegible] per pound; Oregon lignite, [illegible] per pound.

8. The [illegible] Nanaimo, British Columbia, coal?

[illegible]

9. The [illegible] New Zealand, New South Wales, coal?

[illegible]

10. What are [illegible] power in Washington, D. C. (price list will do)?

[illegible] per kilowatt hour for thirty hours per month; all excess, 5 cents per kilowatt hour.

[illegible] under the new franchise granted by said act 48 for [illegible] power [illegible] per month. [illegible] per month, 3 per month [illegible] per month; all excess [illegible] per kilowatt hour [illegible] per month; [illegible] per month; [illegible] per month;

companies are set forth. It is found that of 71 franchises upon which information is available the term of such franchises are as follows: 31 one are for a term of nine hundred and ninety-nine years, 8 are for a term of [illegible] years, 14 are for a term of thirty years, 3 are for a term of forty years, 9 are for a term of thirty years, 4 are for a term of twenty-five years, 2 are for a term of twenty years.

This is the report from which the gentleman was reading.

Mr. CHARLES B. LANDIS. This was an original franchise.

Mr. HAMILTON. I am so. I am reading this report to the gentleman from New York from what is supposed to be. He stated that it was a general representation of the people of Honolulu that the franchise was too long.

Mr. CHARLES B. LANDIS. I know; but what the gentleman has just read relates to an original franchise.

Mr. HAMILTON. It relates to a franchise.

Mr. CHARLES B. LANDIS. And it relates to its extension?

Mr. HAMILTON. Yes, it relates to its extension.

Mr. CHARLES B. LANDIS. For thirty-five years?

Mr. HAMILTON. For thirty-five years. The old franchise was an exclusive franchise. This franchise is not an exclusive franchise. Permit me to proceed.

Mr. CHARLES B. LANDIS. In other words, the original franchise was granted for ten years by the monarchy, and this committee asks the Republic to give them an extension of thirty-five years.

Mr. HAMILTON. I do not know whether that was given under a monarchy or not, but it was a valid franchise. And this committee is reporting the bill which passed the Hawaiian legislature unanimously as to its senate, with only two dissenting votes as to its house, and was approved without qualification by two governors of Hawaii.

Mr. CHARLES B. LANDIS. It was a very valuable franchise.

Mr. HAMILTON. I do not know as to that. I leave that to the gentleman from Indiana to determine.

Mr. CHARLES B. LANDIS. It was 6 per cent.

Mr. HAMILTON. For a part of the time it did not pay any dividends. It appears now, reading further from the report from which the gentleman from New York was reading:

As a large proportion of a quasi public nature [illegible] be required to be laid without profit [illegible] but suggests that even just as very [illegible]

And this statement the gentleman from New York read as sustaining his position:

Even that is very short, and so begs leave to submit herewith a statement taken from the supplement to the Commercial and Financial Chronicle of June 20, 1903.

From what the gentleman from New York said, one would get the impression that the people of Honolulu thought that the franchise was altogether too long.

Mr. PAYNE. Will the gentleman take the time now to read a line and a half from this report, just preceding the paragraph which he has just read, and it will give the House the information.

Mr. HAMILTON. I was reading from the report that the gentleman from New York was reading from.

Mr. PAYNE. Shall I read it or will you read it?

Mr. HAMILTON. Certainly you can read it, only state to the House where you find it.

Mr. PAYNE. It is on page 8, just preceding the paragraph which the gentleman last read. Perhaps he can locate it. It is a line and a half.

Your committee think that there is a strong feeling in this city against granting franchises for a longer period than [illegible]

Now, that appears to be the feeling of the citizens of Honolulu, and there is not a word in this report now before us that contradicts that statement.

Mr. HAMILTON. It seems to me that the statement should be read in connection with the whole report, wherein it is said:

From the comments of the local press regarding the term of years for which a franchise was asked for, namely, fifty years, there seems to be strong opposition to granting franchises for a very short period.

Then they proceed to say what they regard as a short period, as follows:

It was suggested that no franchise should be granted for a term exceeding thirty years.

Now, I want to call the gentleman's attention to the further statement of the Territorial Committee. This committee proceeds to say that they find that this franchise should be, for the reasons set forth, a thirty-five-year franchise.

Now, as to this franchise, it appears to me that the length of the franchise is a difficult question and one which we ought to consider carefully; but the Territorial legislature of Hawaii, all of them presumably intelligent people, had this matter under consideration, and they unanimously voted in favor of this franchise in the Territorial senate and unanimously, except two votes, voted for it in the house. This bill then was approved by Governor Dole, and afterwards by Governor Carter, who succeeded Governor Dole, and both governors write letters in which they advocate the ratification of the law. That is the way in which this law comes to the House of Representatives and comes to the Committee on the Territories. Under the organic law of the Territory of Hawaii this act of the Territorial legislature must be approved by Congress. Now, the question is whether this Congress shall approve it. The difficulty seems to be as to the length of the franchise. That is the trouble.

Mr. PAYNE. May I ask the gentleman a question?

Mr. HAMILTON. I do not claim to have any exclusive information in relation to this.

Mr. PAYNE. May I ask the gentleman a question?

Mr. HAMILTON. Yes.

Mr. PAYNE. I suppose it would be entirely competent for Congress to give a franchise, a new franchise or an extension of franchise by law of Congress.

Mr. HAMILTON. I assume that is true.

Mr. PAYNE. So that there is no difficulty about that. Now, as to the dividends that have been paid by this company. I read, commencing with the years 1879, they paid 2.7 per cent; in 1898, 7.9 per cent; in 1899, 10.5 per cent; in 1900, 4 per cent; in 1901, 8.5 per cent, and 1902, 6.5 per cent on a capital which has been increased from $200,000 to $500,000.

Mr. GROSVENOR. And $150,000 of that increase has come from the earnings of the company.

Mr. PAYNE. I am very glad to get that statement. That is what I was going to ask the gentleman. It is stated here in this report, however, that all this capital stock was paid in except [illegible] which was used for the purchase of land.

Mr. ROBINSON of Indiana. Seven thousand five hundred dollars.

Mr. PAYNE. Now, if $150,000 is capitalized as the earnings of the company, is the gentleman able to state through what years these earnings and profits are distributed and how big a thing these people are getting upon the original stock which they contributed there; and how much these dividends might have amounted if they had all been distributed to the stockholders instead of being used in the construction of plant and distributed in dividends? Can the gentleman make to state that?

Mr. ROBINSON of Indiana. I refer the gentleman to page 4 of the report, wherein the dividends in figures and by years are stated fully in a tabulated form.

Mr. PAYNE. I read from that.

Mr. ROBINSON of Indiana. Then, in addition to that, there is a surplus in the company represented by their property, which would run back through the entire time. I will say to the gentleman it would make between 6 and 8 per cent that has been earned through the entire period on the capital stock, as I gather it from the statement.

Mr. PAYNE. The $150,000 is the total amount of dividends they have paid?

Mr. ROBINSON of Indiana. But the dividends they paid only amount to—as the gentleman will see by the report—6½ per cent, I think the statement is.

Mr. PAYNE. From the original construction of the plant in 1893?——

Mr. ROBINSON of Indiana. Three and two-tenths, the gentleman from Ohio suggests, the average since 1893.

Mr. PAYNE. From the original construction of the plant, when the plant was worth $20,000 and the capital stock $200,000—I do not know whether this report shows the date at which the additional issue of the stock was made by years——

Mr. ROBINSON of Indiana. It does.

Mr. PAYNE. And it has been through a long series of years growing from one amount to another, and finally it got to $500,000. Now, with $150,000 surplus profits lying in the treasury of that company has grown all these dividends they have ever paid, and the dividends have yielded 3½ per cent, and we all know in the inception of these companies the earnings are small and the profits are small. It is only when a plant is fully established and when the business is fully established that a thing shows its profits, and its profits come in the later years. It seems to me that this committee should have furnished to the House just what there is of it—just the necessity of charging these people there 20 cents a kilowatt hour, and instead of ten years——

Mr. ROBINSON of Indiana. The committee did furnish that. Let me suggest that this company pays 2½ per cent of its gross receipts to the Hawaiian government.

Mr. PAYNE. Now they will extend this for thirty-five years with this business increasing, with these profits increasing, and with the economies constantly being introduced into electric-light plants and the production of electric currents. These things should all have been considered. Why, I am told by gentlemen here upon the floor that 5 cents is a large estimate of a kilowatt hour for the cost of electric current.

I have been told by one gentleman that he happened to hear a discussion between a couple of superintendents of electric-light plants, and they were trying to convince each other that the current costs a little over 1 cent per kilowatt hour, and they did not either of them succeed in convincing the other that it costs even 1 cent.

I think this committee ought to have given this information to the House. They ought to see to it, because the power is reserved in us—wisely reserved in the House, and reserved for the special purpose—and this House should see to it that no company should get any grant from the people in the Hawaiian Islands by way of franchises by which they would be enabled to get an undue profit from their customers in furnishing electric light, especially when it is to be a franchise for thirty-five years, so that it should be impossible, or next to impossible, for any other company to get in there and cut down the cost by competition.

Mr. HAMILTON. Will the gentleman yield for a question?

Mr. PAYNE. Yes, sir; I think I am talking in your time.

Mr. HAMILTON. I was very glad to yield to the gentleman.

Mr. GROSVENOR rose.

Mr. HAMILTON. If the gentleman from Ohio will permit me, the gentleman from New York yielded to me for the purpose of asking a question.

Mr. PAYNE. I think the gentleman from Michigan is entitled to the floor.

Mr. GROSVENOR. I am not opposed to that, but I want to get the floor when he is through.

Mr. ROBINSON of Indiana. I had yielded to the gentleman from Michigan such time as he desired.

Mr. HAMILTON. I want to inquire of the gentleman from New York whether in his opinion it is not possible that this bill may be amended as to the length of the franchise?

Mr. PAYNE. I think this bill, to be candid and frank with the gentleman, ought to be recommitted to the Committee on Territories, with authority to bring in a substitute after examining into these questions. I think that would be just to the company. I can realize how, in the hurry of the holidays and the desire of the people to have this bill introduced, it may have been put in without due examination. It might come from any committee in that way. I think it ought to go back to the committee and be fully considered and let them do the amending and bring in a substitute, and then if there is a desire to amend it ——

Mr. HAMILTON. There is the further fact that had some influence with the subcommittee that had the bill under consideration, and that was that the whole of the Territorial legislature of Hawaii, the house and the senate, Governor Dole, Governor Carter, and various committees that had it under consideration might possibly be presumed to know something about what they wanted in relation to a franchise relating to the city of Honolulu and the island of Oahu, and might possibly be supposed to know as much about it as some Members of this House, more than 5,000 miles from there. However, this question of the length of the term of the franchise is a question which ought to be considered very carefully by the Members of this House, and there are differences of opinion in relation to it.

So far as I am concerned, as a member of the committee, I would be perfectly willing to have some amendment offered in relation to it. I hope that it may not be found necessary to send the bill back to the committee, and if there can be some understanding as to the length of the franchise which would be satisfactory, perhaps the bill, which is otherwise carefully drawn, may meet with the approval of the House.

Mr. PAYNE. Let me suggest. The gentleman says that there is some difficulty about this act of the Hawaiian legislature, and that it may be necessary for Congress to pass an act of its own independently ——

Mr. HAMILTON. There is that question.

Mr. PAYNE. That ought to be considered by the committee, and this matter of price ought to be considered by the committee. I was in hopes that the gentleman would himself move to recommit the bill.

Mr. HAMILTON. Let me say to the gentleman from New York that I have not the charge of the bill on the floor.

Mr. HILL of Connecticut. I would like to ask the gentleman if this is the only franchise which this company has, or is the company organized under the general law of Hawaii with the additional power given to it under this bill?

Mr. HAMILTON. It is not.

Mr. HILL of Connecticut. Then the bill is wrong from start to finish. There is not a word in it as to the amount of the capital stock, and the rights of the stockholders are not preserved in any way. They can issue stock for any purpose, either for its own line of business or any other.

It can bond itself and its franchises to any extent; it can change its name at will; it can practically do as it pleases—just as any general partnership could do—without any restriction whatever. I have asked my question in good faith. As I understand it, there is not a State in the Union that would grant a franchise of this kind.

Mr. ROBINSON of Indiana. It is a special franchise; that is the reason of a resort to Congress.

Mr. HILL of Connecticut. Certainly it is a special franchise; but no special franchise should be granted anywhere that does not specify a limit of possible capitalization—a limit of the possible bonding privilege. But this bill proposes to give the company the right to do almost anything on earth it sees fit to do. No such franchise should be granted.

Mr. ROBINSON of Indiana. I will ask to have read a statement on this subject ——

The SPEAKER. The time of the gentleman from Indiana has expired. Is there any gentleman from the Committee on the Territories desiring to be recognized in opposition to the bill?

Mr. LILLEY. Mr. Speaker, I want to register my opposition to the bill. I do not know that I could say anything in opposition to it in addition to what has already been said.

The SPEAKER. Does the gentleman desire recognition?

Mr. LILLEY. Yes, sir.

The SPEAKER. The gentleman is recognized for one hour.

Mr. LILLEY. Mr. Speaker, I am very much opposed to the provision allowing a charge of 20 cents per kilowatt per hour, and also to the length of the term during which the franchise is to continue. I do not care to make any further remarks, and will yield to the gentleman from Ohio [Mr. GROSVENOR].

The SPEAKER. How much time does the gentleman yield?

Mr. LILLEY. As much time as the gentleman from Ohio wants.

Mr. GROSVENOR. Mr. Speaker, I am surprised that this bill should have come to the House of Representatives with the sanction of the distinguished antimonopoly and anticorporation Member from the State of Indiana. If ever there was a proposition offered to an intelligent legislative body that undertook to give away a valuable franchise without the slightest protection to the people, this is that proposition.

In addition to what the gentleman from Connecticut [Mr. HILL] has said in regard to the lax description of the corporation and the enormous, the unlimited power proposed to be given to it, I call the attention of the House to the fact that nowhere in this measure is there any power reserved to Congress or to the Territorial legislature to repeal or modify or in any way attack or change this franchise for thirty-five years to come.

So far as the solemn act of Congress can do it, this bill confers an immutable franchise as to the existence of the corporation, its right to be a corporation, its unlimited power to issue stock, and its unlimited power to transfer itself somewhere else, and then I wish, further, to point out that there is no provision by which anybody can by any possibility help themselves afterwards.

I call particular attention to section 13, which is one of the most ingeniously drawn sections of the whole bill, drawn evidently for the purpose of deceiving somebody. I do not charge that the action of this committee has been unwarranted in this matter. They have brought in the bill as submitted to them, but whoever drew this thirteenth section understood pretty well what they were doing.

After having conferred upon this corporation all these powers they undertake to deceive, in my judgment, the people of the island with the notion that if this corporation transcends its powers or fails to do its duty under the provisions of its charter there is remedy provided in section 13. I read the language of that section:

Whenever said company refuses or fails to do or perform or comply with any act, matter, or thing required or required to be done under the terms of this act, and shall continue such refusal or fail to do, perform or comply therewith after requisition being given by the superintendent of public works to comply therewith, the said superintendent of public works shall, [illegible] the attorney-general of the Hawaiian Islands, cause proceedings to be instituted between the proper tribunals for the forfeiture of the franchises granted by this act and all rights and privileges granted thereunder forfeited and declared null and void.

Yet there is no suggestion in the measure that any failure to perform any or all of these acts shall work a forfeiture of the charter. That, I say, is an ingeniously drawn provision.

Mr. HILL of Connecticut. After Congress has approved this act, could the Territorial legislature withdraw this charter during the term of thirty-five years?

Mr. GROSVENOR. I do not know what the powers of the Territorial legislature may be; I do not know what are the terms of the organic act.

Mr. HILL of Connecticut. There is no provision here by which the legislature could do that.

Mr. GROSVENOR. Surely not. Now, what is it that works the forfeiture of a charter? In all acts of this kind—take, for instance, charters we have granted here from year to year for the

past twenty years within my personal knowledge—they have always provided that the failure to comply with the conditions named in the charter shall be held to be a forfeiture.

Non constat. Now, it might be held that all this was simply a mere piece of verbiage, with no force or effect behind it. Now, this is an act to grant a great monopoly. The gentleman from Indiana [Mr. ROBINSON] appreciates that fact, because I find on page 5 of the report of the hearing before the committee that he himself put this question:

Would it not be safer to assume that it is practically an exclusive right that you have there and that your fair dealing is the point now at issue? It amounts practically to a monopoly, you know. These franchises necessarily do in all cities.

And yet my friend, with all his antimonopolistic bitterness and wisdom, is creating that identical monopoly and forcing it upon the people of Hawaii for thirty-five years, an irreparable and irredeemable proposition that they can not get rid of for all that time.

Mr. ROBINSON of Indiana. In so far as the establishment of a $300,000 plant in a 42,000 population city forms a monopoly, it is a monopoly, except that the government has a plant there that lights the government buildings and lights the public streets, except seventy arc lights that they buy current for from this company.

Mr. GROSVENOR. Oh, well, the gentleman will find that the trouble is that we are attempting to go back to old things that have passed away in the estimation of wise legislators for many years.

Mr. ROBINSON of Indiana. I have a list——

Mr. GROSVENOR. One moment, if you please. The Territorial legislature of the island has the power to provide by a general law for the incorporation of these companies.

Now, that is my first proposition. They have that power under such restrictions as they may see fit to provide. Surely one of the restrictions ought to be on the amount of capital stock, and the form in which it shall be issued, and the terms upon which it may be forfeited, and the limitations that may be affected by subsequent legislation, and all that, and then the people there can organize another and competing corporation.

That is the true principle of corporations to-day. There is no modern constitution, of all the forty-five States of the Union, that has not long ago got rid of this special-franchise provision. It always leads to trouble, and it is a monopoly that the genius of these times inveighs against. Let there be passed by this Territorial legislature a general provision for incorporation. Let it come here, approve it if we see fit, and in the long run we shall have gotten rid of this whole subject so forcibly embodied in this measure.

Mr. ROBINSON of Indiana. Will the gentleman favor reciprocity with his colleague, the gentleman from New York [Mr. PAYNE], as he, with my consent, took much of my time, and yield to me just a little time?

Mr. GROSVENOR. I will give the gentleman all the time he wants.

Mr. ROBINSON of Indiana. The only point was to show a list of cities that have granted franchises for street railways and for electric lighting companies, a number of them in one perpetual, and in all the States ninety-nine, fifty, forty years—something I am not in favor of——

Mr. CHARLES B. LANDIS. For original franchises.

Mr. ROBINSON of Indiana. And for thirty and twenty-five and twenty years, covering cities throughout the country. I am referring solely now to statutes on the length of franchises.

Mr. GROSVENOR. The gentleman is not quite correct; but, allowing that to be true, in every one of these franchises power is given to the legislature to control the rates of fare or the rates that may be charged by the lighting companies, and everything of that sort, and absolutely to repeal the charter if they see fit to do it.

Mr. ROBINSON of Indiana. The gentleman then overlooks——

Mr. GROSVENOR. One moment. Let me explain further. If that provision was in this franchise, I should not feel about it as I do now. These franchises are wisely issued for a long term of years. We have franchises in Ohio that have no limit at all. We are now limiting them.

I believe the longest street railway franchise in Ohio is now twenty-five years, but in every case, without exception, the legislature reserves the right to change all these terms that affect the people, and to limit the issue of bonds and stocks and everything of that sort, bringing them completely under the regulation of the system of government which we have. If you had that here, there would be some propriety in this measure.

Mr. ROBINSON of Indiana. Now, Mr. Speaker, the matter is productive of one thing. We are governing an insular possession, Hawaii, 2,500 miles from our nearest point, inhabited by a census population of 154,000 people, now grown to 175,000 people, of whom 110,000 are Chinese and Japanese cooly laborers, 40,000 native Hawaiians, and less than one-tenth by the census are whites, and to get that total white population you have to take the Portuguese, the Koreans, the Spanish, Austrians, and the Italians into your calculation. Very few of the people, of those who are white, are natives of our own country.

The total vote there at the last election for Delegate was 13,000. Of those 13,000 votes less than 2,000 were cast by white voters in the island of Oahu, on which the capitol is situate. They are the ones who are using the electric light; they are the ones who have passed upon the question of the necessity for this legislation; they are the ones from whom till now no dissent has come to Congress, though eight months have intervened since the Hawaiian legislature passed the bill; and questions such as these will always surround you unless you give to them the quality of home rule. It is true that representatives of particular interests come to our committees and to Congress to urge measures which they seek to guide us in with their light as paid attorneys; but, sir, ex-Governor Dole is not of such. Governor Carter is not, and we all hope that the appointees of the President and the men appointed by them, who urge us to approve this legislation, are not. If they were, we well could say, Away with insular government!

If it is the purpose of the House and of Congress not to give these people home rule when their legislature, the second elected under the law, has favored it, and when those who are constituted the judges of the needs and interests of the people and to provide for the wants of the people of the islands have stated that they are in favor of it, where the legislation for ten months has been before the people and no word of dissent or disapprobation has appeared, if it is the purpose of this House, in their legislation for insular possessions, to destroy that quality of home rule, I stand with it in the future. The Committee on the Territories favorably reporting this bill is your servant, and will bow to your mandates.

I was opposed to Hawaii being annexed as an insular possession. I am opposed to their system of landed estates, mounting to tens of thousands and a hundred thousand acres under a single corporation and worked exclusively by cooly labor. So many cooly laborers are there that I believe the knell of white labor has already been rung in the Hawaiian Islands. I am opposed to the immigration system there that permits the cooly labor to drive out the American and white man. The organic law we passed for them, if its spirit is enforced, I think a wise measure. On the island of Oahu there are 59,000 people, of which 42,000 are in Honolulu, but those not belonging to the Chinese and Japanese races and native Hawaiian are few; but they are shrewd men, and they have officers appointed for them by the President of their own race. If the House wishes to deny them that quality of home rule it is in their power to do so.

I do not know more than about six people who live there and have only met them casually, and as we see them before the committee they seem to be good people and amply able to protect their rights, and certainly able to let us know if the legislature that they elected has been recreant or the appointed governor has abandoned them. There are not many of the ruling class; not many voters. The orientals are away on the plantations and the outer islands. The legislature met in their city. For two months this bill was before it, and for eight months the people affected have been silent. No word of protest has reached us.

Mr. GROSVENOR. I hope the gentleman will not take all of my time in discussing the race question.

Mr. ROBINSON of Indiana. Now, if it is the purpose of this House to say that these people can not have home rule under the organic law, why, everybody is content; the Hawaiian Territory must be content; but we are confronted by a condition. Men who have not government as our people enjoy it seem, however, to be qualified to protest if it is wise to do so. Are we going to establish our system on this evidence and decline to give them the permission to do what they think is best for themselves? What I would know is whether we are going to give faith to them and their established authorities and their establishments, or shall we take the initiative and press legislation on them from this central point, with all the difficulties and perplexities that confront us when we assume that their conditions are the same as ours and when we consider the wide space between us?

Mr. GROSVENOR. Now I will proceed with my speech.

Mr. ROBINSON of Indiana. I thank the gentleman for the time he has yielded me.

Mr. GROSVENOR. If there is anything in the statement of the gentleman from Indiana, it is this: Because the people of Hawaii or a majority of them are Chinese, and other colored or disabled or disqualified people, therefore we ought to grant the monopoly to the white people down there to "skin" these people out of whatever they may have during the balance of their natural lives and do it under the hypocritical cry of "home rule."

Mr. ROBINSON of Indiana. The Chinese and Japanese are laborers who work on the corporation plantations outside of the only city, Honolulu, on Oahu Island, and on the other six islands of the Hawaiian group.

Mr. GROSVENOR. There has been no stronger argument made for my proposition than that which the gentleman has himself made. I am seeking to give home rule. I want a provision made under a general corporation act, and this legislative body has the power to grant it. The legislative body has the power to make it and send it here for our approval.

Mr. RODEY. This corporation is one which was probably organized under the general corporation act of the Territory, and that act no doubt provides proper limitations on the electric company; that is evidenced by the act of the Hawaiian legislature, as it designates it as an existing corporation, "limited," presumably of the Territory of Hawaii.

Mr. HILL of Connecticut. Coming over from the King.

Mr. RODEY. And under the corporation organized under that act it no doubt has the limitations desired by the gentleman from Ohio.

Mr. GROSVENOR. Now, this charter came from the King originally, and you have undertaken to perpetuate the powers of that special charter by this special legislation.

Mr. RODEY. I desire to say that there is no Territory but what has a general incorporation law, giving persons the right to create corporations. This power comes to the Territories from the organic act of each.

Mr. GROSVENOR. What does this charter say?

Mr. RODEY. It is that way in our Territory. The corporation would go before a city or county board and ask for a charter and put before those bodies the information necessary to consider in granting the charter. The city of Honolulu perhaps, not being incorporated, asked for this charter for the corporation. That electric-light company is now in esse and is a corporation limited by the general laws of Hawaii.

Mr. GROSVENOR. Now, what are the general laws?

Mr. RODEY. I am not informed as to that. I did not take much part in the hearings on this bill before the House Committee on Territories.

Mr. GROSVENOR. Exactly. The gentleman is not informed as to what the general laws are. I stand here and say that there is no limit upon the issue of bonds. I ask the gentleman what the limit of the organic law was, and he is not able to state. I say that this is a power given to it that would practically enable it to control the entire future legislation.

Mr. RODEY. It is not so in our Territory, our general incorporation contains all proper limitations.

Mr. GROSVENOR. I was not talking about the corporation act of New Mexico. I was talking about this. It is entirely apparent that here is one of these corporations, and I was about to proceed when the gentleman interrupted me to say that our policy has been to get rid of just such things as that.

We passed an act prohibiting the issue of everything of this kind in the Philippine Islands; we passed an act prohibiting everything of this kind in Cuba while we had military possession of it; we passed an act preventing everything of the kind in Porto Rico. It worked hardship for the time being, but in the end it worked out a great benefit to the people there. We gave them an opportunity to rid themselves of special franchises issued by Congress.

Mr. ROBINSON of Indiana. Will the gentleman give us what amendment he would suggest? Will the gentleman give what particular objection he has, so that we may perfect the bill?

Mr. GROSVENOR. The serious objection I have to the bill starts in the first section and ends with the last line of the last section.

Mr. ROBINSON of Indiana. Then he would not grant any franchise.

Mr. GROSVENOR. I would not——

Mr. ROBINSON of Indiana. What particular objection——

Mr. GROSVENOR. If I had my way—the gentleman asks my judgment about it—I should not ratify this special charter at all. I would suggest for the people of Hawaii to pass a general act authorizing the corporation and send it here for our approval, and we will amend it and fix it up so it will have limitations and safeguards that we are throwing around the corporations in the other States. I would not turn over any great industry of this character to an unlimited and uncontrolled Hawaiian corporation.

Mr. ROBINSON of Indiana. If the gentleman will yield to me for a motion to recommit——

Mr. GROSVENOR. I will not now. The gentleman is running the whole machine, apparently; now let me run it a little while.

Mr. THAYER. I would like to ask the gentleman for information—I did not have the pleasure of being with the committee when this matter was considered—from the debate here it seems to me that it is proper that this should be recommitted, and what I want to ask the gentleman, with his experience, is this: I notice here in the organic act it says:

The legislature shall not grant to any corporation, association, or individual any special or exclusive privilege, immunity, or franchise without the approval of Congress.

Now, suppose we could prepare a bill that we think would be acceptable to the House, would you advise that we attempt that or simply refuse to vote this and tell them to go back and themselves produce an act which we could approve?

Mr. GROSVENOR. As the gentleman has frankly asked the question, inasmuch as there seems to be a necessity for early action upon the question, I think I should pass an act such as I would be willing to ratify and approve.

Mr. THAYER. We seem to have no power—we have power to approve whatever they do, but can we do that?

Mr. GAINES of Tennessee. Certainly we can. Congress has power to legislate for any and all our Territories. We can also repeal in whole or in part any law these Territorial legislatures enact. We can approve or nullify. No trouble about this. It is simply a question of policy, not power.

Mr. GROSVENOR. The gentleman from Michigan asked me to yield him time to make a motion—that I yield five minutes. I yield back the time.

Mr. LILLEY. I just want to make this point: The gentleman from Indiana [Mr. ROBINSON] remarked that Hawaii had very few friends in this House. I certainly think that her friends here would be very few if they allowed this bill to go. Certainly we should not be friends to the people who buy electricity at 20 cents per kilowatt hour for thirty-five years if we did so.

Mr. BURLESON. Will the gentleman permit a question?

Mr. LILLEY. Yes, sir.

Mr. BURLESON. Are you a member of the Committee on the Territories?

Mr. LILLEY. Yes, sir.

Mr. BURLESON. Did you make any adverse report on this bill?

Mr. LILLEY. No. I did not.

Mr. BURLESON. Why did you not do it?

Mr. LILLEY. I did not know that the bill was coming up.

Mr. BURLESON. Why did you not know it was coming up?

Mr. LILLEY. I should have been back Monday, but was delayed a couple of days in court on my way, and I had not the slightest idea that this bill was coming up.

Mr. GROSVENOR. It is fair to the gentleman to state that that statement was made on yesterday.

Mr. LILLEY. If I had had any idea whatever that this bill was to be introduced or discussed to-day I should have been here earlier. I just arrived in Washington, and I knew nothing of it till I came on the floor and it was under discussion.

I now yield five minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, I had prepared an amendment which I intended to offer at the proper time, but as this bill will unquestionably be recommitted I want to make this suggestion. This House has been sitting as a board of supervisors, or a board of county commissioners, for the District of Columbia for a good many years, and we have had to meet just such questions as these from session to session, and we have invariably inserted this clause in all these special franchises and charters: "That Congress reserves the right to alter, amend, or repeal this act."

I had prepared an amendment applying it to the proposed law, providing that "this act shall be subject to amendment or repeal by the legislature of the Territory of Hawaii, or the Congress," so that either of them could amend or repeal it. This ought to be added, whether we adopt the ten-year franchise or not. There ought never to be a franchise of this kind granted without reserving the power to alter and repeal, and if the bill goes back to the committee I would suggest to the gentleman the adoption of this amendment, which we always insert in District of Columbia bills under like circumstances—that it ought to be included in this act for the protection of the people of Honolulu.

Mr. HAMILTON. I think that would be an excellent idea.

Mr. LILLEY. I now yield five minutes to the gentleman from Connecticut [Mr. HILL].

Mr. HILL of Connecticut. Mr. Speaker, I should be very sorry to see this bill go back to Hawaii without an approval of some kind. I do not think we ought to do it. This company is operating now without any franchise. If the statements of the committee are to be relied on, it is now practically a joint partnership. I do not think so. In looking this over I think this is about the way the thing has come up: Ten years ago the King gave to certain gentlemen the privilege of operating an electric-light plant. 2½ per cent of the earnings to be paid to the Government. In 1900, as near as I can get at it, a small joint stock company was organized under the general law. That is the way I

understand it, a small joint stock company of $20,000. Noticing in the bill that no reference was made to anything of that kind. I asked a question about its franchise. There is nothing in here providing for capital stock. There is nothing in here providing for an annual meeting of the stockholders. There is nothing in here protecting the rights of the stockholders in any way, and I think, if the committee will dig deeper, it will find that there is a joint stock company, and then this additional power is given them by the Territorial legislature.

Now, I think it would be a mistake to send this back and say that you may operate under a general law. Why? Because I do not think it would be right that the Territory should make a federal law by which anybody could organize a joint stock company and take possession of the streets and highways in Honolulu. They tried that in the State of Connecticut, and we passed absolutely to throw open the public highways to the possession of any three people who might get together and organize a joint stock company and take possession of them. We say they are public property, and if you want to use them for street railways you must go to the legislature and show the necessity for such action.

I think the people of Honolulu are acting rightly in regard to this matter. I hope that this committee will bring in a special act, but Mr. Speaker, it should not allow an unlimited capitalization; it should not allow the company to have the power to unite at will with any other company, as it would have the right to do under the provision on page 3 of this bill. It should not have the right to take possession of private property for the purpose of stringing wherever wires it might choose to put up. I know it is a disputed question whether the bill now gives that power or not, but I call attention to page 4, where I understand the company is authorized to take possession of streets and highways and

"[illegible] lines, wires, and conductors with any manufactory, [illegible] buildings, lamp, lamp-post, or other structure or object, [illegible]"

I am very glad to hear the gentleman from Michigan [Mr. HAMILTON] speak as he does with reference to this bill. He recognizes the difficulties of this case. And I want to pay a tribute to the subcommittee that had this bill under consideration. There has been a good deal of somewhat irrelevant discussion here, but I believe the subcommittee has been doing very faithful work on this bill.

Mr. HAMILTON. We are a long distance from Honolulu, and the people over there seem to have gone over this matter with great care before their legislature and before the governor. It is a difficult thing for us to go over the question in detail here. As the gentleman has suggested, we may run a chance to some local disadvantage. The committee, I am sure, would be glad to receive any suggestions from the gentleman from Connecticut.

Mr. HILL, of Connecticut. I think it is a reasonable supposition that the language of section 1, on page 4 of the bill, would give the company the right to string its wires over private houses, etc. Possibly they would have to pay for such privilege, for of course they could not take private property without compensation.

Mr. HAMILTON. I do not think any company can come along and hitch its wires to my tree or my house without my consent.

Mr. HILL, of Connecticut. Why, then, put this provision in the bill?

Mr. HAMILTON. I think it is surplusage.

Mr. HILL, of Connecticut. Then strike it out.

Mr. HAMILTON. There is this difficulty which, as I am informed, the committee has to contend with: Here is a bill passed as a whole by the Hawaiian legislature and approved by the governor of Hawaii.

Mr. HILL, of Connecticut. If the gentleman will secure me an extension of time, I am willing to yield further, but I have only ten minutes.

Mr. HAMILTON. Very well; I will not occupy the gentleman's time further.

Mr. HILL, of Connecticut. I wish to call attention to another provision, on page 5, which, I think, should receive the careful consideration of the committee. I refer to the provision which gives the company the right to charge a person $1 a month anyhow, whether he uses the electricity or not, provided he has the wire connected with his premises.

Mr. ROBINSON of Indiana. That is a minimum charge. I understand a similar rule exists everywhere.

Mr. HILL, of Connecticut. There may be such a rule in operation in Washington, but this is a specific franchise, giving this company a special privilege. Let me read the language:

"The company shall have the right to charge, [illegible] from each consumer of electricity for lighting [illegible] per month, and from each consumer of electricity for power the minimum sum of $1 per month per horsepower of apparatus connected to the service of the company."

Mr. ROBINSON of Indiana. That is to pay for putting in the connection and running the current.

Mr. HILL of Connecticut. But this, I think, is a very serious proposition—that there should be a charge of $2 per month whether the person uses the electricity or not, or if the consumer's bill amounts to only $1 a month, the company may double it. That is one of the things to which I think the attention of the committee should be called.

Then there is another thing. I have no objection to the exclusive character of the franchise. I believe in that where public property is to be taken and where the streets are [illegible] to be used for a purpose of this kind. I do not [illegible] within the power of anybody who may choose to organize a stock company and take possession of private property for the purposes of that company. To that extent I am a believer in monopoly.

Mr. ROBINSON of Indiana. This, however, is not an exclusive privilege.

Mr. HILL of Connecticut. But I do not believe that section 12 should be allowed to pass in the form in which it now is, allowing the company to bond its property and its franchise to an unlimited extent, without any proportion whatever between [illegible] and its capitalization. I think [illegible] fully guard that provision.

Mr. HAMILTON. What does the gentleman suggest?

Mr. HILL of Connecticut. I should certainly suggest that the bonding power be limited: that at least the capital of the company should be used and the company not allowed to bond for more than an equal amount.

Mr. HAMILTON. I mean, what does the gentleman suggest as to whether the bill ought to go back?

Mr. HILL of Connecticut. I think it ought to go back to the committee, that some of its provisions may be corrected before it is again brought in. When a power [illegible] to us we should approve it. I think the people [illegible] to that.

Mr. HAMILTON. I think that is true; but the question is whether the bill should go back to our committee or whether it should go back to Hawaii.

Mr. HILL of Connecticut. Oh, I do not think that is necessary. This company is now doing business, and the only question is as to whether these enlarged powers proposed in this bill should be granted.

Mr. HAMILTON. But the committee may have to frame a bill ab initio.

Mr. HILL of Connecticut. I think not. I understand the gentleman is willing to make a motion that the bill be recommitted. Let the bill go back to the committee; let them reconstruct it on modern lines, without reference to any privileges given by a king ten years ago. Let this corporation be reconstructed on the line of republican corporations—of course I do not mean "republican" in a political sense, but let the committee bring the bill back here in a properly revised and reasonable form.

Mr. Speaker, I yield back the balance of my time.

Mr. LILLEY. I yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Speaker, I agree with the gentleman from Ohio that this bill should either be recommitted or that Congress should at once, as private property and the public needs are involved, enact a general incorporation law which will cover this particular case and mercantile and manufacturing corporations generally. There are very few limitations in this bill that reach down to and protect the people as they should be protected.

The original charter, it seems, was one granted by the old royal Government, and, as we inherited this and other monarchical laws when we annexed that Territory, they are still the laws of Hawaii, except where they have been repealed or are prohibited by the Constitution of the United States. Congress may, as we have the power in law, ratify or nullify what the local government does in and for Hawaii. This is old law. I agree with my friend from Indiana [Mr. ROBINSON] that we should allow and maintain home rule there as well as here, and wherever our flag floats, as far as [illegible] is concerned; but even in our own local, home-ruled governments we often enact vicious laws. We are all finite, at best.

It seems the Hawaiian legislature has sent us this measure that does not meet with the approval of the chairman of the Committee on Ways and Means [Mr. PAYNE]. It does not meet with the approval of the gentleman from Ohio [Mr. GROSVENOR], and there seems to be considerable contention about it among the members of the Committee on Territories, while there are reasonable, wise, and natural objections from some of the Hawaiian people.

The gentleman from Indiana [Mr. ROBINSON] says, in effect, that the reason why the ten-year limit was changed to thirty-five years was because of one hard-headed juror—one man out of twelve, so to speak—one member of the committee objected. He ruled the other eleven jurors. Is that man present in the House? He surely is a Member. I ask these questions for information.

If not, where is he? Why is he not here? Where is that dissenting man? Where is that gifted and powerful man? Why is he not here to tell us the story of his life or the story of the Hawaiian people who are about to be plunged into utter darkness if we defeat this bill?

Where is this man, I ask? What are his reasons, I repeat? The gentleman from Indiana [Mr. ROBINSON], whose heart is always right, if not his head, can not tell us why it is that he agrees to the thirty-five-year limit as against ten years—at least, he has not done so. If he has, I have not heard him. I want him or any Member to answer my questions. I have not heard this matter explained. Some have heard a good deal of reading from a report, but nobody has been able to discover yet that dissenting Member of the committee or his reasons for this change. If he is on the floor, or can be found, or if he may be brought into this Chamber and invited to give his reasons, I should be very glad even now to hear them.

I am willing to yield to him the balance of my time, and if I have not time enough I hope some one will yield it to him, so that we can hear from that one man who has controlled the whole committee and is now about to control this House, and let him tell us why the change is made by the committee from ten years, a limit, it seems to me, in this day and time that is wise, and surely more so than the unwise and monopolistic proposition of thirty-five years. [Applause.]

Mr. LILLEY. Mr. Speaker, I yield back the remainder of my time.

Mr. ROBINSON of Indiana. I move that the bill be recommitted to the committee.

Mr. HAMILTON. I suggest to the gentleman whether the motion ought not to be amended so as to instruct the committee to report a substitute.

Mr. GROSVENOR. Mr. Speaker, if the gentleman will allow me, I think it better to let it go to the committee without any limitation upon its discretion.

Mr. ROBINSON of Indiana. That gives us full power over the subject.

Mr. HAMILTON. Very well.

The SPEAKER. The gentleman from Indiana [Mr. ROBINSON] moves to recommit this bill to the Committee on the Territories.

The motion was agreed to.

The SPEAKER. The Clerk will call the next committee.

The Clerk resumed and completed the call of committees.

LOUISIANA PURCHASE CELEBRATION AT NEW ORLEANS.

Mr. TAWNEY. Mr. Speaker, as chairman of the Committee on Industrial Arts and Expositions, I some time ago reported to the House a resolution accepting an invitation extended to the House to attend the celebration held in the city of New Orleans commemorating the transfer of sovereignty over the Louisiana territory to the United States. The resolution could not be called up on account of the objection of the chairman of the Committee on Appropriations. The time has now elapsed, and I move that the resolution lie on the table.

The SPEAKER. Without objection, the resolution will lie on the table.

There was no objection.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CAPRON, for one week, on account of sickness.

To Mr. BEALL of Texas, indefinitely, on account of sickness.

And then, on motion of Mr. PAYNE, at 2 o'clock and 14 minutes p. m., the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a favorable recommendation, the draft of a bill exempting certain army officers from giving bonds—to the Committee on Military Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law and the opinion of the court in the French spoliation cases relating to the brig *Maria*, Edward Watts, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law and the opinion of the court in the French spoliation cases relating to the brigantine *Speedwell*, James Crawford, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for the service of the Geological Survey—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of the Ohio River at the head of the falls at Louisville, Ky.—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mary F. Erwin, administratrix of estate of Charlotte Jacquess, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting schedules of claims allowed by the several accounting officers of the Treasury under appropriations the balances of which have been exhausted or carried to the surplus fund—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 6275) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo.," approved January 26, 1901, reported the same without amendment, accompanied by a report (No. 127); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House H. R. 7141, reported in lieu thereof a resolution (H. Res. 124) for the relief of the heirs of J. A. J. Rocker, deceased, accompanied by a report (No. 128); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 1693, reported in lieu thereof a resolution (H. Res. 125) for the relief of the estate of J. J. Walker, deceased, accompanied by a report (No. 129); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 3457, reported in lieu thereof a resolution (H. Res. 126) for the relief of the legal representatives of Dr. Thomas B. Waters, deceased, accompanied by a report (No. 130); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 3955, reported in lieu thereof a resolution (H. Res. 127) for the relief of Robert H. Holland, accompanied by a report (No. 131); which said resolution and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 6592) granting a pension to Onslow N. McIntire—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 8804) granting an increase of pension to Marion J. Barr—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MARTIN: A bill (H. R. 9039) to set apart certain lands in the State of South Dakota as a public park, to be known as the

Battle Mountain Sanitarium Park—to the Committee on the Public Lands.

By Mr. COOPER of Pennsylvania: A bill (H. R. 9040) to establish a permanent military camp ground in the vicinity of Somerset, in Somerset County, Pa.—to the Committee on Military Affairs.

By Mr. CANDLER: A bill (H. R. 9041) providing for the purchase of a site and the erection of a public building thereon at Columbus, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9042) providing for the purchase of a site and the erection of a public building thereon at Tupelo, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9043) providing for the purchase of a site and the erection of a public building thereon at Corinth, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: A bill (H. R. 9044) to approve the rules and regulations of the Philippine Commission, known as the "public land act"—to the Committee on Insular Affairs.

By Mr. BURKETT: A bill (H. R. 9045) to reimburse commissioned officers of the Army for losses during service—to the Committee on War Claims.

By Mr. LIVINGSTON: A bill (H. R. 9046) to provide for the erection of a public building at Atlanta, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. HOOD: A bill (H. R. 9047) to amend section 5 of an act entitled "An act supplementary to the act in relation to immigration," dated March 3, 1875—to the Committee on Immigration and Naturalization.

By Mr. HOOD: A bill (H. R. 9048) to amend an act entitled "An act to make certain grants of land to the Territory of New Mexico, and for other purposes"—to the Committee on the Public Lands.

By Mr. BURKETT: A bill (H. R. 9049) providing for the erection of a public building at Plattsmouth, Nebr., and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. LOVERING: A bill (H. R. 9050) to encourage the export trade—to the Committee on Ways and Means.

Also, a bill (H. R. 9051) to encourage the export trade in drugs, chemicals, and other articles of domestic manufacture—to the Committee on Ways and Means.

By Mr. WARNER: A bill (H. R. 9052) to revise and codify the judicial laws of the United States—to the Committee on Revision of the Laws.

By Mr. COWHERD: A bill (H. R. 9053) to amend an act to amend an act to construct a bridge across the Missouri River at a point between Kansas City and Sibley, in Jackson County—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Arkansas: A bill (H. R. 9054) granting the right of way for the construction of a railroad and other improvements over and on East Mountain, or Hot Springs Mountain, of the Hot Springs Reservation, Hot Springs, Ark.—to the Committee on the Public Lands.

By Mr. DAYTON: A bill (H. R. 9055) providing for rank and pay for certain retired officers of the Navy—to the Committee on Naval Affairs.

By Mr. JENKINS: A bill (H. R. 9056) to permit United States marshals to deputize authority to assist in making arrests—to the Committee on the Judiciary.

By Mr. MAHON: A resolution (H. Res. 120) to pay to Eliza Deardorff, widow of John W. Deardorff, a sum equal to six months' salary and funeral expenses—to the Committee on Accounts.

By Mr. TAWNEY: A resolution (H. Res. 121) concerning postal cars in service of railroads in the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. GARDNER of New Jersey: A resolution (H. Res. 122) providing a clerk for the Committee on Labor—to the Committee on Accounts.

By Mr. BISHOP: A resolution (H. Res. 123) to pay Mabel Crump Curtiss for services rendered by her father, the late H. R. Roseman O. Crump, of Michigan—to the Committee on Accounts.

By Mr. FRENCH, from the Committee on War Claims: A resolution (H. Res. 124) referring to the Court of Claims the bill H. R. 7141—to the Private Calendar.

Also, from the same committee, a resolution (H. Res. 125) referring to the Court of Claims the bill H. R. 1098—to the Private Calendar.

Also, from the same committee: A resolution (H. Res. 126) referring to the Court of Claims the bill H. R. 3457—to the Private Calendar.

Also, from the same committee: A resolution (H. Res. 127) referring to the Court of Claims the bill H. R. 3955—to the Private Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 9057) granting an increase of pension to Robert M. McCullough—to the Committee on Pensions.

By Mr. BARTLETT: A bill (H. R. 9058) granting a pension to B. Pacetty—to the Committee on Pensions.

By Mr. BASSETT: A bill (H. R. 9059) granting an increase of pension to Cephas W. Parr—to the Committee on Pensions.

Also, a bill (H. R. 9060) granting an increase of pension to John Connors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9061) granting a pension to Henrietta A. Buell—to the Committee on Invalid Pensions.

By Mr. BEDE: A bill (H. R. 9062) granting a pension to John Goodspeed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9063) granting a pension to Bartlett Minot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9064) granting an increase of pension to Edwin Tidd—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9065) granting an increase of pension to Albert Z. Norton—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 9066) authorizing the President to appoint Lieut. Commander Frederick Augustus Miller, retired, United States Navy, a commander on the retired list—to the Committee on Naval Affairs.

By Mr. BROWN of Pennsylvania: A bill (H. R. 9067) to remove the charge of desertion from the military record of Francis Riley—to the Committee on Military Affairs.

Also, a bill (H. R. 9068) to remove the charge of desertion from the military record of J. M. Lockry—to the Committee on Military Affairs.

By Mr. CASSINGHAM: A bill (H. R. 9069) granting an increase of pension to Edgar G. Abbott—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 9070) granting an increase of pension to Malinda J. Head—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9071) granting an increase of pension to Mary A. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9072) granting an increase of pension to Robert A. A. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9073) granting an increase of pension to John C. Plum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9074) granting an increase of pension to David Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9075) granting an increase of pension to Henry Snidemiller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9076) granting a pension to George H. Gaskins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9077) for the relief of the trustees of the Presbyterian Church, of Hardy County, W. Va.—to the Committee on War Claims.

Also, a bill (H. R. 9078) for the relief of the trustees of the Presbyterian Church of Beverly, W. Va.—to the Committee on War Claims.

By Mr. DEEMER: A bill (H. R. 9079) granting a pension to Elizabeth Davison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9080) granting an increase of pension to Simeon Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9081) granting an increase of pension to Benjamin F. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9082) granting an increase of pension to Chester F. Kimball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9083) granting an increase of pension to Samuel M. Wakley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9084) for the relief of Henry A. Solomon—to the Committee on Claims.

By Mr. GARDNER of Massachusetts: A bill (H. R. 9085) for the relief of the owners of the schooner *H. B. Diverty* and the tug [illegible]—to the Committee on Claims.

Also, a bill (H. R. 9086) for the relief of the heirs of James Williams—to the Committee on War Claims.

Also, a bill (H. R. 9087) authorizing the President to appoint Lieut. (Junior Grade) Edward [illegible], retired, United States Navy, a lieutenant-commander on the retired list—to the Committee on Naval Affairs.

By Mr. GIBSON: A bill (H. R. 9088) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act—to the Committee on War Claims.

By Mr. GILBERT: A bill (H. R. 9089) for the relief of the trustees of the Baptist Church of Crab Orchard, Ky.—to the Committee on War Claims.

By Mr. GOULDEN: A bill (H. R. 9090) to provide United States registry for the steamer *Success*—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 9091) to provide United States registry for the steamer *Marie*—to the Committee on the Merchant Marine and Fisheries.

By Mr. GUDGER: A bill (H. R. 9092) to pay D. J. Hunsucker $218.54 and interest thereon from August 1, 1893—to the Committee on Claims.

Also, a bill (H. R. 9093) for the relief of Thomas Monteith—to the Committee on Claims.

Also, a bill (H. R. 9094) for the relief of J. A. Reagan—to the Committee on War Claims.

Also, a bill (H. R. 9095) for the relief of John T. O. Wilbar—to the Committee on War Claims.

Also, a bill (H. R. 9096) for the relief of Samuel C. Liner—to the Committee on Claims.

Also, a bill (H. R. 9097) granting a pension to Zebulon A. Shipman—to the Committee on Pensions.

Also, a bill (H. R. 9098) granting a pension to J. Joseph Grasty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9099) granting a pension to Adolphus Erwin Wells—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9100) granting a pension to Sarah J. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9101) granting an increase of pension to Hiram Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9102) to correct the military record of H. R. Cook—to the Committee on Military Affairs.

Also, a bill (H. R. 9103) to correct the military record of Joseph S. Penland—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 9104) granting an increase of pension to James F. Mead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9105) granting an increase of pension to Abram Rosa—to the Committee on Invalid Pensions.

By Mr. HARRISON: A bill (H. R. 9106) to amend the military record of James C. Howard—to the Committee on Military Affairs.

By Mr. HILDEBRANT: A bill (H. R. 9107) granting a pension to Margaret F. Randolph—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9108) granting an increase of pension to Elizabeth H. Hoel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9109) granting an increase of pension to Hillery W. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9110) granting an increase of pension to John L. McBeth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9111) granting an increase of pension to George Mann—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 9112) granting a pension to Margaret J. Robbins—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 9113) granting an increase of pension to William H. Covert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9114) granting an increase of pension to David Cool—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9115) granting an increase of pension to Merritt Mead—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 9116) granting an increase of pension to Charles W. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9117) granting a pension to George T. Young—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 9118) for the relief of the estate of James A. Gregory—to the Committee on War Claims.

Also, a bill (H. R. 9119) granting a pension to Travis Glasscoe—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 9120) for the relief of the trustees of the Methodist Episcopal Church South, of Fox Hill, Va.—to the Committee on War Claims.

Also, a bill (H. R. 9121) for the relief of Benjamin P. Loyall, of Norfolk, Va.—to the Committee on Naval Affairs.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 9122) granting an increase of pension to Mildred S. Ogden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9123) granting an increase of pension to William S. Underdown—to the Committee on Pensions.

By Mr. MURDOCK: A bill (H. R. 9124) granting an increase of pension to R. F. Nugent—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 9125) granting an increase of pension to William S. King—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 9126) granting an increase of pension to John W. Riggs—to the Committee on Invalid Pensions.

By Mr. RIDER: A bill (H. R. 9127) granting a pension to Moses Schuman—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 9128) for the relief of the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run Parish, Fauquier County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 9129) for the relief of the estate of Catharine R. Moore, deceased, late of Fauquier County, Va.—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 9130) granting an increase of pension to Charles Van Wey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9131) for the relief of the estate of Toney Meloche—to the Committee on Indian Affairs.

Also, a bill (H. R. 9132) to enable the President to restore Second Lieut. Henry Ossian Flipper, United States Army, to duty, his former rank and status in the United States Army—to the Committee on Military Affairs.

By Mr. SCOTT: A bill (H. R. 9133) for the relief of William Saphar—to the Committee on Military Affairs.

By Mr. SHIRAS: A bill (H. R. 9134) authorizing the Secretary of War to grant an honorable discharge to John P. Barry, late first lieutenant, Battery C, Pennsylvania Artillery—to the Committee on Military Affairs.

By Mr. SIBLEY: A bill (H. R. 9135) for the relief of F. R. Lauson—to the Committee on Claims.

By Mr. SULZER: A bill (H. R. 9136) for the relief of Edmund F. Jenkins—to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 9137) granting an honorable discharge to Thomas Weaver—to the Committee on Military Affairs.

Also, a bill (H. R. 9138) granting an increase of pension to John Henry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9139) granting an increase of pension to Andrew N. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9140) granting an increase of pension to James L. Capp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9141) granting an increase of pension to Joseph B. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9142) granting an increase of pension to Capt. William F. Limpus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9143) granting an increase of pension to Emmett Langston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9144) granting an increase of pension to Elwood Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9145) granting a pension to Nannie E. Voglesong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9146) granting a pension to Lizzie A. Arthur—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9147) granting a pension to Elizabeth B. Yount—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9148) granting a pension to Joseph W. Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9149) granting a pension to Margaret A. McConnell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9150) granting a pension to Sarah E. Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9151) granting an increase of pension to William Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9152) granting an increase of pension to Thomas B. Foutty—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: A bill (H. R. 9153) for the relief of the heirs of those killed by the explosion at Fort Lafayette, February 19, 1903—to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 9154) granting an increase of pension to William Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9155) granting an increase of pension to Alexander Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9156) granting an increase of pension to Sylvanus McWhorter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9157) granting an increase of pension to Willis Mallohay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9158) granting an increase of pension to Robert Mitchell—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 9159) to correct the military record of George Hollenbeck—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BOUTELL: Petition of citizens of Kansas and Illinois, favoring passage of House bill and Senate bill providing for higher education of the blind—to the Committee on Education.

By Mr. BROWNLOW: Petition of William Raines to have his claim referred to the Court of Claims—to the Committee on War Claims.

Also, petition of T. J. Foster, administrator, to have claim referred to Court of Claims—to the Committee on War Claims.

By Mr. CANDLER: Memorial of the [illegible] River Improvement Convention of Alabama relative to the improvement of the Coosahatchee River—to the Committee on Rivers and Harbors.

By the SPEAKER: Memorial of the Grand Lodge of the Brotherhood of Railroad Trainmen, praying for the enactment of laws restricting immigration—to the Committee on Immigration and Naturalization.

Also, memorial of the Brotherhood of Railroad Trainmen, praying for the creation of a Department of Labor—to the Committee on Labor.

Also, petition of the New York Board of Trade and Transportation, praying for the improvement of the Bronx Kills—to the Committee on Rivers and Harbors.

Also, memorial of the Grand Lodge of Brotherhood of Railroad Trainmen, praying for [illegible] to their employers for injuries—to the Committee on Interstate and Foreign Commerce.

Also, memorial of [illegible] manufacturers, against the bills H. R. [illegible]—to the Committee on Ways and Means.

By Mr. CASSIDY: Papers to accompany bill granting an increase of pension to Edgar G. Abbott—to the Committee on Invalid Pensions.

By Mr. DOVENER: Resolution of Iron City Lodge, Brotherhood of Trainmen, favoring the eight-hour law and anti-injunction bills—to the Committee on Labor.

Also, resolution of the [illegible] Brewers' Association, favoring the passage of eight-hour law and anti-injunction bill—to the Committee on Labor.

Also, papers to accompany bill H. R. 8481, granting an increase of pension to Thomas Carter—to the Committee on Invalid Pensions.

By Mr. DAYTON: Papers to accompany bill granting an increase of pension to Robert A. A. Combs—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of the Grain Dealers' National Association, [illegible] Interstate and Foreign Commerce.

Also, resolution of the Order of Railroad Telegraphers, No. 106, La Crosse, [illegible] conditions for the [illegible] Army—to the Committee on Military Affairs.

Also, resolution of the New York Board of Trade and Transportation, [illegible] improvement of the Bronx Kills—to the Committee on Rivers and Harbors.

Also, letter from the Detroit Chamber of Commerce and Commercial Club, [illegible] Merchant Marine and Fisheries.

Also, memorial of [illegible] of Fountain City, Wis., urging improvement of the Upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. FITZGERALD: Resolution of the memorial and executive committee, Grand Army of the Republic, Brooklyn, N. Y., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the American Society for the Prevention of Cruelty to Animals, [illegible] H. R. [illegible] for a [illegible] of children and animals—to the Committee on the Judiciary.

Also, resolution of the Paint, Oil, and Varnish Club, urging legislation to protect trade-marks in Cuba—to the Committee on Foreign Affairs.

Also, resolution of the Grain Dealers' National Association, protesting against inspection of grain by the Government—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Preachers' Meeting, relative to the [illegible] regarding uniforms, etc.—to the Committee on Naval Affairs.

Also, petition of the New York Board of Trade and Transportation, [illegible] improvement of the Bronx Kills—to the Committee on Rivers and Harbors.

By Mr. GAINES of Tennessee: Petition of H. N. Hart, sole heir of John S. Hart, praying reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. GOULDEN: Papers to accompany bill to grant United States register to steamship *Marie*—to the Committee on the Merchant Marine and Fisheries.

Also, papers to accompany bill providing for a United States registry for steamship *Success*—to the Committee on the Merchant Marine and Fisheries.

By Mr. HEDGE: Petition of citizens of Des Moines County, Iowa, [illegible] improvement of the lower Mississippi River near Fort George—to the Committee on Rivers and Harbors.

By Mr. HEMENWAY: Petition of Shawhan, Boonshot & Co., and other firms and citizens of Petersburg, Ind., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HUFF: Memorial of independent tobacco manufacturers, [illegible] Against bills H. R. 6 and 97—to the Committee on Ways and Means.

By Mr. LITTLE: Papers to accompany bill H. R. [illegible] granting a pension of pension to Mary Ann Phipps—to the Committee on Invalid Pensions.

By Mr. [illegible]: Papers to accompany claim of William H. [illegible] papers to accompany claim of Robert A. [illegible]—to the Committee on War Claims.

By Mr. NEEDHAM: Resolution of San Luis Obispo Chamber of Commerce, favoring the passage of bill H. R. 1910—to the Committee on Military Affairs.

Also, resolution of William McKinley Council, No. 48, Junior Order United American Mechanics, Sacramento, Cal., relating to immigration—to the Committee on Immigration and Naturalization.

By Mr. PORTER: Resolution of the Grain Dealers' National Association, protesting against inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. PRINCE: Petition of [illegible] Young Men's [illegible] Department of Illinois, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: Papers to accompany claim of Susan McBroom; also, papers to accompany claim of James Smithers; also, papers to accompany [illegible] Balch; also, papers to accompany claim of Mina [illegible] administratrix—to the Committee on War Claims.

By Mr. RIDER: Petition of the New York Board of Trade and Transportation, favoring improvement of the Bronx Kills—to the Committee on Rivers and Harbors.

Also, resolution of the National German-American Alliance, [illegible] of the Hepburn interstate liquor bill—to the Committee on the Judiciary.

Also, [illegible] of Sunday-school editors and publishers, protesting against higher [illegible] publications—to the Committee on [illegible].

Also, memorial of the [illegible] H. R. [illegible].

By Mr. RIXEY: P[illegible] H. R. 2256, claim of John Mann—to the Committee on [illegible].

By Mr. RUPPERT: Memorial of the [illegible] of bill H. R. [illegible] Statutes, relating to tobacco—to the Committee on [illegible].

[illegible] York Preachers' Meeting, relating to the treatment of naval chaplains regarding uniform, etc.—to the Committee on Naval Affairs.

Also, resolution of the New York Board of Trade and Transportation, [illegible] of certain bills for the improvement of [illegible] on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Association, relating to the [illegible] government—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the memorial and executive committee, Grand Army of the Republic, Department of New York, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SNOOK: Resolutions of Vance Post, No. 680, Department of Ohio, Grand Army of the Republic; also, resolutions of Joseph Rath Post, No. 402, Department of Ohio, Grand Army of [illegible]; also, resolutions of Phil Hendrix Post, No. 201, Department of Ohio, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: Petitions of the German St. Marys Young Ladies' Society, the German Christian Mothers Society, and the St. Aloysius Young Men Verein, all of Muenster, [illegible] Tex., [illegible] Hobbs-Dolliver bill—to the Committee on the Judiciary.

By Mr. WARNOCK: Resolution of L. A. Myers Post, Grand Army of the Republic, No. 582, Department of Ohio, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: Papers to accompany claim of Emma S. Lewis—to the Committee on War Claims.

SENATE.

THURSDAY, *January 7, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Agriculture, transmitting, in response to a resolution of the 17th ultimo, a statement of quarters rented by the United States Department of Agriculture in the District of Columbia, and in the various States and Territories; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

DEPENDENT CHILDREN IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, pursuant to law, a general plan for the future care of delinquent and dependent children in the District of Columbia; which, with the accompanying paper, was referred to the Committee on the District of Columbia, and ordered to be printed.

BRIGANTINE NANCY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brigantine *Nancy*, James Brown, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. PENROSE presented petitions of sundry citizens of West Bessport; of the congregation of the United Presbyterian Church of Dayton; of the congregation of the Presbyterian Church of Dayton; of the Christian Endeavor Society of Nottingham; of sundry citizens of Clifton Heights; of sundry citizens of Aldan; of the Home Missionary Society of Mifflinburg; of the West Park Mothers' Club, of Philadelphia, and of the congregation of the First Presbyterian Church of McKeesport, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented a petition of the Manufacturers' Association of New York City, praying that an appropriation be made to continue and extend the improvement of the harbor channels of the Brooklyn water front; which was referred to the Committee on Commerce.

He also presented petitions of the Woman's Christian Temperance Union of Utica, of the Woman's Foreign Missionary Society of Dansville, and of the Woman's Missionary Society of Rochester, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the State Tropical Development Company, of New York, remonstrating against the ratification of the Cuban reciprocity treaty; which was referred to the Committee on Foreign Relations.

He also presented petitions of S. T. Bartle Post, No. 183, of Cuba; of John McKee Post, No. 309, of Cambridge; of U. S. Grant Post, No. 327, of Brooklyn; of Cushing Post, No. 231, of Brooklyn; of Gibbs Post, No. 130, of Warsaw; of Post No. 200, of Angola; of Burnside Post, No. 237, of Rossburg; of Hartwell T. Martyn Post, No. 346, of Canton; of John P. Buckley Post, No. 683, of Belleville; of General Lyon Post, No. 266, of Middletown; of Captain Gibson Post, No. 421, of Winthrop, and of General John B. Murray Post, No. 597, of Phelps, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. BERRY presented a petition of the Woman's Christian Temperance Union of Gillett, Ark., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BATE presented a petition of the Shannondale Missionary Society, of Beverly, Tenn., and a petition of the Woman's Home Missionary Society of the Methodist Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. STONE presented a petition of sundry merchants and manufacturers of St. Louis, Mo., praying that an appropriation be made for the extermination of the boll weevil in Texas and other Southern States; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry merchants and manufacturers of St. Louis, Mo., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. STEWART presented a petition of 89 citizens of the Indian Territory, praying for the enactment of legislation providing for the continued protection from the sale of intoxicating liquors and also for a separate statehood for that Territory; which was referred to the Committee on Indian Affairs.

Mr. BURNHAM presented petitions of the congregations of St. Luke's Methodist Episcopal Church, of Derry; the Methodist Episcopal Church of Penacook; St. John's Methodist Episcopal Church, of Dover, and of the Washington Street Free Baptist Church, of Dover, all in the State of New Hampshire, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of David Ford Post, No. 11, Department of Washington, Grand Army of the Republic, of Ellensburg, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. NELSON presented a petition of John A. Logan Post, No. 64, Department of Minnesota, Grand Army of the Republic, of St. James, Minn., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Winona, Minn., praying for the enactment of legislation to reorganize the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the American Hoist and Derrick Company, of St. Paul, Minn., praying for the enactment of legislation to regulate the interstate transportation of freight; which was referred to the Committee on Interstate Commerce.

He also presented petitions of the congregation of the Methodist Episcopal Church of Lake Crystal, of sundry citizens of St. Paul and Montevideo, and of the congregation of the First Methodist Episcopal Church of Little Falls, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ELKINS presented petitions of sundry citizens of Mannington, of the Woman's Christian Temperance Union of Belleville, and of the Woman's Literary Club of Wheeling, all in the State of West Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented memorials of the Sailors' Union of Port Townsend, Wash.; of the Sailors' Union of Seattle, Wash.; of the Sailors' Union of Portland, Oreg., and of the Sailors' Union of San Francisco, Cal., remonstrating against the enactment of legislation to authorize the payment of allotment in the coastwise trade; which were referred to the Committee on Commerce.

He also presented a memorial of the Grain Dealers' National Association, remonstrating against the enactment of legislation providing for the inspection of grain by the National Government at terminal markets; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Polk County, Wis., praying for the enactment of legislation to increase the compensation of letter carriers in the rural free-delivery mail service; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. ALGER presented a petition of the Ladies' Aid Society of the Second Memorial Presbyterian Church, of Detroit, Mich., praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Lake Seamen's Union of Detroit, Mich., remonstrating against the passage of Senate bill No. 2463, entitled "An act to amend the act of December 21, 1898, entitled 'An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce,' in

respect to allotments;" which was referred to the Committee on Commerce.

He also presented a petition of the Detroit Branch of the National League of Commission Merchants of the United States, of Detroit, Mich., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Epworth League Chapter 1715, of Paw Paw, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a memorial of the Independent Plug-Tobacco Manufacturers, remonstrating against the enactment of legislation to amend section 3394 of the Revised Statutes of the United States, relating to tobacco; which was referred to the Committee on Finance.

Mr. DEPEW presented a petition of the Ministerial Association of Auburn, N. Y., praying for the adoption of an amendment to the antilottery law; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the congregation of the First Congregational Church of Troy; of the Colonia Club, of Brooklyn; of the Woman's Christian Temperance Union of Bedford; of the Tenny Club, of Rochester; of the Woman's Christian Temperance Union of Skaneateles, and of sundry citizens of Oswego County, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a memorial of the Sailors' Union of the Pacific, remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

Mr. DOLLIVER presented a petition of S. S. Dillman Post, No. 343, Department of Iowa, Grand Army of the Republic, of Toledo, Iowa, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the Methodist Episcopal Church of Irwood; of sundry citizens of Des Moines; of the congregation of the German Presbyterian Church of German Township; of the Tourist Club of West Union; of sundry citizens of Clear Lake; of sundry citizens of Marion, and of sundry citizens of Lake City, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a memorial of the Grain Dealers' National Association, remonstrating against the enactment of legislation providing for the inspection of grain by the National Government at terminal markets; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregation of the First Methodist Episcopal Church of Galesburg; of the Woman's Club of Princeton; of the congregation of the First Methodist Episcopal Church of Normal; of the Woman's Club of Princeton, of the congregation of the United Evangelical Church of Elgin; of the congregation of the German Methodist Episcopal Church, of Elgin; of the congregation of the Second Baptist Church of Elgin; of the congregation of the Advent Christian Church, of Elgin; of the congregations of the Grace Methodist Episcopal Church, of Elgin, and the Presbyterian Church of Elgin; of the congregation of the First Methodist Episcopal Church of Sterling; of the congregation of the St. Paul's Methodist Episcopal Church, of Chicago; of sundry citizens of Norwood; of the congregation of the Methodist Episcopal Church of Cissna Park; of the congregation of the Presbyterian Church of Normal; of the Home Missionary Society of General; of the Missionary Society of the Christian Church of Princeton; of the congregation of the Ada Street Methodist Episcopal Church, of Chicago, and of the Home Missionary Society of Mount Carroll, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BLACKBURN presented a memorial of the Independent Tobacco Manufacturers, remonstrating against the enactment of legislation to amend section 3394 of the Revised Statutes of the United States; which was referred to the Committee on Finance.

Mr. BURTON presented petitions of the Fisk National Deaconesses' Training School, of Kansas City, and of the congregation of the Methodist Episcopal Church of Havensville, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of the German Farmers' Mutual Fire Insurance Association, of Muenster, Tex., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the First Presbyterian Church of Lehigh County, Pa.; of sundry citizens of Belle Plain, Kans., and of the Methodist Episcopal Preachers' Association of Cleveland, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. 335) to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust fund, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. PULTON, from the Committee on Public Lands, to whom was referred the bill (S. 1607) granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery, reported it with an amendment, and submitted a report thereon.

Mr. DUBOIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for use of the Nez Perce Indians, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 1278) to provide for the erection of buildings for an immigrant station at the port of San Francisco, Cal., reported it without amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Commerce, to whom was referred the bill (S. 2398) to amend an act entitled "An act to amend the laws relative to shipping commissioners," approved August 19, 1890, and for other purposes, as amended February 18, 1895, reported adversely thereon; and the bill was postponed indefinitely.

He also, from the same committee, to whom the subject was referred, submitted a report accompanied by a bill (S. 3118) to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes;" which was read twice by its title.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon;

A bill (S. 2815) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the ports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith; and

A bill (S. [illegible]) providing for the establishment of a life-saving station in the vicinity of Cape Flattery or Flattery Rocks, on the coast of Washington.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom was referred the bill (S. 2816) to amend section [illegible] of the Revised Statutes of the United States, reported it with an amendment to the title, and submitted a report thereon.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 2263) to require the employment of vessels of the United States for public purposes, reported it without amendment, and submitted a report thereon.

Mr. CLAY, from the Committee on Commerce, to whom was referred the bill (S. 2388) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, reported it without amendment, and submitted a report thereon.

SUSAN ELIZABETH CURTIS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. PLATT of New York, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized and directed to pay to Susan E. [illegible], widow of Asbury H. Curtis, late a clerk in the office of the Sergeant-at-Arms of the Senate, a sum equal to six months' pay at the rate he was receiving by law at the time of his demise, said sum to be considered as including funeral expenses and all other allowances.

BILLS INTRODUCED.

Mr. ALGER introduced a bill (S. 3119) granting a pension to Raynor H. Newton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3120) granting an increase of pension to Elvira A. Kelley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 3121) for the relief of Spiegelberg Brothers; which was read twice by its title, and referred to the Committee on Claims.

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3122) granting an increase of pension to Elias Thomas;

A bill (S. 3123) granting a pension to Oscar M. Parsons; and

A bill (S. 3124) granting a pension to Samuel Richards.

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3125) for the relief of Andrew J. Holley;

A bill (S. 3126) for the relief of St. Clair Nicely; and

A bill (S. 3127) for the relief of G. W. Ratleff.

Mr. ELKINS introduced a bill (S. 3128) for the relief of Stephen A. West; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3129) to promote the circulation of reading matter among the blind; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PROCTOR introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 3130) granting an increase of pension to Nathan P. Bowman;

A bill (S. 3131) granting an increase of pension to Clarke M. Smith; and

A bill (S. 3132) granting a pension to Sue A. Brockway.

Mr. STEWART introduced a bill (S. 3133) to restore to the public domain a portion of the Gila River Indian Reservation, in the Territory of Arizona, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BERRY introduced a bill (S. 3134) for the relief of Thomas D. Ruffin; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. FAIRBANKS introduced a bill (S. 3135) granting an increase of pension to David S. Durbin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3136) granting an increase of pension to William A. Cowen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 3137) to correct the naval record of Henry Borrowes; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3138) to increase the compensation of inspectors of customs at the port of Philadelphia; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3139) granting an increase of pension to Joseph N. Croak, alias Joseph N. Croke;

A bill (S. 3140) granting an increase of pension to L. F. Walters;

A bill (S. 3141) granting an increase of pension to Charles E. Tipton (with an accompanying paper); and

A bill (S. 3142) granting a pension to Isabella Britton (with an accompanying paper).

Mr. MITCHELL introduced a bill (S. 3143) to refer to the Court of Claims the war claims of the State of Oregon; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3144) for the relief of Capt. George A. Armes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DEPEW introduced a bill (S. 3145) for the relief of Caleb W. Durham; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 3146) to provide United States registry for the steamer *Success*; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also introduced a bill (S. 3147) to provide United States registry for the steamer *Marie*; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Commerce.

Mr. KEARNS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3148) granting an increase of pension to John C. Testman;

A bill (S. 3149) granting an increase of pension to Charles Bowering (with an accompanying paper);

A bill (S. 3150) granting a pension to Jacob A. Ward; and

A bill (S. 3151) granting an increase of pension to Hayden M. Thompson.

Mr. KEARNS introduced a bill (S. 3152) to reimburse the Becker Brewing and Malting Company, of Ogden, Utah, for loss resulting from robbery of the United States mails; which was read twice by its title, and referred to the Committee on Claims.

Mr. BATE introduced a bill (S. 3153) granting an increase of pension to John O. Rice; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3154) granting an increase of pension to Elizabeth A. Coffee; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3155) to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3156) in relation to the establishment of building lines in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3157) in relation to business streets in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT of Connecticut introduced a bill (S. 3158) granting an increase of pension to Stiles A. Wheeler; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. QUARLES introduced a bill (S. 3159) granting an increase of pension to Neil Gillespy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 3160) for the relief of Stephen W. Stryker; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3161) granting a pension to Sarah M. C. Silvers (with an accompanying paper);

A bill (S. 3162) granting an increase of pension to Melvina Botties (with accompanying papers); and

A bill (S. 3163) granting an increase of pension to Matthew S. Austin (with accompanying papers).

Mr. BALL introduced a bill (S. 3164) for the relief of Albert S. Henderer; which was read twice by its title, and referred to the Committee on Claims.

Mr. DUBOIS introduced a bill (S. 3165) amending section 3 of the act of June 5, 1900; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BURNHAM introduced a bill (S. 3166) granting an increase of pension to Levi B. Lewis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 3167) granting an increase of pension to Oscar R. Arnold; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 3168) making an appropriation for the improvement and beautification of the grounds within the Presidio Military Reservation, at San Francisco, Cal.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 3169) to remove the charge of desertion from the military record of William Cameron; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3170) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3171) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as amended April 1, 1896, and March 2, 1903; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3172) granting a pension to John Smith;

A bill (S. 3173) granting an increase of pension to Joel R. Harvey;

A bill (S. 3174) granting a pension to Jane Lewis;

A bill (S. 3175) granting an increase of pension to Rachel H. Coleman [illegible] papers; and

A bill (S. 3176) granting an increase of pension to David Bowers [illegible] papers.

Mr. BACON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 3177) for a public building at the city of Thomasville, Ga., and appropriating money therefor;

A bill (S. 3178) for a public building at the city of Albany, Ga., and appropriating money therefor; and

A bill (S. 3179) to provide for the purchase of a site and the erection of a public building thereon at Americus, Ga., and appropriating money therefor.

Mr. CLAY introduced a bill (S. 3180) to provide for the erection of a public building at Atlanta, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McCREARY introduced a bill (S. 3181) for the relief of William R. Ballard; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURTON introduced a bill (S. 3182) to pay certain Choctaw Indian allotments held by Louisa M. Shackelford; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3183) granting an increase of pension to Richard J. Gradon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3184) for the purpose of pensioning all soldiers, sailors, and marines in the service of the United States of America from 1861 to 1865, who were prisoners of war for two months or longer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3185) to correct the military record of Lieut. Henry Hansom; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3186) to pay the Georgia Railroad and Banking Company for carrying the United States mails, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 3187) for the relief of the heirs of William Hunt, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3188) granting an increase of pension to Nathaniel Pettigrew [illegible] papers);

A bill (S. 3189) granting an increase of pension to Catherine Hawley;

A bill (S. 3190) granting an increase of pension to James H. Troutman [illegible] papers; and

A bill (S. 3191) granting an increase of pension to Benjamin F. Watts [illegible] papers.

FANNIE HAY MAFFIT—WITHDRAWAL OF PAPERS.

On motion of Mr. BERRY, it was

ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Fannie Hay Maffit, accompanying memorial, Fifty-second Congress, first session, there being none adverse reported thereon.

LOUISIANA PURCHASE EXPOSITION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Select Committee on Industrial Expositions, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State [illegible] a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of November, [illegible] with a summary of the receipts and disbursements of this company from the [illegible] to November 30, 1903, inclusive, on the Louisiana Purchase Exposition [illegible] in pursuance of section 9 of the act to provide for [illegible] celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 7, 1904.*

SECESSION OF PANAMA.

The PRESIDENT pro tempore. Is there further morning business? [A pause.] The Chair lays before the Senate the following resolution.

The Secretary read the resolution submitted by Mr. MORGAN December 18, 1903, as follows:

Resolved, That neither the President nor the President and the Senate, as the treaty-making power of the United States, has the lawful power to wage or declare war against any foreign power, without the consent of Congress, when such country is at peace with the United States, and when its diplomatic relations with the United States are unbroken, and when its diplomatic representatives are recognized by the President as the representatives of a [illegible] power. And the authority of the Senate, as a part of the treaty-making power, to wage a war waged by the President against such a nation, under such [illegible] under the Constitution [illegible] under the law of nations, or under the neutrality laws of the United States.

Second. That a state of war exists between Colombia and an organization in the Colombian Department of Panama that claims to have established the independence of Panama from Colombia, and to have established its independence [illegible] the recognition of the President of the United States and of some European and Asiatic states, and that claims, also, to [illegible] title of the Republic of Colombia to the territory of the Department of Panama. And Colombia endeavors to reestablish the validity of the [illegible] government [illegible] Panama [illegible] and naval [illegible] forces [illegible] territory described in her laws and constitution as the Department of Panama.

Third. That Colombia is not presented by some powerful foreign nation [illegible] to repress the said [illegible] the United States, having entered into [illegible] with the persons who claim to have seceded from Colombia [illegible] and vest the [illegible] powers of sovereign government [illegible] and have the [illegible] privilege of constructing and [illegible] across the isthmus of Panama, all based on the [illegible] and will maintain the independence of the Republic [illegible] to effect a declaration of war with Colombia, and is not [illegible] upon the President by act of Congress or [illegible] power, without the consent of Panama, to use the [illegible] any right of the United States [illegible]

Fourth. That the Senate repeats its resolution of 1889 in the following words: [illegible] be, and he is hereby, requested to communicate [illegible] government of the United States to the [illegible] the Revised Statutes, has defined neutrality [illegible] or jurisdiction of the United States [illegible] be found not exceeding $5,000 [illegible] with armed forces of the United States, [illegible] United States and [illegible] enacted by the Congress of the United States and is contrary to the laws of [illegible]

Mr. MORGAN. In the course of the debates that have taken place, Mr. President, in connection with this resolution almost nothing has been said about its merit, and no Senator has controverted the merits of any proposition that is advanced in any branch of the resolution. So if a vote comes to be taken on it, whether now or later, whether before or after events that are pending in the consideration of the Senate are determined, I propose to have a separate vote by the yeas and nays upon each branch of the resolution. I wish to know whether the American Senate now affirms the principles of government in connection with the recognition of foreign countries which have obtained in this country from the foundation of the Republic as an organized government, and which are strictly and peculiarly the enunciation of the American doctrine on that subject.

At the commencement of our constitutional organization the European governments had not agreed as to the doctrines of neutrality and intervention.

Mr. CULLOM. If the Senator will allow me, when he began to speak my attention was diverted and I did not hear the subject [illegible] to discuss.

Mr. MORGAN. It is the resolution I have offered, and which has been pending before the Senate for nearly a month.

Mr. CULLOM. There are, I believe, two or three resolutions the Senator has offered.

Mr. MORGAN. No, sir; it is resolution No. 66, which contains certain propositions of fact and law in five or six different sections, upon which I propose to ask for a vote of the Senate by yeas and nays whenever the question is reached.

Mr. CULLOM. I will not interrupt the Senator further. I will get the resolution and see what it is.

Mr. MORGAN. Mr. President, in the learned argument of the Senator from Massachusetts [Mr. LODGE] in defense of the action of the President in his dealings with Panama and Colombia as they are presented to Congress in his annual message and his special message to Congress of January 4, 1904, there is a wide and superfluous presentation of authorities from various sources based upon various and different states of fact.

The honorable Senator has found cases and opinions in point upon almost every imaginable situation and condition except the one he is endeavoring to sustain. He has found no case similar to that presented in these messages, after most laborious research, following closely, but more comprehensively, the arguments and some of the citations employed by the President in his message of vindication of January 4, 1904.

Every authority cited by the Senator may be safely admitted as being important with reference to the facts and conditions in respect of which it is written, though some of them are only opinions expressed in controversial discussion, and yet none of them solve or elucidate the questions presented on the facts stated in these messages, or the facts not stated in them, that are also of great importance and are of common knowledge.

The Senator insists, and I agree, that every case of recognition of the new Government depends for its justice upon the conditions in which that Government is found at the time of the recognition.

I will here take occasion to remark that the time of recognition and the conditions which existed at that time constitute a state of facts upon which recognition is either justifiable or it is not.

If a new or different form of government is set up by revolution within a state with which we have diplomatic relations, or by a new dynasty within such state, or by a complete change of the personnel of the ruling or governing authorities, the President, as the diplomatic or international representative of the United States, can make effectual recognition, so as to place an obligation, which is not conclusive but is prima facie binding, on the other two departments of our Government—the judicial and the legislative. We have but three departments, and I make my argument with reference to that distribution of power.

Its obligation as to Congress depends upon their acceptance of the effect of such recognition upon the political condition of the United States, the existing laws, and upon the general welfare of the people, but the recognition is effectual as a declaration of a political status that the courts will respect until Congress, in some legislative proceeding, has otherwise declared.

The reason why Congress may thus reverse a recognition made by the Executive, even in a case of the clearest right of the President to make it, is the fact that Congress has and exercises the supreme and paramount political power of the United States in all matters that are controlled by Federal law where the Constitution does not otherwise provide.

The nation is a unit, as to its sovereignty, in respect of all foreign relations and affairs, and Congress is the supreme representative of that unit in foreign affairs, because it can declare war, enlist and support armies, and create and maintain navies with which to defend the country or enforce its authority against foreign nations, including the enforcement of treaties by war.

None of these things can be done by any other department of the Government of the United States, and that settles the question as to the supremacy.

As to the recognition of new states, created by secessions from existing states with which we are at peace, with which we hold full diplomatic relations, and of the legal effect and binding obligation of the recognition by the President of the lawfulness of such states, the scope and effect of his powers and his duties are of quite a different character.

The Senator from Massachusetts has adroitly omitted to notice this manifest distinction in his learned disquisition, and quotes authorities to support the powers of the President in recognizing a mere change of government in an existing state already recognized by our Government in accordance with our Constitution and laws, and applies them to the case of a new state that our Government has not recognized, which has been torn away from the territory of an old state that our Government has fully recognized.

This adroit confusion of authorities, cited in support of his argument, is particularly noticeable in his discussion of the meaning and effect of the recognition of a de facto government. He applies the principle of de facto recognition to the building up and establishing of the independence of seceding governments that are only applicable, under the authorities he has cited, to governments already established, already declared free, sovereign, and independent, and already engaged in full diplomatic relations and intercourse with the United States.

In such stable and recognized governments the question of their actual existence and organization and of their freedom, sovereignty, and independence never arises when the President is called by his sense of duty to our own people, or of respect for the people of the existing state, to recognize the transference of the powers of government into new hands or to recognize the adoption of new principles or plans of government. Such changes are recognized by the President in such cases for purposes of our own security or convenience. A de facto government in France during the revolution was the Government of the people of France and was their ruling power while it lasted as fully as the old monarchy had been; still it was not a government with full and unquestioned sovereignty. It was a de facto government possessing many of the powers of a de jure government, the exercise of which created valid, legal conditions that survived its downfall, because it was, for the time, the actual possessor of the sovereign municipal powers of France as a state or nation, making the distinction between the internal sovereignty of a country and its sovereignty in respect of its relation to a foreign power.

In that sense such governments within an established state are sometimes called governments de jure; but when the government is exercised over a territorial department torn from an established government, the elements of its organization, independence, and sovereignty remain to be established by future events, by facts, as the Senator from Massachusetts requires, and in that case none of these elements are included or created by their recognition as a government de facto.

They must be so established by the seceding party before the President of the United States can make his recognition of them as free, sovereign, and independent states binding upon Congress as the lawmaking power or upon the Senate as the treaty-making power. He can not create a state of facts that does not exist, nor can he impose an estoppel upon Congress or the Senate against an inquiry as to the actual situation.

In establishing its independence and sovereignty the seceding state can accept the aid of other governments or make alliances with them, but such governments can not hold the attitude of neutrals toward the mother government while they are in alliance with the seceding state. The seceding state, as a de facto government, may do many lawful acts toward the people within its command, and other governments that recognize their de facto existence may hold commercial intercourse with them not prohibited by the laws of war without giving to the mother government just cause for offense.

But aid given by the President of the United States to the seceding state to support its withdrawal from the sovereignty of the mother government violates the de facto acknowledgment of the existence of such a government, so that it is in no sense obligatory on any other department. It is unlawful under our neutrality laws, and is therefore a void act.

Neutrality, under the laws of nations, is the indispensable predicate and requirement that gives effect to any recognition of a government de facto or de jure by a third power. In the United States this is also the statute law.

Such an acknowledgment is a distinct pledge of neutrality between the seceding state and the mother government, and when it is accompanied with any act or purpose of giving aid or protection to the seceding state against the mother government it is intervention; and if a state of hostilities exists between the adverse powers such intervention is war.

In the neutrality defined by statute in 1794, on the earnest entreaty of President Washington, we have the true statement of the American law on that subject, which no citizen of the United States is permitted to violate.

Our Government was the first to crystallize into positive law the teachings of the great commentators on neutrality, who have been engaged in its development since the time of Grotius; but the great publicist had been met and defeated by the leading European powers whenever that high moral duty of nations stood in the way of their struggles for territorial aggrandizement.

The American Revolution, while it was aided in its war of independence by the active intervention of France and Holland, developed the necessity for the declaration of the law of neutrality that was enacted in 1794, amended and reenacted in 1818 and again in the Revised Statutes.

No legislative act of Congress ever gave to our country a higher place among the nations or conferred upon mankind greater blessings than our laws of neutrality.

They have become the laws of nations, in fact, that all governments appeal to for the preservation of their territorial sovereignty and the peace of the world.

Self-denial, justice and good will toward nations and men and nonintervention in the affairs of other nations for causes that are selfish and odious are the commandments that our neutrality laws enjoin upon our Government, and we violate the earliest and holiest injunctions of our fathers and disappoint their highest hopes when, in the name of neutrality, we practice armed intervention. When a canal concession is the purpose that we intend to accomplish in the recognition of a government de facto or de jure at Panama, we make our Government a party to the conflict between Colombia and Panama.

Among the authors who have studied the history of all great modern nations on the subject of national recognition, I know of none whose statements and teachings are more worthy of confidence than those of Frederick W. Faxon, fellow in history of the University of Pennsylvania. He has studied all the authorities cited in the argument of the Senator from Massachusetts and many other original papers to which few have had access, relating to the action of many modern and ancient governments on the subject of neutrality and intervention, and has recorded the settled law and usage in a way that no student of public and international law will rashly dispute.

I will present some extracts from his recent work on The Independence of the Southern Republics, on which I stand in this discussion, as the settled law of the United States:

The absence of any well-developed theory of neutrality before the United States came into existence to remove that subject [illegible] of a theory of recognition, for this latter is strictly dependent upon the former.

[illegible] value of an instance of recognition as a precedent depends upon its [illegible] character. It "is a matter which [illegible] recognition of independence." Either there is a reason for doubt [illegible] immediate as a right, or it can not be asked for as a [illegible] concession as the price of obtaining it [illegible] name and to change the status of the [illegible] It has not been taken in [illegible] United States had [illegible] legislation under the name of recognition.

According to the resolution of [illegible] to protect their [illegible] on the ground of foreign [illegible] United States as independent. In the words of the French [illegible] announced the treaties to the Congress of Aix-la-Chapelle [illegible] lessly as to bring most serious [illegible] of Louis, the Kingdom from a persuasion that it was [illegible] His Majesty's consistent and [illegible] Britannic Majesty accordingly [illegible] thing that may interrupt their harmony, and that he will have [illegible] effect that measures for leaving the establishment of the Mexican [illegible] the United States of North America [illegible] observed in the conduct the respect received between [illegible] the races that may be desired subsisting between the Crowns of France and Great Britain.

I think Mr. Hay must have found in that declaration of that French diplomat the idea, if not the language, of his address to Colombia, informing her of the neutrality, good will, love, and affection of this Government, which was broken up by this affair at Panama, which he felt bound after all to disavow. He begged Colombia on his knees for peace for Panama; he went to the mother government, humbled himself there, and importuned for peace when he knew that the mother government could not effect peace in Panama unless he would withdraw his navy.

But nothing was clearer in the minds of all concerned than that the revolution was [illegible] and that the colonies in spite of their [illegible] not to feel independent and that it was the interest of France, [illegible] regard for any rights of the Spaniards [illegible] war. Witness a French [illegible] from Madrid a few years before. [illegible] could not count on the [illegible] of France, United States and the [illegible] repeatedly recent [illegible] break suddenly and expressly at the very period of [illegible]

Among the [illegible] assumed by [illegible] of France were Washington and Bolivar. [illegible] the Napoleonic monster in the [illegible] of war [illegible] on Transatlantic America. He [illegible] enterprise and thoroughness [illegible] has [illegible] constitutional on theirs, with the pensionary and burgomasters of Amsterdam.

It was an unfortunate transaction. [illegible] Paris [illegible] was [illegible] was made a cause [illegible] the Kingdom [illegible] Holland, in spite of heroic [illegible] war [illegible] of the kingdom.

The value of a precedent in recognition, it has been said, depends on its [illegible] character. [illegible] the mother country, for it is [illegible] the mother country has [illegible] to recognize the [illegible] territory [illegible] such be the grounds as to the propriety of the recognition.

Between the time of the declaration of independence, which is the date of the United States was the 4th of July, 1776, and the recognition of the second by the parent state, which is the date usually assigned to the establishment of the independence of the United States, as the 30th of November, 1782, the United States power in recognition must consider two things: the fact of independence and the nature of its relations with the belligerents. In the former of these cases the United States could not, and in the case under discussion it did not hesitate, with questionable right in a moral way of the mother country to consider the recognition as premature and an act of war.

Colombia still has some rights in the world under the law of nations. She is still 4,500,000 strong. She still has a territory larger than the State of Indiana. She still is recognized by all the governments of the earth as a free, sovereign, and independent power, and not only by all other governments, but by this Government. We have to-day full, unabridged, unrestricted diplomatic relations with Colombia. So she is the mother government of this Panama Republic, and we are not in any sense, according to Mr. Varilla's statement, deprived of responsibility, either in fact or by the adoption of that Panama Republic, unless we have created it by our own act. But this mother government of Colombia has the right to say to us—and that is the point we are on—that these conditions of power, of self-support, of waging military measures to protect its independence or its alleged independence, and the power of governing the people within its own domain have been thwarted by our interference. Panama has no code except that of Colombia to govern it.

The power to change those laws and all the vast retinue of powers that belong to a free and sovereign government do not exist in Panama. Surely that did not exist on the 18th of November, 1903. Therefore Colombia has the right, under the law of nations, to consider the recognition as premature and—what? An act of war. That is her right. Whether she ought to exercise it is a different matter; whether she would be foolish if she attempted to exercise it is a different matter; but this right as yet stands unimpeached and unabridged under the law of nations.

I quote again from Faxon:

Thus the recognition by France and, in a less degree, that by Holland, for [illegible] from [illegible] until Britain had shown her own hand, were in[illegible] in one form or another.

[illegible] powers are of such a nature as not to be affected [illegible] into a premature recognition, or [illegible] by her own [illegible] to sovereignty over the new state by [illegible] as Great Britain did before we had actually whipped [illegible]

Cases of re[illegible] to the new state.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. SPOONER. Only for a question.

Mr. MORGAN. Yes.

Mr. SPOONER. I do not know that I understood the Senator correctly, but I understood him to say that the Republic of Panama was not entitled to recognition by our Government until she had been recognized by Colombia.

Mr. MORGAN. I said that if this Government recognized Panama prematurely, Colombia would have a right to consider that as an act of war. That is what I said.

Mr. SPOONER. That I understand.

Mr. MORGAN. That is all I said.

Mr. SPOONER. I understood the Senator differently.

Mr. MORGAN. No; the Senator was mistaken.

No valuable precedents [illegible] during the American Revolution or [illegible] for [illegible] Britain [illegible] were in no means destroyed, or spoiled, or [illegible]

[illegible] recognition before November 30, 1782, could have been other than an [illegible] of importance save as [illegible] necessity. Before the Ad[illegible] European states had [illegible] the United States, and [illegible] that had yet presented itself to the [illegible] when the French Revolution [illegible] events of 1782. [illegible] in the United States [illegible] government [illegible] than the [illegible] with the need of the United States [illegible] As the wars broke out [illegible] States coincided with her in [illegible] a policy of strict neutrality [illegible] France, whatever her domestic form, induced [illegible] to demand his passports.

What about this debt due from the Panama Railroad Company to Colombia of $250,000, which has been hitherto paid in weekly installments of a little over $6,000? Can we assert the doctrine here upon what took place on the 3d or 4th of November, or on the 18th of November, that we have relieved by our act the Panama Railroad Company from the obligation to pay that money to Colombia?

Is it expected that an American court, when suit is brought to recover that money against this American corporation, will ever be found to say that what had taken place on the 3d or 4th of November in Panama, and the negotiation between M. Bunau-Varilla and Mr. Hay on the 18th of November, transferred the right to that debt, so that after that the railroad company was authorized to pay it to Panama instead of to Colombia, and that Panama could give a full acquittance in law for that debt? Is that ever expected to take place in this country?

This action of Mr. Morris in refusing to pay the American debt to the new Government of France provoked an explanatory note from the French minister, so that [illegible]

What was [illegible] in the days of the Revolution as compared with [illegible] of the Panama Government on the 3d or 4th of November [illegible] the 18th of November? And yet that powerful French [illegible] that had set fire to all France, to all [illegible] for the payment to it [illegible]

"As to my [illegible] Mr. Morris, in consenting to remain, "they are [illegible] as serious, but you may be persuaded that I have never [illegible] the right which every people have of forming, to themselves, such [illegible] as they please."

[illegible] American engaged in the Revolution would [illegible] to this government of France, a de facto [illegible] "the right to pay the money that we owed to the [illegible] States. He said: [illegible] of this [illegible] the sovereign power of France, to which we are responsible for [illegible]

He was much relieved when Jefferson, on learning of the suspension of the French constitution, wrote him [illegible]

"During the time of [illegible] suspension [illegible] exists, we [illegible] the payment of our debt to [illegible] to give us an unjustifiable acquittal." Until further orders, Morris was directed to suspend payments, with a [illegible] that "this suspension shall not be continued one moment after we can see our way clear out of the difficulty into which their situation has thrown us."

These facts and conclusions have the support of the best authorities quoted by the Senator from Massachusetts, and I will again read the most important of them to the Senate.

I feel indebted to the Senator for furnishing the authorities on which I rely to meet and overturn the arguments and conclusions that have cost him, and doubtless many of the scribes of the State Department, many days and nights' weariness and hard labor.

I am glad to note that the learned Senator has so intimately connected neutrality with the right to recognize a government de facto or de jure in the following statement, which I will read:

I think, Mr. President, we may assert it as settled by all the writers on international law as a general principle [illegible] that a revolted state [illegible] recognized as sovereign and independent [illegible] without the previous [illegible] reporting from [illegible] or giving just cause of offense to the parent state [illegible] such a recognition of independence is proper [illegible] recognized by competent authorities.

He there associates together recognition and neutrality, one entirely dependent for its virtue and even for its decency upon the combination of neutrality with recognition whenever it is made. If he had added that, in the absence of neutrality, recognition is intervention, he and I would be in full accord and would be happily sustained by the quotations I have made from Mr. Faxon's work.

The next quotation from the speech of the Senator, in which I fully concur, is from Lawrence's Wheaton, page 48, note 19:

Before a formal recognition by sending ambassadors and entering into treaties by foreign powers [illegible] the new state so far as [illegible] recognition without [illegible] its responsibility for their [illegible] when they come in contact with other nations.

That is the Senator's definition which I adopt. I must not, however, omit from the list of authorities quoted by the Senator one that I adopt as presenting in so strong a light the contrast between an American government that had a cautious regard for the duty and honor of the country and the action of the present Government in Panama, that I wonder what estimate he places on the party obligations of the majority in the Senate, who follow the President in the doctrines announced in his messages and in his law-defying course which he attempts to justify.

John Quincy Adams, with a soul on fire for the independence of the South American states, held them to the strict law as to the right of recognition for eleven years, and then put upon record the following statements of the laws of nations under which he found his justification, which I will again lay before the Senate.

I read this as a very high authority, quoted by the Senator from Massachusetts, which establishes all that I claim, as to the law of nations and as to the rules of propriety in its application:

"We had not"—

He says—

"either directly or indirectly, excited the insurrection. It had been the spontaneous act of the inhabitants and the natural effect of causes which neither the United States nor Europe could have controlled. We had lent no assistance to either party; we had preserved a strict neutrality. But no European government could be supposed or represented that in such a case our wishes should be in favor of the success of the colonies or that we should trust as independent powers those among them which had in fact established their independence."

Mr. Adams, Secretary of State, in a note to Mr. Monroe, President of the United States, of August 24, 1818 (MSS. Instructions, Dept. of State), defines in the following manner the conditions which would lead the United States to recognize the independence of a foreign government or nation:

"There is a stage in such a contest, perhaps, when the party struggling for independence has, as I conceive, a right to demand its acknowledgment by neutral parties, and when the acknowledgment may be granted without departure from the obligations of neutrality. It is the stage when the independence is established as a matter of fact so as to leave the chance of the opposite party to recover it hopeless and entirely desperate. The neutral nation must, of course, judge for itself when this period has arrived."

Practically the same doctrine is found in a note of Mr. Jefferson, Secretary of State, to Mr. Morris, November 7, 1792 (MSS. Inst. Ministers).

Of this the Senator quotes only a part. The other part, I think, would have disappointed the President's argument very badly.

"It accords with our principles"—

He says—

"to acknowledge any government to be rightful which is formed by the will of the nation substantially declared."

Mr. Adams had given a statement as to what "substantial" means.

So, in a note to Mr. Anderson of May 27, 1823 (MSS. Inst. Ministers), Mr. Adams, Secretary of State, restates his position on the question.

"When a sovereign"—

He says—

"has reasonable hope of maintaining his authority over insurgents the acknowledgment of the independence of such insurgents would be an intervention wrong. It is otherwise when such sovereign is manifestly disabled from maintaining the contest."

I can not help saying here that everybody in the United States knows that if to-morrow the fleets and the marines of the United States were drawn away from Panama, or if they had orders to confine themselves to operations along the actual line of commercial transit, the railroad, Colombia would march in there and capture those eight men who organized that Government and all of their followers—the Caribs, Chinamen, Indians, and negroes—and drive them out of the Isthmus or compel them to subjection to law.

In such an attitude as that, Mr. President, the United States Government would have an honorable position; it would have a position in accordance with its treaty of 1846, in accordance with the laws of nations, in accordance with the teachings of George Washington and those of his contemporaries which I have read, and in accordance with the teachings of John Quincy Adams, who, perhaps, studied this question more profoundly than any other man in America has ever done, for the reason that for the large part of those eleven years when he withheld the recognition of the United States from the South American republics he was attacked politically and furiously by that magnificent orator and great statesman, Henry Clay, of Kentucky.

Mr. President, I do not choose to follow the Senator in his further learned and elaborate quotations, none of which dispute the principles of law by which the Government is bound and to which it has adhered in every case that we have dealt with until the matter now under consideration as to the Republic of Panama. In this matter we have departed from them all, and we have got to reverse them all before we can find in constitutional or public law reasons on which to base the present attitude.

The vast learning with which he arrays authorities that are mere repetitions of those as to which he and I are agreed, as above stated, has only a tendency to confuse the few and very clear principles to which we both consent. The value of the text in this case certainly is in the application.

Is it conceivable that President Washington would have permitted a Secretary of State to send the arrogant and threatening messages that Mr. Hay sent to the Colombian Congress in 1903, or that he would have failed to inform Colombia that there was a conspiracy in Bogota as early as August, 1903, to bring about the secession of Panama if the Hay-Herran treaty failed of ratification, or to inform Marroquin that the Colombian Congress should act with perfect freedom on that question, and inform the conspirators that the United States would enforce the treaty of 1846 and protect the sovereignty of Colombia over Panama?

Would President Washington have put the two messages of President Roosevelt, in substance or in words, into the thirteenth article on the rights and duties of the United States as a neutral nation, which he submitted to his Cabinet on the 22d of April, 1793?

Can any American conceive of President Washington, under like circumstances, directing his Secretaries of State and of the

Navy to issue the dispatches that were sent to the different officers at Panama and Colon on the 3d, 4th, and 5th of November, 1903?

I can not take the time, nor have I the desire even, to examine the purport of those dispatches. I do not think that any American can read them with pride or pleasure, especially the dispatch in which the Secretary of State directs Felix Ehrman to recognize the junta at Panama as a de facto government of the Department of Panama, which is styled the Republic of Panama.

As this act is the essence of the whole unlawful drama on which the entire case depends, I will compare it succinctly with the laws of recognition and neutrality I have already discussed, as to which the Senator from Massachusetts is in agreement with me.

I am especially gratified that the Senator from Massachusetts, who is said to hold the same relations toward President Roosevelt that Edward Livingston was said to hold toward President Jackson, has selected from the many, far more incisive, and definite declarations of that great and honest man the following concise statement of the duty of our Government in the recognition of new states.

We gain a breath of satisfaction and some confidence that the country will not be abandoned to new and perilous experiments in the whirl and turmoil of rough-rider diplomacy and rapid-fire military intervention, when the Lodge of this Administration emulates the Livingston of Jackson's Administration and quotes, approvingly, the following wise, honorable, and statesmanlike declarations of duty and of propriety of action from the message of General Jackson, and the not less dignified and careful analyses of our powers, which he quotes from a report of Henry Clay to the House of Representatives:

President Jackson, in his message to Congress of December 21, 1836, said:

"Nor have any doubts existed as to the propriety of our recognition of Texas as to whom belongs the power of conferring a new state, a power the exercise of which is conditional, and may, according as it is or is not exercised, produce all the consequences of a war, a power involving the peace and perhaps the existence of the Union, and only granted by the Constitution as it is to congress in that form to the President and Senate to form treaties, to congress in that form to the President and Senate to form treaties, to congress in that form to the President and Senate to appoint ministers and other public ministers, and in that conferred upon the President to receive ambassadors from foreign nations."

In the preamble to the resolution of the House of Representatives the recognition referred to was follows: "That the independence of Texas ought to be acknowledged by the United States whenever satisfactory information should be received that it has in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power."

Now, take these declarations as to the rightful powers of Congress in the recognition of the independence and sovereignty of new states, and contrast them with what the President has done and is doing in the usurpation of powers that rightfully belong to Congress in his dealings with Panama and Colombia, and the danger of his course is frightful when it is backed by a powerful party organization, and is applauded and urged into reckless haste of movement by every man in the country who thinks he sees a job for his advantage in public disturbances, and every man whose ideas of national power and glory are measured only by its aggressive and belligerent invasion of the rights of other nations.

The President asserts, with an assumed boldness, that no one connected with the Government of the United States participated in the movement or conspiracy that gave birth to the Republic of Panama.

Following his example, I will have read an extract from a newspaper correspondent. A large part of the President's message rests upon that class of material. I will have read an article signed by the initials "F. C.," which was sent on the 30th of November, 1903, by the special correspondent of the New York Evening Post. It has been printed all through the United States. If I can have the indulgence of the Senate to allow the Secretary to read the article, I shall be very much obliged.

The Secretary read as follows:

[From the New York Evening Post. Special correspondence of the Evening Post.]

PANAMA, REPUBLIC OF PANAMA, *November 30.*

So seldom can a republic be snap-shotted in the making that the true and veracious history of Panama ought to be set down. New York accounts of it have been fragmentary. Washington comments have been politic, obtuse, [illegible]

[illegible]

[illegible] Minister Beaupré, who was the first Representative to arrive, and the first to be received by the new government, has been over an imperial Panamanian, a colonel, [illegible] Colonel Black, who was sent to Panama on the 3d of November, arrived on the 4th, and was received by the junta on the 5th. Colonel Black, a Southern man, is a veteran of Frank Leslie's "Illustrated" [illegible] and brown hatred with the Moorish [illegible] "I fancied seeing the stars and stripes," he says, "I fancied seeing the Stars and Stripes floating over the house." But she floated [illegible] one of the Panama Railroad steamships.

On the occasion of the raising of the flag was hoisted there was a final meeting of the conspirators at Doctor Amador's house. Eight persons were present. [illegible] Doctor Amador had telegraphed Varilla that everything was [illegible] Varilla could move some American men-of-war to the Isthmus he is some[illegible]

[illegible] on the following November 1 arrived a reply from Varilla, dated October 31, saying that American men-of-war would be at the Isthmus immediately to keep transit open. Arias, on hearing this, said:

"What if Colombia changes her position and grants the treaty?"

"Then [illegible] we are all betrayed, and it is the end of us."

[illegible] "The work of organization was progressing. Admiral Varon, of the [illegible] November was won over with all his [illegible] commandant of the garrison, was found easy to [illegible] he is a Panaman by birth, has a Panaman wife and [illegible] was to be transferred, was and his troops to Buenaventura [illegible] Colombian dollar most fluctuated [illegible] Panama and asked to be ready to take the government [illegible] Colombian war-ship Cartagena steamed into [illegible] Panama, and Dr. Manuel Amador was elected the first President of the new Republic. Meanwhile, Mr. Bunau-Varilla, who had come to Panama, was [illegible] Colombian troops were more conferences at Amador's house. Mrs. Amador became [illegible] Mr. Bunau-Varilla, who had come to Panama, was [illegible] Mr. Bunau-Varilla, who had come to Panama, was [illegible] Mr. Bunau-Varilla, who had come to Panama, was

subordinate to the board of directors, probably the president of it. These statements have been made by various men who have written to the great public journals of this country from Panama.

Mr. President, in order to give a further idea of the accuracy and reliability of the statement by correspondents from Panama I will introduce, if the Senate will allow me, as an appendix to my remarks, without having it read, a signed article of Mr. Merrill A. Teague, dated at Panama, December 10, 1903, who signed it as staff correspondent of the Courant, of Hartford, Conn., a paper formerly—I do not know how it is now—published and largely owned by one of our colleagues in the Senate, the honorable Senator from Connecticut [Mr. HAWLEY]. Mr. Teague goes on—I do not know him personally—

Mr. FAIRBANKS. The same article I think has appeared in a number of different journals in the country. I observe that Mr. Teague is printing what I suppose to be syndicate letters upon this subject.

Mr. MORGAN. Yes.

Mr. FAIRBANKS. It was published in the New York Tribune, the Indianapolis Journal, and other papers.

Mr. MORGAN. It seems to have had wide circulation. But the Courant says in the heading of this article, "Staff correspondent of the Courant." So it adopts him as staff correspondent of that paper, and he signs his name to the article and dates it at Panama. He goes on to give a very strong corresponding statement to that which has just been read of the transactions in Panama. This I will also in the same way, without reading, insert as an appendix to my remarks.

Then, if the Senate will permit me, I will introduce letters from Colon and from Panama that were addressed to several of the great leading journals of the United States. Some of the most important of them were addressed to the New York Tribune, which is under the conduct and editorial control of one of the greatest and most distinguished Republicans in the United States, Hon. Whitelaw Reid. I do not suppose, I can not suppose, that that gentleman would permit any correspondent from any part of the world to put a statement into the Tribune that was unjust and incorrect, particularly toward an Administration of which he is a warm supporter and admirer. I will put in the testimony of correspondents of various newspapers, leading journals of New York, without reading them. I take it that there is sufficient evidence lying underneath these different letters to show that we have through an unofficial source, but from eyewitnesses and close inquirers, a really authentic account of all that took place in Panama.

That comprises, Mr. President, the facts upon which this recognition was based, except so far as it was stated by the President in his two messages to Congress. That evidence, taking it for true, shows that the Government of the United States could not possibly, out of respect for its own statute laws of neutrality in 1794 and continued down to the present date, recognize the existence of a government de facto there for the reason that the recognition was necessarily an intervention. The purpose of the President, which is undeniable and which he does not pretend at all to conceal, in making this recognition was to get the canal at Panama. For that purpose he was moved by his conviction that it was a very great national and universal necessity. He puts himself there in the attitude of the sponsor and protector of universal civilization with all of its rights across that Isthmus to sustain himself in that grand conception.

Then, again, the President in his message, and in various passages which I will not stop to quote—it is unnecessary to do so—shows a feeling of very strong, earnest, deep-seated resentment toward the Government of Colombia after the failure of the Hay-Herran treaty, and charges upon that Government that it was an act of moral delinquency that the Colombian Congress did not ratify that treaty, which Congress was not even in existence at the time the treaty was made. The President shows that he is embroiled with Colombia, and he is in a towering rage toward that Government for not having acquiesced in the arrangement made between him and Marroquin.

This purpose—the actual purpose, the grant of the canal concession—which it then turned out could not be got in any other way than by tearing Panama loose from the mother Government and making it an independent state, is not in the slightest degree consistent with the laws of the United States, which in all their injunctions command all the officers of this Government to observe honest, sincere neutrality toward all foreign powers.

Therefore it establishes the proposition on which I rest this case, so far as the duty of Congress and so far as the right and power of the President to estop Congress from inquiring into the actual situation are concerned, upon the fact that in that recognition given by the President of the United States there was a distinct purpose, which he announced was of vast benefit to the people of the United States to be thereby accomplished, and that changed it from the neutral declaration of a de facto government into an act of actual intervention.

If no canal route had been at Panama, and if the protection of the transit by the railroad had been the only incentive to the action of the President, Panama would never have been recognized by the President de facto, or de jure, and that junta of four citizens of the United States and four other citizens of the world would have been left to their own resources.

Now, that intervention was not peaceful. It was not intended to be peaceful. It was coercive. It was an intervention of duress. More than that, it was an intervention of threat, an intervention of actual hostility. Here is one officer of the United States raising the flag for that new republic, and another officer of the United States and the very consul who recognized this de facto government, engaged there as a controlling man in a bank, that agreed beforehand to rob the treasury of Panama or the treasury of Colombia, as the case might be, of the money that was necessary to get rid of Torres and send him off with his troops, and also to buy the allegiance and the subordination of the other men whom the President said he was informed were opposed to the Government of Colombia in Panama while they were in its service and wearing its uniform.

Have I leave to put in these papers as an appendix?

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none.

Mr. CULBERSON. I will ask the Senator if the fact to which he has just referred in connection with Consul-General Ehrman's payment of money to Colonel Torres is supported by the excerpts from newspapers which he now submits?

Mr. MORGAN. Yes, sir: it is stated there. I do not know whether it is true or not. It has been stated for days and weeks.

Mr. CULLOM. In what paper is it stated?

Mr. MORGAN. I shall have to go over them.

Mr. CULLOM. Is it in a newspaper or an official document?

Mr. MORGAN. Oh, a newspaper. There is no official document on the subject. I appeal to the same class of authorities the President of the United States appeals to to sustain his position down there. He appeals to papers, and I have a right to do the same thing, I suppose.

Before leaving this branch of the case, or the branch in which I made some observations on the subject of the law, I wish to read two decisions, or parts of two decisions, of the Supreme Court of the United States to show that the authority cited by the Senator from Massachusetts as to the courts following the lead of the political authorities in matters of this kind is not based upon the court having ascertained in any case the merits of the proposition, but upon the fact that the court feels itself bound to follow Congress or the authorities of the executive department when they are sufficient to create a prima facie case of recognition as a matter of duty, not questioning a situation that has been created by the political department of the Government. The courts take that ground in order to prevent a conflict between the different departments of the Government of the United States. In order to make that matter very clear, I will read extracts from two decisions of the Supreme Court of the United States.

First, in the case of The United States v. Palmer, 3 Wheaton, in which Chief Justice Marshall delivers the opinion, the court say:

> These questions which respect the rights of a part of a foreign empire which asserts and is contending for its independence, and the conduct which must be observed by the courts of the United States towards the subjects of a sovereign who may be brought before the tribunals of this country, are extremely delicate and difficult.
>
> As it is understood that the construction which has been given to the act of Congress is to render a particular decision in South American waters, we think we will only advert to that single question, and endeavor to show that it is legal in their character. They bring more properly to those who can decide what the law shall be; who can place the nation in such a position with respect to foreign powers as to their own judgment shall seem proper; to whom are intrusted all the foreign relations, which in their intercourse with war as well as peace is confined to the application of the rule which the legislature may prescribe for it.
>
> In such contests a nation may engage itself with the one party or the other; may observe absolute neutrality; may recognize the new state absolutely, or may make a limited recognition of it. The proceedings in courts must depend entirely on the course of the government; but it is difficult to give a precise answer to questions which do not refer to a particular nation. It may be said generally that if the government remains neutral and recognizes the existence of a civil war its courts can not, consistently with criminal acts of hostility which war authorizes and which may be new governments may direct against its enemy. The decision otherwise would be to deny to one of the parties the benefit of a war which was waged and would be to arraign the injustice to which the court belongs against the party. This would transcend the limits prescribed to the judicial department.
>
> It follows, as a consequence from the view of the subject, that persons or vessels employed in the civil wars of a self-declared government, have a colorable claim to be considered as engaged in a war authorized by war, and to be protected by proof of the fact of their being actually employed in such service by the same testimony which would be sufficient to prove that such vessel or person was employed in the service of an acknowledged state. The case of such acknowledged government can not be permitted to prove itself, but it may be proved by such testimony as the archives of the nation admits and the fact that such vessel or person is so employed may be proved without proving the seal.

I call the attention of my brother Senators, particularly those upon the Committee on Foreign Relations, to that statement, that the seal of such acknowledged government can not be permitted to prove itself, but it may be proved by such testimony as the nature of the case admits.

The PRESIDENT pro tempore. The Senator from Alabama will please suspend. The hour of 2 o'clock having arrived, the Chair lays before the Senate the Calendar of General Orders.

Mr. CULLOM. Mr. President, I hope the Senator from Alabama will be allowed to proceed.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senator from Alabama may be allowed to proceed. Is there objection? The Chair hears none.

Mr. MORGAN. The next authority from which I will read is the opinion of the Supreme Court in the case of *The Estrella*. It is in 4 Wheaton:

Mr. SPOONER. A prize case?

Mr. MORGAN. Yes. The court say:

> It has been contended that without expressly so distinguishing this case, its peculiar facts are such as to place it out of the ordinary course of those which have actually been decided on this subject. We have been told that a recognition, not by the courts of the nation to which the cause belongs, and to an extent which has not been denied, nor has the court ever felt any disposition to intrench upon this rule, but, on the contrary, whenever an occasion has occurred, as in the case of the *Invincible*, 1 Wheaton, 238, it has been governed by it.

A very queer proposition arises just in this connection. What would President Roosevelt do with a court in Colombia that would condemn a prize taken by one of her ships from one of the navigators of Panama? Would he be willing to admit that that court had jurisdiction over the national vessel of Panama? Or, if a national ship of Panama were to make prize of a Colombian ship as matters stood on the 18th of November, would he admit that the vessel could be condemned in a prize court of Panama? Panama had no judicial system on or before or since that day up to the present time.

We are going too fast in this matter, Mr. President. There are a great many collateral questions that tangle themselves up with this action of ours, and for which we shall be held to account some of these days in a way more serious than any of us at present apprehend. We had better go a little slowly. The court continue:

> Not only is it a rule well established by the customary and conventional law of nations, but it is founded in good sense, and is the only one which is salutary and safe in practice. It secures to a belligerent the independence to which every sovereign state is entitled, and which would be somewhat abridged were he to be compelled so far as to permit those who bear his commission to appear before the tribunals of any other country and submit to their interpretation or control the orders and instructions under which they have acted.
>
> It insures also not only to the belligerent himself, but to the world at large, a great degree of caution and responsibility, on the part of the agents whom he appoints, who not only give security to him for their good behavior, but will sometimes be checked in a lawless career by the consideration that their conduct is to be investigated by the courts of their own nation, and under the very eye of those who reign there, where, upon their coming home, they may find a foundation laid for a claim by other nations of an indemnity against the government for the injuries which their subjects may sustain by the operation of any unjust or improper rules which it may think proper to prescribe for those who act under his authority.

De facto governments have responsibilities, although they have not got sovereignty.

> But general and firmly established as this rule is, it is not more so than sound. The courts of no civilized country will take cognizance of the transactions of war between nations with respect to their own citizens or subjects, or to property within their own country, or to any other property over which their own government has a rightful control, but they will hear and decide upon the validity of captures made by the ships of war of a country with which their own country is at peace, when such captures are made on the high seas, or within the territorial jurisdiction of the country to which the captor belongs, and to decide upon every question of prize law which may arise in the progress of such possession.

Were the Governments of Panama and Colombia belligerents on the 3d and on the 4th day of November, 1903? The President, in his message, says that if he had not interposed there would have been bloodshed to an unimaginable extent between the civil authorities, or the authorities, whatever they may be called, of the Republic of Panama and the Government of Colombia. He affirms that fact and makes it one of the excuses for his intervention.

Then there was war between Colombia and Panama at the very time that he intervened. More than that, on the next day but one a ship of war of Colombia appeared with its flag in the bay of Panama and fired upon the city and upon the fort in order to reduce it to obedience, and would have done so, but our ships warned them off. They had no artillery of any character that could reply to it.

There was actual war between Colombia and Panama at the very moment of our recognition of the de facto government there, our recognition being attended with a motive that was so irresistible in the mind of the President that he even boldly defies and refuses obedience to the Spooner law in order to get a chance to get at these people with his guns and ships. Motives, purpose, acrimonious feeling, bitter hatred, and revenge characterize every step that he took in this matter. The world knows it, and the world is not going to allow it to be disputed that that was the situation.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. MORGAN. Certainly.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. MORGAN. Certainly.

Mr. SPOONER. Does the Senator criticise the action of the representatives of the United States in warning the gunboat to which he refers to desist from shelling Panama?

Mr. MORGAN. I do, when we consider the reason why they were there.

Mr. SPOONER. Does the Senator maintain the proposition that the gunboat, no matter for what reason it was there, would be justified under the law of nations in shelling a city without giving the usual notice to women and children and noncombatants to enable them to retire from it?

Mr. MORGAN. That was not the reason we assigned, and therefore I am not disposed to debate any reasons that were not assigned. The reason that we assigned was that they were there firing upon the fort and the city against the will of the Government of the United States. They were not ordered to stop firing until they had given notice, but they were ordered off.

Mr. SPOONER. My understanding of the fact is not that which the Senator understands.

Mr. MORGAN. My remarks apply to my understanding of the facts, and I state them. Can the Senator state anything different?

Mr. SPOONER. My understanding of the fact is that the gunboat was given that notice because it was a violation of the rule of civilized warfare.

Mr. MORGAN. Then why were they ordered off?

Mr. SPOONER. I do not know that they were ordered off.

Mr. MORGAN. I know; at least I know about it just as I know about everything else down there, and as all of us know about anything there. The Administration closed the door and put a lock on it. We can not get into the facts.

Mr. SPOONER. I know this, and I know the Senator knows it, that there is not a government in the world which, under the circumstances, would not have been justified in putting a stop to that bombardment.

Mr. MORGAN. There were several governments there besides the United States with shipping in that harbor. Why did they not do it?

Mr. SPOONER. It was proper for us to do it.

Mr. MORGAN. It was considered to be our duty because we were in a position which made it necessary in order that we should prevent any possible damage being done to the troops or the fort at that place in Panama. We were belligerents, and that is the reason of it.

But that is only one incident in the belligerency. We have the ordering off of the troops of Torres, buying up their commander and getting him to go back to Cartagena; the refusal to admit General Reyes when he came there to land upon the soil of Panama unless he would first admit the independence of Panama; the guarding of the coast; the refusal to permit the flag of Colombia to appear in the harbor of Colon.

There has been no fact at Panama since the 3d of November that tended to show the existence of a state of peace between Panama and Colombia, or between the United States and Colombia.

If the flag of Colombia should appear in the harbor of Colon without the express sanction and protection of the United States Government the people of Panama would fire upon it.

No, we need not be engaged in hairsplitting on the question as to whether hostilities existed there.

They existed there between Colombia and Panama; and when the Government of the United States interposed its force and refused to permit Torres and his troops to go from Colon to Panama by any route, land or rail, the Government of the United States made itself a party to that war, as it did when it recognized, through Mr. Ehrman, the de facto Government of Panama.

These recognitions, these acts of hostility, these acts of defiance and violation of the statute laws of the United States were all in nearly the same instant of action. They followed each other so rapidly or were so connected together that it is impossible to separate between them. They were, in fact, one act, and unquestionably a prearranged act.

I will leave that part of the case just there, and I hope, Mr. President, that as long as I live I shall never be compelled to advert to it again, because I really think it is the most unfortunate chapter in the history of the United States.

Now I come to the Hay Herran treaty. I do not propose to discuss its terms. I want to take the outside of it, like the President does and like the Senator from Massachusetts does, and as we all do and have done in the discussion before the Senate.

The Hay-Herran treaty was a war breeder because of its provisions for the participation of Colombia in the military, police, judicial, and hygienic control of the canal zone.

That is what I have to say about the Hay-Herran treaty.

It was a shell loaded with explosives, with a clockwork of machinery that would certainly set it off.

The friction match that would ignite the explosives was the cupidity, jealousy, suspicion, resentment and [illegible] of the people of Panama, backed and supported by the [illegible] and the ill will of the leaders at Bogota, and kept in [illegible] meddling and interference by the [illegible] priests and their following.

I believe that is a true historical synopsis of the situation in Colombia as to the Hay Herran treaty.

The rejection of this treaty by the Colombian Congress is resented by the President on the ground of its extreme liberality to Colombia. It was dangerously lax and unguarded in its plan and provisions, if that is to be set down to the credit of liberality. It was so dangerous to the construction of a canal and so contrary to the right of exclusive control of a canal that we [illegible] through every utterance of the Government and of every representative of the Government for more than thirty years that I know that it would at once produce friction, [illegible] discord, then strife, then collision, and at last war with Colombia.

We now see, from the documentations of Congress, and the Government in messages of the President and [illegible] requests by the Acting Secretary of State, where the President has [illegible] in a letter addressed to the Secretary of [illegible] to the Administration that the Hay-Herran treaty was not only a war measure in its machinery, but it must have been such in its contemplated action.

Its rejection has prevented war with Colombia that must have resulted from the attempt to put into operation the [illegible] stipulations, viz:

1. The Hay-Herran treaty gave to Colombia the same military command over the canal zone under all conditions and at its will and pleasure, to meet all invasions and to [illegible] and protect our property in the canal zone against all [illegible] and the lives and safety of our people there against any [illegible], and to order off our land and naval forces when Colombia chose to issue such command.

2. That treaty provided for joint judicial control within the canal zone, by a bench of judges chosen by both Governments, but it left to Colombia the sole right to provide laws that this tribunal should enforce by its judgments and decrees.

3. It provided for joint police control and hygienic protection of the canal zone. It made other provisions that were [illegible] as impossible to justly or effectually enforce, which it is not now necessary to state.

The answer made by the Senate to amendments that corrected these elements of discord and war was that time would cure these difficulties and that the Colombian Congress would not ratify the treaty if a single word of it was changed.

They were rejected as being unnecessary in point of fact, because in practice the United States would enforce them.

Thus we tendered to Colombia a treaty that we did not intend to observe, and Colombia knew it as well as we did. The Colombian Congress saw this as plainly as did the Senate of the United States, and they knew that the Hay-Herran treaty was a pitfall.

When our Secretary of State, through our minister, Mr. Beaupre, notified Colombia that not a word in that treaty must be changed, it is to the credit, at least, of the Congress of Colombia that they refused to consider it. They discovered duplicity in its provisions and imperious arrogance in that demand of the Secretary of State, and all parties in Colombia rose up against it.

That was the report of Mr. Beaupré to our Government before the treaty had been published in Colombia, that all these parties, just out of the turmoil of a bloody civil war, were opposed to the treaty. All Colombians were united against it, because they did not believe in the sincerity of our statements.

If France, England, Germany, or Russia had been thus dealt with and had resented the affront, our next act in the drama would not have been war. It would most likely have been a doffing of caps, a sheathing of swords, and the humble bow of apology. But Colombia is held to severe account because her Congress, which was not in existence when we ratified the Hay-Herran treaty, refused to consider it.

We do not pretend to have any understanding or agreement with that Congress in negotiating that treaty with Marroquin or as to its ratification.

Such was the state of facts when, in 1903, the uprising of the Liberals all over Colombia was repressed in Panama, by the assistance of our President, and a Congress was elected, under the proclamation of Marroquin, to consider the Hay-Herran treaty. That Congress had no part in negotiating the treaty, which was ratified by our Senate before they were [illegible].

Whatever the President of the United States and Marroquin may have agreed upon, the Congress of Colombia was at perfect liberty to accept or reject under their oaths to support the constitution of that State.

It is for this alleged breach of duty that the Congress of Colombia is publicly and violently accused of ingratitude and breach of faith by the President of the United States and the Acting Secretary of State, and by the alleged minister plenipotentiary of the Republic of Panama.

The constitution of Colombia ordains as follows:

TITLE I. ART. 4. [illegible] the public property therein [illegible] Colombia, retaining [illegible]

Mr. QUARLES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. MORGAN. Yes.

Mr. QUARLES. I do not wish to disturb the Senator, but I want to ask for information whether the suggestion that the action of the Colombian Congress was based upon doubts of our good faith and sincerity is derived from any authentic report of the debates of that body, or is it a mere inference which the [illegible] draws, the general impression being that [illegible] by a mere desire on their part to obtain a greater sum of money from the United States?

I ask if there have been any such debates. If the Senator has [illegible] of those debates, I think the Senate and the [illegible] would like to know that fact.

Mr. MORGAN. I have never had access to the debates in the Colombian Congress, or, in fact, to any [illegible] between the United States and Colombia, nor do I expect ever to have.

When the honorable Senator from Massachusetts [Mr. HOAR] put in his resolutions the other day to get information they were delayed and the President of the United States [illegible] of the powers of the President and his authority to address a message to the Senate of the United States to answer those resolutions and speeches which had been made here, and I infer that what we have got from Colombia in that message is all we are ever going to get. That is what I infer. But I will presently quote a statement made by the Colombian Congress, which I happened accidentally to fall upon, which I think justifies all that I have said.

I am reading now from the constitution of Colombia for the purpose of showing the members of this body, our constitutional lawyers, the grounds upon which the Colombian Congress was [illegible] as it did, and that mercenary motives or any other suspicion were not necessary to justify the lawfulness and the constitutionality of the action they took.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Texas?

Mr. MORGAN. Certainly.

Mr. CULBERSON. I call the attention of the Senator from Alabama to that portion of the speech of the Senator from Massachusetts [Mr. LODGE] on Tuesday last in which he said that the State of Panama had never acceded to any national constitution [illegible] that of 1858. I call the Senator's attention to that, and he may tell us, if he is advised about it, whether or not, as a matter of fact, the State of Panama acceded to the constitution of 1886, from which the Senator has just been reading.

Mr. MORGAN. I have read the history of that constitution, which was published in connection with the instrument itself, as an [illegible] it is stated that Panama had her representatives in the national convention, and, without any protest or protestation then or since, she has been absorbed as a Department, losing just her nominal position as a State. The text of the constitution which I have just now read shows that.

I will read another statement now from Title VI, article 76:

Congress shall make the laws.

They are very succinct, very clear, and very able, too, in their statements of the constitutional principles.

Congress shall make the laws.

Then it proceeds to say in what cases.

IV. To regulate the administration of Panama.

That is in the constitution. It does not apply to any other State in Colombia but Panama. Panama was put under the heel of the Colombian Congress in a much more complete way than any other of the Departments of Colombia, for the reason that we had

a treaty of 1846 with Colombia with reference to Panama, which probably could not be honestly enforced without the power of the Colombian Congress to apply directly upon Panama in all respects.

Every law in Panama could be made by the Colombian Congress if it chose to do so. The little local government there amounts to nothing, and especially the corporation of the city of Panama, with which, after all, we have made the only diplomatic arrangement, the only thing that looks like a diplomatic arrangement in this business. We have not got the power to govern in Panama contrary to the constitution of Colombia enacted by her Congress.

The ninth article is this:

IX. To authorize the Government to make contracts, negotiate loans, alienate national property, and exercise other functions within constitutional limits.

* * * * * * *

XI. To approve or reject treaties entered into by the Government with foreign powers.

Title II, article 120, reads:

ART. 120. The President of the Republic, as the chief executive officer of the nation, shall exercise the following power:

* * * * * * *

X. To direct [illegible] other powers and governments, to [illegible] negotiations, and to [illegible] Congress, and the conclusion of [illegible] treaties, which, after being [illegible] by the House, a [illegible] council of State, have been previously obtained.

That is the state of the constitutional law of Colombia.

Mr. SPOONER. Will the Senator permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. MORGAN. Yes.

Mr. SPOONER. Has not the Senator overlooked a provision of the constitution of Colombia bearing upon the subject he is discussing?

Mr. MORGAN. If I have, I am not conscious of it. I have tried not to do so.

Mr. SPOONER. I have not the constitution of Colombia before me, but my recollection of it is very clear. There is a provision which the Senator from Alabama has read giving the Congress the power to make laws authorizing the executive—if that is the word——

Mr. MORGAN. "The Government," is the language.

Mr. SPOONER. Authorizing the Government to alienate national property, etc. There is another provision in that constitution which gives the Congress the power to approve all contracts made by the Government [illegible] Government property without previous legislative authority to the executive. Am I wrong about that?

Mr. MORGAN. The Senator is not wrong about there being such a provision, but he is entirely wrong about the application of it.

Mr. SPOONER. I am not talking about the application of it.

Mr. MORGAN. The Senator is entirely wrong about that, for the reason that that provision of the Constitution relates to contracts which the President may make, charging the responsibility upon the Government of Colombia—which I have read—until ratified: but they are contracts that do not relate to the alienation of property or to any of these other matters to which I have just alluded.

They are mere contracts, such as borrowing money, making provision for the army, employing agents, and things of that sort. They may be authorized by a subsequent ratification of Colombia, but neither can become valid until they are authorized either before or after the act is done.

Mr. SPOONER. That may be; but does the Senator contend that if the President of Colombia made a contract, without previous authority, to alienate national property, and that had been ratified by law afterwards, it would not be sufficient?

Mr. MORGAN. I understood that was the position taken by the Congress of Colombia, and I will presently call the attention of the Senator to an expression of that Congress on that very point.

These organic laws of Colombia were the actual barrier to the ratification of the Hay-Herran treaty by the Congress of Colombia. They deny to the Government of Colombia—meaning the President and his ministers—the right to make any disposal of the land of the Republic without the authority of a law enacted by Congress, or to make any such offer to a foreign country without such previous consent.

In the case of the Panama Canal and the Panama Railroad these restrictions went still further. Any sale by mortgage or otherwise of the concession to the Panama Canal Company to any foreign government is declared in the charter to be a forfeiture of all its property to Colombia without the necessity for judicial decree. And in respect of the Panama Railroad Company it is declared in its charter that any such offer to sell its concession is a forfeiture of all its property to Colombia.

The Colombian Congress, in terms so humiliating that any strong power would have gone to war rather than utter them, thus account to the United States for the alleged fault in refusing to consider and ratify the Hay-Herran treaty.

The Colombian Senate said this, and sent the statement to our Government:

At the time it (the treaty) was signed by the Colombian plenipotentiary the country was in a state of siege; there was not any [illegible] on a [illegible] Colombia; formerly by [illegible] laws of the country. [illegible] be carried out two [illegible] national and [illegible] practically limit [illegible] this would be [illegible] that "the refusal to [illegible] any change [illegible] and shall exist unalterably between Colombia and the [illegible]

On the 13th of the same month the Senate unanimously approved another resolution appointing a committee of three Senators to contrive some proposal in order to [illegible] the Colombian people as to the construction of the Panama [illegible] in accordance with the national interests and institutions that have guided the Senate on this occasion. The preamble to this decree is as follows:

The Senate of the Republic, having in view the disapproval of the treaty [illegible] Isthmus of Panama would be of great imp[illegible] advancement of the world, as well as to the [illegible] of the American nations, hereby decrees, etc.

That is the answer of the Colombian Senate to all of the questions that have been put to me. If they show any [illegible] spirit, I am unconscious of it; I do not find it in the [illegible]. We have either got to say that is a falsehood, as the President of the United States has most decidedly intimated, or we have got to accept it as it is.

These declarations by the Senate of Colombia are entitled to respect by the Senate of the United States, however the President of the United States may regard them. It is our actions we are trying to conform to justice and propriety and not those of the President.

He may have reasons of a personal or political sort for resentment toward Marroquin on account of some breach of a private understanding with him that the Hay-Herran treaty should be ratified, and that he would summon a congress to Bogota that would ratify it, but this Senate was not a party to such an understanding, if it existed, and the refusal of the Colombian Senate to ratify it was no breach of faith on their part, as they were not in existence, as senators, when our Senate ratified the Hay-Herran treaty.

That Marroquin had agreed to do all in his power to have a congress elected that would ratify the Hay-Herran treaty is [illegible] the presence of our naval forces in Panama in 1902, from March until November, in protecting Marroquin against the victorious army of Herrera, in command of the Liberal army. If Herrera had not been suppressed by our forces Marroquin would have ceased to be President of Colombia, and Panama would have had her choice either to be an independent state or to drive the violators of the constitution of that Republic from power.

Our President in 1902 sustained Marroquin in the hour of defeat and repressed the Liberals under Herrera. This was done to enable Marroquin to negotiate the Hay-Herran treaty. When that treaty was rejected by the Congress of Colombia the wrath of our President rose to an awful pitch. He turned against Marroquin in 1903, and through the mouth of Loomis, Acting Secretary of State, and that of the minister from Panama to this country, such censures and abuses as no foreign man has yet received from the hands of the United States were poured upon his devoted head at a public banquet and afterwards approved by the President of the United States.

The Spooner law, and the negotiations under it with Marroquin, decided our President to sustain Marroquin, at least until the Hay-Herran treaty could be concluded and ratified, and to him Marroquin owed his continuance in the office of President of Colombia. To him, also, Panama then owed its final defeat when its victory had been won in its alleged war of rebellion.

These debts of honor grow so rapidly and in such questionable shape that it is no wonder that the Senate of Colombia refused to perfect itself by ratifying Marroquin's promise to ride down the constitution of Colombia in accepting the Hay-Herran treaty, and it excites little wonder that our President is in a lowering rage because Marroquin could not or would not compel the Colombian Senate to keep faith with him.

When we ask ourselves as to the cause of all this wrath and commotion and to what extent the alleged oppression and independence of Panama entered into the strange determination of our President we find two propositions at the bottom of the strange situation: First, the obstacle of the constitution of Colombia; and, second, the indignation of a bargain with the New Panama Canal Company to purchase what it had to sell for $40 000 000.

The independence of Panama was more impossible without express consent, in the Hay-Herran treaty. Was our President angry because the Colombian Senate refused, at our instance, to rivet these chains on Panama? For his sake, we had better prove that proposition out of the question.

It is the Colombian constitution that has excited his wrath, because it stood in the way of the Hay-Herran treaty, and for that cause he stands by to assist in the dismemberment of Colombia as a sovereign republic.

We all know, for I put the facts in the records of Congress, that the Liberal party, in a public declaration of the causes of the civil war in Colombia of 1899 to 1903, stated as one of its leading causes a contract of President Sanclemente with the New Panama Canal Company to extend the Wyse concession from 1904 to 1910, as follows:

[illegible]

[illegible] the government of Dr Manuel Antonio Sanclemente [illegible] Therefore, neither are nor will [illegible] Congress of Colombia [illegible] Senate is not empowered to [illegible] approved by the people. Whatever a State Congress [illegible]

[illegible] statements merely to prevent all negotiations relating to [illegible] Canal Company. We [illegible] made any proposal [illegible] Colombia and the Republic of Colombia are of a [illegible] party is now engaged, or is preventing, or at least opposes, the further sacrifice of the interests of the Republic.

G. VARGAS SANTOS.
FOCION SOTO.

A comparison of this declaration with the one I have read to the Senate, made by the Senate of Colombia to the President of the United States, shows that in both instances the Congress of Colombia obstructed the action of the Congress of Colombia was the obstructory force of the constitution of that Republic. It was the supremacy of that constitution, in both instances, that the Congress resolved to maintain, and in both instances it was the aggressive and fraudulent conduct of the New Panama Canal Company that caused civil war in Colombia, and the existing war in Panama.

And what is more astounding and without rational excuse is the fact that in both instances the President of the United States took sides with the canal company against the Congress, in the first instance, in 1902, by sustaining Marroquin against the Colombian Congress, and in the second instance by sustaining the New Panama Canal Company against the Congress of Colombia, and in effect the secession of Panama and the support of the canal junta against Marroquin and Colombia.

The story of the beginning of the civil war in Colombia in December, 1898, that lasted until November, 1902, is brief, concise, and terribly tragic.

Sanclemente was President and Marroquin was Vice-President of Colombia in 1898. The New Panama Canal Company, with only $[illegible] in its treasury to complete the canal that had cost $[illegible] and was not more than [illegible] contrary having no other cash resources and moreover indebted $[illegible] French gold to Sanclemente for an extension of the Wyse concession from 1904 to 1910.

Sanclemente desired to accept it, and laid the contract of extension before Congress for its acceptance or refusal. Congress refused to accept it.

I will let Mr. Cromwell, who was the attorney in chief of the canal company, tell the rest of the story, as far as he chooses to disclose it, in the following letters addressed to Hon. John Hay, dated New York, December 5, 1898:

Mr. Cromwell to Mr. Hay.

NEW YORK, *December 5, 1898.*

MY DEAR SIR: I beg leave to confirm the telegram which I sent you at 10:45 [illegible]

[illegible] Congress [illegible] Government, in the form or which [illegible] that [illegible] in [illegible] Panama [illegible] Congress [illegible] Representatives as only a part [illegible] Congress [illegible] Congress [illegible] Congress

series of tragedies and destruction, all of which are now shut up in a Pandora box, wrapped in a flag of the United States, that was escorted by a rear-admiral of the Navy across the hemisphere.

I will not take part for or against the President in his quarrels with his former diplomatic confidant and friend, President Marroquin. Nor will I join him or oppose him in his tirade against the Colombian Government and the people of Colombia through his mouthpiece, Loomis, Acting Secretary of State. If Reyes, President-elect of Colombia, who is here, can bear such things with equanimity, I have no excuse to resent them.

There is something in that incident too incongruous with our relations to a sister republic, whose ministers are welcomed by the entire Government to diplomatic privileges, to a host of deferential compliment. It is something new and strange at this capital.

I have not discussed clear and mixed relations with Colombia in the political powers and military control of a canal zone, because I believe these relations would soon lead us into armed conflict with Colombia. In other words, into war with Colombia.

One of the most certain causes of such conflict is the composite and [illegible] character of the hordes of people along the canal projected in Colombia and Panama that have congregated and will gather there from all of the degraded places of the world. If there can be rules it must be with a rod of iron in the hands of [illegible] power.

I will not now speak of the climate. Its deadly history will soon be repeated and I need not anticipate its horrors.

What I will speak of is the attitude of the Government and people of the United States, into which we have been drawn by the successive and deliberate disobedience to the laws of the United States enacted by Congress, and of our Constitution, and of the laws of nations.

I have expressed these propositions in the resolutions under consideration, and propose to ask the vote of the Senate upon them.

Those who are not bound by official oaths or upon whom they may sit lightly may feel warranted in taking a less serious view of the situation than I can, and may weigh duty in the scale with convenient phrases and be satisfied to see duty and honor kick the beam. Gentlemen I can state with entire confidence. It is that until the New Panama Canal Company thrust itself into our canal affairs our only trouble as to canal construction, ownership, and control arose out of the Clayton-Bulwer treaty.

When that treaty [illegible] shared the votes in the Fifty-sixth and Fifty-seventh Congresses [illegible] that the people were in favor [illegible] as far as such a thing is possible among 85,000,000 of people.

In this connection it would be very unfortunate, if it is not a dereliction of duty, if we fail to give due consideration to the fact that this company has never approached our Government in the character of lender of financial assistance to enable it to work out its contract with Colombia and to complete the canal.

Its approaches have been made and are still being made as the vendor of its concessions and its property to the United States. Its purpose is to get rid of its property for a price and to divide the purchase money between its stockholders, in certain proportions, to be settled without reference of that matter to the purchaser in any form.

The purpose of France at the same time is to get rid of a body of death to which it became fastened when its [illegible] one hundred million francs to that enterprise, which have been sunk in the mire of Panama.

If we buy those concessions and property from that company, we take all risks as to title and encumbrances upon the property, and the still more hazardous risks as to the ultimate success of the work of completing the canal, and as to its cost and [illegible] required to complete it. I see no occasion for paying a [illegible] for those risks.

The canal zone, as it is projected, is 10 miles wide and about 158 miles long, from ocean to ocean, out to the [illegible] and it includes all the work hitherto done on the canal and on the Panama Railroad, and all the real and personal estate owned in Panama by each company.

If the interests of Colombia of every nature and degree and all her rights of government and of ownership, which she had in the present or the future, were passed to Panama as the successor in sovereignty—a proposition I do not admit, but [illegible] for the sake of the argument—then the relations of the New Panama Canal Company to the Republic of Panama are the same, without change, as they were with Panama, and so far as the laws of Colombia fix and define those relations or other relations they bind the company and Panama alike and can not be changed, except by mutual consent, where they comprise the terms of contracts or concern vested rights.

Colombia never gave to France any pledge, promise, assurance, or even any intimation as to the protection or care or supervision she would exert over the old company or to the new company. No such thing can be found in her laws or treaties or even in diplomatic notes between these Governments, and France has always been understood, with no intimation to the contrary, to occupy the same relation to the New Panama Canal Company as if it was a private partnership dealing in merchandise of building structures in a foreign country on its private account. That is distinctly the opinion stated by Attorney-General Knox, that that is the relation which France has to it.

Now, to get the case clearly before the Senate as it now stands—it is necessary to present a new state of facts and diplomatic relations between France and the Republic of Panama, relating to the property and rights of every kind that are claimed by the New Panama Canal Company as having been derived under the concessions from Colombia.

The official account of these new relations is given in the following statement of M. Delcassé, the French premier, to the French Assembly:

LATEST INTELLIGENCE—M. DELCASSÉ ON FOREIGN AFFAIRS.

PARIS, December 26, 1903.

In the course of the debate on the budget for for[illegible] ber of [illegible]

In reply to the [illegible] the new State of Panama [illegible] stant, for reasons as to which they were not called upon to express an opinion—

The Government of France would not express an opinion—

as it was not for them to interfere in [illegible] the Government of Panama constitu[illegible] They were not quite free from [illegible] months past it had been said at Bogota that the d[illegible] They he[illegible] expressly, and definitely u[illegible] of the new Republic of Panama.

Permit what?

The agents of France to enter into relations with all the agents of the new Republic of Panama.

No more important statement was ever made as to our future policy than this compact with Panama imposes on the United States. Not even the declaration of the Holy Alliance, that called forth the response of the Monroe doctrine, was more significant than this compact between Panama and France.

On the part of Panama it is the condition imposed by France upon which her independence is based. On the part of France it is the direct challenge and refutation of the attitude of the United States toward an isthmian canal, as it was announced by the vote of the Senate upon the resolution I now read and propose that we will repeat it:

Resolved, etc., That the Government of the United States will look with [illegible] interests of the United States and

That means as a cause of war, but is phrased in diplomatic lan-

This resolution was adopted in 1889, by nearly the entire vote of the Senate, and received the favorable report of Mr. MCCREARY, now a member of this body, as [illegible] Committee on Foreign Affairs.

It followed other resolutions of the same import reported to the Senate in [illegible], by Mr. Eaton, and was followed by [illegible] in the same terms in May, 1881, by Mr. Burnside, who succeeded Mr. Eaton as chairman of the Committee on Foreign Relations. I will read the resolution reported by Mr. Eaton:

[illegible] 18, 1881.—Mr. Eaton, from the Committee on Foreign Relations, [illegible] *of Representatives concurring*), That the [illegible] governments, hereby asserts that it will insist that its consent is a necessary

condition precedent to the execution of any such project; and also as to the rules and regulations under which other nations may participate in the use of such canals or other ways, either in peace or in war.

The resolution of 1889 was the quick response of the Congress to the action of France in the enactment of a lottery law in aid of the Panama Canal Company, on June 8, 1888, in which it was provided:

ART. 3. All material necessary for the completion of the (canal) works shall be manufactured in France. The raw material must be of French origin.

Even this slight aggression by France was resented by our Senate.

Mr. Burnside, in his report in 1881, speaking for the whole com[illegible] said, in speaking of the Monroe doctrine:

[illegible] "Monroe Doctrine" and [illegible] construction of an [illegible] at the very [illegible] leads us to the announcement of the doctrine [illegible]

We are now posed to [illegible] provide by treaty with Panama [illegible] upon "a preliminary assurance that no French interests, in making the [illegible] proposed."

M. Delcassé stated to the French Chamber of Deputies that—

For many months past it had been said at Bogota that the decision of the [illegible] of the canal was contestable, and that in 1904 the [illegible] declared forfeited. If that [illegible] had on any occasion been [illegible] formulated, it would never receive the sanction of France.

Thus it is announced by that Government that France had all the time stood ready and was in fact, though secretly, in "con[illegible] with the construction and control of the ship canal across Panama. France knew, as we knew, that the Congress of Colombia had the right, under the express terms of the Constitution of the Republic, to refuse to confirm the extension of the period for the Panama Canal for six years from 1904, and that it had so refused when Sanclemente, President of Colombia, had laid the contract before them and asked them to ratify it.

This contract was in aid of the construction of the canal and [illegible] able to its completion after 1904, when all prior extensions [illegible] expire. To force Panama, as a condition of her recognition, to pledge her acceptance and protection of this extension, which was rejected by the Colombian Congress, was a direct conflict over the construction of the canal.

The year 1904 has arrived, and 40,000,000 tons of earth still remain to be removed from the canal ditch. The New Panama Canal Company boasts that it has been most skillfully, diligently, and successfully at work on the digging of the canal since 1899 and has removed 10,000,000 tons of earth from the Culebra and Emperador cuts.

At that rate it would require at least thirty years to complete the digging of the canal, to say nothing of the dams at Bohio and Alajuela and the great locks and the deepening of the harbor at Colon, which is to cost more than $8,000,000.

France also knows, as we know, that the terrible civil war in Colombia, from 1898 to 1902, was caused by the declaration of President Sanclemente, that he would grant the extension of the Wyse concession to the French company until 1910, and that in April, 1900, while Colombia was in the throes of civil war and all Colombia was in a state of siege, Sanclemente, as dictator, decreed the ratification of the contract with the New Panama Canal Company, which Congress had refused, and took the $1,000,000, which the people of Colombia still regard as a French bribe.

France knows that Colombia lost not less than 100,000 lives in that war and not less than $80,000,000 in treasure.

France knows, as we know, that it was this aggression of the New Panama Canal Company that was one of the principal causes of the rejection of the Hay-Herran treaty by the Congress of Colombia.

France knows the date, but has not stated it, when she extorted from Panama, as a condition of her recognition of that alleged government, "the following formal and decisive assurance," as it is stated by M. Delcassé:

[illegible] most liberal spirit the contracts concerned [illegible] treaties referring to the isthmus follow the transmission of sovereignty and [illegible] Panama. All these contracts are maintained and particularly the contract prolonging the concession up to 1910.

That is the pledge of Panama. It is very early making pledges—a young government which had not been born six days when that pledge was made.

France has watched these proceedings attentively, and, while it has silently sanctioned the attitude attributed to it by our Attorney-General, that France had no right to interfere with a sale of its property by the New Panama Canal Company to the United States, because that company was a mere private partnership, that Government has all the time intended to enforce the Sanclemente usurpation and to compel Colombia to ratify it.

The crisis came when the "uprising" took place at the city of Panama, and France, knowing that our President intended to protect the secessionists in a declaration of independence, took time by the forelock and made a treaty or compact with Panama, on the terms stated by M. Delcassé that I have just quoted.

This treaty gives the Panama Canal Company until 1910 to complete the canal, and makes France and Panama the sponsors for its force and validity.

If we should get possession of Panama without having first paid for that canal property, France would make a question with us under this treaty that we were obliged to execute it and that the Government of Panama, or the Government of the United States if it should annex Panama, could not follow the Congress of Colombia that declared this contract void and refused to allow it. It must reverse the action of that Government for the sake of making France a friend of Panama. There is where we are.

The French Government, through its diplomatic powers and its department of foreign affairs, is now the party to whom Panama is responsible for the performance of that obligation. The Panama Canal Company, that derived its powers to make contracts from the Government of Colombia, makes no contract with Colombia. The contract is made with France, because France has gained the control of the entire subject by compact with Panama.

How the resolutions of our Senate, and the warnings of our Presidents to European nations, and the stern admonitions of our Secretaries of State—all of them except Mr. Hay—wilt and shrink into insignificance when France and Panama agree and our President consents to this stroke of French diplomacy is too sad a picture for an honorable American to contemplate.

The faded laurels of our former statesmen fall in showers upon the earth to hide some of them and to conceal the graves of others.

But has the President or Mr. Hay been a party consenting to this compact between Panama and France? It was either before or after the date of this agreement, it makes no difference which is the true date, our President and Mr. Hay knew of this compact and agreed to carry it into effect, and did provide for it in the last clause of the treaty with Panama.

Cromwell was in Paris and Varilla was in New York, and they were prepared to rush the work, by cable, that would place the New Panama Canal Company under the shelter of the French Government, and to gain the permission of France to make terms with Panama, under her authority, that would compel the United States to come to its terms in the matter of the price and the conditions on which it would consent to sell its concessions from Colombia and its canal property and its railroad stocks to the United States.

This could only be done by making terms with Panama. The terms were prescribed by France and accepted by Panama on its knees. They were that Panama—"the child of the United States," as it was christened by Varilla—should, as an American-independent republic, as it was christened and annointed by our President, exercise its sovereign powers over the property of Colombia, and in that exalted station should give to France all the right to control the construction of an isthmian canal between Colon and Panama that Colombia had granted to N. B. Wyse and his successors; and the acknowledgment of the independence of Panama was based on that condition.

The rights of the New Panama Canal Company were not wiped out by this arrangement. They were placed in the hands of France in trust for her people who had interests in the canal and the railroad.

If Colombia had made the same arrangement with France, we would either have gone to war to prevent the destruction of the Monroe doctrine or we would have been forced to abandon it.

Or if we had openly abandoned that doctrine, we would have gone to war for the preservation of the more distinct right of protecting our widely separated seacoasts and our commerce by enforcing the theory, asserted and repeated by every American statesman in our country, that it would be a just cause for war, on the ground of self-defense, if any transoceanic nation should attempt to control or assist in the construction of a ship canal across the American Isthmus.

Instead of this, our President, with even ridiculous haste, made a treaty with Panama which not only admitted the propriety of the situation created by the compact between Panama and France, but made provision in addition that we would acquire no absolute right to any property purchased from Panama and paid for until we had consummated the "contemplated purchase" of the concessions and property rights of the New Panama Canal Company under the treaty or compact between Panama and France, for the full operation and effect of which our treaty with Panama carefully provides.

All the terms and provisions of this contemplated contract are

left open for future agreement, and France is empowered by the Republic of Panama to negotiate and present the rights and property of the New Panama Canal Company to all things, including the contemplated purchase by the United States.

That company, under the guardianship of France, now for the first time discloses, except under the guise of its prospectus, to the United States that France does not approve or agree to the action from that government.

Instead of the grant of the canal concessions being approved by Panama, as the successor to Colombia it must be consented to by France.

All our rights under the treaty with Panama as to any property of any description within the 10-mile canal zone are to be dependent upon the "consummation" of the "contemplated purchase," and until that purchase is made and consummated we can not [illegible] for which we will have paid Panama [illegible] There [illegible] is no room for controversy about the legal matter. No argument can be made to disprove the facts as I have stated them.

If the Spooner law is relied upon to authorize such a contemplated purchase, the fatal weakness of that prop is shown in the language of the act, which fixes a limit not to exceed $40,000,000 on the cost of the property. The fixed and fixed conditions of the Spooner law are tied to a "contemplated purchase" of the property and rights of the New Panama Canal Company, because [illegible] the purchase price is limited to $40,000,000 and [illegible] the President is required to obtain control of the canal zone "by treaty" from the Republic of Colombia.

Whatever rights may have passed from Colombia to Panama by its secession, the right of the President to dispose of even $40,000,000, to say nothing of an unlimited sum of money, by treaty with Panama, or on the predicate of such a treaty, is not provided for in the Spooner law or in any other law.

I will now read sections 1 and 3 of that law, which are all that bear directly upon that subject:

An act to provide for the [illegible] of a canal connecting the waters of the Atlantic and Pacific oceans.

[illegible]

SEC. 3. That when the President shall have arranged to secure a satisfactory title to the property of the New Panama Canal Company, as provided in section 1 hereof, and shall have obtained the necessary concessions from the Republic of Colombia, as provided in section 2 hereof, he is authorized to pay the purchase price of the New Panama Canal Company, [illegible] and to the benefit of Colombia such sum as shall have been agreed upon with a view to the best interests of the United States, and the sum so paid is hereby appropriated for the purpose of securing or acquiring the same, by the President.

Here a sum sufficient for both of two distinct purposes is appropriated, by which a sum [illegible] may be applied and paid to the New Panama Canal Company under certain conditions, one of which is that the President "shall have obtained by treaty control of the necessary territory from the Republic of Colombia, as provided in section 2 hereof." Such control is the basis of this appropriation in connection with the conditions that apply to and control the treaty with Colombia, and is superadded to the conditions that are the basis of any payment of money to Colombia, so that all these conditions must exist before the President can issue any warrant to the Panama Canal Company.

The basis of his right to draw his warrant, in either case, is the treaty with the Republic of Colombia. Such a treaty has become impossible by the action of the President, and the entire appropriation fails. The Hay-Varilla treaty is not a treaty with the Republic of Colombia, in any sense, and is clearly not within the meaning of the Spooner law. A thing that was clearly not thought of by the lawmaker is not a part of any statute, and Congress in enacting the Spooner law had no reference to a secession of Panama from Colombia.

The conduct of France in making this compact or treaty with Panama is in open violation of her pledge to the United States on March 22, 1880, as follows:

LEGATION OF FRANCE,
Washington, March [illegible]

Mr. SECRETARY OF STATE: Since the time when it was proposed to form a company for the construction of a canal between the Atlantic and Pacific I have repeatedly informed your Government of the sympathetic interest with which the French Government would see the success of such an undertaking, which would be a work of great utility to the commerce of the world, and which would be in perfect harmony with the spirit of the treaty concluded between the United States and Colombia. I have expressed the hope that the French capital would find a profitable employment in the enterprise, and that the French engineers would be called upon to take a prominent part in the execution of the work. Although we have no [illegible] in this enterprise, we have not failed to see that the success which it is supposed may be found for projects whose accomplishment would benefit the commerce and the industry of all nations, [illegible] the French Government, as I have said, has been from the beginning, so far as I know, in favor of the enterprise. I have, moreover, been authorized to declare that the French Government would see with satisfaction the United States, which is so interested in the matter, by reason of its proximity and its large commerce, undertake the work and take upon itself the guarantee of neutrality which would be the necessary condition of such an undertaking. I have, moreover, been instructed to say that the French Government would be pleased to see the United States, which has already given so many proofs of its power, undertake the execution of the enterprise contemplated by Mr. De Lesseps, or, if it should prefer to do so, to lend to the French company its powerful support, if the French company should find itself unable to carry the enterprise to a successful termination without the assistance of a great power. I have, Mr. Secretary of State, to add to these considerations the assurance that the French Government would see with the most lively

Colombia by an apparently unanimous movement." When this statement is taken with the facts beyond the limits of Panama it is not a little at variance with a proclamation of sovereignty and independence to be made in accordance with the laws of nations.

Mr. Ehrman was a consul general of the United States at Panama, and was not possessed of diplomatic powers. He was only a commercial agent and could not enter lawfully into political relations with the Government of Colombia under its exequatur. He had no public powers as to the municipal government of the Department of Panama or with the government of the body corporate that administered the affairs of the city of Panama.

He could only enter into relations with a de facto government in Panama such as were commercial in their character, including the protection of the lives and property of American citizens, and it was unnecessary to be the absence of a government de jure. No act of his as consul could affect the rights or the status of the government de jure in Panama.

The notion that Ehrman was authorized to hold with the government de facto in Panama. Nothing is clear that he was thus authorized to do relates to the overturning or the expulsion of the sovereignty of Colombia over the Department of Panama.

The next paragraph in the President's message is as follows:

The Government of Colombia was notified of our action by the following telegram: [illegible] unanimous movement.

[illegible]

It is no matter of concern to me that this [illegible] to Colombia is the [illegible] of its kind in our diplomatic history or that it was an [illegible] Republic attended with intrusive advice as to a [illegible] a question that would [illegible] of an American [illegible] or consideration, boundaries, and also covered a threat of coercion toward Colombia.

The [illegible] recognizing a party of seven or eight conspirators as a government [illegible] something that could be conjectured as to [illegible] and I have no party [illegible] in the property of his [illegible].

I voted against the Hay-Herran treaty because I believed it was not in the [illegible] with the honor of our country and put at hazard the property and the Colombian Senate voted against it unanimously on the ground [illegible] by Marroquin was without the authority of law and violated the constitution of Colombia.

For that vote I have received from the same source the supposed [illegible] of official displeasure, so that I have no personal [illegible] should have this offensive [illegible] will clear off these [illegible].

Still I will [illegible] vote that a plea to Colombia for forbearance, as to the recognition of Panama as a government de facto, is a declaration by the President that Panama has resumed her former independence [illegible] it ever existed, she had voluntarily merged [illegible] of that republic, a [illegible].

The President has never, in any official paper that has reached Congress, declared that Panama is a free, sovereign, and independent state. If he had done so, his declaration would have no more effect upon the [illegible] under the international law or [illegible] than if he were to declare that Ireland was a sovereign kingdom and [illegible].

Our organic laws do not permit the state of facts relating to the sovereignty of other nations to be manufactured by Presidential proclamation. If such a power exists, it can not be exercised by the United States by putting a false declaration upon our official records, it can only be exercised finally by the supreme political powers of the people delegated by them to the Congress of the United States.

Who was the government de jure over the Department of Panama when the recognized government de facto was in the hands of the insurgents in Panama? Who was the President addressing if it was not the government de jure over Panama when he sent the offensive and gratuitous message to Colombia with a [illegible]?

Why did the President cajole Colombia with allusions to "the ties of friendship which have so long and so happily existed between the respective nations" when his message was the first announcement of the rape of her territory and of the shame to her [illegible] that he was then preparing [illegible] of the act and with the [illegible] of the United States.

The President, when he [illegible] Panama was presented by Colombia as the government de jure, [illegible] from the [illegible] humility and at once proclaimed himself as the conservator of universal peace, in the words I have quoted from his message, and [illegible] the United States—"holds that he is bound to see that the peaceful traffic of the world across the Isthmus of Panama shall no longer be disturbed by a constant succession of unnecessary and wasteful civil wars."

To support this boastful pretension he alludes to treaty obligations that were perverted, and "the interests of civilization," as to whose vast interests there is no record or tradition of this self-constituted guardianship. It is only a vainglorious boast of usurped authority.

If this was the mission of our President to prevent civil wars in [illegible] of the fact that in May, 1903, Mr. Beaupré, our minister at Bogota, had informed him that the representatives of the coast Departments of the Cauca, Panama, and Bolivar would urge the ratification of the treaty as the only means of preventing the secession of those departments and the attempt to constitute of their territories an ind[illegible].

Possessing a knowledge of these facts, a friendly government, assuming the broad guardianship of "the interests of civilization" [illegible] of all [illegible] as issue between Colombia and its departments, would have forewarned that Government of this treasonable threat, and to keep its "treaty obligations" "to see that the peaceful traffic of the world across the Isthmus of Panama shall no longer be disturbed by a constant succession of civil wars," it would even [illegible] to the extent of withdrawing the treaty, or, at least, of saying to P[illegible] and it [illegible] the United States is bound in the [illegible] sovereignty to "guara[illegible] possesses in Panama," and [illegible] from Colombia under any expe[illegible] will encourage or aid you, or that it [illegible] Colombia from the full constitutional [illegible] laws [illegible] the United States.

It is needless to dwell n[illegible] noble attitude that such a course would have given to the [illegible] how it would have moved the [illegible] fifth and confidence in the United States. Unq[illegible] ns from [illegible] ered by vil[illegible] and [illegible] ts, some of whom [illegible] ts of the Panama [illegible] anal Company and others w[illegible] United States.

APPENDIX.

Washington Post, December 7, 1903.

TWO [illegible] DAYS' UNITED [illegible] AND COLOMBIAN FORCES NEAR [illegible] BE CAME JUST [illegible] OVERAWE [illegible] HANS AT [illegible] HAD [illegible] MISLIATION [illegible] AGREED TO LEAVE [illegible] FOR SAMS, BUT HIS MEN [illegible] TIME TO EMBARK [illegible] STIRRING EVENTS OF PANAMA REV[illegible]

There were two days [illegible] and the traffic over the Panama Railroad did [illegible]

COLOMBIAN TROOPS ARRIVE [illegible]

the anniversary. Those who a year ago unanimously prevailed, however, and Tuesday, November 3, is now known as the "day of the independence of [illegible]

[illegible] Amaya and Tovar, and Colonel Torres. The generals were ignorant of the [illegible] Tovar [illegible] from the gunboat [illegible] for Panama, 40 miles away, confident they would find all quiet there, and suspecting nothing.

Later in the morning the 450 soldiers were landed in Colon and took up their quarters in the old railroad passenger station, Colonel Torres being in command.

INDEPENDENCE DECLARED.

Late Tuesday evening Generals Amaya and Tovar, and Señor Obaldia, Colombian governor of Panama, were arrested and placed in jail, the declaration of Panama's independence was made, and the directing council, or junta, composed of Señors Arango, Arias, and Boyd, was duly appointed. This revolution was accomplished quickly and easily, and it was undoubtedly hastened by the presence of the *Cartagena* s troops, who constituted the dangerous factor in the problem, which must at once be disposed of. The news of the arrest of Amaya, Tovar, and Obaldia was not generally known in Colon until Wednesday morning.

On Tuesday, shortly after the two generals had left for Panama, Colonel Torres requested the Panama Railroad to transport his men across the Isthmus. Now the railroad company is obliged according to its contract with the Colombian Government, to transport Colombian soldiers, but before this can be done an order to that effect must be given to the railroad by the governor of Panama. Torres telegraphed for such an order and the railroad officials had a train made up in readiness to move the soldiers as soon as it should be received. This meant delay, at which Torres chafed, but there was nothing he could do as the train could not be dispatched without proper authorization from Panama. The order finally was received, but by this time it was too late to send out a train that night. The next morning, Wednesday, Captain Hubbard, acting on the obligation of the United States to protect traffic across the Isthmus, gave orders that no troops whatever be moved over the railroad. This deprived Colonel Torres of all chance of going to the relief of his leaders, and the question of disposing of his 450 men, still the menace in the situation, had to be settled here.

MASSACRE OF AMERICANS THREATENED.

On Wednesday morning the news of the arrest of Amaya and Tovar was brought to Colon by the morning train arriving at 10.45. The 450 men at once became restive, but at this moment Porfirio Melendez, then agent of the Panama Junta and later governor of Colon, appeared upon the scene. He quickly swung out from the freight house and tried to negotiate with him for the quiet withdrawal of the troops of his command, but his efforts were futile. The Colombians would not agree, and shortly before noon they threatened to attack Colon and kill every American here unless Generals Amaya and Tovar were released by 6 o'clock that afternoon. This at once put a very serious aspect on the [illegible] events were transpiring in Colon. The captain of the [illegible] wanted a fresh water for his boilers, and Wednesday morning he [illegible] of the firm in Colon which supplies this demand. The head of the firm told the captain he certainly could have water, but as the Colombian Government owed him about $8,000 gold for water supplied upon previous occasions he was sorry he could sell no more water other than in cash. The captain of the *Cartagena* had no money, so he went to the city of Colon to see the governor of Colon. The captain said the governor of Panama was [illegible] Obaldia, would pay for the water. The head of the firm looked [illegible] his eyes and said:

"[illegible] captain, there is no governor of Panama."

The captain, who had not yet heard the news, was astounded.

"What!" he exclaimed: "no governor of Panama?"

"No. There has been a successful revolution, and Governor Obaldia is a prisoner."

The captain spoke never a word, but turned and walked to his gunboat, which was moored to a pier ready to be connected with the water tubes. He cast off and moved his ship a short way out into the harbor and anchored. Twenty minutes later he got under way again and unobtrusively steamed off in the direction of Savanilla. He did not return.

HUBBARD ACTED PROMPTLY.

The news that the 450 Colombian soldiers had threatened to attack Colon at [illegible] reached Captain Hubbard, of the United States navy, commanding the Nashville, which was moored to a pier in front of the city. Hubbard immediately [illegible] to him. His plans were made in a [illegible] fighting could be [illegible] hour.

The force at Captain Hubbard's command was woefully small, but he did not hesitate to face a desperate chance. For [illegible] men and [illegible] from the *Nashville* [illegible] All the [illegible] and others [illegible] command the approach at the rear of [illegible] upon a flat car at the main entrance in [illegible] and that side and in readiness to be run down the railroad [illegible] the harbor. But [illegible] be seen in small [illegible] about the streets, but the majority of them stayed in their [illegible]

[illegible] day [illegible] At the [illegible] Company, [illegible] 100 feet. Crossing the south or land [illegible] Colon, and the railroad tracks run [illegible] full [illegible] the entrance of the freight [illegible] the forty men and the two guns from the *Nashville* [illegible] took up their positions of the day before. Maj. William Black and Lieutenant Brooks, of the United States Engineer Corps, had meanwhile come in from the Culebra Cut and offered their services in the defense of Colon, and a score of Americans, residents of Colon, also had joined the defenders. They were armed with rifles from the *Nashville*.

TORRES ACCEPTED GOLD.

Thursday morning was spent by Señor Melendez in further negotiations with Colonel Torres. The former employed the arguments of reason and of common sense, and finally the argument of gold, and to this the Colombian colonel succumbed. For $8,000 gold Colonel Torres promised to embark his troops on board the Royal Mail steamer *Orinoco* then in port, and be transported to Savanilla. This sum was to be paid when the troops were on board the *Orinoco*.

The soldiers demurred at this arrangement but Torres found a way to make them accept it, and at 4 o'clock Thursday afternoon they obeyed his orders and began to move from their barracks down the main street of Colon in small squads of 20 or 30 men, crossing the opening in front of the freight house where the handful of Americans were gathered behind their guns and cotton bales, and then on to the Royal Mail pier, where the *Orinoco* was moored. As they passed they looked curiously and sullenly at the Americans. Some of the older of the Colombians seemed to have a premonition of the significance of this move, and to see in it the downfall of Colombia on the Isthmus, others were apparently indifferent to what they did or where they went, but the threatening and warlike attitude of the vigilant Americans showed all that something was wrong, and the watchful presence of these silent Americans made them all uncomfortable.

CORNERED THE COLOMBIANS.

The payment to Torres of the $8,000 was made by Melendez in a house on the main street out of sight of the pier. Melendez supposed the soldiers were on board the *Orinoco* when he turned over the money, but he was mistaken. They had not embarked and were still on the pier. Torres returned to his men with the money. The soldiers at once emphatically refused to board the steamer unless their two generals went with them, and they clamored for their leaders. This sudden development called for decisive action on the part of the Americans in the freight house, now numbering some 30 men, and there was no hesitation. The step taken was dangerous and provoking, but one that the circumstances demanded. The line of cotton bale defenses was quickly swung out from the freight house and reconstructed facing the pier. The bales were rolled into line to form a breastwork and the guns looked out from between them down the length of the Royal Mail pier, where the Colombians were gathered. This line was not more than 40 feet from the wooden gates at the shore end of the pier, and the Colombians were fairly cornered.

The hurried work of changing the line of defense and moving out the guns was soon over, even before the Colombians realized what had been done and then the small body of Americans faced a new situation. The Colombian troops were veterans, having seen much service in the last revolution, and they were known to be good shots. They had plenty of ammunition, and they were in no sense afraid. All who know the soldiers of Colombia unite in declaring them to be fearless fighters. They had seven to twelve to one against them, however, and they were sturdy enough to fight. They realized that a rush on the cotton bales would be well nigh successful for them, and if the cost in lives was great, they were the sort of men who did not stop to count this cost. As soon as the new lines of defense were completed and the Americans lined up behind them, guns in hand and eyes straining to notice that first aggressive action on the part of the enemy which would force the beginning of an engagement, the defenders put to the serious time of the day had come. The short range at which the combatants fighters, Colombians lined out down the pier and the Americans crouched behind their cotton bales, could only result in serious slaughter on both sides. The Colombians still called for their generals and at the same time began creeping along toward the short end of the wharf, seeking as they came such protection as a few piles of merchandise and a couple of steel water tanks would afford them. Still the Americans did nothing but watch and wait. Lieutenant-Commander Witzel, Major Black, and Lieutenant Brooke were with their men behind the defenses and held them in control.

CRITICAL MOMENT.

One of the picket gates on the pier was opened and an American officer passed in front of the cotton bales over to the gate and ordered that it be closed. A Colombian lieutenant told him the gate would remain open. It was a time when a trivial incident might cause a disastrous precipitation of a break-from men [illegible] were tense and strained, so the officer explained to the Colombian [illegible] would be allowed to leave the pier, and did not [illegible] the gate.

The [illegible] other thus for an hour, the Colombians [illegible] without their generals and the steamer [illegible] At 6 o'clock [illegible] station, which is [illegible] and from where [illegible] Americans, [illegible] enthusiasts on [illegible] "Viva la [illegible] Americans on the pier [illegible] to come [illegible] but [illegible] the harbor to [illegible] necessary, [illegible] on the [illegible]

[illegible] two forces were still facing each other, and [illegible] curred to improve the situation. The danger of a more close [illegible] was as real as ever, but not a man of the small American garrison flinched. The long strain had told on men's nerves, still no man, volunteer or regular, had shown any sign of weakening.

REINFORCEMENTS ARRIVE.

At [illegible] o'clock a steamer's lights were seen rapidly approaching Colon. It was the [illegible] over 400 American marines on board. All day long she [illegible] anxiety [illegible] a small [illegible] of [illegible]

[illegible] night. The *Nashville* sent her boats along[illegible] days at [illegible] At 8 o'clock [illegible] passed [illegible] Americans [illegible] the Colombians [illegible] the fight began [illegible] flinched from, could have prevented any boat attachment. The courage, wisdom, and coolness of Captain Hubbard and the other officers

[illegible] determination and [illegible] of the men of [illegible] from that given in the terse press dispatches or the master Washington report.

[New York Herald, December 4, 1903.]

PANAMA GENERAL [illegible] AS HEAD OF THE [illegible] TO SECURE [illegible] WASHINGTON [illegible] AS THEY [illegible] FUNDS IN PANAMA'S HOUSE BY PAID OUT BY [illegible]

PANAMA REPUBLIC OF PANAMA [illegible]

[illegible] Panama [illegible] Mr. [illegible] preparation.

MAKING THE FIRST FLAG.

[illegible] and [illegible] All the [illegible] "I fancied endless columns of Colombian [illegible] was finished there was a final meeting [illegible] Bunau-Varilla, agent of the Panama Canal Company, [illegible] were staying at the Waldorf-Astoria, and hold their conferences [illegible]

"Now, [illegible] of the Junta.

"Yes," he [illegible] was assured presently [illegible] Mr. [illegible] Junta [illegible] Mr. [illegible] Panama [illegible] Mr. [illegible] New York. He took off his [illegible] Panama [illegible] preparation.

MAKING THE FIRST FLAG.

[illegible] Black thereafter was the first to raise Panama's flag.

SCHEDULE OF PRICES.

In this very modern and unique revolution the schedule of prices was as follows:

For General Huertas	$25,000
For Admiral Varon	25,000
For Colonel Torres and troops	[illegible]

[illegible] For indemnitors, postmasters, et al., a lot [illegible] the new government. "He never refuses any [illegible] true. This [illegible]

F. C.

[New York Tribune, December 21, 1903.]

THE PANAMA REVOLUTION—DETAILS OF HOW THE SCHEME WAS SUCCESSFULLY WORKED OUT.

[From a special correspondent of the Tribune.]

PANAMA, R. P., *December 10.*

[illegible] Mutis Durand was governor of the Department [illegible] civil and military, was landed at Colon. Leaving [illegible] Common report and formal statement made by [illegible] the garrison to the revolutionists?"

GAINING [illegible]

[illegible] officers and men to put down Cocla's imaginary insur-

PLANS LIKED.

[illegible] Panama knew when Durand appointed Señors y Soto and [illegible] Arango.

ACTIVE SHIPS TAKEN.

[illegible] rapidly. Needing assistance in [illegible] independence for the department [illegible] treaty should fail.

[illegible] Arias. All of the plans of these conspirators were predicated upon the rejection of the canal treaty, an hypothesis which had resolved itself into a certainty before the middle of August.

[illegible] and the United States [illegible]

WORK OF DOCTOR AMADOR.

[illegible] Mr. Cromwell [illegible] Mr. Cromwell [illegible] Secretary Hay [illegible] Amador [illegible] Arias [illegible]

[illegible] visit to Washington having proved fruitless, and there being no [illegible] Amador [illegible] Arias [illegible] Virginia was [illegible] Amador [illegible] Arias [illegible] Amador [illegible] Arias [illegible] Amador [illegible] Arias [illegible] Amador [illegible] Arias [illegible]

CAUTION COUNSELED.

Amador, Arias, Amaranto and the others were slow to accept Doctor Amador's [illegible] Amaranto [illegible] Arias [illegible] Amaranto [illegible] Arias [illegible] Amaranto [illegible] Arias

was discovered to be willing to join the movement for certain stipulated considerations, chief among which was a bonus of $25,000 silver for himself. Gen. Ruben Varon, who commanded the Colombian gunboat *Twenty-first of November*, formerly the *Nashville*, which sink the *Lautaro* in the harbor of Colon, and which, since the revolution, has had her name changed to the *Twenty-first of November*, was also approached. He, too, was willing to become a Panamanian patriot in exchange for $25,000, and the officers and men under Huertas's suspicion were also approached, but from them it was learned that there would be no trouble in getting hold of the $145,000 on deposit belonging to the Department of Colombia, and a plan for a revolution was formulated. Trusted agents were then sent to the military and naval establishments and to the police forces in general. Panama, which was then the headquarters of the Colombian troops, the garrison of the Isthmus, was approached, and was discovered to be willing to join the movement for certain stipulated considerations, chief among which was a bonus of $25,000 (silver) for himself. Gen. Ruben Varon, who commanded the Colombian gunboat *Twenty-first of November*, formerly the *Nashville*, which sank

[illegible]

[illegible] Panama Railroad had 38 [illegible] in gold [illegible]

[illegible]

[illegible] a shot having been fired by them [illegible]

[New York Evening Post, December 8, 1903.]

GETTING THE NEW REPUBLIC INTO THE PANAMA JUNTA'S IN GRASPING STRINGS—[illegible] AHEAD AT THE SECRETARY OF ROOSEVELT'S WARNING, BUT ITS EFFECT IN OTHER QUARTERS, AND THE PROPOSED CLAIMS ASSERTING QUESTIONS IN WASHINGTON SENATORS AND REPORTS THAT PLANS ARE BEING MADE TO DISPOSE OF LATIN AMERICAN DEBT BY THE PANAMA WILL GIVE SOME ALARM, BONDS WITH CANAL GRANT MONEY A MOVE TO LESSEN TEMPTATION IN A LAND OF GRAFT.

PANAMA, *September 27, 1903.*

Members of the junta de gobierno provisional [illegible] on Rear-Admiral Walker [illegible] ahead at the secretary's warning [illegible] delegates of the provisional junta convention, and according to their report [illegible] hence [illegible] "Gentlemen, hold your election, hold your convention, adopt a constitution, elect your officers, your president. [illegible] government [illegible] Position [illegible] Congress [illegible] Mexican [illegible] the treaty [illegible] January 4 for the election, but at once changed the date to September 2[illegible] [illegible] Congress [illegible] Panama [illegible] Panama Railroad [illegible] [illegible] Panama [illegible] Congress [illegible] Panama [illegible] Panama [illegible] Panama

[New York Tribune, January 2, 1904.]

"KING OF THE ISTHMUS"—COLONEL SHALER AND OTHER MEN ACTIVE IN PANAMA AFFAIRS.

[From a special correspondent of the Tribune.]

PANAMA, R. P., *December 20, 1903.*

"King of the Isthmus." [illegible] but that title is bestowed [illegible] for general superintendent of the Panama Railroad [illegible] of the foreign consuls on the Isthmus, chief of the American police [illegible] far, far away the most influential man in the new Republic. That statement of fact is [illegible] who is the man for Bay City planted [illegible] part in the formal proclamation and taking [illegible] to figure conspicuously in the future affairs of the Isthmus [illegible] success.

That Colonel Shaler is "King of the Isthmus" is a fact one discovers very soon after landing from the steamer at Colon. [illegible] hint for the asking. He during the [illegible] understanding is accepted and [illegible] by the title [illegible] quiet, he [illegible] attention to the [illegible] weaknesses [illegible] tion; a man of determination [illegible] a man of consummate [illegible].

A native of Kentucky, Colonel Shaler [illegible] eight years with all the spirit [illegible] Third and fourth terms [illegible] a genuine democratic [illegible] he was [illegible] a veteran of the civil war [illegible] tion fearless and resourceful [illegible] years. Every detail of the management of the Panama Railroad passes under his immediate supervision. In the private car he [illegible] each week between Colon, where he resides, and Panama, attending to the railroad's business. It is true that the railroad with its miles of [illegible] that an illustrious [illegible] and a high sense for the [illegible] with the enterprise business it requires for its success [illegible] hand of a real and genuine

SHALER IS IMPROVING THE ISTHMUS.

But busy as are his hours with the railroad's affairs, this American "King of the Isthmus" finds ample time for [illegible] matters. As the executive head of a railroad which has to all intents and purposes [illegible] of the United States Government for [illegible] Shaler knows nothing of the inside details of the [illegible] Here on the Isthmus they say, however, that if the whole truth could be known the Republic of Panama would be revealed as being very largely a creation of Colonel Shaler's energies, and in proof of their contention they point to the [illegible] by America, the [illegible] in bringing about [illegible] Republic. From the [illegible] there can be [illegible] that the business was [illegible] in maintaining the traveling of transit across the Isthmus. Had nothing to do with the [illegible] and which at least [illegible] for a fare on November [illegible] Colonel Shaler persuaded the commander of the Colombian gunboat [illegible] to see away from the Isthmus, leaving Colonel Torres and the Colombian troops to the larch, these were only simple steps [illegible]

Colonel Shaler has been at his present post for about nine years, and the impression he has made on the Isthmus is profound and far-reaching. Prior to his advent the railroad was [illegible] from Panama. Under the management of Colonel Shaler [illegible] authority on the Isthmus [illegible] that when [illegible] was first built, pursuit. United States has [illegible] The Panama police authority now extends over the railroad property and a great impetus has been given to order and the security of life and property.

SUBSTANTIAL BETTERMENTS.

In a more substantial way the colonel has encouraged the development of the Isthmus [illegible] Through traffic [illegible] [illegible] Colonel Shaler [illegible] Panama [illegible] Kansas [illegible] Kansas [illegible] Panama [illegible] Kansas [illegible] Panama [illegible] Kansas [illegible] Panama

COLLECTOR OF CUSTOMS.

John Bourne, of New York, to be collector of customs for the district of Dunkirk, in the State of New York. (Reappointment.)

PROMOTIONS IN THE NAVY.

Commander Francis H. Delano to be a captain in the Navy from the [illegible] day of October, 1903, vice Capt. French E. Chadwick, promoted.

Commander Albion V. Wadhams to be a captain in the Navy from the 27th day of December, 1903, vice Capt. John A. Rodgers and [illegible] in grade.

Lieut. Commander York Noel to be a commander in the Navy from the 27th day of December, 1903, vice Commander Albion V. Wadhams, promoted.

Lieut. Ward P. Winchell to be a lieutenant-commander in the Navy from the 27th day of December, 1903, vice Lieut. Commander [illegible], promoted.

Lieut. Charles F. Eaton to be a lieutenant-commander in the Navy from the 27th day of December, 1903, vice Lieut. Commander [illegible], promoted.

Lieut. (Junior Grade) Jesse S. W. Graeme to be a lieutenant in the Navy from the 27th day of December, 1903, vice Lieut. Ward P. Winchell, promoted.

Lieut. (Junior Grade) Albert H. McCarthy to be a lieutenant in the Navy from the 27th day of December, 1903, vice Lieut. Charles F. Eaton, promoted.

Lieut. John M. Elliott to be a lieutenant-commander in the Navy from the 27th day of December, 1903, vice Lieut. Commander Albion C. Hodgson, promoted.

Lieut. (Junior Grade) Henry N. Jenson to be a lieutenant in the Navy from the 27th day of December, 1903, vice Lieut. John M. Elliott, promoted.

Capt. Charles O'Neil to be a rear-admiral in the Navy from the [illegible] day of December, 1903, vice Rear-Admiral George W. Sumner, retired.

Lieut. Charles W. Dyson to be a lieutenant-commander in the Navy from the [illegible] day of December, 1903, vice Lieut. Commander William G. Cutler, promoted.

Lieut. Harry George to be a lieutenant-commander in the Navy from the 1st day of January, 1904, to fill a vacancy created in that grade by the act of Congress approved March 3, 1903.

Lieut. Frederick L. Chapin to be a lieutenant-commander in the Navy from the 1st day of January, 1904, to fill a vacancy created in that grade by the act of Congress approved March 3, 1903.

Lieut. (Junior Grade) Arthur St. C. Smith to be a lieutenant in the Navy from the 1st day of January, 1904, vice Lieut. Frederick L. Chapin, promoted.

Lieut. (Junior Grade) Willis McDowell to be a lieutenant in the Navy from the 1st day of January, 1904, vice Lieut. Alexander H. Halstead, promoted.

Lieut. (Junior Grade) William C. Watts to be a lieutenant in the Navy from the 1st day of January, 1904, to fill a vacancy created in that grade by the act of Congress approved March 3, 1903.

Lieut. (Junior Grade) Lyman A. Cotten to be a lieutenant in the Navy from the 1st day of January, 1904, to fill a vacancy created in that grade by the act of Congress approved March 3, 1903.

Pay Inspector Hiram E. Drury to be a pay director in the Navy from the 4th day of November, 1903, vice Pay Director Robert P. Lisle, retired.

Asst. Naval Constructor Daniel C. Nutting to be a naval constructor in the Navy from the 1st day of July, 1903, to fill a vacancy existing in that grade on that date.

APPOINTMENTS IN THE NAVY.

Frederick Hosmer Cooke, a citizen of the State of Ohio, to be an assistant civil engineer in the Navy from the 1st day of January, 1904, to fill a vacancy existing in that grade on that date.

Clinton Draper Thurber, a citizen of the State of Pennsylvania, to be an assistant civil engineer in the Navy from the 1st day of January, 1904, to fill a vacancy existing in that grade on that date.

Robert Graham Heiner, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 26th day of December, 1903, to fill a vacancy existing in that grade on that date.

Robert Earl Steeps, a citizen of the State of Ohio, to be an assistant surgeon in the Navy from the 26th day of December, 1903, to fill a vacancy existing in that grade on that date.

Harry M. Hayden, of Iowa, to be a second assistant engineer, with the rank of third lieutenant, in the Revenue-Cutter Service of the United States, to succeed Samuel M. Rock, promoted.

POSTMASTERS.

CALIFORNIA.

Motley H. Flint to be postmaster at Los Angeles, in the county of Los Angeles and State of California, in place of Lewis A. Groff. Incumbent's commission expires January 25, 1904.

James L. Matthews to be postmaster at Corona, in the county of Los Angeles and State of California, in place of Thomas F. Griswold. Incumbent's commission expires January 17, 1904.

IDAHO.

Charles W. Wilson to be postmaster at Sandpoint, in the county of Kootenai and State of Idaho. Office became Presidential January 1, 1903.

ILLINOIS.

Archibald B. Campbell to be postmaster at Tolono, in the county of Champaign and State of Illinois. Office became Presidential January 1, 1904.

William Clemans to be postmaster at Mansfield, in the county of Piatt and State of Illinois. Office became Presidential January 1, 1904.

Lewis J. Farmer to be postmaster at Tamaroa, in the county of Perry and State of Illinois. Office became Presidential January 1, 1904.

Howard E. White to be postmaster at Fairmount, in the county of Vermilion and State of Illinois. Office became Presidential April 1, 1903.

INDIAN TERRITORY.

William R. Casteel to be postmaster at Mounds, in the Creek Nation, Ind. T. Office became Presidential January 1, 1904.

IOWA.

Lars E. Bladine to be postmaster at Marathon, in the county of Buena Vista and State of Iowa, in place of Lars E. Bladine. Incumbent's commission expires January 17, 1904.

Richard M. Boyd to be postmaster at Sanborn, in the county of O'Brien and State of Iowa, in place of Richard M. Boyd. Incumbent's commission expired January 3, 1904.

William D. Junkin to be postmaster at Rock Rapids, in the county of Lyon and State of Iowa, in place of William D. Junkin. Incumbent's commission expires January 17, 1904.

Benjamin F. Keables to be postmaster at Pella, in the county of Marion and State of Iowa, in place of Benjamin F. Keables. Incumbent's commission expires January 17, 1904.

William C. Marsh to be postmaster at Aurelia, in the county of Cherokee and State of Iowa, in place of William C. Marsh. Incumbent's commission expires January 17, 1904.

Frank J. Tishenbanner to be postmaster at Gilmore City, in the county of Pocahontas and State of Iowa. Office became Presidential January 1, 1904.

MAINE.

William B. Brown to be postmaster at Hartland, in the county of Somerset and State of Maine. Office became Presidential January 1, 1904.

George L. Hovey to be postmaster at North Anson, in the county of Somerset and State of Maine. Office became Presidential January 1, 1904.

MASSACHUSETTS.

William H. Sprague to be postmaster at Stoneham, in the county of Middlesex and State of Massachusetts, in place of William H. Sprague. Incumbent's commission expired December 13, 1903.

MICHIGAN.

Henry B. Henderson to be postmaster at Millington, in the county of Tuscola and State of Michigan. Office became Presidential January 1, 1904.

Clarence S. Mills to be postmaster at Stockbridge, in the county of Ingham and State of Michigan. Office became Presidential January 1, 1904.

MINNESOTA.

Justin E. Stiles to be postmaster at Wells, in the county of Faribault and State of Minnesota, in place of Justin E. Stiles. Incumbent's commission expired December 19, 1903.

MISSOURI.

Charles L. Gray to be postmaster at Carterville, in the county of Jasper and State of Missouri, in place of Charles L. Gray. Incumbent's commission expired December 15, 1903.

NEW HAMPSHIRE.

George L. Stokell, jr., to be postmaster at Exeter, in the county of Rockingham and State of New Hampshire, in place of George N. Julian. Incumbent's commission expired June 14, 1902.

NEW JERSEY.

Lawrence W. Sickler to be postmaster at Glassboro, in the county of Gloucester and State of New Jersey, in place of Lawrence W. Sickler. Incumbent's commission expired December 12, 1903.

NEW YORK.

Augustus De Witt, jr., to be postmaster at Maspeth, in the county of Queens and State of New York. Office became Presidential January 1, 1904.

John Hopkins to be postmaster at Hyde Park, in the county of Dutchess and State of New York. Office became Presidential January 1, 1904.

Edward C. Ripley to be postmaster at Hillburn, in the county of Rockland and State of New York. Office became Presidential January 1, 1904.

NORTH CAROLINA.

John L. Matheson to be postmaster at Wadesboro, in the county of Anson and State of North Carolina, in place of John L. Matheson. Incumbent's commission expired March 4, 1902.

John L. Phelps to be postmaster at Plymouth, in the county of Washington and State of North Carolina, in place of [illegible] W. Fagan. Incumbent's commission expired December 14, 1903.

OHIO.

John G. Burley to be postmaster at Crooksville, in the county of Perry and State of Ohio. Office became Presidential January 1, 1904.

Warren W. Williams to be postmaster at Jeffersonville, in the county of Fayette and State of Ohio. Office became Presidential January 1, 1904.

PENNSYLVANIA.

Albert A. Atterholt to be postmaster at Rochester, in the county of Beaver and State of Pennsylvania, in place of Albert A. Atterholt. Incumbent's commission expires January 8, 1904.

George H. Cope to be postmaster at Mount Carmel, in the county of Northumberland and State of Pennsylvania, in place of Thomas H. Williams. Incumbent's commission expires January 18, 1904.

SOUTH CAROLINA.

Joshua E. Wilson to be postmaster at Florence, in the county of Florence and State of South Carolina, in place of Joshua E. Wilson. Incumbent's commission expired December 15, 1903.

WISCONSIN.

Henry G. Laun to be postmaster at Wausaukee, in the county of Marinette and State of Wisconsin. Office became Presidential January 1, 1904.

John A. Watson to be postmaster at Kaukauna, in the county of Outagamie and State of Wisconsin, in place of John A. Watson. Incumbent's commission expires January 23, 1904.

WITHDRAWAL.

Executive nomination withdrawn January 7, 1904.

E. J. Krampff to be postmaster at Havana, in the State of Illinois.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 7, 1904.

ASSISTANT SECRETARY OF COMMERCE AND LABOR.

Lawrence O. Murray, of Illinois, to be Assistant Secretary of Commerce and Labor.

CIVIL SERVICE COMMISSIONER.

John C. Black, of Illinois, to be a Civil Service Commissioner.

CONSUL-GENERAL.

Henry D. Saylor, of Pennsylvania, to be consul-general of the United States at Coburg, Germany.

INDIAN AGENT.

Luther S. Kelly, of New York, to be agent for the Indians of the San Carlos Agency, in Arizona.

PROMOTIONS IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. William C. Billings, of Massachusetts, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Asst. Surg. John W. Kerr, of Ohio, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

ALABAMA.

James M. Ragan to be postmaster at Anniston, in the county of Calhoun and State of Alabama.

ARKANSAS.

Owen J. Owen, jr., to be postmaster at Conway, in the county of Faulkner and State of Arkansas.

IOWA.

Frank V. D. Bogert to be postmaster at Paullina, in the county of O'Brien and State of Iowa.

NORTH CAROLINA.

Mary A. Timberlake to be postmaster at Wake Forest, in the county of Wake and State of North Carolina.

NORTH DAKOTA.

Elmer H. Myhra to be postmaster at Walpeton, in the county of Richland and State of North Dakota.

PENNSYLVANIA.

Robert S. Bowman to be postmaster at Berwick, in the county of Columbia and State of Pennsylvania.

Gustavus C. Schrink to be postmaster at Pottsville, in the county of Schuylkill and State of Pennsylvania.

SOUTH DAKOTA.

David E. Ward to be postmaster at Dell Rapids, in the county of Minnehaha and State of South Dakota.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 7, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

BOLL WEEVIL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the bill which I send to the Clerk's desk, which is a bill to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903," approved March 3, 1903, which provides that certain moneys appropriated in that bill shall be available for use in stamping out the boll-weevil [illegible] be taken up for consideration [illegible] and that the bill and report be printed in the RECORD for the information of the House.

The SPEAKER. The gentleman from Indiana reports a bill from the Committee on Appropriations [illegible] that the same be taken up [illegible] the reading of the Journal, and that it be printed in the RECORD. The Clerk will report the title of the bill.

The Clerk read as follows:

[illegible] for the [illegible] approved March 3, 1903.

Mr. GIBSON. I wish to make an inquiry. I would like to know of the gentleman who reports the bill whether it is intended to interfere with the special order for the consideration of pension bills?

Mr. HEMENWAY. Why, I do not think this bill will take over thirty minutes. It is a very important bill. Of course, I do not desire to take the time for the consideration of pension bills, and this bill will not take very much time.

Mr. GIBSON. If it seems to take up much time, the gentleman will give way with the bill?

Mr. HEMENWAY. I do not think it will take much time.

Mr. MIERS of Indiana. I did not hear the answer of the gentleman.

Mr. HEMENWAY. I do not think it will take more than thirty minutes' time. It is a very important matter to the people of the cotton-growing belt. They are anxious to get the bill through as early as possible.

Mr. MIERS of Indiana. Why not dispose of the special order first? That ought not to take nearly the whole of the day.

Mr. BURLESON. I am sure that this bill ought not to take more than thirty minutes.

Mr. MIERS of Indiana. Might we not, for instance, provide that it occupy the time of the House not to exceed a given time, and then the special order be taken up?

Mr. HEMENWAY. Well, say for one hour.

Mr. MIERS of Indiana. I personally have no objection to make; I do not know what other gentlemen may desire.

Mr. HEMENWAY. I think one hour will be ample time.

Mr. GAINES of Tennessee. I would like to ask the gentleman from Indiana a question.

The SPEAKER. The gentleman from Indiana modifies his request for unanimous consent, and asks that the bill be considered for one hour immediately after the reading of the Journal to-morrow; then, if not completed, the bill to go on the Calendar as unfinished business. Is there objection?

Mr. PAYNE. I would like to ask the gentleman a question. This bill has been reported from what committee?

Mr. HEMENWAY. It is reported from the Committee on Appropriations.

Mr. DALZELL. Why not take up the bill now?

Mr. HEMENWAY. I think that the bill had better be printed and go over until to-morrow, so that Members can inform themselves in relation to the bill.

Mr. GAINES of Tennessee. I would like to ask the gentleman a question. The Agricultural Department is very anxious to have the present law modified so that the soil reports on the examinations which the Department makes of the various soils of the country may be printed as soon as it has them prepared. As the law is, the Secretary of Agriculture has to keep them possibly a whole year and then bind them in a great big book. Thus it is that the soil reports made for Tennessee will be bound with those for the State of Pennsylvania, the State of Washington with the State of Maine, and so forth and so on. It is better to print them in separate bulletins, as the Secretary does with the other matters, so that the farmers can get them quickly and have the use of them, instead of putting them all together in this big book. Does this bill make any provision in that respect?

Mr. HEMENWAY. This has nothing to do with that.

Mr. GAINES of Tennessee. It is a very important matter, and

I want to help the Secretary all I can in securing what he desires in that respect.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and it is so ordered.

The bill and report are as follows:

A bill (H. R. [illegible]) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, [illegible]."

Be it enacted, etc., That the act of March 3, 1903, entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," be, and the same is hereby, amended as follows:

That the Secretary of Agriculture is authorized to enter into contracts for the purchase of [illegible] and other contractual obligations [illegible] of Agriculture to [illegible] and other contractual obligations [illegible] of Agriculture to [illegible] the following items be embodied in the [illegible] Agriculture for the fiscal year ending June 30, [illegible]

[illegible] foot-and-mouth disease and other contagious diseases of animals.

The report (by Mr. HEMENWAY) is as follows:

The Committee on Appropriations, to whom was referred House bill No. [illegible], making a further appropriation for the Department of Agriculture, and for other purposes, have had the same under consideration, and report back the same with the following amendments, and recommend that the same do pass as amended:

[illegible] Committee on Appropriations, consisting of Messrs. J. A. HEMENWAY, H. C. VAN VOORHIS, E. J. BURKETT, L. F. LIVINGSTON, and C. W. LAMB, have unanimous action of the committee on the following item be embodied in the [illegible]

[illegible] "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, [illegible]

[illegible] of Agriculture to [illegible] and other contractual obligations [illegible]

[illegible] foot-and-mouth disease and other contagious diseases [illegible]

[illegible] pending, and will undoubtedly eventually be [illegible]

[illegible] Agriculture, in his seventh [illegible] r, 1903, [illegible]

Following statement and recommendations

"CRISIS IN COTTON PRODUCTION

"The [illegible] cotton [illegible] the [illegible] any- [illegible] the [illegible] of the habits and [illegible] a few dem- [illegible] propriation, [illegible] effect caused a great m[illegible] to the State. Of [illegible] foot-and-mouth disease and other contagious dis- [illegible] pending, and will undoubtedly eventually be [illegible] Agriculture, in his seventh [illegible] r, 1903, [illegible] Following statement and recommendations

"CRISIS IN COTTON PRODUCTION

"The [illegible] cotton [illegible] and that special points [illegible] considerable quantity of [illegible] value [illegible] and the [illegible] most necessarily [illegible] Agriculture, in such manner as will give the most immediate practical results."

Further in his report the Secretary of Agriculture outlines in detail his [illegible] willing to the best advantage the [illegible] the D[illegible] I. An[illegible] the basis and [illegible] n set forth.

[illegible]

WASHINGTON, D. C., *November 28, 1903*." "JAMES WILSON, *Secretary*.

[illegible] R. [illegible] 3 M[illegible] RY, of Texas; H. R. 730, by Mr. SHEPPARD, [illegible] to, of Louisiana; H. R. 5496, by Mr. BURGESS, [illegible] H. R. [illegible] approximately $1,000,000 [illegible] on the subject [illegible] ask [illegible] will make to ascertain some means [illegible] and [illegible] the damages being wrought by this [illegible]

J. W. WADSWORTH.
A. S. BURLESON.

Mr. PAYNE. Unless the gentleman from New Jersey desires to ask unanimous consent, I am ready to make a motion.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill of the following title; in which the concurrence of the House was requested:

S. 2300. An act to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River, at or near Grays Point, Mo.," approved January 26, 1901.

ENROLLED BILL PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval joint resolution of the following title:

H. J. Res. 64. Joint resolution authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington.

TO BRIDGE THE NEWARK BAY.

Mr. BENNY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 6805) to amend an act entitled "An act to bridge the Newark Bay," approved February 18, 1895.

Be it enacted, etc., That the act entitled "An act to bridge the Newark Bay," approved February 18, 1895, be, and it is, amended by striking out of [illegible]

2. That the [illegible] actual construction of the [illegible] in one year and completed [illegible] the act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PARKER. Mr. Speaker, I would ask for some time to look into this matter before allowing it to go on at the present time, and I will be very much obliged if the gentleman would consent to its going over until a later day.

Mr. BENNY. Mr. Speaker, perhaps if the gentleman would listen to one minute's explanation he will not ask that the matter go over.

Mr. PARKER. It is a bridge across Newark Bay?

Mr. BENNY. No; the act of 1895 authorized the counties of Hudson and Union to construct a bridge across the Newark Bay.

Mr. PAYNE. There is so much confusion, or else the gentleman's voice is so weak, we can not hear what he is saying at all.

Mr. BENNY. Perhaps it is a combination of both. The act of February 18, 1895, authorized the counties of Hudson and Union, in New Jersey, to construct a bridge across the Newark Bay, and authorized a bond issue by each county to the extent of $150,000. That bill had the provision in it that the law would be null and void unless the construction was begun within one year and finished in three years from the date of the approval, February 18, 1895. This present bill simply reestablishes the law, revives it, and authorizes the construction, with a limitation of one year for the commencement of the bridge and three years for the completion from the 18th of February, 1904.

Mr. PARKER. I saw that in the bill as it was read. Newark Bay carries a tremendous commerce of some $19,000,000 worth per year. It is a feeder of the Passaic River, on which a large amount of improvements are now projected and being carried on. I do not feel willing to consent at the present time to the bringing up of this matter without further information. I do not feel that I am asking anything unreasonable in asking the gentleman if he will consent to its lying over. If he insists upon its coming up at the present time, I should certainly have to object.

Mr. BENNY. I do not. I am quite willing for it to lie over, but will you consent to have it brought up on a certain day? I would like to get this through if I could.

Mr. PAYNE. I do not think this is very important. We can pass a bridge bill at any time.

Mr. BENNY. Very well. Let it lie over.

The SPEAKER. Objection is made.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 12 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brigantine *Nancy*, James Brown, master—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy, submitting an estimate of appropriation for steam machinery—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the chief of division of Revenue-Cutter Service submitting an estimate of deficiency appropriation for expenses of Revenue-Cutter Service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Commissioners of the District of Columbia, submitting a plan for the future care of delinquent and dependent children in the District of Columbia—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of increases of appropriation for the consular and diplomatic service—to the Committee on Foreign Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1832) granting an increase of pension to George W. Herron, reported the same without amendment, accompanied by a report (No. 133); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6932) granting an increase of pension to Harvey R. King, reported the same without amendment, accompanied by a report (No. 134); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1984) granting an increase of pension to Levi Roberts, reported the same without amendment, accompanied by a report (No. 135); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 8) granting an increase of pension to Perry Kittredge, reported the same without amendment, accompanied by a report (No. 136); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2978) granting an increase of pension to Hampton C. Watson, reported the same without amendment, accompanied by a report (No. 137); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 367) granting an increase of pension to George W. Richardson, reported the same without amendment, accompanied by a report (No. 138); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4209) granting an increase of pension to Milton H. Swartz, reported the same without amendment, accompanied by a report (No. 139); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5841) for the relief of Abram Wilson, reported the same with amendments, accompanied by a report (No. 140); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1764) granting an increase of pension to Lucretia Rudolph, reported the same without amendment, accompanied by a report (No. 141); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1985) granting an increase of pension to Jonathan Hites, reported the same without amendment, accompanied by a report (No. 142); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1772) granting an increase of pension to Louise K. Bard, reported the same without amendment, accompanied by a report (No. 143); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Alfred Woodman, reported the same without amendment, accompanied by a report (No. 144); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Hannah Rose, reported the same with amendments, accompanied by a report (No. 145); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Alfred H. Rogers, reported the same with amendments, accompanied by a report (No. 146); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 119) granting an increase of pension to Henry C. Hammond, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1827) granting a pension to Hannah Kelly, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Ebenezer H. Blackden, reported the same without amendment, accompanied by a report (No. 149); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Charles R. Allen, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Mary A. Bishop, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Zebedee M. Cushman, reported the same without amendment, accompanied by a report (No. 152); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Lorenzo E. Harrison, reported the same without amendment, accompanied by a report (No. 153); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Elizabeth M. Clarke, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4[illegible]) granting an increase of pension to S. B. Brightman, reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4[illegible]) granting an increase of pension to Amanda B. Tisdel, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6890) granting a pension to Charles E. Likes, reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Charles P. Sanner, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Marcus T. Caswell, reported the same without amendment, accompanied by a report (No. 159); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Forbes Hanson, reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4219) granting an increase of pension to John Sexton, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to John M. Wall, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Jacob Young, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Thomas Lanigan, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Henry D. Wright, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3001) granting an increase of pension to Alpheus Converse, reported the same with amendments accompanied by a report (No. 166); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1952) granting an increase of pension to John Monahan, reported the same without amendment, accompanied by a report (No. 167); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 468) granting an increase of pension to Henry Christy, reported the same with amendments, accompanied by a report (No. 168); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 6) granting a pension to Cora M. Converse, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Alonzo Carpenter, reported the same with amendment, accompanied by a report (No. 170); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2[illegible]) granting an increase of pension to George M. Donald, reported the same with amendments, accompanied by a report (No. 171); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 368) granting an increase of pension to Charles M. Wilcox, reported the same without amendment, accompanied by a report (No. 172); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2929) granting an increase of pension to Benjamin F. Gates, reported the same with amendment, accompanied by a report (No. 173); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7370) granting an increase of pension to Andrew Ivory, reported the same with amendments, accompanied by a report (No. 174); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7515) granting a pension to Rebecca A. Mathias, reported the same with amendments, accompanied by a report (No. 175); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6975) granting an increase of pension to George W. Lawson, reported the same with amendment, accompanied by a report (No. 176); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 11) granting a pension to John L. Sullivan, reported the same without amendment, accompanied by a report (No. 177); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7092) granting an increase of pension to James S. Rearden, reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 215) granting a pension to Mary O. Perry, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to George W. Spahr, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Thomas Bolles, reported the same without amendment, accompanied by a report (No. 181); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Abraham C. Null, reported the same without amendment, accompanied by a report (No. 182); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

During clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were then referred as follows:

A bill (H. R. [illegible]) granting an increase of pension to James M. [illegible]; Invalid Pensions discharged, and referred to the Committee on War [illegible].

A bill (H. R. 8823) authorizing the Secretary of War to furnish an artificial leg; Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HEMENWAY, from the Committee on Appropriations: A bill (H. R. 9160) to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903—to the Union Calendar.

By Mr. DAYTON: A bill (H. R. 9161) to amend section 4488 of the Revised Statutes of the United States—to the Committee on Ways and Means.

Also, a bill (H. R. 9162) to promote the circulation of reading matter among the blind—to the Committee on the Post-Office and Post-Roads.

Mr. JENKINS: A bill (H. R. 9163) for the relief of certain sureties upon Wisconsin Central Railroad and The Dalles military road land grants—to the Committee on Public Lands.

By Mr. OTJEN: A bill (H. R. 9164) authorizing the Secretary of War to acquire, by purchase, the exclusive rights for the United States to the Isham high-explosive shell and the process for the manufacture of the high explosive thorite—to the Committee on Appropriations.

By Mr. SIMS: A bill (H. R. 9165) for the extension of Albemarle street—to the Committee on the District of Columbia.

By Mr. COWHERD: A bill (H. R. 9166) to authorize the extension, construction, and operation of the Great Falls and Old Georgetown Railroad Company into and within the District of Columbia—to the Committee on the District of Columbia.

By Mr. LACEY: A bill (H. R. 9167) granting authority to the Secretary of the Navy, in his discretion, to restore certain midshipmen to the Naval Academy—to the Committee on Naval Affairs.

By Mr. HOGG: A bill (H. R. 9168) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as amended April 1, 1896, and March 2, 1903—to the Committee on Interstate and Foreign Commerce.

By Mr. DAYTON: A bill (H. R. 9169) for the relief of certain State militia—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 9291) to regulate process and proceedings in the circuit courts of the United States—to the Committee on the Judiciary.

By Mr. PEARRE: A resolution (H. Res. 128) to reimburse Mrs. William O. Beckenbaugh for the expenses of the funeral and last illness of William O. Beckenbaugh, late a member of the Capitol police force—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRADLEY: A bill (H. R. 9169) to correct the military record of John Fisher Williams—to the Committee on Military Affairs.

By Mr. BRANDEGEE: A bill (H. R. 9170) granting a pension to Jane E. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) for the relief of [illegible] Bolles—to the Committee on Invalid Pensions.

By Mr. BROOKS of Colorado: A bill (H. R. [illegible]) granting an increase of pension to James B. Moore—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. [illegible]) granting an increase of pension to Neil Gillespy—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 9174) granting arrears of pension to Jane Stonebreaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9175) to remove the charge of absence without leave from the military record of John Federick—to the Committee on Military Affairs.

A bill (H. R. [illegible]) to relieve Ludwig Rupprecht of the charge of desertion—to the Committee on Military Affairs.

Also, a bill (H. R. 9177) to remove the charge of desertion from the military record of [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 9178) for relief of Capt. Michael Mallow's company West Virginia State Scouts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9179) for the relief of Capt. J. H. Lambert's company West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9181) for the relief of Nancy A. E. Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9182) for the relief of John A. Stuart, alias John Vanderpool, first-class boy in United States Navy on sloop of war *Saratoga*, war with Mexico—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) for the relief of Thomas D. Hawker—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) for the relief of Capt. John Beard's company West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9185) for the relief of Capt. Sampson Snyder's company West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9186) for the relief of Capt. John Bogg's company West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9187) for the relief of Capt. E. C. Harper's company, Forty-sixth Regiment West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9188) for the relief of Capt. Isaac Alts's company (B), Forty-sixth Regiment West Virginia Volunteer Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9189) for the relief of Lewis Beckman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9190) for the relief of Mary C. Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9191) for the relief of Daniel K. Shields—to the Committee on Military Affairs.

Also, a bill (H. R. 9192) for the relief of William Norris—to the Committee on War Claims.

Also, a bill (H. R. [illegible]) for the relief of Richard W. Heafer—to the Committee on Pensions.

Also, a bill (H. R. 9194) for the relief of Catharine L. Chaney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9195) for relief of John Edwards, alias John D. Edwards—to the Committee on Military Affairs.

Also, a bill (H. R. 9196) for the relief of Goff A. Hall—to the Committee on War Claims.

Also, a bill (H. R. 9197) for the relief of James Evans—to the Committee on Military Affairs.

Also, a bill (H. R. 9198) removing the charge of desertion from the military record of James W. Johnson—to the Committee on Military Affairs.

Also, a bill (H. R. 9199) to remove the charge of desertion from the naval record of Charles Thompson—to the Committee on Naval Affairs.

Also, a bill (H. R. 9200) to remove the charge of desertion from name of Robert S. Reese—to the Committee on Military Affairs.

Also, a bill (H. R. 9201) removing charge of desertion from name of William M. Raber—to the Committee on Military Affairs.

Also, a bill (H. R. 9202) to remove the charge of desertion from George W. Phillips—to the Committee on Military Affairs.

Also, a bill (H. R. 9203) to remove charge of desertion from John Lyons—to the Committee on Military Affairs.

Also, a bill (H. R. 9204) to remove charge of desertion against name of John Hall—to the Committee on Military Affairs.

Also, a bill (H. R. 9205) granting a pension to Ephraim Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9206) granting a pension to Sallie J. D. Grubb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9207) granting a pension to Edgar Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9208) granting a pension to Simon Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9209) granting a pension to Samuel Goodwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9210) granting a pension to Catharine Hey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9211) granting a pension to James Ryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9212) granting a pension to Charles H. Fineman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9213) granting a pension to John W. Coombs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9214) granting a pension to Arabella Downey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9215) granting a pension to Frances E. Fitz-Gerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9216) granting a pension to Sarah J. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9217) granting a pension to George G. Clevenger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9218) granting a pension to Francis M. Cain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9219) granting a pension to Mary Frame—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9220) granting a pension to Martin Hope—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to James W. Wentz—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Jane Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Isaac H. Rice—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9224) granting an increase of pension to James Rennard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9225) granting an increase of pension to Robert L. Boseley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9226) granting an increase of pension to Bryson Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9227) granting an increase of pension to William Longbraker—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Mary C. Hutson—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Thomas Reed—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Arthur I. Stressnider—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Zebulon M. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Silas H. M[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to David T. Sup[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to James L. T[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Wesley C. P[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Jesse M. Johnson—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. [illegible]) granting a pension to Jesse A. H[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Almon Craven—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 9232) granting an increase of pension to John N. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Ambrose [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) for the relief of James Bookhamer—to the Committee on Claims.

By Mr. GUDGER: A bill (H. R. 9242) to correct the military record of Capt. Enoch Voyles—to the Committee on Military Affairs.

Also, a bill (H. R. 9243) granting a pension to W. K. Dockery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9244) granting a pension to Enoch Voyles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9245) granting a pension to Claude E. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9246) granting an increase of pension to Jane L. Fagg—to the Committee on Pensions.

Also, a bill (H. R. 9247) for the relief of H. M. Dickson, William T. Mason, the Dickson-Mason Lumber Company, and D. L. Boyd—to the Committee on Claims.

Also, a bill (H. R. 9248) for the relief of the estate of Harry Johnson—to the Committee on War Claims.

Also, a bill (H. R. 9249) for the relief of Harriet C. Livingston—to the Committee on Claims.

Also, a bill (H. R. 9250) for the relief of J. C. Smathers—to the Committee on War Claims.

Also, a bill (H. R. 9251) for relief of Jesse M. Sheppard—to the Committee on Claims.

By Mr. HAY: A bill (H. R. 9252) for the relief of James H. Hottel, of Frederick County, Va.—to the Committee on War Claims.

By Mr. JACKSON of Maryland: A bill (H. R. 9253) granting a pension to William T. Davis—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 9254) for the relief of George J. Miller, of Kittitas County, Wash.—to the Committee on Claims.

By Mr. LIND: A bill (H. R. 9255) granting an increase of pension to Eliza B. Abbott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9256) granting an increase of pension to Enoch Stahler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9257) granting an increase of pension to John Ogden—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 9258) granting an increase of pension to Frank B. Hazleton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9259) granting an increase of pension to Lewis P. Berry—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 9260) authorizing the Secretary of State to pay the claim of the "Compagnie Française des Cables Télégraphiques" for compensation on account of expenses incurred in repairing the damage done to its cables and property by the military and naval authorities of the United States in Cuba during the Spanish-American war—to the Committee on War Claims.

Also, a bill (H. R. 9261) for the relief of Gallatly, Hankey & Co.—to the Committee on War Claims.

By Mr. McTCALF: A bill (H. R. 9262) granting an increase of pension to Alexander W. Chambers—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 9263) granting a pension to John Salmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9264) granting a pension to Permetta J. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9265) granting an increase of pension to William H. H. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9266) granting an increase of pension to Thomas Tredway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9267) granting an increase of pension to Lewis Chapman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9268) for the relief of Charles R. Van Trees—to the Committee on Military Affairs.

Also, a bill (H. R. [illegible]) for the relief of Charles R. Van Trees—to the Committee on [illegible].

By Mr. SCUDDER: A bill (H. R. 9270) for the relief of the estate of William Wheeler Hubbell—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 9271) granting an increase of pension to William Dyas—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 9272) granting an increase of pension to Michael McCarty—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 9273) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9274) granting an increase of pension to Price W. Harvey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9275) granting an increase of pension to John F. Snaffner—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 9276) to authorize the Secretary of War to correct the military record of Henry T. Lloyd—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 9277) for the relief of the State of New Hampshire—to the Committee on Military Affairs.

By Mr. WATSON: A bill (H. R. 9278) granting a pension to Thomas J. Bland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9279) granting a pension to Mary M. Nipp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9280) granting an increase of pension to John M. Hildreth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9281) granting an increase of pension to Harrie J. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9282) granting an increase of pension to Thomas Gandy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9283) granting an increase of pension to John Newlands—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9284) granting an increase of pension to Martin Ottinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9285) granting an increase of pension to Samuel Grigsby—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 9286) granting an increase of pension to S. Amanda Mansfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9287) for the relief of John McDonald—to the Committee on Military Affairs.

Also, a bill (H. R. 9288) for the relief of John H. Willis—to the Committee on Military Affairs.

Also, a bill (H. R. 9289) granting a pension to Theodore T. Bruce—to the Committee on Invalid Pensions.

By Mr. CURRIER: a bill (H. R. 9290) granting an increase of pension to Henry Sanborn—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of citizens of Boston of the Jewish faith, praying that Congress remonstrate against treatment of the Jews in Kishineff, in Russia—to the Committee on Foreign Affairs.

By Mr. FITZGERALD: Resolution of the Manufacturers' Association of New York, in favor of the further improvement of the channels of Brooklyn water front—to the Committee on Rivers and Harbors.

By Mr. GUDGER: Papers to accompany claim of Enoch Voyles—to the Committee on War Claims.

By Mr. HEMENWAY: Petition of John K. Highman Post, No. 415, Grand Army of the Republic, of New Harmony, Ind., urging passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Harrow Post, No. 491, Grand Army of the Republic, Mount Vernon, Ind., favoring passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, petition of William C. Jackson Post, No. 332, Grand Army of the Republic, of Dale, Ind., favoring passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of William C. Jackson Post, No. 332, Grand Army of the Republic, of Dale, Ind., favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Resolutions of Jonathan Casto Post, No. 342, Grand Army of the Republic, Blanchester, Ohio; Walker Jackson Post, No. 713, Grand Army of the Republic, Ripley, Ohio; Jesse Ellis Post, No. 740, Grand Army of the Republic, Batavia, Ohio; E. L. Hughes Post, No. 640, Grand Army of the Republic, Breford, Ohio; Granville Thurston Post, No. 213, Grand Army of the Republic, Lebanon, Ohio; Burkholder Post, No. 115, Grand Army of the Republic, Yellow Springs, Ohio, and Strong Post, No. 118, Grand Army of the Republic, Jamestown, Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LORIMER: Papers to accompany bill granting increase of pension to Louis P. Berry—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Paper to accompany bill granting a pension to John Salmon—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Charles R. Van Trees—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 6650, granting an increase of pension to Eli B. Helm—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolution of Old Guard Post, No. 211, Grand Army of the Republic, Department of Wisconsin, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Watertown (Wis.) Council, No. 247, Commercial Travelers of America, in favor of the passage of bill H. R. 4489, providing for an amendment to the bankruptcy act—to the Committee on the Judiciary.

By Mr. RUPPERT: Resolution of the Manufacturers' Association of New York, urging a continuation of the improvement of the channels in the harbors of the Brooklyn water front—to the Committee on Rivers and Harbors.

Also, papers to accompany House bill granting increase of pension to Joseph Leonard—to the Committee on Invalid Pensions.

By Mr. SNOOK: Papers to accompany bill H. R. 9095, granting a pension to Sara Kyle—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to John F. Shaffner—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to Price W. Harvey—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to James H. Sackett—to the Committee on Invalid Pensions.

Also, resolution of Capper Post, No. 236, Grand Army of the Republic, Department of Ohio, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolution of the executive committee of the Supervisors' Highway Convention at Albany, N. Y., favoring passage of the Brownlow bill, providing for road improvement—to the Committee on Agriculture.

Also, resolution of the Manufacturers' Association of New York, urging further improvement of the channels of the Brooklyn water front—to the Committee on Rivers and Harbors.

SENATE.

FRIDAY, *January 8, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of Carrie Yancy, administratrix of A. W. McCauley, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Jennie E. Haller, administratrix of Samuel M. Haller, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop *Venus*, Comfort Bird, master; which, with the accompanying paper was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Thomas*, Joseph Sanford, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

NATIONAL ACADEMY OF SCIENCES.

Mr. WETMORE. I present the annual report of the National Academy of Sciences, as required by statute. The same statute provides for the printing of the report, so that no action by the Senate is necessary.

The PRESIDENT pro tempore. The report will be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the legislature of Nebraska, praying for the enactment of legislation to establish the true military status of the First Nebraska Militia; which was referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

UNITED STATES OF AMERICA, State of Nebraska:

I, George W. Marsh, secretary of state of the State of Nebraska, do hereby certify that the within is a full, true, and complete copy of a joint resolution passed by the legislature of the state of Nebraska at its twenty-eighth session, as the same appears of record in my office.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State of Nebraska. Done at Lincoln, this 5th day of January, in

[illegible] of the United States the one hundred and twenty-[illegible] of the State the [illegible]

GEO. W. MARSH, Secretary of State.

[illegible] of Nebraska, twenty-eighth session. Senate file No. [illegible] relative to the Nebraska National Guard, introduced by Senator Shelton, read first time January 4, 1904. Read second time January [illegible] and referred to the committee on military affairs.

Be it enacted by the legislature of the State of Nebraska:

Whereas during the year 1903 the governor of the then Territory of Ne[illegible] of our frontier against the [illegible]

Whereas [illegible] the United States Government was engaged in suppressing an insurrection among the Moros inhabiting the southern islands of the Philippine archipelago, and [illegible] and

Whereas [illegible] in the State and Territories [illegible] of the United States Congress by an act approved June 27, 1902, [illegible] of Nebraska which should not exceed [illegible] for the [illegible] and maintaining troops so employed in defending our [illegible] and

Whereas [illegible] a great public emergency, the Territory of Nebraska was called on to furnish a regiment of infantry for the Philippine service, which was armed, fed, and equipped by the Government of the United States; and

Whereas the Nebraska troops was raised and [illegible] for the benefit of [illegible] and Washington and [illegible] for the [illegible]

Whereas [illegible] known as the First Regiment of Nebraska Volunteers [illegible] the defense of the Government and its property in time of [illegible]

Whereas said [illegible] at the expiration of its term of service [illegible] the United States [illegible] the expiration of the term of service [illegible]

Whereas said military organization [illegible] all the duties [illegible] and performed [illegible] by authority of Congress [illegible]

Whereas said military organization has been denied its proper status as [illegible] of the United States and has not been recognized as regular volunteers of the United States;

[illegible]

[illegible] status as volunteers of the United States Army in the war of the rebellion.

EDWARD S. MOREHOUSE,
[illegible]

Attest:

A. R. KEIM,
Secretary of the Senate.

JAMES H. MCGAUGHEY, Jr.,
President of the Senate.

Attest:

JOHN WEST,
Chief Clerk of the House of Representatives.

Approved February 5, 1903.

JOHN H. MICKEY,
Governor.

STATE OF NEBRASKA, ss:

I, A. R. Keim, secretary of senate [illegible] do hereby certify that the foregoing joint memorial was introduced in the senate and passed the [illegible] of February, 1903.

A. R. KEIM, *Secretary of Senate.*

Mr. FAIRBANKS presented a memorial of the Indiana Fraternal Congress, of Indianapolis, Ind., [illegible] the enrollment of fraternities to attend [illegible] Received States and the last section of the act of Congress of March 2, 1895, of chapter 193, relative to the [illegible] of fraudulent pension claims, which was referred to the Committee on Post Offices and Post Roads.

He also presented the memorial of W. T. Mellott, of Mellott, Ind., and the memorial of A. S. [illegible] of Angola, Ind., remonstrating against the passage of the second-class postage bill, which were referred to the Committee on Post Offices and Post Roads.

Hoagland presented a petition of the Central Labor Union, American Federation of Labor, of Indianapolis, Ind., praying for the passage of the Seven-eight hour bill and also the anti injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Goshen; of the congregation of the First Baptist Church, of Goshen; of the Ladies' Missionary Society of the Methodist Episcopal Church of Decatur; of the congregation of the First Methodist Episcopal Church of Goshen; of the congregation of the Methodist Episcopal Church of Frankfort; of the congregation of the Christian Church of Frankfort; of the Woman's Missionary Society of Frankfort; of the Woman's Home Missionary Society of the Grace Methodist Episcopal Church, of Kokomo, and of sundry citizens of Logansport, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PROCTOR presented petitions of the congregation of the Methodist Episcopal Church of Bellows Falls, of the congregations of the Congregational, Baptist, and Methodist Episcopal churches of Georgia, and of the congregations of the Methodist Episcopal and Congregational churches, the Home Mission Society, the Literary Club, and the Woman's Relief Corps, all of Swanton, in the State of Vermont, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the Woman's Christian Temperance Union of Central Falls, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. BAILEY presented memorials of Lodge No. 20, of Shiner; of the Deutsch Turnverein Braunfels, of Galveston, and of Teutonia Lodge, No. 21, of New Braunfels, all in the State of Texas, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LONG presented a petition of the Loyal Temperance Union of the Seventh district of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Goodland, Kans., and a petition of the congregation of the Methodist Episcopal Church of Newton, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented sundry papers in connection with the bill (S. 1795) granting an increase of pension to Leander Stratton; which were referred to the Committee on Pensions.

Mr. QUAY presented petitions of the congregation of the First Presbyterian Church of McKeesport, of the Twentieth Century Club, of Berwick, of sundry citizens of New Castle, and of the Christian Endeavor Society of the Emmanuel Methodist Episcopal Church, of Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented petitions of the congregation of the Congregational Church of Rochester, of the congregation of the Central Presbyterian Church of Rochester, of the First Methodist Episcopal Church of Rochester, of the congregation of the Presbyterian Church, of Minneapolis, of the congregation of the Presbyterian Church of Cedar Falls, and of the Lincoln Missionary Society of Moline, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented sundry papers to accompany the bill (S. 1556) granting an increase of pension to Daniel P. Andrus; which were referred to the Committee on Pensions.

Mr. LODGE presented petitions of sundry citizens of Gardner, Taunton, Fitchburg, Lynn, Bedford, Brookline, and Somerville, and of the congregation of the Methodist Episcopal Church of Hyde Park, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CARMACK presented petitions of the Tuesday Club, of Maryville; of the New Providence Missionary Society, of Maryville, and of the congregation of the New Providence Church, of

Maryville, all in the State of Tennessee, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. OVERMAN presented a petition of the Woman's Christian Temperance Union of Elizabeth City, N. C., and a petition of the Woman's Christian Temperance Union of Raleigh, N. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HEYBURN presented a memorial of the city council of Wallace, Idaho, remonstrating against the repeal of the stone and timber law; which was referred to the Committee on Public Lands.

Mr. ALDRICH presented petitions of American Council, No. 20, Order of United American Mechanics; the Young Woman's Christian Temperance Union; the Mount Pleasant Baptist Young People's Association; the Young People's Society of Christian Endeavor; the congregation of the Academy Avenue Congregational Church; the Young People's Society of Christian Endeavor of the Roger Williams Baptist Church; the Mount Pleasant Woman's Christian Temperance Union; the congregation of the Mount Pleasant Baptist Church, and the Loyal Women of American Liberty, all of Providence; of the congregation of the First Baptist Church; the St. Luke's Sunday school; the Sunday school of the Swedish Evangelical Lutheran Church; the congregation of the Swedish Lutheran Church; the Swedish Congregational Sunday school; the Methodist Episcopal Sunday school, and the Epworth League, all of East Greenwich; of Wild Cheer Council, No. 9, Order of United American Mechanics, the congregation of the Methodist Episcopal Church, and the congregation of the First Baptist Church, all of Wickford; of the congregation of the People's Free Baptist Church, of Auburn; of the Sunday school of the People's Free Baptist Church, of Auburn; of Coventry Council, No. 29, Order of United American Mechanics, of Washington; of the Woman's Christian Temperance Union of Charlestown; of the congregation of the Free Baptist Church of Pascoag; of the Woman's Christian Temperance Union of Warwick; of the Avondale Sunday school, of Westerly; of the congregation of the Congregational Church of Kingston; of the congregation of the Advent Christian Church, of North Scituate; of the congregation of the Six Principle Baptist Church, of Scituate; of the Woman's Christian Temperance Union of Portsmouth; of the congregation of St. John's Church, of Portsmouth; of the congregation of the Christian Church of Portsmouth; of the congregation of the Methodist Episcopal Church of Portsmouth; of the Woman's Christian Temperance Union of Pawtucket; of the Woman's Christian Temperance Union of Newport; of the Moshassuck Woman's Christian Temperance Union, of Lincoln; of the Woman's Christian Temperance Union of Georgiaville; of the congregation of the Free Baptist Church of Georgiaville; of the congregation of the Universalist Church of Georgiaville; of the Globe Congregational Church; of the Young Woman's Christian Temperance Union of Woonsocket; of the congregation of the Congregational Church of Westerly; of the Free Baptist Church of Warwick; of the Young People's Society of Christian Endeavor of Warwick; of the Methodist Episcopal Church of Centerville; of the Methodist Episcopal Mission Sunday school of Arctic Center; of the Rocky Hill Sunday school, of Warwick; of the Woman's Christian Temperance Union of Warren; of the Methodist Episcopal Church of Wakefield; of the Woman's Christian Temperance Union of Wakefield, and of the State Woman's Christian Temperance Union, all in the State of Rhode Island, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of St. Peter's Benevolent Society, of Lindsay, Tex., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Central Presbyterian Church and the Lake Avenue Baptist Church, of Rochester, N. Y., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

EXPOSITION AT PORTLAND, OREG.

Mr. MITCHELL. I present a joint memorial of the legislature of Oregon relative to the holding of a national and international exposition in Portland, Oreg., to celebrate the one hundredth anniversary of the exploration of the Oregon country, to be known as the Lewis and Clark Centennial Exposition. I ask that the joint memorial may be read and referred to the Select Committee on Industrial Expositions.

The joint memorial was read, and referred to the Select Committee on Industrial Expositions, as follows:

Senate joint memorial No. 1.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialist, the legislative assembly of the State of Oregon, respectfully represents:

Whereas a national and international exposition will be held in the city of Portland, Oreg., from May 1 to November 1, 1905, to celebrate the one hundredth anniversary of the exploration of the Oregon country, embracing all of the present States of Oregon, Washington, and Idaho, and parts of Montana and Wyoming, by an expedition commanded by captains Meriwether Lewis and William Clark, of the United States Army;

Whereas the exploring expedition of Lewis and Clark was conceived by Thomas Jefferson, president of the United States as part of his statesmanlike purpose to establish constitutional government, with American standard of our own contingent, to the accomplishment of which purpose President Jefferson devoted some of the best years of his life;

Whereas President Jefferson's plan to locate an American settlement on the Pacific coast of North America was the first step of the United States toward continental expansion. It was proposed while Jefferson was yet United States minister to France, thirty-twenty years before any effort of the government of the United States had given thought to the idea of acquiring any territory west of the Mississippi, except the island of Orleans at the mouth of said river;

Whereas the discovery of the Columbia River by Capt. George Gray and the exploration of Lewis and Clark added to the national domain that region of country, comprising 307,000 square miles. The acquisition of Oregon preceded, by over forty years, the annexation of California, to which it was a valuable adjunct, and of Texas, to which it was closely allied in American political history. The subsequent acquisitions of Alaska, Hawaii, and the Philippines were results of the acquisition of Oregon. As a consequence of the exploring expedition, being treated by President Jefferson, as proposed, to establish an American settlement on the Pacific coast, nearly 2,000,000 square miles were added to the domain of the United States in the nineteenth century;

Whereas, properly to celebrate the important epoch in American history in which Jefferson, Lewis and Clark are the prominent figures, the city of Portland has incorporated a stock company, with a general capital to carry on the Lewis and Clark Centennial Exposition, heretofore mentioned in this joint memorial;

Whereas the State of Oregon, as the State rejoicing and perpetuating the name of the country toward which President Jefferson, in planning commercial conquestmation, with Asia, directed the footsteps of Lewis and Clark, [illegible] years ago, has appropriated $[illegible] and has pledged the use of its [illegible] and inscribing its exhibits and has appropriated the further sum of $[illegible] toward the cost of constructing a Lewis and Clark memorial building, as a monument to commemorate the achievements of America's first and greatest explorers;

Whereas, recognizing the national significance of said Lewis and Clark Centennial Exposition and its value as an agency of the advancement of the Mississippi West and as showing the true relation of the United States to its new trade field on the shores of the Pacific Ocean, the States of Montana, Minnesota, North Dakota, Washington, California, Utah, Idaho, and Montana have, through their legislatures, voted to participate and have made provisions for state exhibits, the aggregate value of $1,000,000, including the exhibit of the State of Oregon;

Whereas there is now pending in the Congress of the United States a bill [illegible] to provide for the commemoration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark, during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806, and to authorize a coinage of commemorative coins of the United States, and to authorize the City of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, products, manufactures, and the products of the rivers, seas, forests, mines, and soils of said State, and to provide aid and assistance for a memorial commemorating the discovery of Portland to be known as the Lewis and Clark Memorial, and to authorize an appropriation for said purposes;

Whereas [illegible] $[illegible] for the purpose of defraying the cost of exhibits to be made by and under the supervision and direction of the United States;

Wherefore the legislative assembly of the State of Oregon memorializes the Congress of the United States to enact the new at the earliest opportunity, a measure for providing for Government participation in the Lewis and Clark Centennial Exposition, and making an appropriation therefor.

The legislative assembly of the State of Oregon specially sets forth to the Congress of the United States that the Lewis and Clark Centennial Exposition will be representative in every respect of the tremendous progress and development of the great West in the century just past, and as an unfolding of, or foreshadowing of, future, the full measure of cooperation and support from the National Government. The Pacific coast, notwithstanding the distance from the eastern part, has joined in the upbuilding of the nation, and, by reason of its commanding world power, never has been favored with a Government appropriation for an exposition. Over its domain the Americans first unfurled, in its first journey around the world from Boston and return, by way of the Columbia River and China. The humble fort that Lewis and Clark built at Astoria in the winter of 1805 gave the United States its first foothold upon the Pacific Ocean that thereby of the world's new commerce and paved the way for the expansion that has increased the national domain from 827,000 square miles in 1783 to 3,625,000 square miles in 1903. The proposition that beautiful President Jefferson that the Mississippi River should be considered a river as the Missouri on the other hand be the source of another large stream flowing westward opened the path of civilization to the Pacific and provided, through our own country, the route to India which was for centuries the dream and hope of every navigator from Columbus down to recent times. At the Columbia River, San Francisco Bay, Puget Sound, Honolulu and Manila, the United States is fortified against every war or in peace the back stairs in the council of nations to which events in the far east have called it. Having faithfully discharged to the national defense, the obligation imposed upon it as an integral part of the Union, or failing to offer reason of improvement, having in time of war responded to every call made upon it for the national defense; and having in time of peace poured forth its wealth of mine, farm, and range for the general welfare the Pacific coast now asks from Congress, in the matter of the Lewis and Clark Centennial Exposition, the consideration which its past service to the nation and the merit of its cause deserve.

The secretary of state of the State of Oregon is hereby instructed to forward certified copies of this joint memorial to the President of the United States Senate and the Speaker of the House of Representatives of the United

States, at Washington, D. C., and to the Senators and Representatives in Congress from the State of Oregon.

L. T. HARRIS,
Speaker of the House.
GEO. C. BROWNELL,
President of the Senate.

Indorsed: Senate joint memorial No 1. Introduced by Senator Brownell. Adopted by the senate December 21, 1903.

S. L. MOREHEAD, *Chief Clerk.*

Read and adopted in house December 22, 1903.

A. C. JENNINGS, *Chief Clerk.*

Filed December 29, 1903, 11.30 a. m.

F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA, STATE OF OREGON,
Office of the Secretary of State:

I, F. I. Dunbar, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the foregoing is a full, true, and [illegible] of the original [illegible] as the same is now on file in this office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the state of Oregon.

Done at the capitol, at Salem, Oreg., this 30th day of December, A. D. 1903.

(SEAL.) F. I. DUNBAR, *Secretary of State.*

RURAL FREE-DELIVERY SERVICE.

Mr. MITCHELL presented a memorial of the legislature of Oregon, praying for the enactment of legislation to increase the compensation of rural free-delivery letter carriers; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed in the RECORD, as follows:

Senate joint memorial No. 2.

To the honorable Senate and House of Representatives of the United States:

Whereas the Congress of the United States has [illegible] certain laws [illegible] the United States of the union residing in rural [illegible] by reason of the rural free delivery, daily receiving their mail [illegible] and

Whereas the present [illegible] fixed by law for the letter carriers of the United States [illegible] and outlay [illegible]

Resolved, That [illegible] letter carriers of the United States, [illegible] compensation of such carriers to an [illegible] in accordance therewith.

Adopted by the senate December 22, 1903.

GEO. C. BROWNELL,
President of the Senate.

Adopted by the house December 23, 1903.

L. T. HARRIS, *Speaker of the House.*

Indorsed: Senate joint memorial No. 2.

S. L. MOREHEAD, *Chief Clerk.*

Filed December 29, 1903, 11.30 a. m.

F. I. DUNBAR, *Secretary of State.*

UNITED STATES OF AMERICA,
State of Oregon, office of the Secretary of State:

I, F. I. Dunbar, secretary of state of the State of Oregon and custodian of the seal of said State, do hereby certify that the foregoing is a full, true, and [illegible] of the original [illegible] as the same is now on file in this office.

In testimony whereof I have hereunto set my hand and affixed hereto the seal of the state of Oregon.

Done at the capitol, at Salem, Oreg., this 30th day of December, A. D. 1903.

(SEAL.) F. I. DUNBAR, *Secretary of State.*

MISSOURI RIVER IMPROVEMENT.

Mr. STONE. On November 19 I presented a petition of citizens of St. Louis County, Mo., praying that an appropriation be made to protect lands from destruction by the Missouri River, and it was referred to the Committee on Appropriations. It seems that that committee thinks it has not jurisdiction over the matter. I now present the petition at the instance of that committee, and move that it be discharged from its further consideration and that it be referred to the Committee on Commerce.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 2435) to amend an act to regulate the height of buildings in the District of Columbia, reported it without amendment.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2733) to change the name of Madison street to Samson street; and

A bill (S. 1488) for the opening of a street in Mount Pleasant, District of Columbia.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 2794) to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,' approved May 13, 1892," reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2525) authorizing the purchase of sites for buildings for the accommodation of the Interior, Treasury, and War Departments of the United States, the District of Columbia, and for other public purposes, in connection with removing the Botanic Garden fence and improving the grounds, together with the development and encouragement of ramie-fiber, silk, and flax preparation and manufacture and their production and profitable home market in the United States, under the supervision of the Secretary of the Treasury, reported adversely thereon; and the bill was postponed indefinitely.

Mr. FOSTER of Washington, from the Committee on the District of Columbia, to whom was referred the bill (S. 2318) to change the name of Fourth street NE., north of T street, in the city of Washington, D. C., to University avenue, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. CLAPP, from the Committee on Patents, to whom was referred the bill (S. 2229) to amend chapter 4952 of the Revised Statutes, reported it without amendment, and submitted a report thereon.

Mr. SIMMONS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2621) for the widening of V street NW., reported it with amendments, and submitted a report thereon.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. GALLINGER introduced a bill (S. 3192) for the relief of the State of New Hampshire; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3193) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PROCTOR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3194) granting an increase of pension to Stephen Gillon (with accompanying papers);

A bill (S. 3195) granting an increase of pension to Peter Duclow; and

A bill (S. 3196) granting a pension to Alma L. Aldrich (with an accompanying paper).

Mr. MALLORY introduced a bill (S. 3197) for the relief of H. H. Thornton and Ben D. Rochblaive; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAPP introduced a bill (S. 3198) granting an increase of pension to Samuel D. Rossman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3199) for the relief of A. M. Short; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 3200) for the relief of the trustees of Trinity Episcopal Church, of Martinsburg, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 3201) granting an increase of pension to James I. Shafer; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of James I. Shafer for increase of pension, together with his affidavit and the affidavits of Dr. H. H. Taylor and E. R. Wells and letter from the War Department. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3202) granting an increase of pension to John S. Bicket; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of John S. Bicket for increase of pension, together with the affidavits of Dr. J. J. Hodges, George W. Laurance, and J. W. Nyman. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. BAILEY (by request) introduced a bill (S. 3203) granting an increase of pension to George W. Foster; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 3204) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to sell all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. LONG introduced a bill (S. 3205) authorizing the Secretary of the Interior to acquire the title to lands within certain Indian reservations; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BERRY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3206) for the relief of the estate of Samuel J. Jones, deceased (with an accompanying paper);

A bill (S. 3207) for the relief of the heirs of James C. Lipscomb;

A bill (S. 3208) for the relief of William H. Roach; and

A bill (S. 3209) for the relief of James Erwin.

Mr. BEVERIDGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3210) granting an increase of pension to Hiram P. Housel (with an accompanying paper);

A bill (S. 3211) granting an increase of pension to Samuel M. Graham (with an accompanying paper);

A bill (S. 3212) granting an increase of pension to Lovisa Morrison (with an accompanying paper); and

A bill (S. 3213) granting a pension to Mark Grosh (with an accompanying paper).

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3214) for the relief of the Germantown Baptist Church, of Shelby County, Tenn. (with an accompanying paper);

A bill (S. 3215) for the relief of the trustees of the Baptist Church of Jefferson City, Tenn.;

A bill (S. 3216) for the relief of James S. McDonogh, Harry A. Hegarty, and James A. Toomey, of the District of Columbia; and

A bill (S. 3217) for the relief of John Conner, sr.

Mr. NELSON introduced a bill (S. 3218) for the relief of Civil Engineer P. C. Asserson, retired; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. KITTREDGE introduced a bill (S. 3219) to revise the laws of the United States relating to trade-marks; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 3220) to regulate and protect marks, trade-marks, commercial names, and symbols used in commerce, and to enforce treaties regarding the same; which was read twice by its title, and referred to the Committee on Patents.

Mr. DOLLIVER introduced a bill (S. 3221) to reimburse the legal heirs of the late John George Bauer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 3222) to remove the charge of desertion against James Boyles; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. LODGE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3223) for the relief of the States of Massachusetts and Maine; and

A bill (S. 3224) for the relief of Jeremiah Shea or his legal representatives.

Mr. LODGE introduced a bill (S. 3225) authorizing the Secretary of State to reimburse the Compagnie Française des Cables Telegraphiques for expenses incurred in repairing its cables and property which were cut and damaged by United States forces in Cuba during the Spanish-American war; which was read twice by its title, and referred to the Committee on Foreign Relations.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3226) granting a pension to Charles H. Jackson (with accompanying papers); and

A bill (S. 3227) granting a pension to James F. Mears (with accompanying papers).

Mr. LODGE introduced a bill (S. 3228) making it a felony to make impressions or counterfeit the great seal of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3229) granting a pension to Anna M. Hawes;

A bill (S. 3230) granting an increase of pension to David Lanpher;

A bill (S. 3231) granting an increase of pension to John Nichols; and

A bill (S. 3232) granting an increase of pension to William O. Gould.

Mr. BACON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3233) for the relief of George H. Hogan;

A bill (S. 3234) for the relief of the heirs of William Wesley Turner, deceased; and

A bill (S. 3235) for the relief of the heirs of Elias Weaver.

Mr. BACON introduced a bill (S. 3236) granting a pension to John McDermid; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LATIMER introduced a bill (S. 3237) for the relief of Mrs. Jane A. Sanders; which was read twice by its title, and referred to the Committee on Claims.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3238) granting an increase of pension to Jacob B. Getter; and

A bill (S. 3239) granting an increase of pension to George W. D. Buchanan (with the accompanying papers).

Mr. PENROSE introduced a bill (S. 3240) for the relief of Gallatly, Hankey & Co.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Foreign Relations.

Mr. KEARNS introduced a joint resolution (S. R. 28) authorizing the printing of additional copies of Agricultural Bulletin No. 124, being a report on irrigation in Utah; which was read twice by its title, and referred to the Committee on Printing.

CANAL ACROSS ISTHMUS OF DARIEN.

Mr. SCOTT introduced a joint resolution (S. R. 29) providing for a board to investigate the practicability of constructing a canal across the Isthmus of Darien; which was read twice by its title.

Mr. SCOTT. Mr. President, I am going to ask to have the joint resolution referred to the Committee on Interoceanic Canals, and in doing so I wish to say that on Thursday, February 6, 1902, I took occasion to deliver a few remarks upon the choice of a route for building a canal across the Isthmus of Panama to connect our two great oceans. My contention was then, and is yet, that the route this canal should take is what is known as the "Darien" or "San Blas" route. Upon that occasion I cited many reasons why the canal should be built at this point. There are many reasons why the arguments and contentions that I then offered still hold good in the location of the route for building the canal. As then cited, the length of this canal would only be 30 miles, with no locks to build to prevent the passage of ships. This passage could be made in five hours at a speed of 6 miles an hour, or ten hours at the very slow speed of 3 miles an hour.

In this day of electricity there would be no trouble, Mr. President, in using electric towboats for taking ships through the tunnel at a greater rate of speed than 10 miles an hour, but I take it for granted that no higher rate of speed would be desirable. To me the contention of some that it is an impossibility to build the canal by this route on account of having to make a tunnel through the Cordilleras Mountains is absurd. I feel sure that the merits of this route have never been thoroughly investigated by engineers or by Senators or there would be no question of the building of a sea-level canal with a tidal range between the two oceans of about 21 inches. This would be sufficient to clear the canal of offensive matter and keep it pure, and certainly no one will dare to say that if a sea-level canal can be built that it is not the one we want.

Mr. BACON. As there has been recently some change in the map, will the Senator permit me in this connection to ask him where this canal would now be located? Would it be in the new State of Panama?

Mr. STEWART. Certainly.

Mr. BACON. It would still be in Panama?

Mr. STEWART. In old Panama, 150 or 200 miles from Colombia.

Mr. BACON. Is the Senator from Nevada correct, I will ask the Senator from West Virginia?

Mr. SCOTT. I will answer as far as I know, if the Senator will allow me to finish the very brief statement I have to make.

Mr. BACON. All right.

Mr. SCOTT. Mr. President, to say that this tunnel can not be successfully made wide enough and high enough to admit of the passage of the largest ocean steamers as well as our largest battle ships is, in my judgment, an insult to the intelligence and advancement of the engineering skill of our people. We have

the evidence of some of the best engineers who have given thought to the [illegible] canal can not be made to work [illegible] without [illegible] locks and dams and where the rainfall must [illegible] ships to pass through. We know that in that tropical country the rainfall is something like what we would call waterspouts in our country, coming down in torrents and pouring down the mountain sides, carrying sediment and [illegible], which would in a short time fill a canal and would consequently require the attention of the Government, at a very heavy expense, to keep sufficient depth of water to permit the passage of ships.

I fear that in my advocacy of the Darien canal route I am liable to be [illegible] on the ground that I am simply doing this to prevent the building of any canal or for the purpose of retarding an early commencement and completion of a canal. This I emphatically deny. I have been all my life, from my early manhood, a believer in a canal between the two oceans and have always been anxious to see this Government build one; but when we go to the expense to see that a canal will cost, as we want to be assured that it will be completed we have what we want, and that is a perfect waterway between the two great oceans; and, as I said before, in my judgment there is no practicable way except a sea-level canal, and there is no other route except the one that I am advocating by which a sea-level canal can be made.

I trust we have offered the foregoing resolution. I would ask, Mr. President, that it go to the Committee on Interoceanic Canals, and I further ask that that committee give a prompt consideration with the documents that I submit herewith to accompany the resolution, and that at least they report back to the Senate in as short a time as possible their conclusions after a careful consideration of this subject.

The PRESIDENT pro tempore. The joint resolution will be referred with the accompanying papers, to the Committee on Interoceanic Canals.

WITHDRAWAL OF PAPERS.

On motion of Mr. FORAKER, it was

[illegible] granting a pension to Frank V. Lewis [illegible]

[illegible] be granted to withdraw the papers on file in the office [illegible] William Wynn, [illegible] on said bill.

ROADS AND ROAD BUILDING.

Mr. LATIMER submitted the following resolution; which was read:

[illegible]

Mr. LATIMER. I move that the resolution shall lie on the table and that we pay [illegible] and I wish to take the floor to-morrow morning [illegible] on the subject.

Mr. BEVERIDGE. What is the resolution about?

Mr. LATIMER. Roads.

Mr. HALE. The Senator does not intend to include railroads?

Mr. LATIMER. No, sir; not roads.

The PRESIDENT pro tempore. The Senator from South Carolina asks that the resolution lie on the table [illegible] and that it be printed [illegible] Senate on Tuesday. Is there objection? The Chair hears none, and it is so ordered.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. The Chair lays before the Senate bill of the resolutions pending to an investigation of the Post-Office Department and all amendments pending to the same.

Mr. SIMMONS. Mr. President, this debate upon the resolutions which have been introduced has gone far enough to disclose the fact that the majority in this body do not intend that there shall be any investigation by a committee of this body of the scandals and frauds which have taken place in the Post-Office Department.

Now, it is a very easy matter to find a reason—I might say a plausible reason—for any position which the exigencies of politics make necessary or expedient. The reasons which have been assigned by the majority why an investigation of these frauds and scandals should not be made by a committee of Congress are threefold.

First, we have been told that at best a Congressional committee is a bungling piece of machinery for the investigation of such transactions.

Secondly, we are told that no further investigation is necessary.

A third reason assigned, though it has not been insisted upon since it was first promulgated because its untenability was too apparent, I suppose, is that an investigation by a Congressional committee would be in the open, and it would furnish to the accused not only the charge, but the evidence, and enable him to prepare to meet that charge and that evidence.

Mr. President, as I said before, it is clearly the purpose of the majority in this body not to permit a Congressional investigation, and when these resolutions come back from the committee—if they ever do come back, and I suppose they may in some modified form—if they shall provide for anything like a thorough and complete investigation into the misdoings in the Post-Office Department, that resolution, I say, will be, in my judgment, defeated by the practically unanimous vote of the other side in this Chamber.

But it will not be defeated, Mr. President, because a Congressional investigating committee is a bungling instrument for such investigations; it will not be defeated because no further information is needed in these transactions; and it will not be defeated because of any fear that the accused in the indictments which have been found will be given an opportunity to know the charge made against them and to meet the testimony upon which the Government relies; but the proposed investigation will be refused because the majority in this Chamber do not want any further investigation into the scandals and frauds of the Post-Office Department, and because they do not intend that there shall be any further investigation into those frauds and scandals upon the eve of a Presidential campaign and election.

Mr. President, we are told that we must not have an investigation by a committee of this body because it is a bungling, inefficient, and inadequate method of investigating such transactions. Congressional investigations have been in vogue in this country since the foundation of the Government. They are popular with the people. While they have not always served as the best possible machinery for such investigations, they have upon repeated occasions been the means of developing frauds and scandals and bringing the guilty to justice.

The people, I say, like this method of investigation. These inquiries are made in the open. They are not ex parte inquiries, and only in a limited sense are they partisan inquiries, for investigating committees are nearly always, I believe always, composed of representative members of both political parties.

The fact that Congressional investigations have probably been resorted to more frequently in our recent than in our remoter past was not easy proof that they are a popular method of investigation in the public service, but that they are a reasonably efficient and adequate method for such investigations.

Mr. President, I am very glad that the junior Senator from Massachusetts [Mr. LODGE], who first made objection to the investigation, feeling the force of the arguments made in opposition to it, has, I will not say that it called upon, but saw fit to modify and define his original position.

I now understand the Senator from Massachusetts as contending that nothing is involved in these investigations except prosecution and its punishment, and that therefore the Post-Office Department, aided by the Department of Justice, is the proper tribunal to make these investigations; that no questions of legislation are involved, and therefore there is no necessity for Congressional investigation. This, I think, is too limited a view of the subject, but it is evidently the view taken by the Post-Office Department and the Administration.

Let me read from Mr. Bristow's report on page 11. In the very first paragraph of his report to the Postmaster-General, Mr. Bristow says:

SIR: As directed by you on March 7, 1903, I have endeavored to make a [illegible] of Salaries and Allowances, and I beg to submit the following report:

He was directed by his superior to make an investigation into the irregularities. I suppose that word is sufficiently broad, however, to include crimes—not in the whole Post-Office Department, but in every division of any branch of the Post-Office Department, and he was directed to make an investigation into the irregularities in one branch of the Post-Office Department, and in only four divisions of that branch.

I have taken the pains to read this report of Mr. Bristow; I have read practically all of it; it covers about 174 pages; and it is what it purports to be—the report of an investigation into crime and the collection of the testimony upon which the Government will eventually rely to convict the criminals, and it has been confined to the branch and the divisions of that branch in the Post-Office Department specified in his instruction. This is the broad, sweeping, and comprehensive investigation of the Post-Office Department which Republican Senators have been telling us about.

I do not deny that in prosecuting this investigation along these narrow lines the Fourth Assistant Postmaster-General has been reasonably diligent; that the investigation has been reasonably

thorough, and that a great mass of testimony has been discovered against the parties who have been indicted, sufficient not only to secure their indictment, but, I believe, sufficient to secure their conviction and punishment.

But the point I make, Mr. President, is that it was only such an investigation as any district attorney in this country would have made in investigating any charge of a violation of the criminal statutes of the United States. It was, in other words, a purely legal investigation. Nor was it, as I said, an investigation of the whole Post-Office Department, but only an investigation of one branch and four divisions of that branch. The branch of the postal service actually investigated was found to be reeking with fraud and corruption. I do not mean to charge that all the other branches and divisions in the Post-Office Department were tainted with the frauds and corruptions that existed in the divisions in the First Assistant Postmaster-General's office.

But I say it will be very difficult to convince the people of this country, when four divisions of one branch of the Post-Office Department are found in the condition in which Bristow found those of the First Assistant Postmaster-General, that the remainder of the branches and divisions of the Post-Office Department do not require an investigation, or that the remainder of those branches and those divisions are in good and honest condition.

Mr. President, while the investigation already made of the crimes committed in the Post-Office Department was entirely proper, there is something more involved in this matter than the investigation of crime; there is something of infinitely greater importance than that. In addition to this, it involves the people's money.

Money appropriated by Congress and dedicated to a specific purpose has been wasted, has been squandered, has been extravagantly expended, has been misappropriated, has been misapplied, diverted from the uses to which it was dedicated; and now, Mr. President, are we to tell the American people, whose representatives we are, who have put us in charge of this money, and who have also provided in their Constitution that no money shall be drawn from the Treasury except by virtue of an express appropriation by Congress—shall we say to the American people, in view of these facts, when their money has been squandered and wasted and misappropriated, that we feel no duty, that we feel no obligation to make an investigation ourselves? Shall we say to them that we ought not to make that investigation because, forsooth, a committee of this body is not an efficient machine for making such an investigation? Shall we say to them that, though there is a duty devolving upon us to inquire into these misuses of their money, we will surrender, we will abandon that duty in favor of a subordinate department of the Government, and that department of the Government the one which has been charged with wasting and squandering it?

Mr. President, this money of the people, which has been thus wasted and which has been spent without authority of law and contrary to law—it does not make any difference which—was not abstracted from the vaults of the Treasury before an appropriation was made; it was not abstracted from any disbursing officer of the Government after an appropriation had been made. If it had been, then it would have been a case of vulgar larceny, to be dealt with by the courts and to be punished by them. That is not the way in which this money was obtained. This money was obtained—practically every dollar of it, I think I can say with safety, for I have read the report carefully—practically every dollar of this money that has been misapplied by dishonest officers and employees in the Post-Office Department was obtained under the forms of law.

If you will go and examine the books of the Post-Office Department, you will find in most instances the records are all right. In order to ascertain that there has been theft and misappropriation, you have got, in most cases, to go outside of the record. They have reached the money of the people through the processes of law.

That being so—and it can not be disputed—shall we tell the American people, to whom we are responsible for the appropriation of this money, that, with a system of laws, or with a system of regulations in the Post-Office Department so lax, so inadequate for the protection of the people's money, thousands, tens of thousands, hundreds of thousands, yea, millions of dollars can be taken, have been taken, under the forms of law, by dishonest officials in these departments, yet that system of laws and regulations needs no amendment and reform—calls for no remedial legislation for the better protection of the money of the people?

As I said, if the money had simply been stolen, then the wisdom of the ages has been able to devise no better remedy than the conviction and punishment of the thieves; but when money has been obtained under the forms of law, with nothing apparently wrong in the record, then I think a clear case is made out for reform, for remedial and protective legislation; and to say that we are helpless to meet such an exigency as that is to confess our imbecility to legislate for the welfare and protection of the people.

Mr. President, not only that, but every dollar, practically, of this money of the people which has thus been misapplied has been misapplied under circumstances which create in law a civil liability on the part of the responsible agents through whose fraud, or carelessness, or negligence, or one agency this result has been accomplished.

Now let me see if that is a correct statement. Take the case of the letter boxes. That is one of the largest of the frauds. The money that was paid out by the Department on account of these letter boxes was paid out under a law of Congress. It was paid out under a contract duly and legally made. That contract provided that the contractor should supply the boxes, paint the boxes, and attach to the boxes the fasteners to connect them to the post. That was the contract. Yet a subordinate official in the Government service enters into a verbal contract which, as I understand it, was not good in law except to meet a case of emergency—and it seems emergency in the Department meant not one day or week or month, but years and years—in order to meet an exigency a verbal contract was made with a third party to furnish to the contractor the fasteners.

Another verbal contract was made by this subordinate officer with a third party to paint the boxes for the contractor. When the bill of the contractor came in, it was the exact amount provided for by the contract, which required him to both paint the boxes and furnish the fasteners, and it was paid. When the bill of the third party for painting these very boxes was brought in, it was paid. When the bill of the third party for furnishing these fasteners, known as the "Groff fasteners," was brought in, it was paid. Machen got a bounty from the painter on his verbal contract, and he got a graft in the form of percentage from the party furnishing the fasteners made under his contract. He then received a bounty from the contractor, because, forsooth, he had not been required to paint the boxes and to furnish the fasteners, as specified in his contract and for which he had been paid.

Take again, to illustrate my point, the matter of the satchels and the satchel straps. In that case a contract was made according to the requirements of law providing that the contractor should furnish the satchels and the straps that went upon the satchels at a specific price. Machen then made a verbal contract—which could only be good in cases of exigency, as I explained—with a third party to furnish this contractor the straps. The contractor was paid by the Government the full amount of the original contract price without any deduction because he had not actually furnished the straps, and the third party with whom Machen made his verbal contract was likewise paid, and Machen got a double commission—one out of the private contractor who had the verbal contract, and then one out of the Government contractor, because he had, through Machen's manipulations and ingenuity, been relieved from performing that part of his contract which required him to furnish the straps. The Government paid twice.

This was done under two contracts held by the Department to be legal, I take it; but, Mr. President, the point I make is that the money which Machen secured in that way and the money which the contractors who were in conspiracy with him received in that way, to which they were not entitled, creates a civil liability against somebody—Machen, some other official, in favor of the Government, not only for the amount which Machen received, but for the amount which the conspirators outside of the Post-Office Department also received, and for all that the Government lost.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. SIMMONS. Certainly.

Mr. TILLMAN. The Senator is on the Post-Office Committee, and is therefore much more familiar with these matters than I am. I therefore take the liberty of making an inquiry, hoping that if he has not already had his hand turned in that direction that he will. Senators will remember that two or three years ago—I do not recall exactly the date—I endeavored to get an appropriation on the Post-Office appropriation bill for the purchase of rural free-delivery boxes at cost for the use of the rural routes throughout the country, so as to minimize the expense to the farmer.

I brought in here a sample box which was offered to the Government at 50 cents, thoroughly well made and up to the usual requirements, and yet that very same box was being required to be purchased by the Department from somebody, somewhere, at about a dollar and a half or a dollar and a quarter. I want to ask the Senator whether this investigation which has been made, or any investigation which the Post-Office Committee itself has set in motion, has ever uncovered any of the apparent corruption involved in that transaction? If not, I hope that that committee will bear this in mind. If we are allowed by our friends on the other side to uncover the corruption which exists, and begin to

pull the string. I am thoroughly satisfied that we will get some big regimes and lots of big thieves after a while.

Mr. SIMMONS. Mr. President, there are numerous instances disclosed by the report of Mr. Bristow in which it appears that an article for which the Government was paying 100 cents, I will say for illustration, could be purchased in local markets for from [illegible] per cent of that amount. Not only is that disclosed, but it appears that repeatedly postmasters from distant points would write the Post-Office Department here, "The article for which you are paying $1 can be manufactured and sold, and is manufactured and sold right in the local market here, at retail for one-third or one-half of that amount," and they asked permission that they might be allowed to buy from the local dealers. The only answer was that the Government had entered into a contract with somebody to furnish the article; when, as a matter of fact, the Government had no such contract, but merely a verbal agreement between Machen or Beavers, as the case might be, and some private person.

Mr. TILLMAN. I did not understand the Senator to say that any investigation along the line I suggested had been made anywhere.

Mr. SIMMONS. No; not exactly. It ought to be made, though. But I do not wish, Mr. President, to be diverted from the line of argument I was pursuing. I had just been arguing that in nearly every instance the money which had been illegally abstracted and drawn from the Treasury had been drawn from it under circumstances which would create in law a civil liability, as well in many instances as constitute a crime. Under the laws that obtain at this time the officials of the Post-Office Department and of the Department of Justice seem to think that there is no means by which this civil liability in favor of the people can be enforced except by a writ running only against the private property of the disbursing official, who, in many cases, is absolutely impecunious, and in other cases, as in that of Machen, has his property so conveyed that it can not be reached by a writ of attachment.

Let me say that is not a correct statement. All of us remember the fact that very shortly after Mr. Machen was discharged from office it was said that the law officers of the Government would institute proceedings against him; they would withhold his salary in the Post-Office, and then would institute proceedings against him in order to reach his property. I believe they did finally get a writ from the court, but that writ, it seems, was not effectuate in that it could only reach the small bit of tangible property of Mr. Machen, a [illegible]. Mr. President, that, the people having lost thousands and hundreds of thousands and millions of dollars through the dishonesty of these officers of the Post-Office Department, there is no law which gives them adequate remedy for reimbursement. Though there is a clear civil liability, except by attaching or levying upon the personal property of the defaulter.

Let me read, Mr. President, an article that appeared in the Washington Post about this time:

SUITS IN POSTAL SCANDALS—AS THE GOVERNMENT [illegible] FOR IMPROPER PAYMENTS—POSTMASTER AT BALTIMORE WAS REQUIRED TO MAKE RESTITUTION WHEN CASE WAS A VERY [illegible].

[illegible] Postmaster-General Bristow and Special Attorney [illegible]

[illegible] Mr. [illegible] A very diligent search was made, without [illegible] in case of officials not under bond.

[illegible]

Outside of bonded officials [illegible] Government [illegible] payments.

If a collector of internal revenue misappropriates one dollar of the people's money, if any such officer in his office, however low or high, misappropriates one dollar of the people's money, if either he or any of his subordinates shall pay out a dollar which is not authorized by law, or in a manner not authorized by law, the people do not have to look to the private property of the defaulter or disbursing subordinate or of the collector. So it is with the post-offices located within the States. Not only in case a postmaster or his subordinates steal a dollar or abstract it, but where he appropriates it in a manner not specifically authorized by law or the Department civil liability is created, and the remedy is not solely against the private property of the defaulting subordinate or his chief, but it is against the bond which the Government has taken and which the law prescribes to cover all defalcations and derelictions of this kind.

Mr. President, I am not suggesting who in the Post-Office Department shall give bonds. I am not suggesting what shall be done in order to remedy this omission. But I say there is no divinity that hedges about the Departments of the Government in Washington City. There is no reason why the law should not provide for the people, as to a Department in Washington City, the same financial indemnity and protection against defalcations and misapplications of money of the character that have occurred in the Post-Office Department that it does in a Government office located in the States or the Territories. And yet we are confronted by the fact that these grafters in the Post-Office Department have succeeded in abstracting from the public funds [illegible] million dollars, which has gone straight into their pockets, and their co-conspirators, outside of the Post-Office Department, through their failure of duty, through their violation of law, have obtained from the Treasury of the United States illegally equally as large a sum of money. And yet it appears that the only civil remedy the Government has for reimbursement on account of these large thefts is an action against the individual thief and a writ against his private property.

I would not be guilty of the sacrilege of saying that a Cabinet minister ought to give bond. But I do say there ought to be a bond somewhere responsible for every cent of money misapplied in the Departments at Washington, as is the case in Government offices away from Washington.

The point I make is that the laws now existing it seems are so [illegible] in the Post-Office Department, and if in the [illegible] ment, then I presume in all the other Departments in Washington [illegible] millions of dollars can be abstracted contrary to law and the people apparently have no remedy except against the property of the thief.

Yet we are told, in the face of this fact, that there is no occasion for an investigation by the committees of Congress, because, forsooth, no money has been misapplied.

It has been suggested by Mr. Bristow in the closing observations of his report that what the Government needs is more honesty in the Department. He says:

> What the service most needs, however, is honest, intelligent, and vigorous administration.

If it were possible to secure absolute honesty on the part of officials, then we should need no bonds and we should need no preventive legislation, because if there was absolute honesty we would [illegible]

It is contended that the [illegible] and their punishment will have a [illegible] the commission of crimes of [illegible]. But I [illegible] will [illegible] in the Post-Office [illegible] with [illegible] the G[illegible] under him, that very fact would be a diligence and a [illegible] in the administration of the laws which would be preventive.

I do not mean, Mr. President, to make any charge against Mr. Bristow. I have read his report, and I am [illegible] that in my judgment he has made, within the limitations that [illegible] scribed for him, a pretty thorough investigation of the [illegible]. But the investigation which Mr. Bristow has made [illegible] self almost entirely with the [illegible] The [illegible] nce in which he has undertaken to investigate one of his superiors in office.

I do not say that he has not been active and has not discharged his full duty in the matter of investigating that equal in [illegible] but I do say that a careful reading of his report has led me to believe that of the investigations [illegible] Perry Heath [illegible] has passed and passed with [illegible] in the investigation of the cases against Machen and Beavers, and if clews against him had been followed out to their logical and legitimate results, as they were followed out in the cases of Machen and Beavers, a sufficient amount of evidence might have been secured to warrant the district attorney in presenting the case to the grand jury, as well as in the cases against Machen and Beavers.

It is evident Mr. Bristow believes that Perry Heath was one of the chief sinners; that he believes he had very much to do with the inauguration of the system of graft which has grown to such

proportions in that Department. It is evident, too, from the report of Messrs. Conrad and Bonaparte, that they believe it. It appears from Bristow's report that this man secured the removal of the first officer of the Government who dared to begin the investigation of these irregularities, not because that man was guilty of any illegal conduct, but because his probings into the affairs of his Department were inconvenient and embarrassing.

It also appears from this report that certain stock of a company which furnished the Government with these Montague indicators was issued, or, it appears from the books of that company, was directed to be issued, to the editor of a certain newspaper in Salt Lake City, which editor Perry Heath was, and sent to a certain street and number in Salt Lake City, which number indicated the place of residence of Perry Heath. It appears also that some of that stock was finally issued to the uncle by marriage of Perry Heath, and, although he denies ever having received it, it came back to the Department in an anonymous letter after the investigation was begun. Upon the procurement of Heath 527 automatic cashiers which were not needed by the Government, [illegible] which have never yet been used, were purchased by the Government for $150 apiece when they could be manufactured for about $20 and were selling at the time on the market for $125. It is not shown whether Heath got any of the stock in this company, a large amount of which was used to secure the purchase and use by the Government of these cashiers, but enough appears to justify a searching investigation into Heath's connection with and interest in this corruption fund.

I say it is remarkable, with these and other important clews pointing to the ex-First Assistant Postmaster-General, that the officers of the Government were not able to follow them up and get sufficient evidence to indict him as they did in the case of Machen and Beavers, for the original clews against those two officials were no stronger than those against Perry Heath.

Mr. President, I do not say that Mr. Heath is guilty of what the circumstances indicate that he is guilty of; but I do say that if Perry Heath is an innocent man, then he is the victim of one of the most remarkable combinations of circumstances which ever implicated an innocent man. I do not say that by any degree of diligence upon the part of Mr. Bristow and his inspectors they could have followed these clews and traces so as to have secured sufficient evidence to convict the ex-First Assistant Postmaster-General. In the annals of crime there are instances where great criminals in certain stages of their crime have seemed to be bold to the point of recklessness, but when they reached the critical stage of their crime they have exhibited a skill in destroying or complicating the traces of their crime which baffled the resources of the sleuthhounds of the law. And it may be that this man is guilty, but is shrewder in concealing the evidence of his crime than the balance of them, and for that reason Mr. Bristow and his inspectors were unable to link together the inculpating circumstances against him. It may be that he is innocent and simply the victim of circumstances.

Mr. President, something has been said here about stifling investigation, and said in such manner as to be construed as a reflection upon the present Postmaster-General. For my self I have no reflections to make upon the present Postmaster-General. I have always regarded him and now regard him as an honest man. I think that the Postmaster-General has been reasonably active in pushing forward this investigation, and I do not myself feel [illegible] any charges against him. He has only recently come into the office, and I think it fair to assume that as soon as he [illegible] tain the fact that crime was rampant in the Department he took up the matter.

But, Mr. President, that defense can not be made for the late Postmaster-General, Mr. Charles Emory Smith. Long before his [illegible] d, even in the early days of his term in office, [illegible] general charges, but specific charges, and made by responsible agents, made by a great independent newspaper published in the city of Washington, and he was challenged to begin the investigation then. He was informed as to the character of the offenses committed in the Post-Office Department, and he was given the names of witnesses to those [illegible], and yet he went out of office without making any investigation which was worthy of the name of investigation.

When these charges were revived and when there was a universal demand in the country that an investigation be had and one was begun, this ex-official of the Government, in answer to a letter of the Postmaster-General asking him for information with reference to this matter, not only pooh-poohed and made light of the charges, but denounced them as stale slanders unworthy of the credence of intelligent men.

Mr. President, I want to put some matter in the RECORD showing the conduct of the ex-Postmaster-General with reference to the charges, detailed knowledge of which were brought to his attention a long time before Mr. Loud, Mr. Seckendorf, or William Allen White brought the President's attention to them, as told in his memorandum on the Bristow report. This knowledge was public property in Washington.

The Washington Post on Saturday, May 26, 1900, displayed prominently on the front page of that day's issue an article containing specific charges and suggesting to the Postmaster-General that inquiry would discover corruption and irregularities to a remarkable degree. The names of witnesses who could furnish the information included Fourth Assistant Bristow, Seymour W. Tulloch, Thomas W. Gilmer, George W. Beavers, and others who have figured prominently in the investigation of recent months.

Without reading, I ask leave to incorporate in my remarks the article on the subject in the Washington Post of May 26, 1900, calling the President's attention to these charges, and specifying them, and giving the names of the witnesses by whom they could probably be established.

The PRESIDENT pro tempore. The Chair hears no objection to the insertion of the matter.

The article is as follows:

[Washington Post, May 26, 1900.]

ON POSTAL PAY ROLLS—IRREGULARITIES IN THE SERVICE AT SEAT OF GOVERNMENT—SALARIES THAT YIELD NO RETURN—INSPECTORS HAVE BAD THE WORD TO "LET THE WASHINGTON CITY POST-OFFICE ALONE"—WHILE GENERAL BRISTOW IS PROBING AT HABANA THE POSTMASTER-GENERAL IS GIVEN AN OPPORTUNITY TO TURN THE LIGHT ON AT HOME—SOME QUEER OFFICIAL TRANSACTIONS.

Investigations are in order, especially in relation to postal affairs. Post- [illegible]

[illegible] matter of [illegible] Postmaster-General [illegible] the Auditor of [illegible] would have been pertinent.

A GOOD FIELD FOR INQUIRY.

In view of the P[illegible] the light turned on, the [illegible] of [illegible] conducted in con- [illegible] It is not claimed that Postmaster-General Bristow has [illegible] he has had little, if any, control over the matters involved.

INSTANCES OF IMPROPER PAYMENTS.

[illegible] tions that call for inquiry:

[illegible] on payrolls covering three pay rolls at [illegible] B.

Six [illegible] paper reporter, was carried for many months as physician [illegible] not on public business [illegible] out of industrious belonging to the [illegible] military postal fund.

MEN WHO HAVE INFORMATION.

If the Postmaster-General wishes to thoroughly investigate the affairs [illegible] is that he secure the testimony of the following [illegible]

Joseph [illegible]
Clay [illegible]
George W. [illegible]
A. H. Scott [illegible]
Seymour W. [illegible] prosecution, but [illegible]
Marcus [illegible] Washington, but now an employee [illegible]
Thomas W. [illegible]

The [illegible] are in no way [illegible] of the Postmaster-General with reference to [illegible] If his investigation be made with a sincere desire to get at the facts [illegible]

The Postmaster-General, the Post would suggest, with all deference, would do well to insist on obtaining both reports that were made regarding the

operations of the Washington City post-office early last July, the confidential report being the one that will best demonstrate methods that prevailed in the [illegible]

AMOUNTED TO $50,000 IN ONE YEAR.

[illegible] criminal, disburse[illegible] large total [illegible] amount [illegible] as far as [illegible] and [illegible] Washington [illegible] City post-office [illegible] had be[illegible]ton City post-office [illegible]

AN [illegible]

Political influ[illegible] as many as fifty in all, perhaps more, have [illegible] trip his same [illegible]

TRAVELING EXPENSES OF OFFICIALS.

[illegible] allow[illegible] that [illegible] under the head of "miscellaneous expenses."

HEARD FROM THE COMPTROLLER.

[illegible] paid in the local courts and [illegible] the appeal [illegible] Washington City post-office [illegible] and [illegible] of the Washington City post-office for the month of July, 1899. [illegible] of the Washington City post-office [illegible] and under the mil[illegible] [illegible] Postmaster W[illegible] City post-office [illegible] under the head of "miscellaneous expenses."

SALARIES OF SIX WOMEN CLEANERS.

A [illegible] numerous items in the accounts for [illegible] year, including the payment of six women cleaners [illegible] Department [illegible] Washington City post-office [illegible] Mr. Smith [illegible] Department [illegible] Washington City post-office [illegible] Department [illegible] Washington City post-office [illegible] Department [illegible] Washington City post-office

Now, Mr. President, there is no question before the Senate as to whether there shall be further investigation of affairs connected with the Post-Office Department. It is an entirely different question which is before the Senate. It is whether, in view of the exhaustive and searching investigation which has been already had and which has been reported to the Senate and the Committee on Post-Offices and Post-Roads, but I learned afterwards that it had not, with a resolution provided that "in view of the charges of corruption [illegible] of the officers of the Post-Office Department the Committee on Post-Offices and Post-Roads be hereby instructed to direct all papers [illegible] to make further inquiry into the affairs of said Department [illegible] of such investigation." To that resolution no voice or objection was raised.

Mr. SIMMONS. Will the Senator permit me?

Mr. PLATT of Connecticut. Certainly.

Mr. SIMMONS. I suppose the Senator is aware of it, but I desire to call the attention to the fact that discretionary language was proposed to be stricken out by

Mr. PLATT of Connecticut. By more direct language.

Mr. SIMMONS. By the Senator from Maryland [Mr. GORMAN], and it was intended it was objected to.

Mr. PLATT of Connecticut. I was about to state that fact.

Mr. SIMMONS. I think he the Senator had passed by it.

Mr. PLATT of Connecticut. I certainly should not have overlooked it because it is the point of all I am saying, and the point which I have made is that there is no such issue raised in the Senate as Senators upon the other side assume and charge.

The proposition, after having been referred to the Committee to Audit and Control the Contingent Expenses of the Senate, was reported back favorably. Then the Senator from Maryland [Mr. GORMAN] proposed some amendments which entirely changed the character of the resolution and took away from the Committee on Post-Offices and Post-Roads any discretion or any consideration of the question whether such an investigation was necessary, but peremptorily directed the committee to proceed with the investigation. To that objection was made, and to that objection is made, and to that objection will be made.

All that we ask is that the committee on Post-Offices and Post-Roads, with a minority representation upon it which is able and aggressive, shall have the opportunity to consider carefully the report which has been made and then to report to the Senate whether a further investigation is necessary. And if that committee should upon such investigation and consideration report to the Senate that it thought further investigation was necessary or desirable in the least degree, there would be no voice raised on this side of the Chamber against an investigation by that committee. That is all there is to this question.

We as individual Senators do not consider that we have had the time, the opportunity, or that we have the information to determine whether, after this elaborate, searching, thorough, and, I repeat, merciless investigation, there is still further need for an investigation. If there is, we welcome it—we want it. If there is not, we do not consider it worth while to enter into a needless investigation.

I think, Mr. President, that the attitude which Senators on this side have taken is the proper attitude to take with reference to all resolutions proposing investigation. I know of no reason why there must be perforce an investigation when any Senator asks for it. I do not know why the time of the members of committees of the Senate should be taken and the great expense attending investigations should be incurred before some committee, [illegible] has had the resolution proposing an investigation referred to it and made inquiry, and report to the Senate as to whether or not such an investigation ought to be made. I think it is a rule not only for this case, but a rule that ought to be adopted in every case.

[illegible] that there should be objection to it. We in[illegible] re, and when the Senate is scarcely considering them, if any one objects to having them immediately passed and wants them referred to a committee to investigate and determine whether the investigation ought to be set on foot it is supposed that there is really some objection, some desire to [illegible], some desire to hide something, some desire to excuse some one. No, Mr. President; not at all. I think I may speak for my fellow-Senators when I say that we are as anxious to have wrongdoing on the part of any official of this Government looked into, investigated, probed, and punished as any Senator upon the other side.

But to my mind [illegible] question as to whether further investigation into this matter is necessary. I do not believe any Congressional investigation, certainly none since I have been familiar with Congressional proceedings, has ever been conducted with the thoroughness, the impartiality, the determination to expose wrongdoing which have characterized the investigation carried on by the Postmaster-General during the eight months in which all powers of the Government were put in his hands.

Now, if Senators say there is something which he did not discover, if they specify other matters which should have been investigated and which he did not investigate, and the committee, upon the matter being referred to them, are of the opinion that that is true, then I with them should want those matters to be investigated. If they say that as to any of the matters investigated by Assistant Postmaster-General Bristow there has been any want of thoroughness, any failure to pursue it to the utmost limit and verge, then I want the matters which have been already investigated to be reinvestigated.

The PRESIDENT pro tempore. The Senator from Connecticut will please suspend for one moment. It becomes the duty of the Chair to lay before the Senate the Calendar of General Orders.

The SECRETARY. Order of Business 13, Senate bill 887.

Mr. CULLOM. I hope that Calendar will be laid aside temporarily to allow the Senator from Connecticut to proceed.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senator from Connecticut be allowed to proceed. Is there objection? The Chair hears none. The Chair wishes to inform the Senate that under a unanimous consent agreement of this kind the matter under consideration would not, in his judgment, become unfinished business.

Mr. PLATT of Connecticut. Since it has been suggested that Republican Senators wish to avoid a thorough and [illegible] to investigation of [illegible] the Post-Office Department, I desire to say that the President of the United States and the Postmaster-General, acting under his direction, have, in my judgment, intended to make this examination just as thorough as it was possible to make it; that the President, in directing it, and the Postmaster-General, in carrying it out, have lived up to the letter and the spirit of the declaration made by a former President on a somewhat similar occasion, "Let no guilty man escape."

It is somewhat strange, Mr. President, that in all this discussion we have not heard from the other side a genuine hearty word of compliment or praise for the President, the Postmaster-General, and the Fourth Assistant Postmaster-General in this matter.

To be sure, we have heard mild disclaimers that it was not intended to charge that there had been any shortcomings, but we

have not heard one genuine hearty word of praise for what has been done or sympathy with it.

I think it was a work well begun, well carried on, well finished, so far as it has been finished or can be finished without the aid of the courts; and if there be any one thing that a Committee on Post-Offices and Post-Roads says has not been done, I say, as we all say, I wish it to be done.

Now, that is the only issue there is between us. I am not going into a discussion of the matters brought out in the report of General Bristow. I have no desire to defend a guilty official of the Government, and I do not propose to be placed in the attitude of having that suspicion rest upon me.

But I do say, Mr. President, that the proper way of proceeding in all these matters, where investigations are called for by the resolution of a single Senator that are of consequence enough to be taken notice of by the Senate at all, is that it shall be referred to the proper committee, to the committee charged with the matters to which it relates, to determine whether an investigation is necessary.

If there is no issue between us, I think the motion to refer these resolutions to the committee can be adopted without division, and it should be adopted without delay. The committee should have time for consideration, and none too much time, but it should make an early report to the Senate of their opinion as to whether further investigation is necessary in this case, as to what investigation is necessary, and as to what should be the limitations, if any, of that investigation.

Now, why object to this? Why say that when we desire this we are trying to stifle investigation and keep things in the dark and to shield guilty persons, and that Republican Senators are inclined to prevent the investigation of something that ought to be investigated?

I do not desire to pursue this matter further, Mr. President, but I did feel that the real question before the Senate and the real issue before the Senate ought to be clearly set forth.

Mr. CARMACK. Mr. President, there is an issue between Senators upon this side of the Chamber and Senators upon the other side, if the Senator from Connecticut [Mr. PLATT] has correctly stated the attitude of the Senators on that side of the Chamber. We have not objected to this resolution going to the Committee on Post-Offices and Post-Roads on the personal assurances of the Senator from Pennsylvania [Mr. PENROSE], the chairman of that committee, having every confidence in the assurance that he would give the resolution early consideration and make an early report.

But we do not agree with the statement made by the Senator from Connecticut that everything should depend upon the recommendation of that committee as to whether or not an investigation shall be made. The Senator says if the Committee on Post-Offices and Post-Roads shall make a report recommending an investigation, or saying after they have examined into the matter that they think a further investigation is necessary, then Senators upon that side of the Chamber will be willing to go into a further investigation. Mr. President, I do not think the Senate ought to leave it entirely to the Committee on Post-Offices and Post-Roads to decide for it whether or not this investigation shall be had.

This matter, Mr. President, is not based upon mere rumors. We know that a condition of fraud and corruption and systematic violation of law has existed in the Post-Office Department. The Senator says that there has been a thorough, merciless, and elaborate investigation.

The investigation conducted by Assistant Postmaster-General Bristow has been thorough as far as it went, but it has not been elaborate; it has not been comprehensive. As the Senator from North Carolina [Mr. SIMMONS] has just said, it included only four divisions of one branch of the Post-Office Department. The conditions existing there are suggestive, at least, that like conditions may exist in other branches of the Post-Office Department.

It has been shown, and the reports made show, that there has been gross negligence on the part, not of the present Postmaster-General, but his predecessor. If he has been grossly negligent, if he has refused to investigate where charges have been made with respect to these divisions, then he may have been as grossly negligent with respect to other divisions in the Post-Office Department.

The Senator says, "If the committee shall find that further investigation is necessary." How is the committee to find that out? The committee can know nothing except what this Senate knows. It will have access to no information that the Senate does not already possess. The only possible way in which we can find out whether an investigation is necessary is to make an investigation, and we have information enough now to justify us in proceeding in this matter.

The Senator says that nobody on the other side of the Chamber objects to an investigation. Well, Mr. President, I understand that there was a right serious objection made by a very distinguished Senator upon that side of the chamber against any investigation by any Congressional committee of any wrongdoing in any of the Departments of the Government. The junior Senator from Massachusetts [Mr. LODGE] declared that such investigations were usually worthless; that the committees of Congress were not properly organized for that purpose; that they could not conduct such investigations properly; and then, to make the matter more pointed and emphatic, the Senator from Connecticut says that the Democratic minority of this committee will have a voice in the matter. The Senator from Massachusetts said that the minority should have no voice in this matter; that the Republican party was responsible for these things; that the Republican party would make its own investigations; and practically he told the Senators on this side of the Chamber that they were to have nothing to do with matters of legislation; that the Republican party would conduct the whole thing itself in its own way.

Now, that is one suggestion, Mr. President, which has brought on this debate.

Mr. PLATT of Connecticut. Will the Senator from Tennessee permit me?

Mr. CARMACK. Certainly.

Mr. PLATT of Connecticut. The Senator from Massachusetts being absent, I think I ought to read what I suppose is alluded to:

Mr. LODGE. Mr. President, I do not want to be misunderstood in what I said in regard to Congressional investigations. I of course did not refer to investigations relating to legislation or the subjects of legislation. With those I think Congressional investigations are not only necessary, but, as a [illegible]

Mr. CARMACK. What page of the RECORD does the Senator read from?

Mr. PLATT of Connecticut. Page 493. The Senator from Massachusetts proceeds:

I was referring to investigations for the purpose of discovering crimes and misdemeanors in the service. I say those investigations as a rule, so far as my observation goes, are pretty worthless.

Mr. CARMACK. Exactly.

Mr. PLATT of Connecticut. I think that is what the Senator from Massachusetts really said.

Mr. CARMACK. Of course; that is exactly what I stated he said.

Mr. TELLER. Will the Senator from Connecticut give the page of the RECORD?

Mr. PLATT of Connecticut. Page 493.

Mr. CARMACK. The second column.

Mr. TELLER. Will the Senator read what the Senator from Massachusetts said on page 493?

Mr. CARMACK. I was going to read that.

Mr. TELLER. If the Senator from Tennessee is going to read it——

Mr. CARMACK. The Senator from Connecticut may read it if he likes. That confirms exactly what I said. The Senator from Massachusetts said:

I of course did not refer to investigations relating to legislation or the subjects of legislation. With those I think Congressional investigations are not only necessary, but, as a [illegible] are extremely important and valuable. I was referring to investigations for the purpose of discovering crimes and misdemeanors in the service—

The very kind of investigation we are proposing to have—and I say those investigations, as a rule, so far as my observation goes, are pretty worthless.

Then he proceeds to give as an illustration of that the fact that a committee of the House of Representatives did investigate Mr. Machen and did not discover any of those crimes and misdemeanors. The Senator from Massachusetts was objecting to the very kind of investigation that we are asking for, saying that such investigations were absolutely worthless; that they accomplished nothing.

Mr. QUARLES. If it does not interrupt the Senator, I should like to ask whether his scheme for an investigation is outside of the instrumentality of any committee? Does not the Senator propose to have this investigation made by some committee?

Mr. CARMACK. Certainly.

Mr. QUARLES. Well, then, is the contention of the Senator that there ought to be a committee outside of that regular committee, to whom has been referred this very subject matter?

Mr. CARMACK. It is not.

Mr. QUARLES. Then I can not understand what the contention of the learned Senator is.

Mr. CARMACK. My contention is that this committee ought to be instructed to conduct this investigation. The Senator from Connecticut [Mr. PLATT] thinks that the committee ought to conduct the investigation if the committee want to do it. I think they ought to be required to conduct the investigation. That is the issue between the Senator from Connecticut and me.

Mr. PLATT of Connecticut. It is a little more than that. The committee should report to the Senate as to whether, in its opinion,

an investigation is necessary, and then the Senate will be in a position to determine whether an investigation is necessary.

Mr. CARMACK. I think the Senator further said that, if the committee did report that it was necessary, Senators upon the other side of the Chamber would be ready to vote for such an investigation. I suppose he also meant that if the committee should report that it was not necessary, they would vote to sustain the committee. That practically leaves the matter entirely in the hands of the committee to decide whether or not an investigation is necessary.

I say the Senate should instruct the Committee on Post-Offices and Post-Roads to make this investigation; they should require the committee to do it. The Senate already knows enough in regard to this matter [illegible] and there is no information that the Committee on Post-Offices and Post-Roads could give to the Senate without first conducting an investigation that the Senate does not already possess. We are just as well prepared to decide right now, at this moment, whether or not we want an investigation as we shall be after the Committee on Post-Offices and Post-Roads makes its report.

Mr. President, if this were an ordinary case [illegible] if it rested upon mere rumor or if some Senator had simply come in here and made a charge without any basis, then it would be well enough to have a committee consider a sufficient investigation to determine whether or not there was enough fraud and corruption to justify further investigation; but we already know all that.

We know furthermore, from the report of Mr. Bristow and from the Bonaparte-Conrad report, that further investigation is necessary, because they say so.

Mr. PLATT of Connecticut. Where does the Bristow report say so?

Mr. CARMACK. I think the Bristow report says that further investigation is necessary. I know the Bonaparte-Conrad report says that, and I say as the Senator —

Mr. DOLLIVER. Mr. President, if the Senator will permit me —

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Iowa?

Mr. CARMACK. Certainly.

Mr. DOLLIVER. Has the Senator at hand the suggestion of the Bonaparte-Conrad report to which he has referred?

Mr. CARMACK. No, sir; I have not. I did not at all expect to get into the debate this morning.

Mr. BURROWS. If the Senator will pardon me just a moment —

Mr. CARMACK. Certainly.

Mr. BURROWS. I have here the report of Messrs. Conrad and Bonaparte, and their recommendation on page [illegible], which I think discloses that they do not recommend a further investigation, except in one particular. Their recommendation is—

> That a [illegible] search investigation be ordered, if it has not been already ordered, of the [illegible] of the New York post office [illegible] of the Post-Office Department [illegible] and Post-Roads could give to the Senate without first conducting an investigation that the Senate does not already possess. We are just as well prepared to decide right now, at this moment, whether or not we want an investigation as we shall be after the Committee on Post-Offices and Post-Roads makes its report.
>
> Mr. President, if this were an ordinary case [illegible] if it rested upon mere rumor or if some Senator had simply come in here and made a charge without any basis, then it would be well enough to have a committee consider a sufficient investigation to determine whether or not there was enough fraud and corruption to justify further investigation; but we already know all that.
>
> We know furthermore, from the report of Mr. Bristow and from the Bonaparte-Conrad report, that further investigation is necessary, because they say so.

I know of no other recommendation on their part, though there may be.

On page 7 the President of the United States says in his memorandum:

> Messrs. Bonaparte and Conrad, in their review of the report of Mr. Bristow, speak as follows:
>
> [illegible] report as a [illegible] and important review of its subject-matter and that it shows [illegible] the report and [illegible] for them a work of the highest public utility, [illegible] performed.

Near the bottom of page 6 the President also says:

> After full consultation with Mr. Bonaparte [illegible] that Postmaster-General [illegible] investigation of the charges in question and of all matters that might be developed in connection with them.

Then the President says:

> Mr. Bristow's report is a record of as thorough a bit of investigating work as has ever been done under the Government.

I have been unable to anywhere find a suggestion made by Messrs. Conrad and Bonaparte or by anyone else that the investigation ought to be further proceeded with. Yet for one I desire to say in that connection, as a member of the Post-Office Committee, if it should appear to the committee that there are some other matters outside of this investigation which have not yet been touched upon that ought to be investigated, I am quite sure that an investigation will be ordered.

Mr. CARMACK. Mr. President, we do not know whether [illegible] ought to be investigated or not, but we do know that the investigation thus far made has not covered all the divisions of the Post-Office Department. We know it covers only four divisions in the Post-Office Department; and I say, in view of the fact that the investigations thus far made have shown conclusively that there has been gross negligence on the part of the Postmaster-General [illegible] that he has stood in the way of an honest investigation as long as he could, that he did everything in his power to prevent investigation, that he spoke contemptuously and insultingly of the witnesses whose testimony was offered him—I say, in view of that condition of affairs, in view of the indisposition and obstinate opposition of the Postmaster-General to proceed with any investigation whatever, and in view of the fact that great corruption has been disclosed in some of the divisions of the Post-Office Department, it at least raises a strong ground of suspicion that there is rottenness in other divisions of the Post-Office Department.

I can not stand here and charge that there is such fraud, and no other Senator can charge that there is. There is no way on earth in which we can find out whether there is or not without a thorough investigation. Such an investigation has not been made anywhere or by anybody. We are asking that the whole Post-Office Department shall be opened up and subjected to a searching investigation.

Mr. President, I am not pleased with the suggestion that comes from a distinguished Senator on the other side of the Chamber that this ought to be a partisan investigation. I am not pleased with the suggestion that Democrats should have nothing to do with it; that the Republicans bear the whole responsibility, and that they shall conduct the investigation in their own way. The responsibility, Mr. President, rests upon the whole country; it rests upon both sides of the Chamber, and we have as much right to perform our part in this great duty as have Senators upon the other side of the Chamber.

I wish again to emphasize my objection to the idea which has been expressed, that the Executive Departments of this Government should be left to investigate themselves, and that there should be no investigation of any charges against an Executive Department of the Government unless it is conducted by that Department or by the Executive himself.

As I said the other day, any charge of negligence or malfeasance or corruption in office, or violation of law in any Department of the Government is, to some extent at least, a charge of negligence against the Chief Executive of the country, who is charged in the Constitution with the duty of taking care that the laws be faithfully executed. If they are unfaithfully executed the responsibility rests upon him, and I say it is not right that an investigation which discloses, or which may disclose, negligence on the part of the Executive of the country should be conducted only by the Executive.

Mr. TILLMAN. Mr. President, the Senator from Michigan [Mr. BURROWS] asked a moment ago if there was anything else besides what was mentioned in this report. I thought I called attention a little while back to a very fruitful source of suspicion in the fact that this Senate, with practical unanimity, adopted an amendment, which I had the honor to offer, providing for the purchase by the Government of boxes for the rural free-delivery routes and the selling of them at cost to the individual mail receiver or farmer. Everybody agreed that was a practicable and just provision of law. Where did that go out? It went out in conference with the members of the House Post-Office Committee, who came over here, and who—advised, as I suppose, and encouraged thereto by the Post-Office Department, Mr. Machen, Mr. Beavers, and others—objected strenuously to any such provision going into the bill. I have had letters from private individuals in different parts of the country, mainly in the North, who have charged fraud and robbery of the people in this matter of the rural free-delivery boxes. I think we might investigate that.

Whilst I am on the floor I will ask another question of some of you gentlemen over there, as to why it comes and how it comes that we are informed in the newspapers that the statute of limitations runs against these thieves who have been caught up with, and that no indictments can be obtained or entered or prosecuted because the law has let them go, their rascality having been discovered too long after they had been guilty of the illegal acts.

The condition of partisanship which is appearing here is so great that we really do not ever expect to obtain, under this system of Congressional smothering, any light by which we can catch one of these thieves and put him in the penitentiary before the statute of limitations bars further proceedings, and then it will be said, "Oh, that does not matter; that is so long ago, so old, and so far back that it is not worth while to prosecute."

I confess I do not see how honest and responsible men can stand up here in the face of public opinion and say: "Oh, no; the President and the Postmaster-General have done all that is necessary. We do not propose to go any further."

I should like the Senator from Michigan to give me his opinion as to this rural free-delivery box business, by which even now the farmers of the country are compelled to pay a dollar and a quarter for a box which was offered to me and sent here by the manufacturer, and I was authorized to make a proposition to the Government that he would manufacture those boxes and sell them at a half dollar each. There is a steal there somewhere. Who got that money in the past, and who is getting it now?

Mr. QUARLES. Mr. President, I was very sorry that my friend from Tennessee [Mr. CARMACK], even in the heat of debate, should have been led to pass strictures upon the present Postmaster-General.

Mr. CARMACK. Mr. President —

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. QUARLES. Certainly.

Mr. CARMACK. If the Senator will permit me. I think I said very distinctly that I referred to his predecessor.

Mr. QUARLES. The Senator was not cautious, then, in his last remark, because, if I understood him aright, it could only have a reference to the present Postmaster-General. Of course, if the suggestion had no reference to him, I have no criticism to make at this time.

Mr. CARMACK. It did not, Mr. President.

Mr. QUARLES. Very well.

Mr. CARMACK. If the Senator will permit me, I think that I said distinctly, in the course of my remarks, that I referred to the predecessor of the present Postmaster-General.

Mr. QUARLES. In the early part of his remarks, if the Senator will remember —

Mr. CARMACK. I was referring to his predecessor on both occasions, Mr. President. I was not referring to the present Postmaster-General.

Mr. QUARLES. I feel very sure that my friend, who appreciates integrity and fidelity in a public officer, as we all do, will agree with me that Mr. Payne, as soon as his attention was called to this matter, took hold of it in a spirit of fairness and impartiality, and even sacrificed his health through the heat of last summer by remaining here, though a sick man, to see that the investigation was carried on with vigor and impartiality.

Mr. CARMACK. Mr. President, I am not expressing any opinion now about that. I said something the other day with reference to the present Postmaster-General. My remarks to-day had reference to his predecessor in that office. The point I was making was that this corruption had grown up in the Post-Office Department; that the Postmaster-General's attention had been called to it, and that he had pooh-poohed it; and even after he went out of office, when his attention was called to it, he replied with reflections upon the character of the witnesses, men whose testimony was afterwards made the basis of the report. If that corruption grew up in these few divisions of the Post-Office Department and the Postmaster-General refused to make any investigation to discover it when it was called to his attention, but pooh-poohed it and made bitter attacks upon the character of the witnesses, then I say he may have been equally negligent with respect to other divisions of the Post-Office Department.

The present Postmaster-General, of course, could not be responsible for that condition, because it grew up under his predecessor, and he, of course, was not responsible for what occurred then. I do think, with respect to the Tulloch charges, that the present Postmaster-General was not as diligent as he should have been. He may have been relying too much upon the action of his predecessor. That may be some excuse for him, though I do not think it entirely excuses him. The main responsibility for that, however, rested upon his predecessor.

Mr. BURTON. Mr. President, the question, as I understand, is on the motion to refer all these resolutions to the Committee on Post-Offices and Post-Roads.

The PRESIDENT pro tempore. That is the pending question.

Mr. BURTON. That is the pending question, as I understand, and I do not see the necessity for this discussion at this time. Let these resolutions go to the committee, because after the committee has considered the resolutions—and that committee is made up of representatives from the other side as well as from this side of the Chamber—and after action is taken by that committee, if there is anything done which the members upon the other side think is wrong, it seems to me that will be time enough to discuss the question as to whether or not there will be a fair investigation or otherwise.

Mr. CARMACK. I would suggest to the Senator from Kansas that there are still several Republican Senators who desire to speak, and it would not be fair to have the resolutions go to the committee until they have an opportunity to be heard.

Mr. DOLLIVER. Mr President, it appears to me that altogether too much emphasis is being put upon the importance of a Congressional investigation of the Post-Office Department, and the public mind, already sufficiently inflamed about corruption in that service, is liable to be still further misled into the belief that a general state of rottenness and irresponsibility has grown up in that great business Department of the Government.

I confess that I have shared those feelings of anxiety, amounting to indignation, at the disclosures that have been made, and yet when I have considered the enormous business of the Post-Office Department and the great variety of public interests that are committed to it, the revelations that have been made, instead of creating upon my mind the impression of a general state of corruption, have strengthened rather my confidence in the integrity with which the Government of the United States has been administered.

These investigations, which have been confessedly full and complete, at least so far as they have gone, have, in my judgment, uncovered in those divisions of the Post-Office Department where fraud was possible all the fraud that has existed there. They have developed no cases of embezzlement or misuse of public funds where accounts are kept and audited, but the abuses which have been revealed have grown up at those points in the service where any public account is impossible, and where the relation between the public official and the contractors with which he was dealing was necessarily a private and practically a secret relation. So that we have seen the spectacle of inferior officers of the Post-Office Department entering into contracts for the purchase of goods—for example, of the free-delivery boxes—and making a secret arrangement with the manufacturers by which a portion of the price paid was converted to the personal use of the officer making the contract.

All these have been investigated, and, I am glad to say, brought to the attention, as they ought to be, of the criminal courts of the country, and the parties charged thus with abusing the trust that was reposed in them now confront the courts for the decision of these charges.

I do not believe that any public interest could be served by a Congressional investigation. In the course of my service in Congress I have had the opportunity of participating in several of these investigations. I know the difficulty of making such investigations; the difficulty of securing testimony; the difficulty of covering such cases in any adequate way. The Senator from Tennessee [Mr. CARMACK] has said that an Executive Department ought not to investigate itself. The fact is that every Department of our Government is organized by law with the machinery for investigating its own business.

Mr. CARMACK. Mr. President —

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Tennessee?

Mr. DOLLIVER. Certainly.

Mr. CARMACK. I did not say that the Executive Departments ought not to investigate themselves. I say that they ought not to have the exclusive right in that particular.

Mr. DOLLIVER. Very well. I gathered the opinion that these were practically charges and suspicions against the President or against the Postmaster-General or against high and responsible public officials of the Government. I am, for one, glad to say and to believe that even in the heat of partisan manœuvre no such suspicions have been engendered in any quarter and that the public confidence in the high and responsible officials of the Executive Departments of the Government have been untouched even by the breath of suspicion.

There is no sense, no reason, in my judgment, for supposing that the Post-Office Department itself is at a peculiar disadvantage in conducting investigations of the transaction of its own subordinates; in fact, that great Department and all the other great Departments of the Government are specifically equipped by law with the exact machinery required for such investigation. Take, for example, these charges against the former chief of the division of salaries and allowances of the Post-Office Department of dividing the profits of contracts with the parties with whom they had entered into contracts. By what possible means could a Congressional investigation have entered into a question of that sort? They could investigate the accounts, but the accounts were all right upon the books. They could investigate acts, but the public acts of those officials were presumably correct and according to the best standard. The defect lay in the fact that, secretly and

corruptly, officials charged with the transaction of that kind of business had divided the profits of contracts with the parties with whom they were authorized by law to enter into contract. I have never been able to see how any committee of Congress could have made any impression upon a situation like that. It requires an elaborate effort of the most expert detective force existing, I believe, in the United States, public or private, to make the slightest impression upon a situation like that.

The Post-Office Department is equipped with inspectors trained in the business of criminal detection. The whole force of post-office detectives was put at the service of the Fourth Assistant Postmaster-General, as promptly and quietly and secretly and by the most approved methods, he entered into an investigation of these matters.

Mr. GALLINGER. And the national-bank examiners.

Mr. DOLLIVER. As well as other expert criminal detectives connected with the Treasury Department. So, what has been done has been done with the machinery with which no committee of Congress could possibly be equipped, and it is, in my judgment, absolutely incontrovertible that no committee of Congress, in the very nature of the case, could add to the tangible results with which that work of criminal detection has been entered into by the Post-Office Department itself.

Fortunately, the work was carried on not only with ample machinery to transact it well, but it was carried on with the personal and earnest cooperation of the President of the United States, of the Postmaster-General, whose honesty and integrity of purpose ought not to be impugned here, I think, and it was placed in the hands of a man who, with long experience in the postal service and with special skill and ability for that business, has brought to light all the misfeasances and malfeasances in public office connected with that Department which are accessible to the insight of criminal detection, and yet we are called upon to take up the work where they laid it down.

It is said that that recommendation has been made by somebody. I can find in the record no indication that anybody connected with the Post-Office Department feels that that work has been so insufficiently done as to require the intervention of Congress. The President certainly does not feel so. The Postmaster-General does not feel so.

Mr. Bristow himself does not suggest that if he had had more time or more facilities he could have gone further and done better work. Mr. Conrad and Mr. Bonaparte, appointed special agents in connection with some of these prosecutions, make no such suggestion, so far as I can find. The suggestion comes on this floor.

Mr. GORMAN. Mr. Conrad and Mr. Bonaparte both recommend further investigation.

Mr. DOLLIVER. They recommend that the Department itself conduct investigations of the post-office in Washington and the post-office in New York and some other matters, and suggest they have no doubt their views upon the matter have been anticipated by the Department, as they actually have been anticipated. They recommend no investigation by Congress.

Now, what is the object of bringing this matter into the Senate and into the House of Representatives? I do not want to become partisan. I agree entirely with my friend the Senator from Tennessee that matters like these ought not to be dragged by circumstances of our partisan politics; and yet it appears to me that there is not almost altogether that fine party motive which would set the Post-Office Committee of this body to an unlimited and unprofitable restating of these cases and a reexamination of these matters which have been practically disposed of. For one, I do not believe that any public interest can be conserved by the Post-Office Committee of this body or by the Senate itself spending the coming summer in filling the air with scandals and noises and suspicions about matters which have already been thoroughly investigated and placed before the grand jury, where they belong.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. Will my friend the Senator from Iowa pardon me for the suggestion that if we are partisans in endeavoring to get light, the Senators on the other side are as fully or more partisan in an endeavor to shut it off?

Mr. DOLLIVER. I do not recognize that anybody here——

Mr. TILLMAN. The party in power has more to gain from preventing an investigation which will disclose corruption than the party out of power has to gain from letting on the light.

Mr. DOLLIVER. Mr. President——

Mr. TILLMAN. We want to turn the rascals out. You want to keep them in.

Mr. DOLLIVER. We have already presented to the grand jury such misfeasances as we have found, not as a matter of partisan administration, but as a matter of the administration of justice. The Republican party has nothing to gain by shutting out the light, and has shut out no light. The trouble with the Senator from South Carolina is that, unsatisfied apparently with the light that has been shed upon these matters, he proposes that the Post-Office Committee shall spend the summer in slandering darkness upon the situation.

Mr. TILLMAN. Will the Senator permit me again?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. What about those rural-delivery boxes? The same men who are now under indictment, charged with malfeasance and corruption and stealing, are the very fellows who have had the management and control of the rural free-delivery business.

Mr. DOLLIVER. Certainly, and that is exactly——

Mr. TILLMAN. Hold on. The investigation has not gone into that at all. It has been confined to the city-delivery boxes.

Mr. DOLLIVER. You can not convince the chief of the rural free-delivery division that the investigation has not struck him.

Mr. TILLMAN. Neither can you convince Mr. Perry Heath that he is at all smirched by this report.

Mr. DOLLIVER. I do not want——

Mr. TILLMAN. The secretary of the Republican national committee stands abroad in daylight as an honorable and honest man, while his reputation has been—well, it has been tattooed with charges of stealing. [Laughter.]

Mr. DOLLIVER. I do not desire to be drawn into a defense of anybody, although I know of nothing which would warrant an attack of that sort upon Mr. Perry Heath.

Mr. TILLMAN. I am speaking only of the accusations made by Mr. Bristow's report.

Mr. DOLLIVER. The Senator——

Mr. TILLMAN. I believe, if the Senator will permit me——

The PRESIDENT pro tempore rapped with his gavel.

Mr. TILLMAN. I must get back in order.

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I only rely upon these documents for what I have said against Mr. Heath. I can read from them if the Senator desires. I can read the charges, the grave and most damnable charges, made against Mr. Heath.

Mr. DOLLIVER. Has the Senator from South Carolina finished?

Mr. TILLMAN. For the present.

Mr. DOLLIVER. My reading of the Bristow report does not indicate that the Fourth Assistant Postmaster-General draws any conclusion at all with respect to Mr. Heath or makes any charge against him. If there is any charge involved in it, it is a repetition of the testimony that has passed through his hands in respect of some of these transactions.

So far as these boxes are concerned, my recollection of the matter is that the exact thing for which the chief of the division of rural free delivery is now standing before the court is connected with the fraudulent purchase of boxes and other post-office materials.

Mr. TILLMAN. For cities. There is nothing here that I have heard of——

Mr. DOLLIVER. There are many indictments against him.

Mr. TILLMAN. There is nothing here that I have heard of, although I may be in error, in regard to forcing the farmers to purchase boxes from a given number of manufacturers with whom some parts of the Post-Office machinery, under the management which we have had, were in collusion and received a rake-off, so to speak. If he would rake off on city-delivery boxes, why would he not rake off on rural-delivery boxes?

The PRESIDENT pro tempore. The Senator from South Carolina must get permission to interrupt.

Mr. TILLMAN. I beg pardon of the Chair and of the Senator from Iowa.

The PRESIDENT pro tempore. The presiding officer is very kindly disposed, and if further interruptions occur he will have to call upon the junior Senator from Alabama [Mr. PETTUS] to take the chair. [Laughter.]

Mr. DOLLIVER. Mr. President, all of these matters are included in the investigation which Mr. Bristow made. I have listened to all these speeches, and none of the distinguished Senators know anything about the Post-Office Department, in connection with this malfeasance in office, except what they have learned from Mr. Bristow's report. I for one, having been somewhat interested as a member of the Post-Office Committee in these proceedings, have made up my mind that that report has brought to light whatever abuses existed in the Post-Office Department, and that if other branches of the Post-Office Department are to be subjected to suspicion, there will not be wanting either the purpose or the ability on the part of the Postmaster-General, acting in conformity with the well-known wishes of the President of the United States, to bring the offenses to light and the offenders to

justice. I regard any further agitation of the matter here as mere partisan clamor intended to fill the air with noise for the possible benefit of a political party which has possibly something to gain on this matter, but certainly has nothing to lose.

Mr. TELLER. Mr. President, it is a little difficult to ascertain what the attitude of the dominant party in this Chamber on this question is. Day before yesterday we were told by a Senator on the other side, apparently speaking for his party, that we would be treated fairly and frankly, but that it should be made by the party in power and that the minority should have nothing to say one way or the other about it. The distinguished junior Senator from Iowa [Mr. DOLLIVER] now says that in the first place the Senate is not competent to make an investigation so thoroughly as the Department is capable of investigating itself, and then he adds that the whole question is already settled in his mind: all the frauds have been brought to the front and been presented and no more can be found.

He is sure of that, but he is not quite so confident of it as to vote against an investigation to see whether it is or not. He is a lawyer, and he may be mistaken, and that there may be other frauds which have not come to the front, and so he is going to oppose any further investigation on the ground that he is satisfied. Mr. President, he may be satisfied. I doubt whether anybody else than the junior Senator from Iowa is satisfied. I know a good many Senators here are not satisfied.

I think it is exceedingly unfortunate that a question of this kind must be brought into the arena of politics. It certainly was not brought in from this side of the Chamber. The moment it was suggested that there should be an investigation of the Department, that moment on the other side of the Chamber it was treated as an attack upon the Administration, and the language of the Senator who has just taken his seat indicates that that is the standpoint from which he looks at it—that it is purely and simply a political attack. If that is true and if every time the minority, or even a member of the party in power, shall suggest an investigation it is to be taken as an attack upon the Administration, there will never be very much of frauds uncovered.

I know well enough that the administration in a Department may be very corrupt, and the head of the Department may be as pure and clean as it is possible for a man to be. The Postmaster-General can not know all the details that are going on in his Department, and you may uncover unheard-of frauds in the Post-Office Department, and yet it may not be that he is guilty of any crime. He may be guilty of negligence, and he may not. He may think that the Department is well officered and well equipped, and he may trust men, because he must trust some body; and it is not an attack upon the Postmaster-General to say that there are in his Department offenses which have not yet been uncovered.

The Senator says they have uncovered everything. This examination, thorough as it may be so far as it has gone, has not gone to the entire Department, and the Senator from Iowa knows that. He assumes that they have examined every bureau and every division of the Post-Office Department, and that those they have not examined are not guilty of any crime and there is not any corruption in that section. That is not a very wise conclusion for us to come to.

The Senator from Connecticut [Mr. PLATT] thinks we here in the Senate should not assert the right to make an examination unless it is recommended by some committee, composed of our associates, with no greater opportunities of knowing than the rest of us, but who happen to be accidentally, by the selection of the party, appointed upon the committee to which similar subjects are intrusted, and that then the whole conscience of the Senate must be delivered over to that committee. Then the Senator from Connecticut, in order that the committee may make a report such as he wants, gets up and announces that in his judgment, there is not any occasion for a report from this committee in favor of an investigation, and, unless the committee does so report, that ought to be the end of the whole transaction.

The junior Senator from Iowa follows in the same line. He wants the Committee on Post-Offices and Post-Roads to understand that there is no occasion for an investigation, and I suppose they will be somewhat influenced by the ideas of their associates on the subject.

And yet we were told day before yesterday that there was to be an open investigation of everything. I think the Senator from Massachusetts [Mr. LODGE] reserved the right to have his party do it, and indicated that any attempt on our part to interfere from this side would be an offense, I suppose, against the proprieties of this body. But, Mr. President, that is not true.

Now, if this matter takes a political shape, I want to say that I have heard nothing of that character, except as brought out by the statement from the other side that the suggestions for an investigation were for a purely political purpose.

Mr. President, I stood the other day and stand now for the right of this body, independent of any committee, independent of any body except itself, to examine any Department of this Government, high or low, and I am astonished that any Senator here should hesitate about or question that right. It is not for me to say what is proper for the other side to do from a political standpoint, but it seems to me from a public standpoint, from the standpoint of the interest of the public, from the standpoint of the good of the public, that an investigation in this case is absolutely essential and absolutely necessary, and I do not think it is answered when one Senator gets up here and says, "Oh, there is no occasion for an investigation. We have already uncovered all the crimes, and no more can be found."

There were two investigations, I understand, one of them by the House and one by the Senate, and they reported that there were no crimes there, that the officers had discharged their functions of duty; and if the Senator from Iowa had been called upon for his judgment by the Postmaster-General he would have said promptly, "Two examinations have been made here, and no improprieties have been discovered; therefore it is not worth while for you to make an investigation." He would have said, as was said by an official, the whole thing is "hot air."

Mr. President, a former employee of this Department exposed these streets for more than a second year, detailing to the public and detailing to the public the frauds that were being committed in the Post-Office Department. He had come out of that Department. He was declared by the Postmaster-General to be a slanderer. He was declared to be a slanderer by those men who are now under indictment; and it was only when the outside public, the newspapers and public opinion, compelled the investigation in that Department that it was made.

I do not mean to say that it was not properly made when made; I do not mean to say that the Postmaster-General did not believe that the charges were "hot air"—I presume he did; but, admitted, it was not a self-investigation. It was not an investigation originating in the Department. It originated, as the President said substantially in one of his papers, although I do not remember which, as an investigation demanded and brought about by outside influences. The public will never be satisfied until there is an investigation of that question independent of the men who are likely to be searched, either directly or indirectly or inferentially, with reference to the disclosures that may there be made.

The Senator from Iowa [Mr. DOLLIVER] thinks we have not the machinery. There is not any intricacy connected with the power of investigation by any legislative department with which we are not equipped. If you want to call detectives, we have them, or the power to call them. If you want to call accountants, you can call them from the ends of the earth, and there is not an intricate bookkeeping system which can not be brought before the Senate so that, by the aid of the men we are entitled and authorized to employ in a Senatorial investigation, every Senator will understand it.

Mr. President, it is a most astonishing thing to me to hear Senators deny our power and deny our capabilities, and then deny our qualifications. We are unfit to sit in the Senate if we are not capable of carrying on this investigation in a way to uncover all the frauds that may be existing in any Department of this Government, and the people of the United States look to us—to the legislative branch of the Government and not to the executive branch—to tell them whether the executive branch is full of corruption or whether it is not. You will hear a roar from the people before you get through with this matter which will make you tremble in your seats, Senators, unless you give heed to the public demand which is heard in your own newspapers and from your own leading men in this country that there shall be a thorough investigation, not by the men charged with the offenses, but by men who are supposed to be capable of making the investigation and to be above suspicion.

ADJOURNMENT TO MONDAY.

Mr. ALLISON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

WAGON ROAD, MARICOPA COUNTY, ARIZ.

Mr. BEVERIDGE. Out of order I ask unanimous consent to submit a report from the Committee on Territories.

The PRESIDENT pro tempore. Without objection, the report will be received.

Mr. BEVERIDGE. From the Committee on Territories, to whom was referred the bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz., I report it without amendment and ask for its present consideration.

The PRESIDENT pro tempore. The Senator from Indiana, from the Committee on Territories, reports a bill for which he asks present consideration. It will be read to the Senate for its information.

Mr. TELLER. I desire to reserve the right to object to the bill when read. I do not know what it is.

The PRESIDENT pro tempore. That right is in the Senator. The bill is to be read for the information of the Senate.

The Secretary read the bill.

Mr. BEVERIDGE. I ask unanimous consent for the present consideration of the bill.

Mr. TELLER. I wish the Senator would make a statement showing just what it is.

Mr. BEVERIDGE. I am going to do so. I will condense it, but hope to make it clear.

Mr. President, the Government under the irrigation act is building a dam on the Salt River, by the route as now existing a hundred and ten miles above the Salt River Valley, which is to cost about $3,000,000; in fact, entirely $3,000,000. That sum, together with all expenses in addition to the sum for building the dam itself, must, under the law, be paid back in the course of ten years by the farmers of Salt River Valley in Arizona. These charges, in addition to the cost of building the dam, also include freight rate and the building of a trail for taking things up there and everything of that kind. At present the shortest route is 110 miles over precipitous mountains, very difficult, indeed, to travel. The next shortest and perhaps the easiest route is four hundred and some miles, partly over two railroads and partly by a very important stage route.

It is proposed by this bill to enable the people of the valley which is to be benefited by the waters to be impounded by this dam to join the Government in making the trailway which the Government is now making a good road, so that they can take freight up there cheaply, so that they can have easy communication with that region, and so that the mines in the neighborhood of the dam may be reached easily and cheaply.

This road will shorten the route to the dam to perhaps 50 or 75 miles, and will save to these men a very large sum of money, the exact amount of which nobody can now estimate, which these men themselves must pay back to the Government in the next ten years under the irrigation law. Therefore it is a bill to permit the people of Salt River Valley to issue bonds to raise some money to be added to the money that the Government is going to expend in building up the telephone and telegraph line to this site, so in the end to save them a very large sum of money, and so also to improve communication and everything else.

I could go into some details. There are many things to be done for which this highway is absolutely needed. The sum proposed is $50,000, which will probably slightly exceed the 4 per cent limitation on the taxation.

This, I think, is a fair outline of the purpose of the bill. It is in itself of large importance to the people living in Salt River Valley, in which are located Phoenix, Tempe, and Mesa.

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield?

Mr. BEVERIDGE. Certainly.

Mr. PETTUS. I merely want information. I ask the Senator what is the limitation on the amount, and how is it fixed?

Mr. BEVERIDGE. The limitation on the amount is 2 per cent, of which as much as may be necessary is to be added to the amount the Government is now putting in a trailway. That is merely a temporary affair for taking up the telephone and telegraph line, and things of that kind, on which $50,000 will be expended. I understand from the Delegate from the Territory that the Government will add $25,000 to that, or $50,000 in all, if the citizens who are to be benefited by the enterprise will add $25,000 more, making $100,000 in all. The exact amount is left indefinite.

Mr. TELLER. What will that amount to?

Mr. BEVERIDGE. The assessed value of Phoenix, Tempe, and Mesa is $5,[illegible]000. The bill enables these towns to issue bonds on their taxable property. Their present indebtedness is $111,000. It is proposed to authorize these three towns to issue bonds to bind this road not to exceed 2 per cent of the assessed valuation.

Mr. TELLER. I wish to suggest that I think the wisest way to pass this bill is to limit absolutely the amount of bonds they shall issue. The Senator ought to be able to do that.

Mr. BEVERIDGE. I think a 2 per cent limitation ought to be definite enough. I suggest to the Senator that he will himself readily see that it would not be wise to fix a definite sum except as by a per cent, for the reason that it can not be told at the present time just how much to a dot will be required to build the road. The money which the Government is expending is out of the impounding fund, from which the dam itself is built, and it is done as an accessory to the building of the dam itself. Now, the Government proposes, for the purpose of making a permanent way, to save in freightage and everything else, to add $25,000, if these people will pay the other part of it. So it is a matter of the future—it can not be a matter of present estimate. For that reason it has been put within a percentage limitation.

It was thought by the House, which passed the bill unanimously, and by the House committee, which reported the bill favorably without division, that that would be a better way. It fixes the limitation and at the same time permits a flexibility of judgment upon the exact sum to be expended. In any event it can not cost the people more than $50,000.

Mr. TELLER. Not more than $50,000?

Mr. BEVERIDGE. That is what I understand from the Delegate. It would take about $100,000 to build that road. Of that $100,000 the Government proposes to add to its present $[illegible] $25,000, making $50,000, and then it will require about $[illegible] more from these people, making $[illegible]. It is a matter of very great consequence to them, because the freights alone that they would have hereafter to pay would cost considerably more than the amount required to build the road itself.

Mr. TELLER. Have you amended the House bill at all?

Mr. BEVERIDGE. We have reported it without amendment.

Mr. TELLER. I do not desire to object under the circumstances, although I want to say generally that I am going to object to the report of a bill and its passage on the same day, unless it shall be a pension bill. I do not believe in it. I shall make no objection in this case, however.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CULLOM. I hope the bill may be passed at this time. I happen to know something about the situation out there and the people who are interested in the road. From all I know of it there is no trouble about it at all.

Mr. BEVERIDGE. That is it precisely.

Mr. BATE. Mr. President, I have learned a little about the bill this morning, but in the time allotted I have not been able to become as familiar with it as I should like to be. I am a member of the Territorial Committee, but the bill has not been before the committee for investigation and discussion.

Mr. BEVERIDGE. The committee was polled.

Mr. BATE. The committee was polled, and all signed the report except myself.

This is a very peculiar case, and it has been my custom to object to any such legislation wherever it exceeds 4 per cent, which is the amount stated in what is known as the "Harrison law," which is in vogue now in all the Territories. This exceeds that, it seems, and I have been objecting to all such bills by the way of protecting the people against monopolistic tendencies.

This is a very peculiar case, but after what was said by the Senator from Illinois just now, and as it does not involve a great deal, I am willing, so far as I am concerned, to waive the objection I generally have to such legislation. It is very necessary for those people to do what they ask in order to put them in a good condition in relation to public roads and in relation to the places they are seeking to get in connection with on Salt River.

Another objection I have to this legislation, but it is not a fatal one, is that I do not like to see municipalities or States or Territories go into partnership with the General Government. This involves a kind of partnership of this road with the General Government, and I object to it on that account. But it is a small matter and very much needed, and I therefore waive any objection on that ground, although I originally intended to vote against it.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SMOOT. I should like to ask the Senator from Indiana whether the city or the State is going to issue the bonds?

Mr. BEVERIDGE. No, sir; the three towns.

Mr. SMOOT. Three towns?

Mr. BEVERIDGE. Yes, sir.

Mr. SMOOT. And for the purpose of building a road outside of the limits of those three cities?

Mr. BEVERIDGE. It is for the purpose of building a road from these cities and the lands adjacent to them up to the dam itself. As it is now, they have to send provisions and all other kinds of freight, including machinery and everything necessary, by one of two routes. One is 110 miles long, is very difficult indeed, and imperfect, over precipitous mountains; and over the other, 400 miles long, it can not be done without great expense.

Mr. SMOOT. I understood that; but my point is that the money is to be spent from three points for the purpose of building a road outside the cities?

Mr. BEVERIDGE. Yes, sir.

Mr. SMOOT. The Government authorizes the spending of money raised by bonds upon the city property for the purpose of building a road outside of the city limits?

Mr. BEVERIDGE. It does.

Mr. SMOOT. The bill gives the authorization?

Mr. BEVERIDGE. Yes, sir.

Mr. SMOOT. That is what I wanted to know.

Mr. BEVERIDGE. The Senator will see that the three towns are to be benefited really by the building of the dam, which impounds about 1,500,000 acre-feet of water, and they have to pay back to the Government. They want to pay back just as little as they can, and the bill enables them to get up to the dam.

Mr. SMOOT. My idea is that the money can not be spent outside of the city limits unless this bill authorizes it.

Mr. BEVERIDGE. I know. It does authorize it.

Mr. SMOOT. If it does, it is all right.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. BERRY. I should like to have the title of the bill read.

The title of the bill was again read.

Mr. BATE. I wish to say in this connection that I do not understand the bill involves the right of the Government to build the road. If so, I should object to it on that ground.

Mr. BEVERIDGE. No; of course it does not.

Mr. BATE. This is not a road for the Government to build itself, but these cities ask the aid of the Government in doing it? The question of the right of the Government to do so is not involved in it?

Mr. BEVERIDGE. Not at all.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. GALLINGER. Mr. President——

Mr. CARMACK. Will the Senator yield to me for a moment? I am called out of the Chamber.

Mr. GALLINGER. With pleasure.

Mr. CARMACK. I simply wish to ask unanimous consent that the pending resolution may go over until Monday.

The PRESIDENT pro tempore. To be taken up immediately after the morning business?

Mr. CARMACK. Yes, sir.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent that the Post-Office Department resolution may go over until Monday morning, to be taken up immediately after the routine business. Is there objection? The Chair hears none, and that order is made.

EXTENSION OF PIPE LINES.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896, by adding a new section, to stand as section 4, as follows:

SEC. 4. That the Commissioners of the District of Columbia are hereby authorized to permit construction of the pipe lines of the Pintsch Compressing Company to connect the city of Washington with the terminals connected therewith. And the said Commissioners are authorized to permit temporary and the permanent [illegible] to accommodate changes in the authorized grades of streets: *Provided*, That all such work shall be done according to regulations to be approved by the said Commissioners and under the conditions named in said act, approved May 19, 1896.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 6) granting a pension to Cora M. Converse;

A bill (S. 7) granting an increase of pension to Alfred Woodman;

A bill (S. 8) granting an increase of pension to Perry Kittredge;

A bill (S. 11) granting a pension to John L. Sullivan;

A bill (S. 65) granting an increase of pension to Charles R. Allen;

A bill (S. 112) granting an increase of pension to Henry G. Hammond;

A bill (S. 137) granting a pension to Hannah Kelly;

A bill (S. 172) granting an increase of pension to Elizabeth McClaren;

A bill (S. 215) granting a pension to Mary D. Perry;

A bill (S. 338) granting an increase of pension to Jane M. Watt;

A bill (S. 339) granting an increase of pension to Ebenezer H. Richardson;

A bill (S. 367) granting an increase of pension to George W. Richardson;

A bill (S. 368) granting an increase of pension to Charles M. Wilcox;

A bill (S. 1604) granting an increase of pension to Mary A. Bishop;

A bill (S. 1652) granting an increase of pension to Minerva A. McMillan;

A bill (S. 1704) granting an increase of pension to Lucretia Ritchhart;

A bill (S. 1755) granting an increase of pension to Thomas Banks;

A bill (S. 1756) granting an increase of pension to Zebedee M. Cushman;

A bill (S. 1772) granting an increase of pension to Louise K. Bard;

A bill (S. 1819) granting an increase of pension to Charles P. Skinner;

A bill (S. 1832) granting an increase of pension to George W. Herron;

A bill (S. 1913) granting an increase of pension to Lorenzo E. Harrison;

A bill (S. 1929) granting an increase of pension to George W. Spahr;

A bill (S. 1952) granting an increase of pension to John Monahan;

A bill (S. 1984) granting an increase of pension to Levi Roberts;

A bill (S. 1985) granting an increase of pension to Jonathan Hites;

A bill (S. 2078) granting an increase of pension to Hampton C. Watson;

A bill (S. 2125) granting an increase of pension to Marcus T. Caswell; and

A bill (S. 2218) granting an increase of pension to Amanda B. Tisdel.

The message also announced that the House had passed a bill (H. R. 9160) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903; in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED.

The bill (H. R. 9160) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903, was read twice by its title, and referred to the Committee on Appropriations.

EXECUTIVE SESSION.

Mr. LODGE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 11, 1904, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 8, 1904.

AUDITOR FOR POST-OFFICE DEPARTMENT.

Joseph J. McCardy, of Minnesota, to be Auditor for the Post-Office Department, to succeed Henry A. Castle, resigned.

APPRAISER OF MERCHANDISE.

Luman T. Hoy, of Illinois, to be appraiser of merchandise in the district of Chicago, in the State of Illinois, to succeed Horace H. Thomas, removed.

COLLECTOR OF CUSTOMS.

George F. Roth, of New York, to be collector of customs for the district of Genesee, in the State of New York, to succeed Henry Harrison, whose term of office will expire by limitation January 21, 1904.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICERS.

To be Lieutenant-General.

Maj. Gen. Adna R. Chaffee, United States Army, January 9, 1904, vice Young, to be retired from active service.

To be major-generals.

Brig. Gen. William A. Kobbé, United States Army, January 9, 1904, vice Chaffee, to be appointed Lieutenant-General.

Brig. Gen. Joseph P. Sanger, United States Army, vice Kobbé, to be retired from active service.

Brig. Gen. Alfred E. Bates, Paymaster-General, vice Sanger, to be retired from active service.

Brig. Gen. William F. Randolph, Chief of Artillery, vice Bates, to be retired from active service.

Brig. Gen. George L. Gillespie, Chief of Engineers, vice Randolph, to be retired from active service.

To be brigadier-generals.

Col. Alfred Mordecai, Ordnance Department, vice Kobbé, to be appointed major-general, United States Army.

Col. Harry L. Rogers, Coast Artillery, vice Sanger, to be appointed major-general, United States Army.

Col. Francis H. Harrington, Assistant Quartermaster-General, vice Moore, retired, to be retired from active service.

Col. Asher C. Taylor, Artillery Corps, vice Hasbrouck, to be retired from active service.

Col. John G. Butler, Ordnance Department, vice Hathaway, to be retired from active service.

Lieut. Col. Charles J. Allen, Corps of Engineers, vice Taylor, to be retired from active service.

Lieut. Col. Theodore E. True, Deputy Quartermaster-General, vice Rather, to be retired from active service.

Col. Frank M. Coxe, Assistant Paymaster-General, vice Allen, to be retired from active service.

Col. Jacob Kline, Twenty-first Infantry, vice True, to be retired from active service.

Col. William E. Dougherty, Eighth Infantry, vice Coxe, to be retired from active service.

Col. William S. McCaskey, Twentieth Infantry, vice Kline, to be retired from active service.

Col. Albert L. Mills, Superintendent United States Military Academy (captain, First Cavalry), vice Dougherty, to be retired from active service.

ARTILLERY CORPS.

Col. John P. Story, Artillery Corps, to be Chief of Artillery with the rank of brigadier-general, vice Randolph, to be appointed major-general, United States Army.

PAY DEPARTMENT.

Col. Francis S. Dodge, Assistant Paymaster-General, to be Paymaster-General with the rank of brigadier-general, for the period of four years, vice Bates, to be appointed major-general, United States Army.

CORPS OF ENGINEERS.

Col. Alexander Mackenzie, Corps of Engineers, to be Chief of Engineers with the rank of brigadier-general, vice Gillespie, to be appointed major-general, United States Army.

PROMOTION IN THE ARMY.

PAY DEPARTMENT.

Lieut. Col. Francis S. Dodge, Deputy Paymaster-General, to be Assistant Paymaster-General, with the rank of colonel, vice Coxe, to be appointed brigadier-general, United States Army.

CAVALRY ARM.

First Lieut. Willard H. McCornack, Eleventh Cavalry, to be captain, December 21, 1903, vice Moses, Ninth Cavalry, detailed as quartermaster.

Second Lieut. Oscar S. Lusk, Twelfth Cavalry, to be first lieutenant, December 21, 1903, vice McCornack, Eleventh Cavalry, promoted.

INFANTRY ARM.

First Lieut. Joseph L. Collins, Fourteenth Infantry, to be captain, November 11, 1903, vice Sawtelle, Ninth Infantry, detailed as quartermaster.

Second Lieut. Nels Dicmann Anderson, Seventh Infantry (now serving under the name of Nels Anderson), to be first lieutenant of infantry, September 23, 1903, vice Glidden, Nineteenth Infantry, promoted.

WITHDRAWAL.

Executive nomination withdrawn January 8, 1904.

Second Lieut. Nels Anderson, Seventh Infantry, for promotion as first lieutenant of infantry in the Army of the United States, submitted to the Senate December 8, 1903.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 8, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Monday next.

The SPEAKER. The gentleman from New York moves that when the House adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

COMMITTEE ON REVISION OF THE LAWS.

Mr. WARNER. Mr. Speaker, by direction of the Committee on Revision of the Laws, I offer the following resolution granting authority to that committee to sit during the sessions of the House.

The SPEAKER. The chairman of the Committee on Revision of the Laws offers the following resolution.

The Clerk read as follows:

Resolved, That the Committee on Revision of the Laws be authorized to sit during the sessions of the House.

The resolution was agreed to.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

BOLL WEEVIL.

Mr. HEMENWAY. Mr. Speaker, under the unanimous consent granted yesterday I call up House bill 9469. I yield to the gentleman from Texas [Mr. BURLESON] fifteen minutes' time.

The SPEAKER. The bill will be reported by title.

The Clerk read as follows:

A bill to prevent the importation and interstate transportation of cotton plants infested with the Mexican cotton-boll weevil, and for other purposes, approved March 3, 1903.

Mr. HEMENWAY. Mr. Speaker, I now yield to the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, this is a bill of great importance, not alone to Texas, but to all States engaged in the production of cotton. I desire to make grateful acknowledgment to the chairman of the Committee on Appropriations and the members of that committee for their promptness in reporting same. This bill apparently carries a large appropriation; but in this connection I desire to direct attention of the House to the fact that, as a matter of fact, this is not a new appropriation. It is simply a diversion of a part of the fund which was appropriated last year to enable the Secretary of Agriculture to stamp out the foot-and-mouth disease in the New England States. A careful consideration of its provisions will disclose that it will not add one cent to the aggregate of appropriations to be made for the current fiscal year.

Now, with reference to the purposes of the bill, I beg the attention of the Members of the House for a few moments. The Mexican cotton-boll weevil is an insect pest which invaded Texas from the Republic of Mexico about eleven or twelve years ago. It feeds and breeds exclusively on the cotton plant. Prior to its invasion of the State which I have the honor in part to represent it had ravished the cotton crops of the southern part of Mexico to such an extent that in the Tamanlipas section the cultivation of this staple had been wholly abandoned. It entered Texas in the lower Rio Grande section, an area [illegible] cultivated. At first it made but little progress. It spread very slowly for the reason that the Mexican boll weevil feeds and breeds alone upon cotton; and inasmuch as cotton was sparsely cultivated in that section, it could spread but slowly.

After a lapse of a few years, prior to which time the pest attracted no attention, it reached Hidalgo, Willacy, Burleson, and Lee counties, that section of country being cotton cultivated, and where cotton is the principal crop. It then fastened the attention of the entire country. From that period it spread more rapidly until to-day it infests more than 100 counties in Texas where cotton is cultivated and every by year is enlarging the field of its operations. [illegible] 2 per cent of the cotton grown in the United States. I [illegible] instrumental heretofore in obtaining the [illegible] appropriations for the purpose, among others, of investigating the life history and habits of this insect pest. The first was prepared as long ago as 1900. The amounts of these appropriations have been expended under the direction of the Secretary of Agriculture by the scientist connected with our Division of Entomology.

These gentlemen have reached certain definite conclusions and results which can be safely relied upon. One conclusion they have arrived at is that no insecticide application will destroy this

insect. Hundreds of poisonous applications have been applied to the cotton plant invested with the weevil; in fact, a multitude of remedies have been suggested and tried; and all have failed owing to the peculiar habits and life of the insect. When it is in embryo it is enveloped in the cotton form so that no poisonous application can reach it, and when it has reached the adult stage it feeds only upon the cotton leaf, but feeds only upon the inner surface of the leaf, nature having provided it with tentacles with which it scrapes off the outer surface and of course with it any poisonous matter which may be already applied to the leaf, so that it is not affected by poison. We have despaired of being able to destroy it by such means. These scientists have also reached the conclusion that no practical mechanical device can be devised which will extirpate them.

The State of Texas offered $50,000 for a remedy, either poisonous or of a chemical or mechanical nature, which would destroy this pest. This reward stimulated the inventive genius of every man of a mechanical turn in Texas and many beyond the limits of our State, and every appliance that could be conceived of was manufactured and tried, and all resulted in complete failure as far as the complete destruction of this pest is concerned. Thus the door of hope in this direction was practically closed.

After most searching investigation, having in this connection consulted with the entomological authorities of the Republic of Mexico, the conclusion was reached that there is no efficient parasite of a predatory nature, or natural enemy, that will destroy the boll weevil.

During the last session of our State legislature, looking to a measure of relief in this direction, a law was enacted prohibiting the killing of all characters of birds, "from the humming bird to the buzzard," as it was commonly expressed at the time. As a result of this very wise law birds of all kinds have increased, but notwithstanding this fact the boll weevil still annoys with us, and conviction is driven home that no substantial help will come from that quarter.

Now, a word about the destructiveness of this pest, which propagates with such rapidity that no one could question its earnest opposition to race suicide, agent which recently we have heard something.

During the last crop year it destroyed at a very low estimate $30,000,000 worth of cotton in the State of Texas. Texas produces one-third of the cotton crop of the United States.

There is no doubt that during the past few years this insect has damaged the cotton producers in Texas $150,000,000. This in Texas alone, and Texas produces only one-third of the cotton of the United States. Well may we ask, What can be expected when this pest covers our entire cotton area? What effect will the decreased supply of cotton have on the price of the staple? What effect will this have on the manufacturing of cotton in our own section and in New England? What effect will it have on our world's trade?

The twelve cotton States produce 81 per cent of the world's supply of cotton. If this pest in one year, at a low estimate, destroys $30,000,000 in value of this great staple in one State, what amount of destruction will it do after it has covered the entire cotton area of our country? Our distinguished Chief of the Division of Entomology has stated that in his opinion, unless something can be done to stop the progress of this pest, which he doubts, it will ultimately cover the entire area of cotton production in the United States.

The last cotton crop of the United States aggregated in value more than one-half a billion of dollars; next to wheat it is the most important crop that grows, being more essential to the uses of mankind. It is a potential factor in the balance struck each year between the great powers which are struggling to control the trade of the world. For thirteen years the balance of trade has been in favor of our country. Cotton has furnished two-thirds of this trade balance in our favor, and it can not be questioned that but for the exportation of cotton we would have been a debtor instead of a creditor nation. Texas, as I have stated, furnished one-third of the cotton grown in this country. Texas has this pest which now menaces this great industry.

This is a serious problem confronting the people in the cotton-producing section. The most earnest attention of the representative men in all that section has been given to the solution of this problem. They have been unable to solve it. The Secretary of Agriculture last year visited Texas, the field of operation of this pest, and on his return made an earnest recommendation that one-half a million dollars be appropriated by Congress to enable him to take some measures to arrest the progress or lessen the ravages of this insect. This recommendation of the Secretary of Agriculture, in connection with certain bills which have been introduced——

Mr. GILLETT of Massachusetts. Will the gentleman allow me a question?

Mr. BURLESON. Certainly.

Mr. GILLETT of Massachusetts. I should like the gentleman to state whether Texas has made any appropriation for the extermination of this pest other than that which he has mentioned.

Mr. BURLESON. The State of Texas has made the usual appropriation, which has been expended through our experiment station, and——

Mr. GILLETT of Massachusetts. How much?

Mr. BURLESON. I think $10,000 is usually appropriated for experiment stations, and $5,000 in addition. Besides, every producer of cotton in Texas is alive to the importance of this problem and realizes that unless something is done the principal crop of our State is seriously menaced.

Mr. DALZELL. May I ask a question? How do you propose to spend this money?

Mr. BURLESON. The Secretary of Agriculture outlines specifically in his annual report (pp. 103–105) how he proposes to spend this money in the direction of preventing the rapid spread of this insect pest and, if possible, lessening its ravages.

Now, we have a very considerable crop of cotton in Texas this year; but, as we all know, there is an increased demand for cotton year by year. The world looks principally to Texas to meet this demand with an increased production. I stand here to assert, without any fear of contradiction, that this demand can not be met unless something can be done to check the ravages of the Mexican cotton-boll weevil.

We confidently believe that the Secretary of Agriculture has outlined in his annual report methods which will result in great good, and I earnestly hope——

Mr. TAWNEY. Can the gentleman state precisely what that method is?

Mr. BURLESON. I will hand the gentleman the Secretary's annual report, and he can read it. We have only one hour for this bill, and I have not the time within which to state it.

Mr. BURKETT. Let it be read from the Clerk's desk.

Mr. BURLESON. Well, I will ask that the recommendations of the Secretary of Agriculture on this subject be read from the Clerk's desk. But before the Clerk commences the reading, permit me to say in conclusion that this, as I stated in the beginning, is not a new appropriation of money. We simply propose a diversion of one-quarter of the amount of money appropriated last year to stamp out the foot-and-mouth disease in the New England States, this diverted amount to come from an unexpended balance of that fund.

Mr. GILBERT. Will it be an inconvenience for the gentleman to turn this way when speaking, so that we may hear him better?

Mr. BURLESON. Not at all. I beg pardon for seeming to address myself particularly to this side [the Republican side] of the House. But the controlling action, as gentlemen know, comes from this side, and that was my reason for addressing myself to this side.

I ask now that the recommendations of the Secretary of Agriculture be read.

The Clerk read as follows:

RECOMMENDATIONS.

1. *Checking sporadic outbreaks of the weevil.*—It would seem highly improper that money should be used for the purpose of seeking to prevent the spread of the weevil in the territory north and east of the present weevil area. The money has been appropriated for the organization of a corps of experts who investigate and report upon the conditions with the State authorities. In order to make this work thoroughly effective it will be necessary for the States interested to enact proper legislation. This is a matter that must be handled and guided by those in authority, working under the direction of the Secretary of Agriculture.

2. *Demonstration work to show the value of improved cultural methods by which farmers can produce cotton in spite of the weevil.*—This is the most promising field for competent work, and owing to the fact that the weevil is so far confined to Texas, the work here outlined would necessarily be limited more or less to this State, although the Secretary should also have such investigations carried on in other States that the people may become enlightened as to the dangers of the cotton weevil. The object and scope of the work would be to secure demonstration experiments showing the value of better cultural methods, the value of early maturing varieties, and the value of the necessary fertilizers, and the thorough destruction of all infested material. The carrying out of this work in a strong and effective way would require a corps of men familiar with cultural conditions, and who have the knowledge and skill to carry out the necessary specific work that might be assigned by the Secretary of Agriculture. Legislation would be required in this case, also, to enable the destruction of infested material, but, under proper organization, this could be brought about.

3. *Work looking for the speedy development of new, early, and improved varieties of cotton.*—The value of early varieties has been demonstrated, but most of them have serious drawbacks in that they are poor yielders and the lint drops out easily during storms. These matters may be corrected by proper breeding and selection, and one of the important problems would have for its object the taking up of this work on a systematic scale, to the end of securing sorts which would not only be early, but would be storm proof and resistant.

4. *Studies of cotton diseases.*—While the boll weevil is mainly in the public eye at present, the fact remains that other serious pests of cotton cause great losses annually. It is natural, in attributing all losses at the present time to the insect in question, whether these losses be from other insects, diseases, floods, droughts, or whatever source. Reliable studies indicate that the loss in Texas alone from the so-called root-rot disease will, in all probability, aggregate several millions of dollars annually. This and other diseases should be thoroughly studied, and corrective measures should be adopted.

5. *Cotton insects.*—What is said of cotton diseases is also true of cotton in-

sects especially of the bollworm other than the boll weevil. These should all receive careful attention, and practical experiments should be carried on with a view to lessening the injury caused by them.

6. *Introduction of new crops.*—The urgent necessity for the introduction of other crops which will take the place of cotton can not be too strongly emphasized. Cotton, of course, should be grown, but the time is evidently at hand when a concerted effort should be made to bring about a change in southern agricultural conditions in the direction of greater diversification. This is recognized now as a vital question in the South. In many sections already the yield of cotton is barely profitable, so that, when the reduction due to the boll weevil and other pests is taken into account, it will be necessary to abandon cotton growing altogether, where the diminished yield is the best result of the cotton growing enterprise. Diversification, therefore, and other crops should be grown. Such crops as alfalfa, sorghum, kafir corn, and cereals of various sorts should all receive attention, and may for some pastures and winter forage purposes, but for green manures as well.

7. *Starting and experimental operations on a scale big enough for the final demonstration and control of the boll weevil and other cotton insects.*—It would seem to be important that the Government should more [illegible] share of the money the pays which are being passed on the use and for control of the weevil and other insects. This is necessarily as there are perhaps a dozen possible lines of attack of devices and most of these are found to be useless and yet we are led to spend money for them. The Government should be in position to determine once for all, the value or non-value of such devices and to do so quickly, definitely and positively, advise others as members of the public. Aside from this Government should take the matter of mechanical devices [illegible] for consideration and should encourage, by the [illegible] of men [illegible] the construction and proof of everything which [illegible].

8. *Shortage of cotton.*—[illegible] Why [illegible] should be continued, and everything in the nature of [illegible] be [illegible] or preventive measures, [illegible] or others, should receive careful attention.

9. *Securing and distributing seed of cotton known to have special value.*—[illegible] in the matter of securing from every source available [illegible] and thoroughly testing them on the weevil infested [illegible] in the various farming and agricultural sources for advance trials in the sections where the pest is heavy seek to improve the seed.

In conclusion, I believe this bond there should be organized a competent corps of officers and workers who could with [illegible] agricultural colleges, farmers' institutes, state bureaus of agriculture, and such organized bodies bring to the attention of farmers everywhere the latest results as to methods of meeting the present emergency.

Mr. BURLESON. Most earnest consideration has been given this subject by the Committee on Agriculture, and that committee unanimously agreed upon this bill and urged it before the great Committee on Appropriations which has reported it. I confidently hope no opposition will be made to it.

Mr. HEMENWAY. I yield fifteen minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT of Massachusetts. Mr. Speaker, I do not wish to disparage or depreciate in the least the danger or destructiveness of this insect from Mexico. I appreciate that its ravages are not only a great calamity to the people of Texas, but are a menace also to the whole United States. Yet I think, before Congress starts in on a new departure like this—before, for the first time, it passes an appropriation to stamp out one of those innumerable insect pests which at various times so much trouble the country—I think it wise we should consider that this is not the only pest of that description; that "there are others;" and I wish particularly to call the attention of the House to one of those others.

There is a destructive insect which for the last fifteen years has been operating in New England. I think it is the most formidable and destructive immigrant that ever landed on these shores. It is the gypsy moth.

Mr. HAMILTON. Is that the brown-tailed moth?

Mr. GILLETT of Massachusetts. It is not. Now, it may be that to some Members of the House this insect is a stranger. I presume the boll weevil has not been heard of in some sections of the country, but this gypsy moth has certainly by its conduct in the past earned the right to be looked upon as a national evil, and I suppose that what will govern Congress in appropriating against any such a pest is whether it is a local or a national calamity. I suggest in the first place, that it is going to be very hard ever to draw that line, and that we ought to be very careful and slow when we are setting the precedent.

Now, the history of this gypsy moth is extraordinary. It was introduced here because a naturalist up in Medford, Mass., in a desire by cross-breeding to produce a new kind of hardy silkworm which could thrive in this country, imported from Europe several specimens of this moth. In his study the bottle containing them was tipped over and a few of them flew out of the window, and found in the peculiar climate of Massachusetts a new Eden, where they throve and multiplied. I suspect that their descendants have been more numerous than those of Adam and Eve even in these short years. They developed in that locality in a few years to such an extent that I can best describe it by reading a sentence from a report of the Entomologist of the United States Department of Agriculture. These are not the words of an enthusiastic person seeking an appropriation or of any gentleman with a nightmare. These are the words of the Entomologist of the United States Department of Agriculture, who was sent up to study the devastations of this insect. He says, on page 9:

Thousands upon thousands of the caterpillars were crushed under the feet of pedestrians, and a pungent and filthy stench arose from their decaying bodies. The numbers were so great that in the still summer nights the sound of their feeding could plainly be heard, while the pattering of their excremental pellets on the ground sounded like a shower of rain. Valuable fruit and shade trees were killed in large numbers by their work and the value of [illegible] was very considerably reduced. So great was the nuisance that it was impossible for anyone to hang clothes upon the garden clothesline, as they would become covered with the caterpillars and stained with their excrement. * * *

That certainly reminds us of the old plagues of Egypt, from which I suspect these moths must be the lineal descendants. They are so ravenous in their appetite that they do not confine themselves, like this specialist from Mexico, to one particular plant. They feed upon everything that is green. Trees, garden vegetables, everything that comes in their pathway they devastate. They have in the past laid waste sections of Russia larger than the whole of New England and turned them into deserts, and they have threatened the destruction not only of everything green in New England but of everything green in the United States.

Mr. Speaker, I speak with more confidence in urging consideration for them because the State of Massachusetts has not waited, as the State of Texas has done, for a Government appropriation. The State of Massachusetts began in about 1891 to make appropriations from its treasury to stifle and exterminate and contract the sphere of these insects. It began with an appropriation of $5,000 a year, raised it to $50,000, to $75,000, to $100,000, to $[illegible],000, and to $[illegible] a year, so that we have spent in that State over twelve hundred thousand dollars from the treasury, aside from what towns and individuals have expended to contract the area of its ravages.

Mr. SLAYDEN. Will the gentleman yield for a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. SLAYDEN. I should like to ask the gentleman if Massachusetts was not one of the centers of the epidemic of foot-and-mouth disease, and if Massachusetts refused to avail herself of the advantages of the appropriation made by the last Congress?

Mr. GILLETT of Massachusetts. Why, no, Mr. Speaker; and I am going to ask for an appropriation here. And I would suggest that probably the reason why this House voted that money for the extermination of the foot-and-mouth disease, which was at that time prevalent largely in New England, was not because New England was menaced by it, but because it was recognized that if that disease spread to the large herds of western New York and still more if it spread to the herds wandering over the broad prairies of the West, it would be impossible to stamp it out, and that there it would mean devastation and annihilation of the cattle.

Mr. SLAYDEN. Reasoning by analogy, does not the gentleman realize that there is great danger of this insect, the boll weevil, spreading to the Mississippi Valley and thence to Georgia and the Carolinas and all the cotton-producing States, and bringing great disaster to that section and finally to the manufacturers of New England by cutting off their supply of raw material?

Mr. GILLETT of Massachusetts. I recognize it, Mr. Speaker. I recognize that it applies to both of these insects—the boll weevil and the gypsy moth.

Mr. BOWIE. May I ask the gentleman a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. BOWIE. Is there any reason why the gentleman could not have introduced a bill on that subject and let it come upon its merits, rather than introduce the subject here and in this way, embarrassing another proposition which has been discussed and understood by the House for months?

Mr. GILLETT of Massachusetts. Why, Mr. Speaker, the first I heard of this proposition was yesterday in the Committee on Appropriations.

Mr. BOWIE. It is in the President's message, where a recommendation is made for an appropriation of $500,000, which is double the amount asked for in this bill.

Mr. GILLETT of Massachusetts. I had not noticed that. I am not saving this for the purpose of embarrassing the measure here proposed. I have made this statement as the basis of an amendment. I am going to offer, that is all. I am not offering the amendment for the purpose of interfering with this other question. I am not attempting to show that each one of these insects is not extremely dangerous, but that each one is committing ravages which pass through the whole country. I am simply trying to show that there is another insect as dangerous as the boll weevil, which equally deserves an appropriation for its extermination.

Mr. BOWIE. Is the gentleman aware that the present high price of cotton now threatening the cotton industry, both in the South and in the New England States, as well as in England, is largely due to the ravages of the boll weevil; that it is not a local question, but affects every section, and becomes a national question?

Mr. GILLETT of Massachusetts. I was not aware that the present high price of cotton was due to the ravages of the boll weevil.

Mr. BOWIE. I say largely so.

Mr. GILLETT of Massachusetts. I recognize that cotton is a national question, and a question which affects its production affects us all.

Mr. BOWIE. And Massachusetts as much as any State in the Union.

Mr. GILLETT of Massachusetts. Certainly. I began by saying that I recognized the injury that had been inflicted by this insect.

Mr. SCOTT. Will the gentleman permit me to ask him a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. SCOTT. I understand that the objection that the gentleman has to this bill is that it will set a bad precedent. Now, will not that objection lie also against your amendment to the bill just as well?

Mr. GILLETT of Massachusetts. The gentleman perhaps misunderstood me. I did not say that I objected to this precedent. I took particular pains not to say whether I thought this was a bad precedent or not, but I suggested that Members of the House ought to consider the danger of setting such a precedent.

Mr. SCOTT. It simply occurred to me that the precedent of the gentleman's amendment would be equally dangerous as the precedent of this bill.

Mr. GILLETT of Massachusetts. I admit that they are on all fours, and that if it applies to one it applies to the other. I think there is one maxim which applies to this amendment of mine, which is the old adage that "God helps those who help themselves." And I believe that maxim offers a very good principle for Congress to follow in all its appropriations of this nature, rivers and harbors, etc., and therefore I claim that when Massachusetts has spent in the last ten years $1,200,000 in trying to extirpate an insect pest, and in trying to prevent its ravages extending out to the other States, it has a particularly strong claim upon the generosity of the General Government.

Mr. HAMILTON. Would not this also apply to the Hessian fly?

Mr. GILLETT of Massachusetts. I remember two or three years ago when we went before the Committee on Agriculture asking a national appropriation for the extermination of the gypsy moth the committee refused the appropriation and gave it as their reason that if they once started to appropriate against insect pests it would be impossible to draw the line where they should stop.

Mr. WADSWORTH. Let me say to the gentleman that I think that his memory is at fault. I remember the occasion very well. What they wanted was that the Department of Agriculture should investigate the gypsy moth and find out whether the State of Massachusetts was pursuing the proper course to exterminate the moth.

Mr. GILLETT of Massachusetts. I think the gentleman is mistaken. That was a previous year.

Mr. WADSWORTH. We made no specific appropriation, but simply directed the Secretary of Agriculture, under his general appropriation, to do this work, and I hold in my hand his report, and it shows that the Massachusetts people were doing good work at times, but did not do it systematically; that one year they would give an appropriation and the next year they would withhold it, and what was done one year was lost by what they did not do the next. I will read the following:—

Mr. GILLETT of Massachusetts. That is a mistake, for appropriations went on in constantly continuing amounts, beginning with $25,000, until they reached $200,000, and not until a few years ago did the State of Massachusetts stop, and one reason it then stopped was, as I understand, among others, that they found, despite all their care, this insect had made an abiding lodgment in other neighboring States which made no organized effort to suppress it, and they felt, very properly, I think, that it was not worth while to go on and spend hundreds of thousands of dollars a year to extirpate or contract it in one State when it had an abiding lodgment in neighboring States, whence it would swarm in and overwhelm us.

Mr. WADSWORTH. Let me say to the gentleman from Massachusetts that it never reached the borders of New Hampshire until Massachusetts stopped her efforts.

Mr. GILLETT of Massachusetts. I think the gentleman is mistaken in that.

Mr. WADSWORTH. Of course, it is a matter of memory merely, but here is what Professor Howard says:—

Mr. GILLETT of Massachusetts. That pamphlet from which you are reading was written before Massachusetts stopped her efforts.

Mr. WADSWORTH. No: I beg your pardon. Here is what Professor Howard says:—

Mr. GILLETT of Massachusetts. That was printed in 1897, and Massachusetts did not stop appropriating until 1899.

Mr. WADSWORTH. In 1897.

Mr. GILLETT of Massachusetts. That particular pamphlet was printed in 1897; so what is the use in reading from that?

Mr. WADSWORTH. Let me read from this report, Bulletin No. 11, on "The gypsy moth in America," by Professor Howard, of the Department of Agriculture, because this report was made in obedience to the law which gave the Secretary the authority:

The writer believes that the entire infested territory at the present day is such that with the prompt appropriation of the amount asked for by the committee at the beginning of the coming session of the legislature the work which will be carried on during 1898 will be of so effective a character that even those who most gravely doubt the quality of the State efforts will be convinced of the efficacy of the work. A continuation of the appropriation for a few more years is unquestionably a necessity.

Mr. GILLETT of Massachusetts. That does not uphold the statement the gentleman made that it had not made a lodgment in other States when we stopped, because we did not stop until 1899, and this was written in 1897.

Mr. WADSWORTH. All I can say is this report says that Massachusetts stopped in 1897.

Mr. GILLETT of Massachusetts. What stopped?

Mr. WADSWORTH. The appropriation.

Mr. GILLETT of Massachusetts. That is a mistake.

Mr. WADSWORTH. Then it is Professor Howard's mistake and not mine.

Mr. GAINES of Tennessee. What does the gypsy-moth germ affect?

Mr. GILLETT of Massachusetts. It affects every green growing thing, trees as well as vegetables.

Now, Mr. Speaker, I wish to read to show what Massachusetts has done, that its efforts were not local simply, from the very same pamphlet from which my friend from New York reads the report of the United States Entomologist. On page 39:—

The SPEAKER. The gentleman's time has expired.

Mr. GILLETT of Massachusetts. Can you give me two or three minutes more?

Mr. HEMENWAY. I yield three minutes to the gentleman.

Mr. GILLETT of Massachusetts. It says here:

The effort of the State will rank as one of the greatest experiments in economic entomology in the history of the world. On the whole, it can be said that little has been in waste of the State funds. * * * Results have incidently developed which have already had a much wider and more important coverage than the destruction of this one insect, and it is safe to say that, even at this time, the total outcome of the work has been of great value, not only to the country at large, but to all civilized portions of the globe.

* * * It is undoubtedly safe to say that the money which has been and will be spent by the State in this work is but as a drop in the bucket to the loss which would have been occasioned by the insect had it been allowed to spread unchecked. This loss would have fallen not only upon the State of Massachusetts, but upon other States of the Union, so that we may say that the State work has not only been wisely done, but that it has been patriotically done.

Thus you see that this State has appropriated over $1,200,000 to exterminate an insect whose ravages, if unchecked, would have swept all over this country. Where so much has been spent locally, I think it is not asking too much—if we are appropriating for another insect whose operations have been so far local, and where the Commonwealths have not done anything for them—that we might at least appropriate at the same time for this insect for whose extermination we have spent so much.

The Farmers' National Congress in 1898 adopted resolutions on this subject, and one of them was this:

Resolved, That, recognizing the certainty of the gypsy moth becoming a great [illegible] pest [illegible] the efforts of Massachusetts had at a time when [illegible] more than a possibility, we [illegible] appeal to the Congress of the United States to come to the aid of the Commonwealth of Massachusetts and, by the appropriation of money and other ways, secure to our people a state freed from this dread insect pest.

Now, I want to make plain that I say nothing in disparagement of the needs of Texas or in contradiction of the statement of my friend that this is a national as well as a local calamity; but I do think myself that here is another insect which would have been a national calamity if we had not spent over a million dollars to check it. We have now, because it is spreading to other States, stopped our own efforts, and I think it is as much entitled to an appropriation as the insect for which this bill is drawn, and, as I say, I shall offer at the proper time an amendment simply inserting this insect with the other.

Mr. HEMENWAY. I now yield to the gentleman from Indiana [Mr. MIERS].

Mr. MIERS of Indiana. Mr. Speaker, one of the most mysterious and painful parts of human lot and duty is the apparent helplessness of anticipating the calamities of life, and thereby providing for their safeguard and prevention. It becomes thus a task of perhaps vain regret to view unavailingly the sorrowful ravages of past catastrophes, while none the less an inexorable obligation to note the remedies which may wisely be applied to the achievement of better conditions and greater and more wholesome security to human life and well-being.

The recent unutterable horror and event of fire in a Chicago

theater brings us face to face with grave and direful questions. The span of mortal existence is short. Its tenure is dependent upon the certainty of natural dissolution. Nothing that human power can do, or even desire to do, may ever alter the great and salutary law of the limits of the flesh.

All that liveth must die, passing through nature to eternity.

The master mind of the theaters and of the ages, Shakespeare, has said it, and the immortal soul acknowledges it. But are we, with the grandest blessings of health, denied the right of peaceful, of happy, of joyous enjoyment? Not so. It is our fair privilege to expect on the part of those holding our safety in their hands that they should exercise that care, that caution, and, surely, prayerful consideration which would lead to the ever wished for protection of humanity.

Mr. Speaker, there has been [illegible] we will not charge intentional negligence, but neglect, never [illegible] by those possessing an owner and responsibility in the Chicago theater disaster; an occurrence [illegible] in history, [illegible] effect upon not only the [illegible] of humanity, but upon the continued [illegible] as well, of the arts.

[illegible] that we are too grasping, too avaricious, too [illegible] in the pursuit of [illegible]—of wealth. Is it not time for the good and well meaning citizen to pause? The period is one in which to sink all differences in universal and final concern for the happiness of a common race. It is a time when, in our [illegible] however [illegible] in our pathway, we may well afford to cast a hat and count the cost. It should, if [illegible] us.

Over a thousand involved in the holocaust of Chicago; over half that number dead outright, the remainder suffering the agonies of deepest injuries! And this in an age when resources, [illegible], and wealth unlimited exist, by which 75 per cent, at least, of such fearful, such awful, calamity could be averted. I have [illegible] to me, in one instance, a suggestion of an experienced theatrical man which I will [illegible] that percentage from the [illegible] in the city by the lake. I ask the House to bear with me. My authority says:

[illegible]

[illegible] and hopes to be [illegible] in the case of second and third floors with [illegible] of portals, from which in front and worse predicament, in rear of building stoves would [illegible] to be [illegible].

[illegible] an important and indispensable factor of the education of the entire theater staff.

Mr. S[illegible], these few practical suggestions may be the means of preventing the happiest tenures. I recommend them, and think the thanks of the country are due to him who gave them. I have refrained from pressing upon the House by asking its consideration heretofore of the national theater bill, but ask it now. It is no time to pause.

Those only outside who come to Members and Senators of the American Congress from time to time with really worthy and meritorious ideas, looking for the realization of a better state of society, are the liable to incur the distrustful skepticism and slightest regard of our hurried and engrossed hours. We do not stop to consider that behind a seeming dreamer's wildest flight may stir the seeds of fruitful and sane growth—of beauty and freedom.

Morse, the great inventor of telegraphy, walked these very [illegible] of Washington begging for a pittance [illegible] the trial of the living wire. He was called lu[illegible] to the needs of wholesome legislation, management, which in some form this national theater bill provides.

I wish to close, but not without disposing all illusions. I am not, and do not pose as, a theatrical man. There was once a Member of this body whose presence was felt by and whose voice was music to those whose fortune it is to remember him in his lifetime. He was my friend and honored [illegible]. He was affectionately and popularly known as the "[illegible] of the Wabash," the late Senator from Indiana, Daniel W. Voorhees.

The national theater bill is the work of years of patient, self-sacrificing efforts on the part of the Senator's son, James Paxton Voorhees, himself an actor of ability and note. The great and earnest interest in this measure, in the full of hope, and the warm and enduring support of Mr. Voorhees's father. The latter believed in the admirable purposes to be attained, without criticism or objection to the means to be employed in their attainment. I commend the measure when it shall be called up.

Mr. HEMENWAY. Mr. Speaker, I now yield five minutes to the gentleman from Arkansas [Mr. ROBINSON].

Mr. ROBINSON of Arkansas. Mr. Speaker, the history of this bill is of some interest. A number of measures similar in purport to this were introduced and all of them were referred to the Committee on Agriculture. That committee, if I am not misinformed, unanimously and promptly returned this bill, and it was referred to the Committee on Appropriations, which committee unanimously recommend the passage of this measure.

I am unable to see, sir, any difference in the principle involved in this instance and that wherein was passed the so-called "foot-and-mouth disease" bill of March 3, 1903, intended principally to suppress the foot-and-mouth disease then prevalent among New England cattle. It has been said by the gentleman from Massachusetts [Mr. GILLETT] that the latter measure was of general and of national importance and that this bill is of only local importance.

I call attention to the fact, sir, that the report of the Commissioner of Agriculture shows the rapidity with which this insect has spread and the ruin which it worked to cotton wherever it has gone, and that unless something is immediately done to check its destructive work in the cotton-growing regions it will [illegible] in all probability extend [illegible] growing sections of our country. Many [illegible] and every State in the Union, as well as Texas, Arkansas, and Louisiana, are directly interested in this legislation. The bill under consideration diverts $200,000 heretofore appropriated for another purpose.

A large sum of money was originally appropriated under act approved March 3, 1903, to enable the Secretary of Agriculture to stamp out and eradicate the foot-and-mouth disease and other contagious diseases of animals. These diseases were prevalent among New England cattle. A considerable sum so appropriated remained unexpended. Upon the passage of this measure it will become available, in the hands of the Secretary of Agriculture, to be expended "in such manner as he shall deem best, in cooperation with State experiment stations and practical cotton growers, if the Secretary of Agriculture shall deem it advisable, to meet the emergency caused by the ravages of the Mexican cotton-boll weevil and other insects and diseases affecting cotton."

It is the purpose of this bill, as I understand it, to take such steps as may be deemed wise and consistent, in the opinion of the Secretary of Agriculture, to overcome the injurious effects of the cotton-boll weevil and to prevent its spreading to communities not now affected by it. Its march has heretofore been like that of an [illegible]. It has [illegible] from the Mexican frontier [illegible]. Texas [illegible] Arkansas, and now threatens ruin to her most profitable industry. Louisiana, too, has suffered from it and realizes the necessity of immediate action in this regard. Attempts have been made to check its progress [illegible].

If [illegible] destruction of the cotton boll weevil and toward preventing it from extending its operations, inestimable harm will result to the great cotton industry of this country, which certainly is of as much importance to the nation as any other in which [illegible] are engaged. In asking for this appropriation Mr. [illegible] do not [illegible] that it is a local measure or that it will [illegible]. I represent in part the great State of Arkansas, and my colleagues and I do not regard this bill as local in its application and beneficial only to Texas, for we believe that if the spreading of the boll weevil can be prevented the farmers will [illegible] from the enactment of this [illegible] the entire country.

We [illegible], sir, that it will enable the cotton-growing States of this Union to continue to supply in a large degree, as they have done heretofore, [illegible] of the world, and thus assist [illegible] will receive the raw [illegible] factories, and they in turn will furnish their products to the trade of the world.

[illegible] mainly more general than were the results of the foot-and-mouth disease [illegible] for the protection of New [illegible] upon which the two bills depend are identical, and it seems to me that no one can consistently oppose this measure who supported the other without at least confessing that his vote was [illegible].

The [illegible] the action of the Secretary of Agriculture relating to this matter was so prompt as to give evidence of the necessity for this bill, and I hope, sir, that this appropriation will commend itself to the consideration of this Congress, and that the Members of this body will find it consistent with their sense of duty to support this measure, thus showing a sense of fairness and impartiality that is truly commendable, as well as a lofty spirit of patriotism which is just ground of pride. [Applause.]

Mr. HEMENWAY. Mr. Speaker, I now yield five minutes to the gentlemen from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker, something like a year ago I had the honor to address the House on the importance of an immediate national effort to exterminate the pest known in Texas as the Mexican cotton-boll weevil.

Possibly because of my poor powers as an orator, possibly because the country and its representatives had not been educated to an appreciation of the extent of the disaster, the actual and the impending disaster, I failed signally to arouse the attention of the Congress and to secure the half a million appropriation which I asked for.

At that time the Secretary of Agriculture, who is an honest, zealous, and able officer in his care for the interests of the farmers, was not impressed with the importance of the subject. With a frankness which does him honor, he has publicly stated that not until his recent visit to Texas did he comprehend the tremendous damage which this miserable little insect has been doing in that State nor the extent of the danger from its almost certain invasion of Arkansas and Louisiana.

I have known the cotton-boll weevil for nearly ten years. My attention was first called to it in or about the year of 1893 by a Mexican cotton planter, who expressed an opinion that it would come to Texas, even if it had not already done so, and that it would, so to speak, "put us out of business" as cotton planters.

I was at that time a cotton merchant in Texas, and very naturally kept an eye on the plantations, expecting and dreading the arrival of the weevil.

In 1894 all doubt was removed. It became recognized as a fact that the boll weevil was in our State.

The Department of Agriculture sent an entomologist to San Antonio to study the insect at close range and, if possible, to find a remedy. He made my office his headquarters for a year or two and seemed reasonably diligent in his work, but, at the conclusion of his labors, had to admit himself completely baffled.

Since then no very substantial progress has been made in the conduct of the war against the weevil. Indeed, until this bill was reported from the committee no adequate provision for such a campaign as the seriousness of the situation demands has ever been proposed.

Our planters and merchants, our local scientists in Texas, and the trained men in the Department of Agriculture have been studying the insect and his habits, hoping, possibly praying, to discover his natural enemy, but, so far, without success.

I sincerely trust, and I am inclined to believe it will be so, that with this appropriation Secretary Wilson and his corps of scientific men may discover a means of growing cotton profitably despite the wicked activity of the boll weevil.

If they do not succeed, and if the next two or three crops of cotton are as small as the last two or three crops have been, we will see such high prices for the staple that its cultivation will be stimulated throughout the world and the dominant place which we have held for so long in this branch of the world's trade will be in peril, if not actually lost.

In my speech of a year ago I dwelt at length on this danger. I had taken the pains to get new and special reports from our consular officers in England, France, and Germany and from cotton merchants and spinners in those countries. I confess that they alarmed me.

They showed that the Governments and the commercial bodies of those countries were doing all that brains and money could do to promote the culture of cotton in Africa and Asia. Since then I have read an address by a British colonial governor to the people of one of the West India Islands—Jamaica. I think it was—in which they were urged to go in for the growing of cotton. He showed them from the records how cotton had been successfully grown there in the past and pointed to the enforced idleness of the Lancashire spindles as evidence of the reward that awaited their industry.

Mr. Speaker, we must not delude ourselves with the idea that we have the only combination of soil and climate that will make cotton growing successful. I would like to believe it, but it is not true.

Competition for the South is being fostered under our own flag, if not under the Constitution, and it would not surprise me to hear any day that cotton plantations had been opened up in the Philippines. Present prices are tempting. They are also dangerous to the ultimate and enduring prosperity of our farmers for the simple reason that they are due to a decreased yield rather than an increased demand. I conceive it to be the duty of the Government, operating through the great Department of Agriculture, to do all that can be done to maintain the supremacy of the southern cotton fields, and that can not be done unless we destroy the boll weevil.

The gentleman from Massachusetts [Mr. GILLETT], whose amendment will, I fear, jeopardize the passage of this bill, ought to cooperate with us in securing its enactment. Millions of invested capital in his State depend upon the southern cotton crop to earn dividends. Thousands of laborers in Massachusetts get their daily bread by the conversion of our cotton into woven goods.

All other Members of this House ought to help us pass the bill, for they represent constituencies who are paying more for their clothes than they would have to pay if the boll weevil had not come across the Rio Grande from Mexico.

The gentleman from Michigan [Mr. GARDNER] is mistaken when he says that Texas has done nothing to stay the ravages of this pest.

Texas has had entomologists in the field studying the insect for years. They have not learned how to fight the weevil successfully, nor have they found, what we fondly hope exists somewhere, a natural enemy to the weevil, and neither have the highly trained experts of the Department of Agriculture. Still, I pin my faith to these gentlemen and believe that they will yet do something great for us in the way of removing the greatest menace to the South's greatest crop.

The gentleman intimates, as other gentlemen have done, that this is a case of local distress and should be attended to by the State of Texas. I regret to say that it is not likely to continue localized. It threatens the cotton crop of every State in the South. It is admitted, Mr. Speaker, that commerce which crosses a State line is interstate commerce in the sense contemplated by the Constitution. Now, if that is true, it occurs to me that a calamity which crosses the State line is an interstate calamity and ought to be brought under Federal control. The Secretary of Agriculture has defined the boll weevil as a national calamity and admitted the propriety of Federal aid.

Mr. Speaker, I have here some telegrams and letters from railway managers in Texas which I ask leave to print in the RECORD.

They will give the House an idea of the appalling disaster which has come upon the Texas cotton planters. These railway managers are a class of people who keep well informed of the business conditions along their respective lines. They speak conservatively and they know what they are talking about. I believe that these figures will startle the House.

[Telegram.]

SAN ANTONIO, TEX., *January 4, 1904.*

Hon. JAMES L. SLAYDEN,
1631 K street, Washington, D. C.:

Cotton growers on San Antonio and Aransas Pass Railway lost this season by boll weevil [illegible] bales cotton seed, value, $[illegible]. Our company's loss in freight charges on same about $450,000.

E. J. MARTIN.

[Telegram.]

HOUSTON, TEX., *December 30, 1903.*

Hon. JAMES L. SLAYDEN,
1631 K street, Washington, D. C.:

In response to your telegram of yesterday Mr. Markham, it is generally accepted that ravages of boll weevil this year cost State of Texas one-half million bales cotton, [illegible] value of seed, amounting seed, [illegible] bales, [illegible] $[illegible]. Houston, Eastern and West Texas [illegible] and believe conservative estimate places loss along our line near $10,000,000.

W. H. TAYLOR.

SAN ANTONIO AND GULF RAILROAD,
OFFICE OF GENERAL MANAGER.
San Antonio, Tex., December 30, 1903.

Hon. JAMES L. SLAYDEN, M. C., *Washington, D. C.*

DEAR SIR: Further replying to your favor of December 26, I beg to furnish you herewith a statement of losses in the territory contiguous to the San Antonio and Gulf Railroad, in and through the counties of Bexar and Wilson.

At the close of business on December 20, 1902, this line had handled 9,675 bales of cotton, which [illegible] tons of cotton seed.

[illegible] ending December 20, 1903, we show a handling of 2,718 bales of cotton, which [illegible] tons of cotton seed.

This shows a decrease of cotton produced in our territory of equal to 72 per cent, and solely to the ravages of the boll weevil alone.

The loss in revenue to the people in our section will thus approximate $[illegible]; [illegible] the revenue [illegible] of $25,000 more would show a loss to the people of our section of nearly $[illegible].

The San Antonio and Gulf Railroad is a mere long, and our statistics as given above represent a true loss of the present to the country contiguous thereto. And our losses are due to wise affected by cotton having been moved and diverted to other transportation lines as [illegible] plainly show that the nearest lines to the San Antonio and Gulf Railroad in our territory also show a comparative decrease in cotton handling.

The farmers and country merchants in our section are certainly in an unfortunate position on account of the loss of cotton, and the population is, in many instances, becoming sadly disorganized on account of many farmers leaving their farms and giving up their teams and stock to merchants for debts unpaid, and seeking new fields to try their luck in next year.

It has been many years since our territory has suffered such a shortage of cotton.

Trusting this information will be as complete as your requirements ask for, I remain,

Yours, very respectfully,

E. E. SHACKFORD.

INTERNATIONAL AND GREAT NORTHERN R. R. CO.,
Palestine, Tex., December 21, 1903.

Hon. JAMES L. SLAYDEN, *Washington, D. C.*

DEAR SIR: Replying to yours of December 26, I beg to advise that we will be short at our local stations as compared with an average cotton crop, 125,000 bales, and the farmers along our line alone will have $8,000,000 less, including

ceed than they would have had with an average crop. This refers only to stations on the International and Great Northern Railroad.

Yours, truly, L. TRICE.

Mr. HEMENWAY. I yield five minutes to the gentleman from Michigan [Mr. GARDNER].

Mr. GARDNER of Michigan. Mr. Speaker and gentlemen, there are two or three points in this discussion which I think ought to be emphasized before we vote. The question here is not so much the menace to the cotton industry of this country as it is the menace to the Treasury of the United States in establishing and maintaining a precedent of this kind.

First, the gentleman from Texas [Mr. BURLESON] says that this bill does not appropriate a dollar that is not [illegible]. This is true, but it does draw out of the Treasury of the United States every dollar of an appropriation not yet [illegible] and which would be otherwise turned back into the Treasury.

Again—and this is the most material point in my mind—the gentleman says that the cotton crop of Texas is worth $[illegible],000,000 annually.

Mr. SLAYDEN. Oh, [illegible].

Mr. GARDNER of Michigan. So much the stronger is the argument. Texas has offered a premium, so to speak, to anyone who will discover any means of destroying this injurious insect.

As I understand, Texas has not paid a dollar to exterminate this insect that threatens its chief industry.

Mr. BURLESON. Oh, Texas has made the usual appropriation, which has been expended through the [illegible] and every farmer in Texas has been expending his own [illegible] with the view of ascertaining some means of destroying this [illegible]. And I will state further to the gentleman that not one dollar of this money will go into the hands of any individual farmer, differing from the case in New England, where thousands of dollars were paid to farmers for the destruction of animals in order to prevent the spread of the foot-and-mouth disease.

Mr. GARDNER of Michigan. But I want to continue my remarks. Here is a crop that is worth, annually, $150,000,000 to the great State of Texas; yet that State has not been sufficiently alive to its own danger to take hold of this matter and do what it could before coming to the Government of the United States. That is the point, gentlemen. First you should help yourselves; and if you can not do it, then come to the Government. You have not performed, or sufficiently endeavored to perform, the duty that this problem of yours entails upon you as guardians of your own interest, before coming to the Treasury of the United States.

Mr. WADSWORTH. Suppose it to be the fact that the State of Texas has failed in its duty, is that any reason why all the country east of the Mississippi should suffer?

Mr. GARDNER of Michigan. No; I should not say it is a sufficient reason in and of itself; and yet I say the State of Texas should be more solicitous as to her own interests. Texas is primarily asking for this appropriation to protect the cotton interest of Texas.

Mr. WADSWORTH. I differ with the gentleman. The committee is asking for it primarily to protect the United States. It is practically to protect the rest of the cotton belt that we are asking for it.

Mr. GARDNER of Michigan. I do not want to be misunderstood. I voted for this in the committee and I shall vote for it now, but I believe it to be a bad precedent to establish in this House and one that will bear fruit over and over again in demands upon the Treasury of the United States upon [illegible]. It is a species of paternalism which it is dangerous to encourage.

Mr. TAWNEY. In what respect does this differ from the appropriation for the purpose of stamping out the foot-and-mouth disease? In what way is it different as a precedent?

Mr. GARDNER of Michigan. In this, that that appropriation was made with a view of buying up, as I understand, if necessary, all the cattle that were infected, and destroying the cattle, and in that way destroying the disease.

Mr. TAWNEY. I understand that one of the recommendations of the Secretary of Agriculture in this case is to buy up the material on which the boll weevil lives, in order to exterminate the boll weevil.

Mr. GARDNER of Michigan. I do not so understand it.

Mr. TAWNEY. That was one of his recommendations.

Mr. GARDNER of Michigan. This is to devise some remedy by which the insect itself may be destroyed.

Mr. TAWNEY. And one of the recommendations is the purchase of the material upon which it lives, for the purpose of destroying it.

Mr. PAYNE. I should like to understand that right now. If the Government of the United States proposes to go on and buy $30,000,000 worth of cotton a year, we should vote against it.

Mr. SLAYDEN. That is not proposed.

Mr. PAYNE. I understand this to be the case, that the Government proposes to experiment, and to find a way, if possible, by which the people of Texas and the other cotton-raising States can exterminate this pest.

Mr. BURLESON. That is exactly the purpose of it.

Mr. SLAYDEN. Without the expense of buying.

Mr. PAYNE. Otherwise I should be greatly opposed to the setting of such a precedent.

Mr. BURLESON. And so should I.

Mr. WADSWORTH. And so should all of us.

Mr. TAWNEY. I hope that no one will misunderstand. In listening to the recommendation of the Secretary of Agriculture I heard this as one of the possible alternative remedies that might have to be resorted to.

Mr. GARDNER of Michigan. The gentleman will see that the analogy fails as between the two as to the method proposed to be pursued in stamping out the foot-and-mouth disease and the method to be pursued here.

Mr. SLAYDEN. The gentleman will admit that the analogy fails in favor of the present bill.

The SPEAKER. The time of the gentleman has expired.

Mr. HEMENWAY. I yield to the gentleman from Massachusetts [Mr. GILLETT] one minute.

Mr. GILLETT of Massachusetts. I wish to offer this amendment, and while the amendment is being carried to the Clerk's desk I will say that the effect of it is to increase the amount from $500,000 to $750,000, and to give $250,000 to the boll weevil and $250,000 to the gypsy moth.

The SPEAKER. Does the gentleman from Indiana yield for the amendment?

Mr. HEMENWAY. I yielded to the gentleman one minute's time, in which he could offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by striking out "$500,000," in line 6, and substituting therefor [illegible] after the word "cotton," in line 15, and substituting [illegible] appropriated [illegible] expended [illegible] and also for the eradication of the gypsy moth and brown tail moth and other contagious diseases of animals."

Mr. WADSWORTH. Mr. Speaker, I raise the point of order against that that there is not sufficient money in the appropriation.

The SPEAKER. Does the gentleman from Indiana yield?

Mr. HEMENWAY. I yield to the gentleman one minute's time in which to make the point of order.

The SPEAKER. The gentleman has that right if he desires. The Chair understands that the gentleman yielded for the amendment.

Mr. HEMENWAY. I yielded one minute to the gentleman from Massachusetts [Mr. GILLETT] for the sole purpose of offering his amendment, by agreement.

The SPEAKER. The Chair understands.

Mr. HEMENWAY. Now the gentleman from New York has a right to make the point of order.

Mr. WADSWORTH. I make the point of order that the bill simply diverts an appropriation and the amendment of the gentleman makes another appropriation, not germane.

Several MEMBERS. Not germane.

The SPEAKER. Does the gentleman from Massachusetts desire to be heard?

Mr. GILLETT of Massachusetts. Unless the Chair is going to rule the point of order untenable, I do. [Laughter.]

The SPEAKER. The Chair will hear the gentleman from Massachusetts.

Mr. GILLETT of Massachusetts. Mr. Speaker, the point of order, as I understand it, as the gentleman made it, is that it is a new appropriation, whereas the bill diverts an old appropriation.

The SPEAKER. The Chair calls the attention of the gentleman to the fact that the point of order was also made that the amendment is not germane.

Mr. GILLETT of Massachusetts. I heard several people around the House make that point, but I did not hear the gentleman.

The SPEAKER. He made it.

Mr. GILLETT of Massachusetts. Then, as to the point that it is not germane. The bill provides for preventing the ravages of one insect. Now, I suppose the word "germane" means related, associated, and if the Chair is going to hold that no insect can be appropriated for in this bill unless it is related to the boll weevil, I am not certain whether the gypsy moth is germane or not. I suppose that would be a question for the entomologist, and I must leave that to the scientific knowledge of the Chair. But I think as a matter of general parliamentary law it can not be said that where an appropriation is made to prevent one insect pest that an amendment to prevent another insect pest is not germane. Suppose there was another insect that affected cotton. Would it not be germane to amend the bill by including that other insect also affecting cotton? Now, this insect, the gypsy moth, will

devour cotton just as it will devour New England foliage, and therefore——

Mr. WADSWORTH. Who says that it will?

Mr. GILLETT of Massachusetts. Your entomologist says in his report, from which you quoted, that it will eat cotton leaves. So that if an amendment which provides for the destruction of another insect which also feeds on cotton is germane, then this insect of ours is germane to the boll weevil. In other words, Mr. Speaker, if you rule that it is out of order, you rule that no amendment is in order which in any way enlarges the text or purpose of this bill. Now, I do not believe that the Chair can hold that. I do not believe that it is good parliamentary law. If a gentleman from the State of Texas should get up and say that there was another weevil which was not a boll weevil, and that it should also be appropriated for, I do not think the Chair would rule that out of order. And if an amendment that seeks to prevent the ravages of another insect which also destroys the cotton plant is in order, then the Chair must hold logically that this amendment is in order.

The SPEAKER. The effect of this bill is to make an appropriation which was made by the act of March 3, 1903, to stamp out the foot-and-mouth disease, also available to stamp out the boll weevil, and for that purpose only—a single purpose. Now, the point of order is made that this proposed amendment to the bill, to add the gypsy moth, is not germane.

The Chair is not without precedents touching this point of order. On page 324 of the Manual the following decisions are found:

To a bill providing for the admission of one Territory an amendment providing also for the admission of several other Territories was offered, and held not to be in order.

To a bill admitting one Territory into the Union an amendment relating to the statehood of another Territory is not germane.

It is not in order to engraft upon a bill for the relief of one State a provision for the relief of another.

And various others along the same line. It has frequently been held that a bill to pension A is not amendable by a provision to pension B. Now, when you apply the former practice of the House and the decisions made by the Chair and concurred in by the House, it is evident that this amendment is not germane under the precedents; and the Chair sustains the point of order.

Mr. HEMENWAY. The time for debate having expired, I ask for a vote on the bill.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the bill was passed was laid on the table. [Loud applause.]

LOUISIANA PURCHASE EXPOSITION COMPANY.

The SPEAKER laid before the House the following message from the President; which was read, referred to the Committee on Industrial Arts and Expositions, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of November, 1903, together with a summary of the receipts and disbursements of the company from its incorporation to November 30, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for [illegible] the centenary of the purchase of the Louisiana Territory," [illegible] March 3, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 7, 1904.*

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House for the consideration of bills on the Private Calendar, with Mr. GARDNER of New Jersey in the chair.

The CHAIRMAN. The House is in Committee of the Whole House for the purpose of considering pension business on the Private Calendar.

WILLIAM F. LONGENHAGEN.

The first business on the Private Calendar was the bill (H. R. 1184) granting an increase of pension to William F. Longenhagen.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Longenhagen, late of Company F, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was laid aside to be reported to the House with a favorable recommendation.

FRANCIS M. NORTHERN.

The next business on the Private Calendar was the bill (H. R. 5464) granting an increase of pension to Francis M. Northern.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis M. Northern, late of Company F, First Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The following amendment recommended by the committee was read:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The committee amendment was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

HARVEY D. BARR.

The next business on the Private Calendar was the bill (H. R. 1908) granting an increase of pension to Harvey D. Barr.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harvey D. Barr, late a sergeant in Company B, Thirty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a sergeant in" and insert in lieu thereof the word "of."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ALVIN B. HUBBARD.

The next business on the Private Calendar was the bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alvin B. Hubbard, late of Company I, Ninety-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The following amendment recommended by the committee was read:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The committee amendment was agreed to.

The bill as amended was laid aside with a favorable recommendation to the House.

WILLIAM C. LYON.

The next business on the Private Calendar was the bill (H. R. 6004) granting an increase of pension to William C. Lyon.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Lyon, late of Company A, Twenty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

In same line strike out the letter "A" and insert in lieu thereof the letter "C."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ABRAM H. HUNT.

The next business on the Private Calendar was the bill (H. R. 892) granting an increase of pension to Abram H. Hunt.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram H. Hunt, late assistant surgeon, Twelfth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The following amendment, recommended by the committee, was read:

In line 8 strike out the word "sixty" and insert in lieu the word "forty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

VICTOR VIFQUAIN.

The next business on the Private Calendar was the bill (H. R. 3620) granting an increase of pension to Victor Vifquain.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] of Company C, Seventh Missouri, and Company K, Sixty-first Regiment Illinois Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The following amendments, recommended by the committee, were read:

In line 6 [illegible] the word "company."

In line 7 [illegible] Third Nebraska.

In line [illegible] ended" and insert in lieu thereof the word "regiment."

The [illegible] were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

HARRISON W. FOX.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting an increase of pension to Harrison W. Fox.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The following amendment, recommended by the committee, was read:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The committee amendment was agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

ALFRED I. JUDY.

The next business on the Private Calendar was the bill (H. R. 8776) granting an increase of pension to Alfred I. Judy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] of Company C, Seventh Missouri, and Company K, Sixty-first Regiment Illinois Volunteers, and pay him a pension at the rate of $30 dollars per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "Company G, Seventh Missouri, and" and insert in lieu [illegible]

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES S. CLARK.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting an increase of pension to Charles S. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension roll, subject to the provisions [illegible] the name of Charles S. Clark, late private [illegible] Eighty-second Indiana Infantry, and pay him a pension at the rate of $6 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

[illegible] the word "private."

In line [illegible] "Eighty-eighth" insert the word "Regiment."

In line [illegible] "Infantry" insert the word "Volunteer."

In line [illegible] strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LAURA F. HINE.

The next business on the Private Calendar was the bill (H. R. 7[illegible]) granting an increase of pension to Laura F. Hine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension roll, subject to the provisions [illegible] the pension laws, the name of Laura F. Hine, widow of Edward L. Hine, late company captain and second lieutenant, Twelfth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $6 per month in lieu of that she is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In line 7, before the word "Twelfth," insert the words "Company F."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALONZO DUTCH.

The next business on the Private Calendar was the bill (H. R. 5176) granting an increase of pension to Alonzo Dutch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] of Company D, Eighty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "lieutenant," insert the word "first."

In same line, before the word "New York," insert the words "Eighth Regiment."

In line 7, after the word "Militia," insert the word "Infantry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. TRAVIS.

The next business on the Private Calendar was the bill (H. R. 6022) granting an increase of pension to George W. Travis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In lines 7 and 8 strike out the words "and Fifty-second Regiment New [illegible] forty" and insert in lieu thereof the words "New York [illegible]."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES W. BECHSTEDT.

The next business on the Private Calendar was the bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] of Company D, Eighty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN WHITEHEAD.

The next business on the Private Calendar was the bill (H. R. 5737) granting a pension to John Whitehead.

The bill was read, as follows:

[illegible] Secretary of the Interior be, and he is hereby, [illegible] number of [illegible] him a pension at the rate of [illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "a member."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JULIAETTA ROWLING.

The next business on the Private Calendar was the bill (H. R. 3778) granting an increase of pension to Juliaetta Rowling.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] of the pension laws, the name of [illegible] shall commence only at the rate of $8 per month from and after the date of death of said soldier's child.

The amendments recommended by the committee were read, as follows:

In line 9, after the word "month," insert "in lieu of that she is now receiving."

In line 10 strike out the word "for" and insert the words "on account of."

In line 11 strike out the words "in lieu of that she is now receiving" and insert "until they reach the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SEBASTIAN B. ELLIOTT.

The next business on the Private Calendar was the bill (H. R. 5246) granting an increase of pension to S. B. Elliott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] laws, the name of S. B. Elliott, late of Company [illegible] Twenty-second Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month, in lieu of that which he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "S." and insert in lieu thereof the word "Sebastian."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

[illegible] title so as to read: "A bill granting an increase of pension to Sebastian B. Elliott."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. CLARK.

The next business on the Private Calender was the bill (H. R. 5177) granting an increase of pension to William H. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company F, First Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SARAH E. WHEELER.

The next business was the bill (H. R. 5399) granting an increase of pension to Mrs. Sarah E. Wheeler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] of Elijah H. Wheeler, late of Company G, Forty-third Regiment Massachusetts Volunteer Infantry, Company G, Thirty-seventh Regiment, and Company I, Thirty-sixth Regiment United States Colored Volunteers, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Mrs."

In the same line strike out the word "wife" and insert in lieu thereof the word "widow."

In line 8, after the word "and," insert the words "first lieutenant."

In line 8 and 9 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer infantry."

[illegible] "receiving," insert the words "and $2 per month additional on account of each of the minor children of said Elijah H. Wheeler until they reach the age of 16 years."

[illegible] read: "A bill granting an increase of pension to Sarah E. Wheeler."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM C. BROWN.

The next business was the bill (H. R. 5197) granting a pension to W. C. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name W. C. Brown, late of Company I, Eighth Regiment Michigan Cavalry, and pay him a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "W." and insert in lieu thereof the word "William."

In lines 7 and 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

[illegible] title so as to read: "A bill granting an increase of pension to William C. Brown."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS C. POND.

The next business was the bill (H. R. 4629) granting an increase of pension to Thomas C. Pond.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas C. Pond, late of Company B, First Provincial Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Provincial" and insert in lieu thereof the word "Provisional."

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPHINE C. CHASE.

The next business was the bill (H. R. 5559) granting an increase of pension to Josephine C. Chase.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] of Franklin W. Chase, late of Company [illegible] of Willis R. Chase, late of Company H, One hundred and sixty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that which she now receives, [illegible] the death of said Willis R. Chase, the additional pension herein granted shall cease and determine.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES E. FOLEY.

The next business was the bill (H. R. 3743) granting a pension to Charles E. Foley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] of the pension laws, the name of Charles E. Foley, late of Company H, Ninety-third Regiment Pennsylvania Volunteers, and Company B, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $24 per month in lieu of that which he now receives under certificate No. 962241.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "of the Second" and all of line 8 and insert in lieu thereof the words "One hundred and sixteenth Company, Second Battalion, Veteran Reserve Corps."

In line 9 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

In line [illegible] strike out the words "which he now receives under cer-" and all of line [illegible]

Amend the title so as to read: "A bill granting an increase of pension to Charles E. Foley."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARVIN NASH.

The next business was the bill (H. R. 5531) granting an increase of pension to Marvin Nash.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] of Marvin Nash, late of Company [illegible], One hundred and sixty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "C." and insert in lieu thereof the letter "G."

In same line [illegible] "Forty-fourth" [illegible] Volunteer Infantry" and insert in lieu [illegible] the words "First Regiment Michigan Volunteer Mechanics and Engineers."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN A. MAVITY.

The next business was the bill (H. R. 3013) granting an increase of pension to John A. Mavity.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] of Company B, Sixty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RICHARD L. COOK.

The next business was the bill (H. R. 2188) granting an increase of pension to Richard L. Cook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard L. Cook, late of the Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $8 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of the" and insert in lieu thereof the words "assistant surgeon."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES W. BOYER.

The next business was the bill (H. R. 1624) granting an increase of pension to Charles W. Boyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Boyer, late a member of Company C, Fifty-third Regiment Ohio Volunteer Infantry, and grant him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a member."

In line 7 strike out the word "grant" and insert in lieu thereof the word "pay."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN R. LITTLE.

The next business was the bill (H. R. 6619) granting an increase of pension to Benjamin R. Little.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin R. Little, late of Company E, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JABEZ PERKINS.

The next business on the Private Calendar was the bill (H. R. 7374) granting an increase of pension to Jabez Perkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jabez Perkins, late surgeon, Tenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Tenth Regiment Kentucky."

In line 7 strike out the words "Volunteer Infantry" and insert in lieu thereof the words "United States Volunteers."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "fifty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES F. HARDY.

The next business on the Private Calendar was the bill (H. R. 942) granting an increase of pension to James F. Hardy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James F. Hardy, late of Company B, Third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ERI SUMMY.

The next business on the Private Calendar was the bill (H. R. 561) granting an increase of pension to Eri Summy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Eri Summy, late of the First Wisconsin Light Artillery, and pay him a pension of $30 a month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eri Summy, late of the First Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMA BUTLER.

The next business on the Private Calendar was the bill (H. R. 2424) granting a pension to Emma Butler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma Butler, widow of Alexander T. Butler, late of Company B, Second Tennessee Cavalry, and Company B, and F, Seventh Tennessee Cavalry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Second" insert the word "Regiment."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 8, before the word "Tennessee," insert the word "Regiment."

In same line, before the word "Cavalry," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ZECHARIAH B. STUART.

The next business on the Private Calendar was the bill (H. R. 722) granting an increase of pension to Zechariah B. Stuart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Zechariah B. Stuart, late of the Seventh Massachusetts Battery Light Artillery, and of Company F, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "the Seventh Massachusetts."

In line 7 strike out the words "Battery Light Artillery and of."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. BLACK.

The next business on the Private Calendar was the bill (H. R. 1483) granting an increase of pension to James W. Black.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Black, late of Company H, First Regiment Ohio Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DE WITT C. PARKER.

The next business on the Private Calendar was the bill (H. R. 907) granting an increase of pension to De Witt C. Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of De Witt C. Parker, late of Company [illegible], First Regiment New Hampshire Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Parker," insert the words "alias Clinton J. Parker."

In line 7, before the word "Heavy," insert the word "Volunteer."

Amend the title so as to read: "A bill granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS M. PARKISON.

The next business on the Private Calendar was the bill (H. R. 930) granting an increase of pension to Thomas M. Parkison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas M. Parkison, late of Company E, Forty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WORTHINGTON S. LOCK.

The next business on the Private Calendar was the bill (H. R. 5005) granting an increase of pension to Worthington S. Locke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Worthington S. Locke, late first lieutenant and quartermaster, Fifteenth Maine Infantry, and pay him a pension of $50 per month in lieu of the pension of $17 per month now received by him.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Locke" and insert in lieu thereof the word "Lock."

In line 7, after the word "Fifteenth," insert the word "Regiment."

In same line, before the word "Infantry," insert the word "Volunteer."

In same line, after the word "pension," insert the words "at the rate."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In same line and in line 9 strike out the words "the pension of $17 per month now received by him" and insert in lieu thereof the words "that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Worthington S. Lock."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. HUTCHISON.

The next business on the Private Calendar was the bill (H. R. 1517) granting an increase of pension to George W. Hutchison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Hutchison, late of Company R, Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "Fourteenth," insert the words "and commissary-sergeant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALEXANDER H. COVERT.

The next business on the Private Calendar was the bill (H. R. 1856) granting an increase of pension to Alexander H. Covert.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander H. Covert, late of Company H, Twenty-seventh Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five," and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JASON STEVENS.

The next business on the Private Calendar was the bill (H. R. 1288) granting an increase of pension to Jason Stevens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jason Stevens, late of Company L, Second Wisconsin Volunteer Cavalry, and pay him a pension of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Second," insert the word "Regiment."

In line 7, after the word "pension," insert the words "at the rate."

In same line strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALLEN M. PIERCE.

The next business on the Private Calendar was the bill (H. R. 4916) granting an increase of pension to Allen M. Pierce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allen M. Pierce, assistant surgeon, of the One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "assistant," insert the word "late."

In same line strike out the words "of the."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

This bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES M. DICKEY.

The next business on the Private Calendar was the bill (H. R. 6331) granting an increase of pension to James M. Dickey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Dickey, late of Company E, Fourth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $60 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET J. SNOOK.

The next business on the Private Calendar was the bill (H. R. 4707) granting a pension to Margaret J. Snook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret J. Snook, widow of John N. Snook, late private of Company B, First Indiana Cavalry, war between the States, and grant her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the words "late private" and all of lines 7 and 8 and insert in lieu thereof the following: "late of Company H, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $12 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWARD T. MILLER.

The next business on the Private Calendar was the bill (H. R. 4935) granting an increase of pension to Edward T. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward T. Miller, late of Company E, First Regiment New York Engineers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, before the word "Engineers," insert the word "Volunteer."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THERESA B. NASH.

The next business on the Private Calendar was the bill (H. R. 4625) granting a pension to Theresa B. Nash.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theresa B. Nash, widow of Warren C. Nash, late of Company D, Ninety-seventh Regiment United States Infantry, and pay her a pension at the rate of $12 per month on and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Company" and insert in lieu thereof the words "Companies E and."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

Strike out all of line 9 and insert in lieu thereof the words "such pension to cease upon proof that the soldier is still living."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY F. HAMILTON.

The next business on the Private Calendar was the bill (H. R. 5010) granting a pension to Mary F. Hamilton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary F. Hamilton, widow of Elisha B. Hamilton, late of Company B, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "late," strike out the word "of."

In line 7 strike out the words "Company B" and insert in lieu thereof the words "quartermaster-sergeant."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS KELLY.

The next business on the Private Calendar was the bill (H. R. 2600) granting an increase of pension to Thomas Kelly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Kelly, late of Company B, Eighteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARGARET COTTER.

The next business on the Private Calendar was the bill (H. R. 2271) granting a pension to Margaret Cotter, widow of John A. Cotter, Company B, Second Tennessee Volunteer Cavalry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Cotter, widow of John A. Cotter, late of Company B, Second Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "month," insert the words "and $2 per month additional on account of the minor child of said John A. Cotter until it reaches the age of 16 years."

Amend the title so as to read: "A bill granting a pension to Margaret Cotter."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. DAY.

The next business on the Private Calendar was the bill (H. R. 1816) granting an increase of pension to George W. Day.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Day, late of Company I, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

Mr. MIERS of Indiana. By direction of the committee and on request of the gentleman who introduced that bill, I move that the bill be reported back to the House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

The motion was agreed to.

MARY GWYNN.

The next business on the Private Calendar was the bill (H. R. 2019) granting a pension to Mary Gwynn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Gwynn, widow of Jonathan Gwynn, late of Mississippi Light Artillery, Marine Brigade, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out the words "Mississippi Light Artillery" and insert in lieu thereof the words "Light Battery, Mississippi."

In line 8 strike out the word "fifteen" and insert in lieu thereof the word "[illegible]."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LYDIA A. TOPPING.

The next business on the Private Calendar was the bill (H. R. 2880) granting an increase of pension to Lydia A. Topping.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lydia A. Topping, widow of Henry S. Topping, late of Company M, Twenty-first Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM C. BEST.

The next business on the Private Calendar was the bill (H. R. 3000) granting an increase of pension to William C. Best.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. Best, late of Company H, [illegible] Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Mr. SULLOWAY. I notice in the fifth line the word "conditions," which should be "provisions." I move to strike out the word "conditions" and insert the word "provisions."

The CHAIRMAN. Without objection, that amendment will be made.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARGARET M. WALKER.

The next business on the Private Calendar was the bill (H. R. 895) granting a pension to Margaret M. Walker.

The bill was read, as follows:

[illegible]

The amendments recommended by the committee were read, as follows:

[illegible]

In line [illegible] strike out the word "[illegible]."

In line [illegible] strike out the word "per."

In same line, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Margaret M. Walker."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. KIGHT.

The next business on the Private Calendar was the bill (H. R. 2439) granting an increase of pension to James W. Kight.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of James W. Kight, late of Company K, Ninety-first Regiment Ohio Volunteers, to $30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

[illegible] Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Kight, late of Company K, Ninety-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH K. WELT.

The next business on the Private Calendar was the bill (H. R. 2616) granting a pension to Joseph K. Welt.

The bill was read, as follows:

[illegible]

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private in" and insert in lieu thereof the word "of."

In line 7 strike out the words "Infantry Volunteers" and insert in lieu thereof the [illegible].

In [illegible] strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line strike out the word "which."

Amend the title so as to read: "A bill granting an increase of pension to Joseph K. Welt."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALBERT MOULTON.

The next business on the Private Calendar was the bill (H. R. 864) granting an increase of pension to Albert Moulton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Albert Moulton, late of Company K, First Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GRACE E. CARSON.

The next business on the Private Calendar was the bill (H. R. 199) granting a pension to Grace E. Carson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Grace E. Carson, widow of Robert Carson, late of Company K, One hundred and seventy-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

PETER FILLION.

The next business on the Private Calendar was the bill (H. R. 6441) granting an increase of pension to Peter Fillion.

The bill was read, as follows:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter Fillion, late of Company [illegible], and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. HARRISON.

The next business on the Private Calendar was the bill (H. R. 5943) granting a pension to William H. Harrison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Harrison, late of Company I, [illegible] Regiment [illegible] Reserve Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the Committee on Invalid Pensions were read, as follows:

In lines 6 and 7 strike out the words "Company I, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry," and insert in lieu thereof the words "unassigned, Pennsylvania Volunteer Infantry."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE C. SHERMAN.

The next business on the Private Calendar was the bill (H. R. 3903) granting an increase of pension to George C. Sherman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George C. Sherman, late of Company F, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the Committee on Invalid Pensions was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIA LINDHORST.

The next business on the Private Calendar was the bill (H. R. 5528) granting a pension to Maria Lindhorst.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maria Lindhorst, widow of George H. Lindhorst, late of Company I, Third Regiment United States Reserve Corps Missouri Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 9, after the word "month," insert the words "such pension to cease upon proof that the soldier is still living."

The amendment was agreed to.

The bill as amended was ordered to be laid aside was a favorable recommendation.

SARAH S. CHRYSLER.

The next business on the Private Calendar was the bill (H. R. 616) granting a pension to Sarah Chrysler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Chrysler, widow of the late Gilford W. Chrysler, captain of Company E, Second New York Veteran Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line [illegible] after the word "Sarah," insert the letter "S."

In same [illegible].

In line 7, before the word "captain," insert the word "late."

In same line, after the word "captain," strike out the word "of."

In same line, after the word "Second," insert the word "Regiment."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "fifteen."

Amend the title so as to read: "A bill granting an increase of pension to Sarah S. Chrysler."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID F. LEWIS.

The next business on the Private Calendar was the bill (H. R. 2472) granting an increase of pension to David F. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David F. Lewis, late of Company A, Eighty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH E. MECKLY.

The next business on the Private Calendar was the bill (H. R. 661) granting an increase of pension to Elizabeth E. Meckly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth E. Meckly, widow of Lemuel W. Meckly, acting assistant surgeon, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "acting," insert the word "late."

In line 7, after the word "surgeon," insert the words "U. S. S. Lodona."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARCUS E. AMSDEN.

The next business on the Private Calendar was the bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marcus E. Amsden, late of the United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "United," insert the words "U. S. S. Minnesota and Mercedita."

In line 7 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

REUBEN VERMILLION.

The next business on the Private Calendar was the bill (H. R. 2435) granting a pension to Reuben Vermillion.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Reuben Vermillion, late of Company A, Webster County (Missouri) Home Guards, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. HERRON.

The next business was the bill (H. R. 1882) granting an increase of pension to George W. Herron.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Herron, late second lieutenant Company A, Forty-fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HARVEY R. KING.

The next business was the bill (H. R. 6982) granting an increase of pension to Harvey R. King.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harvey R. King, late of Company I, Twenty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEVI ROBERTS.

The next business was the bill (S. 1984) granting an increase of pension to Levi Roberts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi Roberts, late of Company H, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PERRY KITTREDGE.

The next business was the bill (S. 8) granting an increase of pension to Perry Kittredge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Perry Kittredge, late hospital steward Third Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving, payable to his legally constituted guardian.

The bill was ordered to be laid aside with a favorable recommendation.

HAMPTON C. WATSON.

The next business was the bill (S. 2078) granting an increase of pension to Hampton C. Watson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hampton C. Watson, late of Company F, One hundred and twenty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. RICHARDSON.

The next business was the bill (S. 367) granting an increase of pension to George W. Richardson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Richardson, late chaplain Eleventh Regiment United States Colored Volunteer Infantry and Seventh Regiment United States Colored Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MILTON H. SWEET.

The next business was the bill (H. R. 4200) granting an increase of pension to Milton H. Sweet.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Milton H. Sweet, late of Company A, Second Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ABRAM WILSON.

The next business was the bill (H. R. 5841) for the relief of Abram Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram Wilson, late private, Company E, Third New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "private, Company E, Third New York," and all of lines 7 and 8, and insert in lieu thereof the following: "of Company E, Third Regiment New York Volunteer Cavalry, and Company H, Fourth Regiment New York Provisional Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Abram Wilson."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LUCRETIA RITCHHART.

The next business was the bill (S. 1704) granting an increase of pension to Lucretia Ritchhart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucretia Ritchhart, widow of John Ritchhart, late musician Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Hattie Ritchhart, the helpless and dependent child of said John Ritchhart, the additional pension herein granted on account of said child shall cease and determine.

The bill was ordered to be laid aside with a favorable recommendation.

JONATHAN HITES.

The next business was the bill (S. 1985) granting an increase of pension to Jonathan Hites.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan Hites, late of Company B, Forty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LOUISE K. BARD.

The next business on the Private Calendar was the bill (S. 1772) granting an increase of pension to Louise K. Bard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise K. Bard, widow of John P. Bard, late first lieutenant Company K, Forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALFRED WOODMAN.

The next business on the Private Calendar was the bill (S. 7) granting an increase of pension to Alfred Woodman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred Woodman, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HANNAH RILEY.

The next business on the Private Calendar was bill (H. R. 3821) granting an increase of pension to Hannah Riley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah Riley, the blind and dependent mother of Minor Padgett, late of Company F, Twenty-second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Riley," insert the words "Padgett, now."

In same line strike out the word "the."

In same line strike out the word "Minor" and insert in lieu thereof the words "Jacob M."

In line 9 strike out the word "thirty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Hannah Padgett, now Riley."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALFRED H. ROGERS.

The next business on the Private Calendar was the bill (H. R. 958) granting an increase of pension to Alfred H. Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred H. Rogers, late of Tenth Independent Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY G. HAMMOND.

The next business on the Private Calendar was the bill (S. 112) granting an increase of pension to Henry G. Hammond.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry G. Hammond, late of Company G, Fiftieth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HANNAH KELLY.

The next business on the Private Calendar was the bill (S. 137) granting a pension to Hannah Kelly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah Kelly, widow of Joseph J. Kelly, late colonel of One hundred and seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

EBENEZER H. RICHARDSON.

The next business on the Private Calendar was the bill (S. 339) granting an increase of pension to Ebenezer H. Richardson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ebenezer H. Richardson, late of Company H, Sixteenth Regiment United States Infantry, war with Mexico, and Company A, Fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES R. ALLEN.

The next business on the Private Calendar was the bill (S. 65) granting an increase of pension to Charles R. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles R. Allen, late of Company A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY A. BISHOP.

The next business on the Private Calendar was the bill (S. 1604) granting an increase of pension to Mary A. Bishop.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Bishop, widow of William Bishop, late colonel Seventh Regiment Missouri Volunteer Cavalry, and pay her pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ZEBEDEE M. CUSHMAN.

The next business on the Private Calendar was the bill (S. 1756) granting an increase of pension to Zebedee M. Cushman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name Zebedee M. Cushman, late second lieutenant Company D, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LORENZO E. HARRISON.

The next business on the Private Calendar was the bill (S. 1913) granting an increase of pension to Lorenzo C. Harrison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorenzo E. Harrison, late of Company K, Fifteenth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZABETH M'CLAREN.

The next business on the Private Calendar was the bill (S. 172) granting an increase of pension to Elizabeth McClaren.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth McClaren, widow of James McClaren, late of Company F, Thirty-fifth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mary Elizabeth McClaren, helpless and dependent child of said James McClaren, the additional pension herein granted shall cease and determine.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL B. BRIGHTMAN.

The next business on the Private Calendar was the bill (H. R. 4726) granting an increase of pension to S. B. Brightman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of S. B. Brightman, late of the Forty-fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "S." and insert in lieu thereof the word "Samuel."

In lines 6 and 7 strike out the words "of the Forty-fifth Regiment Wisconsin Volunteer Infantry" and insert in lieu thereof the words "second lieutenant and sergeant, Company B, Fourteenth Regiment Missouri Volunteer Infantry."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMANDA B. TISDEL.

The next business on the Private Calendar was the bill (S. 2218) granting an increase of pension to Amanda B. Tisdel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda B. Tisdel, widow of James M. Tisdel, late captain Company B, Ninety-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES E. LIKES.

The next business on the Private Calendar was the bill (H. R. 6820) granting a pension to Charles E. Likes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Likes, late of Company E, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $36 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty-four."

In the same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill, as amended was ordered to be laid aside with a favorable recommendation.

CHARLES P. SKINNER.

The next business on the Private Calendar was the bill (S. 1819) granting an increase of pension to Charles P. Skinner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles P. Skinner, late of Company C, Thirty-third Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARCUS T. CASWELL.

The next business on the Private Calendar was the bill (S. 2125) granting an increase of pension to Marcus T. Caswell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marcus T. Caswell, late of Company I, Sixty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FORBES HOMISTON.

The next business on the Private Calendar was the bill (H. R. 5770) granting an increase of pension to Forbes Homiston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Forbes Homiston, late of Company, Tenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $60 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Company," insert the letter "K."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "three."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN SEXTON.

The next business on the Private Calendar was the bill (H. R. 4446) granting an increase of pension to John Sexton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Sexton, late of Company B, Fifth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JANE M. WATT.

The next business on the Private Calendar was the bill (S. 338) granting an increase of pension to Jane M. Watt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane M. Watt, widow of John Watt, late first lieutenant, sixteenth Regiment United States Infantry, and Company C, Thirty-eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOSEPH S. YOUNG.

The next business on the Private Calendar was the bill (H. R. 4145) granting an increase of pension to Joseph S. Young.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, the name of Joseph S. Young, late a private in Company F, One hundred and twenty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension of $30 per month in lieu of the pension he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "a private in" and insert in lieu thereof the word "of."

In line 7 after the word "pension," insert the words "at the rate."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In line 9 strike out the words "the pension" and insert in lieu thereof the word "that."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS BANKS.

The next business on the Private Calendar was the bill (S. 1755) granting an increase of pension to Thomas Banks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Banks, late of Company [illegible], Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY D. WRIGHT.

The next business on the Private Calendar was the bill (H. R. 2108) granting an increase of pension to Henry D. Wright.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the general pension laws, the name of Henry D. Wright, late a private in Company K, Sixth Regiment Vermont Volunteer Infantry, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "general."

In line 6 strike out the words "a private in" and insert in lieu thereof the word "of."

In line 8, after the word "pension," insert the words "at the rate."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALPHEUS CONVERSE.

The next business on the Private Calendar was the bill (H. R. 3001) granting an increase of pension to Alpheus Converse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alpheus Converse, late of Company I, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Volunteer," insert the word "Provisional."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN MONAHAN.

The next business on the Private Calendar was the bill (S. 1952) granting an increase of pension to John Monahan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Monahan, late of Company [illegible], Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY CHRISTY.

The next business on the Private Calendar was the bill (H. R. 468) granting an increase of pension to Henry Christy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Christy, late of Company G, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out the words "Two hundred and third" and insert in lieu thereof the word "Seventy-sixth."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CORA M. CONVERSE.

The next business on the Private Calendar was the bill (S. 6) granting a pension to Cora M. Converse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cora M. Converse, widow of [illegible], late of Company A, Forty-ninth Illinois Mounted Infantry, and pay her a pension at the rate of $25 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ALONZO CARPENTER.

The next business on the Private Calendar was the bill (H. R. 957) granting an increase of pension to Alonzo Carpenter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo Carpenter, late of Company [illegible], One hundred and eighty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE M'DONALD.

The next business on the Private Calendar was the bill (H. R. 2201) granting an increase of pension to George McDonald.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George McDonald, late of Company H, First Regiment Ohio Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "H" and insert in lieu thereof the letter "A."

In line 7, before the word "Heavy," insert the word "Volunteer."

In same line strike out the word "fifty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES M. WILCOX.

The next business on the Private Calendar was the bill (S. 368) granting an increase of pension to Charles M. Wilcox.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Wilcox, late of Company L, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BENJAMIN F. GATES.

The next business on the Private Calendar was the bill (H. R. 2929) granting an increase of pension to Benjamin F. Gates.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Gates, late of Company I, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW IVORY.

The next business on the Private Calendar was the bill (H. R. 7370) granting an increase of pension to Andrew Ivory.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Ivory, late of Company G, Eleventh Pennsylvania Reserve Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

In the same line, after the word "Eleventh," insert the word "Regiment."

In line 7, after the word "Reserve," insert the word "Volunteer."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

REBECCA A. MATHIAS.

The next business on the Private Calendar was the bill (H. R. 7515) granting a pension to Rebecca A. Mathias.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll subject to the provisions and limitations of the pension laws, the name of Rebecca A. Mathias, widow of Jason A. Mathias, deceased, late captain of Company K, Sixty-fifth Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "deceased."

In line 7 strike out the word "of."

In same line strike out the letter "K" and insert in lieu thereof the letter "A."

In same line, before the word "Ohio," insert the word "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. LAWSON.

The next business on the Private Calendar was the bill (H. R. 6975) granting an increase of pension to George W. Lawson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Lawson, late of Company F, Sixth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN L. SULLIVAN.

The next business on the Private Calendar was the bill (S. 11) granting a pension to John L. Sullivan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Sullivan, invalid and dependent son of Richard F. Sullivan, late of Company G, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES S. REARDEN.

The next business on the Private Calendar was the bill (H. R. 7002) granting an increase of pension to James S. Rearden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James S. Rearden, late musician, Company [illegible], Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY D. PERRY.

The next business on the Private Calendar was the bill (S. 215) granting a pension to Mary D. Perry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary D. Perry, widow of George Perry, late of Company C, Thirteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. SPAHR.

The next business on the Private Calendar was the bill (S. 1929) granting an increase of pension to George W. Spahr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Spahr, late of Company F, Third Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MINERVA A. M'MILLAN.

The next business on the Private Calendar was the bill (S. 1652) granting an increase of pension to Minerva A. McMillan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Minerva A. McMillan, widow of James W. McMillan, late colonel Twenty-first Regiment Indiana Volunteer Infantry, and brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ABRAHAM C. NULL.

The next business on the Private Calendar was the bill (H. R. 6971) granting an increase of pension to Abraham C. Null.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abraham C. Null, late of Company G, One hundred and fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

Mr. SULLOWAY. I move that the committee now rise and report to the House the action of the Committee of the Whole.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARDNER of New Jersey reported that the Committee of the Whole House, having had under consideration certain pension bills on the Private Calendar, had directed him to report them back with or without amendment, respectively, and with the recommendation that the House concur in the action of the Committee of the Whole House. He further reported back the bill (H. R. 1316) granting an increase of pension to George W. Day, with the recommendation that it be recommitted.

PENSION BILLS PASSED.

The House then proceeded to the consideration of the bills just reported from the Committee of the Whole House.

The SPEAKER. The Chair wishes to state that there is a considerable number of these bills and requests the attention of Members while they are being passed upon, in order that the House may act intelligently.

House bills of the following titles, favorably reported from the Committee of the Whole House without amendment, were severally considered, ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 1194. A bill granting an increase of pension to William F. Longenhagen;

H. R. 2155. A bill granting an increase of pension to Charles W. Bechstedt;

H. R. 3177. A bill granting an increase of pension to William H. Clark;

H. R. 942. A bill granting an increase of pension to James F. Hardy;

H. R. 1483. A bill granting an increase of pension to James W. Black;

H. R. 2690. A bill granting an increase of pension to Thomas Kelly;

H. R. 2991. A bill granting an increase of pension to Lydia A. Topping;

H. R. 196. A bill granting a pension to Grace E. Carson;

H. R. 6932. A bill granting an increase of pension to Harvey R. King;

H. R. 4200. A bill granting an increase of pension to Milton H. Sweet;

H. R. 957. A bill granting an increase of pension to Alonzo Carpenter; and

H. R. 6071. A bill granting an increase of pension to Abraham C. Null.

House bills of the following titles, reported from the Committee of the Whole House with amendments, were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 5464. A bill granting an increase of pension to Francis M. Northern;

H. R. 1908. A bill granting an increase of pension to Harvey D. Barr;

H. R. 2042. A bill granting an increase of pension to Alvin B. Hubbard;

H. R. 6004. A bill granting an increase of pension to William C. Lyon;

H. R. 892. A bill granting an increase of pension to Abram H. Hunt;

H. R. 3620. A bill granting an increase of pension to Victor Vifquain;

H. R. 990. A bill granting an increase of pension to Harrison W. Fox;

H. R. 3776. A bill granting an increase of pension to Alfred I. Judy;

H. R. 5521. A bill granting an increase of pension to Charles S. Clark;

H. R. 7666. A bill granting an increase of pension to Laura F. Hine;

H. R. 5176. A bill granting an increase of pension to Alonzo Dutch;

H. R. 6022. A bill granting an increase of pension to George W. Travis;

H. R. 5737. A bill granting a pension to John Whitehead;

H. R. 3778. A bill granting an increase of pension to Juliaetta Rowling;

H. R. 5246. A bill granting an increase of pension to S. B. Elliott (title amended);

H. R. 5299. A bill granting an increase of pension to Mrs. Sarah E. Wheeler (title amended);

H. R. 5197. A bill granting a pension to W. C. Brown (title amended);

H. R. 4629. A bill granting an increase of pension to Thomas C. Pond;

H. R. 5559. A bill granting an increase of pension to Josephine C. Chase;

H. R. 3743. A bill granting a pension to Charles E. Foley (title amended);

H. R. 5531. A bill granting an increase of pension to Marvin Nash;

H. R. 3013. A bill granting an increase of pension to John A. Mavity;

H. R. 2188. A bill granting an increase of pension to Richard L. Cook;

H. R. 1624. A bill granting an increase of pension to Charles W. Boyer;

H. R. 6619. A bill granting an increase of pension to Benjamin R. Little;

H. R. 7374. A bill granting an increase of pension to Jabez Perkins;

H. R. 561. A bill granting an increase of pension to Eri Summy;

H. R. 2424. A bill granting a pension to Emma Butler;

H. R. 722. A bill granting an increase of pension to Zachariah B. Stuart;

H. R. 907. A bill granting an increase of pension to De Witt C. Parker (title amended);

H. R. 930. A bill granting an increase of pension to Thomas M. Parkinson;

H. R. 5005. A bill granting an increase of pension to Worthington S. Locke (title amended);

H. R. 1517. A bill granting an increase of pension to George W. Hutchison;

H. R. 1856. A bill granting an increase of pension to Alexander H. Covert;

H. R. 1288. A bill granting an increase of pension to Jason Stevens;

H. R. 4916. A bill granting an increase of pension to Allen M. Pierce;

H. R. 6331. A bill granting an increase of pension to James M. Dickey;

H. R. 4707. A bill granting a pension to Margaret J. Snook;

H. R. 4935. A bill granting an increase of pension to Edward T. Miller;

H. R. 4625. A bill granting a pension to Theresa B. Nash;

H. R. 5010. A bill granting a pension to Mary F. Hamilton;

H. R. 227. A bill granting a pension to Margaret Cotter, widow of John A. Cotter, Company B, Second Tennessee Volunteer Cavalry (title amended);

H. R. 2019. A bill granting a pension to Mary Gwynn;

H. R. 3000. A bill granting an increase of pension to William C. Best;

H. R. 895. A bill granting a pension to Margaret M. Walker (title amended);

H. R. 2139. A bill granting an increase of pension to James W. Kight;

H. R. 2616. A bill granting a pension to Joseph K. Welt (title amended);

H. R. 864. A bill granting an increase of pension to Albert Moulton;

H. R. 6441. A bill granting an increase of pension to Peter Fillion;

H. R. 5043. A bill granting a pension to William H. Harrison;

H. R. 3903. A bill granting an increase of pension to George C. Sherman;

H. R. 5528. A bill granting a pension to Maria Lindhorst;

H. R. 616. A bill granting a pension to Sarah Chrysler (title amended);

H. R. 2472. A bill granting an increase of pension to David F. Lewis;

H. R. 661. A bill granting an increase of pension to Elizabeth E. Meekly;

H. R. 3472. A bill granting an increase of pension to Marcus E. Amsden;

H. R. 2435. A bill granting a pension to Reuben Vermillion;

H. R. 5841. A bill for the relief of Abram Wilson (title amended);

H. R. 3821. A bill granting an increase of pension to Hannah Riley (title amended);

H. R. 958. A bill granting an increase of pension to Alfred H. Rogers;

H. R. 4726. A bill granting an increase of pension to S. B. Brightman;

H. R. 6830. A bill granting a pension to Charles E. Likes (title amended);

H. R. 5719. A bill granting an increase of pension to Forbes Homiston;

H. R. 4319. A bill granting an increase of pension to John Sexton;

H. R. 4115. A bill granting an increase of pension to Joseph S. Young;

H. R. 2108. A bill granting an increase of pension to Henry D. Wright;

H. R. 3001. A bill granting an increase of pension to Alpheus Converse;

H. R. 468. A bill granting an increase of pension to Henry Christy;

H. R. 2201. A bill granting an increase of pension to George McDonald;

H. R. 2929. A bill granting an increase of pension to Benjamin F. Gates;

H. R. 7370. A bill granting an increase of pension to Andrew Ivory;

H. R. 7515. A bill granting a pension to Rebecca A. Mathias;

H. R. 6975. A bill granting an increase of pension to George W. Lawson; and

H. R. 7002. A bill granting an increase of pension to James S. Rearden.

Senate bills of the following titles, favorably reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read the third time, and passed:

S. 1832. An act granting an increase of pension to George W Herron;

S. 1984. An act granting an increase of pension to Levi Roberts;

S. 8. An act granting an increase of pension to Perry Kittredge;

S. 2078. An act granting an increase of pension to Hampton C. Watson;

S. 367. An act granting an increase of pension to George W. Richardson;

S. 1704. An act granting an increase of pension to Lucretia Ritchhart;

S. 1985. An act granting an increase of pension to Jonathan Hites;

S. 1772. An act granting an increase of pension to Louise K. Bard;

S. 7. An act granting an increase of pension to Alfred Woodman;

S. 112. An act granting an increase of pension to Henry G. Hammond;

S. 137. An act granting a pension to Hannah Kelly;

S. 339. An act granting an increase of pension to Ebenezer H. Richardson;

S. 65. An act granting an increase of pension to Charles R. Allen;

S. 1604. An act granting an increase of pension to Mary A. Bishop;

S. 1756. An act granting an increase of pension to Zebedee M. Cushman;

S. 1913. An act granting an increase of pension to Lorenzo E. Harrison;

S. 152. An act granting an increase of pension to Elizabeth McClaren;

S. 2218. An act granting an increase of pension to Amanda B. Tisdel;

S. 1819. An act granting an increase of pension to Charles P. Skinner;

S. 2425. An act granting an increase of pension to Marcus T. Caswell;

S. 338. An act granting an increase of pension to Jane M. Watt;

S. 1755. An act granting an increase of pension to Thomas Banks;

S. 1952. An act granting an increase of pension to John Monahan;

S. 6. An act granting a pension to Cora M. Converse;

S. 368. An act granting an increase of pension to Charles M. Wilcox;

S. 11. An act granting a pension to John L. Sullivan;

S. 215. An act granting a pension to Mary D. Perry;

S. 1929. An act granting an increase of pension to George W. Spahr; and

S. 1652. An act granting an increase of pension to Minerva A. McMillan.

The bill (H. R. 1316) granting an increase of pension to George W. Day was recommitted to the Committee on Invalid Pensions.

Mr. SULLOWAY. I ask unanimous consent that in the case of each of these bills acted upon by the House a motion to reconsider be regarded as entered, and that the motion be laid on the table.

There being no objection, it was ordered accordingly.

WITHDRAWAL OF PAPERS.

Mr. RICHARDSON of Alabama, by unanimous consent, obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of John S. Lanier (Fifty-seventh Congress), no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, Mr. BREAZEALE obtained leave of absence until the 26th instant, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Claims was discharged from the further consideration of a bill of the following title; and the same was referred to the Committee on Ways and Means:

A bill (H. R. 8676) to refund the amount of duties paid without protest into the United States Treasury on goods shipped to Hawaii prior to July 7, 1898, and shipped therefrom into the United States subsequent to June 14, 1900.

Mr. SULLOWAY. I move that the House now adjourn.

The motion was agreed to; and accordingly (at 2 o'clock and 45 minutes p. m.) the House, in pursuance of its previous order, adjourned until Monday next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Postmaster-General, transmitting statement of the expenditures of the contingent fund of the Department, certain balances due the Department, etc.—to the Committee on Expenditures in the Post-Office Department, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting recommendations for both appropriation and legislation on judgments rendered by the Court of Claims for bounty for destruction of enemy's vessels at Santiago—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Acting Secretary of State submitting an estimate of appropriation for third secretaries to the embassies at St. Petersburg, Vienna, and Rome—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of State, asking for authority for Capt. B. H. McCalla to accept the Chinese war medal—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a memorandum from the Quartermaster-General, a recommendation for legislation on the subject of commutation of quarters for army officers—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for new arms for volunteer militia—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for medals of honor—to the Committee on Military Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the sloop *Venus*, Comfort Bird, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Thomas*, Joseph Sanford, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William H. Taylor, administrator of estate of Lewis McDaniel, against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SHIRAS, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 3529) for the relief of settlers in Sherman County, in the State of Oregon, reported the same without amendment, accompanied by a report (No. 183); which said bill and report were referred to the House Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State, reported the same with amendments, accompanied by a report (No. 184); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Warrior River in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian, reported the same with amendments, accompanied by a report (No. 185); which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2474) for the relief of Aaron M. Applegate—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 7721) granting a pension to Eliza Clark—Committee

on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9023) granting an increase of pension to James H. McClintock—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 9292) in relation to business streets in the District of Columbia—to the Committee on the District of Columbia.

Also, a bill (H. R. 9293) to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. ROBINSON of Arkansas: A bill (H. R. 9294) for improving and arching Hot Springs Creek, in the city of Hot Springs, Ark.—to the Committee on Appropriations.

By Mr. THOMAS of North Carolina: A bill (H. R. 9295) for the improvement of North East River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. SHERMAN: A bill (H. R. 9296) to establish a United States court of patent appeals—to the Committee on Patents.

By Mr. KNAPP: A bill (H. R. 9297) to establish a series of free text-books—to the Committee on Education.

By Mr. ROBINSON of Arkansas: A bill (H. R. 9298) granting the right of way for the construction of a railroad and other improvements over and on that part of the Hot Springs Reservation known as West Mountain, Hot Springs, Ark.—to the Committee on the Public Lands.

By Mr. THOMAS of North Carolina: A bill (H. R. 9299) for a survey of the waters of Bogue Sound and Beaufort Harbor, North Carolina, adjacent to the town of Morehead City, N. C.—to the Committee on Rivers and Harbors.

By Mr. SMITH of Texas: A bill (H. R. 9300) to authorize the Secretary of Agriculture to make experiments in irrigation in the semiarid regions of the State of Texas, and to make appropriations therefor—to the Committee on Irrigation of Arid Lands.

Also, a bill (H. R. 9301) to provide for the improvement and completion of the grounds of and approaches to the United States post-office and court-house building at Abilene, Tex.—to the Committee on Public Buildings and Grounds.

By Mr. BOUTELL: A bill (H. R. 9302) to provide for untaxed denaturized alcohol for industrial purposes—to the Committee on Ways and Means.

Also, a bill (H. R. 9303) to amend the internal-revenue laws and to promote the manufacturing industries of the United States—to the Committee on Ways and Means.

By Mr. DALZELL: A bill (H. R. 9304) providing for the consolidation of third and fourth class mail matter, and so forth—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 9305) regulating admission to the mails of regularly issued periodicals and establishing a rate therefor—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 9306) regulating the admission of third and fourth class mail matter—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 9307) to provide rebate of duties on coal—to the Committee on Ways and Means.

By Mr. BUCKMAN: A bill (H. R. 9308) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLEFIELD: A bill (H. R. 9309) to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States, and for the construction of a suitable vessel to be used for such purpose—to the Committee on Interstate and Foreign Commerce.

By Mr. GILLETT of California: A bill (H. R. 9310) to exclude from the Yosemite National Park, California, certain lands therein described, and to attach to and include the said lands in the Sierra Forest Reserve—to the Committee on the Public Lands.

By Mr. BABCOCK: A bill (H. R. 9311) in relation to the establishment of building lines in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 9312) to relieve from taxation coal imported from foreign countries—to the Committee on Ways and Means.

By Mr. BADGER: A bill (H. R. 9313) to pay all Federal soldiers honorably discharged $2 per day while confined in Confederate military prisons thirty days or more—to the Committee on War Claims.

By Mr. PEARRE: A bill (H. R. 9314) to amend "An act providing for the public printing and binding and the distribution of public documents"—to the Committee on the Post-Office and Post-Roads.

By Mr. RUCKER: A bill (H. R. 9315) to promote the circulation of reading matter among the blind—to the Committee on the Post-Office and Post-Roads.

By Mr. BADGER: A bill (H. R. 9316) to amend section 64 of the bankruptcy act—to the Committee on the Judiciary.

By Mr. RUCKER: A bill (H. R. 9317) to detach the county of Linn, in the State of Missouri, from the western and attach it to the eastern judicial district of said State—to the Committee on the Judiciary.

By Mr. CURTIS: A bill (H. R. 9318) authorizing the Secretary of the Interior to acquire the title to lands within certain Indian reservations—to the Committee on Indian Affairs.

By Mr. SPALDING: A bill (H. R. 9319) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.—to the Committee on Interstate and Foreign Commerce.

By Mr. STEVENS of Minnesota: A bill (H. R. 9320) to provide for the free transportation of official mail matter of officers of the organized militia of the United States—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: A bill (H. R. 9321) to authorize the Secretary of the Interior to acquire for the Government, by exchanges of public lands, the ownership of the private lands within certain public parks in the State of California—to the Committee on the Public Lands.

By Mr. BARTLETT: A bill (H. R. 9322) to increase the pensions of widows of soldiers of the Mexican war to $12 per month—to the Committee on Pensions.

By Mr. MINOR: A bill (H. R. 9323) to amend so much of an act approved March 3, 1903, as authorized the erection and completion of new buildings for the accommodation of the United States Naval Hospital, Washington, D. C., as concerns the location thereof—to the Committee on Interstate and Foreign Commerce.

By Mr. BARTHOLDT (by request): A bill (H. R. 9324) to amend Title LX, chapter 3, of the Revised Statutes of the United States, relating to copyrights—to the Committee on Patents.

By Mr. HERMANN: A bill (H. R. 9325) to provide for a final settlement with the Tillamook tribe of Indians, of Oregon, for lands ceded by said Indians to the United States in a certain agreement between said parties dated August 7, 1851—to the Committee on Indian Affairs.

By Mr. UNDERWOOD: A bill (H. R. 9326) to exclude certain aliens from admission to the United States under the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. GIBSON: A bill (H. R. 9327) to prohibit the misuse of certain words in the District of Columbia—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: A bill (H. R. 9328) to amend chapter 508 of the United States Statutes at Large, volume 32, part 1, Fifty-seventh Congress, entitled "An act to establish and provide for a clerk for the circuit and district courts of the United States held at Wilmington, N. C."—to the Committee on the Judiciary.

By Mr. DWIGHT: A bill (H. R. 9329) to increase the limit of cost of the United States post-office at Ithaca, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. BANKHEAD: A bill (H. R. 9330) to amend an act of Congress entitled "An act to authorize the Washington and Marlboro Electric Railway Company, of Maryland, to extend its line of road into and within the District of Columbia"—to the Committee on the District of Columbia.

By Mr. ALLEN: A bill (H. R. 9331) to extend the time for completion of the East Washington Heights Traction Railroad Company—to the Committee on the District of Columbia.

By Mr. MAYNARD: A bill (H. R. 9332) to organize a corps of pay clerks for the Navy, and to regulate its pay—to the Committee on Naval Affairs.

Also, a bill (H. R. 9333) to pension civil employees of the Government navy-yards when injured in the performance of duty to such an extent as to be incapacitated to earn a living—to the Committee on Reform in the Civil Service.

By Mr. SLAYDEN: A joint resolution (H. J. Res. 75) that the President be requested to tender the good offices or mediation of the United States to Russia and Japan—to the Committee on Foreign Affairs.

By Mr. CUSHMAN: A concurrent resolution (H. C. Res. 28) that a photograph of each member of the Senate and House of Representatives be published at the beginning of the biographies in all Congressional directories hereafter issued during the Fifty-eighth Congress—to the Committee on Printing.

By Mr. BINGHAM: A resolution (H. Res. 130) to increase the force in the House Library—to the Committee on Accounts.

By the SPEAKER: Memorial of the legislature of Nebraska, asking that Congress establish the status of certain regiments of that State on frontier duty in 1864—to the Committee on Military Affairs.

By Mr. HERMANN: Memorial of the Oregon legislature, for recognition to Lewis and Clark Centennial Exposition, to be held at Portland, Oreg., in 1905—to the Committee on Industrial Arts and Expositions.

Also, memorial of the Oregon legislature, for increase of compensation to letter-carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 9334) to authorize the President to place the name of Archibald K. Eddowes on the retired list of the United States Navy with the rank of chief engineer, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 9335) granting an increase of pension to Joseph N. Croak, alias Joseph N. Croke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9336) to correct the naval record of Henry B. Browes—to the Committee on Naval Affairs.

By Mr. BARTHOLDT: A bill (H. R. 9337) to correct the date of muster of Company F, Pacific Battalion Missouri Home Guards—to the Committee on Military Affairs.

By Mr. BURNETT: A bill (H. R. 9338) granting an increase of pension to Solon D. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9339) for the relief of M. V. Stearnes, of Marshall County, Ala.—to the Committee on War Claims.

By Mr. BROWNLOW: A bill (H. R. 9340) to pay to Campbell Slemp $1,500—to the Committee on Claims.

By Mr. BIRDSALL: A bill (H. R. 9341) granting a pension to Phebe L. Marchant—to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 9342) for the relief of Columbus D. Archart—to the Committee on Military Affairs.

Also, a bill (H. R. 9343) for the relief of William Walters—to the Committee on Military Affairs.

Also, a bill (H. R. 9344) for the relief of Patrick Coulin—to the Committee on Military Affairs.

Also, a bill (H. R. 9345) for the relief of William I. Grady—to the Committee on Military Affairs.

By Mr. CONNER: A bill (H. R. 9346) granting an increase of pension to John Johnson—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 9347) granting an increase of pension to Epsy Ann Austin—to the Committee on Pensions.

By Mr. CUSHMAN: A bill (H. R. 9348) for the relief of Thomas Hoyne—to the Committee on Claims.

Also, a bill (H. R. 9349) granting a pension to Sarah A. Bargar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9350) for the removal of the charge of desertion from the military record of George Abbott, alias Andrew C. Adams—to the Committee on Military Affairs.

Also, a bill (H. R. 9351) for the relief of the heirs of Dr. Hiram P. Tuttle—to the Committee on Claims.

By Mr. DARRAGH: A bill (H. R. 9352) to correct the military record of Cyrus Irwin—to the Committee on Military Affairs.

Also, a bill (H. R. 9353) to correct the military record of Andrew Martin—to the Committee on Military Affairs.

Also, a bill (H. R. 9354) granting an increase of pension to John Richmond—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9355) granting an increase of pension to Byron Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9356) granting an increase of pension to Harvey C. Button—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9357) granting an increase of pension to Francis Sanderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9358) granting an increase of pension to Albert D. Davey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9359) granting an increase of pension to Alonzo Freeland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9360) granting an increase of pension to Emery A. Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9361) granting an increase of pension to Henry H. Antcliff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9362) granting an increase of pension to Stephen Bashaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9363) granting an increase of pension to Alanson Eastman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9364) granting an increase of pension to Charles Hubbs—to the Committee on Pensions.

By Mr. DALZELL: A bill (H. R. 9365) granting an increase of pension to John S. Edgar—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: A bill (H. R. 9366) granting an increase of pension to James A. Cogle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9367) granting an increase of pension to James T. Collier—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 9368) granting an increase of pension to Bartlett J. Burk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9369) granting an increase of pension to J. H. Paynter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9370) removing charge of desertion from military record of Pernett T. Brown—to the Committee on Military Affairs.

By Mr. DRESSER: A bill (H. R. 9371) granting an increase of pension to Fannie M. Lorain—to the Committee on Pensions.

By Mr. ESCH: A bill (H. R. 9372) granting a pension to Minerva C. Farlin—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 9373) granting an increase of pension to James Pollard—to the Committee on Invalid Pensions.

By Mr. FLOOD: A bill (H. R. 9374) for the relief of Capt. George A. Armes—to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 9375) granting an increase of pension to Morris B. Drake—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 9376) granting an increase of pension to Martin Reuthler—to the Committee on Invalid Pensions.

By Mr. GOEBEL: A bill (H. R. 9377) granting an increase of pension to John Morlidge—to the Committee on Pensions.

Also, a bill (H. R. 9378) granting a pension to Charles W. Noyes, alias Charles Williams—to the Committee on Pensions.

Also, a bill (H. R. 9379) granting a pension to Elizabeth Casner—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 9380) for the relief of William I. Penland—to the Committee on Military Affairs.

Also, a bill (H. R. 9381) for the relief of E. M. Deaver—to the Committee on Claims.

Also, a bill (H. R. 9382) granting a pension to Melissa White—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9383) granting a pension to Robert Garrett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9384) granting a pension to Daniel Ledbetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9385) granting a pension to James A. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9386) granting a pension to B. W. Bond—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 9387) granting an increase of pension to George M. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9388) granting an increase of pension to Linens V. Vance—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 9389) granting an increase of pension to John R. Evans—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 9390) granting an increase of pension to Dr. S. L. Tyner—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 9391) granting an increase of pension to Philander S. Wright—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 9392) granting a pension to Margaret J. Robbins—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 9393) granting an increase of pension to Thomas P. Ryan—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 9394) granting an increase of pension to Mrs. John Leffler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9395) granting an increase of pension to Daniel W. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9396) granting an increase of pension to John L. Beatty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9397) for the relief of J. B. Orbison—to the Committee on War Claims.

By Mr. JAMES: A bill (H. R. 9398) granting a pension to John Lindsey—to the Committee on Pensions.

By Mr. KEHOE: A bill (H. R. 9399) granting an increase of pension to Jacob C. Rardin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9400) granting a pension to Gertie Riley—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 9401) for the relief of Daniel Craver—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 9402) granting an increase of

pension to Cyrus N. Bradley—to the Committee on Invalid Pensions.

By Mr. LAMAR of Florida: A bill (H. R. 9403) for the relief of H. H. Thornton and Ben D. Rochblave—to the Committee on Claims.

By Mr. LAWRENCE: A bill (H. R. 9404) granting an increase of pension to Charles F. Tower—to the Committee on Invalid Pensions.

By Mr. LEVER: A bill (H. R. 9405) granting a pension to Andrew Long—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 9406) granting an increase of pension to James F. Hollett—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 9407) for the relief of John W. Ward, first lieutenant, Fifteenth United States Infantry, and to pay him $53—to the Committee on Claims.

By Mr. LLOYD: A bill (H. R. 9408) for the relief of William B. Barnes—to the Committee on Military Affairs.

By Mr. LORIMER: A bill (H. R. 9409) for the relief of Katie O'Brien—to the Committee on Claims.

Also, a bill (H. R. 9410) granting a pension to Rosa Miller—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 9411) granting an increase of pension to Emily Hyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9412) granting a pension to Sarah A. E. McLean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9413) granting a pension to Eliza A. McWilkie—to the Committee on Pensions.

Also, a bill (H. R. 9414) for the relief of Charles Cox—to the Committee on War Claims.

Also, a bill (H. R. 9415) for the relief of John D. Hicks, sr., of Hampton, Va.—to the Committee on War Claims.

Also, a bill (H. R. 9416) for the relief of Robert McClermont—to the Committee on Military Affairs.

Also, a bill (H. R. 9417) for the relief of Norfolk Seamen's Friend Society, of Norfolk, Va.—to the Committee on Claims.

Also, a bill (H. R. 9418) for the relief of Oak Grove Methodist Episcopal Church, of Norfolk, Va.—to the Committee on War Claims.

Also, a bill (H. R. 9419) for the relief of the trustees of the Norfolk Academy—to the Committee on War Claims.

By Mr. MOON of Pennsylvania: A bill (H. R. 9420) granting an increase of pension to Thomas W. Rodgers—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 9421) granting an increase of pension to Thomas P. Marshall—to the Committee on Invalid Pensions.

By Mr. MYERS of Indiana: A bill (H. R. 9422) granting an increase of pension to John S. Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9423) granting an increase of pension to Christopher Horn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9424) granting an increase of pension to Luke V. Temple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9425) granting a pension to Martha Fitzpatrick—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 9426) granting an increase of pension to William S. Campbell—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 9427) granting an increase of pension to Chester H. Buck—to the Committee on Invalid Pensions.

By Mr. PAGE: A bill (H. R. 9428) granting an increase of pension to Adeline Ballard—to the Committee on Pensions.

Also, a bill (H. R. 9429) granting an increase of pension to John C. Hamly—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 9430) granting an increase of pension to Stephen Houghtaling—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 9431) for the relief of Johnson Brown—to the Committee on War Claims.

Also, a bill (H. R. 9432) for the relief of Joseph White—to the Committee on Claims.

Also, a bill (H. R. 9433) for the relief of Isaiah J. Smith—to the Committee on War Claims.

Also, a bill (H. R. 9434) granting an increase of pension to Henry B. Schwesler—to the Committee on Pensions.

By Mr. ROBB: A bill (H. R. 9435) granting a pension to Sarah A. Meades—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 9436) for the relief of the firm of Bertrand & Scull, late of Arkansas—to the Committee on War Claims.

Also, a bill (H. R. 9437) for the relief of Elizabeth M. Chastain, now Elizabeth M. Harlow—to the Committee on War Claims.

Also, a bill (H. R. 9438) for the relief of the estate of James Scull—to the Committee on War Claims.

Also, a bill (H. R. 9439) for the relief of the estate of Samuel J. Jones, deceased—to the Committee on Claims.

Also, a bill (H. R. 9440) for the relief of the heirs of Olive Coppock, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9441) for the relief of Mrs. Mary L. Bryan—to the Committee on War Claims.

Also, a bill (H. R. 9442) for the relief of the heirs of George M. Campbell, deceased, late of Hot Springs County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9443) for the relief of Elvy Brewer, of Saline County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9444) for the relief of the widow and heirs of the late D. G. Hineman, late of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9445) for the relief of Mrs. Mary L. Bryan, of Grant County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9446) for the relief of estate of Mrs. E. J. Davis, late of Drew County, Ark—to the Committee on War Claims.

Also, a bill (H. R. 9447) for the relief of Mrs. Fannie E. Owens—to the Committee on War Claims.

Also, a bill (H. R. 9448) for the relief of the Pine Bluff Baptist Church, of Jefferson County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9449) for the relief of the estate of J. H. Mosely, deceased—to the Committee on Claims.

Also, a bill (H. R. 9450) for the relief of the estate of Holliday S. Ravell—to the Committee on War Claims.

Also, a bill (H. R. 9451) for the relief of John McDermott—to the Committee on War Claims.

Also, a bill (H. R. 9452) for the relief of Bayles E. Cobb, of Dallas County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9453) to donate certain lots in the city of Hot Springs, Ark., to the National Christian Library Association, of said city—to the Committee on the Public Lands.

By Mr. RICHARDSON of Alabama: A bill (H. R. 9454) for the relief of Lemuel Hannah, of Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 9455) for the relief of the estate of Jesse Vann, deceased, late of Madison County, Ala.—to the Committee on War Claims.

By Mr. RIDER: A bill (H. R. 9456) for the relief of Frank P. Murphy—to the Committee on Claims.

Also, a bill (H. R. 9457) for the relief of Alexander S. Rosenthal—to the Committee on Claims.

By Mr. RIXEY: A bill (H. R. 9458) granting an increase of pension to Martha A. Harper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9459) to correct the naval record of Commander Sidney Smith Lee—to the Committee on Naval Affairs.

By Mr. SHERMAN: A bill (H. R. 9460) to correct the military record of Henry Cool—to the Committee on Military Affairs.

By Mr. SLAYDEN: A bill (H. R. 9461) granting a pension to Mary Francis Smith—to the Committee on Pensions.

By Mr. SNOOK: A bill (H. R. 9462) granting a pension to Mary C. Gahret—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 9463) granting an increase of pension to John Cooper—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 9464) granting an increase of pension to Henry L. Pengilly—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 9465) for the relief of D. B. Dickinson—to the Committee on War Claims.

By Mr. VAN VOORHIS: A bill (H. R. 9466) granting an increase of pension to Charles Clasphill—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 9467) granting an increase of pension to Nathan H. Baxter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9468) granting an increase of pension to James H. Barnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9469) granting a pension to Hannah P. B. Cluney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9470) granting a pension to Herman Borchardt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9471)) to remove the charge of desertion from the military record of Rev. Dr. Abraham J. Warner and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. WARNER: A bill (H. R. 9472) granting an increase of pension to Thomas L. Weakly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9473) granting an increase of pension to James S. Topping—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9474) granting an increase of pension to William Young—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 9475) for the relief of the estate of James Henderson, of Hinds County, Miss.—to the Committee on War Claims.

By Mr. WYNN: A bill (H. R. 9476) for the relief of the minor children of John W. Geering, deceased, formerly of Vallejo, Cal.—to the Committee on Claims.

By Mr. ZENOR: A bill (H. R. 9477) granting an increase of pension to George Smith—to the Committee on Pensions.

Also, a bill (H. R. 9478) granting an increase of pension to Austin P. Hemphill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9479) granting a pension to George A. Cox—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Papers to accompany House bill granting increase of pension to Joseph Leonard—to the Committee on Invalid Pensions.

By Mr. ALLEN: Petition of Harpswell Steamboat Company and others, for the deepening of the navigable waters between Portland Harbor and Husseys Sound, in Casco Bay—to the Committee on Rivers and Harbors.

Also, petition of Sanford Mills and various corporations and citizens of York County, Me., for an appropriation for a survey and estimate for work and improvements in Cape Porpoise Harbor, to accommodate increased shipping—to the Committee on Rivers and Harbors.

By Mr. BABCOCK: Resolution of Watertown (Wis.) Chapter of United Commercial Travelers, favoring passage of bills H. R. 44 and 89, to amend the bankruptcy act—to the Committee on the Judiciary.

Also, resolution of H. H. Tabor Post, No. 13, Grand Army of the Republic, of Reedsburg, Wis., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BADGER: Resolution of John A. Spellman Post, No. 327, Grand Army of the Republic, Department of Ohio, and Alfred Cannon Post, No. 261, Grand Army of the Republic, Department of Ohio, favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of John A. Miller Post, No. 592, Grand Army of the Republic, of Parks Mills, Ohio, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: Petition of St. Louis Coffin Company, Granby Mining and Smelting Company, Curtis & Co. Manufacturing Company, Hamilton-Brown Shoe Company, Barnhardt Mercantile Company, St. Louis Typothetæ, St. Louis Car Company, and the Hydraulic Press Brick Company, against passage of an eight-hour bill—to the Committee on Labor.

Also, petition of R. W. Pratt, to amend the patent laws—to the Committee on Patents.

Also, resolution of the Grain Dealers' National Association, protesting against inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Missouri Fraternal Congress, protesting against Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, petition of business people, favoring legislation to exterminate boll weevil—to the Committee on Agriculture.

Also, petition of business people of St. Louis, against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Abraham Lincoln Republican League Club of the Twenty-first Ward of St. Louis, favoring repeal of the anticanteen law—to the Committee on Military Affairs.

By Mr. BARTLETT: Papers in claim of Washington Hay—to the Committee on War Claims.

Also, resolution of Officers' Association of Georgia State Troops, protesting against the establishing and maintenance of a national reserve from the military forces of the United States—to the Committee on Military Affairs.

By Mr. BIRDSALL: Petition of Henry W. Laude and others, of Dubuque County, Iowa, in favor of increasing the pay of rural free-delivery mail carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of residents of Franklin County, Iowa, for legislation against the cigarette—to the Committee on the Judiciary.

Also, resolutions of Robert Olmstead Post, No. 243, Grand Army of the Republic, Department of Iowa; Mulligan Post, No. 102, Grand Army of the Republic, of Sheffield, Iowa; and General Nelson Post, No. 63, Grand Army of the Republic, Department of Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BURKETT: Petition of the First Presbyterian Church of Humboldt, Nebr., against sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the First Presbyterian Church of Humboldt, Nebr., favoring passage of the Hepburn interstate liquor act—to the Committee on Alcoholic Liquor Traffic.

By Mr. BURNETT: Papers in claim of Ephraim Dockrey—to the Committee on War Claims.

Also, papers in claim of Elizabeth Price—to the Committee on War Claims.

By Mr. CALDERHEAD: Petition of citizens of Hanover, Kans., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Thomas Brennan Post, No. 380, Department of Kansas, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Judson Kilpatrick Post, No. 36, Department of Kansas, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, protest of the Cudahy Packing Company, of South Omaha, Nebr., against the passage of Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Western Millers' Mutual Fire Insurance Company, of Kansas City, Mo., against bill H. R. 3585 and bill S. 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Papers to accompany bills for the relief of Patrick Conlin, for the relief of William Walters, and for the relief of Columbus D. Arehart—to the Committee on Military Affairs.

Also, resolutions of General Bailey Post, No. 49, Grand Army of the Republic, of Girard, Kans., and Thomas Brennan Post, No. 380, Grand Army of the Republic, National Military Home, Kans., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of R. M. Dihel, of Chetopa, Kans., against sale of liquor in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the National Business League, favoring a larger naval equipment—to the Committee on Naval Affairs.

Also, resolution of the Denver Chamber of Commerce, relating to legislation to rehabilitate the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Grain Dealers' National Association, protesting against supervision of the inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, petition of the New York Board of Trade and Transportation, favoring the improvement of Bronx Kills of the East River—to the Committee on River and Harbors.

By the SPEAKER: Memorial of the legislature of Oregon, praying for legislation in favor of the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

By Mr. CASSINGHAM: Resolutions of Shreve Post, No. 209, Grand Army of the Republic, Shreve, Ohio; Welch Post, No. 422, Grand Army of the Republic, Department of Ohio; C. C. Nichols Post, No. 394, Grand Army of the Republic, Newcastle, Ohio; Ricksecker Post, No. 469, Grand Army of the Republic, Canal Dover, Ohio; A. N. Duncan Post, No. 702, Grand Army of the Republic, Killbuck, Ohio, and Richard Lanning Post, No. 69, Grand Army of the Republic, Coshocton, Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. COUSINS: Resolution of J. C. Summers Post, No. 296, Grand Army of the Republic, of Shellsburg, Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CURTIS: Resolution of Will Wendell Post, No. 46, Grand Army of the Republic, Department of Kansas, favoring passage of the Curtis bill (H. R. 7873) relating to pensions—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: Resolution of John C. Becht Post, Grand Army of the Republic, of Norwood, Minn., urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Joseph Frey Post, No. 51, Grand Army of the Republic, Department of Minnesota, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions passed by the Olmsted County Merchants' Association, protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. H. Casey and others, of Jordan, Minn., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DOUGHERTY: Papers to accompany bill granting increase of pension to Bartlett J. Burk—to the Committee on Invalid Pensions.

By Mr. DRAFER: Resolutions of William B. Tibbits Post, No. 141, Grand Army of the Republic, of Troy, N. Y., and of the

Grand Army of the Republic of Kings County, N. Y., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the American Society for the Prevention of Cruelty to Animals, in opposition to bill H. R. 3573, providing for a board for the protection of children and animals—to the Committee on the Judiciary.

Also, resolution of the executive committee of the Paint, Oil, and Varnish Club of New York, relating to trade-marks, patents, etc., with Canada—to the Committee on Patents.

Also, resolution of the Manufacturers' Association of New York, favoring further improvement of the harbor channels of the Brooklyn water front—to the Committee on Rivers and Harbors.

Also, petition of the New York Board of Trade and Transportation, favoring improvement of Bronx Kills of the East River—to the Committee on Rivers and Harbors.

By Mr. LEE H. Papers to accompany bill H. R. 968, granting an increase of pension to Charles Warren Young—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Minerva C. Farlin—to the Committee on Invalid Pensions.

Also, resolution of Waterloo (Wis.) Council, No. 247, United Commercial Travelers, favoring passage of bill H. R. 4489, amending the bankruptcy act—to the Committee on the Judiciary.

By Mr. LITTAUER: Resolution of the executive committee of the Supervisors' Highway Convention at Albany, N. Y., favoring passage of Brownlow bill, relating to road improvement—to the Committee on Agriculture.

By Mr. HEMENWAY: Petition of Ellsworth Post, No. 20, Grand Army of the Republic, of Seymour, Ind., and John F. Ruckle Post, No. 165, Grand Army of the Republic, of Indiana, favoring passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Brooklyn Council, No. 21, Junior Order United American Mechanics, protesting against promiscuous admission of undesirable immigrants—to the Committee on Immigration and Naturalization.

By Mr. HOWELL of New Jersey: Resolution of Brooklyn Council, No. 21, Junior Order of United American Mechanics, urging restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HUFF: Resolution of the Grain Dealers' National Association, protesting against inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill granting increase of pension to John L. Beverly—to the Committee on Invalid Pensions.

By Mr. KNAPP: Resolution of the board of supervisors of Jefferson County, N. Y., favoring passage of the Brownlow bill relating to road improvement—to the Committee on Agriculture.

By Mr. LITTAUER: Paper to accompany bill granting increase of pension to James F. Hollett—to the Committee on Invalid Pensions.

By Mr. LITTLE: Petition of citizens of Roff, Ind. T., praying for certain relief—to the Committee on Indian Affairs.

Also, paper to accompany bill for the relief of the heirs of Dr. William B. Watterman—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1537, for the relief of Katie Reeves—to the Committee on War Claims.

By Mr. LITTLEFIELD: Resolutions of Parker Post, No. 151, Grand Army of the Republic, of Center Lovell, Me.; T. A. Roberts Post, No. 49, Grand Army of the Republic, of Oxford, Me.; Hannibal Hamlin Post, No. 165, Grand Army of the Republic, of Maine, and James E. Cushman Post, No. 87, Grand Army of the Republic, of Maine, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LORIMER: Paper to accompany bill granting a pension to Rosa Miller—to the Committee on Invalid Pensions.

By Mr. MADDOX: Petition of Alcia Adams, praying reference of her claim to the Court of Claims—to the Committee on War Claims.

Also, papers to accompany claim of Patrick Jennings and papers to accompany claim of Ezekiel Hanis—to the Committee on War Claims.

Also, papers in claim of Joshua Johnston—to the Committee on War Claims.

By Mr. MANN: Papers to accompany bill H. R. 8386, granting increase of pension to Andrew Esdell—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 8387, granting a pension to Emma R. Wallace—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Paper to accompany bill for the relief of Eli Cooprider—to the Committee on Invalid Pensions.

Also, petition of Charles G. Carr, asking for an increase of pension—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill to increase pension of Thomas P. Marshall—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of the New York Board of Trade and Transportation, favoring improvement of Bronx Kills of the East River—to the Committee on River and Harbors.

By Mr. PERKINS: Petition of the Ministerial Association of Rochester, N. Y., favoring passage of bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Papers to accompany bill H. R. 3979, for relief of estate of Joseph Logan, late of Jackson County, Ala.—to the Committee on War Claims.

Also, papers to accompany bill H. R. 3987, for the relief of Mattie H. Ligon—to the Committee on War Claims.

By Mr. RIDER: Resolution of the San Miguel Improvement Club, of San Miguel, Cal., concerning the establishment of a military post on Nacimiento Rancho—to the Committee on Military Affairs.

Also, resolution of the executive committee of the Supervisors' Highway Convention at Albany, N. Y., favoring the passage of the Brownlow bill relating to road improvement—to the Committee on Agriculture.

Also, resolution of the Grand Army of the Republic of Kings County, Department of New York, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the board of trustees of the Sanitary District of Chicago, favoring construction of a waterway connecting the Great Lakes at the north with the Mississippi River and the Gulf of Mexico at the South—to the Committee on Rivers and Harbors.

Also, resolution of the National Business League, favoring a larger naval equipment—to the Committee on Naval Affairs.

Also, resolution of the Manufacturers' Association of New York, favoring further improvement of the channels of the Brooklyn water front—to the Committee on Rivers and Harbors.

By Mr. RIXEY: Paper to accompany bill for the relief of Samuel D. Fisher—to the Committee on War Claims.

Also, paper to accompany bill granting an increase of pension to Martha A. Harper—to the Committee on Pensions.

By Mr. RUPPERT: Resolutions of the executive committee of the Supervisors' Highway Convention at Albany, N. Y., favoring the passage of the Brownlow bill, relating to road improvement—to the Committee on Agriculture.

By Mr. RYAN: Resolutions of the Supervisors' Convention of the State of New York, favoring the Brownlow good roads bill—to the Committee on Agriculture.

Also, petition of the memorial and executive committee of the Grand Army of the Republic, of Brooklyn, N. Y., favoring the passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. SNOOK: Paper to accompany bill granting pension to Mary C. Gahret—to the Committee on Invalid Pensions.

Also, resolutions of Addison Clark Post, No. 151, Grand Army of the Republic, Liberty Center, Ohio; Loemery Post, No. 223, Grand Army of the Republic, Department of Ohio, and Scott Post, No. 100, Grand Army of the Republic, Department of Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: Petition of St. Peter's German American Benevolent Society, of Lindsay, Tex., protesting against the passage of the Hepburn and Dolliver bills—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Resolution of Ellsworth Post, No. 58, Grand Army of the Republic, of Rush City, Minn., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: Petition of residents of the Eleventh Congressional district of Iowa, protesting against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Papers to accompany claim of John A. Layton—to the Committee on War Claims.

Also, papers to accompany claim of D. B. Dickinson—to the Committee on War Claims.

By Mr. VAN VOORHIS: Letter of E. C. Brush, M. D., asking for an increase of pension for Charles Claspihll—to the Committee on Invalid Pensions.

Also, resolutions of Hughes Post, No. 285, Grand Army of the Republic, of Malta, Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Gratiot Post, Grand Army of the Republic, of Gratiot, Ohio, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Cutler Post, No. 502, Grand Army of the Republic, of Cutler, Ohio, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Dick Mason Post, No. 304, Grand Army of the Republic, of Lowell, Ohio, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Hazlett Post, No. 81, Department of Ohio, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WARNOCK: Resolutions of Ransom Reed Post, No. 113, Grand Army of the Republic, of Marysville, Ohio, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Engle Post, Grand Army of the Republic, of Benton Ridge, Ohio, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of W. W. Simpson Post, No. 376, Grand Army of the Republic, of Bellecenter, Ohio, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *January 11, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. QUAY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

LEGATION BUILDING AT THE HAGUE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a report from the minister to the Netherlands on the De Witt house and its desirability as the permanent legation of the United States at The Hague; which, with the accompanying paper, was referred to the Committee on Foreign Relations, and ordered to be printed.

GEORGETOWN BARGE, DOCK, ELEVATOR AND RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Georgetown Barge, Dock, Elevator and Railway Company for the year ended December 31, 1903; which was referred to the Committee on the District of Columbia, and ordered to be printed.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Interstate Commerce Commission, transmitting, in response to a resolution of the 17th ultimo, a statement relative to the building rented by the Commission for its use in the District of Columbia; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PRISCILLA A. NICHOLSON.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Priscilla A. Nicholson, administratrix of E. I. G. Rhoades, deceased, late widow of William W. Rhoades, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Juno*, Joseph Smith, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Olive*, Nathaniel Treadwell, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. 196) granting a pension to Grace E. Carson;

A bill (H. R. 227) granting a pension to Margaret Cotter;

A bill (H. R. 468) granting an increase of pension to Henry Christy;

A bill (H. R. 561) granting an increase of pension to Eri Summy;

A bill (H. R. 616) granting an increase of pension to Sarah Chrysler;

A bill (H. R. 661) granting an increase of pension to Elizabeth E. Meekly;

A bill (H. R. 722) granting an increase of pension to Zachariah B. Stuart;

A bill (H. R. 864) granting an increase of pension to Albert Moulton;

A bill (H. R. 892) granting an increase of pension to Abram H. Hunt;

A bill (H. R. 895) granting an increase of pension to Margaret M. Walker;

A bill (H. R. 907) granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

A bill (H. R. 930) granting an increase of pension to Thomas M. Parkison;

A bill (H. R. 942) granting an increase of pension to James F. Hardy;

A bill (H. R. 957) granting an increase of pension to Alonzo Carpenter;

A bill (H. R. 958) granting an increase of pension to Alfred H. Rogers;

A bill (H. R. 990) granting an increase of pension to Harrison W. Fox;

A bill (H. R. 1184) granting an increase of pension to William F. Longenhagen;

A bill (H. R. 1288) granting an increase of pension to Jason Stevens;

A bill (H. R. 1483) granting an increase of pension to James W. Black;

A bill (H. R. 1517) granting an increase of pension to George W. Hutchison;

A bill (H. R. 1624) granting an increase of pension to Charles W. Boyer;

A bill (H. R. 1856) granting an increase of pension to Alexander H. Covert;

A bill (H. R. 1908) granting an increase of pension to Harvey D. Barr;

A bill (H. R. 2019) granting a pension to Mary Gwynn;

A bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard;

A bill (H. R. 2108) granting an increase of pension to Henry D. Wright;

A bill (H. R. 2139) granting an increase of pension to James W. Kight;

A bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt;

A bill (H. R. 2188) granting an increase of pension to Richard L. Cook;

A bill (H. R. 2201) granting an increase of pension to George McDonald;

A bill (H. R. 2424) granting a pension to Emma Butler;

A bill (H. R. 2485) granting a pension to Reuben Vermillion;

A bill (H. R. 2472) granting an increase of pension to David F. Lewis;

A bill (H. R. 2616) granting an increase of pension to Joseph K. Welt;

A bill (H. R. 2690) granting an increase of pension to Thomas Kelly;

A bill (H. R. 2929) granting an increase of pension to Benjamin F. Gates;

A bill (H. R. 2991) granting an increase of pension to Lydia A. Topping;

A bill (H. R. 3000) granting an increase of pension to William C. Best;

A bill (H. R. 3001) granting an increase of pension to Alpheus Converse;

A bill (H. R. 3013) granting an increase of pension to John A. Mavity;

A bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden;

A bill (H. R. 3620) granting an increase of pension to Victor Vifquain;

A bill (H. R. 3743) granting an increase of pension to Charles E. Foley;

A bill (H. R. 3776) granting an increase of pension to Alfred I. Judy;

A bill (H. R. 3778) granting an increase of pension to Juliaetta Rowling;

A bill (H. R. 3821) granting an increase of pension to Hannah Padgett, now Riley;

A bill (H. R. 3903) granting an increase of pension to George C. Sherman;

A bill (H. R. 4115) granting an increase of pension to Joseph S. Young;

A bill (H. R. 4299) granting an increase of pension to Milton H. [illegible]

A bill (H. R. 4319) granting an increase of pension to John Sexton;

A bill (H. R. 4625) granting a pension to Theresa B. Nash;

A bill (H. R. 4629) granting an increase of pension to Thomas C. Pond;

A bill (H. R. 4707) granting a pension to Margaret J. [illegible]

A bill (H. R. [illegible]) granting an increase of pension to [illegible] B. Brightman;

A bill (H. R. 4916) granting an increase of pension to Allen M. [illegible]

A bill (H. R. 4935) granting an increase of pension to Edward T. M[illegible]

A bill (H. R. 5005) granting an increase of pension to Worthington [illegible]

A bill (H. R. 5010) granting a pension to Mary F. Hamilton;

A bill (H. R. [illegible]) granting a pension to [illegible]

A bill (H. R. [illegible]) granting an increase of pension to Alexander Duncan;

A bill (H. R. 5177) granting an increase of pension to William H. Clark;

A bill (H. R. 5197) granting an increase of pension to William C. [illegible]

A bill (H. R. 5246) granting an increase of pension to Sebastian B. Elliott;

A bill (H. R. 5299) granting an increase of pension to Sarah E. Wheeler;

A bill (H. R. 5464) granting an increase of pension to Francis M. Northern;

A bill (H. R. 5521) granting an increase of pension to Charles S. [illegible]

A bill (H. R. [illegible]) granting a pension to Maria Lindhorst;

A bill (H. R. [illegible]) granting an increase of pension to Marvin [illegible]

A bill (H. R. 5559) granting an increase of pension to Josephine C. [illegible]

A bill (H. R. 5719) granting an increase of pension to Forbes Hemistolo;

A bill (H. R. [illegible]) granting a pension to [illegible]

A bill (H. R. [illegible]) granting an increase of pension to Abram Wilson;

A bill (H. R. 6004) granting an increase of pension to William C. Lyon;

A bill (H. R. 6022) granting an increase of pension to George W. [illegible]

A bill (H. R. 6071) granting an increase of pension to Abraham C. Null;

A bill (H. R. 6331) granting an increase of pension to James M. [illegible]

A bill (H. R. 6441) granting an increase of pension to Peter F. [illegible]

A bill (H. R. 6619) granting an increase of pension to Benjamin R. Little;

A bill (H. R. 6830) granting an increase of pension to Charles E. Lilley;

A bill (H. R. 6932) granting an increase of pension to Harvey R. King;

A bill (H. R. 6975) granting an increase of pension to George W. [illegible]

A bill (H. R. 7002) granting an increase of pension to James S. Rearick;

A bill (H. R. 7370) granting an increase of pension to Andrew [illegible]

A bill (H. R. 7374) granting an increase of pension to Jabez [illegible]

A bill (H. R. 7515) granting a pension to Rebecca A. Mathias; and

A bill (H. R. 7666) granting an increase of pension to Laura F. [illegible]

[illegible] the foregoing bills were severally read twice by their [illegible] and referred to the Committee on Pensions.

PETITIONS AND MEMORIALS.

Mr. FAIRBANKS presented petitions of the congregations of the [illegible] of the Methodist Episcopal Church of Kendallville, of the Woman's [illegible] Missionary Society of Seymour, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the Morrisson & Thompson Company, Kingston, Ind., and a memorial of the Grain Dealers' National Association, remonstrating against the passage of the so-called McCumber bill, providing for the classification of grain; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of Frank Ellison and sundry other citizens of Indiana, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the History Club, of Portsmouth, N. H., and a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah, which were referred to the Committee on Privileges and Elections.

Mr. SCOTT presented a petition of Andrew Mather Post, No. 14, Department of West Virginia, Grand Army of the Republic, of West Virginia, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. BARD presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that an appropriation be made for the improvement of the inner harbor at San Pedro, Cal.; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying for the construction of the Panama Canal; which was referred to the Committee on Interoceanic Canals.

He also presented petitions of sundry citizens of the Indian Territory, praying for the enactment of legislation providing protection for them from the encroachments of the liquor traffic in that Territory; which were referred to the Committee on Territories.

Mr. ALGER presented a petition of the congregation of the Bethany Presbyterian Church, of Detroit, Mich., and a petition of the Mosaic Club, of Jackson, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Orcutt Post, No. 79, Department of Michigan, Grand Army of the Republic, of Michigan, and a petition of Andrews Post, No. 294, Department of Michigan, Grand Army of the Republic, of Michigan, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. NELSON presented a petition of Local Division No. 150, Brotherhood of Locomotive Engineers, of St. Paul, Minn., praying for the enactment of legislation granting a pension to locomotive engineers who served in the civil war; which was referred to the Committee on Pensions.

He also presented the memorials of Daniel Fish and Henry G. Hicks, of Minneapolis, Minn., remonstrating against the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Post No. 161, of Motley Manor; of B. R. Palmer Post, No. 40; of Ellsworth Post, No. 58; of Joseph Frey Post, No. 61; of Goodsell Post, No. 86; of Fairchild Post, No. 152; of Hardy Post, No. 148; of A. E. Welch Post, No. 36; of Freeman Post, No. 129; of Emery Upton Post, No. 101, of Brown's Valley; of Post No. 150; of Mitchell Post, No. 69; of Major Daugherty Post, No. 117; of John W. Cochrane Post, No. 161; of Joseph Garrison Post, No. 131, and of Sully Post, No. 10, of Blue Earth, [illegible] Department of Minnesota, Grand Army of the Republic, in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. TILLMAN presented petitions of sundry citizens of the Woman's Christian Temperance Union and of the congregation of the Baptist Church of Mayesville, all in the State of South Carolina, and of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented petitions of sundry citizens of Cranbury and Red Bank, in the State of New Jersey, and of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented sundry petitions of citizens of California, praying for the passage of the so-called anti-gambling bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. McCOMAS presented a petition of sundry citizens of St. Helena, Md., praying for the passage of the so-called anti-gambling bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Easton, Md., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government

buildings and grounds; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Woman's Christian Temperance Union of Easton, Md., praying for the enactment of legislation to prohibit the nullification of State liquor laws and also the sale of license ordinances by original packages and other interstate commerce tricks; which was referred to the Committee on the Judiciary.

He also presented a petition of Cecil Grange, No. 3, Patrons of Husbandry, of Rising Sun, Md., praying for the enactment of legislation providing for a system of national, State, and local cooperation in the permanent improvement of the public highways of the country; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the Montford Avenue Methodist Episcopal Church, of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Thomas H. Goldsborough Post, No. 56, of Centerville; of Hicks Post, No. 24, of Hicks; of Gosnell Post, No. 39, of Upperco; of Naval Veteran Post, No. 76, of Baltimore, and of Joseph Johnson Post, No. 61, of Tunis Mill, all of the Department of Maryland, Grand Army of the Republic, in the State of Maryland, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CULLOM presented a petition of the Retail Merchants' Association of Ottawa, Ill., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a memorial of the Retail Merchants' Association of Ottawa, Ill., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Atlas, Lena, and La Hogue; of the congregation of the Methodist Episcopal Church of Greenville; of the congregation of the First Presbyterian Church of Rockford, and of the Woman's Christian Temperance Union of Greenville, all in the State of Illinois, and of the Woman's Home Missionary Society of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented petitions of sundry citizens of Woodcock; of the congregation of the First Baptist Church of Williamsport, and of the Twentieth Century Club, of Burgettstown, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented a petition of the Boston Fruit and Produce Exchange, of Boston, Mass., and a petition of the Boston Branch of the National League of Commission Merchants, of Boston, Mass., praying for the enactment of legislation to enlarge the jurisdiction of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a memorial of the Retail Merchants' Association of Rice Lake, Wis., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. FORAKER presented petitions of the congregation of the United Presbyterian Church of New California; of the congregation of the First United Presbyterian Church of East Liverpool; of the Twentieth Century Club of Wellsville; of the congregation of the United Presbyterian Church of Dayton; of the Ministerial Alliance of Hamilton; of the congregation of the Reformed Presbyterian Church of Jonathans Creek; of the congregation of the United Presbyterian Church of Cassville; of the congregation of the United Presbyterian Church of Unity; of sundry citizens of Dayton, New Concord, and Wellsville; of the Ministerial Union of Kingsville; of the Woman's Club of Steubenville; of the Woman's Relief Corps, "Columbia Golden," No. 32, of Athens; of the Pallas Club of Athens; of the congregation of the First Presbyterian Church of Wellsville; of the Woman's Christian Temperance Union of West Elkton; of the Ladies' Aid Society of West Elkton; of the Missionary Society of the Friends' Church of West Elkton; of the Woman's Christian Temperance Union of Cumberland; of the Christian Endeavor Society of the Presbyterian Church of Pleasant Valley, and of the United Brethren Church of Lockington; of the congregation of the Presbyterian Church of Orrville; of the Woman's Christian Temperance Union of Athens; of the Presbyterian Missionary Society of Xenia; of the Young People's Society of Christian Endeavor of Bays; of the congregation of the German Lutheran Church of Edon; of the congregation of the Methodist Episcopal Church of Edon; of the First Methodist Episcopal Church of Van Wert; of the Woman's Christian Temperance Union of Marietta; of the congregation of the United Presbyterian Church of Wellsville; of the congregation of the First United Presbyterian Church of New Concord; of the Young People's Society of Christian Endeavor of Peru; of the Woman's Christian Temperance Union of Peru; of the Woman's Christian Temperance Union of Junction; of the Woman's Christian Temperance Union of Washington; of the Woman's Home and Foreign Missionary Society of the Memorial Presbyterian Church, of Dayton; of the Woman's Christian Temperance Union of Portsmouth; of the congregation of the Wesley Methodist Episcopal Church, the Woman's Home Missionary Society, and the congregation of the Epworth Methodist Episcopal Church, of Marion; of the Woman's Home Missionary Society of the Grace Methodist Episcopal Church, of Dayton; of the congregation of the First Methodist Episcopal Church of Greenfield, and of sundry citizens of Bellefontaine, Anna, Cincinnati, Zanesville, Van Wert, West Elkton, Decaturville, and Edon, all in the State of Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented a petition of the Woman's Missionary Society of Crookston, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PATTERSON presented petitions of the Woman's Christian Temperance Union of Akron; of the congregation of the Methodist Episcopal Church of Akron; of sundry citizens of Pueblo; of the Woman's Christian Temperance Union of East Pueblo; of sundry citizens of Grand Junction; of the Woman's Christian Temperance Union of Castle Rock; of the congregation of the Hyde Park Presbyterian Church, of Denver; of the Woman's Missionary Society of the Twenty-third Avenue Presbyterian Church, of Denver; of the congregation of the First Presbyterian Church of Canon City; of the Woman's Christian Temperance Union of Grand Junction; of the congregation of the First Presbyterian Church of Grand Junction; of the congregation of the Cumberland Presbyterian Church, of Sterling; of the Woman's Christian Temperance Union of Canon City; of the congregation of the First Christian Church of Canon City; of the congregation of the Methodist Episcopal Church of Cedaredge; of the Woman's Christian Temperance Union of Cedaredge; of the congregation of the United Presbyterian Church of Canon City; of the congregation of the Baptist Church of Fountain; of the congregation of the Free Methodist Church of Fountain, and of the congregation of the First Avenue Presbyterian Church, of Denver, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the petition of Samuel N. King, of Salt Lake City, Utah, praying that Hon. REED SMOOT, a Senator from the State of Utah, be allowed to retain his seat in the Senate; which was referred to the Committee on Privileges and Elections.

Mr. HANSBROUGH presented a petition of the Queen Esther Society of the Methodist Episcopal Church and Baptist Church of Park River, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DANIEL presented petitions of the Woman's Christian Temperance Union of Hamilton, of the Woman's Christian Temperance Union of Onancock, of the Epworth League of Bruceton, of the Woman's Christian Temperance Union of Bruceton, of sundry citizens of Gloucester, and of sundry citizens of Chase City, all in the State of Virginia, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a memorial of the Retail Merchants' Association of Rice Lake, Wis., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the congregations of the Methodist Episcopal and Congregational churches of New Richmond; of the Woman's Christian Temperance Union of Hammond; of the Clara Wright Young Woman's Christian Temperance Union, of Menomonie, and of the congregation of the Methodist Episcopal Church of Barron, all of the State of Wisconsin, praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a memorial of sundry citizens of Washington, D. C., remonstrating against the enactment of legislation authorizing the construction of a street railway on M street

NW., between Fifteenth street and Thomas Circle, in that city; which was referred to the Committee on the District of Columbia.

Mr. FRYE presented a petition of the Alliance Israelite Universell, of Worcester, Mass., praying that the Government of Russia cease to discriminate against citizens of the Jewish faith; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Bar Association of South McAlester, Ind. T., praying that the Territory of Oklahoma and the Indian Territory be admitted into the Union as one State; which was referred to the Committee on Territories.

He also presented a petition of the Woman's Christian Temperance Union of Freeport, Me., and a petition of the Woman's Home Missionary Society of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. GALLINGER. On December 14 there was referred to the Committee on the District of Columbia a [illegible] between the United States and the Hart Senate or [illegible] and incompetents of certain Government wards. I move that that committee be discharged from the further consideration of the statement and that it be referred to the Committee on Appropriations.

The motion was agreed to.

Mr. GALLINGER. From the Committee on the District of Columbia, to whom was referred the bill (S. [illegible]) introduced by Mr. SWAYNE (on the 4th instant) [illegible] appropriation [illegible] for grading and macadamizing Porter [illegible] from the Brookland road to the Bladensburg road, and for other purposes, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. [illegible]) authorizing the [illegible] to grade Eighteenth street and Bladensburg avenue east and the District line to the Baltimore road, reported an adverse report thereon, which was agreed to; and the amendment was indefinitely postponed.

He also, from the same committee, to whom was referred the bill (S. [illegible]) authorizing the [illegible] to grade streets in that part of the District of Columbia outside of the city of Washington, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. [illegible], from the Committee on Pensions, to whom was referred the bill (S. [illegible]) granting a pension to P. J. Conway, reported it [illegible] and submitted a report thereon.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the bill (S. [illegible]) [illegible] of this [illegible] of the United States [illegible] and [illegible] per annum, intended for the [illegible] and [illegible] by [illegible] to the [illegible] and [illegible] and [illegible] and

The bill (S. 3259) to create a national arbitration tribunal and to define the duties and powers thereof was read twice by its title, and referred to the Committee on Education and Labor.

Mr. ALDRICH introduced a bill (S. 3260) for the relief of Robert B. Tubbs; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3261) for the relief of Clarence A. Rendt; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. STONE introduced a bill (S. 3262) granting a pension to Daniel H. Bailey; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 3263) to establish the tenth judicial circuit and to provide for a circuit court of appeals therein, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PROCTOR introduced a bill (S. 3264) to consolidate the duties of certain staff departments of the Army, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TILLMAN introduced a bill (S. 3265) granting a pension to James Lang; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 3266) granting a pension to A. P. Gadd; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3267) granting an increase of pension to Mary V. Carson;

A bill (S. 3268) granting an increase of pension to Augustus L. Schultze (with an accompanying paper);

A bill (S. 3269) granting an increase of pension to Joseph Retzer (with accompanying papers); and

A bill (S. 3270) granting an increase of pension to Junius T. Turner.

Mr. McCOMAS introduced a bill (S. 3271) for the relief of Sarah E. Cady; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3272) for the relief of William T. Sterling and fifty-seven other enlisted men of Company K, First Eastern Shore Maryland Volunteers; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3273) to authorize the purchase of certain pictures of Arctic expeditions, by Mr. Albert Operti; which was read twice by its title, and referred to the Committee on the Library.

Mr. KEAN introduced a bill (S. 3274) granting an increase of pension to Jennie Long; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 3275) granting an increase of pension to Henry B. Schroeder; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3276) granting an increase of pension to Harriet E. Worsington;

A bill (S. 3277) granting a pension to Walter N. Smith;

A bill (S. 3278) granting an increase of pension to Charles J. Clark;

A bill (S. 3279) granting an increase of pension to E. V. R. Colton;

A bill (S. 3280) granting an increase of pension to Cyrus Chapin; and

A bill (S. 3281) granting an increase of pension to John B. Graves.

Mr. OVERMAN introduced a bill (S. 3282) granting an increase of pension to Martha A. Hughes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3283) for the relief of E. J. Finch, heir of Patrick D. Gilchrist, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 3284) for the relief of J. F. Gardner; which was read twice by its title, and referred to the Committee on Claims.

Mr. DOLLIVER introduced a bill (S. 3285) granting an increase of pension to William W. Wright; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3286) granting an increase of pension to Charles D. Creed; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3287) for the construction of a bridge over Rock Creek at Q street; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3288) to provide a public park on Georgetown Heights, in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3289) providing for the appointment of a commission on the alcoholic liquor traffic; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 3290) granting a pension to Daniel Martin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 3291) granting an increase of pension to John Olson Bakken, alias John Olson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. QUARLES introduced a bill (S. 3292) amendatory of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902; which was read twice by its title, and referred to the Committee on the Census.

Mr. PERKINS introduced a bill (S. 3293) to refer to the Court of Claims the war claims of the State of California; which was read twice by its title, and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 3294) granting a pension to Wilson W. Brown and others; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3295) granting an increase of pension to William T. Bennett; and

A bill (S. 3296) granting an increase of pension to Henry Wise.

Mr. BURROWS introduced a bill (S. 3297) for the relief of Thomas E. Streeter; which was read twice by its title, and referred to the Committee on Claims.

Mr. HEYBURN introduced a bill (S. 3298) to amend section 2326 of the Revised Statutes of the United States, relative to mining claims; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3299) to increase the pensions of those who by reason of their services in the Army or Navy of the United States have lost the use of their limbs and require an attendant;

A bill (S. 3300) granting a pension to Eliza White;

A bill (S. 3301) granting an increase of pension to John W. Dickey (with accompanying papers); and

A bill (S. 3302) granting an increase of pension to William P. Foust.

Mr. QUAY introduced a bill (S. 3303) to authorize the President to appoint Maj. Gen. John R. Brooke to the grade of Lieutenant-General in the United States Army and place him on the retired list; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. CLAPP introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3304) granting an increase of pension to Andrew A. Kelly; and

A bill (S. 3305) granting an increase of pension to James K. Deyo.

Mr. CLAPP introduced a bill (S. 3306) to amend chapter 109 of the Revised Statutes of the United States, approved January 30, 1897, relating to the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DANIEL introduced a bill (S. 3307) granting a pension to Capt. Robert W. Morgan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 3308) granting an increase of pension to Jesse C. Lott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 3309) providing for the donation of lots A, B, K, and L in Block 39, in Fort Dalles military reservation to The Dalles, Oreg., as shown on the plat of the city of The Dalles and surroundings, and filed in the local land office at The Dalles, Oreg., to the Oregon Historical Society; which was

read twice by its title, and referred to the Committee on Public Lands.

Mr. FRYE introduced a bill (S. 3310) granting an increase of pension to Nicholas Doyle; which was read twice by its title, and referred to the Committee on Pensions.

FOREST RESERVE LANDS.

Mr. HEYBURN introduced a joint resolution (S. R. 30) directing the stay of all proceedings now pending upon any application to enter or patent even-numbered sections of the public lands of the United States in lieu of odd-numbered sections surrendered by any railroad company, or its assigns, within the limits of any forest reserve; which was read twice by its title.

Mr. HEYBURN. I ask that the joint resolution may lie on the table. I shall call it up hereafter.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the joint resolution will lie on the table.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 7th instant approved and signed the act (S. 2022) to afford protection to the exhibitors of foreign literary, artistic, or musical works at the Louisiana Purchase Exposition.

CLAYTON-BULWER TREATY CORRESPONDENCE.

Mr. CULBERSON. Mr. President, the State Department at my request has furnished me a copy of the instruction of Secretary Marcy to Mr. Dallas, dated July 26, 1856, which has never heretofore been published in full. It relates to the Clayton-Bulwer treaty directly, but incidentally to the Central American condition. I move that the letter of the State Department, together with the instruction, be printed as a Senate document.

The motion was agreed to.

MILTON F. COLPURN AND GOTLEIB FELDMYER.

Mr. McCOMAS submitted the following resolution; which was referred to the Committee on Claims:

Resolved, That the bill S. 1644, entitled "A bill for the relief of Milton F. Colburn, administrator of Gottlieb Feldmyer, deceased," and the bill (S. 1644) entitled "A bill for the relief of Milton F. Colburn," together with all the papers now pending relating thereto, be referred to the Court of Claims; pursuant to and proceed in the manner provided in "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

HEARING BEFORE THE COMMITTEE ON MANUFACTURES.

Mr. HEYBURN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the stenographer employed to report the hearing before the Committee on Manufactures on the bill (S. 198) for promoting the adulteration of interstate commerce in foods and drugs, and concerning food products, and the hearings on the bill relating to interstate traffic therein, and for other purposes, be paid from the contingent fund of the Senate.

REPUBLICS OF NICARAGUA AND COSTA RICA.

Mr. MORGAN submitted the following concurrent resolution, which was read:

[illegible] (S. 7). That the duty of this Republic, its people, and its Government is clear toward the peoples and the Governments of the Republics of Nicaragua and Costa Rica, with which we have had long years of intercourse, friendship and treaty relations, and which have acknowledged their independence and sovereignty [illegible] of Christian nations.

[illegible] Nicaragua, relating to the rights of transit [illegible] Nicaragua treaty of 1884, which has never been [illegible] the United States to its ratification; [illegible] of the United States under the compact [illegible] and proclaimed, sealed and delivered, and upon [illegible] President of the United States and the [illegible] Nicaragua and Costa Rica respectively, on the 1st day of December [illegible] of the President of the United States under the mandate [illegible] by President Roosevelt [illegible] and enforce the fourth section of said act of Congress, which is in the following words:

"SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property and the New Panama Canal Company [illegible] the rights, franchises, and property and the Republic of Colombia and the rights [illegible] in such contract be lost, then the President, having first obtained for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua upon terms which he may consider reasonable for the construction, perpetual maintenance, operation and protection of a canal across the Central American Sea with the Pacific Ocean by what is commonly known as the Nicaragua route, shall through the said Lesseps Canal Company cause an [illegible] and constructed a ship canal and waterway from a point on the shore of the Caribbean Sea near Greytown by way of Lake Nicaragua, to a point near Brito on the Pacific Ocean. Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same from ocean to ocean; and he shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal; and such sum or sums of money as may be agreed upon by such treaty as compensation to be paid to Nicaragua and Costa Rica for the concessions and rights hereinafter provided to be secured by the United States, are hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

"The President shall cause the said Isthmian Canal Commission to make such surveys as may be necessary for said canal, and the works to be made, and in making such surveys and in the construction of said canal may employ such persons as he may deem necessary, and fix their compensation.

"In the excavation and construction of said canal, the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used."

In compliance with these rights and duties it is further

Resolved, That Costa Rica and Nicaragua should at least be treated with the courtesy and respect due to our relations of [illegible] and that the President of the United States should proceed to open the negotiations with those Governments as he is required to do by section [illegible]. Congress, in good faith and in a spirit of sincere friendship, [illegible] good will.

Mr. DANIEL. I ask that the resolution may go over until tomorrow.

The PRESIDENT pro tempore. Objection being made, it goes over under the rule.

Mr. MORGAN. I ask that it be printed.

Mr. DANIEL. Let it be printed.

The PRESIDENT pro tempore. It will be printed.

REPORT OF COMMISSION ON INTERNATIONAL EXCHANGE.

Mr. ALDRICH submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound 10,000 copies of the Report of the Commission on International Exchange and the appendices thereto, being House Document No. 144, Fifty-eighth Congress, second session, 2,000 of which shall be for the use of the Senate, 4,000 for the use of the House of Representatives, and 4,000 for the use of the Commission on International Exchange.

HOURS OF LABOR IN EXECUTIVE DEPARTMENTS.

Mr. STEWART. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Committee on Appropriations be instructed to inquire what amount of money would be necessary to provide sufficient additional clerks in the Departments to avoid the necessity of extending the hours of labor from 4 to half past 4 o'clock.

Mr. STEWART. Mr. President, I desire to call the attention of the Committee on Appropriations to this question. I doubt very much whether the extension of the hours of labor in the Departments will accomplish the purpose desired. The situation is not well understood, I fear. There are a large number of clerks in small rooms, which are badly ventilated, and six hours and a half service has been heretofore required. That is about as much as the clerks can endure. If you extend the hours, there will be many more on the sick list than there are now.

The fact of the bad ventilation and the crowded condition of the rooms is aggravated by the feeble people who are in them, requiring that all the windows shall be closed. As to the extension of time, I think the service would be promoted by reducing the length of time rather than by increasing it. Six hours and a half work in a crowded room with bad ventilation is much more exhausting than eight or ten or even twelve hours where the clerks would have the open air to breathe.

I hope the committee will consider this matter and recommend the necessary appropriation for additional clerks.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. GALLINGER. Mr. President, I think it ought to go over by all means.

The PRESIDENT pro tempore. The resolution will go over under the rule.

Mr. SPOONER. Before the resolution goes over, I wish to ask the Senator if it would not be a good idea to concentrate the feeble persons somewhere, so that they could all be together and have the windows closed?

Mr. STEWART. You would have to find room to concentrate them in. There is no condition now by which that could be done.

Mr. LODGE. I call for the regular order.

Mr. GALLINGER. Before the matter goes over——

The PRESIDENT pro tempore. The Senator from Massachusetts demands the regular order.

Mr. LODGE. I did not mean to interrupt the Senator.

Mr. GALLINGER. I do not think the Senator means to do so.

The PRESIDENT pro tempore. The Senator from Massachusetts withdraws the demand for the regular order.

Mr. GALLINGER. I simply wish to ask the Senator from Nevada a question. He says that six hours and a half work is required of these clerks.

Mr. STEWART. Yes.

Mr. GALLINGER. Is it not a fact that under the law seven hours are required?

Mr. STEWART. It does not make any difference what the law is: the question is what the law should be.

Mr. GALLINGER. Exactly.

Mr. STEWART. I am inquiring what the law should be, not what it is.

Mr. GALLINGER. That is all I care to ask the Senator.

Mr. STEWART. I say I do not believe the law as it is, compelling that number of hours' work, is effective. I do not believe it is a good way to accomplish results.

Mr. GALLINGER. It seems to me the Senator ought to try to repeal the law.

DELAWARE INDIAN LANDS.

Mr. QUAY submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Interior be, and he hereby is, requested to transmit forthwith to the Senate copies of the report of the Indian Commission of November 11, 1903, of a statement of lands and the segregation of lands in the Cherokee Nation to the Delaware Indians, and also the report upon the segregation of said lands submitted to him by that Commission on January , 1904, and all other reports upon that subject, and furthermore, to transmit to the Senate copies of all correspondence with the Indian Commission and other officials, and all other papers relating to such allotments and segregation.

REPORT OF BUREAU OF ANIMAL INDUSTRY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Agriculture and Forestry, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report by the Secretary of Agriculture of the operations of the Bureau of Animal Industry of that Department for the fiscal year ended June 30, 1903, in compliance with the requirements of section 11 of the act approved May 29, 1884, for the establishment of that Bureau.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 11, 1904.*

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. The Chair lays before the Senate the several resolutions relative to an investigation of the Post-Office Department and the amendments offered thereto.

Mr. LODGE. Mr. President, as I understand the Senator from Wisconsin [Mr. SPOONER] does not care to proceed this morning in regard to those resolutions, I move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. Unless some arrangement shall be made regarding the resolutions they will go to the Calendar.

Mr. LODGE. I ask that they go over without prejudice, retaining their place.

Mr. SPOONER. Mr. President, I want to say a word, if I may be permitted, about that matter.

I had no thought of asking that the various resolutions referred to should go over. I participated in a discussion with the Senator from Tennessee [Mr. CARMACK] so far as it had relation to the Postmaster-General. I was not able to proceed the other day, and asked the Senator from Tennessee to permit his resolution to lie over in order that I might on a subsequent day say something on one phase only of the investigation. I do not want to be put in the RECORD as having requested the Penrose resolution and all other resolutions on the subject of the investigation of the Post-Office Department to go over on my account, for that was not my thought at all.

The PRESIDENT pro tempore. What shall be the disposition of the resolutions?

Mr. LODGE. I understand they go over. That is what I have asked.

The PRESIDENT pro tempore. By unanimous consent, retaining their place, to come up to-morrow morning immediately after the routine business?

Mr. LODGE. That was my request.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be made.

EXECUTIVE SESSION.

Mr. LODGE. I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 2660) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo.," approved January 26, 1901.

The message also communicated to the Senate the intelligence of the death of Hon. WILLIAM WOODBURN SKILES, late a Representative from the State of Ohio, and transmitted resolutions of the House thereon.

DEATH OF REPRESENTATIVE SKILES.

Mr. FORAKER. Mr. President, I ask that the communication from the House, announcing the death of my late colleague in that body, Mr. SKILES, be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, *January 11, 1904.*

Resolved, That the House of Representatives has heard with great sorrow of the death of Hon. WILLIAM WOODBURN SKILES, of the State of Ohio.

Resolved, That a committee of fifteen Members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses be defrayed out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The Speaker announced the appointment of Mr. KYLE, Mr. BAUGER, Mr. SOUTHARD, Mr. BILDERBACK, Mr. DICK, Mr. SNOOK, Mr. MORGAN, Mr. CURRIER, Mr. BEIDLER, Mr. LEGARE, Mr. WOODYARD, Mr. DICKERMAN, Mr. ROBB, Mr. DAVIDSON, Mr. WARNOCK, and Mr. WEBB members of the committee on the part of the House.

Mr. FORAKER. Mr. President, at a later day I will ask that appropriate memorial proceedings may be had in honor of Mr. SKILES. For the present I offer the resolutions I send to the desk.

The PRESIDENT pro tempore. The Senator from Ohio submits resolutions, which will be read.

The resolutions were read, and considered by unanimous consent, as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. WILLIAM W. SKILES, late a Representative from the State of Ohio.

Resolved, That a committee of five Senators be appointed by the presiding officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions submitted by the Senator from Ohio.

The resolutions were unanimously agreed to.

The President pro tempore appointed, under the second resolution, as a committee on the part of the Senate Mr. HANNA, Mr. FORAKER, Mr. FAIRBANKS, Mr. MCCREARY, and Mr. CULLOM.

Mr. FORAKER. As a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 2 o'clock and 55 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 12, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 11, 1904.

DEPUTY AUDITOR FOR THE NAVY DEPARTMENT.

Robert S. Cowie, of Wisconsin, to be Deputy Auditor for the Navy Department, in place of John M. Ewing, deceased.

PROMOTION IN THE MARINE CORPS.

First Lieut. Rush R. Wallace, jr., of the Marine Corps, to be a captain in the Marine Corps from the 19th day of November, 1903, vice First Lieut. Benjamin B. Woog, who failed to qualify for promotion and was suspended.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Dana E. Robinson, of Ohio, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from December 28, 1903.

POSTMASTERS.

CALIFORNIA.

Percy B. Fulton to be postmaster at Dinuba, in the county of Tulare and State of California. Office became Presidential January 1, 1904.

CONNECTICUT.

Charles Harris to be postmaster at Westport, in the county of Fairfield and State of Connecticut, in place of Charles Harris. Incumbent's commission expires January 18, 1904.

William H. Kenyon to be postmaster at Moosup, in the county of Windham and State of Connecticut, in place of William H. Kenyon. Incumbent's commission expires January 17, 1904.

DELAWARE.

William B. Fleming to be postmaster at Harrington, in the county of Kent and State of Delaware, in place of Arthur J. Kinney. Incumbent's commission expired December 12, 1903.

ILLINOIS.

Albert Bothfuhr to be postmaster at Grant Park, in the county of Kankakee and State of Illinois. Office became Presidential January 1, 1904.

Walker T. Butler to be postmaster at Sidell, in the county of Vermilion and State of Illinois. Office became Presidential January 1, 1904.

INDIANA.

Joshua P. Albright to be postmaster at Fremont, in the county of Steuben and State of Indiana. Office became Presidential January 1, 1904.

Charles C. Fesler to be postmaster at Clay City, in the county of Clay and State of Indiana, in place of Charles C. Fesler. Incumbent's commission expired December 13, 1903.

IOWA.

Daniel Anderson to be postmaster at Lamoni, in the county of Decatur and State of Iowa, in place of Daniel Anderson. Incumbent's commission expires January 23, 1904.

Wellington H. Gowdy to be postmaster at Corwith, in the county of Hancock and State of Iowa, in place of Wellington H. Gowdy. Incumbent's commission expires January 17, 1904.

KANSAS.

Elon G. Dewey to be postmaster at Moline, in the county of Elk and State of Kansas. Office became Presidential January 1, 1904.

LOUISIANA.

Levi P. Carter to be postmaster at Bunkie, in the parish of Avoyelles and State of Louisiana. Office became Presidential October 1, 1903.

MASSACHUSETTS.

George H. Seymour to be postmaster at Monson, in the county of Hampden and State of Massachusetts, in place of George H. Seymour. Incumbent's commission expired January 3, 1904.

MICHIGAN.

Ralph D. Harris to be postmaster at Almont, in the county of Lapeer and State of Michigan. Office became Presidential January 1, 1904.

George Preston to be postmaster at Grass Lake, in the county of Jackson and State of Michigan, in place of George Preston. Incumbent's commission expires January 17, 1904.

MINNESOTA.

Clarence J. Buckley to be postmaster at Delano, in the county of Wright and State of Minnesota. Office became Presidential January 1, 1904.

Newton H. Ingersoll to be postmaster at Brainerd in the county of Crow Wing and State of Minnesota, in place of Newton H. Ingersoll. Incumbent's commission expired January 4, 1904.

Emil Nelson to be postmaster at Albert Lea, in the county of Freeborn and State of Minnesota, in place of Victor Gillrup. Incumbent's commission expired December 19, 1903.

Albert W. Swanson to be postmaster at Royalton, in the county of Morrison and State of Minnesota. Office became Presidential January 1, 1904.

MISSOURI.

Mills T. Chastain to be postmaster at Marshall, in the county of Saline and State of Missouri, in place of Albert L. Jurden, resigned.

NEW JERSEY.

Evan F. Benners to be postmaster at Moorestown, in the county of Burlington and State of New Jersey, in place of Evan F. Benners. Incumbent's commission expires January 18, 1904.

NEW MEXICO.

Thomas W. Collier to be postmaster at Raton, in the county of Colfax and Territory of New Mexico, in place of Thomas W. Collier. Incumbent's commission expires January 17, 1904.

NEW YORK.

William B. Adams to be postmaster at Bedford Station, in the county of Westchester and State of New York. Office became Presidential January 1, 1904.

Theron A. Farnsworth to be postmaster at Camden, in the county of Oneida and State of New York, in place of Andrew W. Craig. Incumbent's commission expired February 9, 1903.

Albert Weed to be postmaster at Ticonderoga, in the county of Essex and State of New York, in place of Albert Weed. Incumbent's commission expired January 4, 1904.

OKLAHOMA.

Charles F. Hartrouft to be postmaster at Foss, in the county of Washita and Territory of Oklahoma. Office became Presidential January 1, 1904.

William E. McGuire to be postmaster at Pawhuska, in the county of Osage Nation and Territory of Oklahoma. Office became Presidential January 1, 1904.

J. Ed Van Matre to be postmaster at Leger, in the county of Greer and Territory of Oklahoma. Office became Presidential January 1, 1904.

PENNSYLVANIA.

John W. Beers to be postmaster at Marysville, in the county of Perry and State of Pennsylvania. Office became Presidential January 1, 1904.

Crawford H. McGee to be postmaster at Mahaffey, in the county of Clearfield and State of Pennsylvania. Office became Presidential January 1, 1904.

Joseph Moody to be postmaster at Tremont, in the county of Schuylkill and State of Pennsylvania. Office became Presidential January 1, 1904.

John P. Wilson to be postmaster at Manor, in the county of Westmoreland and State of Pennsylvania. Office became Presidential January 1, 1904.

WISCONSIN.

William W. Chapman to be postmaster at Horicon, in the county of Dodge and State of Wisconsin, in place of Bernhard Beck, deceased.

Joseph E. Parmelee to be postmaster at West Salem, in the county of La Crosse and State of Wisconsin, in place of Joseph E. Parmelee. Incumbent's commission expires January 23, 1904.

Frank Tucker to be postmaster at Princeton, in the county of Green Lake and State of Wisconsin, in place of Frank Tucker. Incumbent's commission expires January 23, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 11, 1904.

SECRETARY OF WAR.

William H. Taft, of Ohio, to be Secretary of War, to take effect February 1, 1904.

CIVIL GOVERNOR OF THE PHILIPPINE ISLANDS.

Luke E. Wright, of Tennessee, to be civil governor of the Philippine Islands, provided for in the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," to date February 1, 1904.

VICE-GOVERNOR OF THE PHILIPPINE ISLANDS.

Henry C. Ide, of Vermont, to be vice-governor of the Philippine Islands, provided for in the act of Congress approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," to date February 1, 1904.

COLLECTOR OF CUSTOMS.

John Bourne, of New York, to be collector of customs for the district of Dunkirk, in the State of New York.

APPOINTMENTS IN THE NAVY.

Frederick Hosmer Cooke, a citizen of the State of Ohio, to be an assistant civil engineer in the Navy from the 1st day of January, 1904.

Clinton Draper Thurber, a citizen of the State of Pennsylvania, to be an assistant civil engineer in the Navy from the 1st day of January, 1904.

Robert Graham Heiner, a citizen of the District of Columbia, to be an assistant surgeon in the Navy from the 26th day of December, 1903.

Robert Earl Stoops, a citizen of the State of Ohio, to be an assistant surgeon in the Navy from the 26th day of December, 1903.

PROMOTIONS IN THE NAVY.

Commander Francis H. Delano to be a captain in the Navy from the 11th day of October, 1903.

Commander Albion V. Wadhams to be a captain in the Navy from the 27th day of December, 1903.

Lieut. Commander York Noel to be a commander in the Navy from the 27th day of December, 1903.

Lieut. Ward P. Winchell to be a lieutenant-commander in the Navy from the 27th day of December, 1903.

Lieut. Charles P. Eaton to be a lieutenant-commander in the Navy from the 27th day of December, 1903.

Lieut. (Junior Grade) Joseph W. Graeme to be a lieutenant in the Navy from the 27th day of December, 1903.

Lieut. (Junior Grade) Albert H. McCarthy to be a lieutenant in the Navy from the 27th day of December, 1903.

Lieut. John M. Ellicott to be a lieutenant-commander in the Navy from the 27th day of December, 1903.

Lieut. (Junior Grade) Henry N. Jenson to be a lieutenant in the Navy from the 27th day of December, 1903.

Capt. Charles O'Neil to be a rear-admiral in the Navy from the 31st day of December, 1903.

Lieut. Charles W. Dyson to be a lieutenant-commander in the Navy from the 21st day of December, 1903.

Lieut. Harry George to be a lieutenant-commander in the Navy from the 1st day of January, 1904.

Lieut. Frederick L. Chapin to be a lieutenant-commander in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Arthur St. C. Smith to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Willis McDowell to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) William C. Watts to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Lyman A. Cotten to be a lieutenant in the Navy from the 1st day of January, 1904.

Pay Inspector Hiram E. Drury to be a pay director in the Navy from the 4th day of November, 1903.

Asst. Naval Constructor Daniel C. Nutting to be a naval constructor in the Navy from the 1st day of July, 1903.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

Harry M. Hepburn, of Iowa, to be a second assistant engineer, with the rank of third lieutenant, in the Revenue-Cutter Service of the United States.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Gustave M. Corput, of Georgia, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

CALIFORNIA.

George F. Beales to be postmaster at Visalia, in the county of Tulare and State of California.

William C. Campbell to be postmaster at Los Gatos, in the county of Santa Clara and State of California.

Mattie H. Flint to be postmaster at Los Angeles, in the county of Los Angeles and State of California.

Angelo Gonella to be postmaster at Los Banos, in the county of Merced and State of California.

Laura J. Hannon to be postmaster at Redondo, in the county of Los Angeles and State of California.

Sarah Laird to be postmaster at Alturas, in the county of Modoc and State of California.

John W. Loyd to be postmaster at Portersville, in the county of Tulare and State of California.

Albert L. Putnam to be postmaster at Weaverville, in the county of Trinity and State of California.

COLORADO.

Orange W. Richardson to be postmaster at Longmont, in the county of Boulder and State of Colorado.

CONNECTICUT.

George H. Ford to be postmaster at Waterville, in the county of New Haven and State of Connecticut.

John R. Morrow to be postmaster at Totoket, in the county of New Haven and State of Connecticut.

Thomas F. Rice to be postmaster at Ivoryton, in the county of Middlesex and State of Connecticut.

GEORGIA.

Lyle Hamilton to be postmaster at Buford, in the county of Gwinnett and State of Georgia.

ILLINOIS.

Hugh Bennett to be postmaster at Coal City, in the county of Grundy and State of Illinois.

Tracy W. Buckingham to be postmaster at Potomac, in the county of Vermilion and State of Illinois.

Thomas E. Burgoyne to be postmaster at Melrose Park, in the county of Cook and State of Illinois.

Henry J. Clossman to be postmaster at Princeville, in the county of Peoria and State of Illinois.

John E. Newlin to be postmaster at Chrisman, in the county of Edgar and State of Illinois.

Charles F. Ryan to be postmaster at Woodstock, in the county of McHenry and State of Illinois.

INDIANA.

Charles O. Johnston to be postmaster at Hobart, in the county of Lake and State of Indiana.

James Pickering to be postmaster at Oxford, in the county of Benton and State of Indiana.

Thompson Turner to be postmaster at Walkerton, in the county of St. Joseph and State of Indiana.

IOWA.

George Banger to be postmaster at Laporte City, in the county of Black Hawk and State of Iowa.

Ferdinand A. Christensen to be postmaster at Lake Mills, in the county of Winnebago and State of Iowa.

Samuel H. Hedrix to be postmaster at Allerton, in the county of Wayne and State of Iowa.

Gilbert Knudson to be postmaster at Jewell, in the county of Hamilton and State of Iowa.

Caleb H. Wickersham to be postmaster at West Branch, in the county of Cedar and State of Iowa.

KENTUCKY.

Joseph P. Bozarth to be postmaster at Lagrange, in the county of Oldham and State of Kentucky.

MAINE.

Horace Mitchell to be postmaster at Kittery Point, in the county of York and State of Maine.

John M. Thurlough to be postmaster at Fort Fairfield, in the county of Aroostook and State of Maine.

Charles C. White to be postmaster at Orono, in the county of Penobscot and State of Maine.

MASSACHUSETTS.

Clara S. Hill to be postmaster at Amherst, in the county of Hampshire and State of Massachusetts.

Charles Newhall to be postmaster at Danvers, in the county of Essex and State of Massachusetts.

Agnes J. Smith to be postmaster at Stockbridge, in the county of Berkshire and State of Massachusetts.

MICHIGAN.

Edwin P. Radford to be postmaster at Hermansville, in the county of Menominee and State of Michigan.

Bangs F. Warner to be postmaster at Paw Paw, in the county of Van Buren and State of Michigan.

MINNESOTA.

Hakon E. Glasoe to be postmaster at Lanesboro, in the county of Fillmore and State of Minnesota.

Barker C. Grover to be postmaster at Zumbrota, in the county of Goodhue and State of Minnesota.

William B. Strom to be postmaster at Hector, in the county of Renville and State of Minnesota.

Larmon G. Townsend to be postmaster at Blackduck, in the county of Beltrami and State of Minnesota.

MISSOURI.

Louis Baum to be postmaster at Montrose, in the county of Henry and State of Missouri.

Benjamin F. Carter to be postmaster at Browning, in the county of Linn and State of Missouri.

Charles L. Mowder to be postmaster at Braymer, in the county of Caldwell and State of Missouri.

NEW HAMPSHIRE.

Henry E. Merrick to be postmaster at Henniker, in the county of Merrimac and State of New Hampshire.

Edwin B. Pike to be postmaster at Pike, in the county of Grafton and State of New Hampshire.

George D. Stevens to be postmaster at Durham, in the county of Strafford and State of New Hampshire.

NEW MEXICO.

Louis O. Fullen to be postmaster at Carlsbad, in the county of Eddy and Territory of New Mexico.

NORTH CAROLINA.

Edwin H. Morris to be postmaster at Mocksville, in the county of Davie and State of North Carolina.

NORTH DAKOTA.

Joseph Powles to be postmaster at Milton, in the county of Cavalier and State of North Dakota.

OHIO.

Edgar M. Kane to be postmaster at Vermilion, in the county of Erie and State of Ohio.

George W. C. Perry to be postmaster at Chillicothe, in the county of Ross and State of Ohio.

Frederick G. Withoft to be postmaster at Dayton, in the county of Montgomery and State of Ohio.

OKLAHOMA.

Benjamin F. Williams to be postmaster at Sayre, in the county of Roger Mills and Territory of Oklahoma.

OREGON.

Alfred F. Linegar to be postmaster at Coquille, in the county of Coos and State of Oregon.

Albert R. Martin to be postmaster at Junction City, in the county of Lane and State of Oregon.

John F. Moore to be postmaster at Jacksonville, in the county Jackson and State of Oregon.

William E. Tate to be postmaster at Wasco, in the county of Sherman and State of Oregon.

PENNSYLVANIA.

Albert A. Atterholt to be postmaster at Rochester, in the county of Beaver and State of Pennsylvania.

Frank R. Hammond to be postmaster at Bolivar, in the county of Westmoreland and State of Pennsylvania.

Francis A. Thompson to be postmaster at Lilly, in the county of Cambria and State of Pennsylvania.

UTAH.

Hugh M. Dougall to be postmaster at Springville, in the county of Utah and State of Utah.

WEST VIRGINIA.

John A. Dinsmore to be postmaster at Keystone, in the county of McDowell and State of West Virginia.

John F. Lewis to be postmaster at Point Pleasant, in the county of Mason and State of West Virginia.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 11, 1904.*

The House met at 12 o'clock noon.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Our Father, who art in heaven, to whom we are indebted for life and all things, and to whom we owe everlasting gratitude and willing service, we most earnestly pray for a larger and ever-increasing conception of life and its far-reaching purposes, that we may bend all our energies toward the final consummation of things as exemplified in the life and teachings of Thy Son, Jesus Christ.

Once more, O Lord, are we called upon to mourn the loss of another from our Congressional family, who by his genial nature and the high order of service rendered to his country endeared himself to all. We most fervently pray that Thou will comfort his colleagues and friends, especially the grief-stricken family, by the blessed assurance that some time, somewhere, there will be a reunion where sorrow and death shall not enter.

Hear us in the name of Christ our Lord. Amen.

The Journal of the proceedings of Friday, January 8, 1904, was read and approved.

ORDER OF BUSINESS.

Mr. MACON. Mr. Speaker, I rise for the purpose of asking unanimous consent.

The SPEAKER. One moment: there is a privileged matter which should be submitted first.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BINGHAM, from the Committee on Appropriations, reported the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; which was read a first and second time, and, with the accompanying report, ordered to be printed, and referred to the Committee of the Whole House on the state of the Union.

Mr. BINGHAM. Mr. Speaker, I desire to give notice that immediately after the reading of the Journal to-morrow I shall ask for the consideration of the legislative bill.

Mr. PAYNE. Mr. Speaker, I reserve all points of order.

Mr. TAYLOR. Mr. Speaker, I desire to reserve all points of order.

Mr. SMITH of Kentucky. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. All points of order are reserved.

BRIDGE ACROSS THE ST. FRANCIS RIVER, ARKANSAS.

Mr. MACON. Mr. Speaker, I ask unanimous consent for the present consideration of a local bill that peculiarly concerns my district, which bill I send to the Clerk's desk.

The bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State, was read.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The amendments recommended by the Committee on Interstate and Foreign Commerce were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MACON, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER, GRAYS POINT, MO.

Mr. SMITH of Illinois. Mr. Speaker, I ask to take from the Speaker's table the bill S. 2900, and that the same be considered at this time. An identical House bill (H. R. 6275) has been favorably reported by the Committee on Interstate and Foreign Commerce.

The SPEAKER. The gentleman from Illinois [Mr. SMITH] asks unanimous consent to take from the Speaker's table the bill S. 2900, to supplement and amendatory of an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo., approved January 26, 1901." The gentleman from Illinois states that a similar House bill has been reported favorably from the Committee on Interstate and Foreign Commerce.

The bill was read at length.

The bill was ordered to a third reading, and was accordingly read the third time, and passed.

On motion of Mr. SMITH of Illinois, a motion to reconsider the last vote was laid on the table.

By unanimous consent, on motion of Mr. SMITH of Illinois, the corresponding House bill (H. R. 6275) was ordered to lie on the table.

COMMITTEE ON THE DISTRICT OF COLUMBIA.

Mr. POWERS of Massachusetts. Mr. Speaker, this is the day assigned for the consideration of matters presented by the Committee on the District of Columbia. In view of the probable early adjournment to-day, I ask unanimous consent that Monday next be assigned, in substitution for to-day, for the consideration of the matters which at that time may be presented by the Committee on the District of Columbia.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent that the Committee on the District of Columbia may have Monday next for the consideration of the bills of that committee in lieu of to-day. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

SHERMAN ANTITRUST LAW.

Mr. JENKINS. Mr. Speaker, I desire to submit a privileged report. The Committee on the Judiciary have had under consideration House resolution 144, calling upon the Attorney-General for certain information, and have directed me to report back in lieu thereof the substitute which I will ask the Clerk to report.

The Clerk read as follows:

Resolved, That the Attorney-General of the United States is requested, in so far as in his judgment it is not incompatible with the interests of the public service, to communicate to this House full report of all suits of money [illegible] in consideration of Congress of date March 3, 1903, providing for the enforcement of the provisions of the law known as the Sherman antitrust law and the law approved February 4, 1887, and acts amendatory thereof or supplementary thereto, and that said report shall show to whom said sums of money have been paid, and what services have been performed by each person [illegible] and what proceedings have been instituted by him or under his [illegible] said laws and whether the same is now pending, and what has been the result of such proceedings.

Mr. JENKINS. I ask for a vote.

Mr. ROBINSON of Indiana. Mr. Speaker, I would like to have a brief explanation of the matter made, if the gentleman will do so. If I understand the matter, it is to report upon the $[illegible] appropriated for the Department for the purpose of instituting proceedings under the antitrust legislation.

Mr. JENKINS. I will ask the Clerk to report the substitute again for the benefit of my friend.

Mr. ROBINSON of Indiana. I do not care to have that done. I would like the gentleman to make some explanation.

Mr. JENKINS. The resolution speaks for itself. I ask the Clerk to again report the resolution.

The SPEAKER. The Clerk will again report the resolution, without objection.

The resolution was again reported.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SECTION 7, RULE XIV.

The SPEAKER. By request, the Chair directs, without objection, the reading of the following rule.

The Clerk read as follows:

SECTION 7, RULE XIV. While the Speaker is putting a question or addressing the House no Member shall walk out of or across the Hall, nor while a Member is speaking pass between him and the Chair and during the time of the House by Member shall wear his hat or remain in the Chamber [illegible] the Chair, [illegible] the door of the House and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this rule. Neither shall any person be allowed to smoke upon the floor of the House at any time.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 7278. An act to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 865. An act to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had on January 7, 1904, approved and signed joint resolution of the following title:

H. J. Res. 61. Joint resolution authorizing the Commissioners of the District of Columbia to permit the erection of certain poles and overhead wires in connection with the work of eliminating grade crossings in the city of Washington.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 865. An act to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896—to the Committee on the District of Columbia.

REPORT OF THE BUREAU OF ANIMAL INDUSTRY.

The SPEAKER laid before the House the following message from the President: which was read, referred to the Committee on Agriculture, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith a report, by the Secretary of Agriculture, of the operations of the Bureau of Animal Industry of that Department for the fiscal year ended June 30, 1903, in compliance with the requirements of section 11 of the act approved May 29, 1884, for the establishment of said bureau.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 11, 1904.*

Mr. MANN. Mr. Speaker, is it not required that the order authorizing the printing contain an order to authorize the printing of the illustrations?

The SPEAKER. The Chair is not advised as to whether there are accompanying illustrations.

Mr. MANN. Well, Mr. Speaker, I do not know as to this report, but I never saw one of those reports that did not have illustrations.

The SPEAKER. Does the gentleman suggest an order of that kind?

Mr. MANN. I ask unanimous consent that the order to print be accompanied with authority to print the illustrations.

The SPEAKER. If there be no objection, it will be so ordered.

Mr. SMITH of Kentucky. I would like to know what the request is. I could not hear.

The SPEAKER. The request was for unanimous consent to print the illustrations, if there are any, accompanying the message just read.

Mr. TAWNEY. What does the message relate to?

The SPEAKER. The Bureau of Animal Industry.

Mr. MANN. It is the report of the Bureau of Animal Industry.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

DEATH OF HON. WILLIAM WOODBURN SKILES.

Mr. GROSVENOR. Mr. Speaker, it is made my painful duty to announce to the House of Representatives the death of Hon. WILLIAM WOODBURN SKILES, a Representative in this body from the State of Ohio. That sad event took place at his home at Shelby on Saturday last. At a proper time the House will be asked to set aside a space of time in which eulogies suitable to the high character and distinguished services of the deceased may be rendered upon this floor. In the meantime, Mr. Speaker, I offer for adoption the following resolutions.

The Clerk read as follows:

Resolved, That the House of Representatives has learned with great sorrow of the death of Hon. WILLIAM WOODBURN SKILES, late a Representative from the State of Ohio.

Resolved, That a committee of fifteen Members of the House, with such members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant-at-Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The question was taken; and the resolutions were unanimously agreed to.

The SPEAKER. The Chair appoints the following committee.

The Clerk read as follows:

Committee of the House to attend the funeral of Hon. W. W. SKILES: Mr. KYLE, Mr. BATCHELOR, Mr. SOUTHARD, Mr. HEPBURN, Mr. DICK, Mr. SNOOK, Mr. MORGAN, Mr. CRUMPACKER, Mr. BURKETT, Mr. LOVERING, Mr. WOODYARD, Mr. DICKERMAN, Mr. ROBB, Mr. DAVIDSON, Mr. WARNOCK, and Mr. WEBB.

Mr. GROSVENOR. Mr. Speaker, as a further mark of respect, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 12 o'clock and 27 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Juno*, Joseph Smith, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Olive*, Nathaniel Treadwell, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Arthur B. Wilson, administrator of estate of R. H. Wilson, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mattie S. Holland against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Timothy J. Murphy, administrator of estate of Chalkly Good, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James E. Hall, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending a deficiency appropriation for the completion of certain public buildings—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for the acquisition of additional land adjacent to the naval hospital at Yokohama, Japan—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending an appropriation for rent of temporary quarters for Government offices at Jacksonville, Fla.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending an appropriation for rent of temporary quarters for Government offices at Rome, Ga.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Acting Secretary of the Navy submitting an estimate of appropriation for extension of construction and repair shop at naval station at Cavite—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of deficiency appropriation for the Post-Office Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for protection of timber in the former Chippewa Indian Reservation in Minnesota—to the Committee on Appropriations, and ordered to be printed.

A letter from the counsel of the Georgetown Barge, Dock, Elevator and Railway Company, transmitting the annual report of that company—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting a report relative to the acquisition of a permanent legation building for the United States at The Hague—to the Committee on Foreign Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of increase of limit of cost for building at Abilene, Tex.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Postmaster-General, transmitting so much of the report of the Fourth Assistant Postmaster-General in the

investigation of the said Department as may be made public without harm to the public interest—to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of the list of amounts payable from the postal revenues transmitted from the Postmaster-General—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 5511) to authorize registers and receivers of United States land offices to furnish transcripts of their records to individuals, reported the same with amendment, accompanied by a report (No. 187); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 937) granting an increase of pension to M. A. Shelton, reported the same with amendments accompanied by a report (No. 189); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6562) granting an increase of pension to Frances Thompson, reported the same with amendment, accompanied by a report (No. 190); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 689) granting an increase of pension to Edgar Chapman, reported the same without amendment, accompanied by a report (No. 191); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3665) granting an increase of pension to Henry C. Jones, reported the same with amendment, accompanied by a report (No. 192); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5611) granting a pension to Juliette Westbrook, reported the same with amendments, accompanied by a report (No. 193); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1498) granting an increase of pension to Winslow P. Eayrs, reported the same without amendment, accompanied by a report (No. 194); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6065) granting an increase of pension to George B. Davis, reported the same without amendment, accompanied by a report (No. 195); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2920) granting an increase of pension to Daniel W. Huffman, reported the same with amendment, accompanied by a report (No. 196); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1294) granting an increase of pension to William McBrien, reported the same without amendment, accompanied by a report (No. 197); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4157) granting an increase of pension to Adam Kohlhauff, reported the same with amendment, accompanied by a report (No. 198); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3836) granting an increase of pension to David H. Thompson, reported the same with amendments, accompanied by a report (No. 199); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3299) granting a pension to Medie M. Flanders, reported the same without amendment, accompanied by a report (No. 200); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 138) granting an increase of pension to Henry Hale, reported the same with amendments, accompanied by a report (No. 201); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1497) granting an increase of pension to Walter F. Chase, reported the same without amendment, accompanied by a report (No. 202); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7756) granting an increase of pension to Charles Schroder, reported the same with amendment, accompanied by a report (No. 203); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6947) granting an increase of pension to Joseph H. Cooper, reported the same with amendment, accompanied by a report (No. 204); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8376) granting an increase of pension to J. J. Smith, reported the same with amendments, accompanied by a report (No. 205); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8920) granting a pension to Harriet A. Tucker, reported the same with amendment, accompanied by a report (No. 206); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 165) granting an increase of pension to Thomas Adelsperger, reported the same with amendments, accompanied by a report (No. 207); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8729) granting an increase of pension to Justus S. Remick, reported the same with amendments, accompanied by a report (No. 208); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6085) granting a pension to Anna M. Maier-Moyer, reported the same with amendments, accompanied by a report (No. 209); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4887) granting a pension to George N. Thorpe, reported the same with amendments, accompanied by a report (No. 210); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2016) granting an increase of pension to George Gardner, reported the same with amendment, accompanied by a report (No. 211); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 249) granting a pension to May Shields Mitchell, reported the same with amendments, accompanied by a report (No. 212); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5372) granting a pension to Mariah Kuechler, reported the same without amendment, accompanied by a report (No. 213); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5471) granting an increase of pension to A. Marion Gamble, reported the same with amendment, accompanied by a report (No. 214); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6442) granting an increase of pension to James P. Wallace, reported the same without amendment, accompanied by a report (No. 215); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 12) granting an increase of pension to Francis E. Chase, reported the same without amendment, accompanied by a report (No. 216); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4937) granting an

increase of pension to Emily Conklin, reported the same with amendments, accompanied by a report (No. 217); which said bill and report were referred to the Private Calendar.

Mr. MADDOX of Georgia, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BLILEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to William M. Chaney, reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BALDWIN, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7699) granting an increase of pension to Martha del Banco Cunningham, reported the same with amendments, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 190) granting an increase of pension to Charles H. Bell, reported the same without amendment, accompanied by a report (No. 224); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5626) for the relief of Isidore Cohen—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4542) granting a pension to Elizabeth M. Vandiver—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6087) granting an increase of pension to Anthony F. Brucklin—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting an increase of pension to Martha A. Hughes—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting a pension to Herman Lemmerman—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9277) for the relief of the State of New Hampshire—Committee on Military Affairs discharged, and referred to the Committee on Claims.

A bill (H. R. [illegible]) for the relief of the heirs and representatives of the estate of Alexander Myers, deceased—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. [illegible]) to pay J. B. [illegible] for services as hospital steward, and so forth—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BINGHAM, from the Committee on Appropriations: A bill (H. R. [illegible]) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. BURLESON: A bill (H. R. 9481) providing for the extension of the river and flood service of the Weather Bureau of the Department of Agriculture to certain rivers in Texas—to the Committee on Agriculture.

By Mr. MACON: A bill (H. R. 9482) to provide for the survey, location, and platting of the islands along and in the St. Francis River, in the States of Arkansas and Missouri—to the Committee on the Public Lands.

By Mr. GILLETT of Massachusetts: A bill (H. R. 9483) to provide further for payment of traveling expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough—to the Committee on War Claims.

By Mr. JENKINS: A bill (H. R. 9484) making reports of commissions prima facie evidence—to the Committee on the Judiciary.

By Mr. RIXEY (by request): A bill (H. R. 9485) to provide for the restoration to the Navy list of certain graduates of the Naval Academy who were honorably discharged under the act of August 5, 1882—to the Committee on Naval Affairs.

By Mr. RIDER: A bill (H. R. 9486) to authorize the Secretary of War to cause a survey or surveys to be made to determine the feasibility of a canal between Flushing Bay and Newtown Creek, county of Queens, State of New York—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 9487) to authorize the Secretary of War to cause a survey or surveys to be made to determine feasibility of a canal between the waters of St. Johns River and the Gulf of Mexico—to the Committee on Rivers and Harbors.

By Mr. SMITH of Pennsylvania: A bill (H. R. 9488) to amend an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890—to the Committee on Invalid Pensions.

By Mr. RIDER: A bill (H. R. 9489) for the maintenance of a depth of 18 feet at mean low water in Newtown Creek from Metropolitan Avenue Bridge to the East River, New York—to the Committee on Rivers and Harbors.

By Mr. GARDNER of Massachusetts: A bill (H. R. 9490) to make Gloucester, Mass., a port through which merchandise may be imported without appraisement—to the Committee on Ways and Means.

By Mr. FOSS: A bill (H. R. 9491) to create a national arbitration tribunal and to define the duties and powers thereof—to the Committee on Labor.

By Mr. WILLIAMSON: A bill (H. R. 9492) to provide for a final settlement with the Clatsop tribe of Indians of Oregon for lands ceded by said Indians to the United States in a certain agreement between said parties dated August 7, 1851—to the Committee on Indian Affairs.

By Mr. HEPBURN: A bill (H. R. 9493) to amend the act of February 8, 1887, entitled "An act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory," so as to prevent the importation and exportation of the same—to the Committee on Interstate and Foreign Commerce.

By Mr. FOSTER of Vermont: A bill (H. R. 9494) to provide for the erection of a post-office at Bennington, Vt.—to the Committee on Public Buildings and Grounds.

By Mr. GUDGER: A bill (H. R. 9495) for relief of the Eastern Band of Cherokee Indians—to the Committee on Indian Affairs.

By Mr. MAHON: A bill (H. R. 9497) authorizing the Secretary of State to reimburse the Compagnie Française des Cables Télégraphiques for expenses incurred in repairing its cables and property which were cut and damaged by forces of the United States in Cuba during the Spanish-American war—to the Committee on War Claims.

By Mr. MINOR: A bill (H. R. [illegible]) to establish a meteorological station in the State of Washington—to the Committee on Merchant Marine and Fisheries.

By Mr. FOSTER of Vermont: A resolution (H. Res. 131) directing the Secretary of War to furnish at once, for the use of Congress, copies of all letters and communications relating to the Island Inspection Bureau which have directly or indirectly come to the Department or notice, signed by Congressman FRANCIS CUSHMAN, the late Dr. H. P. Tuttle, or William S. Isham, etc.—to the Committee on Military Affairs.

By Mr. HILDEBRANT: A resolution (H. Res. 134) for the appointment of a janitor in the library of the House—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BALDWIN: A bill (H. R. 9496) granting a pension to Hester Ellen Bloor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9497) granting a pension to Mrs. Walter Nowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9498) granting a pension to Samuel M. Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9499) granting a pension to Robert C. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9500) granting a pension to Ray E. Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9501) granting an honorable discharge to James A. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 9502) to remove the charge of desertion against Andrew Luff, and granting his widow, Maria, a pension of $24 a month—to the Committee on Military Affairs.

Also, a bill (H. R. 9503) granting an increase of pension to James McGrath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9504) granting an increase of pension to Augustus Johns—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9505) granting an increase of pension to James Queen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9506) granting an increase of pension to Matthew Cherry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9507) granting an increase of pension to Jefferson P. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9508) granting an increase of pension to James P. Waldorf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9509) granting an increase of pension to Jeremiah Vankirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9510) granting an increase of pension to John O. Hasson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9511) granting an increase of pension to Israel Gayman—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 9512) granting an increase of pension to Loucette E. Glavis—to the Committee on Invalid Pensions.

By Mr. BENNY: A bill (H. R. 9513) for the relief of Susie C. G. Seabury—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 9514) for the relief of Wells C. McCool—to the Committee on War Claims.

By Mr. BURLEIGH: A bill (H. R. 9515) granting an increase of pension to John P. Whitehouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9516) granting an increase of pension to Henry Johnson—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 9517) granting an increase of pension to Joseph Starr—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 9518) granting a pension to Martha Caroline Hammack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9519) for the relief of John H. Frick—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 9520) to carry out the findings of the Court of Claims in the case of James M. Westfall—to the Committee on War Claims.

Also, a bill (H. R. 9521) for the relief of James D. Simon, administrator of Michael Simon, deceased—to the Committee on Military Affairs.

Also, a bill (H. R. 9522) for the relief of George Koonce—to the Committee on War Claims.

Also, a bill (H. R. 9523) for the relief of Alexander Murphy—to the Committee on War Claims.

Also, a bill (H. R. 9524) for the relief of John C. Gould—to the Committee on War Claims.

Also, a bill (H. R. 9525) for the relief of Mary E. Guthrie, executrix of Newton B. Guthrie—to the Committee on War Claims.

Also, a bill (H. R. 9526) for the relief of the heirs of John Hutton—to the Committee on War Claims.

Also, a bill (H. R. 9527) for the relief of the heirs of Edmund H. [illegible]—to the Committee on War Claims.

Also (by request), a bill (H. R. 9528) for the relief of the estate of William M. Morrison, deceased—to the Committee on Claims.

Also, a bill (H. R. 9529) for the relief of Gideon C. Corley—to the Committee on Claims.

Also, a bill (H. R. 9530) for the relief of the estate of Jeremiah Kibler, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9531) for the relief of the estate of Daniel Ott, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9532) for the relief of John Viands—to the Committee on War Claims.

Also, a bill (H. R. 9533) for the relief of Dennis A. Litzinger—to the Committee on War Claims.

Also, a bill (H. R. 9534) for the relief of George F. Anderson—to the Committee on War Claims.

Also, a bill (H. R. 9535) for the relief of Edward Tearney—to the Committee on Claims.

Also, a bill (H. R. 9536) for the relief of Henry Gettle—to the Committee on War Claims.

Also, a bill (H. R. 9537) for the relief of Robert S. Moss, administrator of James A. Moss, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9538) for the relief of Jacob Shank—to the Committee on War Claims.

Also, a bill (H. R. 9539) for the relief of J. G. Fellers—to the Committee on War Claims.

Also, a bill (H. R. 9540) for the relief of the estate of Henry Gannon, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9541) for the relief of Justus M. Curtis—to the Committee on War Claims.

Also, a bill (H. R. 9542) for the relief of Stephen R. Stafford—to the Committee on Claims.

By Mr. DEEMER: A bill (H. R. 9543) authorizing and directing the Secretary of War to revoke the order dismissing Second Lieut. Edwin F. Nixon—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: A bill (H. R. 9544) granting an increase of pension to A. P. George—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 9545) removing the charges of desertion and granting an honorable discharge to Benjamin Warner—to the Committee on Military Affairs.

Also, a bill (H. R. 9546) granting a pension to Helen G. S. Gibbs—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 9547) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy—to the Committee on Naval Affairs.

By Mr. GIBSON: A bill (H. R. 9548) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act—to the Committee on War Claims.

By Mr. GILLETT of Massachusetts: A bill (H. R. 9549) granting a pension to William H. Chamberlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9550) granting a pension to William Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9551) granting a pension to Hugh C. MacEwen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9552) granting a pension to Peter Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9553) granting a pension to Hattie L. Rich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9554) to rerate the pension allowed to J. H. Braynard—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 9555) to correct the military record of James A. Stewart—to the Committee on Military Affairs.

Also, a bill (H. R. 9556) granting an increase of pension to Eunice E. Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9557) granting an increase of pension to Jackson L. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9558) granting a pension to Catherine Hill—to the Committee on Pensions.

Also, a bill (H. R. 9559) granting a pension to George W. C. Lovingood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9560) granting a pension to James W. Graham—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 9561) granting a pension to Boyd Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9562) granting a pension to Warren R. Herrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9563) granting a pension to James J. Wallis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9564) granting a pension to John H. Priestly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9565) granting a pension to William C. Best—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 9566) to carry into effect the findings of the Court of Claims in the matter of the claims of B. W. Baker, administrator of estate of Henry M. Baker, deceased—to the Committee on War Claims.

By Mr. HILDEBRANT: A bill (H. R. 9567) granting an increase of pension to James B. Winter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9568) granting an increase of pension to William H. Fewt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9569) granting an increase of pension to Archibald H. Kinkead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9570) for the relief of Enoch E. Wisby—to the Committee on War Claims.

By Mr. HITCHCOCK: A bill (H. R. 9571) granting a pension to John Devine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9572) granting an increase of pension to George Trussell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9573) granting an increase of pension to William Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9574) granting an increase of pension to John H. Lennon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9575) granting an increase of pension to John Donahoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9576) granting an increase of pension to Eli M. McElwain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9577) granting an increase of pension to William M. Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9578) granting an increase of pension to James N. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9579) granting an increase of pension to John H. Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9580) granting an increase of pension to John Knight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9581) granting an increase of pension to Henry W. Lloyd—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 9582) granting a pension to Hannah Calhoun, widow of Robert Calhoun—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9583) granting an increase of pension to James H. Hargis, sr.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9584) granting an increase of pension to James H. Phelps—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9585) granting an increase of pension to Nelson McIntosh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9586) giving military record to John F. Rudd—to the Committee on Military Affairs.

Also, a bill (H. R. 9587) granting an increase of pension to Bartlett S. Haggard—to the Committee on Pensions.

Also, a bill (H. R. 9588) for the relief of Jake T. Patrick, of Sayersville, Ky.—to the Committee on Claims.

Also, a bill (H. R. 9589) granting a pension to Spencer Cooper—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 9590) for the relief of James T. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 9591) for the relief of James T. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 9592) for the relief of William H. Steimann—to the Committee on Invalid Pensions.

By Mr. LANNING: A bill (H. R. 9593) granting an increase of pension to Joseph Manthorn—to the Committee on Invalid Pensions.

By Mr. LITTLE: A bill (H. R. 9594) for the relief of William A. Denton, of Scott County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9595) for the relief of Mrs. Sallie Brown, of Arkansas—to the Committee on War Claims.

By Mr. MACON: A bill (H. R. 9596) to carry into effect the findings of the Court of Claims in case of the claim of Joel G. Higgins, Druzil Higgins, and estate of Annie G. Higgins, deceased—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 9598) granting an increase of pension to Ambrose N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9599) granting a pension to Grace P. Paddock—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 9600) to correct the military record of Thomas Ross—to the Committee on Military Affairs.

Also, a bill (H. R. 9602) for the relief of John McNaughton—to the Committee on Claims.

Also, a bill (H. R. 9603) granting an increase of pension to John H. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9604) granting an increase of pension to Abram Pennington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9605) granting an increase of pension to Joseph Kendall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9606) granting an increase of pension to America Frances Lavender—to the Committee on Invalid Pensions.

Also, a bill (R. R. 9607) granting an increase of pension to Belle L. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9608) granting an increase of pension to Joseph N. Bimpson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9609) granting an increase of pension to George H. Crawford—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 9610) granting an increase of pension to Frederick Halling—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 9611) granting a pension to David S. Taylor—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 9612) granting an increase of pension to Amanda J. Cowan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9613) granting an increase of pension to John W. Presley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9614) granting an increase of pension to David Palmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9615) granting an increase of pension to Dennis Cronin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9616) granting a pension to Thomas Dagnon—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 9617) for the relief of the heirs of John H. Belew, deceased—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 9618) for the relief of the estate of John B. Brown, deceased, late of Alexandria County, Va.—to the Committee on War Claims.

By Mr. SLAYDEN: A bill (H. R. 9619) to confer jurisdiction on the Court of Claims to hear and determine the claim of Luther Sargent, of Eagle Pass, Tex., for cattle taken by the Comanche Indians—to the Committee on Claims.

By Mr. SMITH of Illinois: A bill (H. R. 9620) granting a pension to Nancy C. Provence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9621) granting an increase of pension to William Lance—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 9622) granting an increase of pension to James H. Waddell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9623) granting an increase of pension to Robert H. Betts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9624) granting an increase of pension to George E. Welles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9625) granting a pension to John McLain—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 9626) granting an increase of pension to Freeman O. Hodge—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 9627) granting an increase of pension to John Lawrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9628) granting an increase of pension to Alfred Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9629) granting an increase of pension to Henry Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9630) granting an increase of pension to John H. Kirby—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9631) granting pension to Henrietta Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9632) granting an increase of pension to Ben L. Smith—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 9633) granting a pension to Margaret Hutcheson Booth—to the Committee on Invalid Pensions.

By Mr. WILSON of Illinois: A bill (H. R. 9634) granting a pension to Caroline Steuven—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Resolution of Merchants and Manufacturers' Association of Milwaukee, Wis., favoring reorganization of consular service—to the Committee on Foreign Affairs.

Also, resolution of Merchants and Manufacturers' Association of Milwaukee, Wis., favoring the passage of the post-check currency bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Grand Army of the Republic Post No. 141, of Hillsboro, Wis., and Grand Army of the Republic Post No. 152, of Soldiers Grove, Wis., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Wisconsin Industrial and Mercantile Association, of Milwaukee, favoring the establishment of a naval training station on the shores of Lake Michigan within the State of Wisconsin—to the Committee on Naval Affairs.

Also, papers to accompany bill H. R. 7878, granting an increase of pension to Richard Jones—to the Committee on Invalid Pensions.

By Mr. BADGER: Resolutions of Ed. Crouse Post, No. 737, Grand Army of the Republic, of Harrisburg, Ohio, and W. H. Elliott Post, No. 420, Grand Army of the Republic, of Alston, Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of W. M. S. O. S. of the Reformed Church of the United States, in favor of antipolygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. BENNY: Paper to accompany bill for relief of Susie C. G. Seabury—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Resolutions of Robbins Post, No. 267, Grand Army of the Republic, of Waverly, Iowa; John A. Davis Post, No. 53, Grand Army of the Republic, of Jessup, Iowa; W. A. Morse Post, No. 190, Grand Army of the Republic, of Manchester, Iowa, and Union Post, No. 338, Grand Army of the Republic, of Union, Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 7606, granting a pension to Sarah E. Haynes—to the Committee on Invalid Pensions.

By Mr. BURKETT: Resolution of Woman's Christian Temperance Union, favoring passage of the Dolliver-Hepburn bill regulating the interstate liquor traffic—to the Committee on Alcoholic Liquor Traffic.

By Mr. BURLEIGH: Paper to accompany bill granting increase of pension to John P. Whitehouse—to the Committee on Invalid Pensions.

Also, resolution of C. K. Norris Post, No. 127, of Monmouth, Me.—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Petition of the Presbyterian Church of Frankfort, Kans., favoring passage of the Hepburn interstate liquor act to protect prohibition States and districts against original-package tricks—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of the Grain Dealers' National Association, against supervision of the inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. CANNON: Petition of W. S. Vandeweter Clothing Company and forty-five other business houses and individuals of Kankakee, Ill., protesting against legislation to establish a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, petition of William H. Bartlett, of Chicago, praying for a reorganization of the consular service—to the Committee on Foreign Affairs.

Also, petition of the Heath & Milligan Manufacturing Company, of Chicago, praying for a reorganization of the consular service—to the Committee on Foreign Affairs.

Also, memorial of the Indian Territory Bar Association, praying for the admission of Indian Territory and Oklahoma as one State—to the Committee on the Territories.

Also, papers to accompany bill H. R. 5278, granting a pension to Mathias Reed—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Resolution of the board of directors of the Western Retail Implement and Vehicle Dealers' Association, suggesting amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. CASSINGHAM: Papers to accompany bill granting an increase of pension to Joseph Brindley—to the Committee on Invalid Pensions.

Also, resolution of Kaldenbaugh Post, No. 676, Mineral City, Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DARRAGH: Resolution of Boys in Blue Post, No. 271, Department of Michigan, Grand Army of the Republic, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of the Wisconsin Industrial and Mercantile Association, for establishment of a naval training station on the shores of Lake Michigan—to the Committee on Naval Affairs.

Also, resolution of Merchants and Manufacturers' Association of Milwaukee, Wis., favoring reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Merchants and Manufacturers' Association of Milwaukee, Wis., favoring passage of the post-check currency bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GIBSON: Petition of B. F. Badgett, of Knox County, Tenn., praying reference of claim to Court of Claims—to the Committee on War Claims.

Also, petition of trustees of Baptist Church of Jefferson City, Tenn., praying reference of claim to Court of Claims—to the Committee on War Claims.

By Mr. HAMLIN: Resolution of the General E. D. Baker Post, No. 68, of Green Ridge, Mo., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Nineteenth Annual Encampment of the Department of Missouri, Grand Army of the Republic, indorsing bill H. R. 5036, providing for the establishment of the Wilson Creek National Military Park; also, resolution of the legislature of Missouri, favoring passage of bill H. R. 5036, as above—to the Committee on Military Affairs.

Also, papers to accompany bill granting a pension to Boyd Miller—to the Committee on Invalid Pensions.

By Mr. HAY: Papers to accompany claim of Samuel Good, deceased—to the Committee on War Claims.

By Mr. HEDGE: Resolutions of George Strong Post, No. 19, Grand Army of the Republic, of Fairfield, Iowa; I. G. White Post, No. 108, Grand Army of the Republic, of Washington, Iowa, and William C. Harper Post, No. 79, Grand Army of the Republic, Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: Petitions of Dela Hunt Post, No. 152, Grand Army of the Republic, of Cannelton, Ind., and Shiloh Field Post, No. 198, Grand Army of the Republic, of Elkhart, Ind., urging passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Papers to accompany bill granting pension to A. H. Kinkead—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting a pension to James B. Winter—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of John S. Darrough, of Watseka, Ill., urging passage of a bill to pension those holding medals of honor—to the Committee on Invalid Pensions.

By Mr. HULL: Resolution of Kinsman Post, No. 7, Grand Army of the Republic, of Des Moines, Iowa; Pitzer Cast Post, No. 55, Grand Army of the Republic, of Winterset, Iowa; Richmond Post, No. 230, Grand Army of the Republic, of Iowa; Redfield Post, No. 26, Grand Army of the Republic, of Perry, Iowa; Ruckman Post, No. 330, Grand Army of the Republic, of Pleasantville, Iowa, and Dorr Post, No. 62, Grand Army of the Republic, of Altoona, Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Papers to accompany bill H. R. 7497, granting a pension to Everett Jonte—to the Committee on Invalid Pensions.

Also, resolution of Orman Post, No. 337, of Albia, Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: Papers to accompany bill H. R. 8382, to correct the military record of William L. Dunnivan—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 4605, granting an increase of pension to William Herlinger; also, papers to accompany House bill granting a pension to Davis Todd; also, petition to accompany bill S. 8381, granting a pension to Mary A. Brady; also, papers to accompany bill H. R. 5578, granting a pension to John G. Hunt—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolution of the New York Preachers' Association, relative to the treatment of chaplains in the Navy—to the Committee on Naval Affairs.

Also, resolution of the Manufacturers' Association of New York, advocating further improvement of New York Harbor—to the Committee on Rivers and Harbors.

By Mr. McCLEARY of Minnesota: Resolutions of John A. Logan Post, No. 64, Grand Army of the Republic, of St. James, Minn.; Hecker Post, No. 48, Grand Army of the Republic, of New Ulm, Minn.; Mitchell Post, No. 63, Grand Army of the Republic, of Madelia, Minn., and Stoddard Post, No. 34, Grand Army of the Republic, of Worthington, Minn., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MACON: Papers to accompany claim of Joel G. Higgins et al.—to the Committee on War Claims.

By Mr. MANN: Petition of P. J. O'Keeffe, relating to bill H. R. 62, for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. METCALF: Petition of citizens of Martinez, Cal., in favor of the McCumber bill and the Hepburn-Dolliver bills—to the Committee on the Judiciary.

By Mr. MORGAN: Resolutions of Charles N. Stout Post, No. 700, Grand Army of the Republic, of Stout, Ohio; of Cadot Post, No. 126, Grand Army of the Republic, of Gallipolis, Ohio; of Wennefield Post, No. 734, Grand Army of the Republic, of Ewington, Ohio; of Lieutenant Peller Post, No. 194, Grand Army of the Republic, of Perry, Ohio, and of W. S. Hancock Post, No. 571, Grand Army of the Republic, of Thurman, Ohio, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolution of the Merchants and Manufacturers' Association of Milwaukee, Wis., favoring reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Merchants and Manufacturers' Association of Milwaukee, Wis., in favor of the passage of the post-check currency bill—to the Committee on the Post-Office and Post Roads.

Also, resolution of the Wisconsin Industrial and Mercantile Association, in favor of establishing a naval training station on the shores of Lake Michigan, within the State of Wisconsin—to the Committee on Naval Affairs.

By Mr. PAYNE: Papers to accompany bill H. R. 2430, granting an increase of pension to Stephen Houghtaling—to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of citizens of Stockton, Brooks County, Kans., favoring the passage of the Hepburn-Dolliver bills—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Papers to accompany bill for the relief of John H. Belew—to the Committee on War Claims.

By Mr. SCARBOROUGH: Papers to accompany claim of Moses Quick—to the Committee on War Claims.

SENATE.

TUESDAY, *January 12, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, there being no objection.

REPORTS OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 17th ultimo, an item proposed to be inserted in the bill for the relief of certain persons in the District of Columbia, which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Singing Society Frohsinn, of Meriden, Ann.; of Lodge No. 654, of Denver; of Lodge No. 667, of Colorado Springs; of the Denver Maennerchor, of Denver; of Lodge No. 435, of Denver, and of Bayern Verein of Denver, all in the State of Colorado; of the Germania Verein of New Haven; of Lodge No. 266, of South Norwalk; of the Saengerbund of Hartford; of the Turn Verein of South Norwalk; of the Deutsches Gesellschaft of New Haven; of the Germania Rifle Club, of New Haven; of Hermann's Sons' Mannerchor, of New Haven; of the German Oak Club, of Ansonia; of the Teutonia Mannerchor, of New Haven; of the German Citizen Society, of Bridgeport, and of the Arion Singing Society, of South Norwalk, all in the State of Connecticut; of Lodge No. 3, of Wilmington, of the East End German Democratic Club, of Wilmington, and of the Turn Verein of Wilmington, all in the State of Delaware; of the Gesang Verein Teutonia, of Savannah, Ga.; of the Germania Verein of Shelby; of the Germania Club, of Cedar Rapids; of Lodge No. 12, of Rock Rapids; of the Germania Benevolent Society, of Muscatine; of the St. Joseph's Society of Muscatine; of the German Society Frohsinn, of Decorah; of the Military Brotherhood of Denison; of the German Aid Society of Iowa City, and of the Deutscher Krieger Verein, of Sioux City, all in the State of Iowa; of the Turn Verein Mount Olivet, of the Georgetown Turn Verein, of Smithton, of Germania Lodge No. 2, of Shiloh; of the Mascoutah Central Turn Verein, of Mascoutah; of Lodge No. 73, of Freeport; of the Liederkranz of Mount Olive; of the Turn Verein of East St. Louis, of Lodge No. 793, of Chicago, of Anker Encampment, No. 1, of Aurora, of Concordia Lodge, No. 331, of Aurora, of the Germania Mannerchor of Cairo; of the Turn Verein Eiche, of Chicago; of the Turn Verein of Chicago; of the Junger Maennerchor of Chicago; of the Sedgwick Turn Verein, of Chicago; of the German Military Society of Freeport; of the Turn Verein Garfield, of Chicago, and of the Deutsche Krieger Verein, of Aurora, all in the State of Illinois; of the German Singing Society Concordia, of Alexandria; of the German War Veterans of Fort Wayne; of the Sandhorn Verein of Hammond; of the St. Joseph Turn Verein, of Evansville; of the Saengerbund of Jeffersonville; of the Turn Verein of Hammond; of the Doppel Quartette Sakonia, of Fort Wayne, and of the Catholic Knights of America, Branch No. 77, of Evansville, all in the State of Indiana; of the Turn Verein of Leavenworth; of Lodge No. 1, of Leavenworth; of the Concordia Singing Society, of Kansas City; of the German-American Skat Club, of Topeka, and of the Gesang Turn Verein of Alma, all in the State of Kansas; of the Turn Verein of Kansas City, Mo.; of the Germania Club of Grand Island, and of Goldene Krone Lodge, No. 19, of Hastings, all in the State of Nebraska; of Kickapoo Tribe, No. 187, of Egg Harbor City; of the Good Will Hook and Ladder Company, of Egg Harbor City, and of Humboldt Grove, No. 20, of Passaic, all in the State of New Jersey; of Sigel Lodge, No. 93, of Webster, of the German School Association of Lawrence; of the Germania Club of Taunton; of the Germania Lodge, No. 380, of Springfield; of the Germania Cremation Society of Lawrence; of Herman Lodge, No. 467, of Adams; of Rollstone Lodge, No. 573, of Fitchburg, of the Glee Club Encore, of Lawrence, and of the Glee Club Mozart Mannerchor, of Lawrence, all in the State of Massachusetts; of Independence Lodge, No. 28, of New Orleans, La.; of Lodge No. 12, of Deer Lodge, and of Blucher Lodge, No. 10, of Kalispell, all in the State of Montana, and of Turn Verein Vorwaerts, of Baltimore, Md., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Springfield, Ohio; of the congregation of the Presbyterian Church of Carlisle, N. Y.; of the congregation of the First Methodist Episcopal Church of Bradford; the Young People's Missionary Society of Newberry; the Mothers and Teachers' Association of Newberry; the Ladies' Aid Society of Newberry; the Woman's Home and Foreign Missionary Society of Newberry, and of the congregation of the United Evangelical Church of Newberry, all in the State of Pennsylvania, and of the Woman's Club of Elgin, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of the Philadelphia Maritime Exchange, praying that the Government of the United States and the other governments of the world providing proper regulations for arbitration of international questions; which was referred to the Committee on Foreign Relations.

He also presented petitions of 330 telegraph operators of Illinois, praying for the enactment of legislation for the relief of telegraphers who served in the war of the rebellion; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of California, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BURNHAM presented a petition of the History Club, of Pemaquid, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington (for Mr. ANKENY) presented a petition of Alfred Sully Post, No. 3, Department of Washington and Alaska, Grand Army of the Republic, of Dayton, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also (for Mr. ANKENY) presented a petition of miners of Alaska, praying for a temporary suspension of assessment work on mining claims in the Territory of Alaska; which was referred to the Committee on Mines and Mining.

He also (for Mr. ANKENY) presented a petition of the city council of Ballard, Wash., praying that an appropriation be made to deepen the harbor at that place; which was referred to the Committee on Commerce.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Spokane, Wash., praying that an appropriation be made in aid of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented memorials of Local Union No. 100, International Longshoremen's Association, of Aberdeen; of the Sailors' Union of the Pacific of Seattle, and of the Sailors' Union of the Pacific of Port Townsend, all in the State of Washington, and of the Sailors' Union of the Pacific, remonstrating against the enactment of legislation relative to the allotment of seamen's wages; which were referred to the Committee on Commerce.

Mr. McCUMBER presented a petition of the ministers of the Presbyterian, Baptist, and Methodist Episcopal churches of Langdon, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; for the appointment of physical directors for the new army gymnasiums; to prohibit interstate telegraphing of gambling bets; for the enactment of a Sunday law for the national capital, and to amend the Lewis and Clark Exposition bill, requiring the exposition to be closed on the Sabbath day and to prohibit midway exhibits thereat; which were referred to the Committee on the Judiciary.

Mr. BARD presented a petition of the San Bernardino County Fruit Exchange, of San Bernardino, Cal., praying for the enactment of legislation to increase the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. NELSON presented petitions of Ellison Post, No. 127, of North Branch; of Levi Sutton Post, No. 73; of George B. Adams Post, No. 151, of Eagle Bend; of C. Summers Post, No. 94, of Canby; of J. S. Cady Post, No. 2, of Anoka, and of Wallace Post, No. 142, of Princeton, all of the Department of Minnesota, Grand Army of the Republic, in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of the Bay and River Steamboatmen's Union of California, remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

Mr. MILLARD presented a petition of the Military Order of the Loyal Legion of the United States, Commandery of Nebraska, praying for the adoption of an amendment to section 1814 of the Revised Statutes, relative to the placing of statues in the United States Capitol; which was referred to the Committee on Rules.

He also presented a petition of the congregation of the First Presbyterian Church of Humboldt, Nebr., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Gibbon, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Humboldt, Nebr., and a petition of the congregation of the First Presbyterian Church of Humboldt, Nebr., praying for the enactment of legislation to protect prohibition States and districts against "original-package" tricks; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of York; of the Ladies' Missionary Society of Hansen; of the Woman's Home Missionary Society of York; of the Woman's Christian Temperance Union of Union; of the congregation of the Presbyterian Church of Silver Creek; of the Fin de Siècle Club of Central City; of the Ladies' Missionary Society of Mira Creek; of sundry citizens of Geneva, and of the Nebraska Federation of Women's Clubs, of Lincoln, all in the State of Nebraska, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a petition of Lambin Post, No. 156, Department of Iowa, Grand Army of the Republic, of Lake City, Iowa, and a petition of J. G. Saffey Post, No. 125, Department of Iowa, Grand Army of the Republic, of Traer, Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Odebolt, Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented memorials of George Thomas, of Wingate; of the Delaware County Merchants' Association and Credit Bureau, of Muncie; of the Retail Merchants' Association of Connersville, and of J. Cadden, of Evansville, all in the State of Indiana, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER presented a memorial of the Bay and River Steamboatmen's Union of California and a memorial of Local Union No. 100, International Longshoremen's Union, of Aberdeen, Wash., remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which were referred to the Committee on Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Plymouth, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the East Washington Citizens' Association, of Washington, D. C., praying for the enactment of legislation to authorize the extension and operation of the Great Falls and Old Dominion Railroad upon and over certain streets in the city of Washington; which was referred to the Committee on the District of Columbia.

Mr. ALGER presented a petition of Detroit Harbor, No. 47, American Association of Masters and Pilots of Steam Vessels, of Detroit, Mich., and of Lodge No. 7, Shipmasters' Association, of Detroit, Mich., praying for the establishment of a breakwater at Rogers City, in that State; which were referred to the Committee on Commerce.

HAMILTON D. SOUTH.

Mr. PENROSE. I am directed by the Committee on Naval Affairs, to whom was referred the bill (S. 2820) for the relief of Hamilton D. South, to report it favorably with an amendment, and I ask for its present consideration. It is a short measure.

The Secretary read the bill, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Naval Affairs was, in line 6, after the words "one thousand," to strike out "two hundred and fifty" and insert "one hundred and fifty-seven;" so as to make the bill read:

Be it enacted, etc. That the Secretary of the Treasury be and he is hereby authorized and directed to pay to Lieut. Hamilton D. South, United States Marine Corps, out of any money in the Treasury not otherwise appropriated, the sum of $157, in reimbursement for the loss of personal property destroyed by the burning of the officers' quarters at the United States navy yard, Pensacola, Fla.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES BLAKE.

Mr. HALE. From the Committee on Naval Affairs I report the same kind of a bill as that which has just passed, and I ask for its present consideration. It is the bill (S. 1753) for the relief of Pay Clerk Charles Blake, United States Navy.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to Charles Blake, pay clerk, United States Navy, the sum of $100, to be a payment in full of all losses of personal property incurred by him by reason of the destruction by fire of the Windsor House, at Yokohama, Japan, on the morning of February 8, 1896.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, and was read the third time.

Mr. COCKRELL. I should like to ask the Senator from Maine, the chairman of the Committee on Naval Affairs, if there is any general legislation which would authorize the Navy Department to adjust these claims?

Mr. HALE. There are certain features of general legislation, and these cases are only reported where the Department has certified that they do not come under the general head.

The bill was passed.

REPORTS OF COMMITTEES.

Mr. HALE, from the Committee on Naval Affairs, to whom were referred the following joint resolution and bills, reported them severally without amendment:

A joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota;*

A bill (S. 2437) to provide for the transportation of naval and other stores and supplies in American-built ships; and

A bill (S. 2641) to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States and for the construction of a suitable vessel to be used for such purpose by the Navy Department.

Mr. HALE, from the Committee on Naval Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3114) to authorize the use of depositions before naval courts in certain cases; and

A bill (S. 3110) to provide for the convening of general courts-martial at remote naval stations.

Mr. CLARK of Wyoming, from the Committee on Public Lands, to whom was referred the bill (S. 921) granting to the State of Wyoming 50,000 acres of land to aid in the construction, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. [illegible]) authorizing the opening of Kansas avenue, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Naval Affairs, to whom was referred the bill (S. 2540) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy, reported it without amendment, and submitted a report thereon.

Mr. PLATT of Connecticut, from the Committee on Finance, to whom was referred the bill (S. 351) for the relief of Joseph B. Sargent, reported it without amendment.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the bill (S. 2845) to authorize the appointment of Ricardo Iglesias as a midshipman in the United States Navy, reported it without amendment, and submitted a report thereon.

REPORT ON AFFAIRS IN ALASKA.

Mr. BEVERIDGE. Mr. President, from the Committee on Territories I desire to present to the Senate the report of the subcommittee of that committee, which visited Alaska under a resolution adopted near the close of the last Congress, together with

testimony, statements, and other information gathered by the subcommittee.

I wish, Mr. President, in presenting this report to call the particular attention of the Senate to it. Within a day or two of the close of the last Congress I presented a resolution authorizing the appointment of this subcommittee. Accordingly a subcommittee was appointed, consisting of the junior Senator from Vermont [Mr. DILLINGHAM], as chairman, the junior Senator from New Hampshire [Mr. BURNHAM], the senior Senator from Minnesota [Mr. NELSON], and the junior Senator from Colorado [Mr. PATTERSON]. These gentlemen, as a subcommittee, visited Alaska and spent in actual work two months' time of discriminating and intelligent investigation. That work is embodied in this admirable report, which is the report of the entire committee, and drawn by its chairman, the Senator from Vermont [Mr. DILLINGHAM]. It embraces original information gathered on the ground; and I believe it is the first report of full and first-hand information ever presented by a committee from either House to Congress for its guidance in legislating on the affairs of the district of Alaska.

I direct the particular attention of the Senate to the feature of this report upon transportation, which is of immense value. Indeed every line of this valuable document is weighty with facts and sound judgment. This subcommittee has accomplished the maximum of work with the minimum of expense. The recommendations are the recommendations of the entire subcommittee with the exception of one concerning the Delegate, from which the junior Senator from Colorado [Mr. PATTERSON] dissents.

I ask that 5,000 copies of the report itself and the map which accompanies it be printed, and that of the testimony and statements taken by the subcommittee fifteen hundred copies be printed. This is not an unusual number, I think, for a report so important, so timely, and so full, as is this notable presentation of the situation in the district of Alaska to the Senate and the country.

The PRESIDENT pro tempore. If no objection is made, the order will be entered for the printing, as requested by the Senator from Indiana, and for the printing of maps and of illustrations, if there may be any.

BILLS INTRODUCED.

Mr. LODGE introduced a bill (S. 3311) to amend section 2499 of the Revised Statutes of the United States, which was read twice by its title, and referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Foreign Relations:

A bill (S. 3312) to provide an adjunct to the corps of consular clerks (with an accompanying paper);

A bill (S. 3313) to amend section 1706 of the Revised Statutes (with an accompanying paper); and

A bill (S. 3314) to regulate consular invoice fees (with accompanying papers).

Mr. BARD introduced a bill (S. 3315) for the relief of Carlos Montenegro; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. PENROSE introduced a bill (S. 3316) to provide for a site and public building at South Bethlehem, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3318) to correct the military record of Joseph Rankin; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3319) to correct the military record of William H. Everson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3320) to correct the naval record of John Clark, alias Daniel Andrews; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3321) granting a pension to Andrew Comrey;

A bill (S. 3322) granting an increase of pension to Daniel Nagle;

A bill (S. 3323) granting a pension to Eleanor M. Laise;

A bill (S. 3324) granting a pension to Adeline C. Roberts;

A bill (S. 3325) granting an increase of pension to James B. O. Horbach; and

A bill (S. 3326) granting an increase of pension to Jacob A. Geeger (with accompanying papers).

Mr. FOSTER of Washington (for Mr. ANKENY) introduced a bill (S. 3327) granting an increase of pension to Isaac N. Moore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 3328) granting to the city of Port Angeles, Clallam County, State of Washington, for park purposes, certain portions of the Government reserve in said city; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 3329) granting a pension to Mary E. Strong; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 3330) granting an increase of pension to William H. H. Williams; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3331) to authorize the Vulcan Coal Company, of Vulcan, W. Va., to bridge the Tug Fork of the Big Sandy River at Vulcan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3332) granting a pension to Thomas M. Harris; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEARNS introduced a bill (S. 3333) granting an increase of pension to William H. Hendrickson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURNHAM introduced a bill (S. 3334) granting an increase of pension to Frances G. Belknap; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3335) granting an increase of pension to John Waldo; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. NELSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Territories:

A bill (S. 3336) to provide an additional district judge for the district of Alaska, and for other purposes;

A bill (S. 3337) to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane and destitute persons in the district of Alaska, and for other purposes;

A bill (S. 3338) to amend and codify the laws relating to municipal corporations in the district of Alaska;

A bill (S. 3339) providing for the election of a Delegate to the House of Representatives from the district of Alaska; and

A bill (S. 3340) to amend an act entitled "An act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district," approved March 3, 1899.

Mr. NELSON introduced a bill (S. 3341) authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, title 3, of an act of Congress approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River at Nome city, in the Territory of Alaska; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HEYBURN introduced a bill (S. 3342) for the relief of the Nez Percé tribe of Indians in Idaho; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. McCOMAS introduced a bill (S. 3343) to authorize the Anacostia, Surrattsville and Brandywine Electric Railway Company to extend its street railway in the District of Columbia; which was read twice by its title, and refered to the Committee on the District of Columbia.

He also introduced a bill (S. 3344) for the extension of Shepherd street northwest from Connecticut avenue to Idaho avenue; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3345) granting an increase of pension to Edward Davidson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3346) granting an increase of pension to Jacob Hollenbaugh; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3347) for the establishment and organization of a nurse corps of trained women nurses in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PERKINS introduced a bill (S. 3348) granting a pension to Helen G. Hibbard; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3349) granting an increase of pension to Morgan Dwyer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3350) granting an increase of pension to Isaac Harbert (with an accompanying paper); and

A bill (S. 3351) granting a pension to Randolph F. Williamson (with accompanying papers).

Mr. FORAKER introduced a bill (S. 3352) granting an increase of pension to Mary M. Nash; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 3353) to provide for the registration and protection of commercial marks, prints, and labels used in foreign or interstate commerce, and for other purposes; which was read twice by its title, and referred to the Committee on Patents.

Mr. DILLINGHAM introduced a bill (S. 3354) to divide the third judicial division of the district of Alaska into two recording and judicial divisions; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 3355) to amend an act entitled "An act to prevent the extermination of fur-bearing animals in Alaska, and for other purposes;" which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. DOLLIVER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3356) granting an increase of pension to Rebecca A. Teter;

A bill (S. 3357) granting an increase of pension to Welcome B. French; and

A bill (S. 3358) granting an increase of pension to Catherine Bowsher.

Mr. TELLER introduced a bill (S. 3359) for the relief of the attorney and representative of the Choctaw Nation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FULTON introduced a bill (S. 3360) for the relief of the Muir Glacier Packing Company; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 3361) to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii, to authorize and provide for the maintenance and supply of fuel and illuminating gas and its by-products in Honolulu; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

Mr. HANSBROUGH introduced a bill (S. 3362) granting an increase of pension to Daniel H. Wallace; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE (for Mr. SPOONER) introduced a bill (S. 3363) granting an increase of pension to William A. Murray; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 3364) granting an increase of pension to Moses Fletcher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 3365) for the relief of the heirs at law of Maj. Tarleton Woodson, deceased; which was read twice by its title, and referred to the Committee on Revolutionary Claims.

STATUE OF BENJAMIN HARRISON.

Mr. FAIRBANKS. I introduce a joint resolution which I ask may be read at length.

The joint resolution (S. R. 31) authorizing the erection and maintenance of a statue in memory of the late President Benjamin Harrison, upon land owned by the United States in the city of Indianapolis, State of Indiana, was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the Benjamin Harrison Memorial Association of Indiana be, and it is hereby, authorized to erect and maintain, on property owned by the United States in the city of Indianapolis, State of Indiana, a statue in memory of the late President Benjamin Harrison. The said monument shall be constructed south of the present court-house and customhouse building now in course of construction, on Square, subject to the approval of the Secretary of the Treasury.

Mr. FAIRBANKS. As will be seen, the joint resolution authorizes the construction and maintenance, on property of the Government at Indianapolis, of a monument in honor of the life and services of the late President Benjamin Harrison. I should like to have its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REGENTS OF SMITHSONIAN INSTITUTION.

Mr. PLATT of Connecticut introduced a joint resolution (S. R. 32) to fill vacancies in the Board of Regents of the Smithsonian Institution; which was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the vacancies in the Board of Regents of the Smithsonian Institution, of the class other than Members of Congress, shall be filled by the reappointment of Justus B. Henderson and Alexander Graham Bell, residents of the city of Washington, whose terms of office expire on January 24, 1904.

Mr. PLATT of Connecticut. I see no reason why the joint resolution should not be considered now. These vacancies have to be filled by Congress. Ex-Senator Henderson and Dr. Alexander Graham Bell are regents whose terms expire in a very few days. I suppose there will be no objection whatever to their reappointment.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURT OF PATENT APPEALS.

Mr. PLATT of Connecticut. I have introduced two bills for the creation of a court of patent appeals. There is very great interest taken in them by patent attorneys and inventors. Each bill provides for the creation and establishment of a new court with final jurisdiction in patent matters. The bills differ somewhat in plan and detail. One is supported by a memorandum explaining the bill and the reasons for it, and the other by a report of the American Bar Association. I ask that each of these papers may be printed as a Senate document.

The PRESIDENT pro tempore. What reference does the Senator desire?

Mr. PLATT of Connecticut. The papers have been referred to the Committee on Patents.

The PRESIDENT pro tempore. The Senator from Connecticut asks for the printing of the papers which he has just sent to the desk. Is there objection to the request? The Chair hears none, and the order is made.

PORT OF SALT LAKE CITY.

Mr. KEARNS. I ask unanimous consent for the present consideration of the bill (S. 201) to establish a port of delivery at Salt Lake City, Utah.

Mr. LODGE. The regular order has not been finished yet?

The PRESIDENT pro tempore. It has not.

Mr. LODGE. I have no objection in the world to the bill, and I hope we shall go to the Calendar and take up all unobjected bills; but I shall be glad if the regular order may be finished first.

The PRESIDENT pro tempore. Objection is made to the request of the Senator from Utah.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. LODGE submitted an amendment providing that the immigration laws of the United States in force in the Philippine Islands shall continue to be administered by the officers of the Philippine Government, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $55,000 to enable the Secretary of State to provide at a number of the principal consulates 50 clerks, who shall be American citizens and shall not receive more than $1,200 a year in any one case, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

THE PANAMA CANAL.

Mr. LODGE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed, for the use of the Senate, 2,000 extra copies of the message of the President of the United States in regard to Panama.

CORRESPONDENCE WITH COLOMBIA.

Mr. DANIEL. I offer the resolution which I send to the desk.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

Resolved by the Senate, That the President of the United States be, and he is hereby, requested, if in his opinion consistent with the public interest, to transmit to the Senate all correspondence between the Secretary of State

and the representatives of the Government of Colombia which has taken place concerning our relations with that country since the resolution of November 4 in Panama [illegible]

Mr. CULLOM. I hope that the resolution will be referred to the Committee on Foreign Relations.

Mr. ALDRICH. No; let it go over until to-morrow.

Mr. CULLOM. If the Senator wants it to go over until to-morrow. I have no objection.

The PRESIDENT pro tempore. Objection being made, the resolution will go over.

HOUSE BILL REFERRED.

The bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State, was read twice by its title, and referred to the Committee on Commerce.

BRITISH CLAIMS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

[illegible]

In response to the resolution of the Senate of December 19, 1903, requesting the [illegible] papers relating to the [illegible] of Great Britain [illegible] the United States [illegible] herewith a report from the Acting Secretary of State concerning the [illegible]

THEODORE ROOSEVELT.

WHITE HOUSE, *January 12, 1905.*

GORDON, IRONSIDES & FARES COMPANY (LIMITED).

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit a report by the Acting Secretary of State, with accompanying papers, in regard to the [illegible] Gordon, Ironsides & Fares Company (Limited) of Canada for the reimbursement of [illegible] exacted of them in November, 1902, as duties on certain sheep and cattle.

In view of the facts as recited by the Acting Secretary of State and shown in the correspondence, I recommend that provision be made for the requisite reimbursement.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 12, 1905.*

D'ANGERS BUST OF WASHINGTON.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State, with accompanying papers, in regard to the acceptance by the Department of State of certain [illegible] to defray the cost of the erection of a replica of the bust of Washington by David d'Angers, which the donors wish to be placed in the City of Washington.

I recommend that Congress accept this gift by joint resolution and that suitable provisions be made for its ceremonial installation.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 12, 1905.*

RELATIONS WITH COLOMBIA.

Mr. BACON. I offer a Senate resolution, which I ask may be read, and before the order of reference is made I will say a word, with the permission of the Senate.

The resolution was read, as follows:

Resolved by the Senate, That the President be respectfully informed that the Senate favors and advises the negotiation, with a view to the establishment of a treaty with the Republic of Colombia, to the end that there may be permanently established between the United States and the Republic of Colombia growing out of the recent revolution in Panama and the consequent secession of Panama from Colombia and the alleged assertion of by the land and naval power of the United States in the premises a mutual amicable understanding and agreement [illegible] in Panama and that fair and complete compensation may be made by the United States to the Republic of Colombia for the loss of her sovereignty and property rights in Panama so far as the same may be shown to be due to the action of the United States through the land or naval forces of the same.

Resolved further, That the President be respectfully informed that if it shall prove to be impracticable for the United States and the Republic of Colombia to agree through a treaty upon the question of the extent of responsibility on the part of the United States, or upon the question of the amount of compensation to be made when such responsibility shall be established, the Senate is of the opinion that case favor and advise the negotiation, with a view to the ratification of a treaty with the Republic of Colombia submitting to the permanent court of arbitration at The Hague, or to some other tribunal to be agreed upon, for impartial arbitrament and peaceful determination all questions between the United States and the Republic of Colombia growing out of the matters herein recited.

Mr. BACON. Mr. President, I shall move the reference of the resolution to the Committee on Foreign Relations. Before doing so I wish simply to say, with the permission of the Senate, that I think [illegible] from my understanding of the facts as they have now been related to us both in the public prints and in official communications, this action on the part of the United States Government is required in justice to Colombia. As, however, there are doubtless some who will not agree with me on that point, I desire to suggest that, considered from another standpoint, the standpoint of good policy and expediency, this action should be taken by the Government of the United States.

We are, sir, committed by our agreeing to the international convention to the principle of arbitration when there is danger of war. We are committed to the principle of submission to some tribunal of a dispute which may lead to war in order that there may be a peaceful solution and determination of the same.

I desire to suggest to the Senate that we delude ourselves if we think there is no danger of war or of bloodshed growing out of the recent events in Panama and those which are now in progress. Of course at this distance it is difficult for us to fully realize the situation; but I hold in my hand, and as I think it may be read from the desk, a dispatch to the Washington Post, not from an anonymous correspondent, but from one who has held the official position of consul at Cartagena, Mr. Clifford Smythe, under date of January 8, from Bogota, setting forth the condition of affairs there and the prospect [illegible] of hostilities. I ask that it may be read from the desk.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

WAR OR RUIN OF NATION.

[Special cable to the Washington Post, by Clifford Smythe, former consul at Cartagena.]

BOGOTA, January 8, via Cartagena, January [illegible].

It is impossible for one not here to understand the deep feeling of Colombians on the Panama question. The situation is now critical. The national congress [illegible] Washington Republic with [illegible] give satisfactory [illegible] the disposition [illegible] in the Cauca and Bolivar Departments to rush from [illegible] I had been [illegible] I had been sent [illegible] and if war [illegible] internal disorders [illegible] to the people of Panama.

STATEMENT BY MARROQUIN.

As high an authority as President Marroquin permits me to quote him. In answer to a message from me he sent me the following, and gave permission for the cabling of these latest and authentic facts concerning the situation here:

"The people of Colombia will hope that nothing could be [illegible] War or an internal [illegible] here. That [illegible] will have the support of General Reyes to Colombia.

Mr. BACON. Mr. President, I have had that read in full, although there are some things in it which might not be directly pertinent, because I did not desire to present what might be regarded as a garbled statement of a dispatch. I desire to say that in doing this I have no wish in any manner to reflect upon the President of the United States or upon any political party, and if I could have done so with propriety I would not have had that part of it read. I thought it was better for the reason stated that it all should be read.

I consider the question we are now on not one of party. It is simply a question, viewed from the present standpoint of policy, whether or not we shall endeavor to avert imminent war. It is impossible to conceive that a people who have been so humiliated as have been the people of Colombia, however weak they may be, however absolutely hopeless the cause may be, will submit without any resistance or without any attempt to maintain what they consider to be their honor.

My only purpose in having the dispatch read was to call the attention of the Senate to the fact that matters are in a condition where, if we do not hold out to those people some prospect that the great United States Government, all-powerful and able to do as it pleases, will in a proper, magnanimous spirit endeavor peacefully to adjust these differences, there must be war and bloodshed.

No man can doubt for a moment what the result of such a war would be. Of course this pigmy can not stand against the great giant, the United States. But, Mr. President, certain as it is that

we will prevail, what would it profit us if in the contest thousands of those people were slain? What would it profit us if thousands of our officers and soldiers had to yield up their lives unnecessarily?

I believe if the Congress of the United States and if the President of the United States will hold out to those people any possible assurance that there will be an adjustment which will be compatible with their honor, that this bloodshed can be avoided.

I am anxious that in the accomplishment of this great work, which was to be the great crowning work of peace, we shall not have to shed human blood. Mr. President, we have had enough of it. What are a few paltry dollars or a few paltry million dollars to the Government of the United States, in the settlement of such a question, compared to the blood of our citizens? What are those paltry millions of dollars compared with what may be considered honorable and right dealing on the part of the United States, all-powerful as it is, with a weak and almost powerless people?

If we have not been in the wrong, it ought to be peacefully ascertained; it ought to be ascertained, not by the arbitrament of the sword. If we have been in the right, that question ought not to be determined by the rule of might, but by the impartial judgment of those whose judgment will be accepted by the civilized world, so that if we are in the right we have nothing to lose. But if, on the contrary, Mr. President, we have done wrong—this resolution does not say that we have, and I do not say so in this place—if we have done wrong, I may say, there is not power enough in all the world to make us do right unless we wish to do right. But if we have done wrong, there ought not to be power enough in all the world to keep us from doing right even to the weakest and least powerful of people.

Therefore I hope, sir, that this resolution, if no other Senator desires to speak upon it, may go to the Committee on Foreign Relations, where it may have due and proper consideration, and that it may come back.

I sincerely trust, Mr. President, that even the introduction of this resolution may have a tendency to stay the outbreak which is threatened.

I will say that in the introduction of this resolution I had no disposition to invade the province of the President of the United States, and I do not think that the Senate, in the adoption of the resolution, will invade the province of the President of the United States. The Constitution distinctly makes the Senate an advisory body for the President of the United States in the negotiation of treaties. In the early history of the Government the President of the United States communicated with the Senate and asked its advice prior to the negotiation of treaties.

There have been instances, even during the limited period when I have had the honor to sit in this body, when similar resolutions have been introduced, though I am not sure that they were adopted.

I desire, sir, having said very much more than I intended in the beginning, to assure the Senate that I introduce this resolution in no partisan spirit; that I introduce it in the utmost good faith, in the hope that the action of the Senate may redound to the good of our people; may prevent bloodshed; may vindicate us before the world that we have done no wrong, and show us where the right is if we have departed from it in any particular.

The PRESIDENT pro tempore. The Senator from Georgia [Mr. BACON] has moved that the resolution be referred to the Committee on Foreign Relations.

Mr. LODGE. Mr. President, if I rightly apprehend that resolution, it is, in the first place, in the nature of advice to the President to enter upon a negotiation with Colombia. As to the right of the Senate to give such advice to the President I have no doubt; but this resolution, as I understand it, goes further, and instructs the President as to the course of that negotiation. But, Mr. President, my objection to this resolution is much deeper than that. Negotiations, as is well known, are pending between General Reyes and the Secretary of State. They are in communication. What the conditions of their negotiations are we do not know.

Mr. DANIEL. Will the Senator allow me to ask him a question?

Mr. LODGE. Certainly.

Mr. DANIEL. Is it not true that these negotiations are ended?

Mr. LODGE. Not to my knowledge. I do not speak here on the basis of newspaper reports.

Mr. DANIEL. May I ask the Senator whether he is informed as to whether or not those negotiations are ended?

Mr. LODGE. Not to my knowledge. All I can say is that I am not aware that they are ended.

I think for us to come into the Senate with a resolution distinctly in the interest of Colombia would be a most harmful thing. I do not want even to discuss such a resolution. I do not think it ought to be discussed.

I am as anxious as the Senator from Georgia or anyone else can be to avert war and bloodshed, but I believe nothing could be more calculated to bring on fighting on the Isthmus between the people of Colombia and the people of Panama than the passage of such a resolution as that introduced by the Senator from Georgia.

I want to bring this matter to a direct vote without a reference to the committee, and therefore, Mr. President, I shall move to lay the resolution upon the table.

Mr. TELLER. That is not fair.

Mr. BACON. I trust the Senator from Massachusetts will not do that.

Mr. ALDRICH. Let us have a vote on it, then.

Mr. LODGE. What I want is to get a vote on it, and I know of no other way than that.

Mr. MORGAN. You will get a vote on it.

The PRESIDENT pro tempore. The Senator from Massachusetts [Mr. LODGE] moves to lay the resolution of the Senator from Georgia on the table. That motion takes precedence of the motion to refer.

Mr. TELLER. I will venture to say, even if it be out of order, that this is an unusual proceeding in this body. I will take occasion after the resolution is laid on the table to express my opinion about it.

The PRESIDENT pro tempore. The Chair is obliged to rule that the motion is in order.

Mr. LODGE. I have no desire to prevent discussion. I simply want to bring the resolution to a vote—that is all—without its reference to the committee.

Mr. BACON. I trust the Senator will withdraw that motion.

Mr. LODGE. I have no other alternative. If the Senate will agree to take the vote before the hour of 2 o'clock, I am perfectly willing to withhold the motion.

Mr. DANIEL. It seems to me very unreasonable——

The PRESIDENT pro tempore. The pending motion is not debatable.

Mr. DANIEL. I understand that it is not, but it has been debated, Mr. President.

Mr. LODGE. I will withhold the motion, as the Senator from Virginia wishes to be heard.

Mr. DANIEL. As the question has already been debated by two Senators, I suppose that a third one will have the same right as the other two had.

It would be very extraordinary to vote upon that resolution either to-day or to-morrow. It is a new proposition, one which as yet not even the Senator from Massachusetts [Mr. LODGE], who has listened so attentively to it, could fully digest and comprehend without additional reflection.

The due and proper course is that the resolution should go to the committee. Like other resolutions of that kind that it should not be treated with a drumhead court-martial—as other matters have been attempted to be treated in this body, which have heretofore been of a class which commanded the utmost respect of all parties and of all interested in the honest and just administration of public affairs.

Mr. TELLER. Mr. President, I think the Senator from Massachusetts [Mr. LODGE], who has taken charge of the business of the Senate, should at least allow that we may say a word or two on this subject.

This resolution is an important one. I am not myself prepared to vote on it now. I do not know, in the haste with which it was read, whether it does go beyond the power of this Senate or not.

It seems to me when the Senator from Georgia moved to refer the resolution to the Committee on Foreign Relations that that ought to have been satisfactory to everybody in this Chamber. If the resolution goes further than it should, it will be the privilege of that committee to so amend it and change it as to bring it within the proper rule.

I should like very much to vote for a resolution in favor of arbitration upon any controversy that may arise between us and Colombia on this subject or any other.

I think, Mr. President, that this resolution ought to go to the Committee on Foreign Relations. I do not know that I want to vote on it as it stands just now for fear the criticism made by the Senator from Massachusetts might be correct. I am not sufficiently keen in my judgment and perception, Mr. President, to always know on two minutes' notice whether a matter of this character is an infraction of law or not, but I know some things that every man here knows, and one is that it has not been the custom of this body to dispose of matters of this kind in this summary way. I should certainly vote against laying the resolution on the table. But, suppose it should turn out when I come to examine it, that I have made up my mind that it goes further than it ought to go, I would then stand committed to a proposition that I certainly would not have voted for if I had thought it had

gone further than it should have gone, because I had no opportunity to examine the resolution.

The motion to lay the resolution on the table is contrary to the custom of this Senate. While it has been recognized, Mr. President, that there should be the power of disposing of debate on a question when a majority wanted to do so by a motion to lay it on the table, this is the first time in my experience in this body that I have ever known a motion of this kind to be made under such circumstances.

I think the resolution ought to go to the committee of which the Senator from Massachusetts is a member. The committee is organized for the purpose of seeing that just such resolutions are kept within the rules, and the Senator from Georgia [Mr. BACON], recognizing the usual custom of the Senate upon a resolution of this kind, has himself suggested that it go, or he moved that it go, to the Committee on Foreign Relations.

Mr. BACON. If the Senator from Massachusetts desires to make the motion which he has indicated, I will withdraw the motion to refer the resolution to the Committee on Foreign Relations, and under the rule it will lie over until to-morrow.

Mr. LODGE. I submit that it is too late, Mr. President. Two motions have been made.

Mr. BACON. There is no motion pending, and, therefore, how could it be too late?

Mr. LODGE. There are two motions pending.

The PRESIDENT pro tempore. The Chair understood the Senator from Massachusetts to withdraw his motion.

Mr. LODGE. I withheld it.

Mr. BACON. The Senator from Colorado [Mr. TELLER] could not have proceeded if the Senator from Massachusetts [Mr. LODGE] had not done so.

Mr. LODGE. Very well. If the Senator wants it to go over until to-morrow, I have no objection, but I shall renew the motion then.

Mr. BACON. I am perfectly willing to let it go over for to-day; but if the Senator is going to move that it lie on the table I will withdraw my motion.

The PRESIDENT pro tempore. The Senator from Georgia withdraws his motion to refer the resolution.

Mr. BACON. And I ask that the resolution be printed.

The PRESIDENT pro tempore. Is there objection to its present consideration?

Mr. CULBERSON. I object, Mr. President.

The PRESIDENT pro tempore. Objection being made to its present consideration, the resolution will, under the rule, go over and be printed.

Mr. BACON. The Chair did not understand me to have withdrawn the motion to refer to ask for the present consideration of the resolution.

The PRESIDENT pro tempore. It would be considered present unanimously then were made.

Mr. BACON. I understand the rule to be the other way—that, as a matter of course, a resolution goes over unless there be unanimous consent for its present consideration.

The PRESIDENT pro tempore. It does.

Mr. BACON. My only object in calling attention to it was that it might not appear in the RECORD that I was inconsistent when I had made no request for the present consideration of the resolution.

Mr. FORAKER. Mr. President, before we pass from this subject I want to see if I understood what the Senator from Georgia stated about the author of the newspaper dispatch that he had read from the Secretary's desk. What was the statement the Senator made in regard to the author of that dispatch?

Mr. BACON. I made no statement except that which is found on the face of the paper, that he was formerly located at a place, the name of which was read. That is the only statement I made.

Mr. FORAKER. I heard that much, but I did not know but that something else had been said, and I wanted to be sure about it.

Mr. BACON. There was nothing more than that.

Mr. FORAKER. I have taken the trouble to telephone the State Department——

Mr. BACON. The only additional statement I made as to it was that this was not from an anonymous correspondent, and I gave the name.

Mr. FORAKER. I have taken the trouble to telephone to the State Department to find out who Mr. Clifford Smythe is. I find that he was appointed consul at Cartagena, Colombia, in March, 1894, by President Cleveland, and that he was at that time residing at Cartagena. How long he had been residing there no one seems to know. He was credited, however, to the State of New York; so that he was possibly originally a citizen of New York, but he seems to have for some reason located and become interested in that country. I mention that in order that it may have such weight as Senators may see fit to give to it as affecting the character of the dispatch which he has sent.

Mr. SPOONER. Was that paper read?

Mr. FORAKER. The paper was read from the Secretary's desk as a part of the remarks made by the Senator from Georgia [Mr. BACON], and the reason why the Senator from Georgia thinks that there ought to be adopted such a resolution as that which he has offered, a resolution which proceeds upon the theory that some great wrong has been done by the United States.

Mr. President, we have had a detailed history from the President of the United States as to all that has been done by the United States with respect to this controversy, with respect to Panama, and with respect to the recognition of the Republic of Panama. Does any member of this body pretend to say that that account so given by the President is not full, is not complete, that it does not embody everything that has been done? I have not heard of anybody making any such charge.

Mr. President, if it be true that the President of the United States has laid before this body, in his message to Congress, all the facts connected with that transaction—the recognition of the Republic of Panama—all the facts pertaining to our action there, let some Senator put his hand upon a single step or a single fact connected with this Government, or for which this Government is responsible, of which he can say that there was anything wrong about it.

Mr. DANIEL. Will the Senator allow me?

The PRESIDENT pro tempore. This debate is proceeding by unanimous consent.

Mr. DANIEL. Will the Senator from Ohio allow me to ask him a question?

Mr. FORAKER. Certainly.

Mr. DANIEL. I have not heard discussed on the floor of the Senate by any Senator the right of the President to order an act of war upon a Government at that time friendly with this nation. Does he consider that that would be right?

Mr. FORAKER. Mr. President, the President of the United States has not ordered war to be made upon a friendly government. There has been no act of war that I know anything about.

Mr. DANIEL. Will the Senator allow me to ask him another question?

Mr. FORAKER. Certainly.

Mr. DANIEL. Does the Senator consider a direction to the naval officers of the United States to prevent the troops of Colombia from attacking an insurrectionary force not an act of war?

Mr. FORAKER. Mr. President, he has not done any such thing. The President of the United States, as set forth in his message, has simply done that which has been done over and over again.

Mr. DANIEL. When?

Mr. FORAKER. By Republican and Democratic Administrations alike.

Mr. MORGAN. Oh, no.

Mr. FORAKER. In the effort to discharge our duty under our treaty of 1846 with New Granada to maintain free from interruption the transit across the Isthmus. Over and over again marines have been landed. What for? Not to make war upon anybody, but to prevent war.

Mr. DANIEL. Will the Senator allow me?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Virginia?

Mr. FORAKER. Certainly.

Mr. DANIEL. To prevent war between whom?

Mr. FORAKER. To prevent war by anybody who might want to fight.

Mr. DANIEL. Does the Senator consider that the United States has a right to send its naval forces to prevent war between other nations by fighting one of them?

Mr. FORAKER. No; we have not fought anybody nor do we propose to fight anybody.

Mr. DANIEL. Were they not directed to fight if the other forces had appeared?

Mr. FORAKER. Our marines were directed to prevent war or bloodshed along the transit that would interfere with its use.

Mr. DANIEL. By force?

Mr. FORAKER. Mr. President, let me ask the Senator from Virginia a question. Does the Senator from Virginia think that the President of the United States should have sat idly by and permitted belligerent forces to come into conflict along that transit?

Mr. DANIEL. Yes, sir; I do.

Mr. FORAKER. And there fight it out and interrupt the use of the transit?

Mr. DANIEL. I think he had no right to prevent it, I say to the Senator very promptly; and that is the issue between us.

Mr. FORAKER. Then, Mr. President——

Mr. DANIEL. While I am up, if the Senator will allow me to

ask him a question, will he kindly inform the Senate whether or not other Secretaries of State have not so expounded the law—Republican Secretaries of State—that we did not have a right to interfere with forces under similar circumstances? Have not Mr. Blaine, Mr. Fish, Mr. Seward, and others so held; and has not that been the settled policy of this country with respect to Colombia?

Mr. FORAKER. I think just the reverse has been the settled policy of this country with respect to Colombia ever since the treaty of 1846. I think it has been the settled policy of this country, whenever war or bloodshed was threatened in the neighborhood of or along that transit, to land our forces to prevent it.

Mr. DANIEL. And to attack one of the other forces?

Mr. FORAKER. We did not attack anybody there.

Mr. DANIEL. We did not attack them because they did not come. We had prevented them from coming.

Mr. FORAKER. If they had come, we would have protected the transit.

The PRESIDENT pro tempore. Senators must observe the rules of the Senate and address the Chair when desiring to interrupt each other. The Senator from Ohio [Mr. FORAKER] has the floor.

Mr. FORAKER. If they had come and had attacked our forces, or had attacked anybody else who was in the use of the transit, and had by force and violence prevented the use of it, or had obstructed or embarrassed its use, it would have been the duty of the United States to relieve that situation, and for such a purpose they had the right, and that right has been exercised over and over again, to land the marines and make such use of them as might be necessary. We have never undertaken to attack anybody.

Mr. DANIEL. Will the Senator from Ohio permit me to ask him another question?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Virginia?

Mr. FORAKER. I will yield to the Senator from Virginia as much as he thinks I should yield to him.

Mr. DANIEL. I thank the Senator for his courtesy. My only object is to get at the truth of this matter. My understanding of the dispatches which have been communicated to us by the President is that the naval forces of the United States were directed to land and to intervene to prevent the troops of the friendly Republic of Colombia from getting to the insurrectionary troops of Panama. Is not that the understanding of the Senator?

Mr. FORAKER. I do not so understand the dispatches, Mr. President. I have not seen anything in the dispatches that goes to that extent. The dispatches show that it was the order of the President, properly communicated to our representatives, that our marines there should land, and that they should protect that transit from interruption; and in that behalf they should not allow any conflict between any military forces along that transit.

That is our duty, Mr. President, under the treaty of 1846; and if in the discharge of that duty, which we are under a solemn obligation to perform, Colombia was deterred from coming there to attack the insurgents, that is a mere incident of the discharge of our duty, for which we have no responsibility whatever.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. FORAKER. Yes.

Mr. CARMACK. When the Senator says that the orders of the President were intended to prevent war, does he not mean that they were intended to prevent war between the Republic of Colombia and the insurgents in Panama?

Mr. FORAKER. Not at all, Mr. President. They were intended to prevent war between those forces or any other forces along the line of that transit. They could do all the fighting they wanted to do, removed from that transit. We were seeking to protect the transit; nothing more. That was our obligation in Panama.

Mr. CARMACK. I want to ask the Senator one more question. We have had to protect that transit frequently; but did it ever before occur that this Government assumed the right to prevent Colombia from landing her own troops upon her own soil to suppress an insurrection against her own Government?

Mr. HALE. Will the Senator from Ohio let me ask him a question?

Mr. FORAKER. As soon as I answer the question of the Senator from Tennessee.

We never had this precise case before, but we have in other instances prevented Colombia from transporting troops over this transit. That has been done repeatedly.

Mr. CARMACK. I know, but if I understand it, we never went to the point of saying that Colombia should not land her troops in Panama. This was done, I will suggest to the Senator, before there was any movement of insurrection in Panama. An order was given that the troops should not be allowed to land before there was any movement of insurrection in Panama.

Mr. SPOONER. Will the Senator from Ohio permit me a moment?

Mr. FORAKER. As soon as I have answered the Senator from Tennessee.

We did not prevent Colombia from landing her troops in Panama. She could land them at any place in Panama she saw fit to land them, except only in the neighborhood of this transit.

Mr. CARMACK. No.

Mr. HALE. What I want to ask the Senator——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Maine?

Mr. FORAKER. Certainly.

Mr. HALE. I want to ask the Senator is not this whole thing a question, under the treaty of 1846, of protecting and keeping free the transit? The President, in whatever he did, restrained Panama equally with Colombia. Had Panama's position been one of hostility to and interference with the transit across the Isthmus, would not the President's action have been precisely the same, and was he in any way restraining one more than another in protecting the transit?

Mr. FORAKER. Not at all. I am much obliged to the Senator from Maine for that statement. I have been trying to get an opportunity to make that identical statement.

We were not intervening in hostility to Colombia; we were not intervening in hostility to anybody; but we were intervening in behalf of peace, to discharge our treaty obligations, and to preserve that transit from interruption.

Mr. CULBERSON. Mr. President——

Mr. FORAKER. And to stop bloodshed. Now, Mr. President, the result of what was done by the President is his best vindication. The revolution has been a bloodless revolution. If it ceases to be bloodless, and war and loss of life are to ensue, it will be because of a responsibility that does not rest on the President, but upon those who make such speeches as indicate that here in the Senate of the United States an opinion prevails, for which there is absolutely no warrant, that the President of the United States committed wrong against the Government of Colombia.

Mr. CULBERSON. Mr. President——

Mr. DANIEL. Will the Senator permit me to ask another question?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Texas?

Mr. FORAKER. I do.

Mr. CULBERSON. I understood the statement of the Senator from Ohio to be that the President's directions were that no troops of Colombia should be permitted to land in the vicinity of the transit. I call the Senator's attention to the instructions themselves, if he will permit me to read the sentence. This is dated November 2, before the revolution even:

> Prevent landing of any armed force with hostile intent, either Government or insurgent, at any point within 50 miles of Panama. Government forces reported approaching the Isthmus in vessels. Prevent their landing if, in your judgment, the landing would precipitate a conflict.

I will ask the Senator if that does not prevent the landing of any Colombian troops at any point within 50 miles of Panama, the beginning of the transit?

Mr. FORAKER. Certainly it does. That is exactly what I have stated. It prevents the landing of Colombian troops at either terminus, at Colon or at Panama, or in the neighborhood of the transit; that they should not be allowed to land in such proximity as that by a day's march they might come upon the transit and precipitate war and bloodshed.

Mr. DANIEL. Does the Senator consider 50 miles within the neighborhood of the transit?

Mr. FORAKER. The distinguished Senator from Virginia knows that 50 miles is not very far away for light marching troops; that if they are allowed to concentrate an army within 50 miles of the transit, it is only a day's time to precipitate a conflict, war, and bloodshed. I think it was a wise order the President gave in that respect. How far away would the Senator require troops to be landed in order that they might not interfere with the transit?

Mr. DANIEL. Will the Senator allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Ohio yield?

Mr. FORAKER. Yes; I yield.

Mr. DANIEL. Was it not the duty of Colombia herself to protect that transit?

Mr. FORAKER. It may have been.

Mr. DANIEL. Was it not her primary duty?

Mr. FORAKER. Colombia was not protecting the transit.

Mr. DANIEL. Were not her troops going there to protect it?

Mr. FORAKER. I have not the dispatches before me; but if my information is not incorrect and if my recollection is not at fault Colombia made a request of the United States that we send our troops there at this very time for the purpose of preserving order, as we were required without any request from her to do by the obligations of the treaty.

Mr. CARMACK. Mr. President ——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Tennessee?

Mr. FORAKER. I yield.

Mr. CARMACK. I call the Senator's attention to the fact that Secretary Hay, in a telegram to our consul after the revolution had occurred, told him to express to the authorities of Panama that they would be expected to defend the transit under the treaty of 1846; that is the substance of it. In other words, that the new State of Panama, inheriting the obligation that had belonged to Colombia under the treaty of 1846, was itself under obligation to protect and defend the transit. If Panama had that right under the treaty of just Colombia had the right under the treaty of 1846.

Mr. FORAKER. Mr. President, I am not going to answer that argument in the way in which it is advanced by the Senator from Tennessee, for I have already answered it. The complete answer to it is in the fact that we have always interpreted our treaty obligation to require of us that whenever the transit is threatened from any source whatever it is our duty to protect it.

Mr. CARMACK. Without being asked to do so by Colombia?

Mr. FORAKER. Without being asked to do so by Colombia or anybody else. It is our solemn treaty obligation. If Colombia does not do it, it is for us to do it, and we can not ignore it.

Mr. CARMACK. But Colombia must have a right to try to do it, must she not?

Mr. FORAKER. But Colombia was not coming there to preserve order. Colombia was coming there to wage war ——

Mr. CARMACK. Upon whom?

Mr. FORAKER. Now, Mr. President, a motion was made to lay this resolution on the table. I am sorry that under the proceedings which were had it is impossible for that motion to be voted upon at this time. It ought to be voted upon at this time and this resolution might be disposed of immediately, because it is just such resolutions as this that are responsible for the war we have been listening to here that are calculated to engender war and bloodshed.

The Senator from Georgia sent up to the desk and had read a letter from our former consul, Mr. Smythe. I wish to call the attention of the Senate to one paragraph in it. It was all read, I think.

Mr. GALLINGER. It was all read.

Mr. FORAKER. I think it was all read. It has been suggested by some one near me that a part of it was not read.

The PRESIDENT pro tempore. It was all read.

Mr. FORAKER. I think it was read; but what I want to call attention to is this statement of President Marroquin, of Colombia.

[illegible] President Marroquin proceeds to quote him. In [illegible] and gave [illegible] authentic facts concerning the [illegible] actual conflict may be averted [illegible]

Mr. CARMACK. I hope so, too.

Mr. FORAKER. Now, we have [illegible] the great Democratic party [illegible] that through Democratic intervention that result may be accomplished.

Mr. CARMACK. Published prevented.

Mr. FORAKER. Well, I am not done yet:

"Thus only I count on the assistance of the Democratic party and the great American people to save the sacred rights of Colombia, which have been so scandalously wounded."

Now, Mr. President, we have avowed here in the Senate sentiments precisely the same as those that are being avowed by the officials of Colombia and the same as those that are being entertained by the people of Colombia, according to this cablegram from Mr. Smythe.

Mr. DANIEL. If the Senator will permit a question, has not the Senator the same sentiments as those of the insurrectionists in Panama?

Mr. FORAKER. I understand that we had nothing to do with one side or the other in that conflict.

Mr. MORGAN. It is armed neutrality.

Mr. FORAKER. But if we should ratify the treaty which has been proposed, we would have another and a different kind of an obligation, of which I am not here at liberty to speak, but with which all Senators are familiar. But for the time pending the ratification of the treaty with Panama, our obligation in respect to it has remained there without interruption since 1846.

It is an obligation to preserve that transit from any kind of interruption. If men want to fight there we have a right to order them away and to require them to go away. Acting in that behalf there is nothing unreasonable in the fact that the President should not allow any troops to be landed, for the purpose of making war, within 50 miles of the transit.

Now comes this resolution of which I wish to speak. In the first place, it proceeds throughout upon the theory that our Government has committed some wrong. I challenge Senators on the other side to point out what step has been taken by this Government that was wrong. Let them indicate what point in the President's narration of events they take exception to.

Mr. MORGAN. You will give us time to do that, will you not?

Mr. FORAKER. Yes, certainly; we will give you time.

Mr. MORGAN. All right. All we want is a little time to do it.

Mr. FORAKER. Let us go on and understand what it is in behalf of Colombia that these Senators want to point out as their objection to the President's action. We have this resolution. I say, proceeding upon the theory that there is some great wrong. There is no wrong except only the assertion that in doing what was done, as an incident to it, Colombia was prevented from making war upon Panama along the line of that transit. This resolution, proceeding upon that false idea, declares, first, that the President shall enter into negotiations for a new treaty with Colombia, a treaty by the provisions of which we shall make such reparation to Colombia as she may be entitled to in the judgment of the Senators and in the judgment of Senators who may vote to ratify such a treaty.

We deny in the outset that there has been any wrong; we deny that Colombia has any claim against us of any kind whatsoever.

Then, in the next place, failing to make such a treaty with her, the President is directed to take the necessary steps to submit this to The Hague tribunal of arbitration.

Mr. President, it seems to me there is no occasion for such resolutions; and it seems to me also that this is a most serious matter, for if this is to have any effect at all it is, as I said a moment ago, to turn a bloodless revolution into one that is to be attended with bloodshed, war, and carnage. We do not want to be responsible for that.

Is it true, as President Marroquin has stated, that the dependence of the Colombians is upon the Democratic party in the United States, or rather the Democratic party as represented in the Senate of the United States?

Mr. MORGAN. May I ask the Senator a question?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Ohio yield to the Senator from Alabama?

Mr. FORAKER. Certainly.

Mr. MORGAN. Are not the Senator and the Republican party and the President all dependent on the Democratic vote for a ratification of the Bay-Varilla treaty, the one that is pending in the Senate?

Mr. FORAKER. Yes; certainly.

Mr. MORGAN. You are dependent on us?

Mr. FORAKER. We certainly hope that there are Democrats who will vote for that treaty and we certainly hope there are Democrats who will rise above party requirements, if it has been made a party question, and vote with their country and for its interests.

Mr. MORGAN. Then why does the Senator from Ohio undertake to make this a party question and to devolve the responsibility of the President's action on the Democratic party?

Mr. FORAKER. We do not undertake to make it a party question.

Mr. MORGAN. That is what you are doing.

Mr. FORAKER. We undertake simply to answer those who say that it is such a party question. Let me inquire of the mover of this resolution whether it was considered in the Democratic caucus?

Mr. BACON. What was the inquiry of the Senator?

Mr. FORAKER. What is the origin of the resolution? Has it been considered in the Democratic caucus, may I ask?

Mr. BACON. Well, Mr. President, I do not think the Senator would have a right to make that inquiry, but I have no objection ——

Mr. FORAKER. Then ——

Mr. BACON. The Senator ought to permit me, I think, to complete my sentence.

Mr. FORAKER. What is it?

Mr. BACON. Am I not entitled to complete my sentence?

Mr. FORAKER. Certainly.

Mr. BACON. The Senator did not seem to recognize that right.

Mr. FORAKER. I beg pardon.

Mr. BACON. I was proceeding to say that the Senator had no right to propound the inquiry, especially in the dictatorial and domineering manner in which it was made, but that I had no objection to saying to the Senator that the resolution originated solely with myself, and that it was never seen by any other human being, except the stenographer until after the Senate met this morning, when I showed it to two or three Senators around me.

Mr. FORAKER. I hope the Senator will not think that I asked the question in a domineering or dictatorial tone, or in such a manner. I asked it only because it was suggested on the other side that this was being made a party question. That was said after I had made the statement that we hoped Democrats would vote with us upon these propositions. I asked it in order that I might bring out the fact that I was justified in the belief I had expressed that this was not a Democratic measure; that it had not been introduced or considered in the Democratic caucus, but that it had originated with the very distinguished Senator from Georgia, and that he alone was responsible for it.

Mr. BACON. Absolutely and exclusively.

Mr. FORAKER. I imagined so. I never thought for one moment that it had originated otherwise, and I only wanted to bring out the fact that it was not one of the Democratic caucus measures that had been introduced here by direction of the caucus for the purpose of making this a party question.

Mr. BACON. If the Senator will pardon me for a moment in this connection ——

The PRESIDING OFFICER. The Chair would call the attention of the Senator from Georgia to the fact that he must obtain permission to interrupt the Senator holding the floor. Does the Senator from Ohio yield to the Senator from Georgia?

Mr. FORAKER. I yield.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. BACON. I desire simply to say to the Senator from Ohio that as the authorship was definitely ascertained he ought to give to the author credit for sincerity in the statement made when the resolutions were presented, to the effect that it was not designed as a party question, but one in which I hoped all Senators, regardless of party, would sympathize because of the object to avert threatened hostilities.

Mr. FORAKER. Mr. President, I did give the Senator credit for that—at least, in my own mind—and when it seemed that some question had been made about it on the Senator's side of the Chamber I sought to make it perfectly clear and put it in the RECORD, that the resolution had originated with the Senator alone, and that he did not have a party purpose in view, but that he was proceeding according to what his best judgment directed him to do in order that he might properly discharge his duty.

Mr. CLAY. Will the Senator allow me?

Mr. FORAKER. Now, I have said all I am going to say, and I quit, as I began, with an expression of regret that it is not possible for us to at once take a vote upon the resolution and put it out of consideration in the Senate, and thus show to Colombia that she is being misled, as I fear, by the expressions made by some Democrats, at least, in the Senate, to her very great prejudice.

Mr. CLAY. Will the Senator from Ohio give me his views of the construction of the thirty-fifth article of the treaty of 1846 before he takes his seat? It says:

The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed shall always be free for the Government and citizens of the United States and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States.

Then again:

And, in order to secure to themselves the tranquil and constant enjoyment of these advantages and as an equivalent compensation for the said advantages and for those conferred by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada, by the present, the perfect neutrality of the before-mentioned Isthmus, with the express understanding that it shall be open to the transit of the citizens and property of the United States and to that of any other nation now or hereafter at war with the Government of New Granada or with the United States, provided the same be conducted through the Isthmus by the roads, navigable rivers, and canals that may at any time be established for that purpose, and be not interrupted or embarrassed in any manner under color of war or reprisal. In the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

Now, I ask the Senator this question, and I simply ask the Senator for the purpose of getting his views. When we guaranteed the neutrality of the Isthmus—it says "of the before-mentioned Isthmus"—does that mean that we guaranteed that the Isthmus shall not become the theater of war in the future, so far as foreign powers are concerned, and also so far as Colombia is concerned in factions and dissensions? When we simply guaranteed the neutrality of the entire Isthmus to prevent foreign countries from going there and entering into war, have we also the right to prevent the people of Colombia from going there and preventing their own people from entering into a war?

Mr. FORAKER. What we undertook to guarantee was that the transit should be preserved free from interruption, and we undertook to do whatever might be necessary in that behalf, no matter whether its interruption might be threatened by citizens of Colombia, or officials of Colombia, or soldiers of Colombia. Whoever might come there and interrupt it we were bound to suppress, we were bound to preserve the peace, and we were bound to do whatever might be necessary to that end.

Article 35 of the treaty of 1846 has been construed over and again by all the Administrations that have followed since then. There is no question about its construction; neither, in my judgment, is there any question but that every act done by President Roosevelt and every message sent by our Government to Panama in connection with this transaction were strictly within that construction.

Mr. DANIEL. Mr. President, the distinguished Senator from Ohio is always extremely courteous and considerate of all his colleagues in debate. While his manner is animated and forcible, and not thereby less attractive, he has always heard their queries with great courtesy and patience. I thank him for the consideration and courtesy he has shown me this morning in my interruptions of his discourse. He is the first speaker upon this floor who has touched acutely the points in disputation between gentlemen who favor the policy which he does and gentlemen who feel constrained by their sense of what is due to the Constitution of the United States, to our solemn treaties, and to international law to dissent.

Mr. FORAKER. May I interrupt the Senator just a moment?

Mr. DANIEL. Certainly.

Mr. FORAKER. Was the Senator taking the floor on the question? I had yielded it.

Mr. DANIEL. I took the floor to accept the Senator's challenge.

Mr. FORAKER. I thought the Senator wanted to ask me a question is the reason why I was remaining standing. I wish to say to the Senator that I appreciate his appreciation of my courtesy, and I am glad I did not show any domineering attitude toward the Senator from Virginia ——

Mr. DANIEL. I am sure the Senator did not.

Mr. FORAKER. As the Senator from Georgia thought I did toward him.

Mr. BACON. I hope the Senator from Virginia will permit me to say that in a moment of possibly too much feeling I used hasty language to the Senator from Ohio, than whom there is no man in the Senate I hold in higher esteem.

Mr. SPOONER. I am glad that the controversy need not be referred to the tribunal at The Hague. [Laughter.]

Mr. BACON. The Senator will mark the fact that the resolution proposes that the United States and Colombia shall settle their differences between themselves, and only go to The Hague in case they can not. That is the same solution I now tender to the Senator from Ohio, which I hope he will receive, in proper spirit.

The PRESIDING OFFICER. The Senator from Virginia will proceed.

Mr. DANIEL. While this state of excellent good feeling is existing, and while I am in somewhat good humor myself now, I may at some time in the future be a little impatient, and I beg to bespeak the charity of my friends beforehand.

The Senate can not have been unobservant of the fact, nor do I think the country will be unobservant of the fact when it has awakened to the reality of the differences in this Chamber, that the distinguished Senators who have heretofore addressed themselves to this subject have avoided or touched gingerly the real issues.

The distinguished Senator from Massachusetts [Mr. LODGE] made an elaborate argument, in which he poured an encyclopedia on recognition in the forefront of his speech and then glided tenderly over the points in dispute.

The Senator from Ohio challenges this side to put their fingers upon the points in this policy which they object to. I accept that challenge, and I accept also the statement of his own side, which the Senator to-day has made more clearly and more manfully and openly than any of his predecessors. He declares it to be his judgment and puts this question upon the ground that it was the duty of the United States, under the treaty of 1846, to see to it that an open transit was preserved across the Isthmus.

That is one proposition. A second proposition was that it was the duty of the United States, in consequence of its right to protect an open transit, to send the armed forces of the United States to keep the State of Colombia, which was the owner and sovereign of that country, from landing troops in the vicinage of the transit line, or within 50 miles thereof; and, thirdly, that this was in accordance with the historical precedents of the United States.

I will reverse the order in which I join issue with the honorable Senator. First, I deny that it is within the historical precedents

of the United States, either as to Colombia or as to any other nation.

It is singular enough that Mr. Loomis, the Assistant Secretary of State, who on behalf of the Administration took the American people into his confidence, has cited none; that the President of the United States has cited none; that the distinguished member of the Foreign Relations Committee and the distinguished Senator from Maryland [Mr. McCOMAS] have cited none, and that the Senator himself has as yet cited none. I ask the production from these Senators and challenge the production of precedents to the effect that the United States of America may send her armed forces, naval or military, to interfere with the armed troops of a friendly nation in defending her sovereignty, her property, or her territory. That is the point I make.

Mr. LODGE. Mr. President——

Mr. DANIEL. One minute, if the Senator pleases.

Mr. LODGE. I thought the Senator asked for precedents.

Mr. DANIEL. A little later I will be very glad to yield to the Senator.

Now, Mr. President, the Senator has assailed by his main proposition the career of his own party in this country. If M. Varilla, who seems to have been imported into this country from France by way of Panama to instruct its people in their international duties upon the hustings, is to be followed in attacking the State Department of the United States in its administration for a generation, the people of the country ought to understand it. I will read to the Senator from a great Secretary of State, a man of as high intelligence as ever occupied that seat near the President. Here is what Mr. Seward said about this treaty:

[illegible]

Says Mr. Seward—

[illegible] was to guarantee the isthmus and the transit against invasion by a foreign power only. [illegible] to any civil war in that country by defending the isthmus against another party.

That has been the position which the Republican party of this country has honorably and worthily occupied for over thirty years respecting this identical matter. In 1873 this same matter came before Hon. Hamilton Fish, of New York, as Secretary of State. He announced from the State Department the following doctrine:

[illegible] government, by the treaty with New Granada of 1846, has guaranteed [illegible]

Does the Senator from Ohio consider that the troops of Colombia and Panama were local factions?

Mr. LODGE rose.

Mr. DANIEL. As soon as I finish this quotation I will yield to the Senator from Massachusetts, who wants to ask me a question:

[illegible] the road [illegible] will be in [illegible]

Now I yield to the Senator from Massachusetts for a question if he wishes to ask me one.

Mr. LODGE. The Senator made the statement that nobody had referred to any precedent on this matter.

Mr. DANIEL. I said that no one had cited a precedent to that point.

Mr. LODGE. To that point.

Mr. DANIEL. I stated the point, and the point is this: The United States to send its armed naval or military forces to interfere with armed forces of a friendly government in defending itself against hostile attacks from insurgents.

Mr. LODGE. The precedents were cited by the President in his message. The precedents of 1901 and 1902, in which precisely the same instructions were given that were given in the year 1903. Colombia invited us to come there. We have taken the ground.

Mr. DANIEL. Colombia invited us to come?

Mr. LODGE. I only want to point out precedents. I will not read them. We have taken the ground—

You are directed to protest against any act of hostility which may involve or impend the safety of Panama [illegible]

That was in 1901. We follow that universally.

Mr. DANIEL. Did not that apply only to the transit?

Mr. LODGE. Certainly; and so has the President's order applied only to the transit.

Mr. DANIEL. Does the Senator mean to say that it was not the obvious purpose of the United States to prevent the Colombian Government from suppressing the insurrection?

Mr. LODGE. I do not think there is anything of the kind. I think the object was to preserve the transit and stop the fighting; and both parties were protected.

Mr. DANIEL. How? By taking the side of one party?

Mr. LODGE. We did not take the side of one party.

Mr. DANIEL. We did not, because the other party did not appear.

Mr. LODGE. We prevented the insurgents from attacking Colombia. They tried to move their men and we prevented that. It is all stated in Captain Hubbard's letters. He prevented the insurgents; they said it themselves. That is not taking sides. We held the balance absolutely even. The result was that the people of Panama got their independence. There is no doubt of the result.

Mr. DANIEL. If the Senator is done asking his question, I would like to continue.

Mr. LODGE. I beg the Senator's pardon; I rarely interrupt the Senator. He interrupted the Senator from Ohio so frequently I did not suppose he would mind my asking the question.

Mr. DANIEL. As I understand it, then, the United States troops were sent there to prevent the insurrectionists from attacking Colombia.

Mr. LODGE. Oh, no; to prevent Colombia from attacking the insurrectionists.

Mr. DANIEL. That is what the Senator states.

Mr. LODGE. The order was distinct.

Mr. DANIEL. I understand the orders.

Mr. LODGE. It was:

Prevent landing of any armed force with hostile intent, either Government or insurgent.

That is exactly what was done, and that it was our duty to do.

Mr. DANIEL. It could hardly be supposed, Mr. President, that Colombian troops moving could have hostile intent to any but those who were hostile to her. As I now understand the Senator from Massachusetts, the armed forces of the United States were sent within the territory of a friendly nation to prevent the troops of that friendly nation from interfering with a hostile intent, with an insurrection in that friendly nation. That is the declaration, as I understand it, of the Senator from Massachusetts, and that is this matter as I apprehend it.

Mr. LODGE. The Senator does not quite state me. I do not desire to interrupt the Senator, but he does not quite——

Mr. DANIEL. I shall be very glad to hear the Senator's statement.

Mr. LODGE. My statement is that they were landed to protect American property and citizens and the transit, and maintain the peaceful transit over the Isthmus. In so doing they operated equally against the Government and insurgent troops. I think that is the whole case.

Mr. DANIEL. In so doing they stepped between two lines of battle and commanded the peace between a friendly government that then had her minister at the capital of the United States and a little insurrection which was noticed by this country in official dispatches a day before it took place.

Now, then, to that I address myself, and I will cite again the Secretaries of State, who were placed by the Republican party of this country in that high station, to illuminate this very matter, and who have declared the law to be that which I now confirm it to be, in my own opinion, and who, in my humble opinion, no constitutional or international lawyer of repute in his profession can dissent from as to its integrity, its justice, its clearness, or its properly meeting the issue.

I read again, in answer to the Senator from Ohio, from Mr. Fish. He says:

This Department deems it important, in the interest of general commerce, and especially of the carrying trade of that route, that these disturbances [illegible] Colombian Government [illegible]

When the Government of Colombia was marching its troops to suppress a local insurrection, and, as we have the right to assume, as there is no suggestion to the contrary, to protect its interests in and to defend that transit, the United States held before them a line of battle and warned them off.

I will read, Mr. President, from William M. Evarts, of New York, Secretary of State. He is addressing himself to the very point upon which the Senator from Ohio has challenged this side of the Chamber. I will permit him to give his answer:

But it was not [illegible] thirty-fifth article of the treaty of [illegible] treaty of the before-mentioned [illegible] engaged themselves to "also guarantee in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory."

How is it, Mr. President, that from Loomis, from Varilla, and

from all the diplomatic and Senatorial expounders of this treaty we hear nothing but one side of the question, and that nothing is said about another guaranty that is in this treaty, given in consideration of the very right of transit to American troops and persons passing across that Isthmus? Mr. Evarts calls attention to it and makes the reminder that we have guaranteed in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory, and it is not debated that Colombia is in that respect her successor. Now, his conclusion:

While, therefore, the United States have perfect confidence in these representations [illegible] public and interest [illegible] both the [illegible] government of Colombia and such as [illegible] of our treaty guaranty; and this Government feels that it is not unreasonable in expecting that any concession [illegible] of joint consideration [illegible] without a preliminary agreement [illegible] Colombia and the United States as to [illegible] treaty stipulations.

In answer to the query which the Senator from Maine [Mr. HALE] made to the Senator from Ohio [Mr. FORAKER], I beg to read a few lines from a distinguished publicist from his own State. It was no less than the brilliant and able James G. Blaine. He wrote in 1881 as follows:

The United States recognizes a proper guaranty of neutrality as essential to the construction and successful operation of any highway across the Isthmus of Panama. And in the [illegible] was taken by the Government that it declared respect to be its premises. The necessity was foreseen [illegible] long in advance of any possible call for the [illegible] power.

In 1846—

He adds—

In 1846 a memorable and important treaty was negotiated and signed between the United States of America and the Republic of New Granada, now the United States of Colombia. In the thirty-fifth article of that treaty in which [illegible] to the United States we guaranteed [illegible] the perfect neutrality of the Isthmus and of [illegible] that might be constructed upon or over it for the maintenance of free transit from sea to sea—

Then he says—

and we also guaranteed the rights of sovereignty and property of the United States of Colombia over the territory of the Isthmus as included within the borders of the State of Panama.

Mr. President, on the 2d day of November, 1903, we were in complete peace with the friendly Government of Colombia. If she had committed any unfriendly act toward this Government, Congress had not been apprised thereof by any Executive message. At that time, while this treaty was extant under which we stood before the world and guaranteed to that Republic the sovereignty of her territory, we sent armed troops into that territory, not to suppress an insurrection, but to prevent that friendly Government from exercising the highest necessary right of sovereignty—to defend itself.

Now, Mr. President, this is a painful subject to me. Allusions to Democratic party and to Republican party have been made on both sides of this Chamber. I wish to say for myself that there never has been a Democratic President of the United States or a Democratic party in this country that was strong enough to make me support this procedure. It has been my fortune, or misfortune, in politics some time to disagree with the Administration of my own party. It has also been my misfortune, or fortune, as you may look at it, to disagree with the leaders of my party. If the party of Mr. Bryan and Mr. Cleveland and of Mr. Cleveland's predecessors in office, from George Washington to this time, were to propose such things as are now proposed to a body of which I was a member, I would not sustain them; and while we are seeking to make the noblest example of a free, just, and honorable nation before the world, they ought not, in my judgment, to be sustained by any man, to whatsoever party he belongs.

The PRESIDENT pro tempore. The Chair lays before the Senate, under the rule, the General Order, which will be stated.

The SECRETARY. Order of Business No. 12, Senate resolution 27, by Mr. PENROSE, instructing the Committee on Post-Offices and Post-Roads to direct the Postmaster-General to send to the committee all papers connected with the recent investigation of his Department, etc.

Mr. HALE. I had intended to submit some remarks, not much extended, on the Post-Office resolutions this morning, but they evidently will not be reached to-day, and I ask that they all go over until to-morrow morning, to be called up after the routine morning business.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the resolutions known as the Post-Office resolutions may go over until to-morrow morning, to be called up immediately after the routine morning business. Is there objection? The Chair hears none, and it is so ordered.

Mr. SPOONER. This matter is still under consideration, I suppose, only by unanimous consent.

The PRESIDENT pro tempore. It can only be under consideration by unanimous consent, for there is nothing pending before the Senate except the first bill on the Calendar of General Orders.

Mr. HALE. I do not suppose, as debate has gone on by unanimous consent so far, that any Senator will now object to other Senators discussing it.

Mr. DANIEL. Certainly not.

Mr. SPOONER. Mr. President, I do not intend to discuss at this time the general subject or the rights and duties of the United States under the treaty of 1846. Later I intend to ask the Senate to permit me to discuss with some fullness the various propositions which are really involved, as I conceive it, in the subject.

I do not any more doubt the sincerity of the Senator from Georgia [Mr. BACON] and his patriotism than I do my own or that of any other man in the world. I have, and I did it from my heart and without reservation, hitherto had occasion to pay tribute to that Senator for his silence—dignified, manly, and patriotic—in the midst of utterances on that side of the Chamber which could be nothing less than an encouragement to the prolongation of war being waged against the United States. But I can not divest myself of the belief that this resolution in the circumstances is a mischievous one, not possible to be productive of any good to this country or to Colombia, and pregnant with possibilities of danger to both.

The spectacle which we have afforded to the world, Mr. President, must have caused astonishment. We have been debating here for weeks a proposition which the Senate was asked to indorse, declaring that an act of war has been committed by the United States against the Republic of Colombia.

Mr. BACON. This resolution?

Mr. SPOONER. No, sir.

Mr. BACON. Oh, I beg pardon.

Mr. SPOONER. No, sir.

Mr. BACON. Well, I beg pardon.

Mr. SPOONER. A proposition that the United States has committed an act of war against the Republic of Colombia while that Republic has not yet said so, but has been in full diplomatic relations with the United States, and is to-day.

Some things have happened. They are accomplished. The President recognized the Republic of Panama. He received a minister from the Republic of Panama. The great nations of the earth have recognized the Republic of Panama. Nicaragua, Costa Rica, Peru, and Cuba have recognized the Republic of Panama. The Senate has concurred in the action of the President accrediting a minister from the United States, with full diplomatic capacity, to the Republic of Panama. The President has entered into and sent to the Senate—and that has been made public, and I have a right to refer to it—a treaty with the Republic of Panama.

Those things have occurred. They mean something and they have some effect in international law. Some of the steps by which these results have been reached will be criticised. That is the right of Senators; that is the right of the press; that is the right of the people. But those criticisms will be for influence upon our own constituencies, not for effect upon the transaction or the status as it actually exists. The injustice of such criticism will be easily shown.

This resolution can not help, can not overturn. On the contrary, it recognizes the status. It can not do otherwise. Mr. President, than to encourage a hope in Colombia which for the time at least will be disappointed; and I confess my surprise that in the Senate of the United States, made by the Constitution a part of the executive power of the United States so far as our foreign relations are concerned, while those relations are strained with the Government perhaps to the point of breaking, Senators should so confidently assert here that there will be war between the United States and the Republic of Colombia. It is such utterances in the presence of the world, and in the old days of the Senate they would not have been made in the presence of the world, which, in my opinion, tend to cause war.

Mr. MORGAN. Will the Senator allow me?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Alabama?

Mr. SPOONER. Certainly.

Mr. MORGAN. The Senator, in my opinion, has never seen any day at all, no matter how antiquated, in which the truth could not be told in this body.

Mr. SPOONER. Oh, Mr. President, I have seen such days, and so has the Senator from Alabama. I have, during my short and entirely uneventful career in this body, a number of times known a Senator to be interrupted by a motion to go into secret session, which, being seconded, took him off the floor so far as the world was concerned.

Mr. MORGAN. I am not speaking of the galleries; I am talking about the Senate.

Mr. SPOONER. And, Mr. President, that was not because he was speaking what he thought was not true. Many times many of us have thought he was speaking the truth, but it was because

the situation was such that we, a Senate of the United States, a part of the treaty-making power, could not safely for the public interest, which we are here to conserve, say in the presence of the world what we might safely say in the presence of each other.

If there is not a collision, Mr. President, between the Republic of the United States and the Republic of Colombia it will not be the fault of some gentlemen here at home, in my opinion. The question matched to the Senator from Georgia——

Mr. DANIEL. Does the Senator think sending our troops there is having anything to do with it?

Mr. SPOONER. I think it is susceptible of demonstration that our troops are where they have a right to be. That is my [illegible] I think, and I think the statement made by the Senator from Virginia as to the true nature of the transaction, of which he complains, analyzed, is not supported by the documents. I think what he set up was the Administration for and what hereafter begin the [illegible] people of Panama prior to the intervention, the President of the United States to be praised for, I blamed for. I undertake to say, Mr. President, if there had been no treaty of 1846 and a war ship of the United States had been in Panama or Colon under the circumstances, those troops would have been landed and utilized as they were if the Government were in the power [illegible] to be [illegible] [illegible].

This is not a party question. I have never called it a party question. I have never treated it as a party question. Some questions reach a point where they become national American questions. Mr. President, hardly susceptible of party division. I have never believed for one moment that there would be a division upon this and that upon party lines, and I hope the day never will come when mere partisan politics will creep into the action of this body as a part of the treaty-making power. But the proper time for criticism will come. That time will be when it [illegible] no danger of [illegible].

Mr. President, it is worse than useless, it is dangerous, in my opinion, and I speak only for myself, to impeach the honor of the Government—the Administration, I will say, in this environment.

I am not going at large into this subject. I hope the Senator from Georgia [Mr. BACON] will allow the resolution to be voted upon and voted upon now. If Senators on the other side want to make a sharp issue they can easily make it. When I say "Senators on the other side," I do not mean all Senators on the other side; I mean the Senators who feel so intensely upon this subject—and I do not dispute the sincerity of any of my colleagues—can make it. They can propose that there shall be undone what has been done. They can have from Houses to adopt a resolution that it is the sense of Congress that the President withdraw the war ships and withdraw the marines from Panama, or, if such as are needed to protect the more rapid and free transit of the passage of cars and locomotives, and to interpose no obstacle to the overthrow of that republic and to the reestablishment of the old—I will call it—sovereignty of Colombia. That is the logical result of these contentions; that is the only way to right this wrong, as some Senators consider it a wrong.

Of course, Mr. President, I think such a resolution would receive very few votes in the presence of the American people. North or South, and the people South and the people North on questions like this are alike. I doubt if on such a resolution Senators on the other side, who speak with such intensity—feeling, of course, just as they speak—would give the votes, and vote for it.

Mr. President, what was done at Panama? Did the United States, prior to the insurrection, prevent Colombia from landing her troops there to repress disorder? It has been assumed from those papers that we did. The record shows to the contrary. As I understand it, all the troops which Colombia prior to the recognition by this Government of the Republic of Panama sent to that Isthmus to repress disorder landed upon that Isthmus without let or hindrance from the Government of the United States.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Always.

Mr. CARMACK. Were not orders given, however, to our naval commanders to prevent the landing of Colombian troops?

Mr. SPOONER. Do you mean before the recognition of the Republic?

Mr. CARMACK. Yes, sir.

Mr. SPOONER. I will speak about that, but that is sticking in the bark.

Mr. CARMACK. I do not think so.

Mr. SPOONER. Well, then, I must be wrong.

Mr. CARMACK. Why, of course you are. [Laughter.]

Mr. SPOONER. But I think that is sticking in the bark. I do not think that the people of the United States will try and judge the Administration—and when I use that word I do not speak as a Republican—on the language of a cablegram sent, not to Colombia or to the world, but to one of our naval officers. It will be judged, as it ought to be judged, by what was done, not by what was written. But what was written, Mr. President?

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield?

Mr. SPOONER. Yes.

Mr. CARMACK. If the Senator is going to read that, I will not interrupt him.

Mr. SPOONER. Going to read what?

Mr. CARMACK. Going to read what was written.

Mr. SPOONER. Of course I am going to read what was written.

Mr. CARMACK. Then I hope the Senator will read it.

Mr. SPOONER. I am not afraid of what was written.

Mr. CARMACK. Of course, we all know that.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. SPOONER. Always.

Mr. TELLER. We all know the Senator from Wisconsin is not afraid of anything.

Mr. SPOONER. I did not quite [illegible] that.

Mr. CARMACK. We do not accuse him of being afraid of anything.

Mr. SPOONER. I did not mean that. The Senator knows that I was not [illegible] to or vouching my personal courage at all. I mean I have [illegible] nothing in this language that I have occasion to be afraid to read. The Senator knows what I mean.

[illegible] him:

Maintain free and uninterrupted transit.

That [illegible] objects to. My friend from Virginia [Mr. DANIEL] has got it pretty [illegible].

If interruption is threatened by armed force, occupy—

What?

Mr. DANIEL. That was not our duty under the treaty.

Mr. SPOONER. Mr. President, [illegible] under the treaty [illegible] any treaty in view of the fact that it was in Alsatia, [illegible] which was partly owned by Alsatians [illegible] if there had been no treaty our right to protect our property, to prevent [illegible] of that property [illegible] would have been a perfect right.

If [illegible] is threatened by armed force, occupy the line of railroad. Prevent [illegible] any armed force with hostile [illegible].

I agree with the Senator from Virginia that this did not mean [illegible] Lowell [illegible] government or insurgent.

[illegible] not [illegible] that [illegible] military operations between Colombia and the inhabitants of Panama; or, if you please, the insurrectionists. Colombia had guaranteed the freedom of transit, and we had made certain guarantees also. If Colombia failed in her guarantee, her duty, her business to discharge it gave us a right to protect that transit, or the whole treaty stipulations was an empty and useless thing.

It was the duty of Colombia, with the warnings she had had as to the sentiment and purpose on the Isthmus to investigate, suppress that disorder by sending a force [illegible] to discharge her guaranty; and if she failed to do it until [illegible] had been strengthened [illegible] on the other side as would lead inevitably, when she undertook to do it, to war on the line of transit, the United States, in that failure of treaty duty by Colombia, had not only the right but the duty to say, "You shall not fight on this line of railway; you shall not interrupt by military operations this right of transit or the facilities for it."

Mr. DANIEL. Or "within 50 miles of Panama."

Mr. SPOONER. Or within 50 miles. I would not perhaps have put that in the cablegram, but it is there, and there is some sense in it, too, because the Senator must admit that there could have been prevented there except at Colon, Panama, or the intervening territory. That would have been the theater of the fight inevitably, and that, because of the tardiness of Colombia in preparation, gave the United States some rights which, under ordinary circumstances, it might not possess. Criticise this cablegram or the officer, if you choose. I care not now to say more about that.

Colombia did not receive that cablegram or know of it; nor did the officer receive it to whom it was sent, or know of it. The officer did not receive it, Mr. President, until the 3d day of November at about 10.30 o'clock, and before that time a Colombian force had arrived at Colon with 400 troops, sent by Colombia to repress disorder on the Isthmus, and they were permitted by this level-headed officer, acting entirely on his own responsibility and the precedents, to land, and they did land at Colon,

and their generals—for they had two or more general officers with this army of 400 men—proceeded by rail to Panama, where they were arrested by the insurgents and thrown into prison. That gave Colombia, the papers show, about 500 men on the Isthmus.

Now, how did the marines happen to land? The Senator from Virginia spoke about a battle line. I do not find the battle line we drew. The officer who commanded the *Nashville* has told that story.

There was not an American soldier, Mr. President, on shore when the Colombian troops landed, so far as these papers show, and there was but one war ship in the harbor, and that was the *Nashville*. Let me read this:

U. S. S. NASHVILLE, THIRD RATE—

One of the smaller ships—

Colon, U. S. Colombia, November 3, 1903.

Pending a complete report [illegible] to the Department [illegible] November 4, which [illegible] the making of war—

Not by the United States against Colombia—

the making of war against the United States by the officer in command of the Colombian troops in Colon.

Mr. TELLER. That is the officer's idea of war.

Mr. SPOONER. Wait and see what it was.

At 1 o'clock p. m. on that date—

Does the Senator from Colorado dispute the right and duty of the commander of the *Nashville* to land those marines under the circumstances detailed by him, and to use them as he did?

Mr. TELLER. No, Mr. President, I have not; but I do dispute the statement he makes that any act of the Colombian Government was an act of war against the United States.

Mr. SPOONER. That was a mere opinion. That might have been repudiated by Colombia.

Mr. TELLER. The Senator is putting that forward to show we did not begin the war, but that Colombia did. There is no war at the present time on the transit.

Mr. SPOONER. I am not disputing that. I am only reading this report in which that occurred.

At 1 o'clock p. m. on that date I was [illegible] by a proclamation [illegible] United States [illegible] Colombian [illegible] prefect of Colon, [illegible] Tobal and Amaya, who had been seized in Panama on the evening of the 3d of November by the Independents—

Not by us—

and held as prisoners, were not released by 2 o'clock p. m., he (Torres) would [illegible] and every United States person in the [illegible] were responsible. I [illegible] put into a state for defense, [illegible] armed men, with extra arms for [illegible] the condition of the ship would permit. This was [illegible] I immediately [illegible] on board, leaving at 1.15 p. m. The order for landing was immediately given, and at 1.30 p. m. the boats left the ship with a party of forty-two men—

Think of it—forty-two marines—

[illegible] command of Lieut. Commander H. M. Witzel, with Midshipman J. P. [illegible] to Mr. Witzel to take the building above referred to, to put it into the best state of defense possible, and protect the lives of the citizens assembled there—

Right on the line of transit, in one of the railway buildings on the line of transit, filled with American citizens, some foreigners, and women and children, who, frightened, had fled to that place for protection under the flag of the United States against the threat of the Colombian officer—

not firing unless fired upon, etc.

Can any man justly criticise the action of that officer under the circumstances? Is there a government in the world that would not have cashiered an officer if in that situation, treaty or no treaty, he had failed to respond to that call? Whether the call was justified or not, it was sufficient to him. It is the duty of a government to protect its citizens all over the world when they are in the right, and that is what this officer did, and that is all he did.

I do not intend to take the time to refer to what transpired there between these 42 marines barricaded in the railway building, one of its freight houses on the line of transit, and to the demonstration made there against them by the 400 Colombian troops. Those 42 marines did not drive out the 400 Colombian soldiers, but they left.

Mr. MORGAN. They were bought out.

Mr. SPOONER. The Senator says they were bought out. That is legitimate for a revolutionary junta.

Mr. MORGAN. That is the fact, though.

Mr. SPOONER. I do not know whether it is a fact or not, but Senators can not ask us to be affected at all in our judgment upon this transaction, nor could the President be, upon what was done by the insurrectionists or revolutionists in bringing about, without bloodshed, their independence. God knows, Mr. President, if ever there was a people in the world who were entitled to relief from tyranny, blackmail, extortion, neglect, and outrage, the people of the Department of Panama were, and I do not know a Senator on the other side who, if he had been a Panamanian—if that is the proper pronunciation——

Mr. MORGAN. Panamaniac. [Laughter.]

Mr. SPOONER. Who would not have been an insurrectionist? They were not Panamaniacs; they were men. Mr. President, who wanted to be free and to have once again a government of their own. They wanted the open way to health, prosperity, and happiness in the future. They were not willing to have the door of hope, and the only hope to that people, barred forever as Bogota. They were not maniacs for that. Panamaniacs are not all confined to Panama. [Laughter.]

All I intended to say, Mr. President, I have said, but I can not see for the life of me, whatever you may say about a condition which was not received, I do not see how the United States, represented by that official, can be criticised for what was done in the landing of the marines, and I do not see that this Government is to be criticised for anything that was done prior to the declaration of independence and the recognition of that independence by the United States. What has been done since then, Mr. President, I shall undertake to justify upon principles of international law, upon reason, and upon precedent on another occasion. I rose mainly to say that I can not in this situation see what good purpose this resolution can accomplish, and to express the hope that we may have a vote upon it.

Mr. TELLER. Mr. President, I am not going to discuss the Panama question. The issue made here to-day was on the resolution offered by the Senator from Georgia [Mr. BACON]. Now, it is asserted that that is a dangerous resolution; it is asserted that it is one which the Senate has not any right to pass, and, if it had a right to pass it, that this is an inopportune time to pass it.

I propose to say a few words about the resolution, but I am not going to raise or argue questions of law with the Senator from Wisconsin [Mr. SPOONER]. I think he and I would agree on most propositions of that kind, although I can not agree with him when he says the Senate is part of the executive department of the Government.

Mr. SPOONER. I said its treaty-making power is.

Mr. TELLER. No; not even that. I am not going to argue that, but I want simply to say that the best authorities in the world have declared—though, of course, this being a sui generis case, there is no other, and you can not apply to it precedents obtained anywhere else—that the relation of the Senate to the Executive, so far as the treaty-making power is concerned, is that of a legislative body and not that of an executive body.

Mr. SPOONER. What about the confirmation of appointments? Is not that executive?

Mr. TELLER. That is not executive, either. That is sui generis, as I say, unlike anything else in the world. It does not to be determined to be either executive or legislative. John Adams, Madison, and other fathers of the Republic declared that the relation of the Senate to treaties was legislative, and not executive. But, Mr. President, I do not care to go into that question. I merely wanted to enter a caveat to that proposition.

Let us see, first, whether this is a resolution which is proper to come before this Senate or whether the Senator from Georgia [Mr. BACON], for whose good faith the Senator from Wisconsin [Mr. SPOONER] vouches, has simply made a mistake. What does this resolution propose? Does it propose any direction to the President of the United States? Not at all. Does it invade the right of the Executive in any way by directing him to do this or not to do that? Not at all. It is a suggestion proposed to be made by the Senate of the United States to the executive department of the Government.

I do not know but that in these modern times we shall abdicate and abandon the right of this body to make suggestions to the executive department; but in some cases we have the unquestioned right to direct the executive department.

Mr. President, if any Senator will take the pains to spend a little time in looking over the history of the country with relation to the executive and to this, the legislative, branch of the Government, he will find that the Presidents of the United States have recognized beyond question the right of this body to make suggestions. When Polk was President of the United States on more that one occasion he took the opinion of this body. You can find in the records of the country that he in detail wrote out and sent here a statement, and said, "I wish to consult the Senate as to whether it would be proper and wise to make a treaty on the following lines."

What does this resolution provide? Not that the President shall make a treaty, but that it is the judgment of the Senate

that it would be wise to make a treaty. Is there anybody here who will say under the condition existing that it would not be wise for us to make some kind of treaty with Colombia that would satisfy the Colombians that we do not intend any violence to them? Does anybody believe that it would not be a wise thing for us to make a treaty of some kind, if it could be done without too great sacrifice, to convince all the South American republics that we have not any desire to invade their rights? I do not know whether a treaty could be made with Colombia that would be consistent with the present condition of affairs. I know very well as the Senator from Wisconsin has said, that what has been done is not going to be undone, and there is no suggestion in the resolution under discussion that anything that has been done is to be undone.

What is the suggestion? To make a treaty that must come here for our approval, and if we will approve it that will compromise and settle all the controversy between us and Colombia.

But if Colombia is not in a proper of mind, or if we are not in a frame of mind, to make a treaty, then what is to be done under this resolution? We are to do what the whole world has been saying ought to be done in national controversies—refer it to the arbitration of the great tribunal at The Hague or a special tribunal to be arranged by Colombia and our Government.

Mr. President, where is the vice in that? Where is the insult to the majesty, to the executive department, of this Government? Where is a violation of any of the decencies and proprieties of this body?

It is not very likely, if we should make an effort to accommodate affairs with Colombia, that Colombia would ask us to return Panama to her embrace. I am morally certain, so far as the executive department of the Government is concerned, and I am equally certain as to the dominant party in this Chamber, that that would be a hopeless effort, and Colombia must know that by this time. Colombia has received from the executive branch of the Government a denial of any attempt to consider even her complaints against us.

I am sorry the Senator from Ohio [Mr. FORAKER] is not in the Chamber, because I wanted to say some things that I shall omit. The Senator from Ohio, with a great deal of zeal and assurance, stands up here and says there is not anything wrong in any act. Mr. President, suppose we should all say there is not any wrong act. Suppose everyone of us admitted that to be the fact now, which, for one, I am not inclined to do. When I shall get the floor with time, I shall try to demonstrate that these acts we complain of are infringements of the rights of Colombia, and not demanded of us by any treaty or by any law of the civilized world. However, I shall not attempt to do that now.

But suppose we were of the opinion that there was no offense. Colombia believes that there is. The entire South American people believes there is. There is not a republic on the American continent that does not feel affronted at our conduct. Although this great nation of ours might feel strong and self-reliant in our ideas that we were right, is it beneath our dignity that we should say to the offended people, "We will submit this question to the arbitration provided by that great conference which was held in Europe a few years ago?"

I say, Mr. President, that we did not accept the treaty made with Great Britain as to arbitration, and it has been repeatedly said that we were opposed to arbitration. What stood in the way of that treaty was a constitutional provision which was ignored in the treaty, that this Senate had the right to pass upon every treaty of every kind and every character that was made by the Government of the United States. That provision was not in that treaty.

The Senator from Ohio asks, "Who says there is any wrong?" "What Senator is going to point it out?" If the Senator was here, I would say something about the manner in which he addresses us on that subject. He is not here, and I shall pass that by.

On the 11th day of November, in this body, one of the oldest and most respected members of it, a man whose thorough competency to discuss here or anywhere in the world a question of international law anybody will deny, did discuss this question and did indicate as plainly as his words could do that he thought there had been a wrong perpetrated against the people of Colombia.

I know the public press said that the senior Senator from Ohio [Mr. FORAKER] administered to him a stinging rebuke because of his lack of loyalty to his party, but I doubt very much whether it changed that illustrious Senator's views upon this question. The Senator from Ohio knew that the Senator from Alabama [Mr. MORGAN] had taken the floor and discussed the question for a considerable length of time to show that this was not a proper and right thing for us to do.

The morning paper has given us an account of a meeting up at New Haven and of a petition that is to be sent here to be presented by the senior Senator from Massachusetts when he arrives.

Mr. MORGAN. Here is the statement of it.

Mr. TELLER. I have it right here. For the Senator from Ohio to assume that there is nobody complaining of this transaction is not to be quite tolerated without at least a reply. The Senator may think that everything that has been done has been done correctly and properly. He knows very well that many Senators in this Chamber do not think so. Of course they may be wrong and he may be right. They may be prejudiced by their political associations, he thinks. He may be prejudiced by his political association. I have yet to learn that the Senators who sit on the other side of the Chamber are any better qualified to judge upon a question of conscience and morals than those who sit on this side; and I have yet to learn that we who sit on this side of the Chamber are to govern our judgment according to theirs or that of the Executive.

When I read, as I shall do now, this statement from New Haven, there is not anybody here but will recognize that this is a question of more than ordinary political consideration. The men who met at New Haven are men who are entitled to discuss questions of this kind by virtue of their training and by virtue of their ability in the line of international law.

Twenty prominent citizens—

Says the paper—

Twenty prominent citizens of New Haven, headed by Prof. Theodore S. Woolsey, professor of international law at Yale University, have signed and forwarded to Senator George F. Hoar a petition asserting that the Senate under the leadership of the Bay Bunau-Varilla treaty, and that the Government [illegible] Panama be asked to make full investigation.

Among the signers of the petition are Frank A. Carter, formerly president of Williams College; Henry Wade Rogers, dean of the Yale Law School; Frank K. Sanborn, dean of the Yale University School; Profs. William G. Sumner and John C. Schwab, of the department of political economy at Yale; Secretary C. A. Lindsley, of the State board of health; the Rev. Dr. Newman Smyth; the Rev. Washington L. Phillips, and Thomas Hooker, members of the board of school visitors, and Samuel L. Brown, formerly a Democratic candidate for governor of the State.

After declaring that there is a recognized body of law which ought to govern the conduct of nations, the petition says [illegible] that a belief has arisen in the minds of many in this country and abroad [illegible] the United States of Colombia we have violated and are [illegible] to violate the rules of international law, and that we are adopting a line of conduct toward that country which we would not have taken against a stronger power."

Mr. President, that is an indictment from a source that can not be cried down. The enthusiasm and the energy of the Senator from Ohio had better be directed somewhat to this class of people in the United States if he hopes to quiet this complaint that is so generally rife.

The petition further says that the fact of Colombia's comparative weakness should make us the more careful to avoid the suspicion that we are making [illegible] our greater power; that the mere existence of such a [illegible] and deliberately investigated to the end [illegible] that the Republic may do no wrong, but that its good reputation in [illegible], which is dearer than any gain of lands or trade, should suffer no loss."

Mr. President, that is all I care to read, because that is all really that is pertinent. There are some other things that I leave out.

Mr. President, it will not do for the Senator from Ohio or the Senator from Wisconsin or anybody else to say that when that class of men enter their protest here it is not entitled to consideration, and it will not do for them to say that it is inciting to war. Nor is it reasonable for them to say that of a proposition of this kind made in the American Senate for a treaty that might arrange difficulties between Colombia and ourselves or which provides that in case of the inability to secure such a treaty the controversy between Colombia and ourselves shall be submitted to arbitration.

Mr. President, everybody knows there is a controversy. Everybody knows that the world believes we have gone beyond that which is justified by the law of nations. That the President felt that he had gone beyond what he felt the treaty required is shown by the fact that he not only put it partly under the treaty, but partly under the law of nations, which he has applied, and stated that it was in the interest of civilization that these movements had been made.

Mr. President, the Senator from Wisconsin [Mr. SPOONER] says that it is not an act of war on the part of the President of the United States. The Senator from Wisconsin is an international lawyer of whose ability I have a great opinion, but I believe that his anxiety to shield the Administration with which he is connected colors his views on this subject. I understand it to be an unquestioned principle of international law (I have never known it questioned in the books) that the recognition of a seceding government by another government with intervention at the same time was an act of war. I know it is not an act of war to recognize a government, even although it is unduly and improperly done; but if it is done with an act of intervention in favor of the rebels or the insurrectionists it is by all the authorities in this country and everywhere else an act of war.

If there is not an act of war between Colombia and the United States, it is because Colombia knew that she was not able to cope with us. Does any citizen believe if that had been done with reference to Great Britain there would not have been an active and vigorous war? Could we have done it to France, to Spain even, to Russia?

Oh, no, Mr. President, you can do with impunity with a baby what you dare not do sometimes with a man. When these citizens of New England come here and express the opinion that we have done with Colombia what we would not have done with the great powers of the world they express the opinion that is prevalent everywhere in the United States.

I do not care whether a man defends the action of the President or whether he criticises it, everybody knows that we would not have performed that act had even Canada, a country that we would like to have in our embrace and as a part of our territory, seceded from Great Britain. Does anyone believe we would have said: "We can not afford to have a war on our borders, and in the interest of civilization, in the interest of peace, commerce, and trade, we will say to Great Britain, Keep your hands off of Canada?" Does anybody believe she would have kept her hands off? But we would have been very far from making that suggestion even if conditions had been as they were down there in the Panama country.

Mr. President, I do not know what will be the result of this resolution, whether to-morrow we shall have a motion to lay it on the table, so that we may not vote on it, or whether it will go to the committee.

I submit that as an orderly, decent procedure this resolution should properly go to that committee, and if there is anything objectionable in it, if there is anything reflecting upon the President, if there is any assumption of facts that do not exist, it is then for the committee to arrange it in such a shape as that it shall be unobjectionable in that particular.

There is not a single controverted fact mentioned in the resolution. It is admitted here on this floor to-day. Let me read it:

Growing out of the recent revolution in Panama and the consequent secession of Panama from Colombia and the alleged aid and assistance by the land and naval power of the United States in the successful accomplishment of said revolution and secession.

Now, Mr. President, is that offensive? If so, the committee can readily put it in words that are not offensive. Everybody knows that Colombia is complaining of our action there. As I said before, although we may justify it as a nation, and suppose that all, every man, woman, and child in the nation, justified it, is it beneath our dignity to say to Colombia, "We do not think you have any right to complain, but if you have, you will submit it to the judgment of the tribunal at The Hague, or, if you prefer, to such a tribunal as we may select?"

Mr. President, there would never be any arbitration if both sides had to prove their case beforehand. One side will always assert that it is right and the other will assert that the other is wrong. That is all there is in this resolution. Colombia says that she has an offense against us, that we have treated her improperly. She may say that she does not want to go to war. We know that she can not.

The very fact that Colombia can not go to war ought to appeal to every generous-hearted man in the country to give her an opportunity to show before the world that she has been wronged, and [illegible] to fix what shall be the compensation that she shall receive. I say that every man who is a lover of his country and who is not a lover simply because of her great strength, who does not think of her many millions of wealth, who does not think of her great Army and her great Navy, but thinks of her honor—every such a man ought to wish and hope and work and do his best to see that this question is put where we can be righted if we are right and where we can make atonement if we are wrong.

Mr. BACON. Mr. President, I had intended to reply to the criticisms of the Senator from Massachusetts [Mr. LODGE] and those of the Senator from Wisconsin [Mr. SPOONER]. The resolutions, I thought, were conservative in their character and calculated to effect the very opposite of the opinions which the Senator from Massachusetts and the Senator from Wisconsin anticipate would be effected. The suggestion on my part was to have a reference to the Committee on Foreign Relations, for I had every reason to believe it would receive careful attention, such as the committee always gives to matters before it. In response to that suggestion, the Senator from Massachusetts proposed to treat the resolution with indignity, casting it out even without a reference, and the Senator from Wisconsin, though in very kindly terms, seconds the Senator from Massachusetts, not exactly in the main, but in the ground upon which he predicates it.

I had designed to say something in reply to those Senators, not for the purpose of controversy, but in the hope that I might convince them that the resolution was not entitled to be treated with such indignity and that it was not liable to the criticisms which were bestowed upon it by these two distinguished Senators. But official business doubtless has demanded the absence of those Senators from the Chamber, and I do not feel like proceeding in their absence. Consequently I will forbear, with the hope that on to-morrow I may have at least the courtesy of the opportunity to reply to what they have said.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. CARMACK. I hope the Senator will withdraw that motion for just a moment.

Mr. CULLOM. I withdraw it at the request of the Senator from Tennessee.

Mr. CARMACK. Just for a moment.

The PRESIDING OFFICER (Mr. PETTUS in the chair.). Does the Senator from Illinois yield?

Mr. CULLOM. I yield to the Senator from Tennessee for the purpose indicated.

Mr. CARMACK. The Senator from Illinois, the chairman of the Committee on Foreign Relations, now being present, I hope when this matter comes up on to-morrow no motion will be made to cut off debate. I desire myself, if I can have the opportunity, to address the Senate on this question.

I shall get the opportunity, sooner or later, I know, but I should like to have an opportunity to-morrow, if possible, to say what I have to say upon the resolution. I would be glad to know that no motion will be made that will cut off debate.

Mr. CULLOM. I have no authority to determine that question. I was not in the Senate when the resolution was introduced by the Senator from Georgia, and I have had very little opportunity, as a matter of fact, to see exactly what its terms are. Objection being made to its further consideration to-day, it went over until to-morrow, or the resolution will go over.

Mr. HALE. It has gone over.

Mr. CULLOM. It has already gone over, and it has been over for a couple of hours perhaps. The resolution will doubtless come up to-morrow, and while I make no agreement about the matter, because I do not feel that I have the right to do so, I suppose that reasonable debate will be allowed. But I hope also that we may dispose of the resolution to-morrow at some time and get rid of it either by a reference or by an actual vote upon the resolution.

Mr. BACON. I wanted to have it referred without debate.

Mr. CARMACK. I have no doubt about that, but I think it is just as well to have debate on it as anything else.

Mr. TELLER. I wish to suggest to the chairman of the Committee on Foreign Relations that the resolution having been discussed at considerable length by the opponents of it, certainly they ought not to cut off anybody on this side. I did not myself care to go into the general discussion of the Panama question, which I intend to do at another time. I confined myself, as the Senator knows, to the resolution and its bearing.

I wish to say to the chairman that nothing will be gained by an attempt to crowd the resolution to a vote. I have no objection to voting on it. I did object to it. I did not know enough about the resolution this morning to vote for it. I can vote for it very cheerfully now. I am not expecting to debate it any further, but if we are cut off on this side from an opportunity to debate it we certainly know how to get an opportunity to debate any question in the Senate that we want to debate, and nothing will be gained by anyone moving to lay it on the table before the debate has taken place.

Mr. CULLOM. The purport of my remarks was that I hoped we would vote upon the resolution itself, after a reasonable discussion to-morrow, and pass upon the question whether——

Mr. TELLER. We will, if nobody wishes to discuss it longer.

Mr. CULLOM. I am ready to vote on it myself at any moment.

Mr. TELLER. You will not, if anyone wants to discuss it.

Mr. CULLOM. The suggestion is made by my distinguished friend from Colorado that we know how to do things in the Senate. There has been evidence enough of that without repeating it in the Senate, it seems to me, in direct terms. It has so happened that it has become the fact that it is almost impossible to do anything in the Senate except by unanimous consent, and I think the time has pretty nearly come when we have got to change our programme if we want to legislate for the country.

Mr. HALE. I hope the Senator will not say that.

Mr. CULLOM. I do say it, and believe it.

Mr. BACON. I should like to have the distinguished Senator state what particular measure has failed in the Senate by reason of debate.

Mr. CULLOM. I am not prepared to say just what measure has failed, but we all know that discussion goes on and on almost

forever before we can get to the point of finally disposing of a measure whatever it may be. I am the last man, as I think the Senate knows, to undertake any gag rule or any intrigue to carry a measure through or get rid of it. I have always been disposed to be fair, and I think I feel that way now. At the same time I do not think there is any occasion for the announcement that we will find a way to do this thing or that thing or the other thing. Of course we will find a way.

Mr. BACON. I merely wish to say, as the Senator is not prepared to answer my inquiry——

The PRESIDING OFFICER. The Senator from Georgia is not in order.

Mr. BACON. Will the Senator permit me?

Mr. CULLOM. With pleasure.

The PRESIDING OFFICER. But the Senator from Georgia must get permission of the Chair.

Mr. CULLOM. My pleasure.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. BACON. I ask the Senator from Illinois if he will permit me a single moment.

Mr. CULLOM. Certainly.

Mr. BACON. I simply desired to say, as the Senator was not prepared to answer the inquiry—and he has been here a great deal longer than I have—that during the nine years I have had the honor to serve in this Chamber I have seen but two measures which have been defeated by unlimited debate. One of them was the statehood bill which at the last Congress was defeated by Republicans by unlimited debate, and the other was the river and harbor bill, which was defeated by Senator Carter, also a Republican, by unlimited debate. If there has been any other measure in the nine years which has been defeated by unlimited debate, I challenge the Senator to show what measure it was.

Mr. CULLOM. I am not in the habit of participating in reference to these matters, but we all know that there has seemed to be a disposition on the part of some Senators to debate until almost every Senator, or, at least, by waiting for an opportunity to get a vote.

Mr. HALE. Will the Senator allow me to say a word?

Mr. CULLOM. Certainly.

Mr. HALE. I hope the Senator from Illinois, who is a veteran here, will be able to possess his soul in patience. We have all been through this same trouble that he is in now.

Mr. CULLOM. I am in no trouble whatever.

The PRESIDING OFFICER. The Senator from Illinois is out of order.

Mr. CULLOM. The Senator has misunderstood me.

Mr. HALE. I will substitute the word "felicity" for trouble.

Mr. CULLOM. All right.

Mr. HALE. We have been in the same felicity he is in now. Every now and then when any one of us has a measure that he wants passed and when we have a policy that we think ought to be established we get very impatient and we want a rule and we want a stop-gap. But it has been, as the Senator from Georgia has said, that in the end, out of this way that we have, Senators are accorded to be heard and debate continues, and in the end we pass some thing that we ought to pass.

Mr. TELLER. And some measures we ought not to pass.

Mr. HALE. Occasionally we do, undoubtedly. I should hate to see the day when in neither branch of Congress was there allowed full liberty of debate. I have seen very few instances of what would broadly be called filibustering—delays simply for the purpose of delay. I have been here a long time and I have seen very few instances of that kind. While I expect some time to have some measure that I should like to have put through, according to the general practice of the Senate, I expect to hear it. If I hear a good measure it will go through. In the end the majority with rarest exceptions always has its way in this body, because in the majority of the time comes a point of fatigue, so that they can not afford to be merely obstructing for the sake of obstruction.

They feel that the responsibility is with the majority, and the minority in the end always votes, and we never have any difficulty in a solution, which is a thousand times better than the previous question. A unanimous agreement is made that upon a certain day a vote shall be taken that shall end the matter. That is the history of the Senate; and now on this occasion, where men have had different views of opinion and want to be heard, and want to be heard at length, I hope the veteran Senator from Illinois will not become a convert of the theory that the Senate had better change its practice and shut off debate.

Mr. ALDRICH. Mr. President——

Mr. TELLER. I wish merely to say a word. I did not mean to charge the Senator from Illinois, which I am afraid I did.

Mr. CULLOM. Not at all.

Mr. TELLER. I am afraid he did not take my statement as I intended it. I did not mean to make any threat or anything of the kind, but meant simply to say to him that any Senator who has been here long knows he can discuss any question he sees fit on any proposition. That practice would enable this question to be discussed, and it might as well be discussed in an orderly manner as in any other way.

Now, I wish to say a word or two more. I agree with the Senator from Maine [Mr. HALE], who has been here for a long time and who has always been an active participant in the affairs of the Senate and a useful and valuable member. I may be allowed to say this in his presence. I agree with that Senator. I know of nothing that ought to have passed that did not pass unless possibly it might have been the statehood bill, in which I was very much interested.

I did not have anything to do with the defeat of the river and harbor bill. I felt all the time that it was a badly arranged and an illy conceived bill, and I had a strong intimation from people in authority that it was very distasteful to the then President of the United States in the form in which it stood. Senator Carter took the floor and defeated it, but if there had been any real sentiment here for the passage of the bill it would have been passed. Senator Carter knew that he was doing what a great number of Senators on this floor were glad to see him do, and I confess I was one of them. That is the kind of measure that is sometimes defeated.

Now, Mr. President, there is one thing that I think is a great deal more dangerous than unlimited debate here, a thing that has attracted the attention of the public to a considerable extent recently, and that is the lack of attention on the part of the Senate when a debate is going on. The other day a Senator here in discussing a question of great and grave importance, and discussing it in a Senatorial way, was compelled to discuss it with three Senators on the Republican side of the Chamber a part of the time and three or four on this side a part of the time.

Once in a while the attendance would rise to the dignity of seven or eight Senators in the Senate, but most of the time during the entire debate there were not to exceed, besides the speaker, three on each side, of whom I happened to be one, because I was interested in the subject of the debate. I was not taking part in the debate, but I was interested in it. Now, that has attracted the attention of the public press in the United States.

Mr. BACON. And properly.

Mr. TELLER. And properly, too. While debate is free here and unlimited, it does not have the attention of Senators when it takes place. But, Mr. President, if it does not, if Senators do not intend to listen, if they make up their minds without hearing the discussion, as a great many people do on all subjects, and make up their minds without any investigation, as a great many people do on general subjects, the public have a right to have somewhere the ideas of the men sent here to represent them preserved and put in a place where they can get them.

So, whether Senators listen or whether they retire to the cloakroom, or go to the Departments, or wherever they may go during the meantime, it is a valuable privilege that a Senator here has a right to put in the RECORD his opinions and his protest if he is against a bill, his argument in favor of it if he is for it. They go into the RECORD, where the people and the public press can comment on them if they see fit. It will be a sorry time for this Republic when you shall limit debate over the only national legislative body that practically professes to be a place where discussion can be had upon the merits or demerits of measures before it.

I wish to say that I did not mean to intimate that there was any disposition to filibuster or anything else. I was unfortunate probably in the term I used.

Mr. ALDRICH. Mr. President, there certainly is no disposition on this question to try to prevent anyone from expressing an opinion. But the unusual character of this resolution is such that it seems to me to demand immediate action, or action as soon as it can possibly be reached, on the part of the Senate. This resolution is understood here. We know that it is a part of the exigencies of a political programme.

Mr. BACON. The Senator is entirely mistaken.

Mr. ALDRICH. The Senator will allow me to have my opinion about it.

Mr. BACON. Yes.

Mr. ALDRICH. We understand here that it can not pass the Senate; that it does not in any respect represent the majority of the Senate or the Senate itself. We understand that; the people of the United States understand it; every Senator understands it.

But, unfortunately, it may be understood otherwise in another quarter. We are in the midst of a very difficult and delicate negotiation with a representative of the State of Colombia, and it may be possible, it may be quite probable from intimations which we have seen in the newspapers, that they will understand there has been some change in the attitude of the Government of the United States, or some change in the sentiment of this body in regard to this matter.

From that point of view and to avoid any possible dangerous consequences to us as a country and to the people of Colombia I say that we should act upon this matter at the earliest possible moment. We should let the people of Colombia and the Government of Columbia understand that the sentiments of this resolution are not the sentiments of the American Senate and of the American people, in my judgment.

Mr. TELLER. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield to the Senator from Colorado?

Mr. ALDRICH. I do.

Mr. TELLER. Is the Senator from Rhode Island in favor of or opposed to submitting this question to arbitration? Is that the objectionable feature of the resolution?

Mr. ALDRICH. The resolution, as I understand it, by indirection, by insinuation, says that the Government of the United States has been guilty of dishonorable conduct——

Mr. TELLER. It does not.

Mr. ALDRICH. If the Senator will permit me, it says by intimation, by insinuation, that the Government of the United States has been guilty of dishonorable conduct in preventing Colombia from asserting her own rights and to her own territory and to part of her own country, and it proposes to submit that question on the part of the United States to arbitration. Is the Senator from Colorado willing to submit to arbitration the question whether the Government of the United States has been guilty of dishonorable practices?

Mr. TELLER. Mr. President, that is not the question here.

Mr. ALDRICH. What is the question?

The PRESIDING OFFICER. Does the Senator from Rhode Island yield?

Mr. ALDRICH. Certainly.

Mr. TELLER. I tried to suggest to the Senate what it was. The Senator was conveniently out of the Chamber, and I do not intend to repeat the argument even for his benefit. But I should like to ask the Senator, if he will permit me, why not send the resolution to the committee and put it in form? If you want to say we do not propose to recognize Colombia as having any offense against us or that we have committed any offense against Colombia, put it in form and bring it in here and let the Senate act on it. Go to the committee. You have the committee. You own it. You have eight to five members.

Mr. ALDRICH. It is not a question of its going to the committee. It is not a question of its coming back here for interminable discussion, as the Senator from Colorado mildly suggests it will be submitted to. That is not the question at all. I say that it will be misunderstood abroad. It is liable to be misunderstood by the representatives of Colombia; and in the interest of the public service and in the interest of the people of this country I say the Senate ought to dispose of it promptly and vote it down, and show those people that those sentiments are not the sentiments which have any hold upon the judgment of either the Senate or the people of the United States.

Mr. BACON. Mr. President, I did not intend to say anything more this afternoon, but the speech of the Senator from Rhode Island probably justifies me in doing so.

I feel very confident in the assertion that the criticisms made by the honorable Senator from Rhode Island and by the Senator from Massachusetts and the Senator from Wisconsin are utterly unwarranted, and I propose in a brief way to analyze the resolution and see whether or not it is entitled to the criticism and to the denunciations which it has received to-day.

The Senator from Colorado pointed out that there is not a single allegation in the resolution as to the fact being the one way or the other. What is the case when there is a dispute between parties? The one side alleges its case and the other side alleges the opposite case, and the effort to submit to some tribunal the decision or the determination of the issue raised by those two opposing statements must always be accompanied by the proposition that there is an issue, that there are conflicting claims. That is the reason why there should be an arbitration or a submission to a tribunal.

Now, Mr. President, what does the resolution assert? It asserts simply that there is a controversy between the United States and Colombia, and we know that to be a fact. It does not say that the case of the United States is the correct case, nor does it say either directly or indirectly that the case of Colombia is the correct case. It merely asserts in the simplest of language the fact that there is a controversy and states what the controversy is. It states the controversy to be this, without assuming that either the one side or the other is correct, because a proposition to submit to a tribunal can not be accompanied by an assertion that one is right and the other is wrong.

The assertion simply is that it is alleged—and who denies that it is alleged?—by Colombia that the United States, by the use of its land and naval forces, prevented it from asserting its authority and maintaining its sovereignty in Panama.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. BACON. I would rather the Senator would let me state the case, and then I will be very happy to yield. I will yield now, however, if the Senator insists.

Mr. ALDRICH. I was going to ask the Senator——

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. BACON. I said I would, sir.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. ALDRICH. The Senator said it appeared that that was the attitude of Colombia. I ask him how it appeared that way? I have seen no official correspondence which showed that.

Mr. BACON. We have not been favored with the official correspondence, but we do know the fact that Colombia has had in this capital city a commissioner or minister, who has been here for the purpose of presenting that case, and we know the fact that there has been a controversy between himself and the representative of this Government in charge of diplomatic matters; and if we are——

Mr. ALDRICH. How do we know that?

Mr. BACON. If we are to rely upon the published account, that negotiation has ended without coming to a satisfactory conclusion.

Now, Mr. President, where is the outrage in simply presenting the fact that here is a controversy which is unsettled and which is liable to lead to trouble? That is all this does. It says that there is this claim on the part of Colombia and that it is liable to lead to war. That is the inference, and in the presentation of it that is the ground upon which it is put. Evidences are brought to the attention of the Senate that there is danger, and who doubts it? The sole purpose of it is not to bring on war, but to prevent war.

Now, what do the distinguished Senators on the other side say? They say that these resolutions are calculated to be misunderstood, and that that misunderstanding is calculated to precipitate war. Let us analyze that for a moment. Here are two parties, the United States on the one hand and Colombia on the other, who are known to all the world to have strained relations at this time.

It is true that the diplomatic relations are kept up, but it is known to every Senator in this Chamber, it is known to all people in the United States who keep informed as to ordinary current affairs, that the relations between the United States and Colombia are strained. The only reason why we are not disturbed about it is that we are so perfectly confident in our gigantic strength and in the feebleness of the other power that we are not alarmed by the fact. That is all there is in it.

Now, Mr. President, I am one of those who believe that we should avoid war with a feeble power as well as with a great power. In what way can a proposition to submit to peaceful arbitration such a controversy be calculated to lead to war? What is the situation? Here is this feeble country maintaining—whether justly so or not, we know such is the fact, believing that it has been unjustly treated. We say, if you please, on the other hand, to that country, you have not been unjustly treated.

Assume for the purpose of this argument that all is true that has been said here to-day by the distinguished Senators on the other side who propose to treat this resolution with such indignity. Assume that everything they say as to the justice of the American cause is absolutely well founded and can not be successfully controverted. Does that change the fact that there is a controversy? Assume that we are absolutely right, and certainly Senators can ask no more than that; assume that every act of the United States Government can be successfully defended. Senators can not ask more than that.

Then, if it be true, on the other side, that the other power does not so think, and that there is liable to be trouble grow out of such a difference of opinion, Senators say that a proposition to compose this difference, of trying to get together in the first place and agreeing about it, is calculated to bring on war.

Why, Mr. President, it is the most remarkable proposition, and yet that is the proposition of Senators. Here is a resolution in accord with the avowed policy of the United States Government, the avowed policy, as it has solemnly declared it, in the great treaty which has been made with most of the leading and a great many of the smaller powers of the earth. What is that? That whenever there is a controversy with another power which is liable to lead to violence that controversy it will attempt to compose. If it can not do so by agreement between themselves, then by submitting it to the arbitrament of others.

Yet Senators stand in this Chamber and solemnly object to a proposition by the great, strong power to a feeble, weak power. "Do not let us have violence; we do not think we have done you a wrong; we think we have done right to you; but you think wrong has been done. Let us get together in a friendly spirit,

talk this matter over, and see if we can not agree about it." Is it too much for a great nation to say, "If we have done you wrong, we will make you recompense?" Is it too much for us, the great power, to say to the weak power, "If we have not done you a wrong, which that fact is ascertained, you must not insist that we have?"

There is nothing more than that. This resolution proposes to advise the President of the United States as to the sentiment of the Senate of the United States, in the first place, that we should endeavor by the method of exchange to agree with Colombia and, in the second place, that if we can not agree we will stand by the declaration which we made in the Great Treaty, and we will endeavor to have other parties adjust this matter for us rather than resort to war and bloodshed. Yet the Senator from Rhode Island [Mr. ALDRICH], in a most emphatic manner, says it is known to everybody that the Senate of the United States does not agree to any such proposition; and the Senator from Rhode Island assents by the nod of his head to what I may say as to his position.

Mr. ALDRICH. I said it was the Senator who proposed it.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Rhode Island?

Mr. BACON. I do.

Mr. ALDRICH. Mr. President, I did not say, as the Senator from Georgia now seems to think I did, that I was opposed to arbitration upon proper conditions. I did say that the Senate of the United States was not in favor of the proposition of the Senator from Georgia.

Mr. BACON. Very well.

Mr. ALDRICH. And I said that as emphatically as I could, because I believe it to be true.

Mr. BACON. Then I want to see whether the proposition is one other than arbitration. What boots it for the Senator to say that he is not opposed to arbitration, but that he is opposed to my particular proposition, if my proposition is simply a proposition for arbitration, and nothing more? How can the Senator reconcile such statements? If my proposition is not a proposition for arbitration, then the Senator may consistently take his position; but if it is simply a proposition for arbitration, then there is no consistency in the position of the honorable Senator.

Mr. ALDRICH. Mr. President ——

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. BACON. I do.

Mr. ALDRICH. I was not undertaking to discuss the merits of the Senator's proposition.

Mr. BACON. Ah! But I am undertaking to do so.

Mr. ALDRICH. There is much more in it than the question of arbitration. I was simply saying that the pendency of the resolution without action would necessarily create trouble for us abroad.

Mr. BACON. Well, if its pendency without action creates trouble abroad, it will simply be because inaction would raise in the minds of this poor, weak power, which, like the worm when tread upon, will turn, the impression that the United States Government does not intend to treat with it, but intends to use its giant power like a brutal giant; and that is the only ground upon which I believe it can have such effect.

Mr. PLATT of Connecticut. Mr. President ——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Connecticut?

Mr. BACON. I do.

Mr. PLATT of Connecticut. I wanted to ask the Senator if he really thought that there was any danger or probability that the Colombian Government was going to war with the United States?

Mr. BACON. Mr. President ——

Mr. PLATT of Connecticut. If the Senator will permit me a moment further ——

Mr. BACON. Certainly.

Mr. PLATT of Connecticut. It seems to me that the Senator's entire proposition is based upon that proposition.

Mr. BACON. It is.

Mr. PLATT of Connecticut. I do not think there is any danger of such a war.

Mr. BACON. I say the resolution is not solely based on that, but principally. I say, Mr. President, that if Colombia is too weak to go to war, if she has nevertheless a controversy, however fixed and determined we may be in the conviction that we are right and that she is wrong, the very great disparity of power, the very fact that we are a giant and she is a pigmy, lays upon us a high obligation to treat with her in a just manner; so that it is not simply, as the Senator says ——

Mr. PLATT of Connecticut rose.

Mr. BACON. I am coming to that, unless the Senator desires to interrupt me still further right now.

Mr. PLATT of Connecticut. It seems to me that the Senator is assuming that Colombia has made some demand upon us, which we have not heard of officially, certainly.

Mr. BACON. Mr. President, I am coming to the particular point that the honorable Senator has come to, whether or not this resolution is predicated upon the danger of war with Colombia. It is true, so far as I know, that there has been made public no demand on the part of Colombia, but so far as general reports can be credited Colombia has sent here an official representative who has made a demand—whether she has made that demand in the nature of an ultimatum or not I am not prepared to say. But there can be no doubt about the fact that Colombia has had a representative here who has presented to this Government the fact that Colombia thinks she has a grievance against this Government.

We all know that fact. No man doubts that fact. The press is full of it every day. There are outgivings of things which must come by some inspiration from those who are in the inner circle and who know of facts which have not been disclosed to us.

But, Mr. President, is it possible that Senators doubt the fact that the failure of the United States to appease Colombia in some way will result in violence?

The newspapers are full of statements made by people who are upon the ground that that country is disturbed; that there is a state of great excitement over this matter; that they feel they have been humiliated; and that even if they accomplish nothing by it, to preserve their honor they must make resistance and not tamely submit.

The dispatch which I had read this morning, from the capital of that country to the Washington Post, stated the feeling was of such a nature that if there was no movement on the part of the Government of Colombia to secure her rights as her people understood them then it would result in internal disintegration of the country; that the people would not support a government which would lie down under such treatment without resistance.

Mr. President, is there any Senator here who believes that Colombia will absolutely, without any resistance whatever, surrender the claim that she has a grievance against the Government of the United States?

Mr. HALE. Mr. President ——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. I do, with pleasure.

Mr. HALE. Assuming what the Senator says, that Colombia will not submit and will inaugurate war, upon what issue, upon what proposition, upon what principle will Colombia inaugurate war upon us? Associated with this question is the fact that it is very lately that we have heard all these protestations and arguments and eloquence in favor of Colombia. We negotiated this treaty ——

Mr. BACON. If the Senator will pardon me, I have not argued anything as to the merits of this case. I have studiously avoided that.

Mr. HALE. I am simply following out what I think is the logical result of the Senator's proposition, that Colombia will be obliged in self-respect to inaugurate war upon us.

I should like the Senator to tell us upon what proposition or upon what principle would Colombia inaugurate war upon us? She has rejected our treaty, made at her instance, made in negotiation with her, giving her every advantage that Panama now claims, and yet she deliberately, in the face of all that, rejecting it, adjourning her Congress, and throwing into our face the conditions that she made? The Senator says she will inaugurate war upon us. Upon what proposition, I ask, will Colombia inaugurate war upon us?

Mr. BACON. Well, Mr. President, I was probably a little unfortunate in the use of my language when I said Colombia would make war upon us. I should possibly have said, make war upon Panama for the purpose of recovering her sovereignty in that territory; and possibly that is an answer to the question of my distinguished friend.

Mr. HALE. But your whole proposition is that the danger ——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. I do, with pleasure.

Mr. HALE. I beg pardon of the Chair. Does the Senator yield to me?

Mr. BACON. I do.

Mr. HALE. The whole proposition is that the danger is not of war, out of which we would be excluded, in which we will have no part, but which will be a war to which we will be a party. We shall not inaugurate war with Colombia. If war comes, it will be the act of Colombia.

Again, I repeat, I wish some Senator on the other side would state the proposition upon which Colombia will take such steps as will result in war with us. I want to avert war. I have said

here and elsewhere that I think that nothing can be so abominable as war. I loathe it; I dread it; I abominate it. I would do almost anything—I would make almost any compromise with Colombia to avoid war. But I can not for the life of me see in the history of this matter where Colombia, in the eyes of the world, has a single shred of ground to stand upon in inaugurating a war that might result in hostility to the United States.

Mr. BACON. Now, if the Senator will permit me to answer his question, I shall endeavor to do so.

The Senator, in response to the suggestion I made, that war would be made by Colombia on Panama, then spoke of that as a war in which we would have no part. Of course, Mr. President, if that were the correct statement of the case, the inquiry of the Senator would be extremely pertinent.

But we all know from the situation, from what we have already done, from the pendency of the treaty, in which there is a distinct guaranty for the independence of the independence of Panama, that war upon Panama means a war on us. Everybody knows that.

But, Mr. President, I do not wish to be led off from the point I am on in this case, and I want the Senate to witness that I have used no argument in this discussion in support of any contention that Colombia is right and that the United States is wrong.

I have scrupulously avoided that. I have uttered no word to the effect that the United States is wrong. I have uttered no word, directly or indirectly, that Colombia is right. I have endeavored carefully, in the drafting of this resolution, to present simply the fact that there is a controversy, without saying who is right or who is wrong. I say it is a controversy which should be composed by agreement, if possible, and, if not by agreement, then by arbitration. That is all there is in it.

Mr. President, the honorable Senator from Rhode Island [Mr. ALDRICH] says that no Senator here is in favor of such a thing.

Mr. ALDRICH. I beg the Senator's pardon.

Mr. BACON. I did not mean to say that. I mean the Senator said the Senate is not in favor of this.

Mr. ALDRICH. Yes; I say the Senate is not in favor of this.

Mr. BACON. Of course he did not say "no Senator," because I am in favor of it, if nobody else is. Of course that was a slip of the tongue. Every Senator, Mr. President, it seems to me, if he could divest himself of any consideration of the particular case before us, would be in favor of it if I have succeeded in doing what I attempted to do. This was simply to present the fact that there is a controversy between the United States and the Republic of Colombia, and that in the presence of that fact there should be an effort at agreement between us, rather than a fight, and that in the failure ——

Mr. ALDRICH rose.

Mr. BACON. If the Senator will pardon me just a moment—and that in the failure of such an agreement we should submit it to arbitration—the point I am coming to, and that is the reason I asked the Senator from Rhode Island to postpone his interruption for a moment, is this: If that is my purpose in these resolutions, is it not a laudable purpose? Can anybody object to that purpose?

If the purpose is to present the fact that there is a controversy, and to try to have that controversy smoothed over by an agreement, or, in the absence of ability to agree, by an arbitration, is there a Senator here who will say that is not a laudable purpose?

Now, if I have been unfortunate in the use of language, if I have not correctly phrased these resolutions, their purpose being as I have stated, what is the duty of the Senate?

If that is the purpose, and if it is a laudable purpose—if that is in accord with the avowal of this Government when it gave its adhesion to the great treaty of arbitration—what is the duty of the Senate if I have failed to carry it out properly? Manifestly to put it before a committee and let that committee put the resolution in proper shape.

Mr. President, there are some considerations in this matter which I do not think have occurred to Senators. I recognize the fact that what has been done in Panama is an accomplished fact.

I know that revolutions do not go backward. The history of the world has never shown a case where a revolution went backward. They are sometimes diverted, going in different directions from those originally anticipated, but the status quo ante has never in the history of the whole world been restored. I recognize the fact that revolution in Panama is an accomplished revolution. I recognize the fact that it is an impossibility to undo it.

If the revolution is an accomplished fact and can not be undone, then, if wrong has been done and restitution can not be made through a restoration of the status quo ante ——

Mr. HALE rose.

Mr. BACON. If the Senator will pardon me just a moment ——

Mr. HALE. Yes.

Mr. BACON. Therefore, if in the accomplishment of this fact a wrong has been done, the only possible way to do justice is by an agreement or an adjudication in some way. If no wrong has been done, then there is no harm in the effort to make our adversaries see that no wrong has been done and to satisfy them that we are in the right.

Mr. HALE. Right there ——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. Yes.

Mr. HALE. I recognize two things here. There ought not to be too much interruption

Mr. BACON. I do not object to it at all.

Mr. HALE. But the life of the Senate and debate comes from the kind of interruption that is suggested by the remarks of a Senator ——

Mr. BACON. The Senator is always privileged to interrupt me when he desires to do so.

Mr. HALE. Such interruption brings out his own thought as well as that of the objector. Now, right there, the Senator said that he recognized that this was an accomplished revolution. I thought that was a large statement ——

Mr. BACON. Well, I so recognize it.

Mr. HALE. A large admission; and I rose to ask the Senator if his resolution is based upon the recital that this revolution is accomplished.

Mr. BACON. I am perfectly willing to include that.

Mr. HALE. That a government has been set up in Panama which is self-existing, which we have recognized, and with whom we have opened relations.

Mr. BACON. I do not think it is self-sustaining.

Mr. HALE. That is a matter of the future.

Mr. MORGAN. Nor self-existing.

Mr. HALE. And such being the fact, upon the question of whatever compensation or consideration may be allowed to Colombia because of her dismemberment and because an important province has been rifted away from her and is to have charge as a nation and possess the territory over which we build the canal, therefore the Senator from Georgia contends that it is incumbent upon the United States to recognize some claim of Colombia for compensation for what has been taken from her. I agree to that.

Mr. BACON. I hope the Senator will propound his inquiry, and let me answer it, for it is very difficult, when the Senator makes an inquiry and then makes a speech, for me to answer his question.

Mr. HALE. The Senator understands that you can not always make an inquiry ——

Mr. BACON. If the Senator will not ask a question, I have no objection to his continuing; but if he asks a question, I desire to reply.

Mr. HALE. The Senator understands that one can not always ask questions without also giving one's views.

The PRESIDING OFFICER. The Senator from Georgia has the floor.

Mr. BACON. I have yielded to the Senator from Maine temporarily.

Mr. HALE. I do not mean unduly to interrupt the Senator.

Mr. President, I would go further than the Senator. Instead of leaving the question of what compensation shall be granted to Colombia, either by guaranteeing what Panama shall do in payment to Colombia, or outright for our own part in connection with the canal, I would be in favor of a liberal adjustment, a liberal compensation to Colombia, without referring the matter to The Hague tribunal.

I suppose the Senator feels as I do about The Hague tribunal. I think the Senator agrees with me that The Hague tribunal is a paper tribunal. Russia originated it, but Russia would not consent that the question of Manchuria should be sent to The Hague tribunal. We would not consent that the question of the compensation of any territory we have taken outside should be decided by The Hague tribunal. It is rather, I may say, in the air.

I am sorry that it is so; but does not the Senator appreciate that the time has not come to send real controversies to The Hague tribunal?

Mr. PATTERSON. Mr. President ——

Mr. HALE. I am willing to go to a great extent in compensating Colombia.

Mr. PATTERSON. Mr. President ——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. BACON. I do.

Mr. PATTERSON. I want to ask the Senator from Maine a question in connection with his statement of making liberal compensation to Colombia. Upon what ground would the Senator make liberal compensation to Colombia, and compensate Colombia for what?

Mr. HALE. Not in the least for anything that we have done.

Mr. PATTERSON. Oh!

Mr. HALE. Not in the least; but we are bound up and tied up to this gigantic world-wide enterprise of a canal across the Isthmus, and I would be in favor—not in any way granting for a moment that we have done more than we ought to have done, for I do not think we have—of going further. I would help Panama, if Panama shall declare that she will compensate Colombia for the loss of territory, the loss of prestige, all that a nation desires, and all she is sensitive upon.

I would go so far as to guarantee Colombia's claim for that in order to avoid war. I do not think that a war would be doubtful; but I think it would be a poor business for us to be involved in war with Colombia, Mr. President. I am free to say that I do not want to see it; I want to avert it. That is why I would take the action I have indicated.

Mr. PATTERSON. I presume the Senator from Maine [Mr. HALE]——

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. BACON. I have yielded.

Mr. PATTERSON. The Senator from Maine would not maintain that it is the duty of the United States, or that it is incumbent upon the United States in any way, to make large donations to the different nations of the world, whether great or small, because in a perfectly legitimate way, through a legitimate revolution that was successful, those countries had lost territory.

The only ground upon which the Senator from Maine or the Administration can think of consenting to the making of compensation to Colombia is because away down deep in their hearts they are conscious that the United States has been guilty of a wrong in connection with this so-called revolution.

Mr. BACON. Mr. President, I must ask the Senator from Maine to let me reply to him, and in order that he may do so I will ask the Senator to repeat his question without a speech, because I really have lost the thread of it and have forgotten the question the Senator first asked me.

Mr. HALE. The Senator from Colorado [Mr. PATTERSON] has interposed in such an effective way that he has drawn my attention away from the matter.

The PRESIDING OFFICER. Senators must understand that this conversation is not in order.

Mr. HALE. I only want to say now——

The PRESIDING OFFICER. The Senator from Maine is out of order.

Mr. HALE. Then I will retire.

Mr. BACON. I shall be glad to have the Senator from Maine repeat his question.

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. I yield, and I have so stated.

Mr. HALE. I do not know what the Senator wants.

Mr. BACON. Of course it is an exceedingly difficult thing for me to resume the thread of my argument.

The Senator from Maine asked me a question. He then made a speech on it of some length and propounded several other questions in the course of it. I recollect distinctly that his question was one to which I desired to reply, and then the Senator from Colorado [Mr. PATTERSON] intervened with a speech.

Mr. HALE. To which I desired to reply.

Mr. BACON. Well, Mr. President, I return to the main proposition. Senators have criticised the resolution in the severest manner. They propose to treat it with an indignity which I have never seen since I have been in the Senate and refuse it even a reference to a committee. I say that the action proposed by the majority in this case is absolutely without defense.

There is not a single line or letter in the resolution which says that there is any just claim against the United States. There is not a line or letter which says that the United States has committed any wrong. There is not a line or letter which says that the Republic of Colombia has any just claim. The sole statement is that which is made in the case of every proposed submission to arbitration, that there is a controversy; that the parties are at issue; that they are at a disagreement; and it is proposed, in view of that fact, that the parties shall get together and agree.

Mr. HEYBURN rose.

Mr. BACON. I ask the Senator to pardon me for just a few minutes and then I will yield to him with great pleasure.

Mr. HEYBURN. I wanted to ask a question of the Senator.

Mr. BACON. In a little while I will yield with great pleasure, but I must be permitted to state my proposition. As I said, this resolution simply presents the fact that there is a controversy. The fact is implied, if not stated in direct language, that such controversy is liable to lead to war, to violence.

Is there any difference between that and any other proposition submitted to arbitration? How can Senators say they favor arbitration but are opposed to this particular arbitration?

One of the Senators asked whether or not that which is alleged to be an act of dishonor is to be submitted. There is no such intimation in the resolution; but if it is there, take it out.

I have not any pride in phraseology. I simply want the United States Government to proclaim to the world that while it believes it is right and has committed no wrong, in view of the fact that the opposite party thinks otherwise, rather than submit to violence and war it will endeavor to agree with its adversary.

The Senator from Maine says he would be willing to compensate her. He is very wise in that. But the Senator objects to a submission to The Hague tribunal. That is only the last alternative, and that can be stricken out if the Senate should think otherwise. There are two distinct propositions. The resolution, like all other resolutions, is doubtless imperfect, and when the Senatorial mind is applied it will be changed.

Now, here is a plain proposition, which I will submit to the Senator from Maine. The first of these clauses advises an endeavor, by treaty and agreement, to arrive at some adjustment of this matter. There is no mention in the first clause of The Hague tribunal. If the Senator goes that far, then it is a very simple matter, when the resolution comes up for consideration, to reject the other alternative proposition of The Hague tribunal.

Mr. HALE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. I do.

Mr. HALE. I have said right there that if the Senator confined his resolution to a recital that there was an accomplished revolution and a government set up in Panama, and that the United States, recognizing the entire situation, not in any way admitting that it had done more than it should have done; that Colombia had been by this revolution dismembered, it was a subject worthy of negotiation between the United States and Colombia, and in any compensation which Panama, representing this accomplished revolution, should make to Colombia the United States would consider, owing to its interest in the canal over Panama, the question of adopting or guaranteeing Panama's payment; not that we owe anything, but that it is worth considering and worth avoiding war to negotiate with Colombia upon the basis of an accomplished revolution to compensate Colombia for the dismemberment of her territory. I am in favor of that (I do not know whether any other Senator on this side is in favor of it) rather than war.

Mr. BACON. While the suggestion of the Senator from Maine does not go as far as I want it, I am so anxious that there should be something which shall pacify that people and produce upon them the impression that the United States Government proposes to deal fairly with them, and to endeavor if possible to adjust their differences, if the Senator will frame his resolution, I will accept it as an amendment.

I repudiate and I deny that there is any ground for the charge of Senators here that this resolution has any possible intimation of favoritism to Colombia as against the United States. It simply says that Colombia alleges thus and so, and says that that controversy should be settled without a resort to arms.

I say now to the Senator from Maine that while his resolution as suggested by him does not, in my opinion, go to the entire extent of this controversy, still, if he will frame it upon the lines which he has indicated, I will very gladly accept it as a substitute. What further guaranty can I give of good faith, or what further argument could be advanced as to the utter groundlessness of the charge which Senators on the other side have made as to this resolution?

Mr. HALE. I think the Senator and I are approaching each other. This matter will undoubtedly go over.

Mr. CULLOM. It has gone over.

Mr. HALE. It has really formally gone over. If I can frame a substitute for the Senator's resolution which covers the thought which is in my mind, it will not in the least interfere with the ratification of the treaty.

Mr. BACON. Not in the least.

Mr. HALE. Not in the least.

Mr. BACON. It has nothing to do with it.

Mr. HALE. It has nothing to do with it. It is only a question of adjusting and pacifying——

Mr. BACON. Yes.

Mr. HALE. The condition that exists between Colombia and us.

Mr. BACON. Will the Senator allow me right there, before passing from that, to make a suggestion, and I will yield the floor to him again. I said it had no reference to the ratification of the treaty. I wonder if Senators on the other side have had the thought in their minds as to whether or not the passage of such a resolution as this might not pave the way for the voting of the treaty by those who can not now vote for it.

Mr. HALE. I am inclined to think it would.

Mr. BACON. Of course it might, for this reason: There are

Senators who think that the United States has not been altogether justified in what has been done and who are averse to the treaty, not because of any objection to the treaty, but because they do not wish by their votes to give their assent and their approval to what they conceive to have been illegal acts.

They know the fact that those illegal acts can not be undone. They know that an accomplished revolution can not be set aside, and they know the only ground upon which they can stand consistently with that objection is upon the ground that the United States proposes to do justice; and when that assurance is given all is done which could be shown by a vote against the treaty.

Mr. HALE. My proposition does not in any way go upon the ground that the Administration has done otherwise than what under the circumstances it was obliged to do.

Mr. BACON. Neither does this resolution.

Mr. HALE. While I regret the condition, I think that everything which has been done had to be done. I think we should ratify the treaty.

I think that without any question, without raising the point, and not admitting that we have been rash or harsh or unjust or aggressive, we have done just what we should have done; that the revolution is an accomplished fact, and that we can afford now, ratifying that treaty, to negotiate on a fair basis with Colombia, so that if Panama, the new State we have recognized and which has been recognized by the world generally, compensates Colombia for her loss of territory we can well afford, under the conditions, to recognize that action and in some way indorse or adopt or ratify what Panama does. We are taking no back track. In fact, it is on the basis and on the proposition that we have done what we ought to have done. The revolution is accomplished.

The proposition of the Senator that the revolution is an accomplished fact is the most important.

Mr. BACON. There is one thought I wish to submit to the Senator in connection with that. We ourselves have a very great interest in it outside of the matter of the desire to do what is right. We have a very great interest in the fact that when that canal is located it is of the utmost importance that there should not be in the immediate vicinity of it four millions and a half of hostile people.

There is no doubt about that fact, so that we can afford to do what the Senator from Maine said he is willing to do—provide that out of whatever Colombia shall be adjudged to be due her we will guarantee the payment. We have such a personal, such a material interest of the greatest kind, that we can afford to pay money that we do not owe if by that we are to have material benefit therefrom.

Now, Mr. President, as I said before, recognizing the revolution as an accomplished fact, and I am glad to see the Senator from Wisconsin in his place——

Mr. SPOONER. I was obliged to be absent.

Mr. BACON. I stated the fact that the Senator was called away by official business. I am glad to see him back, because I desire to reply to that part of his speech.

I have stated before, and repeat now, that I recognize the fact that this is an accomplished revolution; that it is no exception to the general rule that no revolution goes backward and it can not be undone. Those who are dissatisfied with what has been done know that restitution, or compensation, if you please, can not be made by the restoration of the status quo ante. That is an impossibility.

Therefore, the only possibility for those who occupy that ground is to have the assurance, not that the United States will do anything, but that it will stand ready to do if it shall be determined it ought to do. I appeal to the Senator from Wisconsin to know if, under such a proposition as that, his criticism upon the resolution was not unjust and unfounded.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield?

Mr. BACON. I do. I am sorry the Senator has not been here to hear my comment on the resolution.

Mr. SPOONER. So am I. I did not know until this morning that the Senator would introduce the resolution.

Mr. BACON. I had no idea that there would be any debate upon it.

Mr. SPOONER. Therefore I had made a different arrangement of my time.

Mr. BACON. I stated that the Senator was absent necessarily.

Mr. SPOONER. I am always present when I can be here.

Mr. BACON. I stated that the Senator was absent on official business.

Mr. SPOONER. Now, Mr. President, of course the power to negotiate with Colombia about any matter of controversy between Colombia and the United States will continue to exist. That power is conferred upon the President by the Constitution.

I do not think in this situation that the Senate ought to pass any resolution which would not pass except for the opinion of the Senate that prima facie there was a wrong done.

Mr. BACON. No.

Mr. SPOONER. Well, I think so.

Mr. ALDRICH. Or about to be done.

Mr. SPOONER. Or about to be done.

Mr. BACON. No.

Mr. MORGAN. Contemplated.

Mr. SPOONER. A contemplated wrong. The Senator thinks that wrong has been done and wrong will be done.

Mr. MORGAN. That is my opinion. It cuts going or coming.

Mr. SPOONER. But, Mr. President, what about the effect upon the court, the tribunal whose arbitraments the Senator invokes by this resolution, if it were even inferentially assumed, as it is here, that the Government of the United States has been wrong?

Mr. BACON. I regret extremely the Senator has not been in the Chamber during the debate, because I traveled all over that ground.

I desire to say to him now that I have said if the resolution is phrased infelicitously, and if the great prominent purpose is correct, to wit, to avoid controversy, then it can be redrafted by the Senate or by the Committee on Foreign Relations in such a way as to absolutely negative the suggestion which the Senator now makes. The Senator from Maine himself has indicated on the floor of the Senate a resolution which would so negative it, and I have said to him that I would accept it if he framed it.

Mr. HALE. In the absence of the Senator from Wisconsin—and I am very sorry that he was obliged to be away—the Senator from Georgia stated an advanced ground, that he recognized the revolution was an accomplished fact; that he was not seeking in any way to involve a proposition that the Administration had conducted wrongly in the matter, but that his desire was for some negotiation with Colombia which would result in the prevention of open war.

I thought, as I said, that that was an advanced doctrine. I do not know that anybody on this side agrees with me in that view. I do not know that anybody on the other side agrees with the Senator from Georgia in that advanced doctrine.

I stated that if that was the Senator's idea, that it did not involve any proposition that the Government had been wrong, that it recognizes the revolution, and only involved a negotiation with Colombia in which the United States might properly take an interest in what Panama should do, compensating Colombia for her bereft territory, I was in favor of that.

Mr. BACON. The only suggestion I made in addition to that——

Mr. HALE. I did not think the Senator and I were very far apart. So the points the Senator from Wisconsin is now making are all eliminated by the suggestion of the Senator from Georgia.

Mr. BACON. I wish to say to the Senator, as I see he is examining the resolution, that I am not wedded to that phraseology at all. I am perfectly willing that it should be changed in any way reasonable and stated as strongly as you please that the United States does not admit, directly or by implication, having done any wrong, but that there is a controversy, a claim, on the part of the Republic of Colombia, and that we propose that that shall be composed between us by a treaty—a negotiation—in which we will endeavor to arrive at a conclusion.

Then the additional proposition is that in the event that can not be done it shall be referred to some tribunal. But if the Senator does not wish to go that far, strike out the last proposition.

All I want is now, at a time when I believe if there is any reliance to be put upon the information which comes to us there is danger of bloodshed, that the United States Government shall say to this weak and feeble people, who can not demand or require anything of us, that we propose to investigate this matter and in some such way as the Senator from Maine indicates, or in some other way, try to do whatever the circumstances may prove to be our duty in the premises.

That is all. If it is not in proper shape, put it in proper shape. I am not at all wedded to that particular phraseology. Change it in any way you wish, just so that you embody that principle.

Mr. SPOONER. Mr. President——

Mr. BACON. If the Senator is through, I owe the Senator from Idaho [Mr. HEYBURN] an apology for having delayed so long in my promise. I was at a point of my argument which did not permit me to stop at the moment, and now I do so with pleasure.

The PRESIDENT pro tempore. The Senator from Georgia yields to the Senator from Idaho.

Mr. HEYBURN. I appreciate the courtesy of the Senator from Georgia. I wish to ask the question whether or not this resolution is directed to the payment of a claim which has been made by the Colombian Government or only to one the making of which is anticipated?

Mr. BACON. In reply to the question of the honorable Senator, I can say this and only this, that of course I have not seen the official papers. We know the fact that there has been here a representative of the Government of Colombia, and we know from general statements in the papers the nature of the claim which has been made.

We can form from the facts which have been stated what would naturally be the character of the claim. But, if the Senator will pardon me, in the recast of the resolution, as proposed by the Senator from Maine, there could possibly be no criticism upon that ground. I have shown the utmost liberality of disposition in the matter by saying that I will accept any modification and any phraseology that may be desired and which does not go to the extent of asserting that either one or the other is either right or wrong, because in that event there could be no proper basis for any [illegible].

But I will accept anything which will preserve the general proposition of the Senator from Maine, and I trust this Senate, as public people who can exact nothing of us, otherwise than in a kindly and considerate manner and do what justice may require.

Mr. HEYBURN. I will ask the Senator whether or not he can define or cause to define the limits of the questions to be submitted to arbitration upon which an attempt should be made to agree?

Mr. BACON. We can not define that. All we can do is to suggest to the Executive that we favor the opening of negotiations with the general view. The details, of course, must be worked out by the executive department.

If the Senator from Idaho desires more definite information, I will simply refer him to the statement which has been made twice by the Senator from Maine as to the scope of the resolution which he proposes to kindly draft as an amendment.

Mr. HEYBURN. I ask the Senator if it is not premature at this time to have the executive department [illegible] be presented for adjustment on the part of a government that has as yet made no claim?

Mr. BACON. Is the Senator aware of the fact that it has made no claim? On the contrary, we have every reason to believe that it has.

Mr. SPOONER. Had we not better wait?

Mr. STEWART. Until we know.

Mr. SPOONER. In other words, if the Senator will permit me, why should the Senate of the United States resolve itself into the vexatious representative of Colombia to assert for it claims against the United States which we do not know Colombia has asserted against the United States?

Mr. BACON. The Senator from Wisconsin is not generally as unfair——

Mr. SPOONER. I did not mean to be.

Mr. BACON. As that inquiry makes him appear to be.

Mr. SPOONER. It may be a mistake, but it is not intentional unfairness.

Mr. BACON. I understand that, but the Senator misunderstands me. I say, as unfair as that presentation of it appears to me, it seems to be. The unfairness to which I alluded was in the suggestion that there was anyone here representing the claims of Colombia. I have stated repeatedly that I do not follow the lead of my distinguished friend or of others in discussing the merits of the controversy between Colombia and the United States.

All who heard me will bear witness to the fact that I have scrupulously avoided a single argument to show that Colombia has a grievance or that the United States had acted improperly with reference to her. Whatever may be personally my opinion I make no such statement in this discussion. It would be unworthy of a proposition for arbitration to accompany it with any such statement.

I have confined myself all along to the proposition that our relations are strained, and we know that they are, that there is an alleged grievance, a claim of grievance. Assuming, I said in the Senator's absence, that every claim was unfounded and that the cause of the United States was absolutely impregnable in its defense as right from beginning to end, still, if there is this disputed claim it is a matter for adjustment, especially in view of the fact, if the statements in the press are correct, and state the feeling in Colombia, that there may be at any time an outbreak. We have the statement frequently made that the Colombian people have only been held quiet because their representative was here, and that in the absence of his final report they would not act, but that there is every reason to fear that upon his report there would be an outbreak.

These are a weak, feeble people, whose outbreak can not hurt us except in the loss of the lives of some of our officers and soldiers. That power can not be measured against ourselves, as I have said in the course of this debate. We are a giant and they are a pigmy.

But the fact of their feebleness does not relieve us from the responsibility of recognizing the great principle to which we have given our adherence in the great arbitration treaty, that be the power strong or weak, great or small, we will not resort to violence, or not stand still in the presence of threatened violence, but whenever such violence is threatened, whether we are right or wrong, or rather I will put it more strongly, assuming that we are in every particular right, we will not sit still, but will endeavor that the difference shall be settled in some other way than by a resort to arms; that we will do what we can to carry that idea out, and that we will do it more quickly in the case of a weak nation than we will do it in the case of a strong one.

Mr. SPOONER rose.

Mr. CULLOM. Some little time ago I rose to move that the Senate proceed to the consideration of executive business. I supposed the Senator from Wisconsin had taken his seat; but as he has risen, I will not proceed with my motion at this time.

Mr. SPOONER. Mr. President, I have no desire to discuss this matter further for the sake of discussion. I said when I had the honor to address the Senate on this resolution in the first instance that it would be impossible for me to be wanting in appreciation of the patriotism, sincerity, and high purpose of the Senator from Georgia [Mr. BACON].

But the Senator has not used infelicitous language in this resolution. My objection to this resolution is not to its form, but its theory and substance. The Senator thinks clearly and, as almost every man who thinks clearly, expresses his thought clearly. It is, as a rule, only those who do not think clearly who speak without clearness.

I have regarded this resolution as inopportune. The Senator assumes and I think at the wrong time, that the Administration, the Government, if I may so speak, has committed questionable acts.

Mr. BACON. No; I do not. The Senator is mistaken.

Mr. SPOONER. Ah, let us see; questionable acts in connection with this great transaction. If the Senator does not imply that by his resolution, what is there to negotiate about with Colombia? What is there to be referred to The Hague tribunal, with Colombia a party on the one side and the United States a party on the other?

Mr. BACON. Will the Senator permit me to answer the question?

Mr. SPOONER. Certainly.

Mr. BACON. I can not answer it more forcibly, I think, than to repeat what I have said, that if we assume that we are absolutely right in every particular and that the ground of complaint of Colombia is absolutely unfounded, still if that complaint is made and the controversy exists, that is a question to be referred and does not imply any recognition of any wrong on the part of the United States.

And more especially will that be so if the resolutions are framed in accordance with the suggestion of the Senator from Maine, absolutely making the reservation and denying that there is any wrong perpetrated on the part of the United States.

Mr. SPOONER. Upon what does the Senator from Georgia predicate the assumption of this resolution?

Mr. HALE. Will the Senator allow me? I understood the Senator from Georgia to say that his proposition did not involve an insistence upon this matter being referred to The Hague tribunal.

Mr. BACON. Of course.

Mr. HALE. That his main object was first recognizing an accomplished revolution.

Mr. SPOONER. As a fact.

Mr. HALE. As an accomplished fact. Then with no declaration or assumption, and he has just at this moment repudiated that the Administration had been wrong, stating that to avoid war it was worth while to negotiate with Colombia, not for changing the status on the Isthmus, not upon subverting that set-up Republic, but simply with relation to any compensation that Panama might make to Colombia for the loss of territory.

Therefore, from our association with the Isthmus and with this great enterprise, we could afford, I said in the absence of the Senator and I say it here, although I may be alone, rather than have a war, a poor war, a lean war, a successful war, that in two weeks would spend much money with no gain to us, I would much rather guarantee anything that Panama may seek to do to compensate Colombia for her loss of territory; and I understood that was the proposition for consideration. Going back is not consistent.

Referring to the tribunal is only to negotiate. I may say further that I believe to-day negotiations are going on in the direction the Senator has indicated in his last proposition, and that, anything we do here, instead of contravening that, would help us. That is the situation, which, of course, the Senator did not understand because he was not here.

Mr. SPOONER. Yes; I understand it. I sympathize with the general purpose of the Senator from Maine and the general purpose of the Senator from Georgia. I have not been able to see, however, any theory consistent with the action of the Government of the United States by which the Senate can recognize an interest in Panama or a cause of action or claim growing out of the revolution in Panama on the part of Colombia.

We have passed the stage where the United States can recognize Colombia as having any longer any proprietary interest in or sovereignty over Panama.

It has seemed to me, Mr. President, that the only avenue of approach to Colombia between the United States and Colombia must be through the Republic of Panama.

If this were a resolution suggesting to the President the good offices of the United States to bring about an adjustment between the Republic of Panama and that of an independent republic and the United States of Colombia, that would be one thing.

Mr. HALE. That is about what it is.

Mr. SPOONER. No; it is not.

Mr. ALDRICH. It is not this resolution.

Mr. HALE. It is not this resolution.

Mr. SPOONER. That would involve no imputation in any way upon the Government of the United States: no impeachment of its honor. On the contrary, it would recognize the Republic of Panama as an accomplished fact, as it is.

It might perhaps proceed wisely enough upon the theory, all things considered, that it would be for the advantage of the Republic of Panama, as well as for ourselves, in view of our relationship to the Isthmus, that arrangements should be made to bring about peaceful and pleasant international relations between Colombia and the Republic of Panama.

Mr. BACON. I understand that to be practically what the Senator from Maine says.

Mr. SPOONER. But that is not this resolution.

Mr. HALE. Will the Senator bear in mind that the Senator from Georgia has abandoned that?

Mr. SPOONER. Has he done so? I have not heard it from him.

Mr. BACON. No; I said I would accept the substitute of the Senator from Maine.

Mr. HALE. That is abandoning it.

Mr. SPOONER. I have not heard it from him.

Mr. HALE. The Senator stated it very clearly.

Mr. SPOONER. No; the Senator from Maine and I understand each other.

Mr. BACON. And the Senator from Maine and I understand each other, too.

Mr. SPOONER. The Senator from Georgia and I may soon understand each other.

Mr. HALE. I consider when the Senator says that he would accept the suggestion I had made——

Mr. BACON. I asked the Senator from Maine to frame a resolution.

Mr. HALE. That I would frame a resolution his resolution was to be withdrawn.

Mr. BACON. No; I would accept it as a substitute in place of it.

Mr. HALE. Now, the Senator from Wisconsin is felicitous in his praise.

Mr. SPOONER. Thank you.

Mr. HALE. He has brought in a phrase that is well known in diplomacy—"the good offices of the United States"—in an adjustment not between us and Colombia, but between Panama and Colombia.

Mr. SPOONER. Now the Senator is on more solid ground.

Mr. HALE. That is only a matter of expression.

Mr. SPOONER. No, it is not; it is a matter of substance.

Mr. HALE. That is precisely what it would come to. I should be in favor of it, and I think it would help negotiations that are now going on. I think it would do more to avert war than anything that can be done. Then we will go on and ratify the treaty.

Mr. SPOONER. It is absolutely impossible for the Senator from Georgia, with all his ability, or for the Committee on Foreign Relations, with their ability——

Mr. BACON. We are both on it.

Mr. SPOONER. To recast these resolutions on the theory which the Senator had in mind when he drew them, which would eliminate, in my judgment, the fatal objection to them.

Mr. BACON. Let the Senator from Maine try it.

Mr. SPOONER. The Senator from Maine can do almost any intellectual thing he tries to do.

Mr. HALE. I thank the Senator; I will try it.

Mr. SPOONER. But this resolution recognizes inherently an allegation or the existence of a wrong on the part of the United States which either ought to be adjusted by the United States with Colombia, or, failing in that, be referred to some international judicial tribunal for adjustment.

Mr. BACON. I will say to the Senator what I have said repeatedly. I do not know whether I repeated it since he has been in the Chamber. I have disclaimed any such intention. If I have been infelicitous in my language that is my infirmity and not my intention. I do think when half a dozen times I have disclaimed it and on the contrary said I designed it otherwise, I should have at least a surcease.

Mr. SPOONER. I have not imputed to the Senator any purpose different from that which he expresses. I am giving my opinion about the effect of this resolution, that is all. He says "the alleged forcible prevention by said land or naval forces."

Mr. BACON. That is what Colombia alleges—nobody else.

Mr. SPOONER. How do you know? Who says so?

Mr. BACON. I will not answer the Senator, because I have studiously avoided discussing the question whether or not there is right or wrong on either side. I have not gone into that. I may do so at some other time.

Mr. SPOONER. Ah, that is the trouble with this matter. We are certainly not in this situation to act upon newspaper statements. It will befit us to wait until we know what Colombia asserts.

Mr. BACON. It would be well to hold the resolutions, then, until we can ascertain, and not consign them to the wastebasket.

Mr. SPOONER. I think, so far as the structure of the resolution is concerned—and I say that with all deference to my friend from Georgia—it ought to wait. I think the resolution ought to be disposed of. The controversy, if there be one, between the United States and Colombia can very easily be taken up in the usual course of diplomacy later.

It ought not to be taken up by the Senate, especially in the absence of all knowledge of any contention upon the part of Colombia. The resolution is premature, and it is calculated to do harm instead of good.

Mr. BACON. I do not think so.

Mr. SPOONER. If there is anything in the implication of this resolution, it impeaches the honor of the United States. We have never agreed to refer a question of national honor to any outside tribunal.

Mr. BACON. The Senator is not justified in making any such statement. Is there anything in the resolution that impeaches the honor of the United States? The Senator was not here; I went all over that ground.

Mr. SPOONER. But I am here now, and I have read this resolution.

Mr. BACON. The Senator is here, and I will repeat what I said before. The resolution makes no allegation as to the right or the wrong.

It simply recites the fact that there is a controversy, and aside from that I said to the Senator from Maine, and the Senator from Maine has said it to the Senator from Wisconsin, that I am willing to have the resolution recast as suggested by him, because it would carry out the central thought in my mind.

But the Senator insists on taking this resolution as the one to be discussed, when I have already said to the Senator from Maine that I would accept his substitute for it when he put it in proper form.

Mr. SPOONER. Then I understand the Senator from Georgia to abandon his resolution.

Mr. BACON. No. I do not.

Mr. SPOONER. I understand that——

Mr. BACON. No.

Mr. HALE. That is only a phrase. He does abandon it.

Mr. BACON. The Senator desires to put me in a wrong position. I do not abandon the resolution. I think, as I said to the Senator from Maine, the suggestion made by him does not go as far as I would desire, but as it contains the great central proposition of arbitration in this matter, I am willing for him to phrase it in the way he suggests.

Mr. SPOONER. This question of international arbitration is one, of course, which is exciting and will continue to excite great public interest. There are some questions which I am willing for one to arbitrate before The Hague tribunal, but an allegation that the Government of the United States has violated a treaty obligation for which it is responsible in damages to another government I am not willing to say I would refer to the arbitrament of a tribunal constituted from abroad.

Mr. BACON. I have expressly said to the Senate in the Senator's absence that that was an alternative proposition, which was not the material one in that case.

Mr. HALE. I should not——

Mr. SPOONER. Now, let us get at some point about it.

Mr. HALE. That is what I am trying to do.

Mr. SPOONER. I do not care anything about words.

Mr. HALE. I know the Senator does not.

Mr. BACON. Evidently.

Mr. SPOONER. The Senator from Georgia is objecting to my use of the word "abandon." He must abandon the whole theory of his resolution and substitute for it another.

Mr. HALE. Is not the Senator glad of it if he does?

Mr. SPOONER. Yes; but I am trying to get him to do it.

Mr. HALE. He says he is entirely willing that the resolution should be framed on this side.

Mr. SPOONER. I am perfectly willing; I do not want war. I want to avert it.

Mr. HALE. I know the Senator does not. I do not think we shall have to resort to arbitration. I think we can get out of it without any reference to The Hague tribunal.

I think we can go on and ratify the treaty, open negotiations with Colombia, or continue negotiations with Colombia, and that we can afford instead of war to exercise our good offices between Panama and Colombia; and, if necessary, I say it frankly—I do not want to be misstated hereafter—in carrying out those good offices I would be willing in order to avoid war, that in some way we guarantee Panama's pledges that she makes.

I objected in the Senator's absence to the phraseology of the resolution. I am one of those who believe that events were bigger than we were and that the Administration had to do what it did. I would not draw a line that would in any way declare expressly or by implication that the Administration had done more than it should have done.

But events having culminated, revolution being acknowledged and established as an accomplished fact, I say we will stand better hereafter and that we can not afford to reject a proposition that opens or continues a friendly negotiation with Colombia. I am not particular on a technical point, whether Colombia has asked it. Colombia has a representative here now.

These things are being negotiated. It would [illegible] negotiations. It would not [illegible] with them. I [illegible] anything about it, but I think the Senator from Georgia recognizes, from what he has said, that this is an accomplished revolution.

Mr. BACON. I say that.

Mr. HALE. We can not go back, and I am willing to meet him more than half way.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Has the Senator from Wisconsin the floor?

Mr. CARMACK. The Senator from Wisconsin has the floor, I believe.

Mr. SPOONER. I have the floor.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Certainly.

Mr. CARMACK. I just want to say that even if the Senator from Georgia and the Senator from Maine and the Senator from Wisconsin should arrive at an agreement among themselves, I am not sure if at that would signify a unanimous agreement of the Senate to their proposition.

Mr. HALE. I was afraid of that.

Mr. SPOONER. I expect the Senator from Tennessee to be an irreconcilable.

Mr. CARMACK. Mr. President, my opinion, I suppose, is like Touchstone's wife: it is a poor thing, but my own.

Mr. SPOONER. I did not propose any agreement for the Senator.

Mr. CARMACK. I did not understand the Senator to suggest that they were coming to a unanimous-consent agreement, but I did not want it to be understood that the Senator from Georgia who is the only Senator who has been speaking on this side of the Chamber was speaking for all.

I simply want it understood that everybody has not agreed with the proposition the Senator from Georgia was about to agree to, because I think that he and the Senator from Maine between them have about got this resolution in a shape where I can not possibly vote for it. That is a matter of very small consequence, but I want it understood.

Mr. SPOONER. I am perfectly well satisfied, from what the Senator says, that he will never vote for the resolution unless it is in the wrong shape.

Mr. CARMACK. I am not responsible for the Senator's wrongdoing.

Mr. SPOONER. Of course not. You are fortunate in not being responsible. I want to say that as far as I am concerned, after this debate and the observations of the Senator from Georgia I am perfectly willing that this resolution should be referred to the Committee on Foreign Relations instead of being voted upon now.

Mr. BACON. I would be very glad to have that done.

Mr. BERRY. Let it go over.

Mr. HALE. That is the better way, undoubtedly.

Mr. BACON. I am perfectly willing for that course to be taken, but I simply desire to repeat what I said to the Senator from Maine, that while I am willing to accept his substitute, I do not mean by that to indicate that in my private judgment it goes as far as it should.

But it recognizes the principle of arbitration, and therefore I am willing to concede it. As I have occupied so much time to-day, I want to felicitate myself upon the fact that I have had the testimony of the Senator from Wisconsin to the Senate and the country that I was once silent. I do not know when that was.

Mr. SPOONER. I will tell the Senator. The Senator from Georgia was opposed to the attitude of the United States in the Philippines, but——

Mr. BACON. I thought I said something on that subject.

Mr. SPOONER. I know the Senator did, but when war was flagrante there the Senator gave no word which could by any possibility be construed as an incentive to a prolongation of it. As I now remember it, that is what I meant.

Mr. BACON. I do not think there is any other Senator on this side of the Chamber but would have done as much.

Mr. PLATT of Connecticut. Mr. President, I do not wish to occupy any considerable time of the Senate now. I do not seem to be one of the plenipotentiaries of the Senate who have been commissioned to make a treaty to compromise the disagreement which has arisen between Senators here, but I want to say, following, perhaps, the suggestion of the Senator from Tennessee, that I do not wish to commit myself in advance to any treaty which may be drawn up here in the Senate by the plenipotentiaries.

I think the resolutions of the Senator from Georgia, with all deference to him, and recognizing in the fullest sense his motives in the matter, were very inopportune and liable to misapprehension; that they were liable to put the country even in an embarrassing position.

I do not see how it is possible that those resolutions outside of the Senate Chamber should not be construed as an acknowledgment or an admission on the part of the Senate that Colombia had some grievance against us which we ought not only to submit to arbitration or compose without submission to arbitration, but which we were bound to recognize and to pay for. I think that will be the construction put upon the resolutions.

I will go further than that, Mr. President. If as the result of the discussion here this afternoon these resolutions should be dropped and another resolution expressing the sense of the Senate that the Executive should exercise his good offices to try to bring about an understanding between Colombia and Panama should be passed, I think under the circumstances that would be misconstrued; and I do not think there is any necessity for it, either.

Although I admit freely that we would have a right to pass the resolution, it seems to me that it is not necessary to pass it. Can we not trust the President and the State Department for a little while to negotitate with Colombia and to offer the good offices of this Government, if they should be needed, to compose the differences which exist between Colombia and Panama?

It appears to me that the very first notice which was given to Colombia contained in it an intimation—and more than an intimation, a declaration—that this Government would be willing at all times to use its good offices to compose whatever controversy and whatever complaint there might be between Panama and Colombia.

In the very first dispatch, directing Minister [illegible] at Bogota to inform the Colombian Government that the Government of Panama had been recognized, Mr. Hay, speaking of the fact that the Government of the United States has entered into relations with Panama, goes on to say:

> In accordance with the ties of [illegible] which happily exist between the respective [illegible] the peaceful and equitable settlement [illegible] peace between [illegible]

There is an offer in the very first paper that was passed.

Mr. HALE. Now, does the Senator feel so exact upon the question of etiquette and time that he does not think it would be a good thing for the Senate to express itself in accord with the suggestion that this Government shall exercise its good offices?

I hope that if the real substance of the thing is done the Senator will not stand upon a question whether we should do a thing to help the Executive or let him alone without doing it.

Mr. PLATT of Connecticut. I do not think it is necessary, Mr. President.

Mr. HALE. Could it do any harm?

Mr. PLATT of Connecticut. I think it would be unfortunate, after the discussion which has been had here this afternoon upon these resolutions, to have any action taken by the Senate at this time. That is my feeling about it.

Mr. CARMACK. Mr. President, I want to say just a word or two.

The Senator from Wisconsin [Mr. SPOONER] has twice during the discussion to-day complimented the Senator from Georgia

[Mr. BACON] upon the fact that he has never done what some others did here in the course of the Philippine debate—said anything that would be an incentive to war. Of course, Mr. President, I have no objection whatever to the Senator from Wisconsin and the Senator from Georgia making love to each other, provided their intentions——

Mr. BACON. I hope my friend from Tennessee will permit me. Did he hear what I said in reply to the Senator from Wisconsin?

Mr. CARMACK. Yes; I heard what the Senator said. I was going on to say that I have no objection whatever to the Senator from Wisconsin and the Senator from Georgia hugging and kissing and making love to each other, provided, of course, their intentions are honorable. [Laughter.]

But I wish also to add that the most terrific arraignment of the course of the Administration in the Philippine Islands and the most terrible picture I ever heard drawn of the widespread desolation and of the atrocities perpetrated there was drawn by the Senator from Georgia upon the floor of this Senate.

I want to say further, Mr. President, that I quoted here on the floor of the Senate an extract from a public address made by the President of the United States, and I proved by Governor Taft before the committee that just such expressions as were used by President Roosevelt had a very great effect in stirring up the people of the Philippine Islands and promoting and encouraging the insurrection.

I offered to prove upon one occasion that speeches made by Senators [illegible] the Administration's policy in the Philippines, and especially one particular speech by a very distinguished Republican Senator, had been circulated broadcast over the Philippine Islands, and had had more effect than anything else that had been uttered to incite those people to insurrection.

I think I did prove that the President of the United States himself, by the language he used, language which would have caused any other man, if he had uttered it in the Philippine Islands, to be arrested for violation of the law and put in jail, had a greater effect in stirring up insurrection in the Philippine Islands than anything else.

Mr. SPOONER. Mr. President, I leave the Senator from Tennessee alone with his conscience.

Mr. CARMACK. My conscience, Mr. President, has not pained me in the least. I will leave the Senator from Wisconsin alone without a conscience. [Laughter.]

Mr. ALDRICH. I am not sure whether any request has been made relating to the disposition of this resolution.

The PRESIDENT pro tempore. A request was made that it should go over until to-morrow, and it has gone over, but the debate has not.

Mr. LODGE. The debate will, though.

Mr. ALDRICH. I will suggest, as the resolution has gone over, that it retain its present position until to-morrow.

The PRESIDENT pro tempore. By unanimous consent it was agreed that the resolutions relating to the Post-Office Department investigation should be taken up to-morrow morning immediately after the routine business.

Mr. HALE. They will not take very long. This morning, by unanimous consent, these resolutions were passed over to be taken up after the routine morning business to-morrow.

Mr. ALDRICH. If the purposes and wishes of the various Senators who have been discussing this matter for the last half hour remain to-morrow morning as they are, then we may have some concrete proposition before the Senate for consideration. I do not know whether Senators desire any disposition of the pending resolution now. I think we had better let it go over until to-morrow.

The PRESIDENT pro tempore. It has gone over.

Mr. ALDRICH. And see what the day will bring forth.

Mr. LODGE. I ask leave to print in the RECORD a statement of Mr. Olney, when Secretary of State, in regard to the power of the President to recognize a new government. It is brief and, I think, a very interesting statement. I will not delay the Senate by reading it unless it is insisted upon. I should like, however, to have it go in the RECORD as part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be made.

The statement referred to is as follows:

STATEMENT OF MR. OLNEY, SECRETARY OF STATE.

[Washington Evening Star, December 19, 1896.]

I have no objection to stating my own views of the resolution respecting the independence of the so-called Republic of Cuba which it is reported is to be laid before the Senate on Monday. Indeed, as there are likely to be [illegible] both in this country and abroad, and as such apprehensions may have serious results of a [illegible] character, it is perhaps my duty to point out that the resolution if passed by the Senate can probably be regarded only as an expression of opinion by the eminent gentlemen who vote for it in the Senate, and if passed by the House of Representatives can only be regarded as another expression of opinion by the eminent gentlemen who vote for it in the House.

The power to recognize the so-called Republic of Cuba as an independent state rests exclusively with the Executive. A resolution on the subject by the Senate or by the House, by both bodies or by one, whether concurrent or joint, is inoperative as legislation, and is important only as advice of great weight tendered to the Executive regarding the manner in which he shall exercise his constitutional functions.

The operation and effect of the proposed resolution, therefore, even if passed by both Houses of Congress by a two-thirds vote, are perfectly plain. It may inflame popular passion both in this country and elsewhere, may thus put in peril the lives and property of American citizens who are resident and traveling abroad, and will certainly obstruct, and perhaps defeat, the best efforts of this Government to afford such citizens due protection.

But except in these ways, and unless advice embodied in the resolution shall lead the Executive to revise conclusions already reached and officially declared, the resolution will be without effect and will leave unaltered the attitude of the Government toward the two contending parties in Cuba.

ALABAMA RIVER BRIDGE, NEAR MONTGOMERY, ALA.

Mr. PETTUS. Mr. President, by way of introducing a new subject, I will ask unanimous consent of the Senate for the present consideration of a bridge bill, which covers only half a page. It is the bill (S. 2842) to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 10, after the word "this," to strike out "amendment" and insert "act and completed within three years from same date;" so as to make the bill read:

> *Be it enacted, etc.*, That the said Montgomery Bridge Company shall have authority to construct and operate the bridge mentioned in said act across the Alabama River, under the [illegible] as and upon the conditions contained in said act, and in the amendment thereto approved March 1, 1893, if the actual construction of the bridge herein authorized shall be commenced within one year from the approval of this act and completed within three years from same date.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISTHMIAN CANAL COMMISSION REPORT.

Mr. CARMACK. I ask to have published as a Senate document the concluding chapter of the report of the Isthmian Canal Commission, which is contained in about seven pages. It is a summary of statements in the report.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Tennessee, and the order to print will be made.

LETTER OF COMMODORE M. F. MAURY.

Mr. TELLER. I ask leave to have published as a Senate document a letter written by Commodore M. F. Maury in July, 1866, addressed to Capt. Bedford Pim, of the royal navy and a distinguished member of Parliament. It is a very interesting and interpretive letter, and I have only been able to find one copy of it. The letter is taken from Van Nostrand's Engineering Magazine. It covers the Panama and Nicaragua routes and the whole canal controversy. I think the Senate will be very glad to have it in print.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado, that the article referred to be printed as a document? The Chair hears none, and that order will be made.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 13, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, January 12, 1904.

The House met at 12 o'clock noon.

Prayer by Rev. Dr. JOSEPH SILVERMAN, of New York.

The Journal of yesterday's proceedings was read and approved.

CHANGES OF REFERENCE.

By unanimous consent, changes of reference were made as follows:

House Documents Nos. 280, 94, and 29, from the Committee on Appropriations to the Committee on Public Buildings and Grounds.

House Document No. 359, from the Committee on Appropriations to the Committee on Foreign Affairs.

House Document No. 142, from the Committee on Appropriations to the Committee on Interstate and Foreign Commerce.

REGENTS OF SMITHSONIAN INSTITUTION.

The SPEAKER. The Chair announces the appointment of the following regents of the Smithsonian Institution: Mr. ROBERT R. HITT, Mr. ROBERT ADAMS, Jr., and Mr. HUGH A. DINSMORE.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. LAMAR of Texas, for two weeks, on account of important business.

To Mr. HOLLIDAY, for one week, on account of important business.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BINGHAM. Mr. Speaker, I move you, sir, that the House resolve itself into the Committee of the Whole [illegible] of the Union for the consideration of the bill (H. R. [illegible]) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The SPEAKER. The gentleman from Pennsylvania [Mr. BINGHAM] moves that the House resolve itself into the Committee of the Whole [illegible] of the Union for the consideration of the bill H. R. 9480, the legislative, executive, and judicial appropriation bill.

The motion was agreed to.

Mr. BINGHAM. Mr. Speaker, it is suggested that we make some arrangement in reference to general debate before [illegible] into the Committee of the Whole. I am ready for any suggestion from the other side of the House.

Mr. LIVINGSTON. Mr. Speaker, I have applications for two hours and [illegible] minutes on this side on this bill. I do not know yet whether there are others who desire time or not.

Mr. BINGHAM. I will state to the gentleman that I have but two requests from this side of the House, one asking for half an hour and the other for five minutes.

Mr. LIVINGSTON. I have five requests, which cover two hours and [illegible] five minutes.

Mr. BINGHAM. How much time does the gentleman require?

Mr. LIVINGSTON. We can leave our thirty minutes and consume, say, five hours and five minutes on this side.

Mr. BINGHAM. We may not exhaust our portion of time on this side of the House. If agreeable to the gentleman, we will fix the limit at two hours on a side, he having charge of the time on that side of the House and I having charge of the time on this side.

Mr. WILLIAMS of Mississippi. Making [illegible] on a side.

Mr. BINGHAM. I mean that the limit be [illegible] four hours, two hours upon each side, I having control of the time on the majority side and the gentleman from Georgia [Mr. LIVINGSTON] having control of the time on the minority side.

The SPEAKER. The gentleman from Pennsylvania [Mr. BINGHAM] asks unanimous consent that general debate be limited to four hours, two hours and five minutes of that time to be controlled by the gentleman from Georgia [Mr. LIVINGSTON] and the remainder of the time by the gentleman from Pennsylvania. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union, Mr. TAWNEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 9480, the legislative, executive, and judicial appropriation bill, which the Clerk will read.

The Clerk read as follows:

[illegible] for the [illegible] the fiscal [illegible]

Mr. BINGHAM. I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. BINGHAM. Mr. Chairman, in submitting to the House the legislative, executive, and judicial appropriation bill, it may be well for me to state that the bill is in all its essential features the reproduction of the civil-service law, as well as the orders of the President, in regard to that statute. In other words, save where [illegible] provision in the law or the orders of the President under the law, the bill is consistent. Further, the bill carries with it nothing partisan. It is simply to pay legislative for the conduct of the existing Departments of the Government without regard to political or partisan bias, and without regard to appeals from [illegible] Members of the House or from anyone for special consideration of individuals where salaries were being considered for increase.

Therefore we present to you a bill, after careful examination, that will not only stand the general scrutiny of the House, but legislation wholly in the line of wise economy. We have taken the statutes covering the appropriations for the current year, and, as I will submit to you in the round figures, show but little if any increase for the next current year. I read from the report, and if, after I have made my statement, any gentleman desires in my time to make inquiry concerning any paragraphs or proposed amendments to the bill I will take great pleasure in answering him.

[illegible]

[illegible] fiscal year, in[illegible] in the [illegible] 24 less than the ag[illegible] valle provided for in [illegible] more than the numb[illegible] provided for, it is not proposed by the terms [illegible] them beyond existing rates fixed by the cur[illegible] vided for, 487, over the [illegible]

F[illegible]	11
[illegible] Treasury	6
[illegible]	4
[illegible] ments	[illegible]
[illegible]	[illegible]
[illegible] office to pa[illegible]	33
[illegible]	[illegible]
[illegible] ency	[illegible]
[illegible] Department (in lieu of 72 salaries	[illegible]
[illegible]	12
[illegible]	10
[illegible] ment (including 19 clerks now employed and paid	41
[illegible]	5
[illegible]	[illegible]
[illegible] (service)	185
[illegible]	12
[illegible]	13
[illegible]	10

The principal reduction in number of salaries in any one bureau or office is that of 25 clerks, at $1,000 each, in the Pension Office.

It may be well, before I proceed, to emphasize this statement. Your committee believes, not only from experience, but from testimony, that the normal changes in the Departments in reduction, coming from resignation, coming from removal, coming from death, give the chief or the head of any of the Departments ample opportunity, from his immediate knowledge of the deserving subordinate, to give him a reasonable and fair promotion; that his judgment, under the normal condition of change, is far better than the casual investigation by your committee in connection with the increase of salary of the subordinate place. Therefore your committee throughout the bill, instead of advancing the high-paid clerks or adding increased number to the high classes, have given the increase of clerks to the lower classes in order that in the future they may advance gradually, and under normal conditions of changes in the Departments the meritorious clerk can be promoted.

In that connection I will refer in detail to the War Department when we reach that paragraph of the bill. It has been the common experience of every Member of the House, not only with reference to this proposed legislation, but in every bill carrying appropriations for the Departments, that when the bill reaches the Senate [illegible] and changes. I say that with all respect, speaking only from the history of legislation.

I believe by the action of the Department in the issuance of the order now made public and generally known, that the seven hours of labor and its results on the part of the subordinates in the Department [illegible] great that this bill, so far as the [illegible] concerned, as well as the number of subordinates, will come back to the House from the Senate without any radical or important changes. The order of the Department covers almost 7 per cent of the time, and when you average [illegible] in relation to the money it saves to the Government, I can say [illegible] the Department will receive almost everything that they have asked for in [illegible]

For the Library of Congress the following additional [illegible] are recommended: In the office of the Librarian, 1 stenographer and typewriter, at $1,000; in the copyright office, 3 clerks, at $1,000 each, [illegible], and 1 messenger boy, at $360; and under the [illegible] the Library building and grounds, 5 additional laborers, at $240 each, and a skilled laborer, at $720, are recommended.

Mr. WADSWORTH. Mr. Chairman, may I ask the gentleman a question?

Mr. BINGHAM. Certainly.

Mr. WADSWORTH. Will the gentleman state if the Committee on Appropriations has made any estimate as to the actual number of days gained by this new arrangement?

Mr. BINGHAM. We have not taken that subject up in any form. I can, speaking for the committee, submit that while we

were cognizant of the change ordered several days before it was made public, we have not deemed it necessary to estimate and [illegible] legislation, because its operation is undetermined so [illegible] actual results are concerned.

Mr. WADSWORTH. The gentleman misapprehends my question. I ask if the committee made any estimate as to the actual number of days gained by each clerk?

Mr. BINGHAM. We have not.

Mr. WADSWORTH. Then I want to say to the House that a few members of the Agricultural Committee have made an estimate—whether it is correct or not I can not say, but it is approximately correct—and the actual gain is between fifteen and sixteen days per clerk. So that the total gain, as the gentleman has well said, will be very large.

Mr. LIVINGSTON rose.

Mr. BINGHAM. Mr. Chairman, I would submit, representing the subcommittee of the Appropriations Committee, that the official notice came to us after we had concluded our bill, ready to report it to the general committee, and we determined that if changes were to occur in the lines of economy they can be made in the other Chamber, where they have full knowledge of this order. Does the gentleman from Georgia desire to make any statement?

Mr. LIVINGSTON. No; the gentleman has made just the statement which I wanted him to make.

Mr. BINGHAM. I thank the gentleman.

Mr. LIVINGSTON. That our knowledge of the matter came after we had made up the bill, and we had nothing at all to do with it one way or the other.

Mr. BINGHAM. In the report it would appear that your committee has not been sufficiently considerate in connection with the estimates of the Department of State. In the organization of the Department of Commerce and Labor the consular division of the State Department is directed to be bodily transferred to the new Department.

In the consideration of the estimates for the Department of State we determined to give the current law, which would be an easing around the entire Department and warrant the ignoring of their requested additional force, so that, in fact, we appropriate in this bill, although not apparent in the report, one chief of division, at $2,100; two clerks, at $1,800; one clerk, at $1,400; two clerks, at $1,200; one assistant messenger, at $750, and three laborers. Therefore we give the Department of State every possible convenience for general administration. There are eight bureau divisions now in the Department of State. One chief receives $2,250 and the other seven $2,100. We have reduced the $2,250 chief to $2,100, in order that the eight may receive the same compensation, making consistent our allowances.

Mr. MANN. Mr. Chairman, the gentleman stated that the Bureau of Foreign Commerce in the State Department had been transferred to the Department of Commerce and Labor, which, of course, is the fact; but in that organization there was left to the State Department the work of collecting and transcribing the special consular reports.

Mr. BINGHAM. And the revision.

Mr. MANN. That is still covered.

Mr. BINGHAM. Oh, yes; and we have allowed the whole existing force under current law to remain, so that it gives the Department generous appropriation.

With reference to the Treasury Department, more especially with reference to the Comptroller and the Auditors, your committee has been most considerate and allow almost wholly the estimates made. We recognize the labor and the watchful care that have become necessary in the settlement of the unlimited number of accounts as well as a more critical examination, and we have determined, so far as we can, to accept the estimates submitted and to expect in return safe and creditable results.

Appropriations for the collection of internal revenue are virtually existing law. Independent treasuries are but slightly increased. There is a limited increase in mints and assay offices. Sometime during the debate of the bill, not at this time, if it is suggested from the other side of the House, under the appropriation for mints and assays, I shall be glad to take up the question of the New Orleans mint. That item can be taken up in debate when we reach the paragraphs. At this time I do not consider it necessary, unless the proposition comes from the other side of the House to change the recommendation which is made in the bill. The allowances for the Territories are somewhat increased in amount to meet the requirements of what is known as the assembling every other year of the legislatures of the Territories. The amount is therefore increased to that extent.

To the War Department we consider we have been generous; but we ask for the consideration of this provision as an amendment:

Provided, That no person employed hereunder shall be paid any greater rate of compensation during the fiscal year 1905 than he was paid under this appropriation prior to January 1, 1904, except on promotion to fill a vacancy, nor shall vacancies occurring from any cause hereunder be filled except by promotion of persons employed under and paid from this appropriation.

Under the temporary allowance for the current year the Department has had at its discretion the sum of $544,000. We have reduced that allowance to $323,000, but in making that change and reduction we have given a permanent clerical force to the Bureau of Insular Affairs, in number fifty-five and salaries aggregating $65,240, together with an increase in the Record and Pension Office, which I submit:

Record and Pension Office.—The Secretary of War having transferred to the Adjutant-General and Surgeon-General, there were transferred to the former from the latter two offices seventy-five clerks; but on a careful analysis, submitted by the chief of the Office, the force is reorganized, making a reduction of twenty-seven clerks, with a compensation aggregating $[illegible]. The following table shows the force of the Office as now organized and the changes proposed therein:

Grade.	Force of R. and P. O. under act of Feb. 25, 1903 (permanent roll).	Transferred from A. G. O. and S. G. O. under orders of Secretary of War of Aug. 19 and 26 and Sept. 28, 1903.		Total present force of R. and P. O.	Estimate for 1905 (permanent roll).	Proposed decrease in force.
		Permanent roll.	Temporary roll.			
Chief clerk	1			1	1	
Chiefs of division	4		1	5	5	
Clerks [illegible]	34	2		36	36	
Clerks [illegible]	50	3		53	53	
Clerks [illegible]	75	6		81	81	
Clerks [illegible]	167	19	3	189	186	3
Clerks [illegible]	35	3	18	56	48	8
Clerks [illegible]			15	15		15
Clerks at $840			1	1		1
Engineer	1			1	1	
Assistant engineer	1			1	1	
Firemen	2			2	2	
Skilled mechanic	1			1	1	
Messengers	5		1	6	6	
Assistant messengers	35	2	1	38	38	
Messenger boy	1			1	1	
Watchmen	5			5	5	
Laborers	17			17	17	
Superintendent of building	1			1	1	
Total	435	35	40	512	485	27

So that in fact the bill reduces the temporary allowance for clerks but $114,000.

This we think will be ample, aided by the economies which the Secretary of War in his testimony before the subcommittee stated he might be able to carry out; and it is further to be considered—the fact was disclosed in our hearings—that the Secretary was abroad under the direction of the President—was not in the city of Washington—at the time when the estimates were submitted; and, without in any wise questioning the judgment of the Assistant Secretary, his whole testimony led to the conviction on the part of the committee that we could make a radical reduction in the temporary force.

In the Navy Department, as gentlemen will recollect, a year ago under existing law the millions of dollars carried in the naval bill for the "Increase of the Navy" are subject to this provision:

That the Secretary of the Navy may employ and pay out of the appropriations for new ships such civilian experts, aids, additional draftsmen, writers, copyists, and model makers on the designs thereof as may be necessary.

In other words, with this vast sum of money, running into millions, the Secretary can, without limit or qualification, under the existing law, employ such subordinate force on his own suggestion or upon the request of his chiefs of bureaus as he may see fit to order. In other words, Secretary Moody a year ago, in reply to a question whether he had such discretion, replied as I read:

Absolutely; you could do with me just as you please and I could laugh in your face, and I could go back to my Department and employ just as many clerks as I care to under the appropriation for the "Increase of the Navy."

That exact language was in his testimony before the committee one year ago. In view of the suggestion of the Secretary, opened, I think, in the general hearing by my friend from Indiana [Mr. HEMENWAY], as to the wisdom of his action under existing law, the Secretary and the committee agreed that he should take the matter into consideration for one year, and he now comes to us, taking the clerical and subordinate force now on the rolls, amounting in round numbers to $155,000, and transfers it bodily to the permanent force of the Navy Department, so that the exhibit may be correct, so that there shall be a limitation upon this allowance under existing statutes.

He then asks that he may have leeway for draftsmen and such technical men as may be needed; that from the fund for the

increase of the Navy he shall be limited to $120,000 the next year, having full knowledge of the increase of the Navy as it now exists and possibly to some extent as to the recommendations. In addition we allow as he requests, $30,000 for public works—largely to employ draftsmen and to put it within his power in that character of work, as the work increases, to use perhaps the full amount, or, as the work decreases, to make such changes or removals as he may think justified. This is the whole purpose of the amendment in the bill covering this change in existing law.

We had the pleasure of inviting before our committee the chairman of the Committee on Naval Affairs [Mr. FOSS]. We gave him a hearing and invited him to make suggestions. I do not see him now present, but I think he will be in full accord with our action in the interest of better administration for the reason that this is the earnest recommendation of the Secretary and wholly in the lines of economy.

In the items for Department of Commerce and Labor we have made careful scrutiny and have been compelled to make some reductions in the estimates. We feel, however, that as the appropriation for the next year is so much larger than the appropriation made in the current law, this Department shall have opportunity to broaden its field of action throughout all of its bureaus.

It would seem, and I make reference to it for no invidious purpose, but to show you that in the testimony of the Secretary of Commerce and Labor he made a statement that his Department, if allowed the estimates submitted, would become the fourth Department of the Government. Your committee feel, in view of his requested allowance, that we might wisely go slowly in the development of the manufacturing bureau as well as the corporation bureau, and, in fact, throughout all the details of this new Department in its proposed development.

It appeared in the report on the Department of Commerce, by Senator NELSON, of Minnesota, that the bill then under consideration would increase the salary roll only to the extent of $15,000, and all expenses would remain about the same. In the bill under consideration the estimate shows that the appropriations for the current year amount to $1,667,600; estimated for 1905, $2,799,600; recommended in the present bill, $2,098,270.84. Of course I do not make these comparisons invidiously, but to suggest that we were compelled to make reasonable limitations and reductions for the coming year.

If it is necessary as we proceed with the bill to explain any of the suggested changes, I shall have pleasure in doing so. While, of course, some of the amendments in the bill may be subject to a point of order, I would emphasize to the House that every amendment we have submitted is wholly in the line of good administration and economy. We have provided, in connection with the contingent funds of the several Departments of the Government, that the allowances shall be lived up to and no Department shall exceed the law in contingent expenditures.

Almost every Department comes to Congress each year asking for deficiency. This is all wrong. Congress in its enactment desires to hold the contingent funds the same as we hold the classified force. It shall not exceed the allowance; and the purpose in putting the limitation upon the appropriation demands a more watchful care over the fund.

I will reserve the balance of my time and as we proceed with the bill will explain any of the paragraphs——

Mr. BOUTELL. Will the gentleman allow me to ask him a question?

Mr. BINGHAM. With pleasure.

Mr. BOUTELL. I would like to ask whether there is any provision in the general statutes or in these annual appropriation bills which authorizes the "detail," as it is called, of clerks or laborers in the classified service, or outside of the classified service, from one Department in which they are employed and paid to service in another Department?

Mr. BINGHAM. There is nothing in this bill covering the gentleman's inquiry, nor do I think there is any statute. I believe from some experience I have that the transfer of a clerk from one Department to another Department, acceded to by the Secretaries of the several Departments, and submitted to the approval of the Civil Service Commission, is not frequently, but is occasionally done. I know of no statute. I do know that we do not carry it in this bill.

Mr. BOUTELL. I understand, Mr. Chairman that the law provides for transfers, by which a clerk in the classified service may be transferred from one Department to another, and thereby ceases his connection altogether with one Department and goes onto the roll and receives his pay in the Department where he renders the service. But I have been told, and I would like to call the attention of the gentleman in charge of this bill, and also the distinguished chairman of the Committee on Reform in the Civil Service, to a statement which I have lately heard repeated and have since seen in the public press, that there are scores, if not hundreds, of clerks in the classified service in this city and laborers in the various Departments who are regularly on the rolls of one Department, but are "detailed," as it is said, months at a time, and perhaps years at a time, for service in other Departments.

Now, I have been trying to find such a statute giving authority for this practice, but I have been unable to discover any. My opinion is that this practice is an unbusinesslike practice. If there is a statute authorizing it, in my opinion it should be repealed, and if there is no statute authorizing it, the practice should be stopped.

Mr. LIVINGSTON and Mr. GILLETT of Massachusetts rose.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Georgia?

Mr. BINGHAM. I yield to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT of Massachusetts. As the gentleman appealed to me, Mr. Chairman, I think the gentleman is very much mistaken in his facts. I do not think there is any such condition of which he says he has heard. I know of no such condition.

Mr. BOUTELL. I will say to the gentleman that if there is not I am very glad of it.

Mr. GILLETT of Massachusetts. I think so. I simply say I do not know of it, and I am quite confident the gentleman is mistaken. I only know of one case in which the law does allow details, and that is, I think, in the Civil Service Commission, and there, I think, there are very few employed——

Mr. BINGHAM. None.

Mr. GILLETT of Massachusetts. None, the chairman says; and I do not think there is any other in the other Departments.

Mr. LIVINGSTON. I wish to say to the gentleman from Illinois [Mr. BOUTELL], with the permission of the chairman, that transfers can not be effected without the consent of the Civil Service Commission. They have, furthermore, no power to transfer generally from one Department to another. But in regard to details from bureau to bureau, in the last twelve or fourteen years there has been a great deal, and there is still a great deal of it, and it is increasing continually.

Mr. BOUTELL. Mr. Chairman, I said the word "detail" should be placed in quotation marks. I understood the transfer of a clerk from one Department to another is authorized by law and does take place. This matter of details, I have been told and have seen it stated in the papers, is a practice which has grown up here in the Departments at Washington, and it results in our appropriating money for the pay of clerks in a Department where they are not needed, and if this practice has been to any extent carried on, of course the statement of the expenses necessary to carry on a Department in which the custom prevails is incorrect. I saw recently a statement, I would say in reply to the gentleman from Massachusetts, which referred to one bureau in which the number was given of twenty-three clerks detailed from that bureau to another Department.

Mr. GILLETT of Massachusetts. Do you remember in which bureau that was?

Mr. BOUTELL. As the statement may be incorrect, as I hope it is, I should prefer not to do so, as it might be construed as a reflection upon the officer having in charge that bureau. I certainly hope the statement and all other similar statements are incorrect, because if there is any such practice it certainly is very clear that it is an unbusinesslike way of conducting the service of the Government. It is not only contrary to the civil-service law, but contrary to the spirit of the civil service, and, what is of more importance, contrary to plain, common, business sense to appropriate money for the pay of employees in a Department where they are not needed and then detail them, with or without sanction of law, to another Department, where they render their services, appearing only twice in a month at the Department on whose roll they are carried to draw their pay.

Mr. BINGHAM. I will say, if the gentleman will allow me——

Mr. SNAPP rose.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. BINGHAM. I am of the opinion the gentleman may be in error in leaving the House under the impression, when he has not the assurances of that fact, that there are twenty-three detailed from one Department to another. Now, the detail may be from some bureaus in the same Department to other bureaus in the same Department. That is quite common. When a division of a Department has more than usual work, they call upon some other bureau through the Department chief——

Mr. SNAPP. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. BINGHAM. I think that the gentleman should not say that unless he can make a positive statement as to whether or not it was from one bureau to another bureau in the same Department or from one Department to another.

Mr. SNAPP. I would like to ask the gentleman from Pennsylvania if his attention has been called to the report of the Director of the Bureau of Engraving and Printing for the current year? This statement appears in that report, on page 1:

> Of the amount expended, $51,054 was for new machinery and $29,376 for employees detailed to other branches of the public service.

Mr. BINGHAM. What page is the gentleman reading from?

Mr. SNAPP. On page 1, from the Report of the Director of the Bureau of Engraving and Printing.

Mr. GILLETT of Massachusetts. They were detailed from the same Department, I think.

Mr. SNAPP. No, sir; the report says they are detailed to "other branches of the public service."

Mr. GILLETT of Massachusetts. Were they not in the same Department?

Mr. SNAPP. No; the report says they were detailed to other branches.

Mr. GILLETT of Massachusetts. But in the same Department—the Treasury Department?

Mr. SNAPP. As a matter of fact it was not. It was to the Post-Office Department.

Mr. MANN. From the Bureau of Engraving and Printing?

Mr. SNAPP. Yes.

Mr. BINGHAM. I think that procedure of transfer is understood by the House.

Mr. BOUTELL. I understand that transfers are fully provided for by law; also for details from one branch to another branch of the same Department. What I allude to is the practice which I say I have seen reference to—of detailing clerks and employees from one Department to another.

Now, I do not want to be misunderstood. I have no personal knowledge of the general prevalence of this practice, and was very much surprised when I saw it stated in the press that such a practice was common. Of course I have not the slightest objection to mentioning any bureaus that I have heard mentioned when it becomes necessary; but it would not seem to be right to mention a bureau which was incorrectly and therefore unjustly criticised outside this House. I simply called attention to what I have heard, and I am sincerely glad that, as appears from the statements that my inquiry elicited, the practice does not prevail, as has been stated. Let me say, in this connection, that I am sure we are all more interested in efficient service that in civil service.

Mr. BINGHAM. I have nothing to say upon that, as it does not belong to this bill.

Mr. SNAPP. Mr. Chairman, I would like to ask the gentleman from Pennsylvania if the committee investigated this question; and if they did, if they did not discover that a large number of clerks were being detailed from one Department to another, primarily to the Department of the Post-Office.

Mr. BINGHAM. I will say that it only came to us in a qualified and limited form. I think the committee was cognizant of the fact that under what you might call "the past," in connection with these transfers, they were made by the approval of the heads of the Department, say of the Post-Office Department and the Interior Department, and then went to the Civil Service for approval, and the right resting with the Civil Service Commission to approve or disapprove. It came to the knowledge of the committee that transfers had been made in that way. I suppose in that matter of transfer the exigency existed in the Post-Office Department.

Mr. MANN. Let me suggest that that case was probably a transfer in connection with the printing of postage stamps, which are printed by the Bureau of Engraving and Printing and are turned over to the Post-Office Department. It might readily occur that the same employee might be employed by each Department, and properly so.

Mr. BINGHAM. That would be wholly within the rule, for the Bureau of Engraving and Printing is in the Treasury Department. That would be for the Civil Service Commission to approve. However, this is a discussion that does not present itself very forcibly to us in this bill.

Mr. SNAPP. If the gentleman will allow me, I would like to make myself plain.

Mr. BINGHAM. I will yield to the gentleman.

Mr. SNAPP. I understand there is a large number of employees in the Bureau of Engraving and Printing detailed permanently to service in the Post-Office Department.

Mr. GILLETT of Massachusetts. But is not that, as suggested by the gentleman from Illinois, for the printing of postage stamps?

Mr. SNAPP. No; they are being paid out of the appropriation for the Treasury Department.

Mr. PRINCE. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. BINGHAM. I am losing a large part of my discretionary time, but I will yield to the gentleman.

Mr. PRINCE. I wish to make a suggestion. My colleague from Illinois has read from the annual report of the Director of the Bureau of Engraving and Printing, and that is a branch under the Treasury Department. The printing of postage stamps for the Post-Office Department really belongs to the Treasury Department, and it is quite likely, carrying out the suggestion made by the gentleman from Massachusetts, as well as the chairman, who has the bill in charge, that these men have been detailed from one branch of the service into another branch both under the Treasury Department.

It seems to me that that opinion should prevail in the House until it is clearly shown that some one has been detailed from one Department to another Department, and I suggest that this report and the suggestion made by my colleague does not clearly show that one branch of the service has been detailed to another and different branch of the service.

Mr. CALDERHEAD. Mr. Chairman——

Mr. BINGHAM. How much time does the gentleman want?

Mr. CALDERHEAD. I only wanted to ask a question of the gentleman from Illinois. Has the gentleman not noticed in the report of nearly every bureau officer that some number of clerks from his bureau are reported as having been detailed to some other bureau or some Department, or from some Department to some other Department? I also ask the attention of the gentleman from Massachusetts [Mr. GILLETT] to the same question. If I am not mistaken, I remember that the number detailed from the Bureau of Pensions is 34. It is not specified in the report whether they are detailed to other Departments or not.

I think that about one-half of them are detailed to other Departments entirely outside of the Department of the Interior, and upon that subject no regard is paid to the matter of details from one bureau of one Department to another by the Civil Service Commission, but that it is a method of avoiding the duty of transferring when it is applied for and can not be obtained. I want to say in this connection that I have not the slightest respect for the civil service as a system and not much for the Commission as a commission. [Laughter.]

Mr. BINGHAM. Now, Mr. Chairman, I think I shall have to exact my privilege.

Mr. LIVINGSTON rose.

Mr. BINGHAM. I yield to the gentleman from Georgia.

Mr. GROSVENOR rose.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Ohio?

Mr. BINGHAM. I do.

Mr. GROSVENOR. Mr. Chairman, I have been anxious to put some questions to the gentleman from Pennsylvania, but I have not been able to hear anything. I do not know, therefore, but he may have covered the ground.

Mr. BINGHAM. I will yield to the gentleman from Ohio in order that he may cover the ground.

Mr. GROSVENOR. I would like to ask the gentleman if there is any truth in the statement which was made elsewhere on yesterday and repeated in the press generally to-day that there is a large, a very large force of incompetent clerks in the various Departments, being men of such age and decrepitude as that they can not work in the same room with other clerks, and that the ventilation of the rooms has to be varied and shifted for the purpose of fitting it to the condition of these aged and decrepit clerks? And if these statements yesterday are true, is there any remedy, not by legislation—for no legislation is ever permitted in this House upon that delicate and tender subject—is there any remedy by any other process by which the Treasury of the United States can be relieved from the enormous burden of incompetent clerical force?

Mr. BINGHAM. Mr. Chairman, I will answer the gentleman to this extent. In the hearings before the committee in connection with this proposed legislation the question came before us. Under existing law, current as it has been for several years past, section 3, on page 150 of the bill, is the paragraph applicable to the employees of the Government. In that paragraph, as it is now in the bill, we use the language "compensation of any persons incapacitated for performing such service," whereas it formerly read "permanently incapacitated for performing such service." In other words, we strike out the word "permanently" for the reason the Department in its action rarely if ever finds a man permanently incapacitated.

The House can debate that proposed amendment when we reach it, but I simply give this to the gentleman from Ohio [Mr. GROSVENOR] as the judgment of the Committee on Appropriations, that it would be wise legislation to change the language and strike out the word "permanently." That would leave the law for the next year as it now appears in that section of the bill. We then throw the onus of conclusion upon the Department heads. I do not suppose anyone could determine whether a man is perma-

nently incapacitated unless he were suffering from such a thing as a stroke of paralysis in most serious form or injuries of extremely s[illegible]

Mr. GROSVENOR. That would be new legislation upon this bill.

Mr. BINGHAM. It is new legislation upon this bill. It can be [illegible] when we reach the paragraph and then discussed [illegible]

Mr. R[illegible]N of Indiana. Mr. Chairman, may I interrupt the gentleman just a moment to make a suggestion?

Mr. GROSVENOR. But, Mr. Chairman, the gentleman has not quite answered my question. I want to know to what extent this inquiry, permanent or temporary, partial or complete, exists in the Department.

Mr. BINGHAM. I can not answer how they would construe our law.

Mr. GROSVENOR. Take it all, take the whole line of incapacity, what per cent of the present clerical force in the various Departments [illegible] from his knowledge, comes under [illegible]

Mr. BINGHAM. That is a [illegible] gentleman, because I would not [illegible] There was [illegible] which would enable us to determine, but it has [illegible] debate, as the gentleman from Indiana [illegible] gentleman from Indiana [Mr. R[illegible]] has [illegible] and discussed it several times on the floor. It is a matter that we will leave to the [illegible] Departments.

Mr. GROSVENOR. It has been going on since 1883, but no bill for the [illegible] of this sort of situation has ever been reported back to [illegible]

Mr. R[illegible]N of Indiana. For [illegible] the appropriation bill has twice borne the [illegible] now reports. Twice it was pr[illegible] cepted by the Appropriations Committee; but four times the bill has gone to the Senate and has come back with this provision [illegible]

Mr. BINGHAM. That is true.

Mr. R[illegible]N of Indiana. And I complain that the conference committee permits it to be eliminated.

Mr. GROSVENOR. Showing that fortifications are along the entire line of [illegible] office of the purposes of the patronage of this entire Federal Government.

Mr. LIVINGSTON. I yield sixty minutes to the gentleman from Alabama [Mr. UNDERWOOD].

Mr. UNDERWOOD. Mr. Chairman, it is now apparent to all that the [illegible] of the Republican party in national affairs are [illegible] to maintain without change their do-nothing, stand-pat policies in reference to the tariff [illegible] under the present tariff schedule. Notwithstanding the [illegible] given them in the last public utterances of our [illegible] President, William McKinley, notwithstanding their [illegible] a modification of the present tariff rates, [illegible] production and a glutted market, they [illegible] and the industrial conditions of the country and [illegible] the Dingley bill so long as they remain in power. [illegible]

It is not my purpose to-day to discuss the question of tariff schedules. I will leave that to the [illegible] Congress, and to them I will leave also the theoretical question as to whether industrial America of to-day obtained her supremacy in the markets of the world by reason of her natural resources or by reason of protective policies and paternal legislation. It is not a question of increasing a locomotive engine; it is a question of carrying freight. It is not a question of whether the sun will shine; it is a question of what we shall do in the broad light of day. It is not a question of the past, but of the present. It is not a theoretical question, but a practical one. It is not a question of keeping other nations out of our markets, but of selling our products in their markets. It is not a question of production, but one of dispesing of our surplus products. It is a question in which capital and labor alike are interested, but within the time allotted to me I can not discuss the question in all its phases and will limit my discussion to the statement of a few facts showing the effect of the present policies of the Republican party on the capital and labor of the country engaged in the iron and steel manufactures.

CONDITION OF COUNTRY WHEN REPUBLICAN PARTY FIRST CAME INTO POWER.

When the Republican party first came into power and entered on its protective tariff policies, more than one-half of the area of the United States was a wilderness. The great continental railroads connecting the Atlantic with the Pacific Ocean had not been built. Civilization had not reached much farther than those States bordering the western banks of the Mississippi River, and even on the east side of the Mississippi River there were vast tracts of uncultivated and unoccupied public lands. The civil war gave a market for and encouraged manufactures of all kinds. Immediately after the war the building of the transcontinental railroads was begun, and the settlers followed the building of these roads and developed the country. For more than twenty-five years after that time a vast army of immigrants poured into this country from northern Europe, people of our own blood, who came into this western country to build their homes and develop its resources. From 1865 to 1885 the total amount of this immigration amounted to as much as the population of the thirteen colonies during the Revolutionary war.

A HOME MARKET THAT WAS ABLE TO CONSUME ALL THE GOODS WE MANUFACTURED.

The development of this western country and the vast number of immigrants going into it created a great market for our manufactured goods. The manufacturing plants of that day were not able to supply the demand. The home market consumed the entire products of the factories and foundries of America. Necessarily very little regard was given by the manufacturer of that day, or of the workman of that day, to foreign markets. He realized that he could not supply the home demand, and his sole idea was to hold the American market without competition.

But conditions have vastly changed since that day and time. The West has become settled. There is but little available land left for settlement. The immigration has changed. Instead of immigrants coming from northern Europe, who went West as home builders, the great percentage of the immigration to-day comes from eastern Europe and remains congested in the great cities of the East, as competitors of the labor of the country, instead of supplying new markets for the manufactures, as they did at the former period. Instead of the manufacturers of this country being unable to supply the home demand, the home market to-day is unable to consume the manufactured products of the country. Instead of the manufacturer looking solely to the home market to take care of his productions, he is now earnestly endeavoring to find foreign markets to consume his surplus products.

DEVELOPMENT OF PRODUCTION OF IRON AND STEEL IN THE LAST FOUR DECADES.

It is hard to realize what a vast development there has been in the production of manufactured goods in this country in the last [illegible] years and especially in the last ten years. It would be [illegible] for me, within the time allotted, to take up all the [illegible] manufacturing interests of the country and show their [illegible] productions and development. But as iron is one of the necessities of life and commerce, and as it ranks foremost in the gross value of the manufactured goods produced, I will endeavor to show how [illegible] production of iron and steel manufactures has grown, the amount of their production to-day, and the necessity of obtaining an outlet in the markets of the world for the sale of their surplus production. We find to-day [illegible] of there being any great danger from the importation of iron and steel into this country, the manufacturers of the Birmingham, Pittsburg, and Chicago districts are shipping pig iron, steel rails, and other steel and iron manufactures into the markets of Europe, where they are able to compete with the manufacturers of England, Germany, and Belgium after paying the freight across the Atlantic Ocean.

In order to obtain some idea of the vast proportions to which this industry has grown, it is necessary for me to call your attention to a few facts showing the amount of production to-day. I find that during the year 1902 the fuel consumed by the blast furnaces of this country was about 16,000,000 tons of coke, 1,600,000 tons of coal, and 300,000 tons of charcoal. In order for the human mind to grasp these vast figures, it is necessary to state them in some other terms than just the number of tons that were consumed.

The 16,000,000 tons of coke would make a pyramid 400 feet square and 6,500 feet high, towering as high as a mountain, and its base being as large as an ordinary city block. The coal would make a pyramid 200 feet square and 1,300 feet high, and the charcoal a pyramid 200 feet square and 850 feet high. The limestone used as a flux in the production of pig iron made that year was 9,490,000 tons, which would make a pyramid 5,500 feet high and 200 feet square. The above-mentioned material produced 17,821,307 tons of pig iron, about doubling the production of ten years ago. Of the above pig iron, 2,947,933 tons represent the amount of iron and steel converted into steel rails.

If all of these steel rails had been converted into one rail, proportioned according to the standard rail, it would be a mile and one-fifth long, 81 feet high, 81 feet across the base, and 43 feet on the tread. Two million six hundred and sixty-five thousand four

hundred and nine tons of iron that year were converted into steel plate. If this had all been converted into the thinnest steel plate known and in one sheet it would cover an area of 420,000 square miles, or seven times the area of the District of Columbia, and two-fifths the size of Jefferson County, Ala., in which my home is situated. Out of the iron produced that year 10,982,246 hundred-pound kegs of wire nails and 1,633,246 hundred-pound kegs of cut nails were made. There were in operation 725 establishments engaged in the manufacture of iron and steel, employing 222,490 wage-earners, who received wages to the amount of $134,739,004, and the total value of whose products amounted to $835,749,034.

These figures give some idea of the enormous plants, the production of iron and steel, how greatly the value of its products have entered into the general business of the country, and how many American citizens are dependent on its success for their daily wages. The reason for the enormous increase of the production of iron and steel in this country is probably due to two causes: First, the enormous home and foreign demand for iron and steel growing out of the fact that it is used so much more largely in construction work of all kinds than formerly; secondly, it is due to the fact of the great decrease in the cost of production. In the early history of the iron and steel development of this country the Bessemer steel converter was unknown. Its invention greatly decreased the cost of making steel, and the rapidity with which it could be done greatly increased the production.

At that time the great veins of ore on the southern and western coast of Lake Superior were undeveloped and unused. The close proximity of the iron ore to the coal and lime rock in the Birmingham district had not been realized by the world at large and was practically undeveloped. To-day, besides the labor-saving devices that have been employed in recent years, the ore fields of the Lake Superior region have been developed, and it is notable that out of one mine alone 5,800 tons are taken out a day; that they have steam shovels with a capacity of 5 tons of iron ore at a stroke, and with them they can fill a 25-ton car in two minutes and a half, or at the rate of 600 tons per hour.

These trains are moved to the wharves and the cars automatically dump into ships. From there they are carried to Cleveland or other ports near the Pittsburg market and the ore is raised and reloaded on cars automatically, so that now the Pittsburg district has obtained a most excellent and very cheap ore for the manufacture of its pig iron. In the Birmingham district the iron ore, coal, and lime rock, all the ingredients that are necessary to produce a ton of pig iron, lay within a very few miles of the furnaces, and the cost of assembling the raw material at the furnaces has been reduced to a minimum, so that the cost of production has been vastly reduced since the Republican party first entered upon its policy of protecting the home market for our home manufactures against foreign competition, and on the other hand, as I have stated, the American manufacturers of to-day are now seeking foreign competition in foreign markets. It has long been the boast of the Republican politicians that the protectionist legislation of the Republican party was friendly to the workingman because it protected him against foreign competition. Whatever that may have been in the past, I want the wage-earners in the furnaces, factories, steel plants, rolling mills, mines, and quarries of my district to understand what effect that policy has, so far as they are concerned, to-day.

PRODUCTION OF IRON AND STEEL.

In 1897, with a Democratic tariff on the statute books, Mr. McKinley was elected President of the United States. The Republicans and protectionists obtained control of both branches of the Congress and had the President. They enacted what has since been known as the Dingley bill, and placed on the statute books the highest tariff schedules that have ever been known in the history of this country. I therefore think that as fair a comparison as we can obtain as to the result of this legislation can be found in a comparison of conditions from 1897 down to a period as near the present day as the figures can be obtained. The table which I will now read is taken from the annual report of the American Iron and Steel Association.

Articles.	1897.	1898.	1899.	1900.	1901.	1902.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.
Pig iron	9,652,680	11,773,934	13,620,703	13,789,242	15,878,354	17,821,307
Spiegeleisen and ferromanganese, included in pig iron	195,695	213,769	219,768	258,667	291,461	.....
Iron:						
Bar, hoop, skelp, etc., and structural shapes, not including wire rods	3,081,760	3,941,057	4,996,801	4,390,697	5,785,479	.....
Structural shapes, included above	[illegible]	392,495	[illegible]	[illegible]	[illegible]	.....
Wire rods	97,796	1,071,683	1,159,208	995,281	1,095,854	.....
Plate and sheet, except nail plate	1,316,256	1,448,301	1,903,915	1,701,857	2,254,407	2,695,409
[illegible]	26,164	20,186	35,019	16,245	45,587	.....
Nails	427,[illegible]	331,181	340,195	222,945	465,471	.....
Rails	5,[illegible]	6,[illegible]	8,027,719	7,101,761	9,474,688	.....
Iron [illegible] rails	5,[illegible]	5,[illegible]	10,284,419	9,487,443	12,340,297	.....
Rails:						
[illegible] steel	1,644,530	1,976,702	2,270,985	2,383,654	2,870,816	.....
[illegible] steel	300	1,239	953	1,593	2,186	.....
Iron	2,852	3,300	1,262	695	1,730	.....
Total	1,647,882	1,981,241	2,272,700	2,385,682	2,874,639	2,947,933
Street rails, included above	122,244	143,815	154,246	101,312	.....	.....
Steel ingots and castings:						
[illegible]	5,475,315	6,609,017	7,586,354	6,684,770	8,713,302	.....
Open-hearth	1,608,671	2,230,292	2,947,316	3,398,195	4,656,309	.....
Crucible	69,169	89,747	101,213	103,562	98,361	.....
All other	3,012	3,801	4,974	4,862	5,471	.....
Total crude steel	7,156,167	8,932,857	10,639,857	10,188,329	13,473,505	.....
Open-hearth scrap blooms for sale	8,614	8,112	13,074	12,947	10,547	.....
Tin plate	255,598	336,315	360,875	322,665	399,291	.....

From this table it will be seen that in the year 1897 the total production of pig iron in this country was, in round figures, 9,650,000 tons and that in 1902 it had increased to 17,800,000 tons. You say this is an argument in favor of the Republican party and shows its development of this industry. But wait. In order that this increase shall be of benefit to the wage-earner and the American manufacturer, you must show that the conditions are such that markets can be found for the sale of this product in normal times and that it will not be followed by idle furnaces and idle factories. To some extent the market that has consumed this enormous amount of iron was caused by the consumption of iron in the Spanish-American war and the Boer war in South Africa, and also by the great increase of the navies of the civilized nations of the world.

FOREIGN MARKETS FOR SURPLUS PRODUCTS.

A great deal of our pig iron has gone abroad, but, as I will show later, the markets of Europe are being closed to us by reason of our present policies, or, rather, the policies of the party in power; and if we do not find markets to consume this product, we will shortly find the wheels of industry stopped and men out of employment. The enormous increase in production can not be due to the fact that a protective tariff has prevented foreign competition, for you will find from the table of imports of iron and steel which I will now read that the importation of pig iron into this country in 1897, under a Democratic tariff, was only 22,159 tons; that in 1902, under a Republican tariff, it had increased to 158,961 tons, a very small amount in either case, but showing an increase under the present tariff rates rather than under the former one, which does not indicate that the tariff controls the question as to iron and steel at all. And again, we find in the table that I will read that in 1897 the total importation of iron and steel manufactures, in round figures, amounted to $16,000,000, whereas in 1902 it had increased to $27,000,000 under the Dingley bill.

Articles.			Year ending June 30—					
			1897.	1898.	1899.	1900.	1901.	1902.
Iron and steel, and manufacturers of	dutiable	tons	543,241	352,155	269,013	946,194	771,457	1,189,732
Iron ore		dollars	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2,939,544
Pig iron	dutiable	tons	[illegible]	95,240	[illegible]	[illegible]	[illegible]	[illegible]
		dollars	52,745	675,883	711,088	[illegible]	[illegible]	[illegible]
Scrap iron and steel, fit only to be remanufactured	dutiable	tons	[illegible]	1,562	4,042	[illegible]	[illegible]	[illegible]
		dollars	[illegible]	14,041	65,[illegible]	[illegible]	[illegible]	768,733
Bar iron	dutiable	tons	[illegible]	33,986,988	44,745,[illegible]	47,663,407	30,745,497	49,110,456
		dollars	[illegible]	985,120	[illegible]	1,028,877	1,055,592	1,032,581
Bars, railway, of iron or steel, or in part of steel	dutiable	tons	[illegible]	[illegible]	[illegible]	2,457	1,091	15,017
		dollars	206,[illegible]	18,804	29,353	83,368	48,[illegible]	371,482
Hoop, band, or scroll	dutiable	tons	[illegible]	66,443	[illegible]	1,529,031	788,117	11,721,943
		dollars	1,569	2,095	[illegible]	[illegible]	[illegible]	178,282
Ingots, blooms, slabs, billets, and bars of steel, and steel in forms not specified	dutiable	pounds	39,560,028	30,821,157	23,797,[illegible]	[illegible]	[illegible]	[illegible]
		dollars	[illegible]	[illegible]	[illegible]	[illegible]	4,801,[illegible]	17,986,384
Sheet, plate, and taggers' iron or steel	dutiable	pounds	[illegible]	5,[illegible]	4,249,[illegible]	[illegible]	[illegible]	601,249
		dollars	2,[illegible]	183,[illegible]	178,842	[illegible]	[illegible]	[illegible]
Ties or hoops for baling purposes, barrel hoops, and hoop or band iron or steel, flared, spayed, or punched	dutiable	pounds	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		dollars	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Ties for baling cotton	free	pounds	16,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		dollars	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Tin plates, terneplates, and taggers tin	dutiable	pounds	[illegible]	[illegible]	[illegible]	145,[illegible]804	117,889,912	198,986,086
		dollars	[illegible]	[illegible]	[illegible]	[illegible]	3,770,062	6,065,024
Wire rods	dutiable	pounds	33,155,178	39,001,[illegible]	[illegible]	4,[illegible]	41,588,102	38,486,959
		dollars	622,[illegible]	844,841	[illegible]	1,114,115	1,[illegible]	982,598
Wire, and articles made from	dutiable	pounds	6,388,110	5,318,195	5,[illegible]	4,114,658	6,242,160	9,465,330
		dollars	380,207	348,854	[illegible]	386,316	488,344	633,391
Manufactures of—								
Anvils	dutiable	pounds	733,482	777,[illegible]	530,113	580,438	585,673	448,079
		dollars	44,787	47,795	[illegible]	39,429	35,722	28,774
Chains	dutiable	pounds	688,461	176,340	382,855	639,120	[illegible]	657,972
		dollars	32,866	11,429	[illegible]	43,720	24,881	45,774
Cutlery	dutiable	dollars	2,539,984	944,056	1,188,916	1,534,382	1,[illegible]	1,766,454
Files, file blanks, rasps, and floats	dutiable	dollars	47,407	35,344	42,[illegible]	50,767	50,534	52,380
Firearms	dutiable	dollars	734,112	469,022	578,555	[illegible]	924,147	1,155,188
Machinery	free	dollars	360,754	302,499	407,746	597,598	[illegible]	2,822,970
Needles, hand sewing and darning	free	dollars	33,169	48,885	158,871	182,166	[illegible]	2,346,397
Steel gun barrels in single tubes, forged, rough-bored	dutiable	dollars	1,386,666	1,107,598	1,210,827	1,671,889	1,[illegible]	[illegible]
All other		dollars	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total, not including ore		dollars	16,004,557	12,626,441	12,100,440	20,478,728	17,874,789	27,189,247

OVERPRODUCTION AT HOME.

A few years ago pig iron was selling in the Birmingham market at $18, $19, and $20 per ton. To-day it is selling at $9.50 and $10 a ton, and proportionately the same prices obtain in Pittsburg, Cincinnati, and Chicago, although a little higher than the Birmingham market. A few years ago the yards of the furnaces were empty. In none of them could you see a pile of surplus iron. To-day there is hardly a furnace in the country that is not carrying a large quantity of pig iron in its yards. With a falling market and a diminished demand, as indicated by the iron remaining in the yards of the furnaces or on the warrant yards, it is evident that the market for the sale of pig iron has diminished, and the same is true of all other manufactures of iron and steel. As I stated, in 1897 we had commenced the sale of our surplus products abroad. From a third to a fourth of the production of pig iron in the Birmingham district was sold in foreign markets. Since that time we find that the enactment of the Dingley tariff bill has largely affected our foreign sales to our own detriment.

FOREIGN NATIONS DISCRIMINATE AGAINST AMERICAN EXPORTS ON ACCOUNT OF THE DINGLEY BILL.

We find that on account of the discriminations of the Dingley bill, France, soon after its enactment, discriminated against American manufactures and practically drove them out of the French market. We are able to sell our iron and steel in the markets of England and can not compete with the English ironmaster in the French markets because we are compelled to pay $1.50 a ton on pig iron and $11.60 on steel rails, and so on throughout the iron and steel schedule, for the importation of our goods into France—more than other countries have to pay to take their manufactures into France. This practically destroys this market for our manufactured goods, but we are still left a great market for our agricultural products, as shown by our exports for 1903, which amounted to $75,092,466, whereas our imports from France into this country amounted to $20,050,072, and now, because the Senate of the United States rejected the French reciprocity treaty, France has recently discriminated against the products of our farms, which will still further increase the balance of trade against us.

The building of the transcontinental Russian railway and opening up of the Siberian country is developing a vast market for the products of the world. We should have our share of this market, but shortly after the enactment of the Dingley tariff bill the Secretary of the Treasury, under President McKinley's Administration, used the machinery of that act to discriminate against Russian beet sugar, excluding an amount less than $300,000 in value under the pretense that it was bounty-paid sugar, with the result that Russia has enacted a new tariff law increasing the tax on American goods exported to that country over 50 per cent, and this applies to agricultural as well as manufactured goods. Russia bought of us in the year 1903 $15,889,601 worth of the products of this country and sold to us $9,234,739 worth of their productions, leaving a balance in our favor of $6,654,862, which balance will be greatly diminished by Russia's new discriminating tariff against us, instead of our greatly increasing our exports to that country and finding markets in the newly developing regions of Siberia, as we could if it were not for the discriminations made against our products.

On account of the discriminations of the Dingley Act against products of Germany, mostly beet sugar, that country has passed an act discriminating against the products of this country. This tariff increased the duty on flour $4.06 per barrel, or 149 per cent; on wheat, 58½ cents per bushel, or 115 per cent; on rye, 100 per cent; on oats, 148 per cent; on corn, 113 per cent; on horses and mules, 400 per cent; on cattle and beef, 100 per cent. This is but an illustration, under this new tariff act, of the effect it will have on our commerce on farm products as well as manufactured goods exported from this country to Germany. Now the discrimination of Germany against us amounts to more than 50 per cent of the the former tax we had to pay on our exports to that country.

This is injuring our foreign trade in an enormous market, and one where the balance of trade was strongly in our favor, for in the year ending June 30, 1903, we sold to Germany $190,896,147 worth of our products, and we bought from her $119,772,911 worth of her products, leaving a balance in our favor of $71,123,926. Switzerland, Venezuela, and Brazil have all increased their tariff taxes against our goods, decreasing our exports and narrowing our markets, and now the news comes across the water that Mr. Chamberlain, the English statesman, is endeavoring to persuade the English Parliament to adopt a policy of discrimination against us. In 1903 we sold to the United Kingdom of Great Britain $516,986,416 worth of our manufactured and farm products and bought of Great Britain $190,021,658 worth of her products, leaving the enormous balance of $326,964,758 in our favor. Let me read you a table showing the imports and exports of the United States for 1903:

Imports and exports for 1903.

Country.	Imports.	Exports.
Europe	$547,226,887	$1,029,[illegible]
North America	189,736,475	[illegible]
South America	107,428,323	[illegible]
Asia	147,702,374	[illegible]
Oceania	21,043,527	[illegible]
Africa	12,581,651	38,436,853
Total	1,025,719,237	1,420,141,679
Balance in our favor	.....	394,422,342

Which shows a balance in our favor of $394,422,342 of exports over imports with the entire world, which is little more than the amount of the balance of trade in our favor with Great Britain. Now, should the British Government enact a discriminating tariff against us, as France, Germany, Russia, and other European countries have done, by reason of our discriminating tariffs against them, practically the entire balance of trade that is now in our favor would be wiped out, our foreign markets destroyed, and idle furnaces and factories would be the result in this country, with thousands of workmen without employment.

CONDITIONS THAT GOVERN THE TRADE OF THE TIME.

The trade of nations is largely governed by the same rules and the same causes that govern and affect the trade of individuals. We trade with the man that we like, and we refuse to trade with the man that we dislike; we trade with the man that we believe gives us the best bargain, and not with the man that we believe tries to take advantage of us; we trade with the man who is willing in turn to trade with us, and not with the man who refuses to buy that which we have to sell. We can not expect foreign nations to invite us to their markets when we exclude them from ours. We can not expect them to grant us advantages which we are unwilling to return. There was a time when our home market, as I have said before, consumed our entire manufactured products and when it was unnecessary for us to consider what effect our action at home would have on our foreign trade. But to-day, when we are admittedly producing more than we can consume in both our manufactures and agriculture, our development must cease or we must find markets for our surplus products.

As I have shown above, foreign markets instead of being developed are being closed to us by reason of the discriminations made against the importations of other countries, and yet the Republican party contends that it is benefiting the American workman by the maintenance of the present discriminating Dingley rates and its stand-pat policies. Another reason why we can not expect to develop our foreign trade without we are willing to allow other nations to trade with us is the fact that it costs a ship just as much to cross the seas empty as it does to cross the seas with a cargo. We can not sell our products in the South American markets in competition with English manufacturers, not because they manufacture and sell their goods cheaper at home than we do, but because they can reach these markets with a less freight rate than we can. To illustrate, when they send abroad a cargo of coal or manufactured goods, the ship after it reaches its destination in the South American ports is reloaded with the products of that country and returns home with a full cargo. The return freight pays the charges of the ship coming home, and the exported goods are only required to pay the transportation charges for the outgoing voyage.

On the other hand, when we ship our goods to the South American markets, on account of our high discriminating Dingley tariff rates most of the products of that country are excluded from our markets and the ship is required to return home empty and the owners of the outgoing cargo are required to pay the freight both ways. In other words, the English exporter pays one freight and the American exporter pays two freights. The difference in the freight charges amounts to a fair profit, enabling our competitor to undersell us and exclude us from those markets. Now, what effect will these conditions have on the American manufacturer and the American wage-earner? The Republican party claims that it is through its management and through its policies that the wages of the American laborer have been increased.

EFFECT ON LABOR.

Unquestionably the wages have slightly increased during the last decade, but in all probability a large portion of this increase is due to the American labor organizations and not to conditions existing then and now. But can the American laborer maintain this increase in his wages in time to come? I can conceive of a condition where there is a demand for all the goods produced by the American manufacturer at a price at which the manufacturer can make a profit, where every laborer in the country is employed, and no surplus labor in the market. With united action these wage-earners can maintain or increase their wages up to a point where they would destroy a fair profit for the manufacturer. But the furnaces and factories will run only so long as the owners thereof can run at a profit.

The same is true of any other business. When the conditions in this country reach a point where no market can be found for a large portion of our manufactured goods somebody must stop manufacturing. When that plant shuts down it leaves men without employment. These men can not starve. They must get employment, and in the end they become the competitors of those who have employment. Where you have two positions hunting for one man, labor can maintain its wage scale; but where you have two men hunting for one position—whether there is organized labor or not—it will be impossible to maintain a wage scale until wages are reduced to a point where the surplus labor in that industry can not find employment and is driven to other occupations.

HOW DESTRUCTION OF FOREIGN MARKETS WILL AFFECT OUR MANUFACTURES.

Now, in my judgment, the destruction of our foreign markets by the Republican party is leading to-day and must ultimately lead to idle furnaces and factories. When that is done, necessarily a large number of men will be thrown out of employment and are being thrown out of employment to-day. Then the price of labor in the iron and steel manufactures will be reduced, as it has always been reduced in the past under these conditions, and unless some action is taken to open again the markets that are being closed to us the American laborer will be the sufferer as well as the manufacturer.

For this reason I believe that the time has come when a change in our present tariff schedules is growing imperative. We can not have free trade no matter what theories we indulge in. It is an impractical question to-day. We must raise revenue to support this Government, and when the Supreme Court of the United States decided that the income-tax law was unconstitutional the effect of that decision was that for all time to come a part of the revenue of this Government, and a large part of it, must be raised by taxes levied on goods imported into this country. But that does not necessarily mean a tax placed so high that it practically prohibits the importation of any goods at all. On the other hand, you can place it so low that very little revenue will be derived from the importation of foreign goods. Unquestionably a greater amount of revenue could be derived than at present by lowering the present Dingley rates without injury to the manufacturing interests of the country, and at the same time it would give us an opportunity to make terms with foreign nations that would allow us to trade in their markets.

As I have stated above, it is absolutely necessary to the prosperity of the iron and steel industry of this country that we should have markets in which our surplus products can overflow in times when a normal home market can not absorb them. The iron and steel industry is one that is so great and one that comes in contact with the daily life of every individual to such an extent that it is impossible for any man or set of men, corporation or combination of corporations, to control it in good times or bad times. The average cost of production of a ton of pig iron in the United States is probably somewhere near $10 per ton, although pig iron can be produced in some sections of the country at a much lower figure than this, and of this $10 per ton over $8 is expended for labor in the production of it, and for the labor used in the mining of the raw material—such as coal, limerock, and iron ore.

As I have stated above, in the year 1902 the production of pig iron in this country amounted to 17,821,000 tons. At a cost of $10 per ton for production this would amount to $178,000,000 that the furnaces of this country are required to pay out each year. The combined iron interests of the country are not strong enough to carry this enormous outlay in their yards in the shape of pig iron for any great length of time. Therefore, when the demand falls off and there is a surplusage of pig iron in the market the weaker furnaces must cut the price, with the result that it falls very rapidly. In other words, although articles manufactured of iron and steel are a necessity in civilized life, yet they are the one necessity in life in which the greatest economy can be shown in times of depression.

When hard times come the housewife can make the cooking stove last a few years longer. The railroads buy no more equipment or new rails than is absolutely necessary. There is no money for investment, and the building of steel-frame buildings stops. The farmer patches his old plow, and along the whole line the demand for iron falls off, with the result that stagnation follows, prices come down to the cost of production, and many men are thrown out of employment. But if we can find a market abroad to absorb this surplus product when dull times come at home, the prices can be sustained and the factories and furnaces kept in operation and the laborer receive his wages. Of course, after a long era of depression, when the rails of the railroads are worn out, new equipments are required, and the house needs refurnishing and the farmer a new plow, an era of prosperity sets in and with it comes an enormous demand for iron and steel, a demand that this country is unable to supply.

Everybody wants iron and steel at the same time, and necessarily the price advances away beyond the cost of production. Profits become enormous and old plants are put into operation that can not be worked at a profit at normal times. Surplus capital is induced to rush into the iron and steel business without considering the effect of the investment when the time of overproduction is reached. This is partially brought about by a high protective tariff that prevents foreign iron and steel from coming into the country and relieving the excessive demand. In

my judgment, as I have stated above, it is impracticable at this day and time to have absolutely free trade. On many articles the [illegible] bill are prohibitive. [illegible] relief in times of great demand to come [illegible] would be better for [illegible] has [illegible] business, and [illegible] to [illegible] must be [illegible] with the [illegible] business.

In [illegible] about the American [illegible] can make [illegible] in the world. In [illegible] in my judgment, it would be [illegible] and believe [illegible] to a reduction [illegible] have excessive [illegible] that induce our furnaces, [illegible] run at a profit in [illegible] times, to go back into competition [illegible] plants that go to [illegible] times. In other words, for a [illegible] derives his income or earns his daily bread from the manufacture of iron and steel it is better to avoid [illegible] as far as possible and feel that [illegible] tariff is practically derives none at all.

[illegible] PARTY HAS LOST FOR THE WAGE EARNERS.

[illegible] for the wage earner in this country in the period between [illegible] 1897, and the present day, it is well for us to look at what [illegible] in this country to live at that time and what it costs to-day. The table which I will read shows the prices proportionate to consumption of the various necessities of life, and cost of living from January 1, 1897, to January 1, 1903.

Date.	Breadstuffs.	Meats.	Dairy and garden.	Other food.	Clothing.	Metals.	Miscellaneous.	Total.
January 1—								
1897	$11 720	$7 827	$10 456	$8 170	$12 407	$13 614	$12 399	$75 592
1898	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1899	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1900	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1901	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1902	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1903	11 734	9 522	11 6[illegible]	9 4[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

[illegible]

From these figures it is shown that on the 1st day of January, 1897, the proportionate cost of living amounted to $75.50, and on the 1st day of January, 1903, amounted to $100.35, showing that there has been an increased cost of living of over 30 per cent. In breadstuffs the increase amounts to $3.40; in meats to $2.20; in dairy and garden products to $4.16 and other food products to $1.24; in clothing to $3.53, and in miscellaneous articles to $4.18. On the other hand, the increase in metals amounts to $4.17, and on account of the rapidly decreasing prices of iron and steel manufactures in the last year and its continuance, I have no doubt that if I had the figures down to the 1st of January, 1904, they would show practically no increase at all in the metal schedules since 1897.] So, so far as the worker in iron and steel is concerned, he finds the cost of living has increased a very great deal since 1897, when the Dingley bill was enacted, and, on the other hand, he finds that the competition in the home market is driving [illegible] down [illegible], if it continues, it must necessarily [illegible] wages back to the level of that year. In order that I [illegible] data in reference to the wage scales, I requested [illegible] of the Bureau of Labor to inform me on the subject, and in answer to my request I received the letter which I will now read:

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF LABOR,
Washington, January 7, 1904.

Hon. O. W. UNDERWOOD, House of Representatives, Washington, D. C.

[illegible] wages for in[illegible] as to the [illegible] The last report on [illegible] which [illegible] to the end of 1902.

[illegible] estimates to the [illegible] wages [illegible] over a great number of representative establishments. And therefore furnished a perspective fact [illegible] well, not the [illegible] into the latter part of this year, as much of the field work yet remains to be done.

Attention [illegible] which was made in 1902 indicates that the increase of wages from 1897 to 1901 inclusive, amounted to about 15 per cent. It should be remembered, however, that this is but an estimate, and that the results of a more extensive investigation from actual pay rolls, which is now being carried on, may show a somewhat different figure.

[illegible] I can not furnish you with more definite information in regard to a matter.

I am, very respectfully,

G. W. W. HANGER,
Acting Commissioner.

The bulletin referred to in this letter on an average shows practically no increase in wages from 1896 to 1899, as far as it carries the [illegible] for those employed in iron and steel manufactures; but the net result is that the cost of living has been increased over 30 per cent and the increase in wages is not over 15 per cent, for all of which our Republican friends say the American [illegible] must thank the present Administration. For when the [illegible] can no longer sell his product at a profit he must of necessity either reduce wages or close down his furnaces or his factory, so that the wage-earner in the furnaces and factories, coal mines and iron-ore banks gains nothing by the standpat, do-nothing, exclusive idea of the Republican party. On the other hand, it puts their daily wage in jeopardy and is bringing about stagnation in the business interests from which they earn their daily bread.

REPUBLICAN PARTY REFUSES TO PROTECT AMERICAN LABOR AGAINST PAUPER LABOR OF EUROPE.

As I have said before, the Republican party makes its boast that it is the friend of the laborer in this country, and that by its protective policies it has protected him against the cheap labor of Europe. Yet, as I have shown, we are to-day producing the cheapest iron and steel in the world, and the same is true in most of our manufactures. When we can undersell the European manufacturer in his own market, certainly there is no protection to the American laborer no matter what the wages that may be paid to the foreign wage-earner. Our great natural resources, American inventions, and the greater skill and capacity of the American workman enables us in most instances to produce our goods at a lower cost than the same goods are produced in European countries and pay a better wage scale to the laborer at home. But there is an instance in which the Republican party has had, and still has, the opportunity to protect the American laborer against the competition of the pauper labor of Europe, but instead of doing so it has kept the flood gates for foreign immigration open wide and has entered into an unholy alliance with the steamship lines of the world to flood the United States with European labor that is not up to the American standard and pulls down the American wage scale.

With the exception of two years, during the first part of President Cleveland's second Administration, the Republican party either has been in absolute control or partial control of this Government since 1861. In the first part of that period there was no necessity to close the doors against European immigration, for most of it came from Germany, France, Sweden, Norway, Great Britain, and other European countries. They went into the western country and developed our Republic. They were people of our own blood, our kith and kin. We absorbed them in one generation, and they created new markets for our manufactures. But in the last two decades a very small proportion of our immigrants are from northern Europe. Most of them are gathered up by the steamship companies and their agents from southern and eastern Europe. They are a people who are not capable of coming up to the American standards of living and of life and pull down the American wage scale. Yet, the Republican party has made no effort as a party, except by promises and broken pledges, to relieve the situation at all.

During the last Congress I offered on the floor of the House, and succeeded in passing, an amendment to the immigration laws, by which this flood tide of foreign immigration into this country would have been decreased. The Republican Committee on Immigration in the House refused to support the bill; but with the Democratic votes and the aid of some of the Republican members the amendment passed the House and went to the United States Senate, where it was killed in a Republican committee and by a Republican Senate. And yet this indiscriminate immigration is not only a menace to the labor of the country, but is an enormous tax that the wage-earners as well as the capitalist of the country must each give their proportion to sustain, for of the 404,057 aliens who landed at the port of New York during the six months ending June 30, 1903, 580 have become public charges, applying voluntarily for aid.

The average cost of maintaining a pauper is $80 per year. It will cost $46,400 to maintain these 580 paupers each year. There were 66,400 paupers in the State of New York maintained for the year ending September 30, 1901, at a cost of $15,941,922. Of these, 28,976 were native born and 37,424 were foreign born. It also cost the city of New York $5,000,000 to maintain its insane asylums, and more than half of the inmates of the insane asylums were shown to be persons born in foreign countries. The value of the public buildings and grounds that it was necessary for the State to build and maintain to keep

up these establishments was $86,177,725. The interest on it at 5 per cent per annum amounts to $3,408,886, making the total cost to the State of New York to maintain her insane and poor $24,350,508.

More than half of these were foreign-born persons who became a charge on the State shortly after they came in this country. So that the people of the State of New York are paying $12,000,000 a year to maintain and support the paupers and insane of foreign countries by reason of our lax immigration laws. During the year ending June 30, 1903, all the records as to the number of immigrants landed in this country were broken. Eight hundred and fifty-seven thousand and forty-six immigrants were landed in the United States, as against 648,743 the year before. When will this enormous importation of foreign labor cease, and why is it continued? It will not cease so long as the party in power listens to the demands of those who are making a profit out of it, and it is very easy to put your hand on the influences behind the present Government who have prevented an amendment to the present immigration laws being passed.

One hundred ships a month are bringing immigrants into the single port of New York, and at the average rate of $30 a person for steerage passage an enormous revenue of $25,711,380 was received by the steamship companies last year; and of the great number of immigrants that have been brought in, many of whom were admitted in violation of our present lax and unsatisfactory immigration laws, not one-half of 1 per cent were returned as coming in in violation of the law which prohibits a pauper or insane person from being landed. The statistics show that 20 aliens out of 10,000 who landed became objects of charity, while there is only about 9 out of every 10,000 native born who became objects of charity. Out of the 648,743 immigrants who came into this country in 1902, 3,000 were engaged in professions, 80,000 were skilled workmen, 400,000 were unskilled laborers, and 150,000 were women and children.

If these came from northern Europe, where they are capable of coming up to the American standards and American ideas, it would not jeopardize the present wage scale or injure the present wage-earner, but, as I stated before, the great bulk of this labor comes from southern and eastern Europe, where through centuries they have been down-trodden and oppressed, where they have been compelled to fight for existence, coming to this country without education, ready to pull down rather than build up in the fight for their daily bread. And still the stream continues to pour in upon the American labor market. More than 80,000 skilled workmen and 420,000 unskilled laborers coming each year in competition with American labor because the Republican party will not pass legislation that will protect American workmen against this competition. What can honest labor do when it has to come in daily contact and daily competition with foreign labor that is not up to its standard? How can any organization increase or maintain its present wages when a constant oversupply of labor through immigration coming into this country is tearing down the American standards of labor and living? You can not increase the wages or maintain the standard when you have two men fighting for one position, and the man who will get the position in the end will be the man who can live the cheapest, for he will work the cheapest.

The time for a change has come; continued victories at the polls and unchecked power for nearly a decade has made the Republican leaders forget the interests and needs of the men who elected them. Corruption stalks in the great governmental departments; extravagance in public affairs is the price they are willing to pay to special interests for the sinews of war for the coming campaign, and a reckless disregard for public interests makes them willing to [illegible] in the present excessive tariff schedules, burdening the people with enormous taxes, accumulating unsurpassed surplus revenue in the Treasury, to loan to banks in the East during the present Administration.

The Republican party must be driven from power before we can have [illegible] in public expenditures, and an honest [illegible] of public affairs. [Loud applause on the Democratic side.]

Mr. Chairman, I yield back the balance of my time to the gentleman from Georgia [Mr. LIVINGSTON].

Mr. LIVINGSTON. How much time did the gentleman from Alabama occupy?

The CHAIRMAN. He occupied fifty-five minutes.

Mr. LIVINGSTON. I yield fifteen minutes. Mr. Chairman, to the gentleman from Arkansas [Mr. LITTLE].

Mr. LITTLE. Mr. Chairman, before beginning my remarks, I desire to ask permission to extend them in the RECORD, as there are some matters to which I shall refer which I shall not have time to read in full.

Mr. LIVINGSTON. Mr. Chairman, I ask the same privilege for all Members who address the House on the bill now under discussion, that they may extend their remarks in the RECORD.

The CHAIRMAN. If there is no objection, the request of the gentleman will be granted.

There was no objection.

Mr. LITTLE. Mr. Chairman, I have no set speech to make to-day to the House, but I want to read an indictment against the Republican party, an indictment made by one whose authority I do not think any Member on that side of the House can dispute. It is an indictment which if true ought to drive the present party out of power. It is a charge which I believe to be true and which I believe will drive that party out of power. I can already see the signs of decrepitude in the grand old elephant. Now, Mr. Chairman, I read from page 8 of the President's message. He says:

In my last annual message, in connection with the subject of the due regulation of [illegible] public [illegible] appropriation for the better enforcement of [illegible] Government [illegible] in the [illegible] proceedings and prosecutions under said [illegible]

[illegible] most important and urgent, the [illegible] of the [illegible] of the [illegible] which the sacred right [illegible] perverted [illegible] the proper conduct of the [illegible] administration of the Post-Office Department have been notoriously [illegible]

There is a declaration, sanctioned by the language of your President, that under this Administration thousands of acres of the public lands have been stolen, numerous and incalculable frauds upon citizenship have been practiced, and that the laws relating to the various branches of the Government have been notoriously violated. How can you answer this? Not by the one-sided investigation which has been attempted in the Post-Office Department. You can only answer it by joining with this side of the House in an independent Congressional investigation that will be thorough and energetic and that will go to the bottom of these crimes. [Applause on the Democratic side.]

When you do that the infamy and crimes that will be shown will be such, in my opinion, as to drive you from place and from power, as it ought to do. [Applause on the Democratic side.] We ought to remember that Jefferson said that "the whole art of government consisted in the art of being honest." No crime can be of greater concern, no criminal deserves more severe punishment or more speedy punishment than the man occupying official position who violates his trust, and the sooner the lash can be placed in the hand of every honest man to whip the rascals naked through the world, even from east to west, until these things be corrected, the better it will be for the country.

The President is powerless to correct the evils as long as he depends upon partisans interested in party success, if not in shielding themselves, to make the investigations and conduct the investigations. You dare not, under this cruel arraignment of the President, go backward, and you dare not offer to this House a fair and full investigation where both parties are interested. Nothing short of the latter course will satisfy the public, already alarmed by the disclosures that have forced themselves upon the public. You must open up the books, turn on the lights, and drive the undaunted rascals out of public life, and put stripes upon those who deserve it.

The President in his message also felicitates the country on having accomplished so much by way of legislation looking to the control of trusts. He says:

With a nation as with a man the most important things are those of the household, and therefore the country is especially to be congratulated on what has been accomplished in the direction of providing for the exercise of supervision over the great corporations and combinations of corporations engaged in interstate commerce.

Why, Mr. Chairman, a year ago the sum of $500,000 was placed in the hands of the judicial officers of this Government to enable them to prosecute the trusts, to hunt down these thieves and prosecute them. Yet, to-day, in the beginning of the year 1904, we read constantly in the press of the aggression, the extortions, the unmitigated robberies of the United States Steel Trust, and your Attorney-General and your President, the trust buster from Oyster Bay, seem never even to have heard of the existence of that organization.

Mr. GILBERT. The Attorney-General does not even mention in his report the matter you speak of.

Mr. LITTLE. These combinations are not mentioned by the President. [The appropriation which I referred to, I am advised by my friend from Kentucky, is not mentioned by the Attorney-General in his report. Not only that, Mr. Chairman, but we find that this corporation has turned out, defenseless and without employment, 62,000 of its workmen at this season of the year. It has not only done that, but it has cut down the wages of 200,000 of its employes from 10 to 20 per cent. Not only that, but I have good Republican authority for the statement that it has robbed 40,000 honest investors, many of them the employees of this great robber institution, of more than $200,000,000. Yet the executive and judicial officers of the Government have not been able to discover the existence of this criminal institution.

Not only that, we hear nothing of the great oil monopoly, we hear nothing of the great sugar trust, except that it is laying its hands upon the independent beet-sugar industry of the West and taking it within its grasp.

We hear nothing of the great beef trust that continues to divide the beefsteak of the poor man in half. There is no complaint about that. Only yesterday I noticed an Associated Press dispatch that there is now being organized a great beef trust that will involve all the packing houses of New England. Yet this Administration is silent; like a sheep before its shearers, is dumb, powerless to enforce the law or to attempt to enforce it; not willing even to institute civil proceedings against these highwaymen.

Mr. Chairman, let me tell you that the people will put men in power next November who will enforce the law. [Applause on the Democratic side.] Mr. Chairman, I will publish in connection with my present statement an editorial in the Philadelphia Inquirer, a great stalwart Republican paper, which is a supporter of the Administration, in which the editor agrees with me that the men who have done these great wrongs to the honest people and the honest laborers of the United States ought not to stand higher than the ordinary thieves in this country. It is the only Republican paper of importance that has been able to discover it, and I hope through its instrumentality that the attention of this Administration will be called to it.

[The Philadelphia Inquirer, Saturday morning, January 9, 1904.]

IT WAS A SHAMEFUL CONSPIRACY TO ROB THE PEOPLE OF THEIR SAVINGS.

The story of the paying and of the selling and of the passing of the dividend on the common stock of the United States Steel Corporation is the story of an infamous assault upon the savings of the people. It is the story of a conspiracy entered into against the people of a trusting but unsophisticated community by a number of so-called highly honorable and eminently respectable gentlemen who would be disgusted at being classified with ordinary sneak-thieves and pickpockets. It is a story of the manipulation of stocks in which they are engaged, and in which their gains, their profits, were computed upon a smaller scale and if they looked the money wherewith to time smart lawyers to tell them how to rob with impunity and how to do without personal risk. It is the story of the most gigantic swindle game that was ever played with success upon a confiding community. It is a story of silence, of dishonesty, and of indefensible shame.

Looking back at the past in the light of the present it is easy to follow the inception and development of the conspiracy whereby it was designed to rob of its property the thousands of innocent investors, whose money it was proposed to divert into the possession of the promoters. The organization of the United States Steel Corporation was of itself proposed to be a business proposition, having for its object the consolidation of a great industrial plant for the benefit of those through the consolidation of its business interests. The enterprise was said to be to realize important economies through consolidation, to facilitate the development of the business, and to prevent the squandering of money which had been the bane of the trade under the old conditions. That is why the public was told repeatedly and that was the reason given which it was invited to put its confidence and its money in the enterprise. Such was the theory, but the reality was quite different.

Subsequent events have shown the truth to be that the United States Steel Corporation, notwithstanding its organization in accordance with the laws of the State of New Jersey, was organized by a number of men who were willing to take the risk of making a profit out of the transaction, and who were willing to put up the money to make the organization a success. It was an enterprise designed and continued by Mr. Morgan for the purpose of convincing your money, your money, everybody's money, which could be laid hold of by trading on the confidence in his promoters, into his own already well-filled coffers. It was not in the essence or in the intention a commercial proposition at all. It was a scheme for borrowing the money of the people. There is hardly another appropriate word. The widows and the orphans and the thrifty of unsophisticated good people who have not professional skill of finesse and do not understand the connection between low bread and high finance out of everything they might have to lose and using that loss it certainly has been worked to the limit.

It is a plain statement of fact to say that the people who put that solution upon the market and who represented that it had a substantial and increasing value of its own were guilty of obtaining money under false pretenses. They knew that what they were offering for sale had nothing in the shape of property behind it. They knew, as the public which was invited to buy did not know, as it had no means of knowing, that it was all "bonus" stock, that it was nothing more than the chromo which had been given away to facilitate the transfer of the property for which it was assigned to stand. They knew that it had no more real substance than so much bottled moonshine, and when knowing all that they urged it upon the public as a good thing they were guilty from the moral point of view of precisely the same offense as that which, upon conviction, sends the "green goods" man to jail.

They wanted the public to buy steel common because they had made it for sale, and because they knew the extreme desirability of selling it at the highest price obtainable and at the earliest possible moment. To that end one fraudulent pretense was piled on top of another, and during a period of two years and a half about $40,000,000 were distributed in the shape of dividends, not because the business done by the concern justified the disbursement, but because it was necessary for the purposes of the promoters that the price of the stock should be sustained. They had so much of it that it took a long time to work it off, and it was essential that the payment of the dividend should be maintained until that was accomplished.

So glowing reports were published, in whose veracity no intelligent man any longer believes, and the management which published those reports with a purpose, as a part of the conspiracy that was in course of execution, received great praise for the honest and fair which its action indicated. How Mr. J. Pierpont Morgan and his associates have grown rich and fat under such a system!

The end and aim of the conspiracy was attained and its purpose accomplished when the men who had received the common stock in part payment of their services as promoters, underwriters, bankers, or what not succeeded in getting rid of their acquisitions. Years the past people have learned the fact, and everything was allowed to go to ruin. It ceased to be necessary to pay dividends on the common stock, or, for that matter, the interest on the bonds. Dividends were first and last as a promissory note to the extent to which had been a strong intended, and this latter was put over the next meeting. The point had been executed. It was a great success for United States Steel Corporation, had been as a business enterprise and a means of enriching its promoters it had proved a great, a magnificent success. There is no means of estimating precisely how many millions of dollars it had served to transfer from the pockets of the real owners to the pockets of the predatory rich, but the sum must have been large enough, one would think, to satisfy the cupidity of the most rapacious. One day last fall after the decline had apparently gone pretty far, a correspondent, writing from a fashionable watering place, reported having seen Mr. J. Pierpont Morgan and his associates in conference upon his aspect of serenity. It is not difficult to guess the secret of that serenity. He had realized in full.

And the public, the public can go hang. It has got experience for its cash, and if it does not like the exchange, what is it going to do about it? That is the old question which is proved for the occasion by the more defiant of the conspirators, and the Inquirer is not at present prepared with an answer. It may be that the wholesaling of thieves and swindlers who engineered this business scheme are too strongly intrenched behind the bulwarks which crafty attorneys have erected for their protection to be within the reach of the law. It may be that reasons are disclosed in abeyance from that for which the private Morgan was [illegible] with impunity. It may be that the men who thus deliberately enriched themselves out of the pocketbooks of the thousands whom they deceived must be left now to the [illegible] of the people.

But, as there is such a thing as justice, as there is such a thing as honesty, as there is such a thing as right, as men and women have hearts and minds and consciences, as in the end the interests of the majority will prevail, this atrocious outrage committed by organized wealth against the American community will, sooner or later, in one way or another, attract and receive its merited punishment.

In the meanwhile the Inquirer, in the words of Emilia, says of the knaves who commit these wholesale frauds:

> O Heaven, that such companions thou'dst unfold,
> And put in every honest hand a whip
> To lash the rascals naked through the world,
> Even from the east to the west.

Mr. Chairman, this is plain talk from a leading Republican journal and puts the issue squarely up to the officers intrusted with the execution of the law.

No intricacies in this scheme of robbery, no excuse for it: an acknowledged trust and combination for the purpose of monopolizing and controlling the trade in the products of steel and iron.

With all the branches of the public service in the hands of the Administration, with $500,000 of cash to aid in the prosecution, and the President congratulating the country on the sufficiency of the law, what can be the matter—gross indifference to duty or willful neglect of the rights of the people, which?

Now, Mr. Chairman, there is another question that is interesting the people just now, and that is the nomination of the respective parties for President. A prominent Republican was quoted the other day as saying that "all the Republicans, at least the official constabulary, were for Roosevelt, but none of them wanted him." I believe that is substantially correct. You are not only not in favor of him and do not want him, but you do not dare to turn him down, for just as certain as you move him out of the White House he will pull down her pillars on your head.

I want to read from another stalwart Republican paper, the Commercial Tribune, of Cincinnati, of the strength of this proposed candidate of the Republican party, Theodore Roosevelt, the trust buster. [Laughter.] It says this:

THE HIDDEN HAND OF DEMOCRACY.

In our efforts to awaken Republicans to the dangers confronting the party if Mr Roosevelt should be the nominee we have had occasion to call attention to the important fact that there is a national and well organized, compact and solidified, steady and persistent power at work to counteract our purposes.

We referred also to the numbers of our own party who differ with us as to the wisdom of taking up Mr Roosevelt.

Many of them express a fervent hope that the majority of those who do so having seriously thought of the subject and after so many years of success have not dreamed of the possibility of defeat.

We know that when our people give attention and thought to the actual situation—earnest, sincere, unselfish study of the risks we are asked to take with him as the nominee—there will be only one result, and our danger will be over.

HE WILL NOT BE NOMINATED.

We have men in our ranks whose names insure victory. Why take the one name that threatens defeat?

Speaking of Roosevelt.

Let Republicans reflect for one moment upon the ominous unanimity with which our Democratic foes assume that we are bound to nominate Roosevelt.

Everybody who has sense enough to stay out of the fire knows that you are compelled to nominate him and can not avoid it.

Let Republicans note carefully the complete concert of action of all the Democratic newspapers in carefully ignoring the possibility of any other Republican candidate than the incumbent. Let Republicans listen to the

Democratic sentiment in every voting precinct in the Union, and they will find it knows no Republican but Roosevelt that is fitted for the nomination.

Why is it that these enemies of ours, so discordant upon their own candidates and policies, are so unanimously in favor of the Republicans nominating Roosevelt?

Why is it?

Not through love of our party! Not through affection for Roosevelt!

No! No! Their wish is father to the thought. Our political enemies have instinctively detected and accurately measured his weakness with the voters, and they are working with might and main to aid him to his nomination.

Nearly one-half of every hundred Democrats from north's line to the Gulf shore, from Maine to Oregon, are hoping and secretly rejoicing at the thought of Roosevelt being the Republican candidate. By every means at their command they are doing their best to fasten him upon the Republican ticket, believing they will have "a walk over" if he is their opponent. The San Francisco Examiner, the Chicago American, the New York American, the Evening Journal, the Cincinnati Enquirer, the New York World, the Pittsburg Post, one and all of them take it for granted, daily assert it, and studiously keep it before their readers that Mr Roosevelt will be nominated, and at the same time they are confidently grooming candidates to defeat him.

Democratic hopes have grown tremendously since Roosevelt came into power. We say it with poignant regret that Roosevelt has given them strong and powerful reasons for hopes of success in case he is the candidate, and has embarrassed the party whether he is a candidate or not.

Poor old party! You are embarrassed, and your embarrassment will encompass your defeat.

The Democrats know full well his chronic and continually increasing weakness in New York State. They have seen Maryland turned over completely to their party by and through Roosevelt's Administration.

They witnessed Kentucky, so nearly won to Republicanism under McKinley, lined up solidly in Democratic ranks.

North Carolina, taken by the Republicans, and two Senators acting with our party, now represented in the Senate by two Democrats, and no hope of Republican success in the State.

Delaware Republicans torn to pieces by Roosevelt shifting and twisting until they do not know whether they are afoot or on horseback, and are only sure that they can not hold the State.

Colorado, ditto, and hopelessly gone; Utah, between Mormon troubles and miners' strikes, absolutely lost to Roosevelt.

Indianapolis furnishing a Democratic mayor in the chief city of an always doubtful State.

Boston giving a tremendous Democratic majority in the State election last month, 18,000, and piling 9,000 more upon it this present month at the mayoralty election.

Stanch, true little Rhode Island, never recreant until Roosevelt became President, electing a Democratic governor two terms in succession, and, if she votes next year as she has done the past two, will give the Democratic candidate for President her electoral votes.

The town elections of Connecticut showing Democratic gains in every direction this present year, and corresponding Republican losses.

The New Jersey elections telling the same sad story of discord and discontent among our voters, and it is currently reported that the leading Republican of the State, Hon. Franklin Murphy, felt it his duty to tell Roosevelt of the powerful opposition in New York and New Jersey to his candidacy, and to his election, if nominated.

As to New York State itself, when veteran Republican prognosticators and political prophets, while swearing fealty to Roosevelt, state we can elect him without the vote of New York, it is an open admission that Roosevelt can not carry it.

Two years of Roosevelt in the White House have done all these things for the Democratic party—why wonder that they desire his nomination?

They are secretly planning, plotting, and scheming to that end. They need him as a candidate.

They are fully aware if some one else is the candidate they can accomplish nothing.

This hidden, inimical force is working night and day to nominate Roosevelt and accomplish the Republican defeat.

If the Republican party should nominate FORAKER, HALE, ALLISON, FAIRBANKS, ELKINS, HANNA, DALZELL of Pennsylvania, Taft, Cornelius Bliss, DRYDEN of New Jersey, or Seth Low, our enemies would be powerless. Any of these men are stronger in New York State than their party; any of them are stronger in each and every State in the Union than Roosevelt.

Nominate any of the Republicans named, then Democratic hopes would fade like darkness before the rising sun, and Republican banners would be glorified by the golden gleam of victory.

If, however, the Republican national convention concludes to gladden Democratic hearts by doing that which they so eagerly desire, and the members of it shall say, "We choose Roosevelt," then, so say all of us.

Mr. Chairman, I want to call particular attention to the closing paragraph of this article. The editor says:

But if the national convention says Roosevelt, then so say we all.

This willingness to walk into the jaws of defeat is truly commendable, though pitiable—a great party that can not free itself from Roosveltism when it sees the jaws of death gaping wide to devour it.

I pity but I rejoice that it will be the means of restoring to the people their rights. In conclusion I can only offer this consolation and say:

> Come, disappointment, come,
> But not in thy terrors clad;
> Come in thy meekest, saddest form,
> To the wicked and the bad.

Mr. BINGHAM. I now yield thirty minutes to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. Mr. Chairman, as a custom I think it is beneath the dignity of this House to take any notice of after-dinner speeches, but when the party in opposition, elated by their municipal victory in New York City, a victory won by catering for the votes of those who desire free license in rum and free license in immorality, wish to celebrate this victory by a feast to which is bidden all the ex-dignitaries of their party, the ex-President and some of his Cabinet, ex-Senators and ex-Congressmen galore, and they assemble in their hoped-for harmony to put forth the principles on which they shall appeal to the country, and one of the great leaders promulgated the platform upon which they proposed to stand, and an ex-Secretary of State took it upon himself to forcefully and vigorously criticise the foreign policy of the Republican Administration—he opened his remarks with the statement that this municipal contest had been taken up by the people and fought out on national issues—I wish to state for the benefit of those who are about to cast their ballots that this free license in rum and free immorality is a national issue that will appeal to the people of the country, but not in the way that they expected.

Mr. FITZGERALD. Mr. Chairman——

Mr. ADAMS of Pennsylvania. I decline to yield.

Mr. FITZGERALD. The statement of the gentleman is a libel on the decent people of this country.

Mr. ADAMS of Pennsylvania. I decline to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. ADAMS of Pennsylvania. I wish the people to consider the issues that the Democratic party submit to the American people. They generally find they are decided adversely to their party, and on this particular question we have placed upon the statute book the removal of the canteen from the Army of the United States and forbidden the sale of liquor in the National Capitol. So I think that it is an unfortunate action for them, as the result of their great municipal contest, for their great leaders to take up and say it was fought out on national issues. In doing so they have taken an issue which will rebound upon themselves. It is one upon which the people have already set their stamp upon in this Hall of its National Legislature.

The ex-Secretary of State then turned his attention to foreign affairs, and he adverted to the "needless war against Cuba" and the "wanton war against Colombia." Strange sentiments to come from the ex-Secretary of State of the Cleveland Administration! The war with Spain may have been needless, but if that is true the responsibility lies at the door of the Democratic party more than anyone else in this country. Had the Cleveland Administration taken a firm position with Spain and insisted that the wrongs of Cuba should be ameliorated or righted instead of consulting with the Spanish minister and the rich Cuban planters, that war might never have taken place. And when the Republican Administration had to meet this question, and that great, patient, peaceful man, William McKinley, was doing all in his power to find a peaceful solution of that question, those of you who were here in those days and those who kept abreast of public discussion in the nation will remember that the Democratic party hounded the Administration for two years to recognize the independence of Cuba.

As the chairman of the subcommittee on those resolutions I carried them around in my pocket in order to prevent that issue being forced upon the country, while William McKinley endeavored with all the force and courage at his command to avoid that calamity. And it is a historical fact now well known that negotiations were already under way looking to the peaceful solution of that question when the unfortunate explosion of the *Maine* in the harbor of Habana took place, and then you might as well have tried to stay the current of Niagara as to try to stop the wrath of the American people that sought for revenge for the loss of their noble sons who went down in that treacherous explosion.

Mr. Chairman, "The wanton war on Colombia!" For such an expression to come from a man versed in international law as is Mr. Olney, whom I wish to say I hold in the highest regard and am proud to believe that he considers me worthy to be one of his friends—that such a term should have been used, when I would like him or anyone to point out any act of war that has taken place on the part of this country with regard to Colombia.

Mr. HEPBURN. Will the gentleman allow me?

Mr. ADAMS of Pennsylvania. I have declined to yield to a gentleman on the other side.

Mr. HEPBURN. If the gentleman from Pennsylvania [Mr. ADAMS] will allow me, I should like to read a paragraph from a Democratic platform on this very subject.

Mr. ADAMS of Pennsylvania. I yield to the gentleman with pleasure.

Mr. HEPBURN. I want to read a paragraph from the platform upon which James Buchanan was elected President of the United States—adopted in 1856.

"*Resolved*, That the great highway which nature as well as the assent of the states most immediately interested in its maintenance has marked out for a free communication between the Atlantic and Pacific oceans constitutes one of the most important achievements realized by the spirit of modern times and the unconquerable energy of our people. That result should be secured by a timely and efficient exercise of the control which we have the right to claim over it, and no power on earth should be suffered to impede or

[illegible] its progress by any interference with the relations it may suit our policy to [illegible] and the governments and the people [illegible] under [illegible] in the adjustment of all questions arising out of it. [illegible] in view of so compelling an interest the people of the United States [illegible] the Administration [illegible] the passage of the Hepburn bill.

That was Democratic doctrine in 1856.

Mr. LIVINGSTON. Mr. Chairman, may I suggest to the gentleman and ask him what has this got to do with the methods by which Mr. Roosevelt obtained it?

Mr. HEPBURN. Why, from the declaration of the Democratic party that we have the right to determine the method, that we have the right to insist upon it, of the way anybody who attempts to interpose with the exercise of our paramount rights and interest.

Mr. KNAPP. Read the last sentence.

Mr. ADAMS of Pennsylvania. I thank the distinguished gentleman from Iowa for furnishing this historical proof on the point upon which I was just proceeding to elaborate. I have no desire of opening up in my few remarks again the question relating to Panama, for I consider that that question has been very well thrashed out; but I do wish to say to anyone, and it has not been done yet, to show under international law any act of war that has been done to the United States toward Colombia, and unless you wish to read the contents of every official document, and unless you wish to impute the word of the officers of the United States Navy, you can not find a foundation for any such charge, and the only allusion to the canal that I wish to make, which, as I say, has just been emphasized by the quotation from the platform way back in the election of James Buchanan, where the doctrine was laid down even stronger than it was ever enunciated by anybody on behalf of the Republican party. But the curious phase of the Democratic party is that in all the discussion that has taken place you hear it said that the President should have gone and taken the Nicaragua route, that the most of you prefer that route, and yet it shows up the same inconsistency of the record of your party, that the first official act of Grover Cleveland, almost, in his first term in the White House, was to withdraw the Frelinghuysen-Zavalla treaty for the construction of the Nicaragua Canal, which had been enacted and was in the Senate with a good chance of ratification. The first act of your President was to withdraw that treaty, for which he never stated a reason to the Senate of the United States, and thereby prevented the accomplishment of what you gentlemen have wanted so much, and which, in the lapse of time from then to now, would have been an accomplished fact. And had it not been for that act of your ex-President and his successors as you object to now could possibly exist.

I have no desire to reargue the Panama question, because it has already been debated in this House, and in which I participated. Now, Mr. Chairman, the ex-Secretary, Mr. Olney, in closing his remarks nominating Mr. Cleveland as the candidate of the Democratic party, and holding him up as a conservative man which the business interests of the country could trust, and for that reason he was the best man for his party to put forth, it at once recalled to my mind, as I read that suggestion, another act of the ex-President of the United States, and that, too, with the advice and consent of his ex-Secretary of State, who in the same speech criticised our interference in foreign affairs to the extent which they claimed we were doing, and saying that we should mind our own business.

Why, Mr. Chairman, of all the arbitrary acts that were ever done by an Executive of our country the greatest was that message President Cleveland sent overnight to the Senate on the Venezuelan boundary question, and submitted the argument contained therein for the position he was about to take, and that was that the United States would appoint a commission, that this should examine the question, and if the two disputing countries did not agree to the report of our commission, that he held himself responsible, and he knew what that involved, for all that might have taken place. No act of war was ever more [illegible], no situation was ever strengthened by a menace, and this alleged conservative candidate by that overnight message precipitated a panic in business circles throughout this country than which there has been in the more severe or more far-reaching in its results.

This same ex-Secretary who says we should mind our own business I think must have forgotten an article that but a short time ago he had written for the Atlantic Monthly, where he proposes very different views from those contained in his post-prandial speech. But conditions change. Mr. Chairman, when a man is out of office and sits down calmly to write an article for a magazine, the frame of his mind is very different from when the Presidential bee may be buzzing in his bonnet, when he speaks for popular applause and to the prejudices of the people. All honor to Mr. Olney for the announcation of what I am about to read, and as a matter of history it is almost wonderful it should have become a prophecy, and yet at the time of its utterance none could actually foresee what then might occur.

Suppose—

Writes he—

[illegible] itself, appealing however [illegible] with the current course of European [illegible] American interests wherever [illegible] on.

Why, sir, instead of his undertaking to hold the doctrine there of minding our own business, the ex-Secretary almost points out the [illegible] in 1900, that contingency arose. Furthermore, in another part of the same article, the Secretary advocates even a stronger doctrine, and it is one of the most patriotic utterances I ever had the pleasure of reading:

[illegible] sion of this country, if it has one, as I verily believe it has, is not [illegible] ally, by timely [illegible]

Mr. Chairman, that has been the course of the Republican party, upon which now the Secretary finds reason to criticise. That was our course and conduct in regard to Cuba. That is our course relating to China and now in our new possessions that have passed from the control of a foreign country to our own control. Surely history does not and can not show, among a practically [illegible] people [illegible] to the people the example of what good government should be, as has taken place in the few years we have had control of the Philippine Islands.

It is a very curious fact, but [illegible] had a penchant for undoing [illegible] plished before he came into office. In a few remarks that I made on Colombia I expressed my regret that, unfortunately, the foreign relations in our country are hampered by changes in domestic politics. It is unfortunate for any country that a change of political power will change its doctrine in regard to foreign affairs. It prevents that perpetuity of contract which every nation should be in a position to maintain. It makes other nations hesitate to make treaties with us because they may be abrogated by changes in domestic politics. It is a most unfortunate feature of our democratic government, but we can not help it.

I am about to illustrate this feature in a very strong case, brought about by the act of President Cleveland. He was hardly in office—in office but a few days, for the second term—when he at once withdrew the treaty for the annexation of Hawaii from the Senate of the United States, where it was pending for ratification, and he did not deign to state any reason why he did so. We all know what took place. A long delay, the utter confusion in these islands between the conflicting interests of those who had established the republican form of government and those who clung to the royal house and wished the restoration of the King. We all know that the extraordinary episode that took place by the appointment of a minister to the new Republic of Panama, which has been questioned by the Democrats in the Senate, is without foundation, falls into insignificance by the act of Grover Cleveland in appointing the "paramount" commissioner, Mr. Blount, who went to Hawaii accredited to nobody, arrived on the islands, examined everybody who did not know anything, and absolutely refused to send for the officers of the provisional government, those who were acquainted with the facts and what had taken place.

And so the delay took place. There was utter confusion in the business interests and development of those islands as a result. It was not until under the wise action of the Republican party and by an act of Congress that these islands were received into the fold of our country, with all the benefits that were to accrue therefrom, and now those that visit them can see the different conditions that prevail.

Now, Mr. Chairman, I have endeavored in a few words to reply to the remarks of the distinguished gentleman, the ex-Secretary of State. Coming from him, they were worthy of notice, even from the standpoint of postprandial effort. But, sir, I think I have shown that his criticisms and the attack of the Republican Administration in its foreign affairs are without foundation. On the contrary, I could draft the differences between what has been done by our great Secretary of State in the Far East. I could point out the doors about to be opened in China; I could show that the canal is to be an accomplished fact; I could show that we have cast our protecting hand over the people that have been threatened with oppression; I could show that the United States has assumed such a position among the nations of the earth that no country dares to take a step now or make any move on the chessboard of diplomacy without first asking what are the views of the United States on that question.

The political party and the Administration that can bring the country to such a position of power among the nations of the earth and to such a place in the guiding of the events which go to help the progress of the world's course toward a higher civilization is one of which any Secretary of State may well be proud and which any Administration may place upon its records, and when we go to the country and appeal for the support of the people it will be found that the Administration of the Republican party will receive the indorsements and not the cavil of the electors, who by their votes will say that what was done under William McKinley and what is now being done under Theodore Roosevelt shows that wisdom which comes from the experience of years, and the people who have intrusted with power this party for so many years will continue to do so so long as we act in the wise and justifiable way we have done. [Applause on the Republican side.]

Mr. BINGHAM rose.

Mr. LIVINGSTON. I wish the gentleman would permit me five minutes before he goes on with any speakers upon his side.

Mr. BINGHAM. Certainly.

Mr. LIVINGSTON. Then, Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, it is unfortunate that the gentleman from Pennsylvania [Mr. ADAMS] did not confine his discussion to questions of great national importance of which he speaks with much fluency and equal inaccuracy. The opening statement of his speech, that the recent municipal campaign in the city of New York was won by the Democratic party by appealing to those who favored "free rum and free immorality," was a gross and infamous slander upon the decent people of the great metropolis of this country. [Applause on the Democratic side.] It is unworthy of any man who occupies a seat upon the floor of this House; it is unworthy of any man whose heart is animated by the inspirations of decency to so asperse the motives of his late colleague, George B. McClellan, a man of unimpeachable integrity, one against whose public career and whose character nothing could be said in a very bitter campaign, a man who has the greatest respect for and who lives in the greatest fear of bringing discredit upon the name of an illustrious parent whom he reveres above all things else, by asserting that he desired to obtain public office in such a way. [Applause on the Democratic side.]

No one who had the faintest spark of decency in his composition would have said that such a man would appeal for the suffrages of his fellow-citizens because he desired to hold office through the support of those who favored "free rum and free immorality." Mr. Chairman, it was not my purpose to enter into a discussion——

Mr. ADAMS of Pennsylvania. Will the gentleman permit me one moment?

Mr. FITZGERALD. No, sir.

Mr. ADAMS of Pennsylvania. I did not mention Mr. McClellan's name or anything of the kind.

Mr. FITZGERALD. No, sir; I will not permit an interruption. The gentleman refused to allow me to interrupt him, although he had lots of opportunity. [Applause and laughter on the Democratic side.] I desire to resent this infamous slander upon the decent people of New York; it should not have been uttered in this House.

This is not the place to discuss the reasons for the recent success of the Democratic party in New York City. It might be sufficient to say that the city is naturally Democratic and that therefore a Democrat was elected to office. It would be "carrying coals to Newcastle" to suggest that in the gentleman's own city (Philadelphia) those who favored "free rum and free immorality" are those who have made possible and have maintained the most corrupt government in this country by putting into office officials who catered to that class of people. The recent election in New York City was won by the Democrats, first, because they presented a man against whom not a single word could be said, either as to his public career or his character; second, because the people had confidence in the integrity and the determination of the Democracy to give such an administration as was desired by the people, and which would be honest and upright and free from some of the infamous abuses for which the last fusion administration was noted.

The Low administration came into power in a campaign in which it was charged that the Democracy during the Van Wyck administration, through its annual budget, had stolen from ten to fifteen millions of dollars a year—had unnecessarily expended that sum and, in fact, had stolen it. In the fall of 1901, prior to the election of Mr. Low, the board of estimate made up a budget for the then coming year. The Low administration came into power as a result of the election that year, and in January, 1902, despite this oft-repeated charge that the Democratic administration had deliberately stolen and had unnecessarily in its budget from ten to fifteen millions of dollars every year, the Low board of estimate, in making up its first budget, was unable to bring it within $2,000,000 of the amount fixed by the previous Democratic administration.

Mr. FITZGERALD. I ask the gentleman from Georgia for five minutes more.

Mr. LIVINGSTON. I have not the time.

Mr. FITZGERALD. Well, I ask unanimous consent, Mr. Chairman, to have five minutes——

Mr. BINGHAM. I shall have to object to an extension of the limitation which was fixed by the House.

Mr. FITZGERALD. I ask the gentleman from Pennsylvania to yield me five minutes of his time. [Laughter.]

Mr. BINGHAM. I refer the gentleman from New York to the courtesy of the gentleman from Georgia. I do not think that I have the right to take the time allotted to this side.

Mr. LIVINGSTON (to Mr. FITZGERALD). Go ahead.

The CHAIRMAN. How much time does the gentleman from Georgia yield to the gentleman from New York?

Mr. LIVINGSTON. Five minutes.

Mr. FITZGERALD. Mr. Chairman, there was another reason for the success of the Democratic party, and it is well that the gentleman from Pennsylvania should know it. The decent people of the city of New York were enraged by some of the infamous practices of the Low administration, which did something unheard of in the history of this country. Those officials took the public money of the city of New York and gave it to their police officers and sent them out searching for the poor unfortunate prostitutes on the streets of the city; and they used the public money to debauch those women, and then brought them into court and prosecuted them for the violation of the statutes. The decent people of New York resented that infamous practice. And yet the gentleman from Philadelphia [Mr. ADAMS] had the courage to stand up in this House and say that those who favored "free rum and free immorality" put the present Democratic administration of New York City into power.

I suggest that the gentleman might well ask unanimous consent to withdraw his remarks, because I know that upon reflection he will realize that he has said that which he will ever regret.

Mr. Chairman, I suppose the gentleman assumes that in a discussion of great international questions (which I have already said he discusses with much fluency and equal inaccuracy) he might inject this nasty, mean, contemptible, unworthy reflection upon more than 300,000 people and not be called to account for it. Does he know that a relative of the President of the United States—a very distinguished gentleman, Robert Roosevelt—was one of the most active supporters of Mr. McClellan in the last campaign? Does he know that such men as August Belmont, John D. Crimmins, and men of their standing——

A MEMBER on the Republican side. Is that all?

Mr. FITZGERALD. No; that is not all. There are 60,000 majority of them—but I do not wish to burden the RECORD with their names—who supported the Democratic party. Does the gentleman remember that the senior Senator from the State of New York [Mr. PLATT], in discussing the recent election, attributed Mr. Low's defeat to the fact that he was the most agotistical and selfish man that he had ever known in his public career?

Just let the gentleman read the New York Press for a few days, or let him search its files, and he will obtain sufficient information regarding the recent election to convince him that the utterance which he has made on this floor is unworthy of him.

A distinguished clergyman of the city of New York stated a few days after the election that "the lid of hell would be taken off now that Tammany had come into power." What a sore disappointment undoubtedly it is to some of my Republican friends that not only has "the lid of hell" not been taken off, but it has been nailed down more firmly than the Low administration ever dared to fasten it; and it will remain that way during the continuance of this Democratic administration in the city of New York. [Applause on the Democratic side.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. WILLIAM W. SKILES, late a Representative from the Second District of Ohio.

Resolved, That a committee of three Senators be appointed by the presiding officer to join the committee appointed on the part of the Senate of Representatives to take such other and appropriate action as the occasion may demand.

Resolved, That the Secretary communicate these resolutions to the House of Representatives.

and that in compliance with the foregoing resolutions the President pro tempore had appointed as a committee on the part of the Senate Mr. HANNA, Mr. FORAKER, Mr. FAIRBANKS, Mr. MCCREARY, and Mr. CULLOM.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

Mr. BINGHAM. I yield five minutes of the time on this side of the House to my colleague, the gentleman from Minnesota [Mr. MCCLEARY].

Mr. MCCLEARY. Mr. Chairman, it seems probable that in the campaign of this year one of the prominent questions to be discussed will be that of the tariff. A great many people will come up to this question with a sincere desire to get real information thereon. Later in the session I expect to discuss this question quite fully. At this time I ask permission of the House to insert in the RECORD an article, candid in character, judicial in temper, and lucid in expression, prepared by the distinguished economist, Mr. John P. Young, of San Francisco.

The CHAIRMAN. Is there objection to inserting in the RECORD a document referred to by the gentleman from Minnesota? The Chair hears none, and it is so ordered.

The article referred to is as follows:

WHY FIRST NOTERS SHOULD BE PROTECTIONISTS—WHAT IS FREE TRADE?

When the Cobdenites gave the name "free trade" to their fiscal policy they thought they were acting shrewdly. There is something about the word "free" that is very alluring. It appeals to most men in a way that no other word can. It has [illegible] that it "caught on" at once.

In a very short time after the term had been coined bands of [illegible] began to sound the phrase. They accepted the one furnished by the [illegible] of the Manchester school of economists, and began to [illegible] a system which they said would bring peace to the earth and produce good will among men.

Doubtless many who gave expression to these views believed [illegible] and some of them took pains to point out that "free trade" did not mean exactly what the two words imported, but the most of them [illegible] the fact that there must be taxation of some kind, and that [illegible] it would be impossible to devise any plan by which production could escape [illegible] the burden of government.

In short, the glamour of the words managed to conceal from the people most interested, the British masses, that the purpose of free trade was to shift the incidence of taxation in such a manner that the people best able to pay should be seized upon for the smallest contributions.

Many years before the abrogation of the corn laws, Adam Smith, in his Wealth of Nations, had pointed out that taxes on the necessaries of life had the effect of an injury to the laborer. He said, with crushing pointedness:

"The advanced price occasioned by taxation of such a number of articles of necessaries of life and are destined for the consumption of the poor * * * must be compensated to the poor by a further advancement of their wages."

No one has seriously attempted to dispute this assertion. It is too plain. It would be useless to do so, especially in England, where the theory of the "living wage" is maintained. When the working classes in a country deliberately and persistently advocate "a living wage" they give expression to Smith's idea that they must be recompensed with increased wages for any tax imposed upon the necessaries consumed by them.

Not only have the leaders of Great Britain recognized the axiomatic force of Smith's assertion, the mass to which he spoke directly also took it to heart and put his suggestion into execution. The learned doctor said:

"The middling and superior ranks of people, if they understood their own interest, could always suppose all taxes on the necessaries of life, as well as all direct taxes upon the wages of labor. The first payment of both, and the other paid altogether upon themselves, and always with a considerable overcharge."

Here we find the mainspring of those who framed the fiscal policy of the United Kingdom. They knew that taxes on necessaries could not be made to stick to the workingmen, so "the middling and superior ranks of people" under the dangerous pretext of helping the poor, abolished taxes which the farsighted economist had explicitly declared could not affect their class.

They went a step further, for Adam Smith's suggestions were well rounded out. He did not confine himself to describing the kind of taxes which could not affect the workingman; he indicated those which could be made to stick. He said:

"Taxes upon luxuries have no tendency to raise the price of any other commodities except that of the commodities taxed."

Here was a panacea. It was one that appealed to "the middling and superior ranks of people," because it indicated a mode by which the heaviest part of the burden of taxation could be passed on the masses.

It was swiftly acted upon. As rapidly as possible the incidence of taxation was shifted. The taxes on necessaries were removed, because they could not be made to stick to the worker, for the reason mentioned by Smith, and a careful system of taxing luxuries was devised, which had for its object the imposition of the major part of the burden of taxation upon the toiling masses.

The term "careful" is used advisedly. In adopting the system of taxing luxuries the British statesmen kept in mind the advice of Adam Smith and singled out those of the workingmen and deliberately exclusted those of "the superior and middling ranks" of the inhabitants of Great Britain. Tobacco, tea, rum, spirits, and beer, which are chiefly consumed by the workers of the United Kingdom, were made dutiable or subjected to excise, while kid gloves, silks, and all the other articles used by the rich were exempted from taxation.

In 1902 the total sum derived from taxation in the United Kingdom was £122,549,000. Of this amount, £31,047,000 was from customs, £31,306,000 from excise, £14,251,000 from estates and duties, £7,772,000 from stamps, £2,502,000 from land tax and house duty, and £35,670,000 from income.

If this enumeration of the sources of British revenue be carefully scrutinized the ingenuity of the framers of the tax will at once be realized. It will be seen that more than one-half of the total revenues of Great Britain is derived from those articles least able to pay.

The £31,047,000 from customs, the £[illegible] from rum, the £[illegible] from sugar and [illegible] coffee and the £1,320,000 from [illegible] were paid by the working classes. A large part of the land tax and house duty was ultimately paid by tenants in the form of rent, and while the income tax is supposed to bear the burden of the rich, it is easy to demonstrate that much of it is paid by the masses, for many of the operations upon which enable them to place a good deal of income tax on the shoulders of the poor.

When it is stated that more than one-half of the revenue is derived from taxes on the necessaries of life and from the taxes on the tenants of the landlords of the United Kingdom, the reader may be surprised and inclined to doubt the statement. It is, however, a fact that in the United Kingdom less than 2 per cent of its families hold about three-fourths of its private property, and that about 30 per cent of the people had less than a pittance of accumulated wealth. It is at once seen that the entire system of taxation is so arranged that it relieves the rich and oppresses the poor.

In this connection their method of the burden of taxation we find the real motive for the change in the incidence, and in the fact that the United Kingdom collects £[illegible] from customs duties we have a refutation of the claim that trade is free.

With what truth can the assertion be made that a country has free trade when it collects [illegible] per cent of the value of the goods it imports? When we find a report sent to Parliament regarding the [illegible] of a heavy import on some particular article [illegible] that people [illegible] a large part of the tobacco, from which a duty of £10,567,[illegible] was collected, regard the ports of the United Kingdom as free, and need to them? Can the people who help to make up the aggregate of £30,047,000 collected from them by Great Britain in the form of customs duties see without the [illegible] of an [illegible] system?

The more the question is investigated the more thoroughly convinced must the impartial investigator of the British fiscal system become that its prime object is to shift the chief burden of taxation onto the shoulders least able to bear it, and that the result is proving disastrous.

THE CHEAP LOAF.

The Cobdenite will doubtless scorn the imputation that the policy he advocates has any other purpose in view than the freedom of trade, but the evidence is [illegible] that the principal [illegible] is to make it fit the fiscal policy [illegible]

There is [illegible] that the British [illegible] £[illegible] annually [illegible] United Kingdom. It is a misnomer [illegible] results free trade.

The fact that some articles are admitted without paying duty does not constitute freedom of trade. If it did, the United States would have to be regarded as a free trade country, because it imports annually between four and five hundred million dollars' worth of foreign merchandise upon which no duties are paid.

As I showed at my first talk [illegible] the British fiscal system. Whether [illegible] which was to secure cheap food for manufacturing operatives in the United Kingdom, or that the [illegible] the landlords who acted on the line of Adam Smith [illegible] taxes so that the "superior and middling classes" were removed or the greatest part of the burden of supporting the Government, we can not fail to note an absence of candor in dealing with the question which amounts to positive duplicity.

In future talks several phases of the [illegible] of the adherents of Cobden will be dealt with. It may be [illegible] to mention that during the agitation for the repeal of the corn laws the orators in the cities told the British workingmen that the abolition of the duties would give them cheap bread. In the country they told a different story. They tried to reassure the farmer by pointing out that he had a natural protection in the exclusion of foreign competition, and [illegible] that the repeal would result from the change in fiscal policy would redound to the advantage of British agriculture.

If my reader has any doubt regarding the accuracy of this statement, he may consult Trumbull's Free Trade Struggle in England, in which the inconsistent attitude of the Cobdenites is described with charming naïveté; or he may turn to J. Thorold Rogers's series on "Free trade" in the Fortnightly Review, in which the writer, as late as 1876, declared British agriculture was safe from the assault of foreigners. The pages of Mr. Rogers's papers of Political Economy also contain [illegible] the truth of the assertion that it was the common belief in the United Kingdom that its agricultural interests would benefit rather than suffer from freedom of trade.

It was long after the battle had been won and not until the British agriculturist had been [illegible] the evil effects of the practice of foreign countries dumping their surpluses of foodstuffs on the markets of the United Kingdom that the cold-blooded doctrine was preached that if a man was ruined and driven out of one industry he could turn his attention to some other mode of gaining a livelihood.

But the British are beginning to realize the heartlessness underlying the easy assumption that men driven out of one pursuit may easily adapt themselves to something else and they are now [illegible] to understand the [illegible] contained in the phrase of the [illegible] and

What a mockery it is to speak of the cheap loaf in the same breath that the admission is made that millions are struggling for bread in the United Kingdom. How can that be regarded as cheap which is unattainable by 30 per cent of the population of Great Britain?

This is not a protectionist denunciation. It is evidence furnished by Sir Henry Campbell-Bannerman in a speech made by him at Perth on the 5th of June, 1903, in which he denounced Colonial Secretary Chamberlain's preferential plan of treating the colonies. Sir Henry said:

"In this country we know, thanks to the investigations of Mr. Seebohm Rowntree and Mr. Charles Booth, that there is about 30 per cent of our population underfed and on the verge of hunger. Thirty per cent of forty-one millions comes to something over twelve millions."

Bear in mind that this is not a protectionist attempt to emphasize the failure of the "cheap loaf" policy, but that it is the deliberate admission of a leading British free trader, and that it was backed up by the formation of "antistarvation" clubs throughout the United Kingdom.

In short, the net result of over half a century of free trade in Great Britain has been to bring to the verge of starvation twelve millions or more of its population, and the only defense that can now be urged in favor of the retention of the policy is that it must be adhered to in order to prevent other millions from starving.

This outcome will be compared later on with the fruits of the protective policy, but before leaving the subject of the "cheap loaf," it is desirable to get a firm grip upon the fact that the free-trade policy of the United Kingdom did not procure that boon for the British people.

As a result of fact, the abrogation of the British corn laws has had no effect upon the cost of beans in the United Kingdom. This is proved by the [illegible] evidence of price lists. Here are the averages of the selling price of wheat per quarter, taken from Whittaker's Almanac, and covering a period of twenty-two years—that is, ten years before and ten years after repeal:

Wheat prices per quarter before and after repeal of corn laws.

	s.		s.
1835	39	1846	54
1836	48	1847	69
1837	55	1848	50
1838	64	1849	44
1839	70	1850	40
1840	66	1851	38
1841	66	1852	40
1842	57	1853	53
1843	50	1854	72
1844	51	1855	74
1845	50	1856	69

Note that eight years after repeal the British were paying 28. a quarter more for wheat than the highest average price during the ten years preceding the abrogation of the corn laws. Also it is in mind the uncontroverted fact that times were better in the United Kingdom in 1854, 1855, and 1856, when the average prices of corn was 72s., 74s., and 69s., respectively, than during the [illegible] preceding, when it was 38s., 40s., and 53s. a quarter.

Is it possible to draw any other inference from a presentation of this kind than that of Colonial Secretary Chamberlain, who asserts that the main thing is not the cost of bread, but the ability to get it?

The masses in the United Kingdom, and, for that matter, in all parts of the world, must work to get bread. The chief thing, then, is to get work. If that is secured, the bread part becomes comparatively easy matter. [illegible] The conditions in which it is the most striking feature are the most degraded on God's footstool.

The basis of cheapness is the degradation of the manual worker. In the lands in which this prevails the best estimate on the value of his labor there is always comparative dearness.

Dearness and cheapness are meaningless terms when interpreted by price lists. True cheapness can only be measured satisfactorily by ascertaining the standard of living of peoples.

If they have plenty to eat, and plenty to wear, and may gratify their aesthetic desires, people are living cheaply, no matter what the nominal cost of commodities be.

British free traders say that the United States is a dear country. So it is, and it is so because the standard of living of the masses is high. And the standard is high because higher wages are demanded in this country. But the American worker attains real cheapness; he gets things. That is the touchstone.

Great Britain has the claim made for it by the free-traders that it is a cheap country, but it is a dear land for the toiler to live in. Twelve million out of 41,000,000 Britons are on the verge of starvation.

China is a cheap country, so is India. Human labor is held very cheap in both those lands, and the result is that the masses are constantly steeped in poverty and nemaced by starvation. In spite of the so-called "cheapness" the people don't get things.

We expect to pay more for the so-called "dear" countries that the masses get things, and the degree of attainableness is about in the ratio of the "dearness."

THE STANDARD OF LIVING.

Time devoted to the study of the question of the standard of living can not be wasted. It is the most important [illegible] we can be called upon to solve. If a blunder is made in laying the foundation the result may be the destruction of society.

The Cobdenites went about the solution of this important problem in a manner [illegible] to the [illegible] of the masses. They inaugurated a policy which could have [illegible] than that graphically described in the assertion of free-trade [illegible] that at least 30 per cent of the population of Great Britain go almost starving.

The "cheap loaf" theorists practically accepted as an economic basis the horrid [illegible] that, if it might prove unavoidable that the toiling masses should compete with [illegible] their competition determine the wage which would mark the limit of subsistence.

The Cobdenites said: "Let us arrange matters that by competition foreigners will be forced to sell us textiles and raw materials cheaply, and then, being able to feed our employees cheaply, we can lower their wages."

There is no doubt that the [illegible] would have worked effectively if two obstacles had not arisen to spoil the calculations of the Cobdenites. Both of these were distinctly protective, and they both operated to prevent the working of the measures [illegible] forcing the toiler to the limit of subsistence.

In Great Britain the rise and growth of trades unionism interposed an imperfect barrier to the working of the Cobdenite scheme. Trades unionism is as distinctly protective in its workings as a tariff. It has precisely the same object—interference with the operation of unrestrained competition.

The followers of Cobden saw this plainly and bitterly antagonized trades unionism. John Bright, in all other respects a most liberal man, was extremely intolerant of all proposals for workingmen to cooperate. He wrote a letter to L. M. Rents, of St. Louis, Mo., February 6, 1866, in which he said:

"Whilst your tariff is in force you need not expect your workmen to be wise. Protection, which means robbing somebody, will not content itself with enriching manufacturers, but will be called in to give higher wages and shorter hours to the laborer over work[illegible]."

This attitude was merely a replica of that of Cobden, who is quoted by John Morley, his biographer, as saying:

"Depend upon it, nothing can be got by fraternizing with trades unions. They are founded on principles of mutual tyranny and monopoly. I would rather be under a band of Algiers than a trades committee."

These quotations are introduced to show that those eminent free traders regarded all efforts to interfere with unrestrained competition as the worst economic crime conceivable. John Bright was a bitter opponent of the factories acts on that account. He preferred the abuses of child labor to regulation which might impede the operation of a law which had the effect of keeping the wages of labor down to the limit of subsistence.

There is little room for wonder that, breathing in such an atmosphere, the British workingman, although able to effect a thorough organization for protection, never formulated a higher demand than that embodied in the assertion that the toiler has a right to earn enough to live.

The demand for "a living wage" is as far as the British worker has dared to push his rights. If you will take the arguments of the trade unionists of the United Kingdom and their advocates and analyze them you will find that underlying them all is the assumption that a man should receive enough wages to keep body and soul together.

"A living wage" is the highest concept of the British worker. His mind has never taken such daring flights as that of his fellow workmen in the United States, who, untrammeled by the fetters of a false economic system, which subordinates everything to the fancied necessity of unrestrained competition, have boldly set up the doctrine of "a standard of living."

In one case the worker asserts that it he toils he has at least the right to keep body and soul together, in the other the workingman boldly plants himself on the proposition that he not only has the right to live, but that he has the right to such things as are necessary to enable him to live in comfort and enjoy himself.

To illustrate the wholly different attitude of the American worker and that of his fellow in Great Britain, who simply contends for a wage that will permit him to live, we quote from the objection made by the advocate of a San Francisco trades union in a formal arbitration trial held in the presence of one of the superior court judges of that city:

"We urge that conditions generally in America forbid the free play of the law of supply and demand in the labor market; and that the higher demands of American civilization will require that this arbitration commission should do nothing tending to substitute the law of supply and demand for the law invoked by our union."

This law is best interpreted by the testimony of witnesses called by the commission, whose evidence has the dual force of a relation of facts and an expressed opinion. One testified thus:

"They are required to dress neatly, comport themselves as gentlemen, marry, and become the best of citizens and family men. Hence the wages should be computed on such a scale as to provide for reasonable home rent; wife and children, these to be well clothed and well fed; children at school until 15 years, costumed and furnished with books similar to the majority of the other children at public schools * * * and during school vacation he should be enabled to take his wife and family for a week or so to some one of our numerous resorts of easy access, without his pay being docked."

Another witness, a Jewish rabbi, testified:

"The workingmen of this country are, as a rule, educated men, and therefore capable of judging. Naturally they can not content themselves with a mere existence and are impelled to acquire the means to procure those things which are deemed luxuries to them, but necessaries of life to certain other classes. If wages were fixed according to supply and demand, our own workers, having social obligations, would be crowded out, while the foreign element that would feel in no sense called upon to do more than exist, would be enabled to undermine the American workingmen. There would result nothing but moral degradation from following so insensate a policy, and true Americanism would disappear."

Scores of men of various shades of political opinion—men in no wise identified with trades unionism—took the stand in this arbitration case and expressed opinions similar to those quoted above. One and all recognized that the worker had established a higher standard of living for himself in this country than had been attained by toilers in any other land on the globe, and they all agreed that it was his duty to maintain it, and that it would be good policy for the industrial world to concede the demand.

The point sought to be made here is that in a free-trade country such aspirations are entirely out of the question—even the demand for a living wage can not be conceded, because the British worker is called upon to meet the unfair competition involved in the dumping process.

When the British worker meets his employer to adjust difficulties he does not speak of his social aspirations or talk of spending his children to school until they are 15 years of age; seaside vacations are far from his thoughts. They are all concentrated on one point: "Can I get enough to eat?"

Often the reply to the demand for a living wage is a showing that rivals in other countries will undersell if wages are put up or kept up, and the worker in the free-trade country is coerced by circumstances into terms the acceptance of which he can only justify to himself on the ground that "a half a loaf is better than no loaf at all."

There can be no doubt that it is the tariff wall which enables the American worker to demand the more stringent and permits him to plant himself on the proposition that he has a right to enjoy his share of the things produced, and it is the same policy which makes Americans of all degrees of opulence tolerant of the idea that it is the business of the worker to get all he can.

PROTECTION AND PRODUCTION.

You have doubtless heard it urged that the admittedly superior condition of the worker in the United States is due to the fact that there is an abundance of land and that the resources of the country are greater than those of most other countries.

There is some truth in this; but, like most half truths, the assumption that the comforts of the American workingman are solely due to these causes is misleading.

It is inconceivable, of course, that a great many millions of people could force a generous living from a restricted area of infertile soil, destitute of minerals; but, on the other hand, it is indisputable that peoples inhabiting lands of natural riches and abounding in the useful metals are often found living in wretchedness.

The economic history of the United States contains an unanswerable rejoinder to the free-trade explanation of American prosperity. A moderate familiarity with conditions as they existed at various periods teaches that at the time when land was most abundant in this country the toiling masses found it as difficult to eke out a precarious existence as those of the densely populated quarters of the globe.

The historian M'Master was at great pains to gather data on this subject, and he furnishes evidence which shows that during the early years of the nineteenth century the workingman generally in the United States earned "such a pittance it was only by the strictest economy that a mechanic kept his children from starvation and himself from jail."

Later, when the population of the United States was little more than one-fourth as great as at present, and when the quantity of land which the Government could offer freely to all who would settle upon it was twenty times what it is now, the soup house was a not unfamiliar spectacle in the land, and pauperism threatened to become a national evil.

Under the circumstances it is idle to seek for the cause of the higher standard of living enjoyed by the American workingmen in natural resources. The true explanation of his prosperity is to be found in the fact that he has had framed for him a policy which has permitted him to develop his resources along lines which have made him an equitable sharer in the things produced.

He could have accomplished this result in but one way, and that is the one to which he resorted. The American worker created for himself a condition

entirely different from that existing in other countries. Heaimed at a higher standard of living than that reached by his fellows elsewhere on the globe, and actuated by [illegible]

[illegible] for them to have done so had he accepted the theory of the free trader that international trade [illegible] for that would have forced him to the necessity of competing with wages [illegible] "a living wage."

[illegible] invention special conditions which lies back of the [illegible] the result has proved that the [illegible] people have [illegible] the comfort of the human race [illegible]

[illegible] of the Western World [illegible] because the World [illegible] the workers will [illegible] the Southern [illegible]

[illegible] would have been [illegible] which proceeded on the absurd assumption that [illegible] fitted by nature for [illegible] and that [illegible] depend upon the British for their supplies of [illegible] ly of British ores and [illegible]

[illegible] unchecked. A [illegible] Spain, had the [illegible] Spaniards are [illegible]

[illegible] follow the example of Spain, had the [illegible] Spain. [illegible]

[illegible] Adam Smith, who told his [illegible] that the theory which [illegible] raw materials [illegible] quantity of manufactured articles.

[illegible] does not go to the crux of the subject, as [illegible]

[illegible] Mars. [illegible] the scanty wants of mere [illegible] which goes in between people who pursue diverse occupations.

[illegible] To have [illegible] the complaints which have caused the [illegible] to obtain [illegible] to live in the [illegible] things, and to accomplish that result in [illegible]

[illegible] our rate of progress, gave some idea of the rate when he [illegible]

[illegible] States produce alone one-third of the manufacturing total [illegible] do also of grain and wheat, while their population is less [illegible]

[illegible] of our statistics was taken in 1894. We have done much [illegible] we are in the van in every field of progress. [illegible] enough for a system, but it may justly lay claim to a [illegible] greater energy and [illegible] to the wastefulness as an eliminator of waste, thus [illegible] benefit of consumers.

THE ELIMINATION OF WASTE.

In order to consume men must produce. It is true some structures having the appearance of stability are found to be collapsing or depending on the caprice of nature, but they are few in number and even they are [illegible] to [illegible] the antagonism between body and soul together. But manual generally requires the necessity of production and appreciates the fact that comfort and progress are dependent upon the degree of intelligence and energy put into the work of producing.

It is unfortunate that with this realization of the necessity of production there does not go a thorough [illegible] and distributing wealth [illegible] the world is wasting more energy in carrying things to and fro than it is devoting to the work of production. After presenting his data, he sums up with the [illegible]

[illegible] years, therefore, that 40 per cent of the working power of the world is used for [illegible] for transport or distribution, which [illegible]

It [illegible]

If the [illegible] performance, [illegible] kept in mind that they do not add anything to [illegible]

[illegible] open fresh avenues of employment to other men when it is [illegible] from the standpoint of strict utility. The subject [illegible] men have actually come to think that the main purpose is to keep men doing things. Whether they are done to good purpose is a most [illegible] the [illegible] true that the professional economists distinguish between different kinds of [illegible] is, as a rule, not a very thorough one. It concerns itself with broad divisions, which leave it [illegible] ate phy of the industrial energies of peoples too easily served by facile carriers. [illegible] it would be im[illegible] to [illegible] cial intercourse is supposed to effect—namely, the cheapening of [illegible]

[illegible] tation of this kind of the paralyzing [illegible] The wheat from the fields of [illegible]

[illegible] the case of Dakota much better. While its farmers are dependent [illegible]

[illegible] stripping, which have made themselves [illegible] by the British in forcing out their own areas. [illegible] ple of the United Kingdom have been extracting [illegible]

[illegible] ponds, also shipped to peoples who might have produced them for [illegible] s the raw ma[illegible]

[illegible] appear to be benefits, must inevitably [illegible] for overcoming the evils of her imperfect [illegible] the [illegible]

[illegible] the British policy of forcing out has been waste and con[illegible] of the British. [illegible] assumed to indefinitely [illegible]

[illegible] upon a system which disregards the [illegible] wastefulness attendant [illegible] bringing together of farm and factory. The [illegible] remained, however, only by attentively studying the evidence, which shows that the major part of the cost of production to consumers is that which is added by the carriage and manipulation in their efforts to undo the ill effects of [illegible] concentration of populations in parts of the world remote from the sources of food supply and raw materials.

In dealing with the subject of transportation the British statistician, Mulhall, developed some interesting facts which show conclusively that the world is wasting more energy in carrying things to and fro than it is devoting to the work of production. After presenting his data, he sums up with the [illegible]

[illegible] years, therefore, that 40 per cent of the working power of the world is used for [illegible] for transport or distribution, which [illegible]

It [illegible]

If the [illegible] performance, [illegible] kept in mind that they do not add anything to [illegible]

[illegible] in transportation in [illegible] United States, and the [illegible]

[illegible] of this waste. That [illegible] and by attracting people to the [illegible] producing that genuine [illegible]

THE BALANCE OF TRADE.

If [illegible] it is im[illegible] Cobdenite position will be con[illegible] arguments [illegible] in which [illegible]

In the United Kingdom the value of the imports exceeds that of the exports by nearly 2 to 1; and it is out of this difference that the wages of the country are paid and the enormous profits of the British factors are ac[illegible]

[illegible], according to this writer, who voices the once currently enter[illegible] the British [illegible] no average sums in wages and to [illegible] more than they sell. [illegible] by a single article [illegible]

If [illegible] more than she sells, why does she [illegible] her profits? [illegible] If it [illegible] peoples who [illegible] to draw from foreigners [illegible] all they run into debt. [illegible] exports [illegible] always [illegible] British put themselves [illegible] able to draw upon foreigners and not by importing [illegible]

[illegible] to import on so large a [illegible] other days. During a [illegible] in other [illegible]

[illegible] have attained her present position by [illegible] such [illegible] due to her, and in the nature of [illegible] can find means to augment her export [illegible] the modern protectionist is [illegible] order [illegible]

"Thirty [illegible] from very large part of the [illegible] United States [illegible] in Europe. Now the amount [illegible] hardly [illegible] held in [illegible] will [illegible] and we shall [illegible] and commission likewise. [illegible] our exports to the United States [illegible] by [illegible] we shall [illegible]

London Statist. [illegible]

[illegible] would be [illegible]

But the London Times [illegible] why this can not be done when it recently [illegible]

"The workingman's occupation is going, and occupation is income. Capital is also going. It has been [illegible] attracted to a large amount by the falling [illegible] and it is further [illegible] into seeking abroad the investments which business causes to offer at home."

If the workingman's occupation is going; if capital is going and is being lost by the falling off in British industries, how can the people of Great Britain hope to increase their imports? The Times has evidently lost faith in the efficiency of the Cobdenite panacea, for it adds:

"That is a serious condition of affairs for all of us, and most of all for the workingman. We can not meet it by cheapening food, we can not even prevent food from becoming dearer, and the country is asked to consider whether there are no means of getting more money to buy food with."

The young voter who has now [illegible] attention the soundness of the balance-of-trade theory as interpreted by protectionists is [illegible] to note that the Times [illegible] United States [illegible] the [illegible] of the [illegible] would [illegible] the [illegible] would [illegible] of affairs. They make it perfectly [illegible] from invest[illegible]

[illegible] must [illegible] in the world [illegible] by trading [illegible] when a [illegible] make the [illegible] ducing [illegible]

The [illegible] ment of a manufacturing industry in the United States and in [illegible] work of producing things must go [illegible] absurdity of the Cobdenite contention that a country can grow [illegible] and even [illegible]

[illegible] the balance is on the right or [illegible] whether a country [illegible] versa.

And that is all there is to the balance-of-trade question.

DOMESTIC AND FOREIGN [illegible]

The persistent misrepresentation of the protectionist view of the balance-of-trade [illegible] importance of establishing a credit upon which [illegible]

The attitude of protectionist [illegible] favorite object of [illegible] which we are [illegible] American [illegible] they earnestly [illegible] They believe that "by [illegible] our home production [illegible] were no longer needed for revenue or to encourage and [illegible] at home, they have been removed. That is the con[illegible] measures are cushioned a [illegible] has [illegible] our [illegible] has grown at a rate which makes the growth of British trade [illegible]

[illegible] the United States were valued at $[illegible] in 1892 [illegible] the same period the [illegible] $[illegible] in 1892, while the imports from [illegible] $[illegible] The total value of the foreign trade of the United States was $[illegible] in 1870, and in 1902 it was $[illegible] In the same period British external trade increased from $[illegible] to $[illegible] The foreign trade of the United States increased $[illegible], while that of the United Kingdom showed an enlargement of only $[illegible]

These comparisons will serve to supplement evidence that protection tends to excessive costs, for they show that the United States, which has the reputation of being a nearly self-sufficing nation, has actually increased its dealings, both absolutely and relatively, with the outside world more rapidly

than Great Britain—a materially dependent country—compelled by lack of raw materials and a deficient food supply to draw upon foreigners or go out of the business of manufacturing for export.

[illegible] of the stupid assumption that it is the purpose of protection to make a normal nation of the United States, it may be indicated to foreign lands where they do not desire to encourage a rational exchange, that they may know that the owners of protecting foreign manufacturers [illegible] of interest, profits and wages.

Experience has demonstrated that whenever the tariff makes the object of manufacture [illegible] foreign competition [illegible] the [illegible] changed to foreign lands [illegible]. The record of American exports [illegible] shows that every attempt to protect home industry by tariff legislation has [illegible] the exportation of the protected product. The [illegible] protection [illegible] has [illegible] been followed by a diminution [illegible] in the exportation of domestic industries thus protected [illegible] results.

Now we [illegible] to inquire the reason for this [illegible] among the American manufacturers [illegible] protection. The reason is [illegible] the Tariff [illegible] protection [illegible] which is brought out the fact that, growing upon most manufacturing [illegible] is the [illegible].

It shows that under a tariff levied for the prime purpose of promoting domestic industry our foreign sales [illegible] $1,000,000 [illegible] $[illegible] [illegible] that under the influence of an [illegible] with the [illegible] of [illegible] to $[illegible] in 1899, and that after that date, owing to the stimulation [illegible] the Dingley Act, [illegible] increased [illegible] $2,241,000 [illegible] in 1902. After which the [illegible] exports [illegible] $[illegible] in 1903 [illegible] $2,500,000,000. It was $2,445,889,652 for the fiscal year ending June 30, 1903.

It should [illegible] that our external trade should [illegible] as described. Its figures are [illegible] exports. When the energies of the nation are stimulated by a protective tariff production in every line of industry increased and wages advanced, the [illegible] is sought in foreign countries. All [illegible] the growing wealth of the country, due to increased production and the foreign [illegible] profits, results in a greater demand for these products of foreigners which we are not able to produce and for those we are wholly dependent on purchasing among foreign nations. On the other hand, when domestic producers are discouraged by fears of foreign competition production ceases. The needs of the domestic consumer are [illegible] greater and no surplus are created for exportation [illegible] of production lessens the pressure and itself is to carry the [illegible] of surplus and necessities.

In [illegible] of the [illegible] presented a consideration of the question will be discovered [illegible] the change that [illegible] protection [illegible] to foreign trade or that the effects of the policy [illegible] the [illegible] The [illegible] the foreign [illegible] [illegible] that it is [illegible] to the [illegible] resources that we can [illegible] a position in the commercial world [illegible] to that once held by Great Britain.

The [illegible] we carry our product to the [illegible] with good [illegible] to [illegible] things we desire. [illegible] a tariff [illegible] our wants would [illegible] system. No one [illegible] nation [illegible] commerce [illegible] cases [illegible] It is [illegible] many-sidedness who become conspicuous traders and are [illegible] of wealth.

It is an [illegible] from that [illegible] flourishing [illegible] cases prosperity was the [illegible] and [illegible] the masses of [illegible] Britain [illegible] the seas of the world [illegible] it would have been impossible for her to have treated her [illegible] customers.

[illegible] that [illegible] way to prosperity [illegible] statesmen [illegible] kinds and [illegible] forth [illegible] for that [illegible] that [illegible] and [illegible] the most [illegible] [illegible] and [illegible] be [illegible] and [illegible] productivity. That assured, the rest and prosperity follow as a matter of course.

BUYING IN ORDER TO SELL.

A phrase [illegible] of foreign lands, but recently [illegible] about a [illegible] "buy in order to sell." [illegible] broadcast [illegible] always its fallacious [illegible] "You need buy another to sell."

At first blush this assertion sounds all right. It will doubtless appeal to the unsing voter until he puts on his thinking cap and asks what the assertion means.

As soon as he does this he has forced upon his attention the fact that in that part of the business world in which he moves there is no [illegible] [illegible] such a [illegible] the company [illegible] [illegible] [illegible] [illegible] from ever [illegible] [illegible] [illegible] [illegible]

competitors. In an article recently published in the Reichsbote, of Berlin, the [illegible] articles in this country was greatly [illegible] created by Providence to dig, delve, and [illegible]

THE TRIUMPH OF PROTECTION AND THE [illegible] OF THE POLICY OF PROMOT[illegible]

[illegible] and are [illegible] ted by Provi[illegible]

[illegible] the error [illegible] supremacy of the [illegible]

[illegible] ance that Cobden, John Bright, Glad[illegible] ourselves or to when the country [illegible] matter how loudly Richard [illegible]

[illegible] ed by Providence to dig, delve, and [illegible] ing and the pedantic claim that man succeeds [illegible] ment, or greater success than it is carried on in that country.

[illegible] Western World has learned the lesson that the consump[illegible] counsel which virtually bid it fetter its energies [illegible] ed to with [illegible] has taken possession of [illegible] assumption of the free trader that protection proves a hindrance to advancement.

Within the past thirty years, while the free traders of Great Britain and the United States have been proclaiming that manufacturing could never succeed in a country hampered by protective duties, there has been developed an industry the volume of whose output exceeds that of Germany and Great Britain combined.

In 1870 the value of the manufactured products of the United States was $4,232,325,442; in 1890 the colossal total of $9,372,379,326 was reached. Nor was this other than the protection afforded by the protective system. The [illegible] resulted in paralyzing agriculture in the United States as [illegible] turbed so long as the census discloses a con[illegible] United States in[illegible] ing as this. Had we hearkened to [illegible] made the rural [illegible] ways which have helped the farmer to bring us [illegible] from [illegible] and save to him the cost of trans[illegible] own use. At [illegible] at home to contribute to Ameri[illegible] despite the assertion of free traders [illegible] ing the canals of the country that have been so long neglected, perhaps through

per capita. The use of the post office is a fair index of a people's progress and prosperity. The revenue from this source was 51 cents per capita in 1871 and [illegible] in 1899. In 1899 the deposits of the people in savings banks aggregated [illegible] that they doubled up to $2,500,000,000. [illegible] the tariff may be made to run on indefinitely, and its tenor will al[illegible] the same. But why open it out? What need is there to extol our ex[illegible] the whole world is pouring the finger of admiration at them and [illegible] that they are due to protection? Why argue the case when free-trade England [illegible] by agitating for a change of her fiscal system? When it is necessary to warn Americans against a course which has [illegible] England, [illegible] to be the [illegible] Europe, [illegible] so close to the borders of civilization [illegible] that awful result? [illegible] by the Leader's article in its issue of October 10, 1903.

In the present controversy concrete instances are more valuable than any number of [illegible]. Here is a [illegible] by Mr. Percy [illegible] who has known the [illegible] as a [illegible] taler, a fri[illegible] and a tinder-antionist. He has a wife and four children. [illegible] a week, and out of these he pay[illegible] rent, 4s. [illegible] 1s. 6d.; vegetables, 1s. 5d.; coal, 1s. 6d. [illegible] to this man, and to hundreds of [illegible] not more than 18s. a week [illegible] average [illegible] laborers average only 12s. a week. Even an addition of 1 penny a [illegible] food bill would put a strain on these workmen.

[illegible] and the [illegible] that [illegible] by the United States Bureau of Labor in No[illegible] of living [illegible] was shown that [illegible] average income per [illegible] was $27.10, of which [illegible] was expended for food, the average [illegible] In a country where food and all kinds [illegible] than in United Kingdom the American workingman spends more money upon [illegible] than the bulk of British workingmen earn. This means that [illegible] shown to be [illegible] after he has satisfied the disposition to live in comfort, he is still able to save a tidy little sum annually, a fact elo[illegible] quently testified to by the swelling deposits of American savings banks.

Mr. LIVINGSTON. I yield fifteen minutes to the gentleman from New York [Mr. GOULDEN].

Mr. GOULDEN. Mr. Chairman, I heartily indorse what the gentleman from Brooklyn [Mr. FITZGERALD] has so ably and forcibly stated regarding the accusations made against the fair name of the city of New York by the gentleman from Pennsylvania [Mr. ADAMS].

The infamous slanders uttered by the gentleman that the municipal campaign ending in the triumphant election of the Democratic ticket in November last was waged on the platform of "free rum and free immorality" are maliciously false.

The statements are unworthy of a Member of this House or of any respectable man.

It makes a native of the State of Pennsylvania, of which I am proud, blush for his fellow-citizens of that great Commonwealth.

I indorse the refutation of the charges made by the gentleman from New York.

The matter under consideration is one of importance to the nation. Full and free discussion of the subject must tend to a satisfactory solution of the questions. I desire to occupy the time of the House for a brief space on the Panama Canal matter.

There is no doubt of the feelings of the great majority of the American people on this proposition. That a canal should be constructed where it can be done the cheapest and quickest goes without saying. The masses of the people demand it, and the Democratic party would welcome its speedy accomplishment, but let that result be brought about in a manner befitting the dignity of this great and powerful nation and through methods consistent with a due observance of the rules of international law as they should be applied by one country to another in this age of enlightenment and civilization.

The consensus of opinion everywhere favors canals as the cheapest method of transporting freight and as competitors of the railroads of the country. In my own State the people, in November last, by a majority of a quarter of a million, decided to expend $101,000,000 in the improvement and betterment of the canals. In my own district the Government is slowly but surely constructing the Harlem River Ship Canal, connecting the Hudson River and Long Island Sound, two great waterways. When completed, as it should be within five years, it will be one of the most important canals in the country. Many of you now within the sound of my voice will live to see a great ship canal built from New York City to the Lakes. This will become an absolute necessity if this nation is to successfully compete with the Canadian water transportation.

New York State is preparing the way in this matter by improving her system of canals. Other States should follow her example, and a revival of interest in nature's methods of carrying freight cheaply may be confidently expected.

The Panama question is one of the signs of the times of such a revival.

The agitation will tend to kindle anew the interest of the people in the matter of water communication, by restoring the canals of the country that have been so long neglected, perhaps through other corporate influences. In many cases these corporations have secured control of canals only to abandon or to use them as tenders in their carrying trade. The people of the State of New York have decided that this kind of business must cease. Hence the immense vote in favor of the improvement of the canals.

A few words about the Panama Canal, which is now a leading question before the people of this country and will form one of the principal planks in the platforms of the great political parties in the coming national conventions. As a Democrat, with a majority of my party, I am heartily in favor of building a canal to connect the oceans. The commerce and business interests demand that it be constructed as speedily as possible. The shorter distance and lesser cost makes the Panama Canal seemingly the favorite route for the great waterway to be built.

In my judgment, however, the manner in which the new Republic of Panama was recognized in order to carry out certain premature plans was a monumental mistake. Why so much haste and apparent secrecy? Why was not the law-making power of the country consulted? Nothing certainly would have been lost by a little diplomacy being practiced toward a sister republic. I am loath to believe that the Chief Executive, whom I esteem as a man and a citizen, based upon a personal acquaintance with him for many years, would be guilty of what on the face appears to be a violation of the laws of nations, of right, and of justice.

Not only as Democrats, but especially as citizens, do we deplore the methods adopted to bring about the results achieved. The principle laid down in 1861, and which cost this country so much blood and treasure to maintain, should not have been so ruthlessly and hastily cast aside. If the principle of secession was wrong then, it is equally wrong now.

The question of environment and of the exigencies of the case has nothing to do with the right or wrong of the matter, because no wrong can make a right.

Is it right to claim that this is a case where the end justifies the means?

The unparalleled and unprecedented display of unexampled methods is open to the sharpest criticism, and the thinking American people, regardless of party affiliation, are discussing this matter. Most seriously in this connection I predict that it will be longer than the present or any hasty canal builder can calculate for the permanent completion of the canal to admit the passage of ocean shipping. Why, then, such unseemly haste? Why imperil the good name of the Republic that in its entire history has stood for justice and fair play? Is it not a mistake anyway to attempt to build the canal of such magnitude on the lock system?

Many engineers predict failure for the canal as contemplated and urge the sea-level plan, doing away with all artificial means.

To prove that I am not speaking as a partisan, I quote from that stalwart, conservative Republican paper, the New York Tribune, under date of December 28, 1903.

The Clerk read as follows:

PANAMA REVOLUTION—EFFECTED BY A MUNICIPAL COUNCIL—PEOPLE TOOK NO PART.

PANAMA, R. P., *December 16, 1903.*

The territory known to the Colombian Federation as the Department of Panama, and now embraced [illegible] of [illegible] long [illegible] Panama [illegible] Office [illegible] On [illegible] applied by Colombia, as well [illegible] standing boundary dispute, while on the east the Gulf of Darien and the Atrato [illegible] mark its separation from the South American mainland and the great [illegible] of the Colombian Republic.

The coast line, considerably more than 1,000 miles in length, is rough and broken. The [illegible] mountainous, although im[illegible] the [illegible] and of the towns and cities of any [illegible] located next the sea or very near to it; little interior are [illegible] two or three of the more [illegible] tribes of which have rarely [illegible] eastern and western [illegible] unexplored, and the [illegible] territory there are supposed to live, [illegible] 60,000 persons. No attempt has ever been made to take a census of the population, so the figure named [illegible] is [illegible]

The territory which [illegible] in the Colombian Federation as the Department of Panama, and at the time of the secession was divided into seven provinces, Chiriqui, Los Santos, Veraguas, Panama, Colon, Bocas del Toro, and Coeln. Each of these provinces was governed by a governor subordinate to the departmental governor. Each had its council and was represented in the two branches of the national Congress which sat at Bogota. It will be seen from the [illegible] that, no matter how corrupt, inefficient and oppressive the old rule of things may have been, the people of the State were quite in all of the details the governmental structure having been carried down as perfectly in theory as it is in our own Union.

It follows from this, as a natural presumption, that in the secessionist movement all of these provinces should have had a voice. It happens, however, that, natural as that presumption may be, it is wholly groundless in this instance. The natural corollary of the last statement is that the Republic as it stands does not represent the people of Panama—speaking now of the entire

Department—and such is actually the case. It may represent them in the sense that the sentiment of all the people concurs in what has been done; but it is a misrepresentation fact that outside of the city of Panama the proposal of the new Republic had no voice whatever in the establishment of the Republic.

PEOPLE NOT IN THE SECRET.

The secessionist movement began with three men and was executed under the supervision of [illegible] and four others, the seven working under the advice and counsel of four Americans. Before the coup d'état others were partners taken in "the secret" but so quietly were the plans guarded that those who were ready in the secret and knew definitely the defiance taught by consulting the fingers of the two hands. The troops on its [illegible] and under the strategery of a [illegible] connection with the battle of the isthmus island. The [illegible] on the 3d day of November, being intended to the arrest of Congressman [illegible] Assassinated [illegible] Panama [illegible] city of Panama. [illegible] what had happened [illegible] was kept in the dark of the [illegible] day. It was on the third day [illegible] was [illegible] (cathedral) [illegible] Panama [illegible] the secession [illegible] or manifestation, as they call it here—was [illegible]

Bearing in mind the fact that seven men, aided by the soldiers and others who [illegible] had [illegible] were [illegible] of Panama [illegible] has wonder been shown a [illegible] Were the people [illegible] of Panama [illegible] what it was proposed by the secessionists to do. They knew not. Were the people speaking in general terms of the proposition of Colombia and Panama let [illegible] the secret. They were not. They knew, by general report, that a revolution was in the [illegible] but they had not been consulted nor their advice asked as to the wisdom or unwisdom of what was contemplated. When [illegible] composed of delegates from the seventy [illegible] for the purpose of [illegible] and [illegible] a [illegible] of separation? Neither the [illegible] was ever thought of. How, then, was the affair carried through? In the simple and unique manner.

The little band of secessionists let the members of the city council of Panama into their secret late in October when it became evident that a blow would have to be struck very soon or forever [illegible]. These city fathers, [illegible] in number, were willing to further the project, so that when the public meeting was held in the cathedral plaza, Panama, on November 4 they were all in attendance. They, too, were the first to sign the declaration of them of independence, and immediately after that formality they adjourned across the street to the municipal building and went into session behind closed doors. Their first action was to pass the decree under which had recently been organized in a hasty record, and to appoint their nations "acting" [illegible] copy. The decree transferred control, appointing the three members of the provisional governing junta authorizing them to take charge of the affairs of the new Republic. The junta assembled at once and started the members of the provisional cabinet and the new Republic became a fact. On the same day Federico Mallorino had taken charge of affairs at Colon as provisional governor appointed by the junta, but subsequent directions of Panama and Colon, and since the loss of the Panama Railroad the prospect of the new Republic were in entire ignorance of the fact that they were no longer subjects of Colombia.

DONE BY A MUNICIPAL COUNCIL.

It seems almost incredible that the municipal council of a city of fewer than [illegible] people should take unto themselves the power to create a republic out of a territory equal in area to the State of Indiana, but that was what was actually done in this case. Instead of a provisional congress the city council of Panama passed the act of independence. Every signature [illegible] to the creation of the Republic was put upon it by those who constituted the portion of the new Republic at that time. Panama [illegible] ing a vote by representation, in what was done. Not has any other portion of the new Republic had such a voice to this day.

No congress had been called to ratify the secession, nor has any one of the seven provinces been requested to assemble in congress or by mass meeting to pass an act of secession. There was no [illegible] for this procedure. The union [illegible] Panama [illegible] the [illegible] of Panama. The [illegible] of Panama [illegible] what was done. Now has any other portion of the new Republic had such a voice to this day.

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[illegible] Panama [illegible] Colombia [illegible] Panama [illegible] Colombia [illegible] Panama [illegible] Colombia [

MacDonald. [illegible] upon the field [illegible] North Carolina [illegible] British tyranny, and lighted the fires of patriotism which resulted in the independence of the country. At the battle of Moores Creek North Carolina stemmed the tide of British invasion in the southern colonies and gave fresh hope to the patriots in the North.

Mr. Chairman, this historic spot should be properly preserved. The report says the monument was erected by private subscription in the year 1857 by citizens of Wilmington and vicinity. The land is owned by the Moores Creek Monumental Association, incorporated under the laws of North Carolina, which has undertaken the task entirely as a labor of love and patriotism to rescue from decay the monument, which is crumbling, and clear and beautify the grounds, which have grown up in trees and shrubbery, that the scene of the battle may be preserved and that the monument may be an altar of freedom, where we may reenkindle the fires of patriotism should they ever begin to expire.

And I hope, Mr. Chairman, it will be the policy of Congress and of the Committee on the Library of this House, in accordance with the traditions of our great nation, to preserve the history not only of this important battle, but also of all similar great historical events. [Applause.]

By permission of the House, I will incorporate in my remarks a copy of my bill, with the report of the Committee thereon made at the last Congress.

A bill (H. R. 8730) [illegible] and beautify the grounds and repair the monument at the Moores Creek battlefield, North Carolina.

[illegible] That the Secretary of the Treasury be authorized and [illegible] pay to the guardian of the Moores Creek Monumental Association, [illegible] of the Treasury not otherwise appropriated, to be paid upon the order of the Moores Creek Monumental Association, [illegible] the laws of North Carolina, for the purpose of preserving the monument already erected on said battlefield and for inclosing and beautifying the same.

The Committee on the Library, to whom was referred the bill (H. R. 8730) [illegible] report and recommend that said bill do pass with an amendment.

Amendment in line 5 the word "ten" and insert in lieu thereof the word "five."

The bill as amended is to appropriate $5,000 for the repair of the Moores Creek Monument [illegible] Wilmington, North Carolina, [illegible] Moores Creek Monumental Association.

[illegible] Moores Creek Battleground North Carolina was the great major engagement between the patriots of North Carolina and the British under General McDonald. Fifty Highland [illegible] Cross Creek [illegible] Clinton Fraser [illegible] Lord William Campbell with a large force of regulars and tories, [illegible] Lord Cornwallis, [illegible] Wilmington. A battle ensued [illegible] the patriots and the British [illegible] the patriots. The Americans had no more than one-third the number of men engaged at the battle, no provisions supplied, and the [illegible] 13 hot one-pounder guns. The [illegible] were [illegible] and bullets and a lack of English gunpowder were [illegible].

[illegible] of the victory was to pave the way to the American victory at Cowpens, Guilford Courthouse, Eutaw Springs, and the surrender of Cornwallis at Yorktown. The victory was [illegible] and time has proved its importance in prompting [illegible] patriots of North Carolina to more vigorous action in the cause of freedom. On the 27th of March, 1776, and years afterward, the patriots of North Carolina [illegible] delegates to the Continental Congress and instructing them [illegible] the declaration of the other colonies in favor of independence. [illegible] the United States, [illegible] by those trained veterans what had already been so nobly done by a portion of their brethren.

Your committee, therefore, believing that this historic spot should be properly preserved, respectfully recommend the passage of the bill as amended.

The CHAIRMAN. The time of the gentleman has expired.

Mr. THOMAS of North Carolina. Mr. Chairman, I ask permission to extend my remarks in the RECORD and to include therein the bill and report of the committee.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD and to print in connection therewith the bill and report referred to. Is there objection?

There was no objection.

Mr. LIVINGSTON. I yield five minutes to the gentleman from New York [Mr. BAKER].

Mr. BAKER. Mr. Chairman, four weeks ago, in a few remarks I then made, I inserted a letter which had been published in a Youngstown, Ohio, paper, in which the writer complained that prosperity, of which we had heard so much, seemed to have flown away from that section of Ohio. I will not again inflict the letter upon the House. He said, in concluding this letter:

If you do not do something soon there will be soup houses in this valley.

This was addressed to the "Creator and preserver of prosperity"—the leader of the Republican party in Ohio—and was prompted undoubtedly by a speech delivered by Senator HANNA at Piqua, Ohio, on October 13, 1903, in which he said:

I want to [illegible] next month [illegible] by, and it will not be very long, you will be eating at the soup houses again.

I now wish to call the attention of the House to the fact that although but four weeks have elapsed, yet, according to the Cincinnati Times-Star (owned in part, as I am informed, by Governor Taft, the new Secretary of War) of January 5, soup houses have already been established in that city—the second largest city in Ohio. That the situation among the unemployed in Cincinnati is heartrending is evidenced in the headlines which the Times-Star uses. That paper used billboard type across the whole width of the page to announce the fact. It says:

Hundreds on the river front driven by [illegible] to beg, borrow, steal and most by wholesale to save their [illegible]. The last word was given by a veteran police officer in court in pleading for the man he had had [illegible] arrest, and the judge and prosecutor alike were moved to pity.

We were told upon this floor only a few weeks ago that there is labor in every part of this country for every man who wants a place to work, and there is a compensating wage for everyone who is willing to perform a day's labor, and yet, according to the Cincinnati Times-Star, which has been copied into many of the papers of the country, the judge of the police court there allows criminals to escape because they are starving, and he will not sentence them for stealing bread.

As though this were not disgressing enough, the Times-Star two days later printed on its front page four pictures of what they describe as "Pitiful scenes among the destitute." These pictures are labeled: "Interior of the Silver Moon," "At the Mullen Soup House," "At the Hammond Street Station," "One of the worst cases."

It then says:

The old cry for "[illegible]" that has been heard in many places, but rarely [illegible] was monotonous in its dire want.

Mark what the Times-Star says:

The applicants were confined to no particular class.

We may rest assured, though, that one class was not represented among these applicants for bread—the monopolistic class.

[illegible] why the [illegible] save [illegible] and any [illegible] soup [illegible].

Is this the prosperity that exists in the State of Ohio and city of Cincinnati? The report goes on to state that one of the leading politicians of Cincinnati, Michael Mullen, a councilman, one of the supporters of George B. Cox, upon whom the latter relies to see that the requisite number of votes are "found" in his ward, whether they are there or not, has opened a soup house. Just think, in the Republican city of Cincinnati, a councilman, because of stress of conditions, feels compelled to open a soup house. The Democratic candidate was not elected governor of Ohio last year, more's the pity. We were told before the election that if the Republicans were successful prosperity would continue, but soup houses would be our portion if Democrats were victorious—if that great Democrat, Tom L. Johnson, was elected governor of that State. One report says:

Councilman Michael Mullen, of the Eighth Ward, Wednesday morning established a free soup house at 435 East Front street. It was instantly crowded by poverty-stricken people with [illegible] pots, bottles, and tin cans to carry away some of Mullen's soup and coffee.

Prosperity! Prosperity where men will come with broken soup bowls [laughter] and broken coffee pots to get a little food because they are starving! And what does the judge say? A man was arrested for stealing a loaf of bread. The policeman who had arrested this man was called, and, in addressing the judge, said, according to the Times-Star:

Judge, there are nearly 200 people down there who are starving.

Starving in the great city of Cincinnati, where prosperity should exist if anywhere in this country! This is a Republican official, because everyone knows there is not a Democratic official in that whole city of Cincinnati, unless he is a personal henchman of George B. Cox and therefore more dangerous to real Democracy than if he were a Republican. This official says:

This man Jones is a workingman and not a thief. He was going to share what he stole with the others.

He was going to share this loaf of bread, which prosperity compelled him to steal, with others who were also ready to steal food in order to keep their bodies and souls together.

The policeman says:

We must arrest these people. A loin of pork was stolen Monday morning and the grocer told us not to look for it. "Lord knows they need it," he told us.

This in spite of this boasted universal prosperity!

What is the judge's reply to this policeman's plea for mercy?

The stealing of bread under such circumstances is no offense—

said the judge.

Charles Stevens, a white man, the night before had gone to the jail and begged to be locked up. The judge says:

You may go to jail, and when the sun begins to shine warm enough go to the jailer and tell him you wish to be released. I will docket you as committed for $50 and costs at your own request.

Later the judge addressed a body of city officials before whom he defended these strange decisions.

Why—

Said he—

nearly every morning at 1 or 2 o'clock policemen on their beats find the men picking potato peelings out of ash barrels. Why, gentlemen, even I would not hesitate to fracture one of the ten commandments if placed in this position.

Remember this is taking place in Ohio, in that State which the special-privilege corporations flooded with money with which to defeat a democratic Democrat, Tom L. Johnson. The voters of Ohio were assured by the leader of the Republican party there that prosperity would continue if they would but bury Johnson politically.

But somehow Tom L. Johnson does not seem to know when he is defeated. Like Banquo's ghost, he will not down, for I read in to-day's Johnstown Democrat that "Tom L. wins battle for lower fares."

It says:

The Cleveland city council has passed the following ordinances:

Making the rate of fare within the city limits on the Cleveland Electric Railway Company's lines 3 cents. Beyond the city line the fare is to be 5 cents. The 3-cent fare does not include a transfer; 5 cents does.

[illegible] avenue franchises to the [illegible] city authorities, expire in September [illegible] land Electric Railway Company controls [illegible] Electric Railway Company will test the legality of to-night's ordinances before they can be put into effect.

Of course the Cleveland Electric Railway Company will fight. Who ever heard of a monopolistic corporation submitting to the will of the people from whom it obtains its monopolistic privileges? Certainly the gentleman who is the largest stockholder, the dominating force of the Cleveland Electric Railway Company, the senior Senator from the State of Ohio, is not going to submit to this "outrage." He has publicly declared that "his business is his politics." If this means anything, it means that he is in politics to advance his business interests, and how successful he has been anyone who has watched Ohio politics and national politics during the past eight years must know.

Perhaps as clear an illustration of his methods and of his entire success in making "his business his politics" was shown when, upon Tom L. Johnson being elected mayor of the city of Cleveland and appointing officials to investigate what, if any, disparity existed in the assessment of property there, and these officials having discovered that the homes of 3,000 of the toilers of that city were worth in the aggregate $10,000,000 and were on the tax duplicate at an average of 60 per cent, or $6,000,000, while the street railroad which the senior Senator from Ohio then in large part owned was also worth $10,000,000, in fact somewhat more, but they found that the assessing authorities in Cleveland had kindly permitted this $10,000,000 worth of street-railway property to be put upon the tax duplicate not at 60 per cent of its value, nor 30 per cent, nor even 10 per cent, but at $600,000—6 per cent of its value.

As Tom L. Johnson is an unfaltering supporter of Democratic principles in government, having for years, when it was even more unpopular than it is now to do so, boldly asserted that the Jeffersonian principle of "equal rights to all and special privileges to none" should be carried out in governmental affairs in city, State, and nation. Naturally enough, officials appointed by him, being in harmony with that principle, did their duty, placing the $10,000,000 street-railway property upon the tax duplicate at the same ratio of value as that of the 3,000 small home owners, many of whom were employed by this very railroad company.

What happened? Did the Cleveland Street Railway Company, through its officers or through its then president, the senior Senator from Ohio, express contrition for having represented their $10,000,000 worth of property as only worth $600,000? Did they offer to recompense the city of Cleveland for the taxes which they had so long evaded? Did they do anything which honorable men would do under such circumstances? Did they make any effort to do anything to even up their past failure to pay their proportion of taxes to the city of Cleveland? Oh, no! That would not be making your business your politics. Only men having the common, ordinary conception of their duty to their fellow-men would be guilty of such foolishness as that. The "creator and preserver of prosperity" acted upon the theory that "charity begins at home," so he rushed down to Columbus, has a law passed legislating out of office the officials who had been so rude as to assess his street-railroad property at $5,800,000 (less, you will note, than the average on the small home owners), and secures the enactment of a law creating a State board of appraisement, made up, as I remember, of the governor, the secretary of state, and the State auditor, upon whom was conferred the power to appoint for the city of Cleveland officials to take the place of those legislated out of office.

Almost the first act of this newly created board (made up of men who could not have been elected to any office by the votes of the people of Cleveland) was to change the assessment levied against the street-railroad property, reducing it, as I remember, to $1,000,000. In graciously consenting to this increase of assessment from $600,000 to $1,000,000 upon a $10,000,000 property, was not the Senator violating his maxim of making "his business his politics?" Surely had his "business" interests occupied the first place in his mind he would have directed his appointees, these men who owed their official positions to him, and who were appointed to do his will, he would, I say, have directed them to restore the original assessment—$600,000, i. e., 6 per cent.

So much has been said from time to time about Tom L. Johnson's administration of municipal affairs as mayor of Cleveland, comparisons having been drawn between the cost of government there as against that of Cincinnati, and having some personal knowledge of the condition of the streets in the business sections of the two cities, and, in order to show the falsity of the claim that the cost of municipal government is less in Cincinnati than in Cleveland—although I admit the direct tax levy is lower—I will insert in the appendix, as a portion of my remarks, an open letter of a public accountant, well known in Ohio, analyzing the expenditures in the two cities, which proves that the per capita expenditures for municipal purposes in Cincinnati are 50 per cent greater than in Cleveland.

BYRON W. HOLT.

I want to insert here as a part of my remarks a statement prepared by one of the clearest-headed and best-informed economists in the country, Byron W. Holt, on this very subject of the lack of "a compensating wage" to the toilers of this country, while the trusts are reveling in high prices and consequent enormous profits. These weekly letters of Mr. Holt's are worthy of the widest circulation, and I trust that my friends on this side at least will do what they can to aid in circulating them, so that they may be read not only by workingmen in our large cities, but by the millions of farmers throughout the United States:

Prosperity unmasked.—The American Economist makes a confession—1903 was not a prosperous year. This high-tariff organ much afraid that the Dingley bill will be blamed for hard times—it blames labor, but has not a word of censure for the protected trusts and their [illegible].

Throughout the entire year of 1903 the American Economist, the organ of the Protective Tariff League (which is composed of 1,000 protected manufacturers, who pay $100 each in dues), was boasting about the wonderful prosperity then existing. In its columns everybody was constantly employed at the highest wages ever known. There was no let up in prosperity at any time. In the index which runs from July to December, 1903, seventeen lines are devoted to the word "prosperity" and two more to "prosperous." Here are some of these index lines:

Prosperity, [illegible].
Prosperity, the facts of.
Prosperity, general, untouched.
Prosperity, greatest ever known.
Prosperity, our advertising.
Prosperity, rampant.
Prosperity, solid.
Prosperity, talks abroad.
Prosperity, the wave.
Prosperous Uncle Sam.
Prosperous year, bright future.

During the last two months of 1903 the industrial conditions got so bad that nearly all the leading Republican newspapers had admitted that we were in the midst of a depression. Some estimated that by the end of the year 1,000,000 would be out of work

and that wages of most of these still employed would be greatly reduced. All the trade papers contained long lists of closed mills and of wage reductions. Only the Economist remained to assert that prosperity was still rampant.

But now that 1903 is past and gone it is admitted, even by this protective tariff organ, that it was a year of closed mills, idle labor, adversity, and disaster. Its leading editorial of January 1 last devotes four columns to explaining why the Dingley bill was not to blame for the hard times of 1903. It is entitled "Causes for the commercial conditions and results of 1903." Here are some of the extracts:

[illegible]

Just think of it, a billion dollars of unearned wages! A billion and a half dollars, I suppose; this means of wealth not produced. The American Economist, being the organ of so many multi-millionaire protected trusts of America, is naturally accustomed to dealing with big figures, and it is possible that a billion dollars may not seem so large a sum to the high-priced editors of that paper as it undoubtedly will seem (if the Economist's statement is ever spread abroad) to the farmers and workingmen of the United States. If the Economist's statement is correct, then the wealth which we must assume from its statement would have been produced had it not been for the closed mills and wage reductions of which it speaks would have amounted to nearly $100 for every family in the country.

The Economist blames the labor unions, the inflated stocks, and high price of cotton, and declares that but for the protective tariff—the blessed Dingley law—times would certainly have been much worse. It says not a word about the steel and other protected trusts, whose excessive greed and high monopoly prices have sapped the life-blood of the people and exhausted their buying power. It reserves its censure for labor—greedy, foolish labor—utterly ignoring the fact that when the trusts had put prices up 40 per cent labor was entitled to a similar advance in wages and that wages have not advanced one-third as much as has the cost of living.

DEFYING CHECK FOR HUNDREDS OF ILLEGAL TRUSTS LAUGH AT THE NEW BUREAU—PLENTY PROSPERITY IN THE FACE—BUREAU OF INDUSTRIES HAS SLEPT ONE YEAR—NO SIGN OF LIFE YET—PLENTY OF TRUSTS BUT NO PUBLICITY IN SIGHT—WHERE TO FIND THE TRUSTS—IRON AGE FULL OF THEM.

The Bureau of Industries of the new Department of Commerce, which was formed last year by the Republicans to demolish the trusts by publishing the facts about them, has slept nearly one year, and there are no further indications that its Rip Van Winkle slumbers are nearing an end. The little information about this Bureau, published in the annual report of the Department of Commerce, indicates that there will be no publicity of trust transactions until after the Presidential election.

But the trusts are not asleep. They are having a riotous time around this sleeping, dozing Bureau. Hundreds of them are openly and daily plundering the public in defiance of all law. Pick up almost any trade paper and you will find the details of trusts that clearly are illegal, both in the eyes of the Sherman antitrust act and of the common law. The steel, coal, tobacco, and scores of other great trusts are most certainly illegal, but the trusts' Attorney General refuses to act upon the facts put into his hands more than a year ago about these great criminals, although eminent lawyers declare that these facts establish the illegality of these trusts. Perhaps the Bureau of Industries proposes that it is useless to obtain facts that the Attorney General does not want and would not use if he had them. To show how easy it is to find trusts, unless you are blind as a bat at midday, the following extracts are quoted from an article in the Iron Age of January 7, entitled "The Pittsburg Iron trade in 1903:"

PRICE AGREEMENTS.

In 1903 there were in existence price agreements of four of the principal fixed lines of iron and steel. These covering plates, structural material, [illegible] was maintained and throughout the year as a basis price was covered in July. During the entire year the price of beams was maintained steadily on the basis of 1.6 cents up to 15-inch, [illegible] per cent.

The price of steel bars was maintained steadily at $1.60 Pittsburg, until November, when, owing to the lower price of pig iron and steel, and a very large demand, it was deemed advisable by the Steel Bar Association to reduce the price one cent, so that a cut of $5 was made, the price being reduced from $1.60 to $1.40. At the same time and for practically the same reasons the Skelping Association made a reduction in price of skelping of about 10 per cent.

These price agreements have been renewed for 1904, and will continue in force as long as the year progresses some unexpected conditions come up which would make it advisable to terminate them, but this is hardly likely.

The Steel Rail Association has maintained the price of standard sections all through the year at $28 [illegible], and despite of general expectations of a [illegible] we understand that [illegible] have again renewed the price of $28 for 1904 delivery.

[illegible] in the steel trade which started in the summer months [illegible] was [illegible] $1, was seen [illegible] $1 and $2 per ton, and [illegible] was held in New York, and this price was maintained for all of 1904.

Mr. Hoyt continues:

What fun the trusts are having. What a picnic the people would have if the [illegible] "out busy." Will it and the [illegible] people and against the trusts?

COST OF LIVING STILL GOING UP.

It may be well to call the attention of hundreds of thousands of steel workers, cotton-mill operatives, miners, and others who have humbly accepted reductions in their wages ranging from 10 to 40 per cent or who are now idle because many mills are closed, to the fact that while wages are going down the cost of living is going up.

Dun's index number was $100.142 on January 1, 1904, compared with $98.223 a month ago, and is the highest since last March. It is within about 2 per cent of the highest known in recent years, which was $102.289 on May 1, 1902. It is now about 39 per cent above the lowest point, which was on July 1, 1897.

This means that the trusts have not yet loosened their grip, and that they are counting on lower wages to decrease their cost of production and increase their monopoly profits. It is possible that they have buncoed their employees into accepting lower wages. Are wages now 40 per cent higher than six or seven years ago? Are they 10 per cent higher? If not, is there now or has there been at any time prosperity for the wage-earners? And now, when wages are reduced an average of 15 or 20 per cent, while the cost of living still goes up, shall we call this prosperity?

There has been no lowering of our tariff taxes. The Dingley bill is still claimed to "adequately secure American industrial products against the competition of foreign labor," but the old machine shows signs of wear, and rasps and groans where the labor cogs need filing. Where protection is highest there seems to be the most friction, as in the iron and steel industries.

The latest to show signs of demoralization is the lumber and logging business, in which wages have declined about 25 per cent. A dispatch from Ontonagon, Mich., to the Boston Transcript says:

During the past few weeks there has been a possible change in the labor situation in logging camps in northern Michigan. At the beginning of the season men were so scarce that lumbering concerns could only get a small percentage of the men needed. High wages were an inducement. Now however, [illegible] and are trying for work there are thousands out. Single men formerly got $40 and $45 per month, and married men $35 and $40. Some employers are said to be securing green hands for as low as $25 per month.

The wood and lumber schedule of the Dingley bill is still protecting the lumber trusts and combines and allowing them to continue the exorbitant profits on lumber and shingles, but the men in the woods and who run the sawmills are not partaking of this prosperity.

Will my Republican friends please explain this breakdown of the protective theory, which, while ostensibly protecting the trusts, the combines, and the manufacturers, does not protect the workmen, the farmers, and the great majority of the people? With the cost of living at the top notch, the many are obliged to economize to make both ends meet, while the few are amassing fortunes. I ask my Republican friends is their programme a lame one—to "stand pat" under these conditions? The trusts of course indorse the plan of "letting well enough alone," and the promise of the Republicans that "sometime in the future" they will revise the tariff pleases the trusts, for the promise is mere words—no deeds will follow it.

BOUNTIES VS. PROTECTION.

Over in Canada the government is having trouble with some of the protected steel plants about the amount of bounty due them. It says the manufacturers are not entitled to all they claim. This shows what a coarse, clumsy system they have there in comparison with our smooth-working tariff system. The Canadian manufacturers are only asking for a few paltry a year in bounties, while one of our steel trusts, "making organized robbery" last year, by means of the tariff system, took $70,000,000 from the people, and there was no dispute with the Government as to the amount and only now and then a few trifling kicks from the plundered victims. A small sum like $3,000,000 or $4,000,000 looks big when taken openly from the Government Treasury and turned over to the trusts, but $70,000,000 can be taken secretly and given to the trusts and not a word will be said. The bounty system is not "in it" with protection.

CARNEGIE'S "PHILANTHROPY"—LYNCH'S CYNICISM.

The New York Times of December 30 states the assets of the Carnegie Institution amounts to $10,010,500 and recites the uses the income is to be devoted to. By a singular coincidence the same issue under date of Pittsburg, December 29, reports:

Thomas Lynch, president of the H. C. Frick Coke Company—

I will ask the House to note that this is one of the subsidiary corporations of the United States Steel Corporation taken over by it as a part of the Carnegie Steel Company—

was summoned to New York to consult with the officers of the United States Steel Corporation.

The dispatch says "a representative of the company" (I presume it refers to Mr. Lynch) said:

The Frick Company owns about 17,000 ovens and employs fully 17,000 men, so a fair estimate of the number of employes is one for each oven. This includes the coal miners. Of this number but 7,000 are at work, owing to the heavy decrease in the demand due to the closing of fully 60 per cent of the blast furnaces since October 1.

This in spite of the assertion of the gentleman from Iowa that "there is labor in every part of this country for every man who wants a place to work, and there is a 'compensating' wage for every man who will perform a day's labor."

The men accepted the reduction of 17 per cent in wages and all are anxious to work.

Note what he says: "All are anxious to work"—at a reduction of 17 per cent.

The talk of a strike is nonsense. If the 7,000 men now at work should quit, there are 10,000 idle coke workers ready and willing to take their places.

He says, "The talk of a strike is nonsense."

Again I ask the gentleman from Iowa which, in his opinion, is the "compensating wage" in this case? Was it the price paid prior to October 1 or that which 7,000 of them now receive; namely, a reduction of 17 per cent? Kindly note that this official of the United States Steel Corporation says "that there are 10,000 idle coke workers," but 7,000 are at work while 10,000 are idle, and these, we can believe (despite the assertion of the gentleman from Iowa), "are ready and willing to take their places." For myself, I fear that they are ready and willing to take the places of the 7,000 at a good deal less than a "compensating" wage.

It appears, though, that the coke workers are not the only men employed by the United States Steel Corporation who are affected by its "economies," for we now hear: "Dissatisfied steel workers find that their wages have been reduced 40 instead of 20 per cent."

In the statements given to the press by the officials of the corporation as to the proposed reductions of wages to be made on January 1 in their mills it was stated that the reductions ranged from 5 to 20 per cent and would average about 10 per cent. Thus, on December 15, the newspapers of the country printed the following dispatch:

NEW YORK, *December 15.*

The announcement was made to-day by a leading official of the United States Steel Corporation that, beginning January 1, 1904, about 90 per cent of the [illegible] will suffer wage reductions averaging from [illegible] per cent. The reduction will affect about [illegible] men in the various plants [illegible]. The officials of the Amalgamated Association of Iron, Steel, and Tin Workers, whose wage scale expires January 1, 1904.

On December 21 a dispatch from Pittsburg said:

Some [illegible] information was given out to the effect that a general reduction in wages [illegible] the Monongahela Valley iron and steel plants in this county, that will average about 10 per cent.

On January 5 it was reported from Pittsburg that the steel workers had returned to work after a long idleness, and that, though they were willing to accept a reduction, they thought that their wages had been cut too much.

We are told that the men are dissatisfied with the new scale the company has put into effect and that they propose a compromise scale. If the reductions here shown are fair samples of those made in other mills, as they probably are, it is not surprising that the workers are dissatisfied. These reductions will average more nearly 40 than 10 per cent. The least reduction appears to be 12 per cent and the largest to exceed 49 per cent. Here are the rates for the skilled employees of the Homestead Works. The scales show the rate of wage per 100 tons of output:

	Old rates.	Company's scale.	Workers' scale.
Heaters	$2.72	$1.74	$2.00
Roll men	2.72	1.74	2.00
Manipulators	1.97	1.35	1.45
Cranemen	1.44	.87	1.00
Back table men	1.07	.97	.96
Gorgemen	.84	.65	.84
Bottom makers	1.76	1.10	1.50
Bottom makers' helpers	1.45	.87	1.23
Pit and tong men	1.44	.78	1.22
Pit and tong helpers	1.20	.65	1.07
Ingot men	.97	.80	.90
Recorders	.80	.65	.80

The above rates appear to apply to the 40-inch mill. Those for the 48-inch mill are in part as follows:

	Old rates.	Company's scale.	Workers' scale.
Rollers	$5.50	$2.94	$3.87
Heaters	4.00	2.20	(?) 2.20
Shearmen	2.00	1.10	1.60
Heater helpers	1.63	1.38	1.40
Inspectors' helpers	1.25	.88	1.10
Ingot men and foremen	1.55	1.10	1.35
Pickers	.90	.82	.83
Crane men	2.25	1.38	1.85
Gorgemen	1.65	.88	1.25
Stockpilers	1.14	1.01	1.10
Scale men	1.56	1.01	1.30
Weighmaster	1.50	1.01	1.30

In the 30-inch and 35-inch mills, as well as in the others, dissatisfaction exists and compromise scales are being prepared.

The publication of these scales indicates how misleading and false were the statements given out by the officials of the steel trust a few weeks ago. We can believe nothing that comes from trust headquarters. Deception and fraud are a part of the capital of the protected trusts.

MORE STEEL-TRUST GOLD BRICKS FOR EMPLOYEES.

Now that the employees of this trust have begun to work with many murmurs, but as yet no strikes, at wages about 35 per cent lower than those received last year, instead of only 10 per cent as announced last month, this great benevolent institution begins to talk of improved conditions and to mark up the prices of its products.

On January 11 the leading producer advanced the price on wire products $1 per ton beyond former quotations, including wire nails, barb wire, and smooth fence wire. This represents an advance of 5 cents per keg on wire nails. The advance was made because of the very heavy tonnage which has been booked during the past three weeks, and because of the low stocks in manufacturers' hands and their inability to increase them during the month of December. The stronger position which other steel products have reached within the past week or ten days was also taken into consideration. The manufacturers are advising the trade to send in specifications as soon as possible on account of the prospective shortage of nails for spring delivery.

This is gold brick No. 1 for this year, the trust having worked a big bluff on its employees and frightened them into accepting great reductions in wages.

Gold brick No. 2 was exhibited when the trust announced that its profit-sharing scheme of last year would be continued this year, the only change being that the employees may now obtain preferred stock at $55 a share instead of $82.50, as last year. This is exactly two-thirds of last year's price. As the 28,000 employees who went in last year have lost about one-third of their investments, and therefore have shared losses rather than profits, it is not likely that they will this year become customers for another supply of "profit-sharing" gold bricks. If they are wise and judge the future by the past, they will consider that next year they may be able to buy stock at one-third of last year's price.

It is evident, however, that the trust officials do not this year expect to find a market for their gold bricks with their employees. It is the ever gullible public that is to furnish customers for the shining goods again.

It is reported that an average of one "sucker" a minute is born in some part of the world. The steel trust has merely changed its bait; that's all.

"JUG-HANDLED" PROSPERITY.

Perhaps the best characterization of this much vaunted prosperity, the best in the sense of showing its unequal and one-sided diffusion is that of Louis F. Post, of Chicago, who dubs it "jug-handled" prosperity.

If my Republican friends are really sincere in their contention that the past four or five years have been years of unexampled prosperity—if they really believe that, like the dew of heaven, its benefits have been shared in by all—by the just as well as the unjust—then I can not too strongly urge that they read Mr. Post's comments, week by week, in the columns of his paper—the Public—assuring them that if they will only do so they will get light on the great problem of the age, why it is that the tremendous increases in the power of labor to produce wealth do not result in increasing the amount of wealth which labor receives, but, on the contrary, seem to make the lot of the mere toiler ever harder.

I do not believe it is possible even for the gentlemen on the other side of the House to read Mr. Post's weekly editorials on current events without finding, as I frequently have, that things which heretofore appeared complex, if not inscrutable and mystifying, have, by reason of his lucid method of discussing them,

[illegible] clear and readily understandable. He shows that so far from the days of this so-called era of prosperity having fallen on all alike, [illegible] that the result has been not to [illegible] the farmer, the workingman, and the merchant to [illegible] the lot of all who toil in the production of wealth, [illegible] but in ways of which the [illegible] that the gentlemen on the other side have [illegible] and but little [illegible] has been [illegible] so that it has taken not upon wealth [illegible] and has been largely absorbed by the [illegible]

It may [illegible] wish to learn the cause of this [illegible] side of the Chamber wish to know more of the causes which [illegible] which, as Carlyle said, enables the [illegible] to extract the honey from the thistle which [illegible] woman is [illegible] without her being [illegible] I can not too highly commend them to [illegible] in a half year's subscription, or even 10 cents for a four weeks' subscription to the Public, Unity Building, Chicago.

For Republicans to do this is to be enlightened as they are not likely to be enlightened in any other way; for Democrats to do it is to be fortified with convincing arguments—ammunition—for their assault upon that modern form of monopoly, the trust.

I shall not weary the House by reading a tenth of the extracts from this paper which I should like to read, although in my humble judgment it could not be more profitably employed, but will content myself with extracts from only a few of these thought-clarifying editorials:

GERMANS EMULATE THE TRICKS OF AMERICAN TARIFF BARONS.

[illegible]

ADMIT THEM! WAIT! EMPLOYERS OR EMPLOYEES, WHICH?

A good strike of textile workers is in progress in Pennsylvania. Boats of the strikers are [illegible] Pennsylvania Railroad [illegible] on Lower Bay to confer with President Roosevelt. [illegible] Mr. HANNA was in Chicago. Had he not been being a big working people [illegible] friends are kept in office. And here were three [illegible] where so much [illegible] In his indignation Mr. HANNA forgot [illegible] bitterness of [illegible] after election. Don't you realize that I have some interest in Ohio myself [illegible] right now?" Mr. HANNA is evidently a good deal of a confidence man in poli[illegible]

[illegible] the washboard away.

"CHRISTIAN" PLUTOCRACY.

It is reported of the younger Mr. R[illegible]

[Editorial in Chicago Public, December 5, 1903.]

PROSPERITY [illegible]

[illegible] of an industrial de[illegible]

[illegible] their newspapers ten cents or [illegible]

Two other editorials of Mr. Post, from the Public, those of January 2 and January 9, I will append to my remarks as an appendix.

MODERN METHODS OF FLEECING THE PEOPLE.

One of the modern methods by which the few are enriched at the expense of the many, a method which has been wonderfully effective during the last four or five years, is the capitalization of the great natural ore deposits and the flotation of companies whose stock in very large part, by far the larger part, simply represents the monopolization of these natural opportunities and the fostering of this stock upon a credulous and excited public, who were [illegible] ured by the glamour of the eminent respectability of the men who so kindly permitted the public to take these "securities" off their hands. Mr. Henry George, jr., who is a most worthy son of the century's greatest philosopher (the philosopher who would not rest content until he had discovered the cause of the persistence of poverty amid advancing wealth), has, in the December and January issues of Pearson's Magazine, clearly portrayed the method by which these modern financial magicians turn "water" into gold, and [illegible] is pricked it is found that the "kings of finance" who at the time the company was formed through their accredited mouthpieces declared that for a long period of years the business which they had "combined" and which they then offered to a credulous public was assured of an uninterrupted and increasing harvest of profits for many years, but having an inner knowledge, in fact the only knowledge, for neither the poor deluded stockholders nor the public ever received any information as to the real possessions of the company, these financial magnates, controlling all the avenues of

information, so soon as they had unloaded their "securities" upon the public permitted so much of the real facts to come out that that public which had previously been so anxious to acquire the securities were now frantic to get rid of them at any price. This entirely suited these eminent gentlemen, as they could then buy in the open market these "securities" for a mere song.

In the December Pearson's, Mr. George presents some figures which would indicate that these "kings of finance" had cleared up the tidy sum of $37,000,000 on an investment of probably nothing! He says:

It should [illegible] of [illegible] that the [illegible] They [illegible] to buy in the [illegible] But they planned to buy [illegible] mated Company, which they did at a basis [illegible] at $60,000,000.

The "band of promoters" whom Mr. George here refers to were John D. and William Rockefeller, Henry H. Rogers, James Stillman (president of the National City Bank, the Rockefeller bank), Robert Bacon (then a partner of the firm of J. P. Morgan & Co.), Roswell P. Flower, F. P. Olcott, etc. These constituted the "themselves."

That is to say, the 51 per cent of the Anaconda stock which, as promoters, they arranged to acquire at about $60,000,000, or something more than $45 a share, they arranged to sell to the Amalgamated Company for about $90,000,000 [illegible] mated [illegible] this tra[illegible] Cynical spectators summed up the [illegible]

[illegible] to buy [illegible] the [illegible] Company [illegible] Butte Mont., and [illegible]

The [illegible] in its treasury for the [illegible] sum for them. [illegible] Amalgamated Company for $90,000,000, they cleared $33,000,000 on the [illegible]

[illegible] return to the promoters up to this point for "putting the [illegible] Amalgamated consolidation would stand this way:

On [illegible] about	$11,000,000
On [illegible]	13,000,000
On [illegible] profit	15,000,000
Total	39,000,000
But as it was deemed ne[illegible] and security to have a [illegible] the Amalgamated stock at $65 a share, the "inner circle" probably [illegible] an interest amounting perhaps to [illegible]	2,000,000
Leaving as net profit to the "inner circle"	37,000,000

It [illegible] of promoters to work all these profits out on paper before the [illegible] step in [illegible] public [illegible] so that [illegible] at par [illegible] In other words, they were to get [illegible] paper consolidation for not a penny of cost to themselves.

No Dick Turpin or Captain Kidd ever succeeded in transferring from the pockets of others to their own so large a proportion of their victims' wealth with so little squealing from their victims. This is called "haute finance." If the masters of this modern method of fleecing the public will only graciously give a million to found a university out of the $37,000,000 which this one little operation nets them, then their newspapers call upon us all to vigorously applaud their "generosity." I regret that space will not permit me to insert the entire article on these "Modern methods of finance." It will no doubt be a revelation to the victims, who perhaps deserve little sympathy, but is more important as showing the public the evils which always flow from the conferring of "special privileges;" for were it not for the special privileges which these companies possess and which under our present system bear almost no part of the burden of taxation it would not be possible for the Rockefellers, Stillmans, Rogers, et al. to scoop $37,000,000 or any other sum out of the public by such means. It is not alone that investors—speculators, if you will—are thus fleeced; but the whole eighty millions of people pay tribute to these men in the enhanced price which they are thus enabled to exact for this useful raw material—copper—which the Creator of the universe placed in the hills of Montana for the use of mankind, but which a few individuals are allowed to monopolize, with the result I have indicated.

GENERAL DICK AND JOSEPH CHAMBERLAIN.

The gentleman who represents the Nineteenth Ohio district, General DICK, who was the chairman of the State committee in the campaign in that State last year, occupied some sixty pages of the RECORD a week ago to-day chiefly in extolling Joseph Chamberlain, who is endeavoring to make protection the twentieth-century policy of Great Britain. How extensive is the propaganda that the protectionists in England are carrying on under Mr. Chamberlain's leadership is shown in the fact that, if we are to credit the RECORD of January 5, the London Daily Telegraph of December 10 must have been a bulky document indeed, as immediately beneath the headline "Protection is for the benefit of the laboring men" it states that this remarkable document is "by the author of Imperial Reciprocity, and that it is condensed from the Daily Telegraph of December 10, 1903." As it occupies over thirty-two pages of the RECORD, all in small type, it probably amounts to 90,000 words. How many, I wonder, before it was "condensed?"

For fear that this regular magazine of ammunition should not be sufficient to convince us that "protection" is making great headway in England, I find three other speeches of Mr. Chamberlain copied from the London Daily Telegraph of October 6, 27, and 28. Each of the first two occupy about six pages of the RECORD; the third, however, being, I assume, a condensed speech, occupies but three and a quarter pages of the RECORD, or some 10,000 words.

But even this did not seem to be sufficient to satisfy the omnivorous appetite for protection literature of the gentleman from the Nineteenth Ohio district, as he has also incorporated another speech of Mr. Chamberlain's which appeared in the Scotsman, of Edinburgh, under date of November 5, this occupying a little over three pages of the RECORD. We also find what purports to be the views of the Scottish woolen trade, which appeared, as we learn, in the Glasgow Herald of September 2. This occupies but two pages of the RECORD. In order to enable us to digest so many pages of closely printed matter, General DICK has kindly added ten pages of his own, so that we may assume that the demonstration for "protection" is now complete.

In answer to these 60 pages (about 150,000 words, I assume) I merely offer in rebuttal two brief editorial paragraphs written by Louis F. Post, editor of the Public, Chicago, whose wonderful power of lucid dissection of the protection humbug, as well as all other frauds and humbugs, I commend to my Republican friends.

PROTECTIONISTS' WHIRLIGIG LOGIC.

[Editorial in the Public, January 2, 1904.]

Prot[illegible] is of the wh[illegible] order. Don't we all remember how the fr[illegible] of Great Britain [illegible] to flood our shores in the interest of free-trade p[illegible] It is the other way now in England. Protectionists ago [illegible] that British free trade is being on[illegible] Now you see it and now you don't. [illegible] and protection prosperity as well [illegible]

CHAMBERLAIN'S STRENGTH.

[From the Public.]

The protection movement in Great Britain, which Chamberlain is leading and he[illegible] ing alone [illegible] for tw[illegible] with [illegible] ish [illegible] loudly [illegible] whom car[illegible] industries.

Even one-sided free trade is better for the country that maintains it than reciprocity [illegible]

[illegible] of Great Britain herself. London is [illegible] the metropolis of the world. It [illegible] down [illegible] world [illegible] All this is because the [illegible] free trade has [illegible] unit—[illegible] though [illegible] seen. Only when [illegible] do we [illegible] British poverty [illegible] Awful [illegible] it is, though no worse than [illegible] high [illegible] country. But the poverty of England is no attributable to free trade.

WHY ENGLAND'S WORKERS ARE NOT ENRICHED.

[From the Public.]

If free [illegible] England [illegible] her w[illegible] it [illegible] wholesale [illegible] free trade in England [illegible] at the [illegible] [illegible] unused with [illegible] which is a phase of [illegible] This is the reason the riches that free trade has brought so lavishly into England have not enriched her working classes. They are grabbed by her protected leisure classes.

While on this subject I merely wish to add an interview from the New York Evening Post of three days ago in which I analyzed the result of two recent by-elections in London boroughs which

have been widely claimed as proving a strong protection drift in Great Britain.

[From the New York Evening Post, January 9, 1904.]

[illegible] BOROUGHS.

WASHINGTON, January [illegible], 1904.

The recent by-elections in Dulwich and Lewisham, both boroughs of London, which have been so widely heralded as Chamberlain victories, turn out on analysis to be victories of a sort disastrous to the victors," remarked Representative BAKER of Brooklyn, to-day.

In the former borough the Tory vote in 1895 was 5,218. This was increased to 5,859 on December 15, an increase of 11½ per cent. The Liberal vote was, in 1895, 2,176, which was increased to 4,382, an increase of 101 per cent. In the case of Lewisham the Tory vote in 1892—which was the last previous contested election in that constituency—was [illegible] increased from 2,935 to [illegible], an increase of 45½ per cent, while the Liberal vote increased from 2,935 to [illegible], an increase of [illegible] per cent.

"Anyone [illegible] than [illegible] proportionate [illegible] has taken place, but it is safe to say that the Liberal vote in London, the strongest mid certainly be [illegible] from these two by-elections [illegible] intention of abandoning the [illegible] policy to its natural and logical conclusion so as to secure free government.

I am led to do this by the fact that the General, during the Congressional campaign last fall, made me an [illegible] for twenty-four hours, one of his daily 2,500-word manifestoes being devoted to an appeal to Tom L. Johnson not to assist my single-tax views. To be thus made the issue even for twenty-four hours in a campaign in that State was very flattering, but was entirely undeserved, as Tom L. Johnson became a single taxer some three or four years before I accepted Mr. George's gospel. In fact, during those three or more years I was engaged in doing that which the General himself is now doing—trying to "save" society—being one of those who then viewed with alarm what was represented as being the possible great calamity to the city of New York that would follow the election of Mr. George in his first campaign for mayor of New York in 1886.

An investigation of the principles promulgated by Henry George having shown me the error of my ways and led me to see that, so far from proposing to destroy property rights the strictest interpretation of the principles advocated was the only means by which those who produced wealth could be protected in the possession. I am hopeful that the General will at an early date himself thoroughly investigate this question of taxation, not permit himself to be warped by existing prejudices, but in a spirit of investigation to seek the truth wherever it may lead. If he will do this, I have no doubt that he will become a supporter of those fundamental principles which Mr. George stood for and through which alone can "equal rights to all and special privileges to none" be secured.

THE CAUSE OF INVOLUNTARY POVERTY.

I would, Mr. Chairman, that I could put into burning language, language that would arrest the attention of every Member of this House and of the country, the causes of those inequitable conditions of which such incidents as these I have mentioned only bring to us in simply the more glaring manifestations. Experience has taught me, however, as it has taught everyone else who has attempted by legislative efforts to discover the cause of the persistence of involuntary poverty despite the enormous increase in the capacity of mankind to produce wealth, that, so soon as one endeavors to explain its cause he is almost invariably met with the answer, Oh, you fellows are always trying to prove that every malady mankind is heir to is due to one cause. It doesn't matter, they say, whether it be poverty, drunkenness and crime, whether it be the possession of vast wealth, vast profits and those things to which men aspire. The crowding of population into our large cities, the unhygienic conditions in which thousands live, the hard life of the average farmer, particularly of the farmer's wife, who, living remote from the cities, finds her labor monotonous, barren of almost all that gladdens life, even the contests between capital and labor—all these, they say, you claim are traceable to one cause.

Throwing themselves upon their dignity, they shrug their shoulders and pass on, refusing to believe that so many different manifestations of the maladjustment of society can be due to one common cause. And yet it is not strange that these things should have a common cause. That cause is "land hunger."

To whoever will set himself to study the primary, fundamental cause of any of these things; who will ask himself, for instance, how it comes that the suspension of river navigation on the Ohio for two or three weeks—which we are told is the reason why soup houses have been opened in Cincinnati—results in hundreds, if not thousands, being reduced to starvation; who will ask himself why these men can not in forty-eight or fifty weeks earn enough to enable them to feed themselves for fifty-two weeks; who will ask himself why strong, able-bodied farm laborers, even in the house of "protection" (Pennsylvania), only receive $5 a week for eight months in the year and sometimes can not get work even at that wage; who will ask himself why men will work in the chemical factories, where in a few years they have ruined [illegible] of $8 to $10 a week, who will ask himself why year after year [illegible] ing, where they [illegible] that will not keep them in [illegible] ask himself why [illegible] of other [illegible] for a [illegible] every year in our large cities [illegible] strong, whoever will [illegible] and sets out [illegible] been his [illegible] that there is the [illegible] and withered limbs, for there drooping and dying [illegible] upon the tree of poverty.

The cause was [illegible] the President of the United States [illegible] the matter to this House that it ago. I wish I could [illegible] appear in the mind of Members [illegible] though arranged in the [illegible] ment, he says, is [illegible] field: that favors should be granted to none. Well, let us see.

This is what he said:

[illegible]

S. R. Address [illegible]

[illegible]

That the Concord speech, so far as he who delivered it is concerned, ended there, that it was mere words, that it has not and will not be backed up by deeds, is graphically illustrated in an editorial which appeared recently in one of the great Democratic papers of the country, the owner of which is [illegible] who is one of the most [illegible] men [illegible] Republican side], a paper which supports Democratic principles more strongly and unfaltering at all times, whose influence is not confined to the State in which it is published nor to the adjoining State—Iowa. I refer to the Omaha World-Herald.

I shall not take up the time of the House to ask the Clerk to read the editorial, but I do hope when it appears in the RECORD in due course my Republican friends will read it, so that they can appreciate the Dorsey-Boyd and Mr. Hyde exhibition that it means of the great exponent of [illegible].

The editorial is entitled, "Telling the truth and sticking to it."

[World-Herald, Omaha, Nebr., Sunday, December 27, 1903.]

Addressing [illegible] Republican [illegible] said:

"Mr. Roosevelt has received the [illegible] for the good he has done [illegible]

"The man who [illegible] and stands to it does the most lasting good, whatever he may do or say. [illegible]

Did Mr. Roosevelt tell the truth when, in his speech at Chicago, he said [illegible] protected with protection [illegible] tariff [illegible] the tariff should be [illegible] abroad, and at home?

Did he tell the truth when he said that appointments to office should be based upon merit? Then did he stick to it when he appointed such Republicans as Payne and Parkes to important places [illegible]?

Did he tell the truth when, in his message of December 3, 1902, he said that the tariff did not factor trusts and asserted that the public in trust was not protected by tariff duties? Did he stick to it when, in his message of December, 1902, he admitted that "the tariff can practically monopoly and recommended the removal of the tariff on anthracite coal?

Did he tell the truth when, in his speech at Logansport, Ind., he admitted that the tariff might need revision, and when in his message of December, 1902, he said it was important that a tariff commission be appointed? Did he stick to it when he later adopted the "stand-pat" policy and show[illegible] his utter contempt for the tariff question by ignoring it in his latest message to Congress?

Did he tell the truth when he rejected the little gift of a silken flag woven by [illegible] of a particular American [illegible] the President of the United States should not receive gifts? Did he stick to it when he accepted [illegible] and other valuable presents at the hands of railroad magnates?

Did he tell the truth when he removed from office the postmaster at [illegible] because, he said, it was his duty to do so, because the postmaster was [illegible] over the protest of the people of the community? Did he stick to it when he [illegible] Hunting Trail, he said the cowboys are much better [illegible] workmen of the great cities to be [illegible]? Did he stick to it when he came to appeal to the voters of the United States, the sovereign people, and the people [illegible] Republican [illegible] Did he stick to it when he [illegible] Republican [illegible] reality? Did he stick to it when he [illegible] JOHN MITCHELL and the representatives of labor [illegible] to them pronouncements [illegible] and they are entirely in sympathy with men [illegible]?

Did he tell the truth when in Minnesota, 1903, speaking to Albert Shaw, he said the Republican [illegible] he said that under no circumstances would he accept the nomination for the Vice-Presidency, thus [illegible] a number of other Republicans to aspire to that position? Did he stick to it when he [illegible] Republican conventions had [illegible] and gave the nomination for the Vice-Presidency to him, that was then [illegible]?

Did he tell the truth when in his message of December, 1902, advocating Cuban reciprocity, he said that "we should with ungrudging hand do our generous duty to our neighbor," and that "the great Republic of the United States should rather stand by the interests of the American producer than, within the limits ever they will permit it, [illegible] relatively their friend." Also, [illegible] the shadow fear of aggression from the United States. [illegible] to it when he entered upon his Panama [illegible] Government's duty to the weaker Republics and prevented by force of arms the Colombian government from "maintaining order within its own borders?"

Did he tell the truth when he said that he would be unfit for the duties of his high office if he did not adhere to the principles of Abraham Lincoln? Did he stick to it when in his official actions he deliberately repudiated Lincoln's [illegible]?

Did he tell the truth when he said that because of his conduct as a Republican official Perry S. Heath should be forced to retire from the post of secretary of the Republican national committee? Did he stick to it when, in response of Mark Hanna's suggestion that Heath should not be retired, he had nothing more to say on the Heath retirement proposition?

Did he tell the truth when he said that men who faithfully serve the American people on land and on sea were entitled to know that their [illegible] Did he stick to it when he charged [illegible] Saunders, who [illegible] dismissed poetry [illegible] of Manila and permitted Mann to resign after [illegible] in the Army, with nothing more than a formal and [illegible] written by one of Mann's classmates and subordinates?

Did he tell the truth when he said that men charged with serious offenses should be [illegible]? Did he stick to it when [illegible] Wood above a large number of officers who [illegible] than Wood had, he upheld him and insisted [illegible] in spite of the fact that very serious accusations [illegible]?

[illegible] speech at Minneapolis, which he was [illegible] Did he stick to it when [illegible] the United States [illegible] ment or an [illegible]?

[illegible] Did he stick to it when [illegible] Did he stick to it when [illegible] Mr. Roosevelt has [illegible] to Mr. Roosevelt [illegible] the fact of [illegible] and the actions may be [illegible] actually has [illegible] than Mr. Roosevelt as the Republican [illegible]?

The continued reiteration of the prevalence of prosperity—that there is labor for all at a "compensating wage"—recalls to my mind a poem written a year ago, when prosperity was declared to be universal. It was written at the time New York celebrated her two hundred and fifty years of existence, by one of those bright, alert, quick-witted men, the reporters of the metropolitan press, whose favor is eagerly sought by even the most influential, as they can make or unmake "statesmen," their frown being more dreaded than that of any woman. The author of this poem is one of the brightest of New York's reporters. But he is more. Having been assigned years ago to investigate an unusually distressing case of poverty, he was shocked and appalled at the demoralizing and debasing conditions that prevailed over a considerable area on the east side of New York. Further investigation compelled him to the conclusion that the poverty which prevailed was involuntary, due to causes beyond the power of these people to remove. He became convinced that the cause was to be found in land monopoly, and from that time has been one of that band of earnest, enthusiastic, self-sacrificing, ever-zealous propagandists who compose the Manhattan Single Tax Club, who are working incessantly to bring the people of New York, and particularly of the borough of Manhattan, also to realize the cause of involuntary poverty. Too high tribute can not be paid to their untiring devotion to a great cause—the cause for which Henry George gave his life. I am proud of the friendship of William Everett Hicks, the author of—

TWO HUNDRED FIFTY YEARS AGO.

[Poem written for New York City's celebration of its two hundred and fiftieth anniversary, January 1, 1953.]

It wasn't just yesterday, you know,
Two hundred fifty years ago
When sailing down the spacious bay
From ocean to city full of clay,
Were houses of high-towered fright
Transfixing to see the light
No whirring trains scored in the air;
No street [illegible] everywhere;
No [illegible] for wealth and pride;
No [illegible] to be seen;
There was no rest for want and woe,
Two hundred fifty years ago.

They tell us life was very slow
Two hundred fifty years ago.
It didn't have the rush and speed
That we have come to think we need;
And yet—and yet I sometimes think
A vague suggestion o'er me stealt
That they had times to stir their pride
That now we can only envy.
They had the time of the sunrise
Far off and close to the sunset there;
No human beings fast for bread
Dropped in the city's footways dead;
No dogs foraged in the garbage cans
No sad-eyed Fury of job
That, starting with their latest breath,
They drive sought the peace of death;
Their prisons had no murderers' row,
Two hundred fifty years ago.

—WILLIAM EVERETT HICKS.

WHY DOES NOT PROSPERITY EXIST?

Now, Mr. Chairman, why does not prosperity exist in the United States? [Laughter on the Republican side.] Prosperity never will exist in the United States until a great economic reform takes place. It is because on this side occasionally, I am sorry to say, but more particularly and more flagrantly, forty times as often, on the other side of the House, you have voted away special privileges; you have voted to give a few men the power to rob their fellow-men; you have voted continuously year by year to give into the hands of some men the power to tax other men. You Republicans, by these laws, laws which grant special privileges, create monopoly; and these so-called good times which at the best are poor for the toiler, for even at the best of times there are always hundreds of thousands of men out of employment—that condition will not and can not be altered until you strike at the root of the evil, which is grounded in monopoly, and you can only uproot this evil by abolishing every form of taxation which taxes labor, which taxes accumulation, which taxes production, and put the tax upon the monopolization of land in all its various forms.

THE ENORMOUS LAND VALUES IN LARGE CITIES.

One of the great causes of the unequal diffusion of the benefits of this boasted prosperity can be found in some figures to which I desire to call the attention of the House, which I have gleaned at random from the official list of assessments made by the tax commissioners of the city of New York, and which is the basis for the assessments levied in that city for 1904, as published in today's New York papers. These figures relate to ten office buildings, the structures being ten or more years old; also ten other such buildings of comparatively recent construction. Together they embrace a score of the larger office buildings of that city. Contrast two of these properties, both well known. One, the Stock Exchange, just completed—the value of the building is fixed at $900,000, while the land is officially appraised at $3,800,000, or four times as much as the building. The Mills Building, erected some twenty years ago, is directly opposite on Broad street. The land in this case is appraised at $3,464,000, while the value of the materials and the labor employed in its erection is put at $636,000, less than one-fifth the value of the land.

Another building known throughout the country is the Equitable Life Assurance Building, the land being appraised at $8,365,000, while the value of that magnificent structure is put at

[illegible] or only 20 per cent of the value of the site. The appropriation [illegible] these twenty [illegible].

Buildings erected within ten years.

	Value of land.	Value of building.
Hanover	$[illegible]	$[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Mercantile	[illegible]	[illegible]
Stock Exchange	[illegible]	[illegible]
Knickerbocker & [illegible]	[illegible]	[illegible]
Total	[illegible]	8,[illegible]

These are the largest and most [illegible] and banking buildings in the city of New York, and yet only one of them—the Broad Exchange—is worth more than the land, several of them being worth less than half what the land is worth.

Buildings ten years old and over.

	Value of land.	Value of building.
Union Trust	$1,795,000	$[illegible]
[illegible]	1,695,000	270,000
[illegible]	[illegible]	[illegible]
[illegible]	450,000	150,000
[illegible]	1,258,000	731,400
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	2,[illegible]
[illegible]	2,[illegible]	[illegible]
[illegible] Cross Co	1,625,000	140,000
[illegible]	1,411,000	[illegible]
Total	18,986,000	4,768,400

In the case of these ten buildings the land is therefore worth four times as much as the buildings, while in the case of nine of the building theaters the disparity is even greater, as the land on which they are situated is assessed six times as high as the theater and [illegible] the land at $7,900,000 and the structures at only $1,[illegible].

Sixteen of the leading hotels—excluding the Waldorf-Astoria, where the building is worth twice as much as the site—are assessed at $[illegible] but the land on which they are built is assessed at $20,[illegible], more than three times the value of the structures.

But when we come to the palaces of the multimillionaires we find an even greater disparity between the value of the land and the palaces erected thereon. Scores of thousands of people, no doubt, have paraded up and down Fifth avenue and viewed—from the outside—these stately mansions. Not one of the buildings, it will be noted, is assessed at less than $[illegible], but—surely a comfortable house, even for a multimillionaire—and yet these extremely costly houses are valued by the assessor at less than [illegible] per cent of the value which he places upon the land beneath them.

	Value of land.	Value of building.
Anderson [illegible]	$1,[illegible]	$[illegible]
[illegible] W. A. Clark	1,200,000	[illegible]
W. K. Vanderbilt	2,350,000	850,000
[illegible] P. Huntington	1,175,000	[illegible]
J. D. Ascher	1,100,000	400,000
W. W. Astor	1,115,000	[illegible]
W. D. [illegible]	2,010,000	[illegible]
Wm. C. Whitney	775,000	325,000
H. P. [illegible]	1,050,000	300,000
Mrs. A. [illegible] Jakes	[illegible]	[illegible]
Total	13,355,000	5,065,000

The aggregate of the assessment of land values in the city of New York is placed at $[illegible], while the total value of the structures of all kinds [illegible] is placed at $[illegible], or about 2% per cent of the whole assessment. This, it must be remembered, includes all of the small dwellings in the city, which in the suburbs are worth usually two to four times as much as the lots upon which they are situated. If we take the borough of Manhattan alone, it will be seen that the land values are almost $[illegible], while the cost of all the structures, including all the immense office buildings, large hotels, theaters, etc., is less than $[illegible].

These figures bear out and put the official stamp of approval on what the single taxers have for years contended, viz. that the land values of a populous community far exceed the aggregate of improvement values. These figures, adduced by unsentimental assessors, supposedly based on full valuation of the property, are eloquent in demonstrating how vast fortunes have been accumulated and added to without effort on the part of their possessors. Who will question that these enormous land values of the city of New York, paralleled in minor degree in every town and city in the country, are the result of communal growth, due to the people aggregating there, with the consequent competition for location giving the value ever upward? These land values represent an [illegible] which the people must pay for the privilege of living where land has

on whose interests they may have to sit in judgment? How many officials anywhere are without free passes? That these "courtesies" do not effect the bribery of officials with reference to large matters is doubtless true.

Corrupt officials do not sell themselves so cheap. But it is beyond dispute that passes do secure small favors, compensating "courtesies" such, for instance, as the "O. K." of a theater's violation of the law in trifles trifles which, however, may precipitate calamities. If free passes do not actually corrupt judges, inspectors, councilmen, legislators, etc., who do railroad officers and theater managers make them the regular perquisites of public servants with whom they have official relations? Surely not for their health. The "O. K." ing of the Iroquois Theater just before it burned was the story. Passes put public officials in good humor toward law-breakers. The public official who takes them may not know he is bribed, but the theater or railroad manager who gives them, he knows it.

That is reason enough for this resolution offered in the Chicago city council on the 4th by Alderman Dunne:

"Whereas the receipt of gratuities such as free passage or tickets from railroads, theaters, or other public utilities or places of amusement by city legislators, city officers, and employees is clearly detrimental to the free discharge of official duties; therefore, be it

"Resolved, That it is the sense of this council that the asking for or receipt of any free pass, ticket, or other favor from railroads or places of amusement be prohibited; and be it further

"Resolved, That free passes or gratuities such favors be made a ground for dismissal from municipal office or employment.

"Resolved, That the railways committee of this council be requested to report the necessary order to bring the matter into force. Should the committee report the necessary order, it will be adopted by the council. Mr. Dunne's commendable resolution in connection with the exposure of the extensive passes to congressmen by railroads which made a similar resolution of Congressman BAKER's too difficult passing, the party to refuse railroad passes.

President Roosevelt's special message to Congress is unusually interesting for a Presidential message, and, while [illegible] necessary [illegible] of its detail and the [illegible] of the argument the substance may be found down to [illegible] points. What [illegible] good [illegible] about it.

And, [illegible] example, what are we going to do about the Panama treaty? Its passage now by Congress is wanted by the President [illegible] and, [illegible], what is a precedent set by President Cleveland, nothing is made to do. For in that case Panama is not only an accomplished nation, but it is one whose sovereignty, if [illegible] they is right, is the thing at issue in a treaty [illegible] treaty is defeated. No matter what the Administration people may wish, no matter what Congress may have discussed treaty, if the President's response [illegible] for Congress to do but hesitate to do it. The President leaves it [illegible] done for the first time. Without so much as "By your leave, Messrs. Congressmen."

It is upon this basis that Mr. Roosevelt virtually demands of Congress that it do as the dictator of the Panama people, which he of his own unbridled will has inaugurated. He has virtually made himself an absolute monarch as to this most important matter, for, as he tells us:

"The only question now before us is that of the ratification of the treaty. For it is to be remembered that a failure to ratify the treaty will mean, what has been done will not restore Panama to Colombia, and will not alter our obligation to keep the transit open across the Isthmus and to prevent any outside power from menacing the transit."

And does he not [illegible] that the question actually before this Government is not that of the recognition of Panama as an independent republic. That is already an accomplished fact. The question, and the only question, is whether or not we shall pay for an [illegible].

Take those two admirable features of his special message and nothing but a plea for Taxation also the Panama canal [illegible]. But there is power in these admonitions. They are Rooseveltian for Tweed's less polished but not more [illegible] purpose.

How did Panama's independence come to be "an accomplished fact"? Strength [illegible] behind? Mr. Roosevelt. It was he who [illegible] as his message shows, that Commander Hubbard, U. S. N., and Senor Nouvo, either party from attending the other. That is, that prevented [illegible] for [illegible] a revolting Senator was [illegible] South. Colombia is the [illegible]. It was [illegible] Senor Nouvo [illegible] "You [illegible] with cash, and [illegible] Colombia [illegible] Colombia [illegible] Colombia it Colombia attempts to hold Panama to its [illegible].

COMPARISON OF COST OF MUNICIPAL GOVERNMENT IN CLEVELAND AND CINCINNATI—CINCINNATI'S RESPONSIBLE "BOARD PLAN"—CLEVELAND'S RESPONSIBLE "FEDERAL PLAN"—INDORSED BY CHAMBER OF COMMERCE—PER CAPITA EXPENDITURE IN CINCINNATI 50 PER CENT GREATER THAN IN CLEVELAND.

[Open letter of Carl H. Nau, public accountant, to Governor Myron T. Herrick.]

CLEVELAND, OHIO, *January 11, 1904.*

Hon. MYRON T. HERRICK, *Columbus, Ohio.*

DEAR SIR: I take the liberty of addressing you in behalf of myself and my fellow-citizens in order to lay before you certain facts and figures which may be useful to you in view of legislation which will be necessary to be enacted by the present general assembly, and in which you, by virtue of your high office, will be a powerful factor.

For two years past the Cleveland federal plan of government, both in municipal and school affairs, has been subject to systematic attacks by interests in other parts of the State, and a vast amount of false and misleading information has been put into the public mind.

You, as one of Cleveland's first citizens, must feel the injustice that has been done our city. The Cleveland Chamber of Commerce, of which you are a member, has, without dissenting voice, declared that the federal plan of municipal and school government in Cleveland is admirable. It is to be hoped that any changes that the general assembly may make in the present municipal code will tend along the lines of the federal plan, and that the new State school code may follow the general lines of the time-tried and efficient federal plan now in operation in Cleveland.

It is repeatedly asserted that the "board plan" of Cincinnati has furnished a more economical administration of the city's affairs than the city of Cleveland under a strictly federal form of government under which executive responsibility was centralized. This belief has been fostered by so-called authority than your predecessor in office. On the contrary, careful reports and figures show that the government of Cincinnati was grossly extravagant when compared with that of Cleveland, for when the tax rate of Cleveland was [illegible] in Cincinnati and the Cincinnati [illegible] Cleveland [illegible] Cincinnati [illegible] Cleveland [illegible] Cincinnati [illegible] Cleveland [illegible]

cents on the main line of the express company in certain sections.

The regulations as of March 28, 1900, as shown by Department Circular No. 32, Treasurer's Office, No. 69, handed me by Treasurer Roberts a few days ago, I will insert here, as follows:

X.—EXPRESS CHARGES.

22. The Government contract with the United States Express Company [illegible]

[illegible] transportation of all kinds of paper currency [illegible]

[illegible] United States Express Company [illegible] Arkansas, Louisiana, Kansas, Nebraska, Nevada, New Mexico, Oregon and Washington [illegible]

[illegible] transportation of another express company [illegible] Arkansas, Louisiana, Kansas, Nebraska, Nevada, New Mexico, Oregon and Washington. We understand [illegible] sums of [illegible] dollars [illegible]

[illegible] Washington and points in Colorado, Kansas, and Nebraska, 75 [illegible] national part thereof over $500; sums of $500 or fractional part [illegible]

[illegible] Washington and points in Texas, Arkansas, Montana, North Dakota, South Dakota, Wyoming and the Indian and Oklahoma Territories, 50 [illegible] national part thereof over $500; sums of $500 or fractional part [illegible]

23. [illegible] charges are paid by the Government, at contract rates, on [illegible] sums of [illegible] dollars [illegible] Colorado, Kansas, and Nebraska, 75 [illegible] national part thereof over $500; sums of $500 or fractional part [illegible] Washington and points in Texas, Arkansas, Montana, North Dakota, South Dakota, Wyoming and the Indian and Oklahoma Territories, 50 [illegible] national part thereof over $500; sums of $500 or fractional part [illegible]

24. [illegible] charges are paid by the Government, at contract rates, on [illegible] sums of [illegible] dollars [illegible] the charges, if [illegible]

25. [illegible] United States notes, Treasury notes of 1890, gold certificates, and silver certificates, unit for circulation, when not mutilated so that less than three-fifths of the original [illegible] are redeemable in gold coin, and silver certificates in silver dollars, by the Treasurer and assistant treasurers. National bank notes are redeemable in lawful money of the United States by the Treasurer, but not by the assistant treasurers.

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27. [illegible] transportation of all kinds of paper currency [illegible]

28. [illegible] United States Express Company [illegible] Arkansas, Louisiana, Kansas, Nebraska, Nevada, New Mexico, Oregon and Washington [illegible]

[illegible] transportation of another express company [illegible] Arkansas, Louisiana, Kansas, Nebraska, Nevada, New Mexico, Oregon and Washington. We understand [illegible] sums of [illegible] dollars [illegible]

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THE BANK OF GAINESBORO,
Gainesboro, Tenn., December 11, 1903.

Hon. JOHN W. GAINES, *Washington, D. C.*

DEAR SIR: Your bill known as the clean-money bill, No. 5068, we heartily approve, and hope you may be able to secure an early passage of the same that we may get rid of the defaced, ragged, worn-out bills.

Respectfully,

J. A. WILLIAMS,
Cashier Bank of Gainesboro.

RIPLEY BANK,
Ripley, Tenn., December 11, 1903.

Hon. J. W. GAINES, *Washington, D. C.*

DEAR SIR: Your introduction has been directed to House bill No. 5068, and known as the "clean-money bill," and we wish to commend you very highly for your course, and hope you will be able to pass it [illegible] away.

Yours truly,

C. R. BARBEE, *Cashier.*

BANK OF GORDONSVILLE,
Gordonsville, Tenn., Dec. 11, 1903.

Hon. JOHN W. GAINES, *Washington, D. C.*

DEAR SIR: We notice that you have introduced a bill known as the "clean-money bill."

We think the passage of such a bill will be to the interest of all classes with [illegible] Respectfully,

WM. GWALTNEY.

MELTON'S BANK,
Gassaway, Tenn., December 12, 1903.

Hon. Mr. GAINES, *Washington, D. C.*

DEAR SIR: [illegible] introduced in Congress November 20, known as the "clean-money bill," I think it would be a grand [illegible] as some of our currency is very sorry [illegible]

I ask you to do all you can in securing the passage of said bill.

Yours, truly,

JOHN H. MELTON,
Cashier Melton's Bank, Gassaway, Tenn.

PEOPLE'S BANK OF MILAN,
Milan, Tenn., December 10, 1903.

Hon. J. W. GAINES, M. C., *Washington, D. C.*

DEAR SIR: I believe I express the feelings of all bankers when I say that we are [illegible] introduced to get clean [illegible] and [illegible] the passage.

I have just written our Representative, Hon. KEY A. PIPER, asking his help in [illegible]. If you can urge the bill with your [illegible] we do not see why it should not become a law. It seems to us that in the interest [illegible] the passage immediately.

With best wishes, we are, yours, very truly,

J. R. HARRISON, *Cashier.*

THE BANK OF MONTEREY,
Monterey, Tenn., December [illegible]

Hon. JOHN WESLEY GAINES, M. C.,
Washington, D. C.

MY DEAR SIR: I [illegible] in endorsing the measure you have introduced [illegible] Representative Richard [illegible] "clean-money bill."

I am [illegible] the most [illegible] in the interest, as well as in [illegible] that will [illegible] of [illegible] now circulating as the money of exchange among the people in the great country we live in. I heartily congratulate you, and I see no reason why the bill should not carry without opposition.

Yours, very truly,

O. H. ANDERSON, *Cashier.*

BANK OF WATERTOWN,
Watertown, Tenn., December 10, 1903.

Hon. JOHN WESLEY GAINES, *Washington, D. C.*

DEAR SIR: It is with great pleasure that we notice House bill No. 5068 known as the "clean-money bill," which has been introduced by you, and we take this opportunity of tendering you our appreciation of your remarkable [illegible] to relieve so much passive money, and we believe [illegible]

We sincerely hope it will pass, and will be under many obligations to you for your efforts in our behalf.

We do most heartily indorse the bill and do sincerely thank you for the introduction of same.

With best wishes and a hope that we may at some time do something for you for your [illegible] in our behalf, I am,

Yours, truly,

J. N. YOUNG, *Cashier.*

THE KNOXVILLE BANKING COMPANY,
Knoxville, Tenn., December 10, 1903.

Hon. JOHN W. GAINES, *Washington, D. C.*

MY DEAR SIR: I beg to congratulate you on the introduction of House bill No. 5068, "clean-money bill." We bankers in the interior appreciate especially your efforts to better the condition of the currency that we are compelled to handle.

We have been very much handicapped under the existing law since it incurred special expense to keep the currency in presentable shape, while the more fortunate bankers in towns having the facility of treasuries and subtreasuries have enjoyed it. We trust that you will have no trouble in putting the matter through, and we believe every fair-minded Representative and Senator will cooperate with you in the same.

Yours, very truly,

W. H. GOSS, *President.*

THE BANK OF CHATTANOOGA,
Chattanooga, Tenn., December 10, 1903.

Hon. JOHN WESLEY GAINES, *Washington, D. C.*

DEAR SIR: We notice you have introduced a "clean-currency" bill into Congress, and we are glad to know that you are making an effort to relieve the public of the old worn collectors and ragged currency which is now in circulation, and it would be a great satisfaction to us to know that the bill had passed.

Very truly,

FRANK A. NELSON, *Cashier.*

FIRST NATIONAL BANK,
South Pittsburg, Tenn., December 10, 1903.

Hon. J. W. GAINES, *Washington, D. C.*

DEAR SIR: I write to thank you for the introduction of your bill in Congress known as "clean-money bill," and hope you may be successful in having it passed as the expense of handling defaced bills in circulation ought to be at the expense of the Government.

I heartily approve of your course and think all others that understand it will do the same.

Yours, truly,

T. G. GARRETT, *President.*

BANK OF MARTIN,
Martin, Tenn., December 10, 1903.

Hon. JOHN WESLEY GAINES, M. C.,
Washington, D. C.

DEAR SIR: I note with pleasure that you have introduced in Congress a "clean-money bill." I trust that you will succeed in getting this measure passed.

Most respectfully,

T. J. TAYLOR, *Cashier.*

THE NATIONAL BANK OF MCMINNVILLE,
McMinnville, Tenn., December 10, 1903.

Hon. J. WESLEY GAINES, *Washington, D. C.*

DEAR SIR: We notice the introduction of your "clean-money bill" in Congress. Nearly every people we meet seem pleased that you have introduced it. We think and trust that it will pass. We think that the bill will be a great benefit to the people. We think you will have no trouble in procuring its passage by a [illegible] law.

Very truly yours,

H. R. WALLING, *Cashier.*

THE BANK OF PETERSBURG,
Petersburg, Tenn., December 10, 1903.

Hon. JOHN WESLEY GAINES, *Washington, D. C.*

DEAR SIR: [illegible] and is above [illegible] and I certainly trust it will pass.

Very truly,

W. Z. DOZIER, *Cashier.*

THE BANK OF VIOLA,
Viola, Tenn., December 10, 1903.

Hon. J. W. GAINES, M. C.

DEAR SIR: I wish to assure you of my approval of bill No. 5068 and to urge upon you the necessity of the passage of same.

Yours, truly,

A. J. BREWER, *Cashier.*

PEOPLE'S NATIONAL BANK,
McMinnville, Tenn., December 10, 1903.

Hon. JNO. W. GAINES, M. C.,
Washington, D. C.

DEAR SIR: We note with pride and pleasure that you have taken the initiative in the matter of [illegible] and have introduced a bill in Congress [illegible] ragged money now in use in [illegible] dollars of money will be under law [illegible] to a successful [illegible]

We are [illegible] member, Mr. MOON, and commend the proposed legislation as in good [illegible]

Yours, truly,

FRANK COLVILLE, *Cashier.*

THE PEOPLE'S BANK,
Sparta, Tenn., December 11, 1903.

Hon. JOHN W. GAINES,
Washington, D. C.

DEAR SIR: We heartily indorse the bill introduced in Congress by you November 27, identified as bill No. 5068, and known as the "clean-money bill."

I trust you will have no difficulty in securing its passage.

Yours, truly,

T. K. WILLIAMS, *Cashier.*

THE FARMERS AND MERCHANTS' BANK,
Henderson, Tenn., December 11, 1903.

Hon. J. W. GAINES,
House of Representatives, Washington, D. C.

DEAR SIR: As a banker and citizen of Tennessee, I most heartily approve of your bill known as the "clean-money bill," and trust that you may be [illegible]

The filthy rags that are now in circulation as money in the interior are a disgrace to decency, and I am sure [illegible] citizens of the entire State heartily approve the measure and will [illegible] your efforts in the matter.

Yours, truly,

R. E. MCKINNEY.

THE HOLSTON NATIONAL BANK OF KNOXVILLE,
Knoxville, Tenn., December 11, 1903.

Hon. JOHN W. GAINES,
House of Representatives, Washington, D. C.

DEAR SIR: We wish to indorse the House bill No. 5068, known as the "clean-money bill," we [illegible] and do [illegible] It seems to be that [illegible] its, and we hope you will [illegible]

We are writing our Representative, Hon. HENRY R. GIBSON, [illegible], urging him to use his best efforts in securing the passage of this bill.

Very truly,

JOSEPH P. GAUT, *President.*

BEDFORD COUNTY BANK,
Wartrace, Tenn., December 11, 1903.

Hon. J. W. GAINES, *Washington, D. C.*

DEAR SIR: As interested parties, wish to thank you for your efforts in trying to secure House bill No. 5068, known as the "clean-money bill," enacted into law. We trust that you will be successful in this, for we believe the law would be of great benefit to our section.

Have written to Mr. J. D. RICHARDSON, our Representative in Congress, soliciting his support for your measure.

With best wishes, I am, yours, respectfully,

E. L. BLACKMAN, *Cashier.*

THE BANK OF PARSONS,
Parsons, Tenn., December 11, 1903.

Hon. JOHN W. GAINES, M. C., *Washington, D. C.*

DEAR SIR: We hope you will be successful in getting your "clean-money bill" through the House, and have asked Mr. SIMS to kindly aid you in pushing it through.

Very truly,

L. H. BURKE, *President.*
L. A. RAINS, *Cashier.*

PEOPLE'S BANK,
Smithville, Tenn., December 11, 1903.

Hon. JOHN WESLEY GAINES, *Washington, D. C.*

DEAR SIR: We desire to make known to you our hearty approval of the bill [illegible] "clean-money bill," and earnestly ask you to do all in your power to secure its passage.

Yours, very truly,

PEOPLE'S BANK.

Mr. GAINES of Tennessee. I have lost a strong letter from the bank of Goodlettsville, Tenn.

Mr. Chairman, people in the country districts, people away from subtreasuries (as a gentleman in the Treasury Department said to me this morning), the people away out on the hills or cities anywhere—away from the subtreasuries of the United States—are obliged to continue transacting business with this revolting and horrible money because of the rates they must pay to get their money sent to and returned from the Treasury of the United States.

Think of our people handling and circulating money found on the bodies of dead people. Think of that money going into circulation and spreading disease. Then again, the money goes into the pockets of the negroes and whites of the South, where the weather is hot.

Then think, too, of the sources of contamination which this money passes through when used by the laborers in our mines and manufactories and by the laborers in the cornfields and in the woods, where much of the business of the country is prosecuted.

This money is stuck into their nasty, sweaty clothes. This money which they carry in their pockets carries disease-breeding germs. The physicians of Philadelphia, Pa., so declared recently, after a searching and scientific investigation, and it holds to reason.

It goes to and returns from far Cuba, Porto Rico, the Philippines, and to miserable and unfortunate Panama, and we still use it, soaked with disease germs.

The paying tellers in the banks of my city tell me that they have to use an antiseptic wash constantly in order to protect their hands and their eyes from becoming diseased by the handling of this dirty money.

There is no question in the world but what this is a proper bill.

It does nothing except to compel the national banks, at the expense of the Government, and to allow other banks that are national depositors to send in to the Treasury of the United States this money packed up in a certain way in accordance with the present regulations of the Department. When it comes here the Government pays the transportation and reissues the clean money and destroys the dirty money.

The national banks are now required to do that, but the charge for the transportation is so great that it is practically not required of them. The dirty national-bank notes are in circulation, the dirty silver certificates that do the principal money work of this country are in circulation, the dirty greenbacks and gold certificates are in circulation, and the people in the country prefer the metallic money because cleaner.

They will take clean silver money, because not so liable to carry disease. Now, behold for a moment the amount of dirty and disease-carrying money that there is in the country! I have here some specimens of money that should be immediately destroyed, as England destroys her bank notes after once issuing and receiving them. She never allows a bill to go out a second time.

Now let us get down to the moral obligation of this matter and to the duty that is imposed upon the American Congress. Congress has the right to coin money, to regulate the value thereof, and of foreign coin. That power belongs to the great sovereign of this country. It belongs to no private individual.

It is the duty of the Government to issue that money and maintain it in its integrity. It is the duty of the national banks to issue their paper money, and the law requires them to deposit so much money for the reissuance of those notes. How about the other paper money? Whose business is it? The people do not issue that money or any money.

The Government issues it. The Government helps to dirty it. It takes it to Cuba, it takes it to the Philippines, it takes it to Panama, I am sorry to say, and all around the world. It takes it to a great many dirty places, and yet the Government wears out and befouls this money and turns it over to the people to put their hands on and to put into their pockets, to breed and carry disease wherever the American flag floats.

It is the duty of the Government to see that this money is clean. It is not the duty of an individual. Before the adoption of our Constitution, away back in the colonial days in the early history of our country, there were private individuals who had the right and who did coin money. It was their business to keep it exactly as they coined it, but we surrendered these money rights to the Government by the people of the United States when we framed our Constitution.

The coining and emitting of money is a governmental function, so that it is perfectly right and proper under the circumstances, and it is the duty of the Government to furnish the people clean money and keep it clean. When the Government helps to befoul our money it certainly has a moral duty, and we ought to make it a legal duty upon the Government of the United States, to keep that money as clean as it was when it was first emitted.

Now, for Heaven's sake, look at this money. I hold up a bill that I got from the Treasury this morning. I now hold up another that I got where it was being redeemed this morning. I will hold up a new ten-dollar bill that I received this morning from the Treasury Department.

Now, look at that. That came, I might say, from "Dayton, Ohio," showing that at least sometimes from the great and good State of Ohio, that I am glad to say is to be Democratic next year, there does come this unclean thing. [Applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. Mr. Chairman, I ask unanimous consent to place in the RECORD the letters to which I alluded a while ago.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend in the RECORD his remarks by inserting the letters to which he refers. Is there objection?

There was no objection.

Mr. GAINES of Tennessee. I wish I could put a picture of these dirty bills in the RECORD also. [Laughter.]

Mr. LIVINGSTON. I reserve the balance of my time.

Mr. BINGHAM. Will the Chair inform me how much time remains to this side?

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BINGHAM] has twenty-six minutes remaining and the gentleman from Georgia [Mr. LIVINGSTON] five minutes.

Mr. BINGHAM. I yield to the gentleman from Connecticut [Mr. HILL] ten minutes.

Mr. HILL of Connecticut. Mr. Chairman, there is a good deal to be said in behalf of the proposition which the gentleman from Tennessee [Mr. GAINES] has just brought before the House. There is no question about the fact that much of the paper money of the country is filthy and vile and ought to be redeemed. The trouble, however, will not be overcome by the bill which the gentleman from Tennessee has introduced. At least, that is my opinion.

Mr. GAINES of Tennessee. Does the gentleman think the banks ought to pay for having this clean money transported for reissuance?

Mr. HILL of Connecticut. I know of no more reason why the Government of the United States should transport moneys than it should transport the overcoats of gentlemen or the potatoes of the country. The trouble is under the system of redemption which we have, so far as the national banks are concerned.

A study of the system of redemption will convince the gentleman that it takes two years to redeem the circulation of the national banks, so that the bills will remain outstanding for at least a year. I started to say to the gentleman that he will find the greater portion of the trouble is with the small money, the one, two, and five dollar bills.

The mistake in regard to the five-dollar bills was that the act of March 14, 1900, provided that one-third of the circulation shall be limited to five-dollar notes. Many of the small banks which have since organized, wishing to save the expense of one of the two plates from which the notes are printed, have declined to issue any five-dollar notes. Hence the five-dollar note is kept in circulation far beyond the time in which it should be taken up.

Mr. GAINES of Tennessee. Does the gentleman think it is right to charge that little bank, or whether it is a rich individual or a big bank, 60 cents a thousand for sending dirty money back here and having it reissued?

Mr. HILL of Connecticut. The express charge for sending it back is nothing compared with the interest that the banks will lose for the time the money is out of their possession when it goes to the Treasury Department for redemption and return.

If the gentleman will stop for a moment and think, he will find that it is not the express charge, but it is the loss of interest on

the money from the time that they send it away until they get it back again.

Mr. GAINES of Tennessee. This may not work a very great injury to a bank in New York City, but it might injure a bank in the smaller places, far removed from subtreasuries or the Treasury.

Mr. HILL of Connecticut. We do not have any trouble about dirty money in New England, because we are right accessible to the subtreasury, where it can be exchanged at any time, and it is the loss of time and not the cost of transportation charges that makes this trouble.

Then there is another thing, and it is the inability of the Treasury Department to furnish ones and twos.

I called upon the Treasury Department a few days ago to furnish me the amount of money, of ones, twos, and fives, silver certificates and bank notes, that they were unable to furnish during the months of November and December in response to their calls.

Treasurer Roberts has given me a letter, which I propose to use in another place, showing that during the month of November they were unable to fill their orders for ones, twos, and fives by 30 per cent of the entire amount called for, and for the month of December by 39 per cent, and the aggregate of the money which they were asked to furnish and unable to furnish during this month was $18,000,000.

Now, that practically means a retention in circulation in the remotest parts of the country of eighteen millions of small money which ought to have been canceled and destroyed.

Mr. GAINES of Tennessee. Does not my friend want to see clean money used in the country?

Mr. HILL of Connecticut. I do. I propose to give the Treasury Department, in a bill which is now before the Committee on Banking and Currency, unlimited authority to issue this money, both greenbacks and silver currency, in any denominations that the people call for.

Mr. GAINES of Tennessee. Who pays the transportation?

Mr. HILL of Connecticut. The man who wants the circulation.

Mr. GAINES of Tennessee. Do you think it the duty of the citizen to give the Government clean money?

Mr. HILL of Connecticut. It is not the Government's but the bank's duty to keep the clean money. If the gentleman will look at the question for a moment, he will see that the trouble is in the persons being kept out of the use of the money more than the cost of transportation.

Now, then, so far as the banks are concerned, we must get down to the system of redemption, and when you shall have your redemption agencies in a commercial center, in the city of New York, instead of in the city of Washington, where no business transaction is carried on, you will find great relief.

Mr. GAINES of Tennessee. Does not the gentleman know the law is now that the Government shall issue new money for all this dirty money that the people may send in?

Mr. HILL of Connecticut. If they are able to do it——

Mr. GAINES of Tennessee. Exactly; but the people are not able to pay 60 or 75 cents per $1,000 for sending it to be reissued.

Mr. HILL of Connecticut. In case the Government was called upon to do it little relief would be given, because the law is restrictive and ought to be repealed and changed.

Mr. GAINES of Tennessee. We had a law in 1881 or 1882 or thereabout whereby we appropriated about $50,000 one year and the next year $40,000 to provide for this dirty money, but it dropped out of the appropriation bill, and hence I introduced it in this bill. If you have a better one, I will vote for it.

Mr. HILL of Connecticut. I simply wish to add that the gentleman is working with a right purpose, but in the wrong way, and he will have a great deal better result than now if he will——

Mr. GAINES of Tennessee. The difference between the gentleman and myself is that he wants the people to pay 60 or 75 cents a thousand for keeping the Government's own money clean, and I believe that the Government ought to do it.

Mr. STANLEY. I believe the gentleman objects to Mr. GAINES's bill on the ground that the banks hold this dirty money rather than lose the use, or interest, which is the same thing, they would gain by keeping it in their banks.

Mr. HILL of Connecticut. To some extent. There are other reasons.

Mr. STANLEY. This is the question I want to ask: Does not the law require all your national banks, and I believe all other banks, to keep a certain per cent—15 per cent—on hand of the amount of money that they have to loan?

Mr. HILL of Connecticut. Fifteen per cent in country banks and 25 per cent in others.

Mr. STANLEY. That this amount must be kept on deposit. I mean that this old dirty money is not sent to the Treasury, but is kept in the hands of the bank on account of this law which requires them to keep a certain amount on deposit?

Mr. HILL of Connecticut. Not at all: a certain proportion must be cash in their vaults. The trouble is in another direction——

Mr. GAINES of Tennessee. Where is the trouble—in the question of the people having to bear the burden of the transportation?

Mr. HILL of Connecticut. I think it has very little bearing on it——

Mr. GAINES of Tennessee. I think if the gentleman will go into the matter as far as I have he will find that the trouble is in the minds of the people and not the banks.

The bankers in Nashville said they could not and would not pay the 60 or 75 cents a thousand both ways to have the Government send them clean money for the transaction of the business of the Government as I of the people; that it was not their business or their duty to do so.

Mr. HILL of Connecticut. I yield back the balance of my time.

Mr. BINGHAM. I have no more requests for time on this side, and therefore I will ask for the reading of the bill.

The Clerk, proceeding with the reading of the bill, read as follows:

Office of the Vice-President: For secretary to the Vice-President, $2,220; for messenger, $1,440; [illegible] operator, $1,500; telegraph page, $900; in all, $[illegible].

Mr. SHEPPARD. Mr. Chairman, I desire to ask the gentleman from Pennsylvania a question. Why is it that an appropriation is made here for employees in the office of the Vice-President for one year, when presumably there are no employees in the office of the Vice-President at the present time, because it is vacant?

Mr. BINGHAM. I will say that the appropriation for the next fiscal year is identical with that of the current year. These clerks are now employed in that office. The presiding officer of the Senate, although a Senator, acts as Vice-President and has the use of these subordinate officers, and this force will continue for the next year.

The Clerk, proceeding with the reading of the bill, read as follows:

Under Superintendent of the Capitol Building and Grounds: For chief engineer, $[illegible]; [illegible] of elevators, $[illegible]; [illegible] of the [illegible] at $[illegible] each; [illegible] and two [illegible] of the Capitol: Two attendants, at $1,200 each, and two watchmen, at $[illegible] each; in all, $[illegible].

Mr. HEPBURN. Mr. Chairman, I move to amend this paragraph in line 16, page 13, by striking out the word "six" and inserting the word "seven," so that it will read "seven conductors of elevators." I do that, Mr. Chairman, for the reason that there ought to be——

Mr. BINGHAM. I will reserve the point of order.

Mr. HEPBURN. For the reason that there ought to be an additional conductor. The conductors that we have now are most efficient men, but as soon as the House adjourns they adjourn. They are always adjourned on holidays and on Sundays.

Now, there are a good many Members of this House, and a good many officers of this House, whose duties require them to be here, and who are here on these holidays and on Sundays, and at times after the House has adjourned. I am one of those. I know that on very many occasions, very many, I have to climb these stairs.

I do not want to do it, and I think that it is only right and proper that an elevator should be run on these occasions, and I ask the gentleman from Pennsylvania not to make the point of order, which I would have to concede if he does, but to let the House vote on this proposition.

Mr. GILLETT of Massachusetts. Let me suggest to the gentleman if it would not be well, if that is the purpose, to put it in his motion, because I am afraid that if we had the extra conductor he might adjourn with the others.

Mr. HEPBURN. I thought of that, but I thought also that the Clerk of the House, or some person having control of the employees, after this discussion would require that some one person be here at all times when there are Members or officers of the House here.

Mr. PALMER. Why can not you require one of the present conductors to be here at those times?

Mr. HEPBURN. We could, but it would make difficulty and add to their labors.

Mr. BINGHAM. I will say, as I understand the proposition, there are six conductors now.

Mr. HEPBURN. Yes; and eight on the Senate side.

Mr. BINGHAM. They are annual clerks, or messengers, or whatever you may call them. They receive $1,100 annually, and a large portion of their time is not used. It seems to me, as they are under the control of the Superintendent of the Capitol, their hours can be fixed to obviate this amendment.

Their compensation is large; their employment is only for

about twelve or fourteen months in the two years, continuously. I feel that the number of conductors is large enough now and that their compensation is ample.

Mr. HEPBURN. If the gentleman from Pennsylvania sees fit to make the point of order, I shall have to submit to it.

Mr. BINGHAM. I make the point of order because I feel that in the line of employment these conductors receive a large compensation for the services they render, and that the disposition of their hours can be arranged by the Superintendent of the Capitol so as to obviate any objection.

Mr. SCOTT. Does not the gentleman think that the distribution can be arranged to such an extent now with the employees that we now have as to meet the suggestion made by the gentleman from Iowa? Certainly, all of us who have duties that occupy us here until 5 o'clock and later have frequently been put to great inconvenience on account of the absence of conductors, and I see no reason why they should desert their posts at any hour that the House may adjourn.

Mr. HEPBURN. Would the gentleman from Pennsylvania be willing to modify the language so as to require the service of one of these men or the operation of one elevator at all times up to 6 o'clock in the evening and on holidays and Sundays?

Mr. BINGHAM. We will arrange it so that it will be acceptable to the gentleman. Mr. Chairman, I ask unanimous consent to pass this paragraph and go back to it later to change the verbiage to that extent.

Mr. HEMENWAY. And for that sole purpose?

Mr. BINGHAM. For that sole purpose.

Mr. HEPBURN. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The gentlemen asks unanimous consent that this paragraph may be passed and returned to for the purpose stated by the gentleman from Pennsylvania. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Stenographers to committees: For three stenographers to committees, at $5,000 each; assistant stenographer to committees, $1,800; assistant stenographer to committees, $1,[illegible]; in all, $[illegible].

Mr. BINGHAM. Mr. Chairman, I offer the following committee amendment, which I will send to the desk and ask to have read.

The Clerk read as follows:

In paragraph 30, lines 5 and 6, strike out the words "thirty-five hundred" and insert in lieu thereof the words "twenty-four hundred"; and in line 20 strike out the words "twenty-four hundred and forty" and insert in lieu thereof the words "twenty-one thousand six hundred."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

Mr. HEPBURN. Mr. Chairman, I would like to ask the gentleman a question in regard to this matter. How are stenographers to committees paid?

Mr. BINGHAM. There are no stenographers to committees in the sense of committee stenographers.

Mr. HEPBURN. But there are stenographers who serve committees.

Mr. BINGHAM. That is the character of this appointment.

Mr. HEPBURN. Then there are other stenographers than those three or those six:

Mr. BINGHAM. Does the gentleman mean those here?

Mr. HEPBURN. Those that are named in this bill.

Mr. BINGHAM. They are paid as provided for in this bill, $5,000 each.

Mr. HEPBURN. The official reporters are, but I am speaking of those gentlemen who from time to time serve committees when there are hearings.

Mr. BINGHAM. Those are the stenographers indicated in this paragraph that we are now upon.

Mr. HEPBURN. I ask for this reason: The other day the committee over which I preside had the services of a stenographer. He was present at one session. We were in session one hour and ten minutes, so I am told by the clerk of the committee. He presented to me a bill, which he desired me to approve, of $43 for his services on that occasion. I declined to certify it. He told me that under the rule they were paid, as I understood him, out of the contingent fund at a rate that justified that charge of $43.

Mr. HEMENWAY. Mr. Chairman, I would suggest to the gentleman that I am more familiar with this matter than is the gentleman in charge of the bill. We were short and have been short for the last two years on committee stenographers, and there have been two provided for in this bill, as reported from the Committee on Accounts.

Different committees of the House require the services of a stenographer, and the corps that we have had here was not large enough, so some had to be employed, and when they were employed they were paid as the gentleman suggests. All of their accounts have to pass the Committee on Accounts.

Now, the Committee on Appropriations ascertained that last year we paid out a great deal more money than we ought to have paid out for the services of stenographers called in just temporarily, and we concluded that it was better and safer for us to increase this force of stenographers, so that all of the committees of the House might have the services of an official stenographer and not have to pick up some one from outside.

Mr. HEPBURN. I am not criticising that. I approve of that method, but what I wanted to know is whether there is such a number now provided for in this bill as will do away with this temporary employment at these extravagant figures.

Mr. HEMENWAY. We hope so.

Mr. BINGHAM. That is the theory of the increased number.

Mr. MANN. Mr. Chairman, it is very evident that that will not do away with it on all occasions. It is impossible now to get a stenographer for any of the committees that do not regularly have stenographers.

Mr. HEMENWAY. Oh, it is very evident that there are times when we will have to call in an extra stenographer, but we have business enough continuously to keep at work the two extra stenographers that are put on now. As the chairman of the Committee on Appropriations I would say that I have continuous trouble, because the chairmen of other committees, who are equally entitled to a stenographer, complain that the committee of which I am the chairman takes up too much of the time of the official stenographers.

The present Speaker of the House has had that trouble. The committees of the House are entitled to have official stenographers to take hearings when they want them taken, and the Members of the House are entitled to have the hearings reported when they desire it, and it is for the benefit of the House.

Now, I have no doubt that even with this addition we shall occasionally have to call in an extra man to do committee reporting work. For instance, when the Committees on Elections are at work they may often require stenographers——

Mr. MANN. Certainly.

Mr. HEMENWAY. And may at certain times require them continuously. But those committees are only at work a short time, and it would not pay to have an official man on hand at all times to meet such calls.

Mr. HEPBURN. Permit me to make this suggestion: Is it not practicable to so arrange the terms of this bill that the six stenographers now provided for at $5,000 a year, and who, I understand, render comparatively little service for that large sum, may, when not engaged in taking the debates of the House, serve as stenographers for the committees?

Mr. HEMENWAY. They do it now when called upon, as they very often are.

Mr. HEPBURN. I did not know that.

Mr. MANN. Will the chairman of the Committee on Appropriations inform us by what process we can call upon them?

Mr. HEMENWAY. By simply sending down word that you want a stenographer, and if they have one there they will send him.

Mr. MANN. Is the gentleman speaking of the official reporters of the House?

Mr. HEMENWAY. The official reporters aid in getting out the work after the committee stenographers take it down; it would take all the time of the committee stenographers to do this work if they did not have such help.

Mr. HEPBURN. Allow me to make a suggestion. Take the morning hours. At that time the stenographers of the House, if I understand the matter, are not engaged—say up to 12 o'clock.

Mr. HEMENWAY. Sometimes not.

Mr. HEPBURN. Those hours of the morning are when the committees are most frequently in need of stenographers. Now, I want to know whether, without impertinence, I can make a requisition upon those stenographers for services in my committee in the morning, if necessary?

Mr. HEMENWAY. I should think so; but if there is any doubt about it, I certainly should have no objection to putting such a provision in this bill.

Mr. HEPBURN. Then let this be passed over for the present.

Mr. BARTLETT. Allow me to say a word to the gentleman from Iowa [Mr. HEPBURN]. Provision was made by a resolution reported from the Committee on Accounts at this session of Congress for an additional stenographer to the five of the regular force and an additional stenographer for the exclusive purpose of doing extra work before the committees, at a salary of $3,500. From my investigation of the matter before the Committee on Accounts I did not think that was an improper increase of force. I thought that probably this assistance was necessary. But the gentleman from Iowa ought now at least to be able to get his committee reporting done because of the reporting and adoption of that resolution; and provision for the officer contemplated by that resolution is now embraced in this legislative bill—a stenographer in addition to the regular force of the House, at $5,000 a

year, and also an assistant reporter to aid in the committee work, as will be found provided for in the next paragraph of this bill.

As a member of the Committee on Accounts, one of the objects which I had in view in voting for and advocating the resolution reported by that committee and adopted by the House was to aid the gentlemen who require the services of stenographers in work before the committees—in securing the services of an additional stenographer when they needed one.

It was shown that last year we paid out, in addition to the salaries of the regular force, nearly $[illegible] for extra stenographic work for committees. We believed that with this addition to the force of committee reporters we had furnished to the committees of the House the necessary provision in this respect. I did not know but that the gentleman from Iowa had overlooked this fact.

Mr. PALMER. I should like to ask the chairman of the committee this question: Who has the right to employ stenographers at the rate of $43 an hour, and how is that charge made up?

Mr. HEMENWAY. All those accounts are passed on by the Committee on Accounts.

Mr. PALMER. That does not answer my question. Who has the right to employ a stenographer at the rate of $43 an hour?

Mr. HEMENWAY. No one. I have just explained that no account of that kind can be paid without being approved by the Committee on Accounts. That committee determines the amount that shall be paid per hour.

Mr. PALMER. But I understood it to be stated here that that amount had been paid.

Mr. HEMENWAY. The gentleman who referred to that matter simply stated that some one suggested to him that that sum had got to be paid.

Mr. PALMER. No; he brought in a bill, and said he was entitled to $43 for the hour's work.

Mr. HEPBURN. About an hour and ten minutes.

Mr. HEMENWAY. As I understand, the gentleman from Iowa did not certify that he was entitled to that.

Mr. PALMER. He did not certify to the bill. He refused to certify to it.

Mr. HEMENWAY. I do not know of any such pay ever having been granted to anyone. I suppose that if the gentleman will investigate he will find that no one has ever been paid such a sum per hour for his services.

Mr. PALMER. Who has the right to call in these extra stenographers?

Mr. HEMENWAY. They are employed by the different chairmen of committees, and then the Committee on Accounts determines whether or not they shall be paid for their services.

Mr. PALMER. When anybody wants a stenographer he has the right to hire him, and if he can get the bill through the Committee on Accounts that is all right.

Mr. HEMENWAY. If he can.

Mr. PALMER. And he generally can.

Mr. HEMENWAY. Oh, no; I think if the gentleman will investigate he will find that the Committee on Accounts have performed their duties with a great deal of care.

Mr. MANN. I think I can satisfy the gentleman from Pennsylvania as to the procedure.

Mr. PALMER. I did not ask the gentleman from Illinois.

Mr. MANN. I have just been up against the method of procedure in an endeavor to get a stenographer for the Committee on Elections. I am informed by the official committee stenographers that when they have no stenographer who is available, all the official stenographers to committees being engaged, they send an outside stenographer to the committee and certify apparently that they were all engaged. The outside stenographer charges the same fees to the House of Representatives that he would to John Jones—no more and no less. He brings in his bill when his transcript of the hearing is prepared, and that bill is presented to the chairman of the committee, who makes a proper certificate, and then it is passed upon by the Committee on Accounts.

Mr. HEMENWAY. I am obliged to the gentleman for the very clear statement he has made.

Mr. MANN. It is the ordinary procedure of any business man.

Mr. PALMER. Did you ever hear of John Jones having to pay $43 for an hour and ten minutes' work?

Mr. MANN. The gentleman has been one of the most eminent practitioners at the Pennsylvania bar, and he must know that the principal cost of stenographic work is having it written out.

Mr. PALMER. But it does not cost so much as that.

Mr. MANN. If the gentleman has never paid any stenographer's bill that paralyzed him, then I am very much astounded.

Mr. HEMENWAY. I want to ask if the gentleman ever had to pay $43 an hour?

Mr. PALMER. No; that is why I am amazed at the statement of the gentleman from Iowa.

Mr. MANN. I am informed that the regular rate charged by shorthand reporters in the city of Washington is 25 cents per folio, and that is what the Government is in the habit of paying when other stenographers besides the regular force of committee stenographers are employed.

The CHAIRMAN. The question is on the amendment.

Mr. BINGHAM. I think I can cover the difficulty of the gentleman from Iowa. I offer this amendment:

On page 20, line 11, after the word "each," insert "who shall also, when so required, perform duties as stenographers to committees."

I ask for the adoption of that amendment.

Mr. HEPBURN. It ought to be after the word "dollars," I think, in the next line, so as to include the assistant official reporter.

Mr. HEMENWAY. The assistant official reporter is a reporter to committees.

The CHAIRMAN. The amendment first offered by the gentleman from Pennsylvania has not yet been adopted. The question is on the adoption of that amendment.

The amendment was agreed to.

The CHAIRMAN. The question now is on the amendment just offered by the gentleman from Pennsylvania, which the Clerk will report.

The Clerk read as follows:

On page 20, in line 11, after the word "each," insert "who shall also, when so required, perform duties as stenographers to committees."

The amendment was agreed to.

The Clerk read as follows:

Increase of Library of Congress: For purchase of books for the Library, and for the purchase and binding of manuscripts, including the binding of books, and for the acquisition of books by purchase, gift, or exchange, $80,000.

Mr. BOUTELL. Mr. Chairman, I desire to ask the gentleman in charge of the bill if the amount provided for the purchase of new books for the Library of Congress is the entire amount asked for in the estimate.

Mr. BINGHAM. I would state to the gentleman that we gave the Librarian the current law, giving him for the next year the same as he has had for this.

The Clerk read as follows:

For steel stacks, repacking and transporting library, and shelving, including the purchase and erection of steel shelving, $[illegible]

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto, $40,000.

Mr. HEPBURN. Mr. Chairman, I desire to ask the gentleman having the bill in charge a question, if he pleases.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Iowa?

Mr. BINGHAM. I will listen to the gentleman.

Mr. HEPBURN. What is the gross sum to the committee the total cost of the Library of Congress?

Mr. BINGHAM. When the gentleman speaks of the total cost he includes not only the Library proper, but the maintenance of the Congressional Library, which is a permanent fund.

Mr. HEPBURN. I understand that well.

Mr. BINGHAM. I would state, taking the estimate for this bill as the basis, because I have the figures here, it amounts to $[illegible]

Mr. HEPBURN. That is the annual cost of this Library.

Mr. BINGHAM. Twenty-five thousand dollars included here in one item which the committee has omitted. In other words, I can state to the gentleman it will cost about $800,000.

Mr. HEPBURN. Everything for the Library. How much of it, if the gentleman pleases, is devoted to the purchase of books?

Mr. BINGHAM. Ninety thousand dollars is recommended in this bill.

Mr. HEPBURN. So that there is over $700,000 annually paid to maintain that building and to provide for the distribution and use of the books.

Mr. BINGHAM. For the gentleman's information I would state that the amount carried on the sundry civil bill is $180,000 for printing and binding.

Mr. HEPBURN. Yes.

Mr. BINGHAM. That has been gradually increasing.

Mr. LITTAUER. The gentleman from Pennsylvania is mistaken about that.

Mr. HEPBURN. Exclusive of the $800,000. The gentleman's statement is that $800,000 in round numbers is recommended in this bill or under it.

Mr. BINGHAM. No; that is the total expense of the Library. Does that cover the point of the gentleman's inquiry?

Now, before I conclude I will ask the privilege of going back to-morrow to this paragraph at the conclusion of the Library items, in order that a gentleman who is not present, but who went away because not feeling very strong, may have an opportunity to offer an amendment. The gentleman from Tennessee [Mr.

RICHARDSON] has an amendment which he desires to submit, and desires at the same time to make some remarks.

If there is no objection on the part of the House, I will ask leave to recur to that paragraph, which is the concluding paragraph, in order that he may submit his amendment.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the committee return to this paragraph to-morrow for the purpose of offering an amendment. Is there objection?

Mr. BINGHAM. I reserve the point of order, which the gentleman understands.

Mr. HEPBURN. If the gentleman from Pennsylvania will permit another inquiry——

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania? The Chair hears none.

Mr. HEPBURN. How many employees are there required to care for the Library—the total number?

Mr. BINGHAM. The gentleman of course means the Library force, as well as their salaries?

Mr. HEPBURN. Yes; all.

Mr. BINGHAM. The number of salaries, 428.

Mr. HEPBURN. Four hundred and twenty-eight; and the amount of salaries?

Mr. BINGHAM. Five hundred and eighty-seven thousand six hundred and forty-five dollars is the sum total of the appropriation.

The Clerk read as follows:

BOTANIC GARDEN.

For superintendent, $1,800.

Mr. MANN. I move to strike out the last word. I would like to inquire, Mr. Chairman, of the gentleman in charge of the bill how vigorously he would oppose an amendment increasing the salary of the superintendent of the Botanic Gardens from $1,800 to $2,000?

Mr. BINGHAM. I would state to the gentleman——

Mr. MANN. I recognize it is subject to the point of order.

Mr. BINGHAM. I would state to the gentleman that the beneficiary has never requested your committee to make the increase.

Mr. MANN. The beneficiary has never requested the chairman and his committee to make the increase——

Mr. BINGHAM. And he has lived many years contented and happy at this salary.

Mr. MANN (continuing). He is a man who never requests anything from anybody, and that is one reason why it would be proper to increase his salary. Further, he is one of the most eminent men in his profession in this country or in any other country.

I suppose there is no man in the country who has stood on so high a plane in botanical matters as Mr. Smith, who does not live for himself, but lives for the Botanical Garden and the memory of Bobby Burns; and it seems to me that for all that he does he is one man who ought to have a slight increase in salary as a recognition of his worth.

Mr. BINGHAM. I make the point of order against the proposition.

Mr. MANN. Then I will not press it. The gentleman was kind enough last year not to insist upon the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CIVIL SERVICE COMMISSION.

For the salaries of the Civil Service Commission, namely, one president, $[illegible]; one secretary, $[illegible]; one assistant secretary, $[illegible]; one examiner, $[illegible]; one examiner, $[illegible]; one examiner

Mr. HEPBURN. I will state that I was one of the same hopeful idiots. [Laughter.]

Mr. BINGHAM. Let me further say that joining him six or seven years ago, when the question was under general discussion, I made the unqualified statement, and I have no qualification to make to that statement to-day, that it was clearly declared in the limited debate in the House that the civil service in its operation would reach 10,000 subordinate clerks of the Government.

I further stated that the act literally, as then understood, as well as the spirit of the legislation, had been long since departed from, and had I the opportunity to-day to cast my vote I would cast it against the civil service as it now exists. [Applause.]

Mr. HEPBURN. Mr. Chairman, every time that I have a vision of the gentleman from Pennsylvania he grows upon my admiration. [Laughter and applause.] Now, if the gentleman will permit me, I would like to move, Mr. Chairman, to strike out this paragraph. Mr. Chairman, I know that no result will follow the adoption of this motion.

I know that the bill will come back to us with it reinserted. I know that we would have to pay these salaries, but I believe it is the deliberate judgment of every Member of this House, save perhaps a score, that we are wasting the public money and that we are in pursuit of a phantom when we attempt to improve the civil service through the instrumentality of that which we call the Civil Service Commission. [Applause.]

I believe it to be the judgment, the deliberate judgment, of every man who has given serious attention to it, who is really familiar with the legislation and the operation of this scheme of so-called improvement, I believe it is their judgment that as we have civil service it is a failure.

In these twenty I shall have to enlarge it so as to include the amiable gentleman from Massachusetts, that gentleman who has been assiduous for the last six or eight years in preventing, under the rules, the House from acting upon the question. The Committee on Civil Service Reform has never dared to come to this House with any proposition that by amendment or otherwise could give the House an opportunity to express itself upon this question.

It is utterly impossible to do it, and there is no other way in which we can express our condemnation of this fad and this folly other than in voting it out, knowing that it will come back; but I hope the House will have the courage to do it.

For, with the utmost respect to all the gentlemen now before me, I have no hesitation in saying that it is their timidity—I was about to say cowardice—their timidity, their deference to a supposed existing public opinion, that prevents them from asserting themselves and wiping out this fraud upon the public.

I perhaps ought not to use so harsh a word as that, but you will remember, Mr. Chairman, that it is in the mouth of all of these reformers that we who do not follow them in their pursuit of this will-o'-the-wisp are "spoilsmen;" that we are trying to get back to the "spoils" system; that we have an ulterior purpose in view, and they alone are the purists who would redeem the public service from all the evils that it has undergone or suffered since civilization began.

I undertake to say, Mr. Chairman, that if there is a "spoils" system, a system thus to be reprobated by harsh words, it is a so-called civil service—"merit system"—that we have now, with its expenditures of the public money from which no good result comes.

I have lived here in this capital under both the systems—the so-called spoils system of twenty years ago and the so-called merit system of to-day—and I would invite a comparison of those employees who were appointed twenty years ago and those that crept through the intricacies of civil service into the public service now. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. Mr. Chairman, I would like to have the gentleman yielded more time.

Mr. CLARK. I would like to have the gentleman yielded more time. I think that is the best speech he has made since he has been here. [Laughter.]

Mr. HEPBURN. Then I shall expect my honored friend from Missouri to vote with me.

Mr. CLARK. You bet I will.

Mr. BARTLETT. Mr. Chairman, there is no better illustration of the truthfulness and correctness of the statement made by my distinguished friend from Iowa [Mr. HEPBURN] than is contained in a letter from the Fourth Assistant Postmaster-General giving an account of the alleged frauds in the Post-Office Department.

Mr. COOPER of Wisconsin. Will the gentleman yield to a question?

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Wisconsin?

Mr. BARTLETT. Yes.

Mr. COOPER of Wisconsin. Will the gentleman name one of the persons mentioned in that who are guilty of corruption?

Mr. BARTLETT. I do not know who they are or whether they are guilty. I do not say they are guilty. Some of them are now being tried and their guilt will be determined by the courts. I say that the Fourth Assistant Postmaster-General——

Mr. WILLIAMS of Mississippi. Oh, name Machen.

Mr. COOPER of Wisconsin. Oh, Machen was a Democrat, appointed—not under the civil service.

Mr. WILLIAMS of Mississippi. No; he was appointed under the civil service and kept there under the civil service.

Mr. COOPER of Wisconsin. He never went through under civil-service rules at all.

Mr. LIVINGSTON. Oh, yes; he did.

Mr. BARTLETT. Mr. Chairman, have I the floor or have I not the floor? [Laughter.]

The CHAIRMAN. The gentleman has the floor.

Mr. BARTLETT. I do not know the political faith of the various men in the Post-Office Department who have been indicted for frauds in that Department, some of them by the courts and a number of them by this communication I hold in my hand from the Fourth Assistant Postmaster-General. There is a list of them, covering some two pages of the memorandum of the President, attached to this report, thirty-five in number, and out of that number all of them except four were appointed and entered the Government service under a Republican Administration.

I did not arise for the purpose of discussing the politics of these officials who are charged with a violation of the law, but I desire at this time to call the attention of this House and of the country to the conduct and actions of the Civil Service Commission in permitting a man to be appointed as a chief of the division of supplies in the Post-Office Department, and in turning out a man who was then under the civil-service law, and with their action in allowing to be appointed, in an irregular way, contrary to law and the civil-service rules, a man who is charged with having violated and defrauded the Government and, it is alleged, who was appointed for the purpose of giving him control of the division of supplies during the letting of contracts. I refer to the case contained in the report of the Fourth Assistant Postmaster-General, of Michael W. Louis, chief of division of supplies.

Here is what Mr. Bristow says with reference to it and how the civil-service law was violated, and how that violation was not only permitted but winked at by the Civil Service Commission; how the papers which showed it and were of record in the office of the Civil Service Commission disappeared from the files of that commission when inquiry was instituted seeking to bring out the fact as to the manner of his appointment. Mr. Burwell had been appointed in 1896 and was then the chief of the division. No complaints were made against him, but his resignation was demanded and he was forced out. The following is the portion of that report to which I have reference:

APPOINTMENT OF MICHAEL W. LOUIS.

It has been stated that Louis's appointment was made in an irregular way for the purpose of giving him control of the division of supplies during the [illegible]

Mr. W. A. Burwell was appointed superintendent of the division on February 4, 1896. The position was a [illegible] and it does not appear that any [illegible] On April 15, 1897, he was [illegible] but was not a [illegible] He [illegible] in thirty days (Exhibit A 19), and was given leave of absence [illegible]

In relation to the appointment of Louis, I beg to submit the following letter (Exhibit A-2):

In your reply please refer to initials.
Subject: Cashier.

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
SALARY AND ALLOWANCE DIVISION,
Washington, D. C., April 17, 1897.

POSTMASTER, *Kansas City, Mo.*

SIR: Certain exigencies have arisen which make it necessary to employ an expert in the Post-Office Department for a short period. As the Department [illegible] the position of cashier in the Kansas City office, at a salary of $2,000 per annum, effective [illegible] April 17, 1897.

You will therefore carry upon your roster Mr. Michael W. Louis, as cashier of [illegible] Louis is to [illegible] for the position your clerk hire allowance has been increased to-day [illegible]

Very respectfully,

(Signed) PERRY S. HEATH,
First Assistant Postmaster-General.

COL—ECF]

In your reply please refer to initials and number. A. S. 140.
Subject: Appointment of Michael W. Louis.

POST-OFFICE DEPARTMENT,
OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL,
SALARY AND ALLOWANCE DIVISION,
Washington, D. C., April 17, 1897.

Personal.

HOMER REED, Esq.,
Postmaster, Kansas City, Mo.

SIR: As the appointment of Mr. Michael W. Louis has been fully explained to the members of the Civil Service Commission, it was not deemed necessary for you to make a report of the appointment to the Civil Service Commission.

Very respectfully,

(Signed) PERRY S. HEATH,
First Assistant Postmaster-General.

COL.]

[illegible] that Louis was appointed cashier in the Kansas City post-office [illegible] superintendent of the division of supplies in the Department at Washington, D. C. He never visited Kansas City and [illegible] any work of any character in connection with the Kansas [illegible]office.

[illegible] Louis had been installed as acting superintendent the First Assistant Postmaster-General suggested that the position of superintendent be excepted from the civil service, but the Civil Service Commission refused to recommend [illegible] They did, however, consent to give a special examination [illegible]

[illegible] in July, and Louis was allowed a rating of 50 [illegible] experience he having been in charge of the [illegible] The examination papers can not now be found [illegible] from the files of the Civil Service Commission (Exhibit A-3). As a result of the special rating, Louis received the highest grade of any [illegible] and was given a permanent appointment. In the meantime, however, he had been in charge of the division of supplies since [illegible] and had performed all of the duties of superintendent.

The [illegible] of Louis [illegible] the Kansas [illegible] superintendent as acting superintendent of the [illegible] that there was some [illegible] Louis [illegible] August 6. It would have been much more [illegible] for Louis to have come into possession of the office in a regular [illegible] after he had passed the examination prescribed by the Civil Service Commission, since there does not appear to have been any pressing necessity for a change of superintendent.

Mr. BARTLETT. Now, this report says that the First Assistant Postmaster-General appointed an officer as cashier of the Kansas City (Mo.) post-office and by the direction of the First Assistant Postmaster-General he was carried upon the rolls of that post-office, though he never did one particle of work in connection with that post-office.

In compliance with the request that was made the Civil Service Commission permitted him to be appointed. When he came to stand his examination, having been appointed and having been in charge of this office only three months, after he had been installed as superintendent, what did they do? The Civil Service Commission were asked that he be excepted from the classified service.

This the Civil Service Commission refused to recommend, but they did, however, consent to give a special examination for that position. This examination was held, and he was allowed 50 points because of his alleged experience, he having been in charge of the division about three months, and by reason of this special rating he was given a permanent appointment.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BARTLETT. Mr. Chairman, I ask five minutes more.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent that he may have five minutes more. Is there objection?

There was no objection.

Mr. BINGHAM. I was about to move that the committee rise, as it is after 5 o'clock. Does the gentleman from Georgia desire to go on to-night?

Mr. BARTLETT. I will suit the pleasure of the gentleman from Pennsylvania, whatever that is.

Mr. BINGHAM. I think there are a number of gentlemen who desire to be heard on this paragraph, and if the gentleman will yield I will make a motion that the committee rise.

Mr. BARTLETT. Certainly, I will yield. I will inquire of the chairman whether I shall have the floor when the committee resumes its sitting.

The CHAIRMAN. The gentleman will have the floor.

Mr. BINGHAM. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9840, the legislative appropriation bill, and had come to no resolution thereon.

SNOW AND ICE IN THE DISTRICT OF COLUMBIA.

Mr. McCLEARY of Minnesota. Mr. Speaker, by direction of the Committee on Appropriations, I ask unanimous consent for the immediate consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the consideration of a bill which the Clerk will report.

The bill (H. R. 9866) making appropriations for clearing the Potomac River of ice and for the removal of snow and ice in the District of Columbia was read, as follows:

Be it enacted, etc., That the following sums are hereby appropriated, payable from any money in the Treasury not otherwise appropriated, and from the revenues of the District of Columbia, in equal parts, namely:

For clearing the Potomac River of ice within the District of Columbia, $5,000.

For cleaning snow and ice from cross walks and gutters under the act approved March 2, 1895, $5,000.

The SPEAKER. Is there objection?

Mr. MANN. Mr. Speaker, I suppose the request is to consider the bill in the House as in Committee of the Whole?

The SPEAKER. Yes; that is the request. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. McCLEARY of Minnesota, a motion to reconsider the last vote was laid on the table.

GORDON, IRONSIDES & FARES COMPANY (LIMITED), OF CANADA.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit a report by the Acting Secretary of State, with the accompanying papers, in regard to the application of the British embassy in behalf of Messrs. Gordon, Ironsides & Fares Company (Limited), of Canada, for reimbursement of $7,626.06, which they allege the United States customs authorities improperly exacted of them in November, 1902, as duties on certain sheep and cattle.

In view of the facts as recited by the Acting Secretary of State and shown in the correspondence, I recommend that provision be made for the company's reimbursement.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 12, 1904.*

The message and accompanying documents were referred to the Committee on Claims, and ordered to be printed.

BUST OF WASHINGTON BY DAVID D'ANGERS.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith a report from the Acting Secretary of State, with inclosure from the ambassador of the French Republic, relative to the desire of certain French citizens to present to this Government a reproduction of the bust of Washington by David d'Angers, which the donors wish to have placed in the Capitol.

I recommend that Congress accept this gift by joint resolution and that suitable provision be made for its ceremonial installation.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 12, 1904.*

The message and accompanying documents were referred to the Committee on the Library, and ordered to be printed.

CHANGES OF REFERENCE.

By unanimous consent, the Committee on Interstate and Foreign Commerce was discharged from the further consideration of the bill (H. R. 9323) to amend so much of an act approved March 3, 1903, as authorized the erection and completion of new buildings for the accommodation of the United States Naval Hospital, Washington, D. C., as concerns the location thereof, and the same was referred to the Committee on Naval Affairs.

By unanimous consent, the Committee on Interstate and Foreign Commerce was discharged from further consideration of the bill (H. R. 2536) to suppress and prevent unfair and dishonest competition in trade, and the same was referred to the Committee on the Judiciary.

LEAVE OF ABSENCE.

Mr. STEPHENS of Texas, by unanimous consent, obtained leave of absence indefinitely, on account of a death in his family.

And then, on motion of Mr. BINGHAM (at 5 o'clock and 15 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Attorney-General, transmitting a list of judgments rendered against the Government by the circuit and district courts of the United States—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for construction of an army general hospital—to the Committee on Military Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Nathan H. Cloyes *v.* The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WARNER, from the Committee on Revision of the Laws, to which was referred the bill of the House (H. R. [illegible]) to revise and codify the statutes and penal laws of the United States, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 9667) authorizing the Secretary of State to reimburse the Compagnie Française des Cables Télégraphiques for expenses incurred in repairing its cables and property which were cut and damaged by forces of the United States in Cuba during the Spanish-American war, reported the same without amendment, accompanied by a report (No. 292); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COOKER of Wisconsin, from the Committee on Insular Affairs, to which was referred H. C. Res. 26, reported in lieu thereof a joint resolution (H. J. Res. 79) for the transportation of Porto Rican teachers to the United States and return, accompanied by a report (No. 296); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 9329) to set apart certain lands in the Territory of Arizona as a public park, to be known as the Petrified Forest National Park, reported the same with amendment, accompanied by a report (No. 298); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. GREGG, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8826) to authorize the Secretary of War to cause to be paid claims and to provide for the payment of all claims presented on behalf of churches, schools, libraries, hospitals, and educational institutions organized for the benefit of churches, or for charitable purposes, arising from the occupation and use of the buildings, grounds, and other property of various kinds occupied, used, taken away, injured, consumed, or destroyed by the United States or its Army during the late war, or for the benefit in any way, reported the same with amendment, accompanied by a report (No. 287); which said bill and report were referred to the House Calendar.

Mr. RICHARDSON of Alabama, from the Committee on War Claims, to which was referred the bill of the House (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, in Alabama, in section 1, township 9, range 1 west of St. Stephens meridian, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. [illegible]) to authorize the recorder of the General Land Office to supply certified copies of patents, records, books, and papers, reported the same without amendment, accompanied by a report (No. 284); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. [illegible]) for the relief of Joseph M. Stearns, captain, United States Revenue-Cutter service, retired, reported the same without amendment, accompanied by a report (No. 226); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 744) granting an increase of pension to Stephen Gascoigne, reported the same without amendment, accompanied by a report (No. 237); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 7[illegible]) granting a pension to John Swenson, reported the same without amendment, accompanied by a report (No. 238); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 920) granting an increase of pension to Ferdinand Wiedemann, reported the same without amendment, accompanied by a report (No. 239); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Barney L. Brookins, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to William W. Jackson, reported the same without amendment, accompanied by a report (No. 231); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 5[illegible]) granting an increase of pension to Irving W. Coombs, reported the same without amendment, accompanied by a report (No. 232); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7682) granting an increase of pension to William H. Howard, reported the same with amendment, accompanied by a report (No. 233); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 471) granting an increase of pension to Silas Meserve, reported the same without amendment, accompanied by a report (No. 234); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 134) granting a pension to [illegible] Miller, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1491) granting an increase of pension to James A. Hoover, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 929) granting an increase of pension to [illegible] Stermer, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5699) granting an increase of pension to [illegible] P. Johnson, reported the same with amendment, accompanied by a report (No. 238); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1334) granting a pension to Amy C. Beardsley, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 182) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4457) granting an increase of pension to Mary E. McIlvaine, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1826) granting an increase of pension to Mary E. Cutts, reported the same without amendment, accompanied by a report (No. 242); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4015) granting a pension to Minnie Gusler, reported the same with amendment, accompanied by a report (No. 243); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1429) granting an increase of pension to Elizabeth C. Paquin, reported the same without amendment, accompanied by a report (No. 244); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1335) granting an increase of pension to Calvin Daws, reported the same without amendment, accompanied by a report (No. 245); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3815) granting

an increase of pension to Hester E. Mooney, reported the same with amendment, accompanied by a report (No. 246); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1437) granting an increase of pension to Clarence E. Bullard, reported the same without amendment, accompanied by a report (No. 247); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 999) granting an increase of pension to Augustus C. Ranard, reported the same without amendment, accompanied by a report (No. 248); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4276) granting an increase of pension to H. E. Burritt, reported the same with amendment, accompanied by a report (No. 249); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1259) granting an increase of pension to John M. Stanyan, reported the same without amendment, accompanied by a report (No. 250); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1402) granting an increase of pension to William Paul, reported the same without amendment, accompanied by a report (No. 251); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3037) granting a pension to William Bieber, reported the same with amendment, accompanied by a report (No. 252); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 814) granting a pension to Mamie Thayer, reported the same without amendment, accompanied by a report (No. 253); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1487) granting an increase of pension to D. T. Drake, reported the same with amendment, accompanied by a report (No. 254); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2183) granting an increase of pension to Joseph A. Soule, reported the same with amendment, accompanied by a report (No. 255); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1497) granting an increase of pension to Dana Cook, reported the same with amendment, accompanied by a report (No. 256); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 821) granting an increase of pension to W. Neil Dennison, reported the same without amendment, accompanied by a report (No. 257); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5199) granting a pension to Tracy M. Johnson, reported the same with amendment, accompanied by a report (No. 258); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 847) granting an increase of pension to John L. Beveridge, reported the same without amendment, accompanied by a report (No. 259); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2933) granting an increase of pension to John G. Fairchild, reported the same without amendment, accompanied by a report (No. 260); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 865) granting an increase of pension to Charles C. Chase, reported the same with amendment, accompanied by a report (No. 261); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 798) granting an increase of pension to James A. Templeton, reported the same without amendment, accompanied by a report (No. 262); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 589) granting an increase of pension to George W. McMullen, reported the same without amendment, accompanied by a report (No. 263); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8587) granting an increase of pension to George Jeffrey, reported the same with amendment, accompanied by a report (No. 264); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 898) granting an increase of pension to John B. Carter, reported the same without amendment, accompanied by a report (No. 265); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 681) granting an increase of pension to Ella P. Kerstetter, reported the same with amendment, accompanied by a report (No. 266); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4114) granting an increase of pension to Robert Carns, reported the same with amendment, accompanied by a report (No. 267); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4251) granting an increase of pension to Joseph Hinkle, reported the same with amendment, accompanied by a report (No. 268); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 587) granting an increase of pension to Anson P. Williamson, reported the same without amendment, accompanied by a report (No. 269); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 484) granting a pension to Nancy S. Marsh, reported the same without amendment, accompanied by a report (No. 270); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 565) granting an increase of pension to James E. Barnard, reported the same without amendment, accompanied by a report (No. 271); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2111) granting a pension to Henry D. Tousley, reported the same with amendment, accompanied by a report (No. 272); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 478) granting an increase of pension to Olive J. Bailey, reported the same without amendment, accompanied by a report (No. 273); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 473) granting an increase of pension to Byron D. Babcock, reported the same without amendment, accompanied by a report (No. 274); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4325) granting an increase of pension to John Amer Sills, reported the same with amendment, accompanied by a report (No. 275); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3298) granting a pension to Mary E. Pennock, reported the same with amendment, accompanied by a report (No. 276); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6030) granting an increase of pension to John Shafer, reported the same with amendment, accompanied by a report (No. 277); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6701) granting an increase of pension to John A. Reeds, reported the same with amendment, accompanied by a report (No. 278); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5674) granting an increase of pension to Robert L. Miles, reported the same with amendment, accompanied by a report (No. 279); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1316) granting an

increase of pension to George W. Day, reported the same with amendment, accompanied by a report (No. 280); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3032) granting an increase of pension to William Pittenger, reported the same without amendment, accompanied by a report (No. 281); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8743) for the relief of Thomas W. Higgins, reported the same with amendment, accompanied by a report (No. 285); which said bill and report were referred to the Private Calendar.

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 4944) for the relief of Sarah A. Clapp, reported the same without amendment, accompanied by a report (No. 286); which said bill and report were referred to the Private Calendar.

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1009) for the relief of Isaac Davenport and others, citizens of Virginia, reported the same without amendment, accompanied by a report (No. 287); which said bill and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1696) for the relief of the Methodist Church South, at Newhaven, Ky., reported the same without amendment, accompanied by a report (No. 288); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 9261) for the relief of Gallaher, Hankey & Co., reported the same without amendment, accompanied by a report (No. 289); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8411) for the relief of John A. Meroney, reported the same with amendment, accompanied by a report (No. 290); which said bill and report were referred to the Private Calendar.

Mr. DENNY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8748) for the relief of Seneca Kilbourne, reported the same without amendment, accompanied by a report (No. 291); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 9548) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act, reported the same with amendment, accompanied by a report (No. 293); which said bill and report were referred to the Private Calendar.

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House H. R. 2305, reported in lieu thereof a bill (H. R. 9675) for the relief of the legal representatives of Joseph H. Maddox, deceased, accompanied by a report (No. 295); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 6352) granting a pension to Mary Huff and her five children—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7448) granting an increase of pension to Corinne Tolman—Committee on Invalid Pension discharged, and referred to the Committee on Pensions.

A bill (H. R. 7926) granting an increase of pension to Wiley H. Jackson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9458) granting an increase of pension to Martha A. Harper—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 195) granting a pension to Michael J. Landy—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1623) granting an increase of pension to John H. Reed—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HULL: A bill (H. R. 9635) to consolidate the duties of certain staff departments of the Army, and for other purposes—to the Committee on Military Affairs.

By Mr. McGUIRE: A bill (H. R. 9636) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands—to the Committee on Indian Affairs.

By Mr. CAMPBELL: A bill (H. R. 9637) to provide for the improvement of the road between Baxter Springs, Kans., and the Baxter Springs (Kans.) National Cemetery—to the Committee on Military Affairs.

By Mr. ROBERTS: A bill (H. R. 9638) to adjust the rank and pay of certain officers of the Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 9639) to purchase a painting of the several ships of the United States Navy, known as the "Squadron of Evolution" and entitled "Peace"—to the Committee on the Library.

By Mr. HEDGE: A bill (H. R. 9640) to amend an act granting to the Keokuk and Hamilton Water Power Company right to construct and maintain a dam, and so forth, approved February 8, 1900—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTAUER: A bill (H. R. 9641) to increase and fix the compensation of the appraisers of merchandise at the port of New York, State of New York—to the Committee on Ways and Means.

By Mr. KALANIANAOLE: A bill (H. R. 9642) to provide for the contest of elections in the Territory of Hawaii—to the Committee on the Territories.

Also, a bill (H. R. 9643) to ratify, approve, and confirm an act duly enacted by the legislature of the Territory of Hawaii, to authorize and provide for the maintenance and supply of fuel and illuminating gas and its by-products in Honolulu—to the Committee on the Territories.

Also, a bill (H. R. 9644) to provide for the purchase of a site and the erection of a public building thereon at Honolulu, island of Oahu, Territory of Hawaii—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9645) providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9646) to provide for the purchase of a site and the erection of a public building thereon at Hilo, island of Hawaii, Territory of Hawaii—to the Committee on Public Buildings and Grounds.

By Mr. WILEY of Alabama: A bill (H. R. 9647) to provide a site and erect a public building at Troy, Ala.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9648) to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903—to the Committee on the Judiciary.

Also, a bill (H. R. 9649) to provide a site and erect a public building at Greenville, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. THOMAS of North Carolina: A bill (H. R. 9650) for the improvement of New River, North Carolina—to the Committee on Rivers and Harbors.

By Mr. JONES of Washington: A bill (H. R. 9651) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands"—to the Committee on the Public Lands.

By Mr. AIKEN: A bill (H. R. 9652) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of such highways—to the Committee on Agriculture.

By Mr. METCALF: A bill (H. R. 9653) to appoint an additional district judge for the northern judicial district of California—to the Committee on the Judiciary.

By Mr. BATES: A bill (H. R. 9654) to provide for site and public building at Meadville, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. THOMAS of North Carolina: A bill (H. R. 9655) to authorize and direct the Secretary of War to cause a survey to be made of Big Swift Creek, Craven County, N. C.—to the Committee on Rivers and Harbors.

By Mr. SHEPPARD: A bill (H. R. 9656) for the erection of a Federal building for the United States courts at Texarkana, Tex.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9657) for a topographic and geologic survey of the iron-ore region of northeast Texas—to the Committee on Mines and Mining.

By Mr. TAWNEY: A bill (H. R. 9658) to provide for the withdrawal, free of duty under bond, for incorporated institutions established for religious, philosophical, educational, scientific, or

literary purposes, of articles and materials exhibited at the Louisiana Purchase Exposition—to the Committee on Ways and Means.

By Mr. NEEDHAM: A bill (H. R. 9659) to divide the State of California into three judicial districts—to the Committee on the Judiciary.

By Mr. KEHOE: A bill (H. R. 9660) for the construction of a lock and dam in the Ohio River, below mouth of Big Sandy River—to the Committee on Rivers and Harbors.

By Mr. SCARBOROUGH: A bill (H. R. 9661) to authorize the Secretary of the Treasury to purchase an additional site for public building at Georgetown, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. ESCH: A bill (H. R. 9662) to establish four permanent military camp grounds, in the vicinity of Fort Sam Houston, Tex.; Camp Douglas, Wis.; in the Conewago Valley, Pennsylvania, and at or near Nacimiento Ranch, California—to the Committee on Military Affairs.

By Mr. MOON of Pennsylvania: A bill (H. R. 9663) to provide for an additional judge of the district court of the United States for the eastern district of Pennsylvania—to the Committee on the Judiciary.

By Mr. CROFT: A bill (H. R. 9664) to provide for the erection of a public building at the city of Aiken, S. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9665) to provide for the erection of a public building at the city of Beaufort, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. STEENERSON: A bill (H. R. 9666) to provide allotments to Indians on White Earth Reservation, in Minnesota—to the Committee on Indian Affairs.

Also, a bill (H. R. 9667) to amend chapter 109, approved January 30, 1897, relating to the sale of intoxicating drinks to Indians, providing penalties therefor, and for other purposes—to the Committee on Indian Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 9668) to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*—to the Committee on Naval Affairs.

By Mr. TRIMBLE: A bill (H. R. 9669) to prevent the adulteration of blue grass, orchard grass, and clover seed—to the Committee on Agriculture.

By Mr. PEARRE: A bill (H. R. 9670) for the extension of Wyoming avenue to Twenty-third street west—to the Committee on the District of Columbia.

By Mr. REID: A bill (H. R. 9671) for the erection of a Federal jail at Little Rock, Ark.—to the Committee on the Judiciary.

By Mr. DENNY: A bill (H. R. 9672) to amend section 5480, Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. REID: A bill (H. R. 9673) to provide for a macadamized approach and roadway to the national cemetery at Little Rock, Ark., and for a suitable wall or iron fence around said cemetery and other improvements therein—to the Committee on Military Affairs.

By Mr. VREELAND: A bill (H. R. 9674) authorizing the appointment of a nonpartisan commission to inquire into the past and present condition of the American merchant marine, especially into its relation to promotion of the commerce and increase of the foreign trade of the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. DRESSER: A bill (H. R. 9676) to confirm a lease made by the Seneca Nation of New York Indians for mining purposes—to the Committee on Indian Affairs.

By Mr. CURTIS: A joint resolution (H. J. Res. 76) authorizing the Secretary of War to furnish condemned cannon for a life-size statue of Gen. Henry Leavenworth, at Leavenworth, Kans.—to the Committee on Military Affairs.

By Mr. SHEPPARD: A joint resolution (H. J. Res. 77) for the resurvey of the waterway between Jefferson, Tex., and Shreveport, La., and for ascertainment of probable cost of digging out falls below Little Pass and of improving channel from mouth of Little Pass to stream proper below the falls—to the Committee on Rivers and Harbors.

By Mr. MINOR: A joint resolution (H. J. Res. 78) authorizing and directing the Secretary of War to cause a survey and examination to be made of the harbor at Oconto, Wis., with a view to securing a depth of 18 feet of water, and the necessity for providing an interior basin at the mouth of the river—to the Committee on Rivers and Harbors.

By Mr. COOPER of Wisconsin, from the Committee on War Claims: A joint resolution (H. J. Res. 79) for the transportation of Porto Rican teachers to the United States and return—to the Committee of the Whole House on the state of the Union.

By Mr. LOUD: A concurrent resolution (H. C. Res. 30) authorizing the Secretary of War to cause survey to be made near Rogers City, Presque Isle County, Mich.—to the Committee on Rivers and Harbors.

By Mr. SCARBOROUGH: A concurrent resolution (H. C. Res. 29) providing for survey of Little River, South Carolina—to the Committee on Rivers and Harbors.

By Mr. HARDWICK: A resolution (H. Res. 135) calling on the Secretary of War for certain information—to the Committee on Military Affairs.

By Mr. STEENERSON: A resolution (H. Res. 136) requiring the Secretary of Commerce and Labor to report on a system of labor insurance—to the Committee on Labor.

By Mr. WILLIAMS of Mississippi: A resolution (H. Res. 137) defining the word "days" when leave to print is granted by the House—to the Committee on Printing.

By Mr. HAMILTON: A resolution (H. Res. 138) providing for an annual clerk to the Committee on the Territories—to the Committee on Accounts.

By Mr. KALANIANAOLE: Memorial of the legislature of the Territory of Hawaii, asking for the amendment of section 44 of the act to provide a government for said Territory—to the Committee on the Territories.

Also, memorial of the legislature of the Territory of Hawaii, asking legislation for the deepening of Honolulu Harbor—to the Committee on Rivers and Harbors.

Also, memorial of the legislature of the Territory of Hawaii, against legislation for retransporting of lepers to the island of Molokai—to the Committee on the Territories.

Also, memorial from the legislature of Hawaii, asking for statehood—to the Committee on the Territories.

Also, memorial of the legislature of the Territory of Hawaii, asking for appropriation of $250,000 for benefit of department of education in the said Territory—to the Committee on the Territories.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

Mr. SIMS, from the Committee on War Claims: A bill (H. R. 9675) for the relief of the legal representatives of Joseph H. Maddox, deceased, in lieu of H. R. 2305—to the Private Calendar.

By Mr. ACHESON: A bill (H. R. 9677) granting an increase of pension to Samuel Wise—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9678) granting an increase of pension to Enoch French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9679) granting an increase of pension to John W. Gaston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9680) granting an increase of pension to Gilbert L. Eberhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9681) granting an increase of pension to George Castor—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 9682) granting an increase of pension to Philip Loney—to the Committee on Invalid Pensions.

By Mr. AIKEN: A bill (H. R. 9683) granting a pension to Henry Austin—to the Committee on Invalid Pensions.

By Mr. BADGER: A bill (H. R. 9684) granting a pension to Anna L. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9685) granting an increase of pension to John B. Keller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9686) granting an increase of pension to C. H. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9687) granting an increase of pension to Alexander S. Hempstead and giving him the rank of major from July 30, 1864—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9688) granting an increase of pension to A. C. Pindell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9689) for the relief of Robert W. Caldwell, First Regiment Ohio Volunteer Heavy Artillery—to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 9690) to carry into effect the findings of the Court of Claims in the matter of the claim of Hardin P. Cochrane, Louisa Cochrane, and William G. Cochrane—to the Committee on War Claims.

Also, a bill (H. R. 9691) for the relief of Thomas J. Naugher, jr., administrator of Thomas J. Naugher, deceased—to the Committee on War Claims.

By Mr. BATES: A bill (H. R. 9692) granting a pension to James O'Hagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9693) granting an increase of pension to William W. Wharton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9694) granting an increase of pension to Mark N. Luce—to the Committee on Invalid Pensions.

By Mr. BEDE: A bill (H. R. 9695) granting an increase of pension to Frank M. Spears—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Henry S. Austin—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. [illegible]) granting a pension to John J. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to W. J. Cleveland—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to William A. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to T. B. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Patrick H. Barry—to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) to authorize the President to appoint Major [illegible] in the grade of Lieutenant Colonel in the Regular Army and place him on the retired list—to the Committee on Military Affairs.

By Mr. BRYDEGGALL: A bill (H. R. [illegible]) to grant the muster of Alvin F. [illegible]—to the Committee on Military Affairs.

By Mr. BUTLER: A bill (H. R. 9706) granting an honorable discharge to John P. Webber—to the Committee on Military Affairs.

Also, a bill (H. R. 9707) granting a pension to Sarah A. Campbell—to the Committee on Invalid Pensions.

By Mr. BRADLEY: A bill (H. R. 9708) for the relief of the heirs and legal representatives of those civilian employees of the Government who were killed by the explosion of a gunpowder and [illegible] at the United States naval magazine, Iona Island, New York—to the Committee on Claims.

By Mr. BURKE: A bill (H. R. 9709) granting a pension to Lewis De Witt—to the Committee on Pensions.

By Mr. CALDERHEAD: A bill (H. R. 9710) granting an increase of pension to Henry Frazier—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 9711) for the relief of Henry Armstrong—to the Committee on Military Affairs.

By Mr. CANNON: A bill (H. R. 9712) granting an increase of pension to Daniel Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9713) granting an increase of pension to James W. Hudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9714) to pay $100 attorney's fees to A. Y. Trogdon, of Paris, Ill.—to the Committee on Claims.

By Mr. CASSELL: A bill (H. R. 9715) granting a pension to Mary Gemble—to the Committee on Invalid Pensions.

By Mr. CROFT: A bill (H. R. 9716) for the relief of Charles E. Danner & Co.—to the Committee on Claims.

By Mr. CURRIER: A bill (H. R. 9717) granting an increase of pension to Frederick R. Wright—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 9718) for the relief of Patrick Larkin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9719) granting an increase of pension to Ellen Darling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9720) granting a pension to Nehemiah Gunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9721) granting a pension to Ashbell G. F. Janes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9722) granting a pension to Robert Kennish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9723) to correct the military record of James M. Brown—to the Committee on Military Affairs.

By Mr. DARRAGH: A bill (H. R. 9724) granting an increase of pension to William O. Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9725) granting an increase of pension to Allison M. Muhn—to the Committee on Invalid Pensions.

By Mr. DICKERMAN: A bill (H. R. 9726) granting a pension to John McElieve—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9727) granting a pension to Palmetto Dodson—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 9728) to extend for ten years from May 1, 1905, United States patent No. 381972, granted to George W. Tooker—to the Committee on Patents.

By Mr. DOVENER: A bill (H. R. 9729) granting an increase of pension to Frank W. Fretwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9730) granting a pension to Adam Minear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9731) for the relief of Thornton A. Merrifield, of Fairmont, Marion County, W. Va.—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: A bill (H. R. 9732) for the relief of Adelaide E. Grant and Alice Adelaide Grant—to the Committee on Claims.

By Mr. DWIGHT: A bill (H. R. 9733) granting an increase of pension to Milo W. Seeley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9734) granting an increase of pension to Harrison Cunningham—to the Committee on Invalid Pensions.

By Mr. EMERICH: A bill (H. R. 9735) granting an increase of pension to Harry Bachrach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9736) to remove the charge of desertion against Frank Cooper—to the Committee on Military Affairs.

By Mr. ESCH: A bill (H. R. 9737) granting an increase of pension to Electa E. Brooks—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 9738) granting a pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9739) granting a pension to Lizzie M. Worster—to the Committee on Pensions.

Also, a bill (H. R. 9740) granting an increase of pension to William W. Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9741) granting an increase of pension to Sarah E. Dale—to the Committee on Invalid Pensions.

By Mr. GILLET of New York: A bill (H. R. 9742) for the relief of John H. Fralick—to the Committee on Claims.

Also, a bill (H. R. 9743) to remove the charge of desertion from the military record of Gilbert Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 9744) granting an honorable discharge to Charles J. Chatfield, jr., deceased—to the Committee on Military Affairs.

By Mr. GOLDFOGLE: A bill (H. R. 9745) granting an increase of pension to Ida J. Peixotto—to the Committee on Pensions.

By Mr. GUDGER: A bill (H. R. 9746) granting a pension to James F. Mace—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9747) granting a pension to Thomas L. Holman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9748) granting an increase of pension to William A. Henderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9749) for the relief of D. C. Cunningham—to the Committee on Claims.

Also, a bill (H. R. 9750) to correct the military record of James A. Stewart—to the Committee on Military Affairs.

Also, a bill (H. R. 9751) to correct the military record of Thomas McKee—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 9752) for the relief of Thomas E. Streeter—to the Committee on War Claims.

Also, a bill (H. R. 9753) granting an increase of pension to Sarah J. Loomis—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 9754) for the relief of the First Baptist Church, of Springfield, Mo.—to the Committee on War Claims.

By Mr. HERMANN: A bill (H. R. 9755) granting an increase of pension to N. B. Meade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9756) granting an increase of pension to Jesse T. Bennett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9757) granting an increase of pension to James M. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9758) for the relief of the heirs of George McGlehey for services rendered as mail contractor—to the Committee on Claims.

Also, a bill (H. R. 9759) for the relief of James H. Elgin—to the Committee on Claims.

By Mr. HEPBURN: A bill (H. R. 9760) granting a pension to Mary Jane Crane—to the Committee on Pensions.

Also, a bill (H. R. 9761) granting an increase of pension to William Nolan—to the Committee on Pensions.

By Mr. HITT: A bill (H. R. 9762) for the relief of Daniel F. Shirk—to the Committee on Military Affairs.

By Mr. HOGG: A bill (H. R. 9763) granting an increase of pension to George Beckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9764) granting an increase of pension to George W. Haney—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 9765) placing the name of J. R. Mann, of Salyersville, Ky., on the muster rolls of the United States—to the Committee on Military Affairs.

Also, a bill (H. R. 9766) granting an increase of pension to John J. McCoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9767) granting a pension to Jasper Wheeler—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 9768) granting an increase of pension to Samuel E. Cormany—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9769) granting an increase of pension to Joseph Pershing—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 9770) for the relief of the heirs of William Hunt, deceased—to the Committee on War Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 9771) granting an increase of pension to Mary E. Weaver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9772) granting an increase of pension to Z. T. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9773) granting an increase of pension to Absolom Shiltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9774) granting an increase of pension to James M. Prince—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 9775) granting an increase of pension to Anna S. Christopherson—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 9776) for the relief of Michael B. Ryan, son and administrator de bonis non of John S. Ryan, deceased, or to his legal representative—to the Committee on War Claims.

By Mr. JONES of Washington: A bill (H. R. 9777) granting to the city of Port Angeles, State of Washington, for park purposes, certain portions of the Government reserve in said city—to the Committee on the Public Lands.

Also, a bill (H. R. 9778) granting a pension to Lauriston W. Adkins—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 9779) granting an increase of pension to Louisa Jane Simon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9780) for the relief of Robert Galbreath—to the Committee on Naval Affairs.

Also, a bill (H. R. 9781) for the relief of Silas Maggard—to the Committee on War Claims.

By Mr. KENNEDY: A bill (H. R. 9782) to correct the military record of L. L. Bedell, alias Latero Degroat—to the Committee on Military Affairs.

Also, a bill (H. R. 9783) granting an increase of pension to Hugh H. Poe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9784) granting an increase of pension to Ransom B. Howell—to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 9785) granting an increase of pension to Philip Bessor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9786) granting an increase of pension to John B. Coleman—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 9787) granting an increase of pension to William Bargy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9788) granting an increase of pension to George W. Blanchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9789) granting an increase of pension to Charles M. Morrison—to the Committee on Invalid Pensions.

By Mr. KNOPF: A bill (H. R. 9790) granting a pension to Ada L. Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9791) granting a pension to Abram Claypool—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 9792) granting a pension to Fanny Tracy—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 9793) to remove the charge of desertion against Edwin F. Vinton—to the Committee on Military Affairs.

Also, a bill (H. R. 9794) granting an increase of pension to Robert F. McCurdy—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 9795) for the relief of Jacob Johnson—to the Committee on War Claims.

By Mr. LILLEY: A bill (H. R. 9796) granting an increase of pension to William Berkley—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 9797) granting an increase of pension to Thomas Langridge—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9798) granting an increase of pension to Isaac W. Sherman—to the Committee on Invalid Pensions.

By Mr. LUCKING: A bill (H. R. 9799) to remove charge of desertion from military record of John Dorsey—to the Committee on Military Affairs.

Also, a bill (H. R. 9800) to pay James Caniff $5,000 for personal injuries received in service of the United States—to the Committee on Claims.

Also, a bill (H. R. 9801) granting a pension to Jane McNeil—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 9802) granting an increase of pension to Edwin K. Lamson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9803) granting an increase of pension to George Hutchings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9804) granting an increase of pension to John B. Oren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9805) granting an increase of pension to Susan E. Armitage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9806) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased—to the Committee on Indian Affairs.

By Mr. METCALF: A bill (H. R. 9807) granting an increase of pension to Hugh S. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9808) for the relief of laborers and mechanics injured, and the families of those killed, while employed at navy-yards or naval stations, through negligence on the part of other persons in the service of the United States—to the Committee on Naval Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 9809) granting an increase of pension to James E. Speake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9810) granting an increase of pension to Martin V. B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9811) granting a pension to Felix Hendrickson—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 9812) to increase the pension of Henry N. McLane—to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 9813) granting an increase of pension to William Lukens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9814) granting an increase of pension to Ephraim M. Boltz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9815) granting an increase of pension to Ephraim O. Gilbert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9816) granting an increase of pension to John A. Walter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9817) granting an increase of pension to Joseph Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9818) granting a pension to Lucette C. Graffius—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9819) granting a pension to Silas W. Rank—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 9820) granting an increase of pension to Vint Anderson—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 9821) for the relief of the estate of William Johnson, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9822) for the relief of the estate of Benjamin Bolton, late of Maury County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 9823) to pension William R. Miller—to the Committee on Pensions.

Also, a bill (H. R. 9824) granting a pension to William Hayes—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 9825) to authorize the President to appoint John J. Washburn assistant quartermaster with rank of captain and to place him on the retired list of the Army—to the Committee on Military Affairs.

By Mr. PALMER: A bill (H. R. 9826) granting an increase of pension to George H. Knight—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 9827) to carry into effect the findings of the Court of Claims in the matter of the claim of William Viers Bonic, administrator of the estate of Elijah Thompson, deceased—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 9828) to remove the charge of desertion from the military record of Allen Nelson—to the Committee on Military Affairs.

Also, a bill (H. R. 9829) granting an increase of pension to Stephen J. Saddler—to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 9830) for the relief of the Methodist Episcopal Church South, of Clarksville, Johnson County, Ark.—to the Committee on War Claims.

Also, a bill (H. R. 9831) for the relief of certain Arkansas soldiers—to the Committee on Military Affairs.

By Mr. ROBERTS: A bill (H. R. 9832) granting an increase of pension to Edwin M. Alden—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 9833) granting a pension to Adda Tubbs—to the Committee on Invalid Pensions.

By Mr. SHOBER: A bill (H. R. 9834) granting an increase of pension to Elizabeth McL. Haughey—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 9835) to pension Maggie E. Fitzpatrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9836) granting a pension to Henry T. Mason—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9837) to remove the charge of desertion against Archibald Gibson—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 9838), granting an increase of pension to Charles H. Jasper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9839) granting an increase of pension to J. A. Kemp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9840) granting a pension to Enoch Kessinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9841) granting a pension to Lloyd Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9842) for the relief of David L. Terry—to the Committee on War Claims.

Also, by request, a bill (H. R. 9843) for the relief of James Clark Sullivan—to the Committee on Claims.

By Mr. SMITH of New York: A bill (H. R. 9844) granting an increase of pension to James H. Parks—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 9845) granting a pension to Celia Somerville—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 9846) granting a pension to Mary Rose—to the Committee on Pensions.

By Mr. WADSWORTH: A bill (H. R. 9847) granting an increase of pension to Julia Adele Bainbridge-Hoff—to the Committee on Pensions.

By Mr. WATSON: A bill (H. R. 9848) granting a pension to Rebecca J. H. Rupe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9849) granting a pension to Martha J. Grose—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 9850) to carry into effect the findings of the Court of Claims in the matter of the claim of Mrs. Harriett Miles—to the Committee on War Claims.

Also, a bill (H. R. 9851) for the relief of William T. Ratliff, administrator of the estate of Sarah G. Clark, deceased—to the Committee on War Claims.

Also, a bill (H. R. 9852) for the relief of Harriett Miles—to the Committee on War Claims.

Also, a bill (H. R. 9853) for the relief of E. L. Brien, administrator of estate of Ann Lum, deceased—to the Committee on War Claims.

By Mr. WOODYARD: A bill (H. R. 9854) granting a pension to Rosa Lee Powell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9855) granting an increase of pension to Albert M. Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9856) for the relief of E. C. Hatch—to the Committee on War Claims.

Also, a bill (H. R. 9857) for the relief of Sophia M. Pettit—to the Committee on War Claims.

Also, a bill (H. R. 9858) for the relief of Mary A. Coleman—to the Committee on War Claims.

Also, a bill (H. R. 9859) for the relief of the heirs of Moses Cunningham, deceased—to the Committee on War Claims.

By Mr. WRIGHT: A bill (H. R. 9860) granting an increase of pension to Augustus Colvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9861) granting an increase of pension to Jacob Hornlng—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9862) granting a pension to Mary Yaw—to the Committee on Invalid Pensions.

By Mr. WYNN: A bill (H. R. 9863) granting an increase of pension to James M. Jackson—to the Committee on Pensions.

By Mr. VREELAND: A bill (H. R. 9864) to remove the charge of desertion from the military record of Willett Pierce and grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 9865) granting an honorable discharge to Dewitt C. Robbins—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Papers to accompany House bill granting a pension to George Castor—to the Committee on Invalid Pensions.

Also, papers to accompany bill to grant an increase of pension to Gilbert L. Everhart—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Petition of the Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. ALLEN: Petition of Thomas W. Alexander and 68 others, fishermen of Orrs Island, Maine, for legislation to prevent the destruction of edible ocean fish by schools of dogfish, etc.—to the Committee on the Merchant Marine and Fisheries.

By Mr. BADGER: Resolution of Franklin Lodge, No. 628, Brotherhood of Railroad Trainmen, of Columbus, Ohio, in favor of bills H. R. 89 and 7040, to limit the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

Also, resolution of J. M. Wells Post, No. 451, Grand Army of the Republic, Department of Ohio, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: Papers to accompany bill to carry into effect the findings of the Court of Claims in claim of Hardin P. Cochrane et al—to the Committee on War Claims.

Also, papers to accompany bill for the relief of Thomas J. Naugher—to the Committee on War Claims.

By Mr. BINGHAM: Resolution of the Philadelphia Maritime Exchange, favoring arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. BISHOP: Resolution of N. H. Ferry Post, No. 3, Grand Army of the Republic, Department of Michigan, and Murray Post, No. 168, Grand Army of the Republic, Department of Michigan, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BROWN of Wisconsin: Resolution of the Merchants and Manufacturers' Association of Milwaukee, indorsing proposed post-check currency bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Merchants and Manufacturers' Association of Milwaukee, favoring the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Wisconsin Industrial and Mercantile Association, indorsing the establishment of a naval training station on the shores of Lake Michigan within the State of Wisconsin—to the Committee on Naval Affairs.

By Mr. BURLEIGH: Resolution of Bates Post, No. 58, Grand Army of the Republic, Department of Maine, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Resolution of the Western Retail Implement and Vehicle Dealers' Association, suggesting an amendment to Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Papers to accompany bill for the relief of Henry Arnold—to the Committee on Military Affairs.

By the SPEAKER: Petition of the Sons of Herman and 101 similar associations of German-Americans, protesting against the enactment of legislation to subject articles of commerce in the original packages to State sumptuary legislation—to the Committee on the Judiciary.

Also, petition of A. Y. Trogdon, of Paris, Ill., for payment of certain pension claims—to the Committee on Claims.

Also, petition and statement asking for an increase of pension to James W. Hudson; also, petition asking for an increase of pension to Daniel Titus—to the Committee on Invalid Pensions.

Also, petition of A. L. Schaffer, remonstrating against legislation for establishing a parcels post—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the State Federation of Labor of California, praying that the people of Colorado may be granted the protection of the Federal Constitution—to the Committee on the Judiciary.

By Mr. COUSINS: Resolutions of Grand Army of the Republic Post, No. 457, Coggon, Iowa; Grand Army of the Republic Post, No. 467, Liscomb, Iowa; Grand Army of the Republic Post, No. 261, Dysart, Iowa; Grand Army of the Republic Post, No. 13, Clarence, Iowa, and Grand Army of the Republic Post, No. 386, Reinbeck, Iowa, favoring a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of J. G. Safley Post, No. 125, Grand Army of the Republic, Department of Iowa; Dennison Post, No. 244, Grand Army of the Republic, Department of Iowa, and West Branch Post, Grand Army of the Republic, Department of Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CURRIER: Petition of Clement Brown and other residents of the District of Columbia, protesting against a railroad on M street NW.—to the Committee on the District of Columbia.

By Mr. CURTIS: Resolutions of Greenleaf Post, No. 134, Grand Army of the Republic, Department of Kansas, urging the passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, petition of soldiers and sailors of the National Military Home, Kansas, in favor of the passage of bill H. R. 7873, granting pensions to officers and enlisted men of the military and naval service of the United States, etc.—to the Committee on Invalid Pensions.

Also, resolution of certain settlers of the Indian Pasture Reserve No. 3, Comanche County, Okla., asking for the opening of the lands within said pasture to settlement under the homestead laws—to the Committee on Indian Affairs.

By Mr. DOVENER: Petition of Thornton A. Merrifield, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolutions of Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. DAVIS of Minnesota: Resolutions of A. E. Welch Post, Grand Army of the Republic, Red Wing, Minn., and resolutions of McKinley Post, Grand Army of the Republic, Cannon Falls, Minn., urging passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. DRIGGS: Memorial of independent tobacco manufacturers, [illegible] bills H. R. 6 and 97, relating to tobacco—to the Committee on Ways and Means.

By Mr. ESCH: Resolution of Knowlton Post, No. 160, Grand Army of the Republic, Department of New York, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Cary W. Miner Post, Grand Army of the Republic, Department of New York, and petition of citizens of Oswego, N. Y., urging passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of North Manlius, N. Y., demanding parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Papers to accompany bill granting a pension to Electa E. Brooks—to the Committee on Pensions.

Also, resolutions of I. W. Earll Post, of Colley, Wis., Grand Army of the Republic, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. FLACK: Papers to accompany bill H. R. 8354, granting a pension to Mary A. Sands—to the Committee on Invalid Pensions.

By Mr. FRENCH: Petitions of the citizens of Moscow, Idaho, and of citizens of Bonners Ferry, Idaho, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Petition of citizens of Somonauk, Ill., in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, affidavits to accompany bill granting an increase of pension to Sarah E. Dale—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Rebecca Stephenson—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to William W. Newton—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 7719, granting an increase of pension to Hiram B. Cozine—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 6592, granting an increase of pension to Sarah C. Wilson—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 7382, granting a pension to Ellen A. Harmon—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Lizzie M. Worster—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Resolutions of Tom Talbot Post, No. 143, Grand Army of the Republic, of Somerset, Ohio, and of R. Marshall Post, No. 684, of South Perry, Ohio, in favor of the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of Interlake Yachting Association of Ohio, in favor of establishment of a naval training station on Lake Erie—to the Committee on Naval Affairs.

By Mr. GUDGER: Papers to accompany bill for the relief of James A. Stewart—to the Committee on Military Affairs.

By Mr. HAMILTON: Resolutions of Carter Post, No. 96, Grand Army of the Republic, Union, Mich., favoring passage of a service pension bill—to the Committee on Invalid Pensions.

By Mr. HASKINS: Petition of the Universalist Church, Woodstock, Vt., asking the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEMENWAY: Petition of C. L. Alexander and others of Evansville, Ind., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Boon Post, No. 202, Grand Army of the Republic, Department of Indiana, and A. O. Buchanan Post, No. 26, Grand Army of the Republic, Department of Indiana, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HERMANN: Memorial of Chamber of Commerce, Coos Bay, Oreg., for survey and estimate for enlarged project for improved navigation at entrance and inner bay—to the Committee on Rivers and Harbors.

By Mr. HILDEBRANT: Resolutions of Kilpatrick Post, Grand Army of the Republic, No. 189, of Goshen, Ohio; Carr B. White Post, Grand Army of the Republic, No. 232, Georgetown, Ohio; John M. Barrere Post, Grand Army of the Republic, No. 205, Hillsboro, Ohio; L. W. Frazier Post, Grand Army of the Republic, No. 271, Bethel, Ohio; Lewis Post, Grand Army of the Republic, No. 347, of Xenia, Ohio, and Zach H. Scott Post, Grand Army of the Republic, No. 479, Moscow, Ohio, urging passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. HITT: Resolution of Captain A. F. Knight Post, No. 460, Grand Army of the Republic, Department of Illinois, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOGG: Petition of merchants and business men of Rico, Dolores County, Colo., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Post No. 35, Grand Army of the Republic, Department of Colorado and Wyoming, and of Post No. 106, Grand Army of the Republic, Department of Colorado and Wyoming, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KALANIANAOLE: Resolution of Chamber of Commerce, Honolulu, Hawaii, asking that foreign vessels be permitted to carry passengers to and from Honolulu and Pacific coast—to the Committee on Interstate and Foreign Commerce.

Also, petition of Builders and Traders' Exchange of Honolulu, Hawaii, for dredging Honolulu Harbor, a breakwater at Hilo, etc.—to the Committee on Rivers and Harbors.

Also, petition of the Bar Association of Honolulu, Hawaii, suggesting an amendment to the act providing a government for the Territory of Hawaii, increasing the number of justices for the supreme court from three to five—to the Committee on Insular Affairs.

Also, resolution of Chamber of Commerce, Honolulu, Hawaii, against passage of Senate bill 289—to the Committee on Insular Affairs.

By Mr. KNAPP: Papers to accompany House bill to increase the pension of George W. Blanchard—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to William Bargy—to the Committee on Invalid Pensions.

By Mr. KEHOE: Petition of citizens of Greenup County, Ky., in support of bill H. R. 3574—to the Committee on Ways and Means.

By Mr. LACEY: Resolutions of Phil Kearny Post, Grand Army of the Republic, Oskaloosa, Iowa; Townsend Post, Grand Army of the Republic, Bloomfield, Iowa; What Cheer Post, Grand Army of the Republic, What Cheer, Iowa; and Eldon Post, Grand Army of the Republic, Eldon, Iowa, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. LILLEY: Papers to accompany bill granting an increase of pension to William Berkley—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolutions of Harry Lee Post, No. 21; of Mansfield Post, No. 35, and of Abel Smith-First Long Island Post, No. 435, of Brooklyn, N. Y., Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. McCALL: Petition of Boston Chamber of Commerce, in favor of continuing the rebate of duty on bituminous coal—to the Committee on Ways and Means.

By Mr. McCLEARY of Minnesota: Resolution of Sully Post, No. 10, Grand Army of the Republic, Blue Earth, Minn., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, letter of Prof. Harry Snyder, of the University of Minnesota, and an article on the work of the Division of Soils of the Department of Agriculture—to the Committee on Agriculture.

By Mr. MARSHALL: Petition of W. H. Cox and other citizens and business men of Fairmount, N. Dak., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of pastors of Presbyterian, Baptist, and Methodist Episcopal churches of Langdon, N. Dak., for investigation of charges against Senator SMOOT; in favor of Hepburn-Dolliver bills and the McCumber bill; in favor of the Gillett bill, the Allen bill, and for amendment of Lewis and Clark Exposition bill—to the Committee on the Judiciary.

By Mr. MARTIN: Petition of the citizens of Spearfish, S. Dak., in favor of the McCumber bill and the Hepburn-Dolliver bills—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Papers to accompany bill granting an increase of pension to James E. Speaks—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Petition of heirs of Caroline Hinyard, praying reference of war claim to Court of Claims—to the Committee on War Claims.

Also, papers to accompany a bill to increase the pension of [illegible] N. [illegible], of Maryville, Tenn.—to the Committee on Invalid Pensions.

By Mr. PETTIGREW: Papers to accompany bill to pension William [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of William Johnson—to the Committee on War Claims.

Also, papers to accompany bill for the relief of Benjamin [illegible]—to the Committee on War Claims.

Also, petition of [illegible], praying reference of claim to Court of Claims—to the Committee on War Claims.

Also, petition of W. S. Fogg, praying reference of claim of the estate of D. C. Kin[illegible]h, deceased, to Court of Claims—to the Committee on War Claims.

By Mr. PORTER: Resolution of the Philadelphia Maritime Exchange, [illegible] United States and [illegible] on Foreign Affairs.

By Mr. [illegible]: Petition of Charles K. Fulton and others, [illegible] charge of desertion in case of Allen G. N[illegible] on Military Affairs.

Also, papers of Stephen J. Saddler, asking for an increase of pension—to the Committee on Invalid Pensions.

By Mr. RANDELL: Petition of citizens of Rockport, Ill., protesting against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBB: Petition of J. H. Renfroe and [illegible] other citizens of Fredericktown, Mo., against the army canteen and sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. ROBERTS: Papers to accompany House bill granting an increase of pension to Edwin M. Alden—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of W. T. Foster and 68 other citizens of Kendallville, Ind., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Memorial of independent tobacco manufacturers against passage of bill H. R. [illegible], amending section 3394 of the Revised Statutes, relating to tobacco—to the Committee on Ways and Means.

Also, resolutions of the Manufacturers' Association of New York, urging a continuance of the improvement of the channels in the harbor of the Brooklyn water front—to the Committee on Rivers and Harbors.

Also, resolutions of the Grain Dealers' National Association, relative to the inspection of grain at terminal points by the Government—to the Committee on Interstate and Foreign Commerce.

By Mr. SHARBOROUGH: Petition of citizens of Little River, S. C., for a survey of Little River—to the Committee on Rivers and Harbors.

By Mr. SCOTT: Resolution of the Western Retail Implement and Vehicle Dealers' Association, against passage of Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Grain Dealers' National Association, against the enforcement of inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. SHIVELY, of Kentucky: Paper to accompany bill granting a pension to James A. Kemp—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting a pension to Charles H. Jasper—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Lloyd Clark—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of David L. Terry—to the Committee on War Claims.

Also, papers granting an increase of pension to Peter P. Roberts—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1848—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 7507—to the Committee on Invalid Pensions.

Also, petition of Eliza Ferguson, asking for an increase of pension—to the Committee on Invalid Pensions.

By Mr. SNOOK: Resolutions of A. Linnabary Post, No. 621; Hiram Lodge Post, No. 155; Theodore G. Marchant Post, No. 683, and Wesser Post, No. 93, Grand Army of the Republic, Department of Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Celia Spitsnale, of Dupont, Ohio, asking for a pension—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Petition of citizens of Lyle, Minn., and of citizens of Mower County, Minn., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, memorial of residents of Lake City, Minn., for the permanent improvement of the upper Mississippi River between St. Anthonys Falls and the mouth of the Ohio River—to the Committee on Rivers and Harbors.

By Mr. THOMAS of North Carolina: Petition of J. B. Harvey and others, favoring the improvement of Swift Creek, North Carolina—to the Committee on Rivers and Harbors.

By Mr. TRIMBLE: Papers to accompany bill for the relief of Irene E. Johnson, administratrix of the estate of Leo L. Johnson, deceased—to the Committee on War Claims.

By Mr. WADE: Petitions of members of the German Methodist Episcopal Church of Victor, Iowa, and of the Baptist Young People's Union of Clinton, Iowa, in favor of the McCumber and Hepburn-Dolliver bills—to the Committee on the Judiciary.

By Mr. WYNN: Petition of Templeton committee and Santa Margarita committee, of Templeton and Santa Margarita, Cal., requesting an examination of Nacimiento and other sites for a permanent military camp on the Pacific coast—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 3533, granting an increase of pension to Capt. R. H. McIlroy—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *January 13, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 17th ultimo, a statement of buildings rented for the use of the several bureaus under the Department of the Interior in the District of Columbia and the States and Territories; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 9866) making appropriations for clearing the Potomac River of ice, and for the removal of snow and ice in the District of Columbia; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Turn Verein of Grand Rapids; of the Schwaben Verein of Grand Rapids; of the Germania Aid Society, of Grand Rapids, and of the Germania Club, of Saginaw, all in the State of Michigan; of the German-American Executive Board of the German-American Alliance of Ohio; of Lodge No. 27, of Marion; of the German Sick Relief Society, of Youngstown; of Lodge No. 41, of Newark; of the Goethe Lodge, of Youngstown; of the German Benevolent Society, of Newark; of the German Beneficial Society, of Portsmouth; of the Singing Society of Chillicothe; of Lodge No. 18, of Tiffin; of the Maennerchor of Youngstown; of the Kesser Benevolent Association, of Toledo; of the Beneficial Society of Springfield, and of the Arbeiter Saengerbund, of Toledo, all in the State of Ohio; of Lodge No. 113, of St. Killian; of the Harmonie Club of Appleton; of the Germania Maennerchor, of Fond du Lac; of the German Soldier Aid Society, of La Crosse; of the Frohsinn Singing Society, of La Crosse; of the German Veteran Society, of Green Bay, all in the State of Wisconsin; of the St. John's Society, of Albany; of Victoria Lodge, No. 455, of Albany; of the Maenner Quartette Singing Society, of Albany; of the German Young Men's Catholic Union, of Albany; of Court Schiller Lodge, No. 373, of Troy; of the German-American Society of Rochester; of the Turn Verein of Troy; of the St. Anthony Society of Albany; of the Deutscher Bund of Utica; of the Caecilia Singing Society, of Albany; of the German Benevolent Society, of Clarkstown; of the German Legal Aid Association, of Brooklyn; of the Baden Sick Aid Association, of Utica; of the German Veteran Society, of Troy; of the Rhein Preussen Benevolent Association, of Buffalo; of the John Hahn Mannie Order, of Utica; of Lodge No. 15, of Albany; of the Badischer Volks Verein, of Albany; of the Singing Society, Saengerbund Harmonia, of Albany; of Lodge No. 1778, of Buffalo; of the Deutscher Soldaten Bund, of Buffalo; of the Maennerchor of Buffalo; of the German-American Benevolent Society, of Buffalo; of the Swiss Maennerchor, of Rochester; of the Bavarien Saengerbund, of Rochester; of the Inspector Brasig Benevolent Association, of Buffalo; of the German Reading Society, of Utica; of the Germania Industrial and Mutual Assistance Association, of Utica; of the St. Joseph's Society, of Troy; of Lodge No. 2093, of Troy; of the Turn Verein of Schenectady; of the Turn Verein of Albany; of the Cascaskia Tribe, No. 63, of Buffalo; of Rhein Lodge, No. 248, of Troy; of the Germania Turn Verein, of Troy; of Legion No. 2, of Buffalo; of the Bavarian Sick Aid Society, of Utica; of Washington Lodge, No. 4, of Buffalo, all in the State of New York; of Arminius Lodge, No. 14, of Henderson; of Steuben Lodge, No. 23, of Minneapolis; of the Order of Hermann, Sons of Jordan; of Harmonia Lodge, No. 45, of St. Paul; of Harmonia Lodge, No. 2, of St. Paul; of the Turn Verein of New Ulm; of Amor Lodge, No. 2, of Nas Rome; of the German Society of Fairmont; of Lodge No. 12, of Minneapolis; of West St. Paul Lodge, No. 24, of St. Paul, and of Lodge No. 32, of Duluth, all in the State of Minnesota; of the Concordia Gesang Verein, of Galveston; of the Turn Verein of Dallas; of the Swiss Singing Society, of Dallas; of the Arbeiter Verein, of Fredericksburg; of Teutonia Lodge, of Dallas, of Lodge No. 209, of Schertz; of Lodge No. 81, of Sublime; of Vorwaerts Lodge, No. 6, of Brenham; of Goethe Lodge, No. 18, of Yoakum; of Lodge No. 84, of Armeckeville, of the Maennerchor of Marion; of Paige Lodge, No. 154, of Paige; of the Ulrich von Hutten Lodge, No. 146, of Austin Hill; of Wade Lodge, No. 183, of Wade; of Lodge No. 63, of York Creek; of Wunder Lodge, No. 189, of Otta; of Lodge No. 210, of Waldeck; of Werder Lodge, No. 80, of San Antonio; of Lodge No. 268, of Giddings; of Gloria Lodge, No. 200, of Ledbetter; of Salado Lodge, No. 139, of Lookout; of Frohsinn Society, of Dallas; of Lodge No. 205, of Weimar; of Prairie Lodge, No. 97, of Hockley; of the German Christian Mothers Society, of Muenster; of the Turn Verein of Cat Spring; of Fortuna Lodge, No. 119, of Dallas; of Lodge No. 29, of Cedar; of Lodge No. 155, of Cistern; of the Turn Verein of Denison; of the Truck Growers' Association, of Giddings; of Mozart Lodge, No. 59, of Moulton; of Rio Grande Lodge, No. 201, of Del Rio; of the Turn Verein of Muenster, and of the German St. Mary's Young Ladies' Society, of Muenster, all in the State of Texas; of Koerner Lodge, No. 466, of Chicago; of the Turn Verein of Chicago; of the Turn Verein of Ottawa; of the Turn Verein of Decatur; of the Turn Verein and Maennerchor of Alton; of Germania Lodge, No. 6, of Rock Island; of the Maennerchor of Moline; of Schiller Lodge, No. 1050, of Rock Island; of the Turn Verein of Mount Olive; of Koerner Lodge, No. 776, of Chicago; of Lodge No. 457, of Alton; of Lodge No. 188, of Chicago; of the Turn Verein of Aurora; of the St. James Aid Society, of Decatur; of the Germania Benevolent Society, of Aurora; of the Vorwaerts Turn Verein, of Chicago; of Humboldt Court, No. 45, of Chicago; of the Almira Turn Verein, of Chicago; of Goethe Lodge, No. 422, of Chicago; of Lodge No. 15, of Chicago, and of the Nordwest Turn Verein, of Chicago, all in the State of Illinois; of Harmonie Lodge, No. 333, of Holyoke; of the Lyra Singing Society, of Lawrence; of the Turn Verein of Lawrence; of the German Turn Verein, of Pittsfield; of Steuben Lodge, No. 227, of Northampton; of the German-American Citizens' Association of Northampton, and of the Schuetzen Turn Verein of Northampton, all in the State of Massachusetts; of the Court Germania Lodge, No. 111, of Los Angeles; of the Schwaben Turn Verein, of Los Angeles; of Lodge No. 11, of Sacramento; of the Turn Verein of Sacramento; of the Turn Verein of Oakland, and of the Germania Turn Verein, of Los Angeles, all in the State of California; of the Deutscher Krieger Verein, of Dubuque, of the Turn Verein of Davenport; of the German Benevolent Society, of Dubuque; of the German Society of Marshalltown; of the Turn Verein of Ida Grove; of the Social Turn Verein, of Dubuque; of the Maennerchor of Muscatine; of the Turn Verein of Dunott; of the German Veterans and Soldiers' Society, of Denison; of the Turn Verein of Sioux City; of the Germania Verein, of Sioux City, and of the Germania Maennerchor, of Dubuque, all in the State of Iowa; of the Concordia Society, of Bridgeport; of the German Rifle Company, of Ansonia; of the Turn Verein of Waterbury; of Lodge No. 340, of New Haven; of the Turn Verein of Waterbury; of the Germania Benevolent Society, of Danbury; of the Singing Society of New Britain; of the Turn Verein of Derby; of the Rifle Club of Hartford, all in the State of Connecticut; the Swiss Benevolent Society, of Scranton; the Turn and Schul Verein, of Philadelphia; the Leiderkranz, of Lancaster; of the Fritz Reuter Lodge, No. 569, of Erie; the Nord Deutschen Verein, of Philadelphia; the German-American Alliance, of Reading; the Sick and Death Benefit Society, of Philadelphia; the Germania Verein, No. 2, of Philadelphia; the Deutscher Harmonie Verein, of Philadelphia; the Turn Verein of Johnstown; the General Shafter Beneficial Association, of Philadelphia; the Walhall Benefical Association, of Philadelphia; of Spring Garden Lodge, No. 1?9, of Philadelphia; the Bavarian Association, of Reading; the Schiffler Death Beneficial Society, of Lancaster; the St. Joseph Roman Catholic Beneficial Society, of Philadelphia; of Beneficial Society No. 1, of Philadelphia; the Franklin Workingmen's Beneficial Society, of Philadelphia; the Gischler Unterstützungs Verein, of Philadelphia; the Germania Beneficial Society, of Scranton; the Maennerchor of Daisytown; the German-Austrian Music and Beneficial Society, of Johnstown; of Alexander Lodge, No. 55, of Erie; the German-American Beneficial Association, of Philadelphia; the Friehofer Pleasure Club, of Philadelphia; the Frohsinn Singing Society, of Johnstown; the Journeymen Confectioners and Cake Bakers' Benevolent Association, of Philadelphia; of Schopper Lodge, No. 464, Knights of Pythias, of Philadelphia; of Bicentennial Beneficial Society, No. 1, of Philadelphia; the Arbeiter Gesang Verein, of Erie; the Class and Nacht Liederkranz Society, of Philadelphia; the St. Benedictus Society, of Philadelphia; the Maennerchor of Lancaster; of Turn Verein No. 1, of Philadelphia; the Germania Maennerchor, of Philadelphia; the St. Peter's German Roman Catholic Society, of Lancaster; the Euphonia Tranken Verein, of Philadelphia; the Old Buffalo Beneficial Association, of Philadelphia; the Young Buffalo Beneficial Association, of Philadelphia; the Lehigh Artunter Verein, of Philadelphia; the Deutscher Turn Verein, of Philadelphia; the George Essinger & Son Beneficial Society, of Philadelphia; the Badischer Verein, of Philadelphia; the Pennsylvania Beneficial Society No. 2, of Philadelphia; the Deutscher Krieger Verein, of Philadelphia; of Hebel Lodge, No. 559, Independent Order of Odd Fellows, of Lancaster; the Columbia Gesang Verein, of Philadelphia; the Germania Maennerchor Verein, of Philadelphia; the West Philadelphia Humbold: Beneficial Society, of Philadelphia; the South Erie Turn Verein, of Erie; the Washington Conclave, of Lancaster; the Fulton Death Beneficial Association, of Lancaster; the Barbarossa Castle, No. 85, of Johnstown; the Red Jacket Tribe, No. 44, Improved Order of Red Men, of Lancaster; the Gerber Verein, of Philadelphia; the Krieger Verein Barbarossa, of Philadelphia; the German Military Society of Lancaster; the Kranken Verein, of Lancaster, and the Turners' Association of Allegheny, all in the State of Pennsylvania, and of Manor Lodge, Sons of Hermann, of Manor, Tex., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALLISON presented petitions of J. W. McKenzie Post, No. 781, of Hampton; of Colonel Garrick Post, No. 117, of Odebolt; of J. G. Safely Post, No. 125, of Traer; of Hyde Clark Post, of Dubuque, and of Altscofield Post, No. 164, of Miles, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Society of the Army of the Potomac of Sioux City, Iowa, praying for the establishment of a national park at Fredericksburg, Va.; which was referred to the Committee on Military Affairs.

He also presented a memorial of the Claus Groth Gilde, of Davenport, Iowa, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented memorials of P. Kilmartin, of Malvern; of Alva Humeston, of Humeston; of W. N. Buffington, of Glenwood; of C. F. Currier, of Prescott, and of Rankin & Cowden, of Riverton, all in the State of Iowa, and of the Grain Dealers' National Association, remonstrating against the enactment of legislation providing for the inspection of grain by the National Government at terminal markets; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregation of the First United Presbyterian Church of Indianola; of the congregation of the Reformed Presbyterian Church of Morning Sun; of sundry citizens of Cherokee County; of the congregations of the First Presbyterian, the First Christian, and the Methodist Episcopal churches, of West Liberty; of the Woman's Christian Temperance Union of Bangor; of the Woman's Missionary Society of Jackson County; of the Woman's Missionary Society of Tingley; of the congregation of the Baptist Church of Hawarden; of the congregation of the Methodist Episcopal Church of Kingsley; of the congregation of the First Presbyterian Church of Sac City; of the congregation of the Presbyterian Church of Le Mars; of the Woman's Home and Foreign Missionary Society of Hartley; of the congregation of the Evangelical Association of Hartley; of the Woman's Christian Temperance Union of Tabor; of the Woman's Christian Temperance Union of Hartley; of the Woman's Club of Spencer; of the congregation of the First Presbyterian Church of Cedar Rapids; of the congregation of the Congregational Church of Davenport; of the congregation of the Lutheran Church of Burlington; of the congregation of the Walnut Street Baptist Church, of Burlington; of the Methodist Episcopal Church Sunday School of Lebanon; of the Presbyterian Society of Des Moines, and of the congregation of the Presbyterian

Church of Columbus Junction, all in the State of Iowa, and of the [illegible] of Mariners, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FORAKER presented petitions of the Woman's Christian Temperance Union of Actons, of the congregations of the Methodist Protestant Church of Fairy Fort; of the Woman's Christian Temperance Union of Ferry Fort, of the Woman's Christian Temperance Union of Lockwood, of the Woman's Christian Temperance Union of Sayre; of the Young Women's Christian Association of Lockwood, of sundry citizens of Dunkirk, of the congregation of the Methodist Protestant Church of Fairy Fort, of the Woman's Foreign Missionary Society of the Second Methodist Protestant Church of Pittsburg, of the congregation of the Methodist Protestant Church of Lockwood, of the congregation of the Methodist Protestant Church of Dunkirk, of the congregation of the Methodist Protestant Church of Fairy Fort, of the Woman's Christian Temperance Union of Pittsburg, and of the Woman's Missionary Society of the Tabernacle Presbyterian Church of Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of the Globe Navigation Company, of Seattle, Wash., praying for the enactment of legislation requiring the employment of United States vessels for public purposes in transporting supplies and [illegible] Government, and also regulating shipping between ports of the United States and places in the Philippines; which was referred to the Committee on Commerce.

Mr. CULLOM presented petitions of John O. Diner Post, No. 209, of Hanover; of Col. James A. Mulligan Post, No. 306, of Chicago; of Matteson Post, No. 401, of Matteson; of Eugene Lyford Post, No. 662, of Port Byron; of Captain A. F. Knight Post, No. 460, of Albany; of Swain Post, No. 660, of Tiskilwa; of John L. Hostetter Post, No. 785, of Chadwick; of Local Post No. 461, of [illegible]; of Lowell Post No. [illegible], of Rutland; of John H. Johnson Post, No. 769, of Connell; of Samuel Adams Post, No. [illegible], of Cowden; of John Huffer Post, No. 653, of Stewardson, and of T. T. Dow Post, No. 290, of Annawan, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. KEAN presented petitions of the Epworth League of Hope; of the Young People's Society of Kingdom Workers, of Montclair, and of William C. Stevens, of Riverton, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the congregations of the Methodist, the First Presbyterian, the West Baptist, and the First Baptist churches, all of Vineland, in the State of New Jersey, and of B. Franklin Leeds, of Philadelphia, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BEVERIDGE presented a petition of the congregations of the Presbyterian, Baptist, Methodist, and Friends churches, all of Fairmount, in the State of Indiana, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of New Albany, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented petitions of the congregation of the Bethany Presbyterian Church, of Boise; of the congregation of the Second Presbyterian Church, of Boise; of the congregation of the Presbyterian Church of Bellevue, and of the Woman's Christian Temperance Union of Lewiston, all in the State of Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURTON presented a memorial of [illegible] and Directors of the Western Retail Implement and Vehicle Dealers' Association, of Atchison, Kans., remonstrating against the enactment of legislation relative to the suppression of [illegible] companies; which was referred to the Committee on Commerce and Post-Roads.

He also presented a petition of sundry citizens of Stockton, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Presbyterian Church of Cheylin, Colo., praying for the enactment of legislation to protect passengers from "[illegible]" tricks; which was referred to the Committee on [illegible].

He also presented petitions of the congregations of the Methodist Episcopal Church of Smith Center, and of the Methodist Episcopal Church of Topeka, all in the State of Kansas, and of [illegible], Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of Connecticut presented a petition of 30 citizens of [illegible], praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Ansonia, of the congregation of the Methodist Episcopal Church of Ansonia, and of the congregation of the Congregational Church of Ansonia, all in the State of Connecticut, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

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He also presented a petition of the Woman's Christian Temperance Union of Ansonia, Conn., praying for the enactment of legislation to protect passengers from "[illegible]" tricks; which was referred to the Committee on [illegible].

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Mr. PLATT of Connecticut

The PRESIDENT pro tempore. Is there objection to the Senator from Colorado [illegible]

Mr. HALE. [illegible] the morning hour and is [illegible] the [illegible] I will simply say that [illegible] the Senator from Colorado is [illegible] will be brief. I shall [illegible] of the morning hour.

Mr. PATTERSON. [illegible] I did not object to the reading of the [illegible]

Mr. PATTERSON. [illegible] I desire at the very outset to say that I am championing no side of the troubles which have existed in Colorado since last September and that yet exist in a very aggravated condition. The resolution that I introduced had [illegible] by the governor of the State, [illegible] a large number of peaceful and law-abiding citizens of the State of the most common and ordinary rights. [illegible] the writ of habeas corpus suspended, [illegible] domiciliary visits by the military, men carried [illegible] and confined in a bull pen that was [illegible] the right of trial denied, no charges [illegible] flouted, and [illegible] in the southwestern part of the State a proclamation by the military declaring everybody who is not at work to be a vagabond and to be expelled from the limits of the county.

I [illegible] upon that proposition, but will refer to some of the [illegible] the Senator from West Virginia. To such an extent has the governor's line of conduct been carried that now whenever the Denver papers publish news from the country to which the Senator from West Virginia refers they can only publish censored dispatches. At the head of the Denver papers you find stated that "the following dispatches have been censored, and we know not whether the statements they contain are true or not."

The Senator from West Virginia felt compelled to go back to an unfortunate [illegible] which occurred in 1894 in the same district. He referred to [illegible] of which he is a part owner, in which the lives of men were endangered and the utmost indignity was imposed upon their persons. I have no defense, not for a moment, of a single thing connected with that most reprehensible transaction, but I want to say that two men were arrested [illegible] and convicted in the county in which the transaction occurred, the trial occurring during a period of most intense excitement.

Mr. SCOTT. Will the Senator allow me to ask if the county since that time has not been divided and a new county made.

Mr. PATTERSON. Some time; but at that time the strike was in the county in which Cripple Creek is situated. Within a short period after the conviction a Republican governor pardoned the two men who were convicted, and gave as his reason that evidence had come to him that convinced him they were not guilty. They were sentenced for a long period. They served but a short time and were pardoned, as I have said, by a Republican governor.

Mr. SCOTT. If the Senator will allow me, there is no doubt but that the property was destroyed and destroyed by the State Federation of the Miners' Union.

Mr. PATTERSON. Mr. President, it is hardly fair for the Senator from West Virginia to make that statement, because the miners' union, as an organization, disclaimed all knowledge of and participation in the outrage. What they insisted upon was that it could not have been done by any union whatever; that if a miner man was connected with it, it was but an individual act and without the approval or knowledge of the union. I am not here to defend that transaction, but to make a simple statement, so far as it is concerned.

The Senator refers now to an unfortunate accident or crime. I do not know which it [illegible] in Colorado [illegible] in a place called the "Vindicator." The superintendent of the mine and one of his workmen went down, as we say, they had been in the mine some little time, as I understand the facts, an explosion occurred below, and both lost their lives.

Mr. SCOTT. If the Senator will allow me, the fact, as I understand it, is that when they were going down in the mine, in the shaft, the action of the fire damp exploded an infernal machine which some one had placed there for the purpose of destroying the mine and killing those two men.

Mr. PATTERSON. Mr. President, that is the most extreme view of that unfortunate affair. That view is taken by the men who seem determined to charge every violation of law or every accident that occurs by violence, the origin or source of which can not be determined, upon the miners' union.

The facts [illegible] as time is concerned, are, I think, as I have stated them. We do know that a coroner's jury was [illegible] and made a most careful investigation into the [illegible] of that jury was that it was impossible to determine the cause of the explosion.

Under those circumstances it seems to me, Mr. President, that the Senator from West Virginia should hesitate to make the charges he does in the broad terms he uses against the miners' [illegible]

I wish to say, Mr. President, that that incident, together with an attempt [illegible] that some [illegible] road track, comprises about the sum of violence since the commencement of the troubles in that unfortunate district. These have been taken as the excuse for waging a war of extermination against the Western Federation of Miners [illegible] not only in that [illegible]

The Senator from West Virginia should hesitate to thus brand a great organization when but a few weeks ago the President of the United States did that organization the honor of publicly inviting a number of its representative officers to lunch with him at the White House.

As I said, I defend no organization at this time, whether the organization of miners or the [illegible] of mine owners. In my resolution I simply attempted to bring to the attention of the [illegible] for the specific purpose of investigation, a most lamentable condition of things and a most indefensible one from the standpoint of law and constitutional obligation.

I had intended to make [illegible] marks in extenso on that resolution, but from anxiety to bring the matter speedily before the Committee on the [illegible] I rose to ask that all papers be referred to that committee. Whatever the State Federation of Labor may say and whatever the committee of mine owners may say for or against me in connection with my attitude upon this question, if an investigation is ordered, the truth will become apparent; and that is all I ask.

Mr. SCOTT. Mr. President [illegible]

The PRESIDENT pro tempore. The Senator from Maine [Mr. HALE] has gone out of the Chamber. If the Senate is desirous of having the rule enforced that there shall be no debate when petitions are presented it lies with the Senate to do it. The Chair will [illegible] nia.

Mr. SCOTT. Mr. President, in view of the fact that the paper submitted by the Senator from Colorado was read, I ask for the reading of the paper that I sent to the desk. Otherwise I should not now ask for the reading of it. I simply asked that it be referred to the committee and printed as a document. If there is objection, of course it goes over.

Mr. LODGE. I do not object to the reading of the paper, of course, but I do object to any further debate on the petition.

The PRESIDENT pro tempore. The Chair simply calls the attention of the Senate to the rule. It is dangerous to violate the rule with regard to petitions. The Chair hears no objection to the request of the Senator from West Virginia, and the Secretary will read the paper which he sent to the desk.

The Secretary proceeded to read the paper.

Mr. SCOTT. Out of deference to the wishes of a number of Senators, I will withdraw my request to have the paper read and ask that it be printed, following the paper presented by my friend the Senator from [illegible]

The PRESIDENT pro tempore. The Chair hears no objection, and it will be printed [illegible] RD. It will be also printed as a document.

Mr. SCOTT. I want to have it also printed as a document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The paper referred to is as follows:

[Senate Document No. —, Fifty-eighth Congress, second session.]

Stat[illegible]

T[illegible] and appreciate the conditions referred to in Senate [illegible]

[illegible] labor organization, known as the Western [illegible] engaging men engaged in earning a livelihood, is [illegible]

[illegible] table of these outbreaks were the Cripple Creek [illegible] on rust at Telluride [illegible] part of the present [illegible] of which was at [illegible] of the labor troubles [illegible] rich district in con- [illegible] to the methods and [illegible] industry of [illegible] d'Alene was repeated in Leadville, Colo., in 1896. [illegible] was paralyzed and the entire community terrorized. [illegible] in the destruction of the Coronado mine by [illegible] a number of lives. It was then that the governor [illegible] tardily called the troops, and after some months order was again [illegible]

[illegible] at Telluride, Colo., [illegible] in [illegible] a man who [illegible] means [illegible] but never [illegible] The management [illegible] system and [illegible] on July 3 [illegible] their wounded were compelled to find their way on foot to [illegible] miners maintained possession of the mine until a settlement [illegible] of the most remarkable [illegible] to the governor by a mem- [illegible] for the purpose of [illegible] It was as follows:

To HIS EXCELLENCY JAMES M. ORMAN,
Governor of Colorado, Denver, Colo.:

Situation unchanged. Miners have peaceable possession of mine. Manager Collins here. Life not in danger.

W. S. BUCKLEY.

The governor, to his credit, immediately demanded that the [illegible] ent. On [illegible] Labor, [illegible] a prominent [illegible] and in constant [illegible] of the Smuggler-Union, mentioned in the above [illegible] for his opposition to the Western Federation. He [illegible] ack and killed as he sat at his library table in the evening [illegible] for this murder [illegible] Jobs [illegible] Accordingly [illegible] the above-mentioned [illegible] at on being dis- [illegible] and his colleagues had a chance to escape, and [illegible] In addition to the murder of [illegible] a number of men have mysteriously disappeared since the riot of 1903. Such was the condition at Telluride when the present strike was called; such is the [illegible] legitimate labor organizations [illegible] as exemplified by the Denver News [illegible] paper [illegible] have had [illegible] to resent, such are the laws [illegible] under the Constitution [illegible]

[illegible] was entered into between the [illegible] Western Federation of Miners [illegible] present [illegible] with [illegible] in the [illegible] hours a day and [illegible] Coming to the department of the country and the [illegible] with [illegible] at the [illegible] company, but was attacked by the Western Federation [illegible] and [illegible] for an excuse to quit its [illegible] and such the contract that [illegible] was a first victim. The [illegible] however, owing to a [illegible] operate, and after on the men on [illegible] solemn contract. [illegible] openly and [illegible] a strong [illegible] which is in this way now [illegible] All [illegible] known for some years, but the old [illegible] of the [illegible] and the [illegible] have been enabled to open [illegible]

At Leadville [illegible] and the [illegible] plant by [illegible] a band of the Western Federation. A number of persons [illegible] of the [illegible] were arrested for this crime and [illegible]

So far as [illegible] that [illegible] the Western Federation has not only indorsed [illegible] but have resorted to [illegible] as well as all of these [illegible] even murder [illegible]

During the past few months [illegible] of the Western Federation [illegible] have some [illegible] of the strike of 1894, with the circumstances surrounding [illegible]

In 1894 Cripple Creek was but 2 years [illegible] districts of the State, and operators [illegible] miners. As a result each [illegible] neighbors, and there was no [illegible] the State. In the [illegible] a union had been formed in [illegible] about the time [illegible] with the Western Federation of Miners.

At first the strike involved only the mines which were attempting the change [illegible] without a [illegible] the [illegible] present [illegible] with [illegible] in the [illegible] hours a day and [illegible] Federation [illegible] district. Houses and stores were broken into, men su- [illegible] to them were taken from their homes and beaten up, [illegible] Early in the year Mr. [illegible] waited on [illegible] and taken to the [illegible] warned to leave and never return. [illegible] of the [illegible] and [illegible] for some time and then released on the promise that [illegible]

David H. [illegible] of the State. After this release he had been [illegible] with [illegible] the governor [illegible] see the latter with- [illegible]

[illegible] on [illegible] Mr. [illegible] Mr. [illegible] Mr.

the second level and the powder was exploded at this point, doing no damage to the shaft, but destroying the shaft. The strikers then planted dynamite [illegible] shaft. [illegible] the exploded [illegible]

[illegible] After [illegible] the men were [illegible] without food. Mr. [illegible] on the premises [illegible] to their homes. [illegible] the Cripple Creek [illegible] were [illegible]

[illegible] ted by the governor, and the Cripple Creek [illegible] made [illegible]

[illegible] The Federation [illegible] alism and pledged the organization to the [illegible]

[illegible] stitution with reference to the calling of strikes. [illegible] the power to call a strike [illegible]

[illegible] the miners [illegible] A [illegible] of the Western Federation [illegible] the mills had not lived up to the [illegible] [illegible] Mr. [illegible] S. and R. [illegible] Mr. [illegible] stated his [illegible] the [illegible] Mr. [illegible] the [illegible] Mr. [illegible] the [illegible] Mr.

headlines of the Denver News, in referring to this assassination, are as follows:

[illegible]

[illegible] nes of the same paper state:

[illegible] unmistakable evidence in Vindicator [illegible] death of [illegible]

The news matter following these [illegible] established what they stated.

[illegible]

"CHAS. KETTELSON, *Foreman.*"

Among the [illegible] and Melvin Beck [illegible]

[illegible]

A second attempt of the same character was made on the night of the 16th, but the [illegible]

[illegible]

"CHAS. KETTELSON, *Foreman.*"

Among the [illegible]

[illegible]

A second attempt of the same character was made on the night of the 16th, but the [illegible]

[illegible]

"CHAS. KETTELSON, *Foreman.*"

Among the [illegible]

[illegible]

order and maintain quiet by the administration of military authority. The military

of the Interior to acquire for the Government, by exchanges of public lands, the ownership of the private lands within certain public parks in the State of California; which was read twice by its title and referred to the Committee on Public Lands.

Mr. SCOTT introduced a bill (S. 3377) granting an increase of pension to John M. Tyner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 3378) granting an increase of pension to Jacob H. Beck; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 3379) to amend section 66 of the act of June 8, 1872, entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department;" which was read twice by its title, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 3380) to amend section [illegible] of the Revised Statutes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 3381) granting a pension to Mary Gardner; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3382) granting an increase of pension to George W. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 3383) for the relief of Adelaide E. Grant and Alice Adelaide Grant; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3384) for the relief of the heirs and legal representatives of those civilian employees of the Government who were killed by the explosion of gunpowder and 13-inch shell at the United States naval magazine, Iona Island, New York; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3385) granting an increase of pension to John A. Blair; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 3386) for the relief of Charles Seymour; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PROCTOR introduced a bill (S. 3387) for the relief of the estate of F. Z. Tucker, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3388) to remove the charge of desertion from the military record of John Gibbons; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3389) granting an increase of pension to John V. Carpenter; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3390) granting a pension to Emily E. Crane;

A bill (S. 3391) granting a pension to Effie Sullivan;

A bill (S. 3392) granting an increase of pension to Cyrus N. Bradley;

A bill (S. 3393) granting an increase of pension to Joseph Porter;

A bill (S. 3394) granting an increase of pension to Joseph B. Crawford;

A bill (S. 3395) granting a pension to A. O. D[illegible];

A bill (S. 3396) granting a pension to Hallie W. Date;

A bill (S. 3397) granting an increase of pension to George B. Christy;

A bill (S. 3398) granting an increase of pension to Alexander R. Fuller;

A bill (by request) (S. 3399) granting a pension to Esther M. Noah; and

A bill (S. 3400) to amend the act entitled "An act granting a pension to Ella Sessions Kirk," approved February [illegible], 1903.

Mr. ALLISON [illegible] a bill (S. 3401) [illegible] Florence Lambert; which was read twice by its title, and referred to the Committee on Claims.

Mr. MALLORY introduced a bill (S. 3402) for the relief of the Grove Methodist Church at Reams Station, in Dinwiddie County, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3403) granting an increase of pension to Augustus C. Fend; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KITTREDGE introduced a bill (S. 3404) granting a pension to Mildred Eaton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 3405) granting an increase of pension to Mary F. Pentzer; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Mary F. Pentzer, widow of Patrick H. Pentzer, late captain of Company C, Ninety-seventh Regiment Illinois Infantry, together with the affidavits of Dr. N. F. Terry, David M[illegible], Mrs. Kate R. Little, and R. B. Spencer. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3406) granting an increase of pension to Amanda D. Penick, and for other purposes; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of Mrs. Amanda D. Penick, together with the affidavits of Drs. S. F. Carpenter and Jacob Geiger, J. S. [illegible], E. E. Loan, and H. K. White, also letters from the War Department and Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3407) granting an increase of pension to James H. Karr; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of James H. Karr, together with the affidavits of Dr. E. P. Vaughan and Elisha Darby, and a copy of military record. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. HEYBURN introduced a bill (S. 3408) granting a pension to Lizzie Breen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALGER introduced a bill (S. 3409) to empower the Secretary of War to [illegible] of [illegible] in [illegible] soldiers; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENT TO INDIAN APPROPRIATION BILL.

Mr. CLAPP submitted an amendment authorizing the Chippewa Indians of the State of Minnesota to dispose of the timber on their respective allotments, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

CARE OF DELINQUENT AND DEPENDENT CHILDREN.

On motion of Mr. GALLINGER, it was

[illegible] Committee on [illegible] be discharged from the consideration of the resolution [illegible] for the use of the Committee on the District of Columbia.

CALIFORNIA STATE CLAIMS.

Mr. PERKINS submitted the following resolution; which was referred to the Committee on Claims:

[illegible] the Committee on [illegible] be instructed to report back to the Senate the bill (S. 1[illegible]) [illegible] the provisions of said act and report to the Senate in accordance [illegible]

REVOLUTION IN PANAMA.

Mr. STONE. I submit a resolution and ask that it be read and then that it lie on the table, subject to my call. I shall submit some remarks upon it hereafter.

The resolution was read, as follows:

Resolved, That the Committee on Foreign Relations be, and hereby is, authorized [illegible] money taken and [illegible]

The PRESIDENT pro tempore. The Senator from Missouri asks that the resolution lie on the table, subject to his call. Is there objection? [illegible]

Mr. CULLOM. I [illegible] to go to the Committee [illegible]

The PRESIDENT pro tempore. But the Senator from Missouri asks that it lie on the table for the present, subject to his call.

Mr. CULLOM. So I understand.

The PRESIDENT pro tempore. The Chair hears no objection to the request.

REMOVAL OF SNOW AND ICE.

The bill (H. R. 9866) making appropriations for clearing the Potomac River of ice, and for the removal of snow and ice in the District of Columbia was read twice by its title.

Mr. ALLISON. This is a bill of emergency as respects the situation here in the District. I have consulted with [illegible] the Committee on Appropriations, and we think it ought to go [illegible] without delay. Therefore I ask unanimous consent for its immediate consideration.

The Secretary read the bill, as follows:

[illegible] of Columbia, [illegible]

For cleaning snow and ice from cross walks and gutters, under the act approved March 2, 1895, $5,000.

The Senate, by unanimous consent, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. ALLISON. I ask that the letters from the Commissioners of the District of Columbia may be printed in the RECORD in connection with this bill.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Iowa.

The letters referred to are as follows:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 7, 1904.

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations, United States Senate.

[illegible] Committee on Appropriations for clearing the Potomac River of ice, and for the removal of snow and ice in the District of Columbia, [illegible] and [illegible] the ice in front of said [illegible] property [illegible] over that provided in former years [illegible] in the season of the present [illegible] it probable that it may be [illegible] before the [illegible] of snow. A further [illegible] the pavement, or below the [illegible] to be done.

Very respectfully,

HENRY B. F. MACFARLAND,
President of the Board of Commissioners of the District of Columbia.

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 11, 1904.

Hon. WILLIAM B. ALLISON,
Chairman Committee on Appropriations, United States Senate.

DEAR SIR: The Commissioners of the District of Columbia have the honor [illegible] for the purpose of [illegible] the cross walks to a width of 10 feet and the gutters to the [illegible] whether this amendment was [illegible] be used only for the removal of snow and ice [illegible] shown that snowstorms are more prevalent [illegible] the winter months, and for that [illegible] draft of resolution is deemed to be [illegible]

Very respectfully,

HENRY B. F. MACFARLAND,
President of the Board of Commissioners of the District of Columbia.

ADJUSTMENT OF POSTMASTERS' SALARIES.

Mr. BURROWS (by request) submitted the following resolution; which was referred to the Committee on Post-Offices and Post-Roads:

Resolved by the Senate, That the Postmaster-General be, and hereby is, directed to report to the Senate the amounts of salaries of all postmasters in the various States and Territories, adjusted under the act of 1854, and the amount of salary of each such postmaster adjusted and paid under the act of 1864, so that the excess of 10 per cent [illegible] computed salary under [illegible] was paid by the act of [illegible] and the amount so [illegible] was made to the Postmaster-General for payment prior to January 1, 1897.

SAFETY APPLIANCES ON RAILROADS.

Mr. PATTERSON. I offer the resolution which I send to the desk, and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The resolution submitted by [illegible] will be read.

The Secretary read as follows:

[illegible] the safety appliance [illegible] and [illegible] cases of all orders made by the Commission with respect to said acts.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. KEAN. Mr. President, let that resolution go over. I should like to examine it.

The PRESIDENT pro tempore. Objection being made, the resolution will go over under the rule.

CHANGES IN RAILWAY TARIFF RATES.

Mr. QUARLES. I offer the resolution which I send to the desk, and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read as follows:

[illegible] and [illegible] 1902, and [illegible] by them [illegible] in force during the fiscal year [illegible] and [illegible] grain, flour, hay, and sugar, during the [illegible]

Mr. GALLINGER and Mr. KEAN. Let that go over.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

TESTS OF SUBMARINE BOATS.

Mr. FOSTER of Washington submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Navy be, and he is hereby, directed to [illegible] Senate on Roberts and Vermont of record in the Navy Department [illegible] have been made during the year [illegible] the acceptance tests of such boats, if [illegible] been made.

THOMAS KENNEDY.

Mr. CLAPP submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That [illegible] be employed by the Sergeant-at-Arms as laborer in the Senate [illegible] at a salary of $840 per annum, to be paid from the contingent expenses of the Senate, the said employment to take effect January 15, 1904.

COMPILED STATUTES, 1901, WITH SUPPLEMENT.

Mr. CLAPP submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be, and he is hereby, authorized to purchase from the West Publishing Company the series of the Compiled Statutes of 1901, with the supplement for 1903, at a cost not to exceed $[illegible] per set.

That said statutes be supplied to the various Senate committees, and that any remaining be for the use of the Senate generally.

ORDER OF BUSINESS.

The PRESIDENT pro tempore. Is there further morning business? If not, the Chair lays before the Senate the various resolutions and amendments thereto relative to an investigation of the Post-Office Department.

Mr. PENROSE. I ask unanimous consent for the consideration at this time of the bill (S. 255) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.

Mr. MORGAN. I ask the Senator to allow that to be postponed for a moment. I think the order of morning business has not been completed. On the 11th of this month I offered a resolution, numbered 32, which was ordered to lie over and be printed. It has never been called since that time. Yesterday morning the entire morning hour was occupied by the morning business. I think I now have the right to ask that that resolution may be laid before the Senate.

The PRESIDENT pro tempore. By unanimous consent it was

agreed that after the conclusion of the routine morning business the resolutions known as the Post-Office investigation resolutions should be taken up.

Mr. McCREAN. May I ask, then, whether my resolution, in case [illegible] of that unanimous consent, goes to the Calendar?

The PRESIDENT pro tempore. No; that resolution lies on the table. The resolution of the Chair is that the Senator when he offered the resolution, asked that it lie upon the table until called for his call.

Mr. MORGAN. Oh, no; that is a mistake.

The PRESIDENT pro tempore. The Chair thinks it is well that the Senate should understand the position which the present Presiding Officer will take in reference to the resolutions, which are accumulating so rapidly on the table. A former Presiding Officer of the Senate ruled that resolutions were entitled to their hour in court, and under his ruling they were permitted to lie on the table until such time as an opportunity was afforded to lay them before the Senate. While the Chair sees in the rule nothing which perhaps might justify such a decision, yet, under all the circumstances, the Chair will hold that these resolutions are entitled to an hour in court and that they will lie on the table until the opportunity is afforded for a hearing upon them, each taking its turn in the order it has been offered.

Several Senators. That is right.

Mr. PLATT of Connecticut. What does the Chair mean by such resolutions having "an hour in court?" Does he mean sixty minutes or until 2 o'clock?

The PRESIDENT pro tempore. The Chair used the expression "an hour in court" as a mere technical phrase, only meaning thereby that if in any one morning during the morning hour a resolution had been considered and not completed, on the next day it would go to the Calendar.

FARMERS AND MECHANICS' NATIONAL BANK OF PHILADELPHIA.

Mr. PENROSE. Now, Mr. President, I renew my request that the Senate proceed to the consideration of Senate bill 255.

Mr. LODGE. What has become of the Post-Office resolutions?

The PRESIDENT pro tempore. The Chair has laid the Post-Office resolutions before the Senate. They being before the Senate, the Senator from Pennsylvania [Mr. PENROSE] was recognized and asked unanimous consent for the present consideration of a bill.

Mr. PENROSE. It is a short bill, and I should like to have the Senate consider it.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks unanimous consent for the present consideration of a bill, which will be read for the information of the Senate.

The Secretary read the bill (S. 255) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa., and, there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to issue to the Farmers and Mechanics' National Bank, Philadelphia, Pa., a duplicate in lieu of United States gold certificate of the act of March 14, 1900, series of 1900, No. 76514, for $20,000, issued by the assistant treasurer of the United States, Philadelphia, Pa., on July 18, 1903, payable to the order of the Farmers and Mechanics' National Bank, Philadelphia, Pa., and alleged to have been lost, but the Farmers and Mechanics' National Bank shall first file in the Treasury a bond, in the penal sum of double the amount of the principal of the said certificate, with good and sufficient sureties to be approved by the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any claim because of the lost certificate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. LODGE. I ask for the regular order, Mr. President.

The PRESIDENT pro tempore. The Chair lays before the Senate the regular order, being the various resolutions and amendments thereto relative to an investigation of the Post-Office Department, on which the Senator from Maine [Mr. HALE] has the floor.

Mr. GORMAN. Mr. President——

Mr. HALE. I was going to call the attention of the Senator from Maryland, who was not here yesterday, to the fact that I then stated that before the resolutions went to the committee I had some remarks to make—not extended—and I asked that the resolutions go over until to-day, holding their same place, to come up after the routine morning business. The debate on other matters consumed the whole time yesterday, and so I did not have an opportunity to get my figures into proper shape. I should like very much—I do not want to delay the reference of the resolutions—to have the resolutions go over until to-morrow morning, to keep their same place, to come up after the routine morning business, and I promise the Senate there will be no further delay so far as I am concerned.

Mr. GORMAN. I have no objection to that.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the pending resolutions go over until to-morrow morning, to be taken up immediately after the routine morning business. Is there objection? The Chair hears none, and that order is made.

A. R. CRUZEN.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution heretofore submitted by the Senator from Tennessee [Mr. CARMACK], which will be read.

The Secretary read the resolution submitted by Mr. CARMACK on the 15th of December, 1903, as follows:

Resolved, 1. That the Secretary of the Treasury be directed to inform the Senate whether any report has been made to the Treasury Department by L. Cullom, special agent of the Treasury, with respect to the conduct of A. R. Cruzen, collector of customs in Porto Rico, and, if so, to transmit the same to the Senate with a statement of what action, if any, has been taken thereon.

Mr. ALLISON. In the absence of the Senator from Tennessee, I ask that that resolution may go over without prejudice.

Mr. FORAKER. I should like to have the resolution again read.

The PRESIDENT pro tempore. The Secretary will again read the resolution.

The resolution was again read.

Mr. ALLISON. Let it go over without prejudice.

The PRESIDENT pro tempore. The Senator from Iowa asks that the resolution may go over, retaining its place.

Mr. CARMACK entered the Chamber.

The PRESIDENT pro tempore. The Senator from Tennessee [Mr. CARMACK] is now here.

Mr. CARMACK. What is the resolution, Mr. President—the one I offered in relation to the collector of customs in Porto Rico?

The PRESIDENT pro tempore. That is the resolution.

Mr. CARMACK. Has that resolution gone over, Mr. President?

The PRESIDENT pro tempore. No; it has not. In the absence of the Senator from Tennessee, the Senator from Iowa asked that it might go over and retain its place.

Mr. CARMACK. Mr. President, I do not care to make any address to the Senate on that resolution. I wish simply to say——

Mr. FORAKER. I hope the Senator will not object to the resolution going over until to-morrow.

Mr. CARMACK. No.

Mr. FORAKER. I make that request, inasmuch as perhaps it pertains to a matter which is within the jurisdiction of the committee of which I am chairman. I should like to have it go over until to-morrow.

Mr. CARMACK. Very well, Mr. President.

The PRESIDENT pro tempore. The resolution will go over, then, by unanimous consent, retaining its place.

RELATIONS WITH COLOMBIA.

Mr. HALE. I ask unanimous consent that I may now—not for any action—offer a substitute for the resolution of the Senator from Georgia [Mr. BACON] which was offered and debated yesterday, in order that the substitute may be printed and come up with that resolution when it comes up.

Mr. MORGAN. Let the proposed substitute be read.

Mr. HALE. Yes; let it be read. I simply ask to have it printed and go over with the resolution of the Senator from Georgia.

The PRESIDENT pro tempore. The Senator from Maine [Mr. HALE] offers an amendment in the nature of a substitute for the resolution yesterday submitted by the Senator from Georgia [Mr. BACON]. The proposed substitute will be read.

The Secretary read as follows:

Whereas the State of Panama, formerly a part of the Republic of Colombia, has seceded from that Republic and has set up a government republican in form under the name of the Republic of Panama; and

Whereas the independence of said republic of Panama has been recognized by the United States [illegible]; and

Whereas a treaty [illegible] between the United States and the Republic of Panama [illegible] United States [illegible] of the Republic of Panama [illegible]; and

Resolved, That its action [illegible] Republic of Colombia in any claim may make against the said Republic of Panama [illegible] territory or [illegible] President is requested to [illegible] of Colombia and the Republic of Panama.

Mr. LODGE. Mr. President, is the resolution of the Senator from Georgia now before the Senate?

The PRESIDENT pro tempore. It is not. The amendment intended to be proposed by the Senator from Maine will be printed, and go over with the resolution of the Senator from Georgia.

Mr. BACON. I understand that the only action taken is to offer the proposed substitute, and that it is to accompany the original resolution, whatever disposition may be made of it.

Mr. HALE. That is precisely what I intend.

The PRESIDENT pro tempore. The proposed substitute will be recorded as the pending amendment.

Mr. BACON. I do not desire, in view of what passed yesterday, to be understood as consenting to that as a substitute.

INTERVENTION IN COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution submitted by the Senator from Maryland [Mr. GORMAN], coming over from a previous day. The resolution will be read.

The Secretary read the resolution submitted by Mr. GORMAN on the 5th instant, as follows:

Resolved, That the President be requested, if not in his judgment incompatible with the public interest, to inform the Senate—

1. The date when any [illegible] through which the United States intervened for [illegible] New Granada or Colombia under the treaty of 1846, which [illegible] were entitled to [illegible] by the Government of New Granada, or in consequence of any other [illegible] on of either, and also to transmit to the Senate copies of the letters or notes in the Department of State, and of the orders by the Navy Department relating to such intervention.

2. Also to inform the Senate whether or not the United States has been asked by New Granada or Colombia or any official representative of either to execute by arms [illegible] the guaranty of the neutrality of the Isthmus [illegible] New Granada or Colombia over the [illegible] if the United States has been so asked, then the dates and circumstances thereof, and to send to the Senate copies of the letters or notes in each case conveying the application and what was done thereunder by the United States.

3. And also to inform the Senate in which, if any, of the disturbances on the Isthmus of Panama [illegible] President [illegible] the United States [illegible] on its own initiative and uninvited by the Government owning the Isthmus, and also to inform the Senate of the circumstances in each case which required such intervention, and transmit copies of the orders issued by the Navy Department [illegible].

4. And also to inform the Senate of the dates when and circumstances under which the United States has intervened in the internal affairs of New Granada or Colombia by military force in aid of a revolt or revolution, or [illegible] presence of the peace therein, or to suppress such revolt, rebellion, or disturbance.

5. And also to inform the Senate which words, if any, in the treaty of 1846 authorized the United States, in the opinion of the President, to enter by military force and uninvited into the territorial jurisdiction of New Granada or Colombia in order to prevent the interruption or embarrassment of free traffic across the Isthmus.

Mr. CULLOM. Unless it is desired that the resolution be now debated, I will move that it be referred to the Committee on Foreign Relations.

Mr. CARMACK. Mr. President, I desire to be heard on that resolution.

The PRESIDENT pro tempore. The Senator from Illinois [Mr. CULLOM] moves the reference of the resolution to the Committee on Foreign Relations.

Mr. SPOONER. Will the Senator from Tennessee allow me first to move an amendment?

Mr. CARMACK. Certainly.

Mr. SPOONER. The Senator from Tennessee allows me to move an amendment before he addresses the Senate. I move to strike out the fifth division of the resolution.

The PRESIDENT pro tempore. The Senator from Wisconsin moves an amendment, which will be stated.

The SECRETARY. It is proposed to strike out the fifth clause of the resolution, as follows:

Fifth. And also to inform the Senate which words, if any, in the treaty of 1846 authorized the United States, in the opinion of the President, to enter by military force, and uninvited, into the territorial jurisdiction of New Granada or Colombia, in order to prevent the interruption or embarrassment of free traffic across the Isthmus.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Wisconsin [Mr. SPOONER].

Mr. GORMAN. Mr. President, I understand the Senator from Tennessee [Mr. CARMACK] desires to be heard on the main proposition.

The PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. CARMACK. Mr. President, I heard the other day with pleased attention the lecture on true statesmanship with which the Senator from Massachusetts [Mr. LODGE] favored the Democratic side of the Chamber. It is always a blessed event when the Senator from Massachusetts descends from Boston to the earth with a revelation to mankind. [Laughter.] I was suitably impressed by the Senator's appeal that we disburden ourselves of partisan considerations and rise to the height of this great argument. I should have been very much more impressed, however, if the evidences of the Senator's own intense and blinding partisanship had not exuded from him in every word that he uttered.

If the Senator himself were not possessed by a spirit of partisanship that dominates his every act and word, some things might be plain to the Senator which in his present condition he can neither appreciate nor understand. He might be able to understand that a man may oppose a flagrant violation of the Constitution and statute laws of the United States, to say nothing of the fundamental principles of international law and the obligations of a solemn treaty, without being actuated by motives as bad as the act he condemns. The Senator might even come to understand that a Republican Senator may honestly feel that he owes higher obligations to his country and to its laws than he does to the head of his own party.

The Senator spoke with truth and spirit of the rules that should limit the conduct of the opposition to the party in power. I wish the Senator could also understand that there should be some limits to the zeal and fidelity of Administration supporters in Congress and that these limits are reached when they are called upon to applaud it for treating with indignity their own most solemn legislative acts and for trampling upon the laws which they themselves have made.

I wish the Senator could understand that even a partisan Congress, whose lawful acts have been treated with contempt by a partisan Executive, has as much right to assert its privileges as had an English Parliament in the days of the Stuarts, and that it is not bound to do everything in its power to deserve the contempt it has received. I wish it could be understood here, Mr. President, that the spirit of the English peasant who boasted that he had once been kicked by a duke has no proper place on the floor of this American Senate.

If the Senator were less of a partisan than he is, he would not try to make it appear that a simple demand that the President proceed with the construction of a canal, as positively required by law, is an attempt to obstruct the building of a canal. If the Senator were less of a partisan he would be standing here denouncing the acts of this Administration as a usurpation of power, precisely as he would be doing if the same acts had been done by a Democratic President.

Nobody here, Mr. President, is trying to make an issue of the Panama Canal or to make an issue of the canal at all. The issue that arises out of this matter is the simple question of whether the President of the United States can substitute his own will for the law of the land. There has been partisanship in this matter, Mr. President, but it has not been with the Democratic party. We voted for the Nicaragua route. When that was defeated we voted for the route preferred by Senators upon the other side of the Chamber, but we did so in full faith that if the President should fail within a reasonable time to negotiate a treaty with Colombia he would obey the plain mandate of the law by going to the Nicaragua route.

The partisanship that has been exhibited in this matter has been in the refusal of the President to obey the law rather than construct a canal along the route favored by the Democratic party. That is partisanship, Mr. President, in its worst and most vicious form. A partisanship which opposes everything offered by the other party, whether right or wrong, is indeed contemptible; but a partisanship which violates the plain letter of the law, rather than give an apparent advantage to the other party, is too dangerous to be called contemptible.

The Senator had some things to say of the stupidity of the Democratic party. There are many things, Mr. President, that must always seem stupid to this sensation-loving Administration. The Democratic party is not trying to make the business of government interesting and diverting by turning it into a theatrical performance or by making fireworks of the Constitution and laws. It is simply trying to do its part in the dull and prosaic task of governing the country in a lawful and constitutional way. That sort of thing must always seem stupid to those who believe that the chief end of government is to furnish red-letter headlines for the yellow newspapers.

I do not intend to discuss the details of the Panama treaty, though I believe it ought to be considered in open Senate and that every word of the debate ought to be in the hearing of the American people. We have the example of the utmost freedom—I had almost said the utmost license—of discussion enjoyed by the State Department and by the defenders of this Administration, a license which permits a mercurial French adventurer, masquerading as the comic-opera representative of a comic-opera Republic, to discuss the course and politics of the United States, to discuss its treaties and interpret its laws, and to lecture the members of this honorable body upon the performance of their public duties, and it seems to me that something of the freedom enjoyed by these shirt-sleeve diplomatists might come within the privileges of the Senate.

It has even been suggested that we should not discuss the conduct of the President in the Panama matter except in executive session. I do not see why we should get behind barred doors and

speak with bated breath and whispered humbleness when dealing with [illegible] power. I intend to [illegible] respect of the high office of President, but I [illegible] [illegible] may happen in world politics [illegible] and to the people to be [illegible] of every act of the President in the [illegible] of international law or [illegible] the Chief Executive [illegible]

[illegible] law, as authoritatively interpreted and the great [illegible] to and including William [illegible] and darkness [illegible] a state in the [illegible] common sense as a [illegible] of a defined territory, and a nation must have [illegible] the ability to hold that territory for its protection against all the efforts of the [illegible] and the maintenance of its [illegible] It must be prepared to administer justice [illegible] the health and happiness of its inhabitants, to protect the rights of aliens, and to discharge its obligations to foreign nations.

This so-called Panama Republic, Mr. President, had not even the form or semblance of a republic and hardly any of the attributes of a nation. It had no army or navy, except such as were regarded as a source of danger rather than as a means of defense. It had no constitution, no legislature, no courts, no laws, no form or system of government. Without violating all the precedents to which we have scrupulously adhered throughout all our history, we could not have recognized it even as a belligerent power. We hastened to recognize it as a sovereign and independent nation before it had given the slightest evidences of stability or even of popular support.

The Senator from Massachusetts [Mr. LODGE], it seemed to me, [illegible] a great deal of [illegible] in attempting to show that the recognition of new states belongs exclusively to the Executive. I am not concerned, for the purpose of this argument, to dispute that proposition. Admitting it to be true, it does not mean that there is no law to govern this matter except the President's will. It does not mean that the law of recognition is to be governed by the length of the President's foot or even by the size of his hat. The rule, Mr. President, is a plain and simple one, and we have adhered to it throughout all our history, sometimes under the strongest temptations, from self-interest and other causes, to depart from it.

That rule is that the independence of a new state must exist as an undoubted fact before it can be recognized as a fact. When the new state shall have firmly established its independence, after it has successfully repelled every effort to subjugate it, after all efforts have been practically abandoned or become manifestly hopeless, then, and not until then, can other nations deal with it as a sovereign and independent power.

That was the rule we took for our guidance in dealing with the revolted colonies of Spain. The sympathies of this country and of the Government were strongly with those revolting colonies. That sympathy was due not simply to sentiment, but to a feeling that our own peace and security would be promoted by the disappearance of Spanish power from this hemisphere.

Yet, Mr. President, in spite of that strong temptation and with that great national interest in the struggle, we adhered to this principle. We waited until these colonies had established their independence, until Spain herself had virtually abandoned the struggle, before we recognized them as members of the family of nations.

The same rule was laid down by President Grant and repeated by President McKinley with reference to the recognition of Cuba. It was the rule laid down by President Andrew Jackson in dealing with the case of Texas. I desire to insert here in the RECORD, without reading, an extract from Jackson's message on that question:

[From the message of President Jackson to Congress, December 21, 1836.]

[illegible] Texas was once claimed as a part of our property, and there are those among our citizens who [illegible] A large proportion of the civilized inhabitants are emigrants from the United States, speak the same language with ourselves, other similar [illegible] purposes, and religion, and are bound to many of our citizens by ties of friendship and kindred blood; and more than all, it is known that the people of that country have instituted the same form of government with our own, and have since the dissolution of your last session openly proclaimed, on the actual spot, by open deeds, that independence [illegible] as that of the United States. Such a state of circumstances is a matter of peculiar delicacy and forms upon us considerations of the gravest character. The title of Texas to the territory she claims is disputed with her independence. She asks us to acknowledge that title to the soil, with an avowed design to treat immediately of its transfer to the United States. It becomes us to beware of a too early movement, as it might subject us, however unjustly to the imputation of [illegible] our neighbors [illegible]

[illegible] are Jackson's action with that of the present occupant of the White House. Jackson's whole soul was no doubt on fire with sympathy for the struggling patriots of Texas. Their leader [illegible] Thermopylæ at the Alamo—a Thermopylæ that [illegible] ger of defeat.

But in addition to that, the State of Texas had already signified its intention and desire to seek admission into the American Union. It meant a vast increase to the territorial [illegible] United States, it meant a year [illegible] and population. Yet President Jackson said because of the very fact that we had so great an interest in the issue of this struggle we should be unusually careful in adhering to the strict principles of international law, that no taint or suspicion should attach to the conduct of the United States.

So, Mr. President, we waited until Texas had achieved her own independence, until Mexico itself had [illegible] and when Texas came into this Union she brought with her no stain of dishonor on American diplomacy or American arms. What a contrast, Mr. President! Compare that act with this act of the President of the United States, not to secure a canal, because that was already secure by the law, not to hasten the construction of a canal, because the Canal Commission had told him that the canal could be constructed more quickly by the other route, not for these reasons, but simply to obtain the doubtful and disputed advantage of one [illegible]

Mr. President, I shall take Andrew Jackson and not Theodore Roosevelt for my guide. When my conduct is questioned before my own people I do not doubt what answer will be given [illegible] that proud old State in whose bosom sleep the ashes of Old Hickory and among whose people his spirit is abroad.

But the President himself has abandoned this line of defense. Although one of the ablest Republicans in Congress was put forward to make an ingenious and fallacious defense to show that the President was acting in line with precedents, they have been routed and driven from this untenable position, and now the President in his message admits that he was not acting in accordance with the principles [illegible] new states or with the precedents of this country or the usages of nations in that regard.

His plea now is that he was under the compulsion of an imperious necessity—that necessity that knows no law and cares for none. The assumption is [illegible] upon us again and again in his message that Colombia controlled the whole Isthmus and every practicable route for a canal; that Colombia and Colombia alone stood there barring the pathway of civilization and commerce between the Atlantic and the Pacific oceans. He would have us believe that he was confronted by some [illegible] by some unforeseen contingency that required of him prompt and heroic action. The answer is, Mr. President, that the very contingency that arose, the very condition that confronted him, had been foreseen and provided for by law and his duty laid down.

He tells us with a vague magnificence of language that he has received a "mandate from civilization" to construct this canal along the Panama route and nowhere else. The President is not sworn to execute any vague and undefined mandate of civilization. He is sworn to obey the Constitution and to execute the laws of the United States. He has no right to set them aside at the behest of some imaginary mandate of civilization that may happen to rise in his bosom and [illegible]

The President was acting under a law, under the so-called Spooner Act. That act required him to negotiate, if possible, a treaty with the Republic of Colombia for a strip of land through her dominions and to construct thereon this canal. But it further provided that if he should fail within a reasonable time to secure those rights from Colombia he should proceed to the Nicaragua route. That was the plain letter of the law. The only thing necessary to secure this canal and to secure it without delay was for the President to obey that law.

The President makes it plain in his message that he never intended under any circumstances to execute the provisions of the law. I read a passage from page 6 of his message:

A second alternative was that by the close of the session on the last day of October, without the ratification of the treaty by Colombia and without any steps taken by Panama, the American Congress on assembling early in

November would be confronted with a situation in which there had been a failure to secure the rights necessary to building the canal along the Panama route and [illegible] a course of action [illegible] such as would justify the Administration going to the Nicaragua route.

Now, what does he say should be done under those circumstances?

[illegible] Congress as to whether under such circumstances it would find the Isthmian canal project [illegible] what further steps were needful in order to [illegible] the Government.

In the name of common sense, what does the Administration mean when it says that in such case there had been no lapse of reasonable time? The President has stated a case in which [illegible] had been definitely and finally and conclusively rejected, in which all further negotiations had been abandoned, in which he felt he was driven to some other course, that of making a treaty with a dependent province of Colombia, and yet he says there had not been a lapse of reasonable time.

The President seems to consider that this law gave him a reasonable time to obtain this territory by any method he might see fit to employ. The Spooner Act simply gave the President a reasonable time within which to make a treaty with Colombia; and upon the lapse of that reasonable time without any treaty being negotiated, it was his duty under the law to go to the Nicaragua route. It was so understood by every Senator upon this floor when that law was being considered. I do not believe any Senator will stand here and say that he now understands it otherwise. It was so understood so by the Administration itself when this treaty was being negotiated; and I beg leave here to read a statement from Secretary Hay. Here is how the Secretary of State [illegible] that law:

The President is [illegible] and [illegible] to negotiate a treaty with Colombia for the control of the Panama route, he will then proceed to carry out the law [illegible]

A reasonable time to arrange a satisfactory treaty with Colombia. That is the law. That was the measure of the President's duty. It was the limit of his discretion in this matter. It was so understood by every Senator when the law was passed, and it was so understood by the Administration itself when the treaty was being negotiated.

There had not been a lapse of reasonable time! When does the [illegible] of reasonable time within which to arrange a treaty if it does not [illegible] to secure a treaty has failed and all further efforts have been abandoned?

Mr. President, the action of the Administration in this matter has been [illegible] on the very ground of the unreasonable delay [illegible] Colombia. Her conduct in delaying this treaty has been [illegible] and unreasonable as to justify the President in taking this high handed action.

When we ask why it is the President took this extreme and [illegible] course we are answered that it was because of the [illegible] When we ask "Why, then, did you not go to [illegible] as provided by law?" the answer is, "There had not been a lapse of reasonable time." So it seems, according to the [illegible] of this Administration, that there may be an unreasonable delay in accomplishing an object, but without a lapse of reasonable time.

The President says in his message that he had two alternatives of [illegible] upon the lapse of a reasonable time without the negotiation of a treaty with Colombia, but neither of those alternatives was what Secretary Hay calls the alternative of the statute. One was to go and dig the canal anyhow, treaty or no treaty. The other was to take advantage of an insurrection in Panama and to make a treaty with that country. Never for one moment did he consider anything that had in it so little of the strenuous and the sensational and the spectacular as the plain and simple plan of executing the law.

[illegible] of the State Department, made a speech in New York a few days ago in which he spoke of the "grave possibilities which confronted this Government as it peered into the future and sought to provide intelligently for the many serious complications and contingencies which the President foresaw." I will pause to remark that if instead of peering into the future the President had simply peered into the law, he would have found an easy way out of all his troubles. Mr. Loomis continues:

[illegible] in Panama had not occurred; if the American people, [illegible] the Nicaragua route, an insurrection in the Isthmus, or the [illegible] country had resulted that we would have a war on our hands, and Congress, too, would have been called upon to declare a state of war, [illegible] were ready to negotiate a new canal treaty, etc.

We learn from this statement that the Administration was proceeding upon the assumption that the Nicaragua route was impracticable and that it had been so decided by the American people.

This speech comes right from the bosom of the Administration. I saw in the papers that the President wrote a letter to Mr. Loomis thanking him for his able and correct exposition of the Administration's conduct. We may assume, therefore, that those utterances were inspired, that they came not from the [illegible], and that they express the views of the Administration. I beg leave to unite with the President in thanking Mr. Loomis for his frank statement that the President, of his own motion, had set aside the Nicaragua route as impracticable, and that he never intended to execute this provision of the law.

But, Mr. President, I should be glad to know by what authority Mr. Loomis makes his statement that all the great engineers of the United States have decided and declared that the Nicaragua route is impracticable. A more unfounded statement never escaped from the lips of any human being. It has been declared practicable again and again by the greatest engineers of the United States and of the whole world. Our engineers, selected for that very purpose, have again and again declared the practicability of the Nicaragua route, and the very last Canal Commission, upon whose report the Spooner law was founded, declared with reference to the two routes—I quote the very language of the report—"both are entirely feasible and practicable."

Here we have a report of the Commission selected by the President to advise him upon this matter, which tells him that this route is entirely practicable; that it is entirely feasible; and Congress, acting upon that report, enacts a law which instructs him under certain conditions to proceed to construct the canal by the Nicaragua route. The President takes it upon himself to say: "This route is impracticable, and I will not do it." He sets his own judgment above that of the greatest engineers in this country and in the world, and he sets his own will above the law of the United States. No eminent engineer of whom I have ever heard has pronounced the Nicaragua route impracticable, unless it be the one who engineered the Panama revolution.

The President seeks to derive from the treaty of 1846 an argument in favor of his action in this matter. He admits that there is no express provision in that treaty which gives him a right to go there and construct a canal whether or no. But, without there being any express provision, he says that is what the treaty was intended to mean. The answer is that if it is not there, it is not there. Sovereign powers, when making solemn treaties, do not write anything between the lines. They do not surrender any portion of their sovereignty by implication.

Our rights and Colombia's obligations are to be found in the plain words of the law, and there is absolutely nothing in the language of that treaty which justifies any man for a moment assuming that either of the parties ever intended that there should be a treaty to give this country the right to go there and construct a canal whenever it pleased, without any further negotiations with Colombia. We have never considered ourselves bound to construct a canal along the Panama route.

We have always considered ourselves free, without any regard to the treaty of 1846, to go and build a canal anywhere we pleased. Colombia had as much right under that treaty as we had, and the very law under which the President was acting expressly recognized the right of Colombia to reject this treaty by providing that the President should go elsewhere if she did reject it.

It seems to me that the President was singularly unfortunate in attempting to justify his course in this matter by appealing to the right of intervention, which is recognized in certain extreme and exceptional cases. Here there was no right of intervention anywhere, but under no possible circumstances could that right belong to him. Even if he had gone no further than the mere fact of recognition, that being done avowedly for the purpose of giving support and strength to an insurrectionary movement, I say a proper regard for the spirit of the Constitution would have required him to have the consent of Congress in advance.

President Jackson laid down the principle that wherever the act of recognition is likely to lead to war, then the President, with proper respect for the Constitution, ought first to have the consent of Congress before acting in the matter. Here the act of recognition was avowedly for the purpose of giving aid and comfort to the insurrection. It was accompanied by words of contempt and scorn. It was preceded and accompanied and followed by acts of absolute violence against Colombia.

But the President did not stop with the act of recognition. He actually intervened. He sent the war ships of the United States there to drive the troops of Colombia from her own territory, to keep them from suppressing an insurrection against her own authority.

I say here there was no cause for intervention by anybody, but [illegible] that [illegible] belong to the President of the United States because intervention is war, and the right to declare war, to begin war, belongs to Congress and not to the President.

If acts in this matter were not simply unfriendly, they were not simply offensive, they were not simply a cause of war, but they were war. The use of the military power of a country exerted directly upon another nation is war, no matter whether a single gun is fired or not. It is the use of military force, that is the essence of war.

As a matter of fact, Mr. President, there never was any real insurrection in Panama. There never was anything that deserved to be considered or spoken of as an uprising of the people. There has been a great deal of [illegible] among thinking men and against their oppressors. To all intents and purposes there was but one man in that insurrection, and that man was the President of the United States.

There never was anything there which could not have been quelled by a squad of [illegible] policemen if the power of the United States Government had not been behind it. There never was any government there and is not now that could stand for a day or an hour without the support of the United States. The Republic recognized by the President was a purely fictitious one, a sort of John Doe or Richard Roe, invented for the convenience of this military action in contravention.

An overwhelming majority of the people never knew that any revolutionary movement was afoot until the whole thing was over and the so-called Republic had been proclaimed. I have a statement here from Mr. Merril A. Teague, a gentleman of the highest character and standing, chosen by one of the leading newspapers, an Administration organ, the New York Tribune, as their staff correspondent in Panama. He gives a plain unvarnished statement of the conditions there. He does not deal in generalities. He gives names and dates and specific facts.

The facts are, Mr. President, that this conspiracy was organized by a little band of seven men taking into their confidence four Americans, one of whom was Colonel Black, of the United States Army. What was the manifestation of this unexampled unanimity and zeal? Were there any great assemblages of the people throughout the State of Panama voicing their protest against Colombian oppression and their demand for independence? Was there any congress assembled of the representatives of that State? There was none.

This little band of conspirators—seven men—finally took into their confidence the members of the municipal council of the little town of Panama, of about 20,000 people, and when the time was ripe for action this little council of eleven men, under the control of those conspirators and with the American war ships conveniently at hand, proceeded to pass an ordinance of secession for a state as large as the State of Indiana.

It is said that the people of Panama rose as one man. They rose, Mr. President, simply as eleven men. The same thing was enacted at Colon later in the day. I have here an American newspaper published at Colon, given me by a colleague in the House, Mr. GAINES of Tennessee, which gives a contemporaneous and uncolored account of the great uprising of the people in Colon. The people were never permitted to know that they were engaged in a revolution. This story is as follows:

When the inhabitants awoke in the morning—

That is, the morning of this great popular insurrection—

When the inhabitants awoke in the morning after a night of unmolested slumber, they little dreamt that their tranquillity would have been disturbed ere the setting of the sun.

On the very verge of a terrible insurrection, little did they dream that their tranquillity was going to be disturbed—the very people who were rising as one man!

But it is the unexpected that often occurs.

This revolution which occurred there was not expected by the people.

It was so in the present case. With the assurance of peace in the country there was nothing known yesterday morning to the public of Colon to have aroused any misapprehension. But disquieting news which had been flashed across the wires from Panama had [illegible] a very great impact had spread throughout the whole town. The news was to the effect that Panama—

That is, the town of Panama—

had declared its independence on the afternoon of the 3d instant. To one and all the news came like a bolt from a clear sky. Nobody cared to talk or express any opinion. Such was the gravity of the situation.

That was the condition of the people who were rising there with unexampled unanimity, rising as one man against the terrible tyranny of Colombia. The news that they were conducting a revolution came to that people like a bolt from a clear sky. No inhabitant dared to express an opinion about the revolution. They rose as one man, Mr. President, but the one man was in the White House.

Mr. TILLMAN. If the Senator will permit me, what sort of a headline has that remarkable story given to it?

Mr. CARMACK. The headline is simply as follows:

THE SITUATION IN COLON—GREAT EXCITEMENT—RAILROAD AMERICAN [illegible] AT PANAMA.

The [illegible]

[illegible] ward of Government officials and movement [illegible] report, and a panic soon seized the [illegible] city.

The people were in a panic. This revolution dumbfounded them. [illegible] consternation among them. They had not dreamed when [illegible] up in the morning that there was going to be a revolution [illegible] day, and when the revolution came it very nearly scared the people to death. The account further says that they rose as one [illegible] and fled to another part of the city to get out of the way of the revolution.

Then, Mr. President, the municipal officials in Colon assembled, as they did in Panama, and proceeded to indorse the secession movement and to declare the independence of the whole State of Panama. Then somebody read a written speech carefully prepared in advance. Then a number of United States officers being present and participating in these proceedings, Colonel Black—this same Colonel Black of the United States Army—was selected to raise the flag of the new Republic.

I wish to make a few remarks on that incident, Mr. President. Here was an officer in the Army of the United States who, from the very first, was in a plot against the peace of a republic with which we were then on friendly terms, and with which we were at the very time conducting friendly negotiations, continuing in that plot until the time for action came, then actively and openly participating with the insurgents, and with his own hand raising the flag of rebellion. We know what would happen if an officer of the United States Army anywhere else in the world should be found plotting with the enemies of a country with which we were at peace and raising the standard of insurrection against it. His commission would not last an hour. He would be subjected to the most severe and condign punishment.

But if the President has not approved this act of Colonel Black, so far as I know he has never condemned it. I do not believe that this officer, a distinguished officer in the American Army, would have publicly and openly engaged in a plot for the dismemberment of Colombia if he had not had good reason to believe that he was doing the will of this Administration. That is what I think about it, Mr. President, and if Colonel Black is never punished for this act I shall know it.

The PRESIDENT pro tempore. The Senator from Tennessee will please suspend while the Chair lays before the Senate, under the rule, the Calendar of General Orders.

Mr. BATE. I ask unanimous consent that my colleague may be allowed to proceed and finish his speech.

The PRESIDENT pro tempore. The senior Senator from Tennessee asks unanimous consent that the junior Senator from Tennessee may conclude his speech. Is there objection?

Mr. BATE. And that the regular order be laid aside.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. CARMACK. The President says that nobody connected with this Government had anything to do with that insurrection. Here is the fact stated by an impartial witness that officers of the United States Army were participating in it and that one of them was in the plot from the very beginning, and so far as I know to the contrary, Mr. President, his act is approved by the Administration.

That is what occurred at Panama. What was our part in this shameful transaction?

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from South Carolina?

Mr. CARMACK. Certainly.

Mr. TILLMAN. Will the Senator inform us, if he has the fact, as to what business Colonel Black had there? What was he doing?

Mr. CARMACK. He was an engineer.

Mr. TILLMAN. I know, but what was his relation to this Government? What was his official capacity?

Mr. CARMACK. He was an engineer officer and had some connection with the canal there.

Mr. PATTERSON. He was the assigned representative of the Government in the great Culebra Cut as an engineer.

Mr. TILLMAN. But as we had nothing to do with that cut, as we had not bought anything, as we had no contract with anybody, as there was no treaty completed, I want to know what errand he had there. By what authority was he there? Under what law was he there?

Mr. CARMACK. I can not tell the Senator that.

Mr. TILLMAN. I should like to locate him.

Mr. CARMACK. The President admits that he was looking forward to an insurrection in Panama as a possible outcome of the situation and as a possible means of relief. The less discreet Mr. Loomis said that they were looking forward to it as expected and inevitable. Here, then, we have the fact that the President was looking forward eagerly, expectantly to an insurrection in Panama as a means of extricating himself from complications that would never have existed if he had obeyed the law.

But, Mr. President, an insurrection in Panama could not possibly have helped the President unless it was successful and unless it was promptly successful. The able Mr. Loomis has told us of the awful consequences that would have ensued from a few months' delay.

This insurrection, to accomplish the President's purpose, must be successful, and immediately successful. The President knew all the chances were that if left alone the insurrection would have been suppressed in the very hour of its birth, and at any rate, even if there could have been a hope of succeeding, they could only have succeeded at the end of a long and terrible war, which would have destroyed the very opportunity for the construction of the canal. He knew then in advance that the only hope of success was a prompt intervention on the part of the United States Government, and these alleged patriots in Panama knew it. Even if they actually felt and hoped that they could achieve their independence, they knew they could not do it except after a long struggle, and that in the meanwhile their object of securing the canal through that territory would have been defeated.

So the President knew that there must be intervention in behalf of Panama to carry out that scheme. The conspirators in Panama also knew it. It was absolutely necessary not only that there should be intervention, and prompt intervention, in behalf of Panama, but that the conspirators in Panama should know in advance that there would be intervention, because they would have known an insurrection would have been hopeless and absolutely useless without assistance from the United States.

There was that fact. Mr. President, and then the fact that an officer of the United States Army, unreproved, was openly participating in the plot and aiding in the insurrection. There was the fact that the conspirators there believed all the time that they would have American war ships on the scene to assist them when the insurrection occurred. There was the fact that they came just as they were expected.

The President says the war ships were sent there to protect the transit. They were sent there, Mr. President, to do what they actually did; that was to keep the troops of Colombia from landing on her own soil to suppress an insurrection against her own authority. That is what they did. That is what they were sent there to do.

We have protected the transit again and again, but never before was the claim made that we had a right to exclude Colombia from her own dominions. Never before was the claim made that we had the right under the treaty of 1846 to support an insurrection against the authority of Colombia. You do not have to read the treaty of 1846 to know that it contains no such preposterous provision. No nation on earth ever surrendered the right to protect its own soil and the integrity of its own domain with its own troops or surrendered to another government the right to suppress an insurrection against its authority. No such thing can be found in the treaty of 1846.

On the contrary, Colombia in that treaty guarantees the safety and freedom of the transit. She undertakes herself to protect it. She has a right and obligation under that treaty herself to protect the transit, and Secretary Hay recognized that in his dispatch to Consul Ehrman, telling him that Panama had succeeded to the rights and obligations of Colombia under the treaty of 1846, and under that treaty she was bound to protect the transit.

Colombia not only had a right—that belongs to every nation, which is never surrendered—to land her own troops there to suppress an insurrection, but she had a right under the very treaty of 1846 to land them there to protect that transit. They were excluded from the Isthmus. They were not permitted to land on that territory for the purpose of defending her own rights.

The Senator from Ohio [Mr. FORAKER] said the other day that these war ships were sent there to prevent war. Of course they were. They were sent there to prevent Colombia from exercising her war power to suppress an insurrection. That is exactly what they were sent there to do. That was an act of war, Mr. President. It was war on the part of the United States against Colombia, and if Colombia did not accept it as such it was simply because of her weakness.

The Senator from Maine [Mr. HALE] said the other day that Colombia did not accept it as an act of war. I suppose that, according to that reasoning, if a large man should strike a weak and decrepit man and the latter did not resent it, but held up his hands in appeal to his assailant, the Senator from Maine would say that that was not an assault and battery.

They were sent there to prevent war. Mr. President, the war ships were there on both sides of the Isthmus before the outbreak of the insurrection, and they were there with orders to prevent the troops of Colombia from landing on the Isthmus.

The Senator from Ohio said the other day that they were only denied the right to land at a particular point. The purpose was understood to prevent their landing on the Isthmus, and it was so stated by Secretary Hay himself. If I can find it I will read his dispatch to Minister Beaupré. This is a reply to the appeal made by the Colombian Government to know whether or not their war ships, which were then at Colon and Panama, would be permitted to land. Here is the reply:

It is not thought desirable to permit landing of Colombian troops on the Isthmus, as such a course would [illegible] war [illegible] disturb for an indefinite period the free transit which we are [illegible] present.

Mr. TILLMAN. What is the date of that dispatch?

Mr. CARMACK. The 11th day of November.

Mr. BURTON. What is the Senator reading from?

Mr. CARMACK. Document No. 51.

Mr. BACON. Whom is it signed by?

Mr. CARMACK. By Mr. Hay, Secretary of State. Mr. Hay said: "Such a course would precipitate civil war." Mr. President, there was already civil war. There was already insurrection. The only question was whether Colombia should be allowed to fight the insurgents to support her own authority. Mr. Hay says: "No; there shall be no civil war." In other words, Mr. President, that Colombia shall not be allowed to fight; that Colombia shall not be allowed to suppress the insurrection.

The Senator from Maine said yesterday that it was fair to both sides. It was said to Colombia, you shall not bring any troops from the outside and land them here on the Isthmus; and it was said to the people of Panama, you shall not bring any troops from the outside and land them on the Isthmus. Suppose some of the great nations of Europe had come to an agreement, and had been able to enforce it, and had laid down an order that the United States should not be allowed to land any troops within the territory of the seceding or Confederate States, and suppose in order to make the thing perfectly fair they had also said that the Confederate States should not bring any troops from anywhere else and land them within the limits of the Confederacy.

Why, Mr. President, the Confederacy would have succeeded in an hour. All they wanted was to keep troops of the United States out of their territory. If they could have done that, they would not have needed any troops themselves. That is the way it was there at Panama. They did not need any soldiers if there was nobody there to fight. Oh, yes, it was perfectly fair!

The President has denied with some heat that he had any complicity in this business. He does not conceal the fact that he desired this insurrection. He does not conceal the fact that he intended to aid it if it occurred, and he can not conceal the fact that he did aid it.

What constitutes complicity, Mr President? I have no doubt it is true that the President never had any conference or correspondence with any of these conspirators, but if they were permitted to know in advance that if they did get up an insurrection they would have the support of the United States Government and of its military power, then this Government became a party to the conspiracy, and, indeed, the principal party.

The President said he did not encourage the insurrection. What more did he need do to encourage the insurrection than to let Bunau-Varilla and a few other choice spirits know that if they did get up any sort of an insurrectionary movement it would have behind it the military power of the United States and that the conspirators would get $10,000,000 of good American money to pay them for doing it?

I could get up ten insurrections anywhere in South America with $10,000,000 and the power of the United States Government behind me. I say the important question is whether the Panama conspirators were allowed to know in advance that they would have the help of this Government. And, Mr. President, they did know.

Here is the statement of Mr. Teague.

Mr. BURTON. What is the name?

Mr. CARMACK. Mr. Teague. He is a correspondent of the New York Tribune, a Republican paper. I will read the statement of Mr. Teague. He had this statement from the conspirators themselves:

President Roosevelt has assured the American Congress that his Administration was not privy to the scheme to establish an independent republic on the Isthmus. There is actually no evidence discoverable here to contradict that statement in the slightest degree. Yet it is an indisputable fact that the conspirators for independence at Panama believed implicitly, before they made a single open move for independence, that advance assurances of support had been given by the Government at Washington. This belief is

[illegible] that the [illegible] Government would hesitate to say that the first move [illegible] had it not been believed that Washington had given a [illegible] sanction.

Mr. Bunau-Varilla, now minister from that Republic, was here in constant correspondence with the conspirators in Panama, and he [illegible] that if they [illegible] it would have the support of the United States. Finally, when the time was ripe, not satisfied with the general assurance that [illegible] America, the leader came to that country [illegible] Philippe Bunau-Varilla, in New York, asking him to come. They asked the question if they could depend on the support of the United States and [illegible] America [illegible] If they must wait a month or two for American war ships to [illegible] they [illegible] Then we may proceed." The message came from Washington: "Go ahead. American war ships will be on either side of the Panama [illegible] ought to come." And, Mr. President, they came—both as Washington said.

I do not question the propriety of proceeding in this manner. I do not say that these and honest had any improper dealings with the conspirators; but, Mr. President, there must have been others who knew what was the purpose of this Administration. Bunau-Varilla knew it and he informed [illegible] there, and but for that there would have been no insurrection in Panama.

These plain facts can not be answered by any violent attack upon the honor and integrity of the Colombian Government.

I had intended to say something in reply to the statement made by the Senator from Massachusetts. Mr. Loomis, in which he read a [illegible] selected telegrams and partial telegrams to show that the Government of Colombia was acting in bad faith all the way through. As that Senator is absent, I shall not go into that question further than to say—I shall be glad to take it up with him at any future time—that if he had read those telegrams fairly, if he had not omitted certain important telegrams, and if he had not omitted certain parts of the very telegrams he did read, they would have shown the very contrary to that which he uttered. They would have shown that the Executive Government of Colombia, President Marroquin and the others, were doing everything they could be expected to do or could do against an overwhelming tide of adverse public opinion.

The treaty was unpopular in Colombia from the very beginning, and the Executive Government of Colombia had to contend, as Mr. Beaupre himself declared, with an overwhelming tide of adverse public opinion. The people were against it, the Congress were against it, and President Marroquin acted just as a good many other Presidents would have acted—just as the present occupant of the White House has acted when he finds himself with an unpopular treaty on his hands.

But, Mr. President, that is all beside the question. No matter what Colombia did or what she failed to do, it can not justify the President in violating the laws of the United States. He has no right to become infuriated with Colombia and wreak his vengeance upon the Constitution and the statute laws of his own country. Everything said in denunciation of Colombia, everything said of her prolonged and unreasonable delay of her bad faith, of her determination to have this treaty ratified, makes a stronger case against the Administration, for, Mr. President, the law had looked forward to that, had foreseen it, had provided for it. Mr. Loomis said the other night that it had become manifest last June that there was no intention of ratifying this treaty on the part of Colombia.

If that is so, Mr. President, then since last June the President of the United States has been violating this law or refusing to execute it. Whenever it became manifest that the treaty would not be ratified, then and there the President came under obligation to execute the alternative of the statute; and Mr. Loomis tells us that the time came last June. Since all that time the President has been refusing to execute this law.

Mr. President, I do not know that we are in a position to say so much about Colombia's lack of honor in this matter.

The President said in his message that Colombia had been forewarned. How was she forewarned, Mr. President? The Secretary of State had sent some notes and broadly intimated what he would do if Colombia failed to ratify the treaty. The terms were vague and indefinite, and our minister communicated to the Secretary of State that the minister of foreign affairs in Colombia had called upon him for an explanation of that threat and had asked him if it meant whether he meant that we would simply execute [illegible] provision of the Spooner law and go to the Nicaragua route, or whether he meant that the United States would take some action against Colombia. Mr. Beaupre was unable to explain and reported to the Secretary of State.

Some time after the Secretary of State sent another communication, in which he told the Government of Colombia exactly what this Government would do if Colombia did not ratify that treaty; and that was go to the Nicaragua route. What was the forewarning? The people of Colombia and the Government of Colombia did not understand the terrible threat. They anxiously appealed to know what this Government meant; what it intended to do. "Do you mean simply to execute section 4 of the Spooner Act, or do you mean to take some violent action against Colombia?" Finally, the reply comes from Secretary Hay: "No, we do not mean to do that; we do not mean any violence against Colombia; we do not mean to take any of your territory; we only ask you to leave your [illegible] and [illegible] and to go to Nicaragua for the [illegible] of this canal."

That is the warning officially interpreted by the Administration itself. It was not simply a warning, it was a promise; it was an assurance to the Colombian Government: "You need not fear any extreme action on the part of this Government, because we do not mean to do anything except to execute this law and go to Nicaragua if you will not let us build the canal through your territory." Then, relying upon that assurance, they failed to ratify the treaty, and you undertake to make that a cause for war, raise an army against them, and take that territory away from her by force of arms. Then you talk of the honor of Colombia. You ought to be ashamed to take the word upon your lips; you ought to blush when it is uttered in your presence.

Mr. President, suppose it is true—and it is true—that we have been subjected to long and vexatious delays on the part of Colombia; suppose they have acted foolishly, as they have done, how much precious time have we wasted in this great project? We have been [illegible] for fifty years. Year after year and Congress after Congress we have seen canal legislation delayed, obstructed, and defeated by one device or another until "hope deferred" hath made the heart sick."

If this great project, with all its promise and its weight, and all its [illegible] in this great commercial [illegible] to such a record of folly and stupidity and [illegible] and delay, why should we fly into a fury because of the weakness and folly of another nation?

The Administration has been very generous in its dealings with this French canal company, whose [illegible] has not been much in the nostrils of the world. Generosity itself might take an example from the Christian meekness and patience with which we have dickered through weary weeks and months with this corrupt concern while they were attempting to extort from us the preposterous sum of $109,000,000.

The Administration has been very sensitive concerning the alleged rights of this convict corporation. What were its rights? It had a concession, Mr. President, that would have expired, I believe, on the 23d day of next October. An alleged extension of six years was secured from the President of the Republic of Colombia, but as the Congress had expressly refused the concession, it had no [illegible] validity whatever, and the strongest supporters of this Administration admit that it had none.

Colombia was under no legal or moral obligation to renew this concession to a company which, instead of improving its opportunity to construct the canal, had wasted its money in riotous living and ended its ingloorious career in the penitentiary, and which has emerged in the form of this new canal company, with $13,000,000 in its treasury with which to complete the construction of a canal two-fifths of which has already cost $260,000,000—a company which has neither the power nor the purpose to construct any canal.

Such, then, was the condition. The condition was that this canal company had an expiring concession, a concession that would have expired in a few months, and all of its rights would have reverted to Colombia. It had nothing to sell outside of the Panama Railroad except a dying concession, and it could not have found a purchaser, except the United States, anywhere in the world.

You say that Colombia is guilty of extortion and greed and dishonesty because she wants to get some [illegible] out of this concession which you claim is worthless. I [illegible] anything to say of the greed and extortion of this company, which has tried to extort $109,000,000 from the United States, and which, under the pending treaty, is to receive $40,000,000 for what no other purchaser on earth would have given five cents for.

It may be true, Mr. President, that there are people in Colombia who felt that the United States would deal as generously and as honestly with an American republic as it had dealt with this corrupt and infamous French corporation.

But, sir, all this is beside the question. The question is simply the President's duty under this law; and I repeat that nothing that Colombia did, or failed to do, has any bearing upon that question, except to make it the more imperative upon him to proceed to the alternative of the statute.

There never was before the President any question of whether

he should do this or have no canal. He only had to execute the law to have a canal. He violated the law without any necessity to violate it; he trampled upon the Constitution, upon the fundamental principles of international law, and the obligations of a solemn treaty when the object to be achieved could have been obtained lawfully and constitutionally and in accordance with the honor of the nation.

Mr. President, there has come to be an idea more or less prevalent among the people that no question of morals or of law should stand between the [illegible] and a desirable object, but never before has the doctrine been proclaimed that where an object can be achieved by methods that are lawful and right, or by methods that are unlawful and wrong, it is a matter of indifference which methods shall be pursued.

I have seen it stated again and again in a large section of the press of the country that the people of this country want the canal, and they do not care whether they get it by lawful or unlawful means. That is the substance of what they say.

I do not believe, Mr. President, that there is any such spirit dominating the great body of the American people; but if so, it is a lawless spirit; it is a spirit of mob violence; it is a spirit of anarchy, and no brave and honest man can afford to yield to such a sentiment. What avails it that the President thunders against mob violence and against the growing irreverence for law and for government, when, from the highest eminence in this land or upon this earth, he sets an example of the contempt for law which is at the root of all anarchy, all mob violence, and of every form of social disorder?

It is commonly said that the character of a government reflects the character of the people. It is just as true, Mr. President, that the character of a government has a reflex action upon the character of the people. No man can estimate the evil consequences that will ensue from giving the sanction of a great name and a great office to the idea of obtaining whatever you want by force if you can not obtain it by law. I say that a mob of infuriated citizens has as much right to hang a murderer because of the law's delay; I say that a crowd of hungry and discontented workingmen have as much right to resort to sticks and stones to accomplish what they believe to be their just rights; that even an anarchist has as much right to throw a bomb at a policeman as the President of the United States has to violate the Constitution and the law to obtain any object, however desirable it may be.

No man in the quietude of his study can frame nobler precepts or rules of conduct than can President Roosevelt, but the, seem to take flight from his memory the moment he gets into action and the blood begins to flow to his brain. 'Tis much he dares, but he lacks that essential quality of Banquo which teaches valor to act in safety.

Mr. SPOONER. Whose quality?

Mr. CARMACK. Banquo's quality. I will tell you about Banquo some time. [Laughter.]

Mr. SPOONER. His ghost was too thin to have any quality.

Mr. TILLMAN. He was a man before he was a ghost.

Mr. SPOONER. But it was the ghost the Senator from Tennessee was talking about, not the man.

Mr. CARMACK. I was talking about the man and not the ghost.

The President is not incapable of coherent thought or intelligent judgment with respect to the past actions of other men, but he seems to be utterly incapable of deliberation with respect to his own. He seems to lose the power of reasoning and his moral sense the moment his personality becomes involved in a transaction, and his passions always overmaster his judgment when he finds an obstruction in his path.

* * * And blest are those
Whose blood and judgment are so well commingled
That they are not a pipe for Fortune's finger
To sound what stop she please.

Into what dangers and difficulties, Mr. President, may we not be led by this headlong President of ours? His honesty is no protection, because an honest man, filled with foolish zeal, with the blood in his head, and thinking with his blood instead of his brain, is about as dangerous a man as you can have in the country.

It has been said that the President would not have dared to commit such an outrage upon a stronger nation. I do not agree with this opinion. I set no such limits to the strenuosity of this Administration. I believe that the President would really have felt a sterner joy if Colombia had been a foeman more worthy of his steel.

I have never believed that cowardice was one of the faults of the present occupant of the White House. I believe that he would be glad of an opportunity to pluck the beard of a mighty nation and to provoke a conflict that would shake the earth. His proposal to destroy the Spanish fleet while we were yet at peace with Spain, an act that would have branded us as an outlaw before the world, shows that morbid craving for war and for the excitement of battle which is the dominant trait of his character. His temperament is such that where there are two possible courses of action he must inevitably, by the very law of his nature, take that which is more full of action and excitement.

Thus, Mr. President, he makes history as he would arrange the movement of a melodrama. Events are ordered solely with a view to dramatic effects, care always being had that the star performer shall be the center of every situation and the hero of every character.

The safe man in the Presidential office, Mr. President, is not the man who is always looking for excitement. I know it is very monotonous just to go along and do right, to walk in the beaten path, to keep to the old ways in safety and honor. A man does not get his name "writ rubric on the walls" simply by fulfilling his obligations and obeying the law; but neither, Mr. President, does he disturb the peace of his own country or of the world.

The President's course in this matter was not simply an act; it was a policy. I have here an article from a leading Republican newspaper, the New York Press. The proprietor of that paper, I have understood, was a very close and confidential friend of the President. He said:

> It is natural that President Marroquin should find sympathizers among the peoples of Central South and Central American countries. Any [illegible] that the United States is not worried at the constant state of anarchy [illegible] any part of Latin America, and that Government will not hesitate to [illegible] back into barbarism to stand in the way of the [illegible] of [illegible].

And, again, he says:

> The attitude of the United States in regard to Panama they take as a warning [illegible] in order.

This great Republican newspaper understands that this act of the President is but the beginning of a systematic policy of aggression toward the Central and South American states. It is not meant for Colombia alone; it is the beginning of a policy of persistent and constant interference and intermeddling with the affairs of these countries.

Mr. President, such a policy must involve us in all manner of difficulties and complications, and, sooner or later, in war. It will not only alienate the sympathies of those countries from the United States and extend the influence of European countries there, but it will bind them together in a hostile confederation against this country.

Secretary Shaw advises subsidies to extend our trade with South America. Mr. President, it will be vain to extend the fleets of merchant ships while this country occupies such an attitude of hostility and of meddling and interference with the affairs of these countries.

If the President can lend the Navy of the United States to assist a gang of French adventurers to dismember an American republic, when may he not do the same thing elsewhere? Germany has large interests in South America. What opportunities are presented by this fact for strenuous action on the part of this Administration! He may lend the navy and army forces of the United States to assist a syndicate of German adventurers to plunder Brazil, just as he has lent the naval forces to these French adventurers to despoil Colombia. Or he may take the other tack and involve us in war with Germany.

Mr. President, if the Executive wishes to put to the test the question whether one man is higher than the Constitution and greater than the law, he has taken the proper course to do it. Our forefathers, under a monarchy three hundred years ago, would not tolerate the assumption of royal power to suspend the operation of a statute. They would not tolerate the assumption that an act of Parliament was of inferior authority to the will of a king. Are we, in the beginning of the twentieth century, ready to admit that the President of the Republic is greater and higher than the laws which we ourselves have made?

One of the members of the Constitutional Convention expressed his disgust with the Constitution because of the contemptible weakness of the Executive. It remains to be seen whether the real fault is not in the contemptible weakness and subservience of Congress.

I stand here for the canal; but I stand here for the law. I can not vote for the ratification of the Panama treaty. I have no criticism to make upon those who, while they condemn the action of the President, feel that it is their duty under the circumstances to support the treaty. I say with my view of this question I can not do it.

I can not support this treaty because I can not support and indorse the lawless acts of which it is the fruit; and if the Senate is ready, not only to excuse, but to applaud the President for violating the laws which we ourselves have made, then the ratification of this treaty ought to be followed by a resolution that the President shall take care that the Republic suffers no harm, and then we should end an existence that is as useless as that of the

Roman senate in the days of the Cæsars and go to our homes and try to earn our living in an honest way.

Mr. ALDRICH. Mr. President, I listened with interest to the [illegible] the Senator from Tennessee [Mr. CARMACK]. I would have been very glad if that Senator had suggested some remedy for the wrongs which have been imposed upon this country and this people. [illegible] desire to do in a practical way.

Mr. CARMACK. [illegible] treaty.

Mr. ALDRICH. [illegible]

Mr. CARMACK. [illegible] Nicaragua Canal.

Mr. ALDRICH. [illegible]

Mr. CARMACK. [illegible]

Mr. ALDRICH. [illegible] of the whole opposition to the Panama treaty [illegible] a canal.

Mr. CARMACK. No; it is to execute the law.

Mr. ALDRICH. [illegible] rank sentiment we have had from [illegible] The President has said to Congress [illegible] to build a canal anywhere [illegible]

Mr. TILLMAN. Why—

Mr. TILLMAN. [illegible] he to say anything?

Mr. ALDRICH. [illegible] I with the first also [illegible] act [illegible] shall be built and [illegible] to build a canal.

Mr. TILLMAN. [illegible] as the law directed, but [illegible]

Mr. ALDRICH. [illegible] the law [illegible] the canal should be [illegible] reasonable time, etc. The first [illegible] The President has accepted that, and [illegible] a canal there.

Mr. TILLMAN. [illegible] or wrong.

Mr. [illegible] No.

Mr. ALDRICH. [illegible] the law, in accordance with the obligations [illegible]

[illegible] Senator from [illegible] himself, if he means anything by his [illegible] If the President is guilty of [illegible] which have been charged by the Senator from Tennessee he ought to be impeached. If we have done [illegible] which the Senator charges, we [illegible] no other logical result to be drawn [illegible]

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Rhode Island [illegible] South Carolina?

Mr. [illegible]

Mr. TILLMAN. Can the Senate prepare articles of impeachment?

Mr. ALDRICH. No, sir; it can not.

Mr. TILLMAN. Then what are we to do if the House fails to do [illegible]

Mr. ALDRICH. But the Senator from South Carolina and the Senator from [illegible] with everything that has been done in this matter. I want say what they would do now.

Mr. DANIEL. Will the Senator from Rhode Island allow me to ask him a question?

Mr. ALDRICH. Certainly.

Mr. DANIEL. [illegible] Senator from Rhode Island vote for a [illegible] treaty [illegible] if he did not succeed in negotiating a treaty with Colombia?

Mr. SPOONER. He has not [illegible]

Mr. ALDRICH. He has not [illegible]

Mr. DANIEL. One [illegible] time. Do not both Senators answer. I will be [illegible] warm one.

Mr. ALDRICH. I will tell the Senator what I will vote for, if he will [illegible]

Mr. DANIEL. All right.

Mr. ALDRICH. I would vote for the ratification of the treaty to build a canal at Panama, or I would vote for a bill, if any further [illegible] which shall provide for building a canal at Panama.

I [illegible] this canal, and building it at once, and [illegible] what the Senator from Tennessee now says it is. It is opposition to building a canal in favor of building it where it can not be built, and [illegible] to be built.

Mr. CARMACK. The Senator from Rhode Island knows I did not say what he says I did.

Mr. ALDRICH. I said the Senator was opposed to building the canal at Panama, but in favor of building it where it could not be built—at Nicaragua.

Mr. CARMACK. The Senator said that the Senator from Tennessee had admitted that he was opposed to the building of a canal

Mr. ALDRICH. At Panama.

Mr. CARMACK. He did not say at Panama.

Mr. ALDRICH. Oh, yes; the RECORD will show that I said it.

Mr. CARMACK. I heard the Senator say, as I was about to [illegible] I was opposed [illegible] it.

Mr. ALDRICH. That is right.

Mr. CARMACK. That is not true, Mr. President. I was not [illegible] canal along the Panama route.

Mr. TILLMAN. The Senator is not opposed to it now.

Mr. CARMACK. I never had any great choice between the two routes. I was not a very strenuous advocate of the Nicaragua route over the Panama route. I [illegible] choice between the two. I voted for the Nicaragua route, but when that [illegible] the Panama route; and if the canal [illegible] to law I would have been [illegible]. I have no [illegible] stood here denying that the [illegible] at law, which he has failed and refuses [illegible] and that is all I mean. The [illegible] has no right to [illegible] to me any other purpose than [illegible]

[illegible] the Senator from Tennessee, and I do not think I do when I repeat that [illegible] opposed to building the canal at Panama, and he [illegible] upon his desire to have a canal built at Nicaragua [illegible] is that he is opposed to the canal.

Mr. CARMACK. When I say that I insist on the President going to Nicaragua, I simply insist on his doing it because the law makes it his duty to do it. That is all. It is not due to any particular preference for the Nicaragua route over the other.

Mr. SPOONER. Mr. President—

The PRESIDENT pro tempore. There is no question at present before the Senate.

Mr. SPOONER. There has been one before the Senate. Is not the same question pending?

The PRESIDENT pro tempore. It is not. By unanimous consent the Senator from Tennessee [Mr. CARMACK] was permitted to conclude his speech, and the unanimous consent went no further.

Mr. SPOONER. I ask unanimous consent that I may be permitted to begin a speech. [Laughter.]

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent that he may be permitted to begin a speech. Is there objection? The Chair hears none, and the Senator from Wisconsin is allowed to begin.

Mr. CULLOM. I hope he will be allowed to finish some time.

Mr. TELLER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Of course.

Mr. TELLER. I want to make an inquiry. I wish to know what [illegible] pore. The order of business is the Calendar [illegible]

The PRESIDENT pro tempore. The resolution, unless something is done with it, will, by unanimous consent, go to the Calendar [illegible]

Mr. TILLMAN. I ask [illegible] that the Senator from [illegible] may be permitted [illegible] and that it remain [illegible] until [illegible]

The PRESIDENT pro tempore. The Senator from Wisconsin has [illegible] from [illegible] do. I do not want to [illegible] this way [illegible] Wisconsin has to get [illegible] a speech if he wants to. He is [illegible] If the resolution [illegible] order, and the first [illegible] as he may see fit.

The PRESIDENT pro tempore. The Senator from Wisconsin himself asked unanimous consent.

Mr. TELLER. I know he did; but I do not want it to grow up to be the understanding that whenever I want to make a speech I have to ask the unanimous consent of the Senate. I do not intend to do it.

The PRESIDENT pro tempore. The Chair thinks that yesterday illustrated the fact that Senators can speak, if they desire to, when there is nothing before the Senate. [Laughter.]

Mr. TELLER. I am glad it did.

Mr. CULLOM. I hope it will not be taken as a precedent.

Mr. SPOONER. I regret very much that I made the request for unanimous consent.

Mr. TELLER. I wish you had gone on and made your speech without it.

Mr. SPOONER. I could not.

The PRESIDENT pro tempore. Will the Senator from Wisconsin suspend for a moment?

Mr. SPOONER. Yes.

The PRESIDENT pro tempore. If it is the desire of the Senate that this resolution should remain on the table, holding its place, something should be done to that end.

Mr. BACON. I ask that that may be the direction given to it.

Mr. GALLINGER. I o[illegible]

Mr. BACON. I make that request because certain Senators desire to address the Senate upon it. I have never known objection to be made under such circumstances.

The PRESIDENT pro tempore. Is there objection to the request of the Senator [illegible]? The Chair hears none, and the resolution will be on the table to-morrow morning.

Mr. CULLOM. May we not dispose of it to-day if we have the opportunity?

The PRESIDENT pro tempore. The Chair thinks the Senate might.

Mr. CULLOM. The resolution is now before the Senate for discussion.

Mr. PLATT of Connecticut. No.

The PRESIDENT pro tempore. It is not before the Senate.

Mr. CULLOM. I thought that by unanimous consent it was.

Mr. BEVERIDGE. The Senator from South Carolina asked [illegible]

The PRESIDENT pro tempore. The Chair did not hear the Senator's [illegible]

Mr. BEVERIDGE. I think the RECORD will so show.

Mr. TILLMAN. I made that request.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that this resolution may continue before the Senate until its final disposition.

Mr. BACON. Do I understand that that makes it the regular order?

The PRESIDENT pro tempore. The Chair thinks that such unanimous consent would make it the regular order.

Mr. BACON. I do not think that is the design of the Senator from South Carolina.

Mr. TILLMAN. I want it to be the regular order of business until [illegible] from Wisconsin gets through, and then we can do [illegible] any way we see fit.

Mr. [illegible] That was not the request.

Mr. BACON. It [illegible]

Mr. TILLMAN. [illegible] than I intended.

Mr. BACON. The [illegible] name. The resolution was introduced [illegible] He is [illegible] and on [illegible] me, if the Senator finished his speech and [illegible] then desired to address the Senate upon it, [illegible] I have made—that it be on the table [illegible] Senators, including himself, might [illegible]

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that this resolution [illegible] retain its place on the table.

Mr. SPOONER. I have [illegible]

Mr. BACON. I do not [illegible] I as interfering with that in any way.

Mr. SPOONER. I think this resolution should be disposed of in accordance with the wish, under the circumstances, of the Senator from Maryland [Mr. GORMAN].

Mr. [illegible]

Mr. SPOONER. And the consent should be given that it go over.

Permit me to say, which I trust I need not say to the Senate, that I would not [illegible] sent granted upon my [illegible] r I would [illegible] er.

The PRESIDENT pro tempore. In the [illegible] tion to the request of the Senator from [illegible] rs none, and the resolution [illegible] on the table without prejudice.

Mr. CULLOM. With the [illegible] to order [illegible].

Mr. SPOONER. Of course.

The PRESIDENT pro tempore. The Calendar of General Orders is now before the Senate.

Mr. PLATT of Connecticut. Mr. President, I suppose this resolution has technically passed from the consideration of the Senate, but before it passes actually from the consideration of the Senate I should like to say a word. It seems to me the time to-day may be improved by considering the resolution, having it understood that the resolution is under consideration; and while this debate has been proceeding by unanimous consent we should have unanimous consent that it may continue. I think that is the better way to dispose of it.

Mr. CULLOM. I think this is a very unusual thing. This is the second day now when a resolution has gone over, and then Senators desire to talk about it all the rest of the day.

Mr. PLATT of Connecticut. My suggestion is that it shall be brought back [illegible]

Mr. CULLOM. Yes.

Mr. PLATT of Connecticut. And be brought before the Senate, that it can be discussed to-day. I think the debate we have had this way [illegible] in two, with the idea that it is to be con[illegible] not facilitate the business of the Senate at all. We may as well go on with it to-day as to go on with the general orders on the Calendar, which are not pressing.

Mr. BACON. I do not know whether the Senator from Connecticut understood the statement which I made on behalf of the Senator from Maryland.

Mr. PLATT of Connecticut. I did.

Mr. BACON. It was that the request be made in case no other Senator then desired to address the Senate upon it.

Mr. PLATT of Connecticut. That is what I understood.

Mr. BACON. If there is any Senator [illegible]

Mr. PLATT of Connecticut. I am free to say I should like to speak for five or ten minutes, if the Senate will give me the opportunity.

Mr. BACON. The Senator will remember that that is the condition upon which the request was made. I was asked to make that request of the Senate in case no other Senator desired to address the Senate to-day. If any Senator did, of course the request was made subject to the occupation of the floor by such Senator.

Mr. DEPEW. I desire to make some remarks upon this resolution to-morrow. Will the resolution be in a position where it may be called up for that [illegible]

Mr. PLATT of Connecticut. [illegible]

Mr. FORAKER. It is on the table and can be called up at any time.

The PRESIDENT pro tempore. It will be, or unanimous consent [illegible] tion of the resolution continue to-day.

Mr. PLATT of Connecticut. I make that request.

Mr. BACON. There is no objection to that request.

The PRESIDENT pro tempore. And if it is not disposed of, that it shall retain its place and come up on the table to-morrow.

Mr. PLATT of Connecticut. [illegible]

The PRESIDENT pro tempore. That can be done without any [illegible]

Mr. PLATT of Connecticut. I ask unanimous consent to that effect.

The PRESIDENT pro tempore. The Senator from Connecticut asks that the discussion of the resolution may continue to-day, and that if no disposition is made of the resolution it shall take its place on the table without prejudice. Is there objection? The Chair hears none.

Mr. SPOONER. Mr. President, I am somewhat embarrassed by the request I made jocularly to the Senate to be permitted to speak. I have no set speech to make to the Senate at this time.

I listened to the speech of the Senator from Tennessee [Mr. CARMACK] with great interest, [illegible] and much regret. [illegible] an oath in heaven [illegible] to take care that the laws be faithfully executed; and we have registered [illegible] each or us, in heaven [illegible] discharge faithfully the duties of a Senator.

The Senator from Tennessee made a serious and unsupported [illegible] I say it will [illegible] which he drew from [illegible] which has occurred in this country in connection with this great transaction an inference which was hurled, say Senator [illegible] from this high forum a message to the South American republics that we had begun the systematic oppression of them and [illegible]

If there be in the history of this Republic in all the years one man who as President of the United States has stood bravely in [illegible] of the South American republics against any possible aggression, that man is the President who has been so vigorously denounced here to-day. If out of a delicate, dangerous, and immensely difficult situation he did not by his loyalty to the Monroe doctrine, to our traditional care for the South American republics,

[illegible] of the Venezuelan trouble from the theater of war to the tribunal of the peaceful administration of justice, the establishment of the law instead of the establishment of the [illegible] what President of the United States ever did?

I say to [illegible] speech that no President in our history has [illegible] more [illegible] by the [illegible] of our Government, the Monroe Doctrine, and our national [illegible] for the South American republics [illegible] has the President of the United States now in [illegible]. History makes it too plain for need of [illegible]. I hope, Mr. President, the South American republics will turn a deaf ear to any [illegible] of an individual sort [illegible] that the United States Government can ever do other than protect them from foreign invasion and carefully cherish their interests as between them and ourselves.

[illegible] over the [illegible] President of the United States was having violated, wantonly, in the spirit of a king, violated the law of the United States.

Mr. PLATT of Connecticut. And the Constitution.

Mr. SPOONER. Of course the Constitution must get into it in order to make the [illegible]. If a [illegible] lars is asked as to the violation of the Constitution, everyone knows it would not be forthcoming. What law of the United States has President Roosevelt violated? The only enemies he has in the United States today in his own party, Mr. President, have [illegible] law.

When I say [illegible] I mean in the political sense. I am not known as [illegible] more [illegible] which requires him to take care that the laws be faithfully executed than he. He has not stopped, in the matter of enforcing the laws of the United States, to think of himself, of his personal destiny. He has remembered only his duty, and he has declared in messages he has declared from the [illegible] in conversation, it has been the rule of his life, that if the law should be changed the lawmaking body must change it; but that until changed it is his sworn duty to enforce it. He has recognized no class in this country strong enough, rich enough, to be above its mandate; no class too lowly and too [illegible] position. He has used against and against [illegible] and labor in its reliance to combination and has [illegible] in its foundation as the [illegible] which underlies this [illegible], and in observance of it alone is to be found the [illegible] that "capital has a right to combine, labor has a right to combine, but labor has not had [illegible] platform upon this subject that ought to be framed by any party for the good of our Republic and of the people of it. I do not know what it is. The President may satisfy himself upon it, as he has [illegible] it.

I regret that this great matter which is before the Senate and before the country may not be discussed from politics.

I wish with all my heart, Mr. President, that it had been presented to us in some other way than [illegible]. It is higher than politics. It is beyond all the [illegible] up. No [illegible] of the Senate [illegible] to the contrary, to the Democratic and Republican parties in the Senate or of the country, [illegible] in the way has been talked about [illegible].

Now, Mr. President, has the President of the United States transgressed any law of Congress by negotiating the [illegible] with this [illegible] canal [illegible]? Has he violated a course which justly suggests him to [illegible] from any party in this land? I deny it. If I know myself, Mr. President and we [illegible] ourselves, if I were in the Presidential [illegible] I would make the same decision.

He was elected by the Republican party, but he is President of all parties, just as my friend from Colorado [Mr. TELLER], who [illegible] is a Senator from Colorado, but a Senator *of* all the United States. The President is elected, as the President of all the country, to fair and decent treatment in this transaction, and for the nation in all others. He does not resile it.

Wherein has the President violated any act of Congress? I had the honor, if there be any honor in it, to draw and offer the bill which was in part enacted into law, under which the President has been acting. I recognize that the Senator from Alabama [Mr. MORGAN] has done more than any other man [illegible] to bring about the [illegible] keeping it always before the Senate and before the country of an isthmian canal.

And the only [illegible] I might otherwise have had in the association of my name with this measure I was robbed of because of my regret that it bore not his name instead of mine.

What did the law provide? First, it was settled by that law that the Congress of the United States, representing the people of the United States, deemed it for the best interest of the United States that the canal joining the oceans should be built at Panama instead of at Nicaragua.

Congress sent word to the President of the United States, "That route is our preference in the public interest." That was not a trifling preference, either. It was based upon long debate. It was approved by the unanimous report of the Commission. It was [illegible]. It rested upon a [illegible] foundation, the shortness of the route, its practicability being [illegible], the [illegible] of ships of all degrees to pass through it [illegible] the time the sun came bounding out from its chambers in the East until he sank to [illegible].

It was thought [illegible] a route which required two nights and a day to traverse.

That was not all, and I will not take the time to go through that subject. I will do it briefly later. There was another consideration which had great influence with the Congress. If it did not, it is not to the credit of the Congress, and no man here has cared about route except in the public interest. What was it? It was that, by the concurrent and unanimous testimony, as I remember it—and I have it collated but not here—of the commissioners [illegible] made a sea-level canal, a mere question of money, while the other never can be made a sea-level canal.

I do not know how it impresses other Senators. I have no knowledge of engineering, but it seemed to me, a layman, that a sea-level canal from every standpoint was infinitely preferable in its [illegible] to all manner of dangers of [illegible] the Commission thought, so a majority of the Senate thought, so the House thought, and I believe so the people thought, that we should select a route, if we could obtain it, which, when our national safety demanded it or the commercial interest of the world demanded it, could be made a sea-level canal instead of a [illegible].

This legislative preference of the Panama route was no mere matter of etiquette. It was not a light thing, Mr. President. It was a solemn enactment, based upon due and long deliberation by the Congress of the United States. The Senator from Alabama [Mr. MORGAN] made an utterance the other day which I had heard before from one of the ablest and most far-sighted business men in the United States, an old friend of mine, Mr. H. H. Porter, of Chicago, that in the reach of time, and perhaps not a long reach of time, the commerce of the world would [illegible]. Who from the standpoint of to-day can forecast the necessities of the future?

I can remember, and so can the great Senator from New York [Mr. DEPEW], the time when the transcontinental railroad was considered a wonderful achievement in its conception. Do any one think then of [illegible] Mr. President, [illegible] of our commerce, the multiplication of our [illegible] demand which one transcontinental railroad and not even begin to satisfy.

Nor was that [illegible] Mr. President. The [illegible] business and [illegible] between the terminus was such in volume that it was [illegible] to be tolerated—and I appeal to my friend from [illegible] I am wrong—that there should be one [illegible] to fix charges for a [illegible].

One reason [illegible] grant by Congress to the N[illegible], a corporation [illegible] by the [illegible] of the United States, was that there might be a [illegible] that the [illegible] p. Am I wrong? And [illegible], and it is [illegible] years which have gone by, we have several transcontinental lines of railway, all prospering, with more in prospect. Is it not so?

Mr. DEPEW. Five.

Mr. SPOONER. Five, and more to come. I only refer to that, Mr. President, to illustrate what I m[illegible] I said that no man dare to set a limit to the growth of the commerce of the United States and the commerce of the world which is to utilize an interoceanic canal constructed by us, and upon that predicate to ex[illegible] with the [illegible] Senator from Alabama [Mr. MORGAN] [illegible] when this country and the world (because in this respect we are not acting simply for ourselves, we are acting for the world, because we will not let any other nation in the world obtain a foothold there to act for the world or for us) will need and demand, in all human probability, not only [illegible].

But I mention it for another reason. It is to base upon that situation or predicate the assertion, which had great weight with me, that in constructing the first line of canal to be built by the United

States, owned by the United States, controlled by the United States, we should not permit our vision to be limited by to-day or to-morrow, but should look forward, taking lessons from the past, to the day, and it will not be far away, when not only the commercial interests of the United States but possibly—God save the mark—the defense of the United States will demand, no matter what expenditure of money may be involved, a canal through which our war ships may quickly pass without the delay incident to [illegible].

There is no danger, Mr. President, of blowing up with dynamite a sea-level canal. There is every reason in the world to my apprehension, expressed with the deference which becomes a layman, that it is of infinite importance to the United States, that we choose a route which *can* be made a *sea-level route when our interest demands it.*

And so I deprecate the attitude of Senators who treat this law, so far as it relates to the Panama route, as a matter of no par[illegible] preference; that the Commission had reported that the N[illegible] route was feasible and that the Panama route was [illegible] "[illegible] what" better, and the President was instructed to secure the Panama route if he could, but if he could not *on schedule time* he was instructed to settle this great question strenuously, impetuously—not that he was [illegible] sity, but that the law is impetuous—to turn his back on Panama and go to the Nicaragua route. That is not the law. That was not its purpose, and every Senator here who does not stick in the bark knows it, Mr. President.

I have said no word in any debate against the feasibility of the Nicaragua route. The Commission had reported the Nicaragua route to be a feasible route. If it had made no supplemental report, I would have voted for the Nicaragua route. It made a supplemental report unanimously recommending the Panama route, and the report created not simply the plain inference but the unmistakable deduction that but for the enormous and unreasonable price demanded by the New Panama Canal Company for its property, $109,000,000, it would have reported in the first instance in favor of the Panama route upon the merits.

I was sorry any foreign company was involved in it; but it was so, and as a Senator of the United States, believing that it was the best route for the country, I was not willing, nor were my associates on this side of the Chamber, who mostly voted for that proposition, to turn our backs on what we deemed the public interest, on what the Commission reported to be for the public interest, if we could secure the title to the Panama Canal property and requisite concessions from Colombia, because, forsooth, in the history of the French operations on the Isthmus there had been scandal and fraud and felony.

Mr. President, what was the duty of the President of the United States? He was required to proceed with the construction of the Panama Canal if, *first*, he could secure a satisfactory title to the property of the New Panama Canal Company for a price not exceeding $40,000,000; second, and coincidently—for we were not to pay any money until we had first the title to the property and the concession from Colombia—a treaty with Colombia of the requisite concession from that Government.

It is my recollection that I moved an amendment to the original bill, inserting the provision that it be done *by treaty*, because I was not willing, with the utmost confidence in the President of the United States, that the terms upon which we were to expend hundreds of millions of dollars and control this great public work, constructed by us, should be fixed by the Executive without the intervention of the Senate.

After long negotiation the President sent to the Senate a treaty with Colombia. I have no right to refer to that treaty. The Senate saw fit to make public what was said *against* it, but what was said *for it* rests in the confidence of the Senate, in the vaults of the Senate. It was ratified [illegible].

Mr. TELLER. I should like to ask [illegible].

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Yes.

Mr. TELLER. I should like to ask the Senator if the whole p[illegible] were not made public? I so understood.

Mr. SPOONER. No, sir; they were not. The speeches of the Senator from Alabama [Mr. MORGAN] were published.

Mr. TELLER. I think they were all made public.

Mr. SPOONER. No; the Senator is mistaken.

Mr. TELLER. Very likely.

Mr. SPOONER. No, it is not very likely, for the Senator is not often mistaken.

Mr. TELLER. I thought we had made them all public.

Mr. SPOONER. No, we did not. We made public the speeches which were against the treaty and we kept secret the speeches which were made for it.

Mr. TELLER. That was rather remarkable.

Mr. SPOONER. Well—

Mr. DEPEW. Mr. President, I have a recollection of the action of the Senate in that case, because I had a speech in there myself. [Laughter.]

Mr. SPOONER. Yes.

Mr. DEPEW. The Senate passed a resolution permitting the Senator from Alabama [Mr. MORGAN] to print in the Record his speeches against the treaty. Then the Senate passed a resolution "interring" the [illegible] in the custody of the Secretary of the Senate, passed after the treaty was ratified by Colombia.

Mr. SPOONER. Or rejected.

Mr. DEPEW. Or rejected. They were never published.

Mr. SPOONER. They have never been released; and so far as the speech I made is concerned, I hope it never will be released. I do not want the trouble of revising it.

Mr. TILLMAN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. I want to get some information. I do not trust my memory these days.

Mr. SPOONER. Why not?

Mr. TILLMAN. Because it is simply treacherous.

Mr. SPOONER. Oh, no. [Laughter.]

Mr. TILLMAN. It remembers some things very acutely, and lets go of others.

Mr. SPOONER. It remembers possibly what it ought to forget. [Laughter.]

Mr. TILLMAN. Yes; and the Senator from Wisconsin is in the same fix, I judge. I was trying to recall a vague remembrance I have that the Senator from Illinois [Mr. CULLOM] made an explanation in the Senate in defense of that treaty.

Mr. SPOONER. That was published.

Mr. TILLMAN. Yes; and then in the hurry and anxiety to get a vote, a unanimous-consent agreement I will say, or a trade, or whatever other thing you may term it—I hope I am not disclosing any Senatorial secrets—

Mr. SPOONER. The Senator is.

Mr. TILLMAN. Well, we always have unanimous consent here when we want it, do we not? Anyhow, an understanding was had, I will say—and I will try to speak euphemistically and vaguely, as is the custom here of some people [laughter]—that if the Senator from Alabama [Mr. MORGAN] should be allowed to publish to the country his objections to the treaty and his reasons for opposing it, then a vote would be permitted.

That is how certain set speeches were published, and everybody concluded to keep their speeches bottled up, including the Senator from New York [Mr. DEPEW], provided the Senator from Alabama would let us vote.

Mr. SPOONER. I do not think the Senator from New York ever concluded to keep his speech bottled up [laughter]; but the Senate concluded to keep his speech bottled up, and the same thing is true as to the rest of us.

Mr. President, the President of the United States was to go to Nicaragua if he could not within "a reasonable time" obtain a satisfactory title to the property of the New Panama Canal Company and the requisite concessions from Colombia. That is a fair statement of it.

This proposed treaty, negotiated by the President of the United States in the exercise of his constitutional power, in harmony with this law, was, after a long time spent in this Senate, ratified and transmitted to Colombia for ratification. It was rejected, perhaps—I do not know—but it was before the Colombian Congress until what time?

Mr. LODGE. Until the 31st of October, I think.

Mr. SPOONER. Until some time in October of last year, the Senator from Massachusetts says, when it was rejected. No man who cares anything for his office or for his own respect can impute any failure of duty to the President of the United States under this law up to the rejection of that treaty by Colombia.

What happened then? I do not intend to discuss Colombia now in her relations to that treaty, or the grounds upon which it is alleged to have been antagonized in the Colombian Senate; but, Mr. President, after its rejection a bill was introduced in the Colombian Senate proposing to *authorize* the President of Colombia to negotiate a treaty for the requisite concession to the United States of the [illegible] necessary to enable us to construct, maintain, and [illegible] the Panama Canal.

Will any Senator on the other side say that under this act, the treaty being [illegible] and a bill being introduced authorizing the President of Colombia along certain lines to make a treaty proposition to the United States granting us the concessions we needed, the President would have been authorized to turn away from Panama and commit this country forever to the construction of a canal upon that route which the Congress of the United

States had decided was in its judgment, although a practicable [illegible]

Mr. TILLMAN. Mr. President——

Mr. SPOONER. Let us be fair about this matter.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. Has the Senator any evidence—I mean [illegible] evidence now, not hearsay or reports or guesses—but any evidence [illegible] law to sustain that [illegible]

Mr. SPOONER. Mr. President, I am not guessing. I am not [illegible] made by a committee [illegible] I shall take great [illegible] when I come to discuss some of [illegible] United States was [illegible] the law to wait for [illegible]

Mr. TILLMAN. Then, Mr. President, if the Senator will allow me——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. [illegible] if that is the [illegible] Colombia an opportunity to make [illegible] offer [illegible] Congressional [illegible] offer [illegible] no [illegible] opportunity [illegible]?

Mr. SPOONER. On the President's [illegible] pertinency in [illegible] ever in terms. It is not in any proper sense [illegible] international law. I [illegible] Senator [illegible] of [illegible] at in this matter. [illegible] "cow case."

"Reasonable time," Mr. President, is prescribed by law. What the courts have held to be "reasonable time" as to [illegible] under [illegible] time" as to another [illegible] cases. I have not the time to read authorities, but they ought not to be necessary.

The President in [illegible] "reasonable time"—and it was [illegible] Mr. President [illegible] his oath to keep the laws [illegible] the transaction, the fact that it [illegible] with another [illegible] time" [illegible] President [illegible] turn his back on Panama and go to Nicaragua [illegible] Mr. President, far, far away from the purpose [illegible] from the language of the law, from the construction of "reasonable time" all [illegible] common sense of the transaction.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Maine?

Mr. SPOONER. Yes.

Mr. LODGE. If the Senator will allow me to call his attention to what I know to be a fact, that [illegible] the United States [illegible] duced in that [illegible]

Mr. SPOONER. [illegible] but I put this [illegible] Congress [illegible] is not a Senator who will say if [illegible] the United States passing this law, he would [illegible] back upon the route which Congress [illegible] and [illegible] the route was a proper one [illegible] looking to the granting of the requisite concessions to us for the Panama route.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. What was it [illegible] North Carolina [illegible]

Mr. TILLMAN. As I do not have the honor to represent North Carolina, I will have to ask one of the Senators from that State to answer.

Mr. SPOONER. I [illegible] South Carolina. I [illegible] South Carolina of North Carolina, and of the Senator. [Laughter.] I asked the Senator a question, Mr. President.

Mr. TILLMAN. Will the Senator allow me to ask him a question?

Mr. SPOONER. No; not until the Senator has answered my question.

Mr. TILLMAN. I am not a Yankee. [Laughter.] I do not ask a question in order to answer other questions.

Mr. SPOONER. I am a Yankee, and I asked the question, and I should like to have it answered.

Mr. TILLMAN. If the Senator will allow me, I will answer it by asking him one.

Mr. SPOONER. That is no answer at all, and I excuse the Senator from answering the question.

Mr. TILLMAN. I will answer it after I get through with this one.

Mr. SPOONER. No.

Mr. TILLMAN. You want to ask me what I would do if I [illegible]

Mr. SPOONER. The Senator will answer it now?

Mr. TILLMAN. Yes.

Mr. [illegible] President [illegible] had p[illegible] on the [illegible] the N[illegible] a bill looking to the granting to us of the requisite [illegible]

[illegible] LMAN. Now, Mr. President, I will answer that with [illegible]

[illegible] President——

Mr. SPOONER. I assume that.

Mr. TILLMAN. I have been governor of my State, and I have had some executive work.

Mr. SPOONER. Yes.

Mr. TILLMAN. I would have thought that [illegible]

Mr. SPOONER. What would you have done? [Laughter.]

Mr. TILLMAN. Well, I would have done this. [illegible] knows that I am not going to dodge, and, if I do, he is a [illegible] to let me off.

Mr. SPOONER. I do not think the Senator will dodge if I can prevent him.

Mr. TILLMAN. Perhaps you may get in that interesting situation yourself before I get through.

Mr. SPOONER. Probably.

Mr. TILLMAN. I say, if I had been President, I would have [illegible] this ground, and this view of it, and this action: The plain letter of the law I would not [illegible] entered into negotiation [illegible] kind of a trade I could have gotten there, and I would have been ready to report to Congress when it assembled just what the alternative [illegible] position was in regard to Nicaragua, and that I would have bound this Government, for I would not [illegible]

Mr. SPOONER. Does the Senator mean, if he will permit me to interject a question——

Mr. TILLMAN. Oh, certainly.

Mr. SPOONER. Does he mean to say that he would have al[illegible] bia?

Mr. TILLMAN. Not at all. I just said I would not have b[illegible] by any treaty. Of course, any new tr[illegible] to us anyway; but I would have bar[illegible] I would have found out the position of Nicaragua and [illegible] to what they would have to offer in the way of an [illegible]: we will take the Isthmus and build a [illegible] untry." That is what I would have done.

[illegible] NER. As a Republican, whi[illegible] of the Senator from South Carolina. I am grateful [illegible] astic indorsement of the action of the President. [Laughter.]

Mr. TILLMAN. Mr. President, it has taken the Senator from W[illegible] y I was waiting.

Mr. TILLMAN. I s[illegible] it.

Mr. SPOONER. I w[illegible] Senator recited what he w[illegible] have said to Col[illegible] and I was [illegible] w minutes to thank God in my own heart that we have a President who would not say any such thing in that way to any government under the bending sky.

Mr. TILLMAN. Now will the Senator allow me?

Mr. SPOONER. Certainly.

Mr. TILLMAN. Would you not prefer—and I speak personally now——

Mr. SPOONER. Oh, personally.

Mr. TILLMAN. Yes; to the man, not to the Senator. Would you not prefer that we should have a President who would go as the advance agent of civilization, as you call it, as a spokesman of civilization and of progress, and say to those people, "Get out of the way!" rather than for a President to mix up in a disreputable, dishonorable creation of a so-called republic in a back [illegible] and make a treaty with it within forty-eight hours after the republic has been born somewhere by a bastard process that nobody [illegible]

Mr. SPOONER. Well, I suppose everything that is born has got to be born somewhere. [Laughter.]

Mr. TILLMAN. There are Cæsarean operations sometimes.

Mr. SPOONER. Mr. President, I will not take the time now, because it does not meet the purpose of my argument, to characterize the Senator's statement as to the [illegible] nt in this matter. He asserts that the [illegible] as had complicity in the revolt of Panama from [illegible]

The President of the United States, who is entitled to the respect of the people of the United States as in a formal message [illegible] gress, but his denial with [illegible]

I take the time, in departing from what I wanted to say, to make a further observation that on another occasion I shall [illegible] to show to the Senate that in what the President has [illegible] Isthmus of Panama he has violated no principle of international law.

He [illegible] by every principle of international law, and the S[illegible] and before [illegible] Mr. President, [illegible] orm in a political campaign, under the circumstances [illegible] will find no sy[illegible] with the people of the United States in the South or in the N[illegible]

Mr. TILLMAN. Mr. P[illegible]

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. Replying to the last part of the Senator's utterances, I want to say that I have no authority, and I do not assume any, to speak for anyone here but myself. I have no desire or intention of reflecting on the honor of Theodore Roosevelt, or on his honesty; but the circumstances, the facts, are very un[illegible] for the contention of the Senator from Wisconsin, and I want to ask him before he gets through [illegible]

Mr. SPOONER. Ask it now.

Mr. TILLMAN. Oh, I am going to ask it now; but I want to ask the Senator if he gets through with the defense of the action of the President in this instance, to explain to us under what authority of law the President of the United States has used the Army and Navy of this country to warn Colombia from reconquering her rebellious province, if she saw fit to attempt it.

Mr. SPOONER rose.

Mr. TILLMAN. Excuse me one minute. I know the Senator will say that it was our right under the treaty and our obligation to preserve the Isthmian transit. If the President had confined himself to that, I would be the last man to criticise his action; but he has gone far afield from any such pretense. He is now the only sponsor, the only godfather and protector of this Panama Republic, with which he has entered into a treaty, which he asks us to ratify. Now, let the Senator explain, if he will, where the President got the authority to use the Army and Navy to warn Colombia off her own territory.

Mr. SPOONER. Mr. President, it does not accord with my purpose to-day to enter in[illegible] at question. I rose only for the purpose of addressing m[illegible] in an entirely impromptu speech to the charge that the [illegible] ident of the United States had, in his relations to the canal [illegible] ion, violated an act of Congress. I rose for the purpose [illegible] g, if I can—and I can—that, so far from having violated it, he has scrupulously obeyed it.

But I depart just far enough here to say, in answer to the Senator from South Carolina, that, in my judgment—and it is susceptible of demonstration—if the President of the United States, a[illegible] n of the Republic of Panama, had confined himself to protecting merely the railway transit he would have violated a treaty of the United States and an honorable obligation of the United States.

Mr. PATTERSON. What treaty?

Mr. SPOONER. I undertake to say, in addition to what I said yesterday, that as to his action as to what transpired before the revolt or before the declaration of independence of Panama no man here or anywhere else can successfully impeach his right.

With those two suggestions—which I assure my friend I do not mean to forget, and I will attempt to deal with them later, on a more auspicious occasion—I [illegible] to the question which I put to the Senator from South Carolina, and which he did not answer.

Mr. TILLMAN. I certainly tried to. I was very clear. Everybody could understand me.

Mr. SPOONER. The Senator from South Carolina could answer it.

Mr. TILLMAN. Possibly [illegible] law.

Mr. SPOONER. By forg[illegible] everything except the merits of [illegible] ation; by [illegible] this act; by addressing his mind [illegible] ing of the words "re[illegible] would have no difficulty, I think. My [illegible] to the Senator from South C[illegible] in my heart [illegible] on my lips, for I recognize [illegible] y and his general fair[illegible]

I think the Senator from South [illegible] between man and man, for that is the test, ought to be w[illegible] sition was pending in the C[illegible] a treaty with the United States [illegible] required for this route w[illegible] as preferred it was the duty of the President of the United States to await the issue of that proposed legislation.

Mr. TILLMAN. If it will do the Senator any good, I will acknowledge that in a minute. I thought I had come a [illegible] ago.

Mr. SPOONER. No; you did not.

Mr. TILLMAN. I intended to. It was simply an omission, because there was in prospect [illegible]

Mr. SPOONER. My friend. I thank you.

Mr. TILLMAN. There is no need to thank me for being honest, because I try to be that under all circumstances and every[illegible] and to tell the truth as I know it.

Mr. SPOONER. That is what I thought; but I thank the Sen[illegible] for vindicating my faith in him.

Mr. TILLMAN. I am obliged to the Senator for the compli[illegible] What I contend, if the Senator will permit me, is that after the Colombian Congress had rejected the treaty and then p[illegible] sponed indefinitely the bill authorizing additional or new negotiations, then the reasonable time had expired. Now it is a question of common sense.

Mr. SPOONER. The Senator from South Carolina has admitted—my question was no trap; I sought only the [illegible] that so long as there was pending, after the rejection of the treaty, a bill in [illegible] upon the [illegible] would not have been justified in turning [illegible] upon the preferred route and binding the country to the [illegible] route, although a practicable route. That bill was not [illegible] d of until the 16th day of October. Before that time, I think, the extra session of our Con[illegible] a. Was it not before that time that the extra session was called?

Mr. TILLMAN. The call was issued about the 1st.

Mr. SPOONER. The 1st of what?

Mr. TILLMAN. About the 1st of November. Let it be granted that it was before. I do not care.

Mr. SPOONER. I care. [illegible] Senator from Iowa [Mr. ALLISON] says, and I do not know that I have ever known him to be mistaken——

Mr. ALLISON. I may be mistaken in this matter.

Mr. SPOONER. That the call for the [illegible] session of Congress, to meet on N[illegible] October. I am informed [illegible] October; in other words, Mr. President, about the time the Colombian Senate indefinitely postponed this bill.

Mr. NEWLANDS. Will the Senator from Wisconsin permit me a q[illegible]

Mr. SPOONER. Certainly.

Mr. NEWLANDS. I wish to ask you whether, in your judgment, the rejection of the proposed treaty by Colombia in August of last year, and subsequently in October the indefinite postponement of a bill providing for a reconsideration, constituted a grievance on the part of the United States against Colombia, became either a breach of contract of the previous treaty or a breach of international law?

Mr. SPOONER. Is the Senator through?

Mr. NEWLANDS. Yes.

Mr. SPOONER. The Senator from Nevada puts to me a question which, of course, he will admit has no relevancy whatever to the matter which I, in an unmethodical way, am attempting to discuss. But I have not the slightest objection to answering the [illegible] n of the Senator from Nevada. Under all the circumstances, I feel bound to say, since Colombia had sought the treaty

and since it had been so framed as that the only objection to it in the United States was the generosity to Colombia and its [illegible] to the United States, that the United States had a moral [illegible] at stake. When the Senator asks me whether it was an act of war or a breach of treaty in international law, I can not say to him that I think it was either.

Mr. NEWLANDS. Yet, if the Senator will permit me——

Mr. SPOONER. Certainly.

Mr. NEWLANDS. I find in the Journal of the United States [illegible] that it was a breach of the treaty. The minority report [illegible] was a treaty [illegible] United States, and which, according to [illegible] every kind of a [illegible] in the future that was essential for the purpose.

Mr. SPOONER. Mr. President——

Mr. NEWLANDS. I call the Senator's attention to the fact that if we had a grievance against Colombia for a breach of the covenant of [illegible] the treaty of 1846 provided [illegible] any grievance should make complaint and [illegible] the statement of the grievance before declaring war.

Mr. SPOONER. Oh, Mr. President, that——

Mr. NEWLANDS. And I ask the Senator whether that was complied with.

Mr. SPOONER. That refers to a breach of the treaty stipulations for which one party——

Mr. NEWLANDS. That is what I think, but the President contends otherwise that the right of that treaty was broken.

Mr. SPOONER. The President is not making my speech.

Mr. NEWLANDS. Very well.

Mr. SPOONER. But the President is right, in my opinion.

Mr. NEWLANDS. Right in what?

Mr. SPOONER. [illegible]

Mr. NEWLANDS. In contending——

Mr. SPOONER. If the Senator will let me——

Mr. NEWLANDS. Is he right in contending that it was a breach of the treaty?

Mr. SPOONER. He was right in this: He was not right in contending, nor does he contend, that the failure to ratify the treaty was a breach of the treaty of 1846. He says it was a breach of the spirit of the treaty, in that Colombia sought the treaty of 1846, and she sought it because she needed the United States by treaty [illegible] her against the threatened aggression of England and France.

Mr. PATTERSON. Mr. President——

Mr. NEWLANDS. Will the Senator allow me another question?

Mr. SPOONER. I have had [illegible] in interruption. I will make a speech some time.

Mr. PATTERSON. I want to correct the Senator from Wisconsin in a grave error.

Mr. SPOONER. Very well.

Mr. PATTERSON. He says that New Granada sought the treaty of 1846. If the Senator will read the correspondence that was [illegible] President Polk, he will find that it was the United States which sought the treaty, and the reason it sought the treaty was to get rid of the grave difficulties and dangers that had been created by New Granada against the United States.

Mr. SPOONER. Mr. President——

Mr. PATTERSON. And let me suggest this further: The Senator will find it by reading the correspondence. New Granada [illegible] the United States [illegible] entered into [illegible] section 35 of the treaty, and it is that section which is the subject of controversy now.

Mr. SPOONER. Of course New Granada wanted section 25. I am not prepared at this time to permit the Senator from Colorado to confuse me as having taken a wrong [illegible]. If, when I have discussed, I know his purposes are sincere, and he believes [illegible]

Mr. PATTERSON. Yes, it is plain from the correspondence.

Mr. SPOONER. Possibly it is plain from the correspondence the Senator has read.

Mr. PATTERSON. Well, Mr. President——

Mr. SPOONER. But——

Mr. PATTERSON. Just one moment. The correspondence I read was all the correspondence that was sent to the Senate by President Polk, and printed under the order of this body. It is [illegible]

Mr. SPOONER. I had more to say, but I [illegible] that the Senator, if it would be [illegible], would reserve his correction of my error until he has discovered whether I am in error or he is in error. I wished have looked somewhat into this subject.

Mr. NEWLANDS. Will the Senator from Wisconsin permit me another question?

Mr. SPOONER. Yes.

Mr. NEWLANDS. I understand that the Senator now admits that Colombia by its act in rejecting this treaty did not violate the treaty of 1846, though, as he says, it violated its spirit. I then [illegible] and what remedy it had under the well-[illegible] principle of international law?

Mr. SPOONER. Mr. President, I am not a lecturer on international law. [illegible] me is, a pure [illegible] grievance under [illegible]

Mr. NEWLANDS. [illegible] read in the [illegible] the President [illegible] in a [illegible]. If he did intervene or if he did declare war by a [illegible] I ask upon what principle of international law [illegible]

Mr. SPOONER. Well, if he did "intervene" and if he did "declare war," it would be one thing. But he did not do either.

Mr. NEWLANDS. [illegible] I [illegible] consin to insist that when on the 2d day of November, before the Republic of Panama was created, when the [illegible] was in existence, a Republic with which we [illegible] of the Isthmus of Panama, an instruction was given to the naval forces of the United States warning Colombia off her own territory, refusing to permit her troops to land upon her own territory, with a view to suppressing an anticipated, not an existing, insurrection, it was not an act of war.

Mr. SPOONER. I think the Senator from Nevada is in the situation of the gentleman spoken of by James Russell Lowell, who knew too many things that were not so.

Mr. NEWLANDS. I ask the Senator to state what is not so.

Mr. SPOONER. I say it is not true——

Mr. NEWLANDS. That he intervened with the naval forces?

Mr. SPOONER. I say it is not true that the Republic of Colombia, prior to the recognition of the Republic of Panama, was prevented from landing her troops on the Isthmus of Panama to repress disorder.

Mr. NEWLANDS. Let me read——

Mr. SPOONER. I will not let you read——

Mr. NEWLANDS. The absolute——

Mr. SPOONER. I respectfully decline to yield now. [illegible]

Mr. SPOONER. There will be abundant time to discuss this whole subject. What I am after now—and I am going to spend [illegible] on it—is the question whether the President of the United States has put his heel upon the act of Congress. It has been admitted and it could not be denied, that so long as that bill was pending in the Congress of Colombia it was the duty of the President of the United States to withhold any action on the [illegible]

When he [illegible] I do not know. [illegible] But I do know [illegible] Colombia's most [illegible] upon the President of the United States. It had been determined to summon the Congress of the United States to meet in extraordinary session on the 9th day of November, not more than three weeks off. Is there a man of discretion anywhere, so situated as the President of the United States was, who, pending the assembling of Congress, would have acted, because his action would have been irrevocable, so far as he could make it irrevocable? What would a man who knew his duty and [illegible] have done? He would have waited [illegible]

Mr. FORAKER. Mr. President——

Mr. SPOONER. Yes.

Mr. FORAKER. I will not interrupt the Senator.

Mr. SPOONER. He would have waited until the Congress assembled and presented this vital question for its consideration in the new circumstances.

Mr. FORAKER. I wish to call the Senator's attention to what [illegible] was before [illegible] repeal of that act and as to [illegible] to the rejection of that act, by [illegible]

If the Senator will give me his attention, on page 85 of Senate Document No. 51, Fifty-eighth Congress, second session, is printed the report made by the majority of the committee of the Colombian Congress, rejecting the proposed statute that had been pending [illegible]

Mr. SPOONER. What date?

Mr. FORAKER. October 26, 1903. That is the date when it was rejected. Immediately following the rejection of that, on

October 17, Mr. Beaupré, our minister, wired the State Department as follows:

Have received information, on [illegible] negotiations with [illegible] wed by [illegible]

That is printed on page 85. At page 86, if the Senator will bear with me [illegible]

Mr. SPOONER. I thank the Senator from Ohio.

Mr. FORAKER. [illegible] ate of Bogota, [illegible] a [illegible] dispatch to the State [illegible] when in the [illegible]

[illegible] read in the [illegible] sion. As a [illegible] arting game.

Then, after passing over a few lines, he says:

As a matter of fact, the Government and [illegible] ress have waited and [illegible] the Government of the [illegible] ress [illegible]

Then, on page 89, under date of October 23——

Mr. PLATT of Connecticut. After the special session was called.

Mr. FORAKER. I call the Senator's attention to this. As late as [illegible] pears to me the Con- [illegible]

That was [illegible] October 24. There are other [illegible] as late as the 29th of October the State Department was receiving from its representative at Bogota information of a general character—information to the effect that the Colombian authorities had not abandoned the project of some kind of a negotiation, but that they were constantly keeping that in mind and giving him assurances that they would take further steps looking to an agreement between the United States and Colombia for the construction of the Panama Canal.

Mr. SPOONER. I thank the Senator from Ohio. I did not expect, when I came in, to address the Senate at all. I had marked the same parts of these papers for an argument later on in this matter. I have been intending to rely upon this proposition, that until the *adjournment of the Colombian Congress* beyond any possibility the President of the United States *would not have been justified in taking any action which would involve the adoption of the alternative of the canal act.*

Now, what happened? Congress was soon to meet. I do not know how it would be with others, but I can hardly conceive of a discreet, sensible President who, with the Congress of Colombia adjourning October 31 and the Congress of the United States to assemble on November 9, with a Congressional preference expressed in law for the Panama route, would have taken the subject into the Executive hand and attempted to foreclose it.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. Excuse me. I will finish, if the Senator will permit me.

The PRESIDENT pro tempore. The Senator from Wisconsin declines to yield.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. I will yield.

Mr. TILLMAN. I wish to ask the Senator would not a discreet President, such as he has described, have waited those nine days, from the time of the adjournment of the Colombian Congress until the assembling of the American Congress, to consult with us, and whether or not we wanted to warn Colombia off her own reservation, and whether we were going to recognize this so-called [illegible] Republic, as I will persist in terming it, and so forth and so on? Would not a discreet man have taken the time to consult the lawmakers of this country?

Mr. SPOONER. No, Mr. President. A President of the United States who understood the Constitution of the United States and was man enough to do his duty as President of the United States, under the law of nations, and to conserve the interests of the United States and the safety of the United States, would have done just what Theodore Roosevelt did. He would have recognized, when the time came, the Republic of Panama, and all the observations of the Senator from South Carolina are [illegible] upon an assumption of both law and facts, none of which, as I understand, are correct. The President of the United States, I will say to the Senator from South Carolina—and he does not need that information from me—is not obliged, under the Constitution, to consult Congress or the Senate as to whether he will recognize the fact of independence anywhere on earth. No President has ever done it in the last analysis.

The Articles of Confederation gave Congress the power to acknowledge the independence of foreign governments by receiving ministers and ambassadors——

Mr. TILLMAN. You mean the President?

Mr. SPOONER. No, Congress; and by sending them. But it was so cumbersome, so weak, so far removed from a legislative function, that it became of the supremest embarrassment. It was impossible, whatever happened, whatever necessity there was to recognize the independence of a country, to enter into diplomatic relations with it in order to conserve the interest of the United States and to watch its safety, for the President to act or for any action to be taken when Congress was not in session.

That was one of the weaknesses of the [illegible] Confederation. When the Constitution of the United States was framed, following the rule in England, following the rule in every government of consequence in the world, it was treated by the convention as an Executive function, being the mere ascertainment of and action upon a fact, and the fact it may be to-day one way, and a month from now another way. The Congress [illegible] President the power to receive ambassadors, ministers, etc., and that is by all the principles of international law a recognition of independence.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. The Constitution did not shackle at all the power of the President in that respect by associating with it the Senate.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. The Senator from Wisconsin can not—I hate to use the word "dodge," but it appears to me that he is rather shunning the crucial point.

Mr. SPOONER. Did not the Senator put the question to me, "Why did the President do something without consulting Congress?"

Mr. TILLMAN. You were speaking about a discreet President.

Mr. SPOONER. Did not the Senator put the question to me, why the President of the United States, who I say has acted with the utmost discretion, did not consult the Senate or the Congress before he recognized the Republic of Panama.

Mr. TILLMAN. The Senator is dealing with the question of recognition.

Mr. SPOONER. Then the Senator ought not to refer to me as dodging——

Mr. TILLMAN. I take it back.

Mr. SPOONER. When I answer his question by saying that no President of the United States who knows the Constitution or with the self-respect which becomes the President would consult the Congress or the Senate whether he would receive a minister.

Mr. TILLMAN. Now, will the Senator permit me? I apologize for any intimation that the Senator was dodging, because he is a brave fighter, and he is so adroit in his fencing that I always dread to meet him. But when I have got the truth——

Mr. SPOONER. Why do you not keep out of it, then? [Laughter.]

Mr. TILLMAN. I say when I have got the truth as a buckler I fear nothing that walks the earth.

Mr. SPOONER. You have not got it.

Mr. TILLMAN. Let us see whether I have got it or not. The Senator's contention is that the President has the right under the Constitution to recognize countries and receive ministers. Grant it. I do not dispute that. The point I want the Senator to touch on and illuminate is where the President gets any right to use the Army and Navy of the United States to protect a republic which he himself has created.

Mr. SPOONER. Oh, Lord!

Mr. TILLMAN. Ah, it is "Oh, Lord!" and somebody will cry "Oh, Lord!" very often before that question is answered. [Laughter.]

Mr. SPOONER. I was not referring to the Senator from South Carolina. [Laughter.] I hope he will not take that remark as being in any degree personal. The Senator's assertion has been made before.

Mr. TILLMAN. It has not been answered, and it can not be answered.

Mr. SPOONER. It has been answered and it will be answered again, and I [illegible] it away by an assertion. I will answer it in detail on another occasion.

Mr. TILLMAN. When the case comes to trial?

Mr. SPOONER. When what case is tried?

Mr. TILLMAN. This case before the American people.

Mr. SPOONER. This case is before the Senate. I intend to debate it fully when the time comes, and I will answer it. But I repeat what I said before—I would not say it if I did not think it—

I would rather a word in this body, based upon a principle of [illegible] than a dozen in any corner [illegible] I was [illegible] was not [illegible] an honest effort on his part [illegible] way the interests of the United States [illegible] the United States.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. Now, if the Senator will permit me to proceed——

Mr. TILLMAN. The Senator is evidently so disinclined to any further interruption that I will not bother him any more. But I did want to ask him some questions. I will sit down, though. I will not [illegible]

Mr. SPOONER. The Senator [illegible] me. I dislike extremely to [illegible]

Mr. TILLMAN. As I am a kind of an interrogation point to-night, I will accept the Senator's kindness in the spirit in which he tenders it.

Mr. SPOONER. Will the Senator adopt a schedule and put a limit on his speeches?

Mr. TILLMAN. Now, you are too provoking, my dear sir, for me to sit here and hear you dish out sophistries and all this special pleading and other—well, assertions, that are contrary to my knowledge of the facts, and I can not promise to remain quiet.

Mr. SPOONER. I am [illegible] law.

Mr. TILLMAN. You Cyclops undertake to knock me over because I am an ignorant farmer, with no knowledge of the law. It is pitiful for you to do it. But I have some little recollection of the Constitution of the United States.

Mr. SPOONER. A man might read the Constitution and commit it to memory and yet not understand it.

Mr. TILLMAN. Oh, undoubtedly. We see that every day all around us; and I sometimes think, if the Senator will pardon me, that you lawyers who make your living by splitting hairs can not understand law as well as one of us fellows who depend on common sense.

Mr. SPOONER. Yes; if we allow you to determine what is common sense the Senator is undoubtedly correct.

Mr. TILLMAN. Well, let us get back to the question. If the Senator will permit me, the point I want to ask is this: Granting that the President has conserved the interests of the United States, as he understands it, that he is looking out [illegible] for the benefit of this country, and that he has been very unscrupulous in his method, if the Senator will go so far——

Mr. SPOONER. Do you ask me to grant that?

Mr. TILLMAN. If I have granted the other, I think you might grant a little. [Laughter.]

Mr. SPOONER. I deny it.

Mr. TILLMAN. I will not put any words in the Senator's mouth. The point that I am after is this: How many people were engaged in this so-called revolution?

Mr. SPOONER. Oh, that is immaterial.

Mr. TILLMAN. Well, you can not pooh-pooh it away, my dear sir. When there were four and a half or five million people down there in Colombia, it is not worth while to say that fifteen or twenty thousand could meet and organize a republic. I have here a newspaper published in Colon which gives an account of how this revolution, so called, occurred, and the Senator from Tennessee [Mr. CARMACK] has told us all about it.

But the point I want to make is that the President's message convicts him of preknowledge that something was going to occur there. He has stated in his message to us that he had reason to believe that a great many things were going to transpire; that the *Dixie* was ordered there and the other ship, and general orders were issued to this naval officer and that.

The point I am trying to get the Senator to answer when he comes later on to discuss this thing exhaustively, as I have no doubt he will, is to tell us what constitutes a reputable government which a President can recognize. That country has not had any election yet. It has no congress. It has nothing except a junta, or a hunta, or some other thing down there that was organized in some back room, and the evidence is pretty clear, I think, that our consul furnished the money to bribe Colonel Torres and his men to withdraw without a fight. I will withdraw now and leave the Senator, but we will have it out again in the future to a certainty.

Mr. SPOONER. Of course. I hope the Senator does not intend to terrorize me.

Mr. TILLMAN. Oh!

Mr. SPOONER. I was only about to ask the Senator——

Mr. TILLMAN. That was my final subsidence. I have quieted down for to-night and will not say another word, I do not care how provoking the Senator may be.

Mr. SPOONER. The Senator asked when I expected to get at his question. I will reply now about that. If the President had [illegible] on the Isthmus he would have been derelict. I was saying that the President has, under the Constitution, the right and the duty to acknowledge, in my judgment, the independence of the Republic of Panama, and I was saying to the Senator from [illegible] one member of this body I present the suggestion that the President—not only the President, but any President—has been unscrupulous in his public transactions or in any official transaction. It is not befitting a co-ordinate branch of the Government.

Now, Mr. President, to go back. I will take up these other questions later. I am coming back to the point I was after. The President waited, and ought to have waited, until the Congress met in extraordinary session. But in the meantime events moved rapidly on the Isthmus. Panama revolted, declared her independence, and without bloodshed attained it. So that the Republic of Panama came to be, in *fact*, the only authority or sovereignty upon the Isthmus. The power of Colombia had been utterly expelled. What did he do? In this situation he promptly recognized the Republic of Panama. He negotiated with the Republic of Panama a treaty granting to the United States what? First, its consent to the sale by the New Panama Canal Company of the very property named in this canal act of Congress as to be bought at a price not exceeding $40,000,000.

That treaty embodied the concessions and more than the concessions which were indicated by this canal act as the concessions which, by the decree of Congress, must be obtained from the Republic of Colombia before the President could buy the canal property or begin the construction of the canal. He has presented the matter to Congress. He has neither ignored nor abrogated the canal act. It is first for the Senate to say whether it will ratify that treaty. It is for the Congress to say whether it still prefers the Panama route.

The President has done nothing save in *strict compliance* with the "canal act" passed by the Congress. To say that his action violates that law because he has secured by treaty *all that the law contemplated and required, and much more*, but from a *new proprietor*, the "Republic of Panama," instead of from the old and *dispossessed* sovereign, the "United States of Colombia," is too technical and superficial to be other than childish.

The act of Congress contemplated as to the "preferred route" two things: First, a satisfactory title to the property of the New Panama Canal Company, including the canal, two-fifths completed, and, second, the requisite concessions to enable the United States to *construct, maintain, and control* the canal and the canal zone. I need not now consider the title to be made by the canal company.

But as to the concessions, the President has sent to the Senate a treaty entered into with the *successor Government in ownership and sovereignty*, recognized as such and as independent by the United States, Great Britain, France, Germany, and other great governments "over sea," and by Cuba, Peru, Nicaragua, and Costa Rica, *assenting to the transfer by the canal company* to this Government of the canal property, and all the canal act contemplated and more in the way of concessions.

To say that this is not in harmony with the act, notwithstanding it is the *property provided to be purchased, over the land contemplated, and the precise concessions demanded by the act in the place indicated by the act for the price authorized*, is a suggestion utterly unworthy of one moment's debate.

Under the law of nations the Republic of Panama stands as to all things ratify the successor in sovereignty and proprietorship of the Isthmus of Panama as if at the passage of the canal act she had never lost her "first estate" and Colombia had never existed.

The route was the real thing. The title and concessions were what the act provided for, and it matters nothing, save for around of carping, that the owner is *Panama*, not Colombia.

It might be claimed, with just as much sense, Mr. President, that if the Congress should pass an act authorizing the Secretary of the Treasury to buy a certain block in the city of Washington for a Hall of Records from John Jones, the owner, at a cost not exceeding $[illegible],000, when the time came John Jones had sold it to James Smith, who was willing to sell it for the price and pass a perfect title to the United States, there would be no authority in the Secretary of the Treasury to buy it *although it is the property Congress described* and purchasable at the price Congress fixed.

The United States would get a perfect title to it at the price fixed by the act of Congress, but pending the passage of the act and the consummation of the transaction it had passed from one owner to another, who was perfectly willing to sell it to the Government. I doubt if any Secretary of the Treasury would hesitate to consummate it; I doubt if any Comptroller of the Treasury would hesitate to audit the account for the payment. In any event, in the substance of it the executive act *contracting* for it, in order to save the right to the Government to take it subject

to the removal of a technical objection by Congress, would be a strict and faithful and literal performance of duty by the Secretary of the Treasury.

When you come to this particular transaction, the President has entered tentatively into a contract to *buy the property named in the first and second sections of the act, the right to control it, absolute sovereignty over it, perpetual in its character, and the only point Senators can make against it is the purely technical point that it is bought of the Republic of Panama, which now owns it, instead of the Republic of Colombia, which has ceased to exist.*

That is the sort of argument, Mr. President, which would "rail the seal from off the bond." An attack upon the President of the United States upon a ground like that is so virulent and inexcusable as to find no possible explanation, except upon the hypothesis of partisanship of the bitterest sort. We can not test the wish of Congress upon this if we choose. It is "up to us." You have a resolution pending here directing the President of the United States to turn his back on Panama, to leave it to a French fleet to protect the interests of the French people on that Isthmus, and to turn to Nicaragua and build the canal there. That can be brought to a vote. I should like to vote upon it to-morrow. I should like to see Senators line up on it. That would involve not speech, but action.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Certainly.

Mr. TELLER. Will the Senator allow me to ask him what resolution he refers to?

Mr. SPOONER. I understand that such a resolution was introduced here within a day or two.

Mr. TELLER. The Senator does not, then, refer to the one we are supposed to be discussing?

Mr. SPOONER. Oh, no; but that is the way to raise that issue. It is like the common law pleading, it brings the matter of controversy down to a point.

Mr. TELLER. Suppose the Senator introduces such a resolution then.

Mr. SPOONER. I would introduce it if it were not for the fact that I hate to introduce a thing which I will not vote for.

Mr. PLATT of Connecticut. Let them introduce it.

Mr. SPOONER. It ought to be introduced. I challenge you to introduce it. If there is anything but partisanship in this attack upon the President, based upon the slimmest, thinnest technicality that ever was imported into debate, it ought to be introduced by some Senator virulent in attack, full of insinuation and suggestion of dishonor, who is willing to vote for it after he has introduced it. The people then will see——

Mr. TILLMAN. If I had not promised to say nothing, I could not remain silent after that; but I shall have to go out of the Chamber while the Senator is discussing any such wild vagaries as those or I shall fail to keep my pledge.

Mr. SPOONER. Mr. President, I never thought——

Mr. TILLMAN. I intended that remark in no sense a discourtesy to the Senator [leaving the Chamber], but the Senator is just like a disordered—— [Laughter.]

Mr. SPOONER. That is the only absolutely successful controversy I have ever had with the Senator from South Carolina. [Laughter.] I have been surprised a good many times in my life, but I never looked forward to the time when, in the presence of the people of the United States, I would be rebuked by the Senator from South Carolina for indulging in *wild vagaries*.

Now, Mr. President, I have said, and it has taken a long time because of interruptions, all I desire to say about this particular phase of this case. The President of the United States, I know, needs no defense here from anyone. He is a law-abiding President, if we have ever had one; and I only wish to say in conclusion that if, when he found he could secure an adequate title for the canal which Congress preferred, he had failed to avail himself of the opportunity because of this technical point on the law, in my judgment he would have lost something of the respect and admiration which the people of this country justly entertain for him as a brave, patriotic, frank man, who tries to do in substance as well as in letter what the law commands.

Mr. NEWLANDS. Mr. President, the Senator from Wisconsin questioned the accuracy of my statement regarding certain instructions which I claimed had been given by the Executive prior to the creation of the Republic of Panama, amounting, in effect, to a declaration of war.

The Republic of Panama was created, according to the statement of those who assisted in its creation, at 6 o'clock in the evening of November 3, and on the 4th day of November notice was given to our Government by a telegram addressed to it by the "junta," so called. I have in my hand telegrams addressed by the Acting Secretary of the Navy to our naval vessels both in the Atlantic and Pacific waters dated November 2, from twenty-four to thirty-six hours prior to the creation of the Republic, as follows:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

NASHVILLE, *care American Consul, Colon:*

[illegible] interrupted transit. If interruption threatened by [illegible] Panama [illegible] and have [illegible] to Colon [illegible] vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is requested.

DARLING, *Acting Secretary.*

And then another, addressed to the commander of the steamer *Marblehead* on the Pacific coast, as follows:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

GLASS, *Marblehead, Panama:*

Proceed with all possible speed to Panama. Telegraph in cipher your [illegible] Nashville [illegible] Prevent landing of [illegible] Panama [illegible] Prevent their landing if in your judgment landing would precipitate a conflict.

DARLING, *Acting.*

So I insist that I was justified in my assertion that before the Republic of Panama was created, at a time when Colombia was in undisputed possession of the Isthmus and exercised undisputed sovereignty over it, a dispatch was sent to the armed vessels of the United States in Pacific and Atlantic waters instructing them to prevent the Government of Colombia from landing her troops upon her own territory.

Mr. TELLER. Mr. President, I understand the Senator from Nevada does not desire to proceed further to-night, and I should think it would be better to adjourn. I should, however, like to make an inquiry, which is, What is the status of the pending resolution?

The PRESIDENT pro tempore. By unanimous consent, if the resolution was not disposed of to-day, it was agreed that it should retain its place without prejudice; but under another unanimous-consent agreement the resolutions in relation to the Post-Office Department investigation would be first laid before the Senate in the morning, and then the resolution now pending.

Mr. PLATT of Connecticut. I do not believe the Post-Office resolutions are likely to take a great deal of time.

Mr. TELLER. I suggest to Senators who have the Senate in charge that it is late, and probably we had better adjourn.

Mr. NEWLANDS. I inquire, Mr. President, what will be my status, then, to-morrow?

Mr. CULLOM. Has the Senator from Nevada concluded his remarks?

Mr. NEWLANDS. I have not.

The PRESIDENT pro tempore. Whenever the resolution again comes up the Chair will recognize the Senator from Nevada.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 14, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 13, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PERSONAL EXPLANATION.

Mr. GROSVENOR. On yesterday, during the general debate upon the appropriation bill, I was duly recognized by the Chairman upon an assignment of ten minutes accorded me by the gentleman from Pennsylvania [Mr. BINGHAM] in charge of the bill, and I proceeded to occupy those ten minutes in making some—perhaps I may say able—remarks upon one or two topics to which I addressed myself.

Before leaving the Capitol to go to my boarding house I notified the RECORD messenger of the House of Representatives, who usually brings to Members the manuscript of their speeches, to bring that document to me last night as early as half past 7 o'clock; but I told him if anything should happen to him so that he could not get there that early, to come back between 11 and 12 o'clock and I would hand him the manuscript. This morning I find no evidence by the RECORD—no trace or suggestion—that I made any speech. I am a little in doubt, therefore, as to what my mental condition may have been yesterday. I am told

[illegible] it possible that any Member of this H[illegible]

Mr. BAKER. I have already said, Mr. Speaker, that I asked that [illegible] was sold [illegible] I assumed that the copy of the [illegible] one of two copies made [illegible] Office [illegible] of the House.

[illegible]

Mr. BAKER. So far as I know, there has been no sug[illegible] A copy of [illegible] was supplied to me, and I assume [illegible]

[illegible]

There [illegible] Without objection, the RECORD will be supplied [illegible]

Mr. [illegible] May I have just a [illegible] minutes' time to [illegible] I do [illegible] in error.

[illegible] mitted from the Bureau of Immigration 12. It [illegible] statement [illegible] minutes' time to the [illegible]

Mr. [illegible] I do not see about me either of the [illegible] from the city of Cincinnati, and yet I do not [illegible] of the gentleman from New York ought to go entirely unanswered. I a[illegible]

his experience in Ci[illegible] is of a very much later date [illegible] ing to the particular gentle- [illegible] 1903 in favor of [illegible]

[illegible] of Hollandbad [illegible]

[illegible] the [illegible]

[illegible] n to [illegible]

[illegible] n yield to me for a question?

[illegible] the [illegible] not

[illegible] w. Mr. Chairman, I will undertake to say to the gentleman from New York that the pay rolls of the manufacturing industries of the [illegible] of Cinci[illegible] double [illegible] the day [illegible] nt of the [illegible] 2[illegible]

[illegible] d in the city of Cincinnati do[illegible] not number one to-day [illegible] ten were numbered then.

Mr. BAKER. Will the gentleman from Ohio yield for a question on that point?

Mr. GROSVENOR. No; I will not. Let me state in explana- [illegible] f this news[illegible] article from Cincinnati. The city of Cin[illegible] ti is bordered by the Ohio River. Front street and [illegible] s to which the gentleman has referred in that ar[illegible] [illegible] by the enormous traffic th[illegible] out m[illegible] from the river. For the la[illegible] weeks or more [illegible] River has been barred by the p[illegible] f ice. Gorges [illegible] a low [illegible] own out of [illegible] and thr[illegible] d that any citi[illegible] gh at a [illegible] Hol[illegible] now a Repub- [illegible] tial Democrat. [illegible] d now, but [illegible] be misled by [illegible] r, more [illegible] of the i[illegible] of Cincinnati, w[illegible] is and [illegible] cinnati, a bad mu[illegible] the city for [illegible] years on a [illegible] by the popular vote of the city.

Let me say, Mr. Chairman, again, there is not a city govern-

ment in the United States of America that can produce the evidence of good government, absolutely good government, that can compare with the city of Cincinnati. It has a mayor of high character, a gentleman, popular, strong, efficient, and able; a board of public affairs of the highest character in the city of Cincinnati: the judges on the bench are the very ablest men at the bar in Hamilton County; a tax rate in the city only about half of the tax rate of Cleveland——

Mr. BAKER. Will the gentleman from Ohio yield for a question on that point?

Mr. GROSVENOR. I will not. The city improvements are carried on in the very best possible and economical manner, and the great body of the citizens approve of the local government.

Two years ago last spring this same cry went up, and the result of it was a sweeping victory for the present mayor of Cincinnati. Last spring again the same cry went up, and yet with a tremendous vote Mr. Fleischman was again reelected mayor of the city by a large majority. It is a city representing wealth, intelligence, patriotism, virtue; and because Mr. Cox manages local politics is no reason why he should be assailed here, and an indirect attack made upon all the people of the city of Cincinnati. I do not believe in these assaults upon the great cities of my country. I do not justify any assault upon the city of New York. I certainly do not justify any assault upon the new and young and bright mayor of the city of New York, who is respected and beloved by us all. [Applause on the Democratic side.] And by that simple spirit of Americanism and patriotism, I challenge the man who assails the city of Cincinnati and its officers. [Applause.]

CONTESTED-ELECTION CASE—BONYNGE VS. SHAFROTH.

Mr. OLMSTED. Mr. Speaker, by direction of Committee on Elections No. 2, I offer for present consideration the privileged resolution which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

[illegible] That Committee on Elections No. 2 shall be and is hereby au- [illegible] expert in handwriting to pass upon such letters or [illegible] committee [illegible] in the contested-election case of Bonynge against Shafroth, from the [illegible] compensation employing such expert to be paid out of the contingent fund of the House.

Mr. OLMSTED. Mr. Speaker, I wish to say just a word. In the contested-election case referred to in the resolution, and which has been referred to Committee on Elections No. 2, a question arises concerning the handwriting on a large number of the ballots. Under the law of Colorado each voter is required to do certain writing on his own ballot, in his own hand, in the privacy of the election booth. It is alleged that, in violation of that law, some of the official ballots were improperly secured and prepared in advance by other parties and found their way into the ballot boxes. The ballots were secured and impounded by the parties to the contest in Colorado, but were not examined there. They were brought to our committee in sealed packages. There statements were made by the parties to the contest as to what would probably be disclosed by those ballots. The ballots were brought before the full committee. The package containing those from one precinct was opened. We saw at once that it was impossible for the full committee to compare the handwriting upon several thousand ballots, and a subcommittee was appointed.

That subcommittee have unanimously reported to the full committee that they need an expert. As to some matters the subcommittee have no difficulty whatever, but as to others they do not like to risk their own judgment, and they insist that such an expert is necessary to enable them to determine the questions involved as to the handwriting upon some of these ballots and possibly in some of the poll books.

Mr. CLARK. Will the gentleman allow me to ask him a question?

Mr. OLMSTED. Certainly.

Mr. CLARK. How long would it take this expert to get through with this business?

Mr. OLMSTED. The subcommittee think it might take him a week or ten days.

Mr. CLARK. How much is it going to cost?

Mr. OLMSTED. I do not know. I am told that some of these experts are high priced; others are not so costly.

Mr. CLARK. Now, Mr. Speaker, the gentleman from Iowa yesterday, if I understood him correctly, said that a stenographer wanted him to certify a bill for $45 for an hour and ten minutes' work. Now, if anybody is to be paid that sort of price, I object. I have no objection to a reasonable pay.

Mr. SHAFROTH. As I understand, everybody in the committee was perfectly unanimous for this. So far as I am concerned, I am perfectly willing to have it.

Mr. CLARK. Then let it go on.

Mr. TALBOTT. It is absolutely necessary to have an expert.

The SPEAKER. The question is upon agreeing to the resolution.

The question was taken; and the resolution was agreed to.

On motion of Mr. OLMSTED, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. NEEDHAM, for two days, on account of sickness in family.

To Mr. DICKERMAN, indefinitely, on account of sickness in family.

LEGISLATIVE APPROPRIATION BILL.

Mr. BINGHAM. Mr. Speaker, I move that the House resolve inself into Committee of the Whole House on the state of the Union for the consideration of House bill 9480, being the legislative, executive, and judicial appropriation bill.

The SPEAKER. The gentleman from Pennsylvania moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9480, the legislative appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. TAWNEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the House bill 9480, the legislative appropriation bill.

Mr. HEPBURN. Mr. Chairman, I would ask what was the pending motion?

The CHAIRMAN. The gentleman from Georgia has the floor for five minutes' time, being yielded to him yesterday.

Mr. BINGHAM. Will the gentleman from Georgia yield to me for a moment?

Mr. BARTLETT. I yield.

Mr. BINGHAM. Not to come out of his time, so that I may ask unanimous consent.

Mr. BARTLETT. Certainly, I yield to the gentleman, but do not yield the floor.

Mr. BINGHAM. In order to aid in perhaps necessary information in the debate on the civil-service appropriation I ask the reading of a letter from the Civil Service Commission that will make clear the inquiry made yesterday by the gentleman from Iowa. It will take but a minute, and that not out of the time of my friend.

Mr. BARTLETT. Not out of my time.

Mr. BINGHAM. I ask unanimous consent for the reading of the letter.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

UNITED STATES CIVIL SERVICE COMMISSION,
Washington, D. C., January 13, 1904.

Hon. HENRY H. BINGHAM,
Washington, D. C.

MY DEAR GENERAL BINGHAM: Mr. Courts, clerk of your committee, has just telephoned me asking for a statement as to the number of employees carried on the rolls of other Departments of the Government, who, either incidentally or exclusively, are doing civil-service work on boards of examiners. In reply I beg to submit the following statement:

There are at present sixteen who, although carried on the rolls of other Departments, are working exclusively for the Commission. Of this number, six are in Boston, five in New York, two in Philadelphia, two in Chicago, and one in San Francisco. The Boston board handles examinations and is charged with the actual conducting of the examinations for all of New England. The New York board is organized for the purpose of doing the same work for a large section of New York State and a part of New Jersey. I might also add that for convenience two counties in Connecticut have been detached from the New England district and put under the jurisdiction of our secretary in New York.

The Philadelphia district covers the portion of New Jersey not cared for from New York, the State of Delaware, and over half of the State of Pennsylvania. The Chicago district includes all Federal offices in the city of Chicago, and the San Francisco district includes purely Federal offices in and around the city of San Francisco. Employees belonging to other branches of the public service have for a number of years been assigned exclusively to the work of the Commission in the cities named, but it was only recently that the Commission found it necessary to consolidate a number of civil-service boards into districts, so as to save officials at a distance the necessity of communicating directly with the Commission in connection with civil-service work which can as well be done by representatives of the Commission conveniently located in civil-service districts.

By this plan the Commission expects to secure closer supervision and greater dispatch in the work and a more effective administration of the civil-service laws and rules.

There are about 3,500 members of local boards at post-offices, custom-houses, and other offices throughout the country, whose work for the Commission is merely incidental to their other duties. The chief of our application division, under whose direct supervision this work is carried on, estimates that the average time given by such employees would amount to less than a day a year for each man.

Very respectfully,

ALFORD W. COOLEY,
Commissioner.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2844. An act to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893;

S. R. 81. Joint resolution authorizing the erection and maintenance of a statue in memory of the late President Benjamin Harrison upon land owned by the United States in the city of Indianapolis, State of Indiana;

S. R. 72. Joint resolution to fill vacancies in the Board of Regents of the Smithsonian Institution;

S. 2829. An act for the relief of Hamilton D. South; and

S. 1778. An act for the relief of Pay Clerk Charles Blake, United States Navy.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 9760. An act to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903," approved March 3, 1903; and

H. R. 9866. An act making appropriations for clearing the Potomac River of ice and for the removal of snow and ice in the District of Columbia.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

Mr. BARTLETT. Mr. Chairman, I do not know what the letter just read contains, because I did not hear it and could not hear it.

The CHAIRMAN. The House will please be in order.

Mr. BARTLETT. I do not know that it had any reference to the particular subject to which I undertook yesterday afternoon to call the attention of the House, and that was the violation of the law by the Civil Service Commission in the matter of the appointment of Michael W. Louis to the position of superintendent of the division of supplies in the Post-Office Department, as is set out in the report of the Fourth Assistant Postmaster-General and transmitted to Congress by the President, with his memorandum upon it constituting his most cordial approval of what the Fourth Assistant Postmaster-General had done, and what he had sent to the President, and what the President through him says to the Congress.

I had no sooner taken the floor, Mr. Chairman, than my friend the gentleman from Wisconsin [Mr. COOPER] asked me a question which injected politics into the discussion. The gentleman asked me to point out one man mentioned in this report who was guilty of fraud and corruption.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman permit me a question?

Mr. BARTLETT. If the gentleman insists, yes.

Mr. COOPER of Wisconsin. I was interrupted when I reached that point, and my question was this——

Mr. BARTLETT. I have that question here.

Mr. COOPER of Wisconsin. I understand, but you will see by what follows that I had not completed my question. My further question was this. Was one of the indicted persons appointed under the civil-service law or how many? That is the question.

Mr. BARTLETT. I do not know. We know when the civil service was put in force.

The President in his memorandum, Mr. Chairman, on pages 7 and 8 of this document which I hold in my hand, being the report of the Postmaster-General in the investigation of the Post-Office Department, transmitted here on December 5, sets forth a list of the men in the Post-Office Department who had been indicted, accused, and discharged from the post-office service on account of alleged offenses—and I use the word "alleged" because I do not stand here on the floor of this House to charge that any man is guilty of crime, especially when those men must undergo trial in the courts.

I do not undertake to say, nor deem it to be my place—whatever I may believe the proper conclusion to draw from the evidence furnished from the Fourth Assistant Postmaster-General's report, who is a good Republican and a high official in the councils of the Republican party—I do not deem it proper that I, as a Representative here, whatever may be my belief, especially when some of these men are now on trial in the courts of this city and charged with many violations of the law, should say they are guilty of the offenses charged.

But, Mr. Chairman, I do say that these frauds, so characterized by the Fourth Assistant Postmaster-General, and called by the President "corrupt practices," some of them, at least, would not have occurred in one particular, at least, the case of the appointment of the chief of the supply division in the Post-Office Department, might not have been perpetrated, unless the Civil Service Commission had permitted the irregular and unlawful appointment of this official. The Fourth Assistant Postmaster-General in this report ascribes the violations of the laws to the fact that the Civil Service Commission had violated the law.

The rules and the regulations which they themselves had presented were and the law upon the statute books as to this appointment was undoubtedly violated. That is what I desire to present to this House. I did not intend to call any attention to the politics of the men said to have been engaged in these great frauds. The matter is not whether a man is a Democrat, or a Republican, or a Populist, but it is a matter of concern whether he has defrauded the Government, or whether the party in power and the officials under whom he works have been guilty of negligence in not discovering the frauds.

The CHAIRMAN. The gentleman's time has expired.

Mr. CLARK. I ask unanimous consent that the gentleman's time be extended for ten minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Georgia be extended ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTLETT. Mr. Chairman, I say that the President called attention to the number of men who were implicated in the wrongdoing and frauds committed in the Post-Office Department: next, those who have been indicted by the courts and those who have been discharged, or who have not been indicted; and, upon investigation, out of that thirty-four or thirty-five—I do not undertake to be quite accurate—I find that there are only four who were appointed either under the civil-service law or otherwise while the Democratic party was in control of the Government. The other thirty or thirty-one went into office either as appointees of Republican officials or under the civil service while the Republican party was in charge of the administration of the Government.

Now, I did not intend to made any suggestion of this kind, but my friend the gentleman from Wisconsin [Mr. COOPER] hardly permitted me to utter three words after I took the floor before he came in with the inquiry with reference to politics. Now, you gentlemen may make all you want to out of this list. It is not a list prepared by a Democrat; it is not a charge made by a Democrat; it is not a charge made by Democratic officials. It is a charge made by an earnest Republican from the State of Kansas, who stands high in the councils of the present Administration, and whose work has been indorsed and approved by the President of the United States, and whose conclusions are said by the President to have been fully justified by the facts.

Now, as a part of the case, I desire to call attention to the part of the report which I put into the RECORD of this one instance. I have not time to call attention to more, but I call attention to this because it is on the very threshold of this report. It meets you at the start, at the very door, and stands out as a bold, bald violation of the law; and the man who violated the law, the man who encouraged it, the man who started it, the man who asked it, is a former First Assistant Postmaster-General, Perry S. Heath, now secretary of the national Republican committee.

I have put it into the RECORD. It showed a violation of the law, and that violation of law was known to and permitted by the Civil Service Commission. There was appointed a cashier at the post-office in Kansas City, Mo. By a letter, which I put into the RECORD, dated April 11, 1902, Mr. Heath had hardly got accustomed to his new duties, he asked that this man Louis be appointed cashier in the post-office at Kansas City, Mo., and carried there on the payroll of that post-office, and that his vouchers would not be signed there, but would be sent from here.

Immediately upon his appointment, never having gone to Kansas City, never having performed a minute's work in that office, what was done with him? Why, he was appointed chief of the division of supplies in the Post-Office; and how did they make a vacancy? There had been a man filling this position in the office for over a year. His position was in the classified service, but it does not appear, says the report, that any complaint was ever filed against him; he was not charged with inefficiency or misconduct. On April 15 he was requested to resign by the First Assistant Postmaster-General, but submitted his resignation to take effect after thirty days, and he was given leave of absence for that period.

Two days after that the place was filled by pretending to put the man in the office at Kansas City, Mo., and then immediately, almost with the same stroke of the pen, on the same date, appointing him to this office made vacant by the First Assistant Postmaster-General; and what does this officer making this report say with reference to it?

On the same day he was appointed; he never had visited Kansas City; never performed any work of any character in connection with the Kansas City post-office.

After he had been appointed superintendent in that position he was asked to be excepted from the provision of the rules of the civil-service law. Right here I will say that I intended to secure a report of the Civil Service Commission for last year, but I have not been able to get it. I wanted to see how many more exceptions there may be from the law governing this great Commission that is to protect the Government from the spoils system at the instance of high officials. I understand that if the inquiry could be made and an answer procured, they would be more numerous in the past year than they have been under the Administration of any other former Republican or Democratic President. I do not know the truth of it—I am simply informed that such is the fact.

Here is what the Civil Service Commission did: They gave him a special examination, and when he came to be examined, to show why he was competent above everybody else, simply because by this illegal appointment he had had three months' service in the Post-Office Department the Civil Service Commission said that they would give him a rating of 50 out of 100 in order that he might get the position. That is to say, they gave him the position on account of the proficiency he had acquired because of three months' service in this Department of the Government.

Of course this was given to him as a mere gratuity, given to him by this Commission, which stands guard over the interests of the people and their rights in order that the "spoilsmen," the representatives of the people, who are said to be the Members of Congress, elected by the people, the "spoilsmen" of the country, may not put their friends in office. I say, Mr. Chairman, that this Commission rated this official, who had never performed any service for the Government beyond three months, at fifty—granting him a bonus of fifty—in his marking in order that he might secure this appointment. This was because of a three-months' service.

He was recommended over everybody else, and as a matter of course, as says the Fourth Assistant Postmaster-General, he received the highest grade of anyone examined and was given a permanent appointment. When it was noised about that this was a peculiar case, one that the First Assistant Postmaster-General had inaugurated, one that the Civil Service Commission had winked at and had indorsed, when some one instigated an investigation, when President Roosevelt said no matter who was guilty he should be found out and prosecuted—and I certainly give him my approval for that and doubt not that he was honest in that statement, for whatever else may be said about him, I do not believe that he at least intends to cover up frauds in the Government service—when this investigation was about to be made, and inquiry was had how this Civil Service Commission, these watchdogs of the rights of the people and of applicants for office, had permitted this irregular and illegal transfer and appointment, what was the result?

The examination papers of this man who had been promoted into service over and against the rules can not be found, but conveniently disappeared from the files of the Civil Service Commission.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK. Mr. Chairman, I ask unanimous consent that the gentleman from Georgia have five minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Georgia may have his time extended five minutes. Is there objection?

There was no objection.

Mr. BARTLETT. I thank the gentleman from Missouri. Now, I have here a rule of this Commission with reference to transfers and the appointment of men, something that stood in the way of this matter. I read from the report of the Civil Service Commission made on June 30, 1902, which is the latest one upon which I have been able to lay my hands, there being none later in the document room or anywhere else that I could find. Rule IV, with reference to classification of temporary employees and their transfers, reads as follows:

Such persons shall not be eligible for transfer to positions in the Department at Washington, except after service of six months and upon the demand of the Department in which Rule X, and upon statement by the head of the Department requesting the transfer that the duties of the position demand the appointment of the person mentioned, because of some special qualification of the place or qualifications of the person for the place which can not otherwise be reasonably met.

Here is a rule of this Commission under which was permitted the temporary employment when the man had not been employed for a day or an hour in the service. Here is a Civil Service Commission which permitted him to be transferred instanter into the Department of the Post-Office in charge of one of its great divisions. As suggested by the Fourth Assistant Postmaster-General in his report, he was appointed in order that he might aid those who desired to defraud the Government, or rather to have the Government pay extravagant prices for material to be furnished it.

I do not use my own language, but I use that of the Fourth Assistant Postmaster-General. So that, Mr. Chairman, to conclude the proposition upon which I started, and started solely to call to the attention of this House, I would say that if this is a sample of what the Civil Service Commission permits to be done in the administration of its office—and that it is a correct example does not depend upon my assertion, but is such an example as is stated to be taken from the proofs and the records of the Government, furnished by its officers—then it is time that we had a change.

I should like to ask whether this is an example of the way the Government is protected from spoilsmen? I doubt not there can be found many examples of like character of the evasion, the suspension, the violation of the civil-service law. If this is an example of the administration of the Government under the civil-service law, I think the people would welcome the day when the old system of "spoils" (if you choose to call it so) might return, when at the suggestion or on the recommendation of their Representatives in Congress they secured far abler, far more efficient service at the hands of the Government employees than they have received from those appointed and carried upon the rolls in the service of the Government under this pretended system of civil service. [Applause on the Democratic side.]

Mr. COOPER of Wisconsin. Mr. Chairman, I have no speech to deliver on this occasion. I did not think of saying anything at all on the pending amendment until this morning after calling at the office of the Civil Service Commission to see whether the gentleman from Mississippi or I was correct last night in our respective contentions as to how certain former officials of the Post-Office Department now under indictment were appointed. Nor did I intend last evening to inject politics into this discussion.

Mr. LIVINGSTON. Just one word, if the gentleman will permit me.

Mr. COOPER of Wisconsin. I can not yield except for a question.

Mr. LIVINGSTON. After the gentleman's question of yesterday I am quoted in the RECORD as saying that Mr. Machen came regularly through the civil service into his position. I have a letter from the Civil Service Commission and I desire to say that if the statement of the Civil Service Commission this morning is correct he was covered by the blanket order of the President and did not go through in the regular way.

Mr. LANDIS. I should like to ask the gentleman——

Mr. COOPER of Wisconsin. I have the data concerning this matter and will put it in the RECORD.

Mr. BARTLETT. The gentleman will remember that I had made no statement in reference to Mr. Machen being in office under the civil-service law, or anyone else.

Mr. COOPER of Wisconsin. If gentlemen will allow me to proceed, I think that there will be no trouble about anybody being misrepresented.

Last evening the gentleman from Iowa [Mr. HEPBURN] in one of his very forceful speeches inveighed powerfully against the principle of the civil-service law and especially against the manner of its enforcement. He, in effect, asserted that conditions under the old system were better than the conditions of to-day. That statement has just been reiterated by the gentleman from Georgia [Mr. BARTLETT]. Last evening the gentleman from Georgia declared that nothing could better show the truth of what the gentleman from Iowa [Mr. HEPBURN] had said than the report of the Fourth Assistant Postmaster-General, giving an account of the alleged frauds in the Post-Office Department.

What does that mean? The only conclusion to be drawn from this statement of the gentleman from Georgia was that the men in the Post-Office Department who have been charged with frauds were appointed under the civil-service law, which the gentleman from Iowa had condemned. There is no other interpretation to be put upon it. Thereupon I interrupted the gentleman from Georgia to ask him to tell who of the men charged with these frauds had been appointed under the civil-service law, but was myself interrupted before finishing my question. Both the reporter and the gentleman from Georgia misunderstood what I had in mind, and, in fact, what I did say.

But the gentleman from Mississippi understood what I asked, and he answered my question, as appears by the RECORD.

Mr. BARTLETT. I do not know whether they are guilty. I do not say they are guilty. Some of them are now being tried and their guilt will be determined by the courts. I say that the Fourth Assistant Postmaster-General——

Mr. WILLIAMS of Mississippi. Oh, name Machen.

From this remark of the gentleman from Mississippi [Mr. WILLIAMS], the leader of the Democratic minority, it is perfectly

clear that he understood me to ask the gentleman from Georgia [Mr. BARTLETT], to name, not the men mentioned in the Bristow report who were "guilty," but which of them had been appointed under the civil-service law. And the gentleman from Mississippi suggested the name of Mr. Machen. He understood my question as I intended it and as it ought to appear in the RECORD.

Mr. BARTLETT. The gentleman says that the remark ought to be in the RECORD. I hope he does not mean to say that anything has been taken out of the RECORD.

Mr. COOPER of Wisconsin. Oh, no; the reporter misunderstood, as the gentleman from Georgia evidently does now. Then I said in reply to the gentleman from Mississippi:

Oh, Machen was a Democrat, not appointed under the civil service.

The CHAIRMAN. The time of the gentleman from Wisconsin [Mr. COOPER] has expired.

Mr. COOPER of Wisconsin. I ask for ten minutes more.

Mr. BARTLETT. I ask that the gentleman's time be extended five minutes.

Mr. HULL. I ask that the extension be for ten minutes.

The CHAIRMAN. If there be no objection, the time of the gentleman from Wisconsin will be extended ten minutes.

There was no objection.

Mr. COOPER of Wisconsin. I said [reading]:

Oh, Machen was a Democrat appointed—not under the civil service.

Mr. WILLIAMS of Mississippi. No, he was appointed under the civil service and went through upon examination.

Mr. COOPER of Wisconsin. He never went through under civil-service rules and

Mr. LIVINGSTON. Oh, yes, he did.

Now, I have here a complete, authentic statement as to how Mr. Machen was appointed. I say nothing as to his guilt or innocence. He went into the Post-Office Department as a Democrat, appointed three years before his particular position was put under the civil-service law. He was appointed Superintendent of Free Delivery, at $3,000 per annum, in the office of the First Assistant Postmaster-General, August 22, 1893, without examination. This position passed from the excepted to the competitive class on May 6, 1896, three years after his appointment. He was promoted to General Superintendent of Free Delivery, at $3,500 per annum, on April 29, 1901, to take effect July 1, 1901. He was removed from the service on May 27, 1903.

Mr. Beavers was appointed to the service in 1890, years before this position was placed under the civil-service law. Every one of the officials of the Post-Office Department now under indictment for peculiarities and frauds went in under the spoils system, excepting only one man, Mr. Louis, late superintendent of post-office supplies. Every one was appointed by the request of a politician.

And now I will answer the statement read by the gentleman from Georgia [Mr. BARTLETT] concerning Mr. Louis, the sole civil-service appointee now under indictment, and the manner of his appointment. This statement is from the report of the Fourth Assistant Postmaster-General, and is somewhat criticised by the Civil-Service Commission.

The late Mr. John R. Procter, former president of the Civil Service Commission, a Democrat, and a very superior public official, wrote an answer to this statement in the report of the Fourth Assistant Postmaster-General. By the way, I myself have nothing to say in criticism of Fourth Assistant Postmaster-General Bristow. In my judgment, he has successfully accomplished one of the most thoroughly difficult tasks undertaken by an executive officer of this Government in a century.

John R. Procter saw the report of the Fourth Assistant Postmaster-General, and he wrote a letter to the Postmaster-General in reply to the allegations in that report, to which the gentleman from Georgia has referred. This letter was dated on December 1, 1903, a little time before he died.

DECEMBER 1, 1903.

The honorable the POSTMASTER-GENERAL,

SIR: The Commission invites your attention to the following quotation from the account of the report of Fourth Assistant Postmaster-General Bristow, as it is misinterpreted in the Post-Office Department which has been furnished the press:

And this is the quotation from Fourth Assistant Postmaster-General Bristow's report:

On April 13, 1903, Michael W. Louis, of Cincinnati, was appointed clerk in the Kansas City, Mo., post-office, and was designated to the Department as a special examiner of the supply division. Post-Office Inspector [illegible] was asked to detail two persons from the classified service. Two other commission examiners, but in every following a list gave a special examination assigning Louis a rating of 90 points for experience acquired during the twelve months he had been in charge of the division. As a result of this rating Louis passed a satisfactory examination and was appointed.

General Bristow is a most excellent officer. I do not wonder that in the turmoil that has been around General Bristow, in the perfect whirlpool into which he has been plunged, he may have erred slightly in some minor details. But it does not touch his integrity, his honor as a man, or his patriotism as a public official that he has made a slight and unimportant error. It does, however, reflect somewhat upon the accuracy of my eloquent friend from Georgia [Mr. BARTLETT], who has been so severe in denunciation of the Civil Service Commission, presided over by John R. Procter, that he did not stop to inquire into the facts and see whether Mr. Procter and the Commission had made a defense.

Mr. BARTLETT. Mr. Chairman——

Mr. COOPER of Wisconsin. I can not yield now.

Mr. BARTLETT. The gentleman is very courteous—very courteous.

The CHAIRMAN. The gentleman declines to yield.

Mr. COOPER of Wisconsin. This is what Mr. Procter said in reply:

In reply, you are advised that the statement that a special examination was [illegible] in pursuance of a request made by the Post-Office Department [illegible] was made in the Post-Office Department.

Not from a Member of this House, not from a Senator, but from an executive officer in the Post-Office Department——

Mr. BARTLETT. The First Assistant Postmaster-General.

Mr. COOPER of Wisconsin (reading):

that the position of superintendent of post-office supplies be excepted from examination, with a view to the appointment of Louis, special attention being called to his long experience and superior qualifications for the position. The Commission declined to except the position and announced an open competitive examination.

Mr. CHARLES B. LANDIS. And then they gave him 50 points.

Mr. COOPER of Wisconsin (reading):

An open competitive examination consisting of two subjects—first, experience [illegible] subjects was weighted 50 per cent, and competitors were rated according to [illegible] Louis was given no rating for experience in the position to which he was [illegible] entitled by him showing his experience in various positions, covering a period of [illegible] years as qualifying to qualify him for the position of superintendent [illegible]

The proposed [illegible] was employed for several years as foreman in a public [illegible] Department [illegible] Louis was given a rating of 90 per cent, and upon the rating so given he was appointed. [illegible] Department [illegible] the facts in regard to the examination [illegible] fully stated.

By [illegible]

JOHN R. PROCTER, *President.*

Mr. BARTLETT. May I ask the gentleman a question?

Mr. COOPER of Wisconsin. I have not time to yield. The gentleman from Iowa said that conditions are worse to-day than they were before the law was enacted, worse than under the old spoils system. Let me read what James A. Garfield said in an article in the Atlantic Monthly in 1877.

Mr. GROSVENOR. I wish the gentleman would correct in the notes the statement of what "the gentleman from Ohio said." I have not said anything yet.

Mr. COOPER of Wisconsin. Iowa! But I do not think that I would have erred if I had said "the remarks the gentleman from Ohio is going to make." [Laughter.]

Mr. GROSVENOR. That is right.

Mr. COOPER of Wisconsin. Here is what Garfield said:

One-third of the working hours of Senators and Representatives is hardly sufficient to meet the demands made upon them in reference to appointments [illegible] The present system [illegible] impairs the efficiency of the [illegible] and [illegible] manly qualities which are so [illegible] the public mind by holding up public office [illegible] this service is one of the highest and most imperative duties of [illegible]

In a speech on this floor Mr. Garfield said, on the 4th of March, 1870:

We press such appointments upon the Departments; we crowd the doors; we fill the corridors; Senators and Representatives [illegible] because until the [illegible] we do not do it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. I ask that my time may be extended ten minutes.

Mr. HEPBURN. I would like to ask the gentleman what document he is reading from?

Mr. COOPER of Wisconsin. I am reading from a Senate report on the civil service, 1882.

Mr. HEPBURN. Yes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time be extended ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Garfield continues further:

There, Mr. Chairman, is, in my judgment, the true field for retrenchment and reform.

President Grant, speaking of the great evils in 1870 of the spoils system, says:

There is no duty which so much embarrasses the Executive and heads of Departments as that of appointment, nor is there any such thankless labor imposed on Senators and Representatives as that of finding places for constituents. The present system does not secure the best men, and often not even fit men, for the places. The elevation and purification of the civil service of the Government will be hailed with approval by the whole people of the United States.

I call the attention of the gentleman from Missouri [Mr. CLARK] to what Senator Vest said:

When I entered the Senate I became chairman of the Committee to Examine the Executive Branches of the Civil Service, and for two years I was engaged with the [illegible] that committee in taking testimony upon the subject of civil-service reform. That very great evils exist there can be no sort of question; they are enormous, so deadly in their effects, that men of all political parties have come to the conclusion that some remedy must be applied.

* * * * * * *

That evils exist there can be no sort of question. Money has become the great factor in the politics of the United States.

Senator Bayard said:

No man obtained an office except he was a violent partisan, and the office was given to him as a reward for party services; and so things went on until the offices generally were filled under that system, which was false and dangerous in the extreme—a system which, as my friend from Ohio said, is absolutely fatal to the integrity of republican institutions. I care not what party or under what name it may be organized and carried on.

I regret that I have not time to read extracts which I have here from the report of a committee of which John C. Calhoun and Daniel Webster were members—two men who represented as much of intellectual power and unsullied patriotism as any legislative body ever knew. This great committee united in saying that unless the spoils system, which a few years before had been inaugurated, were destroyed, it would ultimately lead to the breaking down of republican institutions.

The present civil-service law, honestly administered, allows anybody, the hod carrier's son and the son of the millionaire, if they wish to enter the service of the Government, to go before the Commission on equal terms to be examined; and if upon the examination the hod carrier's son proves to be the better fitted of the two, the law declares him entitled to the appointment. And he ought to have it.

That is the civil-service law. It is based upon the principle that the office belongs to the people, not to the officeholder, and that the people are entitled to the best possible trained service of employees in the business departments of the Government, just as the stockholders of a corporation engaged in manufacturing are entitled to the best trained service of its employees. Now, it is not claimed that the law is always perfectly administered. The Civil Service Commission, on page 27 of their seventeenth annual report, say:

[illegible] not wish it understood by anything that has been [illegible] that there is an absence of irregularities and violation of the civil-service laws and rules—

We do not say that there is no burglary simply because we have a statute against burglary, but we do not propose to repeal the law because some men violate it—

or that the system is yet working with entire satisfaction, for such is far from being the case; but the foregoing is set out to indicate the steady and gratifying improvement in this direction.

I regret I have not time to elaborate upon this.

Rule 12, clause 2, says:

2. No person shall be removed from a competitive position except for such cause as will promote the efficiency of the public service, and for reasons given in writing, and the person whose removal is sought shall have notice and be furnished a copy thereof, and be allowed a reasonable time for personally answering the same in writing; but no examination of witnesses nor any trial or hearing shall be required except in the discretion of the officer making the removal. Copy of such reasons, notice, and answer, and of the order of removal shall be made a part of the records of the proper department or office, as shall also the reasons for any change in rank or compensation, and the Commission shall upon request be furnished with copies or the originals thereof.

The reason is plain why these copies are required to be filed. It is in order that the head of an Executive Department or one of the bureau chiefs can not corruptly or unlawfully under any pretense put in practice the old spoils system. The record must be there to justify the removal. Now, the President of the United States has interpreted that clause. President Roosevelt says:

Whereas said misunderstandings have existed, etc. Now, for the purpose of preventing as such misunderstandings and improper constructions of said section, it is hereby declared that the term "just cause," as used in section 8 of civil-service rule 2, is intended to mean any cause other than one merely political or religious, which will promote the efficiency of the service; and nothing contained in said rule shall be construed to require the examination of witnesses or any trial or hearing, except in the discretion of the officer making the removal.

That gives that discretion to the bureau chief which he ought to have, and no honest man in the enforcement of that law can ask for more. He ought not to be allowed upon the mere request of a Member of Congress to put out a faithful employee. The administration of the law to-day is not perfect, but as the Commission say, the law itself is a long step toward the doing away forever with the serious evils depicted by Grant, Garfield, Calhoun, Webster, and the other statesmen who during their great careers saw and denounced the spoils system in politics. [Applause.]

Mr. GROSVENOR. Mr. Chairman, if the advocates of this system of purveying the public patronage of the United States Government would treat gentlemen who are opposed to the present administration of the system with decent respect and give to their judgment the meed of being at least patriotic, we could discuss these questions in a better spirit than that manifested by the gentleman who has just taken his seat. To call the critics of the present administration of the civil-service law "spoilsmen" is an offensive and opprobrious epithet, unfair and unjust. I have just as good a right in my representative capacity to point out the defects of this system and ask for their improvement, as the gentleman has to go back ten years prior to the enactment of this law and read the rainbow encomiums of theorists upon a condition that has never been. I have no doubt that the gentleman from Wisconsin believes that he is better than we are.

Mr. COOPER of Wisconsin. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Wisconsin?

Mr. GROSVENOR. I do.

Mr. COOPER of Wisconsin. During the whole of my remarks I abstained absolutely from using the word "spoilsmen." I spoke of the spoils system.

Mr. GROSVENOR. The gentleman will find the statement in the notes, where he said that such an appointment was made upon the recommendation of spoilsmen. That was the language.

Mr. COOPER of Wisconsin. I have not used those words in any statement I have made.

Mr. GROSVENOR. I think the gentleman will find it there. I am glad to hear him say that he does not condemn everybody as a pirate who does not sail on the same ship that he does.

Mr. COOPER of Wisconsin. Mr. Chairman, I am assured by the gentleman who sits in front of me [Mr. PEARRE] that I did not use that expression. He says that I used the word "politicians."

Mr. GROSVENOR. And the gentleman from Iowa [Mr. HEPBURN], who sits near me, assures me that the gentleman used the word "spoilsmen." [Laughter.]

Mr. COOPER of Wisconsin. I did not.

Mr. GROSVENOR. Then we are all right on that branch of it. Now, let us see what happened in the matter of this system. The gentleman from Wisconsin has not been here during the entire career of this pure-in-heart system, this angelic system, that is just now being tested pretty fully in this Government.

A bill was introduced in the Senate of the United States by a Senator from Ohio, a Democrat, a man of high character, a man who would not debauch the public service any more than Mr. Garfield would. He introduced the bill and confessed openly—I refer to the CONGRESSIONAL RECORD—that he did it in order to wrest some of the offices from the hands of the Republican party and put some few Democrats into office.

Mr. HOAR, of Massachusetts, in speaking of the bill, stated that he was in doubt about the propriety of the act, but he thought it might be a good plan to try the experiment. I do not use his exact language, but he said it was a tentative measure which could undoubtedly be made beneficial by amendment and perfection afterwards. That was twenty years ago. It was a new system, a novel system, a system that I am willing to say was suggested by some of the reasons given by General Garfield.

I do not deny that there was room for reform, a necessity for reform, and I will try to point out, if my time can be extended, how anxiously men upon this floor have sought to present their views of what would be a reformatory process, but they have always been denied. That tentative measure stands on the statute books to-day without the dotting of an "i" or the crossing of a "t" from the one that came from the Senate and was passed in the House twenty years ago. It was a new system absolutely, a complete revolution of the old system, and yet it stands there as the perfection of wisdom. To-day a man might just as well attempt to reform the Ten Commandments as to attempt to change a word in that law. If you were to rise here and move to strike out a word from the Ten Commandments or from Christ's Sermon on the Mount, you would not be denounced any more bitterly than you would if you dared to say that this was not the perfection of human wisdom in any respect. It stands par excellence with the Declaration of Independence and the great enactments to which I have referred.

Mr. CLARK. Inasmuch as anybody who suggests a change in

this system gets skinned anyway to the utmost limit, as the gentleman says, why does not somebody get a bill reported here repealing the whole thing, and then let us have fair and square debate on it? And we can not be skinned any worse anyhow. [Laughter.]

Mr. GROSVENOR. I will show the gentleman why you can not directly.

Mr. CLARK. I would like to know now, because that has been bothering my mind ever since I have been here.

Mr. GROSVENOR. I commend to the gentleman the able gentleman from Missouri that he can immortalize himself if by any possibility he can get a bill before this House to amend, to alter, to enlarge, or in any other wise affect that old law—that perfection of human wisdom to which I have referred.

Mr. CLARK. Well, the gentleman is on the Committee on Rules, and I would ask him why he does not report such a bill? [Prolonged laughter.]

Mr. GROSVENOR. For twenty years bill after bill has been introduced in this House. I am told something like five hundred bills in all have been introduced. I do not know the number. Ever since I have been a Member of this House all kinds of bills have been introduced; bills to repeal the law; bills to enlarge the provisions of the law and make them more stringent; bills to confer the power upon this board that they have usurped from time to time.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. HEPBURN. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for fifteen minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the time of the gentleman from Ohio be extended fifteen minutes. Is there objection?

There was no objection.

Mr. GROSVENOR. Bills of every possible form suggesting amendments, and even bills to enlarge the power, the prerogative of the soldier in holding office, have been introduced into this House, and now I state here that there has never been a bill reported back from the Committee on Reform in the Civil Service upon which there could have been engrafted an amendment affecting this law, either for its repeal or its improvement. So the Committee on Rules has no power to act, and the gentleman from Missouri [Mr. CLARK] fires a blank cartridge when he fires at me on that subject. Why have they sat upon that safety valve? Why has it been that for twenty years this committee has sat persistently on the safety valve and prevented a bill from coming in here? Because everybody knows, that knows anything about Congress, that by a majority of three to one, probably four to one, this Civil Service Commission would be stripped of a vast percentage of its power, and the experience of twenty years would be injected into this law, and a system—not a "spoils" system, but a system of intelligent administration of the departments of this Government would be the result. But the same cry is heard—denounce everybody as "spoilsmen," call them "corruptionists," lay at their door every irregularity that happens in the administration of the Government, and cry out against the right of the House to be heard.

In the Fifty-sixth Congress a meeting was held by 100 Members of this House, a round hundred Members on the Republican side of this House, and a bill setting forth our views upon the subject of civil service was introduced by the distinguished gentleman from Kentucky, now a judge of the United States courts. That bill was swallowed up in the vortex that has swallowed up all the attempted legislation for twenty years. That bill was not a bill for the benefit of the "spoilsman." It was a bill fixing a tenure of office, providing for an examination of every applicant in the particular Department to which he sought admission, a competitive examination if it was desired, and then an appointment, first, as a temporary appointment, and afterwards as a permanent appointment for four years. That bill was not allowed to get into this House, for if it had come into this House it would have been passed by more than a two-thirds majority. You may say that there might be a possibility of wrecking one of these measures from that committee by force of a motion. Whether that could be done or not I do not know. We have never yet, since I have been a Member of this House, resorted to any such process as that in a case like that.

Now, it is suggested that the men who are indicted are the result of the "spoils" system. There is a young gentleman languishing even here in the jail on the Eastern Branch who, it is said, passed a civil-service examination in this city and stood the highest for the highest of those examined—and he is now in jail awaiting his trial for embezzlement; and it has been discovered that prior to his great achievement before the Civil Service Commission he had served a term either in a reformatory or a penitentiary for forgery.

But I do not care for that. There is no system of appointment that will preserve the public service from debauchery by bad men; that is impossible. So the fact that one or more men now indicted or whoever else was appointed or not appointed under the civil-service law is not material. It is enough for me to know that the system itself is holding in office and preventing the removal from office of the men who are now charged with these crimes.

Why, sir, I remember when a gentleman came here from Kentucky—brought here by Mr. Carlisle—and it was not very long after he arrived until upward of 3,000 employees of the Departments were turned out because they were Republicans. That was in 1885, before the gentleman from Wisconsin understood what was going on here. And when they had cleared the decks and turned out three or four thousand officeholders, then this same gentleman drew an order of the President covering permanently and forever every one of those employees who had taken the place of the Republicans turned out; and that order has held them in office from that day to this. To-day they are still holding office.

More than one-fourth of the clerks in the Departments here in Washington to-day were brought here under circumstances of practically a similar character and were blanketed into office under the "merit" system and branded "merit," while the men who went out were branded "spoilsmen;" and this gentleman continued to purvey the patronage of this Government from that day until very recently.

We all understand that. The history of those times is not unfamiliar to us. And during that time effort after effort was made to amend this statute, utterly without effect. If these gentlemen will bring into this House any bill upon which an amendment will be germane to affect the conditions of this law, I will see to it that no tacking of such an amendment as this is attempted upon an appropriation bill.

But there is no reason why the Representatives of the people of this country may not have an opportunity to be heard upon their view of this question. We are just as much interested in the purity of this Government as is the Civil Service Commission itself—appointed under a system that to me smacks very strongly of the "spoils" system. I ask the gentleman from Wisconsin, What is the difference between a Representative of the people recommending a worthy young man of his district for appointment as a clerk or a messenger in one of the Departments and the President of the United States selecting a collector, or Civil Service Commissioner, or somebody else to be a purveyor of all these offices? One is the "spoils" system, if you please, upon a mighty small margin; the other has now become a "spoils" system that requires nearly $30,000,000 to pay the salaries for a single year.

When this law went into effect the expenditures under this bill now pending here amounted to about $20,000,000. To-day it amounts to nearly $30,000,000, and we are told that the reason for that is that 16 per cent of this amount—that is the estimate given to me yesterday—is paid to men absolutely worthless to the public service, absolutely worthless. So that we have practically a civil pension. And the advocates of this civil-service system are already advocating such a pension. Whenever one of these great civil-service reform conventions meets, somebody during its progress will make a speech declaring that we must have a civil-pension list. You know, gentlemen, and I know that is what is coming. We have it by indirection now to the extent of 16 per cent and I tell you that it is bankrupting the Government in this city alone, and we shall have it as long as this system lasts.

It is not worth while to tell me that men can be turned out of office here without any trial and without any suspicion. The law that says to the people of the United States that A small man who turned one of other except for cause—such a provision, taken in connection with a system that permits somebody to send the man out without any explanation, without any trial, without any hearing, is an outrage against the common judgment of mankind in the matter of decent administration of power. Far better would it be if they would stand by the original proposition that Mr. Jefferson made—that a man should not be turned out of office without charges preferred against him and without having the opportunity to be heard.

The gentleman reads with a great deal of satisfaction an order from the President saying that the heads of these Departments, under a law that says that no employee shall be turned out except for cause, have said to such: "Take your traps and go." Then the public understands that he has been turned out for cause, and he has no opportunity to know what the cause is.

When did it happen that the citizens of this country were assessed by the lack of vision in the representatives of the people? The Congressman is utterly unfit for the high duty of citizenship that they are not permitted even to suggest that in their town or in their county there lives John Smith, who has a good horse and a good wagon, and is a bright, intelligent young man, who knows all the roads on the route of the rural free delivery, and that it would be a good idea to give him employment for the benefit of his family and himself? Are we so corrupt that we dare not go

to this inspector when he comes around and even say to him, "There is a good fellow and capable man?" If you do it you violate the law, and if you do it I defy you to get an appointment made that you have thus O. K.'d. It has gone on step by step until an oligarchy is formed, nominally of three men, up to a very recent date consisting of one man, that simply makes the terms and conditions upon which men may be appointed to office.

Only a short time ago it was permissible, under this rural free delivery carrier system, that the inspector might put into the paper that had the answers that were sent to the Civil Service Commission here an expression of opinion as to the intelligence, good looks, and cleanly habits of the applicant. That is now cut off. Why? So that there may be no man living who shall dictate anything connected with the office, or suggest anything, except this board of men here in the capital of the country. You have no capacity, you do not know when a man is fit to carry the mail 25 miles every day. You can not tell that. You are not capable of it, but there is a board sitting here who can detail a chief, and he can take a written examination and tell all about the man.

It is enough to say that the expenditures under this system have increased 30 per cent. It is enough to say that under this system the wrongs and outrages and irregularities and crimes that are charged to-day, if they did not originate under the civil-service administration, have been covered through the administration of that system up to date. [Applause.]

Mr. LACEY. Mr. Chairman, I believe the civil-service law has come, and come to stay. These attacks and attempts to repeal the law by cutting off supplies have been grimly characterized by one of the Civil Service Commission as "the annual joke of the House;" but, nevertheless, there ought to be some remedy. When an attempt is made to rectify, to modify, to modernize, and improve this law, those who make the effort are called "spoilsmen," and the law is spoken of as the "merit system." In other words, this one law is looked upon as specially sanctified, and one which can not and should not be improved. On the other hand, it is assailed as being a law that interferes with appointment to office through the representatives of the people, and one that ought to be swept away. The greatest defect of the present system is the difficulty in getting rid of the inefficient.

Mr. Chairman, in the last Congress I prepared a bill upon the theory that there ought to be every five years, or at some other stated period, a reexamination, and that the Departments should then have an opportunity to drop anyone they wanted to, with or without cause, making each employee eligible to reappointment by being examined in the line of the work that he was performing. Under this method each clerk would look forward to his stated turn of reexamination and reappointment.

Having introduced this bill, my mail was flooded with anonymous letters, with appeals from various persons, who seemed to feel that it was an attack upon some of their privileges, and that an examination of this kind would deprive them of office; and from the number of missives of that kind that came in my mail I became convinced that there were many who would undoubtedly be dropped at such periods. In case such a bill as that was passed, there would be no temptation upon the part of the officials in power to drop employees simply because of a wish to appoint somebody else, because those to be appointed must come through the civil-service channels, and they would not know who they would get to fill the vacant places, thus preventing dropping of names, except for the good of the service, and at the same time putting all the employees upon their merit and subject to frequent examinations. This would be an evolution from the present system, and would improve the service without any return to the old method, which was so severely condemned in its day.

The best civil service we have to-day in the Government of the United States is the Railway Mail Service. The men employed are examined repeatedly. They have to stand examinations very often, and the result has been that the service has been improved from time to time, and is constantly improving. The same method applied to the other branches of the Government, coupled with provisions upon which the Government could relieve itself of the inefficients, would bring this service up to a real merit system. It is not repeal, but improvement in existing law that is needed. It is not a true "merit system" that we have now.

The service in general, Mr. Chairman, is good. There is no doubt about that. But it could be improved, and the fact that it is good has caused the officials in the Departments to tolerate its many faults for fear that in attempting to improve it they might get something worse. If we could have the aid of the Civil Service Commission along these lines it would be much better. But that Commission has usually assumed that whenever an amendment of the law was proposed it was evidence of hostility upon the part of the Congress.

The Commission should aid the Congress by the suggestion of amendments needed to improve the service.

Mr. RICHARDSON of Alabama. Mr. Chairman, I desire a few moments to express certain views upon a subject that has already been before the committee. I heard with much pleasure the remarks just made by the distinguished gentleman from Ohio [Mr. GROSVENOR], and I only regret that he did not go somewhat further in the views that he expressed on the subject of giving every man a fair trial and an honest hearing before impartial jurors of his country before he is condemned and pronounced guilty by anyone. I have been taught, Mr. Chairman, by the profession that I have followed and honor—like all other lawyers on this floor have been taught—that prejudice is like the breath of a human being upon a pure, unblurred pane of glass on a frosty morning; and, I think, of all men in this great Republic of ours that the high officers of our Government should see to it that in the administration of our laws the humblest as well as the highest citizen should have a fair, impartial, and unbiased trial before his peers—an unprejudiced jury. No influence or expression should come from one in authority calculated to do prejudice or harm to a citizen on trial for an alleged offense.

I have, Mr. Chairman, no apologies to make and no explanations to give as to any of the men who are alleged to have been guilty of the post-office frauds. They are each and every one entitled to a full and fair hearing before conviction. If guilty, then punish them; if innocent, free them. I was glad to hear the distinguished gentleman from Georgia [Mr. BARTLETT] say that they were entitled to a fair trial and ought to have it. Every man would agree with him. What I desire to call the attention of the committee specially to is a matter that which I do not think the American Congress ought to pass silently by without a protest. We ought not, Mr. Chairman, to allow a precedent to be made and passed in this country without an honest, impartial, dispassionate, nonpolitical protest which tends to obstruct and hinder a fair and just administration of the law. I refer, Mr. Chairman, to the "Memorandum of the President" of the United States and attached to Mr. Bristow's report. I dare say that no such memorandum from one so high in authority can be found and will ever occur again in the history of this great Republic of ours against citizens under indictment, charged with grave crimes, as that which I now read. It is this:

Memorandum upon the various papers submitted from the Department of Justice and the Post-Office Department concerning the investigation into the corrupt practices obtaining in the Post-Office Department, notably in the office of the First Assistant Postmaster-General and in the office of the Assistant Attorney-General for that Department. All the documents in the case are herewith forwarded to the Post-Office Department, and will be held ready for submission to the Congress whenever it may choose to ask for them.

The President of the United States ought to have simply returned the papers to the proper Department without comment, and there stopped. Certainly there can be no difference among us as to that opinion. He occupies the greatest office in the world to-day. Whenever the occupant of that office pronounces an opinion for or against a man it has a powerful weight and an influence that no man wants to confront on his trial. It matters not how guilty the parties may be, it was not becoming in the President of the United States to pronounce them guilty before trial. What does the President say about these men that were then under indictment—were awaiting a trial? It was indeed an extraordinary indiscretion and thoughtlessness, and a precedent that the conservative, law-abiding people of this country will not uphold.

I say distinctly that I am not here as the apologist for Machen or Tyner or anyone else charged with frauds in the Post Office Department, but I am here, as you are, to see that the precedents of our country, made by the President of the United States, should conform to the law and not be unfair to any citizen. What does he say?

The [illegible] made by Mr. [illegible] and of [illegible] the Assistant Attorney-General for the Post-Office Department.

I say, Mr. Chairman, that declaration by the President is a solemn declaration that these parties are guilty—guilty before a jury of their countrymen has pronounced them so.

Did you read that speech that Congressman Tyner made? I never saw him. I do not know him. I could not tell you to-day in what State he lives. But his appeal for a fair trial and protest against the denunciation of the President of the United States was one of the most powerful and pathetic appeals that I have ever read. He said that for forty-one years and more he had served his country in official positions without a blot or a stain on his character, and that struggle with him to-day is whether paralysis, which has afflicted his body, will carry him to the grave before he can have the opportunity he desires to establish and vindicate his honor and his integrity against the denunciation so publicly and recklessly made against him by the President of the United States. What a spectacle is here presented to the American people—an old man 78 years old praying that his life may be spared long enough to defend his name and transmit it untarnished to his family.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDSON of Alabama. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Alabama asks that his time may be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. RICHARDSON of Alabama. I say, Mr. Chairman, we ought to be careful and never even as private citizens pronounce our fellow-man guilty of crime until so declared by a jury. The President was too strenuous, and so it is through this whole report, when he truly pronounces all of these men guilty. I say to you as lawyers, and many of you are, that we have been schooled and taught from our early manhood as lawyers to look upon this as a government of law; that the law applies to and governs the President of the United States as it does to the humblest citizen of this great Republic. And when a position of that kind is taken, I do not care who it comes from, it ought not to be passed silently by this House without some protest. I admit that a Democrat on this side of the House is more likely to enter that protest than a Republican on the other side, not because there are not many Republicans who are with me in the views here expressed, but we are all but human.

Now, Mr. Chairman, I am not here to discuss the civil-service allowance or appropriations. I leave that duty to other gentlemen. For myself I am perfectly willing to sustain any theory of any government that makes officers or offices more honest and honorable in our Government.

But one thing more about what the President has said in his "memorandum." "In all that is said," says the President, "by the report of Mr. Bristow I cordially concur." Mr. Bristow unconditionally pronounced these men guilty. Now, I am always for fair play. I believe a man ought to have a fair trial; absolutely fair. If there is anything in the world that I hate and despise it is a prejudice that gathers around a court-house when the whole people are aroused in their prejudices and passion, and it is then that the lawyer and the law should stand firmest and strongest. With this excitement that arises sometimes about public offices, how easy it is to appeal to popular prejudice and popular passion and ingratiate ourselves for political preferment by being active and strenuous, it would seem, in the denunciation of criminals. Ah, whenever that is resorted to by high officials of our Government in any way it is woe to our Republic and to just, fair, and unbiased trials before a jury. It is that that I propose to protest against, and nothing more than that, Mr. Chairman, and I hope I do so in an absolutely polite and courteous and respectful manner. I do not think that this unauthorized and unjust act on the part of the President should be allowed to pass without such a protest being made. [Applause.]

Mr. NORRIS. Mr. Chairman, it is with no little embarrassment and some hesitancy that I undertake to say a word or two in favor of the Civil Service Commission and the civil-service law. I have listened with a great deal of interest to the arguments that have been made by the eminent gentlemen on both sides of this House, and I confess that I am surprised and impressed greatly with the unanimity with which the leaders on both sides of the House concur in opposition to the civil-service law. I will admit that their ability, that their long experience here entitles their testimony to a great deal of weight and consideration, but nevertheless, Mr. Chairman, I am so thoroughly imbued with the idea of the righteousness of civil service and the Civil Service Commission that I am impelled to raise my voice, weak though it may be, in defense of that law.

To my mind it is not an argument against the Civil Service Commission and the civil-service law that there are those who are holding offices by virtue of that law who are dishonest or corrupt. I do not believe it is a good argument against the civil service that men who have been appointed under its provisions have been found dishonest and wanting and derelict in public duty. Mr. Chairman, I do not believe because it is an expensive piece of machinery that that alone should be sufficient why we should refuse to appropriate money under this bill for the continuance of the Commission in office. We have upon all the statute books, I presume, in our States a law against murder, and yet every day we hear and know of men who maliciously and unlawfully take human life. Will we, because the law is violated, clean our statutes of everything that may make murder a crime?

It has been charged eloquently by the gentleman from Georgia [Mr. BARTLETT] that the law has not been properly administered; that there have been acts done and performed by those in authority which are contrary to law and against good government and honest government. Mr. Chairman, I do not believe that is a valid objection to the law itself. I do not believe that that should be considered, except in so far as we might want to remedy the evils—if there are evils, and I believe there are—that exist. I am in favor of civil-service law, because it takes from partisan politics, and from all the evils that come from that, the appointments to office. I believe that is the theory, and I am in favor of it for that reason, because it takes away a great many reasons why inefficient and incompetent men could get into office if it were not for that law.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT of Massachusetts. I ask that the time of the gentleman be extended for three minutes.

The CHAIRMAN. The gentleman from Massachusetts asks that the time of the gentleman from Nebraska be extended for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. NORRIS. I am in favor of the law not only for the good it does directly, but for the evil it prevents indirectly. Why, sir, you repeal this law and you put on the bargain counter of partisan politics the appointment of all the officers under the Government. In the limited time I have at my disposal I can not go into the question, though I should like to do so; but I want to say if these evils exist in the law it strikes me that the thing we should do is to remedy the defects by amending the law.

If there are those who are administering the law and are not doing it according to law, let us not repeal the law on that account, but compel those who are holding their positions to do their duty the same as we do in any other law. Let us consider it in a businesslike manner, upon a patriotic and open basis, above the range of all partisanship and politics of every kind. [Applause.]

Mr. HEPBURN. Mr. Chairman, I desire the repeal of the civil-service law for the protection, among other things, of the morals of Members of Congress. [Laughter.] I want to protect these gentlemen who at home are in favor of the repeal of this law and here are civil-service zealots; the fellows who are at home saying, "Ah, Bill, I would like to get you a place, and I would do it if it was not for this civil-service law." [Laughter.] Here they are purists.

I would like to know, Mr. Chairman, if there is not the same measure of corruption in a Member of Congress going to-day to the head of a Department and asking for the retention of one of those old and decrepid men who are utterly incapable of rendering a day's service to the Government in a year. I am advised that before one of the great committees of this House officers of the Government said that they could not get rid of the deadwood in their offices because of the importunities of Members of Congress. I wonder if they are civil-service reformers. [Laughter.]

Mr. Chairman, I want again to resent this idea that because I want the repeal of this law I am a spoilsman. I have never advocated or recommended the appointment of any man to office who was not, in my judgment, a worthy man. I do not do as the gentleman, if he is correct in his reading, who makes one of the eminent men of this country say that he did—urge the appointment of improper and impure men because of their persistent solicitation. And right here let me say that I am sorry that the gentleman from Wisconsin failed to make an argument himself in favor of this system. He contented himself with reading from the speeches of men who spoke six years before this system had its birth; who spoke of another and ideal system, possibly, for something in which there might be merit, and something that might entitle itself to his approval. He read from a report of a Senate committee, made a year before the enactment of this law, and made when they had nothing to discuss except the English system, one entirely different from our own.

Now, what were they—the English Parliament—trying to remedy? In the business of forty years ago, when this question was rife in the English Parliament, the evil complained of was that the younger sons of the nobility filled all of the civil offices, and that because of their station, because of their rank, and because of their power they were above the control of those who were charged with seeing to the proper conduct of the service. And they would neither work or permit others to do it, and it was to relieve that evil that the movement in favor of civil service began.

It was from examples of that kind and from literature of that kind that the gentlemen thirty years ago drew their imaginative pictures.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WATSON. Mr. Chairman, I ask unanimous consent that the gentleman from Iowa may be permitted to conclude his remarks.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Iowa be permitted to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. HEPBURN. Mr. Chairman, in what I say here in this discussion, I desire to make no animadversion upon the gentlemen who are charged with the conduct of this business—the Civil Service Commission. I have no doubt they are gentlemen of integrity,

fully impressed with the value of the work they are engaged in, and doing the very best they can. I want to say further that I am not opposed to a proper civil service. I am opposed to that we have, because it is a fraud and a humbug, and because it does not do what it pretends to do. [Applause.]

Mr. COOPER of Wisconsin. Will the gentleman from Iowa yield to me for a question?

Mr. HEPBURN. Surely.

Mr. COOPER of Wisconsin. Did the gentleman from Iowa at the last session introduce a bill to amend this law?

Mr. HEPBURN. I did not.

Mr. COOPER of Wisconsin. Did he ever introduce such a bill?

Mr. HEPBURN. I have not.

Mr. COOPER of Wisconsin. Why did he not do it?

Mr. HEPBURN. Because there were bills pending that met my views, that were pending before the committee, and upon which we could not get reports. Simply because I knew that under the organization of that committee it would be impossible, under the rules of this House, to secure action, and the gentleman from Wisconsin knows it. Why does he ask me that question? He knows the fact. [Laughter and applause.]

Mr. COOPER of Wisconsin. Will the gentleman allow me to answer the question?

Mr. HEPBURN. Yes.

Mr. COOPER of Wisconsin. Does not the gentleman know that the rules were adopted at the opening of this session, upon the express statement of members of the Committee on Rules, that any bill which the majority of the House wanted to get before the House could be got before it, regardless of the rules? The gentleman from Pennsylvania [Mr. DALZELL], the gentleman from New York [Mr. PAYNE], and others have so declared, and the House by a majority sustained that action. If the gentleman wanted, he could have introduced a bill and got it before the House of his own volition.

Mr. HEPBURN. Well, do you believe that is true? [Laughter.] Why does the gentleman make that kind of an argument? It is like his argument on this bastard reform, and perhaps not any more sincere. [Laughter.]

Mr. Chairman, I have said that I was in favor of civil service, and I am. If I could introduce a bill that would go before the Committee on Reform in the Civil Service, and if I could compel the gentlemen to report it to the House, I would not care in what shape they might return it. The bill that I would introduce would have the following features: "That all clerks and other civil employees of the Government now selected through the aid of the Civil Service Commission shall hereafter be appointed by the head of the Department in which they are to serve; that such appointment shall be after the applicant has, through a careful examination, shown his fitness to discharge efficiently the duties of the position for which he applies, and shall be for the period of six months; that at the expiration of said term, if such appointee shows fitness, diligence, industry, intelligence, integrity, and the other necessary qualifications, he shall be appointed for a period of seven years, but shall at any time be subject to dismissal for causes other than political by the head of the Department, who shall be the sole judge of the sufficiency of the cause of dismissal and who shall certify in his letter of dismissal that the removal is not for political reasons; that such employee shall be eligible to reappointment."

Now, Mr. Chairman, I believe that that would be a civil service that would have value. I have heard gentlemen inveigh against the difficulties that they would be subjected to through the importunities of men who might want office. I would like to know from some such gentlemen who these men are that they now fear would disturb the equilibrium of their nerves because of their importunity for office. Are they the chairmen of your committees? Are they the men who are at the polls on election day? Are they the men that are your friends through the thick and thin of a political campaign? Are they the men to whom, morally at least, you owe something because of the position that you now occupy, while you are turning your backs on them? You speak for the integrity of Members of Congress. I speak for the integrity of Members of Congress who make pledges during the campaign and are deaf to them here in the House.

Mr. Chairman, I do not believe that there is corruption in the appointment of political friends to office. I believe that when the Republican party is in power every officer that can influence in any degree the efficiency of that Administration ought to be Republican. [Applause.] I believe that when the Democratic party is in power it should have the aid of its friends in all of the positions that may influence the efficiency, the respectability of the party [applause], and I think that the man who comes to Congress through a political contest is a dastard when he goes back on these implied obligations. [Applause.]

Mr. Chairman, I say all of this, and yet I am not a "spoilsman." That man is a spoilsman who will use his power for the purpose of placing in office an improper and inefficient man, a dishonest man, and he may do that as a commissioner of the civil service just as well as he may through his influence as a Member of Congress. What does the Civil Service Commission know of the fitness of men for office that they from time to time certify in response to requisitions? All they can know is that measure of information that comes to them through the reports that are made from time to time by these commissions over the country. Gentlemen say that they want to maintain this system because Members of Congress can not be trusted.

Can these gentlemen, of whom you know nothing, who constitute these commissions all over the country, be trusted? I would rather risk the man who has something at stake; I would rather risk the man that has achieved distinction, that has done something, that has secured the approval of his people, than the man utterly unknown to me; and I would rather trust my brother Members here with this great responsibility, if you choose to call it such, than those that are utterly unknown. Still, suppose that you are to adopt the plan I suggest, it does not necessarily follow that the duty of selection or of aiding in selection would fall upon Members of Congress. Probably they would assist, but what one of you would dare to select a scalawag from among his neighbors who know him and put him here in an official position? Your people at home would have something to say about that. If you selected an unworthy man, if you gave him the benefit of your indorsement, you would hear from that in the next caucus or in the next election.

I am not afraid of results of that kind, nor am I afraid of the great importunities for office. I undertake to say there is more of that now than there was when I first became a Member of this House. There is the same measure of importunity, but the difference is this—then you could aid in the selection of proper men, now you can not.

Why, Mr. Chairman, there is a wonderful difference between now and then. Here in my hand is the second report made by the Civil Service Commission. It covers 14,000 people. To-day under the civil service there are 125,000 officers of the United States. Can anybody suggest any advance in the direction of good that has resulted?

What man claims that the service of the United States in the clerical departments, in the city of Washington, for example, is better to-day than it was twenty-two years ago? No man dares to say it. It is not the truth; and the older men who have been here and are familiar with both periods will tell you so. Look at the expenditure. See how the expense has increased. See how the number of clerks has multiplied. See how, with all that multiplication, the condition of the public business requires that there should be one-half hour additional time added to the hours of labor heretofore given. That means something. What does it mean? It means that in all this increase of numbers the business is lagging; the business is behind; and this half hour must be added to the other thirteen half hours that the clerks work. Is this because there has been such a wonderful growth in the aggregate of business, or is it because there is not as much labor per capita performed by each one of the clerks now as of old? What is probable?

What better spur is there to diligence and zeal and industry than the fear that a lucrative position may be lost? Why are you gentlemen diligent in the performance of your duty, solicitous about the will of your constituents, more than are others that I might name? The reason is, because each two years you must render an account of your stewardship. Every two years your constituents have the power to deny you a further lease of political power if your conduct has not suited them. You are diligent. So will the man be who sees before him every day of his life the possible termination of his relation to his office, rather than the man who knows that through these civil-service intricacies he is so hedged about that his removal is practically an impossibility.

I remember once a prominent officer of this Government in this city telling me that in the Bureau of the Sixth Auditor he had 450 clerks. "Fifty of them," he said, "can not reach their desks when the elevator is out of repair; and if I could be permitted to make selections I would undertake to perform all the duties of that great Bureau with 200 clerks."

Mr. GILLETT of Massachusetts. Will the gentleman allow me a question?

Mr. HEPBURN. Yes, sir.

Mr. GILLETT of Massachusetts. Why could he not make such a selection under the present law?

Mr. HEPBURN. You know why as well as I.

Mr. GILLETT of Massachusetts. I know that he could.

Mr. HEPBURN. I undertake to say that it would be an utter impossibility for him to do it.

Mr. GILLETT of Massachusetts. May I ask why?

Mr. HEPBURN. Simply because he has not the power; simply

because, while the law may give it to him, the gentleman knows that practically it can not be done. The gentleman knows that through the union of clerks they sustain one another, and that under the system as we have it now charges, unless of the grossest character, can not be sustained.

Mr. Chairman, my colleague [Mr. LACEY] has said that this matter is the joke of the season. He is right. The fact is, he is nearly always right. It is only by a mistake when he fails to be right. [Laughter.]

Mr. LACEY. The gentleman misunderstood me. I said that the Civil Service Commissioners had characterized this as a "joke." I was quoting from them.

Mr. HEPBURN. I thought I had better put the remark on the gentleman than on the Commission. I did not think that any commission created by this House would have the impudence to ridicule the deliberate action of this House, especially when it were upon themselves, and while I did hear my friend say that the Commission so said, I thought possibly he was mistaken and that it was better that I should put it upon him than to charge the impudency upon the Commission. [Laughter.]

Mr. Chairman, I know that in a sense this is a joke. I know that probably no direct result will come in lessening from these worthy Commissioners their pay. We will pay them. But there is this in it: This is the only opportunity that we have to express ourselves upon this proposition. And I think that it will result in the creation of such a sentiment as may penetrate even as far as Massachusetts, and may have some influence upon those purists of Boston who trampled us in this way, and who are standing, as I think, in the way of progress and in the way of good government. [Applause.]

Mr. GILLETT of Massachusetts. Mr. Chairman, I am somewhat encouraged by the debate this morning. I am glad to hear the gentleman from Iowa [Mr. HEPBURN] say that he believes in a proper civil service. That, I believe, was his limitation. I always thought the gentleman could not really prefer the other alternative.

Mr. HEPBURN. Will the gentleman permit me a moment?

Mr. GILLETT of Massachusetts. Why, of course.

Mr. HEPBURN. Simply to suggest to you that in two preceding Congresses I submitted substantially the same views.

Mr. GILLETT of Massachusetts. If the gentleman did, they were so buttonded by other remarks that the other sentiment remained in my mind, and not that.

The gentleman from Ohio [Mr. GROSVENOR] began his remarks by saying he hoped this matter would be discussed in a temperate manner. If I remember in the past, in the little circle where he was, the temperature has been rather high when this subject has been up; but I will acknowledge that to my surprise the gentleman from Ohio headed his own admonition, and I shall try to do the same. I think the matter ought to be discussed temperately. I was quite edified yesterday to hear those two veterans of the House, the gentleman from Pennsylvania and the gentleman from Iowa, both of whom we all so much admire, exchanging compliments with each other because they originally voted for this law, and looking back apparently with fond regrets to the old halcyon days when there was no civil service.

I could but think how happy it would be for them if there was none to-day. With their long service and ability and influence which they have in the way of offices which they could not confer, they expect. There is no doubt about it, the passage of that law took the bread out of our mouths. I do not profess to have any less fondness for bread than anyone else, and naturally Members of Congress can not help feeling some personal pressure in the direction of wishing to have that patronage which they had in the days the gentleman spoke of. I confess I thought possibly their opinions were tempered a little by that possible personal human impulse which is said always to make us, as we grow older, look back upon the days of our youth as the halcyon days and the period of perfection. I know that the gentleman from Iowa and the gentleman from Pennsylvania would be surprised to find that they would advocate that the civil service to-day is vastly better than it was before this law.

For myself, I long ago came to the conclusion that there was one principle which I believed in and which I should stand by, no matter what others did, and that was the principle that the merit system is better than the spoils patronage system. I believe that the people generally have come to believe that. I believe that the people generally would prefer that almost any impartial test to decide what clerks shall be selected than to leave it to the Congressmen to select their friends. The men who want offices, who are personal friends, who, perhaps, may make more noise than others and directly influence us, may not feel so; but the silent, reflective, broader opinion of the United States, in my judgment, believes in that system, and would bring defeat upon any party which should overthrow it. It was originally passed under the lash of public opinion and I think that opinion is now far more decided in its favor.

Mr. GROSVENOR. Mr. Chairman, will the gentleman allow me?

The CHAIRMAN. Does the gentleman yield?

Mr. GILLETT of Massachusetts. Cheerfully.

Mr. GROSVENOR. Does the gentleman know any Member of Congress who advocates the appointment of men to office upon the recommendation of Members?

Mr. GILLETT of Massachusetts. The repeal of this law means that.

Mr. GROSVENOR. May not this law be repealed by the substitution of a better plan?

Mr. GILLETT of Massachusetts. Possibly. I am very glad that the gentleman does not favor the repeal of this law.

Mr. GROSVENOR. I do not. I never did; but I am only wanting to get rid of a great central power in a free government that pervades the offices of the Government, not exactly as an arbitrary power in an ancient serfdom does in that kind of a country.

Mr. GILLETT of Massachusetts. I am glad the gentleman feels so, and I am very glad if the Members of this House generally want some sort of merit system. I for one do not pretend that the present service is perfect. The gentleman criticises the Committee on Reform in the Civil Service by saying that for the last twenty years it has never allowed any amendment to get into the House. But does the gentleman consider why that is? The reason why that committee has been the defender of the civil service, in my opinion, is because the Speakers of this House for at least twenty years, no matter to what party they belonged, and both parties have been in power, no matter what their individual opinions might be on the question of the civil service, and acting as great party leaders, as Speakers ought to act—for that is his greatest function—every Speaker has seen to it that that committee was framed to defend and not to overthrow the civil service law. It seems that the Speaker of the House, with a sense of responsibility for his party, has always believed that it should not be overthrown.

Mr. HEPBURN. Will the gentleman permit me an inquiry? I am not sure whether I understood him. Do I understand the gentleman to say that in order to maintain this law it has been necessary for the Speakers of this House to pack the committee against it?

Mr. GILLETT of Massachusetts. Why, the Speaker of this House has, I imagine, in one sense, always packed his committees.

Mr. HEPBURN. Against his political friends?

Mr. GILLETT of Massachusetts. Packed them with his friends for a certain policy.

Mr. HEPBURN. Oh! Then you mean to say, in other words, that this committee has been packed, and that it has been necessary in order to maintain this so-called civil service law.

Mr. GILLETT of Massachusetts. It is not necessary to use unpleasant verbs or adjectives, or to say that they packed it in an offensive sense, or for political purposes, but whom the Speaker has made up the committee he always saw that it was favorable to the civil service law. If you call that "packing" it, I think you have packed it. I do not think, however, that it is a proper way to apply to the Speakers' positions. I think they have done so for the best interests of the country and their party. If the gentleman considers that packing for purposes, it has been done.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT of Massachusetts. I would like five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks that his time be extended five minutes. Is there objection? [After a pause.] The chair hears none.

Mr. GILLETT of Massachusetts. Just a word as to the proposition of the gentleman from Iowa. I had an opinion that the gentleman from Iowa [Mr. HEPBURN] was a good Republican. I had an opinion that the gentleman from Ohio [Mr. GROSVENOR] was a good Republican. What is the result? One proposes to cut the salaries of Members of Congress down from $7,500 to a half to a third, some other gentleman, from Ohio, perhaps, and other Simply because each Republican knows that he can not hold anybody on the floor but his own Republicans. Each Republican knows that the gentleman from Iowa [Mr. HEPBURN] is a good Republican, and that the gentleman from Ohio [Mr. GROSVENOR] is a good Republican, and that a proposition of some sort will not only apply to him, but to the Member who has proposed it.

Mr. LIVINGSTON. The gentleman leaves an impression that there was no proposition there was not civil service in any of the Departments. I mentioned the gentleman of the Congressional Library and the Librarian of Congress. I would like you to compare the efficiency there with any other bureau of the Departments of the Government.

Mr. GILLETT of Massachusetts. Why, Mr. Chairman, the Library is not under the civil service law. We all know, and the gentleman as well as anybody, that the Librarian acts upon the civil-service principles in refusing to recognize it as a patronage bureau.

If all the bureaus in all of the Departments were not protected by the civil service, we all know that the heads of Departments would be influenced by us and that we would be influenced by them.

If it were not for the fact that the civil-service system exists, if we should go to the Departments and ask an appointment and at the same time they wanted some legislation of us, does not that unfairly affect both them and us? Would not they, by appointing the man we wanted, put us in the position that when they wanted some resolution or law we would be influenced by them, and they would be influenced in their appointments by us? That, I think, would be a great detriment to the public service, and preventing that is one of the great advantages of the present system.

I want to say now that at the first meeting of the committee this year the subject was taken up, and it was determined that we should have an investigation of the whole subject of superannuation, and I hope that the committee may report some bill. I certainly think we will if we can agree upon it. I shall not be one opposed to its coming before this House.

I am perfectly willing that it may come before this House. I do not believe that the House would now annihilate the service, although I very much fear that the House could not agree upon anything that would improve it, but, rather, that any legislation would be a detriment to it. But this amendment which is suggested now is not action that the House ought to take. The gentleman who makes the motion to strike out the appropriation allows that it does not accomplish anything. The members of the Commission can get their salaries, but I think it is a little unkind just as three new Commissioners are entering office to greet them with such action on the part of this House, which is simply a kick at the Commission and does not accomplish anything. I think the proper thing to do is, as the House can do if it really wishes, to bring up a resolution. I hope myself some proposition will come from the Committee, although I make no pledges.

The only point where I think amendment is needed is in the superannuation. The gentleman says the officers have not the power now to dismiss incompetent clerks. They have, in my opinion, ample power. Under the present law any officer can discharge any person, and he ought to do it if the clerk is incompetent, and the trouble is not in the law, but in the Department officers. Who they do not do it I do not know. I suspect there are three reasons—first, the natural sympathy they have for the old men, who probably tell them, and very likely truthfully, that they have nothing to live on, and they hate to put them out in the cold world and be responsible for it. I think another reason is that a great many are old soldiers, and that still further intensifies the unwillingness, and thirdly, there are cases where Members of this and the other House go and protest against their dismissal.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEMENWAY. I may ask that the gentleman may have further time if he so desires.

Mr. GILLETT of Massachusetts. I do not care for further time.

Mr. BINGHAM. Mr. Chairman, I simply desire to state to the House that I feel that there has been a fair discussion upon this paragraph in the bill, and after the gentleman has the minutes he desires I shall ask the regular order, a vote on the proposition of the gentleman from Iowa.

Mr. ROBINSON of Indiana. I hope the gentleman will yield about three minutes to me to put three questions to the chairman of the Committee on Reform in the Civil Service.

Mr. POU. Mr. Chairman, the spoils system may be bad, but with respect to the Departments here in Washington I do not believe the spoils system can be much worse than the one now in force. We are told that there are some 27,000 employees in Washington. They soon become practically professional office holders. Washington is getting to be an educational center of vast importance. There are great universities and colleges here, and there are thousands of young men and women all over the country who would be glad of an opportunity to come here and hold a Government position for a while, and have the benefit of these opportunities of learning, and I believe that the solution of this whole question is involved in an amendment to the present law providing for a term of office as to the employees who hold office in Washington. I know of no reason why a person who holds a clerkship position here might not hold that position for a term of years as a Member of Congress does.

There are thousands of young men all over this country who would be proud of the opportunity to come here and hold one of these positions, say, for three or four or five years. The advantage of that, Mr. Chairman, would be that at the end of the term of office the person holding the position would then retire to the ranks of private life and be of service to his community; but while a person holds a position for life he generally soon becomes unfitted for any other position, and I believe the Government would get better service if the employee knew he would hold the place for a term of years only. We will soon be confronted with the proposition to pension the officials who become incapacitated to work, and it seems to me that the distinguished chairman of the Civil Service Committee could well devote his energies and utilize his large knowledge with respect to this question in the preparation of a bill carrying out the suggestions which I am making.

I believe, with respect to the offices outside of the city of Washington, that the old policy is the best—that is, to put the entire responsibility upon the party in power. When the Republicans are in power let them have the places and let them shoulder the entire responsibility of government. And when the Democrats come into power next year we will do likewise. A Member of Congress has to fight for his seat every two years. The position he holds is certainly as important as that of the employees in the various Departments here. What possible objection can there be to this change? Let the applicant stand an examination, as he does now, but let him understand that at the expiration of his term of office he must stand his chance for reappointment just as if he had never held a place under the Government.

Under the present system it is almost useless for a young man or woman to apply for a position here. All the places are filled, and filled for life almost. The only vacancies are those caused by death.

I submit it is against the spirit of our institutions to confer appointment and power for life upon a preferred list of persons to the exclusion of everybody else. Washington is a beautiful city. It is an education to anyone to live here. The very opportunity of living here for a while would be an incentive to endeavor to boys and girls in every State in the Union, but, under this Republican law, to them the door of hope is closed.

This proposed change in the law could easily be surrounded with safeguards which would guarantee the very best service to the Government. For instance, persons required to do technical or expert work might be exempted from the provisions of this amendment.

One thing is very certain. The present law is not giving satisfaction, and recent developments in the Post-Office Department indicate that the present law does not guarantee either efficiency or honesty in the administration here. [Applause.]

Mr. ROBINSON of Indiana. Mr. Chairman, if I can have the attention of the gentleman from Massachusetts [Mr. GILLETT], chairman of the Committee on Reform in the Civil Service, I would like to ask him a question. He spoke of the sentiment throughout the country in favor of the civil-service or merit system. I want to ask him if he does not think that the confidence of the people is becoming shaken in that system by reason of the arrears of work in the Executive Departments in Washington, by reason of the constant pressure of the clerks for a civil-pension list, and by reason of their protest against the enforcement of the law requiring seven hours of service from them?

Mr. GILLETT of Massachusetts. Mr. Chairman, it never occurred to me that there was any feeling in the country against the clerks because of the civil-service system.

Mr. ROBINSON of Indiana. No; I said sentiment in the country against the civil-service system caused by the action of the clerks here in the Executive Departments. Is not that confidence being shaken?

Mr. GILLETT of Massachusetts. As I understand it, the gentleman asks me if the confidence of the public is not shaken by the fact that the clerks are eager to get a civil-pension list?

Mr. ROBINSON of Indiana. That is one proposition.

Mr. GILLETT of Massachusetts. No, I do not. I do not think the country has seen any sign that such a proposition will be successful.

Mr. ROBINSON of Indiana. As to the arrears of the Departments in work, and the constant request by the Departments for more clerks and appropriations in order to get up the work—

Mr. GILLETT of Massachusetts. I do not suppose that that fact is very well known throughout the country.

Mr. ROBINSON of Indiana. How as to the protest of the employees against working seven hours a day, as by law required?

Mr. GILLETT of Massachusetts. I never heard that there was any protest against it.

Mr. ROBINSON of Indiana. Not until within a few days, but the gentleman has read the papers and knows what is in the papers.

Mr. GILLETT of Massachusetts. Yes, unfortunately for myself, I do.

Mr. ROBINSON of Indiana. Now, as to the suggestion of the gentleman in relation to the employees incapacitated from performing the service required. This bill provides that the employees who are disabled from the performance of service shall receive none of the appropriations made by this bill. Will not that correct radically any evil in the system in reference to employees unable to perform the services required?

Mr. GILLETT of Massachusetts. Mr. Chairman, it ought to

correct the whole evil. As I said to the gentleman from Iowa [Mr. HEPBURN], it is in the power of the Department to-day to correct this evil which, I think, is a crying one. The trouble is the heads of the Departments will not enforce the law. Similar provision was put in the appropriation bill three or four years ago, commanding the heads of Departments to discharge all incompetent clerks, and yet the heads of the Departments came before the committee and admitted that they did not discharge them. They will not discharge them. The trouble is not in the law, but in the enforcement of the law.

Mr. HEPBURN. Will the gentleman from Massachusetts allow me to ask him a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. HEPBURN. Would the gentleman from Massachusetts himself, under the same circumstances, discharge these old and helpless men?

Mr. GILLETT of Massachusetts. I am not in a position now to decide that. [Laughter.]

Mr. HEPBURN. Of course he would not. You can not remedy this law in this way, because, thank God, you have to use human agency. You have to have men, and they will not do it. [Laughter.]

Mr. GILLETT of Massachusetts. How would the gentleman from Iowa get rid of the superannuated clerks?

Mr. HEPBURN. I would limit the term of office so that the passage of time would do what men will not do.

Mr. GILLETT of Massachusetts. That is a suggestion often made; the trouble is that it comes back to the same point. The suggestion that he makes is that at the end of a certain number of years they shall go out, but may be reappointed by the appointing power. Is it not probable that the same appointing power which to-day refuses to obey the law to discharge them when they ought to will perfunctorily reappoint them and simply sign a list and keep them right there? I do not see why it is any more difficult for the head of a Department to discharge a superannuated clerk than it is for him to refuse to reappoint him.

Mr. SCUDDER. Mr. Chairman, I would like to ask the gentleman from Massachusetts a question.

Mr. GILLETT of Massachusetts. Certainly.

Mr. SCUDDER. I would like to ask the gentleman what would be the objection to an age limit?

Mr. GILLETT of Massachusetts. I will say to the gentleman from New York that I have introduced a bill for a number of Congresses for an age limit. I am in favor of that measure.

Mr. BARTLETT. Mr. Chairman, during the discussion of this question, the gentleman from Wisconsin [Mr. COOPER], proceeding on an extension of time granted at my request, was so inconsiderate of my request that he would not permit me to interrupt him when he stated that I had vehemently attacked not only the system of the civil-service law, but a Commissioner who was dead.

Now, Mr. Chairman, I did not know where the gentleman from Wisconsin [Mr. COOPER] procured the letter he read purporting to be a letter from former Commissioner Proctor. He did not state where he got the letter. I had never seen it before or heard of it. I have never seen it in the records of the investigations had and transmitted to the House by the Postmaster-General. But, Mr. Chairman, I do find this in this report here in regard to this transaction: The Fourth Assistant Postmaster-General, upon the twenty-fourth page of this communication, after detailing the many and various violations of law and misconduct by this appointee, Louis, says in conclusion:

From the foregoing it appears that the appointment of M. W. Louis as cashier of the Kansas City post-office, which it was not intended that he should perform any service whatever in that place, was irregular, and that his appointment as acting superintendent of the division of supplies, while carried on the rolls and paid as an employee of the Kansas City post-office was unlawful.

and recommends that he be summarily removed from office. And Louis was removed October 21, 1903, after having been in office under this illegal and unlawful appointment for six years and more.

In the memorandum submitted to us by the President with this document when it was transmitted to us, I find that Messrs. Bonaparte and Conrad, special counsel retained by the President to aid in the prosecution of the violators of the law in these matters, speaking of the Bristow report, say:

We heartily commend the report and deem its conclusions fully justified by the facts therein set forth and whose regretting in common with all patriotic citizens that the grave abuses of long standing which it reveals should have grown up in the Post-office Department, we consider the exposure of these abuses and the attempts made to punish those responsible for them a work of the highest public utility, quickly and ably performed.

Following that, here is what the President himself has said:

In all that is thus said of the report of Mr. Bristow I cordially agree.

Yet the gentleman from Wisconsin [Mr. COOPER], so far forgetful both of the courtesies due from one Member of this House to another and of the truth of the facts, stated that I had assaulted and slandered the Commission, one of whom was dead.

If a slander has been made, if something that is not true has been promulgated to the public and solemnly communicated to this House by the President with his indorsement—not only that, but with his "cordial" indorsement—I say if a slander has been spoken, then the President of the United States and the officials of the Government selected by him to make this investigation and report, and not myself, have assaulted and slandered the Commission. The facts upon which I have based my statements made here are in the records and archives of this Government, and whether true or false they will remain there. If they are not the truth, the President and his officials are responsible for it, not I.

Mr. BINGHAM. Mr. Chairman, I move that all debate on the paragraph and pending amendment be closed.

The CHAIRMAN. The question is on the motion of the gentleman from Pennsylvania.

The question was taken, and the motion agreed to.

The CHAIRMAN. The question now is on the amendment of the gentleman from Iowa, which the Clerk will report.

The Clerk read as follows:

On page 33 strike out all of the paragraph beginning with line 5, "Civil Service Commission," down to and including line 20.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken; and on a division (demanded by Mr. GILLETT of Massachusetts) the Chair announced that there were 75 voting in the affirmative and 56 in the negative.

Mr. LACEY. Mr. Chairman, I ask for tellers.

Tellers were ordered.

Mr. HEPBURN and Mr. GILLETT of Massachusetts were appointed tellers.

The question was again taken; and the tellers reported 78 in the affirmative and 65 in the negative.

So the amendment was agreed to.

Mr. BINGHAM. Mr. Chairman, I desire to give notice that when this paragraph comes before the House in the consideration of the bill that with reference to the paragraph I shall demand the yeas and nays.

The CHAIRMAN. The Chair will state that the gentleman from Pennsylvania or any Member of the House has the right to demand the yeas and nays on this amendment in the House. The Clerk will read.

The Clerk read as follows:

For necessary traveling expenses, including those of examiners acting under [illegible] of examinations and investigations held elsewhere than at Washington, $[illegible].

Mr. HEPBURN. Mr. Chairman, it is entirely proper to move at this point that this paragraph should be struck out. I therefore move to strike out the paragraph beginning with line 21 and ending with line 25.

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

TREASURY DEPARTMENT.

Office of the Secretary: For assistant secretary of the Treasury, $5,000; three Assistant Secretaries of the Treasury, at $[illegible] each; clerk to the Secretary, $2,000; stenographer, $1,000; three private secretaries, one [illegible] at $[illegible]; [illegible] messenger; in all, $46,250.

Mr. RUSSELL. I observe that in line 4, on page 36, provision is made for "one clerk of class 4, who shall be a physician." I should like to know something about the reason for this provision.

Mr. BINGHAM. This is a new employment in connection with the subordinate force.

It has been the experience of the Department as well as of great Government offices like the post-office in our cities, where there is a large subordinate force entitled to a qualified sick leave, that there should be some supervision, because it has been found very many persons can without difficulty secure a physician's certificate setting forth incapacity for work, when upon investigation it is found that the clerk or subordinate is qualified and physically fit to report for duty.

This provision has been made in the interest of economy and expedition of work, for the reason that clerks, upon the approval of their chief, are entitled to their thirty days' sick leave, and it has been found that very many try to avail themselves of this provision improperly, perhaps at times when their services are most necessary to the work of the Department, and thus practically get thirty days' leave of absence to which they are not entitled.

The Clerk read as follows:

Office of chief clerk and superintendent: For chief clerk, including $900 as superintendent of Treasury building, $[illegible]; assistant superintendent of Treasury building, $2,500; inspector of electric-light plants, gas, and fixtures for all public buildings under control of the Treasury Department,

$[illegible]; assistant inspector of electric-light plants and drafteman, $1,600; five clerks of class 4; additional to one clerk of class 4, as bookkeeper, $100; three clerks of class 3; three clerks of class 2; four clerks of class 1 (one as librarian); one clerk, $[illegible]; one messenger; two assistant messengers; storekeeper, $1,200; telegraph operator, $[illegible]; telephone operator and assistant telegraph operator, $[illegible]; chief engineer, $1,600; three assistant engineers, at $1,000 each; [illegible] at $720 each; three firemen; five firemen, at $660 each; coal passer, $[illegible]; locksmith and electrician, $1,400; captain of the watch, $1,400; two lieutenants of the watch, at $900 each; fifty-eight watchmen; six special watchmen, at $720 each; foreman of laborers, $1,000; [illegible]; $840; wireman, $840; two skilled laborers, male, at $720 each; [illegible]; ten laborers, at $660 each; laborer, $480; two laborers, at $[illegible] each; [illegible] of cabinet shop, $1,200; leadsman, $1,200; ten cabinetmakers, at $1,000 each; cabinetmaker, $720; carpenter, $[illegible]; [illegible]. For the Winder Building: Engineer, [illegible]; [illegible] of elevator, $[illegible]; four watchmen; three laborers, one of whom, when necessary, shall assist and relieve the conductor of [illegible]; laborer, $480; and six charwomen. For the Cox Building, 1709 New York avenue: Three watchmen-firemen, at $720 each; and one laborer; in all, $181,320.

Mr. OLMSTED. I move to amend by striking out the last word. I wish to ask my distinguished colleague [Mr. BINGHAM] a question. In his able and comprehensive report I find enumerated on page 3 among the increased officers "one wireman," and that is provided for in the paragraph just read. Now, as we have already provided for electrical wiremen and telephone operators and telegraph operators, I merely want to ask what particular wires this wireman is to operate or pull? [Laughter.]

Mr. BINGHAM. He is simply an assistant to the electrician—found necessary by the experience in connection with that very large building, the Treasury Department. It was the judgment of the committee that the appointment of this officer would facilitate good administration of the physical conditions of the Department. That is the governing reason.

Mr. GROSVENOR. I understand this is an appointee of a "spoilsman," to pull the wires. [Laughter.]

Mr. BINGHAM. The gentleman may know more about that than I do.

Mr. OLMSTED. I bow to the wisdom of my colleague as evinced in the statement he has just made, and withdraw the pro forma amendment.

The Clerk read as follows:

Office of Auditor for Navy Department: For Auditor, $4,000; Deputy Auditor, $2,500; law clerk, $2,000; three chiefs of division, at $2,000 each; nine clerks of class 4; seventeen clerks of class 3; thirteen clerks of class 2; sixteen clerks of class 1; twelve clerks, at $1,000 each; eight clerks, at $900 each; one clerk, $800; one messenger; one assistant messenger, and two laborers; in all, $118,180.

Mr. LIND. I offer the amendment which I send to the desk. The Clerk read as follows:

Amend by adding at the end of line 23 on page 44 the following:

"The accounting officers of the Treasury are hereby authorized and directed to allow, in the settlement of the accounts of the disbursing officers of the Navy invoiced credit for amounts paid to enlisted men of the Navy, at $9 per month each, in lieu of quarters and rations while on recruiting duty."

Mr. BINGHAM. I reserve a point of order on the amendment.

Mr. LIND. Mr. Chairman, I will briefly state the facts that prompt me to offer this amendment, which I will say has been suggested by Secretary Moody, of the Navy Department.

On November 5, 1901, a young man by the name of Harley, who is in the service of the Navy—an enlisted man—was detailed for recruiting duty at Buffalo, N. Y., with others. There are about twenty-five enlisted men in the same position that he is. In the order detailing him for the service and under which he was sent to Buffalo the Navy Department directed that the detailed men should be allowed the usual commutation of rations, $9 a month.

That being apparently insufficient for maintenance at Buffalo, the officer directing the detail added another clause—that in addition to the ordinary allowance of $9 a month these men should have an allowance of $5 a week, aggregating $29 a month.

Under this order they have served for nearly two years. When the paymasters' accounts reached the accounting officers the Auditor of the Treasury for the Navy Department held that inasmuch as the Navy Department had made the allowance in two items, one of $9 and the other of $20 a month, they could not be allowed. It is the law, and it is conceded that it is within the power and province of the Navy Department to fix the allowances to men on detail. There is no question about that. It is not fixed by statute; it is fixed by regulation. And since this controversy has come up the Secretary of the Navy has fixed it in a lump sum at a dollar a day.

These young men drew the $9 commutation of rations and the special allowance of $20 per month for nearly two years. When, as I said, the accounts came in for settlement the Auditor checked the amount of the $9 per month against their accounts, and we have this condition of affairs, that twenty-five young men, including this young man from St. Paul, in my State, of good family and who is a young man of excellent character, have been in the service of the United States since last July, performing every duty, executing every order that has been given them, failing in nothing, without receiving one dollar of their pay. It has been withheld since last July. This young man, who has now been transferred to the navy-yard in this city, came to me before the holidays with tears in his eyes. He had not received one penny from the Government since last July. I went to see the accounting officer of the Treasury, the Auditor for the Navy, and asked him how he could tolerate such a condition of affairs. I asked him whether he was surprised that there were desertions from the Navy and from the Army when red tape was carried to that extent. "Oh, well," he said, "men of this class do not desert."

Now, I want the House to understand the ridiculous technicality that the Treasury Department has resorted to in this matter. I put this question to the Auditor:

"You concede, Mr. Auditor, that it was within the province of the Navy Department to fix the allowances of these men while they were performing this duty?"

"Yes."

"If it had been fixed in one sum, as has been done subsequently, at a dollar a day, you would have allowed it?"

"Yes, sir."

"You also concede that the Department allowed it at $29 a month, but in two items, one item of $9 being the regular commutation to a private when he is away from his vessel, and the other $5 a week in addition to make $29 a month?"

"Yes."

"Then," said I, "the reason that you refuse to pass this in the accounts is because the Department has made two items of that which, in your judgment, should have been allowed in one item?"

"Yes, sir; that is the reason."

That was the conversation I had with him.

Now I will send to the desk a letter from Secretary Moody, who asks that an amendment of this character be made. By the way, the amendment was drafted in his office. He apparently despairs of getting any sense of justice in the Treasury Department.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

NAVY DEPARTMENT,
Washington, January 5, 1904.

SIR: Referring to the matter of the checkage of the $9 a month paid in lieu of quarters and rations while on recruiting duty, as in the case of Ernest Harold Harley, [illegible] as will you have interested yourself, and other like cases, the Department finds after a conference with the Comptroller of the Treasury for the Navy Department, that it is unable to pass any relief in the premises. It appears therefore to be a matter requiring congressional action, and to this end I have prepared a short amendment which it is suggested may be inserted in the urgent deficiency bill. The amount involved is not large, there being about twenty-five such cases.

I have the honor to be, very respectfully,

W. H. MOODY, *Secretary.*

Hon. JOHN LIND, *House of Representatives.*

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LIND. I ask that I may have five minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. LIND. If any Member of the House has any question to ask about this matter, I shall be very glad to answer it.

Mr. BINGHAM. There is no disposition on my part, after the facts the gentleman has stated, to question the justice of his proposition, but its relevancy is not to this bill. Even the suggestion of the Secretary of the Navy is that it go to the deficiency bill, but in my opinion you should go to the Naval Committee of the House.

Mr. LIND. But, General, if you will bear with me just one moment——

Mr. BINGHAM. With pleasure.

Mr. LIND. These young men are virtually starving in the sense that they have not had one red penny of their salaries since last July, and this without any fault of their own. They have been referred from the Navy Department to the Treasury Department, from the Treasury Department to the Navy Department, and again to the Treasury Department; and now the Navy Department sends them here to ask relief on a bill that has not yet been reported. These young men are in want. The Government is doing its utmost to make vagabonds of them, and all because of red tape. If this involved new legislation I should not ask it, but the amendment is simply to cut a knot of red tape in the Auditor's office; that is all. The law is so plain that the Secretary of the Navy had the right to make these allowances that there can be no question about it. He made the order in good faith. I will have one of the orders read.

The CHAIRMAN. The Clerk will read.

Mr. BINGHAM. I will state to the gentleman, for his information, that immediately following this bill from the Committee on Appropriations will come the urgent deficiency bill, and I think that the gentleman can get his amendment upon that bill. It has no relation to this bill.

Mr. LIND. I understand that.

Mr. BINGHAM. And while I have full sympathy with these

young men, just as much as my friend has. I should be inconsistent if I did not make my point of order against the amendment if offered to the bill.

Mr. LIND. I will ask the gentleman this question——

Mr. BINGHAM. I would suggest to the gentleman that he withdraw his appeal here, and let it go to the bill that follows this. It will follow this immediately.

Mr. LIND. I will ask this question: Which of the two bills is likely to be acted on first in the Senate?

Mr. BINGHAM. The urgent deficiency bill will pass this House, go to the Senate, and come back. This bill will doubtless not be considered by the Senate for a month. The urgent deficiency bill will pass the two Houses, and you will get your legislation quicker.

Mr. LIND. Under the circumstances, I will withdraw the amendment; but I will ask the Clerk to read the indorsement which I sent to the desk.

The Clerk read as follows:

[Second indorsement.]

DFS. BUREAU OF NAVIGATION, NAVY DEPARTMENT, February [illegible]

Subject: Relative to increase of subsistence allowed recruiting parties.

[illegible] forwarded to the office in charge of the United States naval recruiting station, Buffalo, N. Y.

The Bureau of Navigation does not favor the recommendation and to state that the recruiting officers [illegible] for recruiting officers [illegible] and subsisted on board a receiving ship [illegible] per week for [illegible] $0.6[illegible] per [illegible]

[illegible] SHEAFE,
Lieutenant-Commander, United States Navy.

Mr. LIND. I withdraw the amendment.

The Clerk read as follows:

For wages of workmen and watchmen and not exceeding $840 for other employees, $4,200.

Mr. VAN DUZER. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

On page 61, lines 18 and 19, strike out the words "four thousand two hundred" and insert in lieu thereof the words "five thousand six hundred."

Mr. BINGHAM. A point of order, Mr. Chairman.

Mr. VAN DUZER. Mr. Chairman, in looking over the items submitted in the bill now before the House I find that the appropriation for the wages of workmen and watchmen has been reduced from $5,600 to $4,200, and as the actual conditions in Nevada do not justify this reduction I simply desire to state the facts, which I believe should influence the House in restoring the amount to $5,600 instead of $4,200, as provided for this year.

I desire to call the attention of the members of the committee to the facts regarding the mineral conditions of the State of Nevada, which should make this amendment of more than passing interest to the Members of this House.

The State of Nevada since her discovery has produced $1,544,000,000 in gold and silver bullion, not to include lead and copper, an output exceeding that of any equal area in the world. For a number of years the production of mineral wealth declined in Nevada, but during the last three years science and discovery have again unlocked the riches hidden in our mountains. Science—which has conquered the subtle electrical fluid, which has yielded up to metallurgists the secrets of chemistry, and which has sharpened and invented new machinery—has enabled the famous Comstock, the greatest mining camp the world has ever known, to again work the lower levels of her mines, open up new bodies of ore hitherto inaccessible, to explore to depths hitherto regarded but as the dreams of sanguine mining men, and to work the millions of tons of low-grade ores known to exist in the upper levels of her mines.

The Comstock has produced in her day a sum variously estimated at about $[illegible]. Magnificent, amazing, beyond the comprehension of the ordinary mind. The influence of that amount of wealth thrown into the channels of commerce, into the business, giving as it has inspiration to art and stimulating the energies and ambitions of mankind, has had a deeper, wider, and more far-reaching effect on modern civilization than the effect of any great battle in modern times. And yet to-day there lies within the grasp of man bodies of ore which we can not now compute, of a richness which only the assayer can determine, beneath the crown of Old Mount Davidson, which covers the wealth of the Comstock.

I predict that when other mining camps whose reputations have dazzled financiers and stirred up the greed and avarice of promoters have been forgotten Virginia City will still be yielding her stores of wealth to influence our civilization and contribute to the happiness of mankind. This is what science has done for the mines of Nevada.

Discovery but three years ago uncovered in the heart of a Nevada desert a deposit of ore whose actual production has already reached $20,000,000, whose measured ore bodies are now represented at $100,000,000, and whose possible output may rival that of the Comstock. This camp is Tonopah, and I venture the assertion that there is not a Member upon this floor whose constituents are not more or less interested in this wonderful camp, which contains the largest and richest mine in the world.

I only refer to the Comstock and to Tonopah, two camps which will have produced more than the combined output of [illegible] Western States. I will not now take up your time by saying that there are a dozen other camps in Nevada springing into wonderful life, with untold possibilities. Instead of offering an amendment to raise a paltry wage allowance, I ought to offer an amendment rehabilitating and reestablishing the Carson mint [applause] because Carson City is the natural gateway to this [illegible] which promises to tax the capacities of all the coinage mints in the country.

Carson City is located within 20 miles of Virginia City, generally better known as the Comstock, which has produced during the past year a million in gold and silver bullion. Carson is [illegible] from Tonopah, and the wealth of Tonopah must pass her doors to be minted in San Francisco or some other city. Carson City to-day is the natural center of an area of country the most richly mineralized in the world. No city in the world is tributary to more actual mineral wealth.

Within three years gentlemen from the city of Philadelphia—the city from which the distinguished gentleman in charge of this bill comes—have made investments in the State of Nevada and have opened up a mining camp that promises to rival the great Comstock mine at Virginia City. Only within the past three months I visited my home, Tonopah, and in going through the Tonopah mines I walked underground for 10 miles through continuous workings and in solid ore, the walls of the drifts and tunnels fairly sparkling with mineral richness. It is estimated by eminent engineers in this country, men who have had experience in South Africa, and one a gentleman who is enjoying a salary of $[illegible] a year, that there are over $75,000,000 worth of ore in sight in that one mine.

There are in the city of Philadelphia over twenty-two mining companies organized for the operating of mines at Tonopah. Tonopah is situated [illegible] miles from Carson City, and all her gold and silver bullion and [illegible] that is required to be passed upon at the mints of the United States must pass through Carson City.

I wish further to say that Carson City, where there was formerly a United States mint, now reduced to an assay office, is so situated that it is tributary to a greater mineral output than any single city in the United States to-day. So I say to the members of this committee that the demands which will be made upon Carson City assay office make it eminently fit and necessary that the appropriation, which has been cut down from the sum of $5,600 to $4,200, be raised. Mining history in Nevada is rapidly demonstrating that the abolition of the Carson mint was not only a legislative error but a political error.

Think of it! A mint situated in the heart of a mining district—not only that, but in a section which has produced and will produce more than many mints could handle—the dies destroyed, the machinery removed. If the object of government is accomplished by [illegible] the mint of the Carson mint is [illegible] A striking example of a business-managed government.

The fact of the matter is, gentlemen of the committee, instead of having a reduction there ought to be a raising up to $10,000 in workmen's wages. Now I wish to say to the gentlemen who have charge of this bill, and particularly to the distinguished gentleman from the city of Philadelphia, that the Director of the Mint in making the recommendation possibly was not cognizant of the facts which go to prove that within the next twelve months the output from the town of Tonopah, in Nevada, alone will amount to between fifteen and twenty million dollars; that there is now being built into Tonopah a railroad at a cost of one-half a million dollars, and there will be erected large reduction works.

So I say the necessity for raising this appropriation is one which will make it necessary for the mint at Carson City to be able to handle the necessary work which will be brought there through the renewed mining industry in the State of Nevada, at Virginia City, and particularly at Tonopah, not to speak of one dozen camps which are now being placed upon the basis of a large operation in the southern portion of the State. Tonopah is the greatest mining camp of recent years. Already the ore bodies have been opened up for 1,100 feet in depth. Already her mines have begun to pay dividends. Already the sweet music of the stamp is heard where but a short time ago was the silence of the desert.

The people of the East have looked upon Nevada as a destitute desert; they have looked upon her, in fact, as a State which was given up, as gentlemen have said, to coyotes and sage hens, and I want to say to the gentlemen of this committee that the State

of Nevada has poured into the lap of this nation enough money, were it now withdrawn from circulation, to bankrupt this nation. [Applause.] The State of Nevada was brought into this nation under circumstances——

The CHAIRMAN. The time of the gentleman has expired.

Mr. VAN DUZER. I would ask for five minutes more.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent to continue for five minutes more. Is there objection?

Mr. BINGHAM. I have no objection.

There was no objection.

Mr. VAN DUZER. I was stating the circumstances under which the State of Nevada was brought into this Union, and they are more interesting than those surrounding the birth of any other State in this Union.

The State of Nevada was admitted on the first day of October, 1864, and the constitution of the State had to be telegraphed to Washington in order to have the State admitted, because it required two votes in the United States Senate for the passage of the thirteenth amendment, and it was necessary that the State of Nevada be admitted at that time——

Mr. RODEY. They do not admit them so rapidly now; at least we do not find it so.

Mr. VAN DUZER (continuing). And that distinguished American, Abraham Lincoln, at that time the President of the United States, said to the first Member of Congress from the State of Nevada, afterwards—as he placed his hands upon the shoulders of that gentleman, in the homely way so characteristic of Lincoln—"Thank God, the State of Nevada has been admitted, because we will now have a source from which we can get sufficient metallic money to supply the business of this nation."

There were the [illegible] of our earth. For twenty years Nevada has languished; but to-day, as a result of the Newlands irrigation bill, which should stamp its author as an empire builder along with Jefferson and Benton, we are going to have a population of one-half million people. Tonopah will sustain our agricultural population. We are the young giant of the West, and the next census will show that Reno, Nev., has been the most rapidly growing city in the West. [Applause.]

Now, coming back to the point in question, I simply wish to say to the members of this committee, in justice to the State, in justice to the facts which I have stated—and I have stated them accurately and correctly—that the mining output of the State of Nevada to-day is going to be doubled and trebled and quadrupled, possibly, in the next five years.

There never was sufficient reason why the mint at Carson should have been reduced to an assay office, because if upon the theory that governments are constituted to run the [illegible] of the government [illegible] where the business of the country can be most economically managed, there is no reason to-day why the Carson assay office should not be restored to a mint as it formerly was, the mint capacity having been taken away from it. But all I ask this committee to do is simply that the original sum which has been appropriated for the wages of workmen and watchmen shall be restored to what it was last year, namely, $5,600, feeling assured that the rapidly growing output of Nevada bullion will necessitate the reestablishment of the mint.

Now, I do not know why this amount has been reduced from $5,600 to $4,200, and I do wish to say to the members of this committee that if you are going to do a simple act of justice this item should be restored, because I have stated to you that as far as the State of Nevada and her mineral future are concerned she to-day is on the upgrade and will make a reputation for the output of gold and silver unequaled by any like area in the world.

California, which to-day has the reputation of being the Golden State, has not produced as much gold as the State of Nevada—as Nevada has produced in gold and silver. The State of Nevada has produced more than Arizona, Idaho, Washington, Oregon, and Utah. More than Alaska. More than Australia.

The State of Nevada has produced more gold and silver than South Africa has produced in her mining history. The State of Nevada has produced more than Montana, Utah, and Colorado combined. And yet, I say, as magnificent as these figures are of the presentation I make, Nevada in her condition to-day as a mining State is in her infancy.

The surface of that State has hardly been scratched from the standpoint of mining, and so I say there is no necessity, no reason why the appropriations should be reduced in reference to the workmen in the mint from fifty-six hundred to forty-two hundred dollars. I will ask the gentlemen of the committee to stand by the amendment I have offered. [Applause.]

There is no necessity for the people of the East ever again to refer in terms of scorn and contempt to my State, Nevada. While there are no monuments to mark historic battlefields, no pages of her history made illustrious by deeds of soldier and sailor, yet I point with pride to her history, though short in time, yet one magnificent in achievement.

Brought into the Union under circumstances the most dramatic in history, having given to the nation her golden and silver stores, with her wealth so widely and generously distributed that art, science, literature, and commerce have alike benefited by her, proud that her riches have created the fortunes which to-day influence modern business life, proud that the wealth of her mines enabled John W. Mackay to circle the globe with the electricity of intelligence which makes the whole world kin in thought, sentiment, and ambition, she stands no longer a suppliant for charity, but justly demands that which the magnificence of her undeveloped resources entitle her to—no longer the rotten borough, but the future home of farmers, miners, a manufacturing population, and a State to which commerce must look for her money metals and the nation, when she needs them, for brave and courageous American citizens. [Loud applause.]

Mr. BINGHAM. Mr. Chairman, the current law for the mint at Carson City for wages of workmen, to which, as I understand, the gentleman's amendment applies, is $5,600. The estimate submitted by the Department was $4,200. The bill carries $4,200. Therefore a point of order does not run against the gentleman's proposition.

As to the merits, I have no doubt the gentleman's remarks have made an impression on the House. With due respect to all the officials of the Government who make up the estimates in the books submitted to the Committee on Appropriations, the pleasure of seeing reduced estimates, I assure you, is most agreeable to the committee.

The details, as given by the gentleman from Nevada, were in no wise submitted to our committee. We simply accepted the judgment of the Director of the Mint in the estimate of the cost of the mint at Carson City in the matter of wages of workmen, that it could be carried on at the lesser figure. I leave the whole question to the judgment of the committee.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Territory of Arizona: For governor $[illegible], chief justice and three associate judges, at $3,000 each; secretary, $1,800; interpreter and translator in the executive office, $500; in all, $17,300.

Mr. WILSON of Arizona. Mr. Chairman, I offer the following amendment which I send to the Clerk's desk.

The Clerk read as follows:

On page 71, line [illegible], after the word "governor" strike out the words "three thousand" and insert in lieu thereof "three thousand five hundred."

On page [illegible], line [illegible], after the word "secretary," strike out the words "[illegible] and eight hundred" and insert the words "two thousand five hundred."

Mr. BINGHAM. Mr. Chairman, I reserve the point of order.

Mr. WILSON of Arizona. Mr. Chairman, the object of this amendment is to pay these officers the salaries fixed by law. I call the attention of the committee to section 1845 of the Revised Statutes, which is the organic act on this subject for the Territory of Arizona and other Territories, and it reads as follows:

From and after the 1st day of July, 1873, the annual salaries of the governors of the several Territories shall be $3,500. The salary of the secretaries shall be $2,500.

Now, I say that is the law which fixes the salary to be paid to these officers, and it has been so for years. This appropriation is [illegible] to pay the salaries at all; it is cutting them down. I submit, as a fair consideration of the matter, that when a salary is fixed by law it should be paid, and that unless the appropriation is sufficient it can not be done.

Now, it is certainly, Mr. Chairman, germane to the subject because it is on the question of the payment of salaries. This provision is not in compliance with the salary fixed by the law itself. Therefore I make the motion to amend that particular subject of which the bill speaks, and upon the particular point for which the law provides a fixed salary an amendment must necessarily be germane to an appropriation that does not cover it. It is unfair to the officer that fills the position. I know well the duties of the governor of my Territory, and that they go to the extent of requiring such an amount of his time, in fact all of it, that less than that amount he can not live upon at all. I know that the governor in the execution of his duties necessarily must pay his expenses and must necessarily draw his support to a considerable extent from his own private purse outside of his salary. I submit that, that being the law by the organic act (which is the constitution of the Territory), it should be covered by the appropriation in this bill.

Mr. RODEY. Mr. Chairman, I hope this amendment will prevail, and I hope that a similar amendment, which I will shortly offer with reference to New Mexico, will also prevail. New Mexico and Arizona have been treated quite unfairly in this particular. If you glance at the bill you will see that the governor of

Hawaii gets what amounts practically to $8,000 a year, when you count up all the perquisites; the governor of Porto Rico gets $5,000, and the judges of Oklahoma get $4,000 per annum, while both the governors and judges of Arizona and New Mexico get but $3,000.

You will see that Arizona has not been treated fairly when the appropriation for the governor's salary in both New Mexico and Arizona is only $3,000. Certainly it ought to be $5,000 to pay them any sort of reasonable compensation. Respecting the secretary of so vast a territory as Arizona or New Mexico, the work of that office is tremendous. There is hardly a clerk in the Territory that does not get $1,800 a year and it is certainly wrong to make the salary of the secretary of the Territory, who sometimes acts as governor, only $1,800. It ought to be left at what the law fixes it. I believe the chairman having this bill in charge will concede that a point of order does not lie against this amendment at this time, because there is a statute requiring this to be paid, and nothing but the action of the committee cuts it down lower than that.

I submit that it is fair to the Territories to have this amendment passed; that the Government takes the revenues of the Territories year after year, and has done so for forty years in Arizona and for fifty-five years in New Mexico. I submit that it is just that we should get some little portion of it back even in the way of the payment of the governor's salary. The salary is small enough even at $3,000, and of course is so much more so at $3,000. I hope the House will grant this amendment, and I will offer a similar amendment in respect to New Mexico.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona.

Mr. BINGHAM. Mr. Chairman, of course the point of order does not stand against the amendment offered by the gentleman from Arizona [Mr. WILSON]. However, it is proper for me to state to the House that some twenty-eight years ago under what was called the Holman rule, at a time when I believe Mr. Randall on that side of the House was chairman of the Committee on Appropriations, the committee reduced upward of 200 statutory compensations all along the line of the Departments, as well as in the Territories.

From that day to this that reduced compensation has been given. Appropriation bill after appropriation bill has continued the same practice with reference to the items considered by the amendment offered by the gentleman from Arizona, and the House has been consistent in keeping these allowances to the figures contained in the bill.

I am free to say that the House in after action in many cases has gone back to the statutory provisions, but these have remained in the cases of the governor of New Mexico and the governor of Arizona, where there is a reduction of $500. Your committee is of the opinion that it would be wise action on the part of the House to let the bill stand as reported, with the salaries as fixed.

As to the compensation given the secretary of the Territory, I think the gentlemen representing the two Territories will concur with me when I make the statement to the House that the secretaryship of a Territory, so far as his compensation runs, is the least consideration in the possession of that office. I think it is common report that the office of secretary of a Territory with fees and allowances in some form receives a compensation running into thousands of dollars.

Mr. RODEY. That has been done away with in New Mexico by statute.

Mr. BINGHAM. I am glad to hear the gentleman make that statement, but I make the statement that as a rule the office of secretary of a Territory was and is regarded as a valuable appointment. The matter rests with the judgment of the committee. The action of Congress with reference to the newest of the Territories, Oklahoma, is along this same line, allowing the governor $3,000.

Mr. RODEY. How about Hawaii and Porto Rico?

Mr. WILSON of Arizona. Mr. Chairman, the law gives the salary to the governor, as has been stated by the chairman of the committee and as is stated by the amendment, and the action of the committee is but retaining from him that which the law gives him. I submit in all fairness that that is not just, and simply because it has not been resented heretofore, because the matter has not been called before the House for consideration heretofore, is no reason why this House or this committee should not deal fairly with that official now. The idea of this rule having been established in times gone by, and perhaps not resented at the time, I can not take as an answer to the fairness presented by the proposition that when the law gives a salary it is unfair for the power of this House to withhold it in the form of an appropriation bill.

When the act creating the Territory gives it, it ought to be met by the appropriation, as others are met, and because unfairness has been done in the past it can not be an answer that it ought to be done now. Two wrongs do not make a right.

Now, as to the salary of the secretary, the gentleman is correct that the perquisites of the office of secretary have heretofore been extremely high in that Territory. They have gone up into the thousands of dollars. But the last legislature took them away—took the duties of the secretary away which went to make up this mammoth pile of coin for him, and those duties have been imposed upon another officer and through him the fees are now turned into the treasury.

So it is not so prolific now. I believe the perquisites of that office may be about the amount you appropriate for salaries—about $1,500 or $1,800. But the services performed by the secretary of the Territory are many. He does all the Federal duty; he does all the Territorial duty pertaining to the Territory. He keeps all the records, both national and Territorial. And the amount that he receives, together with the Territorial allowances, is not sufficient to afford him more than a decent living, unless the salary which the law gives him be allowed. The law gives him this amount; why should the Committee on Appropriations, with the law staring them in the face, take it away? I submit that the amendment ought to prevail. I ask in all fairness that it be adopted.

Mr. GILLETT of Massachusetts. Mr. Chairman, I think we may well consider in this connection that the salary proposed in the bill is certainly as much as a great many of the States pay. For instance, I understand the great State of Nebraska, near these Territories, pays a salary of $2,500; yet we propose to give to this still unformed Territory $3,000. I know that in a number of the New England States small salaries are paid to governors, some much smaller than this; and in a great many of the Western States, if I am not misinformed, the salary is not as large as that provided for this Territory in the bill.

Inasmuch as it has been the practice of Congress for twenty years to make this appropriation, and inasmuch as this allowance is certainly quite as large as a great many of the States allow to officers of a similar class, I think the salary appropriated in the bill might be allowed to remain as it has continued year after year, with no material change, whichever side had control of Congress.

The question having been taken on the amendment of Mr. WILSON of Arizona.

The CHAIRMAN. The ayes appear to have it.

Mr. BINGHAM. I call for a division.

The question being again taken, there were—ayes 50, noes 37.

Mr. BINGHAM. I ask for tellers.

Tellers were ordered; and Mr. BINGHAM and Mr. WILSON of Arizona were appointed.

The committee again divided; and the tellers reported—ayes 54, noes 47.

So the amendment was agreed to.

Mr. WILSON of Arizona. I desire to offer an amendment changing the total of this appropriation.

The Clerk read as follows:

In line 19, page 71, after the words "in all," strike out "$17,300" and insert "$18,500."

The amendment was agreed to.

The Clerk read as follows:

Territory of New Mexico: For governor, $3,000; chief justice, and four associate judges, at $[illegible] each; [illegible] and interpreter and translator in the executive office, $900; in all, $20,200.

Mr. RODEY. I move to amend by inserting, after the word "thousand," in line 6, page 72, the words "five hundred;" so as to make the salary of the governor of New Mexico $3,500; and to strike out in lines 7 and 8, on the same page, the words "one thousand eight hundred dollars" and insert "$2,500."

Mr. Chairman, this is exactly the same amendment just adopted with reference to the other Territory.

Mr. BINGHAM. Mr. Chairman, the Committee on Appropriations desires to be wholly consistent with the action it has taken in reference to the other Territories. Without going into discussion further, the matter may be left to the action of this committee.

The question being taken on the amendment of Mr. RODEY, there were on a division (called for by Mr. BINGHAM)—ayes 42, noes 34.

So the amendment was agreed to.

Mr. RODEY. I ask unanimous consent that the total amount of the paragraph be corrected in accordance with the vote just taken.

The CHAIRMAN. In the absence of objection, that change will be made.

There was no objection.

The Clerk read as follows:

Record and Pension Office: For chief clerk, $2,000; 5 chiefs of division, at $2,000 each; 34 clerks of class 4; [illegible] clerks of class 3; 186 clerks of class 2; 40 clerks, at $1,000 each; engineer, $1,000; assistant engineer, $900; 2 firemen; skilled mechanic, $1,000; [illegible]; assistant messengers; messenger boy, $360; 5 watchmen; superintendent of building, $200; and 17

laborers; in all, $691,570; and all employees provided for by this paragraph for the Record and Pension Office of the War Department shall be exclusively engaged on the work of this office for the fiscal year 1905.

Mr. BINGHAM. I move to amend the paragraph just read by striking out in line 2 of page 77 the word "thirty-four" and inserting "thirty-six." The purpose of this amendment is simply to correct a misprint, the sum total of the appropriation remaining the same.

The amendment of Mr. BINGHAM was agreed to.

The Clerk read as follows:

So much of the naval appropriation act for the fiscal year 1888 as authorizes the Secretary of the Navy to employ, and pay out of the appropriations for new ships, such civilian expert aids, additional draftsmen, writers, copyists, and model makers on the designs therefor as may be necessary, is repealed, to take effect on and after July 1, 1904.

Mr. BINGHAM. Mr. Chairman, I offer the following committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Strike out lines 23, 24, and 25 on page 85, and lines 1, 2, 3, and 4 on page 86, and insert in lieu thereof the following:

"On and after July 1, 1904, it shall not be lawful for the Secretary of the Navy to employ in the Navy Department at Washington, D. C., and pay out of the appropriations for new ships, any civilian expert aids, additional draftsmen, writers, copyists, and model makers, except as herein or as may hereafter be specifically authorized."

The amendment was agreed to.

The Clerk read as follows:

The services of draftsmen and such other technical services as the Secretary of the Navy may deem necessary may be employed in the Bureaus of Construction and Repair and Steam Engineering to carry into effect the various appropriations for "Increase of the Navy," to be paid from such appropriations: *Provided*, That the expenditures on this account for the fiscal year 1905 shall not exceed $120,000; a statement of the persons employed hereunder and the compensation paid to each shall be made to Congress each year in the annual estimates.

Mr. BINGHAM. Mr. Chairman, a committee amendment.

The amendment was read, as follows:

On page 96, in line 13, after the word "of," insert the words "ordnance, equipment."

The amendment was agreed to.

The Clerk read as follows:

For the following in lieu of employees now authorized and paid from appropriations for "new ships:" For one clerk, at $1,100; five clerks, at $1,000 each; three messenger boys, at $660 each; in all, $7,900.

Mr. BINGHAM. Mr. Chairman, a committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

On page 99, in line 7, strike out the words "new ships" and insert in lieu thereof the words "public works."

The amendment was agreed to.

The Clerk read as follows:

The services of skilled draftsmen and such other technical services as the Secretary of the Navy may deem necessary may be employed in the Bureau of Yards and Docks to carry into effect the various appropriations for "public works" to be paid from such appropriations: *Provided*, That the expenditures on this account for the fiscal year 1905 shall not exceed $30,000; a statement of the persons employed hereunder and the compensation paid to each shall be made to Congress each year in the annual estimates.

Mr. HEPBURN. Mr. Chairman, I should like to ask the gentleman in charge of the bill the reason why these appropriations take this form? Why do you authorize an expenditure out of an appropriation for another use, rather than make an appropriation direct for it?

Mr. BINGHAM. I would state to the gentleman that it comes under the action of Congress a year ago, when the question was before the Committee on Appropriations as to the money expended by the Navy Department in the employment of subordinate force, and drawing from the general fund "Increase of the Navy."

The gentleman, of course, is not familiar with the hearings, but it developed that the Secretary stated to the committee a year ago that he had uncontrollable authority under the law to draw upon the fund for the increase of the Navy, which runs to the millions of dollars for new ships, for the subordinate force in his Department. He comes to the committee, under the injunction of the Congress, and submits to us his clerical force, under recognized assignments and salaries, now employed upon the per diem roll and paid from the allowances under the "Increase of the Navy."

We called before us the chairman of the Committee on Naval Affairs and submitted to him the whole proposition, the general repeal of the law, the transfer of the clerks now employed under that appropriation, "Increase of the Navy," as well as an additional appropriation from the fund of the increase of the Navy of $120,000, in order that the Secretary might employ that variable quantity in employment called "draftsmen" and subordinates necessary to aid the draftsman force; and for the public-works appropriation $30,000.

Therefore we take up these clerks in the several paragraphs that we have passed, and make them a part of the establishment of the naval administration in the Department, in order first that there shall be an exhibit of what the real subordinate force costs the Navy Department in administration, as well as an annual control of that force in this bill, the same as we have control of every other department of the Navy.

Mr. HEPBURN. All of these clerks, then, that are authorized under these two paragraphs——

Mr. BINGHAM. Under all the paragraphs running to the Navy Department.

Mr. HEPBURN (continuing). Become a part of the permanent force?

Mr. BINGHAM. Become a part of the permanent force, as they virtually now are. The only variable force are the draftsmen.

Mr. HEPBURN. But instead of being paid directly——

Mr. BINGHAM. They are being paid directly by this appropriation, and we take them up in our annual budget.

Mr. HEPBURN. But you diminish, do you not, the appropriation that is made for new ships to the amount that is authorized to be paid to these clerks?

Mr. BINGHAM. We have heretofore.

Mr. HEPBURN. So it is an indirect way of doing this, is it not?

Mr. BINGHAM. Oh, no; this is the direct way. The other was the indirect way. The Secretary had authority under existing law to draw upon the fund for the increase of the Navy for any unlimited subordinate force he desired.

Mr. HEPBURN. Well, has he that power now?

Mr. BINGHAM. He has at this moment.

Mr. HEPBURN. Ought he to have it?

Mr. BINGHAM. Now we propose to stop it.

Mr. HEPBURN. Does that stop it?

Mr. BINGHAM. It stops it absolutely, and is recommended by the Secretary.

I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 9480, the legislative appropriation bill, and had come to no resolution thereon.

ENROLLED BILL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled the bill (S. 2300) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo.," approved January 26, 1901; when the Speaker signed the same.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. R. 32. Joint resolution to fill vacancies in the Board of Regents of the Smithsonian Institution—to the Committee on the Library.

S. 1753. An act for the relief of Pay Clerk Charles Blake, United States Navy—to the Committee on Claims.

S. 2820. An act for the relief of Hamilton D. South—to the Committee on Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. KNAPP, for five days, on account of important business.

To Mr. PUJO, for two weeks, on account of important business.

To Mr. DAVEY of Louisiana, for two weeks, on account of important business.

REPRINT OF A BILL.

Mr. BOUTELL. Mr. Speaker, I ask unanimous consent for a reprint of the bill (H. R. 4) entitled "A bill to prevent discrimination against members of Indian tribes attending religious or private schools," for the purpose of correcting the title on the back of the bill, in which the word "prevent" has been printed "permit."

The SPEAKER. Without objection, consent will be granted.

There was no objection.

APPOINTMENT OF CUSTOMS APPRAISER AT PITTSBURG, PA.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill H. R. 6804 and to put it on its passage.

The SPEAKER. The Clerk will report the bill

The Clerk read as follows:

A bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa.

Be it enacted, etc., That there shall be in the customs collection district of Pittsburg, in the State of Pennsylvania, an appraiser, to be appointed by the President, by and with the advice and consent of the Senate, and with compensation at the rate of $3000 per annum.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. LIVINGSTON. Reserving the right to object, I would like the gentleman to make an explanation.

Mr. BERTRAM. I would like to ask the gentleman why it is necessary that the appointment of this man should be made with the consent of the Senate? If he will consent, I will move to strike out those words.

Mr. DALZELL. Oh, I would rather not. I think that would be very unusual and would impeil the passage of the bill. This is a Treasury bill, which is reported unanimously from the Committee on Ways and Means, and there is quite a lengthy explanation of it in a letter from the Secretary of the Treasury addressed to the committee and embodied in the report. Some twenty years ago, under a section of the revised Statutes, the Secretary of the Treasury abolished the office of appraiser at the port of Pittsburg, and from that time on the duties of appraiser have been performed by various parties, first one and then the other, assigned to that duty by the collector of the port. This is an exceedingly bad practice, according to the officials of the Treasury. But the more especial and the most substantial reason for the appointment of this officer now is that during the last five years the business of the port of Pittsburg has increased 300 per cent. Every other port of the country that has an amount of business corresponding with that done at Pittsburg has its appraiser.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DALZELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. BINGHAM. Mr. Speaker, I move you that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 4 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

Message from the President, transmitting a report by the Acting Secretary of state in regard to application of British citizens in behalf of Messrs. Gordon, Irons, Iles & Fares Company, Limited, of Canada, for reimbursement of $7,529.08, alleged that the United States customs authorities improperly exacted as duties on certain sheep and cattle in November, 1903.

Message from the President, transmitting a report from the Acting Secretary of State, with inclosure from the ambassador of the French Republic, relative to the desire of certain French citizens to present to this Government a reproduction of the bust of Washington by David d'Angers, which the donors wish to have placed in the Capitol, with recommendations that Congress accept the gift.

A letter from the president of the Board of Managers of the National Home for Disabled Volunteer Soldiers, transmitting the resignation of Sidney G. Cooke as manager—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on projects of improvement of Warroad Harbor and Warroad River, Minnesota—to the Committee on Rivers and Harbors, and ordered to be printed, with accompanying illustrations.

A letter from the Secretary of War, transmitting official reports of the claim of the Imperial Coal Company, of Gibraltar—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriations for public printing and binding for the Interior Department—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for Indian school, Truxton Canyon, Arizona—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for improvement at Ellis Island immigration station, New York—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Winthrops Cove, New London Harbor, Connecticut—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of War, recommending legislation relating to the pay for gunners of field artillery and inclosing the draft of a bill—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Georgetown Harbor, South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed, with accompanying illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Mississippi River at Moline, Ill.—to the Committee on Rivers and Harbors, and ordered to be printed, with accompanying illustrations.

A letter from the Attorney-General, transmitting a reply to the resolution of the House inquiring as to the expenditures in the enforcement of antitrust laws—to the Committee on the Judiciary, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the joint resolution of the House (H. J. Res. 29) providing for the transfer of certain military rolls and records to the Interior and other Departments to the War Department, reported the same without amendment, accompanied by a report (No. [illegible]); which said joint resolution and report were referred to the House Calendar.

Mr. DALZELL, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa., reported the same without amendment, accompanied by a report (No. 299); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the Senate (S. 652) making Chester, Pa., a subport of entry, and a bill of the House (H. R. 6808) on the same subject, reported the Senate bill without amendment, accompanied by a report (No. 300); which said bill and report were referred to the House Calendar. The House bill accompanying the report was ordered to lie on the table.

Mr. DOUGHERTY, from the Committee on Indian Affairs, to which was referred the bill of the House H. R. 5767, reported in lieu thereof a bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903, reported the same with amendment, accompanied by a report (No. 301); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GREGG, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8817) for the relief of the legal representatives of Alexander F. Butler, late of Louisa County, Va., reported the same without amendment, accompanied by a report (No. 297); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 6755) granting a pension to Fred B. Willis—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 4941) granting a pension to Mary J. Wilson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 754) granting a pension to John M. Lawton—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 2536) to suppress and prevent unfair and dishonest competition in trade—Committee on Interstate and Foreign Commerce discharged, and referred to the Committee on the Judiciary.

A bill (H. R. 5810) granting an increase of pension to Susie G. Seabury—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7368) granting a pension to Annie G. Norwood—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9323) to amend so much of an act approved March 3, 1903, as authorized the erection and completion of new buildings for the accommodation of the United States naval hospital, Washington, D. C., as concerns the location thereof—Committee on Interstate and Foreign Commerce discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 9585) granting an increase of pension to Nelson McIntosh—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9616) granting a pension to Thomas Dagnon—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MACON: A bill (H. R. 9867) to provide for the purchase of a site and the erection of a public building thereon at Paragould, in the State of Arkansas—to the Committee on Public Buildings and Grounds.

By Mr. WEISSE: A bill (H. R. 9868) to establish a fish-hatching and fish station in the city of Sheboygan, Sheboygan County, State of Wisconsin—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 9869) to provide for the purchase of a site and the erection of a public building thereon at Beaverdam, in the State of Wisconsin—to the Committee on Public Buildings and Grounds.

By Mr. STANLEY: A bill (H. R. 9870) for the relief of farmers and tobacco growers—to the Committee on Ways and Means.

By Mr. DAYTON: A bill (H. R. 9871) to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia—to the Committee on Interstate and Foreign Commerce.

By Mr. HILL of Connecticut: A bill (H. R. 9872) providing for the licensing of custom-house brokers—to the Committee on Ways and Means.

By Mr. DANIELS: A bill (H. R. 9873) to provide for the purchase of a site and the erection of a public building thereon at San Diego, Cal.—to the Committee on Public Buildings and Grounds.

By Mr. PEARRE: A bill (H. R. 9874) for an additional judge in the fourth judicial circuit—to the Committee on the Judiciary.

By Mr. WADE: A bill (H. R. 9875) granting to the Davenport Water Power Company rights to construct and maintain wing dam, canal, and power station in the Mississippi River at Davenport, Iowa—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9876) making State historical societies designated depositories of public documents—to the Committee on Printing.

By Mr. WILSON of Illinois: A bill (H. R. 9877) to provide an eight-hour workday for post-office clerks—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMSON: A bill (H. R. 9878) to amend an act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900—to the Committee on the Territories.

By Mr. THOMAS of North Carolina: A bill (H. R. 9879) to increase the compensation of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SHERMAN (by request): A bill (H. R. 9880) to authorize the maintenance of actions for negligence causing death in maritime cases—to the Committee on the Judiciary.

By Mr. SULZER: A bill (H. R. 9881) providing for the adjustment and payment of accounts of laborers and mechanics arising under the eight-hour law—to the Committee on Claims.

By Mr. DAYTON (by request): A bill (H. R. 9882) allowing two months' extra pay to enlisted men of the United States Navy during the war with Spain who served outside the United States, and one month's extra pay to such as served within the United States—to the Committee on War Claims.

By Mr. MAYNARD: A bill (H. R. 9883) to fix the compensation of light-house keepers and to provide for their retirement on half pay—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 9884) providing for the purchase of the Temple Farm, at Yorktown, Va., and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 9885) to provide for the erection of a public building in the town of Suffolk, in the State of Virginia—to the Committee on Public Buildings and Grounds.

Also (by request), a bill (H. R. 9886) granting Gould P. Austin, of Phoebus, Va., permission to erect a building upon the Government reservation at Fortress Monroe, Va.—to the Committee on Military Affairs.

Also, a bill (H. R. 9887) to provide for acquirement, by condemnation, of lands at Cape Henry, Virginia, for the purpose of fortification and coast defense—to the Committee on Appropriations.

By Mr. ROBERTS: A bill (H. R. 9888) appropriating $4,500,000 for the purchase of submarine torpedo boats—to the Committee on Naval Affairs.

By Mr. MAYNARD: A bill (H. R. 9889) granting Gould P. Austin, of Phoebus, Va., permission to erect a building upon the Government reservation at Fortress Monroe, Va.—to the Committee on Military Affairs.

By Mr. BURKETT: A bill (H. R. 9890) to pension the Nebraska Territorial Militia—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY, from the Committee on Indian Affairs: A bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903—to the House Calendar.

Also, a bill (H. R. 9892) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands—to the Committee on Indian Affairs.

By Mr. LILLEY: A bill (H. R. 9893) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. McCLEARY of Minnesota: A bill (H. R. 9894) to incorporate the American Academy in Rome—to the Committee on the Library.

By Mr. VANDIVER: A bill (H. R. 9895) providing for the erection of a public building at Cape Girardeau, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. MAYNARD: A resolution (H. Res. 140) for appointment by the Secretary of War of a board of survey to determine the value of the Hygeia Hotel—to the Committee on Military Affairs.

By Mr. WACHTER: A resolution (H. Res. 141) authorizing chairman of the Committee on Enrolled Bills to appoint additional clerk—to the Committee on Accounts.

By Mr. WILLIAMSON: Memorial of the legislature of the State of Oregon, requesting Congress to pass a law increasing compensation of certain rural letter carriers of the United States—to the Committee on the Post-Office and Post-Roads.

Also, memorial of the legislature of the State of Oregon, concerning the Lewis and Clark Centennial Exposition—to the Committee on Industrial Arts and Expositions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 9896) granting a pension to Jane Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9897) granting a pension to William Newton—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 9898) granting an increase of pension to Orsen Hauser—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 9899) granting a pension to Frances Marilla Buell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9900) granting a pension to Charles B. Montgomery—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 9901) granting a pension to John M. Stoner—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 9902) for the relief of Samuel T. King—to the Committee on Military Affairs.

By Mr. COOPER of Pennsylvania: A bill (H. R. 9903) granting an increase of pension to George W. Harlan—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 9904) for the relief of Faxon, Horton & Gallagher and other parties—to the Committee on Claims.

By Mr. CURRIER: A bill (H. R. 9905) granting an increase of pension to Peter Sullivan—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 9906) granting an increase of pension to Thomas P. Dunn—to the Committee on Pensions.

By Mr. DAYTON: A bill (H. R. 9907) granting an increase of pension to John C. Dearing—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 9908) granting an increase of pension to Charles H. Alden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9909) granting a pension to George P. Ballough—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 9910) for the relief of Hugh O'Reilly—to the Committee on Military Affairs.

Also, a bill (H. R. 9911) granting an increase of pension to Esther Skellie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9912) granting an increase of pension to Simon Elgiser—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 9913) for the relief of Joel Townsend—to the Committee on Military Affairs.

Also, a bill (H. R. 9914) granting an increase of pension to Florence Mahoney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9915) granting an increase of pension to Irvin F. Hoyt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9916) granting a pension to Catharine A. Osborn—to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 9917) granting a pension to Gertrude Howard—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 9918) for the relief of the estate of F. Z. Tucker—to the Committee on War Claims.

By Mr. FULLER: A bill (H. R. 9919) to amend the military record of Henry Keeler—to the Committee on Military Affairs.

By Mr. GAINES of West Virginia: A bill (H. R. 9920) for the relief of the heirs of Nancy Montgomery—to the Committee on War Claims.

By Mr. GOULDEN: A bill (H. R. 9921) granting a pension to Virginia Boyd—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 9922) granting an increase of pension to William J. Foster—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 9923) granting an increase of pension to James Daly—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 9924) granting an increase of pension to Nathaniel Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9925) for the relief of A. T. Pieratt—to the Committee on Claims.

By Mr. HULL: A bill (H. R. 9926) granting an increase of pension to Ira Waldo—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9927) for the relief of Alden K. Riley—to the Committee on Military Affairs.

By Mr. HUNT: A bill (H. R. 9928) granting a pension to Jacob Geatz—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 9929) granting an increase of pension to Frederick K. Bryan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9930) granting a pension to Alfred Melvin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9931) authorizing the appointment and retirement of Charles Claude Long with the rank of colonel, United States Army—to the Committee on Military Affairs.

By Mr. KIPPEE: A bill (H. R. 9932) granting a pension to Lilburn E. Taber—to the Committee on Invalid Pensions.

By Mr. LAFEAN: A bill (H. R. 9933) granting a pension to Marvin Cooper—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. 9934) granting a pension to Mary J. Cummins—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 9935) to remove the charge of desertion from the military record of Joseph Wiley—to the Committee on Military Affairs.

Also, a bill (H. R. 9936) to remove the charge of desertion from the military record of Peter O. Wellington—to the Committee on Military Affairs.

Also, a bill (H. R. 9937) granting an increase of pension to Oliver J. Conant—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 9938) granting an increase of pension to Manning D. Birge—to the Committee on Invalid Pensions.

By Mr. LUCKING: A bill (H. R. 9939) granting a pension to Martha Higgins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9940) granting a pension to Marie Ferguson—to the Committee on Pensions.

By Mr. MAYNARD: A bill (H. R. 9941) to place Dr. Henry Smith on the retired list of the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 9942) granting a pension to Emma V. Simmonds—to the Committee on Pensions.

Also, a bill (H. R. 9943) granting a pension to Thomas Allen—to the Committee on Pensions.

Also, a bill (H. R. 9944) granting a pension to Frances A. Almy—to the Committee on Pensions.

Also, a bill (H. R. 9945) granting a pension to Mrs. J. McDonald Armistead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9946) for the relief of Mary Cornick—to the Committee on Claims.

Also, a bill (H. R. 9947) for the relief of Charles Candy—to the Committee on War Claims.

Also, a bill (H. R. 9948) for the relief of the widow of Joseph Culley—to the Committee on Claims.

Also, a bill (H. R. 9949) for the relief of Mary L. Bernard—to the Committee on War Claims.

Also, a bill (H. R. 9950) for the relief of William Edward Bailey—to the Committee on Claims.

Also, a bill (H. R. 9951) for the relief of Louisa S. Guthrie, widow and executrix of John J. Guthrie, deceased—to the Committee on Claims.

Also, a bill (H. R. 9952) for the relief of Martha Louisa Whittaker—to the Committee on War Claims.

Also, a bill (H. R. 9953) for the relief of the Western Branch Baptist Church, Virginia—to the Committee on War Claims.

Also, a bill (H. R. 9954) for the relief of the heirs of Thomas G. Wright—to the Committee on War Claims.

Also, a bill (H. R. 9955) for the relief of George W. Wood—to the Committee on Naval Affairs.

Also, a bill (H. R. 9956) for the relief of Mrs. Mary Lowe and Mrs. Angelina L. Thorpe, daughters of the late Isaac Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9957) for the relief of E. J. Seeds—to the Committee on Claims.

Also, a bill (H. R. 9958) for the relief of the First Baptist Church, Suffolk, Va.—to the Committee on War Claims.

Also, a bill (H. R. 9959) for the relief of Mary E. O. Dashiell—to the Committee on War Claims.

Also, a bill (H. R. 9960) for the relief of Charles Cox—to the Committee on War Claims.

By Mr. PEARRE: A bill (H. R. 9961) to remove the charge of desertion from the record of Augustus Thomas—to the Committee on Military Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 9962) for the relief of the Primitive Baptist Church, colored, of Huntsville, Ala.—to the Committee on War Claims.

By Mr. RUCKER: A bill (H. R. 9963) granting a pension to Grace Miller—to the Committee on Pensions.

By Mr. SHERMAN: A bill (H. R. 9964) for the relief of Arlington C. Denike—to the Committee on Naval Affairs.

By Mr. SIMS: A bill (H. R. 9965) for the relief of R. R. Aycock—to the Committee on War Claims.

Also, a bill (H. R. 9966) for the relief of W. T. Newbill—to the Committee on War Claims.

By Mr. SMITH of Illinois: A bill (H. R. 9967) for the relief of Mrs. Elizabeth M. Brickell, late widow of John P. Law, as special agent of the thirteenth district of Illinois provost-marshal-general's office, United States—to the Committee on Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 9968) granting an increase of pension to Peter P. Roberts—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 9969) granting an increase of pension to James Frederick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9970) granting an increase of pension to Robert W. Shaffer—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: A bill (H. R. 9971) to place David Robertson, sergeant, first class, Hospital Corps, on the retired list of the United States Army—to the Committee on Military Affairs.

By Mr. TOWNSEND: A bill (H. R. 9972) for the relief of William A. Clark—to the Committee on Claims.

Also, a bill (H. R. 9973) granting a pension to Augusta D. Murdock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9974) granting a pension to Julia J. Hubble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9975) granting a pension to Amelia Perkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9976) granting an increase of pension to George R. Beach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9977) granting an increase of pension to William R. Hibbard—to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 9978) granting an increase of pension to Samuel Iverson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9979) granting an increase of pension to Ezra Nichols—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9980) granting an increase of pension to Edwin A. Haradon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9981) for the relief of Darwin S. Hall—to the Committee on Claims.

By Mr. WADE: A bill (H. R. 9982) granting an increase of pension to George R. Roraback—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 9983) to correct the military record of Wade H. Newman—to the Committee on Military Affairs.

By Mr. WEISSE: A bill (H. R. 9984) granting a pension to Joseph Osthelder—to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 9985) providing for donation of lots A, B, K, and L, in block 39, in Fort Dalles military addition to The Dalles, Oreg., as shown on the plat of the city of The Dalles and surroundings, and filed in the local land office at The Dalles, Oreg., to the Oregon Historical Society—to the Committee on the Public Lands.

By Mr. WILSON of Arizona: A bill (H. R. 9986) granting an increase of pension to Michael McKenna—to the Committee on Pensions.

By Mr. VANDIVER: A bill (H. R. 9987) granting an increase of pension to Jones Adler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9988) granting an increase of pension to William Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9989) granting a pension to William C. Kinyon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9990) granting a pension to John Bartmann—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9991) to correct the military record of Addison Tennis—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 9992) for the relief of B. L. Davis—to the Committee on Claims.

Also, a bill (H. R. 9993) granting a pension to Absolem Hobbs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 9994) granting an increase of pension to Henry D. Combs—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 9995) granting an increase of pension to Amanda Thomas—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 9996) granting a pension to Henry Mason—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 9997) granting an increase of pension to William A. Duncan—to the Committee on Invalid Pensions.

By Mr. SHERLEY (by request): A bill (H. R. 9998) for the relief of James S. McDonogh, Harry A. Hegarty, and James A. Toomey, for professional services rendered and costs expended in case of United States against Robert West—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Papers to accompany bill H. R. 8903, granting a pension to Sarah F. Craig—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Resolutions of Baltimore Chamber of Commerce, relating to reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. BABCOCK: Papers to accompany bill H. R. 6823, granting increase of pension to S. R. Pollard—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 7307, granting increase of pension to Mary Tichenor—to the Committee on Invalid Pensions.

Also, resolution of Sam Montieth Post, No. 172, Grand Army of the Republic, of Fennimore, Wis., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Resolution of Robert Anderson Post, No. 68, Grand Army of the Republic, of Waterloo, Iowa; J. W. McKenzie Post, No. 81, Grand Army of the Republic, of Hampton, Iowa, and James Roller Post, No. 220, Grand Army of the Republic, of Clarksville, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Resolution of the Western Retail Implement Dealers' Association, favoring amendment to Senate bill 1261 so as to exempt inter and mutual insurance companies—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKETT: Letter of M. E. Smith & Co., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Papers to accompany bill to correct military record of Samuel T. King—to the Committee on Military Affairs.

By the SPEAKER: Memorial of Charles A. Clark Post, Grand Army of the Republic, Ridgefarm, Ill., and Gilman Post, Grand Army of the Republic, Gilman, Ill., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DANIELS: Resolution of the Chamber of Commerce of Los Angeles, Cal., approving construction of a trail up Mount Whitney—to the Committee on Military Affairs.

By Mr. DARRAGH: Resolutions of William D. Wilkins Post, No. 91; General Wool Post, No. 164, and Julius T. Barrett Post, No. 173, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of New York Produce Exchange, favoring deepening the Harlem channel—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Maritime Exchange, favoring arbitration of international questions—to the Committee on Foreign Affairs.

By Mr. ESCH: Paper to accompany bill granting a pension to Gertrude Howard—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolutions of New York Produce Exchange, urging legislation to deepen the Harlem or Bronx Kills to 18 feet—to the Committee on Rivers and Harbors.

By Mr. FULLER: Papers to accompany bill to correct military record of Henry Keeler—to the Committee on Military Affairs.

Also, memorial of Denver Chamber of Commerce, in relation to ship subsidies—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Grain Dealers' National Association, in relation to inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Grocers' Association of Rockford, Ill., in relation to interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Rutland Post, No. 292, Grand Army of the Republic, Department of Illinois, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: Petition of pastor and congregation of the First Presbyterian Church of Vineland, N. J.; also, petition of pastor and congregation of the West Baptist Church; also, petition of pastor and congregation of First Baptist Church, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GILLETT of California: Petition of the Northern California Indian Association, praying for the relief of the landless Indians of northern California—to the Committee on Indian Affairs.

By Mr. GOLDFOGLE: Resolution of the New York Produce Exchange, in opposition to the inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Philadelphia Maritime Exchange, favoring arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of the New York Produce Exchange, favoring the deepening of the Harlem or Bronx Kills—to the Committee on Rivers and Harbors.

Also, resolution of the executive committee of the Supervisors' Highway Convention, at Albany, N. Y., in favor of the Brownlow bill relative to road improvement—to the Committee on Agriculture.

Also, resolution of the Manufacturers' Association of New York, favoring improvement in the harbor channels of the port of New York—to the Committee on Rivers and Harbors.

By Mr. GOULDEN: Papers to accompany bill to pension Virginia Boyd—to the Committee on Invalid Pensions.

By Mr. GREENE: Resolution of the Citizens' Trade Association of Cambridge, Mass., favoring arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of Massachusetts State Board of Trade, against discrimination in freight rates—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Boston Fruit Commerce Exchange, favoring enactment of law prohibiting alteration of published tariff rates of freight—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Boston Chamber of Commerce, favoring amendment to laws requiring inspection of sailing vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMILTON: Resolutions of A. B. Sturges Post, No. 73, Grand Army of the Republic, of Sturgis, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEDGE: Resolutions of Todd Post, No. 115, and Belknap Post, No. 515, Grand Army of the Republic, Department of Iowa, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Resolution of L. W. Frazier Post, No. 271, Grand Army of the Republic, Bethel, Ohio, against placing a statue of Gen. Robert E. Lee in Statuary Hall, in the Capitol building, Washington, D. C.—to the Committee on the Library.

Also, resolution of Kilpatrick Post, No. 189, Grand Army of the Republic, Goshen, Ohio, against placing statue of Gen. Robert

E. Lee in Statuary Hall, Capitol building, Washington, D. C.—to the Committee on the Library.

By Mr. HITT: Resolution of the Baltimore Chamber of Commerce, in favor of consular reform—to the Committee on Foreign Affairs.

Also, resolution of Holden Putman Post, No. 646, Grand Army of the Republic, of Shannon, Ill.; William H. Thompson Post, No. 308, Grand Army of the Republic, of Paw Paw, Ill.; John L. Hostetter Post, No. 785, Grand Army of the Republic, of Chadwick, Ill., and Amboy Post, No 572, Grand Army of the Republic, of Amboy, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KALANIANAOLE: Resolution of the Chamber of Commerce of Honolulu, Hawaii, against passage of Senate bill 289—to the Committee on the Territories.

Also, petition of the Bar Association of Honolulu, Hawaii, asking increase of justices for supreme court from three to five—to the Committee on the Territories.

By Mr. LACEY: Resolution of General Wilson Post, No. 432, Grand Army of the Republic, of Kellogg, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LITTLE: Paper to accompany bill H. R. 9594, for the relief of William A. Denton—to the Committee on War Claims.

By Mr. LITTLEFIELD: Resolution of Berneman Post, No. 79; Harry Rust Post, No. 54, and William K. Kimball Post, No. 148, Grand Army of the Republic, Department of Maine; and Twenty-third Regiment Association, of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: Resolutions of La Grange Post, No. 97, Grand Army of the Republic, of Windom, Minn., and of Stephen Miller Post, No. 139, Grand Army of the Republic, of Woodstock, Minn., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. PALGETT: Papers to accompany bill H. R. 1150, for the relief of Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn.—to the Committee on War Claims.

By Mr. PAYNE: Petition of business men and citizens of Penn Yan, N. Y., in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. PRINCE: Paper to accompany bill providing for a public building at Kewanee, Henry County, Ill.—to the Committee on Public Buildings and Grounds.

Also, resolution of the Retail Merchants' Association, Geneseo, Ill., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of T. T. Dow Post, No. 290, Grand Army of the Republic, Department of Illinois, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, protest of Knights of Maccabees of Galesburg, Ill., against passage of Dryden bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RAINEY: Petition of business people of Beardstown, Ill., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Downing Post, No. 321, Grand Army of the Republic, of Virginia, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: Papers to accompany bill for the relief of the Primitive Baptist Church, of Huntsville, Ala.—to the Committee on War Claims.

By Mr. RIXER: Petition of Charles Houghton, in favor of the construction of the Harlem Kill section of the Harlem Ship Canal—to the Committee on Rivers and Harbors.

Also, resolution of the New York Preachers' Meeting, in relation to the treatment of naval chaplains—to the Committee on Naval Affairs.

By Mr. ROBINSON of Arkansas: Papers to accompany claim of John Lacoste—to the Committee on War Claims.

By Mr. RUPPERT: Resolutions adopted by the board of managers of the New York Produce Exchange, favoring the deepening of the Harlem (Bronx) Kills to 18 feet—to the Committee on Rivers and Harbors.

Also, resolutions of the Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolutions adopted by representatives of grain exchanges, declaring against Government inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolution of the New York Board of Trade and Transportation, favoring passage of bill to improve the Bronx Kills, New York—to the Committee on Rivers and Harbors.

Also, resolutions of the Paint, Oil, and Varnish Club of New York, protesting against trade-mark patent laws of Cuba—to the Committee on Patents.

By Mr. SHERMAN: Paper to accompany bill H. R. 8410, granting an increase of pension to George B. Fairhead—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: Resolution of the American Society for the Prevention of Cruelty to Animals, in opposition to bill H. R. 3573—to the Committee on the Judiciary.

Also, resolution of the executive committee of the Supervisors' Highway Convention, in favor of the Brownlow bill, relating to road improvement—to the Committee on Agriculture.

Also, resolution of the Paint, Oil, and Varnish Club of New York, in relation to trade-marks, patents, labels, etc.—to the Committee on Patents.

Also, resolution of the New York Preachers' Meeting, in relation to the treatment of naval chaplains—to the Committee on Naval Affairs.

Also, resolution of the Grain Dealers' National Association, in relation to the inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Manufacturers' Association of New York, favoring the improvement of the harbor channels of the Brooklyn water front—to the Committee on Rivers and Harbors.

By Mr. SPERRY: Resolution of the New Haven and Coastwise Lumber Dealers' Association, in favor of a bill to establish a forest reserve in the White Mountains—to the Committee on Agriculture.

By Mr. REID: Resolution of the Board of Trade of Little Rock, Ark., relative to the improvement of the Mississippi River—to the Committee on Rivers and Harbors.

By Mr. SULZER: Resolutions adopted by representatives of grain exchanges, declaring against Government inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolutions favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of New York Produce Exchange, favoring passage of bill to improve the Bronx Kills, New York—to the Committee on Rivers and Harbors.

By Mr. TOWNSEND: Resolutions of Concord Post, No. 239; Scott Post, No. 43; Lucius Taylor Post, No. 274, and Morgan Parker Post, No. 261, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolutions of Dushane Post, No. 3, and of Guys Post, No. 16, Grand Army of the Republic, of Baltimore, Md., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Baltimore Federation of Labor, in opposition to Senate bill providing for the payment of advanced wages in the coastwise trade—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Woman's Christian Temperance Union, Easton, Md., for passage of bill to forbid nullification of State liquor laws; also, from same organization, petition in favor of a bill to forbid the sale of intoxicating liquors in buildings owned or used by the United States Government—to the Committee on Alcoholic Liquor Traffic.

By Mr. WADE: Resolutions of Shelby Norman Post, No. 231, and Henry Seibert Post, No. 250, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Claus Groth Gilde, of Davenport, Iowa, protesting against passage of Hepburn bill relating to interstate liquor traffic—to the Committee on the Judiciary.

By Mr. WARNER: Petition of citizens of Urbana, Ill., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

SENATE.

THURSDAY, *January 14, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 17th ultimo, a statement concerning buildings and quarters rented by the Navy Department in the District of Columbia and the States and Territories; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LABOR TROUBLES IN COLORADO.

Mr. SCOTT. The memorial I presented yesterday from the mine owners of Colorado was not signed. I am authorized to have it signed by C. C. Hamlin, secretary of the Mine Owners and Operators' Association of Colorado. I ask unanimous consent that it may be so signed.

The PRESIDENT pro tempore. The Senator from West Virginia asks that a correction may be made; that the paper presented by him and ordered to be printed in the RECORD and also as a Senate document may receive the signature of the secretary of the Mine Owners and Operators' Association of Colorado. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa.; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 2300) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Mo," approved January 26, 1901; and it was thereupon signed by the President pro tempore.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented a petition of Phil Kearny Post, No. 7, Department of Michigan, Grand Army of the Republic, of Muskegon, Mich., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. SCOTT presented a petition of Philippi Post, No. 106, Department of West Virginia, Grand Army of the Republic, of West Virginia, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. FOSTER of Washington presented a memorial of the Sailors' Union of the Pacific of Aberdeen, Wash., remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

He also presented a petition of the Spokane Lumbermen's Association and the Western Pine Shippers' Association, of Spokane, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. TALIAFERRO presented a petition of General Harney Post, No. 16, Department of Florida, Grand Army of the Republic, of Sanford, Fla., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. CULLOM presented petitions of Stark Post, No. 760, of Bellflower; of John Thompson Post, No. 748, of Caseyville; of Luke Mayfield Post, No. 516, of Girard; of A. J. Smith Post, No. 779, of Hanna City; of McIlwain Post, No. 273, of Vandalia; of Joseph Shaw Post, No. 285, of Annapolis; of Caulterville Post, No. 259, of Caulterville; of Amboy Post, No. 572, of Amboy; of Viola Post, No. 440, of Viola; of West Salem Post, No. 222, of West Salem; of Brown Culley Post, No. 571, of Thebes; of Colonel Ellsworth Post, No. 669, of Columbus; of A. C. Harding Post, No. 127, of Roseville; of N. B. Buford Post, No. 246, of Piasa; of Jacob Fry Post, No. 193, of Roodhouse; of Cooling Post, No. 316, of Byron; of William H. Thompson Post, No. 308, of Pawpaw; of Holder Putman Post, No. 646, of Shannon; of Burrell Post, No. 744, of Plainfield; of General T. W. Sweeny Post, No. 275, of Barrington; of David Hill Post, No. 532, of Elizabeth; of Charleston Post, No. 271, of Charleston; of McKane Smythe Post, No. 673, of Brownstown; of Ed Kitchell Post, No. 159, of Elliottstown; of Anna Post, No. 548, of Anna; of Sedgwick Post, No. 305, of Gardner; of Samuel McAdams Post, No. 497, of Sorento; of J. J. Anderson Post, No. 488, of Wayne City; of Colonel Raith Post, No. 587, of O'Fallon; of Tom Smith Post, No. 345, of Metropolis; of Barden Post, No. 494, of Charmahon; of Simeon Walker Post, No. 629, of Richview; of S. H. Saunders Post, No. 393, of Arcola; of Gilman Post, No. 186, of Gilman; of Charles A. Clark Post, No. 184, of Ridgefarm; of W. S. Hancock Post, No. 560, of Chicago, and of Nauvoo Post, No. 207, of Nauvoo, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. ALGER presented a petition of James B. Steadman Post, No. 198, Department of Michigan, Grand Army of the Republic, and a petition of Milton Williams Post, No. 304, Department of Michigan, Grand Army of the Republic, in the State of Michigan, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. GALLINGER presented a petition of the New Hampshire Anti-Saloon League, of Concord, N. H., praying for the enactment of legislation to prevent the giving of tax-receipt stamps for the sale of intoxicating liquor in prohibition States, etc.; which was referred to the Committee on the Judiciary.

He also presented a petition of the New Hampshire Anti-Saloon League, of Concord, N. H., and the petition of J. M. Durrell, of Dover, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on Interstate Commerce.

Mr. BEVERIDGE presented a petition of the Anti-Saloon League of Ladoga, Ind., and a petition of the congregations of the Baptist, Methodist Episcopal, and Presbyterian churches of Goodland, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Methodist Episcopal, Memorial Presbyterian, and Christian churches, all of Rockville, in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Northfield, Vt., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings and also to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Chittenden County Woman's Christian Temperance Union, of Burlington, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DRYDEN presented a petition of the American Lead Pencil Company, of Hoboken, N. J., praying for the enactment of legislation providing for the annexation of Santo Domingo to the United States; which was referred to the Committee on Foreign Relations.

He also presented petitions of the congregations of the First Presbyterian, Methodist Episcopal, First Baptist, and West Baptist churches, all of Vineland, in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Morristown; of the Young Men's Christian Association of Madison; of the Woman's Foreign Missionary Society of Beverly; of the congregation of the Presbyterian Church of Beverly; of the Paragraph Club of Beverly; of the Woman's Home Missionary Society of Beverly; of the Woman's Christian Temperance Union of Beverly; of the congregation of the Wesley Methodist Episcopal Church, of Pleasantville; of the St. John's Methodist Protestant Church, of Pleasantville; of the congregation of the First Presbyterian Church of Pleasantville; of the congregation of the Baptist Church of Pleasantville; of the congregation of the Salem Methodist Episcopal Church, of Pleasantville, and of the Ladies' Auxiliary of Lincoln Post, No. 11, Department of New Jersey, Grand Army of the Republic, of Newark, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented a memorial of the board of directors of the Western Retail Implement and Vehicle Dealers' Association, of Abilene, Kans., remonstrating against the enactment of legislation relative to the suppression of fraudulent insurance companies; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Woman's Christian Temperance Union of Pratt County, of the Woman's Christian Temperance Union of Winfield, of the Ministerial Union of Newton, and of the congregation of the Methodist Episcopal Church of Glenelder, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Alden, Horton, Stockton, and Windom, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of Levi Whitney Post, No. 29, of Appleton; of M. L. Deveraux Post, No. 43, of Janesville, and of Stephen Miller Post, No. 139, of Woodstock, all of the Department of Minnesota, Grand Army of the Republic, in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of the Sailors' Union of the Pacific, remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

Mr. ELKINS presented a memorial of the Bay and River Steamboatmens' Union of San Francisco, Cal., and a memorial of the Sailors' Union of the Pacific of San Francisco, Cal., remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which were referred to the Committee on Commerce.

He also presented a petition of Bailey Post, No. 4, Department of West Virginia, Grand Army of the Republic, of Huntington, W. Va., and a petition of Kendall Post, No. 36, Department of West Virginia, Grand Army of the Republic, of West Virginia, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. PENROSE presented petitions of sundry citizens of Riverside, Los Angeles, Vacaville, Pomona, Villa Park, Covina, Santa Barbara, Fresno, Gilroy, and Plaquemine, all in the State of California, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Woman's Christian Temperance Union of Media; of the congregations of the Reformed Episcopal and Grace United Episcopal churches, of Lancaster; of the Ladies' Foreign Missionary Society of Mifflinburg; of the Woman's Christian Temperance Union of Salem; of the Methodist Episcopal Sunday School of Fortyfort; of the Home Missionary Society of Fortyfort; of the Civic Club of Harrisburg; of the congregation of the Christian Church of Fortyfort; of the Woman's Christian Temperance Union of Equinunk; of the congregation of the United Presbyterian Church of New Bedford; of the congregation of the Central Presbyterian Church, of Newcastle; of the United Presbyterian Church of Neshannock; of the First United Presbyterian Church of New Wilmington; of the congregation of the Lutheran Church of Newcastle; of the congregation of the First Baptist Church of Newcastle; of the congregation of the United Presbyterian Church of Camp Run; of the congregation of the Presbyterian Church of Westfield; of the congregation of the United Presbyterian Church of Oak Grove; of the congregation of the Third United Presbyterian Church of Newcastle; of the congregation of the Presbyterian Church of Rich Hill; of the congregation of the Reformed Presbyterian Church of Newcastle; of the congregation of the Second Presbyterian Church of Newcastle; of the congregation of the Park Christian Church, of Newcastle; of the congregation of the United Presbyterian Church of Bethel; of the congregation of the Methodist Episcopal Church of Newcastle, and of the congregation of Mahoningtown Presbyterian Church, of Newcastle, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a memorial of the Chamber of Commerce of Tucson, Ariz., remonstrating against the union of Arizona and New Mexico as one State; which was referred to the Committee on Territories.

He also presented a petition of sundry citizens of Clima, Me., and a petition of the Woman's Christian Temperance Union of Lisbon, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

STATE CLAIMS FOR REIMBURSEMENT.

Mr. PETTUS. From the Committee on Military Affairs I report back with an amendment the bill (S. 1343) to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize, and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes; and I submit a report thereon.

I ask leave to say that this bill is the same in substance as one which was passed by the Senate in the last Congress.

Congress authorized the payment to the States of certain expenses incurred by them during the Spanish war. Some States neglected to make presentation. Other States made presentation in part only. Then there was a conflict of ruling in the Auditor's office of the Treasury Department. There was a limitation on the act. The only effect of this proposed act as it is now presented is to extend the limitation until 1906, and also to allow the Secretary of the Treasury to review his rulings or the rulings in his Department in reference to those claims.

I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. The first section proposes to amend section 6 of the act approved March 3, 1899, by striking therefrom the words "nineteen hundred and two" and inserting in lieu thereof the words "nineteen hundred and six;" so that the same shall read:

SEC. 6. That all claims for reimbursement under this act or the act approved July 8, 1898, shall be presented in itemized form to the Treasury Department on or before January 1, 1906, or be forever barred.

The amendment of the Committee on Military Affairs was to strike out all of section 2 and to substitute a new section 2, to read as follows:

SEC. 2. That any claim or any item of a claim heretofore presented under the provisions of said acts, approved July 8, 1898, and March 3, 1899, respectively, and disallowed by any Auditor, the Comptroller, or any other officer of the Treasury Department, shall, on application of the governor or other duly authorized officer or agent of the State or Territory made on or before the 1st day of January, 1906, be reopened, considered, audited, and settled anew by said officers of the Treasury Department in accordance with the provisions of said acts.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPORTS OF COMMITTEES.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the bill (S. 968) to grant an honorable discharge from the military service to Robert C. Gregg, reported it without amendment.

Mr. BLACKBURN, from the Committee on Military Affairs, to whom was referred the bill (S. 2870) granting an honorable discharge to John W. Tiffany, reported it without amendment, and submitted a report thereon.

Mr. FULTON. I am directed by the Committee on Claims, to whom was referred the bill (S. 1501) for the relief of James F. McIndoe, to report it favorably without amendment, and I submit a report thereon. I ask for its immediate consideration.

Mr. HALE. Let us get through with the regular order of business first before considering any bill.

The PRESIDENT pro tempore. Objection is made, and the bill goes to the Calendar.

Mr. LODGE, from the Committee on Foreign Relations, to whom was referred the amendment submitted by himself on the 12th instant, proposing to appropriate $55,000 to provide at a number of the principal consulates fifty clerks, who shall be American citizens and shall receive not more than $1,200 a year in any one case, intended to be proposed to the diplomatic and consular appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. CULLOM, from the Committee on Foreign Relations, reported an amendment proposing to appropriate $4,000 for consul-general at Mukden, China, and $4,000 for consul at Antung, China, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to fix the salary of the consul at Turks Island at $1,200 per annum, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, reported an amendment proposing to appropriate $3,500 for consul at Dalny, China, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

BILLS INTRODUCED.

Mr. MORGAN introduced a bill (S. 3410) to extend to citizens of the United States who were owners, charterers, masters, officers, and crews of certain vessels registered under the laws of the United States, and to citizens of the United States whose claims were rejected because of the American citizenship of the claimants, or of one or more of the owners, by the international commission appointed pursuant to the convention of February 8, 1896, between the United States and Great Britain, the relief heretofore granted to and received by British subjects in respect of damages for unlawful seizures of vessels or cargoes, or both, or for damnifying interference with the vessels or the voyages of vessels engaged in sealing beyond the 3-mile limit and beyond the jurisdiction of the United States, in accordance with the judgment of the fur-seal arbitration at Paris, in its award of August 15, 1893, and so that justice shall not be denied to American citizens which has been so freely meted out to British subjects; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. ALGER introduced a bill (S. 3411) for the relief of Andrew Martin; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 3412) granting an increase of pension to John Crandall; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of John Crandall for an increase of pension, together with the affidavits of Dr. David Wise, I. Y. Byers, N. E. Wade, Bert Webb, and William H. Waters. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. CULBERSON introduced a bill (S. 3413) granting a pension to Henry P. Howard; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BEVERIDGE introduced a bill (S. 3414) granting an increase of pension to Henry Wheeler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TALIAFERRO introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3415) granting an increase of pension to Manluff W. Reynolds;

A bill (S. 3416) granting an increase of pension to Joseph H. Allen; and

A bill (S. 3417) granting a pension to Garrett V. Chamberlin.

Mr. PROCTOR introduced a bill (S. 3418) to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SMOOT introduced a bill (S. 3419) to reimburse John W. Moffit for loss suffered by Indian depredation in the county of Klamath, in the State of California, in the year 1863; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Depredations.

Mr. DEPEW introduced a bill (S. 3420) authorizing the Secretary of War to adjust the claim of the Merritt & Chapman Derrick and Wrecking Company, and making an appropriation to satisfy such claim of $237.36, or so much thereof as may be necessary; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3421) authorizing the Secretary of War to adjust the claim of the Merritt & Chapman Derrick and Wrecking Company, and making an appropriation of $1,800, or so much thereof as may be necessary, to satisfy such claim; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 3422) granting an increase of pension to Ransom M. Fillmore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 3423) granting an increase of pension to Joseph H. Ottey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 3424) to authorize the removal of structures from Indian allotments in Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. SCOTT introduced a bill (S. 3425) for the relief of the estate of James H. Hardesty, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3426) for the relief of the estate of Henry Gannon, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3427) to authorize the Williamson Coal Company (Incorporated) to bridge the Tug Fork of the Big Sandy River near Williamson, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky; which was read twice by its title, and referred to the Committee on Commerce.

Mr. LONG introduced a bill (S. 3428) to provide for the improvement and enlargement of the Fort Scott (Kans.) National Cemetery, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BERRY introduced a bill (S. 3429) for the relief of the heirs of Benjamin F. Ball, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 3430) to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3431) to amend the act of February 8, 1897, entitled "An act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory," so as to prevent the importation and exportation of the same; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3432) granting an increase of pension to Rosaline V. Campbell;

A bill (S. 3433) granting a pension to Daniel M. Yeager;

A bill (S. 3434) granting a pension to Edgar Travis; and

A bill (S. 3435) granting a pension to Mazilla Lester (with an accompanying paper).

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3436) for the relief of Joseph Londermilk;

A bill (S. 3437) for the relief of Elijah M. Hart;

A bill (S. 3438) for relief of Alice M. Stafford, administratrix of the estate of Capt. Stephen R. Stafford; and

A bill (S. 3439) providing for the payment of the amounts due the employees in and the contractors who furnished castings to the United States armory at Harpers Ferry, Va., from January 1, 1861, to April 19, 1861, inclusive (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 3440) to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3441) granting a pension to Harriet Shroeter;

A bill (S. 3442) granting an increase of pension to William S. Underdown; and

A bill (S. 3443) granting an increase of pension to John Linn (with accompanying papers).

Mr. PENROSE introduced a bill (S. 3444) for the relief of Philip Loney; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 3445) for the relief of James Boro, Mary Boro, and the estate of James Boro, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3446) for the relief of James E. Meacham; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. LATIMER introduced a bill (S. 3447) for the relief of Michael B. Ryan, son and administrator de bonis non of John S. Ryan, deceased, late of Charleston, S. C.; which was read twice by its title, and referred to the Committee on Claims.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. HALE. Mr. President, the various Post-Office resolutions are by order of the Senate to come up directly after the routine morning business is disposed of to-day. I had intended to take the floor for a short time upon those resolutions, and so announced yesterday. But the Senator from South Carolina [Mr. LATIMER] desires at the conclusion of the routine business to-day to submit some remarks, and he has given notice to that effect.

Other Senators have requested me not to be in the way, as they desire to debate other matters which have been before the Senate for the last day or two. I see the force of that, and while I want these resolutions out of the way, I ask that they be postponed until Monday morning, giving room for all Senators to discuss other matters, and that then they shall be taken up immediately after the routine morning business. It gets me out of the way of other Senators who desire to speak upon other matters.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the various resolutions touching the Post-Office Department investigation be postponed until Monday morning immediately after the routine morning business. Is there objection? The Chair hears none, and that order is made.

EMPLOYMENT OF STENOGRAPHER FOR COMMITTEE ON THE PHILIPPINES.

Mr. LODGE submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on the Philippines be authorized to employ a stenographer from time to time, as may be necessary, to report such testimony as may be taken by said committee and its subcommittees in connection with Senate bill 2257, such stenographer to be paid from the contingent fund of the Senate.

REPORT ON AFFAIRS IN ALASKA.

Mr. PATTERSON. Mr. President, I should like to occupy the Senate just about a minute to make a correction that I think ought to be made.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. PATTERSON. On Tuesday the junior Senator from Indiana [Mr. BEVERIDGE] presented the report of the subcommittee

appointed to visit Alaska, and in the course of his remarks he made a statement with reference to myself which is not altogether accurate. I was not here when the report was presented. I know the Senator from Indiana was in error, through mistake or inadvertence, and I simply wish to correct that error. The part of his remarks I call attention to is as follows:

> I direct the particular attention of the Senate to the feature of this report upon transportation, which is of immense value. Indeed every line of this valuable document is weighty with facts and sound judgment.

Then—

> The recommendations are the recommendations of the entire subcommittee, with the exception of one concerning the Delegate, from which the junior Senator from Colorado [Mr. PATTERSON] dissents.

That would create the impression that I objected to the appointment of a Delegate from the district of Alaska. The only difference between myself and the rest of the committee is that I believe a Territorial form of government is entirely feasible for the district of Alaska; that it should be erected into a Territory and have its own legislature, and as a Territory send its Delegate, so that it may be represented in Washington and on the floor of the House.

Mr. BEVERIDGE. Mr. President, the remarks of the junior Senator from Colorado are both accurate and appropriate. He was not here at the time I presented the report of the subcommittee and made my remarks upon it.

I had understood that the entire report of the subcommittee was agreed to and was the report as to facts of the whole subcommittee, and that as to recommendations it was the unanimous report of the subcommittee with the single exception of the recommendation for a Delegate, to which I had understood the Senator from Colorado dissents. That was inaccurate in the respect the Senator states. He is not against a Delegate from the Territory, but he insists on a Territorial form of government in addition thereto.

Mr. PATTERSON. That is right.

Mr. BEVERIDGE. Since having been apprised of this I have taken the liberty, which sometimes prevails in the Senate, of amending my remarks so as to show the correct attitude of the Senator from Colorado as he privately explained it to me.

INTERVENTION IN COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The SECRETARY. Senate resolution 73, by Mr. GORMAN, calling upon the President for certain information touching pending negotiations of the United States with the Government of New Granada or Colombia, etc.

Mr. GORMAN. As I understand the Senator from South Carolina [Mr. LATIMER] desires to address the Senate on another matter this morning, I ask unanimous consent that the resolution may go over until to-morrow morning, not losing its place.

Mr. BEVERIDGE. There was another agreement made yesterday in regard to the resolution.

Mr. BURTON. We can not hear the Senator from Maryland.

Mr. GORMAN. I understand that previous notice has been given by the junior Senator from South Carolina, who desires to address the Senate on an entirely different matter this morning.

Mr. CULLOM. I understand that; and I suppose this resolution will not be taken up for consideration until after the Senator from South Carolina has made his speech on the other question. After that there are two or three Senators who desire to speak on the resolution submitted by the Senator from Maryland.

Mr. GORMAN. Very well.

The PRESIDENT pro tempore. Will the Senator from Maryland allow the Chair to make a suggestion?

Mr. GORMAN. Certainly.

The PRESIDENT pro tempore. It is that he ask unanimous consent that the resolution may be taken up immediately after the conclusion of the speech of the Senator from South Carolina.

Mr. GORMAN. I am glad to adopt the suggestion of the Chair.

The PRESIDENT pro tempore. To that request the Chair hears no objection. That order is made.

SAFETY APPLIANCES ON RAILROADS.

Mr. PATTERSON. Mr. President, I desire to make an inquiry. I introduced a resolution yesterday, and asked for the consideration of the same, calling for certain papers from the Interstate Commerce Commission. I should like to know what the status of that resolution will be.

The PRESIDENT pro tempore. Under the ruling of the Chair made yesterday, on account of a former ruling of the presiding officer of this body, the resolutions will retain their place on the table until they have had one day in court.

Mr. PATTERSON. All resolutions?

The PRESIDENT pro tempore. So the Senator's resolution will come up whenever we get to it.

Mr. KEAN. What resolution is that?

Mr. PATTERSON. The one the Senator spoke to me about a little while ago.

Mr. KEAN. I propose to move to refer it to the Committee on Interstate Commerce.

ROADS AND ROAD BUILDING.

Mr. LATIMER. I ask that the resolution which I submitted may be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be read.

The Secretary read the resolution submitted by Mr. LATIMER on the 8th instant, as follows:

> *Resolved*, That the Secretary of Agriculture be, and he is hereby, directed to furnish the Senate such information as he may have relative to the cost of constructing public roads in the various States and Territories, and such other information on this subject of roads and road building as may be of practical value in the solution of the question of road improvement.

Mr. LATIMER. Mr. President, the question that I present to the Senate to-day is not a new one. It has agitated the minds not only of the common people, but of the greatest statesmen in all ages. From the earliest time road building has been among the first improvements that received attention from associated bodies of people. It is not a new question in our own country. In this body it has received the attention of many of our leading statesmen, and I may say that with few exceptions all of them who have left a record upon this subject took the position that the revenues of the Federal Government could not be used to better purpose than for the improvement of the common roads. While they did not always agree as to the power of the General Government to undertake the work, most of them thought that it should be done by the Government or under its supervision, even if a constitutional amendment were necessary.

INJUSTICE OF PRESENT SYSTEM.

About one-third of our people, at the present time, bear the total responsibility and cost of the construction and improvement of the common roads. They are the people who live in the country districts, and who constitute the mud sill upon which is built the political and industrial development of which we are so justly proud. To them, in a larger degree than to any other class of our people, we are indebted for the magnitude of the position to which we have attained along all lines. Upon them the heavy hand of taxation has fallen relentlessly. They bear the largest proportion of the burdens of government, considering their means, and receive the minimum of its benefits.

The construction and improvement of the common roads of the country, over which the necessities of life and raw material must pass to sustain the life and promote the health, comfort, and prosperity of the whole people, is a burden which has rested solely on the people of the rural districts.

Mr. President, this is an unjust and unequal distribution of the burdens and benefits of government, and any proposed remedy should receive the earnest consideration of every patriotic citizen.

REASONS FOR NATIONAL AID.

Why should the Federal Government aid in improving the common roads?

First. Because the history of road building demonstrates that a complete system of public roads has never been constructed in any country except by the aid of the general government of that country and during the one hundred years of our national life the United States has not proven an exception to this rule.

Second. Because the revenues of the Government are raised largely upon articles consumed by all the people, thereby distributing taxation equally, and as all the people should contribute to the construction and improvement of the roads, it is only by Federal aid that this can be accomplished.

Third. Because it is the duty of the Federal Government to bear its just proportion of the expense for the construction and improvement of the roads which it uses for the delivery of the mails and for military purposes in time of war, and which are the arteries of interstate commerce.

Fourth. Because better roads are a national necessity; they closely concern the general welfare of the nation, and are therefore a proper object of national aid.

Fifth. Because a surplus of about $260,000,000 is lying idle in the Treasury, which belongs to the people and should be expended for their benefit in a manner which will accomplish the greatest good to the largest number, and because the power to borrow money at low rates of interest, if it be found necessary to supply the money in this way, enables the General Government to undertake this improvement with greater advantage than the States or the people.

THE ROADS OF EUROPE.

The Romans built a system of roads which extended into every part of that Empire, with a double purpose of conquest and closer union. It was from these ancient roads, which furnished examples of the necessity and benefits of road building by the general

government, that the magnificent roads of Europe developed. France had no improved roads of consequence previous to the time of Napoleon the First. With the funds of the General Government he undertook the construction of improved roads, and since that time the Government of France has aided and fostered them, with the result that they are now pointed to as models of road building. And, undoubtedly, it is largely to their common roads that the people of that country owe their characteristic thrift and contentment.

Macaulay, writing of the condition of the public roads of England previous to 1835, says:

> The fruits of the earth were sometimes suffered to rot in one place, while a few miles distant the supplies fell short of the demand. One chief cause of the badness of the roads was the defective state of the law. Every parish was bound to repair the roads which passed through it, and thus a sparse and [illegible] population was often compelled to maintain highways between rich and populous towns.

When the population of England grew denser, the absolute necessity for better roads caused Parliament to do away with the old system and place the whole matter of road improvement under the care and direction of the General Government. This policy has resulted in making English roads among the finest in Europe.

The development of European roads can not be more fittingly described than by a quotation from an article in the Engineering Magazine of August, 1891, by Isaac B. Potter, C. E.:

> The Roman legacy has in late years multiplied its value, and in nearly all the European countries of Europe systems of high-class roads are maintained. In France you will find a little to the delights of the picturesque Killarney district, and are everywhere found by the tourist and traveler who visits that beautiful country. In France you may drive from Paris to Orleans, to Bourges, to Nevers, and across the Jura Mountains into Switzerland. You may journey through Switzerland, delighting in her marvels of scenery, and you may continue into Germany and follow the Rhine and its valley of legends to your reach the shores of the North Sea. You may vary this journey in a thousand way your inclination may urge; you may traverse the roads of Scotland, Italy, Austria, Belgium, Holland, Spain, or Scandinavia, and you will everywhere find that the public taste has been industriously directed to the care and keeping of the country roads. Each of these countries has established, within the civil government, a department having exclusive control, [illegible] roads, and in most cases [illegible] supervisory management of the roads and bridges, roads which connect the smaller towns and serve as feeders to the main line.

Mr. BEVERIDGE. I hope the Senator will permit a question there. I am much interested in his address.

Mr. LATIMER. Certainly.

Mr. BEVERIDGE. Do I understand that in each of the countries which he names the general government has exclusive charge of the highways; that in England, for instance, all the highways are cared for by the General Government and not by the parishes; that in France they are cared for by the General Government and not by the arrondissements, and so forth? I am deeply interested in the Senator's address, and I ask him to state that information.

Mr. LATIMER. In answer to the question of the Senator from Indiana, I desire to say that there is a difference in the laws of the different countries with regard to this question, but there is not a civilized nation on earth that enjoys the benefits of good roads, macadam roads, except where the government has taken a hand in it and taken control.

Mr. BEVERIDGE. The general government?

Mr. LATIMER. The general government.

Mr. BEVERIDGE. And if the local divisions of the government have anything to do with it they have to do it under the supervision of the general government?

Mr. LATIMER. Yes, sir. Mr. Potter continues:

> Varying, of course, in some degree as to details of management, there is [illegible] throughout the civil [illegible] of Europe by the power [illegible] It began with the proper management of the roads [illegible] the public good, like the public good [illegible] prescribed by law for the use of all the people, and of the [illegible] waste of time, labor, and property which had been [illegible] by the use of bad roads. Should any the discussed and the [illegible] of the country brought out by the commission and [illegible] good roads [illegible] and has kindled discussion. [illegible] and [illegible] have [illegible] it. An [illegible] to the development [illegible] and [illegible] the four great states shows that in each case [illegible] are [illegible] the measure that the general government has been or was [illegible] its official direction.
>
> What is the commercial value of these high-class roads? It is claimed to estimate [illegible] a year taken up by horses in good repair. He will tell you the reason for this in two words: "It pays." He knows that a horse can draw [illegible] load on the [illegible] road as [illegible] a [illegible] road [illegible] four times as much when the dirt road is in its average state, and ten times as much when the dirt road is turned to mud by the rains of fall and spring. He will tell you that good roads will increase the value of your farms, shorten the distance to market, economize wagons, harness, horses, enlarge the territory which contributes to each town, city, and [illegible], increase [illegible], and add to the wealth of the individual and the state. The American farmer will doubt, but the Frenchman knows; he has tried both ways.

Practically the same system of constructing and improving the roads of our country is in operation to-day that existed in England prior to 1835. With few exceptions the whole matter is left in the hands of our county, parish, or district officers, who have little or no knowledge of improved methods of road construction; but even if they had, the money to give it practical effect would be lacking.

Mr. STEWART. Will the Senator allow me to contribute a fact right in this connection?

Mr. LATIMER. Gladly.

Mr. STEWART. When I was at college they gave me a composition to write on the mail system of Rome. In investigating that system I found that the Roman Empire had constructed paved roads nearly all over the vast country constituting the Empire. The mails were carried over these roads with great rapidity. Between the most important points the letter mails were carried as fast as 15 miles per hour by changing horses every 5 miles. The mail system over these roads was almost as effective as modern systems over railroads. Some of these roads were wide enough for four chariots to travel abreast. They were made in the most substantial manner, the ruins of which in many places still remain. From Constantinople around the Mediterranean to Rome, thence to Paris, and to all the principal points that vast region was accessible by means of the magnificent highways constructed for military and postal service. These roads were the foundation of the strength of the Empire. They enabled Rome to march her armies and dominate nearly all of Europe. Without such roads the Roman Empire would have been confined to the country surrounding Rome, and Roman enterprise, power, and domination could never have reached the proud eminence which history records.

Mr. LATIMER. I am very much obliged to the Senator from Nevada.

GOVERNMENT AID IN THE EARLY PART OF THE LAST CENTURY.

Mr. President, many attempts have been made to secure the aid of the Federal Government in improving these conditions, but, with the exception of the old Cumberland road and other like projects in which the Government became interested in the early part of last century, practically nothing has been done. In the exercise of the power of appropriation by Congress some $14,000,000 were expended by the General Government for the improvement of the roads; but partly on account of constitutional objections and partly because other improvements absorbed the public mind, these appropriations ceased about 1825, and nothing has since been done except in the Territories, the District of Columbia, and for military purposes.

ROAD IMPROVEMENT BY STATE TAXATION.

Some of the States have passed highway laws providing for a levy of a road tax on their taxable wealth, but such laws are confined to the wealthier States, whose taxable property is sufficient to raise a large sum of money from a low rate of taxation. For instance, a tax of 1 mill levied by the State of New York would raise more money than a tax of 50 mills by South Carolina, although I venture the assertion that there are more miles of road in South Carolina that need improvement than in New York. The reason that all the States do not pass highway laws is not on account of a lack of interest in good roads or of thrift or energy, but because the taxable wealth of most of the States is so small that an enormous rate of taxation would be necessary to raise a sufficient sum of money to accomplish practical results. The wealthier States have not grown rich by greater thrift or energy altogether, but partly on account of advantage of location and natural facilities for handling the trade of the country, and for the further reason that the capital which controls the great industrial enterprises of the country is located in them.

All of these enterprises have their headquarters in these centers of wealth, but draw their riches from industries located, in large part, in less wealthy States. Still another reason for the greater wealth of certain sections over others is that the war left a large part of our country prostrate and impoverished, from which condition it has not yet recovered. The other sections have had no such setback, and, if anything, have grown richer on account of the war.

I draw attention to these facts here in order to meet any argument which may be made on the ground that if certain States are improving their roads all of them can do the same, and that it is only because of lack of interest and enterprise that they are not doing so. It is not lack of interest or enterprise, but lack of money, and there is no just reason why wealth which South Carolina has produced, but which has been absorbed by New York, should not be taxed there for the benefit of the roads of South Carolina.

With the exception of what the wealthier States are doing, our common roads are subject to practically the same law, the same antiquated system, that prevailed when the Union was formed.

Mr. President, while the country has not ceased to advance in area, population, and wealth, and along all the lines of science, trade, and industry, it must be remembered that this advancement has been made not by the aid of good roads, but in spite of bad ones. If the people, with all their energy, zeal, and public spirit, had been aided by a system of good roads, enabling them to realize earlier our tremendous possibilities and to avoid the

enormous loss occasioned by the bad condition of the roads, who can estimate what our advancement would have been?

A BILL FOR NATIONAL AID—ITS PROVISIONS.

The bill which I have introduced, known as Senate bill No. 2958, provides for a plan of cooperation between the Federal Government and the various States and Territories of the United States for the construction and improvement of the public roads. It provides for a bureau of highways, to be composed of three commissioners—one to be appointed from the political party in power, one from the largest minority political party, and the third to be an army officer from the Engineer Corps, with rank not below that of captain. My idea in providing for a commission is to free the management and prosecution of the work from political influences as far as possible, and also on account of the vast amount of labor which will be necessary to put the plan in operation. The bill leaves all the details of perfecting the plan of cooperation to the commission, and simply provides for an appropriation of $24,000,000 to be available as a fund for road construction and improvement, to be distributed among the States and Territories according to population.

Before the States or Territories can receive the benefits of the act they must provide for one-half of the cost of any construction of improvements that may be undertaken and secure the necessary right of way. They must then do the work under the rules and regulations of the Bureau and maintain the roads in good repair after the work has been done. Nothing in the bill prevents the States or Territories from distributing their portion of the cost among their civil subdivisions. I have here a table showing what the various States and Territories would receive under the provisions of this bill, which I will ask leave to insert with my remarks without reading.

The PRESIDENT pro tempore. The Chair hears no objection. The table referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF PUBLIC ROAD INQUIRIES,
Washington, D. C., January 12, 1904.

Population of the various States of the United States, according to the census of 1900, and amount to be appropriated for the construction of public roads in each State, apportioned according to population.

State.	Population, census of 1900.	Appropriation for public roads.
Alabama	1,828,697	$558,264
Arkansas	1,311,564	421,910
California	1,485,053	477,[illegible]
Colorado	539,700	173,613
Connecticut	908,420	292,[illegible]
Delaware	184,735	59,426
Florida	528,542	170,064
Georgia	2,216,331	712,990
Idaho	161,772	52,060
Illinois	4,821,550	1,551,019
Indiana	2,516,462	809,507
Iowa	2,231,853	717,953
Kansas	1,470,495	473,[illegible]
Kentucky	2,147,174	690,718
Louisiana	1,381,625	444,[illegible]
Maine	[illegible]	[illegible]
Maryland	1,[illegible]	[illegible]
Massachusetts	2,805,346	902,432
Michigan	2,[illegible]	778,763
Minnesota	1,751,394	563,367
Mississippi	1,551,270	499,020
Missouri	3,106,665	999,[illegible]
Montana	243,329	78,275
Nebraska	1,066,300	343,072
Nevada	42,335	13,618
New Hampshire	411,588	132,401
New Jersey	1,883,669	605,947
New York	7,268,894	2,[illegible]
North Carolina	1,893,810	[illegible]
North Dakota	319,146	102,694
Ohio	4,157,545	1,337,[illegible]
Oregon	413,536	[illegible]
Pennsylvania	6,302,115	2,[illegible]
Rhode Island	428,556	137,889
South Carolina	1,340,316	431,[illegible]
South Dakota	401,570	129,179
Tennessee	2,020,616	650,0[illegible]
Texas	3,048,710	980,723
Utah	276,749	89,[illegible]
Vermont	343,641	110,544
Virginia	1,854,184	596,463
Washington	518,103	166,666
West Virginia	958,800	308,491
Wisconsin	2,069,042	665,570
Wyoming	92,531	29,766
Total States	74,607,225	24,000,000
Territories (including Alaska and Hawaii), District of Columbia, military and naval	1,696,162	
Total United States	76,303,387	24,000,000

NOTE. The appropriation contemplated, $24,000,000, is equal to 32.[illegible] cents for each of the 74,607,225 persons residing in the various States as enumerated in the census of 1900. The appropriation contemplated for each State is equal to its population multiplied by the average appropriation per capita.

POPULAR DEMAND FOR THIS LEGISLATION.

Mr. LATIMER. Mr. President, this bill is simply intended to broaden the scope of the Office of Public Road Inquiries already existing in the Department of Agriculture. That Office has done a great work in arousing the people to the necessity of road improvement. From its efficient work a strong movement has grown up, having for its object the betterment of road conditions, and in almost every State organizations are being formed. While interest has been aroused and the people awakened to the need of improved roads, they realize that it is only by the aid of the Federal Government that this end can be accomplished. Road conventions, national and State granges, and many of the State legislatures have passed resolutions indorsing the plan of Federal aid proposed in this bill. It is in obedience to this general demand of the people and in accordance with my own views on this great subject that I have introduced this bill, in the hope that it may receive early consideration at the hands of Congress and become a law. I want to state here that I am not wedded to any particular plan. All I desire is to see the work begin, and any means that will accomplish that end will command my support.

Mr. President, the power of Congress to appropriate the money necessary to carry out the provisions of this bill seems to me to be clearly established. I am not a lawyer and do not propose to attempt a lengthy discussion of the constitutional powers of Congress, but simply desire to state the grounds on which I claim ample power for all the purposes of this bill.

IS IT UNCONSTITUTIONAL?

In the first place, the bill is not subject to the constitutional objections discussed by the Presidents in their veto messages from Madison to Arthur, when the question of the authority of Congress to enter upon a general system of internal improvements was before them. They held that Congress did not have the rights of eminent domain and police power necessary to enable it to go into the several States and undertake internal improvements.

This bill is not subject to that objection, for the reason that under its provision the States are required to furnish the necessary right of way and to protect and maintain the roads after they are constructed. None of the powers of the States are interfered with, but the bill simply deals with the right of the Federal Government to appropriate money to aid in constructing public roads for the good of all the people. Most of the Presidents have held that Congress had unlimited power to levy and collect taxes, under a uniform system, and that the power to appropriate money is coequal with the power to levy taxes, being restricted only by the duty to appropriate it for objects which will benefit all the people.

Mr. Monroe, considering this subject, said:

> My idea is that Congress has unlimited power to raise money, and in its appropriation they have a discretionary power, restricted only by the duty to appropriate it for purposes of common defense and general, not local, national, and State, benefit.

In 1871 John C. Calhoun, then a Member of the House, introduced a bill setting aside a fund for roads and canals, and supported it in an able speech, both as being constitutional and in line with the duty of the Government. He claimed ample constitutionality for the measure under the power of appropriation. The bill was also supported by Mr. Clay and passed both Houses of Congress, but was vetoed by President Madison because it had been so amended as to give the General Government power to apply the money to the objects of the bill without regard to the rights of the States.

An appropriation is all that is asked for in this bill. The Government is not asked to undertake the absolute construction or improvement of the roads. That is left to the States, and none of their rights are in any way infringed. There is no reason, in my judgment, why this power of appropriation should not be used for this purpose. This is a question which affects the welfare of all the people. Every man, woman, and child of the Republic would be equally benefited by improved roads, and the money raised by taxation could not be used for any purpose more consistent with the general welfare.

WHAT CONGRESS HAS DONE IN OTHER DIRECTIONS.

But, Mr. President, the strict letter of the Constitution, which was invoked by the Presidents against the expenditure of money for internal improvements, has been disregarded by Congress for many years in enacting laws for the improvement of rivers and harbors. Roads, canals, rivers, and harbors were always considered as one class by those who held that the Constitution did not give Congress any authority over internal improvements. The doors have been opened to rivers and harbors, and I see no reason why Congress can not enter upon the improvement of the public roads with as much authority as they have for the improvement of rivers and harbors.

Under the power of appropriation Congress has passed many acts carrying large sums of money. Examples of the exercise of this power are the appropriation of $15,000,000 for the purchase of Louisiana; $20,000,000 for the purchase of the Philippine Islands;

the relief of the distressed in this and foreign countries, among them being, in recent years, the appropriation of $50,000 for the relief of Cuba and $3,000,000 for the relief of the Philippine Islands; appropriations for scientific investigations, stamping out diseases, for expositions, and for educational purposes.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Indiana?

Mr. LATIMER. I do.

Mr. BEVERIDGE. The Senator might even further add that Congress made an appropriation of $200,000 for the relief of the sufferers in the disaster at Martinique, a colony of France. Congress also, I think, some years ago made an appropriation for sending shiploads of provisions to the sufferers in Ireland, a part of the British Empire.

Mr. SPOONER. Will the Senator allow me?

Mr. LATIMER. I thank the Senator from Indiana. Mr. President, for the additional evidence he has given. But I might multiply innumerable evidences of liberal appropriations by the Federal Government along these lines. I thought, however, the few instances I have mentioned sufficient to prove the position I am taking.

Now I yield to the Senator from Wisconsin.

Mr. SPOONER. I want to ask the Senator from Indiana a question. Might not the sending of relief to Ireland have a very important influence in our foreign relations?

Mr. BEVERIDGE. It might.

Mr. SPOONER. Would it not naturally?

Mr. BEVERIDGE. I think it would.

Mr. SPOONER. Then is there not warrant for it in the Constitution?

Mr. BEVERIDGE. In response to that I want to ask the Senator from Wisconsin a question. I ask whether he thinks that the improvement of our foreign relations with the British Empire influenced us in sending provisions to suffering Ireland?

Mr. SPOONER. No; I would not say that.

Mr. BEVERIDGE. No; the motive and purpose were humanitarian.

Mr. SPOONER. Yes.

Mr. BEVERIDGE. Now I wish to ask the Senator from Wisconsin whether he thinks there is any distinct provision in the Constitution authorizing the appropriation of money for the relief of the colony of another country outside of the general power to appropriate money? Is not the power to appropriate money for such purposes a power inherent in sovereignty? That is an idea I got from the Senator himself.

Mr. SPOONER. I am not certain that the Senator has got the right idea.

Mr. BEVERIDGE. Well, I got the idea.

Mr. LATIMER. I should like to yield to the distinguished Senators, but——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield?

Mr. LATIMER. Yes, sir.

Mr. SPOONER. If the Senator got that idea from me, he got something from me I never had.

Mr. BEVERIDGE. I am sorry the idea does not have the added weight of the illustrious parentage which I thought it had; but, even if it has not, it is a good idea; and one is always glad to accept ideas from whatever source they come.

I beg to say with reference to the speech the Senator from South Carolina is making that, coming as it does from a Senator from South Carolina, it may be called nothing short of a milestone in the progress of constitutional thinking. We have an assertion here of the right of the General Government, not only to make appropriations for internal improvements, such as rivers and harbors, but also to make appropriations for the improvement of highways. The constitutional phase of the argument is even larger than the practical consequences of the contention.

Mr. LATIMER. Mr. President, I am very much obliged to the Senators for the information they have given, but I am again reminded that Senators seem to fail here, as they have elsewhere and on other occasions, to agree as to the power of Congress under the Constitution to appropriate money for objects of this kind. It only strengthens the position I have taken as a layman. When these great statesmen, these lawyers who have studied the Constitution so thoroughly, failed to agree, then there is an excuse for a layman to come in and assert his opinion in regard to the Constitution made by the fathers. Mr. President, about $450,000,000 has been appropriated and spent for the improvement of rivers and harbors under the power to regulate commerce among the several States. Eighteen million dollars of this amount has been expended in building levees on the Mississippi River under a plan of cooperation very similar to that contained in this bill, and the balance has been expended in opening up and improving the rivers and harbors of the country. Every inland harbor and remote river has received a share.

One hundred and ninety-six million acres of land were given to the Pacific railroads, besides guaranteeing their bonded indebtedness, amounting to $[illegible],000,000, principal and interest.

In view of these facts, will anyone stand upon any refined argument as to the power of Congress to make this appropriation? Are not the people more entitled to Government aid in improving the roads than the special classes who have received the benefits of the appropriations enumerated above? Can any just reason be advanced why all of these favored objects of improvement should receive ample appropriation and the roads, the most important of all, should not? To my mind no adequate reason can be advanced.

THE QUESTION OF TRANSPORTATION.

The question of transportation is so intimately connected with the existence and well-being of every class of our people as to make it the most important factor of our national and individual life. All the people are, to a large extent, absolutely dependent for life upon means of transportation. Those who produce the necessaries of life are less dependent upon them than any other class, because they have the means of existence at hand. But it is not so with the millions who live in cities and towns, or who are engaged in mechanics, trades, or the professions. No matter how remunerative their employment may be, where they are employed, or by whom, they are equally dependent upon the necessaries of life which must come to them from those engaged in their production. The millionaire and his family in their palatial home are, in this respect, upon an exact equality, with the inhabitants of the crowded alleys of our cities. Our system of railroads, together with our common roads, are undoubtedly sufficient for transporting the actual necessaries of life. But when you admit that means of transportation are essential, you are forced to the conclusion that we ought to have the best.

WHAT GOOD ROADS WOULD SAVE.

It may be suggested that the railroads have decreased the need for improved country roads. But when you consider that the cost of transporting the products of the farm, mine, and forest over the dirt roads to the shipping point in the year 1896 cost $1,000,000,000, while only $700,000,000 was received by all the railroads from every source, it is readily seen that our railroad system does not supply all the needs of the people.

From careful investigation, the average cost of transporting a ton over a mile of dirt road in the United States has been found to be 25 cents. From statistics gathered by our consuls in twenty-three European countries, the cost over the improved roads of Europe has been found to be from 10 to 12 cents. Taking into consideration the higher wages and higher cost of living in this country, it is a fair estimate that under a system of improved roads the cost in this country would be reduced to 12½ cents per ton per mile. Thus it will be seen that a saving of $500,000,000 would have been made if we had had improved roads in 1896.

The $700,000,000 received by the railroads in 1896 was returned to the people. Seventy per cent of it was paid out for betterment, labor, and material, and the balance in taxes and dividends. All of this vast return benefited the whole country. It gave employment to labor, produced a demand for material, added to the wealth of the people, and aided the revenues of the States and nation. On the other hand, the $1,000,000,000 consumed in cost of transportation over the dirt roads paid not a cent in dividends, nor for the labor employed in maintaining the roads, nor for the excessive wear and tear of animals and wagons which passed over them. On the contrary, the condition was a source of loss to producer and consumer.

The census shows that there are about 16,000,000 horses and mules on the farms in the United States, and at a modest estimate 2,000,000 of them could be done away with under a system of improved roads. The cost of maintaining the 2,000,000 animals would be approximately $115,000,000 a year, and their value $140,000,000, which makes a total of $255,000,000 that would be saved the first year in this item alone.

From these two illustrations it will be seen that about $700,000,000 would be saved to the people in one year under a system of improved roads, and I consider the estimates below the real condition. Statistics of estimated savings under an improved road system could be multiplied indefinitely, but I take it that this phase of the question must be so apparent to any thinking man that it will not be necessary to dwell upon it.

MORAL AND SOCIAL ADVANTAGES OF GOOD ROADS.

But, Mr. President, there are other elements of advantage which recommend the improvement of our roads, far more important and demanding far more serious consideration than any financial advantage that we may gain by it.

More than one-third of our people are engaged in agricultural pursuits and live away from the centers of population. For the most part they live on their farms at a distance of from 1 to 25 miles from the nearest town or city. Upon this class of our people depends, in a large measure, the bodily comfort of the whole country, and the wealth of the country is primarily drawn largely from their labor. They are the producers of the food products and many of the raw materials upon which the world lives and grows fat in body and finance. It is a self-evident proposition, then, that the advancement of our agricultural classes should be the prime concern of every statesman and patriotic citizen. The necessity of their education in mind, and in improved methods and means of production, and of their contentment in their avocation can not be overestimated.

What can tend more to the accomplishment of these ends than a better system of our common roads? Good roads will bring them in closer touch with the centers of progress and activity and aid them in securing the enlarged ideas and improved machinery so necessary in order that they may keep abreast of the march of progress in all other lines. As they advance so will the country advance, permanently and in equal ratio. With the roads in the present condition, millions of our agricultural classes are so cut off from all the influences of progress that they have become isolated, do not keep up with the developments in other lines, use the same methods of business that their fathers used, merely eke out their existence, and neither participate in nor add their share to the general wealth and comfort.

But a more serious consideration still is the increasing tendency of the people to leave the farm and go to the cities. This results in taking from the farm the bone and sinew and brain essential to the successful carrying on of our agriculture and leaves them in the hands of illiterate and thriftless people. But can anything else be expected? Are the ambitious young men and women who have been raised on the farm, have lived close to nature and caught the great principle of all progress and development from the movings of the universe, and who feel their hearts and minds yearn for the fellowship and learning, the chances and hopes and ambitions of the world from which they are so remote and cut off, with no seeming hope of improvement—I say, can they be expected to remain content with their lot, thereby forfeiting every aspiration that is dear to them? If we would do away with this evil, some means must be devised to make farm life attractive and pleasant and to give to that class of our people some of the benefits and advantages enjoyed by the other classes. The solution of the problem is the improvement of our roads.

THE ONLY WAY TO SECURE GOOD ROADS.

Mr. President, I am convinced that it is only by Federal aid that we will ever have good roads uniformly throughout the country. The Government must stimulate and aid the people in the work. It is the history of road development in every country. Small sections of roads may be built in various sections, but we can never advance in this respect in proportion to the needs of the people unless we can secure Government aid.

It must be apparent to anyone that the real cause of the poor condition of our roads is the exemption of about two-thirds of our population from any taxation whatever for this purpose. It can not be said that all the people are not equally dependent upon them or that they would not all reap the benefit of any improvement made in our road system. It is likewise true that the burden of building and maintaining the roads ought to be distributed equally among all the people. Under the present system the total burden falls upon those who are already taxed to a greater extent, considering their means, than any other class. They are not able to raise the money necessary to improve the roads.

To build an improved road along modern lines costs from $100 to $400 per mile where sand and clay are used, and from $[illegible] to $9,000 per mile for macadamized roads, depending on the distance the material has to be brought. I have found, after a careful estimate, that the amount of money expended each year under the present system averages about $12 per mile. It is impossible, with this amount of money, to construct or even improve the public roads. The money is scarcely sufficient to keep them in passable condition. Where is the balance of the money to build improved roads to come from? It must be raised in two ways:

First. The States must levy a tax for this purpose on their total wealth large enough to raise one-half of the cost. This tax will range from 1 to 10 mills, according to the taxable wealth of the State, and, in my judgment, would have to continue for five years.

Second. The Federal Government ought to appropriate the other half out of the General Treasury.

The question will naturally be asked, If the people who are taxed for road purposes now are not able to be taxed to any greater extent, how will they pay the additional tax which will be necessary to raise the State's half of the cost of improved roads? The answer is simple. When the Government has made this appropriation, the people will then be willing to be taxed sufficiently to raise their half, because the money to do the work, coming not only from the corporations and cities of the States but from the Government, will be spent in the local communities, giving employment to labor, teams, and wagons, enhancing the value of products, cheapening the cost of production and transportation, raising the valuation of land, and putting money in circulation.

HOW IT WILL AFFECT THE FARMER.

Take, for instance, the farmer who owns 100 acres of land, valued at $30 per acre, and who has farm animals, farm implements, and other property amounting to $1,000, making his total taxable property $4,000. Levy a 5-mill tax, as I propose, on this property, and it will raise $20. I hold that under the provisions of this bill there are three ways by which he would make 100 per cent and pay his taxes. This farmer will haul at least 50 tons over the roads in a year, 8 miles being the average haul and 25 cents per ton per mile the cost under the present state of the roads, making the total cost $100. Reduce the cost of transportation one-half, by reason of improved roads, and he could move this 50 tons for $50. He could then pay his $20 tax and have $30 profit in that transaction.

Again, on account of the increased demand for labor, he would have at least fifty-two days, when not engaged in his crop, that he might devote to hauling material to go into the construction of the roads, for which he would receive $2.50 per day for his man and team, which would make him $130. Take off half for wear and tear and cost of team and he would have $65 profit. Out of this he could pay his tax and have $45 left. Besides, the increase of the value of his land, under a system of improved roads, would be at least $5 per acre, making a total of $500. Take off $100 for the five years this tax would exist, and you have a gain of $400 in that transaction.

THE NATION'S DUTY.

The argument may be advanced, and doubtless will be, that if these advantages are to follow to the taxpayers, why not let the States levy a sufficient tax to meet the whole expense, and thus relieve the General Government?

My answer to that is that the burden of improving the roads should be distributed equally among all the people. A tax levied by the States would only reach a portion of them. Only those people whose property is visible could be reached. The tax would fall most heavily upon the very class who already bear the cost of building and maintaining the roads. Their property consists of land, domestic animals, farm implements, household furniture, and other visible property. The result would be that the tax levied would reach every farthing they possess. But it would not be so with a large class of our people, whose money and property are secure from taxation by being in stocks, bonds, shares in corporations, and other like securities, all of which are capable of being removed from place to place, thus avoiding taxation.

On the other hand, the revenues of the Government are raised largely from duties laid on consumption, thus distributing the burden equally among all the people. An appropriation, therefore, out of the money in the Treasury for the purpose of improving the roads would make every consumer bear a portion of the cost. But the Government is not asked to bear the whole cost. If it will appropriate one-half of the first cost of improving the roads, nothing more, in my judgment, will be necessary.

Another reason why the General Government should make this appropriation is that it uses the roads for the delivery of the mails. Can it be said that it should not bear a portion of the expense of improving these roads? The Government has assumed the obligation of delivering the mails, and it should give the people the best service possible. The people not only have to pay for their mail privileges, but in addition are compelled to provide roads over which the mails travel and keep them in proper repair. The rapid development of the rural free-delivery system will in a short time compel the Government to make use of every road on which people live, and it is but just and in line with its plain duty that the Government should aid the people in maintaining them.

WHAT SHALL BE DONE WITH THE SURPLUS?

But, Mr. President, the most potential reason why the General Government should aid in the improvement of the roads is one resting both upon duty and policy.

Under existing revenue laws an enormous surplus has come into the Treasury. I will not enter into a discussion of the tariff, by means of which this large surplus has accumulated. It is sufficient to say that the heavy taxes laid upon the people have been sufficient not only to meet the current expenses of the Government, but also to accumulate a large surplus. That surplus belongs to the people. To allow it to remain in the vaults of the Treasury will be injurious in many ways. It will take that large sum from the volume of the circulating medium—all of which is needed in the business of the country—and make it unproductive. It will add to the difficulties and rate of obtaining money, thereby

enabling moneyed interests to make heavier exactions from the people. This being true, the important question is: In what manner can the surplus be used so as to most generally serve the whole people?

The idea of depositing it in national banks without interest is unjustifiable upon any grounds of morals or business. The $158,000,000 that they have received in this way will enable them to double it in ten or twelve years, thereby adding a like amount to their already overflowing treasuries. Will any Democrat aid and assist this policy by a vote against this measure, which seeks to distribute the surplus among all the people, that they may in some measure be reimbursed for the heavy taxation by which it was raised? Will any Republican be willing for his people to know that he stands for depositing this money in the banks without interest when he has an opportunity to cast his vote for its expenditure in a manner that will repay them many fold?

What, then, will you do with the surplus? The public debt will not need it before 1907. The current expenses of the Government are provided for, and any temporary deficit can be met in many ways that will not touch the surplus. Will you use it for the canal? It can not be completed within ten or fifteen years, if ever, and only a small portion of the surplus will be necessary to provide for the work as it progresses, while in the meantime the surplus will continue to grow under present law. What, then, will you do with it? The policy of the Government in the past has been to appropriate it for various purposes which benefited only a part of the people. It has been spent in pensions, for the improvement of rivers and harbors, public buildings, the relief of the distressed and suffering, and other like objects which only indirectly benefit all the people. The uses to which it has been put embrace an infinite variety of objects, none of which can be mentioned that were directly beneficial to the whole people.

The proposition contained in this bill furnishes the most just and equitable means of using this surplus. No one will deny the importance of the subject. To do so would be a confession of ignorance. It affects every class of our people. The money will go in equal proportions into all of the States to be used in every community, increasing prosperity, thrift, and contentment. Can any other object of legislation be mentioned which will compare favorably with it? Could the money of the people be put to a more patriotic and general use? Why then should it not be done? We have the power—the Constitution offers no barrier. We have the money, not needed for any other purpose, or if it be claimed otherwise, certainly none half so meritorious as this. Why should it not be used thus? Mr. President, I can conceive of no proposition that more completely involves the duty and patriotism of Congress.

CHARACTER OF OUR RURAL POPULATION.

The country people, Mr. President, cherish within their bosoms the highest patriotism to be found in the nation. They have borne unmurmuringly all the Government has demanded of them. When the military and naval forces have needed men the men have responded, and on a hundred fields have yielded their lives, their health, and their property as an offering to the most disinterested patriotism of which the annals of the world afford example. They have asked less of the Government than any other class. Giving themselves up to their pursuits, they have "made bricks without straw," but they have not forgotten the duties of citizenship, and have kept themselves pure for their exercise.

They have never ceased to love their country and to look upon it as the ideal of human liberty. And it must not be forgotten that it is to them that the nation must always look for support and maintenance. The Secretary of Agriculture in a recent report states "that the farm products during the last fourteen years, no year excepted, aggregated $4,806,000,000 in products. Other than farm products during the same period the balance of trade was adverse to this country to the extent of $865,000,000. Our farmers not only canceled this immense obligation, but placed $3,940,000,000 to the credit of the nation when the books of the international exchange were balanced.

Mr. BEVERIDGE. Mr. President——

The PRESIDING OFFICER (Mr. McCREARY in the chair). Does the Senator from South Carolina yield to the Senator from Indiana?

Mr. LATIMER. Certainly.

Mr. BEVERIDGE. The Senator does not mean to say, I hope, that the balance of trade for the year he names was against us?

Mr. LATIMER. Less the farm products.

Mr. BEVERIDGE. Ah, less the farm products!

Mr. LATIMER. The farmers not only paid the $865,000,000, but left a surplus——

Mr. BEVERIDGE. With the farm products and with all the other exports the balance of trade was enormously in our favor.

Mr. LATIMER. The point I am making is that the farmers have made this balance of trade. They are the men who have brought this great credit to the American Republic, and it is for their interest and in their interest that I appeal now for aid by the Federal Government to improve the roads, so that their prosperity may continue to increase. The position I am taking and the point I am making is very clear, that if you would exclude the farm products from the exports the balance of trade would have been against us to the amount of $865,000,000. If you include the exports which came from the farm, the adverse balance is not only wiped out, but we have a surplus to the amount of $3,940,000,000. That is the point I am making. It is the farmers, then, that have paid the foreign bondholders.

Do they not, then, deserve for all this some recognition? Will you longer suffer them to bear an unequal burden and not give them at least equal benefits?

Look at it, if you please, from the basest standpoint possible, that of self-interest. Will it pay? As the power of consumption is increased, so will the revenues grow. As you enable the people to consume, so you will secure corresponding returns. To put out this money in this way would be the best investment that could possibly be made. The plane of living and of doing business would be advanced and expanded, so that the needs and desires of the people would be increased. Development in all lines of business would call for greater expenditures, and the consequence would be that the Government would receive a return of more than a hundredfold.

THE CHARGE OF PATERNALISM.

It has been said that the proposition of Federal aid to improve the roads is paternalistic; that its tendency will be to cause the people to rely on the General Government too largely, and not exercise their own resources and energies. But, Mr. President, this argument has no basis in fact. Why is this plan paternalistic? Does it give to the people a sum of money out of the Treasury of the General Government to aid them in their private business? If it does, it is paternalistic; if it does not, it is not paternalistic. Are we to give a new meaning to the term "paternalism?" Is it to mean from this time forth that any appropriation for a strictly public purpose, in line with the duty of the Government and for the incidental benefit of the whole people as well as the State and General Government, is paternalism? Does this bill do more than that? If it is paternalistic, then upon what reasoning do you defend appropriations for rivers and harbors, for removing obstructions in rivers within States, for destroying pests and diseases, and irrigating land against the same objection? Are they not all more susceptible of being called paternalistic than this bill?

Can any Democrat who voted for a bounty on sugar, or believed in the principle, or who believes in the protection of the raw material of his State, consistently call this measure paternalistic? Can any Republican who believes in the doctrine of protection oppose it on that ground? Let us be frank. Mr. President, upon many other questions paternalistic tendencies may have appeared; and no one will deny that the people ought to rely in the first instance upon themselves in their private affairs, otherwise their independence, manhood, and ability for self-government would inevitably be sapped and finally destroyed; but this is the first time that the evils of paternalism have been seriously invoked against a strictly public improvement, affecting the whole body of the people equally, distributing the burdens and benefits equally, and that is in line with the duty and within the means of the Government. It must fail to the ground as being without the shadow of force or consistency.

WILL IT BANKRUPT THE GOVERNMENT?

It may be said that to undertake to pay one-half of the cost of improving the roads of the country will bankrupt the Government. If that be so, how can the States or people be expected to pay all the cost? Does not the argument bring us to the conclusion, if it be true, that the roads must forever remain in their present condition? But, Mr. President, the argument has no merit. It has been estimated by the Office of Public Road Inquiries that one billion dollars would put all the main roads of the country in good condition. Assuming that this is the nearest estimate that we can make of the total cost, the Government, under this bill, would be required to raise 500 million dollars. It has also been estimated that it will require at least ten years to effect the improvement of the roads. Does any one think that to raise 500 million dollars during ten years will bankrupt the Government? But if we need facts, let us take an example: Since the Spanish war the Government of the United States has expended about 700 million dollars in the Philippine Islands, a period of about five years. Has that bankrupted the Government? We have also appropriated in the past ten years over 176 million dollars for the improvement of rivers and harbors. Notwithstanding these, and many other millions of expenditures, we have a surplus of 266 millions in the Treasury.

If it be granted that the appropriation asked for in this bill would prove a good investment, the argument that it will inaugu-

rate a policy which will bankrupt the Government is absolutely without force. That argument, Mr. President, is made whenever any proposition comes up that involves large expenditures. It was made when the idea of delivering the mail to the country people was before Congress. The RECORD was full of dire predictions of disaster. It was said that the Government could never stand the expenditure that would be necessary, but the idea prevailed and the cutting off of the expense of the old country post-office and star-route service, with the increased amount of postage canceled, has brought this service to the point of bearing a higher percentage of its own cost than any other branch of the postal system. It is always wise to be careful in the expenditure of public money, but it is a short-sighted policy to become panic-stricken simply because the proposition is extensive. This is a great country, Mr. President, and any proposition for the benefit of the whole, as this is, must be extensive, but the same sound principles of Government, wise economy, and general good underlie it that underlie any simple business proposition. It must be dealt with in a broad-minded, comprehensive, and public-spirited way and be subjected to the plain tests of ordinary business.

CONCLUSION.

Having dealt with this subject at greater length than I expected, and having given many of my reasons for advocating this measure, it only remains to add, in behalf of the rural people of the State that I in part represent, and of the country at large, whose interests and prosperity are the mainspring of my public life and ambition, that we are expecting the best at the hands of Congress. With each succeeding day the sentiment for national aid is growing stronger. It is a reform that is bound to take place in time and, in my opinion, within the near future. Should it be defeated now it must ever be the hope of the people until it is accomplished. The call is from every farmhouse and country home in this broad land. It is the cry from Macedonia. Will we fail to heed it when nothing prevents? With all other good citizens of this great Republic I have an abiding faith in the justice and patriotism of the Congress of the United States; and from its exalted character the best wisdom of the nation may be confidently expected.

The PRESIDENT pro tempore. What does the Senator from South Carolina wish done with his resolution?

Mr. LATIMER. I ask that it may lie on the table.

The PRESIDENT pro tempore. The Senator from South Carolina asks that the resolution may continue to lie on the table. Is there objection? The Chair hears none.

HOUSE BILL REFERRED.

The bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa., was read twice by its title, and referred to the Committee on Finance.

INTERVENTION IN COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated by title.

The SECRETARY. Senate resolution No. 73, by Mr. GORMAN, calling upon the President for certain information touching former negotiations of the United States with the Government of New Granada, or Colombia, etc.

Mr. NEWLANDS. Mr. President, at the adjournment of the Senate last evening I was engaged in defending the statement made by me to the Senator from Wisconsin, the accuracy of which he questioned, that the President of the United States had prior to the creation of the Republic of Panama issued instructions to our naval forces preventing Colombia from landing her troops upon her own soil for the purpose of suppressing a threatened domestic insurrection. I proved this by telegrams addressed by the Navy Department to the commanders of our fleets in Atlantic and Pacific waters, notifying them that the Colombian Government was about to land troops and instructing them to prevent their landing.

This action was subsequently followed by the refusal to permit the Colombian Government to move its troops upon the railroad from Colon to Panama for the purpose of suppressing domestic disorder, and was followed later on by a dispatch of Mr. Hay to Mr. Beaupre, our charge d'affaires at Bogota, informing him, in reply to a query from the Colombian Government, that the United States could not permit Colombia to land troops upon the Isthmus.

I shall now take up the general question as to the action of the President in October and November last and the relation of that action to our treaty obligations, to international law, and to the Constitution of the United States. In taking up this subject I shall not enter into the field of conjecture as to facts. I shall take the facts as the President has stated them.

I shall assume for the purpose of the argument that he is correct in his assurance that a reasonable time for carrying out the construction of the canal across the Isthmus of Panama had not elapsed; that he was not bound by the terms of the Spooner Act to commence the Nicaragua project or to take steps toward its commencement so long as there was a reasonable prospect of inaugurating the Panama project.

I shall assume as correct his statement that the United States had a real grievance against Colombia arising out of the rejection of the Hay-Herran treaty, and I shall assume that the civilized world—collective civilization, to use a term employed by the President—had a real grievance against Colombia for obstructing and delaying the march of civilization and the advance of progress. I shall assume that the United States stood as the trustee of civilization in voicing the protest of the civilized world against the action of Colombia.

And, admitting all this, I shall claim that the action of the President constituted a clear violation of the treaty of 1846, entered into between the United States and New Granada, now Colombia; that his premature recognition of the Panama Republic before it demonstrated its ability to stand alone and to maintain international obligations was a violation of international law, and that his movement with the armed forces of the United States to prevent Colombia from landing upon her own territory for the purpose of suppressing domestic disorder was a declaration of war, made in violation of the Constitution of the United States, which gives to Congress alone the power of declaring war.

Now, Mr. President, as to the treaty of 1846, under which the United States secured all the rights it has upon the Isthmus of Panama, section 35 of that treaty contains two guaranties—one a guaranty of Colombia to the United States, the other a guaranty of the United States to Colombia. The guaranty of Colombia to the United States was that of the free and uninterrupted transit across the Isthmus of Panama to the citizens and the products of the United States.

The language is:

[illegible] that now exist or that may be hereafter [illegible] shall be open and free to the Government and citizens of the United States, etc.

The guaranty of the United States to Colombia was the guaranty of the neutrality of the Isthmus, and the rights of sovereignty and property of New Granada, now Colombia, over the Isthmus.

The language is:

The United States guarantee positively and efficaciously to New Granada, by the present stipulation the perfect neutrality of the before-mentioned isthmus, with the view that the free transit from one sea to the other may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

The guaranty of sovereignty upon the part of the United States was sufficiently broad in its terms to cover not only foreign invasion but domestic insurrection, for there is no limitation whatever upon the guaranty. But I shall assume as correct the interpretation put upon it by our Secretaries of State and our Attorneys-General, that this guaranty was only against foreign invasion; that the Isthmus was to be neutral territory; that it was not to be the scene of foreign contention, and that the obligation of the United States was to resist any attempt of any foreign power to land upon the Isthmus and make it the scene of contention.

If this be so, if it be true that the guaranty of sovereignty upon the part of the United States extended only against foreign invasion, then it must also be true that the sovereignty of Colombia was to be asserted over every inch of the isthmian territory in the maintenance of civil government and public order, in the suppression of domestic disorder.

Now, the treaty of 1846 simply provided for free and uninterrupted transit to the citizens and products of the United States by modes of communication then existing or thereafter to be constructed.

Mr. SPOONER. Mr. President——

Mr. MORGAN. Does not the treaty——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. Certainly.

Mr. SPOONER. The Senator from Alabama was about to propound an inquiry.

Mr. MORGAN. Does not the treaty of 1846 include the right of transit to citizens of the United States on the same terms as if they were citizens of Colombia?

Mr. NEWLANDS. Oh, yes.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. Certainly.

Mr. SPOONER. Does the Senator from Nevada contend that we have no treaty right now to protect the freedom of transit across the Isthmus?

Mr. NEWLANDS. Does the Senator mean treaty rights under the treaty of 1846?

Mr. SPOONER. Does the Senator from Nevada deny that the United States has to-day the treaty right to protect the freedom of transit across the Isthmus?

Mr. NEWLANDS. There is nothing in the treaty of 1846 which gives that right. The United States Government has the right to protect its citizens and the property of its citizens; but it is only by reason of that general right that it can exercise any powers within the sovereignty of Colombia. If the United States can not exercise that right outside of this treaty, then it has no such right under this treaty.

Mr. SPOONER. If the Senator will permit me, the Government of New Granada, under that treaty, as I read it, guaranteed to the United States Government, as well as to its citizens, the right of way or transit across the Isthmus. In consideration of that we made certain guaranties, which we have kept through many years. Does the Senator from Nevada contend that a failure of the Government of Colombia to maintain its guaranty deprived us of our right to uninterrupted transit across the Isthmus?

Mr. NEWLANDS. Not at all.

Mr. SPOONER. Very well. Then I recur to the question——

Mr. NEWLANDS. The only question is as to the method by which we could assert that right.

Mr. SPOONER. No; I am dealing now with the right, not with the method. I recur to the question which I put to the Senator. Does he deny that under the treaty of 1846, by which, in article 35, Colombia guaranteed to the United States the right of way or transit for the Government and its citizens across the Isthmus, we still have that treaty right to freedom of transit across the Isthmus? I confine my question merely to the freedom of transit, and I should like to have the Senator answer.

Mr. NEWLANDS. I will answer the Senator. Colombia could not deprive this Government or its citizens of the [illegible]

Mr. SPOONER. That, then, is because we have the right of transit.

Mr. NEWLANDS. Yes; we have the right of transit.

Mr. SPOONER. Then I understand the Senator to admit (and my proposition is a narrower one) that we [illegible] for the Government and for our people, under the treaty of 1846, the right of way or transit across the Isthmus. The Senator admits that?

Mr. NEWLANDS. Certainly. But I do not admit the Senator's contention that by reason of the existence of that right we have the right and the power to land our troops upon Colombian soil and usurp her sovereignty and exercise her powers of suppressing domestic disorder.

Mr. SPOONER. That is entirely another thing.

Mr. DANIEL. Will the Senator allow me to ask him a question?

Mr. NEWLANDS. Certainly.

Mr. DANIEL. The right of our troops and citizens of transit across the territory of Colombia they accorded to us in a treaty in consideration of a provision in that treaty that we should guarantee the sovereignty of Colombia.

Mr. SPOONER. I answer yes.

Mr. DANIEL. I supposed that would be the reply. I ask the Senator from Nevada whether or not in his judgment the method taken by the United States to prevent Colombian troops from going to the transit was a recognition of the sovereignty of that country or an insult to it and an invasion of it?

Mr. NEWLANDS. Clearly the latter. I will say in response to the Senator from Virginia that the treaty does not give the right to the Government of the United States in express terms to land its troops upon the Isthmus of Panama or to move its troops upon the Isthmus of Panama or to use its troops upon the Isthmus of Panama.

The right of transit was given both to the Government and to its citizens. I assume that under that right the Government of the United States could move its troops across that line of transit on the way to California, for instance, and with a peaceful purpose, so far as Colombia was concerned. But certainly no right was given to the Government of the United States to land upon the Isthmus with a purpose hostile to the sovereignty of Colombia and for the purpose of usurping in any degree her sovereignty or the exercise of her powers.

Recollect it was Colombia's guaranty, and, assuming, contrary to the fact, that there was a breach of that guaranty; assuming that as a result either of Colombia's actions or of public disorder and revolution there, the transit of the Government of the United States or its citizens was interrupted, what was the remedy of the Government of the United States? Under this very treaty and under the law of nations its remedy was to present its grievance for the breach of Colombia's guaranty and to claim redress and compensation, and if neither redress nor compensation was given, then, and then only, would there be just cause of war, for by the very provisions of this treaty in the close of article 35, subdivision 5, it was declared:

If, unfortunately, any of the articles contained in this treaty should be violated or infringed in any way whatever it is stipulated and agreed that neither the two contracting parties shall ordain or authorize any acts of reprisal, nor shall declare war against the other [illegible] damages, until the said party considering itself offended shall have laid before the other a statement of such injury or damages, its justice, its moderation, and its [illegible] have been denied, in violation of the laws and of international right.

So here we have in this treaty, upon which all our rights on the Isthmus are based, a declaration of the principle now so all-pervading of the peaceful adjustment of difficulties between nations, and a solemn declaration upon the part of both of the parties to this treaty that if either one committed a breach of the treaty the other should make complaint of injuries to the offending party and should claim redress, justice, and satisfaction, and that there should be no cause of war until they were refused.

So here is a plain provision guarding against the armed assertion by either power of its right under this contract; [illegible] a provision that the offended party shall make complaint against the offending party, verified by proof, and redress shall be denied before a cause for war can exist.

Now, upon the part of the United States the guaranty was the neutrality of the Isthmus; that the Isthmus should not be the scene of contention for foreign nations; that the United States would protect the Isthmus against the armed invasion of foreign nations. Had the United States failed to keep that guaranty, what would have been the mode of redress under this very treaty to be pursued by Colombia? She would have to make her complaint of the breach of the guaranty and make her claim for justice and satisfaction, and she would have no cause of war until redress was denied.

Now, then, the President of the United States bases his action, first, upon our treaty rights; second, upon our national interests, and, third, upon the interests of collective civilization. As to our treaty rights, whilst he admits that there is not a word in the treaty regarding the concession for the building of a future Panama Canal, he claims that the spirit of the treaty required Colombia not only to permit free transit over any existing modes of communication, but required her to sanction the construction of this particular mode of communication and to sanction it in the terms dictated by the United States without the crossing of a "t" or the dotting of an "i," and he claims that by failing to do this Colombia broke the spirit of the treaty and that this constituted a breach of the treaty, justifying the United States in armed resistance to Colombia's sovereignty.

Mr. President, we will assume that the spirit of the treaty called for the grant of this concession in the very terms called for by the United States. We will assume not only that its spirit, but that its letter called for it, that the treaty in very terms provided that this canal should be constructed by the Government of the United States and that the concession should be granted subsequently to the United States, giving it a right to build this very canal upon the very terms provided for in the Hay-Herran treaty.

Mr. MORGAN. The Senator is now speaking of the treaty of 1846?

Mr. NEWLANDS. Yes; and we will assume that in breach of that obligation Colombia refused to grant the concession. What, then, was the remedy of the United States? To make war? To resist Colombia's sovereignty over her territory? To aid domestic insurrection? To prevent her troops from landing upon isthmian soil for the purpose of suppressing it and maintaining public order? No. Under the very terms of this treaty——

Mr. SPOONER. Mr. President——

Mr. NEWLANDS. One moment. Under the very terms of this treaty it was the duty of the Government of the United States to present its complaint to Colombia and demand "justice and satisfaction," with a clear, calm, and unequivocal statement of its case, and to await her refusal before taking aggressive and armed and warlike action.

Mr. CARMACK. The treaty of 1846 required that.

Mr. NEWLANDS. The treaty of 1846 required that in express terms.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. NEWLANDS. Certainly.

Mr. SPOONER. I ask it not in any controversial spirit at all. Does the Senator contend as a fact or in fact that any troops sent by Colombia to be landed on the Isthmus of Panama prior to the recognition of the Republic of Panama were prevented by the United States from being landed on the Isthmus?

Mr. NEWLANDS. No; not as a matter of fact, I believe.

Mr. MORGAN. May I interrupt the Senator from Nevada?

I hope the Senator will complete that line of argument before he turns [illegible] to anything else.

Mr. NEWLANDS. I was about to complete it. Instructions were given to our naval commanders in those waters notifying them that the Government of Colombia was about to send its troops to the Isthmus and commanding them to prevent their landing, and the only reason why Colombian troops were not met in transit or on Colon by the armed resistance of the United States was that the commander of the *Nashville* did not receive the telegram until after the landing had been made.

This, proceeding in the spirit of that telegram, he forbade the forces of Colombia access to the railroad, the creature of the concession of Colombia; forbade the Government of Colombia from moving its troops from Colon, a place of peace, to Panama, the seat of insurrection, for the purpose of suppressing public disorder there. And here again was a violation of Colombia's rights under this treaty.

Mr. SPOONER. Will the Senator permit me to ask him another question?

Mr. NEWLANDS. Certainly.

Mr. SPOONER. Which does the Senator claim was the act of war, the sending of the telegram or the actual landing of troops on land?

Mr. NEWLANDS. The whole action of the President——

Mr. SPOONER. Oh.

Mr. NEWLANDS. From beginning to end, prior to and subsequent to the recognition of the Republic constituted a declaration and acts of war.

Mr. SPOONER. The Senator declines to file a bill of particulars, does Mr. President.

Mr. NEWLANDS. I do.

Mr. SPOONER. I think he is wise.

Mr. NEWLANDS. The Senator from Wisconsin has asked me whether as a matter of fact prior to the recognition of the Republic of Panama the United States prevented Colombia from landing her troops, and I have shown how that catastrophe was avoided simply by the fact that the commander of the *Nashville* did not receive his telegram in time.

Mr. SPOONER. But the catastrophe that was avoided never happened.

Mr. NEWLANDS. Now, I wish to go on with reference to the action of the commander of the *Nashville* at that time. The generals commanding these Colombian forces were denied the right to move the troops over the railroad, which was the beneficiary of a concession made by Colombia. The very instrument of civilization created there by the grant of Colombia for the benefit of the world was to be made the instrument of Colombia's undoing, in violation of the express terms of the concession itself, which gave Colombia the power and the right, without compensation, to move her troops over that railroad for governmental purposes and for the purpose of suppressing disorder, and in violation of a later concession for the construction of a ship canal, granted to the Panama Canal Company, of France, in which Colombia reserved clearly and distinctly the right to move her troops and her police force over the canal without compensation, and also over the auxiliary railway, this very railway which at that time had been secured by the Panama Canal Company.

The concession to the Panama Railroad Company reads as follows:

ARTICLE XIX.

In compensation for these concessions the company binds itself to transport gratuitously and without delay, payment having to pass anything whatever for freight or for any other charge, the troops, munitions, provisions, and equipage destined for the service of the Government of the Republic of New Granada, whenever it may be required for the consolidation of the Republic of the State of Panama.

The concession to the French Panama Canal Company reads as follows:

The company shall carry gratis through the canal, or on the any railway [illegible] for transporting the troops, for the service of the Sovereign Power of the territory the canal may pass or for the service of the Republic which may be engaged in quelling insurrections or for the passage of troops, munitions, and arms, and generally speaking the baggage and troops, munitions, armament, and clothing which they may need for the service assigned to them.

So the Government of the United States, by its action at Colon, actually forbade the concessionaires of Colombia, these people whose only right to be there existed by virtue of Colombia's grant, to carry out the very terms of their grants requiring them to give the Government the transportation that was necessary for the moving of troops essential to the preservation of public order.

Now, Mr. President, I will assume for the purpose of argument that the President's contention is right, that Colombia had no moral right to deny the consummation of the Hay-Herran treaty, that to refuse to grant that concession was an offense against civilization, and that wherever a nation so exercises its sovereignty as to block the civilization of the world and the advance of commerce it is the right of the nations of the world to bring the recalcitrant state to terms.

We will grant, for the sake of argument, that that is a principle of international law, and we will grant also that by reason of the Monroe doctrine the Government of the United States was not called to bring about the concert of the civilized nations upon this subject; that it stood on this continent as the trustee of civilization, to voice civilization's rights and redress civilization's wrongs.

What is the method to be pursued according to the principles of international law in any such controversy? A clear, unmequivocal statement is made to the offending nation of the grievance of civilization; argument, persuasion, and entreaty are exhausted; methods of arbitration are suggested; methods of friendly treaty are suggested, and only in the last resort is violence employed.

If, then, this was the right of civilization; if, then, this was the right of the concert of nations acting in the interest of civilization, this was the right, and the only right of the United States as the trustee for civilization. If civilization had such a grievance, why did not the President of the United States voice it to Colombia? Where will you find any evidence of an expression of the protest of civilization against her action?

Why, Mr. President, the rejection by the Colombian Congress was not complete until the end of October. It is not contended for a moment that during that period the protest of civilization was voiced by the United States, nor was it voiced immediately afterwards. The protest of civilization was first voiced after war was declared and waged and after the offending State has been spoliated of her territory.

I ask, then, if the President of the United States proceeded according to the orderly and deliberate methods of international law before intervention can be justified against a recalcitrant state in the interest of collective civilization?

And now we come to the recognition of the Republic of Panama. I grant that the recognition of governments is purely an Executive function. I do not claim that the President of the United States in recognizing Panama was guilty of any infraction of the Constitution of the United States.

I do claim that he was guilty of a violation of the law of nations in recognizing a government whose stability had not been established; whose ability to stand alone had not been proved; whose ability to maintain international obligations had not been demonstrated, and whose only source of strength was that the recognizing power stood there with the armed forces of the United States determined to support and maintain it.

Read the message of President McKinley regarding Cuba—President McKinley, whose policy the present Executive promised to follow. Read his declaration of what international law demands upon this subject, and you will find him sustaining the calm, slow, deliberative methods pursued by Jackson years before regarding Texas and uniformly pursued by the Presidents of the United States regarding recognition of South American republics, with whose aims and purposes we were in sympathy.

And yet here, upon the mere assertion of a junta, so-called, composed of a few men, and contained in a telegram addressed to the President of the United States, within thirty-six hours after the meeting of the conspirators against public order, the Republic of Panama is recognized and Colombia is forbidden to land a soldier upon isthmian soil.

Now, Mr. President, I contend that the entire action of the President constituted a declaration of war, and his acts were acts of war. War was not only declared, it existed. What was the declaration? A declaration sent by the Secretary of the Navy to the commanders of our forces prior to the insurrection, prior to the creation of this feeble Republic, informing them that the Government forces were about to land and instructing them to resist their landing. What Government forces? The forces of Colombia! Land where? Upon the Isthmus, her own territory, of which she was in undisputed possession and control and over which she exercised the undisputed sovereignty—a sovereignty which we, by solemn treaty stipulation, had promised to maintain by force of arms, if necessary.

It is true no blood was shed. It was a bloodless war, but it was no less an effective war, more effective than if the Colombian troops had landed upon that soil and as the result of a sanguinary conflict lasting two or three or four years the war had been terminated with the same results.

It was a successful war, which accomplished the segregation of Colombia's territory, raped from her the territory that belonged to her, and transferred it to a new sovereignty. Would it not have been war had the President of the United States, in continuation of that instruction, directed the armed forces of the United States in those waters to land upon Colombian soil—the continental soil—and to march to Bogota and sweep the country from end to end in a war of conquest?

Mr. DOLLIVER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Iowa?

Mr. NEWLANDS. Certainly.

Mr. DOLLIVER. I understood the Senator from Nevada to say that the treaty of 1846 in such a way as to require the United States to guarantee and defend the sovereignty and territorial integrity of the United States of Colombia.

I call his attention to the citations made of the opinions of Secretary Cass and Secretary Seward, who distinctly—and I think the holding has been uniform—held that that guaranty did not relate to revolutions and secessions within the territory of Colombia, but was a guaranty relating solely to foreign intervention against the integrity of Colombia. Is that the Senator's understanding, or did I misunderstand the Senator?

Mr. NEWLANDS. I fear the Senator from Iowa did not hear all of my remarks. What I did say was that the guaranty was in terms a general guaranty of sovereignty, and by its terms it might be construed as a guaranty not only against foreign invasion, but against domestic insurrection.

But I added that I accepted the interpretation put upon it by our Secretaries of State and our Attorney-General, to the effect that it was a guaranty against foreign invasion, and I contended that if that was the only guaranty, then the clear intention of the treaty was that Colombia should exercise the sovereignty of her own territory and should take care of domestic insurrection and disorder. So we are not far apart on that subject.

Mr. DOLLIVER. The Senator and I agree so far that the Secretaries of State have uniformly, if I am correctly advised, held that our obligations to protect the State of Colombia against foreign attack not only had no relation to domestic insurrection within its boundaries, but was accompanied also by treaty liability and obligation upon the United States to protect the transit across the Isthmus against either invasion or domestic or foreign disturbance of the peace in the State of Panama. Does the Senator concede that also?

Mr. NEWLANDS. No. I do not concede that there is any provision in this treaty calling upon the United States to protect the free transit of her Government and her people across the Isthmus. What I do contend is that this treaty provides that Colombia herself shall guarantee to her that right. Upon a failure of that treaty guaranty, it would be the right of the United States under this treaty to present her grievance to Colombia before making a declaration of war.

Mr. DOLLIVER. I do not dispute that——

Mr. NEWLANDS. We could only make a declaration of war after a denial of redress for the grievance.

Mr. DOLLIVER. But I call the Senator's attention to the fact that Mr. Seward, who seems to have gone very fully into the question, was of the opinion that all our duty in connection with Colombia under this treaty was accompanied by a continuous duty of preserving that transit against being the arena of warfare or disturbance of the peace.

Mr. NEWLANDS. It is not necessary for me to enter into the question as to what the right or the duty of the Government of the United States was as to the protection of that transit, as to whether or not it was to simply rely upon the guaranty of Colombia and to seek redress for a breach of that guaranty, or whether it had the independent right or duty, with the consent of Colombia, to protect the railroad against a domestic insurrection as well as a foreign foe.

That is not necessary. All I contend is that, under this very treaty, Colombia was left sovereign over that territory; her sovereignty recognized; that hers was the right and the duty to take care of domestic disorder; that, in addition to that, she had a right to call upon the Government of the United States, under the interpretation put upon the treaty by our Secretaries of State and our Attorneys-General, to preserve and protect the neutrality of the Isthmus and to guard that Isthmus against the invasion of any foreign foe.

Mr. MORGAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Alabama?

Mr. NEWLANDS. Yes, sir.

Mr. MORGAN. I desire the Senator to yield to me that I may read a very brief extract from the message of President Cleveland on this very subject. Mr. Cleveland was discussing this question in his first annual message in 1885. He says:

> Emergencies growing out of civil war in the United States of Colombia commanded of the Government at the beginning of this Administration the employment of armed force to fulfill its guaranties under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the Isthmus of Panama. Disposed of overstepping only by the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to execute their mission to "preserve order and efficiently" preventing the transit and the business relations from being "interrupted or embarrassed."
>
> The execution of this delicate and responsible task necessarily involved police control where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia.

Mr. NEWLANDS. Mr. President, I was considering the question whether the action of the President constituted a declaration of war.

Mr. CARMACK. Before the Senator passes from that subject I wish to call his attention to the following extract from a telegram sent by Secretary Hay to Mr. Ehrman, our consul at Colon, instructing him as follows:

> When you are satisfied that a de facto government, republican in form, and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the responsible government of that territory and you will at once assume charge of the persons and property of citizens of the United States and to keep open the transit [illegible] governing the relation of the United States to that territory.

In other words, the construction that Secretary Hay put upon that treaty of 1846 was that Colombia was under obligation to keep open this transit; that she had a right and was herself obligated by the treaty to protect the transit, and that obligation of the treaty of 1846 descended to the new State of Panama.

Mr. NEWLANDS. I also call attention to the fact that if the guaranties made by the United States as to the sovereignty of Colombia were guaranties simply against foreign invasion of the Isthmus, so also the right and obligation of the United States regarding the transit itself were simply to defend against foreign invasion; if the one is true the other is true; and that the right and the obligation to protect both the Isthmus and the transit against local and domestic disorder devolved upon Colombia.

Now, as to the declaration of war. When I was interrupted by the Senator from Iowa [Mr. DOLLIVER] I was assuming that the President of the United States, in addition to the instructions given to the commanders of our naval forces in Atlantic and Pacific waters with reference to the prevention of the landing of Colombian troops upon the isthmian soil, had extended those instructions by commanding the marines to land upon the continental soil of Colombia, to march to Bogota, and to sweep the country from end to end.

We will assume that that had been done and that the display of force had been so overawing as to prevent any resistance from Colombia; we will assume that the force was so overwhelming, the display of power was so great that the Colombian forces retreated beforce our forces wherever they advanced and that not a drop of blood was shed, would the Senator say that there was no state of war?

Would the Senator say that there was no declaration of war? Would the Senator say, as the Senator from Wisconsin [Mr. SPOONER] said regarding the delay in the receipt of these instructions, that it was a catastrophe that had been averted? So I contend that the entire action of the President constituted a declaration of war and constituted war itself.

What does the Constitution of the United States provide regarding the power to declare war? Does it give that power to the Executive? No. It says that Congress alone shall have power to declare war. The framers of our Constitution realized the danger of putting this great power in the hands of a strong or a violent or a headstrong man, and they determined to commit that power to a deliberative body, representing the entire people, where the processes of debate secure careful consideration and deliberation. So the Congress of the United States alone can declare war: and yet here there has not only been a war declared but a war waged and a war successful—war declared and waged and successfully consummated by the President of the United States.

Do you remember the Venezuela difficulty, in which President Cleveland was asserting the Monroe doctrine against England, who was there seeking, through the gradual extension of her boundary, to obtain an unwarranted possession and control over American soil? When England was refusing or delaying the submission of this controversy to arbitration, what did President Cleveland do?

Did he land American troops upon Venezuelan soil, fix the boundary of England's possession there and forbid her to march her people over it? No. He exhausted diplomatic negotiation. Letter after letter was written; entreaty, argument, persuasion were exhausted. Then what did he do? He submitted the controversy to the Congress of the United States, which had the sole power to determine whether this course persisted in should lead to war as a result of the maintenance of the Monroe doctrine.

And when, in Cuba, Spain was pursuing a career of crime and cruelty, oppressing the people almost to the point of extinction in a war in which the sympathies of the entire American people were with the oppressed Cubans, when the people of this country were hotly pressing on to decisive action, what did President McKinley

do? Before resorting to armed intervention in behalf of collective civilization, did he not vote the protest of collective civilization in the diplomatic correspondence with Spain?

Were all negotiation, entreaty, persuasion all exhausted before he [illegible] to action? And what was his action? An armed intervention in Cuba by the sole decree of the Executive of the Government? Oh, no. The matter was submitted to Congress, and Congress, [illegible] that all the diplomatic methods and procedures leading to and justifying intervention had been exhausted, declared war as an act of intervention in behalf of collective civilization, and that war was prosecuted to a final issue. Now, Mr. President, we [illegible] what is to be done.

Mr. FULTON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Oregon?

Mr. NEWLANDS. Certainly.

Mr. FULTON. I wish to ask the Senator from Nevada this question: Supposing there had been any disturbance in Panama, which Colombian [illegible] existed there unquestionably, England had gone on the Isthmus and taken possession of that territory, what would have been the duty of the President of the United States under the stipulation requiring us to guarantee the neutrality and by which we do guarantee the neutrality of the Isthmus? What, under those conditions, would have been the duty of the President?

Mr. NEWLANDS. I am not prepared to say now as to whether the armed occupation of England would be such an attack upon property rights as would justify the President in making a defense—a defensive war is a different thing from an aggressive war—or whether the circumstances would be such as to compel the submission of the matter to Congress.

It is one thing for the President of the United States to execute the laws of the United States, over which these laws mean the armed defense of the citizens and the property of the United States; it is another thing to declare and maintain an aggressive war.

Mr. FULTON. The question I wish to ask the Senator is this: Would the President of the United States have been under an obligation, by reason of that stipulation guaranteeing neutrality, to have taken any steps?

Mr. NEWLANDS. I am not prepared to answer that question at present.

Mr. DOLLIVER. If it will not disturb the Senator ——

Mr. NEWLANDS. Certainly not.

Mr. DOLLIVER. I have not been able to understand what war on the Isthmus he is talking about.

Mr. NEWLANDS. I am afraid that the Senator has been away again ——

Mr. DOLLIVER. No: I have been here.

Mr. NEWLANDS. I have covered that matter, and I must decline to cover it again, as it simply involves a repetition of what I have already said.

Mr. DOLLIVER. If there has been any actual war, it appears that the Colombian Government does not know of it for they have a minister here now, and always have had.

Mr. NEWLANDS. I will say to the Senator from Iowa that I have pursued that matter fully, and I must decline to enter into it again, as it would simply involve repetition. If the Senator will do me the honor to read my remarks in to-morrow's RECORD he will understand my position.

I will simply add, Mr. President, to what I have already said, that if Colombia had ratified the Hay-Herran treaty and afterwards this insurrection had arisen in Panama, I ask what the action of the Executive would have been then. Would he have forbidden Colombian troops to land upon isthmian soil for the purpose of suppressing domestic disorder? So that the real grievance was the rejection of the treaty by Colombia. The President regarded that rejection as a cause of war, of a just war, to be maintained by this country in the interest of collective civilization.

Now, we are asked, what are we to do about this? The Senator from Rhode Island [Mr. ALDRICH] made the query yesterday, after the eloquent speech of the Senator from Tennessee [Mr. CARMACK]. What are we to do about it? The Republic of Panama now exists—granted, it exists—by virtue of our strength and power, and not by virtue of its own; but it exists. Reject this treaty, and what then happens? Will the United States then permit the Colombian Government to land its troops upon isthmian soil, suppress domestic disorder, and destroy that Republic, created by the action of our own Executive?

I admit that this is a serious question. I should hesitate to take any action which would turn over the people of Panama to the cruelty of the Colombian Government when the action of the people of Panama has been the result of the sustaining action of our own Chief Executive. I should hesitate about it, lawless and unconstitutional though it has been. But it does seem to me that there is a basis upon which this entire matter can be accommodated, and that is by a prompt disavowal by the Congress of the United States of the acts of the President as unauthorized, as unwarranted, either by our treaties, by international law, or by the Constitution of the United States.

Mr. QUARLES. Mr. President, I should like to ask the Senator a question there, if he will permit me.

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. Certainly.

Mr. QUARLES. Does the Senator think that the Senate as one branch of the legislative power, can pass a resolution of censure upon the Executive in the exercise of a purely Executive discretion, or can one branch of the Government sit in judgment upon another, so that we would be authorized to pass a resolution of censure upon the Executive?

Mr. NEWLANDS. I will state to the Senator from Wisconsin that it is unnecessary for me now to consider that question of power, as I made no such suggestion. My proposition was that the Congress of the United States, whose constitutional power had been invaded by the Executive, should disavow his acts.

Mr. QUARLES. Mr. President, I should like to have the Senator [illegible] as to what power Congress has over the action of the President in a case of this character. Is it an Executive discretion? Has the Congress, sitting here as a legislative body, [illegible]

Mr. TELLER. What is a discretionary question?

Mr. QUARLES. The Senator [illegible] whether a government should be recognized. And in [illegible] question in my mind I [illegible] the Senator to indicate to the Senate what act of the President it is that he thinks Congress should disavow. That will bring [illegible] here we can [illegible]

Mr. NEWLANDS. I should disavow all of his acts that are in violation of the treaty of 1846—and I have enumerated them—that are in violation of international law—and I have enumerated them—and in violation of the Constitution of the United States—and I have enumerated them. What happens when that disavowal [illegible]

Mr. SPOONER. Mr. President ——

The PRESIDING OFFICER (Mr. FULTON in the chair). Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. Certainly.

Mr. SPOONER. I appeal to the Senator from Nevada to introduce such a resolution in order that there may be developed here in a practical way a line of action on his proposition.

Mr. NEWLANDS. I will take the appeal of the Senator from Wisconsin under consideration.

Mr. SPOONER. That is the trouble with it all.

Mr. NEWLANDS. I am now making a suggestion to the dominant party, the party in control of the Government, the party whose action will decide this question, and I am insisting upon it that the Congress of the United States, whose constitutional power has been invaded, should disavow these unauthorized acts, just as clearly and unequivocally as it would disavow them if these acts had been performed by the naval officers of the United States in Atlantic and Pacific waters without the command of the President. They were equally in violation of our contracts, of international law, and of constitutional law, whether performed by the order of the President or without the order of the President.

If those officers had, without the direction of the President, taken this action, and as the result of that action Colombia had been dismembered, her territory segregated, and a new sovereignty created, with possession and control over a part of her territory, I ask whether Congress would not have disavowed their acts? And they are equally subject to disavowal when done by the President of the United States, acting in violation of treaty obligation, of international law, and of constitutional prohibition.

You ask what will happen upon disavowal. Disavowal is a well-known principle of international law. Whenever the agents or officials of a country commit an unauthorized wrong against another country, disavowal is always declared. That is a part of the redress.

Now, then, what is the remaining redress? I can not tell whether or not the status quo ante can be restored. I can not tell whether or not it ought to be restored, judging it from the standpoint of Panama herself. I am not inclined to think that the people of Panama have no just grievance against Colombia. I do not contend that they did not have the right of revolution and that revolution was not justified by the action of Colombia, repressive of her energies.

My sympathies are rather with Panama than against her. I am not talking now of the action of Panama or of the revolutionists there. I am talking of the action of the Government of the United States, through the sole instrumentality of its Executive, without the sanction of Congress. I say we can consider the question whether or not the status quo ante can be restored, and that

will involve the taking of testimony and involve negotiation with [illegible] the Republic of Panama, for it is the [illegible] to take such action as would turn her over to con[illegible] but there is a resting place. The Colombian Government is [illegible] unmindful of them, its President is stating its grievance under the treaty of 1846 to the Government of the United States; pre[illegible] by proofs, at the State Department, [illegible] between her continental territory and her isthmian territory, respecting the power and the strength and the vigor of the United States, pleading for a peaceful adjustment of this controversy, of this breach of the treaty of 1846, this breach which is apparent, if in nothing else, in the failure of the United States to present her grievance, if she had any, in orderly form to the constituted [illegible] of Colombia before taking aggressive measures.

[illegible] will that involve, turning over Panama to the mercies of [illegible] government? No. The end of it all may be that as a result of negotiation the people of Panama may conclude, provided the canal [illegible] to submit themselves again to Colombia [illegible]. On the other hand, Colombia, viewing the [illegible], may consent to this segregation of the Isthmus upon con[illegible]. Then the matter will be adjusted peacefully.

[illegible] that Colombia refuses to do anything; that she refuses to permit this canal to be constructed; that she refuses to do anything except to reassume her authority over Panama. Then it will be in the power of the United States to present her grievance, if she has any, to Colombia, to voice against Colombia the protest of collective civilization. Then, having exhausted [illegible], persuasion, and entreaty, we can consider whether, [illegible] of international law, we will make a declaration [illegible] interest and in the interest of collective civilization [illegible] a recalcitrant state. And then the Congress of the United States can act, act under the sanction of the Constitution, act under the sanction of the treaty of 1846, and act obediently to the recognized principles of international law.

Mr. President, I ask permission to add as an appendix some quotations [illegible] statements.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Nevada.

Mr. SPOONER. Mr. President ——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Wisconsin?

Mr. NEWLANDS. Certainly. I am through.

Mr. SPOONER. I hardly know in what terms to couch the observation which I am tempted to make to the Senator from Nevada—whether it should be in words of congratulation or otherwise of his very specific indorsement of the proposition of international eminent domain, for that is what he has asserted.

Mr. NEWLANDS. The right of eminent domain, let me remark to the Senator, is to be exercised according to methods of procedure pointed out by law. The right of eminent domain, even in our own country, does not mean that you or I can seize our neighbor's land and apply it to our own uses.

Mr. SPOONER. Then what does it mean as the Senator used it?

Mr. NEWLANDS. It means to go into the courts of the nation ——

Mr. SPOONER. Of course.

Mr. NEWLANDS. I speak of eminent domain in our own country, not in international law. It involves your going into court, declaring the use to which you wish to subject the property, showing that it is a necessary public use, and it involves also the judicial determination of the value of the property taken.

Mr. SPOONER. Does the Senator ——

Mr. NEWLANDS. If the Senator will permit me ——

Mr. SPOONER. Certainly.

Mr. NEWLANDS. In international law, whilst there is no great tribunal before which any nation of the world can be summoned to answer for its misdeeds and offenses against civilization and with a view to exercising this doctrine of eminent domain, whose existence I am not prepared to admit, though the Senator seems to think I do, the whole tendency of international law is to erect and constitute tribunals of peace to act between nations and with a view to rendering justice between nation and nation, just as our domestic courts do between man and man. The international court at The Hague, I suggest, is a court of that kind.

Mr. SPOONER. The Senator from Nevada, in the course of his observations, emerged from the chaparral and the bushes into the open field where the world can see him, and declared, if his utterances meant anything, in favor of the principle of international eminent domain, because the Senator, driven by the operations of his strong mind and his legal education, came to the point in his speech where he was unwilling to admit that one nation could bar the way to the progress of collective civilization.

I am at a loss to know, for I am not quick of apprehension, what the Senator meant, unless he meant that if the Republic of Colombia should be unduly recalcitrant—that is the word, and it was an apt word, which the Senator used—the United States as the representative of the collective civilization of the world, should, in the interest of the world, cut its way, law or no law, except the mere question of damages ——

Mr. TELLER. Mr. President ——

Mr. SPOONER. I am talking now to the Senator from Nevada.

Mr. TELLER. I wish to interrupt the Senator from Wisconsin long enough to ask him a question.

Mr. SPOONER. In a moment.

Mr. TELLER. In a moment. I will not unduly interrupt him.

Mr. SPOONER. Oh, no. The Senator from Colorado never does. I am at a loss to know what the Senator meant, unless that the United States shall cut its way through the Isthmus of Panama and unite the Atlantic and Pacific, leaving only to be determined the question of damages to the proprietor—the sovereign proprietor—whose territory has been taken for use of the work.

Mr. TELLER. Mr. President ——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. MORGAN. Mr. President ——

Mr. TELLER. I wish to ask the Senator from Wisconsin a question.

Mr. SPOONER. Have I misstated the position of the Senator from Nevada?

Mr. NEWLANDS. I will state, in reply to the Senator from Wisconsin, that I object to his term "international eminent domain," because it is a new term.

I can not say that I object to it, but rather that I am not prepared at present to accept it as an international term. Nor am I prepared to accept the President's phrase, "the rights of collective civilization." It may be that he has coined a phrase which will go into the books of international law and be accepted as one of the terms of international law. I was simply pursuing the caution which I think every man of legal training ought to pursue regarding the acceptance of new terms and new phrases.

I do not think, however, that the Senator misapprehends the course of my argument.

Mr. SPOONER. Not at all.

Mr. NEWLANDS. The entire argument was based upon the President's contention, first, that he was warranted in his action by a proper regard for the obligations of the treaty of 1846; second, that he was warranted in his action by the principles of international law; third, that he was warranted in his action by the demands of collective civilization, and also that his action was warranted by the Constitution of the United States. I was meeting the President upon his own ground, accepting the facts and the [illegible] by him, and not at all entering into the field of controversy as to the facts or as to reasons for the action. The Senator is familiar in law with an argument which admits the statement of facts made by the other side.

Mr. CARMACK. For the sake of the argument.

Mr. NEWLANDS. For the sake of the argument.

Mr. SPOONER. Yes; but the Senator from Nevada came from the chaparral into the open [illegible] has been proclaimed in this transaction, and when [illegible] about it has abandoned the open field and gone back into the chaparral and the brush.

Mr. TELLER. Mr. President ——

Mr. SPOONER. I understood the Senator, of course, to be against the President. I expected that. I expected the Senator to contend that the President had violated the laws of the United States, had violated the law of nations, had violated a treaty, had violated the Constitution, and had violated his oath. Of course that is the attitude in this transaction of Senators who choose to be partisan rather than to be just. But the Senator can not, if he spoke what he meant, escape from my suggestion that he indorsed one proposition in the President's message, and that was the doctrine of international eminent domain.

Mr. MORGAN. I thought that came from the Pension Office. I have not seen it in the President's message.

Mr. SPOONER. If the Senator will permit me to do him absolute justice, he did not think it came from the Pension Office.

Mr. MORGAN. I thought so. I have heard of it as coming from the Pension Office and I never saw anything like it in the President's message.

Mr. TELLER. I think the Commissioner of Pensions did suggest it.

Mr. SPOONER. That does not come from the Pension Office.

Mr. MORGAN. Will the Senator indulge me a question about

the other branch of this subject—the interest of collective civilization and its right to be represented by the President of the United States. I wish to ask the Senator whether, when we passed the Spooner law, a very splendid law and one which has a great deal of my personal affection, though I had to fight it a long time before it got into shape, he did not then suppose and believe, and whether he does not yet believe, that we had opened a way for a canal across the American Isthmus fully sufficient for the purposes of collective civilization—at Nicaragua?

Mr. SPOONER. Mr. President, neither the Senator from Alabama nor any other Senator was called upon to antagonize me or make a concession to me as to any provision in the canal act.

Mr. MORGAN. I have exercised that privilege, Mr. President, in one case, and I [illegible] by it.

Mr. SPOONER. [illegible]

Mr. MORGAN. What has the Senator got to say to that?

Mr. SPOONER. I say this: I stand by the provisions of the canal act.

Mr. MORGAN. Then, we have a canal way which nobody has yet obstructed [illegible] has the power to obstruct except the Congress of the United States.

Mr. SPOONER. [illegible] the canal act. There is no provision in the canal act that was suggested to me by any man in this Senate or out of it.

Mr. MORGAN. I did not claim to have suggested anything to you.

Mr. SPOONER. No; the canal act was based upon the report of the [illegible] The Commission reported, first, because of the extortionate price demanded by the French company——

Mr. MORGAN. And for no other reason.

Mr. SPOONER. I will not say that, because it would not be true, in my judgment. The Canal Commission first reported in favor of the Nicaragua route. When the French company had reduced its demand from $109,000,000 to $40,000,000, the Commission was reconvened to consider that change.

Mr. CARMACK. Mr. President——

Mr. SPOONER. Pardon me for a moment. I will yield to the Senator later. Whether the Commission was functus or not I do not stop to inquire. I am dealing in what I say with the facts, not with the law. The Commission thus reconvened to consider the situation on the basis of the reduced offer of the French company, recommended unanimously——

Mr. MORGAN. No.

Mr. SPOONER. Yes.

Mr. MORGAN. No.

Mr. SPOONER. Unanimously.

Mr. MORGAN. No.

Mr. SPOONER. When I say "unanimously" I mean with the concurrence of every member of the Commission, so far as the papers showed and the world could know.

Mr. MORGAN. There was a protest filed there by one of the commissioners against that act, and he said he did it only because if he not failed to join in the report he was satisfied they could defeat a canal.

Mr. SPOONER. I do not like to criticise, nor will I, any man in private life who can not answer me here. I based what I say upon what was exhibited to the world, caring nothing for any secret reservation of a given member of the Commission.

Mr. MORGAN. I base what I say upon what has been presented to Congress by that Commission.

Mr. SPOONER. Since the report of the Commission?

Mr. MORGAN. No. I think it was contemporaneous with it. I am not sure about that.

Mr. SPOONER. Professor Haupt—for he is the gentleman to whom the Senator from Alabama alludes—had been appointed a member of that Commission. He was charged by the appointment under the law with all the duties and obligations which rested upon the individual members of that Commission. It was an expert Commission. It was to report to those of us in this House and the other who were not engineers upon the question as to which route, from the engineering standpoint and other standpoints, was the better route in the interest of the American people.

Mr. MORGAN. I wish to say, if the Senator will allow me, in respect to Professor Haupt, that he signed that protest at the time he signed the report, and left it on the files of the Commission. If they did not report it to Congress, as to which fact I am not certain in the first instance, it is a matter between them and Professor Haupt.

Mr. SPOONER. Whether a public official, in whom are reposed trust and confidence, as in this case they were reposed in each of the members of the Commission, could, with propriety, sign a report which they sent to Congress recommending a particular route and sign a dissent with the Commission is a question which I do not stop to discuss.

It was the duty of every member of that Commission to speak his opinion and conviction through his signature to that report or as dissenting from that report, and the report came to the Congress of the United States recommending the Panama route as the better route for this country, signed by all the members of the Commission, including Professor Haupt.

Mr. MORGAN. But if the Senator will allow me, if that report came in that way and did not present the protest, in writing, of Mr. Haupt, made at the time he signed it, great injustice has been done to him and to the public.

Mr. SPOONER. I knew Professor Haupt's father long ago.

Mr. MORGAN. I know him now.

Mr. SPOONER. I knew him long ago. I have not seen him for many years.

Mr. MORGAN. I have.

Mr. SPOONER. Undoubtedly; but that does not affect either the propriety or the substance of what I am about to say. I wish to say what I have to say on this particular subject without unjust criticism upon Professor Haupt. Professor Haupt, being a member of that Commission, ought to have expressed his conviction in a public way when the report was made.

If Professor Haupt, after looking over the whole subject, thought the Panama route was not the better route for the United States, he as an engineer, as a professor, as an officeholder, as a commissioner, as a self-respecting man, and as a gentleman ought to have said so, so that the world would have known.

Mr. MORGAN. I think it is due to Professor Haupt.

Mr. SPOONER. Yes, something is due to him. It is not on the record.

Mr. MORGAN. He shall have justice, and nothing more than justice. Within a few days, perhaps not more than three or four, after that report was made, Professor Haupt appeared as a witness before the committee, of which I then had the honor to be chairman, and swore to this reservation and in that way published it to the world.

Mr. SPOONER. On the record Mr. Haupt signed the unanimous report——

Mr. MORGAN. Oh, well!

Mr. SPOONER. And since that has by magazine articles and otherwise impeached it. If that attitude is satisfactory to Professor Haupt, it is satisfactory to me. But it misled me——

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. If the Senator will pardon me for a moment, the Senator from New York [Mr. DEPEW], I am informed by a note, is anxious to go on.

Mr. DEPEW. The note is not from me.

Mr. SPOONER. Well, it is from somebody. I do not know from whom it comes. And if the Senator from New York has anything to say I know he is anxious to say it and I am anxious to hear it. And so, Mr. President, as far as I am concerned, I abandon the floor now in favor of the Senator from New York.

Mr. DEPEW. Mr. President, I do not know who was my anonymous friend——

Mr. SPOONER. But you ratify his act? [Laughter.]

Mr. DEPEW. But I am very much gratified with what he did.

The PRESIDENT pro tempore. The Senator from New York is entitled to the floor.

Mr. DEPEW. Mr. President, the most interesting and vitally important question to the American people is the construction of the Isthmian Canal. There is absolute unanimity of opinion for the work to be begun, prosecuted and completed at the earliest possible moment. The opponents of the treaty are really aiding the enemies of the canal. If there ever has been a concert of action among any great railway corporations to defeat this most beneficent work of commerce and civilization, I am not aware of it; but if such a combination does exist, then its allies and its most efficient assistants are to be found among those who, under any disguise or excuse, are endeavoring to defeat the treaty with the Republic of Panama.

Piercing the Isthmus of Darien is no new idea. It has appealed to statesmen for hundreds of years, and now, four centuries over Columbus sailed along the coast of the Isthmus trying to find the opening which would let him into the Pacific, the completion of his dream is near at hand. Charles V was the ablest ruler of his century. The power of Spain under him and his successor included Cuba and Porto Rico, territories on the Gulf of Mexico and the Pacific Ocean, and the Isthmus of Darien and the Philippine Islands. His knowledge of geography was limited because of the meager discoveries of his period, but he did see that here was an opportunity for an eastern and western empire by connecting the two oceans, and set about energetically to accomplish the task.

Before his plans had matured he was succeeded by his son, that phenomenal bigot and tyrant, Philip II. He declared that it

was sacrilege to undo what God had created, and therefore wicked to cut through the mountains for a canal. For three hundred years the wall of superstition built by this monarch prevented the union of the oceans. The initiative was with the United States, whose people are opposed to the opinions of King Philip, and believe the duty of man is to exploit, develop, utilize, and improve the waste places of the world, the air, the water and the earth. As early as the Administration of John Quincy Adams, our statesmen saw the necessity for this work. It was encouraged by almost every succeeding Administration. It originated the American idea of Henry Clay and has always been a bulwark of the Monroe doctrine.

In the past fifty years our Government has repeatedly asserted the necessity for the canal, and that it would look with extreme hostility upon its being built, or owned, or dominated by a foreign power. The discovery of gold in California and the rush of our people to the Pacific coast in 1849 opened the eyes of all Americans to the necessity of the United States controlling this highway between our eastern and western States. We made treaties with Great Britain to encourage private enterprise to do this work, and to prevent any European power from undertaking it. Our necessity was so great that we permitted without protest the French Canal Company of De Lesseps to proceed with their work. After the failure of that company and of private enterprises on the Nicaragua route, the duty of our Government became clear.

When we succeeded to the inheritance of Charles V, by the acquisition of Porto Rico, by the establishment of a friendly republic in Cuba and by the possession of California on our Pacific coast, of Hawaii midway and the Philippines at the gates of the Orient, the responsibility upon us to construct this canal was as much greater than it was upon that monarch as has been the growth of commerce and civilization from the fifteenth to the nineteenth century. For national defense, as well as national unity, there must be an unbroken line of coast from the northernmost limits of Maine to the northernmost limits of Alaska. For the employment of our capital and our labor in the ever-increasing surplus of our productions, we must reach, with the advantages which the canal would give us, the republics of South America and the countless millions in the old countries across the Pacific.

The Republic of Colombia recognizing this need sent here a diplomatic representative carrying a proposition. With scarcely any modification on our part this tentative agreement presented by Colombia was embodied in the Hay-Herran treaty. In that instrument was the most generous treatment of all interests to be acquired. We were to buy the plant and the properties of the French Company for $40,000,000. We were to give to Colombia $10,000,000 for a franchise which would be of incalculable benefit to that country. While we were permitted to exercise certain powers within a zone, six miles wide, for the protection of the canal, yet the sovereignty over that strip was recognized in every line of the treaty as remaining with Colombia. This concession was a weakness in the treaty for our interests.

The excuse for this concession was that our power was so great our interests could never be imperiled. There is no enlightened government in the world whose financial condition is not strong enough to construct through its territories a public improvement of such vast moment to its people, which would not grant freely the right to build to any company or government which would spend their millions to confer upon its citizens commerce, trade, industries, and development. This Colombian treaty, agreed to by the President, approved by the Secretary of State, and ratified by the Senate of the United States, was carried back to Bogota by the Colombian minister. Then began upon the stage of that capital a drama of unequaled interest, whether we look upon it as tragedy, comedy or opera bouffe. Marroquin, the Vice-President, had three years before, by a revolution, imprisoned the President, suspended the constitution, established martial law and begun ruling as dictator.

After many revolts against his authority, in a final revolution he defeated the liberals in a great battle, and they fled from the field, leaving upon it 7,000 of their dead. Marroquin was now absolute master of the constitution, the laws, the lives, and the property of the people of Colombia. He evidently proposed this treaty to secure $10,000,000 from the United States Government. He wanted money, and ten millions in gold, reckoned by the value of Colombian currency, would be about fifty millions in that Republic. But the speed and alacrity with which his offer was accepted opened his mind to visions of boundless wealth. He certainly developed, in his effort to compass these riches, Machiavellian statesmanship of a high order.

He declared the constitution operative, ordered an election and summoned a Congress. He had the army and absolute power; he controlled the machinery of elections, and brought to the capital his own representatives. He was in a position at any moment to again suspend the constitution, prorogue Congress or send them to jail. But he said, "This is my treaty, which I sent up to Washington when I was the government, which the United States has agreed to, and there must be some excuse which will appeal to the powers at Washington for more money. I must create an opposition to my Government." So he granted for the first time in three years a restricted liberty to the press, he liberated the editors and permitted the confiscated newspapers to resume. The "cue" given to them was to assail the treaty and the United States. This was to create the impression that there was a violent opposition, in a country where only five per cent of the people can read, against the Hay-Herran settlement. Next he created an opposition to the Government in Congress.

The orators to whom this rôle was assigned, with all the tropical luxuriance of Latin eloquence, denounced this infamous agreement, this frightful surrender of the rights and interests of Colombia. Marroquin, as Vice-President, presiding over the Senate, listened with pleasure to these fusilades upon his own statesmanship prearranged by himself. Every citizen of Colombia who had any intelligence, and every member of either House of that Congress knew that Marroquin had but to lift his finger and the vote for the treaty would be unanimous. This drama, accurately reported by our Minister Beaupre to the Secretary of State, closed with Vice-President Marroquin saying to us substantially: "You see the trouble I have in this uncontrollable opposition. Of course I want to carry out my treaty, but unless concessions are made, not to me, but to the pride and sentiments of my country, I am helpless. But if the United States will give $10,000,000 more, I think I can satisfy this opposition; at least I will risk my popularity, reputation and power in the effort."

The answer of the United States was an unmistakable and emphatic no. That answer has the unanimous approval of the public sentiment of our country. The Vice-President then said to the French company, "If you will pay that $10,000,000 extra out of your $40,000,000, we will ratify the treaty." The French company rejected the proposition. Then both the minister of Great Britain and the minister of Germany were approached to see whether a "dicker" could not be arranged and a sort of auction set up, with Great Britain, Germany and the United States as the bidders. The folly of this proposition was in its violation of the Monroe Doctrine by a Republic which had been many times its beneficiary, a Republic which now has quarrels upon its hands with Great Britain and France because of outrages committed upon the citizens of those countries, which would lead to summary and drastic measures of reprisals except for the Monroe doctrine.

No better illustration of the understanding by the European governments of the sanctity of this article of American international law has been shown of late than this action of the representatives of these powers. No stronger proofs have been given of the interest of every great commercial nation in the construction of this canal in the interest of commerce and civilization and its construction and control by the United States. These patriotic efforts of the Vice-President and dictator to secure more money by many methods of holdup were discouraging, but he did not despair. He had received an emphatic negative from the United States, had been refused by the French Panama Canal Company and turned down by Great Britain and Germany. But he had been trained in many revolutions where money had to be raised by other processes than the orderly ones of assessments and taxation upon all the people and properties of the country upon an equal basis. His resourceful genius was equal to the occasion.

He had called together his Congress, to carry out his programme of exploiting this asset of Colombia for many times more than the price at which he had agreed to sell it. Then occurred to him an idea of high finance which ought to make the most imaginative and audacious of our promoters blush at their incapacity. The Panama Canal Company had received from him while dictator upon the payment of a million dollars and 5,000,000 francs at par of stock of the new company, a concession which ran until 1910. The old concession expired in October, 1904, and for this the French company had paid Colombia 12,000,000 francs. With every concession, where vast amounts of money have been expended in good faith and large sums paid for the franchise, there are always equities to the defaulting party, but the new scheme dismissed the equities, the extension of the charter and the million dollars consideration paid, which had been spent.

The Congress, to the tearful regret and over the wishes of the dictator and vice-president, rejected the treaty by an almost unanimous vote and then adjourned. But Congressmen talk after adjournment. It is their habit in all countries, and the Senators and Representatives who participated in this picturesque drama of national aggrandizement said that the object of the adjournment was to wait until the old concession of the Panama Canal Company had expired, in October, then to recall Congress in extraordinary session in November, declare the concession canceled and seize upon the property of the French Canal Company. Then,

they said, we will offer to the United States the properties of the French Canal Company for the $40,000,000 which are to be paid that corporation and the ten million which are coming to us. "Of course," they argued, "the United States will be quite willing to enter upon an agreement of this kind, because the sum which they pay will be the same in amount as they have agreed upon under the terms of the Hay-Herran treaty and the contract with the French Canal Company."

There are two considerations in this choice bit of financiering which seemed never to have occurred to the statesmen who guides the destinies of Colombia and the orators whom he placed in various states to play their instructed parts. The first was an utter indifference or ignorance of the fact that the United States had a national conscience. We are a commercial nation. Our people are trained to all the refinements of business obligations and all the commercial responsibilities of contracts. Much as we want the canal, we never could have taken it by becoming a partner in this highway robbery of the property of the citizens of France. The Panama Canal scheme has been popular in France for many years, and French statesmen and politicians have been afraid to have any connection with it.

It is because of the millions of dollars lost by the French people in the investment and the scandals caused by the corrupt use by the officers of the company, of much of the money subscribed. But here would be a case which no government could neglect. The French Canal Company, representing its several hundred thousands of French citizens, could say to the French Government, "Here are securities of great value, and here is a property for which we have paid our money that has been arbitrarily confiscated." Then we would have had upon our hands difficulties, compared with which the present ones are infinitesimal. We could not deny the justice of the demand of the French Government to land its army upon the Isthmus and enforce its claims. Here again the shrewd and able leader of Colombia—for he is both shrewd and able—counted first upon the capacity of the United States to become a party to this robbery of the French, and then to the assertion of the Monroe doctrine to prevent France from demanding and maintaining the rights of her citizens.

Colombia, after failing to confiscate the French property in the canal, now appeals as a stockholder in the French Canal Company, to prohibit the transfer of the canal property to the United States without the consent of Colombia. France has recognized the Republic of Panama. In so doing she is committed to the transfer to the new sovereignty of all public property within its jurisdiction. The Colombian Government has no better claim to the Panama Canal, or jurisdiction over it, than Great Britain has over Bunker Hill. The same rule and construction will apply in case Colombia should, as has been suggested here, commence an action in New York against the Panama Railroad Company, a New York corporation, to compel a continuance of the subsidy of $250,000 a year to Colombia, instead of to Panama.

Up to this time, it will be said, no matter what was the conduct, no matter what the double dealing, no matter what the breaches of faith, no matter what the character of the hold-up by the responsible Government of Colombia, that Government could act as it pleased upon granting rights, franchises, and properties within its own jurisdiction. This leads us at once to the new phase of the problem presented by the organization of the Republic of Panama. Panama was one of the first settlements made in the Western Hemisphere. After the city of Panama had been raided, robbed, and burned by Morgan and his pirates it was moved about seven miles, to the present site. It was the depot for hundreds of years for the commerce going between the Atlantic and Pacific oceans. The province was one of the last to throw off the yoke of Spain.

When General Bolivar succeeded in the revolution which he organized, he formed a loose-jointed republic out of the States of Colombia, Venezuela, Ecuador, and Panama. There was little in common, territorially, commercially, or industrially between these States. After a few years Venezuela seceded and formed a separate government. Three years afterwards Ecuador did the same. Panama remained to all intents and purposes an independent Republic. In the new arrangement which was made Panama joined Colombia under a constitution which distinctly recognized the right of secession for any cause, and bound the several parts only to federal contributions according to their judgment. It was almost a counterpart of the Articles of Federation in our own country which were succeeded by the Federal Constitution. This relation continued practically from 1861 to 1886.

Then a dictator arose by the name of Nunez and got control of the army and navy and all the resources of the country. He suspended the constitution, the Congress, and the laws, and governed the country according to his own despotic will for a number of years. He subjugated the several States, overturned their sovereignty and forced them to become mere departments of the centralized power at Bogota. He adopted a system, under a so-called constitution, by which they were ruled as Spain governed Cuba—by governors, who were really captain-generals, with absolute power.

His enemies in the several States, and the patriots who resisted this government of Europe, were punished by imprisonment, exile, or execution. From the time of the establishment of the rights and liberties of the independent State of Panama that Republic has been in a continued condition of unrest and revolt. The revenues collected at its ports of Panama and Colon were transported to Bogota. The taxes levied in Panama went to Bogota. Of the annual subsidy of $250,000 a year paid by the Panama Railroad Company, $[illegible] went to Bogota and $[illegible] to the governor of Panama, appointed by the President of Colombia, to disburse in the department in the Department of Panama. Though Panama had only one-fifteenth of the population of the Republic, she contributed a large part of its revenues, but under the arbitrary constitution to which Panama never assented and never accepted, a construction imposed by force and maintained by an army and an alien governor, she received during all these years practically no moneys for highways, for development, for education or for any of the needs of a live and growing State.

It is an interesting and picturesque view of the situation that the obligation of the United States to keep free transit across the Isthmus has worked both ways with Colombia. There have been many revolts in Panama in the effort on the part of tyrannized, plundered and patriotic citizens to regain their liberties and rights. Every one of them has been sternly and ruthlessly suppressed by the central Government at Bogota. The success of the Bogotan Government was due in nearly every instance to the fact that the United States would not permit interruption of transit across the Isthmus. When the revolutionists would have seized the railroad which connected the oceans, the United States was the ally of the Bogotan Government to keep that open.

The result was that it was easy for the Government forces every time to put down a rebellion because the recruits of the State could not be gathered into a successful army. But lo! the working of this provision the other way. Citizens of Panama in November of this year, without a dissenting voice, reasserted the sovereignty of the State, which they had never surrendered, and proclaimed a Republic. The Colombian army joined the revolution. With the military forces of the Bogotan Government enlisting under the flag of the new Republic, the authority of Panama was complete throughout all its borders. When, therefore, some time after the Republic had been established and was in working order, and had at Panama its army, a Colombian army landed at Colon for the purpose of invasion and battle, the United States took toward it the same position that it had toward the revolutionists in the many efforts made by them for the freedom of Panama.

Our Government simply said to these soldiers, "You can not take possession of this railroad and interrupt traffic across the Isthmus. You can not engage in a battle or a series of battles which would stop communication for an indefinite period." At this point occurs an episode of which I find no parallel in ancient or modern history. The generals of the invading army said to the authorities of the new Republic, "We are here to suppress you, arrest you, carry you prisoners to Bogota and overthrow the Republic, but what will you give us to quit?" The sum of $8,000 was paid to the general, $5,000 for the officers and $[illegible] for the men, and the invading army sailed away [illegible] happy of having become the possessors of a part of the assets of the new Republic.

The story of the rule of Panama by these arbitrary satraps, sent down from Bogota, reads like the history of the rule of a Roman proconsul or the story of the methods of a Turkish governor. Arbitrary arrests and imprisonments without trial were common. Arbitrary assessments of shopkeepers and people of property were of everyday occurrence. These victims have been afraid heretofore to speak, but now the newspapers are filled with their stories. The price of life and liberty, after forcible seizure of person and property, was dependent upon the amount that the citizen disgorged. Under this tyrannical rule he was helpless before the courts or upon appeal to the central Government. Panama had as much right to revolt as did Greece from Turkey in the early part of the nineteenth century or Bulgaria in the latter part, and even more, for she had never consented to surrender her sovereignty to Colombia.

The people of Colombia outside of Panama number about 4,000,000, of which 2,000,000 are of Spanish descent and 2,000,000 a mixture of Caucasian, Indian and negro. There are few or no railroads or other highways in the country, there is no system of general education and dense ignorance prevails. A very small proportion of the people—a few thousand—are educated in the United States or in Europe, and form the governing class. Colombia is separated from Panama by hundreds of miles of mountains

and impenetrable forests and swamps, inhabited by hostile Indians. Panama, on the other hand, has every facility, under good government, for a prosperous State. It is about as large as Maine. It has the same agricultural possibilities as the other Central American republics. It is rich in minerals and timber. Great cities, thriving populations and varied industries have always grown along the lines of commercial highways.

While the Panama Canal is being constructed and [illegible] the Republic, there will be a wonderful industrial development. When the canal is opened and the commerce of the world is passing to and fro, the population of Panama will speedily rise above the million point. Merchandise of every kind for the supply of the ships sailing through it will bring capital and business incident to the cities on either side and throughout the interior. Sanitation, which has done so much for Cuba, will make the Isthmus as healthy as any part of the United States. With American ideas and American sovereignty over the large strip between the two seas, and American influence and example, school houses will dot the land and the people become educated to an appreciation of their liberties and the proper exercise of them and of their marvelously favorable commercial, fiscal and industrial position.

But, it is said, the position of the United States in recognizing the Republic of Panama is a reversal of our national position on the subject of secession. I can not conceive of the argument by which comparison is made between the States of the American Commonwealth and Panama and Colombia. One hundred and seventeen years ago our forefathers saw that a nation could not be held together by such a rope of sand as the Articles of Federation. They met in convention, not under the rule of a dictator, not under the guidance of an autocrat, but as the accredited representatives of the people of the various States. When their labors were completed the country read, and the world was astonished by, the marvelous instrument which they had prepared.

The opening sentence of this great charter tells the story of the perpetuity of our national life: "We, the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America." For eighty years the national sovereignty was questioned only in debate. To preserve the institution of slavery, which was alien to our Declaration of Independence and a stain upon the spirit of our institutions, the civil war was inaugurated. To-day in every part of the country public sentiment is unanimous of its approval of the verdict which came from the arbitrament of arms. Our Union is sustained by a continued series of decisions of our highest court, by the judgment of our Presidents and Congresses and by the results of war, and, unimpaired by the passions of the conflict, will continue on forever. It is sacrilege to compare this majestic and impregnable fabric of government with the position of Panama in the Republic of Colombia.

In 1886 Mr. V. O. King, United States minister to Colombia, in a dispatch to Mr. Bayard, Secretary of State, tells precisely how the Colombian constitution was formed. He says:

> At the close of the late revolution President Nunez, whose term of office had [illegible] by the constitution [illegible] a proclamation [illegible] and directed them to nominate two delegates [illegible] constitute a national council to convene at the capital.

And this is the convention which is compared with that which formed our Constitution!

> Congress meeting in November, 1885, the first acts of this body were to ratify the nomination of Dr. Nunez as to confirm his appointments. It then enacted [illegible] inauguration of the man for the term of six years, and [illegible] to the corporate vote of the municipal boards or aldermen throughout the country. Upon canvassing the returns the council—

> This council of his own—

> declared a majority of such votes to be in favor of the new constitution, and thereupon proceeded to elaborate the instrument that is herewith submitted. [illegible] the bias and pronounced [illegible] the machinery to be devised by the executive or legislative power.

It will thus be seen that President Nunez, who was both a usurper and a dictator, arbitrarily annulled the constitution under which Panama consented to become a part of the Republic of Colombia, retaining, however, her entire sovereignty and right of secession. The tremendous difference between the formation of our Constitution and that of Colombia in 1886 is in the fact that this so-called convention, which framed the constitution destructive of the States, was composed of the instruments of the dictator, appointed by himself, and that neither in the election of delegates to the convention nor the ratifying of the treaty did the people of Panama or their representatives have any voice whatever?

Panama, an independent State, robbed by armies of her liberties, tyrannically and arbitrarily governed without her consent, suffering under intolerable tyranny and threatened with the confiscation of a public improvement upon which depended her existence, simply resolves, and demonstrates her ability to hold, the sovereignty of which she had been despoiled. But, say the critics of the President, the officers of the United States inaugurated this rebellion and ships were dispatched to aid the revolt before it was ever intended. No one doubts that it was the duty of the President to keep the highway open across the Isthmus. No one doubts that if the rights of American citizens were in peril because of revolution or anarchy the United States must have a force on the spot sufficient for their protection. The dispatches of Minister Beaupré are interesting on this subject.

The forces of the United States arrived at the Isthmus on November 3. The revolution broke out on November 4. The building of the canal was vital to Panama. Except for the money to be distributed at Bogota for the concession, its construction was of little account to the Republic over the mountains. The delegates from Panama to the Congress were apparently the only independent members of that body. When they arrived on July 5 they immediately notified Vice-President Marroquin that if the treaty was rejected Panama would revolt. This notification was so public that the minister of the United States was enabled to write it to our Government.

On August 17 the treaty was rejected and the representatives from Panama expressed their purpose so emphatically that our minister was able to inform the Secretary of State that they had determined to break loose from the Bogota Government and form an independent republic. Two things are evident: One Marroquin believed his forces upon the Isthmus were sufficient to prevent the revolt from succeeding. He evidently thought it would be the old process by which the patriots would organize at different places and could not come together without having a conflict along the line of the railroad with the forces of the central Government, that such a conflict would interrupt travel and communication and that the United States would, as before, prevent the revolutionary army from concentrating or making any headway. It never occurred to him that his own army would go over to the revolutionists, and then he would be outside the breastworks.

It is perfectly plain that these delegates, on returning in August to Panama, were joined by all the leading citizens, and that they had plenty of time between the middle of August and November 4 to perfect their plans for a successful revolution. So the President knew perfectly well by advice from our minister at Bogota, from our naval officers at Panama and Colon and from newspaper reports which were the common property of everyone, that such an uprising would occur as to require of the United States the presence of a force sufficient to protect our citizens and to carry out our treaty obligations.

The farcical character of the action of the Colombian Congress and its complete control by Marroquin, together with the fact that Colombia could not subdue the revolution in Panama without the aid of the United States, are demonstrated by the following dispatch, sent November 6, two days after the revolution in Panama, by our Minister Beaupré:

> Knowing that the revolution has already commenced in Panama, ——— says that if the Government of the United States will land troops to preserve Colombian sovereignty and the transit, if requested by the Colombian charge d'affaires, the Government will declare martial law, and by virtue of vested constitutional authority, which power other is not granted, will approve by decree the ratification of the canal treaty as signed; or, if the Government of the United States prefers, will call extra session of Congress and new and friendly members next May to approve the treaty.

Because it was a telegram the name was indicated by a blank. The blank undoubtedly meant Marroquin, for no one else could have made such pledges.

Mr. President, that is an exhibition of arbitrary power, of the confidence of the dictator of his ability to do whatever he pleases, of which I think there is no parallel anywhere. He says, in effect, to the United States: "A revolution has broken out in Panama, my army has gone over to the Republic and I am helpless. Now, if you will put down that revolution at my request I will abandon the claim of $10,000,000 more than agreed to which our Congress made. I will dismiss all pretense that this Congress had any power or was other than myself. I will do everything you want. I will suspend the constitution. Then I can do anything and will ratify this treaty—the Hay-Herran treaty—or do any other old thing you may desire; or, if you have constitutional lawyers in the Senate who doubt my ability or power to act under a suspension of the constitution, I will put the constitution again in force and summon the members of Congress here. Each one of them will do what I tell him, and Congress will ratify the treaty in any form that you suggest."

Yet our friend the Senator from Nevada [Mr. NEWLANDS] has just eloquently and at great length proved—to his own satisfaction—that war exists between the United States and Colombia; that war exists by the act of the United States landing 42 marines

on the Isthmus, when Marroquin had 1,500 soldiers who deserted his standard and 400 others who left for home when their general got $8,000; that war exists between the United States and Colombia when, during all the time from the first telegram of President Roosevelt until now, the Colombian minister has been here, having daily communication with the Secretary of State. When every diplomatic condition which means peace, and continuing peace, exists between the United States and Colombia, the Senator from Nevada says we have war. There must be lurid imaginings among Senators who, instead of living within the limits of the city, where they are in contact with hard facts, reside and muse in the rural outskirts of the capital. [Laughter.]

Our diplomatic history bristles with recognitions of de facto governments formed by revolutions. Where the sympathies of our people were with the revolt, Presidents have paid little attention to the possibilities of success or the offensive or defensive means of the revolting provinces or states. The principle of international law that recognition is wholly in the discretion of the power which makes it and is not a cause for war is too elementary to discuss. Our position with Cuba went far beyond this. We warned the Spanish Government to get out of Cuba when there was no war between us simply because of intolerable internal conditions on that island. We finally drove the Spanish army out of Cuba and then governed it for two years. We refused to let Cuba recognize the Cuban debt, the bonds of which had been sold in Europe based for security upon Cuban revenues.

Our obligation for forty-eight years to Colombia, to Panama, to our citizens and the world has been to keep communication and transit open and unmolested between the oceans. It is a territorial burden and runs with the land. It binds the United States to keep off the premises all hostile trespassers, whether they are the armies of the great powers of Europe, of Colombia or of the contiguous people of Panama.

Marroquin, amidst the ruins of his scheme by the successful revolt of Panama, is not discouraged. He rises gaily and hopefully to new efforts. He proposes, notwithstanding his machine Congress has adjourned, to give us now the canal on our own terms if we will suppress the Panama Republic. When that is rejected, he has another resource. It appears in a dispatch in the Washington Post of January 10, dated January 8, from Bogota, from Clifford Smythe, former consul at Cartagena, Colombia. Mr. Smythe says he is authorized by President Marroquin to quote him as follows:

The people of Colombia—

That is delightful from Marroquin—"the people of Colombia"—

and hope that actual conflict may be averted through Democratic intervention in the Senate. Possibly I count on the assistance of the Democratic party and the great American people to save the sacred rights of Colombia, which have been so contemptuously trampled on.

The trouble with President Marroquin is, in the first place, he does not understand that the Democratic party is not in a majority in the two Houses of Congress and that it has not the Presidency; he does not understand that it is not likely in the near future to have either; he does not understand that the relations between the Democratic party and the people are such that if he did understand he would not couple them in the way he has in this authorized dispatch.

Then he does not understand another thing, Mr. President—I say this not to do injustice to the Democratic party—that the Democratic State of Louisiana has unanimously, by its legislature, directed its Senators to vote in favor of the ratification of this treaty; that the Democratic State of Mississippi has, through its legislature, directed its Senators to vote to ratify this treaty; and that in all probability if the other Southern States, who will be more benefited a hundred times over than all the rest of the United States by the construction of this canal, should meet in their legislatures, they would not stand in the position of saying, "We keep the goods while we denounce the method by which they were secured."

The Republic of Panama had absolute authority over its territory without any pretense of opposition from outside or inside of the Republic at the time of its recognition by our President, and has still. Our Government recognized the Republic of Panama on November 13. Certainly there had been no change in the conditions there when three days afterwards France did the same, nor when eleven days afterwards Austria-Hungary also extended its recognition; nor, still more significant, when, fourteen days afterwards, Germany—most particular and scrupulous about anything occurring on this hemisphere—extended her diplomatic recognition. In less than fifty days sixteen of the powers of the world had established relations with the young Republic. If these old countries—Great Britain, Germany, France, Russia, China, Japan, Sweden and Norway, Belgium, Switzerland, Italy and Denmark—find the conditions such upon the Isthmus that they can take a step which in the chancelleries of the Old World means so much, surely our younger and more progressive diplomacy has ample excuse for preceding them by a few days.

Now, sir, we had no other hand nor part in this revolution than the example of the American colonies and the successful application of the principles of liberty in the United States, which have created republics and undermined thrones all over the world. The advantages of the treaty with Panama over that with Colombia to the United States are incalculable. Instead of six miles for the canal zone, there are ten on each side of the waterway. Instead of a limited sovereignty, which would necessarily lead to endless complications, this territory is ceded outright and in perpetuity to the United States. At the termini of the canal it is vital that there should be unquestioned jurisdiction of the United States. In this territory the Government has complete authority for three marine leagues from Panama into the Pacific Ocean and three leagues from Colon into the Caribbean Sea. The Republic of Panama surrenders the right to impose port dues or duties of any kind upon ships and goods in transit across the Isthmus. The sole power to impose tolls and collect them rests with the United States.

Every nation and the people of all countries are interested in this great work. There is a unanimity unequaled in history that it should be constructed, operated and owned by the United States. We are distant by 3,000 miles of ocean from Europe. We are not in conflict and can not be embroiled in the jealousies or conflicts of the great powers. They trust our honor to keep this waterway inviolate as the highway of the nations. They see that the problem which Columbus sought to solve will so find its solution under the auspices of the United States and it will not be, as it would under the auspices of Charles V, a Spanish canal, nor will it be, as under De Lesseps, a French canal, but for all the purposes of commerce and of intercourse between the East and the West it will be an open sea, subject only to such restrictions as are admitted by all the world necessary for the protection of the waterway or for the protection or defense of the United States.

In the providence of the creation and decay of nations no state ever became independent so completely, so righteously or so timely as Panama. The hour struck for her when the world was watching the clock. No President ever did a more timely or patriotic act than did President Roosevelt in his recognition and defense of the Republic of Panama.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eighteen minutes spent in executive session the doors were reopened, and (at 4 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 15, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 14, 1904.

COLLECTOR OF CUSTOMS.

Ezra B. Bailey, of Connecticut, to be collector of customs for the district of Hartford, in the State of Connecticut. (Reappointment.)

CONFIRMATIONS.

Executive nomination confirmed by the Senate January 11, 1904.

POSTMASTER.

NEW HAMPSHIRE.

Charles E. Buzzell to be postmaster at Lakeport, in the county of Belknap and State of New Hampshire.

Executive nominations confirmed by the Senate January 14, 1904.

PROMOTIONS IN THE ARMY.

GENERAL OFFICERS.

To be Lieutenant-General.

Maj. Gen. Adna R. Chaffee, United States Army, January 9, 1904, vice Young, to be retired from active service.

To be major-general.

Brig. Gen. George L. Gillespie, Chief of Engineers, vice Randolph, to be retired from active service.

CORPS OF ENGINEERS.

Col. Alexander Mackenzie, Corps of Engineers, to be Chief of Engineers, with the rank of brigadier-general, vice Gillespie, to be appointed major-general, United States Army.

DEPUTY AUDITOR.

Robert S. Cowie, of Wisconsin, to be Deputy Auditor for the Navy Department.

UNITED STATES ATTORNEY.

John J. Sullivan, of Ohio, to be United States attorney for the northern district of Ohio.

COLLECTOR OF CUSTOMS.

George F. Roth, of New York, to be collector of customs for the district of Genesee, in the State of New York.

POSTMASTERS.

CALIFORNIA.

James L. Matthews to be postmaster at Corina, in the county of Los Angeles and State of California.

IDAHO.

George E. Hovey to be postmaster at Burke, in the county of Shoshone and State of Idaho.

William J. Turner to be postmaster at Mountain Home, in the county of Elmore and State of Idaho.

Charles W. Wilson to be postmaster at Sandpoint, in the county of Kootenai and State of Idaho.

INDIAN TERRITORY.

William R. Casteel to be postmaster at Mounds, in the Creek Nation, Ind. T.

IOWA.

Lars E. Bladine to be postmaster at Marathon, in the county of Buena Vista and State of Iowa.

Richard M. Boyd to be postmaster at Sanborn, in the county of O'Brien and State of Iowa.

William D. Junkin to be postmaster at Rock Rapids, in the county of Lyon and State of Iowa.

Benjamin F. Keables to be postmaster at Pella, in the county of Marion and State of Iowa.

William C. Marsh to be postmaster at Aurelia, in the county of Cherokee and State of Iowa.

Frank J. Tishenbanner to be postmaster at Gilmore City, in the county of Pocahontas and State of Iowa.

MAINE.

William B. Brown to be postmaster at Hartland, in the county of Somerset and State of Maine.

George L. Hovey to be postmaster at North Anson, in the county of Somerset and State of Maine.

MASSACHUSETTS.

William H. Spragne to be postmaster at Stoneham, in the county of Middlesex and State of Massachusetts.

MICHIGAN.

Henry B. Henderson to be postmaster at Millington, in the county of Tuscola and State of Michigan.

Clarence S. Mills to be postmaster at Stockbridge, in the county of Ingham and State of Michigan.

MINNESOTA.

Justin E. Stiles to be postmaster at Wells, in the county of Faribault and State of Minnesota.

MISSOURI.

Charles L. Gray to be postmaster at Carterville, in the county of Jasper and State of Missouri.

NEW JERSEY.

Leslie I. Cooke to be postmaster at Hackettstown, in the county of Warren and State of New Jersey.

Lawrence W. Sickler to be postmaster at Glassboro, in the county of Gloucester and State of New Jersey.

OHIO.

John G. Burley to be postmaster at Crooksville, in the county of Perry and State of Ohio.

Warren W. Williams to be postmaster at Jeffersonville, in the county of Fayette and State of Ohio.

TENNESSEE.

William C. Cassady to be postmaster at Lenoir City, in the county of Loudon and State of Tennessee.

VERMONT.

Henry S. Webster to be postmaster at Barton Landing, in the county of Orleans and State of Vermont.

WISCONSIN.

Henry G. Lann to be postmaster at Wausankee, in the county of Marinette and State of Wisconsin.

John A. Watson to be postmaster at Kaukauna, in the county of Outagamie and State of Wisconsin.

EXTRADITION TREATY WITH THE NETHERLANDS.

The injunction of secrecy was removed January 14, 1904, from a treaty concluded on November 4, 1903, between the United States and the Kingdom of the Netherlands, extending to their respective island possessions and colonies the convention for the extradition of criminals signed on June 3, 1887.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 14, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

MONUMENT FOR BENJAMIN HARRISON.

Mr. OVERSTREET. Mr. Speaker, I ask unanimous consent to take from the Speaker's table and consider Senate resolution 31.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the following joint resolution, which the Clerk will read.

The Clerk read as follows:

Joint resolution (S. R. 31) authorizing the erection and maintenance of a statue in memory of the late President, Benjamin Harrison, upon land owned by the United States in the city of Indianapolis, State of Indiana.

Resolved, etc., That the Benjamin Harrison Memorial Association of Indiana be, and it is hereby, authorized to construct and maintain on property owned by the United States in square No. 8, in the city of Indianapolis, State of Indiana, a monument in honor of the life and services of the late President, Benjamin Harrison. The said monument shall be constructed south of the post-office, court-house, and custom-house building, at such point of erection on said square, subject to the approval of the Secretary of the Treasury.

The SPEAKER. Is there objection?

Mr. CLARK. Mr. Speaker, I would like to ask the gentleman a question, and that is if this resolution in any way binds the United States Government to pay anything at all?

Mr. OVERSTREET. In no way at all.

Mr. CLARK. It just grants permission to somebody else to do this?

Mr. OVERSTREET. It merely grants permission to this association to construct and maintain upon ground owned by the Government a monument to the late President, Benjamin Harrison.

The SPEAKER. The Chair hears no objection——

Mr. OVERSTREET. Mr. Speaker, I desire to offer an amendment, and that is to strike out the word "memorial," in line 3, and insert the word "monument."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In line 3 strike out the word "memorial" and insert in lieu thereof the word "monument."

The SPEAKER. Without objection, the amendment will be agreed to.

Mr. OVERSTREET. Also, Mr. Speaker, I move to strike out the word "statue" in the title and insert in lieu thereof the word "monument."

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In the title strike out the word "statue" and insert the word "monument."

The SPEAKER. Without objection, the amendment is adopted.

The question was on the third reading of the Senate resolution.

The resolution was read the third time, and agreed to.

On motion of Mr. OVERSTREET, the motion to reconsider was laid on the table.

MAKING CHESTER, PA., A SUBPORT OF ENTRY.

Mr. BUTLER of Pennsylvania. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 652) making Chester, Pa., a subport of entry.

The Clerk read the bill, as follows:

Be it enacted, etc., That Chester, in the State of Pennsylvania, be, and is hereby, constituted a subport of entry in the customs-collection district of Philadelphia, Pa.

The SPEAKER. Is there objection?

Mr. CLARK. Mr. Speaker, I would like to ask the gentleman from Pennsylvania if that bill has ever been referred to a committee?

Mr. BUTLER of Pennsylvania. It has been referred to the Committee on Ways and Means.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BUTLER of Pennsylvania, a motion to reconsider the last vote was laid on the table.

COLUMBIAN COLLEGE IN THE DISTRICT OF COLUMBIA.

Mr. POWERS of Massachusetts. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College in the District of Columbia, and the acts amendatory thereof.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act to incorporate the Columbian College, in the District of Columbia, approved February 9, 1821, and the amendatory act approved March 18, 1896, be, and the same are hereby, amended by repealing

[illegible]

SEC. 4. That all acts and parts of acts inconsistent with this act are hereby repealed.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CLARK. Mr. Speaker, I understand that the intent of this bill is simply to change it from a sectarian to a nonsectarian school, which it was before.

Mr. POWERS of Massachusetts. That is one purpose, and the other is to allow the trustees to change the name to prevent confusion between the Columbian College and the Columbian College.

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to ask the gentleman if that would permit the adoption of the word "National?"

Mr. POWERS of Massachusetts. The name must be approved by the Commissioner of Education and the Secretary of the Interior, and I assume that the approval of that selection would not be allowed.

Mr. PAYNE. An amendment was adopted for that purpose, so that the trustees could not change the name by adopting the word "National." The amendment was made so that the Secretary of the Interior and the Commissioner of Education could prevent the use of the word "National" or any kindred name of that kind.

Mr. COOPER of Wisconsin. I thought the amendment had in view simply the doing away of the word "Columbian."

Mr. PAYNE. The original bill as introduced in the Senate allowed the trustees to change the name, and that, of course, would allow them to use the word "National." They did not desire to do that, but a suggestion was made in another place that this amendment be made so as to prevent that. The amendment requires the approval of the Secretary of the Interior and the Commissioner of Education.

Mr. COOPER of Wisconsin. Is there any express prohibition in the bill from the use of the word "National?"

Mr. PAYNE. No.

Mr. POWERS of Massachusetts. I do not think there is any prohibition, but we will assume that the leaving it to the Commissioner of Education and the Secretary of the Interior would amount to a prohibition.

Mr. COOPER of Wisconsin. But suppose they should select it?

Mr. POWERS of Massachusetts. I think that is unlikely.

Mr. PAYNE. I think you can trust the Commissioner and the Secretary of the Interior.

Mr. CLARK. Mr. Speaker, I will state to the gentleman from Wisconsin that the gentleman from Tennessee [Mr. GIBSON] has a bill pending to prevent the use of the word "National" by any concern around here at all, that would answer the purpose.

Mr. COOPER of Wisconsin. But that bill has not been passed.

Mr. CLARK. It is in process of incubation.

Mr. COOPER of Wisconsin. It will not incubate until after this becomes a law.

The bill was ordered to be read a third time; and it was read the third time, and passed.

On motion of Mr. POWERS of Massachusetts, a motion to reconsider the last vote was laid on the table.

LEGISLATIVE APPROPRIATION BILL.

Mr. BINGHAM. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of House bill 9480, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TAWNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of House bill 9480, and the Clerk will read.

Mr. BINGHAM. Mr. Chairman, before proceeding, I ask unanimous consent to return to page 32 for the purpose of submitting a [illegible] form to express [illegible] with reference to the Surgeon-General of the Public Health and Marine-Hospital Service.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to return to page 32 for the purpose of offering an amendment. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

On page 32, in lines 20, 21, and 22, strike out the word "supervising."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR.

[illegible]

Five Civilized Tribes of Indians in the Indian Territory, $1,200; in all, $[illegible].

Mr. HEPBURN. Mr. Chairman, I would like to inquire of the gentleman who has charge of the bill the necessity for the language that is found on page 101, beginning with the word "twenty," in line 4, as follows:

Twenty additional members of the Board of Pension Appeals, to be selected [illegible] appointed necessary to look for the fiscal year [illegible] each.

Mr. BINGHAM. Mr. Chairman, all I can state is that we have followed current law, and doubtless the gentleman from Iowa [Mr. HEPBURN] was a party to its enactment. It is to handle that vast body of appeals the board is organized for.

Mr. HEPBURN. I am not quarreling with that. I entirely approve of the purpose. But why are these officers exempted from the operation of the civil service when they must be men of high character and of efficiency, of course? [Laughter.]

Mr. BINGHAM. I fear the gentleman is leading me into a line of intricacies which it will be difficult to answer.

Mr. HEPBURN. Does the gentleman want to get good men?

Mr. BINGHAM. That was the purpose, and that was the line of debate when this was enacted into a statute, and we have followed it.

Mr. HEPBURN. Very well; I accept that. [Laughter.]

The Clerk read as follows:

For additional employees, for the proper protection, heating, care, and [illegible] of the Department of the Interior, namely: One engineer, $1,040; assistant engineer, $1,000; four firemen; three watchmen, acting as lieutenants, at $840 each; twenty watchmen; conductor of elevator, $720; fourteen laborers; ten laborers, at $480 each; three skilled mechanics (painter, carpenter, and plumber), at $900 each; in all, $39,660.

Mr. COOPER of Wisconsin. Mr. Chairman, I would like to

ask the gentleman in charge of the bill a question, if he will permit me to go back a moment to line 18, page 100—"First Assistant Secretary, $4,500, and for additional compensation while the office is held by the present incumbent, $1,500." What is the reason for the additional compensation?

Mr. BINGHAM. We have followed current law, and while I have no desire to criticise the law that is upon the books, the gentleman who now holds that position had a long experience in the House, as well as in public affairs, and the House considered that his experience justified this increase, and it so made it, and your committee has followed it ever since the gentleman has been in an office in place.

The Clerk read as follows:

For all expenses necessary for the proper protection, heating, care, and [illegible] of the old Post-Office Department building, occupied by the Department of the Interior, namely: [illegible] four firemen; three watchmen, acting as lieutenants, at $840 each; [illegible] watchmen; conductor of elevator, $720; fourteen laborers; ten laborers, at $480 each; three skilled mechanics (painter, carpenter, and plumber), at $900 each; in all, $[illegible].

Mr. CLARK. Mr. Chairman, I would like to inquire of the gentleman in charge of the bill the necessity for the language to be found in line 9, page 103, "For additional employees for the proper protection, heating, care, and preservation of the old Post-Office Department building." Why are additional employees wanted up there now?

Mr. BINGHAM. The gentleman doubtless remembers the taking over by the Interior Department of the old Post-Office building, now occupied by the subordinate force of the Interior Department, and as that building has elevators and heating apparatus, electric lighting, and all that appertains to the administration of large public buildings, this is the appropriation for that purpose.

Mr. CLARK. When did the Interior Department get possession of that building?

Mr. BINGHAM. About three or four years ago, when the Post-Office Department moved to the present Post-Office building on the Avenue.

Mr. CLARK. Does it take any more employees to run that for this fiscal year for which we are now appropriating than for the present year or for years before?

Mr. BINGHAM. This is current law and not an increase of a penny.

Mr. CLARK. It is very curious phraseology to use, if it is current law, "for additional employees."

Mr. BINGHAM. It has been so from the first time of the insertion of the supervision of the Post-Office building in a legislative bill.

Mr. CLARK. But we do not have to go on and use that ridiculous language all the time, do we?

Mr. PAYNE. Mr. Chairman, I would suggest to the gentleman from Pennsylvania that it would be a good time now to strike out the word "additional." It might save time in the future.

Mr. BINGHAM. Very well: I will accept that amendment.

Mr. CLARK. Then, Mr. Chairman, I move to strike out in line 9, page 103, the word "additional," because it is ridiculous and misleading.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk reported the amendment.

The CHAIRMAN. The question is on the amendment of the gentleman from Missouri.

The amendment was agreed to.

The Clerk read as follows:

For the following clerks now employed and paid from the appropriation for the work under the Commission to the Five Civilized Tribes, namely: Four clerks of class 3; one clerk of class 2; and three stenographers, at $1,000 each; in all, $11,400.

Mr. BINGHAM. I send to the desk a committee amendment.

The Clerk read as follows:

In line 16, page 108, strike out "$11,400" and insert "$10,800."

The amendment was agreed to.

The Clerk read as follows:

For purchase of professional and scientific books, [illegible] transporting publications of patents issued by the Patent Office, [illegible] $[illegible].

Mr. GAINES of Tennessee. Mr. Chairman, I move to amend by striking out the last word. I wish to inquire of the gentleman in charge of this bill [Mr. BINGHAM] whether or not all the employees referred to in this Patent Office paragraph just read are under the civil service.

Mr. BINGHAM. We have followed the current law, and all of them are under civil service.

Mr. GAINES of Tennessee. How far down does the civil-service law extend—to laborers and employees—down to the ground floor?

Mr. BINGHAM. The matter of laborers is, I think, under a rule recently established by the Civil Service Commission, with the approval of the President; but whether these employees can be called technically civil-service men, I do not know.

They are required, however, to make their applications under registration; they are examined by a board and are certified to the Departments under what may be called the general rule of the civil service, and the Department officer has the right of selection from the persons recommended by the board. Following the rule, the examination is only of a general character, mainly as to physical conditions and antecedent record, preference being given to ex-soldiers. The conditions are almost wholly physical.

Mr. GAINES of Tennessee. I am obliged for the information. I have never heard of any abuse of the civil-service law in this Department, and hence I must infer that when even the present law is enforced it works well, allowing a friendless individual an equal chance with those who have a "political pull." This appeals to me and causes me to hope for a better civil-service law than we have and for its rigid enforcement.

But, Mr. Chairman, we will never have a perfect civil-service law, and that law enforced rightfully, or the present law thus enforced, as long as the President of the United States, whether a Democrat or a Republican, is eligible for reelection. As we approach Presidential elections, until the day after the election, every President since we have had a civil-service law has so enforced it as to untie the stringency and limitations of that law to the public detriment.

No person should be eligible for a second term of the Presidency who has served a term or any part of a term. A Vice-President becoming President by the death of the President or for any other reason, or if any other person becomes President who is a member of the President's Cabinet, under such circumstances, he inherits all the "political pull," all the political machinery of the then existing Administration and invariably employs it to renominate and reelect himself, the public service in the meantime suffering in more ways than one. It is very natural for such successor to inherit, as it were, all the influence of the preceding President, because the President, Vice-President, and the Cabinet are all of the same political family.

Until we start at the White House to reform our civil-service laws and their enforcement there will be no real civil-service reform.

I have introduced a proposed amendment to the Constitution to cure this evil, an evil which exists in our Constitution as a result of a compromise between the members of the convention of 1787, who wanted the President elected for life, and failing in that took a step down and favored his reeligibility of election, the election to be by Congress, and a majority of that great body who wanted the President elected for one term of six or seven years, to be ineligible thereafter, his election to be by electors chosen by the people of the several States, fearing that the election of the President by Congress would be a means of selection too far removed from the people. Finally a select committee agreed, by way of compromise, to four years as the Presidential term, silently omitting the question of ineligibility, the election to be by electors chosen by the people of the several States. This was the next best thing for the life-tenure advocates, who quickly saw that with the question of ineligibility omitted from the Constitution they could reelect the President every four years during life.

This, an "evil," has been denounced time and time again as a menace to our Republic. And it is. I go a step further and insist that the Vice-President, or any other person having served as President any part of a term, should be made ineligible. The needs of the hour require this. The great wilderness of appointments the President makes arms him with too much influence both with the people and with Congress. Look at the thousands and thousands of appointments made in the last few years in the Army, Navy, in civil and foreign appointments, and you at once are impressed with the immense power the President has.

My proposed amendment reads as follows:

The President of the United States shall hold his office during one term of six years, and no person, having once been President either by election or succession, shall be again eligible to that office.

This would exclude any person from being President more than once, whether he served a full or a part of a term. This is a new reform step forward.

Mr. Pinckney, in the convention of 1787, proposed, as a part of the Constitution we were then framing, that no person should be eligible for more than six years in any twelve, but it was rejected.

The same evil arises that I have already alluded to, whether the President is elected consecutively or nonconsecutively, for the reason that the President makes appointments when first elected, and as these appointees remain in office or out of office, if living they are ready, in or out, to show their sense of gratitude by forming themselves into a great campaign army to reelect their benefactor to a nonconsecutive Presidential term or to a consecutive Presidential term.

This amendment, if law, would stop "man worship" in this Republic. It would make the President independent. It would

give him plenty of time to enact into law his policies, if the people desired. In six years three new Congresses are elected, while the Senate in that time changes very rapidly. Six years, it seems to me, is a just limit to the President, while the business interests of the country would have more peace than now from political campaigns.

The convention of 1787 once approved six years by a vote of nine to one, with no provision added, election by Congress. This great body a majority of times before this and twice seven times approved the seven-year term, with no provision at all; six times, election by Congress, and once rejected [illegible] election by Congress, but finally compromised on four years, election by electors, omitting silently by agreement the method of election.

But Washington, reflecting the wisdom of this convention, prepared a "valedictory address" a year before the end of his first term, having resolved to retire after serving a single term of four years. But our foreign complications were such that even the one-term advocate, Mr. Jefferson, being one, urged him, as he was then the representation of our infant [illegible] having more influence than any living man at that time [illegible] countries, to serve a second term. Washington yielded, served a second term, and refused to stand for a third. Washington directed Mr. Madison [illegible] to prepare it—to state in this "valedictory address" that one of his reasons for having determined to retire at the end of his first term was that it was "more congenial with the ideas the people had of their safety and liberty."

Jefferson and Lafayette were both in France when the convention of 1787 was in session. They each urged the adoption of a single Presidential term, Jefferson then favoring seven years and ineligibility. Later on, and down to 1813, with great force he favored a single term. He said that he was forced to ask the people to indorse his Administration by asking a second term—which they gave him, while seven or eight States indorsed him for a third, but he positively declined to stand for a third term or to be "the first" one to breach the wise example set by Washington. He warned our people against any man who sought to be President a third term.

I do not believe, Mr. Chairman, that we have ever had a President since the enactment of the civil-service law, whether a Democrat or Republican, who has not more or less interfered with the honest, proper, and legal operation of the civil-service law when that President stood for reelection. This evil will be continued, and many others that I have not time to name, while the people suffer, as long as the President is eligible for reelection, whether to consecutive or nonconsecutive terms. I will read the language of a few of our great men that is pertinent.

Samuel J. Tilden said, in substance, that "we shall never have a civil-service law, and that law properly enforced, until we limit the President to one term of service."

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GAINES of Tennessee. I ask unanimous consent to proceed five minutes longer.

There was no objection.

Mr. GAINES of Tennessee. I now read from the Republican Campaign Book of 1888 the language of Allen G. Thurman, who was one of our greatest and purest public men.

In 1873 he said:

My friends, you will never have any genuine reform in the civil service until you adopt the one-term principle; it is useless to talk about it. So long as the incumbent can hope for a second term he will use the patronage of the Government to procure his renomination and secure his reelection.

Now, Mr. Chairman, I wish to read from Henry Clay, who in 1840 powerfully espoused the one-term principle. Here is what that great statesman then said:

Much observation and deliberate reflection have satisfied me that too much of the time, the thought, and the exertion of the incumbent are occupied during the first term in securing his reelection. The public business consequently suffers.

That was then true, and it is true to-day.

Mr. Chairman, in the memorable canvass of 1844 both Mr. Polk and Mr. Clay fought out that great Presidential battle on a platform declaring in favor of one Presidential term of four years. Mr. Polk was elected. He accepted the nomination on a one-term platform, as did Mr. Clay, and Mr. Polk kept his word inviolate by writing to a friend at the Baltimore convention, or the convention that was to nominate his successor, telling him not to allow his name even to be mentioned for renomination. He prohibited the use of his name.

Again, Mr. Chairman, I desire to read from no less an authority than Mr. Cleveland himself. I read again from the Republican Campaign Text-Book for 1888:

When we consider the patronage of this great office, the allurements of power, the temptation to return public favors once taken, and, more than all, the availability a party finds in an incumbent whom a horde of officeholders, with a zeal born of benefits received and fostered by the hope of favors yet to come, stand ready to aid with money and trained political service, we recognize in the eligibility of the President for reelection a most serious danger to that calm, deliberate, and intelligent action which must characterize the nomination and election of a President. Cleveland's letter of 1884, accepting the nomination, [illegible]

In the next paragraph he recommends an amendment to the Constitution limiting the President to a single term of service. Yet for some reason or other that distinguished gentleman was a candidate twice after this truthful utterance in 1884.

Now, Mr. Chairman, I ask unanimous consent to extend my remarks on this subject in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. GAINES of Tennessee. Replying to Washington's last letter to Congress, both Houses of Congress, in 1796, expressed regret that Washington had determined to retire at the end of his second term, refusing to stand for a third term, and in the same resolution each House expressed the hope "that the influence of your example will extend to your successors," said the Senate, while the House, in part, said: "For your country's sake and for the sake of republican liberty it is our earnest wish that your example may be the guide of your successors, and thus, after being the ornament and safeguard of the present age, become the patrimony of our descendants."

A motion was made to "strike out" the expression of regrets that Washington was retiring under these circumstances, and that motion received twelve votes, and there were two distinguished men who voted in the affirmative. One was Andrew Jackson, then about 29 years old, "as yet unknown to fame, who had recently taken his seat from the newly admitted State of Tennessee," says one historian. The other was Mr. Giles, of Virginia, who, in support of this motion, said:

Another sentiment in the report I do not agree to. I do not regard the President [illegible] ment. The people would truly be in a calamitous situation if only one man were essential to the existence of the Government. I am convinced that the [illegible] I hope the President will be happy in his retirement, and I hope he will retire.

Jackson, from the beginning to the end of his Administration, urged Congress to submit an amendment limiting the President's services to one term of four or six years, and so great was his influence and the desire of the people for a one-term service for President that from his Administration to Lincoln's not a single President was reelected, though many of them sought reelection.

The Clerk read as follows:

For producing the Official Gazette, including weekly, monthly, bimonthly, and annual indexes therefor, exclusive of expired patents, $100,000.

Mr. PERKINS. Mr. Chairman, I should like to have an explanation. On page 112 there is an appropriation of $100,000 for the Official Gazette at the Patent Office. Does that include the expenditures for printing, or is the printing done at the Government Printing Office?

Mr. BINGHAM. I would state to the gentleman that some of the work is done under contract and other of the work is done at the printing establishment. This is the usual limitation, and our record shows the expenditure up to that point annually.

Mr. PERKINS. Does not the gentleman think that for furnishing these reports at the Patent Office, for the convenience of persons having business there, $100,000 is a very large sum?

Mr. BINGHAM. Speaking generally, I submit that the Patent Office, taking its sum total of expenditure, turns in profit, or net money, if I may so express it, to the Government.

Mr. PERKINS. That may be, but the sum of $100,000 for printing law reports promptly and efficiently would cover a very much larger court than the court at the Patent Office.

Mr. BINGHAM. All I can state is that we accepted the current law, together with the statement of the Commissioner of Patents, that he considered that amount was necessary for the conduct of the work of his bureau, and your committee had no criticism. It has been expended in past years, and there has been no indication of extravagance on the part of the Office.

Mr. PERKINS. Of course these reports should be furnished, but there is such a thing as furnishing reports more frequently and more extensively than is required for the needs of the profession and for the needs of those who have applications in the Patent Office.

Mr. BINGHAM. The Commissioner requested that this publication be furnished more frequently, also that the present general publication was too large in bulk and difficult to handle when being used, and therefore when we can give the public, without

increasing the expense, an issue semimonthly, your committee have thought it would be for the benefit of all who need the published information. There can be no objection to publishing them semimonthly instead of monthly.

Mr. BARTLETT. Mr. Chairman, I would like to ask the gentleman from Pennsylvania a question in reference to the publication of this Patent Office Gazette. As I understand, it is now published, and one copy only is allowed to each Senator and Representative. It is true that he can suggest or recommend that it be sent to certain designated libraries or schools.

Can the gentleman from Pennsylvania tell me how many are published? Here is $100,000 we propose to appropriate. What is done with them? Each Senator and each Representative gets only one copy, to be disposed of as he sees fit, and there are frequent demands made upon myself that can not be supplied, and I apprehend other Members of Congress are in the same position.

Mr. BINGHAM. My recollection is—and my own experience—that we are duly notified we have one copy for our personal use, and we have the right to indicate nine libraries. Further, this publication is sold by the Department, and whatever may be received from such sale is turned into the general fund of the Patent Office.

Mr. BARTLETT. May I ask the gentleman, is there any place where any information is given as to how much has been realized from the paid subscriptions for this Official Gazette of the Patent Office? It has become a very important publication, and there are a great many demands made for it that can not be supplied.

There is a provision in the law, if it is a law, or a regulation, if it is a regulation, only permitting each Member to have one copy for his personal use, and he is required to designate libraries to send other copies to. The demand for them now is so great that Members of Congress can not comply with the requests made upon them for it, and I desire to know——

Mr. BINGHAM. I will state to the gentleman, repeating what I have stated, that if an individual desires the publication he buys it. It is a book published by the Department for the use of anyone who sees fit to purchase it.

Mr. BARTLETT. I would ask the gentleman if he would raise the point of order to any amendment offered to alter the law as it now stands with reference to the distribution of this publication?

Mr. BINGHAM. I would certainly raise the point of order, because it is for the people. It goes to the people connected with patent matters and patent information.

Mr. BARTLETT. It is a very important publication.

Mr. BINGHAM. There has been no indication to your committee that in the past there has been any extravagance in connection with this publication.

Mr. BARTLETT. I do not make any charge, and I do not want to be understood as making any charge of extravagance with reference to this publication; but I desire to know what becomes of the proceeds of the sale, and whether there have been any reports made of the amounts realized from the sales?

Mr. BINGHAM. I will state to the gentleman if he consults the report of the Commissioner of Patents he will find there is an exhibit of the amount received for the sale of the books.

Mr. BARTLETT. Does that indicate whether that amount which is so received pays for the publication?

Mr. LIVINGSTON. If the gentleman will turn to pages 202 and 203 of the hearings, he will get the whole thing.

Mr. BARTLETT. I did not have a copy of that. Did the gentleman say he would make a point of order if an amendment were offered to this? I understood the gentleman to say that if we were to make the number of these publications accessible to Members for distribution larger he would make the point of order?

Mr. BINGHAM. That would be increasing the appropriation, and I would be compelled to make the point of order on it.

Mr. COOPER of Wisconsin. I would like to ask the gentleman a question.

Mr. BINGHAM. I did not hear the statement of the gentleman.

Mr. COOPER of Wisconsin. Mr. Chairman, did I understand the gentleman from Pennsylvania to say that some of the printing done on the Official Gazette of the Patent Office was done by contract?

Mr. BINGHAM. I would state to the gentleman that the plates are made by contract. The printing is done under the Public Printer.

Mr. COOPER of Wisconsin. Who makes the contract?

Mr. BINGHAM. The Secretary of the Interior, I suppose; the Patent Office. It follows the general law.

Mr. COOPER of Wisconsin. Is there a provision providing that the letting of these contracts shall be made to the lowest responsible bidder, etc.?

Mr. BINGHAM. I think that general law runs to all contracts of the General Government.

Mr. COOPER of Wisconsin. Does the gentleman not understand that the principal scandal in the Post-Office Department arose out of the fact that some of these bureau officers had discretion to make contracts and not to let them to the lowest bidder? Is that the case with this official publication?

Mr. LIVINGSTON. Mr. Chairman, if my colleague on the committee will permit me——

Mr. BINGHAM. I will state to the gentleman that the rule of letting to the lowest bidder runs, but the application rests upon the head of the Department to see that the lowest bidder is a responsible bidder, and the onus runs to the head of the Department.

Mr. COOPER of Wisconsin. And there is a provision in the law which covers this, requiring it and making it a public affair?

Mr. LIVINGSTON. I would say to the gentleman that there is a part put up by the Public Printer.

Mr. BINGHAM. I have stated that.

The Clerk read as follows:

For producing copies of drawings of the weekly issues of patents; for producing copies of designs, trade-marks, and pending applications; and for the [illegible] work [illegible] be done by [illegible] and by [illegible] and for the distribution [illegible] the Joint Committee on Printing, or either House, it shall be deemed to be for the best interests of the Government, $[illegible].

Mr. GOEBEL. Mr. Chairman, I move to strike out the last line.

The other day, in the absence of my colleague, Mr. LONGWORTH, as well as myself, the gentleman from New York [Mr. BAKER] indulged in certain remarks relative to the city of Cincinnati. In his remarks, so utterly foreign to the matters under consideration at the time, he by inferences and innuendoes criticised the municipal administration of that city and some of its citizens, and as a pretext for such inferences he quoted from a newspaper item containing a statement that Mr. Michael Mullen had opened a soup house, and that the judge of the police court had dismissed a man who, while hungry, had stolen a loaf of bread, and from that he attempts to draw the conclusion that the poor are getting poorer and the rich richer, and therefore this committee ought not to pass the legislative, executive, and judicial bill then under consideration.

If I am mistaken in my surmises as to the purpose of the gentleman in making the remarks, then I am at a loss to know the reason. I shall then attribute his conduct to a morbid desire to get into the RECORD, at all times and under any circumstances, his views upon the labor question. It has also occurred to me that possibly the gentleman from New York had a personal grievance against our city and its officials. During the last campaign our city was honored by his presence, and, on the whole, I think he was fairly treated by our people. The Republican mayor accorded to him the right to occupy, by day or night, the public square and there to address the multitude, or such as chose to hear him, advocating the theories advanced by his distinguished Democrat, Tom Johnson. In that regard I thought the mayor displayed good judgment.

It is needless for me to say that the gentleman availed himself of the privilege accorded him and proceeded to air his views. He got along all right until one day—and I am sorry to be compelled to relate it—he came in violent contact with an individual driving a sprinkling cart full of water. Now, this individual persisted in throwing cold water upon the gentleman from New York, notwithstanding his protest. Whether this individual thought that the gentleman needed water or that a little water would be good for his Democracy, I do not know. I do know that the gentleman left Cincinnati and that a few days thereafter the city and county rolled up an unprecedented Republican majority of 30,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURTON. I ask unanimous consent that my colleague be allowed ten minutes.

The CHAIRMAN. How much time?

Mr. BURTON. Ten minutes.

Mr. BARTLETT. Mr. Chairman, I do not rise for the purpose of objecting to any extension of time, but, that there may be no misunderstanding about it, I desire to ask that the gentleman from New York [Mr. BAKER] shall have as much time to make reply, if he so desires, as is given to the gentleman from Ohio.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the time of his colleague be extended for ten minutes. Is there objection?

Mr. CLARK. I object, unless the contract is made such as the gentleman from Georgia has indicated.

Mr. HEPBURN. Your fellow has had his chance.

Mr. CLARK. But he should have another chance.

Mr. BURTON. No one can make a contract of that kind.

Mr. CLARK. I make that request——

The CHAIRMAN. The gentleman from Georgia also requests that the gentleman from New York [Mr. BAKER] be allowed the

same amount of time allowed the gentleman from Ohio, if he so desires.

Mr. GOEBEL. Now, it is true that Mr. Mullen, who is a member of the council, and whose district lies partly along the river front, did for several days give food to those in need located in his district on the river front. It was a kind and generous act. The necessity arose by reason of the condition of the river at the time. Navigation, on account of the cold weather and ice in the river, had been entirely suspended.

These unfortunate people were employed on boats and along the river front handling freight. They were out of employment for the time. Assuming it also to be true that the police judge discharged a man who stole a loaf of bread when he was hungry, what of all this? Does it call for legislative discussion? I should have paid no attention to the remarks of the gentleman from New York if he had not made, in connection therewith, an attack upon our city and some of its citizens.

I want to say to him that Cincinnati to-day is one of the best governed cities of the United States. At its head we have an honest, fearless, capable Republican mayor, reelected last spring by 15,000 majority, defeating the strongest man the Democratic party ever nominated, M. E. Ingalls.

We have bipartisan boards; upon them are men of the highest integrity and character, who control the election, police, and fire departments. All the elective offices are filled by Republicans. To-day Cincinnati is governed by the Republicans, whose administration has been approved and indorsed by increased majorities at every election. At the head of this organization stands Mr. George B. Cox, whom the gentleman from New York has seen fit to attack. He needs no defense at my hands. His acts and deeds are of a public character; they stand out in bold relief. It is sufficient for me to say that the party trusts him and that he has time and time again led it to victory. [Applause.]

Mr. BAKER. Mr. Chairman, I am surprised that during the entire time that the honorable gentleman from Ohio [Mr. GOEBEL] has occupied the floor this morning, which he has devoted entirely to replying to a few remarks I made day before yesterday, he did not point out to the House in any particular where I had been in error, or showed that what I had said was not justified by the facts as they existed and as they were reported. I have failed to hear anything which the gentleman has said that seems to me to call for any comment whatever; but as the motion of my friend from Missouri [Mr. CLARK] for equal time for me to reply to the gentleman from Cincinnati was unanimously adopted, I will reply briefly. I did not personally attack George B. Cox, not because I have any hesitancy of doing so here. I did it in Cincinnati, and I will do it in Cincinnati again if the Democrats of that city consider that it would be of any advantage for me to do so. He talks of the high character of George B. Cox. I am informed that George B. Cox submitted that high character to the people of Cincinnati some seventeen years ago, and they put the seal of their disapproval upon it. He has never dared to submit his high character to the people of that city since that time.

The gentleman boasts of the high character of the boards that govern the city of Cincinnati. Let me tell this House how one of these boards came into existence. Many incidents have taken place during the last few months. Republics have been created over night, and one can not carry all these things and incidents in his head. Some months ago, however, I was familiar with the data. But it was some three or four years ago that the legislature of Ohio, under the whip of George B. Cox, passed a bill creating a new water board. That bill provided for the issuing of bonds to the extent of $6,000,000; but, unfortunately for Mr. Cox, but fortunately for the people, for a time, it contained a provision that should be in all such legislation—a referendum clause—a provision that before the law should become operative it should be submitted to the people of Cincinnati to determine whether they wanted that water board created and that $6,000,000 expended or not.

I may be in error as to the exact proportion, but, as I recall it, by a vote of five to one the people of Cincinnati said no! The people said by their votes we have no confidence in this board which George B. Cox proposes shall spend $6,000,000, and they refused. But what took place? Did Mr. Cox submit to the will of the people of Cincinnati as thus expressed? Oh, no; George B. Cox went to the next session of the legislature, and although the people of Cincinnati by that large vote had said that they did not want that thing done, had expressed in the most emphatic manner their disapproval of such legislation—he went to the next session of the legislature, as I say, and introduced the same bill, leaving out the referendum clause. The new bill became a law. The city of Cincinnati has been mulcted $6,000,000, and this high-minded board, this board of high character, created as it was against the expressed will of the people, are now going to ask the present session of the Ohio legislature for $4,000,000 more. Is that the kind of legislation that the gentleman from Ohio [Mr. GOEBEL] approves of? That is the kind of thing George B. Cox approves of—aye, stands for. That is the kind of government they are getting in Cincinnati, because there has not been in the city of Cincinnati for years a real Democratic party in opposition to George B. Cox.

The man who is getting rich here in the city of Washington out of the street railroads and gas companies, I am told, the man who is the so-called leading Democrat of Cincinnati, has been hand and glove with George B. Cox for years; and it is only when John R. McLean is a candidate for office in that State that his paper, the Cincinnati Enquirer, finds it necessary to support the Democratic party. The Democratic organization under Lew Bernard (who is Mr. McLean's lieutenant) has been an adjunct to the Republican organization under George B. Cox, and the Democratic votes in that city have not been cast, while thousands and thousands of fraudulent, repeating votes have been cast for the Republicans. In the very ward of this "estimable" gentleman, Michael Mullen, I am told, there were over 1,000 illegal votes cast. I am not sure that it is in his ward, but from No. 18 Gano alley sixty-four votes were registered from a room in which sixty-four men could not stand up. That is the kind of government they give you to the city of Cincinnati, and that is how they are able to cast 29,000 Republican plurality—because the election board, nominally bipartisan, is partisan all the way through, George B. Cox controlling the two so-called Democratic members just as much as he controls the two Republican members. [Applause on the Democratic side.]

The gentleman says that I was treated fairly in the city of Cincinnati. He seems to think it is a great condescension for the mayor of that city to permit somebody to speak. Well, I suppose in these times it is somewhat of a condescension when we remember that a man who expressed some views in England some few years ago is being deported under your law—a law passed by the last Congress—being deported by the Secretary of Commerce and Labor, because in England he expressed some views which are not approved by the Administration. Of course, I realize it is a condescension under a Republican Administration as we have it to-day, but under a Republican Government as it existed forty years ago, when that great Democrat-Republican, Abraham Lincoln, was President, every man had an opportunity to express his views, whether in Cincinnati or any other city in the United States.

The gentleman from Cincinnati has referred to a little incident which my modesty has prevented me from referring to. [Laughter.] He said that I came in contact with a watering cart. Entirely true, but it is a surprising thing to me that anybody on the Republican side, supporting the policies which make it possible for a few men to get these great combinations of capital together and issue billions of dollars of water—I should think this would be a very tender subject for any man on the Republican side to refer to. [Laughter.]

But it is not material about the contact with a watering cart. It is, however, material what took place in that police court, controlled by the Republican organization of that city. What took place, gentlemen? A scene that would disgrace, in my judgment, any city in the world. The oppression that takes place there was apparent. It was so apparent, it is so common, I am told by Democratic lawyers who practice there, that they dare not say what takes place in that court, or they would stand no chance there at all.

But what was the little incident? The man who was the driver of the watering cart—and I want to be pardoned for making any reference to it; I had no intention to refer to it at all—this man the next day came up for trial. I was myself called as the complaining witness. That man did not open his mouth. The prosecuting attorney, the man whose duty is to see that justice is done, to do his level best to see that evidence is presented in such a way that the court, acting in a judicial capacity, may hold the scales of justice absolutely even between the complainant and the defendant—what did that prosecuting attorney do? Before the man opened his mouth he said: "Your honor, this case is put off for two weeks; this man wants two weeks to get his witnesses." The prisoner had not opened his mouth; he had not spoken to anybody, to my positive knowledge, in that court room for half an hour. The prosecuting attorney had not been near that man. But here was the prosecuting attorney determined to prostitute that so-called court of justice to prevent my having a hearing in that Republican city of Cincinnati. And the man who sought to prevent my having a hearing owes his place to George B. Cox.

Well, gentlemen, I protested. It was not possible under such circumstances that I should have a fair hearing, but I protested against such proceedings. And then the prosecuting attorney, whose business, in my humble judgment, was to see that at least some evidence for or against the man should be brought forward—what did he do? Did he make any attempt to bring forward any

evidence? Oh, no; but he turned his batteries on the poor complaining witness. "What do you want?" he said to me. "This case should go over for two weeks, your honor."

On my again protesting and his saying "What do you want?" I said, "I want a hearing. I may not have the pleasure of associating with my distinguished colleague from the city of Cincinnati during this entire period for which you want to postpone the case." Finally the judge, out of sheer shame, it seemed to me, put the case down for three days later. The case then came up again; and when the complaining witness again went on the stand, again the batteries of that court of justice were directed, not at the criminal, not at the man charged with crime, but at the poor complaining witness; and for a moment or two it appeared as if there had been an error—that I was in the dock and the prisoner was the complaining witness.

I shall be happy to go over the incidents of that little episode if my distinguished friend desires it, but I do not think the House cares anything about it.

Just one word more, with the permission of the House. Have I another minute, Mr. Chairman?

The CHAIRMAN. The time of the gentleman has expired.

The Clerk read as follows:

For surveyor-general of the Territory of Arizona, $2,000; and for the clerks in his office, $5,000; in all, $7,000.

Mr. PERKINS. I should like to ask a question of the gentleman in charge of this bill. On page 117, at line 17, I see that there are appropriations for seventeen surveyors-general of different States and Territories and their offices. In these provisions, have the committee, as in other cases to which the gentleman referred, followed the existing law?

Mr. BINGHAM. We have done so, word for word, throughout the provisions in reference to the surveyors-general.

Mr. PERKINS. Is it not possible that in some of these States and Territories surveyors-general and their offices may become unnecessary in the passage of years and as the settlement of the country progresses?

Mr. BINGHAM. I will state to the gentleman that this is general law, and we must appropriate for carrying out the general law.

Mr. PERKINS. If an office has become a sinecure, would the gentleman's committee still appropriate for it?

Mr. BINGHAM. Under the general statute we would make appropriations——

Mr. PERKINS. The gentleman said yesterday, referring to the governors of the Territories, that the committee did not appropriate the amount required by the existing law, but such amount as the committee thought just and proper.

Mr. BINGHAM. I stated yesterday that we had followed the current law: that some twenty years ago or more, following what was called the "Holman policy," adopted when Mr. Randall was Speaker of the House, the committee had brought in provisions reducing the compensation of 200 officers or more, and those reductions were approved by the House, and many are running to this day.

Mr. PERKINS. What I should like to know is whether there is anybody on the Committee on Appropriations who knows whether these seventeen surveyors-general and their clerks still have anything to do.

Mr. BINGHAM. All we take are the estimates submitted to us by the Department, because the Department observes current law. No criticism having been made, your committee makes no criticism.

Mr. PERKINS. I am not criticising; I am inquiring.

Mr. BINGHAM. I am not referring to the gentleman. I say no criticism having been submitted to us, either in the subcommittee or in the full committee, we have followed the statute.

Mr. PERKINS. Of course no criticism would ever be made by the gentlemen who are drawing the salaries, whether they are doing work or not doing work.

Mr. HEMENWAY. With the permission of the gentleman in charge of the bill——

Mr. BINGHAM. Certainly.

Mr. HEMENWAY. I will say that every one of these places is created by law.

Mr. BINGHAM. And the salary fixed by law.

Mr. HEMENWAY. And the salary fixed by law. We have appropriated less than the salary fixed by law in a number of instances.

Mr. PERKINS. Does the gentleman know whether these seventeen surveyors-general still have something to do?

Mr. HEMENWAY. They all have work to do; yes.

Mr. PERKINS. Enough to justify the appropriation, or don't you know?

Mr. HEMENWAY. I have no doubt the appropriation is justified. We have tried at different times, if the gentleman will permit me, to consolidate certain of these offices, but every time we have tried it we have been met with the point of order that these places are created by law and must be appropriated for. The hearings and the recommendations of the Department show that all of these offices have work to perform. Now, if the gentleman can point out any particular office where there are no duties to perform the committee will be very glad to take it up.

Mr. PERKINS. I could not point it out, Mr. Chairman, but it struck me that in this country, which is getting to be pretty well settled up, it was remarkable that there should still be required seventeen surveyors-general. In some of the Territories one can see that manifestly they might be required. I am only asking for information. I have no knowledge.

Mr. HEMENWAY. I would suggest that the irrigation law recently passed is bringing into the market thousands and thousands of acres of the public land, so there is now more work for these surveyors-general to perform than there has been in the recent past, and we have a right to believe that the heads of Departments are trying to perform their duties.

Mr. BINGHAM. The only way the Department can get information is through these officers.

Mr. HEMENWAY. They still insist that these officials are necessary. If the gentleman will investigate and find any places where these officers are unnecessary, we shall be glad to have the information and to act upon it.

Mr. PERKINS. I did not rise to criticise, but to see what information the committee have. If they have sufficient knowledge, I have nothing to say.

The Clerk read as follows:

DEPARTMENT OF JUSTICE.

Office of the Attorney-General: For compensation of the Attorney-General, $8,000; Solicitor-General, $7,500; assistant to the Attorney-General, $7,500; two assistant Attorneys-General at $6,000 each; Assistant Attorney-General in charge of the Post-Office Department, $4,500; solicitor of internal revenue, $4,500; solicitor for the Department of State, $4,500; two assistant solicitors, at $4,000 each; four assistant attorneys, at $3,500 each; assistant attorney, $2,000; assistant attorney in charge of records, $2,500; law clerk and examiner of claims, $2,500; chief clerk and superintendent of the buildings, $2,500; private secretary to the Attorney-General, $2,000; stenographer to the Solicitor-General, $1,800; two professional clerks, at $1,800 each; law clerk, $1,800; two law clerks, at $1,600 each; four messengers of class 4; engineer in charge of motors, $1,400; chief messenger, $1,200; assistant messenger, $1,200; superintendent, $1,200; assistant clerks, at $1,200 each; three messengers of class 3; seven messengers of class 2; telephone operator and stenographer, $1,200; eleven messengers of class 1; one messenger, seven assistant messengers; four janitors; three watchmen; engineer, $1,200; three firemen; two conductors of the elevator, at $720 each; eight laborers; superintendent of building, $720; Division of accounts: Chief of division of accounts, $4,500; four clerks of class 4; five clerks of class 3; seven clerks of class 2; six clerks of class 1; two copyists; one packer, $840; in all, $[illegible].

Mr. MARTIN. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question with reference to an appropriation contained in the legislative appropriation bill of a year ago, appropriating $500,000 for the purpose of enabling the Attorney-General to employ special agents and counsel for the proper enforcement of what is known as the antitrust legislation. I would like to ask the gentleman in charge of the bill if a provision is made for that purpose in this bill?

Mr. BINGHAM. We give to the Attorney-General the same as contained in the current law.

Mr. MARTIN. I do not find it in the bill, and I would like to have attention called to it.

Mr. BINGHAM. Are you asking about the special appropriation of $500,000 given to the Attorney-General?

Mr. MARTIN. Yes.

Mr. BINGHAM. That will come in the sundry civil bill. It does not belong to this bill, it is not estimated for in this bill. That amendment was accepted by unanimous consent when this bill was under consideration. The Attorney-General has had the use of that fund during this year. I believe he has sent a communication to Congress within a day with reference to the disbursement of that fund. That matter will be considered as a part of the sundry civil bill. It does not appear in this bill.

Mr. MARTIN. I notice that the President in his message suggested the propriety of making that a continuing appropriation, not only for the purpose for which it was made, but also for the enforcement of the general criminal laws of the United States.

If, as the gentleman in charge of the bill says, it should have its proper place on the sundry civil appropriation bill instead of on the legislative bill, in which it appeared before, of course I do not desire to make a further point upon it now. I had prepared an amendment at this point, proposing to make whatever has not been used of that fund a continuing appropriation for the purpose for which it was originally made and for the additional purpose mentioned.

Mr. BINGHAM. I will say, as the gentleman understands, that the appropriation lapses with the year. It is now estimated

for on the sundry civil appropriation bill. Whether the committee will, in submitting that bill, provide that that half million or the unexpended balance may be expended as suggested by the Attorney-General or by the President, of course that is in futuro. But so far as this bill is concerned we do not touch it. What has not been expended would lapse with the year, and this subject will be considered in connection with the sundry civil bill.

Mr. MARTIN. If it is to be considered in connection with the sundry civil bill, I will not offer my amendment.

The Clerk read as follows:

Bureau of the Census: For Director $6,000; four chief statisticians, at $2,500 each; chief clerk, $2,000; disbursing clerk, $1,800; stenographer, at [illegible]; four superintendents of [illegible], at $1,800 each; [illegible] hundred and forty [illegible] at $1,600 each; [illegible] at $1,400 each; [illegible] at $1,200 each; [illegible] at $1,000 each; [illegible] at $900 each; [illegible] at $720 each; thirty-six charwomen, in all, $[illegible].

Mr. BINGHAM. I desire to submit a committee amendment.

The Clerk read as follows:

On page 148, in line 25, after the word "each," insert the words "twelve clerks, class 4."

On page 149, in line 3, strike out the words "one hundred" and insert in lieu thereof "ninety."

In lines 11 and 12 strike out "six hundred and ninety-four thousand eight hundred" and insert in lieu thereof the words "seven hundred and seven thousand four hundred."

Mr. BINGHAM. I have no remarks to make. This is only a transfer.

The CHAIRMAN (Mr. OLMSTED). The question is on the amendments offered by the committee. Without objection, they will be considered together.

The question was taken; and the amendments were agreed to.

Mr. COWHERD. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Strike out the word "six," in line 20, page 8, and insert "five."

Mr. BINGHAM. I raise the point of order on that amendment.

Mr. COWHERD. In line 20 of the page it is proposed to reduce the salary of the Director of the Census to $5,000 instead of $6,000.

Mr. BINGHAM. I rise the point of order against the amendment.

Mr. COWHERD. Then on the point of order I would like to suggest that this is identical with an amendment which has been ruled on once or twice, always sustained by the Chair and submitted to a vote of the House, and similar amendments that affect the amount of the salary have been submitted to the House. If the Chair desires to hear me, I will go further.

The CHAIRMAN. The Chair will hear the gentleman from Pennsylvania if he desires to be heard on the point of order.

Mr. BINGHAM. I will simply state that it changes existing law, and further than that it is a part of the organic law creating the Department of Commerce and Labor, which takes in the Bureau of the Census and fixes the compensation allowed.

Mr. HEMENWAY. I want to make this further suggestion: It would change existing law, for the reason that this bill says "in full compensation for services for the fiscal year ending June 30, 1905."

Now, then, to appropriate at less than the amount fixed by statute would be a change of existing law. Then I desire to call attention further toward the repealing clause at the end of the bill:

That all laws or parts of laws inconsistent with this act are repealed.

Mr. COWHERD. We have not reached that yet. It is a question whether that is subject to a point of order.

The CHAIRMAN. The Chair is of opinion that it is competent for the House to appropriate a less amount than the salary fixed by the law.

Mr. HEMENWAY. I wish the Chair, in considering that amendment, would take into consideration these two provisions in the bill: First, that any appropriation here shall be

in full compensation for the service for the fiscal year ending June 30, 1905, for the objects hereinafter expressed, namely, etc.

Then there is the clause at the end of the bill that—

All laws or parts of laws inconsistent with this act are repealed.

To appropriate in this bill for less than the salary fixed by the statute would be a change of the existing law, and it was expressly ruled so in the Forty-ninth Congress.

The CHAIRMAN. The Chair finds that this precise point appears to have been ruled in the first session of the Fifty-fourth Congress. The case is reported in section 546 of Parliamentary Precedents, by Mr. Hinds, and the very elaborate ruling was made by the gentleman from New York [Mr. PAYNE], then occupying the chair. It covers this precise case. The bill contained the same phrase, "in full compensation for services for the fiscal year," and it was fully considered. That ruling was followed twice in the Fifty-seventh Congress (Manual, 349). The decision of this point can hardly be affected by the repealing clause at the end of the bill. It has not yet been reached, and may or may not remain in the bill. The Chair therefore feels constrained to overrule the point of order.

Mr. COWHERD. Then, Mr. Chairman, I want to be heard on the amendment.

Mr. Chairman, it will be remembered, possibly, that I offered a similar amendment on one or two former occasions. I was not prepared at that time to compare the salaries paid to some other parties in the bill with the salary that this committee and the House allows the Director of the Census, and I want to say here that I do not intend in any way to criticise the action of the committee, because, of course, their conduct is governed by the existing law creating the Bureau of the Census, which fixed the salary at $6,000; but, Mr. Chairman, as I called attention on a former occasion, that salary was fixed under rather peculiar conditions.

Those conditions do not prevail to-day; and I want to say here, if this was a temporary bureau, where a man was called in to perform a very difficult work, and to do it in only two years, as was formerly done, it would be very just and proper to allow him something more than an ordinary salary, but when we have made that Bureau permanent, when we have given to the Bureau a standing that is exactly on a par with the other bureaus of this Government, I appeal to this House if it be not fair to put the head of that Bureau on a par with other bureaus of the Government on the question of salary.

I say, Mr. Chairman, that it is no more than fair for the other men occupying important positions under the Government that the salary should be fixed somewhat in proportion to the work done. Let us see what are the salaries given to other bureaus in this very bill. For instance, here are four Assistant Postmasters-General. The Second Assistant Postmaster-General has under his control the spending of $75,000,000, and yet you give him $4,500 a year. The Fourth Assistant Postmaster-General spends $36,000,000 and the First Assistant Postmaster-General spends $51,000,000 a year, and not one of them has the salary that is allowed to the Director of the Census. The head of the Pension Department, the Commissioner of Pensions, filling, I venture to say, the most difficult place to fill with any degree of satisfaction under the whole Government of the United States, having under his control the expenditure of an appropriation of $140,000,000, having directly under his control a pay roll of pretty nearly $2,000,000 provided in this very bill, and you give him $5,000 per annum, and yet you give the Director of the Census, who has practically had nothing to do for about eight years out of the ten, you give him $6,000 per annum.

Let us take some of the other Departments of the Government. Here is the Department of State. There are, I believe, three Assistant Secretaries of State handling the greatest questions that come up before any Department of the Government for consideration, questions involving peace and war, and their positions also entail unusual expenditures, and you give them $4,500 a year. Here are the Assistant Attorneys-General of the United States. They must be men skilled in the law, men exceedingly able to handle the great questions that come before them. You go down there to-day to see them about any piece of business and you will find them up to their eyes in work, and yet you give those men, taken from the practice of their professions, where, in all human probability, they are able to earn, if they are capable of filling the position they now hold, more than the salary you give them, and yet they take it for the honor involved—you give them $5,000 a year and you give the Director of the Census $6,000 per annum. Take the Assistant Secretary of War, who must fill the place of the chief of that great Department in his absence, and he gets $4,500.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COWHERD. Mr. Chairman, I want two minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he may have two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. COWHERD. Take the Commissioner of Patents, carrying a pay roll of $847,000 in this bill, and you give him $5,000 a year. The Commissioner of Labor—and if there is any reason in the world for creating this Department of Commerce and Labor it is for the creation of two bureaus in it, one the Bureau of Labor and the other the Bureau of Corporations, and notwithstanding that is the main reason for the creation of this Department, you give to the heads of these two great Bureaus each $1,000 less than you give to the Director of the Census.

Now, Mr. Chairman and gentlemen of the House, I respectfully submit that there is not any question now of the employment or discharge of clerks. I said a year ago, and gentlemen criticised me for it and said they would not vote for the motion on that account—I said that the then head of that Bureau had not treated the Members of the House fairly. He is there no longer, and that

question has passed away. This question, however, still stands. The Members of this House know that when that salary of $6,000 was given to the head of that Bureau it was under peculiar conditions; that if this House had to-day to fix that salary it would not fix it at any such sum. I submit that it is not fair when men occupying higher positions carrying ten times the burden of responsibility get a salary of only $4,500 or $5,000 and you give to this comparatively insignificant Bureau the sum of $6,000.

Mr. LIVINGSTON. Mr. Chairman, the gentleman from Missouri [Mr. COWHERD] says that when this act passed this House and Congress the conditions were different. I do not know to what conditions he alludes, but I remember the conditions surrounding this House at that time. I remember distinctly that we were changing from a temporary system to a permanent system. I remember also that the salary of the Director at that time was $7,500, and when we made it permanent we reduced it $1,500 and made it $6,000—that is, we reduced it from $7,500 to $6,000.

Mr. Chairman, the contrasting of salaries is not by any means a safe way to get at the value of a man, either to himself or to the Government. Here is the gentleman from Missouri. He pays his own expenses here and elsewhere; he pays his own election expenses, and he is working for the Government for $5,000 a year.

There are plenty of men in Washington who have no election expenses, who have nothing to pay for but bed and board, with ordinary living expenses, and they get as much salary as he. If we are going to contrast salaries and settle this question in that way, you can see at once how unfit would be this rule. Here is a man that left a place in Boston at $6,000 a year. He could have commanded more if he had asked it. His business qualifications, his information on the lines that were necessary to make a successful Census Bureau were such that he was persuaded to give up that salary in Boston and take this position. Before he did it he went to the act establishing this permanent Census Bureau, and found in the organic act that this salary was fixed at $6,000. Upon that and with other inducements offered him by friends he came to Washington on account of his peculiar fitness for the place and accepted the office.

Now, I ask the gentleman from Missouri if it is fair to that man to pull him away from a six thousand salary at home, bring him here under an organic act, with that salary fixed, and in less than a year undertake to cut him down to $5,000. I do not believe the gentleman from Missouri would submit to it if the matter affected his salary, and I know I would not if it affected mine. I do not believe that the contrast that he has put before this House is a fit one to be governed by in this instance. A lawyer's ability to draw papers and fix technicalities in papers is one thing, but it does not always command a very high price. But the business man, with the ability and experience of Mr. North, has given men a salary two or three times as high as an ordinary attorney at law receives. That is the business custom and habit of all this country. I can find a railroad man who knows nothing of law, who knows nothing of anything else, that enters into the general make-up of this great country of ours, who draws five times that amount as a salary. Why? Because he is peculiarly fitted for that one thing.

Mr. WILLIAMS of Illinois. Will it disturb the gentleman if I ask him a question?

Mr. LIVINGSTON. Certainly not.

Mr. WILLIAMS of Illinois. What business was the gentleman engaged in at the time he was made Director of the Census?

Mr. LIVINGSTON. I do not know.

Mr. WILLIAMS of Illinois. Was he not already in the service of the Bureau?

Mr. LIVINGSTON. No, sir; he was not. He was in the Government service as a member of the Industrial Commission.

Mr. SMITH of Kentucky. At a salary of $3,500.

Mr. WILLIAMS of Illinois. At what salary?

Mr. LIVINGSTON. I do not remember—$3,500, maybe.

Mr. WILLIAMS of Illinois. Yes; I had understood that he was in the service at a much lower salary than $5,000 when he was appointed to this place.

Mr. LIVINGSTON. He was in the service, in Boston, at $6,000 a year.

[Here the hammer fell.]

Mr. HULL. Mr. Chairman, it seems to me that the argument of the gentleman from Georgia [Mr. LIVINGSTON], if it means anything, means that anyone accepting a salary has a vested right, and that it is not fair for the Government to ever change that salary. It strikes me that the House should consider this salary in connection with other salaries of the bureaus of the Department of Commerce and Labor. In looking over the salaries in this bill we find that the Commissioner of Corporations, one of the bureaus that has infinitely greater responsibilities and greater work than that of the Director of the Census, receives $5,000 a year. Other heads of the bureaus of this Department receive $4,000 a year. The census is taken once in ten years. There is some work under the permanent Bureau for the Director in the intermediate years, but not of any great importance or great variety or great labor; and it seems to me if the House wants to act with absolute justice it will vote for the amendment of the gentleman from Missouri [Mr. COWHERD] and reduce this salary to $5,000 a year, which will put this officer on a par with the best of other heads of bureaus in the Government.

There is nothing in the argument that because a man makes a sacrifice to serve the Government he should receive a larger salary, because if the Government competed with private corporations in the question of salaries, the Government would have but few officers at the schedules it has fixed. We should treat this matter more in the light of the salary paid one Government officer as compared with the salary paid another of the same rank; and if we do this, in my judgment the Committee of the Whole will adopt the amendment and give the Director of the Census $5,000 a year, the same as the Chief of the Bureau of Corporations receives. I hope the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. BINGHAM) there were—ayes 92, noes 75.

Mr. BINGHAM. Mr. Chairman, I demand tellers.

Tellers were ordered.

Mr. BINGHAM and Mr. COWHERD were appointed tellers.

The House again divided; and the tellers reported—ayes 97, noes 47.

So the amendment was agreed to.

Mr. THAYER. Mr. Chairman, I offer the following amendment, which I will send to the desk and ask to have the Clerk read.

The Clerk read as follows:

On page 129, in lines 6 and 7, strike out the words "eight hundred and forty" and insert therefor the words "one thousand."

Mr. BINGHAM. On that, Mr. Chairman, I make the point of order.

Mr. THAYER. Will the gentleman from Pennsylvania state his point of order?

Mr. BINGHAM. I make the point of order that it is not authorized by statute.

Mr. THAYER. I do not hear the gentleman.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order, as the Chair understands him, that the amendment offered by the gentleman from Massachusetts increases the appropriation beyond the salary fixed by the statute, and therefore changes existing law in violation of the rule as to appropriation bills.

Mr. THAYER. Mr. Chairman, I do not understand that the salary has been fixed by statute. These men have heretofore been paid by the Director at his own sweet will, and this is the first time that these salaries have been fixed. I had occasion to see the Director last Saturday and stated to him that I thought there was an inequality in the payment of these skilled laborers, and he stated to me that he would have been pleased had his attention been called to this before he sent in his estimate to make the provision as I ask for it here, and it seems to me it is simply increasing a day laborer $160 a year and placing him upon an equality with the other four who are doing like service with himself. He has failed to have his salary fixed at $1,000 because his friends have not pleaded for him, as probably the friends of the others have. He is a painter, having charge of the entire business of purchasing supplies, is authority unto himself under the Director, the same as the carpenter and the engineer, and I hope that the gentlemen of the committee will not raise any points of order, if even they could be sustained, but will let this man have the same pay that the others working on the same plane have, his not having been increased by reason of oversight or because people have not been to the Director pleading that his salary be increased in common with the others.

The CHAIRMAN. The Chair will ask the gentleman from Pennsylvania for a reference to the statute which he contends controls this matter.

Mr. BINGHAM. There is no statute fixing the compensation at $1,000, as proposed in the gentleman's amendment.

Mr. HEMENWAY. Let me suggest this point: The gentleman offering the amendment must show some law authorizing this salary. If there is no such law, then the amendment is a change of the existing law or the enactment of a new provision of law.

Mr. THAYER. There is no law authorizing any of these salaries.

Mr. BINGHAM. Then the gentleman has no standing at all.

Mr. THAYER. Then you have no standing for the other provisions of the section. We are making a statute now to fix the salary.

The CHAIRMAN. One moment. Let the Chair understand the facts of this matter. The Chair will ask the gentleman from

Pennsylvania whether this salary is fixed or provided for in the current appropriation law?

Mr. BINGHAM. It is.

The CHAIRMAN. At what amount?

Mr. BINGHAM. Eight hundred and forty dollars.

The CHAIRMAN. The Chair understands the gentleman from Pennsylvania to say, and it is assumed to be the fact, that in the current appropriation law this position is provided for at a salary of $840 per annum. Now, the gentleman from Massachusetts [Mr. THAYER] proposes to increase that amount to $1,000. The point of order made by the gentleman from Pennsylvania appears to have been frequently ruled upon, and the Chair will call attention to the statement on page 349 of the Manual that—

> In the absence of a general law fixing a salary, the amount appropriated [illegible] the appropriation bill [illegible] fixed in the [illegible] notwithstanding a waiver of the general rule that the appropriation bill must [illegible] time for one year.

That proposition has been frequently sustained. It was declared by Mr. Blount, Chairman of the Committee of the Whole, in the Fifteenth Congress, and upon an appeal from the ruling of the Chair was sustained (RECORD, pp. 4717–4719). It was followed twice in the Fifty-seventh Congress, once in the first session (RECORD, pp. 1420–1422) and again in the second session, Mr. GROSVENOR in the chair (RECORD, p. 1010). If it were a new question, the present occupant of the chair might be inclined to hold otherwise, but in view of the repeated rulings feels constrained to sustain the point of order.

Mr. THAYER. Will the Chair hear me an instant?

The CHAIRMAN. Certainly.

Mr. THAYER. I undertake to say that the appropriation of last year permits the payment of this officer at this salary. There is no statute at all on this subject to the contrary; there is no law limiting the amount, and the amount appropriated last year is ample. There is money in the Treasury to pay the amount named in the law, and unless the present bill provides otherwise, there is no law changing that provision.

The CHAIRMAN. Does the gentleman from Massachusetts hold that this officer or employee was not mentioned in the last appropriation bill—the present existing law?

Mr. THAYER. He was not.

The CHAIRMAN. Was not the position provided for at $840?

Mr. THAYER. The Director fixed certain salaries. There have been many changes during the year. There was a sum total appropriated, but no appropriation was made for this specified position.

The CHAIRMAN. There seems to be a difference between the gentleman from Pennsylvania and the gentleman from Massachusetts as to what the statute provides. The Chair will have to see the statute itself before finally deciding this question, and has sent for it.

Mr. THAYER. Then let this matter be passed over for the time being, if the gentleman from Pennsylvania is willing. I have not the statute here, and I presume the gentleman from Pennsylvania has not.

The CHAIRMAN. The Chair has sent for the statute.

Mr. BINGHAM. I have the statute here: and this position was indicated as "one skilled laborer, $840." That is what the statute provided for.

The CHAIRMAN. The Chair finds in the law a provision for "one skilled laborer, $840." It seems to be the same position provided for in the pending bill.

Mr. THAYER. But were there not provisions for many other positions last year that are not provided for in this bill? Many employees have been discharged during the last ten months. The appropriation was larger then than the present appropriation. More persons were employed then, and properly so, than are employed now.

Mr. BINGHAM. The language of the present bill is identical with the language in the current law.

The CHAIRMAN. The Chair will ask the gentleman from Massachusetts whether this "skilled laborer" is the same skilled laborer that was provided for in the appropriation bill of last year at $840?

Mr. THAYER. I am unable to answer that question directly. I do not know. I only know that there are now in the employ of the Census Department four men at $1,000—the engineer, the electrician, the watchman, and the carpenter. Whether this man came in under the appropriation at $900 and has not been promoted, or whether he came in under the $840 and remains there, I do not know. His name is not mentioned. I notice here quite a number at $900, but I do not know——

The CHAIRMAN. The Chair finds that in the current law there is a provision for one skilled laborer at $840, four skilled laborers at $1,000 each, one skilled laborer at $900, one skilled laborer at $840, one skilled laborer at $780, and one skilled laborer at $720. Now, the pending bill contains a provision for one skilled laborer at $900, one skilled laborer at $840, and one skilled laborer at $720. Without some information to the effect that this is a different skilled laborer or a different position from the one provided in the existing law, the Chair will have to assume that it is the same position, at $840, that is provided for in the existing law, and that, therefore, under the rulings which have been cited, an amendment increasing that to $1,000 is out of order.

Mr. THAYER. I am unable to give the information, if the Chair pleases. I do not know.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

> For special agents to secure information for special reports, and expenses of [illegible] $[illegible].

Mr. BINGHAM. Mr. Chairman, a committee amendment.

The CHAIRMAN. The gentleman from Pennsylvania offers an amendment, which the Clerk will report.

The Clerk read as follows:

> On page [illegible] after line 35, insert:
>
> "[illegible] now employed in the Bureau of the Census on [illegible] March 6, 1902, and [illegible] are hereby transferred to the classified service, to be assigned to [illegible] grades."

The amendment was agreed to.

The Clerk read as follows:

> For rent of tabulating machines, $10,000.

Mr. BINGHAM. Mr. Chairman, a committee amendment.

The Clerk read as follows:

> On page 140 strike out line 4 and insert in lieu thereof the following:
>
> "For tabulating cotton returns, including cost of cards and rental of necessary apparatus, $6,000."

The amendment was agreed to.

The Clerk read as follows:

> For payment of the services of experts, and for other necessary expenditures connected with the execution of the duties devolved upon the Bureau of Foreign Commerce of the United States, $2,000.

Mr. BARTLETT. Mr. Chairman, may I ask the gentleman from Pennsylvania what provision has been made for the collection of the report from the various cotton ginners of the United States, and if there has been any increase in this bill in the appropriation over that carried in the last appropriation bill?

Mr. BINGHAM. Does the gentleman mean to ask whether this is an increase? I could hardly hear him.

Mr. BARTLETT. I ask the gentleman if there has been an increase in this bill over the last one in the appropriation for collecting the statistics from the ginners of the various cotton gins.

Mr. HEMENWAY. There is no increase.

Mr. BARTLETT. I am sorry there has not been.

Mr. SMALL. I move to strike out the last word. I desire to make an inquiry of the chairman of the committee. In the paragraph for the payment of the services of experts in the Bureau of Statistics I notice that the amount appropriated is only $2,000. The amount appropriated in the last bill, as well as the bill of the year before, was $4,000. I desire to ask the chairman why that reduction was made.

Mr. BINGHAM. We have given the Department so generous an appropriation in all lines of operation that your committee thought this item might be reduced from $4,000 to $2,000. That is the only general response. We have tried to make the bill consistent, and we felt that in the operation of the several bureaus and divisions of the Department this can be reached, and we give the head of this Bureau simply what might be called elbow room to do the work. I would state to the gentleman that there will be no severity upon the Department in any wise whatever.

Mr. SMALL. I understand that the reduction of this appropriation will seriously cripple the taking of statistics published monthly in the Summary of Finance and Commerce issued by the Department of Commerce, and if that is true, then this appropriation should not be reduced. It was $4,000 in the last appropriation bill. A few years ago it was $20,000. I ask the gentleman if he will not favor an amendment to change that $2,000 to $4,000.

The special appropriation of $4,000 made in previous years for the collection of statistics of internal commerce by and under the direction of the Bureau of Statistics, now in the Department of Commerce and Labor, has been utilized to organize and develop a division of statistical work operating exclusively with the leading trade movements in domestic commerce largely, through the cooperation of the chambers of commerce and transportation companies. This work consists of publishing a monthly summary of the great staple movements in the trade of the interior; the commerce of the Great Lakes; the movements of leading articles of traffic to the seaports on the Atlantic, the Gulf, and the Pacific coasts; commercial movements in Southern territory, including the cotton crop, and movement of the lumber trade; commercial operations on the Pacific coast; traffic movement by rivers and canals, and reports on the coastwise trade of the Atlantic seaboard, principally the coal trade and shipping movements by leading ports.

The results of this statistical work are constantly in demand by various branches of the Federal Administration, by commercial organizations seeking to develop the domestic markets in the interest of the localities they represent, and by the numerous interests identified with the distribution and consumption of the products which enter so vitally into the country's domestic trade. This trade in a single year aggregates more than $20,000,000,000 in value, and this is the only agency of the Government devoted strictly to the collection of this species of information. The system of collecting these statistics throws the burden of the expense on the commercial organizations contributing the information, but requires an office force of trained workers in compilation having intimate knowledge of commercial conditions and statistical movements to insure their accurate preparation and regular publication in such forms as will contribute most effectively to the promotion of the domestic trade.

[illegible] under the administration of Secretary Windom, an appropriation of $20,000 was made for this purpose, out of which the valuable series of published documents relating to domestic or internal commerce was prepared. By the present system of making this division it is a clearing house for information on internal commerce, in which every leading chamber of commerce [illegible] in the country becomes an adjunct to the public service and saves the Government four-fifths of its former expenditure for this information. Any further reduction of the [illegible], as I am reliably informed, would so cripple the [illegible] seriously impair the usefulness of this division, [illegible] essential part of the machinery for the collection of commercial statistics.

Mr. BINGHAM. In the subcommittee we gave exceptional consideration to this whole Department when we came to the paragraphs Bureau of Immigration, which has been transferred from its former relation to the Treasury to the Department of Commerce and Labor. We were considerate and gave limited increase.

This appropriation in the past has been a variable allowance, sometimes more and sometimes less, and we have been disposed to treat the entire Department of Commerce and Labor [illegible] including the Bureau of Immigration, and have given it all the allowance that it required.

Mr. SMALL. This is the first time that appropriation has been made for this Bureau in the new Department of Commerce and Labor. As I understand, the work and the scope of the inquiries which they have instituted have been increased. I dislike to say anything that would seem like a criticism on the committee, but from all the information I have it seems to me that this reduction is a mistake.

The Clerk read as follows:

> Bureau of Immigration: For Commissioner-General of Immigration, $[illegible]: [illegible] additional to the salary as actuary [illegible] power to [illegible] to this [illegible] $[illegible] for the labor expenses, regulating [illegible] from the permanent appropriation for expenses of regulating immigration.

Mr. BINGHAM. I offer a committee amendment.

The Clerk read as follows:

> Page 142, after line 3, insert: "The immigration laws of the United States in force in the Philippine Islands shall continue to be administered by officers of the Philippine government."

Mr. CLARK. I would like to have that amendment read again.

The amendment was again reported.

The question was taken: and the amendment was agreed to.

The Clerk read as follows:

> Bureau of Standards: For Director, $5,000; physicist, $4,000; chemist, $3,500; [illegible] at $2,250 each; four assistant physicists, at $1,800 each; assistant physicists, at $1,400 each; five laboratory assistants, at $1,000 each; six laboratory assistants, at $900 each; two laboratory assistants, at $[illegible] each; assistant physicists, at $1,400 each; six laboratory assistants, at $1,000 each; six laboratory assistants, at $900 each; two laboratory assistants, at $[illegible] each; two laboratory assistants, at $[illegible] each; storekeeper, $900; librarian, $1,400; secretary, $[illegible]; one [illegible] of these positions at $[illegible]; $1,000; one clerk, $900; two clerks, at $[illegible] each; one messenger boy, $[illegible]; one computer, $1,000; mechanician, $1,200; one mechanician, $1,200; two [illegible] at $[illegible] each; one [illegible]; two watchmen; skilled woodworker; skilled machinist, $[illegible]; [illegible], $1,200; two assistant [illegible], $1,400; assistant [illegible], $1,000; assistant engineer, $900; two engineers; electrician, $900; two interpreters; three chemistry assistants, at $900 each; janitor, $600; and one charwoman, $[illegible]; in all, $[illegible].

Mr. PERKINS. I move to strike out the last word. I desire to ask if there is anybody on the committee who can state the work which is done by this Bureau of Standards? What is it for?

Mr. BINGHAM. I will state that this is in continuation of an act passed two years ago, coming from the committee which the gentleman from Ohio [Mr. SOUTHARD], who is here, was chairman, and who perhaps is more familiar with the details of that Bureau than I am myself. Therefore I yield to him.

Mr. SOUTHARD. Mr. Chairman, for the information of the gentleman I will say that this Bureau of Standards was established during the last session of the Fifty-sixth Congress. By that Congress an appropriation of $250,000 was made for buildings, and subsequently additional appropriations were made. An appropriation was also made for the equipment of the old rooms and for permanent equipment to be eventually transferred to the new buildings to be erected. Those buildings are in process of construction; one of them is already nearly completed, the other has the foundation laid and is under way. This is a very important bureau. The functions of the Bureau—I read now from a letter of the Secretary of the Treasury transmitted to Congress during that session:

> The functions of the Bureau shall consist of the custody of the standards; the construction [illegible] investigations, engineering, [illegible] and calibration with the standards [illegible] by the Government; the construction, when necessary, of [illegible] and of instruments for testing and calibration [illegible] apparatus the [illegible] previous which appear [illegible] and not to be [illegible] sufficient accuracy elsewhere.

Before this Bureau was established, as soon as it was known that a bill had been introduced for its establishment, it was indorsed enthusiastically by nearly all the industrial interests of the country, showing that it provided for a want which had long been felt. It was recommended by almost all of the large manufacturing institutions. That it was needed is proven by the fact that since its establishment, and even before it has gotten well under way, the work of the Bureau has increased many hundred fold.

Mr. PERKINS. What does it do practically?

Mr. SOUTHARD. They standardize all kinds of instruments of precision, all kinds of measuring instruments for the Government and for the people of the United States at large, and it will [illegible] be prepared to carry out all the functions for which it was [illegible]——

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. SOUTHARD. I ask that I may have a couple of minutes more.

Mr. GROSVENOR. I ask that the time of the gentleman may be extended for five minutes.

There was no objection.

Mr. SOUTHARD. It does this work for the Government without charge. But the bill providing for its establishment contained a provision that work may be done for anyone who shall apply to the Bureau of Standards. It is now doing work for a great many manufacturing institutions besides much for the Departments of the Government. The day before yesterday the Bureau of Standards received several thousand thermometers to be tested. It is daily doing work for not only the Government, but for people all over the United States. Almost every day it is obliged to turn away work because the capacity of the institution, it being in its infancy, is not equal to the demand for the kind of work it is doing.

Mr. MANN. Will the gentleman yield to me for a question?

Mr. SOUTHARD. Certainly.

Mr. MANN. These thermometers which you speak of being received for indexing and calibration, is that work paid for by the persons who send the thermometers here?

Mr. SOUTHARD. Whenever the work is done for any Department of the Government no charge is made, but whenever the work is done for a private manufacturing institution or anyone outside the Government service, I understand a charge is always made.

Mr. MANN. That is my understanding; but in that case, of course, there is no expense, practically, to the Government.

Mr. SOUTHARD. A charge is made, as I understand it, sufficient to cover the cost of the work that is done whenever work is done for parties outside the Departments of the Government.

Mr. MANN. Now, one more question. Of course, the gentleman is the one who originated that bill, and I have no doubt he is well informed in reference to it. If the appropriation bill covers only enough officials to do a certain class of that work and not enough to do all of the work that is sent in from the outside to be done and paid for by those who send it in, is there any authority for this Bureau to employ additional help, so that that work may be done?

Mr. SOUTHARD. No; the bureau, like any other bureau, employs the help that is appropriated for. I do not understand that in this bill there is any lump sum from which additional employment for the work can be had. All the employees of the bureau are provided for in the bill.

Mr. MANN. Perhaps the gentleman who has charge of the bill might give both of us information on this subject.

Mr. BINGHAM. Have they employees enough to do all the work both for the Government and the outsiders who send in to that institution?

Mr. SOUTHARD. I understand, as I have already stated, that the work of the bureau has so far increased over and above the present capacity of the bureau that they are daily obliged to turn away work.

Mr. MANN. That is, work that would be paid for by people who send it in there?

Mr. SOUTHARD. It is work that would be paid for by outsiders if the bureau was in a position to do it. This institution is patterned somewhat after the German institution known as the "Technische Reichsanstalt," in Germany. It is not as extensive a proposition as that, but the functions of the bureau are practically the same. The work of this bureau is one that is bound to increase. It will become one of the most valuable bureaus to the industrial interests of this country in the whole Government service. There is no question about that. The demand for the work which this bureau performs already exists and is increasing daily. We ought not to begrudge a liberal appropriation for an institution of this kind.

With the permission of the House, I will print in the RECORD a statement showing in part what the bureau has accomplished since the commencement of the fiscal year. It is not a full statement, for much has been done since it was prepared, but it will give a good idea of the kind of service that has thus far been performed.

Mr. SHAFROTH. I would like to ask the gentleman whether he has any tables showing the quantity of work done by this Bureau. I was very much interested at the time this Bureau was formed.

Mr. SOUTHARD. I understood that the chairman of the committee had a statement of the amount of work done by this Bureau.

Mr. SHAFROTH. Will you incorporate it as a part of your remarks, as I would like to see it very much?

Mr. SOUTHARD. Yes, sir; or if the information is desired I will read from it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHAFROTH. I ask unanimous consent that the gentleman from Ohio be allowed five minutes more.

Mr. SOUTHARD. I do not desire further time.

Mr. LIVINGSTON. Regular order!

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the paper which he sends to the Clerk's desk be placed in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BINGHAM. I would also ask that the accompanying letter be put in the RECORD.

The CHAIRMAN. And that the letter sent to the Clerk's desk by the gentleman from Pennsylvania shall accompany the remarks submitted by the gentleman from Ohio. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The papers referred to are as follows:

Standard weights, measures, and measuring instruments submitted to the Bureau of Standards for verification July 1 to December 16, 1903.

ENGINEERS AND SURVEYORS' STEEL TAPES.

Eugene Dietzgen Co., Chicago	2 100-foot steel tapes.
Keuffel & Esser Co.	[illegible]
Geological Survey, Washington	[illegible]
F. W. Hastings, C. E., St. Louis	1 tape.
Charles W. Leavitt, jr., Bennung, D. C.	[illegible]
George M. Eddy & Co., Brooklyn	[illegible]
Keuffel & Esser Co., New York	[illegible]
J. Walter Ackerman, Auburn, N. Y.	[illegible]
Keuffel & Esser Co., New York	[illegible]
District of Columbia, Engineer Commissioner	2 [illegible] tapes.
Keuffel & Esser Co., New York	1 100-foot steel tape.
J. C. Ulmer & Co., Cleveland, Ohio	[illegible]
Do	[illegible]
Pennsylvania Railroad	[illegible]
J. Walter Ackerman, Auburn, N. Y.	[illegible]
United States Engineer Office, Savannah, Ga.	[illegible] tapes.
University of Vermont, Burlington	[illegible]
[illegible]	[illegible]
Keuffel & Esser Co., New York	[illegible]
E. E. Brown's Sons & Co., Brooklyn	[illegible]
G. N. Saugmaller, Washington	[illegible]
Do	[illegible]
District of Columbia	[illegible]
G. M. Fox & Co., Brooklyn	[illegible]
Eugene Dietzgen Co., Chicago	[illegible]
John Campbell, Athol, Mass.	1 100-foot steel tape.

STANDARD BARS.

Henry Troemner, Philadelphia	1 meter scale.
Geological Survey, Washington	1 steel scale.

GEODETIC LEVEL RODS.

Baltimore and Ohio Railroad Co.	[illegible] level rods.
Coast and Geodetic Survey	2 geodetic level rods.

STANDARD PLUG GAUGES.

United Shoe Machinery Co., Boston	6 standard gauge plugs.
Pratt & Whitney Co., Hartford	2 25-millimeter standard plug gauges.

MAGNETOMETER INERTIAL MASSES.

Coast and Geodetic Survey	1 inertia ring, magnetometer 3.
Do	1 brass inertia cylinder.

GRADUATED CIRCLES.

Bureau of Standards, electrical section	1 graduated circle.

POLARISCOPIC TUBES.

Custom service	6 polariscopic tubes.

COEFFICIENT OF EXPANSION.

Driver-Harris Wire Co.	Sample of wire.

BALANCES.

F. L. Douglas, Washington	1 spring balance.
[illegible] Service	2 platform balances.
District sealer weights and measures	1 balance.
Leo S. Smith, Madison, Wis.	3 balances.
Bureau of Standards, chemical division	1 balance.

STANDARD WEIGHTS AND RIDERS.

Toledo Computing Scale Co.	12 1-pound test weights.
Bureau of chemistry	22 metric weights (1 set).
Henry T. Oemler, Philadelphia	28 troy weights, 500 ounces down.
Toledo Computing Scale Co.	12 1-pound weights.
Do	1 1-pound gold-plated weight.
American Smelting and Refining Co., Chicago	19 [illegible]
Bureau of Chemistry	22 analytical weights (1 set).
Fisher & Adams, New York	1 [illegible] analytical weight.
[illegible] Department, Treasury	[illegible] (1 set).
[illegible] Wis.	[illegible]
Do	[illegible]
Bureau of Standards, weights and measures section.	26 weights (1 pound).
Do	17 weights (1 set).
Toledo Computing Scale Co.	3 [illegible] weights.
[illegible]	[illegible] plated test weights.
[illegible] York	[illegible] (1 set).
[illegible] Hill, N. Y.	[illegible]
Henry T. [illegible]	15 troy weights (1 set).

BAROMETERS.

Bureau of Standards, weights and measures	2 barometers.
[illegible] Forestry, Washington	1 aneroid barometer.
[illegible] Chicago	[illegible] barometer.
[illegible]	[illegible] barometers.
Do	23 aneroid barometers.

HYGROMETERS.

L. Y. Wilson, New York	1 hygrometer.

CAPACITY MEASURES.

Atlantic Refining Co., Philadelphia	1 5-gallon measure.
J. J. Elwell, Conopolis, Pa.	1 5-gallon standard measure.
[illegible] Treasury Department	1 quart measure.
Customs Service, Treasury Department	1 flask.
[illegible]	[illegible]
Customs Service, Treasury Department	[illegible]
[illegible]	[illegible] flasks.
Do	[illegible]
Do	[illegible]
Do	[illegible] sugar flasks.
Do	[illegible]
[illegible]	[illegible] graduated flasks.
[illegible]	[illegible]
Customs Service, Treasury Department	[illegible]
[illegible]	[illegible] flasks.
[illegible]	[illegible]
[illegible] chemical division	[illegible]
[illegible]	[illegible]
Customs division, Treasury Department	[illegible] ks.
Do	[illegible] glass graduates.

MAXIMUM AND MINIMUM THERMOMETERS.

Naval Observatory	[illegible] and minimum
Do	10 maximum and minimum thermometers.

STANDARD THERMOMETERS.

Boston Thermometer Co., Watertown, N. Y.	18 standard thermometers.
Bureau of Standards electrical section	8 mercury thermometers.
[illegible]	[illegible]
[illegible] Moline, Ill.	[illegible]
[illegible] New York	[illegible]
[illegible]	[illegible]
[illegible] Co.	[illegible] (65° to 100°).
[illegible]	[illegible]
[illegible]	[illegible]
[illegible] & Co., New York	[illegible]
York Manufacturing Co.	[illegible] meters.
Boston [illegible] & Co.	[illegible]
Powers Regulator Co.	[illegible] for heat regulators.
[illegible]	[illegible]
Bureau of Chemistry	[illegible]
Boston Thermometer Co.	[illegible]
Bureau of Standards, weights and measures section	8 green thermometers.
Page Woven Wire Fence Co., Menessen, Pa.	1 high-reading Fahrenheit thermometer.

CLINICAL THERMOMETERS.

Boston Thermometer Co.	6 clinical thermometers.
Boston, Dickinson & Co., New York	7 clinical thermometers.
Do	24 clinical thermometers.

Bureau of Chemistry	24 clinical thermometers.
W. T. Berry Surgical Instrument Co., Louisville, Ky.	4 Hicks clinical thermometers.
Z. D. Gilman, Washington	6 clinical thermometers.
Charles J. Tagliabue, New York	419 clinical thermometers.
Z. D. Gilman	2 clinical thermometers.
Charles J. Tagliabue, New York	177 clinical thermometers.
Z. D. Gilman	12 clinical thermometers.
Do	11 nurse clinical thermometers.
R. Hoehn Co., New York	30 clinical thermometers.
National Thermometer Co., New York	4 clinical thermometers.
R. Hoehn Co., New York	144 clinical thermometers.
Taylor Brothers Co., Rochester, N. Y.	7 clinical thermometers.
Do	5 clinical thermometers standard.
Hohmann & Maurer Manufacturing Co., New York.	2 clinical thermometers.
Charles J. Tagliabue	967 clinical thermometers.
R. Hoehn Co.	25 clinical thermometers.
Boston Meters & Co.	[illegible] thermometers.
W. [illegible] & Co.	12 clinical thermometers.
Taylor Brothers Co.	10 clinical thermometers.
Becton, Dickinson & Co.	1 clinical thermometer.
Dr. Southern Key	2 clinical thermometers.

PYROMETERS.

Edward Brown, Philadelphia	2 pyrometers.

QUARTZ POLARISCOPIC TEST PLATES.

Bureau of Chemistry	8 quartz test plates (1 set).
Do	1 quartz plate.

STANDARD CELLS.

Leeds & Northrup Co., Philadelphia	1 Weston standard cell.
Bureau of Standards, electrical section	2 standard cells.
Geological Survey	1 cadmium cell.
Edison Electric Illuminating Co., Boston	1 standard cell.

STANDARD RESISTANCES.

Leeds & Northrup Co., Philadelphia	1 0.01-ohm resistance standard.
General Electric Co., Schenectady, N. Y.	1 B. T. resistance.
Do	1 B. T. [illegible]
Leeds & Northrup Co.	Anthony [illegible] resistance set.
Do	1 [illegible]
Queen & Co., Philadelphia	1 [illegible] resistance.
Do	1 Anthony [illegible]
Do	1 [illegible] box lr. pattern.
Leeds & Northrup Co.	1 [illegible]
Queen & Co.	[illegible]
Armour Institute, Chicago	[illegible]
Leeds & Northrup Co.	1 0.01-ohm [illegible]
Do	1 [illegible] resistance.
Do	1 0.01 [illegible] 3 resistance.
Do	1 0.01 [illegible]
Western [illegible]	1 [illegible]
Bureau of Standards, electrical division	1 S. & H. [illegible] Wheatstone bridge.
Bureau of Standards, electrical section	1 potentiometer.
Geological Survey	1 Wolff potentiometer.

VOLTMETERS.

Smithsonian Institution	1 voltmeter.
[illegible] Washington	2 voltmeters.
Library of Congress	1 portable voltmeter.

AMMETERS.

Smithsonian Institution	1 milammeter.
Byrne & [illegible], Washington	2 ammeters.

WATTMETERS.

Stanley Instrument Co., Great Barrington, Mass.	3 integrating wattmeters.
Stanley Instrument Co.	1 indicating wattmeter.
Do	8 wattmeters.
General Electric Co.	2 polyphase curve-drawing instruments.
Do	2 polyphase portable indicating wattmeters.
Washington Market Co.	3 direct-current wattmeters.
J. Fussell Co., Washington	1 direct-current wattmeter.
Z. D. Gilman	2 direct-current wattmeters.

CURVE TRACERS.

Leeds & Northrup Co.	1 electric-curve tracer.

CONDENSERS.

Columbia University, New York	1 0.5 microfarad condenser.
C. B. Dennis, Spokane, Wash.	1 mica sample.

Standard weights, measures, and measuring instruments submitted to the Bureau of Standards for verification July 1 to December 16, 1903.

SUMMARY.

Length—standards and measuring instruments:		
[illegible] steel tapes	43	
[illegible]	2	
Gauges	4	
Standard plug gauges	1	
Graduated circles	1	
Magnetometer inertia masses	2	
Polariscopic tubes	6	
		59
Mass—standards of mass (weight) and measuring instruments:		
Balances	[illegible]	
Standard weights	389	
		397
Capacity—standards of volume and measuring apparatus:		
Maximum and minimum thermometers	11	
Standard thermometers	351	
Clinical thermometers	1,926	
Pyrometers	2	
		2,290
Light—optical instruments:		
Quartz polariscopic test plates	606	
Light—electricity:		
Standard cells	5	
Standard resistances, bridges, and potentiometers	25	
Standard electric meters—		
Voltmeters	4	
Ammeters	3	
Wattmeters	18	
Curve tracer	1	
Determination, insulating properties of mica	1	
Condenser	1	
		62
Photometry—incandescent-lamp standards:		
Standard incandescent electric lamps		246
Miscellaneous:		
Barometers	92	
Hygrometer	1	
Determination, temperature constants of oils	1	
Determination, temperature constants "Hydrolene"	1	
Determination, coefficient of expansion	1	
		96
Total		3,712

In addition to the various tests enumerated above, the work of the Bureau has comprised the following:

1. Researches and investigations in connection with the development of standards, improved methods of measurement, and apparatus for performing tests.

2. Investigations concerning the properties of materials, as, for example, a deposit of mica, has been [illegible] in Western State. A sample of this was submitted to the Bureau to determine [illegible] it was suitable for electrical purposes. The National Association of Refrigerating Engineers has asked the Bureau to determine the specific heat of ammonia chloride solution. This is an refrigerating [illegible] used in the preparing and designing of refrigerating machinery. [illegible] the same as the properties of standards [illegible] development of the electric engine. The standards [illegible] the real value of tests [illegible] of engines [illegible] of the character [illegible] standards and measurements. This has stimulated the number of measurements, pyrometers, electric lamps, and especially instruments of precision, manufacturers of steel, pottery, and [illegible] electrical [illegible] Work of this character [illegible] the other work of the Bureau [illegible] article that does not involve a measurement of some kind.

Bureau of Standards—Estimate of expenditures, 1905–5.

Items.	Original estimate.	Reduced estimate.
1. General laboratory apparatus, such as balances, weights, [illegible] resistance standards, [illegible] small apparatus [illegible] 14, 15 to 17, inclusive, of the estimate for fiscal [illegible]	$20,000.00	$16,000.00
2. Special [illegible] for the testing of electrical measuring instruments used in the [illegible] and measuring alternating-current meters and recording instruments, together with switchboard and installation	7,500.00	6,500.00
3. Additional storage batteries, including one 25-ampere-hour battery, one 2-ampere-hour battery, and [illegible] for the testing of [illegible]	8,500.00	7,000.00
4. Additional switchboard panels for new batteries and generators	2,000.00	1,000.00
5. 75 kilowatt engine and generator to supplement the present engine, including steam connections	5,000.00	5,000.00
6. High-voltage transformers and apparatus used in testing [illegible]	3,000.00	1,500.00
7. Wiring [illegible] for the operation of the various apparatus [illegible] including the [illegible] with the vacuum, compressed air, and refrigerating systems	5,500.00	4,500.00
8. Equipment of chemical laboratory (fourth floor of physical laboratory), including apparatus, [illegible]	13,500.00	12,000.00
9. Apparatus [illegible]	5,500.00	3,500.00
10. Machinery for the [illegible]	2,500.00	1,500.00
11. [illegible]	2,000.00	1,500.00
12. Office furniture and telephone system for both buildings	5,000.00	3,500.00
13. Book [illegible]	5,000.00	2,500.00
14. Furniture, [illegible] bookcases, laboratory benches, [illegible]	11,000.00	8,000.00
15. Gas and [illegible]	5,500.00	5,000.00
16. Transformer vaults, one for each building	8,500.00	8,000.00
17. Miscellaneous items	5,000.00	5,000.00
Total	115,000.00	90,000.00

Memorandum of expenditures and liabilities—Appropriation, "Equipment, National Bureau of Standards."

1. Placed to the credit of the Supervising Architect to cover the cost of machinery and other apparatus to be installed in connection with the regular heating and lighting systems of the buildings, such as steam power, piping, wiring, and special plumbing for laboratory use	$20,335.00
2. Direct-coupled engine and generator, together with foundation, for the production of direct current used for lighting, charging of storage batteries, and experimental purposes, exclusive of steam connections	4,855.00

3. Switchboards for the distribution of the different kinds and ranges of electric current to the various laboratories	$6,110.00
4. Storage batteries, required for the production of direct current used primary cases of experiments work on account of the flux ability of the current produced, also to supplement the generating plant when the latter is not of sufficient capacity	7,622.19
5. Twenty-ton refrigerating plant for the purpose of regulating the temperature of testing laboratories	10,440.00
6. Motors and generators and generators used in the operation of equipment, running of machinery, etc	4,084.50
7. Automatic temperature control for the various laboratories	4,135.00
8. Machine for the [illegible] shop	1,580.00
9. Apparatus for the production of pure water	385.00
10. Gas machine for the production of that used in connection for the production of high temperature and for bunsen burners	1,728.80
11. Air compressor used in connection with the liquid-air machine and in the production of compressed air for experimental purposes	1,550.00
12. Woodworking machinery	987.00
13. Machine for testing the strength of materials	1,250.00
14. Set of platinum-iridium standard weights	1,080.00
15. Fire-proof building	1,[illegible]
16. Computing and typewriting machines	1,[illegible]
17. Pyrometers, spectroscopes, spectroscopes, and apparatus used in optical investigations and in the standard electrical laboratories	1,931.25
18. Instruments and apparatus, including the following: Five patent balances for electrical measurement, $[illegible]; chronometer for electrical measurement, $[illegible]; Carvallo recorder for indicating and recording [illegible], $[illegible]; recording machine for [illegible], $[illegible]; chronograph for [illegible], $[illegible]; chronometer for electrical measurements, $[illegible]; O. R. [illegible] for electrical power measurements, $[illegible]; H. B. [illegible] for electrical power measurements, $[illegible]; resistances and boxes for electrical measurements, $[illegible]; Wheatstone bridge for electrical measurements, $[illegible]; permeameter and inductometer apparatus for magnetic measurements, $[illegible]; permeameter, $[illegible]; thermostat for maintaining constant temperatures, $[illegible]; hot-water motor to be used with steam engine, $[illegible]; gas motor pyrometer for testing gas motors, $[illegible]; pyrometric oven and apparatus for the high temperature measurements, $[illegible]; watt-hour meter for use in testing wattmeters, $[illegible]; spectrometer for use in testing wattmeters, $[illegible]; spectrometers, $[illegible]; lamp-power measuring chart for use in engine tests, $[illegible]; Gerber engraving machine for marking apparatus and in instrument construction, $[illegible]; screw gauges for standardizing screw threads, $[illegible]	7,128.77
Total	77,507.31
Apparatus, tools, furniture, etc., costing less than $100 per piece; in all	6,704.53
Materials used in the construction of apparatus and equipment; supplies in stock and consumed in the work of the Bureau, and other items of this kind, also labor and professional	13,018.48
Total expenditures	97,230.32
Balance unexpended December 16, 1903	12,769.68
Appropriation, "Equipment, Bureau of Standards, 1903-4"	110,000.00

THE LEEDS & NORTHRUP COMPANY,
259 North Broad Street, Philadelphia, Pa., January 8, 1903.

Hon. HENRY H. BINGHAM,
House of Representatives, Washington, D. C.

DEAR SIR: We wish respectfully to urge on you the importance of Congress making liberal provision for the work of the National Bureau of Standards. This Bureau, if properly provided for, will play an exceedingly important part in the development of the business of manufacturing instruments of precision in this country, and through that business, as well as in more direct ways, will bear very great value to the industries of the country.

It has long been recognized that it is a proper function of government to provide standard weights and standard measures of length and volume. In the progress of our industrial development other measures, such as those of heat, electricity, potentiation, etc., have assumed a rank of almost equal importance with those of weight, length and volume, and it is our judgment that it is equally important that the Government should provide itself with accurate standards.

The preparation of such standards of the work be done in such a way as to command the respect of the technical and scientific public, is an extensive and difficult undertaking, and requires an ample material equipment, as well as a large and well-trained technical staff.

Among foreign countries, Germany in particular has very much outstripped us in this respect. For a number of years their Imperial Institute, Reichsanstalt, has been magnificently supported by the Government, and as a result manufacturers of scientific instruments have been at a great disadvantage in competing, even in this country, with German manufacturers. The German instrument makers are always in position to offer an authoritative certificate of the Reichsanstalt, while American makers have been able to offer the maker's guaranty of accuracy. As a result of these conditions, the manufacture of scientific instruments has developed very extensively in Germany, and they have a world-wide business which plays a part of high importance among their manufactures, and Germany annually exports to us a large amount of scientific instruments and apparatus which might be, and in our judgment ought to be, made in this country.

The possibility of furnishing apparatus certified by the National Bureau of Standards enables us to compete with German manufacturers in our line to very much better advantage than we have ever been able to do before. Compared however, with the Reichsanstalt, which the writer visited some years ago, the National Bureau of Standards is still very much handicapped in the work of equipment and facilities for doing the work which they are undertaking.

You of course appreciate that the National Bureau of Standards has a much wider and more important bearing on the industries of this country than the development of the business of manufacturing instruments of precision. In practically all of our large industries instruments of precision play a very important part.

It seems to us exceedingly important that a country having the numerous industries that ours does should be in position to manufacture the instruments of precision whom these industries demand. In order to successfully compete with foreign manufacturers and to offer to our large industries the advantages of a domestic source of supply, it is absolutely necessary that the National Bureau of Standards be equipped to carry out the work on the lines which they have laid down, and we hope that you will do everything in your power to secure for the Bureau a liberal appropriation.

The manufacture of scientific instruments is a business in which Philadelphia has played an important part and taken a front rank. The National Bureau of Standards is in position to very materially aid the Philadelphia industry, if it is sufficiently supported to do its work in proper manner.

Very truly, yours,

THE LEEDS & NORTHRUP CO.,
Per M. E. LEEDS.

Mr. MANN. May I make inquiry of the gentleman who has charge of the bill in reference to this Bureau? I was at the Bureau a few days ago in reference to getting some microscopes for use, and I was told, as one instance, for instance, probably the same one referred to by the gentleman from Ohio—that they had just received a thousand thermometers from one manufacturer to calibrate.

Mr. BINGHAM. I think that is in my statement.

Mr. MANN. Now, is there any officer connected with the Bureau under the appropriation bill authorized, if necessary, to expend money in addition to the appropriation or employ officers additional to those now appropriated for in order to do this work, which is to be paid for by outside manufacturers without expense to the Government?

Mr. SHAFROTH. If the gentleman will allow me a minute, I had some connection with framing this bill, or, rather, was on the committee which recommended it, and the number of employees which were suggested at the time was thought would be sufficient for some time at least to do the work that would come in. I do not think there is authority to employ anyone beyond that; that is, that they could employ a force to meet all contingencies.

Mr. MANN. So there is no question about that.

Mr. BINGHAM. There are no restrictions at all.

Mr. HITCHCOCK. Mr. Chairman, I had the pleasure of going through this Bureau a short time ago, and I think perhaps I can say a word or two which will enlighten those not familiar with this work. Every great nation, and among the leading ones Germany and Great Britain, has a bureau of this sort. The working of the Bureau tends to develop the industrial resources of the country, to standardize the important instruments of measurement, and is the resort of civilization toward development of crude ideas which every government has taken when it adopts the foot or other standard of measurement. The crude idea may be seen in Guildhall in London to-day, where the old brass yard rule stands embedded in masonry in full public view; and those who visit this Bureau in Washington will find that scientific, careful, and intelligent effort is being made to develop the resources of industrial enterprise of this country by doing for the people as a whole what they can not do for themselves.

As an illustration and instance, thousands and hundreds of thousands of dollars' worth of electricity are being sold every day, and yet none of us who buy electricity know anything whatever about the means of measurement under which the electricity is sold to us. In this one work of standardizing electric meters this Bureau is doing an important work. I know nothing about the details of this section of the bill, but I am satisfied from conversation with the head of the Bureau, and with those scientific men under him, that a very valuable service is being rendered to the people of this country, a service which could not possibly be rendered in any other way, and I believe it is a great function of organized government to carry on this work. I hope, Mr. Chairman, that the recommendations of the committee, which has considered this matter intelligently, may be carried out. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BOUTELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 255. An act for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The committee resumed its session.

Mr. SHAFROTH. Mr. Chairman, I move to strike out the last word. I want to say a few words in relation to this appropriation. The committee, of which I am a member, investigated the matter of the necessity for the framing of a law providing for this Bureau, and we had a number of scientific gentlemen who testified as to the importance of such a law. Previous to the establishment of this Bureau most of the manufacturers of instruments of precision had to send them to Germany for the purpose of having them tested, and upon that test and certificate from the laboratory at Berlin these instruments were placed on the market in the United States. Not only was that of great inconvenience to our manufacturers, but the German manufacturers, by reason of offering their goods certified by the German bureau, had an immense advantage in the markets of the world.

It was thought by the men who were manufacturing these instruments here that it would be of great advantage to the United States if we had a central bureau where these tests could be made, and the instruments, under the certificates of this Government, could be sent into the markets of the world as being perfect instruments of precision.

I am satisfied that the work of the Bureau has been most excellent. It has only been created about two years, and its work, I understand, is very large. The manufacturers in the United States are taking advantage of sending to it all the delicate instruments of precision for test and certificates. It will soon have a reputation for perfect work which will materially assist our manufacturers in capturing in such lines the markets of the world. I have no doubt but what this appropriation is a wise one for the Government. [Applause.]

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 3. That the appropriations herein made for the officers, clerks, and employees in the public service shall not be available for the compensation of any persons nominated for performing such service.

Mr. CHARLES B. LANDIS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

At the end of section 3, page 52, add the following: "No part of any money appropriated by this act [illegible] for paying expenses of horses and carriages [illegible] other than those provided for in the United States and heads of Executive Departments and the secretary of the President."

Mr. MANN. Mr. Chairman, I raise the point of order on that, or I will reserve it if the gentleman wishes.

Mr. CHARLES B. LANDIS. It is a limitation on the expenditure.

The CHAIRMAN. The Chair understands that the gentleman reserves the point of order.

Mr. MANN. It may be, Mr. Chairman, that the point of order does not lie. It would not if it was purely a limitation upon the appropriation.

Mr. CHARLES B. LANDIS. I would like to ask the chairman of the committee what specific provision is made by the Congress for the purchase and expense of keeping of the various vehicles used by persons other than those mentioned in my amendment. How many are in use, if the gentleman knows?

Mr. BINGHAM. I will state to the gentleman that it comes in the contingent allowance of all the Departments.

Mr. HEMENWAY. Mr. Chairman, I do not think the gentleman from Pennsylvania heard the particular question of the gentleman from Indiana. There is no appropriation carried in this bill that warrants the use of carriages other than those named in the gentleman's amendment, except for official purposes where it is necessary in their official duties. In other words, there is no appropriation carried in this or any other bill for carriages for anyone in connection with the Government, except for official purposes, and no direct appropriation for carriages, even for the Secretary.

Mr. CHARLES B. LANDIS. Mr. Chairman, that is as I supposed, and yet it is a fact that if the horses and carriages, with their coachmen, paid for out of money appropriated by Congress, were lined up on Pennsylvania avenue, they would extend, possibly, from the Peace Monument to the White House.

Mr. LITTLEFIELD. Possibly, he says.

Mr. CHARLES B. LANDIS. The expense that is now borne by the Government in this regard has attracted the attention of the country, and unless the Congress puts some limitation upon the expenditure, it promises to become a national scandal. I am informed that in the estimate made by the head of one of the Departments for the coming year, the estimate being made by a gentleman who had not in that capacity made an estimate before, there was a provision for seven coachmen.

Had he been onto the ropes he would have had the estimate specify "seven laborers," and after he got them would have assigned them to do duty as coachmen. This is the way it has been done by the heads of the other Departments for years—"laborers" have been metamorphosed into "coachmen," have been equipped with silk hats and with boots and placed upon the box, where they have done service in approved fashion for persons other than those mentioned in my amendment; and unless the Congress takes some action in this matter it is only a question of time when all the assistant secretaries, all the chief clerks, all the clerks—in fact, all people on the Government pay roll, except Senators and Representatives, will be riding in carriages guided and directed by coachmen, and all the expenses paid by the Government of the United States! I would say in this connection, Mr. Chairman, that the judges of the Supreme Court pay their own carriage hire. The Speaker of this House pays his carriage hire. The Vice-President of the United States pays his carriage hire. But scores of undersecretaries, commissioners, chiefs of bureaus, and others ride in state at public expense. The money thus used is diverted from the legitimate channel, and it is to correct this abuse that I offer this amendment. No money used in this way has been used with the sanction of this Congress, and the abuse is becoming so flagrant that I insist that it is time for us to put some limitation upon the expenditure.

The CHAIRMAN. The Chair would ask the gentleman from Indiana [Mr. CHARLES B. LANDIS] if the appropriation for carriages and horses and drivers in this bill is a lump appropriation, or is it made for a specific purpose?

Mr. CHARLES B. LANDIS. Mr. Chairman, as I understand it, it is not made at all.

Mr. BINGHAM. It is not.

Mr. CHARLES B. LANDIS. It is not made at all, and the heads of these Departments take advantage of some of these appropriations and they turn the money in such a way that it can be taken advantage of by their subordinates. We make appropriations for wagons, and behold, they turn up as carriages; we make appropriations for laborers, and lo, they turn up as coachmen; we make appropriations that contemplate the purchase of draft horses, when the money goes to gladden the heart of some fellow ambitious to drive the streets behind a fashionable horse with high knee action, in a vehicle that would pass muster in an inaugural procession. [Laughter.]

Mr. BUTLER of Pennsylvania. Mr. Chairman, I would ask the gentleman to what class of public service does this right extend?

Mr. CHARLES B. LANDIS. As a right, it extends to no class.

Mr. BUTLER of Pennsylvania. But the practice goes how far?

Mr. CHARLES B. LANDIS. As I understand it, in the Interior Department there are eight or ten carriages used by subordinates.

Mr. BUTLER of Pennsylvania. Who are they, may I ask?

Mr. CHARLES B. LANDIS. In the State Department there are quite a number used by subordinates. I am surprised that the gentleman from Pennsylvania [Mr. BUTLER] would place me upon the witness stand in this regard, because——

Mr. BUTLER of Pennsylvania. It is astonishing to me, Mr. Chairman, that is all.

Mr. CHARLES B. LANDIS. It is nevertheless true, and for that reason I offer the amendment placing the limitation on these expenditures. It is an outrage on this House and it is an outrage on the country.

Mr. HEMENWAY. Mr. Chairman, there is no appropriation carried in any of the appropriation bills which authorizes the hiring of the carriages mentioned by the gentleman from Indiana [Mr. CHARLES B. LANDIS], unless some construction is put upon the appropriation by the heads of Departments that ought not to be placed upon the appropriations carried in these bills, and if the abuse exists—and I have no doubt it does—the Committee on Appropriations, or at least the chairman of the Committee on Appropriations, is perfectly willing to see this amendment adopted.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman a question, if he will yield.

Mr. HEMENWAY. I will yield.

Mr. CHARLES B. LANDIS. Is it not true that in the estimate presented to the Committee on Appropriations for one of the Departments there was an estimate for seven coachmen?

Mr. HEMENWAY. That is true.

Mr. CHARLES B. LANDIS. And will the gentleman inform me what was expected of those seven coachmen? In other words, for whom were they to officiate?

Mr. HEMENWAY. I have no doubt that the gentleman who sent me that estimate expected that there would be necessity for seven coachmen in his Department.

Mr. CHARLES B. LANDIS. For whom?

Mr. HEMENWAY. Evidently for subordinates in that Department. That is one thing that called the attention of the Committee on Appropriations to this item, and we are very glad indeed that the gentleman from Indiana [Mr. CHARLES B. LANDIS] has offered his amendment. If he had not done so, I am very sure the amendment would have come from some member of our committee.

The practice has grown up to allow carriages to subordinates of different Departments. It was never authorized by law, it is not authorized by law now, and, as I understand, the Comptrollers of the Treasury have once or twice held that these accounts could not pass. But in different ways—I do not know just how—the parties concerned succeeded in getting their accounts passed by the Auditor and by the Comptroller. I am very sure that the Comptroller at least has not understood what the money was used for, or he would not have passed the accounts.

The only provision of this nature that has ever gone into any of these appropriation bills has been for carriages for official purposes. We all know that the Secretary of State must have at times a carriage for official purposes; that the Secretary of War and the other Cabinet officers must have their carriages for official purposes; but beyond those Secretaries and the secretaries to

the President I see no reason why any officer should have a carriage for official purposes.

Of course, the carriage of some one of the Secretaries may be used at times by some subordinate to come up here to the Capitol, or to go to the White House, or anywhere else about the city on official duty. But I am told by the gentleman from Indiana [Mr. CHARLES B. LANDIS] and by numerous other Members that a large number of carriages used by Government officials in the city of Washington are not used for official purposes at all, but for social purposes—for making social calls around the city, etc. If that is true, the abuse ought to be stopped; and I believe the amendment offered by the gentleman from Indiana [Mr. CHARLES B. LANDIS] will cure the evil.

Mr. HULL. I wish to ask whether it is news to the gentleman from Indiana [Mr. HEMENWAY] that heads of bureaus, assistant secretaries, and others, have heretofore had carriages at Government expense. I supposed the gentleman's committee had provided for them, because they all have them.

Mr. HEMENWAY. I do not believe that the gentleman supposed anything of the kind, because he is a very active and energetic Member, and has been in the habit of investigating bills reported to the House, and in no bill ever reported here from the Committee on Appropriations has provision been made for such purposes.

Mr. HULL. I am entirely serious in this matter. I have had such confidence in the Committee on Appropriations that I have not even scrutinized their bills, and when these carriages were used I supposed, of course, it was in accordance with law.

Mr. HEMENWAY. Well, the gentleman was wrong in his supposition. As a Member of the House he should inform himself as to the law. The Committee on Appropriations has repeatedly put the question to the heads of Departments when they came before us as to how many carriages they had. They have constantly avoided answering specifically, and we have never been able to ascertain how many carriages they have in these different Departments. The hearings of a year or two ago will show that in the Department of State they claimed there were but two carriages—those used by the Secretary—one a closed carriage for winter and the other an open carriage for summer. It has been claimed on the part of the Post-Office Department that there were but two carriages in use by that Department—one a closed carriage for winter and one an open carriage for summer. It has been constantly claimed by the heads of these Departments that there was no carriage used except for official purposes.

[Here the hammer fell.]

Mr. CHARLES B. LANDIS. I hope the gentleman will be allowed ten minutes more if he so wishes.

There was no objection.

Mr. HEMENWAY. Yet I am told by Members of Congress, and in going along the street I am witness to the fact, that there are subordinates riding in carriages. In such cases, however, we have no means of ascertaining whether the carriage belongs to the Government or to the individual except when these parties are brought before our committee; and we have been unable at all times to ascertain just how many carriages paid for by the Government were in use. If the gentleman is anxious to suppress this wrong, there will be a good opportunity in a few minutes to vote for an amendment which we think will cure the evil.

Mr. COWHERD. I want to ask the gentleman from Indiana if it is not a fact that in these appropriation bills there is what is known as a "miscellaneous item" for each of these various Departments, and that under that item they get carriage hire and the Comptroller passes it?

Mr. HEMENWAY. The Comptroller, in a case about a year ago, where his attention was called to this matter, declined to pass an item for carriage hire. That is the only decision I know of made by the Comptroller on this point.

Mr. COWHERD. That is where they get the carriage hire, is it not, under the miscellaneous expenditures?

Mr. HEMENWAY. I am not informed as to just how they get it. I think they get it in by representing that it is for the use of wagons and horses used for official purposes. Here is the item that is carried in all the bills:

> For miscellaneous expenses, including care and subsistence of horses, to be used only for official purposes, repairs of wagons, carriages, and harness, rent of stable, telegrams, and sundry apparatus and repairs to the same and other items not included in the foregoing:

But in every item the language runs—

> To be used only for official purposes.

As the gentleman knows, in all our great Departments there is necessity for horses and wagons, and in each of them for at least one carriage for official purposes.

Mr. BUTLER of Pennsylvania. Can the gentleman tell us how long this practice has been growing?

Mr. HEMENWAY. It has been running many years. I am informed that it was one of the issues in the campaign twenty-five years ago.

Mr. BUTLER of Pennsylvania. Is the amendment broad enough, in the gentleman's opinion, to destroy the practice?

Mr. HEMENWAY. I hope it is.

Mr. LACEY. I do not know whether I am correctly informed or not, but I understand these carriages belong now to the Government. Suppose we pass this amendment as offered by the gentleman, will it meet the evil in disposing of them or preventing their further use?

Mr. HEMENWAY. If the gentleman will permit me right there. I can answer his question.

Mr. LACEY. There should be a further amendment, should there not?

Mr. BINGHAM. I think the gentleman's amendment is broad enough.

Mr. HEMENWAY. There is a general law which provides that all property that can not be used by the Government shall be appraised and sold and the proceeds covered into the Treasury. Under this general law all these horses and carriages could be sold without any trouble.

Mr. GROSVENOR. Mr. Chairman, I am surprised at the situation that has been developed by the presentation of this amendment, and the statement made by the distinguished chairman of the Committee on Appropriations.

I only want to call attention to the singular condition that we have drifted into in regard to this very matter. The Speaker of the House of Representatives is an officer second in importance in the United States, not only in the influence that he has upon the legislation and welfare of the country, but in the dignity of his great office as the presiding officer of the House of Representatives—that body which is the representative of the popular sovereignty of the country. Yet we find that by some process of evolution or accretion we have a long train of carriages furnished to subordinate officers of the Departments, heads of bureaus, and so on, while the Speaker of the House of Representatives has never been furnished, so long as I can remember, with a carriage. He rides in a street car. The present Speaker goes afoot a good deal of the time, or he goes in a carriage of his own procurement.

Now, I give notice of one thing. It is due to the dignity of the House of Representatives, and it is due to the people of the United States, that that thing shall cease. At the proper time there ought to be a carriage and driver, and everything appertaining to a carriage consonant with the dignity of the office of the Speaker of the House of Representatives.

Mr. CHARLES B. LANDIS. And the Vice-President.

Mr. GROSVENOR. I am not speaking of the Vice-President now. Of course, I agree. The governor of the State of New York, as I understand, is furnished with carriages and horses. Certain it is that the State of Pennsylvania furnishes its governor with a carriage and horses and all those things.

Mr. BINGHAM. A house and equipment.

Mr. GROSVENOR. A house and equipment, and a large salary——

Mr. BUTLER of Pennsylvania. And a bouquet every day. [Great laughter.]

Mr. GROSVENOR. Well, the speaker of the House of Representatives would decline the bouquet. Now, I do not propose to inject any amendment here. It would be in the nature of new legislation, and would be out of order upon an appropriation bill, nor do I believe that the present Speaker of the House would approve of a suggestion of that kind coming during his term. But if I am alive a year from this time I shall certainly offer an amendment to an appropriation bill proposing the provision which I have suggested for the Speaker of the House of Representatives.

Mr. OLMSTED. Why not do it while you are alive. Put it in now.

Mr. HEMENWAY. I find that there is upon the Post-Office bill a provision for hiring a vehicle to be under the supervision of the First Assistant Postmaster-General. It is claimed that a portion of this or some other fund on that bill is used for carriage hire. Now, I would like to ask my friend from Iowa, the chairman of the Committee on Military Affairs, whether there is any provision of that kind on his bill?

Mr. HULL. There are none from that committee.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman what that appropriation is made for?

Mr. HEMENWAY. I understood that there were some provisions of that kind made in the army appropriation bill that comes from the gentleman's committee. The Committee on Appropriations has been trying to get at this matter for some time, but it is a matter that takes some time to develop.

Mr. GARDNER of New Jersey. If the gentleman will yield, I would like to give him information concerning that.

Mr. HEMENWAY. I hope gentlemen having in charge appropriation bills will aid me in every possible way, when we can all get together and see if we can not find the items which pay for the use of these carriages. I have been trying for three or four years to find out, but have not been able to do so.

Mr. GARDNER of New Jersey. At this point I would like to state to the gentleman——

Mr. HEMENWAY. Do not interrupt me just in the middle of a sentence.

Mr. GARDNER of New Jersey. It is applicable to this point of the gentleman's statement.

Mr. HEMENWAY. I will yield to the gentleman later.

I have been trying for three or four years to locate the appropriations out of which these carriages were paid for, but have been unable to do so. I have asked the different heads of the Departments about these carriages, and all I have been able to learn is that they had a summer and winter carriage for the Secretary.

Mr. GARDNER of New Jersey. Right at that point. I recollect in the examination of the Assistant Postmaster-General a year ago he testified upon that point that it was $600 for a vehicle to be under the control of the First Assistant Postmaster-General. That will be shown in the testimony taken at the time to be specifically for a screen wagon, to transport mail from one Department to another in the District of Columbia.

Mr. CHARLES B. LANDIS. How does the gentleman know it was a screen wagon or a carriage that this $600 was wanted for?

Mr. GARDNER of New Jersey. I have stated that I know it was explained before the committee what this item was wanted for and what it would be used for. That is all I know.

Mr. HEMENWAY. When they were before the Committee on Appropriations, trying to get this, they were a little bit more frank and did not get it.

Mr. CHARLES B. LANDIS. Does the gentleman from Indiana mean to say that that money was used for some other kind of vehicle than the screen wagon for which it was specifically appropriated?

Mr. HEMENWAY. We have heard the same sort of statement about these carriages, and it is evidently used for some purpose.

Mr. CHARLES B. LANDIS. By the First Assistant Postmaster-General.

Mr. HEMENWAY. I do not know whether the gentlemen we see riding around in these carriages own them or the Government owns them. We know that they are rich enough to own carriages, that usually they are men who have wealth enough to buy one of their own, and I do not know whether they own them or the Government does.

Mr. OLMSTED. I would like to ask the chairman of the Committee on Appropriations if he knows whether any of the many skilled laborers paid for out of this and other appropriations are used as coachmen?

Mr. HEMENWAY. I am not able to tell whether this is so or not. I do not know.

Mr. BINGHAM. I will answer the gentleman's statement more at length. It was disclosed in the hearings upon this bill——

The CHAIRMAN. The Chair has recognized the gentleman from Illinois.

Mr. MANN. I would always be glad to yield to the gentleman from Pennsylvania in charge of the bill, but I am perfectly well aware he will have his opportunity to speak after I have finished. Mr. Chairman, I reserved the point of order upon this item because it never seemed to me wise to get legislation in this hasty manner. I am satisfied that the amendment, however, being a limitation purely upon this appropriation bill, is not subject to the point of order, and I call the attention of the gentleman who introduced the amendment and of the gentlemen upon the Appropriations Committee that very likely the amendment goes far beyond what they have in their minds. Just what would be construed to be covered by the amendment no one can say, probably, until the Comptroller of the Treasury has passed upon it. Here is an amendment proposing that no money appropriated by this act shall be used for the purpose of hiring a driver. For what purpose, say, a driver for an officer of the Government? Very well. Then I say no such drivers are now employed under that head; but if it be to have it so that it can not be used for the employment of a driver for use under the control or direction of one of the officers of the Government, then you close up all of those establishments to a very large extent.

The Public Printing Office, for instance—I do not know whether the Public Printer has a carriage and a driver, but I know he has drivers under his control. If this amendment stops the hire of these drivers, what becomes of the orderly procedure of business under the Public Printer. The amendment does not cover what it purports to cover: it is either too narrow or it is too broad. Everyone here would like to see done away with abuses of the Government. There is a proper way of reaching these things. I have no doubt that the Committee on Appropriations and the other committees will investigate these matters. Every Department of the Government is required to employ wagons and drivers. The heads of Departments under this amendment may purchase and employ automobiles for their own use, but the Departments in their orderly course of business can not transact the business with automobiles, and after this amendment becomes a law we might be met with the spectacle of heads of bureaus riding in automobiles to work, but the work of their Departments was being interfered with because there was no authority to employ drivers.

Mr. BINGHAM. Mr. Chairman, in every paragraph in this bill relating to a single Department, or all the Departments which are covered by it, these words, "For the purchase of carriages and care of horses and vehicles, to be used only for official purposes," are a part of the paragraph.

That is the qualification in all the paragraphs covering the details of departmental contingent expenses. Further, it was disclosed in the hearing for the Department of State that they in the estimates submitted for three coachmen. In justice to one of the gentlemen, I believe Assistant Secretary Adee, it was stated that he used his own carriage.

In the bill further appears, for the State Department, that the carriage used by the Secretary had been purchased seventeen years ago, and it was then a second-hand carriage. We have given in this bill a thousand dollars for the purchase of a new carriage for the Secretary.

Mr. GAINES of Tennessee. Secretary who?

Mr. BINGHAM. The Secretary of State.

Mr. GAINES of Tennessee. Will the gentleman state what he means by "official purposes?" Do you mean for official visits?

Mr. BINGHAM. Of course, it is limited.

Mr. GAINES of Tennessee. Does the gentleman mean social visits? That is what they are used for—I do not mean, of course, in this case.

Mr. BINGHAM. No, we have no knowledge of the Secretary using his carriage for any other than official purposes.

Mr. GAINES of Tennessee. I know, as a matter of fact, that officers' families use them in making social visits.

Mr. BINGHAM. Very well; I am in no wise against the proposition of the gentleman from Indiana, but I want to explain fully everything in connection with the hearings on this bill. It has been stated by the gentleman that seven coachmen have been requested in the Book of Estimates, or asked for. It was disclosed in testimony that one Department desired eight hostlers. We made inquiry and found that they were to be used as coachmen, and the committee disallowed them; and we also disallowed the three coachmen for the State Department.

In no wise throughout this bill is there any recommendation for coachmen, but this fact was disclosed: The carriages are perhaps used by chiefs of bureaus, but we had no testimony that went to the fact that they were used for private, personal, or social purposes, but in each paragraph of the bill we have restricted them as far as we could go. I make this statement in justice to the Committee on Appropriations and for the information of this committee.

One word more. This is not new, either as an alleged practice or alleged use of carriages. It has run for years past that the Departments have been using under the appropriation for laborers that body of men as drivers for the wagons or carriages.

Mr. CHARLES B. LANDIS. How many years back?

Mr. BINGHAM. It has been running for years and years—as long as I have been a Member.

Mr. HULL. I would like to ask the gentleman if that has not been so ever since he entered Congress?

Mr. BINGHAM. It has been the rule always.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman another question. Does not the gentleman think that it is time to correct this abuse?

Mr. BINGHAM. I am in favor of the gentleman's amendment.

Mr HULL. Mr. Chairman, I rose to state something in the line of what has been said in the closing remarks by the gentleman from Pennsylvania. The character of the discussion seemed to lead the country to believe that this was something very recent, when as a matter of fact it has been going on at least ever since I have been in Congress. So far as I am concerned, if it was provided for by Congress, I would have no criticism to offer.

So far as the army bill is concerned we have never made appropriation for carriages for the Secretary of War, the Assistant Secretary, or any heads of bureaus. There are appropriations in there for horses for the Army; whether any of them are used for other purposes I am not able to say, but I do know that the Secretary of War has a carriage out of the expenses of the Government, and, in my judgment, very properly so.

I know that the Assistant Secretary of War has had a carriage. I know that the Commissioner of Pensions and other bureau

officers have had carriages during all my term of service in Congress. What I want to give out to the country is that this is not something that has grown up in the last three or four years, but something that has been the policy of the Government for many years in the past. I assume that it is lawful. If it is not lawful, the sooner we cut it off the better; and the sooner we pass a law saying who shall have carriages and who shall not have carriages at the expense of the Government the better.

Mr. CANDLER. Mr. Chairman, I heartily favor the amendment of the gentleman from Indiana [Mr. CHARLES B. LANDIS], which proposes to put an end to Government officials riding around here in carriages at public expense. The distinguished gentleman from Illinois [Mr. MANN] said the question was whether or not the amendment did not go too far. From the disclosures made in response to questions asked the chairman of the Committee on Appropriations [Mr. HEMENWAY] it seems to me the only question is whether or not it goes far enough. He says that there is no positive enactment of law furnishing carriages to many officials who use them and that the committee has been trying to find out how they are provided and in what way they are paid for, but that the committee had been unable so far to get the information or to prevent this unnecessary and unlawful expenditure of the public money. If he, with all the power that he possesses, the opportunity which he has, is unable to find out how these carriages are provided, or by whom they are used and how they are paid for, then it seems to me some amendment or some law should be adopted or passed that would require the heads of Departments to specify in so many words, in written terms and figures, exactly what vehicles they use, how they are paid for and from what fund, and for what purpose they are being used.

The chairman of this great committee says that appropriations have been made for wagons, describing the wagons, and that he is informed—while he does not know—that this appropriation is taken and used for the purpose of providing carriages, not only for the heads of Departments, but for subordinates as well. This is another character of "grafting" of which we had not heretofore heard and from which might spring another scandal, among the many we already have, if properly investigated. Hence it seems to me that there is a question as to whether the proposed amendment goes far enough, for it certainly does not go too far. For this abuse should be promptly stopped, and if this amendment will stop it, it ought to be adopted. Being assured by such high authority as the distinguished chairman of this great committee, who is a man of the highest integrity and honor, that it will stop it, I am content to vote for the amendment as offered. The people's officers, who are their servants, not their lords, are no better than the people themselves, and many of them not as good as the honest horny-handed yeomanry of this land, who are the "salt of the earth" and the defenders of the Government in war and in peace, and why should they be sailing around in carriages at the expense of the people, who are the taxpayers and the burden bearers? [Applause.]

The whole practice as it has grown up in this city is a miserable piece of business, which should be condemned in no uncertain terms and put an end to, now and forever. If these gentlemen who have been using those carriages to which they have had no right in law or in morals want to ride in carriages, nobody will object, provided they go down in their own pockets and pay for them out of their own funds and not filch the money out of the Treasury of the United States with which to pay the bills. I am not opposing men riding in carriages, buggies, wagons, or other vehicles, anything that suits their taste and their own pocketbook, but I am strenuously opposed to public officials, or anybody else for that matter, riding in vehicles to which they are not entitled at public expense, thus squandering the people's money to put on style or to gratify their desires for display and luxury and to accommodate their own comfort without authority of law and in violation of law. Such expenditure of public money might well be looked after by those high in authority and the guilty ones made to suffer for their wrongdoing, and this small and large filching of the public moneys sternly and emphatically stopped, and stopped permanently. [Applause.]

Now, then, the gentleman from Ohio [Mr. GROSVENOR] says that he gives notice that if he is in Congress a year from now he will offer a bill providing for a carriage for the Speaker of the House of Representatives. Judging from the past, I presume he will be here a year from now, because nobody knows how long he has lived in the past and it is reasonable to presume that he will live a great deal longer in the future, and therefore he will be here. [Laughter.] The gentleman said he would not offer it at this time because the distinguished Speaker of this body now walks, or sometimes rides upon a street car, and he does not believe that a bill to provide a carriage for him would meet with his approval at this time. A noble and honest man he is and an honor to the high office he holds. I want to serve notice upon the gentleman from Ohio and you Republicans that the next Speaker of this House will be one of the same kind of men in that respect—a plain citizen who will not want to ride in a carriage, but one who will represent the plain people of the United States of America and their interests, and want to live as they live and be a fit representative of them. He will be an old-fashioned Democrat. [Applause on the Democratic side.]

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Indiana. The Clerk will again report the amendment for the information of the committee.

The Clerk again read the amendment.

The question was taken, and the amendment was agreed to.

The Clerk proceeded and completed the reading of the bill.

Mr. BINGHAM. Mr. Chairman, I ask unanimous consent to go back to page 139 for the purpose of offering an amendment. The amendment of the committee was overlooked; it only reduces the sum total of the amounts.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to return to page 139 for the purpose of offering an amendment, which the Clerk will report.

The Clerk read as follows:

On page 139 strike out lines 13, 14, and 15 and insert in lieu thereof "for special agents and detailed employees to secure information for census reports provided for by law, $33,000."

Mr. BINGHAM. Mr. Chairman, that is simply to make the bill consistent.

The CHAIRMAN. The question on the amendment just reported.

The amendment was agreed to.

Mr. LIVINGSTON. Mr. Chairman, I give notice that in the House I shall ask for a separate vote—a yea-and-nay vote—on the amendment reducing the salary of the Director of the Census.

The CHAIRMAN. That is entirely unnecessary, as every Member has that right in the House.

Mr. BINGHAM. Mr. Chairman, there is one other matter to which I wish to return, and that is with reference to the Library. By unanimous consent the House passed, at my request, a proposed matter in reference to the Library, in order that the gentleman from Tennessee [Mr. RICHARDSON] might be heard upon his amendment. He has since informed me that he has withdrawn it. I state this in order to make the record consistent.

Mr. Chairman, I move you, sir, that the committee do now rise and report back to the House the bill and certain amendments thereto, with a recommendation that the bill as amended do pass.

The CHAIRMAN. The gentleman from Pennsylvania moves that the committee do now rise and report the bill back to the House with certain amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The question is on the motion of the gentleman from Pennsylvania.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. BINGHAM. Mr. Speaker, I yield such time to the chairman of the Committee on Appropriations, the gentleman from Indiana [Mr. HEMENWAY], as he may desire.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the four amendments raising the salaries of the governors and secretaries of the Territories of Arizona and New Mexico be voted upon as one proposition. Upon those I am going to demand a separate vote.

The SPEAKER. That request would properly come after debate is closed.

Mr. HEMENWAY. I simply make the request now in order to save time.

The SPEAKER. If there be no objection, the gentleman can make the request at this time.

Mr. SMITH of Kentucky. Mr. Speaker, I would like to understand the request of the gentleman.

Mr. HEMENWAY. It is to avoid having a separate vote on each of these amendments. The question is substantially the same on each, being the raising of the salaries of the governors and the secretaries of these two Territories.

Mr. SMITH of Kentucky. That does not include the provision respecting the civil service?

Mr. HEMENWAY. Oh, no.

Mr. MADDOX. What is the amount of increase?

Mr. HEMENWAY. Five hundred dollars in the salaries of the governors.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. LACEY. Mr. Speaker, there might be a difference in these propositions. It might be proper to raise the salaries of the governors and not the salaries of the secretaries, and the increase in the salaries of the governors ought not to depend upon the increase in the salaries of the secretaries. It seems to me that the two propositions as to the secretaries and the governors should be voted on separately.

The SPEAKER. Objection is made.

Mr. HEMENWAY. Very well. Mr. Speaker, the committee in charge of this bill has brought to this House a bill that did not increase a single salary, believing that the salaries paid by current law were sufficient. In the Committee of the Whole there have been but four increases, one that of the governor of the Territory of Arizona, one that of the governor of the Territory of New Mexico, and the other two the secretaries of those two Territories. The salary of the governor of Arizona is $3,000. He has a contingent fund of $1,000, which is expended by the governor. He does not have to account to anyone for the expenditure of that thousand dollars. I remember that a year or two ago judges of the court in the Territory appeared before the Committee on Appropriations and urged that their salaries should be increased, and when compared with the salary of the governor they suggested that the governor had this thousand dollars of contingent fund, which was used by the governor for entertaining purposes and other purposes and which saves that much of his salary. These claims have been carried at this amount for many years. The secretary's salary has been $1,800 a year. I am told that the fees of the secretary run into the thousands, and that this office has been one of the best offices in the Territory. I understand it was claimed in debate here the other day that the compensation of the Territory had in some way reduced the compensation of this officer; but I have not been able to find that his fees have been taken away.

I sincerely hope, in view of the fact that the committee, after laboring for six weeks, was able to bring this bill into the House without a single increase of salary, the House will not vote for any such increases. The salaries received by the governors of these Territories are higher than those received by the governors of some of the States of the Union. And the officers appointed knew what the salary was when they accepted the appointments. They are ample. The duties are not so great that these salaries ought to be raised.

And I want to say that I was surprised in the Committee of the Whole to see the Democratic side of the House line up and vote almost unanimously to increase these salaries. I sincerely hope that when Members on that side understand this question, as I hope they will when we come to a yea-and-nay vote upon it, they will "practice what they preach" and stand up for economy by voting against increasing these salaries.

Why, sir, away back years ago, under the leadership of a Democratic chairman of the Committee on Appropriations, some of these salaries were reduced. We have been keeping them down to those reduced amounts. The Committee on Appropriations is struggling to keep down salaries and to prevent increases of salaries—to keep this bill clean of such increases. If this House will stand by the committee and vote down these four increases that have been put upon the bill, we can say to the country that we have sent this bill from the House to the Senate without having increased the salary of a single Government official in the United States. I hope the House will take such action.

Mr. SHEPPARD. Will the gentleman allow me a question?

Mr. HEMENWAY. Certainly.

Mr. SHEPPARD. Was not the salary of the assistant stenographer to committees increased from $1,500 to $5,000?

Mr. HEMENWAY. It was not. That is a new position, created at this time, and never before appropriated for in this bill.

Mr. SHEPPARD. The salary, however, was increased on the recommendation of the committee?

Mr. HEMENWAY. The salary now allowed in the bill is the same that has always been carried for those positions. The Committee on Appropriations reported the bill to the House carrying less salary for this position than has heretofore been appropriated for those offices, but we have now fixed the salary at the ordinary amount—the amount we have been paying to the officers holding these positions.

Mr. SHEPPARD. I simply desired to call attention to the fact that the committee after reporting the bill to the House recommended an increase in the amount as reported for this officer.

Mr. HEMENWAY. Certainly.

Mr. SHEPPARD. I wanted to make that matter plain.

Mr. HEMENWAY. The bill simply gives this reporter the amount paid to the other reporters.

Mr. SHEPPARD. I simply wanted that information.

Mr. HEMENWAY. There was no reason why one of the committee reporters should be paid a salary of $3,500 while the others were receiving $5,000.

Mr. LIND. If you are paying stenographers for committees at the rate of $5,000 a year, do you not think that the governor of a Territory ought to have $3,500?

Mr. HEMENWAY. Certainly not, because the ability required by stenographers here on this floor, and those who serve in committees is greater than that required by a governor of any one of these Territories.

Mr. LIND. If the persons holding these positions as Territorial governor have not enough ability to entitle them to the legal salary, why are they not removed?

Mr. HEMENWAY. We can secure all over this country plenty of men able to fill those Territorial positions for even less than $3,000, and they knew what had been appropriated for salary for many years.

[Here the hammer fell].

Mr. BINGHAM obtained the floor and said: I yield to the gentleman from Arizona [Mr. WILSON] five minutes, reserving my right to the floor.

Mr. WILSON of Arizona. Mr. Speaker, the amendment offered yesterday was not to increase the salary of the governor of this Territory, but to increase the appropriation so as to cover the salary allowed by law. The law of the land gives to the governor of Arizona $3,500 a year; and I say it is not enough. Governor Brodie has to-day services to perform such as are required of scarcely any governor of any of the States, because of the many reports, etc., that are required from him by the Federal Government, in addition to his duties in attending to the government of the people of the Territory. In area and in the amount of official business that Territory is beyond almost any of the States. The salary allowed by law is $3,500. If the law is right—and Congress passed the law—then it is right to pay the salary, for it would be a farce to say that the law gives you something and the Appropriations Committee takes it away. The law is either right or wrong, and the law gives it. The appropriation should be made to cover it, and that is all we ask.

Now, I understand it has been said that the governor gets a thousand dollars on the side. I want to say to the gentleman who made that statement that he is mistaken. The thousand dollars on the side that is spoken of is a contingent fund, to be used for purposes not beneficial to the governor at all; to be used for the payment of rewards and things of that character. It does not attach to his salary at all or pay for his services in any respect. Therefore, I say, that can not accrue to him. It accrues to the public service, but not to him. If it is right to ignore a law, to refuse to pay the law's demand, to take away the requirements of the law, then it is right to vote down this amendment and say to the governor of Arizona, "You have it by law, but by the action of this House you shall not have it." I appeal to the fairness of the House for the payment of this honest demand. It is nothing more than a request to this House to comply with the demands of the law, and to give that which the law maintains and for which the law provides.

What does the governor of Porto Rico do more than the governor of Arizona? He is paid $5,000 a year, and all of the duties imposed upon the governor of Arizona are not imposed upon him. The governor of Hawaii, sitting at ease in Honolulu, is paid virtually $8,000. We at home, coming under the flag, who have maintained it, who have gone and bled upon foreign soil for the maintenance of national law, the flag, and national honor, are here only to ask for our governor what the law gives him, what the law requires. [Applause.] Governor Brodie, who went with the President to the field of battle in the Antilles, who was shot by the Spanish, maintained the honor of the country, remembered the *Maine*, and he only asks what the law gives him. Are you going to take it away? We will see. [Laughter and applause.]

Mr. Speaker, I appeal to the manhood and fairness of this House to pay the obligations that the law imposes. That is all. It is a question of duty. Will you obey the law? We will wait and see.

Mr. BINGHAM. Mr. Speaker, I yield five minutes to the gentleman from New Mexico [Mr. RODEY].

Mr. RODEY. The Delegates have just come in on bell call from the Committee on Territories and we do not know what has been said, but I sincerely hope that the House will sustain the amendments put on this bill in the committee. Any gentleman may look at section 1845 of the Revised Statutes and he will find there that the salaries of the governors and secretaries of all Territories are fixed at $3,500 for the governor and $2,500 for the secretary of every Territory. That is the statute. Now Congress has been appropriating a less sum than that for some reason. The salary is wholly inadequate to the duty performed by these men at home there in the Territories. These two Territories are

older than the other Territories, and they should not be treated differently. Look at Porto Rico for a moment. Since you organized it it has never paid any revenues into the National Treasury, as we have done for half a century. I really believe that to-day if you could reckon up the equities in the revenues that have been paid into the National Treasury by New Mexico as compared with what you have given back to her, she would have a large balance in her favor.

If this amendment as to Arizona fails, then the amendment as to New Mexico will fail. It is only $500 and is but what the law requires to be paid to the governor and $700 in each case for the secretary. It is unfair to appropriate less than the law allows. The governor of Hawaii gets $8,000 and all sorts of perquisites. He has a private secretary for himself, apart from the secretary of the Territory, who is given $[illegible] making nearly $10,000 in all that goes to his office, and that Territory has never paid a dollar into the National Treasury, either as it has cost more than its collections, having to pay [illegible] bounties to be paid or taken up.

Look at the [illegible] for every year for New Mexico. It is said you only pay $[illegible] on off years and $80,000 in legislative years, which you would not have to pay even if we were a State, and we were a State. [illegible] you [illegible] if you will permit us to become a State. You have been taking the revenues of her public lands and stamp taxes and customs duties and everything else for [illegible] years. We have, I believe, a large balance to our credit, but Congress at times acts toward the Territories as if there had no [illegible].

I confidently hope every friend we have will let it go as it was announced in the committee. It is just and right. For I say to you, gentlemen, if you go down there and see the duties these men perform you would have no hesitancy in voting for it just like it is. The law fixes it at the amount that we ask for. It is the law to-day. It is not new legislation. I appeal to every friend we have got on the floor of the House on both sides to sustain this amendment. [Applause.]

Mr. BINGHAM. Mr. Speaker, I desire to submit to the House in connection with the paragraph under consideration, upon which there will be a yea-and-nay vote if necessary by the House, that the territories of New Mexico and Arizona, as States to-day, having gone through their period as Territories, learning the value and recognizing all the demands and requirements of their governors as well as their secretaries, have, after careful consideration, reached the conclusion under which they are administered to-day.

Wyoming pays $2,500 to her governor; Utah, $2,000; South Dakota, $2,500; North Dakota, $3,000, and, by reason of legislation of this body, $3,000 is given to the governor of Oklahoma. I am of the opinion that the States know the value and the requirements of their different officials as well as this House seemed to know during the past fifteen or twenty years in the matter of legislation covering New Mexico and Arizona.

I desire this fact to come before the House consistent from the first paragraph to the last: and I think that there has been no evidence or any statement upon this floor wherein there has been any loss to the interests of those two great Territories. When they come into statehood, which now seems probably of early date, these people can fix the compensation for their own officials.

But it seems to me to be wise to follow what seems to be the idea of the great West and Northwest so far as [illegible] of the different [illegible] of those Territories that have merged into States is concerned. Holding the floor, I yield five minutes to the gentleman from Georgia, who desires to make a request.

Mr. LIVINGSTON. I simply wish to make a request for a yea-and-nay vote by the House on the amendment offered in Committee of the Whole House for the reduction of the salary of the Director of the Census from $6,000 to $5,000. I ask a yea-and-nay vote on that amendment.

Mr. BINGHAM. I now move the previous question on the bill and amendments to its passage. I will state to the House that, consistent with my declaration yesterday, I will call for a yea-and-nay vote upon the paragraph covering the Civil Service Commission.

Mr. PAYNE. A separate vote?

Mr. BINGHAM. A separate vote.

The SPEAKER. The gentleman from Pennsylvania moves the previous question on the bill and amendments to its final passage.

Mr. BARTLETT. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentlemen will state it.

Mr. BARTLETT. Whether or not it has been agreed that a separate vote shall be taken upon the question of the amendment increasing the salaries of the governors and secretaries of the Territories of Arizona and New Mexico, and whether the vote will be taken on the salaries of the governors and the secretaries together or separately?

The SPEAKER. The Chair, in reply to the parliamentary inquiry, states that it is in the power of any Member of the House to demand a separate vote upon any one of the amendments when the time comes. The question is on ordering the previous question.

The question was taken, and the previous question was ordered.

The SPEAKER. Separate votes have been demanded on the civil-service amendment, page 33; on pages 71 and 72, touching Arizona and New Mexico, salaries of the governors and the secretaries; and on page 138, touching the Director of the Census. Is a separate vote demanded on any other amendment?

Mr. BARTLETT. I desire the vote separated when we come to vote upon the question upon the increase of the salaries of the governors and secretaries. In other words, I desire a division of the question when we come to that amendment.

The SPEAKER. It is the right of the gentleman to so demand. Are there any other amendments upon which a separate vote is demanded?

Mr. FINLEY. I ask for information. Has a separate vote on the census amendment been demanded?

The SPEAKER. It has. Is there any other amendment on which a separate vote is demanded?

Mr. BINGHAM. These are all the amendments I have knowledge of.

The SPEAKER. The question is on agreeing to the amendments on which a separate vote has not been demanded.

The question was taken on the other amendments in gross, and the amendments were agreed to.

The SPEAKER. The Clerk will report the first amendment upon which a separate vote is demanded.

The Clerk read as follows:

On page 33 strike out all from line 5 to line 25, both inclusive:

"CIVIL SERVICE COMMISSION.

[illegible] $2,250; secretary, $2,250; assistant chief examiner, $2,250; law clerk, $2,000; two [illegible] $720; three laborers; [illegible] examiners acting under [illegible] examinations and [illegible]

The SPEAKER. The question is on agreeing to the amendment.

The question was taken, and the Speaker announced that the noes seemed to have it.

Mr. HEPBURN and Mr. SMITH of Kentucky. Division, Mr. Speaker!

The House divided; and there were—ayes 80, noes 143.

Mr. HEPBURN. I ask for the yeas and nays. [Applause.]

The yeas and nays were ordered.

The question was then taken; and there were—yeas 88, nays 173, answered "present" 6, not voting 115, as follows:

YEAS—88.

[illegible]	Griffith,	Lindsay,	Rhea,
[illegible]	Griggs,	Little,	Robb,
[illegible]	Grosvenor,	Livingston,	Robinson, Ark.
[illegible]	Hamlin,	Lorimer,	Rucker,
[illegible]	Hardwick,	Lord,	Scarborough,
[illegible]	Hay,	Loudenslager,	Shackleford,
[illegible]	Hepburn,	McAndrews,	Sherley,
[illegible]	Hill, Miss.	McCleary, Minn.	Sibley,
[illegible]	Hogg,	[illegible]	Smith, Ky.
Clark,	Hopkins	[illegible]	Snapp,
Darragh,	[illegible] Utah	[illegible]	Stanley,
Davis, Fla.	[illegible] W. Va.	[illegible]	Sterling,
Dayton,	[illegible], Wash.	[illegible] La.	Tate,
[illegible]	Hunt,	Minor,	Vandiver,
[illegible]	James,	Mondell,	Van Duzer,
[illegible]	Johnson,	Morrell,	Van Voorhis,
[illegible]	Kehoe,	Mudd,	[illegible]
[illegible] Ill.	Kitchin, Claude	[illegible]	Wallace,
[illegible]	Kitchin, Wm. W.	[illegible]	Warnock,
[illegible]	Klutz,	[illegible]	Watson,
[illegible]	Landis, Chas. B.	[illegible] Me.	[illegible]
[illegible]	Legare,	[illegible]	[illegible]

NAYS—173.

Adams, Pa.	Burleson,	Drayton,	Goulden,
Adams, Wis.	Burton,	[illegible]	Graff,
Allen,	Butler, Pa.	Dunwell,	Granger,
Ames,	[illegible]	Esch,	Greene,
[illegible]	Cassingham,	Fitzgerald,	Gregg,
[illegible]	[illegible]	[illegible]	Hamilton,
[illegible]	Cochran,	French,	Haskins,
[illegible] Tex.	Conner,	[illegible]	Haugen,
[illegible]	Cooper, Pa.	Gaines, Tenn.	Hemenway,
[illegible]	Cooper, Wis.	Gaines, W. Va.	Henry, Conn.
[illegible]	Cousins,	[illegible]	Henry, Tex.
[illegible]	Cowherd,	[illegible] Mass.	Hill, Conn.
[illegible]	Croft,	[illegible] N. J.	Hinshaw,
[illegible]	Currier,	[illegible]	Hitchcock,
[illegible]	Curtis,	[illegible]	Hitt,
[illegible]	Cushman,	[illegible] N. Y.	Howard,
Brooks,	Dalzell,	[illegible]	Huff,
Brown, Wis.	Davidson,	[illegible] Mass.	Hughes, N. J.
Brownlow,	Davis, Minn.	Gross,	Hull,
Brundidge,	De Armond,	Goebel,	Humphreys, Miss.

Jenkins,	McLachlan,	Reid,	Spalding,
Jones, Va.	McNary,	Richardson, Ala.	Sperry,
Jones, Wash.	Mann,	Rixey,	Stafford,
Kellher,	[illegible]	Roberts,	Stevenson,
Kennedy,	[illegible]	Robinson, Ind.	Stevens, Minn.
Ketcham,	Mercer,	Rodenberg,	Tawney,
Kline,	Metcalf,	Russell,	Thomas, Iowa
Knapp,	Miller,	Ryan,	Thomas, N. C.
Knopf,	Moon, Tenn.	Scott,	[illegible]
Lacey,	Morris,	Scudder,	Underwood,
Lafean,	Otis	Shafroth,	Vreeland,
Lamb,	Otjen,	Sheppard,	Wade,
Lanning,	Overstreet,	Shiras,	Wadsworth,
Lawrence,	Padgett,	Shober,	Weems,
Lester,	Page,	Shull,	Wesse,
Lexer,	Palmer,	Sims,	Wiley, Ala.
Lewis,	Parker,	Slayden,	Wiley, N. J.
Lilley,	Payne,	Small,	[illegible] Ill.
Lind,	Perkins,	Smith, Iowa	[illegible] Ill.
Littlefield,	Pinckney,	Smith, Pa.	Young,
[illegible]	Pearce,	Smith, Tex.	Zenor.
Lloyd	Powers, Mass.	Snook,	
Longworth,	Ramey,	Southard,	
McCleary, Minn.	Reeder,	Southwick,	

ANSWERED "PRESENT"—6.

Baker,	Dovener,	Pou,	Wanger,
Brantley,	Patterson, Pa.		

NOT VOTING—115.

Acheson,	Denny,	Kinkaid,	Sherman,
[illegible]	Dick	Kyle,	Slemp,
[illegible]	Dickerman,	Lamar, Fla.	Smith, Ill
Babcock,	Dixon,	Lamar, Mo.	[illegible] Samuel W.
Badger,	Douglas,	Landis, Frederick	[illegible] Wm. Alden
Beidler,	[illegible]	Littauer,	[illegible] N. Y.
Bell, Cal.	[illegible]	Lovering,	[illegible]
Benton,	[illegible]	Lucking,	[illegible]
Bishop,	Fleger,	McCall,	[illegible]
Bonynge,	Fitzpatrick,	McCarthy,	Stephens, Tex.
Brantley,	Fleck,	McDermott,	[illegible] Mass.
Brick	Fordney,	McLain,	[illegible] N. Y.
Broussard,	Foster, Vt.	McMorran,	[illegible]
[illegible]	Foster,	Madison,	Sulzer,
[illegible]	Gardner, Mich.	Miers, Ind.	[illegible]
[illegible]	Gillespie,	Moon, Pa.	[illegible]
Burke,	Ginger,	Morgan,	[illegible]
Burnett,	Harrison,	[illegible]	Thayer,
Butler, Mo.	Heirst,	Patterson, N. C.	Thompson,
Byrd,	Hedge,	Patterson, Tenn	Townsend,
Capron,	Hermann,	Pearre,	Trimble,
Cassel,	Hilborant,	Pierce,	Volstead,
Cooper, Tex.	Holliday,	Pike	Warner,
[illegible]	Houston,	[illegible] Tex.	Weeks,
[illegible]	Howell, N. J.	[illegible] La.	Williams, Miss.
Crumpacker,	Howell, Pa.	[illegible] Tenn.	Wilson, N. Y.
Daniels,	Hunter,	Rider,	Wright,
Davey, La.	Jackson, Md.	Robertson, La.	Wynn.
Deemer,	Jackson, Ohio.	Rupert,	

So the amendment was not agreed to.

The Clerk announced the following pairs:

For the session:

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Mr. SHERMAN with Mr. RUPPERT.

Mr. CASSEL with Mr. GOOCH.

Until further notice:

Mr. MAHON with Mr. HOUSTON.

Mr. WARNER with Mr. BREAZEALE.

Mr. KNAPP with Mr. CROWLEY.

Mr. NEEDHAM with Mr. LAMAR of Florida.

Mr. ALEXANDER with Mr. SPARKMAN.

Mr. EVANS with Mr. BURNETT.

Mr. POWERS of Maine with Mr. EMERICH.

Mr. CROMER with Mr. GRIFFITH.

Mr. FOSTER of Vermont with Mr. POU.

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. WRIGHT with Mr. BYRD.

Mr. TOWNSEND with Mr. LUCKING.

From January 11 to January 17:

Mr. LOVERING with Mr. PATTERSON of North Carolina.

Mr. BRICK with Mr. MIERS of Indiana.

On this vote:

Mr. DOVENER with Mr. BROUSSARD.

Mr. DEEMER with Mr. RIDER.

For one week, from January 12, 1904:

Mr. GARDNER of Michigan with Mr. TAYLOR of Alabama.

For this day:

Mr. VOLSTEAD with Mr. THOMPSON.

Mr. SMITH of Illinois with Mr. THAYER.

Mr. SMITH of New York with Mr. WEBB.

Mr. McCARTHY with Mr. SPIGHT.

Mr. KINKAID with Mr. SOUTHALL.

Mr. BUCKMAN with Mr. BUTLER of Missouri.

Mr. BOWERSOCK with Mr. BURGESS.

Mr. SULLOWAY with Mr. RICHARDSON of Tennessee.

Mr. McCALL with Mr. PIERCE of Tennessee.

Mr. BISHOP with Mr. HARRISON.

Mr. BEDE with Mr. BADGER.

Mr. HERMANN with Mr. HOWELL of Pennsylvania.

Mr. HEDGE with Mr. McDERMOTT.

Mr. DOUGLAS with Mr. HEARST.

Mr. DIXON with Mr. GUDGER.

Mr. DANIELS with Mr. FIELD.

Mr. JACKSON of Maryland with Mr. RANSDELL of Louisiana.

Mr. FREDERICK LANDIS with Mr. TRIMBLE.

Mr. HINSHAW with Mr. RANDELL of Texas.

Mr. LITTAUER with Mr. SULLIVAN of New York.

Mr. HOLLIDAY with Mr. SULLIVAN of Massachusetts.

Mr. HOWELL of New Jersey with Mr. WILSON of New York.

Mr. CAPRON with Mr. BENTON.

Mr. MORGAN with Mr. WYNN.

Mr. HILDEBRANT with Mr. McLAIN.

Mr. SAMUEL W. SMITH with Mr. GOULDEN.

Mr. FORDNEY with Mr. COOPER of Texas.

Mr. MOON of Pennsylvania with Mr. BELL of California.

Mr. BABCOCK with Mr. WILLIAMS of Mississippi.

Mr. WM. ALDEN SMITH with Mr. SWANSON.

Mr. KYLE with Mr. DAVEY of Louisiana.

Mr. DWIGHT with Mr. ROBERTSON of Louisiana.

Mr. ACHESON with Mr. PUJO.

Mr. DICK with Mr. PATTERSON of Tennessee.

Mr. FLACK with Mr. GOLDFOGLE.

Mr. CRUMPACKER with Mr. TALBOTT.

Mr. HUNTER with Mr. LAMAR of Missouri.

Mr. McMORRAN with Mr. SULZER.

Mr. BROWN of Pennsylvania with Mr. FITZPATRICK.

Mr. WANGER with Mr. ADAMSON.

Mr. FOWLER with Mr. STEPHENS of Texas.

Mr. PEARRE with Mr. BAKER.

The result of the vote was then announced as above recorded.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 71, after the word "governor," strike out the words "three thousand" and insert in lieu thereof the words "three thousand five hundred."

The question was taken: and on a division (demanded by Mr. WILSON of Arizona) there were 71 ayes and 98 noes.

So the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

After the word "Secretary," line 17, page 71, strike out the words "eighteen hundred" and insert the words "two thousand five hundred."

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

After the words "in all" strike out the words "seventeen thousand three hundred" and insert in lieu thereof "eighteen thousand five hundred."

The SPEAKER. That is to correct the totals. Without objection, the amendment will be disagreed to.

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 72, line 6, after the word "thousand," insert the words "five hundred."

The question was taken, and the amendment was rejected.

The SPEAKER. The Clerk will read the next amendment.

The Clerk read as follows:

On page 72, lines 7 and 8, strike out the words "one thousand eight hundred dollars" and insert "two thousand five hundred dollars."

The question was taken, and the amendment was rejected.

The SPEAKER. Without objection, the amendment as to the totals will be disagreed to.

There was no objection.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

On page 138, line 20, Bureau of Census, after the word "Director," strike out the word "six" and insert the word "five."

The question was taken, and on a division (demanded by Mr. COWHERD) there were 53 ayes and 101 noes.

So the amendment was rejected.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time: was read the third time, and passed.

On motion of Mr. BINGHAM, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 7273. An act to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

H. R. 9866. An act making appropriations for clearing the

Potomac River of ice and for the removal of snow and ice in the District of Columbia.

H. R. 9160. An act to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 4, 1903.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2842. An act to amend an act entitled "An act to authorize the Montgomery Bridge Company to construct and maintain a bridge across the Alabama River near the city of Montgomery, Ala.," approved March 1, 1893—to the Committee on Interstate and Foreign Commerce.

S. 255. An act for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.—to the Committee on Claims.

ADJOURNMENT OVER.

Mr. PAYNE. Mr. Speaker, I wish to say a word to the House. To-morrow is set apart, under the rules, for the consideration of bills reported by the Committee on Claims. There is no report on the Calendar from that committee. I therefore move that when the House adjourn to-day it adjourn to meet on Monday next.

The motion was agreed to.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned until Monday, January 18, 1904, at 12 o'clock meridian.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting an estimate for repairs on the Treasury building—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for a disallowance in accounts of postmaster at New York, and for reimbursement of the Holtzer-Cabot Electric Company—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Director of the Bureau of Engraving and Printing submitting an estimate of appropriation for rent of building for storage—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting papers relating to the claim of Jadi bin Ydris—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting papers relating to the claim of Lieut. Col. Charles H. Whipple—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation, reported the same without amendment, accompanied by a report (No. [illegible]), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. POWERS of Massachusetts, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College, in the District of Columbia, and the acts amendatory thereof, reported the same with amendment, accompanied by a report (No. 303); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the Senate (S. 405) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896, reported the same without amendment, accompanied by a report (No. 307); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 9292) in relation to business streets in the District of Columbia, reported the same with an amendment, accompanied by a report (No. 321); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 9311) in relation to the establishment of building lines in the District of Columbia, reported the same without amendment, accompanied by a report (No. 322); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. COWHERD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 3584) to [illegible] the resubdivision of lots or blocks in the District of Columbia, reported the same without amendment, accompanied by a report (No. 323); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SIMS, from the Committee on War Claims, to which was referred the bill of the House H. R. 1141, reported in lieu thereof a resolution (H. Res. 142) for the relief of the trustees of the Cumberland Presbyterian Church, [illegible], Tenn., accompanied by a report (No. 304); which said bill [illegible] and report were referred to the Private Calendar.

Mr. GREGG, from the Committee on War Claims, to which was referred the bill of the House H. R. 3451, reported in lieu thereof a resolution (H. Res. 143) for the relief of Lewis Beneke, accompanied by a report (No. 305); which said resolution and report were referred to the Private Calendar.

Mr. JOHNSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 9252, reported in lieu thereof a resolution (H. Res. 144) for the relief of James H. [illegible], accompanied by a report (No. 306); which said resolution and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2427) granting a pension to Cynthia Thomas, reported the same with [illegible] accompanied by a report (No. 308); which said bill and report were referred to the Private Calendar.

Mr. AMES, from the Committee on Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Dudley R. W. Williams, reported the same with amendment, accompanied by a report (No. 309); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6879) for the relief of R. A. Finnell, reported the same with amendment, accompanied by a report (No. 310); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 475) granting a pension to Alfred C. Isachsen, reported the same with amendment, accompanied by a report (No. 311); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8740) granting an increase of pension to Mary G. Bonesteel, reported the same with amendment, accompanied by a report (No. 312); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 660) granting an increase of pension to John Sines, reported the same with amendment, accompanied by a report (No. 313); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 703) granting a pension to Robert P. Baker, reported the same with amendment, accompanied by a report (No. 314); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5617) granting an increase of pension to William P. Hereford, reported the same with amendment, accompanied by a report (No. 315); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5534) granting an increase of pension to Adaline Shaw Lovejoy, reported the same with amendment, accompanied by a report (No. 316); which said bill and report were referred to the Private Calendar.

Mr. HOGG, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4031) granting an increase of pension to Samuel R. Wasson, reported the same with amendment, accompanied by a report (No. 317); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 1859) granting an increase of pension to Patrick Cannon, reported the same without amendment, accompanied by a report (No. 318); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6582) granting an increase of pension to Harry Haller, reported the same with amendment, accompanied by a report (No. 319); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5538) granting a pension to Jane Elizabeth Bullock, reported the same with amendment, accompanied by a report (No. 320); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9837) to remove the charge of desertion against Archibald Gibson; and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. JONES of Washington: A bill (H. R. 10000) for the relief of volunteer officers and soldiers who served during the Spanish-American war and beyond the period of their enlistment—to the Committee on War Claims.

By Mr. OLMSTED: A bill (H. R. 10001) to establish a permanent military camp ground in the Conewago Valley, in the counties of Dauphin, Lebanon, and Lancaster, Pa.—to the Committee on Military Affairs.

By Mr. JONES of Washington: A bill (H. R. 10002) providing for the payment of mileage to certain volunteer soldiers serving in the insurrection in the Philippines after the signing of the treaty of peace—to the Committee on War Claims.

By Mr. BATES: A bill (H. R. 10003) providing for the better separation and utilization of public and private lands within the limits of railroad and wagon-road land grants in the arid region—to the Committee on the Public Lands.

By Mr. HUGHES of West Virginia: A bill (H. R. 10004) to authorize the Vulcan Coal Company, of Vulcan, W. Va., to bridge the Tug Fork of the Big Sandy River at Vulcan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky—to the Committee on Interstate and Foreign Commerce.

By Mr. CUSHMAN: A bill (H. R. 10005) to authorize the construction of two steam vessels for the Revenue-Cutter Service for duty on Puget Sound, Washington—to the Committee on Interstate and Foreign Commerce.

By Mr. SIBLEY: A bill (H. R. 10006) to provide against entering into a contract by any officer of the Government of the United States of America for products of convict labor—to the Committee on Labor.

By Mr. LAMAR of Missouri: A bill (H. R. 10007) to authorize the Commissioner of the General Land Office to transmit original papers to be used as evidence—to the Committee on the Public Lands.

By Mr. RODENBERG: A bill (H. R. 10008) to compel and regulate the carriage of interstate freight on all railroads engaged in interstate transportation—to the Committee on Interstate and Foreign Commerce.

By Mr. CASSEL: A bill (H. R. 10009) to establish a permanent military camp ground in the Conewago Valley, situated in Lancaster, Dauphin, and Lebanon counties, Pa.—to the Committee on Military Affairs.

By Mr. ROBINSON of Indiana: A bill (H. R. 10010) to provide for the union of Oklahoma Territory and the Indian Territory as one State, and to enable the people thereof to form a constitution and state government and to be admitted into the Union as the State of Oklahoma on an equal footing with the original States, and to make donations of public lands to said State—to the Committee on the Territories.

By Mr. DE ARMOND: A bill (H. R. 10011) to establish a laboratory for the study of the criminal, pauper, and defective classes—to the Committee on the Judiciary.

By Mr. HASKINS: A bill (H. R. 10012) to provide for the appointment of an Assistant Attorney-General for the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

By Mr. DOUGLAS: A bill (H. R. 10013) to provide means to carry United States mails to foreign countries and its possessions in vessels owned by United States citizens, and to furnish cruisers and transports for Navy requirements—to the Committee on the Merchant Marine and Fisheries.

By Mr. WILEY of Alabama: A bill (H. R. 10014) to create a commission to investigate the expediency and practicability of establishing public rifle ranges throughout the United States—to the Committee on Militia.

By Mr. LAFEAN: A bill (H. R. 10015) to authorize and direct the Secretary of War to purchase certain lands on the battlefield of Gettysburg, and making appropriation therefor—to the Committee on Military Affairs.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 10016) that the Librarian of Congress may permit and authorize one or more persons as copyist in Library building—to the Committee on the Library.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 10017) providing for a site and building for a custom-house in the city of Philadelphia, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. MARSHALL: A bill (H. R. 10018) granting to the State of North Dakota 640 acres of land, embracing the White Stone Hills battlefield and burial ground of soldiers killed in that engagement—to the Committee on the Public Lands.

By Mr. MARTIN: A bill (H. R. 10019) providing suitable medals to be presented to certain Sioux Indians in recognition of humane and heroic conduct, and for other purposes—to the Committee on Indian Affairs.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 10020) relating to the pay of mates in the Navy—to the Committee on Naval Affairs.

By Mr. MUDD: A bill (H. R. 10021) for the extension of Shepherd street northwest from Connecticut avenue to Idaho avenue—to the Committee on the District of Columbia.

By Mr. BRANDEGEE: A bill (H. R. 10022) to increase the limit of cost of the United States post-office building at Norwich, Conn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10023) to provide for the acquisition of additional land for the post-office at New London, Conn.—to the Committee on Public Buildings and Grounds.

By Mr. CALDERHEAD: A bill (H. R. 10024) granting pensions to certain soldiers and sailors who served in the war of the rebellion, and their widows—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 10127) to provide for a public building at New Orleans, La.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10128) to provide for a public building at New Orleans, La.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10129) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States—to the Committee on War Claims.

Also, a bill (H. R. 10130) to authorize the Secretary of the Treasury to refund certain moneys collected by the United States—to the Committee on War Claims.

Also, a bill (H. R. 10131) to erect a monument on the Chalmette battle ground, in St. Bernard Parish, La.—to the Committee on the Library.

By Mr. SIMS, from the Committee on War Claims: A resolution (H. Res. 142) referring to the Court of Claims the bill H. R. 1141—to the Private Calendar.

By Mr. GREGG, from the Committee on War Claims: A resolution (H. Res. 143) referring to the Court of Claims the bill H. R. 3451—to the Private Calendar.

By Mr. JOHNSON, from the Committee on War Claims: A resolution (H. Res. 144) referring to the Court of Claims the bill H. R. 9252—to the Private Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. JENKINS: A bill (H. R. 9999) granting an increase of pension to William Edgar—to the Committee on Pensions.

By Mr. AMES: A bill (H. R. 10025) granting a pension to Sarah S. Smith—to the Committee on Pensions.

By Mr. BABCOCK: A bill (H. R. 10026) granting a pension to Clarissa A. Seymour—to the Committee on Invalid Pensions.

By Mr. BARTLETT: A bill (H. R. 10027) granting a pension to Green W. Hodge—to the Committee on Pensions.

By Mr. BINGHAM: A bill (H. R. 10028) for the relief of Philip Lowry—to the Committee on Claims.

By Mr. BRUNDIDGE: A bill (H. R. 10029) granting a pension to Charles E. Arnett—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 10030) for the relief of R. R. Robinson—to the Committee on Claims.

Also, a bill (H. R. 10031) granting a pension to Lilburn H. Baughman—to the Committee on Pensions.

By Mr. DARRAGH: A bill (H. R. 10032) to correct the military record of Andrew J. Drake—to the Committee on Military Affairs.

Also, a bill (H. R. 10033) granting an increase of pension to Edward Farris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10034) granting a pension to Lucinda Vincent—to the Committee on Pensions.

Also, a bill (H. R. 10035) granting a pension to Peter A. Wiltse—to the Committee on Pensions.

By Mr. DE ARMOND (by request): A bill (H. R. 10036) granting an increase of pension to Richard M. Ogle—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 10037) granting a pension to Joe B. Daniel—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 10038) granting a pension to D. W. Snider—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 10039) granting a pension to Margaret C. Hecker—to the Committee on Invalid Pensions.

By Mr. EMERICH: A bill (H. R. 10040) granting a pension to Anna Slea—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 10041) to amend the military record of Henry G. Craft—to the Committee on Military Affairs.

By Mr. GARDNER of Massachusetts: A bill (H. R. 10042) to remove the charge of desertion against the name of Alfred M. Mullins, alias Alfred Mulins, alias Mansfield A. Moulins—to the Committee on Military Affairs.

By Mr. GIBSON: A bill (H. R. 10043) granting a pension to Delilah J. Chambers—to the Committee on Invalid Pensions.

By Mr. GILLETT of California: A bill (H. R. 10044) granting an increase of pension to Robert Gawthorp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10045) granting an increase of pension to George Sluyter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10046) granting an increase of pension to Thomas Jefferson Campton—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 10047) granting a pension to Andrew S. Barker—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 10048) granting an increase of pension to Joseph C. Overell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10049) to correct the military record of Joseph Hairrell—to the Committee on Military Affairs.

By Mr. HILDEBRANT: A bill (H. R. 10050) to remove the charge of desertion from the military record of Josiah Strickley—to the Committee on Military Affairs.

By Mr. HOPKINS: A bill (H. R. 10051) for the relief of John W. Williams—to the Committee on War Claims.

Also, a bill (H. R. 10052) giving military record to William R. Flannery—to the Committee on Military Affairs.

By Mr. JACKSON of Ohio: A bill (H. R. 10053) granting an increase of pension to Charles A. Reeser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10054) granting an increase of pension to Jacob M. Zartman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10055) granting an increase of pension to Daniel Hartsough—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10056) granting an increase of pension to Henry Thoman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10057) granting a pension to John Richardson—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 10058) for the relief of Kirby Thomas—to the Committee on Claims.

By Mr. KLUTTZ: A bill (H. R. 10059) to correct the military record of Smith F. Carroll—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 10060) for the relief of Sidney Maxwell—to the Committee on Claims.

By Mr. LAMAR of Missouri: A bill (H. R. 10061) granting a pension to Benjamin F. Dunivin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10062) granting an increase of pension to Oscar Murray—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 10063) for the relief of the legal representatives of Alvin M. Ryerson—to the Committee on Claims.

By Mr. LIVINGSTON: A bill (H. R. 10064) for the relief of the legal representative of James Doyle—to the Committee on War Claims.

By Mr. MUDD: A bill (H. R. 10065) granting an increase of pension to Ira G. Phillips—to the Committee on Pensions.

Also, a bill (H. R. 10066) to carry into effect the findings of the Court of Claims in behalf of Peter Targarona—to the Committee on Claims.

By Mr. OTIS: A bill (H. R. 10067) raising the rank of B. F. Wood on the retired list of the Navy—to the Committee on Military Affairs.

By Mr. PIERCE: A bill (H. R. 10068) granting a pension to James G. Soims—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 10069) for the relief of the States of Massachusetts and Maine—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10070) for the relief of the trustees of Decatur (Ala.) Methodist Church South—to the Committee on War Claims.

Also, a bill (H. R. 10071) for the relief of trustees Presbyterian Church of Decatur, Ala.—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 10072) for the relief of the trustees of Mount Zion Old School Baptist Church, near Aldie, Loudoun County, Va.—to the Committee on War Claims.

By Mr. ROBERTS: A bill (H. R. 10073) granting an increase of pension to James E. Cushing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10074) granting an increase of pension to James F. Mears—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 10075) for the relief of Elizabeth Agnew—to the Committee on Pensions.

By Mr. SHERLEY: A bill (H. R. 10076) granting an increase of pension to Joseph B. Slaughter—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 10077) granting a pension to Julia A. Henderson—to the Committee on Invalid Pensions.

By Mr. SHULL: A bill (H. R. 10078) for relief of John Conway, Company E, Twenty-eighth Pennsylvania Volunteers—to the Committee on Military Affairs.

By Mr. SMITH of Kentucky: A bill (H. R. 10079) granting an increase of pension to Francis Marion Hatter—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 10080) granting an increase of pension to J. T. Woods—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10081) granting an increase of pension to William A. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10082) granting an increase of pension to Alfred M. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10083) granting an increase of pension to Thomas H. Thornburgh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10084) granting a pension to Josephine Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10085) granting a pension to Susan Jacobs—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 10086) for the relief of John Moriarty—to the Committee on Claims.

By Mr. TALBOTT: A bill (H. R. 10087) granting an increase of pension to Samuel Wilhelm—to the Committee on Invalid Pensions.

By Mr. TRIMBLE: A bill (H. R. 10088) for the relief of E. L. Rogers—to the Committee on War Claims.

By Mr. WADSWORTH: A bill (H. R. 10089) for the relief of R. D. Ashford, of Lockport, Niagara County, N. Y.—to the Committee on Claims.

By Mr. WARNER: A bill (H. R. 10090) granting an increase of pension to Ellen M. Brant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10091) granting an increase of pension to Isaac N. Osborn—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10092) granting an increase of pension to Snyder H. Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10093) granting an increase of pension to John W. Basket—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10094) granting an increase of pension to Haville G. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10095) for the relief of William H. Blades—to the Committee on War Claims.

By Mr. BRANTLEY: A bill (H. R. 10096) granting a pension to Louise E. Lavey—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 10097) granting an increase of pension to Robert R. Marsh—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 10098) for the relief of the estate of David C. Haynes, deceased—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10099) granting a pension to Harrison Cook—to the Committee on Pensions.

By Mr. SHAFROTH: A bill (H. R. 10100) for the relief of Samuel Tomlinson—to the Committee on War Claims.

Also, a bill (H. R. 10101) for the cession of 120 acres of land to the Beecher Island Battle Memorial Association—to the Committee on the Public Lands.

By Mr. MEYER of Louisiana: A bill (H. R. 10102) to grant an honorable discharge to Otto M. Tennison—to the Committee on Military Affairs.

Also, a bill (H. R. 10103) to authorize Charles E. Fenner, executor of George E. Payne, deceased, to prosecute his claim before the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 10104) to remove the charge of desertion against Charles H. Vogt—to the Committee on Military Affairs.

Also, a bill (H. R. 10105) for the relief of A. Cusimano & Co.—to the Committee on Claims.

Also, a bill (H. R. 10106) for the relief of Peter F. Kendall, of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 10107) for the relief of the estates of Frances A. Gonzales and Antonio Gonzales—to the Committee on War Claims.

Also, a bill (H. R. 10108) for the relief of certain heirs of the officers and crew of the United States light-house schooner *Magnonette*, lost near Brazos Santiago, Tex., in the storm of September 21, 1887—to the Committee on Claims.

Also, a bill (H. R. 10109) for the relief of the heirs of Myra Clark Gaines, deceased, of the parish of Orleans, La.—to the Committee on the Public Lands.

Also, a bill (H. R. 10110) for the relief of Frederick Fuhr—to the Committee on Claims.

Also, a bill (H. R. 10111) for the relief of Emilie L. Major or her legal representatives—to the Committee on War Claims.

Also, a bill (H. R. 10112) for the relief of James Rainey—to the Committee on War Claims.

Also, a bill (H. R. 10113) for the relief of certain employees of the United States mint at New Orleans, La.—to the Committee on Claims.

Also, a bill (H. R. 10114) for the relief of the Third Presbyterian Church, of New Orleans, La.—to the Committee on Claims.

Also, a bill (H. R. 10115) for the relief of the Union National Bank of New Orleans, as the successor of the Union Bank of Louisiana—to the Committee on War Claims.

Also, a bill (H. R. 10116) for the relief of the legal representatives of Armand Heine, deceased, and Michel Heine—to the Committee on War Claims.

Also, a bill (H. R. 10117) for the relief of the Citizens' Bank of Louisiana, in the city of New Orleans—to the Committee on Claims.

Also, a bill (H. R. 10118) for the relief of heirs of Antoine Decuer—to the Committee on War Claims.

Also, a bill (H. R. 10119) for the relief of the legal representatives of B. M. Horrell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10120) for relief of J. L. Bradford—to the Committee on the Public Lands.

Also, a bill (H. R. 10121) for the relief of Mrs. Susan A. Nichols—to the Committee on War Claims.

Also, a bill (H. R. 10122) for the relief of John Rhodes and wife—to the Committee on War Claims.

By Mr. JENKINS: A bill (H. R. 10123) to provide for the payment of certain claims against the District of Columbia, in accordance with the act of Congress approved July 19, 1897—to the Committee on the District of Columbia.

By Mr. CLAUDE KITCHIN: A bill (H. R. 10124) for the relief of Henry Tull, heir at law and distributee of the late John Tull—to the Committee on War Claims.

By Mr. HILDEBRANT: A bill (H. R. 10125) to remove the charge of desertion from the military record of Thomas Reveal—to the Committee on Military Affairs.

By Mr. HEPBURN: A bill (H. R. 10126) granting an increase of pension to Job Throckmorton—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of the Chamber of Commerce, Tucson, Ariz., protesting against the union of Arizona and New Mexico as one State—to the Committee on the Territories.

Also, memorial of the Germania Association, of Cleburne, Tex., protesting against legislation affecting interstate commerce in articles in the original package—to the Committee on the Judiciary.

Also, memorial of the Commercial Club of Vinita, Ind. T., relating to legislation providing for alienation of certain Indian lands—to the Committee on Indian Affairs.

By Mr. BABCOCK: Resolution of Union Center (Wis.) Grand Army of the Republic Post, favoring passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: Papers to accompany bill granting pension to Charles E. Arnett—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Resolutions of Sergeant Wyman Post, No. 97, Grand Army of the Republic, of Oakland, Me., and J. P. Jones Post, No. 106, Grand Army of the Republic, of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DARRAGH: Resolutions of Charles Sumner Post, No. 329, Grand Army of the Republic, of Michigan, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DAYTON: Resolution of New Creek Post, No. 89, Grand Army of the Republic, Department of West Virginia, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of U. S. Grant Post, No. 297, Grand Army of the Republic, of Brooklyn, N. Y., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of New York Produce Exchange, protesting against inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Resolution of Sedgwick Post, No. 305, Grand Army of the Republic, of Gardner, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Retail Merchants' Association of Ottawa, Ill., in opposition to a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Rockford Township, Ill., in favor of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitition of the New York Board of Trade and Transportation, in favor of improvement of Bronx Kills or Harlem Kills—to the Committee on Rivers and Harbors.

By Mr. GARDNER of New Jersey: Petition of pastor and congregation of the Methodist Episcopal Church, Vineland, N. J., urging support of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GIBSON: Papers to accompany bill to pension Rachel Tyson—to the Committee on Pensions.

Also, papers to accompany bill to pension Delilah J. Chambers—to the Committee on Invalid Pensions.

Also, papers to accompany claim of William L. Smith, administrator—to the Committee on War Claims.

By Mr. GREENE: Resolution of Boston Chamber of Commerce, favoring permanent rebate of duties on coal—to the Committee on Ways and Means.

Also, resolution of Boston Chamber of Commerce, favoring arbitration treaties between United States and Great Britain—to the Committee on Foreign Affairs.

Also, petition of Boston Chamber of Commerce, protesting against granting American registry to foreign-built vessels wrecked in foreign waters—to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMLIN: Papers to accompany bill to pension John Chapman—to the Committee on Invalid Pensions.

Also, papers to accompany bill to pension Andrew S. Barker—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Papers to accompany bill to correct military record of Thomas Reveal—to the Committee on Military Affairs.

By Mr. HINSHAW: Papers to accompany bill H. R. 8755, granting an increase of pension to Eugene Schilling—to the Committee on Invalid Pensions.

By Mr. HITT: Resolutions of David Hill Post, No. 532, of Elizabeth, Ill.; of Cooting Post, No. 516, of Byron, Ill.; of W. C. Baker Post, No. 551, of Stillman Valley, Ill.; of John A. Parrott Post, No. 543, of Prophetstown, Ill., and of Henry Hiller Post, No. 658, of Forreston, Ill., Grand Army of the Republic, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HUFF: Resolutions of Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. KETCHAM: Petition of Armstrong Post, No. 104, Grand Army of the Republic, Rhinebeck, N. Y., in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Resolution of the Coal Exchange of Burlington, Iowa, favoring increasing power of Interstate Commerce

Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY: Resolution of the New York Produce Exchange, protesting against inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Philadelphia Maritime Exchange, favoring arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of the New York Produce Exchange, favoring the deepening of Harlem (Bronx) Kills—to the Committee on Rivers and Harbors.

By Mr. LOUDENSLAGER: Petition of citizens of the naval reservation at Pensacola Navy-Yard, in relation to the ceding of certain naval reservation or portions thereof to the State of Florida—to the Committee on Naval Affairs.

By Mr. MORGAN: Resolutions of Joseph Walter Post, No. 397, of Lincoln, Ohio; William H. Baily Post, No. 610, of Blue Creek, Ohio; Isaac Willis Post, No. 160, of Limerick, Ohio; John Bell Post, No. 63, of Proctorville, Ohio, and Anthony Marsh Post, No. 231, of Keystone, Ohio, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of the Philadelphia Maritime Exchange, favoring arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. OTIS: Petition of citizens of Katonah, Tuckahoe, and Ossining, N. Y., favoring the passage of the McCumber bill forbidding the sale of liquor in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Yonkers and New Rochelle, N. Y., favoring the passage of the McCumber bill forbidding the sale of liquor in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. OTJEN: Petition of Sparta Council, No. 223, United Commercial Travelers, of Sparta, Wis., in favor of bill H. R. 4489—to the Committee on the Judiciary.

By Mr. PAYNE: Papers to accompany bill H. R. 9430, granting an increase of pension to Stephen Houghtaling—to the Committee on Invalid Pensions.

By Mr. RAINEY: Resolutions of Jacob Fry Post, No. 193, of Roodhouse, Ill.; A. M. Pollard Post, of Manito, Ill., and Charles Chatfield Post, No. 590, of Bath, Ill., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Papers to accompany bill granting an increase of pension to James F. Mears—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of J. J. Yoder, of Topeka, Ind., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolutions of the Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolutions of New York Produce Exchange, favoring the improvement of Bronx Kills, Harlem River—to the Committee on Rivers and Harbors.

Also, resolutions of New York Produce Exchange, against Government inspection of grain at terminals—to the Committee on Interstate and Foreign Commerce.

By Mr. SHULL: Paper to accompany bill granting an increase of pension to Anthony F. Bracklin—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 6086, granting a pension to David Everitt—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 6088, granting an increase of pension to Marshall Howell—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: Petition of citizens of Sioux City and Woodbury County, Iowa, in favor of improving the channels and protecting the banks of the Missouri River—to the Committee on Rivers and Harbors.

By Mr. TRIMBLE: Papers to accompany claim of E. L. Rogers—to the Committee on War Claims.

By Mr. VANDIVER: Paper to accompany bill granting increase of pension to Jones Adler—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolution of Veteran Post, No. 46, Grand Army of the Republic, Department of Maryland, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WADE: Petition of E. W. B. Mark, M. D., of Leclaire, Iowa, in favor of passage of McCumber and Hepburn bills to forbid sale of liquor in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

By Mr. WILSON of New York: Resolution of the Manufacturers' Association of New York, favoring improvement of the Brooklyn water front—to the Committee on Rivers and Harbors.

SENATE.

FRIDAY, *January 15, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

Mr. ROBERT J. GAMBLE, a Senator from the State of South Dakota, appeared in his seat to-day.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

COMPILATION BY BUREAU OF INSULAR AFFAIRS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of War, transmitting a compilation prepared by the Bureau of Insular Affairs concerning all legislation enacted since March 4, 1897, in regard to the foreign possessions of the United States; also in relation to Cuba, the Spanish-American war, and the Army and Navy of the United States, and also all proclamations and treaties entered into by the United States in that time, including the Cuban commercial treaty and laws of the United States coaling stations in Cuba.

It is pretty hard to say where the communication should be sent.

Mr. HALE. Is the printing asked for?

The PRESIDENT pro tempore. It is a pretty important document, and I suppose it will be the desire of the Senate to have it printed.

Mr. HALE. I have a similar communication which later I shall present, and in view of the fact that the printing is requested I shall ask that it go to the Committee on Printing, in order that they may decide how far the papers be printed.

The PRESIDENT pro tempore. The Chair accepts the suggestion of the Senator. The communication will be referred to the Committee on Printing.

CAMP M'DOWELL RESERVATION, ARIZ.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, relative to the purchase of the rights of settlers on the Camp McDowell Reservation, Ariz.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

DISASTERS TO MERCHANT VESSELS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to a resolution of the 8th ultimo, a statement showing the loss at sea reported by the director of customs during the last fiscal year of American merchant vessels, sail and steam, of over 100 tons gross register, such losses being caused by overloading; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

EMPLOYMENT OF AMERICAN-BUILT VESSELS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting reports by the Quartermaster-General of the Army relative to the merits of the bill (S. 2263) requiring the employment of vessels of the United States for public purposes; which, with the accompanying papers, was referred to the Committee on Commerce, and ordered to be printed.

SCHOONER BETSEY AND PATSEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claim set out in the findings by the court relating to the vessel schooner *Betsey and Patsey*, James Curtis, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

A. J. WILLIFORD.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the cause of A. J. Williford, administrator of Charity M. Locke, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 652) making Chester, Pa., a subport of entry; and

A bill (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College, in the District of Columbia, and the acts amendatory thereto.

The message also announced that the House had passed the joint resolution (S. R. 31) authorizing the erection and maintenance of a statue in memory of the late President Benjamin Harrison upon land owned by the United States in the city of Indianapolis, State of Indiana, with amendments in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 7273) to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities, for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.;

A bill (H. R. 9160) to amend an act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903; and

A bill (H. R. 9866) making appropriations for clearing the Potomac River of ice and for the removal of snow and ice in the District of Columbia.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Zionist Council of New England, of Boston, Mass., praying for the enactment of legislation granting protection to American citizens of the Jewish faith in Russia; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Wayne, Me.; of the Missionary Society of the Presbyterian Church of Mendocino, Cal., and of the congregation of the First Presbyterian Church of Atlantic Highlands, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented memorials of the Deutscher Turn Verein, of Mobile, Ala.; of Lodge No. 658 of Cripple Creek; of Brewers, Maltsters, and Coopers' Local Union No. 44, American Federation of Labor, of Denver; of the Baldur Mannie, of Denver; of the Barbarossa German Lodge, of Denver; of the Turn Verein of Denver; of the Gruetli Verein, of Denver, and of Lodge No. 591, of Leadville, all in the State of Colorado; of the Singing Society Eintracht, of Wallingford; of Lodge No. 462, of Torrington; of the Concordia Society, of Danbury; of the Harugari Singing Society, of New Haven; of Schiller Lodge, No. 92, of Middletown; of the Turn Verein of Rockville; of Lodge No. 593, of Danbury; of Harmonie Club, of New Haven; of Court Schiller Lodge, No. 117, of Meriden; of the Taftville Maennerchor, of Norwich; of the Heinrich Heine Lodge, No. 595, of West Haven; of the Maennerchor of Hartford; of the Schwäbischer Maennerchor, of Bridgeport; of Heine Lodge, No. 7, of Bridgeport, and of the Eintracht Lodge, No. 527, of Naugatuck, all in the State of Connecticut; of Court Concordia Lodge, No. 119, of Sacramento, Cal.; of Germania Encampment, No. 39, of Wilmington, Del.; of the German-American Bar Association, of Washington; of the Turn Verein of Washington; of German Beneficial Union, No. 160, of Washington; of the Schwäbischer Kranken Verein, of Washington; of the Germania Maennerchor, of Washington; of the Teutonia Lodge, of Washington; of the Germania Lodge, of Washington, and of Occasia Lodge, No. 1, of Washington, all in the District of Columbia; of the Concordia Club, of Pensacola, Fla.; of the Turn Verein of Atlanta, and of the German Singing Society Frohsinn, of Savannah, in the State of Georgia; of the Teutonia Maennerchor, of Chicago; of Lodge No. 453, of Chicago; of the Turn Verein of Chicago; of Guild No. 1, of Chicago; of the Liederkranz of Belleville; of Koerner Lodge, No. 156, of Chicago; of the Vonde Waterkant, No. 42, of Chicago; of the Schweizer Maennerchor, of Chicago; of the German Militar Society, of Belleville; of the Germania Gesang Verein, of Rockford; of Humboldt Lodge, No. 61, of Quincy; of the Plattdeutsche Gilde Fritz Reuter, No. 4, of Chicago; of Teutonia Lodge, No. 85, of Aurora; of Lodge No. 376, of Chicago; of the La Salle Turn Verein, of Chicago; of Bismarck Gilde, No. 63, of Chicago; of the Turn Verein Voran, of Chicago, and of the Turn Verein of Bloomington, all in the State of Illinois; of the Erste Deutsche of Evansville; of the Turn Verein of Evansville; of the Turn Verein of South Bend; of the German Harmonie Maennerchor, of Muncie; of the Liederkranz of Indianapolis; of Koerner Lodge, No. 1, of Indianapolis; of the Independent Turn Verein, of Indianapolis; of the H. Herrmann Workmen's Benevolent Association, of Evansville; of the Bundschuh Mutual Benefit Association, of Indianapolis; of the German Singing Society, of Logansport; of the Workingmen's Aid Society of Michigan City; of the Concordia Singing Society, of Fort Wayne; of the Saxonian Aid Society, of Fort Wayne; of Silver Star Lodge, No. 3041, of Evansville; of St. Mary's Commandery, Knights of St. John, of Evansville, and of the Deutsche Gesellschaft, of Evansville, all in the State of Indiana; of the Schuetzen Turn Verein, of West Side; of the Turn Verein of Carroll; of the Turn Verein of Manning, and of Bismarck Lodge, No. 275, of Burlington, all in the State of Iowa; of the Cascilian Gesang Verein, of Leavenworth; of Lodge No. 123, of Leavenworth; of the Marysville Turner Society, of Marysville; of Gilde Columbia Lodge, No. 44, of Iowa, and of the St. Joseph's Benevolent Society, of Leavenworth, all in the State of Kansas; of the Badische Benevolent Society, of Covington; of Hermann Lodge, No. 1176, of Newport; of Arminius Lodge, No. 7, of Louisville, of the German National Mutual Aid Society, of Newport; of the Turn Verein of Newport, and of the Liederkranz of Henderson, all in the State of Kentucky; of the Frederick Avenue Social and Beneficial Society, of Baltimore; of the Thalia Maennerchor, of Baltimore; of the Friendship League, of Baltimore; of the United Singers of Baltimore; of German Beneficial Union No. 128, of Baltimore; of William Tell Lodge, No. 3, of Baltimore; of the Badenia Maennerchor, of Baltimore; of the Locust Point Turn Verein, of Baltimore; of German Beneficial Union No. 147, of Baltimore; of the Germania Turn Verein, of Baltimore; of the Germania Quartette Club, of Baltimore, and of the Gustav Adolf Verein, of Baltimore, all in the State of Maryland; of the Stein Club, of Saginaw; of the German Workingmen's Beneficial Association, of Adrian; of the St. Joseph's Unterstützungs Verein, of Grand Rapids; of the Arbeiter Glee Club, of Grand Rapids; of Germania Tent, No. 191, of Muskegon; of the German Aid Society of Port Huron; of Court Germania, No. 19, of Detroit; of the German Arbeiter Society, of Bay City, and of the Deutscher Turn Verein, of Grand Rapids, all in the State of Michigan; of the Turn Verein of Boston, Mass.; of the German Society of Sherburn; of the German Veterans of Winona; of Central Lodge, No. 51, of Minneapolis; of Fortschritt Lodge, No. 42, of Minneapolis; of Moltke Lodge, No. 8, of Norwood; of Bergress Lodge, No. 28, of New Ulm; of Humboldt Lodge, No. 24, of Winona, and of the Palaestrina Maennerchor, of Winona, all in the State of Minnesota; of the Sons of Hermann, of Philipsburg; of the Sons of Hermann, of Anaconda, and of Schiller Lodge, No. 4, of Missoula, all in the State of Montana; of the Liedertafel, of St. Louis; of the St. Vitus Society for the Benefit of the Sick, of Kansas City; of the Bavarian Society for the Benefit of the Sick, of Kansas City; of the Plattdeutsche Verein, of Kansas City; of the Turn Verein of Kansas City; of the Krankenschutz of Kansas City, and of the German Maennerchor Singing Society, of Kansas City, all in the State of Missouri; of the Turn Verein of Fremont; of the Farmers' Verein, of Pebble Creek, and of Friedrich Franz Lodge, No. 20, of Schuyler, all in the State of Nebraska; of the Germania Maennerchor, of Camden; of the Plattdeutscher Verein, of Egg Harbor; of the Independent Schuetzen Korps, of Paterson; of the Greenville Turn Verein, of Jersey City; of the Germania Singing Society, of Cologne; of the Allemania Schuetzen Gesellschaft, of Bayonne, all in the State of New Jersey; of the Stein Tent, No. 2153, Knights of the Maccabees, of Rochester; of the Turn Verein of New York; of the German Machanie Society, of Syracuse; of the Rotenburger Freundschafts Bund, of Brooklyn; of the Concordia Singing Society, of Gloversville; of the Turn Verein of Syracuse; of the North Parade Shooting Association, of Buffalo; of the Maennerchor of Troy; of the Aschenbroedel of New York; of the Grusliverein Germania Hall, of Troy; of the German Harmony Benefit Society, of Troy; of the Baden-American Benevolent Society, of Buffalo, and of the Turn Verein of New York, all in the State of New York; of German Beneficial Union No. 230, of Youngstown; of the Knights of St. George of Chillicothe, and of the St. Peter's Benevolent Society, of Portsmouth, all in the State of Ohio; of the Teutonia Lodge, of Astoria; of Eintracht Lodge, No. 6, of Pendleton; of Schiller Lodge, No. 3, of Portland; of Steuben Lodge, No. 4, of Portland; of Wilhelm Tell Lodge, No. 2, of Portland, and of the Arion Society of Portland, all in the State of Oregon; of the German Beneficial Union of Homestead; of Boekers' Union, No. 199, of Pittsburg; of the Koerner Maennerchor Singing Society, of Allegheny; of Koerner Lodge, No. 223, of Allegheny; of the Beneficial Society of Philadelphia; of the Southwark Butchers' Beneficial Association, of Philadelphia; of Guttenberg Grove Lodge, No. 10, of Allegheny; of the Turn Verein of Philadelphia; of the Casino of Tarentum; of the Deutscher Pioneer Kranken of Philadelphia; of Barbarossa Turn Verein, of Philadelphia; of Germania Tent, of Erie; of Robert Bruno Lodge, No. 414, of Allegheny; of the Birmingham Turn Verein, of Pittsburg; of the Concordia Singing Society, of Altoona; of the German Beneficial Union of Pittsburg; of German Beneficial Union No. 38, of Braddock; of the Fidelio Maennerchor, of Philadelphia, and of Lodge No. 871, of Erie, all in the State of Pennsylvania; of the Germania Asso-

ciation, of Cleburn; of the St. Joseph's Roman Catholic Benefit Association, of Muenster; of the Schnetzen Verein of Guadalupe County; of the Welcome Maennerchor, of Welcome; of Hermann Lodge, No. 136, of Bulverde; of Lodge No. 113, of Coupland; of Hermann Sons Lodge, No. 147, of Cibolo; of the Swiss Benevolent Society of Dallas; of Hunter Lodge, No. 145, of Hunter; of Virchow Lodge, No. 132, of Gonzales County; of Cameron Lodge, No. 140, of Cameron County; of the New Gideonburg Farmers' Club, of Giddings, and of the Turn Verein of Dallas, all in the State of Texas; of the German Workingmen's Aid Association, of Kenosha; of the Turn Verein of Wausau; of Urwald Lodge, No. 120, of Wausau, and of St. Peter's Society, of Beaver Dam, all in the State of Wisconsin; of the Germania Turn Verein, of Memphis, Tenn.; of the Sons of Hermann of Odessa; of the German Singing Society of Spokane; of the Phalia Society of Spokane, and of the Sons of Hermann of Everett, all in the State of Washington; and of the Germania Turn Verein, of Sioux Falls, S. Dak., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the extension of School street southward to Kenesaw avenue; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation authorizing the Commissioners of the District of Columbia to change the names of streets outside of the city of Washington; which was referred to the Committee on the District of Columbia.

He also presented the petition of Thomas J. Adams, of Chicago, Ill., praying that an appropriation be made for the improvement of the rivers and waterways of the United States; which was referred to the Committee on Commerce.

Mr. BURROWS presented a petition of sundry citizens of Ishpeming, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Christian Temperance Union of Milford, of the Woman's Historical Club of Wayne City, of the Woman's Christian Temperance Union of Lacey, all in the State of Michigan, and of the Woman's Christian Temperance Union of Chelsea, Ind. T., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALDRICH presented a petition of the Woman's Historical Club of Detroit, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GORMAN presented a petition of sundry citizens of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of the Woman's Christian Temperance Union of Talbot County, Md., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DUBOIS presented a petition of the Boise Merchants' Protective Association, of Boise, Idaho, praying for the enactment of a national pure-food law; which was referred to the Committee on Manufactures.

He also presented petitions of sundry citizens of Soda Springs, Lago, Dwyer, and Henry, all in the State of Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented memorials of the Indiana Retail Merchants' Association and of the Business Men's Association of Muncie, Ind., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CULLOM presented petitions of Lovington Post, No. 354, of Lovington; of Albert Wood Post, No. 175, of Oblong; of Loomis Post, No. 106, of Dunoin; of Chenoa Post, No. 185, of Chenoa; of Regardus Post, No. 474, of Washington; of John A. Davis Post, No. 98, of Freeport; of Thomas Lawton Post, No. 121, of Lewistown; of Alvah Peal Post, No. 133, of Terre Haute; of L. P. Blair Post, of Fairview; of Frank Lowry Post, No. 157, of Clinton; of William T. Sherman Post, No. 146, of Bloomington; of Tobias Butler Post, No. 428, of Bowen; of Charles Gardiner Post, No. 599, of Bath; of Local Post No. 188, of Oakland, and of Dan Miles Post, No. 270, of Eureka, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. FAIRBANKS presented memorials of Rosenberger, Klein & Co., of Evansville; of the Business Men's Association of Muncie; of the Retail Merchants' Association of Kendallville; of the Maple Farm Company of Evansville; of the Indiana Retail Merchants' Association, and of the Retail Merchants' Association of Evansville, all in the State of Indiana, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Ministerial Association of Rockville, Ind., and a petition of Bible Class No. 1, of Frankfort, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the Whitewater Quarterly Meeting of Friends, of Richmond; of the Anti-Saloon League of Paoli; of the Ministerial Association of Paoli; of the Anti-Saloon League of Montgomery County, and of the Ministerial Association of Goodland, all in the State of Indiana, and of W. H. Sweet, of Downs, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. MALLORY presented a petition of Sherman Post, No. 21, Department of Florida, Grand Army of the Republic, of Florida, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. DANIEL presented a petition of sundry citizens of Gloucester County, Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURTON presented a petition of Siverd Post, No. 85, Department of Kansas, Grand Army of the Republic, of Winfield, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented sundry petitions of citizens of Lyndon, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Pratt, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Rocky Comfort, Mo., praying for the repeal of the present homestead law; which was referred to the Committee on Public Lands.

Mr. QUAY presented petitions of the Woman's Home Missionary Society of the Methodist Episcopal Church of Greenville; of the Woman's Christian Temperance Union of Granville Summit; of the congregation of the Presbyterian Church of Chanceford; of the Presbyterian Foreign Missionary Society of Millinburg; of the Civic Club, of Harrisburg; of the congregation of the Methodist Episcopal Church of Rimersburg; of the Twentieth Century Club, of Lansdowne; of sundry citizens of Philadelphia; of the congregation of the First Baptist Church of Carnegie; of the Baptist Young People's Union of the First Baptist Church of Carnegie, all in the State of Pennsylvania; and of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

UNIVERSITY OF MISSOURI.

Mr. COCKRELL. In behalf of Senate bill 1384, for the relief of the University of the State of Missouri, I present the memorial of the faculty of the university, together with the affidavit of William E. Richardson. I move that the memorial and affidavit be referred to the Committee on Claims for consideration in connection with the bill.

The motion was agreed to.

COMPILATION OF NAVAL APPROPRIATION LAWS.

Mr. HALE. I present a compilation of the annual naval appropriation laws from 1883 to 1903, inclusive, covering provisions for the construction of all vessels of the new Navy. It being a large document, and the printing costing more than $500, I move that the motion to print it as a document be referred with the compilation to the Committee on Printing.

The motion was agreed to.

GEORGETOWN PARK AND Q STREET BRIDGE.

Mr. GALLINGER. Mr. President, I desire to call the attention of the Senate to a petition that is of more than usual interest. I will state that at the meeting of the Committee on the District of Columbia this morning a committee of leading women from Georgetown honored us with their presence and presented this petition to the committee. I will take the liberty, if there be no objection, to read the text of the petition, which is brief:

Whereas in 1895 that part of the District west of Rock Creek, known for one hundred and forty-four years as Georgetown, was incorporated with the [illegible] and

[illegible] do hereby earnestly request prompt attention to the great need for a bridge at Q street and for a park in Georgetown Heights.

[illegible] the two western portions of the city and [illegible]

[illegible] the city.

In said part of the District, containing about 20,000 inhabitants and taxed since 1871 at equal rate with every other portion of the District, there is no park.

[illegible] "Monitorian," known as the Recco tract, east of [illegible] trees, earnestly request favorable consideration and prompt action in the matter.

[illegible] the most beautiful and picturesque tracts within its boundaries.

Mr. President, this petition is signed by 201 of the women of Georgetown—women of property, of influence, and of education. They have come to Congress making an appeal for a bridge across Rock Creek at Q street and for a park in the portion of the District known as Georgetown, where at the present time there is not a single breathing space for the inhabitants outside of the streets of the city. The request is a reasonable and proper one, and I trust that the condition of the finances may warrant the necessary appropriation.

I wish to ask, Mr. President, that this petition, with the names attached, and a short sketch of the history and needs of that part of the District known as Georgetown, containing only four or five pages, be printed jointly as a Senate document and referred to the Committee on the District of Columbia.

The PRESIDENT pro tempore. The Senator from New Hampshire asks that the paper he sends to the desk be printed as a Senate document, together with the names. Is there objection? The Chair hears none, and the order is made. It will be referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. QUARLES, from the Committee on Military Affairs, to whom was referred the bill (S. 446) granting an honorable discharge to William S. Dunn, reported it without amendment, and submitted a report thereon.

Mr. DUBOIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2134) to connect Euclid place with Eric street, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, reported it with an amendment, and submitted a report thereon.

Mr. HEYBURN, from the Committee on Manufactures, to whom was referred the bill (S. 198) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. BLACKBURN, from the Committee on Pacific Islands and Porto Rico, to whom was referred the bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii, reported it with an amendment.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 3431) to amend the act of February 8, 1897, entitled "An act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory," so as to prevent the importation and exportation of the same, asked to be discharged from its further consideration, and that it be referred to the Committee on Interstate Commerce; which was agreed to.

STENOGRAPHER FOR COMMITTEE ON THE PHILIPPINES.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. LODGE, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on the Philippines be authorized to employ a stenographer [illegible] to be paid from the contingent fund of the Senate.

Mr. KEAN subsequently said: I wish to make a correction in the report I made this morning. There was an error in the print of the resolution I reported. The Senate bill referred to in the resolution is No. 2259. I see that in the print it is 2257. I ask that the correction be made.

The PRESIDENT pro tempore. That correction will be made.

BILLS INTRODUCED.

Mr. GORMAN introduced a bill (S. 3448) providing for the payment of a certain judgment or decree against Henry E. McKee, agent and trustee for the Choctaw Nation of Indians, out of funds payable to the said nation of Indians; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BALL introduced a bill (S. 3449) granting an increase of pension to Mary Eaton Livingston; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 3450) for the relief of the First Presbyterian Church, of Knoxville, Tenn.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 3451) granting a pension to G. W. Johnson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 3452) granting an increase of pension to Charles Male; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 3453) granting an increase of pension to David Whitney; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 3454) for the extension of Eighth street northwest or Wrights road, District of Columbia;

A bill (S. 3455) to prevent cruelty to certain animals in the District of Columbia; and

A bill (S. 3456) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes.

Mr. HALE introduced a bill (S. 3457) granting an increase of pension to Marcellus M. Parker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER. I introduce a bill granting pensions to certain soldiers and sailors who served in the war of the rebellion and their widows. I desire to state that it is the bill prepared and presented to Congress for its consideration by the committee appointed at the San Francisco Encampment of the Grand Army of the Republic. I desire to add that the bill is accompanied by the petitions of a large number of Grand Army posts in my own State, which I desire to have referred, with the bill, to the Committee on Pensions.

The bill (S. 3458) granting pensions to certain soldiers and sailors who served in the war of the rebellion, and their widows, was read twice by its title, and, with the accompanying petitions, referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 3459) to provide for the annual pro rata distribution of the annuities of the Sac and Fox Indians of the Mississippi among the two branches of the tribe, and to adjust the existing claims between said branches as to said annuities; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. FAIRBANKS introduced a bill (S. 3460) granting an increase of pension to Christopher Denny; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DILLINGHAM introduced a bill (S. 3461) to provide for the appointment of an Assistant Attorney-General for the Post-Office Department; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. FRYE introduced a bill (S. 3462) granting an increase of pension to Arad P. Brown; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BURTON introduced a bill (S. 3463) granting an increase of pension to Susie G. Seabury; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3464) granting an increase of

pension to Benjamin F. Bourne; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 3465) granting an increase of pension to Glennie Ramsay Kidd; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 3466) granting an increase of pension to Caspar L. Nauman; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3467) granting an increase of pension to Emory A. Wood; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LATIMER introduced a bill (S. 3468) to provide for the erection of a public building at Anderson, S. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. STEWART introduced a bill (S. 3469) to provide for a commission to examine into the sanitary conditions of the various Government Departments; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. COCKRELL introduced a bill (S. 3470) granting an increase of pension to Richard Wilks; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Richard Wilks for increase of pension, together with affidavits of Dr. F. B. Fuson, Mrs. Nancy Latimer, and Isaac Strong and a copy of the military record of the claimant. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 3471) for the relief of M. A. Shelton; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL. Under the rule, I presume the papers filed heretofore in the former Congress will go to the Committee on Claims.

The PRESIDENT pro tempore. They will go to that committee.

Mr. DANIEL introduced a bill (S. 3472) for the relief of the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 3473) granting an increase of pension to Fannie D. Gordon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 3474) to provide for the refunding of certain money to the Phœnix Brewing Company and to the Ober Brothers Brewing Company, of Pittsburg, Pa.; which was read twice by its title, and referred to the Committee on Finance.

He also introduced a bill (S. 3475) to authorize the President to appoint John J. Washburn assistant quartermaster with rank of captain and to place him on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3476) granting an increase of pension to Franklin Eckenroade; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LATIMER introduced a bill (S. 3477) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of the public roads; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

AMENDMENT TO GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. TELLER submitted an amendment proposing to credit the account of Louis J. Scour, collector of internal revenue for the collection district of Louisiana, with the sum of $3,861.88, being the value of tax-paid spirit stamps forwarded by registered mail March 21, 1902, and destroyed by fire in a railway postal car, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PAWNEE INDIAN SCHOOL.

Mr. CARMACK submitted the following resolution; which was read:

Resolved, That the Secretary of the Interior be, and hereby is, directed to transmit forthwith to the Senate the originals or copies of all charges, reports, and other documents on file in his Department relating to the superintendent and other employees of the Pawnee Indian school, Pawnee, Okla., together with such other information as will show the action of his Department in relation to such superintendent during the twelve months last past.

The PRESIDENT pro tempore. What is the request of the Senator as to this resolution?

Mr. CARMACK. Let it be printed and go over.

The PRESIDENT pro tempore. It will be printed and go over.

CALAVERAS BIG TREE GROVE.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Forest Reservations and the Protection of Game.

To the Senate and House of Representatives:

I transmit herewith a petition to the President of the United States to aid in preserving the Calaveras grove of big trees, submitted by the Calaveras Big Tree Committee and the citizens of California and elsewhere.

I cordially recommend it to the favorable consideration of the Congress. The Calaveras Big Tree Grove is not only a Californian, but a national inheritance, and all that can be done by the Government to insure its preservation should be done.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 15, 1904.*

MONUMENT TO MEMORY OF BENJAMIN HARRISON.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 31) authorizing the erection and maintenance of a statue in memory of the late Benjamin Harrison upon land owned by the United States in the city of Indianapolis, State of Indiana.

The amendment of the House of Representatives was, in line 3, to strike out the word "memorial" and insert "monument," and to amend the title so as to read: "A joint resolution authorizing the erection and maintenance of a monument in memory of the late President Benjamin Harrison upon land owned by the United States in the city of Indianapolis, State of Indiana.

Mr. FAIRBANKS. Mr. President, the amendment was suggested by me after the passage of the joint resolution by the Senate. It is entirely proper and I move that the Senate concur in it.

The motion was agreed to.

The PRESIDENT pro tempore. The amendment to the title will also be agreed to, if there be no objection.

ST. FRANCIS RIVER BRIDGE, ARKANSAS.

Mr. BERRY. If there is no further morning business, I ask unanimous consent that the Senate consider a very short bill. It is very important that it should be passed at an early day. It is the bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with an amendment, in section 2, page 2, line 5, after the word "route," to strike out "and shall enjoy the rights and privileges of other post-roads of the United States" and to insert:

upon which also no higher charge shall be made for the transportation over the same of the mails, the troops and the munitions of war of the United States than the rate per mile paid for transportation of such troops, troops, and munitions over the railroads and public highways leading toward bridge.

Mr. BERRY. I ask that the amendment be disagreed to. It was a mistake of the committee. The amendment is not necessary.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADDITIONAL LAND OFFICE IN NORTH DAKOTA.

Mr. HANSBROUGH. I ask unanimous consent for the consideration of a short bill reported unanimously from the Committee on Public Lands with an amendment. It is the bill (S. 1487) creating an additional land office in the State of North Dakota.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The amendment of the Committee on Public Lands was, in section 1, on page 1, line 4, to strike out the words "twelfth guide meridian" and to insert "range line between ranges 90 and 91 west of the principal meridian;" so as to make the bill read:

Be it enacted, etc., That all that portion of North Dakota lying south of the twelfth standard parallel and west of the range line between ranges 90 and 91 west of the principal meridian be, and the same is hereby, created into a separate land district, to be known as the Dickinson district, and that land offices for said district shall be located at the town of Dickinson, said town being the town the President may, in his discretion, remove the offices of said land office from said town.

SEC. 2. That the President be, and is hereby, authorized to appoint, by and with the advice and consent of the Senate, or during the recess thereof and until the next session after such appointment, a register and a receiver for said district; and they shall be subject to the same laws and be entitled to the same compensation as now or hereafter be provided by law in relation to the existing land offices and officers in said State.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT D. M'AFEE AND JOHN CHIATOVICH.

Mr. STEWART. I ask unanimous consent to call up the bill (S. 175) for the relief of Robert D. McAfee and John Chiatovich.

The Secretary read the bill, as follows:

Be it enacted, etc., That Robert D. McAfee and John Chiatovich be, and they are hereby, released and discharged from all obligation to the United States on account of the official bond executed by them on the 14th day of February, 1890, as sureties for the late Elias B. Zabriskie, as melter and refiner of the United States mint at Carson City, Nev.

Mr. SPOONER. I should like to ask the Senator to briefly state the facts in this case.

Mr. STEWART. There has been an investigation by the United States officials. Several parties were sent to the penitentiary. The principal was dead at the time the defalcation was discovered, but it was found that he was not guilty of any wrong. It having occurred during his administration, his bondsmen would be technically liable. One of his bondsmen is entirely insolvent and the other one has a large family and his property is mortgaged so that nothing could be got from him. This same bill passed the Senate twice and was favorably reported to the House. It has been thoroughly considered, and I think it is one of those cases where the parties ought to be relieved.

Mr. SPOONER. Of course the liability is a pretty strong one, and as the United States has so many officials who act under bond——

Mr. STEWART. It is an exceptional case.

Mr. SPOONER. It ought to be, in order to protect the Government against the tremendous power of precedent, a clear case. I was chairman of the Committee on Claims some years and had a great many occasions to go into cases of this sort.

Mr. STEWART. I know.

Mr. SPOONER. In the public interest, I wish to know, in due deference to my friend from Nevada, if he is definitely informed as to his statement that this is an exceptional case or not.

Mr. STEWART. In the first place, the finding was that the principal was not at fault.

Mr. SPOONER. Who found that?

Mr. STEWART. Mr. Mason, chief assayer at the New York assay office, who made the investigation, and other Government officials. Owing to the finding of that fact——

Mr. MALLORY. I hope the Senator from Nevada will speak louder; we are unable to hear him on this side.

Mr. STEWART. The findings were that the principal did not participate in the wrong, which was not discovered until after his death. This will be found in the report made to the Treasury Department. After it was thoroughly investigated, indictments were presented against the criminals, and, after a long trial, two of the parties were found guilty and sent to the penitentiary.

Mr. SPOONER. What relation did the parties who were sent to the penitentiary bear to the principal or the surety?

Mr. STEWART. The parties sent to the penitentiary were employees in the melter and refiner's department of the Carson mint. They substituted spurious bricks for the real bullion, which deceived the inspector from the Treasury Department when he made his last annual inspection and also the superintendent.

Mr. SPOONER. Not gold bricks?

Mr. STEWART. Yes, gold bricks and silver bricks. They deluded the officials and deceived the Treasury Department. When the melter and refiner, Mr. Zabriskie, went out of office, he received a receipt in full for all bullion charged against him, and it was brought out in the court that Zabriskie was entirely innocent, and he was exonerated. The new superintendent, appointed after the defalcation, was also held technically liable, and suit was entered against him, but the Attorney-General has recently decided that there was not a shadow of guilt and directed the dismissal of the suit. Mr. Mason, who made the investigation for the Treasury Department, is now superintendent of the assay office in New York, and upon his report two men were indicted and convicted and the others were exonerated. Mr. Zabriskie was one of the men exonerated.

Mr. SPOONER. The rule adopted years ago by the committee, which I think was a wise one as well as a just one, was that if the circumstances of the case are such that the principal in the bond had, upon the demand of the United States, paid the sum, Congress ought to reimburse him, and then the surety ought not to be held.

Mr. STEWART. This was exactly that case.

Mr. SPOONER. That was this case?

Mr. STEWART. It was this case precisely.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. SPOONER. I will not object to the passage of the bill. It is a very important question, and I will enter a motion to reconsider it after it is passed, in order to get time to examine it.

Mr. STEWART. All right.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HALE. I wish to ask the Senator from Nevada a question. What has the Senator got or what had the committee from the Department having this subject in charge, or has any recommendation been made by the Department that has the matter in hand?

Mr. STEWART. We have a report from the Department, and the action of the Department in other cases as to a superintendent who knew nothing about the defalcation, but was technically liable. That was the subject of a report by the expert appointed by the Government. Mr. Zabriskie was exonerated in such report. It was a most artfully concocted scheme of robbery. The parties were found guilty after a lengthy trial.

Mr. HALE. I am trying to attract the Senator's attention to the attitude of the Department. Customarily in the case of bills of this kind, on committees where I am a member, the thing to do is to send it to the Department that has the matter in charge and ask for their view.

Mr. SPOONER. Because the case is difficult?

Mr. HALE. Yes; and for a recital of the facts of the case, because they have all the record and we do not have that.

Mr. STEWART. This case has passed the Senate twice. It was examined by the House committee and favorably reported. The report from the Committee on Claims embraces the findings of the expert sent by the Treasury Department to investigate the case.

Mr. HALE. Now, the Senator is coming nearer to answering my question. Has the Department recommended this bill?

Mr. SPOONER. Let us have the report read.

Mr. STEWART. Let the report be read.

Mr. PLATT of Connecticut. It is a long report.

Mr. SPOONER. Let the Secretary send the report to me for a moment.

The PRESIDENT pro tempore. The bill is really not before the Senate.

Mr. TELLER (to Mr. STEWART.) Let it go over.

Mr. HALE. Let it go over, so that it may be examined.

Mr. SPOONER. There is a communication here from Secretary Gage.

Mr. LODGE. He does not recommend any action.

Mr. SPOONER. I have not read it. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

JAMES GRAHAM.

Mr. DUBOIS. I ask the unanimous consent of the Senate that it consider the bill (S. 2599) granting a pension to James Graham.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" in the same line, after the word "First," to insert "Regiment;" and in line 7, before the word "and," to insert "war with Spain;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Graham, late captain Company C, First Regiment Idaho Volunteer Infantry, war with Spain, and pay him a pension at the rate of $72 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STOCKBRIDGE AND MUNSEE INDIAN LANDS.

Mr. QUARLES. I ask unanimous consent for the present consideration of the bill (S. 335) to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust fund, and for other purposes.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

DAVID M. KANOUSE.

Mr. KITTREDGE. I ask for the present consideration of the bill (S. 2688) granting an increase of pension to David M. Kanouse.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

It proposes to place on the pension roll the name of David M. Kanouse, late of Company F, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PORT OF SALT LAKE CITY, UTAH.

Mr. KEARNS. I ask unanimous consent for the present consideration of the bill (S. 201) to establish a port of delivery at Salt Lake City, Utah.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with an amendment, in section 2, page 1, lines 11 and 12, to strike out the words "and the usual fees and commissions, not to exceed $5,000 per annum," and to insert "in lieu of all fees and commissions of every kind whatsoever;" so as to make the bill read:

Be it enacted, etc., That Salt Lake City, in the State of Utah, be, and is hereby, constituted a port of delivery, and that the provisions of the seventh section of the act approved June 10, 1880, relating to the transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to said port.

SEC. 2. That there shall be appointed a surveyor of customs to reside at said port, whose salary shall be $[illegible] per annum, in lieu of all fees and commissions of every kind whatsoever.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN AGRICULTURAL SCHOOL AT WAHPETON, N. DAK.

Mr. McCUMBER. I ask unanimous consent for the present consideration of the bill (S. 197) to establish an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides for an Indian agricultural school at or near Wahpeton, N. Dak., for the purchase of a suitable size and necessary farming land, to be selected by the Commissioner of Indian Affairs with the approval of the Secretary of the Interior, for the erection of buildings and other improvements to adapt said school to the purposes of an Indian agricultural farm and stock-raising school, and appropriates $100,000 therefor; but only eligible Indian boys shall be admitted to the school, and the course of instruction shall include principally practical instruction in farming, stock raising, and kindred pursuits.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REVENUE-CUTTER DEPOT AT OAKLAND, CAL.

Mr. PERKINS. I ask unanimous consent for the present consideration of the bill (S. 2236) to provide a depot for the Revenue-Cutter Service.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, in line 4, after the word "acquire," to insert "by donation;" in line 5, after the word "Oakland," to strike out "or Bay of San Francisco;" in line 6, after the word "and," to strike out "for the purpose of acquiring said site and for the improvement of the same;" and in line 9, after the word "appropriated," to insert "for the construction of a wharf, the dredging of a slip, the erection of suitable buildings, and the improvement of the premises donated under the provisions of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to accept a donation of a site in the harbor of Oakland, California, upon which to erect a depot for the Revenue-Cutter Service, and that the provisions of section [illegible] of the act approved [illegible] be, and the same are hereby, extended to said depot; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $[illegible] for the construction of a wharf, the dredging of a slip, the erection of suitable buildings, and the improvement of the premises donated under the provisions of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUBPORTS OF ENTRY IN STATE OF WASHINGTON.

Mr. FOSTER of Washington. I ask unanimous consent for the immediate consideration of the bill (S. 576) extending to the subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That the privileges of the act approved June 10, 1880, and the amendments thereto, governing the immediate transportation of dutiable merchandise without appraisement, be, and the same are hereby, extended to Sumas, Blaine, Danville, and Northport, subports of entry in the customs collection district of Puget Sound, and that the privileges of section 7 of said act, approved June 10, 1880, as amended, be, and the same are hereby, extended to Spokane, a subport in said customs collection district.

SEC. 2. That the compensation of deputy collectors at the subports of Seattle and Tacoma shall be limited and fixed by the Secretary of the Treasury, but shall not exceed the rate of $[illegible] per annum each.

SEC. 3. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed, and this act shall take effect and be in force from and after its passage.

Mr. FOSTER of Washington. I move to amend by striking out section 2 of the amendment reported by the committee. I will state that a bill covering what is provided for in that section is already before the Senate.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Washington [Mr. FOSTER], to strike out section 2 of the amendment as reported by the committee. If there be no objection, the amendment to the amendment will be regarded as agreed to.

Mr. SPOONER. Let that section be reread, please.

The PRESIDENT pro tempore. The section proposed to be stricken out will be read.

The SECRETARY. It is proposed to strike out section 2 of the amendment, as follows:

SEC. 2. That the compensation of deputy collectors at the subports of Seattle and Tacoma shall be limited and fixed by the Secretary of the Treasury, but shall not exceed the rate of $[illegible] per annum each.

Mr. SPOONER. Why should that section be stricken out?

Mr. FOSTER of Washington. For the reason that another bill in which that provision is included is already before the Senate.

Mr. SPOONER. But has it been passed?

Mr. FOSTER of Washington. It has not yet been passed.

Mr. SPOONER. Well, it may never be passed.

Mr. FOSTER of Washington. Of course it may never be passed.

Mr. SPOONER. Then, if this section is stricken out and that bill is not passed, what will be the effect?

Mr. FOSTER of Washington. I have moved the amendment to the amendment on the advice of the Members of the House of Representatives from Washington, who say they could not get the bill through the House as it stands, because it carries an appropriation. That is the only reason I ask that section 2 be stricken out.

Mr. SPOONER. If the section is stricken out, who will fix the compensation of the deputy collectors provided for?

Mr. FOSTER of Washington. The Secretary of the Treasury.

Mr. SPOONER. Has he the power to do that under the law?

Mr. FOSTER of Washington. The act itself gives him that power.

Mr. SPOONER. Not if we strike out this section.

Mr. FOSTER of Washington. The salary is already fixed by the Secretary of the Treasury at $2,000 a year, and this gives him power to increase it $500.

Mr. SPOONER. If this section is stricken out and no other legislation is passed, the compensation will be as now fixed—$2,000?

Mr. FOSTER of Washington. Exactly.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Washington [Mr. FOSTER] to the amendment reported by the committee.

The amendment to the amendment was agreed to.

Mr. FOSTER of Washington. There is another amendment to the committee amendment which I desire to offer. On line 4, page 4, section 1, I move, after the name "Danville," to insert "Bellingham." I have here the recommendation of the Department for this change.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 1, on page 2, line 4, after the name "Danville," it is proposed to insert "Bellingham."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill extending to the subports of Spokane, Blaine, Sumas, Danville, Bellingham, Northport, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement."

IMPROVEMENT OF SMYRNA RIVER, DELAWARE.

Mr. BALL. I ask unanimous consent for the consideration at this time of the bill (S. 2388) to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that the act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902, in that paragraph which provides for the improvement of the Smyrna River, Delaware, and which reads as follows: "Improving Smyrna River, Delaware, in accordance with the report submitted in House Document No. 90, Fifty-sixth Congress, second session, $15,000: *Provided*, That no part of said amount shall be expended until a satisfactory title to the land required for crossings and other portions of this improvement shall be obtained without expense to the Government," be amended by the addition thereto of a further proviso, as follows:

And provided further, That nothing herein shall be construed as preventing such modification or change in the location of the proposed crossings as may be approved by the Chief of Engineers.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INTERVENTION IN COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution submitted by the Senator from Maryland [Mr. GORMAN] on the 5th instant, requesting the President to send to the Senate the date when and the circumstances under which the United States interfered for the first time, etc., in the internal affairs of New Granada, or Colombia, etc.

Mr. GORMAN. Mr. President, I desire, at the suggestion of our friends on the other side of the Chamber, to modify the resolution I offered.

The PRESIDENT pro tempore. The Senator has that right.

Mr. GORMAN. I know. I desire to modify the resolution in the manner shown on the copy I send to the desk.

The PRESIDENT pro tempore. The Senator from Maryland modifies his resolution. The modifications will be stated.

The SECRETARY. On page 1, line 5, after the words "United States," strike out the word "intervened" and insert the word "used;" in line 8, after the word "such," strike out "intervention" and insert the words "use of military force;" on page 2, after the words "United States," at the end of line 10, strike out the words "intervened by the employment of" and insert "employed as" in line 18, after the word "has," strike out "intervened" and insert "employed military force."

The PRESIDENT pro tempore. It appears that the Senator also desires to strike out the fifth clause of the resolution.

Mr. GORMAN. I do.

The PRESIDENT pro tempore. The clause which the Senator strikes out of his resolution will be read.

The Secretary read as follows:

Fifth. And also to inform the Senate which words, if any, in the treaty of 1846 authorized the United States, in the opinion of the President, to enter by military force and maintained into the internal administration of New Granada, or Colombia, in order to prevent the interruption or embarrassment of free traffic across the Isthmus.

The PRESIDENT pro tempore. That clause will be stricken out of the resolution, and the resolution will be reprinted as modified.

Mr. PLATT of Connecticut. Was there any amendment in line 14 on page 2?

Mr. CULLOM. The word "intervention" appears in that line also.

Mr. PLATT of Connecticut. The word "intervention" which occurs in line 14 on page 2 I think should be changed.

Mr. GORMAN. I will so modify the resolution.

Mr. PLATT of Connecticut. I suggest to the Senator from Maryland to insert in place of the word "intervention," in line 14, the words "use of military or naval force."

The SECRETARY. On page 2, line 14, after the word "such," strike out "intervention" and insert "use of military force;" and in line 19, after the word "Colombia," strike out "by military force."

Mr. GORMAN. Now, Mr. President, I ask that the resolution as modified may be read, so that it may appear in the RECORD as it now stands.

The PRESIDENT pro tempore. The resolution will be read as modified.

Mr. SPOONER. Strike out the word "with," in line 6, page 1, before the words "a military force."

Mr. GORMAN. That is right. I make that modification.

Mr. PLATT of Connecticut. The word "intervention," in line 14, on page 1, should come out, and the words "use of military force" be inserted.

The PRESIDENT pro tempore. The resolution will be so modified. The resolution as it has been modified will now be read.

The Secretary read the resolution as modified, as follows:

Resolved, That the President be requested, if not in his judgment incompatible with the public interest, to inform the Senate:

First. The date when and the circumstances under which the United States used for the first time, and each succeeding time, a military force in the internal affairs of New Granada, or Colombia, under the treaty of 1846, whether such use of military force was on the initiative of the United States or by the request of New Granada, or Colombia, or in consequence of any official representation of either; and also to transmit to the Senate copies of the letters, or notes, in the Department of State, and of the orders by the Navy Department relating to such use of military force.

Second. Also to inform the Senate whether or not the United States has been asked by New Granada, or Colombia, or any official representative of either, to execute, by armed force, either the guaranty of the neutrality of the Isthmus or of the sovereignty of New Granada, or Colombia, over the same; and if the United States has been so asked, then the dates and circumstances thereof, and to send to the Senate copies of the letters or notes, in each case, conveying the application and what was done thereunder by the United States.

Third. And also to inform the Senate in which, if any, of the disturbances on the Isthmus of Panama, referred to by the President in his last annual message, the United States employed a military force, either on its own initiative, and motivated by the Government holding the Isthmus, and also to inform the Senate of the circumstances in each case which suggested such use of military force, and transmit copies of the orders issued by the Navy Department for such purpose.

Fourth. And also that he will inform the Senate of the dates when and circumstances under which the United States has employed military force in the internal affairs of New Granada, or Colombia, in aid of a revolt, rebellion, or disturbance of the peace therein, or to suppress such revolt, rebellion, or disturbance.

Mr. CULLOM. Mr. President, in view of the modifications of the resolution made by the Senator from Maryland, so far as I am concerned, I see no special objection to the resolution, and I therefore withdraw my motion to refer.

Mr. SPOONER. Mr. President, as I understand it, the Senator from Maryland has withdrawn the fifth clause of the resolution.

Mr. GORMAN. I have.

Mr. SPOONER. Then, of course, I withdraw my motion to strike it out.

The PRESIDENT pro tempore. The resolution will be printed as modified.

Mr. LODGE. What disposition was made of the resolution?

The PRESIDENT pro tempore. It has been ordered to be printed as modified, but the resolution of the Senator from Maryland [Mr. GORMAN] is before the Senate.

Mr. TELLER. Mr. President, I am not sure just which of the resolutions on the Panama question is now before the Senate, but I suppose I may do what other Senators have done—discuss everything in the shape of a resolution touching that question which is before the Senate, which seems to have been the line on which the discussion has proceeded for some days past. I should much prefer to confine myself to the discussion of some specific resolution, such as that submitted by the Senator from Georgia [Mr. BACON].

Mr. President, I am going to assert the right to express my opinions on this question, notwithstanding I shall be charged with acting from a partisan standpoint. Any criticism I may make of the Administration's policy or the Administration's acts, however mild that criticism may be, however just, and however well supported, I know will be treated as an arraignment of and as an attack upon the Administration.

I regard it as exceedingly unfortunate that we should be confronted with a question involving grave principles of international law that seems to me to involve the honor of this Government, have a very considerable influence upon our relations to the rest of the world, and establish great precedents which, if like other precedents, shall be extended gradually every time the opportunity comes to plead them, will lead us into interminable confusion, and possibly and probably change the history of the world.

A question of such grave importance as this ought to be discussed, it seems to me, without any personal rancor or any partisan heat; and I should be at liberty, as should every other Senator, to speak my sentiments untrammeled, and unhindered, realizing that this body and every member of it is as much charged before the world and is as much responsible for the acts of the Government of the United States, as is the Executive or any person connected with the executive department of the Government.

I realize that there are several things that the Executive may do. I realize that the Constitution gives to him certain powers with which we can not interfere, and I think wisely so. In his own sphere the Executive is independent, but he is part and parcel of the legislative department of the Government as well as of the executive. The Constitution has given him a voice in everything that we do here; but that does not put him above us; that does not remove from us any responsibility because he may have the final veto and the final determination of what we do here.

I myself believe in treating the executive as every other branch of the Government ought to be treated, and I believe that comity and the ethics of political life require me to speak of the President with respect, and not to impugn his motives unless the logic of the condition convicts him of something other than fairness.

I have listened to two or three eulogies on the President of the United States. That is all right for those who think as the President thinks, but I myself have not been willing to recognize in the acts which we are criticising, and which, I think, the world is criticising, wisdom or patriotism, while I am quite willing to recognize the honesty and the good intentions of the President.

So, when I come to discuss this question, Mr. President, I hope to discuss it from an impartial standpoint, and I believe, if I know myself, that I can discuss it as fairly and as squarely as I could if I sat on the other side of the Chamber and gave my adherence to this Administration.

There are certain phases of this question that strike me as being very important, and I allude to one of them when I say that this act, although apparently inconsequential in itself, may be one that will bring great complications and great disasters to the American people.

In my judgment, we shall have no war with Colombia. I am not for a moment deterred from the approval of the acts of the President because I have any fear of a controversy of that character. I know that the Republic of Colombia is absolutely incapable of conducting a war against us. However much it might cost us in the respect of the world to go to war with Colombia, yet we need not fear the outcome nor the result, and Colombia is too wise, as she has shown for the last two months, to carry on any controversy with us by force of arms. That does not impugn the courage nor the patriotism of the people of Colombia.

The nation that we represent here is a nation with which to-day no people on the face of the earth seek a quarrel. There are nations with more population and with greater preparation for war, who could probably carry on a war with us that would be very disastrous, and yet those nations shrink from a contest with us, as does the smallest and the most insignificant nation in the world. And why should they not? We have demonstrated to mankind that with our great population and our great wealth, with our history, if there is a fighting people on the face of the earth it is the American people. We have just emerged, I may say—for although that war ended a generation ago, still I may say "just emerged," for the time which has elapsed is brief when you come to consider the ages and reputations of nations—from the greatest civil war of all history, having carried on a contest that attracted the attention of all mankind, which for true courage and close fighting has no parallel in the history of the world, the Napoleonic wars not excepted.

While there might sometimes have been displayed more dashing enthusiasm and courage in the French army, yet for steady fighting, for standing in front of cold steel and meeting it unflinchingly, Mr. President, the history of the world presents no parallel with the conduct of the American soldiers in the history of the civil war. So you need not wonder that not only Colombia does not want to quarrel with us, but Great Britain does not want to quarrel with us, and no other nation in the world is seeking a quarrel with us at this time; nor is any nation likely to do so in the future.

Because we occupy that position in the world I think there is an obligation upon us that rests upon no other nation, and that is to conduct ourselves in a manner that shall not provoke war, but that we shall maintain that high standard of excellence and moral worth as a nation that the one hundred and twenty-five years of our history entitles us to claim.

I approach this question, then, as I think it ought to be approached by every man on this floor, by every man who is connected with the Government, whether it be the President or whether it be the subordinates in his office, or whether it be the members of the coordinate branch of the Government, as a great question, not a question whether we are going to build a canal—that we can build—not whether we are going to add to our laurels by cutting the continent in two and opening the road to the commerce of the world at our expense, to be shared on equal terms with us by all the rest of the world, but whether we are going to conduct ourselves toward the republics of South America and Central America and toward all the rest of the world as becomes a nation of our professions and beliefs.

Mr. President, the question is too large and too great to be discussed in the hour or two that the Senate will have the patience to listen. I stated the other day, and I want to state it again, that no condition of need, no condition of want on our part or necessity for building this great canal justifies us in the violation of international law.

I mean to say, with all due respect, measuring my language, if I can, so that it shall not be offensive, that in my judgment the President of the United States has violated a plain, well-known provision of international law; and if I have not that privilege here, then there is an end of free government in the United States. If I am to be met by punishment by the Executive or by my associates here because I thus believe and because I thus speak, I repeat there is an end of free government in the United States. I do not believe that time has arrived. I do not believe the Executive of the United States will attempt to punish me or to express his displeasure because of the fact that I stand here and differ with him in a matter where I am willing to admit he supposed he was acting in the interest of peace and good order and in the interest of the American people, but I think mistakenly so.

I am not going into the controverted question whether the President of the United States, or any agents of the United States, or any party connected with the Administration of the Government of the United States has had any hand in the originating of the rebellion in Panama, but I am going to say—and I think I can prove it in a few words, not only by the practice of the nations of the earth, but by the writers who have written upon international law during the last two hundred and fifty or three hundred years—that, allowing that everything which has been stated as to Panama is correct, allowing that Panama had a grievance against Colombia, allowing that the right of revolution there existed, the condition in Panama was one of insurgency.

I myself shall never deny here or elsewhere the right of revolution. I am not complaining of Panama. I do not know but that if I had lived in Panama, under the conditions there prevailing, I would have been a rebel against the Government of Colombia. But there are certain great principles of international law, recognized by all the nations of the earth, recognized long before the Christian era, recognized in the days of the early Greeks, recognized in all history since, as necessary for the government of nations, as much so as statutory laws and written constitutions are necessary for the government of a people. One of them is that when a state secedes from the parent government, or when a portion of the people break away from the government which they have theretofore recognized, all the world stands off and looks on, and there is an obligation upon every nation in the world to maintain absolute neutrality between the old government and the attempted new one.

Mr. President, I am not going to say that there are not exceptions to that rule. I am not going to say the time may not come or that it has not come in the history of the world again and again when that law has been set aside by necessity and in the interest of the human race. But I shall be able to show, I think, without the slightest difficulty, that that is not the case before us here: that no such condition existed: that the President of the United States intervened and recognized this Republic in a way in violation of law. I think I shall now challenge my associates on the other side of the Chamber, who told us this was the most glorious act of the President, and that if he had not done exactly what he did he would have been derelict in his duty and the interests of the American people would have suffered, to disprove my assertion that his acts are illegal.

Mr. President, I dislike very much when addressing the Senate upon a question of this kind to array the literature on this subject. It has always seemed to me that every Senator ought to be acquainted with it, and the enunciation of a principle or the statement of a precedent here ought to be enough without producing the proof. But believing that this would be challenged, or if it were not challenged here that it would be challenged elsewhere, and that it would be said that there was nothing unusual and that there was nothing out of the ordinary way in the recognition by the President of the United States of the Panama Government, I have brought here some authorities.

The Navy Department has published a small work on international law; at least a gentleman did it for the use of the Navy Department. It is convenient, and it puts in concise shape what is the law and what is recognized as the law for the government of the Navy of the United States. I am going to read from that document. Then if any Senator thinks that this is not well supported, I have brought here an array of treatises on the subject which will be recognized as entitled at least to the respect of this body.

Mr. SPOONER. From what does the Senator propose to read?

Mr. TELLER. I will read from Snow's International Law, which, I understand, was a series of lectures delivered at the Naval College, published either by him or the Government, and which is in use upon all the war ships of the United States.

One of the recognized writers on international law, often quoted and certainly entitled to respect, says this:

> Publicists give three cases in which nations are called upon to recognize a state of facts in other countries different from that which existed before. They are—
>
> (1) When the existing personal ruler of a state already enjoying an independent position assumes some new title and claim upon other states and governments to recognize that title as belonging to him.
>
> 2. When an existing nation has acquired new territory as the result of conquest and claims to have it recognized as a part of her national domains.
>
> 3. When a portion of an existing nation separates from the remainder and claims to be recognized as a new independent nationality, and coequal member of the family of nations—a new body politic and state.

Mr. President, the author ought to have added one more case—when a nation changes its form of government, as when France deposed her monarch and declared herself a republic.

Mr. SPOONER. That comes within the second classification.

Mr. TELLER. Well, hardly. I hardly think he covered that by the second classification. But that is a case to which I will specifically call the attention of the Senate. I want to do that because it will be quoted against me when I say there is no precedent in the history of the world for the haste which the President of the United States exhibited in this case.

France was a monarchy. France suddenly deposed the monarch and declared that France was a republic. There was no contestor with France. The monarch disappeared and got out of the country. There was nobody left to fight the Republic. The French people were in accord with it, and in every department of France, without a single exception, the recognition of the Republic in all official circles was complete and unquestioned. Now, what did we do then?

Mr. SPOONER. Of course the Senator will not submit that as a fair illustration of that class of cases. There was no change in the identity of the Government. It was a mere change in the administration of the internal affairs of an independent country. It stands by itself.

Mr. TELLER. Yes; it is sui generis.

Mr. SPOONER. Yes.

Mr. TELLER. I realize that. But that instance has been quoted. We promptly recognized the Government. Why should we not? There was no other government we could recognize. We had accredited our minister to France. He was there. We had our consuls in France. If they did not recognize it, then we had no relations with the French people whatever, and promptly our minister recognized the fact that there had been a change in the Government, and our Government here recognized it promptly. But that is not the question where a portion of a government secedes or where a state withdraws.

Colombia is constituted somewhat on the line of our own Government—with States. Panama was a State. The President speaks of it as held to Colombia by a loose federal relation. I do not know what he means by that term. The State I represent in part on this floor may just as properly be said to be held to the United States by a loose federal relation. I understand that Panama was just as much a part of Colombia as Colorado is a part of the United States. It had its representatives at the capital, and had had for many years in close connection, and had never been an independent government at any time; at least it had never been able in the early revolutions to establish itself as an independent nation, and had never been so recognized by the world.

Now, this State withdraws. I come to what the law is on the subject of the relation of our Government to that State. While I will not read all the authorities here, I will venture to say that no Senator who has given any attention to the subject will question that this is the recognized law of the world. The author of this book says:

> We will here concern ourselves only with the third case.

That is the case of secession or rebellion, whichever you choose to call it.

> For the most part new states come into existence through successful rebellion.

If they do come into the condition of being a state, it must be by successful rebellion, if there is rebellion at all. A rebellion alone does not make a state.

Mr. SPOONER. A successful rebellion is revolution.

Mr. TELLER. The terms are synonymous.

Mr. SPOONER. Not with me.

Mr. TELLER. I do not care whether the Senator calls it a revolution or a rebellion. If he prefers that I should use the term "revolution" I will use it. What does the Senator say was the condition between us and the attempted seceding States? Was it a rebellion or a revolution?

Mr. SPOONER. I will not interrupt the Senator again. I am not criticising the Senator, because I am not dissenting from any proposition he has made.

Mr. TELLER. Thanks.

Mr. SPOONER. Our civil strife in this country grew out of rebellion. It never ceased to be rebellion. If it had succeeded there would have been a government established through revolution.

Mr. TELLER. Those are distinctions——

Mr. CARMACK. I understand the Senator to mean that a rebellion is an attempted revolution, and a revolution is a successful rebellion.

Mr. SPOONER. That is right.

Mr. PETTUS. Mr. President——

The PRESIDING OFFICER (Mr. PATTERSON in the chair). Does the Senator from Colorado yield to the Senator from Alabama?

Mr. TELLER. Certainly.

Mr. PETTUS. If the gentlemen are in great difficulty about a term to express that meaning, I will suggest one. I suggest the secession of Panama.

Mr. SPOONER. There is a difference between an attempted secession and secession.

Mr. TELLER. I am not going into the refining of terms. I am not going to stick in the bark, as the Senator from Wisconsin charged somebody with doing the other day. I want to discuss this question upon broader grounds. I want to discuss it on the line not that I happen not to agree with this Administration, not for the purpose of making any political capital out of it, but because I think it important that we should not establish a precedent of this kind. I agree with the President that there is no probability of anything that we may say here or do here changing the actual condition in Panama.

Now, let me finish reading what I lay down to be a doctrine of international law, still quoting from Snow. I will begin again:

> For the most part new states come into existence through successful rebellion. This has been the case with all existing American states and with many of the European states. When a rebellious community has practically attained its end, which is independence, and the mother country—

I hope Senators will listen to this—

> When a rebellious country has practically attained its end, which is independence, and the mother country has ceased military operations against it, then, if the government and institutions of the new state appear regular and stable, it is recognized by third states as an independent state and a member of the society of nations. This is usually done either by entering into diplomatic relations with the new state or by negotiating treaties with it. The United States were recognized in 1778 by France by treaty, while the South American states were recognized by the United States in 1822 by a resolution of Congress to send diplomatic agents, and by England by making treaties. As a rule, the mother country does not recognize the new state until a later time.
>
> The rule of international law with reference to the recognition of the independence of a state is that war for its subjugation has practically ceased and that it has a stable government. The commencement of a state as a subject of international law dates from this recognition of independence by existing states. Concerning this, Hall says—

I have his work here on my desk—

> "Although the right to be treated as a state is independent of recognition, recognition is the necessary evidence that the right has been acquired."

That is all. When a government recognizes a new government, it recognizes it upon the theory that it has been able against the parent state to assert its independence and maintain it, and that it has a government capable of maintaining that government and discharging its international obligations to all mankind.

Now, I assert that no lawyer who has ever given any attention to the subject will dispute that law. General Jackson laid it down in words to which I will, without stopping to read them, call the attention of the Senate. It will be found in the messages and documents which have been published. It is in reference to Texas.

[From the message of President Jackson to Congress, December 21, 1836.]

> But there are circumstances in the relations of the two countries which require us to act on this occasion with even more than our wonted caution. Texas was once claimed as a part of our property, and there are those among our citizens who, always reluctant to abandon that claim, can not but regard with solicitude the prospect of the reunion of the territory to this country. A large proportion of its civilized inhabitants are emigrants from the United States, speak the same language with ourselves, cherish the same principles, political and religious, and are bound to many of our citizens by ties of friendship and kindred blood; and, more than all, it is known that the people of that country have instituted the same form of government with our own, and have since the close of your last session openly resolved, on the acknowledgment by us of their independence, to seek admission into the Union as one of the Federal States. This last circumstance is a matter of peculiar delicacy, and forces upon us considerations of the gravest character. The title of Texas to the territory she claims is identified with her independence. She asks us to acknowledge that title to the territory, with an avowed design to treat immediately of its transfer to the United States. It becomes us to beware of a too early movement, as it might subject us, however unjustly, to the imputation of seeking to establish the claim of our neighbors to a territory with a view to its subsequent acquisition by ourselves.
>
> Prudence, therefore, seems to dictate that we should still stand aloof and maintain our present attitude, if not until Mexico itself or one of the great foreign powers shall recognize the independence of the new government, at least until the lapse of time or the course of events shall have proved beyond cavil or dispute the ability of the people of that country to maintain their separate sovereignty and to uphold the government constituted by them. Neither of the contending parties can justly complain of this course. By pursuing it we are but carrying out the long-established policy of our Government—a policy which has secured to us respect and influence abroad and inspired confidence at home.

President McKinley, in his message to us just before the Spanish war, quoted that with approbation, as he also quoted the words of General Grant, which were in accord with the utterances of General Jackson.

I have several references which I do not intend to read, although I may read one or two on this subject. I have a reference to Creasy's International Law. I will simply say that my contention is fully supported not only by Creasy, but by Davis, by Hall, by Lawrence, by Twiss, as well as, as I said before, by the practice of the world.

Mr. President, it will be well enough to go back, and in a brief way I will call attention to the fact that when the South American colonies of Spain announced their independence of Spain the United States waited. Sympathizing, as we did, fully and completely with those people in their efforts to rid themselves of the Government of Spain and establish a government of their own, we waited year after year. Congress passed resolutions. The President did not recognize it until years afterwards. But perhaps the most noted modern instance of this delay was with the

Republic of Texas. When we recognized Texas as a State she had maintained herself for more than six years without a Mexican soldier on her soil; and yet, regarding the feelings of Mexico, we declined until then formally to recognize Texas as a sovereign state.

Mr. President, whenever there is an insurrection, a rebellion, a revolution, whatever you choose to call it—whenever there is a contest between the parent state and a portion of the state, there are three stages recognized in international law. First, insurgency. That does not recognize them as having any rights at all. That is the condition, if there was any condition which might at all be considered a revolution or a rebellion in Panama, which existed in Panama on the night of the 3d of November. The next stage is that of belligerency, where they have certain rights accorded them by the other nations—that they are entitled to be treated not simply as rebellious subjects, but they have a position; they have been fighting and have reached the point in their history where the nations of the earth accord to them belligerent rights. Third and lastly comes the stage of recognition. I repeat now once for all that it must be when they have established government in accordance with the recognized opinions of mankind—a government and not a junta, not a self-constituted cabal, that lasts only over night, as we have seen them in South America frequently, but a government, and a government that is likely to succeed against the parent state, for the authorities are that so long as the parent state has a show, or a reasonable show, to bring it back to subjection, we have no right to interfere.

They must do more than that. They must be able to discharge the duties that they owe to the rest of the world as a nation before they are entitled to be accredited as a nation.

Now, what was the condition on the Isthmus of Panama? On the 3d of November there was a revolution there. On the 6th the Government of the United States recognized it as a republic; recognized it as a nation capable of defending itself against Colombia, recognized it as a nation capable of discharging its international duties to the rest of the world.

Mr. President, there are not a great many Senators here. I will admit, but I wait for some one out of the paucity of numbers here to tell me that there was a condition there which justified Panama's recognition under the law I have just enunciated and which nobody has yet disputed and which nobody will dispute.

Could the 300,000 Panama people, at least one-third of them of an inferior class usually called Indians, maintain themselves against Colombia for an hour? Does anybody believe that the 400 Colombian soldiers there would not have wiped out that rebellion before morning if they had not been deterred by the action of the Government of the United States? The Senator from Wisconsin smiles as if that were a preposterous proposition.

Mr. SPOONER. I beg the Senator not to think——

Mr. TELLER. I do not take any offense at the Senator's smiling. I would rather that he should smile than frown when I speak.

Mr. SPOONER. I never frown on the Senator, and I will tell the Senator what I was smiling at, if he insists upon it.

Mr. TELLER. I have no objection.

Mr. SPOONER. I was smiling at the notion that 500 Colombian soldiers need have any particular fear of forty-two American marines.

Mr. TELLER. Oh, Mr. President, it was not the forty-two men; it was the knowledge that was there—the knowledge that came there on the 2d of November, when there was no insurrection, no rebellion, no revolution—that the Government of the United States would not allow Colombia, if a revolution existed, to assert for herself the right, which under the law of nations and under the law of God she had, to bring back her dissenting citizens and make them submit to the law if she could, for it is the right of every nation in the world to compel obedience to its behest, because unless you admit that right you can not maintain a government.

Mr. SPOONER. The Senator from Colorado brought me into this discussion because I smiled. Of course I am very glad that he pays the tribute to the United States which he does—that when we are there, when our flag is somewhere floating from the mast of an American war ship of even the third class it means something. But the Senator must remember that it had been there a number of times before, and without any objection from Colombia.

Mr. TELLER. On Colombia's request.

Mr. SPOONER. No, not always on Colombia's request.

Mr. CARMACK. With her free will and consent, always.

Mr. TELLER. If it was ever there against the will of Colombia, notwithstanding the treaty, in my judgment it was a gross act against the sovereignty of that country, for we had no right to interfere without her consent.

Mr. SPOONER. Does the Senator from Colorado contend that it was a violation of the treaty or of international law for the United States to have a war ship there in that harbor without the consent of Colombia being asked?

Mr. TELLER. Oh, Mr. President, I have not made any such pretense as that——

Mr. SPOONER. Pretty near it.

Mr. TELLER. And the Senator will not be allowed by me to put words in my mouth nor to say what I think on this question. I will make that statement.

Mr. SPOONER. All I did was to take the Senator's——

Mr. TELLER. I have said nothing which would indicate that. I will lay down a proposition of law that can be supported by every law writer here, if the Senator will give me a chance. It is that when a nation enters into a guaranty with another nation to do a certain thing—for instance, to guarantee the free passage of trade across that Isthmus—the law writers say that it is the province of the government, not the government that makes the guaranty, but the province of the government where we would go with our Army where we do not otherwise belong, to say when it shall come. That is the law of nations. If we stipulate with Colombia that when she needs, on certain conditions and circumstances, our help we may put our Army there, she is to determine when she wants our Army there. If the Senator will take the pains to read the authorities, he will find that that is not a contested or a controverted question to-day. I will present authority on that point later.

Now, Mr. President, I do not know whether in every instance Colombia asked us to go there or not, but certainly Colombia never intended to surrender her sovereignty over her territory, and the authorities say no nation shall be presumed, when you construe a treaty, to have surrendered her sovereignty unless the treaty is incapable of any other construction.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield?

Mr. TELLER. I yield.

Mr. SPOONER. The Senator from Colorado, for whom I have the profoundest respect, and not only that, but admiration, did me an injustice. I did not attempt to put words in the mouth of the Senator from Colorado. I simply took up his challenge and asked him whether he contended that under the treaty of 1846, or I might have said on general principles, we had no right to have a war ship there without having been requested to send it there by Colombia. Now, if the Senator will permit me——

Mr. TELLER. Certainly; go on.

Mr. SPOONER. About the relations of the United States to the Isthmus of Panama under the treaty of 1846, and I want to hear the Senator discuss the question——

Mr. TELLER. I am going to do so before I get through.

Mr. SPOONER. I know, but I wish to call the attention of the Senator, if he will permit me, to it; and I shall not interrupt him again unless I should happen to smile and he rather force me into it. Under the treaty of 1846 the Government of Colombia guaranteed to the United States a right of way or transit across the Isthmus of Panama, not in any particular place, but along any line of communication which had theretofore been constructed or which might thereafter be completed. I think that is the language of the treaty.

Mr. CARMACK. By agreement between the two nations.

Mr. SPOONER. What does the Senator mean by saying an agreement between two nations?

Mr. TELLER. All treaties are agreements.

Mr. SPOONER. It was an agreement——

Mr. CARMACK. If the Senator will permit me just a moment, what I meant to say was that when the treaty spoke of anything that might be done hereafter it certainly contemplated an agreement between the two nations.

Mr. SPOONER. No; it did not contemplate an agreement between the two nations. It was in præsenti an agreement between the two nations.

Mr. CARMACK. As to existing modes of transit.

Mr. SPOONER. As to any mode of transit; those that existed or those that thereafter might exist.

Mr. CARMACK. How could they come into existence thereafter? Did not that contemplate further agreement between the two sovereigns?

Mr. SPOONER. No, not at all. But it implied a rule that was declared in præsenti by that treaty as to all the modes of communication that then existed or that might in the lapse of years be thereafter constructed and completed.

Mr. CARMACK. To whom?

Mr. SPOONER. Anybody who might be authorized by Colombia—company, Government, or individual. Who were authorized by Colombia might construct a transit, a canal, railway, military road, or whatever, the treaty gave us the right of way and free transit over it.

Mr. TELLER. I intend to come to the discussion of this treaty, and I will try to treat it fairly.

Let me say, Mr. President, the right of the Government of the

United States to have its ships in the harbor of Colombia, whether it be Panama or Colon, is unquestioned, and, by the universal approval of mankind, if there should be a trouble there of any kind, such as would jeopardize and endanger the lives and liberty of our citizens or their property, you may land marines, if you have a ship there, to preserve order. We are doing that to-day on the Asiatic coast. Not long ago we landed our troops and sent them over by land quite a considerable distance to the capital of Korea because it was believed that our people there were in danger. Our right as a nation to have our flag in every part of the world where we are not at war is, of course, one of the recognized and a limited things there can not be any question about.

Mr. SPOONER. Now, if the Senator from Colorado will permit me——

Mr. TELLER. I did not mean to interrupt the Senator.

Mr. SPOONER. I will not interrupt the Senator again.

Mr. TELLER. I do not want the Senator to make any pledge.

Mr. SPOONER. I shall make it, although I never object to interruptions. But what I wanted to say and was prevented from saying is that when the Government of Colombia—and I put it to the Senator from Colorado—guaranteed to us the right of way or free transit across its own territory as respects transit then completed or constructed or any that might thereafter during the life of the treaty be constructed, it was both a grant of servitude and a guaranty. If I guarantee to the Senator from Colorado a right of way over land which I own, it is a grant of the right to enjoy the servitude, and in addition it is a pledge upon my part that, whatever comes, I will do the utmost I can to secure to him the enjoyment of that grant. Now, this is the point I want to present to the Senator from Colorado.

Mr. TELLER. All right; go ahead.

Mr. SPOONER. We were to pay for this right and we were to pay for it even with the expenditure which war involves of money and of life, it was not without consideration. American capital constructed a transit across the Isthmus. If Colombia failed in its duty of guaranty, did we not have, under the treaty, a right to protect the transit?

Mr. TELLER. It is not worth while to go into discussion of that. Colombia did not fail——

Mr. SPOONER. I think Colombia did fail.

Mr. TELLER. And Colombia had no opportunity to discharge a duty that all the authorities say it was incumbent on her to discharge. Our Government recognized that when we said to this new, feeble, helpless Panama Company, "We expect you to protect this transit."

Mr. CARMACK. Under the treaty.

Mr. TELLER. Under the treaty of 1846. Now, you can not expect Panama to do it unless Colombia must have done it and was under obligations to do it. Of course Colombia did do it, and always has done it except when she found it impossible to do it and had called upon us to help. I think, although the Senator thinks otherwise, there was a case when she did not call upon us. Possibly there was when perhaps we saw she could not do it.

But here is a case where she did not have an opportunity. She had her 400 men there. Why did we not say to the 400 men or the authorities we had recognized as the authorities of Colombia in Panama, "Protect this railroad; if you do not we shall have to protect it ourselves?" There was nothing of the kind.

Mr. President, I do not want to be offensive, but I wish to say that in my judgment the claim that it was necessary that we land the troops there or that we declined to allow troops of Colombia to take any action there has grown up since that occurrence, that that was not the fact. The purpose of interdicting Colombia from interfering with Panama was to enable Panama to take her place as a so-called republic in the nations of the world.

Now, I want to put this question. I want to know if there is any Senator who supports the President in this action who believes that it was wise and patriotic; whether he believes if we withdrew the moral support of the Government of the United States, and let alone the active armed support, that the Republic of Panama would last a week?

Mr. DOLLIVER. Will the Senator from Colorado allow me?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. TELLER. Certainly.

Mr. DOLLIVER. It appears that a revolution prevailed on the Isthmus of Panama in 1902 which the Colombian Goverment was entirely unable to suppress, and could produce against it only a small army, which the Senator from Alabama [Mr. MORGAN] has described to us as an army of conscript children; and that revolution was finally terminated, I judge, by the good offices of the United States in what was practically a drawn fight or a sort of arrangement for peace.

Mr. TELLER. I know there was some difficulty, I think during the Administration of President Cleveland, but of the particulars about that I have never been very well advised.

Mr. DOLLIVER. I refer to 1902—last year.

Mr. TELLER. I thought the Senator referred to the former attempt at revolution.

Mr. CARMACK. Mr. President, will the Senator excuse me a moment?

Mr. TELLER. Certainly.

Mr. CARMACK. I do not think that revolutionary movement was confined to the Isthmus.

Mr. TELLER. No, that revolutionary movement was not. Mr. President, this is taking me entirely out of the line I intended to follow, and I now desire to return to it because the Senator from Massachusetts [Mr. LODGE] the other day read what he said were precedents, but which I say are not precedents. The Senator from Massachusetts is not here.

JULY 25, 1900.

You are directed to protest against any act of hostility which may involve or imperil the safe and peaceful transit of persons or property across the Isthmus of Panama. The bombardment of Panama would have this effect, and the United States must insist upon the neutrality of the Isthmus as guaranteed by the treaty.

Now, Mr. President, to whom were the consuls to protest? There was no armed intervention on our part then. We simply asserted that they had the obligation upon them, which I say existed, that they should maintain a peaceful condition along the line of that transit, and that was addressed not to Panama, but to the Colombian Government. A year or more later the Government again said:

NOVEMBER 20, 1901.

Notify all parties molesting or interfering with free transit across the Isthmus that such interference must cease and that the United States will prevent the interruption of traffic upon the railroad. Consult with captain of the *Iowa*, who will be instructed to land marines, if necessary, for the protection of the railroad, in accordance with the treaty rights and obligations of the United States. Desirable to avoid bloodshed, if possible.

That is all there was of that. Now we come to 1902. This is to the *Ranger*, at Panama:

SEPTEMBER 12, 1902.

RANGER, *Panama:*

United States guarantees perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. * * * Any transportation of troops which might contravene those provisions of treaty should not be sanctioned by you nor should use of road be permitted which might convert the line of transit into theater of hostility.

MOODY.

Here is the reply:

COLON, *September 20, 1902.*

SECRETARY NAVY, *Washington:*

Everything is conceded. The United States guards and guarantees traffic and the line of transit. To-day I permitted the exchange of Colombian troops from Panama to Colon, about 1,000 men each way, the troops without arms in train guarded by American naval foreign the same manner as other passengers; arms and ammunition in separate train, guarded also by naval force in the same manner as other freight.

MCLEAN.

Colombia did that as it was her duty to do.

The PRESIDENT pro tempore. Will the Senator from Colorado suspend one moment? The Chair lays before the Senate the Calendar of General Orders.

Mr. CULLOM. I hope that the regular order will be laid aside for the time being until the Senator from Colorado finishes his remarks.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senator from Colorado be allowed to proceed. The Chair hears no objection.

Mr. TELLER. A few minutes ago I could not put my hand on the precedent that I wanted to refer to. It is found in Creasy's First Platform of International Law. If any Senator has the curiosity to look at it, he will find it on pages 679, 680, and 681, where it is laid down, fully sustaining the proposition I have made. I do not wish to detain the Senate and shall not attempt to read it, but I shall ask permission to put so much of it in my speech as I think is pertinent.

The PRESIDENT pro tempore. The Chair hears no objection.

The matter referred to is as follows:

1. The practical cessation of hostilities on the part of the old state, which may long precede the theoretical renunciation of her rights over the revolted member of her former dominion.

2. There should occur the consolidation of the new state, so far at least as to be in a condition of maintaining international relations with other countries, an absolute bona fide possession of independence as a separate kingdom, not the enjoyment of perfect and undisturbed internal tranquillity—a test too severe for many of the oldest kingdoms. But there should be the existence of a government, acknowledged by the people over whom it is set, and ready and able to prove its responsibility for their conduct when they come in contact with other nations.

(4) Sir William Harcourt has ably pointed out the principle which is the foundation of the first of these canons, of the rule which manfully secures the payment of due regard by foreign nations to the just rights of old sovereign states in cases of civil dissension. Sir William says: "The general principle which underlies and forms the substratum of the whole discussion is the fundamental doctrine of the respect exacted by international law for the independence of sovereign states. Each state is bound in its international relations to observe and respect the sovereignty, however symbolized, of every other state. Sovereignty, by the very definition of the term, implies a right to the obedience of subjects, whether the sovereign be a despot, a monarch, or a republic. As long as persons once owning the relation of subjects to a sovereign state are still capable of being regarded in any sense as

such subjects, to deal with them upon an independent footing is a hostile act toward that sovereign which, according to the principles of international law, may be justly resented. On the other hand, if persons who once owned the relation of subjects have been able, either by force of arms or otherwise, to rest themselves in a final and permanent manner of the status of subjects, then diplomatic transactions with such persons afford no justifiable ground of offense to their former sovereign nor can they be regarded as a breach of neutrality or friendship."

It may be added that to treat prematurely any portion of the territory or of the population of an old state as no longer appertaining to its former sovereignty is to violate not only the old sovereign state's right to independence, but other primary rights also, which have been described in a preceding chapter of this treatise. Such are the old state's right to security, right of ownership, and right of empire.

642. The second condition precedent, mentioned by Sir R. Phillimore, for a new state's title to recognition by foreign powers is the possession of it by a reasonable, effective and permanent system of self government. This is a matter as to which a foreign state has to consider not so much its special duties toward the old sovereign state as its duties toward the commonwealth of civilized nations in general. It has been pointed out in an early portion of this volume that a state, in order to be entitled to take its place in the great family of sovereign political societies, must not only be free from government from without, but that it must govern itself. The sense and necessity of this rule are too obvious to require any comment.

643. Finally, it is to be observed that the recognition of a new state by a foreign state can benefit only made by the sovereign authority only in the foreign states and until such recognition by the government takes place private individuals, executive officers, and courts of justice in the foreign state are bound to act and to decide as if the ancient relations between the now dissevered portions of the old state remained unprecedled and binding. (Creasy's First Platform of International Law, pp. 679-681.)

Mr. TELLER. The Senator from Wisconsin has directed my attention to the treaty of 1846. While I had not intended at this time to refer to it, but to leave it for a subsequent period of my discussion, I am going to take it up now for a few minutes. I think the Senator must have supposed I had not carefully read the treaty and was not familiar with all its parts.

This treaty has been used by the President to put Colombia in a false attitude, and I think to create a false impression in the country as to what the treaty really contains. I do not myself believe that by this treaty Colombia abandoned any of her sovereignty nor gave us any privileges that we did not have by law up to that time, except as to the line of railroad. I know that that line of railroad was built by American capital, and I also know that to-day it is not an American railroad; that the capital has gone into the hands largely of Colombia herself. Colombia owns a large amount of it, or did before it was taken by Panama.

This treaty was made with New Granada, and a change of form of government—a change of administration, I may say, for I understand the lines of New Granada and Colombia are practically the same—has given to it the name Colombia. Colombia has recognized at all times, I believe, her obligations under the treaty, and we had obligations under the treaty just as much as Colombia had.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Indiana?

Mr. TELLER. Yes, certainly.

Mr. FAIRBANKS. If the Senator will allow me to ask a question for information, I do not know that I heard distinctly his statement about the Colombian ownership of stock in the Panama Railroad Company. I would be obliged if the Senator would repeat what he said, showing the time when it owned the stock and up to what time it owned it.

Mr. TELLER. I do not know whether Colombia has parted with her stock or not. Not long since Colombia had an interest in the railroad and a considerable amount of stock.

Mr. FAIRBANKS. My information——

Mr. TELLER. As to the amount she has now I am not prepared to say; I know it practically ceased to be an American road and our control over it was only in the interest, not of American capital, but in the transit across the Isthmus.

Mr. FAIRBANKS. I think if the Senator will pursue his inquiry a little further he will satisfy himself that Colombia has not owned, and does not now own, a share of stock in the Panama Railroad Company—at least that she does not now own any.

Mr. TELLER. The Senator is right. I had in my mind her ownership in the stock of the new Panama Canal Company, which owns nearly all of the stock of the Panama Railroad Company, but I do not think it material whether Colombia owns the stock or not. I do not think that we are claiming that we were policing that road in the interest of American capital, but in the interest of the transit of the world.

I wish to read this. I have the treaty here. The thirty-fifth article, of course, is the only one that is very important for us at this time. I do not read all of it:

The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States, and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States; that no other toll or charges shall be levied or collected upon the citizens of the United States, or their said merchandise thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is under like circumstances levied upon and collected from the Granadian citizens; that any lawful produce, manufactures, or merchandise belonging to citizens of the United States thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever, or having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of the United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said Isthmus.

Now, here is the important part of this contract:

And, in order to secure to themselves the tranquiland constant enjoyment of these advantages, and as an especial compensation for the said advantages and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and effectually to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

Mr. President, this is not a one-sided guaranty. We got something for our guaranty. My colleague [Mr. PATTERSON] the other day called attention to the fact that the papers submitted by the President when this treaty was communicated to the Senate showed what it was. I believe that my colleague expects to address the Senate on this subject, and I shall not go into it, except to say that when the President submitted that treaty to the Senate he said that the papers which accompanied it would explain the treaty. He said he knew how dangerous it was to make a guaranty of that kind, but that the papers would show what we were getting for that guaranty. Then he said—and it can be found in Mr. Polk's message of submission—that it was expected that the same stipulation which had been made to us would be made by New Granada to Great Britain and to France.

Mr. SPOONER. It never was.

Mr. TELLER. I do not know whether it ever was or not, but we took it with the burden that they had a right to do it, because we understood that they were to do it.

Mr. President, that treaty was to remain in force for twenty years. It has remained properly ever since. That it is a treaty binding upon Colombia I do not deny, and it is binding upon us—every phase of it is binding upon us.

The most important thing in that whole treaty is that if any controversies should arise between us we should not submit them to the arbitrament of war, but that we should submit them to arbitration. The other day, when it was proposed here to suggest to the President in a perfectly competent and proper manner that it was the sentiment of this Senate—which I am sorry to say I do not suppose it is now—that we should make a treaty with Colombia, if we could, composing any difficulties that might exist between us, we were met by the Senator from Wisconsin [Mr. SPOONER] and others with the query, "Just what has Colombia complain about?"

Mr. President, this is what some of the writers call an equal treaty—that is to say, there are equal obligations on each side. We have continued with that treaty for many years. It was American capital which went down there and built the Panama Railroad. We expected when we made that treaty that some day we—no, not we, but somebody—would build a canal across the Isthmus, as to which we stipulated that Colombia should preserve the right of free transit. No canal has been built. There has been no complaint against Colombia of which I know as to not keeping the transit of the railroad free, except when conditions got beyond her control. I do not know that there has been any complaint of Colombia from the time the treaty was made until the present that Colombia has not tried faithfully to execute the provisions of the treaty.

There was not much for us to do. Colombia put herself under obligations that if she made a contract with some other nation to build the canal she would take care of our interests. She has done that. In every concession that has ever been made, so far as I know, as to the building of a canal on that Isthmus, the interests of the whole world have been preserved by Colombia. Of that I will speak later when I come to discuss more definitely the two routes and our relation to them.

Mr. PLATT of Connecticut. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. TELLER. Certainly.

Mr. PLATT of Connecticut. Before the Senator leaves that part of the subject I wish to ask. Does he maintain that the United States has no right under any circumstances to take measures to preserve the transit over that railroad, that we must rely upon Colombia to do it, and that we have no right to do it in any event?

Mr. TELLER. Mr. President, Colombia guarantees free transit across that Isthmus. We have got American property there, or at least we had when the railroad was built. I am old enough to know something about that railroad. I recall very well when it was built. I recall many sad chapters in the history of its building. I recall the fact that in my immediate neighborhood, amongst my acquaintances, young men went down there as

engineers to build that railroad and they never returned. I have known something of the history of that road, whilst I have never seen it or been near it. I know what it cost humanity to build it. I know that one of the leading men of the road declared after it was built that for every tie in it there was a dead man; but I have never heard any complaint at any time that Colombia had violated that guaranty of hers and she has not done so now, because she has had no opportunity and we have been the prohibitory power. It is the United States who stood in front of her and said, "You shall not carry out the provisions of your guaranty to us;" and so we have absolved her beyond all question in every court of morals and of law in the world.

Mr. PLATT of Connecticut. Mr. President, it seems to me the Senator does not answer the question which I asked, and I think that question goes to the very crux of this controversy.

Mr. TELLER. I will answer.

Mr. PLATT of Connecticut. The question is, Has the United States under any circumstances the right to preserve that transit from interruption?

Mr. TELLER. The Senator from Connecticut has no right to ask that question. If he will ask me the question "Had the Government of the United States the right to preserve the transit under the conditions that existed in November," I will answer his question; but I am not going to answer an academic question, a question on a point as to which I do not know what might happen. Colombia might go to pieces; Colombia might not have the ability, if we did not step in there and take care of it, and there might be a closing of the transit, but that condition does not exist.

I am contending that on the day the President interfered there was no law and no right under this treaty for him to interfere. If the Senator from Connecticut wants to discuss that question, let him discuss it on what did take place and what the conditions were, not upon what might have taken place or may take place in the future.

Mr. PLATT of Connecticut. Well, Mr. President, I thought that the Senator from Colorado was saying in effect, by implication, that the United States under the treaty was bound to look to Colombia under all circumstances to preserve the right of transit there, and really that the United States had no right to preserve that transit. I agree with the Senator that this whole case rests on the question whether the United States had the right under the circumstances, and whether it was its duty to protect that transit from interruption in November last. I am ready to argue the case on that ground, and I will if I get the opportunity.

Mr. CARMACK. Will the Senator from Colorado allow me to interrupt him?

Mr. TELLER. Certainly.

Mr. CARMACK. I wish to suggest to the Senator from Connecticut that the President derives his authority to act in this matter from the right of intervention; not from the treaty of 1846 exclusively, but from the right of intervention.

Mr. PLATT of Connecticut. There has been no intervention in this case within the meaning of the word as used in international law. I deny that there has been.

Mr. CARMACK. I understand the President said he derived his power from that right.

Mr. SPOONER. He did not say that.

Mr. PLATT of Connecticut. The trouble is that the President did not say it.

Mr. SPOONER. No; he could not say it.

Mr. PLATT of Connecticut. I believe the President did not exceed his plain duty in protecting that Isthmus from the interruption of its transit.

Mr. TELLER. That is the very crux of this whole question.

Mr. PLATT of Connecticut. I know it.

Mr. TELLER. The Senator's statement that he does not believe it may be proper when he makes his speech, but it counts for nothing when I am making one.

Mr. PLATT of Connecticut. I know we disagree on that point.

Mr. TELLER. The Senator is not justified in thrusting that into my remarks either.

Mr. PLATT of Connecticut. Very well. If the Senator desires, I will have it all stricken out of the RECORD.

Mr. TELLER. No, I do not want that; let it stand.

Mr. PATTERSON. Will the Senator from Connecticut point out the clause of the treaty which confers upon the United States the right to interfere in any way with the control or transportation over the Isthmus? I simply want to get the Senator's idea, not for the purpose of entering into a controversy.

Mr. PLATT of Connecticut. The Senator from Colorado [Mr. TELLER] does not want me to go into an argument now.

Mr. TELLER. No, I do not care about other Senators making arguments in my speech. I am willing to be interrupted by a question. I think good debate in the Senate requires that every Senator should submit to that, but I do think it is pernicious and calculated to detract from and destroy the value of debate to have a Senator get up and ask a question and then proceed to argue the points involved in his own question. All the right he has is to ask a question of the Senator who has the floor and let him answer it, and when the proper time comes he can contend for the contrary if he sees fit to do so.

Mr. SPOONER. Does the Senator from Colorado yield to me?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. TELLER. I do.

Mr. SPOONER. I quite agree with the Senator from Colorado in what he has said regarding interruptions, but I should like to ask him a question.

Mr. TELLER. That you can do, and I will answer it.

Mr. SPOONER. I should be glad, with the permission of the Senator from Colorado [Mr. TELLER], if I may include his colleague [Mr. PATTERSON] in that permission. Does the Senator from Colorado think or contend—perhaps that is a better way to put it—that under the treaty of 1846 the United States is not now entitled to free transit across the Isthmus of Panama?

Mr. TELLER. Mr. President, I will answer.

Mr. SPOONER. I mean the treaty rights.

Mr. TELLER. I will answer that by saying that I do not make any such contention. The treaty is still in existence; and if we were ever entitled to free transit, we are still entitled to it.

Mr. SPOONER. That is a fair, lawyer-like answer, and I know of no man who can better permit interruption than the Senator from Colorado.

Mr. TELLER. Mr. President, Colombia has at no time interfered with our transit. She never has broken that agreement. There may have been times when she could not very well maintain that quiet and order on the Isthmus which ought to have been maintained, but we took that treaty with that understanding. The then President of the United States recognized, when he submitted it, that it was a dangerous thing for us to agree to protect the neutrality of the Isthmus; but he said for that we have the guaranty that Colombia will maintain order there.

Mr. SPOONER. If they did not we could.

Mr. TELLER. We could under certain circumstances.

Mr. SPOONER. Yes.

Mr. TELLER. I stated before, Mr. President, that the authorities are unquestioned upon that point, and if I do not read them now I shall read them later, before I get through with this debate, so as to show that a guaranty of that kind is to be enforced by the party that makes it and that when they say they are unable to do so, then we may undertake it, but not until then.

Of course we could abandon that treaty; we could refuse to enforce it; we could say "it is nothing but idle wind; we are big enough and strong enough to do what the Senator from South Carolina [Mr. TILLMAN] said he would do," but which, Mr. President, I hope will never be done by this Government while I am a citizen thereof.

Mr. TILLMAN. Mr. President——

Mr. TELLER. Now I am going to have an interruption. [Laughter.]

Mr. TILLMAN. Mr. President, when the Senator from Colorado alludes to the Senator from South Carolina in a manner which shows that he misunderstood the Senator from South Carolina——

Mr. TELLER. The interruption of the Senator is very proper.

Mr TILLMAN. It is nothing but fair that I shall be given an opportunity to say what I meant, whether I said it or not.

Mr. TELLER. All right. I shall be glad to have the Senator do so.

Mr. TILLMAN. I simply said, or intended to say, that the President of the United States would occupy, in my estimation at least, a much higher place as an honorable man, and this Government itself would occupy a much cleaner position in international law and otherwise, if we, after Colombia had failed to give us any treaty rights there, had said to her, "We are acting for civilization; we want you to get out of the way, and we intend to make you get out of the way;" in other words, I would have said to her, "You are an obstructor in the great road of progress and of commerce, and we, as the agents and the most interested parties to it, say to you, 'Get out of the road and let us build the canal.'" That would have been honorable and decent; but to get in the other attitude of obtaining a pretended claim there by the methods of a sneak thief and then defend it by the attitude of a bully is a disgraceful episode in American diplomacy. [Laughter and manifestations of applause in the galleries.]

Mr. TELLER. Mr. President, I did misunderstand the Senator, and I am glad he has set himself right.

The Senator from Connecticut [Mr. PLATT] is insisting to know

whether I think we have any rights in Panama under the treaty. That is a question about which, of course, we might differ. I think we have still rights under the treaty, although I think Colombia could, in accordance with the laws of nations and by a righteous judgment on her part, if she saw fit, declare that that treaty was at an end. I think we have given an opportunity, an excuse, and a justifiable cause for her saying that that treaty is now annulled. That is certainly true if that treaty is to be used by us to dismember Colombia. There is no question better settled in international law than that when a treaty, no matter how solemnly made, shall become burdensome upon the people who made it, injurious and threatening to their welfare, it may be annulled, and the nullifier may stand before the world, not as a violator of treaties, not as a government of bad faith, but justified before mankind.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. TELLER. Yes.

Mr. SPOONER. The proposition which the Senator states is undoubtedly, as a general proposition, correct; but does the Senator mean to be understood as contending that that extends to servitudes for which payment has been made?

Mr. TELLER. Oh, no. Mr. President, the rule is this: That if the party annulling has received special benefits he must make compensation. That is recognized in Colombia to-day. Having received benefits from France to extend this canal concession, they propose, if they abrogate that last concession which they talk about, to pay back the million dollars that they received. We did not give to the Colombian Government anything for this concession. They gave it to us.

Mr. SPOONER. Mr. President, if the Senator will pardon me, is he not mistaken? They granted to us, not only for our citizens, but to our Government, the right of way or free transit across the Isthmus over the communications or lines then established, or such as might be thereafter constructed. What did we agree to pay for that? Not simply—and I do not want to interrupt the Senator's speech—not simply the reciprocal obligations in the general sense, the favored nation's benefits, and all that, but we agreed to guarantee the sovereignty or the rights of sovereignty of Colombia, and her rightful sovereignty and, efficaciously, neutrality on the whole Isthmus.

Mr. PATTERSON. Let me ask the Senator for how long did that guarantee extend under the treaty?

Mr. SPOONER. At least so long as the treaty by its terms shall continue.

Mr. PATTERSON. That was during the life of the treaty?

Mr. SPOONER. Yes.

Mr. PATTERSON. With the right of either party to annul the treaty at the expiration of twenty years?

Mr. SPOONER. Yes; but neither party had given the one year's notice which the treaty contemplated and required as precedent to its termination.

Mr. PATTERSON. The Senator does not pretend that that was a perpetual right of free transit, but only a right so long as the treaty was in existence?

Mr. SPOONER. I will tell the Senator what I do contend for if the Senator from Colorado [Mr. TELLER] will permit me.

Mr. TELLER. Certainly.

Mr. SPOONER. I contend that article 35 was local in its operation. I contend that Colombia guaranteed to the United States during the life of the treaty—which no one can contend is now ended—the right of way or transit for the Government, its war ships, its munitions of war.

Mr. PATTERSON. Just one moment.

Mr. SPOONER. I will not take the time to discuss the question; I only want to state the position.

Mr. TELLER. I can not carry on a discussion with two or three Senators at the same time.

Mr. SPOONER. I will limit myself to the Senator from Colorado [Mr. TELLER], who needs no help from anybody. I only want to state a proposition.

Mr. TELLER. State it.

Mr. SPOONER. I contend that under article No. 35 of the treaty of 1846 New Granada, the United States of Colombia being the successor in the proprietorship of the territory and sovereignty over it, guaranteed to the United States during the life of the treaty the right of way or transit to the Government of the United States and its citizens across the Isthmus of Panama. I contend that that right or that guaranty was not limited to the line of railway transit. I contend, Mr. President—and I think no man can successfully deny it—that it embraced the Isthmus from its southeastern or southwestern boundary to Costa Rica. It applied to all the lines of communication which might thereafter during the life of the treaty be constructed.

I contend that in consideration of it the Government of the United States guaranteed to New Granada and to her successor in ownership and sovereignty the rights of sovereignty in the entire Isthmus, as described in the beginning of the article, and her rights of property and the neutrality of the Isthmus. I admit that by the change in the status, the recognition of the Republic of Panama, the guaranty no longer binds the United States of Colombia, but the grant which inhered in it and which Colombia had a right to make has descended to the Republic of Panama, and we stand with the Republic of Panama both as to our right of way or transit and as to our consideration for it—the guaranty of neutrality, rights, or sovereignty and property—just where we stood when the treaty was made as to New Granada.

Mr. TELLER. Mr. President, if Panama is a government, then Panama has assumed whatever obligations Colombia had upon her.

Mr. SPOONER. That is right.

Mr. TELLER. And, things being equal, she, on the contrary, is entitled to all the consideration we gave Colombia.

Mr. SPOONER. That is right.

Mr. TELLER. Let us see what Colombia did give to us. She did not give us the right to build a canal.

Mr. SPOONER. No.

Mr. TELLER. The President in one of his messages said the matter to be considered was whether, under this treaty, we had the right to go down there and build the canal and pay these people just what we saw fit. I do not use the language of the President, but the sentiment.

Mr. SPOONER. That was the doctrine of international eminent domain.

Mr. TELLER. Mr. President, I suppose that was it. That was the point on which I tried hard yesterday to get the opinion of the Senator from Wisconsin and failed. Now, if he will permit me to ask him a question, I will ask him what he says as to the doctrine of international eminent domain.

Mr. QUARLES. That was independent of the treaty.

Mr. SPOONER. Independent of the treaty.

Mr. TELLER. We have discussed a good many things outside of this treaty or any other.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. SPOONER. The Senator has asked me to answer a question.

Mr. TELLER. I asked the Senator a question.

Mr. SPOONER. I have not yet been quite able or willing—but this is a progressive age, and events follow each other very fast—to give my assent to the doctrine of international eminent domain, broadly stated. If I understand that, it means that wherever——

Mr. TELLER rose.

Mr. SPOONER. You asked the question. I will stop——

Mr. TELLER. No; I am glad to get the answer. I tried to get it.

Mr. SPOONER. You did not get it yesterday.

Mr. TELLER. I tried to.

Mr. SPOONER. I will try to answer to-day. If I understand that, it means that wherever a way, in the interest of a particular nation over the territory of another, can not be secured by agreement, that the nation which desires or thinks it needs it may take it vi et armis. The Senator from Connecticut [Mr. PLATT] says to me that is all there is to it. But it is not quite. So far as the figure of it is concerned, yes. So far as the justice of it is concerned, I am not so sure.

Mr. PLATT of Connecticut. I did not refer to the merits of the proposition.

Mr. SPOONER. I am dealing with both, for there are two sides to every question.

Now, I try to think honestly on subjects and on both sides of a subject, and the weakness which seemed to me to be inherent in the doctrine of international eminent domain is this: That efficaciously it could only be exercised by a strong power over a weaker power; and it involves more than that, too. It involves the determination, by the power which had concluded to take, first, of the public necessity. It could not act as the representative of the world and say it was a necessity upon the part of the world, but it seems to involve a public necessity on the part of the taker. So the taker is to determine the necessity for the taking; the public use being its use; and it also is to determine the damages which should be paid by the taker to the owner.

Mr. TELLER rose.

Mr. SPOONER. I am not quite through. Now, if the Senator from South Carolina——

Mr. TILLMAN. I trust the Senator from Wisconsin will allow me to move from one chair to another and to confer with one of my colleagues without presuming to indicate his displeasure. [Laughter.]

Mr. SPOONER. I have allowed the Senator from South Carolina to move out of the Chamber without protest. [Laughter.] Certainly I will not object——

Mr. TILLMAN. It was very much to your advantage that I left, too. [Laughter.]

Mr. SPOONER. If that question were to be settled only by the Senator from South Carolina, he would speak ex cathedra. I might have something to say about it myself.

Mr. TILLMAN. Will the Senator from Colorado allow me to ask the Senator from Wisconsin a question?

Mr. TELLER. When the Senator from Wisconsin gets through with his answer, I will.

Mr. SPOONER. I am trying to answer in a fair way——

Mr. TELLER. I know you are.

Mr. SPOONER (continuing). The question the Senator from Colorado put to me.

Mr. TELLER. If the Senator from South Carolina will wait until the Senator from Wisconsin gets through, I will yield to him.

Mr. TILLMAN. I am very much obliged.

Mr. SPOONER. My mind went that far with a decided trend adverse to the doctrine of international eminent domain. It did not stop there, nor will the mind of my friend, the Senator from Colorado, stop there, because he has been all his life before judicial tribunals and in an effort as an advocate and a jurist to get to the root of great questions. And so my mind harked back, before I had finished the consideration of the question, to the ancient doctrine, which no man will be more willing to admit or recognize than the Senator from Colorado—the way of necessity.

If the Senator from Colorado owns an 80-acre tract of land and I owned all the land surrounding it, it has been the law for two hundred years that, although I am the sovereign over my land, the owner of it, I could not prevent him from access to his land. Could I?

Mr. TELLER. No.

Mr. SPOONER. That is the law—not for a public use, either, but for your use, a private use. That has been called a way of necessity. Because if the Senator from Colorado has not an ultimate right against my will to reach his land by a way over my land, he would not own his land, in truth. I would own it, for he could not use it, and I could dictate to him the price upon which it could be utilized by him or by me. I could say to him: "You can never put your foot upon it," which denies your ownership, takes it for myself for spite or selfishness, although you have paid for it, not I. So the justice of the world has said that although your use over my land would be a private use, it is the inexorable justice of God, palpable, inherent in the relation of man to man in the use of property, that it is not for me to take away from you your ownership of your land in its beneficial enjoyment.

Mr. President, that doctrine is universally settled. I am not refining. I mean to say to my friend the Senator from Colorado just what troubles me on one side and the other of this doctrine of international eminent domain, and there is no partisanship in what I say. If there is a doctrine of private way of necessity, I am not sure that in the last analysis any lawyer can deny that there may be, in the interest of humanity, of civilization, of universal commerce, an international way of necessity.

Mr. PATTERSON rose.

Mr. SPOONER. Excuse me for a moment.

Mr. PATTERSON. Just one moment.

Mr. SPOONER. Excuse me for a moment.

Mr. PATTERSON. A question right here.

Mr. SPOONER. Not right here. Wait a moment.

The PRESIDENT pro tempore. The Senator from Wisconsin declines to yield.

Mr. PATTERSON. I have a question which I want you to answer in connection with what you are saying.

Mr. SPOONER. I will not be——

Mr. TELLER. I want to get the answer of the Senator from Wisconsin.

Mr. SPOONER. I desire to answer the senior Senator from Colorado.

Mr. TELLER. I wish to see where you are coming out.

Mr. SPOONER. I will tell you where I am coming out.

Mr. PATTERSON. What of the action of the President in Panama on that ground?

Mr. SPOONER. That is what is the matter with this whole business—the action of the President; the action of the President. We will take care of the action of the President. I am not now discussing that. The President has not had occasion to invoke this doctrine, and I will undertake to demonstrate before we are through with this debate that from beginning to end the President of the United States has acted in strict accordance with treaty obligations and international law. But the Senator attempted to bring me down—down from the question which I was discussing on principle to the action in a particular case. Mr. President, the great Senator from Colorado put to me a question he had a right to put, and which demanded of me, as a lawyer, a fair, frank answer. I am attempting to give it.

Now, if I may have the Senator's attention for a moment, I had gotten in my answer to the way of necessity, recognized by the courts of our country and every country, a doctrine born long ago, resting upon no technical principle of law, but born out of justice between man and man.

Now, has it any application to this subject? And that brings me to the point which, mainly because of the intervention of the Senator from South Carolina and the Senator from Tennessee and others, I have not yet been able to present to my friend the Senator from Colorado. Suppose there were but one practicable route across the Isthmus. Suppose 10 miles of land in one spot only in this western world could be utilized for a canal to enable ships to sail from ocean to ocean. Involving what? Infinitely more than your little interest in the land surrounded by mine. That would be the interest of yourself and your family, dear to you—nothing could be dearer—and because dear to you and necessary to you and those you love and for whom you toil, recognized by the law. But what interest would be involved in the right of transit, 8 miles or 10, the only one possible between the two oceans? The lives, the safety of all the brave men of every land and nativity who go down to the sea in ships, saving 10,000 miles of navigation, dangerous to life, as the pitiful history of the sea has demonstrated in all these years.

Nor is that all. So far as we are concerned, it involves the safety of the Republic, because it connects one coast of the United States and its cities with another. Nor is that all, Mr. President. It conserves the commerce of all the world in steam and in sailing ships.

The Senator from Colorado is a foeman worthy of the steel of any man I have ever seen here or elsewhere in the law. I say it because it comes from my heart, but my mind gives full approval of it as it falls from my lips. What will my friend from Colorado say? It is yet an open question with me. I do not know. But will my friend from Colorado say that if there be one spot only, a few miles in length, to join the oceans, with all it involves to humanity, to commerce, and the Government owning it says, "It never shall be opened; go around Cape Horn forever and forever; pay us untold millions, billions; let the combined world contribute and make us richer than all the dreams of national avarice—you can not, even paying us that sum, wed these oceans. Hands off!" Is there in the last analysis no international way of necessity?

Mr. TELLER rose.

Mr. SPOONER. Let me add only a word to my friend from Colorado. I do not know. I do not say. I have only presented to the Senator and the Senate the considerations which on both sides have occurred to me about it. I am not ready absolutely to assert it, and upon my honor I do not find myself able absolutely to deny it. That is all.

Mr. TELLER. The trouble with this debate, and it has been all the way through, is that we debate things that do not exist.

Mr. SPOONER. The Senator asked me about international eminent domain.

Mr. TELLER. I did, and I have an answer, and I am satisfied with it.

The PRESIDING OFFICER (Mr. PETTUS in the chair). Senators, these unseemly interruptions must stop.

Mr. SPOONER. I think the Chair is entirely right, and I will offend no more while the present occupant is in the chair.

Mr. TELLER. The Senator from Wisconsin raises a question of doubt upon a condition that has not existed and can not exist anywhere in the world. There is no such place as he describes. The Isthmus of Panama is one route across the continent; the Nicaragua route is another; the Tehuantepec is another, and the Darien is another. They are four which have been considered. The Panama and the Darien routes are both inside of the same province. The Nicaragua is an entirely different route, and before I get through I am going to show that the consensus of mankind has been in favor of the Nicaragua route ever since the surveys have been made, but I am not going to take that up now.

The President foreshadows in his message that he is inclined to the opinion about which the Senator from Wisconsin says he is in doubt. I am somewhat embarrassed by the compliments which the Senator from Wisconsin has paid me as a lawyer, and I suppose, under cover of modesty, I might at least pretend to be in doubt, but I have no doubt whatsoever. There is not any international law of eminent domain. Of course we can make such a law. International law can be made by the nations of the earth as they see fit. I suppose if all the nations should declare that the prohibiting state should open the way and did not open the way they could take steps to open it by an appeal to the last move that there is in controversies between nations—that is, by war it could be done; but that is the only way it could be done.

There is no such doctrine in the books as the President suggests. There is not any such doctrine in international law any-

where. There never can be any such doctrine. The case the Senator presented involves individual interests. In such a case there is a tribunal, provided by law, to which the parties to the controversy can go. When the king owns the land and declines to allow it to be used, it can be taken from him for any public purpose. But there is a tribunal to determine, first, whether it is needed for this public purpose, and, secondly, what the damage is to the party whose land is taken. No such tribunal exists in this case, and none will ever be created. You may make all the statutes for arbitration that you choose, and you will never find any nation voluntarily submitting a question of that kind to a court of arbitration any more than you would find a nation submitting to a court of arbitration the question whether or not it is a sovereign. As long as it is a sovereign power it has control over its land, over its borders, and everything within it belongs to the sovereign. Whether it be a republic or a monarchy does not matter.

The suggestion made by the President of the United States in his message—that it was a matter to be considered whether we could not go there—is in violation of the fundamental rights of Colombia and is an offense against Colombia of which Colombia has a right to complain. We have been compelled to answer as a nation for less offenses than that, which is a declaration, at least, of a right on our part to take without Colombia's consent a portion of her territory; or, if not a declaration of such right, a suggestion that we may claim such right. The law books lay it down that the denial of the sovereignty of a state is a declaration of war. If the sovereign state against whom it is made sees fit to take it up, she will be justined in saying she will go to war. What do you suppose would happen if we announced the right to take a portion of Canada without reference to the consent either of Canada or Great Britain? Do you not believe Great Britain would complain in terms which would require us to apologize or fight? One way or the other, and that pretty quick.

Mr. President, the Senator from Tennessee [Mr. CARMACK] put in his speech the other day the exact language of the President, and for fear I may not get it just right I am going to read what the President said:

> A second alternative was that by the close of the session on the last day of October, without the ratification of the treaty by Colombia and without any steps taken by Panama, the American Congress on assembling would in November would be confronted with a situation in which there had been a failure to come to terms as to building the canal along the Panama route, and yet there had not been a lapse of a reasonable time—using the word reasonable in any proper sense—such as would justify the Administration in going to the Nicaragua route.

Later I shall speak of what is a reasonable time and what I think was the province of the Executive in that particular.

> My intention was to consult the Congress as to whether under such circumstances it would not be proper to continue that time, was to be long forthwith, that we would give the terms that we had offered and no others, and that if such terms were not agreed to we would enter into an arrangement with Panama direct or take what other steps were needful in order to begin the enterprise.

When this suggestion was made Panama was a part of Colombia.

The President of the United States must have gone on the theory that Colombia was under some obligation under the treaty to let us build this canal. I wish to read again this treaty:

> The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States.

Mr. President, there is no grant to us of a right to build a canal. There is not even a suggestion in this treaty that we were going to build a canal, and at that time we had never dreamed of building a canal, nor for forty-odd years afterwards did we dream of building a canal. In all the many years this matter has been discussed in the Senate, it is only within the last few years that the suggestion has been made by anybody that the Government of the United States was going to build the canal, and we have never had, and we have not now, any kind of a permission to build a canal across the Isthmus from Colombia. That is what the recent treaty with Colombia was trying to obtain, and if we had had a treaty which did give us that right, of course we need not have gone to the trouble of trying to get a new treaty.

Now, Mr. President, what did we do? Let me read this treaty again, because it is not fairly presented here, it seems to me, by those who contend that the Government of the United States had granted favors that would require the continuance of this treaty, or compensation to us if it was annulled:

> And, in order to secure to themselves—
>
> That is, the United States—
>
> the tranquil and constant enjoyment of these advantages—
>
> That is, the advantage of free transit—
>
> and as an especial compensation for the said advantages and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty—
>
> Favors that New Granada had extended to us—
>
> the United States guarantee, positively and efficaciously, to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence—

That is all the concession made to us by Colombia or New Granada—

> the United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

Mr. President, there is nothing in the treaty that gives us the right to build a canal there, and if, as suggested by the President in his message, we are to go there and take possession of it because we had not such a concession as we wanted, it must be by virtue of some unknown power, and that is the new suggestion that there is an international law of eminent domain, to which we may appeal.

There is not anything of that kind on the face of the earth. There never has been and there never will be. The nations of the earth will never submit to that. The great strong nations might, but the little nations will not. Russia might be willing to believe that that was a good doctrine to put in the new international law. The combined powers of Europe might be willing to do it. Would we be willing to assert that it was the law that some nation with a strong hand could say to us, "You have something that you have got to divide with us or give up to us?" Would it satisfy if the claim was made in the interest of "collective civilization?"

That is an abdication of sovereignty that no nation is going to make. It is preposterous, in my judgment, to talk about it. What may not be demanded of a nation under that claim of interest of collective civilization?

I know, Mr. President, that if Colombia had declined to give us the right of way we would have the power to take that right of way; but we would have it just as a robber takes a man by the throat and takes his pocketbook, because he wants it and has the power, and with no greater moral right.

There is no condition anywhere on the face of this earth that would justify such a doctrine, certainly not on the Isthmus when you have an open way by the Nicaraguan route—a better way, as hundreds of men, thousands of men believe, I repeat, and I shall perhaps show later the consensus of opinion of the engineers of the world has been for the last forty years in favor of the Nicaraguan route and against the Panama route. When 400 of the engineers of the world and the scientific men met in May, 1879, in Europe, called together at Paris by the Geographic Society of France to consider this question, every American engineer there, every English engineer there, and the engineers from other countries, with the exception of the French, were in favor of the Nicaraguan route. Two committees were appointed, and both of them reported in favor of the Nicaraguan route against the Panaman route.

I am going to take that up later, and so I do not propose to go into it in extenso, except to say that I will not undertake to pass on the question what we should do if the world were made differently from what it is, if God Almighty had given only one method of getting across that Isthmus. The question is not what might then be the necessities of the commerce of the world. But I do not believe myself from any standpoint, if it was true, as suggested by the Senator from Wisconsin, that there was but one route, that our nation would be justified in taking charge of it in the interest of commerce or in the interest of the nations of the earth. If that was to be done, then it should be done by the combined powers of the world and not by one nation.

Mr. President, some time ago I started out to answer some questions the Senator from Connecticut [Mr. PLATT] asked of me about this treaty, and I was interrupted by the colloquy which took place between the Senator from Wisconsin and others. I have the President's message sent to us on the 4th day of January last, a special message concerning this question. It is a defense of the President made by himself. The Senator from Wisconsin says that the President has not intervened. The President admits that he has intervened. He tells us why he intervened, and here it is. The President goes on to say:

> I have not denied, nor do I wish to deny, either the validity or the propriety of the generally received rule that a new state should not be recognized as a competent state unless it shows itself able to maintain within its borders the obligations which may thus arise from the principle of international intervention. This rule is derived from the principle of non-intervention, and as a corollary of that principle has generally been observed by the United States.

The term "generally" does not belong there. It has always been observed heretofore by the Government of the United States.

Mr. FAIRBANKS. Will the Senator please give the page of the document?

Mr. TELLER. Page 22.

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Indiana?

Mr. TELLER. It is his last message, the one of the 4th of January. He goes on to say:

> But, like the principle from which it is deduced, the rule is subject to exceptions, and there are, in my opinion, clear and imperative reasons why a departure from it was justified and even required in the present instance.

Now, let us see, Mr. President.

> These reasons embrace, first, our treaty rights—

The President himself did not care to stand upon that. He was not quite confident that the opinion of the world would support him upon that. Neither would it do so. But he goes further:

> Second, our national interests and safety.

Mr. President, it is possible that our national interest might have been involved. I submit here that there is no reason for making the statement that the national safety was involved. The power of intervention is one that is given to every nation in the world. Under the rules that have been laid down by the law writers and the practice of the world, as I have stated, nonintervention is the duty when there is a conflict such as it is said exists between Colombia and Panama. That is the first principle. Keep your hands off. It is declared over and over again that recognition with intervention is an act of war.

Now, Mr. President, whoever intervenes, the burden of proof is on him to show that there was a case. Now, I do not say but that a case might not be made where the absolute safety of a nation depended upon intervention. I think the power of the state to intervene in such a case is unquestioned; but that is a power which carries with it the obligation to make it good by force of arms if the other side objects. It is a declaration of war, and while it might not be accepted as such, as I said, by little Colombia, it would be accepted if you made it against any of the great powers of the world.

The President had a new reason that is not found in the books:

> Third, the interests of collective civilization.

I understand that means to say that a nation like ours, whenever it thinks an act is in the interest of the civilization of mankind, is unrestrained in its acts.

We are one of the great powers of the world, but we have as much interest in the maintenance of the small governments of the world as any nation on the face of the earth. If there is anything to-day that threatens the peace of mankind, that threatens the liberty of the world, that threatens to take us back into the days of barbarism, it is the combinations of great nations and the growth of more than one.

This is the time when the nation should stand for justice and for right and stand by the laws that have been recognized for the government of men in war and peace between nations and not go to making new and untried and unreasonable provisions for a new international law because some special interest of ours may be served or some wish of ours gratified.

Why, that doctrine would justify the great power of Russia to sweep down across Asia and compel 400,000,000 Chinamen to bow to her behest. That would enable her to justify herself before the conscience of the world. If she shall destroy Japan and make it a province of hers, she can but declare that "the interest of collective civilization demands it, and that is enough to justify me in this act," if such is the law that governs nations.

Oh, Mr. President, that we should have lived to this hour to see the attempt to commit the American people to such a doctrine as this! But, Mr. President, it is not an American doctrine. It is the doctrine of the autocrat, the doctrine of power, and the doctrine that might makes right. It has never been either a feature of American administration or of American sentiment, and I do not believe it ever will be. You may defend the President on the ground that we would be benefited if we took this action and that it was in our interest commercially to take it, but we would be acting in violation not only of the laws of nations, but of the plain and positive dictates of justice. I will for the present leave this question.

Mr. President, I am not going to conclude to-night, but before I do quit I want to say a few words about the recognition of the Government of Panama, and later I shall take up some other features of the case.

I have shown (and I have not taken the time to read all the authorities) that there was no element in this transaction that justified the recognition of that so-called republic. I now deny that it is a republic. I deny that it is a government; I deny that it has any standing before mankind according to international law that justifies it to be called a government. You can not change a fact by a theory. By declaring it you do not create a fact. By recognition you are supposed to recognize a fact that exists; but if it does not exist—that is, it has the qualities of a state—it does not have such qualities because you say it does. There is no government there.

But the President of the United States says they have established a government down there, republican in form, and therefore he welcomes it into the family of nations. This so-called Government of Panama had in the city of New York a French citizen, and they accredited him here as a representative of that new Government. The Administration made haste to recognize the rebellion or revolution, or whatever it is, as a successful one. But, as I said before, they took the precaution to protect that Government by saying to Colombia, "You must not interfere with it;" and the President knew, and every man here knows, that if it had not done that there would not have been any pretended government there—would not have been a revolution if it had not been known we were going to do what we did do.

Now, is it a government? How many men did they have there? Some say eight; not many more than that. It was not an uprising of the people; it was an uprising of about a dozen or fifteen men. They formed what they call down there a "junta," or a commission. Then they sent up here a minister. Had the people ever been consulted? And if they had, Mr. President, if all Panama and every man in it had risen up and said, "I am in favor of this secession," it would not destroy the right of Colombia to contest it with them. That was her right until we refused to let her exercise it. Mr. President, we had a war. I have spoken of it before. States went out of the Union.

Mr. SPOONER. They tried to go out.

Mr. TELLER. They raised armies and levied war upon the nation. They flew a flag of their own. They had the recognition of the world as belligerents and came near having the recognition of the great powers of the earth as an independent government. We fought them. We did not fight them upon the theory that the people of the South were not in accord with the action of the so-called Confederate government. Had you taken the vote you would have found an almost unanimous vote all through the South for separation from us. We fought them on the ground that they were a part of the Government of the United States, and we denied to them the right to go off, although we did not deny the right of revolution, and as a nation we never have at any time denied it. But we said, "You must submit your efforts at revolution to the test of war, and if we can compel you to lay down your arms and obey the law, you have got to do that." After four years of war and after we had destroyed one-half of the accumulated wealth of the nation up to the time the war began we compelled a cessation of arms, and I believe we did it in the interest of humanity, in the interest of the people, not only of the North, but the people of the South and of all the world.

Mr. President, the consensus of opinion in Panama may be all right to justify the men who created that revolution; it may be all right for us when the time comes when they have demonstrated their ability to maintain government; it may be right enough for us then to recognize it as a government, but they have no government there now. Up to this hour they have nothing known to the world as a government; and yet the President, in his reception of this so-called minister, this Frenchman, says that a government was organized down there, republican in form.

I do not know that I am capable of determining what a republic is any more, but I do know what it has been for many, many long years. I know what it was more than sixty years ago. I have seen it in its strength and its glory, and I know that it does not mean that a dozen men can form a government and name it a republic and thereby make it a republic. I know that it must have republican ideas, and the people must agree to republican sentiments and to republican principles to make a republic. You can not make it by a declaration. Yet that is what is done at Panama. Three of these so-called men notify the Government of the United States that they have created a republic—without a legislature, without submitting it to the people, without taking the opinion of the people of Panama on any subject—and the Government of the United States says: "Oh, yes; they are a republic in form," because they labeled it a republic.

Now, Mr. President, this minister presented his credentials, and the President said:

> Mr. Minister, I am much gratified to receive the letters whereby you are accredited to the Government of the United States in the capacity of envoy extraordinary and minister plenipotentiary of the Republic of Panama.

Now, let us see who are the fellows who gave the credentials. I have it here somewhere.

[Telegram—Translation.]

PANAMA, *November 5, 1903.*
(Received 8.48 p. m.)

SECRETARY OF STATE, *Washington:*

> We notify you that we have appointed Señor Philippe Bunau-Varilla confidential agent of the Republic of Panama near your Government, and Dr. Francisco V. de la Espriella minister of foreign affairs.
>
> ARANGO.
> BOYD.
> ARIAS.

Who elected these men? Nobody. They assumed the right to act, and they have been protected in that right by the Government of the United States.

I want to finish this, and I wish Senators would pay a little attention to it.

In accordance with its long-established rule, this Government has taken cognizance of the act of the ancient territory of Panama in reasserting the right of self-control and, owing in the recent events on the Isthmus an unopposed expression of the will of the people of Panama—

I do not know how the President learned that, for no vote of any kind had been taken and has not yet been taken—

and the confirmation of their declared independence by the institution of a de facto government, republican in form and spirit, and acceptable and respected to discharge the obligations pertaining to a civil society, we have entered into relations with the new Republic. It is fitting that we should do so now, as we did nearly a century ago, when the Latin peoples of America proclaimed the right of popular government, and it is equally fitting that the United States should, now as then, be the first to stretch out the hand of fellowship and to observe toward the new-born State the rules of equal intercourse that regulate the relations of sovereignties toward one another.

I feel that I express the wish of my countrymen in assuring you, and through you the people of the Republic of Panama, of our earnest hope and desire that stability and prosperity shall attend the new State, and that, in harmony with the United States, it may be the providential instrument of untold benefit to the commerce world through the opening of a highway of universal commerce across its exceptionally favored territory.

For yourself, Mr. Minister, I wish success in the discharge of the important mission to which you have been called.

That was a mission to make a treaty. Mr. President, we go through the farce of making a treaty with the accredited agent of these three men. Mr. Hay also sends to our consul down there a statement that that is a government republican in form. The President of the United States has a right to recognize a government if it is a government, although it may be the most autocratic, vicious, and violent in the world, but he has not any right, in my judgment, to give it a character that it does not possess, and a character which it will never be able to maintain, unless it is with our moral aid and with the aid of our arms.

Mr. President, I had expected when I commenced my remarks to conclude them to-day, but I have had so many interruptions, and so many speeches have been made inside of mine, very much improving mine, no doubt, but probably rendering it somewhat disconnected, for I have been compelled to change my plan of discussion to a considerable extent by the interruptions—that I have been unable to do so. I therefore ask that I may be allowed to resume my remarks on another occasion. I shall be ready to go on whenever the Senate is in session and it will be in order for me to do so.

[Mr. TELLER's entire speech will be published after it shall have been concluded.]

The PRESIDENT pro tempore. What disposition shall be made of the pending resolution?

Mr. ALLISON. I ask unanimous consent that the resolution may go over and be the order on Monday.

The PRESIDENT pro tempore. The Post-Office investigation resolutions were made the order for Monday immediately after the completion of the routine morning business.

Mr. ALLISON. Then I will say that the pending resolution go over subject to the order already made.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent that the pending resolution retain its place, subject to the order hitherto made by the Senate. Is there objection? The Chair hears none, and it is so ordered.

ADJOURNMENT UNTIL MONDAY.

Mr. ALLISON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed a bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; in which it requested the concurrence of the Senate.

CONSIDERATION OF PENSION BILLS.

Mr. McCUMBER. I ask unanimous consent that the Senate proceed to the consideration of unobjected pension cases on the Calendar.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that the Senate proceed to the consideration of unobjected pension cases on the Calendar. Is there objection? The Chair hears none, and that order is made. The first pension bill on the Calendar will be stated.

PATRICK J. CONWAY.

The bill (S. 2298) granting a pension to P. J. Conway was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick J. Conway, late captain Company G, Twenty-second Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Patrick J. Conway."

VICTORIA M. STEELE.

The bill (S. 2093) granting an increase of pension to Victoria M. Steele was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Victoria M. Steele, widow of Samuel Steele, late captain Seventh Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALLEN W. (ALIAS ALBERT) HALL.

The bill (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allen W. (alias Albert) Hall, late of Company D, Fortieth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FRANCES GRAY.

The bill (S. 265) granting an increase of pension to Frances Gray was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Gray, widow of Albert E. Gray, late captain Company A, Twenty-third Regiment New York Volunteer Infantry, and captain and assistant adjutant-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY VON KUSSEROW.

The bill (S. 980) granting an increase of pension to Mary Von Kusserow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Von Kusserow, widow of Charles Von Kusserow, late captain Company D, Twenty-second New York Independent Battery, and captain and assistant adjutant-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALDRIDGE PATTERSON.

The bill (S. 1938) granting an increase of pension to Aldridge Patterson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aldridge Patterson, late of Company E, Second Regiment Ohio Volunteers, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABNER B. EDSON.

The bill (S. 2509) granting an increase of pension to Abner B. Edson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "Company," to strike out "of" and insert "second lieutenant:" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abner B. Edson, late second lieutenant Company C, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EBENEZER WING.

The bill (S. 2496) granting an increase of pension to Ebenezer Wing was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ebenezer Wing, late of Company D, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE PENNINGTON.

The bill (S. 1428) granting an increase of pension to George Pennington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-six;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Pennington, late of Company M, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FINLEY T. JOHNSON.

The bill (S. 594) granting an increase of pension to Finley T. Johnson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Finley T. Johnson, late of Company D, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BENTON D. BITNER.

The bill (S. 1954) granting an increase of pension to Benton D. Bitner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benton D. Bitner, late of Company E, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES REED.

The bill (S. 2236) granting an increase of pension to James Reed was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Reed, late of Company G, one hundred and forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DELIA B. STUART.

The bill (S. 2858) granting an increase of pension to Delia B. Stuart was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Delia B. Stuart, widow of John Stuart, late of Battery H, Second Regiment United States Artillery, and Company A, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS BRATTON.

The bill (S. 2947) granting an increase of pension to Thomas Bratton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Bratton, late of Company H, Sixth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARIT JOHNSON.

The bill (S. 2418) granting a pension to Marit Johnson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "and," to insert the words "war with Spain;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marit Johnson, dependent mother of John E. Johnson, late of Company G, Thirteenth Regiment Minnesota Volunteer Infantry, war with Spain, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SUSAN FENNO.

The bill (S. 1953) granting a pension to Susan Fenno was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Fenno, widow of Amos B. Fenno, late of Company D, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $8 per month, such pension to cease upon proof that the soldier is living.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE M. LINCH.

The bill (S. 2688) granting an increase of pension to George M. Linch was announced as next in order.

Mr. McCUMBER. I ask that that bill may be passed over, retaining its place on the Calendar.

The PRESIDENT pro tempore. The bill will be passed over, retaining its place on the Calendar.

OWEN E. NEWTON.

The bill (S. 1555) granting an increase of pension to Owen E. Newton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Owen E. Newton, late of Twelfth Independent Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRIET BILLINGS.

The bill (S. 2712) granting an increase of pension to Harriet Billings was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet Billings, widow of Henry Billings, late of Company E, Forty-sixth Regiment Indiana Volunteer Infantry, and first lieutenant and regimental quartermaster Eighty-fifth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. HORN.

The bill (S. 393) granting an increase of pension to William H. Horn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Horn, lieutenant commanding Company D, Eighty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SETH H. CRAIG.

The bill (S. 1956) granting an increase of pension to Seth L. Craig was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Seth H. Craig, late second lieutenant Company C, Powell's Battalion, Missouri Mounted Volunteers, war with Mexico, and Company F, Third Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Seth H. Craig."

GEORGE OLSEN.

The bill (S. 2440) granting an increase of pension to George Olsen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "late," to strike out "chaplain," and in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Olsen, late of Company E, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT MARSHALL.

The bill (S. 2577) granting an increase of pension to Albert Marshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert Marshall, late of Company G, Fifteenth Regiment Maine Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALPHEUS FAWCETT.

The bill (S. 2668) granting an increase of pension to Alpheus Fawcett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alpheus Fawcett, late of Company G, Eighty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELEANOR H. HORD.

The bill (S. 1451) granting an increase of pension to Mrs. William T. Hord was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eleanor H. Hord, widow of William T. Hord, late master's mate, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Eleanor H. Hord."

THOMAS WILLIAMS, ALIAS THOMAS W. LENNOX.

The bill (S. 2126) granting an increase of pension to Thomas Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Williams, alias Thomas W. Lennox, late of Company B, Thirteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Thomas Williams, alias Thomas W. Lennox."

HENRY H. HOUGHTON.

The bill (S. 1689) granting an increase of pension to Henry H. Houghton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "sharpshooters," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry H. Houghton, late of Company H, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE A. SEEBOLD.

The bill (S. 2128) granting an increase of pension to George A. Seebold was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to insert "and Company F, Eleventh Regiment Veteran Reserve Corps;" and in line 9, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George A. Seebold, late of Company E, Forty-first Regiment Pennsylvania Volunteer Infantry, and Company F, Eleventh Regiment Veteran Reserve Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FREDERICK BELLMAN.

The bill (S. 1688) granting an increase of pension to Frederick Bellman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Bellman, late of Company E, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEVI B. LEWIS.

The bill (S. 3166) granting an increase of pension to Levi B. Lewis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi B. Lewis, late of Company C, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES W. JELLISON.

The bill (S. 2549) granting an increase of pension to Charles W. Jellison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of," to strike out "First Maine Artillery" and insert "Company C, First Regiment Maine Volunteer Heavy Artillery;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Jellison, late of Company C, First Regiment Maine Volunteer Heavy Artillery, and pay him a pension at the rate of $30 dollars per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES E. LARKIN.

The bill (S. 2542) granting an increase of pension to James E. Larkin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "Regiment," to strike out "First" and insert "Fifth;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Larkin, late lieutenant-colonel Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN ADAMSON.

The bill (S. 1239) granting an increase of pension to John Adamson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Adamson, late of Company C, Fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS DAVIS.

The bill (S. 1942) granting an increase of pension to Thomas Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Davis, late of Company C, Twenty-ninth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

J. HUDSON KIBBE.

The bill (S. 167) granting an increase of pension to J. Hudson Kibbe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. Hudson Kibbe, late of Company C, Thirteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA M'FARLAND.

The bill (S. 2548) granting an increase of pension to Emma McFarland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the words "United States Navy," to insert "United States ship Supply;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma McFarland, widow of Edmund McFarland, late of United States ship Supply, United States Navy, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALONZO MOSES.

The bill (S. 2374) granting an increase of pension to Alonzo Moses was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo Moses, late of Company H, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWIN H. WHEELER.

The bill (S. 189) granting an increase of pension to Edwin H. Wheeler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin H. Wheeler, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCIS ROY.

The bill (S. 191) granting an increase of pension to Francis Roy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Roy, late of Company K, Eleventh Regiment Vermont Volunteers (First Heavy Artillery), and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMBROSE W. SEVERANCE.

The bill (S. 1911) granting an increase of pension to Ambrose W. Severance was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ambrose W. Severance, late of Company D, Second Battalion, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIJAH FARR.

The bill (S. 2517) granting an increase of pension to Elijah Farr was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elijah Farr, late of Company D, First Regiment, and Company H, Twelfth Regiment, Vermont Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLARA M. GIHON.

The bill (S. 128) granting an increase of pension to Clara M. Gihon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty-six;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clara M. Gihon, widow of Albert L. Gihon, late a musical director, United States Navy, and pay her a pension at the rate of $36 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MELINDA H. CHAPMAN.

The bill (S. 2648) granting an increase of pension to Melinda J. Chapman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Chapman," to strike out the initial "J." and insert "H.;" and in line 8, after the word "and," to strike out "Company" and insert "first lieutenant and adjutant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Melinda H. Chapman, widow of Adelbert J. Chapman, late of Company C, Second Regiment Iowa Volunteer Infantry, and first lieutenant and adjutant, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Melinda H. Chapman."

JOSEPH ROBERTS.

The bill (S. 2527) granting an increase of pension to Joseph Roberts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the words "United States," to insert "Regiment;" and in the same line, after the word "Veteran," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Roberts, late of Company C, Seventh Regiment Vermont Volunteer Infantry, and Company C, Fourth Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH W. BOOKER.

The bill (S. 1912) granting a pension to Joseph W. Booker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" and in the same line, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph W. Booker, late of Company B, Twenty-second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Joseph W. Booker."

CHARLES CUMMINGS.

The bill (S. 2373) granting an increase of pension to Charles Cummings was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Third," to insert "Regiment;" in line 7, before the word "Infantry," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Cummings, late of Company G, Third Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HAMLET F. ROBERTS.

The bill (S. 1241) granting an increase of pension to Hamlet F. Roberts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of Company A" and insert "second lieutenant Company G;" and in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hamlet F. Roberts, late second lieutenant Company G, Twenty-first Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MATILDA C. LOTHROP.

The bill (S. 2230) granting an increase of pension to Mary C. Lothrop was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of" where it occurs the first time, to strike out the name "Mary" and insert "Matilda;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Matilda C. Lothrop, widow of John P. Lothrop, late of Company E, Fortieth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Matilda C. Lothrop."

LEONARD G. FREEMAN.

The bill (S. 2642) granting an increase of pension to Leonard G. Freeman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "and," to strike out

"Maine Regiment" and insert "Regiment Maine Volunteer Infantry;" and in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leonard G. Freeman, late of Company D, Fourteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD A. COTTING.

The bill (S. 2797) granting an increase of pension to Edward A. Cotting was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Heavy," to insert "Volunteer," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward A. Cotting, late of Company B, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY H. ALLEN.

The bill (S. 797) granting a pension to Mary H. Allen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary H. Allen, former widow of George A. Wiggins, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELLA B. GREEN.

The bill (S. 2543) granting an increase of pension to Ella B. Green was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella B. Green, widow of Charles L. Green, late of Company B, Fourteenth Regiment, and Company A, Eighteenth Regiment, New Hampshire Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT T. SEVERANCE.

The bill (S. 2544) granting an increase of pension to Albert T. Severance was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert T. Severance, late of Company H, Sixth Regiment Maine Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEWIS D. FROGGE.

The bill (S. 897) granting an increase of pension to Lewis D. Frogge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" and in line 8, before the word "dollars," to strike out "thirty" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis D. Frogge, late captain Company D, Twelfth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNA PRITCHARD.

The bill (S. 2250) granting an increase of pension to Anna Pritchard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "major," to strike out "of;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Pritchard, widow of Levi Pritchard, late major Twenty-fourth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ERWIN R. COLE.

The bill (S. 891) granting an increase of pension to Edwin R. Cole was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of" where it occurs the first time, to strike out the name "Edwin" and insert "Erwin;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Erwin R. Cole, late of Company A, Forty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension, at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Erwin R. Cole."

ISAAC M. COUCH.

The bill (S. 1892) granting an increase of pension to Isaac M. Couch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac M. Couch, late of Company K, Forty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES DISBROW.

The bill (S. 895) granting an increase of pension to Charles Disbrow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the words "Company A," to strike out "Second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving," and insert "Twenty-first Regiment Illinois Volunteer Infantry, and Company A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Disbrow, late of Company A, Twenty-first Regiment Illinois Volunteer Infantry, and Company A, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY W. NICHOLS.

The bill (S. 142) granting an increase of pension to Henry W. Nichols was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry W. Nichols, late of Company K, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CATHERINE A. BROWN.

The bill (S. 889) granting an increase of pension to Catherine A. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine A. Brown, widow of Thomas Brown, late of Company A, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES E. DECKER.

The bill (S. 1799) granting an increase of pension to Charles E. Decker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Decker, late first-class fireman, U. S. S. North Carolina, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL FRITZ.

The bill (S. 2245) granting an increase of pension to Daniel Fritz was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Fritz, late of Company K, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY T. STRICKLAND.

The bill (S. 136) granting an increase of pension to Mary T. Strickland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary T. Strickland, widow of Silas A. Strickland, late colonel Fiftieth Regiment Ohio Volunteer Infantry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ISAIAH LARKINS.

The bill (S. 681) granting an increase of pension to Isaiah Larkins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaiah Larkins, late second lieutenant Company G, Fourth Regiment Ohio Volunteer Infantry, and first lieutenant Company I, One hundred and seventy-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PATRICK JUDGE.

The bill (S. 1947) granting an increase of pension to Patrick Judge was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Judge, late of Companies C and G, Fifth Regiment United States Infantry, and Troop F, Third Regiment United States Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARQUIS L. STEVENS.

The bill (S. 822) granting an increase of pension to Marquis L. Stevens was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marquis L. Stevens, late of Company B, Twenty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SARAH J. BELLAMY.

The bill (S. 2612) granting a pension to Sarah J. Bellamy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Bellamy, dependent mother of Charles T. Bellamy, late second lieutenant Company K, Twenty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM W. MISNER.

The bill (S. 2392) granting an increase of pension to William W. Misner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Light," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Misner, late of Company F, First Regiment Michigan Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANN A. DEVORE.

The bill (S. 1760) granting a pension to Ann A. Devore was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "company," to strike out the name "Hibler's" and insert "Hibbler's;" and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann A. Devore, widow of Elmer Devore, late of Capt. T. J. Hibbler's company, First Regiment South Carolina Volunteer Infantry, Seminole Indian war, and pay her a pension at the rate $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY E. HAREN.

The bill (S. 2364) granting a pension to Mary E. Haren was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Haren, dependent mother of James C. Haren, alias Herring, late of Company F, First Regiment North Carolina Volunteer Infantry, war with Spain, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY JOANNA ADAMS.

The bill (S. 2416) granting an increase of pension to Mary Joanna Adams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Joanna Adams, widow of John D. Adams, late of Company D, Fifteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Mattie Kate Adams, helpless and dependent child of said John D. Adams, the additional pension herein granted shall cease and determine.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD A. KENDALL.

The bill (S. 2222) granting a pension to Richard A. Kendall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard A. Kendall, late of Company B, Twenty-second Regiment Wisconsin Volunteer Infantry, and One hundred and forty-second Company, Second Battalion, Veteran Reserve Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Richard A. Kendall."

JESSE J. FINLEY.

The bill (S. 2809) granting an increase of pension to Jesse J. Finley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse J. Finley, late of Company I, Second Regiment Tennessee Volunteers, Seminole Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GREEN B. YAWN.

The bill (S. 486) granting a pension to Green B. Yawn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Green B. Yawn, of Graceville, Fla., dependent father of George Yawn, late a private in Company G, Second Regiment Alabama Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM W. LACKEY.

The bill (S. 1358) granting an increase of pension to William W. Lackey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Lackey, late of Company F, First Regiment Battery, Indiana Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT KELLY.

The bill (S. 1356) granting a pension to Robert Kelly was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Kelly, late of Company B, Fifth Regiment Delaware Volunteer Infantry, and Company A, Seventh Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES REDSHAW.

The bill (S. 2576) granting an increase of pension to James Redshaw was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Redshaw, late of Company C, One hundred and seventy-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MIRIAM R. ADAMS.

The bill (S. 38) granting an increase of pension to Miriam R. Adams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Miriam R. Adams, widow of Jason M. Adams, late captain Company I, First Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JULIA A. ROBERTS.

The bill (S. 2068) granting an increase of pension to Julia A. Roberts was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "colonel of" and insert "captain Company A;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia A. Roberts, widow of Edward P. Roberts, late captain Company A, Lackey's scouting regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. BARLOW.

The bill (S. 2061) granting an increase of pension to William H. Barlow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Barlow, late of Company G, One hundred and Fifty-seventh Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILL REFERRED.

The bill (H. R. 9840) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

Mr. McCUMBER. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 22 minutes p. m.) the Senate adjourned until Monday, January 18, 1904, at 12 o'clock meridian.

SENATE.

MONDAY, *January 18, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

Mr. H. D. MONEY, a Senator from the State of Mississippi, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of Commerce and Labor, transmitting, in response to a resolution of the 17th ultimo, a statement showing the quarters and buildings rented by the Department of Commerce and Labor in the District of Columbia and the various States and Territories, which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of the Norfolk Seamen's Friend Society *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of George L. Watkins, Junius F. Watkins, Bessie Hamilton, Lottie E. Kidd, and Louise J. Jones *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the bill (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the congregation of the First Congregational Church of Harvey, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. LODGE presented a petition of the congregation of the Methodist Episcopal Church of New Bedford, Mass., and a petition of sundry citizens of Haverhill, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Boston Chamber of Commerce, of Boston, Mass., praying for the enactment of legislation which will admit coal free into the United States coming from countries where no duty is levied on coal of the United States; which was referred to the Committee on Finance.

Mr. PLATT of New York presented petitions of Abel Smith Post, Long Island Post, No. 435, of Brooklyn; of Chismore Post, No. 110, of Ilion; of B. C. Butler Post, No. 816, of Warren County; of Sawyer Post, No. 383, of Whitesville; of Post No. 449, of York; of Cary W. Mines Post, No. 624, of Georgetown, all of the Department of New York, Grand Army of the Republic, and of sundry citizens of Georgetown, all in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Produce Exchange of New York City, praying that an appropriation be made for the deepening of the Harlem (Bronx) Kills to 18 feet from the lower end of Harlem River to Long Island Sound; which was referred to the Committee on Commerce.

He also presented a memorial of the Lake Seamen's Union of Buffalo, N. Y., remonstrating against the enactment of legislation to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce; which was referred to the Committee on Commerce.

He also presented a petition of the Congress Club, of Kings County, N. Y., praying for the ratification of the Panama Canal treaty; which was referred to the Committee on Foreign Relations.

He also presented petitions of the board of supervisors of Jefferson County; of Chemung Valley Grange, Patrons of Husbandry, of Chemung County, and of the board of supervisors of Greene County, all in the State of New York, praying that an appropriation be made for the improvement of the public highways of the country; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio; of the congregation of the Methodist Episcopal Church of Morristown; of sundry citizens of Poland; of the congregation of the First Congregational Church of Jamestown; of sundry citizens of Brooklyn; of the congregation of the North Presbyterian Church, of Binghampton; of the congregation of the First Swedish Baptist Church of Jamestown, and of the Woman's Missionary Society of Avon, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented a petition of the Board of Directors of the Merchants and Manufacturers' Association of Milwaukee, Wis., praying for the enactment of legislation providing for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the board of directors of the Merchants and Manufacturers' Association of Milwaukee, Wis., praying for the enactment of legislation to establish the postcheck system of currency; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregation of the Methodist Episcopal Church of Sparta, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Missionary Society of the First Presbyterian Church of Racine, Wis., and a petition of the Woman's Missionary Society of the First Presbyterian Church of La Crosse, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented the petition of Richard J. Beall, of Washington, D. C., praying that his claim for damages sustained by reason of the condemnation and taking by the United States of certain land owned by him in the District of Columbia be referred to the Court of Claims for adjudication; which was referred to the Committee on Claims.

He also (for Mr. ANKENY) presented a petition of sundry citizens of Mission, Wash., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CLAPP presented petitions of Mitchell Post, No. 63; of M. L. Deveraux Post, No. 43; of La Guiaga Post, No. 97; of John W. Cochrane Post, No. 164; of Booth Post, No. 130; of General Sumner Post, No. 64; of L. P. Plummer Post, No. 50; of B. K. Davis Post, No. 137; of George H. Thomas Post; of Hecker Post, No. 48; of General Haven Post, No. 177; of L. H. Tenny Post, No. 108; of Stoddard Post, No. 84, all of the Department of Minnesota, Grand Army of the Republic, of Minnesota, and of the German-American Veteran Association of St. Paul, Minn., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. GAMBLE presented the petition of C. P. Creamer and 19 other citizens of Academy, S. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings and Soldiers' Homes; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Retail Implement Dealers' Association of Alexandria, S. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on the Judiciary.

He also presented a petition of McKenzie Post, No. 34, Department of South Dakota, Grand Army of the Republic, of Chamberlain, S. Dak., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Highland Park, of the congregation of the Friends' Church of Mount Vernon, of the Woman's Club of Lead, all in the State of South Dakota, and of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented petitions of Robert T. Harvey Post, No. 606, of Heyworth; of E. N. Kirk Post, No. 656, of Peru; of St. Joseph Post, No. 220, of St. Joseph; of E. L. Gooding Post, No. 401, of Lockport; of G. L. Nevins Post, No. 1, of Rockford; of Darbean Post, No. 329, of Morris; of Martin Post, No. 291, of Gridley; of Dunham Post, No. 141, of Decatur; of Charles E. Hovey Post, No. 786, of Normal; of Dick Johnston Post, No. 381, of Tallula; of Holm Post, No. 196, of Wheeler; of R. M. A. Hawk

Post, No. 406, of Savanna; of Woodruff Post, No. 113, of Washburn; of Benton Post, No. 341, of Benton, and of Geddes Post, No. 142, of Laharpe, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. GALLINGER presented a petition of the New Hampshire Christian Endeavor Union, of Nashua, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. QUAY presented a petition of Local Division No. 102, Order of Railroad Telegraphers, of Philadelphia, Pa., praying for the enactment of legislature to improve the condition of telegraphers in the United States Army; which was referred to the Committee on Military Affairs.

He also presented petitions of the congregation of the Westminister Presbyterian Church, of Greensburg; of the Woman's Missionary Society of the Westminister Presbyterian Church, of Greensburg; of the Woman's Christian Temperance Union of Carlisle, and of the Woman's Home Missionary Society of Conneautville, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented petitions of Osceola Post, No. 173, of Osceola; of Shively Post, No. 421, of Kent; of Custer Post, No. 25, of Cherokee; of N. B. Howard Post, No. 92, of Dewitt; of C. G. Francis Post, No. 181, of Walker; of Albert Rowley Post, No. 193, of Humboldt; of Wayne Post No. 137, of Humeston; of O. G. Hunt Post, No. 266, of State Center; of E. H. Packard Post, No. 307, of Renwick; of Launtz Post, No. 215, of Ireton; of Winfield Scott Post, No. 66, of Webster City; of Joe Ross Post, No. 209, of Sidney; of Matthew Gray Post, No. 93, of Ida Grove; of Washington Post, No. 135, of Adair; of James Miller Post, No. 503, of Marathon; of W. D. Price Post, No. 392, of Schaeller; of Bent Post, No. 489, of Sumner; of Tip West Post, No. 75, of Montrose; of General Wilson Post, No. 432, of Kellogg; of Bellknap Post, No. 515, of Keokuk; of What Cheer Post, No. 144, of What Cheer; of Wallar Post, No. 223, of Milford; of Shield Post, No. 83, of Buford; of Post No. 300, of Ogden; of Belden Post, No. 59, of Missouri Valley; of T. M. Tuttle Post, No. 497, of Ottumwa; of E. D. Baker Post, No. 80; of Marble Rock Post, No. 308, of Marble Rock, and of Allee Post, No. 113, of Manson, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. DRYDEN presented petitions of the Woman's Missionary Society of Asbury, of the Woman's Christian Temperance Union of Madison, of the congregation of the First Congregational Church of East Orange, of sundry citizens of Morristown, and of sundry citizens of Pluckemin, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented a petition of the board of directors of the Southwestern Mercantile Association, of St. Louis, Mo., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying that an appropriation be made for the maintenance of the levee on the upper Mississippi River; which was referred to the Committee on Commerce.

He also presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying that an appropriation be made for the improvement of the Mississippi River from St. Louis to St. Paul, so as to secure a navigable channel of 6 feet when the river is not impeded, etc.; which was referred to the Committee on Commerce.

He also presented a petition of the board of directors of the Merchants' Exchange of St. Louis, Mo., praying that an appropriation be made for the improvement of the Mississippi River between the mouth of the Missouri and the mouth of the Ohio in order to secure a 9-foot channel; which was referred to the Committee on Commerce.

Mr. OVERMAN presented a petition of the Young Woman's Christian Temperance Union of Snow Camp, N. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PATTERSON presented petitions of Abraham Lincoln Post, No. 4, of Colorado; of Post No. 81, of Denver; of Post No. 18, of Buena Vista; of Post No. 23, of Colorado; of Anderson Post, No. 96, of Cripple Creek; of George H. Thomas Post, No. 7, of Fort Collins; of Post No. 106, of Colorado; of Post No. 88, of Colorado, and of Post No. 100, of Colorado, all of the Department of Colorado, Grand Army of the Republic, in the State of Colorado, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Florence; of the congregation of the Methodist Episcopal Church of Fort Lupton; of the congregation of the First Presbyterian Church of Lamar; of the Shakespeare Club, of Georgetown; of sundry citizens of Denver; of the Woman's Christian Temperance Union of Loveland; of the congregation of the Methodist Episcopal Church of Montrose; of the congregation of the Presbyterian Church of Cripple Creek; of the Woman's Christian Temperance Union of Fort Lupton, and of the Ministerial Alliance of Denver, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the petition of C. M. Jackson, of Salt Lake City, Utah, praying that the Committee on Privileges and Elections of the United States Senate be instructed to proceed without delay to investigate the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. SCOTT presented a petition of Rear-Admiral J. W. Philip Garrison, No. 61, Army and Navy Union, United States Army, navy-yard, Norfolk, Va., praying for the enactment of a naval retirement law; which was referred to the Committee on Naval Affairs.

Mr. NELSON presented a memorial of the Grays Harbor Trades and Labor Council, American Federation of Labor, of Aberdeen, Wash., remonstrating against the enactment of legislation authorizing the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

He also presented petitions of the Sorosis Club, of St. Peter; of the Woman's Home Missionary Society of the Simpson Methodist Episcopal Church, of Minneapolis, and of sundry citizens of Minneapolis, all in the State of Minnesota, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Post No. 182, of Money Creek; of Post No. 78, of Waterville; of Magnard Post, No. 49, of Elysian; of Post No. 110, of Stacy; of Thomas Post, No. 30, of Brainard; of H. H. Edwards Post, No. 135, of Sherburn; of Eugene M. Wilson Post, of New Paynesville; of James M. McKeloy Post, No. 134, of Minnesota, all of the Department of Minnesota, Grand Army of the Republic, and of sundry citizens of Sauk Rapids and St. Cloud, all in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. HALE presented a petition of Lodge No. 398, Brotherhood of Railroad Trainmen, of Fort Kent, Me., praying for the enactment of legislation relating to liability of common carriers, etc.; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Frank G. Flagg Post, No. 122, Department of Maine, Grand Army of the Republic, of Maine, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union of Saco, Me., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented a memorial of the Woman's Christian Temperance Union of Idaho, remonstrating against the union of the Indian Territory and Oklahoma as one State; which was referred to the Committee on Territories.

He also presented petitions of Charles C. Pierce, chaplain, United States Army, of Fort Myer, Va.; of Rev. L. W. Gowen, of Boise, Idaho; of J. Cardinal Gibbons, of Baltimore, Md.; of Rev. E. P. Gibboney, of Lewiston, Idaho; of J. B. Funsten, Bishop of Boise, Idaho, and of W. J. Boone, president of the College of Idaho, Caldwell, Idaho, praying for the enactment of legislation providing for the promotion of chaplains in the Army; which were referred to the Committee on Military Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented a petition of A. C. Spicer Post, No. 43, Department of Maryland, Grand Army of the Republic, of Freeland, Md., and a petition of Warren Post, No. 49, Depart-

ment of Maryland, Grand Army of the Republic, of Forest Hill, Md., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of the Federation of Labor of Baltimore, Md., remonstrating against the enactment of legislation relative to the allotment of wages of seamen; which was referred to the Committee on Commerce.

Mr. PLATT of Connecticut presented a petition of the New Haven and Coastwise Lumber Dealers' Association, of New Haven, Conn., praying for the establishment of a forest reserve in the White Mountains; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Postal Progress League, of New York City, N. Y., praying for the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Woman's Christian Temperance Union of New Haven, Conn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PENROSE presented petitions of sundry citizens of California, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. FRYE presented a petition of the Commercial Club of Topeka, Kans., praying for the enactment of legislation to restore the merchant marine; which was referred to the Committee on Commerce.

REPORTS OF COMMITTEES.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (S. 2424) to recognize and promote the efficiency of army chaplains, reported it with amendments, and submitted reports thereon.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (S. 2999) granting an increase of pension to Melvina C. Buzzell, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1678) granting an increase of pension to Rudolph Reinhart;

A bill (S. 900) granting an increase of pension to Daniel M. Smith; and

A bill (S. 2429) granting an increase of pension to John Dow.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 990) granting an increase of pension to Harrison W. Fox;

A bill (H. R. 4935) granting an increase of pension to Edward T. Miller;

A bill (H. R. 722) granting an increase of pension to Zechariah B. Stuart; and

A bill (H. R. 907) granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following joint resolution and bill, reported them severally without amendment, and submitted reports thereon:

A joint resolution (S. R. 5) to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893; and

A bill (S. 3157) in relation to business streets in the District of Columbia.

Mr. GIBSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 148) granting an increase of pension to Benjamin H. Smalley; and

A bill (S. 154) granting an increase of pension to Hugh T. Crockett.

Mr. GIBSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2216) granting an increase of pension to Charles Reed;

A bill (S. 153) granting an increase of pension to William W. Turk;

A bill (S. 156) granting an increase of pension to Harriet L. Ford; and

A bill (S. 2217) granting an increase of pension to Henry C. Riggs.

Mr. BURTON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4726) granting an increase of pension to Samuel B. Brightman; and

A bill (S. 133) granting an increase of pension to Elizabeth B. Sarson.

Mr. BURTON, from the Committee on Pensions, to whom was referred the bill (S. 893) granting an increase of pension to William W. Angelo, reported it with an amendment, and submitted a report thereon.

Mr. OVERMAN, from the Committee on Pensions, to whom was referred the bill (S. 7666) granting an increase of pension to Laura F. Hine, reported it without amendment, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 227) granting a pension to Margaret Cotter;

A bill (H. R. 2424) granting a pension to Emma Butler; and

A bill (S. 2557) granting a pension to Johniken L. Mynatt.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (S. 2558) granting an increase of pension to Sallie H. Kincaid, reported it with an amendment, and submitted a report thereon.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 70) granting an increase of pension to John G. Brown; and

A bill (S. 89) granting an increase of pension to James M. Markham.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 693) granting an increase of pension to Charles W. De Rocher, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 980) granting an increase of pension to Thomas M. Parkison; and

A bill (H. R. 3743) granting an increase of pension to Charles E. Foley.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 3341) authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, Title III, of an act of Congress approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River at Nome City, in the Territory of Alaska, reported it with an amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2948) granting an increase of pension to George Hyde; and

A bill (S. 2087) granting an increase of pension to George Rilea.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 312) granting an increase of pension to John F. Oviatt, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 317) granting an increase of pension to Mortimer Hallet, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (H. R. 468) granting an increase of pension to Henry Christy, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2841) granting a pension to Jane Patterson, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7370) granting an increase of pension to Andrew Ivory;

A bill (H. R. 1184) granting an increase of pension to William F. Longenhagen;

A bill (H. R. 5005) granting an increase of pension to Worthington S. Lock;

A bill (H. R. 1517) granting an increase of pension to George W. Hutchison; and

A bill (H. R. 5246) granting an increase of pension to Sebastian B. Elliott.

Mr. McCUMBER, from the Committee on Pensions, to whom

were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3291) granting an increase of pension to John Olson Bakken, alias John Olson;

A bill (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899;

A bill (S. 3423) granting an increase of pension to Joseph H. Ottey;

A bill (H. R. 5521) granting an increase of pension to Charles S. Clark;

A bill (H. R. 2616) granting an increase of pension to Joseph K. Welt;

A bill (H. R. 5010) granting a pension to Mary F. Hamilton;

A bill (H. R. 3821) granting an increase of pension to Hannah Padgett, now Riley;

A bill (H. R. 6441) granting an increase of pension to Peter Fillion;

A bill (H. R. 4319) granting an increase of pension to John Sexton;

A bill (H. R. 196) granting a pension to Grace E. Carson;

A bill (H. R. 5719) granting an increase of pension to Forbes Homiston;

A bill (H. R. 1288) granting an increase of pension to Jason Stevens; and

A bill (H. R. 2991) granting an increase of pension to Lydia A. Topping.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2441) granting an increase of pension to Frank Lee;

A bill (S. 2561) granting an increase of pension to Mathias S. Friend;

A bill (S. 2239) granting an increase of pension to Theodore E. Chatfield;

A bill (H. R. 3903) granting an increase of pension to George C. Sherman;

A bill (S. 2445) granting an increase of pension to George M. Waters; and

A bill (H. R. 958) granting an increase of pension to Alfred H. Rogers.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2289) granting a pension to Louisa R. Chitwood; and

A bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the bill (S. 2878) authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. DUBOIS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2324) for the extension of Vermont avenue from Florida avenue to Howard University, reported it with amendments, and submitted a report thereon.

COMPILATION OF NAVAL APPROPRIATION LAWS.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the compilation presented by Mr. HALE on the 15th instant, reported the following order; which was considered by unanimous consent, and agreed to:

Ordered, That the compilation of the Annual Naval Appropriation Laws from 1883 to 1903, including the Provisions for the Construction of all Vessels of the New Navy, be printed as a document.

SECOND ANNUAL REPORT OF RECLAMATION SERVICE.

Mr. PLATT of New York, from the Committee on Printing, reported the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized and directed to print from stereotype plates and to bind 2,500 copies of the Second Annual Report of the Reclamation Service, of which 750 copies shall be for the use of the Senate, 1,250 copies for the use of the House of Representatives, 300 copies for the use of the Department of the Interior, and 300 copies for the use of the United States Geological Survey.

REPORT ON IRRIGATION IN UTAH.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 28) authorizing the printing of additional copies of Agricultural Bulletin No. 124, being a report on irrigation in Utah, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the joint resolution, as follows:

Resolved, etc., That there shall be printed from the stereotype plates of the Report of Irrigation Investigation in Utah, under the direction of Edward Mead, chief of irrigation investigation, Office of Experiment Stations, Department of Agriculture, 4,000 copies, of which 40 shall be for the use of the Senate, 960 for the use of the House of Representatives, and 3,000 for the use of the Department of Agriculture.

There being no objection, the resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FIRST ANNUAL REPORT OF RECLAMATION SERVICE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the concurrent resolution submitted by the Senator from California [Mr. BARD] providing for printing copies of the First Annual Report of the Reclamation Service, to report it with amendments, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution.

The amendments of the Committee on Printing were, in line 2, before the word "thousand," strike out "five" and insert "two;" in the same line, after the word "thousand," insert "five hundred;" in line 4, before the word "thousand," strike out "two" and insert "one;" in line 5, before the word "thousand," strike out "three" and insert "one;" and in line 6, before the word "copies," insert "five hundred;" so as to make the concurrent resolution read:

Resolved by the Senate (the House of Representatives concurring), That there be printed 2,500 copies of the First Annual Report of the Reclamation Service, from June 17 to December 1, 1902, with the accompanying maps, of which 1,000 copies shall be for the use of the Senate and 1,500 copies for the use of the House of Representatives.

The amendments were agreed to.

The concurrent resolution as amended was agreed to.

REPORT OF COMMISSION ON INTERNATIONAL EXCHANGE.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the concurrent resolution submitted by Mr. ALDRICH on the 11th instant, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 10,000 copies of the Report of the Commission on International Exchange and the appendixes thereto, being House Document No. 144, Fifty-eighth Congress, second session, 2,000 of which shall be for the use of the Senate, 4,000 for the use of the House of Representatives, and 4,000 for the use of the Commission on International Exchange.

MARY D. DUVALL.

Mr. SCOTT. I am directed by the Committee on Pensions, to whom was referred the bill (S. 782) granting a pension to Mary D. Duvall, to report it favorably with an amendment and to submit a written report, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on Pensions was to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary D. Duvall, widow of Isaac H. Duvall, late brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN WEST VIRGINIA.

Mr. PLATT of Connecticut. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 1935) providing for the holding of an additional court in the northern district of West Virginia at Martinsburg, W. Va., to report it favorably with a formal amendment. I suppose a bill of this kind may well be considered upon the presentation of the report, and I ask for its present consideration.

The Secretary read the bill.

Mr. BURTON. Under what order are we proceeding?

The PRESIDENT pro tempore. The order of reports of committees.

Mr. PLATT of Connecticut. This is simply a bill providing for an additional term of court in a district. It will take but a minute.

Mr. BURTON. Very well.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on the Judiciary was, in line

5, after the word "additional," to insert the words "term of;" so as to make the bill read:

Be it enacted, etc., That in addition to the courts heretofore held in the northern district for the State of West Virginia there shall be held an additional term of court at Martinsburg, W. Va., on the second Tuesday in May in each year.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for the holding of an additional term of court in the northern district of West Virginia at Martinsburg, W. Va."

DESECRATION OF THE FLAG.

Mr. PLATT of Connecticut. I ask that the Committee on the Judiciary be discharged from the further consideration of the bill (S. 21) to prevent and punish the desecration of the flag of the United States, and that it be referred to the Committee on Military Affairs. In the last Congress a similar bill was before the Committee on Military Affairs, and a report was made on it by that committee. I understand that the committee will be glad to consider the bill at the present session.

The PRESIDENT pro tempore. The Committee on the Judiciary will be discharged from the further consideration of the bill, and it will be referred to the Committee on Military Affairs, there being no objection.

BILLS INTRODUCED.

Mr. TALIAFERRO introduced a bill (S. 3478) making provision for conveying in fee the piece or strip of ground in St. Augustine, Fla., known as the "Moat," for school purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3479) making provision for conveying in fee certain public grounds in the city of St. Augustine, Fla., for school purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Education and Labor.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3480) granting an increase of pension to Swepston B. W. Stephens;

A bill (S. 3481) granting an increase of pension to J. E. Harrison; and

A bill (S. 3482) granting an increase of pension to Alfred H. Le Fevre.

Mr. MALLORY introduced a bill (S. 3483) granting an increase of pension to Charles Pfrang; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 3484) to amend section 2165 of the Revised Statutes of the United States, relative to naturalization; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 3485) granting an increase of pension to Elizabeth Bedford; which was read twice by its title, and, with accompanying papers, referred to the Committee on Pensions.

Mr. BURNHAM introduced a bill (S. 3486) to provide for the withdrawal, free of duty under bond, for incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, of articles and materials exhibited at the Louisiana Purchase Exposition; which was read twice by its title, and referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3487) granting a pension to Joseph Rever; and

A bill (S. 3488) granting an increase of pension to Charles E. McIlnure.

Mr. HANNA introduced a bill (S. 3489) granting a pension to Annie Colt McCook; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GAMBLE introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 3490) granting an increase of pension to Bucklin H. Wood;

A bill (S. 3491) granting an increase of pension to Andrew J. Howe;

A bill (S. 3492) granting an increase of pension to John Whelan; and

A bill (S. 3493) granting an increase of pension to John C. Van Campen.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3494) granting an increase of pension to George H. Zinn (with an accompanying paper);

A bill (S. 3495) granting a pension to W. B. Cook;

A bill (S. 3496) granting a pension to P. S. Cook; and

A bill (S. 3497) granting a pension to Bryant T. Moore (with an accompanying paper).

Mr. HOPKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3498) granting an increase of pension to F. L. Ferguson;

A bill (S. 3499) granting an increase of pension to Samuel E. Lookingbill;

A bill (S. 3500) granting an increase of pension to Orrin L. Mann;

A bill (S. 3501) granting a pension to Elizabeth B. Constant; and

A bill (S. 3502) granting an increase of pension to Joseph W. Willis.

Mr. HOPKINS introduced a bill (S. 3503) to amend the record of Maj. John Murphy; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 3504) to pay $110 attorney's fees to A. Y. Trogdon, of Paris, Ill.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BURTON introduced a bill (S. 3505) granting an increase of pension to Ruth Burton Pruitt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 3506) for the relief of Job Barnard, administrator of the estate of Robert H. Ryan, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 3507) granting an increase of pension to John E. Maxwell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (S. 3508) for the recognition of the military service of noncommissioned officers and enlisted men of the United States Volunteers as commissioned officers in certain State military organizations;

A bill (S. 3509) providing for the promotion to the rank of lieutenant-general major-generals on the retired list who commanded brigades in the Army between 1861 and 1865; and

A bill (S. 3510) to correct the military record of Isaac A. Kase.

Mr. PENROSE introduced a bill (S. 3511) to establish lights on the Monongahela River; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3512) providing for a site and building for a custom-house in the city of Philadelphia, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3513) to add a corps of dental surgeons to the Bureau of Medicine and Surgery of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3514) to equalize the rank and pay of certain retired officers of the Navy and Marine Corps; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3515) granting a pension to Rebecca L. Price;

A bill (S. 3516) granting a pension to Ida A. Douglass; and

A bill (S. 3517) granting an increase of pension to John B. Hammers (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 3518) to prevent Sunday banking in post-offices in the handling of money orders and registered letters; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. QUARLES introduced a bill (S. 3519) granting a pension to Ruby A. Stirdivant; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3520) to extend the privileges of the seventh section of the act approved June 10, 1880, to the port of Manitowoc, Wis.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3521) granting an increase of pension to James K. Rooney (with accompanying papers); and

A bill (S. 3522) granting an increase of pension to Samuel J. Dennison (with accompanying papers).

Mr. QUAY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3523) granting an increase of pension to Joseph W. Butz; and

A bill (S. 3524) granting an increase of pension to Joseph Greist.

Mr. COCKRELL introduced a bill (S. 3525) for the relief of James Fears; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition and affidavit of James Fears, together with the certificate of county officers and official certificate of circuit clerk of Reynolds County, Mo., as to the claimant and his witnesses. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. GORMAN introduced a bill (S. 3526) granting an increase of pension to Elizabeth W. Eldridge; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3527) granting an increase of pension to Jerningham Boone; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 3528) for the relief of Henry C. Block; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3529) for the relief of Anne C. Livingston; which was read twice by its title, and referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 3530) to provide for the construction of a light-house and buoy tender for the inspector of the eleventh light-house district; which was read twice by its title, and referred to the Committee on Commerce.

Mr. GALLINGER introduced a bill (S. 3531) for the extension of Massachusetts avenue extended northward between Joliet street and Fairview Heights subdivision, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (for Mr. GIBSON) introduced a bill (S. 3532) to provide for the payment of certain claims against the District of Columbia, in accordance with the act of Congress approved July 19, 1897; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. PLATT of Connecticut introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3533) granting a pension to Harriet H. Crissey (with an accompanying paper);

A bill (S. 3534) granting an increase of pension to John S. Parker; and

A bill (S. 3535) granting an increase of pension to John Walton.

Mr. LODGE introduced a bill (S. 3536) to authorize the United States Commissioner of Fish and Fisheries to convey certain land to Joseph S. Fay, jr., Sarah B. Fay, and Henry H. Fay; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Fisheries.

He also introduced a bill (S. 3537) for the relief of the Bath Iron Works and others; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3538) to purchase a painting of the several ships of the United States Navy, known as the "Squadron of Evolution" and entitled "Peace;" which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 3539) for the relief of Samuel M. Blair; which was read twice by its title, and referred to the Committee on Claims.

Mr. CLAY introduced a bill (S. 3540) to limit the jurisdiction of the district and circuit courts of the United States; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 3541) to fix the fees of court criers, bailiffs, and witnesses in attendance upon the United States courts in Georgia; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HALE introduced a bill (S. 3542) granting an increase of pension to Algernon A. Worster; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3543) granting an increase of pension to John M. Berkey;

A bill (S. 3544) granting an increase of pension to George W. Phillips; and

A bill (S. 3545) granting an increase of pension to David F. Crampton.

Mr. HANSBROUGH introduced a bill (S. 3546) relating to proofs under the homestead laws, and to confirm such proofs in certain cases when made outside of the land district within which the land is situated; which was read twice by its title, and referred to the Committee on Public Lands.

AMENDMENTS TO BILLS.

Mr. FAIRBANKS submitted an amendment proposing to appropriate $20,000 for experimental telephone delivery of special rural mail matter, intended to be proposed by him to the Post-Office appropriation bill; which was ordered to lie on the table and be printed.

Mr. PLATT of Connecticut (for Mr. HAWLEY) submitted an amendment intended to be proposed by Mr. HAWLEY to the bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Captains Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes, which was referred to the Select Committee on Industrial Expositions, and ordered to be printed.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on this day approved and signed the act (S. 2300) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Mississippi River at or near Grays Point, Missouri," approved January 26, 1901.

LAND-ENTRY CASES.

Mr. PETTUS. Mr. President, I offer a resolution, and I desire to explain the necessity for it.

There are a large number of very small claims against the United States on account of lands purchased and paid for when the lands belonged to railroad grants or were otherwise not salable. In 1867 a law was passed that no claim against the United States should be paid where the claimant was not a loyal citizen and had not been during the civil war. But on the 16th day of June, 1880, another law was passed, and I will read one section of it:

SEC. 2. In all cases where homestead or timber-culture or desert-land entries or other entries of public lands have heretofore or shall hereafter be canceled for conflict, or where, from any cause, the entry has been erroneously allowed and can not now be confirmed, the Secretary of the Interior shall cause to be repaid to the person who made such entry, or to his heirs or assigns, the fees and commissions, amount of purchase money, and excesses paid upon the same, upon the surrender of the duplicate receipt and the execution of a proper relinquishment of all claims to said land, whenever such entry shall have been duly canceled by the Commissioner of the General Land Office, and in all cases where parties have paid double minimum price for land which has afterwards been found not to be within the limits of a railroad land grant, the excess of $1.25 per acre shall in like manner be repaid to the purchaser thereof, or to his heirs or assigns.

This paper I hold in my hand is a circular issued by the Commissioner of the General Land Office to carry that law into effect, prescribing the oaths that shall be taken strictly in conformity with that act. But the Comptroller of the Treasury decides that before this money can be refunded, which is generally from $40 to $125, the party must assert and prove his loyalty to the Government during the civil war under the former act. The purpose of this inquiry is to correct that practice in some way.

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Interior is directed to communicate to the Senate the facts in the case of Calvin A. Stanfield for the repayment of the purchase money of land erroneously sold, and the decision of the Interior Department in said case; and if the money was not returned to said Stanfield, to state fully the facts concerning said case, so as to inform the Senate why said purchase money was not repaid as ordered, and state the subsequent ruling of the Land Office on the question involved in said case.

SHIP CANAL BETWEEN NEWARK AND NEW YORK BAY.

Mr. DRYDEN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, requested to cause a survey to be made for a ship canal extending from a point in the city of Newark, N. J., below the junction of the Pennsylvania and Lehigh Valley railroads, through the Newark Meadows and Newark Bay to New York Bay, said ship canal to have a width of 300 feet and a depth of 35 feet, and to report such survey to Congress, together with an estimate of the cost of the same.

OREGON STATE CLAIMS.

Mr. MITCHELL submitted the following resolution; which was referred to the Committee on Claims, and ordered to be printed:

Resolved, That the bill (S. 3149) entitled "A bill to refer to the Court of Claims the war claims of the State of Oregon," now pending in the Senate,

together with all the papers which in any wise relate thereto, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, 24 U. S. Stat., p. 505; and the said court shall proceed with the same in accordance with the provisions of said act and report to the Senate in accordance therewith.

PRINTING FOR COMMITTEE ON PRIVILEGES AND ELECTIONS.

Mr. BURROWS submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Privileges and Elections be given leave to print, from time to time during the second session of the Fifty-eighth Congress, the hearings held before the committee.

SERVICE PENSIONS.

Mr. DOLLIVER. I ask that an order may be made for the reprinting of the bill (S. 3458) granting pensions to certain soldiers and sailors who served in the war of the rebellion and their widows, the copies being exhausted, as I understand.

The PRESIDENT pro tempore. The Senator from Iowa asks for an order for reprinting the bill which he has named. Is there objection? The Chair hears none, and that order will be made.

REPUBLIC OF PANAMA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, ordered to lie on the table and be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress a report from the Secretary of State covering copies of additional papers bearing upon the relations of the United States with Colombia and the Republic of Panama.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 18, 1904.*

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. The Chair lays before the Senate the several resolutions relative to an investigation of the Post-Office Department and the amendments offered thereto, the pending question being on the motion to refer the resolutions and amendments to the Committee on Post-Offices and Post-Roads.

Mr. HALE. Mr. President, it has, I think, been settled by general consent that all the resolutions coming from different Senators relating to the Post-Office Department in the way of investigation shall be sent to the Committee on Post-Offices and Post-Roads for its action. I agree that that is a suitable way to proceed.

The resolutions are various, covering different ways of proceeding, and there has never, so far as I know, been any disposition to prevent further investigation or to stifle it. But there has been a general feeling, certainly upon this side of the Chamber, that where so many things in so many ways are asked, rather than pass resolutions committing the Senate to diverse projects, it would be better to refer them all to the committee.

The chairman of the committee, the Senator from Pennsylvania [Mr. PENROSE], has stated that the subject will receive early attention, and will in due time be reported in some form to the Senate. I do not understand that he has promised any specific thing, except that his committee will give the subject consideration. So the disposition of the resolutions for the time being has been settled. But as there has been more or less disposition shown by some Senators to doubt the efficacy and completeness of the investigation entered upon by the Post-Office Department, and now in progress, and as there has been some assertion that upon this side there is an attempt and a purpose to stifle further investigation, it has seemed to me fitting that some attention should be called to the actual situation to-day and to the investigation already set on foot and conducted by the Post-Office Department, with a thoroughness and, indeed, severity for which there is no example in the history of the Government.

Going back about a year or rather more, when attention was first called and aroused in the Department to certain grievances, wrongdoings, and malfeasances in the Department, and when at once prompt action was taken by the Postmaster-General, and an appropriation was made by Congress for the purpose of ferreting out and detecting and bringing to light and punishing these grievances and malfeasances and offenses at law—if they should so prove—the Department took the subject up with great seriousness and earnestness, and has followed it from that day to this with an unerring and, I may say, unrelenting hand.

I took it as a matter of good omen, Mr. President, that the country at once became interested in this situation and in this investigation.

A great Department of the Government, coming nearer to the people, perhaps, than any other in its everyday life, was suddenly disclosed to the public as being the harboring place of men in high position in the Department who had taken advantage of their position and the confidence reposed in them to do various things which were wrong, illegal, infamous, and the whole country at once directed its attention, and the public took notice of what was going on. I thought that was a good omen. I have no doubt I agree with my friend the Senator from Maryland [Mr. GORMAN] that it was a good sign that the people for once were interested in things near at home, in the operations of the Government at home, and that some things were of importance that involved the condition of affairs of public service in the United States; that we were not alone interested in wars thousands of miles away, actual or prospective; that we were not interested in taking a position that would involve us in those wars; and while the newspapers did not give such prominence to these investigations as was given to reports of coming and probable wars far away, still there was interest felt in them. I felt that it was a good omen that the public was interested in these investigations that were going on.

When we came here in December I think there was a general feeling of satisfaction and gratification and gratitude on the part of the public that the Post-Office Department—the Postmaster-General, backed up by the President and sustained by his inferior officers—had followed this thing with an unwavering purpose. But so soon as we assembled, resolutions were submitted by one Senator and another, all demanding more investigation, and when submitted or when debated always carrying with them the double idea that the investigations already set afoot were not sufficient—were not probing deep enough—and that there was a disposition on the part of Senators on this side of the Chamber to prevent or stifle further investigation.

The Senator from Georgia [Mr. CLAY] was troubled because of the apparition of Mr. Perry Heath in this matter, and wanted that looked into. The Senator from North Carolina [Mr. SIMMONS] discovered that whatever there was of loot, of plunder, in this case really came from the public Treasury, from the taxes of the people—not a new discovery; but that troubled him. The Senator from Maryland [Mr. GORMAN], finding himself, perhaps to his surprise, on the Post-Office Committee, and from his long service here and from his ability in conducting legislation matters, naturally took upon himself the rôle of prosecutor of the Republican party for its delinquencies in these investigations.

Mr. GORMAN. Mr. President, will the Senator from Maine pardon me for a moment?

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Maryland?

Mr. HALE. Certainly.

Mr. GORMAN. I confess my great surprise that the Senator from Maine should come to such a conclusion as that he has just stated. I am quite certain it was far from my purpose to become a prosecutor in this case, and nothing that I have uttered, I think, will bear such a construction.

What I have said was that the attorneys, eminent men appointed by the President himself, had suggested that the investigation of a part of this subject was incomplete, and that it ought to be pursued further. I said that I thought there ought to be no hesitation in having that examination made not exclusively by gentlemen connected with the present Administration; that the chief end I had in view was not only to discover if there were further or other frauds, but that we might have sufficient light through the Post-Office Committee to provide legislation which would prevent a recurrence of the frauds which have been charged. That was my attitude.

Mr. HALE. I do not find fault with that statement of the Senator; only accompanying that—and with that I do not find fault; I am only reciting what took place—accompanying that position of the Senator was the iteration and reiteration on his part that he had never seen in his service any such attempt to prevent an investigation as was shown upon this side of the Senate in this matter.

When I used the phrase "public prosecutor," I accompanied it with the words "of the Republican party." I do not say that the Senator assumed the rôle or took the rôle, but it naturally fell upon him. That I do not find fault with. I am glad it is in such able hands—not as the public prosecutor of these cases and these investigations, but of this side of the Chamber, as objecting to and opposing and stifling further investigation.

Mr. GORMAN. Now, Mr. President, will the Senator yield to me for a single remark?

Mr. HALE. Yes.

Mr. GORMAN. The Senator and I have served long together and we have never, on any occasion, misrepresented each other.

Mr. HALE. And I presume we never shall.

Mr. GORMAN. It never shall be on my part, at all events. I made the statement because of facts that for a month and a half the attempt had been made by the chairman of the Committee on Post-Offices and Post-Roads [Mr. PENROSE], by the Senator from Tennessee [Mr. CARMACK], and by myself to secure the passage of a resolution to accomplish what I stated a moment ago; whereupon the junior Senator from Massachusetts [Mr. LODGE], speaking, as we naturally supposed from recent occurrences on the other side of the Chamber, by authority, certainly with greater

power, as it appears, than any other voice that has been raised in the Senate since my reentry, informed us promptly, bluntly, and frankly that the Republican party would not permit the information to be given which we desired to obtain, except by the permission of that party—a most extraordinary statement, and one which shocked me.

Such a statement was new to me in this body. Naturally we resented it, and I stated that that was a course of procedure that was destructive of the Government and one that ought not to be tolerated in the Senate by the Republican party, which has a majority of nearly two-thirds in this body. I stated that, and that only.

Mr. HALE. Well, the Senator must carry on that controversy with the Senator from Massachusetts himself.

Mr. GORMAN. I will, if the Senator from Maine does not father it.

Mr. HALE. I have said already that it was thought better and wiser, instead of passing these resolutions, to refer them to the Committee on Post-Offices and Post-Roads, and let that committee report upon them.

Mr. GORMAN. We all agree to that now.

Mr. HALE. That we all agree to now.

Mr. President, it is worth while to go back and to see in what spirit, to what extent, and to what end, if it has yet been reached, the Department has searched into, followed up, exposed and expelled, indicted and punished the offenders in this case, for that must be the end and aim of all investigations—to search out, to find, to expose, to expel, and to punish.

Mr. CLAY. Mr. President, will the Senator permit me to ask him a question?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Maine yield to the Senator from Georgia?

Mr. HALE. Yes.

Mr. CLAY. Does the Senator think that all the guilty parties have been exposed, that all the guilty parties have been indicted, and that all the guilty parties will be punished?

Mr. HALE. Well, Mr. President——

Mr. CLAY. Does the Senator think that, in accordance with the report of the Fourth Assistant Postmaster-General, there are not some in high places who may have been exposed but have not been indicted?

Mr. HALE. Well, Mr. President, I think this: The investigation is going on; the Department is committed to it by every energy that it can summon, and whether it has been completed or not I do not know. I doubt if the ultimate line and range has been reached, but that it will be reached I have no doubt; that there are men who perhaps have not yet been detected, but who ought to be and will be punished, I can not say; but I do say, Mr. President, that in the object which I have indicated there has never been in the history of this Government so thorough, so complete, so severe an investigation, followed by the results which I have indicated, as this one.

It has only been going on a little more than a year. The best energies of the Postmaster-General have been directed to it; the best men that he could summon to his aid in the Deparment, his subordinates, have been put on the track of every one of these grievances, malfeasances, and offenses, and they have been followed. The only complaint I have heard is from the friends of the accused; of a "relentlessness," to use their words, such as never has been, as they claim, shown before.

Mr. President, I have seen something of Congressional investigations in my thirty years and more of service in the two Houses of Congress. I saw the investigation into the Union Pacific Railroad—the Crédit Mobilier—the investigation into the Pacific mail subsidy, the investigation into contracts in the District of Columbia, the investigation into the post-tradership scandal, the investigation into contracts for armor plates, and the later investigation, as I am reminded, of the sugar trust, and the star-route investigation, and others. Putting them all together, Mr. President, diverse as they were, covering almost every imaginable subject, being of great importance, in the one result of detecting and exposing and indicting and punishing all of these combined do not stand in magnitude for one moment with what the Post-Office Department has done in this great investigation which it has conducted.

Yet Congress was behind those investigations, and there was more or less public interest. They involved great transactions, in some cases much greater in amounts of money than this; but the history is this, and I say the Department should be credited with it, and the President, who has backed up the Postmaster-General day in and day out, night in and night out, in the conferences and the vigils which they have kept upon this subject-matter, should be credited, and are, as I believe, credited by the public with these great results in these investigations.

I was myself, as I have no doubt others were, surprised when I found the thoroughness of this investigation as disclosed in the report of the Postmaster-General in the matter of the investigation of the Post-Office Department submitted to the other House, including as its main subject-matter the complete report of the Fourth Assistant Postmaster-General.

These investigations, Mr. President, penetrated broad and large; they searched as with fire the Post-Office Department; they went out into State after State and followed the course of proceeding in the transactions that had been conducted through offending subordinates in the Department, with men outside who were in equal complicity with them against the law. When once on the track in any case the track was never abandoned; the trail never grew too fresh for the Post-Office Department. I find here recited by the Postmaster-General a list, which certainly is illuminating as showing what has been done by this great investigation. The Department summoned its chief detectives: it took them from other work, useful work, and set them upon this work of following and finding these offenders and their offenses; it put into the field inspectors in charge of four divisions, seven in number; it put in local inspectors in the cities, eighteen in number; it put in all its field inspectors, who traversed the country broad and large, who took testimony, affidavits, interviews, and gained knowledge of facts, seventeen in number.

Mr. President, as a result they secured resignations that were forced, four in number; removals, thirteen in number; and indictments found in the courts of the country against those offenders, both in and out of the Departments, sixty-four in number. Here is the list, Mr. President, of the official detectives employed. First is a list of resignations and removals which followed and the indictments which resulted:

James N. Tyner, Assistant Attorney-General for Post-Office Department; appointed special agent, Post-Office Department, March 1, 1882, with interval of a few years has been in the service ever since, and was Postmaster-General under President Grant for several months; he was removed April 22, 1903; he has since been indicted three times.

A. W. Machen, general superintendent Free-delivery system; appointed clerk in post-office at Toledo, Ohio, March 1, 1887; continuously in service ever since save for three years; removed May 27, 1903; has since been indicted fourteen times.

George W. Beavers, general superintendent of salaries and allowances; appointed to clerkship in New York post-office January, 1881; continuous service ever since; resignation accepted to take effect March 31, 1903; has since been indicted eight times.

James T. Metcalf, superintendent money-order system; appointed post-office inspector February 2, 1882; has been in postal service ever since; removed June 17, 1903; has been indicted once.

Daniel V. Miller, assistant attorney, Post-Office Department; appointed July 1, 1902; removed May 25, 1903; indicted once; after one mistrial was retried and acquitted.

Louis Kuhnert, superintendent registry system; appointed clerk in New York post-office August, 1885; removed October 21, 1903.

Charles Hedges, superintendent city free-delivery service; appointed assistant superintendent Free-delivery service July 1, 1898; removed June 22, 1903.

James W. Erwin, assistant superintendent Free-delivery service; appointed post-office inspector June 21, 1897; removed September 16, 1903; indicted once.

W. Scott Towers, superintendent stations, Washington, D. C.; appointed clerk, Washington post-office, November, 1890; removed October 1, 1903; indicted three times.

Otto F. Weis, assistant superintendent registry division, New York post-office; appointed clerk, New York post-office, June, 1890; removed October 21, 1903.

T. W. McGregor, clerk, free-delivery division, in charge of supplies; appointed Post-Office Department, March 11, 1891; removed June 5, 1903; indicted twice.

C. E. Upton, clerk, free-delivery division; appointed July 1, 1899; removed June 5, 1903; indicted once.

M. W. Louis, superintendent supply division; appointed Kansas City post-office, April 1, 1897; removed October 21, 1903.

Charles B. Terry, clerk, supply division; appointed September 20, 1900; removed October 21, 1903.

A more detailed list is given, as follows:

LIST OF INSPECTORS EMPLOYED ON THE INVESTIGATION.

W. E. Cochran, chief inspector.

Inspectors in charge of divisions.—Martin C. Fesnes, St. Paul; Paul E. Williams, Chattanooga; William J. Vickers, Cincinnati; Joe P. Johnston, New Orleans; George D. Linn, Spokane; John R. Harrison, Kansas City; Lawrence Letherman, Boston.

City inspectors.—Walter S. Mayer, Chicago; George M. Sutton, Washington; Ervin H. Thorp, New York; James O'Connell, San Francisco; Frank E. Little, New York; Abraham R. Adams, Cincinnati; Frank M. Hamilton, New Orleans; Robert M. Fulton, St. Louis; Joseph D. Farrell, Chicago; John D. Sullivan, St. Louis; Michael H. Sayre, New York; Charles H. Thomas, Chicago; Edward L. McKee, Kansas City; Charles E. Crowell, Brooklyn; William B. Snow, Boston; James T. Cortelyou, Jersey City; Albert E. Furniss, Washington; Walter B. Platt, St. Louis.

Field inspectors, with division to which assigned.—Rush D. Simmons, Kansas City; Confucius L. Wayland, Spokane; Lake Jones, Chattanooga; Edwin A. Niess, Boston; John F. Outfield, Cincinnati; Emmons Rolfe, New Orleans; Hardy T. Gregory, Chattanooga; Nathan Jolls, St. Paul; George F. H. Birdsey, Boston; James F. Bennett, Denver; William F. Greenaway, Chattanooga; John W. Billig, Washington; James J. Smith, Chattanooga; Harry B. Hall, San Francisco; William M. Ketcham, Chicago; Sherman C. Kile, Cincinnati; George W. Holloway, jr., Chicago.

RESIGNATIONS.

George W. Beavers, General Superintendent of Salaries and Allowances. Appointed to clerkship in New York post-office January, 1881. Resignation accepted to take effect March 31, 1903.

G. A. C. Christiancy, assistant attorney, Post-Office Department. Appointed January 1, 1901. Resignation accepted October 12, 1903.

Charles T. McCoy, assistant superintendent, Free-Delivery Service. Appointed post-office inspector March 18, 1898. Resignation accepted October 17, 1903.

William H. Landvoigt, superintendent, classification division. Appointed temporary messenger August 6, 1875. Resignation accepted October 24, 1903.

REMOVALS.

James N. Tyner, Assistant Attorney-General for the Post-Office Department. Appointed special agent, Post-Office Department, March 7, 1861. Removed April 22, 1861.

James V. Miller, assistant attorney, Post-Office Department. Appointed July 1, 1862. Removed May 25, 1865.

James T. Metcalf, superintendent Money-Order System. Appointed post-office inspector February 2, 1882. Removed June 17, 1905.

A. W. Machen, General Superintendent Free-Delivery System. Appointed clerk in post-office at Toledo, Ohio, March 1, 1887. Removed May 27, 1905.

Charles Hedges, superintendent of city free-delivery service. Appointed assistant superintendent Free-Delivery Service July 1, 1898. Removed July 22, 1903.

James W. Erwin, assistant superintendent Free-Delivery Service. Appointed post-office inspector June 27, 1885. Removed September 16, 1903.

Louis Kempner, superintendent, Registry System. Appointed clerk in post-office at New York, N. Y., August, 1886. Removed October 21, 1903, as recommended.

W. Scott Towers, superintendent Station C, Washington, D. C. Appointed clerk, Washington post-office November, 1890. Removed October 1, 1903.

Otto F. Wise, assistant superintendent, registry division, New York, N. Y., post-office. Appointed clerk, New York post-office, June, 1890. Ordered removed October 31, 1903.

T. W. Metzinger, clerk, free-delivery division, in charge of supplies. Appointed page, Post-Office Department, March 11, 1891. Removed June 5, 1903.

C. E. Upton, clerk, free-delivery division. Appointed July 1, 1900. Removed June 5, 1903.

M. W. Louks, Superintendent of Supply Division. Appointed cashier Kansas City, Mo., post-office, April 17, 1897. Removed October 21, 1903, as recommended.

Charles B. Terry, clerk, supply division. Appointed temporary clerk September 24, 1902. Removed October 21, 1903.

Most of these persons have been separated from the service since they were first appointed, but only the original appointments have been given.

Persons indicted and number found against each.

Name.	Number of indictments.	Name.	Number of indictments.
Machen, A. W.	14	Hallenbeck, H. C.	2
Beavers, George W.	8	Doremus, W. D.	1
Green, George E.	5	Schelhas, Eugene D.	1
Barrett, H. J.	5	Crawford, Wm. G.	1
Groff, Diller H. } Groff, Samuel A. }	3	Upton, C. E.	1
		Randle, Maurice	1
Tyner, James N.	3	Metzger, James T.	1
Lake, William C.	3	Metcalf, Norman B.	1
Merchant, Isaac S.	3	Stern, Leopold J.	1
Huntington, Geo. H.	3	Erwin, James W.	1
Towers, W. Scott	3	Hedges, Edmund H.	1
Lorenz, George E. } Lorenz, Martha J. }	2	Meyer, George F.	1
		Meyer, Daniel V.	1
McGregor, Thomas W.	2	Johns, Joseph M.	1
Cupper, John T.	2		

Indictment against two other persons have been returned, but the arrests have not as yet been made.

A full statement of the scope of each indictment is found in the following still more extensive list.

The following is a list of the indictments that have been found:

At Washington, D. C.

Indictment No. 23786. August W. Machen, indicted June 5, 1903, for violation of section 5501, Revised Statutes. Accepting a bribe in connection with purchase of package boxes.

Indictment No. 23787. Diller B. Groff and Samuel A. Groff, indicted June 3, 1903, for violation of section 5501, Revised Statutes. Bribery of A. W. Machen, in connection with purchase of Groff fasteners.

Indictment No. 23788. George E. Lorenz, Martha J. Lorenz, August W. Machen, Diller B. Groff and Samuel A. Groff, indicted June 29, 1903, for violation of section 5501, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of Groff fasteners.

Indictment No. 23789. August W. Machen, indicted June 29, 1903, for violation of section 5501, Revised Statutes. Accepting a bribe in connection with purchase of Groff fasteners.

Indictment No. 23791. Diller B. Groff and Samuel A. Groff, indicted June 29, 1903, for violation of section 5501, Revised Statutes. Bribery of A. W. Machen in connection with purchase of Groff fasteners.

Indictment No. 23792. August W. Machen, Thomas W. McGregor, and Maurice Randle, indicted July 8, 1903, for violation of section 5501, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of carriers' satchels.

Indictment No. 23793. August W. Machen, John T. Cupper, and William C. Lang, indicted July 31, 1903, for violation of section 5501, Revised Statutes. Conspiracy to defraud the United States in connection with the painting of street letter and package boxes.

Indictment No. 23794. Leopold J. Stern, August W. Machen, and William C. Lang, indicted July 31, 1903, for violation of section 5501, Revised Statutes. Conspiracy to defraud the United States in connection with the purchase of carriers' satchels and shoulder straps.

Indictment No. 23795. John T. Cupper, indicted July 31, 1903, for violation of section 5501, Revised Statutes. Bribery of August W. Machen in connection with painting of street letter and package boxes.

Indictment No. 23796. William C. Lang, indicted July 31, 1903, for violation of section 5501, Revised Statutes. Bribery of August W. Machen in connection with painting of street letter and package boxes.

Indictment No. 23797. August W. Machen, William G. Crawford, George E. Lorenz, and Martha J. Lorenz, indicted July 31, 1903, for violation of section 5501, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of carriers' satchels and shoulder straps.

Indictment No. 23798. William Gordon Crawford, indicted July 31, 1903, for violation of section 5418, Revised Statutes. Making and presenting false claims in connection with purchase of carriers' satchels and shoulder straps.

Indictment No. 23818. Isaac S. Merchant, George E. Huntington, and A. W. Machen, indicted September 8, 1903, for violation of section 5440, Revised Statutes. Conspiracy to commit an offense against the United States in connection with purchase of package boxes.

Indictment No. 23819. Isaac S. Merchant, George E. Huntington, and A. W. Machen, indicted September 8, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of package boxes.

Indictment No. 23908. Isaac S. McGiehan and George E. Huntington, indicted September 8, 1903, for violation of section 5451, Revised Statutes. Bribery of August W. Machen in connection with purchase of package boxes.

Indictment No. 23909. Eugene D. Schelhas and August W. Machen, indicted September 8, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of street letter boxes.

Indictment No. 23910. Eugene D. Schelhas and August W. Machen, indicted September 8, 1903, for violation of section 5440, Revised Statutes. Conspiracy to commit an offense against the United States in connection with purchase of street letter boxes.

Indictment No. 23911. August W. Machen, indicted September 8, 1903, for violation of section 5501, Revised Statutes. Accepting a bribe in connection with purchase of street letter boxes.

Indictment No. 23912. George W. Beavers, August W. Machen, and James W. Erwin, indicted September 8, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of Montague devices.

Indictment No. 23936. George W. Beavers, indicted September 17, 1903, for violation of section 5451, Revised Statutes. Accepting a bribe in connection with purchase of Bundy time recorders.

Indictment No. 23937. George E. Green, indicted September 17, 1903, for violation of section 5451, Revised Statutes. Bribery of George W. Beavers in connection with purchase of Bundy time recorders.

Indictment No. 23938. George W. Beavers and George E. Green, indicted September 17, 1903, for violation of section 5440, Revised Statutes. Conspiracy to commit an offense against the United States in connection with the purchase of Bundy time recorders.

Indictment No. 23940. George W. Beavers and George E. Green, indicted October 1, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of Bundy time recorders.

Indictment No. 23941. W. Scott Towers, indicted October 1, 1903, for violation of section 5451, Revised Statutes. Possessing funds for promoting Elliott & Hatch typewriter contract while an employee of the Government.

Indictment No. 23942. W. Scott Towers, indicted October 1, 1903, for violation of section 5451, Revised Statutes. Receiving funds for promoting Elliott & Hatch typewriter contract while an employee of the Government.

Indictment No. 23943. James N. Tyner and Harrison J. Barrett, indicted October 5, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with the Equitable Debenture Company and others.

Indictment No. 23949. James N. Tyner and Harrison J. Barrett, indicted October 5, 1903, for violation of section 5440, Revised Statutes. Conspiracy to commit an offense against the United States in connection with Southern Mutual Investment Company.

Indictment No. 23950. James N. Tyner and Harrison J. Barrett, indicted October 5, 1903, for violation of section 5440, Revised Statutes. Conspiracy to commit an offense against the United States in connection with the Continental Security Redemption Company.

Indictment No. 23951. James T. Metcalf, Harry C. Hallenbeck, and Norman B. Metcalf, indicted October 5, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with printing money order forms.

Indictment No. 23952. Harrison J. Barrett, indicted October 5, 1903, for violation of section 5451, Revised Statutes. Receiving compensation for obtaining a letter from Assistant Attorney-General approving the business methods of the Continental Security Redemption Company of Buffalo, N. Y.

Indictment No. 23953. Harrison J. Barrett, indicted October 5, 1903, for violation of section 5451, Revised Statutes. Receiving compensation for obtaining a letter from Assistant Attorney-General approving the business methods of the Continental Security Redemption Company of Buffalo, N. Y.

Indictment No. 23954. George W. Beavers, indicted October 5, 1903, for violation of section 5451, Revised Statutes. Accepting a bribe in connection with purchase of Bundy time recorders.

Indictment No. 23955. W. Scott Towers, indicted October 5, 1903, for violation of section 5451, Revised Statutes. Receiving compensation for promoting Elliott & Hatch typewriter contract.

Indictment No. 23956. Harry C. Hallenbeck, indicted October 5, 1903, for violation of section 5418, Revised Statutes. Preparing false claims in connection with contract for printing money order forms.

Indictment No. 23957. August W. Machen, indicted October 5, 1903, for violation of section 5501, Revised Statutes. Accepting a bribe in connection with purchase of hangers for rural mail boxes of carriers.

Indictment No. 23958. George W. Beavers, indicted October 5, 1903, for violation of section 5451, Revised Statutes. Accepting a bribe in connection with purchase of Elliott & Hatch typewriters.

Indictment No. 23959. George E. Green and Willard D. Doremus, indicted October 5, 1903, for violation of section 5451, Revised Statutes. Bribery of George W. Beavers in connection with purchase of Bundy time recorders.

Indictment No. 23961. George W. Beavers, George E. Green, and Willard D. Doremus, indicted October 5, 1903, for violation of section 5440, Revised Statutes. Conspiracy to defraud the United States in connection with purchase of Bundy time recorders.

At Brooklyn, N. Y.

Edward H. Jenkins indicted June 24, 1903, for violation of sections 1781 and 1782, Revised Statutes. Accepting compensation from a Member of Congress for promoting contract of Brandt automatic carriers.

George E. Bell indicted June 24, 1903, for violation of section 1781, Revised Statutes. Paying Congressman Briggs for promoting contract of Brandt automatic carriers.

George W. Beavers, indicted July 16, 1903, for violation of section 1781, Revised Statutes. Participating in money received by Congressman Briggs for promoting contract of Brandt automatic carriers.

At Baltimore, Md.

Thomas W. Metzinger and C. Plowden Upton, indicted June 25, 1903, for violation of section 5451, Revised Statutes. Receiving money to defraud the United States in connection with purchase of carriers' satchels.

At Cincinnati, Ohio.

Daniel V. Miller and Joseph M. Johns indicted October, 1903, for violation of section 5440, Revised Statutes. Conspiracy to commit an offense against the United States in connection with John J. Ryan & Co.

I say again, Mr. President, that there is no example like this in the history of the Government: there has never been any investigation so trenchant and so ruthless in following to its end as this investigation conducted by the Postmaster-General, with his array of skillful subordinates, backed up, as he has been, by the Presi-

dent from the beginning to the end. I again say that the President and the Postmaster-General ought to have, and do have, with the country the credit for this.

I shall not take time here to read, for the condition of my voice is such that I can not continue long, but I put in as a part of my speech letters and memoranda from officers of the Government, from counsel employed, especially the counsel referred to by the Senator from Maryland—Mr. Bonaparte and Mr. Conrad—and this last is as follows, and is found on page 7 of the report of the Postmaster-General to the House of Representatives transmitting Mr. Bristow's report, the document already referred to. They show—and they are good lawyers, faithful lawyers—their realization of the great work done, and their recommendation that the Post-Office Department should continue the work.

Mr. Bonaparte and Mr. Conrad, in their review of the report of Mr. Bristow, speak as follows:

> We consider the report an exceptionally able, candid, and impartial review of its subject-matter, and that it shows clearly reprehensible misconduct, amounting in many cases to crime, on the part of a number of public officials. It is a voluminous document, but this arises not from prolixity, but from the nature of the matters discussed. We heartily commend the report and deem its conclusions fully justified by the facts it sets forth, and while regretting in common with all patriotic citizens that the grave abuses of long standing which it reveals should have grown up in the Post-Office Department, we consider the exposure of these abuses and the attempts made to punish those responsible for them a work of the highest public utility quickly and ably performed.

I put here, as showing the continued and unceasing watchfulness and interest of the Postmaster-General, and of the President always backing him up, the following communications, taken from pages 194, 195, and 196 of the same document:

WASHINGTON, D. C., *August 21, 1903.*

MY DEAR GENERAL: I feel very distinctly that in the preparation of the last appropriation bill, and before the subcommittee of which I was a member) had commenced work upon it, that in a private conversation with Mr. Loud he informed me that he had discussed with the Postmaster-General the advisability of a more thorough investigation of the Post-Office Department than had been possible in the usual course before, and that the Postmaster-General was very earnest in his desire that the item for special inspection, included in the "miscellaneous items" of the appropriation bill, should be increased to such an amount as would give him unquestionable authority for this purpose, and suggested that the item be increased from $[illegible] to $[illegible].

Mr. Loud stated that it was thought advisable that no public attention should be drawn to this proposed increase in the item, for the reason that it might serve as a warning and put upon their guard any employees or attaches of the department or others who might have been guilty of irregularities, and that it was to the public interest that the increase should be put in the bill as quietly as possible, so as to attract little or no attention or comment.

It was understood that this investigation was to be very thorough and might be quite prolonged, reaching over a number of months, and that, while the appropriation would not itself become available until after July 1, 1903, yet it would be necessary to have this increase in order to continue whatever work might be started in this line before that date.

In accordance with this suggestion of Mr. Loud, he and I put the item in the appropriation bill as prepared by the subcommittee, with a mere statement that it was desired by the Department, but giving no explanation. The subcommittee had such confidence in Mr. Loud that without inquiry they accepted this increase. It went into the bill, was reported to the committee, there passed without any comment, and was enacted into law.

I know positively that the increase and the purpose for which it was to be used were discussed upon by the Postmaster-General long before the bill was introduced in the House, and that the Department is upon possible irregularities in the Department.

Very respectfully, yours,

J. H. BROMWELL,
Late Member of Congress from Ohio.

Hon. HENRY C. PAYNE,
Postmaster-General.

WHITE HOUSE,
Washington, June 22, 1903.

SIR: As you know, the charges in connection with the Post-Office Department are now being investigated by Fourth Assistant Postmaster-General Bristow, who has had placed at his disposal by the Postmaster-General every resource of the Department, including the services of Mr. Robb, whom you detailed from the Department of Justice to the Post-Office Department immediately after the removal of Mr. Tyner. As a result of this investigation a number of indictments have already been had, and it seems to me that other indictments will inevitably be looked for. There can be no greater offense against the Government than a breach of trust on the part of a public official or the employee immediately under him, and, of course, every effort must be exerted to bring such offenders to punishment by the utmost rigor of the law.

The District attorney's office of the District of Columbia has faithfully and conscientiously assisted the officers of the Post-Office Department in the matter, but the unremitted work in connection with such an investigation, without neglecting other important parts of its duties, to devote all the time necessary to the prosecution of these cases. I suggest, therefore, that if you cannot detail some of your present staff you appoint special assistants in these post-office cases, not only to take up the cases in which indictments have been found or hereafter may be found, but to examine into all charges that have been made against officials in the postal service, with a view to the removal and prosecution of all guilty men in the service and the prosecution of guilty men whether in the service or not where the cases are not barred by the statute of limitations.

Sincerely, yours,

THEODORE ROOSEVELT.

Hon. P. C. KNOX, *Attorney-General.*

OYSTER BAY, N. Y., *August 6, 1903.*

MY DEAR MR. PAYNE: While for departmental reasons it is obviously advisable that the investigations now going on by Mr. Bristow be brought to a conclusion as quickly as is compatible with thoroughness, yet it is still more necessary that they be thorough and complete. I desire the report of Mr. Bristow and any other reports which may be necessary to a complete presentation of the results of the investigation submitted to Messrs. Bonaparte and Conrad and their opinions taken as to whether any further avenues of investigation should be followed, or any further facts supplied, in order to secure a complete exhibition and redress of any and all wrongs that have been committed in the Department. Please submit a copy of this letter at once to Mr. Bristow, and also to Messrs. Bonaparte and Conrad, for their information.

I need hardly say how much gratified I am by the evident thoroughness of the investigation thus far and the clearly expressed and acted-on purpose of the Department to get all the facts and to punish any wrongdoer who can be reached, whether within or without the service.

My desire that the advice of Messrs. Bonaparte and Conrad should be taken as to further investigations is not because I question for a moment the single-minded purpose of the Department, but because, from their different points of view, ideas may occur to them which may not to you or to me.

Faithfully, yours,

THEODORE ROOSEVELT.

Hon. H. C. PAYNE,
Postmaster-General, Washington, D. C.

To ease the minds of the Senators who are disturbed by the apparition of Mr. Perry S. Heath, I put in here the memorandum of Mr. C. H. Robb, Assistant Attorney-General for the Post-Office Department, showing that that Department exhausted its jurisdiction in turning over all testimony and all facts gathered affecting Mr. Heath to the Law Department of the Government, and that it is a lack in the law which has forbidden further prosecution thus far in this case.

[Copy.]

In the matter of the presentation to the grand jury of the District of Columbia evidence against Perry S. Heath and of having the grand jury vote thereon. Memorandum by C. H. Robb, Assistant Attorney-General for the Post-Office Department.

I was present about 12.30 to-day (October 5, 1903) in the office of the Postmaster-General at a conference between the Postmaster-General, Fourth Assistant Postmaster-General Bristow, and Hon. Holmes Conrad, special counsel for the Government in Post-Office cases.

At this conference Major Conrad gave it as his opinion that there was sufficient evidence against Mr. Heath to warrant the question of his indictment being presented to the grand jury for action by that body. The Postmaster-General thereupon directed the Fourth Assistant Postmaster-General to immediately forward to the district attorney's office all the necessary papers, and to also send the inspectors who were acquainted with the facts. Immediately after this interview General Bristow came to my office, and I then suggested the propriety of acquainting the district attorney with the developments up to that time, and with a view to doing so called him up on the phone. I stated to him over the phone, in the presence of General Bristow, that the President had directed the Fourth Assistant Postmaster-General to confer with special counsel and to be guided by their advice; that in the absence of Mr. Bonaparte, General Bristow had conferred with Major Conrad, and that Major Conrad had advised that in his judgment there was sufficient evidence to warrant the matter being placed before the grand jury; that I acquainted him with these facts for his information, and not with a view to influencing his decision one way or the other.

Mr. Beach informed me that he did not agree with Major Conrad; that, in his judgment, there was not sufficient evidence to warrant the finding of an indictment, and that he should decline to again present the matter to the grand jury.

Subsequently, and at about half past 3, I acquainted the Postmaster-General with the result of my telephone conversation with Mr. Beach, and then learned that the Postmaster-General had had a conference with the President concerning the matter, and that the President had also suggested to him that he leave the judgment of special counsel in this case. The Postmaster-General immediately directed me to have a personal interview with the district attorney and explain the situation fully to him. I immediately went to the district attorney's office and had an extended interview with Mr. Beach, going over the situation fully, and telling him that it was the desire of the President that special counsel be consulted in this case, and that Major Conrad had concluded that there was sufficient evidence to warrant the matter being placed before the grand jury.

Mr. Beach said that he disagreed with Mr. Conrad and that he did not think there was sufficient evidence to warrant the finding of an indictment, and that he should not present the matter to the grand jury; that the responsibility was upon him and not upon Mr. Conrad, and that he was perfectly willing to assume the responsibility. I frankly stated to Mr. Beach that I agreed with him as to his conclusion that there was not sufficient evidence to warrant the finding of an indictment, but that in the circumstances I would suggest to him that he go before the grand jury and say to them that he understood some member of that body had asked a post-office inspector why an indictment had not been presented against Perry Heath; that, in his judgment, there was no evidence before the grand jury that would warrant the presentment of an indictment, but that it was for them to say.

I suggested to Mr. Beach that in this way he would shift the responsibility from himself to the grand jury; that, as I had before said, I agreed with him that there was not sufficient evidence to warrant the finding of an indictment, but the President having directed the Postmaster-General to advise with Mr. Conrad, and Major Conrad having advised that there was sufficient evidence to warrant the case being placed before the grand jury, it would be thereafter unfair for him to do so. Mr. Beach said that the suggestion had been before the grand jury, such as it was, and that no member of the grand jury had said anything to somebody indicating Perry S. Heath, and that he would not again bring it to their attention. I also suggested the wisdom of heeding the grand jury and let the responsibility rest with Mr. Beach, the Attorney-General, but he said he saw no reason for doing this, since there was no evidence before the grand jury that would warrant an indictment being found against Mr. Heath.

It should be borne in mind that all the evidence in this case in any way involving Mr. Heath had been presented to the grand jury, and had that body been so disposed an indictment might have been voted and the district attorney requested to prepare it. It is my understanding that the foreman of the grand jury is a lawyer, and if this understanding is correct he certainly knew that the grand jury had this right. It is my understanding that no member of the grand jury intimated either to the district attorney or his assistant that he would like an indictment prepared against Heath.

CHAS. H. ROBB,
Assistant Attorney-General for the Post-Office Department.

The Postmaster-General, as some of us know him, is a man of great and undoubted integrity—a man of great experience in affairs. He is a man who, when he sets himself to a good work, follows his end and never turns back. He has, at the risk of his

own health, to the exclusion and destruction of his own comfort, given his days and nights to this investigation, through a long protracted search, covering all the seasons of the year, and set himself to this work with the purpose of finding out the offenders and of establishing it as a rule of the Post-Office Department that no guilty man should be allowed to escape.

I have already incorporated with my remarks the recitals of the Fourth Assistant Postmaster-General, having this matter in charge, of these indictments as applied to each person, the offense charged to each person, and the long list showing the faithful work of the Department.

More than this, these things are now being carried on, as a natural sequence of the great work of the Post-Office Department, in the courts of the United States in half a dozen different States, districts, and Territories. There is to-day in Washington going on under processes of law, under rules and practice that elicit truth and discover guilt and punish it, a leading trial in these cases, and the best of counsel have been employed—and we shall pay for it—to follow this to the end.

Mr. President, you may have a dozen Congressional committees, and they may, under the practice of Congressional committees, investigate this case or any portion of it, and altogether they will never bring out so clearly the method of doing business in the Post-Office Department, the relations that its subordinates had to outsiders, and the wrong-doing that was going on as will this one trial that is going on in Washington, where every word that is said and every point that is made are printed in the newspapers and thrown open to the public.

Mr. President to all this, if anything can be added by the Post-Office Committee, we on this side do not object; but I venture to indulge in a little prophecy as to what will be the result of this investigation by a Congressional committee. It is nigh approaching a Presidential election, and enough has already been seen here to show that if any advantage can be taken, on the other side of the Chamber, of this investigation it will be taken; and that is their privilege.

If any undue attempt should be made on the part of the other side to make political capital of this matter, it will be met, I assume, by members upon this side, who will seek to have it conducted as a complete, fair investigation. But out of it, inevitably, as the weeks go by and as the time of the great contest of this year comes nigh, the committee will find itself nearer and nearer to a political contest.

This will happen: My friends on the other side, maybe unconsciously, will not content themselves with pursuing the investigation which has already been conducted for the discovery and punishment of minor officials of the Department, but will seek to fasten responsibility, as has been indicated by what has been said here, upon higher officials, making, in a degree, the party responsible for that delinquency. Human nature is such that that will be so.

Some Senators here have not forgotten that great investigation by Congress into the circumstances attendant upon the Presidential election in 1876—the counting of the vote, and at last, as the culmination of that investigation upon those most grave subjects, involving the election of a President of the United States for all of the people, that pitched and drawn battle which took place in New York City over the cipher dispatches alleged to have been sent into Southern States and other States by a candidate for the Presidency. There was waged there in New York, in that committee room, as great a political battle as was ever conducted on the stump or in the House of Representatives or in the Senate.

A very great man from my State first attracted public attention in that investigation. He afterwards became Speaker. To the great loss of the country he has gone to where, "beyond these votes, there is peace." But he gained his first hold on the American public in that great political battle, which was the meeting of a committee of investigation on the part of Congress to find out, if possible, all the inside of that great transaction and all the transactions surrounding the Presidential election of 1876.

And as this proposed investigation shall go on, instead of lightening, instead of showing anything more than the Department has shown and the courts are showing, it will become a battle to see which shall gain the advantage. As a Republican I am willing to risk that. I expect it. It will be inevitable. But out of it will come nothing more than the conviction of men who watch, and that is that these investigations can never be conducted successfully by Congressional committees as compared with committees in Departments.

In the meantime, Mr. President—and I can say but little more—something more has been done; something more and something greater has been done. Light has been let in to this great Department. I do not say, using the old simile, that the Augean stables have been cleaned, because that fabled labor of Hercules was such filth that only the rush of a river could do it. There was no such situation here. But it was as if some building has become close, the air bad and confined with uncomfortable conditions, improper conditions existing, and what it needs is the light of the sun and the west wind to sweep through all its corridors and crannies and purify it. And that has been done, Mr. President.

More than that has been done. There is not a clerk in that Department, or in any Department, who is going on in a covert way and making merchandise of his position, involving the Government in unnecessary expenditures, encouraging and making outside contracts, who has not his warning that so long as the precedent which has been set by the Post-Office Department is followed, as it will be by the party in power, he must look to himself and all such practices must cease.

There is not a grafter, there is not a confederate in graft, nor a contractor who has been illicitly making money out of the Government and getting from its Treasury what he had no right to, whether he be indicted or not, who has not taken notice that the sword hangs above him. There is not anywhere any man or any combination or any company that has set on foot schemes for the undue exploiting of the Departments of the Government for the purpose of illicitly making money that has not read on the wall the handwriting "Thy days are numbered."

So whatever happens as a result of this investigation, these great things have been accomplished; these great things have come to pass, and are the settled policy not only of this Department, but of every Department of the Government under Republican administration.

If by possibility—and some time it may happen—this Government passes into the hands of the friends of the Senator from Maryland and other Senators upon the other side, of which they are such able representatives, they will get the benefit of this investigation. It will not stop this year or next year, nor with this Administration nor with the next Administration, but it will be known broad and large, wherever the United States has power and is seated, that purity in office, strict attendance to duty is to be the rule, and that violation of that rule and violations of the law will be pursued relentlessly whenever they arise.

Mr. GORMAN. Mr. President, I agree with very much that the distinguished Senator from Maine [Mr. HALE] has said as to the importance of the investigation which has already been made by the Post-Office Department and by the attorneys appointed by the President of the United States. It is perfectly natural—it would be so on either side—that the Senator should defend his party. He gives it great credit for what it has done, and that is perfectly justifiable. I have no doubt if the case was reversed, if it were a Democratic Administration, those of us on this side would pursue the same policy. I do not wish to discredit the Administration or to take from it or from the President or the Postmaster-General a single iota of credit to which they are entitled.

That party enters into the matter is unavoidable and absolutely necessary. Our Government is one of parties, and the party in power must be held to an account for whatever occurs. It is entitled to the credit for its great successes; it must be held to a close and rigid account for all the matters that occur which are against good morals and good government.

Did the party in power instigate this investigation of their own motion? It does not so appear from the statement that comes from some officials in the executive branch of the Government. It does not appear that this information as to corruption in these two or three branches or bureaus of the Post-Office Department was investigated or brought to the attention of the public by the Postmaster-General. I have no reference to the present Postmaster-General; but his predecessor, when furnished, as this one has been, with the charges and the witnesses, ignored them. Charges were ignored in the face of the proof that was furnished as to the corruption of our officers in Cuba. They came to the surface again under the present Postmaster-General, as we are informed by the President, through two gentlemen or more in the city of Washington connected with the public press.

It is true and fair to say of the Postmaster-General that prior to that time—I mean the present Postmaster-General, Mr. Payne—he secured an appropriation that he might make an investigation; and I am inclined to think, as I have said before, that the statement of the President does injustice to the present Postmaster-General and places him in a position before the public where he has not received all the credit to which he is entitled.

But at best this investigation only goes to two or three branches of this Department. I expect, if the Senate of the United States orders this investigation and we touch other branches of expenditure almost exclusively under the control and at the option of the Postmaster-General and his assistants, to have from the Postmaster-General and from his detectives and special agents hearty cooperation in ferreting out the frauds, if others exist, and in pointing out to the committee which shall have charge of the legislation the defects in the law which made it possible for these men to rob the people of their money.

I regret to hear the Senator from Maine say that he does not believe Congressional investigations amount to anything; that an investigation into this matter will result only in some political advantage. It may or it may not result in political advantage, but the history of all investigations in Congress I think the Senator from Maine underrates. They may not have exposed and brought to trial and justice men who have defrauded the Government, but they have exposed in the past in almost every case the reality that was engaged in, and the corrective has been applied. There is as much honesty on that side of the isle as on this, and I have never known the Congress, no matter what party was in control, when the facts were brought before it, to fail to legislate, or by their condemnation to aid in driving out and disposing of the men who were engaged in corrupt transactions.

Into the Administration of that great captain of all of our armies, whom the people of both sections loved after he became President of the United States, General Grant, there crept the fraud into the whisky business, exposed by men who at first were themselves engaged in the transaction, followed by that President, as this one has followed the men who have been indicted. His own personal friends and party friends high in power were involved. Congress looked into it and aided the President, as we want you to aid this President by an investigation here, and there went to oblivion men who had stood as high in the councils of their country as ever were in public position.

The frauds in connection with the Pacific railroads were investigated not only by the Department, but by Congress. Political capital made of it? Yes; in both cases. In all cases that is inevitable. But the men who had engaged in those stupendous frauds, which robbed the people of millions and hundreds of millions of dollars, passed away and out of existence, and as the result of it all, years afterwards, the Government came back and recovered from the owners of those properties millions of dollars and adjusted a question as important as ever came before the Congress of the United States.

Mr. President, the Presidential election of 1876 has been referred to by the distinguished Senator from Maine. It was a time of the greatest trial in this Republic. A difficulty was presented to the adjustment of which, in some form, every patriotic man in the United States looked, that the Government might be saved. I do not intend to go into the controversy of that hour, and to say now that one was declared elected President who never received a majority of the electoral votes. The commission decided that question. But a heated and wild controversy came, and it was adjusted. There was the examination into the cipher dispatches. The attempt was made politically to expose the Democratic candidate as being connected with transactions not proper in themselves, and the counting of the electoral votes by power and by fraud was attempted on the other side. Injustice was done to a great man whom at least half the people of this country believed was elected President of the United States and deprived of the office. But that is a minor consideration.

What came of the investigation and the controversy? By a vote almost unanimous in both Houses we provided by law, as far as it could be done under the Constitution, a measure to prevent what looked at one time as civil war growing out of that investigation. There is not a Senator on either side of this Chamber who does not know that if you wipe out all other Congressional investigations, which were of a minor sort, that one alone was worth all the time and all the trouble; and no man on either side now cares anything about the partisanship involved. We feel and we hope that such a contingency may never again arise, but it was a Congressional investigation which brought us to the conclusion arrived at.

I might specify others, Mr. President, all of which redounded to the interest of the people of this country, and all of which have produced results far-reaching for the better conduct of our affairs.

That we have not sent men to the penitentiary by Congressional investigation is true. No such thought ever entered the minds of the investigators. We probably could do it; but if you have an honest and faithful executive branch in control of the legal department, such a result will not be necessary. But we can stop and prevent, by knowledge and by the faithful cooperation of honest men in the Departments, just such occurrences as have taken place in the Post-Office Department.

I do not intend at this time to attempt either to specify what may be brought about by a further and an honest and a patriotic investigation, but I do believe, from the best information I have, that in other branches which the commission has never touched we can secure information and suggestions, and that we will finally agree upon a method which will cut off extravagances, if they exist, and make provision by law so as to throw around the administration of that Department safeguards which will make it more difficult for these occurrences to take place. That is all.

If in the course of that investigation exposures result which trouble the other side of the House politically, they must take it as becomes a great party, knowing that they have been in power, almost unlimited power, for thirty years, realizing that a cleaning of their own household will not only be proper for the country, but good for themselves.

"Let the light in," says the Senator from Maine. Yes, the broad sunlight. If the conduct of your people has been pure and upright and careful in the people's interest, it will inure to your benefit and strengthen your future conduct. I know the Senator from Maine too well to suppose for a second that he would shield any man in his party who abused a public trust.

Therefore, Mr. President, I am delighted to have his cooperation in giving an opportunity to get at the real facts in the case.

The PRESIDENT pro tempore. The question is on referring these resolutions to the Committee on Post-Offices and Post-Roads.

Mr. CARMACK. Mr. President, I think one or possibly two or three other Senators desire to speak on these resolutions, and I ask that they may go over under the same arrangement that has heretofore been made.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent that these resolutions and the motion to refer them may go over, retaining their place.

Mr. HALE. At the end of the routine morning business.

The PRESIDENT pro tempore. Retaining their place.

Mr. HALE (to Mr. CARMACK). Let them go over in the same way.

Mr. CARMACK. I am willing that the resolutions shall go to the committee. I withdraw my request.

Mr. GORMAN. The Senator from Tennessee withdraws his request.

The PRESIDENT pro tempore. The resolutions will go over, to be taken up to-morrow.

Mr. GORMAN. The Senator from Tennessee withdraws his request.

Mr. CARMACK. I withdraw it.

Mr. PENROSE. I will have to renew the request on behalf of a Senator who is not in the Chamber and who asked me, if he were absent, to have the resolutions go over until to-morrow.

Mr. CARMACK. That is entirely agreeable to me.

The PRESIDENT pro tempore. The Senator from Pennsylvania asks that the resolutions may go over, to be taken up to-morrow morning immediately after the routine morning business. Is there objection? The Chair hears none, and it is so ordered.

A. R. CRUZEN.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be read.

The Secretary read the resolution submitted by Mr. CARMACK on the 15th ultimo, as follows:

Resolved, That the Secretary of the Treasury be directed to inform the Senate whether any report has been made to the Treasury Department by L. Cullom, special agent of the Treasury, with respect to the conduct of A. R. Cruzen, collector of customs in Porto Rico; and, if so, to transmit the same to the Senate with a statement of what action, if any, has been taken thereon.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. ALLISON. I ask the Senator from Tennessee to agree to insert the words "if not incompatible with the public interest."

Mr. CARMACK. I can not conceive how the sending in of the report could be incompatible with the public interest, if there is such a report. My knowledge of it is from a publication in a Washington newspaper, setting out what purported to be the substance of a report which has been made by a special agent of the Treasury Department in regard to the conduct of the collector of customs in Porto Rico. The charges made in that report, as published in this newspaper, were charges of gross dishonesty on the part of the collector of customs—charges of gross fraud and a recommendation for his removal. At least it was so published in the newspapers. It did not purport to have come from the Treasury Department. On the contrary, the intimation seemed to be that it had leaked out in some way or other and come into the possession of this newspaper. It was stated that the report had been made for many months.

Now, I do not see why a report of that sort should not be given to the Senate, or how it could possibly be incompatible with the public interest for the Senate to know whether or not charges of that kind have been made by a sworn officer of the Government, a special agent of the Treasury Department, appointed for that very purpose. I do not see how it could possibly be incompatible with the public interest for the Senate to have possession of that report.

Mr. ALLISON. I know nothing of the facts in this case, except that I have learned incidentally that these reports of confidential agents of the Treasury Department are regarded for the time being as confidential. I do not know any of the parties, and I have no interest respecting this matter. Unless the Senator from Ten-

nessee sees proper to insert the words which I suggest, I shall not object to the resolution being passed, and will leave it to the Secretary of the Treasury to say whether or not at this moment, in the interest of the Government, the report should be made public. That is all there is of it.

Mr. CARMACK. If I could understand any possible reason why such a report should be secret, I would be willing to insert a provision of that sort, but I do not think such reports ought to be secret.

Mr. ALLISON. It is usual to regard such reports as reports to the head of a Department and not to make them public for the time being, in case, as it may be, that the Department shall desire to take some action. I shall not stand in the way of the resolution. I only suggest that there is a question as to the propriety at this moment of making the report public.

Mr. TELLER. There may be a question raised as to the propriety of it, but there is no rule in the Senate such as the Senator from Iowa has laid down.

Mr. ALLISON. I did not lay down a rule. I said that that was the usual practice, and I believe we have had two or three cases in a like situation.

Mr. TELLER. I have never heard of it. We may have made some special regulation about it. The senior Senator from Illinois [Mr. CULLOM] not long since offered a rule, which, I think, was sent to the Committee on Rules, that reports of this kind should be considered secret; but there is no rule of the kind, nor has there been any practice of the kind. Such reports have been heretofore received and considered as public unless they referred to something in the Senate which was considered as an executive matter, like a treaty. There is no reason at all why this should be made an executive matter. It is not a question that we have any right at all to consider in executive session. It is a legislative question, if it is anything that we have to do with.

Mr. ALLISON. I suppose the Senator from Tennessee has some motive in calling for this report, and it may be that it ought to be made public at this time; but I would suggest to the Senator that if it is proper to make it public, it will be made public by this call. If not, the Secretary of the Treasury will undoubtedly give a reason why at this particular moment it is not wise to make the report public.

The PRESIDENT pro tempore. The question is on agreeing to the resolution. [Putting the question.] The ayes have it, and the resolution is passed.

Mr. PLATT of Connecticut. Without amendment?

The PRESIDENT pro tempore. Without amendment.

Mr. PLATT of Connecticut. I thought——

The PRESIDENT pro tempore. The Chair will consider the question on agreeing to the resolution to be before the Senate.

Mr. PLATT of Connecticut. Mr. President, I do not think that in the somewhat extended service I have rendered in the Senate I have ever known a resolution passed by the Senate calling upon one of the Executive Departments to furnish the Senate with a report made by an inspector or special agent who had been directed by the Department to inquire into charges against an official of the Government who it was supposed had been guilty of criminal action in his Department, and I think we ought to hesitate before we establish that precedent.

Mr. TELLER. We can not hear the Senator over here. I should like to hear what the Senator is saying, and it is quite impossible to hear him.

Mr. PLATT of Connecticut. Does the Senator desire that I should repeat?

Mr. TELLER. I should like to know what the Senator thinks about this question.

Mr. PLATT of Connecticut. I will start anew. I said I could not remember that during the time I have been a Senator the Senate ever passed a resolution directing the head of an Executive Department to furnish to the Senate the report of an inspector or special agent who had been required by that Department to examine a case of alleged malfeasance or crime against an official in his Department, and I thought we ought to hesitate before establishing such a precedent, and for this reason: The special agents of the Treasury and other Departments who are instructed to investigate alleged or suspected delinquencies of officials are employed very much in the nature of detectives for the purpose of furnishing evidence to the Government which would enable the prosecution of the offender in case the charges against him or the supposed malfeasance were found to be true.

I think that such reports have always been considered by the Senate and by Congress as matters confidential, and necessarily confidential, in order to enable the Government to ferret out and to punish any criminal conduct on the part of officials. I believe that ought to be the rule. If it be so that whenever a special agent of any Department of the Government has been ordered to make an investigation of a matter where it is supposed that an official may have been guilty of criminal delinquency he understands that all he writes to the Executive Department of a confidential nature can be called for by Congress and made public, it is manifest that he may not discharge the duty with the same fidelity he otherwise would exercise.

Mr. CARMACK. Why not?

Mr. PLATT of Connecticut. The Senator asks why not. For many reasons personal to himself, which must be apparent, as it seems to me, to everyone. Confidential matters require absolute authority to pursue the inquiry and to make the report, and it is not in human nature for an inspector or an official to make that inquiry with the fidelity and with the utter disregard of consequences to himself, whatever the relations may be between him and the parties, that he would make if he understood that his communication to the Government was to remain secret at least until action had been had by the Department upon it.

There is another reason, Mr. President. Suppose this report furnishes information upon which criminal proceedings ought to be instituted by the Department. If there has been any such report, that report is still under consideration, I should suppose, by the Secretary of the Treasury and is still undecided by him. It may be decided that upon the evidence thus furnished a prosecution ought to be established, but whoever heard that a district attorney or a prosecuting officer would be called upon to submit, or, if called upon, would be justified in submitting, to the public the evidence before him tending to show criminality on the part of a Government official or of a private individual before proceedings were instituted? That is just what apparently is required to be done in this case.

If, as the Senator from Tennessee supposes from a newspaper article, this officer in Porto Rico has been guilty of such delinquency or malfeasance as that he ought to be removed and a criminal proceeding instituted against him, it is not in the interest of justice that before that question is settled and determined in the Treasury Department the evidence upon which such an indictment would be based should be given to the world and also to the criminal himself. To my mind we might just as well require that while a grand jury is considering the question as to whether an indictment is to be found the grand jury should from day to day make public all the evidence that was laid before it in order that it might determine whether there was a case in which an indictment should be found. I can see no distinction between such a case as that and this case, supposing that it be true that there is evidence here on which this official can be prosecuted.

As with the Senator from Iowa, I know nothing whatever about this case, but I feel that it might be of great embarrassment to the Government if it were compelled to produce the report which has been made, which furnishes the evidence upon which a person in an official capacity can be prosecuted. I do not desire to say any more about it; I do not want to shield anybody; but I do think it is establishing a very bad precedent, and without the amendment suggested by the Senator from Iowa I should like to have the yeas and nays upon the passage of a resolution of this character, in order that I may record my vote against it purely as a matter of proceeding.

Mr. STEWART. Mr. President——

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders.

The SECRETARY. Order of Business 12, Senate bill 887.

Mr. CULLOM. I ask unanimous consent that that order may go over until this question is settled. It seems to me that we have had it before us now for a month.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the further consideration of the resolution shall be postponed. Is there objection? The Chair hears none. The Chair suggests to the Senate that the resolution known as the "Cullom resolution" should also have unanimous consent to be taken up immediately after the conclusion of this resolution. Is there objection to that? The Chair hears none.

Mr. CULLOM. I only wanted to say that I desire to have an executive session some time to-day before we adjourn.

Mr. ALLISON. I will offer the amendment that I suggested to the resolution and let it be voted upon.

The PRESIDENT pro tempore. The Senator from Iowa submits an amendment to the pending resolution, which will be stated.

The SECRETARY. In line 1, at the end of the line, after the word "directed," insert "if not in his opinion incompatible with the public interest."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. STEWART. I hope that amendment will be adopted. In all the Departments we have a very large number of special agents. They are poorly paid and they are governed by the same impulses that govern other men. It frequently happens that they make accusations against men which are investigated in the Department and the whole thing is found to be erroneous. The Departments have to control them, and if their first impression,

published through malice or ignorance or what not, or by misrepresentation of outsiders, is to be published to the world and be made official, great injustice will be done. I think the Departments should have some discretion to hold back such matter until it was investigated and not injure the character of a good man who was perfectly innocent, when a slight investigation would show that the whole charge was false.

That happens daily in the Departments, in the Land Office, and elsewhere. The Department takes up a case and investigates it, and finds that it is not well founded. They keep control of these things, and I think it should be left in the discretion of the Departments to say whether the matter ought to be made public, to determine whether its publicity would interfere with criminal proceedings, whether it is scandalous, whether it is unjust. There ought to be a discretion in the Departments about the reports of irresponsible agents, because they are comparatively irresponsible. They are poorly paid men. They are acting as detectives to a great extent. I should not like to have this resolution passed as a precedent for dragging all such matters before the country. It would be unjust.

Mr. CARMACK. Mr. President, the Senator from Nevada is very much mistaken when he refers to the special agents of the Treasury Department as a low class of employees who are poorly paid. They are a very high class of employees and are exceedingly well paid.

Mr. STEWART. Some of them are.

Mr. CARMACK. Men who do work like this are well paid, because it requires men of unusual intelligence and capacity for that particular line of work, and low-class men—low-salaried men—would not be put to doing work of this kind. These men do not go to a place as secret detectives. Their character is known. They are known as special agents of the Treasury Department, and they go for the purpose of examining the books and accounts and the work generally of the custom-house officials. The official who is being examined knows that he is being examined. It is no secret-service work.

I can not see for the life of me how the publication of this report can in any way interfere with the public service. The report, according to this newspaper statement, has now been in the possession of the Secretary of the Treasury for about nine months. No possible injury could be done by its publication.

The Senator from Connecticut says some criminal prosecution might be based upon it. It seems that nothing has been based upon it. Nothing has been done about it so far as we know. The recommendation was that the man be discharged. The accusation was that he had been guilty of fraud and corruption, and the fact seems to be that the Secretary of the Treasury has allowed the matter to sleep without any action whatever, so far as we know, and I think we ought to know. Suppose criminal prosecutions were to be made upon this report. The publication of the report could not give to the accused the knowledge of a single fact he does not possess now. He knows the offenses of which he has been guilty—that is, if he is guilty. If he is an innocent man it is but justice that he should know the specific accusation. If he is a guilty man the report will not give him any information he does not already possess.

The PRESIDENT pro tempore. Will the Senate agree to the amendment?

Mr. SPOONER. The Senator from Tennessee does not object to the amendment?

Mr. CARMACK. Yes; I am not going to accept it.

Mr. TELLER. I object to the amendment. Mr. President, if this amendment should be adopted it will be the first time in the history of the Senate, I think, that we have ever submitted a resolution of this kind to a Cabinet officer. We always put in that clause when we submit a resolution to the President—that is, we say that he shall make the report if not incompatible, in his judgment, with the public interest.

I suppose, technically, all such resolutions ought to be addressed to the President because he has absolute control of them, but they have not always been so addressed. The orderly procedure in the Departments, as Senators will find if they will go back at least forty or fifty years, has been for the Secretary who was to discharge the duty of making the report, if he thought it was incompatible with the public interest, to report to the President what he thought about it, and the President—not the Secretary, but the President—reported to the Senate that he himself thought it was incompatible with the public interest. If this inquiry is addressed to the Secretary of the Treasury and if the Secretary believes that he ought not to make the report public he will so report to the President and the President will so report to the Senate. Then you have the responsible head of the Government and not a subordinate excusing the Executive from making the report.

It does not seem to me that this is a wise amendment. I suppose the inquiry is addressed to the Secretary of the Treasury; I judge so by the debate so far as it has gone; but it certainly is in the province of the President to say to us, although it is addressed to the Secretary of the Treasury, that it is not compatible with the public interest to send in the report.

I submit, Mr. President, that the dignity of the Senate and the dignity of the President require that we should leave it in the way it has been for very, very many years. I admit that there may be cases when there was to be a criminal prosecution and the Secretary of the Treasury might feel that he did not want to make public just then what the Government's case was. I should think in such a case the matter would go naturally to the Department of Justice for an opinion. Then it would come back to us with the President's imprint of approval that he did not think it was proper.

I suggest to the Senator from Iowa that there is not any danger of this report coming here if the President does not think it ought to come, nor is there any danger of its coming here if the Secretary does not think it ought to come. I do not believe myself it is wise to make the proposed change in the resolution. The practice has worked very decently, I think, and satisfactorily for a great many years. I should very much rather see the resolution passed in the ordinary way and let the Secretary of the Treasury deal with it as he sees fit.

Mr. ALLISON. Mr. President, as I said before, I know nothing of the facts respecting this case.

Mr. TELLER. Nor I.

Mr. ALLISON. Nor the parties.

Mr. TELLER. Nor I.

Mr. ALLISON. I only know incidentally that this is a secret report of an agent of the Treasury Department to his chief—a confidential report, as such reports always are—and I do not remember an instance where such confidential reports have ever been asked for. I have no recollection of an inquiry for such a report made of the head of a Department.

I am perfectly willing, and so suggest to the Senator from Colorado, that the resolution shall be addressed to the President, asking him to communicate the report if not incompatible with the public interest.

Mr. TELLER. Very well.

Mr. PLATT of Connecticut. I have no objection to that.

Mr. ALLISON. If the Senator from Tennessee or any other Senator desires to see this report I have no doubt it will be shown to him. I do not suppose there is anything that would prohibit him from examining the report, he having some ultimate purpose undoubtedly in offering the resolution. I do not know what that purpose is, but I only wish to raise that question on the resolution, there not having been, to my knowledge, an instance of such a resolution.

Mr. TELLER. If the Senator will allow me, if he will take the pains to go over the history of this country he will find innumerable cases where the President has sent to the Senate or House, whichever it may be, that he does not consider it compatible with the public interest to make a report to us or to give the information requested. Sometimes it has been done upon a resolution addressed to the President, and sometimes it has been done upon resolutions addressed to heads of Departments.

Mr. ALLISON. I have no recollection of such a case.

Mr. TELLER. I do not care anything about it. It does not make any difference, except I am simply desiring to see the procedure of the Senate continued which has been here in force so long. I should prefer to see the resolution addressed to the President. He will naturally, of course, refer it to the Secretary of the Treasury, and then if there is any reason why we should not have the report they will tell us.

Mr. ALLISON. Then I move, with the leave of the Senator from Tennessee, that his resolution be directed to the President and that it be modified accordingly; and if it is preferred that it shall go over, I have no doubt that it will come up to-morrow.

Mr. CARMACK. I accept that amendment.

The PRESIDENT pro tempore. The Senator from Tennessee modifies the resolution. The modification will be stated.

The Secretary read as follows:

Resolved, That the President be requested, if not in his opinion incompatible with the public interest, to inform the Senate, etc.

The PRESIDENT pro tempore. Will the Senate agree to the resolution as modified?

The resolution as modified was agreed to.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 73, by Mr. GORMAN, calling upon the President for certain information touching former negotiations of the United States with the Government of New Granada or Colombia, etc.

The PRESIDENT pro tempore. The Chair suggests that some

Senator ask unanimous consent that if the discussion of the resolution shall not be concluded to-day it may take its place again upon the table of the presiding officer.

Mr. CULLOM. I make that suggestion, Mr. President.

The PRESIDENT pro tempore. Is there objection to it? The Chair hears none, and that order is made. The resolution is before the Senate, and the Senator from Colorado [Mr. TELLER] is entitled to the floor.

Mr. TELLER. Mr. President, on Friday last, when I took the floor, I expected to complete my remarks. I believe I should have done so if it had not been for the very generous assistance I received from both sides of the Chamber in my speech. I regret that I was not then able to conclude. I shall beg the indulgence of the Senate while I try to complete what I have to say to-day. The diversions in my speech of Friday have somewhat disarranged the order of presentation of the various questions I desired to place before the Senate. While I had no prepared speech, I had given some attention to the order in which I thought I ought to discuss these questions. I have discussed some of them, and my discussion now may not appear to be entirely germane, but I may have to return to some of the questions which I should not have returned to had I been allowed to complete my speech on the lines I had marked out.

Since I made my speech on Friday my attention has been called to some remarks of the junior Senator from Massachusetts [Mr. LODGE], made in my absence from the Senate on the 5th of January last. I desire to controvert some of the propositions laid down by that Senator in his speech on this subject. I do so with some hesitation. I know the junior Senator from Massachusetts is a scholar, an author, and a statesman, and it may seem somewhat rash for me to call into question either his logic or his law; but, Mr. President, in this case I can not agree with either, although I should agree with some of the propositions which the Senator has presented to the Senate, where he has cited the opinion of writers on international law. I am compelled, however, to dissent from the conclusions which the Senator has drawn.

While it may seem to some somewhat unnecessary to go over all of these details, I think it is necessary. Inquiring into the principles of international law I find a great deal of uncertainty as to how they originated. I find in the records the statement that certain principles, laid down by eminent statesmen at different times in the history of the world, running back many years, have become the rule of international law by the acceptance of various nations of the earth. I do not like to have the Senator from Massachusetts intruding into international law his opinions; and, therefore, I propose to call attention to the authorities on which he professedly bases his opinions. The Senator seems to have confounded certain things. Perhaps I had better read what the Senator has read. In order to do him justice, I am going to read it all.

In the first place, he has a quotation from the first authority cited, touching principally on the question of the right of recognition. On page 4 of his remarks, as printed in pamphlet form, I find the following:

> In Lawrence's Wheaton's International Law (pt. 1, chap. 2, p. 36) is found the following discussion of what actually constitutes sovereignty in a state:
>
> "Sovereignty is acquired by a state either at the origin of the civil society of which it is composed or when it separates itself from the community of which it previously formed a part and on which it was dependent. * * * The internal sovereignty of a state does not in any degree depend upon its recognition by other states. * * * The existence of the state de facto is sufficient in this respect to establish its sovereignty de jure. It is a state because it exists."

That is a well-stated proposition of law, and is undoubtedly in accordance with the general consensus of opinion of writers on international law, that "It is a state because it exists."

It is a state because it has the qualifications of a state. That is according to our idea. It is a community organized for the purpose of maintaining law and order, and protecting personal and property rights; but, Mr. President, it must have more than that; it must have the machinery of government; it must have a legislature; or it must have a power, at least, that can create laws. It may be that it is an absolute autocratic power lodged in one man; it may be lodged in a good many men, or it may be lodged in a few men; but somewhere there must be that power.

Then it must have, in addition to that, the ability to maintain itself not only at home amongst its own people, but it must be able to maintain itself amongst the nations of the earth either by force of its power or because the nations of the earth concede its right to exist. It is not necessary that it should have recognition in the way that new governments are usually recognized. It is first a de facto government. It becomes a de jure government when the rest of the world recognizes that de facto government as a government capable of discharging all the functions of a state and one which will become a de jure government eventually. If nobody recognizes it and it continues to discharge the duties of a state for many years, it will be a government de jure; and, of course, every government de jure must also be a government de facto.

There are a great many governments as to which no one could go back to the time when they were recognized as governments, except that by another government treating with them or fighting with them or negotiating with them or sending ambassadors to them they have recognized their state of existence. The Senator from Massachusetts continues:

> Precisely the same definition of a sovereign state is found also in Kluber, Droit des Gens Moderne de l'Europe, section 23.
>
> Further, in Lawrence's Wheaton, page 47, is the following:
>
> "Where a revolted province or colony has declared and shown its ability to maintain its independence the recognition of its sovereignty by other foreign states is a question of policy and prudence only."

Remember that is when a government has shown its ability to maintain itself, and then every other government may or may not recognize it, as it sees fit. There is no way, Mr. President, that you can compel one government to recognize another. Common regard for the rights of other nations and for the welfare of mankind will require at the proper time that every nation shall recognize a new government which has shown its ability to maintain itself, whether by force of arms or by lapse of time. Again the Senator from Massachusetts quoted from Lawrence, as follows:

> Before a formal recognition by sending ambassadors and entering into treaties by foreign powers, there should be a practical cessation of hostilities on the part of the old state which may long precede the theoretical renunciation of her rights, and there should be a consolidation of the new state so far as to be in a condition of maintaining international relations with other countries, an absolute bona fide possession of independence as a separate kingdom, not the enjoyment of perfect and undisturbed tranquillity—a test too severe for many of the oldest kingdoms—but there should be the existence of a government acknowledged by the people over whom it is set, and ready to prove its responsibility for their conduct when they come in contact with foreign nations.

That is a very correct statement. The Senator then said:

> The same doctrine is declared in Historicus i, page 9, by Sir William Vernon Harcourt, in his publication at the time of our civil war:
>
> "Recognition of the independence of a revolted state is only lawful when such independence is de facto established."

Mr. President, that is what I have been contending for. The Senator then said:

> W. E. Hall, who I take it is the first of the English authorities and one of the most recent on international law, says:
>
> "Assuming that the recognition of the Spanish-American republics by the United States and England may be taken as a typical example of recognition given upon unimpeachable grounds, and bearing in mind the principle that recognition can not be withheld when it has been earned, it may be said generally that—
>
> "(1) Definitive independence can not be held to be established, and recognition is consequently not legitimate, so long as a substantial struggle is being maintained by the formerly sovereign state for the recovery of its authority; and that
>
> "(2) A mere pretension on the part of the formerly sovereign state or a struggle so inadequate as to offer no reasonable ground for supposing that success may ultimately be obtained is not enough to keep alive the rights of the state and so to prevent foreign countries from falling under an obligation to recognize as a state the community claiming to have become one.
>
> "In a note of Dana's to Wheaton's International Law he says that the tests which should determine the recognition of a foreign state are 'the necessities of the foreign recognizing state and the truth of the facts implied that the state treated with was at the time in the condition de facto of an independent state.'" (Extract and note from W. E. Hall's International Law, Pt. II, Ch. I, p. 93.)

Mr. President, I am not going to contend, and I never have contended, that we were under obligation at any time, until we felt that it was to our interest so to do, to recognize any state. We illustrated that in our treatment of the South American republics where the revolution began in 1810, and we only recognized them in 1821 or 1822. I have not looked up the exact date, but I think it was perhaps in 1822. During all that time, Mr. President, those South American republics had maintained themselves against Spain. It is true they had not all the time maintained stable governments. Some of them had stable governments for a few months, and then they would change by revolution; but all the time they were against Spain, and during that whole time they never consented that Spain had any authority over them. Because of their frequent changes of a constitutional character and of rulers we deferred for more than ten years the recognition of those states. In the case of Texas we did the same thing; but I called attention to that the other day and will not repeat it.

Now, I come to what the Senator from Massachusetts concludes the law is. I am very sorry the Senator is not here. He said:

> I will not multiply citations from writers on international law. I think it is perfectly clear to anyone who has examined the subject that they all unite in the proposition that the question of the recognition of a new state, whether formed originally or by separation from another state, is a question for the sole determination of the recognizing power, that it is not necessarily in any sense an act of war, and that it may be done with a strict observance of neutrality.

It is not necessarily an act of war, I will admit, Mr. President, and when the conditions which the world has declared are the prior conditions to recognition exist, it is not even a violation of neutrality; but until those conditions do exist all the authorities from Demosthenes down to the present time are in favor of the position I have taken, that it is a breach of neutrality—and a breach of neutrality, of course, is an act of war.

A gentleman in Boston who is known very well, I think, to most members of this Senate, Mr. Moorfield Storey, delivered a lecture on the 5th of December before the Massachusetts Reform Club. He makes a quotation from a speech made by Sumner, which I have not had the time to verify by examining the Congressional Globe because my attention was only called to this speech yesterday; but I know Mr. Storey to be a man of high character, and I assume that the quotation is correct. I very rarely use any quotation without verifying it if it can be done. Now, I am going to read what Charles Sumner said:

> The conclusion, then—
>
> Said Mr. Sumner—
>
> is clear. To justify recognition it must appear beyond doubt that *de facto* the insurgent state is established, and that *de facto* the new government is established within fixed limits. *These are conditions precedent*, not to be avoided without open violence to a formerly powerful and universal code of international law which is the guardian of the world's peace.

Mr. President, I appeal from the junior Senator from Massachusetts on this question of law and logic to Charles Sumner, his predecessor.

The Senator from Massachusetts has given us a great many other quotations, which I am not going to attempt to read—because I do not desire to continue this discussion to any unreasonable extent—except, perhaps, one or two of them, to which I will call the attention of the Senate. The Senator from Massachusetts said:

> Practically the same doctrine is found in a note of Mr. Jefferson, Secretary of State, to Mr. Morris, November 7, 1792 (MSS. Inst. Ministers):
>
> "It accords with our principles—"
>
> He says—
>
> "to acknowledge any government to be rightful which is formed by the will of the nation substantially declared."

But, Mr. President, that does not disprove the position I have taken. That is directed simply to the question of the regularity of a government de facto. I have gone over all of these quotations, and I am free to say that I can not quite understand why the Senator used some of them, for it seems to me they are directly against his proposition. It is not a question simply for the recognizing government to determine when they will recognize another power unless it shall be asserted, which I am prepared to hear very soon, that international law can be set aside whenever it is disagreeable to enforce it. That was pretty nearly the doctrine of the great powers of Europe immediately after the Napoleonic wars; but it never was accepted in the United States, and our Supreme Court in various cases, which I shall not attempt now to cite or to present, but will hope to do so before I get through, has repeatedly declared that international law was just as binding upon the world as a statute law was binding upon the nation that had enacted it. Judge Marshall so declared on several occasions, and Judge Story declared that no one nation could change international law; that it could only be by the consent of all the world that either an extension or a limitation of recognized international law could be made. International law is the law of this country, binding the executive and legislative branches of the Government alike.

The Senator from Massachusetts quotes Hall. I am somewhat familiar with his work, and it is a very good work, but its chief value consists in the fact that he has kept himself in line with the old authorities on this subject and has not attempted to bring in any new doctrines. I want to read what he says about recognition:

> When a state has itself recognized the independence of a revolted province it can not pretend that recognition by other states is premature. When it has not done so, it may often be possible for it to bring the conduct of other states into question, and to argue that recognition has not been justified by the facts.

That can not be true if it is within the province, without any limit or restrict on upon it, of a nation to simply recognize a government whenever it sees fit. I know, of course, that there is no tribunal to call that state in question except the tribunal of public opinion of the world, which just now we are hearing from. Our conduct in this Panama matter is being very unpleasantly criticised in different parts of the world.

> And where any color exists for such an assertion, the state which has recognized an insurgent community is placed in a false position. Until independence is so consummated that it may reasonably be expected to be permanent, insurgents remain legally subject to the state from which they are trying to separate. Premature recognition, therefore, is a wrong done to the parent state; in effect, indeed, it amounts to an act of intervention. Hence great caution ought to be exercised by third powers in granting recognition, and, except where reasons of policy interfere to prevent strict attention to law, it is seldom given unless under circumstances which set its propriety beyond the reach of cavil. (Hall, pp. 89-90.)
>
> For, though no state has a right to withhold recognition when it has been earned, states must be allowed to judge for themselves whether a community claiming to be recognized does really possess all the necessary marks, and especially whether it is likely to live. Thus, although the right to be treated as a state is independent of recognition, recognition is the necessary evidence that the right has been acquired. (Hall, p. 87.)
>
> * * * The right of independence is so fundamental a part of international law, and respect for it is so essential to the existence of legal restraint, that any action tending to place it in a subordinate position must be looked upon with disfavor, and any general grounds of intervention pretending to be sufficient, no less than their application in particular cases, may properly be judged with an adverse bias. (Hall, International Law, p. 292.)

A circular issued by the Russian Government when England and France suspended diplomatic relations with Naples in consequence of the bombardment by which the Kingdom was ruined, is not without value in itself, and is of especial interest as resting from the source from which it came. "We could understand," it says, "that as a consequence of friendly forethought one government should give advice to another in a benevolent spirit; that such advice might even assume the character of admonition, but we believe that to be the furthest limit allowable. Less than ever can it now be allowed in Europe to forget that sovereigns are equal among themselves, and that it is not the extent of his territory but the sacred character of the rights of each which regulates the relations that exist between them. To endeavor to obtain from the King of Naples concessions affecting the internal government of his State by threats, or by a menacing demonstration, is a violent usurpation of his authority, an attempt to govern in his stead; it is an open domination of the right of the strong over the weak. (Note, Hall International Law, p. 289.)

I have an extract from Bowen on International Law. He says:

> The recognition of a neutral nation of revolters as belligerents should not be based on sympathy, but on justice and law, both of which require that revolters should not be recognized as belligerents until they have obtained a political organization, capacity of performing the duties of a nation and of meeting the responsibilities of one, and have shown that their rebellion is in fact a war and conducted according to the rules of war. (P. 185 of H. W. Bowen on International Law.)

The recognition of belligerency is a step that may properly precede the recognition of the independence of a government.

Woolsey, who is supposed to be an authority upon this question, lays down the rule that there can be no recognition of a government as long as there is evident doubt whether a government is a fact.

> If the question is still one of armed strife, as between a colony and a mother country, or between a state and a revolted portion of it, to take the part of the colony or of the revolted territory by recognition is an injury and may be a ground of war, as when Louis XVI recognized the United States; but every nation must decide for itself whether an independent state be really established, and needs not to wait until the party opposing the revolutionary effort has accepted the new order of things. (Woolsey, International Law, p. 41.)

Of course, I do not mean that it would have been necessary, before we recognized Panama, to wait until Colombia should have said she recognized it, if she had all the attributes of a state—a stable government and ability to maintain its authority over its people and discharge its international obligations.

What I am about to read is not from any authority. It is my view of international law. I am going to read one page of what I have written out—which I rarely do—because I want to be sure that I state it correctly.

Every State having the recognition of the nations of the world, or of any considerable part of them, may be considered as a nation de jure without reference to the character of its government or the length of its existence.

We became a State de jure long before Great Britain recognized our independence, and we have always dated our existence, not from the treaty of peace, but from the Declaration of Independence, while in all proceedings in reference to us, in the courts and everywhere else, Great Britain has dated our origin as a nation from the treaty of peace.

A new people, by revolution or by secession or otherwise, separating itself from the parent state, seeking admission into the community of states, may not have such recognition as entitled it to be known as a de jure government; but if it has a governmental organization and has the approval of the people and the ability to maintain itself against the parent state and is able to discharge its international obligations as a nation, it becomes a de facto government, and will, by lapse of time or by the recognition of other nations, become a nation de jure.

When a people struggling for independence has reached the condition of a government de facto it is ordinarily entitled to recognition of its independence. But other nations may still refuse recognition, for it may be that the parent state will yet be able to destroy this de facto government and again establish its authority.

That is a question for each state to determine for itself, but it must have the character I have mentioned.

Most authorities on international law have insisted that other governments wait until it is apparent that the parent state can not subdue its rebellious subjects. This delay may be because of sympathy with the parent state, or it may arise from a wish to avoid the hostility of such state, for a premature recognition of such independence is considered an unfriendly act.

All Europe recognized the belligerency of the Confederate States, and France wanted to recognize their independence, as did a large and influential class in Great Britain. The final outcome of the civil war shows that such recognition of independence would have been a mistake on the part of France or Great Britain.

Most of us remember the threat made by a certain class in Great Britain that England would recognize the independence of the Confederacy. Some of our people complained very seriously when they recognized its belligerency, but as a question of law I do not believe the belligerency of the Confederate States was recognized by any nation before the conditions justified it.

Mr. SPOONER. We recognized it first.

Mr. TELLER. I am not certain we did at first, although practically we did; but not openly. But in our treatment of them we recognized practically their belligerency by the exchange of prisoners.

Mr. SPOONER. By the proclamation of the blockade.

Mr. TELLER. Yes; the blockade of itself is such a declaration, except in extreme cases, and except, according to the new doctrine which has been recently brought into the world, of a pacific blockade, to which I have never yet been able to give my consent. I am glad to say that the best modern authorities declare that there is no such thing as a pacific blockade. A blockade must be accompanied with force, and force against an independent nation is war.

Mr. President, I have a few remarks on the subject of intervention. I understand that the Senator from Wisconsin [Mr. SPOONER], who has stepped out and who I hope will be back in a moment, said that there had been no intervention in this case; that there had been recognition of independence, but no intervention. If I know what intervention means, and if I do not I shall be glad to have some Senator interrupt me to tell me, we did intervene.

Mr. SPOONER entered the Chamber.

Mr. TELLER. The Senator from Wisconsin has returned. I do not want to do the Senator any injustice. In his absence I stated that I understood him to say that there had been no intervention in this case. I desire to insist that there has been intervention. And intervention does not necessarily mean that you go there with an army. Anything that obstructs and hinders the parent state from taking such steps as states are entitled to take is an intervention. It may be by a proclamation, it may be by threat, or it may be by armed force. The only difference is that one is intervention and the other armed intervention.

Lawrence, in his Principles of International Law, lays this down:

The right of independence conferred by international law upon each fully sovereign member of the family of nations involves, as we have seen, complete liberty on the part of every state to institute its affairs according to its own wishes. It may choose its form of government, alter its constitution, form its alliances, and enter upon its wars according to its own views of what is just and expedient. But sometimes it happens that another state or a group of states interferes with its proceedings, and when it is examined in internal turmoil, or external conflict, endeavors to compel it to do something which, if left to itself, it would not do or refrain from doing something which, if left to itself, it would do. Interference of this kind is called intervention. History teems with instances of it. It has been undertaken on various pretexts and justified by the most diverse reasonings. Irrespective of it the burden of proving justification rests upon the intervening power, for it is in its very nature an infringement of the independence of the state subjected to it and therefore a violation of an acknowledged principle of international law.

I call the attention of the Senate to that. If there is any justification of the intervention, then it is for the intervenor in the case to give the reasons that bring him within the rule, which is an exceedingly close one; and I think it is utterly impossible in this case to bring it within the rule.

Let us first distinguish intervention from other forms of interference which might possibly be confounded with it; and, having done this, we shall then be in a position to discuss whether it is ever justifiable; and if so, under what circumstances.

The essence of *intervention is force, or the threat of force*, in case the dictates of the intervening power are disregarded. It is, therefore, clearly differentiated from mere advice tendered by a friendly state without any idea of compulsion; from mediation entered upon by a third power at the request of the parties to the dispute, but without any promise on their part to accept the terms proposed, or any intuition on its part to force them to do so; and from arbitration, which takes place when the contestants agree to refer the dispute to an independent tribunal and consent beforehand to abide by its award, though it possesses no power to compel obedience to its decisions.

That is all that is needed to make intervention.

There can be no intervention without, on the one hand, the presence of force, naked or veiled, and, on the other hand, the absence of consent on the part of the combatants. There have been instances where one party to the dispute has asked for the intervention of a third power; but if both parties agree in such a request, the interference ceases to be intervention and becomes mediation. Should the mediating state find the parties unwilling to accept its proposals and decide to compel them by force of arms, its action would then lose the *character of peaceful mediation* and assume that of *warlike intervention*. (Lawrence, Principles of International Law, pp. 115-116.)

Every state is bound to respect the independence of its neighbors as a fundamental principle of international law; but a regard for its own safety is still more fundamental, and if the two principles clash, it naturally and properly acts upon the latter. The doctrine that self-preservation or the preservation of what is more precious even than life, overrides ordinary rules is in no way peculiar to the law of nations. * * * (Lawrence, p. 117.)

But we must note carefully that *the danger must be direct and immediate*, not remote and remotely; and, moreover, it must be sufficiently important in itself to justify the *expenditure of blood* and treasure in order to repel it. The mere fear that something done by a neighboring state to-day may possibly be dangerous to us in the future if that state should happen to become hostile is no just ground of intervention. If it were, nations might always be at war to-day to prevent war fifty years hence. Further, the cause which justifies intervention must be *important enough to justify war*. Governments constantly submit to small inconveniences rather than resort to hostilities; and an evil which is not sufficiently grave to warrant a recourse to the terrible arbitrament of battle is not sufficiently grave to warrant intervention. (Lawrence, p. 118.)

Will somebody tell me whether the desire to build the canal, if there had been no other place on the face of the earth where we could build one, was enough to justify intervention, without further consideration and further treatment, or effort to treat, with Colombia? Mr. President, it seems to me that answers itself.

Demosthenes, who was a lawyer as well as an orator, said this:

He that makes or contributes such things whereby I may be taken, though he neither strikes me nor throws a dart at me, is mine enemy. (Grotius, 533.)

He was then speaking nationally and not individually.

Augustus Cæsar said:

That city hath lost its right to peace that receives and protects an enemy. (Grotius, 533.)

John Quincy Adams, when Secretary of State, said, referring to the revolt of the South American republics against Spain:

There is a stage in such contests when recognition of belligerent rights from the obligations of neutrality is allowable. It is the stage when independence is established as a matter of fact, so as to leave the chances of the opposite party to recover their dominion utterly desperate.

That goes with recognition. In his Law of Nations Twiss quotes this rule:

A state can not be lawfully required to renounce any of her natural rights against its free will. (Lampedi: Du Commerce des Neutrals, par. 5, edition of 1802.)

This is cited with approval by Twiss, page 432.

A requirement of that kind by a sovereign power is an act of war. The offended state may not go to war, but it is an act of war under the law of nations, which justifies the nation called upon to surrender its rights to go to war if it sees fit.

Colombia has the right, under the law of nations, to compel the seceding province, or state, whatever it may be, to submit to its dominion, if it can. Nobody anywhere presumes that that is not from any standpoint a justifiable war, according to the definition that old Grotius laid down at the beginning of the treatises on international law.

Colombia being a State, saying nothing of our relation to Colombia, with which country we were at peace, and Panama seceding, or attempting to secede, what were our obligations? Our obligations, then, were to remain neutral between Panama and Colombia.

Story, in the Supreme Court of the United States, laid down the rule as follows:

We can not interfere to the prejudice of either belligerent without making ourselves a party to the contest and departing from the practice of neutrality. (See Santissima Trinidad, 7 Wheaton, p. 283.)

Twiss says:

When a government has notice of an insurrection it has three alternatives. It may assist the government de jure, or it may assist the insurgents, in order of which some of Grotius's writers say to the end, or it may be impartial, treating the de jure government and the independent power, which it deems the insurgents as a community entitled to the rights of war against its adversary. (Twiss, p. 401.)

Mr. President, I read from Hall, but there was one page I omitted:

Prima facie intervention is a hostile act, because it constitutes an attack upon the independence of the state subjected to it. (Hall International Law, p. 281.)

The grounds upon which intervention has taken place, or upon which it is said with more or less of authority that it is permitted, may be referred to the right of self-preservation, to the right of ongoing wrongdoing, to the duty of fulfilling engagements, and to friendship for one of two parties in a state. (Hall International Law, p. 282.)

* * * The state which is subjected to intervention has either failed to satisfy its international duties or has taken some wrongful course. It has done or permitted a wrong to foreign states for which the offending state may make war if it chooses. If war ensues the inter-state relations of the contestants of peace at the end of it a government should be established which is able and willing to observe its international engagements. And if the intervening state may make war a fortiori it may, as a means to such end, in a lesser way. When, however, the danger against which intervention is levied does not arise from the external relations of the state but to merely the internal circumstances of the existence of a form of government or of the prevalence of ideas which are opposed to the views held by the intervening state or its rulers, intervention ceases to be legitimate. * * * (Hall International Law, p. 283.)

Mr. President, it can not be contended by anybody that our right to intervene there existed from anything that Colombia had failed to do. If we had such a right, without the consent of Colombia, it must have been a treaty right, which I will show before I get through that we did not have.

Continuing, this author says:

* * * Supposing the intervention to be directed against the existing government, independence is violated by an attempt to prevent the regular organ of the state from managing the state affairs in its own way.

I submit that now to Senators who tell me there has been no intervention in the conduct of our Government. Hall continues:

Supposing it, on the other hand, to be directed against rebels, the fact that it has been necessary to call in foreign help is enough to show that the issue of the conflict would without it be uncertain, and consequently that there is a doubt as to which side would ultimately establish itself as the legal representative of the state. If, again, intervention is based upon an opinion as to the merits of the question at issue the intervening state takes upon itself to pass judgment in a matter which, having nothing to do with the relations of states, must be regarded as lying for legal purposes beyond the range of its vision. (Hall International Law, p. 291.)

Mr. President, some authorities do not treat it as mildly as that.

Our courts have rendered decisions upon this question. Judge Marshall said:

The court is bound by the law of nations, which is the law of the land.

That will be found in 9 Cranch, pages 888-423.

Our courts have held that an act of Congress should never be construed to interfere with international law or to violate mutual rights if it can be construed otherwise. (See Charming Betsey, 2 Cranch, 64, 118.)

In the case of Paquette Habana *v.* The Lola (175 U. S. Rept., 677) Justice Gray said:

International law is a part of our law, and must be ascertained and administered by the courts of justice of appropriate jurisdiction, as often as questions of right depending on it are duly presented for their determination.

Judge Strong, in the case of *The Scotia*, reported in 14 Wallace, at page 170, said:

Undoubtedly no single nation can change the law of the sea. * * * Like all the laws of nations, it rests upon the common consent of civilized communities.

I wish to call attention to the statement I made the other day that our intervention was an act of war, which was denied. Davis says:

International law is essentially conservative in character. It recognizes as existing states of affairs and opposes and is slow to recognize changes of [illegible] and by [illegible] methods. Interference in favor of insurgents is never sanctioned, and when undertaken by a state is *equivalent to a declaration of war* against the state within whose territory the *rebellion* exists.

That is from an American writer and an American officer. That is the law recognized throughout the civilized world, and no other law could be recognized. It is not possible that the powers of the earth would allow interference in a case of that kind without war. What would we have done in the civil war—I do not care if we did have on our hands the greatest war of modern times, if not in all history—if any government had interfered so as to give help to the other side or injury to us? It would have meant war.

Davis continues:

Notoriously is armed interference in behalf of insurgents not justifiable, but the furnishing of any assistance, direct or indirect, or even a failure to strictly observe neutral obligations, is a just cause of offense. * * *

A just cause of offense in international law means a just cause of war. That is exactly what Demosthenes declared a long time ago, and it has been the rule of conduct for nations ever since.

Again Mr. Davis says:

From the definition of a state it is clear that any interference between a state and its rebellious subjects is a violation of the fundamental principle of international law. It cannot be condoned on the broad assertion of a right, and would be justified only in case of the greatest emergency. (Elements of International Law, by George B. Davis, pp. 182, 183.)

And the emergency which is laid down by all writers is not of interest, is not of advantage, but of absolute self-defense.

Davis continues:

* * * It has been said that a perfect right of a sovereign state can be invaded or violated only at the risk of war, and, in so far as international law is concerned, a state is fully justified in resorting to armed force on the slightest provocation. The question of determining whether a just cause of offense is or is not sufficient to justify war is, strictly speaking, in character, and concerns the offended state alone. * * * (Davis, pp. 252, 253.)

When we said to Colombia "You must not attempt to reestablish your authority over the seceding State of Panama," it was as much a declaration of war as if Congress had declared it, so far as the laws of nations are concerned. She had a right to resent it, and if we had ever said it as to England or France or Germany or Russia or Austria-Hungary it would not have been theoretical war, but it would have been actual war.

While it is technically true that a violation of a perfect right is regarded as a just cause for war, it is generally because no other remedy is provided for the violation by a state of a rule of international law. * * * (Davis, p. 270.)

The right of *declaring war is an essential attribute* of sovereignty. (Davis, p. 270.)

Yet we said to Colombia, "You can not declare war against this seceding State."

Hall lays down this doctrine:

Treaties of guaranty are agreements through which powers —

Mr. FAIRBANKS. May I interrupt the Senator from Colorado?

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Colorado yield to the Senator from Indiana?

Mr. TELLER. I do.

Mr. FAIRBANKS. When did we make to Colombia the statement to which the Senator has just adverted?

Mr. TELLER. We made it on the 2d day of November, and we have been making it ever since. I supposed that was one of the things which is admitted.

Mr. FAIRBANKS. If the Senator can turn to the communication in which that statement was made, I shall be obliged to him.

Mr. TELLER. If the Senator has not read it or heard it read two or three times, I will read it again.

Mr. FAIRBANKS. I will be glad if the Senator will do so.

Mr. TELLER. Certainly. This is addressed to the American ship *Nashville*, dated Washington, November 2. There was no war then, no insurrection, no disorder even; but we had been notified that there was likely to be a revolution, and that meant war. I said the other day, and I repeat, that there would have been no war, no insurrection, nor would there have been secession, nor attempted secession, if it had not been for that declaration. Doctor Amador said the other day, if the newspapers can be relied upon, that there would have been no secession of Panama if it had not been understood that they would have the support of the United States.

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

[Translation.]

NASHVILLE, *care American Consul, Colon:*

Maintain free and uninterrupted transit. If interruption threatened by armed force, notify the local authorities, and if necessary, either at Colon, Porto Bello, or other point. Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*. Have sent copy of instructions and have telegraphed force to proceed with all possible dispatch from Kingston to Colon. Government has reported large force of insurgents in vessels. Prevent their landing if in your judgment this would precipitate a conflict. Acknowledgment is required.

DARLING, *Acting.*

Just before that dispatch was received 400 Colombian soldiers had been landed, and Commodore Hubbard reports to the President that he did not receive this dispatch until after they had landed, or else they would not have been allowed to land. They were told by the Government officials down there—and it will not be denied by the State Department—that they could not exercise the functions of an armed force there; that if they did the Government of the United States would interfere.

The same day the *Marblehead*, one of our war vessels, was at Acapulco, on the Mexican coast, and here is the Department's dispatch:

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

GLASS, *Marblehead, Acapulco:*

Proceed with all possible dispatch to Panama. Telegraph in cipher your departure. Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force, either Government or insurgent, with hostile intent, at any point within Isthmus of Panama. If doubtful as to the intention of any armed force approaching Aspinwall, communicate with commander. Act firmly but politely. If the Wyoming would delay proceed and *Marblehead*, her disposition must be left to your discretion. Government force reported approaching the Isthmus in vessels.

What government? Colombia, of course.

Prevent their landing if in your judgment landing would precipitate a conflict.

DARLING, *Acting.*

In God's name, for what purpose did they suppose Colombia was sending soldiers there if it was not to maintain their jurisdiction over that land? Of course they knew they were coming there and that their landing would precipitate a conflict, and the President says, "There shall be no conflict; you shall not assert your rights here by force of arms." I hope the Senator is satisfied with that.

Mr. FAIRBANKS. The Senator has complied with my request. I do not put the same construction upon it, however, if I may interrupt the Senator.

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. TELLER. I do.

Mr. FAIRBANKS. I understand that it is directed to maintaining free and uninterrupted transit——

Mr. TELLER. The Senator knows——

Mr. FAIRBANKS. The Senator addresses himself to me, and will allow me?

Mr. TELLER. Certainly; I will let you answer.

Mr. FAIRBANKS. Under the duty and obligations that were imposed upon us under the treaty of 1846.

Mr. TELLER. The Senator knows, and everybody else knows, that it went beyond that.

Prevent the landing * * * within 50 miles of Panama.

Your Administration was not satisfied to put your men on the line of the railroad or to let Colombia do what she had an unquestioned right to do and do it herself, as she had a duty to do, as you have admitted.

Mr. FAIRBANKS. If the Senator will allow me to interrupt him——

Mr. TELLER. I will.

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. TELLER. I do.

Mr. FAIRBANKS. The telegram suggesting that the troops shall not be allowed to land within 50 miles of Panama never was known to the Colombian Government, and was never known beyond the officer who received it until the dispatch came to the Senate. Now, it seems to me, the President had discretionary

power to adopt such precautionary measures as in his judgment were necessary to preserve the peace of the transit across the Isthmus.

Mr. TELLER. Ah, Mr. President, there is no use of making any pretense about this. Everybody knows that it was not for the purpose of the protection of that line of railroad. It was for the purpose of maintaining the so-called Government of Panama. Everything that occurred down there, every act of the Government before and every act of the Government since, justifies me in that assertion here. Senators may insist that the President had discretion. I deny that he had any discretion, and before I get through I am going to show that he had no discretion. Suppose Colombia did not know what that dispatch was: it did know that it was not allowed to land troops or to use those it had landed before the dispatch was received.

Now, Mr. President, that brings me back. It is said that we have the right to intervene, and yet you deny that we have intervened. That is, you say we have the right to put our troops there. Mr. President, we had not the right to put our troops there under this treaty and under the construction we have put upon it ourselves from time to time, unless Colombia asked us to come there or Colombia failed to protect the transit. She did neither. She had no opportunity to do either. You prevented her from doing either, and by all the rules of decency, let alone the rules of war, you are estopped now from saying that she would not have done it. Why, Mr. President, there is not a tribunal under God's heaven that would allow that plea to be set up after the act of the Government of the United States, when it said: "You shall not come within 50 miles of that railroad with a force that may be necessary to protect the transit across the Isthmus."

Mr. President, I say that this guaranty never authorized us to put a soldier on the Isthmus of Panama without the consent of the Government of Colombia, and it never was understood at any time up to 1903, and then it was so understood because there was an intention to dismember Colombia for our financial advantage. It does not make any difference whether the President of the United States says it was for our safety or for our interest. It was for our interest possibly, and possibly not, but it was in violation of the well-established rule that you could interfere only when you had a positive right to interfere by a treaty, or else a necessity for self-preservation. In this case neither of those facts existed. Our Government has declared on several occasions that we were not required to interfere in an insurrection, and, if not required to interfere, certainly we had no right to interfere until there was an absolute physical necessity for such interference. That has not existed up to this hour, and it would not have existed if we had kept our hands off, because Colombia would have taken care of that incipient, one-horse revolution without our aid.

Mr. President, on Friday I read the terms of the treaty of 1846. I do not care to read it again. I assert here there was no obligation on us, nor did Colombia give us any right to put our men there except with her approval and consent, or at her request. We recognized that to be a proper construction of this treaty, not only up to the 3d of November, but to the present time, even now, when we say under the treaty it is the duty of Panama as the successor of Colombia to carry out the provisions of that treaty and maintain the integrity of travel across that route.

I stated the other day that where a guaranty was made it was made upon the well-established rule that the guaranty was not to be attempted until called upon by the government to which the guaranty was given. That has been decided, Mr. President; decided by us; decided by other countries. Mr. Hall says:

> Treaties of guaranty are agreements through which powers engage either by an independent treaty to maintain a given state of things or by a treaty or provisions accessory to a treaty to secure the stipulations of the latter from infraction by the use of such means as may be specified or required against a country acting adversely to such stipulations. (Hall's International Law, p. 362.)

The author here cites the case of the treaty between France and Russia by which they guaranteed to each other the integrity of their possessions and also the treaty of 1856 by which England, Austria, and France guaranteed the integrity of the Ottoman Empire. Then he says:

> In the two former cases (above cited) a guarantor can only intervene on the demand of the party or, where more than one is concerned, of one of the parties interested, because the state in favor of which the guaranty had been given is the best judge of its own interests, and as the guaranty purports to have been given solely or at least primarily for its benefit, no advantage which may happen to accrue to the guaranteeing state from the arrangements to the preservation of which the guaranty is directed can invest the latter power with a right to enforce them independently. (Hall, pp. 363-364.)

Mr. President, we have never attempted heretofore to intervene there except by the request of Colombia, by her consent, or by her subsequent approval. I think perhaps there is one case where some marines were landed and subsequently Colombia approved and thanked us. It is said now by Senators that since this trouble Colombia has asked the Government of the United States to interfere. Colombia has the right under that treaty to ask that.

When a nation guarantees to another to do certain things that nation may say to the guaranteeing nation, "Now, carry out your guaranty." But under the pretense of carrying out that guaranty I venture to say that in the whole history of the world there is no other case where a nation has used that guaranty as a subterfuge and a cover under which to dismember an independent government—destroy the sovereignty of that government which it had guaranteed to protect.

Mr. President, in this day there ought to be as much honesty and decency among the nations of the world as at any other time in its history. I challenge any man on this floor to find a single case in the whole history of the world where a government has attempted what our Government attempted in this case, and you can not escape it. Senators, by saying that it was to police this line of railroad. If you do not know better, the world knows better, and to-day in Europe the best papers of Europe are criticising us and declaring that it was an act contrary to international law and contrary to the very words of our treaty.

Mr. President, I have referred to Mr. Moorfield Storey's article. I have looked these matters up, and I am going to read a few things in it. I called attention on Friday to the fact that if any disagreement arose between that power and us by the very stipulation of that treaty we were not to go to war. We did not wait to see whether Colombia was willing and able to discharge her duties or not, which we had done heretofore, but we promptly seized that land, and we seized it as much in law as if we had landed 50,000 soldiers there to combat the Colombian soldiers when they came.

Two Attorneys-General, both Bate and Speed, declare that we were under no obligation to police that line of railroad. Now, here is what Mr. Seward said. This was written November 9, 1865. It is to our minister at Bogota:

> DEPARTMENT OF STATE,
> *Washington, November 9, 1865.*
>
> TO ALLAN A. BURTON, Esq., etc., *Bogota.*
>
> SIR: The question which has recently arisen under the thirty-fifth article of the treaty with New Granada, as to the obligation of this Government to comply with a requisition of the President of the United States of Colombia for a force to protect the Isthmus of Panama from invasion by a body of insurgents of that country has been submitted to the consideration of the Attorney-General. His opinion is that neither the text nor the spirit of the stipulation in that article, by which the United States engages to preserve the neutrality of the Isthmus of Panama, imposes an obligation on this Government to comply with a requisition like that referred to. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power only.

I know that has been questioned, and I have heard it said that probably we were under obligations even in a case of civil war. But, Mr. President, if we were, if Colombia had put us in that position, then Colombia had surrendered a part of her sovereignty. The rule everywhere in the construction of treaties is laid down that that is one of the things that shall never be presumed, and unless the treaty is so specifically exact that no other conclusion can be made, it will not be held that the Government intended to surrender full control, or to concede to any other power any right of sovereignty within its jurisdiction:

> It could not have been contemplated that we were to become a party to any civil war in that country by defending the Isthmus against another party. As it may be presumed, however, that our object in entering into such a stipulation was to secure the freedom of transit across the Isthmus, if that freedom should be endangered or obstructed, the employment of force on our part to prevent this would be a question of grave expediency to be determined by circumstances. The Department is not aware that there is yet occasion for a decision upon this point.
>
> Your dispatches to No. ——, inclusive, have been received.
>
> I am, sir, etc.,
>
> WILLIAM H. SEWARD.

Mr. President, we made a treaty. I can read it from Moorfield Storey's little work easier that I can hunt up the treaty in several books that are here, but I have the treaty here before me.

In 1857 we made another treaty with Colombia, or with New Granada rather. There had been some trouble, and Colombia, New Granada, or whatever you may call it (it is the same thing, because the treaty is recognized as going with the territory), complained that we had done some damage we were not entitled to do down there—that we had caused some trouble—and the matter was finally settled by a treaty.

Mr. CARMACK. What was the claim?

Mr. TELLER. They claimed of us and we claimed of them. In 1857 we made a new treaty. That is not in this last compilation of treaties. I had to send and get the treaty. It is an old treaty. The first article of this treaty—

Mr. Storey says—

uses this language:

> "All claims on the part of * * * citizens of the United States upon the Government of New Granada, * * * and especially those for damages which were caused by the riot at Panama on the 15th of April, 1856, for which the said Government of New Granada acknowledges its liability arising out of its privilege and obligation to preserve peace and order along the transit route."

There is a plain declaration, eleven years after the making of the other treaty, that that was the obligation on New Granada and not on us, and to this hour we are under no obligation until at least Colombia fails and asks us to do what she confesses she can not do. Then, as Secretary Seward says, it becomes a question to be determined by the circumstances whether we ought to intervene there even by request. April 30, 1866, Secretary Seward wrote our minister at Bogota as follows:

> The United States desire nothing else, nothing better, and nothing more in regard to the State of Colombia than the enjoyment on their part of complete and absolute sovereignty and independence.

He did not think that she had surrendered any of her independence.

> If those great interests shall ever be assailed by any power at home or abroad, the United States will be ready, cooperating with the Government and their ally, to maintain and defend them.

Secretary Fish said, October 27, 1873:

> This engagement, however, has never been acknowledged to embrace the duty of protecting the road across it from the violence of local factions. Although such protection was of late efficiently given by the force under the command of Admiral Almy, it appears to have been granted with the consent and at the instance of the local authorities. It is, however, regarded as the undoubted duty of the Colombian Government to protect the road against attacks from local insurgents. The discharge of this duty will be insisted upon.

Secretary Bayard said:

> On several occasions the Government of the United States, at the instance, and always with the assent of Colombia, has, in times of civil tumult, sent its armed forces to the Isthmus of Panama to preserve American citizens and property along the transit from injuries which the Government of Colombia found at the time its unable to prevent. But, in taking such steps, this Government has always recognized the sovereignty and obligation of Colombia in the premises, and has never acknowledged, but, on the contrary, has expressly disclaimed, the duty of protecting the transit against domestic disturbance.

Mr. President, who knew best, Cass, Fish, Bayard, or Hay? I prefer to take either one against the opinion of the present Secretary of State. President Cleveland said, in 1885, in his December message:

> Emergencies growing out of civil war in the United States of Colombia demanded of the Government at the beginning of this Administration the employment of armed force to fulfill its guaranties under the thirty-fifth article of the treaty of 1846 in order to keep the transit open across the Isthmus of Panama. Desirous of exercising only the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to confine their action to "positively and efficaciously" preventing the transit and its accessories from being "interrupted or embarrassed." The execution of this delicate and responsible task necessarily involved police control where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia. The prompt and successful fulfillment of its duty by this Government was highly appreciated by the Government of Colombia and has been followed by expressions of its satisfaction. The restoration of peace on the Isthmus by the reestablishment of the constituted Government there being accomplished, the forces of the United States were withdrawn.

They were, of course, our marines who went there, but always in aid of the sovereignty of Colombia.

Mr. PLATT of Connecticut. But not at the request of Colombia.

Mr. TELLER. Not always.

Mr. PLATT of Connecticut. Not then; under President Cleveland.

Mr. TELLER. He does not say it was. Colombia was unable to do it herself, and I suppose she so declared to us. But note the instructions the President gave to our officers.

Mr. President, of the long list of interferences which the President puts in his message almost every case, perhaps, except one or two was at the request of Colombia. They were always with her approbation, and never with her dissent.

I could multiply authorities on this subject, but I want to come to a close as soon as I can. I shall reserve the right, if this debate lasts, at some day, when I see fit to do so, to add something further to this discussion, and I shall not consider myself precluded from the right to do so because I conclude the speech I am now making to-night.

Mr. President, I want to say a few words on the doctrine which the President lays down in his message, which is not new to the rest of the world, but which is absolutely new to us. It is that in the interest of "collective civilization" he may do what he has done. He did not rely upon the treaty; he knew very well that he could not rely upon the treaty; he knew very well that the treaty did not give him that right, although he made a declaration in his message to that effect, from which I dissent. In his annual message to us in December—not the one concerning Panama—where the President enters into a defense of his conduct, he says:

> The treaty vested in the United States a substantial property right carved out of the rights of sovereignty and property which New Granada then had and possessed over the said territory.

Mr. President, there is not the slightest foundation on the face of the earth for that claim, and no other man in the United States, I will venture to say, has ever made it. In the long years which have elapsed since that treaty was made and in the conflicts which have arisen no man has claimed, nor could he claim, and no man had the right to claim, that we had any property right in that line of transit or any right of sovereignty. It was never proposed that we should have any interest in the canal at the time of making the treaty. It was proposed then that Colombia should be given the privilege of granting concessions to anybody that she saw fit. All we demanded of Colombia was that she should maintain neutrality and give us the right of transit, and if she could not maintain it, then we would join her in maintaining it. Every treaty, as I said the other day, which Colombia has ever made with any nation, or any concession that she has ever granted, properly speaking—for they were not treaties—provided for the neutrality of that canal, so that the whole world might be benefited, and not merely the builders thereof. She always recognized our right of transit.

Mr. MORGAN. May I make a statement to the Senator from Colorado on that point? I do not know whether it has escaped the Senator or not.

Mr. TELLER. I shall be very glad to have the Senator do so.

Mr. MORGAN. President Johnson, in the last year of his Administration, sent Caleb Cushing to Colombia to negotiate a treaty for canal privileges through that country. A treaty was negotiated; and it was about as liberal a treaty as we ever could have expected or as any other country has ever received. The treaty was sent to the Senate of the United States and kept under discussion for pretty nearly a year, when it was rejected because it was inadequate.

In the next year President Grant sent General Hurlburt to Colombia to negotiate another treaty. He negotiated one a little broader in its terms than the one which Mr. Cushing had negotiated. That treaty was brought back to the Senate of the United States, and was in like manner disposed of. I can not say that it was rejected, but, at any rate, it was not ratified.

So that, on two occasions since 1846, the Government of the United States has distinctly admitted that it had no treaty rights for a canal by having two treaties negotiated by two of its most prominent men, which were brought here and rejected by the Senate because they were inadequate. That, I think, disposes of the proposition that there was anything in the treaty of 1846 which gave us canal rights.

Mr. TELLER. In addition to that, Mr. President, we have recently had a declaration by the executive department of the Government and by this Senate that we had no such rights there. For what were we treating with Colombia? What did we have a controversy over the treaty for here if we had already a treaty which had given us the right of sovereignty or right in land in Colombia? Remember, Mr. President, nobody ever heard of that until the President of the United States put it in his message. Neither does anybody here believe that to be a fact.

Mr. CARMACK. Mr. President, with the permission of the Senator, I will ask him if we did not expressly recognize the right of Colombia to reject that treaty when we inserted a provision in the law directing the President to go elsewhere if Colombia did not grant us the right to build the canal at Panama?

Mr. TELLER. Of course we did. More than that, Mr. President, does anybody here pretend because Colombia sent a minister here, who made a treaty with us, that there was any moral or legal obligation upon Colombia to accept that treaty? Certainly not, if she is a sovereign state.

What would we have said, Mr. President, if Great Britain had complained when we rejected the fisheries treaty here? What would we have said if she had complained when we rejected the first treaty which came here concerning the canal? Why, Mr. President, there never was anything more preposterous than the declaration that Colombia failed to do what justice required her to do. Who was to determine that? The constitution of Colombia leaves that to the two houses of her Congress, and when one of them had determined that it would not ratify the treaty that was the end of it. The complaint is that the administration of Colombia, the executive, did not bring pressure to bear, as it was brought here, to pass the treaty. Should he have said to the Colombian Congress, "Unless you vote for that treaty there will be withheld from you executive favors?" That is apparently what this Administration thinks was the duty of the administration in Colombia.

Mr. President, it may be that the time will come when on the question submitted by the Constitution to the legislative body of Colombia or to this body, acting conjointly with the President in making treaties, there will be a just cause of complaint if every treaty which comes here shall not be ratified; but it will be a new doctrine.

Colombia had the right to reject that treaty. We were notified early last spring that she was going to refuse to ratify that treaty; and she refused to ratify it upon the ground that by rati-

fying it she would surrender her sovereignty, which she had not the right to do under her constitution.

Mr. President, I heard something said here one day, and I saw it repeated in the newspapers, to the effect that those who oppose the action of the Administration toward Colombia were holding a brief for that country. Mr. President, I am here, not holding any brief for Colombia, but I am here to say that Colombia acted within her constitutional rights in that matter, and it is a gross violation of the decencies of intercourse between nations of the world to complain when she has acted as she has done. We would not submit to criticism from Great Britain, or from France, or from the combined powers of the world when we had refused to ratify a treaty.

A member of this Administration, one of the Assistant Secretaries of State, went over to New York recently and attended a banquet. I do not know the gentleman, and I confess I am not anxious to make his acquaintance after reading what he there said. In the course of his speech at that banquet Mr. Loomis said:

> If the revolution in Panama had not occurred; if the American people, guided by the opinions of its most learned, efficient, and highly trusted engineers, continued to think the Nicaragua route an impracticable one; if the people and Congress of this country had insisted that we wait for a year, or until such time as the politicians at Bogota were ready to negotiate a new canal treaty, etc.

He then goes on to say that the rejection of this treaty was an unfriendly act.

Mr. President, the term "unfriendly act" has a meaning in international law. It means that it is an act of war. What right had this official of the Government to stand up before the world and complain of a nation with which up to this time we are supposed to be in friendly relations, or at least they had given us no cause of grievance of which, according to international law, we had a right to complain. Has it come to this, that when a great nation like ours shall submit a treaty to a weak nation, that nation must ratify it or take the consequences of our disapproval?

It is said that Colombia was warned. The President tells us that Colombia was warned; the Secretary of State tells us that Colombia was warned. Mr. President, will some Senator tell me, under international law, what right we had to interfere for a moment with the consideration by Colombia of that treaty? To do so would have been a gross breach of privilege. It is an absolute violation of the ethics and decencies on the part of one government to interfere with the local affairs of another government.

They were told that if they did not ratify this treaty, something would be done which the friends of Colombia might regret. Mr. President, the Colombians, thank God, stood up and said: "We will not act under that threat although made by the greatest power in the world."

Mr. President, such action on our part was indefensible, and I do not believe anybody here will ever venture to defend it. If anyone should attempt to do so, he could not make any defense in morals or in law which the world would recognize as a proper defense of such a transgression of law and the decencies of the public relations between one nation and another.

The President of the United States, as I read from his message, claims that we have a substantial property right carved out of the rights of sovereignty, etc. Every act of ours since 1846 has shown that that is not a correct statement. Not only have we negotiated with Colombia for rights which we would not have negotiated for if we had already had them in a treaty, but we have negotiated with Nicaragua, and we have passed through this Senate three times bills for the building of a canal, not over the Panama route, but over the Nicaragua route.

If Colombia had any obligation to give us the route, we had an obligation to take it. If so, every time we negotiated for any other route or passed a bill providing for a survey of a different route it was a violation of that treaty. But it is not a fact that Colombia had agreed to allow us to build the canal. She had reserved for herself the sovereignty over it; she had treated with one corporation and another from time to time; and from the time that treaty was made up to the time the French concession was granted, and from that time on, we were in no condition to claim from Colombia any rights there, and we never did, because we knew we did not have them.

If we had supposed that Colombia had ceded either sovereignty or title to this right of way, that would have kept other people from going there, and we were very unfair, at least, to Colombia when we proceeded with the negotiations for the Nicaragua route if we had obligated her to keep that route for us.

I have here a list of the concessions made by Colombia, I have a list of the concessions made by Nicaragua, and I have here a list of the bills that have been introduced here for the last twenty years, but I will not read them. Mr. President, until the Senator from Wisconsin [Mr. SPOONER] put in his amendment there has not been a bill since I have been in this Senate—and that has been more than a quarter of a century—looking to the building of a canal at Panama.

Mr. PLATT of Connecticut. At Panama?

Mr. TELLER. At Panama. No such proposition has been made here. Bill after bill and bill after bill has come into this Senate and into the House of Representatives and been reported in favor of the Nicaraguan route, but never in favor of the Panama route. We stood by and we saw the French company take possession of the Panama route and spend millions and millions of dollars, and then, when the French company had failed, we turned toward it, as we rightly might have done, and concluded that if we built a canal we would build it there.

Mr. President, I voted for the Panama Canal. I do not pretend to be an authority on canal matters, though I have made some investigations in that line which I had thought enabled me to be somewhat of a judge of such things. I have never believed, as an engineering question, that either the Panama or the Nicaragua route as now proposed could be made successful, or that any plan the engineers have proposed could be made successful, except the De Lesseps plan of a tide-water canal. And that is doubtful, certainly, unless great precaution is taken as to floods.

I said the other day, and I repeat it now, that the consensus of opinion among the best and greatest engineers of the world has been in favor of the Nicaragua route, and even De Lesseps was in favor of that route unless it was proposed to make a sea-level canal. He declared that if it was to be a lock canal, Nicaragua was the best route. I do not know of any respectable authority in the last twenty-five years that has not so declared.

I voted to build the canal at Panama because, in my judgment, no canal built with locks will ever be worth a hundredth part of what it would cost to build it. I voted for it, feeling that if we should some day find, when we had expended three or four hundred million dollars on it, that we had thrown away our money, we might then go to work and cut it down to the sea level and make it a tide-water canal; and to-day, if I had to determine the question whether the canal should be built across the Isthmus of Panama with locks in it, or whether it should be built across the Nicaragua route, I would take the Nicaragua route; but if it was left to me to determine what kind of canal should be built, I would say build a tide-water canal. It may cost six hundred or eight hundred million dollars, and probably it will, but when you have got it built it would be worth something, at least, to the steamships that traverse the sea if it would not be for the sailing ships.

Commodore Maury, who was a great authority on waves and tides and winds, declared that if a convulsion of nature should split that country and make a strait from sea to sea as wide and as deep as the Straits of Dover, no sailing vessel would come from Asiatic regions through it because of the calms on this side. The exact words of Commodore Maury are:

> These remarks apply to the approach and departure by sea to or from the Pacific terminus of any route across the Isthmus of Panama or Darien, and even with greater force to the Atrato and others on the South American side of Panama. In short, the results of my investigations into the winds and currents of the sea, and their influence upon the routes of commerce, authorize the opinion which I have expressed before, and which I here repeat, namely, if nature by one of her convulsions should rend the continent of America in twain, and make a channel across the Panama or Darien as deep and as wide and as free as the Straits of Dover, it would never become a commercial thoroughfare for sailing vessels, saving the outward bound and those that could reach it with leading winds. Steamers would and coasters might use it, but homeward-bound vessels in the China, India, or Australian trade rarely.

Pim, an Englishman, who was not only an engineer but a sailor, wrote in 1866 an article that appeared in Van Nostrand's Engineering Magazine of that day, in which he declared that no canal cut through there would ever receive any considerable business by sailing ships coming this way. He detailed his experience, and said that ships had sometimes been three or four months becalmed in those regions and unable to get out. I had the letter of Commodore Maury put in the shape of a document, which any Senator can examine if he sees fit.

That brings me to this question: Is there such a pressing necessity upon us to build the canal at Panama? Why should we do so? The President of the United States says it is Panama or nothing. Why? Simply because he said he would not go to the Nicaragua route; that he believes the Panama route is best, and therefore he is going to foreclose this whole question by making a treaty with Panama.

I will venture a prediction here. The Commission which we sent out came back here with a report in favor of the Nicaragua route on the simple ground of economy. I can produce, I will venture to say here, a dozen reports from distinguished engineers sent out from this country, some by our own Government, to the effect that the Panama route will cost 50 per cent more to build on the same line with locks than it will cost to build the canal at Nicaragua. The Commission of 1876, with General Humphrey at its head, so reported. Other commissions and other engineers have so reported; and, I repeat, it is the consensus of opinion of

the engineers of the world that the Nicaragua is the proper route unless it is intended to have a sea-level canal. If the proposition of building a lock canal, whichever route is chosen, had been submitted to the engineers assembled in Paris in 1879, they would have selected the Nicaragua route and not that of Panama. I said the other day that I thought one Englishman and one American were of a different opinion. On looking the matter up, however, I find that the American who was there was a scientist and not an engineer and that every Englishman attending that convention voted in favor of the Nicaragua route, and two committees appointed by that convention declared in favor of the Nicaragua route.

Mr. MORGAN. Will the Senator allow me to make a statement just there?

Mr. TELLER. Certainly.

Mr. MORGAN. De Lesseps, before he went to Panama at all, after he completed the Suez Canal went to Nicaragua when the Congress was in session and made a proposition to pay them a large sum of money for a concession through the Nicaragua route, by way of the San Juan River and Lake Nicaragua. The house voted it. All the members of the senate voted it but one. The President thereupon had a conference with him and with other members of the senate. He said to them: "France is invading Mexico. We do not dare to put ourselves in her power. The United States is our friend. When this canal is built, we want the United States to build it." Thereupon the Congress refused to vote Mr. De Lesseps the concession, and it was after that that he went to Panama.

Mr. TELLER. I was aware of that fact: and I know, too, that he expressed his preference for the Nicaragua route, but said you can not build a tide-water canal there, and we can build a tide-water canal for a sum so insignificant that it does not seem possible that that great engineer ever believed that it could be done. Their proposition was to build the canal for about one hundred and thirty-five or one hundred and forty million dollars. They spent more than that on it, and we propose to pay $40,000,000 to the French company and $10,000,000 to the Government of Panama, which makes $50,000,000, and brings the cost of the canal to a little over $200,000,000; and it can not be built for that money by many million dollars.

I saw in the public press the other day that it was half built. There is not 25 per cent of it built. It is true, they say, that 36,000,000 cubic yards have been excavated at the great Culebra cut, and there are 43,000,000 more cubic yards to be taken out; but there is the great dam to be built; there are the different locks that are to be built; there are innumerable things to be done; so that when this canal has been built, if you escape with less than three hundred or four hundred million dollars for the building of it, you will do remarkably well, in my judgment.

Mr. DANIEL. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Virginia?

Mr. TELLER. Certainly.

Mr. DANIEL. Is it true that no American engineers have ever surveyed the Panama route?

Mr. TELLER. I do not think that is quite correct. There have been some engineers down there who made a survey, but no American engineer has ever made a calculation, so far as I know, as to the cost of building a canal at Panama.

Mr. MORGAN. The Lull survey was made by Mr. Menocal, as the chief engineer of the party. That survey was made through Panama, and then through Nicaragua. It was a comparative survey.

Mr. TELLER. And they held——

Mr. MORGAN. They reported against Panama and in favor of Nicaragua.

Mr. TELLER. They reported it would cost 50 per cent more to build at Panama than it would at Nicaragua.

Mr. MORGAN. Yes.

Mr. DANIEL. That is the only survey?

Mr. TELLER. I think there have been one or two other surveys. My attention has been called to this and many other things, because I happened to believe that the canal could not be built for the money which they estimated it would require; and I have complained that no engineer, however astute he might be and however well versed in the intricacies of his profession, could determine by the surveys made up to the time the Walker Commission went out exactly what the canal would cost, and that they were practically guesses as to what was to be done. I so feel now. I do not believe that the Walker Commission, when they passed upon the question, had the knowledge or the information or that they had made the surveys which entitled their judgment to the slightest consideration on the part of the engineers of the world. They took the statements of the French engineers, and they made a hasty report, when they found attention was being directed to the Panama route and in favor of it, provided the French people would take a reasonable sum, which they said was $40,000,000.

Mr. President, I am going to conclude, not because I have exhausted the subject, not because I have not plenty of material here for a more extensive speech, but because I do not want to abuse the patience of the Senate. If I have given some attention to this subject, I have not given it in the interest of the canal. I do not mean myself to obstruct the canal in the slightest measure or degree. I believe the American people want to build a canal. I believe if they do they are entitled to build it, and if they want to spend four or five or six hundred million dollars to build a canal they are able to do it if any people in the world are.

I am told that since 1898 we have spent in our efforts to civilize the people of the Philippine Islands and to maintain peace and order and fit them for a government not less than $800,000,000. If we can spend upon such a project $800,000,000, we can spend a thousand millions to complete a canal that shall give intercourse by the ships of the sea across this continent from the great Pacific to the great Atlantic Ocean. I do not believe there will come to us so great a benefit as the advocates of it believe, but I will give no encouragement to debate or to interference with that work. I only desire that when we build the canal we shall be able to stand before the world and say, "Here is a great enterprise: no other people could have done it without distress. We give it to the commerce and civilization of mankind, and we give it to them with clean hands."

I am more anxious, Mr. President, that the Government of the United States should go before the world as an honest, law-abiding, justice-loving nation than I am that it should glory in the greatest work of human hands. It will not do to say it is in the interest of civilization, and thus acquit ourselves of a violation of international law. You have no right to take Colombia's land in the interest of civilization. That, repeating what I said Friday, is the robber's claim. It is the doctrine that might makes right. We want it, and therefore we take it.

In my early days I remember when three ministers of ours went to a place in Belgium, and when they got together they said the great interest of the American people would be promoted and their safety promoted as well as their interest by the annexation of Cuba to the United States. They said, "We will offer Spain a great price, $120,000,000. If Spain does not take it, we will take the island. The Government of the United States will be justified in seizing it." Mr. President, that declaration was a shock to the moral sense of the world. It was one of the things which I can remember distinctly, and I have not forgotten that when the Republican party, in its infancy, assembled at its first national convention, it denounced it as a robber plea.

Mr. CARMACK. Secretary Hay once did the same thing in his Life of Lincoln.

Mr. TELLER. A Senator before me says that Secretary Hay once did the same thing. We all did it. It was not a partisan question. The whole American people rose up against the manifesto. The conscience of the world was against it, and this doctrine of collective civilization is a repetition of that manifesto then, just as a national necessity now is said to be in the interest of collective civilization.

I ask permission to insert in my remarks that portion of the Republican platform to which I have referred.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from Colorado.

The plank from the Republican platform of 1856 is as follows:

> The highwayman's plea that "might makes right" embodied in the Ostend circular was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction.

Mr. TELLER. Mr. President, it has been the cry of every tyrant who ever lived that his tyranny was for the good of mankind. When the Holy Alliance met, they made a proposition to the world belying the very purpose for which they had met, belying their intentions, and yet it reads like a leaf out of Holy Writ. Nobody could have complained if they had done what they said they were going to do and if their organization was to carry out the lovely principles which they professed.

Mr. President, I have taken pains to bring it here and I am going to read it. They called the Holy Trinity to witness their sincerity and their honesty. See what they were going to do.

They bound themselves, appealing, as I said, to the Holy Trinity for the rectitude of their purpose—

> to exercise their power according to the principles of religion, justice, and humanity; to afford one another on all occasions aid and help; to treat their subjects and soldiers with paternal feeling, and to regard their people as members of a great Christian family, whose guidance was intrusted to them by God. (Woolsey, p. 61.)

Mr. President, with that lie upon their lips, they knew they had organized that alliance to put the fetters upon mankind, not only physically, but mentally, and for a time they threatened the lib-

erty of mankind, and I do not believe I exaggerate when I say that but for the influence of this American Government they would have put the fetters upon men all over the world and kept them there until this day.

Mr. President, in 1792 Austria and France were at war, and Prussia, a nation with no complaint against France for any act that it had done to Prussia, entered into the war, and the King of Prussia issued to the world a statement why he had done so. He felt compelled to do so because the civilized mankind felt that it was an interference which he was not justified in making under the laws of nations. So he told the world why he did it; why Austria and he were contending against France, which was then trying to establish a free government, recognizing the rights of man. He said:

> The propagation of principles subversive of social order, which had thrown France into a state of confusion, and the encouragement and even official publication of writings the most offensive against the sacred persons and lawful authority of sovereigns. To suppress anarchy in France; to reestablish for this purpose a lawful power on the essential basis of a monarchical form, and by these means to secure other governments against the criminal and insensate example of acts of violence. Such the King declared to be the great objects of himself and his ally. (Woolsey, International Law, pp. 49-50.)

Mr. President, if you open the door, that the absolutism of mankind shall not be restrained by international law and every nation may determine for itself what is the interest of "collective civilization," you will take a great step toward returning the world to the condition from which we brought it by our efforts to establish liberty on this continent. It is no little thing when the President of the United States tells you that in the interest of collective civilization he can transcend the well-established rules of law. He may keep himself comparatively within the rules of decency and justice, but will all the rest of the world do so? Do you not believe that if the great Russian autocrat shall be succeeded by a man like some of his predecessors he will use this precedent to justify his march across Asia, the dismemberment of Japan, the destruction of government in China and Korea? And where will he bring it up? Where will he stop? And he will vindicate his conduct by the precedent we have made in the case of Colombia and Panama?

Mr. President, we have made a precedent, and I want to enter my protest here against this precedent. I want to enter it not because I am not a Republican. I want to enter it because I am a Republican. I want to enter it because I am a Democrat, because I am an American citizen, and a believer in American Government and in the principles of its founders. I want to enter my protest and I want the Senate to enter its protest in the interest of mankind, in the interest of all the race, and if we fail to do so we will fail to come up to the high standard which we have set for ourselves and which we have heretofore maintained in the world.

National morality is as essential as individual morality; national justice as individual justice; national righteousness as individual righteousness, and, in my judgment, a nation can no more transcend the great laws of God and man with impunity than can individuals. There will come condign punishment, although it may be generations before it is felt. Step by step violations of constitutional law, of international law, lead you farther and farther away from the great principles upon which the Government was founded and which can be maintained only by strict adherence thereto.

Mr. President, I said when I opened this discussion on my part that it is a great question, the treatment of which may change the whole complexion of the face of the world. For one hundred and twenty-five years we have stood as a beacon light. We brought to suffering Europe relief. We destroyed the doctrine of the divine right of kings by encouraging the revolution in France; and though it was attended with horrors that make the blood run cold, out of it came a liberty and respect for men's rights never before known in the world, and the world was benefited by it.

Of course the whole history of the world shows that the human race has never attained any exaltation which has not come by sacrifice, and it has reached a point now where the whole world looks to us as an exemplar. Heretofore we may say, as the present Secretary of State once said before he was so intently imbued with the doctrine of collective civilization: "We operate our Government upon the Monroe doctrine and the Golden Rule." How much of the Golden Rule, how much of the Monroe doctrine is there in this intervention? And then I hear the answer to it all is: "Oh! we want a canal." Great God! If the canal was given to us and was a hundred times more valuable than it will be, we could not afford to take it at the sacrifice of American honor, American justice, and American righteousness.

Mr. QUARLES. Mr. President, I desire to address the Senate briefly upon this subject.

Mr. CULLOM. Mr. President——

Mr. QUARLES. However, I understand the desire is for an executive session at this time. So with the permission of the Senate I will proceed to-morrow, and will now yield to the Senator from Illinois.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour and twenty-two minutes spent in executive session the doors were reopened, and (at 5 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 19, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 18, 1904.

COLLECTOR OF CUSTOMS.

William H. Jordan, of Massachusetts, to be collector of customs for the district of Gloucester, in the State of Massachusetts. (Reappointment.)

SURVEYOR-GENERAL.

Eli S. Warner, of Minnesota, to be surveyor-general of Minnesota, his term having expired January 17, 1904. (Reappointment.)

DISTRICT ATTORNEY.

William H. Armbrecht, of Alabama, to be United States attorney for the southern district of Alabama, vice Morris D. Wickersham, deceased.

REGISTER OF LAND OFFICE.

W. H. Brown, of Grand Forks, N. Dak., to be register of the land office at Grand Forks, N. Dak., vice George B. Winship, resigned.

RECEIVER OF PUBLIC MONEYS.

Albert A. Roberts, of Heppner, Oreg., to be receiver of public moneys at La Grande, Oreg., vice Asa B. Thomson, removed.

PROMOTION IN REVENUE-CUTTER SERVICE.

Second Lieut. William E. W. Hall to be a first lieutenant in the Revenue-Cutter Service of the United States, to succeed Howard M. Broadbent, promoted.

PROMOTIONS IN THE NAVY.

Commander John A. Rodgers to be a captain in the Navy from the 27th day of December, 1903, vice Capt. Charles T. Forse, retired.

P. A. Paymaster George R. Venable to be a paymaster in the Navy from the 3d day of March, 1903, to fill a vacancy created by the act of Congress approved March 3, 1903.

Asst. Paymaster Ervin A. McMillan to be a passed assistant paymaster in the Navy from the 29th day of October, 1903, vice P. A. Paymaster Walter T. Camp, promoted.

Asst. Paymaster Eugene H. Tricou to be a passed assistant paymaster in the Navy from the 4th day of November, 1903, vice P. A. Paymaster Ray Spear, promoted.

PROMOTIONS IN THE MARINE CORPS.

Lieut. Col. Allan C. Kelton to be a colonel in the Marine Corps from the 27th day of December, 1903, vice Col. Robert L. Meade, retired.

Maj. Randolph Dickins to be a lieutenant-colonel in the Marine Corps from the 27th day of December, 1903, vice Lieut. Col. Allan C. Kelton, promoted.

Capt. Charles G. Long to be a major in the Marine Corps from the 18th day of June, 1903, vice Maj. Henry C. Haines, promoted.

First Lieut. Julius S. Turrill to be a captain in the Marine Corps from the 18th day of June, 1903, vice Capt. Charles G. Long, promoted.

POSTMASTERS.

ALABAMA.

Charles Valentine to be postmaster at Clayton, in the county of Barbour and State of Alabama. Office became Presidential October 1, 1903.

ARKANSAS.

Lulu V. Cox to be postmaster at Fordyce, in the county of Dallas and State of Arkansas, in place of John P. Cox, deceased.

John Edwards to be postmaster at Gurdon, in the county of Clark and State of Arkansas. Office became Presidential January 1, 1904.

Adolphus G. Leming to be postmaster at Waldron, in the county of Scott and State of Arkansas. Office became Presidential January 1, 1904.

CALIFORNIA.

Martin C. Beem to be postmaster at Fort Jones, in the county of Siskiyou and State of California. Office became Presidential January 1, 1904.

E. T. Ketcham to be postmaster at Santa Maria, in the county of Santa Barbara and State of California, in place of John Adams, resigned.

John W. Wood to be postmaster at Pasadena, in the county of Los Angeles and State of California, in place of John W. Wood. Incumbent's commission expired January 17, 1904.

CONNECTICUT.

James E. Ballard to be postmaster at Darien, in the county of Fairfield and State of Connecticut. Office became Presidential January 1, 1904.

Merton S. Buckland to be postmaster at West Hartford, in the county of Hartford and State of Connecticut. Office became Presidential January 1, 1904.

Sanford E. Chaffee to be postmaster at Derby, in the county of New Haven and State of Connecticut, in place of Sanford E. Chaffee. Incumbent's commission expires January 18, 1904.

Harry W. Crane to be postmaster at Wethersfield, in the county of Hartford and State of Connecticut. Office became Presidential January 1, 1904.

ILLINOIS.

Edward W. Hilker to be postmaster at Madison, in the county of Madison and State of Illinois. Office became Presidential January 1, 1902.

Frederick H. Richardson to be postmaster at Tampico, in the county of Whiteside and State of Illinois. Office became Presidential January 1, 1904.

Benjamin F. Shaw to be postmaster at Dixon, in the county of Lee and State of Illinois, in place of Benjamin F. Shaw. Incumbent's commission expires January 29, 1904.

INDIANA.

Frank M. Pickerl to be postmaster at Argos, in the county of Marshall and State of Indiana, in place of Frank M. Pickerl. Incumbent's commission expired January 17, 1904.

INDIAN TERRITORY.

Hubbard Ross to be postmaster at Fort Gibson, in the Cherokee Nation, Ind. T. Office became Presidential January 1, 1904.

IOWA.

Thomas J. Ochiltree to be postmaster at Morning Sun, in the county of Louisa and State of Iowa, in place of Thomas J. Ochiltree. Incumbent's commission expires January 23, 1904.

Charlie B. Warner to be postmaster at Central City, in the county of Linn and State of Iowa. Office became Presidential January 1, 1904.

KANSAS.

Frank W. Carroll to be postmaster at Toronto, in the county of Woodson and State of Kansas. Office became Presidential January 1, 1904.

Edward C. Hill to be postmaster at Burr Oak, in the county of Jewell and State of Kansas. Office became Presidential January 1, 1904.

KENTUCKY.

John H. Hankla to be postmaster at Junction City, in the county of Boyle and State of Kentucky. Office became Presidential October 1, 1903.

LOUISIANA.

Rutis Morgan to be postmaster at New Roads, in the parish of Pointe Coupee and State of Louisiana. Office became Presidential October 1, 1903.

Pinckney Weaks to be postmaster at Monroe, in the parish of Ouachita and State of Louisiana, in place of Henry C. Ray, removed.

MAINE

Jonathan F. Jefferds to be postmaster at Livermore Falls, in the county of Androscoggin and State of Maine, in place of Jonathan F. Jefferds. Incumbent's commission expired January 17, 1904.

MARYLAND.

George W. Evans to be postmaster at Aberdeen, in the county of Harford and State of Maryland, in place of George W. Evans. Incumbent's commission expired January 3, 1904.

MASSACHUSETTS.

Charles F. Hammond to be postmaster at Nantucket, in the county of Nantucket and State of Massachusetts, in place of Charles F. Hammond. Incumbent's commission expired January 17, 1904.

George L. Minott to be postmaster at Gardner, in the county of Worcester and State of Massachusetts, in place of George L. Minott. Incumbent's commission expired January 3, 1904.

MICHIGAN.

Edgar B. Gregory to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan, in place of Edgar B. Gregory. Incumbent's commission expired January 3, 1904.

John P. Scott, jr., to be postmaster at Delray, in the county of Wayne and State of Michigan, in place of John P. Scott, jr. Incumbent's commission expires January 23, 1904.

MINNESOTA.

Edward Chard to be postmaster at Belleplaine, in the county of Scott and State of Minnesota. Office became Presidential January 1, 1904.

William R. Edwards to be postmaster at Tracy, in the county of Lyon and State of Minnesota, in place of William R. Edwards. Incumbent's commission expired January 3, 1904.

Warren D. Harden to be postmaster at Le Roy, in the county of Mower and State of Minnesota, in place of Warren D. Harden. Incumbent's commission expires January 23, 1904.

MISSISSIPPI.

Henry C. Majure to be postmaster at Newton, in the county of Newton and State of Mississippi. Office became Presidential January 1, 1904.

Thomas Richardson to be postmaster at Port Gibson, in the county of Claiborne and State of Mississippi, in place of Thomas Richardson. Incumbent's commission expired January 10, 1903.

MISSOURI.

William Beisner to be postmaster at Lockwood, in the county of Dade and State of Missouri. Office became Presidential October 1, 1903.

Frank A. Hardin to be postmaster at Cabool, in the county of Texas and State of Missouri. Office became Presidential January 1, 1904.

Florence M. Low to be postmaster at Hamilton, in the county of Caldwell and State of Missouri, in place of Eugene S. Low, deceased.

NEBRASKA.

Williams T. Owens to be postmaster at Loup City, late Loup, in the county of Sherman and State of Nebraska, in place of William T. Owens, to change name of office.

Marion E. Richardson to be postmaster at Clarks, in the county of Merrick and State of Nebraska. Office became Presidential January 1, 1904.

Daniel N. Wonder to be postmaster at Blue Springs, in the county of Gage and State of Nebraska. Office became Presidential January 1, 1904.

NEW HAMPSHIRE.

George A. McIntire to be postmaster at Milford, in the county of Hillsboro and State of New Hampshire, in place of George A. McIntire. Incumbent's commission expired January 17, 1904.

NEW JERSEY.

William C. Howell to be postmaster at Blairstown, in the county of Warren and State of New Jersey. Office became Presidential January 1, 1904.

Daniel M. Merchant to be postmaster at Morris Plains, in the county of Morris and State of New Jersey, in place of Daniel M. Merchant. Incumbent's commission expired December 19, 1903.

Thomas Moritz to be postmaster at Glenridge, in the county of Essex and State of New Jersey, in place of Thomas Moritz. Incumbent's commission expired January 18, 1904.

William G. Simpson to be postmaster at High Bridge, in the county of Hunterdon and State of New Jersey, in place of William G. Simpson. Incumbent's commission expired January 3, 1904.

NEW MEXICO.

Charles O. Leach to be postmaster at Portales, in the county of Roosevelt and Territory of New Mexico. Office became Presidential January 1, 1904.

NEW YORK.

Robert G. Anderson to be postmaster at Freeport, in the county of Nassau and State of New York, in place of Robert G. Anderson. Incumbent's commission expires January 23, 1904.

Albert H. Clark to be postmaster at Silver Springs, in the county of Wyoming and State of New York. Office became Presidential January 1, 1904.

Charles H. Cutler to be postmaster at Au Sable Forks, in the county of Essex and State of New York, in place of William Hopkins, deceased.

William J. Guthrie to be postmaster at Philadelphia, in the county of Jefferson and State of New York, in place of William J. Guthrie. Incumbent's commission expired January 18, 1904.

Thomas A. McWhinney to be postmaster at Lawrence, in the county of Nassau and State of New York, in place of Thomas A. McWhinney. Incumbent's commission expired December 13, 1903.

Charles H. Whitson to be postmaster at Briarcliff Manor, in the county of Westchester and State of New York. Office became Presidential January 1, 1904.

NORTH CAROLINA.

Robert S. Templeton to be postmaster at Mooresville, in the county of Iredell and State of North Carolina. Office became Presidential January 1, 1904.

NORTH DAKOTA.

Wallace Galehouse to be postmaster at Carrington, in the county of Foster and State of North Dakota, in place of Wallace Galehouse. Incumbent's commission expired December 13, 1903.

Jens A. Lyngved to be postmaster at Esmond, in the county of Benson and State of North Dakota. Office became Presidential January 1, 1904.

Edwin H. Wiper to be postmaster at Bowdon, in the county of Wells and State of North Dakota. Office became Presidential January 1, 1904.

OHIO.

Harlow N. Aldrich to be postmaster at Elmore, in the county of Ottawa and State of Ohio, in place of Harlow N. Aldrich. Incumbent's commission expired January 3, 1904.

OKLAHOMA.

Charles D. Campbell to be postmaster at Apache, in the county of Caddo and Territory of Oklahoma. Office became Presidential April 1, 1903.

OREGON.

Alonzo M. Woodford to be postmaster at Medford, in the county of Jackson and State of Oregon, in place of George F. Merriman. Incumbent's commission expired January 17, 1904.

PENNSYLVANIA.

Alonzo M. Frederick to be postmaster at New Kensington, in the county of Westmoreland and State of Pennsylvania, in place of Joseph B. Heister, resigned.

Charles Graffin to be postmaster at Catasauqua, in the county of Lehigh and State of Pennsylvania, in place of Charles Graffin. Incumbent's commission expired January 17, 1904.

Everett W. Greene to be postmaster at Patton, in the county of Cambria and State of Pennsylvania, in place of Everett W. Greene. Incumbent's commission expires January 18, 1904.

John J. Mather to be postmaster at Benton, in the county of Columbia and State of Pennsylvania. Office became Presidential July 1, 1903.

George W. Mullen to be postmaster at Dillsburg, in the county of York and State of Pennsylvania. Office became Presidential January 1, 1904.

Daniel W. Reynolds to be postmaster at Reedsville, in the county of Mifflin and State of Pennsylvania. Office became Presidential January 1, 1904.

G. William Riegel to be postmaster at Bethlehem, in the county of Northamptom and State of Pennsylvania, in the place of Lewis W. Snyder. Incumbent's commission expires January 18, 1904.

Penrose C. Romberger to be postmaster at Elizabethville, in the county of Dauphin and State of Pennsylvania. Office became Presidential January 1, 1904.

SOUTH CAROLINA.

Edgar E. Poag to be postmaster at Rockhill, in the county of York and State of South Carolina, in place of Cadwallader J. Pride, deceased.

TEXAS.

Lida T. Robinson to be postmaster at West, in the county of McLennan and State of Texas, in place of Austin M. Robinson, resigned.

UTAH.

Lars O. Lawrence to be postmaster at Spanish Fork, in the county of Utah and State of Utah. Office became Presidential January 1, 1904.

Joseph Odell to be postmaster at Logan, in the county of Cache and State of Utah, in place of Robert Murdock. Incumbent's commission expired January 17, 1904.

John Peters to be postmaster at American Fork, in the county of Utah and State of Utah. Office became Presidential January 1, 1904.

VIRGINIA.

William H. Mosby to be postmaster at Bedford City, in the county of Bedford and State of Virginia, in place of William H. Mosby. Incumbent's commission expires February 2, 1904.

WEST VIRGINIA.

America M. Baldwin to be postmaster at St. Albans, in the county of Kanawha and State of West Virginia. Office became Presidential April 1, 1903.

George M. Right to be postmaster at Belington, in the county of Barbour and State of West Virginia. Office became Presidential April 1, 1903.

WISCONSIN.

Horace J. Blanchard to be postmaster at Colby, in the county of Marathon and State of Wisconsin. Office became Presidential January 1, 1904.

Albert L. Fontaine to be postmaster at Grand Rapids, in the county of Wood and State of Wisconsin, in place of Albert L. Fontaine. Incumbent's commission expired February 15, 1902.

Ashley S. Higgins to be postmaster at Marinette, in the county of Green Lake and State of Wisconsin. Office became Presidential January 1, 1904.

Joseph E. Parry to be postmaster at Florence, in the county of Florence and State of Wisconsin, in place of Joseph E. Parry. Incumbent's commission expires January 23, 1904.

Theodore Riel to be postmaster at Burlington, in the county of Racine and State of Wisconsin, in place of Theodore Riel. Incumbent's commission expired January 17, 1904.

Charles W. Tyler to be postmater at Mellen, in the county of Ashland and State of Wisconsin. Office became Presidential January 1, 1904.

Lansing A. Wilcox to be postmaster at Cadott, in the county of Chippewa and State of Wisconsin. Office became Presidential January 1, 1904.

Buck Williams to be postmaster at Iola, in the county of Waupaca and State of Wisconsin. Office became Presidential January 1, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 18, 1904.

AUDITOR FOR POST-OFFICE DEPARTMENT.

Joseph J. McCardy, of Minnesota, to be Auditor for the Post-Office Department.

APPOINTMENTS IN THE ARMY.

Artillery Corps.

Col. John P. Story, Artillery Corps, to be Chief of Artillery with the rank of brigadier-general.

Pay Department.

Col. Francis S. Dodge, Assistant Paymaster-General, to be Paymaster-General with the rank of brigadier-general for the period of four years.

To be major-generals.

Brig. Gen William A. Kobbé, United States Army, January 9, 1904.
Brig. Gen. Joseph P. Sanger, United States Army.
Brig. Gen. Alfred E. Bates, Paymaster-General.
Brig. Gen. Wallace F. Randolph, Chief of Artillery.

To be brigadier-generals.

Col. Alfred Mordecai, Ordnance Department.
Col. Harry L. Haskell, Third Infantry.
Col. Forrest H. Hathaway, Assistant Quartermaster-General.
Col. Asher C. Taylor, Artillery Corps.
Col. John G. Butler, Ordnance Department.
Lieut. Col. Charles J. Allen, Corps of Engineers.
Lieut. Col. Theodore E. True, Deputy Quartermaster-General.
Col. Frank M. Coxe, Assistant Paymaster-General.
Col. Jacob Kline, Twenty-first Infantry.
Col. William E. Dougherty, Eighth Infantry.
Col. William S. McCaskey, Twentieth Infantry.

PROMOTIONS IN THE ARMY.

Pay Department.

Lieut. Col. Francis S. Dodge, Deputy Paymaster-General, to be Assistant Paymaster-General with the rank of colonel.

Cavalry Arm.

First Lieut. Willard H. McCormack, Eleventh Cavalry, to be captain, December 21, 1903.

Second Lieut. Oscar S. Lusk, Twelfth Cavalry, to be first lieutenant, December 21, 1903.

Infantry Arm.

First Lieut. Joseph L. Gilbreth, Fourteenth Infantry, to be captain, November 21, 1903.

Second Lieut. Nels Dicmann Anderson, Seventh Infantry (now serving under the name of Nels Anderson), to be first lieutenant of infantry, September 23, 1903.

RECEIVER OF PUBLIC MONEYS.

Albert A. Roberts to be receiver of public moneys at La Grande, Oreg.

POSTMASTERS.

CONNECTICUT.

Charles Harris to be postmaster at Westport, in the county of Fairfield and State of Connecticut.

William H. Kenyon to be postmaster at Moosup, in the county of Windham and State of Connecticut.

DELAWARE.

William B. Fleming to be postmaster at Harrington, in the county of Kent and State of Delaware.

ILLINOIS.

Albert Bothfuhr to be postmaster at Grant Park, in the county of Kankakee and State of Illinois.

Walker T. Butler to be postmaster at Sidell, in the county of Vermilion and State of Illinois.

Archibald B. Campbell to be postmaster at Tolono, in the county of Champaign and State of Illinois.

William Clemans to be postmaster at Mansfield, in the county of Platt and State of Illinois.

Lewis J. Farmer to be postmaster at Tamaroa, in the county of Perry and State of Illinois.

Howard E. White to be postmaster at Fairmount, in the county of Vermilion and State of Illinois.

INDIANA.

Joshua P. Albright to be postmaster at Fremont, in the county of Steuben and State of Indiana.

Charles C. Fesler to be postmaster at Clay City, in the county of Clay and State of Indiana.

IOWA.

Daniel Anderson to be postmaster at Lamoni, in the county of Decatur and State of Iowa.

Wellington H. Gowdy to be postmaster at Corwith, in the county of Hancock and State of Iowa.

MASSACHUSETTS.

George H. Seymour to be postmaster at Monson, in the county of Hampden and State of Massachusetts.

MICHIGAN.

Ralph D. Harris to be postmaster at Almont, in the county of Lapeer and State of Michigan.

George Preston to be postmaster at Grass Lake, in the county of Jackson and State of Michigan.

MINNESOTA.

Clarence J. Buckley to be postmaster at Delano, in the county of Wright and State of Minnesota.

Newton H. Ingersoll to be postmaster at Brainerd, in the county of Crow Wing and State of Minnesota.

Emil Nelson to be postmaster at Albert Lea, in the county of Freeborn and State of Minnesota.

Albert W. Swanson to be postmaster at Royalton, in the county of Morrison and State of Minnesota.

NEBRASKA.

Samuel B. Hall to be postmaster at Ashland, in the county of Saunders and State of Nebraska.

Thomas A. Healey to be postmaster at Milford, in the county of Seward and State of Nebraska.

Leander H. Jewett to be postmaster at Broken Bow, in the county of Custer and State of Nebraska.

John M. Jones to be postmaster at Clay Center, in the county of Clay and State of Nebraska.

John M. Mills to be postmaster at Laurel, in the county of Cedar and State of Nebraska.

NEW JERSEY.

Evan F. Benners to be postmaster at Moorestown, in the county of Burlington and State of New Jersey.

NEW MEXICO.

Thomas W. Collier to be postmaster at Raton, in the county of Colfax and Territory of New Mexico.

NEW YORK.

William B. Adams to be postmaster at Bedford Station, in the county of Westchester and State of New York.

Augustus De Witt, jr., to be postmaster at Maspeth, in the county of Queens and State of New York.

Thomas H. Dickinson to be postmaster at Champlain, in the county of Clinton and State of New York.

Henry E. Harms to be postmaster at Allegany, in the county of Cattaraugus and State of New York.

Alexander M. Harriott to be postmaster at Rye, in the county of Westchester and State of New York.

John Heald to be postmaster at Wappingers Falls, in the county of Dutchess and State of New York.

Austin Hicks to be postmaster at Great Neck, in the county of Nassau and State of New York.

John Hopkins to be postmaster at Hyde Park, in the county of Dutchess and State of New York.

Charles T. Knight to be postmaster at Monroe, in the county of Orange and State of New York.

Hiram B. Odell to be postmaster at Newburgh, in the county of Orange and State of New York.

Samuel H. Parsons to be postmaster at East Hampton, in the county of Suffolk and State of New York.

Edward C. Ripley to be postmaster at Hillburn, in the county of Rockland and State of New York.

De Witt C. Titus to be postmaster at Hempstead, in the county of Nassau and State of New York.

Albert Weed to be postmaster at Ticonderoga, in the county of Essex and State of New York.

NORTH CAROLINA.

John L. Matheson to be postmaster at Wadesboro, in the county of Anson and State of North Carolina.

John L. Phelps to be postmaster at Plymouth, in the county of Washington and State of North Carolina.

OKLAHOMA.

Charles F. Hartrouft to be postmaster at Foss, in the county of Washita and Territory of Oklahoma.

William E. McGuire to be postmaster at Pawhuska, in the county of Osage Nation and Territory of Oklahoma.

J. Ed Van Matre to be postmaster at Leger, in the county of Greer and Territory of Oklahoma.

PENNSYLVANIA.

Crawford H. McGee to be postmaster at Mahaffey, in the county of Clearfield and State of Pennsylvania.

Joseph Moody to be postmaster at Tremont, in the county of Schuylkill and State of Pennsylvania.

John P. Wilson to be postmaster at Manor, in the county of Westmoreland and State of Pennsylvania.

WISCONSIN.

William W. Chapman to be postmaster at Horicon, in the county of Dodge and State of Wisconsin.

Joseph E. Parmelee to be postmaster at West Salem, in the county of La Crosse and State of Wisconsin.

Kirby Thomas to be postmaster at Superior, late West Superior, in the county of Douglas and State of Wisconsin.

Frank Tucker to be postmaster at Princeton, in the county of Green Lake and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 18, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Thursday, January 14, was read, corrected, and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 2559. An act granting a pension to James Graham;
S. 2639. An act granting an increase of pension to David M. Kanouse;
S. 2298. An act granting a pension to P. J. Conway;
S. 2093. An act granting an increase of pension to Victoria M. Steele;
S. 880. An act granting an increase of pension to Allen W. (alias Albert) Hall;
S. 265. An act granting an increase of pension to Frances Gray;
S. 980. An act granting an increase of pension to Mary Von Kusserow;
S. 1938. An act granting an increase of pension to Aldridge Patterson;
S. 2509. An act granting an increase of pension to Abner B. Edson;
S. 2496. An act granting an increase of pension to Ebenezer Wing;
S. 1428. An act granting an increase of pension to George Pennington;
S. 594. An act granting an increase of pension to Finley T. Johnson;
S. 1954. An act granting an increase of pension to Benton D. Bitner;
S. 2236. An act granting an increase of pension to James Reed;
S. 2858. An act granting an increase of pension to Delia B. Stuart;
S. 2947. An act granting an increase of pension to Thomas Bratton;
S. 2418. An act granting a pension to Marit Johnson;
S. 1953. An act granting a pension to Susan Fenno;
S. 1555. An act granting an increase of pension to Owen E. Newton;
S. 2712. An act granting an increase of pension to Harriet Billings;
S. 593. An act granting an increase of pension to William H. Horn;
S. 1956. An act granting an increase of pension to Seth L. Craig;
S. 136. An act granting an increase of pension to Mary T. Strickland;
S. 2440. An act granting an increase of pension to George Olsen;
S. 2577. An act granting an increase of pension to Albert Marshall;
S. 2668. An act granting an increase of pension to Alpheus Fawcett;
S. 1451. An act granting an increase of pension to Mrs. William T. Hord;
S. 2126. An act granting an increase of pension to Thomas Williams;
S. 1689. An act granting an increase of pension to Henry H. Houghton;
S. 2128. An act granting an increase of pension to George A. Seebold;

S. 1688. An act granting an increase of pension to Frederick Bellman;
S. 3166. An act granting an increase of pension to Levi B. Lewis;
S. 2549. An act granting an increase of pension to Charles W. Jellison;
S. 2542. An act granting an increase of pension to James E. Larkin;
S. 1239. An act granting an increase of pension to John Adamson;
S. 1242. An act granting an increase of pension to Thomas Davis;
S. 167. An act granting an increase of pension to J. Hudson Kibbe;
S. 2548. An act granting an increase of pension to Emma McFarland;
S. 2374. An act granting an increase of pension to Alonzo Moses;
S. 189. An act granting an increase of pension to Edwin H. Wheeler;
S. 191. An act granting an increase of pension to Francis Roy;
S. 1911. An act granting an increase of pension to Ambrose W. Severance;
S. 2517. An act granting an increase of pension to Elijah Farr;
S. 128. An act granting an increase of pension to Clara M. Gihon;
S. 2643. An act granting an increase of pension to Melinda J. Chapman;
S. 2527. An act granting an increase of pension to Joseph Roberts;
S. 1912. An act granting a pension to Joseph W. Booker;
S. 2373. An act granting an increase of pension to Charles Cummings;
S. 1241. An act granting an increase of pension to Hamlet F. Roberts;
S. 2230. An act granting an increase of pension to Mary C. Lothrop;
S. 3 42. An act granting an increase of pension to Leonard G. Freeman;
S. 2797. An act granting an increase of pension to Edward A. Cotting;
S. 797. An act granting a pension to Mary H. Allen;
S. 2543. An act granting an increase of pension to Ella B. Green;
S. 2544. An act granting an increase of pension to Albert T. Severance;
S. 897. An act granting an increase of pension to Lewis D. Frogge;
S. 2250. An act granting an increase of pension to Anna Pritchard;
S. 891. An act granting an increase of pension to Edwin R. Cole;
S. 1802. An act granting an increase of pension to Isaac M. Couch;
S. 895. An act granting an increase of pension to Charles Disbrow;
S. 142. An act granting an increase of pension to Henry W. Nichols;
S. 889. An act granting an increase of pension to Catherine A. Brown;
S. 1799. An act granting an increase of pension to Charles E. Decker;
S. 2245. An act granting an increase of pension to Daniel Fritz;
S. 136. An act granting an increase of pension to Mary T. Strickland;
S. 681. An act granting an increase of pension to Isaiah Larkins;
S. 1947. An act granting an increase of pension to Patrick Judge;
S. 822. An act granting an increase of pension to Marquis L. Stevens;
S. 2612. An act granting a pension to Sarah J. Bellamy;
S. 2392. An act granting an increase of pension to William W. Misner;
S. 1760. An act granting a pension to Ann A. Devore;
S. 2364. An act granting a pension to Mary E. Haren;
S. 2416. An act granting an increase of pension to Mary Joanna Adams;
S. 2222. An act granting a pension to Richard A. Kendall;
S. 2309. An act granting an increase of pension to Jesse J. Finley;
S. 486. An act granting a pension to Green B. Yawn;
S. 1358. An act granting an increase of pension to William W. Lackey;
S. 1956. An act granting a pension to Robert Kelly;
S. 2576. An act granting an increase of pension to James Redshaw;
S. 38. An act granting an increase of pension to Miriam R. Adams;
S. 2068. An act granting an increase of pension to Julia A. Roberts;
S. 2061. An act granting an increase of pension to William H. Barlow;
S. 1487. An act creating an additional land office in the State of North Dakota;
S. 335. An act to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust fund, and for other purposes;
S. 201. An act to establish a port of delivery at Salt Lake City, Utah;
S. 197. An act to establish an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota;
S. 2225. An act to provide a depot for the Revenue-Cutter Service;
S. 576. An act extending to subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement;
S. 2388. An act to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902; and
S. 1343. An act to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," and so forth, and for other purposes.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 7849. An act to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. R. 31) authorizing the erection and maintenance of a statue in memory of the late President Benjamin Harrison upon land owned by the United States in the city of Indianapolis, State of Indiana.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2689. An act granting an increase of pension to David M. Kanouse—to the Committee on Invalid Pensions.
S. 2298. An act granting a pension to P. J. Conway—to the Committee on Invalid Pensions.
S. 2093. An act granting an increase of pension to Victoria M. Steele—to the Committee on Invalid Pensions.
S. 880. An act granting an increase of pension to Allen W. (alias Albert) Hall—to the Committee on Invalid Pensions.
S. 265. An act granting an increase of pension to Frances Gray—to the Committee on Invalid Pensions.
S. 980. An act granting an increase of pension to Mary Von Kusserow—to the Committee on Invalid Pensions.
S. 1938. An act granting an increase of pension to Aldridge Patterson—to the Committee on Pensions.
S. 2509. An act granting an increase of pension to Abner B. Edson—to the Committee on Invalid Pensions.
S. 2496. An act granting an increase of pension to Ebenezer Wing—to the Committee on Invalid Pensions.
S. 1428. An act granting an increase of pension to George Pennington—to the Committee on Invalid Pensions.
S. 594. An act granting an increase of pension to Finley T. Johnson—to the Committee on Invalid Pensions.
S. 1954. An act granting an increase of pension to Benton D. Bitner—to the Committee on Invalid Pensions.
S. 2236. An act granting an increase of pension to James Reed—to the Committee on Invalid Pensions.
S. 2418. An act granting a pension to Marit Johnson—to the Committee on Invalid Pensions.
S. 1953. An act granting an increase of pension to Susan Fenno—to the Committee on Invalid Pensions.
S. 1555. An act granting an increase of pension to Owen E. Newton—to the Committee on Invalid Pensions.
S. 598. An act granting an increase of pension to William H. Horn—to the Committee on Invalid Pensions.
S. 1956. An act granting an increase of pension to Seth L. Craig—to the Committee on Invalid Pensions.
S. 2440. An act granting an increase of pension to George Olsen—to the Committee on Invalid Pensions.
S. 2126. An act granting an increase of pension to Thomas Williams—to the Committee on Invalid Pensions.

S. 2128. An act granting an increase of pension to George Seebold—to the Committee on Invalid Pensions.
S. 1688. An act granting an increase of pension to Frederick Bellman—to the Committee on Invalid Pensions.
S. 2542. An act granting an increase of pension to James E. Larkin—to the Committee on Invalid Pensions.
S. 1239. An act granting an increase of pension to John Adamson—to the Committee on Invalid Pensions.
S. 1242. An act granting an increase of pension to Thomas Davis—to the Committee on Invalid Pensions.
S. 167. An act granting an increase of pension to J. Hudson Kibbe—to the Committee on Invalid Pensions.
S. 2374. An act granting an increase of pension to Alonzo Moses—to the Committee on Invalid Pensions.
S. 189. An act granting an increase of pension to Edwin H. Wheeler—to the Committee on Invalid Pensions.
S. 191. An act granting an increase of pension to Francis Roy—to the Committee on Invalid Pensions.
S. 2517. An act granting an increase of pension to Elijah Farr—to the Committee on Invalid Pensions.
S. 2527. An act granting an increase of pension to Joseph Roberts—to the Committee on Invalid Pensions.
S. 1912. An act granting an increase of pension to Joseph W. Booker—to the Committee on Invalid Pensions.
S. 2373. An act granting an increase of pension to Charles Cummings—to the Committee on Invalid Pensions.
S. 1241. An act granting an increase of pension to Hamlet F. Roberts—to the Committee on Invalid Pensions.
S. 2230. An act granting an increase of pension to Mary C. Lothrop—to the Committee on Invalid Pensions.
S. 2642. An act granting an increase of pension to Leonard G. Freeman—to the Committee on Invalid Pensions.
S. 797. An act granting a pension to Mary H. Allen—to the Committee on Invalid Pensions.
S. 2543. An act granting an increase of pension to Ella B. Green—to the Committee on Invalid Pensions.
S. 2544. An act granting an increase of pension to Albert T. Severance—to the Committee on Invalid Pensions.
S. 897. An act granting an increase of pension to Lewis D. Frogge—to the Committee on Invalid Pensions.
S. 2250. An act granting an increase of pension to Anna Pritchard—to the Committee on Invalid Pensions.
S. 891. An act granting an increase of pension to Edwin R. Cole—to the Committee on Invalid Pensions.
S. 1802. An act granting an increase of pension to Isaac M. Couch—to the Committee on Invalid Pensions.
S. 895. An act granting an increase of pension to Charles Disbrow—to the Committee on Invalid Pensions.
S. 142. An act granting an increase of pension to Henry W. Nichols—to the Committee on Invalid Pensions.
S. 889. An act granting an increase of pension to Catherine A. Brown—to the Committee on Invalid Pensions.
S. 2245. An act granting an increase of pension to Daniel Fritz—to the Committee on Invalid Pensions.
S. 136. An act granting an increase of pension to Mary T. Strickland—to the Committee on Invalid Pensions.
S. 681. An act granting an increase of pension to Isaiah Larkins—to the Committee on Invalid Pensions.
S. 822. An act granting an increase of pension to Marquis L. Stevens—to the Committee on Invalid Pensions.
S. 2392. An act granting an increase of pension to William W. Misner—to the Committee on Invalid Pensions.
S. 1760. An act granting a pension to Anna A. Devore—to the Committee on Pensions.
S. 2416. An act granting an increase of pension to Mary Joanna Adams—to the Committee on Invalid Pensions.
S. 2222. An act granting a pension to Richard A. Kendall—to the Committee on Invalid Pensions.
S. 1358. An act granting an increase of pension to William W. Lackey—to the Committee on Invalid Pensions.
S. 38. An act granting an increase of pension to Miriam R. Adams—to the Committee on Invalid Pensions.
S. 2068. An act granting an increase of pension to Julia A. Roberts—to the Committee on Invalid Pensions.
S. 2061. An act granting an increase of pension to William H. Barlow—to the Committee on Invalid Pensions.
S. 1487. An act creating an additional land office in the State of North Dakota—to the Committee on the Public Lands.
S. 335. An act to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust fund, and for other purposes—to the Committee on Indian Affairs.
S. 201. An act to establish a port of delivery at Salt Lake City, Utah—to the Committee on Ways and Means.
S. 197. An act to establish an Indian agricultural school at or near the city of Wahpeton, in the State of North Dakota—to the Committee on Indian Affairs.
S. 2225. An act to provide a depot for the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.
S. 576. An act extending to subports of Spokane, Blaine, Sumas, and Nelson, in the State of Washington, the privileges of the seventh section of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise without appraisement—to the Committee on Ways and Means.
S. 1343. An act to amend an act approved March 3, 1899, entitled "An act to amend an act entitled 'An act to reimburse the governors of States and Territories for expenses incurred by them in aiding the United States to raise and organize and supply and equip the Volunteer Army of the United States in the existing war with Spain,' approved July 8, 1898," etc., and for other purposes—to the Committee on War Claims.

COMMITTEE ON INDIAN AFFAIRS.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent that the Committee on Indian Affairs be permitted to sit during sessions of the House, and also that they be allowed to have such printing and binding done as they find necessary.

The SPEAKER. The gentleman from New York asks unanimous consent that the Committee on Indian Affairs be permitted to sit during sessions of the House and have such printing and binding done as is necessary. Is there objection?

There was no objection.

COMMITTEE RESIGNATIONS.

The SPEAKER laid before the House the following communication:

JANUARY 11, 1904.

Hon. JOSEPH G. CANNON, *Speaker*.

Mr. SPEAKER: I respectfully tender herewith my resignation as a member of the Committee on Coinage, Weights, and Measures, and beg that you will accept the same.

Respectfully, J. M. GRIGGS.

The SPEAKER. If there be no objection, the gentleman from Georgia will be excused from service upon that committee.

There was no objection.

Also the following communication:

JANUARY 11, 1904.

Hon. JOSEPH G. CANNON,
Speaker House of Representatives, City.

Mr. SPEAKER: I hereby tender you my resignation as a member of the Committee on Revision of the Laws.

Very respectfully, THOMAS W. HARDWICK.

The SPEAKER. If there be no objection, the gentleman from Georgia will be excused from further service upon that committee.

There was no objection.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the following committee appointments:

To be a member of the Committee on Coinage, Weights, and Measures, Mr. HARDWICK of Georgia.

To be a member of the Committee on the Revision of the Laws, Mr. GARBER of Ohio.

To be chairman of the Committee on Patents, Mr. CURRIER of New Hampshire.

WIDOW OF JOHN W. DEARDORFF.

Mr. HILDEBRANT. Mr. Speaker, I am directed by the Committee on Accounts to report, with a favorable recommendation, the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay to Eliza Deardorff, widow of John W. Deardorff, late a messenger of the House of Representatives, a sum equal to six months' salary, and funeral expenses not exceeding $250.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

WIDOW OF WILLIAM O. BECKENBAUGH.

Mr. HILDEBRANT. Mr. Speaker, I am directed by the Committee on Accounts to report, with a favorable recommendation, the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to pay to the widow of William O. Beckenbaugh, late a member of the police force of the United States Capitol, a sum equal to six months' pay at the rate of compensation received by him at the time of his death, and a further sum, not exceeding $250, on account of expenses of his last illness and his burial; said amounts to be paid out of the contingent fund.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ASSISTANTS IN DOCUMENT ROOMS AND JANITOR.

Mr. HILDEBRANT. Mr. Speaker, I am directed by the Committee on Accounts to report, with a favorable recommendation, the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Doorkeeper of the House is hereby authorized to appoint three assistants in the document room, at $1,000 each per annum, and one janitor, at $720 per annum, to be paid from the contingent fund of the House until otherwise provided by law.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

ABATEMENT OF NUISANCES IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6289) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes, which I will send to the desk and ask to have read, with the amendments thereto.

The Clerk read as follows:

Be it enacted, etc., That whenever the owner of any real property in the District of Columbia shall fail or refuse, after the service of reasonable notice in the manner hereinafter provided, to correct any condition which exists on or has arisen from such property in violation of law or of any regulation made by authority of law, with the correction of which condition said owner is by law or by said regulation chargeable, or to show cause sufficient in the judgment of the Commissioners of said District, why he should not be required to correct such condition, then, and in that instance, the Commissioners of the District of Columbia may, and they are hereby authorized to, cause such condition to be corrected; assess the cost of correcting such condition and all expenses incident thereto (including the cost of publication, if any, hereinafter provided for) as a tax against the property, on which such condition existed or from which such condition arose, as the case may be; and carry such tax on the regular tax rolls of said District, and collect such tax in the same manner as general taxes in said District are collected: *Provided*, That the correction of any condition aforesaid by said Commissioners under authority of this section shall not relieve the owner of the property on which such condition existed, or from which such condition arose, from criminal prosecution and punishment for having caused or allowed such unlawful condition to arise or for having failed or refused to correct the same.

SEC. 2. That for the purpose of carrying into effect section 1 of this act the Commissioners of the District of Columbia and all other persons, including contractors and employees of contractors acting under their authority or by their direction, be, and they are hereby, authorized to enter upon and into any lands and tenements in said District, during all reasonable hours, to inspect the same and to do whatever may be necessary to correct, in a good and workmanlike manner, any condition that exists on or has arisen from such lands or tenements in violation of law or of any regulation made by authority of law, with the correction of which condition the owner of said lands or tenements is by law or such regulation chargeable. Any person who shall hinder, interfere with, or prevent any inspection or work authorized by this act shall, upon conviction thereof, be punished by a fine not exceeding $100 or by imprisonment for a period not exceeding three months, or by both such fine and imprisonment, in the discretion of the court.

SEC. 3. That for the purposes of this act any notice required by law or by any regulation aforesaid to be served shall be deemed to have been served (a) if delivered to the person to be notified, or if left with any adult person at the usual residence or place of business of the person to be notified, in the District of Columbia; or (b) if no such residence or place of business can be found in said District by reasonable search, if left with any adult person at the office of any agent of the person to be notified, which agent has any authority or duty with reference to the land or tenement to which said notice relates; or (c) if no such office can be found in said District by reasonable search, if forwarded by registered mail to the last known address of the person to be notified and not returned by the post-office authorities; or (d) if no address be known or can by reasonable diligence be ascertained, or if any notice forwarded as authorized by the preceding clause of this section be returned by the post-office authorities, if published on three consecutive days in a daily newspaper published in the District of Columbia; or (e) if by reason of an outstanding, unrecorded transfer of title the name of the owner in fact can not be ascertained beyond a reasonable doubt, if served on the owner of record in the manner hereinbefore in this section provided. Any notice required by law or by any regulation aforesaid to be served on a corporation shall for the purposes of this act be deemed to have been served on any such corporation if served on the president, secretary, treasurer, general manager, or any principal officer of such corporation in the manner hereinbefore provided for the service of notices on natural persons holding property in their own right; and, if required to be served on any foreign corporation, if served on any agent of such corporation personally, or if left with any adult person at the usual residence or place of business of such agent in the District of Columbia. Every notice aforesaid shall be in writing or printing, or partly in writing and partly in printing; shall be addressed or name to the person to be notified; shall describe with certainty the character and location of the unlawful condition to be corrected, and shall allow a reasonable time to be specified in said notice, within which the person notified may correct such unlawful condition or show cause why he should not be required to do so.

SEC. 4. That all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed.

The amendments were read, as follows:

Page 3, line 11, strike out the words "with any adult person."

Page 3, line 12, add at the end of the line the following: "with a person of suitable age and discretion then resident therein."

Page 3, line 13, strike out the words "in the District of Columbia."

Page 3, line 15, strike out the word "adult" and insert after the word "person" the following: "of suitable age and discretion employed therein."

Page 4, line 14, strike out the word "adult" and add after the word "person" the following: "of suitable age and discretion residing."

Page 4, line 15, insert after the word "or" the words "employed at the."

Mr. BABCOCK. Mr. Speaker, I move the adoption of the amendments.

Mr. ROBINSON of Indiana. Mr. Speaker, I would like to have the gentleman make some explanation of the bill. The bill seems to cover a whole field of delinquencies which might well now be the subject of law. I would like the gentleman to state to what subject this bill particularly relates.

Mr. BABCOCK. Mr. Speaker, I thought that the bill in itself was so clear that it needed no explanation. I will state just what the bill accomplishes in a few moments.

In the struggle in the city of Washington to promote the public health the present law has been found to be deficient in attempting to reach nonresidents, and also in the collection of the necessary expenditures for correcting these abuses.

This bill is for the purpose of specifically reaching nonresidents, and it provides a very equitable manner of service—how service shall be made, how publication shall be made, and how a legal service can be accomplished if the owner can not be found or located.

The bill further provides that wherever a nuisance is ordered abated and the property holder declines to do it, the Commissioners, through the proper officers of the District, may go ahead and abate the nuisance, and the expense of the same may be taxed up against the property as an ordinary tax levy.

Mr. HEPBURN. Will the gentleman permit a question?

Mr. BABCOCK. Certainly.

Mr. HEPBURN. Would this bill apply to a nuisance created by snow being permitted to accumulate upon sidewalks?

Mr. BABCOCK. No. This is entirely a health bill.

Mr. HEPBURN. It has no relation to snow and ice?

Mr. BABCOCK. No, sir.

Mr. HEPBURN. Could it not be made to cover that subject?

Mr. BABCOCK. It would take a very long amendment to meet anything of that kind.

Mr. BARTLETT. Will the gentleman from Wisconsin [Mr. BABCOCK] yield to me a moment?

Mr. BABCOCK. Certainly.

Mr. BARTLETT. I should like to call the attention of the gentleman to a provision in section 3 as to the manner of service of notice upon parties who have nuisances upon their premises which this bill undertakes to abate.

Mr. BABCOCK. I did not quite hear the gentleman's suggestion.

Mr. BARTLETT. I was going to call attention to the provision in section 3 of this bill for the manner of service of notice upon nonresidents requiring them to abate a nuisance, and also providing that upon the notice after service not receiving attention within a given time steps shall be taken by the District authorities to abate the nuisance, certain penalties to be imposed upon the party so neglecting. Does the gentleman think that upon a notice of the character provided in this section, served in the manner provided, the courts will hold that it is a sufficient service of notice upon the party against whom proceedings in the nature of criminal proceedings are to be instituted, and he to be mulcted in fines or penalties for failure to perform such requirements as the notice calls for? I call the gentleman's attention to the language of the amendment which he now proposes to add to the bill—

To be notified by leaving with a person of suitable age and discretion then resident therein.

Now, can the gentleman tell me what that language means? How old must a person be to be "a person of suitable age and discretion?" The gentleman will remember that if the requirement contained in this notice is not complied with by the nonresident, certain proceedings are to follow, and certain pains and penalties are to be inflicted for failure to comply with that requirement.

Mr. BABCOCK. I will say in answer to the gentleman from Georgia [Mr. BARTLETT] that this bill does not deal with criminal business or criminal proceedings at all; it does not interfere with that branch of the law directly or indirectly. It only provides a means for doing this specific thing—that is, to abate nuisances.

Now, in reference to the amendment that the gentleman mentions, that was duly considered by the lawyers on the committee; and the only objection made was by one gentleman who objected to the word "adult" as originally contained in the bill. His objection was that notice might be left with a person of unsound mind, or deaf, or blind. But the gentlemen of the committee thought that if the words "person of suitable age and discretion" were used, that language would be construed by the courts to mean a person old enough to understand what the notice was and of suitable discretion. I was constrained to think that the gentlemen of the committee were right, and I agreed to the amendment, thinking that it improved the bill. I believe the gentleman himself will so think when he considers the matter carefully.

Mr. BARTLETT. Mr Speaker, I doubt very much whether or not the courts—especially the Supreme Court of the United States—will hold that any person can be proceeded against and be mulcted in fines and penalties for failure to obey the requirements of the law under a notice conveyed to him in the manner provided in this section.

Mr. BABCOCK. The amendment to which the gentleman refers is simply this: We strike out "adult person," and insert "person of suitable age and discretion then resident therein."

The person receiving the notice must be resident on the premises. The intention is to protect the property holder and to see that good and sufficient notice is served.

Mr. BARTLETT. I fail to make myself understood entirely. The point I suggested to the gentleman was that I doubted whether the courts would hold that the notice provided for in this section would be sufficient notice, upon which, after service of it, a person could be proceeded against criminally and punished for failure to comply with the notice, such notice being served in the manner prescribed in this section.

Mr. BABCOCK. I want to say to the gentleman that I am not a lawyer, and I do not assume to judge what the court may do. The lawyers on the committee who have had charge of it say that this is a good and sufficient notice, and as the result of their many years of experience they approved of that amendment.

Mr. BARTLETT. Well, when I say what the courts will do, I simply judge by what they have done in the past about such notices.

Mr. GILLETT of Massachusetts. Mr. Speaker, may I ask the gentleman a question?

Mr. BABCOCK. Certainly.

Mr. GILLETT of Massachusetts. As the gentleman is on the subject of correcting nuisances, I should like to ask him whether the present great nuisance of the soft-coal smoke, which is so injuring the city, has come to his attention, and whether it needs more law or whether the trouble is in the enforcement of the present law?

Mr. BABCOCK. Mr. Speaker, I will say to the gentleman that previous to the recent coal strike the Commissioners of the District had that matter very well in hand. It had been a subject of legislation, and a good deal of work had been done for years. The city was in the best condition that it ever had been, until they had to change furnaces, and had to burn different kinds of coal here in Washington, because of the strike, and the Commissioners practically had to abandon their crusade against the smoke for the time being. Now, as to just the status at the present time I am unable to say, as I have not conferred with the Commissioners this session in reference to it; but I want to say to the gentleman that the committee intend to give it their attention, and if the law is not sufficient on the subject, to try to bring something to this House that is sufficient.

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

RESUBDIVISION OF LOTS AND BLOCKS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the present consideration of the bill (H. R. 3584) to authorize the resubdivision of lots or blocks in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That where any proposed street of the permanent system of highways affects any lot or block of a subdivision recorded in the office of the surveyor of the District of Columbia, the Commissioners of the District of Columbia may, in their discretion, allow the resubdivision of such lot or block to proceed conforming to the original subdivision until such time as condemnation proceedings are begun for the opening of the proposed street affecting the land to be subdivided.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the bill (H. R. 7023), to amend an act to regulate the height of buildings in the District of Columbia.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc., That section 1 of an act entitled "An act to regulate the height of buildings in the District of Columbia," approved March 1, 1899, be, and the same is hereby, amended by inserting after the word "hotel" in the fourth line thereof, the words "or as a hospital or dormitory," so that said section will read as follows:

"That from and after the approval of this act no combustible or nonfireproof building intended to be used or occupied as a residence, or as an apartment house, or as a hotel, or as a hospital or dormitory in the District of Columbia, shall be erected to a height of more than five stories or raised to a height exceeding 60 feet above the sidewalk, the measurement to be made as hereinafter prescribed."

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

TITLE TO SQUARE 1131, WASHINGTON, D. C.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that the bill H. R. 819 be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill.

The bill (H. R. 819) to quitclaim all interest of the United States of America in and to all of square 1131, in the city of Washington, D. C., to Sidney Bieber was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and required to grant and convey unto Sidney Bieber, and his heirs and assigns, all the right, title, and interest of the United States in and to all of a certain square of land in the city of Washington in the District of Columbia, known upon the plat or plan of said city as square No. 1131, upon the payment by the said Sidney Bieber into the Treasury of the United States of such sum of money as the said Secretary of War, upon consideration of all the circumstances, shall determine proper to be paid by the said Bieber for the said square.

The following committee amendment was read:

In line 4 strike out "required" and insert "directed."

The SPEAKER. The request is for unanimous consent to consider this bill in the House as in Committee of the Whole.

Mr. HEPBURN. Mr. Speaker, before consenting to that, I should like to hear an explanation of the bill.

Mr. BABCOCK. I will say to the gentleman from Iowa that this is a little bill in reference to the title to a certain square, which bill passed the House during the last session, but failed in the Senate. It is pretty thoroughly understood by several Members, and only involves land of an entire valuation of about $200.

Mr. BAKER. May I ask the gentleman why the property is to be transferred?

Mr. BABCOCK. I am going to explain that.

The SPEAKER. Is there objection?

Mr. FITZGERALD. Mr. Speaker, has that bill been reported, and is it on the Calendar?

Mr. BABCOCK. It has been reported and has been on the Calendar for some time. Not only that, but it passed the House in the Fifty-seventh Congress.

The SPEAKER. Is there objection?

Mr. FITZGERALD. May I ask the gentleman upon what Calendar?

The SPEAKER. On the Private Calendar?

Mr. BABCOCK. On the Private or Union Calendar.

The SPEAKER. The Chair hears no objection. The question is on the amendment.

Mr. BAKER. I will ask the gentleman to explain the purpose of the bill.

Mr. BABCOCK. Mr. Speaker, I will say to the gentleman that this bill is to remove the cloud on the title to some land south of square 1130 of the city of Washington that has never been platted or numbered, but is known as 1131. The United States never has asserted title or made any claim to it. Mr. Bieber, who has paid taxes on it and owns the tax titles covering twenty years or more, asks that authority be given the Secretary of War to fix the amount, in his opinion, equitable and proper to be paid the Government for any title it may have, when he (Bieber) will pay the amount determined upon and receive a quitclaim deed from the United States, which will settle the title. If the gentleman will take the report and read it, he will find the detailed information.

Mr. BAKER. I am afraid if I take time to read the report, the bill will pass before I can read it.

Mr. BABCOCK. If the gentleman will take the time to read the report, he will find out all about it. The bill was thoroughly discussed on the floor in the last Congress before it was passed.

Mr. BAKER. As I understand the gentleman, the United States does not claim title to this property.

Mr. BABCOCK. They do not.

Mr. BAKER. They are not asked to transfer some property to which they have any claim?

Mr. BABCOCK. Oh, no.

Mr. BAKER. That is all I wish to know.

The question was taken; and the amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

BUSINESS STREETS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Now, Mr. Speaker, I ask unanimous consent that House bill 9292, relating to business streets in the District of Columbia, on the Union Calendar, be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9292) in relation to business streets in the District of Columbia.

Be it enacted, etc., That the last proviso of the act of July 1, 1898, entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District," is amended so as to read as follows:

"That the Commissioners of the District of Columbia are authorized and directed to denominate portions of streets in the District of Columbia as business streets and to authorize the use, on such portions of streets, for business purposes by abutting property owners, under such general regulations as said Commissioners may prescribe, of so much of the sidewalk and parking as may not be needed, in the judgment of said Commissioners, by the general public, under the following conditions, namely: First, where in a portion of a street not already denominated a business street a majority of a frontage not less than three blocks in length is occupied and used for busi-

ness purposes; and, second, where a portion of a street has already been denominated a business street and there exists adjoining such portion a block or more whose frontage is occupied and used for business purposes."

Mr. SULZER. Mr. Speaker, I would like to know if a report accompanies that bill?

Mr. BABCOCK. I did not hear the gentleman's question.

Mr. SULZER. Is this bill unanimously reported from the Committee?

Mr. BABCOCK. The report is printed in full, if the gentleman wants it.

Mr. SULZER. I would like to have the report read.

The SPEAKER. First, is there objection to the bill being considered in the House as in Committee of the Whole? [After a pause.] The Chair hears none.

Mr. SULZER. I ask to have the report read.

The SPEAKER. Without objection, the report will be read.

The report (by Mr. BABCOCK) was read, as follows:

The Committee on the District of Columbia, to whom was referred the bill (H. R. 9292) in relation to business streets in the District of Columbia, report the same back to the House with the recommendation that it do pass.

This bill was drafted by the Commissioners of the District of Columbia and introduced at their request. Its provisions are explained in the following letter:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 6, 1904.

SIR: The Commissioners of the District of Columbia have the honor to submit herewith a draft of a bill in relation to business streets in the District of Columbia and to request its passage.

The purpose of the bill is to more clearly define the authority of the Commissioners in denominating streets as business streets. The present law on the subject is contained in the parking act, passed July 1, 1898, but its provisions are indefinite in that they do not specify how much of a street shall be occupied for business purposes before it shall be designated a business street. There exist a number of places in the city where there are short blocks—due to diagonal avenues—whose frontage is occupied for business purposes, such as a small store. The locality would not be in any sense a business one, and yet under existing law the Commissioners are directed, when any portion of a street has more than one-half its frontage occupied for business purposes, to declare such portion a business street.

The main difference, under the laws and regulations, between a business street and a street not a business street is in regard to the height allowed buildings. While in the business section the height allowed by existing law is proper, it does not seem desirable to allow such a height in strictly residence sections where a short strip of street may be used for business purposes. For actually carrying on a business there is no difference in the laws and regulations between a business street and a residence street, so that designating a street one thing or the other would not affect a man's business. The Commissioners understand it is the intention of Congress that a street should be denominated a business street when it was really in a business section or covering several blocks, and not that any chance block which has a majority of its frontage used for business purposes should be so designated.

The draft of bill provides that only when a portion of a street (not already declared a business street) three blocks in length is occupied for more than one-half its frontage for business purposes it shall be declared a business street, but when a street is already in part a business street and one additional block is similarly occupied, it shall be added to the business portion of the street.

Very respectfully,

HENRY B. F. MACFARLAND,
President Board of Commissioners, District of Columbia.

Hon. J. W. BABCOCK,
Chairman of Committee on District of Columbia,
House of Representatives.

Mr. MANN. Mr. Speaker, may I ask the gentleman about the bill?

Mr. BABCOCK. Oh, yes.

Mr. MANN. Whether the purpose of this bill is to prevent the erection of apartment buildings on any streets except a business street?

Mr. BABCOCK. This bill does not cover that subject at all. There is another bill in relation to that.

Mr. MANN. I understood from the reading of the report that the difference between a business street and one that was not a business street was a question of the height of the buildings which might be erected upon the street.

Mr. BABCOCK. That is covered by another section of the statute which provides that on business streets certain heights will be permitted and on residence streets certain heights may be permitted.

Mr. MANN. This explains what is a business street and uses the language "business streets," and then uses the term "nonbusiness street," and thereby it will prevent the erection of apartment buildings. Is not that the purpose of the bill?

Mr. BABCOCK. Well, I hardly think the gentleman stated it fairly. I think the purpose of this bill is more clearly to define the powers of the Commissioners as to what the difference is between a business and residence street. Here is the property, say three blocks long, on which are business houses. Now, it requires the petition of 50 per cent of the owners of the next block to have that denominated as a business street. This bill simply defines the difference more clearly between a business street and a residence street.

Mr. BURKETT. I simply ask for information, if the gentleman will allow me to ask him a question. Is there any attempt in this bill to regulate the height of the buildings anywhere along on these streets?

Mr. BABCOCK. No, sir.

Mr. BAKER. Mr. Speaker, I can not hear——

The SPEAKER. Does the gentleman from Wisconsin yield?

Mr. BAKER. I would like very much to hear those questions, but there is so much noise I can not hear. There is a matter of principle involved in this.

The SPEAKER. The House will be in order. Does the gentleman from Wisconsin yield?

Mr. BABCOCK. Certainly.

Mr. BAKER. As I did not hear the reply to the two previous questions, I would like to know whether the effect of the passage of this amendment is still further to permit some owners of land in the District of Columbia—that is, in the city of Washington—to prevent others from developing their property in such manner, whether for business purposes or what not, as they regard best?

Mr. BABCOCK. Oh, no. It is in the hands of the property owners in each block to determine whether their street shall be denominated a business or a residence street. If 50 per cent of the property owners petition the Commissioners of the District to designate it as a business street, then it is investigated, and if the facts warrant it is so designated.

Mr. BAKER. As I understand it, the existing law provides that 50 per cent of the foot frontage upon any street can petition to have it declared a business street, but that until 50 per cent or more so petition business structures can not be erected. That, I understand, is the existing law, and the effect of this amendment is to do what?

Mr. BABCOCK. The effect of this amendment is to more clearly define the proceedings of the Commissioners in the details and the carrying out of their work. It is a regulation more than anything else. It does not affect the property. It does not affect the height of buildings at all.

Mr. BAKER. Then if this amendment is carried it will still require 50 per cent of the foot frontage to petition before business structures can be erected?

Mr. BABCOCK. This does not affect that. That is a separate statute entirely.

Mr. BAKER. If I were absolutely sure, Mr. Speaker, this would not fortify the existing law—which seems to me most objectionable, because I maintain the owners of the land should always be permitted to put their property to the very best use they choose to put it to—if I were sure this does not fortify the law in that particular I should not oppose the amendment. The 50 per cent feature of the existing law, it seems to me, is a most objectionable feature.

Mr. BABCOCK. I ask for a vote, Mr. Speaker.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

CONTESTED-ELECTION CASE OF CONRY V. KELIHER.

Mr. GAINES of West Virginia, from the Committee on Elections No. 1, submitted the following report, with the accompanying resolutions, which were read:

The Committee on Elections No. 1, to whom was referred the contested-election case of Joseph A. Conry v. John A. Keliher from the Ninth Congressional district of Massachusetts, beg leave to make the following report:

It appears that the Ninth Congressional district of Massachusetts, which is located in Boston, is a district of overwhelming Democratic strength. The Democratic Congressional convention in that district in 1902 was unable to agree upon a nominee within the time fixed by the law of Massachusetts for convention nominations. The contestant, Conry, and the contestee, Keliher, were each candidates before the Democratic convention, and after the final adjournment of the convention each became a candidate by petition.

Each of these candidates a few days before the election endeavored to get the support of Hon. JAMES M. GRIGGS, chairman of the Democratic Congressional committee. Each of them communicated with GRIGGS and received a telegram from GRIGGS. Each of these candidates caused to be published, as an advertisement, in certain Boston papers, a telegram purporting to have been received by him or the chairman of his committee from Mr. GRIGGS.

Contestant insists that contestee was guilty of gross fraudulent representations in the publication of the telegram which contestee caused to be published and contestee claims that contestant was guilty of gross fraudulent misrepresentations in the telegram which contestant caused to be published.

Contestant denies, and it is not shown, that he was responsible for the published advertisement of the fraudulent telegram which was published in his interest, and it is not shown that contestee was personally cognizant of the fraud in the telegram published in his interest.

At the election contestee received 10,352 votes and contestant 10,099 votes. Contestant insists that by reason of the false telegram from Mr. GRIGGS, published as a paid advertisement in behalf of contestee, enough voters who would otherwise have voted for contestant were led to vote for contestee. It is not shown by the evidence that any particular person so changed his intention or was led by the advertisement to vote for contestee when he intended otherwise to have voted for contestant.

But contestant urges that it is the duty of the Committee on Elections, and of the House itself, to assume that the publication of a false telegram from the chairman of the Democratic Congressional committee, recommending to the voters of the Ninth Congressional district of Massachusetts that he favors a particular candidate, ought to have great weight.

The telegram published in the interest of contestee purported to be a denial of a previous telegram published in the interest of contestant, both telegrams purporting to be from Mr. GRIGGS. Contestant urges that the telegram published in behalf of contestee, which denied the authenticity of the telegram published in behalf of contestant, attributed such moral turpitude to contestant that many people who read contestee's later telegram, and believed it to be true, were thereby persuaded to vote against contestant because they believed him to have published a falsehood in his own favor.

Contestant urges that it is the duty of the Committee on Elections and the House itself to assume that voters must have been so influenced and must have so changed their votes from contestant to contestee.

It appears to this committee that the claim that the Committee on Elections should assume a certain number of voters in the Congressional district were influenced, because they ought to have been influenced, by improper charges to vote for one candidate when otherwise they would have voted for the other candidate is a claim which belongs in the realm of hypothetical presumptions. To agree to the claims set up by contestant would require a method of ratiocination on our part too fantastic for our minds.

We do not condone the offense of publishing false telegrams or telegrams in a different manner from the one in which they are sent. It may be true that the resident voters in Boston were waiting, with bated breath, to learn what Hon. JAMES M. GRIGGS thought before they cast their ballots. Mr. GRIGGS himself, however, thinks otherwise. His conduct in the matter was very careful and very gentlemanly, as would be expected coming from him.

We are inclined to agree with him that the influence upon the Boston voters of the telegrams sent by him and those published and purporting to have been sent by him has been very much exaggerated by the counsel in this case.

Some allegations of fraudulent voting and of fraudulent colonization of voters have been made by contestant, but not enough votes are involved in these charges to make any change in the result of the election.

The Committee on Elections No. 1, therefore, beg leave to report to the House and respectfully recommend the adoption of the following resolutions:

Resolved, That Joseph A. Conry was not elected a Member of the Fifty-eighth Congress from the Ninth Congressional district of Massachusetts, and is not entitled to a seat therein.

Resolved, That John A. Keliher was elected a Member of the Fifty-eighth Congress from the Ninth Congressional district of Massachusetts, and is entitled to retain his seat therein.

Mr. GAINES of West Virginia. Mr. Speaker, I state simply for the information of the House that this is a unanimous report of the Committee on Elections No. 1.

The resolutions were agreed to.

On motion of Mr. GAINES of West Virginia, a motion to reconsider the vote by which the resolutions were agreed to was laid on the table.

ESTABLISHMENT OF BUILDING LINES, DISTRICT OF COLUMBIA.

Mr. BABCOCK. I ask consideration of the bill H. R. 9311, and ask unanimous consent that it may be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9311) in relation to the establishment of building lines in the District of Columbia.

Be it enacted, etc., That damages awarded in the establishing of building lines under the provisions of the act of Congress to provide for the establishment of building lines on certain streets in the District of Columbia, and for other purposes, approved January 12, 1899, shall be paid out of any funds available for opening, extending, widening, and straightening alleys and minor streets under the provisions of the Code of Law for the District of Columbia; and in all payments under this act the accounting officers shall take into account the assessment for benefits and the award for damages, and shall pay only such part of said award in respect of any lot as may be in excess of the assessment for benefits against the part of such lot not taken, and there shall be credited on such assessment the amount of said award not in excess of said assessment.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin that the bill be considered in the House as in Committee of the Whole? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

THE PINTSCH COMPRESSING COMPANY.

Mr. BABCOCK. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 465) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. VREELAND in the chair.

The CHAIRMAN. The House is now in Committee of the Whole on the state of the Union for the consideration of the bill S. 465, an act to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896, and the Clerk will read the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896, be, and the same is hereby, amended by adding a new section, to stand as section 4, as follows:

"SEC. 4. That the Commissioners of the District of Columbia are hereby authorized to permit extensions of the pipe lines of the said Pintsch Compressing Company to reach the side of the Union Passenger Station or the terminals connected therewith. And the said Commissioners are further authorized to permit the relaying of the pipes of said company to accommodate changes in the authorized grades of streets: *Provided*, That all such work shall be done according to regulations to be approved by the said Commissioners, and under the conditions named in said act, approved May 19, 1896."

Mr. BABCOCK. Mr. Chairman, I want to say just a word in reference to this bill. I made the motion to go into Committee of the Whole House on the state of the Union because the bill had been assigned to the Union Calendar. It is out of its place. There is no reason for the bill being on the Union Calendar. It appropriates no money. It gives away no property. It simply authorizes the officers of the Government to do specific things; and the Speaker of the last House, after an exhaustive examination of the precedents, held that a bill exactly similar to this should go on the House Calendar. But, Mr. Chairman, some gentlemen here, on both sides of the House, desire to discuss this bill to-day. I do not know what particular points they want to bring up, but to accommodate these gentlemen I have moved to go into Committee of the Whole; otherwise I should have asked that the bill be transferred to its proper Calendar.

Mr. Chairman, I now yield to the gentleman from Ohio [Mr. LONGWORTH] fifteen minutes, or possibly half an hour.

Mr. LONGWORTH. Mr. Chairman, I desire to address the House for a few moments on a subject which is not absolutely germane to the bill, but which was brought up the other day by the gentleman from New York [Mr. BAKER]. An attack, in my opinion a gratuitous and unfounded attack, was made upon the administration and good name of the city which, in conjunction with my distinguished colleague, Mr. GOEBEL, I have the honor to represent.

The gentleman from New York, whether by accident or design, chose a time for delivering this diatribe when neither my colleague nor myself was present. He may have thought perhaps that his remarks would go unchallenged at that time at least. But, unfortunately for him, the distinguished gentleman from Ohio, General GROSVENOR, arose and in his characteristic way proceeded to demolish the arguments of the gentleman from New York. I have observed during my brief career in the House that anyone who runs afoul of the gentleman from Ohio in an argument, usually emerges from the conflict looking as if he had been in contact with a buzz saw, which is in many cases more effectual for such a purpose than even a sprinkling cart. [Laughter.]

Now, Mr. Chairman, I do not intend to take up much of the time of the House. I realize that it is late to bring this subject up again, but my reason is that it is the first opportunity that has been allotted to me since my return from Ohio on Thursday. Another reason is that I have not yet had the privilege of seeing the full report of the gentleman's remarks, for they have not, so far as I know, been published in the RECORD, although delivered last Tuesday. I have, however, been told the substance of the gentleman's remarks and desire to make a brief reply.

I am rather surprised that the gentleman desires to record his experiences, disastrous at least to him and his cause, in the campaign last fall in Cincinnati. It was a strange and weird campaign. The Democratic managers had difficulty in procuring orators. The good old-line Democrats, the conservative Jackson and Jefferson Democrats, either repudiated absolutely the platform of isms and fads and socialistic propaganda concocted by the mayor of Cleveland or if they did stand in line they did not want to say much about it.

The most prominent orators in the early part of that campaign were two—one a gentleman who drove about the streets of Cincinnati in a small cart drawn by two milk-white ponies gaily caparisoned and covered with bells, holding in his hand a large blackboard on which he essayed to demonstrate, among other things, that it was impossible for any man to make $50,000 in ten years without filching it from the pockets of the poor people. He had to drop that argument later in the campaign because one of his audience pointed out the fact that if his argument were true, his candidate for governor must be a man not less than 800 years old, in comparison with whom Methuselah would have been a mere child. [Laughter.] The other gentleman was one who, upon his own admission, was the champion long-distance orator of Chicago. He was accustomed to speak for ten hours at a stretch, occasionally moistening his clay with a certain preparation, the name of which he confided to his hearers, saying it was good for the throat. Suddenly, like a thunderclap out of a clear sky, came the announcement from the Democratic campaign committee that the services of the distinguished gentleman from New York had been procured.

The Republican managers rushed to the Congressional Directory to find out all about him. They read his biography through, every word of it. They found that in comparison with other members of the New York delegation, while but young in years, he looked old in print. They read every word of that biography; they took time—they had to. Filled with consternation, they sent for orators from all over the State. They asked Senator HANNA and Senator FORAKER to come to Cincinnati and attempt to relieve that condition. They came, they addressed the people, and, Mr. Chairman, to make a long story short, whatever the reasons may have been, for the first time in the history of Cincinnati the entire Republican ticket carried every single ward of the city and 275 out of three hundred odd precincts, rolling up in the county of Hamilton, out of a total vote of ninety-odd thousand, the magnifi-

cent plurality of 30,000, thereby putting their seal of disapproval on the fads and isms and claptrap of Mr. Johnson and his followers, and saying to the country that they were able and proposed to govern themselves according to their own ideas without any assistance from either Cleveland or from Brooklyn.

Home rule and just taxation was the burden of the song of the alleged Democratic party in Ohio at that time; home rule apparently meaning the interference in the affairs of every other city and just taxation meaning organized opposition to all the measures proposed and passed by the Republicans to relieve the burdens of taxation of the home and the farm by increasing the taxes of the big corporations. The old-line Democrats did not follow Mr. Johnson, and I want to say now that I have the most profound respect for the opinions of Democrats of this school, the followers of Jefferson and Jackson, who, together with the Republicans, placed their seal of disapproval on his propaganda. In my opinion they are as near right on matters of national importance as they can be without joining the Republican party. Cincinnati, according to the gentleman from New York [Mr. BAKER], is burdened with a lot of men who believe that when people are poor and needy and suffering the best thing they can do is to help them out and not tell them how poor and needy and suffering they are. The gentleman has mentioned several by name, among them Mr. Michael Mullen, who is accused of having given away soup—soup, mark you—to poor, starving unfortunates on the river front.

Why, Mr. Chairman, to my certain knowledge Mr. Mullen has done even worse than that. Every year he takes out all the little children in his ward, with their mothers, and puts them on a vile steamboat and takes them up the river to picnic in the woods, where they are subjected all day long to the contaminating influences of the birds and the trees and the flowers and are given harmful ice cream and cake and then brought home listening to a band playing the popular tunes of the day. If that is the kind of man that it is a curse for a city to have, then Cincinnati is indeed cursed. The mayor of the city, though not mentioned by name, comes under the general maladministration that the people of Cincinnati are alleged to be subjected to—Mayor Fleischman—who gives away all his salary and a large portion of his income every year in charity, and who is beloved by every man, woman, and child in Cincinnati, regardless of party. Then Mr. George Cox is alluded to, a man who, unaided and simply through force of ability and character built himself up from a poor working boy to be one of Cincinnati's most eminent citizens, a man of whom there is nobody who does not say that his word is as good as his bond.

If it is a curse to have citizens like this; if is a curse to have clean, able, and upright men to administer the affairs of the city, then Cincinnati is indeed cursed. I do not intend to reply at length and in detail to some of the aspersions cast upon the fair name of Cincinnati. I do not propose to allude at length to what we consider the good things of Cincinnati. I do not propose to talk at length about our well-paved streets, our fine public buildings and parks—all of them supported by the lowest tax rate of any city in the State of Ohio, and there are seventy-one. To give a concrete instance, in Cincinnati a man who owns $1,000 worth of property pays in taxes less than $22. To own the same property in the city of Cleveland costs $28 in taxes. To own the same amount of property in Columbus or in Toledo or Sandusky costs over $30. Is it a curse to have a low tax rate? If so, then Cincinnati is cursed. Cincinnati, among other things, has the largest bank clearings of any city approaching its size in this country—nearly twice as large as the great city of Cleveland, where home rule, according to the late Democratic theory as administered by Mr. Johnson, is practiced. Her credit is unimpeachable. What other city in this country has sold 3 per cent bonds at a premium in the last four years?

If it is a curse to have these things; if it is a curse to have the police department and the fire department and the schools absolutely on a nonpartisan basis and out of politics, then indeed Cincinnati is cursed. I do not propose to go into the subject at length. You gentlemen are not interested in the government of Cincinnati, but the people of Cincinnati are, and I would be ungrateful to my constituents indeed if I did not take opportunity, and the earliest that I could get, to resent in the name of the people of Cincinnati such uncalled-for and unjust attacks as these. There is one thing that the people of Cincinnati have done, and a thing that they will do again. When the insidious snake of socialism raised its head in their midst last fall they throttled it, and mangled it, and they left it for dead, and if, perchance, next fall, stimulated by the eloquence of the gentleman from New York, they find there is a single wag left in its tail they will smash it out of all recognizability. [Applause.]

Mr. POWERS of Massachusetts. Mr. Chairman, I do not know who desires to occupy time on this bill, but I shall be very glad to yield to anyone who wishes to carry on this discussion.

Mr. BARTLETT rose.

Mr. POWERS of Massachusetts. How much time does the gentleman from Georgia wish?

Mr. BARTLETT. About five minutes.

Mr. POWERS of Massachusetts. I yield the gentleman fifteen minutes.

Mr. BARTLETT. I do not want but five.

I understand, Mr. Chairman, as we are in the Committee of the Whole on the state of the Union for the consideration of this bill, that remarks by Members of the House need not necessarily be confined to the subject-matter of the bill. The bill, so far as I am able to gather from a hasty reading of it, is one to which there can be no objection, certainly none by myself.

I desire to call attention to the fact that on the 13th and 14th instant, in a discussion in the Committee of the Whole on the state of the Union, upon the consideration of the executive, judicial, and legislative appropriation bill, I made some reference to appointments in the Post-Office Department under the civil-service law and to violations of that law. I especially called attention to the appointment made in the Post-Office Department of one M. W. Louis as superintendent of the division of supplies. Quoting from the report of the Fourth Assistant Postmaster-General, Mr. Bristow, and using his language, I stated that upon that report and upon the evidence furnished by it that appointment was made contrary to law, and the transfer from the Kansas City post-office was in violation of law.

I have sent to the Clerk's desk a letter written to me since the delivery of those remarks in the House on the 14th instant. This letter is signed by Mr. Louis, whom I do not know, whom I never saw. He claims that the report of the Fourth Assistant Postmaster-General did him injustice and that when the attention of that officer was called to it he refused to correct it. He also claims in his letter that the Fourth Assistant Postmaster-General had himself been guilty of violating the civil-service law in procuring appointments in the Post-Office Department.

In this letter which I propose to have read to the House Mr. Louis says that the Fourth Assistant Postmaster-General not only violated the civil-service law in the appointments which he procured to be made in the Department over which he presided, but that in one instance he had procured to be appointed both his own father and his own son to positions in that Department; and that this was done in violation of the civil-service law; that one was appointed at one place as a laborer at a salary of $600, and was transferred to another place and drew a salary of $1,000 as post-office inspector. That was the father. And he further says that the son, during his vacation from school, was appointed as a laborer in the Post-Office Department and did no service as such.

Before I concluded to have this letter read, as it was written to me by a man whom I did not know, had never seen, and have not yet seen, and as I had given publicity on the floor of the House to circumstances which charged him with violation of law and that his appointment had been made in violation of the civil-service law, I concluded that in fairness to him I ought to give as much publicity to his statement as I gave to the one made by Mr. Bristow. But before finally concluding what I should do I went to the Fourth Assistant Postmaster-General and called his attention to the fact that I had such a letter; that I did not want to do him or any other officer or any man the injustice of having a letter of this character read without letting him know that I had such a letter and the nature of its contents and what I proposed to do with it.

It will thus be seen that the Fourth Assistant Postmaster-General has been informed by me of the contents of the letter. I did not read it to him; but I informed him of its contents and of my purpose at some time to call public attention to it.

Having made the statement that I did before the House on the 14th instant with reference to the appointment of Mr. Louis—a statement embracing charges against him by the Fourth Assistant Postmaster-General, and Mr. Louis having been discharged from the Post-Office Department on the report of that officer—Mr. Louis, whom I repeat I never saw or spoke to, appealed to me to give publicity to his statement.

Having called the attention of the Fourth Assistant Postmaster-General to what I proposed to do, it is proper to say that that officer stated that the allegations as to the appointment of both his father and his son to positions in the Post-Office Department were correct, but that they were regularly appointed.

Having thus recited the statement of the report of the Fourth Assistant Postmaster-General in regard to Mr. Louis, and also the statement of Mr. Louis's letter as to the Fourth Assistant Postmaster-General having violated the civil-service law in the appointment of members of his own family to office, I ask that the letter from Mr. Louis, which I have sent to the desk, be read.

Mr. PAYNE. Do I understand the gentleman to say that the Fourth Assistant Postmaster-General has stated that these appointments were regularly made?

Mr. BARTLETT. He did so state.

Mr. PAYNE. And that they were not in violation of the civil-service law?

Mr. BARTLETT. He did so state; and I thought it proper that I should repeat his statement, which agreed with the statement in the letter of Mr. Louis, so that it may be ascertained by proper inquiry on the part of the gentleman from New York [Mr. PAYNE] or any other gentleman which of these gentlemen is correct in the several matters which have been stated.

Mr. PAYNE. I want to call out that fact and have all the facts.

Mr. BARTLETT. I would not do the Fourth Assistant Postmaster-General an injustice, and when I undertook to quote one part of his statement to me I quoted it all.

Mr. PAYNE. I wanted to call that out, so that the House would understand it.

Mr. BARTLETT. It is not necessary, because I had already stated it.

Mr. PAYNE. I wanted to call it out.

Mr. BARTLETT. You wanted to emphasize it.

Mr. PAYNE. Yes; in view of the fact that the statement of the Fourth Assistant Postmaster-General is based upon a long investigation made by others, while this statement to which the gentleman refers is on the report of a discharged employee, who, if he exists, has some feeling——

Mr. BARTLETT. If who exists?

Mr. PAYNE. The gentleman who writes the letter, whom the gentleman from Georgia does not know.

Mr. BARTLETT. I do not know him, but I know that he exists enough to have been appointed by Mr. Perry Heath, the First Assistant Postmaster-General, as superintendent of the supply division of the Post-Office Department; appointed in violation of the law, as has been charged by Mr. Bristow, which charge has been approved by the President.

Mr. OVERSTREET. Will the gentleman yield for a question?

Mr. BARTLETT. With pleasure. I want to have the letter read.

Mr. OVERSTREET. I believe you stated that you had a conversation with the Fourth Assistant Postmaster-General in reference to this letter.

Mr. BARTLETT. I did.

Mr. OVERSTREET. And called his attention to the contents of it.

Mr. BARTLETT. I did.

Mr. OVERSTREET. And did I understand you correctly that he substantially denied the statements of the letter, except the facts relative to the appointment of the father and son, which he said were regular?

Mr. BARTLETT. I stated that he said that his father and his son had both, while he was in office, been appointed in the postal service, and that they had been regularly appointed.

Mr. OVERSTREET. But as to the transfers being regular or irregular, I understand that he also said that whatever transfers were made were also regular.

Mr. BARTLETT. He did not say anything about transfers. He did not intend from the statement he made to me to exclude anything with reference to being irregular. He said everything was regular.

Mr. OVERSTREET. That is what I mean.

Mr. BARTLETT. Yes. The gentleman knows that I would not do the Fourth Assistant Postmaster-General an injustice.

Mr. OVERSTREET. I felt quite sure you would not.

Mr. BARTLETT. And I did that which I feel authorized in saying few men would have done who had possession of this letter and this information. I went to the Fourth Assistant Postmaster-General before I offered it here on the floor of the House, saying that I had no desire to do him any injustice in anything, and let him have an opportunity to contradict it or to make any statement he desired.

Now, the gentleman from Indiana [Mr. OVERSTREET], chairman of the Post-Office Committee, has the opportunity to inquire whether or not the law has been violated by the Fourth Assistant Postmaster-General. Mr. Bristow was on his way to the Committee on Post-Offices and Post-Roads, to be examined by that committee for the purpose of enabling them to draft the Post-Office appropriation bill, when I met him in the corridor and had the conversation with him.

Mr. OVERSTREET. I understand you to say that he stated that the appointments were regular and that you did not wish to do him any injustice.

Mr. BARTLETT. I made that statement.

Mr. OVERSTREET. And that you did not wish to say to the House that his statement was not correct.

Mr. BARTLETT. I do not undertake to say that his statement is incorrect; but I do say this, that the charges made by the Fourth Assistant Postmaster-General and the countercharges made by this discharged employee are before the House, and there is a way by which the gentleman from Indiana [Mr. OVERSTREET], who is chairman of the Post-Office Committee, can find out which one is correct. The record is there. If the gentleman will wait until he hears the letter, he will find out the facts. The records are there, and the gentleman can find out whether or not the appointment was regular, and he can find out whether the transfer was regular or not. He can find out whether the Fourth Assistant Postmaster-General is right when he says the appointment was regular and that the transfer was regular, or whether Louis is right in saying it was irregular and in violation of the law.

Mr. OVERSTREET. Will the gentleman allow me just a moment?

Mr. BARTLETT. I want to have this letter read before my time expires. I ask the Clerk to read the letter.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

807 EIGHTEENTH STREET NW.,
Washington, D. C., January 11, 1904.

Hon. CHARLES L. BARTLETT, M. C.,
House of Representatives.

MY DEAR SIR: I do not believe it is your desire to wantonly injure anyone in your public utterances, and I therefore appeal to your sense of justice to correct a false impression concerning me which was given in the running debate in the House yesterday, wherein the inference is made that I am one of the persons recently indicted in connection with the postal investigation.

The particular phase of my case which was under discussion was my alleged irregular examination and rating for appointment by the Civil Service Commission.

The statements upon this point in the Bristow report are false and misleading, as the records will show, and prior to the printing of the report Mr. Bristow was so informed by the Civil Service Commission, who gave him the facts. He preferred not to use them, but permitted the report to go before Congress and the country without correction.

It would seem from the report that Mr. Bristow desires to vigorously uphold the integrity of the civil service law, but a word or two in relation to cases in which he himself is personally interested may serve to show otherwise.

It is well known that appointments and details like mine were frequently made up to within a year or so ago and that they were not in violation of the law or in conflict with the civil service regulations then in force.

Under that practice Mr. Bristow himself injected into the classified service without examination more than thirty persons, some of them post-office inspectors, employed in the very investigation, and among them his own father, who was appointed as a $600 laborer on March 5, 1901, charged to the Sixth Congressional district of Kentucky, and who now draws $1,000 a year as a post-office inspector in the Denver (Colo.) post-office, and also his own son, who during his school vacation drew a salary at the rate of $720 a year in the post-office at Washington, D. C.

It is not amiss to state that even now Mr. Bristow's father is not performing inspector's duties and that the son performed no work at all to warrant the payment of a salary.

I hope you will see that this statement receives as wide publicity as the statements in the debate, which did me injury in the public mind.

Yours, respectfully,

M. W. LOUIS.

Mr. BARTLETT. Now I will yield to the gentleman from Indiana [Mr. OVERSTREET], if I have the time.

Mr. OVERSTREET. I merely wanted to inquire of the gentleman if he thought the simple complaint of a discharged employee was always a sufficient basis to warrant the investigation of an entire Department?

Mr. BARTLETT. Well, I do not mean to say that it would; but I know there is now an investigation to be had of this Department, and if these charges are true they ought to be inquired into, and I merely suggest to the gentleman in charge of a great committee of the House—to whom all these matters with reference to the Post-Office go—that he can inform the House and the country whether they are true or not. That is all.

Mr. COWHERD. Will the gentleman yield to me for a statement?

Mr. BARTLETT. If I have the time I will.

Mr. COWHERD. If the gentleman has not, I will ask the gentleman in charge of the bill to yield me time.

Mr. BARTLETT. I yield to the gentleman with pleasure.

Mr. COWHERD. It seems to me that the point in the appointment of Louis was not the violation of the civil-service law, although that was unquestionably violated. Louis was appointed on the authority of First Assistant Postmaster-General Heath, and transferred; but the point in the case is that Louis was appointed at this time, the 17th of April, in order that he might be at the head of the division of supplies on the 6th day of May, when a contract was to be let, and that by reason of his appointment in this irregular way he got into a position where he could let contracts improperly, to the loss of the Government of at least some $10,000 in one item of canceling ink, and probably very much more in the purchase of other supplies.

Mr. BARTLETT. Yes.

Mr. COWHERD (continuing). And the important fact in this connection is not the violation of the civil-service rules in connection with his appointment or the recognition of the Civil Service Commission of his experience in grading him afterwards, but the important point is that this appointment was irregularly made in order that he might be placed at the head of the supply division in time to favor particular contractors in the letting of bids shortly to be passed upon.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. POWERS of Massachusetts. If there is no further debate required, I move that the committee rise and report the bill favorably to the House.

The question was taken, and the motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. VREELAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill S. 465 and had directed him to report the same to the House with the recommendation that it do pass.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

Mr. BABCOCK. Mr. Speaker, that is all the business the committee has for to-day.

The SPEAKER. Has the gentleman from Wisconsin any motion to make for the reconsideration of the votes by which the various bills were passed?

Mr. BABCOCK. No, sir.

REPRINT OF A BILL.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the reprint of the bill (H. R. 6770) to impose taxes on pure and compound wines, providing for the collection thereof, and for other purposes. I understand the first print is exhausted, and I know there is a very great demand for the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from New York moves that the House do now adjourn. Pending that, the Chair will lay before the House the following request:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. RODENBERG, for two days, on account of important business.

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reports that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 9169. To amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903;

H. R. 9866. Making appropriations for clearing the Potomac River of ice and for the removal of snow and ice in the District of Columbia; and

H. R. 7273. To enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

The SPEAKER. The gentleman from New York moves that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 28 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a communication from the Chief of Engineers, abstracts of proposals received for labor and material in connection with work under the Engineer Department during the fiscal year ended June 30, 1903—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Sarah Ann Allen, Jacob, and Michael Vaught *v.* The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Manistique Harbor, Michigan—to the Committee on Rivers and Harbors, and ordered to be printed, with accompanying illustrations.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Black Rock Harbor, New York—to the Committee on Rivers and Harbors, and ordered to be printed, with accompanying illustrations.

A letter from the Secretary of Commerce and Labor, transmitting a statement of the expenditure in the Coast and Geodetic Survey for the fiscal year ended June 30, 1903—to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Sheepshead Bay, New York—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Interior, submitting, with a copy of a communication from the Commissioner of Indian Affairs, recommendations in regard to purchase of the rights of certain settlers in the Camp McDowell Reservation, in Arizona—to the Committee on Indian Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an amended estimate of appropriation for fulfilling treaties with the Kickapoo Indians—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, directing attention to certain suggestions and recommendations relating to proposed changes in the law governing the public printing—to the Committee on Printing, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Thomas J. Mansfield, administrator of Patrick Mansfield, deceased, *v.* The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of law and fact in the French spoliation cases relating to the vessel schooner *Betsey and Patsey*, James Curtis, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Douglass Taylor, administrator of Jesse Jefferson, deceased, *v.* The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for lighting Ambrose Channel, New York Harbor—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for the Commission on International Exchange—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Attorney-General submitting an estimate of appropriations for United States penitentiary building at Atlanta, Ga., and contingent expenses of the Department of Justice—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Auditor of the Navy Department submitting an estimate of appropriation for settlement of claim of Julius A. Kaiser—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for cost of extension of Government Hospital for the Insane—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for public schools—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for light-house service at Guantanamo Bay, Cuba—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting, with a communication from the president of the Board of Commissioners of the District of Columbia, papers relating to the claim of the Washington Market Company—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting a recommendation relating to the accounts of George W. Baird, major and paymaster—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for settlement of certain unpaid accounts for advertising—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for new hospital at Fort Douglas, Utah—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting an estimate of appropriation for rent of building for temporary Government affairs at Greensboro, N. C.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for armament of fortifications—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for ordnance stores and supplies—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of War, submitting list of leases granted by the Secretary of War during the calendar year 1903—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for refunding the amount of the fine levied on the Canadian tug *M. F. Parsons*—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of deficiency appropriation for heating and lighting the Naval Academy—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Supervising Architect submitting an estimate of appropriation for heating public buildings—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a communication from the Secretary of the Interior submitting a deficiency estimate for repairs of buildings—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from the committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 6295) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes, reported the same with amendment, accompanied by a report (No. 381); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 7620) defining the limit of navigation of the Osage River, in the State of Missouri, reported the same without amendment, accompanied by a report (No. 382); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9493) to amend the act of February 8, 1897, entitled "An act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory," so as to prevent the importation and exportation of the same, reported the same without amendment, accompanied by a report (No. 383); which said bill and report were referred to the House Calendar.

Mr. WILEY of New Jersey, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8327) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892, reported the same with amendment, accompanied by a report (No. 384); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6032) granting an increase of pension to Charles S. Bellows, reported the same without amendment, accompanied by a report (No. 324); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8728) granting a pension to Matilda Lafferty, reported the same with amendment, accompanied by a report (No. 325); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3367) granting an increase of pension to George W. Kerby, reported the same without amendment, accompanied by a report (No. 326); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 14) granting an increase of pension to Samuel M. Perry, reported the same without amendment, accompanied by a report (No. 327); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7563) granting an increase of pension to W. W. Rowlett, reported the same with amendment, accompanied by a report (No. 328); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 734) granting an increase of pension to Henry S. McAlister, reported the same without amendment, accompanied by a report (No. 329); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3617) for the relief of Charles M. Everett, reported the same with amendment, accompanied by a report (No. 330); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 451) granting an increase of pension to William T. Conant, reported the same without amendment, accompanied by a report (No. 331); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2477) granting an increase of pension to Frank J. McLaughlin, reported the same with amendment, accompanied by a report (No. 332); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5609) granting an increase of pension to B. F. Grigsby, reported the same with amendment, accompanied by a report (No. 333); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7095) granting an increase of pension to Harrison H. Hakes, reported the same with amendment, accompanied by a report (No. 334); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7793) granting an increase of pension to Andrew Black, reported the same with amendment, accompanied by a report (No. 335); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 452) granting an increase of pension to Albert W. Bullock, reported the same without amendment, accompanied by a report (No. 336); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8842) granting a pension to Horace E. Davis, reported the same with amendment, accompanied by a report (No. 337); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3272) granting an increase of pension to Elizabeth Hardy, reported the same with amendment, accompanied by a report (No. 338); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1827) granting an increase of pension to Harris A. P. Lewis, reported the same without amendment, accompanied by a report (No. 339); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1156) granting an in-

crease of pension to John Pangratz, reported the same with amendment, accompanied by a report (No. 340); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8123) granting a pension to Eliza Stoddard Smith, reported the same with amendment, accompanied by a report (No. 341); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7855) granting an increase of pension to Henry Barrett, reported the same with amendment, accompanied by a report (No. 342); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4578) granting a pension to Catharine M. McClanahan, reported the same with amendment, accompanied by a report (No. 343); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7477) granting an increase of pension to Cyrenius Dennis, reported the same with amendment, accompanied by a report (No. 344); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3345) granting an increase of pension to Charles P. Clarke, reported the same with amendment, accompanied by a report (No. 345); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4987) granting an increase of pension to William Y. M. Wilkerson, reported the same with amendment, accompanied by a report (No. 346); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 9) granting an increase of pension to David E. Burbank, reported the same without amendment, accompanied by a report (No. 347); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 456) granting an increase of pension to Andrew J. Pierce, reported the same without amendment, accompanied by a report (No. 348); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 529) granting a pension to Emma H. Higley, reported the same with amendment, accompanied by a report (No. 349); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 737) granting an increase of pension to James K. Blye, reported the same with amendment, accompanied by a report (No. 350); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2194) granting a pension to Mary Dewire, reported the same with amendment, accompanied by a report (No. 351); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6025) granting an increase of pension to John Herzog, reported the same without amendment, accompanied by a report (No. 352); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5720) granting an increase of pension to William T. Filler, reported the same with amendment, accompanied by a report (No. 353); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 13) granting an increase of pension to William Clark, reported the same without amendment, accompanied by a report (No. 354); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7757) granting an increase of pension to Cyrus Davidheiser, reported the same with amendment, accompanied by a report (No. 355); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 556) granting a pension to Annie H. Zell, reported the same without amendment, accompanied by a report (No. 356); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7594) granting an increase of pension to Charles H. Miller, reported the same with amendment, accompanied by a report (No. 357); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1855) granting a pension to Harriett B. Riley, reported the same without amendment, accompanied by a report (No. 358); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6028) granting an increase of pension to Anton Heffron, reported the same with amendment, accompanied by a report (No. 359); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1906) granting an increase of pension to George W. Blanchard, reported the same without amendment, accompanied by a report (No. 360); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 997) granting an increase of pension to Rudolph Siebelist, reported the same without amendment, accompanied by a report (No. 361); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3407) granting an increase of pension to Frank Lewis, reported the same with amendment, accompanied by a report (No. 362); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7439) granting a pension to Helen M. Bates, reported the same with amendment, accompanied by a report (No. 363); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8207) granting an increase of pension to Charles Johnson, reported the same with amendment, accompanied by a report (No. 364); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2040) granting a pension to James Anderson, reported the same with amendment, accompanied by a report (No. 365); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 555) granting an increase of pension to Royal A. S. Kingsley, reported the same without amendment, accompanied by a report (No. 366); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6023) granting an increase of pension to Charles Wigert, reported the same with amendment, accompanied by a report (No. 367); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6342) granting a pension to Thomas Springer, reported the same with amendment, accompanied by a report (No. 368); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6089) granting an increase of pension to Emma Louisa Nagle, reported the same with amendment, accompanied by a report (No. 369); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5972) granting an increase of pension to Edward A. Wilbur, reported the same with amendment, accompanied by a report (No. 370); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to O. H. Lyon, reported the same with amendment, accompanied by a report (No. 371); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9029) granting a pension to Georgia S. Barbour, reported the same with amendment, accompanied by a report (No. 372); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 558) granting an increase of pension to John Bullington, reported the same without amendment, accompanied by a report (No. 373); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5718) granting an increase of pension to

Adolph Heiser, reported the same with amendment, accompanied by a report (No. 374); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5367) granting an increase of pension to Franklin Moore, reported the same with amendment, accompanied by a report (No. 375); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2852) granting an increase of pension to Abraham J. Yeomans, reported the same with amendment, accompanied by a report (No. 376); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 458) granting an increase of pension to Charles Beattie, reported the same without amendment, accompanied by a report (No. 377); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4323) granting an increase of pension to Mary Wurtz, reported the same with amendment, accompanied by a report (No. 378); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6061) granting an increase of pension to Alphus D. Brown, reported the same with amendment, accompanied by a report (No. 379); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3616) granting a pension to James W. Davis, reported the same with amendment, accompanied by a report (No. 380); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2003) to commission Henry D. Hall, late captain in the United States Revenue-Cutter Service, a captain on the retired list—Committee on Naval Affairs discharged, and referred to the Committee on Interstate and Foreign Commerce.

A bill (H. R. 3089) granting a pension to J. H. Oney—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 3485) for the relief of Joseph Swisher—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 3488) for the relief of Jeremiah Cain—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 1483) for the relief of Rev. George W. C. Smith—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 9732) for the relief of Adelaide E. Grant and Alice Adelaide Grant—Committee on Claims discharged, and referred to the Committee on the District of Columbia.

A bill (H. R. 9960) granting a pension to Charles B. Montgomery—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9991) to correct the military record of Addison Tennis—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 1916) for the relief of Capt. Sidney F. Shaw—Committee on Claims discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. JONES of Washington: A bill (H. R. 10132) amending section 61 of an act entitled "An act to reduce taxation, to provide revenue for the Government, and for other purposes," approved August 27, 1894, and repealing the internal-revenue tax on potato alcohol used in the arts or in medicinal compounds, and for light, fuel, and power purposes—to the Committee on Ways and Means.

By Mr. TATE: A bill (H. R. 10133) to apply a portion of proceeds of sale of public lands to the endowment of schools or departments of mining and metallurgy, and so forth—to the Committee on Mines and Mining.

By Mr. LAMAR of Missouri: A bill (H. R. 10134) to create in the Department of Agriculture a bureau of public highways, and to provide for national aid in the improvement of the public highways in the various States and Territories—to the Committee on Agriculture.

By Mr. HUGHES of West Virginia: A bill (H. R. 10135) to authorize the Williamson Coal Company (Incorporated) to bridge the Tug Fork of the Big Sandy River near Williamson, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLE: A bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory—to the Committee on the Judiciary.

By Mr. FOSS: A bill (H. R. 10137) to establish a Naval Militia and define its relations to the General Government—to the Committee on Naval Affairs.

Also, a bill (H. R. 10138) to provide for the enrollment and organization of a United States Naval Reserve—to the Committee on Naval Affairs.

By Mr. SHAFROTH: A bill (H. R. 10139) to make Abraham Lincoln's birthday a national holiday—to the Committee on the Judiciary.

By Mr. NEEDHAM: A bill (H. R. 10140) providing for the construction of a wagon road within the boundaries of the Yosemite National Park—to the Committee on the Public Lands.

By Mr. ACHESON: A bill (H. R. 10141) to acquire certain ground for a Government reservation—to the Committee on Public Buildings and Grounds.

By Mr. SMITH of Iowa: A bill (H. R. 10142) authorizing the examination as a witness of the husband or wife of the defendant in criminal cases—to the Committee on the Judiciary.

By Mr. ROBINSON of Arkansas: A bill (H. R. 10143) authorizing the constructing, maintaining, and operating of an electric railway line on a part of the Hot Springs Reservation, at Hot Springs, Ark.—to the Committee on the Public Lands.

By Mr. NEEDHAM: A bill (H. R. 10144) to amend an act entled "An act for the relief of certain settlers on the public lands and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands"—to the Committee on the Public Lands.

By Mr. COOPER of Texas: A bill (H. R. 10145) to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas—to the Committee on the Judiciary.

By Mr. HILDEBRANT: A bill (H. R. 10146) to increase pay of mail carriers on rural free-delivery routes—to the Committee on the Post-Office and Post-Roads.

By Mr. McGUIRE: A bill (H. R. 10147) to amend an act entitled "An act to amend section 2455 of the Revised Statutes of the United States"—to the Committee on the Public Lands.

By Mr. VREELAND: A bill (H. R. 10148) providing for the purchase of a site and the erection of a public building at Olean, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. KNAPP: A bill (H. R. 10149) to establish a life-saving station at the Isles of Shoals, on Six Town Point, Lake Ontario—to the Committee on Interstate and Foreign Commerce.

By Mr. MINOR: A bill (H. R. 10150) for the erection of a public building at Appleton, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. DAVIDSON: A bill (H. R. 10151) to extend the privileges of the seventh section of the act approved June 19, 1880, to the port of Manitowoc, Wis.—to the Committee on Ways and Means.

By Mr. HILL of Connecticut: A bill (H. R. 10152) for the improvement of Greenwich Harbor, Greenwich, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10153) for the improvement of Southport Harbor, Fairfield, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10154) for the improvement of Five Mile River Harbor, Norwalk, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10155) for the improvement of Stamford Harbor, Stamford, Conn.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10156) for the improvement of Norwalk Harbor, Norwalk, Conn.—to the Committee on Rivers and Harbors.

By Mr. GREGG: A bill (H. R. 10157) to provide for the protection, against storms and floods, of the forts, arsenals, and other Government property situated on Fort Crockett Reservation, on Galveston Island, Texas—to the Committee on Appropriations.

By Mr. BUCKMAN: A bill (H. R. 10158) to authorize the county commissioners of Morrison County, in the State of Minnesota, to construct a bridge across the Mississippi River at a point where the section line between sections numbered 5 and 8, in township 131, of range No. 29, in said Morrison County, extended eastward would intersect the west shore of said Mississippi River, subject

to the approval of the Secretary of War—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 10159) to authorize the removal of structures from Indian allotments in Minnesota—to the Committee on Indian Affairs.

By Mr. THOMAS of North Carolina: A bill (H. R. 10160) for the improvement of navigation of Carrot Island Slough, Carteret County, N. C.—to the Committee on Rivers and Harbors.

By Mr. HASKINS: A bill (H. R. 10161) to amend sections 1781 and 1782 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. McCARTHY: A bill (H. R. 10162) for the erection of a public building in the city of Columbus, Nebr.—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: A bill (H. R. 10163) relative to the fees of attorneys in cases before the Spanish Treaty Claims Commission—to the Committee on the Judiciary.

By Mr. PEARRE: A bill (H. R. 10164) providing for subsistence for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 10165) granting pensions to soldiers and sailors confined in so-called Confederate prisons—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 10166) providing for private secretaries to Members and Delegates of the House of Representatives—to the Committee on Accounts.

By Mr. MARSHALL: A bill (H. R. 10311) relating to final and commutation homestead proofs, and to confirm such proofs in certain cases when made outside of the land district within which the land is situated—to the Committee on the Public Lands.

By Mr. MEYER of Louisiana: A bill (H. R. 10313) for the construction of a steam revenue cutter for service in the Gulf of Mexico and tributary waters, headquarters at New Orleans, La.—to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON of Arizona: A bill (H. R. 10411) granting right of way for trailway to W. W. Bass, of Coconino County, Ariz., for travel across the Grand Canyon of Arizona, and ferry privileges, and so forth, across the Colorado River therein—to the Committee on the Public Lands.

By Mr. SCOTT: A joint resolution (H. J. Res. 80) providing for the printing of extra copies of the report of the Bureau of Animal Industry—to the Committee on Printing.

By Mr. HITCHCOCK: A resolution (H. Res. 145) requesting certain information from the Secretary of Commerce and Labor as to official carriages in his Department—to the Committee on Labor.

Also, a resolution (H. Res. 146) requesting certain information from the Secretary of the Treasury as to official carriages in his Department—to the Committee on Ways and Means.

Also, a resolution (H. Res. 147) requesting certain information from the Secretary of Agriculture as to official carriages in his Department—to the Committee on Agriculture.

Also, a resolution (H. Res. 148) requesting certain information from the Secretary of the Interior as to official carriages in his Department—to the Committee on Expenditures in the Interior Department.

Also, a resolution (H. Res. 149) requesting certain information from the Secretary of the Navy as to official carriages in his Department—to the Committee on Naval Affairs.

Also, a resolution (H. Res. 150) requesting certain information from the Secretary of State as to official carriages in his Department—to the Committee on Foreign Affairs.

Also, a resolution (H. Res. 151) requesting certain information from the Attorney-General as to official carriages in his Department—to the Committee on the Judiciary.

Also, a resolution (H. Res. 152) requesting certain information from the Postmaster-General as to official carriages in his Department—to the Committee on the Post-Office and Post-Roads.

Also, a resolution (H. Res. 153) requesting certain information from the Secretary of War as to official carriages in his Department—to the Committee on Military Affairs.

By Mr. HILDEBRANT: A resolution (H. Res. 154) for the relief of Mary J. Mankin—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 10167) for the relief of Mary F. B. Gr[illegible]—to the Committee on Claims.

By Mr. ADAMS of Wisconsin: A bill (H. R. 10168) granting an increase of pension to Similde E. Forbes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10169) granting an increase of pension to Isaac N. Flanagan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10170) granting an increase of pension to Wilhelm Dickhoff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10171) granting an increase of pension to Josiah H. Tyack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10172) granting a pension to Catharine A. Leonard—to the Committee on Invalid Pensions.

By Mr. ACHESON: A bill (H. R. 10173) granting an increase of pension to Stephen Billings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10174) granting an increase of pension to J. W. Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10175) granting an increase of pension to William J. Ware—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10176) granting an increase of pension to Joseph Coty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10177) granting an increase of pension to Edward Treasure—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 10178) for the relief of Lincoln W. Tibbetts—to the Committee on War Claims.

By Mr. BENTON: A bill (H. R. 10179) granting an increase of pension to William H. Bell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10180) granting an increase of pension to William E. McDowell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10181) granting an increase of pension to Andrew Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10182) granting an increase of pension to Isaac Innis—to the Committee on Pensions.

Also, a bill (H. R. 10183) granting a pension to Charles M. Lee—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 10184) for the relief of Hamilton D. South—to the Committee on Claims.

By Mr. BRANDEGEE: A bill (H. R. 10185) authorizing the President to appoint Boatswain Alexander Mack, retired, United States Navy, a chief boatswain on the retired list—to the Committee on Naval Affairs.

By Mr. BROOKS: A bill (H. R. 10186) for the relief of S. H. Caldwell—to the Committee on War Claims.

Also, a bill (H. R. 10187) granting a pension to Anderson J. Smith—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 10188) granting a pension to William E. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10189) granting an increase of pension to Solomon W. Gore—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 10190) granting an increase of pension to Robert P. Faris—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: A bill (H. R. 10191) granting an increase of pension to Henry Frazier—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 10192) granting a pension to Martha Mullins—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 10193) for the relief of the legal representatives of Sarah J. Montgomery, deceased—to the Committee on War Claims.

By Mr. COUSINS: A bill (H. R. 10194) granting an increase of pension to Marion Long—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 10195) for the relief of Henry Bash—to the Committee on Claims.

By Mr. DANIELS: A bill (H. R. 10196) granting an increase of pension to Adam L. Bourquin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10197) granting an increase of pension to Peter A. McGuire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10198) granting an increase of pension to Calvin N. Swineford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10199) for the relief of David C. McGee—to the Committee on War Claims.

Also, a bill (H. R. 10200) for the relief of Frank F. Flournoy—to the Committee on Claims.

By Mr. DALZELL: A bill (H. R. 10201) for the relief of William B. Horner—to the Committee on War Claims.

By Mr. DAYTON: A bill (H. R. 10202) granting a pension to Samuel T. Jones, alias Thomas Jenkins—to the Committee on Pensions.

Also, a bill (H. R. 10203) granting an increase of pension to Hiram J. Rogers—to the Committee on Invalid Pensions.

By Mr. DE ARMOND (by request): A bill (H. R. 10204) for the relief of the estate of John Hammontree—to the Committee on War Claims.

Also (by request), a bill (H. R. 10205) for the relief of James G. Carmack—to the Committee on Military Affairs.

By Mr. DRESSER: A bill (H. R. 10206) granting an increase of pension to Benjamin F. Minnick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10207) granting an increase of pension to William C. Robins—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa.—to the Committee on Military Affairs.

By Mr. FLACK: A bill (H. R. 10209) granting an increase of pension to Margaret Delaney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10210) granting an increase of pension to Chester S. Rockwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10211) granting a pension to Mabel Rockwood—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 10212) for the relief of Moses M. Longley—to the Committee on Military Affairs.

By Mr. GARBER: A bill (H. R. 10213) granting a pension to Irene Ayers Wilson—to the Committee on Invalid Pensions.

By Mr. GREGG: A bill (H. R. 10214) for the relief of the heirs of C. K. Bowen, deceased—to the Committee on Claims.

By Mr. GOOCH: A bill (H. R. 10215) for the benefit of John W. Kirby, late sheriff of Gallatin County, Ky.—to the Committee on Claims.

Also, a bill (H. R. 10216) to remove the charge of desertion against Amos Gulick—to the Committee on Military Affairs.

Also, a bill (H. R. 10217) to remove the charge of desertion against Jordon Kidwell—to the Committee on Military Affairs.

Also, a bill (H. R. 10218) to remove the charge of desertion against W. H. Liter—to the Committee on Military Affairs.

Also, a bill (H. R. 10219) to remove the charge of desertion against George Binger—to the Committee on Military Affairs.

Also, a bill (H. R. 10220) for the relief of John Riley, of Campbell County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10221) for the relief of Fannie Bostwick, widow of Martin B. Strader—to the Committee on War Claims.

Also, a bill (H. R. 10222) for the relief of Lewis Stephens, of Grant County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10223) for the relief of J. W. Knox, of Gallatin County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10224) for the relief of J. J. Robinson, of Carroll County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10225) for the relief of D. C. Conner—to the Committee on War Claims.

Also, a bill (H. R. 10226) for the relief of the Forty-first Kentucky Volunteer Infantry—to the Committee on Military Affairs.

Also, a bill (H. R. 10227) for the relief of J. B. Thrasher—to the Committee on War Claims.

Also, a bill (H. R. 10228) for the relief of William C. Watts—to the Committee on Claims.

Also, a bill (H. R. 10229) for the relief of James M. Blackburn, of Covington, Ky.—to the Committee on Claims.

Also, a bill (H. R. 10230) for the relief of Telisha Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10231) for the relief of Mary Zepf, widow of Louis Zepf—to the Committee on War Claims.

Also, a bill (H. R. 10232) for the relief of Nina W. Halsey, widow of Capt. Irving W. Halsey—to the Committee on Military Affairs.

Also, a bill (H. R. 10233) for the relief of John J. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10234) for the relief of L. H. Lyne & Co., late of Lynchburg, Va.—to the Committee on Claims.

Also, a bill (H. R. 10235) granting an increase of pension to Adam Brell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10236) granting an increase of pension to Jasper Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10237) granting an increase of pension to Henry Shonert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10238) granting an increase of pension to Coleman Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10239) granting an increase of pension to William H. Murrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10240) granting an increase of pension to James Whalen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10241) granting an increase of pension to William L. Southgate—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10242) granting a pension to Johanna Rebholz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10243) granting a pension to George W. Stull—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10244) granting a pension to George W. Nance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10245) granting a pension to Jasper Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10246) granting a pension to C. H. Conn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10247) granting a pension to William F. Blanchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10248) granting a pension to Peter Brown—to the Committee on Pensions.

Also, a bill (H. R. 10249) granting a pension to Peter Roller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10250) granting a pension to Ira E. Neville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10251) granting a pension to Stephen Rickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10252) granting a pension to James Lebare—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10253) granting a pension to William R. Buford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10254) granting a pension to Nettie Hume—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10255) granting a pension to Maria Roth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10256) granting a pension to Catherine Burger—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 10257) granting a pension to Mahala Hyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10258) granting a pension to George D. Wellons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10259) granting a pension to Agnes Vaughn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10260) granting an increase of pension to William H. H. Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10261) granting an increase of pension to Henry B. Sparks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10262) granting an increase of pension to Jacob Brandmeier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10263) granting an increase of pension to Isaac A. Chandler—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 10264) granting an increase of pension to Louis C. Amberg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10265) granting a pension to Elizabeth Murray and Clara E. Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10266) granting an increase of pension to Seth Weldy—to the Committee on Pensions.

Also, a bill (H. R. 10267) granting a pension to Florence R. Russell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10268) granting a pension to Margret E. Keller—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 10269) for the relief of Lycurgus Lindsey—to the Committee on War Claims.

Also, a bill (H. R. 10270) granting an increase of pension to Mary J. Konaday—to the Committee on Pensions.

Also, a bill (H. R. 10271) granting a pension to Samuel H. Gott—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 10272) granting an increase of pension to Lorenzo Streeter—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 10273) granting an increase of pension to D. L. Bellville—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 10274) granting an increase of pension to Harrison Rightmire—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10275) granting a pension to J. J. Wall—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 10276) to correct the military record of John N. Wood—to the Committee on Military Affairs.

Also, a bill (H. R. 10277) granting an increase of pension to Andrew F. Shields—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10278) granting an increase of pension to William P. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10279) granting an increase of pension to John M. Bromaghm—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10280) granting a pension to John Huffman—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 10281) granting a pension to Edward D. Lashley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10282) granting an honorable discharge to Henry B. Wise, alias Henry W. Bach—to the Committee on Military Affairs.

By Mr. HOUSTON: A bill (H. R. 10283) to grant an honorable discharge from the military service to Frank McCloskey—to the Committee on Military Affairs.

Also, a bill (H. R. 10284) granting a pension to Elizabeth Broomall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10285) granting a pension to Henry McCreary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10286) granting a pension to Ellen M. Malloy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10287) granting a pension to Maggie Burton and daughter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10288) granting a pension to Anna E. Harman—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 10289) granting a pension to J. L. Jennings—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10290) granting an increase of pension to William Large—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 10291) for the relief of the heirs of C. R. Young, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10292) for the relief of Allison W. Pollard, of Caldwell County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 10293) for the relief of the estate of H. Cothis, deceased—to the Committee on War Claims.

By Mr. KALANIANAOLE: A bill (H. R. 10294) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii—to the Committee on Claims.

By Mr. KEHOE: A bill (H. R. 10295) granting an increase of pension to James H. Milstead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10296) granting an increase of pension to Mary Bellis Roberts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10297) granting an increase of pension to Thomas J. Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10298) for the relief of Delilah Dobbins—to the Committee on War Claims.

Also, a bill (H. R. 10299) granting a pension to A. J. Thompson—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 10300) for the relief of Henry A. Brown—to the Committee on Military Affairs.

By Mr. LAMAR of Missouri: A bill (H. R. 10301) for the relief of Abram Floyd and S. H. Floyd, heirs of Mahala Floyd—to the Committee on War Claims.

Also, a bill (H. R. 10302) granting a pension to George W. McCuistion—to the Committee on Pensions.

Also, a bill (H. R. 10303) for the relief of W. H. Kirkman—to the Committee on War Claims.

By Mr. LITTLE: A bill (H. R. 10304) for the relief of Mrs. Eliza J. Haines, widow of Capt. R. L. Haines, deceased—to the Committee on War Claims.

By Mr. LORIMER: A bill (H. R. 10305) granting an increase of pension to William H. Barlow—to the Committee on Invalid Pensions.

By Mr. LUCKING: A bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life saving—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 10307) to establish westerly boundary line of Fort Wayne, Mich., and to authorize deeds in confirmation thereof—to the Committee on the Public Lands.

By Mr. MACON: A bill (H. R. 10308) for the relief of Thomas D. Ruffin, of Woodruff County, Ark.—to the Committee on War Claims.

By Mr. MAHON: A bill (H. R. 10309) to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion of 1861 to 1865—to the Committee on Military Affairs.

Also, a bill (H. R. 10310) for the relief of Anne C. Livingston—to the Committee on Claims.

By Mr. MAYNARD: A bill (H. R. 10312) to restore Lieut. Kenneth McAlpine to the rank and number formerly held by him in the United States Navy—to the Committee on Naval Affairs.

By Mr. MEYER of Louisiana: A bill (H. R. 10314) for the relief of the heirs of Pierre Sauve—to the Committee on Claims.

By Mr. MORRELL: A bill (H. R. 10315) for the relief of Hamilton D. South—to the Committee on Claims.

Also, a bill (H. R. 10316) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.—to the Committee on Claims.

By Mr. MURDOCK: A bill (H. R. 10317) granting an increase of pension to Andrew J. O'Neil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10318) granting an increase of pension to Charles E. Decker—to the Committee on Pensions.

Also, a bill (H. R. 10319) granting an increase of pension to Herbert Whitworth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10320) for the relief of J. W. Patterson—to the Committee on Claims.

By Mr. McCALL: A bill (H. R. 10321) to appropriate the sum of $4,000, to be paid to Alfred Roberts for personal injuries received at the United States custom-house in Boston, Mass.—to the Committee on Claims.

By Mr. McGUIRE: A bill (H. R. 10322) to remove the charge of desertion from the military record of John Chrisman—to the Committee on Military Affairs.

Also, a bill (H. R. 10323) to remove the charge of desertion from the military record of Ephraim A. Brown—to the Committee on Military Affairs.

Also, a bill (H. R. 10324) for the relief of Jennie Jackson, formerly Jennie Meagher—to the Committee on the Public Lands.

Also, a bill (H. R. 10325) for the relief of William Redder—to the Committee on Claims.

Also, a bill (H. R. 10326) granting a pension to William Wood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10327) granting a pension to Thomas P. German—to the Committee on Pensions.

Also, a bill (H. R. 10328) granting a pension to William B. Kerby—to the Committee on Pensions.

Also, a bill (H. R. 10329) granting a pension to Ahi S. Loudermilk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10330) granting a pension to Daniel W. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10331) granting a pension to James F. Brittain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10332) granting a pension to Samuel S. Van Wye—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10333) granting a pension to James R. Keeney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10334) granting an increase of pension to John S. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10335) granting an increase of pension to John B. Ellett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10336) granting an increase of pension to Barton N. Daily—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10337) granting an increase of pension to Samuel Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10338) granting an increase of pension to John H. Decker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10339) granting an increase of pension to John R. Ash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10340) granting an increase of pension to George F. Majors—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10341) granting a patent in fee to the city of Enid, Okla., for certain lands to be used for school purposes—to the Committee on the Public Lands.

By Mr. McNARY: A bill (H. R. 10342) granting an increase of pension to William W. Marple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10343) granting a pension to Anna Mansfield—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 10344) for the relief of the administrator of the estate of Gotlob Groezinger—to the Committee on Claims.

By Mr. PADGETT: A bill (H. R. 10345) for the relief of the trustees of the Methodist Episcopal Church South, of Triune, Williamson County, Tenn.—to the Committee on War Claims.

By Mr. POWERS of Massachusetts: A bill (H. R. 10346) for the relief of the Bath Iron Works and others—to the Committee on Claims.

Also, a bill (H. R. 10347) granting an increase of pension to W. H. H. Bailey—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 10348) granting a pension to James Speed, jr.—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 10349) to remove the charge of desertion from the record of Luther Cline—to the Committee on Military Affairs.

Also, a bill (H. R. 10350) granting a pension to Mary Groce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10351) granting a pension to Aaron Cohen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10352) granting an increase of pension to Daniel F. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10353) granting an increase of pension to Henry S. Riggs—to the Committee on Pensions.

Also, a bill (H. R. 10354) granting an increase of pension to Ebenezer F. Wade—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10355) granting an increase of pension to Thomas Webster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10356) granting an increase of pension to Frederick W. Paas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10357) granting an increase of pension to David M. French—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10358) granting an increase of pension to William J. Wyatt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10359) granting an increase of pension to Martin Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10360) granting an increase of pension to Mary Flynn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10361) granting an increase of pension to W. N. Shibley—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10362) for the relief of Amanda M. Warren, of Lawrence County, Ala.—to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 10363) for the relief of John H. Ricketts—to the Committee on Military Affairs.

By Mr. SHAFROTH: A bill (H. R. 10364) granting a pension to David L. Finch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10365) granting a pension to Helen J. Savage—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10366) granting a pension to Jennie Morrow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10367) granting an increase of pension to Warren W. Whipple—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10368) granting an increase of pension to Benjamin F. Kent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10369) granting an increase of pension to Dean W. King—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 10370) granting an increase of pension to John W. Bedell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10371) granting an increase of pension to Benjamin F. Fuller—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 10372) for the relief of the estate of L. D. Crawley, deceased, late of Decatur County, Tenn.—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 10373) granting an increase of pension to Manluff W. Reynolds—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 10374) for the relief of John A. Lovens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10375) for the relief of Alfred D. Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10376) for the relief of J. M. Jones—to the Committee on Pensions.

Also, a bill (H. R. 10377) for the relief of Swan Hamlen—to the Committee on War Claims.

Also, a bill (H. R. 10378) for the relief of Sarah J. Shell—to the Committee on Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 10379) granting a pension to M. E. Halderman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10380) for the relief of Mrs. M. E. Haldeman—to the Committee on War Claims.

Also, a bill (H. R. 10381) granting the Court of Claims jurisdiction to hear and determine the claim of the widow, heirs, and personal representative of Thomas Page for Indian depredation—to the Committee on Claims.

Also, a bill (H. R. 10382) to correct the military record of James Owens—to the Committee on Military Affairs.

Also, a bill (H. R. 10383) to correct the military record of Stephen T. Campbell—to the Committee on Military Affairs.

Also, a bill (H. R. 10384) granting a pension to Emanuel Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10385) granting a pension to P. H. Lennon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10386) granting a pension to Thomas Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10387) granting an increase of pension to Aaron C. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10388) granting an increase of pension to Madison Epperson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10389) granting an increase of pension to William M. McCrary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10390) granting an increase of pension to George B. Christy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10391) granting an increase of pension to William H. Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10392) granting an increase of pension to Silas B. Irion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10393) granting an increase of pension to Ira Grabill—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 10394) for the relief of the heirs of Dixon Dameron—to the Committee on Claims.

Also, a bill (H. R. 10395) for the relief of John B. Ford—to the Committee on Military Affairs.

By Mr. SULLIVAN of New York: A bill (H. R. 10396) to remove the charge of desertion from the military record of John J. Waterkeyn—to the Committee on Military Affairs.

Also, a bill (H. R. 10397) granting a pension to Edward Coppers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10398) granting a pension to Lucien H. Musgot—to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 10399) granting an increase of pension to Francis Marshal—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 10400) for the relief of Jewett W. Adams—to the Committee on Claims.

Also, a bill (H. R. 10401) for the relief of Robert D. McAfee and John Chiatovich—to the Committee on Claims.

By Mr. WATSON: A bill (H. R. 10402) for the relief of Robert G. Carter, United States Army (retired)—to the Committee on Military Affairs.

By Mr. WEEB: A bill (H. R. 10403) granting a pension to Sarah Green—to the Committee on Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 10404) granting a pension to Florence E. Foster—to the Committee on Pensions.

By Mr. WILLIAMSON: A bill (H. R. 10405) for the relief of Custis Parke Upshur—to the Committee on Claims.

By Mr. WOODYARD: A bill (H. R. 10406) for the relief of the heirs of A. J. Hickman—to the Committee on War Claims.

Also, a bill (H. R. 10407) for the relief of Absalom Board—to the Committee on Claims.

Also, a bill (H. R. 10408) granting an increase of pension to Barnes B. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10409) granting an increase of pension to W. H. Miles—to the Committee on Invalid Pensions.

By Mr WYNN: A bill (H. R. 10410) to correct the military record of Henry Finnegas—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Commercial Club of Topeka, Kans., asking legislation in aid of the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, memorial of Ermina Hager, of Prosper, Minn., in favor of legislation against the use of cigarettes—to the Committee on the Judiciary.

Also, memorial of the Congregational Church organization of Harvey, Ill., praying for the passage of the so-called Hepburn bill, intended to cause State laws to apply to certain articles of interstate commerce transported in the original package—to the Committee on the Judiciary.

Also, memorial of Kyger Post, No. 204, Georgetown, Ill.; Monroe Post, No. 100, Casey, Ill., and Hazel Dell Post, No. 336, of Hazel Dell, Ill., Grand Army of the Republic, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the Manufacturers' Club of Philadelphia; memorial of Business Men's Club of Cincinnati, and memorial of the Massillon Board of Trade and directors of the Southwestern Mercantile Association, of St Louis, praying for legislation to permit the Interstate Commerce Commission to fix freight rates in certain cases—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS of Pennsylvania: Petition of the Denver Chamber of Commerce and Commercial Club, for the purchase of site and erection of a building for use of the post-office and United States courts in Denver, Colo.—to the Committee on Public Buildings and Grounds.

Also, resolutions of the Merchants and Manufacturers' Association of Baltimore, for an increase in the depth of the main ship channel at the port of Baltimore—to the Committee on Rivers and Harbors.

Also, petition of Calaveras Big Tree Committee, of San Francisco, Cal., in favor of a bill for the protection of the Calaveras groves—to the Committee on Agriculture.

By Mr. BARTHOLDT: Petition of Missouri Outdoor Art League, relative to the preservation of the big trees of California—to the Committee on Agriculture.

Also, memorial of citizens of Missouri, relative to the improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of the Southwestern Mercantile Association of St. Louis, Mo., relative to increasing powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of Lehman Leaf Tobacco Company, relative to the Otjen-Tawney anticoupon bill—to the Committee on Ways and Means.

Also, resolution of the St. Louis Merchants' Exchange, relative to the improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of A. Graf Distilling Company, of St. Louis, Mo., protesting against Hepburn interstate liquor bill—to the Committee on the Judiciary.

Also, petition of the United German Singing Societies, of St. Louis, Mo., against the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BARTLETT: Resolution of the Chamber of Commerce of Macon, Ga., protesting against passage of bill providing for a new division of the United States court for the northern district of Georgia—to the Committee on the Judiciary.

By Mr. BENTON: Papers to accompany bill granting an in-

crease of pension to Capt. Andrew Hall—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Isaac Innis—to the Committee on Pensions.

Also, papers to accompany bill granting a pension to Charles M. Lee—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to William E. McDowell—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to William H. Bell—to the Committee on Invalid Pensions.

By Mr. BINGHAM: Petition of the Commercial Exchange of Philadelphia, relative to the inspection of grain by the Government at terminal markets, etc.—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Manufacturers' Club of Philadelphia, Pa., relative to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Philadelphia Division, No. 102, Order of Railroad Telegraphers, relative to a change in Army Regulations—to the Committee on Military Affairs.

By Mr. BOWERSOCK: Petition of the New York Board of Trade and Transportation, relative to the improvement of the Harlem (Bronx) Kills—to the Committee on Rivers and Harbors.

Also, petition of the Presbyterian Church and Christian Endeavor Society of Garnett, Kans., relative to the Hepburn interstate liquor bill—to the Committee on the Judiciary.

Also, petition of the heirs of Thomas J. Ingram, praying reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. BROOKS: Resolution of Citizens' Alliance, of Pueblo, Colo., against passage of bills H. R. 89 and 8136—to the Committee on the Judiciary.

By Mr. BRUNDIDGE: Petition of retail merchants of Newark, Ark., protesting against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany bill H. R. 9901, granting pension to John M. Stone—to the Committee on Invalid Pensions.

By Mr. BURKETT: Petition of citizens of Tecumseh, Nebr., relative to the Hepburn-Dolliver bill—to the Committee on Interstate and Foreign Commerce.

Also, paper to accompany bill H. R. 6318, granting increase of pension to Adam Bax—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: Resolution of Arthur Strong Post, No. 170, Grand Army of the Republic, Department of Ohio, relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. COUSINS: Resolution of C. G. Francis Post, No. 181, Grand Army of the Republic, of Walker, Iowa, favoring a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CROMER: Petition of Lew Taylor Post, No. 243, Grand Army of the Republic, of Alexandria, Ind., for the passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolution of the Manufacturers' Club of Philadelphia, relative to increasing powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Philadelphia Division, No. 102, of the Order of Railroad Telegraphers, relative to change in Army Regulations—to the Committee on Military Affairs.

Also, resolution of the Commercial Club of Topeka, Kans., relative to merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. DANIELS: Resolutions of Los Angeles Chamber of Commerce and of Santa Ana Chamber of Commerce, relative to the proposed Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

Also, resolution of Santa Ana Chamber of Commerce, relative to improvement of inner harbor at San Pedro—to the Committee on Rivers and Harbors.

Also, papers to accompany bill H. R. 6234, granting increase of pension to George W. Gyger—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Adam L. Bourquin—to the Committee on Invalid Pensions.

Also, papers to accompany claim of Frank F. Flournoy—to the Committee on Claims.

Also, papers to accompany bill for relief of David C. McGee—to the Committee on War Claims.

By Mr. DAVIS of Minnesota: Petition of W. H. Weibeler and others, of Bellplaine, Minn., protesting against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Grand Army of the Republic, Post No. 78, Waterville, Minn., relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DOVENER: Papers to accompany bill H. R. 9730, granting a pension to Adam Minear—to the Committee on Invalid Pensions.

By Mr. DRISCOLL: Resolution of R. S. Park Post, No. 172, Grand Army of the Republic, of Cardiff, N. Y., relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. EMERICH: Letter of Victor W. Sincere, representing several manufacturers' associations of Chicago; letter and resolutions of Lumbermen's Association of Chicago; letter of Continental Iron Works, of Chicago; letter of Building Managers' Association; letter of Employers' Association of Chicago; letter of Link Belt Machinery Company, of Chicago, and letter of Barnhart Brothers & Spindler, of Chicago, protesting against anti-injunction and anticonspiracy bills—to the Committee on the Judiciary.

Also, letter and telegram of J. Friedman & Co., of Chicago, Ill., and letter and resolutions of Cigar Dealers' Association of America, favoring Tawney-Otjen anticoupon bill—to the Committee on Ways and Means.

Also, letter and resolutions of Grain Dealers' National Association, referring to grain inspection—to the Committee on Interstate and Foreign Commerce.

Also, letter of Howard Severance Company, of Chicago, protesting against Scott bill authoring the imposing of licenses and occupation taxes upon persons engaged in interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, letters of Illinois Steel Company; Butler Brothers; Irwin Green & Co., of Chicago; Bartlett, Frazier & Carrington; Heath & Milligan Manufacturing Company, of Chicago; Union Bag and Paper Company, of Chicago; John V. Farwell, of Chicago; Halbard, Warren & Co., Chicago, and Hibbard, Spencer, Bartlett & Co., of Chicago, favoring the Lodge consular reorganization bill—to the Committee on Foreign Affairs.

Also, letter of Iron Molders' Conference Board of Chicago, favoring eight-hour bill and anti-injunction and anticonspiracy bill—to the Committee on the Judiciary.

By Mr. ESCH: Resolutions of officers of National Guard of Minnesota, favoring passage of bill H. R. 962, for purchase of permanent camp site at Camp Douglas, Wis.—to the Committee on Appropriations.

Also, resolutions of officers of National Guard of the State of Minnesota, favoring purchase of permanent military camp sites—to the Committee on Appropriations.

Also, petition of John A. Eaton Post, No. 243, asking for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Sparta Council, No. 223, United Commercial Travelers, in approval or amendment of section 64 of the bankruptcy act—to the Committee on the Judiciary.

Also, resolutions of the Merchants and Manufacturers' Association of Baltimore, to provide for an increase in the depth of the main ship channel giving access to the port of Baltimore from 30 to 35 feet depth of water at mean low tide—to the Committee on Rivers and Harbors.

By Mr. FITZGERALD: Resolution of U. S. Grant Post, No. 337, Grand Army of the Republic, Brooklyn, N. Y., extending congratulations to the new Republic of Panama—to the Committee on Foreign Affairs.

By Mr. FLACK: Papers to accompany bill granting a pension to Mabel Rockwood—to the Committee on Invalid Pensions.

By Mr. FLOOD: Petition of citizens of Augusta County, Va., asking an appropriation for a national park in said county—to the Committee on Appropriations.

By Mr. FRENCH: Petition of citizens of Nezperce, Idaho, favoring an increase of salary for rural-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Boise Merchants' Protective Association, of Boise City, Idaho, urging passage of a pure-food law—to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Papers to accompany bill for the relief of Moses M. Longley—to the Committee on Military Affairs.

Also, resolution of Darveau Post, No. 329, Grand Army of the Republic, Morris, Ill., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Papers to accompany bill to increase pension of Henry B. Sparks—to the Committee on Invalid Pensions.

Also, petition of Employers' Association of Columbus, Ind., in opposition to bill known as anti-injunction bill—to the Committee on the Judiciary.

By Mr. GROSVENOR: Papers to accompany bill to pension Mrs. M. E. Keller—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Florence R. Russell—to the Committee on Invalid Pensions.

Also, resolutions of Silas D. Prother Post, No. 530, of Baurenville, Ohio; Watkins Andrews Post, No. 352, of Trimble, Ohio; Grosvenor Post, No. 742, of Broadwell, Ohio; J. Lewis Post, No. 560, of Wilkesville, Ohio; Columbus Golden Post, No. 89, of Athens, Ohio; A. L. Brown Post, No. 162, of Chillicothe, Ohio; Phil Kearny Post, No. 38, of Nelsonville, Ohio; C. M. McNeill Post, No. 645, of Frankfort, Ohio; J. K. Rochester Post, No. 140, of Logan, Ohio; S. N. Walker Post, No. 720, of Eagle Mills, Ohio; Col. Val Cupp Post, No. 263, of Baltimore, Ohio, and Maxwell Post, No. 176, of Kingston, Ohio, Grand Army of the Republic, favoring a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of Middleport Post, No. 125, Grand Army of the Republic, of Ohio, relative to the placing of statues in Statuary Hall—to the Committee on the Library.

By Mr. HAMLIN: Papers to accompany bill to pension Samuel H. Gott—to the Committee on Invalid Pensions.

Also, papers to accompany claim of Lycurgus Lindsey—to the Committee on War Claims.

By Mr. HEMENWAY: Petitions of Morgan Post, No. 15, of Petersburg, Va.; A. H. Cockrum Post, No. 520, of Oakland City, Ind., and Stephen Mead Post, No. 187, of Fort Branch, Ind., Grand Army of the Republic, praying for the passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: Resolutions of the Postal Progress League, in favor of bill H. R. 7874, a bill for the consolidation of third and fourth class mail matter and to establish a parcels post—to the Committee on the Post-Office and Post-Roads.

By Mr. HERMANN: Resolution of the board of trade of Portland, Oreg., relative to the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

Also, resolution of the Pacific Coast Jobbers' Association, of California, Oregon, and Washington, relative to the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

Also, resolution of the Spokane Lumbermen's Association relative to increasing powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. HILDEBRANT: Resolution of Wilmington Yearly Meeting, of Wilmington, Ohio, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers to accompany bill granting an increase of pension to Andrew F. Shields; also statement of C. O. Collins, of Mount Oreb, Ohio, relative to bill H. R. 5232, to facilitate the payment of pensions—to the Committee on Invalid Pensions.

Also, resolutions of George W. Robinson Post, No. 487, Grand Army of the Republic, of Amelia, Ohio, relative to the placing of statues in Statuary Hall, United States Capitol—to the Committee on the Library.

Also, resolutions of David G. McFaddin Post, No. 741, of Sardinia, Ohio; Captain William Riley Post, No. 306, of Owensville, Ohio; Captain Bart Emery Post, No. 554, of Loveland, Ohio; Kilpatrick Post, No. 189, of Goshen, Ohio, and J. P. Fyffe Post, No. 210, of Higginsport, Ohio, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HILL: Resolution of the Connecticut Horticultural Society, of Hartford, Conn., relative to the preservation of the big trees of California—to the Committee on Agriculture.

By Mr. HINSHAW: Papers to accompany bill H. R. 8493, granting a pension to H. F. E. Schroer—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting an increase of pension to Swan Swanson—to the Committee on Invalid Pensions.

Also, petition of Grand Army of the Republic Post, No. 100, of Adams, Nebr., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HITT: Resolutions of John A. Davis Post, No. 98, of Freeport, Ill.; O. K. Hubbard Post, No. 739, of Lyndon, Ill.; George W. Hewitt Post, No. 398, of Franklin Grove, Ill., and R. M. A. Hawk Post, No. 406, of Savanna, Ill., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. HOUSTON: Papers to accompany bill for the relief of Francis McCloskey—to the Committee on Military Affairs.

Also, papers to accompany bill granting a pension to Elizabeth Broomall; papers to accompany bill granting a pension to Anna E. Harman; papers to accompany bill granting a pension to Maggie Burton; papers to accompany bill granting a pension to Henry McCreary, and papers to accompany bill granting a pension to Ellen M. Malloy—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Resolutions of Robert Boggs Post, No. 67, of Brunswick, N. Y.; James B. Morris Post, No. 46, of Long Branch, N. J.; A. E. Burnside Post, No. 59, of New Jersey; Clinton B. Fisk Post, of Atlantic Highlands, N. J., and C. K. Hall Post, No. 47, of Asbury Park, N. J., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. KEHOE: Resolutions of Kentucky legislature; also petition of citizens of Lewis County, indorsing bill H. R. 3574—to the Committee on Ways and Means.

By Mr. KNAPP: Papers to accompany House bill providing for the erection of a life-saving station on Six Town Point, Lake Ontario—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 7422, to pay Orville J. Jennings for work done under contract of March, 1889—to the Committee on Claims.

By Mr. LITTLE: Paper to accompany bill H. R. 8696, authorizing the Secretary of War to revoke and vacate sentence of court-martial against Daniel Smith—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 8782, granting an increase of pension to David Calhoun—to the Committee on Invalid Pensions.

By Mr. McGUIRE: Petition of citizens of Duncan, Ind. T., praying that Indian Pasture Reserve No. 3, Comanche County, be opened for homestead settlement—to the Committee on Indian Affairs.

Also, resolution of the settlers on Indian Pasture Reserve No. 3, Comanche County, Okla., in favor of opening said reserve to homestead settlement—to the Committee on Indian Affairs.

By Mr. MAYNARD: Resolution of Portsmouth Business Men's Association, of Portsmouth, Va., for the improvement of the Elizabeth River—to the Committee on Rivers and Harbors.

By Mr. MORRELL: Petition of the Denver Chamber of Commerce and Commercial Club and the Denver Real Estate and Stock Exchange, for the purchase of a site and erection of a building for the post-office and United States courts in Denver, Colo.—to the Committee on Public Buildings and Grounds.

Also, resolutions of the Manufacturers' Club of Philadelphia, relative to tariff rates—to the Committee on Ways and Means.

By Mr. OTJEN: Resolution of Veteran Post, No. 8, Grand Army of the Republic, Department of Wisconsin, relative to a service-pension law—to the Committee on Invalid Pensions.

By Mr. PADGETT: Papers to accompany bill for the relief of the trustees of the Methodist Episcopal Church, Triune, Tenn.—to the Committee on War Claims.

By Mr. PORTER: Resolutions of the representatives of the grain trader organizations of the United States, relative to inspection of grain by the National Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Calaveras Big Tree Committee of the Outdoor Art League of San Francisco, for protection of the big trees of Calaveras—to the Committee on Agriculture.

Also, resolutions of the Manufacturers' Club of Philadelphia, relative to tariff rates—to the Committee on Ways and Means.

Also, resolutions of the Commercial Club of Topeka, Kans., relative to the restoration of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of The Merchants and Manufacturers' Association of Baltimore, to provide for an increase in the depth of the main ship channel giving access to the port of Baltimore from 30 to 35 feet depth of water at mean low tide—to the Committee on Rivers and Harbors.

Also, papers to accompany bill (H. R. 6985) granting an increase of pension to George W. Stormer—to the Committee on Invalid Pensions.

By Mr. RAINEY: Resolutions of Lucian King Post, No. 410, of Kane, Ill., and Dick Johnson Post, No. 381, of Tallulo, Ill., Grand Army of the Republic, relative to a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Winchester, Ill., protesting against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RIDER: Resolution of the New York Board of Trade and Transportation, in opposition to the repeal of the national bankruptcy act—to the Committee on the Judiciary.

Also, memorial of the Upper Mississippi River Improvement Association, favoring improvement of the Mississippi River—to the Committee on Rivers and Harbors.

By Mr. RODEY: Resolutions of Sherman Post, No. 1, of Las Vegas, N. Mex.; Kennedy Post, No. 10, of White Oaks, N. Mex.; Carleton Post, No. 3, of Santa Fe, N. Mex.; G. K. Warren Post, No. 5, of Albuquerque, N. Mex., and Sedgwick Post, No. 2, of Raton, N. Mex., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Resolution of the New York Board of Trade and Transportation, in opposition to the repeal of the national bankruptcy act—to the Committee on the Judiciary.

Also, resolution of the Merchants and Manufacturers' Association of Baltimore, relative to the deepening of the main ship channel—to the Committee on Rivers and Harbors.

By Mr. RYAN: Resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening main ship channel—to the Committee on Rivers and Harbors.

By Mr. SHERMAN: Resolution of the Oneida County (N. Y.)

board of supervisors, urging enactment of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Outdoor Art League of California, urging the preservation of the big trees of California—to the Committee on Agriculture.

By Mr. SPARKMAN: Petition of citizens of Florida, against sale of liquor in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Tampa (Fla.) Board of Trade, relative to the improvement of the rivers and harbors of the country—to the Committee on Rivers and Harbors.

By Mr. SPERRY: Papers to accompany bill H. R. 10086, for the relief of John Moriarty—to the Committee on Claims.

Also, resolution of the Connecticut Horticultural Society, in favor of preserving the big trees of California—to the Committee on Agriculture.

By Mr. STAFFORD: Resolution of Henry Bertram Post, No. 194, Grand Army of the Republic, Department of Wisconsin, relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: Resolution of the New York Produce Exchange, relative to the inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Produce Exchange, favoring deepening Harlem (Bronx) Kills channel—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Maritime Exchange, favoring arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. TRIMBLE: Papers to accompany bill H. R. 8417, for the relief of James S. Clark—to the Committee on War Claims.

Also, papers to accompany bill H. R. 8418, for the relief of Thomas H. Clay, administrator—to the Committee on War Claims.

By Mr. WARNOCK: Resolutions of Cantwell Post, No. 97, of Kenton, Ohio; Joseph Sailor Post, No. 440, of Degraff, Ohio; Eugene Reynolds Post, No. 441, Bellefontaine, Ohio; Carman Post, No. 101, of Afla, Ohio; W. A. Brand Post, No. 98, of Urbana, Ohio; Edgar Post, No. 102, of Dunkirk, Ohio; W. D. W. Mitchell Post, No. 593, of Byhalia, Ohio; Stoker Post, No. 54, of Findlay, Ohio, and Henry Harriman Post, No. 334, of West Mansfield, Ohio, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: Paper to accompany bill for relief of David M. Foster—to the Committee on Pensions.

By Mr. WOODYARD: Resolution of Cleavenger Post, No. 93, Grand Army of the Republic, Department of West Virginia, relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WYNN: Resolution of the Chamber of Commerce of San Jose, Cal., relative to the proposed Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

SENATE.

TUESDAY, *January 19, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 17th ultimo, a statement showing the quarters and buildings rented by the War Department in the District of Columbia and the various States and Territories and the annual rental in each case; which, with the accompanying paper, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

DELAWARE INDIAN LANDS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 11th instant, papers and copies of the report of the Commission to the Five Civilized Tribes relative to the allotments of lands in the Cherokee Nation to the Delaware Indians; which, with the accompanying papers, was referred to the Select Committee on the Five Civilized Tribes of Indians, and ordered to be printed.

SCHOONER POLLY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Polly*, Richard Lakeman, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented petitions of the Woman's Christian Temperance Union of Conway; of the congregation of the Jefferson Avenue Presbyterian Church, of Detroit; of the Home Missionary Society of the Jefferson Avenue Presbyterian Church, of Detroit, and of the Ladies' Aid Society of Bethel, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HANSBROUGH presented a petition of the congregation of the Methodist Episcopal Church of Pembina, N. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented resolutions of E. G. Trask Post, No. 388, of Chatsworth; of Isaac McManus Post, No. 446, of Keithsburg; of Royal Douglas Post, No. 179, of Prairie City; of W. S. Bryan Post, No. 284, of Neponset; of R. H. Graham Post, No. 312, of Moline; of F. S. Wham Post, No. 607, of Kell; of Martin Blaker Post, No. 245, of Jeffersonville; of Kilpatrick Post, No. 276, of Chicago; of Joseph Woodruff Post, No. 281, of Marseilles; of George W. Caine Post, No. 771; of Hazel Dell Post, No. 336, of Hazel Dell; of George W. Newitt Post, No. 398, of Franklin Grove; of Atlanta Post, No. 326, of Atlanta; of O. K. Hubard Post, No. 739, of Lyndon; of Ulysses S. Grant Post, No. 28, of Chicago; of Monroe Post, No. 100, of Casey; of Jacob E. Reed Post, No. 550, of Newton; of Frank Reed Post, No. 409, of Tuscola; of Kyger Post, No. 204, of Georgetown; of Major Lee Post, No. 277, of Rossville; of Alphens Clark Post, No. 118, of Morrison; of H. W. Wood Post, No. 173, of McLean; of I. C. Puch Post, No. 481, of Dalton City; of John Musser Post, No. 365, of Orangeville, and of Cobden Post, No. 439, of Cobden, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented the petition of Richard J. Beall, of Washington, D. C., praying for the enactment of legislation providing for the draining and arching of Rock Creek, in that city, in accordance with his estimate; which was referred to the Committee on the District of Columbia.

Mr. McCUMBER presented a petition of the Village Improvement Association of Cranford, N. J., praying for the passage of the so-called pure-food bill; which was ordered to lie on the table.

Mr. ELKINS presented a petition of J. Elmore Evans Post, No. 77, Department of West Virginia, Grand Army of the Republic, of West Virginia, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperence Union of Fairmont, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Grays Harbor Trades and Labor Council, of Aberdeen, Wash., remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Massillon, Ohio, and a petition of the Business Men's Club of Cincinnati, Ohio, praying for the enactment of legislation to increase the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

Mr. KEAN presented a petition of G. Van Houten Post, No. 3, Department of New Jersey, Grand Army of the Republic, of Jersey City, N. J., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the National Board of Steam Navigation of New York City, praying that an appropriation be made to deepen the channel connecting the Kill van Kull with New York Harbor near Liberty Island, west of Robbins Reef light; which was referred to the Committee on Commerce.

He also presented the petition of Isabel E. Murdock, of Riverton, N. J., and a petition of the congregation of the Old Tennent Presbyterian Church, of Tennent, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented a petition of Silver Post, No. 85, Department of Kansas, Grand Army of the Republic, of Winfield, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union of Moundridge, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of sundry citizens of Ellinwood, Kans., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Kansas State Grange, praying for the enactment of legislation to increase the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Ogden, Kans., remonstrating against a continuance of the annual maneuvers of the Army on the military reservation at Fort Riley, Kans.; which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Gray County; of the congregation of the Presbyterian Church and Loyal Temperance League, of Caldwell; of the congregation of the United Presbyterian Church, and of the Young People's Christian Union of the United Presbyterian Church, of Lyndon, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. QUAY presented a petition of the Musical Club and the Historical Club of Towanda, Pa., and a petition of sundry citizens of Blairsville, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. P. NROSE presented a petition of Philadelphia Division, No. 102, Order of Railroad Telegraphers, of Philadelphia, Pa., praying for the enactment of legislation to improve the condition of telegraphers in the United States Army; which was referred to the Committee on Military Affairs.

He also presented a petition of sundry citizens of McKean County, Pa., praying for the enactment of legislation to prohibit the sale of liquor in Soldiers' Homes and all Government buildings; which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of New York, Florida, and Illinois, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Woman's Christian Temperance Union of Vandergrift; of the congregation of the Baptist Church of Flatwoods; of the congregation of the First Presbyterian Church of Northeast; of the Twentieth Century Club of Lansdown; of the Missionary Society of the Methodist Episcopal Church of Condersport; of the Woman's Christian Temperance Union of Carlisle; of the congregation of the Grace Lutheran Church, of Leechburg; of the congregation of the Presbyterian Church of Laurel Hill, and of the congregation of the United Presbyterian Church of Laurel Hill, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BALL presented sundry papers to accompany the bill (S. 2052) for the relief of Samuel S. Weaver; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 1354) granting an increase of pension to John D. Woodward; which were referred to the Committee on Pensions.

Mr. MITCHELL presented petitions of the congregation of the Marshall Street Presbyterian Church, of Portland; of the congregation of the Grace Methodist Episcopal Church, of Portland; of the congregation of the First Cumberland Presbyterian Church of Portland; of the congregation of the Third Presbyterian Church of Portland; of the congregation of the First English Church of the Evangelical Association of Portland; of the centenary of the Methodist Episcopal Church of Portland, and of the congregation of the Fourth Presbyterian Church of Portland, all in the State of Oregon, praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Exposition, to be held at Portland, Oreg.; which were referred to the Select Committee on Industrial Expositions.

Mr. CARMACK presented a petition of sundry citizens of Saulsbury, Tenn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented the petition of W. A. Swank, of Crawfordsville, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Merchants and Manufacturers' Association of Baltimore, Md., praying that an appropriation be made to deepen the main ship channel at that port from 30 to 35 feet; which was referred to the Committee on Commerce.

He also presented memorials of the Indiana Retail Merchants' Association, of Evansville; of the Indiana Retail Merchants' Association, of Greenfield, and of Harris Fitch, of Lawrenceburg, all in the State of Indiana, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Loogootee, New Albany, Logansport, and Bethlehem, all in the State of Indiana, and of the National Union of Women's Organizations, of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HOPKINS presented petitions of Robert Anderson Post, No. 632, of Altamont; of Alfred Beriz Post, No. 402, of Andalusia; of Albion Post, No. 338, of Albion; of Charles Chatfield Post, No. 590, of Bath; of Cooling Post, No. 316, of Byron; of J. Vlerebome Post, No. 613, of Buffalo; of W. S. Hancock Post, No. 560, of Chicago; of Naper Post, No. 468, of Downers Grove; of David Hill Post, No. 532, of Elizabeth; of McCulloch Post, No. 475, of Earlville; of Mother Breckerdike Post, No. 442, of Edenburg; of George W. Hewitt Post, No. 398, of Franklin Grove; of Henry Hiller Post, No. 658, of Forreston; of Resaca Post, No. 478, of Genoa; of George Spalding Post, No. 60, of Geneva; of Post No. 373, of Grayville; of A. J. Smith Post, No. 779, of Hanna City; of W. J. Wylie Post, No. 377, of Illinois City; of Martin Baker Post, No. 245, of Jeffersonville; of Lucian Post, No. 410, of Kane; of W. J. Stephenson Post, No. 249, of Louisville; of Alpheus Post, No. 118, of Morrison; of T. S. Bowers Post, No. 195, of Mount Carmel; of Darveau Post, No. 329, of Morris; of Jordan Post, No. 535, of Macon; of A. M. Pollard Post, of Manito; of John A. Parrott Post, No. 543, of Prophetstown; of James P. Cowens Post, No. 219, of Pinckneyville; of John C. Ragan Post, No. 742, of Rockefeller; of Francis M. Lane Post, No. 247, of Ransom; of Colonel Harney Post, No. 181, of Rushville; of Carter Wright Post, No. 772, of Somonauk; of W. C. Baker Post, No. 551, of Stillman Valley; of Stuleville Post, No. 358, of Stuleville; of George Ralston Post, No. 688, of St. Elms; of Randolph Post, No. 93, of Tonica; of Downing Post, No. 321, of Virginia; of E. S. Kelly Post, No. 513, of Wheaton, and of Wauconda Post, No. 368, of Wauconda, all in the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the National Union of Women's Organizations; of the Woman's Club of Rochelle; of the congregations of the Methodist Episcopal, United Brethren, and Presbyterian churches of Robinson; of sundry citizens of Lexington; of the congregation of the United Presbyterian Church of Chicago; of the congregation of the First Methodist Episcopal Church of Jefferson; of the Woman's Home Missionary Society of Evanston; of the congregation of the First Presbyterian Church of Peoria; of the congregation of the Presbyterian Church of Hinsdale; of the Woman's Home Missionary Society of Chicago, and of sundry citizens of Chicago, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALGER presented a petition of Albert Nye Post, No. 202, Department of Michigan, Grand Army of the Republic, of Michigan, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Jefferson Avenue Presbyterian Church, of Detroit, Mich., and a petition of the Home Missionary Society of the Jefferson Avenue Presbyterian Church, of Detroit, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of Bosworth Post, No. 2, Department of Maine, Grand Army of the Republic, of Portland, Me., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5197) granting an increase of pension to William C. Brown; and

A bill (H. R. 6004) granting an increase of pension to William C. Lyon.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1532) granting an increase of pension to Electa Allen;

A bill (S. 846) granting an increase of pension to Catharine W. Collins; and

A bill (H. R. 892) granting an increase of pension to Abram H. Hunt.

Mr. ALGER, from the Committee on Pensions, to whom was referred the bill (S. 2889) granting an increase of pension to John Beaird, reported it with amendments, and submitted a report thereon.

Mr. SMOOT, from the Committee on Pensions, to whom was referred the bill (S. 2940) granting an increase of pension to Margaret Liddle, reported it with an amendment, and submitted a report thereon.

Mr. BALL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt;

A bill (H. R. 661) granting an increase of pension to Elizabeth E. Meckly;

A bill (H. R. 5177) granting an increase of pension to William H. Clark;

A bill (H. R. 957) granting an increase of pension to Alonzo Carpenter;

A bill (H. R. 616) granting an increase of pension to Sarah S. Chrysler; and

A bill (H. R. 942) granting an increase of pension to James F. Hardy.

CHARTS ON FOOD AND DIET.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 26) providing for the publication of 8,500 copies of a set of four charts on food and diet, to report it favorably without amendment, and I ask for its immediate consideration.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that there shall be printed in colors 8,500 copies of the set of four food and diet charts, after revision under the supervision of the Secretary of Agriculture, 4,000 copies for the use of the House, 2,000 copies for the use of the Senate, 2,000 copies for the use of the Secretary of Agriculture, and 500 copies for sale by the superintendent of documents.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COMPILATION BY BUREAU OF INSULAR AFFAIRS.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the compilation by the Bureau of Insular Affairs, reported the following order; which was considered by unanimous consent, and agreed to:

Ordered, That the compilation of the "Acts of Congress, treaties, and proclamations relating to insular and military affairs from March 4, 1897, to March 3, 1903," be printed as a document.

CUSTOMS APPRAISER AT PITTSBURG, PA.

Mr. PENROSE. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa., to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole. It provides that there shall be in the customs collection district of Pittsburg, in the State of Pennsylvania, an appraiser, to be appointed by the President, by and with the advice and consent of the Senate, and with compensation at the rate of $3,000 per annum.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GALLATLY, HANKEY & CO.

Mr. PENROSE. On January 8 I introduced a bill (S. 3240) for the relief of Gallatly, Hankey & Co., which was referred to the Committee on Foreign Relations. I move that that committee be discharged from its further consideration, and that the bill be referred to the Committee on Claims.

The motion was agreed to.

BILLS INTRODUCED.

Mr. PENROSE introduced a bill (S. 3547) to prohibit the use of the mails in the conduct of "chain coupon" or "chain investment" enterprises and similar schemes, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 3548) to execute the findings of the Court of Claims in the case of Mary L. Hawley, widow of Charles E. Hawley, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3549) to amend "An act to amend the pension laws by increasing the pensions of soldiers and sailors who have lost an arm or leg in the service, and for other purposes," approved March 3, 1883;

A bill (S. 3550) granting an increase of pension to John G. Bridaham;

A bill (S. 3551) granting an increase of pension to Jeremiah Lavser;

A bill (S. 3552) granting an increase of pension to Frank H. Wilson;

A bill (S. 3553) granting a pension to Sarah J. Cline;

A bill (S. 3554) granting a pension to Thomas F. Walter;

A bill (S. 3555) granting a pension to Elizabeth Clampitt (with an accompanying paper);

A bill (S. 3556) granting an increase of pension to Theodore P. Ryndor;

A bill (S. 3557) granting an increase of pension to Joseph Reese; and

A bill (S. 3558) granting an increase of pension to William Moore.

Mr. ALGER introduced a bill (S. 3559) to amend the record of First Lieut. Henry P. Kinney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also introduced a bill (S. 3560) granting an increase of pension to Linda Berry; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALLEE introduced the following bills, which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3561) granting an increase of pension to Anna E. Draper; and

A bill (S. 3562) granting a pension to Margaretta J. Cullen.

Mr. ELKINS introduced a bill (S. 3563) granting an increase of pension to Susie G. Seabury; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3564) for the relief of the estate of Jacob J. Foreman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3565) granting an increase of pension to Edgar Mumma;

A bill (S. 3566) granting a pension to Carrie E. Costinett;

A bill (S. 3567) granting an increase of pension to Sylvester Ramsey;

A bill (S. 3568) granting an increase of pension to Elias Bussard;

A bill (S. 3569) granting an increase of pension to John S. Chamberlain; and

A bill (S. 3570) granting a pension to Conrad Zang (with an accompanying paper).

Mr. DRYDEN. Several weeks ago I introduced by request a bill, Senate bill 2161, to deny the mails to fraudulent insurance companies. The bill has been under consideration by the Committee on Post-Offices and Post-Roads and by them was referred to the Post-Office Department for an examination. The Postmaster-General has made a revision of the bill and has returned it with a letter. I now introduce the revised bill and ask that it be referred to the Committee on Post-Offices and Post-Roads as a substitute for the original bill. I should also like to have the letter of the Postmaster-General printed.

The bill (S. 3571) to amend the act of September 19, 1890, entitled "An act to amend certain sections of the Revised Statutes relating to lotteries, and for other purposes" (sections 3894 and 3929 of the Revised Statutes), and the first section of the act of Congress of March 2, 1895 (chapter 191), entitled "An act for the suppression of lottery traffic through national and interstate commerce and the postal service subject to the jurisdiction and laws of the United States" so as to apply the provisions of existing laws to letters, postal cards, circulars, pamphlets, and publications concerning any business of and contracts and policies of life, fire, or other insurance transmitted into any State, District, or Territory by concerns or persons not authorized to transact such business in the State, District, or Territory from which the same are transmitted, was read twice by its title, and, with the accompanying letter from the Postmaster-General, which was ordered to be printed, referred to the Committee on Post-Offices and Post-Roads.

Mr. BATE introduced a bill (S. 3572) for the erection of a public building at Morristown, Tenn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3573) granting an increase of pension to Calvin E. Myers; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 3574) for the relief of Henry P. Bottoms; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3575) granting an increase of pension to Samuel M. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3576) for the relief of the estate of William Grigsby, deceased;

A bill (S. 3577) for the relief of the estate of Lemuel Cox, deceased;

A bill (S. 3578) for the relief of M. E. Hall and the estate of James B. Hall, deceased;

A bill (S. 3579) for the relief of the estate of C. L. Davis, deceased;

A bill (S. 3580) for the relief of the estate of H. B. Henegar, deceased;

A bill (S. 3581) for the relief of the trustees of the Methodist Church of Prospect, Tenn.;

A bill (S. 3582) for the relief of George W. Webster;

A bill (S. 3583) for the relief of the estate of Alvin Barnes, deceased;

A bill (S. 3584) for the relief of I. J. Humphreys;

A bill (S. 3585) for the relief of the trustees of the Presbyterian Church at Strawberry Plains, Tenn.;

A bill (S. 3586) for the relief of the trustees of Mill Creek Baptist Church, of Davidson County, Tenn.;

A bill (S. 3587) for the relief of Hiram Lodge, No. 7, of Free and Accepted Masons, of Franklin, Tenn.;

A bill (S. 3588) for the relief of the trustees of Mill Creek Baptist Church, of Davidson County, Tenn.;

A bill (S. 3589) for the relief of the estate of N. T. Power, deceased;

A bill (S. 3590) for the relief of the trustees of the Cumberland Presbyterian Church, of Clarksville, Tenn.;

A bill (S. 3591) for the relief of the trustees of the Cumberland Presbyterian Church, of Charleston, Tenn.;

A bill (S. 3592) for the relief of the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn.;

A bill (S. 3593) for the relief of the estate of J. H. Frith, deceased;

A bill (S. 3594) for the relief of James J. Crunk; and

A bill (S. 3595) for the relief of the estates of Asa Faulkner, deceased; Lewis L. Faulkner, deceased, and S. B. Spurlock, deceased.

Mr. TELLER introduced a bill (S. 3596) to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Mines and Mining.

Mr. GALLINGER (for Mr. GIBSON) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 3597) for the relief of Vincenzo Gerardi, of Washington, D. C.; and

A bill (S. 3598) for the relief of holders and owners of certain District of Columbia special-tax scrip.

Mr. GALLINGER introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (by request) (S. 3599) to require the use of closed and heated street cars in the District of Columbia; and

A bill (S. 3600) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes.

Mr. CULLOM introduced a bill (S. 3601) to correct the military record of David Horner; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3602) granting a pension to Johanna Callahan;

A bill (S. 3603) granting a pension to Howard Franklin; and

A bill (S. 3604) to restore pension to Sarah A. Fugett.

Mr. CULLOM introduced a bill (S. 3605) for the relief of Mahala C. Carter; which was read twice by its title, and referred to the Committee on Claims.

Mr. QUAY introduced a bill (S. 3606) granting an increase of pension to James F. Dampman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 3607) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BURROWS introduced a bill (S. 3608), granting an increase of pension to Anson R. Hodgkins; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 3609) to amend an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents," approved June 27, 1890; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3610) to amend an act entitled "An act to increase the pensions of certain soldiers and sailors who are totally helpless from injuries received or diseases contracted while in the service of the United States," approved March 4, 1890; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3611) to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," by a further extension of time for the construction of said railway; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a bill (S. 3612) for the relief of the estate of Shedrack D. Northcutt and S. T. Northcutt, on account of Indian depredations; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Depredations.

He also introduced a bill (S. 3613) to prohibit the employment of aliens on public works in the Territory of Hawaii; which was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

He also introduced a bill (S. 3614) for the relief of the heirs of Margaret Kennedy; which was read twice by its title, and referred to the Committee on Claims.

Mr. OVERMAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3615) granting an increase of pension to Francis S. Miller;

A bill (S. 3616) granting an increase of pension to Frances E. Plummer; and

A bill (S. 3617) granting a pension to G. W. Gosnell.

Mr. BAILEY (by request) introduced a bill (S. 3618) for the relief of Mrs. Mary McDonald, widow of John McDonald; which was read twice by its title, and referred to the Committee on Claims.

Mr. FAIRBANKS introduced a bill (S. 3619) granting a pension to Elizabeth B. Yount; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3620) granting a pension to David Rankin; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3621) for the relief of Rufus Neal; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 3622) for the relief of Lincoln W. Tibbetts; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 3623) for the relief of the legal representatives of Alvin M. Ryerson; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 3624) granting an increase of pension to Peter D. Moore; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. QUAY introduced a bill (S. 3625) to enable the people of Oklahoma and of the Indian Territory to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was read twice by its title, and referred to the Committee on Territories.

Mr. PROCTOR introduced a bill (S. 3626) to regulate the employment of officers of the Army on the retired list, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO BILLS.

Mr. CLAPP submitted an amendment intended to be proposed by him to the bill (S. 2458) granting pensions to certain soldiers who served in the war of the rebellion, and their widows; which

was referred to the Committee on Pensions, and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the bill (S. 3546) relating to proofs under the homestead laws, and to confirm such proofs in certain cases when made outside of the land district within which the land is situated; which was referred to the Committee on Public Lands, and ordered to be printed.

Mr. NELSON submitted an amendment proposing to appropriate $250,000 for the construction, under the direction of the Secretary of War, of a wagon road from Valdez by the most practicable route to Fort Egbert or Eagle, on the Yukon River, in the district of Alaska, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Territories, and ordered to be printed.

Mr. SCOTT submitted an amendment providing that the compensation of the chief of the internal-revenue agents shall not exceed $10 per day, and of the other internal-revenue agents not to exceed $8 per day each, to be fixed by the Commissioner of Internal Revenue, etc., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

WITHDRAWAL OF PAPERS.

On motion of Mr. FRYE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers accompanying Senate bill 3368, Fifty-seventh Congress, first session, to increase the pension of James M. Sherman, there having been no adverse report on the bill.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE.

Mr. ELKINS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Interstate Commerce be, and the same is hereby, authorized to employ a stenographer from time to time as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings and bills printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

CLERK IN SENATE POST-OFFICE.

Mr. BURTON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant-at-Arms of the Senate be authorized to employ one clerk in the Senate post-office at a compensation of $1,200 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

THE RED CROSS SOCIETY.

Mr. DANIEL submitted the following resolution; which was considered by unanimous consent, and agreed to.

Resolved by the Senate, That the Secretary of State be, and he is hereby, directed to inform the Senate whether or not the Department of State has made the following or similar inquiries of foreign governments respecting the Red Cross Society, and, if so, to further inform the Senate what replies, if any, have been received to said inquiries, viz:

1. What financial support, if any, does the government give to the Red Cross Society?
2. Does the government appoint any of the officials or directors of the Red Cross Society?
3. How is the society organized in respect to its equipment for active field work?
4. How is the executive and office staff organized?
5. What sources of income and revenue other than the government provides?
6. How are its accounts kept and audited?
7. What check, if any is provided to protect the funds of the society against [illegible] on the part of its agents or officers?
8. What is the extent and character of government supervision respecting the [illegible] of its agents, its work, etc.?
9. Does the society [illegible] the praising people of the country?
10. Does it receive valuable money contributions from private sources?

FORESTRY LANDS IN MINNESOTA.

Mr. NELSON. I ask unanimous consent for the immediate consideration of the bill (S. 1558) to grant to the State of Minnesota certain vacant lands in said State for forestry purposes.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Public Lands with amendments, in line 5, after "thirty-four," to insert the word "north;" and in line 6, after the word "twenty-nine," to insert "west, fifth principal meridian;" so as to make the bill read:

[illegible] That the northeast quarter of the northwest quarter and the southeast quarter of the southwest quarter of section [illegible] in township [illegible] north, range [illegible] west, fifth principal meridian, Minnesota, being vacant [illegible] reserve [illegible] forestry purposes, [illegible] be, and the same is hereby, granted to the State of Minnesota, for forestry purposes, but this act shall not prejudice any rights to any of said land that may have been acquired by any adverse party prior to the passage [illegible]

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SETTLERS ON SHERMAN COUNTY, OREG., LANDS.

Mr. MITCHELL. I should like to ask the unanimous consent of the Senate to proceed to the consideration of the bill (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon. It is a local measure of importance to citizens of my State.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to investigate and ascertain the persons who, respectively, of the lands settled upon and [illegible] by the respective persons whose names are set out in the Senate document No. [illegible] second Fifty-sixth Congress, and in Senate document No. [illegible] second Session Fifty-seventh Congress, and in which documents [illegible] and such other persons who settled upon and [illegible] after their respective entries to either of the corporations [illegible] who were unable to get their entries of record, and [illegible] in the County of Sherman, in the State of Oregon.

And it is further enacted, that it shall be the duty of the Secretary of the Interior to [illegible] entered on said lands [illegible] any other [illegible] follows: First, in all cases [illegible] lands it shall be the duty of the Secretary of the Interior to [illegible] value of such lands [illegible] such settlers, respectively. [illegible] Wagon Road Company or the Dalles Military Wagon Road Company [illegible] interest to the Dalles Military Wagon Road Company [illegible] judgment and the decree of the Supreme Court of the United States [illegible] the title to said lands, and it is hereby made the duty of the Secretary of the Interior to ascertain the time during which, [illegible] of them, first made settlement upon said lands and [illegible] dates when they or either of them were [illegible] lands; and in all cases where any of said settlers [illegible] of the lands so claimed by them, respectively, the [illegible] same and the improvements thereon shall be determined by the Secretary of the Interior as of the date of the passage of this act.

And it is hereby made the duty of the Secretary of the Interior to ascertain whether any of such settlers, and if so, their names, respectively, at some time after the decision of the Supreme Court of the United States [illegible] the Dalles Military Wagon Road Company or the Northern Pacific Railroad Company, made a right to the lands settled upon, the name of such purchaser, respectively, a description of the lands so purchased, and the amount of money paid by such purchaser, respectively, by each thereof to said wagon-road companies or either of them.

SEC. 2. That it shall be further the duty of the Secretary of the Interior to ascertain the names of all persons who made entries of said lands under the provisions of section 3 of the act of September 29, 1890, 26 Stat. p. [illegible], and the acreages thereto, and a description of the lands so claimed, respectively, and to ascertain the value of the improvements made thereon by such settlers, respectively, between the date of the passage of said act and the date of entry, or in the event there has been no entry, then as of the date of the passage of this act.

SEC. 3. That it shall be the duty of the Secretary of the Interior further to ascertain for what price and on what terms the Dalles Military Wagon Road Company, successor in interest of the Dalles Military Wagon Road Company, would relinquish to the settlers the lands claimed by them, respectively, together with the improvements thereon.

SEC. 4. That he is hereby made the duty of the Secretary of the Interior to make a full and specific report to Congress on or before the first day of the next session, in pursuance of the jurisdiction and duties imposed on him by this act.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. PLATT of Connecticut. Is there a report, Mr. President?

Mr. MITCHELL. There is a report. I will state to the Senator from Connecticut. It is somewhat lengthy.

Mr. PLATT of Connecticut. Will the Senator give some explanation of the bill?

Mr. MITCHELL. The bill was reported unanimously from the Committee on Public Lands in the last Congress, and it passed the Senate. It has been again reported unanimously by the committee at the present session.

In brief the case is this: There are about 100 settlers upon these lands. The lands claimed by them were included within the limits of two land grants made by Congress, one to the Northern Pacific Railroad Company and the other to The Dalles Military Wagon Road Company. Subsequently Congress declared forfeited the lands granted to the Northern Pacific Railroad Company. A question then arose whether the rights of the wagon-road company attached or whether the lands were open to settlement. The Secretary of the Interior held that the lands were open to settlement and [illegible]. It [illegible] to go on the land. [illegible] settlers, [illegible] went on the lands many years ago and made valuable improvements. They cultivated the land and supposed there was no question as to the validity of their title.

Subsequently the assignees of the wagon-road company contended that the rights of the wagon-road company attached on the forfeiture of the grant to the Northern Pacific. They went into the courts. Finally the case went to the Supreme Court of the United States, and their contention was sustained by the Supreme Court, the result of which is to deprive all these settlers of their land. Many of them have been ousted. Some of them are still in possession, and one purpose of this bill is to get information as to the number of settlers, the value of the improvements made, and of the lands held by each.

Mr. PLATT of Connecticut. It does not carry any appropriation?

Mr. MITCHELL. It carries no appropriation whatever. It simply authorizes the Secretary of the Interior to ascertain the facts so that the case can be considered later on by Congress. It provides for a departmental ascertainment of all necessary facts to enable Congress to make compensation to each settler for all losses incurred.

Mr. SPOONER. What is the nature of the facts to be ascertained by the Secretary of the Interior?

Mr. MITCHELL. The nature of the facts to be ascertained is, first, a description of the lands taken up by each settler, the value of the lands, the time the same were occupied, respectively, and the value of the improvements and the status of the whole business. The Secretary of the Interior is also by the bill directed to inquire into the question as to whether the assignees of the wagon-road company, who now hold the lands under the decision of the Supreme Court, are willing on any terms, and, if so, on what terms, to surrender the lands with the improvements to the settlers.

Mr. SPOONER. Does the Senator propose any measure of relief in connection with the bill?

Mr. MITCHELL. The relief I have stated: an appropriation will come later.

Mr. SPOONER. Ought it not to come now?

Mr. MITCHELL. I think it ought; but it was the judgment of the committee that these facts should be first ascertained, to the end that Congress could the better determine as to the precise and proper measure of relief or compensation to be meted out in each case.

Mr. SPOONER. This bill in part, affording a very small measure of relief, was passed by the Senate in the last Congress. It was recommended by the Interior Department, and it included also the case of the settlers on the Wisconsin Central grant in Wisconsin. The relief which the bill provided was contemptible, under all the circumstances, for a government like this to afford to its citizens.

I should be very glad if the Senator would let the bill go over until to-morrow. I do not antagonize it, and if he prefers that it shall be considered and passed upon to-day, I will make no objection, but I should like to include in this investigation the settlers on the Wisconsin Central grant, and I should like to couple with it, contingent upon the finding of the facts by the Department of the Interior, some decent measure of relief to the Oregon settlers and to the Wisconsin settlers.

Mr. MITCHELL. I should be very glad to consent to the wish of the Senator from Wisconsin. I do not wish, however, to take a position here that would seem to be antagonistic to the position taken by the committee. The bill to which the Senator refers, to which a provision for the relief of the Wisconsin settlers was attached, was not this bill, but a House bill, and was wholly ineffective. The bill now under discussion passed the Senate in its present form, containing no provision for the relief of settlers on the Wisconsin grant. This measure was very fully discussed before the committee, and I think the committee have gone as far as they are willing to go at this time.

Mr. SPOONER. The committee at the last Congress simply gave a right to the settlers in Oregon and the settlers in Wisconsin to select other lands of the Government in lieu of the lands of which they had been deprived.

Mr. MITCHELL. That was not the same bill, but an entirely different bill—a House bill.

Mr. BERRY. Mr. President, the Senator from Wisconsin is mistaken. I do not know what was done in regard to Wisconsin lands. This bill, however, as originally introduced by the Senator from Oregon provided that upon the finding of the facts a sufficient amount of money should be appropriated and the settlers should be paid. The committee was not willing to agree to it in that shape, and the Senator from Oregon consented that the finding of all the facts should be reported to Congress, and also that the Department should ascertain upon what terms the assignees of the road would relinquish to these settlers their homes and to report that fact also. As a matter of course, when the facts are reported, it is expected that Congress will make the appropriation and do what is just about it. But that is what was done by the committee. The committee declined to agree to the proposition to make the appropriation now or to authorize a payment to be made by the Secretary upon the finding of facts to justify it. If there was anything about Wisconsin lands added to it I know nothing about that. It was not in the original bill.

Mr. MITCHELL. It was not in this bill. I will state to the Senator from Wisconsin. It was in another bill—a House bill.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SPOONER. I do not object.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FORESTRY LANDS IN NORTH DAKOTA.

Mr. HANSBROUGH. I ask for the present consideration of the bill (S. 371) granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to grant to the State of North Dakota 30,000 acres of the unappropriated public lands within that State, to be selected by the proper authorities thereof, to aid in the maintenance of a school of forestry, which institution has been established by the legislature of said State and located at the village of Bottineau. But in case of the discontinuance of the school the lands so selected shall revert to the United States.

The bill was reported to the Senate without amendment.

Mr. PLATT of Connecticut. I should like to inquire of the Senator from North Dakota whether, if this bill passes, the irrigation fund loses the advantage of the 30,000 acres?

Mr. HANSBROUGH. I suppose that if the bill did not pass the lands which we expect to take under the bill would be taken under the general laws and converted into cash. The irrigation fund would lose to that extent, but I think it would be a very small loss, and one not to be considered in view of the purpose of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VERMONT STATE CLAIMS.

Mr. PROCTOR. I ask that the bill (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont, be now taken up.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

To enable the Secretary of the Treasury to pay the State of Vermont the sum appropriated to that State under the act of Congress of July 1, 1902, or such part thereof as it may be entitled to, it authorizes and directs the accounting officers of the Treasury Department to audit, adjust, and settle the mutual claims of the United States and the State of Vermont in respect to ordnance and quartermaster's stores furnished in the years 1864 and 1865, and on payment a receipt in full shall be taken from the proper State authorities.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SURETIES OF FRANK A. WEBB.

Mr. BALL. I ask unanimous consent for the present consideration of the bill (S. 1352) for the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb.

The Secretary read the bill, as follows:

Be it enacted, etc., That Lindley C. Kent and Joseph Jenkins, sureties upon the bond of Frank A. Webb for the faithful performance of his contract for the construction, erection, and delivery of buildings for the new Fort Penn light station, Delaware fourth light-house district, having, by failure on the part of said Webb, been obliged to complete and contract themselves for said Webb, but at their own expense, and having by such unexpected failure of said contractor not only been put to great extra cost in such work but also been, by the terms of the contract, subjected to a very heavy penalty for delayed completion of the work, due to the said Webb's failure and not to any fault of their own, a penalty far in excess of the actual extra expense incurred to the United States, because they are hereby, because [illegible] such penalty as is in excess of the actual extra expense to the United States by reason of said delays and that the engineer of the fourth light-house district be and he is hereby authorized and directed to pay to the said Lindley C. Kent and Joseph Jenkins the moneys in the hands of the disbursing officer of said contract, less the aforesaid actual extra expense to the United States by reason of said delays: *Provided*, however, that such payment shall not be made until said engineer is satisfied that all materials used and all labor employed in the construction of said buildings have been duly paid for.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. SPOONER. I should like to inquire how much is involved in the bill?

Mr. BALL. Only about eleven hundred dollars. There were seventy-seven days' overtime charged at the rate of $20 per day, which came to about $1,500. The extra expense to the Government amounted to $412.83.

Mr. SPOONER. Has it been referred to the proper Department of the Government?

Mr. BALL. It has. A similar bill passed the Senate in the Fifty-sixth and Fifty-seventh Congresses.

Mr. SPOONER. A good many things have passed the Senate; but has the bill been referred to the proper Department of the Government for a report?

Mr. BALL. I think so.

Mr. NELSON. Will the Senator from Delaware yield to me?

Mr. BALL. Certainly.

Mr. NELSON. I wish to make a statement. This bill was twice reported from the Committee on Commerce in previous Congresses, and it passed the Senate twice. It is to release certain sureties. The man they were sureties for was to construct buildings for a light station and failed to do it. The sureties went on and completed the work, but they were delayed in consequence of his delinquency. It is simply a bill to relieve them from penalty, and not otherwise.

Mr. SPOONER. Has the Senator examined it carefully?

Mr. NELSON. I have examined it, and it meets the approval of the Department.

Mr. SPOONER. Very well.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PRACTICE OF DENTISTRY IN THE DISTRICT.

Mr. STEWART. I ask unanimous consent for the present consideration of the bill (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 3, 1892.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on the District of Columbia with an amendment, after the word "act," in line 8, to insert:

[illegible]

So as to make the bill read:

[illegible] June 3, 1892, be, and the same is hereby, amended, by striking out [illegible] protection of the people from empiricism in relation thereto," approved June 3, 1892, be, and the same is hereby amended, by striking out [illegible] in section 1 of said act, and inserting in lieu thereof the following: "Provided, That the board of dental examiners may [illegible] tice to any dentist who shall have been in legal practice for [illegible] years or more, upon the presentation of the certificate of the dental board of the Senate or Territory in which he practiced, and upon the payment of the moral character and upon the payment of the certification fee without examination as to his qualifications."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LIFE-SAVING STATION ON COAST OF WASHINGTON.

Mr. FOSTER of Washington. I ask unanimous consent for the consideration at this time of the bill (S. 347) providing for the establishment of a life-saving station in the vicinity of Cape Flattery or Flattery Rocks, on the coast of Washington.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GRANT OF LAND TO UNIVERSITY OF MONTANA.

Mr. GIBSON. I ask unanimous consent for the immediate consideration of the bill (S. 121) granting additional lands adjacent to its site to the University of Montana.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to grant to the University of Montana the following-described land lying within Missoula County, Mont., and adjacent to the site of the university, namely: The south half of section 26; the south half of the northeast quarter and the south half of the northwest quarter of section 26; the east half of the southeast quarter of section 27; all situated in township 13 north and range 19 west, the same to be used for a site for an observatory for said university.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore. The Chair lays before the Senate the several resolutions relative to an investigation of the Post-Office Department and the amendments offered thereto. The pending question is on the motion to refer the resolution and the proposed amendments to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

CHANGE OF NAME OF MADISON STREET.

Mr. GALLINGER. I ask unanimous consent for the present consideration of the bill (S. 2133) to change the name of Madison street to Samson street.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That from and after the passage of this act the [illegible] Twelfth and Fifteenth streets, in the Brookland [illegible] the [illegible] Madison Street, and Sampson, shall hereafter be known and [illegible] as Samson street.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 819) to quitclaim all interest of the United States of America in and to all of square 1131, in the city of Washington, D. C., to Sidney Bieber;

A bill (H. R. 5581) to authorize the subdivision of lots or blocks in the District of Columbia;

A bill (H. R. 6289) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes;

A bill (H. R. 7023) to amend an act to regulate the height of buildings in the District of Columbia;

A bill (H. R. 8[illegible]2) in relation to business streets in the District of Columbia; and

A bill (H. R. 9341) in relation to the establishment of building lines in the District of Columbia.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 6) granting a pension to Cora M. Converse;

A bill (S. 7) granting an increase of pension to Alfred Woodman;

A bill (S. 8) granting an increase of pension to Perry Kittredge;

A bill (S. 11) granting a pension to John L. Sullivan;

A bill (S. 65) granting an increase of pension to Charles R. Allen;

A bill (S. 112) granting an increase of pension to Henry G. Hammond;

A bill (S. 137) granting a pension to Hannah Kelly;

A bill (S. 172) granting an increase of pension to Elizabeth McClaren;

A bill (S. 215) granting a pension to Mary D. Perry;

A bill (S. 338) granting an increase of pension to Jane M. Watt;

A bill (S. 339) granting an increase of pension to Ebenezer H. Richardson;

A bill (S. 367) granting an increase of pension to George W. Richardson;

A bill (S. 368) granting an increase of pension to Charles M. Wilcox;

A bill (S. 1604) granting an increase of pension to Mary A. Bishop;

A bill (S. 1652) granting an increase of pension to Minerva A. McMillan;

A bill (S. 1704) granting an increase of pension to Lucretia Ritchhart;

A bill (S. 1755) granting an increase of pension to Thomas Banks;

A bill (S. 1756) granting an increase of pension to Zebedee M. Cushman;

A bill (S. 1772) granting an increase of pension to Louise K. Bard;

A bill (S. 1819) granting an increase of pension to Charles P. Skinner;

A bill (S. 1832) granting an increase of pension to George W. Hanson;

A bill (S. 1913) granting an increase of pension to Lorenzo E. Harrison;

A bill (S. 1939) granting an increase of pension to George W. Spahr;

A bill (S. 1952) granting an increase of pension to John Monahan;

A bill (S. 1984) granting an increase of pension to Levi Roberts;

A bill (S. 1985) granting an increase of pension to Jonathan Hites;

A bill (S. 2078) granting an increase of pension to Hampton C. Watson;

A bill (S. 2125) granting an increase of pension to Marcus T. Caswell; and

A bill (S. 2218) granting an increase of pension to Amanda B. Tisdel.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

Mr. PLATT of Connecticut. Mr. President, are not the resolutions relating to the Panama affair in order at this time?

The PRESIDENT pro tempore. They are.

Mr. PLATT of Connecticut. The Senator from Wisconsin [Mr. QUARLES] has the floor, and I believe he is ready to proceed.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution known as the Gorman resolution, which will be stated.

The SECRETARY. Senate resolution 73, by Mr. GORMAN, calling upon the President for certain information touching former negotiations of the United States with the Government of New Granada or Colombia, etc.

Mr. QUARLES. Mr. President, I do not rise to make a set speech, but to submit some observations continuing the debate which has been going on here now for some time on this resolution. I think that what has happened here in the last few days has vindicated the practice and tradition of the Senate, and has demonstrated that a running debate is more apt to reach the very meat of a question than a stilted style of formal address, which would be dislocated and marred by interruption.

If I mistake not, Mr. President, we have made some progress by this discussion, and in the heat and attrition of debate some questions have been almost settled, and I doubt whether they will be made the subject of discussion hereafter.

At the outset it was contended that the Government of the United States had intervened in the affairs of a republic with whom we are at peace, and that prior to the recognition of sovereignty of the new government the United States had taken such measures as were not justified by international law with reference to a power that was at peace with us; but when that question was opened up in discussion, it was found that the only subject of criticism on the part of the diplomatic branch of our Government was the inditing of a dispatch which never reached its destination in time to affect proceedings on the Isthmus.

Up to the time of the recognition of this new government, there was no intervention; there was no unfriendly act; there was nothing done, Mr. President, as this debate has disclosed, except what was a plain duty, namely, to send ships to the Isthmus for the protection of American interests at a time when it was expected that there would be a revolution. Troops of Colombia did land, and they were met and overcome in a characteristic way by the provisional government.

It is the duty of every commanding officer to find out the weak spot in the enemy's line, and the provisional government succeeded in doing that in this instance. It knew the weak spot in that Colombian force. It knew that the soldiers of Colombia, like the politicians of Colombia, were suffering with an itching palm, and it took advantage of that weakness. Some $8,000 being forthcoming, the martial zeal and ardor of the 400 Colombian troops evaporated, and they withdrew as effectually as though they had all been killed. So that shortly after this Government had raised its flag there was no hostile force anywhere upon the Isthmus. The provisional government was in control of the territory of Panama to all intents and purposes. It had the loyal adherence of every subject on that Isthmus, and that is one of the tests of international law. It was there in supreme command, having the loyalty and allegiance of all the people, and not a hostile force anywhere in sight—a conclusive test, as my colleague [Mr. SPOONER] suggests. So I doubt whether that proposition will be again asserted on this floor as an objection to the procedure of this Government.

Then it was contended, sir—and the press participated largely in that discussion—that the President had been recreant to his legal duty under the Spooner amendment; that he had openly violated the law in not promptly making a determination of that great alternative regarding the most important enterprise that this nation has entered upon for many years. But when that subject was considered in debate it became obvious that the President did what under his oath he was obliged to do.

There was no intervening time between the end of negotiations in Colombia and the assembling of Congress—practically no interval. Those negotiations were carried on after the rejection of the treaty at Bogota, the Government of Colombia constantly holding out to us the hope that this matter would be taken up afresh, until the time arrived when the Congress of the United States, intrusted by the Constitution with the determination of this question, should meet. And I believe, Mr. President, that, as the result of this debate, the presentation and discussion of the papers and documents and correspondence has forever set at rest that question, and it will not again be asserted here that the President of the United States transgressed the law, violated his oath, or failed to discharge any duty that was incumbent upon him under the terms of the Spooner amendment or that he did more than display a wholesome respect for the prerogative of Congress.

CONSTRUCTION OF THE TREATY OF 1846.

This brings us, then, Mr. President, to another question which has been mooted here and only briefly discussed, and that is a construction of the treaty of 1846 and what obligation it imposed upon this Government. It has been stated correctly that this treaty contained a grant to this Government which was of great value, and we find by reference to the treaty this language:

The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of conveyance that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States, etc.

Mr. President, what does it mean when one sovereign nation by a compact of that kind agrees that another sovereign nation shall have an open, free transit and right of way across its territory? That a sovereign nation has a right to enter into such a compact there is no doubt, because the law writers all agree that any government may yield so much of its sovereignty over its territory as to permit another power to come in and enjoy privileges or discharge duties therein, which they say is known in international law as a servitude. It is like the common law easement, and is just as efficacious as between these two nations as an agreement on my part for a right of way across an 80-acre tract that I own. There is only this difference, Mr. President, that when that servitude is created by one nation in favor of another it is presupposed and understood that the grantee of that easement will enter upon, improve, and effectuate that right to transit by proper and efficacious means to improve that right of way for its use and occupancy.

Therefore it was contemplated, Mr. President, that whenever the United States Government felt disposed to avail itself of that right of way the Government of New Granada and its successor, the Colombian Government, was under obligation to effectuate and perfect and make more definite that right of way by fixing appropriate boundaries, delimitations, and the other details which would be necessary in such a case.

My friend the Senator from Colorado [Mr. TELLER], while discussing this document the other day, said there was no mention in this easement of any canal and that it was not contemplated then that a canal should be built. Well, Mr. President, I would only remind the Senate of the condition of affairs there in 1846. The Chagres River was navigable then by flatboats from Colon to Cruces, and those boats were propelled by natives with poles. That was the only means of intercommunication in 1849, when our people were rushing to the gold fields of California, by which that territory could be traversed as far as Cruces.

NOT TRESPASSERS ON THE ISTHMUS.

From Cruces to Panama there was a highway. That highway was built four hundred years ago by the old Spaniards. It was a magnificent road. It was like those Roman roads that were made in the old days, and the impulse that built it came from Spain. Such were the crude methods of transit at the time when this treaty was entered into. Of course this people had never then risen to the grand conception of the magnificent international enterprise which is now familiar to us, but this treaty industriously expresses the idea that, whatever modes of communication may be hereafter adopted, the Government of the United States shall have the right, flowing from that servitude, to make such improvements.

So, Mr. President, when we go across that Isthmus we are not trespassers, but we have that servitude, which is a definite grant creating vested rights, just as the man who takes my agreement for the right of way across my 80 acres. It is not defined; its limits are not fixed; but it is a binding, definite easement, which creates a dominant estate over my land, and when I have put that in my deed I have obligated myself at any proper time to proceed and fix the limits of that right of way.

It appears from the message of President Polk and accompanying papers, when the treaty of 1846 was laid before Congress, that a canal across the Isthmus was then within the contemplation of the high contracting parties.

In that message President Polk used this language:

In entering into the mutual guaranties proposed by the thirty-fifth article of the treaty neither the Government of New Granada nor that of the United States has any narrow or exclusive views. The ultimate object as presented

by the Senate of the United States in this resolution to which I have already referred is to secure to all nations the free and equal right of passage over the Isthmus.

Later on in the message he said:

The interests of the world at stake are so important that the security of this passage between the two oceans can not be suffered to depend upon the wars and revolutions which may arise among different nations. Besides, such a guaranty is almost indispensable to the construction of a railroad or canal across the territory. (Doc. No. 17, 56th Cong., 1st sess., pp. 14 and 15.)

It also appears from a dispatch from Mr. Bidlack, our minister, to Mr. Buchanan, dated December 9, 1846, (same document, p. 22) that Mr. Mallarino, the minister of New Granada, having in charge the project of this treaty, thus spoke of the proposed right of way to the United States:

If the Granadian Government abolished the differential duties and ceded to the United States the right of way for us across the Isthmus, he presumed the United States would guarantee to New Granada the Isthmus or at least as much of it as was required for the construction of a canal or railroad upon the most favorable terms, and, moreover, it was important that this guaranty should appear in the treaty as a condition for the right of way, etc.

In the minds of the diplomats who framed this treaty the right of way to the United States was regarded as a grant based upon good consideration and not a mere license resting on courtesy or comity.

That is the situation, Mr. President, in which we stand under this treaty, so far as our rights of transit are concerned. There is very little difference. I apprehend, in the construction of that treaty so far as the guaranty that we gave in consideration in part for that servitude. We are guarantors, Mr. President. Now, a guaranty is a collateral obligation. A guaranty can not stand alone. There must be a primary obligation to which the guaranty is attached. That primary obligation rested upon New Granada. New Granada was the "first promisor," to use the term of some of the diplomatic papers that I find coming from New Granada. New Granada and Colombia were bound in the first instance, as the primary obligors, for the enforcement of tranquillity along this line of transit, and the United States stood as a guarantor, agreeing that we would enforce the obligation under certain conditions. To that extent there is in the diplomatic interchange that has taken place no difference of opinion.

But, Mr. President, we come now to a point where there is a serious difference of opinion in construction. It is contended now by the Colombian Government for the first time that our guaranty of the sovereignty of New Granada, and, later, Colombia, compelled us to defend that Government against an insurrection of its own citizens.

The Senator from Colorado yesterday read with approval a portion of an article written by Mr. Moorfield Storey. If you will examine that article, you will see that the very pivotal point in it is that we were, under that treaty, obliged to defend the sovereignty of Colombia against her own people; that whenever that sovereignty was assailed by a rebellion it was our duty to come to the rescue of the parent Government; that we have been guilty of a flagrant neglect of that treaty, and, instead of defending the parent Government, we have confederated with the insurgents to bring about the independence of the Republic of Panama.

Mr. DANIEL. Will the Senator allow me?

The PRESIDING OFFICER (Mr. NELSON in the chair). Does the Senator from Wisconsin yield to the Senator from Virginia?

Mr. QUARLES. With pleasure, sir.

Mr. DANIEL. I do not recall having heard any Senator declare that it was the duty of the United States to enforce the sovereignty of the Colombian Government against the insurgents. On the contrary, I understand our Government has never construed the treaty to mean that. I apprehend that the Senator must be mistaken in saying that this side has so contended. I never heard any Senator state that proposition, and if anyone has done so I should be glad to have the Senator point it out.

Mr. QUARLES. I was led to make that suggestion, Mr. President, by the reading by the Senator from Colorado yesterday of a portion of an article written by Mr. Moorfield Storey. He did not read the portion of it to which I now refer, but if the Senator from Virginia will take the pains to read it he will find that the arrangement of this Government made by Mr. Storey is upon the basis of that very proposition, that under the treaty of 1846 we were under obligation to take up arms, if necessary, to protect the sovereignty of Colombia against her own rebels.

Mr. SPOONER. I suggest to my colleague that he cite the message of Mr. Cleveland and read the italicized words.

Mr. QUARLES. Yes.

Mr. DANIEL. Will the Senator allow me?

Mr. QUARLES. Certainly.

Mr. DANIEL. I do not think either Mr. Cleveland's message or the writings of Mr. Bayard, quoted in that document, or any Senator of this floor, or any Secretary of State of the United States Government has ever taken the ground that our guaranty of the sovereignty of Colombia meant that we should assist by force of arms to repress an insurrection. I may be mistaken.

Mr. QUARLES. No; on page 6 of this pamphlet he quotes from the message of Mr. Cleveland, and he cites this sentence:

Emergencies growing out of civil war in the United States of Colombia demanded of the Government, at the beginning of this Administration, the employment of armed force to fulfill its guaranties under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the Isthmus of Panama.

Mr. SPOONER. No; that is not all, if my colleague will permit me. He speaks of civil war.

Mr. QUARLES. Yes.

Mr. SPOONER. That means war between the Government of Colombia and the people of Colombia.

Mr. QUARLES. Certainly.

Mr. SPOONER. Will my colleague read what follows?

Mr. QUARLES. I will.

Desirous of exercising only the powers expressly reserved to us by the treaty and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to confine their action to "preventing and effectually preventing the transit and its accessories from being interrupted or embarrassed." The execution of this delicate and responsible task necessarily involved police control, where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia.

The prompt and successful fulfillment of our treaty by this Government was highly appreciated by the Government of Colombia and has been followed by expressions of its satisfaction. * * * The restoration of peace on the Isthmus by the reestablishment of the constituted government there being accomplished, the forces of the United States were withdrawn.

Mr. PLATT of Connecticut. Now read the rest of it. Read the conclusion.

Mr. QUARLES. Mr. Storey proceeds:

While, therefore, we had once or twice landed troops when there were riots of importance on the Isthmus, we had always at the call of the sovereignty of Colombia. Sometimes at the request of her authorities and always with her approval. We had insisted that upon her rested the duty of protecting the transit against attacks from insurgents, and had notified her that "the discharge of this duty will be insisted upon." Our interpretation of the treaty and our action under it had been in accordance with the clear language of the treaty. We had helped Colombia to discharge her duty and to assert her sovereignty. We had never interfered nor claimed the right to interfere against her.

The article proceeds upon the erroneous assumption that such is the obligation of this Government by virtue of that treaty.

I may say, sir, that the present contention of the Colombian Government is precisely that. I will not stop to read the dispatches, because every Senator here is familiar with them. That is the very gist of their present contention—that we have been guilty of bad faith and of a breach of our treaty obligations by not interfering to protect and defend Colombia against this movement of her own people.

Now, I purpose to show that this treaty has been repeatedly construed not only by the Secretaries of State from whom my distinguished friend the Senator from Virginia [Mr. DANIEL] quoted when he addressed the Senate—he read the dispatches of Mr. Blaine, Mr. Fish, and Mr. Seward—but that another construction of this treaty in 1865 crystallized into a diplomatic order known as Order No. 184, which is found in Senate Document No. 51, Fifty-eighth Congress, second session, on page 99, and I will read it, so that it may go into the RECORD. This is a dispatch by Mr. Seward to Mr. Allan A. Burton, esq., Bogota:

DEPARTMENT OF STATE,
Washington, November 9, 1865.

TO ALLAN A. BURTON, Esq., etc., *Bogota.*

SIR: The position which has recently arisen under the thirty-fifth article of the treaty with New Granada as to the obligation of this Government to compel within requisition of the President of the United States of Colombia forcibly to protect the Isthmus of Panama from invasion by a band of insurgents of that country, has been submitted to the consideration of the Attorney-General. He concurs in the view which I have taken of the duty of the United States under that article, as well in the United States as to protect the neutrality of the Isthmus of Panama against foreign aggression, and to the obligation to compel within requisition of the local authorities. The purpose of the stipulation was to prevent the Isthmus against seizure or invasion by a foreign power only. It could not have been contemplated that we were to be the aggressor to any civil war in that country by crossing the Isthmus against an adverse party. As it may be presumed, however, that our object in entering into such a stipulation was to secure the freedom of transit across the Isthmus if that freedom should be endangered or obstructed, the concurrence of force on our part to prevent such a question of grave importance ought to be determined by our ministers. The Department is not aware that there is yet occasion for a decision upon this point.

That is dated November 9, 1865, and from that time to this that construction has been consistently imposed upon that treaty by every diplomatic agent and by every Secretary of State of our Government.

Mr. SPOONER. Will my colleague permit me to interrupt him for a moment?

Mr. QUARLES. Certainly.

Mr. SPOONER. He is making a very powerful argument on this proposition. In 1880 or 1881 Colombia, alleging that the treaty of 1846, particularly article 35, was somewhat indefinite, proposed to the United States a construction of it. It proposed that our guaranty of pacification meant the disturbance of the Isthmus by the invasion of any foreign power, and our guaranty of the rights of sovereignty and property of Colombia meant against an invasion by any foreign government or unauthorized private expedition like the Walker expedition in Nicaragua.

Mr. QUARLES. Mr. President, I want to show that the same construction has been put upon that treaty by the Colombian Government until the time came when, for the purpose of asserting a grievance against us, they found it convenient to make a radical change in their construction of it. I read now from the diplomatic correspondence of 1866.

Mr. CLAY. Will the Senator, while he is on this subject, permit me to make a suggestion?

Mr. QUARLES. Certainly.

Mr. CLAY. I understood the Senator to say that he construed this treaty to mean that when we guaranteed the sovereignty of Colombia we guaranteed her sovereignty against foreign powers.

Mr. QUARLES. Against foreign aggression.

Mr. CLAY. I agree with the Senator. I think that is the proper construction to place upon it. We not only, however, guaranteed her sovereignty, but we guaranteed the neutrality of the Isthmus.

Mr. SPOONER. Against foreign governments.

Mr. CLAY. Well, that is my construction.

Mr. SPOONER. Yes.

Mr. CLAY. We guaranteed the neutrality of the Isthmus as against foreign governments.

Now, here is a question which presents itself to my mind: She has guaranteed to us that the Isthmus shall be kept open. If the Isthmus should be closed she would violate her treaty and we would have the right to enforce it. Now, I agree that we do not undertake to guarantee her sovereignty as against civil war—war among her own people. But now here comes a case. Suppose Panama secedes. She leaves the parent Government and Colombia proceeds to attempt to bring her back, and by reason of the war carried on between the two they close the Isthmus. The civil war itself closes it. Would we not have the right to go there and say, "You have violated your treaty. By reason of your civil war you have closed the Isthmus. We will make you open it." That is the question which presents itself to my mind in this case.

NO VIOLATION OF THE TREATY.

Mr. QUARLES. I shall come to that point in just a moment, reaching the same conclusion by a different process of reasoning from that of the Senator from Georgia.

I am concerned at the present moment with showing that the present contention of Colombia, that we have violated our treaty, is entirely without merit, and I am showing it by the deliberate construction that they have put upon this treaty exactly in accordance with the construction of our own diplomats.

Mr. Burton writes to Mr. Seward that he has opened up this subject of the construction of the treaty of 1846 with the diplomatic agents and ministers of the Colombian Government, and he says:

The result has been that the Colombian Government declares that it does not feel itself authorized by the treaty to require the aid of the United States for the suppression of an insurrection, rebellion, or other disturbance of the tranquillity on the part of Colombian citizens, but recognizes its obligation, if such a movement be intended to divide the Sovereignty of Panama from the Colombian Government to address it to a foreign power. This would seem to leave the Isthmus free to declare itself independent of the United States of Colombia without danger of the forced intervention of the United States of America, provided such declaration be not accompanied by the end of annexation to a foreign power.

Thereby anticipating exactly what has happened here and saying in terms that if Panama revolted for the purpose of asserting her independence, unless that purpose was coupled with a determination to annex herself to some foreign power, the treaty of 1846 would not permit Colombia to call upon us for any aid to assert their sovereignty.

Mr. FULTON. Whose language is that?

Mr. QUARLES. That is the language of Mr. Burton, who gives to Mr. Seward the result of his discussion with the minister of foreign affairs of Colombia on this subject.

Mr. DANIEL. Will the Senator from Wisconsin kindly give the citation of the book from which he reads?

Mr. QUARLES. It is the Diplomatic Correspondence of 1866, part 3, and what I read is found upon page 574.

I now call the attention of the Senate to a still more authentic declaration on the part of the diplomatic officers of Colombia.

On page 579 of the same book will be found a dispatch from Señor Garrido to Mr. Burton on this subject. I will read only a part of it, the latter part of it, which relates to this subject.

As to the interposition due from the Government of the United States by the treaty existing between the two nations in the event that an insurrection by armed force should take place on the Isthmus, for the purpose of segregating it from the union, the Government of Colombia understands that if such a movement should be effected with a view of making that section of the Republic independent and attaching it to any other foreign nation or power—that is to say, in order to transfer by any means whatever the sovereignty which Colombia justly possesses over that territory to any foreign nation or power whatever—the case will then have arisen when the United States of America, in fulfillment of their obligation contracted by the thirty-fifth article of the treaty existing between the two Republics, should come to the assistance of Colombia to maintain its sovereignty over the Isthmus, but not when the disturbances are confined to Colombian citizens.

Mr. President, let me come to the question suggested by the Senator from Georgia. I have been trying to learn what could be insisted upon by the United States of Colombia under that treaty and what obligations there were to which we were bound to respond at the instance of Colombia, and we have found that it is only when there is an attempt to attach Panama to a foreign government that we are bound to intercede; but what we are bound to do under the treaty of 1846 does not measure the rights of this Government as to the situation of affairs in the Isthmus. What we are bound to do under that treaty does not measure our rights or our obligations. We have vested rights in that Isthmus. Not only that, but we have duties to discharge that every government feels obliged to discharge, namely, to protect the interests of its citizens, wherever they may be, independently of any treaty. That is what every government does which has any respect for itself, and to-day the marines of the United States are occupying that position in Korea, not by virtue of any treaty like that of 1846, but utterly regardless of any treaty, because there are rights of American citizens which are imperiled there.

So, if an insurrection should arise in Colombia which threatened that transit, which endangered the property of American citizens, and more especially if it endangered the lives of American citizens, we would not depend upon the treaty of 1846 to warrant us in sending our marines there to protect those vital interests.

I beg to suggest, Mr. President, that it is a far different question to-day from what it was in 1846. The railway which has been built from ocean to ocean by American capital now has thirty-two stations, and at each of these stations is a group of population. In Panama and Colon—Colon being a city of about 14,000 and Panama about 20,000—there are the great warehouses and storehouses and stations and yards and cars, and other property belonging to the railway company, and scattered along the canal route are various pieces of machinery of great value—dredges and engines and pumps—which were estimated by the Canal Commission to be worth a million dollars.

So, when we consider the question whether we can afford to permit an insurrection to interrupt that transit, we do not look to the treaty of 1846, but to our inherent right to safeguard the great interests and rights that are imperiled there; we proceed quite independently of that treaty in such an emergency.

Therefore, Mr. President, I contend that unless my position can be successfully met, unless the construction which has been consistently put upon this treaty can be overthrown, there is removed from the field of controversy in this case another proposition; that is, that there has been no violation on the part of this Government of its treaty obligation in its failure to take up arms on behalf of Colombia to put down this revolution.

PANAMA NOW THE SOVEREIGN.

But, Mr. President, the time has gone by when the treaty of 1846 defines the obligations or relations between this Government and Colombia. An important event has happened which has changed all that, and that is the coming into being of a new power, a new government, known as the Republic of Panama. We have recognized that Government. What is involved in that fact? We have recognized the sovereignty of the new government over the Isthmus. We can not at the same time recognize the sovereignty of two powers over the same territory, and, therefore, the logic of that great historic event is that from the time of that recognition we are bound to treat the new Government of Panama as the sovereign, clothed with full power and full right over the Isthmus. We can, therefore, no longer treat with Colombia on the basis that she remains the sovereign of the territory of Panama.

Now, as showing what that ceremonial of recognition means, I beg to call attention to a section of Taylor's International Public Law. Section 160 is as follows:

160. *Attributes of sovereignty in states as moral persons.*—As soon as a political community which has set up a separate national existence of its own receives recognition of its independence, it enters at once into the full enjoyment of sovereignty as a corporate person endowed not only with the right to perpetuate its existence as such by an unbroken succession of new members, but with the attributes and responsibilities incident to "moral persons, having a public will, capable and free to do right and wrong, inasmuch as they are collections of individuals, each of whom carries with him into the service of the community the same binding law of morality and religion which ought to control his conduct in private life." Such a sovereign has the right to claim independence of and equality with all others of its species and to exercise jurisdiction throughout its territory. The postulate is fundamental that jurisdiction and territory are coextensive. With a few exceptions, which will be explained when the two broad divisions of the subject are examined in detail, a sovereign state has jurisdiction over all persons and things within its territorial limits, and in some instances such jurisdiction over both extends beyond its limits, and thus becomes exterritorial. Among its several attributes of sovereignty may also be noted the rights of a state to maintain diplomatic intercourse with other states, to make treaties with them, and, under certain exceptional conditions, to intervene in their internal affairs.

Therefore, Mr. President, it follows as a logical necessity from our recognition of Panama that we must recognize her sovereignty throughout the extent of her territory.

But that recognition by the United States confers a status, a status of statehood, carrying with it all these incidental rights of sovereignty, treaty-making power, and all that.

Not only has the United States of America given this new Government that recognition, but it has been accorded by almost every civilized nation in the world. All the leading governments of Europe and nearly all the South American republics have concurred with the United States in the proposition I have just laid down, with all that it implies.

Not only that, sir, but this Senate has estopped itself, by its action in accrediting to the new Government a diplomatic minister, from ever asserting that there is any doubt as to where the sovereignty of that Isthmus rests, because that is an unquestioned recognition of sovereignty. Equally significant with the reception of a minister from the new Government, this Senate has commissioned a minister to represent us with the new Government.

Therefore, Mr. President, in this body, for the purposes of this argument, it must be taken as conclusively established that supremacy and sovereignty over this Isthmus are vested in the new Government, and that from that time out the Government of the United States of Colombia became to all intents and purposes a foreign power.

Now, what follows? Mr. President, I can think of nothing more unprofitable in this world than to quarrel with a fact. The independence of Panama is a diplomatic fact. It has gone into history; it is there to stay, and nothing that we can do with this treaty, whether we accept it or reject it, will affect that great historic fact.

Now, there has been much discussion here as to the propriety of the action of the President in this recognition.

Mr. FULTON. Will the Senator from Wisconsin permit me?

Mr. QUARLES. Certainly.

Mr. FULTON. The Senator has shown ver clearly that the Colombian Government itself has not contended that it was the duty of this nation under the treaty of 1846 to defend the Colombian Government against an insurrection of its own people, and he has also shown very clearly that the recognition by this Government of the Republic of Panama gave it a status as a nation among the nations of the world.

Now, I ask him if it does not follow logically, those facts being established, that the treaty of 1846 then becomes to all intents and purposes a treaty between the Republic of Panama and the United States of America, and that it becomes our duty and our obligation under that treaty to defend the Republic of Panama against the aggressions of the Republic of Colombia, it being now a foreign State, as much as it was our obligation before Panama was separated from Colombia to defend Colombian sovereignty against any other foreign state?

Mr. QUARLES. I am obliged to the Senator. He has simply anticipated what I was about to say, but has said it better, and I thank him for the interruption.

Mr. FULTON. I am sorry that I did, if the Senator was going on in that line. I thought he was going to debate another branch and I wanted that point brought out.

Mr. QUARLES. Mr. President, I was about to say that it follows from the positions we have laid down that the obligation, the guaranty of 1846, remains unimpaired, notwithstanding the change of government, for we must draw a distinction between the state and the government. The state remains immutable, but the government changes. The guaranty of the United States, if you please, attached itself to the Isthmus, not to the government which for the time being was exercising sovereignty over the Isthmus, and it will attach to that Isthmus or "run with the land," as they say at the common law of a covenant in a deed. It will remain in contemplation of law attached to that Isthmus until the treaty of 1846 expires.

The changed situation of this Government under that treaty by reason of these facts is exactly as stated by my distinguished friend from Oregon. We are under the same obligation to-day to protect the freedom of that transit, acting under Panama, which succeeds to the position of primary obligor, and we retaining the position of guarantor for Panama, precisely as the fact was with Colombia before this revolution took place. And, therefore, we are bound to protect that Isthmus and to preserve tranquillity there against the troops of Colombia, if she shall see fit to send an invading army into that territory, because she has become a foreign power.

PRESIDENT DID NOT EXCEED AUTHORITY.

Mr. President, I do not propose at any length to discuss or attempt to justify the action of the President in what he did in the recognition of this new Government, because that is exclusively and peculiarly an Executive prerogative. The recognition of a foreign state has been confided to him by the Constitution as a part of the diplomatic power of the Government. Our Government has been likened to a tripod, each of the three legs, representing the three departments of the Government, being essential to the permanence of the structure placed upon it. It is the very essence of our system of government that these three departments shall be independent of each other and each supreme within its appropriate limits.

Senators have indulged in a great amount of discussion as to the propriety of the action of the President of the United States. I submit, Mr. President, that it is not a question which is legitimately here. It can never culminate in any resolution or bill or order that this body can pass. I would have been better pleased if the distinguished Senators who have seen fit to criticise the President had given better evidence of the sincerity of their views, because if an outrage has been perpetrated by the recognition of Panama with indecent haste; if that has been conducted in such a way as to make it an intervention or a casus belli; if that be a proper subject for determination here, why do not the Senators suggest some concrete method, propose some resolution, introduce some bill, so that that wrong may be corrected, if, indeed, we have the jurisdiction to correct it?

No, Mr. President, it is left simply to noisy declamation. There is no remedial proposition made here. But what shape would it take if we were to interpret these speeches, these incendiary speeches, and embody them in parliamentary form? Let us see if we can frame a bill which would suitably present their objections. Suppose the bill ran thus:

Whereas the President of the United States has seen fit to exercise his prerogative with indecent haste and has recognized a new province of Colombia, which province assumed to have assumed its sovereignty or admitted its independence in the premises. Therefore,

Be it enacted, etc., That the recognition so given by the President of the United States to Panama be, and the same is hereby, annulled, vacated, and set aside.

There you would have the proposition in the concrete. These arguments that have been made here—or speeches, I prefer to call them—culminate in that, or they mean nothing. Yet no Senator on either side of this Chamber would vote for such a proposition so clearly infringing the Executive prerogative. Our friends are merely shooting in the air either for the purpose of party capital or, what I fear still more, with the effect of misleading an ignorant people on the Isthmus and inflaming their passions.

Mr. President, the remedy that Colombia has under the law of nations is simply this: If the United States Government has recognized her revolting province before it ought to have done so, under circumstances that amount to officious intermeddling, she has but one remedy. This being a conflict between two sovereign nations, there is but one method of redress. There resides nowhere the civil power to change the status that has been imposed by the recognition of that Government. There exists nowhere any civil tribunal with jurisdiction in the premises. There is but one tribunal where that matter can be tried between two sovereign nations, and that is the arbitrament of arms.

Colombia makes her own conclusion on her own responsibility. It can not be revised or reversed or set aside by any tribunal. She may choose to consider our conduct an infraction of her rights and may wage war against us. If she does, then the theater of war may be anywhere. It may be on land or it may be on sea, or it may be on any part of that Isthmus. But if, on the other hand, she concludes to make war against Panama, the theater of war then will be restricted, and the United States Government carrying out its guaranty in the treaty of 1846 will insist that that war shall not be carried on along the line of transit, because there perfect neutrality, perfect tranquillity must be undisturbed while our guaranty for peace is outstanding. In any event, the avenues of diplomacy are open where such differences may be composed. The President has already tendered the good offices of the United States to bring about an amicable adjustment of the dispute between Colombia and Panama. Let us hope that wise counsel may prevail and that any resort to extreme measures may be obviated.

The PRESIDENT pro tempore. The Senator from Wisconsin will please suspend one moment while the Chair lays before the Senate the Calendar of General Orders.

The SECRETARY. Order of Business 18, Senate bill 887.

Mr. SPOONER. I ask unanimous consent that my colleague may conclude his remarks.

The PRESIDENT pro tempore. Would it not be better for the Senator to make his request a little broader?

Mr. PLATT of Connecticut. And that the resolution may be continued before the Senate during the day.

The PRESIDENT pro tempore. And with one addition to that, that it may retain its place without prejudice.

Mr. PLATT of Connecticut. Yes.

Mr. SPOONER. My concern now is that my colleague may have leave to conclude his remarks.

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent that his colleague may have leave to conclude his remarks. Is there objection? The Chair hears none.

Mr. PLATT of Connecticut. I will ask, as a further order of the Senate, that the resolution may continue before the Senate if

there is anyone who desires to discuss it further after the Senator from Wisconsin shall have concluded his remarks, and that it shall have the same privilege to-morrow that it has to-day.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that the discussion of the resolution may continue and that the resolution, if not finally acted upon to-day, shall retain its place on the table without prejudice. Is there objection? The Chair hears none, and that order is made.

Mr. QUARLES. Mr. President, the right of recognition of a new state, like every other right, must always be exercised with reference to circumstances then existing. Those circumstances are supposed to be known to the executive power by the many avenues accorded for gaining information that this branch of the Government does not possess.

I will only say, respecting the duty of the President in connection with this matter of recognition, that here is a revolting province of Panama. It has been attached as an appendage to a composite government located in another grand division of the world, located in South America, and removed from it by hundreds of miles of impenetrable forests and impassable morass.

Mr. BEVERIDGE. Eight hundred miles.

Mr. QUARLES. Other Senators in discussing this matter have already referred to the fact that this was not a recent outburst of a new desire on the part of Panama for her autonomy. It is an aspiration that has been cherished there for many, many years. It has manifested itself in rebellion and revolt that has become almost chronic.

POLITICAL CONDITIONS IN PANAMA.

I wish to call attention for a few moments to the situation, so that the Senate may understand more in detail the environment of Panama. It has been a terra incognita so far as Americans are concerned. What did we know about Panama prior to the time of the recent disturbance? What means have we had? I grant that the means within our power at this time are considerable. I have here a book written by Hon. William L. Scruggs, who for twenty-seven years was a diplomatic representative of this Government in South America. He writes what he has observed himself, and if I may be pardoned I wish to lay before the Senate two or three passages from it, so that we may comprehend the situation down there a little more intelligently than we would otherwise do. On page 140 Mr. Scruggs says:

During the three years [illegible] from 1899 to 1902 there were [illegible] revolutions, and several [illegible] and [illegible] revolutions. [illegible] was the exception and civil war the rule."

On page 142 he says:

This constitution—

Referring to the constitution of 1886—

[illegible] constitution, which was, as I have said, the sixth in chronological [illegible] for about twenty-two years, and during that time [illegible] "revolutions" or [illegible] an average of [illegible] And yet it has been [illegible] this period [illegible] period after the promulgation of the instrument [illegible] that when such changes occurred [illegible] to be [illegible] and they [illegible] I saw a reasonable [illegible] appeal from ballots to bullets.

That the Senate may have some idea of the judicial system in vogue in Colombia, I wish to read a footnote which appears in Mr. Scruggs's book. It reads:

I have the [illegible] story from a well-known Colombian lawyer: A small [illegible] but who had never pretended to be a lawyer. [illegible] His first [illegible] made on [illegible] for a [illegible] neither the judge nor the clerk [illegible] to read or write.

Here was an example of judicial candor and frankness that can hardly be exceeded in all the judicial annals.

Mr. BEVERIDGE. That was under the Colombian Government?

Mr. QUARLES. It was under the Colombian Government. I apprehend that if the people of the United States had had the same facilities for understanding the plight in which Colombia has been left under that so-called constitution of 1886 there would have been the same sympathy expressed by our liberty-loving people for Panama that was expressed for Poland in the days of her struggle for liberty. But we have known nothing about it. They have no press, and what do we find? We find that the constitution of 1886 was nothing but an instrumentality of tyranny in the hands of Nunez, a dictator, which he forged and put upon the hands of that feeble people. Having appointed in his sovereign pleasure nine representatives, one from each of those States, chosen to do his will as an irresponsible sovereign, they prepared this constitution, and it is then, by a hocus-pocus arrangement, ratified by certain boards of aldermen. The dignity of statehood is taken away from Panama. She is left practically in the condition of a conquered province.

If you will consult that alleged constitution, you will find that especial reference is made to the district of Panama and authority is conferred to legislate for Panama. What would be the propriety of that provision if Panama were voluntarily entering into a constitution on an equal footing with the other States?

But, Mr. President, you will also find in that constitution that Panama was to be governed by an officer sent from Bogota. Panama had no hand in the selection of a governor; and, like a Roman proconsul, that governor, wholly alien to Panama, representing only that little coterie of politicians at Bogota, presided over the destiny of that poor, feeble state, or district, or colony. Panama has been to the United States of Colombia the sheep that has been plucked and shorn from year to year, and the wool has all gone to Bogota.

Why, Mr. President, think of a despotism that insists upon levying taxes upon a province like that without even building a road for her. There is not to-day a highway between any two cities on that whole Isthmus. The great highway referred to earlier which was built by the Spaniards four hundred years ago, a magnificent highway, was suffered to go into decay and ruin. As you ride along that railroad to-day you see little parcels of it there; it has all gone to ruin for lack of repair. Not a highway has been constructed, not a schoolhouse has been built, nothing has been done to promote her internal development or to ameliorate her condition at home, in the fate of Panama. The rejection of the canal treaty, which was of such vital importance to Panama, was the last straw that broke the camel's back.

Now, let us recall the statement made by the learned Senator from Alabama [Mr. MORGAN] the other day. You talk about the delinquency of that Government on account of her brief period of protection. What did the learned Senator from Alabama relate to us from his great knowledge of history? That in 1855 Sanclemente, the President of that Republic, received a million francs from the New Panama Canal Company for an extension of their franchise for six years. Now, that would seem in a republican form of government to be a very peculiar proceeding, and yet I wish to call attention to the fourteenth article of the sixth title of the so-called constitution and show the Senate exactly how that procedure was carried on.

The fourteenth article provides as follows, in defining the power of their Congress:

XIV. To approve or reject contracts or agreements entered into by the President of the Republic with private persons, companies, or political corporations, in which the national treasury is interested—

Those contracts in which the national treasury is interested. The President of the Republic was being provided with the way to put his hand into the treasury in the first instance—

if they have not been previously authorized, or if the formalities prescribed by Congress have not been complied with, or if any conditions contained in the law authorizing them have been disregarded.

What a wonderful power that is which is conferred upon the Congress of the United States of Colombia—to approve a contract concerning the treasury which has been made in defiance of law by the President! It was a scheme to facilitate blackmail.

REVOLUTIONS IN CENTRAL AMERICA.

Sanclemente, availing himself of that atrocious privilege, went to the New Panama Canal Company and took from it a million francs for the extension of their franchise for six years. What happened? Sanclemente did not divide up with the Congress, but assumed to keep the million francs himself. Thereupon a row—for I can characterize it in no other way—arose, and Sanclemente, the President, undertook to prorogue the Congress, and then the Congress undertook to prorogue him. I refer to that as a beautiful illustration of this doctrine of one department of the Government interfering with and assuming to criticise another. There was the President assuming to dissolve the Congress, and the Congress, not to be outdone, passed a joint resolution declaring the presidency vacant—dissolved the President! Thereupon they got out their fowling pieces and flintlocks and went at each other in characteristic Central American style. They carried on that war from 1899 until 1902, when the combatants appeared on the line of transit. Then the stately form of the battle ship Wisconsin was descried in the distance. Her funnels were seen; her flag was displayed; the marines were landed at Panama; and neither faction was permitted to use that line of railway for hostile purpose or to commit any act of hostility there.

Mr. President, the learned Senator from Alabama [Mr. MORGAN] said, again criticising the Government, that if it had not been for the partial manner in which Admiral Casey in 1902 exercised that function Panama would then have gained her independence. She came near securing her independence then—it hung on a

thread—and yet we are told here in this discussion that the revolution was a new impulse on the part of Panama, so young, so fresh as to be entitled to no recognition, and suggesting collusion on the part of the United States. So, Mr. President, it conclusively appears that she has been constantly struggling against the tyranny of the Bogota Government for many years.

Mr. President. I take the liberty of again referring to this book. I wish the Senate to understand a little more fully the conditions which were probably known to the President when he took his action and which were unknown to us. I wish to show the way armies are raised and war is waged down there. Speaking of the elections this author says, on page 148:

> Even on extraordinary occasions, when there is something like a full vote, there is rarely a fair count. The result is that the defeated candidate seldom acquiesces in the result.

Mr. BEVERIDGE. That is in Colombia?

Mr. QUARLES. This is in Colombia.

Let us trace the history of one of these revolutions which we have heard so much about and which nobody has ever understood.

> If he happens to be a man of ready tongue and wit, as every inch a South American politician who was not, he is sure to have a substantial following, and in due course will become the leader of an organized faction. Hence, with a few muskets and machetes, assumes the title of "General," and very soon finds himself at the head of a little band of guerrillas ready for business.

How do they raise their troops?

> The standing army consists of a few skeleton regiments of ill paid privates and hordes of generals and other commissioned officers, who are invariably politicians. They may resign whenever they please, for officers are always ready to take their places. As soon as the Press and the emergencies of the Government raise a country upon more occasions. Recruiting officers scour the country, lassoing men, or in warring the same manner as they would cattle at the market places, and overall paying very much in the same manner that a Texas horseman lasses his cattle. The revolutionary leader adopts the same method, and between the two the ranks are soon replenished. Indian barefoot recruits. Once enlisted and put into barracks, he knows only obedience. He is clearly defined a miserably fails to make a good soldier. He is simply indifferent to heavy hunger, and will stand up and meet and be shot at without flinching. If taken prisoner, he is at once enlisted in the ranks of his captors and will fight quite as well there as he did on the other side. If he is killed where on the battle-field, a show of pursuit is usually made for his family. If he dies when fighting on the side of his family are expected to make no complaint. If he survives, he returns unpaid and half naked, but quietly and peaceably to his hamlet home, never seeming to realize that he has been hard treated. A slave of any other human being, in any other country, would, under like circumstances, become an outlaw and a desperado. But the mere peasant of the Andes accepts his hard lot without even an audible murmur.

Mr. FAIRBANKS. What is the name of the author who makes that statement?

Mr. QUARLES. Mr. Scruggs. He was our minister to Colombia and Venezuela. He was at both places at different times, and his services covered twenty-seven years.

Mr. President, I beg to read just a word from Mr. Taylor on International Public Law. On page 193 he says:

> There is a stage in such [revolutionary] contests when the party struggling for independence has, as I conceive—

This is from John Quincy Adams to Mr. Monroe—

> a right to demand its acknowledgment by neutral parties, and when the acknowledgment may be granted without departure from the obligations of neutrality. The neutral nation must, of course, judge for itself when this period has arrived—

Of course it must. There is no one else who can determine it; there is no one else who can criticise it—

> and as the belligerent nation has the same right to judge for itself, it is very likely to judge differently from the neutral, and to make it a cause or pretext for war, as Great Britain did expressly against France in our revolution, and substantially against Holland.

Mr. President, there seems to be existing in the minds of people in certain quarters a deep regret that the action of this Government should have interrupted such a war as would have taken place between Colombia and Panama. I have read from Mr. Scruggs an account of the manner in which those wars are waged and those armies recruited.

When revolution dips a pen in warm red blood and writes a new chapter in the book of the world's progress, writes some new achievement of human liberty, that waste of life is considered useful and sacrificial, but the contests that are waged down in Central America are sheer sodden slaughter; they are legalized murder and rapine. Who ever understood what those revolutions were for? What did they ever accomplish? They settled nothing but the temporary supremacy of some military chief, who ruled until some other chieftain was strong enough to overturn him and again deluge the Isthmus with blood. That is the pitiful condition in which we found the Panama people. Without departing from the strict rule of international law, we have been able to minister to the hope and ambition of that downtrodden State and we may be able to uplift that people to the light of civilization.

The contests in Central America, as we read about them in the newspapers, Mr. President, are sometimes described as struggles between the Clerical party and the Liberal party, but nobody understands them; there is nothing at issue in which civilization has any interest whatever. The buzzard is the chief beneficiary of such conflict. I am told, sir, when the bugle sounds to call the Colombian army into battle, that if you were to look up into the sky you would see there certain dark specks whirling in short circles, and as the battle rages those specks grow larger, they come nearer, and you are able to detect that they are great, black birds, and when the troops withdraw, leaving the dead and wounded on the field, those birds are prepared for another attack.

When the poor wounded soldier, lying with fevered brow, hears the swish of those mighty wings, he knows that the end is near. Then ensues a contest of sharp beak and fierce talon that is only exceeded in ferocity by the human struggle that had gone before. And so, for hundreds of years those wasteful wars have been waged. From 1898 to 1902 the Senator from Alabama informed us that 100,000 of those poor people gave up their lives, and for what? The Isthmus has been converted into a great graveyard, and with all the sacrifice of life and all that shedding of blood nothing has been established in which civilization had any interest whatever.

FIRST HOPEFUL SIGN FROM ISTHMUS.

When Panama, arising from that condition of hopeless despotism in which she has been kept by the Bogota Government, held up this treaty and said to the world, "I will permit the civilization of the world to pass through my dominion," there was the first hopeful sign that has come from that Isthmus in a hundred years—the first response of civilization or progress or human liberty. And, Mr. President, I am glad that without departing from strict constitutional methods, without soiling our honor, we have been able to prevent such a war as that would have been and have been enabled to lift up another people to a higher plane of civilization. Now, I say, having this treaty, which all the world desires, let us accept it, and let us dig that canal.

But there is one proposition asserted by my learned friend from Colorado [Mr. TELLER] to which I wish to assent before I take my seat, and that is, if this Government undertakes that gigantic enterprise and concludes to spend its millions of money in making that Isthmus a highway instead of a barrier to civilization, that we shall do it thoroughly and well; that we shall not consent to be satisfied with a canal with those great locks, which may be thrown down by an earthquake, destroyed by dynamite, or get out of order, but that we shall have a sea-level canal, no matter what it may cost and no matter how much time is required for its completion.

We are doing this work not for ourselves; we are doing it for the civilized world; we are not doing it for a year or even a century, but for all time. We wish to have a canal there that shall be a proper tribute to this great nation, an American canal in the sense of its regulation and control, but a world's canal so far as neutrality, tranquillity, and impartiality are concerned. Therefore, I say, let us not vote for any canal unless it be a feasible sea-level canal; a canal that will defy the earthquake; a canal that can not be disturbed by the wanton moods of the Chagres River, but a canal deep enough and wide enough in its prism to take in the Chagres River, so that a steamer may pass, by its own steam, through that canal between sunrise and sunset.

I shall not stand here, sir, to enforce the importance of this proposition. I have already taken far more time than I intended to occupy when I rose; but I could not refrain from commend what the distinguished Senator from Colorado so well said yesterday, and I hope that his reasoning and his conclusion may find a response in the minds of members of this body, so that when we do this great work we may do it well; that it may be permanent; that it may not be crippled by the failure of the Chagres River in a dry time to furnish water for the locks; and, on the other hand, that it may not be endangered by its torrential power.

Mr. President, I am advised by my friend that we stand here not as an individual nation contemplating this great improvement. We have already entered into a convention with the French Government whereby we stand as the representative of collective civilization, if you please—a new term which certainly may be used without offense in this connection. Under that treaty we stand as the guarantor of collective civilization. Perhaps no nation ever before took so exalted and dignified a position as the United States of America occupies to-day regarding this great improvement. The eyes of the civilized world are upon us. The construction of a canal connecting the oceans has been the desire of all the nations since the time of Charles V of Spain.

All the potentates of Europe have recognized the necessity of this great enterprise, and now, by reason of a combination of circumstances that I have been able so imperfectly to detail, after a long diplomatic struggle to escape the meshes of the Clayton-Bulwer treaty, after all entanglements and conflict of hostile interests, we at last stand where this dream of the ages may become a reality, where we can join the two oceans in the wedlock of commercial intercourse. Let us not shrink from our duty, Mr.

President. Let us not throw away this treaty as a spunky child throws away its most precious toy to emphasize its displeasure. We can neither make one hair white nor black by such action. The status of Panama will remain unchanged. We shall simply have deprived this nation of its first available opportunity to consummate an honorable ambition so long cherished.

Mr. PATTERSON. Mr. President, I could not do otherwise than listen with pleasure to the very able argument of the Senator from Wisconsin [Mr. QUARLES]; but as I followed his propositions, knowing his great reputation as a lawyer, I was forced to believe that if he was sitting as a judge deciding the case according to the very right, and not according to political necessity, he would throw the case of the President out of court and stand with those who oppose this treaty.

After all, Mr. President, whatever form the discourses of Senators may take, the question to be ultimately decided is, Will the treaty negotiated by the Administration with Panama be ratified? If it is ratified, whatever wrong has been committed, will be condoned. If it is not ratified, then it becomes the plain duty of the United States to withdraw its ships and forces from Panama and allow the controversy that commenced in the early part of last November to be settled between Colombia and its revolting province.

My conviction is that the treaty should not be ratified. After critically examining the questions involved in the controversy, and recalling the ingenious arguments of those who stand for the action of the President in his dealings with Colombia, I feel that, unless one can justify the possession and retention of stolen property, he can not justify the ratification of a treaty that will give to the United States a zone for a canal that was stolen in a most bare-faced manner from Colombia. The Senator from Wisconsin [Mr. QUARLES] occupied the major part of his time in following out the lines of attack and defense marked out by the President in his two messages to this body. They have both framed an indictment against Colombia. They have charged it with bad faith, with greed and avarice, with disregard for the sacred obligations of a treaty, and have portrayed the country as the scene of many and swiftly recurring revolutions.

It seemed to me while the President's message was being read and while the Senator from Wisconsin was presenting his views that it ill became the representatives of this Government to indulge in vituperation of a country with which, commencing in 1846 and ever since, we have had close commercial and treaty alliances, alliances sought by the United States and granted by Colombia for the esteem in which it held the greatness and justice of our country.

Colombia is not quite so bad as it is painted. Colombia is a nation eighty and odd years old. It is older to-day than was the United States when the war of the rebellion commenced. It gained its status among the nations of the world in the same way that we gained ours, by revolting from a parent country and winning its right to independence upon many bloody and glorious battlefields.

In 1811 Colombia and Venezuela, under the leadership and inspiration of Simon Bolivar, the Washington of South America, threw down the gauntlet to Spain, and so effectively did they wage the war for independence against the then mighty power of Spain for eleven sanguinary years that they won the recognition of the United States in 1821, and in 1822 they adopted their own constitution and took their station in the great family of nations.

Under Bolivar, Venezuela, New Granada, and Ecuador joined together and called the new nation the Republic of Colombia. In 1832, as the result of internal dissensions, the three States dissolved their union, and each reassumed its former independent nationality. The Republic of Colombia ceased for the time to exist in name, but New Granada, Venezuela, and Ecuador were each republics, and it was with this Republic of New Granada that our treaty of 1846 was made. In 1861 New Granada adopted a new constitution and became the United States of Colombia, and in 1886, under a new constitution, it resumed the name of the Republic of Colombia, the name it now bears, and that was adopted with Venezuela and Ecuador when, as revolting colonies of Spain, they won their independence.

Mr. SPOONER. There was one in 1863, too.

Mr. PATTERSON. The junior Senator from Massachusetts [Mr. LODGE] in his learned speech gave the country to understand that the constitution of 1886, under which Colombia became what might be termed a consolidated republic, had been and was yet suspended, and that it might be deduced therefrom that Panama was justified, quite outside of any other consideration, in seceding and setting up a government for itself. The Senator from Massachusetts was mistaken. The constitution, though it had been suspended, I think, in 1900, was restored before 1903, for the Colombian Congress that met to consider the Hay-Herran treaty was elected under that constitution, and the freedom of the press and of speech had been completely restored.

Mr. President, it is true there have been many disturbances in Colombia, but it is not impossible that the people of Colombia may believe that we of the United States live in a glass house and should not engage in the throwing of stones. The reader of history recalls the whisky rebellion of 1794, when 15,000 soldiers were enrolled to suppress a rebellion in the State of Pennsylvania. He will also recall the nullification movement of 1832, when a convention was held in one of the States for the purpose of nullifying acts of Congress and providing for the enrollment of armies to resist the enforcement of laws that had been passed by Congress. The great rebellion of 1861 will not be forgotten.

Then we have had the Pittsburg riots and the Homestead riots and the Chicago riots. We have had riots innumerable, and if there lived in Colombia an author with as fertile a mind and as facile a pen as those possessed by the man who wrote the book read from by the Senator from Wisconsin, I have no doubt he could draw a picture which would be equally as pleasant to Colombian ears as the picture that this author drew seems to be to some American ears.

Mr. President, the people of Colombia are not——

Mr. SPOONER. Will the Senator allow me for a moment?

Mr. PATTERSON. Certainly.

Mr. SPOONER. The Senator speaks of the Chicago riot. That was an interruption by violence in the State of Illinois of the interstate commerce of the United States and the transportation of the mails. President Cleveland acted like a President who understood the sanctity of his oath and was determined to keep it. The Senate of the United States approved his course in enforcing the laws of the United States in Illinois in that connection. A national convention which met after that in Chicago condemned him for doing it without first asking and obtaining the consent of the governor of the State of Illinois.

Mr. PATTERSON. The Senator from Wisconsin has told neither the Senate nor myself anything of which we were not aware. I have not undertaken to enter into the details or to discuss the causes or the merits or demerits of any of the numerous and grave disturbances with which this country has been afflicted. I was simply recalling some of the very violent and bloody affairs which have occurred in this country, that we might comprehend how a Colombian author might present an indictment against the United States, charging that life, liberty, and property were cheaply held and that violent uprisings were of common occurrence.

Mr. DANIEL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Virginia?

Mr. PATTERSON. Certainly.

Mr. DANIEL. The Senator from Wisconsin says that the Chicago convention in 1896 condemned President Cleveland for his action as to the Chicago riots in sending the troops there. I think the honorable Senator is entirely mistaken. I was a member of that convention. I have misread the platform if there is anything of that sort in it. I think the Democratic party would have stultified itself if it had condemned President Cleveland. I have no doubt that some people so understood it; it may be that some meant it that way; but I do not think it legitimately bears that construction, and I am sure it is not such as I placed upon it nor as I believed it to be.

I want to enter this protest against having the Democratic platform so interpreted by the Senator from Wisconsin.

Mr. SPOONER. I entirely appreciate the sensitiveness of the Senator from Virginia.

Mr. DANIEL. I am not at all sensitive about it.

Mr. SPOONER. Oh, yes; although I do not mean that in an offensive sense at all.

Mr. DANIEL. I want the truth stated.

Mr. SPOONER. If the Democratic platform did not refer to the intervention of President Cleveland in the situation at Chicago, I shall be very much pleased to have the Senator from Virginia tell me what it did refer to.

Mr. DANIEL. I do not like to talk about a thing which is not before me, nor of one as to which my recollection does not retain the words and the thought; but surely the Senator from Wisconsin has not forgotten that in past years there have been many conflicts between the Federal Government and the States of the South, in which, according to the view of the people of the South, there were Executive interferences which they very much opposed. And as I understood it, this was a mere general declaration of a principle, without any specific application. It might have been called a platitude, except that there were things in our history and might again be things in our history of which it was a just reminder.

Mr. SPOONER. If the Senator from Colorado will pardon me for a moment——

Mr. PATTERSON. I prefer that a long argument, which at least is foreign to the subject I have under discussion, should not be injected at this time.

Mr. SPOONER. I would not interrupt the Senator without his entire acquiescence.

Mr. PATTERSON. I think the Senator will recognize the propriety of what I have said, so far as that is concerned.

Mr. SPOONER. I think the Senator is wise.

Mr. PATTERSON. It is difficult to determine just exactly what the Senator from Wisconsin means by his words of approval. Whether he means that it would be unwise for me to allow the controversy to proceed, lest my side should receive the worst of it, or whether it is a testimonial to my good judgment generally, it is impossible for me to determine.

Mr. SPOONER. Mr. President, to relieve the Senator——

Mr. PATTERSON. However, I will give the Senator from Wisconsin the benefit of the doubt, and as he is always courteous, admit that it was intended as a personal compliment.

Mr. SPOONER. It was that. I congratulate the Senator on both grounds. I think he is wise in not permitting the interruption, which I will deal with later.

Mr. PATTERSON. Mr. President, the Senator from Wisconsin will have ample time to settle all controversies and to get even with all disputants. He never limits himself as to time and never as to opportunity. And while the Senator is in a complimentary mood, I desire to pay him a compliment. It is that never has there been a Senator, so far as the Senate has knowledge, who could so ably make black appear white and white black, no matter what the controversy was, as the Senator from Wisconsin. [Laughter.]

The President of the United States, in what some have sacrilegiously styled his "swing around the circle," early in the present year, somewhere in Indiana, and I have forgotten the exact place, instructed his audience upon the ethics of national intercourse and particularly as to the manner in which America should bear itself toward other nations. As I recall it, the chief rule he laid down was, "Speak low and carry a big stick." The President has spoken so low in his messages as to the dealings of his Administration with Colombia that he has hardly heard himself when encouragement was given to the rebellion of Panama; but whether he spoke low or high, he has carried the big stick and Colombia has felt its weight.

One of the questions is whether Colombia deserved what it received. Did it so bear itself toward this country that it deserved to lose Panama and the profits and benefits of the great canal through the intervention of the United States? The genesis of all discussion is the treaty of 1846. At that time the United States was in the heyday of its commercial and shipping supremacy. It was seeking ports in every country of the world. At that time, according to our statistics, 85 per cent of American commerce, both exports and imports, was carried in American bottoms. There has been a sad decadence of American shipping since that day.

The United States, looking ahead, and especially looking toward the South American republics, discovered that there were discriminating laws against the ships and commerce of the United States upon the statute books of New Granada which sadly interfered with American prosperity. And so our chargé d'affaires at Bogota undertook to negotiate for the United States a treaty with New Granada, to secure the abolition of those discriminating duties upon goods the product of the United States and to open up the waterways of that country to American ships and American goods.

Reading the messages of the President and the speeches of those who sustain him, what do we discover? The contention upon their part is that the treaty of 1846 imposed an onerous burden upon the United States, under which it has since been staggering, and that the benefits of the treaty were all to Colombia and none to the United States. I have taken the trouble to read the correspondence which was submitted to the American Senate by President Polk in connection with this treaty, and I think it is well worth the while of Senators to learn, if they have not already learned, what it was that led to that treaty and which country it was that received the greater benefit from it. President Polk in his message said:

> I transmit to the Senate, for their advice with regard to its ratification, "a general treaty of peace, amity, navigation, and commerce between the United States of America and the Republic of New Granada."
>
> * * * * * * *
>
> The vast advantages to our commerce which would result from such a communication not only with the west coast of America, but with Asia and the islands of the Pacific, are too obvious to require any detail. Such a passage would remove us from a long and dangerous navigation of more than 1000 miles around Cape Horn and render our communication with our own possessions on the northwest coast of America comparatively easy and speedy.

Then again:

> This treaty removes the heavy discriminating duties against us in the ports of New Granada, which have greatly restricted our commerce and navigation with that Republic, and which we have been in vain endeavoring to abolish for the last twenty years.

It was a strong desire upon the part of the United States to acquire these benefits that led it to move for this treaty.

Mr. SPOONER. What?

Mr. PATTERSON. Discriminating duties against which this country had been vainly struggling for more than twenty years, and that had practically destroyed the commerce of this country with that portion of South America.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Yes, sir.

Mr. SPOONER. I stated the other day that the treaty of 1846 was made upon the petition of Colombia or New Granada, especially with reference to article 35, to protect that country against the threatened aggression of Great Britain and France. The Senator from Colorado corrected me, saying that I was in error. I admit that so far as the public correspondence is concerned the Senator from Colorado may have been correct, but I promised to show to the Senate that what I stated was true.

I promise now to prove to the Senate that so far as the treaty of 1846 between the United States and New Granada was a treaty of amity, friendship, and reciprocity in commerce, it was a mere cloak for article 35, which Colombia asked of us in order to protest her from foreign aggression upon that Isthmus, and the correspondence which I will read has not yet been published. That statement is due to the Senator from Colorado.

Mr. PATTERSON. I know nothing of correspondence that has not been published. What I stated was that the United States sought the treaty of 1846.

Mr. SPOONER. I think the Senator is mistaken.

Mr. PATTERSON. It is also true that when we sought that treaty New Granada insisted that the provisions contained in article 35 should be included in the treaty.

Let me read from the letter of our chargé d'affaires to President Polk, with which he transmitted the treaty of 1846, and that the President transmitted to the Senate with the treaty:

> It would be useless to speak of the terms of this treaty; you will have it before you, and it must speak itself.
>
> I will only say that, so far as I could, I have [illegible] and moderation, it concedes to the United States the [illegible] which they have never before enjoyed from any other nation. You will observe that the fourteenth article [illegible] the right of transit across the isthmus of Panama, and that it goes much more [illegible] than the treaty with Colombia in that respect.
>
> With respect to the right of transit over the Isthmus, the difficulties which appeared to me to be insuperable [illegible] every day. I have only to remark that I have secured the "largest liberty" and the very best terms that could be obtained.
>
> I could not obtain these terms—

Said Mr. Bidlack, our chargé d'affaires—

> without consenting to guarantee the integrity and neutrality of the territory; and in fact it seemed to me, upon reflection, that in order to preserve the rights and privileges thus secured it would be both the policy, the interest, and the duty of the United States thus to exert [illegible] to prevent them. The guaranty of neutrality may [illegible] a general alliance is carefully guarded. With some [illegible] I refer you to the "exposition of motives" presented by Mr. McLane, the secretary of state, in answer to my objection to inserting this question in the commercial treaty.

When negotiations for this commercial treaty were entered into, so far as one can judge from the correspondence, the Colombian minister desired the mutual guaranties of transit and sovereignty to be incorporated as they are in the treaty with all the rest it contains. But the American chargé d'affaires wished two treaties, one containing the purely commercial provisions and the other those of transit and sovereignty.

It may be instructive to learn the suggestions that were made by Mr. Mallarino, New Granada's minister, in support of his contention for a single treaty. They were reduced to writing, and the document gives a very interesting and graphic description of the contest that was then being carried on between the United States and Great Britain for commercial supremacy in the South American republics. I read from the official publication parts of Mr. Mallarino's suggestions:

> 1. The conduct observed by Great Britain in various parts of the South American continent, especially [illegible] Honduras, [illegible] that power arrogates the right of interposition [illegible] of the [illegible] States, on the [illegible] and [illegible] mediation, [illegible] the most important [illegible] South American possessions of the United States, and [illegible] law in all matters concerning the possession of foreign continents. And it cannot be [illegible] that the [illegible] in the early commercial [illegible] with the Americans [illegible] along the Plata and the [illegible] of their navigation in those countries [illegible] that as soon as [illegible] British ships, be [illegible] in the months of [illegible] and South America with her manufactures, without the [illegible] of any [illegible] barriers.
>
> No manufacturing country will be able to stand in competition with powerful England in those great and important local markets [illegible] that are now disputed, but which she would almost exclusively reserve to herself upon acquiring their ownership. And if the usurpation of the Isthmus in the commercial portion should be added to these other grievances, the security of the American seas, in its strictly useful or pacific sense, would fall into the hands of the only nation that the United States can consider as a badly disposed rival. It would be perfectly superfluous to mention the

> political consequences that would be entailed upon America by the uncontrolled dominion of a nation as ambitious as it is little fastidious about the means by which her ends are to be obtained. Great Britain would, in effect, virtually acquire a complete ascendancy over all America, if to the dominion that she already exercises in the interior parts of Mexico, under the pretexts of the mining works, she should add the so much wished for possession of the California, and if the Isthmus, and of the great months of the Orinoco on the coast of Venezuela, and of the Plata and other rivers emptying from the Argentine seaboard. This dominion or ascendancy would be equally ruinous for the commerce of the United States and for the nationality of the Spanish-American republics, most direful for the cause of democracy in the New World, and constantly disturbant of public peace in this our continent.
>
> II. From these facts and general considerations may be inferred the urgent necessity in which the United States are of interposing their moral influence, and even their material strength, between the weakness of the new republics and the ambitious views of the commercial nations of powerful jurisdictions. Great Britain, [illegible] and [illegible] enough as its efforts would necessarily [illegible] to the liberty of the American seas, and the [illegible] interest of the hemisphere, as well in the expectations of the prosperous [illegible] be freely exercised in a free connection with foreign effects, or the rejection of those very foreign effects, which ought to be only lawfully [illegible] with equal advantages for all parties. On account of these reasons and [illegible] and awakening international jealousies by extending [illegible] as it would be [illegible] interposition in treaties of [illegible] and moderate [illegible]; but this should be done so that at the same time that the freedom of the seas should be secured the powers of Europe should be compelled to abandon their anti-American plans and Great Britain her plans of territorial encroachments; or, in case they should not abandon them, that their trade should suffer the damages consequent on the want of a participation in the franchises that the United States would thus acquire.

Then he continues:

> This end is simply and naturally to be obtained by stipulating, in favor of the United States, "the total repeal of the differential duties as a compensation of the obligation they impose upon themselves of guaranteeing the [illegible] and [illegible] of Panama, possession of those portions of territory that the [illegible] consider as necessary to make to be free and open to all nations." By the Government upon the [illegible] of the Isthmus from their [illegible] property into the boundary of Costa Rica.
>
> When a treaty containing such a stipulation shall exist between New Granada and the United States and it cannot be concluded and perfected by a subsequent [illegible] convention, in which the transit of the [illegible] shall be arranged and its permanent neutrality established, but the powers of Great Britain would fear, by themselves, as it would no longer be possible for her to encroach upon the Isthmus, nor to force herself from the [illegible] of the mercantile [illegible] over which she would have to suffer, not the [illegible] New Granada to enter, upon the same conditions, the British [illegible], constituting herself thereby, as a guaranteeing power, of New Granada sovereignty upon the Isthmus. This would also be done by France. All the other nations with whom New Granada has express relations would do the same; and in this manner the guaranty would become a matter-of-course clause and a fact of universal interest.

So it will be seen that when this treaty was negotiated it was contemplated between New Granada and the United States that Great Britain and France and other nations should enter into like duties and obligations as did the United States to New Granada under that treaty. But continuing:

> It thus appears that—without having to fear the eventuality of a war with any other power in order to maintain the sovereignty of New Granada over the Isthmus without [illegible] upon themselves any kind of [illegible] the United States can accept this [illegible] and [illegible] of [illegible] secure change in the [illegible] of Great Britain, strengthening at the same time the future prosperity of the American seas and the [illegible] which the United States must always enjoy on account of their proximity to our markets.
>
> This law would become complete if the United States should be able to sign similar treaties with Venezuela respecting the Orinoco and with Buenos Ayres respecting the Plata and other neighboring navigable and connected rivers.
>
> III. There are reasons of another kind that should also induce the Government of the United States to [illegible] attention on these measures. Some of such reasons are referred to [illegible] the United States, as an American power, of [illegible] the maintenance of the existing order of things as the most strongly favorable to their tranquillity and aggrandisement. The United States has now nothing to fear and a great deal to hope from the maintaining of moderate policies, but all the contrary would happen if the [illegible] and the political institutions of Europe should once [illegible] themselves to the South American seas. The other reasons are relative to the United States own fame and reputation, as [illegible] so intimately [illegible] them not require them a greater [illegible] American [illegible] the fact that they, after having been [illegible] as the [illegible] and future [illegible] of the Spanish-American [illegible] themselves as the most zealous protectors of the territorial integrity of those very same [illegible] whose preservation they would appear taking an open and direct interest.
>
> And really the acquisition of such a treasure of glory and affections, most usefully subservient to the mercantile interests of the [illegible], is a step entirely exempt from any cost or risk, and which the Washington Cabinet should surely take without hesitation or delay, for to the great consciousness of its consummation are to be added honor, necessity, and expediency, which all plead with an equal eloquence in favor of this measure.
>
> M. M. MALLARINO.

BOGOTA, *December 10, 1846.*

Thus it is plainly seen that a contest for commercial supremacy between the United States and Great Britain in the South American countries was what led to negotiations for the treaty of 1846, and that we secured by it concessions that we had striven for twenty years in vain to secure, and that section 35 sets forth the obligation assumed by the United States in consideration of the great benefits conferred by that treaty.

The President, in one of his messages, suggests that for seventy years Colombia has been receiving the benefits of this treaty; that for seventy years Colombia has been receiving the benefit of the guaranty of its neutrality; but, Mr. President, for more than seventy years the United States has been receiving the commercial advantages that it sought and that were granted to it by this treaty. If the United States has done an act that is against the letter or spirit of this treaty, that act has been done in the face of the fact that for seventy years and up to the present time the United States has been enjoying all the commercial advantages this treaty gave to it and that it so zealously sought to secure.

Let it not be again contended in the face of this correspondence that the obligations were upon one side and not upon the other.

Mr. President, the Senator from Wisconsin [Mr. SPOONER] and the President of the United States have declared in effect that by the treaty of 1846 Colombia, by guaranteeing free and safe transit to the United States and to American citizens for both persons and articles of lawful commerce belonging to them, carved out of Colombia's sovereignty over Panama some portion of it and conferred it upon the United States, something in the nature of a covenant that runs with the land, and of which the United States could never be deprived; and this in the face of the fact that it is a treaty of peace, amity, and commerce, revokable—every line of it—by the express terms of the treaty at the expiration of twenty years, and at any time after twenty years on the giving of one year's notice by either of the parties to it. Let us examine this pretense and see how utterly devoid of substance it is—let it be settled by the treaty itself.

Taking up section 35 we find that the first part of it is an epitome of most of the sections that have gone before. It is well worth considering and analyzing, because in its analysis will be found the answer to the contentions of the opposing sides. The opening paragraph declares that—

> First. For the better understanding of the preceding articles, it is, and has been stipulated, between the high contracting parties, that the citizens, vessels, and merchandise of the United States shall enjoy in the ports of New Granada, in the [illegible] of Panama, from the commencement of navigation until the frontiers of Costa Rica and all the exemptions, privileges, and immunities concerning commerce and navigation, which are now, or may hereafter be enjoyed by the Granadian territory generally destined to foreign vessels and merchandise; and that this equality of favors shall be made to extend to the passengers, correspondence, and merchandise of the United States in their transit across the said territory, from one sea to the other. That consequently, New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States.

Not only be open and free to the Government and the citizens of the United States, but—

> For the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States.

Not only that, but—

> That no other tolls or charges shall be levied or collected upon the citizens of the United States or their said merchandise thus passing over any road or canal that may be made by the Government of New Granada, or by the persons to whom the same may be hereafter conceded, than are or may be levied upon and collected from the Granadian citizens.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER (Mr. KITTREDGE in the chair). Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. SPOONER. If it is not entirely agreeable to my friend, I will not interrupt him.

Mr. PATTERSON. Oh, yes, so that it is reasonable. I mean as to time.

Mr. SPOONER. The Senator from Colorado will, I know, think this is reasonable. He is a very fine lawyer. Does the Senator object to that?

Mr. PATTERSON. We will not discuss that.

Mr. SPOONER. Then I want to put to the Senator from Colorado this question: Is not that a grant, an unequivocal grant, to the Government of the United States for its governmental purposes as well as for its citizens of a right of passage across the Isthmus of Panama and the whole Isthmus?

Mr. PATTERSON. Mr. President, if the Senator from Wisconsin desires to call it a grant, he is at liberty to do so. It is nothing more than the guaranty of a privilege.

Mr. SPOONER. I ask the Senator from Colorado whether where the owner of territory guarantees to a government the right of passage for itself and its citizens across its territory that does not imply a grant as well as a guaranty?

Mr. PATTERSON. I am not going to quibble over terms.

Mr. SPOONER. Oh, well, if that is a quibble——

Mr. PATTERSON. You call it a grant. I call it a privilege, or the grant of a privilege.

Mr. SPOONER. But the grant of a privilege is a servitude.

Mr. PATTERSON. I disagree with the Senator from Wisconsin.

Mr. SPOONER. Of course.

Mr. MORGAN. It is not a servitude.

Mr. PATTERSON. Mr. President, it is the grant of a privilege, such a privilege, by way of illustration, as is given to every

person, white or black, within the District of Columbia of free passage and transit over the street-car lines in the District. All are guaranteed that privilege upon condition that they pay the fare, that they will comply with the reasonable rules and regulations of the company. A privilege of that kind does not deprive the owner of the street-car lines of his property, nor any part of it. If there could be such a thing as sovereignty in connection with individual or company ownership of real estate or personal property, the sovereignty of the owner of street-car lines is intact so far as privileges of that kind might be supposed to interfere with it.

Mr. President, this guaranty is nothing more than this: So long as this treaty lasts the United States and the citizens of the United States shall have free passage and transit over the roads that then existed or upon railroads that might thereafter be constructed or by canals that might thereafter be dug, but conditioned always that they should pay the reasonable tolls and charges, it being stipulated that they should be no greater nor more burdensome than were imposed upon citizens of Granada. These are the express conditions of article 35, which I have not yet read in full.

Mr. SPOONER. Will my friend permit me?

Mr. PATTERSON. Yes.

Mr. SPOONER. I am disappointed by the answer of the Senator from Colorado, because I put him a fair question and he proceeded to make an unfair answer to my question. I asked the Senator from Colorado if the guaranty by the Government of Colombia to the Government of the United States of a right of way or transit across the Isthmus of Panama upon any lines of communication then in existence or thereafter to be constructed did not involve a grant to the Government of the United States and its citizens of that right of way or transit.

Now, if my friend will permit me, there is only one answer to that question. A guaranty applies ordinarily to a third party. If I guarantee the debt of the Senator from Colorado to some one else, that is not a primary obligation. If I guarantee my own debt, if I become my own surety, if I guarantee to the Senator from Colorado the right of passage across my own land, I ask him if that is not, first, a grant, and then a guaranty on my part that he shall enjoy it?

Mr. PATTERSON. Mr. President, there is a vast difference between a grant that attaches to real estate, or a grant that carves out of the sovereignty of a nation some portion of it and confers it upon another, and a grant or guaranty of the right of transit across a country upon such means of communication as may then exist or that may thereafter be constructed by the Government of the country. Nations do not, as mere matter of contract, transfer sovereignty to another country, although it may grant and guarantee another country and its citizens privileges within it.

Mr. SPOONER. Mr. President, will the Senator from Colorado permit me to ask him another question?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Yes, sir.

Mr. SPOONER. Is not a grant by a government of the right of passage to another government a servitude under international law?

Mr. PATTERSON. It is not a servitude in any legal sense whatever. What I contend is that were this language to be construed by a judge, and if the Senator from Wisconsin were a judge upon the bench at this moment, acting under his oath of office, I am convinced that he would agree with me that this so-called grant is nothing more than the guaranty of the right of transit upon such terms and conditions as might be lawfully imposed, only provided they should exactly correspond with those that were imposed upon the citizens of New Granada, and that it could not, under any circumstances, interfere with the right of the sovereign to suppress insurrection against its power and sovereignty whenever occasion to suppress it might occur.

Why, Mr. President, is it possible that the Senator from Wisconsin will contend that when the sovereign nation of New Granada granted a right of transit, a guaranty of right of transit, to the United States and its citizens, their goods and merchandise, across whatever means of communication existed or might be created, it thereby granted to the United States the right to interfere with that nation in its sovereign power to suppress rebellion or insurrection?

Mr. SPOONER. Now, Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Certainly.

Mr. SPOONER. If my friend from Colorado will permit me, I will tell him just what I do contend.

I contend that article 35 was both a grant and a guaranty to the United States and its citizens of the right of way or transit across the Isthmus of Panama, defined by that article to constitute the entire Isthmus of Panama from its southeastern boundary to Costa Rica. I contend that it was a servitude granted by Colombia over that territory to the United States and its citizens. I contend that in payment for it the Government of the United States agreed to maintain the neutrality of the Isthmus, and by that I mean to be understood the whole Isthmus of Panama and the rights of sovereignty and property. I contend further, if my friend will permit me—and I will not take time to do more than to state my position—that when Colombia lost control of that territory, when the Republic of Panama was recognized by the United States and by other great governments of the world, that grant of servitude was binding upon the Republic of Panama and the obligation of our treaty of 1846, article 35, to maintain the neutrality of the Isthmus and the rights of sovereignty and property was inherited by the Republic of Panama, and that we became bound by a treaty obligation to protect the whole Isthmus of Panama against any foreign invasion, including any invasion by Colombia, which, from the standpoint of international law, had ceased to have any interest in or sovereignty over the Isthmus of Panama. That is my position.

Mr. PATTERSON. Applying the Senator's contention to the facts as we have them, it is nothing more than that by a treaty that might expire in twenty years; by a treaty that provided for the peaceful settlement of all controversies arising out of a violation of the treaty; by a treaty that provided that there should be no interruption of commerce unless there was full compensation made; by a treaty that gave to another country the right of passage across its territory upon such means of transportation as might then or thereafter exist, that the country making it yielded to the beneficiary the right to prevent it from maintaining its sovereignty over its own territory and that just so soon, however they might be instigated, its citizens might rise against the parent country, the beneficiary under that treaty could under the treaty send its ships and armies to prevent the parent country from suppressing the uprising and enforcing its rule.

Mr. President, it would be something along this line: Suppose it was deemed of mutual benefit to Canada and the United States to jointly construct a railroad from the Atlantic to the Pacific Ocean, running partly in the United States and partly in Canada; that it should lead to a treaty between the two great powers in which Great Britain guaranteed to the United States free transit over that part of the line that was in Canada, and the United States guaranteed to Great Britain free transit over the part of the line within the United States, the grant or guaranty being conditioned that the citizens of each should have the free use of the road on payment of whatever freight or passenger charges were fixed by the owners of the respective sections of the road. Could anybody be found to contend that under such a treaty the United States or Great Britain had bartered away either their right or duty to suppress insurrection or secession within their respective countries?

Mr. SPOONER. Will my friend permit me?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Certainly.

Mr. SPOONER. I am not discussing with the Senator from Colorado the question whether it was right or wrong for the United States—and I use that expression advisedly—to recognize the independence of the Republic of Panama. I will do that later. That has been done and it is irrevocable, according to all the books.

Now, upon that postulate, what I mean is this: That the obligation created both the grant and the payment; the guaranty of the right of passage or transit upon the part of Colombia became a burden assumed by the successor in proprietorship of the Republic of Colombia, and that the compensation for it, the guaranty of the United States to maintain neutrality over the whole Isthmus, with the rights of sovereignty and property, inured to the benefit of the Republic of Panama.

To illustrate, if my friend will permit me, for I do not want to argue the matter, suppose prior to 1860 the Government of the United States had entered into a treaty with Great Britain by which it granted to Great Britain for forty years the right to navigate, by its ships of war on peaceful missions, and its ships of commerce, the Mississippi River and its navigable tributaries. That would be a servitude according to all the authorities on international law from Vattel down to to-day.

Suppose the Southern Confederacy had succeeded and had become an independent republic or government, recognized by Great Britain, recognized by France, if you please, and by us, would that obligation have been binding on the Southern Confederacy or not? In other words, the Government of the United States, the diplomatic agent of all the States, having before revolt—no, that is not accurate; successful revolution—placed by contract with Great Britain a servitude upon the navigation of the Mississippi, would not the Southern Confederacy, the successor in proprietorship, have taken that territory cum onere;

would it not have taken it subject to the rights of Great Britain to navigate along the Mississippi through the boundaries of the Confederacy and along the Mississippi in the boundaries which would remain of the United States, or, to put it differently——

Mr. PATTERSON. Now, that is perfectly clear.

Mr. SPOONER. Just let me make it clearer, and if the Senator is dissatisfied he can strike it out.

Mr. PATTERSON. I will not strike it out, Mr. President, for this reason, if for no other: This controversy has resulted in good. It has caused the Senator from Wisconsin to define himself as now in conflict with his position heretofore, in conflict with the President and every Senator who has spoken upon his side of the case, as I will attempt to demonstrate.

Mr. SPOONER. Mr. President, I am nobody's mouthpiece in the Senate. I have never had the honor, if it be an honor, to be the mouthpiece of any Administration in the Senate. I leave that to others more honored than I. I proceed here, as my friend does, as a Senator of the United States trying to do the right thing under my oath of office.

I will proceed with my additional illustration, and then I am through. We have had a bargain with Great Britain about the navigation of the St. Lawrence, which was long disputed, culminating in the treaty of 1871. Our right to navigate that river was declared by treaty with Great Britain to be a right to exist forever. Suppose Canada became independent of Great Britain, does the Senator from Colorado contend that she would not take that territory subject to that servitude? Now I am through.

Mr. PATTERSON. Mr. President, as I suggested, this controversy has not been without its benefits. Until this period of the debate Senators upon the other side have been contending—and it is practically the contention of the President—that by the treaty of 1846, without any secession upon the part of Panama, the right to prevent Colombia from interfering with secession of Panama had been conferred upon the United States. It is, Mr. President, much to the credit of the Senator that he has abandoned that position and taken his ground upon the proposition that Panama having seceded, its independence now being an established fact and recognized by the President of the United States——

Mr. SPOONER. And the Senate.

Mr. PATTERSON. Recognized by the President of the United States, and the treaty of 1846 being yet in force, now, and not before recognition, the United States, so far as Colombia is concerned, and with the consent of Panama, might properly send its troops and ships to protect a treaty ally from coercion back to the parent country.

Mr. DANIEL. Mr. President, may I ask the Senator from Colorado a question illustrative of this matter?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Virginia?

Mr. PATTERSON. Certainly.

Mr. DANIEL. Is it not a fact that the United States was given by Colombia simply the right of travel over her territory for troops and civilians? Is it anything more than the right the Senator has, or any other gentleman has, to travel from here to Richmond or to New York, or for the troops of the United States to travel from here to Richmond or New York? Is it not the mere right of transit over that territory?

Mr. PATTERSON. If the Senator from Virginia——

Mr. DANIEL. And is not a servitude something, if the Senator will allow me, especially annexed to the land, and not a mere aerial way, so to speak?

Mr. SPOONER. A right of way or transit.

Mr. PATTERSON. Right of way or transit or conveyance—that is precisely what it is.

The Senator from Wisconsin having practically abandoned his contention——

Mr. SPOONER. What contention?

Mr. PATTERSON. As I understand the Senator's contention in the many other speeches he has made upon this question, it is that even while Panama was an integral part of Colombia, by reason of this treaty the United States had the right to intervene for the purpose of preventing Colombia suppressing a revolution or a rebellion in Panama provided it interfered with the free transit across the Isthmus. That contention, I understand, the Senator from Wisconsin has abandoned, and he now places his justification for anything that the United States may have done upon the proposition that, Panama having seceded, set up house for itself, being recognized by this country as a separate and independent nation, the obligations of the treaty now devolve upon Panama, and, Panama being willing, of course the United States may use its troops and ships for its protection.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Yes.

Mr. SPOONER. I have not abandoned the position which the Senator from Colorado imputes to me—that is, he imputes it, because I never took it.

Mr. PATTERSON. Then, Mr. President, it is all the better for the Senator from Wisconsin that he has not taken it. I thought he had. It justifies the high opinion that I had of his legal acumen and independence. [Laughter.] He is not willing to follow the President and Administration and other Senators in support of this absurd proposition they have put forward.

Mr. PLATT of Connecticut. Nobody has taken that position.

Mr. SPOONER. Mr. President, nobody has taken it. The President of the United States has not taken it.

Mr. PATTERSON. I will demonstrate that a little later.

Mr. SPOONER. Perhaps.

Mr. PATTERSON. Not to your satisfaction, perhaps.

Mr. SPOONER. I have not taken that position. I have said that a performance by Colombia of her guaranty required that she should seasonably provide against insurrection and revolt which would interrupt the transit across the Isthmus, and I have said—and I do not abandon it—that if Colombia failed in the discharge of that guaranty, out of her failure arose our right to prevent interruption of that transit in a contest between Colombia and her own people. That is what I have said, and I maintain it.

I have said another thing, Mr. President, for which I am criticised by the New York Evening Post, which criticises me without taking the trouble to understand what I said; and that was that, treaty or no treaty, the commander of the *Nashville*, being with his war ship at Colon and being apprised of danger to American citizens on the Isthmus, had a right to disembark his marines to protect American citizens and American interests. That is the duty of a government without treaty. We had no treaty right explicitly——

Mr. PATTERSON. But we are not discussing that.

Mr. SPOONER. I am discussing that, because the Senator does not state correctly my position. We had no treaty right explicitly to send Chaffee at the head of our troops and Reilly's battery to protect our legation in China. That is not a right that comes from treaty.

Mr. PATTERSON. Oh, I know that.

Mr. SPOONER. That is a right that comes from God—not simply to a nation, but to man. I repeat, Mr. President, that under the circumstances, if the commander of the *Nashville*, informed that American citizens—men, women, and children—on the Isthmus of Panama were threatened by Colombian troops with extinction, had not landed his marines to protect them, he ought to have been dismissed the service in disgrace. Does my friend challenge that?

Mr. PATTERSON. Oh, no. I was going to say, Mr. President, that I will reach the *Nashville* after a while. It is not at all germane; it bears no relation whatever to the matter we are discussing. I propose to stick to the text, and when we come to the *Nashville* we will take that matter up.

The Senator from Wisconsin announced a proposition that I would not controvert seriously; not the *Nashville* proposition, but this, that if Colombia had failed in its duty in moving its forces to suppress rebellion and insurrection, if it had allowed them to run riot on the Isthmus, then perhaps the United States might, under well-established rules of international law, have intervened for the protection of American interests.

But, Mr. President, the difficulty with the situation is this: Colombia was prevented by the United States from taking the first step that was necessary to put down the so-called insurrection. Before the uprising occurred the President of the United States cabled to the commanders of the American war vessels and notified them to permit no Colombian troops to land anywhere on the Isthmus.

Mr. PLATT of Connecticut. Did that prevent their landing?

Mr. SPOONER. Will the Senator allow me to correct him?

Mr. PATTERSON. If it is a correction.

Mr. SPOONER. The President of the United States did not do anything of the kind. The Acting Secretary of the Navy——

Mr. PATTERSON. Oh, that is somewhat technical.

Mr. SPOONER. Perhaps it is.

Mr. PATTERSON. Yes; that is technical.

Mr. SPOONER. But I will tell you why it is not exactly technical. We occupy here a peculiar relation to the President of the United States. He is entitled to respect from us and fair treatment from us. I think my friend will agree with me that in references to the President of the United States we ought to be entirely accurate.

Mr. PATTERSON. Yes, indeed.

Mr. SPOONER. The Senator means, undoubtedly, the telegram from Mr. Darling, Assistant Secretary of the Navy.

Mr. PATTERSON. Several telegrams.

Mr. SPOONER. Yes; but I want to ask the Senator——

Mr. PATTERSON. And I mean this, too, that it is not within

the nature of things that a single one of those telegrams could have been sent without the full approval, if not the direction, of the President.

Mr. PETTUS. Mr. President, I make the point of order that this conversation is not according to the rules of the Senate.

Mr. SPOONER. Mr. President, the Senator from Alabama is, of course, right. He is always right on questions of parliamentary etiquette. I regret that in this respect, as in many others, I have offended, and I want to exculpate my friend the Senator from Colorado from any animadversion which grows out of the observation of the Senator from Alabama.

I wish to ask my friend the Senator from Colorado, does he contend that any troops sent by Colombia or designed to be sent by Colombia to repress disorder on the Isthmus prior to the recognition of the Republic there were prevented from landing?

Mr. PATTERSON. No; I do not.

Mr. SPOONER. Well, Mr. President——

Mr. PATTERSON. Let me answer the question fully.

Mr. SPOONER. Yes.

Mr. PATTERSON. The 400 soldiers upon the *Cartagena* arrived there, I believe, on the 2d of November?

Mr. SPOONER. Yes, sir.

Mr. PATTERSON. At that time, the *Nashville* being in port, the commander of the *Nashville* had not received the message from the Navy Department, which I believe the Senator from Wisconsin will admit was practically to all intents and purposes the message of the President.

Mr. SPOONER. Well?

Mr. PATTERSON. I do not mean it in any offensive sense.

Mr. SPOONER. It is not offensive.

Mr. PATTERSON. I do say that before the *Cartagena* reached the port, the Department at Washington, as I believe, under the direction of the President, because no Secretary or Acting Secretary would have dared to issue orders of that character, in such a crisis, without the knowledge and approval of the President, notified the commanders of two or three American warships to permit no Colombian troops to land anywhere upon the Isthmus of Panama, expecting, as they did in Washington, that when the troops went to Panama they would go there for the purpose of suppressing the rebellion that was then expected to break out, and these troops were prohibited from going from Colon to Panama by the commander of the *Nashville* under the orders he had received from the Department here.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. I do.

Mr. SPOONER. Of course this is a great transaction and it gets down, as I understand the Senator, to a criticism, not of what happened or what was done, but a criticism of one or two cablegrams. Am I wrong about that?

Mr. PATTERSON. Oh, I think that is quite unworthy of the Senator from Wisconsin.

Mr. SPOONER. Does it get down to that?

Mr. PATTERSON. No, sir; it does not get down to that. That is only a part of it.

Mr. SPOONER. I put again, then, to my friend the Senator from Colorado the question whether prior to the recognition of that Republic any troops which Colombia sent to be landed on that Isthmus to repress disorder were, in fact, prevented by the United States from landing.

Mr. PATTERSON. I say no, and then yes; and why? There was not even a child within the limits of the country who had any conception of public matters who did not know that the orders which had been issued from Washington contemplated the absolute prevention of the landing of a single Colombian soldier upon the territory of Panama.

Mr. SPOONER. Did the Senator from Colorado, who is not a child by any means, know it until the President a message to the House which contained the cablegrams? I did not.

Mr. PATTERSON. I can not recall now the exact hour and day when these official communications were given to the public or to the Senate, but there is one thing I can say with absolute truth, that immediately upon the announcement of the so-called rebellion came the information, whether through the publication of the full orders or not, that the United States had taken the insurrection under its wing and would not permit Colombia to interfere with its rebellious subjects in any way.

Mr. SPOONER. I do not know how it may be with my friend the Senator from Colorado, for whom I have really great respect and admiration, but for myself I did not know anything about this insurrection until I read it in the newspapers. I did not know that these telegrams had been sent until they were given to the public in these messages. I have not been able to ascertain—perhaps the Senator from Colorado can correct me—that the Republic of Colombia was prevented by the United States forces from landing any troops which were sent to the Isthmus prior to the recognition of the Panama Republic.

Mr. PATTERSON. If it were not for the intense admiration, the unbounded and unlimited admiration, that I have for the Senator from Wisconsin, I would say that that is a mere quibble.

Mr. SPOONER. Well, that is——

Mr. PATTERSON. None were actually prevented, while he admits that the orders had gone forth before the so-called rebellion occurred, that none should be permitted to land.

Mr. SPOONER. Ah, but Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Certainly.

Mr. SPOONER. I have said in debate here before that I would not, I think, although I am not a [illegible] about it, have placed in one of the telegrams that 50-mile limit; but the people of the United States, in a great [illegible] all time, will try the Administration upon what was done, not upon a mere partisan, technical criticism of cablegrams which were sent to naval officers, not to the world, and that is where my friend and I differ.

Mr. PATTERSON. We are trying this case upon the things that were done.

Mr. SPOONER. I want to thank the Senator from Colorado for permitting the interruptions. I assure him that I had no thought whatever to annoy him.

Mr. PATTERSON. No, you have not annoyed me.

Mr. SPOONER. We are trying to get at the truth and we ought to get at the truth, and we ought to try this whole case upon the facts, the substantial facts, not on any mere leather and pronello.

Mr. PATTERSON. I want to say to the Senator from Wisconsin that he has not annoyed me in the least. I think the interruptions have resulted in clearing the [illegible] the fog that obstructed vision before the discussion commenced. I [illegible] thank the Senator from Wisconsin for the [illegible] and for the frank manner in which he has [illegible].

Mr. President, the Senator from Illinois [Mr. CULLOM] suggested that he desired an executive session, and under those circumstances I should like to suspend now and resume to-morrow.

The PRESIDENT pro tempore. The Chair will recognize the Senator from Colorado in the morning.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (H. R. 819) to quitclaim all interest of the United States of America in and to all of square 1131, in the city of Washington, D. C., to Sidney Dillon;

A bill (H. R. 3594) to authorize the subdivision of lots or blocks in the District of Columbia;

A bill (H. R. 6289) to provide for the abatement of nuisances in the District of Columbia by the Commissioners of said District, and for other purposes;

A bill (H. R. 7023) to amend an act to regulate the height of buildings in the District of Columbia; and

A bill (H. R. 9311) in relation to the establishment of building lines in the District of Columbia.

BUSINESS STREETS IN THE DISTRICT.

The bill (H. R. 9292) in relation to business streets in the District of Columbia was read twice by its title.

Mr. GALLINGER. The Committee on the District of Columbia of the Senate has reported favorably on a similar bill. It will take but a moment to pass the House bill, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent for the present consideration of a bill, which will be read for information.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend the last proviso of the act of July 1, 1898, entitled "An act to vest in the Commissioners of the District of Columbia control of street parking in said District," so as to read as follows:

That the Commissioners of the District of Columbia are authorized and [illegible] in the District of Columbia as business streets [illegible] business purposes [illegible] or more whole frontage is occupied and used for business purposes.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The bill (S. 3157) in relation to business streets in the District of Columbia will be indefinitely postponed.

INTEROCEANIC CANAL CONGRESS OF 1879.

Mr. TELLER. In 1879 we sent Rear-Admiral Ammen and Chief Engineer Menocal as delegates to the Interoceanic Canal Congress held in Paris. I can find but a single copy of the report they made to the Government, and it is in the Congressional Library. There is none in the Senate library or the House library, and I ask to have it printed as a document.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent that there be printed as a document the report of the engineers referred to. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After thirty minutes spent in executive session the doors were reopened, and (at 5 o'clock p. m.) the Senate adjourned until to-morrow, Wednesday, January 20, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 19, 1904.

CONSUL-GENERAL.

Fleming D. Cheshire, of New York, to be consul-general of the United States at Mukden, China, to fill an original vacancy.

CONSULS.

Edwin V. Morgan, of New York, to be consul of the United States at Dalny, China, to fill an original vacancy.

James W. Davidson, of Minnesota, to be consul of the United States at Antung, China, to fill an original vacancy.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 19, 1904.

PROMOTION IN THE MARINE CORPS.

First Lieut. Rush R. Wallace, jr., of the Marine Corps, to be a captain in the Marine Corps from the 19th day of November, 1903.

MARSHAL.

James A. Toler, of Mississippi, to be United States marshal for the northern district of Mississippi.

COLLECTOR OF CUSTOMS.

Ezra B. Bailey, of Connecticut, to be collector of customs for the district of Hartford, in the State of Connecticut.

APPRAISER OF MERCHANDISE.

Luman T. Hoy, of Illinois, to be appraiser of merchandise in the district of Chicago, in the State of Illinois.

POSTMASTERS.

PENNSYLVANIA.

John W. Beers to be postmaster at Marysville, in the county of Perry and State of Pennsylvania.

SOUTH CAROLINA.

Joshua E. Wilson to be postmaster at Florence, in the county of Florence and State of South Carolina.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 19, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PRINTING AND BINDING.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Committee on Industrial Arts and Expositions be authorized to have such printing and binding done as may be required in the transaction of its business.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and the resolution is agreed to.

PURE FOOD.

Mr. HEPBURN. Mr. Speaker, I ask unanimous consent that the bill (H. R. 6835) for preventing the adulteration, misbranding, and imitation of foods, beverages, etc., be now taken up and considered, and I ask that it may be made the continuing order until disposed of, not to interfere, however, with appropriation bills.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 6835) for preventing the adulteration, misbranding, and imitation of foods, beverages, confitures, cheese and compounds to be kept in report of [illegible] and for regulating interstate traffic, and for other purposes.

The SPEAKER. The gentleman from Iowa asks unanimous consent that this bill may be taken up and considered in the House as in Committee of the Whole, and to be made the continuing order, not to interfere with appropriations or revenue bills. Is there objection?

Mr. SULZER. Reserving the right to object, Mr. Speaker, I would like to inquire if this bill has been reported from a committee?

Mr. HEPBURN. Oh, yes, sir.

Mr. SULZER. What committee?

Mr. HEPBURN. From the Committee on Interstate and Foreign Commerce.

Mr. SULZER. Was the report a unanimous report?

Mr. HEPBURN. No; I think there are two dissenting members, so far as I know. They have made a minority report. They are here in the House.

Mr. ADAMSON. And our report will be filed.

Mr. SMITH of Kentucky. Mr. Speaker——

The SPEAKER. To whom does the gentleman from Iowa yield?

Mr. HEPBURN. To the gentleman from Georgia [Mr. ADAMSON] who has made a minority report.

Mr. SMITH of Kentucky. Mr. Speaker, I object to the present consideration of the bill.

The SPEAKER. The gentleman from Kentucky objects. The Clerk will call the committees in their regular order.

BRIDGE OVER NEWARK BAY.

Mr. HEPBURN (when the Committee on Interstate and Foreign Commerce was called). Mr. Speaker, I call up the bill H. R. 6805.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 6805) to amend an act entitled "An act to bridge the Newark Bay," approved February 18, 1895.

Be it enacted, etc., That the act entitled "An act to bridge the Newark Bay," approved February 18, 1895, be and it is amended by striking out of said act section 2 thereof, as follows, namely:

"SEC. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from the approval of this act."

The amendment recommended by the Committee on Interstate and Foreign Commerce was read, as follows:

Strike out all after the word "five," in line 5, and insert the following in lieu thereof:

"which act has expired by limitation, be, and is hereby, revived and reenacted.

"SEC. 2. That section 2 of the said act is hereby amended so as to read as follows:

"'SEC. 2. That this act shall be null and void if actual construction of the bridge herein authorized be not commenced within one year and completed within three years from February 18, 1898.'"

Mr. PARKER. Mr. Speaker——

Mr. HEPBURN. I will yield to the gentleman from New Jersey.

Mr. PARKER. Mr. Speaker, on that bill the gentleman who introduced it [Mr. BENNY] and myself have been before the Board of Engineers, and we have agreed to lay that bill over until a proper amendment could be made which would protect the interests of everybody upon the rivers. We have been there this morning, and we were there a day or two ago, and I am very much surprised, and I think the introducer is also, to find that bill brought up. I should ask that it be laid over until the next call of committees.

Mr. RICHARDSON of Alabama. Will the gentleman from New Jersey allow me to interrupt him?

Mr. PARKER. I will yield to the gentleman.

Mr. RICHARDSON of Alabama. You say that you want the bill laid over. What are the amendments you desire?

Mr. PARKER. The amendments are with reference to the mode of construction of the bridge—amendments which both of us, representing waters above the bridge, think ought to be made and of which a copy was to be submitted to parties interested on Thursday of this week, so that we could know something about what they thought and what improvements would be satisfactory to all hands.

Mr. RICHARDSON of Alabama. There is no minority report on the bill?

Mr. PARKER. There is no minority report simply because there were no hearings of the interests involved. Circumstances have changed on the river very greatly since the original bill was passed years ago. Large appropriations have been made, not so large as we desired, but appropriations for the improvement of the river.

Mr. RICHARDSON of Alabama. Within what time is work to commence on the bridge, and to what time are they limited?

Mr. PARKER. One year from February 14 for beginning under this act. The old act has expired. This is really a new act limiting them to a year from February 14 for beginning the bridge, and to three years from that date to complete it. My colleague from New Jersey [Mr. BENNY], representing the counties that desire that bridge, likewise represents a district which is upon the river above the bridge, and we have found, in looking over the bill, that amendments were really necessary for the protection of navigation. We have substantially agreed upon amendments; but as we are not certain that we are right, we wish to consider them and see that they are right before the bill is brought up; and it was understood between both of us that the bill should not be brought up until we perfected those amendments. I now yield to my colleague from New Jersey [Mr. BENNY].

Mr. BENNY. Mr. Speaker, the statement by my colleague from New Jersey is entirely correct. If the object of bringing up the bill now is to get some time to discuss some other subjects, I have not the slightest objection. In fact, I am so well pleased to hear the gentleman from Iowa that I am willing that he should take up the rest of the hour, but I hope that this North Bay bridge bill may be laid aside until the matter with the law department can be straightened out.

Mr. HEPBURN. Mr. Speaker, I am very sorry for these gentlemen that this situation has come up, but their bill unfortunately is to be a vehicle on which we can ride out an hour's time. [Laughter.] It serves a wholesome purpose, however. This episode will illustrate the fact that the gentleman from Kentucky [Mr. SMITH], by an objection I think he did not especially care to make, in connection with the bill that he has no possible——

The SPEAKER. Will the gentleman from Iowa suspend? The Chair desires to suggest to the gentleman from Iowa that if he desires this bill can be passed without prejudice, and, if the call of committees is proceeded with, the Chair is of opinion that at the end of sixty minutes the gentleman can be recognized to make any motion that he may desire, or if the call expires before sixty minutes, and the committees have all been called, the gentleman's motion will be in order if he desires to reach the Union Calendar. When the call of committees is completed, even though sixty minutes be not used, it would be in order, the Chair thinks, and at the end of sixty minutes whatever may be under consideration.

Mr. HEPBURN. Very well, Mr. Speaker; I think that ends my desire to make a speech upon this bill. [Laughter.] I will therefore withdraw my application to take up the bill.

The SPEAKER. If there be no objection, this bill will be passed without prejudice. The Chair hears none. The Clerk will resume the call of committees.

Mr. HULL (when the Committee on Military Affairs was reached). Mr. Speaker, I ask that the Committee on Military Affairs be passed without prejudice. I have sent for a bill.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the Committee on Military Affairs be passed without prejudice. Is there objection?

There was no objection.

Mr. LACEY (when the Committee on the Public Lands was reached). Mr. Speaker, I ask unanimous consent that the Committee on Public Lands be passed without prejudice.

The SPEAKER. The gentleman from Iowa asks unanimous consent that the Committee on Public Lands be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

TRANSFER OF MILITARY ROLLS AND RECORDS.

Mr. HULL. Mr. Speaker, I have now received the bill, or the resolution, that I sent for. I call up House joint resolution No. 29, providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

The Clerk read the joint resolution, as follows:

Joint resolution providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

Resolved, etc., That the military rolls and records of the Indian wars or any other wars prior to the civil war, now preserved in the Interior or other Departments, be transferred to the War Department, to be preserved in the Record and Pension Office of that Department, and that they shall be properly indexed and arranged for use.

Mr. HULL. Mr. Speaker, if anyone desires information, the report will give very full information in the matter. It is simply to authorize the transfer of rolls that have been prepared for transfer to the Department and are now in boxes awaiting the formal action of Congress. It is requested by the Secretary of the Interior, and is in the nature of good administration, to preserve the Indian war records by placing them with the records of the civil war and other wars in the Record and Pension Bureau of the War Department, where all other records of the wars have heretofore been placed.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The question was taken; and the joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

The Clerk resumed and concluded the call.

MESSAGES FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On January 15, 1904:

H. R. 9866. An act making appropriations for clearing the Potomac River of ice and for the removal of snow and ice in the District of Columbia; and

H. R. 9160. An act to amend the act entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904," approved March 3, 1903.

CALAVERAS GROVES OF BIG TREES.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying documents, was ordered to be printed, and referred to the Committee on the Public Lands:

To the Senate and House of Representatives:

I transmit herewith a petition to the President of the United States to aid in preserving the Calaveras groves of big trees, submitted by the Calaveras Big Trees [illegible]

[illegible] to the Congress [illegible] suggested. The Calaveras big tree grove is not only a Californian but a national inheritance, and all that can be done by the Government to insure the preservation should be done.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 15, 1904.*

RELATIONS OF THE UNITED STATES WITH COLOMBIA AND PANAMA.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying documents, was ordered printed, and referred to the Committee on Foreign Affairs:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress a report from the Secretary of State covering [illegible] national papers bearing upon the relations of the United States with Colombia and the Republic of Panama.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 18, 1904.*

PURE-FOOD BILL.

Mr. HEPBURN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 6295) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes.

The SPEAKER. The question is on the motion of the gentleman from Iowa.

The question was taken; and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. LAWRENCE in the chair.

The Clerk reported the bill.

Mr. HEPBURN. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the further reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. HEPBURN. Mr. Chairman, my colleague the gentleman from Georgia [Mr. ADAMSON] has made the minority report from the Committee on Interstate and Foreign Commerce on this bill. I would like to know from him if it is practicable now to determine what time may be used in the general discussion of the bill.

Mr. ADAMSON. The request that has been made to me for time upon this side, I will state, will consume two hours. It is suggested, however, that others might desire time, and perhaps we better just proceed and see how things develop.

Mr. HEPBURN. If the gentleman will consent, I would rather we fixed the time. I would be very glad if we could get through with the bill to-day. I understand there will be appropriation bills to-morrow, and that it is desirable that we should conclude to-day if we can. I will be pleased, therefore, if he would consent that there might be four hours of debate, two on his side, to be controlled by him on the side of the minority, and two on this side, to be controlled by my colleague the gentleman from Illinois [Mr. MANN] who made the report of the committee for the majority.

Mr. ADAMSON. Of course, Mr. Chairman, I wish to afford

all opportunity desired that I can for debate on this side of the House. I suggest to the gentleman from Iowa and to the minority leader, the gentleman from Mississippi [Mr. WILLIAMS], that we vote on the bill to its passage at a quarter of 5 o'clock.

Mr. HEPBURN. I think there is no objection to that—say half past 4 o'clock.

Mr. WILLIAMS of Mississippi. I think we can begin to vote at a quarter to 5.

Mr. HEPBURN. Very well.

Mr. SHACKLEFORD. Mr. Chairman, I would like to interrupt the gentleman from Iowa just a moment. It may be that some on this side would desire to offer amendments to the bill, and if a quarter to 5 o'clock be the time set for voting upon the bill, when will it be read under the five-minute rule, so that amendments may be offered?

Mr. HEPBURN. At some time earlier than that.

Mr. SHACKLEFORD. I think there should be some understanding, so that amendments will not be cut off.

Mr. ADAMSON. I say two hours on this side for debate; but so far as our position is concerned, it does not depend on the question of amending or not amending the bill. It is the principle of the bill on which I make my fight.

Mr. HEPBURN. There is only a quarter of an hour difference between us.

Mr. ADAMSON. Say four hours.

Mr. HEPBURN. Four hours of debate, to be controlled equally by the gentleman from Illinois [Mr. MANN] and the gentleman from Georgia [Mr. ADAMSON].

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that general debate on the pending bill continue for four hours, the time to be controlled equally by the gentleman from Illinois [Mr. MANN] and the gentleman from Georgia [Mr. ADAMSON]. Is there objection?

There was no objection.

Mr. HEPBURN. Mr. Chairman, I yield to my colleague on the committee, the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. The gentleman from Illinois is recognized.

Mr. MANN. Mr. Chairman, the pending bill is practically the same bill that was passed by the House at the last session of Congress; and while the committee, as a matter of convenience in inserting the minor verbal amendments, have presented a substitute for the bill, it is the same pure-food bill that has been acted upon before. And it might be well to say that this is not a hasty proposition. Almost the same bill was presented as long ago at least as the Fifty-fifth Congress, under the name of the Brosius bill. Various pure-food conventions or congresses have been held from time to time of people interested in this subject from all over the United States, and there has been a practically unanimous opinion, finally converging upon the bill which is now presented to the House. The bill meets the approval also of the officials of the Government in the Bureau of Chemistry of the Agricultural Department, whose particular duty it has been and is to give investigation and study to the subject of impure and adulterated foods.

Some minor amendments have been made to the bill, and section 12 of the substitute is new so far as this bill is concerned, but it puts into the pure-food law the law as it now stands in force through the Agricultural appropriation bill of last year.

The need of pure-food legislation, Mr. Chairman, is without contradiction. As the laws now stand, the various States of the Union are authorized to control the subject of the purity or impurity of food products within the limit of their own States, but not to interfere with food products shipped from one State to another until they are finally offered for sale.

Under this bill it is proposed in general language to give to the Bureau of Chemistry of the Agricultural Department the power to make examinations of all kinds of food products and drug products and to fix for them a standard of purity, and then to forbid interstate commerce in articles which are found to be adulterated or misbranded. The whole theory of the bill is to aid and supplement the efforts of the local State authorities. It is not proposed that the General Government shall in any way interfere with the State pure-food inspectors or the State pure-food laws, but that the General Government shall aid such efforts of the States to the extent of forbidding interstate commerce in articles which are now forbidden as subjects of State commerce.

There is no article of food to-day, or almost no article—honest, perhaps, of its character—which does not meet in the market competition with dishonest, misbranded, or adulterated articles. Some gentlemen have been so kind as to examine a very nice-looking bottle of wine which I hold in my hand. No better colored article of high sauterne was ever shown, but the color comes from the use of sulphur, and the article itself is injurious to the stomach and damaging to the health.

Under the legislation which is now in force in the annual appropriation bill, and which we propose to put into permanent law, this article of wine imported from a foreign country will be forbidden entrance into the United States. No one could tell by the color or the taste of the article that it was injuriously affected by the use of sulphur, but the chemical analysis shows that this wine has so much sulphur in it and has been treated chemically by the use of sulphur to such an extent that very much use of it would injure the well and perhaps kill the ill.

Here is another bottle of wine which we propose to shut out of the country because it has in it, to prevent fermentation, salicylic acid, which everybody admits is a good preservative of dead articles and exceedingly good to kill living persons.

Here is another article—a German manufacture of sausage—forbidden to be sold in Germany; but under the law which was in force in this country, the German makers made this sausage with large amounts of boracic acid in it to preserve it and shipped it from Germany to this country, thinking perhaps that what was not good enough for live Germans would be good enough to kill Yankees.

There are many articles of the same sort which have been presented before the Committee on Interstate and Foreign Commerce. I have here a sample of "preserved raspberries," imported from Germany, colored with aniline dye, a poison, and sweetened with glucose. I am not informed at this moment whether there were any raspberries originally used in the manufacture of this article; but we have had shown to us repeatedly "strawberry preserves" in which the only likeness to a strawberry was the reddish color and the clover seed. There are or have been large quantities of that kind of preserves put up and sold in the market where people were deceived into believing that they were eating "strawberry preserves" because they were munching clover seed between their teeth.

It is not necessary, Mr. Chairman, to repeat to this committee the necessity for some legislation upon this subject. It is proper, however, to state to the committee that the proposition of the bill is to organize the present Bureau of Chemistry of the Agricultural Department into a department of chemistry and foods and to give that Bureau, under the direction of the Secretary of Agriculture, authority to collect samples of foods and drugs in interstate traffic throughout the United States and make examinations of them for the purpose of testing their purity or impurity.

Mr. HENRY of Connecticut. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Connecticut?

Mr. MANN. I do, gladly.

Mr. HENRY of Connecticut. Will the gentleman tell us what additional authority this bill confers upon the Bureau of Chemistry, in the Department of Agriculture, that is not already enjoyed by that Department?

Mr. MANN. Mr. Chairman, the authority conferred by this bill is at present, in that respect, enjoyed by the Bureau of Chemistry of the Agricultural Department, but the authority is conferred in the annual appropriation bill and is not in the form of permanent law. This bill simply puts what is now in the appropriation bill into the shape of a statute, which continues the authority without being put into the bill every year.

Mr. HENRY of Connecticut. The explanation is very satisfactory.

Mr. MANN. Now, in addition to conferring upon the Department of Agriculture the authority to make investigations, we propose to permit them to fix the standards of pure foods, so that we may know what is the standard, for instance, for milk or other articles about which there may be a difference of opinion in interstate commerce. I take it that in the city of Washington, and in every large city in the country, the local legislative body has fixed for that city the standard, for instance, for milk, determining the quantity of butter fat which must be found in the milk and the quantity of butter fat which must be found in cream; but in this bill we also define what shall be termed misbranded articles and what shall be termed adulterated articles.

We say that under the term "drugs" shall be included all medicines and preparations recognized in the United States pharmacopœia for internal or external use. That will include all classes of drugs. We say that the term "food" as used in the bill shall include all articles used for food, drink, confectionery, or condiment by man or domestic animals, whether such article be simple, mixed, or compound. We endeavor to cover in that respect the whole range of subjects which may be used as medicines or food or drink by the human person or by domestic animals.

We term "misbranded" those drugs or articles of food or articles which enter into the composition of foods the package or label of which shall bear any statement regarding the ingredients or substances contained in such article, which statement shall be false or misleading in any particular, either as to the substance of the food or as to the country or territory in which it is manu-

factured or produced. And then we define what are adulterations, and we say that by the bill any article of food or drink shall be considered adulterated which has its quality or strength reduced, or which has any substance substituted wholly or in part for the article itself, or which has any valuable constituent of the article abstracted, or which is an imitation of some other article with a distinctive name, or which is mixed, colored, powdered, or stained so as to conceal damage or inferiority, or which has added to it any poisonous ingredient, or which is labeled or branded so as to mislead the purchaser, or which consists in whole or in part of decayed matter or the product of a diseased animal.

We simply endeavor to cover the subject so that foods may be sold for what they are; so that impure foods or foods deleterious to health may not be sold at all in interstate traffic.

Mr. Chairman, it was not my purpose to speak at any length upon a subject so patent as this. We have had these bills before Congress for years. We have had them before various conventions of all sorts. They have been a subject of interest to the manufacturing concerns of the country and to the commercial interests of the country, and I believe that in this bill the people particularly interested in pure foods and the commercial interests of the country feel that they can unite upon its provisions. For years some of the manufacturers and producers objected to pure-food legislation, but they have recognized the inevitable necessity that there should be legislation and have come to see that the Government must, in fulfilling its functions, see to it that impure foods shall not hide behind a constitutional provision forbidding the States to interfere in interstate commerce.

Mr. Chairman, I reserve the balance of my time.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. STEPHENS of Texas. I sympathize with and am in favor of the general provisions of your bill. What I do not understand, however, is this: Is there not law now on the statute book sufficient to prevent the introduction from foreign countries of deleterious food substances such, for instance, as you have referred to? Can they not now be prohibited, under existing statutory law, from being introduced from foreign countries, if the articles are deleterious?

Mr. MANN. Mr. Chairman, in the annual appropriation for the Agricultural Department there was inserted a provision, which is now the law, practically the language of section 12 of this bill, and the purpose of putting it into this bill is twofold. First, if the bill pass, to have the pure-food legislation in one act and one place in the statutes for the sake of convenience; and second, because the Agricultural Department in the enforcement of the law thinks a few verbal amendments are needed, and these are inserted. That is the only change. They are now keeping these impure articles from being imported from abroad.

Mr. STEPHENS of Texas. I understand the States are powerless to protect themselves for the reason that interstate commerce will prevent the State legislatures from protecting their States. Is that your argument?

Mr. MANN. The States, under the interstate-commerce clause of the Constitution, can only take the food after it gets out of the original package in the States and is offered for sale, but can not reach food passing from one State to another. So they are powerless.

Mr. STEPHENS of Texas. Then, that being the case, I think the bill should pass.

Mr. MANN. I reserve the balance of my time, Mr. Chairman.

Mr. ADAMSON. Mr. Chairman, I ask for the reading of the minority report in my time.

The Clerk read as follows:

VIEWS OF THE MINORITY.

I regret my inability to concur with the majority of the Committee on Interstate and Foreign Commerce in reporting with favorable recommendation House bill No. 6785, "for preventing the adulteration, misbranding, and imitation of foods, medicines," etc.

Aside from my partiality for the old-fashioned idea of leaving the greater part of government to be administered by local authority, I object as a Member of Congress to assuming on the Federal Government subjects of legislation and litigation which, when to its purpose and which, if at all effective, must prove burdensome, harassing, and expensive.

I am fearful we are going too far in supposing the blessings of good government and the people of good government, that we can not as well trust to State courts, juries, and ignoring discriminating tribunals, but no thought that the Federal Government could possibly concern itself in the business of regulating the morals or the administration of the citizens of the States. The force of argument that the commerce clause will work nearly as well to stay and all processes of human business and conduct. It is frequent that this legislation is necessary to protect organized frauds in interstate commerce, but I listened and cross-examined witnesses during our long hearings during the present and preceding Congresses to find a single situation which could not be reached more certainly and effectually by the State courts.

The fundamental mistake seems to be that people imagine the Federal Government may take from treasures of their hands and punish secured to defendants, regardless of laches and without authority or expense to those invoking it and entirely losing sight of the elementary principles that the case must be laid in the same way for trials in Federal and in State courts, and proof must be forthcoming to convict in either. Whatever may be the privileges of shipping and selling in unbroken packages under the interstate-commerce law, it has never been pretended that a State can not punish common cheats and swindlers if they deceive as to the character of the article sold, or if they sell one thing and deliver another in its stead, no matter [illegible] the package may have [illegible] for such purposes. [illegible] but it is all properly cognizable in State courts, and in my judgment not comparable with the possible evils resultant from the proposed legislation, which I would oppose [illegible]

W. C. ADAMSON.

I favor the enactment of such [illegible] but [illegible] to provisions are so d[illegible] that I [illegible] to pass without amendment.

D. W. SHACKLEFORD.

Mr. ADAMSON. Mr. Chairman, the minority report just read from the Clerk's desk [illegible] tially embodies my views in opposition to this bill, and as several of my colleagues [illegible] are my limited time, I shall not trespass upon the attention of the House very much in addition to what is contained in the report.

There are some amendments which I [illegible] and I would have done so if I had had any [illegible] covering none, I did not encumber the R[illegible] of the committee to offer them.

For instance, I would have been willing to take the first section and half of the third section, providing [illegible] publicity, authorizing the Federal Government, with its superior facilities and powers, to gather information and to publish for the benefit of the people the results of the investigation, eliminating from the bill all the other drastic and, as I consider, unnecessary provisions.

I would have been willing, however, to have retained the provision relating to commerce with other nations. I recognize the propriety as well as the constitutionality of that. There was a provision put on by amendment in the committee, and now a part of the substitute bill reported, prohibiting the importation into this country of adulterated and impure foods. I would have been willing to amend by striking other provisions of the bill to the District of Columbia and the Territories. But the District of Columbia and the Territories, already having legislation, objected to being touched at all by this bill, and if they had been taken out it would have been like taking the character of Hamlet out of the play of "Hamlet." It would [illegible] that Congress, in my judgment, could with propriety legislate about.

I investigated closely and examined the witnesses closely during the long hearings in a preceding Congress and in this Congress. I failed, however, to develop a solitary situation which could not be met and effectively remedied by the local authorities in the various States and Territories of this Union.

Now, Mr. Chairman, perfectibility is not [illegible] attainable or obtainable under human laws. Sometimes people discover that evils are existing and instead of endeavoring to remedy them themselves or appealing to the local authority for that, they think that Congress, being omnipotent, can always with propriety do all things, and have been blindly rushing to Congress. Sometimes they are not so blind. I imagine that I can see occasionally in the hearings some faint suggestion that perhaps some interests would be benefited by legislation that would operate against some other interest.

I have suspected, as a lawyer, that perhaps some people who wanted to prosecute others imagined that they could do so in the Federal courts at the expense of the United States and not at the expense of their own pocketbooks, whereas in the State courts they must retain a lawyer or act as their own lawyer, and in that event have a fool for a client and proceed at their own expense. That, I suspect, might make some difference. But I fail to find any excuse for legislating that the Federal Government, its executive officers, and courts shall be at the expense of intermeddling with the arrangements and the private domestic affairs of the people, which we know from our experience and observation are much more effectually and satisfactorily transacted by the local authorities.

It is an axiom that the people who are governed the least are governed the best, and the next best axiom is that those people who govern themselves are governed the best, and the finest feature of our Federal system is that the people in each community, knowing the evils, the conditions, knowing the people, being within the vicinage, and understanding all the circumstances, can discharge that part of the public duties better than it can be done from the central authorities.

Now, there need be no misunderstanding about this subterfuge as to the interstate-commerce law. Of course Congress can regulate commerce, and of course the States can not interfere with that commerce considered as legitimate commerce; but no lawyer has ever asserted, no court has ever held, no Federal Constitution or law has ever provided that under the guise of interstate commerce a man can perpetrate a fraud by selling one thing and delivering another and escape punishment by State authority, no matter whether the package be broken or unbroken.

Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed ten minutes.

Mr. ADAMSON. I yield to my colleague on the committee [Mr. SHACKLEFORD] such time as he may desire.

[Mr. SHACKLEFORD addressed the committee. See Appendix.]

Mr. CLARK. Mr. Chairman, I would like to ask the gentleman from Chicago a question or two for information.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MANN] consent to be recognized?

Mr. MANN. Yes.

The CHAIRMAN. The gentleman from Missouri.

Mr. CLARK. I want to ask two or three questions. I want to preface them with the statement that I favor the provisions of this bill generally, but in lines 10, 11, and 12, on page 16, I find the following:

First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

Now, I want to know, does that mean that the thing there complained of is put into the article, or simply packed with it in the same box, or whatever the package is? That is the first question.

Mr. MANN. Oh, it means that it is put into it, packed with it in such a way that it becomes a part of the article.

Mr. CLARK. Then I want to ask you another question. Does the committee understand, and does this bill mean, when it says lowering, to reduce, and that you are injuriously affecting its quality and strength? Does the committee think lowering the quality of an article necessarily injures its usefulness?

Mr. MANN. If they sell it as the pure article, and not as what it is.

Mr. CLARK. Then I want to ask you another question. Where does wine come in this bill? Does it come under the head of "drugs" or "foods?"

Mr. MANN. I will say that there is a definition of the word "food" in the bill which includes under the one term all foods, drinks, confectioneries, and condiments.

Mr. CLARK. Now, you know, I suppose, that you can not make wine east of the Rocky Mountains in this country without mixing other things with the juice of the grape. It is utterly impossible. There is not a man in the House who drinks a spoonful of it without being mixed.

Mr. MANN. This comes in the class of mixed wines.

Mr. CLARK. Does this bill cut them out?

Mr. MANN. It does not.

Mr. CLARK. Does it interfere in any way with the making of wine and mixing it when it comes up to the label that is put upon it?

Mr. MANN. It does not. It expressly authorizes it.

Mr. CLARK. Now, suppose this chemist over here, the adviser of the Secretary of Agriculture, takes it into his head that there has to be a particular standard for wine—I take that because some of my constituents are interested in its manufacture, and they are the largest manufacturers of wines east of the Rocky Mountains. Suppose this chemist takes it into his head that there ought to be a certain standard in this, that, or the other kind of wine, and these intelligent men who have been manufacturing wines do not believe his standard is right, is there anything in this bill which would absolutely break up their business?

Mr. MANN. Well, if the gentlemen whom the gentleman from Missouri speaks of are making the wine and purporting it to come from France or Spain——

Mr. CLARK. But they do not do it.

Mr. MANN (continuing). Their business ought to be broken up. But if they are making a wine by a name, giving its name, and selling it as that, why this bill does not interfere with them in any way whatever.

Mr. CLARK. If that is true, how does it happen that these intelligent wine manufacturers come to be opposed to the bill?

Mr. MANN. Well, I may say that they did not appear before us and object to the bill. It is a fact, however, to-day that in every large city and in some small cities many people are engaged in making blends.

Mr. CLARK. What is that?

Mr. MANN. "Blends." Blends mean whisky that the gentleman from Missouri——

Mr. CLARK. I drink straight whisky when I drink any. [Laughter.]

Mr. MANN. The gentleman thinks he drinks straight whisky, as many other gentlemen think when they drink whisky. Blended whisky is sweetened, and much of its qualities are said to be added through blending. Very often they add very deleterious substances.

Mr. SHERLEY. Will the gentleman answer me a question?

Mr. MANN. I will if I can.

Mr. SHERLEY. Is this bill for the purpose of affecting blended whiskies, and do you think that it covers such cases?

Mr. MANN. This bill prohibits the blending of whisky and selling it as straight whisky. If people want to sell it as a blended whisky, and show that it is such, they can do so.

Mr. SHERLEY. What provision of the law permits the selling of it if it is shown to be blended, and yet does not permit the selling of it if it be sold as straight whisky, not blended?

Mr. MANN (reading):

In the case of articles labeled, branded, or tagged so as to plainly indicate that they are mixtures, compounds, combinations, and imitations and blends—

That is on page 17, line 12—

Provided, That the same shall be labeled, branded, or tagged so as to show the character and constituents thereof.

Mr. SHERLEY. Now let me ask the further question: Would the Secretary of Agriculture have the power to prohibit the sale of blended whisky, that is, if marked "blended," if in his judgment he considered that it was an impure product?

Mr. MANN. I will say to the gentleman under this bill the Secretary of Agriculture does not have the authority to prohibit anything——

Mr. LAMB. But his chemists do——

Mr. MANN. And his chemists do not have authority to prohibit anything.

Mr. LAMB. But they fix the standards.

Mr. MANN. The Secretary of Agriculture, through his chemists, has the power to fix the standards of purity. Then they have the power to say that a certain article does not come up to the standard of purity; and then they have the power to direct that a prosecution shall be commenced; and then if the court is of the opinion that the standard of purity fixed by the Secretary of Agriculture is correct, and that the article is injurious to health, or does contain deleterious substances, or is a fraud, then the court sustains the prosecution; but the court is not bound by the opinion of the Secretary of Agriculture.

Mr. SHERLEY. I understand that, but is it not true the burden will be put upon every manufacturer who is making any sort of a blended whisky that the Secretary of Agriculture may not consider a good blend to prove to the court that the blend is not injurious to health, in order to have the right to sell it?

Mr. MANN. It is true only under this bill that if, after examination by the Bureau of Chemistry, the Secretary of Agriculture believes that a whisky made for sale is a blend that is injurious to health the burden of proof to show it is not bears upon the manufacturer. There is no other way that I know of of doing anything in this direction.

Mr. SHERLEY. I do not mean to contend for the right of a man to sell a bad brand of whisky, but I wanted to call out the fact that you are putting it into the power of one man practically to determine that question. I spoke of whisky because I happen to be familiar with that trade.

Mr. MANN. Well, if the gentleman knows any method by which you can say that a good man shall never be prosecuted, but that a bad man must be prosecuted, without leaving it to somebody's opinion, I will be very glad to learn of it; but——

Mr. SHERLEY. I do not; but I know the system that was instituted when this Government was founded was to leave those things to the respective States, in order that the power of the bad man should not be accentuated.

Mr. MANN. I will say to the gentleman that we do not take away a single power anywhere which is conferred on a State.

Mr. SHERLEY. But you give most dangerous powers to the Government.

Mr. CLARK. I would like to ask the gentleman from Illinois if the committee have considered the constitutionality of sections 8 and 9 in this bill, and whether it does not infract the rule that a man shall not be compelled in this country to give evidence against himself?

Mr. MANN. Mr. Chairman, I endeavor to be as consistent as possible and not change my opinion without good reasons. When this bill was before the House last year, I stated that in my opinion that section was unconstitutional.

Mr. CLARK. What do you say now?

Mr. MANN. I am still of the opinion that it is without the power of the Government to compel a man to furnish evidence against himself; but, Mr. Chairman, if the Government has the power it ought to be exercised. If it has not the power it will soon be determined by the courts it has not the power and will not then affect the rest of the bill.

Mr. BARTHOLDT. Mr. Chairman, the makers of wine and the distillers of whisky having been heard, I would like to ask a question on behalf of the people who are making the temperance drink of this country.

Mr. MANN. Water?

Mr. BARTHOLDT. Beer. There seems to be a great deal of difference of opinion about the effect of this bill, and I would like to ask my friend from Illinois whether the effect of this bill will be the constitution of a board in the Department of Agriculture or somewhere else—the establishment of an authority—which is to determine and prescribe the ingredients which are to go into the makeup of what we call American beer. We all understand that beer is being made out of malt, barley, hops, and water. I believe some of the brewers have found that the American taste has called for a modification of these ingredients in some respects.

For instance, American ladies prefer a drink which is made of corn, the malt of corn, hops, and water, and for that reason, in some instances, corn is being used. Now, I should like to know whether, under this bill, there would be an authority created anywhere which could prohibit and forbid and prevent the use of any such ingredients as experts may have by experience found to be necessary in order to satisfy the taste of the American public?

Mr. MANN. I may say to that, Mr. Chairman, that I would not be at all surprised—while I am not able to answer all portions of the question—that beer made from corn, while it might be sold, would be compelled to indicate that fact; that is, that you could not sell beer, purporting to be good beer, supposedly made from malt and hops, but which was made from corn.

Mr. ADAMS of Wisconsin. Mr. Chairman——

Mr. MANN. I will yield to the gentleman.

Mr. ADAMS of Wisconsin. I request the gentleman from Illinois to permit me to answer the question of the gentleman from Missouri in part. I do not believe that under the provisions of this bill it would be possible to do what the gentleman from Missouri has indicated. Now, this law—that is, this portion of the law which gives definition and enumerates in a series of particulars of what adulteration shall consist—is a repetition, in fact, of the English law which has formed the basis of the pure-food legislation in all the States. This is no new provision given in this bill. It is the same definition, or series of definitions, that appears on the statute book of forty-three States of the Union, and the clause which the gentleman has been discussing with reference to the establishment of standards by the Secretary of Agriculture is of no particular importance in this issue.

You can either leave it in or strike it out. If the Secretary of Agriculture establishes any standard which is not reasonable with the provisions of this bill, the court will remedy that. So far as beer is concerned it does not make any difference whether you make it out of corn or out of barley, or whether you make it out of any other grain which is wholesome, it is beer just the same and would not be under the ban of this law unless it contained something which was injurious to the public health.

Mr. CLARK. Let me ask the gentleman a question. Where does he get the authority for stating that if the Secretary of Agriculture establishes a standard which is unreasonable the court will knock it out? What court has the right to knock it out on the ground of unreasonableness?

Mr. MANN. The court is not bound by any standard fixed by the Secretary of Agriculture. The bill does not pretend to make it so. It is for the "information" of the court that the opinion of the Agricultural Department is had.

Mr. CLARK. I want the gentleman from Wisconsin to answer the question where he gets the authority for stating that the court has a right to knock the law out because it contains an unreasonable provision.

Mr. ADAMS of Wisconsin. The court will interpret the action of the Secretary of Agriculture in construing the law, and if he has misconstrued the law the court will undoubtedly sustain the law in its original purpose.

Mr. MANN. Mr. Chairman, how much time have I consumed?

The CHAIRMAN. The gentleman has consumed thirty-six minutes of the two hours.

Mr. MANN. I yield to the gentleman from Iowa.

Mr. HEPBURN. Mr. Chairman, just a moment to answer the question which the gentleman from Missouri asked. I understand that the gentleman from Missouri is not opposed to the general purpose of this law.

Mr. CLARK. That is right.

Mr. HEPBURN. I think it is entirely proper that he should be fairly answered. I want to call his attention to the purpose fixed by the law for these standards. He will find on page 18, section 7, this language:

SEC. 7. That it shall be the duty of the Secretary of Agriculture to fix standards of [illegible] for the guidance of officials charged with the enforcement of food laws and for the information of consumers, and to determine the wholesomeness and healthfulness of foods, drugs, and other substances which may be added to foods, and to make rules and regulations for such matters to be included therein as may be necessary to protect the public health, and from time to time to make such changes therein as may be deemed necessary. The boards on food standards of the Association of Official Agricultural Chemists and such other experts as he may deem necessary.

That is all; simply for these officers of his who have imposed upon them the duty of inspection. The gentleman will remember that all over the country we have difficulties growing out of the different standards. For instance, the grain inspectors: in one State there is one standard for wheat, and in another State wheat graded No. 1 would not be No. 1 in the first State I have referred to. This is for the purpose of having uniformity in the administration of the law by the inspectors of the Department. Now, if the gentleman will go a little further——

Mr. CLARK. Wait a minute. Right there I want to ask a question. It is desirable to have uniformity, and on the main principle of this bill he and I concur, but if this performance of the Secretary of Agriculture and his assistants is merely for the information of the courts, the courts are not to be bound by it, are they?

Mr. HEPBURN. I do not suppose the court would be bound by it in any sense that they must follow in every instance, but I undertake to say that the courts probably will want some guides. This is a scientific measure. It is not always a question of law, but often a mixed question of law and facts, and therefore the courts would be glad to have some authoritative statement as a guide—not conclusive, but as a guide.

Mr. CLARK. We all desire—everybody desires—that we shall know what we are eating and drinking. Would it not serve every purpose that Congress ought to have to pass a law substantially to the effect that the article of interstate commerce which is offered for sale should come up to the label, or proclamation, or tag, or whatever it is that describes it, and making it a criminal offense if it does not come up to it?

Mr. HEPBURN. I think this bill does that.

Mr. CLARK. I know this bill does that: but this bill does a good deal more than that.

Mr. HEPBURN. No; I think not. That is the purpose of it; but I would call the gentleman's attention a moment further to what may be in fact a further answer. The bill provides that the Secretary of Agriculture shall fix standards of food products, etc., and "determine the wholesomeness or unwholesomeness of preservatives"—not of the foods, but of the added preservatives of the manufacturer—"which are or may be added to foods." He does not do this alone. This is well guarded. To aid him in making just decisions in such matters he is authorized to call upon the committee of food standards of the Association of Official Agricultural Chemists and such other experts as he may deem necessary. Now, if the gentleman can find another tribunal where probably there will be more of wisdom, less of prejudice, and a more constant disposition to be absolutely fair than this tribunal, I would be glad if he will name it, and we will consider its selection rather than this.

Mr. CLARK. I want to ask the gentleman one more question before my brother from Alabama [Mr. RICHARDSON] begins, because really I am trying to get information in regard to the matter. Does this bill in any way interfere with any statute that a State has already made or may hereafter make on this same subject of wholesomeness of food? I will give the gentleman a sample. In Missouri we have a statute which prohibits the killing of a calf for veal purposes which is under either a month or six weeks old, I have forgotten which, on the ground that it is unhealthful. Does this statute interfere or have any tendency to interfere with a statute like that or any other which may be passed?

Mr. HEPBURN. I think not. Certainly not with that statute.

Mr. CLARK. Of course it does not specify that statute, but I just happened to think of that one.

Mr. HEPBURN. But that is wholly, I take it, within the jurisdiction of the State, and that is a matter of State commerce. It is possible, if that calf should become interstate commerce and go into another State, it might then be subject to the provisions of this law.

Mr. CLARK. That is exactly what they do, because the three largest cities in the State are right on the edge of the State.

Mr. HEPBURN. Even then I do not see how it would interfere with that law.

Mr. CLARK. I simply cited that as an example.

Mr. MANN. It would not interfere with the law respecting the killing of the calf, but if after the calf was killed and it became then interstate commerce, it would interfere——

Mr. CLARK. The law itself does not interfere with the killing of a calf under six weeks old. It interferes with killing it and using it for veal purposes. Now, I want to ask the gentleman from Iowa [Mr. HEPBURN] another question while he is giving us information. These two gentlemen, the gentleman from Illinois [Mr. MANN] and the gentleman from Iowa [Mr. HEPBURN], ought to know a good deal about this matter. I want to call attention to the same question that I asked the gentleman from Illinois respecting the word "lower," in line 11 on page 16, and ask if the gentleman assumes that to "lower" the quality of provisions or drugs, or anything of that sort, necessarily injures the quality of them?

Mr. HEPBURN. No; it does not.

Mr. CLARK. Because if it does, it ought to be stricken out.

Mr. HEPBURN. But it may be the means of perpetrating a fraud upon a purchaser, and therefore it is right and proper that if he does thus lower the quality or standard of excellence he should so state upon his labels.

Mr. CLARK. Of course he ought to so state on his labels.

Mr. HEPBURN. That is required by this law.

Mr. CLARK. But by all the rules of construction it would look as if "lower" was intended to have the same meaning as the words "injuriously affect."

Mr. HEPBURN (reading):

That for the purposes of this act an article shall be deemed to be adulterated:

First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.

That, in my judgment, simply requires that the article, in order to exempt it from the charge of adulteration, shall have a brand upon it showing directly what it is, as is provided by another section.

Mr. CLARK. One more question and then I will quit—quit at this time, to resume after a while. What does the gentleman say about sections 8 and 9 of this bill? Can they be enforced? Do they not contravene the rule—I ask the attention of the gentleman from Illinois [Mr. MANN] to this point—do they not contravene the rule that a man shall not be compelled to give testimony against himself?

Mr. HEPBURN. Well, I do not think the provisions of the bill undertake to compel a man to give testimony against himself.

Mr. CLARK. The physical fact in the case has been decided over and over again to be the very best evidence, and here you undertake to compel a man to give the physical facts in testimony against himself.

Mr. HEPBURN. To what section does the gentleman refer?

Mr. CLARK. To sections 8 and 9. I call attention particularly to the language at the top of page 19.

Mr. HEPBURN (reading):

Shall furnish within business hours and upon tender and full payment of the selling price a sample of such drugs or article of food to any person duly authorized by the Secretary of Agriculture to receive the same.

What provision of the Constitution does the gentleman understand that that clause of the bill infringes?

Mr. CLARK. It is a rule of evidence everywhere—in Iowa and Missouri and everywhere else in the United States and in England—that a man shall not be compelled to give testimony against himself or to incriminate himself. That is the usual phrase.

Mr. HEPBURN. That is only when the evidence incriminates him, is it not? The gentleman is assuming that the man on trial is necessarily a criminal, and therefore he is to be permitted to continue in this business.

Mr. CLARK. No, sir: I do not contend any such thing; but I contend that 386 Congressmen, most of them supposed to be first-rate lawyers, should not undertake to pass a bill here that flies in the face of the rule of evidence which is in force everywhere where English or American law prevails.

Mr. HEPBURN. The gentleman voted for this bill a year ago, did he not?

Mr. CLARK. I know I did.

Mr. HEPBURN. And it then had this provision in it in a very much more offensive form.

Mr. CLARK. I know my friend from Illinois jogged my memory about that, and I concluded he was right. He has now changed his position and gone over to you.

Mr. HEPBURN. And you have changed your position and gone away from us.

Mr. CLARK. Exactly.

Mr. HEPBURN. Well, we will call that even.

Mr. MANN. Will the gentleman from Missouri allow me to call attention in this connection, so that it may be in the RECORD, to what the Constitution says? In Article V the language is: "No person, etc., shall be held to answer, etc.; nor shall be compelled in any criminal case to be a witness against himself."

Mr. Chairman, I yield to the gentleman from Alabama [Mr. RICHARDSON] so much time as he may desire.

Mr. SHERLEY. Before the gentleman from Alabama proceeds, I would like to ask the gentleman from Iowa a question.

Mr. MANN. I think the gentleman from Alabama ought to be permitted to proceed.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. RICHARDSON of Alabama. Mr. Chairman, this bill is the same that was passed by the House of Representatives in the Fifty-seventh Congress, save in two respects, and by the changes which have been made I think the bill has been greatly improved. I believe, Mr. Chairman, that this bill safeguards all the interests of the public as thoroughly and carefully as any bill it has ever been my pleasure to support on this subject. I know and understand fully that this bill is not perfect. Doubtless there are defects and infirmities in the bill, but it is a long step in the right direction.

Having before us a great and difficult question to solve—that of protecting and preserving the public health from adulterated foods that are calculated to injure it—we are all bound to admit that we draw close and near to what some people are disposed to call an invasion of individual rights. This bill and its aim and end is wholly misunderstood by anyone who thinks that the inalienable individual rights of a citizen are impaired or interfered with. I contend that in a bill of this kind, having in view such an object as this bill has, the only way that we can finally determine what its defects are and correct them accordingly is to put it in force, to test it and try it.

We ought not to be afraid to trust the courts of our country. The courts of the country are made the final arbiter under the provisions of this bill for the protection of the rights of the public. You can not accomplish any great object, any great beneficial purpose, such as is proposed in this bill for the general public unless you commit power to some one authorized to make rules of regulation and have some one at the head of the movement. We ought not to go upon the presumption that a standard adopted by a competent man, after consulting with experts, for the purity of food will be based upon wrong or injury to the public. Should such a presumption prevail, then all legislation of this character would fail, and for the sake of a pretended individual right the general public would be made the victims of food importers. Rather should we presume that it will be correct and right.

Now, I agree with my worthy friend from Georgia [Mr. ADAMSON] and with the gentleman from Missouri [Mr. SHACKLEFORD] in the truth of the platitudes that they have so well asserted in regard to "State rights." I do not undertake to deny such platitudes as that "the people who are the least governed are the best governed." Why, Mr. Chairman, we all agree to that. But I do not believe those platitudes or the question of State rights or the interference with the laws of the States have any application to this bill; and the reason they do not apply is found in this simple provision of the bill:

SEC. 10. That this act shall not be construed to interfere with commerce wholly internal in any State, nor with the exercise of their police powers by the several States; but foods and drugs fully complying with all the provisions of this act shall not be interfered with by the authorities of the several States when transported from one State to another so long as they remain in original unbroken packages, except as may be otherwise provided by statutes of the United States.

Mr. BARTLETT. Right there, Mr. Chairman, if it will not interrupt the gentleman——

Mr. RICHARDSON of Alabama. Not at all.

The CHAIRMAN. Does the gentleman from Alabama yield?

Mr. RICHARDSON of Alabama. Certainly.

Mr. BARTLETT. Does not the gentleman think that the laws of the various States of the Union on the subject of pure food are sufficient, under the exercise of the police power of the States, to cover this subject? I have here the law of my own State. These laws of the different States have, in many instances, been sustained by the Supreme Court. I hold in my hand one of the late cases, sustaining the Tennessee law in reference to cigarettes. Does not the gentleman believe that the States have the authority, and that in most of the States laws have been passed which, when enforced, will protect the people of those States from the impositions of adulterated food and other products injurious to health?

Mr. RICHARDSON of Alabama. My answer to my friend from Georgia is simply this: If he had heard what we in the Interstate and Foreign Commerce Committee have heard as to the profound failure of quite three-fourths of the States successfully to enforce and carry out any legislation upon their statute books regulating pure food, he would see the necessity of this bill. I admit that the State has authority to regulate the question and to put upon its statute books laws which, if enforced, would be sufficient. Of course I admit that it has that right, and this bill does not interfere with that power or authority in any way.

Mr. ADAMSON. If the gentleman's experience is anything like mine, he has found the juries in State courts superior in every way to the juries in Federal courts in the proper enforcement of the law.

Mr. BARTLETT. May I continue?

Mr. RICHARDSON of Alabama. Certainly the gentleman may, because, while I differ thoroughly with the gentleman on this subject, I know that he is honest and sincere in his opinion.

Mr. BARTLETT. I am very much obliged to the gentleman. I am asking with reference to the power of the State to enforce its laws. Now, the gentleman has admitted that.

Mr. RICHARDSON of Alabama. Of course.

Mr. BARTLETT. Does the gentleman stand here to say that the administration of the laws in the various States needs the ad-

ditional power given in this bill, and to have Federal authority invoked to administer the law? Permit me to say, so far as my own State is concerned, that I stand here to refute any suggestion that the courts of the State of Georgia are in any degree inefficient in the enforcement of the law against the adulteration of food. The laws of the State will be as efficiently enforced by the State courts as by any Federal court to which the power can be given.

Mr. RICHARDSON of Alabama. In answer to the gentleman's question I will ask him this one: Has he ever heard of any man in Georgia being arrested for violating a pure-food law?

Mr. BARTLETT. Yes.

Mr. RICHARDSON of Alabama. What was done with him?

Mr. BARTLETT. He was tried and convicted.

Mr. RICHARDSON of Alabama. That is one case I never heard of.

Mr. BARTLETT. Permit me to say further that I hold in my hand here a case, and the United States Supreme Court reports are full of cases carried from the various States which have pure-food laws upon their statute books—cases that have been carried to the Supreme Court of the United States—and in those cases the decisions have been that the State, by reason of the exercise of its police power, has ample authority on this subject. There has been not only one, but there have been innumerable cases that have gone up from the various State courts to the Supreme Court of the United States, where the State laws have been sustained. The gentleman, I know, can not have investigated——

Mr. RICHARDSON of Alabama. You can not get me committed to the idea that a State has not the right to put a statute upon its books regulating pure food; but I say that the impracticability of the enforcement of these laws—which have not been enforced in three-fourths of the States, as the evidence showed clearly before the Committee on Interstate and Foreign Commerce—is a justification for the passage of this bill. Different standards of the purity of foods are erected in different States. The State has no extraterritorial jurisdiction, and confusion and failure to enforce the law has followed in case after case. The State is restricted and confined in its jurisdiction within its own State line. Kentucky would have one standard for the ascertainment of pure whisky and Alabama another.

Mr. SHERLEY. I understand the position of the gentleman, then, to be this: That while he recognizes the power of the States to regulate——

Mr. RICHARDSON of Alabama. And this bill does, too.

Mr. SHERLEY (continuing). He claims that they do not in fact do it, and therefore he thinks you should go to the National Government.

Mr. RICHARDSON of Alabama. Yes; and not only that——

Mr. SHERLEY. I am glad to see the gentleman so candid as to admit that.

Mr. RICHARDSON of Alabama. Recognizing the honesty and sincerity of my brother Democrats from the South, I say that I truly and really believe that they lay too much stress upon this question of "State rights." While I recognize and uphold the sovereignty of my State and the fundamental doctrine of local home rule as much as any man in this Union recognizes it, I do not think there is a "scarecrow behind every bush" simply because we concede authority to the Federal Government in certain matters and on certain lines peculiarly subject to Government control. This bill, in truth, makes the Federal Government and State authority cooperative with each other—the Government seeking to cure the defects that obstruct the enforcement of the pure-food laws in the States.

I think that the Federal Government has some power and some authority in such matters as this bill treats of, and I say it with great respect and deference to those who differ with me. Why, it has been said of us in the South that while we were standing contending for constitutional rights and States rights our northern friends were getting all the money from the Treasury. Now, I do not say nor do I mean to be understood that I would impair nor would I relinquish or surrender in any way the authority and the sovereignty and the rights of Alabama or any State in the Union under any conditions.

We had the Marine-Hospital Service bill here before the last Congress. What was the purport and object of it? It was to bring the medical officers of the Federal Government into cooperation and support and sympathy or in consultation with the medical boards of the States. It was to regulate that dread disease, yellow fever, and prevent that "shotgun policy" of quarantine which every hamlet and village adopted on hearing that yellow fever had appeared at some distant place. Trade and traffic were suspended. Medical boards of a large number of the States most interested petitioned that the Federal Government come to their aid. It was done in a wise, prudent law, which is working splendidly; yet gentlemen on this floor vociferously declared in their opposition to the bill that the rights of the States were being invaded. I say, Mr. Chairman, we ought to look carefully at this matter, and see wherein this bill clearly provides that it does not invade nor trespass upon any rights or police regulations of the State. If this is done, why not, then, have a pure-food bill?

Why, the gentleman from Missouri [Mr. SHACKLEFORD] speaks of a putrid dog, and he reads the section of the bill which refers to putrid food. Is it possible we have to resort to an argument of that kind to make votes against a pure-food bill, that anything that is put there in the way of decomposed matter shall be pronounced unwholesome? The fact is that this bill, without my going into minutiæ or into a discussion of its principles, undertakes to accomplish and does accomplish but one thing, and its whole purport and object is that thing.

What is it? It is to make a man who offers upon the market to sell certain food products to you or me or any other citizen brand his goods according to the truth. It prevents him from making a false representation and false statement. It prevents him from adulterating his flour with sand and selling it—selling it as pure, wholesome flour. It prevents him from putting three-fourths of glucose in his New Orleans sirup and calling it pure sirup. It requires him to place upon that barrel a proper and truthful label before he can sell it, and he must show to the purchaser that there is three-fourths of glucose in that sirup. Does any man object to that? It is a standard of truth and reality, as well as justice, that the bill proposes to establish.

Mr. SHERLEY. If the gentleman will permit me, what we object to is the tribunal that this law provides to determine what shall be pure.

Mr. RICHARDSON of Alabama. What do you suggest as the tribunal?

Mr. SHERLEY. The State is the tribunal in a matter of that kind.

Mr. RICHARDSON of Alabama. I have answered that.

Mr. SHERLEY. That is the difference of opinion among Members.

Mr. RICHARDSON of Alabama. Well, then, when you give it to the State would you be willing for the State to fix the standard?

Mr. SHERLEY. I answer you in regard to the States simply this: That I think there is less liability to be wrongful and corrupt administration of the law in a matter which is exceedingly dangerous in every way, and because the people's rights are better protected in that the administration is closer at home among the people in each particular State, and I further say that it was upon this theory that the Government was founded.

Mr. RICHARDSON of Alabama. Do you not believe that the theory of this bill and its object and aim is not to permit a man to sell anything without making him sell it according to what it is assumed to be?

Mr. SHERLEY. I believe the motive of the people back of this bill is pure as can be, but the fact that the motive of the bill is good does not necessarily make the bill a good one, and that it will not, when administered, be subject to a great deal of corruption.

Mr. RICHARDSON of Alabama. Don't you believe that the plain, specific provision in this bill requires the man to sell the goods for exactly what they are?

Mr. SHERLEY. I believe in that; but I think these agencies are necessarily defective.

Mr. RICHARDSON of Alabama. Well, God Almighty in framing man made us with some imperfections.

Mr. SHERLEY. The founders of this Government kept questions like this of the police authority from the General Government, and did not give to Congress any police powers.

Mr. RICHARDSON of Alabama. Now, Mr. Chairman, there were two changes in this bill from the one that we passed in the House of Representatives in the Fifty-seventh Congress.

One of them related to a number of experts, etc. That was changed and made fewer, leaving more discretion as to consultation with certain men. The next change, or, rather, the only other change, is to strike out—and I read now from Doctor Wiley in his testimony in the hearing before our committee a few days ago on this subject—the only other change is to strike out, as I stated, the methods of taking samples, which are designated in section 8, that my friend from Missouri [Mr. CLARK] has been talking about. Doctor Wiley says:

> It seems to me it is far better to leave that to the regulations of the Secretary, just as in the tariff law; the regulations for carrying out the examinations and taking samples of substances at the portsare left to the regulations of the Secretary of the Treasury, and when he finds that these regulations are not working well, he may change them so as to make them work better.

What more sensible statement, from a man eminent as Doctor Wiley, can be made than this? We are but human, and we err in these things, but when a regulation has been made, trying to get at the truth, and having in view the efficiency—the wholesomeness—of this law and protecting the people, why should we not be allowed to make a change in that regulation where it is intended

to deal more liberally and honestly and fairly with the public? That is all. What objection can be made to that?

I think, Mr. Chairman, that the most stringent and drastic provision of this bill is the last one—section 12—and yet I concur in that because I say that when we launch out upon legislation of this kind we have to go upon the basis of common sense. I could stand here to-day, surrounded by good astute lawyers, and could make technical objections to this bill almost the balance of this Congress. We have to proceed upon the lines of common sense and having some confidence and some trust in the officers of the Government.

I was just proceeding, Mr. Chairman, to call the attention of the committee to section 12. That section has been added to the bill which passed in the last Congress, and I have no hesitancy in saying, although it appears somewhat drastic upon its face, that it was necessary to put such a section in there to meet the purpose and object of this bill. It says:

> SEC. 12. That the Secretary of Agriculture is authorized to investigate the character and extent of the adulteration of foods, drugs, and liquors whenever he has reason to believe that articles are being imported from foreign countries in violation of such adulteration and injurious to the health of the people of the United States, or which are intended to be sold or possessed for such purpose in the countries in which they are made or from which they are exported, or which shall be falsely labeled in any respect in regard to the place of manufacture or the contents; the passage, such books is subject upon the Secretary of the Treasury for samples from original packages of such articles for inspection and analysis; and the Secretary of the Treasury is hereby authorized to open such original packages and deliver specimens to the Secretary of Agriculture for the purpose mentioned, giving due notice to the owner or consignee of such articles, who may be present and have the right to introduce testimony; and the Secretary of the Treasury shall refuse delivery to the consignee of any of such goods when the Secretary of Agriculture reports to him have been inspected and examined and found to be dangerous to health or such as are forbidden to be sold or constructed in sale in the place from which they were made or from which they are exported or which shall be falsely labeled in any respect in regard to the place of manufacture or the contents of the package.

Now, what is that? We have had great complaint, as we have heard in the hearings before our committee, that Germany, for instance, was transporting to this country certain food products which were prohibited from being sold in Germany and they were selling them to our country and to our people. This provision is made for the purpose of stopping it. Wherever it is forbidden to be sold by the laws of Germany or any foreign country, why, the Secretary has the right to stop it. Surely the gentleman does not object to that? While it is a stringent and most drastic feature, it is wholesome and wise and prudent and is intended to stop that evil that foreign countries are perpetrating upon the people of our country.

Now, Mr. Chairman, just in conclusion of the remarks which I have made, let us look and see—and it is common sense that we want in this bill; it is not so much legal ability and knowledge of technicalities as it is plain, ordinary common sense to be applied to it. Now, here it says:

> If it be an imitation of or offered for sale under the distinctive name of another article.

In the case of confectionery:

> If it contain terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous colors or flavors, or other ingredients deleterious or detrimental to health.

If it does that, it falls under the ban of the provisions of the bill.

Now, in the case of foods:

> First. If any substance or substances has or have been mixed or packed with it, so as to reduce or lower or injuriously affect its quality or strength.

Does any man think it would be right for another one who had offered to sell me a certain product for my table to lessen the quality or quantity, so as to injuriously affect the product? This compels obedience to the law, and proposes to punish the man who violates it. You must not do it. As I have said, the whole object of this bill is to make men sell things according to the truth and what they really are, and not let them impose upon the public. If he violates the law in doing it, he ought to be punished. The bill nowhere proposes to prohibit a man from selling. It requires him when he does sell to sell his goods or products exactly for what they are.

What is the next?

> Second. If any substance or substances has or have been substituted wholly or in part for the article.

Is there anything wrong in that, to come and tell me you are selling me pure sirup, "New Orleans molasses," when you have three-fourths of glucose in it? Is that right? Ought not the man who does it to be punished? And here is the law to prohibit it.

> Third. If any valuable constituent of the article has been wholly or in part abstracted.
>
> Fourth. If it be an imitation of or offered for sale under the distinctive name of another article.
>
> Fifth. If it be mixed, colored, powdered, or stained in a manner whereby damage or inferiority is concealed.
>
> Sixth. If it contain any added poisonous ingredient which may render such article injurious to health.
>
> Seventh. If it be labeled or branded so as to deceive or mislead the purchaser, or purport to be a foreign product when not so.

Now these, Mr. Chairman, are the real leading provisions of this bill, and in reference to the question asked by the distinguished gentleman from Missouri [Mr. CLARK] as to the constitutionality of section 8, I have never heard a gentleman of his ability state wherein and how that provision, in requiring a man who is suspected of having violated the law simply to give a sample of that which he has been selling, is requiring him to testify against himself. That is not testifying against himself.

No innocent man could object to that. That is a physical fact. There is no testimony in it, and there is no court that has ever held, within my knowledge, that a physical fact like this, as provided for in sections 8 and 9, is making a man furnish testimony against himself. If that were the law and the Constitution could be violated in that, you can readily see that under the laws of this country a great deal of value to testimony bearing on the conviction of criminals would be eliminated from the courts.

I say it is nothing but a physical fact. It is not like a man being drawn up for a game of cards and testifying who was in the game with him. Not that at all. That is giving oral testimony. This is a physical fact, that the law requires to be put in the hands of the person duly authorized by the Secretary of Agriculture to receive the same, for the purpose of investigating to see whether that man is a criminal and has violated the statutes of the country.

Mr. BARTLETT. Will the gentleman allow me to suggest a decision of the Supreme Court of the United States upon that line, which the gentleman says no court has decided? I do not recall the name of the case, but it is a case where the court held, on a question of forcing a railroad corporation, or its officers, to produce their books of record in order to show that they had violated the interstate-commerce law with reference to charges for freight, that it was unconstitutional.

Mr. RICHARDSON of Alabama. Which is not on a parallel with this case at all. I say I never have seen a case where any court has passed upon that question and said that a physical fact is making a man testify against himself.

Mr. BARTLETT. Will the gentleman permit a question?

Mr. RICHARDSON of Alabama. Certainly.

Mr. BARTLETT. Is it not as much a physical fact when you require the owner, or the proprietor, or seller of this alleged adulterated article to furnish you samples of it as it is when you require the officials of a railroad corporation to furnish you their books and papers in order to ascertain if they have violated the law?

Mr. RICHARDSON of Alabama. I do not think it is.

Mr. BARTLETT. It occurs to me that it is.

Mr. RICHARDSON of Alabama. I know the gentleman and I differ on these questions.

Mr. GROSVENOR. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Ohio?

Mr. RICHARDSON of Alabama. With pleasure.

Mr. GROSVENOR. Does not the gentleman know that repeatedly courts have held that it was error to compel the defendant in a criminal case to stand up and give his measurement alongside of a witness to determine who was the tallest man?

Mr. RICHARDSON of Alabama. Yes; I know that.

Mr. GROSVENOR. Is it not true that in a recent remarkable case where the real physical fact was whether the defendant was a man or a woman the judgment of the court was reversed because the court compelled the defendant to exhibit the fact that she was a woman and not a man?

Mr. RICHARDSON of Alabama. That was on the question of decency, I reckon.

Mr. GROSVENOR. Not at all; it was on the sole ground that she was compelled in that way to furnish evidence against herself. I am not arguing that there is anything in the bill unconstitutional, but the gentleman was making a broad statement that no production of a physical fact had ever been held erroneous where forced upon the defendant. I thought I would call his attention to these facts.

Mr. RICHARDSON of Alabama. I am very much obliged to the gentleman for that. We all know that decisions of the Supreme Court are based upon peculiar facts; that you have got to understand the facts of the case before you can apply the theory to other cases. I say that the facts and surrounding circumstances of the opinions of judges must be known before you can apply them. A man may take the bald facts and statement of a judge in a decision and apply it to some other case and it does not apply at all when you look at it, because the facts are different. I say again, in my humble opinion, that this eighth section, which requires that a man shall furnish these samples, is not unconstitutional. It is not the first time we have discussed this; it has been before our committee, and while I differed in the last Congress with my distinguished friend from Illinois, I now think that that provision is not unconstitutional. Of course lawyers will differ upon all these questions.

Now, Mr. Chairman, I have occupied more time than I intended to upon this bill. It was my pleasure to have discussed it at length in the last Congress, and I admit, in view of the fact of the deficiency and inefficiency, you may call it, of a great many of the States on that subject of pure food, I became interested in the enactment of this bill as a law. Not that it is going to invade the kitchen, as my distinguished friend from Georgia [Mr. ADAMSON] said. It is not going to invade the kitchen: it is not going to limit the cook and require her to cook certain things; it will not limit the good housewife to the selection of what goods are on her table. The only thing this bill says to that cook and to that housewife is that when you do cook anything and put it on the table it shall not be a false article, but it shall speak the truth and be what it assumes to be.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CHARLES B. LANDIS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles: in which the concurrence of the House of Representatives was requested:

S. 1945. An act providing for the holding of an additional court in the northern district of West Virginia at Martinsburg, W. Va.; and

S. 782. An act granting a pension to Mary D. Duvall.

The message also announced that the Senate had passed the following resolutions: in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 33.

Resolved by the Senate (the House of Representatives concurring). That there be printed and bound 10,000 copies of the Report of the Commission on International Exchanges and the appendix thereto, being House Document No. 144, Fifty-eighth Congress, second session, 2,000 of which shall be for the use of the Senate, 6,000 for the use of the House of Representatives, and 4,000 for the use of the Commission on International Exchanges.

Senate concurrent resolution 29.

Resolved by the Senate (the House of Representatives concurring). That there be printed 2,000 copies of the First Annual Report of the Reclamation Service, from June 15, to December 1, 1902, with the accompanying maps, of which 1,000 copies shall be for the use of the Senate and 1,500 copies for the use of the House of Representatives.

Senate concurrent resolution 34.

Resolved by the Senate (the House of Representatives concurring). That the Public Printer be, and he is hereby, authorized and directed to print from stereotype plates and to bind 2,000 copies of the Second Annual Report of the Reclamation Service, of which 500 copies shall be for the use of the Senate, 1,200 copies for the use of the House of Representatives, 200 copies for the use of the Department of the Interior, and 300 copies for the use of the United States Geological Survey.

Senate concurrent resolution 35.

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, requested to cause a survey to be made for a ship canal extending from a point in the city of Newark, N. J., below the junction of the Pennsylvania and Lehigh Valley railroads, through the Newark Meadows, from Newark Bay to New York Bay; said ship canal to have a width of 400 feet and a depth of 35 feet, and to include such survey to Congress, together with an estimate of the cost of the same.

S. R. 28. Joint resolution authorizing the printing of additional copies of Agricultural Bulletin No. 124, being a report on irrigation in Utah.

The message also announced that the Senate had passed without amendment the bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa.

PURE FOOD.

The committee resumed its session.

Mr. ADAMSON. Mr. Chairman, I now yield twenty minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK. Mr. Chairman, in the first place I want to enter my solemn protest against the way that legislation is railroaded through this House. This bill, which is of the gravest importance, affecting the interest not only of every manufacturer, wholesaler, and retailer in the land, but also of every consumer, was dumped in here yesterday and taken up to-day for immediate consideration, giving even the most industrious man no adequate time for investigation or reflection. One might as well attempt to deliberate in a bottler factory or in the rear of battle as in this House when in full blast. These comments apply not only to this bill, but to legislation here in general, and this method does not secure the best results.

I wish to state as preliminary to anything I may say in the course of my remarks that I heartily agree with the intention of the committee in bringing in this bill; that is, to prevent the deleterious adulteration of foods and drinks and drugs that we use either from necessity or for pleasure. If properly amended I will vote for it; but as reported by the Committee on Interstate and Foreign Commerce it is too drastic. It is doing things that have already been done as well by the States as they will be done by the United States Government.

Any man who manufactures and puts on the public market an article of food or drink which is deleterious to health or destructive of life ought to be in the penitentiary—perhaps he ought to be hanged. Nobody can make that part of it stronger than that. While in the Missouri legislature I was chairman of the committee on criminal jurisprudence and procedure. I reported and helped to report several bills looking toward the prevention of the manufacture or sale of improperly adulterated and deleterious foods in the State. I especially remember one about candy.

One trouble with this bill is that it lodges in the hands of the Agricultural Department the right to say what is wholesome food. I have a great deal of respect for the Secretary of Agriculture, Hon. James Wilson. He is one of the most valuable public functionaries now in the city of Washington or that ever was here, but I do not believe that his chemists are necessarily infallible. Scientific men differ all over the country and all over the world as to what is healthful and what is not healthful. It has been thumped into our heads ever since we were born that distilled water is the most healthful of all drinks, yet within the last two or three years some distinguished chemist somewhere has declared that if a man drinks distilled water it will kill him in a short time because it takes out of his stomach certain juices and salts in undue proportion.

We have been taught from time immemorial that cleanliness is next to godliness and that we ought to bathe frequently. I remember seeing a long article in a newspaper once eulogizing Joseph Chamberlain because he bathed three times a day; but a distinguished scientist in the city of Chicago, whence the gentleman [Mr. MANN] comes, and whence so many preposterous theories come, has recently arisen to declare that bathing is an unhealthful and unnecessary performance. [Applause and laughter.]

M. MANN. I hope the gentleman does not think they come in parts.

Mr. CLARK. I do not know. One professor out there got himself into hot water by attesting that all the poetry that has ever been written in the way of Christian hymns is mere doggerel, and another gave it as his opinion that John D. Rockefeller was greater literary genius than William Shakespeare. [Laughter.]

Mr. BOUTELL. Will the gentleman yield for a moment?

Mr. CLARK. Yes; for a question.

Mr. BOUTELL. In justice to the different parts of Chicago, I wish to say that none of these comes from my district.

Mr. MANN. I am willing to accept the responsibility of the University of Chicago.

Mr. CLARK. Let us take another case. All the scientists have been proclaiming the doctrine from time immemorial that oatmeal is the most healthful and best brain-producing food we can eat, notwithstanding old Doctor Johnson's sneering definition of oats as "Grain which Scotchmen eat and which others feed to their horses." The oatmeal habit has become almost universal. Recently, however, a distinguished physician in the city of London declared that oatmeal has less nutriment in it than almost anything else, and is the worst food that people are in the habit of consuming.

I don't know which one of these scientists is right, but I say that when scientific men differ—when doctors disagree—it is preposterous to put into this bill or any other bill the authority for one set of chemists to determine what we are to eat in this country. In Missouri we have a statute providing that a calf shall not be killed for food purposes and the meat put on sale if the calf is under six weeks or a month old—I have forgotten which it is—on the ground that it is unhealthy; and the question I asked Colonel HEPBURN was this: Does this bill override State statutes on this same subject?

As to sections 8 and 9, I believe they are unconstitutional. I believe that any court in Christendom will so declare, because they compel a defendant to furnish evidence against himself in a criminal prosecution. The gentleman from Iowa [Mr. HEPBURN] wants to know if I am in favor of shielding these fellows simply because they are criminals. No! But I am not in favor of passing a bill here which on the very face of it is unconstitutional and which will stultify every man who votes for it.

Let us see what the constitutional provision is. I refer to the fifth amendment of the Constitution. I will read the whole section, because it is good reading. And, by the way, the first ten amendments to the Constitution of the United States contain more of the principles of human liberty than all the rest of the Constitution put together:

> No person shall be held to answer for a capital or otherwise infamous crime, unless on presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation.

The clause pertinent here is:

> Nor shall be compelled in any criminal case to be a witness against himself.

Here is the statute on that subject. I refer to section 860 of the Revised Statutes of the United States of 1878, second edition:

> SEC. 860. No pleading of a party, nor any discovery or evidence obtained from a party or witness by means of a judicial proceeding in this or any foreign country, shall be given in evidence, or in any manner used against him or his property or estate, in any court of the United States, in any criminal proceeding, or for the enforcement of any penalty or forfeiture. Provided, that no person shall not exempt any party or witness from prosecution and punishment for perjury committed in discovering or testifying as aforesaid.

In the case of Counselman *v.* Hitchcock, in 146 United States Reports, the Supreme Court says, inter alia:

> It is quite clear that legislation can not abridge a constitutional privilege and that it can not replace or supply one, at least unless it is so broad as to have the same extent in scope and effect. It is to be noted of section 860 of the Revised Statutes that it does not undertake to compel self-criminating evidence from a party or a witness. * * * We are clearly of opinion that no statute which leaves the party or witness subject to prosecution after he answers the criminating question put to him can have the effect of supplanting the privilege conferred by the Constitution of the United States. Section 860 of the Revised Statutes does not supply a complete protection from all the perils against which the constitutional prohibition was designed to guard and is not a full substitute for that protection.
>
> In view of the constitutional provision, a statutory enactment, to be valid, must afford absolute immunity against future prosecution for the offense to which the question relates. In this respect we give our assent rather to the decision of Emry's case, in Massachusetts, than to that of People *v.* Kelly, in New York, and we consider that the ruling of this court in Boyd *v.* United States, supra, supports the view we take. Section 860, moreover, affords no protection against that use of compelled testimony which consists in going to the discovery from a knowledge of the details of a crime, and of sources of information which may supply other means of convicting the witness or party.

The argument used in that decision shows sections 8 and 9 of the bill we are considering are unconstitutional.

My friend from Alabama [Mr. RICHARDSON] says that under sections 8 and 9 of this bill when a merchant is compelled to furnish these packages of goods upon demand of a Government inspector to be used in these criminal proceedings his act is simply a production of physical facts and does not fall within the inhibition of that constitutional provision.

Mr. HEPBURN. Will the gentleman permit me a question?

Mr. CLARK. Yes, sir.

Mr. HEPBURN. Under the provisions of this bill, suppose the Secretary of Agriculture sends to one of the dealers referred to in this section for a package of this merchandise. Is that a criminal prosecution under the Constitution?

Mr. CLARK. Why, certainly; it is for the purposes of a criminal prosecution and to be used in evidence against him.

Mr. HEPBURN. Wait a minute. This is for the purpose of ascertaining what? Whether there is a deleterious substance in that merchandise. Now, it is not a prosecution against the man. There may never be a prosecution.

Mr. CLARK. How do you know?

Mr. HEPBURN. If there is a prosecution against him, then the question that the gentleman suggests may arise. An objection may then be made to the introduction of that testimony. But in the meantime this man will aid science in determining whether a wrong is being perpetrated upon society. There is no proceeding against him until later on; and then he may take advantage of the constitutional provision.

Mr. CLARK. Well, now, if all that is true, why did you not put it in this proposed statute?

Mr. HEPBURN. It is here.

Mr. CLARK. No, sir; by the next section it is provided that if the merchant does not give up his stuff to an inspector he shall be guilty of an offense.

Mr. HEPBURN. Surely. He is compelled to do that. But how does that hurt him in a prosecution? Shall that man say that you want to use this matter against him, possibly in a criminal prosecution? He can not be permitted to say that, because when the prosecution occurs and the prosecutor proposes to introduce this evidence, then the constitutional objection of incompetency will be raised and the evidence will be ruled out. So the man will not be harmed.

Mr. CLARK. Now, Mr. Chairman, if that is true, then there is no sense in putting these sections in the bill.

Mr. HEPBURN. Yes, sir. We want them in the bill for the purpose of enabling the Secretary, perhaps, to fix his standard—perhaps to find out that there is a ground for a prosecution that may be pending against this person, if other evidence not objectionable can be found against him.

Mr. CLARK. And perhaps for the purpose of instituting this criminal proceeding.

Mr. HEPBURN. No; not for that purpose, because it can not be used for that.

Mr. CLARK. Why can it not be?

Mr. HEPBURN. Because, you say, the Constitution prohibits it.

Mr. CLARK. Certainly; that is what I have said, and that is the reason why those two sections ought to go out of this bill.

Mr. HEPBURN. The gentleman does not differentiate between the two proceedings—the proceeding to discover whether there is a deleterious substance in this food product and, subsequently, perhaps, the prosecution of the individual for a crime. The gentleman does not differentiate between those two things.

Mr. PERKINS. I would like to ask the gentleman from Iowa [Mr. HEPBURN] a question at this point.

The CHAIRMAN. Does the gentleman from Missouri [Mr. CLARK] yield?

Mr. CLARK. No; I do not want to have this side debate go on over there.

Mr. PERKINS. What I am about to say is in the line of the gentleman's contention.

Mr. CLARK. Well, then, go on.

Mr. PERKINS. Suppose a man is suspected of having stolen goods in his possession. Do you suppose that under a law which we may have passed you could compel such a man, upon request, to furnish those goods, so that you may find out he has stolen goods in his possession?

Mr. HEPBURN. No, sir.

Mr. PERKINS. What is the difference?

Mr. HEPBURN. Why, the difference is as broad as the difference between day and night. Here are two distinct, substantive proceedings. One is to find out whether there is a deleterious substance in this food that this man is selling. The other is a prosecution against him. Now, in the first instance, it is not a prosecution against him. We have a right, I think, to compel him, being a dealer engaged in interstate commerce, to make this proffer for the purpose, not of prosecuting him, but for the purpose of finding out whether or not there is a deleterious substance in that which he is selling.

Mr. PERKINS. There is no prosecution in getting the goods from a man whom you suspect of holding stolen goods.

Mr. HEPBURN. Oh, that is an entirely different question.

Mr. PERKINS. I do not see the difference.

Mr. BUTLER of Pennsylvania. You can issue a search warrant and look for the goods.

Mr. PADGETT. I will suggest to the gentleman that on page 14 of the act it is expressly provided—

> which certificate shall be admitted in evidence in all courts of the United States without further verification.

Mr. CLARK. Yes. Now, Mr. Chairman, I have not a bit of doubt that the intention of the man who drew this bill was to use the evidence obtained against the man from whom he obtained it. The gentleman from Alabama says these are physical facts. Every criminal lawyer, in this House or out of it, knows that the very strongest evidence that can be produced in a court of justice is a physical fact. A witness may go on the witness stand and swear to a lie as to what he saw or heard, but he can not go on the witness stand and exhibit a lie by way of a physical fact.

I will give you an example: When I was a boy I had a playmate who had a double thumb. Now, suppose a murder had been committed in that neighborhood after that young fellow became big enough to commit a murder, and it had turned out by the blood marks that the man who committed the murder had a double thumb, and it also had turned out that my double-thumbed playmate had been placed on trial for that murder, will any man here who is fit to try an assault and battery case in the court of a justice of the peace assert that you could have made that man stand up and exhibit his double thumb to that jury as a matter of evidence against himself?

I will give you another example that some of you have not noticed: Out here on the walls of the Rotunda is a great picture of the Baptism of Pocahontas. There is a big buck Indian sitting up there, with six toes on one foot. That is a part of the art in the city of Washington! Now, if there ever was such an Indian, suppose that in his day, generation, and neighborhood somebody that had six toes on his right foot, as shown by tracks, had committed a murder? Does anybody believe that that Indian could have been made to stick his foot up in the presence of a jury and exhibit the six toes on his right foot as evidence on which to convict himself?

The prosecution might prove alinude that the Indian defendant had six toes on his right foot, but he could not be compelled to establish the physical fact himself by placing his foot with the superfluous toe in evidence against himself.

Mr. HEPBURN. Mr. Chairman, will the gentleman allow me to ask him a question there?

Mr. CLARK. Yes.

Mr. HEPBURN. He has given me just the illustration that I want. Suppose, now, that your friend with the double thumb had left the impression of it in some way upon an article that was afterwards stolen. An action of replevin is brought to recover that stolen property.

Mr. CLARK. Oh, that is a civil procedure.

Mr. HEPBURN. Could you not make him put up his thumb?

Mr. CLARK. That is a civil procedure.

Mr. HEPBURN. This is a civil procedure to get this article for the purpose of having it examined.

Mr. CLARK. No; this provides for a criminal prosecution.

Mr. HEPBURN. No; it is not. It is a civil proceeding, a scientific inquiry. The criminal proceeding comes afterwards, and when you attempt to prosecute, then that question can be raised.

Mr. CLARK. Now, Mr. Chairman, I want to ask the gentleman from Iowa another question: Does he know of any kind of a civil procedure in which a man is liable to be fined and sent to jail?

Mr. HEPBURN. Yes.

Mr. CLARK. What is it?

Mr. HEPBURN. Why, where he refuses to act as a witness he is fined for contempt and sent to jail.

Mr. CLARK. Oh, that is a quasi-criminal procedure, that grows out of the civil procedure.

Mr. HEPBURN. Well, in torts often.

Mr. CLARK. Now, listen. I will read to you the law, your own bill. Section 9:

That any manufacturer, producer, or dealer who refuses to comply, upon demand, with the requirements of section 8 of this act shall be guilty of a misdemeanor—

Mr. HEPBURN. Yes.

Mr. CLARK (reading):

and upon conviction shall be fined not exceeding $100 or imprisonment not exceeding one hundred days, or both.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ADAMSON. I yield five minutes more to the gentleman.

Mr. HEPBURN. When a citizen in this civil inquiry refuses to do his duty he becomes delinquent and he may be prosecuted under the law.

Mr. CLARK. Now, Mr. Chairman, I have another objection to this whole business.

Mr. STANLEY. Is it not a fact that the Hitchcock decision to which you refer was simply a question in which a witness refused to testify to the grand jury on the ground that it was a judicial decision?

Mr. CLARK. I may not have stated everything that was in that case. I want to repeat here that I am not opposed to legislation that is fair and within reasonable scope on this subject. But the whole tendency of Congress under this interstate-commerce clause of the Constitution is to usurp all the authority of the States and to discriminate against somebody and in favor of somebody.

My friend from California [Mr. BELL] has introduced a bill here dividing all wines into "pure wines" and "compound wines." I used to go to school to a college professor, Prof. John H. Neville, of Kentucky University, who divided all creation into Greeks and barbarians. [Laughter.] Now, here is a provision of Mr. BELL's bill:

Section 1 (in substance). "Pure wine is a wine that has no foreign substance whatever in it, and all other wines are compound wines."

SEC. 2. That from and after the passage of this act there shall be levied and collected upon all wines produced in the United States or imported into the United States from any other country the following tax: Upon pure wine the sum of one-tenth of a cent per gallon, and upon compound wine the sum of 25 cents per gallon, to be paid by the manufacturer of the home product or the importer of the foreign product, as the case may be.

Mr. Justice Miller said: "The power to tax is the power to destroy."

Mr. BELL's bill would tax all American wines except California wines out of existence.

Now, Mr. BELL, when he introduced that bill, knew that in California they grow grapes of a character that they can make wine from without adding anything to the juice, while we know that wine made from grapes grown east of the Rocky Mountains has to have sugar or other ingredients put into it to take away the superfluous acidity so as to make it palatable for people to drink. I want to say in that connection that I rarely drink wine, and do not believe I have drank a gallon of wine in my life. The Missouri River bluffs produce grapes that make wine equal to the wines of France or California, and under the terms of this bill before the House now, wines made out of Missouri, Ohio, and Kentucky grapes, or any other grapes except those of California, are absolutely prohibited.

Mr. BOUTELL. Will the gentleman allow me to ask him a question? The gentleman said that this wine part or text of the bill was in keeping with the bill before the House. I want to ask the gentleman from Missouri if it is any more in keeping and if it is not on all fours with the outrageous oleomargarine bill passed during the last Congress?

Mr. CLARK. I will say that it is just exactly the same sort of a bill.

Mr. BOUTELL. And if it is not the direct outgrowth of the precedent which we established then, and which the distinguished gentleman from Mississippi, the leader on that side of the House, said would flow into this Congress?

Mr. CLARK. Yes, exactly; I voted for the oleomargarine bill. Open confession is good for the soul. [Laughter.] What I have to say is this: I am not making a speech in favor of temperance or of prohibition, or against temperance or prohibition. And I am not going to have any controversy with anybody in this House or out of it on that subject. The making of wine is growing in this country, and the drinking of wine is growing on, and if that is to be the case I want to see the grape growers of Missouri and the Mississippi Valley have as good a chance to make wine as the grape growers of California. Now, I want to read to you a few words from a letter which I have received from a manufacturer.

Down in the south end of my district there is one of the largest wine manufactories, if that is the proper term for it, in the United States. It is the Stone Hill Wine Company. It is not a bogus concern that makes wines without grapes or that sails under false colors or gets money under false pretenses. They have built up a vast business, not only selling to the people of Missouri and the people of the United States, but they make wine of such merit that they ship it to Europe and compete in the fairs and the exhibitions of Europe with the wine manufacturers of France.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK. Give me five minutes more.

Mr. MANN. I yield five minutes to the gentleman now, and later will try to give him five minutes more.

Mr. CLARK. Now, these gentlemen say:

If this bill—

That is, Mr. BELL'S—

passes Congress, all wineries, large and small, east of the Rocky Mountains will be wiped out of existence with one lick.

Mr. HEPBURN. Will the gentleman permit me to pacify him on that point?

Mr. CLARK. No. If you will allow me to read this part of this letter, then you can come in.

Mr. HEPBURN. You are talking about another bill, not this one.

Mr. CLARK. Mr. BELL'S bill is just simply a sort of supplement to your bill.

Mr. HEPBURN. Oh, no.

Mr. CLARK (reading):

We have an altogether different climate here (the climate east of the Rocky Mountains) than that of California, and among the many and altogether different compositions it is necessary to use in making a palatable beverage out of the grapes grown in the eastern portion of the United States, there must be some water used in the tropical climate of California. Why, sir, I not long since read and considered as resolutely pure wines, sugar and water is added to grapes in [illegible] are not so sweet as those grown on the Pacific slope, [illegible]

fashion in recent years for men to turn from the State to the nation. It is one of the inheritances of the civil war that we should centralize power; but unless we are going to reform radically our whole Government we must recognize that of necessity more than 90 per cent of the things that relate to life and property belong within the jurisdiction of the States. And the remedy for evils such as this bill aims at is not to turn to the National Government, but it is to make your State governments effective.

Say to these people that come from the different States asking Congress to regulate affairs that do not belong to its sphere, "Go back to your State, have your State pass proper laws, and then see that your State enforces the law." That is the remedy; not to come here asking us to step outside of our legitimate authority.

Just one other suggestion, and that is that the commerce clause of the Constitution has two distinct functions, and in my judgment they are very distinct. One of them relates to foreign commerce and the other to commerce between the States. Simply because those two powers are granted in a single sentence is no reason why they should be supposed to be identical. The power of Congress in reference to this subject as defined by the Constitution is:

To regulate commerce with foreign nations and among the several States and with the Indian tribes.

So far as that provision relates to foreign commerce, I believe it was the intention of the makers of the Constitution that Congress should not only regulate in the ordinary sense, but that Congress should have power to prohibit, if necessary. At the time the Constitution was adopted the people of this country desired to have national control over commerce, so as to be able to strike at England and other foreign countries that were destroying our commerce.

But when it came to a question of commerce between the States, that provision was inserted in the Constitution for the sole purpose of establishing free trade between the States. And if there has been one thing that has made the American States great—great in spite of all your protective-tariff laws—great in spite of everything that has been done to hamper trade—it has been that provision of our Constitution which has absolutely required free trade between the States.

Now, gentlemen, I do not believe that it was intended that this clause of the Constitution should be used as a cover to take away from any State its police power, and to undertake to regulate commerce in the sense of saying what particular things should be articles of commerce and what should not, and to provide that a standard might be established by one man, enabling him to say whether or not a thing should be permitted to be used as an article of commerce. That is the great objection I have to a bill of this kind.

I believe there are sufficient objections to individual features of the bill to cause this House to hesitate before voting to place it upon the statute book. I do not believe it wise to centralize power as you propose to do here. You are practically saying that the Secretary of Agriculture and the officers under him—and after all they will be answerable to him—you are practically saying that one man shall determine whether a given product comes up to the standard of purity that he may set forth, and according to his standard that product shall or shall not be used.

I believe that a large part of the talk about the need of pure-food legislation is "buncombe," anyway. I believe that the mass of the people have enough intelligence to take care of themselves. I am tired of constantly hearing somebody get up in a legislative body, State or national, and say, "You must protect the people." Usually the people are amply able to take care of themselves. And when you sift the matter down, these appeals in the name of the people are simply a cover for some manufacturer who is trying to get the best of some other particular manufacturer.

My contention is that you should materially amend this bill, and at the proper time, if I should have the opportunity, I shall move to strike out those provisions relating to trade between the States, making this bill apply simply to commerce with foreign nations, and also perhaps to the Territories, though it does seem to me that even as to the Territories it would be better to leave such matters as this to the Territorial legislatures. But certainly you should strike out those provisions that undertake to regulate commerce between the States. Leave such trade free, as the founders of our Government intended it should be.

By withholding such legislation as this bill proposes you are not taking away the police power of the respective States. The moment that any article of commerce in the form of adulterated goods goes into the State of Kentucky, for instance, that moment the State can say that the citizen shall not use or shall not sell these adulterated goods.

Nothing has done so much to promote peace between the different sections of this country as the freedom of trade which the Constitution wisely provided for.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. I ask for just a couple of minutes more.

Mr. ADAMSON. I yield the gentleman two minutes more.

Mr. SHERLEY. The provision to which I have just referred has prevented jealousies between the States. It was put into the Constitution for that purpose. But now you are proposing a law the effect of which may be to shut out the food products, the tobacco, the whiskies of my State from other States, or the wines of California from other States; in fact, the goods of any State from other States, not at the instance of such other States, but practically at the dictation of one man.

And thus you are sowing the seeds of discord. You are creating those things that make sectional strife, and you are preparing the way for the disruption of our Union. I believe that this bill is fraught with much evil. Let us stay within the lines that were originally laid down, and let the States regulate the matter for themselves. [Applause.]

[Here the hammer fell.]

Mr. MANN. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. STANLEY].

Mr. STANLEY. Mr. Chairman, I shall address myself to only one proposition, that discussed by the gentleman from Missouri [Mr. CLARK], as to whether or not this bill has within it regulations that are unconstitutional.

If this bill has anywhere within it any provision that is contrary to the plain letter of the Constitution, then it does not matter how much good there is in the bill, it ought to go down, because the Constitution is more sacred than any or all statute laws, and we should learn at the very threshold not to regard it as an immaterial matter—not a matter to be guessed at by the courts. If we believe it is unconstitutional, then we should never support it. And it is because I believe that this question is essentially vital that I have addressed myself to it. I am frank to say that I am not such a criminal lawyer as the gentleman from Missouri [Mr. CLARK]; but to my mind nothing could be clearer than that it is not unconstitutional.

The gentleman from Missouri fails entirely to draw the distinction between that privilege guaranteed by the Constitution, which is simply personal, and extraneous independent facts beyond the control of the accused which may be used in a criminal procedure against him, and the distinction is very simple and very plain. This bill of rights of which the gentleman speaks conferred no additional authority. We are no better off, we who are under the common-law rule, than if the Constitution had said nothing about it, because it was but a reaffirmance of the old common-law rule, and my authority for that statement is Judge Story. Then I say that every lawyer who is acquainted with the old common-law rule knows that there is nothing here that is unconstitutional. The gentleman as a criminal lawyer gives an instance of the boy with two thumbs and of the Indian with six toes.

Suppose that the Indian with six toes had been guilty of murder, and the blood from his victim had fallen upon the ground, and his six-toed foot had stepped in it, and in his flight across his cabin he had left the tracks of his foot there. Will you tell me, sir, that you could not bring a jury within that cabin because it was his cabin or his wigwam and his wigwam could not be used against him?

Mr. CLARK. What do you say about making him hold up his foot before a jury to ascertain if he had six toes?

Mr. STANLEY. That is the difference between an Indian's foot and an Indian's track, and that is the difference between a privilege personal to a man and a bottle of merchandise placed out in the open markets of the world. If the print of that Indian's double thumb had been left on some article of his own, that article could be used as evidence. So it is that when a man puts into the open markets of the world articles that are deleterious, that are full of extraneous and poisonous matter, the articles put upon sale are separate and distinct from the man, and he can not claim a personal privilege when you want to take the article from the open markets of the world and use it in evidence against him.

A very simple illustration, I think, will make my point perfectly clear. None of you ever went into a side show without seeing these various freaks selling their pictures. Suppose that the two-headed boy or the fat woman should commit a murder here in the city of Washington, and you come here after the fat woman has gone to Missouri and you say to the photographer who has the negative and who is selling her pictures as her agent, "Here is a 50-cent piece. I want a picture of that fat woman to introduce in evidence in a court in Missouri." Will the learned gentleman say that you have no right to purchase that picture, and that if you purchase it you have no right to introduce it here because it is the property of the fat woman? Certainly not.

[Here the hammer fell.]

Mr. ADAMSON. I yield to the gentleman from Massachusetts [Mr. SULLIVAN].

Mr. SULLIVAN of Massachusetts. Mr. Chairman, the gentleman from Massachusetts [Mr. GARDNER] has recently discussed the question of reciprocity with Canada, which has been raised by the resolution of the Democratic leader, Mr. JOHN S. WILLIAMS. I think it may be shown that the views of the gentleman from Massachusetts are not representative either of his district or his State. Nor do I believe they are shared by any other member of the Massachusetts delegation. When the voice of that State is not suppressed by the leaders of the Republican party it will be raised on this floor in favor of reciprocity with Canada by Republicans as well as Democrats.

The demands of her leading trade bodies, such as the New England Shoe and Leather Association, Boston Fruit and Produce Exchange, Boston Chamber of Commerce, Boston Merchants Association, and her merchants and manufacturers generally as represented in hundreds of commercial organizations throughout the State, leave no doubt of Massachusetts' desire for freer trade relations with Canada. She favors immediate reciprocity with Canada, and will not be satisfied with the explanation that reciprocity in noncompetitive products is the only possible basis of negotiation, for she knows that reciprocity means mutual concessions, and that we must be prepared to accept some temporary losses as the result of competition, knowing that the increased volume of trade will eventually compensate us a hundredfold. It will be easy to show that the views of many manufacturers in his district are not in agreement with his own, as his attack upon reciprocity has called forth a chorus of dissent from leading manufacturers in his district and, indeed, throughout New England generally. He said that he was not prepared to sacrifice the shoe interests of his district, and, acting upon this suggestion, a trade paper addressed to the shoe manufacturers of New England the following query:

Are you in favor of a treaty of reciprocity with the Dominion of Canada by the terms of which Canadian-made shoes would be admitted into the United States free of duty if American-made boots and shoes were admitted into Canada upon the same terms?

Sixty replies were received from manufacturers who represent invested capital of $50,000,000, and fifty-four of the sixty, who do in the aggregate an annual business of $55,000,000, replied in the affirmative. This shows an overwhelming sentiment in favor of free trade with Canada in boots and shoes. The majority sentiment of the manufacturers is epitomized in the reply of Hon. William B. Rice, of Boston, who said that "if the question could be settled by the shoe manufacturers, reciprocity with Canada would begin at once." While a large majority of New England shoe manufacturers favor reciprocity with Canada in boots and shoes now, it is apparent that if the duty of 15 per cent on hides were removed practically the entire trade would favor it. The fact that leather imported into the United States and tanned here may be sold in Canada cheaper than in the United States accounts for some of the opposition to free admission of Canadian shoes.

There seems to be amongst shoe men in New England three classes of opinion. First, the great majority that believe in free admission of Canadian shoes in consideration of their free admission of our shoes; second, some of the minority that would favor it if the duty of 15 per cent on hides could be removed; third, the remainder of the minority who would favor it even if the 15 per cent duty on hides remained, provided the 99 per cent rebate on leather exported from the United States to Canada could be stricken out. The rebate duty in this case operates on the patriotic Republican principle of charging our own citizens more than we charge foreigners. [Applause.]

Now, tariff conditions are equal as respects rates, both countries imposing a 25 per cent duty on boots and shoes. Therefore, if the duties on shoes were abolished by both countries, tariff conditions would be no more unequal than they are now. Canada would be able to sell her shoes cheaper here than she can now; but so would the United States be able to sell shoes cheaper in Canada than she does now. But the gentleman from Massachusetts says that Essex County manufacturers would be crushed by Canadian competition if we admitted Canadian shoes free. He says that the Canadians have "far lower wages, laxer enforcement of labor laws, and far weaker labor unions." He admits, also, that Canadian shoemakers are just as skillful as those employed in the United States. He might have added that Canadian manufacturers could obtain imported leather which had been tanned in the United States cheaper than New England manufacturers could. Therefore, on his own showing, every item of cost of production would be less in Canada than here.

According to the protection idea, therefore, Canada should be able to supply all of her own citizens with boots and shoes, because the greater cost of production in the United States should prevent American competition from being successful. Yet, in spite of the so-called advantages of Canada in cheaper labor, longer hours, laxer enforcement of labor laws, and the protection of a 25 per cent tariff duty, we undersell her in her own market. Thus we sold her $800,000 worth of boots and shoes last year, while Canada sold us practically none. It will be difficult for my colleague to explain this paradox by any process of reasoning practiced by his party, but the explanation is easy, after all. It is because our industries are established longer, are more highly developed, and have more intelligent and better paid, because more productive, labor.

It is for these reasons that, although Canada has abundant stores of iron ore and coal, she has to pay bounty to encourage manufactures of iron and steel, and, notwithstanding these advantages, natural and artificial, the United States, after paying tariff duties to Canada, undersells her in her own market in products of iron and steel. Thus, United States steel billets have been offered in Canada at $20 per ton, while Canadian manufacturers were asking $24 and $26 per ton for pig iron. And it is common knowledge that American steel rails easily control the Canadian market.

The gentleman says, however, that he believes in reciprocity "in a general way." I fear that his belief is very general indeed—as general perhaps as the last declaration of the Republican platform in Massachusetts on the subject. In fact, so general that it is incapable of being formed into any specific proposition. I suspect that the gentleman would like to throw a cent into the air and say to Canada, "Heads, I win; tails, you lose." Such a proposition would suit him. If Canada agreed to buy all she consumed from the United States and sell to us only those things we did not produce, and which, therefore, we might as well buy from Canada as anyone else, he would agree to that kind of reciprocity if, after examining the scheme carefully on both sides, he became convinced that it did not contain some diabolical device to ruin the fish interests of Gloucester. [Laughter and applause.] These must be saved though the heavens fall. For we have learned from him that the Gloucester fishing fleets are the nursery of the future American Navy, and to neglect these mariners is to leave us exposed to the ravages of the natives of Colombia and other piratical nations. [Laughter.]

Indeed, he burns with the wrongs of Gloucester's fishermen when he says that Newfoundlanders "come out at night with their guns and tear up our nets." Softly, I pray! This dire charge contains the horrible potentiality of war. It may reach the ears of the Executive, and one can not tell what may happen some dark night. [Laughter.] We have troubles with nations to the south of us. We would not add new ones at the north. The recitation of our grievances with Newfoundlanders is truly pathetic, and I will not harrow the feelings of the gentleman by examining further this branch of his statement. Furthermore, I do not like to discuss this special aspect of his speech, as it is "a fish story" on its face, and I do not think the House cares to hear a reply to a fish story. [Laughter.]

He says he believes "perhaps in reciprocal treaty arrangements with Canada in such products as are noncompetitive," but that we ought to see first whether we are making a good bargain before we throw open the trade of our 80,000,000 people in return for the trade of Canada's 5,000,000. The answer to this suggestion is that disparity in population is no criterion of the wisdom of bargaining for mutual trade benefits. Thus, although Russia and China are more populous than Canada, reciprocity with Canada would be far more profitable than reciprocity with Russia or China. Furthermore, if this rule of disparity were strictly applied, reciprocal tariffs would be impossible, as no two countries are equal in population.

The real test is not how many individuals are on opposite sides of the line, but what products on one side may be exchanged for products on the other with profit to both sides. [Applause.] He believes that as our products and theirs are alike, the admission of their products would imperil the existence of our industries. Therefore, he argues, we should not have reciprocity except in noncompetitive products. Let me cite distinguished Republican authority on this point. Thomas B. Reed, speaking of this objection, said, in substance, that a reciprocal convention on noncompetitive products could be framed only in the mind and that reciprocity in both competitive and noncompetitive products is the only possible basis of negotiation.

Nor need it be feared that American capital will leave this country if reciprocity is established. The fear that Americans may invest their capital in Canada for the purpose of manufacturing and then exporting products to the United States to compete with ours because of the cheapness of production in Canada owing to low prices of labor is groundless, for there is no duty on Canadian labor. It may cross the line freely; it actually does, and the most ardent protectionist has never sought to protect American labor on this side of the line by a tariff on Canadian workingmen. American capital has crossed the border because it could obtain the materials of manufacture cheaper there than it could in our own trust-ridden land, and nothing will check this transfer of capital to Canada quicker than the reduction of duties upon materials of manufacture imported from Canada into the United States.

Let us not be governed by the false idea that we prosper only when we sell most and buy least. Both countries gain by supply-

ing each other's wants. Canada needs a market for her lumber, fish, and farm products, coal, and ores. Our manufacturers would be benefited by her lumber, coal, and ores, as they would afford relief from the exactions of our tariff-protected trusts, and our labor would receive the benefit of lower prices for food through the competition of Canada's fish, farm, and dairy products. On the other hand, Canada requires our agricultural implements, boots, shoes, and manufactures of cotton, rubber, iron, and steel. In 1902 we exported to Canada goods of a total value of $[illegible] and imported from Canada goods of a total value of $[illegible]. Of our exports to Canada, the value of manufactured products was $[illegible] and of farm products $[illegible]. Of our imports from Canada, the value of manufactured products was $30,540,000 and of farm products $[illegible]. These figures do not represent the possibilities of our commerce with Canada, for tariff duties diminish the total volume of trade. Now, is it not wise to preserve unimpaired the volume of this beneficial trade and to avail ourselves of every opportunity to increase it to the limit of its possibilities?

But the gentleman from Massachusetts says that the discussion of reciprocity is purely academic and can bring no practical results. Does he speak by the card? Are the treaties with South American republics now pending in the Senate, under which hides would be admitted into the United States free of duty, academic propositions or are they practical matters upon which the Republican party really intends to act? Did the bills introduced by members of his party from his State demanding free coal and free hides for Massachusetts manufacturers embody only academic questions also? Or were they intended to be practical measures of reform? The coal duty has gone on again, and his party, with all the machinery of government in its control, did not lift a finger to prevent the outrage. Will the free-hides bill die a-borning also? We are afraid it will, as a campaign is coming and contributions from the beef trust are needed by the G. O. P. [Applause.]

I do not believe reciprocity with Canada is an academic proposition. The shoe manufacturers of New England evidently regard it as a practical proposition and consider the theories of its opponents as academic. The benefits resulting from its consummation will be real, not fanciful. If we open our doors to Canada's products, the necessaries of industry will become cheaper; then our manufacturers will sell cheaper and their sales will increase. Wages will advance because of the increased demand for labor, and genuine prosperity thus created will raise the standard of living and promote the advance of civilization.

We can not expect to treat Canada unfairly forever and still retain the commercial benefits we now enjoy. There is a limit even to Canadian patience, and the granting of a 33⅓ per cent preferential rate to English imports indicates that the limit has been reached. It is not wise to wait until Canada, in an ugly mood, imposes upon us retaliatory tariffs or grants further preferences to England.

It was natural to expect that when our tariff prevented Canada from trading on fair terms in our markets she would endeavor to get along without our aid. Accordingly she encouraged the growth of manufactures within her borders. Those manufacturers now would like nothing better than commercial war with the United States that would result in prohibitive tariffs and give Canadian manufacturers freedom from the competition of our manufactures in the Canadian market. When Canadian manufacturers are strong enough to control their governments liberal terms for our manufacturers can not be had in any reciprocity treaty that may be obtained. She will not continue to buy from England only 40 per cent of what she buys from us while England buys from her twice as much as we do. Still, as Canada's natural products are her greatest source of wealth, we have a chance of getting a favorable treaty by admitting these natural products at reduced rates now, but we may lose that chance if we wait until her manufactures increase so as to equal her natural products.

Longer delay means the further development of her manufactures. Increase of manufactures means increase of political power in the hands of the manufacturers and increased duties on American manufactures in any possible trade treaty. There is the further danger of the success of Chamberlain's scheme. That will mean, of course, increased preferentials by Canada to England and will mean, in addition, retaliatory tariffs by England and all her colonies. If we anticipate Chamberlain by framing a reciprocity treaty with Canada, the preferentials to England will disappear and Chamberlain's scheme will fall to the ground—not alone the Canadian branch of it, but the entire plan, because he can not bring his agitation to a successful conclusion unless he is absolutely certain of Canada's cooperation.

What, then, will the Republican party choose? Reciprocity or retaliation? Commercial friendship or commercial war? If you do not take the former, you will have the latter forced upon you. Remember the words of William McKinley: "Commercial wars are unprofitable. A policy of good will and friendly trade relations will prevent reprisals. Reciprocity treaties are in harmony with the spirit of the times; protection may be." You have the power to embody the spirit of these words in the law of the land. You are charged with the duty of legislation upon this subject. Will you discharge your duty and obtain the approval of the people or violate your trust and meet their condemnation? [Loud applause.]

Mr. ADAMSON. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman from Georgia has twenty-four minutes remaining.

Mr. ADAMSON. I yield that to the gentleman from Indiana [Mr. ZENOR].

Mr. ZENOR. Of course, when the Chairman has announced that the gentleman in charge of the time of the minority has only twenty-four minutes, I desire to inquire of my friend from Illinois [Mr. MANN] whether or not he can grant any further time from his side?

Mr. MANN. I very much regret to say, Mr. Chairman, it is not within my power to grant the gentleman time. If I had time to spare, I would be more than willing to yield it to the gentleman. My time is very nearly exhausted.

Mr. ZENOR. Mr. Chairman, in view of the fact that the time limited would not permit me to attempt to address myself properly to the subject on which I desired to submit my remarks upon this occasion, with all due deference to my friend from Georgia, fully appreciating his courtesy, I desire to surrender back the time and let it be used by those who desire to occupy the floor in discussion of the bill now before the committee.

The CHAIRMAN. The gentleman from Georgia is recognized. The gentleman from Indiana has yielded back the twenty-four minutes.

Mr. ADAMSON. I yield to the gentleman from Georgia, my colleague [Mr. BARTLETT], such time as he wants.

Mr. BARTLETT. Mr. Chairman, I was not aware of the provisions of this bill until just now, it having been reported to the House yesterday, and it is my purpose now to occupy but little time in the discussion of it. I do desire, however, if I can have the attention of the committee, to say that I do not believe that this bill is necessary, so far, at least, as my own experience is concerned with the laws of my own State, nor do I believe that it is necessary so far as the laws of other States are concerned in order to have the laws against the adulteration of foods or the sale of fraudulent goods punished or prevented.

I state, here to say, Mr. Chairman, and I am sorry that my distinguished friend from Alabama [Mr. RICHARDSON] stated that he thought otherwise, that in my judgment the courts of the State of Alabama and the courts of Georgia and the courts of all the other States of this Union and the juries of the State courts in Alabama and in Georgia and in every other State in this Union are perfectly able to take care of the questions of enforcing the laws that they have upon their statute books against the adulteration of foods and against the people into purchasing falsely named or branded goods. I will never admit what the gentleman from Alabama seems to admit, that the Federal courts or the Federal juries are more efficient in the administration and the enforcement of the laws of the United States than the courts and juries of the States are in enforcing the laws of the States against the same classes of offenses.

Furthermore, I make bold to assert that, from my information and reading of the decisions of the Supreme Court of the United States in construing, interpreting, and interpreting the laws of the various States passed to prevent the adulteration of food, and the punishment therefor, and the laws passed to punish the palming off upon the public things represented to be one thing when they are not what they are represented to be, that the States of this Union now have the right, in the exercise of that police authority which they retain, and will always retain, to punish effectually for such offenses. I would not be willing to believe or say that the courts of the States do not administer the laws in the States efficiently, and I do say most positively that, so far as the State I have the honor in part to represent upon the floor of this House is concerned, the laws of the State are enforced as efficiently in the courts of the State as they are in the Federal courts held in that State; and that so far as passing this bill in order to have the laws more efficiently enforced by giving jurisdiction of the offenses made by this bill to the courts of the United States, I deny that it will be done more efficiently than the laws of the States are now enforced by the State courts.

This I deny. Why, in the Federal courts you have the same class of citizens drawn upon the juries that are to try these criminal cases as make the juries in the State courts. They are drawn

from the same citizens as they are in the State courts. The men upon the bench of the State judiciary are the peers of either the district or circuit judges that preside over the Federal courts.

Now, coming back to the proposition. My State has upon its statute book laws that are enacted to protect its citizens from the sale of adulterated or impure food and food products, and laws to protect its citizens from fraud, and this effort to vest in the Federal Government supreme control of the citizen's business by passing this law simply destroys the power of the State, and it is but the concentration of all power in the General Government, and places in the hands of the Federal judiciary the punishment of the citizen for the violation of laws, which should be left to the courts of the States.

The State of Georgia has a number of laws upon her statute books in the interest of pure food and against the selling of falsely branded goods, adulterated goods, or impure food.

These laws can be found, commencing with section 456 of the Criminal Code of Georgia, of 1895, in article 16 down to and including section 486 of article 17.

It may not be amiss to call attention to some of these provisions in the Georgia Code.

Section 456 prohibits the sale, or offering for sale, of any unclean, impure, unwholesome, or adulterated milk.

Sections 457, 458, and 459 prohibit the sale of imitations of butter and cheese as butter and cheese.

Sections 460 to 465 prohibit the sale of any article designed to be used as a substitute for food products, except as they shall be marked and branded as such substitutes.

Sections 466 to 468 punish the sale of unwholesome provisions, unwholesome bread, drink, or pernicious and adulterated liquor.

And it is made the duty of the grand juries in the several counties to specially inquire into all the violations of these laws and make presentments against the violators of these laws.

The whole of article 17, containing section 470 and sections following to 484, inclusive, prohibits the sale of adulterated and impure drugs, and prescribes penalties for the violations of these provisions.

Upon an investigation of these laws of Georgia, as contained in these sections, it will be seen that the State of Georgia has made ample provision for the protection of its people from imposition and injury from the sale of impure food, adulterated food, food products, and adulterated drugs. The grand juries of the State courts in Georgia are intelligent and upright men, and can be depended upon to indict violators of the law; and the trial juries are intelligent and honest, and as efficient in the enforcement of the law as the juries in the Federal courts. So far as Georgia is concerned, there is no necessity for this bill.

But the Congress of the United States has already passed all the law on this subject that should be asked of the National Government, and under the provisions of that act it can be easily ascertained what food products offered on the market are pure or adulterated, which are wholesome and which are unwholesome.

In the appropriation bill for the Department of Agriculture passed during the last Congress ample and all necessary provision was made to enable the Secretary of Agriculture to investigate the character of food and other substances added to food, to determine their relation to digestion and health, and to establish a standard which should guide in their use. In other words, under the present law, without this bill, all necessary information can be obtained by the Secretary of Agriculture and by the officials of the Department of Agriculture, already appointed, so as to establish standards of purity for food products, to determine what are regarded as adulterations therein, and the results thus obtained by the Department of Agriculture can be used for the guidance of the officials of the various States and for the courts of justice.

Already the Department of Agriculture is armed with full power and authority to legally do everything that should be done in the matter, and this bill but duplicates that work, increases to a large extent the number of officials, many of whom are to swarm over the country for the purpose of prying into the business of the citizens, and obtaining, by spying upon his business dealings and meddling with his property, evidence upon which to base a prosecution in the Federal courts. Against such an unlawful and unnecessary annoyance of the citizens of the various States of the Union, and such vicious intermeddling with the private affairs of the citizen, I protest now, and, unless the bill is amended so as to meet my objection, I shall by my vote protest against it on its passage.

When these laws are violated the power of the State courts and the State authority is ample to enforce them, and they are as efficiently enforced by the State courts as they could be or would be under a law like this.

It is unnecessary for the Congress of the United States to pass any such law as this—drastic in its nature, and giving to and vesting the Federal authority with the power to invade the States and take charge of their police regulations, so far as food, food products, drugs, and the matters mentioned in this bill are concerned, and turning the administration of the law with reference thereto over to the Federal courts.

Section 7 of this bill permits the Secretary of Agriculture to set up and fix a standard for food products and to determine the wholesomeness or unwholesomeness of them by the standard he may thus fix, and in this way compel all dealers in the States who shall buy food products imported from other States to keep them up to the standard so established by the Secretary of Agriculture. Not only this, but he is authorized to fix such a standard as certain gentlemen calling themselves "The Association of Agricultural Chemists" and other experts may determine. Thus a large corps of unnecessary officials is created, whose principal duty will be to pry into the business of the citizens, interfere with their business, and make them comply with certain rules and regulations established by the Secretary of Agriculture at Washington, and if the citizen fails to comply with them, then to subject him to indictment, punishment, and penalty. Not only that, but he is compelled under sections 8 and 9 of this bill to furnish evidence that may be used and will be used in the courts to convict him.

I have stated that this law is unnecessary, that it is an invasion of the right of the States to exercise their police power in their own territory, even as against goods imported from other States and foreign countries, because under the Constitution of the United States, as interpreted by the Supreme Court, every State has the inherent power, in the exercise of its police authority, to enact laws for the preservation of the public health and safety, though it may interfere indirectly with interstate commerce, and that it may pass any law necessary or feasible to guard the health or morals of its citizens, although such laws may discourage importation or diminish the profits of the importer or lessen the revenues of the General Government. This principle of law is clearly recognized by Chief Justice Taney in the License Cases. (5 Howard, p. 504.) The right of the States to regulate by law the sale of products and goods in order to protect the public health and morals is fully recognized in other cases, some of which I cite: Bartemeyer *v.* Iowa, 18 Wallace, page 129; Beer Company *v.* Massachusetts, 97 United States, page 25; Powell *v.* Pennsylvania, 127 United States, 678.

In the case of Plumley *v.* Massachusetts, 155 United States, page 461, the State of Massachusetts prohibited the sale of oleomargarine, artificially colored so as to cause it to look like yellow butter, and so brought into the State. This was held not to be in conflict with the commerce clause of the Constitution.

Nor do I believe that it is necessary, in order to meet the suggestion made in the argument of those who favor the passage of this bill, for Congress to legislate upon this subject in order to meet the decisions of the Supreme Court on the subject of what is known as "original packages." The Supreme Court of the United States, in the case of Austin *v.* Tennessee (179 United States, p. 343), in my opinion, have rendered a decision which invests the legislatures of the States with power to pass, and the State courts to enforce, any law for the purpose of protecting the people in their health and morals in the importation of goods into such States.

In that case it was held that it was within the province of the State legislatures to declare how far cigarettes may be sold or to prohibit their sale entirely after they have been taken from original packages or after they have left the hands of the importer, provided no discrimination be used as against those imported from other States and there be no reason to doubt that the act in question is designed for the protection of the public health. It was further held that original packages are such as are used in bona fide transactions carried on between manufacturers and wholesale dealers residing in different States. In this case the Supreme Court held that the law of the State of Tennessee which declared that—

> It shall be a misdemeanor for any person, firm, or corporation to sell or offer for sale, or bring into the State for the purpose of selling, giving away, or otherwise disposing of any cigarette, cigarette paper, or other substitute for tobacco, and a violation of any provisions of the act shall be a misdemeanor.

was constitutional; and the court declared that—

> It is perfectly competent for any State to pass any law which would prohibit the sale, by retail or otherwise, of any impure food and to punish the sale thereof.

The moment the package is broken for the purpose of retailing to the consumer the law of the State would reach it and would be enforced.

The whole theory of this bill proceeds upon the idea that although the States have the power under the Constitution of the United States and under the decisions of the Supreme Court adjudicating and maintaining that power and authority of the States, yet that the State authorities either do not or will not

enforce the law. To such a proposition as this I am unwilling to give my consent. While I am in favor of prohibiting the sale of impure food or food products, I am not willing to look to the United States Congress and the United States courts as the only power and authority now left in this country that can or will protect the people from imposition and frauds. I repeat that, so far as my information goes, all the States enforce the laws on their statute books as efficiently as the Federal courts do. I know that the courts of the State of Georgia can be relied upon at all times to enforce the laws of that State efficiently and promptly.

In reference to sections 8 and 9, in my judgment these will be nugatory and can not be enforced, especially that portion of section 8 which provides that the manufacturer or dealer shall furnish to the Secretary of Agriculture a sample of his goods to be analyzed, and by section 9 it is provided that in case he fails to do so he shall be indicted and punished as for a crime. Taking the latter part of section 8 in connection with section 3, which provides that a duly authenticated copy of the result of the analysis shall be admitted into the courts as evidence against the manufacturer or vendor, it is plain to my mind that such provisions of the bill violate the fifth amendment to the Constitution of the United States, which provides as follows:

> No person shall be compelled in any criminal case to be a witness against himself.

Referring briefly to the case of Austin *v.* Tennessee, in the one hundred and seventy-ninth volume of the decisions of the Supreme Court of the United States, I call the attention of the committee to the fact that it shows that there is now resting with the State legislatures the power to enact laws to punish for the offering for sale impure foods or goods injurious to the health, and that the power is not destroyed by the "commerce" clause of the Constitution. And the books are filled with decisions, where the decision of the State courts have been upheld, punishing the violations of State laws. Therefore I am not in haste to vote for a measure which has for its purpose the destroying of the power of the States to regulate their own affairs within their own borders, which has upon its face a proclamation made to the people of the United States that we ask for this law because the courts of the various States of the Union are inefficient in administering the law and therefore we ask to have the power of the Federal judiciary extended over these subjects.

Now, one more word in reference to the suggestion made by the gentleman from Missouri [Mr. CLARK] as to sections 8 and 9 of this bill. So far as I am concerned, I have no doubt whatever that the provisions of this bill which require the vendors of the other articles mentioned in the bill to deliver up—I do not care whether you pay for it or not—to deliver up to the agents of the United States or their officials samples of their wares that they may be examined; that they may be analyzed for the purpose of investigating, for the purpose of prosecution for the violation of the law. In my judgment, every such effort and every such case is in violation of the fifth amendment of the Constitution, which has been read by the gentleman from Missouri; and if gentlemen will examine the decisions of the Supreme Court of the United States upon this subject, they will find that not only has that court held that the verbal statements and responses made by parties and attempted to be used against them in criminal prosecution have been rejected, but physical facts, papers procured by force, have been placed on the same footing and rejected.

Mr. GAINES of Tennessee. Mr. Chairman, I want to ask the gentleman about a proposition of law.

The CHAIRMAN. Does the gentleman from Georgia yield?

Mr. BARTLETT. Certainly.

Mr. GAINES of Tennessee. Could you make a man give up a counterfeit bill which you suspected he had, or make him give up arms when the carrying of concealed weapons is prohibited?

Mr. BARTLETT. I will answer the gentleman——

Mr. GAINES of Tennessee. I know you can do it if it can be done.

Mr. BARTLETT. So far as the seizure of counterfeit coin, lottery tickets, or gambling implements is concerned, they may be seized, because it is unlawful for a person to have them in his possession; but you can not seize his private property or papers or compel him to deliver them up to be used as evidence against him. If a man has not committed any crime, or if it was to be done for the purpose of establishing a crime or of using against him in evidence in the prosecution of a crime, you take it from him against his will, you could not. If he was forced to give up evidence in his possession in order that you might prosecute him for a crime, you could not use it if the evidence thus elicited was intended to be used or offered in his trial.

Mr. GAINES of Tennessee. Now will the gentleman allow me one more question?

Mr. BARTLETT. I will.

Mr. GAINES of Tennessee. My proposition was, he was suspected of having concealed weapons, which were prohibited, and of having counterfeit money. Now, we can go and get that counterfeit bill and those weapons, but can not we use them afterwards as evidence against him, and are they not used as evidence against the accused?

Mr. BARTLETT. You can not if the concealed weapon was taken from him or furnished to you against his will and without his consent and he had committed no crime other than having the weapon concealed; you can not force him to give it up in order to prosecute him.

The courts say the search for and seizure of stolen or forfeited goods or goods liable to duties and concealed to avoid payment of duties, are totally different from search for and seizure of a man's private papers and books or his private property for the purpose of obtaining information and using it against him. They differ widely. In the one case the Government is entitled to the property; in the other it is not. Stolen goods may be seized because they are not the property of the thief. So as to counterfeit coin, it may be seized, because it is unlawful for anyone to have counterfeit coin in his possession and it can not lawfully be the private property of the citizen.

Mr. STANLEY. Mr. Chairman, will the gentleman consent to one question?

Mr. BARTLETT. Yes.

Mr. STANLEY. Does the gentleman mean to say that the statements of an accused can not be used against him?

Mr. BARTLETT. No; if the statements are freely and voluntarily made. I do not mean to say they can not be used, but I mean to say that statements not freely and voluntarily made can not be used in any court in any country where the law is properly administered, certainly not in our own. For the last two hundred years, even under the English law, confessions or statements not voluntarily and freely made can not be so used. So the fifth amendment of the Constitution provided that he shall not be compelled to furnish evidence against himself. Whenever he does it voluntarily, whenever he does so without objection, of course it can be so used, but whenever you, by threats or intimidation, or by force of law, or force of authority of an officer armed with the law, compel him to furnish evidence with which you afterwards propose to convict him of a crime, you can not do so without violating the Constitution of the United States—the fifth amendment, which has been referred to by the gentleman from Missouri [Mr. CLARK].

In the case of Boyd *v.* The United States (116 United States Reports, p. 616 et seq.) the Supreme Court of the United States rendered a decision which, in my judgment, fully sustains the objection to these two sections, 8 and 9 of this bill, that they are unconstitutional, because they in effect compel the dealer to furnish evidence against himself—evidence procured for the purpose of being used against him in a criminal prosecution for a violation of this so-called "pure-food" bill, and also to make it a crime for him to refuse to comply with the demand of the Government official that he furnish the evidence to convict himself.

In the case referred to the court decided that an act of Congress passed for the purpose of enforcing the customs-revenue laws which authorized a court of the United States to require the defendant or claimant of goods to produce in court his private books, invoices, papers, etc., to be used as evidence in the interest of the Government to be unconstitutional and void, as being repugnant to the fourth and fifth amendments to the Constitution; that a compulsory production of a party's private books and papers to be used against himself or his property in a criminal or penal proceeding or for a forfeiture is within the spirit and meaning of the amendments. The assertion has been made on the floor that the proceeding to forfeit the goods of the dealer, as provided in this bill, is not a criminal proceeding. The very contrary of this proposition is held in the case of Boyd, for the court says:

> A proceeding to forfeit a person's goods for an offense against the law, though civil in form, and whether in rem or in personam, is a criminal case within the meaning of that part of the fifth amendment which declares that no person "shall be compelled in any criminal case to give evidence against himself."

The court further held that—

> The seizure or compulsory production of a man's private papers to be used in evidence against him is equivalent to compelling him to be a witness against himself, and is an unreasonable search for a criminal purpose, or forfeiture, is contrary both to the provisions of the fifth amendment.

Thus do these sections clearly violate the constitutional provisions made for the security of the person and property of the citizen, which should be liberally construed in the interest of the citizen, instead of being violated and attempted to be destroyed, as these sections do.

The practice of issuing writs of assistance to revenue officers, empowering them to search suspected places for smuggled goods in the American colonies obtained, and this practice of searching the premises of the citizens was pronounced by Mr. James Otis in 1761 to be "the worst instrument of arbitrary power, the most destructive of English liberty and the fundamental principles of

law that ever was found in an English law book," because "they placed the liberty of the citizen in the hands of every petty officer." And from such an arbitrary exercise of power as that, similar to the powers granted in the provisions of this bill, in part sprang the opposition to the oppression of Great Britain, and led to the Revolution, which finally resulted in the independence of the Colonies, and the adoption of these provisions in the Constitution of the new Republic.

However much I favor, as I do, the punishment of those who sell or manufacture for sale impure or adulterated food, I am unwilling to vote for a measure having these provisions so clearly violative of the rights of the citizen, the preservation of which should be dear to every lover of the fundamental law of his country. The manufacture and sale of impure food should be made a crime, but the law which is enacted to punish the crime should not at the same time destroy one of the dearest rights of the citizen. The persons who may be charged with violating this act, when it becomes a law, should at least be entitled to the same rights and privileges when tried as are granted to the murderer, the burglar, or the commonest felon.

I do not think there is any question that these two sections are violative of the Constitution. They not only provide that this evidence can be used against him, but they provide that there shall be an independent prosecution, an indictment based on the fact that the manufacturer or dealer has refused to furnish the evidence on which it is proposed to convict him. This bill not only violates the law by compelling the citizen to furnish evidence, but it violates the law in that it proposes to base on that evidence that is illegally and unconstitutionally obtained from him a prosecution which, resulting in his conviction, punishes him with imprisonment and fine. As far as this bill is concerned, with these obnoxious features in it—yes, as far as the bill is concerned as reported by the committee—I am opposed to it and shall give my vote against it on its passage. [Applause.]

Mr. ADAMSON. Mr. Chairman, I have no other request for time of which I am aware of. If any gentleman desires to combat the bill, I will yield to him. How much time have I remaining?

The CHAIRMAN. The gentleman has ten minutes. If the gentleman does not desire to take it, the Chair will recognize the gentleman from Illinois [Mr. MANN].

Mr. MANN. Do I understand, Mr. Chairman, the gentleman from Georgia waives the use of the balance of his time?

The CHAIRMAN. The Chair understood the gentleman from Georgia to state that there was no one on that side who requested more time.

Mr. ADAMSON. I was trying, Mr. Chairman, the best I could, to give away the time to somebody to combat the bill.

The CHAIRMAN. Very well; the gentleman from Georgia is recognized for ten minutes.

Mr. ADAMSON. Mr. Chairman, I have said about all I intended to say, and I should prefer to yield the time to other gentlemen, if any wish to speak. It appears to me that the gentlemen on the other side, being wrong, are in the condition of the man who left the path and floundered about, and the more he floundered about the worse he got into difficulty, and the harder he tried to rectify his error the more he was lost. Now, when you start out on an essentially wrong proposition it is hard to rectify it by talking about its details. The trouble with this bill is that it is essentially pernicious, because it seeks to do something that we ought not to do in its essence.

As a Member of the American Congress, not talking as a citizen of a jealous State, parading around with a chip on its shoulder, desiring somebody to knock it off with reference to State rights, but as a Member of the American Congress, jealous of its rights, and proud of the power, greatness, and glory of this great Republic, protesting against every little petty interest and claim rushing here to load down this Federal Government with matters of litigation and legislation with which it ought to have no concern, I protest against this bill. The States not only have rights, but they have responsibilities and duties. I would be ashamed to rise on the floor of this House and apologize for supporting this bill by saying, as distinguished Members have said here, that the States are incompetent to do their duty. If I lived in a State about which I entertained such a low opinion, I would register in another before night.

If States of this Union do their duty, there is no necessity for any of the provisions in this bill. If they do not do their duty, why is it? Is it because the walking delegates and the people who manufacture sentiment and enthusiasm on these questions came to see us here instead of going to the legislatures of these States? Is that the reason? Why not use their energy and persuasive powers to incline the legislatures in those States to do their duty? I desire for one, Mr. Chairman, to proclaim that the food in my State is as pure as the Federal Administration there and is not likely, under existing conditions, to be improved by Federal espionage. [Applause.] The administration of justice by State authority there is as pure and efficient as the like service under Federal jurisdiction. [Applause.]

Right here I desire to call attention to a fundamental mistake that my distinguished and able friends make. You can not cure a defect in a locality nor change the character of the people who have the administration of the law, whether it be by State or Federal courts. You can not convict a man in the Federal or State court without alleging and proving the venue. You must secure your juries from the same vicinity in both courts. The judges reside in the same vicinity, either natural born or by adopted residence.

I can not see, then, with these facts remembered, why gentlemen, without shame, can arise here and say that the States can not do the work as well as the Federal courts. For one, I say that my State is willing and able and is already doing its duty. If there are other States which are shirking their duties, I demand, as a Member of the Federal Congress, that these States do their duty and relieve us of the labor, responsibility, and expense. [Applause.]

Mr. STEPHENS of Texas. Will the gentleman allow me a question?

Mr. ADAMSON. Certainly.

Mr. STEPHENS of Texas. I desire to ask the gentleman if, in his examination of this bill, he has not ascertained the fact that a man may be punished without any guilty knowledge, and that the word "willful" does not appear in it. Under this bill a man may ship into a State a bill of goods and not know that an article contains deleterious substances, and place it in the hands of a small retailer, and that retailer may retail it to customers and not know that it is deleterious; but under this bill he may be punished, and from beginning to end of the bill there is no protection along this line for the retail dealer. Without the word "willful" or "knowingly" being inserted in the penal clause of this bill it would be a very dangerous bill, because any man who might sell adulterated goods without knowing them to be adulterated could or might be brought before a Federal grand jury and indicted and punished under the provisions of this bill.

Mr. ADAMSON. That is a good speech, and I am glad the gentleman made it. I am sorry he did not take more time and make a longer one of the same quality. There is so little in this bill that is good and necessary that it would not take a minute to discuss it, while there is so much of it that is bad and pernicious and unnecessary it would take me a year to get out of the mazes and intricacies of error and fallacy presented by the details, and I have wasted no time with them. I meet the measure at the threshold and propose that we totally destroy it in limine, because in toto it is bad, and only bad—beyond remedy or redemption

Mr. STEPHENS of Texas. Mr. Chairman, I will state that at first thought I was going to vote for this bill, but during the brief time for discussion I have been investigating it and studying it, and I feel that this point and others mentioned by the gentleman should prevent anyone after examining it, in my judgment, from voting for it.

Mr. ADAMSON. I congratulate my friend on his saving conversion and commend all my other friends and brethren who have not studied the question to imitate his example. "While the lamp holds out to burn, the vilest sinner may return."

Mr. MANN. Mr. Chairman, one of the objects of this bill is to prevent the misbranding of articles of food. The bill itself is not misbranded. It is known as the Hepburn pure-food bill, and I yield the balance of my time to the distinguished gentleman from Iowa [Mr. HEPBURN], chairman of the Committee on Interstate and Foreign Commerce.

Mr. DOUGLAS. Mr. Chairman, before the gentleman yields, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. MANN. I can not yield at this time.

Mr. HEPBURN. Mr. Chairman, I do not believe that there is any deep-seated or widespread sentiment or opposition against the general purposes of this bill in this House. Nearly everyone who has spoken upon the subject has indicated that there was a necessity for legislation of the character desired and that he favored some form of legislation. Some gentlemen object to the bill because the Federal Government essays to bring about a remedy. They think that the power in this behalf is lodged only in the hands of the States. Some gentlemen think that this bill is a little too drastic in some of its parts. Some think that its methods are not happily selected. Mr. Chairman, I have had to do with this subject in committee and in this House now for more than eight years. It is a subject difficult indeed to deal with. There are so many interests and so many varied methods that it is impossible to find any common ground on which even a committee can unite.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Mississippi?

Mr. HEPBURN. Yes.

Mr. WILLIAMS of Mississippi. Before the gentleman gets into the full thread of his argument, I want to get some explanations from him. I find here that in section 8 you say that the people are required to give a sample to the agent of the Secretary of Agriculture in order to be analyzed, and then in section 9 I find that when they refuse to do that they are subject to certain penalties. Now, of course it goes without saying that if a man refuses without knowing that it is an agent of the Secretary of Agriculture he is guiltless upon prosecution.

That being the case, does the gentleman not think that that provision about which so much has been said will absolutely defeat the enforcement of his bill if he has it stay in there; and for this reason, if a man goes to a guilty party and says to him, "I want a sample of your California wine or whatever it is, or lard, or your maple sirup, for the purpose of being analyzed by the Secretary of the Agriculture," then the man to whom the application is made, unless he is a fool, will give him the pure wine and the pure maple sirup, and nothing will be found against him. Now, in the enforcement of the oleomargarine law it was found important that the dealer should not know that the person making the purchase was an agent of the Government. Does the gentleman not think that leaving this which has been so much objected to in the bill will defeat the operation of the bill to a large extent?

Mr. HEPBURN. That is one of the chances that we have to take in this kind of legislation. It might be that some other form would be necessary.

Mr. WILLIAMS of Mississippi. Does the gentleman not think that it would be better to leave it out and let them purchase it in the open market? They can send agents to purchase it, just as they did when they sent agents to purchase butter which was really oleomargarine.

Mr. HEPBURN. Mr. Chairman, that provision in this bill was placed there by a congress composed of agents or representatives of different bodies throughout the United States that were addressing themselves to this very subject, the subject of pure food. It was one of their provisions, and the committee have adopted it because, largely, it was the recommendation of a large number of men who had studied this matter and on three or four occasions had assembled in this city, constituting congresses devoting themselves to this very subject.

Mr. ADAMS of Wisconsin. Mr. Chairman, I wish to say to the gentleman from Mississippi [Mr. WILLIAMS] that this provision is contained in nearly every State oleomargarine law in the Union; that in those States those cases have been bitterly contested, and the contention made by the gentleman from Missouri [Mr. CLARK], so far as I know, as to the constitutionality of a provision of that kind has not been determined against the provisions of this act; and, further, that in my own State we have exactly the same provision, not only in the oleomargarine law, but in the pure-food laws of the different States, and never has that provision been successfully attacked, to the best of my knowledge.

Mr. WILLIAMS of Mississippi. The gentleman is attacking a windmill. I have not said the bill is unconstitutional.

Mr. ADAMS of Wisconsin. I was not directing that remark to the gentleman from Mississippi.

Mr. HEPBURN. I do not assume that this bill is perfect. I fancy that there are many defects in it. But it is the very best that under the circumstances your committee could secure. It is the best that up to this time I have ever seen. I have no doubt that many amendments will be made to it. I have no doubt that experience in attempting to enforce it will force changes upon the attention of Congress.

Perhaps the very difficulty that the gentleman has suggested may arise. But, I repeat, this is the very best bill we can get upon this subject, a subject upon which legislation is universally demanded. Nearly every State in this Union has attempted to control this subject of impure food. The evil is one that is universally recognized. The gentleman from Georgia is the only man I have seen who understands the subject that is entirely content with the purity of the food that is offered to him. Everywhere we hear complaints on this subject. We had before us scores of witnesses—men who are familiar with the production of food—and yet we were told that almost every article that you may buy to-day in the corner grocery—nearly all the canned goods, all prepared goods, nearly all coffees, nearly all sirups—that articles of this kind are almost universally "doctored," in order possibly that they may be made more palatable, possibly that they may be better preserved, or possibly that they may be made more cheaply.

There is a necessity, in my judgment, for legislation such as that here proposed. This is evidenced by the efforts of the States in this direction. Almost every State in this Union and every Territory has legislation of this character. This bill is not complete. It can not from the very nature of the case be complete, because there is a large part of the commerce of the United States that the State laws can not reach. They can not reach foreign commerce; they can not reach interstate commerce. This form of commerce must cease to be foreign, must cease to be interstate, before the law of the States can be made applicable and remedial.

Mr. THAYER. Will the gentleman allow me a moment?

Mr. HEPBURN. Yes, sir.

Mr. THAYER. I am in favor of the general provisions of this bill, but I want to submit to the gentleman the question whether we are not flying in the face of all legislation in regard to the protection of the people and the punishment of crime when we here fail to require, as the gentleman from Texas has suggested, that in order to secure conviction under the law willful intent shall be proved. It seems to me that if we stop the manufacture of these unwholesome products we shall have gone far toward meeting the evil that we are undertaking to deal with.

Mr. HEPBURN. I have yielded only for a question.

Mr. THAYER. What I wanted to ask was whether the committee would not be willing that there should be inserted in the bill by way of amendment a provision that the person, in order to be convicted, shall be willfully and knowingly guilty of the offenses which the bill undertakes to deal with.

Mr. HEPBURN. We provide in this bill for the safety of the seller. No man who under the terms of this bill provides himself with the guaranty of the vendor that the article in question is pure, provided the vendor be a citizen of the United States and his residence is given, he being the manufacturer, will be subject to punishment under the law. So that no man engaging in the sale of these goods need expose himself to punishment.

Mr. THAYER. Would it not be unreasonable to require that every man who engages in the sale of these articles which may be deleterious shall procure such a guaranty?

Mr. HEPBURN. Well, it may be; but the gentleman knows that there is nothing more difficult in a criminal prosecution than to show intent. It is very much better that the other party have some portion of the burden of proof upon him, and that he, being familiar with all the facts that will exculpate him, be required to prove those facts before the court.

Mr. SHAFROTH. Does not the bill also provide that for the first offense under this bill the punishment shall be light, there being in that case no imprisonment? Only in case of a repetition of the offense is there such punishment.

Mr. THAYER. If a person should buy a case of extract of malt and it be found adulterated, he not knowing that fact, would it not be unduly severe to impose upon him a penalty of $500?

Mr. SHAFROTH. He ought to know what he does.

Mr. MANN. Is it not a fact, also, that the retail dealer in no case needs to suffer under the provisions of this bill, because he is permitted in every case to protect himself under the guaranty of the party from whom he purchases as to the purity of the article?

Mr. HEPBURN. Mr. Chairman, objection has been made to sections 8 and 9 of this bill. I do not think that those objections are well taken. I do not think that gentlemen on the other side of this proposition recognize the fact that there are two transactions that may occur under the bill. One is the attempt to prosecute simply of itself, and it is in that case that the cooperation and aid of the seller is required; and it is in that prosecution that the law proposes to punish him in case he fails to aid the legal authorities.

The other transaction is when he may be indicted as a criminal under the provisions of this law; and in that event I undertake to say that the courts will not permit any evidence that he may furnish to be used against him. The constitutional prohibition is intended to be operative in this second transaction and has no relation whatever, in my judgment, to the first transaction.

Some gentleman has said that legislation of this character, in his judgment, is simply humbug. The great mass of the people of the United States as represented by men in the State legislatures evidently do not coincide with that opinion. I have called attention to the universality in nearly all the States of legislation, all the legislation that the States can indulge in, but they are incapable of a complete legislation that gives complete remedy and safety.

There is another reason why this bill should pass. It is true that the results that I hope for may not be secured, but it is most desirable that there should be uniformity in the legislation. I agree that there must be legislation on the part of the States. I assert that there must be legislation on the part of the Federal Government also. The two supplement one another and they ought to be uniform. The laws of the States ought to be modeled upon the laws of the Federal Government. To-day they are as varied as the States. My information is there are something like

forty-three distinct and differing statutes upon this subject. One State requires one form of label; one State requires one method of packing the goods; another State gives one definition as to what shall constitute adulteration; what is an imitation; what is fraud in goods offered for sale. The States vary. A man having a large business in many States has to prepare his products for sale in each of the States.

A gentleman was telling me yesterday of being in one of the large wholesale houses in the city of Chicago. Here he found a huge bin with the label over it, "These goods may be sold to Iowa;" another, "These goods may be sold to Wisconsin;" another, "These goods may be sold to Minnesota;" another, "These may be sold to Illinois." They have to familiarize themselves with the legislation of each of the States. They have to adapt their business methods to this legislation. It results in constant harassment, and there have been no persons who have been more insistent before our committee that we should come to their relief, in the hope of securing uniformity, than these very men against whom this statute would seem to be leveled.

The CHAIRMAN. The time of the gentleman has expired. Time for general debate has expired.

Mr. HEPBURN. Mr. Chairman, I ask unanimous consent that that portion of the bill stricken out by the committee be omitted in the reading and that only that part that the committee proposes to insert shall be read.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that that part of the bill stricken out by the committee be omitted in the reading.

Mr. HEPBURN. And I further ask that the portion read be read by paragraphs. I suppose under the rule that this is one amendment and that it should all be read, but for convenience I ask unanimous consent that it be read by paragraphs for amendment.

Mr. ADAMSON. Mr. Chairman, at the proper stage I wish to move to strike out the enacting clause.

The CHAIRMAN. The Chair will first put the request for unanimous consent. The gentleman from Iowa asks unanimous consent that the reading of that portion of the bill stricken out by the committee be omitted and that that part submitted by the committee as an amendment in the nature of a substitute be read by paragraphs—or by sections?

Mr. HEPBURN. By sections.

The CHAIRMAN. By sections. This arrangement will not interfere with the rights of the gentleman from Georgia to offer a motion to strike out the enacting clause. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. ADAMSON. Now, is it proper to make the motion to strike out the enacting clause?

The CHAIRMAN. The motion of the gentleman from Georgia will not be in order until after the first section has been read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

The CHAIRMAN. The Chair understands that the gentleman from Georgia wishes to offer his motion now.

Mr. ADAMSON. Yes, sir. I wish to move to strike out the enacting clause.

The CHAIRMAN. Does the gentleman wish to be heard on that?

Mr. ADAMSON. No, sir.

The CHAIRMAN. Does anybody wish to be heard in opposition to the motion to strike out the enacting clause?

Mr. HEPBURN. Vote!

The CHAIRMAN. The question is on the motion of the gentleman from Georgia to strike out the enacting clause.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. ADAMSON. Division.

The committee divided; and there were—ayes 50, noes 128.

So the motion to strike out the enacting clause was rejected.

The Clerk read as follows:

That for the purpose of protecting the commerce in food products and drugs between the several States and in the District of Columbia and the Territories of the United States and with foreign countries the Secretary of Agriculture shall organize the Bureau of Chemistry of the Department of Agriculture into a Bureau of Chemistry and Foods, which shall have the functions of the chemical work of the present Bureau of Chemistry and of the chemical work of the other Executive Departments whose respective heads may apply to the Secretary of Agriculture for such cooperation, and which shall also be charged with the inspection of food and drug products, as hereinafter provided in this act. The Secretary of Agriculture shall make necessary rules and regulations for carrying out the provisions of this act, under which the Bureau of Chemistry and Foods shall procure from time to time, or cause to be procured, and analyze, or cause to be analyzed or examined, chemically, microscopically, or otherwise, samples of foods and drugs offered for sale in original unbroken packages in the District of Columbia, in any Territory, or in any State other than that in which they shall have been respectively manufactured or produced, or from a foreign country, or intended for export to a foreign country. The Secretary of Agriculture is hereby authorized to employ such experts, inspectors, clerks, laborers, and other employees as may be necessary to carry out the provisions of this act and to make such publication of the results of the examinations and analyses as he deem proper.

Mr. SHERLEY. Mr. Chairman, I move to amend the first section by striking out, on page 11, in line 18, the words "between the several States and;" and on page 12, in line 10, "or in any State other than that in which they shall have been respectively manufactured or produced;" and adding after the word "or," "when imported from a foreign country;" and after the word "or," at the end of line 12, "when intended for export to a foreign country."

Mr. Chairman, the purpose of these amendments is——

Mr. MANN. Mr. Chairman, I would like to have the amendments reported.

The CHAIRMAN. The gentleman from Kentucky offers the amendments, which the Clerk will report.

The Clerk read as follows:

On page 11, in line 18, after the word "drugs," strike out the words "between the several States and;"

On page 12, in line 10, after the word "Territory," strike out "or in any State other than that in which they shall have been respectively manufactured or produced;"

In line 12, after the word "or," insert "when imported from a foreign country;" and after the words "country, or," insert "when intended for export to a foreign country."

Mr. SHERLEY. Mr. Chairman, I desire to say that the effect of those amendments (of course if they should prevail it would require certain other amendments in other sections) would be to limit this act to the Territories and limit it to foreign commerce and would remove any effect in regard to interstate commerce. As the gentleman from Iowa has well stated, the States now have absolute control over commerce which comes into the State, and it seems to me, as I stated earlier, dangerous and unnecessary to have this bill now affect interstate commerce, believing that it was intended that Congress should make commerce free and not make it restrictive.

Mr. MANN. Mr. Chairman, the amendments proposed by the gentleman from Kentucky, if adopted, would make this bill only apply to the District of Columbia and the Territories, and the very purpose of the bill is to make it apply to interstate commerce; and it is not the design of the bill to say what the Territories may do within their own Territorial districts or to say just how the pure-food regulations shall be enforced in the District of Columbia, and I hope the amendments will not prevail.

The CHAIRMAN. The question is upon the amendments offered by the gentleman from Kentucky.

The amendments were rejected.

The Clerk read as follows:

SEC. 2. That the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country of any article of food or drug which is adulterated, or misbranded, within the meaning of this act, is hereby prohibited; and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia, to any other State or Territory or the District of Columbia, or to a foreign country, or who shall receive in any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or foreign country, or who, having received, shall deliver, in original unbroken packages for pay or otherwise, or offer to deliver to any other person, any article of food or drug which is adulterated or misbranded within the meaning of this act, or any person who shall sell or offer for sale in the District of Columbia or the Territories of the United States such adulterated, mixed, misbranded, or mislabeled foods or drugs, or exported or offered for export the same to any foreign country, shall be guilty of a misdemeanor, and for such offense be fined not exceeding $500 for the first offense and for each subsequent offense not exceeding $500 or be imprisoned not exceeding one year, or both, in the discretion of the court: *Provided, nevertheless*, That no article shall be deemed misbranded or adulterated within the provisions of this act when intended for export to any foreign country and prepared or packed according to the specifications or directions of the foreign purchaser when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped; but if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not exempt said article from the operation of all the other provisions of this act.

Mr. DOUGLAS. Mr. Chairman, I would like to ask the committee having charge of the bill if they will not agree to strike out all of line 20 on page 13, all of line 21, all of line 22, all of line 23, and the first three words in line 24?

I wish to say, in connection with this point, that during the discussion of the bill nothing has been said by any Member of the House, if my recollection serves me, in regard to the export trade. I endeavored to have the gentleman in charge of the bill make some explanation, but was not able to secure his attention.

I am fully in accord with the necessity and proper desire to protect the people of this country against foreign goods coming to our market that are deleterious and inferior in quality and therefore injurious to the people of the United States, but when we take up the question of export business we all know it is necessary to pack and put up goods in a different way from what we

do for the home market. It is also well known that most countries are very liberal in their laws in connection with foreign trade, and while it is just possible that we should look after and care for the health of people who are aliens as well as the people of our own country, it is not generally done. It therefore seems to me that we can easily strike out these words without doing any injury or harm to this bill so far as relates to its other provisions.

Mr. HEPBURN. Mr. Chairman, if the gentleman will permit me, I can explain to him why that provision is in the bill. A delegation of packers from Chicago came before the committee and asked that that provision be put in the bill, and they exhibited to us a large number of orders from foreign countries. They say that where pork is put up with boracic acid, according to the orders of the English purchaser, for example, it can be sold.

It is more marketable than it is when put up solely with salt. The gentleman will see that the provision is simply in accordance with the idea of complying with the request of the purchaser when there is no prohibition on the part of the government to which it is to be exported. We did that simply at the instance of these gentlemen. They explained to us that, for example, pork treated simply with salt would have a slimy and greasy appearance that it did not have when treated in the other way. Therefore it was necessary to do it to sell it in the English market, and they exhibited to us a large number of foreign orders describing the manner in which it should be put up.

Mr. DOUGLAS. Mr. Chairman, I agree in perfect good faith with the explanation of the gentleman from Iowa, but that does not lessen my objection, and there is no reason why these foreign orders should not be packed according to the requirement and desires of the foreign customers if the clauses named are omitted from the bill. I still adhere to the fact that the words mentioned are likely to prove a detriment to our export commerce. I can at present send an order to the pork packers to have them put up my pork in any way which may be best for my market, if I am a foreigner. I think this clause, however, goes further. It says that—

when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped.

I do not consider it necessary for us to go into the laws of foreign countries or endeavor to aid in their enforcement. They can protect themselves. It is well known that certain export countries purposely make their laws so lax that they can send goods abroad which under no circumstances would they allow to be sold in their own country. It is also known that a certain brand of Florida water is largely drank by the natives of foreign countries. I question the taste of these gentlemen, but at the same time it is not our fault if the men drinking it do not use it for the purpose for which it was packed. Many other similar instances can be given.

I appeal to the gentleman from Iowa, and believe if he will carefully read these lines, 20, 21, 23, and 24, he will see that no injury will result to his bill if they are stricken out, and so doing may prevent harm to our commerce, which he has so often eloquently and earnestly advocated and upheld on the floor of this House.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 13, beginning at line 20, strike out all of lines 20, 21, 22, 23, and the words "to be shipped" in line 24.

Mr. MANN. Mr. Chairman, all of that section on page 13 beginning with the words "*Provided nevertheless*," line 17, to the bottom of the page, was an amendment which was urged before the committee by the export trade of the country as one entire amendment, and now the gentleman moves to strike out a part, whereas the export trade is perfectly satisfied with the provision as it stands.

Mr. DOUGLAS. Mr. Chairman, I pretend to know as much about the export trade of this country as does the gentleman from Illinois, and while I do not question his statement or the question of fact, I do not believe that the export trade of the country want that clause in the bill at all.

Mr. MANN. Mr. Chairman, I do not claim to have any personal knowledge of the export trade of the country, such as the gentleman from New York undoubtedly has. The statement I made, and I repeat it, is that the amendment was prepared by the people engaged in the export trade and submitted to the committee upon their statement that that would absolutely protect the export trade of the country from any injurious effect. Under this provision people engaged in the export trade can pack and ship goods to Great Britain, which has one standard, and yet comply with the provisions of this act, and the people with orders from purchasers in Germany may ship the same goods differently packed to comply in each case with the orders of the purchaser, and I understand they are satisfied with this provision of the bill.

Mr. TAWNEY. Mr. Chairman, will the gentleman allow me to ask him a question?

Mr. MANN. With pleasure.

Mr. TAWNEY. Does the gentleman not think that the words in line 21, beginning with the words "when no substance is used in the preparation or packing thereof in conflict with the laws of the foreign country to which said article is intended to be shipped," that when goods are shipped to a foreign country that may not be entirely friendly to American goods, they might impose such restrictions or laws as would practically exclude American products?

Mr. MANN. I say to the gentleman, in reply to the suggestion, that if any person manufacturing goods wishes to comply with the general provisions of the act, then this particular provision or exception does not apply to him. But if he wishes to ship goods which do not come up to the standard of this act, he can do so if the foreign purchaser so requests him; and so we are willing to exempt them from the general provisions of the act and throw the door open, but we do not want to throw it wide open unless they comply with some law.

Mr. TAWNEY. The gentleman does not catch my point. I concede that the provision in respect to packing, according to the specifications of the foreign purchaser, may be all right; but when you go further and provide that when no substance is used in the preparation and packing thereof in conflict with the laws of a foreign country to which said article is intended to be shipped, that country could very easily under its law make restrictions that would make it impossible for an American importer to send his goods there.

Mr. MANN. Mr. Chairman, the gentleman is mistaken, because this provision does not require all goods exported to come within this provision of the act. This is an exception made for the benefit of those who do not wish to pack goods in conformity with the rest of the provisions of the act. In other words, in Germany they do not permit dressed meat to be imported which is dressed with boric acid. In England the purchasers demand that the dressed meat shall be dressed with borax. Now, under this provision of the act, the English law recognizing that borax is not an injury to the goods and the German law recognizing that borax is an injury to the goods, the seller can sell goods to England packed with borax and can sell goods to Germany that are not packed with borax.

Mr. GAINES of Tennessee. What is our law on the subject of borax respecting goods for domestic purposes?

Mr. MANN. We have not fixed a standard on the subject.

Mr. GAINES of Tennessee. Didn't we legislate on that at the last session in some way?

[Here the hammer fell.]

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. A motion to strike out the last word is not in order.

Mr. GAINES of Tennessee. Then I move to amend the amendment by striking out the entire proviso from the word "*Provided*" down.

The CHAIRMAN. Does the gentleman offer that as an amendment to the amendment?

Mr. GAINES of Tennessee. I do.

The CHAIRMAN. The Chair will state that inasmuch as the bill is being considered as an amendment consequently the amendment offered by the gentleman is in the nature of an amendment in the third degree and is not in order.

Mr. GAINES of Tennessee. Can I move to strike out the whole section?

The CHAIRMAN. After this amendment has been acted upon the gentleman can offer another. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. GAINES of Tennessee and Mr. STEPHENS of Texas rose.

The CHAIRMAN. The gentleman from Texas has an amendment which he wishes to offer.

Mr. GAINES of Tennessee. Mr. Chairman, the Chairman stated that the Chair would recognize me to make this motion when I had the floor a moment ago.

The CHAIRMAN. The Chair stated that he would recognize the gentleman from Tennessee to offer an amendment.

Mr. GAINES of Tennessee. I understood the Chair to state that he would recognize me to make a motion which I rose to make before.

The CHAIRMAN. The Chair will state that the Chair will recognize the gentleman from Tennessee before the proposition is left.

Mr. GAINES of Tennessee. But the Chair stated that he would recognize me to make that motion, and I rose to make it.

The CHAIRMAN. The Chair will recognize the gentleman before the paragraph is left, but the gentleman from Texas has been struggling for some time to be recognized.

Mr. GAINES of Tennessee. Inasmuch as everybody is struggling here to be recognized, and particularly on this side, I yield; but anybody in order to get justice in this House has to struggle, and particularly gentlemen from Texas and from our country.

The CHAIRMAN. The gentleman from Tennessee is out of order and will be seated.

Mr. GAINES of Tennessee. I would just as soon be out of order as in order when I know I am right.

Mr. DOUGLAS. Mr. Chairman, I demand a division on that amendment.

The CHAIRMAN. The gentleman from New York demands a division on the amendment offered by himself.

Mr. CLARK. What is the amendment?

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

The question was again taken on the division demanded by Mr. DOUGLAS; and there were—ayes 30, noes 78.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will read.

The Clerk read as follows:

Amend by adding after the end of line 24 on page 12, and at the end of lines 2 and 5 on page 13, and after the word "shall" in line 9 on page 13, the word "wilfully" so as to read: "and any person who shall wilfully ship or deliver, "or who shall wilfully receive," "shall wilfully deliver."

The CHAIRMAN. The question is on the amendment.

Mr. STEPHENS of Texas. Mr. Chairman, I desire to call the attention of the House to the fact that this bill, if not amended, would change the entire intention and trend of the criminal laws of the United States and of every State, so far as I know. The design of criminal law is to punish a man only where he has a criminal intent. In this bill Congress is proposing to pass a law that will punish a man who may have no criminal intent, and unless this word "willfully" or "knowingly" is inserted in this bill, as proposed by my amendment, that will be the effect of it. I desire further to state, in answer to the gentleman from Iowa [Mr. HEPBURN], that the provisions of the bill he refers to do not apply to retail dealers who purchase their goods in foreign markets, for the foreign merchant can not give the guaranty.

I call attention—his attention—to the language of the bill on page 17, beginning at line 22:

Provided further, That no dealer shall be convicted under the provisions of this act when he is able to prove a written guaranty of purity, in a form approved by the Secretary of Agriculture as published in his rules and regulations, signed by the manufacturer or the party or parties from whom he purchased said articles: *Provided also*—

Now, here is the provision to which I desire the particular attention of the House and of the gentleman from Iowa—

Provided also, That said guarantor or guarantors reside within the jurisdiction of the United States.

Now, it is apparent that if the retail dealers purchase such goods from some man in Canada or Mexico or anywhere else outside the United States that can give him no guaranty, he can be punished, although he may have no knowledge that the material he sells contained any deleterious substance such as this bill undertakes to deal with. If the article is manufactured inside of the United States, then the guaranty provision that the gentleman from Iowa alludes to does apply; but the provision precluding foreigners from making the guaranty would, I apprehend, be legislation in favor of men, perchance of trusts, who manufacture articles inside of the United States, and would practically prohibit our merchants from dealing in any such articles manufactured outside of the United States, because the protection given by the guaranty would be impracticable and impossible.

If a grocer should buy articles from a wholesale dealer or a manufacturer in a foreign country, and those articles should be shipped to him from abroad, he could not in that event get the guaranty contemplated by the proviso I have just read; and in that case he could be made criminally liable under this bill, if enacted into law, if he inadvertently sold deleterious goods. For this reason I think the amendment I have proposed should be adopted, and in my judgment its language should be even stronger than I have made it.

Mr. THAYER. I suggest to the gentleman from Texas whether we could not get this provision into a somewhat more euphonious shape, and arrive at the same end that he is seeking, by inserting after "country," line 12, page 13, the words "knowing or having reasonable cause to believe the same to be adulterated, mixed, misbranded, or imitated foods or drugs."

The CHAIRMAN. The Chair understands that the gentleman [Mr. THAYER] proposes a modification of the amendment of the gentleman from Texas [Mr. STEPHENS].

Mr. THAYER. As I understand, the gentleman from Texas is willing to accept the modification.

Mr. STEPHENS of Texas. I am.

Mr. HEPBURN. I desire that the proposed amendment be reported.

The Clerk read as follows:

After "country," in line 12, page 13, insert:

"Knowing, or having reasonable cause to believe, the same to be adulterated, mixed, misbranded, or imitated foods or drugs."

Mr. MANN. Mr. Chairman, of course the ultimate purpose of an amendment of this sort is to affect the practical operation or working of the proposed law. I take it that no one here desires to impose any extra burden or hardship upon the retail dealer. I can say to this committee that without question the retail dealer is by the terms of this bill absolutely protected. The idea is that the Secretary of Agriculture shall make regulations, as authorized by the bill, so that upon every article of food or drugs in any package there shall appear the guaranty of the manufacturer or the wholesale dealer. That is the protection to the retail dealer.

The gentleman from Texas calls attention to the fact that this guaranty must be made by some one residing within the jurisdiction of the United States. Mr. Chairman, I venture to assert that no retail dealer in this country buys goods from a foreign manufacturer except through a factor or a wholesale dealer located in this country. If the retail dealer should buy goods from a Canadian manufacturer, he would not be protected under the terms of this bill. But no retail dealer does that. We are talking about the practical operation of the bill; and as a matter of fact, under its practical operation no retail dealer will be exposed to unnecessary prosecution, or to any prosecution, if he follows the intention of the act and makes any effort at all to sell fair goods and to secure the guaranty contemplated by the bill. To say that the retail dealer, before conviction, must be shown to have had knowledge that he was selling something deleterious is practically equivalent to the motion made a while ago to strike out the enacting clause. [Cries of "Vote!" "Vote!"]

Mr. THAYER. Mr. Chairman, I am as much in favor of the general provisions of this bill as any man in this House.

The CHAIRMAN. The Chair must say to the gentleman that a vote having been called for, and there having been five minutes' debate on each side of the pending question, the debate can not proceed further except by unanimous consent.

Mr. THAYER. Well, I ask unanimous consent for five minutes.

The CHAIRMAN. Is there objection to allowing the gentleman from Massachusetts [Mr. THAYER] to proceed for five minutes?

There was no objection.

Mr. THAYER. Mr. Chairman, as I have just remarked, I am in favor of the general purpose of this bill, but some of its provisions are ill considered and faulty. My purpose is to protect the consumer against being obliged to use adulterated food. I undertake to say that whenever we can stop the manufacturer and producer of these products from putting them on the market we have done away with nine-tenths of the frauds that the people are now suffering from by being obliged to use this class of adulterated goods.

If we say to those to whom we delegate authority, "You can go to the great manufacturing centers, or send your authorized agents there, for the purpose of investigating the methods of the manufacturers in doing business and what ingredients they are using, and thus gather evidence against the parties we seek to prohibit from placing adulterated food on the market and against the manufacturers," they will have every reason to know, or good reason to believe, at least, that they are producing adulterated food. They will have been deceived by no one. They will simply have been taking their chances; but to carry out this thing practically and secure convictions of the retail dealers will be quite impossible. I do not believe that the country grocer should be compelled to know whether every article in his store is adulterated. Neither do I think he should be required to have a written statement of the drummer or agent who sells to him whether there is sand in the sugar, or bark in the cinnamon, or things of that kind. He buys in the open, reputable market, and assumes, and has a right to assume, that he gets pure food or drugs. I believe a great measure of the evil will be done away with by preventing the original producer from putting upon the market deleterious products, and it seems to me that it can then be easily carried out by having only a limited number of places for the officers of the law to investigate. We can go to the great centers and stop them from manufacturing and selling to the retailer anything but a pure product, and that will, in a great measure, protect the people. I believe it will sufficiently protect the public—at least for a starter in this attack on adulterated food.

Mr. HEPBURN. Will the gentleman allow me to ask him a question?

Mr. THAYER. Certainly.

Mr. HEPBURN. In this era of good feeling, this consideration for the criminal, does the gentleman not think it would be well to insert a provision in this bill which provides a penalty that he may be fined $200 or condemned to imprisonment, provided he consents thereto? [Laughter.]

Mr. THAYER. In answer to that I will say that I am not standing here to defend the criminal, but I am attempting to prevent the enactment of a law which makes a whole class of men, as honest and law-abiding as the gentleman from Iowa and myself, criminals without a particle of evidence having been produced against them of any illegal or criminal act and compelling them to prove their innocence in advance of any evidence having been advanced that they are willfully violating any law. What I am speaking against is making the retailer in a corner store out in the country guarantee that everything in his store is absolutely pure, and I am against this portion of the bill which compels him to prove his innocence before anybody has fairly charged him as being guilty or introduced any evidence of his guilt.

It would be comparatively very easy to seek out these manufacturers and prevent them from making these adulterated products and foisting them upon the public through innocent middlemen—the retail grocers—and the producers should be the ones to apply the law to, and it should not apply so rigidly to the innocent and honest peddlers and grocers, and we should not attempt to convict them until it appears that they are knowingly in collusion with the wholesalers and producers in perpetuating this fraud on the public. Neither should we legislate in the face of the well-established principles of criminal law universally recognized. I hope the amendment will prevail.

The CHAIRMAN. The question is on the amendment of the gentleman from Texas.

The question was taken; and the Chairman announced that the noes seemed to have it.

Mr. STEPHENS of Texas. I ask for a division.

The committee divided; and there were—ayes 89, noes 80.

Mr. HEPBURN. I ask for tellers.

Tellers were ordered.

The CHAIRMAN. The Chair will appoint as tellers the gentleman from Texas, Mr. STEPHENS, and the gentleman from Illinois, Mr. MANN.

The committee again divided; and the tellers reported—ayes 106, noes 100.

So the amendment was agreed to. [Applause.]

Mr. GAINES of Tennessee. Mr. Chairman, on page 13, after the word "*Provided*," in line 17, I move to strike out the proviso.

Mr. HEPBURN. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Tennessee has been recognized.

Mr. GAINES of Tennessee. I just want to state what my objection to this proviso is, and I believe that my distinguished friend from Iowa will agree with what I say. I want to say that I am in favor of pure food and clean money, but I want the law enacted within the limitations of our granted or necessarily implied powers. If that is done, I am not opposed to this bill. It would then properly aid the States. I hope we can make this bill a little bit better than I think it is.

The matter that I wanted to insist on a few minutes ago covered the very motion that I now make, and for this reason: Here we are, the greatest lawmaking power in the world, attempting to embody provisions in this bill to condemn articles as unfit for our use which we make. Under this proviso we permit impure food, which we condemn, to go to foreign consumers, with whom we should remain in peace and cultivate an honest friendship and an upright standard of commerce.

Mr. Chairman, I know that a great many foreigners think that we unload the unclean American product on them and keep the clean or superior products here at home unlike the samples they sell by. I have been told this by foreign drummers representing great American firms. Yet, here we are, standing here to-day with our eyes wide open to the fact that unclean and impure foods are being manufactured and sold to innocent people, and yet we permit them to be sold to Canada, our neighbor, with whom we want reciprocity, at least friendship, peace, and honest commerce.

What will they think of us when they read this bill or our debate in the morning press? Are they not our neighbors?

We would ship this impure food to our mother country, and then go over there and help eat it every year, every summer! We would ship to England simply because Chicago wants it, it is said. Well, Chicago has a great many things that I think Chicago ought not to have, and, possibly, she does not get all she should have. My friend from Illinois [Mr. MANN] says that he speaks for the export trade. The gentleman from New York, who is evidently an exporter, disputes his contention and condemns the policy.

Now, Mr. Chairman, as a matter of public policy should we knowingly permit to go away from our shores an impure food article? This bill says yes. It is not the best advertisement for us as a people or our goods; it is not the best evidence of high morals. Simply because Chicago wants to eat rotten beef and Chicago wants to sell rotten beef or beef put up in some particular way that we say is unhealthy for us is no reason why we should permit this statute to go upon our statute books and put every bit of meat, every bit of food exported and sent from this country under suspicion. But this bill does that very thing.

It does almost literally, and hence, Mr. Chairman, I ask to strike it out and let our English friends and our German friends and our Russian friends and all our friends of all the world see that we will do by them exactly as we do by ourselves—that we eat a clean thing and that we ship a clean thing to them—that we legislate by and live up to the standard erected by the Golden Rule, as individuals and as a republic.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the proviso.

The motion was rejected.

Mr. HEPBURN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole, reported that the Committee of the Whole House on the state of the Union having had under consideration the bill (H. R. 6205) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for regulating interstate traffic therein, and for other purposes, had come to no resolution thereon.

SENATE BILLS AND RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

Senate concurrent resolution No. 29:

Resolved by the Senate (the House of Representatives concurring), That there be printed [illegible] Annual Report of the International Bureau [illegible] June 17 to December 1, 1902, with the accompanying maps, of which 1,000 copies shall be for the use of the Senate and 1,500 copies for the use of the House of Representatives—

to the Committee on Printing.

Senate concurrent resolution No. 33:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound 10,000 copies of the Report of the Commission on International Exchange and the appendixes thereto, being House Document No. [illegible] of the Fifty-second Congress, of which 1,000 copies shall be for the use of the House of Representatives, and 5,000 for the use of the Commission on International Exchange—

to the Committee on Printing.

Senate concurrent resolution No. 34:

Resolved by the Senate (the House of Representatives concurring), That the Public Printer be, and he is hereby, authorized and directed to print from stereotype plates and to bind 2,000 copies of the annual Alaska [illegible] of which 750 copies shall be for the use of the Senate, [illegible] for the use of the House of Representatives, 500 copies for the use of the Department of the Interior, and [illegible] copies for the use of the United States Geological Survey—

to the Committee on Printing.

Senate concurrent resolution No. 35:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, requested to cause a survey to be made for a ship canal over land from a point on the Passaic River, N. J., below the junction of the Pompton River and Lesher Run, to a point on the Newark Meadows and Newark Bay to New York Bay, such canal to have a width of 300 feet and a depth of 40 feet, and to report such survey to Congress, together with an estimate of the cost of the same—

to the Committee on Rivers and Harbors.

S. 1935. An act providing for the holding of an additional court in the northern district of West Virginia, at Martinsburg, W. Va.—to the Committee on the Judiciary.

S. R. 28. Joint resolution authorizing the printing of additional copies of Agricultural Bulletin No. 124, being a report on irrigation in Utah—to the Committee on Printing.

S. 2549. An act granting an increase of pension to Charles W. Jellison—to the Committee on Invalid Pensions.

S. 2576. An act granting an increase of pension to James Redshaw—to the Committee on Invalid Pensions.

S. 2577. An act granting an increase of pension to Albert Marshall—to the Committee on Invalid Pensions.

S. 2612. An act granting a pension to Sarah J. Bellamy—to the Committee on Invalid Pensions.

S. 2642. An act granting an increase of pension to Leonard G. Freeman—to the Committee on Invalid Pensions.

S. 2643. An act granting an increase of pension to Melinda H. Chapman—to the Committee on Invalid Pensions.

S. 2668. An act granting an increase of pension to Alpheus Fawcett—to the Committee on Invalid Pensions.

S. 2712. An act granting an increase of pension to Harriet Billings—to the Committee on Invalid Pensions.

S. 2797. An act granting an increase of pension to Edward A. Cotting—to the Committee on Invalid Pensions.

S. 2809. An act granting an increase of pension to Jesse J. Finley—to the Committee on Pensions.

S. 2947. An act granting an increase of pension to Thomas Bratton—to the Committee on Invalid Pensions.

S. 3166. An act granting an increase of pension to Levi B. Lewis—to the Committee on Invalid Pensions.

S. 2559. An act granting a pension to James Graham—to the Committee on Pensions.

S. 2788. An act to amend an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved June 13, 1902—to the Committee on Rivers and Harbors.

S. 1911. An act granting an increase of pension to Ambrose W. Severance—to the Committee on Invalid Pensions.

S. [illegible]. An act granting an increase of pension to Delia B. Stuart—to the Committee on Invalid Pensions.

S. 1451. An act granting an increase of pension to Eleanor H. Hord—to the Committee on Invalid Pensions.

S. 2548. An act granting an increase of pension to Emma McFarland—to the Committee on Invalid Pensions.

S. [illegible]. An act granting an increase of pension to Patrick Judge—to the Committee on Invalid Pensions.

S. 1749. An act granting an increase of pension to Charles E. Decker—to the Committee on Invalid Pensions.

S. 486. An act granting a pension to Green B. Yawn—to the Committee on Pensions.

S. 128. An act granting an increase of pension to Clara M. Gihon—to the Committee on Invalid Pensions.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 112. An act granting an increase of pension to Harry G. Hammond:

S. 65. An act granting an increase of pension to Charles R. Allen:

S. 11. An act granting a pension to John L. Sullivan:

S. 8. An act granting an increase of pension to Perry Kittredge:

S. 339. An act granting an increase of pension to Ebenezer H. Richardson:

S. 388. An act granting an increase of pension to Jane M. Watt;

S. 215. An act granting a pension to Mary D. Perry:

S. 172. An act granting an increase of pension to Elizabeth McCraren:

S. 137. An act granting a pension to Hannah Kelley;

S. 1604. An act granting an increase of pension to Mary A. Bishop:

S. 368. An act granting an increase of pension to Charles M. Wilcox:

S. 367. An act granting an increase of pension to George W. Richardson:

S. 1704. An act granting an increase of pension to Lucretia Richards:

S. 1659. An act granting an increase of pension to Minerva A. Mason:

S. 1772. An act granting an increase of pension to Louise K. Baird:

S. 1756. An act granting an increase of pension to Zebedee M. Crisman;

S. 1755. An act granting an increase of pension to Thomas Banks;

S. 1849. An act granting an increase of pension to Charles P. Stone:

S. 1832. An act granting an increase of pension to George W. Herron:

S. 1552. An act granting an increase of pension to John Monahan:

S. 1929. An act granting an increase of pension to George W. Stone:

S. 1943. An act granting an increase of pension to Lorenzo E. Hutchison;

S. 1985. An act granting an increase of pension to Jonathan Hess:

S. 1984. An act granting an increase of pension to Levi Roberts:

S. 7. An act granting an increase of pension to Alfred Woodman:

S. 2078. An act granting an increase of pension to Hampton C. Watson:

S. 6. An act granting a pension to Cora M. Converse:

S. 2125. An act granting an increase of pension to Marcus T. Cressman; and

S. 2218. An act granting an increase of pension to Amanda B. Tisdel.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on the Territories was discharged from the further consideration of the bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Cantalla Creek, in the district of Alaska, and the same was referred to the Committee on Interstate and Foreign Commerce.

Mr. HEPBURN. I move that the House now take a recess until 11.55 o'clock to-morrow morning.

The question was taken on the motion of Mr. HEPBURN; and on a division (demanded by Mr. BARTLETT) there were—ayes 101, noes 81.

So the motion was agreed to; and accordingly (at 5 o'clock and 25 minutes) the House took a recess until to-morrow at 11.55 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A message from the President, transmitting a petition to aid in preserving the Calaveras groves of big trees, submitted by the Calaveras Big Tree Committee of California and elsewhere, with recommendations for favorable action by Congress.

A message from the President, transmitting a report from the Secretary of State covering copies of additional papers bearing upon the relations of the United States with Colombia and the Republic of Panama.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for diplomatic service of the United States in the Isthmus of Panama—to the Committees on Appropriations and Foreign Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for gun and mortar batteries—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for deficiency in the pay of letter carriers, rural free delivery—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for naval station at Olongapo, Subic Bay, Philippine Islands—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of W. L. Crittenden, trustee Mount Holly Baptist Church, Morrisville, Va., *v.* The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of law and fact in the French spoliation cases relating to the vessel schooner *Polly*, Richard Lakeman, master—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 5761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River, reported the same with amendment, accompanied by a report (No. 416); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3578) to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver Township, Westmoreland County, reported the same with amendment, accompanied by a report (No. 417); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9583) granting

an increase of pension to James H. Hargis, sr., reported the same with amendment, accompanied by a report (No. 389); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7732) granting a pension to Mary Chenowith, reported the same with amendment, accompanied by a report (No. 390); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7447) granting an increase of pension to William Bailey, reported the same with amendment, accompanied by a report (No. 391); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9030) granting a pension to John Daly, reported the same with amendment, accompanied by a report (No. 392); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5555) granting an increase of pension to James R. Hauptley, reported the same with amendment, accompanied by a report (No. 393); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6994) granting an increase of pension to Theresa Nebrich, reported the same with amendment, accompanied by a report (No. 394); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8717) granting a pension to Henry Edwards, reported the same with amendment, accompanied by a report (No. 395); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6426) granting a pension to David J. Beidler, reported the same with amendment, accompanied by a report (No. 396); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5883) granting an increase of pension to David Warentz, reported the same with amendment, accompanied by a report (No. 397); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5865) granting an increase of pension to Joshua Harlan, reported the same without amendment, accompanied by a report (No. 398); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5818) granting an increase of pension to Philip Snow, reported the same with amendment, accompanied by a report (No. 399); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5179) granting a pension to Joseph J. Murray, reported the same without amendment, accompanied by a report (No. 400); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4915) granting an increase of pension to James W. Hibbert, reported the same with amendment, accompanied by a report (No. 401); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5391) granting a pension to James Keleher, reported the same with amendment, accompanied by a report (No. 402); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4759) granting an increase of pension to David P. McDonald, reported the same without amendment, accompanied by a report (No. 403); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4526) granting an increase of pension to William J. Shepherd, reported the same with amendment, accompanied by a report (No. 404); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4136) granting an increase of pension to Caleb Arnett, reported the same with amendment, accompanied by a report (No. 405); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3521) granting an increase of pension to John Hawker, reported the same with amendment, accompanied by a report (No. 406); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3411) granting an increase of pension to William J. Hart, reported the same with amendment, accompanied by a report (No. 407); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3337) granting an increase of pension to Mary A. Craigue, reported the same with amendment, accompanied by a report (No. 408); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3172) granting an increase of pension to Robert E. Pogue, reported the same with amendment, accompanied by a report (No. 409); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2809) granting an increase of pension to John Watt, reported the same with amendment, accompanied by a report (No. 410); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2553) granting an increase of pension to George Wintz, reported the same with amendment, accompanied by a report (No. 411); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1883) granting a pension to Harriet A. Cook, reported the same with amendment, accompanied by a report (No. 412); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1330) granting a pension to Samuel W. Searles, reported the same with amendment, accompanied by a report (No. 413); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 812) granting an increase of pension to Charles F. Emery, reported the same with amendment, accompanied by a report (No. 414); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7079) granting an increase of pension to John J. Fleming, reported the same with amendment, accompanied by a report (No. 415); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2360) granting an increase of pension to Georganna Parker—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6569) for the relief of William E. Cummin—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 9592) for the relief of William H. Steimann—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSTER of Vermont: A bill (H. R. 10412) for the relief of the Creek tribe or nation of Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 10413) for the relief of the Chickasaw Nation or tribe of Indians—to the Committee on Indian Affairs.

Also, a bill (H. R. 10414) for the relief of the Choctaw Nation or tribe of Indians—to the Committee on Indian Affairs.

By Mr. McGUIRE: A bill (H. R. 10415) ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks bond election held by the city of Geary, in said Territory—to the Committee on the Territories.

Also, a bill (H. R. 10416) to provide for the purchase of a site and the erection of a public building thereon at Oklahoma City, Okla.—to the Committee on Public Buildings and Grounds.

By Mr. POWERS of Massachusetts: A bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BURKE: A bill (H. R. 10418) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. COOPER of Texas: A bill (H. R. 10419) to revive and amend an act to provide for the collection of abandoned property and the prevention of frauds in insurrectionary districts within the United States, and acts amendatory thereof—to the Committee on War Claims.

Also, a bill (H. R. 10420) to revive the right of action under the captured and abandoned property acts, and for other purposes—to the Committee on War Claims.

By Mr. BABCOCK: A bill (H. R. 10421) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 10422) to distinctively designate parcels of land in the District of Columbia for the purposes of taxation and assessments, and for other purposes—to the Committee on the District of Columbia.

By Mr. JAMES: A bill (H. R. 10423) relating to the removal of civil cases from the State courts to United State court—to the Committee on the Judiciary.

By Mr. SMITH of Iowa: A bill (H. R. 10424) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near Council Bluffs, Iowa—to the Committee on Interstate and Foreign Commerce.

By Mr. WANGER: A bill (H. R. 10425) to restrict the unlimited transfer of merchandise in bonded warehouses—to the Committee on Ways and Means.

By Mr. KINKAID: A bill (H. R. 10426) to amend the homestead laws as to certain unappropriated lands in Nebraska—to the Committee on the Public Lands.

By Mr. BROOKS: A bill (H. R. 10427) to enable the Secretary of Agriculture to conduct experiments in the noncorn-growing States and Territories in the fattening and finishing of cattle for market, and in growing crops and forage plants adapted to these purposes—to the Committee on Agriculture.

By Mr. MILLER: A bill (H. R. 10428) to amend section 1 of an act entitled "An act to repeal war-revenue taxation, and for other purposes," approved April 12, 1902—to the Committee on Ways and Means.

By Mr. WILEY of Alabama: A bill (H. R. 10429) for the erection of a monument to Jeremiah O'Brien—to the Committee on the Library.

By Mr. FOSTER of Vermont: A bill (H. R. 10430) for the relief of the Cherokee Nation of Indians—to the Committee on Indian Affairs.

By Mr. ADAMSON: A bill (H. R. 10431) to further regulate commerce and protect trade and commerce against unlawful restraints and monopolies—to the Committee on Interstate and Foreign Commerce.

By Mr. DANIELS: A bill (H. R. 10432) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes—to the Committee on Naval Affairs.

By Mr. LACEY: A bill (H. R. 10433) authorizing the Commissioner of the General Land Office to quitclaim the title conveyed to the United States for land in forest reservations, under certain conditions—to the Committee on the Public Lands.

By Mr. TOWNSEND: A bill (H. R. 10434) to establish a fish-hatching and fish station in the State of Michigan—to the Committee on the Merchant Marine and Fisheries.

By Mr. MARSHALL: A bill (H. R. 10435) to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane and destitute persons in the district of Alaska, and for other purposes—to the Committee on the Territories.

Also, a bill (H. R. 10436) to amend an act entitled "An act to define and punish crimes in the district of Alaska, and to provide a code of criminal procedure for said district," approved March 3, 1899—to the Committee on the Territories.

Also, a bill (H. R. 10437) authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, title 3, of an act of Congress approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River at Nome City, in the Territory of Alaska—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 10438) providing for the election of a Delegate to the House of Representatives from the district of Alaska—to the Committee on the Territories.

By Mr. GILLETT of California: A bill (H. R. 10439) to divide the northern judicial district of California into two divisions, and to provide for the holding of terms of the district court therein—to the Committee on the Judiciary.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 10440) to establish a national military park at Guilford battle ground, in North Carolina—to the Committee on Military Affairs.

By Mr. WRIGHT: A bill (H. R. 10441) to regulate the charges for telephone service within the District of Columbia—to the Committee on the District of Columbia.

By Mr. GROSVENOR: A bill (H. R. 10442) to modify an act entitled "An act to regulate and improve the civil service of the United States," approved January 16, 1883, and for other purposes—to the Committee on Reform in the Civil Service.

By Mr. CUSHMAN: A bill (H. R. 10443) to set apart certain lands in the State of Washington as a public park, to be known as "The Elk National Park," for the purpose of preserving the elk, game, fish, birds, animals, timber, and curiosities therein—to the Committee on the Public Lands.

By Mr. REID: A bill (H. R. 10444) to provide for the building of extensions and additions to the Federal court and post-office building in the city of Little Rock, Ark.—to the Committee on Public Buildings and Grounds.

By Mr. MARSHALL: A bill (H. R. 10445) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. VAN DUZER: A bill (H. R. 10446) to provide against entering into a contract by any officer or employee of the Government of the United States of America for products of convict labor—to the Committee on Labor.

By Mr. CRUMPACKER: A bill (H. R. 10447) authorizing the establishment of a light-house at Indiana Harbor, in the State of Indiana—to the Committee on Interstate and Foreign Commerce.

By Mr. MAYNARD: A joint resolution (H. J. Res. 81) for survey of the shore line of James River at Jamestown, Va., with a view to protecting, by a sea wall, the site of the first successful English colony in America—to the Committee on the Library.

By Mr. BARTHOLDT: A joint resolution (H. J. Res. 82) to extend the invitation of Congress to the Interparliamentary Union, and making an appropriation for the entertainment of its members—to the Committee on Foreign Affairs.

By Mr. SOUTHARD: A concurrent resolution (H. C. Res. 31) to print 10,000 copies of the coinage laws of the United States—to the Committee on Printing.

Also, a concurrent resolution (H. C. Res. 32) to print 6,000 additional copies of the report of the Director of the Mint on the production of precious metals; also to print 8,000 additional copies of the report of the Director of the Mint covering the operations of the mints and assay officers of the United States—to the Committee on Printing.

By Mr. HULL: A resolution (H. Res. 157) making appropriations for the support of the Army, and for other purposes, and legislation providing for consolidation of the Adjutant-General's Office and the Record and Pension Office—to the Committee on Rules.

By Mr. DALZELL: A resolution (H. Res. 158) to amend the House rules—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 10448) to remove the charge of desertion against William R. Cassel, and granting him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 10449) to remove the charge of desertion against Peter C. Sawyer—to the Committee on Military Affairs.

Also, a bill (H. R. 10450) correcting the military record of James H. Ackerman and granting his widow, Sarah J., a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 10451) to correct the military record of Carlos H. Cady—to the Committee on Military Affairs.

Also, a bill (H. R. 10452) to amend the military record of William G. Alspach—to the Committee on Military Affairs.

Also, a bill (H. R. 10453) to correct the military record of W. F. Elliott—to the Committee on Military Affairs.

Also, a bill (H. R. 10454) to correct the military record of Charles H. Jessup—to the Committee on Military Affairs.

Also, a bill (H. R. 10455) granting an increase of pension to John A. Naus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10456) granting an increase of pension to Jennie T. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10457) granting an increase of pension to John Hathom—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10458) granting an increase of pension to Stephen A. Parsons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10459) granting an increase of pension to George R. Cline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10460) granting an increase of pension to George W. Beach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10461) granting an increase of pension to Joshua R. Gouldy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10462) granting an increase of pension to Zachariah Heed—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10463) granting an increase of pension to Beriville Spanger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10464) granting an increase of pension to William H. Zombro—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10465) granting an increase of pension to Jacob M. Rife—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10466) granting a pension to Emma G. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10467) granting a pension to Lizzie S. Fecker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10468) granting a pension to George Cunningham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10469) granting a pension to James K. Rheiland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10470) granting a pension to Mary C. Fisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10471) granting a pension to Achsah Barnes—to the Committee on Invalid Pensions.

By Mr. BILL of California: A bill (H. R. 10472) granting a pension to Henry Dority—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10473) granting a pension to J. J. Winkler—to the Committee on Pensions.

Also, a bill (H. R. 10474) granting a pension to Cyrus L. Mobley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10475) granting a pension to Sadie M. Jungerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10476) granting a pension to Charles B. Gallagher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10477) granting an increase of pension to Eugene Stillman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10478) granting an increase of pension to William T. Hayter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10479) granting an increase of pension to Erastus D. Butler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10480) granting an increase of pension to Aaron Bayles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10481) authorizing and directing the Secretary of War to grant an honorable discharge to Henry Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 10482) authorizing and directing the Secretary of War to review and revoke the sentence of court-martial against John W. Beach, and for other purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 10483) authorizing and directing the Secretary of the Interior to pay George F. Fitzclarence the sum of $100 as soldier's bounty—to the Committee on War Claims.

Also, a bill (H. R. 10484) authorizing and directing the Secretary of War to issue an honorable discharge to P. C. Farrell—to the Committee on Military Affairs.

By Mr. BOWERSOCK: A bill (H. R. 10485) granting an increase of pension to Louisa Kirkham—to the Committee on Invalid Pensions.

By Mr. BURKETT: A bill (H. R. 10486) granting an increase of pension to George W. Goolsby—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 10487) granting an increase of pension to Almira Carico—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 10488) granting an increase of pension to Jonathan W. Barber—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 10489) to correct the military record of John H. Ethridge—to the Committee on Military Affairs.

By Mr. CURTIS: A bill (H. R. 10490) granting an increase of pension to John Warster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10491) granting an increase of pension to John W. Campion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10492) for the relief of Capt. M. R. W. Grebe—to the Committee on Military Affairs.

Also, a bill (H. R. 10493) for the relief of John W. Magann—to the Committee on Claims.

Also, a bill (H. R. 10494) granting a pension to James F. Shell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10495) granting a pension to A. H. Case—to the Committee on Invalid Pensions.

By Mr. DARRAGH: A bill (H. R. 10496) granting an increase of pension to Lafayette F. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10497) granting an increase of pension to Margaret C. De Cow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10498) to correct the military record of Joseph Van Valkenburgh—to the Committee on Military Affairs.

By Mr. DAVIS of Florida: A bill (H. R. 10499) making provision for conveying in fee the piece or strip of ground in St. Augustine, Fla., known as the "Moat," for school purposes—to the Committee on Military Affairs.

Also, a bill (H. R. 10500) making provision for conveying in fee certain public grounds in the city of St. Augustine, Fla., for school purposes—to the Committee on Education and Labor.

By Mr. DAYTON: A bill (H. R. 10501) for the relief of the estate of H. F. Cocke, deceased—to the Committee on War Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) granting an increase of pension to Abram Y[illegible]—to the Committee on Invalid Pensions.

By Mr. [illegible]MAN: A bill (H. R. [illegible]) granting a pension to William D. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to John F. Hicks—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Susan Lukens—to the Committee on Invalid Pensions.

By Mr. DOUGLAS: A bill (H. R. 10506) granting a pension to Charles H. Gardner—to the Committee on Invalid Pensions.

By Mr. DRESSER: A bill (H. R. 10507) for the relief of Mary V. Shaw—to the Committee on Claims.

By Mr. DWIGHT: A bill (H. R. 10508) granting an increase of pension to Jennie E. Baldwin—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 10509) to correct the military record of Julius H. Rogge—to the Committee on Military Affairs.

Also, a bill (H. R. 10510) for the relief of S. Steele Finley—to the Committee on Claims.

Also, a bill (H. R. 10511) for the relief of the estate of Mary Keating—to the Committee on Claims.

Also, a bill (H. R. 10512) to remove the charge of desertion from the military record of Patrick English—to the Committee on Military Affairs.

Also, a bill (H. R. 10513) to remove the charge of desertion from the military record of Peter Tansy—to the Committee on Military Affairs.

Also, a bill (H. R. 10514) to remove the charge of desertion from the military record of Edward Wall—to the Committee on Military Affairs.

By Mr. GILLETT of Massachusetts: A bill (H. R. 10515) to authorize the President of the United States to appoint Wilson B. Strong captain and quartermaster in the Army—to the Committee on Military Affairs.

By Mr. GOULDEN: A bill (H. R. 10516) for the relief of Edward J. Farrell—to the Committee on the Public Lands.

By Mr. GRIFFITH: A bill (H. R. 10517) granting an increase of pension to James Scrogum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10518) granting an increase of pension to James Moody—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10519) granting a pension to John H. Wilson—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 10520) to correct the military record of William S. Laney—to the Committee on Military Affairs.

By Mr. HAMLIN: A bill (H. R. 10521) for the relief of Central College, at Fayette, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 10522) granting a pension to Mary Brady—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 10523) granting a pension to Edson H. Crawford—to the Committee on Military Affairs.

By Mr. HAUGEN: A bill (H. R. 10524) granting an increase of pension to Fountleroy B. Florence—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 10525) granting a pension to Ulysses Rhoads—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 10526) granting an increase of pension to Elizabeth Howard—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 10527) granting an increase of pension to Barzillar P. Irons—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 10528) for the relief of George C. Ellison—to the Committee on Claims.

Also, a bill (H. R. 10529) for the relief of George F. Fuller—to the Committee on Claims.

By Mr. JAMES: A bill (H. R. 10530) for the relief of the estate of John M. Higgins, deceased—to the Committee on War Claims.

By Mr. JONES of Washington: A bill (H. R. 10531) granting a pension to George W. Farr—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 10532) for the relief of Emma F. Everman—to the Committee on War Claims.

By Mr. KENNEDY: A bill (H. R. 10533) for the relief of Capt. E. P. Brewer—to the Committee on War Claims.

By Mr. WILLIAM W. KITCHIN: A bill (H. R. 10534) granting a pension to William Rommel—to the Committee on Invalid Pensions.

By Mr. KNOPF: A bill (H. R. 10535) to correct the military record of Thomas O. Wool—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 10536) granting an increase of pension to Charles W. Derby—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: A bill (H. R. 10537) to remove the charge of desertion from the military record of Richard H. Welch—to the Committee on Military Affairs.

Also, a bill (H. R. 10538) removing charge of desertion from military record of Charles Branstetter—to the Committee on Military Affairs.

Also, a bill (H. R. 10539) granting an increase of pension to Ray Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10540) granting an increase of pension to M. V. B. Amos—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10541) to correct the military record of V. B. Gatewood—to the Committee on Military Affairs.

Also, a bill (H. R. 10542) to correct the military record of Robert W. Marr—to the Committee on Military Affairs.

Also, a bill (H. R. 10543) granting a pension to John J. Kern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10544) granting an increase of pension to H. H. Rhoads—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 10545) for the relief of the firm of McNaught, Ormond & Co.—to the Committee on War Claims.

By Mr. LLOYD: A bill (H. R. 10546) for the relief of the Methodist Episcopal Church at Macon, Mo.—to the Committee on War Claims.

By Mr. MAYNARD: A bill (H. R. 10547) appropriating the sum of $3,000 to reimburse A. O. Tucker, of Elizabeth City County, Va., for property taken and destroyed by enlisted soldiers serving in the Army of the United States on August 21, 1898—to the Committee on War Claims.

By Mr. METCALF: A bill (H. R. 10548) granting an increase of pension to Hiram M. Van Arman—to the Committee on Invalid Pensions.

By Mr. MONDELL: A bill (H. R. 10549) granting an increase of pension to John W. Kerwin—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 10550) granting a pension to Elizabeth Clampitt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10551) granting a pension to Thomas F. Walter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10552) granting an increase of pension to Mary Douglas—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 10553) for the relief of E. P. Gibson—to the Committee on Military Affairs.

By Mr. MURDOCK: A bill (H. R. 10554) granting an increase of pension to John McGregor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10555) granting an increase of pension to William L. Gerard—to the Committee on Invalid Pensions.

By Mr. MCMORRAN: A bill (H. R. 10556) granting an increase of pension to William M. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10557) granting an increase of pension to Edwin J. Walton—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 10558) referring the claim of Hannah S. Crane and others to the Court of Claims—to the Committee on Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 10559) for the relief of James Boro, of Memphis, Tenn.; Mary Boro, of Natchez, Miss., and the estate of James Boro, deceased, late of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 10560) for the relief of the Germantown Baptist Church, of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 10561) to carry into effect the findings of the Court of Claims in the case of Amos Woodruff, president of the Overton Hotel Company—to the Committee on War Claims.

Also, a bill (H. R. 10562) to carry into effect the findings of the Court of Claims in the matter of claim of Abner D. Lewis—to the Committee on War Claims.

Also, a bill (H. R. 10563) to carry into effect the findings of the Court of Claims in the matter of the claim of Emma R. Bailey, executrix of John J. Bailey, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10564) to carry into effect the findings of the Court of Claims in the matter of the claim of A. A. Wade, administrator of estate of S. L. Carpenter, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10565) to carry into effect the findings of the Court of Claims in the matter of the claim of Robert C. Jameson, administrator of estate of David Jameson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10566) to carry into effect the findings of the Court of Claims in the matter of the claim of estate of J. J. Todd, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10567) to carry into effect the findings of the Court of Claims in the matter of the claim of the estate of Elizabeth Burke, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10568) for the relief of Lottie Bowman—to the Committee on War Claims.

Also, a bill (H. R. 10569) for the relief of Lottie Bowman—to the Committee on War Claims.

Also, a bill (H. R. 10570) for the relief of Lottie Bowman—to the Committee on Claims.

Also, a bill (H. R. 10571) for the relief of T. F. Crawford—to the Committee on War Claims.

By Mr. REID: A bill (H. R. 10572) for the relief of John C. Ray, assignee of John Gardord, of Arkansas—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10573) for the relief of the estate of Enoch R. Kennedy and Leonora J. Kennedy, deceased, late of Lauderdale County, Ala., formerly of East Feliciana Parish, La.—to the Committee on War Claims.

By Mr. SCOTT: A bill (H. R. 10574) granting an increase of pension to Thurlow Weed Lieurance—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10575) granting an increase of pension to P. S. Lynn—to the Committee on Invalid Pensions.

By Mr. SHIRAS: A bill (H. R. 10576) granting a pension to Lulu E. Moke—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 10577) for the relief of Julius E. Mügge—to the Committee on Claims.

By Mr. SNAPP: A bill (H. R. 10578) granting an increase of pension to Robert B. Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10579) granting an increase of pension to Jacob Dodd—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 10580) granting an increase of pension to Joseph Longberry—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 10581) for the relief of James A. Jackson—to the Committee on War Claims.

By Mr. SPIGHT: A bill (H. R. 10582) for the relief of the heirs of Mrs. Charity Clements, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10583) for the relief of the heirs of Johnathan Davis—to the Committee on War Claims.

Also, a bill (H. R. 10584) for the relief of the administratrix of John H. Record, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10585) for the relief of the vestry of Christ Episcopal Church, of Holly Springs, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10586) for the relief of the estate of Jacob Joiner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10587) for the relief of Jordan Broadway—to the Committee on War Claims.

Also, a bill (H. R. 10588) for the relief of the heirs of W. E. Tomlinson, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10589) for the relief of the heirs of William M. Kimmons, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10590) for the relief of the heirs of Samuel Scott, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10591) for the relief of the heirs of John Parham, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10592) for the relief of the heirs of John P. Caruthers—to the Committee on War Claims.

Also, a bill (H. R. 10593) for the relief of the heirs of J. B. Fuller, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10594) for the relief of Charles O. Spencer—to the Committee on War Claims.

Also, a bill (H. R. 10595) for the relief of Margaret Raiford Loftin, administrator of the estate of Robert Raiford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10596) for the relief of the heirs of Hardin P. Franklin, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

By Mr. STANLEY: A bill (H. R. 10597) for the relief of Frank W. Clark—to the Committee on War Claims.

By Mr. TATE: A bill (H. R. 10598) for the relief of Canton Lodge, No. 77, of Free and Accepted Masons, of Canton, Ga.—to the Committee on War Claims.

By Mr. TOWNSEND: A bill (H. R. 10599) correcting the military record of Martin Barley—to the Committee on Military Affairs.

Also, a bill (H. R. 10600) to restore to the pension roll James Scovey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10601) to grant an honorable discharge to Eph B. Cooper—to the Committee on Military Affairs.

Also, a bill (H. R. 10602) to pay and reimburse John F. Milich—to the Committee on Claims.

Also, a bill (H. R. 10603) granting an increase of pension to Stephen Newton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10604) granting an increase of pension to William H. Stoddard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10605) granting an increase of pension to James Dayton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10606) for the relief of Arra M. Farnsworth—to the Committee on Claims.

Also, a bill (H. R. 10607) for the relief of James I. Mubee—to the Committee on Claims.

Also, a bill (H. R. 10608) for the relief of Peter Mommie—to the Committee on Claims.

Also, a bill (H. R. 10609) granting relief to James L. Carpenter—to the Committee on Claims.

Also, a bill (H. R. 10610) granting relief to Edwin A. Wells—to the Committee on Claims.

Also, a bill (H. R. 10611) granting relief to Guy M. Claflin—to the Committee on Claims.

Also, a bill (H. R. 10612) for the relief of Myron C. Bond—to the Committee on Claims.

Also, a bill (H. R. 10613) for the relief of the heirs of John Smith—to the Committee on Claims.

Also, a bill (H. R. 10614) granting relief to certain members of the Seventh Michigan Cavalry, war of the rebellion—to the Committee on Claims.

Also, a bill (H. R. 10615) for the relief of James Scovey—to the Committee on Claims.

Also, a bill (H. R. 10616) for the relief of Joshua P. Talford—to the Committee on Claims.

Also, a bill (H. R. 10617) for the relief of Peter Fisher—to the Committee on War Claims.

Also, a bill (H. R. 10618) granting relief to Anna Wendell Miller—to the Committee on the Public Lands.

Also, a bill (H. R. 10619) for the relief of Herman B. Robb—to the Committee on War Claims.

Also, a bill (H. R. 10620) granting relief to George C. Lull—to the Committee on War Claims.

Also, a bill (H. R. 10621) granting relief to William H. Rogers—to the Committee on Claims.

Also, a bill (H. R. 10622) granting a pension to John M. Cheevers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10623) granting a pension to James Hummel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10624) granting a pension to Jerusha M. Crane—to the Committee on Pensions.

Also, a bill (H. R. 10625) granting a pension to Amelia B. Gifford—to the Committee on Pensions.

Also, a bill (H. R. 10626) granting a pension to Mary J. Conant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10627) granting a pension to Naomi Green—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10628) granting a pension to Mary C. Rapp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10629) granting an increase of pension to James McIntyre—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10630) granting a pension to Sarah M. A. Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10631) granting a pension to Elizabeth Epke—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10632) granting a pension to Catherine M. Rogers—to the Committee on Invalid Pensions.

By Mr. TRIMBLE: A bill (H. R. 10633) for the relief of D. W. Price—to the Committee on Claims.

By Mr. WACHTER: A bill (H. R. 10634) for the relief of Julia Nolan—to the Committee on War Claims.

By Mr. WATSON: A bill (H. R. 10635) granting an increase of pension to James M. Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10636) granting a pension to Sarah E. McCormack—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10637) granting an increase of pension to John W. Rogers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10638) granting an increase of pension to August Smith—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 10639) granting an increase of pension to Benjamin F. Heald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10640) granting an increase of pension to Horace E. Wood—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 10641) granting an increase of pension to Valentine Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10642) granting an increase of pension to Garrett Stanley—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 10643) granting an increase of pension to James F. Belcher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10644) granting an increase of pension to James M. Graham—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 10645) granting a pension to Rachel J. Swiger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10646) granting a pension to John Kirkman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10647) for the relief of Maramon A. Martin, late private of Company A, Sixth Regiment of West Virginia Volunteer Infantry—to the Committee on Military Affairs.

By Mr. SHOBER: A bill (H. R. 10648) granting an increase of pension to Agnes Shearer—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 10649) granting a pension to Lucius Harrington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10650) granting an honorable discharge to James B. Mulford—to the Committee on Military Affairs.

By Mr. WILEY of New Jersey: A bill (H. R. 10651) granting a pension to Katherine M. Laurence—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions of Good Roads Association of Marinette County, Wis., praying for legislation affecting rates of freight charges in interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Major Lee Post, No. 277, Grand Army of the Republic, of Rossville, Ill., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, memorial of Grace Methodist Episcopal Church, of Neoga, Ill., favoring the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, memorial of the Denver commercial bodies, praying for the erection of a new Federal building—to the Committee on Public Buildings and Grounds.

Also, memorial of F. M. Allen and 190 other citizens of Lithonia, Ga., praying for legislation limiting the power of injunction as exercised by the courts in labor disputes—to the Committee on the Judiciary.

Also, memorial of J. H. McClellan and 192 other citizens of Lithonia, Ga., praying for the enactment of an eight-hour law—to the Committee on Labor.

By Mr. ADAMS of Pennsylvania: Resolution of the Philadelphia Division, No. 102, Order of Railroad Telegraphers, relative to an eight-hour law and anti-injunction bill—to the Committee on Labor.

Also, resolution of the Manufacturers' Club of Philadelphia, relative to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Commercial Exchange of Philadelphia, relative to the inspection of grain by the Government—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: Papers to accompany bill H. R. 10096, granting a pension to Clarissa Seymour; papers to accompany bill H. R. 7878, granting an increase of pension to Richard Jones; papers to accompany bill H. R. 8709, granting an increase of pension to James A. Porter, and resolutions of John McDermott Post, No. 101, Grand Army of the Republic, of Boscobel, Wis., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Resolutions of James Browne Post, No. 222, of Cedar Falls, Iowa; Fairbank Post, No. 367, of Fairbank, Iowa; Bent Post, No. 489, of Sumner, Iowa, and Charles Payne Post, No. 141, of Iowa Falls, Iowa, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening main ship channel—to the Committee on Rivers and Harbors.

Also, memorial of the Commercial Club of Topeka, Kans., relative to merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Kansas State Grange, relative to increasing powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BURKETT: Papers to accompany bill H. R. 6520, granting a pension to T. A. Wilson—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: Petition of Dilworthtown Woman's Christian Temperance Union, Chester County, Pa., relative to the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDWELL: Resolutions of Luke Mayfield Post, No. 516, of Girard, Ill.; N. B. Buford Post, No. 246, of Piasa, Ill.; J. Vlerebome Post, No. 613, of Buffalo, Ill.; Mother Bickerdike Post, No. 402, of Edenburg, Ill., and Stephenson Post, No. 30, of Springfield, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Grain Dealers' National Association, relative to the inspection of grain by the Government—to the Committee on Interstate and Foreign Commerce.

By Mr. CAMPBELL: Resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening main ship channel—to the Committee on Rivers and Harbors.

Also, resolution of the Ministerial Association of Pittsburg, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of La Fontaine, Kans., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Arkansas City, Kans., in favor of House bill to prevent discrimination on railroad by common carriers, etc.—to the Committee on Railways and Canals.

Also, resolution of the National Encampment of the Grand Army of the Republic, relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CLAYTON: Petition of B. F. Powell and others, relative to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CRUMPACKER: Petition of Walters Post, No. 229, of Hebron, Ind.; Elliott Post, No. 160, of Dayton, Ind.; Martin Post, No. 216, of Westville, Ind., and Champman Hill Post, No. 171, of Indiana, Grand Army of the Republic; and members of National Military Home, Virginia, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Lafayette, Ind., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Lafayette, Ind., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Lafayette, Ind., against sale of liquor in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CURTIS: Petitions of all of the churches of Horton, Kans., and of the Law and Order League of Horton, Kans., for the passage of the Hepburn interstate liquor act—to the Committee on the Judiciary.

By Mr. DARRAGH: Papers to accompany bill H. R. 9355, granting an increase of pension to Byron Drake—to the Committee on Invalid Pensions.

Also, resolutions of R. H. Gibson Post, No. 448; Tom Custer Post, No. 178; Ralph Ely Post, No. 150; Stevens Post, No. 66; Montcalm Post, No. 176, and William B. Stewart Post, No. 324, Grand Army of the Republic, Department of Michigan, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: Papers to accompany bill H. R. 10205, for the relief of James G. Carmack—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 10039, granting a pension to Margaret C. Hecker—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10038, granting a pension to D. W. Snider—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10037, granting a pension to Joe B. Daniel—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10036, granting an increase of pension to Richard M. Ogle—to the Committee on Invalid Pensions.

By Mr. DINSMORE: Petition of George W. Glenn, of Company E, First Arkansas Infantry, to remove charge of desertion presented against him—to the Committee on Military Affairs.

By Mr. DRAPER: Resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening the main ship channel—to the Committee on Rivers and Harbors.

Also, petition of the Commercial Club of Topeka, Kans., relative to merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Petitions of Chequamegon Council, No. 245, of Ashland, Wis., and Sparta Council, No. 223, of Sparta, Wis., United States Commercial Travelers, urging an amendment to section 64 of the bankruptcy act—to the Committee on the Judiciary.

Also, memorial of the Denver commercial bodies, praying for the erection of a new Federal building—to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: Resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening main ship channel—to the Committee on Rivers and Harbors.

By Mr. FULLER: Petition of citizens of Dekalb, Ill., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. H. Bliss, of Chicago, Ill., favoring pensions for military telegraph operators—to the Committee on Invalid Pensions.

Also, resolutions of G. L. Nevins Post, No. 1, Grand Army of the Republic, of Rockford, Ill., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GIBSON: Petition of Mrs. L. E. Coopwood, praying reference of claim to Court of Claims—to the Committee on War Claims.

Also, petition of Robert C. Jameson, administrator, praying reference of claim to Court of Claims—to the Committee on War Claims.

Also, petition of A. Lafayette Prater, praying reference of claim to Court of Claims—to the Committee on War Claims.

By Mr. GILLET of New York: Paper to accompany bill for the relief of Andrew Keefa—to the Committee on Naval Affairs.

By Mr. GRIFFITH: Paper to accompany bill granting an increase of pension to Jacob Brandmier—to the Committee on Invalid Pensions.

Also, paper to accompany bill providing for a public building at Columbus, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: Papers to accompany bill for the relief of William S. Laney—to the Committee on Military Affairs.

By Mr. HAMILTON: Resolution of W. G. Eaton Post, No. 34, Grand Army of the Republic, Otsego, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Elliott Post, No. 115, of White Pigeon, Mich.; Sterling Post, No. 74, of Bradley, Mich., and Fitzgerald Post, No. 125, of Hastings, Mich., Grand Army of the Republic, relative to a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Paper to accompany bill (H. R. 7393) granting a pension to Gevert Schutte—to the Committee on Invalid Pensions.

By Mr. HARDWICK: Affidavits of Edson H. Crawford, of Muskogee, Ind. T., for an increase of pension—to the Committee on Invalid Pensions.

By Mr. HERMANN: Resolution of the Astoria Chamber of Commerce, relative to the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

By Mr. HINSHAW: Petition of business men and merchants of Hebron, Nebr., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HITT: Resolutions of Alpheus Clark Post, No. 118, of Morrison, Ill.; George Kreidler Post, No. 575, of Milledgeville, Ill., and John Master Post, No. 365, of Orangeville, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Petition of the Village Improvement Association of Cranford, N. J., in favor of pure-food legislation—to the Committee on Agriculture.

By Mr. HUFF: Memorial of Upper Mississippi River Improvement Association, for permanent Federal improvements of upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolutions of Philadelphia Division, No. 102, Order of Railroad Telegraphers, for more favorable legislation for telegraphers in the Army—to the Committee on Military Affairs.

By Mr. HUGHES: Affidavit of George F. Fuller, praying for the payment of a claim—to the Committee on Pensions.

By Mr. HULL: Resolution of Colonel Mills Post, No. 45, of Adel, Iowa, and Marshall Post, No. 43, of Redfield, Iowa, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KNAPP: Papers to accompany bill for relief of Thomas O. Wool—to the Committee on Military Affairs.

By Mr. LACEY: Resolution of the Santa Fe Board of Trade, relative to the establishment of a national park to include the cliff dwellings—to the Committee on Military Affairs.

Also, resolution of the New York Zoological Society, relative to the preservation of the big trees of California—to the Committee on Agriculture.

Also, letter of Hugh H. Henry, national commander of the Army and Navy Union, in favor of H. J. Res. 6 and bills H. R. 3586 and 6482—to the Committee on Military Affairs.

Also, resolution of Robert F. Lowe Post, No. 167, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Charles W. Derby—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Resolution of Brown Post, No. 34, of Bethel, Me., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. McLEARY of Minnesota: Petition of Jansen & Hansen and other merchants of Springfield, Minn., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of H. H. Edwards Post, No. 135, and John A. Dix Post, No. 96, Grand Army of the Republic, Department of Minnesota, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. McCARTHY: Resolution of the Fremont Commercial Club, of Fremont, Nebr., relative to the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. MORGAN: Resolution of William Sanborn Post, No. 13, Grand Army of the Republic, Port Huron, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill H. R. 9[illegible], for relief of Solomon Bell—to the Committee on Military Affairs.

By Mr. MURDOCK: Petition of citizens of Rice County, Kans., relative to the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Western Retail Implement Dealers' Association, against certain features of Senate bill 1261—to the Committee on the Post-Office and Post-Roads.

Also, petition of members of the First Presbyterian Church of Newton, Kans., praying for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of McPherson, Kans., in favor of the passage of the McCumber bill—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of citizens of Ellinwood, Kans.; of the Southwestern Kansas and Oklahoma Implement and Hardware Dealers' Association; of the Wichita (Kans.) Wholesale and Retail Merchants' Association, and of citizens of St. John, Kans., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Thomas Brennan Post, No. 380, Grand Army of the Republic, National Military Home, Leavenworth, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. PRINCE: Resolutions of L. P. Blair Post, No. 634, of Fairview, Ill.; Colonel Horney Post, No. 131, of Rushville, Ill., Thomas Layton Post, No. 621, of Lewistown, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Retail Merchants' Association of Quincy, Ill., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Tri-City Lodge, No. 617, Brotherhood of Railway Trainmen, relating to bills H. R. 7041 and 89—to the Committee on the Judiciary.

By Mr. RIDER: Resolution of the Philadelphia Maritime Exchange, relative to arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of the New York Produce Exchange, relative to the inspection of grain by the Government at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening the main ship channel—to the Committee on Rivers and Harbors.

Also, resolution of the New York Produce Exchange, in favor of deepening the channel of Harlem (Bronx) Kills—to the Committee on Rivers and Harbors.

By Mr. ROBINSON of Indiana: Petition of O. C. Himes and others, of La Otto, Ind., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RUPPERT: Paper to accompany bill providing for a public building at Denver—to the Committee on Public Buildings and Grounds.

By Mr. SHULL: Papers to accompany bill for the relief of John Conway—to the Committee on Military Affairs.

By Mr. SIBLEY: Petition of citizens of Mercer County, Pa., asking for reforms in the postal laws—to the Committee on the Post-Office and Post-Roads.

By Mr. SNOOK: Papers to accompany bill granting an increase of pension to Joseph Longberry—to the Committee on Invalid Pensions.

Also, resolutions of Walter A. Slaughter Post, No. 568, of Edgerton, Ohio, and of Choat Post, No. 6, of Napoleon, Ohio, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SPIGHT: Papers to accompany bill for the relief of the heirs of Hardin P. Franklin, deceased—to the Committee on Claims.

By Mr. SULLIVAN of New York: Petition of the Outdoor Art League of San Francisco, relative to the big trees of California—to the Committee on Agriculture.

Also, resolution of the New York Board of Trade and Transportation, against repeal of the national bankruptcy law—to the Committee on the Judiciary.

Also, resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening the main ship channel—to the Committee on Rivers and Harbors.

By Mr. SULZER: Memorials of the Denver Chamber of Commerce and Commercial Club and the Denver Real Estate and Stock Exchange, relative to the purchase of a site and the erection of a public building—to the Committee on Public Buildings and Grounds.

By Mr. TATE: Paper to accompany bill for the relief of Camden Lodge, No. 77, Free and Accepted Masons, of Canton, Ga.—to the Committee on War Claims.

By Mr. THOMAS of Iowa: Paper to accompany bill H. R. [illegible], to correct military record of Charles G. Chamberlain—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 1992, granting an increase of pension to Clark Robinson—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Papers to accompany bill H. R. 1909, relating to the settlement of a strip of land—to the Committee on Military Affairs.

By Mr. TOWNSEND: Resolutions of Woodbury Post, No. 45; George J. Leighton Post, No. 321, and Welch Post, No. 137, Grand Army of the Republic, Department of Michigan, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolution of the Merchants and Manufacturers' Association of Baltimore, relative to deepening the main ship channel—to the Committee on Rivers and Harbors.

Also, petitions of John J. Cornell and others, of Baltimore, relative to the parcels-post bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS: Papers to accompany bill H. R. 8420, granting an increase of pension to John Patton—to the Committee on Invalid Pensions.

By Mr. WEISSE: Resolutions of Ben Sheldon Post, No. 138, of Brandon, Wis.; Andrew J. Fullerton Post, No. 193, of West Bend, Wis., and Hans C. Heg Post, No. 114, of Waupun, Wis., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WILEY of New Jersey: Resolution of Phil Kearny Post, No. 1, Grand Army of the Republic, of Newark, N. J., in favor of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *January 20, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. TELLER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

THE DAWES COMMISSION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in accordance with the request from the Commission to the Five Civilized Tribes, a memorial of members of the Dawes Commission to the Senate of the United States of America, together with a copy of the Commission's letter of transmittal; which, with the accompanying papers, was referred to the Select Committee on the Five Civilized Tribes of Indians, and ordered to be printed.

VESSEL BRIG WILLIAM.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *William*, Thomas Farnham, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

ISAAC G. MOALE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Isaac G. Moale, administrator of William N. Watmough, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. TELLER presented petitions of Post No. 63, of Colorado; of Post No. 23, of Colorado; of George H. Thomas Post, No. 7, of Fort Collins; of Post No. 18, of Colorado; of Post No. 81, of Denver; of Post No. 88, of Colorado; of Anderson Post, No. 96, of Cripple Creek; of Post No. 106, of Colorado, and of Post No. 100, of Colorado, all of the Department of Colorado, Grand Army of the Republic, in the state of Colorado, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Simpson Methodist Episcopal Church, of Denver; of the congregation of the Highlands Methodist Episcopal Church, of Denver; of sundry citizens of Pueblo; of the congregation of the Christian Church of Grand Junction; of the congregation of the Methodist Episcopal Church of Durango; of the congregation of the Methodist Episcopal Church of Aspen; of sundry citizens of Frinto; of the congregation of the Reformed Presbyterian Church of Evans; of the Woman's Christian Temperance Union of Fountain; of the congregation of the First Avenue Presbyterian Church, of Denver; of the congregation of the Methodist Episcopal Church South, of Pueblo; of the Woman's Christian Temperance Union of Colorado Springs; of the Woman's Christian Temperance Union of Boulder; of the congregation of the Central Presbyterian Church, of Longmont; of the congregation of the Presbyterian Church of La Salle; of the congregation of the Westminster Presbyterian Church, of Denver; of the congregation of the Methodist Episcopal Church of Castle Rock; of sundry citizens of Cripple Creek; of the congregation of the Pilgrim Baptist Church, of Pueblo; of the Young People's Society of Christian Endeavor of the Central Presbyterian Church of Longmont; of sundry citizens of Boulder; of the Woman's Christian Temperance Union of Colorado Springs; of the congregation of the Methodist Episcopal Church of Florence; of the Woman's Christian Temperance Union of Denver; of the Mesa Woman's Christian Temperance Union, of Pueblo; of the Woman's Missionary Society of the First Presbyterian Church of Canon City; of the congregation of the Christian Church of Loveland, and of the Woman's Christian Temperance Union of Loveland, all in the State of Colorado, and of the Woman's Home Missionary Society of the Methodist Episcopal Church of Cincinnati, Ohio, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BARD presented a petition of the congregation of the Baptist Church of Salinas, Cal., and a petition of the congregation of the United Presbyterian Church of Salinas, Cal., praying for the enactment of legislation prohibiting the closing on Sunday of the Lewis and Clark Centennial Exposition; which were referred to the Select Committee on Industrial Expositions.

Mr. NELSON presented a petition of John A. Dix Post, No. 96, Department of Minnesota, Grand Army of the Republic, of Luverne, Minn., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. MILLARD presented a petition of sundry citizens of Tecumseh, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Ministers' Association of Lincoln, Nebr., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the state of Utah; which was referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of sundry settlers on the Kiowa, Comanche, and Apache Indian Pasture Reserve No. 3, of Comanche County, Okla., praying that their lands be opened to settlement under the homestead laws, and remonstrating against the enactment of legislation providing for the sale of such land to the highest bidder; which was referred to the Committee on Indian Affairs.

Mr. WARREN presented a petition of John F. Reynolds Post, No. 38, Department of Wyoming, Grand Army of the Republic, of Cheyenne, Wyo., and a petition of O. O. Howard Post, No. 110, Department of Wyoming, Grand Army of the Republic, of Basin, Wyo., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Cheyenne, Wyo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of Philadelphia Division No. 102, Order of Railroad Telegraphers, of Philadelphia, Pa., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

Mr. BURROWS presented a petition of Charles E. Wendell Post, No. 316, Department of Michigan, Grand Army of the Republic, of Milan, Mich., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. GALLINGER presented a petition of the East Washington Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation to extend the time for completing the East Washington Heights Traction Railroad; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Woman's Christian Temperance Union of Epping, N. H., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petitions of Right Rev. W. W. Niles, Bishop of New Hampshire, of Concord; of Rev. J. H. Coit, of St. Paul's School, of Concord; of sundry ministers of Charlestown, all in the State of New Hampshire; of J. Cardinal Gibbons, of Baltimore, Md., and of Charles C. Pierce, chaplain, United States Army, of Fort Myer, Va., praying for the enactment of legislation to recognize and promote the efficiency of army chaplains; which were referred to the Committee on Military Affairs.

Mr. CULLOM. I present petitions of Post No. 296, of Carmie; of Edwin D. Lowe Post, No. 295, of Jerseyville; of George Kridler Post, No. 575, of Milledgeville; of Post No. 210, of Cerro Gordo; of Post No. 231, of Hennepin; of G. W. Trafton Post, No. 239, of Knoxville; of John A. Rawlins Post, No. 579, of Mulberry Grove; of E. C. Camp Post, No. 149, of Bement; of Post No. 620, of New Douglas; of Eli Bowyer Post, No. 92, of Olney, and of William Lawrence Post, No. 744, of New Burnside, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law.

I desire to make one remark in connection with these petitions. It seems to me that almost every Grand Army post in Illinois is asking for the passage of a service-pension bill. Whether the posts in the rest of the country are similarly interested I do not know, but I wish to call the attention of the Committee on Pensions to the subject and ask that they give it serious consideration. I do not know what the cost would be arising from the passage of such a bill.

Mr. GALLINGER. Forty million dollars.

The PRESIDENT pro tempore. The petitions will be referred to the Committee on Pensions.

Mr. QUARLES presented a petition of the Marinette General Improvement Association, of Marinette, Wis., and a petition of the Marinette County Good Roads Association, of Marinette County, Wis., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission, which were referred to the Committee on Interstate Commerce.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Claims, to whom was referred the joint resolution (S. R. 71) to authorize certain officers of the Treasury Department to audit and settle accounts of certain counties of Arizona, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 995) for the relief of George F. Schnell, reported it with an amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 1[illegible]) to authorize the readjustment of the accounts of army officers in certain cases, and for other purposes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3127) for the relief of G. W. Ratleff, reported it with amendments, and submitted a report thereon.

Mr. OVERMAN, from the Committee on Claims, to whom was referred the bill (S. 623) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3[illegible]9) for the relief of A. M. Short; and

A bill (S. 721) for the relief of Darwin S. Hall.

Mr. CLAPP, from the Committee on Claims, to whom was re-

ferred the bill (S. 735) for the relief of Jean Louis Legare, of the Dominion of Canada, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 1787) for the relief of Jean Louis Legare, of the Dominion of Canada, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. KEAN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 1327) authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to; and

A bill (S. 984) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, and so forth.

Mr. ALLISON, from the Committee on Appropriations, to whom was referred the bill (S. 1546) to amend section 2745 of the Revised Statutes of the United States, asked to be discharged from its further consideration, and that it be referred to the Committee on Finance; which was agreed to.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2579) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands;

A bill (S. 2888) for the relief of Priscilla R. Burns;

A bill (S. 1407) for the relief of John W. Gummo; and

A bill (S. 2233) for the relief of Hyland C. Kirk and others, assignees of Addison C. Fletcher.

HEARINGS BEFORE COMMITTEE ON INTERSTATE COMMERCE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. ELKINS, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Interstate Commerce be, and the same is hereby, authorized to employ a stenographer from time to time as may be necessary, to report such hearings as may be had on bills or other matters pending before said committee, and to have the hearings and bills printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

CLERK IN SENATE POST-OFFICE.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by the Senator from Kansas [Mr. BURTON], to report it favorably without amendment, and I ask for its present consideration.

The resolution was read, as follows:

Resolved, That the Sergeant-at-Arms of the Senate be authorized to employ one clerk in the Senate post-office at a compensation of $1,200 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. HALE. There is a great flood of proposed increases in the clerical force of the Senate, and we are from day to day providing for increases. I wish the Senator from New Jersey who reports this resolution would state to the Senate what is the present force in the post-office of the Senate, whether the officials who are there are insufficient to do the work, and whether they are engaged in the Senate post-office in the service of the Senate in the work for which they are paid. I do not know how many officials there are in the Senate post-office, but I am told that the work there is practically done by one man, that the employees of the Senate who are in the office do not attend to the duties, and that this is a supplemental man to increase the force and to aid the man who is doing the work but who is not drawing all the salary. I do not know about the matter, but I have been so told. I should like to have the Senator from New Jersey explain the situation. I do not even know who are employed in the office.

Mr. KEAN. I will say to the Senator from Maine that this resolution is for the purpose of retaining in the post-office the efficient man, the person to whom he referred, who does the work in the post-office.

Mr. HALE. What other officers are there besides this man who does the work?

Mr. KEAN. I believe there is a postmaster, but I am not advised as to how many other people there are in the post-office.

Mr. HALE. I do not rebuke the Senator, because he is very faithful in his duties, but ought he not, before he reports a resolution of this kind, to know what the force is in the post-office and whether the men who are there and who are paid for doing its work are doing it? Does the Senator know that that is the case?

Mr. KEAN. I am sorry to say that I can not inform the Senator as to the post-office employees.

Mr. HALE. I ask that the resolution may go over until the Senator can tell us about the transaction.

Mr. KEAN. I shall be glad to do so.

The PRESIDENT pro tempore. The resolution goes to the Calendar.

BILLS INTRODUCED.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3627) granting an increase of pension to Elizabeth Osborn; and

A bill (S. 3628) granting an increase of pension to Daniel McCullough.

Mr. PENROSE introduced a bill (S. 3629) to restrict the unlimited transfer of merchandise in bonded warehouses; which was read twice by its title, and referred to the Committee on Finance.

Mr. STEWART introduced a bill (S. 3630) to amend an act entitled "An act to grant the right of way through the Oklahoma Territory and the Indian Territory to the Enid and Anadarko Railway Company, and for other purposes;" which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3631) to provide for the organization and maintenance of public schools in the Indian Territory; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. SCOTT introduced a bill (S. 3632) for the relief of the legal representatives of Lieut. Francis Ware, deceased, of the Revolutionary war; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Revolutionary Claims.

Mr. BURROWS introduced a bill (S. 3633) granting an increase of pension to Charles W. Barnes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 3634) to restore Lieut. Kenneth McAlpine to the rank and number formerly held by him in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. FAIRBANKS introduced a bill (S. 3635) granting a pension to John M. Godown; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SMOOT introduced a bill (S. 3636) for the relief of Charles Hall; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Depredations.

Mr. PLATT of Connecticut introduced a bill (S. 3637) granting an increase of pension to Frederick Taylor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 3638) to relieve Orville B. Merrill, late captain Company I, Thirty-sixth Regiment Illinois Volunteers, of the charge of dishonorable dismissal; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. HEYBURN introduced a bill (S. 3639) making provision for the payment of certain sums of money found to be due to the Nez Percé Indians of Idaho; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. KEARNS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3640) granting an increase of pension to John S. Stevens;

A bill (S. 3641) granting an increase of pension to William H. Kinsel; and

A bill (S. 3642) to extend the provisions, limitations, and benefits of the act of July 27, 1892, as amended by the act of June 27, 1902.

Mr. BERRY introduced a bill (S. 3643) for the relief of the trustees of the Baptist Church of Pine Bluff, Ark.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 3644) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3645) granting an increase of pension to Francis Hall; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3646) granting a pension to Thomas C. Trumbull; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3647) granting an increase of pension to Josephine S. Wainwright; which was read twice by

its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GIBSON introduced a bill (S. 3648) granting a pension to Adolph Roensch; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3649) granting an increase of pension to William Kelly; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BALL introduced a bill (S. 3650) for the relief of Thomas Watson; which was read twice by its title, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 3651) granting an increase of pension to Mildred S. Ogden; which was read twice by its title.

Mr. HALE. I present a memorandum covering the case, which I ask may be printed with the bill and referred with it to the Committee on Pensions.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Pensions with the accompanying papers, which will be printed.

Mr. CLAY introduced a bill (S. 3652) granting a pension to James R. Ward; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY. For my colleague [Mr. McLAURIN], who is necessarily absent, I introduce a bill.

The bill (S. 3653) authorizing the Secretary of the Interior to issue to Louis Trager a patent for certain lands situated in Wilkinson County, Miss., was read twice by its title, and referred to the Committee on Public Lands.

Mr. QUARLES introduced a bill (S. 3654) granting a pension to Hannah Hall; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 3655) for the relief of Ellen Sexton; which was read twice by its title, and referred to the Committee on Claims.

Mr. BARD introduced a bill (S. 3656) granting an increase of pension to William Turner; which was read twice by its title, and referred to the Committee on Pensions.

PANAMA AND THE PANAMA CANAL.

Mr. MORGAN. I introduce a bill, which I ask may be read in extenso, its first reading being at length.

The bill (S. 3657) to acknowledge the independence of the Republic of Panama and to provide for the construction of an isthmian ship canal, and for other purposes, was read the first time at length, as follows:

Many nations having recognized the secession of Panama from the Republic of Colombia and its independence as an accomplished fact.

And the President of the United States having approved and protected the secession of Panama with the naval forces of the United States.

And the President and the senate having recognized the independent Government of Panama by appointing and accrediting an envoy extraordinary and minister plenipotentiary to the Republic of Panama:

And the people of Panama having chosen their delegates to a constituent assembly, now in session, to ordain a system, plan, and constitution for the Government of that Republic:

Whereby the independence of Panama has become an established fact.

Be it enacted, etc., That the Republic of Panama is annexed to the United States on the terms and conditions following:

That when this section shall have been accepted and ratified by the Government of the Republic of Panama, through the action of a constituent assembly or of the Legislature of the Republic of Panama thereunto empowered, the Republic of Panama, formerly known as the Department of Panama, with its boundaries and dependencies, shall become a part of the territory of the United States and subject to the sovereign dominion thereof, and all and singular the rights and property of said Republic of Panama, of every description, shall vest in the United States of America, without reserve, and shall be subject to their sovereign disposition.

And thereupon the President of the United States shall issue his proclamation that the Republic of Panama is annexed to the United States under the provisions of this section of this act.

SEC. 2. The sum of $[illegible] is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid upon the warrant of the President, as compensation to the Republic and people of Panama for the cession of its territory and rights under and in accordance with the provisions of section 1 of this act. The [illegible] of said sum shall be immediately available to be used, in the discretion of the President, for the benefit of the Government of Panama, and the remaining $[illegible] shall be reserved in the Treasury, subject to the further disposition of the Congress of the United States for the benefit of the people of the Republic of Panama and their respective territorial and municipal governments.

SEC. 3. The sum of $[illegible] is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid upon the warrant of the President of the United States, when the Congress shall have approved and ratified an agreement the President shall make with the Republic of Colombia in respect of the secession of Panama from Colombia, [illegible] an agreement as to any public works that Colombia may have or other expenditures, which might otherwise be claimed as a debt in whole or in part, and may be obligatory upon the Republic of Panama, and also in full and all rights and claims of every kind and character in favor of Colombia in any manner or form, growing out of her relations to or dealings or connection with the Universal Panama Canal Company or the New Panama Canal Company.

SEC. 4. The sum of $40,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be applied as follows and upon the following conditions, namely:

That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding $40,000,000, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on the Isthmus of Panama, and all its maps, plans, drawings, records on the Isthmus of Panama and in Paris, including all the capital stock, not less, however, than 68,853 shares of the Panama Railroad Company, owned by or held for the use of said canal company, provided a satisfactory title to all of said property can be obtained."

And after such contract or purchase is made it shall be submitted to Congress for its authorization and shall not be finally completed until it is so ratified; whereupon the President is authorized to draw his warrant on the Treasury of the United States for such sum, not to exceed $40,000,000, as Congress shall make available for such purchase.

The President shall report to Congress the terms and conditions of such purchase and the names of the persons or corporations that are lawfully authorized and empowered to make a sale and conveyance of such property, and to receive and give acquittance for the sums of money to be paid for the property and rights of said canal companies purchased under the provisions of this section of this act.

The President shall also report to Congress the facts he may ascertain as the basis of the right of either of said Panama canal companies to make a sale and conveyance of their property and concessions or canal rights to the United States and of the ability of the United States to acquire and hold the same, and upon what manner the Congress can lawfully vote for their acquisition.

SEC. 5. The appropriations contained in the [illegible] for an isthmian canal in section [illegible] of the act approved June [illegible], entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," and the moneys so [illegible] shall apply to the construction of a canal as [illegible] to the provisions of this act, and notwithstanding [illegible] sections 2, 3, and 4 of said act, any money so [illegible] or any [illegible] Nicaragua route on the Nicaragua route mentioned in said act, August 5, 1902.

Nothing in this act shall be so construed as to confer any right, power, or duty of the Congress under said act of August [illegible] in respect of the Nicaragua route, as therein provided, or to allege any right of the United States under the agreements contained in the treaties between the Republic of Nicaragua and Costa Rica, [illegible] on the 1st day of December, [illegible]. And if a canal is commenced or commenced to be constructed, as provided in said act, or in the amendatory act of said act of January [illegible], 1902, upon the Nicaragua route, then no part of the fund so [illegible] thereof, [illegible] shall be used in the construction of any canal on the Panama route, or any other route, which shall be constructed in contravention of the treaties between the United States and Colombia, or which shall be constructed in contravention of any such treaty had been made when it was the sovereign owner of the Department of Panama.

Mr. MORGAN. I ask that the bill may go over, and on its second reading to-morrow I shall ask the leave of the Senate to submit some observations upon it.

The PRESIDING OFFICER (Mr. KEAN in the chair). The bill will go over for a second reading.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TALIAFERRO submitted an amendment proposing to appropriate $720 to pay balance due the Independent Line steamers, of Tampa, Fla., in settlement of all claims against the United States for damages to the steamer *Manatee*, due to a collis on with the U. S. S. *Hillsboro*, in Tampa Bay, Florida, November 18, 1901, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. NELSON submitted the following amendments, intended to be proposed by him to the diplomatic and consular appropriation bill; which were referred to the Committee on Foreign Relations, and ordered to be printed:

An amendment proposing to change the grade of the consulate at Stuttgart, Germany, from Class IV, Schedule B, to Class III of the same schedule;

An amendment proposing to change the grade of the consulate at Odessa, Russia, from Class IV, Schedule B, to Class III of the same schedule;

An amendment proposing to increase the salary of the consul-general at Christiania, Norway, from $2,000 to $2,500; and

An amendment proposing to change the grade of the consulate at Bergen, Norway, to Class VI, Schedule B.

Mr. NELSON submitted an amendment proposing to appropriate $4,926.67, in full compensation for damage to the owners of the Norwegian steamship *Nicaragua* by reason of the rescue of an American citizen, John McCafferty, and the consequent quarantine of said ship at Mobile, Ala., 1894, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. QUARLES submitted an amendment proposing to appropriate $2,000 for chief of division of printing, in the Department of Commerce and Labor, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

PURE-FOOD BILL.

Mr. HEYBURN submitted the following order; which was considered by unanimous consent, and agreed to:

Ordered, That there be printed, for the use of the document room of the Senate, 500 extra copies of Senate bill 198 and of the report thereon, Senate Report No. 301.

HEARINGS BEFORE COMMITTEE ON APPROPRIATIONS.

Mr. ALLISON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Appropriations be, and it is hereby, authorized to employ a stenographer from time to time, as may be necessary,

to report such testimony as may be taken by the committee or its subcommittees in connection with appropriation bills, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate.

RELATIONS WITH COLOMBIA.

Mr. HALE. The other day I introduced a resolution relating to the situation in Panama as a substitute to the resolution of the Senator from Georgia [Mr. BACON], and it went with his resolution. These resolutions are on the table. I now introduce the same resolution, simply that it may be referred. The Senator from Georgia is not here. I ask that my resolution may be referred, not touching his resolution, to the Committee on Foreign Relations.

The PRESIDENT pro tempore. The proposition of the Senator is simply a reference of the resolution?

Mr. HALE. A reference of this resolution, not touching the other.

The PRESIDENT pro tempore. As it has been read before, it will not, unless the Senator desires, be read again. The resolution will be referred to the Committee on Foreign Relations.

The resolution submitted by Mr. HALE on the 13th instant was referred to the Committee on Foreign Relations, as follows:

Whereas the State of Panama, formerly a part of the Republic of Colombia, has seceded from that Republic and has set up a government, republican in form, under the name of the Republic of Panama; and

Whereas the independence of said Republic of Panama has been recognized by the United States and by many other nations; and

Whereas a treaty is now pending before the Senate between the United States and the Republic of Panama, the ratification of which will insure the speedy construction of the interoceanic canal by the United States across the territory of said Republic of Panama: Therefore

Resolved, That twenty million which the Republic of Colombia, in any form, may make a present to the said Republic of Panama for independence, property, territory or the mutual benefit of the people of said Republic of Colombia, the President is requested to render the best offices to assist the parties in adjustment of all controversies that have arisen or may arise, between said Republic of Colombia and the Republic of Panama.

NICARAGUAN CANAL.

Mr. MORGAN. I submit a resolution, which I ask may be printed and go over.

The concurrent resolution was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That obedience to the act of June 28, 1902, known as the Spooner law, and the preservation of friendly relations with the governments of Costa Rica, Nicaragua, and the United States entered into, signed and exchanged on November 1, 1901, requires that the President shall proceed to negotiate treaties with Nicaragua and Costa Rica for a treaty to further arrange and settle the terms in detail for the construction of a ship canal in the Nicaragua route.

The PRESIDENT pro tempore. The resolution will be printed and go over. It is not, however, an ordinary resolution, recognized as coming up in the morning hour. It is a concurrent resolution.

Mr. PLATT of Connecticut. It can go over.

The PRESIDENT pro tempore. In accordance with the request of the Senator from Alabama, the resolution will go over.

HOUSE RESOLUTION REFERRED.

The joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department was read twice by its title, and referred to the Committee on Military Affairs.

SIVEWRIGHT, BACON & CO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying papers, relating to the claim of Messrs. Sivewright, Bacon & Co., of Manchester, England, British subjects, for compensation for damages sustained by their vessel, the British steamship [illegible], in consequence of collisions, in June, 1901, at Manila, with certain coal hulks belonging to the United States Government.

I recommend that, as an act of equity and comity, provision be made by the Congress for reimbursement to the firm of the money expended by it in making the repairs to the ship which the collisions rendered necessary.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, January 8, 1904.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 73, by Mr. GORMAN, calling upon the President for certain information touching former negotiations of the United States with the Governments of New Granada or Colombia, etc.

The PRESIDENT pro tempore. The resolution is before the Senate, and the Senator from Colorado [Mr. PATTERSON] is entitled to the floor.

Mr. PATTERSON. Mr. President, when I suspended my remarks yesterday the Senator from Wisconsin [Mr. SPOONER] and I had reached a conclusion about what has been a controverted clause of article 35 of the treaty of 1846, namely, that it was a grant of a right of free passage and transit to the United States and citizens of the United States and their goods and merchandise, revocable at the option of twenty years. Either party had the revocation, or at any time after twenty years upon a year's notice of the party desiring the end or the amendment of the treaty. Further, that it was a grant to the United States of very important commercial privileges that the United States had been striving in vain for twenty years to secure. These commercial privileges, of course, were national, but the commercial advantages were all with the United States, for this was a country of great commercial enterprise. It desired the expansion of its commerce throughout South America. It was in competition with Great Britain in selling the republics of South America as its markets, and through this treaty it was given much more advantageous ground than was held by its British competitor.

All the provisions of the treaty of 1846 that I have discussed were to the great advantage of the United States. I now come to the only part that could be claimed to be a burden upon the United States, and so much as gave the guaranty of the United States to maintain the sovereignty and property of Colombia in the Isthmus of Panama. I read:

And, in order to secure to themselves—

That is, the United States—

the tranquil and constant enjoyment of these advantages—

That is, the commercial advantages to which the treaty had before referred and that are epitomized in article 35—

and as an equivalent compensation for the said advantages and for the favors they have conferred by the 4th, 5th, and 6th articles of this treaty, the United States guarantee to the Republic of New Granada the perfect neutrality of the isthmus aforesaid, in the same manner as the territories which they now possess in the said isthmus, and the free transit across the same, from the one to the other sea, as long as the sovereignty and property which New Granada has and possesses over the said territory.

Mr. President, in view of the strong and comprehensive language used in this clause of article 35, I was inclined to believe, when I first gave it my consideration, that the United States had not only guaranteed the neutrality and the property of Colombia in Panama as against foreign nations, but that it had also guaranteed them as against domestic insurrection. Reflection has convinced me that such was not the case and that both the President and Secretary Hay are right when they concluded that the United States guaranteed the sovereignty of Colombia over Panama only as against foreign governments. So, in what I shall say upon the clause of article 35, I will be guided by the conclusion reached by the President and by Secretary Hay, and as is contended for by the Senators upon the other side.

But, Mr. President, when the United States guaranteed the sovereignty of Colombia over Panama and guaranteed the property of Colombia in Panama as against foreign nations, it also guaranteed that the United States would never participate, so long as the treaty lasted, in wresting that sovereignty over Panama or Colombia's property in Panama from Colombia. If it was not an obligation upon the United States resting in express words, it was an obligation commanded by every obligation of international morality—that when a nation guarantees the neutrality and the property of another nation in a part of its possessions as against foreign powers, it has effectually tied its own hands from conspiring with domestic traitors to destroy that sovereignty.

That this treaty provided as clearly as language could against assisting the force or war being waged against Colombia for anything arising out of the treaty is manifest in every article and line of it. I call attention to article 3, because this article declares by what rules the subjects of one of the nations when in the territory of the other shall be governed:

ARTICLE 3.

The two high contracting parties being desirous of placing the commerce of the citizens of their respective nations on the footing of the most favored nation, agree that whatever shall be granted by this Government to any other nation, or its citizens, shall immediately extend to the citizens of the other contracting party, freely if the concession be freely made, or on the same compensation if the concession be conditional, the same privileges, immunities, and exemptions, in the navigation and commerce, which may be granted in favor of the flag, citizens, or property of a third nation. It is understood that the stipulations of this article do not extend to the privileges which are granted by the United States to the republics formerly composing the Spanish monarchy, or to those which may be granted to Spanish America in consequence of future treaties of confederation with the United States, nor to those which may be granted to the Dominion of Canada, or to any other possessions in America, not now forming part of the United States, which may hereafter be acquired by the United States, nor to those which may be granted to the Isthmus of Panama, or to the Republic of Colombia, in which the United States are guarantees in the same manner as in the territories of New Granada, and property which New Granada has and possesses over the said territory.

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By this article citizens of the United States prosecuting commerce in Colombia and living there were to be bound by laws, decrees, and usages of Colombia to the same extent as native citizens were. This is a consideration of no mean importance in the discussion.

When we consider article 8 of the treaty we find the fullest and most explicit provisions made for the suspension of any violation of the treaty by either side. It provides that the citizens of either of the countries shall be liable to an embargo on Panama commerce. I read it for another purpose—to show that this treaty provides for interruptions in transit across the Isthmus. It provides for embargoes, for deliberate detention in transportation upon conditions, as will be seen from the reading of the article:

ARTICLE 8.

The citizens of neither of the contracting parties shall be liable to any embargo, nor be detained with their vessels, cargoes, merchandise, or effects for any military expedition, nor for any public or private purpose whatever, without allowing to those interested an equitable and sufficient indemnification.

Here, then, is a clear provision by implication that embargoes might be placed upon commerce; that interruptions in the transit of persons, cargoes, merchandise, and effects might occur. For what nation can surely provide against the contingencies of internal troubles? And it is the necessary result that in such treaties as the one of forty-six, provisions must be made excusing the guaranteeing state from unforeseen contingencies.

Mr. MALLORY. Will the Senator permit me to ask him a question?

Mr. PATTERSON. Certainly.

Mr. MALLORY. The Senator is reading now from the eighth article of the treaty, which applies in general. I wish to call the Senator's attention to the thirty-fifth article, to the portion of it which refers to the Isthmus of Panama particularly, and to the right of transit across the Isthmus of Panama, and I ask him whether under approved rules of construction that would not be considered as an exception to the general rule laid down in the eighth article?

Mr. PATTERSON. I take it that the whole includes every part, and whenever this treaty provides for a course of conduct applicable to the whole of Colombia it includes Panama as well as every other of the nine Departments of which Colombia consists. Therefore, Mr. President, while there is another provision in article 35 which relates distinctly to Panama, there is no room to question that article 8 is also applicable.

I now call the attention of the Senate to the provision of article 35, to which the Senator from Florida [Mr. MALLORY] referred. It is the fifth subdivision

Fifth. If, unfortunately, any of the articles contained in this treaty should be violated or infringed in any way whatsoever, it is expressly stipulated that neither of the two contracting parties shall ordain or authorize any act of hostility against the other, nor shall grant letters of marque or reprisal against the other, nor shall any party commencing hostilities or making war against the other, first have recourse to the other to demand satisfaction for injuries received, or to demand redress, but the same shall have been done, in violation of the laws and of international right.

If there had been any violation of this treaty upon the part of Colombia, what was the bounden duty of the United States? If the President desired to observe the treaty that we all admit is yet in force, because neither nation has denounced it and the President rests his justification in part upon it, it was his solemn and bounden duty to pursue the course marked out by this clause of the treaty. Has it been done? There is no suggestion of the kind. Not a single charge of the violation of the treaty has been presented. If there had been, then the duty of the President was plain to pursue the course marked out by this section. But granting there was some nonobservance of the treaty by Colombia, which is not charged, and which did not occur, then the President ignored the treaty, and by intervention for the Panama junta made war his method for redress.

The fact that the President has not pursued the method prescribed in the treaty, for nonobservance of its terms is proof positive, since treaties are the supreme law of the land, as he is a law-abiding citizen and observes the obligation of his oath of office, that in his judgment there was no violation of the treaty and there was no necessity for him to proceed under article 35.

Now, let us see what the President says in his message about the action of Colombia with reference to the right of transit and the treaty. I read from his last annual message:

In the year 1846 this Government entered into a treaty with New Granada, the predecessor upon the Isthmus of the Republic of Colombia and of the present Republic of Panama, by which treaty it was provided that the Government and citizens of the United States should always have free and open right of way or transit across the Isthmus of Panama by any modes of communication that might be constructed.

If the President had been entirely frank, he would have said that the United States and the citizens of the United States were entitled to transit across the Isthmus of Panama so long as the treaty of 1846 was in existence. The treaty does not say that the right of transit shall always exist. Then he continues:

While in return our Government guaranteed the perfect neutrality of the above-mentioned Isthmus with the view that the free transit from the one to the other sea might not be interrupted or embarrassed. The treaty vested in the United States a substantial property right carved out of the rights of sovereignty and property which New Granada then had and possessed over the said territory.

Of course this latter is a conclusion reached by the President. But if when one nation grants to another by treaty, revocable at the will of either after a certain period, the right of transit upon means of communication in the territory of the granting nation, it carves out for the beneficiary some of the sovereignty and substantial property rights of the guaranteeing nation, then it is time for nations to revise the language of treaties and to adopt new terms for expressing their agreements. Certainly never until this exigency arose have the representatives of any nation exhibited sufficient temerity to claim that the treaty grant of the right of transit to its citizens across another country deprived the government of that country of any of its sovereignty and conferred that sovereignty upon another.

Mr. DOLLIVER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Iowa?

Mr. PATTERSON. Certainly.

Mr. DOLLIVER. The Senator from Colorado refers to that passage of the President's message as a novelty. It does not occur to me to be entirely a novelty, as the same proposition in substance seems to have been made by President Pierce in his message on this subject in 1856. Will the Senator permit me to read a single passage from it?

Mr. PATTERSON. Certainly.

Mr. DOLLIVER. He does not say that any part of the sovereignty of Colombia was carved out, but he says that it was a material element of sovereignty; which I understand to be the proposition which the Senator has denied. President Pierce says:

It would be difficult to suggest a single object of interest, external or internal, more important to the United States than the maintenance of free communication, by land and sea, between the Atlantic and Pacific States and Territories of the Union. It is a material element of the national integrity and sovereignty.

Mr. PATTERSON. It is difficult to tell, Mr. President, as I hear the extract read, whether President Pierce refers to the national integrity and sovereignty of Colombia or of the United States in the clause which has been read by the junior Senator from Iowa [Mr. DOLLIVER]. But there is no pretense in what he has read that Colombia had carved out of its sovereignty over its own territory any portion of it and conferred it upon the United States or upon any other country. Most undeniably, Mr. President, communication between ocean and ocean through our own States and Territories is a material element of national sovereignty, but there is no suggestion that the United States has ever parted with any of it, through treaties or otherwise, although the citizens of all our treaty countries have free right of way across them. What the Senator has read is in no wise germane to the discussion.

Mr. President, if the claims of the Administration are true, then the following is the necessary logical result:

That article 35 of the treaty of 1846 was a burden which the United States assumed without consideration; that its true meaning was that for the great benefits that were to accrue to the United States and the civilized world New Granada granted to the United States the right—

To exclude New Granada from use of whatever kind of transportation might cross the Isthmus, however necessary its use might be to suppress rebellion or insurrection.

To deprive New Granada of the right to land troops or other munitions of war on the Isthmus for the purpose of overcoming rebellion or preventing secession.

This, the President holds, is upon the theory that such transportation or landing threatens the free and uninterrupted use of such means of transportation, to keep open and maintain which uninterrupted became the bounden duty of the United States.

As if it were possible that a nation could enter into a treaty upon the face of which its most cherished possession, state or department, was made secure to it as against foreign aggression, but which rendered it powerless to retain that possession against its own subjects or to struggle against domestic revolution, rebellion, or secession.

Mr. President, I shall not occupy longer time with the discussion of the terms of the treaty, but I desire to call attention to the views which have been taken of the treaty by different American Administrations. It has been up for construction not infrequently in the past. Cass, Seward, Bayard, and other Secretaries of State, with the approval, unquestionably, of the Presidents then in office, have had occasion to consider this treaty. They have done so in no uncertain words. I desire to read what President Roosevelt says, and then quote the language of the officials to which he referred, that we may determine whether he correctly interprets their language. He says, in his first message to the present session:

The duty of the United States in the premises was clear. In strict accordance with the principles laid down by Secretaries Cass and Seward in the official documents above quoted, the United States gave notice that it would permit the landing of no expeditionary force, the arrival of which would mean chaos and destruction along the line of the railroad and of the proposed canal, and an interruption of transit as an inevitable consequence. The de facto

government of Panama was recognized in the following telegram to Mr. Ehrman:

"The people of Panama have, by apparently unanimous movement, disposed of the political connection with the Republic of Colombia and assumed their independence. When you are satisfied that a de facto government, representative in form and without substantial opposition from the people, has been established in the state of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all duties to protect the persons and property of citizens of the United States and to keep open the transit route in accordance with the obligations of existing treaties governing the relations of the United States to that territory."

The inference the President seeks to convey is that Secretaries Cass and Seward, and doubtless other heads of the State Department, have held that Colombia had no right to land an expeditionary force for the purpose of preserving its integrity and sovereignty over Panama. I assert, Mr. President, that nothing Secretary Cass or any other Secretary of State has said can be tortured into such a claim; and I shall endeavor, by recurring to the language of these Secretaries, to show that what I say is sustained by their language. I reread what Secretary Cass said:

While the rights of sovereignty of the states occupying this region (Central America) should always be respected—

He starts out with the proposition that the rights of sovereignty of the South American States should always—not a part of the time, but always—be respected. I commence the quotation again:

While the rights of sovereignty of the states occupying this region (Central America) should always be respected, we shall expect that these rights be exercised in a spirit befitting the present age, and the enlightened principles that have arisen. Sovereignty has its duties as well as its rights, and none of these local governments, even if acknowledged with regard to Panama, to the just demands of other nations that they have been, would be permitted to assume of eastern isolation to close the gates of intercourse on the great highways of the world and justify the act by the pretension that these avenues of trade and travel belong to them and that they choose to shut them, or, what is almost equivalent, to encumber them with such unjust relations as would prevent their general use.

Mr. President, so far from Colombia having, in a spirit of Eastern isolation, closed the gates of Panama to intercourse from ocean to ocean, it has religiously observed every day and hour of the treaty, so far as it could, the pledge which it gave to the United States. When Colombia granted the franchise for the construction of the Panama Railroad, in that grant of franchise it fully provided for the rights of transit it had guaranteed to the United States, and it is by virtue of the clauses it inserted in the Panama Railroad franchise that the railroad company has never undertaken to discriminate either in passengers or freight against citizens of the United States, and if there had been any other mode of transit constructed, there is no question but that we would have found Colombia again observing the obligations of the treaty by insisting that the transit privileges guaranteed to the United States by the treaty of 1846 should be strictly preserved for them.

It is an historical fact that there has been no closing of the Isthmus to transit of any kind, except occasionally for very short periods when domestic disturbances made it unavoidable. Indeed, Colombia, with the single exception of refusing to ratify the Hay-Herran treaty, which was its indisputable right, has been without offense against the United States ever since the treaty of 1846 was made. I call upon Senators on the other side to indicate, if such is not the truth, when and where and how Colombia failed to perform its duty. It is true that at times there have been insurrections upon the Isthmus of Panama which obstructed for the time being free transit across the Isthmus, but if Colombia was unable to speedily clear the way for the citizens and goods of the United States it has unhesitatingly called upon the United States to lend its aid in opening up the transit.

But supplemental to the utterance of Secretary Cass that I have just read, I call attention to another treaty, quite independently of that of 1846, that was entered into between the United States and Colombia in 1857, by Secretary Cass. There had been obstruction of the transit across the Isthmus, and this treaty was negotiated to enable citizens of the United States to collect damages from Colombia by reason of the obstruction, and the damages were demanded by the United States because it asserted what Colombia admitted that it was its duty and not that of the United States to keep the transit open. The first article of this treaty of 1857 reads:

All claims on the part of * * * citizens of the United States upon the Government of New Granada * * * and especially those for damages which were caused by the riot at Panama on the 15th of April, 1856, for which the said Government of New Granada acknowledges its liability *arising out of its privilege and obligation to preserve peace and order along the transit route.*

It seems to me that the President should revise his statement about General Cass's construction of the treaty of 1846. The latter maintains, in direct conflict with the claims of President Roosevelt and his Secretary of State, by a solemn treaty, solemnly negotiated between the two countries, and solemnly indorsed by the then President of the United States and the American Senate, that it was the duty of Colombia to preserve peace and order along the transit route; and because in this instance Colombia was unable to preserve it as it had guaranteed to do the United States had a claim for damages against it; and New Granada, in the most formal manner, acknowledged its responsibility.

Could there be a more solemn and binding recognition by any country of the duty of another country to keep open its own line of passage and transit? But yet this Administration takes the ground that it was the duty of the United States to keep the transit open, and that it was the right and duty of the United States to prevent the parent country from keeping open the line of transit and from suppressing a rebellion that threatened the transit, and that so much of the sovereignty of Colombia as imposed upon it the duty of keeping open the route had been abdicated and transferred to the United States under the treaty of 1846. I will now read what Secretary Seward said. I quote the extract from the President's message:

The United States have taken and will take no interest in any question of internal revolution in the State of Panama, or any state of the United States of Colombia—

Ah, Mr. President, this was when Mr. Lincoln was President of the United States, when Mr. Seward was his Secretary of State, when calmer heads and better judgment and more loyal observance of the law were the rule at the capital of the nation. Then Mr. Seward declared:

The United States have taken and will take no interest in any question of internal revolution in the State of Panama or any state of the United States of Colombia, but will maintain a perfect neutrality in connection with such domestic alterations.

If the United States had maintained neutrality would there be the Republic of Panama to-day? If the United States had not interposed its vessels of war and marines between the parent country and its revolting province, does any one doubt that Panama would be to-day, as it was before the 4th or 5th of November last, one of the Departments of the Republic of Panama?

Secretary Seward continues as follows:

The United States will, nevertheless, hold themselves ready to protect the transit trade across the Isthmus against violence at either domestic or foreign disturbers of the peace of the State of Panama.

Who were the disturbers of the peace of Panama? The Government? Those in authority? Those whose duty it was to execute the law and punish offenders? No, Mr. President; but rather those who rose against the law and sought to overthrow the regular Government. Against those Secretary Seward declared the United States held themselves ready to protect the transit.

President Roosevelt and his Secretary of State declare that not only will the United States hold themselves ready to protect the transit across the Isthmus, but they will, to do so, make successful a revolution against Colombia—the country whose sovereignty over Panama we guaranteed in the most solemn and binding manner. It seems to me that the President and his Secretary might well be disturbed by the shades of Lincoln and Seward. They have reversed the honest and statesmanlike dealings of Lincoln and Seward with Colombia and have flown in the face of the recognized international law of the world to accomplish their ambitious ends.

Then Secretary Seward continues, and this extract is continued from the President's message:

* * * Neither the text nor the spirit of the stipulation in that article by which the United States engages to preserve the neutrality of the Isthmus of Panama imposes an obligation on this Government to comply with the requisition of the President of the United States of Colombia for a force to protect the Isthmus of Panama from a band of insurgents of that country. The purpose of the stipulation was to guarantee the Isthmus against seizure or invasion by a foreign power only.

Again, Secretary Seward wrote to our minister at Bogota on April 30, 1866, as follows:

The United States desire nothing else, nothing better, and nothing more in regard to the State of Colombia than the enjoyment on their part of complete and absolute sovereignty and independence. If those great interests shall ever be assailed by any power at home or abroad, the United States will be ready, cooperating with the Government and their ally, to maintain and defend them.

On October 27, 1873, Secretary Fish, President Grant's Secretary of State, said in an official dispatch to Mr. Keeler, referring to section 35 of the treaty of 1846, as follows:

This engagement—

That is, the engagement to protect Colombia in Panama as against domestic revolution or disturbance—

however, has never been acknowledged to embrace the duty of protecting the road across it from the violence of local factions. Although such protection was of late efficiently given by the force under the command of Admiral Almy, it appears to have been granted with the consent and at *the instance of the local authorities.* It is, however, regarded as the undoubted *duty of the Colombian Government to protect the road against attacks from local insurgents. The discharge of this duty will be insisted upon.*

That was the attitude of President Grant and Secretary Fish—not that the United States would interpose to prevent Colombia from suppressing disturbance on the line of transit in Panama, but that it was the undoubted duty of the Colombian Government

to protect the road against attacks from local insurgents, and that the United States would insist upon the discharge of that duty.

Secretary Bayard had something to say upon this proposition during the Administration of President Cleveland. He said:

On several occasions the Government of the United States, *at the instance and always with the assent of Colombia,* has, in times of civil tumult, sent its armed forces to the Isthmus of Panama to preserve American citizens and property along the transit from injuries which the Government of Colombia might at the time be unable to prevent. But, in taking such steps, this Government has always *recognized the sovereignty and superior right of Colombia* in the premises.

These are strenuous days, Mr. President, but the strenuosity that marks them is hardly a justification for the radical departure from the principles of sound statesmanship of our most recent and illustrious Presidents and their Cabinets, and they but followed in the footsteps of the Presidents who went before them.

The President of the United States admits that he has no right to recognize Panama under the law of nations—he deliberately admits it—and practically says in words: "What are you going to do about it?" Let us see what he says:

I have not denied, nor do I wish to deny, either the validity or the propriety of the general rule that a new state should not be recognized as long as there is doubt of it has shown its ability to maintain its independence.

Let us reflect upon that language of the President. It has been the contention of Senators upon this side, whether they favor the treaty or not, and it is the admission of the calmer and the more deliberate of the Senators upon the other side, that under the well-settled law of nations the President was without authority to recognize Panama; more than that, he was forbidden to do so under the circumstances attending that act, and the President says this is true. He continues:

This rule is derived from the principle of nonintervention, and as a corollary of that principle has generally been observed by the United States.

I would ask the defenders of this Panama transaction to point out when and where it has not been observed; where and when in all the history of the United States in our dealings with revolutions in other countries has this country recognized a seceding section until it had demonstrated its power to maintain its independence without that recognition?

The President further says:

But, like the principle from which it is deduced, the rule is subject to exception; and there are, in my opinion, clear and imperative cases in which a departure from it was justified and even required in the present instance.

He admits a departure from the rule, but he says there were clear and imperative reasons justifying it, and then he gives the reasons:

These reasons embrace, first, our treaty rights; second, our national interests and safety; and third, the interests of collective civilization.

Mr. President, it is not necessary to refer again to the treaty of 1846 or to any other treaty for the purpose of showing that there was no right conferred upon the United States by any such treaty to interfere in any way with the sovereignty of the Republic of Colombia over every one of its nine Departments. The statement of the President that our treaty rights justify his departure from the general rule is wholly voluntary and absolutely baseless, and I think it will call into play the utmost ingenuity and the most reckless line of argument to maintain the shadow of the shadow of a pretense that the treaty warrants such a claim.

The next reason, which he says is imperative and clear, is that founded on our national interests and safety. I supposed that so far as Colombia was concerned our national interests were guarded by the treaty of 1846, a treaty which is yet in existence, which Colombia, notwithstanding the tremendous provocation, has not yet seen fit to denounce. Our national interests and safety. Who is threatening the safety of the United States? It is true that in case of war our fighting ships might go from the Pacific to the Atlantic and the reverse more speedily by way of an isthmian canal than by the Cape, but who ever before suggested that the mere matter of convenience was a justification for interfering with the sovereign rights of an independent republic?

It is an absurdity to suggest that our national safety is at this time imperiled to a greater degree than it has been in the one hundred and twenty years of national life. This country has grown great and strong; its Navy has been reenforced; its people are of the fighting type and character that makes them resistless on the field of battle. Who but the President will suggest that the safety of the United States is so imperiled from any quarter as to warrant his claim that the safety of our country justifies his total and aggressive disregard of the treaty and international rights of not only a sister republic, but our ally by treaty and common interests?

But what next does he say?

In the third place, I confidently maintain that the recognition of the Republic of Panama was an act justified by the interests of collective civilization. If ever a government could be said to have received a mandate from civilization to effect an object the accomplishment of which was demanded in the interest of mankind, the United States holds that position with regard to the interoceanic canal.

* * * * * *

That our position as the mandatary of civilization has been by no means misconceived is shown by the promptitude with which the powers have, one after another, followed our lead in recognizing Panama as an independent state.

The Senator from Wisconsin [Mr. QUARLES] properly said yesterday that "collective civilization" and the "mandatary of the collective civilization of the world" are new phrases. They are new phrases. The President, when he penned them, must have been in a state of mental exaltation; and there are such occasions in the lives of many men. There were Mohammed, Joe Smith, and Dowie, and others whose minds at times moved in the realms of space and led them when in that exalted atmosphere to imagine themselves the vicegerents of Jehovah. The President, when he advanced the claim, to justify despoiling Colombia of its most prized department, that the United States was "the mandatary of collective civilization," to do the job must have abandoned the field of treaty obligations, of international law and national morality to soar where imagination supplants reason and fiction is divorced from fact.

When we speak of "civilization" we mean the improved condition of man resulting from the establishment of social order, in place of individual independence and the lawlessness of savage or barbarous life. It may exist in various degrees. It is susceptible of continual progress. Such is the definition by Guizot.

Mr. President, civilization means respect for law, regard for the obligations of duty, coveting neither a man's wife nor another country's territory; yet we find this Administration leading in an act admitted to be in violation of the rules of international law, that strips Colombia of a large section of its territory, while maintaining that it was compelled to do so by the mandates of collective civilization.

If the President had followed the mandates of collective civilization, he would have learned his duty from the treaty of 1846. He would have followed the paths hewn out by Lincoln and Seward, by Cass and Pierce, by Grant and Fish, and by Cleveland and Bayard, and he would have respected the sovereignty of our treaty neighbor.

Akin to this and in line with it, I may refer to an historical event which shows that other American statesmen have at other times, and in what they believed were other critical periods of the nation's history, appealed to something above the law and honest duty. The Senator from Rhode Island, in the controversy over the Cuban treaty, referred to the Ostend manifesto. In 1854 Messrs. Buchanan, Mason, and Soulé, the ministers of the United States at London, Paris, and Madrid, met at Ostend and issued a joint declaration advising the purchase of Cuba by the United States for $120,000,000, and having given this advice they proceeded to say in this manifesto:

If Spain, dead to the voice of her own interest and actuated by stubborn pride and a false sense of honor, should refuse to sell Cuba to the United States, then the question will arise, What ought to be the course of the United States under the circumstances?

And these three American ministers answered the question for themselves. They said:

After we shall have offered Spain a price for Cuba far beyond its present value, and this shall be refused, * * * then by every law, human and divine, we shall be justified in wresting it from Spain, if we have the power.

It is the same doctrine as that preached in the year 1904 by the President and his Cabinet. They propose to do lawless acts, sanctioned, as they claim, by every law, human and divine, and, in responding to the commands of collective civilization. They unblushingly disregard the rights of nations, set up their own standard of right in dealing with them, and insist that they shall have what they want, though lawless force is the agency to acquire it.

Mr. President, the first Republican national convention, a convention over which one of my then townsmen in Indiana, the Hon. Henry S. Lane, presided, met not long after the Ostend manifesto, and expressed itself about it in a platform plank in the following language:

The highwayman's plea that "might makes right," embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government and people that gave it their sanction.

It is true that in that day they wanted Cuba to help maintain the balance between the free and the slave States. In this day we want the Isthmus of Panama for a canal for the more convenient passage of steam vessels. That is the only difference. It is the same plea in effect. It is the higher law. It is the casting behind by those high in power of that which is declared to be the supreme law of the land.

I will now take up the question of the good faith of Colombia and of this country in dealing with the Panama question and what is known as the Hay-Herran treaty. The Spooner law was passed, and under it a treaty was framed between the diplomatic representatives of the two Governments for the building of the isthmian canal. But I take it that that treaty was nothing more

than a proposition until ratified by the ratifying power of both Governments. Under the Constitution of this country it had to be ratified by the Senate; under the constitution of Colombia it had to be ratified by the Colombian Congress; and until it was so ratified it could have no dignity beyond that of an instrument that was prepared for the consideration and ratification or rejection of the ratifying bodies of the contracting nations.

I recollect very well when that identical treaty came before this body for ratification. The controversy over it was long and fierce. A number of Senators believed it was their bounden duty to vote against its ratification, and they did. Suppose that number had been in the majority. That would have been the end of the treaty, and who will question the right of this body—no one will question its power to decline to ratify that or any other treaty presented to it?

Mr. President, I understand that there are treaties of amity and commerce between the United States and foreign nations, negotiated by our diplomatic representatives, that have been in the Committee on Foreign Relations for years and years, not ratified, and never will be ratified. Will anybody suggest that because the United States decline to ratify the pending treaty with France or a treaty with Germany or a treaty with Great Britain, there is a casus belli? The Congress of Colombia was and is as independent as the Senate of the United States. The duty resting upon the members of that body was just as solemn as the duty resting upon this body. It was their right to receive that treaty and discuss it, and if in their judgment it was not for the best interests of their country to ratify it, undeniably they had the power and it was their bounden duty to reject it.

Mr. FAIRBANKS. Will the Senator from Colorado allow me to interrupt him?

Mr. PATTERSON. Certainly.

Mr. FAIRBANKS. Do I understand that anybody has disputed the right of the Colombian Congress to deliberate on the treaty and amend it if they saw fit?

Mr. PATTERSON. Nobody in this Chamber has publicly denied their right, but the chief cause of offense to the President by Colombia is that the Congress of Colombia, in the exercise of its sovereign right, did not ratify the Hay-Herran treaty. This the President makes very plain in his messages.

Mr. FAIRBANKS. I do not understand that the Administration took the position that the Colombian Congress was obliged to ratify the treaty as it was sent to them, without deliberation or amendment, if they saw fit to amend it.

Mr. PATTERSON. I will show you from the official correspondence that the Administration did threaten Colombia with serious consequences in the event that it did not ratify the treaty.

Mr. CARMACK. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. PATTERSON. Certainly.

Mr. CARMACK. I think the President, in his message, characterized Colombia's rejection of the treaty as an unfriendly act toward the United States.

Mr. PATTERSON. We will see just what was done about it.

In the first place, while it is true that Colombia desired that a treaty for the construction of a canal should be entered into between it and the United States, it is also true that the treaty when framed was not in conformity with the expressed desires of the Colombian Government. One would imagine, reading the messages of the President, that the Government of Colombia had executed a perfected treaty almost in the very terms that Colombia desired, and that the Government itself, the treaty-making power, had subsequently rejected it. Such is not the case, as is practically admitted by the question of the Senator from Indiana. But I desire to call attention to the points wherein the treaty as framed was not in conformity with the desires of the Colombian Government. In a communication from Luis Carlos Rico, the Colombian secretary of state, to Minister Beaupré, he calls the attention of our minister to the differences between the wishes of Colombia and the provisions of the treaty. He says:

There is a very notable difference between some of the propositions presented by Colombia and the respective modifications introduced by the United States.

That difference is apparent comparing the memorandum presented by the Colombian legation on March 31, 1903, with the proposed bases by the Secretary of State, especially those referring to the sovereignty of the zone, judicial jurisdiction in same, and the price of compensation for the use of the same for the mere proprietorship of the Panama Railroad, and for the rent of $250,000 demanded for the same railroad, likewise as to the rights, privileges, and exemptions which she gave.

It is further to be observed that in the memorandum of the legation the establishment of tribunals in the zone was not mentioned, while the Secretary of State, in a project sent with his note of November 18, 1902, proposed it, and that they be divided into three classes, Colombians, Americans, and mixed; as also in the Colombian memorandum, a sum of $7,000,000 American gold was asked and an annual sum which was to be determined as a price for the enjoyment of the railroad and fee for use of the zone, and in attention to other circumstances. The Secretary of State only offered a sum of $7,000,000 and an annual rent of $100,000, or if preferred, a sum of $10,000,000 and an annual rent of $10,000. The Government ordered the legation to ask a sum of $10,000,000 and an annuity of $600,000.

And, by the way, that is the amount of revenue that Colombia, up to the very hour of the forceful wresting of Panama from it, had been receiving from the Panama Railroad.

The Secretary of State, in a note which had the form of an ultimatum, reduced the rent to $250,000. The diminution of $350,000 in a period of only one hundred years represents a difference of $35,000,000, and as the convention will probably last more than a century, it is clear that the difference is no light matter, but of much consideration.

Thus we see——

Mr. MORGAN. Will the Senator from Colorado allow me to submit one observation in connection with that?

Mr. PATTERSON. Certainly.

Mr. MORGAN. In April, 1902, Mr. Hay and Mr. Concha, minister from Colombia, agreed upon a treaty, and Mr. Hay informed Mr. Concha that the President had directed him to sign that treaty whenever the Congress authorized the President to make such a treaty—not that treaty, but such a treaty—and that treaty signed by Mr. Concha contains many provisions in favor of Panama which were stricken out by the Hay-Herran treaty after the passage of the Spooner law.

Mr. PATTERSON. Undoubtedly, Mr. President, the treaty is not what the Government of Colombia wanted, and yet its representative was willing to sign it, doubtless hoping that the Colombian Congress could be induced to ratify it. And the treaty thus framed was sent to Colombia.

What was the situation of the parties? The United States had its Senate, to which the treaty was sent; Colombia had its Congress elected for the purpose of considering the treaty. The Senator from Indiana does not deny the right of the Colombian Congress not only to consider a treaty, but to reject it; and I think he will be frank enough to say that such a rejection was no justification, not even an excuse, for the assumption of an unfriendly attitude toward that Government.

But I call the Senate's attention to this extraordinary condition of things. The Secretary of State, when the Colombian Congress met, when it was engaged in the consideration of this very treaty, deliberately, through the American minister, communicated the gravest insult he well could to that Congress. Let us take this situation: While we had the last Hay-Pauncefote treaty before the Senate, if Great Britain, through its minister at Washington, had caused to be communicated to the Senate that if the Senate did not ratify the treaty the friendly understanding between the two Governments would be so seriously compromised, that action might be taken by the British Parliament that every friend of the United States would regret, what would the Senate of the United States have done? It would have thrown the treaty out without further consideration. It would not have given another minute to its consideration. It would have resented such an insult in other ways than by failing to further consider the treaty.

I call your attention to the attitude of the Secretary of State toward Colombia. As early as June 9, Mr. Hay sent the following telegram to our minister at Bogota. The Colombian Congress was not proceeding according to the ideas of Mr. Hay nor, presumably, the ideas of the President. The President was not used to having a Congress of any kind thwart his wishes. He had been able, upon several occasions, to bring at least the Republican side of the Senate to any of his new-fledged views by a process of rough riding—for which he is entitled to the patent—and doubtless he felt that he could do the same thing with the Congress of a weak foreign country. Mr. Hay sent this communication to our minister at Bogota:

DEPARTMENT OF STATE,
Washington, June 9, 1903.

The Colombian Government apparently does not appreciate the gravity of the situation. The canal negotiations were initiated by Colombia, and were energetically pressed upon this Government for several years. The propositions presented by Colombia, with slight modifications, were finally accepted by us. In virtue of this agreement our Congress revised its previous judgment and decided upon the Panama route. If Colombia should now reject the treaty or unduly delay its ratification, the friendly understanding between the two countries would be so seriously compromised that action might be taken by the Congress next winter which every friend of Colombia would regret.

Now, if that was intended to be communicated to the Colombian Congress, it was a threat open and direct.

Mr. MORGAN. It was communicated.

Mr. PATTERSON. I will come to that. It was a menace of some punishment of Colombia by the United States if the Colombian Congress refused to ratify the treaty. The Senator from Indiana [Mr. FAIRBANKS] shakes his head; but, Mr. President, I take it that this language contained in a dispatch from Great Britain to the United States, if sent while we had under consideration the Hay-Pauncefote treaty, would be taken as an inexcusable threat and insult——

Mr. FAIRBANKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. PATTERSON. Certainly.

Mr. FAIRBANKS. The Senator knows I do not wish to interrupt him unduly.

Mr. PATTERSON. I yield. The interruption is entirely satisfactory.

Mr. FAIRBANKS. I think the Senator, who is fair, puts an erroneous construction upon that language. As we are all advised, there are two routes contemplated by the Spooner Act, and I can see that the Administration might very well lay before Colombia the possibility of the adoption of the Nicaragua route if they should by undue exaction drive the Administration away from Panama. I think all the Secretary of State had in contemplation in this dispatch was that Congress might take the matter in its own hands at the ensuing session and possibly adopt the Nicaragua route. The suggestion of the possible use of any force was not within his purpose; I have no doubt of that.

Mr. PATTERSON. Mr. President, the Spooner Act was communicated to the Colombian Government along with the treaty. The Spooner Act stated in the most explicit terms that if within a reasonable time the President could not negotiate for the right of way across Panama, then it was the duty of the President to negotiate with Nicaragua for that route, and to commence the construction of the canal across it.

Mr. CARMACK. Will the Senator from Colorado permit me?

Mr. PATTERSON. Certainly.

Mr. CARMACK. The language used there is that Congress might take some action which the friends of Colombia would regret. It did not require any action of Congress to go to the Nicaragua route. That was already provided for in the Spooner Act. The President himself was directed to go to the Nicaragua route in the event he could not make an arrangement with Colombia, and it did not require any action of Congress. So it seems to me that on the face of it that language could not have referred to the alternative proposition of the statute.

Mr. FAIRBANKS. I will ask the Senator if it would not have been entirely proper for the President to have called the matter to the attention of Congress upon its reassembling? He was authorized by the Spooner act to adopt the Nicaragua route after a reasonable time had elapsed, failing to secure a proper concession from the Republic of Colombia. I think it would be quite competent and proper for the President, if he had failed during the vacation, to negotiate a suitable treaty with Colombia, to bring the matter back to the attention of Congress for its further consideration.

Mr. CARMACK. That may be, Mr. President, but if the Senator will permit me——

Mr. FAIRBANKS. If the Senator will permit me further, the President had power undoubtedly under the Spooner act, but in a matter so important, where the Congress had expressed its opinion so strongly in favor of the Panama route, I think it would have been entirely proper for him to have brought this subject to the further attention of the Congress before finally adopting the Nicaragua route.

Mr. CARMACK. That may have been, but the President in his message, in justifying the action he did take in the matter, refers to the fact that he had forewarned Colombia, apparently referring to the action he took in making an arrangement with Panama. He says himself he had looked forward to making such an arrangement, and the implication certainly from his message is that that was intended as a warning that he would do something else besides executing the alternative provision of the Spooner act. Again, our minister, Beaupre, was interrogated by the minister for foreign affairs as to what that did mean, whether it meant to execute section four of the Spooner act or to do something unfriendly to Colombia, and he declined to give any explanation or to make any statement on it. It is true that Secretary Hay did later send in a communication threatening to put into execution the alternative provision of the act.

Mr. FAIRBANKS. I think that is all the Secretary had in mind in the use of the language in question.

Mr. PATTERSON. In this connection it is better that there shall be no misunderstanding. The President in his message says:

That there might be nothing omitted, Secretary Hay, through the minister at Bogota, repeatedly warned Colombia that grave consequences might follow from her rejection of the treaty.

But, Mr. President, this telegram from Secretary Hay was intended to be communicated to the Congress itself, as the closing paragraph shows:

Confidential. Communicate substance of this verbally to the minister of foreign affairs. If he desires it, give him a copy in form of memorandum.
HAY.

But that was not all. Our minister communicated to the Colombian Government the following:

I avail myself of this opportunity respectfully to repeat that which I already stated to your excellency, that if Colombia truly desires to maintain the friendly relations that at present exist between two countries, and at the same time secure for herself the extraordinary advantages that are to be produced for her by the construction of the canal in her territory, in case of its being decided by so intimate an alliance of national interests as that which would supervene with the United States, the present treaty will have to be ratified exactly in its present form without amendment whatsoever. I say this because I am positively convinced that my Government will not in any case accept amendments.

It was not a question with Minister Beaupré, or of Secretary Hay, of the United States adopting the alternative of the Spooner Act. It is a notification to the Colombian Government that it must not be amended in any form if the Colombians desire to maintain the friendly relations that at the time existed between the two Governments. I care not what government it may be, however weak and despised, if it has the right of determining a given course for itself, it is less likely to yield that which it objects to under such a threat than if pacific measures had been followed.

But, Mr. President, Colombia is a State with 4,000,000 people, of mixed blood very greatly, it is true, and of a peculiar temperament, fastidious upon questions of honor and of dignity. What was to be expected of a representative body of that people when a great nation like the United States threatened to break off the friendly relations existing between them unless it ratified a treaty that the United States desired? If the President had sought means to defeat the treaty, he could not have pursued a course more certain to accomplish that end, and as he is a rational man and from his long experience is supposed to know what influences the human mind, especially when a question of patriotism is involved, he must have known, when he threatened the Colombian Congress with the severing of friendly relations with the United States unless that Congress ratified a treaty, it was the sure and certain way of securing its rejection.

We find in the correspondence that this threat was read to the Colombian Congress, and let us see with what result. It was intended to be communicated to the Colombian Congress. In one of the letters of the American minister, discussing this ultimatum, as it were, from the President to Colombia, we find the following:

Mr. [illegible] I pointed out that the Colombian Government [illegible] the question of abrogation, and that if [illegible] the treaty or unduly delay its ratification the relations between the two countries would be seriously compromised, and that [illegible] in session next winter which [illegible] would regret, was received with loud murmurs of approval by the [illegible] packed gallery.

The gallery of the Colombian Congress. And why should it not be? It fed the fires of anger and discontent, if any were aflame at that time. Colombians knew that the United States were strong and rich, and they were weak and poor. They must have believed that the threat was an insult offered only because of the difference in their stations. That the treaty was not ratified may be largely traced to the inconsiderate and insulting attitude of Secretary Hay to the Colombian Congress. It, if no other provocation existed, would have insured its rejection.

Our minister, under date of July 31, writes to Secretary Hay as follows:

Instructions heretofore sent to you show the great danger of amending the treaty.

The PRESIDING OFFICER (Mr. KEAN in the chair). Will the Senator from Colorado suspend for a moment?

Mr. PATTERSON. Certainly.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the Calendar of General Orders. The first bill on the Calendar will be stated.

The SECRETARY. Order of Business 13, Senate bill 887, for the purchase of a national forest reserve in the southern Appalachian Mountains, to be known as the National Appalachian Forest Reserve.

Mr. PETTUS. I ask that the Senator from Colorado may be allowed to proceed with his argument.

The PRESIDING OFFICER. The Chair understands the request of the Senator from Alabama to be that this bill be temporarily laid aside, and that the Senator from Colorado may proceed with his remarks. Is there objection? The Chair hears none, and it is so ordered.

Mr. PATTERSON. Mr. President, I desire to call attention to another matter in connection with the suggestion that Colombia committed some unforgivable offense by its failure to ratify the treaty. It is shown by the official correspondence that the Spooner Act was communicated to the Colombian Government with the treaty. Therefore, that Government knew its terms. What alternative did that act present to the Colombian Government, and what did Colombia have a right to expect would be the only penalty it would suffer if it should not ratify the treaty? The Spooner Act required that the President, if he did not secure the right of way and other concessions for the Panama route within a reasonable time, should negotiate with Nicaragua, and, having secured the proper terms, commence the construction of that canal. Colombia was practically informed by the United States that the penalty to be visited upon it for refusing to ratify the

Hay-Herran treaty would be that Colombia would not get the benefit of the canal that was to be constructed.

And did the Spooner Act not give to Colombia the right to accept the alternative? The Spooner Act plainly said to the Government of Colombia, it is not a matter of very great moment to the United States whether you ratify this treaty or not; there are two routes; the Congress of the United States prefers the Panama route, but it is just about as well satisfied with the Nicaraguan route as with the Panama route; we give you an opportunity to ratify a treaty by which you will secure the canal across your territory, but if you do not, then the President will, as directed, negotiate with another government and dig a canal across the territory of that government.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from South Carolina?

Mr. PATTERSON. Certainly.

Mr. TILLMAN. In the connection in which the Senator is just speaking, I would remind him as to the contention of the President that Congress had selected this route and practically given instructions that no other shall be earnestly and honestly attempted to be obtained; that the House of Representatives by a vote of 392, I think, to 2——

Mr. PATTERSON. Three hundred and nine.

Mr. TILLMAN. Well, the House of Representatives, by three hundred and something to 2—practically nothing—voted for the Nicaraguan route, and they only accepted the Spooner compromise in conference. Therefore the contention that the Congress as a Congress selected the Panama route as a finality is unproven and can not be maintained.

Mr. PATTERSON. Mr. President, that is true, and I may refer to that feature more at length before I conclude. But what I am endeavoring to make clear is the alternative that was presented to the Colombian Government, and the only alternative. It was presented to it in such a way that that Government had a right to believe that it would not be considered an unfriendly act for it to reject the Hay-Herran treaty. As I said before, that treaty reached Colombia in this form: "Accept this treaty if you will. The United States prefers the Panama route; but if you do not accept it, it is not a matter of very great account to us. There is another route that the United States can secure so nearly equal to this in desirability and advantages that the mere matter of $10,000,000 in the cost of construction bridges the chasm." That is the case, provided Congress and the President, when they adopted the Spooner Act, were in earnest and did not include the alternative as a fraud upon the United States and a bluff to coerce Colombia into an acceptance of the treaty.

I understand that the Assistant Secretary of State Loomis, in a speech in New York—and I shall be corrected if I misstate his speech—in effect stated that the President never had a thought of constructing a canal along the Nicaragua route; that he held that route to be impracticable and in every way undesirable, and that from the first he stood for the Panama route, and practically it would be the Panama route or none.

If such is the case, then the Government of the United States was not honest with Colombia. When it presented the Spooner Act, in connection with the Hay-Herran treaty, it was an invitation to Colombia to exercise its judgment and to exercise it freely and without restraint, so far as the United States were concerned, because the United States had another string to its bow—that is, that if it did not secure Panama, then it would, under the direction of Congress, dig a canal via Lake Nicaragua. So Colombia accepted the alternative. It was not that Colombia did not want the canal. A reading of the official correspondence between the American minister and the Colombian secretary of state discloses that Colombia was anxious for the canal, but it was unwilling that it should be constructed under the terms and provisions of the Hay-Herran treaty.

The correspondence further discloses beyond peradventure that the Colombian Congress wished to amend the treaty and to again submit the treaty in due and orderly course, as amended, to the Government of the United States, and that our Secretary of State, representing the views of the President, in the most explicit terms informed the Colombian Government over and over again that Colombia should accept that treaty without the dotting of an "i" or the crossing of a "t," and that it would not be accepted by the United States in any other form.

The correspondence also discloses that the reason Colombia did not insert the amendments they wished in the treaty was, first, on account of these repeated statements by the American diplomatic representative, and, next, because they wished to leave the ground entirely free and open when the authorities of the two Governments should again meet for the purpose of preparing a new treaty to be submitted to both Governments.

Mr. President, I do not believe there has been a more earnest advocate of the Isthmian Canal than myself. In season and out of season, before coming to this body and since, I have urged it. I believed it should be constructed via Nicaragua. From my investigation I became convinced that was the most practicable and desirable route; that that route would best subserve the interest of the United States; that a canal could, in fact, be constructed more cheaply there, and that there were fewer difficulties to overcome. I had become convinced, and that conviction has not been removed or impaired in any degree, that there are obstructions in the Panama route that have not yet been solved, and that the successful construction of the canal is still within the realm of experiment.

When the Nicaragua route was rejected, I voted for the treaty for the Panama route, and I believed, as did every Senator when that treaty was ratified, that the President would observe the commands of the Spooner Act faithfully and without reluctance.

What condition has confronted the people of the United States and the Senate? Certainly not one that was anticipated when the Spooner Act was passed and the Hay-Herran treaty was ratified. We all believed in the possibility of the rejection of that treaty by Colombia. We knew it was within the power and the purview of that Government to either ratify or reject or amend it. We believed that if it were rejected, the President, obeying the law, would immediately take steps to secure the canal via Lake Nicaragua. Now, who could have anticipated that when this Congress met, Nicaragua would be wholly abandoned, Colombia would be flouted, that Panama would be revolutionized into an independent Government, and that the United States, in violation of its treaty obligations and of the admitted rules of international law, would have first abetted the secession and then negotiated a treaty with that mushroom Republic?

Mr. President, it is a matter of some moment as to whether there was or was not complicity upon the part of the United States in this Panama uprising. The President states in most emphatic terms that no member of the Administration either aided, or abetted, or encouraged it. I will not take issue with the President. It is not for me to say that, as he sees the truth, he does not speak it, but I have a right to call the attention of the Senate and the country to certain incontestable facts, so that the country may determine whether or not—unconsciously it must be as the President is an honorable man—that he is, to an extent, at least, responsible for the condition that now exists.

We discover, Mr. President, that in the summer of last year while the President says there was still hope that the treaty might be ratified he had two possibilities in mind: he was thinking of the very condition that followed—a secession by the Panamaians—and if that did not occur, then a proposition to Congress to seize Panama willy-nilly, pay to Colombia what the United States believed to be a fair compensation, and let Colombia do the best it could in its helplessness.

The President professes in his message great indignation against the Colombian Government, because some of its officials suggested that the concessions which were given to the New Panama Canal Company might be withdrawn and that Colombia might treat with the United States for the Panama route under circumstances that would permit Colombia to obtain the benefits that were to go to the New Panama Canal Company. The President expresses great horror and indignation at the suggestion of such a thing, not made by the Government of Panama, but by some of the officials of that Government; but he does not hesitate to state to the world that he proposed to submit to Congress a proposition to forcibly take Panama from Colombia and dig the canal without its consent. I do not know, Mr. President, which is the more honorable, whether measured by individual morals or international morals, a proposition to withdraw in a legal way something that has been conferred, or a proposition to seize through sheer might and power that which undeniably belongs to another.

The President in his message says:

My intention was—

Before the Colombian Congress adjourned, when he believed that the treaty would not be ratified—

to consult the Congress as to whether under such circumstances it would not be proper to announce that the canal was to be dug forthwith. We would give the terms that we had offered and the others and that if such terms were not agreed to we would enter into an arrangement with Panama direct, or take what other steps were needful in order to begin the enterprise.

Is not that a statement to the country that the President contemplated arranging for the secession of Panama, that it was his purpose, long before the so-called revolution occurred at Panama, to submit a proposition to Congress to arrange for the canal with Panama? He could not do it unless Panama had been induced to secede and to set up a government for itself, propped upon the bayonets and the guns of the United States. Further, the President says:

A third possibility was that the people of the Isthmus, who had formerly constituted an independent state, and who until recently were united to Colombia only by a loose tie of federal relationship, might take the protection of their own vital interests into their own hands, reassert their former rights, secure their independence upon just grounds, and establish a government competent and willing to do its share in this great work for civilization. This third possibility is what actually occurred. Everyone knew that it was a possibility, but it was not until toward the end of October that it appeared to be an imminent probability.

The President is right when he says that the secession of Panama was spoken of; that it was discussed in the press of this country; that it was spoken of in Bogota; that the Government of Colombia had been warned that such a thing might occur. That is true; but it is also true, Mr. President, that the President of the United States, long before the adjournment of the Colombian Congress, was considering two things: First, the probability of being compelled to seize Panama and take it out of the Colombian sisterhood of States by sheer force and negotiate with Panama for the construction of the canal, or, if a revolution occurred, to take advantage of that and negotiate with the revolutionary government. That was in the President's mind most undeniably.

Mr. President, do you doubt—can any man doubt who reads this message—that the President not only contemplated these things, but consulted about them with his intimates? The President speaks his mind freely; and whether directly with representatives of the Panama revolutionary junta or not, it is beyond question that those who were devising the Panama secession had ample information from those who had a right to know what the purpose of the President was, and they were going to take advantage of it.

To that extent, Mr. President, he is responsible. He had conceived the probability of the secession of Panama under his own guidance. He does not pretend that he did not express his opinions and desires freely; and that being the case, it does no violence to the President to suggest that his views and purposes were known, considered, and believed in by those who comprised the Panama revolutionary junta. Thus we find that long before the revolution occurred—if we can dignify it by that name—the President was contemplating preparations for it.

Mr. PLATT of Connecticut. Will the Senator allow me to ask him a question before he passes from the last subject?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. PATTERSON. Certainly.

Mr. PLATT of Connecticut. Does the Senator think that there would have been any impropriety in the President consulting Congress with reference to what he would do in case Colombia rejected the treaty?

Mr. PATTERSON. No, sir. But I do think, Mr. President, answering the Senator from Connecticut, that there was grave impropriety in the President suggesting to Congress an act of treachery to a sister Republic. I do believe that it was a grave impropriety for the President to have determined to submit to Congress the proposition that it should ignore Colombia and deal with a section of Colombia—namely, the Department of Panama, for the canal, knowing that he could not do so unless he could induce Panama first to secede from Colombia and set up a government of its own.

To propose such a thing to Congress would, I take it, have been an insult to the integrity and the honesty of Congress. Certainly this body did not and could not have anticipated the submission to it of a proposition such as that, and I take it, Mr. President, that if the secession had not occurred and Congress had been convened, if the President had in cold blood submitted to it the proposition to unite with Panama to wrest it from the Government to which it owed allegiance in order that the United States might deal with it as an independent nation to secure the canal, that the proposition would have been indignantly spurned by every Member of Congress, both Senate and House.

Mr. PLATT of Connecticut. I am not so sure of that.

Mr. PATTERSON. No; perhaps I ought not to be so sure either. Perhaps I spoke with a little too much certainty, because, Mr. President, we have witnessed strange things. Who would have supposed six months ago that the President would have sent American vessels of war to Panama, both upon the Atlantic and Pacific sides, upon orders to prevent Colombia landing or marching troops for the purpose of maintaining its sovereignty in Panama, and that the Republican majority would as one man approve the act? But, Mr. President, the power of an Administration has been displayed many times, not alone by this Administration but by others. I have seen an Administration secure a treaty that the judgment of the Senate of the United States was against by a large majority. I have seen an Administration secure approval of an act that if presented by somebody else than the President would have been treated as an insult to the entire body.

Mr. PLATT of Connecticut. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. PATTERSON. Certainly.

Mr. PLATT of Connecticut. We have been listening to impeachments of the President, and now we are listening to an impeachment of Congress.

Mr. PATTERSON. Well, Mr. President, it is quite well enough to impeach Congress occasionally in its collective capacity. It is not above it. It is not anointed from on high. All the wisdom and all the virtue of the country does not lodge in Congress, and some of its acts are neither to be condoned nor approved.

Now, with both of these alternatives in the mind of the President, what do we discover? But first I call attention to another statement by the President. He urges the small number of marines on the *Nashville* and that were landed at Colon on the report of danger to American residents, as proof that the Administration had no participation in the Panama revolt. If it had, would there not have been a much heavier American war force on hand for the occasion, he inferentially asks. The *Nashville*'s men were landed on November 4. The *Nashville* reached Colon on the 2d. But it officially appears that the *Cartagena* with its troops was not expected until the 10th, and the *Cartagena* was the only Colombian vessel supposed to be heading for the isthmus. I quote from the President's message:

Before this telegram was sent, however, one was received from Consul Magoon at Colon, reading as follows:

"Revolution declared. Government forces on the Isthmus about 500 men. Their officers promise support to Government. Business, etc., are well suspended and land navigation. Government vessel, Cartagena, with about 400 troops arrived early today and anchored in Colon harbor. Was not expected until November 10. Total arrival is not probable to stop revolution."

Except the Colombian troops that would arrive on the *Cartagena*, there were none in Panama but those who had been bought for the insurrection with the money supplied either by the banking syndicate in New York or that was taken out of the Colombian treasury at Panama.

Since the *Cartagena* was not expected until November 10, and that was the only vessel supposed to be carrying troops to Panama, well might the authorities here believe that the issuance of orders to different war vessels of the United States on the 2d of November would send them to Panama in ample time to afford the support to the contemplated revolution which the junta expected.

On the 2d of November then, before the revolution broke out, when it was known that, if a revolution occurred, Colombia would as speedily as it might send its forces to overcome it, the following order was sent from Washington to the *Boston*, the *Nashville*, and the *Dixie*:

Maintaining free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, at any point within 50 miles of Panama. Government force reported approaching the Isthmus in vessels. Prevent their landing if, in your judgment, the landing would precipitate a conflict.

This dispatch, Mr. President, required American war vessels to prevent the landing of Colombian troops within 50 miles of Panama. But another dispatch was sent to the same vessels on the same date by which the scope of action of our naval force was enlarged. The dispatch is as follows:

NASHVILLE, *care American Consul, Colon:*

Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point.

From every part of the Isthmus exclude Colombian forces from landing if they are landing with hostile intent. Hostile intent against whom and what? Not against the United States, but hostile intent against the insurgents who were expected to rise and overthrow their Government.

Send copy of instructions to the senior officer present at Panama upon arrival of *Boston*.

And then the President tells to what other vessels similar orders were sent.

So, Mr. President, it must be perfectly clear, first, that the President knew of the uprising that was threatened; that the President had determined to prevent interference by Colombia with the uprising; that the President had made up his mind to defeat every effort of Colombia to overcome the rebellion of its subjects, not requiring of Panama to demonstrate its ability to maintain its independence as against Colombia. Pure, cold-blooded, deliberate participation with the rebels, though the President avers it was without previous arrangement, but undeniably the secessionists knew his mind. He tells us that his mind was made up.

It was along the line that his efforts afterwards went. Can there be any doubt that the President thoughtlessly, he maintains, played into the hands of the rebels at Panama? Of course it was for a purpose. To secure the Panama Canal in defiance of treaty obligations and the rules of international law. The law of nations provides the same rules of conduct for strong nations dealing with weaker ones that it does for strong nations dealing with those equal in strength and power. But this Administration has one rule of conduct for dealings with weak nations and an-

other rule of conduct by which to guide its actions in dealing with equal or stronger nations.

If the weaker nation has what we want, then in the name of collective civilization we will take what we want. If we can not get it directly we will get it by connivance and conspiracy and rebellion. I take it, Mr. President, that international law should be as binding upon the consciences of nations as the civil law is expected to be binding upon the consciences of individuals; that the one is as much to be respected and enforced by those in authority as the other, and when the head of a great nation fails to observe the commands of international law he is as much a violator of law as is a citizen who disregards statute law whether it be the criminal or the civil code.

Mr. President, the *Cartagena* arrived at Colon on the morning of the 3d. Its officers landed. The *Cartagena* had brought troops, a new governor, a new set of officials for Panama because the Government had been informed of the disloyalty of Colombian officials then in control of Panama. At that time Colombia relied upon the good faith of the United States. In all the dealings of Colombia with us it had had no occasion to doubt that the obligations the United States had assumed by the treaty would be faithfully observed, and that the United States as the controlling power of the Western Hemisphere would deal with Colombia as it would with the strongest power upon the face of the globe. It had faith in the justice and honor of the United States, and so Colombia sent troops to Panama, not to contend with the United States, but to replace troops whose loyalty it suspected and to replace Panama's local official force.

But what was discovered? As soon as the Colombian officers landed at Colon—Generals Tobal and Amaya—they were not only refused transportation over the Panama Railroad for their troops from Colon to Panama, the seat of Government, but by the chicanery of the railroad officials they were decoyed into going without their forces to Panama, into the very arms of the conspirators, whose treachery had not then been displayed in open revolt. They were thrown into the Panama prison on the evening of the very day they went to Panama. Then, after their arrest, after the last train from Panama to Colon had departed on the night of the 3d, the revolution came out into the open. It was immediately accomplished. There were no Colombian forces to oppose them, and a brass band, with some speeches, with the United States in the background, gave the secessionists their victory.

It was not until the morning of November 4 that information of the so-called uprising was communicated to the people of Colon. On the 3d Colonel Torres, who had been left in command at Colon of the Colombian troops, learned of the arrest of his two superior officers. He knew it was the result of treachery; that American officials, in conjunction with the Panama junta, had prepared the trap that led them to the prison. Torres demanded their release, and it was when denied that he, it is asserted, threatened the lives of Americans at Colon.

I now take up the *Nashville* incident, to which the Senator from Wisconsin [Mr. SPOONER] referred on yesterday. The following is the account given of it by Merrill A. Teague. It has never been disputed. He is a journalist of high repute. He visited Panama immediately after the disturbances. He wrote these letters and they were published in nearly a dozen different influential journals in the United States, and no issue has yet been taken with a single material fact that his story of the so-called revolution contains.

Mr. ALDRICH. Will the Senator from Colorado allow me to ask him a question?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. Does the Senator assume that uncontradicted newspaper reports are reliable history?

Mr. PATTERSON. I have discovered that whenever a newspaper statement is made, especially in the press of the capital, of matters with which prominent members of the Administration are associated, if they are untrue and relate to material matters, they are pretty promptly contradicted. I might refer to a newspaper statement which attracted everybody's attention but a few days ago. It is unnecessary to be more specific. The Senator from Rhode Island, I think, will recall what I refer to.

Mr. ALDRICH. I do not.

Mr. PATTERSON. It was stated in the press that the Chief Executive had said that a certain gentleman, when he returned to Washington, would be compelled to fish or cut bait, and we know how promptly that was denied from the White House, and very properly, too.

This is the account given by Mr. Teague, and there is no account which differs from it:

It was at this juncture that Governor Mollendes—

Governor Mollendes was appointed mayor of Colon by the revolutionary government. He had been appointed on the evening of the 3d. He got back to Colon on the train on the morning of the 4th, and this new mayor, a mulatto, was the gentleman who reported that Colonel Torres was about to assassinate all the American citizens in Colon.

It was at this juncture that Governor Mollendes executed a little coup of his own, to which American intervention is directly traceable.

The letters of this correspondent are written in the most friendly spirit to the Administration. They are in no wise hostile. In every one of his comments you can discover his direct and strong leanings to the Administration. So when he details facts of the revolution we may well conclude that he does not aim to do the Administration injustice. He writes:

It was at this juncture that Governor Mollendes executed a little coup of his own to which American intervention is directly traceable. Mollendes invited Colonel Torres, the Colombian commander, to [illegible] at the Hotel Washington, another isthmian institution which is controlled by the Panama Railroad.

Immediately on his persuasive abilities Mollendes invited Colonel Torres to reembark his troops and sail away, leaving the business in peaceable possession. The proposal of capitulation was [illegible] Colonel Torres, [illegible] Generals Tobal and Amaya were not given their liberty [illegible] turn his battalion loose and slaughter every American in Colon. Nothing could have scared Mollendes and the other conspirators better at this threat. Mollendes wasted not a minute after receiving Torres's message. In spite his excessive corpulence he broke from the conference room on the Hotel Washington and [illegible] the way [illegible] yards to the general offices of the Panama Railroad in [illegible] Torres's threat, and in a moment more a signal was going from the small tower on top of the railroad general offices, by wigwag, to the Vanderbilt to the effect that the life and property of all Americans on the isthmus were endangered. The long-dreaded excuse for American intervention had at last been discovered by the secessionists and Colonel Torres and have communicated with his force back as we were going over the Americans' [illegible] landing party, small in numbers, but matchless for pluck and ability to shoot.

So the threat to assassinate is based upon what? Based upon the report of Mollendes. He may have been truthful and he may not, but it is perfectly clear that such a threat was not in accord with the known attitude of Colombians toward the United States at every stage of this transaction and before it. The fact is, the Colombian Government and its army have ever shown respect for the prowess and strength of the American Army and Navy. It has been the policy of Colombia, communicated to the Colombian army, to commit no overt act that would bring Colombia in conflict with the United States.

The Senator from Wisconsin [Mr. SPOONER] asked me yesterday whether I approved the act of Commander Hubbard in bringing the American marines and sailors to Panama soil. I say I do. To him, when the communication was made, the threat was a fact that he could not trifle with, and he very properly ordered the men of his command to land and take a position that would enable them to protect the American population if it became necessary to do so; but there is this disclosed by the communication of Commander Hubbard itself: It is true that the landing and behavior of this small body of American marines was, under the circumstances, a brave and proper act; nevertheless, there was in reality no danger from Colonel Torres's force. Captain Hubbard does not claim that the Colombian force made or attempted to make any attack. The most he claims is that they sought to provoke the Americans into making an attack. The fair conclusion is that no attack by the Colombians was contemplated. But the feeling upon both sides was tense, and a slight indiscretion upon either side might have brought on a conflict.

My judgment is that there was no thought of an attack. If there had been, forty or fifty American soldiers would not have deterred 400 Colombians from striking. It would have been 400 against less than seventy. True, the Colombians knew the prowess of the American soldier, but tell me what army has not confidence in its own prowess? If the Colombians had been inclined to make an assault upon that occasion, numbering as they did six to one, the assault would have been made.

Mr. President, Torres was denied transportation for his force to Panama. The naval officers were compelled to deny it to him under the orders they had received from Washington. Under those circumstances it is not to be wondered at that they were willing to retire altogether from Panama. They were useless, not even ornamental. Respecting the power of the United States, taught as they had been to believe in the justice of the American nation, having no question at that time but that ultimately justice would be done to Colombia by the Government with which Colombia had been in treaty relations for more than seventy years, their passage being paid, they embarked upon a British vessel and left the railroad company, the American officials, and those who sympathized with the uprising, in complete control of Colon.

This, Mr. President, is a skeleton history of that uprising. This is the history, so far as the public has knowledge, and that is all by which we can be guided. No American can feel proud of his country as he reads it. The course of the President throughout all his dealings with that unfortunate country has been counter to the principles and actions of every previous Administration with Colombia and the South American republics. What has the President sought to gain? He had decided, so he and his

friends admit, to construct the canal by the Panama route or have no canal at all. In this resolution he defied the act of Congress that required him to proceed to Nicaragua when honorable negotiations for the Panama route failed.

And why this sudden and unjustifiable determination to force the Panama route? I recall that never until the last Congress was there any sentiment whatever in the United States for the Panama route. It all favored the Nicaraguan. In 1896 the Republican National Convention declared in its platform—

The Nicaraguan Canal should be built, owned, and operated by the United States.

In 1900 the platform was more general. It reads:

We favor the construction, ownership, control, and protection of an Isthmian canal by and under the auspices of the United States.

The Republican majority in Congress gave construction to that declaration as soon as Congress met. In 1902 the Hepburn bill was introduced providing for the construction of the Nicaraguan Canal, and it passed the House by the remarkable vote of 309 to 2, and the two who voted against it, as I understand, are opposed to the construction of any canal whatever. So it may be said that the Republican House of Representatives as soon as Congress met after that platform declaration of 1900 spoke the meaning of the platform, and, so far as it could, provided legislation under which to construct a canal. By a practically unanimous vote the Republican house declared in favor of the Nicaraguan route.

That bill came over to the Senate. It was at that time that the amended report of the Isthmian Canal Commission was made, in which it was stated that in view of the lessening of the price to $40,000,000 for the property of the New Panama Canal Company the Commission believed it would be better to adopt the Panama route.

Mr. President, in my opinion that was an evil day for the real friends of an isthmian canal. There was then injected into the controversy an element which had not been in it before. It was the equivalent of hanging up a purse of $40,000,000 to be contested for. The New Panama company is composed largely of members of the old robber canal company, those who had learned their lessons in France and had paid a partial penalty for their misdeeds. They had learned the efficacy of immense sums of money in corrupting public sentiment in the purchase of newspapers and other influence in the building up of lobbies to haunt legislative chambers.

Bunau-Varilla, one of the principals of the old Panama Canal Company, and its engineer, was appointed minister of the new Republic of Panama to the United States, when he had not even set his foot in Panama since 1886. He, the accredited minister of a new Panama Republic? No; the minister of the New Panama Canal Company, representing it. He received some sort of credentials from Panama, and he came here to lobby through, as he had lobbied through other governments, the scheme in which he is so deeply interested and from the success of which he will be immensely profited.

Mr. President, as soon as this purse of $40,000,000 was hung up—because if the Panama route was adopted $40,000,000 went to those who controlled it, while if Nicaragua was adopted, not a dollar would be available for anybody, and all that had been done at Panama was lost—I could almost see the delivery end of the venal press of the United States turned toward Washington, and with it came the manufactured change of sentiment. One by one the friends of Nicaragua dropped away. One by one the ranks of the Panama cabal were recruited, until by a small majority the Panama bill passed the Senate, went back to the House, and was acquiesced in by the House. The House had stood loyally for the Nicaraguan Canal, but rather than have no canal its Members changed their votes and gave their support to Panama.

This, Mr. President, is the history, so far as the country knows, of the sudden rise of Panama and the downfall of Nicaragua. Nicaragua has been the favorite route of the American people since the question of an isthmian canal has been discussed. More efforts have been made, by ten to one, by citizens of different nations and by different countries to secure a canal at Nicaragua than at Panama.

Examining the report of the Isthmian Canal Commission, I made a brief synopsis of what has been done from time to time in connection with it. Omitting the transactions of the very early dates, we find that in 1780 Spain had declared war against Great Britain, and an invading expedition under the command of Captain Polson was set out from Jamaica. Admiral Horatio Nelson, the great British admiral, then a post captain, was in charge of the naval operations. In his dispatches the latter stated the general purpose of the expedition as follows:

In order to give facility to the great object of government I intend to possess the Lake of Nicaragua, which for the present may be looked upon as the inland Gibraltar of Spanish America. It commands the only water pass between the oceans; its situation must ever render it a principal post to insure passage to the southern ocean—

The name by which the Pacific Ocean was then generally called—

and by our possession of it Spanish America is divided in two.

On the 8th of February, 1825, the envoy of the Republic of Central America at Washington, under command of his Government, addressed a letter to Mr. Clay, then Secretary of State, assuring him that nothing would be more grateful to "the Republic of the center of America" than the cooperation of the American people in the construction of a canal through Nicaragua so that they might share not only in the merit of the enterprise, but also in the great advantages which it would produce.

Mr. Clay made a favorable response to this communication, stating that if an investigation should confirm the preference which it was believed this route would exhibit, it would be necessary to consult Congress as to the nature and extent of the cooperation which should be given toward the completion of the work. Instructions were given to our chargé d'affaires in February, 1826, to put the President in possession of such full information upon the subject as would serve to guide the judgment of the authorities in the United States in determining their interests and duties in regard to it.

In June, 1826, the Republic of Central America decreed that proposals should be received for the right to construct an interoceanic canal via Lake Nicaragua, and entered into a contract with Aaron H. Palmer and his associates for its construction. The navigation and passage through the canal was to be common to all friendly and neutral nations. Palmer was unsuccessful in floating the enterprise and the contract was never executed.

Negotiations were entered into between the Central American Republic and a company of the Netherlands for the construction of a canal via Lake Nicaragua, and a basis for an agreement was adopted by the two houses of Congress in September and December, 1830. This effort also ended in failure.

After this failure the Congress of Central America turned to the United States and offered to grant to the Government the right to construct the canal. In response the Senate, on March 3, 1835, passed a resolution requesting the President to consider the expediency of entering into negotiations with the Republic of Central America and New Granada for the purpose of protecting by suitable treaty stipulations such individuals or companies as might undertake to unite the Atlantic and Pacific oceans by the construction of a ship canal across the American Isthmus and of securing forever to all nations the free and equal right of navigating it on the payment of reasonable tolls. President Jackson, acting upon the resolution, sent Mr. Charles Biddle to visit Nicaragua and Panama for the purpose of examining the different routes of communication, etc.

President Van Buren sent Mr. John L. Stephens to the Isthmus to examine and report as to the most feasible route. He recommended the Nicaraguan as the most desirable, but did not think the time was favorable for undertaking such a work because of the unsettled and revolutionary condition of the country.

In 1826 an English company sent out Mr. John Bailey to explore the country and negotiate for a concession. Failing in his main purpose, he remained in Central America, and in 1837 was employed by President Morazin to determine the best location for a canal. The route he favored was via Lake Nicaragua.

In November, 1827, Mr. J. A. Lloyd received a commission from President Bolivar to survey the Isthmus of Panama in order to ascertain the most eligible line of communication across it, whether by road or canal. He recommended a change of the route then used, but made no recommendation as to a canal.

In 1838 the Republic of New Granada granted a concession to a French company, authorizing the construction of roads, railroads, or canals across the Isthmus to the Pacific terminus at Panama. The company spent several years making explorations and communicated the results to the French Government. In September, 1843, M. Guizot, minister of foreign affairs, instructed Napoleon Garrela to proceed to Panama to investigate the question of the junction of both seas by cutting through the Isthmus and report the means of effecting it, the obstacles to be overcome, and the cost of such an enterprise. Garrela's report disappointed the expectations that had been raised by the projectors, and no further steps were taken in the matter and the concession was forfeited.

Then came the dispute with Great Britain as to the boundary line west of the Rocky Mountains, the war with Mexico, the cession of California, the organization of Oregon into a Territory, and the discovery of gold. These things made necessary better methods of transportation between the two oceans, and negotiations were entered into with the Government of New Granada to secure a right of transit across the Isthmus of Panama, which resulted in the treaty of 1846.

In 1849 the construction of the Panama Railroad was commenced, and the road was completed in 1855.

In June, 1849, Mr. Elijah Hise, for the United States, negotiated a treaty with Nicaragua, by the terms of which Nicaragua undertook to confer upon the United States or a company of its citizens the exclusive right to construct through its territory canals, turnpikes, railways, or any other kind of roads, so as to open a passage and communication by land or water, or both, for the transit and passage of ships or vehicles, or both, between the Caribbean Sea and the Pacific Ocean. In return the United States was to aid and protect Nicaragua in all defensive wars. Mr. Hise exceeded his authority in making this treaty and it was not approved by the Administration at Washington. He was succeeded by Mr. E. G. Squire, who negotiated another treaty of like character, with modifications. This treaty was not ratified.

The negotiations over these treaties led to the Clayton-Bulwer treaty of July 5, 1850. By this it was agreed, among other things, that the two contracting parties should support and encourage such persons or company as might first commence a ship canal through Nicaragua, with the necessary capital and with the consent of the local authorities and on principles in accord with the spirit and intention of the convention. A company had already been organized that had entered into a contract with Nicaragua that was protected by this treaty.

The following year a company availed itself of the privileges of a new contract and established a transportation line from Greytown up the San Juan River and across Lake Nicaragua by steamboats to Virgin Bay on the western side of the lake, and thence by stage coaches 13 miles over a good road to San Juan del Sur. In connection with steamship lines in the two oceans at the ends of the transit running to and from New York and San Francisco a regular communication was thus maintained between the Atlantic and Pacific ports.

In 1869 General Grant, in his first annual message to Congress, commended an American canal on American soil to the American people. Congress promptly responded to this sentiment by providing for further explorations of the Isthmus by officers of the Navy, and expeditions were organized and sent out for the purpose.

In March, 1872, a further resolution was adopted for the appointment of a commission to study the results of the explorations and to obtain from other reliable sources information regarding the practicability of the construction of a canal across the American continent. The President appointed on this commission Gen. A. A. Humphreys, Chief of Engineers, U. S. Army; C. P. Patterson, Superintendent of the Coast Survey, and Commodore Daniel Allen, Chief of the Bureau of Navigation.

The above-named canal commission had before them a report on the Nicaragua route made by Maj. Walter McFarland, Corps of Engineers, U. S. Army, who had been detailed by the War Department to aid in making these examinations. His report was highly favorable, and it placed the cost of the canal, which was to be 26 feet deep, at $140 000 000.

The commission also caused a route for a canal along and near the line of the Panama Railroad to be surveyed, and a favorable report upon this line was presented. The commission had also before it surveys of various routes in Darien and the Atrato Valley, reports of which are printed as House Miscellaneous Document No. 118, third session of the Forty-second Congress. This interoceanic canal commission reports:

After a long, careful, and minute study of the several surveys of the eastern routes [illegible] that their respective advantages for a ship canal [illegible] for the consideration and [illegible] of a [illegible] greater advantages and others fewer disadvantages [illegible] and [illegible] points of view, that any one of the other routes should be preferred upon surveys sufficient in detail to enable a judgment to be formed of their respective merits.

The Nicaragua route was again surveyed in 1885 under an order of the Secretary of the Navy, by Mr. A. J. Menocal. His report shows that the route is altogether feasible.

In December, 1884, a treaty was negotiated between the United States and Nicaragua authorizing the construction of a canal by the former over the territory of the latter, to be owned by the two contracting parties. While the treaty was pending in the Senate it was withdrawn by the President, who stated as a reason for his action that it proposed a perpetual alliance with Nicaragua and the protection of the integrity of the territory of that State, contrary to the declared policy of the United States.

In 1887 Nicaragua granted a concession to Mr. A. J. Menocal and others for a ship canal, but no construction occurred under that concession.

Then came the organization of the Maritime Canal Company for the construction of a canal over the Nicaragua route. The operations of that company are so recent that they need not be here repeated. Propositions to aid this company were before Congress for several years, through an arrangement by which the Government was to become a stockholder and an indorser of the company's bonds. A bill for this purpose passed the Senate in January, 1895, but failed in the House. Another bill that retained the company organization, but eliminated the private or individual stockholders, was passed by the Senate in January, 1899, but no final action was taken upon it by the House.

In March, 1895, the sundry civil bill was approved. It by way of amendment provided for a Commission to ascertain the feasibility, permanence, and cost of the construction and completion of the canal through Nicaragua. It provided for a board of three engineers to be appointed by the President. One from the Corps of Engineers of the Army, one from the Navy, and one from civil life. Under regulations to be made by the Secretary of State this board was to visit and personally inspect the route, examine and consider the plans, profiles, sections, prisms, and specifications for its various parts and report to the President. The board was appointed and proceeded to Nicaragua in performance of its mission. Later a new Commission was appointed consisting of Rear-Admiral John P. Walker, U. S. Navy; Col. Peter C. Hains, Corps of Engineers, U. S. Army; and Prof. Louis M. Haupt, civil engineer. It was designated as the Nicaragua Canal Commission, Admiral Walker being named its president. This Commission was to have all the powers and duties conferred upon the former board and was to report upon the proper route for a canal in Nicaragua, its feasibility, and the cost of the work, with the view of making complete plans for the construction of such a canal as was contemplated.

This brings the history of the transits of the American Isthmus and of the efforts to discover or construct a navigable waterway from the Atlantic to the Pacific to the close of the nineteenth century in an abbreviated form, except that relating to the Commission under whose second report Congress has been proceeding.

Mr. President, in this connection I desire to call attention to a communication from Professor Haupt that is printed in the Manufacturers' Record upon the subject of the two routes and the controversy as it now exists. It is both suggestive and instructive, and I will be pardoned, I know, for calling the attention of the Senate to it. Professor Haupt is a distinct friend of the canal. He was a member of the Canal Commission. The communication I refer to is printed in the issue of the Manufacturers' Record of December 24, 1903. He comments upon the attitude of the Administration toward Colombia and Panama, but I will not occupy the time necessary to read that. I will, however, quote what he says about the Nicaragua and Panama routes. He says:

In view of the sequel, as revealed by recent events, it would seem that the program to substitute the Senate for the House bill was an adroit piece of [illegible] and that the amended [illegible] was introduced to secure the passage of the bill [illegible] to authorize the Panama route, because it was assumed on the local [illegible] that [illegible] would oppose the Isthmian canal [illegible] presence of the [illegible] which [illegible]

Of the numerous [illegible] since the date of the Chief's survey of 1876, nearly [illegible] of the Nicaragua route and from that [illegible] the Isthmian canal and the physical conditions [illegible] are the works of the Creator. "The works and the sea obey him." *The claims in the form of [illegible] which lies in the lower of the [illegible] calm belt, [illegible] the use of that route by the sailing vessel, which is the cheapest known form of ocean carrier, and hence the most feared by competitive transportation interests.*

I recall very well that when the canal discussion was up at a former session of the Senate the claim that the Panama Canal was not available for sailing vessels by reason of the equatorial calm that prevails on the Pacific side practically throughout the year was made and admitted. The proof was so conclusive that it was confessed, and then it was attempted to avoid it by the suggestion that the day of the sailing vessel was fast passing and that navigation by steam would soon altogether take its place. But, Mr. President, the truth remains that it is the cheap transportation of the sailing vessel that the great transcontinental lines fear more than the much more costly transportation by steam. Nevertheless, the Panama cabal succeeded in securing action by Congress that eliminates the sailing vessels of the world from the use of the isthmian canal and forces sailing vessels as of yore around South America. Professor Haupt continues:

Another reason which may be assigned for the forcing of the Panama route may be found, as stated in the report of the late commission, to be the difficulty of securing a tight dam, which is a vital feature for the canal.

That may be one of the reasons for securing the indorsement of the Panama route by those who heretofore have been opposed to a canal. I know at least one Senator who did not hesitate to say, not publicly, that he was opposed to any canal, and voted for the Panama route because it was the most certain to prevent the construction and ultimate completion of any canal. I read again from Professor Haupt:

Another reason which may be assigned for the forcing of the Panama route may be found, as stated in the report of the late commission, *to be the difficulty of securing a tight dam, which is a vital feature for the canal.* It is said:

"The Bohio dam is the most important structure on the line, being of great magnitude, of vital necessity to the scheme, and offering many difficulties of construction. * * * Its total height above the lowest part of the foundation is 228 feet. * * * This requires the pneumatic process to be used through a length of 1,314 feet, of which about 810 feet is at the maximum depth of 128 feet below sea level."

This depth is unprecedented in pneumatic work. Moreover, the report bears inherent evidence that other important features of construction have not been satisfactorily solved, for, in referring to the great volume to be excavated from the Culebra divide, it says:

"*The amount of excavation in this section is 45,817,200 cubic yards. The contention of so large an amount of excavation in so small a space is without [illegible]. The engineer will recognize at once that thorough organization and [illegible] adapted to the work are here required. * * * The method of [illegible] the work in general principles and in detail should be thoroughly [illegible] before actual [illegible] is undertaken.*"

Again in reference to the maritime section of the canal at the Colon end, the report says:

"The canal in the low region above and below Gatun must be protected from overflow by levees [illegible] aggregating about 54 miles. The length to which these levees should be approximated [illegible] with reasonable [illegible] and must be fixed from the observation of floods hereafter. As in all other cases of doubt, a liberal [illegible] which will err, if at all, on the safe side. For the purpose of estimate, the levees have been placed at elevation 25."

Then Professor Haupt continues:

From this extract it would seem that [illegible] surveys and [illegible] the proposed levees are yet the reports show that in the seventh [illegible] Congress [illegible] for and [illegible] the country for a distance of [illegible] the [illegible] has stood. [illegible] *tion of double that given in the report as the basis of an estimate.*

Then he says:

At the rate of progress previously made *in the excavation at Culebra*, with [illegible] expenditures [illegible] *made for date for the completion of this part of the work a very remote contingency.*

The best that has been done in the Culebra cut heretofore, with the most lavish expenditure of money and the use of the most scientific tools and machinery, has been in the neighborhood of 1,000,000 cubic yards per annum. If that is in anywise a test for the future of this canal, then it may be safely said that the Culebra cut alone is an obstacle that can not be overcome for the next twenty-five years. Professor Haupt says:

No mere edict of man can remove these serious difficulties, which are inherent. In these [illegible] the question is simply whether or not we shall have an isthmian canal."

Mr. President, it seems to me that these are matters for reflection. Why this almost insane determination to have a canal via the Panama route or none? Was the voice of the American people so loudly in its favor that Congress is forced to provide for a canal which when constructed will give the least competition to the great transcontinental lines and, next, will take an unnecessarily long time for completion? Is it or is it not another leaf in the history of successful opposition to the opening of an isthmian canal that has been made through the influence of those whose interest it is to defeat a canal altogether?

Mr. President, those who have opposed an isthmian canal are all in favor of the Panama route. They recognize that the edict of the American people is that a canal shall be built. They must bow to it, and bowing to it they stand by the route that will require much the longer time to construct, whose successful construction is, according to the report of the Isthmian Canal Commission yet veiled in doubt, and that eliminates from competition with them the sailing vessels of the United States and of the entire commercial world.

Mr. President, there are mysteries upon mysteries. If the President of the United States had followed the law that was given to him for his guidance by the Congress of the United States; if he had not determined for some inscrutible reason to stand for the Panama route, come good, come evil, he would by this time have ended negotiations with Colombia, and the construction of the Nicaraguan canal might have been almost commenced.

It will never do to say that those who have opposed this treaty from conscientious conviction of solomn duty are opposed to an isthmian canal. The real friends of the canal are those who oppose the treaty. The real friends of the canal and who desire its speedy construction are those who say, Defeat this treaty; withdraw our ships and troops from Panama; let the obligations of our treaty with Colombia once more have sway in dealing with that unfortunate country, and let us commence the construction of a canal to which there are no insuperable obstacles, a canal which can be constructed and be placed in full operation, in my judgment, not less than fifteen or twenty years earlier than the Panama Canal, and that is admittedly much more advantageous to American interests than the Panama Canal.

Mr. President, as a Senator sworn to observe the supreme law of the land, believing that moral considerations should control Senators in dealing with nations as well as in dealing with their fellow-man, earnestly and anxiously desiring the construction and the speedy opening of an isthmian canal which will bring into competition with the great transcontinental railways not only the steam vessels but the great sailing fleets of the world, standing for a canal that will realize the wishes and desires of the American people in a much shorter period than is possible under the Panama scheme, I shall vote against the ratification of the Panama treaty, feeling that in doing so I am best serving my country and its people.

Mr. PLATT of Connecticut. Mr. President, yes, as stated by the Senator from Colorado [Mr. PATTERSON], there have been mysteries in this debate. It has been a mystery, which I have been until now unable to solve, that for days and weeks the motives and honesty and good faith of the President of the United States—not your President nor mine alone, but the President of the United States—should be assailed, sometimes in brutal language, sometimes in language the brutality of which was thinly disguised, for the action which he has taken in reference to the recognition of the new State of Panama.

But the last half hour of the speech of the Senator from Colorado dissipates the mystery. It is because, as he announces, that there is a determination that the isthmian canal shall not be constructed across the Isthmus of Panama, but shall be constructed on the Nicaragua route. The purpose of the attack to which we have listened, and the arguments which have been made, and the suspicions which have been dealt in, were perhaps disclosed by the Senator from Tennessee [Mr. CARMACK] even more boldly than by the Senator from Colorado. The Senator from Tennessee stated in effect, almost in words, that the President of the United States had violated all constitutional obligations, every canon of international law, and the plain statute law of the United States, rather than to allow a canal to be built where the Democratic party desired it to be built. I think I do the Senator no injustice, although I may not quote his language with absolute accuracy.

So I am glad, for one, that the reasons of these objections, of these arguments and insinuations, of this questioning of motives is at last disclosed. I do not desire in this debate to follow all these charges, all these attacks and arguments, in their various ramifications, but I do desire briefly to call the attention of the Senate to some facts.

One important fact, which seems to have been almost overlooked in this discussion, is that there has been a new State, a new nation established, created, and organized in the family of nations, a new State as thoroughly capable of dealing with the other nations of the world as is the United States or Great Britain, Germany, France, Russia, Brazil, Peru, Nicaragua, or any of the other nations which have recognized the Republic of Panama. That is a fact. It is a fact which can not be gainsaid, which can not be overthrown any more than can the nation which has thus taken its place among the nations of the world be overthrown except by violence and war.

We have recognized it. It is said that we have done so in violation of the rules of international law. I may refer to that before I get through with my remarks, but we have done it. So, since the 13th of November last there has been a State called the "Republic of Panama" entitled to all the consideration which any state in this world is entitled to; as fully competent to deal with us and with other nations as is any other country.

If we have violated the principles of international law in the recognition of that State, and thereby assisted it to take its place among the nations of the world, then at least twenty other governments of the world have violated all the canons of international law. So when anyone attempts to impeach the Government of the United States for having improperly, prematurely, or hastily recognized this new nation—this new State—they not only do that, but they assume to impeach all the great nations of the earth in the same words. If we have violated international law, so has England, so has France, so has Germany in the recognition of this new State.

I have been surprised that Senators who say that the President of the United States, in his recognition of this new State, had violated the principles of international law did not think that in so saying they were laying a charge at the doors of the great nations of the world, which have existed and studied international law for hundreds of years, and who have the best international lawyers, perhaps, in the world to advise them. I am surprised, when France within three days after the recognition extended by the United States to the Republic of Panama, Germany within a few days thereafter, and Great Britain within about a month recognized this new Republic, this new State, that Senators should arise here and charge the United States with a violation of the canons of international law. I am surprised that in their zeal to attack the President of the United States they should not have seen that their arguments also led them into an attack of the other great powers of the world, and the rulers and cabinets and statesmen of those powers.

It is a fact, Mr. President, that the State, called the "Republic of Panama," exists, and that we can enter into relations with it and it can enter into relations with us, and that nothing can change that fact or deprive that State of the power to enter into relations with us, or us to enter into relations with it, except force, war, conquest.

That being so, we take note of one other fact: That State has negotiated with the United States a treaty, a treaty which by that State has been ratified. I know it is not customary to speak of treaties in open session, and I am not going to say anything about this treaty which may not be said in open session. It has been made public. By the treaty that State, equipped with all the powers of a State, proposes to give the United States of America the right to construct a canal across its territory.

If that treaty be ratified here in the Senate, without amendment, it is the end of this long, long, weary controversy for the building of a canal which shall join the waters of the Atlantic and the Pacific oceans.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. PLATT of Connecticut. Certainly.

Mr. PATTERSON. I desire to ask the Senator from Connecticut a question, which is, whether or not he believes that if the United States, in negotiating this treaty with Panama, had demanded the entire Isthmus of Panama upon the penalty of withdrawing American war vessels from its ports, we should not have got it? In other words, is it not ours if we see fit to take it?

Mr. PLATT of Connecticut. Mr. President, I think that question is entirely outside of any discussion which I was making. I think I will answer it before I conclude my remarks; but right at this period I want to ask Senators what they are going to do with that treaty? I believe under the provisions of the Spooner Act, but certainly, if it be necessary to supplement that, by provisions which could surely be passed through this Congress, a canal can be commenced before this Congress shall adjourn, and completed, and nobody on the face of the earth can longer say us "nay."

Now, I want to ask those who are opposed to this treaty what they are going to do with this fact and with this condition? Will they vote against the ratification of the treaty because they think perhaps there was haste in its negotiation; because, against the word of the President of the United States, they still think that in some way or other the President was in complicity with the revolution which created the State of Panama, or for any of the other reasons which have been discussed here? Will they vote against the treaty except for the very reason avowed by the Senator from Colorado, that he proposes to prevent, if possible, the building of this canal across the Isthmus of Panama, so that it may be built across Nicaragua?

It has been said, Mr. President, that great wrong has been done to Colombia; that Colombia has a just right to complain of the United States; that we have helped to wrest from her a portion of her territory. I deny these charges and these assumptions. But suppose it be true that we have acted hastily; suppose it be true that we are in some way responsible for the creation of this new State; that in some way the moral aid of the United States has been given to the creation of the new State—what is to be done? What will Senators do then? The Senator from Colorado is very frank about it. He would withdraw the ships of the United States which now patrol the waters of the Isthmus of Panama. Would any other Senator do it? How many Senators does he think will vote for the resolution which, with the views he entertains, he ought to introduce, running something in this way:

Resolved by Congress, That the President be directed to withdraw from the Isthmus of Panama the naval vessels now in those waters.

I think, Mr. President, that when Senators came to face that issue they would hesitate. If they are determined that no canal shall be constructed except across Nicaragua, they would probably do it; but if they desire the construction of a canal along the route already selected by the Congress of the United States, I think they would not vote for such a resolution.

I thank the Senator from Colorado for his frankness and his boldness, but I do not think he represents the wishes or sentiments of the American people. I do not think they would be satisfied that the Congress of the United States, issuing its directions to the Commander in Chief of the Army and Navy, should require the withdrawal of those vessels from those waters. Would he go further than that? Would he say, if he thinks as he argued and as other Senators have argued, that we, the United States, prevented Colombia from putting down its revolution, that we should right that wrong, or so-called wrong, by going there and helping Colombia to recover the Republic of Panama? Where would Senators stop?

So much for the fact, Mr. President, which seems to have been lost sight of, but which can not be ignored—the fact that here is this State fully organized, fully equipped, with power to negotiate with us, and which has negotiated with us a treaty, ratified upon its part, for the construction of a canal across the Isthmus of Panama, and the further fact that the ratification of that treaty by the Senate of the United States and the exchange of ratifications with Panama gives the United States full right and power to discharge the duties which have been placed upon it by the nations of the earth in making it their trustee, for accomplishing this great work in the interest of commerce, in the interest of civilization, and in the interest of peace.

Mr. CULLOM. If the Senator will yield to me, I will make a motion that the Senate adjourn.

Mr. PLATT of Connecticut. I yield for that purpose.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 21, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 20, 1904.*

[*Continuation of legislative day of Tuesday, January 19, 1904.*]

AFTER THE RECESS.

The recess having expired, at 11.55 a. m. the House was called to order by the Speaker.

PURE FOOD.

Mr. HEPBURN. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill which was before the House yesterday.

The motion was agreed to: and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. LAWRENCE in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of House bill 6295, known as the pure-food bill. When the committee rose yesterday amendments were being considered to the second section.

Mr. CLARK. Mr. Chairman, where is it we are at? [Laughter.]

The CHAIRMAN. When the committee rose yesterday amendments were being considered to the second section.

Mr. CLARK. Now, Mr. Chairman, I move to amend the second section by striking out the words "mixed" and "or imitated," in line 11, page 13, and inserting before the word "misbranded" the word "or."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 13, line 11, strike out the words "mixed" and "or imitated" and insert before the word "misbranded" the word "or."

Mr. CLARK. The reason I do that is this: Down in line 23, page 12, the phraseology is "adulterated or misbranded." Over on the next page the same phraseology is used in line 8. When you get down to the last part of line 10, it says "such adulterated, mixed, misbranded, or imitated food." That is, it puts into that line (the word "such" referring to what has gone before) the additional words "mixed" and "imitated." I suggest to the chairman of the committee that, for the purpose of consistency in this bill, either the words "mixed and imitated" ought to be struck out in line 11 or they ought to be also inserted in line 23, page 12, and in line 8 on page 13.

Mr. HEPBURN. Mr. Chairman, I have no objection at all to striking out the word "mixed" and the words "or imitated" and inserting the word "or" in line 11 of page 13.

Mr. CLARK. All right.

The question was taken; and the amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 3. That the Director of the Bureau of Chemistry and Foods shall make, or cause to be made, [illegible] Territory or in any State other than that in which [illegible] shall be found for sale in original packages in the District of Columbia, or any Territory or in any State other than that in which [illegible] specially misbranded or adulterated, or [illegible] any food, drug, or liquor [illegible] to interstate commerce [illegible] the country. [illegible] examination [illegible] any of the provisions of this act [illegible] Secretary of Agriculture [illegible] so far as [illegible] shall be found [illegible] distinct attestation [illegible] any of the possession of the [illegible] certificate shall be admitted in evidence in all courts of the United States without further verification.

Mr. MANN. Mr. Chairman, in line 13 the word "than" should be the word "that." I offer that informal amendment.

The CHAIRMAN. If there is no objection, the informal amendment will be agreed to.

There was no objection.

Mr. CLARK. Mr. Chairman, I move to amend section 3 by striking out all after the word "country," in line 12. I will read the words I want stricken out, and then I will give the reason for striking them out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 14, line 12, after the word "country," strike out the remainder of said line, and lines 13, 14, 15, 16, 17, 18, and 19.

Mr. CLARK. The words which should be stricken out are these, and I ask the patient and careful attention of every man in the House:

If it shall appear from any such examination that any of the provisions of this act have been violated, the Secretary of Agriculture shall at once certify the facts to the proper United States district attorney, with a copy of the results of the analysis, duly authenticated by the analyst under oath, which certificate shall be admitted in evidence in all courts of the United States without further verification.

Mr. Chairman, that provision violates the sixth amendment of the Constitution of the United States. There is not a man in the House that can read amendment 6 and then read the language of the bill which I have just read without recognizing the fact that the provision of this bill just quoted runs counter to that amendment. One of the clauses in that amendment is that—

In all criminal prosecutions the accused shall enjoy the right to be confronted with the witnesses against him.

There is not a State in the Union in which that same provision does not appear in its constitution. Every man that has ever practiced law, and every man that has ever been around a courthouse much, knows that the most valuable right that a defendant has in a criminal case is the right to be confronted by the witnesses and to have them cross-examined.

Mr. SMITH of Iowa. May I ask the gentleman a question?

Mr. CLARK. Yes, if I can get my time extended.

Mr. SMITH of Iowa. Is not this provision applicable to civil cases?

Mr. CLARK. Yes; and it is also applicable to criminal cases.

Mr. SMITH of Iowa. Then, in so far as it is applicable to civil cases, it is not unconstitutional?

Mr. CLARK. No.

Mr. SMITH of Iowa. Does not the gentleman think that when he said that the unconstitutionality applied to all cases he was not correct?

Mr. CLARK. I never said it was applicable to all cases.

Mr. SMITH of Iowa. The gentleman said generally it was unconstitutional, and he now says it is unconstitutional with reference to certain specific cases.

Mr. CLARK. Mr. Chairman, I believe I can generally state what I want to. What I stated was that in a criminal prosecution that clause in this bill is unconstitutional in so far as it applies to a criminal prosecution.

Mr. SMITH of Iowa. But the provision is not unconstitutional according to the gentleman's statement as applied to a large number of cases in this bill.

Mr. CLARK. Then why does not this bill confine it to cases in which it can be applied in a constitutional way?

Mr. SMITH of Iowa. I presume that is because everybody knows or ought to know that a law may be constitutional as applied to certain facts and circumstances, and unconstitutional as applied to others. The law is constitutional so far as civil cases are concerned, at least.

Mr. CLARK. Mr. Chairman, the chairman of this committee on Interstate and Foreign Commerce, the gentleman from Iowa [Mr. HEPBURN], is not only a veteran legislator, but is a veteran lawyer. I want to propound to him and to this House this question: What is the sense of incorporating into this bill a clause which is palpably unconstitutional? Up to the present time human ingenuity has never been able to devise a better scheme for the ascertainment of truth, for exposing of ignorance, or for the discovery of perjury, than cross-examination.

There is not a judge in the United States who for two seconds would permit a certificate from the Secretary of Agriculture to be used in a criminal case against a defendant at bar, and the truth about the whole thing is that we have fallen into the bad habit in this House of slapping together a bill in any shape, railroading it through in the raw, and then sending it over to the Senate, taking chances on Senators putting it into what they consider to be proper form. I am opposed to that. There were some who doubted the point which I made yesterday that sections 8 and 9 are unconstitutional, but there is not a lawyer in the House who will rise in his place and state here that this particular clause or sentence is not unconstitutional when applied to criminal cases.

[Here the hammer fell.]

Mr. GROSVENOR. Mr. Chairman, before I reply to the gentleman from Missouri [Mr. CLARK] I wish to say that on yesterday I entirely misapprehended the bill as it stood, or rather was in ignorance of the presence in this bill of one of the important sections or clauses of the bill. I have been all of my life, since I have been a lawyer, wholly opposed to punishing any man for a crime that he did not purposely or negligently commit. I therefore voted for an amendment inserting certain words pointing out the willful character of the violations that would come within the scope of this enactment. I had not read the bill with that care which I should, and on further examination I am satisfied that in section 6, beginning on page 17, there is an entire and adequate protection to a retail dealer who has in his possession the certificate of the manufacturer that the article is pure. Therefore, when the opportunity comes, I shall vote on the other side of the question.

The gentleman from Massachusetts [Mr. THAYER] made such a strong and lucid statement of the case that it strengthened my opinion that we were proceeding in the direction that I have combatted so many years. I know that the precedents of the statutes of the country are against even the position which I take. For instance, the first conviction ever upheld because of the sale of adulterated milk was upheld by the supreme court of Massachusetts on the ground that it was the duty of the retailer to know whether he was selling a fraudulent article or not, and the same question, although controverted by myself originally, was so upheld by the supreme court of Ohio. Yet I have never favored that sort of legislation and voted upon the long-established opinion which I have held.

Now, as to the objection made by the gentleman from Missouri [Mr. CLARK], I do not think it is well taken. In the first place, as to this document which is to be used in evidence, I should have said myself that it was not necessary to say that it was competent evidence, because if it is not competent evidence no enactment of Congress can make it so, provided its incompetency grows out of the constitutional provision that the gentleman from Missouri has cited.

But there are two answers to the proposition. The first one is that this evidence, even under his argument, is competent in a civil action, which is the principal action sought to be enforced by its presence. Thus far I think everyone will agree with me that the certificate of the officer who has made the examination is competent. It is not conclusive. This act does not undertake to give to that certificate the force and effect of law or of the truth of the certificate in its character and value as proof, but it says that for whatever it may be worth it shall be competent evidence.

Mr. GOLDFOGLE. Mr. Chairman, I would like to ask the gentleman from Ohio what construction he places upon the words "without further verification," in lines 18 and 19, and whether he does not believe that those words were intended to convey to the mind of the district attorney prosecuting, or to the mind of the judicial officer, the idea that there need be no further investigation into the truth of the certificate or further cross-examination of the analyst making the certificate?

Mr. GROSVENOR. I do not think that the language can bear any such construction as the gentleman suggests.

Mr. GOLDFOGLE. Why should the words to which I have referred be there?

Mr. GROSVENOR. Well, the meaning is that the signature of the officer, without any other verification, without any further proof of the character of the examination, shall be competent evidence.

Mr. GOLDFOGLE. Does the gentleman mean——

Mr. GROSVENOR. That language gives to the paper the character of a written record, which does not necessarily import verity, but does import competency as a matter of evidence.

[Here the hammer fell.]

Mr. CLARK. I ask that the gentleman from Ohio [Mr. GROSVENOR] have five minutes further, and when that additional time is granted I want to ask him a question.

Mr. GROSVENOR. On account of the condition of my throat I am speaking to-day with some difficulty, and I should like five minutes more, so that I may not be hurried.

The CHAIRMAN. Is there objection to granting to the gentleman from Ohio an extension of five minutes?

There was no objection.

Mr. CLARK (to Mr. GROSVENOR). What do you say about the plain constitutional provision?

Mr. GROSVENOR. I am coming to that now. I may differ from some of my friends around me here as to the question which would arise in a criminal case. The constitutional provision first applies beyond doubt to a criminal prosecution.

Mr. CLARK. Undoubtedly.

Mr. GROSVENOR. Everybody would say that.

Mr. CLARK. That is all it does apply to.

Mr. GROSVENOR. Certainly. My contention is that it applies to the "witness" and not to the character or value of the public document made evidence by the statute itself. Now, to illustrate: A soldier is on trial for desertion. Is it not competent to bring the muster roll of his company and regiment, certified by the War Department, as evidence that he was a soldier?

Mr. CLARK. Yes; but amendment 6 specifically excepts that sort of a case.

Mr. GROSVENOR. Very well; we will come to that in a moment.

Mr. CLARK. I want you to come to it right now. [Laughter.]

Mr. GROSVENOR. I hope the gentleman will not hurry me, because I am talking under a very great disadvantage.

Now, in the next place, I call the attention of the committee to the distinction in all law books between the word "witness" and the word "evidence." Evidence is one thing, and is widely distinguished from the word "witness." The constitutional provision is that the accused shall be "confronted with the witnesses against him and have compulsory process for obtaining witnesses in his favor." Now, that, in my judgment, does not apply to a written document offered to be used in evidence, because if that were so it would be simply impossible to try any man for forgery, or counterfeiting, or desertion, or a great many other things.

Take the case of the manifest of goods shipped or the consular manifest from abroad. On a charge of smuggling you can not cross-examine the paper; a man can not be confronted by it as a living witness. So I make the distinction between the term "evidence," meaning a living embodiment of humanity, and the term "document"—a dumb witness—the paper, the counterfeit money, the forged order, the stolen goods, or whatever else it may be that is made competent evidence, but is not a "witness" within the meaning of the constitutional provision.

But my answer on this whole matter is that it is competent for us to leave this provision in the bill for the purposes of all civil actions growing out of this measure, and allow the courts of the country to administer it so far as criminal proceedings may arise.

Mr. CLARK. I ak unanimous consent for five minutes.

The CHAIRMAN. Has the gentleman from Ohio [Mr. GROSVENOR] concluded?

Mr. GROSVENOR. I have.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] asks unanimous consent to occupy five minutes. Is there objection? The Chair hears none.

Mr. CLARK. Mr. Chairman, I want to call the attention of the House to the peculiar verbiage of the last part of this sentence:

Which certificate shall be admitted in evidence in all courts of the United States without further verification.

That is what I am objecting to, both because it is unconstitutional and wrong in principle.

I may be mistaken about it, but it seems to me that if that language be literally construed, all that has to be done is that the prosecuting attorney or the district attorney shall rise in his place, address the court, and say, "I have here a certificate from the Agricultural Department at Washington, certifying so and so, and I offer it as evidence." If the trial judge pays any attention whatever to this statute, then that certificate is simply slipped into that case without even a messenger carrying it to that court; it may be sent by letter.

I want to ask the gentleman from Ohio, General GROSVENOR, a question. He is not only a veteran lawyer, but he is a distinguished criminal lawyer. What would he do if the legislature of Ohio or the Congress should pass a law authorizing the Secretary of Agriculture to make analysis of the contents of a stomach where it is charged that the dead person was poisoned? What would you do if they undertook to introduce one of those certificates in a case where you were defending a person for murder?

Mr. GROSVENOR. I did not catch the gentleman's question.

Mr. CLARK. I say suppose the legislature of Ohio or the Congress of the United States were to pass a law authorizing the Secretary of Agriculture to make an analysis of the contents of a dead person's stomach in a case where it is charged that death was produced by poison and to certify to what was found in the stomach, and that the certificate should be offered in the courts of Ohio or the United States courts as evidence against the defendant. What would you do if you were defending the person?

Mr. GROSVENOR. I would first save an exception to the introduction of the evidence. [Laughter.]

Mr. CLARK. Of course you would save an exception.

Mr. GROSVENOR. Secondly, I would proceed at once to insist that the man who made the analysis was alive, if he was alive, and I would bring him into court under the provision that my client was entitled to have him there, and I would cross-examine him.

Mr. CLARK. Yes; and that is exactly what I am contending for.

Mr. GROSVENOR. I hope I have maintained the reputation that the gentleman gave me as a competent lawyer, at least.

Mr. CLARK. I want to retract one thing that I said a while ago about the chairman of the Committee on Interstate and Foreign Commerce, Colonel HEPBURN. He is not guilty of this attempted great wrong individually, except so far as he consented to it. He is not primarily responsible for this bold attempt to infract the Constitution of the United States as well as the constitution of every State in the Union. Judge RUSSELL, of Texas, calls my attention to the fact that in the bill as originally introduced by the gentleman from Iowa section 3 stopped short after the word "oath" that is now in this seventeeth line, and does not contain these words, which I am trying to strike out:

Which certificate shall be admitted in evidence in all courts of the United States without further verification.

I take it that the gentleman from Iowa, Colonel HEPBURN, is too good a lawyer to put that kind of stuff into a bill of his own motion, and then ask the House of Representatives and the Senate of the United States to pass it and the President of the United States to sign it, but that some other gentleman, with less knowledge of law than the gentleman from Iowa, but with a greater zeal in behalf of some particular interest in this country, slipped that obnoxious clause into this bill surreptitiously and unbeknown to the gentleman from Iowa.

Mr. RICHARDSON of Alabama rose.

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Alabama?

Mr. CLARK. Yes.

Mr. RICHARDSON of Alabama. If a man were indicted for selling property under a mortgage, what would be the character of the certificate that could be used as proper evidence before a grand jury?

Mr. CLARK. Well, now, let me ask the gentleman a question.

Mr. RICHARDSON of Alabama. No; answer that.

Mr. CLARK. Well, yes, I will answer that.

Mr. RICHARDSON of Alabama. And then I will answer yours.

Mr. CLARK. You can use that mortgage in a criminal procedure. You could use this certificate in a criminal procedure if the right kind of machinery were provided for it. But when you come to use that mortgage you can not slip that mortgage into the case without having a witness on the witness stand to identify it and to be cross-examined.

Mr. RICHARDSON of Alabama. Under the laws of all the States I am familiar with you can put that mortgage in when it is a certified record from the office of the probate judge.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. ADAMSON. I ask unanimous consent that the gentleman from Missouri have five minutes more.

The CHAIRMAN. The time of the gentleman having expired, the gentleman from Georgia asks that the time of the gentleman from Missouri be extended five minutes. Is there objection?

There was no objection.

Mr. CLARK. Now, the procedure in the case that you suggest is this: The recorder of the county—that is what we call him in Missouri; he is called the county clerk in Kentucky, and I do not know what he is called elsewhere—is put upon the witness stand. You have a witness there right before your face, from whom you can find out whether this is a bogus certificate or a real one. You can cross-examine him to your heart's content.

But in this case you can send the certificate of the Department by mail to St. Louis or elsewhere, and the district attorney under this bill may shove it into the case.

Mr. RICHARDSON of Alabama. Now, is it not a fact, under the additional requirements of this third section that you propose to strike out, that there are more safeguards in it to bring the evidence that is to be certified without qualification than in the case of a mortgage?

Mr. CLARK. No, sir.

Mr. RICHARDSON of Alabama. It is perfectly plain and patent in this. In the first place, you have that the Secretary of Agriculture shall certify the facts to the proper United States district attorney, with a copy of the results of the analysis duly authenticated by the analyst under oath. That has all got to be certified under oath, and if this is so it is evidence, and nothing else but evidence. It does not carry verity with it. The theory of this section is merely to make it a record, not one bearing verity, but as the usual record in the case.

Mr. CLARK. Mr. Chairman, I have yielded to the gentleman nearly the whole of my five minutes, and I now yield to the gentleman from Minnesota [Mr. TAWNEY].

Mr. TAWNEY. Will not the gentleman from Missouri modify his amendment so as to strike out all after the word "oath," in line 17, down to and including the word "verification," in line 19?

Mr. CLARK. That is all I objected to.

Mr. TAWNEY. But your amendment covers more.

Mr. CLARK. I know it covered more than was necessary, because I did not have time to separate the section properly.

Mr. TAWNEY. I suggest that you move to strike out all after the word "oath," in line 17.

Mr. PAYNE. Do I understand the gentleman from Missouri wants more time?

Mr. CLARK. I want to get through with this thing, because I believe I am right about it. I want to modify my amendment by striking out all after the word "oath," in line 17.

The Clerk read as follows:

Lines 17, 18, and 19, strike out all after the word "oath," in line 17.

Mr. GROSVENOR. Will the gentleman yield to me now? You have asked me a hypothetical question; let me ask you one now.

Mr. CLARK. It took you a good while to get your wits together. [Laughter.]

Mr. GROSVENOR. I have already disposed of that. Now you can get your wits together. Let me suppose that a man in a certain county of Missouri is charged with bigamy.

Mr. CLARK. Yes.

Mr. GROSVENOR. And it is alleged or claimed that in a certain other county, or in another State of the Union, I do not care which, he was married to a certain person.

Mr. OLMSTED and others. A woman.

Mr. GROSVENOR. A woman; female. [Laughter.] After proving the more recent marriage the district attorney produces the record, a certified copy of the record, certifying that it is a true copy of the marriage record. The court takes judicial knowledge of the laws of that State, or having proof of it, as the case is made up. Then, with identification of the man as being the same man charged in the record, would that record be competent evidence to prove the offense?

Mr. CLARK. It would be competent pro tanto.

Mr. GROSVENOR. Pro tanto?

Mr. CLARK. Yes; pro tanto.

Mr. GROSVENOR. Then, this record is a record pro tanto?

Mr. CLARK. It would be competent thus far: That in a certain record in a certain county in Missouri there was a record of the marriage; but it would not be competent to show by certificate that the defendant was the same man.

Mr. GROSVENOR. Certainly not.

Mr. CLARK. Then, what do you argue?

Mr. GROSVENOR. I have already said there must be a witness to identify the man, and this is not precluded.

Mr. CLARK. But somewhere you have the right to cross-examine every witness. Now, in the case you suggest it is an official record. But in this case up here, it is a mere certificate of some chemist somewhere or other, not to a fact, but simply to his opinion.

Mr. GROSVENOR rose.

Mr. CLARK. Wait a minute.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CLARK. I ask another five minutes, as it is important to settle this matter.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that his time be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK. The very purpose of this statute is to make this certificate a record, and clothe it with exactly the same power as a mortgage or mortgage record or any other record provided for under the statutes. Now, Mr. Chairman, in the case that the gentleman from Ohio speaks of, that is an official certificate by an officer of the law.

In this case in this bill a chemist in a Department in Washington is not certifying to a fact, but he is certifying to his opinion, and who cares what his opinion is? I desire to call your attention to another thing. The man who makes this certificate makes it ex parte. There is no chance for anybody to cross-examine him. Such a skillful cross-examiner as the gentleman from Ohio [Mr. GROSVENOR] is might take one of these chemists and in a good many cases by a strict and intelligent cross-examination may make him reverse his opinion, as we have all seen it done time and again in the trial of a case in court.

Mr. GROSVENOR. I beg the gentleman's pardon; I would not attempt to cross-examine one of these gentlemen at all; I would refer them to the Civil Service Commission.

Mr. CLARK. They are about of a piece with the Civil Service Commission; they are part of it.

Mr. OLMSTED. Will the gentleman from Missouri yield to a question?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Pennsylvania?

Mr. CLARK. Yes, sir.

Mr. OLMSTED. Would not the chemist when put on the stand be required to qualify as an expert before the testimony would be admitted at all?

Mr. CLARK. Certainly.

Mr. OLMSTED. This would make evidence without the slightest qualification. He may be a mere clerk in a Department.

Mr. CLARK. Yes, sir; and I am very much obliged to the gentleman for the suggestion.

Mr. OLMSTED. And this is an outrageous proposition.

Mr. CLARK. Yes; it is. Now, I want to make another suggestion to the gentleman from Ohio. He stands up here year in and year out and inveighs against this "civil-service fraud," as he denominates it. I do not denominate it any such thing. Now, he comes in here and insists that some underling in the Agricultural Department, who got in there through this very same "fraud" he is always protesting against, shall be permitted to make an analysis, the certificate of which shall be used as evidence in any nook or corner of the country against a defendant in a criminal trial. It does not lie in his mouth to come in here and attempt to bolster up any part of the civil-service system.

Mr. GOLDFOGLE. Mr. Chairman, to adopt the proposed provision that the certificate of the analyst giving the result of an analysis shall be admitted in evidence in all courts of the United States without further verification is not only to make a wide departure from the rules that obtain in the trials of civil and criminal cases, but is to set aside by force of legislation the safeguards which the law has always provided to an accused party for the protection of his rights and the proper ascertainment of the truth.

It is proposed that an ex parte certificate of a subordinate official holding office by appointment shall be allowed in evidence without proof of the qualifications or expertness of the party making the analysis and without the opportunity or right to cross-examine him. Such an innovation on the law of evidence should not be permitted.

It was well suggested by the gentleman from Missouri [Mr. CLARK] that no defendant accused of a violation of law should be deprived of this highly important privilege of cross-examination.

Indeed it may well be doubted whether such a provision is constitutional at all. The gentleman from Alabama, as well as the gentleman from Ohio, suggests that a certified copy of a record could be introduced in evidence under the laws of their respective States. The cases are not analogous.

It is intended by the framers of the bill now under consideration to allow whoever may be for the time being selected as the scientist for the Department to certify to an analysis, and his certificate is to be accepted in all courts without allowing the accused to show inaccurate tests, false analysis, want of professional skill on the part of the chemist, improper motive, or even honest mistake.

All these things might be disclosed on a cross-examination, yet under the bill the accused is to be concluded by a certificate made ex parte and in secret. A suggestion was made that the certificate is to be likened to a certified copy of a mortgage, which when certified could be admitted in evidence. Such a case is entirely foreign to the one to which the bill relates. If——

Mr. HEPBURN. Mr. Chairman——

The CHAIRMAN. Will the gentleman from New York yield to the gentleman from Iowa?

Mr. GOLDFOGLE. Certainly.

Mr. HEPBURN. It might be possible to have a modification of this, and there would be no objection on the part of the committee to consenting to a motion to strike out the words following the word "oath," in line 17, and if the gentleman will permit me just a moment——

Mr. GOLDFOGLE. Certainly.

Mr. HEPBURN. The objection, as I understand it, is the language in the last two lines:

Which certificate shall be admitted in all courts of the United States without further verification.

Suppose it be made applicable only to all civil cases; then the objection which is urged would not properly lie.

Suppose the gentleman from Missouri adds, after the word "verification," the words "in all civil cases under this act," so that it will read "which certificate shall be admitted in evidence in all courts of the United States without further verification in all civil cases under this act."

Mr. GOLDFOGLE. I should be as unalterably opposed to such a provision as I am to the paragraph as it now stands. For the purposes of my objection it is immaterial whether the case in which the ex parte certificate is to be used is a civil or a criminal one, or whether the penalty entails the imposition of a fine or the imprisonment of an alleged offender.

The principle is the same. The legislation is just as vicious and the innovation on the rules of evidence just as dangerous. To so invade the good old rule of the common law is dangerous. I object to it. No mere appointee in a department or bureau should be given such wide scope and invested with the power which this section gives to the so-called analyst, even though the penalty was a single penny.

The stigma cast on a defendant who may happen to be innocent remains in the eyes of the community the same.

One charged with violating the law should have the right to cross-examine, so that the tribunal, court, or jury may say whether the analysis made was a good or a bad one; whether it was indeed one which stands the proper tests; whether it was one on which reliance can be placed.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. GOLDFOGLE. Mr. Chairman, I ask three minutes more.

The CHAIRMAN. The gentleman from New York asks that his time be extended for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GOLDFOGLE. Mr. Chairman, the gentleman from Ohio

suggested that in a prosecution for bigamy a marriage record, properly certified, could be introduced in evidence. If all there was to the certificate was the statement that the marriage took place, if the record only stated the marriage took place, such certificate would not be admissible.

If the certificate authenticated the record signed by bride and groom, and this was properly authenticated under some statute which made that record so executed evidence, then, possibly, such certified record might be admitted. But it never was and I hope it never will be the law that a mere statement or opinion of an officer against one accused of a violation of law shall be admitted without giving the accused that right to examine into the qualifications of the so-called expert, and without the important privilege to cross-examine.

It would be an unsafe doctrine to interject in our law. It is so violative of every principle of justice that it ought not to be retained in the bill. Whether the case be civil or criminal, the effect which an unjust conviction might produce is almost the same, and I should, unless some safe, wholesome legislative rule was provided, seriously object to having any man convicted unless the evidence against him was of a character warranted by the good, old common law and of a kind which, allowing an accused to confront the witnesses against him, meets the spirit of the Constitution. [Applause.]

Mr. HEPBURN. Mr. Chairman, I ask unanimous consent to address the committee for five minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HEPBURN. Now, Mr. Chairman, I will ask the gentleman from Missouri if he will make the modification I suggested.

Mr. CLARK. No; I think I will stand on my original motion.

Mr. HEPBURN. Mr. Chairman, this section was deemed necessary for this reason: The bill provides that the duty of making a chemical investigation in any part of the country for any of the States may be imposed upon the officers of the Government authorized under this law, men who have an official character, men whose appointment and whose official character is evidence as to their competency, and that is why, to some degree at least, the necessity for cross-examination as to their fitness is not required.

Now, these officers are sent from the capital here—say, to the State of Iowa—for the purpose of making a series of investigations, perhaps in regard to many articles. They are officers; they make an official statement of what they do, and the purpose of this statute is to give that official statement the character of a record, and nothing more. It is to place that record in the same category, upon the same basis as all other records, to be used in evidence when competent and to be denied such a place when not competent; and the verification provided for is simply for the purpose of doing away with the necessity and expense of sending to a great distance the officer who made that investigation. He would certify to what? Not to the guilt of a man, but to what he found with reference to a certain commodity of commerce; that is all. He is not a witness against a man, fixing the crime upon him, but he is there to show, as a scientist, an officer of the Government, that he has discharged the duty devolving upon him and that he found certain results.

Mr. GOLDFOGLE. Mr. Chairman, will the gentleman pardon an interruption?

The CHAIRMAN. Does the gentleman yield to the gentleman from New York?

Mr. HEPBURN. Yes.

Mr. GOLDFOGLE. Does the gentleman from Iowa mean that simply because the analyst may reside a great distance from the place of trial, the right of cross-examination should therefore be cut off?

Mr. HEPBURN. Oh, that is not a legitimate query at all, and the gentleman knows what I said and what is to be inferred from it. I want to save this expense. I want this law to mean something in the way of enforcement. I did not desire it to be the kind of statute which would suit the gentleman and that was presented to us by some of his constituents, perhaps—certain dealers in New York who wanted us to adopt a bill that from first to last did not contain a prohibition or a penalty. That was their idea of a pure-food bill. I want a law under which convictions may be had.

I want a law that may assert the rights of the innocent people of the United States. I am sorry that the solicitude of all these new-fledged constitutional lawyers is in the interest of crime and of criminals. I speak for the masses of the people who are wronged from day to day by these men over whom you gentlemen are so wonderfully solicitous.

Mr. MIERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. HEPBURN. Certainly.

Mr. MIERS of Indiana. I understand the gentleman to say that the whole purport of this is to make a record?

Mr. HEPBURN. To give this paper the character of a record.

Mr. MIERS of Indiana. If that is true, what does the gentleman do with this language:

> If it shall appear from any such examination that any of the provisions of this act have been violated, the Secretary of Agriculture shall at once certify the facts to the proper United States district attorney, with a copy of the results of the analysis, duly authenticated by the analyst under oath, which certificate shall be admitted in evidence in all courts of the United States without further verification.

Mr. HEPBURN. Well, the gentleman does not assume, does he, that any human being would suppose that the Secretary of Agriculture is called upon to certify the facts of the commission of a crime?

Mr. MIERS of Indiana. That is the language of this bill.

Mr. HEPBURN. Surely not.

Mr. MIERS of Indiana. But that is the language.

Mr. HEPBURN. The fact of what is found there and whether it is a crime or not is a simple inference; but there must be a distinction some place.

[Here the hammer fell.]

Mr. CLARK. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for five minutes, most of which I would like myself. [Laughter.]

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman from Iowa be extended for five minutes. Is there objection?

There was no objection.

Mr. MIERS of Indiana. Mr. Chairman, I would ask if the gentleman holds as a lawyer that it is proper for a certificate under the Constitution to do anything more than to certify a record? The Constitution provides that the witness shall be presented to be examined.

Mr. HEPBURN. Well, now, I have but five minutes, and two-thirds of that is already mortgaged. I will ask the gentleman not to make a speech.

Mr. MIERS of Indiana. Then will the gentleman answer the simple question as to whether he holds that anything beyond a mere record can be certified?

Mr. HEPBURN. Why, surely not.

Mr. MIERS of Indiana. Then that is out of the way.

Mr. HEPBURN. That is all this does.

Mr. CLARK. Now, Mr. Chairman, I want to ask the gentleman from Iowa if he ever considered the first two lines of section 3 in connection with that paragraph of that section which I wish to strike out. The first two lines are that the Director of the Bureau of Chemistry and Foods shall make, or cause to be made, this examination; that is, he can employ anybody he chooses—it may be Tom, Dick, or Harry; a chemist or not a chemist—to make it. That is one thing. Down in the last part of that section it provides that the Secretary of Agriculture shall make this certificate, not the man that made the examination, but that the certificate shall be made by the Secretary of Agriculture as to what this lieutenant of his has done. I will ask the gentleman what he has to say in regard to that?

Mr. HEPBURN. I say simply this, that of course the chemist or the director of that bureau can not perform all of these duties. He must depute his power to some subordinate of his office and require it to be performed by him. How often does it happen that a clerk of the court deputes a deputy—he may have many—for the purpose of doing that thing which in contemplation of law he does, and that after this subordinate has made to him the proper reports—has informed him—he makes the certificate, just as would the Secretary of Agriculture here—a certificate of the facts as they are found in the regular and orderly procedure of business in that office by the subordinate who is deputed to perform that duty.

Mr. CLARK. What fact—the fact that an examination was made, or the fact that the examiner found certain facts?

Mr. HEPBURN. The fact that the examination was made and the results as reported to him.

Mr. CLARK. Let me ask the gentleman another question. He wants to confine this provision that I am trying to strike out to civil cases.

Mr. HEPBURN. I would not strike out any of it.

Mr. CLARK. But you asked me to do it.

Mr. HEPBURN. No; I asked you to strike out less than you at first proposed.

Mr. CLARK. Now, if this is a criminal procedure, what is the reason that the deposition of this man could not be taken?

Mr. HEPBURN. Probably it could; but you can get precisely the same results in this way.

Mr. CLARK. No; in a deposition you can cross-examine and find whether the man knows anything about the matter or not.

Mr. HEPBURN. The defendant can take his deposition anyhow. The provision does not cut off any man's right. But I see that the amendment would do this—it would make more difficulty in the enforcement of the law. I do not believe gentlemen want that. I take it the gentleman from Missouri does want a law upon this subject—that he does regard it as an important matter that the existing evils shall be dealt with; and I submit to him that these hypercritical objections ought not to be urged against this measure. We have tried to make it symmetrical and harmonious. We have labored on this bill for a long time. It is, in my judgment, the best bill that has ever been presented. The conditions are varied in the various parts of the country, the interests affected are multitudinous. We have tried to harmonize them as best we could, but if gentlemen will insist upon all these hypercritical objections we shall simply have to abandon it.

If we are to have any law, and if I have anything to say as to what it should be, it will be a law that means something, a law that can be enforced, a law that is intended to punish and can punish those who are criminal—those who are preying upon the health and the lives of the people of the United States. Men so engaged are those that we ought to try to reach and to punish. Our sympathies and solicitude should be for their victims—those thousands and thousands who suffer to the extreme—every year that we live.

Mr. OLMSTED. Mr. Chairman, I am as much in favor of pure food and pure drugs and in favor of the general provisions of this bill and of its enforcement as is the gentleman from Iowa. But there is very high authority for the proposition that it is better that ninety-nine guilty men should go free than that one innocent man should suffer. Now, here is a provision which, in my judgment, is the most dangerous I have ever seen put or attempted to be put into an act of Congress. Here is a provision which puts every man engaged in the business of selling groceries or drugs at the absolute mercy of the Secretary of Agriculture or of any man, expert or inexpert, scrupulous or unscrupulous, employed by his Department to make an analysis.

Under this provision a man is to be employed by him with no qualifications prescribed by the act: that man makes an analysis; the Secretary of Agriculture certifies the result of that analysis. But that is not all. How does this bill read? And no matter what may be the interpretation of my distinguished friend from Iowa, the language in the act will have to be construed as it stands. I read from the bill:

> If it shall appear from any such examination that any of the provisions of this act have been violated, the Secretary of Agriculture shall at once certify the facts to the proper United States district attorney, with a copy—

Not even the original is required—

> with a copy of the results of the analysis, duly authenticated by the analyst under oath, which certificate—

The certificate of the Secretary of Agriculture as to all the facts of the violation of this act, including the results of the analysis—

> shall be admitted in evidence in all courts of the United States without further verification.

Now, as the gentleman from Iowa has properly said, the finding of an analyst, whether a professional chemist or not, appointed by the Government would have great weight with the jury.

Here is a Government official making this certificate. You can not question his qualification. There is the certificate, and it is made evidence; I say that the defendant in either a criminal or a civil suit would, under the provisions of this bill, be at an undue disadvantage. He would really have no proper opportunity to defend himself. Here is the officer of the Government presenting his certificate, which certificate is to be taken as evidence of the facts in the case. A man tried under such a provision, no matter whether he were guilty or innocent, would not have one chance in ten.

I agree with what the gentleman from Missouri has said. In Pennsylvania we have a banking department; we have also an insurance department. Those departments examine banks and insurance companies. Their examiners report to the respective heads of those departments, which in turn certify to the attorney-general the result of their examinations; he thereupon proceeds to bring the matter into court. But when he goes there he is required to prove his case de novo. Neither the certificate of the examiner nor of the banking commissioner nor of the insurance commissioner can be used as evidence. So I say that the certificate contemplated in this bill, while eminently proper to move the attorney-general or the district attorney to action, is manifestly improper to be used in court as evidence of the facts in the case. It places at once upon the defendant the burden of proving his innocence, depriving him of the ordinary presumption which should hold good until his guilt has been proved. I hope the amendment will prevail.

Mr. HEPBURN. Mr. Chairman, I desire to ask what the pending motion is.

Mr. CLARK. It is to strike out everything after the word "oath."

Mr. HEPBURN. I will interpose no objection to that.

The CHAIRMAN. Has the amendment been modified by the gentleman from Missouri?

Mr. CLARK. No; the amendment is to strike out all the words in section 3, after the word "oath," in line 17.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The amendment was agreed to.

The Clerk read as follows:

> SEC. 4. That it shall be the duty of every district attorney to whom the Secretary of Agriculture shall report any violation of this act to cause proceedings to be commenced and prosecuted without delay for the fines and penalties in such case provided.

Mr. CLARK. Mr. Chairman, I move to strike out the last word.

It is not to be assumed that everybody who wants to amend this bill is opposed to the principle of it. I have just as much solicitude for the great body of people in this country as has the gentleman from Iowa, Colonel HEPBURN, and I represent just as many of them on this floor, too. That kind of speech does not terrify me one particle. It is precisely the argument that has been made in favor of every bad bill ever introduced into this House. On this bill, as on all others, I do what I think is right. I am as much opposed to fraud in sale of food products as any man here or elsewhere, and I am as much in favor of punishing criminals. What I wish to call the attention of the House to at this moment is a thing that everybody overlooked when the bill was being read.

This bill will necessitate a great number of new employees in the Agricultural Department. I know there is a Bureau of Chemistry up there, but this bill provides practically for the creation of a new army of Federal officers, a great multitude that no man can number. I believe the chairman of the Committee on Appropriations [Mr. HEMENWAY], and all the members of the committee, as far as I know, are honestly trying to cut down the sum total of the appropriation bills. I am heart and soul with them in that undertaking. Now comes the gentleman with this bill and proposes to create a host of new employees, and, Mr. Chairman, if this bill goes through in its present form Federal spies under the guise of inspectors will swarm over this country in scores and hundreds and thousands, until they become almost as great a pest as the flies and frogs and lice in Egypt.

Mr. TAWNEY. And the boll weevil

Mr. CLARK. I am opposed to the bill unless there is some restriction placed upon the number of officials who will be employed under it. That is all I want to say at this time.

The CHAIRMAN. Does the gentleman withdraw his formal amendment?

Mr. CLARK. Yes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

ADULTERATIONS.

> SEC. 6. That for the purposes of this act an article shall be deemed to be adulterated—
>
> In case of drugs:
>
> First. If when a drug is sold under or by a name recognized in the United States Pharmacopœia, it differs from the standard of strength, quality, or purity as determined by the test laid down in the United States Pharmacopœia official at the time of the investigation.
>
> Second. If its strength or purity fall below the professed standard under which it is sold.
>
> Third. If it be an imitation of or offered for sale under the name of another article.
>
> In the case of confectionery:
>
> If it contain terra alba, barytes, talc, chrome yellow, or other mineral substances or poisonous colors or flavors, or other ingredients deleterious or detrimental to health.
>
> In the case of food:
>
> First. If any substance or substances has or have been mixed and packed with it so as to reduce or lower or injuriously affect its quality or strength.
>
> Second. If any substance or substances has or have been substituted wholly or in part for the article.
>
> Third. If any valuable constituent of the article has been wholly or in part abstracted.
>
> Fourth. If it be an imitation of or offered for sale under the distinctive name of another article.
>
> Fifth. If it be mixed, colored, powdered, or stained in a manner whereby damage or inferiority is concealed.
>
> Sixth. If it contain any added poisonous ingredient which may render such article injurious to health.
>
> Seventh. If it be colored or branded so as to deceive or mislead the purchaser, or prevent him from purchasing product when not so.
>
> Eighth. If it consists in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter: *Provided*, That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated in the following cases:
>
> First. In canned vegetables and canned meats which may be now or from time to time recognized as articles of food, under their own distinctive names, and not specified in section fourteen of this act. Second. In the case of articles labeled, branded, or tagged so as to plainly indicate that they

are mixtures, compounds, combinations, imitations, or blends: *Provided*, That the same shall be labeled, branded, or tagged so as to show the character and composition thereof: *And provided further*, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no deleterious ingredient to disclose their trade formulas, except in so far as the provisions of this act may require a reasonable freedom from adulteration or imitation: *Provided further*, That no dealer shall be prosecuted under the provisions of this act when he is able to produce a written guaranty of purity, in a form approved by the Secretary of Agriculture as provided in his rules and regulations, signed by the manufacturer of the article or parties from whom he purchased said article: *Provided also*, That the guarantor or guarantors reside within the jurisdiction of the United States, upon giving said guaranty said dealer shall name and address the party or parties making the sale to the dealer aforesaid said party or parties shall be amenable to the prosecutions, fines, and other penalties which would attach in due course to the dealer under the provisions of this act: *Provided*, That when in the preparation of food products for shipment they are packed in an enclosure impervious to moisture and such manner that the product can not become contaminated or adulterated by permeation in water or other way, the provisions of this act shall be construed as applying only when said products are ready for delivery to consumers.

Mr. MACON. Mr. Chairman, I desire to offer an amendment to strike out, in line 8, page 18, all after the word "articles" down to and including the word "States," in the fifth line.

The CHAIRMAN. The gentleman from Arkansas offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 18, line 8, beginning with the word "*Provided*," strike out the words

"*Provided also*, That said guarantor or guarantors reside within the jurisdiction of the United States."

Mr. MACON. Mr. Chairman, it is a little alarming to see that in almost every bill of a national character presented to this body we find some restriction against trade with other countries. I do not understand why this is so. In offering this amendment I do not expect the people whom I have the honor to represent directly will be greatly benefited thereby, but I do believe that a large portion of the retail dealers of the United States who live adjacent to foreign territory will be benefited if this provision is stricken out, because they will not have to apply to some wholesaler to make purchases for them from a manufacturer in Canada, Mexico, Cuba, or other foreign countries in order that we may have the benefit of the sale of it in this country.

I realize, sir, that the burden already resting upon the people is great enough by reason of the unjust tariff that they have to pay upon the necessities of life when they are brought from other countries into ours; and now to say that the retailer who lives just across the St. Lawrence from Canada must go to some wholesaler who lives in this country and say, "I want certain products manufactured over the line in Canada, and in order to get them under the pure-food bill I must get you to purchase them for me; hence I will have to pay you your profit for your trouble in the matter in addition to the tariff that rests upon them," is certainly wrong in policy and in fact. I think it is unjust to make that requirement, and for that reason I move that the words be stricken out as mentioned in the amendment I offer.

I believe that the people of this country ought to have the greatest privileges on earth to trade wherever they please. I believe when God created men he intended to put them all upon an equal footing and allow them to have equal opportunity in the race of life, untrammeled by law, so long as they did not interfere with the rights or privileges of others. So I stand for a broad liberality of trade, that every American ought to be permitted to engage in, unrestricted by the provisions of every little bill that comes into Congress with proposed legislation upon any subject whatever, pure food or anything else. I want no restriction upon our own people, so that they can not go abroad under the same rules that you can go to your neighbor and purchase the things that you want to deal in. That strikes me as reasonable and just, and I can not think that the committee desires to impose further burdens upon the people in this free land of America by a further restriction of trade opportunities. Sir, I believe the committee will see that this bill does restrict our trade and will strike out the words indicated and say to the people who live along the Canadian and Mexican lines, and those who live along the coast, that they can go to neighboring territory and there make purchases without being subject to the provision that some wholesaler shall go and buy the product for them. [Applause.]

Mr. MANN. Mr. Chairman, I appreciate the difficulties which the gentleman has called attention to, but I desire to say he does not fully realize what the effect of his amendment would be. If his amendment should be adopted, the foreign sellers of goods could send in any rotten produce, which could be sold to the retail dealer of this country, and the retail dealer would be prosecuted, but the foreign seller could not be prosecuted, because we could not reach him; but his American competitor is required to furnish a guaranty, and we could reach the American producer or manufacturer.

Mr. PERKINS. Will the gentleman allow me to ask him a question?

Mr. MANN. Certainly.

Mr. PERKINS. Suppose the retail dealer bought of a foreign manufacturer and sold the goods, having reasonable cause to believe that they were impure, then he would be liable?

Mr. MANN. He would not be, begging the pardon of the gentleman.

Mr. PERKINS. This statute provides as it stands now that anyone who sells goods having reasonable cause to believe they are impure, no matter where manufactured, can be prosecuted.

Mr. MANN. That is very true; but the bill excepts the retail dealer from prosecution when he is able to produce a written guaranty, and, of course, that is controlling.

Mr. PERKINS. Let me suggest to the gentleman that if the bill stands as it is now there is sufficient provision, and he should strike this provision out as inconsistent to the bill.

Mr. MANN. Well, Mr. Chairman, I do not think it is inconsistent with the bill at all. The purpose of this provision is to exempt the retail dealer, the small dealer throughout the country, from prosecution under the terms of this bill, although he may sell an article which is adulterated if he is acting under a guaranty furnished to him by the wholesaler from whom he purchased, and then it is the duty of the Government to proceed against the wholesale dealer or manufacturer in a proper way. We want to get at the big dealers, who make these articles and endeavor to impose them upon the public. We are not after the little dealers who innocently handle the articles about which they can know nothing, but the effect of the amendment proposed would be absolutely to give all the benefits to the foreign manufacturer as against the local manufacturer.

Mr. MACON. Will the gentleman yield to me for a question?

Mr. MANN. Certainly.

Mr. MACON. Do you suppose for a single moment that a local dealer who was subject to prosecution under this act would be fool enough to buy rotten goods of a manufacturer in Canada, or foreign goods, and subject himself to a prosecution when he knew the men across the line would be exempt?

Mr. MANN. I have just stated to the gentleman the local dealers would not be subject to prosecution under this act. If the gentleman's amendment prevails and he gets a written guaranty from the foreign producer, no matter what the contents of the food may be——

Mr. MACON. Does it not say here by the amendment adopted yesterday that if he has reasonable cause to believe that it is adulterated he will be as guilty under this law as if he did it knowing it to be so?

Mr. MANN. Certainly not, because there is a provision exempting the retail dealer from any prosecution if he produces a guaranty. Now, we propose that if he produces a guaranty by some one whom we can reach, he shall be excepted. You propose if he produces a guaranty made by some foreign manufacturer, whom we can not reach, he shall still be exempted from the provisions of the act.

Mr. MACON. I did not say so——

Mr. MANN. That certainly will be the effect of the amendment: there is no possible question about it. Now, as a matter of fact, foreign manufacturers do not sell directly to retail dealers of the country. It will not, in fact, hurt the foreign manufacturers. They do not sell directly to the retail dealer. They sell to factors in this country or to wholesale dealers in this country, with possibly the exception of a small number along the Mexican line or the Canadian line, not large enough to make any great difference in its effect in the operation of the bill.

Mr. BASSETT. Mr. Chairman, I move to amend by striking out the last word. At this point I intended yesterday to offer an amendment to the fourth paragraph of this section, referring to imitations and to goods sold under names of other articles, but on studying more carefully that provision last evening I came to the conclusion that my objections were more fanciful than real. Yesterday I was very strongly inclined to combat many of the provisions in this bill, and I spoke in that way to many of my colleagues, but on examining it more carefully since then I have come to the conclusion that, notwithstanding some defects, it is my duty to support the bill; and as I do not want to be considered a person who talks one way and votes another, I take a few moments to give my reasons therefor.

I am in favor of limiting the provisions of the Constitution strictly as much as any Member upon this side. All my inclinations are toward preserving unimpaired the proper functions of the State governments. I believe that the family should do those things which the family can do better than the city, and that the city should do those things which the city can do better than the State, and that the State should do those things which the State can do better than the National Government; but when we come to pure-food requirements for the benefit of all the people as related to those articles of food which are distributed through all the States by single producers, I have come to the conclusion that the National Government can accomplish more than can the State governments, and for these reasons: Pure-food legislation in the States is increasing, and it ought to increase, and what is more it ought to be enforced. There will soon be systems of laws regarding pure food that will all differ in the different States, and the result will be as great variety in pure-food requirements as there is now in divorce provisions. This is right enough as to State products consumed in that State, but not as to goods sold throughout the country. Manufacturers who are sending their goods to all the States will have to put them up in different ways to conform with the different requirements of those States. The goods that are produced in a State and used in that State properly remain subject to State legislation, and questions arising respecting them will be decided in the State courts. If there is a Federal pure-food law, there will be a tendency to limit State legislation to State products. These goods that are sold throughout the country should be under a uniform pure-food law.

Now, I want to cite an example: In Gloucester, Mass., salted fish are put up in different ways and sold as codfish. The hake is put up to imitate codfish. Pure cod brings a better price than pure hake. When they send hake to a particular State that has a strict law, they mark it "pure fish;" but if the same article is to go to other States, they mark it "pure cod." And so it would be in many of those articles that are sent all over the country if State pure-food laws increase and no Federal law is passed. It would be necessary to have interstate articles conform to all sorts of different requirements in the different States, and therefore it seems to me that it is in the interest of pure food throughout the country if we have a Federal law such as this. Some of the details of this bill should be amended now, and others will be amended hereafter, as occasion may require. But modern invention is finding so many ways to cheapen foods by imitating, substituting, altering, and preserving, most of which is at the expense of the health of people who can not know the danger, that the time has come for the Federal Government, as well as for the States, to stop it. I believe, also, that this bill means purer food and drugs for the poor people of New York City, who of necessity incline to buy the cheapest. And for these reasons I have decided to support the bill. Mr. Chairman, I hereby withdraw my motion to amend.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

PURE FOOD.

The committee resumed its session.

Mr. HEPBURN. Mr. Chairman, I move that the debate on this section and the amendments thereto be closed in ten minutes.

Mr. CLARK. Mr. Chairman, I have an amendment that I want to offer myself.

Mr. HEPBURN. The gentleman may have all the time, as far as I am concerned.

The CHAIRMAN. The gentleman from Iowa moves that all debate on the pending section and amendments thereto be closed in ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARK. Now Mr. Chairman, I move to strike out lines 10, 11, and 12 on page 16.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 16, beginning with line 10, strike out lines 10, 11, and 12.

Mr. CLARK. Yesterday, Mr. Chairman, I undertook to get the gentleman from Iowa to give me his construction of the words "reduce or lower or injuriously affect." I wanted to know whether the three things were intended to mean the same thing. There are certain things you can not use or consume with any degree of pleasure or profit unless the quality is reduced or lowered.

Mr. HEPBURN. If the gentleman on the other side will allow a suggestion, I think we can cure his objection. It is to strike out the word "or" after the word "reduced," and the word "or" after the word "lower," and insert in lieu of the last "or" the words "so as to;" so it will read "so as to reduce, so as to injuriously affect its quality."

Mr. CLARK. Well, Mr. Chairman, that is not what I want exactly, but it is better than it is now.

Mr. MANN. It would read "so as to reduce or lower, so as to injuriously affect."

Mr. CLARK. Mr. Chairman, I insist on my amendment.

Mr. SHERLEY. Mr. Chairman, I offer as an amendment to the one offered by the gentleman from Missouri the suggestion made by the gentleman from Iowa, which, I think, covers the objection. It will then read: "If any substance or substances has or have been mixed and packed with it so as to reduce or lower so as to injuriously affect its quality or strength."

The CHAIRMAN. The gentleman from Kentucky offers as a substitute the words he has suggested and which the Clerk will report.

The Clerk read as follows:

In line 11, page 16, after the word "lower," strike out the word "or" and insert the words "so as to."

Mr. MANN. May I not suggest that he put in the word "thereby" instead of the words "so as"?

Mr. SHERLEY. I am willing to accept that suggestion.

Mr. CLARK. I will state to the gentleman from Iowa and the gentleman from Kentucky that if they will strike out the words "reduce or lower," I am perfectly willing to accept the words "injuriously affect." I am willing that they should be left in.

Mr. MANN. If the gentleman will pardon me, that would cover his own case, but there are many things where you reduce or lower the quality, and there might be a controversy as to whether you thereby injuriously affected its quality or strength.

Mr. CLARK. That is one objection to the bill, that we have to have somebody here to say whether you are making it better or worse.

The CHAIRMAN. The Clerk will report the substitute.

The Clerk read as follows:

In line 11, after the word "lower," strike out the word "or" and insert the words "and thereby," "so as to read, "so as to reduce and thereby injuriously affect its quality or strength."

Mr. SHERLEY. Mr. Chairman, I did not so understand the suggestion. I am willing to correct the language as to its grammar, but I am not willing to change the sense. I think by putting in the words "and thereby" instead of the words "so as to," as suggested by the gentleman from Illinois, you determine as a matter of fact that the lowering or reducing is injuriously affecting the quality or strength. That is the point I want to cover by my amendment. I shall therefore, under the circumstances, insist on the substitute that I offered to the amendment of the gentleman from Missouri.

Mr. MANN. Mr. Chairman, I see the point of the gentleman. It might be subject to that construction.

The CHAIRMAN. The Chair will ask the gentleman from Kentucky to again state the substitute which he submits.

Mr. SHERLEY. The substitute I offer is in line 11, to strike out the word "or" and insert the words "so as to thereby."

The CHAIRMAN. The question is on the substitute offered by the gentleman from Kentucky to the amendment offered by the gentleman from Missouri.

The question was taken, and the substitute was agreed to.

The CHAIRMAN. The question now comes upon the amendment as amended by the substitute.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 7. That it shall be the duty of the Secretary of Agriculture to fix standards for food products, [illegible] food laws and for the information of [illegible] food laws, [illegible] food products, [illegible] food laws, and to add to and [illegible] as may be added to food laws, and to add to and [illegible] as the [illegible] food laws authorized to add to and [illegible] the Association of Official Agricultural [illegible] such other experts as he may deem necessary.

[Mr. SHACKLEFORD addressed the committee. See Appendix.]

The CHAIRMAN. The gentleman from North Carolina is recognized in opposition to the amendment.

Mr. POU. Mr. Chairman, I believe one of the real evils of the age is the practice of adulterating what we eat and drink, and I maintain that there is nothing in this bill which an honest manufacturer may be afraid of. I am told that a certain kind of earth has a market value because of its use in the adulteration of flour and candy, and it is a matter of common knowledge that it is exceedingly difficult to purchase an absolutely pure article of whisky. A few times in the life of a man he must have spirits. It is both a blessing and a curse to mankind. Every day we see prices quoted for that article which would seem to be impossible, considering the tax levied by the Government, if it were absolutely pure. Eminent chemists tell us of all sorts of adulterations of what we eat and drink. Large establishments engaged exclusively in the manufacture of food adulterants have grown up in our country.

It is time that the strong arm of the law should protect the millions of human beings who are compelled to consume these manufactured food products. I do not believe in any needless restriction of legitimate business, and I admit that the tendency toward paternalism in our Government is alarming; that long sessions of Congress tend to evolve too much law—too many laws. A government simple in its operation, few in its functions, leaving the largest liberty to the individual, is the government which the citizen loves most. I admit that imperial tendencies have carried the ship of state so far from its original moorings that it is doubtful if it will ever again be steered back into the track

marked out by those who handled the old ship with such success in the older days of the Republic.

But occasionally a law is proposed which ought to pass. No honest man ought to object to the enactment of a law which requires him to manufacture pure food. No honest man should object to a law which prevents him from obtaining money under false pretenses. This law, in my judgment, not only will not injure but will actually stimulate honest business. Only the man who offers the spurious for the genuine, who does business in secret, who is afraid for the people to know the ingredients of the food products he offers for sale, only this man need fear the passage of this bill.

I admit, Mr. Chairman, the force of some of the arguments of the opponents of the measure. The contention that the bill gives the Secretary of Agriculture great power is not without force, but in the administration of all law power must be vested in some one. The judge on the bench construes the law; twelve jurors say whether their fellow-man shall live or die. The enactment of every law must assume that its administrators will be honest. If the judge is corrupt, he should be impeached. If the juror violates his oath, he should be prosecuted and punished. If we hesitated to pass a necessary law because of the danger that a dishonest official would administer it, then the people would be without protection. We must assume in the enactment of law that officials are honest, not dishonest. The power vested by this bill in Secretary of Agriculture is infinitely smaller than that exercised by the hundreds of judges who preside every day over the courts of the various States. We must, therefore, assume that no dishonest Secretary of Agriculture will ever have charge of that Department, and let us assume in the enactment of this much-needed law that the Secretary who abuses the trust reposed in him will be impeached and driven from office.

Therefore I do not think the fears expressed by the gentleman from Missouri are well founded. Every judge to a certain extent is an autocrat, and there must be lodged in somebody's hands the power to execute all law.

Mr. SHACKLEFORD. Will the gentleman permit me to ask him a question?

Mr. POU. Certainly.

Mr. SHACKLEFORD. Is it the understanding of the gentleman from North Carolina that this bill confers judicial functions upon the Secretary of Agriculture?

Mr. POU. I do not so understand it.

Mr. SHACKLEFORD. You said every judge should have the power.

Mr. POU. I say every judge, to a certain extent, is an autocrat. You are bound to lodge in somebody's hands the power to determine the wholesomeness or unwholesomeness of goods offered for sale. Now, that being the case, this bill provides that this official shall act in an advisory capacity to the Secretary of Agriculture. In the second place, I do not think the position of the gentleman is well taken, because the provision which gives to this individual the power to say whether or not the food is wholesome or unwholesome does not make his decision final with respect to the courts. His decision is merely evidence in the court, just as the evidence of any other witness.

Mr. SCUDDER. Will the gentleman allow me to ask him a question?

Mr. POU. Certainly.

Mr. SCUDDER. Until the courts are called to pass upon this question, what is going to happen to the man's business?

Mr. POU. It must be governed, as a matter of course, by the decision of the Government official. And, Mr. Chairman, unless you clothe somebody with the power set forth in this bill, you can hardly frame a bill that could be operative which would accomplish the desired purpose.

Mr. SCUDDER. Will the gentleman allow me to ask him another question?

Mr. POU. Certainly.

Mr. SCUDDER. If the Secretary of Agriculture does not proceed, what redress has the man whose business has had the stigma cast upon it?

Mr. SHACKLEFORD. You might get out an injunction.

Mr. POU. The point I am making is simply this: In the first place it is absolutely necessary to vest this determining power in the hands of some official. In the second place, having put it in the hands of that official, this bill does not make his decision final. The decision of the Government expert is merely used as evidence in the courts, to be passed upon by the jury as the evidence of any other person.

Mr. GOLDFOGLE. Will the gentleman allow me to ask him a question?

Mr. POU. Certainly.

Mr. GOLDFOGLE. Now, this bill further provides where it shall be the duty of the Secretary of Agriculture to fix standards of food products. Now, having fixed a standard of food products, does not the gentleman recognize the fact that whosoever sells an article not of the standard fixed by the Secretary is guilty of violating the act, and that the question in a prosecution under this act would be as to whether the individual charged sold an article below the standard fixed by the Secretary? That would be the only question to be submitted to the jury.

Mr. POU. I think the gentleman is mistaken. I think the question would be whether or not the food sold was wholesome or unwholesome. I do not believe under this bill the decision of the Secretary or of the expert would be final.

Mr. GOLDFOGLE. Will the gentleman yield to another question?

Mr. POU. Certainly.

Mr. GOLDFOGLE. Does the gentleman know that a similar provision was incorporated in the bill relating to the importation of teas, and that the constitutionality of that provision was challenged and is now before the Supreme Court of the United States for decision?

Mr. POU. If the gentleman says so, I assume it to be a fact, as I am not informed with respect to the pendency of the action mentioned by the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POU. I ask that I may have permission to proceed for three minutes.

The CHAIRMAN. The gentleman from North Carolina asks that he may be allowed to proceed for three minutes further. Is there objection? [After a pause.] The Chair hears none.

Mr. POU. I merely ask for an extension of time. Mr. Chairman, that the gentleman from Kentucky may have the opportunity to ask a question.

Mr. JAMES. Do you take the position that this law would repeal all the State laws upon pure-food legislation?

Mr. POU. Well, I will say to the gentleman candidly that I have not examined the laws of the various States which have legislated upon this subject sufficiently to answer that question intelligently. I leave that to him to determine.

Mr. JAMES. Do you not think that this is an unusual and extraordinary power to place in the hands of an officer appointed to exercise political power and exercising the duty of a political nature?

Mr. POU. I think it is an unusual and extraordinary power providing for and meeting an abuse which demands that unusual and extraordinary power be vested in somebody for the efficient administration of the law.

Mr. JAMES. I will ask you the further question, If the Secretary of Agriculture should be so disposed, is it not within his power to create the greatest monopoly known in the United States in the article of pure food or any article of food?

Mr. POU. I think if he were to abuse his power he would probably be treated like any other corrupt official—impeached, prosecuted, and turned out of office.

Mr. JAMES. Suppose Mr. Machen occupied that place, or Mr. Neely, what would you say then?

Mr. POU. Well, I will not apprehend any such condition would arise.

Mr. JAMES. You doubtless would not have apprehended that which did arise.

Mr. MANN. This provision is to prevent any preference such as indicated.

Mr. HEPBURN. Mr. Chairman, it will be remembered that yesterday two gentlemen made violent opposition to some provisions of this bill. They took occasion when leisure came to them to read the whole bill to ascertain what was in it, and this morning they were frank enough to recant the errors which they had made because of the pertinent information which they had obtained by reading the whole bill. If gentlemen would read the bill before they become so violently excited over it, it would be very much better, in my judgment; and especially if my friend on the committee, the gentleman from Missouri [Mr. SHACKLEFORD], would allow me amiably to suggest that he had better read and take it kindly, because it is evident that he has not read certain portion of this bill. He would not have made the assault upon it if he had. It has nothing like the important relation to the matter that he gave to it. The section is simply—

That it shall be the duty of the Secretary of Agriculture to fix standards of food products wherever advisable for the guidance of the officials charged with the administration of food laws.

Mr. SHACKLEFORD. Read the next clause.

Mr. HEPBURN (reading):

And for the information of the courts——

Mr. SHACKLEFORD. Read the next section.

Mr. HEPBURN. I will read the next sentence.

And to determine the wholesomeness or unwholesomeness of preservatives and other substances which are or may be added to food——

Mr. SHACKLEFORD. That is corn meal or flour.

Mr. HEPBURN. It is "preservatives."

Mr. SHACKLEFORD. No; it says "preservatives or other ingredients."

Mr. HEPBURN. Oh, no; "preservatives and other substances" which are or may be added to foods. "Preservatives" or other substances used for preservation. That is what it means. That is what the courts will say about it. The courts will not give that wide range and scope that the gentleman thinks.

Mr. Chairman, this is a wholesome provision, and it is in the interest of the dealer; it is in the interest of the manufacturer; it is to give him some guide as to what the correct standard ought to be; it is to furnish him with information, and it is, in my judgment, largely in his interest.

Mr. Chairman, this will almost invariably be a question involving science, a question involving questions of chemistry—a class of information that the officials of the United States are not necessarily conversant with—and this provision imposes upon the officers who have the information to make necessary examinations and publish them in proper form to bring them within the reach of those officers who are charged with the administration of this law. It is an aid to them in the administration and performance of their duties; it is an aid to the manufacturers; it is an aid to the sellers to let them know what it is proper for them to sell, and to put them on their guard and give them an opportunity to avoid the arts that come from ignorance.

Mr. MITCHELL of Illinois. Mr. Chairman——

Mr. HEPBURN. One moment. I want simply to move that all debate upon this section and amendments be closed in ten minutes.

Mr. FITZGERALD. I would like to suggest to the gentleman that there is another amendment which will be offered if this amendment fails, and I think probably there should be some debate on the amendment.

Mr. HEPBURN. Then I move that debate upon this amendment be closed in ten minutes. Mr. Chairman.

The CHAIRMAN. The gentleman from Iowa moves that all debate upon the pending amendment be closed in ten minutes.

The motion was agreed to.

Mr. MIERS of Indiana. Mr. Chairman, section 5 defines the term "drugs," food, misbranded, etc. That is all well enough. If we make a mistake it is the fault of those who misunderstand it. The subject is considered.

Section 6 provides that for the purposes of this act certain articles shall be deemed to be adulterated, and then takes up what shall be deemed an adulteration in drugs, and makes four or five items. It takes up the case of confectionery, and then the case of food. There are eight exceptions, and in the eighth exception there is a proviso or two. Now, that limits, that defines, that is saying what those who vote upon this bill intend the bill shall mean. That is well enough; it is legislation. Section 7 follows. The bill defines what shall be an adulteration of drugs and of food, what shall mean misbranding, etc. The bill leaves the court to determine the truth of the evidence as in any matter relating to adulteration, mislabeling, etc., and this is good; but section 7 states:

It shall be the duty of the Secretary of Agriculture—

To do what?—

to fix standards of food products when advisable for the guidance of the officials charged with the administration of such laws, and for the information of the courts, and to determine the wholesomeness or unwholesomeness of preservatives and other substances which are or may be added to food.

He may not only cover one section of the country by his judgment, but every section; not only the capital, but every State in the Union. And he may do more than that. He may bring to his aid in reaching decisions of such matters, as he is authorized to call upon the committee of food standards, experts. What does that mean? The bill defines pure food. It also defines excellence. Section 7 says the Secretary of Agriculture may set up another standard, a standard that controls the courts as well. The gentleman from South Carolina, as well as the gentleman from Iowa, say the only purpose of this section is that the Secretary of Agriculture may furnish testimony. He may do that if you strike out section 7. If the Secretary of Agriculture has any information that is admissible in the courts, he may be called upon to furnish that information. Section 7 goes further, and says that he shall not only establish rules, but that he shall determine what is wholesome or unwholesome. The Secretary concludes and binds the Departments and the courts.

Mr. POU. Does the gentleman from Indiana contend when this bill gives the Secretary of Agriculture power to fix a standard that that makes his decision anything more than evidence in the courts upon the trial of a man for the violation of this law?

Mr. MIERS of Indiana. It certainly means more than that or it would not be in this bill. If the matter were not mentioned, his knowledge would be evidence in the court, if he has any, but he would not be permitted to make a certificate that would close up an institution in Indiana or Michigan or New York before there had been an opportunity of investigation, before there had been any effort to inform the institution that there was a charge of making an illegal sale. I say, Mr. Chairman, that while we do want pure food and a pure-food bill, I do not believe we ought, as a proposition of law, to give the Secretary of Agriculture authority to make a ruling that would say that this is impure or that is impure in the face of the bill that defines what shall be impure. Leave that to be determined by the law and the courts.

The CHAIRMAN. The time of the gentleman from Indiana has expired. The gentleman from Indiana asks permission to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. STANLEY. Mr. Chairman, I am heartily in favor of the provisions of this bill as a whole, and for that reason I am more anxious that no evil provision should creep into it. I regard section 7 as the only section in the bill which is essentially pernicious, for two reasons. In the first place it gives judicial authority to a man occupying a political office and to an expert. If there is anything that an expert seldom has, it is practical information about anything. They are useful as experts and as experts only, and it is unwise to give to an expert—to a man holding a purely political office—judicial authority. It is essentially unwise. The whole policy of the law for any man to at once be able to make a charge and pass upon that charge.

Mr. MANN. Will the gentleman allow me a suggestion?

Mr. STANLEY. Certainly.

Mr. MANN. Is the gentleman aware that the provision of this section is existing law?

Mr. STANLEY. I am not aware that the provisions of this bill are law or ever will be law.

Mr. MANN. I said the provision of this section.

Mr. STANLEY. I am not aware that there is any existing law like this.

Mr. MANN. Let me call attention to the Agricultural appropriation bill:

To enable the Secretary of Agriculture, in collaboration with the association of official agricultural chemists, and such other experts as he may deem necessary, to establish standards of purity for food products, and to determine what are regarded as adulterations therein, for the guidance of officials in the various States and of the courts of justice.

Mr. SCUDDER. That is for the guidance of the courts.

Mr. MANN. Yes; and that is the provision in this section.

Mr. SCUDDER. The objection to the section, in my opinion, is to be found in the provision which authorizes the Secretary of Agriculture to fix the standard of food products, and thereafter a person aggrieved thereby can not get to the courts for redress unless the Secretary proceeds against him, which he may not do. Moreover, it is not clear that this section does not rest a discretionary power in the Secretary of Agriculture which is not open to review. If it does, a man can be ruined without redress or opportunity to right himself.

Mr. MANN. We say "information" in this bill, which is not quite as strong as "guidance," and the sole purpose of putting this section in the bill is to have a pure-food law in one pamphlet, so that it will all be together. It is existing law, and not only existing law, but passed the muster, on two occasions at least, of the Democratic leader of the House, who was the leading minority member of the Committee on Agriculture, and has been in force for two years, never meeting objection.

Mr. GOLDFOGLE. Mr. Chairman, I should like to ask the gentleman from Illinois a question.

Mr. MANN. I will be glad to answer it, if the gentleman from Kentucky will yield.

Mr. STANLEY. I yield.

Mr. GOLDFOGLE. Of course the Secretary of Agriculture could call upon anybody for information. Now, why in section 7 is it provided that to aid him in reaching just decisions he may call upon the committee on food standards of the Association of Official Agricultural Chemists? He could go out and inform himself from any source whatever. Why is this specially provided? What is the object?

Mr. MANN. The only reason why it is specially so provided in this section is because it is so provided in existing law, which has passed the House—"to enable the Secretary of Agriculture, in collaboration with the Association of Official Agricultural Chemists," which I may say holds an annual meeting here, and the results of their meetings are reported and published as a Government document.

Mr. GOLDFOGLE. Why is it put in by way of legislation? He could have called upon them, or any chemist; if he is to fix standards, he could inform himself generally.

Mr. MANN. Originally the section provided that there should be a commission appointed of various people, but we thought that ought not to be done. These official chemists are chemists from each State of the Union, employed in the various agricultural colleges.

Mr. GOLDFOGLE. But I make the point that there is no necessity for putting that in the section at all.

Mr. MANN. Possibly that provision could be taken out. He could call upon them, but we thought to put in the existing law, so that all the law would be in one place. I may say that ordinarily it is not an easy thing to find anything in the statutes of the United States.

Mr. STANLEY. Mr. Chairman, I am willing to answer any questions, but I wish to make a still further objection, which to my mind is much stronger, and that is this: That it takes away a privilege more valuable than the right to have wholesome food. There is nothing more sacred to a man than his business. It is in a way the bread of life. Under the common law you can not assail a man's business, you can not injure a man's business, except at your peril. If a man is guilty of malpractice, you can hold him responsible, but make the charge that he is a charlatan and you do it at your peril. If a man is guilty of selling poisonous foods, under the various State laws you can hold him responsible, but charge him with a violation of those laws and you do so at your peril. Now, a man may engage in some particular manufacture. Some rival institution may wish to destroy him and may get hold of some forgotten and obscure expert, who in turn may secure the ear of the Secretary of Agriculture. This grave charge comes in an official character and the man suffering from it has no remedy. Had that charge been made by any individual without being barricaded behind this provision of law, that individual making the false charge would be compelled to answer in damages.

[Here the hammer fell.]

Mr. STANLEY. Mr. Chairman, I ask unanimous consent for one more minute.

Mr. HEPBURN. Mr. Chairman, I do not wish to be discourteous, but we must get along with this bill and we have had a long discussion.

Mr. STANLEY. I simply wish to finish the sentence.

Mr. HEPBURN. I withdraw any objection to that.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to continue for one minute. Is there objection?

There was no objection.

Mr. STANLEY. If a man is guilty of a violation of this law, any person with a knowledge of the facts can make the charge; but without this law, if the charge is false, the man has a remedy for the great damage done him. With this law his business can be destroyed and he is utterly without redress. [Applause.]

The CHAIRMAN. The question now comes on the motion of the gentleman from Missouri to strike out the section.

The question was taken: and on a division (demanded by Mr. SHACKLEFORD) there were—ayes 60, noes 75.

So the amendment was rejected.

Mr. CLARK. Mr. Chairman, before the Clerk begins reading section 8 I would ask unanimous consent that sections 8 and 9 be read and considered together, with the privilege of amending either, because I want to offer some amendments.

The CHAIRMAN. The gentleman from Missouri [Mr. CLARK] asks unanimous consent that sections 8 and 9 be read as one section.

Mr. CLARK. With the privilege of amending either.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. GOLDFOGLE. That does not preclude amendments to the pending section?

The CHAIRMAN. No: section 7 is still open to amendment.

[Mr. GOLDFOGLE addressed the committee. See Appendix.]

MESSAGE FROM THE SENATE.

The committee informally rose: and Mr. PATTERSON of Pennsylvania having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 1558. An act to grant to the State of Minnesota certain vacant lands in said State for forestry purposes;

S. 277. An act for the relief of settlers on lands in Sherman County, in the State of Oregon;

S. 371. An act granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry;

S. 113. An act to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont;

S. 1352. An act for the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb;

S. 2795. An act to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892;

S. 347. An act providing for the establishment of a life-saving station in the vicinity of Cape Flattery or Flattery Rocks, on the coast of Washington;

S. 121. An act granting additional lands adjacent to its site to the University of Montana;

S. 2133. An act to change the name of Madison street to Samson street; and

S. R. 26. Joint resolution providing for the publication of 8,500 copies of a set of four charts on food and diet.

The message also announced that the Senate had passed without amendment the bill (H. R. 9292) in relation to business streets in the District of Columbia.

PURE FOOD.

The committee resumed its session.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 8. That every person who manufactures or produces for shipment and delivers for transportation within the District of Columbia or any Territory, or who manufactures or produces for shipment or delivers for transportation from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to any foreign country, any drug or article of food, and every person who exposes for sale or delivers to purchaser in the District of Columbia or any Territory any drug or article of food manufactured or produced within said District of Columbia or any Territory, or who exposes for sale or delivers to a purchaser in the District of Columbia or any Territory any drug or article of food received from a State, Territory, or the District of Columbia other than the State, Territory, or the District of Columbia in which he exposes for sale or delivers such drug or article of food, or from any foreign country, shall furnish within business hours and upon tender and full payment of the selling price a sample of such drug or article of food for examination by an analyst authorized by the Secretary of Agriculture to receive the same, and who shall apply to such manufacturer, producer, or vendor, or person delivering to such purchaser, such drug or article of food for such sample, in such quantity for the analysis of any such article or articles in his possession.

Mr. CLARK. Mr. Chairman, is it the agreement that sections 8 and 9 are to be considered together?

The CHAIRMAN. That was the agreement adopted by the Committee of the Whole.

The Clerk read as follows:

SEC. 9. That any manufacturer, producer, or dealer who refuses to comply, upon demand, with the requirements of section 8 of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding [illegible], or imprisoned not exceeding one hundred days, or both. And any person found guilty of manufacturing or offering for sale, or selling, an adulterated, impure, or uncleanly prepared food or drug in violation of the provisions of this act shall be adjudged to pay, in addition to the penalties imposed by law, all the necessary costs and expenses incurred in inspecting and analyzing such adulterated articles when such person may have been found guilty of manufacturing, selling, or offering for sale.

Mr. HEPBURN. Mr. Chairman, I give notice that I will insist upon the observance of the rule in regard to these two sections as to amendment and discussion.

Mr. CLARK. Do you mean that we can not consider them together?

Mr. HEPBURN. Oh, no. What I mean to say is that the pro forma amendment can not be offered, and discussion can not be prolonged beyond the five minutes in the affirmative and the five minutes in the negative.

Mr. CLARK. I wish you would make that ten minutes.

Mr. HEPBURN. I have no objection to the gentleman taking ten minutes.

Mr. CLARK. Then I move to strike out all of section 8 and that part of section 9 beginning with the word "that" at the beginning of line 25, on page 19, and extending to the word "both," in line 5, on page 20, including that word.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

Strike out all of section 8 and that part of section 9 beginning with the word "that" in line 25, page 19, down to and including the word "both," in line 5, page 20.

Mr. CLARK. Sections 8 and 9, to which I referred yesterday and which I now move to strike out, run as follows:

SEC. 8. That every person who manufactures or produces for shipment and delivers for transportation within the District of Columbia or any Territory, or who manufactures or produces for shipment or delivers for transportation from any State, Territory, or the District of Columbia to any other State, Territory, or the District of Columbia, or to any foreign country, any drug or article of food, and every person who exposes for sale or delivers to a purchaser in the District of Columbia or any Territory any drug or article of food manufactured or produced within said District of Columbia or any Territory, or who exposes for sale or delivers to a purchaser in the District of Columbia or any Territory any drug or article of food received from a State, Territory, or the District of Columbia other than the State, Territory, or the District of Columbia in which he exposes for sale or delivers such drug or article of food, or from any foreign country shall furnish within business hours and upon tender and full payment of the selling price a sample of such drug or article of food for examination by an analyst authorized by the Secretary of Agriculture to receive the same, and who shall apply to such manufacturer, producer, or vendor, or person delivering to a purchaser, such drug or article of food for such sample for such use in sufficient quantity for the analysis of any such article or articles in his possession.

SEC. 9. That any manufacturer, producer, or dealer who refuses to comply, upon demand, with the requirements of section 8 of this act shall be

guilty of a misdemeanor, and upon conviction shall be fined not exceeding [illegible], or imprisoned not exceeding one hundred days, or both. And any person found guilty of manufacturing or offering for sale, or selling, an adulterated, impure, or uncleanly prepared food or drug in violation of the provisions of this act shall be adjudged to pay, in addition to the penalties imposed by law, all the necessary costs and expenses incurred in inspecting and analyzing such adulterated articles when such person may have been found guilty of manufacturing, selling, or offering for sale.

Mr. Chairman, the sum and substance of these two sections is that any Government inspector can apply to any merchant selling anything and compel him to sell that article to him for the purpose of furnishing evidence against himself. If he refuses to so sell it, he may be prosecuted for refusing. If he does sell it, and an analysis shows it to be a forbidden article, he is thus compelled to furnish evidence against himself.

Mr. HEPBURN. Right here, will the gentleman permit me to ask him, if he is going to strike out that part of the section, why not strike out all of the balance of section 9, because it has no connection with anything else?

Mr. CLARK. Then let both sections go out.

The CHAIRMAN. The Chair understands the gentleman from Missouri then to modify his amendment so that it moves to strike out all of sections 8 and 9.

Mr. CLARK. Yes.

Mr. MANN. I think the chairman of the committee [Mr. HEPBURN] is mistaken about the latter part of section 9, which covers penalties for violation of the act, and is not applicable simply to this section. I think the original motion of the gentleman from Missouri left that properly in the bill. All after the word "both," in line 5, page 20, relates to the general provisions of the bill and violations of them, and not to the matter of selling to a Government inspector.

Mr. HEPBURN. Oh, no: I think not.

Mr. CLARK. Well, I will save all trouble by moving to strike out the whole thing, both sections.

Mr. Chairman, these two sections do what I started out to say they would do. They provide that any Government inspector can go to any merchant who is selling any of these articles supposed to be forbidden and compel him to sell to him a sample of the stuff for the purpose of furnishing evidence against himself.

Yesterday, when I said that those two sections were obnoxious to the fifth amendment to the Constitution of the United States, several constitutional lawyers jumped onto me, and they jumped so vigorously, some of them, that I began to be shaky about the correctness of my own position, because, as the gentleman from Iowa [Mr. HEPBURN] suggested, I am rather new as a constitutional lawyer; but my friend the gentleman from Georgia, Judge BARTLETT, who is an able and indefatigable lawyer, has aided me in this matter of constitutional law by referring me to a decision rendered by the Supreme Court of the United States, the syllabi of which I will read, as I have not time to read the whole opinion. It confirms me in the belief that I had yesterday that both sections are unconstitutional. In 116 United States Supreme Court Reports, page 616, is the case of Boyd *v.* The United States. Here are the syllabi:

The fifth section of the act of June 22, 1874, entitled "An act to amend the customs-revenue laws," etc., which authorizes a court of the United States, in revenue cases, on motion of the Government attorney, to require the defendant or claimant to produce in court his private books, invoices, and papers, or else the allegations of the attorney to be taken as confessed, is to be interpreted, and used as applied to suits for penalties or to compel the production of the party's goods, as being repugnant to the fourth and fifth amendments of the Constitution.

Where proceedings were in rem to establish a forfeiture of certain goods alleged to have been fraudulently imported without paying the duties thereon, pursuant to the twenty-third section of said act, Held that an order of the court made under said fifth section, requiring the claimants of the goods to produce a certain invoice in court for the inspection of the Government attorney, and to be offered in evidence by him, was an unconstitutional exercise of authority, and that the inspections of the invoice by the attorney and its admission in evidence were erroneous and unconstitutional proceedings.

And that was not half so bad as this bill.

It does not require actual entry upon premises and search for and seizure of papers to constitute an unreasonable search and seizure within the meaning of the fourth amendment; a compulsory production of a party's private books and papers to be used against himself or his property in a criminal or penal proceeding, or for a forfeiture, is within the spirit and meaning of the amendment.

It is equivalent to a compulsory production of papers to make the non-production of them a confession of the allegations which it is pretended they will prove.

A proceeding to forfeit a person's goods for an offense against the laws, though civil in form, and whether in rem or in personam, is a "criminal case" within the meaning of that part of the fifth amendment which declares that no person "shall be compelled, in any criminal case, to be a witness against himself."

The seizure or compulsory production of a man's private papers to be used in evidence against him is equivalent to compelling him to be a witness against himself, and in a prosecution for a crime, penalty, or forfeiture, is equally within the prohibition of the fifth amendment.

Both amendments relate to the personal security of the citizen. They nearly run into and mutually throw light upon each other. When the thing forbidden in the fifth amendment, namely, compelling a man to be a witness against himself, is the object of a search and seizure of his private papers, it is an "unreasonable search and seizure" within the fourth amendment.

Search and seizure of a man's private papers to be used in evidence for the purpose of convicting him of a crime, recovering a penalty, or of forfeiting his property is totally different from the search and seizure of stolen goods, dutiable articles on which the duties have not been paid, and the like, which [illegible] to the security of property.

Constitutional provisions for the security of person and property should be liberally construed.

The fifth amendment therein referred to I set out in full in my remarks yesterday.

The fourth amendment is as follows:

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

Mr. Chairman, I submit that that decision of the highest judicial tribunal in the land establishes the proposition which I stated yesterday, that sections 8 and 9 are unconstitutional, and therefore ought to go out of the bill.

Mr. MANN. Mr. Chairman, it may seem a peculiar attitude to put me in to defend sections 8 and 9 after I have on the floor of the House and elsewhere repeatedly expressed my personal opinions that the sections were unconstitutional, and if they were not they ought to be. These sections of the bill, however, were put into the original pure-food bill at the request of the State board of food commissioners or inspectors, and they stated that they found difficulty sometimes in getting samples where there would be any controversy; and the original provision in this section provided that when samples were taken in this manner the seller should be protected by having left with him one of the samples. Now, so far as the Government itself is concerned, the officials of the Government who have been befriending this bill say that it makes no great difference to the Government.

Doctor Wiley, in his recent testimony before the committee in reference to section 8, was asked these questions:

Mr. MANN. Does it still require a man to sell evidence to convict himself? That is what the old bill did; I thought maybe you were trying to eliminate that.

Mr. WILEY. Yes; that is in section 8. As far as my experience goes with the administration of the law pertaining to foods, I think it would be much easier in getting at the samples we want without such a section, requiring the dealer to sell to convict himself, if necessary, because there are always ways to get these samples.

Mr. MANN. Is not that the most straightforward way to get them?

Mr. WILEY. Yes; it is a good deal better, it seems to me, than to get them by subterfuge; but there will be no difficulty in getting samples anyway.

Now, the purpose of the section was not to convict the seller from whom the provision is made to get the samples, but to protect him. If the Government official goes there and demands a sample from the dealer the dealer has a chance to have an analysis made of the same sample and is protected, but if the Government official walks in as an outsider and gets the sample the dealer has no protection against the testimony of the analyst who analyzed the sample.

Mr. BARTLETT. May I interrupt the gentleman?

Mr. MANN. Certainly.

Mr. BARTLETT. If it is done for the protection of the dealer, why in section 9 do you make it a crime for the dealer not to comply in something that is for his protection?

Mr. MANN. Oh, well, Mr. Chairman, if the law is to be that way it must be enforced, but the purpose of the section originally was, and still is, to protect the dealer, so that he may have notice when the Government is claiming that he is selling an impure article, and so far as the Government itself is concerned, so far as the bill in other respects is concerned, it makes no difference whether these sections are in or out. Personally, Mr. Chairman, I have always believed, as I stated before, that they were unconstitutional, but the only way that that can be tested is by leaving them in the bill, letting them become a part of the law, and have the courts determine them, and if they are unconstitutional that ends the question. If the courts hold them constitutional, then the dealer knows when the Government is endeavoring to convict him of selling an impure article and knows what the article is and has a chance himself to have it analyzed.

The CHAIRMAN. The question is upon the motion of the gentleman from Missouri to strike out sections 8 and 9.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. BARTLETT. Division, Mr. Chairman.

The committee divided; and there were—ayes 58, noes 67.

Mr. CLARK. Tellers, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The Chair will appoint the gentleman from Missouri, Mr. CLARK, and the gentleman from Illinois, Mr. MANN, to act as tellers.

The committee again divided; and the tellers reported—ayes 66, noes 90.

So the amendment was rejected.

Mr. CLARK. Mr. Chairman, I have another amendment I wish to offer to section 8.

The CHAIRMAN. The gentleman from Missouri has an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding at the end of line 24, section 8, the following:

"But no sample of such drugs or articles of food obtained under the provisions of this section, or any information derived therefrom, shall be used as evidence in any criminal case against the person or persons from whom such samples were obtained for the purpose of securing convictions for the violation of the provisions of this act."

Mr. MANN. May I ask that that be reported over again, Mr. Chairman?

The CHAIRMAN. The Clerk will again report the amendment.

The Clerk again read the amendment.

Mr. CLARK. Mr. Chairman, I do not want to make any speech about that, but that amendment accomplishes precisely what the gentleman from Iowa said yesterday was the meaning of this law. That is, it makes plain what has been extremely obscure heretofore, if it is in the bill at all. That is, that you can not use this evidence that you make a man give as against himself: you can use it against anybody else.

The CHAIRMAN. The question is upon the motion of the gentleman from Missouri.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. CLARK. Division!

The committee divided; and there were—ayes 51, noes 66.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows.

SEC. 11. That any article of food or drug that is adulterated or misbranded within the meaning of this act, and is transported or being transported from one State to another for sale, or if it be sold or offered for sale in the District of Columbia or the Territories of the United States, or if it be imported from a foreign country for sale, or if intended for export to a foreign country, shall be liable to be proceeded against in any district court of the United States within the district where the same is found and seized for confiscation by a process of libel for condemnation. And if such article is found to be adulterated or misbranded within the meaning of this act, or is found to violate any of the provisions of this act, it shall be condemned by said court, and the proceeds thereof, it sold, less the legal costs and charges, shall be paid into the Treasury of the United States, but such goods shall not be sold in any State contrary to the laws of that State. The proceedings in such cases shall conform as near as may be to proceedings in admiralty, or civil cause; either party may demand trial by jury of any issue of fact joined in such case, and all such proceedings shall be at the suit of and in the name of the United States.

Mr. CLARK. Mr. Chairman, I move to amend that section by striking out all, beginning with the word "and," in line 5, on page 21, extending to and including the word "State," in line 10, on the same page.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will read.

The Clerk read as follows:

On page 21, in line 5, beginning with the word "and," strike out all the remainder of line 5, lines 6, 7, 8, 9, and 10, including the word "State."

Mr. CLARK. Now, Mr. Chairman, I will read that excerpt for the information of the House.

And if such article is condemned as being adulterated the same shall be disposed of by the said court may direct, and the proceeds thereof, if any be, the legal costs and charges, shall be paid into the Treasury of the United States, but such goods shall not be sold in any State contrary to the laws of that state.

Mr. Chairman, that is a most remarkable proposition, that the courts of the United States shall pronounce judicially that a thing is sold in violation of this law by reason of adulteration and then proceed to sell the very same identical thing, by a public authority, the sale of which is prohibited to a private citizen. It is an outrage on common sense and ordinary decency. There is not a man living that can justify it.

Mr. MANN. Will the gentleman from Missouri pardon me?

Mr. CLARK. Yes.

Mr. MANN. Suppose milk is being sold as good milk, and it is contended as being skim milk. Is there any reason why it should not be sold as skim milk?

Mr. CLARK. Not a bit; but if it is skim milk it is fit to drink. I deny that Congress has any power to prohibit the sale of skim milk.

Mr. MANN. It has the power to prevent the sale of skim milk as milk.

Mr. CLARK. If it isn't milk, what is it? [Laughter

Mr. MANN. It is not milk: it is skim milk.

Mr. CLARK. It is milk, all the same.

Mr. MANN. Yes; it is skim milk.

Mr. CLARK. I am not going to dispute with a dairyman on the subject of milk. [Laughter.] Here is a proposition. In one-half of the States of this Union there is a law against gambling, and as one of the penalties it authorizes the destruction of the gambling apparatus. There is some sense in that. But suppose the statutes should authorize the sale of the gambling apparatus and the turning of the proceeds into the public Treasury. What would you think of that? The truth is, Mr. Chairman, that nobody knows precisely what is in this bill.

That was demonstrated within the last fifteen minutes by the fact that the chairman of the committee, Mr. HEPBURN, and the lieutenant chairman of the committee, Mr. MANN, fell afoul of each other as to what the last part of section 9 means. I do not believe there are a dozen men in the United States who, if it really ever percolates through their brain what these words mean that I have moved to strike out, would venture to vote for the bill with those words in it.

Mr. MANN. Mr. Chairman, the words that the gentleman moves to strike out do not require the sale of the article that is found to be adulterated.

Mr. CLARK. The words authorize the sale.

Mr. MANN. It authorizes the court to dispose of it. The illustration that I gave the gentleman disposes of this proposition. The article may be offered as cream and it may be simply milk. If it is offered as cream and is in fact only milk, it is subject to seizure. There is no reason in the world why it should not be sold as milk.

Mr. CLARK. This section is about adulterated goods, and you do not claim that skim milk is adulterated.

Mr. MANN. I claim that if it is offered as cream, it is adulterated under this act.

Mr. WILLIAMS of Mississippi. That would be misbranded.

Mr. MANN. Under the language of the bill skim milk offered as cream is adulterated. Other language might determine it to be something else. It is of no importance what you call it. There is no reason in the world why an article should be destroyed if it can be sold for what it is. Many articles are offered for sale under another name which would be perfectly proper if sold under their own name.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. CLARK) there were—ayes 77, noes 78.

Mr. CLARK. Tellers, Mr. CHAIRMAN.

Tellers were ordered; and the Chairman appointed Mr. CLARK of Missouri and Mr. MANN of Illinois.

The question was again taken; and the tellers reported—ayes 85, noes 95.

So the amendment was rejected.

Mr. SNAPP. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend section 12, lines 1, page 21, by inserting after the word "adulterated" the words "or misbranded within the meaning of this act."

Mr. MANN. Mr. Chairman, there is no objection to that amendment.

The question was taken; and the amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

SEC. 12. That the Secretary of Agriculture is authorized to investigate the character of food products, condiments, beverages, and drugs, and to report to the Secretary of Agriculture the results of such investigations, and for all necessary expenses of such investigations and experiments, including rent, and all other necessary expenses in the city of Washington and elsewhere, and for the purchase of such articles as may be necessary to the execution of the provisions of this act, and for the purchase of such articles of food, condiments, beverages, and drugs as may be necessary for the purpose of securing evidence of violations of this act, and for the purchase of such other articles as may be necessary for the execution of the purposes and provisions of this act, and for the purchase of such apparatus and chemicals and other materials as may be necessary in the execution of the provisions of this act, and for the purchase of such other apparatus and equipment as may be necessary for the efficient

law on this subject ought to be, if you want to make a new one. Every lawyer knows that precisely in proportion to the number of words there are in a statute will constructions thereof be made by the courts.

It is not the part of wisdom to use thousands of words to express the same thing that you could express in a short paragraph. If this House will pass a bill something like this, providing that every article of interstate commerce shall be plainly branded or labeled in the English language, stating what it is and the quality thereof, and that to manufacture it, to put it on the market, to wholesale it or retail it, or to offer it for sale when it does not come up to the label or brand, shall be treated by the courts as obtaining money, or attempting to obtain it, under false pretenses, then fix a penalty for the violation of that law—you have accomplished the whole thing. I would unhesitatingly support such a bill.

The truth about the matter is that there is scarcely a State in the Union that has not a law of the sort that can be enforced now. The prosecuting attorney that understands his business and has the courage to discharge his duty can convict every man who is selling goods that do not come up to what is pretended for them—can convict him under the common law against swindling.

I am opposed to the multiplication of statutes, and especially statutes that contain such a stultifying provision as that the courts of the United States shall be permitted to sell the articles which they confiscate from the citizen on the ground that they are not fit to be sold by the citizen. When a man buys such property at a Government sale, what is he going to do with it?

If he sells it again he lays himself liable under this statute. If he can not eat it all or can not drink it all, what is he going to do with it? The proposition is preposterous.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Illinois.

The question was taken; and the amendment was agreed to.

The CHAIRMAN. The reading of the bill is completed.

Mr. HEPBURN. Mr. Chairman, I move that the committee do now rise and report the bill to the House with a favorable recommendation.

Mr. WADSWORTH. I move as an amendment that the bill be recommitted to the Committee on Interstate and Foreign Commerce.

The CHAIRMAN. That motion will be properly made in the House, and not in Committee of the Whole.

Mr. WADSWORTH. I move that the bill be reported back with the recommendation that it be recommitted to the committee.

The CHAIRMAN. The Chair would suggest that the matter of the title has not been disposed of yet.

The Clerk read as follows:

Amend the title so as to read:

"A bill for the preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes."

The CHAIRMAN. That is a formality, and it will be agreed to.

Mr. HEPBURN. I suppose the question is on the adoption of the committee amendment.

The question was taken on the adoption of the amendment as amended.

The amendment as amended was agreed to.

Mr. HEPBURN. I move that the committee do now rise and report the bill favorably to the House.

Mr. WADSWORTH. I offer as an amendment to that motion that the committee recommend that the bill be recommitted to the Committee on Interstate and Foreign Commerce.

The CHAIRMAN. The Chair would be very glad to hear either gentleman on the precedence of these motions.

Mr. WADSWORTH. Is not my motion in the form of an amendment?

The CHAIRMAN. The Chair is under the impression that the motion of the gentleman from Iowa has precedence, but the Chair is not sure about it.

Mr. WADSWORTH. I offer my motion as an amendment to the motion of the gentleman from Iowa.

The CHAIRMAN. The Chair then will put the motion to the committee, as the gentleman from New York suggests his motion as an amendment to the motion of the gentleman from Iowa, and will put the question that the committee rise and report the bill back to the House with the recommendation that the bill be recommitted to the committee.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. WADSWORTH. Tellers.

Tellers were ordered.

The CHAIRMAN. The Chair appoints the gentleman from New York, Mr. WADSWORTH, and the gentleman from Illinois, Mr. MANN, to act as tellers.

The committee divided; and there were—ayes 100, noes 111.

So the motion to report the bill with the recommendation that it be recommitted was lost.

Mr. HEPBURN. I move that the committee do now rise and report the bill favorably to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 6295, and had instructed him to report the bill back with an amendment in the nature of a substitute, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

Mr. HEPBURN. Mr. Speaker, I offer an amendment to the bill, and ask for the previous question on the amendment and bill to its passage.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I wish to ask unanimous consent that sixty minutes' time be given to the gentleman from Indiana [Mr. ZENOR] for the purpose of discussing a question that he desires to discuss. I had some conversation with him, and I understand that if he will wait until the bill is voted upon there will be no objection.

The SPEAKER. The Clerk will report the amendment.

Mr. CLARK. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. CLARK. Does this motion of the gentleman from Iowa shut anybody out from a motion to recommit?

The SPEAKER. It does not.

Mr. MANN. May I ask whether any disposition has been made on the order of voting on the amendments?

The SPEAKER. The amendment has not yet been reported. There is only one amendment.

Mr. MANN. There is more than one amendment.

The SPEAKER. It does not appear so from the report made by the Chairman of the Committee of the Whole House. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all of section 2 down to the word "court," in line 17 on page 13, and insert the following:

"SEC. 2. That the introduction into any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country of any article of food or drugs which is adulterated or misbranded, within the meaning of this act, is hereby prohibited; and any person who shall ship or deliver for shipment from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia, or to a foreign country, or who shall receive in any State or Territory or the District of Columbia from any other State or Territory or the District of Columbia or foreign country, or who, having received such article in such State or Territory or District, shall deliver in original unbroken packages for pay or otherwise, or offer to deliver to any other person, any such article so adulterated or misbranded within the meaning of this act, or any person who shall sell or offer for sale in the District of Columbia or the Territories of the United States a poisonous or deleterious food, drug, or liquor, or shall manufacture any such food, drug, or liquor, or offer to export the same to any foreign country, shall be guilty of a misdemeanor, and for such offense be fined not exceeding $200 for the first offense, and for each subsequent offense not exceeding $300 or be imprisoned not exceeding one year, or both, in the discretion of the court.

The SPEAKER. The gentleman from Iowa demands the previous question on the bill and amendment.

Mr. HEPBURN. If I may be permitted to retain the floor, I will withhold my motion for the previous question for a moment until I explain the effect of this amendment that I have offered. As I understand the parliamentary situation, this bill comes to the House now from the Committee of the Whole as one amendment, only one amendment. The proposition that I offer is an amendment to section 2, covering all that part of section 2 that was amended by the committee, or rather recommended to be amended by the committee, and restoring the bill precisely as it was reported here. That is the purpose of it.

Mr. CLARK. Now, what becomes of the amendments we put in that section?

Mr. HEPBURN. It simply eliminates them entirely. Now, Mr. Speaker, I move the previous question upon my amendment, the amendments of the committee, and the passage of the bill.

Mr. STEPHENS of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman yield?

Mr. HEPBURN. Yes, sir.

Mr. STEPHENS of Texas. Does that strike out the amendment——

Mr. HEPBURN. It strikes out the word "willful" and the addition the gentleman added, which would make the bill practically inoperative and prevent convictions under the law.

Mr. SHERLEY. That applies also to section 2——

Mr. CLARK. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. HEPBURN. Yes.

Mr. CLARK. There is another amendment in that section which was agreed to.

Mr. HEPBURN. Not in this part.

The SPEAKER. The question is upon the amendment to the amendment offered by the gentleman from Iowa, and on that the gentleman from Iowa demands the previous question.

The question was taken; and upon a division (demanded by Mr. STEPHENS of Texas) there were—ayes 133, noes 95.

So the previous question was ordered.

The SPEAKER. The question now is on the amendment to the amendment offered by the gentleman from Iowa.

Mr. ADAMSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. ADAMSON. We might just as well ask for the yeas and nays at once, as I understand the amendment would simply undo what was done yesterday.

The yeas and nays were ordered.

The question was taken; and there were—yeas 145, nays 126, answered "present" 6, not voting 105, as follows:

YEAS—145.

Acheson,	Draper,	Humphrey, Wash.	Reeder,
Adams, Pa.	Dresser,	Hunter,	Richardson, Ala.
Adams, Wis.	Driscoll,	Jones, Wash.	Ryan,
Allen,	Dwight,	Kennedy,	[illegible]
Bartholdt,	Esch,	[illegible]	[illegible]
[illegible]	Fordney,	[illegible]	[illegible]
Butler,	Foss,	[illegible]	[illegible]
Bell, Cal.	Foster, Vt.	Kyle,	[illegible]
Benny,	French,	Lacey,	Smith, Iowa
Birdsall,	Fuller,	Lafean,	Smith, Samuel W.
Bishop,	Gaines, W. Va.	Lawrence,	Smith, Wm. Alden
[illegible]	Gardner, Mass.	Lindsay,	[illegible], Pa.
Bowersock,	Gardner, Mich.	Loud,	[illegible]
Brown, Pa.	Gardner, N. J.	Loudenslager,	[illegible]
Brown, Wis.	Gibson,	[illegible]	[illegible]
Brownlow,	Gillet, N. Y.	McCreary, Pa.	[illegible]
Burke,	Gillett, Cal.	McLachlan,	[illegible]
Burkett,	Graff,	McMorran,	[illegible]
Butler, Pa.	Granger,	McNary,	[illegible], Minn.
Calderhead,	Greene,	Mann,	[illegible]
Campbell,	Grosvenor,	Marshall,	Tawney,
[illegible]	Hamilton,	Metcalf,	Thomas, Iowa
Conner,	Haskins,	Miller,	Tirrell,
Cooper, Pa.	Hedge,	Minor,	Townsend,
Cooper, Wis.	Henenway,	Mondell,	Van Voorhis,
Cousins,	Henry, Conn.	Morgan,	Volstead,
Crumpacker,	Hepburn,	[illegible]	Wanger,
[illegible]	Hermann,	[illegible]	Warnock,
Curtis,	Hill, Conn.	Olmsted,	Watson,
Cushman,	Hinshaw,	Otis,	Weems,
Dalzell,	Hitt,	Otjen,	Wilson, Ill.
Daniels,	Hogg,	Overstreet,	Woodyard,
Darragh,	Holliday,	Palmer,	Wright,
[illegible]	Howell, Utah	Patterson, Pa.	Young.
[illegible], Minn.	Hughes, N. J.	Payne,	
[illegible]	Hughes, W. Va.	Porter,	
Dixon,	Hull,	Powers, Me.	

NAYS—126.

Adamson,	Foster, Ill.	Lever,	Russell,
Aiken,	Gaines, Tenn.	Lewis,	Scudder,
Baker	Garber,	Lilley,	Shackleford,
Bankhead,	Garner,	Lind,	Sheppard,
Bartlett,	Gillespie,	Little,	Shelley,
Bassett,	Glass,	Livernash,	Shull,
Beall, Tex.	Goldfogle,	Livingston,	Sims,
Benton,	Goulden,	Lloyd,	Slayden,
Bowers,	Gregg,	Lorimer,	Small,
Bowie,	[illegible]	[illegible]	Smith, Ky.
[illegible]	Gudger,	McAndrews,	Smith, Tex.
[illegible]	Hamlin,	Macon,	Snook,
[illegible]	Hardwick,	Maddox,	Southall,
[illegible]	Harrison,	Mahoney,	Spight,
[illegible]	Hauken,	[illegible]	Stanley,
[illegible]	Hay,	Maynard,	Stephens, Tex.
Clayton,	Henry, Tex.	[illegible], Tenn.	Sullivan, Mass.
Cochran,	[illegible]	[illegible]	Tate,
Cowherd,	[illegible]	Page,	Thayer,
Croft,	[illegible]	Patterson, N. C.	Thomas, N. C.
Crowley,	Humphreys, Miss.	Pierce,	Thompson,
Davis, Fla.	Hunt,	Pinckney,	Trimble,
De Armond,	James,	Pou,	Underwood,
Denny,	Johnson,	Rainey,	Wade,
Dickerman,	Jones, Va.	Reid,	Wallace,
[illegible]	Kitchin, Claude	Rhea,	Webb,
[illegible]	Kitchin, Wm. W.	Rider,	Weisse,
[illegible]	Klutz,	Rixey,	Williams, Ill.
Emerich,	Lamar, Mo.	Robb,	Williams, Miss.
Field,	Lamb,	Robinson, Ark.	Zenor.
Finley,	Legare,	Robinson, Ind.	
Fitzgerald,	Lester,	Rucker,	

ANSWERED "PRESENT"—6.

Brantley,	Houston,	Kline,	Miers, Ind.
Griffith,	Jenkins,		

NOT VOTING—105.

Alexander,	Brundidge,	Dick,	Hearst,
Ames,	Buckman,	Dovener,	Hildebrant,
Babcock,	Burleigh,	Dunwell,	Howard,
Badger,	Burnett,	Evans,	Howell, N. J.
Bates,	Burton,	Fitzpatrick,	Howell, Pa.
Bingham,	Butler, Mo.	Flack,	Huff,
Bradley,	Byrd,	Flood,	Jackson, Md.
Brandegee,	Capron,	Fowler,	Jackson, Ohio
Breazeale,	Cooper, Tex.	Gilbert,	Kehoe,
Brick,	Cromer,	Gillett, Mass.	Keliher,
Brooks,	Davey, La.	Goebel,	Knapp,
Broussard,	Dayton,	Gooch,	Lamar, Fla.
[illegible], Chas. B.	Mercer,	Richardson, La.	Taylor,
[illegible], Ala.	Morse,	[illegible],	Vreeland,
[illegible]	Murdock,	Rupert,	Van Duzer,
Littauer,	Nevin,	[illegible]	Vreeland,
Littlefield,	Parker,	[illegible]	Wachter,
[illegible]	Patterson, Tenn.	Shober,	Wadsworth,
[illegible]	Pearre,	Slemp,	Warner,
[illegible]	Perkins,	Smith, N. Y.	Wiley, Ala.
[illegible], Minn.	Powers, Mass.	Snapp,	Wiley, N. J.
[illegible]	Prince,	[illegible]	Williamson,
[illegible]	Prince,	[illegible]	Wilson, N. Y.
Mahon,	Randell, Tex.	Sullivan, N. Y.	Wynn.
Marsh,	Ransdell, La.	Sulzer,	
Meyer, La.	Richardson, Tenn.	Swanson,	
Moon, Pa.	Roberts,	Talbott,	

So the amendment was agreed to.

The Clerk announced the following pairs:

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. MORRELL with Mr. KLINE.

Mr. SHERMAN with Mr. RUPPERT.

Until further notice:

Mr. ALEXANDER with Mr. SPARKMAN.

Mr. BRICK with Mr. MIERS of Indiana.

Mr. BUCKMAN with Mr. GILBERT.

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. CROMER with Mr. GRIFFITH.

Mr. DOVENER with Mr. DAVEY of Louisiana.

Mr. EVANS with Mr. BURNETT.

Mr. KNAPP with Mr. LAMAR of Florida.

Mr. LANNING with Mr. VANDIVER.

Mr. MAHON with Mr. HOUSTON.

Mr. WARNER with Mr. BREAZEALE.

For this day:

Mr. BABCOCK with Mr. McDERMOTT.

Mr. BRADLEY with Mr. PUJO.

Mr. BATES with Mr. WILSON of New York.

Mr. BINGHAM with Mr. BRUNDIDGE.

Mr. BURTON with Mr. COOPER of Texas.

Mr. CAPRON with Mr. GOOCH.

Mr. DICK with Mr. BROUSSARD.

Mr. DUNWELL with Mr. FITZPATRICK.

Mr. FLACK with Mr. ROBERTSON of Louisiana.

Mr. GILLETT of Massachusetts with Mr. RICHARDSON of Tennessee.

Mr. HILDEBRANT with Mr. RANDELL of Texas.

Mr. HOWELL of New Jersey with Mr. SHOBER.

Mr. HUFF with Mr. TALBOTT.

Mr. JENKINS with Mr. HOWELL of Pennsylvania.

Mr. CHARLES B. LANDIS with Mr. HOWARD.

Mr. FREDERICK LANDIS with Mr. McLAIN.

Mr. LITTAUER with Mr. SULLIVAN of New York.

Mr. LONGWORTH with Mr. SULZER.

Mr. LOVERING with Mr. WILEY of Alabama.

Mr. McCLEARY of Minnesota with Mr. KELIHER.

Mr. MARSH with Mr. RANSDELL of Louisiana.

Mr. MUDD with Mr. KEHOE.

Mr. NEVIN with Mr. SCARBOROUGH.

Mr. POWERS of Massachusetts with Mr. BYRD.

Mr. PRINCE with Mr. PATTERSON of Tennessee.

Mr. ROBERTS with Mr. FLOOD.

Mr. RODENBERG with Mr. VAN DUZER.

Mr. SLEMP with Mr. SWANSON.

Mr. VREELAND with Mr. HEARST.

Mr. WACHTER with Mr. BUTLER of Missouri.

On this vote:

Mr. BRANDEGEE with Mr. BADGER.

Mr. PERKINS with Mr. WYNN.

Mr. WYNN. Mr. Speaker, I desire to be recorded.

The SPEAKER. Was the gentleman present and paying attention when his name should have been called?

Mr. WYNN. No, sir; I was not present at the moment my name was called.

The SPEAKER. The rule does not permit the Chair to allow the gentleman to vote.

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on agreeing to the substitute amendment as amended.

The question was taken, and the amendment was agreed to.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question now is on the passage of the bill.

Mr. RICHARDSON of Alabama. Upon that question, Mr. Speaker, I demand the yeas and nays.

The question was taken.

The SPEAKER. Twenty gentlemen rising; not a sufficient number, and the yeas and nays are refused.

Mr. CLARK. Mr. Speaker, I rise to a parliamentary question.

The SPEAKER. The gentleman will state it.

Mr. CLARK. The Committee of the Whole adopted an amendment here, striking out the last words in section 3. What has been done with that amendment?

The SPEAKER. The Chair will state to the gentleman from Missouri that the only knowledge that the Chair can have touching this amendment is by the report of the Chairman of the Committee of the Whole House on the state of the Union. The Chairman reported the amendment in its perfected form in the shape of a substitute for the original bill, and the amendment [illegible] as reported by the Chairman of the Committee of the Whole House. Now, the gentleman in charge of the bill moved to amend the substitute. The House voted upon that amendment and adopted it. The question now is upon the passage of the bill as amended.

The question was taken; and upon a division (demanded by Mr. RICHARDSON of Alabama) there were—ayes [illegible], noes 65.

So the bill was passed.

On motion of Mr. HEPBURN, a motion to reconsider the last vote was laid on the table.

The SPEAKER. Without objection, the title will be amended.

There was no objection.

Mr. MANN. Mr. Speaker, I ask unanimous consent that gentlemen who have spoken upon this bill have leave to extend their remarks in the RECORD for ten calendar days.

The SPEAKER. The gentleman from Illinois asks unanimous consent that Members who have spoken upon the bill just passed have leave to extend their remarks in the RECORD for ten calendar days. Is there objection?

Mr. PAYNE. Mr. Speaker, I object unless the gentleman makes it five days.

Mr. MANN. Then, Mr. Speaker, I shall have to modify my request and make it for five days.

The SPEAKER. Is there objection to the request as modified? [After a pause.] The Chair hears none, and it is so ordered.

Mr. BROWN of Wisconsin. Mr. Speaker, I ask unanimous consent that the Committee on Mines and Mining be permitted to have such printing done as is necessary.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the Committee on Mines and Mining have leave to order such printing as may be necessary. Is there objection?

Mr. PAYNE. I object.

The SPEAKER. Objection is made.

ARMY APPROPRIATION BILL.

Mr. HULL, from the Committee on Military Affairs, by direction of that committee, reported the bill (H. R. 10670) making appropriations for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes; which was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. HAY. Mr. Speaker, I reserve all points of order on the bill.

Mr. HULL. Mr. Speaker, I desire to give notice at this time that to-morrow I will move to take up this bill for the consideration of the House.

CARRIAGES, ETC., MAINTAINED AT GOVERNMENT EXPENSE.

Mr. PAYNE. Mr. Speaker, by direction of the Committee on Ways and Means I offer a privileged report, reporting back House resolution 146 and offering a substitute therefor, of which I desire immediate consideration, which I shall send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, requested to furnish to this House, at his earliest convenience, a statement showing the number of horses, carriages, and all vehicles maintained at Government expense for use of officials in his department, together with a statement showing the cost of said horses, carriages, automobiles, and harness, the date of purchase from whom bought, the payment was made to, and the amount of wages paid to men acting as coachmen, footmen, and outriders, whether carriages or such or in some other classification; also the list of officials entitled to the use of said carriages, and the date when such service was instituted.

Mr. PAYNE. Mr. Speaker, that contains all of the requests for information in the original resolution, and also some additional points of information.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire to say that I hope the resolution will pass.

The SPEAKER. The question is on agreeing to the substitute resolution.

The question was taken; and the substitute was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended by the substitute.

The question was taken; and the resolution was agreed to.

On motion of Mr. PAYNE, a motion to reconsider the last vote was laid on the table.

SILVERWRIGHT, BACON & CO.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying documents, was referred to the Committee on Claims, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State, with accompanying papers, relative to the claim of [illegible] Brown and John Lee, citizens of the United States, for compensation for damages sustained by the loss of the [illegible] while [illegible] at Manila, while [illegible] belonging to the United States government.

I recommend that, as an act of equity and comity, provision be made by the Congress for the payment to the firm of the [illegible] expended by it in making the repairs to the ship which the collision necessitated.

THEODORE ROOSEVELT.

WHITE HOUSE,
Washington, January 20, 1904.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. ZENOR] be granted forty-eight minutes within which to address the House.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the gentleman from Indiana [Mr. ZENOR] be granted forty-eight minutes within which to address the House. Is there objection?

There was no objection.

APPROPRIATIONS FOR PUBLIC ROADS.

Mr. ZENOR. Mr. Speaker, I desire to testify my appreciation of the kindness of the gentleman from Mr. WILLIAMS of Mississippi and the distinguished gentleman from Iowa [Mr. HEPBURN] and the indulgence of the House, for I feel that the opportunity of presenting some remarks upon a subject which I regard as of [illegible] importance is due to the courtesy of the gentlemen mentioned and of the House.

We have just passed to a very interesting and animated discussion of the provisions of the bill just passed the House—a measure involving to some extent the consideration of questions which are closely related to the subject on which I desire to express my views.

The bill just passed is one intended to regulate and secure to the people of this country the use of pure food and pure drink. My sympathies were with the provisions of that bill. There were some few provisions and features of the bill which I could not entirely approve, which seemed to be open to some criticism and to be somewhat amenable to objections made—provisions which were discussed upon the floor of this House. But taking the bill as a whole I did not regard the objections made to it as sufficient to warrant any sentiment of opposition to its passage.

The bill involved to some extent the question as to the power of the Federal Government to enter the different States of this Union for the purpose of regulating and controlling what is said to be the commerce of the United States. The purpose of the bill, if I have properly apprehended the scope of its provisions, was not to interfere with the domestic concerns of the different States of this Union, was not in any manner to invade or interfere with the right of the States to control their own local and domestic affairs. The provisions of the bill, as I have understood them, does not undertake to interfere with the exercise on the part of the States of the police power; nor do they invade the sovereign jurisdiction of the States.

I have always been an uncompromising advocate of pure food. I believe that this bill is responsive to the demands of the great body of the people of this country. I believe that the moral sense of the American people approve legislation projected along lines of this kind, having for its purpose the suppression of the practices of frauds, adulterations, and misrepresentations in the sale of food products, and that the same should receive our support. I believe that such legislation upon the part of the Federal Government is wise, in order to wipe out the practices that have grown up and the evils that are incident to the commerce of this country, and in order to secure the people in their rights and protect them against frauds.

But, Mr. Speaker, the question to which I desire to call, briefly, the attention of the House at this time is neither new nor novel. It has challenged the attention and agitated the minds of the people of every civilized nation of the world. From the earliest period of authentic history to opening dawn of the present century roads and road building have been among the most important subjects that have engaged the attention of the great body of the people and commanded the respectful thought and consideration of their legislators and legislative bodies.

In our own country, almost contemporaneous with the inauguration of government, began the agitation of the question of the construction of canals and public roads. And with the advent of Jefferson's Administration the sentiment of the country had attained such force and cohesion that it found expression in the introduction of the bill in Congress which has since become so widely known as the bill authorizing the building of the Cumberland road.

This was the pioneer measure that blazed the way for others of like character. Following in the wake of this came the bills

which were enacted into laws, authorizing the construction of the roads from Detroit to Chicago, from Natchez to Nashville, from the frontier of Georgia to New Orleans, and from Memphis to the St. Francis River, in the State of Arkansas.

Jefferson approved the law authorizing the construction of the Cumberland road as early as 1806, and the legislation subsequently authorizing these other enterprises occurred between that date and the year 1835.

While these measures were being considered, and others intended to effectuate and carry them into operation, they received the attention of many of our leading public men and were advocated by such eminent statesmen as Clay, Calhoun, and others of equal [illegible]. I may say that it was the current opinion at that time of those who have left a record upon the subject that the surplus revenues of the Federal Government could not be used to a better purpose nor in the promotion of a more worthy and meritorious [illegible] than the improvement of the highways and common roads.

While it is true that they did not always agree as to the power and scope of the authority of the General Government to undertake and carry on the work, it was the prevailing opinion that it should be done by the Government or under its controlling supervision, and they favored an amendment to the Constitution, if this was necessary to that end. Upon this question of the power of the Federal Government to appropriate money out of the Federal Treasury in aid of the construction of internal improvements of this kind, it is both interesting and instructive to study the able and masterly veto message of President Jackson upon this subject.

In his veto of the bill proposing to authorize a subscription of stock in the Maysville, Washington, Paris and Lexington Turnpike Road Company by the Government, he took occasion to enter into an elaborate discussion of these questions and presented his views at some length. In the course of this discussion he reviewed at some length the views held by his predecessors, Mr. Jefferson, Mr. Madison, and Mr. Monroe. In speaking of Mr. Jefferson's Administration he uses this language:

In the Administration of Mr. Jefferson we have two examples of the exercise of the general appropriation [illegible] in their adoption [illegible] agency in marking the character of the power than any subsequent events.

I allude—

Says he—

to the payment of $15,000,000 for the purchase of Louisiana and to the original appropriation [illegible] members of the Confederacy expressed through their respective legislatures.

Continuing, he says:

Although the government claims of the latter case referred to the Louisiana land [illegible] to be as much a [illegible] as the purchase itself, [illegible] I mention it to show the construction put upon the power by the first Congress [illegible] the purchase of the Louisiana territory, amounting to $15,000,000, the Congress appropriated $50,000 in support of that improvement, with the approbation of [illegible] President of the United States, including my predecessor, since its commencement.

Referring to the Administration of Mr. Madison, President Jackson, in this veto message, says further:

It is independently of the sanction given to appropriations for the Cumberland and other roads and canals under this power, the [illegible] of Mr. Madison was characterized by no [illegible] assumption of the power. A bill was passed through both Houses of Congress and presented for his approval authorizing himself and successors in office to construct roads and canals and improving the navigation of water courses, the object to facilitate the payment of troops and give security to commercial intercourse among the States, and to render the transmission of the mail easy and less expensive and to promote the general welfare and improvements for the common defense.

In declining the bill on account of its assuming a power in the General Government to construct roads and canals within the limits of the States in which they were to be, he objected to its passage on the ground of its unconstitutionality, the power not being in the Government of the United States to make improvements within the respective States in the mode proposed by the bill, and concurring in the general doctrine that the States in which the roads and canals were to be made were the proper authorities to make the improvements, and that the States could not, consistently with the principles of the Constitution, part with the sovereignty over the territory on which the roads and canals were to be made, and that the General Government could not exercise the power of exclusive legislation over the territory on which the roads and canals were to be made without the consent of the States in which they were to be made

President Madison in the one instance and President Jackson in the other, was based upon the ground that, in their opinion, it was an infraction of the rights of the States for this Government to enter upon a scheme of public improvements that reached out to the different States and to take charge of the actual construction of the work within the limits of the States and therefore to interfere with the exercise, on the part of the States, of the police powers of the States.

I agree with the views as expressed by these Presidents of the United States. I am a devotee of the teachings of Jefferson. I have been brought up and educated in that school of thought of which Jefferson, Jackson, and Monroe, and all of the illustrious Presidents who followed in their footsteps were the chief exemplars. These great and eminent statesmen taught in their day that the Constitution of our country was above all statutory laws; that the Constitution of this country should be held sacred, and that the rights of a State also should be observed; that the limitations of the National Government and of the State governments should be enforced when involved in a measure of national legislation.

The doubt expressed by General Jackson of the propriety of the measure to which he interposed that veto was that it entered into the States, authorized the Federal officers to enter into the States and take charge and enter upon the construction of the roads. Congress even went farther than that in the last law that was passed in reference to the Cumberland road, which was a law for putting the roads in repair, and all roads from time to time need repairs, and the Cumberland road proved to be no exception to this rule.

The roads of this country are to-day in such a horrible condition that an appeal is coming up from every township, county, parish, and section—in fact, from all over this Union—for relief. The old Cumberland road, of course, got out of repair, and the question was addressing itself to the Congress of the United States whether or not it would be best to pursue the policy of appropriating money out of the Treasury or to adopt a scheme of tolls upon the old Cumberland road from which they could derive a revenue with which to repair those roads. That was the bill which met with the veto of the President, and upon good and tenable grounds.

I am not and never have been in favor, as I understand the general limitations of the Federal Government, of any law that invades the rights of the States, that destroys the power of the States in the control of their own domestic affairs. I believe with Jefferson when he declared that the State governments in all their constitutional rights should be maintained as the best administrators of our domestic affairs and chief bulwark against anti-Republican tendencies; therefore these bills were all vetoed upon grounds which do not appear and are not involved in any proposition pending before this Congress to-day.

I desire, Mr. Speaker, to call attention briefly to two bills which have been introduced and are now pending in the Congress of the United States, one in the House, known as the Brownlow bill, and the other in the other end of the Capitol, known as the Latimer bill. I have carefully examined those two bills. They are drafted along similar lines. They are projected along lines that are very nearly the same but vary in detail.

What are the propositions contained in those bills. I do not refer to them as meeting my entire approbation or that I am willing at this particular time to say I would be willing to support them without perhaps some amendments, but I call attention to the general policy. They propose to organize a Bureau of Public Roads in the Agricultural Department. That Bureau of Public Roads shall take the place of what is known as the "Office of Public Road Inquiries" to-day.

What has been the work of this Office of Public Road Inquiries? I feel sure that I reflect the public sentiment throughout this country, especially in all sections of it where the operation and benefits of its practical experiments have been witnessed and felt, when I say that its experiments in this work of giving object lessons in road building have been of immeasurable profit to the masses, and that the people will testify their appreciation of the value and benefits that they have derived in the country from them. Demands are being made for the expansion and the extension of these experiments.

This Bureau of Public Roads is to take the place of the Office of Public Road Inquiries, and the powers of this Bureau of Public Roads are to be extended and the provisions contained in the two bills are to the effect that the Federal Government shall cooperate with the different States and Territories of this Union in the construction of common roads and public highways. Is there any objection to it? Is there any constitutional reason why these bills thus far should not be favorably considered?

I undertake to say, Mr. Speaker, there can not be found in the provisions of either one of these two bills anything which is obnoxious to any constitutional provision. They propose that the State or subdivisions of the State shall raise revenues sufficient to defray one-half the expense of the construction of any public highway for which application is made and that the State shall furnish to the Federal Government or to the director of the bureau of public roads a certificate showing that the State has secured the right of way over and upon which the road is to be constructed.

That the States are to assure the Federal Government, certify to the Federal Government, satisfy the Federal Government that they have raised money sufficient to defray one-half of the expense of the construction of such road. When the application is made by the State to the director of the bureau of roads, he takes the matter up, and through the officials of that bureau he makes an examination of such proposed highway and sends experts upon the ground to ascertain the feasibility of the construction of same road.

If, after investigation, it is determined that the road is worthy of the aid of the Federal Government, in contemplation of the provisions of the law, then he recommends that the road be adopted. He drafts plans and specifications and makes an estimate of the cost of the road.

The Federal Government is not required to pay a single cent on the enterprise inaugurated under the policy proposed by these bills until the road is completed, except the payment upon an estimate made by engineers of the department of the Bureau of Roads, not exceeding 80 per cent of the cost of construction. The residue of the payments shall be withheld until the completion of the road and the final payment is made.

I do not care to take up the time in going over the details of these bills, but I say, Mr. Speaker, there is not one sentence in the provisions of these bills that would conflict with the views as expressed by Jackson, by Monroe, by Jefferson, the great road [illegible] this country; Jefferson, the pioneer in road construction of this country; the pioneer in his [illegible] of the [illegible]s of his country; the pioneer in the reformation of all those vicious laws and customs that were handed down to the American colonies through centuries of royal power and kingly rule; the pioneer in the great reform movement for the abolition of the union of church and state; the pioneer in that great reform that set the land titles of this country free [applause]; the man that occupied a seat in the Congress of the United States, and when he felt that he saw this Government of ours launched safely upon its proud and glorious career, voluntarily resigned, and went to the grand old State of Virginia, in order to reform the laws and customs that had been handed down to them by the colonies in conformity with the provisions of the Constitution, in conformity with his conception of the character of this Republic of ours. [Applause.]

No other man, Mr. Speaker, with less influence than Thomas Jefferson, could have accomplished this wonderful achievement. He brought order out of chaos and reformed the customs of this country, and among the best, perhaps, of all was the separation of church and state. And finally, coming down to 1806, we have the authority of Thomas Jefferson for the inauguration of a system of public improvements from which we do not propose to depart. The old Cumberland road, the conception of Jefferson, was a road beginning at the source of the waters which empty into the Atlantic, extending across the State of Maryland, over a part of the State of Virginia, over a part of the State of Pennsylvania, through the great State of Ohio, and through my own State of Indiana and through Illinois to its final terminus at the city of St. Louis.

It was a gigantic enterprise, supposed to be in that day worthy of the patronage and support of this great Government of ours. It is said that it was the longest road that was ever projected in the history of the world. For years it was maintained at the expense of the Government, as were the others to which I have alluded. Upon these projects there was expended, it was said, $14,000,000, by the Government of the United States.

The time has come when that portion of our people the most directly interested in the good-road construction should be heard in the halls of Congress. What are they? Who are they that appeal to us for consideration of this proposition? One-third of the population of our country occupy the rural districts; two-thirds occupy the towns and the cities. One-third of the people have to bear all the burdens and almost the entire cost of keeping up the common roads and common highways of this country, while these public roads at least all the important ones, are post-roads of the United States, used by the Government in transporting and carrying the mails. Some one suggests, Why not the State, by a system of taxation levied upon the wealth of the State, create a fund out of which to construct these highways?

My answer is, gentlemen, that the importance and the benefits of these roads extend beyond our State lines, and besides, many

of the States are so poor that they have not the resources to furnish sufficient means with which to construct these public roads. While many of the States of this Union have an abundance of wealth, many of them are very poor. It is said, according to the best estimate, the best approximate estimate that can be made, that a levy of 1 mill would raise a fund sufficient to construct all of the roads in the State of New York.

New York is one of the wealthiest States of this Union. New York, the great Empire State of this Union, has resources to which she can appeal to get revenue with which to construct public highways. On the other hand, take the State of South Carolina, and it is only one among many others, and we find in that State the resources are so limited, their wealth is of such a character, that it would require fifty times the amount of tax upon the property interests in the State of South Carolina to raise a sum equal to 1 mill in the State of New York.

These burdens ought to be shared equally by the wealth of the entire country, to the extent at least of 50 per cent of the cost of construction. This would average the general burden between all of the States of this Union. What reason is there for asking the Federal Government to interpose or to join with the States in this great enterprise in the construction of the country roads and public highways, some one asks.

Why, my reason for it is—and it is a most convincing reason to me—that the revenues of this Government of ours are derived from a system of taxation that imposes its burdens upon the consumers of this country, and the consumers of this country contribute this enormous surplus that has congested the vaults of the public Treasury to-day; and of all or those who have without murmur contributed their portion of this burden it has been the great agricultural classes—the farmers of this country, that class of our men that have asked the least of the Government and have received the least—who have contributed more than any other class of people in the country.

These burdens of taxation are borne by all of the citizens throughout this country. Therefore the revenue that is accumulated in the public Treasury is contributed by all of the people of this country. The revenues to-day that are in the public Treasury have been the tribute of the sweat and the toil and the labor of the farmer perhaps in a greater degree than any other class of people in the country.

This enormous surplus is the result of a system of excessive taxation with which I confess I have no sympathy. This system of taxation is a protective tariff higher than any ever enacted in this country before. And I ask my Republican friend if he can offer any objection to a proposition of this kind which proposes to equalize and distribute the burdens in the main [illegible] construction of the public roads because it may be suggested that they are of local significance and of local benefit? Where are the great masses of the people of this country benefited by a system of high protection?

I am not here this evening to enter upon a discussion of the policy of protection. The country has accepted the tariff system, at least for the present, as being the fixed policy of this Government, but the benefits derived from this system of taxation have gone to the beneficiaries of the system itself. The tribute that has been paid to create this enormous surplus has been paid by the farmers and the agricultural people of the country to maintain a system that has built up the plutocracy and wealth of the country, the manufacturing interests of the country.

Yet, there ought not to be any want of harmony between the interests of the farmer and the agricultural people and those who are engaged in producing the manufactured products of the country. Their prosperity and their welfare ought to harmonize and mingle together. There ought to be no hostility as between the two. But speaking of the equity and the reasons why this Federal Government should contribute a portion to the building of public roads, I say that according to every principle of equity, justice, and right, in the form of reason and good conscience, the man who advocates this system of protection can not afford to stand up and deny to the farmers of the country the poor pittance of a small contribution from the groaning surplus in the Treasury vaults, the result of their own contributions, the result of their tribute to this system of taxation.

They should receive a portion of the benefits, and the only way they can receive it is by an appropriation by the Federal Government, and, as Jackson said, inasmuch as the public debt of the country did not require the use of all of the surplus in the Treasury, then the question would come for the consideration by Congress of the appropriation of this surplus money to the construction of public roads and internal improvements.

You have no use for the surplus to-day in the public Treasury, and we will have none so far as the public debt is concerned until 1907, and yet we have a surplus of over $226,000,000 absolutely free and under the control of the Congress of the United States. But what is this proposition, and what does it mean to the farmers of this country, my friends? Mr. Speaker, according to the best estimate that has ever been made, the farmers and the agricultural people pay the enormous, almost incomprehensible, sum of a billion of dollars for the transportation of farm products from the farms to the market places at which they sell them.

[Here the hammer fell.]

Mr. GRIFFITH. Mr. Speaker, I ask unanimous consent that the gentleman may be allowed to conclude his remarks.

The SPEAKER pro tempore (Mr. DALZELL). The gentleman from Indiana asks unanimous consent that the gentleman may be permitted to conclude his remarks. Is there objection?

There was no objection.

Mr. ZENOR. I am very thankful to my colleague [Mr. GRIFFITH] for his kindness and to the House for this generous treatment. Mr. Speaker, that seems an astounding statement, but it is according to statistics, and these statistics are confirmed by an investigation of the history of the countries from which they were taken, that the cost of transportation per ton per mile of farm products over the present condition of roads is 25 cents, while the cost of railroad transportation, according to the statistics of this country, is one-half cent per ton per mile.

Look at the difference of cost to the farmers of this country who have to transport their goods from the farms to the towns and to the railroad stations and to the wharves of the rivers. Twenty-five cents per ton per mile to haul these goods over these bad roads is the amount the farmers of this country have paid out of their sweat and toil and sacrifice, making the sum of $1,000,000,000 annually. This is the stupendous sum they have been and are now paying as the price of their folly and for the enjoyment of the luxury of bad roads in this country.

How much have been the total receipts of all the railroads and transportation companies of this country per year? According to recent reports made, the aggregate receipts of all the railroads amounted last year to $700,000,000. It thus appears that the amount the farmers of this country pay for the transportation of their farm products from the farms to the railroad stations and markets is more money by $300,000,000 than all the receipts of all the railroads put together in this country per annum.

How much can be saved by good roads? Did you ever stop to think of the proposition? According to statistics and the most reliable estimates that have been made, good roads—macadamized roads, etc.—will reduce the cost to the farmers in the transportation of their products from the farm to the markets from 10 to 12½ cents per ton per mile. What does this mean? It means a reduction of the cost to the farmers of this country. It means a saving out of the hard earnings of these millions of toilers upon the farms of this country; the saving of just $300,000,000 per annum.

In addition to that there are other reasons. Take a farmer who lives on the line of one of these improved roads. Suppose that he has a farm of, say, 80 acres, and that is about the average number of acres owned by the farmers throughout my section of the country. Those 80 acres are worth, say, $50 an acre; and if the farmer has in addition farming implements and animals with which to carry on his operations amounting in value to $800, his total investment is $3,200.

Now, that farmer, according to the best estimates, will transport from his farm to the markets 30 to 40 tons a year. He pays upon each ton per mile 25 cents. Twenty-five cents per ton per mile upon those 30 tons would be $7.50 per mile. The average distance that he is obliged to travel in transporting these products to market is about 8 miles. Eight times $7.50 makes $60. Thus there would be a clear saving to the farmer in this single item of $40, when we take into consideration the reduction of cost by good roads of one-half.

How much would be the tax upon the farmer for a macadamized road in his neighborhood under the policy proposed to be inaugurated by either of the bills now pending in this House? If that policy be inaugurated and these roads are built, the average tax, according to the best estimates, would be 5 mills on the dollar.

Five mills, continued for five years, with the aid of the Federal Government, is the expenditure proposed by the Agricultural Department for putting all the roads of this country into very excellent condition. Five mills on the dollar, if paid by the farmer whose farm and farming implements, etc., amount to $3,200, would be $16. Therefore, to the farmer who pays $16 there is a saving or, in other words, a clear profit of over $14—an actual saving in the transportation of his products to the railroads and the markets.

Not only that. According to the statistics of 1900, there were about 16,000,000 horses and mules maintained upon the farms of this country for the purpose of their operation and conduct. If

you had good roads—macadamized roads—you would not only reduce the number of horses required, but you would increase their power to carry the products over the roads when completed. Under the estimate of the Department it is supposed that when these roads are completed at least 2,000,000 of these horses and mules could be dispensed with.

The average cost of keeping a horse or mule is about $50. The support and maintenance of 2,000,000 horses or mules would amount to $100,000,000. This burden to the farmer of the country could be wiped out by the adoption of the system of improved roads. Not only that, but there is not a single road that would be projected and built under the policy proposed that would not bring to the farmers living along the line of that road an increased value to every acre of his farm.

The lowest estimate placed upon this would be $5 an acre, so that a farmer with his 80 acres of land would receive an increment in the way of its enhanced value of $5 an acre, and that would be about $400; and patting his tax at $16 for five years we have a total in the tax contributed on the part of this particular farmer toward building and improving the public roads of $80, and he will save it five times over in the construction and use of good roads.

There are other phases of this question which could be presented which would demonstrate to a certainty that in no other direction can the economy upon the farm be so much enhanced as in this way. In addition to that, there are other things to be considered besides the financial aspect of a proposition of this kind. Ah, you say that the Government is not able to contribute $24,000,000 for the purpose of aiding the different States in this Union in bringing up and placing upon a higher plane the common roads and highways of this country.

Do you believe, as some people profess, that it would bankrupt this Government? Ah, we heard that cry and that argument made when the proposition was submitted in this House for the establishment of rural free-delivery mail routes. That cry was made then by those who were suspicious that the final and ultimate effect of the operation of that policy would be the bankruptcy of this country; and to-day that experiment of rural free delivery has brought comfort, happiness, and prosperity to a very large majority of the people that have been blessed by its benefit.

It not only has done that, but it has increased the revenues of the Government by reason of the fact that these rural delivery routes traverse and permeate the country, increasing the mail and increasing the revenue, adding to the revenue of the Government so that they have almost become self-supporting because of the increase of the revenue coming to the Government and because of the abolition of many of the crossroads post-offices in the neighborhoods in which routes are established.

There are social phases of this question that are entitled to a higher consideration than any financial consideration. My friends, the farmers of the country need all the facilities possible for transporting their products to the market. They need all the facilities, all the advantages to which our present advancement and high civilization in this country entitle them. They of all the classes of people in this country share the least in the advantages and benefits of legislation which has so materially contributed to the wealth of this country. They are leaving the country. It is an isolated life, and it becomes monotonous to the young men, the bone and sinew of the farm, the young men upon whom responsibility must ultimately fall for the operation and conduct of the farm. They are getting tired of the isolation and drudgery of farm life in the country, and there is a constant tendency to shift from the healthy atmosphere of the country, from the farm in which the young man receives his best impressions and that physical and mental discipline which so well serves him in after years and prepares him for an honorable and useful career as a good citizen. He needs to be made contented. To do that you have to improve the public highways.

In addition to that, Congress has the power to establish post-offices and post roads throughout this country. To-day the Government is utilizing all the most important public roads running through the counties in which this system of rural free delivery has been introduced. Is there, therefore, no reason why this Government of ours should not contribute a pro rata share for the maintenance, for the upbuilding of this system of public roads? I have heard of no convincing argument yet made why national aid and cooperation should not be extended to the different States of the Union.

But I must hurry on. There are other reasons. It is said that this Government is proposing to enter upon a policy that savors of paternalism. But it is getting late in the history of the legislation of this Congress for any man to reproach the advocate of Government aid to the public roads with the suggestion that it is paternalism. I call the attention of Members of this House, some of whom were Members at the time when appropriations were made for the rescue of the people of Martinique, a colony of France, by an appropriation of $200,000 I believe it was.

I call attention to the appropriation made for the benefit of the Cuban people while it was said that that country was suffering. I believe that amount was $50,000. Not only that. There are other appropriations we have made frequently in response to repeated appeals of distress in this country.

But more particularly I want to call attention to the enormous sums of money that have been appropriated out of the public Treasury for the rivers and harbors of this country. I do not object to that. I believe it is an improvement worthy of commendation and worthy of the support of this Government of ours. I believe that all the great highways upon which are borne the commerce of this country and which are calculated to develop its internal resources should be patronized liberally by the Government.

In addition to that, when the Pacific railroads were built this Government, in a spirit of unprecedented liberality, voted to the Pacific railroads and their collateral branches 197,000,000 acres of the public domain. Was this a public purpose? Is the Northern Pacific Railroad a public enterprise, or is it a private corporation and a private enterprise?

That 197,000,000 acres of land that the Government appropriated and donated as a free gift of this Government to the railroads of this country at $5 an acre, which is a low cost, would approximate a billion dollars; so that the Government is not without precedent in entering upon and considering a proposition to afford aid in the construction of the public roads and the public highways of this country. I might call attention to other appropriations of more doubtful propriety than any of those to which I have already alluded.

My friends, these are some of the questions that appeal to us in the consideration of the bills which propose national aid and national cooperation with the different States and Territories of the Union in order to build up the common roads and the common highways, and in a measure to place these upon a higher plane and in closer touch with the present high standard of our progress and achievements in all other respects. The present system of roads is an antiquated system.

In addition to that, Mr. Speaker, there are other reasons, it seems to me, that might influence the judgment of the Members of this House favorably toward the consideration of this proposition. The farmers of this country, the agricultural people, have always in all of the great crises in the history of our country been most conservative, loyal, and devoted to their Government.

In all the great contests and in all of the great struggles through which our country has passed, both in domestic and foreign war, it was the farmers of this country who marshaled themselves in response to the call of their country and marched to the firing line in defense of the flag.

It was the farmers from the Southern States and other sections of the Union, when the battle of New Orleans was fought—it was the farmers in homespun, with flintlock guns—who rushed to the assistance of General Jackson, and by their courage, patriotism, and unerring marksmanship challenged the British forces to call a final halt at the city of New Orleans. It was the farmers, my friends, who, in 1845, shouldered their guns and marshaled the army of the Union on the Texas frontier and drove the invading foe across the Rio Grande and planted the Stars and Stripes upon the heights of Chapultepec and the proud Montezumas.

The farmers of this country have in all its greatest emergencies demonstrated and proved their unselfish devotion and loyalty to this Government of ours. The time has come, it seems to me, when these demands of the agricultural classes, the demands of the men most interested in the construction of public highways, should be recognized by Congress.

Mr. Speaker, I have occupied more time than I intended to when I rose to address the House. I feel conscious of the fact that I have used more time than wisdom in the expression of these views. If I have exhibited some apparent zeal in speaking upon this subject, I trust that it has been inspired by motives as honorable and an ambition as worthy as the great cause of the great rural population of this great Republic and which needs no apology here or elsewhere.

My friends, if professions of zeal for the farming classes, if to be their friend is a virtue which deserves commendation, then I cherish the conviction that my country is blessed with an abundance of it, for I can not conceive it possible that anywhere under the shadow of the flag or shelter of the Republic there can be found any intelligent, patriotic citizen who does not wish to see them happy, prosperous, and contented. [Applause.]

I wish to submit in connection with my remarks the following table prepared by the Department of Agriculture, showing the amount each State would receive from an appropriation of $24,000,000, to aid the States in the construction of good roads.

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF PUBLIC ROAD INQUIRIES,
Washington, D. C., January 12, 1904.

Population of the various States of the United States, according to the census of 1900, and amount to be appropriated for the construction of public roads in each State, apportioned according to population.

State.	Population, census of 1900.	Appropriation for public roads.
Alabama	1,828,697	$588,264
Arkansas	1,311,564	421,910
California	1,485,053	477,719
Colorado	539,700	173,613
Connecticut	908,420	292,225
Delaware	184,735	59,426
Florida	528,542	170,024
Georgia	2,216,331	712,960
Idaho	161,772	52,040
Illinois	4,821,550	1,551,010
Indiana	2,516,462	809,507
Iowa	2,231,853	717,983
Kansas	1,470,495	473,096
Kentucky	2,147,174	690,713
Louisiana	1,381,625	444,448
Maine	694,466	223,399
Maryland	1,188,044	382,175
Massachusetts	2,805,346	902,437
Michigan	2,420,982	778,703
Minnesota	1,751,394	563,397
Mississippi	1,551,270	499,020
Missouri	3,106,665	999,393
Montana	243,329	78,275
Nebraska	1,066,300	343,012
Nevada	42,335	13,618
New Hampshire	411,588	132,401
New Jersey	1,883,669	605,947
New York	7,268,894	2,338,232
North Carolina	1,893,810	609,210
North Dakota	319,146	102,664
Ohio	4,157,545	1,337,418
Oregon	413,536	133,028
Pennsylvania	6,302,115	2,027,294
Rhode Island	428,556	137,860
South Carolina	1,340,316	431,159
South Dakota	401,570	129,179
Tennessee	2,020,616	650,001
Texas	3,048,710	980,795
Utah	276,749	89,026
Vermont	343,641	110,544
Virginia	1,854,184	596,463
Washington	518,103	166,666
West Virginia	958,800	308,431
Wisconsin	2,069,042	665,579
Wyoming	92,531	29,766
Total States	74,607,225	24,000,000
Territories (including Alaska and Hawaii), District of Columbia, military and naval	1,696,162	
Total United States	76,303,387	24,000,000

NOTE.—The appropriation contemplated, $24,000,000, is equal to $2.16846026 cents for each of the 1,007,225 persons residing in the various States, as enumerated in the census of 1900. The appropriation indicated for each State is equal to its population multiplied by the average appropriation per capita.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 1558. An act to grant to the State of Minnesota certain vacant lands in said State for forestry purposes—to the Committee on the Public Lands.

S. 277. An act for the relief of settlers on lands in Sherman County, in the State of Oregon—to the Committee on the Public Lands.

S. 371. An act granting to the State of North Dakota 30,000 acres of land to aid in the maintenance of a school of forestry—to the Committee on the Public Lands.

S. 113. An act to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont—to the Committee on War Claims.

S. 1352. An act for the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb—to the Committee on Claims.

S. 347. An act providing for the establishment of a life-saving station in the vicinity of Cape Flattery or Flattery Rocks, on the coast of Washington—to the Committee on Interstate and Foreign Commerce.

S. 121. An act granting additional lands adjacent to its site to the University of Montana—to the Committee on the Public Lands.

S. 2133. An act to change the name of Madison street to Samson street—to the Committee on the District of Columbia.

S. R. 26. Joint resolution providing for the publication of 8,500 copies of a set of four charts on food and diet—to the Committee on Printing.

S. 782. An act granting a pension to Mary D. Duval—to the Committee on Invalid Pensions.

CHANGE OF REFERENCE.

By unanimous consent, the following changes of reference were made:

The bill (S. 2418) granting a pension to Marit Johnson—from the Committee on Invalid Pensions to the Committee on Pensions.

House resolution No. 150—from the Committee on Foreign Affairs to the Committee on Expenditures in the State Department.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. Pending that, the Chair will submit the following request for leave of absence:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Mr. VANDIVER, for ten days, on account of important business.

The motion of Mr. PAYNE was then agreed to; and accordingly (at 5 o'clock and 22 minutes) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, submitting a statement of the cost of all type and experimental manufacture of guns and other articles manufactured by the Government during the fiscal year ended June 30, 1903—to the Committees on Appropriations and Military Affairs, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Missouri River from Sioux City, Iowa, to the mouth; also near Hermann, West Glasgow, Wilhoite Bend, Lexington, and St. Joseph—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GROSVENOR, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes, reported the same with amendment, accompanied by a report (No. 418); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 1938) granting an increase of pension to Aldridge Patterson, reported the same without amendment, accompanied by a report (No. 419); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1760) granting a pension to Ann A. Devore, reported the same with amendment, accompanied by a report (No. 420); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 200) granting an increase of pension to Austin Almy, reported the same with amendment, accompanied by a report (No. 421); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1825) granting a pension to Josephine L. Webber, reported the same without amendment, accompanied by a report (No. 422); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1559) granting an increase of pension to Marie A. Rask, reported the same without amendment, accompanied by a report (No. 423); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 99) granting an increase of pension to Joel C. Shepherd, reported the same without amendment, accompanied by a report (No. 424); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 754) granting a pension to John M. Lawton, reported the same with amendment, accompanied by a report (No. 425); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6352) granting a pension to Mary Huff and her five children, reported the same with amendment, accompanied by a report (No. 426); which said bill and report were referred to the Private Calendar.

Mr. HOGG, from the Committee on Pensions, to which was referred the bill of the House (H. R. 195) granting a pension to Michael J. Landy, reported the same with amendment, accompanied by a report (No. 427); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8850) granting a pension to Thomas Joyce, reported the same with amendment, accompanied by a report (No. 428); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4946) to restore James F. Wheeler to the pension roll, reported the same with amendment, accompanied by a report (No. 429); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8916) for the relief of Susie G. Seabury, reported the same with amendment, accompanied by a report (No. 430); which said bill and report were referred to the Private Calendar.

Mr. HOUSTON, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6547) granting a pension to John Holzer, reported the same with amendment, accompanied by a report (No. 431); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7799) to increase the pension of John O. Rice, reported the same with amendment, accompanied by a report (No. 432); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7072) granting a pension to Mary McCall, reported the same with amendment, accompanied by a report (No. 433); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6331) granting an increase of pension to John W. Brown, reported the same with amendment, accompanied by a report (No. 434); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6329) granting an increase of pension to William P. Connor, reported the same with amendment, accompanied by a report (No. 435); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2837) granting a pension to Louisa Phillips, reported the same with amendment, accompanied by a report (No. 436); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2916) granting an increase of pension to Francis S. Howard, reported the same with amendment, accompanied by a report (No. 437); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2912) granting a pension to Mrs. Elizabeth A. Jones, reported the same with amendment, accompanied by a report (No. 438); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 3435) granting an increase of pension to John M. Pratt, reported the same without amendment, accompanied by a report (No. 439); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 219) granting a pension to M. J. Burton, widow of Thomas Burton, reported the same with amendment, accompanied by a report (No. 440); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred, as follows:

A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Cantalla Creek in the district of Alaska—Committee on the Territories discharged, and referred to the Committee Interstate and Foreign Commerce.

A bill (H. R. 7830) granting a pension to H. F. Jones—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8771) granting a pension to Walter F. Horner—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9122) granting an increase of pension to Mildred S. Ogden—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10067) raising the rank of B. F. Wood on the retired list of the Navy—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 6344) granting an increase of pension to Clara M. Gihon—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7829) granting a pension to Mrs. T. W. Mittag—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. CRUMPACKER: A bill (H. R. 10652) to amend section 8 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902—to the Committee on the Census.

By Mr. RIDER: A bill (H. R. 10653) to provide for purchase of site and the erection of a public building thereon in the city of New York, in the State of New York—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10654) to provide for the erection of a branch post-office in the city of New York, in the State of New York—to the Committee on Public Buildings and Grounds.

By Mr. SPALDING: A bill (H. R. 10655) relating to proofs under the homestead laws, and to confirm such proofs in certain cases when made outside of the land district within which the land is situated—to the Committee on the Public Lands.

Also, a bill (H. R. 10656) to amend an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900—to the Committee on the Territories.

Also, a bill (H. R. 10657) to declare a portion of the Red River of the North unnavigable—to the Committee on Interstate and Foreign Commerce.

By Mr. SOUTHWICK: A bill (H. R. 10658) to provide for the purchase of a site and the erection of a public building thereon at Schenectady, in the State of New York—to the Committee on Public Buildings and Grounds.

By Mr. JONES of Washington: A bill (H. R. 10659) to establish a permanent military camp ground in the vicinity of Spokane, in the State of Washington—to the Committee on Military Affairs.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 10660) for the benefit of officers of the Marine Corps, upon retirement, who served during the civil war—to the Committee on Naval Affairs.

By Mr. BINGHAM: A bill (H. R. 10661) to increase the compensation of inspectors of customs at the port of Philadelphia—to the Committee on Ways and Means.

By Mr. ALLEN: A bill (H. R. 10662) for the extension of Eighth street northeast, otherwise known as Railroad avenue—to the Committee on the District of Columbia.

Also, a bill (H. R. 10663) to authorize the abandonment of W street northeast, Washington, D. C.—to the Committee on the District of Columbia.

By Mr. CAMPBELL: A bill (H. R. 10664) to provide for the improvement of a lot provided for the burial of veterans of the civil and other wars of the United States in Oakwood Cemetery, Parsons, Kans.—to the Committee on Military Affairs.

By Mr. CURTIS: A bill (H. R. 10665) providing for the manufacture or antitoxine serum, and for other purposes—to the Committee on Agriculture.

By Mr. McDERMOTT: A bill (H. R. 10666) concerning the registration and recording of ships and vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. LOVERING: A bill (H. R. 10667) to amend chapter 11 of the laws of 1897, entitled "An act to provide revenue for the

Government and to encourage the industries of the United States"—to the Committee on Ways and Means.

By Mr. RIDER: A bill (H. R. 10668) to amend section 73 of the act entitled "An act providing for the public printing and binding and the distribution of public documents," approved January 12, 1895—to the Committee on Printing.

By Mr. BABCOCK: A bill (H. R. 10669) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia—to the Committee on the District of Columbia.

By Mr. HULL, from the Committee on Military Affairs: A bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. BADGER: A bill (H. R. 10674) to amend section 1754 of the Revised Statutes of the United States—to the Committee on Reform in the Civil Service.

By Mr. LILLEY: A bill (H. R. 10756) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897—to the Committee on Ways and Means.

By Mr. CRUMPACKER: A concurrent resolution (H. C. Res. 33) providing for the printing and distribution of the Statistical Atlas of the Twelfth Census—to the Committee on Printing.

Also, a concurrent resolution (H. C. Res. 34) providing for printing and distributing the Abstract of the Twelfth Census—to the Committee on Printing.

By Mr. HITCHCOCK: A resolution (H. Res. 159) requesting the Public Printer to furnish certain information as to the number of official carriages in his Bureau—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 10671) granting an increase of pension to Samuel Hindman—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 10672) granting an increase of pension to John A. Brown—to the Committee on Invalid Pensions.

By Mr. BADGER: A bill (H. R. 10673) granting an increase of pension to William H. Richardson—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: A bill (H. R. 10675) for the relief of the heirs of Davis Knight, of Fayette County, Ala.—to the Committee on War Claims.

By Mr. BENNY: A bill (H. R. 10676) for the relief of Ferdinand W. Rave—to the Committee on Claims.

By Mr. BIRDSALL: A bill (H. R. 10677) granting an increase of pension to John W. Seeber—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 10678) granting relief to Charles E. Russell, as administrator of John H. Russell, deceased—to the Committee on War Claims.

By Mr. BRADLEY: A bill (H. R. 10679) granting a pension to Emma W. Lloyd—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: A bill (H. R. 10680) granting an increase of pension to S. B. Coe—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: A bill (H. R. 10681) for the relief of Capt. and Bvt. Maj. Thomas H. Carpenter, United States Army, retired, or his legal representatives—to the Committee on Claims.

By Mr. CALDERHEAD: A bill (H. R. 10682) granting an increase of pension to Marion Arnold—to the Committee on Invalid Pensions.

By Mr. CLAYTON: A bill (H. R. 10683) granting a pension to William Lanier—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 10684) granting a pension to Lucretia Jane Davidson—to the Committee on Pensions.

Also, a bill (H. R. 10685) granting a pension to Mary Elizabeth Davidson—to the Committee on Pensions.

By Mr. DENNY: A bill (H. R. 10686) granting a pension to Michael Kurtz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10687) granting an increase of pension to George Leonard Foss—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 10688) for the relief of Johann A. Killian—to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 10689) granting an increase of pension to Henry Howe—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 10690) to provide suitable medals for the officers and crew of the United States vessel of war *Kearsarge*—to the Committee on Naval Affairs.

By Mr. GROSVENOR: A bill (H. R. 10691) granting an increase of pension to J. W. Hilyard—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 10692) for the relief of the Evangelical Lutheran Church, of Stephens City, Va.—to the Committee on War Claims.

By Mr. HUMPHREY of Washington: A bill (H. R. 10693) granting an increase of pension to Henry Stimon—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 10694) granting an increase of pension to Alderson T. Keen—to the Committee on Invalid Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 10695) granting an increase of pension to Jefferson Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10696) granting an increase of pension to Frederick Clink—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10697) granting a pension to Mary Center—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 10698) granting an honorable discharge to Jeremiah Duane—to the Committee on Military Affairs.

Also, a bill (H. R. 10699) granting an increase of pension to Henry J. Brockway—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: A bill (H. R. 10700) granting a pension to Ella D. Madden—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 10701) granting an increase of pension to Abbie A. Durant—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 10702) for the relief of John Riley—to the Committee on Naval Affairs.

By Mr. MANN: A bill (H. R. 10703) granting a pension to Sarah Kearney—to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 10704) for the relief of Moses J. Robertson—to the Committee on Claims.

By Mr. McCALL: A bill (H. R. 10705) for the relief of Samuel M. Blair—to the Committee on War Claims.

By Mr. McMORRAN: A bill (H. R. 10706) granting an increase of pension to Alfred J. West—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 10707) granting an increase of pension to John McVicar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10708) granting an increase of pension to Alfred A. Burrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10709) granting an increase of pension to James M. Seavey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10710) granting a pension to Augusta Reichburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10711) granting a pension to Mary Henrietta Baston—to the Committee on Invalid Pensions.

By Mr. RIDER: A bill (H. R. 10712) granting a pension to Henrietta Weidner—to the Committee on Pensions.

By Mr. RIXEY: A bill (H. R. 10713) for the relief of the legal representatives of Kitty Douglass—to the Committee on War Claims.

By Mr. RUCKER: A bill (H. R. 10714) for the relief of Francis M. Sheppard—to the Committee on War Claims.

By Mr. SMALL: A bill (H. R. 10715) granting an increase of pension to Alpheus W. Simpson—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 10716) granting an increase of pension to Joseph Russell—to the Committee on Invalid Pensions.

By Mr. SOUTHALL: A bill (H. R. 10717) to reinstate Francis S. Nash as a surgeon in the Navy—to the Committee on Naval Affairs.

By Mr. SPIGHT: A bill (H. R. 10718) granting a pension to John B. Baughman—to the Committee on Pensions.

Also, a bill (H. R. 10719) for the relief of Mrs. G. W. Ross, Mrs. H. C. Cary, Mrs. Annie Brooks, L. C. Wilcoxon, and Willie Wilcoxon, heirs at law and representatives of Wiley Franks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10720) for the relief of the heirs of Abraham Jones—to the Committee on Claims.

Also, a bill (H. R. 10721) for the relief of heirs of Mrs. Susan L. Bailey, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10722) for the relief of the estate of C. G. Boswell, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10723) for the relief of George L. McGehee and John C. McGehee, heirs of Mary McGehee, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10724) for the relief of W. A. French—to the Committee on War Claims.

Also, a bill (H. R. 10725) for the relief of the estate of William Parker—to the Committee on War Claims.

Also, a bill (H. R. 10726) for the relief of James H. Knox—to the Committee on War Claims.

Also, a bill (H. R. 10727) for the relief of Mrs. Martha T. Davis—to the Committee on War Claims.

Also, a bill (H. R. 10728) for the relief of Dr. J. N. McIntyre—to the Committee on War Claims.

Also, a bill (H. R. 10729) for the relief of the heirs of H. G. Spencer—to the Committee on War Claims.

Also, a bill (H. R. 10730) for the relief of the heirs of Benjamin Hawes, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10731) for the relief of the heirs of Mrs. Louisa Ragsdale—to the Committee on War Claims.

Also, a bill (H. R. 10732) for the relief of the heirs of John Carruth, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10733) for the relief of W. D. Aston—to the Committee on War Claims.

Also, a bill (H. R. 10734) for the relief of Henry C. McElroy—to the Committee on Military Affairs.

Also, a bill (H. R. 10735) for the relief of the estate of Elizabeth Hull Wellford, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10736) for the relief of the estate of Eben N. Davis, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10737) for the relief of the estate of David A. Hamilton—to the Committee on War Claims.

Also, a bill (H. R. 10738) for the relief of Martha A. Allen, administratrix of Wyatt M. Allen, deceased, late of De Soto County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10739) for the relief of the heirs of Mrs. M. A. Allen—to the Committee on War Claims.

Also, a bill (H. R. 10740) for the relief of the estate of William A. Jeffries, deceased—to the Committee on War Claims.

Also, a bill (H. R. 10741) for the relief of Mrs. Mary Tate, of De Soto County, Miss.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10742) for the relief of William Moyers, of Marshall County, Miss.—to the Committee on Claims.

Also, a bill (H. R. 10743) for the relief of Mrs. A. T. Mason, of Benton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10744) for the relief of the estate of Isham G. Bailey, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10745) for the relief of the heirs of Mrs. Polly Callahan, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10746) for the relief of the estate of Maria A. Reinhardt, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 10747) granting an increase of pension to George Crosby—to the Committee on Invalid Pensions.

By Mr. TRIMBLE: A bill (H. R. 10748) granting an increase of pension to Kate Ridgeway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10749) granting an increase of pension to John Brafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10750) granting an increase of pension to Libbie G. Rawls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10751) granting a pension to William J. Ballard—to the Committee on Invalid Pensions.

By Mr. VANDIVER: A bill (H. R. 10752) granting a pension to Francis M. Harris—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 10753) granting an increase of pension to James M. Gwinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10754) granting an increase of pension to Noah Jarvis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10755) granting an increase of pension to John Thrasher—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Z. T. Baum and 34 others, of Paris, Ill., praying for favorable legislation in behalf of Moses B. Page—to the Committee on Invalid Pensions.

Also, memorial of George S. Hummer and 30 others, of Sheldon, Ill., protesting against legislation for the establishment of a parcels-post—to the Committee on the Post-Office and Post-Roads.

By Mr. BANKHEAD: Affidavits in war claim of heirs of Davis Knight, of Walker County, Ala., for reference to Court of Claims under section 14 of Tucker Act—to the Committee on War Claims.

By Mr. BARTLETT: Resolutions of Altoona Lodge, No. 302, Atlanta, Ga., of Brotherhood of Railway Trainmen, favoring passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

By Mr. BIRDSALL: Resolution of Lookout Post, No. 70, Dubuque, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BISHOP: Resolutions of Dahlgren Post, No. 149, of Holton; Maurice B. Weller Post, No. 218, of Luther; Joseph Hooker Post, No. 26, of Hart; S. Mallison Post, No. 298, of Pierpont; James F. McGinley Post, No. 201, of Manistee; Albert Sperry Post, No. 337, of Ravenna; Phil Kearnes Post, No. 7, of Muskegon; and Pap Williams Post, No. 15, of Ludington, Mich., Grand Army of the Republic; also petition of Veterans of 1861, of Bailey, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Petition of the Commercial Club of La Cygne, Kans., protesting against enactment of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CALDWELL: Petition of merchants of Mount Olive, Ill., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Resolutions of Commercial Club of Topeka, Kans., relative to the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Antietam Post, No. 61, Grand Army of the Republic, of Parsons, Kans., for an appropriation for improvement of soldiers' cemetery—to the Committee on Appropriations.

By Mr. COOPER of Texas: Resolutions of the members of the bar of Beaumont, Tex., favoring the passage of bill H. R. 10145—to the Committee on the Judiciary.

Also, petition of citizens of Grapeland, Tex., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. COUSINS: Resolutions of Robert Mitchell Post, No. 206, of Marion; P. M. Coder Post, No. 98, of Vinton, and John B. Hancox Post, No. 314, of Belle Plaine, Iowa, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. DANIELS: Resolution of the Pioneers of Los Angeles County, in favor of preserving the big trees of California—to the Committee on the Public Lands.

Also, resolution of San Francisco Chamber of Commerce, favoring the purchase of the Calaveras grove of big trees, in California—to the Committee on the Public Lands.

Also, resolution of San Francisco Chamber of Commerce, favoring measure to provide for destruction of derelicts at sea—to the Committee on Rivers and Harbors.

Also, resolution of San Francisco Chamber of Commerce, in favor of bill for protection of harbor of Hilo, Hawaii—to the Committee on Rivers and Harbors.

By Mr. DOVENER: Papers to accompany bill granting a pension to Melvina J. Twiger—to the Committee on Invalid Pensions.

By Mr. FLACK: Papers to accompany House bill granting an increase of pension to Margaret Delaney—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolutions of Carter Wright Post, No. 772, Grand Army of the Republic, of Somonauk, Ill., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of Denver Chamber of Commerce and other organizations of Denver, Colo., for a new Government building—to the Committee on Public Buildings and Grounds.

Also, memorial of independent tobacco manufacturers, in opposition to bills H. R. 6 and 97—to the Committee on Ways and Means.

By Mr. GARDNER of Massachusetts: Resolutions of Boston Branch, National League of Commission Merchants, and other bodies, favoring the granting of more authority to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Boston Chamber of Commerce, favoring the continuance of rebating the duty on bituminous coal imported—to the Committee on Ways and Means.

By Mr. GILLESPIE: Petition of citizens of Peaster, Tex., for the passage of the McCumber bill and the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GROSVENOR: Papers to accompany bill granting an increase of pension to J. W. Hily—to the Committee on Invalid Pensions.

By Mr. HITT: Resolution of W. M. Enderton Post, No. 729, Grand Army of the Republic, Rock Falls, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAY: Petition of citizens of Rappahannock, Va., in favor of the Hepburn-Dolliver bill (H. R. 4072)—to the Committee on the Judiciary.

Also, papers to accompany a bill for the relief of the Evangelical Lutheran Church of Stephens City, Va.—to the Committee on War Claims.

By Mr. HUGHES: Petitions of J. Walter Mitchell, Hamilton C. Goss, and George Howell, favoring the bill to construct a war museum building—to the Committee on Public Buildings and Grounds.

By Mr. HULL: Affidavit in the matter of the claim of Joseph R. Shannon, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of Franklin Desk Company, of Franklin, Ind., in favor of bill H. R. 9302, to place alcohol used for industrial purposes on the free list—to the Committee on Ways and Means.

By Mr. HOWELL of New Jersey: Resolution of J. G. Shackleton Post, No. 83, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolutions of Merchants and Manufacturers' Association of Baltimore, Md., asking for an increase in the depth of the main ship channel giving access to the port of Baltimore from 30 to 35 feet depth of water at mean low tide—to the Committee on Rivers and Harbors.

By Mr. LITTLEFIELD: Resolutions of Bosworth Post, No. 2, of Portland, Me., and of Edwin Libbey Post, No. 16, of Rockland, Me., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. McNARY: Petitions of vessel owners, fishermen, and others of Boston and Gloucester, asking the Government to offer a sufficient bounty on dogfish to insure their extermination—to the Committee on the Merchant Marine and Fisheries.

By Mr. MADDOX: Petition of trustees of Pleasant Grove Baptist Church, of Ringgold, Ga., praying reference of war claim to the Court of Claims under Bowman Act—to the Committee on War Claims.

By Mr. MARSHALL: Petition of citizens of North Dakota, that unallotted lands tributary to Devils Lake Indian Reservation be opened to settlement—to the Committee on Indian Affairs.

Also, petition of citizens of North Dakota, that unallotted lands tributary to Devils Lake Indian Reservation be opened to settlement—to the Committee on Indian Affairs.

By Mr. PADGETT: Petition of James P. Moore, praying reference of claim to Court of Claims—to the Committee on War Claims.

By Mr. PRINCE: Resolutions of G. W. Trafton Post, No. 289, of Knoxville, Ill., and of Joe Hooker Post, No. 69, of Canton, Ill., Grand Army of the Republic, favoring the enactment of a service-pension law—to the Committee on Invalid Pensions.

By Mr. RAINEY: Resolutions of Edwin D. Lowe Post, No. 295, Grand Army of the Republic, of Jerseyville, Ill., favoring the enactment of a service-pension law—to the Committee on Invalid Pensions.

By Mr. RODEY: Resolution of Aztec Post, No. 15, Grand Army of the Republic, Department of New Mexico, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RYAN: Memorial to accompany bill providing for a public building at Denver, Colo.—to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: Petition of the Sons of Hermann and the Farmers' Club of Shovel Mount, Tex., in opposition to the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill for war claim of the Baptist Church of Columbia, Ky.—to the Committee on War Claims.

By Mr. SMITH of Pennsylvania: Petition of Statelick (Pa.) Epworth League, praying for the passage of the McCumber, Hepburn-Dolliver, Humphreys, and Dryden bills—to the Committee on the Judiciary.

By Mr. SNOOK: Resolutions of Philadelphia Maritime Exchange, favoring international arbitration—to the Committee on Foreign Affairs.

Also, resolutions of the South Side Business and Improvement Association, favoring a new Federal judicial district for central Ohio, with court located at Columbus, Ohio, and favoring an appropriation to enlarge the Government building at Columbus, Ohio—to the Committee on the Judiciary.

By Mr. SOUTHALL: Memorial to accompany bill for the relief of Francis S. Nash—to the Committee on Naval Affairs.

By Mr. SOUTHWICK: Petition of Admiral Farragut Garrison, No. 25, of Albany, N. Y., in favor of bill H. R. 8586—to the Committee on Naval Affairs.

By Mr. SPALDING: Petition of B. B. Richardson and 67 others, of Drayton, N. Dak., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of citizens of Fargo, N. Dak., relative to navigation of Red River—to the Committee on Rivers and Harbors.

By Mr. SPIGHT: Papers to accompany bill for the relief of Wiley Franks—to the Committee on Invalid Pensions.

Also, papers to accompany bill relating to the Payton Tate pension claim—to the Committee on Invalid Pensions.

Also, papers to accompany bill for relief of heirs of Mrs. Parley—to the Committee on War Claims.

Also, papers to accompany bill for relief of William Mayers, of Marshall County, Miss.—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Letter of the American Trading Company, of New York City, indorsing the Lodge bill—to the Committee on Foreign Affairs.

Also, resolutions of the Merchants and Manufacturers' Association of Baltimore, for improvement of main ship channel—to the Committee on Rivers and Harbors.

Also, letter of Edward A. Bond, of Albany, N. Y., in favor of bill H. R. 4508—to the Committee on Agriculture.

By Mr. THOMAS of Iowa: Petition of citizens of Sac City, Iowa, favoring the passage of bills H. R. 4072 and S. 1390—to the Committee on the Judiciary.

By Mr. TIRRELL: Petition of P. P. Adams and others, of Waltham, Mass., for the payment of a bounty by the United States for the extermination of dogfish and the establishing of fertilizer and oil works on the Atlantic coast—to the Committee on the Merchant Marine and Fisheries.

By Mr. WADE: Resolution of Albert Winchell Post, No. 227, Grand Army of the Republic, of Lyons, Iowa, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WARNOCK: Resolutions of Harry Davis Post, No. 612, Grand Army of the Republic, of Woodstock, Ohio, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Resolutions of Grand Army of the Republic posts of Wayne City, Grayville, West Salem, Albion, and Louisville, Ill., urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *January 21, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BEVERIDGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. If there be no objection, the Journal will stand approved. It is approved.

HEIRS OF STEPHEN STALEY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of William B. Staley, Ellen R. Whitson, and Robert D. Staley, sole heirs of Stephen Staley, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 6295) for preventing the adulteration or misbranding of food or drugs, and for regulating traffic therein, and for other purposes; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a memorial of the Grays Harbor Trades and Labor Council, American Federation of Labor, of Aberdeen, Wash., remonstrating against the reenactment of the law authorizing the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

He also presented petitions of sundry ministers of Seattle and of sundry citizens of Seattle and Waitsburg, all in the State of Washington, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the congregation of the Christian Church of Waitsburg, of the congregation of the First Baptist Church of Everett, and of the congregation of the United Presbyterian Church of Waitsburg, all in the State of Washington, praying for the enactment of legislation providing for the Sunday closing of the Lewis and Clark Centennial Exposition; which were referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Commercial Club of Centralia, Wash., praying that an appropriation be made in aid of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

Mr. PERKINS presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation providing for the removal or destruction of derelicts; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the protection of the harbor of Hilo and for the improvement of

the entrance to the harbor at Honolulu, Hawaii; which was referred to the Committee on Commerce.

He also presented petitions of the congregation of the Second Presbyterian Church of San Jose; of the congregation of the Calvary Baptist Church, of Oakland; of the congregation of the Trinity Methodist Episcopal Church, of Berkeley; of the congregation of the First Methodist Episcopal Church of Oakland; of the congregation of the Brooklyn Presbyterian Church, of Oakland; of the congregation of the Tenth Avenue Baptist Church, of Oakland; of the congregation of the Methodist Episcopal Church South, of Oakland; of the congregation of the Plymouth Avenue Congregational Church, of Oakland; of the congregation of the Thirty-fourth Street Methodist Episcopal Church, of Oakland; of the Chester Street Methodist Episcopal Church, of Oakland; of the congregation of the First Baptist Church of Oakland, and of sundry citizens of Hemet, all in the State of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented petitions of the congregation of the First Baptist Church of Milford, of the Woman's Christian Temperance Union of the Methodist Episcopal Church of Milford, and of the Young People's Society of Christian Endeavor of the Congregational Church of Milford, all in the State of New Hampshire, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DILLINGHAM presented petitions of the congregation of the Universalist Church of Woodstock, of the congregation of the Christian Church of Woodstock, and of the Woman's Christian Temperance Union of Chittenden County, all in the State of Vermont, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a memorial of the Retail Grocers' Association of Danville, Ill., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Calumet Joint Labor Council, American Federation of Labor, of Kensington, Ill., praying for the passage of the so-called eight-hour bill and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented petitions of Seward Nelson Post, No. 251, of Wapella; of Thomas Riddle Post, No. 230, of Leroy; of Randall Post, No. 568, of Trenton; of W. W. Burnett Post, No. 527, of Eldorado; of Millstadt Post, No. 684, of Millstadt; of P. Schooley Post, No. 418, of Watson; of S. T. Rogers Post, No. 531, of El Paso; of Will Enderton Post, No. 729, of Rock Falls; of Fred O. Spooner Post, No. 294, of Argenta, and of Joe Hooker Post, No. 69, of Canton, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the adoption of an amendment to the Constitution to regulate and control corporations and combinations that monopolize and restrain trade; which was referred to the Committee on the Judiciary.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to revise the fees and salaries of all Federal officers; which was referred to the Committee on Appropriations.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to extend the foreign markets for American agricultural products; which was referred to the Committee on Finance.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to regulate the use of shoddy; which was referred to the Committee on Finance.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the passage of the so-called pure-food bill; which was ordered to lie on the table.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to require all laws to be approved by a vote of the people; which was referred to the Committee on the Judiciary.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the adoption of an amendment to the Constitution providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on the Judiciary.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying that an appropriation be made for the improvement of the public highways of the country; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying that an appropriation be made for the construction of a deep waterway or ship canal connecting the Mississippi River with the Great Lakes and thence to the Atlantic seaboard; which was referred to the Committee on Commerce.

He also presented a memorial of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., remonstrating against the passage of the so-called ship-subsidy bill; which was referred to the Committee on Commerce.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to prohibit railroad companies from exacting higher rates for carrying the United States mails than for the transportation of freight by express companies; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to establish postal savings banks; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the State Grange of Illinois, Patrons of Husbandry, of Dunlap, Ill., praying for the enactment of legislation to increase the salary of rural mail carriers from $600 to $800 per annum; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. ELKINS presented a petition of sundry citizens of Martinsburg, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PENROSE presented a petition of sundry citizens of Lake Pleasant, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Christian Endeavor Society of the Presbyterian Church of State Lick, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Soldiers' Homes and all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of sundry citizens of Philadelphia, of the Woman's Home Missionary Society of Kittanning, of the Woman's Christian Temperance Union of Greensburg; of the St. Paul's League, of Lancaster; of the Brown Chapel Christian Endeavor Society, of Allegheny; of the Civic Club, of Carlisle; of the congregation of St. Paul's Methodist Episcopal Church, of Lancaster, and of the National Union of Women's Organizations, of Philadelphia, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Rivera, Lincoln, San Francisco, Wildomar, Lemon Grove, Santa Ana, Success, Alpine, Riverside, Redlands, Bostonia, Hanford, Ramona, San Jose, Vacaville, Watsonville, Cupertino, and Fresno, all in the State of California, and of Montana, Oregon, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. BARD presented a petition of the Northern California Indian Association, praying that Government lands be allotted to the Indians of the northern part of the State of California, who are now not in the possession of any land; which was referred to the Committee on Indian Affairs.

Mr. LONG presented the affidavit of James K. Oliver, of Stafford County, Kans., in support of the bill (S. 2872) granting an increase of pension to Ruth A. Schermerhorn; which was referred to the Committee on Pensions.

Mr. GAMBLE presented a petition of the National Congress of Mothers and a petition of the National Union of Woman's Organizations, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented petitions of Post No. 147, of Park Rapids; of B. F. Sweet Post, No. 149; of Money Creek Post, No. 182, and of Ransom Post, No. 165, all of the Department of Minnesota,

Grand Army of the Republic, in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. PLATT of Connecticut presented a petition of the Woman's Christian Temperance Union of Stonington, Conn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Connecticut Horticultural Society, praying for the enactment of legislation providing for the preservation of the Calaveras groves of *Sequoia gigantea* in California; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented the petition of Rev. R. E. Smith and sundry other citizens of Connecticut, praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

Mr. McCOMAS presented a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of Maryland, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Chamber of Commerce of Baltimore, Md., remonstrating against the enactment of legislation providing for Government inspection of grain; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of Admiral John Rodgers Post, No. 28, of Havre de Grace; of Pickett Post, No. 17, of Winfield, and of Burns Post, No. 13, of Westminster, all of the Department of Maryland, Grand Army of the Republic, in the State of Maryland, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. BURTON presented a petition of Phil Sheridan Post, No. 88, Department of Kansas, Grand Army of the Republic, of Clay Center, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Kansas State Grange, Patrons of Husbandry, praying for the enactment of legislation to increase the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Presbyterian Church of Garnett, Kans., praying for the enactment of legislation to protect prohibition States and districts against "original-package" tricks; which was referred to the Committee on the Judiciary.

Mr. FRYE presented petitions of the Waupun Study Club, of Waupun; of the Monday Afternoon Club, of Ottawa, and of the congregation of the Church of Christ of Tedrow, all in the State of Maine, and of the Woman's Missionary Society of Wabash, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the Christian Civic League of Farmington, Me., praying for the enactment of legislation to prevent nullification of State liquor laws and no-license ordinances by so-called "original-package" and other "interstate-commerce" tricks; which was referred to the Committee on the Judiciary.

He also presented a petition of the Christian Civic League of Farmington, Me., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

REPORTS OF COMMITTEES.

Mr. FULTON, from the Committee on Claims, to whom was referred the bill (S. 2516) for the relief of Nye & Schneider Company, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. 2560) for the relief of G. G. Martin, reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 114) to extend the provisions of the act of March 3, 1885, relative to officers and enlisted men of the United States Army, reported it with an amendment.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the bill (S. 3424) to authorize the removal of structures from Indian allotments in Minnesota, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. BEVERIDGE introduced a bill (S. 3658) ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks bond election held by the city of Geary, in said Territory; which was read twice by its title, and referred to the Committee on Territories.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3659) granting an increase of pension to Anslem Hobbs (with accompanying papers);

A bill (S. 3660) granting an increase of pension to Mary Oakley (with accompanying papers);

A bill (S. 3661) granting an increase of pension to James Harris (with accompanying papers);

A bill (S. 3662) granting an increase of pension to William A. Wilkins; and

A bill (S. 3663) granting an increase of pension to Jemima E. Johnson (with an accompanying paper).

Mr. BEVERIDGE introduced a bill (S. 3664) for the payment of the heirs of Porter, Harrison & Fishback for legal services; which was read twice by its title, and referred to the Committee on Claims.

Mr. SCOTT introduced a bill (S. 3665) granting an increase of pension to Ellen M. O'Connor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 3666) granting an increase of pension to James W. Carrier; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3667) granting an increase of pension to Orville T. Lee; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DILLINGHAM introduced a bill (S. 3668) granting an increase of pension to George S. Howard; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 3669) for the relief of the estate of Isham G. Bailey, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 3670) for the relief of the estate of Richmond Pace, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. HOPKINS (by request) introduced a bill (S. 3671) to correct the military record of John Alspaugh; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 3672) authorizing the Commissioners of the District of Columbia to establish building lines; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also (by request) introduced a bill (S. 3673) to regulate the sale of poisons in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. BURROWS introduced a bill (S. 3674) to pay certain Pottawatomie Indians of Michigan unpaid annuities under treaties made with them; which was read twice by its title.

Mr. BURROWS. I present a memorial to accompany the bill. I move that it be printed, and that it be referred with the bill to the Committee on Military Affairs.

The motion was agreed to.

Mr. FOSTER of Washington introduced a bill (S. 3675) for the relief of Robert Frost; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3676) for the relief of the estate of George W. Curtis, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3677) for the relief of George J. Miller; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

He also introduced a bill (S. 3678) to provide for the creation of an additional land district in the district of Alaska; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Public Buildings and Grounds:

A bill (S. 3679) to provide for the purchase of a site and the erection of a public building thereon at Gettysburg, in the State of Pennsylvania; and

A bill (S. 3680) to provide for the purchase of a site and the erection of a public building thereon at York, in the State of Pennsylvania.

Mr. PENROSE introduced a bill (S. 3681) to establish a permanent military camp ground in the Conewago Valley, in the counties of Dauphin, Lebanon, and Lancaster, Pa.; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3682) to establish four permanent military camp grounds: In the vicinity of Fort Sam Houston,

Tex., Camp Douglas, Wis., in the Conewago Valley, Pennsylvania, and at or near Nacimiento Ranch, California; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 3683) to divide the northern judicial district of California into two divisions, and to provide for the holding of terms of the district court therein; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. DEPEW introduced a bill (S. 3684) to place David Robertson, sergeant, first class, Hospital Corps, on the retired list of the United States Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. PETTUS introduced a bill (S. 3685) for the relief of Capt. and Bvt. Maj. Thomas H. Carpenter, United States Army, retired, or his legal representatives; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 3686) granting a pension to Elhanan C. Devore; who was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Elhanan C. Devore, first lieutenant, Company H, Twelfth Regiment Ohio Volunteer Infantry, together with the affidavits of Dr. C. E. McBride, W. H. Haughawout, Jesse Frankenberger, Stonewall Pritchett, and Thomas Hackney, and letter from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. CLAPP introduced a bill (S. 3687) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3688) to provide for the purchase of a site and the erection of a public building thereon at Minneapolis, in the State of Minnesota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3689) granting an increase of pension to William F. McMillan; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE introduced a bill (S. 3690) granting an increase of pension to George W. Gregory; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3691) granting a pension to Nancy A. Robbs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3692) granting a pension to Sallie E. Sperring;

A bill (S. 3693) granting an increase of pension to William T. Cooper;

A bill (S. 3694) granting an increase of pension to Leonard Fisher;

A bill (S. 3695) granting an increase of pension to Thomas S. Cogley;

A bill (S. 3696) granting an increase of pension to William Wright;

A bill (S. 3697) granting an increase of pension to Robert J. Henry (with an accompanying paper);

A bill (S. 3698) granting an increase of pension to Joseph D. Main;

A bill (S. 3699) granting an increase of pension to Edward Davidson;

A bill (S. 3700) granting an increase of pension to Joseph H. Litchfield;

A bill (S. 3701) granting an increase of pension to William J. Foster;

A bill (S. 3702) granting an increase of pension to Richard B. Hall;

A bill (S. 3703) granting an increase of pension to Albert G. Lovell;

A bill (S. 3704) granting an increase of pension to Alfred A. Troxell; and

A bill (S. 3705) granting an increase of pension to George E. Henneberger.

Mr. MITCHELL introduced a bill (S. 3706) in aid of the construction of the Valdez, Copper River and Tanana Railroad in Alaska; which was read twice by its title, and referred to the Committee on Territories.

Mr. BURTON introduced a bill (S. 3707) granting an increase of pension to Jane I. Clark; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 3708) for the relief of the St. James Episcopal Church, Marietta, Ga.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 3709) to increase the efficiency and safety of the mercantile marine of the United States by creating a commission to revise the laws relating to construction, installation, and inspection of marine boilers, to provide uniformity of inspection of marine boilers in the United States and insular possessions, and for other purposes; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3710) granting an increase of pension to Austin W. Royal; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 3711) to authorize the sale of a part of what is known as the Red Lake Indian Reservation in the State of Minnesota; which was read twice by its title, and referred to the Committee on Indian Affairs.

AMENDMENT TO URGENT DEFICIENCY APPROPRIATION BILL.

Mr. ELKINS submitted an amendment proposing to appropriate $60,000 for continuing and enlarging the work of the Geological Survey in examining, analyzing, and testing the coals and lignite of the United States in order to determine their fuel values, etc., intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

SURVEY OF NEW MEADOWS RIVER, MAINE.

Mr. FRYE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and is hereby, authorized and directed to cause a survey to be made of New Meadows River, Maine, with a view to its improvement from the head of navigation to deep water in Casco Bay.

PANAMA AND THE PANAMA CANAL.

The bill (S. 3657) to acknowledge the independence of the Republic of Panama and to provide for the construction of an isthmian ship canal, and for other purposes, was read the second time by its title.

Mr. MORGAN. Mr. President, I desire to introduce into my remarks, without reading, a copy of the bill.

The PRESIDENT pro tempore. The Chair hears no objection.

The bill (S. 3657) to acknowledge the independence of the Republic of Panama and to provide for the construction of an isthmian ship canal, and for other purposes, introduced yesterday by Mr. MORGAN, is as follows:

Many nations having recognized the secession of Panama from the Republic of Colombia and its independence as an accomplished fact:

And the President of the United States having approved and protected the secession of Panama with the naval forces of the United States:

And the President and the Senate having recognized the independent Government of Panama by appointing and accrediting an envoy extraordinary and minister plenipotentiary to the Republic of Panama:

And the people of Panama having chosen their delegates to a constituent assembly now in session to obtain a system, plan, and constitution for the government of that Republic:

Whereby the independence of Panama has become an established fact:

Be it enacted, etc., That said Republic of Panama is annexed to the United States on the terms and conditions following:

That when this section of this act is adopted and ratified by the Government of the Republic of Panama, through the action of a constituent assembly or of the legislature of the Republic of Panama thereunto empowered, the Republic of Panama formerly known as the Department of Panama, with its boundaries and dependencies, shall become a part of the territory of the United States and subject to the sovereign control of Congress, and all ordinary rights and property of said Republic of Panama of every description shall vest in the United States of America without reserve, and shall be subject to their sovereign jurisdiction.

And thereupon the President of the United States shall issue his proclamation that the Republic of Panama is annexed to the United States under the provisions of this section of this act.

SEC. 2. That the sum of $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on the order of the President as compensation to the Republic of Panama for the cession of its territory and rights under and in accordance with the provisions of section 1 of this act. Three million dollars of said sum, or so much thereof as may be available, to be used, in the discretion of the President, for the benefit of the Government of Panama, and the remaining $7,000,000 to be deposited in the Treasury, subject to the further disposition of the Congress of the United States, for the benefit of the people of the Republic of Panama and their respective territorial and municipal governments.

SEC. 3. That the sum of $15,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be subject to the warrant of the President of the United States when Congress shall have approved and ratified any agreement the President shall make with the Republic of Colombia in respect of the secession of Panama from Colombia, including an agreement as to any public debts that Colombia may owe to other governments, which might otherwise be charged, as a debt, in whole or in part, that may be obligatory upon the Republic of Panama, and also including all rights and claims of every kind and character in favor of Colombia, in any manner or form, growing out of her relations to, or dealings or connection with, the Universal Panama Canal Company or the New Panama Canal Company.

SEC. 4. That the sum of $40,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be applied as follows and upon the following conditions, namely:

That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding $40,000,000, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company, of France, on

the Isthmus of Panama, and all its maps, plans, drawings, records on the Isthmus of Panama and in Paris, including all the capital stock, not less, however, than 68,833 shares, of the Panama Railroad Company, owned by or held for the use of said canal company, provided a satisfactory title to all of said property can be obtained.

And after such contract or purchase is made it shall be submitted to Congress for its ratification and shall not be finally obligatory until it is so ratified; whereupon the President is authorized to draw his warrant on the Treasury of the United States for such sum, not to exceed $40,000,000, as Congress shall make available for such purchase.

The President shall report to Congress the terms and conditions of such purchase, and the names of the persons or corporations that are lawfully authorized and empowered to make a sale and conveyance of such property, and to receive and give acquittance for the sums of money to be paid for the property and rights of said canal companies purchased under the provisions of this section of this act.

The President shall also report to Congress the facts he may ascertain as the basis of the right of either of said Panama Canal companies to make a sale and conveyance of their property and concessionary, or other rights, to the United States, and of the state and condition of those concessions, and upon what laws or decrees of Colombia they rest for their validity.

SEC. 5. That the appropriation of $10,000,000 for the construction of an isthmian canal, in section 5 of the act approved June 28, 1902, entitled "An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans," and the other provisions of said section shall apply to the construction of a canal at Panama, subject to the provisions of this act, and nothing contained in sections 2, 3, or 4 of this act shall in any manner retard or delay the construction of a canal on the Panama route, or on the Nicaraguan route, as described in said act of June 28, 1902.

Nothing in this act shall be so construed as to affect any right, power, or duty of the President, under said act of June 28, 1902, in respect of the Nicaragua route, as therein provided, or as affecting any right of the United States under the agreements, respectively, between the Republics of Nicaragua and Costa Rica and the United States, signed, sealed, and interchanged on the 1st day of December, 1900. And if a canal is constructed or commenced to be constructed, subject to this act, at Panama, all the provisions of said act of June 28, 1902, shall apply to the same, except the first section thereof, as fully and completely as the same would have applied to a canal constructed in conformity thereto, under a treaty with Colombia, if such treaty had been made when it was the sovereign owner of the Department of Panama.

Mr. MORGAN. The resolution that I submitted yesterday is within the scope and meaning of the bill now before the Senate, and would have been incorporated in it, but it is not, in its terms, a matter that should be sent to the President for his concurrence. I will read that resolution:

Resolved by the Senate (the House of Representatives concurring). That obedience to the act of June 28, 1902, known as the "Spooner law," and the preservation and execution of the agreements between Costa Rica, Nicaragua, and the United States, entered into, sealed, and interchanged on December 1, 1900, requires that the President shall proceed to open negotiations with Nicaragua and Costa Rica for a treaty to further arrange and settle the terms, in detail, for the construction of a ship canal on the Nicaragua route.

I will not, in explaining this bill on its second reading, comment on the duty of the President as it is expressed in this resolution. My purpose is the higher one of trying to find a way to relieve the country and Congress from the embarrassment of a difficult situation into which all have been suddenly and unnecessarily plunged by events that are attracting the attention of all Christendom and are disturbing the confidence of the people in their Government to the profoundest depths.

I have no ambitious motive in presenting this measure for the consideration of this body. I only desire that good will, sincerity, justice, and success shall attend our efforts to execute the will of the people in their great mandate; that their money shall be spent wisely, honestly, economically, and with due speed in the opening of a ship canal through the American Isthmus.

The proper power of the Government to be employed in this work is the Congress of the United States, which can dispose of every question that has arisen or can arise in this imbroglio, in a single bill, to be openly discussed and passed upon in both Houses.

To divide this great subject into three parts—one to be controlled by the President in his executive powers, including his supposed arbitrary powers in diplomacy and his real authority as Commander in Chief of the Army and Navy, another part to be controlled by the President and the Senate as the treaty-making power, and another by the legislative power in making appropriations, that are the life of the whole scheme—is dangerous, perplexing, and absurd, if Congress has the power to do all that can be done and to direct and control all who can possibly participate in this national work. Congress has unquestionablly that full power, and all of this matter ought to be concentrated in the hands of one body consisting of the two Houses, that has that amplitude of power.

It is especially unfortunate that the present shape of the vital questions now presented for adjustment is such that the treaty-making power is called into action for three most serious and dangerous purposes.

One of these is the repeal of every appropriation made for the construction of a canal either on the Panama route or the Nicaragua route in what is called the Spooner law.

I will not discuss this question. I prefer to state it as the opinion of every lawyer in the Senate to whom the question has been presented by me, and they are many and very able, that the Hay-Varilla treaty, when ratified, will repeal all of those appropriations.

It is their opinion, and I regard it as an undeniable and indisputable legal proposition, that the ratification of the Hay-Varilla treaty does repeal every appropriation in the Spooner law, taken in connection with the action of the President of the United States in declaring in his message to Congress that the door of opportunity for treating with Colombia was closed at the time of the adjournment of their late session of Congress, and of course it is closed now, since it is asserted by the President, and has been approved or ratified by many governments, that Colombia has ceased to have any sovereignty over the Isthmus of Panama.

Another purpose is to annul all legislation and all our national compacts in respect of any canal on the Nicaragua route.

A third purpose is to fix an obligation on Congress that respect for the nation will forbid it to repudiate, no matter how it may be tainted with corruption and injustice, to pay a great price to the New Panama Canal Company for its claims that are fraudulent and unjust.

Congress should have full power and opportunity, untrammeled by the action of the treaty-making power, to pass upon this subject.

In the Senate this question, if it is permitted to be inquired into, will be heard behind closed doors, and when it comes out of the Senate it will be regarded as a decree from which no appeal will lay to the public conscience.

The people and the Congress of the United States will all be considered as bound absolutely by that decree of the Senate passed in an executive session as a part of the treaty-making power of this country.

By asserting its power to legislate as to the entire subject, Congress will escape from the alleged moral effect of the decree of the Senate that Panama is in fact an organized treaty power, empowered to participate with the Senate and the President in enacting supreme laws for the people and Government of the United States.

Without repeating on this occasion the facts and the reasons that make this situation so utterly repugnant to our conceptions of duty and national propriety, it is not too much to say that it is derogatory to the character of this Republic that we have aided to set up a few men in authority at Panama, and by our diplomatic recognition and protection have coddled them into a treaty-making power, to sit in their chambers, and, in their own way, that is wholly unknown to us, enact supreme laws, in conjunction with our President and Senate, for 80,000,000 of free and self-governing people.

It is better—and I prefer it—that the Senate and the House of Representatives in Congress assembled should enact these laws, having the unabridged power to do so.

I will not at this moment discuss the question of the methods employed in the negotiation or in the other steps taken in it or as to the persons engaged in the parturition of that diplomatic abortion. That was a Panama Canal Company operation, of which I will speak fully at another time.

If Congress ever gets the opportunity or is required to look into the doings of M. Bunau-Varilla in that transaction, the end of that vital feature of the Hay-Varilla treaty will soon be reached. With its exposure some lofty heads will fall into the basket of the political guillotine. That will be a "business" operation.

I wish to read in support of that statement an article from the New York Sun, as follows:

PARIS, *January 15, 1904.*

A meeting to oppose the sale of the Panama Canal to the United States was held here to-day. The treaty representatives of the Latin-American republics were present.

I suppose that means that all the plenipotentiaries from all of the Latin-American states were present at that meeting.

M. Thiebaud denounced the sale as criminal. He said the Government had failed in its duty in the premises, and that the company was a gang of speculators.

He attacked the Crédit Lyonnais, but his special thunder was reserved for M. Bunau-Varilla, the minister of Panama at Washington, whom he called a traitor, and whose firm he declared was compelled to refund two millions overcharged for work done for the old company.

That locates that eminent plenipotentiary among the sixty whom the Government of France refused to name to Admiral Walker's Commission when they were in Paris, as being the men who had been convicted in the French courts, some of them for crimes against the old company and sentenced to the penitentiary, and others against whom large judgment had been recovered in the courts of France, all of which crimes were condoned to them and all of which judgments were entered as being satisfied upon their promise to form the New Panama Canal Company under the decrees of the French courts and to complete that canal. It seems that M. Thiebaud, in a public assemblage, where more than 500 people were met, denounced our minister from Panama as being one of the persons concerned in that rascality, and that he was compelled to refund $2,000,000—or it may have been francs—overcharged for work done for the old company.

M. Thiebaud denounced M. Jusserand, the French ambassador at Washington, for receiving such a plenipotentiary with open arms.

He added that he feared that the appetite of the United States had been only whetted by devouring Spain's colonies. Panama would be followed by the French colonies.

He demanded that M. Delcassé, the French foreign minister, clarify the actual status of M. Bunau-Varilla.

I will add the latest news of this "uprising:"

[New York Evening Post, January 20, 1904.]

DISAFFECTION IN FRANCE—FRENCH GOVERNMENT OFFICERS SAY PANAMA AGITATION IS NOT IMPORTANT.

PARIS, *January 20, 1904.*

Following the address of George Thiebaud last evening at the meeting of Republican Union and the deputies of Latin-American extraction, especially for the bondholders of the Panama Canal Company, members of the chamber and senate, and of the management council, the press, financial companies and engineer societies and commercial and industrial unions, against American control of the Panama Canal, some independent newspapers are seeking to have the French Parliament take up the Panama question.

The Patrie gives an account of prominent foreign politicians which, it says, will be presented in the chambers. Questions to the ministers of justice and foreign affairs. These questions aim to impute irregularity in the transfer of the old canal company to the new company, and expressing regret to French Minister Delcassé for not sending warships to Panama when the revolution occurred.

The Government officials say the agitation is not important, as it represents the views of a small, disaffected element.

[New York Evening Post, Wednesday, January 20, 1904.]

What is this Bunau Varilla denounced in Paris as a fraudulent contract? So the morning dispatches describe it, and unpleasantly comprehensive evidence lies before us in the Gil Blas of November 15, 1903. That newspaper gave some very damaging extracts from official documents bearing upon the "affaires de Panama." For example, the procureur-général, M. Gresmay de Beaurepaire, charged M. Philippe Bunau-Varilla by name with having got up a contracting firm to bleed the company, partly by means of false reported excavations made.

A former secretary of the company testified that he had resigned rather than sign a contract which involved an agreement by M. Bunau-Varilla to give a "take-off" (une remise of 1 franc 25 centimes per meter. Finally, Gil Blas quotes from the company's bulletin to show that Bunau-Varilla's firm was paid for excavations in one section of the canal, amounting to 1,324,548 cubic meters, although the work actually done was only 58,000 meters. Suits were threatened, but were dropped when Bunau-Varilla and his associates subscribed 2,200,000 francs in new shares.

All this would be serious business for any man, but for a silver-tongued diplomat, hand in glove with the Government of the United States in the great work of creating a nation "in the interests of civilization," it is something which requires instant attention. Yet M. Bunau-Varilla, cited from so lapse long, refuses to talk about these charges against his own integrity. Does the President know about them? It has been stated recently in Washington dispatches that Minister Bunau-Varilla was to resign as soon as the treaty is ratified. That may imply that his record has been brought to the attention of the State Department. But if the thing is bad enough to force his retirement later, for him to hold on will simply mean the betting up of a scandal only to explode with greater violence afterwards.

If this bill becomes the law, the Panama Canal Company will be required to content itself with complying with its obligations in good faith and in working out its contracts with Colombia, if that is agreeable to it. The New York and Paris syndicates will be deprived of the opportunity to rob the people by their speculations in the bonds and stocks of the old Panama Canal Company that gave wings to the Mercury they dispatched to Washington to demand the immediate conclusion of the Hay-Varilla treaty under false accusations against his co-commissioners that they were opposed to some of the provisions of that treaty and would not sign it and would put obstacles in the way when they arrived here. They were then on their way between New York and Washington, and the treaty was signed in order that it might be concluded before their arrival to participate in the negotiations, they being commissioners Messrs. Amador and Boyd, appointed by the junta in Panama and charged with the express duty of negotiating this treaty in conjunction with M. Bunau-Varilla.

But I must not delay in the discussion of Varilla at this time. I will leave him for the present alone in his glory, which he thus describes in an interview with the correspondent of the New York Tribune of to-day:

With reference to my resignation, I have only to say that I have served the Republic of Panama in a manner [illegible] to secure to it the Panama Canal, along with the Panama [illegible] and where the [illegible] Canal is assured by the ratification of the pending treaty. [illegible] reason for my continuing representing the Republic of Panama. [illegible] unofficial form [illegible] Once the treaty has been ratified, my task will be completed, and my association ended.

I will be [illegible] the pleasure I made to myself twenty-three months ago in the Panama [illegible] at the moment of a revolution [illegible] by the United States. I [illegible] sacrifices for the position, that great and little school, "For the country, for success and for glory."

With the alleged $2,000,000 of profits in the hands of his syndicate, earned by his rushing the signatures to the treaty, before Amador and Boyd, joint commissioners with him, could arrive in Washington, his "glory" has taken on the golden tint that is so worshiped by the admirers of the success that succeeds.

I wish to explain the purposes and effect of this bill, and the facts of the situation that we are compelled to confront and that it is designed to meet, and for which condition the country is in no way responsible.

The situation we must all try to relieve, so as to save the country from perils that are moving against us like the pestilence that walketh in darkness and wasteth at noonday, is not of our creation. It has been forced upon the country by willful disobedience of the plainest mandates of the law by the President of the United States.

But for a single act of disobedience, those fearful troubles, with worse to come, could not have occurred. The enumeration of them is distinct, in the public conscience. They can not be forgotten any more than the scars that are graven on a human heart by the sins of any sensate being. They are the defiance of public law, under pretexts that are mere inventions, too shallow to require refutation.

The obligations of our treaty of 1846 with Colombia have been broken without excuse, and only to gratify disappointed ambition and personal resentments that have no just foundation in any facts that are known. This unjust and unreasonable attitude is forced upon the country, and we owe it to ourselves, to Colombia, and to all Christendom to repair the injustice as well as we can in other ways, because it is impossible to restore the status quo ante.

It is not possible to reinstate the rights of Colombia as they existed prior to November 3, 1903. The consequences of this breach of treaty obligations are no longer avoidable.

The Republic of Panama has been charged with the care of the transit by the express orders of the Secretary of State to our consul at the city of Panama. This transposition of treaty rights, duties, and powers by our act, without even a consultation with Panama to get her consent to assume these duties, is the most extraordinary case of forced heirship that is found in all the romances of law or diplomacy. Colombia is relieved of all her treaty obligations and Panama is invested with them by the order of Mr. Hay.

If President Roosevelt should conceive a dislike to or have a distrust of the present Government of Panama, he could, in the exercise of the same powers, transfer these treaty obligations to a new "uprising" and, with it, the sovereignty of Panama. The laws of nations were violated by our recognition of the de facto government when the neutrality of the act was vitiated by the fact that we had a distinct purpose and motive, for our own advantage, in making such recognition. And Colombia being then engaged in the effort to repress the rebellion with arms, our want of neutrality in the recognition put us in alliance with Panama, which was armed intervention. Our statutes as to neutrality were violated by sending our ships of war to support the insurrection in Panama.

These acts of Government are not revocable. They will stand, and their consequences will follow them. To get rid of their consequences we must reach some agreement with Colombia. The state of war between Panama and Colombia will continue until Colombia is ready to abandon the conflict, and that will be when the Spanish forgets his pride of country and his chivalrous blood has been polluted or has escaped from his veins. As long as it is convenient to avoid war with the United States Colombia will not attack the Republic of Panama.

She is now engaged in a lawsuit in the French courts and must test the question whether, as to her rights of any sort, her title to all of her property has passed to a small party of armed insurrectionists in Panama, which she disputes the lawfulness, the independence, and the sovereignty of Panama, not being dismayed because other governments have acknowledged it and because the United States, that is trying to appropriate the best part of Panama, is affording her protection. How this lawsuit will end no one knows; but justice can not be justly decided against Colombia, everybody knows.

This open disputation by Colombia of the sovereignty of Panama is notice to the world that Colombia is still insisting upon her rights without compromise or diminution. Thus far the war against Panama is a litigation. If that is decided against Colombia it will hasten her next step.

Colombia is not quarreling with Europe over this recognition of Panama. She knows and these states know that the conditions of recognition given by France is a compact with Panama, which makes France guardian ad hoc for the New Panama Canal Company, destroys the Monroe doctrine, and that the Latin states of America and all the states of Europe rejoice at the breaking of the Monroe doctrine of protection we drew around the coasts of America. This is a second step in the war with the United States, and it has won a dangerous position for Colombia.

The third step is the transfer of our trade with all the Spanish-American states to Europe and Asia. The ambulances are rapidly filling with our dead and wounded in this commercial war, which will be of long duration. The long final step will be the predatory warfare of the bushwhacker, the Indian, the Panama deserters, and the loose characters who now swarm in Panama, and will be recruited from the low and desperate characters, such as have heretofore resorted to Panama in flocks, who will gather together again to enjoy the spoils of every device of lotteries, monte banks, and vice that evil men can invent. The refuge of every scoundrel who will be attracted to Panama, when he is suspected or has been convicted of lawlessness, will be in the mountains and dense

jungles of Panama, and his companions in revengeful warfare will be the Indians of the eastern Isthmus and of all Colombia, led or directed by the Spaniards.

Our troops in camps or cantonments will swelter in the intolerable heat and will die of yellow fever, Chagres fever, smallpox, and beriberi, which is about to become the master plague of Panama. To construct trochas, as Weyler did in Cuba, to keep back the Indians will become more futile than his failure to prevent parties from passing at will between the eastern and western ends of that island. If anything could add to the horrors of the hell that has its home in Panama, it will be the long Indian war that will occur in that region.

If we build and maintain a canal at Panama, it must be with the help of peace and the good will of Colombia. We have the advantage of them in numbers and arms and all the resources of war, except in dogged pluck and courage. They have the advantage of us in the argument, because our attitude is wrong, and that is the trouble of the souls of a people of high order of Christian civilization. The canal is easy of access to them by land, while we can only reach it by long voyages. We had better agree with our adversary quickly while he is in the way. To prepare for the adjustment with Colombia and to control the population of Colon, Panama, and the canal zone while constructing the canal and operating it every dictate of reason demands that we shall have the fullest powers of government consistent with our Constitution over the entire area of the Republic of Panama.

The chief point in this control is that the powers of government should be undivided, and that the United States shall be able to hold every official in Panama to the full measure of his responsibilities. There is some revolt against the annexation of any part of American territory among good people, and it is a bitter pill when it is the result of the spoliation of a sister republic of which Bolivar, the Washington of South America, was the founder. Few persons could be more reluctant than I am to aid this first encroachment on Isthmian America.

I can not misunderstand the feelings of such a man as Secretary Hay, when he would put aside the annexation of Panama as an apparent reproach to the animus of his policy in negotiating the Hay-Varilla treaty. His ambition is not so broad as that would indicate. He was not out for territorial aggrandizement in his foray against Colombia. He had milder views, softened by sympathy for men who claimed to be oppressed by Colombia, and he would not claim the annexation of more than 500 square miles of Panama to the United States. That he took; and his conscience did not reprove him, nor should it have done so, for the absolute control of the 10-mile zone from ocean to ocean is indispensable to a canal in Panama.

I will now read from the third article of this treaty and afterwards from the second article what our powers are to be in the 10-mile zone when the treaty is ratified.

ARTICLE III.

The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in Article II of this agreement, and within the limits of all islands, lying in said waters, and mentioned in said Article II, which the United States would possess and exercise if it were the sovereign of the territory within which said lands and waters are located to the exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

There could not be stated, Mr. President, a more perfect act of annexation than that, because it places that 10-mile zone, which is 158 miles long between its outer borders, within the exclusive sovereign jurisdiction of the United States, so that any act of Congress relating to the people, the land, the property, the peace, the government, in any form within that canal zone belongs to Congress indisputably. If there is any country in the world that is entirely subject to the laws of the Congress of the United States, that country is thereby annexed to the United States and there is nothing to the contrary stated in the treaty.

Therefore Mr. Hay, in this very article of the treaty, annexed 500 square miles of territory in Panama to the United States, cutting right through the middle of the Republic and taking that portion of its territory which I suppose would amount to 90 per cent at least of the value of the entire area they own and possess. There we have established not only the principle but the fact of annexation as to the 500-mile zone.

In the bill I present the question is only whether or not, for reasons of public necessity and public safety, that zone shall be increased. I do not know where to stop it, except at the outer boundaries of the Isthmus of Panama. It might be profitable to give the lower part of that zone, that we have no use for, to Colombia and to settle certain boundary questions between Panama and Costa Rica by yielding that question, and we might give more than that with advantage, unless it interferes with the headwaters of the streams which are tributary to the Chagres River. In locating this zone the following language is used:

ARTICLE II.

The Republic of Panama grants to the United States in perpetuity the use, occupation, and control of a zone of land and land under water for the construction, maintenance, operation, sanitation, and protection of said canal of the width of 10 miles, extending to the distance of 5 miles on each side of the center line of the route of the canal to be constructed; the said zone beginning in the Caribbean Sea 3 marine miles from mean low water mark and extending to and across the Isthmus of Panama into the Pacific ocean to a distance of 3 marine miles from mean low water mark, with the proviso that the cities of Panama and Colon and the harbors adjacent to said cities, which are included within the boundaries of the zone above described, shall not be included within this grant.

The Republic of Panama further grants to the United States in perpetuity the use, occupation, and control of any other islands within the said zone above described which may be necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said canal or of any auxiliary canals or other works necessary and convenient for the construction, maintenance, operation, sanitation, and protection of the said enterprise.

The Republic of Panama further grants in the manner and under the terms and stipulations named in the treaty of the date above mentioned and in addition thereto the group of small islands in the Bay of Panama, named Perico, Naos, Culebra, and Flamenco.

There we have a perfect plan of annexation, as to the 10-mile feature of which, with the exclusion of the cities of Panama and Colon, our sovereignty is perfect and complete, but outside of that we have an additional element or attribute of sovereignty that Panama can not dispute at all, under which we are permitted to take lands and condemn them for the purposes of a canal, and also to control the water courses that are tributary to the Chagres River, or any water courses that we may find necessary for the better protection or maintenance of the canal. Having gone that far in this treaty, to halt at this line, to say that we will not go beyond it, no matter how urgent and imperious the necessity may be, is simply an attitude of folly, of weakness, and will bring us into trouble and into contempt if we undertake to execute this treaty in that form.

So the question of the acquisition of territory in Panama is now settled conclusively by this treaty, and the only open question in regard to it at all is whether or not it is necessary for us, by annexing the entire State, to acquire such authority there as is needful and indispensable to protect us against the people residing there and also against the outside world.

The sovereignty of the United States in that canal zone under the Hay-Varilla treaty is as perfect and exclusive as it is in Porto Rico or New Mexico. Indeed, it is more absolute. It is not restrained by any treaty relations with Spain or any other power. We take the jurisdiction of land and water and people and of all things therein.

But the treaty carved the cities of Colon and Panama and their adjacent harbors out of this canal zone and left them as an imperium in imperio, in the heart of it, to say nothing of these breeding places of pestilence and nurseries of vice and crime, than which there are none worse in the whole world. They are and will be more than ever the cockpits for the pronunciadores and unattached generals and inferior officers, whose passion and whose profession and living it is to create strife in politics and deadly mischief at every opportunity.

With a canal zone to prey upon, and the easy chance to compel us to keep heavy and expensive garrisons in the zone, and large bodies of police there, so as to bring money and dupes for gamblers and vice resorts into those cities, our troubles will soon accumulate until we will be compelled to extend our jurisdiction over those cities. We know that this will occur very soon, and why should we not be honest with those people and with ourselves and our own people and do that in the beginning that we must do at an early day?

It may be said without reserve that no matter what is said in this treaty, we intend to govern the cities of Panama and Colon and all the contributary country mentioned in the treaty just as we will govern the canal zone. And on the first occasion when the necessity is developed we will govern the Republic of Panama in the same way.

While we have the making and the ratification of this treaty in our own hands, let us not flatter and play with that Republic, as a child plays with a doll, but let us, like American Senators, speak and act the truth in the fear of God, with perfect justice to the people of Panama and toward our own people.

The fourth section, relating to the Panama Canal Company, strikes the vital point of every trouble we have ever had, except the Clayton-Bulwer treaty, in our efforts to open an American isthmian canal. Until that pirate got aboard the ship was safe and free. It has now, and has had since De Lesseps made his "business" visit to the United States, too many great speculators behind it and has made too many friends of the mammon of unrighteousness, to be passed over with neglect. I have too long contended with it behind the closed doors of the Senate, where, whatever gets out, nothing not desired by the majority gets in, not to be anxious that it should have at least one hearing before the Congress of the United States.

And that is one of the purposes of this bill. It is that article 22 of this treaty shall not put upon this country the obligations—unknown, unascertained, and undescribed obligations—of a con-

templated purchase of that property, but that the Congress of the United States shall know before it accepts that contract all of its terms and all the facts that affect its honesty, its integrity, and its decency. Our rights under the twenty-second article of this treaty are made to depend entirely on the ratification by the Senate of this unknown, undescribed, "contemplated contract."

I do not believe, Mr. President, that any party is so pressed, or that any exigency or any necessity that has ever occurred in this Government or any other has ever been held sufficient to bind a parliamentary body to the adoption of a contract of purchase of a vast property, heretofore estimated at $40,000,000 in the Spooner law, without knowing anything about the terms or what it is to be.

What is all this quarrel in France about now? Why are they contesting the right of Colombia to be represented by the 5,000,000 francs of stock that she owns in the New Panama Canal Company? Why has that company refused admittance to her delegate into the meeting of stockholders when he had been sitting in those meetings for as many as twelve or fifteen years? It is because the suggestion was made that Colombia had ceased to be the owner of that stock under this forced heirship of Panama, and that Panama, the sovereign Republic recognized by France upon a condition precedent, was the owner of that stock, and here the question touches us which rages in France.

They say in France—so the newspapers inform us, and I appeal to the newspapers, Mr. President, because there is no other source of information open to this Senate, nor will there be. All the resolutions you may put before this body to corkscrew information out of the State Department are going to be dead failures. Even that presentation of the honorable senior Senator from Massachusetts [Mr. HOAR] for information respecting this whole situation has been delayed, and will be denied.

No answer will come, at least before the question of the ratification of this treaty is forced upon the Senate. Therefore I appeal to the newspapers, and I make that appeal with no sort of doubt that the great leading newspapers of the world in a matter of this kind will use their utmost endeavors to get clean, clear, and truthful information. I accept it, Mr. President, as being satisfactory, because we can get no other, and for the reason that it comes from an authoritative source in a large degree.

These newspapers inform us of this controversy in the stockholders' meeting of the New Panama Canal Company and of Colombia being rejected for the reasons to which I have just adverted.

We read that immediately upon the arrival of Señor Reyes from Colombia he was accompanied by Mr. Holguin. Mr. Holguin went straightway to Paris to present the rights which had been denied to Colombia in the courts, and it was his intervention there, by authority of Colombia, that started up this litigation.

When Reyes got through with his efforts here, whatever they may have been; when Reyes got through with his experiment in diplomacy here, he also went to Paris, the Colombians, clamoring for his not having returned home, doing the man the injustice of supposing that perhaps he had got his pockets stuffed with money here, and, like many other leading South Americans, had gone to Paris to enjoy it.

But that is not true of Reyes. He did no such thing; he would not have accepted it if it had been tendered to him, and I am sure it was not tendered to him. He has gone there on the business of Colombia, to superintend, investigate, and prosecute that suit and to get a determination from the courts of France as to whether the recognition that was made by M. Delcasse there is such a one as will exclude those courts from jurisdiction or will compel them to follow the political currents in France, or whether he can get a decision in France upon the merits of his case.

Suppose the decision in France is made that this forced heirship of Panama does not carry with it these properties and rights connected with the Panama Canal Company over to Panama from Colombia; there is a question behind that remaining to be considered, and we, at least, can not deny it. The Panama Canal Company, in which Colombia holds stock, owns 90 per cent. I will say, of the stock of the Panama Railroad Company, a New York corporation. They bought that stock in open market and paid 175 for it when it was selling in New York for about 85 or 90. But they wanted it. In their estimation they were obliged to have it.

That stock was all transferred to the New Panama Canal Company, and it is to be held by that company even after the failure to complete the canal becomes an acknowledged or even a judicial fact. Upon what terms? The payment of 4,000,000 francs for a property that is worth not less than they bought it at—the price of $15,000,000—used as bribes to these Panama culprits to get them to get up this New Panama Canal Company.

Now, Colombia has got her interest in that stock. That is a piece of property that is owned by Colombia as personal property that did not pass to Panama. We can not buy it from Panama and get a title, but we can get the railroad bed and all of its appurtenances and appliances from Panama, and the New York company will be able to conduct its operations there, and, with our consent, would be able to pay the $250,000 a year to Panama instead of to Colombia. But that action on our part would not give an acquittance as against the company even in our own courts. No court would respect a receipt for that money given by Panama to Colombia not only until this treaty had been ratified, but also until it had been judicially ascertained that that was property that went over from Colombia to Panama in consequence of her secession.

These situations concern the people of the United States. They are involved, difficult, intricate, almost insoluble even by the judgment of the Senate; but they are all solved in the twenty-second article of the treaty, which provides that our rights under that article shall not take effect—and, I believe, under any article, shall not take effect—as absolute rights until we have consummated this contemplated purchase. Mr. President, the Senate of the United States has no power as a treaty-making body to legislate in respect of this very complicated and unusual and dangerous situation.

If we need the richest part of Panama and are willing to cut the Republic in twain to get it, why should we not take the entire Department and govern it under the benignant laws of the United States? If this is a violation of principle or sound policy, the acquisition of 500 square miles is only smaller in degree. The principle is the same. If this is done to evince a spirit of self-denial by the United States, it is much out of place in our programme as to Panama and Colombia. The robe of charity we are wearing in the service of this cruel and covetous raid does not conceal the cloven foot. Our demand should be all of Panama or none, for there may be other canal routes leading into better harbors that we may prefer to open.

We now protect all of Panama from Colombia, so that if we are not vigilant to a degree Panama will be destroyed, or it may even desert us on our first serious quarrel and go back to Colombia or into some confederation that may be organized to annoy us, as is expressly provided for in this treaty.

We give her the power to enter into new governments, only reserving what rights we have got there as being unchanged by the fact of her making such political alliances.

In the event of her forming such a confederation with other powers or of her withdrawing and going back to Colombia, as she has a right to do under this treaty, it would take armies and navies even to hold the canal, and its protection would be impossible for any considerable time with a hostile people and soldiers in and along the canal zone, and in possession of the fortress at Panama.

Mr. President, if time served me and I had the strength on this occasion, I would present another feature of this situation that this treaty is intended to destroy, which is very serious to us, and in the future may become utterly destructive of all of our hopes in respect of the canal. There is no assurance of a positive character given by any engineer who has ever reported upon or testified to—for they have sworn about this matter, as well as reported about it—there is no assurance of any substantial and positive character that a canal at Panama is practicable.

As to the sea-level idea, on which some Senators have commented here, the French engineers, the American Isthmian Canal Commission, and I believe every other engineer who has ever said anything on the subject, have come to the conclusion that a sea-level canal there is absolutely impracticable, either to dig or to maintain, and especially to maintain.

Here is a tide of 21 feet, coming once a day every day, and sometimes twice a day, and rushing into the mouth of that canal, which requires a tide lock, and that tide lock is a great obstruction to the facilities of commerce, for ships can not pass through that tide lock when the tide is in. They have to wait until it goes out; and that is an obstruction which will not permit more than twenty-four vessels in twenty-four hours, on the average, going through that canal—a fact which some gentlemen seem totally to ignore.

But there is no assurance that the dam at Bohio can be built and made permanent. It is not worth my while, as I have neither the time nor the inclination just now, to go into any inquiry as to the facts upon which I predicate this statement; but every engineer who testified said that the work to be done at the Bohio dam was beyond the experience of any engineer. It was a matter to be calculated for on conditions that could be created, that were not in existence at this time, by the ingenuity and the perseverance of man. When we get to digging that canal, Mr. President, under this law we may very soon find that there are difficulties that we can not possibly overcome.

When that is the case, what will be the next most desirable situation for the United States to be in? It will be to have an alternative route, to which we can resort whenever it may appear that that canal is impracticable. In doing this, if we should hereafter

be forced to an alternate route, Panama would still have its railroad, which is one of the finest pieces of property, if not the finest piece of property, of that description in the world. The last report that anybody has been enabled to unearth about it shows that it was earning 19 per cent on a capitalization of $15,000,000.

They hide their reports in order to prevent us from knowing anything about what they are doing. They do in that matter as they do in everything else. It is a game of secrecy, exclusion, and exploitation. Addition, division, and silence are the characteristics of all of the operations of that canal company and of all the men who are associated with it and of the men who are upholding it as the means of speculation in the bonds of the old company and on the Bourse, and also as the means of getting at the $40,000,000, as they will. The stockholders of the New Panama Canal Company will get near 100 per cent on the money they have put into that canal.

Now, when these propositions confront us is it not reasonable, Mr. President, that the Congress of the United States should have the opportunity of considering them and of imposing upon the President of the United States the stipulations that I have put into this bill, which I shall read:

SEC. 4. The sum of $40,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be applied as follows and upon the following conditions, namely—

The next part of it, which I shall not read, because I am not very well, is extracted from the Spooner Act as to the making of the contract.

And after such contract or purchase is made it shall be submitted to Congress for its ratification and shall not be finally obligatory until it is so ratified, whereupon the President is authorized to draw his warrant on the Treasury of the United States for such sum, not to exceed $40,000,000, as Congress shall make available for such purchase.

The President shall report to Congress the terms and conditions of such purchase and the names of the persons or corporations that are lawfully authorized and empowered to make a sale and conveyance of such property, and to receive and give acquittance for the sums of money to be paid for the property and rights of said canal companies purchased under the provisions of this section of this act.

The President shall also report to Congress the facts he may ascertain as the basis of the right of either of said Panama Canal companies to make a sale and conveyance of their property and concessionary or other rights to the United States, and of the state and condition of those concessions and upon what laws or decrees of Colombia they rest for their validity.

I do not propose to refuse to these men any just allowance that may be made under contract with them for what they have in Panama or elsewhere pertaining to this canal company, but I propose that that subject shall undergo the investigation of Congress. The Senate, in an executive session, can not do that. It is futile to undertake it, because there is no matter of legislation in which they can participate. Therefore the subject ought to be opened up and full and fair justice done, as will be done by the act of the Congress of the United States.

Now, the other proposition which I mentioned and was about to discuss is this: The treaty, if ratified, destroys so much of the Spooner Act as relates to the construction of a canal at Nicaragua, because it takes away the appropriation. It has to be renewed by an act of Congress after the treaty has been passed, which in itself, when ratified, becomes the supreme law of the United States, before the President or anybody else can use the appropriation in the Spooner Act for the building of a canal at Nicaragua.

There are many contingencies which may arise. There are some that now present themselves to the United States with great force, in which it may be very essential that we should abide by and perform that noble and valorous act of President McKinley when he acquired the basic rights of concession from Nicaragua and Costa Rica under agreements signed, sealed, and interchanged, that are still in force.

We may have to treat with Nicaragua and Costa Rica when we find that we are driven to it, either by the pressure of public opinion upon the President or by obstructions that are as yet not fully understood in Panama, by difficulties that we may find down there in the protection of the canal route against the villainous population that inhabits and lives all around it, composed of men who are there for no other purpose in this world except spoil and vice; men who do not go there for agriculture, for the mechanic arts, for merchandise—or at least very few of them; men who do not go there for any kind of industry, but who go there to prey upon the vices of the laborers and the officers, and live in the whirlpool of unmentionable vice, that exists and has always existed in that unfortunate and unhappy land.

We may find it necessary to go elsewhere to get this canal. What then should we do? Certainly we should do nothing to strike down rights that already exist or provisions of law that already exist and contract rights between the President of the United States, Mr McKinley, and Costa Rica and Nicaragua. To say the least of it we ought to put into an act of Congress a reservation of those rights to the United States, untouched by this treaty or by anything else. But it will be too late to do that when this treaty has been ratified, because that will break the contract with Costa Rica and Nicaragua on one side and the United States on the other.

Therefore, and for reasons of public faith and for the purpose of establishing confidence among the people as to the building of any canal anywhere, I have insisted and do now insist, and in this bill I insist and make provision for an appropriation, the same amount of money mentioned in the Spooner Act and upon the same terms and conditions, except in respect to the treaty with Colombia that are set forth in that measure.

When we have ratified that treaty and destroyed these appropriations and have obliterated these contracts with Nicaragua and Costa Rica, those contracts can not be restored hereafter; we then are thrown upon Congress for appropriations to do any work in Panama—an appropriation to get the $10,000,000 that we pledge to Panama; an appropriation of $10,000,000, the first specific appropriation, for work on the canal. All these are swept away by this treaty, and we have to come into Congress to open the fight again for these appropriations.

Where will we begin and where will we end? We will begin where we began fifteen years ago, and every enemy that the canal has ever had will at once appear from the sage and chaparral and swarm around Congress for the purpose of destroying any appropriation at all. This long battle will have been won and lost. This great appropriation will all have perished and with it our agreements with Costa Rica and Nicaragua. We commence de novo. From the ground up we will have to work our way again.

When will another appropriation be made? There is one proposition I can safely assert and that is, never so long as M. Bunau-Varilla can make speculations on the stock board at the Bourse. Another is, never so long as Mr. Cromwell shall hold this matter in abeyance as he has been doing now since the beginning of the civil war in Colombia; never so long as the transcontinental railroads can prevent it; never so long as those gentlemen who are opposed to any canal on principles that are entirely satisfactory to themselves can prevent it.

We throw open the whole door of debate and discussion, opposition, and antagonism, and the President of the United States, whatever power he may have over the Army and the Navy and the Republican party, will not find himself able to force those appropriations through. Indeed, I do not think he wants to do it. I do not believe that he intends to attempt to do it. It is better for him to leave promises open to the public during the Presidential campaign than it is to meet the consequences of actual legislation.

Now, should we not, with this power in our hands that we have on this floor to-day, say to the Republican party, "Take up the subject and make your appropriations? Then consider the necessity of ratifying the treaty." Pass the act that I have the honor to recommend to the Senate and you will get one that will accomplish the whole purpose without any treaty, not by force, but by leaving this subject of annexation to the constituent assembly now sitting in Panama.

Will they refuse it when we give them a government there such as there is in Porto Rico or in the Philippines or in Hawaii or in Alaska, under which their own men will have participation in the affairs of the country, with the power of this great nation to back them, and peace with Colombia secured? Will they refuse? Mr. President, it is beyond conjecture that they will be so unwise as to refuse a situation like that.

Now, we have it in our power, by acting upon this subject rationally, to settle the whole of it and to reconcile every man in Congress. I have one objection to the Nicaragua route that is overcome by this treaty, a difficulty I have always experienced in my various efforts to accomplish the construction of a canal on the Nicaragua line, and that is that we could not possibly get from Nicaragua and Costa Rica—and their boundary between the two, and involving the ownership of the lake or a line through the middle of it and the San Juan River—that degree of sovereignty that we get under the third article of this treaty. We could not get it. Possibly we have got it under Mr. McKinley's great protocols; at all events, we ought not to put ourselves in such position as to prevent our right to claim that we have got it. We have got no power in respect of the isthmian country that we ought in the slightest degree to throw away.

I will ask the Senate, at an early day, for the privilege of discussing these protocols as to their legal and diplomatic effect. They are of the greatest importance to this Government, now and in the near future.

We are liable to be met there with difficulties arising out of the spirit of the people and the Government and difficulties inspired from other parts of the earth to prevent us from controlling in supreme right, I will say, or in sovereignty any canal route across that Isthmus. We have it in our power to secure the whole. Pass this bill, and we will get them all. Shall we ever need them?

Mr. President, build your canal at Panama, which will let twenty-four ships through every twenty-four hours, and you have

not an approximation to the capacity of the Sault Ste. Marie Canal. The Sault Ste. Marie Canal does more business than the Suez Canal, very largely more business. More tonnage passes through it. There is not ours alone, but it is supplemented by the Canadian Sault Ste. Marie Canal, just in sight of it, which does very nearly as much business as we do there. Our business in thirty years there has risen from 6,000 tons passing through the canal to near 40,000,000 tons per annum.

What will be the traffic between the oceans, with all the mighty forces that are being employed in every possible respect in every island in the Pacific Ocean—every one capable of civilization and inhabitance—and along the vast coast from Siam up to Japan, and around our coast by way of Alaska down to the crossing of this canal, and the South American coast, and that vast continent of the southern Pacific, Australia, one of the most immense and important regions in the whole world?

That great breadth of country, demanding so much from the industrial people of England and all of Europe, and of the United States more particularly, will find through the transit of a single canal a very embarrassed and a very difficult passage. We will want two canals before we get one constructed.

Now, shall we, in measuring ourselves up to the situation, in trying as American Senators to comprehend the future of this country, begin by repealing the advantages that we have, throwing them to the winds, upon the supposition that we are not going to need them? Is that statesmanship, or is it patriotism, I should like to know?

This bill, if I have been fortunate in framing it, and I have of course no partialities for its text that I would not willingly submit to the judgment of any gentleman of either party for suggestion or of improvement—this bill, as I understand it, and with reference to the purposes for which I have prepared it, lays down the basis upon which the Panama Canal will be built if Mr. Roosevelt has the power still and the will to violate the Spooner Act and go along and build it, for we appropriate the money in this bill to do it with. It is left to his conscience and between his conscience and the American people and his God as to whether he will obey the mandate of the laws of the United States as he has sworn to do.

I make all provision, so that he can get $10,000,000 to pay Panama, $3,000,000 cash down, presently available, for the benefit of the Government now existing in Panama; $7,000,000 to be reserved in the Treasury of the United States, and to be applied to that Government and to the other municipal governments and the people of Panama, as in the wisdom of Congress shall be just. The appropriation is made, and the only question is as to the distribution of the money.

They have said that they want to invest their money in some securities that nobody could steal. They are afraid to put it in banks, for the bankers there have shown their corruptibility by taking $1,000,000 of the money of Colombia out of the treasury and paying a part of it to buy their votes to leave Panama. They are afraid of banks. They are afraid of safes. If they are burglar proof, they are not proof against machinery and velocity on the part of the burglars. We will disappoint this money by at least Congress assuming to take care of those people, and the $7,000,000 will go into the hands of people who need it and who will be improved and helped by it.

I have said we propose to give him $10,000,000, and not exceeding that sum, to comply with any contract which may be made with the New Panama Canal Company that he reports to Congress and that Congress approves. It makes the appropriation in favor of Nicaragua, instead in the event that the $10,000,000 is not first applied in Panama. It reverses the order of things. Nicaragua now has the right, if it has the preference under the Spooner law, I propose to yield that, and to give to the President the power of the Spooner law to work upon the subject, he being responsible for it to the Congress. But there is no limit in this bill of anything that has ever been claimed by anybody in favor of either route or in favor of the canal concession.

There is a lump sum of $40,000,000 to be used by the President of the United States in the purchase of Colombia. I did that not because I had any means of knowing the will or purpose of Colombia, but because it has been asserted here time and again—and I have not yet heard it denied—that the President had agreed with Colombia to pay her that sum or a smaller sum for her participation—that a contract had been entered into.

Some gentleman connected officially with the affair was not willing to have it consummated lest it might be said that we had connected all kinds of action in Panama for the purpose of buying out Colombia with money and not upon those high principles of justice and national duty or necessity which might justify one nation in interfering with arms in the affairs of another. This bill puts $40,000,000 in the hands of the President, which I suppose is a fully adequate sum, having no doubt that he could pacify Colombia with that.

Now, how will the footing add up? Take this treaty, and suppose that it is an actual appropriation. Give that character to it, if the lawyers on the other side of the Chamber are disposed to risk their reputations on so desperate a venture as that. Give it the effect of an appropriation—to carry out the appropriation in the Spooner Act—and how does the account stand? We pay $10,000,000 under this bill. That I offer here to Panama, three millions of it cash. We pay ten millions, as it may be needed, for the construction purposes of a canal at Panama or Nicaragua, as the President may select.

The power of selection is not expressly given to him, but it is within the purview of what he supposes to be his rights, privileges, and duties. There are $10,000,000, and that is all, against $50,000,000 in the Spooner law, immediately available. It is $13,000,000 against $10,000,000.

We take time to work out the propositions. We do not embarrass the Government or the Treasury by this demand rush upon it, as it will rush in, immediately upon the ratification of this treaty. These men, whose itching palms are continually scratching for the doors of the Treasury of the United States, will come like a flock of eagles and demand their money, and they will get it under this treaty, if the Comptroller does not stop them. I propose to stop them and to investigate their rights as they go along. Let Congress act upon it, not the President, in making a contemplated contract, which is to be binding upon this country in respect to all its rights really acquired under the Hay-Varilla treaty.

Comparing this measure with the existing state of facts, and with the benefits and purposes of this treaty, and its recognition of the full, unexecuted force in every particular of the Spooner law, and comparing it with the condition that will be borne upon the country by this treaty, there can be no doubt of the advantage in the act I propose. No man can doubt its justice, its equity, its respect for opinions that have been crystallized into law in the Spooner Act. It maintains the majesty of the law, instead of leaving it a waif to wander about to seek an owner or a friend among the desert places of the world.

I did not expect, Mr. President, to go as far as I have gone in this matter to-day, because I really have not been in a condition to do so, but I am anxious to have this question settled—settled right; settled to the satisfaction of all concerned; settled on the basis of justice and respect for existing law; settled so as to protect the United States Government against the necessity of committing themselves in controversies for or against the recent strange and unusual conduct of the President in Panama; avoiding there regarding what has been done as an accomplished fact, without inquiring into it in this bill, and acting upon these accomplished facts as the basis of our further action. I do that in the interest of peace and of good will and of success for an isthmian canal, and also of success in enforcing within the powers of the United States the right to control in any and in every emergency the transit routes through the isthmian country of America.

I may have failed in my purpose. If so, there are wise men in the Senate on both sides of this Chamber to cure the failure with suggestions and to improve it. But the principle of the proposed act is right. It is an act of peace and reconciliation, and I hope it will be received by the gentlemen on both sides of this Chamber in that sense, no matter what their personal opinions may be or how vigorously they may have maintained them. I ask no man to abandon his opinions upon any feature of this case, but I protest that the Senate of the United States shall not follow the President in an open and unmistakable refusal on his part to obey the law of the land.

The PRESIDENT pro tempore. The bill having been read twice, it will be referred——

Mr. MORGAN. To the Committee on Foreign Relations.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Foreign Relations.

HOUSE BILL REFERRED.

The bill (H. R. 6295) for preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes, was read twice by its title, and referred to the Committee on Manufactures.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 73, by Mr. GORMAN, calling upon the President for certain information touching former negotiations of the United States with the Governments of New Granada or Colombia, etc.

Mr. PLATT of Connecticut. Mr. President, yesterday when my remarks were interrupted by adjournment I had endeavored to call the attention of the Senate to the fact that the Republic of Panama is a fully equipped, existing, sovereign State, so acknowledged not only by us, but by all the great powers of the world, and that it could not be overthrown except by war and conquest.

The action of the United States and the other great powers of the world in recognizing the existence of the complete and sovereign State of Panama is irrevocable. We can not revoke it, neither can any of the other powers which have assented to it. The United States can not now take back the recognition which it gave to the Republic of Panama. So in dealing with the question before the Senate that fact must be taken into consideration, reckoned with, and acted upon.

There is one other fact which I did not speak of and which I wish to call the attention of the Senate to now. We have no longer a treaty with Colombia. Whatever rights we had under the treaty originally made with New Granada, which subsequently passed over to Colombia, we must now look to the Republic of Panama for, and whatever obligations we assumed by the treaty with Colombia we must perform to the Republic of Panama. So any guaranty of sovereignty which we made to New Granada originally and to Colombia, and any guaranty of the neutrality of the Isthmus of Panama, must be performed to the Republic of Panama; and whatever guaranties we received from Colombia through New Granada we must look to Panama to fulfill and carry out.

If New Granada guaranteed to us the right or way and transit through the Isthmus or Panama, as it did in the treaty of 1846, we have no longer any claim upon her to perform and discharge that obligation. We have a claim upon the Republic of Panama to discharge it as fully as we could ever have required Colombia to discharge it.

I think these facts have been overlooked. It seems to me that the discussions which we are indulging in here in the Senate are largely about transactions which have passed, and which, so far as the action of the Senate is concerned, have no bearing and are, indeed, inappropriate.

But there has been so much said to the effect that the action of this Government, if not absolutely dishonorable, has been unsupported by any law of our own, by any international law, or any right which the President might constitutionally exercise, that I wish in a few words to refer to these conditions.

I deny, Mr. President, that in the dealing or the Executive, and, as the Executive represents the Government, in the dealing of the Government with Colombia, in relation to the Panama revolution and to all the acts leading up to our recognition of the new Government—the Republic of Panama—there has been any act of war committed by the United States, that there has been any intervention of the United States as between Colombia and Panama. It is easy to make such charges; it is easy to talk in an excited way about acts of war and intervention, but when we in the Senate come to consider such matters it is time for definitions; it is time for specifications; it is time that the Senators who say the President has committed this Government to an act of war against Colombia should tell us what an act of war is, and what particular action of the President constitutes the act of war which they declare has been committed. It is quite time for Senators who talk so glibly about intervention to tell us what intervention is in the terms of international law.

I have listened in vain, Mr. President, for Senators to declare that any act done by this Government has constituted an act of war or has amounted to an intervention, and it is what the Government has done that is to be considered. It is what our officers, under the instructions of the Executive, have done that we are to look at, not what some Senator assumes that the President thought or desired or hoped for, but what he has done.

Now, what did the President do? I do not desire to excuse him. I would not desire to excuse him if anything had been done wrong, because the dispatches about which so much has been said here were sent by the heads of the Executive Departments, either near or acting, for I think I know that the President himself would not desire to shirk any responsibility in that matter.

Now, there was an expected revolution on the Isthmus of Panama. At the commencement of this discussion there were insinuations of all sorts expressed, with every possible ingenuity of language, that the President had been in some way in communication with the revolutionists; that the revolution had taken place with his knowledge and assent, and even with guilty knowledge. I think that is a matter of the past.

Mr. SPOONER. They assume that any knowledge is guilty knowledge.

Mr. PLATT of Connecticut. Yes; they assume that any knowledge the President might have had of an expected or probable revolution in Panama would be guilty knowledge. But the insinuation and the veiled charges went further than that—that the President had been in consultation with parties who had been engaged in preparing the revolution; that he had known from time to time of the steps which were being taken to bring about that revolution; that he had countenanced it, connived at it, and was in fact in complicity with all that had been done by the persons who were preparing the revolution.

But I think that has gone by, Mr. President. Those charges, direct and indirect, those insinuations, not indirect but direct, placed the President of the United States in a position which no President ought to be placed in. They put him in the position of having to plead not guilty, and he sent a message to Congress in which he denied any knowledge of the growing revolution which was not available to any individual who kept track of current events. I wish to read it, though in all my experience and in all my reading of the history of the United States I have never known such a charge brought against a President of the United States. I think the President is entitled to the confidence of the people of the United States until it has been shown that he is unworthy of that confidence. And I want to say one thing about the present Executive, that the people of the United States believe, and believe rightly, that he is honest, that he makes no attempt at concealment, and that he tries to do those things which, in the interest of the American people, he believes to be right. Whatever may be said about the President, that is the opinion which the people have formed of him.

It amounted, Mr. President, to little less than a national disgrace that the President should be charged, directly or indirectly, by insinuation or otherwise, with having been a party to the revolution on the Isthmus of Panama. But, as I said, he met that charge in a message which he sent to the Congress. I think if I had been the President of the United States I would not have done it. I think I would have rested my claim to the confidence of the American people as an honest, patriotic, and fearless President upon my actions and my character as the American people saw them and knew it. But the President said this to Congress:

> I hesitate to refer to the insinuations and charges which have been made of complicity on the part of this Government in the revolutionary movement on the Isthmus of Panama. These charges are based on the fact that certain persons whom I have recognized as the chief officials of the Panama Government have been connected with this Government for a part of the time in preparing, organizing, and executing the free revolution on the Isthmus of Panama, and thus save from the horrors of war, civil and military, and from a loss of life, which the Government of Colombia proved itself for the time being absolutely incapable of preventing, a population which has always been the most peaceable portion of Colombia, and which has never been guilty of any political disorder during the entire period of its existence as a portion of that Republic. I have read the newspapers and kept up a current acquaintance with public affairs.

That meets the issue pretty squarely, Mr. President. I think it sets those insinuations at rest. It is true I have heard, even since that message of the President, insinuations that we have not got all the facts before us; that the Republican Senators know something which has been held back and concealed; that if the light were to be turned on there would be something shown which would prove that our Government was in complicity with the parties who were preparing and bringing about that revolution. But, Mr. President, I take the word or the President of the United States against any newspaper man in any article, signed or unsigned.

The PRESIDENT pro tempore. The Senator from Connecticut will suspend one moment while the Chair lays before the Senate the Calendar of General Orders.

The SECRETARY. Order of Business 13—Senate bill 887.

Mr. GALLINGER. Mr. President, I ask unanimous consent that be laid aside informally.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the consideration of the resolution may proceed. Is there objection? The Chair hears none.

Mr. PLATT of Connecticut. So, Mr. President, I think we may put this behind us.

But it is said that our naval forces ought not to have been sent to the Isthmus when a revolution was expected, not only by the Executive, but by everybody who had taken any pains to keep track of events. This whole contention, so far as the propriety of the action of this Government in the premises is concerned, seems to me to turn on the question whether we had a right to send naval vessels to the Isthmus when a revolution was imminent, when we knew it to be so, for the purpose of protecting the transit, the property, and the lives of American citizens.

Now, if we had that right, there has been nothing done in excess of that right; and therefore, for a few minutes—and I am not going to detain the senate long—I wish to turn my attention to the question whether we had the right to protect the lives and property of American citizens on the Isthmus of Darien and to keep open the communication by rail over that isthmus from ocean to ocean.

Mr. President, if it were not for the supposed necessities of political parties I do not think the claim would ever have been made that this country had no such right. I claim that we had that right independent of any treaty. Much more did we have it with a treaty, the treaty of 1846. Further than that, I claim if the treaty had not confirmed us in this right, existing outside of the treaty, we would have had that right under the conditions which have arisen with reference to intercommunication between the oceans across that Isthmus.

Now, Mr. President, I lay down as a proposition here that

under the Constitution and under the laws and under the powers of the Executive, as its chief magistrate and as commander of its Army and its Navy, it is his duty, wherever the lives, liberties, and rights of American citizens are threatened in any foreign nation, to send there the protecting forces of the United States for the purpose of protecting those lives, those liberties, and those rights.

It does not seem to me as if at this period of our history we ought to be obliged to assert that doctrine in the Senate of the United States. It is as old as our Government, and its exercise dates back to the time when the founders of our Government were in control of its legislation and the direction of its affairs. It is a right exercised by every nation on earth. It is an inherent right of sovereignty in any nation.

Mr. SPOONER. Will the Senator from Connecticut permit me just a suggestion?

Mr. PLATT of Connecticut. Certainly.

Mr. SPOONER. On one occasion when our marines were landed to protect American interests on the Isthmus of Panama a British war ship landed her marines to protect British citizens on the Isthmus.

Mr. PLATT of Connecticut. Of course, Mr. President. The nation that would not do that is not worthy of being called a nation. It is not worthy of a place among the nations. We have done it over and over again, and always with the approbation of the people of the United States. A President who would not do it would be justly condemned by all the people of this country.

Why, just think what we have done, and done recently. I have heard it said (I do not know that it has been said on the floor of the Senate, but it has been said by others in the discussion of this question) that the President could not send the Army out of the boundaries of our Government; that while possibly under the practice he might send naval vessels wherever there was danger to our citizens and their property, there was no law, no authority under the Constitution to send the Army out of the country for any such purpose, and that if the naval vessels with their complement of sailors and marines were not able to afford protection to the interests of American citizens on the Isthmus and to keep open the transit there he could not send the Army there for that purpose.

Mr. President, I want to refer to a recent instance in our history, an instance which I think is not eclipsed by any military operation in the history of the world, not excepting that great march of the British to the relief of Lucknow. Our legation in China was in peril; our missionaries there were being tortured and killed; their property rights were taken away from them, and the whole world believed that our legation and the legations of all the other nations there had been massacred—men, women, and children. We did not believe it. The President of the United States, President McKinley, exercised the right which he had of sending an armed expeditionary force for the relief of Peking, and in reading the accounts of that expedition and its results I think I am entitled to say that there is no brighter page, no more dramatic page, in the military annals of the world than that expedition of General Chaffee for the relief of our legation in Peking. In just seven weeks from the time he left Washington on the transport which carried the troops of the Army, meeting the troops sent from the Philippines and marching to the relief of Peking, he reported to Minister Conger and the lives of our citizens, the lives of our ministers, the lives of our missionaries were saved and protected.

Does any Senator tell me that President McKinley violated his constitutional obligations in doing that? And if he did not, President Roosevelt did not violate his constitutional obligations in sending our naval vessels, with their sailors and marines, into the waters where it was expected strife and bloodshed would put the lives of American citizens in peril and destroy their property.

In far-away Korea, in its capital, at this very hour an American marine force is guarding our legation from danger, and protecting from destruction a railroad built by American citizens and with American capital. We have no treaty which authorizes us to do this, but will Senators say that thereby the President has exceeded his constitutional power?

So I want to get back to this proposition: To maintain the contention which has been made in this case Senators must deny the right of the President to do that. Instance after instance in the history of this country might be cited.

I think the Senator from Colorado [Mr. PATTERSON] in his speech yesterday conceded that right, as every Senator must concede it. When those horrible atrocities were being perpetrated in Armenia—Christians, American Christians, slaughtered, massacred, all American property pillaged—is there any Senator or any individual in the United States who did not wish that we then had the power to send a naval force there and put an end to it in the interest of humanity as well as for the protection of our own citizens? But we did not have that force. Thank God, we have it now, and if there is a recurrence of such events there the President of the United States, I think, would be recreant to his duty if he did not send a fleet there to protect our citizens, their lives, their liberties, and their property.

Now, then, having, as I think, made it clear that we had a right to send vessels to the Isthmus for that purpose, let us see whether that right was exercised in an improper manner. As I said before, it is a question as to what we have done there. We knew, everybody knew, that there was to be a revolution there, and we knew more, what revolutions on the Isthmus of Panama are and have been, having had some experience in that matter.

We knew that a revolution on the Isthmus of Panama meant fighting without the observance of the rules of civilized war; that it meant death to Americans; that it meant the destruction of American property; that it meant the shutting up of the passageway over that Isthmus between the oceans. Does anybody doubt that? We knew that from past revolutions there. We knew what a revolution there was and would be; the Government knew, and everybody knew that, except for the action of the United States Government, it would result in those consequences of which I have spoken.

Do I need to illustrate that? When the Colombian gunboat in the harbor of Panama, without notice to the inhabitants, shelled the city, and when all the consuls of all the nations united in a protest against such action, the President knew that such a revolution was impending. He knew, or he ought to have known, the consequences, and he did know what the consequences would be. He sent there some naval vessels; I do not now recall just how many; perhaps three or four, but four, I think, two at Colon and two at Panama. Senators complain of that. They say we had no right to do it; that the President had no right to do it. I wonder what they would have said if he had not done it. I wonder what they would have said if he had declined or refused to do it.

Is this the claim they make; that we must sit idly by and allow the Colombian Government to interrupt that transit; allow the Colombian Government to attack American citizens; allow it to interfere with the world's trade across that Isthmus? Is that the claim? Some things that have been said seeming to assert that we had no right to protect the line of communication across the Isthmus; that we had accepted in the treaty of 1846 the guaranty of Colombia that she would do it; that there our right ended, and that, no matter what might be the result, no matter how many lives of American citizens might be sacrificed and how much of their property destroyed, how much of the commerce of the world interrupted, we must sit idly by and let Colombia take care of it.

So I come, Mr. President, to this proposition: We had the right to do this independently of any treaty which we had with Colombia—a right inherent in the sovereignty of a nation, and without the exercise of which when occasion demands, no nation would be fit to be called a nation.

What had we there, Mr. President? Suppose, for the time being, in arguing this question, we forget we had a treaty; we forget that a canal across that Isthmus was talked about; what had we there? We had a railroad joining the two oceans, fifty years or more old, built by a New York corporation, built with American capital, officered by American citizens, over which were passing from day to day and week to week the goods of the American people. Does anybody say that under those circumstances this Government ought not to have used every effort for the protection of that line of transit against interruption?

So I say, primarily, without any treaty and without any question of a canal, this Government was justified in sending a naval force there to protect our interests, and, more than that, to protect the interests of the whole world in that transit. It would have been recreant to its duty if it had not done it, and the outcry we now hear against the Government for having done it would be but an evening zephyr compared with the cylone of denunciation that we would have heard from the other side of the Chamber if it had not been done.

Submit that question to the American people, put it in concrete form—Ought the President to have refrained from sending our war ships to the Isthmus of Panama for the protection of the lives of our people and their interests there when he knew that a revolution, which would be bloody, was about to be inaugurated?—and see what the verdict would be. It would be no party question; it would be a question about which there would not be any considerable contention.

What did the President do? We had this knowledge. They say we ought not to have had it. We knew that there was every probability that there would be a revolution there. The *Nashville* went to Colon; it found there some Colombian troops which had been landed there the day previously. Did it interfere with those troops? Did it say to them that they must leave the Isthmus? No. What was done? The commander of the *Nashville* said to them that he could not permit their transportation over

the railroad to Panama, as a revolution had broken out. Did he do anything more than had been done before by our Government, and with the approbation of the people? Time and again the transportation of Colombian troops across that line of railroad, where a conflict would be likely to occur, had been prevented, except upon condition that their arms were surrendered and that they were accompanied by United States guards to see that no conflict ensued there.

But the revolution had broken out at Panama, and Colonel Torres, I think it was, when he learned that the troops could not be transported to Panama to inaugurate a conflict, became very angry and threatened to massacre every American citizen on the Isthmus.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. PLATT of Connecticut. Certainly.

Mr. TELLER. May I interrupt the Senator to ask him on what authority he makes that statement?

Mr. PLATT of Connecticut. Not on any newspaper authority. I take it from official documents, Mr. President.

Mr. TELLER. You take it from Hubbard's report, I suppose.

Mr. PLATT of Connecticut. I do.

Mr. TELLER. There is no other authority for it.

Mr. PLATT of Connecticut. Well, Mr. President, has it come to this, that when the President of the United States says he has not been guilty of complicity in a revolution we are to be told that there is no other authority for it; that when the captain commanding one of our naval vessels makes a report upon a transaction we are to be told that there is no other authority for it? I do not put it that way. The Senator did not say that Commander Hubbard was not to be believed, but that there was no other authority for it. The inference can be drawn by anyone. I think I will read this. It will take me a little more time than I had anticipated giving to the discussion of this subject if I read from official documents, but as we are upon what was done I think it is well enough to read the report of the commander of the *Nashville*. He says that the occurrences in connection with the Colombian troops in Colon during the three days amounted to practically making war against the United States.

We have been told here that we made war on Colombia. Perhaps because Commander Hubbard disagrees with the opinions of Senators who hold that and thinks that Colombia made war on the United States, he is not to be credited in his report as he would otherwise be:

> At 1 o'clock p. m. on that date I was summoned on shore by a preconcerted signal, and on landing met the United States consul, vice-consul, and Colonel Shaler, the general superintendent of the Panama Railroad. The consul informed me that he had received notice from the officer commanding the Colombian troops, Colonel Torres, through the prefect of Colon, to the effect that if the Colombian officers, Generals Tobal and Amaya, who had been seized in Panama on the evening of the 3d of November by the Independents and held as prisoners, were not released by 2 o'clock p. m. he, Torres, would open fire on the town of Colon and kill every United States citizen in the place, and my advice and action were requested.

The Senator from Colorado [Mr. PATTERSON] in his address on yesterday said that the governor, who is called here the prefect, of Colon was a mulatto and a fat man, and that, after having been informed by Colonel Torres that if those generals over in Panama were not released by 2 o'clock he would open fire upon the American citizens there, he ran as fast as he could to communicate the information to the commander of the *Nashville*.

Well, Mr. President, what of that? Does being a mulatto or a fat man or his running to send word to the commander of the *Nashville* take away from the dignity or the necessity of his act? I really did not see the pertinence of it; but the Senator from Colorado seemed to think that in some way it threw some shadow or some cloud over these transactions that the prefect was a mulatto, a fat man, and that he ran as fast as he could to communicate the information to the commander of the *Nashville* that American citizens were in danger of fire being opened upon them and every life at Colon, at that end of the Isthmus, being sacrificed.

> I advised that all the United States citizens should take refuge in the shed of the Panama Railroad Company, a stone building susceptible of being put into good state for defense, and that I would immediately land such body of men, with extra arms for arming the citizens, as the complement of the ship would permit. This was agreed to and I immediately returned onboard, arriving at 1.15 p. m. The order for landing was immediately given, and at 1.30 p. m. the boats left the ship with a party of—

How many?

> forty-two men—

There were 475 of those Colombian troops under the command of Colonel Torres threatening to kill American citizens there, unless we took part in favor of Colombia against the revolutionists and required them to release the generals whom they had imprisoned at Panama. Forty-two men! I will say, Mr. President, that that was one of the gallant acts which our Navy is so often performing—42 men ready to face an infuriated 475, who wanted the blood and the lives of American citizens. Will anybody deny that Colonel Torres made that threat? I have not heard it denied—

> forty-two men under the command of Lieut. Commander H. M. Witzel, with Midshipman J. P. Jackson as second in command. Time being pressing I gave verbal orders to Mr. Witzel to take the buildings above referred to, to put it into the best state of defense possible and protect the lives of the citizens assembled there—not firing unless fired upon.

What a wicked thing in the estimation of Senators!

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from South Carolina?

Mr. PLATT of Connecticut. I will, if he does not detain me too long.

Mr. TILLMAN. Would it be straining the imagination of the Senator if I were to ask him whether this belligerent attitude, the threatening demeanor, followed so soon after by the consultation after Colonel Torres had received the money, was not in the nature of a kind of dicker or a badgering attitude in order to increase the price that they were to pay him?

Mr. PLATT of Connecticut. Mr. President, the Senator from South Carolina is an accomplished debater. Whenever he sees that a point made is pressing home upon a contention of the other side, he rises with his rapier and proceeds to attack in another quarter. I want to exercise my Yankee privilege by asking him a question. Does the Senator think that Commander Hubbard, with his force of forty-two men under Lieutenant-Commander Witzel and Midshipman Jackson, had anything whatever to do with buying up the Colombian troops or their officers?

Mr. TILLMAN. I answer unhesitatingly, No.

Mr. PLATT of Connecticut. No?

Mr. TILLMAN. But wait, now, please. May I ask another question?

Mr. PLATT of Connecticut. I suppose the Senator wants to ask a question for the purpose of shifting this debate.

Mr. TILLMAN. Not at all. I like to hear the Senator from Connecticut. He speaks about adroit rapiers and all that sort of thing, but he uses a keen sword himself sometimes, and I enjoy a little passage at arms with almost anybody when I am in the humor. The point that I would like light on before he gets through is whether or not the American consul did not furnish the money to pay for the withdrawal of those troops.

Mr. PLATT of Connecticut. I answer, No; there is no evidence of that in relation to the American consul, not even newspaper evidence of it. It has been charged in the newspapers that the vice-consul there, who is not an American citizen——

Mr. TILLMAN. I am speaking of Ehrman. Is he the consul or vice-consul?

Mr. PLATT of Connecticut. The vice-consul.

Mr. TILLMAN. All right; then just transfer the question to the vice-consul.

Mr. PLATT of Connecticut. The Senator has his newspaper authority for it, but I have never seen any other authority for it. There is nothing in the official dispatches to that effect, and if there was there is nothing to involve this Government in complicity with the revolution or its means of accomplishment by the fact that the vice-consul, not a citizen of the United States, but appointed from the territory itself, may have done some act of that sort. I do not know whether he did or not.

Mr. SPOONER. It has been said that he was a stockholder in a bank, out of which they paid some money on the demand——

Mr. PLATT of Connecticut. One thing more——

Mr. TILLMAN. One moment, please. Let us not get away from this point.

Mr. PLATT of Connecticut. I want to answer the question.

The PRESIDENT pro tempore. The Senator from Connecticut has the floor.

Mr. TILLMAN. Of course, I have to submit to his pleasure.

Mr. PLATT of Connecticut. The Senator may ask all these questions, and I will submit patiently to their being asked, but he will not divert me from the point to which I am speaking——

Mr. TILLMAN. I do not desire to divert the Senator at all.

Mr. PLATT of Connecticut. To notice inconsequential matters relating to this revolution in Panama.

I was reading from the report of Commander Hubbard that he had directed the officer in charge of these forty-two men to make the best defense possible "and protect the lives of the citizens assembled there, not firing unless fired upon."

Does the Senator from South Carolina make any objection to that?

Mr. TILLMAN. Mr. President, I confess that it is hardly fair for the Senator to turn to me in that manner, after having refused to allow me to progress along the line that I was pursuing——

Mr. PLATT of Connecticut. If it is unfair——

Mr. TILLMAN. I want to say this, if the Senator will permit me right now——

Mr. PLATT of Connecticut. I apologize for it if it is unfair.

Mr. TILLMAN. I want to say that, with the *Nashville* off shore, coming in close with its machine guns, ready to sweep those 442 men—and everybody else that might have been in the way—off the face of the earth, I do not think there was ever very great danger.

However, I give due credit to the American officers and marines—the forty-two men who were there to do their duty and obey orders and yield up their lives, if necessary. Our Navy needs no defense, and I am not attacking it. I am only casting a few side lights and some little reflections and criticisms upon the manner in which the Republic of Panama was born; and I will ask the Senator now, while I am on my feet, if he does deny that Colonel Black, of the United States Engineers, furnished the flag and helped to raise it?

Mr. PLATT of Connecticut. I will answer that question by asking another. Does the Senator from South Carolina think if an officer no longer in the regular service, but detailed to civilian duty, happened to assist in the raising of a flag after the revolution had been thoroughly accomplished, that that commits our Government to participation in the revolution? I do not think he will say it does.

Mr. TILLMAN. Oh, we will never get the evidence as to the participation of our Government except from the message of the President himself in his recital of the events preceding the warning given Colombia of the preparation of this Government by sending naval vessels there. All of the incidental testimony, the circumstantial evidence, I will say, is along the line of proof to any person who is not committed in his own heart and mind to a denial of it.

Mr. PLATT of Connecticut. To any person who is determined that the Panama Canal shall not be built and that the Nicaragua Canal shall be.

Mr. TILLMAN. I want a canal, and I want one at Panama, provided we do not have to steal it.

Mr. PLATT of Connecticut. Mr. President, the insinuation of that last remark is what I complain of. I do not think the Senator from South Carolina, or any other Senator in his sober second thought, when his judgment prevails against what the Senator from Tennessee [Mr. CARMACK] so characteristically spoke of—prevails against the blood in his head—will make such insinuations.

But I am reading the report of Commander Hubbard, and I am going to read it through, no matter how many interruptions there may be. I know it is not agreeable to the Senators who are determined to find fault in this matter:

> The women and children took refuge on the German steamer *Marcomania*—

The women and the children were thought to be in danger. The Senator from South Carolina thinks there was no danger, but they went aboard a foreign steamer—

> and Panama Railroad steamer *City of Washington*, both ready to haul out from dock if necessary. The *Nashville* in excellent way was provided with her along the water front close in and ready to use either shot or shrapnel fire.

If he had not done it he should have been cashiered. Let us see whether there was any danger.

> The Colombians surrounded the building of the railroad company almost immediately after we had taken possession, and for about one and a half hours their attitude was most threatening, it being questionably their purpose to provoke an attack. Happily our men were cool and steady, and while the tension was very great no shot was fired.

I do not know that I care to quote further from this dispatch, except where he says:

> I am positive that the determined attitude of our men, their coolness and evident intention of running near great odds, had a most salutary and decisive effect on the immediate situation and was the initial step in the ultimate abandoning of Colon by these troops and their return to Cartagena the following day. Lieutenant-Commander Witzel is entitled to much praise for his admirable work in command on the spot.

The Senator from South Carolina seems to think that the reason they left was because somebody paid them to leave. Commander Hubbard says that the cool and determined attitude of our men "was the initial step in the ultimate abandoning of Colon by these troops and their return to Cartagena the following day."

I wish to quote one sentence from his more formal subsequent dispatch. I know there is nobody's word for this except that of Commander Hubbard. I suppose it will not be believed on the other side of the Chamber, because there is not corroborative testimony. Has it come to this, Mr. President, that a naval officer must furnish corroborative testimony of the truth of the matter which he states in his official report?

Mr. TILLMAN. Will the Senator allow me?

Mr. PLATT of Connecticut. Yes.

Mr. TILLMAN. I want to say, once for all, that I have not the slightest hesitancy in giving full credence to all statements that Commander Hubbard makes. I believe he is an honorable gentleman and an officer of the United States Navy doing his duty as he understands it, and obeying orders.

Mr. PLATT of Connecticut. Is anything wrong with what was done under the orders? The question is what we have done.

Mr. TILLMAN. Well, I want to ask the Senator this: Where is there any authority, by treaty or otherwise, constitutional or lawful, to forbid Colombia to land troops within 50 miles of Panama? That is one of the orders.

Mr. PLATT of Connecticut. There is plenty of reason for it. I do not shirk that question; I will come to it by and by.

In his second and more formal dispatch Commander Hubbard says:

> I beg to assure the Department that I had no part whatever in the negotiations that were carried on between Colonel Torres and the representatives of the provisional government.

I think his word might be taken for that.

Mr. TILLMAN. Will the Senator from Connecticut allow me?

Mr. PLATT of Connecticut. I should like to say this——

Mr. TILLMAN. Is not that corroborative testimony that somebody did buy Torres off, and that Commander Hubbard knew it?

Mr. PLATT of Connecticut. Suppose they did. Was there ever a revolution inaugurated in the world where every means to make it successful was not resorted to? And what bearing has that on the question whether or not the revolution was successful? There is nothing in this dispatch to show it.

I want to commence and read it over again. I hope the Senator will let me read this through.

Mr. TILLMAN. I hope the Senator will put it in verbatim, literatim, seriatim.

Mr. PLATT of Connecticut. I will read it:

> I beg to assure the Department that I had no part whatever in the negotiations that were carried on between Colonel Torres and the representatives of the provisional government. That I assumed and acted upon my own, the lives of American citizens were threatened, and without this I felt no doubt, as there seemed to be no grounds for further apprehension of attack by Colombian troops, that I would be censured for my action. Some hesitancy on the part of the Department to supply me with instructions [illegible] I felt that my action was justified by the circumstances, as between the two parties, and my purpose being to protect the lives and property of American citizens and to preserve the free and uninterrupted transit of the Isthmus.

Mr. TILLMAN. Now, if the Senator will allow me, I have understood or heard it said that people who are on the lookout for slights feel their inferiority and that people who are suspicious are more or less to be watched. Why should Commander Hubbard deny something in advance if he did not expect that the charge would be made, directly or indirectly, that he was there for the business of setting up this Republic?

Mr. PLATT of Connecticut. I am dealing with facts.

Mr. TILLMAN. I want to ask the Senator to permit me to add a word.

Mr. PLATT of Connecticut. Let me finish this sentence. I am dealing with facts. The Senator from South Carolina seems to be dealing with insinuations.

Mr. TILLMAN. Insinuations constitute a very good weapon sometimes, when they have point.

What I wish to add comes from one of the poets:

> The lady doth protest too much, methinks.

Mr. PLATT of Connecticut. I have demonstrated, I think, that, independent of the treaty, and because of the fact that we not only had, under charge of an American corporation, an open transit across that Isthmus, but because of the fact that other nations looked to us to guard their interests in keeping it open, we had a perfect right to do everything that has been done. It is idle, and it is pitiful, I will say to the Senator from South Carolina, to seek to evade the plain facts developed on official documents and to try to charge something improper by insinuation and suspicion and guesswork. When the American Senate gets to legislating by guess it will have lost the well-earned reputation that it has for dealing with facts and legislating upon facts.

Mr. President, we have that primary right. Second, we had, under the treaty of 1846, the cumulative right to protect that Isthmus and that transit free and uninterrupted in its use. If I understand the contention of Senators on the other side—not all of them, but of those who see fit to attack the conduct of the President in this matter—their contention may be stated in this way, and it is well sometimes to avoid legal terms and legal quibbles and to state an issue or contention in plain, good, simple English. I understand the contention which has been made on the other side that we had no right to protect that Isthmus to be just this: That under the treaty of 1846 we accepted a guaranty from New Granada that she should protect that transit, and therefore we not only had no right to protect it ourselves, but Colombia had the right to come and interrupt it. That is a fair

statement of the contention. The statement itself answers the contention.

We did not surrender this primary right which we had to protect our own property, a greater and more important property than we had anywhere else in the world outside of our own borders: the primary, inherent right of a government to protect its property and the lives and liberty of its citizens in foreign lands—we did not surrender that when there was written into the treaty of 1846 that Colombia would guarantee an uninterrupted transit there. We asked Colombia to do it. But who asserts that we surrendered our right to do it, whether Colombia did it or not, if it was necessary in order to protect the free and uninterrupted use of that transit?

Certainly, Mr. President, the obligation of Colombia to protect the transit did not give her any right to interrupt it and shut it up or to take any steps which would result in the closing of it. I can not understand how a lawyer can claim that by accepting that provision in the treaty of 1846, by not protesting against it, we lost our primary right, our indefeasible, inherent right to protect that communication, and, more than that, that it gave Colombia the right to shut it up if occasion arose for her to fight on the line of the railroad.

Mr. President, we did what we had a right to do. We protected the isthmian transit. We protected the lives of American citizens. We protected the property of American citizens, and we said that Colombia should not interfere with those rights. That is all we said. We did not help the revolutionists. We took no part in aiding them; but under that treaty we had the right, existing before the treaty, to extend protection to our property and to our citizens there, and if Colombia came there for a fight which would interrupt that transit and destroy the lives of our citizens and their property, and we prevented their doing it, and revolution ensued and independence became an accomplished fact, that was simply an incident of the situation which Colombia was bound to accept. It can not be contended with any show of reason that because Colombia wrote into the treaty, and we accepted it, that she would protect that Isthmus and the use of it from interruption we lost our right or surrendered our right to do it ourselves and gave her the right to close the transit by conflict.

And now, Mr. President, except for the political necessities of this case the question never would have been made. In the years that have gone by the result of our action on the Isthmus, the action of our marines and our troops, I think, certainly our motives, has prevented the Panamaians from accomplishing their independence. If, as an incident, they were enabled to secure their independence because we would not permit that transit to be interrupted that was their good fortune, as it was the good fortune of Colombia that in previous years while protecting the Isthmus we had prevented the Panamaians from accomplishing their independence. But I said it never would have been made but for the necessities of the case.

I wish to read what some Democratic Presidents have said on this subject long before there was any thought of a canal there. Franklin Pierce, in 1854, in his second annual message to Congress, referring to the Isthmus, said:

> Convenient means of transit between the several parts of a country are not only desirable for the objects of commerce and personal communication, but essential to the existence and welfare of governments. Separated as are the Atlantic and Pacific coasts of the United States by the wide breadth of the continent, still the inhabitants of each are closely bound together by community of origin and institutions and by strong attachment to the Union. Between them constant and increasing intercourse and fast interchange of commodities have sprung up. Of these remote divisions of the Republic the present time has made practicable and only commodious routes for commerce and travel between them are by the way of the Isthmus of Central America. It is the duty of the Government to secure these avenues against all danger of interruption.

Mr. President, there was no railroad there then. There were a variety of routes across that country, some of which had been granted by concessions and some of which were used without concessions. The treaty of 1846 had been concluded ten years and no railroad and no canal was there, and Franklin Pierce said it was "the duty of the Government to secure these avenues against all danger of interruption." He would have been told by Senators on the other side that Colombia had agreed in the treaty to keep open uninterruptedly the use of these routes and the United States had nothing to do with it. It was good Democratic doctrine in 1854 that it was the duty of the Government, not the right of the Government, but "the duty of the Government to secure these avenues against all danger of interruption."

Let us go along a little further with our Democratic Presidents. Again, in 1856, when the railroad had been opened, it having been opened in 1855, I think, he said:

> The present condition of the Isthmus of Panama in so far as regards the security of persons and property passing over it requires serious consideration. Recent incidents tend to show that the local authorities can not be relied on to maintain the public peace of Panama, and there is just ground for apprehension that a portion of the inhabitants are meditating further outrages, without adequate measures for the security and protection of persons or property having been taken, either by the State of Panama or by the General Government of New Granada.
>
> Under the guaranties of treaty, citizens of the United States have, by the outlay of several million dollars, constructed a railroad across the Isthmus, and it has become the much route between our Atlantic and Pacific possessions, over which facilities of our citizens and a vast amount of property are constantly passing to the security and protection of all which and the continuance of the public advantages derived it is impossible for the Government of the United States to be indifferent.

Now listen to this:

> I have deemed the danger of the recurrence of scenes of lawless violence in this quarter so imminent as to make it my duty to station a part of our naval force in the ports of Panama and Aspinwall in order to protect the persons and property of the citizens of the United States in those ports and to insure to them safe passage across the Isthmus.

Aspinwall is Colon now. I wonder what our Democratic friends, who are so bitter against the action of the President, would have said when Franklin Pierce sent that message to Congress and told them that the danger of the recurrence of outbreaks there was so great that he had sent naval vessels of the United States into the ports of Panama and Colon "to protect the persons and property of citizens of the United States in those ports and to insure to them safe passage across the Isthmus."

When he said that in that message, would any Democratic Senator have risen and said the President had violated all of his constitutional obligations: that he had no business to do it: that we had agreed to leave the guarding and protection of that interest to Colombia, and until we heard that either Colombia did not intend to do it or was not able to do it we had no business to start a ship in the direction of Colon or Panama, no matter how great the danger to the lives of our citizens or how great was the danger to the interruption of transit?

But I come to another Democratic President, James Buchanan. I do not think the Senator from Tennessee even would say that James Buchanan was a "President with blood in his head, who thought with his blood rather than with his brains." In his first annual message, under date of December 8, 1857, President James Buchanan says:

> The Isthmus of Central America, including that of Panama, is the great highway between the Atlantic and Pacific coasts of our Union, upon which a large portion of the commerce of the world is destined to pass. The United States are interested that this route should be open to uninterrupted use. The Government of New Granada has at various times granted to citizens of the United States and others the exclusive privilege of constructing a railroad across the Isthmus, upon which they have expended large sums of money, and which has become the principal highway between the Atlantic and Pacific possessions of the United States. Our citizens have also established a line of steamers on the Pacific, which, in connection with the railroad, carries the mails between our Atlantic ports and those of California, Oregon, and Washington Territory. Our citizens have also established a line of steamers on the Atlantic, which, in connection with the railroad, carries the mails between the Atlantic ports of the United States and those of California, Oregon, and Washington Territory. Our citizens have also established a line of steamers on the Pacific, which, in connection with the railroad, carries the mails between our Atlantic ports and those of California, Oregon, and Washington Territory. Our citizens have also established a line of steamers on the Atlantic, which, in connection with the railroad, carries the mails between our Atlantic ports

direct authority of Congress, except in resisting and repelling hostile attacks. It would have no authority to enter the territories of Nicaragua even to prevent the destruction of the transit and protect the lives and property of our own citizens on their passage. It is true that on a sudden emergency of this character the President would direct Any armed force in the vicinity to march to their relief, but in doing this he would act upon his own responsibility.

Under these circumstances I earnestly recommend to Congress the passage of a bill authorizing the President, along such instructions as they may deem proper, to occupy the rights and naval forces of the United States in protecting the lives and property of American citizens traversing the isthmus, recognizing at the same time that these forces should be withdrawn the moment the danger shall have passed away. Without such a provision our citizens will be constantly exposed to interruption in their progress and into lawless violence. A similar necessity exists for the passage of such an act for the protection of the Panama and Tehuantepec routes.

With the treaty of 1846, with no right under it to protect the Panama route, yet President Buchanan asked Congress to allow him to employ the naval and military forces of the United States to protect the Panama route; and as to Nicaragua, there was no treaty. One had been negotiated, and Nicaragua would not ratify it. President Buchanan, under the impression that he could not of his own motion, except upon taking the responsibility, as Andrew Jackson once said, use the naval and land forces to protect the route, asked Congress to empower him.

And a President of the United States, James Buchanan by name, a Democrat of Democrats, sends a message to Congress, where he had made a treaty with Nicaragua, as we have made a treaty with Colombia, and where Nicaragua failed to ratify it, as Colombia failed to ratify it, and where he speaks of the pretext upon which Nicaragua failed to ratify it being communicated in the papers, yet asks Congress to permit him to use the Army and Navy to keep open that route and protect the lives and property of our citizens.

I wonder what Senators would have said to James Buchanan when he sent in here a message of that sort. Would he have been told that he had violated all the obligations of the Constitution, all the canons of international law, because he had asked Congress to authorize him to use the Army and the Navy to keep that route clear from interruption?

Mr. President, I may not dwell on this. I dislike to take up so much time. I think the time for action rather than discussion has arrived. But there is one other ground. You may call it what you please. You may call it the international law of eminent domain, although that is a misnomer. It has nothing to do with the law of eminent domain.

But when the governments owning that strip of land across which the world has decreed the canal shall pass say "no," and hedge it about with impossible stipulations—to use a phrase of the time and of the street, "strike" for more money, hold up the negotiations—there is reason for saying that the time will come when, if that canal can be built in no other way, the United States, as the trustee for the nations of the world, will do it with the strong arm; and I think the message of the President is entirely justified in that respect.

I had intended, Mr. President, to say a word about recognition. I deny that any of the principles laid down by international law writers have been violated in the recognition of Panama. Recognition depends upon the circumstances of each particular case. There were precedents for it. I am not going to consume the time of the Senate in rehearsing them. They were ably set forth by the Senator from Massachusetts [Mr. LODGE]. But precedent or no precedent, the recognition of the Republic of Panama has passed into the international law of this world as a justifiable act.

How are the principles and canons of international law laid down? By the consensus of the powers of the world as to what is just and right and honorable as between nations, as the statute law determines what is just and right and honorable between individuals. It does not lie in the mouths of Senators to say, after these eighteen or twenty nations have looked into the case and in recognizing the new Republic of Panama have said that such recognition is justifiable and right and moral, that any principle of international law has been violated or any precedent has been violated.

If there was no precedent for it before, that precedent has now been written into the international law of the world. There never was a case like it. There probably never will be a case like it. But given, in the territory of a government, the essential and necessary passageway of a canal to join the Atlantic and the Pacific oceans, a canal along which the commerce of the world is going to pass for the benefit of mankind, for the benefit of civilization; given another condition, that a treaty has been negotiated between two governments, the Government of the United States and the nation in control of that Isthmus, for the right to build that canal by the United States and in the interest of all nations. Given another fact. If that treaty had been rejected because, as the records show, it was thought by Colombia that more money could be obtained out of the United States; because, as the records show, it was thought by a Colombian committee of its Senate that shortly the time would arrive when the property of the new Panama Canal Company could be confiscated and become the property of the Colombian Government and then sold to the United States—given all these conditions, and the further condition that Colombia was notified by Panama that if the treaty was rejected Panama would establish an independent government, and that the act of which notice had been given had been carried out, that Panama had become independent to the extent that its people and all its people consented to the new government, that the doctrine of the consent of the governed had been observed—given that case, these conditions, and who shall say that was a that new State ready and willing to give to the United States the right to construct this great enterprise across its territory there was anything unjustifiable, improper, or wrong in its recognition?

No, Mr. President; Colombia had the right, technically, to reject that treaty, but she did it at her peril. If, when she had been told that if she rejected it the result would be the secession of Panama and the establishment of an independent state, she chose to persist in her rejection, she acted with notice; she has no right to complain. She has no longer any ground of complaint against the United States. She did it with her eyes open. She rejected it when she had reason to know, as all the world knew, that the result of it would be a revolution in Panama, an accomplished independence, a treaty of Panama with the United States to build that canal. What right has she to complain? What right has she to say that we have done her a wrong? None; none whatever.

Mr. President, I wish to say one word about this act of the recognition of Panama as the act of the Executive of the United States. He has the power to recognize new states. It is given to him by the Constitution. No man can say that in exercising it he violates the Constitution. He exercises a constitutional right which is committed to him. Was it proper or required that he should wait and wait until a constitutional convention had been called, and a legislature established, and courts established before he recognized the new republic?

The only test which really exists in any case existed in this case, making it proper to recognize the new government, the assent of its people—the entire, unanimous acquiescence in what was done, and the fact that there was at that time no show of force on the part of the parent government to reduce it to subjection.

Do I say that there was an acquiescence of the people? It is shown in the dispatch of Secretary Hay, when he informed the Colombian Government that we had recognized it. It has been shown since in the documents transmitted to the Senate, in which every municipality in the whole territory of Panama has met and ratified that act of revolution.

It was a great act, Mr. President. It was an act which, for all time to come, must affect, and affect, I believe, most beneficially, the United States of America. The President was equal to the occasion. Brave and fearless as he is, but neither rash nor impetuous, he did the right thing at the right time; the thing which will insure the building of that canal, so long delayed; the thing which will contribute to the future prosperity of this country.

Mr. President, no great executive act of any President which contributed to the growth and glory of this country has ever been performed without a violent, vicious, vituperative attack upon the President who performed it. From the days of George Washington to the days of Theodore Roosevelt, whenever any President has had the courage to do what he ought to do in reference to foreign countries he has been assailed as the present Executive is assailed. The Jay treaty, the Louisiana purchase, the Florida purchase or settlement, the acquisition of the Philippines, all have called down upon the heads of the Presidents who have taken the responsibility and done those great acts the coarsest calumny, the most unsparing vituperation.

But, Mr. President, as time goes on and the benefits of the act are discovered criticism fades away; the abuse is forgotten except as it is regretted; the act stands out to the glory of the President who performed it.

Mr. President, the hope of the nations, the dream of the ages, is about to be realized. We will ratify this treaty; we will build the canal; and when the ships of the whole earth, with their great cargoes, are passing through it these criticisms, these attacks, these vituperations will be forgotten; and whatever President Roosevelt has done during this Administration or may do in any future one, this act of his will stand forth before the world as the greatest act of his Administration, the act which has conferred more benefit upon the United States and the world than any other act which he could be called upon to perform.

Mr. TELLER obtained the floor.

Mr. TILLMAN. I ask the permission of the Senator from Colorado to occupy the floor for a minute.

Mr. TELLER. I yield to the Senator from South Carolina.

Mr. TILLMAN. At this very point, and in connection with the very severe castigation and lecture we on this side have received

from the Senator from Connecticut [Mr. PLATT], I wish to indulge in a slight reminiscence and reproduction of a little ancient history.

The Senator has been quoting from Democratic sources and I want to quote from some Democratic sources, too. It would be very interesting if I should read the whole document, but I shall read only a small extract from the famous Ostend manifesto. I shall ask permission, and I ask it now, lest I forget, to insert it in full.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. TILLMAN. Here is the part I want to read, however, and I ask the Senator from Connecticut to please give me his attention. I will say, by way of brief explanation, that three of the ministers of the United States Government representing this country in Europe had been practically instructed by Mr. Marcy, then Secretary of State under Pierce's Administration, to confer on this subject and announce their conclusion. It was in regard to the then wish or desire of this country to possess Cuba. These ministers met and issued what is known in our history as the "Ostend manifesto," because they met at Ostend, in Belgium. The phraseology that I wish to read just here—and I hope the Senator will not leave the Chamber——

Mr. PLATT of Connecticut. No, I am not leaving.

Mr. TILLMAN. Is this:

Our past history forbids that we should acquire the Island of Cuba without the consent of Spain, unless justified by the great law of self-preservation. We must, in any event, preserve our own conscious rectitude and our own self-respect.

"Rectitude and self-respect!"

Mr. PLATT of Connecticut. Self-preservation.

Mr. TILLMAN. Self-respect. I stand by the word as these Democrats wrote it.

Whilst pursuing this course we can afford to disregard the censures of the world, to which we have been so often and so unjustly exposed.

Just as we are now.

After we shall have offered Spain a price for Cuba far beyond its present value and this shall have been refused—

Just as Colombia refused—

it will then be time to consider the question, Does Cuba, in the possession of Spain, seriously endanger our internal peace and the existence of our cherished Union?

Should this question be answered in the affirmative, then by every law, human and divine, we shall be justified in wresting it from Spain if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there were no other means of preventing the flames from destroying his own home.

Now, this sounds so familiar and so much like the germ, the source, the fountain of the arguments of our President in his dealings with Colombia; I see so much that is familiar here—not the words, but the ideas, though the fact that this was Democratic doctrine in 1856, while the doctrine now announced is Republican doctrine in 1904, should make a difference—that I really wonder that history is repeating itself and that, without regard to parties, we Americans are disposed to look out for the main chance and then salve our consciences with all sorts of reasons why what we do is respectable and honest.

Mr. PLATT of Connecticut. Does the Senator repudiate the doctrine of Buchanan?

Mr. TILLMAN. It is here. I want to read for the Senator's benefit what his party, the recently organized Republican party, had to say about it.

Mr. SPOONER. What do you think about it?

Mr. TILLMAN. That is another matter; but if the Senator wants my opinion, I think it was the doctrine of the wolf, as enunciated by Æsop three thousand years ago, which said to the lamb: "It does not matter whether the stream runs up or down, or whether you are above or below me, but I want you for supper." That is what I think about it, and no man need ask me further as to my opinion as to whether it was fair or honest. It was simply greedy and dirty and dishonorable—unworthy any man or party or people!

Mr. PLATT of Connecticut. May I ask the Senator a question?

Mr. TILLMAN. Certainly.

Mr. PLATT of Connecticut. How does it agree with the doctrine which I understood him to announce the other day—that he would say to Colombia, under certain circumstances, "You mangy cur, get out of the way?"

Mr. TILLMAN. I said without indorsing that idea I would have preferred that we had pursued the policy of the bold highwayman rather than that of the sneak thief, and I repeat it. It is the doctrine of the highwayman, and I will give my authority for calling it such. I read from the Republican platform of 1856:

Resolved, The highwayman's plea that "might makes right," embodied in the Ostend circular, was in every respect unworthy of American diplomacy and would bring shame and dishonor upon any government or people that gave it their sanction.

The American people did not give it their sanction, and the Democratic party did not dare to indorse it.

Mr. FULTON. That party which denounced it was beaten.

Mr. TILLMAN. Yes, but it was victorious four years later on other issues, and no one can deny that its brave denunciation of such an infamous programme gave it the confidence of the people. The party that announces the doctrine now will be beaten, too, if the American people have not gone to sleep and lost all sense of self-respect, honor, and decency. That is why we are endeavoring to open up this question and get the facts. We can not convict you on the evidence so far presented of having stolen the Isthmus. The circumstances and admissions of the President show it to all honest men. I had better not be too sweeping. I will say that all honest men who are not partisans must acknowledge that our Government has stolen it.

Mr. PLATT of Connecticut. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from South Carolina yield to the Senator from Connecticut?

Mr. TILLMAN. With pleasure.

Mr. PLATT of Connecticut. Then why undertake to make a charge here in the Senate of the suppression or concealment of facts or that those know any facts——

Mr. TILLMAN. I can only make this charge: Our efforts to get a resolution through here calling for documents and papers have failed; and we were told the other day by the Senator from Massachusetts [Mr. LODGE] that this is a Republican pie and you intend to cook it to suit yourselves, and that we of the minority could eat it or not as we liked, because you have the votes and you propose to run this policy over us roughshod.

Mr. PLATT of Connecticut. I do not think there has been any disposition to conceal facts. I think there has been an attempt made to carry such an idea, but I do not think there is any disposition to conceal facts in any manner.

Mr. TILLMAN. It remains to be seen as to whether the resolution, which I understand has been offered or will be offered, going into the particulars as to what we want will be passed by the Senate, and then whether we will have a repetition of our experience in the Philippine business, being told that it was not expedient, according to the wisdom of the Secretary of War or the Executive, to furnish them.

Mr. CULLOM. We are ready to pass the Gorman resolution now.

Mr. TILLMAN. I can say that it has not been our fault on this side that it has not been passed long ago, and this discussion need never have been entered into if it had not been for the opposition on the other side and the evident purpose to smother, cloak, hide, and conceal.

But I did not get up to make any speech. I merely wanted to revive some reminiscences; and as my friend has been dealing in Democratic precedents, I wanted to call his attention and refresh his memory about a famous and an infamous proposition which the American people repudiated once and are now asked to indorse.

I say it was on all fours with the present condition, that the doctrine we are now following is that might makes right, that we are the agents of civilization and of advancing commerce, and all that kind of thing, and that is the reason why we are following this course.

As I have already had permission to publish the Ostend manifesto in full, I put in this extract from the Republican platform of 1856 alongside it to let our country see how we stood then, how we stand now, and let us find out at the election in November whether the people propose to repudiate this doctrine as they did then.

The matter referred to is as follows:

OSTEND MANIFESTO.

AIX-LA-CHAPELLE, *October 18, 1854.*

SIR: The undersigned, in compliance with the wish expressed by the President in the several confidential dispatches you have addressed to us, respectively, to that effect, have met in conference, first at Ostend, in Belgium, on the 9th, 10th, and 11th instant, and then at Aix-la-Chapelle, in Prussia, on the days next following, up to the date hereof.

There has been a full and unreserved interchange of views and sentiments between us, which we are most happy to inform you has resulted in a cordial coincidence of opinion on the grave and important subjects submitted to our consideration.

We have arrived at the conclusion and are thoroughly convinced that an immediate and earnest effort ought to be made by the Government of the United States to purchase Cuba from Spain at any price for which it can be obtained, not exceeding the sum of $——.

The proposal should, in our opinion, be made in such a manner as to be presented through the necessary diplomatic forms to the supreme constituent Cortes about to assemble. On this momentous question, in which the people both of Spain and of the United States are so deeply interested, all our proceedings ought to be open, frank, and public. They should be of such a character as to challenge the approbation of the world.

We firmly believe that in the progress of human events the time has arrived when the vital interests of Spain are as seriously involved in the sale as those of the United States in the purchase of the island, and that the transaction will prove equally honorable to both nations.

Under these circumstances we can not anticipate a failure unless possibly through the malign influence of foreign powers who possess no right whatever to interfere in the matter.

We proceed to state some of the reasons which have brought us to this conclusion, and, for the sake of clearness, we shall specify them under two distinct heads:

1. The United States ought, if practicable, to purchase Cuba with as little delay as possible.

2. The probability is great that the Government and Cortes of Spain will prove willing to sell it, because this would essentially promote the highest and best interests of the Spanish people.

Then, 1. It must be clear to every reflecting mind that, from the peculiarity of its geographical position, and the considerations attendant on it, Cuba is as necessary to the North American Republic as any of its present members, and that it belongs naturally to that great family of States of which the Union is the protectoral nursery.

From its locality it commands the mouth of the Mississippi and the immense and annually increasing trade which must seek this avenue to the ocean.

On the numerous navigable streams, measuring an aggregate course of some 4000 miles, which disembogue themselves through this magnificent river into the Gulf of Mexico, the increase of the population within the last ten years amounts to more than that of the entire Union at the time Louisiana was annexed to it.

The natural and main outlet to the products of this entire population, the highway of their direct intercourse with the Atlantic and the Pacific States, can never be secure, but must ever be endangered while Cuba is a dependency of a distant power, whose possession it has proved to be a source of constant annoyance and embarrassment to their interests.

Indeed, the Union can never enjoy repose nor possess reliable security as long as Cuba is not embraced within its boundaries.

Its immediate annexation by our Government is of paramount importance, and we can not doubt but that it is a consummation devoutly wished for by its inhabitants.

The intercourse which its proximity to our coasts begets and encourages between them and the citizens of the United States has, in the progress of time, so united their interests and blended their fortunes that they now look upon each other as if they were one people and had but one destiny.

Considerations exist which render delay in the acquisition of this island exceedingly dangerous to the United States.

The system of immigration and labor lately organized within its limits and the tyranny and oppression which characterize its immediate rulers threaten an insurrection at every moment which may result in direful consequences to the American people.

Cuba has thus become to us an unceasing danger and a permanent cause of anxiety and alarm.

But we need not enlarge on these topics. It can scarcely be apprehended that foreign powers, in violation of international law, would interpose their influence with Spain to prevent our acquisition of the island. Its inhabitants are now suffering under the worst of all possible governments—that of a absolute despotism—delegated by a distant power to irresponsible agents, who are changed at short intervals, and who are tempted to improve the brief opportunity thus afforded to accumulate fortunes by the basest means.

As long as this system shall endure humanity may in vain demand the suppression of the African slave trade in the island. This is rendered impossible whilst that infamous traffic remains an irresistible temptation and a source of immense profit to needy and avaricious officials, who to attain their ends scruple not to trample the most sacred principles under foot.

The Spanish Government at home may be well disposed, but experience has proved that it can not control these remote depositaries of its power.

Besides, the commercial nations of the world can not fail to perceive and appreciate the great advantages which would result to their people from a dissolution of the forced and unnatural connection between Spain and Cuba and the annexation of the latter to the United States. The trade of England and France with Cuba would in that event assume at once an important and profitable character, and rapidly extend with the increasing population and prosperity of the island.

2. But if the United States and every commercial nation would be benefited by this transfer, the interests of Spain would also be greatly and essentially promoted.

She can not but see what such a sum of money as we are willing to pay for the island would effect in the development of her vast natural resources.

Two-thirds of this sum, if employed in the construction of a system of railroads, would ultimately prove a source of greater wealth to the Spanish people than that opened to their vision by Cortez. Their prosperity would date from the ratification of the treaty of cession.

France has already constructed continuous lines of railways from Havre, Marseilles, Valenciennes, and Strasbourg, via Paris, to the Spanish frontier, and anxiously awaits the day when Spain shall find herself in a condition to extend these roads through her northern provinces to Madrid, Seville, Cadiz, Malaga, and the frontiers of Portugal.

This object once accomplished Spain would become a center of attraction for the traveling world, and secure a permanent and profitable market for her various productions. Her fields, under the stimulus given to industry by remunerative prices, would teem with cereal grain, and her vineyards would bring forth a vastly increased quantity of choice wines. Spain would speedily become what a beautiful Peninsula intended she should be, one of the first nations of continental Europe in wealth, power, and civilization.

What two-thirds of the price of the island would be among for the completion of her most important public improvements can not, with the remaining forty millions satisfy the immediate pressure of her present creditors, or create a sinking fund which would gradually remove her financial overwhelming debt now paralyzing her energies.

Such is her present wretched financial condition that her best bonds are sold upon her own bourse at about one-third of their par value; while another class on which she pays no interest, have but a nominal value, and are quoted at about one-sixth of the amount for which they were issued. Besides these latter are held principally by British creditors who may force, day to day, obtain the effective interposition of their own Government for the purpose of enforcing payment. Intimations to that effect have been made. The acquisition of Cuba would remove at once every cause of apprehension, and enable Spain to provide for such exigencies. It is not improbable that they may be resisted. Should Spain reject the present golden opportunity for developing her resources and removing her financial embarrassments, it might never again return.

Cuba, in its palmiest days, never yielded her exchequer after defraying the expenses of her government, after defraying a clear annual income of more than a million and a half of dollars. These expenses have increased to such a degree as to leave a deficit chargeable on the treasury of Spain to the amount of $600,000.

In a pecuniary point of view, therefore, the island is an incumbrance instead of a source of profit to the mother country.

Under no probable circumstances can Cuba ever yield to Spain 1 per cent on the large amount which the United States are willing to pay for its acquisition. But Spain is in imminent danger of losing Cuba without remuneration.

Extreme oppression, it is now universally admitted, justifies any people in endeavoring to release themselves from the yoke of their oppressors. The sufferings which transcript, arbitrary, and unrelenting local administration necessarily entails upon the inhabitants of Cuba can not fail to stimulate and keep alive that spirit of resistance and revolution against Spain which has in late years been so often manifested. In this condition of affairs it is vain to expect that the sympathies of the people of the United States will not be warmly enlisted in favor of their oppressed neighbors.

We know that the President is justly inflexible in his determination to execute the neutrality laws; but should the Cubans themselves rise in revolt against the oppression which they suffer, no human power could prevent citizens of the United States and liberal-minded men of other countries from rushing to their assistance. Besides, the present is an age of adventure, in which restless and daring spirits abound in every portion of the world.

It is not improbable, therefore, that Cuba may be wrested from Spain by a successful revolution, and in that event she will lose both the island and the price which we are now willing to pay for it—a price far beyond what was ever paid by one people to another for any province.

It may also be remarked that the settlement of this vexed question by the cession of Cuba to the United States would forever prevent the dangerous complications between nations to which it may otherwise give birth.

It is certain that, should the Cubans themselves organize an insurrection against the Spanish Government and should other independent nations come to the aid of Spain in the contest, no human power could, in our opinion, prevent the people and Government of the United States from taking part in such a civil war in support of their neighbors and friends.

But if Spain, deaf to the voice of her own interest, and actuated by stubborn pride and a false sense of honor, should refuse to sell Cuba to the United States, then the question will arise, What ought to be the course of the American Government under such circumstances?

Self-preservation is the first law of nature, with states as well as with individuals. All nations have at different periods acted upon this maxim. Although it has been the pretext for committing flagrant injustice, as in the partition of Poland and other similar cases which history records, yet the principle itself, though often abused, has always been recognized.

The United States has never acquired a foot of territory except by fair purchase or, as in the case of Texas, upon the free and voluntary application of the people of that independent State, who desired to blend their destinies with our own.

Even our acquisitions from Mexico are no exception to this rule, because, although we might have claimed them by the right of conquest in a just war, yet we purchased them for what was then considered by both parties a full and ample equivalent.

Our past history forbids that we should acquire the island of Cuba without the consent of Spain, unless justified by the great law of self-preservation. We must, in any event, preserve our own conscious rectitude and our own self-respect.

Whilst pursuing this course we can afford to disregard the censures of the world, to which we have been so often and so unjustly exposed.

After we shall have offered Spain a price far in excess of all the said its present value, and this shall have been refused, it will then be time to consider the question, Does Cuba in the possession of Spain seriously endanger our internal peace and the existence of our cherished Union?

Should this question be answered in the affirmative, then, by every law, human and divine, we should be justified in wresting it from Spain if we possess the power; and this upon the very same principle that would justify an individual in tearing down the burning house of his neighbor if there were no other means of preventing the flames from destroying his own home.

Under such circumstances we could neither stop to count the cost nor regard the odds which Spain might enlist against us. We forbear to enter the question whether the present condition of the island would justify such a measure. We should, however, be recreant to our duty, be unworthy of our gallant forefathers, and commit base treason against our posterity, should we permit Cuba to be Africanized and become a second Santo Domingo, with all its attendant horrors to the white race, and suffer the flames kindled in our own neighboring shores, seriously to endanger or actually to consume the fair fabric of our Union.

We fear that the course and current of events are rapidly tending toward such a catastrophe. We, however, hope for the best, though we ought certainly to be prepared for the worst.

We also forbear to investigate the present condition of the questions at issue between the United States and Spain. A long series of injuries to our people have been committed in Cuba by Spanish officers, and are unredressed. But recently a most flagrant outrage on the rights of American citizens and on the flag of the United States was perpetrated in the harbor of Habana under circumstances which, without immediate redress, would have justified a resort to measures of war by any nation of no small honor. That outrage is not only unatoned, but the Spanish Government has not even disavowed the acts of its subordinates and assumed the responsibility attaching to them.

Nothing could more impressively teach us the danger to which these peaceful relations it has ever been the pride of this Union to maintain with foreign nations are constantly exposed than the circumstances of that case. Situated as Spain and the United States are, the latter have forborne to resort to extreme measures.

But the outrage can not, with due regard to their own dignity as an independent nation, continue long, and our diplomatic papers, now published, are destined by the first vessel that the command of the United States with sufficient as heretofore to show as I have suggested, to be the only alternative of settling an past differences and of securing the two countries against future outrages.

We have already witnessed the happy results for both countries which followed a similar arrangement in regard to Florida.

Yours, very respectfully,

JAMES BUCHANAN.
J. Y. MASON.
PIERRE SOULÉ.

Hon. WM. L. MARCY, *Secretary of State.*

Mr. TELLER. Mr. President, I do not intend to detain the Senate for any length of time, but the remarkable speech of the Senator from Connecticut [Mr. PLATT] I think calls for a very short reply.

The Senator started out this afternoon with the declaration, as I understood him, and if I misstate him he will correct me, that but for politics there would be no criticism of this act.

Mr. President, that is within the proprieties of debate; I know there are precedents for that kind of language, but it goes further than anything that has been said heretofore during this debate. I am not one to contend that a Senator may not express himself as he feels, provided, of course, that he keeps within reasonable limits.

The Senator's attitude is that if an act has been done that can not be undone then you are bound to keep your mouth shut, and that any criticism of that act, because you can not undo the evil, is uncalled for and not justified.

Mr. President, that is not the law which governs this body.

That is not the law which governs honest discussion amongst men anywhere. It may be, and undoubtedly from a practical standpoint it is, that we can not undo what the President has done, but does it follow that we can not complain? Does it follow that we may not enter a protest in becoming language and in becoming spirit against what we think is a violation of international law, and setting a precedent that some of us, at least, believe will rise up to trouble us in the immediate and distant future alike?

Mr. President, in my judgment there has never been anything done in the diplomatic affairs of this nation so dangerous and so threatening as that. The Senator asks if Senators do not understand that if there was an offense in the President when he recognized Panama, twenty other great nations of the world have committed the same offense? It is not my province to complain particularly here of the great nations of the world.

But, Mr. President, as I said the other day, every evil precedent, every violation of international law, every violation of constitutional law, will be followed by a greater violation of the law and the Constitution, and the first violation will be quoted as a precedent. You have got it now, for twenty nations have followed our act.

When it comes to a question of propriety or of law, there is some distinction between the action of Great Britain and France and the action of this Government, not only because of our particular relations with Colombia, but from the fact that it has been the universal practice among the nations of the earth when some great, leading nation has recognized another nation that other nations should follow. That was the case when the South American people were left to contest with Spain for more than ten years. When we recognized them, then other nations, who had refused up to that time to do so, followed our example.

The Senator from Connecticut complains that there have been criticisms of the President, and, he says, some brutal criticisms of the President, and sometimes thinly veiled criticisms of the President. I have criticised the President. I can not contend with my associates in this Chamber that an act is unlawful without a criticism of the President; but I certainly have never been guilty of any infraction of the decencies of debate in that contention, unless when the President has done an illegal act it is contended that I am to sit here for fear of Presidential disfavor or the disfavor of my associates in this Chamber if I should differ with the President. I have not myself reached the point where I believe the King can do no wrong. I have not reached the point here, and I thank God I never did reach it in my political life, when I would refrain from expressing my judgment upon an act of the Executive because he happened to be the President I helped to elect.

Mr. President, if I should retort, as I might justly retort to the Senator from Connecticut, it certainly would not be more offensive than he has been if I should say if the President did not bring his political influence to bear upon this Senate this treaty would never be heard of. I have not said that, Mr. President.

The Senator from Connecticut asks what are Senators going to do about it? Why, Mr. President, that is none of his business. What right has he to ask me what I am going to do about it? But I have never been afraid, in public life, to take the consequences of my acts or the logical conclusions of my declarations. I stated here the other day on the floor of the Senate what I was going to do. I am going to vote against this treaty. I am not going to vote against it because I am opposed to a ship canal, although I am, and everybody here has known for twenty years that I was. I am not going to vote against it because I think Nicaragua would be a better route; but I am going to vote against it because it was inaugurated by a body that is not entitled by the universal recognition of mankind heretofore to be intrusted with the power to make a treaty with us concerning that land. It may make it, Mr. President, in the cold letter of the law; it may be, since twenty nations have recognized that nation, that it will be recognized in the future by the world as a government, and that our Government, having treated with it, it will become a fixed fact that we shall build a canal under that treaty.

Mr. President, when that treaty shall be ratified, as the Senator from Connecticut tells us it will be—and I have no doubt it will—when that treaty shall be ratified strictly and legally it will become a law of this country. We are not allowed, in the nature of things, to go back and to find out whether the first step in such an act was an illegal one or a legal one. When this Senate puts the imprint of its approval upon it it becomes the law of the land, and I shall do what every other citizen has to do—recognize it as the law of the land. What did the Senator suppose we were going to do?

I heard the other day a Senator, who is not within my eye at this moment, say that there had been incendiary remarks in this body touching this thing. Mr. President, I do not know what that means. I certainly have never heard that word applied before to members of this Senate. It certainly was not intended as a complimentary statement. It was accusatory; and it was accusatory because we dared to stand here on this floor and say we differed from the party in power; because we dared here to assert the right of freemen; and the Senator asks, "What are you going to do about it?" and says the President had the right under the law to do it.

The President does have the right to recognize a nation. Whatever may have been the doubts regarding that right originally, precedent and practice have given him that authority, and I have myself never disputed it. He could recognize a nation, but I repeat the law of the world requires him to wait until certain conditions exist, and then to proceed or not to proceed as he sees fit. If the President violates that law and proceeds to recognition, I admit that we are helpless. That is one of the misfortunes and one of the vices of unconstitutional acts and violations of the laws of the world. It is not any answer and it is not any defense to say, "You are helpless; you are bound; what we propose to do we can do, and what we propose to do we will do."

I will admit that the President could do it, and I have no question but that his act must be final, because the courts have said and again and again that the recognition of a government is a question not for the judicial department but for the political department of a government—a rightful decision. Mr. President, one of which I can not and of which no other man ought to complain.

But is the man who questions the virtue or the vices of an act to be answered by the statement, "Why, I have got the power." I remember the old Latin maxim, which I should not dare now to quote from memory, but I do remember the translation which has been given to the world—"Resolve not what you may do, but resolve what becometh you to do." It is not any answer to complain of the violation of a law even that it is left to the Executive to determine a state of facts. He must determine that state of facts carefully, honestly, justly, and righteously, or else he is open to criticism.

Mr. President, I have not heard any brutal attacks upon the President; I have not heard anything worse in criticism of him than I have repeatedly heard in this Chamber in relation to other Executives. I remember—and I can refer to the debates which took place in this Chamber—when men who were connected with the political party then in power said on this floor things infinitely worse about the then Executive than anybody has thought of saying here now. I recall that I sat in the Chamber of the House of Representatives on the day that the impeachment resolutions of Andrew Johnson passed through that body. It was an impeachment by men who were members of the political organization which had elected Mr. Johnson Vice-President, and thus made him President of the United States. I do not mean to say now, after so long a lapse of time, that I either agree or disagree with what was then done, but I know that then the right to criticise the Executive on this floor was not denied by the party then in power, which is the party that is now in power here.

I recall when that great soldier, General Grant, was President of the United States that on this floor not only men of the opposite party, but men of his own party, arraigned him before the bar of public opinion as not doing his duty as they saw it. No less a man than the greatest man, in my judgment, who ever sat in this Chamber from Massachusetts—Charles Sumner—stood here and complained of infractions of the law by the then President, whom he had helped to elect.

Mr. President, I shall ever maintain here while I stay here the right to criticise any man in public life, and I deny the right of any Senator to tell me, because I am helpless to cure a particular evil of which I may complain, that I must keep my seat.

The Senator from Connecticut has gone into details to defend the President's action in Panama; and amongst other things he has told us that General Torres threatened to kill all the American citizens there. The only authority for that statement is the authority of the prefect of that town, who went to Commander Hubbard and told him that such a threat had been made. Our consul there in his correspondence never made such a suggestion, and the same afternoon General Torres came to Commander Hubbard, who says he was in a very good frame of mind and very friendly, and made some suggestions to which Hubbard did not feel inclined to agree. I say there is no really good ground for making the statement that General Torres proposed at any time to commence an onslaught upon the citizens of the United States then temporarily on the Isthmus. I know very well what the Senator referred to, but if the statement had been true I think our consul would have heard of it. Such suggestions are made for the purpose of raising a prejudice to get rid of this controversy.

The Senator from Connecticut is an old and tried debater. He is full of the methods of forensic debaters. He takes his opponents, puts them on the stand, charges them with saying what no one of them has ever suggested, and then he appeals, "Is there anybody here who will say that it is right or that it is wrong?" The Senator asks, "Will anybody say that he did not have the right

to send our ships there?" Why, Mr. President, no man made any such statement on this floor. When the question was asked me by the Senator from Wisconsin [Mr. SPOONER], I answered frankly that the President had the right to send the ships there. I never complained of his sending them there. What I have complained of was the impression which went out there from the utterances of the President—I mean official utterances—saying to the commanders of the ships there practically that there should be no interference with the revolution, if a revolution should be attempted.

Mr. President, I am not so ignorant of international law that I do not know that we have a right to send our ships down to the Isthmus and to put our marines on the shore there, treaty or no treaty, if American interests demand their protection. I do not know where the authority comes from, but I know the practice is a universal one, which every nation in the world is now following, except in a few instances. It never has been done with any of the great nations of the world. I do not suppose anybody would attempt it with Great Britain. I suppose if there should be an emeute, an insurrection, in London, that nobody would think of landing marines there.

Mr. President, this doctrine has grown up in modern times, first, that such interference was proper in dealing with certain classes of nations, those who were not able to protect themselves, and who were likely to commit violence on foreigners in their ports. We have extended this doctrine now practically to the world. Has anybody here denied that right?

Then the Senator says we had another illustration of what the President may do—that he may send soldiers to China. Mr. President, there is not any authority of law anywhere for the President to send troops to China—I mean direct authority of law. It is one of those things which I think are included in the Paesident's oath to take care of the great interests of the American people. Mr. Buchanan, whose authority the Senator from Connecticut presented here, declared that there was no authority to land troops on the Isthmus either by treaty or otherwise, and yet he declared, before he concluded, that if necessity required it would be done without reference to the law.

No man can find a letter or a word anywhere which will justify the sending of troops to China. Mr. President, if I had been President of the United States, I would have done exactly what the Executive did. I would have sent the troops there and have taken the chances of criticism, perhaps. After all, it was the proper thing to do, and I have never heard a word of criticism against that act anywhere, certainly not in this Chamber in this debate.

Why does the Senator drag that in? He drags it in because he is not satisfied with his own case and wants to make a different case and attack that. It is the custom of debaters to do that. I remember that away back in the classic days Cicero was complained of in that respect, and perhaps every other great orator has been. But, after all, it is not quite a fair way to debate a great question involving so much as this does.

I despair by anything that I could say in this debate of influencing anybody. But there is one thing which the Senator from Connecticut said to which I want to call attention, and then I shall suspend. He said that we complained that a great wrong had been done. He denied that. I expected he would. He then said:

> What is to be done? What will Senators do then? The Senator from Colorado is very frank about it. He would withdraw the ships of the United States which now patrol the waters of the Isthmus of Panama. Would any other Senator do it?

Mr. President, if I thought we could accomplish it, I would be in favor of doing that thing, but I would not withdraw the ships from Panama until we had at least made some arrangement by which there should be no fighting on the Isthmus. I believe that we are responsible to-day for that Government down there. I do not say that the President has taken any hand in it, but I do believe the influence of the Americans connected with that transaction has brought about that condition.

As I said the other day, Mr. Amador—and he was one of the originators of the revolution—declared publicly in the United States that but for the fact that the people of Panama knew the Government of the United States would assist them they would not have entered into the revolution; and when the other day they had their so-called convention, in which they started out to get a constitution, one of the prime movers said in the convention: "We are secure; we have back of us the great people of the United States."

Mr. President, I would not leave the people of Panama to the tender mercies of Colombia; but I would say to them and say to Colombia: "We restore the condition that existed on the 2d day of November, and we will bid you keep your hands off Panama. Then we will enter into some kind of an arrangement by which we will determine what our rights shall be and what yours are."

I am not complaining of the great amount of money that an isthmian canal is going to cost. As I said the other day, if the people want it they are able to build it, and if they throw the money into the sea it is their business; but I think a great enterprise that will command, if it is successful, the admiration of mankind and be a work that nothing in the history of the world has equaled might be carried on by this Government in such a way that, when we complete it, we should have no feeling that we had transcended the proprieties or the decencies of the relation that ought to exist between Colombia and us. If this Administration had come here with a request for a great appropriation for the purpose of composing that difficulty, I am one that would vote for it.

The Senator says that this is an attempt not to have the canal on the Panama route. The President said if we did not get a canal on the Panama route, then we should get none at all. That declaration is equivalent to saying that the opposition here is because we do not want any canal. Mr. President, if my vote would defeat the canal, I should give it without the slightest hesitation.

Mr. SPOONER. Any canal?

Mr. TELLER. I mean any canal, unless it be a tide-water canal. I should have to think. I should have to look into that; but we have no promise yet of that kind of a canal. If the question was between a lock canal and a tide-water canal, I should vote for a tide-water canal.

I am receiving from the people of Colorado petitions, not to be presented to the Senate, asking me not to oppose the canal; but I believe that the public sentiment of the people of the United States is in favor of the canal. I shall vote against the treaty. As I said the other day, I shall not attempt in the slightest degree to postpone, hinder, or delay this work; but I hope in some way I may be allowed to satisfy my associates in this Chamber that I am expressing to them frankly my opinion on this question, and not hiding behind something and concealing something, professing one thing and doing another. I do not like to have the Senator from Connecticut or anybody else say that I, as a Senator on this floor, would have been silent if it had not been that I sit on this side of the Chamber.

Mr. President, the temptation is great to say some other things before I sit down, but I shall resist it. I have discharged the duty that is incumbent upon me here as a Senator. I have expressed my opposition to this measure; I have expressed my fear of the result, and I have done. I believe, what becometh me to do in this matter. Having so done, I leave it to the party in power—not, however, Mr. President, because they have any greater responsibility in the matter than I have.

Mr. DOLLIVER. Mr. President——

Mr. CULLOM. Does the Senator want to take the floor for the purpose of making a speech?

Mr. DOLLIVER. I desire to make a few remarks.

Mr. CULLOM. If the Senator would just as lief go on to-morrow morning, I think there ought to be an executive session, and I will make such a motion, by his leave.

The PRESIDENT pro tempore. Does the Senator from Iowa yield for that purpose?

Mr. DOLLIVER. I do.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. TILLMAN. Will the Senator withhold his motion for one minute?

Mr. CULLOM. I withdraw the motion temporarily.

RECESS APPOINTMENTS.

Mr. TILLMAN. I want to give notice that immediately after the routine business to-morrow morning I shall ask permission to address the Senate very briefly in regard to a resolution as to what constitutes a recess, which I introduced here long before the holidays, and which I have been trying to get an opportunity to have acted upon. I shall endeavor to call it up just as soon as we get through with the morning business and try to get rid of it.

EXECUTIVE SESSION.

Mr. CULLOM. I now renew my motion for an executive session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twelve minutes spent in executive session the doors were reopened, and (at 4 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 22, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 21, 1904.

APPOINTMENTS IN THE MARINE CORPS.

William P. Upshur, of Virginia.
Lovick P. Pinkston, of Texas.
Arthur P. Crist, of District of Columbia.
Edward W. Banker, of New York.
William E. Parker, of Rhode Island.
William M. Small, of Maryland.
Epaminondas L. Bigler, of Ohio.
Robert B. Farquharson, of Vermont.
Charles R. Sanderson, of District of Columbia.
Walter N. Hill, of Massachusetts.
Tillman Bunch, of South Carolina.
Benjamin S. Berry, of Pennsylvania.
Russell B. Putnam, of New York.
Benjamin A. Lewis, of New York.

APPOINTMENTS IN THE NAVY.

Ben D. McGee, of Ohio.
William H. F. Simonpietri, of New York.
Neal B. Farwell, of Minnesota.
Reginald Spear, of Pennsylvania.

POSTMASTERS.

ARIZONA.

George W. Dietz to be postmaster at Congress, in the county of Yavapai and Territory of Arizona. Office became Presidential January 1, 1904.

CONNECTICUT.

Augustus G. Ising to be postmaster at Danbury, in the county of Fairfield and State of Connecticut, in place of Augustus G. Ising. Incumbent's commission expired January 17, 1904.

ILLINOIS.

August J. Beger to be postmaster at Nauvoo, in the county of Hancock and State of Illinois, in place of August J. Beger. Incumbent's commission expires January 29, 1904.

Anna A. Buntin to be postmaster at Bushnell, in the county of McDonough and State of Illinois, in place of Henry S. Buntin, deceased.

Eugene L'Hote to be postmaster at Milford, in the county of Iroquois and State of Illinois, in place of Eugene L'Hote. Incumbent's commission expires March 3, 1904.

INDIANA.

Charles E. Disbro to be postmaster at Greentown, in the county of Howard and State of Indiana, in place of Amos A. Covalt. Incumbent's commission expired December 19, 1903.

KANSAS.

Henry S. Mueller to be postmaster at Sedgwick, in the county of Harvey and State of Kansas, in place of Henry S. Mueller. Incumbent's commission expired January 17, 1904.

MAINE.

Clark H. Barker to be postmaster at Portland, in the county of Cumberland and State of Maine, in place of Clark H. Barker. Incumbent's commission expires February 2, 1904.

Arthur A. Dinsmore to be postmaster at Dover, in the county of Piscataquis and State of Maine, in place of Arthur A. Dinsmore. Incumbent's commission expired January 18, 1904.

MASSACHUSETTS.

William H. Coffey to be postmaster at Tufts College, in the county of Middlesex and State of Massachusetts, in place of William H. Coffey. Incumbent's commission expires February 2, 1904.

MICHIGAN.

Fred Slocum to be postmaster at Caro, in the county of Tuscola and State of Michigan, in place of Fred Slocum. Incumbent's commission expires February 2, 1904.

MISSOURI.

James M. Freeman to be postmaster at Shelbyville, in the county of Shelby and State of Missouri. Office became Presidential January 1, 1904.

Isaac V. McPherson to be postmaster at Aurora, in the county of Lawrence and State of Missouri, in place of McCord L. Coleman, resigned.

William E. Osterwald to be postmaster at Festus, in the county of Jefferson and State of Missouri. Office became Presidential April 1, 1903.

Clarence M. Zeigle to be postmaster at Bunceton, in the county of Cooper and State of Missouri. Office became Presidential January 1, 1904.

NEBRASKA.

John H. Crowder to be postmaster at Gordon, in the county of Sheridan and State of Nebraska, in place of John H. Crowder. Incumbent's commission expires February 5, 1904.

Henry E. Palmer to be postmaster at Omaha, in the county of Douglas and State of Nebraska, in place of Joseph Crow. Incumbent's commission expired December 14, 1903.

NEW JERSEY.

R. Frank Treweeke to be postmaster at Butler, in the county of Morris and State of New Jersey. Office became Presidential January 1, 1904.

NEW YORK.

Dudley S. Mersereau to be postmaster at Union, in the county of Broome and State of New York, in place of Dudley S. Mersereau. Incumbent's commission expired January 18, 1904.

NORTH CAROLINA.

Franklin A. Barkley to be postmaster at Lincolnton, in the county of Lincoln and State of North Carolina, in place of Franklin A. Barkley. Incumbent's commission expired January 28, 1903.

William J. McDaniel to be postmaster at Rutherfordton, in the county of Rutherford and State of North Carolina. Office became Presidential January 1, 1904.

NORTH DAKOTA.

Henry Engelter to be postmaster at New Salem, in the county of Morton and State of North Dakota. Office became Presidential January 1, 1904.

PENNSYLVANIA.

Samuel G. Wilson to be postmaster at Bridgeport, in the county of Montgomery and State of Pennsylvania, in place of Samuel G. Wilson. Incumbent's commission expired January 18, 1904.

RHODE ISLAND.

Eugene R. Phillips to be postmaster at Phillipsdale, in the county of Providence and State of Rhode Island, in place of Eugene R. Phillips. Incumbent's commission expired January 8, 1904.

TENNESSEE.

Leander W. Dutro to be postmaster at Memphis, in the county of Shelby and State of Tennessee, in place of Leander W. Dutro. Incumbent's commission expires February 5, 1904.

Edmund D. Hughes to be postmaster at Mountpleasant, in the county of Maury and State of Tennessee, in place of Edmund D. Hughes. Incumbent's commission expires February 2, 1904.

TEXAS.

William H. Bradley to be postmaster at Groveton, in the county of Trinity and State of Texas. Office became Presidential April 1, 1903.

VERMONT.

Mary W. Chase to be postmaster at Derby Line, in the county of Orleans and State of Vermont, in place of Mary W. Chase. Incumbent's commission expires February 2, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 21, 1904.

SURVEYOR-GENERAL OF MINNESOTA.

Eli S. Warner, of Minnesota, to be surveyor-general of Minnesota, his term having expired January 17, 1904.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

Second Lieut. William E. W. Hall to be a first lieutenant in the Revenue-Cutter Service of the United States.

COLLECTOR OF CUSTOMS.

William H. Jordan, of Massachusetts, to be collector of customs for the district of Gloucester, in the State of Massachusetts.

POSTMASTERS.

ILLINOIS.

Edward W. Hilker to be postmaster at Madison, in the county of Madison and State of Illinois.

Frederick H. Richardson to be postmaster at Tampico, in the county of Whiteside and State of Illinois.

Benjamin F. Shaw to be postmaster at Dixon, in the county of Lee and State of Illinois.

INDIANA.

Frank M. Pickerl to be postmaster at Argos, in the county of Marshall and State of Indiana.

MICHIGAN.

Edgar B. Gregory to be postmaster at Jonesville, in the county of Hillsdale and State of Michigan.

John P. Scott, jr., to be postmaster at Delray, in the county of Wayne and State of Michigan.

MINNESOTA.

Edward Chard to be postmaster at Belleplaine, in the county of Scott and State of Minnesota.

William R. Edwards to be postmaster at Tracy, in the county of Lyons and State of Minnesota.

Warren D. Harden to be postmaster at Le Roy, in the county of Mower and State of Minnesota.

WISCONSIN.

Horace J. Blanchard to be postmaster at Colby, in the county of Marathon and State of Wisconsin.

Albert L. Fontaine to be postmaster at Grand Rapids, in the county of Wood and State of Wisconsin.

Ashley S. Higgins to be postmaster at Markesan, in the county of Green Lake and State of Wisconsin.

Joseph E. Parry to be postmaster at Florence, in the county of Florence and State of Wisconsin.

Theodore Riel to be postmaster at Burlington, in the county of Racine and State of Wisconsin.

Charles W. Tyler to be postmaster at Mellen, in the county of Ashland and State of Wisconsin.

Lansing A. Wilcox to be postmaster at Cadott, in the county of Chippewa and State of Wisconsin.

Buck Williams to be postmaster at Iola, in the county of Waupaca and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 21, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Tuesday, January 19, 1904, was read and approved.

COMMITTEE ON MINES AND MINING.

Mr. BROWN of Wisconsin. Mr. Speaker, I ask unanimous consent that the Committee on Mines and Mining be allowed to print the proceedings already had on the mining-school bill.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the Committee on Mines and Mining be granted leave to print the hearings already had upon the mining-school bill. Is there objection? [After a pause.] The Chair hears none.

HORSES AND CARRIAGES AT GOVERNMENT EXPENSE.

Mr. GARDNER of New Jersey. Mr. Speaker, the Committee on Labor, to whom was referred House resolution No. 145, report the same back by substitute, and recommend the passage of the substitute.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the Secretary of Commerce and Labor be and he is hereby requested to furnish to this House, at his earliest convenience, a statement showing the number of horses, carriages, and automobiles maintained at Government expense for the use of officials in his Department, together with a statement showing the cost of said horses, carriages, automobiles, and harness and the amount of wages paid to menials, drivers, coachmen, footmen, and chauffeurs, stating in each case the place in such or in some other convenient form also, the list of officials entitled to the use of said carriages.

The following amendments were recommended by the committee:

In line 7, after the word "harness," insert the words "the date of purchase from whom and the price paid when the payment was made"; also, after the word "carriages," in line 10, insert "and the date when such service was inaugurated."

The SPEAKER. The question is on agreeing to the amendments recommended by the committee.

The question was taken, and the amendments were agreed to.

The resolution was agreed to.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 1[illegible]) making appropriations for the support of the Army, and for other purposes. And pending that I desire to state that the Committee on Military Affairs this morning agreed to not exceeding two hours and one-half debate on each side; the chairman of the committee to control one half, and the gentleman from New York [Mr. SULZER] to control the other half.

The SPEAKER. The gentleman from Iowa, chairman of the Committee on Military Affairs, asks unanimous consent that there may be not exceeding two hours and one half debate on each side, and that the chairman of the committee shall control one half and the gentleman from New York [Mr. SULZER] control the other half for the minority. Is there objection? [After a pause.] The Chair hears none.

The motion of Mr. HULL was then agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of H. R. 1[illegible], the Army appropriation bill.

Mr. HULL. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL. Mr. Chairman, the report of the committee sets out in full detail all new legislation proposed in the bill. If the Members will examine the report, they will see that it sets out very fully and now legislation proposed to be enacted in the bill. The only new legislation of any letter since reports to the committee of what is left of the Adjutant-General's Bureau with the Record and Pension Bureau, to constitute a new bureau of the War Department, to be known as the "Military Secretary's Bureau." The reasons for that legislation are set out very fully in the report of the Secretary of War in transmitting the bill to Congress, which is printed as a part of the report of the committee. I think any one reading the bill will readily see that it is in the interest of good administration to consolidate these two bureaus. The Secretary of War, soon to retire, has probably been more persistent and efficient in urging and securing the passage of legislation improving the Army than any Secretary the Government has ever had.

While as chairman of the committee I have some doubts as to all of the legislation we have enacted standing the test of experience, I have no doubt but the result, the legislation he has advocated as an entirety, will be good for the country and the Army. Nothing but time and experience can demonstrate the wisdom of some of the legislation recently enacted. In his estimate this year he has so cut down the estimates of the different bureaus as to make the saving by Congress of a smaller amount than ordinarily comes to us, and we have only been able to lop off or prune down the estimates some $8,000,000.

We have taken one new feature in the bill. You all remember when the militia act was passed section 15 provided that appropriations for the militia should be made in the army appropriation bill. The maneuvers that were had the past year were paid for from the army appropriations, so that the country at large and the Congress of the United States could not determine what was expended for militia and what was expended for the regular establishment. The committee this year have segregated the items and allowed for the militia the amount that the Department estimated would be necessary, and provided that all expenses for the militia in participating in the maneuvers in the different parts of the country should be paid from this appropriation for the militia, and that the War Department must report in detail to Congress at the next session the amount of money it used for such purpose. That was done so that the people and the Congress of the United States might always know what had been used for the different arms of the service, for the regular establishment, and what is called the "militia" or "National Guard" establishment of the country.

We have done one other thing. We have so changed the law in regard to the disbursements of the Government for the Army that they must not lap over one upon another to the extent that they have heretofore, and must be reported in detail, so that if there is a shortage in appropriation they must come to Congress and ask for the additional money, in place of using one appropriation to carry on another and different expenditure of the Government. I think, though, these are the only material changes in the bill.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. HULL. I yield.

Mr. ROBINSON of Indiana. I only interrupt the gentleman at this time to avail myself of his superior information with reference to the army appropriation bill and the administration it supports. I desire to ask him if he can give me about the figures of the amounts expended in scientific research, investigation, and operation of the subject of aerial navigation last year?

Mr. HULL. Mr. Chairman, I am very glad to say to the gentleman from Indiana that the Committee on Appropriations can undoubtedly give that information, as no part of the army appropriation was used for that purpose.

Mr. ROBINSON of Indiana. Then, I am informed by the gentleman that no part of the appropriations carried on the army bill last year was made use of for the purpose I suggest.

Mr. HULL. That is my understanding. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. PARKER], a member of the committee, and will make my explanations of the bill in detail when we consider the various appropriations under the five-minute rule.

Mr. PARKER. Mr. Chairman, the retirement in a few days of Secretary of War Root as we now have marks an epoch in the organization and efficiency of the Army of the United States. It may well be said that since the outbreak of the Spanish war that Army has been reorganized. That reorganization has been accomplished chiefly through the efforts of the gentleman who now bears the respect and admiration of everyone everywhere; our Secretary of War, Elihu Root—great as a lawyer, great as a statesman, great as a diplomat, as shown in the last treaty with respect to Alaska, great in detail, great in principle, perhaps greatest in a rapier-like quickness of comprehension and of wit to quick answer his opponent; the heart and soul of everyone he speaks to, great in his energy and earnestness—a man whom we all lament when he has to leave the Army that he has served so well. When he took his place he announced to the country that he had taken a retainer from the Army and would stand by that interest, and nobly has he done so.

[illegible] the changes of this reorganization is also due to others. We of this House can not forget the painstaking service of the committee of which I have the honor to be a member, the ability of its chairman, the peace that has prevailed within it, and the one hand that has always existed there between members of both parties, so that politics in the management of the Army has never gained even an entering wedge. We can not forget the services of the Senate and of its committee. We can not forget that these great reforms were first instituted under that President who was a man of peace and hated war, but who, when war broke out, was

the greatest Commander in Chief that this country has perhaps ever known, carrying on that war in two hemispheres, making it in a sickly season, and ending it all within a few days. We can not forget the earnest interest that our present President now takes in all matters affecting the Army. But to whomsoever the credit is due, this bill, taken line by line, represents the growth of a reorganization which, in my judgment, has kept almost all that was good in the past and which has brought in so many new things that are good that to read the bill is only to enumerate them.

Mr. Chairman, when the Spanish war broke out we had an army limited to a certain small number of men to each company. We readopted the plan that had been used at the time of the Mexican war, but forgotten, of allowing the number of each company to vary according to the needs of the country, so that the Army may be a body of one number in time of peace and double that number in time of war or in anticipation of war. By this plan new recruits go alongside of the old men who have experience. Thus we do not send an untried army of untried men and untried officers into the field, but an army in which the new men work alongside of veterans, under officers who understand their business. In that one thing we revolutionized the Army.

The war developed the faults of our staff system, and the first appropriation here is for contingencies of the Army, including the office of the General Staff. We found a President, as Commander in Chief, and a Secretary of War, a civilian, with an office, but that the bureaus of the Department were so separated that it was almost impossible to bring their work together so as to be sure that the Quartermaster-General knew where supplies were going to be needed according to the orders which sent forth troops or that the Commissary-General should know what could be carried by the Quartermaster-General.

All this work had to be done by and pass through one man. The great work that we have done as to the Army, the greatest improvement of all and the most recent, is indicated in the first items of the bill, in which provision is made for the Army War College, for the General Staff, and for the officers of the various departments who are detailed from the line of the Army. This change was made only last year by an act that altered the whole organization of those departments. They were once composed entirely of officers who had nothing more to do with the Army after they had once been put in their offices and become bound by the system of red tape which always must be found in offices. We now take line officers from the field and detail them so that they learn the business of the office, while at the same time they know the needs of the line and will do their best to supply them, even if they have to take responsibility.

And over all the departments we have placed the organization of the General Staff—officers detailed from the highest rank down to that of major and captain—to inform themselves about the needs of the country in time of war and to coordinate all the departments as if they were one. I find this stated best in the bill that established that staff:

The duties of the General Staff Corps shall be to prepare plans for the national defense and for the mobilization of the military forces in time of war; to investigate and report upon all questions affecting the efficiency of the Army and the state of preparation for military operations; to render professional assistance to the Secretary of War and to the chiefs of the other staff corps and bureaus; and to perform such duties as may be assigned to them by the President; and generally to assist the Secretary of War and the officers of the Army in the execution of all the military policies and plans approved by the President.

Under this General Staff or as part of its work we provide for the needs of an army war college, a school of submarine defense, United States service schools, an artillery school, a general service and staff college, and a school of application for cavalry and infantry. Education of the officers in the line of their duty is going on all the while, and it is by these new institutions that it is effected.

The next item of the bill (for the items of this bill, line by line, show the work that has been done) is for pay of officers of the line. And the first officer is a Lieutenant-General. It is only a fitting tribute to the great veteran of the civil war who then was the Major-General Commanding the Army, by giving him the rank that belonged to his position, of Lieutenant-General of the Armies of the United States. When the General Staff came in there were fit men to be his successors. There was General Young, also a veteran of the civil war, who had entered the service as a private. The office has now found General Chaffee, with a like distinguished record in both the civil and Spanish wars.

But the reorganization did more than merely create the position of Lieutenant-General. That office was old and had been held by various distinguished men for many years after the civil war. It had been abolished because it was found by experience that somehow or other the friction between the President as Commander in Chief and the Lieutenant-General as in command of the Army—the interference of functions which seemed to exist between those two officers wherever their opinions differed—was such as to hurt rather than help the Army. But in the last reorganization and in creating this position a wise plan has been adopted, avoiding all such difficulty, because under the present law the Chief of Staff, the Lieutenant-General and highest military officer, is not the general commanding the Army. That command belongs only to the President. When war arises, no other man can take the place of the Commander in Chief under the Constitution.

A military officer, purely military, can advise how best to meet any military problem; but he can not determine whether action is made necessary by other considerations. He can not determine whether there be danger of foreign complications, making immediate action necessary, which would be foolish except for that danger. A purely military officer can not determine whether the Treasury of the United States can afford to wait or whether it is safe to wait and run the risk of discussion and dispute among the people, which would hurt us elsewhere. He can not know how much the prestige of early success may be needed. He can not know what the naval exigencies are. There are various other matters which he can not know.

The responsibility for action in time of war must be placed beyond all question upon the one Commander in Chief. And we have so placed it. The Lieutenant-General, as Chief of Staff, now holds his office, not, as before, for life, but for a fixed term of years; and he may be replaced by another man at any time as Chief of Staff. He is not in command. He holds an entirely different position. He becomes the aid, the helper, the confidant, the chosen confidant, of the President. He brings him in touch with the Army, instead of holding an independent position. He takes most of the functions that formerly belonged practically to the Adjutant-General. He becomes the military secretary, advising the President and executing whatever the President may desire to accomplish, and as such he falls into his appropriate place. And this reform is part of the work that has been done and completed in the last year.

I have already referred to the pay of the enlisted men of all grades, and that we are able in time of peace to reduce our expenses, because we reduce our Army to a minimum. Last year we did more. The Army is nothing unless it be an army of marksmen. In the Navy the general power of the President to fix the pay is called into operation (for in the Navy pay is fixed by regulation and not by an act of Congress), and in the Navy they have long paid first-class gunners one sum and second-class gunners another. In the Army we last year for the first time allowed extra pay—small, it is true—of $1 a month to every expert with the rifle. And we have an amendment in this bill—subject to a point of order, as all these improvements have been, but a point which in my judgment no man in this House will raise—we have an amendment under this article of pay to give first-class gunners of field artillery $2 a month and second-class gunners $1 a month in addition to their regular pay.

Then comes the pay of the officers in the departments. Only an inspection of the list can show the marvelous change that has taken place in the officers of those departments. Formerly they were put into the department for life, sometimes being appointed from civil life, sometimes from the Army. Now, even at the end of one year of the workings of the new plan, more than half of the officers of those departments are detailed from the line for the period of four years to learn the general business of the departments and the general management of an army that can only be learned there or in assigned duty, and they go back at the end of that time to their regiments, carrying with them their experience and sending in their place practical men to carry out the same work and study the same problems.

Mr. Chairman, the next item upon this list is the pay of retired officers. It is a small item, but it is not a very large one. It is $2,[illegible] out of a total appropriation of some $[illegible]. I know there is a jealousy prevailing in the House and among the people at large with reference to the pay of retired officers. Mr. Chairman, there is no money so well spent as that which keeps good men in the Army, because they know that they will be cared for in their old age after they have served for salaries much less than those that the same skill and ability would command in private life. There is no money better spent than that which secures that result, and more especially as it enables you to do in an army what you could not do otherwise, namely, to get an officer off the active list and upon the retired list after he has done his work the moment that he gets to an age or to a state of health in which he will not do his work efficiently.

We do not suffer in the Army as you always do suffer in a department where there is no pension list. We are able to keep the officers young and active by taking care of those who have grown old in the service and promoting along the line. No army can be efficient and active, no officers will be ambitious who have not the chance of promotion when they do their duty. It is fair to

say to the House, however, that we stand in a peculiar position at the present time. In one day the retirement of fifteen officers was announced, only three days ago. Of the 112 brigadier and major generals on the retired list, there were some 40 who were retired last year within one year, and the reason for this comes from a state of affairs that is unique in the history of any army. Eight years ago every brigadier-general, every colonel, and almost every major, as well as a large majority of the captains, at least in the artillery, and some lieutenants of artillery, were actual veterans of a civil war which had ended thirty years before that time. Those officers did not want to retire, because they would get less pay upon retirement than in active service.

Our Army had been reduced in 1870 by striking off very many worthy officers from the list, until it was practically composed of the elite of the veterans of that civil war, who at the same time, by reason of that reduction, had no opportunity of proper promotion. An army of 25,000 men, such as we had in 1880 and up to a few years before the Spanish war, could only afford room for eight or nine brigades and eight brigadier-generals of the line and some two or three major-generals. An army such as we have now affords room for certainly double that number, besides the fact that we have given more rank to officers of the staff corps, and by reason of that fact these old veterans of the civil war, who had done their work in the Army for so many years, were getting less promotion than in any army in the world.

It was with the view of somehow equalizing their lot that President McKinley instituted the policy of allowing men to retire as brigadier-generals perhaps a little before the age at which they could be forced into retirement, in order to make room for new men to be promoted. The fifteen men who were retired the other day, the forty who were retired last year, and the others who have been retired since 1896 were all but one or two veterans of the civil war; and the retirements made with this increased grade were made in pursuance of a policy urged upon Congress by the President and his Secretary of War. President McKinley and President Roosevelt have both urged upon this Congress that they would only be doing justice if they allow to every veteran of the civil war who has served his country so many years at that time the opportunity to go upon the retired list with one increase of grade.

Partially this has been done since 1897 by promotion with immediate retirement, by which President McKinley and President Roosevelt practically have secured retirement with increased grade. After a while this process must stop, or rather it should stop when the last of the veterans of the civil war is to be retired. It has been my judgment that this promotion on retirement for civil-war veterans should be made a matter of law; that it ought to be made equal to all; that all officers who have by any chance missed that promotion—as it is obvious that they might, those veterans of the civil war—that all veterans of the civil war, either on the retired list or to be put upon the retired list, should have an increase of one grade, with the proviso that this is not to apply to officers who were promoted simply for the purpose of retirement, or within such a short period of, say, a few months, of the time for their retirement as shows that promotion was made with reference to retirement. The House has not thus far been willing to pass such an amendment, although it becomes more and more necessary in simple justice every year.

When we look at the retired list and see the men who were wounded during the civil war and have remained ever since as lieutenants upon that list, or when we look at those who a few years ago before this policy was instituted went out at a lower rank than they would if they could have stayed a little longer, and when we look at the fact that you can not always arrange this little matter of the appointment of a few brigadier-generals so as to do this, that you must sometimes go by the very man who was intended to be affected by it, it seems certain that this ought to be made a matter of law. It has been urged repeatedly by Secretary Root. It would cost less than half a million a year added to this two and a half millions of which I have spoken. It would enable the Army to have its promotions active and legal, and allow it to be done without any seeming evasion of the statutes of the United States. I call it a seeming evasion, for the promotion of a man to an office that you do not seem to intend him to hold seems more or less to be an evasion of the law.

On the other hand, a promotion for the purpose of retirement is a reward of long and faithful services to which a man is entitled, which he would get if he stayed in the Army until he was absolutely forced to retire, and it facilitates the promotion of younger men to the higher positions and keeps the Army alive. I stand by the action of the President in this regard. But I say that the time has come when that retirement with increased pay should apply to every civil war veteran, accompanied by the proviso, perhaps, that no officer should be retired at his own request until he has served one year in the grade to which he was appointed.

Mr. Chairman, we find next in this bill provisions for the pay of nurses, hospital matrons, and the superintendent of the nurse corps. Congress and the Government should be proud of the change in the organization of our Hospital Corps, which has put the nursing of our soldiers and their care in time of sickness in the kind and sympathetic hands of woman instead of intrusting it to the class of men that are often detailed as hospital stewards. There is likewise in this bill an appropriation for a school for hospital stewards. You find in it appropriation for dental surgeons under contract, to see that the men's teeth are taken care of and that they are saved the terrors of toothache. That provision was new within a few years.

In this bill we find a provision for a Porto Rican battalion and for Philippine scouts. We have thus enlarged the functions of the Army so that instead of running the risk of their tyrannizing over various alien races we employ their own people to keep order.

We next come to the great appropriations for subsistence, horses, barracks, quarters, and transportation. Our Quartermaster-General's Department, called upon suddenly for transportation to the distant island possessions, has organized a transport service which is the marvel of the world for efficiency and economy, and which saves this Government, according to the report, millions of dollars every year in comparison with the price that would be paid for private transportation. The work done is beyond all admiration. The honesty, the efficiency, the intelligence of the various bureaus of our War Department, whether in transportation, in the commissary, in the foods furnished our troops, in the comfort that is given them, in the management of the Surgeon-General's Office—these are not matters of legislation; but we have trusted our Army so far as to create, or rather to recreate—we had departments, but in a small way—to recreate the vast machinery that we had during the civil war, using all the experience that we had gained during that war, until our appliances for transportation, for hospitals, and for supplies are the marvel of the civilized world as well as of this country.

This bill makes liberal provision for hospitals. The enlargement of the Army means larger hospitals. The management of distant posts, some of them with a rather troublesome climate, means the nation must take care of its men when they get home, and we make no apology for giving an appropriation of $455,000 for hospitals; nor do we make any apology for asking that not to exceed $50,000 may be spent on any one building. The present limit of $20,000 goes back I have forgotten how many years.

Mr. HULL. Fifty years.

Mr. PARKER. It goes back fifty years. Twenty thousand dollars fifty years ago would have built a great deal more of a building than $50,000 will now, and the requirements for hospitals have increased in their variety and their expense. That law ought to be repealed with reference not only as to hospitals but as to barracks and quarters; but as to hospitals the need is imperative. When a hospital is needed at a particular post, it can not wait for the next Congress to put it up. The power must be given to the honest officers of the United States to take care of our sick soldiers and to build the buildings which are necessary for them.

This bill also contains provision for a general hospital here in the city of Washington. It is well known that the little general hospital which used to be down at the Washington Barracks somehow gathered about itself and near itself the most expert corps of surgeons in the United States, who without much means got together a library, which any of us can go and visit, where the books have to be put in piles upon the floor for want of stacks, but where by exchange and an appropriation of only a few thousand dollars a year they have gotten together a library on medical subjects which is as fine as any in the civilized world, and which has been thrown open to every reputable physician throughout the United States who chooses to send for a book. That library, that organization, is threatened by the fact that the barracks are now to be taken for the Engineer School, and these physicians therefore ask that they may be given money to have a general hospital for special cases, for the purpose of instruction in connection with the Army Medical School for enlisted men, Hospital Corps, and for nurses, and to serve for a base hospital in time of war.

That appropriation is to be $400,000. Not a dollar is to be spent until the Secretary of War is satisfied and determines that the whole building, including plans and grounds, can be completed for that sum. There, too, is a new training school for the surgical part of the Army, for its nurses, stewards, and doctors for bringing together and massing army surgical information. This, too, is part of the recent reorganization of the Army of the United States, to which I have referred and of which we can feel so proud because we are willing and have been willing to follow in the lead of the greatest Secretary of War, I think, the country has ever seen.

Now, Mr. Chairman, you will notice that I have made no formal or set speech in this matter; I have simply followed this bill. Almost every word of it states to the House something new

in the new Army of the United States, and it is in none more particularly to be noted than in this matter of schools. The Engineer School in the city of Washington is new. The War College is new, but when I get to the Ordnance Department of the United States we strike for the first time another novelty in the management of the Army of the United States. It is a matter of a hundred years' history how difficult it has been to bring the Army and the militia together, what jealousy on the part of the Army there was of the militia, what an express contempt they sometimes had for them as mere "play soldiers," what a difficulty there was also in obtaining funds for the militia from the United States, and how little attention was paid to their training. Our great Secretary has changed all that.

It is only two years ago that we had one camp in which the Army and militia worked together. Of course before that single companies had been sent to various State camps, but we had one large United States camp two years ago. Last year we had two camps, and troops from the neighboring States came to those camps in large numbers, participated for the first time in the maneuvering of a large body of troops, and were given the problems, to a certain extent, that would come in actual warfare. They came to know the Regular Army officers as their brothers and to learn from them and to know them, and it is something even if men only came to look in each other's faces and find they are all Americans, though one came from civil life and the other from West Point, as it may be, or from a rise from the ranks.

Mr. Chairman, this bill does not go so far as to establish permanent camps. We have not been able to settle finally where these should be or how much they should cost. We have made haste slowly; but it is something in this bill to find, under ordnance stores and supplies, that we appropriate $585,000 for the purpose of giving ten batteries of the newest field artillery for use by the militia—the National Guard of the United States. During the last twenty years, I might better say during the last thirty years, there has been, perhaps, nothing in our Army that has been more behind other countries, until recently, than the matter of field artillery, except, perhaps, that of small arms. In the Spanish war we sent our volunteer troops into the field with black powder instead of smokeless powder, so that every gun shot told where our men were. We sent them with a rifle that did not carry to the ranges that are now usual. We sent them with a rifle that had no magazine to be used at close quarters, and we sent them with field guns which were, it is true, breech-loaders, and shot well and straight, but which took about three minutes to aim, because when they were fired they kicked themselves out of position.

We were told from year to year by the ordnance department that they were experimenting in the improvement of these field guns; that a nonrecoil carriage was supposed to be used by foreign nations, but it was not perfected, and they were not satisfied and were still experimenting. Thus we had no guns fit for modern warfare and ready to be fired as the best recoil carriage gun can be, ten or fifteen times a minute, preserving the same aim. Year after year I have arisen in this House and put questions upon the fortification bill as to whether these carriages were being perfected, and they were always being improved and not perfected.

Now, Mr. Chairman, we have the pleasure of being able to assure the Members of this House that the carriages are being manufactured, the guns are being manufactured, and not only are we able to furnish enough for the whole Regular Army, but we are ready to give ten batteries of six guns every year to the militia. A battery will take care of at least 2,000 men. A gun fires so many more shots nowadays than it did in old times that instead of allowing five or six guns to a thousand men, you can now allow three. One battery of six guns will thus take care of 2,000 men. The ten batteries will take care of 20,000 men, and even if these guns should go out of fashion at the end of five years, we would in these five years supply artillery for a hundred thousand men.

There is no item of which we can be prouder than of such an item as this. I believe, and the people of this country believe, that in case of a great war we should have to put a million men into the field, and that our Regular Army would only be the first fighting line even if we ran the companies up to 120 men and doubled and trebled that Army. Everyone knows that. But in case of such a war the first requirement is that we should have arms to arm our men. We have enlarged our gun factories; that also is a new thing. There is a new gun factory at Rock Island as well as one at Springfield. The capacity of these two gun factories, working with one-half force on one shift of eight hours, is 105,000 guns a year, and we are making them at a cost of $1,700,000.

If it be assumed, which I do not assume, that these guns are to go out of fashion in five years—it may be, invention is very quick in this country—if it be assumed that they go out of fashion in five years, it is the cheapest $1,700,000 the Government ever spent. It will supply 105,000 guns a year, which is 500,000 in five years. One thousand seven hundred men will cost $1,700,000 a year; according to the average, a thousand dollars to a man in round numbers to keep in the field, whereas by this provision we shall in five years be enabled in an emergency to put 500,000 men in the field. We can do so now with the Krag-Jörgensen gun.

I am proud of the fact that the Committee on Military Affairs three or four years ago when it got a report from the Secretary of War and an estimate from the Secretary of the Treasury, I think for $800,000, said that was not enough, and that by the votes of this House the appropriation was more than doubled in order to put arms in the hands of freemen in the time of war.

The Boer war in South Africa, conducted by a poor people, shows that the cheapest expense which is ever suffered by a free people is in providing arms to be used in a case of emergency. Not in maintaining large standing armies, not in unnecessarily taking the men away from their work to drill them every year, but in providing the implements of warfare.

You may trust American intelligence to learn, but you can not make guns and small arms immediately in case of necessity, nor as well as you can make them if it be done beforehand. You are not as safe. I am proud, likewise, to be able to assure the House that in case of necessity six times as many arms could be made. We are working half force on a single shift of eight hours. If we work full force on three shifts of eight hours we can make six times as many guns, or 600,000 in a year. Factories for the making of arms have been more than doubled in their capacity since I have been in the House and since the period of which we speak and under the superintendence of our Secretary of War. It is entirely in accord with what I have just been saying that we have made liberal provision in this bill for the transportation and other expenses of the militia attending the large Government camps and for the pay of men during the week or ten days that they will be there.

It is entirely in accord with what I have said and with the whole principles of management of the War Department by this Secretary of War that he believes in training the whole people how to shoot, and that in this and in the previous bill he insisted on having a provision giving twenty-five hundred dollars a year for the purpose of a trophy, medals, and prizes for good marksmanship. It is in accord with the principles of the Secretary of War of making brothers of all the arms of the United States that he asks this year that the House shall order that he may open the competition for those prizes, some of them, not merely to the Army and to the militia, as was provided for in the old law, but also to the Navy and the Marine Corps; and he desired what we did not yet feel willing to do, that there should be some prizes for outsiders who are in rifle clubs. We may not have been right in refusing that. It will be for the House to say. They may amend the bill in that particular. There is something to be said in favor of reserving those prizes for those who, like the men of the National Guard, show their willingness to belong to organizations which can be called on in time of need.

Let me close by saying that I have departed from my usual rule of saying nothing upon an appropriation bill in general debate, wherein it is to be assumed that the Members of this House know generally that we must provide for the Army; but on this occasion, at such a time as this, when our great Secretary of War is leaving his office, with the thanks of every man in the country for work well, earnestly, and intelligently done; for the sympathy and brotherhood that he has shown for departments that previous to this were thought outside of the ken of the Secretary of War; for his sympathy with the National Guard and with the militia; for his desire to bring all the forces of the nation together; for his determination to maintain the privileges of the officers of the line, and to give to those officers and not to peculiar favorites the right to be in the city of Washington or on staff detail, where they may enjoy society and meet their fellows, instead of being sent off to forts on the plains, where they are left alone and where nothing is done for them—I say, at this time, when the man who took a retainer, as he said, as counsel of the Army of the United States and has stood by that client of his during all these years, is now about to retire, it is only right and proper to go over the items of this appropriation bill and to let this House and the country know how many of those items, from the beginning to the end, have felt the hand and have been bettered by the work of that Secretary, by the interest of our President, and by the intelligence, painstaking, conservative judgment and action especially of the gentleman from Iowa [Mr. HULL], the chairman of the Committee on Military Affairs, under whom all the members of the committee on both sides of the House feel that it is an honor and a pleasure to have served. [Applause].

Mr. THAYER. Mr. Chairman, I would like to ask the gentleman this question, as to whether he can tell me what has been the expense of transportation of troops to and from the Philippine Islands during the last year?

Mr. PARKER. I will say that it is given in the Quartermaster-General's report in detail. I never can remember figures. In that report there is given in detail exactly the cost of the army transport service, and likewise how much was saved by it.

Mr. SLAYDEN. I think it is also set out in the hearings.

Mr. THAYER. I refer to the cost to and from the Philippine Islands. Is not that all together in the report?

Mr. PARKER. I don't know whether that can be segregated or not. I doubt it. The detailed cost of transportation is given in the report of the Secretary of War, and the special cost of transport service is given in the report of the Quartermaster-General. By taking these two together I think the gentleman can get what he desires.

Mr. THAYER. Then I can not find, as I understand it, the information I seek, the specific charges to and from that place.

Mr. PARKER. I think the gentleman will have to inquire at the Quartermaster-General's Department for that. I will be pleased to answer any other question that I can from any other Member. I wish to thank the gentlemen of the committee for their attention during this rather long talk.

Mr. HULL. I would now ask the gentleman on the other side to consume some of his time.

Mr. SULZER. Mr. Chairman, I yield one hour to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wish to place myself this morning in the amiable attitude of a "chiel" asking questions. I would like to ask you, Mr. Chairman, and your colleagues upon the western side of this Chamber—the side of the setting sun by the way [laughter]—just exactly upon what you are "standing pat" and just what things are among the exceptions to the "stand pat" policy.

On the 15th day of January—a year ago—the House of Representatives almost unanimously passed a bill putting anthracite coal upon the free list for good, and giving a rebate of duties upon all other coals for the period of one year from and after the passage of the act. Some weeks ago I introduced two bills which I shall insert in the RECORD. The first of them was entitled "A bill to relieve from taxation coal imported from foreign countries."

The second was to provide rebate of duties on coal for one year longer, thereby giving to you and your colleagues upon the west side of the Chamber your choice as to which one of these two things you would do. I hardly thought you would be bold enough to put anything on the free list, even if the article did not, even from a protectionist standpoint, need any "protection." You are so afraid of the word "free." But I did think that perhaps, having yourselves passed a bill to put duty for one year upon coals other than anthracite—under the whip and spur of public necessity, when you flinched like cowards and did what you did not want to do—I thought you might perhaps, for the sake of consistency, be willing to continue that law in existence for one year longer.

I thought this all the more, Mr. Chairman, because that year of rebate of duties upon coals other than anthracite had furnished to the bituminous coal miners and coal mining corporations of this country an object lesson of the fact that with those classes of coal upon the free list there was no death and no "destruction" and no "soup houses" connected with mining coal within the United States of America. I thought so all the more because the proof had been fully brought out before a committee appointed by this House that coal had been reduced to the American purchaser directly and immediately in consequence of the passage of that act. I thought that even Republicans were willing to relieve taxation to the American consumer if they could do it without materially hurting any favored class.

Here are the two bills I introduced. They met the approbation of the Democrats in this House, and were introduced not without consultation with such of them as I could conveniently reach.

A bill to relieve from taxation coal imported from foreign countries.

Be it enacted, etc., That from and after the passage of this act no duty shall be paid upon imported coal of any form or description imported into the United States from foreign countries.

A bill to provide rebate of duties on coal.

Be it enacted, etc., That the Secretary of the Treasury be and he is hereby authorized and required to make the rebate of duties imposed by law on coal, now dutiable of every form and description imported into the United States from foreign countries for the period of one year from and after the passage of this act.

Now, in that connection, Mr. Chairman, I have made an assertion which I wish to prove. I hold in my hand the report of the testimony given in an investigation before a subcommittee of the Committee on Merchant Marine and Fisheries of the House, that committee sitting at Boston, Mass., January 26, 27, and 28, 1903. Before I go on I want to say that in spite of the fact that I had introduced those bills, and that they had been referred to the Committee on Ways and Means, the 15th day of January—the date of the expiration of the operation of the rebate law—was permitted to pass without any action by the Committee on Ways and Means. I want to state further that yesterday the bill to continue the rebate one year longer was called up in the committee and was voted down by a strict party vote, every Republican upon the call in committee of yeas and nays recording himself as opposed to relieving the American consumer from taxation upon coal for a year longer, even after a year's experience had demonstrated the relief of the consumer and that the coal miners and coal mining corporations were still carrying on a highly profitable business.

On page 18 of this report, Mr. Chairman, I find the following, which is brought out by the questions of the gentleman from New Jersey [Mr. MCDERMOTT]:

Q. The imposition of 67 cents a ton duty upon coal during the month from May until November was, by reason of the great demand and small supply of domestic coal, a temporary proposition; that is, it was worth much above the foreign price plus the cost of importation, and it could not make a great deal of difference—A. It was a heavy price that the consumer should not have been subjected to, I am sure.

Q. Do you think the consumer paid 67 cents?—A. You take a man that is accumulating coal, he had to pay that 67 cents and pass it up to his customer.

Q. Are trying to prove we did you a favor?—A. I know we did, because he gives Uncle Sam a check for it.

By the way, I wish to say that these are all unwilling witnesses. If you will observe the course of the examination, you will see that the truth is corkscrewed out of them; they are not volunteering the truth.

I read further:

By the CHAIRMAN:

Q. Has there been any increase in price since the duty has been taken off?—A. I think there has been a little more demand.

Q. Has there been any reduction in price of imported coal?—A. The prices ran all the way from $4.50 to $5 during the winter.

Q. Has there been any reduction in price of the domestic coal by the consumer in Boston?—A. I think it has gone down. I think we paid $6.50 a ton last winter for a good domestic coal, and we can get that for $5 now. I think we can buy that in the neighborhood of $4 to $4.25 in the summer here.

One dollar and thirty-five cents reduction upon the poor man's ton of coal at a time when New England was threatened with being frozen to death! That is the evidence of a coal dealer in Boston.

Q. Has there been any decrease of the price of domestic coal during that time?—A. I think the market has varied a little.

Q. What is the market price now?—A. Today I paid $5.25 in Philadelphia and $6.25 in Boston for the material.

No material difference, says this witness. Seventy-five cents a ton to poor people who are on the verge of starvation, who are wondering today how much they are going to get to-morrow, nor how much they have money to pay for it—seventy-five cents a ton in the opinion of this witness is a mere trifle!

Mr. PALMER. What is the date of this examination, please?

Mr. WILLIAMS of Mississippi. I read it at the beginning. It was January 26, 27, and 28, 1903.

Mr. PALMER. That was after the strike was over—two months after the coal strike was over.

Mr. WILLIAMS of Mississippi. I don't remember the exact date when the coal strike was "off." The question was asked if the reduction did not take place at once, as I will show you in a moment, and the man says yes. Now, let me come to another witness. And by the way, I will turn to one now directly answering the point made by the gentleman. On page 140 I read:

By Representative MCDERMOTT:

Q. When you sell Nova Scotia coal—

Now, mark this, my friend from Pennsylvania—

is it the custom of the trade to quote prices plus the duty?

This is the examination of Mr. Edward M. Allen, a coal dealer.

Q. When you sell Nova Scotia coal is it the custom of the trade to quote prices plus the duty?—A. My people established the precedent of making the price—

Mark it now—

alongside in bond.

Mr. PAYNE. May I ask the gentleman a question right there?

Mr. WILLIAMS of Mississippi. Let me first finish this answer of the witness:

It is rather difficult with a number of New Englanders to get that expression thoroughly understood.

Q. Just what do you mean by it?—A. I mean we sell the coal at so much, delivered at Portland. The customer assumes the duty. My business is that was to be transported to Portland to a certain place, and he assumes responsibility to that place. That is a method by which, discharging an important with great ease and great speed through Boston; but when it stays in this country the duty has to be paid, and the consumer pays that.

In other words, their custom of trade was to sell the coal "alongside in bond" without adding the duty and to leave the American purchaser to pay the duty, and nobody who is not a fool suspects that he did not add it on when he sold it to the consumer.

Mr. PAYNE. I suppose the gentleman is aware of the fact that the average price of coal for the past six months in the United

States, with this duty suspended or taken off, has been greater than it was for the six months prior to the strike?

Mr. WILLIAMS of Mississippi. I am aware of that, and I am aware of another thing——

Mr. PAYNE. Wait a moment. Let me ask my question. Does not that show that it is not the addition or the subtraction of the duty that makes the difference in the price, but demand and supply?

Mr. WILLIAMS of Mississippi. What a skillful word player my friend is. Does he suppose that because I say that the duty upon coal adds to its price that I mean to say that demand and supply from other sources than imported coal are not also factors in the price? I do not mean to say any such thing; but what I do mean to say is that although the condition of demand and supply has been such as to make the price of coal higher than it was in the period of industrial peace prior to the strike, in the equal period of time selected by the gentleman, that it would have been approximately sixty-odd cents per ton still higher if that duty had not been taken off. Now, listen to another man under oath.

Mr. PAYNE. Wait a moment. I have not the exact date in my mind, but I think the time has already expired in which that duty was taken off.

Mr. WILLIAMS of Mississippi. Yes: on January 15, five days ago, and I suppose that just as soon——

Mr. PAYNE. Has the price of coal jumped up 67 cents a ton on account of that?

Mr. WILLIAMS of Mississippi. This was anthracite coal that he was talking about, and that has not jumped up because it is still on the free list.

Mr. PAYNE. Any kind of coal.

Mr. WILLIAMS of Mississippi. The other duty was about 40 cents.

Mr. PAYNE. You see your argument does not bear the statement of facts.

Mr. WILLIAMS of Mississippi. Well, but the argument *will* bear the statement of facts. Five days is not long. Wait and see. Power to charge will be followed by charging, either before or after the election. They may possibly keep down the price until after the election, so that you, their political friend, can keep in the saddle and thereby make their seat firmer and more permanent. If the gentleman will listen until I finish this question and answer, he will see that my statement is borne out by sworn testimony. Then I will finish answering his question about that.

Q. The purchaser?—A. The purchaser.

By Mr. MCDERMOTT:

Q. Where it remains in bond?—A. Where it remains in bond.

Then a question by Mr. MCDERMOTT:

Q. What was the price before the duty was removed?—A. I have just quoted you the price alongside in bond.

Q. Quote it again. The question—A. I said, it sold *in normal times* in the neighborhood of $4 a ton alongside in bond.

Note—"in normal times."

Remember this term. "Alongside in bond" meant without the duty being paid by the foreign seller. To go on: "Up to the present time it sells at $6 alongside," being a part of witness's reply.

Q. The price of coal—A. You asked me on the last one that the price was higher. The coal was higher at that time because it was the last winter. You asked me what it was—A. Another product was in demand. Yes, sir.

Q. In other words, if a man in Boston desired to buy Nova Scotia coal, he would be called upon to pay the duty after the duty was removed?—A. Yes, sir.

That answers your question. It is "as wide as a church door" and "as deep as a well."

Mr. PAYNE. That bears no relation to the market price of coal in the United States. And that man seems to be stating his theory, just as the gentleman from Mississippi or any other man might be stating his.

Mr. WILLIAMS of Mississippi. No theory at all. Does not he state that he is a coal dealer? He states a fact under oath.

Mr. PAYNE. The actual price of coal in the United States did not decrease 67 cents the next day in the general market, and everybody knows that.

Mr. WILLIAMS of Mississippi. Of course not everywhere throughout the United States the very next day. There had to be time for the coal to get out from the port of Newport; but it did at Boston. I can not allow the gentleman to make a speech in my time. I yielded for a question. Now I beg the gentleman's pardon. This man is not stating a theory. He is a coal dealer, and he is asked a question as to the price at which he sold coal in Boston the day before the duty was removed and the day after the duty was removed.

Mr. PAYNE. What part of the question indicates he was giving the retail price of the coal he was selling?

Mr. WILLIAMS of Mississippi. He was not giving the retail price; he was giving his wholesale price.

Mr. PAYNE. In what part of it does he say he was giving the wholesale price?

Mr. WILLIAMS of Mississippi. Well, the part of it that does it, viz, where he says he was the agent of foreign coal companies, importing coal into the United States. I have told it already, and if the gentleman will read the RECORD to-morrow, if he has not listened to me, he will find it.

Mr. PAYNE. I heard what you read.

Mr. WILLIAMS of Mississippi. Then you heard that this man is not stating a theory. He said he was a coal dealer, selling the coal less the duty cheaper the very next day after its removal, and he tells you why. It was the custom of the business to sell to the American purchaser without counting the duty "alongside in bond," and when the American purchaser went to get his coal he had to pay the duty. That is not a theory but a fact, and coming from a man who was selling the coal. That is not all. Here is some more of this. And I will put more into the RECORD after I am through with what I am reading. Here is an other witness; let us see who he is. Edwin Hamlin. Now mark this:

Q. You are importing right along coal from Nova Scotia?

A. Yes, sir.

Q. What effect has the recent legislation had upon the price?

A. The recent legislation has put a little more than one dollar a ton on the price of coal. There is practically no American coal in the market. It is practically out of the market, our domestic bituminous coal.

Mark the unwillingness of the witness: "I think," forsooth.

The other I read you was about anthracite. Now this is about bituminous coal:

Q. And there has been no reduction in price on the bituminous already, has there?

A. Yes.

Evidently that was not the way they wanted him to answer. He said:

They call for bituminous coal and we sell it as bituminous, whether it comes or not.

Q. The reduction has been horizontal?—A. But it takes effect on the foreign coal because there is very little American coal in this market.

Q. Do the consumers of coal generally seem to have received the benefit of the reduction?—A. Yes, sir; they have.

Q. The last question I put to you was the question of cost. Do you remember that question?—A. Yes, sir.

Q. That was put in connection with the fact that there was no reduction in the cost of the article in connection with the tariff. They seemed off about that, did they?

Now mark the mathematics of it:

Q. How much?—A. You can get the coal from Norfolk and Newport News at $1.60. They added the duty, that was the reason, that was the reason the duty, taken upon that account, time enough to the cost of the article.

Now, if the course of trade had been perfectly just it would have made up $1.07 reduction, but the coal dealers stole 73 cents on the way, because they naturally did not want to reduce any more than they were forced, and other factors in the state of the market enabled them to stop short of the full reduction.

Mr. PAYNE. If I remember correctly, there was a syndicate of some kind formed in Boston about that time for the purpose of selling coal to poor people at cost.

Mr. WILLIAMS of Mississippi. This man is not a syndicate.

Mr. PAYNE. I would like to know whether the coal came in competition with that syndicate or not.

Mr. WILLIAMS of Mississippi. Oh, no; the gentleman can not get out of it in that way. The syndicate bought at wholesale from importers and dealers, like this man and retailed to the poor, and their object was to give the poor the full benefit of the reduction and to force retailers to do so. I am informed that they succeeded measurably well.

Mr. LACEY. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Mississippi yield?

Mr. WILLIAMS of Mississippi. Yes.

Mr. LACEY. That is this: On the general subject of prices being paid by the tariff, in the condition of affairs prevailing during suspended work, whether those conditions were such as one could form a clear idea in regard to taking the duty off coal, as was proposed?

Mr. WILLIAMS of Mississippi. What?

Mr. LACEY. At that time our men were producing no coal.

Mr. WILLIAMS of Mississippi. Well.

Mr. LACEY. And therefore we had no domestic competition, and in buying foreign coal the price would go up on account of the tariff.

Mr. WILLIAMS of Mississippi. Well.

Mr. LACEY. But if at the same time we were producing coal the tariff would cut very little figure.

Mr. WILLIAMS of Mississippi. Would it not? Let me see. Suppose I was then importing Nova Scotian or Welsh coal and the gentleman from Iowa were selling domestic coal in the same market, and he sent his coal to Boston and I imported mine thither, will he tell me that when I could go in the market and sell my coal 40 cents or 67 cents cheaper, that he would not have to do one of two things, either quit business or meet my price? Why, of course.

Now, my friends, I arose, as I stated, simply in the amiable rôle of a "chiel" asking questions. I want to ask you this: If you are "standing pat" on everything, why did you not stand pat on that? [Applause on Democratic side.] Why did you not go on and give us at least another year of the rebate? Was it because you were afraid that you would hurt the feelings of the coal barons of the United States, because, although they had not been crippled, although they had not been destroyed, they had been deprived, the anthracite men, to the extent of 67 cents and the bituminous men to the extent of the duty, of some of their power to extort an unfair and an unduly high price from the American consumer? Were you afraid that, their feelings being hurt, they would not contribute to the approaching campaign fund? Did they rather intimate that they would not rustle at the election unless you showed a nestling disposition before the election?

Now, my friends, what are you "standing pat" on? To what extent are you "standing pat?" You are "standing pat" upon the revision of the tariff until after the election, you tell me, and, by the way, while we are talking about "standing pat," I saw the other day that the "Great I Am" of the Republican party made a speech in which he said, "Fellow-citizens, we hold the ace." Now, I had a private and confidential conversation with a gentleman connected with the Clerk's office of the House this morning who has had official reasons to advise himself concerning the phraseology of cards, and he tells me he does not know of a single game of cards in the world where the ace wins. [Laughter and applause.]

Mr. PALMER. Do you want to know what we are "standing pat" on?

Mr. WILLIAMS of Mississippi. Yes.

Mr. PALMER. On a straight flush.

Mr. WILLIAMS of Mississippi. Oh! you are; well, of course I do not know what a straight flush is, but before I get through, in a minute, if I have time, I am going to prove that whether you have got a "straight" or not—and things do not look very straight in the Post-Office Department, nor in the Public Lands Bureau, nor about some of our Indian affairs—whether you have a "straight" or not, or whether your "flush" is a "bobtail" or not, things are not quite as "flush" as you think they are, or as you would have the country believe. [Applause on the Democratic side.] Your talk about dinner pails and prosperity and such things is not quite as loud and ubiquitous as it was a while back.

Now, to proceed with my questions—and they are amiable questions and very good-natured questions; they are intended to satisfy my own lack of information—you say you are "standing pat" on the tariff. The President says so, because he omits all question of the tariff in this lugubrious and long-winded and singular document, the message of the President the last time. He says you are standing pat pretty well upon that subject, and upon reciprocity because, to the best of my recollection, he does not say one word about tariff revision or reciprocity in that connection. Now, gentlemen, I want to read you a few lines, or perhaps I had better insert it in the RECORD, from the Washington Post of December 14, quoted from the Providence Journal, a very great paper of this country, which is headed "A Hushed Administration." Read it, all of you. Italics are mine. Here it is:

[From the Providence Journal.]

THE HUSHED ADMINISTRATION—SIGNIFICANT SILENCE ON THE QUESTIONS OF TARIFF AND CURRENCY REFORM.

One peculiarity, even more as the Administration is on such subjects as the [illegible] Navy, the [illegible] and the currency. We may say advisedly, because the only alternative explanation would be that it either is unaware of the existence of these questions or has no views upon them, which a decent respect for our titular rulers compels us to consider preposterous.

[illegible] Senator HANNA representing the overprotected manufacturers, who need but to [illegible] for the frying pan, and Senator ALDRICH, as chairman of the Senate Finance Committee, with either [illegible] [illegible] questions of domestic economy and tariff [illegible] is desired by the most powerful leaders of the Republican party [illegible] one latest step [illegible] about the house [illegible] United Republicans in this [illegible] when he [illegible] Secretary of the Treasury [illegible] even the Executive Department.

So the President says by his silence, "We are standing pat on these two great questions."

There is another man, a very distinguished gentleman from the State of my friend, Mr. LACEY, from Iowa, who, on December 11, is quoted as maintaining his views: "Governor Cummins repeats demand for reciprocity, for tariff revision also—Address to the executive board at Boston, Mass., association banquet." Such is the heading of the editorial in the Washington Post, December 11. Let me read it:

GOVERNOR CUMMINS'S ADDRESS.

Charles S. Hamlin was then called upon to read the address of Governor Cummins. The governor said in [illegible]

"It goes without saying that we ought to, if we can, secure treaties that will hurt nobody, but to allow an interest that puts a million dollars of goods across a foreign market to be shaded in favor of a [illegible] putting ten million dollars of goods into a foreign market, [illegible] of protection from a business policy, which [illegible] the country as a unit, into an instrument of avarice and selfishness. It must not be understood that I am for any trade arrangement that would strike down any industry whose existence is necessary to make us independent of other nations in so far as our natural resources can make us independent. Here again the principles which I invoke sway the situation—the good of the people.

"The policy which I advocate is the reciprocity for which, I believe, Blaine contended, has patriotic wisdom, and which he [illegible] during the last thirty of his ripest years. It is the policy which McKinley saw as he peered across the Alps toward the American [illegible] reciprocity which will set our producers in their strong [illegible] the trade of [illegible] and of whom not ready to stand for it, and [illegible] it, we ought to consign the word and the thought to the obscurity of our own heresies.

"It has often been said that our manufacturers sell [illegible] abroad cheaper than they sell it at home, and [illegible] upon this phase of the problem. I do not intend to [illegible] whether the [illegible] true or false for to me it is a matter of utter indifference whether I pay at higher or lower prices in foreign markets than I pay at home. [illegible] manufacturer [illegible] should be a protected monopoly [illegible] can pay American competitors for the work of American [illegible] the capital invested with a fair American profit, and then the American buyer or consumer will never pay more than he ought to pay. For the foreign competitor can never wrench from us the profit we put upon our product.

"In my opinion some of these protective duties of 1897 are too high, and during the period of [illegible] we have [illegible] just those or [illegible] years our home [illegible] have been able [illegible] a fair profit for what they produce at the cost [illegible] paying taxes [illegible] and they will answer with [illegible] test and we may not be far from [illegible] great in some things that I have [illegible] that, without regard to reciprocal treaties, there should and must be a reduction of the [illegible]

"THE HABIT OF SHIVERING."

"I deprecate the habit of shivering [illegible] we are in danger of falling. Why should the business interests of the [illegible] be [illegible] whenever a proposal to revise the tariff is [illegible] a greater [illegible] I refuse to believe that [illegible] strengthen [illegible] upon a tariff [illegible] I refuse to believe [illegible] that a majority of both houses in the [illegible] of Congress [illegible] to assert our sovereignty in negotiating a trade treaty would terrify our producers; but if we must either stand still or have a spasm, I still say, move on.

"As I recall it, the negotiations of the McKinley treaty did not paralyze business [illegible] As I remember [illegible] meetings of the [illegible] Congress [illegible] and Dingley [illegible] and I [illegible] time to be [illegible] the sanctuary of international affairs. May we not hope [illegible] we can do better than the best we can do if we get better terms [illegible] and swift incontinent retaliations without a quiver of expansion or a shade of contraction?

"I believe it is less than a majority of those who profess fear that a movement toward reciprocity would destroy the [illegible] of our country. I take it [illegible] Canada, from coast to coast and from the American line to the North Pole, to the territory of the United States so that when [illegible] American explorer plants the banner of the Republic upon the North Pole the world will see it as beautiful to look upon as the star of the north, it will proclaim the eternal sovereignty of the United States. How many are there here or elsewhere who would not hail the magnificent event as the greatest victory achieved since the old flag was run up over the ramparts of Yorktown?

"How many are there here or elsewhere who would look upon the accession of power and of population, of land and lake and sea, as a misfortune to our country or a blow inflicted upon our prosperity? I go further and eliminate national pride. How many banks would fail on that account? How many factories would close because the Stars and Stripes were flying over this vast domain? What acre would be worth less? What man would be without work or receive less compensation? And yet were it so done, there would be

year his figures lead him to predict a deficit of $30,000,000. He must know that a continued insufficiency of revenue will make possible a return of the peril from the silver element in the monetary system; yet he has not a word to say of the need of any consideration of revenue problems. He recommends that "our currency system is monumentally and that 'this defect should be remedied.'" But when and how? He gives not a hint, even, on the point, confining himself to the superfluous warning that we want no [illegible] not sound. This silence is the more notable because from the [illegible] case, McCulloch and Sherman, to those of Manning, Windom, and [illegible] reports of the Secretaries of the Treasury from [illegible] papers on finance, [illegible] in conservation, and curiously and [illegible] and guide Congress [illegible]

That leadership [illegible] have usually assumed by administrations of each party in the [illegible] independent consideration of public duty has [illegible] Administration. It is [illegible] questions of domestic economy and [illegible] is desired by the most powerful leaders of the [illegible] one latest step [illegible] about the house [illegible] United Republicans in this [illegible] when he [illegible] Secretary of the Treasury [illegible] even the Executive Department.

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Mr. Shaw sees a surplus of only $14,000,000 for the current year, and for next

free trade from the Gulf of Mexico to the Arctic Ocean. Mark you, I am not dreaming of annexation, nor am I advocating free trade with Canada, for the former is more remote than ever before, and the latter is wholly impracticable. I have used the figure only to show that we can safely draw nearer to our neighbor and safely enter upon the negotiation of a reciprocal treaty."

Now, my friends, a little bit later on, on January 15, or a month later, we meet another thing. I am trying to find out, you know, on what and how far you are "standing pat." Some of you say you are standing pat on no revision of the tariff "until after the election," and some say no revision of the tariff at all; and some of you, Governor Cummins, for example, say you are not "standing pat" even that far. You are a little bit shaky on your political legs. This one of January 15 is headed, "New turn to the Iowa idea." "Governor Cummins"—listen to this—"for free trade with Canada." Think of that! I introduced a poor innocent bill here, or a resolution rather, merely asking the President to reconvene, if possible, the Joint High Commission, so that by negotiation between the two countries we might be able to arrive at an amicable trade relationship, and Governor Cummins comes out and wants "free trade with Canada" in natural products, as he explains later on. Listen to this:

NEW TURN TO IOWA IDEA—GOVERNOR CUMMINS FOR FREE TRADE WITH CANADA—OPPOSES THE STAND-PAT POLICY—URGES FARMERS, IN HIS SECOND INAUGURAL ADDRESS, TO RAISE THE FLAG OF RECIPROCITY—FARMERS' PRINCIPAL DESIRE IS TO FEED AS MANY PEOPLE AS POSSIBLE—PARTY CONTEST LIKELY IN IOWA.

[Special to the Washington Post.]

DES MOINES, IOWA, *January 25, 1904.*—Governor Cummins gave the "Iowa idea" a new turn to-day, and it now stands for free trade with Canada in the agricultural products and for reciprocity with all the world. In his second inaugural address, which was delivered this afternoon, he told the farmers of Iowa that they would be the gainers by the admission of free of duty agricultural products of Canada into this country, for by so doing he declared a treaty could be entered into which for years to come would "make us practically masters of the imports into that dominion."

IN FAVOR OF PROGRESS.

The governor took occasion to class himself emphatically with those who favor progression, and said he expected that what we will have to-morrow will be better than what we have to-day. He urged the farmers of Iowa, who, he said, have ever been loyal to the principles of protection, to raise in the political heavens the flag of reciprocity, and let the nations know that the people of this State indorsed the demand for reciprocity, which was made clear in the Iowa platform of last year.

"I have never been a believer of the doctrine expressed in a phrase that has now become famous: 'Let well enough alone,' observed the governor. "Abstractly viewed, the maxim is beyond criticism, but its fatal weakness lies in the fact that there never was nor will be a day in which it was or will be well enough with any community, with any State, or with any nation. When any society ceases to grow better, it has begun to grow worse. There is no such thing as rest in the economy of the universe, and no such thing as 'stand pat' in the order of the living world.

FARMERS NEED MARKETS.

"It is obvious that the farmer's principal desire and paramount interest is to feed as many people as possible. They sell breadstuffs and meats in their various forms both at home and abroad and, therefore, they ought to be in favor of a policy which will maintain and multiply their markets in their own country and protect and increase their markets in other countries. Let us not be content with mere abstractions. It has been possible to make and in my judgment it is still possible to make a treaty with Canada which would for years to come make us practically masters of the imports into that dominion. In the last ten years American manufactures have exported one hundred millions of dollars in the establishment of plants in Canada, which would have been kept at home, with all the labor which that implies, if there had been a fair and permanent relation existing between the two countries."

The inaugural address of Governor Cummins provoked considerable comment among politicians to-night. Everyone conceded it to be a strong document, but it was taken by the "stand patters" as being aimed directly at them, and as indicating there would be no compromise on the part of the governor and his friends in regard to the selection of delegates to the Republican national convention.

"In favor of progress!" What language from a member of the "stand-still party!" "Farmers need a market." Whoever heard of a modern day Republican caring what farmers need? Farmers can't contribute to a campaign fund. They are good in times of peace only to pay taxes on axes, hoes, shovels, plows, mowers, harvesters, barbed wire, wire nails, and cotton gins.

Now, my friends, this began to touch, this began to hurt, and this began to make the men who believe in the stand-pat theory all around, flinch very considerably; and so the next day in the Washington Post, on January 16, there is an interview with Senator GALLINGER, a stand-pat-all-around-and-forever Republican, headed, "No free trade with Canada—Senator GALLINGER thinks Governor Cummins's suggestion is absurd."

That language of Senator GALLINGER is almost beyond the limits of parliamentary debate. [Laughter.]

The Senator says:

The admission of agricultural products would be disastrous to the farming community all along the border.

And when I read his article, he says with a "My Heavens" understood, I suppose:

Our imports from Canada in the present year will reach about fifty-five millions.

Fifty-five millions! And Governor Cummins's idea is absurd, because it would flood the markets of the United States with what fifty-five millions of Canadian products now imported might portend!

Why, my friends, not all of these imports are agricultural. About three-fifths of them probably were. Make it about thirty-odd millions of dollars of agricultural products as a basis from which we are to be flooded. Why, do you know if you take the whole fifty-five millions as a basis, it is not the value of Mississippi's cotton crop last year, and yet he wants us to believe that we are to be ruined, "soup housed." I dare say, however, that the same man if he were faced by a treaty proposition to-morrow, whereby Great Britain and Canada both consented that Manitoba and Alberta and the Hudson Bay country and the Red River country up there should be peaceably annexed to the United States by the payment to Great Britain of twenty or fifty millions of dollars, would take them with all the products they could send.

Our sons are going there; their sons are coming here, and we absolutely stand here and forbid our children there and their children here to trade across the line, and men, a distinguished statesman among them, try with a bugaboo like that, with a threat of $55,000,000 of farm produce, to make the American people, who have already come into competition with Minnesota and Michigan and South Dakota, North Dakota, and the great western country shiver in their boots! The Senator says nothing about the millions of our agricultural produce going yearly to Canada. My friends, I have heard you here on your feet talking time and time again vaingloriously about "expansion," and when it is real and true expansion of homogeneous populations and contiguous territories I agree with you that our country is benefited by it and that her history in connection with it is thrilling and glorious. The hand that signed the treaty with Napoleon the Great, giving to the United States everything west of the Mississippi River except the Spanish and British northwestern possessions, is an immortal hand for many reasons, but it would have been an immortal hand if it had never done anything else. Yet in that day there stood up narrow men upon this floor and said, "Oh, my heavens, the industries of the East will be swamped!" "O ye men of little faith" and of little industrial courage, and of little confidence in American labor and brains!

Mr. WATSON. May I ask my friend a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. WATSON. I ask for information as to the gentleman's attitude: I do not ask it at all in a controversial spirit. Does the gentleman believe in reciprocity with Canada or in absolute free trade between the United States and Canada? I would like to have the gentleman define his position in that particular.

Mr. WILLIAMS of Mississippi. My private position? My position as related to practical politics, or my private academic position as a student of abstract political science? [Laughter.] Seriously, I am glad the gentleman has asked a question. As a practical man, as a practical legislator, standing upon this floor for the purpose of doing practical things, which under the decisions of the Supreme Court can be done, not I nor anybody else is a free trader or could be.

If the gentleman wants to know my opinion as a student of political economy about the abstract question of free trade, I think that the nearer the nations of the earth can come to leaving their commerce totally untrammeled the happier and the better and the more prosperous the entire world will be. [Applause on the Democratic side.] But I know what you want. You want to raise up amongst a lot of people the bogy man of "free trade." What a terror it is to a highwayman to be faced with the fear of having to drop his booty. You know, and I ask you if you do not know, that under the decision of the Supreme Court setting aside the income tax, no party in this country could get along without a very high rate of import duties, even if it wanted to cut them down.

Mr. WATSON. Well, I imagine not.

Mr. WILLIAMS of Mississippi. I imagine not.

Mr. WATSON. And I am very glad to hear the gentleman say that, and I wanted then later to ask the gentleman——

Mr. WILLIAMS of Mississippi. I will first tell you just the limits to which we can get along without import duty, just the line of demarcation beyond which those duties are robbery and within which they are legitimate taxation, because they are taxation, and like all taxation a necessary evil after all. I have stated it once before upon the floor of this House during the extra session or at the beginning of this. I have forgotten just when, but I will repeat the phrase again: You have a right to levy import taxation or any other sort of taxation upon the citizen, you have a right to burden him—it is a burden—you have a right to weigh him down—it is a weighing down—just to the extent of the necessities of a government carried on economically, constitutionally, and effectively, and above that you have no right to do it. [Applause on the Democratic side.]

Above that, you not only have no governmental right, but it ceases to be moral; it becomes robbery, a crime under the thin cloak of law. The moment that the Government takes one dollar out of my pocket that is not needed for public purposes, that

Government has taken advantage of its power, as a highwayman does, to hold me up and rob me. [Applause on the Democratic side.]

Mr. WATSON. Mr. Chairman, I would like to ask my friend on that point, if that brings him back to the old idea of a tariff for revenue only, as advocated originally by his party?

Mr. WILLIAMS of Mississippi. No; it does not bring your friend *back*. [Laughter.]

Mr. WATSON. Or does it bring him to the proposition that he is in favor of a protective tariff that will be equal to the difference in wages in this country and in Europe?

Mr. WILLIAMS of Mississippi. Oh, I see; I can answer that very easily.

Mr. WATSON. All right.

Mr. WILLIAMS of Mississippi. Any tariff that will provide for the necessities of this Government is more than equal to a tariff that must equal, even transcend, the difference of wages in the United States and abroad. This is especially true when you consider that the whole world's pauper labor, except Chinese, is itself admitted to the United States free. That is the answer to that, and I am in favor of a tariff that will answer the necessities of this Government. These two statements are my answer to that question. But let me go on. Now, are you going to stand pat on the tariff? If so, how many of you here and in the country, and how long? Some of you say you are going to stand pat until after the election, and when I ask you why, you tell me "so that the tariff can be revised by its friends."

My friends, if you want the tariff "revised by its friends," and you want to be dead certain that it is "revised by its friends," you had better begin to operate and revise it right now, because, although you may win the next election, and although we know as sensible men that we are going to have awfully hard up-hill work in turning you down, if we turn you down at all, you can depend upon it that you have more power now and an extortionate tariff has more friends right now in this Hall and in the other wing of this Capitol than it will have after the next election.

If the friends of this sort of tariff want to deal with this question—if they want to see that this robber "child" is duly nursed and clothed and kept warm, and if they are afraid of us and afraid that it may have a less number of friends hereafter, let them go to work now; there are plenty of you to go to work.

Why are you afraid to tell us and the country what you want to do? Why are you afraid to tell the American people how and on what principle you want to revise the tariff? Why are you afraid to tell them in what direction you would revise it? Why are you afraid to tell them to what extent you would revise it? Why do you not explain the phrase "stand pat?" "Stand pat" how long? And how far—up to the limit or beyond the limit or where? [Laughter.] What in the world is the reason that the tariff can not be "revised by its friends" *now?* Is there a single one of you over there that is not its friend?

Have you a Senator in the majority that is not its friend? Are you afraid that the President of the United States is not its friend? Are you willing to go before the American people and say that you have "stood pat" upon every bit of the tariff except for one poor little year longer of the rebate on bituminous coal—bituminous coal that the poor seamstress, the poor workingman, the poor sweat-house people, that everybody in the country who is down to the point of threatened submergence, or below it, needs and must have; bituminous coal, which is a necessary of life throughout a great part of the country?

And yet you tell us you "stand pat." When you get to this particular thing, which does not need legislation to change the law and where all you have to do is to sit quiet and let a beneficent act of congress—proved beneficent by a year's experience—expire by limitation, leaving the country to find it out—you have such infinite confidence in the fact that "the people are fools" that you think they will not find it out—there you do not "stand pat." What else are you going to "stand pat" about? Are you going to "stand pat" on Canadian reciprocity—on the failure or refusal to reconvene the joint high commission?

By the way, I introduced some bills upon that subject. They are very innocent bills; but I have not much hope of their getting into this House. Well, I will take that back. I have a hope, proceeding from the good nature and amiability and personal friendship of my friend the leader upon the majority side. Out of pure good nature he may allow the bills to be considered in committee; but I understand that from a party standpoint he disapproves them. Now, here is one, a bill providing that—

The duties upon imports now established by law under the act of July 24, 1897, shall be and hereby are reduced 20 per cent.

Your own Dingley bill says that you can do this. Your own bill admits that a 20 per cent reduction will not do any harm. From your own standpoint as high protectionists, as framers of the Dingley bill, you have said to the country and to the world, "We have put these duties up 20 per cent higher than is necessary, even for the purposes of protectionism, even for the purposes of the Republican party."

Now, how do you say that?

Mr. PAYNE rose.

Mr. WILLIAMS of Mississippi. Oh, I am not going back to that old disputed matter about what Mr. Dingley in private conversation *said*. You said it by inserting a clause in the Dingley bill itself, giving the President power to enter into reciprocity arrangements, reducing duties 20 per cent whenever foreign countries will do certain things. Of course you would not have done that unless you thought the duty could bear a reduction of 20 per cent; and you could not have thought that unless you thought the 20 per cent duty higher than necessary for carrying out your protective policy. In the belly of the Dingley bill stands the confession. I have taken you at your own word, or at the word of confession of your own bill.

Mr. PAYNE. Will the gentleman allow me to ask him a question now?

Mr. WILLIAMS of Mississippi. Let me finish the reading of this bill, because this is a sort of pet of mine.

Mr. PAYNE. While the gentleman is on that 20 per cent business——

Mr. WILLIAMS of Mississippi. Let me finish the reading of the bill, and then I will yield to the gentleman. This bill provides that these duties may be reduced 20 per cent—on what?

On all articles being the growth and product of such countries as do now or may hereafter admit the natural products of the United States to their markets free of import duty.

Now, before explaining the meaning of the bill, I will yield for a question to the gentleman from New York.

Mr. PAYNE. The gentleman does not get quite back to the old Morrison bill, making a horizontal reduction of 20 per cent—a bill which was the laughingstock of the country a few years ago. The gentleman is going in that direction; but he does not go quite to the same extent.

Mr. WILLIAMS of Mississippi. I have forgotten—is Mr. Morrison dead?

Mr. PAYNE. Oh, no; he is still alive.

Mr. WILLIAMS of Mississippi. Well, if he is still alive, I wish you would ask him about that, because it has nothing to do with what I am now discussing.

Mr. PAYNE. That was the position of the Democratic party at that time, and I was curious to know whether my friend from Mississippi was getting back to that position.

Mr. WILLIAMS of Mississippi. In the very best natured way I will say that the Democratic party learns as it moves. Some other people do, too. I remember when here in the House of Representatives my friend from New York [Mr. PAYNE] learned in the course of two or three days that he was totally mistaken about a bill he had himself reported; and I applaud him for learning it, because his last conclusion was right and his first conclusion was totally wrong. [Laughter on the Democratic side.] I refer to the Porto Rican legislation which took place in the Fifty-sixth Congress.

Mr. PAYNE. I must correct the gentleman, because in that case he thought my last conclusion was wrong. I started out here with a certain form of bill to raise revenues for Porto Rico. I found that with that bill we could not do it, and so I changed the bill; and for that I received a great deal of scorning from the gentleman from Mississippi, although the country finally agreed that the later bill was right.

Mr. WILLIAMS of Mississippi. Well, I withdraw the encomium which I passed on the gentleman. [Laughter.]

Mr. PAYNE. I am sorry that I can not withdraw the remark I made about the gentleman. [Laughter.]

Mr. WILLIAMS of Mississippi. I got a little confused about the sequence of my facts. I thought it "awfully" funny that I could from a political standpoint indorse any *finality* of the gentleman's judgment. [Laughter.]

Now, my friends, this bill that I have read is simply to reduce the duties 20 per cent on products from such countries as may admit our natural productions free. What does that mean? Do you want Mr. Chamberlain to win in Great Britain?

A MEMBER. I do not.

Mr. WILLIAMS of Mississippi. Nobody does—nobody in America does. Of course his success would trammel our trade in that direction.

No Republican wants it done, because even he believes that trammeling our exports to Great Britain is bad for us. No Democrat wants it done, because he is opposed to trammeling trade in either direction any more than is unavoidable. Now Chamberlain is going to win, in my opinion, just as surely as there is a sun or a moon. He is going to win, because if the whole world is going protection-mad, Great Britain is going to put up a pretense of a tariff at any rate, so that under it she can trade and barter. And when Great Britain puts up that pretense of a tariff—

I do not think she will dare put a tariff on Southern cotton, so I am not speaking from a sectional standpoint, because they have got to have our raw cotton or starve their Manchester and Sheffield and Leeds looms—but she can put a duty upon one-half of the American agricultural products that are shipped into Great Britain, a very small duty upon food products, so as not to cause revolt among her factory operatives, and a higher duty upon other things grown on the farm or dug from the mine; and then she can put any duty she pleases upon such manufactured products as we are sending there now—steel rails and agricultural implements and wire nails, locomotives, sewing machines, typewriters, phonographs, automobiles, and various other things.

My bill, which is approved by the Democracy here, if enacted into law would cut the ground out from under Mr. Chamberlain. The trade of Great Britain with us is more valuable to her than her trade with her colonies. Our trade with her and her colonies is more valuable to us than our trade with all the balance of the world put together.

My friends, when Governor Cummins wrote what he wrote in these articles I have read, there is not a Republican in this country who ought not, if he had been wise and patriotic, even from a purely party standpoint, to have risen to his feet and fairly shouted "a second Daniel come to judgment." He is the only man among you who has had the moral courage to print a word that can save you from the wrath to come; because if Chamberlain does prevail in his ideas in Great Britain, and if Great Britain does cut off the American farmers and millers' market in Great Britain, a market to which we ship over half of all our natural products—products of the mine and of the farm—then you will awaken a storm among the western farmers, compared with which the temporary storm of Populism was absolutely nothing; with this difference, that it will be a storm that will sweep and sweep and sweep until you have been swept out of the way and then alone will it cease to blow. [Applause on the Democratic side.]

How can you defeat Chamberlainism? How can you defeat anything? Anticipate it. Take the situation by the horns; take the bull by the horns, I mean. A situation has no horns, I believe. [Laughter.] Take the bull by the horns and say now by legislation to Great Britain, "We will give you twenty per cent preferential ourselves, as long as you continue your present policy of admitting the products of our mines and our farms free to your shores. We acknowledge that you are the largest market we have in the world, the largest purchasers both in volume and in value, and we are not willing to see our market with you go."

Let me tell you another thing: Protectionism is a thing that grows by feeding on itself. Wherever you start it just in a little bit of a way, and you get one fellow in with a favored industry, and he is growing rich at the public expense and by operation of law, then another fellow comes along and says to his Representative, "I am as good a fellow, and my industry is as respectable an industry as that other one: put me too—'even me,' 'I am an orphan too'—on the list of Government-favored classes." So year after year special favoritism by law grows higher and higher, and broader and broader—that is its history everywhere—until a period of revulsion and reaction comes, and then of course reductions begin, and sometimes the period of revulsion and reaction is so extreme, because it has been so long postponed, that reduction comes by revolution instead of evolution, and works temporary harm and destruction. Now why not deal with that bill? That is an innocent thing. I introduced it so that a Republican could vote for it, I thought.

Let me say another thing. Why, my friends up in New England are talking about the 15 per cent duty on hides. Some of my friends down in the other country whence hides come want to tell me that an American, and above all Americans a Southerner, and above all Southerners a Texan, can not skin dead cattle in competition with a Mexican greaser, and that American prosperity depends upon the skinning of dead cattle! [Laughter.] The truth is that when the dead cattle are skinned, what few of them are skinned out there, except the small number that come from the local butcher shops, are those that die on the plains. The balance of them are skinned in Chicago, or elsewhere, and the hides are sold by the trust, which fixes its own price for the beef without much if any regard to the hide; but those few that do die and are skinned there on the ranch or near the farm in the Southwest are not skinned by Americans at all. They are skinned by greasers under the pay and supervision of some Americans. Greasers come in free. [Laughter.]

Now, these people up in New England are demanding free hides. Well, I do not believe much in putting everything upon the free list. I think it is better to have an all-around tariff. I would not put a great many things upon the free list, but I would list very nearly everything with a tax so small that it would be simply a revenue tax and nothing more—nearly everything except luxuries and things the home produce of which was subject to an excise tax.

Now, I shall not dwell upon the facts and figures of this boot and shoe and hide question, because they were presented to the House most eloquently by the gentleman from Massachusetts [Mr. SULLIVAN] on the day before yesterday. A great majority of the New England boot and shoe men, as I understand it, say they are willing to go upon the free list themselves if hides are put upon the free list. That is, they *say* so now, while they are backing a bill to put hides on the free list. I want to test their sincerity, so, after consultation on this side, I introduced, on December 15, 1903, this bill:

A bill to reduce taxation on American citizens who use hides, leather, boots, shoes, saddles and harness.

Be it enacted, etc., That the following articles are, from and after the passage of this act, freed from all import duties at any port of the United States when imported from any country which admits free of duty identical articles being the product of the United States of America, to wit: Hides of all animals, leather of all sorts, boots, shoes, saddles, and harness. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Now you will note that this is not a bill to put hides, leather, boots and shoes out and out on the free list, although, as the gentleman from Massachusetts [Mr. SULLIVAN] has demonstrated, a majority of the New England boot and shoe manufacturers have expressed a willingness to give up their duty if hides were put on the free list. I was afraid to go that far in a Republican House, where the very whisper of the word "free" causes shivering. The bill admits these articles only from such countries as admit identical articles shipped by us to them free.

In a minority I do not ask all I want; I ask what it seems to me, from your standpoint, you might possibly out of pure love of country grant. Will you grant it? Will you grant something like it? If Texas concedes free hides, will you concede 75 per cent reduction on boots, shoes, harness, and finished leather? Will you concede 50 per cent? Will you do anything for the poor who wear shoes, and who are paying more for an American-made shoe than the American manufacturer charges for the same shoe when bought by men no poorer in London?

Will you "stand pat" against the shoe wearers of America, even when the course of trade proves that the shoemakers of America are flooding the world with their shoes, regardless of the pauper labor of the world?

"Quousque tandem abutere, Catalina, patientia nostra," by "standing pat?" But we won't ask now for all that the country has a right to have, because we know we can not get that. Why not take hides and put them on the free list, and reduce the duty of boots, shoes, and harness and leather only 50 per cent? I will wager that you will not even do that, and yet what an insufficient boon that would be. Now I will yield to the gentleman from Indiana.

Mr. WATSON. Right on that line, the gentleman has said that he did not believe in putting many things on the free list. He has also said that in order to raise enough revenue to run this country that the tariff would amount to more than the difference in the wages in this country and the old country. Now, I would like to ask the gentleman—and he has been very frank to answer as to what he would do if he were in power—would you raise all that revenue by a tariff on the noncompetitive products or scatter it all along the line and put a part of it on competitive products?

Mr. WILLIAMS of Mississippi. I would not only do that, but at the beginning I would necessarily have to leave most of it on the competing products; that is to say, more competing products than noncompeting products would be on the dutiable list.

Mr. WATSON endeavored to interrupt.

Mr. WILLIAMS of Mississippi. Wait a moment. If I wanted to take down an old house and build a new one in its place I am not fool enough to blow up the old house by dynamite. I would begin at the roof, the highest part of the house, to take it out of the way. I would begin at the highest and most extortionate schedules of the tariff and gradually remove the present false structure. I am not fool enough, either, to get under the old house and pull down the pillars and let it fall on me. Common sense is an attribute of ordinary citizens, much less statesmen like you and me, you know. [Laughter.]

My idea is this. This tariff ought to be revised. Its inequalities and iniquities ought to be at once swept away, and then, gradually, as you can, if I had the power, I would bring about a Democratic tariff. It would take some time to do it. Time would enter as a factor into the process; necessarily so. Great Britain, whose slogan and ultimate aim was free trade—and ours is not free trade, and can not be free trade under the decision of the Supreme Court—did not reach free trade by sweeping out of existence all at once all the industrial conditions that then existed. Gradually, little by little, but with an eye always on the end in view, she reduced the duties, now on this and now on that, and furnished to the country in the case of each reduction an object lesson of the beneficent effect of removing taxation from the consumer.

Mr. WATSON. Will the gentleman allow me to ask him another question here?

Mr. WILLIAMS of Mississippi. I have not yet answered your present question.

Now, I believe in a Democratic tariff, and as tariff is taxation on the consumer, I therefore am in favor of making the tariff as as nearly as possible equal taxation upon all the consumers; therefore it ought to be a tariff as nearly as possible upon all things consumed, so that all consumers may be taxed equally. The very gist of Democracy, the very nature of Democratic taxation, or Democratic anything else, is equality.

Mr. WATSON. But the gentleman believes to get at once to his ideal of a Democratic tariff would work ruin in this country——

Mr. WILLIAMS of Mississippi. Oh, no; I don't. Of course, a Democratic first tariff bill would not work ruin, because it would be directed by common sense, with such considerations of existing conditions as were necessary.

Mr. WATSON (continuing). Or work injury.

Mr. WILLIAMS of Mississippi. I have just been telling you what the Democratic policy was, and was telling that it was not to blow up the house by dynamite nor to pull the house down on our heads.

Mr. WATSON. And that for the present he believed in providing a protective tariff?

Mr. WILLIAMS of Mississippi. No, I did not. There *is* a protective tariff. All duties on imports are to some extent smacking of protectionism. Of course we would have to leave duties enough to support the Government. Such protectionism as would be left in any possible tariff would be *left*, not *provided*, by us.

Mr. WATSON. And a continuation of protection until he could make a Democratic tariff——

Mr. WILLIAMS of Mississippi. No, I did not.

Mr. WATSON. By and by.

Mr. WILLIAMS of Mississippi. It must have been my awkwardness of expression that prevented the gentleman from taking my meaning, because it could not have been any awkwardness or incapability of comprehension on the gentleman's part. I know his ability too well to believe that.

Mr. WATSON. That is very kind.

Mr. WILLIAMS of Mississippi. I did my very best to express the idea, and I will leave it where it is. I would express it more clearly if I knew how, but I do not know how.

Now, Mr. Chairman, let us go ahead. Are you going to "stand pat" on the currency? I want you to tell me that. Now, there seems to be a whole lot of you who want the passage of the Fowler bill; there seems to be a whole lot of you who want the passage of the Aldrich bill, and some of you want a 6 per cent tax on bank currency for an emergency circulation.

Now, Mr. Chairman, I am a fellow of a modest mind, and I introduced a bill and sent it to the proper committee, the chairman of which is one man that I am looking to more for relief than anybody else, and that bill simply says that where the Government puts United States money in banks and lets them use it, to make them pay some interest on it. That is all. That instead of choosing United States Government depositories by a rule that nobody understands, a rule within the sense of equity of the Secretary of the Treasury or the Comptroller, you should fix by law a rule of common sense and under it get interest on such of the people's money as is being used by rich capitalists.

You all remember that a long time ago old Judge Coke said equity was an uncertainty; that it depended upon the length of the boot or shoe of the chancellor, because depending on his discretion in each case was no better. So this principle of selecting United States depositories is so uncertain that it might as well depend upon the boot of the officer or the shoe of the officer who is to select the depository. It is a system of absolute favoritism, or at any rate there is nothing in the written law to prevent its becoming such a system.

A system of absolute favoritism. Now, I do not mean to say that it is always absolute favoritism in practice, because I am free to admit that there has been generally a considerable degree of fairness—more than was perhaps ordinarily to be expected; but I do mean to say that the power is theirs to select friends and to put the money into the banks of friends without a cent of interest.

Now, why not let those banks have the money which have first—first, mind you—deposited self-sufficing and absolutely self-sufficing and independent security for the repayment of the principal—so that no matter whether the bank continues in business or fails, the principal will be certainly repaid to the United States Government; and then with the different banks bidding upon that sort of prerequisite proposition, with that sort of security deposited beforehand, give it to those banks, under certain limitations of amounts, which bid the highest rate of interest. What would be the advantage of that? Why, the advantage would be, instead of the money going to the great congested money centers to be lent to speculators for booming "industrials" or exploiting wind-swollen swindling "trusts," or for "bearing" and "bulling" agricultural produce "on 'change," it would go to the parts of the country that need money most and could therefore afford to pay the highest rate of interest for it.

I have not a doubt that you could get from 2 to 3 per cent on call for every dollar that is lying in the Treasury with banks that would deposit as security outside of their capital stock, outside of their credit as banks, ample collateral to secure it beyond all peradventure of a doubt. Are you going to "stand pat" on that, too? Are you going to continue forever to lend the people's money to the banks of the country with no rate of interest at all? By the way, what is there, Democratic or Republican, in the idea that the only banks that can borrow money free from the Government of the United States, if any are to be helped for nothing in that way; or if you change it and make it more just and right and charge them interest; what is there Democratic, or Republican, or American, or fair, in restricting the individuals so favored to the class of national banks? It would seem that anybody who gives equal interest ought to have an equal chance for security or for a loan. Are you going to "stand pat" on lending millionaires millions without interest?

Now, my friends, another subject. Are you going to stand pat on the trusts? Why, it begins to look like you were. There is not anything I can find in the President's message in any way about the trusts except he says that "publicity" will cure it all. Now I appeal to my friend—a fairer-minded man never existed—I appeal to my friend from Connecticut, and other people of that sort, do you believe that allowing a corporation to fix up its assets and liabilities and make a public statement of them will particularly hurt a dishonest corporation?

Will it not, on the contrary, frequently give them the advantage of seeming to have the fiat of public approval?

Did you ever know a national bank to fail that had not published shortly before a magnificent statement, and the statement had been indorsed and approved by its officers and some bank examiner? Publicity is all right—we ought to have it. Light is always good; light does more to prevent crime than policemen do in all the cities in this country; but to rely upon it solely to prevent the enormous extortion of these trusts, to prevent what is worse than extortion, regular public swindles organized under the laws of New Jersey, or some other State, for the purpose of taking in the "unco' guid," the unwary and innocent people, the "lambs," publishing immense prospectuses that they have two millions or two billions of capital, when they have not thirty thousand dollars in their vaults, when they have not cash enough to furnish operating expenses for a year, as was the case with the "shipping trust," are you going to do nothing about that? Are you going to "stand pat" on that?

Now, I have introduced a bill. The bill is not perfect, and since introducing it I would like to amend it in several particulars; but the idea of the bill is this, to punish public swindling and public cheats engaged in interstate commerce, for if the immense overcapitalization, enabling lying prospectuses, amounts to a swindle to the people to whom they sell stock, then it is a swindle upon the people generally all over this country. Gentlemen may say that it would only protect stockholders, but I tell you this Government, armed with the power to regulate interstate commerce, ought to protect even the stockholders from these miserable exploiters of Wall street or elsewhere, who make up these combinations, who float bonds and securities freely at the expense of the public upon a public lie. Are you going to "stand pat" on that? Are you going to "stand pat" again against all the recommendations of the Interstate Commerce Commission? On December 15, 1903, I introduced a bill (H. R. 7640) to accomplish an the recommendation of that Commission, and this seems to me reasonable enough. Now, I want the country to know whether you are going to "stand pat" against it or some legislation calculated to accomplish the same end.

Here is the bill:

Be it enacted, etc., That no person, firm, or corporation, or association of individuals, or association of corporations organized in [illegible] shall make it a condition of the sale of goods, wares, or merchandise that the purchaser shall not sell or deal in the goods, wares, or merchandise of any other person, firm, corporation, or association of individuals, or association of persons. *Provided*, That this act shall not be construed to prevent the employment of agents or sub-agents for the sale of goods, wares, or merchandise. See (Massachusetts Statutes, June 7, 1901). Any violation of the provisions of this act shall be held to be a contract in restraint of [illegible] in the United States under the provisions of section 1 of the act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890, and every person who shall be a party to any contract in violation of this act shall on conviction thereof, be adjudged guilty of a misdemeanor, and shall be punished by fine not exceeding $[illegible] or imprisonment for a term not exceeding one year, or by both such punishments, in the discretion of the court, and shall be subject to such other penalties, forfeitures, and suits in equity and actions at law as are prescribed in sections 4, 5, 6, and 7 of an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890.

The bill is simply to forbid and to penalize a favorite system of the trusts of refusing to sell to a person, firm, or corporation, unless the former will promise and stand bound not to deal in like goods sold by anyone other than the trust, or not to sell to certain person obnoxious to the trust as competitors of their firs. The bill simply forbids trusts to use an industrial bludgeon to kill competitors. Are you going to "stand pat" against this measure or som thing like it, and thereby "stand pat" in favor of a continuance of the interstate commercial method now pursued by the sugar trust, Standard Oil trust, and steel trust?

This bill, introduced by me after consultation on this side, is almost literally a copy of a Massachusetts statute, and therefore has a Republican origin. Dare you deny the justice, equity, or necessity underlying it? What a poor card to "stand pat" on is the evil it strikes at? Here is another bill, introduced after much consultation with colleagues on this side. Let me read it:

A bill to empower the Interstate Commerce Commission to fix transportation rates in certain contingencies.

Be it enacted, etc., That when, hereafter, the Interstate Commerce Commission shall declare a given rate for transportation of freight or passengers unreasonable, it shall be the duty of the Commission, and it is hereby authorized to perform that duty, to declare at the same time what would be a reasonable rate in lieu of the rate declared unreasonable.

SEC. 2. That whenever, in consequence of the decision of the Interstate Commerce Commission, a rate has been established and declared as reasonable and litigation shall ensue because of such decision, the rate fixed by the Interstate Commerce Commission shall continue as the rate to be charged by the transportation company during the pendency of the litigation and until the decision of the Interstate Commerce Commission shall be held to be error on a final judgment of the questions involved by the United States court having proper jurisdiction.

That is H. R. 6768, introduced December 10, 1903.

It merely asks that the present absurd condition of things in connection with the Interstate Commerce Commission be done away with. I refer to this condition: The Interstate Commerce Commission has power to declare a given rate, when the question concerning what it ought to be is before the Commission, to be unreasonable, and to forbid the railroads from collecting that rate. Say it is 50 cents; the railroad changes it to 49 cents. The Commission declares 49 cents unreasonable, and the railroad changes it to 48 cents. Each time the shipper, or a new shipper, must lodge a new complaint, and so on, if the railroad chooses, *ad infinitum*.

There stands that Interstate Commerce Commission, acting under a law so puerile and childish that the Commission has the power to declare a given rate or charge unreasonable, but is without any legal power to declare what rate would, in its stead, be reasonable. That is not all; as a consequence of the puerility of the law when the Commission declares 50 cents unreasonable, let us say, then the railroad can immediately have it reviewed in another court; or otherwise, they instigate litigation and motions, demurrers, bills, cross-bills, etc., go on and on and on, and in the interim the railroad is benefited by being permitted to continue charging the rate declared unreasonable; the railroad receives the benefit of the doubt of what the final judgment may be, and not this tribunal erected by this great Government. The shipper must pay in *pendente lite* to the railroad, paying what the Interstate Commerce Commission has denounced as unreasonable.

We propose upon this side to say this: That whenever the Interstate Commerce Commission pronounces a given rate unreasonable they shall have then and there the power to fix in its stead a reasonable rate, and this rate shall be operative until on final judgments by proper proceedings in the proper Federal court the finding of the Commission shall be overruled. It is not arming them with the power to make an omnibus schedule all over the country, but wherever, on question raised by complaint or otherwise, they declare a given rate to be unreasonable, they shall *then* have the power to state what is a reasonable rate; and furthermore, that that rate shall be operative until it is set aside by due process of law. That is all. I do not think myself that any small body of men could arrange, or ought to be empowered to arrange, an omnibus schedule for so vast a country with such divergent sectional interests as ours. Are you going to stand pat against this plainly just demand of the Interstate Commerce Commission, too?

My friend, Mr. ADAMSON, of Georgia, the senior Democratic member of the Committee on Interstate and Foreign Commerce, has introduced a bill simply embodying all the recommendations of the Interstate Commerce Commission. That and nothing else. You need not adopt all of them, but some of them surely are worthy of adoption; some of them ought to be indorsed. Will you "stand pat" against all of them?

Now, I see before me a man—the sledge hammer of the Republican party, a man of weight in every way, a man in my opinion of justice, Mr. HEPBURN of Iowa, chairman of the Committee on Interstate and Foreign Commerce, and I do not believe that he is going to allow his committee to be held back by purely partisan considerations, with the idea of "standing pat," without doing some of the things that the Interstate Commerce Commission recommend.

Mr. Chairman, I want to see what you are going to "stand pat" on. Are you going to stand pat upon the Executive investigation of the admitted rottenness in the Post-Office Department? Are you going to abdicate your functions as a Congress to supervise and correct and check and clean the Executive Departments, and see that their work is honestly carried on? Now, do not misunderstand me. I shall never be the sewer of any anonymous charges, or quasi-anonymous charges, or confidential charges against the character and good name of any man. I do not believe that Republicans as a class are any more dishonest than Democrats. But I do believe this, that when a party has been in power as long as has been the Republican party, then, unless it is awfully particular and careful, and goes beyond expected lines even in punishing corruption and rottenness in its ranks, the natural judgment of mankind will be that its members have been in so long, and are so coherent in illegalities that they can not reform themselves. Are you going to leave the question of punishing post-office thieves and robbers to their friends as well as the revision of the tariff to its friends? [Laughter and applause on the Democratic side.]

The other day I was talking to one of my friends over there on that side, and he said, "John, aren't you afraid if they get to looking into that thing too closely they will hit somebody on your own side?" I said, "If they look into it deep enough, and they find a man on my side that ought to be hit, I hope they will do it, and when they do, I will not wait for you to lead the attack. I will lead the charge, and when we have pitched him out of the windows of this body, metaphorically, we will have broken every miserable political bone he has in his body." [Laughter and applause.]

Now, gentlemen, I do not charge you with trying to cover up this thing, but I do charge you with lack of sufficient "energy." You seem to be threatened with premonitory symptoms of investigation paresis. Why was it otherwise that you voted down the other day the resolution introduced by the gentlemen from Virginia [Mr. HAY] to investigate Bristow's charge that unnamed members of Congress had been *participeps criminis* in fraud and bribery; sending it to the Post-Office Committee instead of voting it up and having a committee specially appointed by the Chair?

Mr. HAY'S resolution called for a special committee to be appointed by your own Speaker.

There is not a man in this House on either side of it that does not know—and I appeal to those on this side of the House—that if the Speaker of this House appointed a committee of that sort it would be an honest committee and it would be appointed to get at the truth. Are you afraid to get at the truth? [Applause.] It would be appointed for that express purpose. Why, gentlemen, if there had been a single corrupt bone in the Speaker's body he would have been worth two millions to-day. [Applause.] Now, why is it that you did not let your own Speaker appoint a special committee to investigate this matter?

Don't you know as well as you know your names that, no matter how honestly the men at the head of an investigation in the Post-Office Department may strive to make that investigation full and complete, the whole Department must necessarily be honeycombed with personal friendships that restrain men, and keep men of good, or perhaps I ought to say soft, hearts from pushing and thrusting where they ought to push and thrust; and don't you know that it can not do any harm to let this House go to the very bottom of every bit of it? If there be anything that has not been discovered thus far, drag it up by its drowned locks.

Why, your President tells you that the land business is just as rotten as the Post-Office. He tells you so in his message. Why not have that specially or otherwise investigated by this House? We are charged with legislation. How can we legislate until we know how much of the public money is stolen and how much of it is honestly expended? [Applause on the Democratic side.] Are you going to stand pat on that?

Mr. STEPHENS of Texas. And also the Indian Territory affairs.

Mr. WILLIAMS of Mississippi. Yes, my friend suggests something about the Dawes Commission in the Indian Territory. That has been probed to a little extent, but seemingly the surgeons thought it cruel to probe further; but let us probe it all, and do not let us probe it from a partisan standpoint. Such is my confidence in the Speaker that I would be willing to let him appoint a committee of five Republicans, provided all the other Republicans in the United States let him alone and let him appoint them on his own hook and on his own say so. [Applause and laughter.] Let us have it.

Lo and behold, my friends, there is one other thing that I had almost forgotten! You are so fond of class legislation that when you can not build up particular class interests at the general expense in an indirect way by giving them what you call "protection," which by the way is not much protection to the balance of the people, but a burden to them, then you want to vote money directly out of the Treasury to build them up. Thus by bounty your Peek-a-Boo has proposed to hothouse the shipbuilding class.

Now I want to know what you mean on this ship subsidy question. The country wants to know. I am "a chiel asking questions;" that is all. Do you mean merely to tide this thing over until after the election, and then bring in something like the Hanna subsidy bill, because you are afraid to indorse it before election? Is that what you mean? Do you really want to build up the American merchant marine? I do. Do you really want to build it up without making its prosperity a burden on the balance of the country? I do.

Why, the old Democratic party has blazed a way in the past and put upon the statute books the only legislation that ever successfully built up an American merchant marine, and we propose to build it up as Jefferson and Madison did, not by burdening the people with taxation, but by relieving the people from taxation. The gentleman from Michigan [Mr. LUCKING] has filed, as I am informed, in this House a minority report to the bill which relegates the entire ship subsidy question to a commission, in which he recommends that instead of waiting we proceed now, and in which he says that the commission fixed by the Constitution to deal with this question is a committee in this House and a committee in the other House. He says that we have enough government by commission, or rather enough of nongovernment by commission. The few reports commissions have made were laughed at or voted down by the House and the Senate.

The gentleman from New York [Mr. PAYNE] will remember the commission of 1889. He will remember how they labored and how they brought in after a while a recommendation of a bill, and he will remember with what absolute ridicule it met, and remember also that afterwards the bill that was passed—the tariff bill of 1891—was a bill virtually originated in the Senate and indorsed by the House, and not the bill recommended by the commission. The gentleman from Michigan [Mr. LUCKING], I say, has brought in a report citing the ineffectiveness of these commissions, asking Congress not to abdicate its functions, asking us not to wait until "after election," but to proceed *now* to build up the American merchant marine, and he has suggested the plan which was tried early in the history of the country, and which succeeded, namely, the plan of giving to goods imported in American bottoms a reduction upon the import duty.

How long do you think it would take to build up an American merchant marine if each article of goods that was shipped into the harbors of New York, Boston, Baltimore, New Orleans, etc., and sent in foreign bottoms, had to pay 20 per cent more duty than if shipped in an American bottom, if the very fact of its being shipped in an American bottom would give an advantage to the consignee of 20 per cent reduction of the duty? As to conflicting treaties, every one contains the right expressly reserved on behalf of each government to abrogate on due notice, and the act should contain the required notice. While that doctrine is democratic it is not unrepublican. You will remember that in 1896, when you nominated Mr. McKinley, in your platform you then advocated building up an American merchant marine by "discriminating import duties."

Ah, but perhaps you meant by "discrimination of duties" to burden the people yet further by taxation; that is to say, to raise the import duties upon goods imported in foreign bottoms 20 per cent above present rates, instead of doing as we want to do, relieving the consumer from taxation and building up a merchant marine, at one and the same time, by making the discrimination fall on the other side of the line—namely, by *reducing* import duties on goods imported in American bottoms 20 per cent from the present rates.

Now, I do not mean 20 per cent absolutely. I do not know what percentage would be right. I named 20 per cent merely because that is the limit to which you could go under the Dingley bill. Perhaps 10 per cent might be sufficient. The old discriminating duty was 10 per cent, and it was found sufficient. We Democrats do not, like Senators HANNA and FRYE, recommend an experiment. Our plan has been tried, its success never denied, and we are ready to try it again.

Why not, then, go ahead right now before your commission investigate now; have hearings to find out just what percentage of tariff reduction would make up the difference between the pay of labor employed upon American ships and the pay of labor on foreign ships. Send subcommittees to other points, if needful. Let us progress! Go forward! Build up! Don't let everything, even your eternal salvation, wait "until after the election."

I want to say one thing more, Mr. Chairman, in this connection. I would not go even so far as I do in favoring legislation to build up a special industry but for one fact; our legislation here in Congress has been such as to make labor employed on American ships necessarily cost more as compared with the labor on foreign ships; and therefore, if we could make up for this legislation by enabling the shipbuilder to get back the amount we have virtually taxed him by our laws and our regulation concerning American-built ships, and in that way not only benefit him but benefit the American people, the general consumers, by relieving them somewhat of taxation, I am willing to do it.

At the same time we would not be doing anything which the Dingley bill itself does not concede can be done, even from a Republican and protectionist standpoint, and still leave duties high enough. I am not willing that any special industry shall be built up by taxing all the people, but I am willing that it may be done by *untaxing* some or all the people. Do you want to "stand pat," or do you want to do something else? Oh, my friends on the other side, do you know what you are getting to be? You are getting to be the party of negation and obstruction to progress in this country; you are getting to be the party of standstillism; you are standing in the way of every reform. You have become, by long use and abuse of power, ultra conservative—ultra "stand pat."

By the way, Governor Cummins says a very good thing. He says "these people talk about letting well enough alone, as if anything ever was well enough." Who ever heard of anything in the political or industrial world being "well enough?" Who hopes to see things "well enough" until we enter into that final state of bliss which all good Democrats expect to enjoy? [Laughter.]

Oh, my friends, whenever we ask you to do anything, you respond, as my friend, the gentleman from Iowa [Mr. HEPBURN], did the other day, by prating about prosperity.

Why, my friend CHAMP CLARK of Missouri, I am informed, though he never told me so himself, was making a speech down in Missouri one day in a Republican section of that otherwise good Democratic State, and he delineated the horrors of war carried on against a defenseless people guilty only of first trusting us and afterwards loving their native land and wanting to be free and independent; he delineated the horrors of colonialism, and he showed how the very birth principle of the Republic had been opposition to colonialism, and how we were now going into "the George III business" ourselves. He dwelt upon the desolated fields and the ruined harvests in the Philippines. He said that if immediately after the war of the Revolution the French had turned around and made war upon us, and denied that we had ever had an alliance with them, about the only difference would have been that we had a paper alliance with France, and we never had had a paper alliance with the Filipinos, but that we did fight side by side with them and shoot side by side with them. He went into all the horrors of colonialism and the dangers of it as retroactive on our institutions and our morals, discussing it as a great moral question; and then he said finally, "Fellow-citizens, can you stand for that?" And you know when CHAMP said it, it was heard everywhere; and he said it well. But one fellow said, "Well, I reckon we kin as long as steers is worth 6 cents a pound in Missouri." [Laughter.]

That is just about the moral and mental measure of average Republicanism. Why, we used to think that it was so funny we never could persuade the ordinary plantation darky that prosperity did not depend entirely upon government, or persuade him out of the idea that he would get more money for his cotton provided the Republican ticket won, as the carpet baggers told him he would; but we never dreamed that we had to meet that sort of an argument before white people. [Laughter.]

We never dreamed that any man alive, who would count up the sum total of human happiness and human prosperity, and give due credit to ancestry, and give due credit to environment, due credit to soil, due credit to climate, due credit to sunshine and rain, due credit to frugality, self-control, and perseverance, and due credit to the constant foresight of God and His prescience from the beginning when He built it and wound them to us that all the policies of a great government might to depend upon the price of beef in Missouri! [Laughter.] The price of beef! A thing that we are exporting every day; that we are selling abroad, dressed and raw and on foot, and in every other form; that nobody outside of a lunatic asylum ever pretended could be helped in price by a tariff, if the duty on beef was 17,000 per cent.

Now, my Republican friends, mark the day! The Populists just before you, and you now, have taught the American people that industrial and farm prosperity depend upon Washington. You absolutely went before all these people and taught them that a world's panic, that existed in Australia and the Argentine and Austria and England, was due to four lines upon the American statute books, some of you; and some of the balance of you said it was due to the anticipation of the German-Wilson bill. You have taught the people that way. It is harder to unteach a man than it is to teach him. Ah, this world goes on like the tide, coming in, up a little, back a little, up a little farther, back a little, until it reaches the height of the tide, and then the ebb sets in; and we three hundred and eighty-odd politicians here can not stop the course of nature and the operation of God's laws.

When men are in a state of prosperity they become careless about debt. They are willing to borrow, and they are willing to go into new ventures, and they do it recklessly and carelessly. Some day somebody wants to collect, and they begin to collect all along the line, everybody crying "Cash," bubbles burst and then business drops to the bed-rock bottom, when nothing answers but "cash," when property itself has to be sold under the hammer at half its value; and then, when things get down to the true basis again, people begin to gather courage, they begin to do business upon a sound basis, because they have not the credit to do it on any other basis, and then, more confidence coming, they run in debt just a little carefully, then a little more, then a great deal, despising as an old fogy him who won't run in debt, and then again the ominous cry "Cash," and then all over again.

Some of your bubbles have burst already; and when they shall have all burst, my friends, then the poisoned chalice will return. It will be commended to your own lips. The very lessons you have taught will come back to scourge you. You might get up on every stump in this country and try to preach common sense, but the fools you have misled will say, "You are the very fellows that taught us that, taught us what you say now is not common sense." Oh! that day of reckoning and wrath! How will you avoid it? Retrench your extravagance. Punish your corruptionists. Revise your bad laws. Put the people's house in order; otherwise—

Dies iræ, dies illa,
Solvet sæclum in favilla.

I say some of your bubbles have begun to burst. I need not call attention to them. I need not take up the time. I am too tired to do it anyhow. Start with the shipping trust. Follow them out yourselves. I want to talk of something else. The gentleman from Iowa [Mr. HEPBURN] asked the other day if any of us could point out a day when wages were higher, when this country was in a better condition. I said yes, and at haphazard I said, "This day one year ago." Now, without tiring myself further, I will read a few things from a very reputable and nonpolitical journal, The American Wool and Cotton Reporter. These are all in one number of the paper, December 10, about the time of the answer and question.

MILL NOTES.

The Berkshire Mills, at Adams, Mass., have followed the lead of the other cotton manufacturers and posted notices that on December 14 there would be a 10 per cent reduction in wages. The matter is being taken very quietly by the help, as inspite of the plea expressed some time ago that, owing to the better class of goods made there and higher class of help employed, there would be no reduction, yet it was generally thought that such a cut would take place. About 240 employees will be affected by the reduction. Notices of reductions of 10 per cent in wages were also posted at the Eclipse and Tower mills at North Adams, owned by Gallup & Houghton, and at the Greylock Mills. The reduction will take effect the 14th.

The New Bedford Loom Fixers' Union held a meeting on Wednesday evening of last week, when the report of the delegates to the recent conference with the manufacturers was made. There was a heated discussion on the report, with the result that the following vote was recorded:

"Voted: That the Loom Fixers' Union accept the cutdown in wages under protest, believing, as we do, that it is no remedy for the depression in trade." James Bamford was chosen to represent the union at the banquet which was given by the New Bedford textile council to William McKean on Saturday evening, at which the full executive board was present.

At the Pocasset Mfg. Co.'s woolen mills, Bridgeton, Me., the management has only twenty looms running.

Practically all the striking weavers have returned to their work in the O. & E. Morrison woolen mills at Dover, N. H. A new manager from Lowell is in charge of the room and the management is hoping to put two looms in each weave. No further trouble is anticipated. The strike was the result of a change in the wage schedule.

The Stevens mills at Fall River began on Wednesday to operate only three days a week for an indefinite period. The mill employs 700 hands.

The mill of the Lorraine Manufacturing Company, Albion, N. Y., went on full time a week recently. The hours are from 8 a. m. to 5 p. m., working 11 hours a week.

The woolen mill at Ashaway, R. I., has been shut down, it is stated, for an indefinite period. The woolen yarn mill at Westerly, owned by Lockwood & Worrington, has been shut down during the most week, and last week was started. It is claimed, however, that operations will be resumed in a few days, as soon as the Columbian Company gets its orders on the new goods. The yarn mill manufacturing yarn for the Columbian Company, also in Westerly, owned by Rathbun & Worrington, has been idle for a week or two, although it is expected it will be started up for a few days.

The Jackson Manufacturing Company, of Worcester, Mass., has suspended both of its woolen mills in Jackson street down for an indefinite period. During the time the mills are shut down they will be repaired.

For the past four months or more business has been quiet at Westerly, R. I., Rockville, Conn., and vicinity in the Westerly Worsted Company and the Rockville Worsted Company's mills, which have been running only two days a week. Orders now on hand, however, are said to be in better shape than for some time past, and it is expected that when the order the company is engaged on has been filled business will be increased to full time.

The Stevens Blue Serge mills, Wales, Mass., are running about two-thirds of the machinery on a schedule of eight hours per day, and are getting out samples with hopes of running full very shortly.

Attorney General G. Irish, as temporary receiver of the Otter Knitting Company, at Utica, N. Y., has disposed of the machinery, office fixtures, and manufactured stock at auction. The whole amount brought by the sale was $1,250.

The textile workers of Uxbridge, Mass., are feeling the effects of the dull period in the woolen manufacturing industry severely. The Calumet and Hecla mills of the Calumet Woolen Company are shut down and 500 employees are idle. It is not known when these plants will be reopened.

The Stearns woolen mill at West Rutland, Mass., owned by the Lakeville Co., is shut down. Deputy Sheriff James Early, of Worcester, having placed an attachment on the property in behalf of S. Brewster & Co., of New York. A receiver is in charge. The suit is an action of contract to recover for stock furnished the company. About 250 hands are idle.

A change in the wage schedule of the woolen mills of O. & E. Morrison at Dover, N. H., is being resented by the weavers, 40 of whom are on strike. The mills are shut down, and in all nearly 300 operatives are idle. A notice was posted by the management giving a new schedule of wages for weaving. Some of the prices of cloth were cut a cent per yard, and a few cents per cloth were passed but a cent per yard. At the same time the management proposed its terms in plain words. The weavers was discussed at length the night before, and it was agreed that a strike. When the word went out the entire force of weavers followed. When the weavers struck most of the hands in the mill had to go out also.

Now, remember these I am reading are all in one paper published on one day. Then here is an item telling where in Fall River they have a great call in response to some North Carolina manufacturing association, and an appeal is made to curtail production or to reduce wages or do something because New England is suffering.

In response to a call of a committee representing the North Carolina Manufacturing Association, more than 100 Southern cotton manufacturers, representing 244,000 spindles and 5,000 looms, met at Charlotte, N. C., on Tuesday and started a plan for curtailing production by the mills of the entire country, a more detailed account of which is given elsewhere. The rules proposed by this conference would probably result in a better understanding between the two sections, even if it did not result in any positive agreement as to curtailment.

Now, this proposed "plan" is either not "straight" or else these people are not as "flush" as the gentleman from Pennsylvania would have us believe.

Mr. PALMER. Does the high price of cotton, 15 cents a pound, have anything to do with these reductions and shut-downs?

Mr. WILLIAMS of Mississippi. It should not have had, because manufacturers have raised the price of cotton goods correspondingly, and furthermore I do not know anywhere in the world that anybody has got cotton goods enough. [Laughter.] In addition I would add in answer to the gentleman's question, that most of the reductions, lockouts and shut-downs I have read from this textile trade journal of December 10 are in connection with the woolen industry, and 15-cent cotton could have nothing to do with *them*. Let me here read something I cut from the *Washington Post:*

STEEL WORKERS PROTEST—IN FACE OF WAGE REDUCTION 40,000 MEN RESUME WORK.

PITTSBURG, PA., *Jan. 5.*—Following closely upon the alleged dissatisfaction of the 5,000 employees of the 60-inch mill at the Homestead Steel Works of the Carnegie Steel Company, who are objecting to the reduction in their wages made by the company, the 400 men employed on the 48-inch mill are also protesting. Last night a secret meeting was held, at which a compromise scale was formulated, and this was submitted to the company today. The men considered that the cut announced is too great, and it is said they are willing to accept a reduction, but not such a large one. A strike is not expected.

During the past two weeks over 40,000 wage-earners, who have been idle for months, have been furnished employment by the resumption of mills in the Pittsburg district.

It is said that the demand for iron and steel products is increasing and contracts are being let more freely toward any time during the depression, which covers a period of nearly four months.

This concerns Pennsylvania. What has 15-cent cotton to do with that? Is this reduction "straight" in view of the last paragraph of the clipping? Or if that last paragraph expresses the truth then why, under Republican legislative conditions, is it that this great trust, while "flush" itself, can not deal a flush hand to its employees?

Now, Mr. Chairman, I got hold of the first of these papers I could soon after the gentleman from Iowa had asked his question, and this many reductions, lockouts, etc., I found in one number.

Mr. Chairman, I can not speak any longer, but I have here in my hands a list of wage reductions, wage restrictions, and shut downs. Here they are—newspaper clippings making this great package, and a list in this small one. These in this bundle are for less than three months from September 21 to December 7, 1903. I ask unanimous consent to insert such of them as I wish in the RECORD, as an appendix.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to extend his remarks in the RECORD by the insertion of certain matters to which he has referred. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, of course no partisan can be fair altogether. That goes without saying. But I do try to be fair, even on a partisan question. No man raised as I have been raised, with my environments, my heredity, with my opinions, can see things altogether without some color in his spectacles, of course. But I want to appeal to you and beg of you—I want to appeal to the country to see to it that we have not sunk this great Republic to a state of impotency where a party can win an election upon a confession that it either dares not or will not go forward—upon a confession that things are "well enough" in this poor world of ours. It is announced all over this country that your idea is to pass the ordinary appropriation bills, get rid of such local bills as come in by unanimous consent, and then adjourn the Congress, and leave all things to be attended to later on "by their friends."

Well, if they are right things, and if you are their friends, why do you not attend to them now? [Applause.] Do you want to absolutely force the country to force you out so that we can come in? If you can not ride this horse, get off the saddle. [Applause on the Democratic side.] We can ride him [laughter on the Republican side], and we will ride him right, too. If we don't, the country can find somebody who can ride. Oh, I understand that when a party comes in after another party has had a long lease of power that some of the broncbos necessarily must buck a little. [Laughter.] I understand that you can not reverse an engine without shaking up a few of the passengers a little bit; some of the passengers you will especially shake up—that class that I love to call "The Grand Association of Tariff Barons and Tariff Beggars."

The fellows who at one moment will crawl upon their stomachs to the Committee on Ways and Means, begging like paupers to be supported, because, by their own confession, they can not support themselves without the aid of the law; and then, at the next moment, after they have gotten all they beg for, "stand pat" and spend about all the money there is in the United States, and put on about all the airs that are put on in the United States, and then go out and tell us that we are such a "great industrial people" that they are "selling all sorts of manufactured goods to all parts of the world." [Applause on Democratic side.]

These are the people who sell cheaper abroad than at home. These are the people to whom an extortionate tariff schedule is a legislative shelter to perpetrate extortion on the home consumer and to make it of so much importance to railroads that the latter grant them 33⅓ per cent rebates on goods shipped for export, recouping in freight rates on State and interstate commerce.

Now, my friends, the New England boot and shoe people came here a while back, crawled upon their stomachs, and said, "Can you not—will you not—give us some help?" "O, father, grandfather, mammy, grandaunt," or whatever the Government is, in their opinion, "help us to stand alone;" and now they tell us they are slipping to all the world. But I will venture to say to the gentleman from Massachusetts and the gentleman from Connecticut, if there were a hearing to-morrow and there was a proposition to reduce the duties on boots and shoes 50 per cent, while reducing the duty on hides 50 or 75 per cent, or wiping it out, they would go back to their old attitude and get on their stomachs, with their tongues hanging out, licking up the dust, asking for the duty because they could not "stand alone."

They tell us at one moment they are meeting the pauper labor of the world in all the markets of the world after paying the freight, and then they tell us the next moment that if we do not stand right up under them and hold them up above the ground, out of reach, the pauper labor will get them and "eat them up," as the children say when telling Red Riding Hood stories about "old wolves."

Mr. Chairman, I shall insert as an appendix the reductions, lockouts, etc., in answer to challenge of the gentleman from Iowa [Mr. HEPBURN]. I thank both sides of the House for their courtesy and considerate attention. [Prolonged applause.]

APPENDIX.

[Boston Transcript, August 17, 1903.]

COKE OVENS BLOWING OUT—CONNELLSVILLE REGION OPERATORS CURTAILING ON ACCOUNT OF OVERSUPPLY—BELIEF THAT DULLNESS IS BUT TEMPORARY.

PITTSBURG, PA., *August 17, 1903.*

Closely following the shut-down of the many iron and steel plants in the Pittsburg and valley districts, there has come as a natural sequence a slump in the coke market. During the past week the tonnage of this fuel took a drop of nearly 10,000 tons, and the indications are that it will go much lower in the next few days. The furnaces are overstocked at the ruling prices and there is no spot coke on the market, unless it is offered at very low prices. The shipments dropped off 2,000 cars. Almost 40,000 tons of the coke produced was thrown on the yards. Following the lack of demand came an order to blow out the ovens, and over 400 ovens were closed down last week, and it is a strong probability that by Wednesday or Thursday a number more will be on the waiting list.

Nearly one-half of the active ovens in the Connellsville region were limited to a five-day run. The general supposition is that a car famine is on, but such is not the case, according to the operators. There are plenty of cars in the coke trade to-day, and there is no freight congestion which indicates to the coke men that there is an overproduction of coke, and the blowing out process naturally had to follow. How long this condition will last is hard to foretell.

The summary of the Connellsville region for the week ending Saturday, August 8, shows 22,191 ovens in the region with 20,850 ovens in blast and 1,341 ovens idle. The slump in the demand for coke caused 380 ovens to blow out, and about 400 more will go out this week. In addition to the ovens blown out the five-day operations were increased last week from 3,896 to 9,379 ovens, almost half the entire active ovens of the region. The production of the region in tons for the week estimated upon the ovens drawn amounted to 228,131 tons, as compared to 239,678 tons for the week previous, a decrease of 11,547 tons. The shipments of coke for the week amounted to 8,948 cars, as compared to 10,974 cars the week previous, a decrease of 2,026 cars.

The shipments in tons, estimated upon reports received from shipping points, amounted to 210,550 tons, as compared to 242,928 tons the week previous, a decrease of 32,378 tons. The United States Steel Corporation furnaces have plenty of coke, with big stocks in the yards, and the output has been curtailed so far as they are concerned. The large and small independent operators also feel the slump and are blowing out ovens, except those small firms that have contracts on which they are running.

Withal, the operators are not looking at the situation in a gloomy manner. They appear to understand the causes leading to the dull condition of the trade, and feel that in a few weeks, at the least, an upward move will come and the Connellsville region coke ovens will be as busy as ever.

[From the New York Journal of Commerce, August 17, 1903.]

WOOLEN MILLS TO CLOSE—AMERICAN COMPANY'S PLANTS TO SUSPEND FOR TWO WEEKS.

BURLINGTON, VT., *August 16, 1903.*

The Burlington, Winooski, and Colchester mills of the American Woolen Company, will not resume operations to-morrow, orders having been received for a two-weeks' suspension. In addition to the Washington Mills at Lawrence, Mass., and the Assabet Mills at Maynard, Mass., the company has also decided to close the Lebanon and Nashua mills and Baltic Mills of Enfield, in the Merrimac Valley, New Hampshire, for a similar period. These mills employ a total of about 10,000 hands.

The shutdown, the company announces, is for the purpose of giving the employees a vacation and to admit of repairs and improvements at several plants.

[From the Philadelphia North American, August 20, 1903.]

BROTHERHOOD OF BOILERMAKERS AGREES TO REDUCE WAGES FOR COUNTRY'S SAKE—MEMBERS OF FIVE LODGES IN BALTIMORE ARE WILLING TO TAKE LESS WAGES FOR OVERTIME WORK, AND THEREBY HOPE TO HELP IN REESTABLISHING THE UNITED STATES MERCHANT MARINE.

BALTIMORE, *August 20, 1903.*

In refutation of the often made charge that labor unions are over unreasonable, members of the Brotherhood of Boilermakers, of this city, point to the agreement just entered into with their employers who for a time Ship and Marine Builders Employers' Association, by whereby the men have voluntarily reduced their wages. The men will now work overtime for one and one-half their regular wages, whereas they were formerly getting two and three-quarters.

The action was taken on the representation of the Employers' Association that it would be impossible for them to compete with outside firms if the existing rate for overtime was exacted this year. Overtime work is a very large item in marine work. A vessel owned must get away from the dry dock as soon as possible after entering, for delays are expensive. The commanders would rather pay overtime charges than lay over the time represented by such work. The new agreement is to remain in force one year, with sixty days' notice by either side if a change is to be demanded.

Another important feature of this agreement is that the men declare that under no circumstances will they enter upon a sympathetic strike during the term of the contract. Any disagreement is to be arbitrated by a committee of the men and the proprietors of the shop in which such a disagreement arises. The local Brotherhood of Boilermakers and Iron Ship Builders comprises about 1,300 men, belonging to five lodges. All the leading firms in the city, eleven in all, have now signed the modified contracts, and it would seem that at last peace in this particular trade is assured.

Of the agreement and the action of the men in reducing their own wages, President Thomas Bassher, of the Employers' Association, said:

"I believe the men will live up to their agreement to the letter, and that their action will have a most excellent effect on all lines of business that employ union labor."

Donald Crawford, president of the union, said:

"Meeting employers halfway is a great improvement over the old methods of seeking to force them to meet your demands. It is more to the interest of the men to so meet them than it is to fight them. Fights are expensive and good feeling on both sides is invaluable. Our concessions are in line with those being made throughout the country by our brotherhood. We have agreed to take less wages than we could probably have secured by putting up a fight, in the hope that it will do some good in reestablishing the merchant marine, which is showing a decrease in this country."

The effort of George Cavanaugh, general organizer for the Amalgamated Carpenters, to reorganize the carpenters of Baltimore can not be said to be a very great success. Thus far he has succeeded in getting but 32 of the men to leave their old unions and enter the new one. Mr. Cavanaugh says that he will return here shortly and resume his efforts, but the men do not believe he will make any further attempt to reorganize them at present.

A careful canvass of the newspaper writers of Baltimore does not bring out the slightest enthusiasm for the union proposed by the International Typographical Union at its recent session in Washington, and for which $1,000 was set aside. The reporters and editors almost to a man declare that such a union is impossible where ingenuity enters so largely into the value of a man's services to a newspaper. As well might inventors, they claim, join a union.

James Gallagher and Peter Harron, of Baltimore, are required by an order just signed by Judge Morris, of the United States circuit court, to show cause by September 18 why they should not be attached for contempt of court in not obeying the injunction issued to restrain the former employees of the Henry Meshane Company from in any manner interfering with the new employees. The two defendants are charged with having sought by threats and intimidation to make the nonunion men employed in place of the men who struck join the union. They are also charged with having led a mob that badly thrashed two of the nonunion men.

All arrangements are now complete for the great Baltimore Labor Day demonstration. The managers declare that it will be the greatest ever witnessed in the State. Besides the great parade, there will be four monster picnics, at which all the good things of Chesapeake Bay will be served as they only can be in Maryland.

[From the Boston Transcript, September 16, 1903.]

TO CURTAIL COAL OUTPUT—PENNSYLVANIA COMPANIES MAY DECIDE—MINERS MAY BE PUT ON FOUR DAYS A WEEK—INDEPENDENT OPERATORS CUTTING PRICES—REDUCTION OF 40 CENTS A TON SAID TO HAVE BEEN MADE.

PHILADELPHIA, PA., *September 16, 1903.*

Officials of the Reading and Pennsylvania railroads say no step has yet been taken toward a curtailment of the output of anthracite coal and that the matter has not even been considered.

It was admitted, however, by an official of one of the companies that some curtailment would have to be made soon. He added that he would not be surprised if the miners were put on four days a week in a short time.

Meanwhile independent operators, without any storage facilities for their surplus output, are said to be cutting the circular prices for the domestic sizes as much as 40 cents per ton, offering the coal for $3.35 at the mines, as against circular price of $3.75.

A general cut of 25 cents in the price of pea coal was made yesterday.

[From the Boston Transcript, September 17, 1903.]

STEEL PLANT CLOSED INDEFINITELY.

NEW YORK, *September 17.*

The National Steel Company's plant at South Columbus, Ohio, which is controlled by the Steel Corporation, has been closed down indefinitely.

[From the Boston Herald, September 20, 1903.]

BIG SURPLUS OF COAL.—MARKET OVERSTOCKED AND PRICES WEAKENING—MANY OF THE COLLIERIES ARE WORKING SHORT TIME—MORE ANTHRACITE THIS YEAR THAN EVER BEFORE—BREAKS RECORD OF 1901 BY 8,000,000 TONS—CONSUMERS GUARDING AGAINST ANOTHER STRIKE.

WILKESBARRE, PA., *September 19, 1903.*

With the market overstocked with coal, the advance in price September 1 has been followed by some individual operators trying to sell on a slow market at prices below the circular. They are not finding steady purchasers owing to the fact that not only are the coal yards full and large stocks in hand at the storage yards of the company, but most millowners and horseholders have been steadily accumulating to guard against another strike. At present many of the collieries throughout the region are working short time.

More coal has been mined this year than ever before. For the nine months of the year 8,000,000 more tons have been mined than during the banner year of 1901, when the output was nearly 60,000,000 tons.

[From the Boston Transcript, September 23, 1903.]

TWO THOUSAND TO LOSE WORK—FURNACES OF LACKAWANNA IRON AND STEEL COMPANY TO BE BLOWN OUT.

LEBANON, PA., *September 23, 1903.*

Vice President Buckingham of the Lackawanna Iron and Steel Company corroborates the statement that the furnaces here and at Cornwall, Pa., will be blown out in a few days, throwing out two thousand hands. He said the company has too much iron on hand. Mr. Buckingham stated further that the building-trades strikes, causing delay in the construction of new buildings, have helped to necessitate the suspension, which may continue.

[From the Boston Post, September 24, 1903.]

STEEL PLANTS MAY SHUT DOWN.

PITTSBURG, PA., *September 23, 1903.*

The United States Steel Corporation may close all its sheet-steel plants in the near future unless the Amalgamated Association will consent to a reduction under the same plan as was agreed upon last fall. The reason is an overstocked market and the dullness of trade at this time of year. Last year the Amalgamated Association accepted a reduction of 3 per cent on all material made on foreign orders, and the steel company, it is said, intends to make a similar request this year. President T. J. Shaffer, of the Amalgamated, said that he felt sure that the limit would not be changed and that existing conditions do not warrant it.

PRODUCTION OF PIG IRON TO BE CURTAILED.

PITTSBURG, PA., *September 23, 1903.*

The Chronicle-Telegraph says, it was learned to-day that a movement is on to curtail the production of pig iron, beginning October 1. It has been suggested that the only way to keep the mills running through the winter months is to look for new markets, and the prospects of business abroad are being considered.

[From the Boston Advertiser, September 24, 1903.]

The building outlook in New York foreshadows the idleness of 50 per cent of the laborers in the building trades. This is not due to the Pittsburg pinch in structural steel, as in Boston, but to the financial pinch of walking-delegate extortioners of the Parks stamp. Of the two pinches, Boston is preferable.

[Boston Transcript, September 24, 1903.]

MAY CLOSE SHEET STEEL PLANTS—STEEL TRUST WANTS AMALGAMATED ASSOCIATION TO ACCEPT REDUCTION OF WAGES.

PITTSBURG, *September 24, 1903.*

The United States Steel Corporation may close all its sheet steel plants in the near future unless the Amalgamated Association will consent to a reduction under the same plan as was agreed upon last fall. The reason is an overstocked market and the dullness of trade at this time of year. Last year the Amalgamated Association accepted a reduction of 3 per cent on all material made on foreign orders, and the steel company, it is said, intends to make a similar request this year.

President T. J. Shaffer of the Amalgamated says that he feels sure that the limit will not be changed, and that existing conditions do not warrant it.

PIG IRON CURTAILMENT—MANY FURNACES IN MAHONING AND SHENANGO VALLEYS TO CLOSE OCTOBER 1.

PITTSBURG, *September 24, 1903.*

The Chronicle-Telegraph says it is learned that a movement is on foot to curtail the production of pig iron beginning October 1. The Bessemer Furnace Association, which controls a number of furnaces in the Mahoning and Shenango valleys, has consented to the arrangement, but the details have not been agreed upon. It is certain, however, that a number of furnaces in the valleys will be put out of blast on the first of the month, but the number has not been decided. A falling off in the demand for pig iron is an indication of a falling off in the demand for finished iron and steel products.

It has been suggested that the only way to keep the mills running through the winter months is to look for new markets, and the prospects for business abroad are being considered.

[From the Boston Herald, September 25, 1903.]

TINPLATE PLANT TO CLOSE.

SHARON, PA., *September 24, 1903.*

It is stated here that the American Tinplate Company, a subsidiary property of the United States Steel Corporation, will close its mammoth tinplate mills at Newcastle October 1 for an indefinite period. Fifteen of the 20 mills of the American company here have been idle since September 1.

[Boston Transcript, October 1, 1903.]

TO MAKE LESS PIG IRON—FURNACES TO CUT OUTPUT 20 PER CENT.

NEW YORK, *October 1, 1903.*

A 20 per cent reduction for October in the output of pig iron was unanimously agreed on yesterday by the representatives at the office of Rogers Brown & Co., 71 Broadway. The companies represented operate about forty furnaces in eastern Pennsylvania and New Jersey. Archer Brown said at the close of the meeting:

"The 20 per cent reduction of output decided on for October was based upon the September output, which was estimated as having been 5,000 to 6,000 tons of pig iron daily. This means that the production will probably be about 1,200 tons less daily than in September. There will be another meeting of the furnace men at the end of October to consider the situation again."

It was said by another furnace man that reduction in the wages of the furnace employees had not come up at the meeting. He said: "The committee at its last meeting informally discussed wages, and the result has been a 10 per cent decrease in the wages of the furnace employees in the Lehigh Valley and New Jersey districts, also including the ore mines in the neighborhood of Wharton and Oxford, N. J."

The western paperon furnace men at Pittsburg on Tuesday appointed a committee on reduction of output, and it is said that this committee will undoubtedly cooperate with the eastern committee.

[Paterson Guardian, October 2, 1903.]

CUT IN WAGES OF STEEL WORKERS—MEN ACCEPT IT WITHOUT A PROTEST—GENERAL REDUCTION IS 10 PER CENT.

OXFORD, *October 2, 1903.*

A general reduction in wages has been ordered, affecting the employees of the Empire Iron and Steel Plant here. The reduction will be 10 per cent. The new scale will be accepted without a protest.

It is said that the depression in the iron market is responsible for the reduction.

[Dover (N. J.) Index, October 2, 1903.]

MINERS WAGES REDUCED.

Some of the employees of the mines in this section have received notice that their wages will be cut 15 cents per day, and it is said that the same rule is to prevail in all of the mines in the county in the course of a few days. This is occasioned by the big "slump" in steel and a consequent reduction in the price of pig iron. We are sorry to hear that such is the case, as it will affect hundreds of workmen throughout the country, and as a result the merchants will also be affected, because men can not live on air if they do not receive the wherewithal to purchase them. We sincerely hope that the operators will, in the near future, be able to again raise the wages of the men.

[New York Evening Post, October 3, 1903.]

CAN WAGES BE REDUCED?—A SERIOUS PROBLEM OF THE DAY—VIEWS OF AN IRON MAKER.

One of the most serious questions, in the minds of people studying the readjustment in our industries, has been the problem whether, when profits decline in the nearer or further future, labor will also accept reduction. An iron producer this week spoke as follows on the general situation to the Evening Post:

"The average number of orders now being booked by our firm is satisfactory to us, as far as volume is concerned; in fact, we are refusing business, not because we can not handle it, but for the reason that the cost of production makes it impossible to turn a large percentage of it out at a profit.

"There will, without doubt, be a number of people out of employment this winter, merely because the cost of manufacturing has been increased to such extent that it often happens that the firm refusing business is better off, in some cases, than the one accepting it. In my trade the cost of production has been increased 50 per cent during the past few years.

"There will be no trouble in reducing wages to a normal percentage of the cost of production if it is done without too much discussion. When circumstances favor the workingman he gets beyond control and can not be reasoned with. On the other hand, when things begin to go against him he can be managed without much trouble.

"Another point to remember is that the labor obtained during a period of unusual prosperity is of a class inferior to that which can be had when conditions are only normal."

[New York World, October 9, 1903.]

THE REPUBLICAN "ADVANCE AGENT."

In the great Carnegie steel mills in Homestead notices have been posted of a "readjustment" of wages on January 1. No one expects that the readjustment will take the shape of an advance. The Homestead converting mill is closed for the year. The Wharton furnace in Morristown, N. J., was "blown out" on Wednesday for the first time in three years and notice of a 15 per cent reduction in wages was posted at the mines. No one knows when the fires will be relighted. Similar cuts have been made in other Pennsylvania furnaces. Thirty thousand coal miners are on half time because of an "overproduction" that has not yet benefited consumers.

It is awkward for the Republican party to be approaching a Presidential election with such inconvenient news from mine and furnace. Did it not in 1900 announce itself as the "advance agent of prosperity" and by confidence commend old Doctor Elephant as the oldest adviser for "that tired feeling" in business? Did not Wall street promptly take the hint after McKinley's election and proceed to "capitalize the earth, the waters upon the earth, and even the air above it?

"It will be a great mistake," said a shrewd political observer recently, "if Mr. Roosevelt permits any crop failure this year." Crop failure indeed we have not suffered, but is it not an equally grave error of judgment for Mr. Hanna and Mr. Cortelyou to allow any wage-cutting or furnace-drawing on the eve of a campaign designed to demonstrate that boundless prosperity is ours and that all we have to do is to "stand pat"?

[Indianapolis Sentinel, October 9, 1903.]

HOMESTEAD STEEL WORKS ANNOUNCE A SHUT-DOWN.

HOMESTEAD, PA., *October 10, 1903.*

Notices were posted in the 35 and 40 inch mills at the Homestead steel works last evening announcing a shut-down of both these big mills for an indefinite period. This is the most important department of the Homestead steel works and employs over 2,000 men, all of whom are thrown out of employment. No notice had previously been given of the contemplated move.

[Chicago Chronicle, October 10, 1903.]

JOLIET, ILL., *October 10, 1903.*

Affairs at the Joliet plants of the Illinois Steel Company are in an uncertain state. Three of the main departments—the rod mills, the converter and billet mill—were closed this morning. No notice was posted; no one knows how long the suspension will last.

The first the men knew of the order was last night at 10 o'clock, when that shift came on. The men worked until 6 o'clock this morning. Then all operations in this department ceased. The blast furnace, the merchant mill, and the machine and factory departments are running as usual.

Superintendent S. B. Sheldon this afternoon said he had not received any general order to suspend operations for an indefinite period, and did not know such an order was coming. He said he could not tell how long the departments would be down, but thought they would resume work next week.

WILL NOT OPEN THIS WEEK.

Reports prevail among the men that work will be started next week or the week after, but the prospects are not good for a resumption next week. The closed departments employ about 1,500 men. The reports involve also the wire plants of the American Steel and Wire Company here, but these are running as usual. An official said they expected to shut down.

The wire mill has rods sufficient to run for a week or ten days, with plenty of orders on hand. If the steel mills fail to resume within that period the Scott street plant will be forced to get rods from some outside source or close down. This wire mill is working double turn, employing about 300 men. The Rockdale plant of the American company has a partial shut-down, due to the necessity for repairs.

[Press Association dispatch.]

SHEET STEEL MILL CLOSED FOR LACK OF BUSINESS.

YOUNGSTOWN, OHIO, *October 9, 1903.*

Acting under instructions from superior officers, the plant of the American Sheet Steel Company at Struthers has been closed indefinitely, and the employees paid in full. The only statement made is that the volume of business is not sufficient to warrant operation of the mill. The Struthers mill is one of the finest of the American Sheet Steel Company's plants, and employs a large number of men.

[Boston Transcript, October 12, 1903.]

VANDERBILT LINES RETRENCH—ABOUT 1,500 MEN IN SHOPS ON VARIOUS ROADS DROPPED—SAVING OF $3,000 A DAY.

NEW YORK, *October 12, 1903.*

Orders have been issued from here whereby 15 per cent of the employees in the car shops, repair shops, and roundhouses of the entire Vanderbilt railway system will be dropped. One thousand five hundred men will be thrown out of employment and a saving of nearly $3,000 a day will be effected.

The order, which embraces employees of the New York Central and all subsidiary lines, going out of New York, the Lake Shore and Michigan Southern, the Lake Erie and Western, and other roads, will have effect in more than one hundred shops and roundhouses. It will take 50 men out of the New York Central shops at West Albany, N. Y.; as many more from Depew, N. Y., near Buffalo; a hundred or more from Elkhart, Ind., and Collinwood, Ohio, where the Lake Shore has its shops, and several score from the Lake Erie shops at Lima, Ohio. Besides this, on every division of the entire system where roundhouse mechanics, wipers, oilers, and laborers are employed, 15 per cent of them must go.

The action taken is explained by a high official of the New York Central Railroad as follows:

"First, the outlook at the present time demanded that retrenchment be made, and, second, that the condition of the rolling stock of the company is such that it can be made in the department which has charge of that with the least damage to effectiveness. That economies were necessary in all railroad systems, not because they had not been practiced, but because of the feverish state of affairs, has been known to every railroad man in the country for some time. This does not mean the New York Central or any allied line, but every road.

"There is regret because of this action, and everything is being done to soften the effects of the blow. In the application of the order the oldest married men will be saved first; then the younger married men, and finally the single men, according to their terms of employment."

It is stated by Superintendent Everett, of the New York Central's Buffalo division, that the reduction is merely the annual economic action, made necessary by the slackening of traffic. This statement is flatly contradicted in other quarters. It is asserted on high authority that, while a slight decrease in freight transportation may be looked for, the real reason for radical reduction is found in a change of policy by the Vanderbilt management.

SOUTHERN PACIFIC DISCHARGING MEN.

SAN FRANCISCO, CAL., *October 12, 1903.*

The Call says within a few days between 250 and 300 men will be discharged on the coast division of the Southern Pacific, and that before the order for retrenchment is fully carried out 1,200 men will be out of employment.

[Chicago Chronicle, October 12, 1903.]

WILL DISCHARGE MANY MEN—SOUTHERN PACIFIC PLANS A LARGE REDUCTION OF ITS FORCE.

SAN FRANCISCO, CAL., *October 11, 1903.*

Following the announcement that the Vanderbilt system in the East is about to discharge 1,500 men comes the news that within a few days between 250 and 300 men will be discharged on the coast division of the Southern Pacific, and that before the order for retrenchment is fully carried out 1,200 men will be out of employment.

[New York World, October 13, 1903.]

BIG ROADS BEGIN TO REDUCE FORCE—SOUTHERN PACIFIC WILL LAY OFF AT LEAST 1,200 PERSONS IN NEW THROUGH—OTHERS FOLLOW LEAD OF VANDERBILT LINES—BURLINGTON AND NORTHWESTERN ROADS WILL START TO CUT IN TWO WEEKS OR SO.

SAN FRANCISCO, *Oct. 12, 1903.*

An order for retrenchment on a scale unknown before in the history of the Southern Pacific has gone forth from General Manager Kruttschnitt's office. Within a few days between 250 and 300 men will be discharged from the various positions along the Coast Division, and the services of a proportionate number on the other lines running out of this city will be dispensed with. In all, it is expected that the present force of men in the employ of the road on the California lines will be decreased at least 1,200.

One of the first moves made was to consolidate the position of two train dispatchers and a train master on the narrow gauge system, throwing all the duties of the three places on the shoulders of the latter official, thus saving to the company the salaries of two dispatchers. Then the positions of traveling conductors along the divisions were scratched off the pay roll. Next the recently created positions of train agents were abolished. In the maintenance-of-way department it was decided to lay off 100 men employed on the construction of the double track south of the city. The carpenter force in the local shops of the same department was next to suffer, thirty-five men being laid off. Then an order went out dismissing various assistants along the coast route. Even the night station agents, whose duty it is to report trains as they pass in the night, were dispensed with.

Some weeks ago a large force of men was discharged from the shops at Sacramento and several in the repair shops in this city are slated to go.

The reduction of the force on the other branches of the western system is proportionately as large as that on the coast division.

[Special to the World.]

BIG LAY-OFF PREDICTED—VANDERBILT OFFICIALS SAY OTHER SYSTEMS WILL REDUCE FORCE.

PHILADELPHIA, *October 12, 1903.*

Early and large reductions in the number of employees of the big railroad systems of the country are predicted as a result of the Vanderbilt lines.

Announcement was made to-day that 1,500 New York Central and West Shore Railroad shop hands will be laid off.

When asked whether the Pennsylvania Railroad has materially reduced the number of men on its pay roll, or contemplates such action, General Manager Atterbury said:

"We have not reduced our force very much, and only as the exigencies of the service have required."

No men have been laid off yet by the Philadelphia and Reading Railway, whose traffic continues heavy. When a curtailment comes, if it does, it is likely to be in the shops and among the track hands first.

FIVE HUNDRED LAID OFF AT BUFFALO AND DEPEW.

BUFFALO, *October 12, 1903.*

Following the order to reduce the force of shopmen on the Vanderbilt system, about 500 employees have been discharged here and at Depew.

[Boston Transcript, October 14, 1903.]

RAILROADS REDUCING FORCES—ABOUT 20,000 MEN SOON TO BE DISCHARGED.

NEW YORK, *October 15, 1903.*

Several railroad companies have announced reductions in their working force, and it is expected that between now and November 1 nearly every railroad in this country will discharge some of its employees. Such action, it is explained, is not unusual at this time of year, but a larger number of men will be dismissed this fall because the railroad companies have been working abnormally large forces since early last spring. A natural falling off in traffic is the reason generally assigned for these railroad dismissals.

Basing their estimates on the reductions already announced, experienced railroad men say that between 15,000 and 20,000 men will probably be laid off by the railroads throughout the country this fall. There are about 1,250,000 rails and employees in the United States.

Vice-President Brown, of the New York Central, thinks that about 2,500 men may be dropped from the pay rolls of that system this month. The greater proportion of the dismissals will be from the car shops.

About 1,500 shop men, train men, and track men will be discharged on the Pennsylvania system. Vice-President Pugh says that most of the men to be dismissed will be recent employees, who were hired during the rush period of last spring. Few, if any, of the old employees of the Pennsylvania system are to be discharged, and no important work of improvement is to be suspended.

The Atchison, Topeka and Santa Fe operating department will lay off about 500 men this month, and such improvements as can wait will be deferred until next year.

Not less than 3,000 employees will be dispensed with on the Union Pacific and the Southern Pacific systems between now and December 1. These officials, it is said, are to be made because the work for which the men were hired is completed. It is probable that all of the transcontinental lines will cut down their working forces somewhat the crop shipments are over. The falling off in ore shipments has caused some of the western roads to take off about 10 per cent of their freight trains.

The Illinois Central will curtail its operating force anywhere from 600 to 800 men, and the Baltimore and Ohio will also make a reduction.

President Ingalls, of the Cincinnati, Chicago, and St. Louis system, says that as present there is a good volume of business over his lines, but he expects that it will be necessary to let some of the employees go as soon as the present rush subsides. The Lake Shore will discharge forty track men this month and the Michigan Central about half that number. A score of the Lake Erie and Western employees will be laid off in November.

The Erie management has already discharged several hundred men from the repair shops and the operating force, and there was a small further reduction between now and December 1. The West Shore will lay off about 400 men and the Boston and Albany an equal number. A similar reduction in the operating force of the New York, New Haven and Hartford Railroad is now under way and before the holiday rush is ended about 1,000 employees of that company will be out of work.

The Missouri, Kansas and Texas will reduce their working forces slightly, but there is to be no reduction in works of extension and improvement. The Wabash probably will make a reduction that diminish the number of its employees on repair and improvements.

The Illinois Central and the Frisco systems will lay off between 1,000 and 1,500 men this month and next.

[New York Post, October 17, 1903.]

REDUCTION IN RAILWAY FORCES—WHAT THIS WEEK'S ANNOUNCEMENTS MEAN—A RESUME SINCE A DECADE AGO—VIEWS OF RAILWAY OFFICIALS—EFFECT OF THE ECONOMIES—WHY THE SLIP WAS TAKEN.

Steps taken during the week by several of the larger railway systems toward reducing the number of workmen employed have attracted attention in both financial and railroad circles throughout the country. According to report the reduction of the Vanderbilt lines, announced last week, and to take effect January 1, will mean a cut in the payrolls by the New York Central, by the Pennsylvania, and by other railroads in the Atlantic seaboard, Lake, Mississippi Valley, and Southwestern groups, which have been known as the Vanderbilt lines, the Lake Shore and Michigan Southern, the Lake Erie and Western, the Chicago, Cincinnati, Chicago and St. Louis, the New York, Chicago and St. Louis, and the New York, New Haven and Hartford roads. These are the roads and the financial interests.

PENNSYLVANIA'S MOVE IN 1893.

The movement is in some ways more striking than others less so, than the Pennsylvania's famous "pause" of December, 1893. The directors then adopted the following resolution:

"In view of the fact that unusual and serious depression continues in all business interests of the country, seriously affecting the revenues of the company, the president is requested to instruct the heads of the departments to enter on the most rigid economy."

The circular letter issued by President Roberts in response to action taken by the board of directors, went on to say:

"The present panic is one of the most severe in the history of the country," and adds, "its effects are widespread. In 1857 and again in 1873 this company found it absolutely necessary to reduce expenses on all sides. The present depression has affected all industries, and we must again economize wherever possible."

Even after such sweeping orders were issued, it may be seen from the monthly reports of operations on the Eastern lines that the percentage of operating expenses to gross, which was 67 per cent in November, remained as high as 71 in January and as through February and April, but the cases of fuel and repairs suspended payment. A banker who has spared generously in the management of several important railroads, and whose authority is very high, outlined present conditions this week as follows:

THE PRESENT SITUATION.

"When some bankers in Wall street began, a year or so ago, to put their house in order, it was happy, sad that such men were unnecessarily conservative, and that such timid men disposed public expression of their conditions. The country was purchasing on, and every day new processes were being established. Owners of railroad stocks must be made to understand that the annual yield of American securities would in the future be no greater than the interest on money abroad, and so on. The position of conservatism on Wall street, and such the only 'blue spot' then, was correct, and such bankers are not uneasy now.

"The policy of railroads years gone by was to distribute increased earnings in dividends. Much has been learned since then, however, and during the past two or three years in particular income was taken from a larger traffic movement has been devoted to improving roadbed and equipment. In other words, putting the house in order. The costly carrying on the railroad business increased during the prosperous years, as was to be expected, and it has passed past the point where good judgment would wholly approve it. Now the time comes to test the wisdom of having made such large expenditures for developing operating efficiency. If the money was wisely spent, fewer men will be needed even if the present volume of traffic continues. All of the improvements were made with the view of preparing for rainy days, and we do I fail to discover signs of an approaching storm, and reasons may be found for believing the country is returning to a normal state.

"From what I can learn, laborers are being laid off, both on the road and in the shops. Under normal conditions, it is customary to reduce the force in the fall and continue such policy until spring. Such action this year can not be compared directly with the difficulties experienced in raising money. No doubt if the supply of labor exceeds the demand, prices of materials not so high, there would be satisfactory less reduction. In other words, the roads would find future economy in making reductions. I can also be said that no concerted reduction in wages can be carried out until gross earnings fall off considerably.

"The executive head of a system in the middle West said that business had increased to such an extent in the territory directly served by his road during the nine months ending with September 30 that it was found necessary to add largely to equipment and to increase the number of employees.

THE EAST'S JUDGMENT AND THE WEST'S.

"But," he added, "the manufacturing center of the United States is only a short distance west of Pittsburg, you know, and roads in the East are apt to notice a contraction in the freight movement before we feel it.

"Some of our neighbors who have been expending large sums during the past five years in betterments, in the improvement of roadway, and for equipment, apprehensive that the industrial progress may be checked, have contemplated to reduce the number of their employees in those departments where such reduction can be made without serious detriment. The majority of the roads are in position to suspend for one or more years, the renewal of rails without any apparent deterioration of track; and the large addition of modern engines and new equipment enables them to suspend a large percentage of their shop forces until the outlook for the future becomes more hopeful.

"The large east-bound tonnage is still producing a shortage in cars, notwithstanding the large additions that have been made in the past year, and the number of engineers required for train service will, in my opinion, be increased rather than reduced. Railroad companies have made improvements, economies when their business requires it, and no change in them when the necessity therefor occurs, and I believe that the additions made in the transportation department will offset the number of hands dispensed in other departments; so that the total number of employees will be about the same.

NOT WHOLLY A QUESTION OF MONEY.

"I do not believe that any important railroad is discharging employees on account of difficulty in raising money; the question of raising money is not in any way connected in the matter. No doubt corporations will be influenced by the financial conditions and the uneasy market in determining upon extended development and improvements, but it does not in the least affect the operation of maintenance of the property. I do not believe that any reduction of wages is contemplated. If, however, the industrial activity be checked, employees will be compelled to accept employment and will seek other lines, as they have always done, which may result in less wages in the future, not only in railroad corporations, but in all other business enterprises."

A transcontinental railway president took this somewhat different view. He said:

"The laboring man of to-day must ask himself two questions, and then decide to follow honestly the path suggested by the answer to one of them. Shall I work four days in a week for $2.25 a day, or take $1.75 a day for a full week? A two kingdoms can do a lot for his family in twelve months by giving the right answer."

[Chicago Chronicle, October 18, 1903.]

RAILROAD STOPS ALL WORK—PENNSYLVANIA SEES HARD TIMES COMING AND ECONOMIZES—THOUSANDS OF MEN ON EXTENSION CONTRACTS TO BE DISMISSED—TRAFFIC OUTLOOK DOES NOT WARRANT FURTHER EXPENDITURES—NEARLY $10,000,000 WORTH OF IMPROVEMENTS WILL SHUT DOWN NOVEMBER 16.

PHILADELPHIA, PA., *October 17, 1903.*

The Pennsylvania Railroad will suspend further operations on a great part of the vast improvement on its system work. It is estimated that nearly $10,000,000 of new work already under contract will be stopped within thirty days.

Formal notice was given to-day to several contractors to suspend work on Monday. Other orders of the same tenor will be issued without delay. An immediate result of this sudden action by the Pennsylvania Railroad is to curtail expenditures will be the throwing out of work of several thousand men employed by the contractors.

The purpose is to stop all improvements and extension work from which direct benefit can not be derived this year, except where the work is so far advanced or in such shape that operations can not be suspended without danger of serious damage to the work already done. Heavy excavation work will be stopped.

Work now to be suspended will be taken up again only on its merits newly considered. Everything dropped now goes over to take its place among improvements and extensions which will be recommended for next year. Schedules of such work are now being prepared to be submitted to Joseph T. Richards, chief engineer of maintenance of way.

After he has carefully scanned them, he will decide what should be deemed unnecessary or premature, the revised schedules going to William H. Brown, chief engineer, and then here to President Cassatt. If this work has been duly approved and put under contract, but now stopped, must go through the usual course of new work proposed before it shall be taken up again.

The general suspension of improvement work ordered was finally determined on by President Cassatt a few days ago. His decision was reached after consultation with Messrs. F. Engle Sweigard, vice-president, and W. W. Atterbury, general manager, who confirmed President Cassatt in his opinion that traffic conditions now are not such as to warrant all the improvements planned.

DEADLOCK ON SHORTER DAY.

Negotiations between the committee of railroad trainmen employed on the Pennsylvania system and General Superintendent Atterbury, which were begun at Williamsport, were continued yesterday by prepared conferences. The committee spent the greater part of the day in Mr. Atterbury's office without making any material progress in the direction of obtaining any reduction in their working hours.

The opinion prevails among the committee that nothing can be gained by further conferences with the general manager, but it was determined to leave the door ajar in order that some agreement with the company before laying the matter before the Grand Lodge of Railroad Trainmen. The sentiment among the men in favor of a shorter workday is said to be very strong, and it is believed that a vote to strike would pass readily at this time.

[Special telegram.]

CLEVELAND, OHIO., *October 17, 1903.*

Following on the heels of the cut in the force of workmen at the shops of the Lake Shore and Michigan Southern, announced all over the country comes the annual announcement to-day that, beginning Monday, there will be a reduction in the working hours of a day from ten to nine hours in all the locomotive and repair shops of the Lake Shore Company.

This means a reduction in wages, not only in the big shops in Collinwood, but also in Chicago, Pittsburg, and other large cities entered by that line. The Lake Erie and Western, a branch of the Lake Shore, is included in the order.

At the headquarters here to-day it was stated that there was not enough work on hand to keep the large forces busy, and the reduction in hours was thought to be the best thing to do.

The announcement has caused consternation among the hundreds of workmen in and around Cleveland.

[Boston Transcript, October 20, 1903.]

PENNSYLVANIA WILL RESIST—RAILROAD COMPANY CAN NOT GRANT DEMANDS OF TRAINMEN AND HAS BEGUN TO REDUCE FORCE.

PHILADELPHIA, *October 20, 1903.*

Forestalling action on the part of the 14,000 trainmen on the lines east of Pittsburg, in case of a point blank refusal to comply with the demands of the Brotherhood of Railway Trainmen, the Pennsylvania Railroad has already made an important move to prevent trouble. As the most favorable object lesson that could be brought to bear upon the men, thousands of employees have been laid off and others have been notified that the cutting down shall be finished per capita of the local force in some instances to 75 per cent in others. Not less than 5,000, and probably more than 10,000 will be discharged or suspended as soon as the lists can be made up. This sudden blow was felt locally upon the announcement, which was made before the opening of the shops, of a cut in the force of men employed in the round house, the boiler shop, the blacksmith shop, the machine shop, the car shop, the paint shop, the tank shop, the coal chute, the turntable, and the yard. The force of men employed in these departments was cut down to the extent of about 25 per cent. The company attributes the reduction to the general business depression, and denies that it is due to any resentment on the part of its men, who resolutely refuse to yield an inch.

[Boston Transcript, October 22, 1903.]

LABOR FACING A CRISIS—INDICATIONS OF DISPLACEMENT EVERYWHERE—WAGES FOR PRESENT MEN EAT UP OF PROSPEROUS YEARS—LARGE CONCERNS ARE REDUCING THEIR FORCES—THE NUMBER OF THE IDLE IS INCREASING EVERY WEEK.

CHICAGO, *October 22, 1903.*

Organized labor is facing the greatest wage crisis since the panic of 1893, if the forecast of the leaders be correct. Any, the harbinger of the struggle to maintain the present high standard of pay is expected to fall on the unskilled men, whose wages are held to have been advanced far out of proportion to the value of their services. Indications of retrenchment are seen on every hand. The railroads throughout the country have started to lay off men, the manufacturing concerns are curtailing expenses, and factories are employing reduced forces. Big big employing concerns are refusing to grant any increase in wages.

The retrenchment is attributed to the abnormal increases that have been made in the aggregate wages. Wage-earner statisticians, such as the iron masters and the brass workers, have been able to measure their pay only in per cent, their leaders are requesting 25 or 50 per cent more pay than four years ago. The same condition prevails in other lines. It has been estimated that before the close of the year the big employing concerns of the country will have discharged nearly 1,000,000 men, most of them laborers and general utility workers. Of this number the railroads are expected to drop from employment 200,000 men, the mine operators 80,000, the

machine shops and iron, steel and tin plants 250,000, and the building trades more than 40,000.

In the wave of organization that is now subsiding labor leaders formed into unions all the toilers who were willing to join. In almost all of the industries the skilled men demanded that the unskilled be given a new and uniform wage scale. In the stockyards of the country the laborers there were being paid from $1.25 to $1.50 a day until swept into the labor movement. Then came an increase to $1.75, made possible by a determined stand on the part of the skilled workers. For three weeks the skilled men, the butchers, sausage makers and canners have tried to get more pay for themselves. They have found, however, that the increase granted the laborers—which meant $1,500,000 a year to the packers—brought the employers to a realization that a halt must be called.

With the railroads conditions are similar. The engineers and firemen of the roads running east from Chicago are clamoring for better pay, but the unskilled men of the business already have faced the pay roll of the company to the limit. The average daily wages paid by the railroads in different sections of the country is shown by the following table:

	Engineers.	Firemen.
Middle Atlantic States	$3.76	$2.14
New England States	3.59	1.98
South western States	4.09	2.42
Pacific States	4.58	2.67

The Eastern workers look with envious eyes at the Western scale, but when they informally approached the railroad officials they were told that the track men, the repair men, the section hands, and bridge men have been raised all the way from 15 to 50 per cent in pay, and that the pay rolls of the Eastern companies have been lifted from $610,900,580 in 1901, to $876,025,594 in 1903.

In the building trades the number of idle men is increasing every week, the contractors finding it almost impossible to do business under the wage scales adopted last spring. Both skilled and unskilled men were conceded better wages then, but the advances granted the laborers are causing the greatest concern to the contractors. The hod carriers are now getting 30 cents an hour, or 3 cents more an hour than is paid an expert machinist, and 40 cents a day more than that paid a cigar maker. The building laborers are getting 30 cents an hour, or 5 cents more than a clerk or shipping room employes in the wholesale houses. The plumbers' helpers are paid $2.50 a day, the inner steam fitters $2.25, the electrical helpers $2.25, and the machinists' helpers $1.65.

An officer of the Chicago Federation of Labor issues a warning that organized labor should not ask for better wages in the face of a falling market. To prove that unskilled labor has been granted an abnormal wage increase, he gave out the following table of the increases already granted some of the unskilled workers of Chicago:

	Per year
Stockyard employees	$1,500,000
Hod carriers	220,000
Teamsters	1,100,000
Hotel employees	180,000
Miscellaneous	300,000

"The employers are beginning to retrench," he said, "and we have feared such action for some time. What is to be done I do not know. The skilled men will always be in demand, but capital can dispense with the unskilled to a certain extent. It seems as if we have paid too much attention to the laborers and helpers, and must bear the consequences. If many men are laid off, some unions probably will go to pieces, and the success of the entire movement will be threatened."

B. & A. REDUCING FORCE—PART OF MEN IN SHOPS TO BE DISCHARGED—PLAN TO USE FEWER CONDUCTORS.

WORCESTER, *October 22, 1903.*

Orders have been received by officials of the Boston and Albany division of the New York Central system, according to the Telegram, to reduce the force of shop employees as much as possible. As a result, 15 per cent of the shop employees at West Springfield will be discharged to-morrow and reductions will be made at Allston. Orders have been given that hereafter there shall be no extra conductors on local trains running out of Boston when those trains are made up of four cars or less. This will apply more to the trains running on what is known as the circuit than on the main line, although it applies to the South Framingham locals out of Boston. This move means a saving of $75 a month on every employee relieved of work.

Unless business increases in the freight department it is probable men will also be discharged from it. There are many, however, who think business will begin to show an increase soon. At Rensselaer, N. Y., a large number of men have been discharged, and the orders to go into effect Friday are in accord with a recently issued order of the New York Central road to retrench as much as possible.

UNION LABOR METHODS SCORED—GAS ASSOCIATION PRESIDENT OFFERS PLAN TO GUARD AGAINST STRIKES.

DETROIT, *October 22, 1903.*

The thirty-first annual convention of the American Gas Light Association opened here yesterday. The following-named officers were elected at the conclusion of the routine business: President, Rollin Norris, Philadelphia; vice-presidents, E. G. Cowherdy, St. Louis; Charles F. Prichard, Lynn, Mass.; Charles S. Faben, jr., Toledo; secretary-treasurer, A. E. Forstall, Montclair, N. J.

Alton S. Miller, of Baltimore, the retiring president, in his address, attacked labor unionism and advocated the formation of the manufacturers' association to fight the unions. "The greater part of the laboring men," said he, "are good men and good citizens, but the laboring man's fault lies in his readiness to listen to the cry of the demagogues of the country. To guard against suffering from strikes, gas companies should increase the capacity of their storage tanks so that they can put in enough gas to last six months or a year. They should also ally themselves with reputable builders and manufacturers in all cities to prevent lawlessness in strikes, the destruction of output, and the interference with nonunion labor."

CHICOPEE UNION SURPRISED.

CHICOPEE, *October 22, 1903.*

The action of the International Textile Workers at Philadelphia in voting to send the officers to Chicopee Falls to investigate a small strike at the Chicopee Manufacturing Company's cotton mills was a surprise to union members here. The local union officials expected that the difficulty would be left to them to adjust, if possible. The grievance consists of an objectionable change in the work in the picker rooms, whereit is claimed more labor without additional compensation has been put upon some of the employees.

D. AND H. COMPANY TO LAY OFF 200 MEN.

ALBANY, *October 22, 1903.*

Notice has been given that the Delaware and Hudson Railroad Company will lay off 200 men, equivalent to 10 per cent of the working force. Second Vice-President Culver said, that increased efficiency of administration, and not industrial depression or labor troubles, was the cause of the reduction.

WAGE ADVANCE FOR GLASSWORKERS.

PITTSBURG, *October 22, 1903.*

The wage-scale conference of the shade branch of the American Flint Glassworkers has resulted in a wage advance of 5 per cent, and the members are allowed several minor conditions demanded by the men. The advance will affect 1,600 men. This morning the iron-mold branch of the trade will be taken up.

RAND, M'NALLY & CO. SECURE INJUNCTION.

CHICAGO, *October 22, 1903.*

An injunction has been granted to the publishing firm of Rand, McNally & Co. against Franklin Union, No. 4, of Press Feeders, restraining the latter from interfering with the business of the complainant, picketing its plant and intimidating its employees.

[New York World, October 22, 1903.]

DON'T SHARE IN PROSPERITY—RAILROAD LAYS OFF 200 MEN WHILE BUSINESS NEVER WAS SO GOOD.

ALBANY, *October 21, 1903.*

Notice was given to-day that the Delaware and Hudson Railroad Company will lay off 200 men, equivalent to 10 per cent of the working force.

Second Vice-President Culver said to-day that increased efficiency of administration and not industrial depression or labor troubles was the cause of the reduction.

The road was doing the largest business in its history, he said, but it had been found that the work could be done with a reduced force.

[Washington Post, October 22, 1903.]

THE TIDE OF PROSPERITY.

Has the tide of prosperity really turned? And, if so, is this country going to have a time of serious business depression? That there is already visible a marked decrease of industrial activity is an indisputable fact. That the change will be as great as that of 1893 or the memorable trouble of 1873 there is no reason to apprehend. This country is more strongly fortified against financial disturbance than it ever was at any time in our history. There is vastly more of solid rock and a corresponding decrease of sand in our foundation. We have for seven years been riding on the crest of a wave of prosperity and progress that has been astonishing to the most optimistic of our own people and amazing to their competitors in Europe. Now we are slacking our pace. This is what might reasonably have been expected, for there was bound, sooner or later, to be a halt in the continuous growth of business. The Philadelphia Press makes these suggestive remarks:

"The strikes in building trades in New York, Chicago, and elsewhere cut off the demand for structural steel. Cut off this demand deranged the entire iron market. Deranging the iron market brought a reduction in prices. A reduction in prices brought the necessity for reduction in output. The output of pig iron for the current year before this reduction began promised to be 18,000,000 tons. It has been reduced between one-fifth and one-fourth. The reduction in all is about 4,000,000 tons. This is worth about $60,000,000. The great bulk of this, from ore up to the finished product, is labor cost. Practically the present depression brings a reduction in wages paid to labor of from $40,000,000 to $45,000,000.

"This reduction does not stop there. The railroad employees to-day number about 1,300,000. Five years ago they were about 925,000. They have grown almost one-half in this time. This growth is in great measure due to the increase in annual production of iron from 12,000,000 tons five years ago to 18,000,000 tons now. The railroad employes increased one-half because the pig iron product had increased one-half. It was not this alone which did it, but the rise in the output of iron measured a general trade activity as its shrinkage reduces depression. With the reduction in the output of pig, due in its primary cause to building strikes, there is certain to come a general reduction in the openings and opportunities for employment, of which the cut in pig iron is a measure."

The Chicago Journal declares that "everywhere employers are retrenching as far as it is possible for them to do, and the result is that soon more than 1,000,000 men will be out of employment in the very midst of good times almost if not quite unprecedented." We can not have good times of that description with a million workingmen out of employment. The Boston Advertiser takes this cheerful view of the situation and outlook:

"It is not as it was in the panic years when this country found no market for its wheat and the farmers were poverty stricken. Wheat and corn and cotton are selling at good prices. The great West has money to spend and will keep the mills and factories of the East busy turning out enough goods of all kinds to satisfy its demands. The people who have bought worthless paper will suffer from the paper panic; but there is just as much money in the country as ever, and it will be spent freely for what the mills and stores have to sell."

For obvious reasons the national capital is exempt from the worst effects of an unfavorable change in general business conditions. There will be much heavier disbursements of money for labor in this city in the next three years than there have been in any three years past.

[New York Evening Post, November 2, 1903.]

WIRE-NAIL WORKS CLOSED DOWN.

SHARON, PA., *November 2, 1903.*

The wire-nail works of the American Steel and Wire Company, at South Sharon, have closed down for an indefinite period, throwing about 1,000 men out of work. The mills have been operated steadily all the summer and fall, and part of the time were on double turn. Lack of orders is given as the cause for the shut down.

[New York Evening Post, November 4, 1903.]

CLOSING THE PENCOYD IRON WORKS.

PHILADELPHIA, *November 4, 1903.*

Four hundred workmen in the bloom mill and the iron and steel finishing departments of the Pencoyd Iron Works were laid off to-day, making a total

of nearly 2,000 men rendered idle by the gradual closing of the big plants. The 8-inch steel mill will be closed on Saturday, which will complete the shutdown of the establishment.

[Journal of Commerce, November 5, 1903.]

REDUCTION OF IRON AND STEEL PRICES HAS COMMENCED—GENERAL LOWERING OF FINISHED PRODUCTS EXPECTED—RAW MATERIALS ALREADY GREATLY REDUCED—CONCESSIONS REPORTED IN NAILS AND SOME OTHER FINISHED LINES—SOME INDICATIONS OF READJUSTMENT OF WAGES SCHEDULES AS WELL.

PITTSBURG, *November 5, 1903.*

Reductions in prices on finished iron and steel products have commenced, and the opinion pretty generally prevails in well-informed quarters that there will have to be a material lowering in prices all along the line from coke or iron to the finished product before consumers will be tempted to come into the market and place their orders for the material, which they no doubt badly need, but which they have been holding off from buying on account of the weakness in prices which existed for so long. For some months the manufacturers of cut nails west of the Alleghany Mountains have had an association which controls the output and prices, and at a meeting of this organization held recently, the price of cut nails was reduced 25 cents a keg, or from $2.15 to $1.90 at the makers' works.

There have been no other official reduction in prices, but there is no reasonable doubt that the large interests have been quietly shading prices for some little time in the hope of inducing buyers to come in the market and place their contracts. These concessions, if they have been made, would not apply on plates, steel, or bars shipment prices on which are controlled by tight agreements and which so far as known have been recently held.

Should the steel billet makers at their meeting in New York decide to lower prices on steel billets this action would probably be followed by reductions in prices on bar steel and plates. It is not so certain that prices of structural material would be cut, as this trade is a very important branch of the steel business and is controlled thoroughly by the six concerns comprising the Beam pool for the past three or four years. Prices on all kinds of iron and steel products, and on ore and coke as well, have been abnormally high, due to the unprecedented demand. Now that we have returned to a normal condition again it is but natural to assume that prices will seek a lower level to meet the new conditions existing in the iron trade.

The coming reductions in prices will not only apply to pig iron, steel, and finished products, but to ore and coke as well. Six years ago coke used by blast furnaces sold at $4 and $5 a ton, but to-day the same quality of coke can be bought at $2 a ton. Prices on ore are controlled by the ore association, and while it will be impossible to make any reductions on this year's contracts for ore, there is no doubt that when the ore producers get together their schedule of prices on the different grades next year they will make a material cut in prices over this year.

It is very evident, too, that labor will have to stand its share of depression now existing in the iron trade by accepting lower wages. The movement in this direction has already started; one nonunion rolling mill in this city has cut wages of puddlers to $3 a ton, while the Amalgamated Association scale for the same kind of labor is $6.25 a ton.

It is understood also that some of the nonunion sheet mills have taken the initiative of this movement by reducing wages about 20 per cent. It is also currently reported, but not officially confirmed, that the Carnegie Steel Company is preparing lower schedules of wages for its thousands of employees in the Braddock, Homestead, and Duquesne mills. If this proves true it is certain that the reductions in wages will be made at all the mills and blast furnaces owned by the United States Steel Corporation, of which the Carnegie Company is a part. While some labor troubles may follow as a result of these reductions in wages it is hoped the men will see the wisdom and necessity of accepting them, particularly in view of the fact that the employees were unusually raised wages when the boom was on in the iron market.

Unusual interest was taken in the iron and steel situation here yesterday because of certain reports indicating a reduction in prices. The first of these originated in connection with the steel-billet pool, which, it is understood, held a meeting, and rumor had it that a reduction to $20 per ton had been recommended. Then it was reported that the steel-rail pool will hold a meeting to-day, said to be for the purpose of considering a reduction in the price of rails. Naturally the trade and Wall street were much disturbed over these reports and the United States Steel stocks made a very close approach to the low records of the year, while the new bonds sold a small fraction under the previous low price. No satisfaction could be obtained as to the rumored or proposed cut in the billets and rails, hence the whole situation is surrounded with much uncertainty. President Corey, Judge Gary, and other officials of the Steel Trust were reticent and positively refused to discuss the matter.

What attracted attention early in the day to a possible change in the long-established schedule was a statement over the election holiday that the London agents of the United States Steel Corporation had effected an important sale of steel in England. In this case it is practically admitted that such a sale has been made and that it involves a very heavy tonnage. It is understood that details of the order or orders booked abroad will soon arrive by mail, and in the meantime only general information is obtainable.

It has been an open secret for some time that the steel trust was actively working to secure a foothold in foreign markets. There was, of course, no object in making such a move while domestic consumption was in excess of production, but with a reversal of these conditions the trust found it necessary to secure outside markets in case the mills were to be kept running. Reasonably, English and German manufacturers are not likely to stand idly by and see their home markets invaded by such a powerful competitor as the United States Steel Corporation without making an effort to retain their trade. As everyone knows, the steel trust is in a position to obtain special freight rates, but the consensus of opinion is that a reduction in transportation charges alone would not be sufficient to secure foreign orders in volume. It is this that has led up to the belief that price reductions have been resorted to, a theory that gained credence because of yesterday's meeting of the steel-billet pool and the rumors that followed it.

Referring to the iron and steel situation the Iron Age to-day will say: "A number of the Southern producers have again given way, so that transactions on the basis of $9.50 for No. 2 foundry, Birmingham, have been made on a fairly liberal scale. One Cincinnati correspondent reports the sale, for export, of a lot of 15,000 tons of southern pig on the basis of $9.50 for No. 2 foundry and $8.50 for gray forge. From Birmingham we hear of two small sales, also destined to Great Britain. The demand from the Mediterranean is said to be very light. In Cincinnati one large smelting interest earlier in the week took 15,000 tons on the basis of $8.75 for No. 2. The pace set by the southern producers must have widespread effects, since there can be no hope now for months to come for many furnaces there and in other parts of the country to continue in operation.

"Natural causes are bringing about what agreements have failed to do either in the South or in the East. The foundry industry is little affected by what is being done in the Central West. Prices in the Birmingham district have now reached a point when the export business seems nearly possible without any special sacrifices, and that in itself is a warning to buyers not to press too long. It is thoroughly well understood that the yards of the foundries are exceptionally bare, and during the last week there have been many signs that some melters are realizing this. The talk of the excessive cost of production has little influence upon buyers, yet the suddenness of the decline will cause many producers to pause who might otherwise have gone on hoping against hope.

"There are a good many rumors relating to export sales of finished iron and steel. We can not hear that much has been done, nor are the prices obtainable very tempting. Some minor sales of steel rails have been made, among them a 4,000-ton lot to Japan and about 5,000 tons to Korea. But a South American order was lost. The rail makers are to meet to-morrow. Reports relating to finished material in the domestic markets are not favorable. Cut nails have been reduced 25 cents per keg in price. Connections on plates and bars are being made through the aid of crowding tonnage into distant markets. Lower prices have been made on sheets. The steel pool is still in session as we go to press. There is some curiosity in the trade relative to the methods to be used to make "official" prices effective now which have been ignored for some time past.

[New York Journal of Commerce, November 9, 1903.]

ILLINOIS STEEL COMPANY DISCHARGES 2,000 MORE MEN.

CHICAGO, *November 8, 1903.*

Two thousand men were laid off by the Illinois Steel Works at South Chicago Saturday night. In addition to this reduction 1,500 men who were discharged two weeks ago, and who expected to return to work to-morrow morning, have been informed that there is no work for them.

The officials of the company refuse to talk about the retrenchment going on, but it is said by the men that they are being laid off because of curtailment in the output.

[Johnstown Daily Democrat, November 10, 1903.]

ONE THOUSAND ARE OUT OF EMPLOYMENT—MANY LORAIN PEOPLE NOW BACK IN JOYFUL CITY—PERIOD OF IDLENESS NOW—NOT KNOWN EXACTLY WHEN PLANT IN OHIO CITY WILL RESUME OPERATIONS.

A large number of people from Lorain, Ohio, formerly residents of Johnstown, are at present visiting friends and relatives in this city. As stated some time ago in the Democrat, the mills at that place have all been closed down, and as a result about 1,000 men are out of employment.

Although it was asserted that the mills would be again started January 1, a man conversant with the situation stated last night that when the foremen notified the men some weeks ago of the close-down they did not tell when the works would again be started. The Lorain company has a large number of men at work repairing the mills. Some of the Lorain men who came to Johnstown have secured work with the Cambria company and will again locate here.

[Johnstown Democrat, November 10, 1903.]

WAGE REDUCTION AND IDLENESS STILL RULE—READING IRON COMPANY POSTS NOTICE TO MEN—DEPARTMENTS SHUT DOWN.

READING, *November 9, 1903.*

The Reading Iron Company to-day decided on a reduction in puddlers' wages from $4.50 to $4 a ton. Other reductions will range from $8 to 10 per cent. The reduction will take effect November 16. In the notices posted it says that in order to keep the works going the cost of production must be decreased. The department already closed employed 300 hands, and the company promises to make every effort to keep all its other plants going.

The new universal mill of the Reading Iron Company has closed down, affecting about 150 men. The company's sheet mill and the Olney street mill shut down in some departments to-day.

A large number of employees in the riveting department of the Sternbergh plant of the American Iron and Steel Company, this city, were laid off. All the suspensions referred to above are for an indefinite period.

The Phoenix Iron Company at Phoenixville has posted notices advising its workmen of a 5 per cent reduction in wages. The works are now overrun with men looking for work, owing to the closing of the Pencoyd mills.

[From the Washington Star, November 10, 1903.]

REDUCTION OF WAGES.

READING, PA., *November 9, 1903.*

A notice was posted to-day at the tube mill of the Reading Iron Company that the wages of the employees would be subject to a reduction according to the amount of wages received. The reduction will take effect Monday, November 16. The puddlers will be reduced from $4.50 to $4 a ton, and all other classes will be reduced from 8 to 10 per cent.

[From the Journal of Commerce, November 12, 1903.]

BLOWERS PUT OUT OF WORK BY MACHINES—ORGANIZING COMPANY.

GREENSBURG, PA., *November 11, 1903.*

Thrown out of employment by the installation of glass-making machines in the Jeannette plant of the American Window Glass Company, a half hundred blowers of Jeannette, with their full complement of gatherers, flatteners, and cutters, are organizing a company to build a cooperative plant at a cost of $100,000. Bonuses have been offered by Greensburg and Jeannette.

Over 1,000 men were thrown out of employment by the machines in Jeannette, and barely half of them have been able to get positions in the cooperative plants of western Pennsylvania and Ohio.

[From the Washington Post, November 12, 1903.]

CUT IN COTTON WAGES.

BOSTON, *November 11, 1903.*

Reports from the centers of the cotton-mill industry throughout New England indicate that to-day's announcement at Fall River that a 10 per cent reduction in wages had been decided upon by the cotton manufacturers there, to go into effect November 23, has caused general uneasiness, due to the belief that an equal reduction at other places is inevitable. It is conceded that this will be the case in Rhode Island and eastern Connecticut, and it is thought other cities in eastern Massachusetts may follow the example set by Fall River, though their cases are somewhat dissimilar.

SITUATION IN NEW ENGLAND.

In Taunton the Corr Manufacturing Company has already announced a 10 per cent reduction, and while the mill men at New Bedford, Lowell, and Lawrence are reticent concerning their plans, they admit that the condition of the cotton market is all against the manufacturers. This is believed to be equivalent to saying that a wage reduction is something to be seriously considered. The situation in Maine and New Hampshire will hardly be af-

factor. Maine did not share in the wage advance of two years ago, and so has a negative advantage now.

The mill agents at Manchester, N. H., which is one of the largest cotton-manufacturing centers in the country, say that retrenchment has not been thought of so far.

Representatives of the labor unions in Fall River and other cities do not appear to anticipate any concerted action on the part of the unions in opposition to the new schedule. The union men have kept themselves well informed as to the cotton market, and to-day's announcement at Fall River occasioned little surprise. While not admitting the necessity for so sweeping a reduction, it is doubtful if any considerable number would join in a fight with the mill agents at this time.

BACK TO OLD SCALE.

Although the outlook at Fall River from the operatives' standpoint is a rather gloomy one it should be remembered that the new schedule is really a return to the conditions existing two years ago, when an advance was made by the manufacturers. It was the advance in Fall River that led to the great strike in Lowell last spring. The Lowell operatives demanded the Fall River schedule, which was refused.

The present scale went into effect March 17, 1902. The price for weaving regular goods to-day is 2.78 cents per cut, and a 10 per cent reduction would make the new price 2.50 cents. The 10 per cent goes to the date given was 1.9, and the latter figure will prevail after November 23.

[From the New York World, November 13, 1903.]

STEEL TRUST CUTS EXPENSES $56,000,000—THIS ANNUAL SAVING EFFECTED BY CLOSING PLANTS AND REDUCING SALARIES AND WAGES—ASKS THAT FREIGHT RATES BE LOWERED—EASTERN TRUNK LINES MEET ON TUESDAY TO CONSIDER A REDUCTION.

By the reorganization of its business the steel trust expects to save $56,000,000 a year, and this offsets the falling off in its net income. Salaries and wages have already been cut, plants closed or consolidated, and now, as a further step in the way of economy, it plans to get a heavy reduction in freight rates.

A meeting of the Eastern trunk lines of the Central Traffic Association has been called for next Tuesday to consider a demand of the United States Steel Corporation that the rates to the seaboard on the products of the company be reduced in such a scale as to enable it to compete successfully for export business. Mr Morgan's company, the International Mercantile Marine Company, has also decided to give the company low rates. It is estimated that the company will by these means save $5,000,000 a year.

This action was foreshadowed in the extensive announcement made in The World last Tuesday of the plan to reduce expenses.

It was stated on high authority yesterday that when all these economies have been carried into effect the annual saving will be 10 per cent of the gross earnings, which last year were $561,000,000. This would mean an annual saving of $56,000,000.

HOW THE STEEL TRUST HOPES TO SAVE $56,000,000 A YEAR.

Salaries—20 per cent reduction upon $40,000,000	$12,000,000
Wages—5 per cent reduction on $80,000,000	17,000,000
Freight rates, saving	5,000,000
Four per cent of men laid off, saving wages of	3,200,000
Saved in reduction of output	9,000,000
Saved by closing and concentration of plants, estimated	8,400,000
Total	56,000,000

BUSINESS FALLEN OFF.

How much the business of the company will have fallen off by the end of the fiscal year it is impossible to estimate at this time. The greatest falling off has been in the last three months. The last statement showed that the net earnings had fallen off more than $9,000,000 for the summer quarter as compared with the same period last year. The company met this falling off by cutting the dividend from 1 to ¾ per cent for the quarter. The belief was expressed in Wall street yesterday that the enormous reduction in expenses will more than offset the losses and that by conservative management the present dividend on both classes of stock may be continued.

In the Rockefeller party, however, it is maintained, it is possible that the dividend on the common stock may be cut off altogether. John D. Rockefeller is said to favor such a plan, notwithstanding that he is the largest owner of the common stock. Mr. Morgan, it is said, would stand out for the interest of the common stockholders, although it is said that he owns a relatively small share of the common stock at the present time.

The World sent the question yesterday to fifty representative bankers in New York:

"Does Rockefeller own or control the United States Steel Trust?"

The following answers were received by telegraph:

"We know nothing about it.

"E. C. BENEDICT & Co."

"In reply to your telegram beg to say I do not know.

"WM. A. NASH."

"It's beyond our present knowledge, but do not think transfer books would show it.

"HENRY CLEWS & Co."

"We are unable to say, but would respectfully refer you to Mr. Rockefeller.

"ZIMMERMAN & FORSHAY."

"We unfortunately do not keep Mr. Rockefeller's books. You will have to ask him.

"HARVEY FISK & SONS."

[From the Philadelphia Record, November 13, 1903.]

STEEL TRUST'S BIG ECONOMIES. RAILROADS MUST HELP THE CORPORATION TO SAVE MILLIONS.

NEW YORK, *November 12, 1903.*

A meeting of the eastern trunk lines of the Central Traffic Association has been called for next Tuesday to consider the demand of seaboard on the products of the company be reduced in such scale as to enable it to compete successfully for export business. Mr. Morgan's company—the International Mercantile Marine Company—has also decided to give the company low rates. It is estimated that the company will by these means save $5,000,000 a year.

It was stated on high authority to-day that when all the proposed economies have been carried into effect the annual saving will be 10 per cent of the gross earnings, or $56,000,000, as follows: Salaries, $12,000,000; wages, $17,000,000; freight rates, $5,000,000; 4 per cent of men laid off, $3,200,000; saved in reduction of output, $9,000,000; saved by closing and concentration of plants, estimated, $8,400,000; total, $56,000,000.

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PARRY IS VERY ANGRY.

Because the new polo ring at Indianapolis, Ind., is being constructed by nonunion labor in part, the union men there refuse to work on it. This has stirred up Parry, the foe of union labor, who calls upon the business men of that place to unite for the purpose of "putting this union tyranny out of business." Just as if the union men had no right to make a decision as to where they will or will not work.

STILL RETRENCHING.

Retrenchment is still the order of the day with the railroads. Shop men and maintenance of way gangs are being laid off, accentuating the industrial depression which began in the iron industry and is spreading to many other activities.

[From the Washington Post, November 25, 1903.]

WAGES CUT 10 PER CENT—REDUCTION AFFECTS 25,000 NEW ENGLAND MILL HANDS.

PROVIDENCE, R. I., *November 24, 1903.*

The cotton manufacturers of Rhode Island, following the recent action of the Fall River mill owners in deciding on a reduction of 10 per cent in wages November 23, to-day ordered a general cut down, affecting practically every mill in the State and several in Massachusetts and Connecticut. The reductions will become operative in some plants on Monday, November 23, and in others a week later. In all, about 25,000 hands will have their pay reduced.

The order created no surprise, as it has been apparent since the Fall River cut that similar action would occur in this State and elsewhere throughout southern New England.

The first mill owned by Rhode Island men to announce the cut were those of the Quinebaug and Wauregan companies, in Danielson and Wauregan, Conn.

The Goddard Brothers, one of the largest manufacturing firms in Rhode Island, then posted notices in their big mills at Hope, Lonsdale, and Berkeley, R. I., and Blackstone, Mass., and announcement of similar tenor was soon made by other mills in the Blackstone Valley, including those of the Manville Corporation, employing 2,000 hands, and those controlled by Robert Knight, in Rhode Island and Massachusetts, which employ 6,000 to 7,000.

[From the New York American, November 25, 1903.]

TRUST CUTS THE MINER'S WEEK IN TWO—ONLY THREE DAYS' WORK FURNISHED TO TOILERS IN THE ANTHRACITE COAL FIELDS—LOSS TO THE WAGE EARNERS, $20,000—"THANKSGIVING DAY" AN IRONY TO THE WORKMEN—ORDERS HAVE GONE FORTH TO ALL CLASSES OF OPERATORS THAT THE PRODUCTION OF COAL MUST BE KEPT DOWN.

WILKESBARRE, PA., *November 24, 1903.*

"Thanksgiving week" gives only three days of work to the miners of the anthracite coal region. It a misnamed week to them.

President Baer and his associates in the coal trust are making good their admission before the Interstate Commerce Commission, that, regardless of supply or demand, they control the output of anthracite coal.

The edict has gone forth that all members of this monster monopoly must shut down their mines for at least two days each week "until further notice."

Even Coxe Brothers & Co., the largest and wealthiest "independent" operators in the field, who own their own cars and engines, as well as the D. L. and S. R. R., have been brought under the baleful influence of the trust, and have pooled their issues under the "community of interest" plan, and are only working their collieries three days of eight hours and one five-hour day each week.

That this plan has been dictated and enforced by the trust is conclusively proved by the concerted action of every railroad identified with it in failing to furnish cars for the last two days of each week throughout the entire anthracite fields.

The loss of two days' pay each week to the miners and other employees in the anthracite field means a loss of over $20,000 in wages each week to the men, and an enforced restriction of the output of hundreds of thousands of tons of coal.

If this coal was mined and placed on the market for sale on a competitive basis, the price would fall to a reasonable figure, but the trust decides that it shall not be mined.

As far as can be learned by an investigation made by the American, the collieries of the Lehigh Coal and Navigation Company in the Panther Creek Valley are the only ones that are working every day, and they have shortened the day's work from nine to eight hours.

[From the Chicago Blade, November 28, 1903.]

MANY EMPLOYERS REDUCE WAGES—THE UNORGANIZED ARE THE FIRST TO SUFFER—INDICATIONS OF THE SLOWING DOWN OF INDUSTRY—A FEW STRIKES ARE THREATENED.

Reports of wage reductions, in some cases followed by strikes, continue to be reported in the daily newspapers. A few are—

The American Car and Foundry plant at Detroit, Mich., is to close January 1, throwing 3,000 out of work.

A 10 per cent reduction in the wages of all the employees of the Andover Iron Company, at Phillipsburg, N. J., is announced.

The Northern Pacific Railway has cut the schedule in its shops at Gladstone, Mont., so that each man loses practically one day's earnings a week. The Great Northern has taken similar action in its shops at Como, Havre, and other points.

The first wage reduction in New Hampshire cotton mills during the present movement toward a lower basis was announced in the mills of the China, Webster, and Penacook manufacturing companies at Suncook. The reductions amounts to 10 per cent and affects 1,500 operatives.

The Dominion Iron and Steel Company, of Sydney, Nova Scotia, has ordered a general reduction of 10 to 25 per cent. The company feels compelled to reduce expenses to compete with the United States Steel Corporation.

Beginning with a cut of 7 cents on each 10 yards of silk woven, 250 girls struck in the Duplan silk mill, Hazelton, Pa.

Two hundred and fifty men in the Pennsylvania Railroad shops at Harrisburg, Pa., suffered a reduction of 10 per cent.

Notice was posted at Lock Ridge furnace, Alburtis, Pa., that another reduction of 10 per cent would be made in wages beginning December 13.

Nearly 10,000 employees will be affected by the reduction of 5% per cent of working hours decided on by manufacturers of bar iron east of Pittsburg.

About 3,000 miles of Missouri Pacific track in southwestern Kansas and southeastern Missouri are without a section laborer except the foreman. The men quit work voluntarily upon receipt of the announcement of a cut in their wages.

Fifteen hundred of the 3,000 employees of the Pacific Steel Company, at Passaic, N. J., have voted to strike December 1, if the company makes a cut of 10 per cent in wages, as it has announced its intention of doing.

The Edwards cotton mills of Augusta, Ga., announce a cut in wages to take effect November 30. About 1,300 employees are affected.

The cotton mills of Fall River, Mass., owned by M. C. D. Borden, of New York, will follow the other local mills in the reduction of wages. Notice has been posted of the cut down of 10 per cent, to go into effect on November 30, a week later than that of the other mills. Nearly 10,000 operatives will be affected.

STEEL MILLS OPENED.

The steel trust has opened a number of idle mills within the past few days, which is said to be a hopeful sign. Requests are being sent in from labor organizations that if the mills are again put in operation a reasonable reduction in wages, to meet new conditions in the market, will be cheerfully accepted.

Manufacturers of bar iron east of Pittsburg have decided to reduce the output by 50 per cent and to run the mills on part time for an indefinite period. The mills affected are: The Reading Iron Company, at Danville, Pa.; Scranton Bolt and Nut Company, Scranton; Beaston Iron and Steel Company, Boonton, N. J.; Diamond State Steel Company, Wilmington, Del.; New Haven Iron and Steel Company, New Haven, Conn.; Kinsely Iron and Machine Company, Canton, Mass., and the West End Rolling Mill Company, Lebanon, Pa.

About 10,000 employees will be affected. Until further notice four days' work a week instead of six, a reduction of 33⅓ per cent, will be the rule. As the operatives are paid by the ton, the reduction will not affect them as much as if they were paid by the day.

UNION PICKET IS KILLED.

* * * * * * *

A lockout of 450 of the 2,400 members of Franklin Union of Press Feeders and Job Pressmen has been in effect since October 5, eleven of the largest firms having united in opposing the union, but while picketing has been going on every day since, no serious conflict occurred. There are widely varying accounts of just who is to blame for the situation, and only a trial in the courts can determine it. It is a fact, however, that the fight is between two unions, the Franklin organization being outside of the unions affiliated in the printing business.

[From the Washington Post, November 28, 1903.]

GLASS WORKERS' WAGES CUT—REFUSED 10 PER CENT REDUCTION; NOW FORCED TO ACCEPT 21 PER CENT.

PITTSBURG, PA., *November 27, 1903.*

The American Flint Glass Manufacturers' Association to-day announced a reduction in prices to the trade from 1 to 14 cents per dozen on one-third pint bottles and from 21 to 46 cents on one-half pint.

As the employees are working on a sliding scale, the reduction in price will mean a cut of about $1 a day in their wages. About 1,000 men are affected.

Several weeks ago the members of the American Flint Glass Workers' Union were asked to accept a voluntary reduction of 10 per cent in order that the manufacturers might meet the competition of the independent concerns. The workers refused. The manufacturers then cut prices to the trade, and instead of 10 per cent the reduction in wages will average 21 per cent.

[From the Washington Post, November 29, 1903.]

REDUCTION AT CAMBRIA WORKS.

JOHNSTOWN, PA., *November 28, 1903.*

A general order issued by the Cambria Steel Company, taking effect Monday, will place the single turn employees on a nine-hour basis. The order affects 13,000 men. The idea of curtailing the working hours of the mechanics, as well as all floating day labor, rather than effecting economies by a shut down, is to preserve the organizations, so that when the busy season arrives the Cambria shops will be effectively manned.

WAGES REDUCED THIRTY PER CENT.

PITTSBURG, PA., *November 28, 1903.*

The De Wees Wood Plant, at McKeesport, will be placed in full operation the coming week, the first turn reporting on Monday. The men employed in the plate mill have accepted a reduction of 30 per cent, and others will go back to work at smaller reductions, which take effect January 1.

ROLLING MILLS CLOSED DOWN.

KITTANNING, PA., *November 28, 1903.*

The Kittanning rolling mill has closed down. The Kittanning iron furnace and the typewriter works are also closed indefinitely.

[From the New York World, November 29, 1903.]

WAGE-EARNERS HARD HIT BY TRADE DECLINE—MORE THAN EIGHTY THOUSAND MADE IDLE IN LEADING INDUSTRIES BY SHRINKAGE OF BUSINESS, AND MANY THOUSANDS MORE ARE WORKING ON A REDUCED WAGE SCHEDULE—RAILROADS NOT YET SERIOUSLY AFFECTED—REPORTS GATHERED BY THE WORLD FROM VARIOUS INDUSTRIAL CENTERS SHOW THAT PROSPERITY IS WANING—VENDERS OF LUXURIES FEEL THE CONTRACTION IN THIS CITY.

Careful inquiry made by the World through its correspondents at various and widely separated industrial centers of the country shows that trade conditions are not what they were six months ago, and compared with a year ago are decidedly less promising.

These reports show that a readjustment to meet the falling off in trade is in progress, and that the readjustment in a number of cases is being the form of a reduction of wages from the high standard created by the stupendous rush of business during the past two years.

These reports also show that the reduction of wages has so far been generally accepted by employees without resorting to strikes or other forms of protest. The disposition of wage-earners in this respect is regarded by business men as a most favorable omen. In every case where a wage reduction has been enforced the mill or factory so affected has been first closed down for a few weeks.

SHUT DOWN CAME FIRST.

This was done in the iron and steel mills of Pennsylvania and Ohio, and also in the case of the textile mills of New England. Many of these latter will resume operations to-morrow on a wage scale running from 10 to 20 per cent under that which prevailed prior to the shut down.

The managers of these mills argued that a period of idleness would prepare the employees for the reduction and would be profitable for the employers.

Many men with large interests and wide experience declare that the real tag of war will come when the railroads attempt to reduce wages. A railroad can not throw all of its employees out of work for a month or two by shutting down operations, like a mill or factory, and in consequence a wage reduction is much more difficult to enforce.

So far the freight traffic of the railroads has shown no material shrinkage, though returns for passenger traffic are beginning to show a falling off. It is argued that the business of the railroads must follow in the wake of the leading industries of the country, and that in consequence the railroads will find it necessary to curtail expenses by cutting down wages from the present high level.

So far the only steps taken by the railroads in recognition of the contraction in trade have been the stoppage of great schemes of improvement. In all, about 20,000 men engaged upon these works have been laid off by the Pennsylvania, the New York Central, the Southern Pacific, and other large systems. Other retrenchment schemes are expected to be put in force by the railroads within the next three months.

ALL LINES AFFECTED.

That the shrinkage in trade is affecting all industries was shown last week by the shutting down of twenty-eight mills of the International Paper Company in New York and New England. About 15,000 men were made idle by this shut down. The largest of these mills are at Berlin, N. H.; Franklin Falls, N. H.; Rumford Falls, Me.; Bellows Falls, Vt.; Glens Falls, N. Y., and Fort Edward, N. Y.

Business men in New York City declare that one of the surest barometers of general conditions is the state of trade among those who deal in luxuries. One of these, they say, is the theater. Are her's the facts?

Investigations made by the World show that the theaters of this city are doing less business than for years. New theaters with 7,500 seats have been opened this season, but managers and men agree that this is of small moment in accounting for the falling off in attendance.

The determination of the public to husband its money was best shown on Thanksgiving Day, when only four theaters had full houses at the matinee performances and a dozen of them had rows of empty seats at night. This was an abnormal state of affairs. Thanksgiving has for a long time been the biggest theater day on the year's calendar.

There is an abundance of room at all of the hotels, though at a score of the leading hostelries a year ago they were turning away applicants every day. Café receipts have fallen off sharply, and at such places as Sherry's and Delmonico's the contraction of the public purse is most noticeable.

WILL SHRINKAGE CONTINUE.

According to trade authorities it is too early to predict whether the shrinkage is temporary or will prove to be a matter of years. Conditions generally are so mixed that they assert that there is no single fact to base a prediction upon.

The collapse in Wall street values and the coming Presidential election are regarded as temporary factors, but the consequences wrought by both it is believed by some will be more permanent.

Those having to do with the labor problem say that conditions are generally favorable.

DAILY PAY ROLL OF $10,000 STOPPED—TEN IRON AND STEEL PLANTS IN BIRMINGHAM DISTRICT SHUT DOWN.

BIRMINGHAM, ALA., *November 28, 1903.*

Ten iron and steel plants shut down, one on half time, 3,935 men idle and a daily pay-roll of $10,000 stopped is the extent of the present trade depression in the Birmingham district. The following is a list of the idle plants, the number of men affected, and the wages paid:

One furnace of the Tennessee Coal, Iron and Railroad Company, in Birmingham, and another at Ensley, each employing 250 men, 200 of whom at each furnace earn $1.25 per day and 50 at each furnace $3 per day each.

Steel mill of the Tennessee Coal, Iron, and Railroad Company, at Ensley, employing 900 men at an average wage of $2 per day each.

Birmingham Rolling Mill of the Republic Iron and Steel Company, in Birmingham, employing 400 men at an average of $2.25 per day each.

One iron furnace of the Sloss-Sheffield Steel and Iron Company, at Sheffield, employing 200 men at $1.25 per day and 25 men at $2 per day each.

Wire, rod and nail mill of the Alabama Steel and Wire Company, at Ensley, employing 800 men at an average wage of $3 per day each. This plant has been idle five months.

One iron furnace of the Jenifer Furnace Company, at Jenifer, employing 200 men at $1.25 per day each and 35 men at $3 per day. This company is in the hands of a receiver.

The furnace of the Attalla Furnace Company, at Attalla, employing 60 men at $1.25 each per day.

Furnace of the Williamson Iron Company, in Birmingham, employing 75 men at $1.25 each per day and 25 men at $3 per day.

One furnace of the Alabama Coal and Iron Company, at Talladega, employing 150 men at $1.25 per day each and 25 men at $3 per day.

The car works of the Decatur Car Wheel Works Company, in Birmingham, employing 100 men at an average wage of $2.50 are running on half time.

Operators of the leading iron and steel industries of this district do not take a gloomy view of the future, but regard the present depression as temporary. As a rule they look for better times when the new year opens. Col. Thomas G. Bush, president of the Alabama Consolidated Coal and Iron Company, says:

"I regret to say that at this particular time the general trade situation is not altogether satisfactory. The present conditions are due to causes which are obvious, but not necessarily alarming. We have no reason to consider the present decline in metal prices as an indication of a long period of stagnation, as occurred in 1893 and for several years following."

J. W. McQueen, vice-president of the Sloss-Sheffield Steel and Iron Company, declares that his company sold and delivered more pig iron thus far in November than in any previous month for the last year and a half. This served to relieve the situation by removing much of the surplus stock from the furnace yards. He looks for a good trade in iron henceforth.

Don H. Bacon, president of the Tennessee Coal, Iron, and Railroad Company, says that he expects a good demand for steel billets and rails and generally better trade conditions after the opening of the new year.

B. M. Starks, local superintendent of the Louisville and Nashville Railroad, whose lines handle nearly all of the mineral traffic of the Birmingham district, said:

"I can not see anything but prosperity in the outlook. Our road is crowded with shipments and the shippers at the mines and plants are continually calling for more cars."

MANY THOUSANDS IDLE IN MONTANA—HEINZE-AMALGAMATED WAR REGARDED AS A MENACE TO THE PROSPERITY OF THE STATE.

BUTTE, MONT., *November 28, 1903.*

During the twenty days of complete suspension of operations at mines, smelters, and other properties of the Amalgamated Copper Company, 14,000 men were out of employment in Montana. The average wage of these men was $3 a day, a total of $42,000 a day, or $840,000 for the twenty days.

Since the partial resumption about half the number have returned to work. The remainder are still partly or wholly idle, because the Amalgamated Company has limited its operations. In Butte 6,000 miners, receiving $3.50 per day, were laid off at the time of the shut down, and about 4,000 have returned to work, leaving 2,000 still idle.

At the Washoe smelters, at Anaconda, 2,500 men, receiving an average of $2.75 per day, were laid off and 1,100 have gone back to work. Twelve hundred men were thrown out of employment at the great Badger smelter at the time of the shut down, but a thousand have been returned to work at an average pay of $1 a day.

Of the rest of the company's employees almost 75 per cent of those laid off at the time of the shut down have been put back to work.

The trade outlook in Montana, especially in the large cities which depend chiefly on the mining industry, is clouded and, it is thought, will continue so until there is a settlement of the Heinze Amalgamated litigation or the Standard Oil influence terminated from the situation. The latter's power to close the State's chief industries at will is regarded as a menace to the business interest of Montana.

EFFECT OF TRADE SHRINKAGE IN INDUSTRIES ON LABOR.

Men made idle by stoppage of improvements by railroads	20,000
Men made idle by shut down of paper mills	15,000
Miners idle by partial closing of copper mines in Montana	4,000
Men idle in Pennsylvania and Ohio steel and iron districts (about)	28,000
Men idle in Birmingham steel and iron district	15,000
Workers affected by 10 per cent wage reduction in New England textile mills	65,000

FALL RIVER, MASS., *November 28, 1903.*

Between 60,000 and 70,000 workers in the textile mills of New England will go to work Monday on a wage schedule averaging about 10 per cent less than they have been receiving.

This means that the operatives will have about $2,000 a week less to spend. The reduction has been accepted by nearly all textile workers.

It is not at all certain that the mills will continue in operation on this basis. Everything practically hinges upon the price of cotton. If cotton can be had for 10 cents per pound or cheaper the mills will probably run until the middle of next year. If the price of cotton continues around 12 cents a number of the mills will shut down.

The precarious condition of the trade is realized by the mill workers and accounts for their willingness to accept the wage reduction.

In Fall River alone about 30,000 workers are affected by the new schedule. In Rhode Island there are about 20,000 workers affected.

[From the Passaic Daily Herald, November 30, 1903.]

LOWER WAGES IN PATERSON—SILK MILLS CUTTING WORKMEN'S PAY—SOME OF THE EMPLOYERS THREATEN TO STRIKE.

Pelgram & Meyer, one of the largest silk manufacturing concerns in Paterson, has announced that in its mills wages would be reduced from 5 to 15 per cent. Some of the hands are said to be willing to accept the cut, while others will go out on strike. The matter will probably not reach a climax until Thursday, when the time under the present wage schedule expires.

A general reduction of 15 per cent is also announced at the mill of the Johnson & Cowdin Co., another of the largest firms in the silk business there. Although there is general dissatisfaction among the employees there has been no rumor of a strike at the factory.

[From the Journal of Commerce, November 30, 1903.]

CUT IN COAL MINERS' WAGES—COMPANIES IN THE MEYERSDALE REGION DECIDE UPON REDUCTION.

BALTIMORE, *November 30, 1903.*

It is announced that the Somerset Coal Company, the W. K. Moser Coal Company, and the Meadlands Coal Company, which own and operate a number of mines in the Meyersdale, Pa., region, have decided to make a reduction of 10 cents a ton in the wages paid the miners. The cut will become effective December 16, and notices will be posted at the mines to-morrow.

The three companies employ upwards of 2,500 men, and it is expected that the other similar operators in that region will follow with a similar reduction. It is said that so far the miners have no knowledge of the decision reached by the companies, but the latter do not believe they will make any protest.

When the coal trade was booming last April, the companies voluntarily advanced the pay from 55 to 65 cents a ton. Now that the trade is very flat and competition acute, it is considered necessary to take off the increase and go back to the old rate.

[From the Journal of Commerce, November 30, 1903.]

EVERETT PIG IRON FURNACE BANKED.

EVERETT, PA., *November 28.*

The dull market for pig iron has caused the Everett furnace to be shut down indefinitely. The force of workers will be reduced at the company's mines and coke works at Kearney. Many men have been thrown out of employment.

[From the St. Louis Republic, November 30, 1903.]

WAGE REDUCTION AFFECTS 64,000—OTHER NEW ENGLAND COTTON MILLS OPERATIVES YET TO BE INCLUDED IN CUT WILL SWELL TOTAL TO 75,000.

BOSTON, *November 30, 1903.*

The wages of about 32,000 cotton textile operators were reduced to-day.

To-day's addition brings the total number in New England who have had their pay cut down this fall to about 64,000, and the cut which takes effect in New Jersey next Monday will swell the total to about 75,000, and complete a general reduction in southern New England cotton mills. The cut down in the majority of factories averages 10 per cent.

Today practically every cotton mill in Rhode Island, where there are about 2,200,000 spindles, adopted the new schedule. In that State nearly 20,000 operatives are affected, and the new scale of things will mean a loss of fully $20,000 weekly in wages. The cut also became operative in mills in Massachusetts and Connecticut controlled by Rhode Island capital and employing about 7,000 additional hands.

The reports from the mill district indicate that the new schedules were received without any serious protest on the part of the operatives.

[From the Boston Transcript, December 2, 1903.]

MORE MAINE MILLS CLOSING.

AUGUSTA, ME., *December 2, 1903.*

Lower water in the streams of Maine is becoming a greater handicap to the manufacturing industry daily. The Lockwood Cotton Mills at Waterville have been shut down in part, and at Hollingsworth & Whitney's mill in Winslow, 500 hands are idle.

[From the Boston Transcript, December 2, 1903.]

WOOLEN MILL ATTACHED—LAKEVILLE COMPANY'S PLANT AT WEST RUTLAND SHUT DOWN.

WEST RUTLAND, *December 2, 1903.*

The Stearns woolen mill here, owned by the Lakeville Company, is shut down. Deputy Sheriff James Early, of Worcester, having placed an attachment on the property in behalf of S. Rawitzer & Co., of New York. A keeper is in charge. The suit is an action of contract to recover for stock furnished the company. About 60 hands are idle.

[From the Boston Transcript, December 2, 1903.]

MILL STRIKE AT TILTON, N. H.—WEAVERS RESIST REDUCTION OF WAGES.

TILTON, N. H., *December 2, 1903.*

A change in the wage schedule of the woolen mills of D. & E. Morrison here is being resisted by the weavers, 40 of whom are on strike. The mills are shut down and in all nearly 200 operatives are idle. A notice was posted by the management giving a new schedule of wages for weaving. Some of the grades of cloth were cut a quarter of a cent per yard and some grades were cut half a cent per yard. At the same time the management announced its intention of hiring men. The weavers were dissatisfied, believing the hiring intended to put out of work the girl weavers. When he went out the entire force of weavers followed. When the weavers went out most of the hands in the factory had to go out also.

O. H. Morrison, manager of the mills, says that he had had no reason to strike for the weavers as entitled to ask before going out and that they had no grievance against the mills. "We have been hiring girl weavers as well as better than most of the mills in the State," said he. "They have been making fine pay, and have had more looms to tend than in the number of looms that other mills. It seems that the chief trouble was that Overseer Morrison had discharged because we decided to discipline with one other. As for the cut down, about 5 weavers are cut one-fourth of a cent a yard on a particular grade of cloth, where a few others are cut one-half a cent per yard and still others are not affected either way. Our object was to change the wage schedule to equalize as near as possible, the rate of wages, and we think it a very fair schedule."

[From the Chicago Chronicle, December 2, 1903.]

STRIKE OVER CUT IN WAGES—MESSENGER BOYS QUIT AND NEGROES FILL THEIR PLACES.

RICHMOND, VA., *December 1, 1903.*

The Western Union Telegraph messengers struck to-day against a reduction of wages. The company is filling their places with negroes.

TORONTO, ONTARIO, *December 1, 1903.*

Everything points to a strike of the telegraph operators of the Grand Trunk Railway. The Order of Railway Telegraphers has given the management until 12 o'clock to-night to decide the question of granting an increase in wages.

PITTSBURG, PA., *December 1, 1903.*

An unanimous effort was made to-day to break the building trades' lock out. Committees of the Builders' Exchange League and the Building Trades' Council held a conference without reaching an agreement.

SHARON, PA., *December 1, 1903.*

A reduction of 10 per cent in the wages of the 600 employees of the Sharon plant of the American Steel Foundries Company went into effect today.

PATERSON, N. J., *December 1, 1903.*

A 10 per cent reduction in wages went into effect at the plant of the Passaic Steel Company to-day.

READING, PA., *December 1, 1903.*

Because of a 10 per cent reduction, 200 employees of the North Reading works of the Reading Foundry Company quit work to-day. The Reading Railway laid off 200 truck repairers. The Sterlingworth plant of the American Iron and Steel Company resumed work on full time.

POTTSTOWN, PA., *December 1, 1903.*

The Ellis & Lessig Iron Company announced to-day that it will resume operations at its puddle mill Monday with a full force.

TOLEDO, OHIO, *December 1, 1903.*

Colonel Howard, general foreman of the Wabash car shops in this city, to-day received orders to reduce the force 10 per cent. One hundred men are affected. The shop is two months behind in its work.

BLOOMINGTON, ILL., *December 1, 1903.*

The Chicago and Alton road to-day announced a 15-cent reduction in pay of section hands. The new rate is $1.25 a day of nine hours.

MARQUETTE, MICH., *December 1, 1903.*

The Lake Shore engine works to-day posted notices saying the wages of all employees would be cut 10 per cent at the south shore railroad shops.

[From Iron Age, December 3, 1903.]

McKeesport, Pa., Tin Plate Company have notified employees of a reduction in wages. Some have refused to accept the reduction, and plant is only partly in operation.

The falling off in business in the metal lines is bringing home to the workmen the distinct benefit of the labor bureaus.

International Harvester Company, Chicago, have decided to lay off 7,500 of their 19,000 employees. Deering division discharged 1,500 Saturday.

Blast furnace plants in the Shenango and Mahoning valleys have reduced wages 10 per cent. This reduction will probably become general in Central West.

[From the Wool and Cotton Reporter, December 3, 1903.]

REDUCTION IN WAGES.

About 32,000 additional operatives have their wages reduced this week. Total number in New England thus far affected, about 64,000. Cut in New Bedford next Monday will swell the total to about 75,000. Cut averages 10 per cent.

New Britain Knitting Company, at New Britain, Conn., has reduced the wages of some of its employees.

George A. Whitney (cotton) yarn mills, South Royalston, Mass., closed for three weeks, are starting up with 30 operatives instead of usual 125.

Richmond Manufacturing Company, of Bristol, R. I., has been idle since last July. Property cotton mill may be sold.

"Beroden Folding Mills Company, at Millbury, Mass., have gone on half time, with about half the usual number of hands.

Fitchburg, Mass., Cotton Duck Mills are shut down. They usually employ 200 hands.

Mechanicsville Knitting Company, New York, will soon close down indefinitely.

City Manufacturing Corporation (cotton), New Bedford, will reduce wages December 7.

Berkeley Mill, Providence, R. I., cut wages more than expected. The cut ranges from 6 to 18 per cent.

[From the New York Journal of Commerce, December 12, 1903.]

STRIKE OF GIRL CRACKER PACKERS OFF.

CHICAGO, *December 2, 1903.*

The strike of girl cracker packers against the National Biscuit Company has been declared off. The girls are returning to work as individuals.

[From the New York Journal of Commerce, December 3, 1903.]

LOWER WAGES IN WIRE MILLS.

JOLIET, ILL., *December 2, 1903.*

A reduction of from 5 to 10 per cent in wages was ordered today in all of the wire mills of the United States Steel Company, affecting 1,000 men.

STEEL TRUST PREPARING TO REDUCE WAGES—GENERAL REDUCTIONS UNDER DISCUSSION—MEETING AT PITTSBURG.

PITTSBURG, *December 2, 1903.*

The presidents and other subsidiary officers of the subsidiary companies in the United States Steel Corporation are meeting here to-day. The object of the meeting has not been given out, but it is known that Chairman of the Corporation Company, Walter Leslie, has come to be present at the meeting. It is said to be the most important gathering of the steel officials since the era of reorganization was begun and that the most serious matter under consideration is the question of wages.

It is generally estimated that companies have been at work long enough under schedules of production, which may go into effect on January 1 next, to know the wages they are willing to accept if the new schedules of the corporation are adopted. It is said ranges from 10 to 30 per cent. Negotiations for contracts for iron ore among the employees regarding the wage scale have, it is reported, been in progress for nearly a month past, and it is now said that some plan may be presented for adoption at the meeting to-day. Officials of the steel corporation have been reticent regarding the plan to cut wages, but it is known that the men who are receiving the highest wages will be the heaviest sufferers.

At the close of the meeting this evening it was announced that the gathering was merely one of the regular monthly meetings of the presidents of the various subsidiary companies of the United States Steel Corporation. Weighty business is transacted by those present, it is understood, but the subjects being discussed relate to no in company in the way of operation and to extensions of production and extension of business were the main features.

The question of wages, according to excellent authority, was not taken up, as that is a matter for the officers and directors of the various companies to consider. Separate and distinct meetings have been held in Pittsburg. It is understood that President Corey has favored holding them in Pittsburg.

The company officials of the tin plate and sheet steel companies, who are being called to a meeting in the interests of the tin plate and sheet corporation, now in New York, are both will be brought to a conclusion.

The sheet steel workers' convention, at which the removal of the limit of production was to be considered, will be held there next Tuesday. Notices were sent out from the Amalgamated Association officers today, calling the officers to attend their conventions. At the request of the Independent Sheet Manufacturers' Association the date was changed. The association will be represented at the convention.

[From the Washington Star, December 3, 1903.]

ACCEPT REDUCED SCALE.

CHESTER, W. VA., *December 7.*

The employees of the Chester tin plate mill of the American Tin Plate Company have accepted the reduced scale offered by the company, and the entire plant will start in full January 1.

[From the New York American, December 3, 1903.]

STEEL MAGNATES IGNORE WAGE TOPIC—BIG SALARIES TO BE ELIMINATED BY GIANT CORPORATION—AMALGAMATION IS COMPLETED.

PITTSBURG, *December 2, 1903.*

Although cuts in wages were to have been discussed by the presidents of the subsidiary companies at the conference of the United States Steel Corporation here to-day, President Gary of the corporation said the subject was not brought up. He reported all conferences had by President Corey and others as having been the influence of Wall street. Arrangements were completed today for the amalgamation of the American Tin Plate Company and the American Sheet Steel Company on January 1. The main offices will be removed from New York to this city.

Many of the men drawing big salaries will be discharged January 1. It was generally that the consolidated company will handle its own wage question. The Carnegie company will make a schedule of wages soon and will demand individual agreements with its employees.

JOLIET, *December 2, 1903.*

A reduction of from 5 to 10 per cent in wages was ordered to-day in all the wire mills of the United States Steel Company, affecting 1,000 men.

[From the Chicago Chronicle, December 4, 1903.]

WIRE WORKERS' WAGES CUT—STEEL TRUST ORDER REACHES WAUKEGAN, AFFECTING HUNDREDS OF MEN.

The order for a cut in wages of employees of the wire mills controlled by the steel trust reached Waukegan yesterday. The cut affects several hundred men. It averages about 12 per cent.

Men who were getting $8 a month are cut to $50. The machinists are cut from 32 cents to 28 cents an hour. The gatemen's pay is cut 2 cents per hour, and the laborers will probably drop from 15 and 17 cents an hour to the old scale of 14 cents in effect a year ago.

[From the New York Journal of Commerce, December 4, 1903.]

STEEL WORKS CLOSE—SHUT-DOWN OF NATIONAL COMPANY'S PLANT AFFECTS 2,000 MEN.

BELLAIRE, OHIO, *December 3, 1903.*

Twenty-five hundred men were laid off to-day when they reported for work at the plant of the National Steel Company. The works were closed down for an indefinite period on orders from Pittsburg. No explanation was given for the order.

[From the Johnstown Democrat, December 12, 1903.]

INCOMES OF ALL SALARIED EMPLOYEES OF CAMBRIA COMPANY MAY UNDERGO A PARING—BIG STEEL CORPORATION, IT IS REPORTED, TO FURTHER CUT EXPENSES, WILL JANUARY 1 DECLARE A 10 PER CENT REDUCTION, AFFECTING HUNDREDS.

According to reports the Cambria Steel Company will after the first of the year reduce the wages of all its salaried employees 10 per cent.

The rumor to the above effect has been widely circulated throughout the

city. As yet no notice has been posted concerning the matter, but there are almost four weeks remaining before January 1, at which time it is reported that the reduction will go into effect.

As announced exclusively in The Democrat sometime ago, the working hours of most of the employees of the mechanical department of the Johnstown company have been reduced an average of one hour. The same reduction would of course be welcomed by the salaried men, provided the salaries remained the same. But, to further reduce expenses, it is said that the salaries and other item are nearly well after January 1 reports in per cent less than heretofore. One of a well acquainted concerning the report did not deny the rumor, but said that "everything is subject to change."

"The wages," he said, "might be reduced at the first of the year; they might be reduced later in 1904 and, again, they might not be reduced at all. Nobody knows."

The Cambria Company is not having any job these days. When a man quits or is discharged his other men in his department, whether it be an office, a shop, or a mill, share the work which he had to do.

SANITARY DAIRY CUT.

The drivers employed by the Sanitary Dairy Company, about thirty in all, have, it seems, had their pay reduced $10 a month. The rumor came out to verified last night, but according to people in a position to know, it is a fact.

[From the New York American, December 4, 1903.]

ONE HUNDRED AND FIFTY THOUSAND MEN THROWN OUT BY THE CASSATT-GOULD WAR—PENNSYLVANIA RAILROAD'S RETRENCHMENTS LAY OFF THAT NUMBER OF WORKERS IN THREE MONTHS.

PHILADELPHIA, *December 3, 1903.*

While Pennsylvania Railroad officials deny that any of their employees have lost their positions, it is known that a number have been laid off or put on a reduced time basis for them at the present time. It is also known that at least 150,000 men have been thrown out of work by the railroad within the past three months.

The great majority of these, of course, are not employed directly by the Pennsylvania Railroad. There are workers in other industries who depend for their livelihood upon the money of railroad men on the outgoing end. The effect of the Pennsylvania Railroad's economy policy is felt in every direction.

The greatest hardship which the country suffered was in the Altoona and Williamsport shops. At the former place alone a thousand men lost their jobs, and in the other place about two hundred. In a number of shops in Altoona the men worked but three days a week for a month. In a number of shops in Williamsport the men worked but five days a week for a month. In the Altoona shops alone the men lost in wages $100,000 a week during the period they were on the short time schedule.

A special order issued by the Cambria Steel Company, Johnstown, Pa., places ten thousand employees on a new basis. The order affects heavily men. The plan of curtailing the working hours of the mechanics, as well as all floating day labor, rather than effecting economies by a shutdown is to preserve the organizations, so that when the busy season arrives the Cambria shops will be efficiently manned.

D. Cunnam, Charles Fay, Ralph Fay, Robert Wright, Charles Greenslade, A. Swinerton, and Howard Bennett, employees of the Otis Elevator Works, at Bloomfield, Ohio, were discharged because they had each, two days, a change of overgarment out of a number of assaulted during a round-up to a general homogeneous employees. All are members of the Molders' Union. They were arrested, and were bailed.

The new wage schedule adopted by the cotton mills of Rhode Island, which represents the wages of operatives 10 per cent, would go into effect this week. The Pawtuxet Valley Worsted Mills, Cranston, are affected. These operatives are discharged, but will await a more favorable market before proceeding for a return to former figures.

Messrs. Kennedy and Dassaccion, merchant tailors, at Fort Scott, Kans., struck against a reduction of 50 cents a day in their wages, and it is reported that men all the way from Kansas City have joined the strike. Southern Pacific and Missouri Pacific roads in Missouri and Kansas have struck against similar reductions.

Employees in various lines of industry in Chicago are reported to be doing away with the wages of their workers. The restaurant keepers and hotel men are forcing operation here, and officers of their associations assert that the same course has been adopted by their members throughout the country.

A strike of 500 men was begun at Indianapolis, Ind., resulting the striking employees of the Indianapolis Brewing Company from interfering with the men who want to work. The company is resisting the effort to make its employees unionists.

The Sangamon Coal Company, the W. K. Niver Coal Company and the Merchants Coal Company, which own and operate a number of mines in the Mississippi Valley, have notified miners of a reduction in wages to take effect on December 15. The notice has been posted in Chicago and down their mines in the shops last week. Machinists, car workers, blacksmiths and boiler makers are affected. Two thousand men are out of employment.

Orders were received at Decatur, Ill., at the car department of the Wabash system to make a reduction of 10 per cent in expenditures for wages. It is seen that about 50 men may be laid off.

At a conference in Pittsburg, Pa., between the manufacturers and representatives of the Flint Glass Workers' Union, the wages of the men in two departments were reduced 25 per cent.

Consideration of a reduction of 25 cents in their wages all the laborers at the Sheppard Pa., tin mill of the United States Steel Corporation is under.

Most of the 500 employees of the United States Cartridge and Brass Company's plant at Lawrence, Kans., struck because of a cut in wages.

The dull market for pig iron has caused the Everett, Pa., furnace to be shut down indefinitely. The foremen of workers will be reduced.

All machinists in the employ of the street-railway company at Marquette, Mich., struck for higher wages.

A strike is threatened by the Indianapolis Butchers' Union because of a refusal to increase wages.

Tinsmiths' strike is rapidly spreading in Porto Rico. Thirteen hundred men are out.

[From the Chicago Chronicle, December 6, 1903.]

HUNDREDS LOSE POSITIONS—STEEL CORPORATION REQUIRES RETRENCHMENT IN ALL DEPARTMENTS.

GREENVILLE, PA., *December 5, 1903.*

Acting upon the orders of the United States Steel Corporation, retrenchment is being made in all departments of the Bessemer and Lake Erie Railroad. Operations, business, and employees of all classes, to the number of several hundred, have been discharged.

[From the Washington Post.]

INTERNATIONAL MERCANTILE.

A special telegram from correspondents of the International Mercantile Agency throughout the United States and Canada summarized as follows:

The week is characterized by further slackening industry, by a wholesale and retail Christmas demand which promises to expend the volume of holiday trade beyond that of last year, by an increase in the investment demand for securities by the appreciation that money will begin to flow eastward by January 1, and by the spreading action on the part of manufacturers looking to reduction of costs of production.

Wages of 250,000 industrial employees have been reduced 10 per cent or more, and preparations are making to effect a similar reduction with respect to 400,000 others in various lines on or about January 1. At Philadelphia cotton and woolen mills are running at about half capacity. Furnaces — year has not met expectations. Some eastern shoe factories have turned out less of late. Window-glass factories compared of expectations. Paper mills have shut down to offset overproduction in some cases, half in the pottery industry the year has been favorable, and the same is true with respect to coal and furnaces, while the copper, lumber, and jewelry industries report fair average outputs. A striking feature is the starting from day to day of establishments which had shut down from various causes, and the increasing number of small orders for iron and steel. Unprecedented movements are seen.

Woolen goods sales have been extended less than expected. At Philadelphia the volume of dry goods trade for the season is greater than last year. Lumber reports a heavy gain in bank clearings. In cotton sections of the Mississippi Valley trade and collections are good.

In the Dominion of Canada cold weather and snowfalls have stimulated trade in heavy goods. The gas broken retail stores, and additional orders are going forward freely. Agricultural implement makers are working to full capacity. Lumber trade is in a healthful condition.

[From the Elizabeth Times, December 6, 1903.]

A 10 per cent reduction has gone into effect at the plant of the Passaic Steel Company. The reduced wages will continue in force until the steel market shows signs of brightening. Officials in the managerial departments as well as the entire staff of workmen will be affected. Assurance is made of the fact that the steel industry is weak in the entire country, and it is only the plea of the local company that a continuance of the Passaic plant will bring about in a short time the old scale of wages that encourages the men to continue at work. Grand Master Hanrahan, of the Brotherhood of Locomotive Firemen, and Grand Chief Stone, of the Brotherhood of Locomotive Engineers, deny that movement is on foot which contemplates the amalgamation of the two organizations.

A number of men have been laid off at the Stephenson Car Works, the

this week, the men employed in the plate mill having accepted a reduction of 20 per cent. Others will go back to work at smaller reductions which take effect January 1. Over 400 of the employees of the Demmler Tinplate works agreed to accept 20 per cent reduction. The tin employees of the independent tinplate plant at Port Vue have accepted a 20 per cent reduction.

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In the Dominion of Canada cold weather and snowfalls have stimulated trade in heavy goods. The gas broken retail stores, and additional orders are going forward freely. Agricultural implement makers are working to full capacity. Lumber trade is in a healthful condition.

[From the Elizabeth Times, December 6, 1903.]

A 10 per cent reduction has gone into effect at the plant of the Passaic Steel Company. The reduced wages will continue in force until the steel market shows signs of brightening. Officials in the managerial departments as well as the entire staff of workmen will be affected. Assurance is made of the fact that the steel industry is weak in the entire country, and it is only the plea of the local company that a continuance of the Passaic plant will bring about in a short time the old scale of wages that encourages the men to continue at work. Grand Master Hanrahan, of the Brotherhood of Locomotive Firemen, and Grand Chief Stone, of the Brotherhood of Locomotive Engineers, deny that movement is on foot which contemplates the amalgamation of the two organizations.

A number of men have been laid off at the Stephenson Car Works, the

majority of whom were painters. An eight-hour day is now observed by some employees, instead of ten hours as in the past. This is due to a slackness of work at the plant, the big order for the underground subway cars having been almost filled.

[From the New York Journal of Commerce, December 7, 1903.]

REDUCED WAGES FOR MINERS.

BIRMINGHAM, ALA., *December 6, 1903.*

The committees of the miners in the employ of the Tennessee Coal, Iron and Railroad Company and the Sloss-Sheffield Iron Company yesterday fixed the mining wages for December at 47½ cents per ton, a reduction of 5 cents per ton. This is the minimum wage under the contract. Something like 14,000 men are affected by the reduction.

[From the Washington Star, December 12, 1903.]

EIGHTY THOUSAND AFFECTED SO FAR—15,000 COTTON MILL OPERATIVES GET 10 PER CENT WAGE REDUCTION.

BOSTON, *December 7, 1903.*

The wages of 15,000 cotton mill operatives were reduced about 10 per cent to-day in New Bedford, Fitchburg, Mass.; Baltic, Taftville, Conn.; Fishersville, Mass., and Pawtucket, R. I.

The total number of mill hands who have had their pay lowered up to the present time is about 80,000.

Five thousand additional operatives in Berkshire County have been given notice that their pay will be cut next week.

Most of the mills which have participated in the cut to date follow the course of the Fall River schedule adopted November 30. Of the operatives affected by to-day's notice about 12,000 are employed in New Bedford.

ACCEPT REDUCED SCALE.

CHESTER, W. VA., *December 7, 1903.*

The employees of the Chester tin plate mill of the American Tin Plate Company have accepted the reduced scale offered by the company, and the entire plant will start in full January 1.

[From the Johnstown Democrat, December 7, 1903.]

FOURTEEN THOUSAND MINERS AFFECTED BY CUT IN WAGES.

BIRMINGHAM, ALA., *December 6, 1903.*

The committee of the miners in the employ of the Tennessee Coal, Iron and Railroad Company and the Schloss-Sheffield Iron Company yesterday fixed the mining wages for December at 47½ cents a ton, a reduction of 5 cents per ton. This is the minimum wage under the contract. Something like 14,000 men are affected by the reduction.

[From the New York Journal of Commerce, December 7, 1903.]

IRON FURNACES OUT OF BLAST.

YOUNGSTOWN, OHIO, *December 6, 1903.*

J. G. Butler, jr., chairman of the Bessemer Pig Iron Association, said to-day, regarding the output of pig iron, that the blast furnaces tributary to the Lake Superior ore region, with a total daily capacity of 57,000 tons, or a yearly capacity of 14,000,000 tons, show, up to December 1, 65 furnaces in blast, and 91 furnaces out of blast, or an idle capacity of 57 per cent of the whole region.

[From the Boston Transcript, December 7, 1903.]

MORE WAGE CUTS IN EFFECT.

The wages of 15,000 cotton mill operatives were reduced about 10 per cent to-day in New Bedford, Fitchburg, Baltic, Conn., Fisherville, Mass., and Pawtucket, R. I., bringing the total number of mill hands who have had their pay lowered during the present cotton crisis to 80,000. Five thousand additional operatives in Berkshire County have been given notice that their pay will be cut next week. Most of the mills which have participated in the cut to date follow the course of the Fall River schedule.

The cut down in New Bedford affects the Dartmouth, Grinnell, Pierce, Potomska, Wamsutta, Whitman, and Bristol cloth mills, and the City Manufacturing Company, yarn, all of which employ a total of nearly 12,000 hands when running at their full capacity. The last reduction in New Bedford cloth mills was attended by a prolonged general strike and the closing of all the cloth mills, but this time no serious trouble was apprehended. The New Bedford mills are engaged in the manufacture of fine goods. They have been more or less affected by the unfavorable market conditions, and the operatives decided not to offer open resistance to the cut.

A reduction was also made to-day at the Ponemah Mills of Taftville, Conn. This plant, which is controlled by Rhode Island capital, employed about 1,200 hands. The Baltic Mill has 400 hands, and the Fishersville concern about the same number. The Slater Mills of Pawtucket, R. I., also reduced the wages of its 800 hands to-day, thus completing the general cut in that State. In Fitchburg a reduction was made to-day at the Crystal, Seesuck, and Grant mills, all yarn producers, employing about 1,100 operatives. Some of the Fitchburg mills are seriously handicapped by the great cost of cotton. The cut down there is due to the cotton crisis, as is the closing of the Pitchburg Duck Mills. No reduction has been made by the Parkhill Manufacturing Company of that city.

$10,000 WEEKLY CUT IN NEW BEDFORD.

NEW BEDFORD, *December 7, 1903.*

The reduction of 10 per cent in wages went into effect this morning in the cloth mills of this city and at the City Mill, the only yarn mill which raised wages two years ago, when the cloth mills did. The New England Cotton Yarn Company did not raise wages at that time, and has not cut now. The cut affects about 12,000 operatives and will take from circulation about $10,000 a week.

[From the N. Y. Journal of Commerce, Dec. 8, 1903.]

FAILURE OF WHOLESALE DEALER IN FURS—CREDITORS OF EDGAR LEHMAN FILE PETITION IN BANKRUPTCY.

A petition in bankruptcy has been filed against Edgar Leyman, importer and wholesale dealer in furs and skins at 161 Mercer, and 43 East Twelfth streets, by the following creditors: Joseph Ullmann, $5,000; Cimnetti Unhairing Co., $1,116; and Maniner & Abiswede, $7,500. It was alleged that he is insolvent and on December 5 admitted in writing his inability to pay his debts and willingness to be adjudged bankrupt. Judge Holt, of the United States district court, appointed Peter Alexander receiver of the assets, fixing his bond at $100,000. It was stated in the application for the receiver that the assets amount to more than $300,000 in merchandise accounts and cash in bank.

Mr. Lehman has been in business since 1885, and built up a large trade. In February last his statement showed assets of $483,000 and liabilities $187,000. He also had real estate in this city, Bayswater and Far Rockaway, on which the equity was placed at $65,000. The failure caused much surprise in trade circles. James Schell & Elkus, attorneys for the petitioning creditors, said that the liabilities are about $400,000, in addition to which there are some contingent liabilities, probably $25,000 to $50,000. The assets are not definitely known, but he has a large stock of furs on hand, accounts, and real estate, all of which has been turned over to the receiver.

The trouble is attributed to depreciation in the price of furs. He carried a large and costly stock of sables, foxes, etc., and on account of the stringency in the money market and depression in financial circles he could not find purchasers for his goods. He expects to call a meeting of creditors and offer a settlement.

LOWER WAGES IN COTTON MILLS—ABOUT 80,000 WORKERS SO FAR AFFECTED IN NEW ENGLAND.

BOSTON, *December 7, 1903.*

The wages of 15,000 cotton-mill operatives were reduced about 10 per cent to-day in New Bedford, Fitchburg, Baltic, Conn.; Taftville, Conn.; Fishersville, Mass., and Pawtucket, R. I. The total number of mill hands who have had their pay lowered during the present cotton crisis is now about 80,000. Five thousand additional operatives in Berkshire County have been given notice that their pay will be cut next week. Most of the mills which have participated in the cut to date follow the course of the Fall River schedule adopted November 30. Of the operatives affected by to-day's notice, about 12,000 are employed in New Bedford.

NORWICH, CONN., *December 7, 1903.*

Notice of a 10 per cent reduction in wages, to take effect December 14, were posted to-day in the mills of the Shetucket and Fall companies. These mills employ 1,200 hands. At the Ballou, Attawagan, and Teteuket mills, employing 2,500 operatives, a 10 per cent reduction went into effect to-day.

KNITTING COMPANY STOPS OPERATIONS.

COHOES, N. Y., *December 5, 1903.*

The Hope Knitting Company suspended operations during the week owing to the breaking of a shaft. Operations will be resumed immediately upon repairs being completed.

Mr. HULL. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has one hour and twenty-two minutes.

Mr. HULL. I yield ten minutes to the gentleman from Illinois [Mr. PRINCE].

The CHAIRMAN. The gentleman from Illinois [Mr. PRINCE] is recognized for ten minutes.

Mr. PRINCE. Mr. Chairman, I want to call the House's attention to the bill under consideration. Heretofore we have heard some very excellent addresses on other lines, some speeches along the line of tariff reform and along the lines of active political questions that in the later days of this year we will all be engaged in discussing pro and con. The bill that is under consideration now is one providing for the military establishment of the Government. What does the military branch of the Government consist of to-day? It is made up of 55,500 enlisted men and 3,681 officers. That constitutes the military force of our Government. This force has to be kept up each year on account of the expiration of the terms of enlistment of the men in the service.

We find that in the year that has passed 54,253 applicants to enter into the service of the Government as private soldiers were rejected; 17,714 in addition to that number were accepted as soldiers in the Army. Eighty-one per cent of those who applied to enter the service of the Government were rejected upon various grounds. I desire to call the attention of the committee and the country to the fact that the recruiting officers of the Government are extremely careful in getting into the service men of character, of ability, and of standing, and are seeking to get the highest class of men in the service of the Government.

I am pleased to state to this general committee, as a member of the Military Committee, that the personnel of the American Army is equal to, if not superior to, that of any army in the world; and it is right that it should be so, because these men in a military sense represent the honor and the dignity of the great American Republic. Now, these men are officered by 3,681 officers. From whence do these officers come? They likewise come from the body of the people. Here are 386 Members in this House, and 90 Senators in the other branch. Under the law we have the right to name young men as cadets to West Point. We select one from each of our respective districts. They come from the body of the people, and to that extent they represent the great democracy of the American Republic; but I find upon reading in this report that we do not get enough officers as graduates of West Point to meet the requirements of the Army.

In the last year there were appointed to the grade of second lieutenant in the Army 177 men: 83 of these were graduates of West Point; 44 were enlisted men who came from private soldiers in the United States Army. Then there was added to that number 56 civilians. The door to preference and distinction along the line of military service is not closed to the deserving man. We can only appoint so many to West Point. The graduates of that institution can not meet the requirements of the Army, and then the Army turns to the deserving young man of ability, of intelligence, and of character, and says to him, "Come forward, if you possess the qualities necessary to make an officer in the American Army;" and I am pleased to say that the Lieutenant-General who

has recently retired from the Army came from the ranks as a private soldier, and the door was open by which he could reach the high distinction as commanding officer of the American Army. I am also informed and know the truth to be that the man who now wears the stars as Lieutenant-General of the Army is another man who came from the volunteer service, from the ranks of the American soldiery.

With such an army as this, officered by such men, we can safely trust the affairs of the Republic in their hands. But in these days in which we are now living there is much criticism and carping with reference to the promotion that comes to these men in the line in the Army. According to the limitations placed by law, from second lieutenant up to and including the colonel, they move along in seniority of rank. Nearly 4,000 officers stand there marking time, one following another, according to seniority in rank, each one taking the next higher grade, from the position of second lieutenant up to and including the colonel of the regiment. But beyond that there are twenty-two general officers. These men have the command and the control of the armies of the United States. By the organic law of our country the President of the United States is made Commander in Chief. The people put him in by their vote and hold him responsible for the conduct and management of the Army of this country. As I have said, up to and including the colonel the men are appointed by seniority of rank. Twenty-two general officers, one a major-general acting as Lieutenant-General, and a number of major-generals and a number of brigadier-generals form the general officers of the Government, and are promoted and appointed by the President of the United States.

There has been some criticism along certain lines that this executive officer, clothed with the responsibility of looking after the affairs of the military branch of the Government, has seen fit to walk down the line of these 3,861 men and say to this young man or to that young man of ability, who has kept abreast of the times, who knows what is going on in this country and in the world with reference to military affairs, "Step outside here and I will make of you a brigadier-general of the Army." Why should he not have that power? Somebody must exercise it. The Constitution places it upon him, and, as it seems to me, he better than anyone else can exercise that power, and exercise it well. If he should see fit to abuse that power, if he should see fit to do what the judgment of the country says is not the proper thing wisely by the Constitution of the United States, a part of the coordinate branch of the Government, with ninety Senators sitting there representing the sovereign States of the Union with equal power with him, would not confirm that officer for the position. It seems to me that the power of selection is wisely intrusted with the Chief Executive of the country.

Now, this bill that we have under consideration makes provision for this Army, made up, as I have said, of over 55,000 enlisted men and nearly 4,000 officers to command these men. We are appropriating more than $75,000,000 for this Army. We should appropriate liberally for them, and I am glad to say that in the Military Committee, made up as it is by men on both sides of this House, we have given careful consideration to every item which enters into the formation of this bill. It has been gone over carefully and considerately, and now it is presented to this House for approval or rejection.

I am pleased to state also that in the deliberations of the committee—not disclosing them—we act, as we should act, for the interest of the American people. In my judgment there should be no politics in the Army or in the Navy. They stand for the whole people as a branch of the Government, and in the discussion of questions of this kind I have observed, in the years that I have served here, that the Army is ceasing to be a political question, and the discussion of estimates for the Army or the pay for the same has been left out in the later years of political discussion, and that the committee stand here and elsewhere as now, as representatives of the people, considering the American question, uniting in making wise and suitable and decent provision for the benefit of the Army, of which we are so proud as citizens of this great Republic. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 37.

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and is hereby, authorized and directed to cause a survey to be made of New Meadows River, Maine, with a view to its improvement from the head of navigation to deep water in Casco Bay.

ARMY APPROPRIATION BILL.

The committee resumed its session.

Mr. HULL. Mr. Chairman, I now yield thirty minutes to my colleague from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Chairman, availing myself of the wide latitude given in debate in Committee of the Whole, I wish to speak for a time upon the tariff question. In 1888, with a surplus in the Treasury, it became necessary to revise the tariff laws to reduce that surplus, and the only question between the two political parties was as to the method of reduction. For a generation, at that time, there had been no serious controversy upon the doctrine of protection. The amount of revenue necessary to pay the pensions, the debts contracted during the war, and the expenses of the Government rendered the existing duties high enough to make ample protection of American industry.

PROTECTION AND FREE TRADE—FREE TRADE WITH CANADA—TRUE RECIPROCITY.

At the beginning of our Government the question of protection to American industries arose and has been more or less in controversy ever since.

The civil war sidetracked this issue from 1861 to 1888, during which time the question of protection or free trade was but little discussed, though in the interval the tariff was revised. The revisions, however, proceeded along most pronounced protective lines, but in 1888 the national campaign was fought upon the tariff issue.

REPUBLICAN PLATFORM OF 1888.

Mr. Cleveland stood for a reversal of our protective policy, whilst General Harrison was a candidate of the party of protection. Mr. Cleveland demanded revision on Democratic lines. The platform of the Republican party was presented to the national convention by Major McKinley, then a rising man, but only in the beginning of his national fame. When McKinley read the tariff plank to the national convention at Chicago, the rafters shook with applause. It said:

PROTECTION TO AMERICAN INDUSTRIES.

We are uncompromisingly in favor of the American system of protection; we protest against its destruction as proposed by the President and his party. They serve the interests of Europe; we will support the interests of America. We accept the issue and confidently appeal to the people for their judgment. The protective system must be maintained. Its abandonment has always been followed by general disaster to all interests except those of the usurer and the sheriff. We denounce the Mills bill as destructive to the general business, the labor and the farming interests of the country, and we heartily indorse the consistent and patriotic action of the Republican representatives in Congress in opposing its passage.

On the issue thus clearly presented the party of protection won.

The whole subject of free trade was discussed upon elementary principles, and, old as the arguments were, they were new to the generation that had grown up under Republican rule.

The tariff was revised along protective lines by McKinley himself, but in 1892 the battle was renewed. Mr. Cleveland again was the free-trade leader, and his platform was practically a reiteration of the language of the constitution of the late Confederate States of America.

CONFEDERATE CONSTITUTION.

That constitution provided:

No bounty shall be granted from the Treasury and no duties or taxes on importations from foreign nations shall be laid to promote or foster any branch of industry.

And the Democratic platform in 1892 alleged in terms that the Constitution of the United States also forbade the levy of protective duties.

DEMOCRATIC PLATFORM OF 1892.

We denounce Republican protection as a fraud, a robbery of the great majority of the American people for the benefit of the few. We declare it to be a fundamental principle of the Democratic party that the Federal Government has no constitutional power to impose and collect tariff duties, except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the Government when honestly and economically administered.

We denounce the McKinley tariff law enacted by the Fifty-first Congress as the culminating atrocity of class legislation; we indorse the efforts made by the Democrats of the present Congress to modify its most oppressive features in the direction of free raw materials and cheaper manufactured goods that enter into general consumption, and we promise its repeal as one of the beneficent results that will follow the action of the people in intrusting power to the Democratic party. Since the McKinley tariff went into operation there have been ten reductions of the wages of the laboring man to one increase. We deny that there has been any increase of prosperity to the country since that tariff went into operation, and we point to the dullness and distress, to the wage reductions and strikes in the iron trade as the best possible evidence that no such prosperity has resulted from the McKinley Act.

We call the attention of thoughtful Americans to the fact that after thirty years of restrictive taxes against the importation of foreign wealth in exchange for our agricultural surplus the homes and farms of the country have become burdened with a real-estate mortgage debt of over two thousand five hundred million dollars exclusive of all other forms of indebtedness; that in one of the chief agricultural States of the West there appears a real-estate mortgage debt averaging $165 per capita of the total population, and that similar conditions and tendencies are shown to exist in the other agricultural exporting States. We denounce a policy which fosters no industry so much as it does that of sheriff.

The McKinley bill was condemned, unheard and untried, in the Congressional election of 1890. That law had then only been in force a single month. Its terms were imperfectly understood by the voters, and its effects were still a matter of conjecture. Denunciation of its purposes were accepted as proofs, and prophecies as to its consequences were accepted as facts. The result was

that only a corporal's guard of the Members who voted for that law were returned to Congress that year.

In the State of Iowa, out of our eleven Members six were Democratic free traders in the Fifty-second Congress; but by the next election, in 1892, the McKinley law had had a two years' trial. The country was prosperous. Our exports for the first time in our history had passed the billion-dollar mark, and our balance of trade was more than $200,000,000 on the right side of the ledger. The Republican declaration of its tariff principles was clear and strong.

REPUBLICAN PLATFORM OF 1892.

We reaffirm the American doctrine of protection. We call attention to its growth abroad. We maintain that the prosperous condition of our country is largely due to the wise revenue legislation of the last Republican Congress. We believe that all articles which can not be produced in the United States, except luxuries, should be admitted free of duty, and that on all imports coming into competition with the products of American labor there should be levied duties equal to the difference between wages abroad and at home.

We assert that the prices of manufactured articles of general consumption have been reduced under the operations of the tariff act of 1890.

We denounce the efforts of the Democratic majority of the House of Representatives to destroy our tariff laws by piecemeal, as manifested by their attacks upon wool, lead, and lead ores, the chief products of a number of States, and we ask the people for their judgment thereon.

We point to the success of the Republican policy of reciprocity, under which our export trade has vastly increased and new and enlarged markets have been opened for the products of our farms and workshops. We remind the people of the bitter opposition of the Democratic party to this practical business measure, and claim that, executed by a Republican Administration, our present laws will eventually give us control of the trade of the world.

IS IT WISE TO LET WELL ENOUGH ALONE?

The Republican campaign maxim in 1892 was founded upon very satisfactory existing conditions. The people were very prosperous, labor was employed, business steadily increasing, and the slogan of the party of protection was then voiced in four words, "Let well enough alone!" Our Democratic opponents raised the battle cry, "Let us have a change!" If we insisted that we were "doing well enough," the answer was to the effect, "Then quit it." If we answered that we were "prosperous and in a sound, safe, and secure condition," the answer was, "Move on; never stand still."

The demand for "a change, constant change," was asserted with great force in every part of the country. We had a change. We moved out of 1892 into 1893. We passed from the light into outer darkness. What the people wanted was a change of rulers and a change of laws, coupled with the retention of existing good conditions. We got the change of rulers and the change of laws. This change they thought they wanted. They got also a change of conditions; a thing they did not want. They could at least say that they were not standing still; they were moving, but they were moving downhill. The country remembers these conditions. It can not easily forget them. But our adversity remained until the people once more returned to protection and declared for the gold standard and sound money. The law was changed, and the conditions responded with good cheer.

In 1896 our Democratic opponents did not have the heart to resume their assaults on the protective policy. Those four years were exceptionally calamitous to the farmer. It was thought that by the adoption of the Wilson law, though we might lose somewhat on our home market, our exports would greatly increase so far as agricultural products were concerned. We threw away our great home market for the markets of the world. But the markets of the world did not respond. The Des Moines (Iowa) Register, a sterling protection newspaper, prepared from official sources a report of the loss of the farmers during those four years, which I will here insert in my remarks:

Four years' loss on farm crops.

Loss on farm animals	$2,500,482,988
Loss on wheat crops	[illegible]
Loss on corn crops	[illegible]
Loss on oat crops	185,481,331
Loss on hay crops, three years	464,738,066
Loss on potato crops, three years	86,291,365
Loss on barley crops, three years	7,350,377
Loss on cotton crops	22[illegible]
Loss on wool crops	111,272,029
Loss on tobacco crops, three years	29,973,517
Loss on rye crops, two years	1,984,142
Loss on buckwheat crops, two years	172,187
Total loss on four years' crops	4,222,787,520

It will be noticed that the losses on hay, potato, barley, and tobacco crops are only for three years—1894, 1895, and 1896—the official report stating in each instance that no statistics were gathered in 1897; therefore we were compelled to make the comparison with 1893. The total loss on the hay, potato, barley, and tobacco crops aggregated $[illegible], and taking one-third for the decrease in 1893 from 1892 would add $[illegible] to the aggregate losses on farm crops.

Besides, we have been unable to obtain details of the losses on skins and hides, hemp, flax, jute, vegetables—among which the value of beans and peas exported decreased $[illegible]—broom-corn, fruits, hops, rice, tallow, butter—on which the value of exports decreased $[illegible]—lard, poultry, eggs, and cheese—on which the value of the exports decreased $[illegible]. It is probable that if we were able to obtain the full official figures showing the loss on every farm product, the aggregate loss during the four years would exceed over $[illegible], as still further indicated by the following official statistics, giving the annual loss in the value of the exports of farm products during the four years, taken from page 596 of the Yearbook of the United States Department of Agriculture, 1896

Loss on farm products—Exports.

Year.	Total exports.	Decrease from 1892.
1892	$730,278,232	
1893	655,382,986	$183,945,246
1894	628,[illegible]	170,995,184
1895	553,210,026	246,118,206
1896	571,890,845	228,428,387
Total loss on 4 years' exports		829,487,023

Instead of the farmer's products being exported in an increased volume, as compared with the period of the McKinley Act in 1892, the four years showed the remarkable falling off of more than $800,000,000. We threw away our home market and went skirmishing for the "markets of the world." We threw away the substance for the shadow. We found it a decreasing and illusive shadow.

In 1896 our opponents declared for free silver as the "paramount issue." In 1900 the free-silver plank was still on the stage, but the calcium light was turned upon "anti-expansion" and "anti-imperialism," which were declared "paramount."

If the tariff was incidentally discussed in 1896 and 1900, the debate did not go back to the elementary doctrines of the subject. Too recent events had made the issue a plain one of demonstrated fact. The repeal of the McKinley law was remembered with regret, and the Wilson law was looked upon with deep and profound disgust. Those "Democratic times" will be long remembered.

The Democracy surrendered back their ill-used power in 1897, and the Republicans settled the money question by adopting the gold standard, and the tariff question by passing the Dingley law.

For six years these twin policies have been in successful operation. The ills now complained of are those which are the products of prosperous times. Increased capital and wealth have been accompanied by combinations which have been declared illegal by law. The present Administration is more vigorously enforcing laws against trusts and combinations than has any of its predecessors. The solution of the trust question is not to destroy capital, but to control its operations.

FREE TRADE WITH CANADA.

Under the McKinley law a number of reciprocity treaties were made which produced great benefit to our people and without injury to the countries with which they were made.

The Wilson bill swept them away in a moment.

The Republican party has declared in favor of reciprocity and has made some advancement along that line. But in matters of this kind the nations with which we deal all want the best possible terms, and most usually terms that can not be wisely conceded.

Republicans are heartily in favor of reciprocity, but they want it of the kind that will reciprocate.

It might be possible to draw a treaty with our neighbor, the Dominion of Canada, which would be beneficial to both nations, but it has never yet been possible to do so upon terms which would be just to ourselves. The difficulty about reciprocity with the people of the Dominion of Canada is that they are producers of the same things that we are. They are our rivals and competitors.

From 1855 to 1866 we had a treaty providing for free trade between the United States and Canada in the "natural resources of both countries."

This treaty was ratified with much gratification and in the hopes that it would be of great mutual advantage. When we consider the schedule of "natural products" we can readily see the inequality of such a bargain. The articles admitted free were "breadstuffs, meats, fish, raw cotton, vegetables, fruits, poultry, eggs, hides, furs, skins, stone, dairy products, ores, fertilizers, lumber, wood, flax, hemp, tow, and unmanufactured tobacco."

As Canada could raise neither cotton nor tobacco, the raw material necessary to her cotton and tobacco factories was a matter of necessity to her, and the other articles were competing products in which she had the advantage.

The civil war intervened and made it somewhat difficult to determine the merits of the agreement, but in the last year and nine months of that treaty, in 1865 and 1866, we remitted duties to Canada amounting to $70,152,163, and the balance of trade was against us in the same year and nine months in the sum of $28,134,749.

The Canadians are a thrifty people and in possession of a vast domain. They have by pelagic sealing killed off nearly all the great seal herd which we supposed we had obtained by our purchase of Alaska. They ruthlessly slaughtered the mothers of this herd out at sea, allowing their helpless offspring to starve in the rookeries on the American islands.

Any treaty that we make with them hereafter should provide means to save the remaining seals from utter extermination.

Their preposterous claims to the ownership of Skagway, Dyea, and the Lynn Canal in Alaska were asserted with such apparent earnestness that an arbitration was required to clear up a title which had never been disputed as against either Russia or the United States until the discovery of the Klondike gold caused the necessity for an elastic boundary sufficient to include a Canadian seaport. Some ill feeling is manifested by our neighbors over the defeat of this wholly unfounded claim by the high court of arbitration. Flimsy as their claims were, the Canadian arbitrators insisted upon their pretensions to the last.

This proceeding is so recent as to make it doubtful about obtaining any reasonable treaty of reciprocity with Canada in the present state of mind of the Dominion government.

At this juncture it is proposed to solve the question by the simple method of free and unrestricted trade with Canada. We have about 80,000,000 of people, she has about 5,500,000. It is proposed to furnish Canada 80,000,000 of the best customers in the world in free and equal exchange for the trade of 5,500,000 of people.

There are fifteen persons in the United States to one in Canada. The people make the markets.

Therefore the reciprocal treaty we are asked to undertake is not exactly a ratio of 16 to 1, but 15 to 1. We are asked to trade the certainty of fifteen good customers for the chances of one—one certainly no better, if as good. Besides, that one customer produces nothing that we can not produce ourselves. Such an agreement would no doubt put our neighbors in a better humor than they are at present. The Wilson law was popular in Canada.

In the last Canadian fiscal year ending August 31, 1903, Canada sold us goods to the amount of $71,209,969. During the same period we sold Canada, including raw cotton, unmanufactured tobacco, and other raw materials for manufacture, to the amount of $144,764,375.

Under reciprocity in natural products the balance of trade was against us over $20,000,000 a year at the close of the period when that treaty was in operation. Under present conditions, with a tariff in both countries, our balance of trade is more than $70,000,000 in our favor. To renew the old arrangement of free trade in natural products, we would again give our neighbor our vast market in equal exchange for a much smaller one at the expense of the American farmers.

It is assumed that Iowa farmers would grow enthusiastic over the proposition to turn over to Canada the market that American farmers now occupy and in exchange for the same to give special advantages to some American manufacturers.

Canada already gives a reduction of 33⅓ per cent on her tariff duties in favor of the mother country.

What product of Iowa farmers will be sold in Canada under the proposed arrangement? When we make an agreement with Canada the burden should not be all thrown upon the farmers' products, as is proposed by the scheme of "free trade in natural products."

Should free trade in competitive articles be agreed upon as against our farmers, a policy of reciprocity which the Republican party has never looked upon with favor, the articles to be affected should also include the things which the manufacturers are also engaged in producing. The burden should not be borne alone by the farmers. Manufacturers in New England and agriculturalt implement manufacturers in the Central West should not insist upon sacrificing the interests of the farmers in order to build up their own trade.

The farmers of the West have favored and do favor protection. They believed in it because it has built up a home market, and because, under protection, that home market was preserved to them. They believed in it because that market was greatly increased. The consumption of their products by the employed workmen in the protected industries furnishes them a great pecuniary interest in the doctrine of protection.

It is now seriously proposed to turn a large part of this advantage over to Canada in consideration of concessions by Canada on manufactured goods.

If we should have free trade with Canada because she is a good customer, we have still stronger reason for free trade with Great Britain, and certainly he must be strong in the Cobden faith who would be willing to expose our manufacturers to a peril like that.

The leather-goods manufacturer wants protected leather goods and free hides.

The agricultural-implement dealer wishes to increase his Canadian trade by surrendering the duties on the farmers products. Like Artemus Ward, who was "willing to send all his wife's relatives to the war to put down the rebellion," some of these short-sighted dealers are willing to give away the advantages of protection so far as they inure to other occupations than their own.

I do not desire to condemn reciprocity with Canada or any other country with which we can make a fair trade, but the proposition to surrender the rights of the farmers of Iowa in order to help some other class of our people has not one of the elements of Republican reciprocity. As the farmer has more than once saved the policy of protection by his vote, he has the right to be fairly considered in the making of schedules and treaties affecting his interests.

The old Canadian reciprocity treaty, made in the Democratic days of Pierce and Buchanan, is well described by Mr. Blaine in chapter 27 of his Twenty Years in Congress:

The selection of [commodities], as shown in the schedule, shows that there was scarcely a product on the list which could be exported from the United States without a loss to us, while the great market of the United States was thrown open to Canada without tax or charge for nearly everything which she could produce or export. All her raw materials were admitted free, while our manufactures were all charged heavy duty, the market being reserved for English merchants. The fishery question had been used adroitly to secure from the United States an agreement which was one-sided, vexatious, and unprofitable."

The present situation is even more unfavorable in this, that Great Britain has a rebate of 33⅓ per cent on all her duties on goods imported into Canada. The imports to Canada from the United States in the fiscal year 1902-3 amounted to $144,764,375, whilst those of Great Britain amounted to $65,408,020, notwithstanding the advantages accorded to the Empire.

Blaine's reciprocity has been defined by Hon. Charles Emory Smith as follows:

Brazil grows coffee and makes no machinery. We make machinery and grow no coffee. We agree to concessions for her coffee and she agrees to concessions for our machinery. That is reciprocity.

That was not the kind of reciprocity that was provided for by the Democratic treaty of 1854, but was the Buchanan idea of the subject.

McKinley's Buffalo speech has been grievously misquoted. He in that speech defined reciprocity as "sensible trade arrangements which will not interrupt our home production."

Reciprocity has been defined by Mr. Roosevelt as "the handmaiden of protection." It should not be made the sexton of our industries. When we hear of free traders agitating reciprocity, we may know it is not of the "handmaiden" variety.

They propose to throw down the bars to our sister nation and allow her to have an equal trade with the United States, with its enormous and valuable markets. I wish to read in this connection from the Chicago Live Stock World of the day before yesterday:

BAD BREAK IN SHEEP.

The sheep market is up to its old tricks again. A break reaching as much as half a dollar in some cases has occurred within a few days. It was unexpected, but the causes are not hard to locate. Last week's heavy supply started the downward movement. It enabled packers to fill their coolers and relieve them of the necessity of making orders urgent. Yesterday Canada butted in, sending 125 double decks to Buffalo. To-day it repeated with 70 doubles, and prices all over the country tumbled. If Canada can do this and pay a heavy duty, what could she accomplish with the duty removed?

But the suggestion is to "move on," not to "let well enough alone," but let us "open up the doors to Canada." While I am speaking of sheep, that reminds me of the effect of the Wilson-Gorman bill, when we placed our friends upon the other side for the first time in a generation in the uncontrolled management of the affairs of the House, of the Senate, and of the Executive offices. Sheep were their favorite aversion. John Randolph of Roanoke said that he would walk a mile any time to kick a sheep. The effect of the Wilson bill upon that single industry is fresh to-day in the memory of every sheep grower in the United States.

I know in the campaign of 1894, when I was speaking in one of the principal sheep-growing counties of Iowa, some one arose and invited the audience present to come down to another town, the little town of Monterey, in Davis County, Iowa, close to the Missouri line, to a barbecue. A gentleman arose in the audience and said: "What are you going to have to feed us with?" The man answered: "We are going to kill a dollar and a half's worth of sheep; all of you come down." And the audience of 1,500 announced their willingness to go. Now, that was rather a gloomy joke, but the sheep-growing farmers of that day fully appreciated the statement.

The Boston Free Trade League is engaged in an agitation for treaties extending the free list to "all agricultural products any portion of which we now export."

"Beware of Greeks bearing gifts." The kind of reciprocity which meets the views or this league should be eyed askance by all protectionists.

In the national Republican platform of 1900 we say:

We favor the associated policy of reciprocity so directed as to open our markets in favorable terms for what we do not ourselves produce in return for free foreign markets.

Secretary Wilson, in one of his recent speeches, said:

Reciprocity may become the auxiliary of protection or it may become the assassin of that policy by admitting to our markets what we do produce which needs protection for the purpose of getting new markets for some of our products that we no longer require.

In 1892 the importers in the city of New York contributed liberally to the campaign fund for the election of Mr. Cleveland.

They wanted to import as many goods as possible. They soon learned that an impoverished people and unemployed workmen would furnish a poor market even for the importers. Several of our Democratic friends in this House have already spoken in favor of Canadian free trade.

The gentleman from Minnesota [Mr. LIND] has given us an interesting exposition of his view of Canadian reciprocity. He evidently imagines that the disadvantage of the proposed free trade in natural products between the two countries will help Minneapolis and St. Paul more than it will hurt the farmers of his State. Minneapolis and St. Paul are much more interested in the prosperity of Minnesota than they are in the welfare of Manitoba.

I remember quite well when the gentleman from Minnesota, in the Fifty-first Congress, as a Member of this House, voted for the McKinley bill. He has changed his views upon this question, and we are sorry to lose him from the Republican ranks, but I much prefer to hear him speak in favor of free trade from the Democratic side of the Chamber than upon our own.

We can not afford to trifle with the prosperity of the American farmer in the hope of building up American cities.

Canada is not asking us for free trade, nor even pressing a reciprocity treaty.

Mr. Charlton, M. P., said at the Detroit reciprocity convention, December 10, 1902:

> The call is with the United States. Canada has definitely and deliberately retired from taking the initiative. (Canadian Annual Review, 1902, page 183.)

That convention finally resolved "to remove all duties from the natural products of each country."

Free trade with Canada, it is said, will Americanize the Dominion. The Canadian Annual for 1902 says there is no danger of such a result, and further reports that 70 per cent of the immigrants from the United States have become the naturalized subjects of King Edward. We may well rejoice at the growth and prosperity of our neighbor, but in framing our tariff laws the interests of the United States are of our first concern.

Reciprocity is easy in the theory but difficult in practice. It takes two to make a bargain. Such a treaty must first run the gauntlet of diplomacy, after which it encounters the endless chain of debate in the American Senate. Reciprocity is recognized as a cardinal principle of the Republican faith. The first question to be discussed from the Republican standpoint is whether the terms of a proposed treaty are desirable.

The question of protection in its operation must depend wholly upon schedules, whether provided for in treaty or by law. If a tariff bill is called a protective measure and the schedules are so arranged as to give inadequate preference to our own products, it will be just as detrimental as though it were called a free-trade measure. All protective propositions, therefore, resolve themselves down to the single question of schedules. It has often been said that "schedules are not sacred." No one has ever claimed that they are. They are always subject to change, and they should be changed whenever a change is necessary for the welfare of the country.

My friend from Mississippi [Mr. WILLIAMS] says that Chamberlain will win in Great Britain. If he wins, it will be because our English kin across the ocean regarded it as wise to profit by the example of the people of the United States. Nothing that we can do or say here will either cause or prevent the success of Mr. Chamberlain. Englishmen to-day are fighting the battle that we fought in 1888 and 1892, the battle that we once more fought in 1896, and every probability points in the direction of the adoption of some form of protection in the one country that to-day supports the doctrine of free trade.

In making a reciprocal treaty with our friends over in the Dominion of Canada we must remember that they have always been first-class traders, and in every contract up to the present date the advantage has been on their side.

Mr. LIND. Would a question embarrass the gentleman at this time?

Mr. LACEY. I yield to the gentleman.

Mr. LIND. Will the gentleman from Iowa kindly state some contract of reciprocal relation with Canada in which they have had the better of the bargain?

Mr. LACEY. My friend has only just come into the Chamber. I have gone over the period in which we had reciprocity with them, and it was a jug-handle reciprocity in natural products.

Mr. LIND. But our trade grew as well as theirs during that period.

Mr. LACEY. Certainly it did. It still grows, and grows a good deal faster under the existing conditions, three times faster than it did under the reciprocal treaty.

Mr. LIND. If the gentleman will permit me. Our relations with Canada are purely on reciprocal basis in regard to canals and in regard to shipments in bond.

Mr. LACEY. Oh, certainly.

Mr. LIND. There is nothing unequal in relation to that.

Mr. LACEY. They are absolutely equal, perhaps. To allow either country to ship goods through a canal in bond or to ship by rail in bond through either country is not at all analogous to the proposition involved in a discussion of the tariff laws of the two countries.

Mr. HULL. That does not make any change in the markets at all?

Mr. LACEY. Not at all.

Mr. LIND. The gentleman has said that they always insisted upon unequal terms, and that is not true. We had the use of their canals free when we were building our canal?

Mr. LACEY. Certainly.

Mr. LIND. Their locks, I mean.

Mr. LACEY. That is not a question, however, of tariff. It is a mere question of transportation. It is true they allow us to ship goods from Chicago to New York over the Grand Trunk through Canada rather than on the south side of the Lakes through the United States. That sort of trade is for their benefit rather than ours.

But, as I was saying, such a mutual arrangement as that is like swapping twenty-dollar gold pieces. It has no bearing upon the proposition of our friends on the other side, of free trade with Canada in competitive products. The Detroit convention, which the gentleman who has just interrupted me attended, and in which he made one of his incomparable speeches to the great satisfaction of every Canadian that was present—whether to the satisfaction of all the people in his own State present or not I will not say——

Mr. LIND. I will say it was to the satisfaction of 15,000 Republicans in Minneapolis.

Mr. LACEY. That leads me to refer to another proposition. Many gentlemen in Minneapolis and St. Paul make the same mistake that the importers made in New York in 1892. They propose to give away the Minnesota and Dakota and Iowa farmer's business and cater to Assiniboia and Manitoba. They propose to give away that which belongs to the farmers around them in the hope of widening and enlarging their own trade.

Now, there is no question but what that may be popular among some gentlemen in the city of Minneapolis—men who pose as Republicans, who are willing to trade off everything not their own for something to their own advantage. The farmers have been true to protection in the United States. More than once—yes, many, many times—has the whole principle of protection been dependent upon their votes.

They, in the silence of their homes and in the quiet of their firesides, have studied the question and have realized the fact that it is necessary to have the home market in order to receive remunerative prices. In 1892 some of them were misled by the cry that they could buy their goods abroad and at the same time retain all the advantages that they have at home.

The markets of the world were held up as a "will-o'-the-wisp," and that "will-o'-the-wisp" was called a "beacon light" by which the American people could steer, but soon the people found that they could not take away the occupation of American workmen and have a home market that was worth anything to the producers of food in the United States.

And I will venture to say that my friend from Minnesota [Mr. LIND], when he goes back to his people this fall and discusses the question in that splendid, great north State, will not be able to satisfy the farmers, at least, whatever the millers may think, and whatever the transportation lines owning roads out in the Canadian northwest territory may think. He will not convince the farmers of Minnesota that their markets should be traded off for the advantages which are to inure wholly to somebody else.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. I will yield ten minutes more to the gentleman from Iowa, or fifteen minutes if he so desires.

Mr. LACEY. Ten minutes will be sufficient.

The CHAIRMAN. The gentleman from Iowa is recognized for ten minutes more.

Mr. LIND. Mr. Chairman, I would like to ask the gentleman a question at that point.

Mr. LACEY. Very well.

Mr. LIND. What markets of the Minnesota farmers or the Iowa farmers would be jeopardized?

Mr. LACEY. That is a very easy question. Along our northern borders, with the Great Lakes and the facilities of rail transportation as well as water, lie Chicago and Buffalo and Toledo and Cleveland, and all of that splendid array of manufacturing and commercial cities, all to-day drawing the principal portion of their food supply from the agricultural producers of the United States.

The people of the whole Atlantic coast, who also obtain their supplies of fish largely from the fishermen of New England, would find themselves supplied much more easily by people outside of the United States. Our first duty is to America, and when I say America I mean the United States of America.

Canada is a great country, a country of wonderful possibilities. It is said that thousands of our citizens are going there and therefore we should enact legislation that will encourage thousands more of our best blood to go across the line and accept allegiance to King Edward. It has been said, however, that these men who go across the line will Americanize Canada. Not so. They and their interests will alike become Canadian.

The gentleman from Mississippi [Mr. WILLIAMS] this afternoon insisted that under existing conditions it was impossible to prepare a tariff which would not give sufficient protection. On the contrary, it would be perfectly easy to do so. We could put a duty upon things which we do not produce, such as tea, coffee, and all of those imports of articles that are not the product of the United States. By placing the principal burden upon those things we can not produce and laying no duties or light duties on those things we do produce the tariff would afford no protection to our own producers.

And that I understand, after all, to be the true Democratic doctrine. If it is not, I would be glad to be interrupted by some of our friends on the other side with the information that such is not the present view of that party. That party has always stood for schedules so adjusted as to raise revenue without protection. In the platform of 1892 it was declared in terms that protection was unconstitutional.

TARIFF REVISION.

Since 1892 the declaration that protection is unconstitutional has not been made, and the genial leader on the other side has tended in all his recent speeches to tone down the Democratic doctrine and sugar coat and sweeten it so that the workmen of the United States may mistakenly swallow it.

But, Mr. Chairman, the experience of the people on this subject is recent. Their struggle with the Wilson bill occurred only a few years ago. It has only been about six years since that calamitous statute was taken from the statute books. But it is said that we ought to revise the tariff now. If I had no better reason for thinking that we ought not to tinker with the tariff now, it would be the fact that our opponents want us to do it. When we find out what they want, it is safe not to do it.

On the threshold of a great national campaign to cast into the scale all of the doubts and elements of uncertainty involved in a general tariff revision would be in the nature of political suicide. No wise party ever would think of doing anything of the kind.

When one tariff schedule is revised, that destroys the equilibrium, and some one else wants the tariff on his goods accordingly raised. We know that the election of 1892, as soon as it became certain that the Democratic party had won, brought about a terrific industrial panic.

In the latter part of February, 1893, Senator Roach, of North Dakota, was elected to the Senate of the United States by a combination of Democrats, Republicans, and Populists. That gave to our opponents a majority of one in the Senate of the United States. It was not until the Senatorial election in that State that it became certain that the free traders would be able to control both the Senate and House. They already had the President, and they had elected him on a tariff issue alone. So that when the election in North Dakota gave a majority in the Senate then the trouble began.

When it became certain that the tariff would be revised along these dangerous lines, then the industrial panic came, for the simple reason that every man engaged in the manufacture of protected goods thought it the part of wisdom to wait and see what would happen to him and what would happen to the tariff schedules under which he was working before he continued his production, and therefore there was a general cessation all along the line, the stopping of one industry after another, and the march of Coxey's army of the unemployed to the capital of the nation began.

The people of this country have not forgotten that. When they do forget it, they will then perhaps once more try the experiment of turning down good conditions, of turning their backs upon the time-honored principle of letting well enough alone. They thought in 1892 that they could revise the tariff and change the rulers of the country and change its policies and still stay on the industrial high plane where they were placed during the existence of the McKinley law. They soon found that they could not change the policies of this country without suffering the consequences, and the workingmen of the United States will, while this generation exists, remember that lesson.

The Dingley law was enacted in the well-grounded hope and expectation that it would produce a change. The hoped-for change came, and has remained for more than six years. If there are to be changes in that law, in order to meet changed conditions, only changes should be made which will redound to the retention or promotion of our prosperity. But upon the question of tariff revision, prudence and conservatism are of the first importance.

No material modification can be made without at least temporarily interfering with domestic production, and therefore the Republican party has heretofore only taken up the subject of revision in cases where the necessity was real.

The heat of a great political contest has always a disturbing influence upon the general business of the country. By adding to such contest an assault upon our industrial system would greatly increase the elements of disturbance. Whilst many gentlemen are agitating the policy of abandoning protection in the United States, the people of Great Britain are very seriously discussing the propriety of abandoning the free-trade policy and adopting a different system. Nothing that we can do or say will influence their action upon this question. They will take such course as they think will serve their own interests. We must do the same.

It has been only six years since the farmers of Iowa, so prosperous under protection and the gold standard, were laboring under very adverse circumstances.

They well remember their situation at that time; and, although they might be disposed to favor changes, they will not grow enthusiastic over the transfer of their present prosperity to their neighbors in Canada.

This generation knows now that the American people can not afford to give away their markets to the foreigner in the hope of bettering their condition at home. [Applause.]

Mr. LACEY. Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. HULL. Mr. Chairman, how much time have I remaining on my side?

The CHAIRMAN. The gentleman from Iowa has twenty-six minutes remaining.

Mr. HULL. I will yield fifteen minutes to the gentleman from Connecticut, Mr. HILL.

Mr. HILL of Connecticut. Mr. Chairman, of course it is perfectly manifest that I did not intend to make any remarks on the tariff or any other question when I came into the House a few moments ago, but I listened, as I always listen, with great pleasure to the gentleman from Mississippi [Mr. WILLIAMS], and I have also listened during the past few days to gentlemen on this side of the House who spoke on a subject which, it seems to me, will bear a little study and a little thought, and that is the question of the present prosperity of the country. It is always easy to prove anything from figures, but I have been giving some considerable thought, for purposes of my own, during the past few weeks to this particular question, and I think that perhaps the figures that I have taken in a general way might be profitable to the House

I recognize the truth of the statements made by the gentleman from Mississippi [Mr. WILLIAMS] in regard to the wage and factory conditions of New England at the present time and I admit them frankly and fully and freely, but there is a reason for it; and without any partisanship whatever I think the Members of the House are entitled to that reason. I find that during the past five years since 1898, when we declared war upon Spain, to 1902 we had expended in excess of the five years immediately preceding $818,903,236 in this country, almost entirely war expenses. When I first made that comparison I said to myself, "It will never do, it will never be safe for me to make that statement on the floor of the House, because our Democratic friends will say that it is Republican extravagance."

Mr. BARTLETT. Does the gentleman mean to say that the Government has expended that sum?

Mr. HILL. I do; and just exactly what I supposed would happen has happened now, and that is that our Democratic friends would say it was Republican extravagance. Consequently I went back and made a comparison with the preceding years under a Democratic Administration, and I find that the increase, deducting the war expenses was probably not as great as the increase of the expenses during the Administration of Grover Cleveland over the preceding Administration of Mr. Harrison, which in time of peace was $195,806,024; so we will eliminate that part of it from this discussion. But, as an industrial fact, we have expended probably seven or eight hundred million dollars in military, naval, and war expenses during these years.

We have also had another factor which has entered into the industrial problem, and that is this: That during these same years the British Government was engaged in a war in South Africa and they bought largely of their supplies in this country. I made those comparisons, and I find that during the three years of the Boer war we shipped to England and to South Africa $293,980,118 more of our products than we had in the preceding three years, so that during the past six or seven years the industries of this country have been stimulated to the extent of more than a thousand millions of dollars, all of which stopped last year when there came the declaration of peace between Great Britain and her op-

ponent and the discontinuance of our war with Spain and the reduction of our military and naval expenses due to the Philippine insurrection.

Now, as business men, is it not a reasonable proposition that there should be a slacking up of the manufacturing industries of this country under those circumstances? Where whould it strike? Why, where the factories are, in New England, and it does strike there and it hurts, and it will continue to hurt until this country grows up to the capacity of the manufacturing industries of the country by a natural and normal growth.

Now, is there any further evidence of that fact? There can be no question about it. I took the clearing-house exchanges of the United States; and anyone who will refer to the last report of the Comptroller will find this condition of things: There was a falling off in 1903 of $1,828,861,085 as compared with the year before—the business showing $114,068,837,569 during the last year, against $115,892,198,654 the year before. Where did this falling off happen? The figures will show how easy it is to prove either side of a case. I found that there had been a falling off in New York and New England to the amount of $4,176,747,328, and enough increase in the rest of the country to make up for $2,353,386,263 of that, so that the falling off, on the whole, was about $2,000,000,000.

I found that the bank loan accounts, which mark the business conditions of the country just as accurately as a thermometer marks the variations of the weather, showed that there has been a falling off in New England of about 3.9 per cent, while there has been an increase of about 4.1 per cent in the Eastern States, an increase of 6.6 per cent in the Middle West, an increase of 10.7 per cent in the Western States, an increase of 17.5 per cent in the Southern States, and an increase of 37.1 per cent on the Pacific coast. That is your business situation. In order to prove to-day an absolute prosperity in this country surpassing anything before in the world, the San Francisco man has only to point to the condition of things out there, and the Southern man, with cotton at 15 cents per pound, has only to refer to that fact to prove to us the prosperity there.

On the other hand, if you want to prove adversity due to dull times in manufacturing (and it is true that there is much depression), then go up to New England and cite wage reduction there and the dullness in the factories, just as the gentleman from Mississippi has done. So that it is perfectly easy to prove any condition of things that you might want to prove in this great, magnificent country of ours.

Business has slackened up in New England, but we are able to live. We shall pull through there even with dull times; we shall come out all right; gentlemen need not have any anxiety on that score.

A MEMBER. And the depression is not due to the tariff.

Mr. HILL of Connecticut. No. During all this session I have listened at times to the remarks made by our Democratic friends on the other side as to the effect of the tariff on our situation. They have told us that we could not have any export trade under a high protective tariff or under any protective tariff. The gentleman from Mississippi has discussed to-day the question of a protective tariff, and he says—I do not remember his exact language—that the tariff is high enough now to protect all the industries of the country. The question is not how high is your tariff, it is whether your tariff is put on according to free-trade principles or protection principles. That is the question.

The gentleman says that we can not have an export trade satisfactory to this country under the Dingley tariff. I have picked up some more figures on that, which I commend to the consideration of our friends. During the seven years of the Dingley tariff bill, gentlemen, I will show what the exports have been as compared with the seven years preceding, which included three years of the Wilson tariff. They were $2,901,069,830 in excess of the preceding seven years. "Oh, but," some of our friends will say, "this is because of the high price for agricultural products, and that makes the difference." Not at all.

Limiting it to manufactured products only, during the past seven years, under the Dingley tariff bill, and comparing it with the manufactured products only exported during the preceding seven years, we find an increase of more than a hundred per cent of exported manufactures; and that, I will say to my friend from Minnesota, means $1,383,209,268 exported over and above the preceding seven years before the Dingley tariff bill was enacted.

Mr. LIND. Will the gentleman allow me to ask him a question?

Mr. HILL of Connecticut. I will.

Mr. LIND. And I ask this simply to place certain information before the House which I think is important. Is it not a fact that both copper and oil—that is, the Standard Oil product—are included in the schedule of manufactures?

Mr. HILL of Connecticut. Why, certainly.

Mr. LIND. And that the aggregate is upward of $200,000,000 a year?

Mr. HILL of Connecticut. Well, I am perfectly willing to take that out.

Mr. LIND. The gentleman is using his statistics so fairly that the whole truth ought to be before the House—not for any partisan purpose. Is it not also true that if you eliminate the two items of oil and oil products and copper and copper products there has been no substantial increase in the exports of manufactured goods from the United States in the last hundred years—by percentage?

Mr. HILL of Connecticut. Well, now, I submit this: I listened to the gentleman the other day when he made his speech. I had never met him before, and I thought so well of him when he made his speech that I introduced myself, so that I might enjoy his acquaintance; but when you take this proposition do you believe——

Mr. LIND. I said by percentage.

Mr. HILL of Connecticut. Do you believe that one single manufactured product which you have referred to—oil or copper, or the products of either alone—would amount in seven years to $1,383,000,000? [Applause.]

Mr. LIND. Not at all. I am afraid that the gentleman has misapprehended my question. I say by percentage. If you will pardon me just one moment, what I mean is this: Eliminate these two comparatively recent products of the United States, which are to my mind more properly to be classified as mining products, this remarkable fact is true—the relation between the exports of our agricultural products and manufactured products has remained almost constant for the last hundred years.

Mr. HILL of Connecticut. I will answer the gentleman on that point, and I say that after eliminating oil and oil products and copper and copper products, and taking as a test of the Dingley tariff bill the highest schedule in it, and that is iron and steel, I will give him the figures on that.

Mr. LIND. I did not make it for any partisan purpose.

Mr. HILL of Connecticut. In this one schedule the exports in the past three years have been $337,785,430, as against $130,659,798 under the Wilson bill, showing an increase in the last three years of exports in the highest scheduled item under the Dingley tariff of $207,125,692, a gain of 158 per cent. [Applause.] Does not that answer the gentleman's question?

We have increased in 1903, as compared with 1893, in our exports to all Europe 53 per cent; we have increased in our exports to France 65 per cent, to Germany 125 per cent, to the Netherlands 100 per cent, and to Great Britain 25 per cent. I listened to the remarks of the gentleman from Mississippi. What he stated about the slackening in the industries of New England might equally have been applied, and with better results, to the free-trade country of Great Britain. We find, even under the liquidating process always resulting from a great war, our exports to Great Britain have increased 25 per cent.

Now, gentlemen, the whole question of the tariff simmers itself right down to this: Who are the people of this country who are proposing to fix the tariff rates and provide for its industrial policy? They are the men who are interested in it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL of Connecticut. I wish I had five minutes more.

Mr. HULL. I yield five minutes more to the gentleman from Connecticut.

Mr. HILL of Connecticut. They are the men who are interested in it. How is business done in this Congress? You know as well as I that it is not done as it is in the legislative halls in the various States of the Union, where every proposition brought in is reported and voted on—reported "yes" or "no" by the committee. It is done here by a great big machine and is done in accordance with the policy of the country, and you gentlemen, every one of you, sitting in your committee rooms know what is the result when bills are brought in that are not in accordance with that policy. They go to the waste basket, and that which the great big machine of the General Government, not what the individual wishes, prescribes shall be done is done.

Now, who are the men who are to do it under that system here? Let me give you the composition of the Ways and Means Committee to-day and what the membership represents, not with any sectional feeling whatever, but with reference to the proposition that the majority in this country ought to govern, and if that is not good Democratic doctrine, then I do not know what is. Now, think of the majority membership as represented by this committee when you talk about changing the policy of this Government. What would be the effect of it? The distinguished and able gentleman from Mississippi would take the head of the table on the Ways and Means Committee and the Democratic machine would dictate the policy of this country.

Now, what do they represent in the industrial system of this country. He represents 1,483 votes cast in the last election. There are more manufactured products in my district than are represented by the whole Democratic membership on the Ways and Means Committee.

Mr. CLARK. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. HILL of Connecticut. I do.

Mr. CLARK. How many votes are cast in your district?

Mr. HILL of Connecticut. More than any other member of the Ways and Means Committee.

Mr. CLARK. How many?

Mr. HILL of Connecticut. Forty-five thousand or more.

Mr. CLARK. Forty-six thousand were cast in my own. [Applause on the Democratic side.]

Mr. HILL of Connecticut. I have the gentleman's vote here. As reported by the Congressional Directory, the gentleman had 33,361 votes cast for him.

Mr. CLARK. Who made that book up?

Mr. HILL of Connecticut. I do not know; I suppose the gentleman made that part of it himself. [Applause on the Republican side.]

Mr. CLARK. What has that got to do with it?

Mr. HILL of Connecticut. In the district which I have the honor to represent there were 45,033 votes cast.

Mr. CLARK. How many people are in your district?

Mr. HILL of Connecticut. About 250,000. How many in yours?

Mr. CLARK. Why did you not redistrict that State?

Mr. HILL of Connecticut. Because we did not choose to. We believe in self-government and that we have the right to do what we please within the law.

Mr. CLARK. That is exactly what you do not have, precisely.

Mr. HILL of Connecticut. Now, I want to show where the majority of the industrial portion of this country is found. The district which the gentleman from Mississippi represents has industrial products to the amount of $5,565,662. The single city which Mr. BOUTELL has the honor to represent has industrial products to the amount of $888,000,000.

Think of it; and yet these gentlemen propose that this great country of ours shall turn over the whole magnificent industrial system of this country to the care of people who do not represent it. Will they do it? I think not.

I will have to state my views further at some future time. [Applause on the Republican side.]

Mr. SULZER. Mr. Chairman, I desire to put into the RECORD and ask the Clerk to read the following document which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will read.

The Clerk proceeded to read a portion of the document printed below.

Mr. SULZER. Mr. Chairman, I ask to have the rest of that document printed in the RECORD. I will not ask for the reading of the whole of it.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his remarks in the RECORD may be extended by inserting the whole of the matter which has not been read by the Clerk. Is there objection? [After a pause.] The Chair hears none.

The document referred to is as follows:

MORTON HOUSE, *New York, January 9, 1904.*

Hon. WILLIAM SULZER.

DEAR SIR: The "Medal of Honor Legion," of New York City and vicinity, at their meeting on the 9th day of January, 1904, unanimously passed the following preambles and resolutions, offered by Congressman PETER F. RAFFERTY:

At a regular meeting of the Congressional Medal of Honor Association, of New York City and vicinity, held at the Morton House, Fourteenth street and Broadway, New York City, on the 5th day of January, 1904, the following preambles and resolutions were unanimously adopted:

Whereas Hon. BOIES PENROSE, senator from Pennsylvania, has introduced in the Senate of the United States and Hon. CHARLES CURTIS, Congressman from Kansas, has introduced in the House a bill to place all soldiers who have received a medal of honor from the Congress for gallantry on the field of battle on a service pension roll of $75 per month: Therefore be it

Resolved, That recognizing the distinguished services our companions rendered on the field of battle, endangering their lives in bravery risking the same and performing acts of heroism outside of the line of their duty in the rank and file, and also mindful of the fact that nearly all of our comrades have reached the age of 60 years, and also that other companions who are their heroes by some substantial token of testimonial for similar acts we hereby cordially and earnestly approve of said bill, and we respectfully ask you to report House bill 6477, or Senate bill 972 and place the same on the Calendar.

Yours, respectfully,

JAMES W. WEBB,
President Medal of Honor Legion.

PETER F. RAFFERTY, *Secretary, 207 Second avenue.*

Senator BOIES PENROSE, of Pennsylvania, has introduced a bill in the Senate, No. 972, and Congressman CHARLES CURTIS, of Kansas, in the House (House bill 6477) to place upon the service-pension roll at the rate of $75 per month, in lieu of any other pension, all officers and enlisted soldiers of the United States Army, Navy, and Marine Corps, both regular and volunteer, who have been awarded "medals of honor" or who may hereafter be awarded such medals, under acts of Congress passed December 31, 1861, July 12 and 16, 1862, and March 3, 1863, who have reached the age of 60 years. This age limit is not to exclude any officer or enlisted man who served during the rebellion of 1861 to 1865.

My companions, who won this medal, received it from Congress for conspicuous and particular gallantry and bravery, beyond the line of duty required of them during their term of service: such as saving the life of a wounded comrade who fell under fire between the lines, capturing the enemy's colors or saving our own, saving a gun or a battery, a company or regiment of infantry or some command, or leading a charge under particularly perilous and dangerous circumstances, and such like affairs in the face of destruction and almost certain death. It is now over forty years since these brave and gallant heroes performed their various acts of heroism and valor, and at a time when they were young men in health, vigor, and activity, and now when they are old and fast becoming aged, feeble, and decrepit, and will soon answer the last roll call, it is but simple justice that these heroes of heroes, for all who served at the front in these days and received an honorable discharge are heroes, whether in addition thereto they received "medals of honor" or not, should also receive from the Government they helped to save something of value, more than a mere medal, to help them in their declining years. This is not mere sentiment, as some may imagine. The sum specified in this bill is not intended for either the poor or the disabled veteran; such is neither the intent nor the object of the bill, for in that respect our Government is most liberal to its soldiers in its various pension bills; neither is the Medal of Honor Legion composed of officers and privates by distinction of former rank, there are no generals or officers in that order as such, and there is no distinction as to or disparity of rank, but, on the contrary, one might almost say that in that order the privates command the generals.

Therefore, inasmuch as Congress has conferred special honor upon those wearing the "Medal of honor" for their deeds of heroism and bravery, such as have challenged and commanded the admiration of the world, would it not be but a fit and proper recognition of a grateful and generous nation now, at this time, when in the natural course of events these brave and gallant heroes, "bravest of the brave," can not be with us much longer, to also attach to their medal or give them something of real substantial value, the same as other countries have in a double or twofold manner done for their officers and soldiers who have distinguished themselves in like manner? Other nations have set us the example, as I proceed to show.

In the Congressional Library, in Washington, can be found a book on "Knighthood," from which the following is extracted, showing the manner in which deeds of valor and heroism are rewarded in other countries of the civilized world.

ENGLAND.

The Victoria Cross was instituted January 29, 1856, by royal warrant. This cross is only awarded to such officers or soldiers who have performed some signal act of valor or bravery in the presence of the enemy, and every officer or soldier who has received the cross shall, from the date of the act by which the decoration has been gained, be entitled to a special pension of £10 a year.

FRANCE.

The order of Legion of Honor was instituted April 19, 1837. The military class was admitted to the decoration, together with a pension to all who suffered amputation in consequence of wounds received in action, and are entitled to receive 100 francs for life in addition to their regular pay.

ITALY.

King Charles instituted on the 26th day of March, 1833, for the army and navy, a decoration consisting of a gold and silver medal, in addition to which a pension is attached of 100 lire for the gold and 50 lire for the silver. Both medal and pension pass to the widow of the deceased owner as long as she remains single, or to his children until they pass their fifteenth year.

GERMANY.

The Order of the Iron Cross was instituted March 10, 1813, by Frederick William III. It is divided into two classes—civil and military.

By decree dated August 3, 1841, a pension for life was granted to the surviving owners of the cross as follows: To officers, 15 thalers (£2 10s.); to privates, 50 thalers (£7 10s.).

There is also a military order of merit. This order was founded by Duke Eugene of Wurttemberg on February 11, 1759, as a reward for those officers and men who have distinguished themselves in the seven years' war then just ended. The members are divided into four classes, according to rank and degree of merit, and pensioned as follows: First, 2,000 florins; second, 1,200 florins; third, 1,000 florins; fourth, 300 florins.

SPAIN.

The military order of merit was founded by St. Ferdinand. It was made accessible to all military persons whose distinction and merit were testified to by a commission of inquiry which was instituted for that purpose.

Pensions are granted as follows:

Division generals	15,000
Brigadier generals	12,000
Captain generals	6,000
Subalterns	1,095
Privates	750

RUSSIA.

The military order of St. George was instituted in 1807 by Emperor Alexander as a reward for those officers and men who had distinguished themselves in battle. An additional pay of one-third is allowed to those who wear the cross.

AUSTRIA.

The military order of merit was founded by Emperor Joseph II as a reward to officers and privates. It is divided into gold and silver medals according to the respective degree of merit or distinction.

To the first is attached an increase of pay of 50 per cent. Thus we see that nearly every other country rewards its heroes who have particularly distinguished themselves for gallantry and bravery on the field, first by a gold medal and second by increased pay or an appointment in addition to the simple medal, and thus we see further that it is considered no disgrace, neither is it begging, for "medal of honor" men in this country to favor this bill and urge its passage.

Yours, etc.,

J. C. JULIUS LANGBEIN,
302 Broadway, New York City.

Mr. SULZER. Mr. Chairman, how much time has this side remaining?

The CHAIRMAN. The gentleman from New York has fifty-two minutes.

Mr. SULZER. I yield that time to the gentleman from Virginia [Mr. HAY].

Mr. HAY. Mr. Chairman, I yield fifteen minutes to the gentleman from Minnesota [Mr. LIND].

Mr. LIND. Mr. Chairman, I want to express my appreciation of the courtesy of the gentleman from Virginia, but it is hardly fair for me, under the circumstances, to take up the time of the House. I had the misfortune to be out when the eminent gentleman from Iowa [Mr. LACEY] who just took his seat delivered the larger portion of his address, and I only listened to the latter

part of it. In that he made a statement which I desire to correct, or, at least, I desire that it shall not go into the RECORD unchallenged. He made the assertion that those who advocate freer trade relations with Canada proposed to sacrifice the interests of the American farmer in that behalf. Now, I want to say to the gentleman and to the House that no thought could be farther from me than the one suggested, and that is true, I believe, of every citizen in my district and in my State who feels on this question as I do, as well as of this side of the House.

The gentleman from Connecticut who just took his seat accused this side of the House of being the representatives of the farming interests and the planting interests rather than of the industrial. In a measure I think that is true, although I do not apologize for saying that I represent as large industrial interests for a single district as any other gentleman in this House, at least in number of establishments and value of products, if not in the amount of capital employed. But if it is true that the agricultural and producing interests of the country other than the industrial are more largely represented on this side of the House, is it not strange that we and that I should plead for a policy, or ask for the adoption of a policy, that is directly detrimental to those interests? Does the gentleman really think that we are so shortsighted?

In regard to the interests of the farmers of Iowa and Minnesota in this question that I occupied the time of the House in discussing more fully a short time ago, I want to call the attention of my friend from Iowa to the fact that last year we sold corn—and I believe some corn is raised in Iowa—we sold corn in Canada to the amount of upward of $3,000,000. We profited by it and Canada profited by it. We sold other agricultural products in Canada aggregating, I think, upward of $16,000,000, very nearly as much as Canada sold us. The truth of the matter is that in the great staples exported by the United States, as well as Canada, there can be no conflict. Canada exports wheat; we export wheat.

If there is free trade between Canada and the United States, it can neither prejudice Canada nor us. Locally it may affect interests beneficially, or possibly adversely, but in the great aggregate it can make no difference and have no effect except to further the trade and profit of both countries. That is true of corn, because if Canada imports corn from the United States we send less to Europe, and our farmers sell it there because it pays them better than to ship to Europe. They may possibly export a little more barley or a little more oats than they would if they imported no corn, but we profit by selling that corn and they profit by selling the substitute abroad.

So, in the matter of agricultural products, when both countries are large exporters, it can make no difference if the natural products are on the free list. Now, as I stated, and I need hardly repeat it, I come from an agricultural State—I have grown up in it; my interests are wrapped up in that State and its future and in its agricultural progress and prosperity. Our industries are great; our commerce is growing; but it is agriculture that is the foundation, the corner stone, of our wonderful growth.

I say to you candidly, not in a partisan spirit, but in a spirit of true patriotism as I conceive it, that our farmers would be benefited. Now, instead of permitting partisan predilections and arguments to govern us all the time, let us look the facts squarely in the face. My friend from Iowa knows that he gets his strawberries in March from Mississippi; in April he gets them from Tennessee or Arkansas, and a little later from southern Illinois, and along in June from his own garden. Later he gets them from Minnesota.

That is true of other fruits, it is true of vegetables, it is true of a thousand—not a thousand, but scores of commodities that I might mention. Now, is there any good reason, I ask you in all candor and fairness, why that natural trade, depending upon the movement of the sun north and south, should not be permitted among people speaking the same language and having substantially the same ideals? Why should not the Canucks have an opportunity to exchange their Irish potatoes for our sweet potatoes, and their furs and an occasional fish, if they please, and some of their lumber and raw materials that they produce so readily but are not prepared to manufacture, for some of those things which we produce and that they can not produce? Such exchange, profitable to both sides, instead of being detrimental to the United States can not be other than beneficial to our people. It would be equally beneficial to the Canadians.

Now, if I am in error in this—it seems logical to me—I am willing to be interrupted and corrected. It is true that in localities the Canadians might send in some butter; they might send in some eggs and an occasional mutton and an occasional veal, say, into the State of New York. Supposing they do: their entire production is less than 2 per cent of ours. How can it destroy our market? It is absurd. Would not our profit in supplying their more numerous wants more than offset this? As compared to us Canada is a new country. A country industrially advanced like ours always profits in trade with a new country. Now, the gentleman from Connecticut spoke so encouragingly of our growing foreign trade, I trust he did not construe my question as indicating that I doubted the accuracy of the statements, nor as inimical to that growing trade.

No one glories in American growth and development and prosperity any more than I do, abroad as well as at home. Let me say to him that to my mind the only justification that his great party has offered which will appeal to impartial men for the recent ventures of the United States in the far Orient, in the acquisition of the Philippines, for instance, is the trade that it will bring. We are spending to-day fifty to seventy-five, and I may be justified in saying, if you include all the direct and collateral expenses, possibly one hundred millions of dollars a year for that trade in the Orient. That trade in the aggregate amounts to less than the yearly natural products between Canada and the United States, a trade that costs us nothing, a trade that can be reached and carried on by the telephone, that can be carried on without armies, without vessels, that is carried on between kith and kin.

Now, isn't it wise—looking to the future, looking to the magnificent commerce that this new century has in store for this the greatest and most powerful nation in the world—to adopt a more liberal policy toward this magnificent domain to the north of us, controlled by people who, in fact, are our brothers, not merely our brethren? You can not deny it; you can not negative it in good reason. Why, here is a trade of nearly, yes, quite, $200,000,000 a year, in which we have double the sales that the Canadians have.

The gentleman from Iowa [Mr. LACEY] says we have that in spite of the tariff, we have that as things are, and that we ought to be content, and why ask for anything different. Yes; but why do we have it? We have it because Canada imposes a tariff of only from 20 to 25 per cent on our goods, whereas ours is double that. Their tariff is purely a revenue tariff, judging it by schedules and rates that prevail in the United States. It is because of that low tariff that we are enabled to trade as successfully as we do.

Supposing Canada—which she is very likely to do unless we meet her fairly—should increase her tariff to the same rates that prevail here. Do you think it would be a good thing for the United States? Do you think our exports to Canada would continue? Does my friend from Connecticut [Mr. HILL] think that the electric bell would tinkle from the other side of the line calling for goods in those factories that he spoke about in his district, as it does now every day in the year, I apprehend? I venture to say that the gentleman's district sends more manufactured articles to Canada than to any other single nation in the world. Am I not correct?

Mr. HILL of Connecticut. I think not. I think we send more to England or to some of the European countries.

Mr. LIND. I doubt it. You do not deal in heavy iron products, do you?

Mr. HILL of Connecticut. Not much.

Mr. LIND. If you deal principally in the lighter manufactures, then I venture to say I am absolutely correct in the statement, or rather the guess, that you send more to Canada of those smaller manufactures, higher industrial products, than you do to any other country in the world. Now, I say a trade of that kind is a profitable trade, and should be encouraged rather than discouraged.

Now, what I say I trust my good friend from Iowa [Mr. LACEY] will not construe as a criticism of anything that he has said, but I ask him in all candor, and I will be glad to have an answer, whether he thinks it would be a good thing for the United States if Chamberlain's policy, now pending for political discussion and possible adoption in Great Britain, should be adopted.

Mr. LACEY. As I understand, the gentleman inquires whether it would not be a good thing——

Mr. LIND. Whether it would be advantageous for the United States.

Mr. LACEY. What we may do will not influence what England may do. We shall have to do what is best for ourselves, and Mr. Chamberlain must do what he considers best for Great Britain.

Mr. LIND. That is not answering my question.

Mr. LACEY. I should think it would be a good thing for Canada if Great Britain would give her a preference in her markets. She is now giving Canada a preference of 33⅓ per cent.

Mr. LIND. Well, then, the gentleman concedes that it would be a good thing for Canada if England would give her preferential treatment and preferential duties on agricultural products, as Mr. Chamberlain proposes. Now, if it would be a good thing for Canada, and we being Canada's principal competitor in the English market, it would necessarily be a bad thing for us.

[Here the hammer fell.]

Mr. HAY. Does the gentleman from Minnesota [Mr. LIND] desire further time?

Mr. LIND. Yes; a few moments only.

Mr. HAY. I yield the gentleman ten minutes more.

Mr. LIND. I say it would necessarily be a bad thing for us.

Now, when the conditions are such that we can absolutely circumvent Mr. Chamberlain's policy, as we can—we can make his scheme an impossibility and have an American union rather than an American-European union—we ought to do it. Without Canada Chamberlain's imperial trade union could not be considered for a moment. Without that vast food supply which Canada promises for the future, without that becoming a part and parcel of the Chamberlain scheme, it would be impracticable.

Mr. LACEY. Will the gentleman allow me a question?

Mr. LIND. Certainly.

Mr. LACEY. Does not the gentleman therefore come to the ultimate conclusion that the only way to have proper reciprocity with Canada is to have a commercial union, paying Canada a portion of the proceeds, and establishing absolute free trade between that country and the United States?

Mr. LIND. Not at all. You can not tell, nor can I—and I have given it very little thought—what the distant future may bring. Some day Canada and this great country of ours will be under one economic system. [Applause on the Democratic side.] God further the day! But that is not a practical question at this time.

We are separate governments. We must concede to Canada the right to impose a tariff for revenue purposes. That is their way of collecting taxes, as it is ours. We can not in reason ask them for free trade in manufactured products. But we can insist upon the same treatment that they accord England. England gives them a free market for their agricultural products. There is some ground for their giving England a preferential. If we extend the like free market to Canada (which we can do without sacrifice) we will be in the same position as England.

We can then say to Canada: "We insist that you give us the same preferential duties on manufactures that you have extended to Great Britain."

And I want to say to my friends here that that is the basis upon which I would favor free exchange of natural products. I think I have made my position clear on that subject. But if we do that and get the trade of Canada, it will be infinitely more beneficial to the United States, not at the expense of Canada, but because there are more people in the United States and a larger trade to be benefited.

We have 80,000,000 or more of people to be benefited by the larger trade and the larger opportunities, whereas Canada has only 5,000,000. It therefore stands to reason that the legislation and the policy which would be beneficial to both countries must be more largely beneficial to us.

I should deprecate the consummation of Chamberlain's scheme for imperial trade federation. I may not live to see the day, but I trust the time is not distant when our industrial, economic, and financial unity will be as extensive as the Monroe doctrine. [Applause on the Democratic side.]

The Monroe doctrine includes the American Continent. We ought to be as potent financially, economically, and industrially as the Monroe doctrine is politically. Let our economic policy be as broad as the hopes, the ambition, and the aspirations of that great statesman, one of the greatest of American statesmen, James G. Blaine. He could only dream of an American policy. The time was not ripe for its realization. It is now within our grasp. These aspirations and hopes, as I have said on a former occasion, are not visionary. They rest upon the natural law that trade follows lines of longitude rather than of latitude.

I said then that the farmers of Iowa and Pennsylvania had very little to exchange, while the farmers of Arkansas and Iowa had much. The gentleman himself in the concluding remarks of his speech admitted the fact that trade was natural between the United States and Brazil. Yes; it is and always will be, because the sun establishes a difference of climate, conditions, and productions. So differences have always existed between Canada and the United States and always will. The permanent trade of the world has been between countries and regions having different climates and productions.

Consult the history of the great trade routes. The old caravan trail extended from central Asia, from the cold highlands of the central interior, down through Mesopotamia and Arabia across Egypt into Abyssinia and the equatorial forests of Africa. So on this continent, but instead of caravan trails it will be a way of iron extending from the Arctic Circle on the north to the Antarctic on the south, coextensive with our Monroe doctrine.

I repeat and I beg of you to forget mere local and temporary considerations in this larger aspiration, and deal with this question as Americans rather than as localized citizens of Michigan or Minnesota, as the case may be. [Loud applause on the Democratic side.]

Mr. HAY. I yield ten minutes to the gentleman from New York.

Mr. BAKER. Mr. Chairman, the first duty of organized society is to preserve life; its next, to preserve property. I understand that five hours have been set apart for debate upon this bill. Five hours within which the 80,000,000 people represented here are to determine their attitude toward fourteen hundred other millions of people, to determine whether or not they will appropriate $75,000,000, every dollar of which is a potential danger and may be made a coercive force to the fourteen hundred millions of other people on the surface of the earth.

The House spends days and weeks discussing whether Podunk and Squedunk shall have ten or twenty thousand dollar post offices, and yet only five hours can be given to this question of civilization—the great question of what the attitude of this nation shall be toward the other great nations of the earth! But while five hours were set apart for debate upon this bill, only two of the many who have addressed the House during these hours have spoken on the subject-matter of this bill, even though it be fraught, as it is, with possible menace to the peace of the world. This bill is designated "A bill making appropriations for the support of the Army."

It should be designated "A bill to appropriate $75,000,000 to increase the power of one strenuous man to get this country into possible conflict with one or more civilized nations." We have heard much during the past few months about the great interest the business men of the country, the "conservative" business men, are taking in the approaching Presidential campaign. We are told that many of them fear that the country may at any time become involved in a war with some other great nation because of the impetuousness of our great exponent of strenuosity, and yet have any of these business organizations raised their voice against this appropriation, a large part of which may, at any time, be used almost without notice in the very manner that they are said to oppose? So far as I know, not one. Yet they declare that it is their desire that the property and business of the country shall be conserved and preserved. And yet every one of them, as well as almost every man upon this floor, boasts that he is a "practical" man, but nevertheless asserts that "war is inevitable." I stand here to enter my protest against that unholy, unChristian, unrighteous, and un-American idea. War is not inevitable. War is a relic of barbarism. To insist that it is inevitable is to assert that so-called civilized nations are yet barbarous.

Let me quote from one of the most distinguished men who ever presided over this House as to the inevitability of war:

Thomas B. Reed: "War is a beastly barbarism. It is only murder on a large scale with ranked battalions and pomp and circumstance. * * * Men have found by experience, which is another name for knowledge, that it does not pay in the long run to destroy property, and hereafter they will find out that it does not pay to destroy life." (Saturday Evening Post, 1900.)

Also the following, among the earlier Presidents:

IS MILITARISM A BOON?

Thomas Jefferson: "Nor is it considered safe that a standing army be kept up in time of peace."

Andrew Jackson: "Our Government was instituted and is supported by the ballot box and not by the musket. A large standing army is not consistent with the spirit of our institutions nor the feelings of our countrymen, and the lessons of former days and those also of our own times show the danger as well as the enormous expense of these permanent and extensive military organizations."

Martin Van Buren: "It is not, however, compatible with the interests of the people to maintain in time of peace a regular force adequate to the defense of extensive frontiers."

That is, he opposed even an army required to garrison the frontier.

John Tyler: "Separated as we are from the countries of the Old World and in much unaffected by their policy, we are happily relieved from the necessity of maintaining large standing armies in times of peace."

James K. Polk: "It has never been our policy to maintain large standing armies in time of peace. They are contrary to the genius of our free institutions, would impose heavy burdens on the people, and be dangerous to public liberty."

Franklin Pierce: "The maintenance of large standing armies in our country would be not only dangerous but unnecessary."

When the American people, through their representatives here, appropriate $75,000,000, what is their excuse? They say, to avert war. Gentlemen, so far from averting war, when you appropriate the sum this bill provides for, you are emulating those who advocate war in other nations. You are placing it in the power of one man in this country, as they do in one or a few men in theirs, to endanger the peace of the world.

In this bill you are doing here what is being done by every other so-called civilized nation, making immense appropriations providing that tens of thousands of men (in other countries hundreds of thousands) shall be engaged, not in useful occupations in the production of wealth for the benefit of mankind, but shall be engaged in the business of war. In this business of preparing to destroy your fellow men you call yourselves "practical," and the people who support this policy call themselves "practical." In my judgment it is the most foolish and fatuous policy any so-called civilized nation can be engaged in.

The arbitrament of the sword for the settlement of disputes between nations is as foolish and even more wicked than the use

of force in individual disputes. Force and right are not synonymous, force as frequently being with the aggressor as the wronged.

For a nation to assert that its honor demands war is as wicked as for a bully to insist that his honor (?) requires some fancied slight or trivial injury to be wiped out with blood.

The modern exponent of force, the German Emperor, gets into a tremendous passion because the despoiled Chinee finally, in sheer desperation, takes a human life in the person of an ambassador; but his "honor" is not the least ruffled by the loss of thousands of lives in German coal mines, made needlessly hazardous by the greed of German coal monopolists. Nor is he disturbed over the degradation of German womanhood, which results from scores of thousands being hitched to the plow to take the places of horses withdrawn from cultivating the fields to carry his uhlans and draw his cannon.

"HONOR" AND THE PHILIPPINES.

The honor of Germany is made a cloak for the theft of China's immense coal deposits, said to be the greatest and believed to be the best in the world. Forty years ago England's honor required that she should force China at the cannon's mouth to open her ports to the demoralizing opium traffic.

To-day that same honor can only be satisfied by despoiling the Filipinos, the money already squandered by us in the attempt to subjugate those freedom-seeking people being ample to build a transcontinental railroad from one end of the country to the other, the building of which would do much to lessen the heavy burden that railroad monopoly lays upon the American people.

War can only be justified when waged in self-defense. As in all wars one of the parties is an aggressor, no war can be justified. Instead of every nation competing with every other nation in preparations for war, a union for peace should be formed to exert moral suasion upon any nation that showed a warlike intention.

How flimsy the excuse for war sometimes offered is shown in the case of the Boer war. Because British subjects were unable, under the naturalization laws of the Transvaal Republic, to turn themselves quickly into citizens of that country, the British Government made the demand for a change a casus belli.

Was ever such a preposterous demand made by one country of another? In effect, it was equivalent to saying, "You must increase the facilities for Englishmen to forswear allegiance to the country of their birth!" If there were a court of nations, as there are State and national courts, such a demand would be laughed out of court, if the country making it were not publicly reprimanded.

In this case, as in nearly all others, the real purpose of the war was not asserted. That purpose was the destruction of the Republic, so as to afford the means to appropriate its immensely valuable gold and diamond mines, the Beit's, Robinson's, and Rhodes's, and other exploiters objecting to the Transvaal as a nation participating, through taxation, in those great deposits.

The real purpose behind our war to subjugate the Filipinos is the same—the desire of a favored few to exploit its lands and its franchises. With us, as with England, the victims of domestic land monopoly are compelled to pay out of the meager earnings left to them by monopoly for the cost of this foreign land and franchise grabbing.

The Chinese imbroglio was nothing more than an attempt on the part of the so-called civilized countries to get ahead of one another in the great game of despoiling China of its valuable—actual or potential—natural resources.

WHO PAYS THE PIPER?

It is for such prizes as these that the patriotism of the American people, as well as those of other countries, must be kept pitched in a high key. A great army and a big navy are the necessary cards with which to play the game. But who pays the piper?

Even if the proceeds of these acts of spoliation were distributed on a per capita basis among the people it would still be robbery and equally indefensible. But the masses everywhere pay the cost; they supply the brawn and the cash, while the shrewd patriotic (?) exploiter "gobbles the loot."

We hear a great deal nowadays of arbitration, of peace gatherings, but at not one of them, so far as I know, has any practical step been proposed for even partial disarmament or partial reduction of the immense armies of the world or of their great navies. A small gathering, an unofficial gathering, of this body and the Senate took place in the lobby of this House the other night to discuss the formation of a group or committee to bring about international peace. All sorts of plans are proposed for entertaining members of other parliamentary bodies, for junketing trips, etc., for which an appropriation is to be asked, but no practical step is proposed or suggested to bring about international peace. And yet when I proposed what I regard as a practical step in that direction as embodied in these resolutions:

Whereas the conserving and not the destroying of human life is the first and most sacred duty of organized society; and

Whereas immense armies and great navies are as constant a menace to the peace of nations as the carrying of weapons by individuals is to the peace of communities; and

Whereas society has so far progressed that the resort to arms by individuals is no longer permitted, so the resort to war by so-called civilized countries should no longer be tolerated in the court of nations: Therefore, be it

Resolved, That it is the sense of this gathering of members of both Houses of Congress and of both parties that the United States should, as a practical step toward universal peace, formally call upon all the great nations of the world to disband one-half of their armies and dismantle half of their navies as they existed in the respective countries on January 1, 1904—

this to be a proposition from the American people to all the civilized nations of the world urging an immediate reduction of the present gigantic standing armies, etc., no other Member of this House at that gathering supported it or even gave it countenance.

A bill has been introduced in this House to appropriate the enormous sum of two and a half billion dollars to be expended during the next eighteen years in building a great navy. The Brooklyn Times of November 30 has an editorial on this proposition, headed "Seems a reasonable scheme." I will only quote one paragraph therefrom:

Two billion and a half dollars is a big sum to contemplate and to think of expending. [illegible] the sum only in annual installments and comparatively small amounts in sums that it can easily afford—the immensity of the scheme is dwarfed and really assumes reasonable proportions.

A reasonable scheme, forsooth! What is the reason that is given for such a proposition? What is the reason given for every naval appropriation bill upon this floor? It is that we have got to do it because other nations do it. Our so-called patriotic men get together into a navy league, headed in this country by an ex-Secretary of the Navy, and propose schemes for immense naval appropriations, a little less wild and insane, I admit, than this Hobson scheme, but nevertheless wildly insane. They insist that these immense sums must be appropriated because other nations are doing that very thing.

NAVY LEAGUES AT WORK.

Look at what is being done. In England a navy league exists, officered by various betitled and beribboned war gods. They base their plea to the British public for larger additions to the British navy upon the fact that other nations are going on.

"Look at Germany," they say. "She is spending a hundred or so million marks a year for battle ships and cruisers, and in five, seven, or some other number of years her fleet will equal ours. We must therefore go on and build more and faster vessels." Result, the heavily taxed British workingman is more heavily taxed, more thousands of able-bodied Britons are withdrawn from useful employment, more public debt created, and the nation goes on singing Britannia Rules the Waves.

Cross over to Germany, and there you see a German navy league at work distributing millions of pamphlets urging the need of a larger navy.

The German peasant and workingman are told that it is not enough that a great army exists to repel foreign invasion by land; the country needs a large and splendid navy to maintain its prestige as a "great world power!" A comprehensive policy providing for the construction each year of more large battle ships and cruisers must be carried out, because England, France, Russia, and the United States are making big additions to their respective navies.

The unsophisticated rural German is awed by the picture skillfully presented to him by navy-league patriots of a possible coalition of Russia and France, or of England and the United States, and votes for a big navy, with its great increase of tax burdens. Of course Russia doesn't even go through the form or asking the people's consent to these expenditures. She does it by executive direction.

OUR DESTINY.

So, not to be outdone in this game of "patriotism," a navy league is formed here, and we are told that "destiny" has made us a world power and we also must build a navy that shall be the envy of the world.

When the "destiny" cry gets a little overworked and the people become a trifle slow in appreciating their great opportunities as pioneers of civilization and buckshot, we are told that our insular possessions, stolen from a freedom-seeking people, must be protected; that great dangers, as well as great responsibilities, are a part of this destiny. Other great nations are rapidly increasing their naval strength and we must do likewise to maintain our position.

England is adding to her immense navy. Germany is building one, Russia and Japan are doing the same; therefore we must do likewise. Are we to fall behind in this glorious race for supremacy on the ocean?

Build, build, build! More battle ships, more and faster cruisers, more and speedier torpedo boats. Let the good work go on. What if it does cost a hundred millions, more or less, annually?

Isn't this a big country, the greatest on the face of the earth, bar none?

We can stand the expense; we are a country of billion-dollar Congresses now, and we must keep ahead of the procession. It is our destiny! Haven't we licked Spain? And can't we lick Germany, too, when we get a bigger navy? May we not have to lick England some day? And how are we going to do it without the biggest and finest navy in the world?

These navy leaguers were not such boisterous patriots, so that their thinking apparatus could work for a moment, they might ask themselves, Where is all this to end?

Not a larger navy than Germany, for we must then go on and build one larger than England. Besides this league favor for "bigness" in a navy produces a corresponding desire for bigness among the Germans and the British; each acts and reacts upon the other.

When we build more efficient war vessels to destroy Englishmen or Germans their navy leagues point to the number and size of our naval appropriations as a reason for more ships and larger appropriations by those countries.

So the ridiculous, insane, mad folly goes on. The more foolish we become in this strife for naval supremacy the more are European nations incited to the creation of even bigger navies than heretofore, no matter what the cost. Where is it to end? Where else can this fatuous policy lead us if not to a war with some other nation?

If the agitations of these navy leagues were not inherently wicked, in that they incite a desire for wholesale killing of other peoples, their purpose would yet be the most stupid and illogical that men otherwise presumably sane could engage in.

Every squadron that leaves our shores has among its officers those who desire a war as a means for rapid advancement, to say nothing of prize money and loot. Removed from the direct observation of our citizens, every squadron sent abroad is fraught with dangers to the nation's peace that merchantmen are not subjected to, as no potential Presidential candidates are treading the decks of English or German men-of-war anxious to create an opportunity to return as popular idols to high civic positions.

Was there ever anything so foolish or so insane? And yet the men who clamor for these immense appropriations "in order to get ready for war" boast of their level headedness and their "practicality." Ernest H. Crosby, who was appointed by President Harrison judge of the international court at Alexandria, Egypt, has, it seems to me, described this condition of mind very graphically.

Mr. Crosby says:

ERNEST CROSBY IN THE WHIM.

ROBERT BAKER, Congressman from Brooklyn, has been jumped upon by the champions of preparedness because he refused to endorse a resolution that has been introduced in Congress on the assumption that there is no chance for preaching peace in the midst of battles.

Here is self-benefited effeminate sentimentalist, nor is he a man of defective physical powers, as these jingoes would have us believe. I have known him for years, and I know him to be a man of personal courage, good sense and resources. And the last time that he had the chance he did a plucky thing in defending our professing ministers against the lash of a brutal tongue. I mean Roosevelt. The idea that somebody might "attack" us is the product of a sick brain.

There is a word for it, I think they call it "paranoia," which results in softening of the brain and death, and which presents as its first symptom the idea that people are coming and injuring the patient. A friend of this sort, during the Spanish war, was always dreaming that I was preaching to the Spaniards, and he spent his nights and his days searching the door and looking around suspiciously to make sure that there was no spy present. He expected to me in whispers that my house was protected by spies, and appealed to me for protection against them. I saw at once what the trouble was, and had but little difficulty in convincing him that he was suffering from hallucination, and this belief of his was a certain symptom of mental derangement.

He smiled at me in a patronizing way (precisely as our patriots do when I tell them the same thing) and assured me that he was well grounded in his belief. The occasion to which I referred, but that he was quite different. Seeing that I could make no impression upon him, and having no means to add him to the list of my regular patients, I accepted his invitation to accompany him to his city home to meet his wife and children, and promised that I would come and pick up my luggage at his house on my way to the train where I was going, and I have not heard from him since. An acquaintance of his told me afterwards that he was hopelessly insane.

ARMING AGAINST BURGLARS.

Now, our statesmen are suffering from the form of paranoia, but unfortunately it is not so easy to get rid of them. Nobody in his senses is going to attack us. They keep up the fear that upon occasion we may have recourse to our arms as a protection against burglars, and that [illegible] preparation. It would be easy to prove from the government [illegible] that the house hold insurance runs ten thousand profits for every burglar, but the fact that [illegible] the case are absolutely unknown. We arm against our neighbors, but we do not [illegible] against Mr. Smith and Mr. Brown who live next door and with whom we have had no quarrels and are opposite us at church.

Now, there are no burglar nations, and we need not arm ourselves as a nation against our friends and neighbors. Being in a high state of patriotic fever, along the neighbor's fence and proceeding to feel the range of his house and yet pretending to be on good terms with him. The thing is of course ludicrous in the extreme and only applicable on the hypothesis of incipient insanity.

Mr. Root has been paying visits abroad, and he has been a guest at the country homes of English statesmen. He might have gone in the same way to the homes of the rulers of France and Germany. How he would have resented the impertinence that Mr. Balfour or President Loubet or the German chancellor might be lying in ambush for him and preparing to kidnap him or assassinate him! And yet when it is suggested that these same people as statesmen intend to "attack" us as a nation, at once we begin to pile up $5,000,000 battle ships and beat the woods for recruits. Clearly, the whole thing is pathological.

And one of the most amusing arguments brought against the commonsense objections to this crazy militarism is that such objections are sentimental and that the militarists are stern, clear-sighted, matter-of-fact individuals, who meet real conditions with real businesslike wisdom, while the fact is that they are all daft with shadowy sentiment. Patriotism, Old Glory, the Union, the Army and Navy—they are ready to lose their heads over anything that can be written with a capital initial without ever once thinking or endeavoring to find the truth and hold fast to what the epithet may shield. Patriotism, Fame, public honor, and navies were made like the Sabbath, for man, and to worship them as ends in themselves is sentimentalism run mad.

Mr. BAKER has been analyzing this navy fetish and he has come to the conclusion, as every unprejudiced man must, that it is the figure of extravagance, profit, injustice, hatred, and murder, and that the money we are [illegible] from it the [illegible] have [illegible] knowing that at some time in the [illegible] the rest of the world will come up with [illegible] Monroe [illegible] I doubt if the attacks made upon him by the whole lunatic asylum disturb him much.

The appropriation of this $75,000,000 is, in my judgment, an insane act for this nation to be engaged in. As Mr. Crosby says, if anyone were to suggest that Mr. Balfour or some other man holding a responsible position in the British Government—one of those who entertained Mr. Root—were preparing to kidnap or assassinate him he would be called a crazy lunatic. Yet the Secretary of War goes over to England, is entertained there, comes back here and says in this bill, in effect, that we must get ready to fight the British nation; we must get ready to fight Germany, Russia, Italy, France, or any other nation, and yet he prides himself upon his sanity and his level headedness and his great practicality.

I suppose that if the war ministers of any of the great European nations were to visit the United States that they would be entertained by the Cabinet ministers, and possibly by the President, but on their return to their respective countries they would almost certainly continue their present preparations for war on a gigantic scale. I find in the New York American Yearbook that six great European nations during last year spent the following sums and had these men in their standing armies:

Country.	Soldiers.	Cost.
Austria-Hungary	382,000	$59,000,000
France	518,000	144,000,000
Germany	600,000	128,000,000
Great Britain	582,000	450,000,000
Italy	275,000	46,000,000
Russia	1,022,000	242,000,000
Total	3,381,000	1,073,745,000

We are told that these are the armies on a "peace" footing, and that the number constituting the armies of these countries on a war footing would amount to over 13,000,000.

These same European nations (excluding Austria-Hungary) also spent last year, according to the London Daily Mail Yearbook, $366,000,000 for their navies and had 305,700 men manning their war ships.

Country.	Men.	Cost.
France	68,500	$92,500,000
Germany	38,800	54,000,000
Great Britain	127,000	172,000,000
Russia	65,000	54,000,000
Italy	26,500	23,500,000
Total	305,700	396,000,000

So it appears that nearly a billion and a half dollars was spent by these so-called "civilized" nations in preparations to fight each other, while there were some 3,650,000 adult males, all presumably able-bodied and in full possession of physical vigor, who were not merely nonproducers of wealth, but were enormously expensive consumers of the wealth produced by other workingmen.

While Russia thus, according to these authorities, spent the enormous sum of $296,000,000 in training men for war and equipping them with powerful machinery to destroy human life, her expenditures for educational purposes the same year amounted to only $22,000,000. Comment on this striking contrast between the gigantic preparations to destroy life as compared with the ridiculously inadequate appropriations to develop and broaden the intellect would be superfluous.

How completely this worshiping of the god of war takes possession of the human mind, to the exclusion of every humane instinct, was vividly revealed to me recently in a conversation with a retired commodore of the Navy. The Spanish war was a subject of particularly pleasing reminiscence, as it brought him again into service; but he was even more enthusiastic over the fact that that war had enabled a relative to gain an advancement which, as he said, "had it not been for the war it would have taken him fifteen years to secure." In every other respect a good and kindly man, it needed the

merest cursory reference to the subject of war to so inflame him that he fairly gloated over the prospect of taking human life on a wholesale scale—the lives of human beings who, if we are to believe the precepts of the Savior of mankind, are made in the image of their Creator, and which ought to be held sacred above everything else.

The logic of this policy—if the term "logic" is applicable where such madness prevails—is for each of the great nations in their strife for supremacy to go on, ever increasing the size of their navies, until every adult male, not already enrolled as a soldier, shall be manning its ships. Those who in England oppose this folly are dubbed "Little Englanders;" here are called "un-American."

And, yet these men are the truer patriots, as they urge each country to stand for the highest ideals of liberty and justice for all mankind, opposing bigness and bluster, with its accompanying enslavement of the weak.

There is no natural reason why the inhabitants of one country should wish to fly at the throat of the people of another country. There never would be war if the passions of the ignorant and heedless were not played upon by the shrewd and unscrupulous for purposes of personal aggrandizement, either of wealth or power. The beating of tomtoms at the slightest provocation and the ostentatious preparations for war by the rulers of great nations serve to kindle the passions of the masses to their own undoing.

I refuse to be a party to this shameful cruel game. On the contrary, I propose to exert whatever influence I can to the removal of the artificial barriers which unscrupulous greed in this, as in other countries, has erected to impede the free intercourse of nations. Unrestricted commerce is the world's most potent civilizer, and my efforts will be directed to making commerce with other nations as free as between the States of the Union, confident that the full fruition of that policy will put an end to war, with all its horrible attendant evils and the fearful suffering always entailed, and will usher in the era of the brotherhood of man.

Mr. Chairman, to sum up the situation. General Sherman said, "War is hell." It is hell, and it never will be anything else but hell. It is the duty of the American Congress to do all in their power not to create hell, not to add to the flames of that place, but to do all they can to see that peace, universal peace, peace throughout the whole world, shall be the policy of the great civilized nations.

Let us say to the world we will no longer go on with this foolish, vicious policy; we will no longer continue to appropriate these enormous amounts of money for instruments of wholesale slaughter. That we, the American people (occupying a unique, unassailable geographical position among the civilized nations of the world), propose to lead in a crusade not for war, but in a crusade which will bring about ultimate universal peace. A first step toward that much to be desired end is an agreement on the part of the civilized nations of the world to reduce their armaments, their armies, and their navies by at least 50 per cent as they existed on the 1st of January of this year. No nation can object to that proposition. No nation can say: "Had we known such a proposition as that was to be made we would have increased our army and navy in order to get ready to reduce," because that is practically the argument that is always made when any proposition for a reduction for armament is made. [Applause.]

Mr. HULL. Mr. Chairman, I now yield five minutes to the gentleman from Connecticut [Mr. HILL].

Mr. HILL of Connecticut. Mr. Chairman, I desire to apologize to the House for taking any more time, but the gentleman from Minnesota asked a question which I should like to answer. It is as follows: "Do you think it would be for our best interest to have the Chamberlain policy carried out?" I will answer that by telling a story. Two years ago I stood on the deck of a Japanese liner in the harbor of Vladivostok, Siberia. In the hold of that ship was 700 tons of American agricultural implements that had come across the Pacific Ocean from America for the use of the peasants of Siberia. They came under the Dingley tariff bill.

Right over on the other side of the harbor was an English tramp ship loaded with American steel rails from Pennsylvania which had been shipped there to be used by the Siberian Railroad, and shipped there under the Dingley tariff bill.

That day I went ashore and at night at the hotel in Vladivostok I was introduced to a gentleman who told me that he represented the Baldwin Locomotive Works, of Philadelphia, and had just finished a contract by which he had put into operation on the Siberian Railroad 150 Baldwin locomotives, shipped there under the Dingley tariff bill.

The next day I rode 500 miles up to the Amur River over American steel rails shipped there under the Dingley tariff bill. The day following I got aboard the steamer to go up the Amur River 1,500 miles. It was a steel steamer and had in tow two steel barges, both made in Pittsburg, Pa., sent there—12,000 miles, to the other side of the world—and shipped there under the Dingley tariff bill.

The first night out we wrecked one of these barges and the freight had to be unloaded. There were all sorts of American products in that cargo of freight. Ten thousand miles from here, gentlemen, in the little Siberian village of Gorbitza, consisting of a dozen log houses, in a little store not over 8 by 10, we bought packages of candy wrapped up in paper on which was printed the picture of William McKinley to popularize that candy among the peasants of Siberia. [Applause on the Republican side.]

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to ask the gentleman a question.

Mr. HILL. If my time can be extended. I have not yet answered the question of the gentleman from Minnesota. All the way across Asia my journey on the cars was made safe and pleasant by the Westinghouse air brake made in Pittsburg, Pa., and shipped over there under the Dingley tariff bill.

The finest stores in all Europe—in Vienna, in Berlin, in Paris, and in London—are those which are selling American shoes shipped there under the Dingley tariff bill, and I say from personal knowledge in my own town that they are selling them at prices which are higher than they are sold at in the United States of America, all shipped there under the Dingley tariff bill.

I went to London and I called on a friend, an English gentleman who had been in charge of a transportation company in this country for thirteen years. I said to him, "How's business?"

"It is bad."

"What is the matter?"

"Matter enough."

"What is it?"

"Our ports," he replied, "are wide open to you and yours are closed to us. If I had my way, I would put a duty on everything that comes from your country into Great Britain, and then I would have something to give to you in return for like concessions on your part."

Now, that is the Chamberlain policy, and I want to ask my friend from Minnesota [Mr. LIND] if, when he goes into a battle, he strips his armor off and hands it to his enemy? Would you by a Democratic policy put this country into the same position that England is when England is trying to get out of it in order to protect herself? [Applause on the Republican side.]

Mr. HAY. Mr. Chairman, how much time have I left?

The CHAIRMAN. The Chair will state that the gentleman from Iowa [Mr. HULL] has two minutes and the gentleman from Virginia [Mr. HAY] has seventeen minutes remaining.

Mr. HAY. I yield seven minutes to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK. Mr. Chairman, I do not want to enter upon any discussion of the tariff at this time: I desire to submit somewhat of arithmetic. When the gentleman from Connecticut was making his speech I was not listening very attentively. I thought he was stating the whole number of votes in his district. It so happened the other night I was figuring on the probable vote in my own district this year, if it was all cast, as it usually is in a Presidential year, and there will be over 46,000. The gentleman from Connecticut [Mr. HILL] undertook to take great glory to himself and the people in his district by saying 45,033 votes were cast for him in his district at the last election. That seems enormous.

Mr. HILL of Connecticut. Mr. Chairman, I said there were 45,033 votes and that in the district of the gentleman from Missouri there were some 33,000 votes.

Mr. CLARK. Wait a moment. I misstated that. I did not do it intentionally. What he said was that there were 45,033 votes cast in his district, all told, in 1902. That seems enormous, being much larger than the average. How do you suppose there happened to be 45,000 votes cast in his district? Simply for the reason that they have never redistricted the State under the last census and apportionment, though gaining one Representative, and they elect one Representative at large and four by districts, so that the gentleman's district, if the State were redistricted, instead of having a population of 247,815 out of a total population of 908,420 in the State, would have 181,647 people in it.

Instead of representing partially one-fourth of the State—because Mr. LILLEY represents all four districts as much as Mr. HILL represents his one—if the State were redistricted, as it should be, he would represent but one-fifth of the population of the State instead of a fourth; and he undertakes to draw the unfair inference here that there are more votes cast in his district in proportion to population than are cast in my district. Let us see how he comes out. He is not half as popular in his district as he would have you believe. [Laughter.]

In the First district of Connecticut Mr. HENRY received 37,744 votes, because it has a smaller population—only 220,003. In the Third district [Mr. BRANDEGEE'S] there were 21,384 votes cast—population only 129,610. In the Fourth district, which is that of Brother HILL, there were 45,033 votes cast out of a population of 247,815. In Mr. SPERRY'S district (the Second) there were 54,199 votes cast out of a population of 310,923, which makes Mr. SPERRY,

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according to the arithmetic of Mr. HILL, just 9,000 votes more popular than Mr. HILL is. [Laughter.] Of course, difference in population accounts for the difference in vote.

Now, let us see what the average vote is in the State of Connecticut. The average vote in 1902 for five Congressmen was 31,837 to the district, provided it is divided into five districts instead of four. In my district, out of a population of 197,370, there were cast in 1902, an off year, on one of the worst days for electing that I ever saw in my life—almost raining frogs—33,361 votes, 1,524 more votes than the average vote cast in the State of Connecticut for a Representative in Congress.

Let us carry this analysis a little further.

In 1900 Missouri had a population of 3,106,665; Connecticut, 908,420. That year Missouri cast for President 683,6[illegible] votes; Connecticut, 180,140.

Under the census of 1900 and the apportionment thereunder Missouri has sixteen Representatives in Congress; Connecticut, five.

Under the present apportionment in the whole country the ratio for a Representative is 194,182. In the entire State of Missouri the ratio is 194,166. In the Ninth Missouri district, which I have the honor to represent, the population is 197,3[illegible].

In Connecticut the ratio is 181,684. In 1900 in Connecticut there was one vote cast for President for each 4.98 persons; in Missouri one vote for each 4.31 persons.

So that it required sixty-seven hundredths more of a person to cast one vote in Connecticut than in Missouri, the difference being due to the fact, no doubt, that in Connecticut the proportion of females to males is larger than in Missouri, due to the well-known fact that males migrate in greater numbers than females.

The vote of 1900 was the last full vote in either State. Stating the case as though Connecticut elected five Representatives to Congress that year instead of four, and that Missouri elected sixteen instead of fifteen, the average number of votes cast for a Representative in Connecticut would be 36,028, whereas the average number in Missouri would be 42,728.

This difference grows partially out of the fact that the ratio for a Representative in Missouri is very slightly below the ratio in the entire country, while in Connecticut it is considerably below the ratio for the whole country, Connecticut gaining somewhat in the matter of fractions. The question may be asked, and not unreasonably (as Mr. HILL declares they have self-government up there), why does not the legislature of Connecticut, which is Republican in both branches, redistrict the State? I will tell you why. Because they are afraid that the Democrats will carry two of those districts, perhaps three. That is exactly the reason for it.

They have self-government up there, have they? I will tell you what kind of self-government they have. The way the Republicans control the legislature in the State of Connecticut is that they have the same apportionment for legislative purposes substantially that they had when the Indians were driven out of the woods. The whole thing is based on the town or township system.

I was informed by quite a respectable constituent of Mr. HILL—and I am under great obligation to my brother HILL for giving me a fine recommendation when I went there to lecture—that there was a town up there near Bridgeport—a township or town, whatever they call it—that elects a State senator and two representatives to the Connecticut legislature, though it has only 28 votes in the whole township. [Laughter.] I think the number was 28—at any rate, it was very small. The representation is based on the town. Originally the towns were somewhat equal in population, but in the lapse of time some have gained in population and some have lost, which accounts for the disproportion.

That is the kind of self-government that they have in the State of Connecticut in order to keep it Republican.

Let us take another case. In nearly every State in the Union the man who receives a plurality of votes for a State office is elected; but up in Connecticut a man must get an absolute majority to be elected to a State office.

A few years ago the Democrats elected their candidate for governor by a clear plurality of all the votes. Their candidate, however, did not receive a majority. Then the matter went to the legislature, and that Republican legislature, although there was never any dispute that the Democrat had received a large plurality of all the votes, the legislature kept him out of office for all time to come.

Mr. HILL. The gentleman is fifty years behind the time. That has all been changed up there. A plurality elects in our State now.

Mr. CLARK. I am glad to hear it; but you have not changed that "rotten-borough" system of choosing the legislature.

Mr. HAY. I yield five minutes to the gentleman from Minnesota [Mr. LIND].

Mr. LIND. Mr. Chairman, I was very much disappointed that the gentleman from Connecticut, who just took his seat, did not tell us that when he reached England in addition to riding in parlor sleeping cars of American make he also dined on bread made from American flour; that he went to bed by an American candle; that he ate American bacon; that he spread American butter on his American bread, and likewise had an American beefsteak for his breakfast—all of which is true, is it not?

Mr. HILL of Connecticut. Oh, no; not at all. [Laughter.] I think the gentleman is working on a wrong basis, and has been all the afternoon.

Mr. LIND. Were you joking when you made your statement?

Mr. HILL of Connecticut. No; not at all. I came through what will be inside of fifty years the greatest agricultural country in the world.

Mr. LIND. What country do you mean?

Mr. HILL of Connecticut. Siberia.

Mr. LIND. I am speaking about England. [Laughter.] What I have stated was true when you reached England, was it not?

Mr. HILL of Connecticut. I was unable to distinguish exactly what sort of food I did eat in England. I took what came along.

Mr. LIND. But you believed it was American. Even the drinks, I presume, were in part American, because I think Kentucky has made some conquests over there. [Laughter.]

Now, I want to read what our Republican Secretary of Agriculture said in his last report. After giving all due credit to American industrial exports, because they are entitled to some credit, and we all rejoice to find that they are making progress, the Secretary continues:

> During the last fourteen years there was a balance of trade in favor of farm products, without excepting any year, that amounted to $4,886,000,000. Against this was an adverse balance of trade in products other than those of the farm, of $885,000,000, and the farmers [illegible] this immense obligation, but had enough left to place $3,040,000,000 to the credit of the nation, when the books of international exchange were balanced.

[Loud applause.]

That is what makes me solicitous over the results if Mr. Chamberlain's policy should prevail, so that under their new fiscal system they would be in position to discriminate against our agricultural products. We can not deny them the right to do so if they choose. It is the American farm products that have contributed and maintained the balance of trade in our favor and made us strong financially; and I say that any scheme that threatens to close the doors to the continued demand abroad for American farm products is a menace, not only to our prosperity, but to our very comfort.

Mr. HILL of Connecticut. Will the gentleman pardon me a question? I ask him to say frankly whether he thinks it would be good policy for the American Congress now to revise the tariff on Democratic principles before it is determined what Mr. Chamberlain's policy is going to be?

Mr. LIND. I think it would be good policy for the American people to forestall Chamberlain's policy.

Mr. HILL of Connecticut. Do you think that anything we might do would affect his policy at all?

Mr. LIND. We can forestall that policy in either of two ways: First, by extending fair treatment to Canada (because Canada is of necessity the corner stone of Chamberlain's imperial policy) and keep her out of it. Secondly, we can say to England: "For half a century you have given us absolute freedom in your markets to the millions, yes, the billions, of agricultural products that we have produced. We appreciate that fact, and it is only fair that we should discriminate in favor of your industrial goods."

I would say that, rather than let Chamberlain exclude from their markets our farm products, we should give English industrial goods preferential rates in our market so long as England continues to admit our farm products free. Carry out the policy suggested in one of the sections of the Dingley law, which I have been told was designed to serve such a purpose. [Loud applause on the Democratic side.]

Mr. HAY. I yield the balance of my time to the gentleman from Indiana.

The CHAIRMAN. The gentleman has five minutes, and yields it to the gentleman from Indiana.

Mr. ROBINSON of Indiana. Mr. Chairman, I sought to interpolate a question when the gentleman from Connecticut [Mr. HILL] was speaking, but his time was not sufficient for him to address himself to the House on the subject that he was discussing, and I was unable to do so. I will present it now, and I am sorry the time can not permit an answer to it in the time that I now have, but the gentleman can do so in his own time. It is this:

Does the gentleman from Connecticut not know that the Dingley tariff schedules, which he glorifies so much, by reason of their

operation in sheltering trusts in this country, compel manufacturers of agricultural implements of Akron, Ohio, in the district of the distinguished gentleman from that State [Mr. DICK], and compels the sailors and the shipbuilders in Maine, represented by the gentleman from that State [Mr. LITTLEFIELD]—does he not know that the tariff schedules, affording a shelter to trusts as they do, compel these people to go to London and across the sea to secure American steel, which they do, at a cheaper rate after paying cost of shipment than they can purchase that same American steel in the United States?

And if the gentleman does not know that, and as it is about the time of adjournment, and it will take a little time to inquire of those interested, I will [illegible] two gentlemen upon this floor in the caucus of the Republican party within two years as reported by the reliable press of Washington, in which they warned their party to reduce the sacred tariff schedules [illegible]. And does he not know that that applies not only to steel, but to general commodities manufactured and sheltered among those lines? [Applause on the Democratic side.]

Mr. HULL. Read.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Be it enacted, etc., That the following sums be, and they are hereby, appropriated out of any money in the Treasury not otherwise appropriated, for the support of the Army for the year ending June 30, 1905:

Mr. HULL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose: and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10760, the army appropriation bill, and had come to no resolution thereon.

BOARD OF REGENTS OF SMITHSONIAN INSTITUTION.

Mr. McCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent that the Committee on the Library be discharged from the further consideration of Senate joint resolution 32, and that it now be considered by the House.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the following joint resolution, which will be read by its title, be now considered by the House, and the Committee on the Library discharged.

Mr. HAY. Reserving the right to object, I would like to know what it is.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Senate joint resolution S. R. 32 to fill the vacancies in the Board of Regents of the Smithsonian Institution.

Resolved, etc., That the vacancies in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress shall be filled by the reappointment of John B. Henderson and Alexander Graham Bell, residents of the city of Washington, whose terms of office expire on January 24, 1906.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

COMMITTEE ON FOREIGN AFFAIRS.

Mr. HITT. Mr. Speaker, I ask unanimous consent to have the resolution that I send to the Clerk's desk considered now.

The Clerk read as follows:

Resolved, That the Committee on Foreign Affairs be authorized to have printed and bound whatever papers and documents in connection with subjects under consideration by the committee may be necessary to the transaction of its business; also, that the committee be authorized to sit during the sessions of the House.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolutions of the following titles:

S. 465. An act to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896;

S. 652. An act making Chester, Pa., a subport of entry;

S. R. 31. Joint resolution authorizing the erection and maintenance of a monument in memory of the late President Benjamin Harrison, upon land owned by the United States in the city of Indianapolis, State of Indiana; and

S. 1496. An act supplemental to the act of February 9, 1821, incorporating the Columbian College, in the District of Columbia, and the acts amendatory thereof.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 3 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Senate concurrent resolution No. 37:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be and he is hereby authorized and directed to cause a survey to be made of Nome Harbor, Alaska, with a view to its improvement from the head of navigation to deep water in said Bay.

to the Committee on Rivers and Harbors.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill (S. 2418) granting a pension to Marit Johnson was changed from the Committee on Invalid Pensions to the Committee on Pensions.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CROWLEY, indefinitely, on account of sickness in his family.

Mr. HULL. I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 5 o'clock and 12 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *William*, Thomas Farnham, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James F. Rust, administrator of the estate of Isaac Rust, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for twine and tying devices for the postal service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting a letter from the Chief of Ordnance recommending an appropriation for blank cartridges for militia—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting detailed expenses of the Revenue-Cutter Service for the fiscal year ended June 30, 1903—to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BURKE, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 10418) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect, reported the same with amendment, accompanied by a report (No. 443); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LACEY, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 8878) to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, reported the same with amendment, accompanied by a report (No. 444); which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 4866) prohibiting the selection of timber lands in lieu of lands in forest reserves, reported the same with amendment, accompanied by a report (No. 445); which said bill and report were referred to the House Calendar.

Mr. TAWNEY, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 9658) to provide for the withdrawal, free of duty under bond, for incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, of articles and materials exhibited at the Louisiana Purchase Exposition, reported the same with amendment, accompanied by a report (No. 446); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Foreign Affairs was discharged from the consideration of the resolution (H. Res. 150) requesting the Secretary of State to furnish the House a statement showing number of horses, carriages, and automobiles maintained at Government expense for officials of his Department; and the same was referred to the Committee on Expenditures in the State Department.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SPALDING: A bill (H. R. 10757) to erect a monument to Alexander Hamilton—to the Committee on the Library.

Also, a bill (H. R. 10758) to erect a monument to William McKinley—to the Committee on the Library.

By Mr. SHACKLEFORD: A bill (H. R. 10759) for the purchase of a national forest reserve along the Niangua River, to be known as the National Niangua Forest Reserve—to the Committee on Agriculture.

By Mr. ALLEN: A bill (H. R. 10760) to require the use of closed and heated street cars in the District of Columbia—to the Committee on the District of Columbia.

By Mr. DIXON: A bill (H. R. 10761) to authorize the Secretary of War to accept from the citizens of Missoula, Mont., deeds donating to the United States certain lands for the enlargement of the military reservation of Fort Missoula, Mont.—to the Committee on Military Affairs.

By Mr. PALMER: A bill (H. R. 10762) to define and punish bribery in elections and political conventions—to the Committee on the Judiciary.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 10763) to increase the pensions of those who by reason of their services in the Army or Navy of the United States have lost the use of their limbs and require an attendant—to the Committee on Invalid Pensions.

By Mr. COCHRAN: A bill (H. R. 10764) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge near St. Joseph, Mo., to lower said bridge and to shorten the draw spans thereof—to the Committee on Interstate and Foreign Commerce.

By Mr. CURRIER: A bill (H. R. 10765) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

By Mr. SLAYDEN: A bill (H. R. 10766) to consolidate the duties of certain staff departments of the Army, and for other purposes—to the Committee on Military Affairs.

By Mr. BOWERS: A bill (H. R. 10767) making an appropriation for dredging a channel from Ship Island Harbor to Gulfport, Miss.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 10768) making an appropriation for dredging a channel across the bar at mouth of Jordan River where the stream empties into the Bay of St. Louis, in the State of Mississippi—to the Committee on Rivers and Harbors.

By Mr. CURRIER: A bill (H. R. 10769) to establish a court of patent appeals, and for other purposes—to the Committee on Patents.

By Mr. MARSH: A bill (H. R. 10770) for the erection of a public building at Macomb, Ill.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10771) for the erection of a public building at Moline, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. GROSVENOR: A bill (H. R. 10772) to increase the efficiency and safety of the mercantile marine of the United States by creating a commission to revise the laws relating to construction, installation, and inspection of marine boilers, to provide uniformity of inspection of marine boilers in the United States and insular possessions, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. KNAPP: A bill (H. R. 10773) providing for the erection of a keeper's dwelling at the Tibbetts Point light station, New York—to the Committee on Interstate and Foreign Commerce.

By Mr. DINSMORE: A bill (H. R. 10774) for the appointment of an additional judge in the Indian Territory—to the Committee on the Judiciary.

By Mr. STEENERSON: A bill (H. R. 10775) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota—to the Committee on Indian Affairs.

By Mr. AIKEN: A bill (H. R. 10776) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

By Mr. WM. ALDEN SMITH: A bill (H. R. 10855) to amend an act entitled "An act to increase the pensions of those who have lost limbs in the military or naval service of the United States," approved March 2, 1903—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10856) to amend the act of June 27, 1890, as amended by the act of May 9, 1900—to the Committee on Invalid Pensions.

By Mr. STANLEY: A bill (H. R. 10857) for the relief of farmers, merchants, and other dealers in leaf tobacco—to the Committee on Ways and Means.

By Mr. THAYER: A joint resolution (H. J. Res. 83) proposing an amendment to the Constitution of the United States of America to keep its land always nearly equally divided among all its people—to the Committee on the Judiciary.

By Mr. McCLEARY of Minnesota: A joint resolution (H. J. Res. 84) for the acceptance of a statue of Gen. Thaddeus Kosciuszko to be presented to the United States by the Polish-American citizens—to the Committee on the Library.

By Mr. HITCHCOCK: A resolution (H. Res. 160) requesting the Secretary of War to furnish information showing expenditures on flying machines—to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 10777) correcting the muster record of W. F. Barr—to the Committee on Military Affairs.

By Mr. BELL of California: A bill (H. R. 10778) granting an increase of pension to John Brady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10779) granting a pension to John Henry Obery—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 10780) granting an increase of pension to James M. Barnes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10781) granting an increase of pension to E. J. Robinson—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 10782) to pay Julias A. Kaiser $3,758.45—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 10783) for the relief of William T. Grady—to the Committee on Military Affairs.

Also, a bill (H. R. 10784) for the relief of Charles Bergstrom—to the Committee on Military Affairs.

Also, a bill (H. R. 10785) for the relief of Hiram Lane—to the Committee on Military Affairs.

By Mr. CLAYTON: A bill (H. R. 10786) for the relief of the heirs of T. L. Scott, deceased—to the Committee on War Claims.

By Mr. COOPER of Pennsylvania: A bill (H. R. 10787) granting an increase of pension to Henry S. Walls—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 10788) granting an increase of pension to Sarah A. Van Horn—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 10789) for the relief of George Weathersbee, of Florida—to the Committee on Claims.

By Mr. DEEMER: A bill (H. R. 10790) granting an increase of pension to John F. Rockey—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 10791) for the relief of the legal representatives of John N. Gatewood, deceased—to the Committee on War Claims.

By Mr. DIXON: A bill (H. R. 10792) granting an increase of pension to Frederic Lockley—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 10793) granting a pension to George S. Loomis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10794) granting an increase of pension to Moses Hurlbut—to the Committee on Invalid Pensions.

By Mr. EMERICH (by request): A bill (H. R. 10795) authorizing and requesting the Secretary of State to demand of the Government of Spain an indemnity of $100,000 for and on behalf of August E. Gans, of Chicago, Cook County, Ill.—to the Committee on Foreign Affairs.

By Mr. ESCH: A bill (H. R. 10796) granting an increase of pension to Henry D. Stiehl—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: A bill (H. R. 10797) referring the claim of the legal representatives of William T. Luvall, deceased, against the United States to the Court of Claims—to the Committee on Claims.

By Mr. JONES of Washington: A bill (H. R. 10798) granting a pension to James H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10799) for the relief of Robert Frost, of Thurston County, State of Washington—to the Committee on War Claims.

By Mr. KETCHAM: A bill (H. R. 10800) granting an increase

of pension to George Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10801) granting an increase of pension to Albert S. Graham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10802) granting a pension to Rosalee Bushnell—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 10803) granting a pension to Eleanor Gregory—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 10804) granting an increase of pension to Sarah Kearney—to the Committee on Pensions.

By Mr. MARSH: A bill (H. R. 10805) for the relief of Judd O. Hartzell, of Laharpe, Ill.—to the Committee on Claims.

By Mr. MOON of Pennsylvania: A bill (H. R. 10806) for the relief of the heirs of Dr. Samuel E. Hall, deceased—to the Committee on War Claims.

By Mr. MCCREARY of Pennsylvania: A bill (H. R. 10807) granting an increase of pension to George D. Fitch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10808) granting an increase of pension to Elizabeth F. Gavin—to the Committee on Pensions.

Also, a bill (H. R. 10809) granting an increase of pension to Emma L. Jewell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10810) granting a pension to Harriet Shroeter—to the Committee on Pensions.

Also, a bill (H. R. 10811) granting a pension to Charles Moyer—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 10812) granting an increase of pension to James S. Spaulding—to the Committee on Invalid Pensions.

By Mr. PERKINS: A bill (H. R. 10813) for the relief of John Scott—to the Committee on Claims.

By Mr. PIERCE: A bill (H. R. 10814) for the relief of H. H. Belew, of Gibson County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 10815) for the relief of the trustees of the Walnut Grove Church, of Gibson County, Tenn.—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10816) for the relief of Mattie P. Barnard, Katharine Caldwell, and Harry M. Rhett, heirs of Harriett M. Barnard, deceased—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 10817) granting a pension to Alford Rogers—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 10818) for the relief of the trustees of the Baptist Church of Pine Bluff, Ark.—to the Committee on War Claims.

By Mr. SCUDDER: A bill (H. R. 10819) for the relief of the estate of William Wheeler Hubbell—to the Committee on Claims.

Also, a bill (H. R. 10820) granting an increase of pension to James G. Hendrickson—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 10821) granting a pension to Edward D. Lockwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10822) granting an increase of pension to Andrew Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10823) for the relief of Samuel P. Dresser, of Miller County, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 10824) granting an increase of pension to Capt. John B. Calhoun—to the Committee on Pensions.

By Mr. SHIRAS: A bill (H. R. 10825) granting an increase of pension to James M. Ayers—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: A bill (H. R. 10826) to quitclaim all interest of the United States to certain tract of land lying in the District of Columbia and the State of Maryland to the heirs of John C. Rives, deceased—to the Committee on the District of Columbia.

By Mr. SMALL: A bill (H. R. 10827) for the relief of Sylvester Dibble—to the Committee on War Claims.

By Mr. SMITH of Iowa: A bill (H. R. 10828) granting an increase of pension to John S. Honeywell—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 10829) for the relief of W. B. Sutter—to the Committee on Claims.

By Mr. STERLING: A bill (H. R. 10830) granting an increase of pension to Edward Starr—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 10831) authorizing the Secretary of War to issue an honorable discharge to John Mangan, Company F, First Regiment Maryland Volunteer Cavalry—to the Committee on Military Affairs.

Also, a bill (H. R. 10832) for the relief of W. A. Bird, late of Harford County, State of Maryland—to the Committee on War Claims.

Also, a bill (H. R. 10833) granting an increase of pension to Robert N. Weller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10834) granting an increase of pension to Joshua Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10835) granting an increase of pension to Hugh E. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10836) granting a pension to Worthington Fringer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10837) granting an increase of pension to Elizabeth A. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10838) granting an increase of pension to John Parrish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10839) granting an increase of pension to John Conrad Dirschner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10840) granting an increase of pension to Peter B. Hoffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10841) granting an increase of pension to Elizabeth De Baugh—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 10842) granting an increase of pension to Cyrus R. Jaynes—to the Committee on Invalid Pensions.

By Mr. THOMAS of North Carolina: A bill (H. R. 10843) for the relief of S. S. Waters—to the Committee on War Claims.

By Mr. VOLSTEAD: A bill (H. R. 10844) granting an increase of pension to Patrick Handran—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: A bill (H. R. 10845) granting an increase of pension to John C. Webb—to the Committee on Invalid Pensions.

By Mr. WEISSE: A bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoesser—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10847) granting an increase of pension to James O. Knowles—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 10848) granting a pension to Spencer Woods—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 10849) to remove the charge of desertion against Thomas Mahoney—to the Committee on Naval Affairs.

By Mr. HOPKINS: A bill (H. R. 10850) granting an increase of pension to Adaline L. Powers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10851) granting an increase of pension to Nancy Smallwood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10852) granting an increase of pension to Peter Riffe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10853) granting an increase of pension to Tandy M. Layne—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10854) granting an increase of pension to Edward W. Cassity—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of faculty of Michigan Agricultural College, relating to the preservation of the big trees of California—to the Committee on the Public Lands.

Also, papers to accompany bill to increase pension of Edward Sauer—to the Committee on Invalid Pensions.

Also, memorial of the Danville (Ill.) Retail Grocers' Association, protesting against legislation for the establishment of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, resolution of W. A. Babcock Post, No. 416, Grand Army of the Republic, of Onarga, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the Lowell (Mass.) Board of Trade, relating to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: Papers to accompany bill H. R. 4874, granting a pension to Charles V. Billig—to the Committee on Invalid Pensions.

Also, resolution of Viela (Wis.) Post, No. 85, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: Resolution of Hartman Post, No. 149, Grand Army of the Republic, of Goldfield, Iowa, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Resolution of W. S. Heath Post, No. 14, Waterville, Me., and Stephen Davis Post, No. 11, Grand Army of the Republic, of Maine, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Resolution of the Congressional Medal of Honor Association, of New York City, in favor of the passage of bills S. 972 and H. R. 6477, placing the names of those having received a medal of honor from Congress on the pension roll—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Paper to accompany bill for the relief of Hiram Lane—to the Committee on Military Affairs.

Also, papers to accompany bill for the relief of Charles Bengstrom—to the Committee on Military Affairs.

By Mr. COOPER of Wisconsin: Petition of citizens of Genoa Junction, Walworth County, Wis., in favor of passage of McCumber and Hepburn-Dolliver bills—to the Committee on Alcoholic Liquor Traffic.

By Mr. DAVIDSON: Resolutions of Wisconsin National Guard, for an appropriation to equip the National Guard, for the free use of the mails for official purposes, for permanent camp at Camp Douglas, Wis., and for development of the artillery arm of the National Guard—to the Committee on Military Affairs.

By Mr. DRAPER: Resolution of the Manufacturers' Association of New York, against repeal of the national bankruptcy act—to the Committee on the Judiciary.

By Mr. ESCH: Petition of Janesville Council, No. 108, favoring the passage of bill H. R. 4480, to amend the bankruptcy act—to the Committee on the Judiciary.

Also, resolutions of Wisconsin National Guard Association, for permanent camp at Camp Douglas, Wis.; for free use of mails for official purposes; for development of artillery arm of the National Guard, and for an appropriation to equip the National Guard—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 5548, granting an increase of pension to Henry Carbino; resolutions of Eagle Post, No. 52, Grand Army of the Republic, of Eau Claire, Wis., in favor of a service-pension law; paper to accompany bill granting an increase of pension to Henry K. Stiehl—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of the Manufacturers' Association of New York, against repeal, but favoring amending the national bankruptcy act—to the Committee on the Judiciary.

By Mr. FULLER: Memorial of Medal of Honor Legion of New York, in favor of passage of bills (S. 972 and H. R. 6477) relating to service pension—to the Committee on Invalid Pensions.

By Mr. GARDNER of New Jersey: Resolutions of Parker Grubb Post, No. 16, and J. C. Shinn Post, No. 6, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Outdoor Art League, relating to the preservation of the big trees of California—to the Committee on Public Lands.

Also, petition of members of congregations of churches of Vineland, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRAFF: Resolution of Illinois State Grange, urging legislation to regulate trusts—to the Committee on the Judiciary.

Also, resolution of Illinois State Grange, asking for legislation to open up foreign markets for agricultural products—to the Committee on Ways and Means.

Also, resolution of Illinois State Grange, favoring enlargement of the powers of the Interstate Commerce Commission and favoring stringent pure-food laws—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Illinois State Grange, favoring a deep waterway connecting the Mississippi River with the Great Lakes—to the Committee on Rivers and Harbors.

Also, resolutions of Illinois State Grange, favoring increase of salary for rural mail carriers and favoring the establishment of postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Illinois State Grange, favoring legislation regulating the use of shoddy—to the Committee on Ways and Means.

Also, resolutions of the Illinois State Grange, relative to improvement of public highways—to the Committee on Agriculture.

Also, resolutions of the Illinois State Grange, in opposition to ship-subsidy legislation—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Illinois State Grange, favoring a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Illinois State Grange, favoring the initiative and referendum—to the Committee on the Judiciary.

Also, resolutions of the Illinois State Grange, that railroad rates for carrying mails be revised to correspond with rates charged express companies—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Illinois State Grange, in favor of revising of fees and salaries of all Federal officeholders—to the Committee on the Judiciary.

By Mr. HAMILTON: Resolutions of Zach Chandler Post, No. 35, of South Haven; Thomas Manning Post, No. 57, of Marcellus, and Garfield Post, No. 30, of Coloma, Mich., Grand Army of the Republic, in favor of a service pension bill—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: Petition of the Society of Loyal Workers of the Advent Christian Church of Bristol, Conn., against the Army canteen—to the Committee on Alcoholic Liquor Traffic.

By Mr. HULL: Resolution of Frank Bently Post, No. 89, Grand Army of the Republic, Department of Iowa, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. KETCHAM: Papers to accompany bill granting a pension to Rosalee Bushnell—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Albert S. Graham—to the Committee on Invalid Pensions.

By Mr. LANNING: Petition of the Village Improvement Association of Cranford, N. J., favoring the Hepburn pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Major C. A. Angel Post, No. 20, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Resolutions of George S. Cobb Post, Grand Army of the Republic, of Camden, Me., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. McMORRAN: Resolutions of Marine City Post, No. 432; Robert I. Wade Post, No. 417, and Arch Madison Post, No. 195, Grand Army of the Republic, Department of Michigan, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MARSH: Resolutions of Isaac McMannes Post, No. 446, of Ruthsburg; Post No. 492, of Andalusia; W. J. Wylie Post, No. 377, of Illinois City; R. H. Graham Post, No. 312, of Moline; Eugene Lyford Post, No. 600, of Port Byron; Nauvoo Post, No. 207, of Nauvoo, and Royal Douglas Post, No. 179, of Prairie City, Ill., Grand Army of the Republic, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of residents of Hampton, Ill., relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolutions of A. C. Harding Post, No. 127, of Roseville; Viola Post, No. 440, of Viola; Alvah Paul Post, No. 133, of Terre Haute; Tobias Butler Post, No. 428; Alexander Simpson Post, No. 455, and Post No. 142, of La Harpe, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Petition of William A. Holland and others, against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Merchants and Manufacturers' Association of Vincennes, Ind., relative to the improvement of the Wabash River—to the Committee on Rivers and Harbors.

Also, petition of G. M. Whitaker and others, of Evansville, Ind., against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. NEEDHAM: Petition of citizens of Salinas, Cal., in favor of the Sunday closing of the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

Also, resolution of the Chamber of Commerce of San Francisco, in favor of bill S. 2262, providing for the removal or destruction of derelicts at sea—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of San Francisco, relating to the protection of the harbor of Hilo, Hawaii—to the Committee on Rivers and Harbors.

By Mr. OVERSTREET: Papers to accompany bill granting an increase of pension to James S. Spaulding—to the Committee on Invalid Pensions.

By Mr. PRINCE: Resolution of Galesburg Lodge, No. 24, Brotherhood of Railroad Trainmen, in favor of passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

By Mr. RAINEY: Resolution of Hesse Post, No. 203, Grand Army of the Republic, Winchester, Ill., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: Petition of W. C. Honeywell and others, of Dewitt, Ark., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RYAN: Resolution of the Manufacturers' Association of New York, against repeal of the national bankruptcy act—to the Committee on the Judiciary.

By Mr. SPERRY: Resolution of the Cigar Makers' Union No. 39, of New Haven, Conn., favoring anticoupon bill—to the Committee on Ways and Means.

By Mr. SNOOK: Petition of Gordon Bros. & Co. and others, business men of Antwerp, Ohio, against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Papers to accompany claim of S. S. Waters—to the Committee on War Claims.

By Mr. WACHTER: Resolution of Baltimore Chamber of Commerce, relative to treaties between United States and foreign countries—to the Committee on Foreign Affairs.

Also, petition of George Heinecke and others, of Govanstown, Md., and J. H. Roseman and others, of Baltimore, Md., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Board of Trade of Baltimore, relative to Senate bill 1261—to the Committee on the Judiciary.

Also, resolution of Wilson Post, No. 1, Grand Army of the Republic, Department of Maryland, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petition of R. E. Fuller and others, of Waterport, N. Y.; L. M. Haines and others, of Barre, N. Y.; E. A. Capen and others, of North Tonawanda, N. Y., and James Walcott and others, of Medina, N. Y., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WANGER: Petition of Thomas Callaghan and others, of Cheltenham, Pa., in favor of bill H. R. 62, providing for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. WILLIAMS of Illinois: Resolutions of George W. Cain Post, No. 772, of Carriers Mills; Martin Baker Post, No. 245, of Jeffersonville, and W. W. Burnett Post, No. 527, of Eldorado, Ill., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition to accompany bill for relief of Michael Fitzgerald—to the Committee on Military Affairs.

Also, resolutions of the city board of Grayville, Ill., for improvement of Wabash River—to the Committee on Rivers and Harbors.

SENATE.

FRIDAY, *January 22, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

SITES FOR PUBLIC BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a list of certain cases in which he has been unable to purchase suitable sites for public buildings within the amount appropriated; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JOSEPH TAGG.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Joseph Tagg v. The United States; which, with the accompanying paper, was referred to the Committee on Claims and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the joint resolution (S. R. 32) to fill the vacancies in the Board of Regents of the Smithsonian Institution.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 465) to amend an act entitled "An act to permit the Pittsburg Coke and Iron Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896;

A bill (S. [illegible]) making Chester, Pa., a subport of entry;

A bill (S. 1496) supplemental to the act of February 9, 1821, incorporating the Columbian College, in the District of Columbia, and the acts amendatory thereof; and

A joint resolution (S. R. 31) authorizing the erection and maintenance of a monument in memory of the late President Benjamin Harrison upon land owned by the United States in the city of Indianapolis, State of Indiana.

CREDENTIALS.

Mr. FORAKER presented the credentials of MARCUS A. HANNA, chosen by the legislature of the State of Ohio a Senator from that State for the term of six years beginning March 4, 1905; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented petitions of A. Stewart Post, No. 279; of Saginaw Post, No. 38, and of Phil McKernan Post, No. 53, all of the Department of Michigan, Grand Army of the Republic, in the State of Michigan, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. PLATT of New York presented petitions of the congregation of the First Presbyterian Church of Pittsford, of the Woman's Christian Temperance Union of Wawarsing, and of the Woman's Educational and Industrial Union of Rochester, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Harry Lee Post, No. 21, of Brooklyn; of Henry Van Aernam Post, No. 232, of Ellicottsville; of Armstrong Post, No. 404, of Kinderhook; of John M. Hutchinson Post, No. 243, of Pavilion; of Wilson Dean Post, No. 416, of Millport; of G. D. Bailey Post, No. 290, of Lowville; of Edward Humting Post, No. 353, of Greenport; of Captain William A. Jackson Post, No. 301, of Middletown, and of H. H. Beecher Post, No. 582, of New York, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. HOPKINS presented a petition of the National Association of Retail Druggists of Chicago, Ill., praying for the adoption of an amendment to the so-called pure-food bill as reported by the Committee on Manufactures of the Senate; which was referred to the Committee on Manufactures.

Mr. GORMAN presented a petition of the Woman's Home Missionary Society of the Methodist Episcopal Church of East Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a petition of Tri City Lodge, No. 617, Brotherhood of Railroad Trainmen, of Rock Island, Ill., and a petition of E. T. Jeffery Lodge, No. 412, Brotherhood of Railroad Trainmen, of Centralia, Ill., praying for the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented petitions of Tom White Post, No. 529, of Mount Zion; of Stephenson Post, No. 30, of Springfield; of Alexander Sympson Post, No. 455, of Carthage; of Lee W. Myers Post, No. 582, of Lincoln; of Post No. 734, of Rockwood; of Alexander Post, No. 89, of Flora; of Eph Scott Post, No. 464, of Mahomet, all of the Department of Illinois, Grand Army of the Republic; of William McKinley Regiment, No. 29, Union Veterans' Union, of Marion, all in the State of Illinois, and of Post No. 25, Department of Florida, Grand Army of the Republic, of Gainesville, Fla., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Presbyterian Church of Trenton; of the congregation of the Missionary Baptist Church of Hamilton County; of the congregation of the Methodist Episcopal Church of Champaign; of the congregation of the Galum Presbyterian Church, of Pinckneyville, of the congregation of the Presbyterian Church of Macomb; of the Woman's Foreign Missionary Society of Jacksonville; of the Woman's Club of Rochelle; of the Woman's Missionary Society of Ottawa; of the congregation of the First Presbyterian Church of Peoria; of the Woman's Christian Temperance Union of Swanwick; of the congregation of the First Presbyterian Church of Carthage, and of the congregation of the Presbyterian Church of Carrollton, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. COCKRELL presented a petition of George R. Smith Post, No. 53, Department of Missouri, Grand Army of the Republic, of Sedalia, Mo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of F. A. Jones Post, No. 23, Department of Missouri, Grand Army of the Republic, of Macon, Mo., to accompany the bill (S. 1716) granting pensions to soldiers and sailors confined in so-called Confederate prisons; which was referred to the Committee on Pensions.

Mr. PATTERSON presented a petition of the Woman's Christian Temperance Union of Monument, Colo., and a petition of the Woman's Home Mission of Monument, Colo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented a petition of sundry citizens of Ada County, Idaho, praying for the enactment of legislation to protect prohibition States and districts against "original-package" tricks; which was referred to the Committee on the Judiciary.

Mr. BEVERIDGE presented a petition of the Anti-Saloon League of Crawfordsville, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Westville and Stilwell, Ind. T., praying that the laws governing railroad work in that Territory be so amended that railroad employees be allowed a day of rest and Sabbath observance; which was referred to the Committee on Territories.

He also presented a petition of the Ladies' Missionary Society of Madison, Ind., and a petition of the congregation of the United Presbyterian Church of Leroy, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a memorial of the Retail Merchants' Association of Kendallville, Ind., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Ladies' Aid Society of Woodford and of sundry citizens of Webbers Falls and Afton, all in the Indian Territory, praying for the enactment of legislation providing for continued protection against the sale of intoxicating liquors, and also for separate statehood for that Territory; which were referred to the Committee on Territories.

Mr. GAMBLE presented the petitions of Bishop W. H. Hare, Hon. O. S. Gifford, Rev. Robert Doherty, Rev. H. K. Warren, Rev. B. G. Matson, and Maj. J. T. Coxhead, all in the State of South Dakota, praying for the enactment of legislation to recognize and promote the efficiency of army chaplains; which were ordered to lie on the table.

Mr. NELSON presented a memorial of District Council of Duluth and Superior, United Brotherhood of Carpenters and Joiners, of Duluth, Minn., remonstrating against the employment of soldiers in the place of civilian mechanics upon buildings at the Presidio, San Francisco, Cal.; which was referred to the Committee on Military Affairs.

Mr. DOLLIVER presented a petition of the congregations of the Methodist Church, the Congregational Church, and the Christian Church, all of Glenwood, in the State of Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of Hartman Post, No. 149, of Goldfield; of G. W. Guthrie Post, No. 252, of Woodward; of Robert Mitchell Post, No. 206, of Marion; of Marshall Post, No. 43, of Redfield; of F. S. Shuler Post, No. 146, of Brandon; of Stephen A. Hurlbut Post, No. 82, of Alta; of E. L. Sheldahl Post, No. 439, of Story City; of Sulley Post, No. 180, of Lake Mills; of Opedyke Post, No. 322, of Rockwell City, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. ELKINS presented a memorial of the Fishermen's Protective Union of the Pacific Coast and Alaska, remonstrating against the reenactment of the law authorizing payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

Mr. FAIRBANKS presented a petition of the Commercial Club of Terre Haute, Ind., praying that an appropriation be made for the improvement of the Wabash River above Vincennes, Ind.; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Baltimore, Md., praying for the enactment of legislation to provide for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Association of the Blues and Grays of Fitzgerald, Ga., praying that an appropriation be made for the completion of a park at that place and for the erection therein of a monument to the memory of the late President William McKinley; which was referred to the Committee on Military Affairs.

TORPEDO BOATS AND TORPEDO-BOAT DESTROYERS.

Mr. HALE. I present a statement relative to the cost of torpedo boats and torpedo-boat destroyers, authorized by the act of May 4, 1898, in connection with the relief of the contractors therefor. I move that the statement be printed as a document and referred to the Committee on Naval Affairs to accompany the bill (S. 3587) for the relief of the Bath Iron Works and others.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BATE, from the Committee on Military Affairs, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2177) for the relief of Daniel H. Snyder; and

A bill (S. 2433) to amend the military record of John H. Skinner.

Mr. DUBOIS, from the Committee on Indian Affairs, to whom was referred the bill (S. 3170) to quiet the titles of certain lands in the State of Mississippi, and for the relief of the estate of Eli Ayers, deceased, reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7023) to amend an act to regulate the height of buildings in the District of Columbia;

A bill (H. R. 3584) to authorize the resubdivision of lots or blocks in the District of Columbia;

A bill (S. 3660) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes; and

A bill (S. 3644) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia.

Mr. GAMBLE, from the Committee on the District of Columbia, to whom was referred the bill (S. 2885) to transfer jurisdiction and control over reservation No. 32 in the city of Washington, D. C., reported it without amendment, and submitted a report thereon.

He also, from the Committee on Public Lands, to whom was referred the bill (S. 580) to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by act of February 26, 1895, relating to public lands, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Indian Affairs, to whom was referred the bill (S. 582) to ratify an agreement with the Lower Brule band of the Sioux tribe of Indians in South Dakota, and making appropriation to carry the same into effect, reported it without amendment, and submitted a report thereon.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 228) for the relief of William H. Hugo, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the bill (S. 2302) to amend section 3 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1902, and for other purposes," reported it without amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Military Affairs, to whom was referred the bill (S. 2357) to correct the military record of Samuel F. Hall, reported it without amendment, and submitted a report thereon.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (S. 3658) ratifying an act of the legislative assembly of the Territory of Oklahoma, legalizing the waterworks-bond election held by the city of Geary, in said Territory, reported it with an amendment, and submitted a report thereon.

HEARINGS BEFORE COMMITTEE ON APPROPRIATIONS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. ALLISON on the 20th instant, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Appropriations be, and it is hereby, authorized to employ a stenographer from time to time as may be necessary, to report such testimony as may be taken by the committee or its subcommittees in connection with appropriation bills, and to have the same printed for its use, and that such stenographer be paid out of the contingent fund of the Senate.

CLERK IN SENATE POST-OFFICE.

Mr. KEAN. I also reported day before yesterday a resolution from the Committee to Audit and Control the Contingent Expenses of the Senate, to which the Senator from Maine [Mr. HALE] objected at the time. I have since given him the data and he has withdrawn his objection. The resolution has already been read. I should like to call it up.

There being no objection, the resolution reported by Mr. KEAN on the 20th instant was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Sergeant-at-Arms of the Senate be authorized to employ one clerk in the Senate post-office at a compensation of $1,20 per annum, to be paid out of the contingent fund of the Senate until otherwise provided by law.

EMPLOYEES IN THE GOVERNMENT PRINTING OFFICE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the bill (S. 2665) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government, to report it unanimously, with an amendment in the nature of a substitute, and to submit a written report thereon. I ask for the present consideration of the bill.

The PRESIDENT pro tempore. The proposed substitute will be read for information.

The SECRETARY. The amendment of the Committee on Printing is to strike out all after the enacting clause and to insert:

That from and after the date of the passage of this act the thirty days' annual leave of absence with pay in any one year to employees of the Government Printing Office authorized by the existing law shall be exclusive of Sundays and legal holidays: *Provided*, That the existing laws relating to the granting of annual leave with pay to clerks and employees in the Executive Departments shall apply to clerks and employees of the Government Printing Office who are paid annual or monthly salaries or compensation.

Mr. GALLINGER. Mr. President——

Mr. PLATT of New York. I ask that the accompanying letter from the Public Printer be read.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Pending that, I should like to hear the letter from the Public Printer, which the Senator from New York asks should be read. I do not quite understand the bill.

The PRESIDENT pro tempore. The letter will be read.

The Secretary read as follows:

GOVERNMENT PRINTING OFFICE,
OFFICE OF THE PUBLIC PRINTER,
Washington, D. C., January 21, 1905.

Hon. T. C. PLATT,
Chairman Committee on Printing,
United States Senate.

SIR: I have the honor to acknowledge the receipt of your letter of the 9th instant [illegible] to the bill (S. 220) prohibiting congress[illegible] so far as [illegible] the Government Printing Office [illegible] as follows: the [illegible]

Responding to your request that I furnish the committee on Printing with an [illegible] my views in respect to the propriety of the enactment of the bill [illegible] I have to inform you that the laws as at present administered under decisions of the Comptroller of the Treasury, the employees of this office are allowed part for the [illegible] in any one fiscal year. It is contemplated [illegible] to pay the leaves accrued for some [illegible] year [illegible]

In the event that the Committee on Printing shall agree that such legislation [illegible] I would suggest that the introduction of the proposed [illegible] of January 24, 1899, as amended, be repealed. There [illegible] from and after the date of the passage of the act [illegible] annual leave of absence with pay in any one year to employees of the Government Printing Office authorized by existing law [illegible]

It may be [illegible] the keeping of individual accounts in the office if a provision [illegible] as follows:

"Provided, That the existing laws relating to the granting of annual leave with pay to clerks and employees in the Government Printing Office apply to [illegible] employees of the Government Printing Office who are paid annual or monthly salaries or compensation."

Respectfully,

F. W. PALMER, *Public Printer.*

Mr. GALLINGER. I wish to ask the chairman of the Committee on Printing, Mr. President—possibly it is an unnecessary question—whether this bill carries any arrears of pay.

Mr. PLATT of New York. It does not.

Mr. GALLINGER. And it simply puts these employees on the same basis with the clerks and other employees in the several Departments?

Mr. PLATT of New York. Exactly.

Mr. GALLINGER. I see no objection to it.

Mr. CULLOM. I only want to say that I believe I myself introduced a bill for the exact purpose, as stated by the Senator from New Hampshire, to treat all the clerks and employees alike.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. MALLORY. I should like to ask——

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Is there objection to its consideration?

Mr. MALLORY. I should like to ask the Senator from New York a question for information. I notice that there is a distinction drawn between clerks and employees who draw an annual or monthly salary and those who do not. I should like to inquire if the Senator can inform us what proportion of the employees are paid by the day or week.

Mr. PLATT of New York. I do not know what the proportion is, but I know that this bill will increase the appropriation $50,000.

Mr. HALE. Let me ask the Senator one other question. Is there any provision, any positive provision, in the bill that it shall not be construed as authorizing or admitting any claim for arrears of pay?

Mr. PLATT of New York. I do not think there is any such provision in the bill, but I will accept that amendment.

Mr. HALE. After the bill has been read, I will prepare an amendment which will cover that point.

The PRESIDENT pro tempore. The bill has been read. The question before the Senate now is whether it shall be considered.

Mr. HALE. Let it be read again.

Mr. TILLMAN. As I did not hear it read, before I give my consent for its consideration I should like to know what it is.

The PRESIDENT pro tempore. The amendment proposed by the Committee on Printing, striking out all after the enacting clause, will be again read.

The Secretary again read the proposed substitute.

Mr. ALLISON. Is that all there is of the bill?

The PRESIDENT pro tempore. That is all there is to it.

Mr. ALLISON. It is proposed to strike out the text of the bill and insert the provision which has been read?

Mr. PLATT of New York. That is right.

The PRESIDENT pro tempore. What has been read is a substitute for the bill as originally introduced.

Mr. ALLISON. These matters of leaves of absence and pay are usually disposed of in appropriation bills. I think it will turn out that if this provision is made applicable to the Government Printing Office it will also later on be applied to a great many people who are not included now.

Mr. TELLER. Mr. President, it is quite impossible for anyone to understand what the effect of the bill will be. I understand that it has just come from the committee. If there is an opportunity to object to it, I want to object.

The PRESIDENT pro tempore. There is. Objection is made.

Mr. TELLER. I wish to say that I do not know that I am opposed to the bill, but I do not know what the bill is, and I can not satisfy myself by the hasty reading at the desk.

The PRESIDENT pro tempore. The bill goes to the Calendar.

Mr. HALE. Before it goes to the Calendar, I will offer the amendment, that it may be printed and go with the bill.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to add at the end of the proposed substitute the following proviso:

Provided, That nothing in this act shall be construed as authorizing or admitting any claim for arrears of pay or compensation.

The PRESIDENT pro tempore. The amendment will be printed, and it will be regarded as pending.

Mr. HALE. As pending.

MISBRANDED SALMON FISH.

Mr. FULTON. I am directed by the Committee on Fisheries, to whom was referred the bill (S. 220) prohibiting the introduction into any State or Territory or the District of Columbia, from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country, any misbranded salmon fish prepared or intended for use as an article of food, to report it with amendments and to submit a written report. I ask unanimous consent for the present consideration of the bill.

The Secretary read the bill.

Mr. PLATT of Connecticut. I should like to make an inquiry of the Senator from Oregon. It is hard to catch the full effect of the bill in its reading. Does this proposed penalty for shipping misbranded fish apply to people who have bought the fish in market, who have no means of knowing whether they are misbranded?

Mr. FULTON. Mr. President, it does not apply to them. It only applies to persons who buy fish for the purpose of misbranding or knowing them to be misbranded.

I will state briefly the effect of the bill. It does not require the article or package to be labeled, but if it is labeled it requires that it should be labeled truthfully. It applies to only one article, and that is salmon fish, and prohibits mislabeling or misbranding as to the locality where the fish are taken, the season of the year when taken, or the species of the fish.

The practice has grown up on the Pacific coast of labeling all salmon as being the very best fish in the Columbia River. For instance, the Columbia River chinook salmon are supposed to be the very best salmon, and probably the Puget Sound sock-eye are the next. Very inferior fish are taken in other waters, but they are seldom ever labeled other than Columbia River chinook salmon or Puget Sound sock-eye salmon. The object of the bill is to require them to label the fish exactly what they are and the season of the year in which they are taken, because a fish taken in the spring is far superior to one taken in the fall. So it should be marked spring or fall, that is, if labeled at all.

Mr. TELLER. Mr. President——

Mr. PLATT of Connecticut. Will the Senator yield to me?

Mr. TELLER. I want to object to the consideration of the bill.

Mr. PLATT of Connecticut. Before the Senator objects——

The PRESIDENT pro tempore. Objection being made——

Mr. TELLER. I will waive the objection, in order to give the Senator from Connecticut an opportunity to make a remark.

Mr. PLATT of Connecticut. The bill appears to apply to everybody who may in the usual course of business buy canned salmon which may have been misbranded. I think the bill ought to go over, that we may have an opportunity to look at it.

The PRESIDENT pro tempore. The consideration of the bill is objected to.

Mr. TELLER. I object to it.

The PRESIDENT pro tempore. The bill goes to the Calendar.

BILLS INTRODUCED.

Mr. SCOTT introduced a bill (S. 3712) for the extension of Wyoming avenue to Twenty-third street west, and for the extension of Kalorama avenue westward to Prescott place; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3713) for the relief of Richard Parrish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 3714) for the relief of the heirs of A. J. Hickman; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCREARY introduced a bill (S. 3715) for the relief of Merril Denham; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3716) to carry out the findings of the Court of Claims in the case of Sidney R. Smith & Co.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3717) granting a pension to Rupert S. Rives; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 3718) to quitclaim all the interest of the United States of America in and to all lands lying in the District of Columbia and State of Maryland to heirs of John C. Rives, deceased; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3719) for the relief of Richard R. Conner; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 3720) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. Joseph, Mo., to lower said bridge and to shorten the draw spans thereof; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3721) for the purchase of a bronze portrait statue of George Washington; which was read twice by its title, and referred to the Committee on the Library.

Mr. ALLEE introduced a bill (S. 3722) granting a pension to John W. Victor; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3723) for the relief of William Donnelly and Patrick Egan; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 3724) to place John S. Appleton on the retired list of the United States Army; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FOSTER of Washington introduced a bill (S. 3725) to establish a light-house and fog-signal station at the entrance to Bellingham Bay, State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McCUMBER (by request) introduced a bill (S. 3726) to carry into effect the findings of the Court of Claims in the Congressional Case No. [illegible] case of the Washington Loan and Trust Company, legal representative of the estate of Aaron Van Camp, deceased, and Mary M. U. Chapin and Rua P. Chapin, legal representatives of the estate of Virginius P. Chapin, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. HOPKINS introduced a bill (S. 3727) granting an increase of pension to Eli Headley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 3728) to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane and destitute persons in the district of Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. ELKINS introduced a bill (S. 3729) to relieve Eli Shuman from the charge of desertion; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3730) for the relief of T. J. Coagar; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3731) granting an increase of pension to Arthur F. McNally; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 3732) to restore to the active list of the Navy the name of Homer Lycurgus Law; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3733) granting a pension to Ellen S. Pickering (with an accompanying paper);

A bill (S. 3734) granting an increase of pension to Martha W. Cushing; and

A bill (S. 3735) granting an increase of pension to Susie G. Seabury.

Mr. PLATT of New York introduced a bill (S. 3736) for the relief of certain enlisted men in the Twentieth Regiment of New York Volunteer Infantry; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 3737) to authorize the President to appoint Capt. Edward O. C. Ord to the grade of major in the United States Army and place him on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (for Mr. HAWLEY) introduced a bill (S. 3738) granting an increase of pension to Linus S. Ludington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCREARY (by request) introduced a bill (S. 3739) for the relief of the heirs of Charles M. Strader, James Thompson, and others; which was read twice by its title, and referred to the Committee on Claims.

Mr. CULLOM introduced a bill (S. 3740) granting a pension to Mary A. Newberry; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3741) granting a pension to Mattie J. Phillips; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 3742) granting an increase of pension to Juliet C. Bambridge Hoff; which was read twice by its title.

Mr. HALE. I present a memorandum of the service in this case, which I move be printed, and referred with the bill to the Committee on Pensions.

The motion was agreed to.

Mr. CLAY introduced a bill (S. 3743) granting a pension to Julia F. Stewart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 3744) granting a pension to Maria Elizabeth Horner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3745) for the relief of the Presbyterian Church of Lovettsville, Va. (with an accompanying paper);

A bill (S. 3746) for the relief of Salem Baptist Church, of Clarke County, Va.;

A bill (S. 3747) for the relief of the legal representatives of the estate of John Heater, deceased; and

A bill (S. 3748) for the relief of the Mount Zion Church of United Brethren, of Frederick County, Va. (with an accompanying paper).

Mr. FRYE introduced a bill (S. 3749) granting an increase of pension to Milton W. Burnham; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3750) granting a pension to Daniel G. Webber; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 3751) for the relief of James C. Bacon; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3752) for the relief of the heirs of James W. Wilkins; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ALDRICH submitted an amendment proposing to appropriate $152.13 to pay the salary due Franklin Moses, as register of the land office at St. Michael, Alaska, from May 31 to July 7, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $1,500 for consul at Colonia, Uruguay, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment proposing to increase the salary of the Assistant Secretary of the Department of the Interior from $4,000 to $5,000, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

RECESS APPOINTMENTS.

Mr. TILLMAN. Mr. President, in pursuance of the notice I gave yesterday, I ask leave to call up Senate resolution No. 51, in order that I may——

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the resolution indicated by him may be brought before the Senate for consideration. It is one that has been lying on the table.

Mr. TILLMAN. I wish to make some remarks on it before

asking whether the Senate will pass it or not or seeing what they will do with it.

The PRESIDENT pro tempore. Does not the Senator desire to have the resolution read?

Mr. TILLMAN. Yes, sir; I want to have it read.

The PRESIDENT pro tempore. Is there objection to the resolution being taken from the table now for consideration?

Mr. ALDRICH. There is no objection to its being taken up for consideration.

Mr. TILLMAN. That is all I want.

The PRESIDENT pro tempore. The resolution is before the Senate. The Secretary will read the resolution.

The Secretary read the resolution submitted by Mr. TILLMAN December 11, 1903, as follows:

Whereas Article II, section 2, of the Constitution of the United States provides:

"The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for and which shall be established by law:

"The President shall have power to fill up all vacancies which may happen during the recess of the Senate by granting commissions, which shall expire at the end of their next session; and

Whereas it is known that certain officers appointed during the recess of Congress from March 4, 1901, to November 9, 1903, whose appointments were not confirmed by the Senate, are now in possession of and exercising the powers and functions of their offices, and who are receiving or will receive compensation for their work;

Resolved, That the Committee on Judiciary of the Senate be, and it is hereby, authorized and instructed to report to the Senate "and what are the powers and functions of the officers referred to in said clause of the Constitution, and what officers are included in the phrase "officers of the United States" and what officers are included in the phrase "officers whose appointments are not herein otherwise provided for" and who are the persons or persons who now hold such offices or are now by Executive assignment or otherwise, if any there be.

Mr. TILLMAN. Mr. President, there has been considerable confusion. Most Senators are familiar with these two quotations from the Constitution anyway, but I notice that in the print there are two mistakes. I should like to have those corrected and to have a reprint of the resolution ordered, even if the Senate puts it in the wastebasket.

The PRESIDENT pro tempore. If the Senator will call the attention of the clerks to the mistakes they will make the corrections he desires.

Mr. TILLMAN. The resolution is not lined, but in the second paragraph the word "which," in the second line, should be "that;" and at the end of the third line the phrase "at the end of the session" should read "at the end of their next session." The Constitution is quoted wrongly.

The PRESIDENT pro tempore. Those corrections will be made.

Mr. TILLMAN. Mr. President, I trust Senators will not consider that this is an academic proposition or a moot question which I have submitted here; and I would beg, if possible, that no one shall inject into it any partisan feeling or any suspicion that I am actuated by partisan feeling. To quote the language of the Senator from Connecticut [Mr. PLATT] yesterday evening, he did me the honor to say that I am an adroit debater and sometimes change the point of attack. I want to say that this is not a new attack on the Executive, who has been under fire for some time. In other words, I wish to impress Senators with the fact that in bringing this subject to the attention of this body I am actuated solely by a desire that we shall not, by negligence or seeming acquiescence, establish a precedent in the construction of the Constitution and the interpretation of it by the President, which will be of immense danger and harm in the future.

Now, why did I introduce this resolution? I simply want to find out what the Senate itself thinks of the new doctrine of a constructive recess. We have been passing along the road of our national life for one hundred and twenty-odd years, and never before has any President, or Vice-President who succeeded to the office, undertaken to claim that this clause of the Constitution is not perfectly plain and, to an honest mind, unmistakable in its meaning. Let me read it:

The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Language can not be made plainer. Nobody in the past has had any doubt about the meaning of these words, but it has remained for our present Executive, under that excess of knowledge which has been given to him alone, apparently, or that insight into constitutional law which enables him to see farther than other people, to claim or assert a right and exercise the power of making appointments between 12 o'clock and 12 o'clock of the same day.

In other words, there is at least one officer holding an important position, and I think a good many others, though I have not taken the trouble to verify my information, who hold commissions to-day which are said to have been given in the recess of the Senate, who, under those commissions, are exercising the powers and functions of their offices, and who are receiving or will receive compensation for their work.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Maine?

Mr. TILLMAN. I do.

Mr. HALE. I did not know, Mr. President, that the President of the United States had in any way by any act of his committed himself to the proposition that when the extra session called by him closed at 12 o'clock on December 7, 1903, and immediately the regular session began there was a constructive recess between them. I have not learned, and have yet to learn, that the President has committed himself to that proposition. Appointments afterwards were made where the commissions had expired. But I had supposed the whole question whether or not it, anybody—not the President, but if any officer appointed afterwards—whose nomination was sent to the Senate and confirmed claims that he has the same right, the same salary that he would have if there had been an actual recess, that the Comptroller would settle that.

I have never doubted, Mr. President, that the Comptroller would make short work of this question. The Constitution does not deal in tricks and surprises. The recess contemplated in it is an actual recess, a recess that may be used properly in the administration of the Government when there is time, and should be, in order that a new appointment be made.

I never took any stock in the theory that there was a constructive recess between 12 o'clock and 12 o'clock, and I do not know, but I doubt, whether many or any Senators have taken that ground. Therefore I say that I am rather surprised that the Senator from South Carolina states that the President of the United States has committed himself to that proposition. I did not so understand, and I hope that he has not.

Mr. TILLMAN. I am making a statement of facts.

Mr. BEVERIDGE. Will the Senator state just what the President has done?

Mr. TILLMAN. Well, my dear sir, will you not let me proceed in my own way?

Mr. BEVERIDGE. If the Senator does not want to answer the question, very well.

Mr. TILLMAN. I expect to answer any proper question presented in the proper way, and in my own way.

Mr. BEVERIDGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Indiana?

Mr. TILLMAN. With pleasure.

Mr. BEVERIDGE. I certainly owe the Senator from South Carolina an apology for asking him a question from my seat. I should have risen and asked him the question. I merely asked him to give us information as to just what the President had done of which he complained. But, further, I will say to the Senator that I have merely asked the question for the purpose of getting information. I do not know what information the Senator possesses to vindicate his comments in this case.

Mr. TILLMAN. The Senator has now complied with the requirements which are sometimes observed here when the Senator from Alabama [Mr. PETTUS] is in the chair: and I was not protected, as he usually does protect the Senator who has the floor, by the present occupant of the chair [Mr. FRYE], who is always lenient and kindly in dealing with all Senators, including me, who am—well, a chronic breaker of the rules, not intentionally, but through ignorance or from lack of aptitude to learn them, or something of that sort.

I want to answer the Senator's question; I want to answer frankly, and I want to answer without any tinge of resentment or any indication whatever that I have any feeling in the matter, for I have none.

I was interrupted in my answer to the Senator from Maine [Mr. HALE]. I am sorry that I have mislaid for the moment a letter which I received in reply to an inquiry I addressed to the Secretary of the Treasury, in which the matter is put in official form. I will either get the original, which I am having looked up, or I will send to the honorable Secretary of the Treasury and ask for a copy. But, as I recall the facts, they are these: I directed an inquiry to Mr. Shaw as to when or on what date a commission was issued to William H. Crum as collector at Charleston. He had been appointed, I believe, four or five times, but he had never been confirmed.

I asked Mr. Shaw to tell me whether Mr. Crum was now holding office, and, if so, under what authority. In answer to that, he replied, giving the date when Mr. Crum received his recess commission, and then went on to state that he was now in office and the authority for it was that precisely at 12 o'clock on the 7th of December a new appointment was made and a new commission issued under it. So we have one of the Cabinet officers—and undoubtedly under the instruction or by the authority of the President—taking the position that such a thing as a constructive

recess between the adjournment of a session of Congress and the convening of a session, even though there be no time intervening, is one of the things which we have come to have in our governmental affairs.

Now, so far as Mr. Crum is concerned, it may be considered by Senators that I am interested in the matter because of his connection with it. That is not the case. I am interested in it because of the fact that the Constitution of the United States does not recognize, according to my interpretation of it, any such thing, and the presence in the office of collector of customs at the port of Charleston of this man, under a commission issued by the President of the United States, exercising its functions and performing its duties, and who in time is to claim its emoluments, is a direct violation of the Constitution itself and of the law also.

That is my contention and that is my idea. I would contend for the rights of Congress and of the Senate just as quickly and as promptly and as zealously if my State was not interested as I do now. I simply want this body to take cognizance of a new interpretation of the organic law of the land and to decide what it will do to protect its ancient rights. That is all.

In examining into the status of this question to see what had been the habit and custom heretofore, and whether such a thing as this had ever been attempted, I came on some very, very interesting history. I found that before the expiration of the Thirty-ninth Congress, by an act of Congress approved January 22, 1867, Congress itself enacted a law which changed the time of the meeting of the following Congress from the first Monday in December to March 4; in other words, the expiring Congress called its successor by law to meet the moment that it itself died.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. TILLMAN. I do with pleasure, always.

Mr. SPOONER. The Senator contends that there was no recess, then, as I understand him?

Mr. TILLMAN. When the President pro tempore arose in his seat and announced that the time for the assembling, as I recall his words, of the first regular session of the Fifty-eighth Congress had arrived, he said: "I declare the extra session adjourned sine die. The Senate will come to order." If any man who claims to have any common sense can stand up and undertake to say that there can be any recess under those conditions I do not understand the meaning of the word "recess."

Mr. SPOONER rose.

Mr. TILLMAN. I do not know what the Senator is going to contend, of course, but if he should now, contrary to all of my anticipations and expectations and my most valuable admiration for him, destroy it all, why, of course, I shall have to take whatever comes. [Laughter.]

Mr SPOONER. Of course, Mr. President, it is not for the Senator to say how valuable his admiration for me is. It is for me to say that. [Laughter.]

Mr. TILLMAN. No, it is for me to give my estimation of it, my friend. I do not give my admiration without it is deserved first; therefore it is valuable.

Mr. SPOONER. And that is why I value it. [Laughter.]

Mr. TILLMAN. Thank you.

Mr. SPOONER. I do not intend to disappoint the Senator from South Carolina in anything I may say. I do not intend to give approval to the notion that there can be a constructive recess.

Mr. TILLMAN. I know that you can not. But I will sit down until the Senator gets through.

Mr. SPOONER. The Senator once in a while is an accurate prophet. The law takes no account of the fraction of a day and the Constitution takes no account of the fraction of a minute; but the point to which I desire to attract the attention of the Senator for only a moment, and not by way of argument, is this: He contends that the President had appointed this officer in an actual recess.

Mr. TILLMAN. I did not contend it. I only stated that the Secretary of the Treasury had informed me of the facts.

Mr SPOONER. But when we adjourned at the last regular session—I mean the session ending in March—there of course was a vacancy.

Mr. TILLMAN. Yes.

Mr. SPOONER. The officer not having been confirmed he was recommissioned; and that was lawful.

Mr. TILLMAN. He was reappointed and commissioned.

Mr. SPOONER. He was reappointed and commissioned.

Mr. TILLMAN. And that was lawful.

Mr. SPOONER. That was lawful. Now, here is what troubles me: His name was sent in again for confirmation, was it not, when Congress met in extra session in November?

Mr. TILLMAN. Yes; for confirmation as a recess appointment.

Mr. SPOONER. For confirmation?

Mr. TILLMAN. Yes.

Mr. SPOONER. Now, if there has been no recess since that time, there has been a continuous session, and would it not hold until the adjournment of this session? If that be not true, then is this difficulty not presented, that where one session runs into another, with no moment of time intervening, the office would be vacant on the Senator's theory? Does not the way the Senate is constituted prevent that?

Mr. TILLMAN. Does the Senator make that point?

Mr. SPOONER. Yes.

Mr. TILLMAN. It is the finest one I have ever heard my friend make, but it will not go. [Laughter.]

Mr. HALE. Let me ask a question.

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Maine?

Mr. TILLMAN. With pleasure.

Mr. HALE. I want to put before you the whole scope of the suggestion.

Mr. SPOONER. I am not justifying a new commission.

Mr. HALE. That is the point I was coming to. The actual result of that would be that if there were no recess, no interposition of a recess, and the Congress continues straight along, the old appointment would hold good.

Mr. SPOONER. That is what I say.

Mr. HALE. But the old commission, received in an undoubted recess, which was lawful, would run over and still live. That would be the Senator's idea?

Mr. SPOONER. And that office would be vacant after the adjournment of this session.

Mr. HALE. That would not justify a new appointment.

Mr. SPOONER. No; and that is the only question.

Mr. TILLMAN. That is the sharpest legal point or quibble I have ever known the Senator to raise here, but he himself, if he will just dismiss the idea that I am attacking his party or his President and will discuss this question and analyze it as a lawyer——

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Wisconsin

Mr. TILLMAN. I do not impugn the Senator's loyalty to his convictions, but I hope he will not get up and defend himself until I attack him. I relied on him a moment ago and he did not disappoint me, and I am going to rely on him again, but I want to elucidate my position a little before he proceeds. [Laughter.]

Let us look at the language of the Constitution itself. It declares that—

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

Not during the recess. Now, the fact that we never did adjourn the extraordinary session, the fact that the two sessions merged, can not by any legal quibble be distorted into the contention or the acknowledgment that the two sessions created a recess, or that because the two sessions did not separate, except for a moment of time while the Chair announced the death of one and the beginning of the other, therefore there was no end of the other session.

Mr. SPOONER. I agree——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. TILLMAN. Yes, sir.

Mr. SPOONER. Mr. President. I agree with the Senator from South Carolina upon the question of a constructive recess. I only presented to him what presented itself to me as a matter of the practical consequence—I do not undertake to solve it—of the situation. I do not pretend to say what the law is about it, although I do say it would seem to be clear that where the nomination of a person who had been appointed in actual recess, and whose nomination had been sent to the Senate at an extra session, and he was in possession of the office under the recess appointment, he would continue in possession of the office until the adjournment of the Senate without his confirmation. If where the sessions run into each other he is not to continue to hold, then the office is without an occupant. There is nothing technical about it. I am not controverting the position of the Senator.

Mr. TILLMAN. If the Senator is endeavoring to help me throw light on this question, I will give him the credit of that until I discover that he has got a cat in the meal tub somewhere.

Mr. SPOONER. I do not keep cats. [Laughter.]

Mr. TILLMAN. The Senator will excuse my homely comparison, but the Senator is so sudden and so resourceful, he is so keen and shrewd and alert and adroit, and all that kind of thing, that I sometimes fear him even when he brings me gifts. [Laughter.]

Mr. SPOONER. The Senator does me injustice.

Mr. TILLMAN. Then I apologize and take it all back. I be-

lieve that we are all honest and that the Senator agrees with me. Now go on.

Mr. SPOONER. I want to call the attention of the Senator from South Carolina—and the Senator from Virginia [Mr. DANIEL] sees the point that troubles me about this——

Mr. TILLMAN. Will the Senator let me cut the Gordian knot? I can do it in a second.

Mr. SPOONER. One moment. I want to call the attention of the Senator to the fact that there is a distinction between the Senate and the House of Representatives.

Mr. TILLMAN. That the Senate never dies. I know that.

Mr. SPOONER. That is right. The Senate is a continuing body.

Mr. TILLMAN. But a commission does die.

Mr. SPOONER. But I am not talking about a commission. My question is whether a man, having been commissioned in an actual recess, having taken possession of an office and being in the discharge of its duties—this being a continuing body—whether, where two sessions of the Senate run into each other, there being no interregnum, he does not of necessity and to safeguard the public interest, as intended by the constitutional provision, continue to discharge the duties of the office until the end of the session?

Mr. HALE. Under his old commission?

Mr. SPOONER. Certainly.

Mr. DANIEL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Virginia?

Mr. TILLMAN. In a moment. Mr. President, I shall be glad to have all the light I can get from any quarter, because I have a great deal of it here that I am going to give you gentlemen before I get through. I have got some startling stuff here for you. [Laughter.] Now I yield to the Senator from Virginia.

Mr. DANIEL. I thank the Senator from South Carolina.

In the case referred to would not the trouble have been obviated if the next morning the President had sent a new appointment to this body and let the former appointment drop at the end of the extraordinary session?

Mr. TILLMAN. Mr. President——

Mr. DANIEL. Just let me state my point. If the last commission had expired with the last moment of the extra session, could not the President have sent in a new nomination to the new Senate just as easily as to have interpreted a recess and made the appointment in that so-called recess?

Mr. TILLMAN. Let me show you how far wrong all you lawyers are. [Laughter.] Who held the office and who performed its duties prior to the issuing of this commission? I found this vacancy had existed more than a year. This Crum matter has become one of the causes celebres of this country. It has involved in it that miserable race question, which is to plague us for a million years, it appears. Crum was appointed and reappointed, but never in a recess, until we adjourned last March; yet the Government went on and the duties at Charleston were collected. There was a man there, the deputy collector, who performed the duties of the office, and who was ready to step back and take the place of his chief as soon as the Senate refused to confirm him. That contention about a vacancy will not do.

Mr. SPOONER. Mr. President——

Mr. TILLMAN. But the office was vacant.

Mr. SPOONER. I was not making the suggestion with reference to Crum.

Mr. TILLMAN. That will answer.

Mr. SPOONER. It does not answer.

Mr. TILLMAN. It answers as an illustration of the point the Senator is contending for.

Mr. SPOONER. No; it does not. I do not say what I am contending for; but suppose during a time of war the question involved the man who should be at the head of the Army, directing the affairs and operations of the Army in defense of the country, what then?

Mr. TILLMAN. Let me answer that. There are always certain officers to hold over until their successors are "appointed and qualify." No general in command of an army will ever give up his position and go off and leave it without a head until his successor has been appointed, has presented himself to take command, and is able to state, "By order of the President, I am to succeed you." So that case will not do: it is absolutely too far-fetched, and the Senator will have to try again.

I want Senators who may be in doubt, as perhaps some of them are honestly in doubt, not to forget the words of the Constitution itself:

> The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

The Constitution says the appointment can only be made in the recess, but if the Senate has had the opportunity to pass upon it and has failed to do so the man goes out. You can not successfully dispute the lawfulness and justice of my contention.

This is a session of the Senate. Why, look at your own acts here. Look at your CONGRESSIONAL RECORD, which shows that the first session of the Fifty-eighth Congress adjourned, disappeared, went into history, on the 7th of December, and a new session, the second session, began. You are contending against all the precedents from the foundation of the Government until this time.

But let me go back to my record. I read a moment ago the act of Congress approved January 22, 1867, at the time when the meeting of Congress was changed from the first Monday in December to March 4. Why? An examination into the history of those times will show you that the then sitting Congress felt unwilling to adjourn on the 4th day of March, and leave this Government in the hands of Andrew Johnson between March and December, with no lawful authority in itself to convene. The debates all prove it.

The next Congress met on March 4, the day on which it was called together by law, and on March 30 adjourned until July 3. They would not adjourn until the December date, but they went to July, feeling that they had sufficiently handcuffed the President or had terrorized him or hedged him about so that he could accomplish nothing detrimental between March and July.

They met on July 3 and remained in session until July 20, when they adjourned, or, rather, took a recess to November 21, 1867, when they adjourned on December 2, without day.

They met again in regular session on the same day, December 2, 1867, and remained in session until July 27, 1868. In other words, the regular session began just as our session this year began, the minute the extra session or the adjourned session ended. They met again on the 21st of September, 1868, and adjourned on the same day to October 16. They met again on October 16, 1868, and adjourned on the same day to November 10. They met again on November 10 and adjourned on the same day, without day. In other words, they had accomplished their purpose. They had passed all the laws they thought needful. They had tried to impeach the President and failed, but had sufficiently hamstrung him or terrorized him or done whatever you choose to call it, so that they did not feel that he could do any more harm.

But all this did not happen without discussion, and I want to read from that debate. I was very much amused, when I came across these speeches in the RECORD, to see how differently men can look at things when they allow supposed party advantage to bias them or to cause their minds all to go in one direction.

On the 21st of March, 1867, a resolution providing for adjournment sine die being before the Senate, Mr. Sumner took the floor in opposition, and used the words I will quote.

I hope the Senator from Wisconsin will remain in the Chamber. While he may not have very much respect for Mr. Sumner as a lawyer, he must have great respect for him as a statesman, and I want him to catch Mr. Sumner's idea of constitutional limitations.

Mr. SPOONER. Does the Senator care particularly precisely what part of the Chamber I am in?

Mr. TILLMAN. I beg the Senator's pardon. I took it for granted he was going out.

Mr. SPOONER. No.

Mr. TILLMAN. My friend is always so fascinating and is such an exhilarating adjunct to my talks that I like to have him around.

These are the words of Mr. Sumner, in discussing this proposed adjournment:

> You must not forget that our President is a living man. That is the first fact. He has had [illegible] in the history of past [illegible] were [illegible] and [illegible] years ago he has performed [illegible] Now, in regard, [illegible] the maudlin and frantic manner.

I want you to watch those adjectives—

> the maudlin and frantic manner which he has adopted. Look at his acts and [illegible] his acts [illegible] kept [illegible] the President [illegible] if you [illegible] your seats you let him perform [illegible] to do as he pleases. Most of all, he covets your absence. Do not indulge him.

Looking along in the discussion in regard to these various recesses and adjournments from day to day, I came on another interesting and pointy sentence or two. Speaking of this same President, the then Senator from Michigan, Mr. Howard, uses these words, and he is putting words in the mouth of the President himself as illustrating the feeling, the purpose, the idea, the ambition, the self-reliance, and all that which actuated President Johnson: and he makes Mr. Johnson say:

> I am he who holds your destinies in his hand. I must be obeyed: I am the infallible judge of the Constitution. I have [illegible] it; I understand it; I am constitutional. Congress and the so-called loyal people are not constitutional; I am patriotic; they are not; they are traitors; I am great; they are

small; they must be put down; I must be put up; and you must remain in your present condition until I have had my way.

There are suspicions abroad and intimations from very respectable sources that history is repeating itself. But I do not want to be partisan and I am not making any attack on our Executive. I am trying to get the Senate to discuss and dispose of this new issue which has arisen without considering the present occupant of the White House, and solely as great lawyers and great statesmen, as leaders of a great party who have made history and who are to-day being watched to see how far they are going to allow these usurpations to go before they cry, "Halt!"

There was another discussion in regard to the adjournment and the dangers that might come from a constructive recess, the very milk of the cocoanut, so to speak, of these old speeches. I quote:

Mr. GRIMES. I offer the following resolution for adoption:

> [illegible] (the Senate [illegible] House of Representatives concurring), That the President of the Senate and the Speaker of the House do adjourn their respective houses without day on Monday, the 2d of December next, at half past 11 o'clock a. m."

I will state here that Monday, the 2d day of December, was the first Monday in December, when Congress, under the Constitution, was to convene in regular session.

Mr. SUMNER. I would suggest "at 12 o'clock."

The PRESIDENT pro tempore. Is there any objection to the present consideration of the resolution? The Chair hears no objection.

Mr. SUMNER. I do not wish to object to its consideration, but I have a serious question whether we should leave even the break of half an hour between the two sessions. The point in my mind is just this: Will you leave the President of the United States an half hour within which he may take advantage of the adjournment of Congress to do some act which would [illegible] perhaps—I do not undertake to decide the point now, but which I say might run then to the last day of the next session of the Senate.

Just what is being contended for here now.

> That [illegible] adjournment [illegible] sessions. We may not have here half an hour. I think [illegible] adjournment made during that interval of half an hour might possibly be valid to the last day of the next session of Congress.

Mr. Sumner did not think the vacancy in the office would create any legal question at all.

Mr. MITCHELL. What became of the resolution?

Mr. TILLMAN. Wait; I am going to give you the history of it. I am going to read the debate. This ancient history is valuable, because as we pass along and new headlights come up, new ideas take possession of us as a people, and as we go crazy, seemingly, with this new, dazzling dream of empire and all that sort of thing, we must, as Mr. Webster says, be guided by the lamps of experience if we are to go right; and if we lose our heads and permit some men to go ahead boldly and rashly their way there is no telling where we will land.

Mr. Edmunds, in answer to Mr. Sumner, said:

> But the law takes no notice of parts of a day.

Other lawyers knew that as well as the Senator from Wisconsin.

Mr. SUMNER. Why open the question? That is a technicality.

Mr. GRIMES. I do not think the question is worth having a debate about, and I am content that any amendment should be made to the resolution which the Senator from Massachusetts chooses to suggest.

Mr. SUMNER. Why not say "12 o'clock."

Mr. GRIMES. Very well.

The PRESIDENT pro tempore. Does the Senator from Iowa so modify the resolution?

Mr. GRIMES. Yes, sir.

Then Mr. Sherman, another great statesman of this country, one of the greatest that it has ever known, a leader whose work for good or bad is here to stay as an enduring monument to his intellectuality and his hold upon the public confidence, said what I shall read.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. TILLMAN. With pleasure. I hope the Senator does not object to my paying a compliment to Republicans.

Mr. SPOONER. But I object to your always waiting until after they are dead.

Mr. TILLMAN. I just paid the Senator from Wisconsin one compliment, and as nice a one as I could frame. If it does not suit him, I will write him one, and I will just lard it down with sweetmeats. Have I not just now said that you are great lawyers and great statesmen? And I am waiting to see whether you are bound hand and foot to the President's chariot wheel and are going to be dragged in the mire of loss of self-respect, and all that sort of thing, by yielding to this constructive recess proposition? I do not believe it. I am going to wait and see. I have faith that there are yet statesmanship and patriotism among the great men on that side.

Mr. Sherman said:

> I can not see any object in passing this concurrent resolution. The Constitution provides that the regular session of Congress shall begin the first Monday of December, and according to law, I believe, or, at any rate, such is the usage—the hour for meeting on that day is 12 o'clock. We shall meet at that time in a new session. The recent law has not changed that regular biennial meeting, and the result is that the next session of Congress will commence necessarily at noon on Monday. Why not allow the two sessions to merge? Why not have this session go on and expire by the necessary limitation fixed by law and the Constitution? I think that would be better. I do not see any object to be gained by passing a resolution for adjournment sine die. I would vote with pleasure for a recess until Monday at half past 11 o'clock, and let one session blend with the other. I see no reason for the common usage of the passage of a resolution for adjournment sine die in this precise question which we will have to meet hereafter. I have had occasion, too, question, too [illegible] process of that kind [illegible] Monday and terminate at the beginning of December without a [illegible].

Mr. FESSENDEN. It strikes me that there should be an accordance with universal usage [illegible] resolution being that [illegible] shall terminate. I am perfectly agreed that it is not a question [illegible] of time, or may very [illegible] of time [illegible] I think that there should be an opportunity [illegible] and fix the time of [illegible] and adjourn accordingly. I have no very good [illegible] to the matter [illegible] I am not willing to give up to the [illegible] of Congress to take the responsibility [illegible] to fix the time at five minutes before 12 o'clock, if you please, so as to have [illegible] of the adjournment of the two houses of Congress and to avoid the question of a recess. That is the idea I have entertained and expressed to several gentlemen in conversation on the subject, and my own opinion is that it would be better, because in accordance with usage. I do not think [illegible] five minutes would be a time within which any very great inconvenience would occur. It would be [illegible] and [illegible] the reason that I suggest that it would be well to have the [illegible] of adjournment.

Mr. TILLMAN. I merely wanted to say that I am indifferent as to what particular time we adjourn sine die. This session, I suppose, will close at some time and [illegible] it is immaterial to me whether it is to-day or next Monday, but I wish to put in my protest against any such reason as is advanced here in the Senate. I think the Congress of the United States should pursue the even tenor of its way, and where we have a President, I am for treating him as President, and I will not anticipate that he is going to do some terrible thing during five minutes between Monday and a minute past next Monday and 12 o'clock. Let him take the consequences of his acts. Let us legislate, do our business, and adjourn without any reference to any rumors about the town that a certain thing is to be done and not to be done. I care nothing about it. I do not believe this country is to be ruined or destroyed in any five minutes, and therefore I hope that whatever time we fix, and I am heartily in favor of it, will be fixed in reference to our own convenience and the convenience of Congress and not in reference to what somebody may suppose that some other department of the Government is going to do.

Mr. SUMNER. I hope that what we may do may be done with reference to the welfare of the country and with no particular reference to any rumors or reports. I have talked with my friend, but then I do not agree with him when he says, "Give the President another chance." We have already been giving him chances, and we can not act now in any way without taking into consideration his character and position. Those are now matters of history. I wish to speak with proper delicacy, with proper reserve, when I come to him, but I must speak under the responsibility of a Senator. A large portion of our country believe the President to be a wicked man, of evil thought and malevolent purposes, and in spirit and conduct the successor of Jefferson Davis, through whom, at this moment, the rebellion is revived. Those are the sentiments of a large portion of our people.

Mr. DIXON. I desire to ask the Senator if that is the opinion of a majority of the American people, in his judgment?

Mr. SUMNER. Well, that does not belong to the question. I say it is unquestionably the opinion of a large portion of the people of the United States, whether a majority or not, the future may disclose. I do not wish to go in advance or anticipate any such judgment. I speak now simply with reference to what is before us. The question is whether we shall give him another opportunity. I say "No." In asserting that conclusion I do not act on any rumor that is afloat to which the Senator from Illinois refers. I act with reference to the character of the Chief Magistrate as displayed in his public acts, and it seems to me that it will be something like rashness in the Senate if they concede to him another occasion to practice on the country in the carrying out of his policy as we know that he has practiced in times past. I feel that we ought to stop the way. We should not give him a day; we should not give him five minutes. I am ready to say that not five minutes for the chance of an exercise of illegitimate power. I will not allow him to exercise it and then take my chance hereafter of applying the corrective. "An ounce of prevention is better than a pound of cure." Such is an old saying, and now is an occasion for its application.

And that brings me to the exact point as to whether the present session should expire precisely at the time when the coming session begins. I see no reason why it should not. I see no reason why we would interpose the buffer space of five minutes. Let one session come right up close upon the other, and then we shall exclude every possibility of evil consequences from the character of the Chief Magistrate. It is well known that in other governments, when, for instance, the king dies the moment the breath is out of his body power is in his successor, so that there is a common saying, "The king is dead; long live the king." Now, I know not why, when this session expires, we may not at the same time announce its expiration and announce the beginning of the new session.

Now, Mr. President, all of that discussion of constitutional law and interpretation of the Constitution has but one meaning, that this doctrine of a recess or of a vacancy that might arise by reason of the expiration of a commission and all that kind of thing, which has just been announced by the Senator from Wisconsin, was thought of by those men. They would not give Andrew Johnson one minute, for they felt if they did he might appoint some one in the interim who would, under his construction and contention, hold the office until the expiration of the succeeding session, as the Constitution provided.

Mr. HALE. Was not this the substance of it? It is in the line of what the Senator said, and his reading has been very interesting, bearing upon the exact subject before us. It seems that at that time the question arose whether any interval should be allowed between the extra session and the regular session, and to avoid any possible question and utterly to put down and extirpate any idea that there could be recess, the farthest process was taken, to merge the two sessions.

At that most interesting point in our history the very question which is raised by the Senator from South Carolina came up, and

it was deemed conclusive that all questions as to there being a recess were set at rest by the two sessions being merged, the one immediately succeeding the other. What was good law then is good law now.

I am glad the Senator has introduced this matter. I do not agree with him, perhaps, in what he intends to convey in the way of similarities between reasons at that time and this; but the occasion was a great one, an important occasion, and it seems to have been settled that the two sessions were merged, nobody, not even a reformatory Democrat, as I believe there was at that time, who took great exception to it, or would for a moment intimate that there was a process, an improper process. That seems to have been settled by the precedent which the Senator from South Carolina has invoked, and I am very glad he has invoked it.

Mr. MITCHELL. The Senator from South Carolina has not told us what is meant by the precedent.

Mr. TILLMAN. That passed it. The resolution was passed unanimously, I think, by the two Houses and adjourning the first session of the 40th, when the successor met immediately, just as we will hope at the expiration of the special session called to meet on the 7th day of November.

Mr. HALE. Yes.

Mr. PLATT of Connecticut. But in our case there was no resolution of adjournment.

Mr. TILLMAN. The two sessions went together, as they contended, and the law was settled, as the Senator from Maine has said, at least, it appears to have been settled, because the President took no chance and no body contended that there was a possibility for him to make an appointment between the second of time of the adjournment of the one session and the convening of the other. I can not see how there can be any difference of opinion here as to the final result.

Mr. HALE. If the Senator from South Carolina will allow me, they were making and were engaged in a hard-fought fight with the then President.

Mr. TILLMAN. Undoubtedly.

Mr. HALE. They wanted to take the measure that would be most absolutely conclusive as to giving him an instant when he could exercise his appointing power; and the method they took was to merge the two sessions.

Mr. PLATT of Connecticut. Will the Senator from South Carolina permit me?

Mr. TILLMAN. Certainly.

Mr. PLATT of Connecticut. I think the Senator misunderstood the remark I made in my seat. I called attention to the fact that I supposed that Congress was adjourned by resolution of the two Houses, and that we had no such resolution. I do not claim that it makes any difference. But there was that difference in fact.

Mr. TILLMAN. We adjourned at the expiration of the extra session on the 7th day of December just passed. They passed a resolution adjourning at 12 o'clock. There was a proposition to adjourn at 11, then at half past 11, but Mr. Sumner and Mr. Sherman both contended that they did not want to give the President the opportunity of five minutes or one minute in which to do anything which might pester them afterwards, and they preferred to prevent an improper appointment rather than to undertake to undo it afterwards or to apply the corrective or the remedy.

Mr. PLATT of Connecticut. I think perhaps the case now is stronger than that was, because that Congress passed a resolution of adjournment. It was passed by the two Houses of Congress. In this case no resolution was passed. The Senate simply was declared to be adjourned just a moment before 12 o'clock.

Mr. TILLMAN. I was not here during the interesting contention, which I saw mentioned in the papers, when an effort was made by somebody somewhere else to make us do business according to other methods than our own, and the unhappy controversy as to whether or not the Senate should remain in session because other men wanted the House to remain. But I notice that we did not adjourn and that we did not vote and that we proceeded on the even tenor of our way and that the Cuban reciprocity bill became a law in due time. But it was not born before the Senate got ready that it should be born.

The only difference I can see in the situation then and now is this: At that day and time there was an overwhelming majority, two-thirds and more, considerably more than there is now, of the same party as the President, and who had elected him Vice-President, and of course had to acquiesce in his accession to authority upon the death of Mr. Lincoln. They took these steps to hedge him about, to halt him, to stop him.

Now, the President has this large majority behind him, willing, apparently acquiescing in all his acts, indorsing them, approving them, applauding them, urging some of them perhaps. There is the difference.

So far as this little case of Crum is concerned, Crum might be the most important officer in the United States Government. My friend from Wisconsin is very prolific in suggestions that great harm might come in the case of the head of the Army. Suppose justices of the Supreme Court were appointed under these circumstances of a constructive recess; that there was a case involving most vital interests before that court, and that the court was evenly divided, with these new men going in and holding the balance of power and being able to turn around the law in its interpretation, what harm could come?

I am only giving that as one of the possibilities, and my purpose as I said in the beginning, is not to call attention to the necessary parallel in the minds of some, or to the possible dangers; but I am endeavoring to keep a precedent from being established. I am endeavoring to keep the Senate, in a trivial cause, one that has not and can not work any harm, from allowing its authority and the accepted interpretation of the Constitution to lapse; from giving the temptation to some usurper hereafter, or the excuse to some usurper hereafter, to say, "Why, in the Administration of Mr. Roosevelt this was permitted. It was passed over by the Senate, and thereby acquiesced in; and it is all right!"

We all know what a precedent in law is. Precedents are very, very troublesome things, and I, in my feeble way, have tried to call attention to what I consider a very grave constitutional question. While in its present shape it works no harm and can work none, yet if we do not now stop and have the Senate declare what it knows and means to be a recess, what it considers the power of the Executive in making appointments during a recess and issuing commissions thereafter, we will in the future, or our children will, come to that day when it can be said sadly:

> It is the little rift within the lute
> That by and by will make the music mute,
> And, ever widening, slowly silence all.

We Senators here have grave responsibilities. We are intrusted with the liberties of this Government and of its orderly constitutional administration. Let us not, in the mad haste to give approval to this man or that, for supposed party necessity, ignore this little thing now. Let us stop it.

Mr. HALE. Now, let me interrupt the Senator for a moment. The Senator has not succeeded—I will not put it in that way, for I know he did not want to bring out from this side any expression of a recognition of this new proposition that there was a constructive recess when the two sessions merged. On the other hand, everything that has been said upon this side of the Chamber is in dissent from it. No Senator on this side has, whatever may be his partisan feeling, indicated it. I think, with the Senator from Connecticut, that the present case is even stronger than the case in 1867, to which the Senator has referred.

I say again, I do not know of any Senator who adopts or proposes to adopt or act upon the suggestion that here was a constructive recess upon which the President might act as if it had been a longer recess.

The Constitution does not deal with surprises and evasions and subtleties. It has been found on an examination of the records that the nominations—Mr. Crum's, General Wood's, and others—that were sent to the actual session, the present session, the regular session, were not sent in as recess appointments. If the Senator will go back he will find that these same appointments that were made after our adjournment in March were afterwards sent in at the extra session; that they were sent in in November as recess appointments. That the Senator does not object to?

Mr. TILLMAN. Oh, not at all. That is the law.

Mr. HALE. That is the practice.

Mr. TILLMAN. It is customary.

Mr. HALE. That is the practice. It is the law. Now, the appointments that were sent in at this session, after the two sessions had been merged, the appointment of Mr. Crum, of General Wood, and others, were not, as I understand from an examination which has been made of the records, sent in as recess appointments, but they were sent in in the manner suggested by the Senator from Virginia, as regular appointments.

I started, when I first interrupted the Senator, by saying that I did not know that the President has committed himself to this doctrine of a constructive recess. His appointments, his nominations—that is the technical word—sent to the Senate at this session do not assume to have been sent in as recess appointments. They are sent in as new appointments.

Now, the question as to who takes possession of the office and gets the salary——

Mr. TILLMAN. If the Senator will allow me, do I understand him to assert or to only express the hope that these appointments are of this character?

Mr. HALE. The papers show——

Mr. TILLMAN. The papers show the contrary, at least the letter of the Secretary of the Treasury to me, and the papers in the possession of the executive clerks will demonstrate whether I am right or not.

Mr. HALE. I have not made the examination, but it has been

stated to me during the debate that those papers have been looked up and it is found that the appointments sent in at this session were not sent in as recess appointments but as new regular appointments; and I was going on to say that if that be so——

Mr. TILLMAN. I deny it, upon the authority of Mr. Shaw, as far as Crum is concerned.

Mr. HALE. I do not make the statement——

Mr. TILLMAN. I further deny it from the fact that Mr. Crum is now in office, and he could not hold it a moment after the expiration of his commission unless he had been given a new one, and he could not be given a commission while the Senate was in session. So it was a recess appointment.

Mr. HALE. I have not said that I have examined the papers, but I have been told that the appointments which were made at this session when sent in to the Senate (and an inspection will easily settle that) were not sent in as recess appointments but as original appointments. Now, I am not prepared to say that that is true. It has been so stated here, and it can easily be settled by looking at the original papers.

If that be true, the only question to come up will be as to who is entitled to perform the duties of collector during the time that is now going on—whether the new appointee or the deputy collector. If the new appointment was not sent in as a recess appointment, if the new appointee claims that he has the right under the proposition that there was a constructive recess, the whole question will be fought out before the Comptroller, who will decide upon the whole law, and, as I have said, I have no doubt that that officer, who is a very able and a very worthy man, of the highest integrity, will make short shrift of the proposition that there was a constructive recess. But it will be settled by him and by nobody else.

Between this time and whenever the resolution will come up again—for it will go over at 2 o'clock for the present—an examination can be made as to what the appointments were that were sent in.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Colorado?

Mr. TILLMAN. I had hoped to get the resolution acted on, but that will not be the case if the debate continues.

It is a very interesting and a very important matter, and I want all the light I can get on the question. I know the Senator from Colorado will shed some, and I yield to him.

Mr. PATTERSON. I think the question that is presented by both the Senator from Maine and the Senator from Wisconsin has been in effect decided by the Supreme Court of the United States—not in a case that is almost parallel to this, but in a case that rested upon a statute whose language as to the termination of an office is identical, I think, with the language of the section of the Constitution that is under consideration. The decision went as to the responsibility of sureties on the bond of a collector, and without taking the time now to read the entire case, I will simply suggest the name of the case, so that other Senators may examine it.

Without undertaking to read it, I will state, briefly, what the facts were. The question arose in an action of debt on a collector's bond. It is the case of United States *v.* Kirkpatrick, 9 Wheaton, 720–738. Mr. Reed had been appointed to the office of collector, and the name of the surety was Kirkpatrick. The collector was appointed to the office by the President on the 11th of November, 1813, and by the terms of his commission he was to hold his office during the pleasure of the President and until the end of the next session of the Senate of the United States, and no longer. Early in the year following his appointment, in January, 1814, the President sent in his name, making a second appointment of the same person. He continued in the performance of the duties of his office, proved to be a defaulter, and an action was brought by the Government against the principal and the sureties on the bond.

One of the defenses that was made was that he could not be responsible on his bond for acts that were done after the termination of the session of Congress to which his nomination had been sent in. The judge of the trial court held that he could be, as his possession of the office continued. He gave no new bond when his second appointment was made and confirmed. The Supreme Court reviewed that proposition, and the language of the Supreme Court it seems to me will place it more clearly before the Senate than I could in the use of my language. The decision was rendered by Mr. Justice Story. I will read about a page:

> The act under which this appointment was made authorizes the President, in the recess of the Senate, to make appointments by granting commissions, which shall expire at the end of their next session.

That is practically the language of the Constitution.

> The first commission is, as has been already stated, in conformity to this provision of the act, and is, by express terms, limited to continue to the end of the next session of the Senate, and no longer.

The commission used the words "and no longer."

> It follows, therefore, both by the enactment of law and the form of the grant—

Replying, of course, to the commission—

> that the first commission must have expired of itself at that period; and, as the next session of the Senate ended in April, 1814, that is the utmost extent to which it could reach. The bond in question was given with express reference to this commission, and its obligatory force was, consequently, confined to acts done while that commission had a legal continuance, and could not go beyond it, and here would have been the natural terminus of the liability. But in the meantime a new appointment was made by the President, with the advice and consent of the Senate, and as soon as that was notified to the collector it was a virtual superseding and surrender of the former commission. The two commissions can not be considered as one continuing appointment without manifest repugnancy. The commissions are not only different in date, and given under different authorities and circumstances, but they are of different natures. The first is limited in its duration to a specific period; the second is unlimited in its nature, and during the pleasure of the President. If the latter operated merely as a confirmation of the former, then it confirmed its existence only during the original period fixed by the law. But such an effect is not pretended, and would be irreconcilable with the forms and substance of the commissions. It has been suggested that the President has constitutional power to make such certain grants as one continuing commission, and that whenever we find the practice of the Government must be entitled to be guided by it, notwithstanding the express provisions of the very language of the law. In point, if the bond action to and approved by the Senate upon the nomination, and had expired at a new appointment, there was no necessity for the second commission, and yet the argument supposes that it could not be dispensed with, for if no commission had been issued the first, by necessary implication, would have expired.

It seems to me that this case establishes this proposition at least, beyond any question, that where an appointment is made under language such as was used in this law and such as is used in the section of the Constitution that has been read, the appointment or the possession of the office must absolutely end with the arrival of the period at which the commission expired under the law, and that time is at the expiration of the session of the Senate, if the appointee has not been confirmed.

Mr. PLATT of Connecticut. There is no question about that.

Mr. PATTERSON. Now, if his bond would not continue after the expiration of the session of the Senate, if his bondsmen would not be liable for malfeasance in office after the expiration of the session of the Senate, then surely we may properly deduce that he is not permitted to perform the duties of the office, but that that office is vacant, its duties to be performed by some deputy or some other person until, an appointment being sent in during the session of the Senate, the Senate has confirmed that appointment.

Mr. HALE. If the Senator will allow me—it is almost 2 o'clock—I think that is law and unquestioned law, and I am glad the Senator has brought that decision here. I want to look at it still further. It will be found, I think, on a complete examination that that is a clear assertion of unquestioned law that has been recognized ever since, but I doubt whether it reaches the precise conditions under which we find ourselves. However, there will be an opportunity when the resolution comes up again to go more fully into that question.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders.

Mr. TILLMAN. I ask unanimous consent that the resolution may go back on the table, subject to the same call for future discussion. In other words, I do not want it to go to the Calendar.

The PRESIDENT pro tempore. It would go to the Calendar unless the Senate otherwise ordered.

Mr. TILLMAN. I ask unanimous consent that it shall remain on the table, subject to the same rights it has had heretofore.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the resolution shall lie on the table without prejudice. Is there objection? The Chair hears none.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated. The Chair is assuming unanimous consent whenever he lays this resolution before the Senate.

The SECRETARY. Senate resolution 78, by Mr. GORMAN, calling upon the President for certain information touching former negotiations of the United States with the Governments of New Granada or Colombia, etc.

The PRESIDENT pro tempore. The Senator from Iowa [Mr. DOLLIVER] is entitled to the floor.

Mr. DOLLIVER. Mr. President, I have intended for some days, if I could get an opportunity to do so, to submit to the Senate some observations on the questions which have been debated in connection with the resolution of the Senator from Maryland [Mr. GORMAN]. I have listened with patience and with great instruction and profit to everything that has been said. A good many speeches have been made, none of them irrelevant to the question and many of them full of research and of learning. I have found pleasure in listening to them all, although I am bound to confess that some of them were a little long for the ordinary uses of a world like this.

The subject-matter of the debate is not new to anyone. Among

my first recollections of public questions was the project of the Nicaragua Canal, and speeches upon that subject made by the honored President of the Senate [Mr. FRYE], then a Member of the House of Representatives, at the beginning of his great and useful public career. When I first came to this Capital, whenever I wanted to secure a sense of repose and calm, I used to wander over to this Chamber and I seldom failed to hear my honored friend from Alabama [Mr. MORGAN] descoursing upon the Senate and upon the world his views of the Nicaragua Canal.

I never heard a word spoken or read that did not appear to me to be wise and reasonable; and yet I never saw in all my contact with the outside world that anybody in the United States not in Congress appeared to take the slightest interest in the canal question, ably and fully as it was presented during a whole generation. I confess that it made very little impression upon me.

None of us probably ever saw a moment when we did not think that some time and somewhere and in some way a canal would be dug across the Isthmus. I never took any acute interest in the subject, and never was anybody else who did, until the occasion of our intervention in behalf of the citizens of Panama, when Captain Clark, of the *Oregon*, under orders, left Mare Island and steamed down one side of South America and up the other just for the luxury of getting in two or three shots at the *Cristobal* Colon.

From that day the isthmian canal was already in sight. From that day it has been a live question. The argument for the canal has interested everybody. It may even be described as having become a burning question, as many gentlemen certainly on the other side of the Chamber can testify in their present contact with that controversy.

It never seemed to make much difference to me whether the isthmian canal was dug at Nicaragua or at Panama until the last session of Congress. I confess that I was in favor of digging it at Nicaragua, because I had never heard anybody else mention any other place to dig it, and I supposed, as everybody else did, that the ground at Panama had already been occupied by other people.

My convictions on the subject of the Panama Canal date from the morning when somebody, I suspected at the time the distinguished Senator from Ohio [Mr. HANNA], whose credentials of re-election to the Senate, read in the Chamber this morning, have brought great joy to our hearts, hung upon the wall there a map of the Isthmus of Panama, and I confess, with all any intentional disrespect to speeches long or short, that that map spoke more to convince the Senate and to convince the world that we had been seeking to make a canal at the wrong place on the Isthmus than all that has been spoken in debate in these thirty years.

Nearly everybody has his practical views of things primarily on his topography, and the moment I saw that map, indicating the coast line and the lay of the land at Panama, it appeared to me to be absolutely conclusive that the good Providence which is above us, if He ever intended the canal to be built there at all, intended it to be built where the Isthmus is 49 miles wide and not to be constructed where it is 183 miles wide.

I do not believe that any argument, any report of engineers, any inherited enthusiasm on the subject could disturb the opinion of anybody who made a study of that map hanging on the walls of this Chamber. From that day to this the practical question is whether the canal shall be built at Panama or not built at all. I confess that, in common with the people of the United States everywhere, I have acquired not only an interest but an earnest zeal for having the isthmian canal dug, and dug promptly, without further delay.

A good many people think that the Government of the United States has been engaged in very unbecoming and unseemly performances of an underground character at Panama. I have never even taken an interest in these suspicions which have been scattered broadcast over the world. The very nature of the subject makes it morally incredible that the people of the United States should desire to do anything either by indirection or by subterranean methods of any kind.

We are not doing there a thing altogether for ourselves. When I come to meditate upon what we have in hand there, it appears to me that we have placed the Republic of the United States upon a moral level the like of which has never been occupied by any nation in the whole history of the world. We are proposing to take our own money, to employ our own labor, taking our own risk, and constructing at Panama a public work, not at the cost of millions, but of tens of millions, and it may be of hundreds of millions, and having done that, we propose to donate it to the human race and dedicate it for all time to come to the uses of the world's commerce and business upon exactly the same terms for its use that we claim for ourselves.

In view of a situation like that it appears to me to disparage and to impeach the very national character to suppose that anybody, from our highest public official down to our lowest, would care to smirch that transaction with any questionable methods of procedure. Therefore, I for one have been sorry that this great discussion which has gone peacefully and solemnly on now for nearly seventy years in the United States should, in the last stages of it, become the subject of a mean and petty personal and partisan consideration.

I have never seen a minute when I attributed to a President of the United States, whether he belonged to my own political faith or the faith of our adversaries, a dishonorable or low motive in the transaction of the business of the people of the United States. It is one of the guaranties of our form of government, one of the monuments of our national character, that from the first President to the last, though some have been great and some not entirely great, we never have had a President whose motives could be successfully impeached at the bar of American history.

It is to be regretted that in the midst of learned discussions, such as have been made here by the two Senators from Colorado, discussions in no sense wanting in dignity and in the respect [illegible] raised here altogether out of character either with the subject or with its surroundings.

I listened with a good deal of humiliation to speeches charging the President of the United States [illegible] as President [illegible] it. I sit as a Senator say in this Chamber that in what has been done every act of the President has been in violation of the Constitution, of the law, and of international law, and of the treaties of the United States, and [illegible] without the process of law, and the anarchists arrayed against all government and against all law, by the example of contempt for law set by the God-fearing, patriotic President of the United States.

I do not propose to stop to answer such a thing as that. I merely allude to it to indicate how far mere partisan contention may belittle a great controversy even in the Senate of the United States. I suppose it is true that wherever speech is free and [illegible] to that subject. Certainly in no place in the world where there has been free government the arena of partisan politics has been filled all the time, or nearly all the time, by the dust of partisan contention and personal abuse.

The parliamentary annals of Great Britain indicate that that was always so there, especially in the last century, and if a man will read the present discussions going on upon the hustings of England he will perceive that it is still so there. It certainly has been so here from the very beginning of our affairs. Not a single President of the United States has been able to escape, not even Washington, that serene and august figure which stands at the very beginning of our national life, nor Lincoln, nor Grant. Some of our Presidents have been compelled to bear the double misfortune—as in the case of Mr. Cleveland—the misfortune of being defamed first by one political party and then by the other.

I would not intimate that the safety of our institutions or even the dignity of the Senate require any abridgment of the right of speech or of the right to print which belongs to our inheritance and is a part of the body of our liberties. I reckon that however grievous the afflictions have been, arising out of the abuse of these rights, infinitely worse grievances would arise out of their abridgment, certainly in the Senate of the United States.

I have alluded to the matter only for the purpose of bringing into view a higher ideal of political life, an ideal which I hope will one day enable us to hold the little differences of our partisan opinions in an atmosphere of gentlemanly kindness and good will.

The President of the United States is accused of violating every obligation which it is his duty to enforce and to observe. One Senator accuses him of violating the Constitution of the United States.

I do not intend to discuss that for two reasons. I have made up my mind that while I expect to keep up my study of the Constitution, reading as many law books as I can, and listening to as many arguments as my strength will bear on the subject, I never [illegible] unless under provocation that I can not now foresee, to lecture the Constitution of the United States about in a Senatorial debate. Others, abler men, will take care of that; others, with a more natural taste for it, can take care of that on both sides.

In this particular case I feel that everybody here is more or less relieved because one of the great constitutional lawyers on the opposite side of the Chamber, who I am sorry not to see present to-day, has already notified his constituents that, rather than change his convictions, he will retire from public life, and has distinctly omitted to charge that any violation of the Constitution has occurred in this connection. That being so, the Constitution certainly needs no guardian on this side of the Chamber to protect it against these imaginary infractions.

But we are told that the President of the United States has violated the law; and one Senator stands here by the hour pointing out that the Spooner Act has been violated. I was here when the Spooner Act was passed. I have read it again and again; but I confess a certain humility and timidity about offering myself as an interpreter; but I have come gradually to the opinion that if anybody is likely to understand what the Spooner Act means, the author of that act is the man to whom we should go with our anxious inquiries.

[illegible] the Senator from South Carolina [Mr. TILLMAN] has just [illegible] lawyer, and the author of that act proposes to [illegible] interpretation of it as any man in this Chamber. When I heard him the other day take up that act, line by line, and prove, with such satisfaction to the Senate that everybody acquiesced in it, and with such conclusiveness to the other side that my honored friend the Senator from South Carolina, in a more or less panic-stricken manner, departed from the Chamber rather than be disturbed by any further demonstration of his error, I made up my mind that that act needs no defense here from anybody else.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. With great pleasure.

Mr. TILLMAN. I have always regarded my friend from Iowa as being a fair man, and he must recall the fact that under the constant appeals of the ticking of the clock and that shaking of the hand by the Senator from Wisconsin [Mr. SPOONER], which is so effective in a personal interruption, I had pledged myself not to speak and bother him any more, and that, when I went out, I announced that my departure was because I could not sit still and listen any longer to his wild vagaries without breaking my pledge.

Mr. DOLLIVER. And the Senator from Wisconsin rejoined, as you were passing through the door, that it was a very serious reflection for him that he had lived long enough to have his vagaries reprimanded by the Senator from South Carolina. [Laughter.]

Mr. TILLMAN. Which I did not hear.

Mr. DOLLIVER. Unfortunately you did not.

Now, Mr. President, the Spooner Act looks to me plain. It may not be. We had here one day a canon of interpretation of the Constitution of the United States that struck me as very interesting and very novel.

A Senator stood up here and said that where the Constitution was difficult to understand, where it was complex and appeared ambiguous, he was willing to take the opinions of our fathers and the precedents of the national history upon it; but where it was so plain that almost anybody could understand it he proposed to take his own opinion, notwithstanding it might not follow the judgment of our ancestors or the practice of the Government. It looks as if the Spooner law is plain enough for nearly anybody to understand; but if there is dispute about it, if it is ambiguous, if there is an element of uncertainty in it at all, when I want to get at the real meaning of it I propose to sit down with the distinguished Senator from Wisconsin and ask everybody to keep quiet until he can give his views of what he meant by the language of that law.

That law required the President to negotiate with Colombia for an isthmian canal. Men have discussed that subject as if the main object of that law was to get up a negotiation with the United States of Colombia, and hold us to that Government even if the subject-matter of the treaty passed within another jurisdiction altogether. If I understand it, the object of that law was a canal, and not a tête-a-tête with the foreign minister of Colombia, so that the moment the canal zone passed into the hands of Panama the negotiation followed the subject-matter and not the name of the contracting.

No man can take this record of the proceedings of the Colombian Government in dealing with this treaty and say that at any time in that negotiation, from the time the treaty was sent to the Colombian Senate until the extraordinary session of the present Congress convened, the President of the United States could have turned aside to deal with Nicaragua without a violation of the law and a flagrant disregard for the recognized and well-settled policy of the Government of the United States in locating the isthmian canal.

So that when a man bases his criticism of the President on the ground that he treated the Spooner law with contempt, it seems to me that he needs to more thoroughly investigate the circumstances which surrounded this treaty with the United States of Colombia.

Again, it has been said that the President has trampled upon international law. If that charge were true, it is a grievous charge to make against the Government of the United States, because the peace of the world, the orderly progress of the world, the great interests of civilization, require a careful observance of the recognized principles of international law; but if I have got hold of the right text-books, international law is not as exact a science as there is in this world.

International law, if my researches have given a correct light on the subject, is rather a statement of what the nations of the world from time to time have done rather than a collection of precepts applicable to all cases and under all circumstances.

If the President violated international law, how did he violate it? It is said that he recognized an immature and what has been described as a composite republic in Panama.

It is true that the President of the United States recognized the independent existence of the new State of Panama, but, in my humble opinion, it is not true that in doing that he violated any international law. Again and again it has been pointed out in this debate that the United States has in times past recognized—without formality or delay—new states, the result of revolutions and other political convulsions. The fact is that the motive that governs a nation in recognizing a new state is essentially a motive lying in the heart and conscience of that nation itself, and has little if anything to do with any precepts of international law.

We recognized the French Republic after the Franco-Prussian war, notwithstanding the fact that the French Emperor had 100,000 veteran soldiers in the field ready to defend what remained of the Government of France, and yet Mr. Washburne said distinctly that he felt the necessity of immediately recognizing the French Republic, though it had not taken on any international relations at all and was menaced by the remnants of the imperial army of Napoleon and also in the streets of Paris by the mob proposing to reestablish the Commune.

He recognized that government almost instantly under direction from our State Department, first, because of our sympathy with republicanism in France, and, second, because the President's recognition was necessary in order to prevent the people and Government of France from being plunged into an interminable civil conflict, beginning with a reign of terror in the streets of Paris.

We recognized almost instantly the new Government of Brazil. I remember very distinctly meeting one night the minister from Brazil, representing the benevolent and amiable Emperor Dom Pedro, and the very next night the minister appeared at the banquet of the Loyal Legion in this city, bearing the commission of the new Republic of Brazil. Nobody said that was incorrect or a violation of international law. Why? Because our sympathies were with republicanism in South America, and we seized the first opportunity, upon the deportation of Dom Pedro, to do what we could to make permanent the new republican regime at Rio de Janeiro. There has arisen on this side of the water an American international law applicable to our own hemisphere.

We were not in much of a hurry to recognize the new states of South America. I have taken the pains to examine the old debates and find out what motives were at work to prevent the Congress of the United States from plunging into a recognition of the South American republics. Not even the eloquence of Henry Clay could get a minister accredited to one of those states created by the most favored and successful of these revolutions. Year after year passed, and nothing was done.

Señor Romero, who for so many years honored his country as the minister here from Mexico, in an article in the North American Review many years ago, pointed out that the United States had contributed little or nothing to the independence of the Latin-American states either on our continent or in South America. The reason of it was that no interest was involved, no motive was involved, and no service could be rendered to mankind by a premature recognition. They were feeble; they were without organization, without political experience, and it was thought better by the level-headed men who managed our Government in those days that those people should be left to fight it out.

One man said, I remember, in one of those debates: "You can not give a nation liberty. They have got to fight for it and bleed for it and endure all the vicissitudes of the struggle for national life." Therefore the wisest men we had said: "Let them struggle; let them organize; and at the end of their struggle, having won their independence for themselves, they will have a stability, an anchorage, and a permanence in the world that they never could have if we started out by intervening in their behalf and presenting them their liberty at the point of the guns of our own Navy;" and I believe they were absolutely right about it.

So there has grown up on this hemisphere an American diplomacy in respect of the right of recognition of revolutionary states. We have had more experience in that matter here than they have had anywhere else in the world. We have had for the last seventy years an almost daily atmosphere of revolution in our relations

with the struggling little republics of South and Central America, and we have found out more than any other nation about the law of recognition as applied to those states.

I undertake to say, having carefully studied the history of our diplomatic relations with South America, that no violence was done to any tradition or precept of our international history in the act of President Roosevelt of last November.

I am not speaking entirely on my own authority in saying that we have an international law which may be described as strictly American, applicable to this hemisphere and especially to the revolutionary crises which have claimed the attention of our State Department now for nearly seventy-five years.

I find that away back in 1856 Franklin Pierce, who, while he may not have been a very great man himself, had one of the greatest men of our national history for Secretary of State, pointed out distinctly that our diplomatic relations with South America were unique in our diplomatic record and history.

Here is his message sent to Congress May 15, 1856, curiously enough upon this very subject, in which he discussed the question that had bothered him about recognizing a couple of ministers from Nicaragua who had appeared in this town about the same day.

One of them was an American adventurer who had gone down there with Walker's expedition. They had hurriedly organized rival governments, and he had started out for Washington. About the same time the first got here another man appeared, claiming to be the representative of the actual de facto Government of Nicaragua; and the President of the United States did not waste a minute to inquire which was the actual representative of the de facto Government of Nicaragua. He looked the two men over, and, as we had existent business to transact with Nicaragua, he picked out the native of Nicaragua, and, without inquiring at all into the character of his Government or his revolution, recognized him as the Nicaraguan minister to this capital. In reporting the proceedings to Congress, he said:

> It is the established policy of the United States to recognize all governments [illegible] of their political existence [illegible] by which they have come into existence [illegible] only of the time as to the recognition of revolutionary governments [illegible] out of the subdivision of parent states with which we are in [illegible] amity.
>
> We do not go behind the fact of a foreign government exercising actual power to investigate questions of legitimacy; we do [illegible] causes which may have led to the change [illegible] has been a subsistence in its place according to prescribing forms, or in a manner accepted for the occasion by those whom we may find in the actual possession of power.
>
> At these matters we leave to the people [illegible] their own affairs, [illegible] country to determine; and [illegible] ence, is to us a sufficient warranty of the legitimacy of the new government.

And then he goes on:

> During the sixty-seven years which have elapsed since the establishment of the existing Government of the United States, there have been [illegible] has been required [illegible] to recognize governments [illegible] or by [illegible] from a [illegible] of the [illegible] of independence.
>
> It is the more important to be careful in this regard [illegible] Spanish-American republics, [illegible] the revolutionary [illegible] which the frequent crises of revolution in the Mexican Republic are an example.

Then he cites a circumstance which seems almost incredible, that in his Administration, in the course of a few months, he recognized successively five revolutionary governments in the Republic of Mexico—at the rate of more than one a month. If the rule which my friend the senior Senator from Colorado [Mr. TELLER] laid down, that a nation must stand off in a calm, philosophic way until it is determined by competent evidence that a proper organization of a state has been made, and that it has grown to that stability which enables it to discharge international obligations and to take care of internal affairs, the Administration of Mr. Pierce would have expired before that brilliant series of Mexican revolutions had passed into history.

And yet Franklin Pierce, acting under the advice of Secretary Marcy, recognized in the course of about four months five separate revolutionary governments of Mexico, one after another. Do you tell me that you have got to go back to Grotius and the old writers on international law to find precepts to justify a situation like that? I say it is nonsense.

The duty of this Government in respect to the revolutionary surroundings which we have had in Central and South America has been determined not by law written in Europe one hundred or one hundred and fifty years ago, but it has been determined year by year and step by step by what has occurred along our own coasts on this hemisphere.

So much for that. Again, it is said that the President of the United States entered into a sort of conspiracy with certain persons, most of them disreputable, for the purpose of establishing the new Government of Panama. I intend to speak about that, because I believe it is the most important question that there is in this discussion. Everything else is done, accomplished beyond revision or recall. Only debate remains—acrimonious disputation about the right or wrong, the credit or disgrace of the proceedings.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. DOLLIVER. Certainly.

Mr. PATTERSON. I want to call the Senator's attention to the fact that all the cases he has cited to the Senate in his speech up to this time have been cases in which the United States has recognized de facto governments where there has been a revolution of the government itself, and no case that he has cited is a case of secession or rebellion of the inhabitants of what is simply a part of the country.

Mr. DOLLIVER. That is very true, Mr. President.

Mr. PATTERSON. Just one moment. That is the distinction that has been made here by every Senator who has spoken in opposition to the treaty. It is the distinction that was made by President Roosevelt in his message to the Senate [illegible] as he did, that he did not proceed in this case according to the [illegible] international law.

Mr. DOLLIVER. Mr. President, what the Senator says is true. I have not been undertaking to dispose of this case of Panama upon these precedents. I have cited them for the purpose of escaping the burden laid upon the present Government of the United States by these precedents in respect to recognition which have been cited by the senior Senator from Colorado [Mr. TELLER].

Mr. PATTERSON. Just one moment——

Mr. DOLLIVER. And I undertake to say that our situation here has created variations of the ancient rules of recognition which must be vindicated, not by the books, but by the uninterrupted practice of the Government of the United States.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. DOLLIVER. With great pleasure.

Mr. PATTERSON. I want to say to the Senator from Iowa that there is really no contention between himself and the opponents of this measure as to the rules of international law which he lays down. Nobody disputes where there is a revolution in a government by which some other party, or by which some other ruler, will take possession of that government, that both in Europe and in this country that new government may be recognized, and it may be recognized as often as revolutions of that kind occur.

So when we recognized the different governments in Mexico—five within a few months—they were all recognized under well-established principles of international law, observed both in Europe and in this country, and it is not American international law or an American law which the Senator has been citing. It is the international law that is observed by all civilized nations.

Mr. DOLLIVER. Now, Mr. President, how does my friend from Colorado account for the fact that all the important nations of Europe, within an incredibly short space of time and before the organization of this State of Panama, have joined us in its recognition?

Mr. PATTERSON. Simply because, Mr. President, the United States set the pattern. The United States has grown so strong and powerful, so many nations of Europe are anxious to a [illegible] the favor of the United States, that they are [illegible] willing to follow in the footsteps of the United States when it is willing to set the pace.

Mr. DOLLIVER. Mr. President, has it come, then, to this, that international law in Europe consists in following the blunders and crimes that are committed by the United States?

Mr. PATTERSON. I would suggest also to the Senator, if he will permit me, that European nations recognize the fact that it was the United States that made that new Government; that it depended upon the United States that without the bayonets and guns of the United States it could not exist; that with them it was absolutely impregnable; that they could not do otherwise.

Mr. DOLLIVER. Therefore they shut up their international law books and went in?

Mr. PATTERSON. That is precisely what they did.

Mr. DOLLIVER. I doubt that very much. I would rather believe that they studied the situation—that they studied the history of this case, and coming to the conclusion that the United States had acted with wisdom, with prudence, and in strict accord with the law of nations, they gladly and cheerfully gave their consent to what had been done.

But I will go further. I claim that nobody can wisely and discreetly discuss this question who treats it altogether as a question of law. I hold that it is a question of fact, and if what I

say to-day has any value to anybody it will be from the effort I will make to point out some facts that went before the recognition of the little Republic of Panama.

My friend from Colorado asked a question here yesterday which nobody had the time to answer, because nobody desired to add to his labors and his troubles. He said: "Does anybody pretend that the Republic of Panama could have come into existence without the assistance of the United States or that it would last a minute if the naval forces of the United States were withdrawn?" Now, that is a very practical question, and in my judgment is strategic and decisive of this whole situation.

I hold that this revolution in Panama is several years old. I hold that the sympathies of the whole world should have years ago been drawn to this unfortunate little Republic of Panama, and that the United States, instead of being subject to blame for taking that little community by the hand and helping it out of its troubles, is entitled to the applause not only of our own people, but of the people of the whole world.

I go further. I say that if the United States had kept out of Panama the Republic of Colombia would have lost that most precious of its possessions a good many years ago, and I do not hesitate to say here, without intending to speak a harsh word about the unfortunate people of the United States of Colombia, that the American people ought to be thankful that, after fifty years, the era of our partnership with the anarchy and misgovernment of the Colombian Republic has come to an end forever more in the Province of Panama. So that I hold this to be a question of fact rather than a question of law.

My friend asks, "Would that Republic have existed if we had not helped it?" There is every reason to believe that it would.

I hold in my hand a religious review which was presented to me early in this discussion by the venerable Senator from Alabama [Mr. MORGAN], whom I am sorry not to see in his seat just now. But his absence enables me to say of him a thing which I might be deterred somewhat from saying if he were present, and that is this:

He stands here in his old age one of the historic figures connected with this canal controversy. He may not be the man who began the discussion, but for nearly a generation he has kept it up. No man has ever exhibited, within our knowledge, any such marvelous industry, energy, and sagacity as he has put into the argument for the Nicaraguan canal. Day and night he has labored, not with the assistance of others, but personally, often with his own pen writing these speeches which have become the chief part of the agitation which has resulted in unifying public sentiment in the United States in favor of the canal.

I regret more than I can say that he was disappointed in his own personal ambition in respect to the route that was finally chosen. But that does not prevent me from adding that long after the little controversies of this hour are forgotten his name will be connected in immortal reputation with the isthmian canal, wherever it is built, by the people of the United States.

And so I pick up this quarterly review, printed at Nashville, July, 1903, in which he discusses the Colombian Government in its relation to the Republic of Panama. It is a long article, filled with the evidences which have become so familiar to us of his indefatigable industry and research. He shows that for more than a generation the State of Panama has been plucked, robbed, oppressed, and wronged by the so-called Government at Bogota. He shows that that institution for years has been a despotism, a dictatorship, and an organized anarchy.

My friend, the Senator from Wisconsin [Mr. QUARLES], day before yesterday, pointed out from the reliable comments of an American minister and traveler in the United States of Colombia just what kind of an institution the Colombian Republic is and has been, and he was answered by the Senator from Colorado by saying that Mr. Scruggs had written about the Colombian Republic very much as a man would write if he confined the history of the United States to the race riots in the South and the railroad mobs in Chicago a few years ago.

I do not believe that anybody can take up that book and rise from the perusal of it with any enthusiastic sympathy left on account of the misfortunes that have fallen upon the Colombian Government. Fortunately we know exactly what it is. We know first that it is a dictatorship. We know the number of constitutions it has had. We know that a constitution is brushed away at every turn in the political tide in Colombia. We know that its people have no participation whatever in the Government. We know that less than 2,000 men constitute the Government of Colombia, and that, there intrenched in the capital at Bogota, they have been cheerfully consulting together as to the possibility of laying still further tribute upon the Treasury of the United States.

In 1900 a revolution broke out in Panama which lasted until practically the beginning of the present revolution. We have the history of that revolution. The Senator from Alabama [Mr. MORGAN] has preserved it in this magazine article. It is in the records of the Navy Department and in the records of the State Department. We know exactly what it is. We know that for three long years the Colombia dictatorship tried to quell the revolution in Panama, and at the end of that time, by the friendly offices of the United States, were enabled, by bare good fortune, to compromise with it.

And when my friend asks me whether a revolution in Panama could have succeeded to-day, I say to him yes, and the only reason it has not succeeded for twenty years is because the Marine Corps and the Navy of the United States have been there, standing between the men fighting for their liberty and for their rights and the Colombian dictatorship at Bogota.

So, it does not require a man even to hate the President of the United States; it does not require a man to have his system so poisoned that he unconsciously has more sympathy with a foreign country than he has with his own; it does not require any morbid state of anybody's mind to understand the present revolution in Panama. It was not needful that the President should stimulate it. It was not needful that the Navy of the United States should participate in it. It was not needful that American residents there should help it along.

It is and for nearly a generation has been the continual and almost helpless expression of the effort of that unfortunate community to be free from the oppression which has its headquarters at the capital of the Colombian Republic.

How was this war against Panama, which began in 1900, conducted? The Senator from Alabama preserves here a military decree levying taxes to carry it on, a decree which he declares is the most cruel act ever performed in the name of a Christian government.

Their system of taxation appears to be simple. My friend the Senator from Wisconsin explained it, reading from a book written by an old minister of ours at Bogota, Mr. Scruggs. He was waived aside because it was not official. Here is the official decree levying taxes upon the Colombian people to conduct their war against the old revolution of 1900 on the Isthmus of Panama.

It consists of sending out gentlemen with a list of people in all the cities and towns and villages in the country, with an estimate of their wealth, and a proposition that one shall pay $[illegible], another $1,000, another $5,000, and another $10,000, 15 per cent of which shall accrue to the gentleman who collects it, and if there is any hesitation about it he is directed to confiscate and destroy the property of the people on the Isthmus of Panama.

Our naval officers report that in obedience to that decree such of the well-to-do citizens of Panama who were able to get away fled to ships of foreign countries, and in that way were willing to sacrifice their entire property rather than submit to a despotism and a tyranny like that. And yet men stand up here by the day reading international law, and inviting people to sympathize with the misfortunes that have come upon the Republic of Colombia.

I say again that such little sympathies as I have to spare are with that struggling community along the line of our right of way on the Isthmus of Panama, who for more than a generation have suffered the evils of bad government, and ever since its accession to the territory of the Republic of Colombia have been entitled to the sympathy and the good will of every civilized government in the world.

Was the Republic of Colombia able to overcome that insurrection? This record indicates that it was not. Let me read from the reports made from time to time by our naval officers, and especially the pathetic plea directed to the commander of our little fleet there, made by General Herrera, who was the commander of the insurrectionary army of Panama:

> In a dispatch of March 22, 1902, Captain Reisinger writes:
>
> "There is another element in this matter that may need consideration before anything else, and that is the turbulent tendency of the troops which have been brought here recently. These men [illegible] in the south and in open country mainly, and the unsettled [illegible] considerable apprehension.
>
> "I am informed upon good authority that the Government is getting very short of money, and unless the troops are paid there will be trouble. [illegible] the Government maintains no commissary, but pays the troops well, and they must furnish their own food."
>
> Subsequent [illegible] as follows:
>
> "SIR: 1. I have the honor to confirm the following telegrams:
>
> "[illegible] Two [illegible] at Agua Dulce on August [illegible] Revolutionists reported [illegible] near Panama.
>
> "September 1. Government has occupied position of [illegible] belonging to canal company's hospital, and [illegible] Panama. This [illegible] not and force sufficient for the protection of American interests."

Thus the civil war raged, destroying life and property on the Isthmus and subjecting the Government of the United States to a continuous and increasing burden in keeping the transit across the Isthmus free from obstruction. In the very nature of the case civil war in Panama means the occupation of the line of transit, since practically all the people of the Isthmus live along the highway between the oceans.

And notwithstanding the fact that the United States by keeping the insurgents off the transit gave to the Colombian Govern-

ment what little military strength it had in Panama and Colon, yet the autumn of 1902 found the Government at Bogota imploring the United States to use its good offices to bring the insurrection to an end, holding out as an inducement to our Government the consideration that until peace was secured no progress could be made with the canal negotiations. This was shown by the following dispatch of our minister at Bogota:

BOGOTA, *September 11, 1902.*

SECRETARY OF STATE, *Washington:*

Minister for foreign affairs desires me to inform you that his Government would appreciate your good [illegible]

[illegible]

Minister for foreign affairs emphasized this last point as being well to present to your consideration.

HART.

It is no idle opinion of mine that but for the presence of the United States ships that revolution would have been successful. It is confirmed by the following report, made on the 13th of October, 1902, to the Secretary of the Navy by Admiral Casey:

I inclose a clipping from the Panama Star and Herald of October 9, 1902. In this connection I take occasion to inform the Department that I have refrained as far as possible, [illegible] the time of transit from being converted into a [illegible] I [illegible] delays as the exigencies may change from day to day, and when in doubt [illegible] the Department.

Further, it is [illegible] I feel it to be my duty to inform the Department that I have been unable to learn of any effort on the part of the [illegible] to crush the revolution in this district. [illegible] Panama. On the other hand, it is my opinion that if it were not for the strengthening influence of our naval force here Panama would fall an easy victim to the combined land forces and gunboats of the insurgents.

To which he added, on October 20, the following:

Judging from conditions now existing and from information I am able to obtain, there seems little prospect of a speedy termination of this strife. Panama and Colon are practically besieged, troops at [illegible] to second their entreaties. I firmly believe that they would [illegible] from where the insurgents would be in Panama in forty-eight hours. I [illegible] the Government, therefore, is very willing that they should remain, [illegible] occasional mild objections, which really it does not mean shall be taken seriously.

Great things were expected on Perdomo's arrival; but as he came attended only by numerous generals, of whom there were apparently already a surfeit in the city, I fail to see how he can accomplish much.

It will thus be seen that upon the plea of the Colombian Government, itself entirely helpless to deal with the revolution, this civil strife was brought to an end by the friendly intervention of the United States for a peaceful settlement.

It will be interesting in this connection to read the pathetic plea of the insurgent commander, General Herrera, justifying the motives of his countrymen and uniting in the wish for peace.

The war with us—

He wrote to Admiral Casey—

is only an act of instinctive and vehement despair. It is a claim for life such as can not be considered to exist in Colombia under a government arbitrary in politics, monopolistic, and in civil matters. Hence the constant desire of the revolutionists to lay down their arms as soon as they can secure something republican, something that they may secure for the country, something that they may draw the country for the state of oppression in all respects. Which rendered existence intolerable and darkened the future of the country.

For these reasons the revolutionists are ready to die, since what is suggested as peace is simply the replacing of the white for the red terror. Congress and [illegible] I preserve and answer your esteemed communication [illegible] In the name of yourself and the United States I saw a prospect of some good which might give forth the harmony of interests and the security of rights. But such a peace is not promising to our contenders; their ideal exists in the imprisonment of which the Cæsars gave the example.

On the other hand, the mediation of the United States was for me the symptom and the proof of its respectful disposition respecting the sovereignty of the Colombian nation on the Isthmus of Panama, since in that manner it did away with any excuse or any justification for maintaining American troops on the line.

[illegible] Government of Colombia through its obstinacy has rendered itself responsible before the nation for the officious guardianship which—why should I hide it?—hurts the feelings of those who know their rights, our duties, and our personalities as a free, foreign and independent nation.

[illegible] I have mentioned, you should [illegible] the conference [illegible] I am [illegible] I assure you of the mediation of yourself and the United States with full confidence and [illegible]

From other points of view and purposes the conference could fix the basis which might insure the construction of the canal by the United States, which is the [illegible] desired Colombians, a wish that is condensed into a national interest. If the private parties who have contributed toward your very generous mediation conclude that it is necessary to come to an understanding with me, I inform them that Aguadulce is my general quarters and the seat of the director of the war.

I am, etc.,

B. HERRERA.

It thus appears that in contemplating a cessation of that insurrection by a treaty of peace the thing about which the whole transaction revolved was the isthmian canal, which he says has not only been the long-time aspiration of the isthmian people, "but had been condensed into their chief national interest." And so under the direction of our Navy the insurrection of 1900, which had raged in that Isthmus for a period of more than two years, was brought to an end, not by its defeat, but by a treaty of peace entered into for the sake of the canal, at the very moment of victory.

I have here the treaty, preserved in this article by the Senator from Alabama [Mr. MORGAN], and among the terms by which they agreed to stop [illegible] and let the insurrection die was a proposal that the Colombian Government should immediately take up and [illegible] of the question of the isthmian canal. So they did. Not only without the help of the United States, but with our Government unfortunately in practical alliance with their enemies, and doing infinitely more to keep their victory away from them than the Colombian army had been able to do.

They did successfully maintain at the Isthmus of Panama an effective rebellion, lasting more than two years, which was finally compromised under the auspices of the United States by an agreement to immediately facilitate negotiations for the canal.

The Government of Colombia is in vastly worse shape now than it was at the end of that rebellion; poorer in money and other military resources.

So that when Senators offer the opinion that without the countenance of the United States the new Panama Government could not stand up and defend itself in its own territory, I put in evidence the report made by Lieutenant-Commander Culver to the Secretary of the Navy on December 13, 1902.

U. S. S. BANCROFT, COLON, COLOMBIA, *December 13, 1902.*

SIR: I have the honor to report as follows regarding an interview I had yesterday at Panama with Colonel [illegible]

[illegible] as on the Isthmus can be [illegible] Although there [illegible] by the insurgents, [illegible] a long time for them to realize that a Republic among whose citizens they [illegible] revolution. About 1,000 insurgents are in Panama fraternizing with their late foes. The Government forces [illegible]

For the first time in two years the military bands are now permitted to play in the public squares at night, and the people are allowed to be in the streets at night.

The Government forces are being slowly disbanded. Forty per cent of them are [illegible] from nine to fifteen years of age. They are stationed at various [illegible] I have seen them in person and dress and [illegible]

The [illegible] general, states that [illegible] there is not the slightest [illegible] at this time, nor will there be for a long time to come. United States Consul Malmros, at Colon, is of the same opinion.

Very respectfully, A. E. CULVER,

Lieutenant-Commander, United States Navy, Commanding.

The SECRETARY OF THE NAVY.

Mr. President, there is a picture of military glory truly admirable. Yet this rabble of children was a band of military heroes compared to the garrisons which represented the sovereignty of the Colombian Government last November, when the citizens of Panama, without a dissenting voice, declared their independence, and wound up the military affairs of Colombia on the Isthmus of Panama with a few thousand dollars of Mexican silver.

Now, I say that it does not require any very large knowledge of what has been going on down there for the last twenty years to enable anybody to see that they had their own motives and their own reasons for their insurrection. So they all rejoiced when the President of the United States finally succeeded in getting the Hay-Herran negotiations through. They watched with solicitude every step of the procedure at Bogota.

The testimony which has been preserved here in the correspondence of the Secretary of State indicates that their wisest men there knew exactly what would be the result if the negotiations failed. Men talk to me about the President of the United States stirring up this insurrection! The United States, with all its splendid power, could not have done a thing to stop that insurrection. The United States had intervened to prevent their success only one year before. They agreed to stop fighting when they were almost within reach of the city of Panama, on condition that the canal negotiation should be taken up. They laid down their arms.

They were not confronted by a very formidable adversary. I do not want to speak unkindly of the Colombian people and of the Colombian Government, not because I feel exactly right about them, but because it can do no good to continue irritations that have no material significance from this time forward in this discussion. I do not intend to go into the history of that negotiation at Bogota, but I will go into it far enough to say a word about our young minister at that capital.

I know him well; an Illinois boy, without particular experience in diplomacy, tossed by the accidents of our politics into a position which seemed to be insignificant, but which almost immediately became one of the points of interest under the spot light of the world's attention, and who in the midst of new duties and difficult surroundings has added a bright chapter to the history of American diplomacy and American statesmanship. I will say that in consideration for him.

But every step of that negotiation indicates what was going on at Bogota. At first nobody there cared anything about it. Nothing was said on the streets or about the halls of Congress or anywhere else. Nobody took any interest in it until these gentlemen in charge of that Government, these amiable people who are soliciting the sympathy of the United States against the people of Panama and that stricken Isthmus which connects two continents, until these cheerful politicians at Bogota looked over the Hay-Herran treaty.

They said, "Here seems to be $10,000,000 coming to us." Every one of them knew that it was a gratuity. If they are enlightened and everybody gives them the credit for that, they must have known that there is not a civilized community in the world which, having been approached by people able to put up the money for building a public work like that, would not cheerfully have granted them the right of way practically without condition. They said, "Here are a people who evidently have plenty of money. They offer us ten millions. A people who will offer us $10,000,000 in so short a time, if we delay this matter, will grow desperate and offer us more."

They knew more about the canal situation than our friends on the [illegible] of the Chamber appear to know. They had a dim [illegible] as it was only 40 miles across there and 18 [illegible] across up at Nicaragua the "reasonable time" suggested by law would probably be not a week or a month, but may be years before the United States would turn away from [illegible] to build this public work.

So [illegible] ten millions, we will wait; maybe they will offer us $15,000,000. Having offered us $25,000 as an [illegible] for the use of this territory, maybe they will offer us [illegible]

They [illegible] to go to the New Panama Canal Company. The first article of the treaty arranged for their giving their consent to the canal company selling its own property and concession to us.

There is not a civilized country in the world which would not have gladly paid a bonus to have the concession transferred from that worthless and bankrupt concern to a responsible party, except these politicians at Bogota. But they saw the size of those figures—$40,000,000—and they said, "There are only 2,000 of us, and that is a large sum of money. We are perfectly willing that they should [illegible] this concession to the United States, but we want a little time before it is done to enter into some quiet negotiations with the owners of the Panama Canal franchise."

So they deliberately proceeded to hold up this treaty in order that they might get a chance to steal a portion of the $40,000,000 which the Government of the United States had already appropriated to pay for the property and franchises of the New Panama Canal Company.

I will not go into that further, except to say that no intelligent American can read this correspondence without seeing that if that canal treaty failed at Bogota the Colombian Government was on the eve of an insurrection, the like of which had never occurred in the whole stormy history of that Republic. That word was spoken on the floor of the Congress, and just before the treaty was rejected the helpless and superannuated old dictator of the Colombian Republic, with feeble hand, appointed Senator Obaldia as governor of Panama, and sent him down there in that capacity.

That brave friend of the Isthmian canal and that patriotic and home-loving citizen of Panama said publicly in the Colombian Congress that if he went down there as governor of Panama and that Congress defeated the treaty he would himself head an insurrection for the independence of the Republic of Panama.

So I can not understand what is the motive which prompts men to stand here and ask if the President of the United States is not at the bottom of this insurrection. I have heard Senators—and I [illegible] part of Commander Hubbard's [illegible] on the Isthmus of Panama.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. DOLLIVER. With great pleasure.

Mr. TELLER. I suppose the Senator refers to what I said yesterday afternoon.

Mr. DOLLIVER. I have an indirect reference to it.

Mr. TELLER. I merely called attention to the fact that the statement was not made by Commander Hubbard, who stated distinctly that the mayor had told him. Commander Hubbard never even gave it his sanction. He said: "The prefect of the town told me this was the fact."

Mr. DOLLIVER. He gave it this much sanction, that he advised the American women and children in that town to congregate at the railroad station, where they could have military defense; and he says also that foreign residents took advantage of that rumor to retire to convenient warships of Great Britain and other countries which had congregated in that harbor.

Mr. TELLER. The Senator from Iowa is a lawyer. He knows that is no proof. It was a wise thing probably for the people at that time to do.

Mr. DOLLIVER. Quite.

Mr. TELLER. But it is no proof that the Colombian general made any such threat, and his subsequent conduct in calling upon Hubbard the same afternoon, a few hours afterwards, shows there was probably nothing in it.

Mr. DOLLIVER. I think his subsequent conduct was probably affected by Hubbard's conduct.

Mr. TELLER. All I want to say is that if Commander Hubbard had made report that that was the fact, I should not have questioned it.

Mr. DOLLIVER. I am very glad to hear the Senator say that, for if there is one thing in which we should all take a national pride it is the fidelity and modesty and accuracy with which these naval officers of ours make reports to the Department of what they have [illegible] and what they contemplate doing.

I am glad if I misunderstood the honorable Senator from Colorado in throwing suspicion upon an official report of a man who, if this business which he did at Panama illustrates his ability, will rank among the efficient public servants in the Navy of the United States.

We have had within the last few years two of our naval officers who may never become famous, but who, in my judgment, rendered incalculable service to the country. One of them was Admiral Kempff, the man who stood off the coast of China when every nation in the world was deriding him, some of them even calling him a coward, because he would not go into action with other nations and bombard the city of Tientsin, in China, and solemnly, in the fear of God and in the service of his country, said he would not and could not because the traditions of the United States forbade any foreign alliance, and because he would not bombard the coast of a country with which we were at peace.

The other case is that of this young commander of the *Nashville*, under trying circumstances there, with men, women, and children flying from what they supposed to be danger, gathering together the American residents in the old stone depot, at the outskirts of the city, putting it in a state of military defense, and disembarking forty-two men, not marines, because the Secretary of the Navy tells me he had only a few marine guards on his ship, but disembarking forty-two blue-jackets of the Navy to go from their ship, their home on the water, and to stand between our people and the injuries and losses that might have befallen that community. That I say, whether it is long remembered or not, will some day be discovered by the historian to be one of the bright pages in the glorious record of the little Navy of the United States.

It is not a very big achievement. It is not big enough to justify my friend the Senator from Nevada [Mr. NEWLANDS] in describing it as a state of war, in describing us as going to war with the friendly State and the people of Colombia. I confess I was a good deal perplexed the other day to find that distinguished Senator saying here that we were at war or had been at war with the Republic of Colombia. He seemed to be one of the few well-advised people who understood what was going on there.

I have great respect and admiration for his sagacity, but I am not able, even now, to understand how he discovered that we were at war with Colombia, when the Colombian Government itself never seemed to have heard of it, but on the contrary has constantly maintained its peaceful legation at our capital. Yet that is the only act looking like war which occurred there.

Men say the President of the United States issued orders which, if they had ever been received and had ever been acted upon, would have constituted a violation of the treaty and an act of war. I do not believe it.

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Nevada?

Mr. DOLLIVER. With very great pleasure.

Mr. NEWLANDS. Does the Senator insist that the instructions given to our naval commanders in those waters were not acted upon?

Mr. DOLLIVER. The only action I find recorded is this action of the commander of the *Nashville* in protecting the lives and property of American citizens in Panama. The other action seems to have been entirely commercial or financial.

Mr. NEWLANDS. Does the Senator deny that Admiral Coghlan informed the commander of the Colombian forces that he had been instructed by the United States Government not to permit the landing of Colombian forces upon her own soil?

Mr. DOLLIVER. My impression is that that occurred after the recognition of the Republic of Panama. But I am here to defend it wherever and whenever it occurred.

I am not one of those who apologize for any item in this transaction. I claim that the present Secretary of State knows as

much about international law as any man in this Chamber, on either side.

I claim that his heart is filled with as high a form of patriotism as belongs to any man in this Chamber on either side, and if I was called upon to take the opinion of John Hay and put it against the opinion even of the most learned masters of the law here, I would on such a question, without fear or doubt, take the opinion of the Secretary of State.

So I do not stand here to apologize for one minute either for any order that was issued or for any act that was done in Panama. I hold that our treaty relations with the Colombian Government made it absolutely essential for us to do what we have been doing.

And that brings me to the question which I intend to deal with with very great brevity, unless I find myself a good deal less master of my views on it than I had expected—the treaty of 1846.

I took a very great interest in the discussion of that question by the learned Senator from Colorado yesterday. I could not help but admire the industry and legal wisdom and learning which he had brought to that discussion, and yet I am satisfied from all I can find out that his speech and his discussion of the treaty of 1846 were absolutely wide of the mark. He discussed it as if it were a sort of treaty of commercial reciprocity, and as if this canal business were an obscure incident in it, which had unfortunately become prominent afterwards.

I do not so read the history of that transaction. I maintain that the treaty of 1846 was a canal treaty, and nothing else of importance. It had other items in it. It did provide for mutual reciprocal concessions in the mater of customs duties, etc. But the thing about that treaty which gave it significance and importance in the eye of our Government, and in the eye of the Government of Colombia, was the canal.

It was only a dream then. It has been a mere vision for generations. In 1835 the Senate had taken action looking toward it, and in 1839 the House had acted, on the request of New York merchants upon the subject, but it was a mere dream of the future, and the far-sighted men whose business, as statesmen, it was to deal not with the passing hour, but with all the centuries that are to come, looked forward to the absolute necessity of that canal.

It was at a time when our coasts had been enlarged by the settlement of California and its acquisition from Mexico, and the statesmen of that period saw that it was a part of the national life of the American people to find a better transit through the Isthmus of Panama. If anyone will take up the history of the negotiation of 1846 as a mere reciprocal commercial agreement, he misses altogether the substance and the motive of that transaction.

It was the hope and promise of the canal inspiring both the statesmen of New Granada and the statesmen of the United States which brought that negotiation into existence.

I do not intend to quote the diplomatic correspondence, though I have it upon my desk. The treaty had thirty-five articles in it. The relative importance of those articles is well exhibited by President Polk's message, February 15, 1847, transmitting the treaty to the Senate.

It is as follows, and nobody can read it without perceiving the motive and influence leading up to it:

To the Senate of the United States:

I transmit to the Senate for their advice with regard to its ratification, "a general treaty of peace, amity, navigation, and commerce between the United States of America and the Republic of New Granada," concluded at Bogota on the 10th December last, by the plenipotentiary appointed on the part of the United States on their part, and by Manuel Maria Mallarino, secretary of state and foreign relations, on the part of that Republic.

It will be perceived by the thirty-fifth article of this treaty that New Granada proposes to guarantee to the citizens of the United States the right of passage across the Isthmus of Panama, over the territory and property belonging to the Republic of New Granada, upon the terms and conditions set forth in the treaty, and that the United States shall make a similar guarantee to New Granada of the neutrality of that portion of her territory and her sovereignty over the same.

The reasons which caused the insertion of this important stipulation in the treaty will be fully made known to the Senate by the documents herewith transmitted. From these it will appear that our minister acted upon his own responsibility, and without instructions. Under such circumstances it became my duty, before I would submit the treaty to the Senate, and after mature consideration, I have determined to adopt the course.

The importance of this concession to the commercial and political interests of the United States can not easily be overrated. The route by the Isthmus of Panama is the shortest between the two seas, and from the nature of the country it can easily be made the best practicable route for a railroad across.

The vast advantage to our commerce which would result from such a communication, and yet more to the commerce of Europe and Asia than that of our own country, and yet with the commerce of all nations, but with the Pacific more than to the Atlantic States of the Union, are too obvious to require to be pointed out. Such a passage would relieve us from a long and dangerous navigation of more than 9 thousand miles around Cape Horn, and would bring the western coast of South America, with its rich mines, and the islands of the Pacific, more in communication with our own possessions and those of all other nations of America comparatively easy and speedy.

The communication across the Isthmus has attracted the attention of the Government of the United States even since the independence of the South American republics. On the 3d of March, 1835, a resolution passed the Senate in the following words:

"Resolved, That the President of the United States be respectfully requested to consider the expediency of opening negotiations with the governments of other nations, and particularly with the governments of Central America and New Granada, for the purpose of effording a permanent, by means of a road or canal, or both, and on such terms as may be just and equitable, to open a communication between the Atlantic and Pacific oceans by the construction of a ship canal across the Isthmus which connects North and South America, and of securing forever, by such stipulations, free and equal right of navigating such canal to all such nations, or their citizens or subjects, who may traverse the same, paying such tolls as may be established by the authorities who may control the canal while traversing the same."

No person can be more deeply sensible of the danger of entangling alliances with any foreign nation. That we should avoid such alliances has become a maxim of our policy, consecrated by the most venerated patriots and statesmen of our country, and sanctioned by the unanimous voice of the American people. But no such question arises under this resolution or any action contemplated by it. The independent American governments, as well as our own, are equally interested in the subject of the guarantee from New Granada, and it can give rise to no political connection between our country and any other country.

The guarantee of the sovereignty of New Granada over the Isthmus is a natural consequence of the guarantee of the transit, and there does not seem to be any other practical means of securing the neutrality of that territory. New Granada would not consent to grant us this valuable privilege in order that it might be made a military station, and it is scarcely probable that any other nation would ask it for the same purpose. The works which shall be constructed will belong to New Granada by a title as perfect as the territory of any nation. It cannot be for the interest of the United States that the sovereignty over the Isthmus should be in any other power than that of a friendly one. We have no enemy; but supposing such to exist, it is obvious that the possession of the Isthmus would place it in her power to do us more injury than any other nation can, from the facilities which it would afford her for the transportation of troops and munitions of war between her possessions on the Pacific and those on the Atlantic.

This treaty passed the Senate with amendments, which have been accepted by New Granada, and ratifications have been exchanged. Its ratification has been delayed for some time, in order to obtain the consent of Great Britain to some of the provisions of the treaty, which relate to her possessions in Central America. I have at last obtained her consent, and now the ratifications of the treaty may be exchanged at any moment. I have thought it my duty to lay the whole treaty before the Senate, for their advice with regard to its ratification, as the stipulations of the 35th article, in particular, goes further than any of our former treaties.

JAMES K. POLK.

WASHINGTON, [illegible]

Here was a feeble state, including within its territory what is now known as Panama. It was a feeble state. The nations of Europe were looking toward that Isthmus to despoil it. The French people especially and the English had the eyes of avarice and commercial foresight upon that strategic point on the American Continent, and the people of New Granada felt that if they could get in some way under the shadow of the American Republic they would be enabled to preserve the integrity of their territory and to peacefully work out their destiny.

That was before the age of blackmail and commercial degradation, which has since fallen upon that unhappy community.

They were farsighted men, and fortunately we had farsighted men here. When Mr. Polk sent to the Senate the treaty of 1846 he said hardly a word about anything except this dream of the isthmian canal.

For that the Government of the United States undertook to protect the integrity and the sovereignty of the State of New Granada, and in exchange for that the State of New Granada undertook to guarantee by a solemn public grant to the United States, not a mere right of way, not a mere bypath across those mountains to be kept free and open, but they guaranteed the right of free and uninterrupted transit, not only by the means that were then known, but by all the means that were suggested by the hopes of the world over that Isthmus.

Now, I hold that as a question of law my honorable friend from Wisconsin [Mr. QUARLES], who spoke here the other day, made an

absolute demonstration that whatever rights New Granada had by that treaty went by inheritance to the State of Colombia; that whatever rights Colombia had by that treaty have now gone by inheritance to the State of Panama, and that we are bound by that treaty to do for the new little Republic of Panama exactly what we proposed fifty years ago to do first for New Granada and after that for the United States of Colombia.

I hold, further, following closely what I consider as the unanswerable argument of the Senator from Wisconsin, that that grant was in its very nature a servitude upon the sovereignty and rights of the State of New Granada. It was more than a right of way. It was a guaranty that the United States should have rights along that canal route, which in their very nature were a qualification of the complete sovereignty of the Republic of New Granada.

And that is no statement of imaginary international law. My friend from Colorado [Mr. PATTERSON] the other day undertook to say that when the President of the United States described our rights in New Granada and in Colombia and afterwards in the State of Panama as a property right "carved out of the sovereignty" of these States, he not only spoke words of nonsense, but that he was the only living man that ever thought of such a proposition.

It is, however, a well-established proposition of international law that there is such a thing as a grant of this character, constituting a property right carved out of the sovereignty of the state that makes the grant. I have here one of the ablest works, I think, there is on international law, which expressly describes that situation. So the President of the United States was not either going beyond precedent or outside of the authority of the law when he referred to our rights on that Isthmus as a property right carved out of the sovereignty of Colombia. This author says:

From their very nature and situation the right to use and enjoy certain classes of state property depends on a sovereign grant in municipal law which for a [illegible] is recognized as a valid title by international law, and is upon international law. A state may limit or qualify its sovereignty and jurisdiction over its territorial property by permitting a foreign state to possess within its limits certain rights of other kinds, or by surrendering the right to exercise certain parts of its domestic jurisdiction as a protection to others. Restrictions thus imposed upon the sovereignty of a state are known as servitudes, which may be either positive or negative.

Mr. CULLOM. What does the Senator read from?

Mr. DOLLIVER. From Taylor's International Public Law, chapter 3, page 263. That is not only true now, but it was true at the time of this transaction, and I have an idea that Franklin Pierce, who has been described here as not a very great man, had heard something of that carving out of the sovereignty of Colombia and adding it to the sovereignty of the United States.

If he did not have that in his mind, it is a little difficult to find out what he meant in this message of his of May 16, 1856, when, after having described the intolerable situation which would be created if both the transit at Nicaragua and the transit at Panama were stopped up, he used the words which I shall read. He has already described the interruption of the transit of Nicaragua on account of the Walker insurrection down there. He says:

Further than this, the documents communicated show that, while the interoceanic transit by way of Nicaragua has been cut off, disturbances at Panama have [illegible] New Granada, involving the sacrifice of the lives and property of citizens of the United States. A special commissioner has been dispatched to Panama to investigate the facts of this occurrence with a view particularly to the redress of [illegible] for the future security of interoceanic communications by this as by the other routes of the Isthmus.

Then follows a sentence which I have no doubt the President of the United States had in his mind when he spoke of our rights there as having been carved out of the sovereignty of Colombia. He says:

It would be difficult to suggest a single object of interest, external or internal, more important to the United States than the maintenance of free communication, by land and sea, between the Atlantic and Pacific States and Territories of the Union. It is a material element of the national integrity and sovereignty.

How did it become a part of the sovereignty of the United States to have free access from the Atlantic to the Pacific Ocean across the Isthmus of Panama? It either arose by natural right, which has been discussed here in a dim way under the name of international eminent domain, or it arose by this treaty.

I have made such an examination of the documents that accompanied this negotiation and of the history of those times as to make my own mind clear that it was the intention of that small, struggling, feeble little community of New Granada of 1846, as a price for the guaranty of its integrity against foreign aggression, to give to the United States this grant, which is in the nature of a servitude guaranteed to the use of the commercial world.

That leads me to say that the President of the United States has taken no action in connection with this treaty which is not warranted. It is in vain for anybody to read authorities, it is in vain even for a man with such profound learning as the junior Senator from Massachusetts [Mr. LODGE] to array here, as he has so ably done, the whole line of legal precepts and authorities upon this question. It is a question that will be decided now, as it always has been decided, upon the history of the United States.

Somebody says that the Government of the United States never had any right to do anything in the Isthmus of Panama without the request of the Government of Colombia. I deny it. No such construction of that treaty can be made. If that were a proper construction of the treaty, the whole history of the United States in respect to it there has been a violation of that provision of the treaty.

To my mind it is incredible that with this enormous interest at stake the United States should have been called upon by that treaty to stand idly by and see life and property and commerce destroyed without intervening, waiting for the request of the Colombian dictator and relying for reparation upon an action in damages against that bankrupt, helpless political institution. I deny that it has any sense in it, and I deny that it accords with the history of the people of the United States.

If it did, what did President Buchanan mean when he came to Congress and asked the authority of Congress to take an army to the Isthmus of Panama whenever we needed one there? If he had no right to use it except at the request of the insurrectionary peoples inhabiting that neighborhood, what did he mean when he asked Congress to give him an express authority to take the Army of the United States down there and occupy the Isthmus of Panama for the purpose of protecting our property?

I say, then, Mr. President, that we have in that Isthmus, and have had for fifty years, a property right carved out of the sovereignty first of New Granada, and then of Colombia, and now of the State of Panama that warrants every order the President of the United States has issued and every act that has been done either by our bluejackets or by our marines in either harbor of the Isthmus of Panama.

I do not propose to stand here one minute apologizing either for what has been written down on paper or what has been done by the gallant officers and seamen and marines of our little fleet down there at Colon and at Panama. I have got to a point where I propose to stop apologizing for the Government of my own country in order to add to the comfort and solace the feelings of people who reside in foreign countries.

I have reached a point in my patriotism where I propose to stand with the United States and let the other peoples of the world take care of their own governments. Without intending to irritate or disparage anybody, I say to my brethren upon the other side of this Chamber that there is nothing to be made politically by embarassing the movements of the Government of the United States in these great transactions which involve its relations with foreign countries.

I dismiss, as the President of the United States very properly dismissed, with contempt the proposition that the Government of the United States is capable of any untoward, underground intrigue in connection with this great business. I say that the whole history of it is written. It is a history of anarchy and despotism for forty years upon the Isthmus of Panama. If there was no other law of the United States or of nations that justified our conduct, I would suggest the existence of a law which more than once has directed the history of this world, and that is the law of exhausted patience.

The time had come and had long been passed when the United States could any longer afford to be mixed up in an attitude hostile to that little community huddled along the Panama Railroad, fighting for its liberty and longing for the time when it might enjoy the advantages in its commerce and its business which must come from the interoceanic canal. I rejoice that after all these years the time came when with honor and with dignity and with dispatch the Government of the United States could wash its hands of that despotism, could put an end to its alliance with that anarchy, could bid an affectionate good-by to that cumbering dictatorship at Bogota, and extend for the first time in its history the right hand of fellowship and defense to the population of the Isthmus of Panama.

For the first time in all this long controversy the canal is in sight. I hope our old friend the senior Senator from Alabama [Mr. MORGAN] will live to see it finished, to see the great enterprise to which he has devoted his life consummated in the construction of this public work. It ought to be built upon the sea level. I predict that before we are fully at work upon that canal the progress of electrical science will devise measures to put the canal through upon the sea level at an expense infinitely less than any of the practical engineers of our day even dream of.

It will be built, owned by the United States, defended by the United States, undisturbed by the anarchy at Bogota, in the midst of a grateful, friendly community in sympathy with our interests and with our purposes, enjoying at last the realization of their hopes and of their ambitions. It will make secure the

fame of many who have given it help in times when it needed help. It will preserve the reputation of statesmen of both Houses of Congress of all parties and all sections who have looked forward to its consummation. Foremost among them will be the Senator from Alabama, and I hope that his years may be lengthened to see that day.

But among all the statesmen whose names are honorably connected with this superb enterprise there is none more honest, and manly in his life before he entered upon the duties of President, brave, direct, and manly said under the burdens of that great office—for whom above all others [illegible] after these noises are all silent its chosen [illegible] "Well done, thou good and faithful servant or civilization. [Applause in the galleries.]

The PRESIDENT pro tempore. Applause is not permitted in the galleries.

Mr. TELLER. Mr. President, before the Senator from Iowa leaves the Chamber I wish to call his attention to a statement he made. I [illegible] the [illegible] of his [illegible]

The PRESIDENT pro tempore. The Senate will be in order.

Mr. TELLER. I should like to have the attention of the Senator from Iowa for a few moments. [illegible] treaty is a [illegible] or [illegible]

Mr. TILLMAN. The treaty of 1846.

Mr. TELLER. I am speaking of the treaty of 1846. I will not assume that the Senator from Iowa has not read the treaty. Of course I know he has.

Mr. DOLLIVER. If the Senator will pardon me, I did not understand [illegible] treaty and nothing else. I said it was a very [illegible] consuming much matter, but that the thing [illegible] it [illegible] sequence, and practically the only [illegible] President Polk's message sending it to the Senate [illegible] was this canal.

Mr. TELLER. Oh, Mr. President, the Senator is mistaken. He can not have read Polk's message either. When President Polk sent in his message he did not put it on the ground of a canal at all, if the Senator will pardon me, but [illegible] message, he will see, [illegible] with reference to the introduction of goods into Colombia. I ask some Senator to turn to it.

Mr. DOLLIVER. If the Senator will permit me, Mr. Polk says:

[illegible]

Referring to the guaranty of the neutrality of the territory—

Besides such a guaranty is a most appropriate to the construction of a railroad or ship canal [illegible] expensive works [illegible] their investments.

Mr. TELLER. I have not denied that, but that does not make good the statement of the Senator that this was a canal treaty. I wish that my colleague [Mr. PATTERSON], who has the message before him, would read what he said as to the other points in this case.

Mr. PATTERSON. President Polk says:

The vast advantages to our commerce which would result from such a communication, [illegible] with the west coast of America and with Asia are too [illegible] to require any argument. Such a line would [illegible] a long and dangerous navigation of upwards of [illegible] miles between the Atlantic and Pacific coasts of America [illegible] the Pacific coast of America comparatively [illegible] and speedy.

Then he continues:

The guaranty of the sovereignty of New Granada over the Isthmus is a natural [illegible] the guaranty of its neutrality, and there does not seem to be any other practicable mode of securing the neutrality of this territory.

* * * * * * *

The treaty removes the heavy discriminating duties against the ports of New Granada, which have nearly destroyed our commerce and navigation [illegible] and which we have been in vain endeavoring to abolish for the last twenty years.

Mr. TELLER. The papers submitted with the treaty will show that the practical point to be secured by the concession that has just been mentioned in the message was not the canal, and the canal is mentioned simply once in that treaty.

If I can not have the attention of the Senator I do not care about discussing it. Mr. President, I do not get up here simply to charge something against the Senator. I think the Senator overlooked the gist of this treaty, and I wanted to call his attention to it; but if the Senator is not at all concerned about it, it is not worth while, perhaps, for me to make the suggestion.

Mr. DOLLIVER. I assure the Senator I am very much interested in what he says. I have been interrupted, without any purpose to be disrespectful to him.

Mr. TELLER. This is a treaty of amity, navigation, and commerce. It consists of a large number of articles. It is one of the most elaborate treaties that we have ever made. It has thirty-six articles in it. The thirty-fifth article is the one that treats of the canal and the railroad. It mentions the canal once. At that time there was no transit at all across the Isthmus at that point, except the trail that went across. There was no railroad. The railroad was built subsequently to that time. This treaty does not profess anywhere in it to be a canal treaty. As I said the other day, it does not give us any canal rights whatever. It does not purport to do it.

The Senator from Iowa says we had a sovereignty in it. Mr. President, that is denied by a subsequent treaty which we ourselves made eleven years later, in which we said then that by this treaty it was the duty of Colombia, or New Granada at that time, to take care of this transit, and not our duty.

The Senator says that we certainly had a property right in it. Mr. President, I assert that neither President Pierce nor any other man ever asserted, intermediately or otherwise, that we had any property rights there in the territory or any right of sovereignty. A right to travel through another man's land does not give me ownership in the land, and when Colombia said to us, "You may go across any canal that may be built, you may go across any railroad that may be built," they did not say that we had the sovereignty.

Mr. President, this was a treaty for twenty years. What would become of the sovereignty we are supposed to have obtained from Colombia, at the close of twenty years, we should say, or Colombia should say, "This treaty is terminated?" That of itself shows that there was no sovereignty here.

I repeat that the President of the United States is the first man ever found in the United States to suggest—whether he suggested it on his own motion or not I do not know—but he is the first man who ever suggested it publicly.

Mr. President, you do not establish propositions of law any more than you establish propositions of morals by reiteration and declaration—that is to say, unless the declaration is made by a legislative body. The Senator speaks ex cathedra when he says, "Nobody can question what I have said. I declare this to be the law." Of course it may be all right for the Senator to say that, but it comes in conflict with the decisions of the Attorneys-General and of the Secretaries of State of the United States for the last [illegible] years. It puts him in absolute hostility to the opinions of all the publicists of all the ages of the world. He says there is no use in going back to Grotius. I am afraid he has not been there, Mr. President. I think he might acquire some information of value to him if he went there and studied that great authority.

I do not intend to make any speech on this subject, but I want to call the Senator's attention to the matter, because I think, if he will examine the treaty, he will see that this passage is significant:

And, in order to secure to themselves the tranquil and constant enjoyment [illegible]

Those are the things which are included in what my colleague [Mr. PATTERSON] read from the message of the President.

That was the gist of this treaty and of its language. As I said the other day, for forty years thereafter we absolutely ignored the proposition that we were to build a canal there. We treated with other nations. When we passed bills, of which we passed three, they were for the purpose of building a canal somewhere else.

Mr. President, it seems to me—and I speak with all deference for the Senator from Iowa—that he was invited to put me in a false attitude when he said that I questioned the authority of the report which he read from Commander Hubbard. I was careful to call attention to the fact that the statement was made upon a report made to him by the prefect—I do not know whether he was a fat man or a lean man or a mulatto, or what he was; but I know he was a man who naturally had large interest in securing active interference with affairs there by the Government of the United States, and it was but natural for him to say to our officers: "If you do not intervene, you are all going to be killed, for this man is threatening with death and destruction everything American."

I called attention yesterday to the fact that our consul in the voluminous correspondence which he had with the Government of the United States concerning conditions there never mentioned anything of that kind.

This is not a question of the condition of Colombia. It does not make much difference whether the people there are as bad as the Senator from Iowa says they are, or whether the people of Panama are as good as he says they are. This question can not be settled in that way. We have presented the law as we believe it to be. If Senators wish to contest that, of course they have the right to contest it upon their own judgment or they can contest it upon authorities.

I am not disturbed by the frequent and repeated laudations of the Chief Executive and the Secretary of State. All those things are proper to a certain degree, and they may be profitable even beyond what is proper. My relations with the Executive are cer-

tainly not hostile; yet I can not subscribe to the statement that this act of the President is a more magnificent, transcendent, patriotic, and beneficial act than that of any previous Administration or of all Administrations, as I have heard asserted.

Mr. NEWLANDS. Mr. President, in the debate in the Senate on January 14, whilst I was occupying the floor, the following colloquy took place:

Mr. QUARLES. The Executive discretion as to whether a government should be [illegible] Congress should disavow. That will bring the legal question exactly down to [illegible]

[illegible] of his acts that are in violation of the treaty of 1846—and I have enumerated them—that one in violation of international law—and I have enumerated them—and in violation of the constitution of the United States—and I have enumerated them. What happens when the [illegible]

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Mr. SPOONER. I appeal to the Senator from Nevada to introduce such a resolution in order that there may be developed here in a practical way a line of [illegible]

Mr. NEWLANDS. I will take the appeal of the Senator from Wisconsin under consideration.

Pursuant to that appeal, Mr. President, I have prepared the resolutions which I send to the desk to be read by the Secretary, as they present my individual views upon this question. They contain a statement of fact, a recital and disavowal of the acts of the President which constituted a violation of the treaty of 1846, of international law, and of the Constitution. They provide for redress to Colombia and for the immediate settlement of all existing claims of Colombia and the immediate commencement of the Panama Canal.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Whereas by the treaty between the United States and the Republic of New Granada (now Colombia), made in 1846, New Granada guaranteed to the United States that the right of way or transit across the Isthmus of Panama upon any mode of [illegible] New Granada (now Colombia) had and possessed over the said territory, and it was also provided in the said treaty that any of the articles contained therein should be violated or annulled, neither of the two contracting parties should ever be held to [illegible] of reprisal nor declare war against the other on complaint of injuries or damages until the party complaining should allege and have proved before the other a statement of such injuries or damages, verified by competent proofs, demanding justice and satisfaction, and the same should have been denied in violation of the laws and of international right; and

Whereas thereafter the Panama Railroad was constructed under a concession granted by Colombia, by which the Panama Railroad bound itself to transport government troops, munitions of war, and mails, free of postage, and to transport troops and also the effects that belonged to them were destined for the appropriate service of the Colombian Government, and thereafter the control of such railroad was granted by the New Panama Canal Company of France, which under the concession granted by Colombia for the construction of an interoceanic canal, was obligated to carry troops, through the canal or across any route, the Panama Railroad or any other road, and to transport the troops of the nation, for the service of the state or for the service of the police, with the power of quartering armed troops, munitions of war, and the transportation of police orders, and also to transport gratis the baggage of national armament; and

Whereas the treaty of 1846 had prior to the recent occurrences been uniformly construed by the Government of the United States as imposing upon the United States the duty and the prerogative of protecting the neutrality of the Isthmus of Panama and the sovereignty of Colombia over the Isthmus against foreign attack, and as securing to Colombia the full power and right to bar the passage of military or armed troops and suppress domestic disorders which would interrupt the peace of the Isthmus; and

Whereas prior to the present unfortunate time and even by the United States in the instructions of Commander Hubbard, under which the revolution of Panama was consummated, the duty of Colombia, at her own expense, to suppress such revolts, and to protect the property and the rights of citizens of the United States and also to secure the control of the Panama Railroad and to secure to Colombia the perpetual control of a canal to be built across the Isthmus connecting the Atlantic Sea and the Pacific Ocean, for the purpose of [illegible] the canal, and to [illegible] and protected that [illegible] for the United States a [illegible] the New Panama Canal Company of France and the [illegible] territory of Colombia, and other rights referred to [illegible] and upon reasonable terms, then the President [illegible] of the necessary territory [illegible] known as Nicaragua for the construction of the Nicaragua Canal, [illegible] and

Whereas [illegible] known as the "Hay Herran treaty," providing for the [illegible] of a strip of land on the Isthmus of Panama was negotiated between the United States and Colombia, which treaty [illegible] by the President of the United States and the Congress of Colombia, and such treaty was rejected by the Senate of the United States, but failed of ratification by the Colombian Congress; and

Whereas [illegible] the United States, as appears by his message to the Senate January 4, 1904, that an act was issued by the commander of the Colombian Republic by the secession of Panama to transport and station the Navy Department to station certain of the armed vessels of the United States within any port of the Isthmus; and

Whereas [illegible] by such message, on the 2d of November, 1903, and prior to the organization of a provisional government in Panama, the following instructions were sent to the commanders of such vessels:

"Maintain free and uninterrupted transit. If interruption is threatened by armed force, occupy the line of railroad. Prevent landing of any armed force which would interrupt either Government or insurgent at any point within the limits of Panama. Government force reported approaching the Isthmus in vessels. Prevent their landing if, in your judgment, the landing would place transit in conflict"; and

Whereas the commander of the said naval forces were instructed to prevent what was the landing of Colombian troops and to aid in the maintenance of every government in Panama and to defend the sovereignty of Colombia against foreign aggression and insurrection of any such character and that [illegible] to be necessary, by the Colombian Government to maintain a [illegible] the sovereignty in Panama, and to suppress any domestic [illegible] if they should [illegible]; and

And whereas [illegible] Colombian troops having landed at Colon, the [illegible] were prevented by the commanders of the United States [illegible] and [illegible] said to Panama, as reported in the following telegram:

"COLON, *November 4, 1903.*

"SECRETARY OF THE NAVY, *Washington:*

"The provisional government was established at Panama Tuesday morning, [illegible] Government of Panama, [illegible] Colonel Amador, [illegible] good [illegible] government troops who [illegible] to Panama. I have prohibited [illegible] from landing in the Isthmus.

"HUBBARD."

And [illegible] was an express violation, not only of the concessions made by Colombia to the Panama Railroad and to the Panama Canal Company, but also of the express terms of the treaty of 1846; and

Whereas [illegible] President, in his proclamation of the recognition of the United States, as aforesaid, the Commander of the United States Navy, [illegible] such as good [illegible] necessary [illegible] did, on November 4, 1903, proceed to an order [illegible] government and citizens of Panama with a view and designed the sovereignty of Colombia over the Isthmus and recognized the sovereignty of such insurrectionary government the same and did the together, on the day of November 6, 1903, [illegible] recognized that the United States would not permit land or other forces to be landed in Panama for the purpose of suppressing insurrection against it, and threatened to [illegible] Colombian troops, and representing the Panama Canal Company, as the holder of Colombian and Republic of Panama, [illegible] with Panama such as neither participated in or [illegible] the United States and the Republic of Panama [illegible] the construction of an interoceanic canal at Panama and such treaty has been submitted by the President to the Senate for confirmation; and

Whereas the President, in consideration of his action as aforesaid, subsequently [illegible] in violation of the Hay Herran treaty asserts:

1. That the action of the Hay Herran treaty was a breach upon the part of Colombia in attempt of the Republic of Panama to [illegible] because of Colombia should grant such concessions for the construction of means of interoceanic communication;

2. That the national interests and safety required it;

3. That the interests of commerce required it; and

Whereas the Government of Colombia, after the events aforesaid, sent a special commissioner to the United States to present the complaints of Colombia against the United States for violation of the treaty of 1846, and for violations of international law, and requested the adjustment of such complaints or the reference of them to impartial arbitration. Now, therefore,

Resolved, That the instructions of the United States to its naval forces aforesaid to permit the landing of the Colombian troops on the Isthmus, and the disarmament of the armed Panamanian forces to prevent such landing and the use of the Panama Railroad and the display of power and force which overawed Colombia and prevented her from defending her sovereignty over the Isthmus, and thus secured the secession of Panama and the dismemberment of Colombia and the creation of a new government in Colombia's territory, sustained and sustained only by the armed forces of the United States, constituted a violation of the treaty of 1846 in this, that Colombia's sovereignty over the Isthmus of Panama, expressly acknowledged in the treaty of 1846;

2. That it violated the provision of the treaty of 1846, which declared that [illegible] any [illegible] or [illegible] any act of [illegible] are war against the other on complaint of injuries or damages until the party complaining should have laid before the other a statement of such injuries or damages, verified by competent proofs, demanding justice and satisfaction, and the same should have been denied in violation of the laws and of international right;

3. That the recognition by the President of the New Panama a state [illegible] which was [illegible] guaranty of the sovereignty of Colombia [illegible] to maintain international obligations and which [illegible] such support forces by the armed forces of the United States in violation of the treaty now [illegible];

4. That the armed intervention of the United States, as aforesaid, was made in war against Colombia upon the part of the President of the United States without the sanction of the Congress of the United States and was in violation of the express grant of their constitution which gives to Congress alone the power to declare war.

And whereas it is reported that Colombia is willing to settle on an honorable basis all [illegible] against the United States in relation to said occurrences and of [illegible] Therefore,

Resolved, That the President of the United States be respectfully requested to negotiate a new treaty with the United States of Colombia providing for the construction of the Panama Canal and a settlement of all claims which Colombia may claim to have in connection with the Isthmus of Panama or the treaty of 1846, including all her rights in the concessions for the construction of the Panama Railroad and the Panama Canal across the Isthmus, and specifically stipulating by such treaty that the United States of America for the United States of Colombia in all respects whatsoever, as far as said Isthmus of Panama is concerned.

Resolved, That said treaty should follow as closely as is feasible the lines of treaties whereby the United States acquired by purchase Louisiana from France, Florida from Spain and Alaska from Russia.

Resolved, That if it is found impracticable to agree upon the amount of compensation for said cession, such amount shall be referred for determination to

arbitration, one arbitrator to be appointed by each Republic, and the umpire to be named by the President of Switzerland [illegible] in case of a national, as it may be found necessary, such treaty shall contain provisions [illegible] and shall be submitted to the Senate for its consideration and action [illegible] thereof, without waiting for the result of such negotiation, so that work upon said canal may be at once commenced.

Mr. NEWLANDS. Mr. President, I do not wish now to indulge in any extended remarks upon these resolutions. I simply wish to say that they express my individual views, without consultation with my associates as to the method by which all existing complications can be settled and the construction of an interoceanic canal across the Isthmus of Panama be immediately commenced. Their purpose is to expedite the canal, not to delay it.

I wish to say also in this connection that it has been stated in the public press that among the other proposals to be made to the Government of the United States by General Reyes, the special commissioner appointed by Colombia to settle these complications, the suggestion was made that, as compensation for the territory thus taken from Colombia, Colombia would accept the sum of $10,000,000, to be expended in the construction of a railroad from Bogota to the coast.

I wish to say that I can imagine no worthier plan for the expenditure of this money than the one suggested by General Reyes. We all know that Colombia has no adequate means of transportation; that she is suffering from two things—one the lack of proper transportation and the other the lack of a proper medium of exchange, without which no country can reach either a high degree of civilization or of material progress. It seems to me that the Government of the United States could give to this Central American Republic no more substantial evidence of its desire to give adequate redress for accomplished wrongs than by appropriating such a sum for so beneficent a purpose. Our treaties, our diplomatic correspondence, our resolutions, our laws, all attest our desire for relations of friendship and amity with South American and Central American States. Let us add acts to words.

Now, Mr. President, I ask that the resolution lie on the table for future consideration.

The PRESIDENT pro tempore. If there be no objection, the resolution will be received and go over under the rule.

Mr. NEWLANDS. I ask that it lie upon the table.

The PRESIDENT pro tempore. Subject to the call of the Senator?

Mr. NEWLANDS. Yes; subject to my call.

Mr. PLATT of Connecticut. Let it be printed.

The PRESIDENT pro tempore. The Senator from Nevada asks that his resolution be printed and lie on the table subject to his call. Is there objection?

Mr. ALLISON. Mr. President, I do not object to that arrangement, although sometimes the call of a Senator may be inconvenient for other business of the Senate. There is now on the table a resolution of the Senator from South Carolina [Mr. TILLMAN], who yesterday gave notice that he would speak during the morning hour to-day on his resolution, and the consideration of that resolution occupied the entire morning hour. It is, of course, a subject of importance, and I suppose another day will be taken up in its discussion. I only suggest that, in case the arrangement suggested by the Senator from Nevada [Mr. NEWLANDS] is made, it should be so made as not to interfere with the important business that may arise in the Senate.

Mr. NEWLANDS. Of course I have no disposition to interfere with important business. I am not sufficiently familiar with the rules of the Senate to ask just what ought to be done with the resolution.

Mr. ALLISON. I think there will be no difficulty about it; but it seems to me we have a good many resolutions now lying upon our table that in some way ought to be disposed of. I am perfectly willing that the Senator from Nevada may have his resolution taken up at some convenient time. I only make the suggestion with a view of facilitating the consideration of the regular business of the session.

Mr. TELLER. Mr. President, I only want to say that I suggest to the Senator from Nevada, who, as he says, is not as familiar with the rules of the Senate as some of us are, that the course he has taken as to his resolution was the customary one, and I am very sure that there will be no abuse of the privilege by the Senator from Nevada.

Mr. ALLISON. I do not object to the arrangement suggested.

The PRESIDENT pro tempore. If Senators will allow the Chair to make a suggestion, he will say that there are perhaps a dozen resolutions now on the table, which are permitted to stay there until each has had its day in court. The resolution of the Senator from South Carolina [Mr. TILLMAN] has had a day in court, but by unanimous consent it is still permitted to stay here. If the resolution which the Senator from Nevada has offered remains on the table, it will be at the bottom of the list; but the Senator can probably, whenever he so desires, if it shall not be reached within two or three or four or five days, by unanimous consent call it up in the same way the Senator from South Carolina called up his resolution.

Mr. ALLISON. I remember. Mr. President, the suggestion has been made here once or twice that Senators were being denied the opportunity to secure the passage of resolutions calling upon the Departments for information. Now, if there is any information desired as respects the important matters pending before the Senate, I hope resolutions of that character will be considered. That is all I desire to request about it.

Mr. GORMAN. I am delighted to hear the Senator from Iowa say that, if he will permit me——

Mr. ALLISON. I am delighted that the Senator from Maryland is delighted.

Mr. GORMAN. I understand that the resolution offered by myself asking for information after conference is not objectionable to anybody, and I ask that we may now have a vote on it. It is the pending resolution.

The PRESIDENT pro tempore. The pending resolution?

Mr. GORMAN. The pending resolution.

The PRESIDENT pro tempore. Is the Senator from Nevada content to have his resolution go over?

Mr. GORMAN (to Mr. NEWLANDS). Yes; that is all we want.

Mr. CULLOM. If the Senator from Nevada wants to make a speech, he can get an opportunity almost any time.

The PRESIDENT pro tempore. Then the resolution will go over under the rule.

Mr. GORMAN. Yes.

Mr. NEWLANDS. Yes.

Mr. CULLOM. The Senator from Nevada will have a chance to make a speech whenever he desires.

Mr. NEWLANDS. Yes.

The PRESIDENT pro tempore. The resolution will go over under the rule.

Mr. GORMAN. Now I ask for a vote on the pending resolution.

The PRESIDENT pro tempore. Is the Senate ready for a vote on the pending resolution?

Mr. BEVERIDGE. What is it?

The PRESIDENT pro tempore. It is the resolution known as the "Gorman resolution."

Mr. GORMAN. Let it be read.

Mr. KEAN. It has been very much amended.

Mr. FAIRBANKS. I should be glad to have it read for the information of the Senate.

Mr. TELLER. Let it be read.

Mr. GORMAN. Yes. It simply calls for the orders of the Department.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution submitted by Mr. GORMAN on the 5th instant, as modified, as follows:

[illegible] his judgment incom- [illegible] the United States [illegible] in- [illegible] or [illegible] nt [illegible] or not the United States has [illegible] of [illegible] um- [illegible] with [illegible] as [illegible] n- military force, and transmit copies of the orders issued by the Navy Depart- [illegible]

Fourth. And also that he will inform the Senate of the dates when and cir- [illegible] which the United States has employed military force in [illegible] of New Granada or Colombia [illegible] of the peace therein, or to [illegible] or disturbance.

Mr. SPOONER. What is the last paragraph? I ask the Secretary to read it again.

The Secretary read as follows:

Fourth. And also that he will inform the Senate of the dates when and cir- [illegible] which the United States has employed military force in [illegible] of New Granada or Colombia [illegible] and the peace therein, or to [illegible] or disturbance.

Mr. SPOONER. That is rather a peculiar provision. It assumes that at some time the Government has employed military or naval force in aid of a revolt against Colombia. If the Senator from Maryland will qualify that, as I think he should——

Mr. GORMAN. I supposed the resolution was entirely satisfactory.

Mr. SPOONER. I had not observed that subdivision.

Mr. GORMAN. If the forces never have been so used, the President will say so.

Mr. SPOONER. It inquires whether at any time the Government has employed military or naval force in aid of a revolt.

Mr. GORMAN. Yes.

Mr. SPOONER. But the question as put there assumes that there have been such occasions and asks for dates. That is not proper.

Mr. GORMAN. If the Senator from Wisconsin will read the resolution, I think he will find——

Mr. McCOMAS. If my colleague will permit me, I suppose he means to include naval as well as military forces.

Mr. GORMAN. "Military force," I take it, would include either the naval or the military force. At any rate, there is no case where the Army has been employed; it has always been the Navy.

Mr. FAIRBANKS. I should object to the passage of the resolution in its present form. It seems to me that the fourth clause particularly is predicated upon a false basis. There is an assumption which, in my judgment, is unwarranted:

Fourth. And also that he will inform the Senate of the date when and cir- [illegible] which the United States has employed military force in [illegible] of New Granada or Colombia—

How?—

in aid of a revolt, or rebellion, or disturbance of the peace therein.

It seems to me that is entirely unwarranted, and, speaking for myself, I am unwilling to send to the President of the United States any resolution of that sort.

Mr. SPOONER. It is contended on the other side by some Senators that recently the United States employed military force in the internal affairs of New Granada or Colombia in aid of a revolt or rebellion or disturbance of the peace therein. That we on this side all deny. I did not understand that the Senator had in this resolution any inquiry based upon the assumption that we are all wrong and that he and some of his associates are right; but that is what this is. I do not think the Senator from Maryland meant that.

Mr. GORMAN. The President of the United States informs us in his message that the armed force of the United States has not been engaged in aid of a revolt or rebellion.

Mr. SPOONER. But, if my friend will permit me, that, to me, only affords an additional argument against the propriety of this subdivision of the resolution, because it could not be anything else than an insult to the President of the United States, of which the Senate ought not to be guilty, to pass a resolution asking him when something occurred which he has explicitly denied ever occurred.

Now, whether what was done on the Isthmus by the President—and there has been a full statement of the facts in regard to it—gives rise to a fair inference for argument that the troops of the United States or the military forces of the United States were used there in aid of a revolt, is a matter for us to discuss here. The Senator entertains one view of it; we entertain another. But the resolution assumes and asks the Senate to assume that our forces were used there in aid of a revolt or rebellion. That is not fair to the President or to the Senate. I can not vote for any such proposition, although I have no objection in the world to the resolution as I supposed it was.

Mr. GORMAN. I supposed the Senator had gone over the resolution very critically and that there had been eliminated all the objectionable features that were in the original resolution. The President has stated emphatically that his conduct and the conduct of the military force at Panama on this particular occasion was in exact conformity with what had preceded. That is conceded. The correspondence and the orders from 1846 to now have never been published in full. All I desired was that all that information since 1846, from the ratification of the treaty down to the present time, should be furnished to the Senate.

I think, upon reflection, that possibly the fourth clause is not absolutely necessary. I think that under the clauses preceding it we will get all that we desire. As the Senator from Wisconsin and the chairman of the committee are perfectly well aware, I do not desire to make any inquiry of the President of the United States which is not perfectly fair. We may afterwards debate his suggestions and criticise them as we please, but in treating with that great office I would not knowingly be the author of, nor would I have the Senate wittingly or unwittingly pass, a resolution which, according to fair judgment, contained the slightest reflection upon him in making the inquiry. Therefore I was careful to insert the usual provision in the very beginning of the resolution that the President be requested to furnish the information if it was not, in his judgment, incompatible with the public interest. I think there may possibly be something which it would not be proper to communicate to the public.

But believing of him, as I believe of all Presidents, that he will deal with us with perfect fairness and give us all of the correspondence and orders, unless there be some great reason of state why he should not, I am perfectly willing to leave it to his judgment.

Mr. FAIRBANKS. Do not the first three paragraphs in the Senator's resolution cover all that is really necessary to be obtained, in his opinion?

Mr. GORMAN. I am rather inclined to think, I will say to the Senator from Indiana, that that is true; but in view of the discussion which has taken place and in view of the broad assertion of the President in his message that his recent action was in strict conformity with precedents in the past, I should like to have a full account of any interference on our part to suppress a revolt or a rebellion and the extent to which the military was used. We want full information. If it is considered by our friends on the other side of the Chamber, who, of course, are exceedingly anxious that nothing shall be done in this matter except what is perfectly proper, and I agree with that——

Mr. FAIRBANKS. No; if the Senator will allow me——

Mr. GORMAN. Certainly.

Mr. FAIRBANKS. The fourth section is not directed merely to information with respect to suppressing rebellion, but includes information with respect to aiding rebellion.

Mr. GORMAN. Yes.

Mr. FAIRBANKS. It assumes that our force has been so used.

Mr. GORMAN. There can not be any controversy that in the recent occurrence our forces were used.

Mr. FAIRBANKS. In aid of rebellion?

Mr. GORMAN. They were used to compel the troops of Colombia to quit that part of the territory.

Mr. FAIRBANKS. There is where there is a very serious dispute. We do not agree with the Senator's interpretation of what was done there.

Mr. GORMAN. No. Of course we disagree about it. The President would state the facts and get them in whatever form he desired to put them. But if there is serious objection to the phraseology of the fourth section, and believing that I will get all the information that is absolutely necessary in the consideration of this case, I have no objection to modifying it.

Mr. FORAKER. I was about to suggest a modification, but before suggesting it I wanted to inquire of the Senator whether or not I understood him to say that he is willing to allow the fourth paragraph to go out?

Mr. CULLOM. Yes.

Mr. BEVERIDGE. He said that.

Mr. FORAKER. If so, that is the best modification of it.

Mr. GORMAN. I will omit that part of it.

Mr. FORAKER. I made the inquiry of the Senator as to whether or not he had stated that he was willing that the entire fourth paragraph should go out.

Mr. GORMAN. I said, upon reflection, it seemed to me that possibly I would get all the information without it, and I will omit it.

Mr. FORAKER. I was about to suggest an amendment if the Senator from Maryland was not willing to have the whole section go out.

Mr. GORMAN. I should be glad to have the Senator suggest the amendment.

Mr. FORAKER. The amendment I would propose is as follows. Has the Senator the resolution before him?

Mr. GORMAN. Yes.

Mr. FORAKER. I would strike out from line 20 the words "in aid of a"——

Mr. GORMAN. Yes.

Mr. FORAKER. And insert in lieu thereof "on account of any;" and then strike out all after the word "therein" in the twenty-first line; so that it would read:

Fourth. And also that he will inform the Senate of the dates when and cir- [illegible] on account of any revolt or [illegible] the peace therein.

That would call for information as to any kind of employment, without regard to whether it was in aid or in suppression of a revolt or rebellion, and would avoid all controversy among ourselves. It calls for the facts without assuming anything.

Mr. FAIRBANKS. If the Senator from Ohio will permit me, I understood the Senator from Maryland to say that upon further reflection he thinks the information desired by him can be obtained under the three preceding sections.

Mr. FORAKER. I think he is right about that, and I suggested that that was the best way to amend the resolution—by striking out the whole of article 4. But if article 4 is to remain,

I think it ought to be so amended as to assume nothing, but simply to call for the facts.

Mr. GORMAN. I will ask that the amendment of the Senator from Ohio be read.

The PRESIDENT pro tempore. The paragraph as proposed to be amended will be read.

The Secretary read as follows:

Fourth. And also that he will inform the Senate of the dates when and circumstances under which the United States has employed [illegible] the [illegible] of Colombia on account of any [illegible] resulting in the acceptance of the peace therein.

Mr. GORMAN. I will accept the amendment of the Senator from Ohio.

The PRESIDENT pro tempore. The Senator from Maryland modifies his [illegible] as it has been read.

Mr. McCUMBER. I suggest to the Senator from Maryland that the amendment suggested by the Senator from Ohio has been very properly [illegible] that the fourth inquiry is in substance the first inquiry. [illegible] in the resolution. It adds words that [illegible] the same [illegible] the first inquiry calls for information as to the [illegible] of Panama under [illegible] or Colombia under [illegible] the first inquiry to a [illegible]. If [illegible] the first [illegible]. [illegible] the first [illegible]. However, I merely [illegible].

Mr. GORMAN. My [illegible] will find that there is a very great difference. The first [illegible] calls for information as to [illegible] at the request of New Granada or Colombia, while the fourth asks whether the [illegible] without its request. The Senator will [illegible] will look at the resolution.

The PRESIDENT pro tempore. The question is on agreeing to the resolution of the Senator from Maryland as modified.

The resolution as modified was agreed to.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. It has been suggested that the Senate adjourn over from this evening until Monday. I am entirely willing to agree to that suggestion if no Senator desires to speak to-morrow on this subject. I should like very much to have the Senate remain in session if any Senator is ready and willing to speak to-morrow on the subject, and I make the inquiry for the purpose of ascertaining what is the fact.

The PRESIDENT pro tempore. The resolution which has been under discussion for the last ten days has now been passed.

Mr. CULLOM. But the general subject will be before us.

Mr. SPOONER. There is no lack of supply.

The PRESIDENT pro tempore. No; the Chair is informed that there is not.

Mr. GORMAN. There are several other resolutions which relate to the same subject.

I will say to the Senator from Illinois that it was the general impression that we would adjourn over to-morrow, and I think from what information I have that there is nobody on this side of the Chamber who is ready to go on to-morrow. There are Senators who desire to speak the first of next week on some other branches of this subject. So I really think we would save time by adjourning over to-morrow.

Mr. CULLOM. As no Senator seems to be ready to speak to-morrow, I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 9) granting an increase of pension to David E. Burbank:

A bill (S. 12) granting an increase of pension to Francis E. Chase:

A bill (S. 13) granting an increase of pension to William Clark:

A bill (S. 14) granting an increase of pension to Samuel M. Perry:

A bill (S. 99) granting an increase of pension to John C. Sherbert:

A bill (S. 182) granting an increase of pension to Charles F. Holt:

A bill (S. 190) granting an increase of pension to Charles H. Bell:

A bill (S. 451) granting an increase of pension to William T. Conants:

A bill (S. 452) granting an increase of pension to Albert W. Bullock:

A bill (S. 456) granting an increase of pension to Andrew J. Pierce:

A bill (S. 458) granting an increase of pension to Charles Beattie:

A bill (S. 471) granting an increase of pension to Silas Moseye;

A bill (S. 473) granting an increase of pension to Byron D. [illegible]:

A bill (S. 478) granting an increase of pension to Olive J. Bailey:

A bill (S. 484) granting a pension to Nancy S. Marsh:

A bill (S. 547) granting an increase of pension to Irving W. Columbus:

A bill (S. 555) granting an increase of pension to Royal A. S. Kingsley:

A bill (S. 565) granting an increase of pension to James E. Barnard:

A bill (S. 578) granting an increase of pension to John Bullamore:

A bill (S. [illegible]) granting an increase of pension to [illegible]:

A bill (S. 587) granting an increase of pension to Anson P. Will[illegible]:

A bill (S. [illegible]) granting an increase of pension to George W. McMa[illegible]:

A bill (S. 714) granting an increase of pension to Stephen [illegible]:

A bill (S. [illegible]) granting an increase of pension to [illegible]:

A bill (S. 788) granting an increase of pension to James A. Templeton:

A bill (S. 814) granting an increase of pension to [illegible]:

A bill (S. 821) granting an increase of pension to W. Neil Dennison:

A bill (S. 847) granting an increase of pension to John L. Bew[illegible]:

A bill (S. 908) granting an increase of pension to John B. Carter:

A bill (S. 929) granting an increase of pension to Charles Stermer:

A bill (S. 930) granting an increase of pension to Ferdinand Wiedemann;

A bill (S. 937) granting an increase of pension to Rudolph Siebelist:

A bill (S. 959) granting an increase of pension to Andrew C. Ranard:

A bill (S. 1259) granting an increase of pension to John M. Stanyan:

A bill (S. 1429) granting an increase of pension to Elizabeth C. Paquin:

A bill (S. 1335) granting an increase of pension to Calvin Daws;

A bill (S. 1402) granting an increase of pension to William Paul:

A bill (S. 1437) granting an increase of pension to Clarence E. Bullard:

A bill (S. 1491) granting an increase of pension to James A. Hoover:

A bill (S. 1497) granting an increase of pension to Walter F. Chase;

A bill (S. 1498) granting an increase of pension to Winslow P. Eayts:

A bill (S. 1559) granting an increase of pension to Marie A. Rask:

A bill (S. 1825) granting a pension to Josephine L. Webber;

A bill (S. 1826) granting an increase of pension to Mary E. Cutts:

A bill (S. 1827) granting an increase of pension to Harris A. P. Lewis; and

A bill (S. 1938) granting an increase of pension to Aldridge Patterson.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (S. R. 32) to fill the vacancies in the Board of Regents of the Smithsonian Institution.

[illegible].

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After some [illegible] spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until Monday, January 25, 1904, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 22, 1904.

COLLECTOR OF CUSTOMS.

Luke B. Colbert, of Massachusetts, to be collector of customs for the district of Marblehead, in the State of Massachusetts, to succeed Stuart F. McClearn, whose term of office will expire by limitation April 1, 1904.

RECEIVER OF PUBLIC MONEYS.

Miss Martha C. Brown, of Colorado, to be receiver of public moneys at Gunnison, Colo., her term having expired April 2, 1902. (Reappointment.)

PROMOTIONS IN THE NAVY.

Pay Inspector Charles W. Littlefield to be a pay director in the Navy from the 27th day of December, 1903, vice Pay Director Theodore S. Thompson, retired.

Paymaster Samuel L. Heap to be a pay inspector in the Navy from the 27th day of December, 1903, vice Pay Inspector Charles W. Littlefield, promoted.

P. A. Paymaster Ray Spear to be a paymaster in the Navy from the 4th day of November, 1903, vice Paymaster John C. Sullivan, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 22, 1904.

CONSUL-GENERAL.

Fleming D. Cheshire, of New York, to be consul-general of the United States at Mukden, China.

CONSULS.

James W. Davidson, of Minnesota, to be consul of the United States at Antung, China.

Edwin V. Morgan, of New York, to be consul of the United States at Dalny, China.

PROMOTIONS IN THE NAVY.

Commander John A. Rodgers to be a captain in the Navy from the 27th day of December, 1903.

P. A. Paymaster George R. Venable to be a paymaster in the Navy from the 3d day of March, 1903.

Asst. Paymaster Ervin A. McMillan to be a passed assistant paymaster in the Navy from the 29th day of October, 1903.

Asst. Paymaster Eugene H. Tricon to be a passed assistant paymaster in the Navy from the 4th day of November, 1903.

Lieut. Col. Allan C. Kelton to be a colonel in the Marine Corps from the 27th day of December, 1903.

Maj. Randolph Dickins to be a lieutenant-colonel in the Marine Corps from the 27th day of December, 1903.

Capt. Charles G. Long to be a major in the Marine Corps from the 18th day of June, 1903.

First Lieut. Julius S. Turrill to be a captain in the Marine Corps from the 18th day of June, 1903.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

Asst. Surg. Dana E. Robinson, of Ohio, to be a passed assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

REGISTER OF THE LAND OFFICE.

W. H. Brown, of Grand Forks, N. Dak., to be register of the land office at Grand Forks, N. Dak.

POSTMASTERS.

IOWA.

Thomas J. Oebiltree to be postmaster at Morning Sun, in the county of Louisa and State of Iowa.

Charlie C. Warner to be postmaster at Central City, in the county of Linn and State of Iowa.

KANSAS.

Frank W. Carroll to be postmaster at Toronto, in the county of Woodson and State of Kansas.

Elon G. Dewey to be postmaster at Moline, in the county of Elk and State of Kansas.

Edward C. Hill to be postmaster at Burr Oak, in the county of Jewell and State of Kansas.

MAINE.

Jonathan F. Jefferds to be postmaster at Livermore Falls, in the county of Androscoggin and State of Maine.

MISSOURI.

William Beisner to be postmaster at Lockwood, in the county of Dade and State of Missouri.

Mills T. Chastain to be postmaster at Marshall, in the county of Saline and State of Missouri.

Frank A. Hardin to be postmaster at Cabool, in the county of Texas and State of Missouri.

Florence M. Low to be postmaster at Hamilton, in the county of Caldwell and State of Missouri.

NEBRASKA.

Henry E. Palmer to be postmaster at Omaha, in the county of Douglas and State of Nebraska.

PENNSYLVANIA.

Alonzo M. Frederick to be postmaster at New Kensington, in the county of Westmoreland and State of Pennsylvania.

Charles Graffin to be postmaster at Catasauqua, in the county of Lehigh and State of Pennsylvania.

John J. Mather to be postmaster at Benton, in the county of Columbia and State of Pennsylvania.

G. William Riegel to be postmaster at Bethlehem, in the county of Northampton and State of Pennsylvania.

Daniel W. Reynolds to be postmaster at Reedsville, in the county of Mifflin and State of Pennsylvania.

TEXAS.

Lida T. Robinson to be postmaster at West, in the county of McLennan and State of Texas.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 22, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

HORSES, CARRIAGES, ETC., AT GOVERNMENT EXPENSE.

Mr. HULL. Mr. Speaker, I have a privileged report which I desire to submit.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

House resolution No. 153.

Resolved, That the Secretary of War be and he is hereby requested to furnish the House of Representatives with the number of horses and of horse-drawn vehicles now in use in the Department of War, with a statement showing the cost of such horses and vehicles, and further, the number of such horses and vehicles now in use in the Department of Agriculture, with a statement showing the cost of such horses and vehicles; also the number of such horses and vehicles now in use in the other executive departments, and the bureaus and offices thereof, with a statement showing the cost of such horses and vehicles; also the list of [illegible] and the business [illegible] thereof.

Mr. HULL. There is an amendment, Mr. Speaker.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding after the word "carriage," in line 10, "and for what purposes such vehicles are used."

Mr. TAWNEY. Mr. Speaker——

Mr. HULL. I suppose, Mr. Speaker, the question will be first on the amendment reported from the committee, and then I have no objection to the gentleman from Minnesota offering an amendment, if he so desires.

The amendment was agreed to.

Mr. TAWNEY. I move, Mr. Speaker, that the resolution be amended as to give also the dates of the purchase of these vehicles. At the end of the committee amendment add "and the dates of the purchase of such vehicles."

The SPEAKER. The Clerk will report the amendment of the gentleman from Minnesota.

The Clerk read as follows:

Add after the word "used," "also the dates of the purchase of such vehicles."

The amendment was agreed to.

The question was taken on the adoption of the resolution, and the resolution was agreed to.

On motion of Mr. HULL, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

LEAVE TO EXTEND REMARKS.

Mr. HULL. I want to ask unanimous consent, Mr. Speaker, that all gentlemen who addressed the House yesterday on the army appropriation bill may have five calendar days to extend their remarks in the RECORD.

The SPEAKER. The gentleman from Iowa asks unanimous consent that all who addressed the House yesterday on the army appropriation bill may have five calendar days in which to print. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. HULL. Now, Mr. Speaker, I would like to give notice to the House that to-morrow, immediately after the reading of the Journal, I will move to go into the Committee of the Whole House on the state of the Union for the further consideration of the army appropriation bill.

PENSION BILLS.

Mr. SULLOWAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House for the consideration of pension bills on the Private Calendar under the rule.

The SPEAKER. The gentleman from New Hampshire moves that the House resolve itself into the Committee of the Whole for the consideration of pension bills upon the Private Calendar under the rule.

The motion was agreed to; and accordingly the House resolved itself into the Committee of the Whole House, with Mr. GARDNER of New Jersey in the chair.

The CHAIRMAN. The House is in Committee of the Whole House for the purpose of considering bills on the Private Calendar under the rule. The Clerk will report the first bill.

MARK A. SHELTON.

The first business on the Private Calendar was the bill (H. R. 937) granting an increase of pension to M. A. Shelton.

The bill was read, as follows:

[illegible]

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

[illegible]

Amend the title so as to read: "A bill granting an increase of pension to Mark A. Shelton."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCES A. THOMPSON.

The next business on the Private Calendar was the bill (H. R. 6562) granting a pension to Frances Thompson.

The bill was read, as follows:

[illegible]

The amendment recommended by the committee was read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "during service."

Mr. SULLOWAY. I move to amend by inserting "A." in the name and make it Frances A. Thompson.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDGAR CHAPMAN.

The next business on the Private Calendar was the bill (H. R. 689) granting a pension to Edgar Chapman.

The bill was read, as follows:

[illegible]

The bill was ordered to be laid aside with a favorable recommendation.

HENRY C. JONES.

The next business on the Private Calendar was the bill (H. R. 3665) granting an increase of pension to Henry C. Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] subject to the provisions of the pension laws [illegible] Volunteers and pay him a pension of [illegible] per month in lieu of that he now receives under certificate No. 32622.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be and he is hereby authorized and directed to place on the pension roll [illegible] subject to the provisions and limitations of the pension laws [illegible] Henry C. Jones, late of Company A, Forty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JULIETTE WESTBROOK.

The next business on the Private Calendar was the bill (H. R. 5611) granting a pension to Juliette Westbrook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] subject to the provisions and limitations of the pension laws [illegible] dependent parent of Marius Westbrook, Company [illegible] and eleventh Regiment New York Volunteer Infantry, and pay her a pension at the rate [illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "parent" and insert in lieu thereof the word "stepmother."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WINSLOW P. EAYRS.

The next business on the Private Calendar was the bill (S. 1498) granting an increase of pension to Winslow P. Eayrs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] subject to the provisions and limitations of the pension laws [illegible] Company [illegible] Massachusetts Volunteers [illegible] and pay him a pension at the rate of $30 per month in lieu of that he now receives.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE B. DAVIS.

The next business on the Private Calendar was the bill (H. R. 6005) granting an increase of pension to George B. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] subject to the provisions and limitations of the pension laws [illegible] George B. Davis, late of Company F, Sixteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DANIEL W. HUFFMAN.

The next business on the Private Calendar was the bill (H. R. 2920) granting an increase of pension to Daniel W. Huffman.

The bill was read, as follows:

[illegible]

The amendment recommended by the committee was read, as follows:

[illegible] B and C." and insert in lieu [illegible] B and second lieutenant Com-[illegible]

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM M'BRIEN.

The next business on the Private Calendar was the bill (H. R. 1294) granting an increase of pension to William McBrien.

The bill was read, as follows:

[illegible]

The bill was ordered to be laid aside with a favorable recommendation.

ADAM KOHLHAUFF.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting an increase of pension to Adam Kohlhauff.

The bill was read, as follows:

[illegible]

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID H. THOMPSON.

The next business on the Private Calendar was the bill (H. R. 3836) granting an increase of pension to David H. Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] subject to the provisions and limitations of the pension laws [illegible] Company [illegible] and pay him a pension at the rate of [illegible] per month in lieu of that he now receives.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Michigan," insert the word "Regiment."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word [illegible]

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MEDIE M. FLANDERS.

The next business on the Private Calendar was the bill (H. R. 3299) granting a pension to Medie M. Flanders.

The bill was read, as follows:

[illegible]

The bill was ordered to be laid aside with a favorable recommendation.

HENRY HALE.

The next business on the Private Calendar was the bill (H. R. 138) granting an increase of pension to Henry Hale.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject [illegible] Company D, Twenty-[illegible] and pay him a pension at the rate of $72 per month in lieu of [illegible] now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WALTER F. CHASE.

The next business on the Private Calendar was the bill (S. 1497) granting an increase of pension to Walter F. Chase.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] ceiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES SCHRODER.

The next business on the Private Calendar was the bill (H. R. 7756) granting an increase of pension to Charles Schroder.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company C, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $6 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH H. COOPER.

The next business on the Private Calendar was the bill (H. R. 6947) granting an increase of pension to Joseph H. Cooper.

The bill was read, as follows:

[illegible]

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JONATHAN J. SMITH.

The next business on the Private Calendar was the bill (H. R. 8376) granting an increase of pension to J. J. Smith.

The bill was read, as follows:

[illegible] F, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate [illegible]

The amendments recommended by the committee were read, as follows:

In line 6 strike out the first letter "J." and insert in lieu thereof the word [illegible] strike out the word "fifty" and insert in lieu thereof the word [illegible] title so as to read: "A bill granting an increase of pension to Jo[illegible] Smith."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET A. TUCKER.

The next business on the Private Calendar was the bill (H. R. 8820) granting a pension to Harriet A. Tucker.

The bill was read, as follows:

[illegible]

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

[illegible] was agreed to.

[illegible] was ordered to be laid aside with a favorable recommendation.

THOMAS ADELSPERGER.

The next business on the Private Calendar was the bill (H. R. 165) granting an increase of pension to Thomas Adelsperger.

The bill was read, as follows:

[illegible] company H, Twenty-ninth [illegible] m a pension at the rate of $6 per month in lieu of that [illegible]

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Company H" and insert in lieu thereof th[illegible] and the word "sixty" and insert in lieu thereof the word [illegible]

[illegible] endments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GUSTUS S. REMICK.

The next business on the Private Calendar was the bill (H. R. 8799) granting an increase of pension to Gustus S. Remick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Volunteers [illegible] and pay him a pension [illegible]

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Battalion" and insert in lieu thereof the word [illegible]

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNA M. MAIER.

The next business on the Private Calendar was the bill (H. R. 6085) granting a pension to Anna M. Maier-Moyer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll [illegible] Anna M. Maier-Moyer, widow of Jacob Maier, late of Company [illegible] Regiment Pennsylvania Volunteers [illegible] and pay her a pension [illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Maier-Moyer" and insert in lieu thereof the word "Maier."

Amend the title so as to read: "A bill granting a pension to Anna M. Maier."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE N. THORPE.

The next business on the Private Calendar was the bill (H. R. 4887) granting a pension to George N. Thorpe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible], New York Volunteer Infantry, and pay him a pension at the rate of [illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to George N. Thorpe."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE GARDNER.

The next business on the Private Calendar was the bill (H. R. 2010) granting an increase of pension to George Gardner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible], New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MOLLIE J. MITCHELL.

The next business was the bill (H. R. 242) granting a pension to May Shields Mitchell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] of Richard P. Mitchell, late [illegible] Tennessee Light Artillery, and pay her a pension at the rate of [illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "May Shields" and insert in lieu thereof the words "Mollie J."

In line 7 strike out the words "major and."

In same line, after the word "First," insert the word "Regiment."

In same line, before the word "Light," insert the word "Volunteer."

In line 8, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Mollie J. Mitchell."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIAH KUECHLER.

The next business was the bill (H. R. 5872) granting a pension to Mariah Kuechler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] Medical Department, United States Volunteers, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

A. MARION GAMBLE.

The next business was the bill (H. R. 5471) granting an increase of pension to A. Marion Gamble.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Second Battalion [illegible] Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee were read, as follows:

In line 6, before the word "Sixth," strike out the word "of."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES P. WALLACE.

The next business was the bill (H. R. 6442) granting an increase of pension to James P. Wallace.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James P. Wallace, late of Company G, Forty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCIS E. CHASE.

The next business was the bill (S. 12) granting an increase of pension to Francis E. Chase.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMILY CONKLIN.

The next business was the bill (H. R. 4937) granting an increase of pension to Emily Conklin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company A, First Regiment [illegible] Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In line 9, after the word "receiving," insert the words:

"*Provided, however*, That in the case of the [illegible] of the [illegible] child, Cora B. Conklin, on whose account the pension of Emily Conklin is increased, the pension of said Emily [illegible] at the rate of $12 per month from and after the date [illegible] said helpless child."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL ALEXANDER.

The next business was the bill (H. R. 610) granting an increase of pension to Samuel Alexander.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Twenty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Twenty-fifth," insert the word "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMETT COLE.

The next business was the bill (H. R. 198) granting an increase of pension to Emmett Cole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] roll, subject to the provisions [illegible] month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES H. CUMMINGS.

The next business was the bill (H. R. 6588) granting an increase of pension to James H. Cummings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible]

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Mr. GAINES of Tennessee. Mr. Chairman, I should like to make an inquiry of the chairman of the committee. I know nothing about the merits of this particular bill; but I see that it proposes an increase of this pension to $50. Under a rule of the House we have no "right" to have the report accompanying the bill read so we can act intelligently; we must guess at the merits of the case as the clerk reads the bill at the desk. "Go it blind," as it were—act in the dark on each bill, unless by the grace of the committee we can have read the report——

The CHAIRMAN. The Chair will call the attention of the gentleman to the fact that there is a committee amendment.

Mr. GAINES of Tennessee. Then I wish to be heard on the amendment. I want to know something about this bill and then I wish to make a general inquiry.

I desire to ask the chairman of the committee reporting this bill why it is that this claimant appeals to Congress instead of the Pension Bureau for this increase?

Mr. SULLOWAY. Because he has received all the relief that the Pension Office can grant under the law.

Mr. GAINES of Tennessee. I understand, then, that there is no law for this increase, and therefore this man has come here with his application and asks Congress to pass a private act for his relief.

Now, allow me another question. The gentleman will remember that at the last session I asked why it was that so many appeals from the Pension Bureau were made to Congress for relief by special acts, and the gentleman very promptly said it was because the applicants did not get "justice" at the Pension Bureau.

That was under the administration of Hon. H. Clay Evans, who is now an ex-Commissioner, an "X-ray," and making this Government a fine representative in London. Now, what is the difference in the administration of that office under the distinguished gentleman, Mr. Ware, a very charming gentleman, able and just, whom I have met, and the administration of the office under Mr. Evans in reference to doing justice to the claimants before that Bureau? Why are these great cartloads of claims sent or why do they come to the House for relief instead of that being done at the Pension Office? Now, my inquiry is entirely frank and seriously made, and I hope the gentleman will answer it.

Mr. SULLOWAY. These claimants come to Congress because a great many of them have no relief under existing law, and I do not say that any intentional injustice is being done at the Bureau, and do not say who is responsible for justice not being done, but when the claims come here with the evidence and we find that justice has not been done, as a court of equity we try to deal justly with the applicant. Now, the gentleman asks me what is the difference between the administration under a gentleman from his State, whom he says has now become an "X-ray," and the gentleman now at the head of the Bureau. It is the difference between a real man attending to his business and an X-ray at a distance.

Mr. GAINES of Tennessee. Mr. Evans is certainly an ex-Commissioner of Pensions. I thought he had a way—an X-ray talent—of seeing a long way into the pension matters which he passed on; did his duty, at least, in a great measure, as much so as he could to receive no moral support from his party, then, as now, in power.

The gentleman said he did injustice to the claimants; hence they appealed to Congress. But the same thing is occurring with Mr. Ware as Commissioner, though I think he is able and honest. What is the matter? You do not say Mr. Ware is doing anyone an injustice, nor do I. But who is the officer who does?

Mr. SULLOWAY. I have no doubt that there are mistakes made in that office. It is impossible for it to be otherwise. It is a great board of clerks and examiners. One has one opinion and another has another opinion; and I have no doubt if the gentleman would think for a moment he would find that the appeals made from the Bureau to Congress are not so numerous as the appeals from United States courts to the Supreme Court of the United States pro rata. Therefore it is not remarkable that cases come here in this way.

Mr. GAINES of Tennessee. Well, the gentleman told us at the last session in answer to my question that the reason why so many appeals came here was because the claimants did not get justice at the Bureau. There were over 100 bills here on last Friday taken up and passed, and there are 210 to-day, I understand. Now, does the gentleman mean to say that injustice has been done to all these claimants under Mr. Ware's administration?

Mr. SULLOWAY. Not at all.

Mr. GAINES of Tennessee. Then why do they not go to the Bureau to have their claims passed upon?

Mr. SULLOWAY. Some of these cases were adjudicated way back years ago, while others have no status for technical reasons, yet they are very meritorious and very deserving.

Mr. GAINES of Tennessee. Now, can the gentlemen tell us whether injustice has been done to these claimants whose bills are piled up here before us or not? If any, which?

Mr. SULLOWAY. I do not say that they are doing intentional injustice to anybody, but I will say they fail to do justice in many cases. We examine all the evidence, and we dispose of the cases as a court of equity would do, and a court of equity would not do an injustice.

Mr. GAINES of Tennessee. Is the present administration not doing justice?

Mr. SULLOWAY. I do not know. The matters go through a lot of hands, and the claimants often do not get what they are entitled to receive, it seems to me.

Mr. GAINES of Tennessee. Does not the gentleman think we ought to do away with a bureau that permits an injustice and compels the claimants to appeal to Congress for justice and substitute a court of three or five judges, like the Court of Claims, which protects the Government, and whose judgments Congress respects and pays almost invariably?

Mr. SULLOWAY. My friend understands that there is a very great difference between a law court and an equity court. In the Bureau they take the evidence and consider it under the rules of the law. We look at it in the light of equity. We read the evidence and give what we think justice demands. That is the way we do in the committee.

Mr. GAINES of Tennessee. Just a word more. The Chair and the older Members will remember it distinctly that I put the question distinctly to the gentleman in charge of these bills and asked him why so many pension matters were brought here last year from the Pension Bureau. He said deliberately and repeatedly that it was because injustice was being done to the claimants at the Pension Bureau, and hundreds and hundreds and even thousands of appeals were made to Congress to do justice here—in other words, to reverse the action of the Pension Bureau. Now, Mr. Chairman, at the opening of the present session of Congress——

Mr. FULLER. I wish to make an explanation here. I think that the law does not reach many of these cases. There are many of them not cases that can get justice done at the Pension Office, but special cases, where the law does not reach. The evidence shows that very many of the cases are very meritorious, but that the parties making the claim are in such a condition that they need the aid of the Government. They might have rendered service to the Government that entitled them to it, and no general law reaches that particular class.

Mr. GAINES of Tennessee. Then why does not the gentleman and his party, who are in power, and who have the power now in this House, bring in a general law to give the relief that is needed, instead of unloading on this House every Friday a great pile of these claims that we all know we do not and can not consider, but pass them as rapidly as two men can talk and the chairman say "Aye" from the floor?

I stated a year ago that during his administration Mr. Evans tried to do his duty, but stood unsupported by his party; and now, with a new Commissioner, we had in this House on the last Friday great piles of these claims brought here for onraction, and these claimants are coming here saying that they can not get justice done to them at the Bureau. So it seems to me that it has been demonstrated that there was no more injustice done there under Mr. Evans than is being done now, and you are passing bills in same way as when Evans was Commissioner. I do not believe that Mr. Ware is otherwise than an able and efficient officer. I like the gentleman. I have had the pleasure of meeting him. I think he will give equal and exact justice to these claimants at the Bureau, and if they are not able to give them justice we ought to do away with the Bureau entirely and let Congress or a court do this work. If these claimants can not get justice there, then something is wrong and it ought to be corrected. If the clerks are doing wrong, investigate them and find where the wrong is, find who is doing it, and punish that individual or dismiss him.

Mr. Chairman, I say this causes an unnecessary burden to fall on Congress which should be lessened. I want to pass all these pension bills which are proper, and they will be passed, and I am going to vote for all which are just. We do not know whether they are just or not. Who does? Here is a prima facie case of justice because the committee reports it. That is all we know. But I am trying to get from the gentleman from New Hampshire the reason why so many are brought here under the administration of Mr. Ware when as many were brought under the administration of Mr. Evans because he did "injustice" to the claimant.

By implication Mr. Ware is doing "injustice" to the applicants at that Office, because about the same number of cases come from the Pension Office under Mr. Ware as under Mr. Evans. I do not believe Mr. Ware is a man who would knowingly do anybody an injustice. The gentleman from New Hampshire now seems to accuse not Commissioner Ware, but some "clerk." Now, who is the clerk? The House every Friday throughout the sessions of Congress considers these cases to do justice to them. Justice ought to be done to the Government and claimant, and a clerk who knowingly does an injustice to a claimant who is justly and legally entitled to a pension ought not only to be dismissed but otherwise dealt with.

Mr. HOLLIDAY. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. GAINES of Tennessee. I will now yield to the gentleman.

Mr. HOLLIDAY. I want to ask the gentleman if he is opposed to passing these bills?

Mr. GAINES of Tennessee. No; I am not opposed to this bill, and the gentleman should know that must be true, for I am, and so is the committee, ignorant of its merits, and it is useless to inquire; but I am opposed to any officer or clerk being guilty of wrongful acts at the Pension Office which force this and other bills to come here for relief.

We should run down the clerk and find out who that clerk is, and if the gentleman can tell me I would like to know, and if he can not tell me I think we ought to have a resolution passed to investigate and find out who is the guilty party.

Mr. HOLLIDAY. I want to ask the gentleman if he is opposed to the passage of any of these bills?

Mr. GAINES of Tennessee. I can not answer that. I am not advised of their merits, nor is the committee. The gentleman knows that I have never voted against a bill for a pension which I thought was right. I do not know whether I shall vote for or against these bills. We are ignorant of the facts. I am trying to see why these claims are brought here to Congress that "justice" might be done them, because it is said that injustice was done others down in the Bureau a year ago and were brought here to get justice done. Does this "injustice" still continue in passing on these claims? Who is this "clerk," this wrongdoer? That's the question.

Mr. RUSSELL. I desire to propound a question to the chairman of the Committee on Invalid Pensions. Has there been any agreement or understanding or any rule adopted by that committee by which each Member of the present House is authorized to have reported a certain number of bills?

Mr. SULLOWAY. Not that I am aware of.

Mr. RUSSELL. There has been no such rule?

Mr. SULLOWAY. Not that I am aware of.

Mr. RUSSELL. I will ask this question, then: Has there been any practice established by this committee allowing each Member to report any given number of bills or have them reported?

Mr. SULLOWAY. The practice of that committee is to do the work that they and its clerks can do——

Mr. RUSSELL. That does not answer the question.

Mr. SULLOWAY. And as gentlemen furnish the evidence in their cases then we consider them, and if a Member does not furnish any evidence then we have nothing to consider. In all cases where application has been made at the Bureau the Pension Office papers are always sent for.

Mr. RUSSELL. That does not answer the question propounded.

Mr. SULLOWAY. It does exactly, sir.

Mr. RUSSELL. It does not satisfy me.

Mr. SULLOWAY. That may be; I am not here to satisfy you, necessarily.

Mr. RUSSELL. Well, that may be true, but neither do I think the gentleman satisfies the House.

Mr. SULLOWAY. Well, I do not know about that.

Mr. RUSSELL. Here is the question: Have the Committee on Invalid Pensions established any practice by which the Members of this House are authorized to have considered any given number of bills?

Mr. SULLOWAY. Not at all, sir.

Mr. RUSSELL. Now, Mr. Chairman, if that be true, I want to put this in the RECORD right in this connection. During the early portion of the special session I received this card, and I presume every Member of Congress received one similar to it. It is headed as follows:

Committee on Invalid Pensions, House of Representatives, Fifty-first Congress.—CHARLES A. SULLOWAY, of New Hampshire, chairman; HENRY B. GIBSON, of Tennessee; JAMES W. SMITH, of Michigan; WILLIAM A. CALDERHEAD, of Kansas; ELIAS DEEMER, of Pennsylvania; ELIAS S. HOLLIDAY, of Indiana; W. GODFREY HUNTER, of Kentucky; THOMAS W. FULLER, of New York; CHARLES F. LOCKWOOD, of Illinois; ROBERT W. MYERS, of Indiana; JOSEPH B. CRANSTON, of Kansas; GEORGE H. LINDSAY, of New York; JOHN S. SNOOK, of Ohio; ALPHEUS LUCKING, of Michigan; FRANK A. HOPKINS, of Kentucky. WILLIAM P. TOPPING, clerk; GEORGE A. BAILEY, assistant clerk. Herman Gauss, principal examiner detailed from Pension Bureau.

Subcommittee No. 1.—Mr. GIBSON, of Tennessee; Mr. HOPKINS, of Kentucky; Mr. SNOOK, of Ohio. States and Territories: Tennessee, Ohio, Virginia, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Arkansas, Texas, and Indian Territory.

Subcommittee No. 2.—Mr. SAMUEL W. SMITH, of Michigan; Mr. DEEMER, of Pennsylvania; Mr. LUCKING, of Michigan. States and Territories: New Jersey, Pennsylvania, West Virginia, Michigan, District of Columbia, Maryland.

Subcommittee No. 3.—Mr. HOLLIDAY, of Indiana; Mr. MYERS, of Indiana; Mr. HUNTER, of Kentucky. States: Indiana, Wisconsin, Minnesota, Missouri, North Dakota, South Dakota, Kentucky.

Subcommittee No. 4.—Mr. CALDERHEAD, of Kansas; Mr. FULLER, of Illinois; Mr. CRANSTON, of Kansas. States and Territories: Iowa, Illinois, Kansas, Oklahoma, Nebraska, Colorado, Wyoming, Montana, Idaho, Washington, Oregon, New Mexico, Utah, California, Arizona, Nevada.

Subcommittee No. 5.—Mr. SULLOWAY, of New Hampshire; Mr. LINDSAY of New York; Mr. BRADLEY of New York. States: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York.

The committee realizing that it is going to be impossible to consider all of the large number of private bills referred, and thinking Members might have some preferences among the bills they have introduced, beg leave to suggest that they indicate the order in which they prefer that their bills be considered. Members should cause to be filed with their respective bills such evidence as may be requisite to justify the committee in reporting the bill for passage and in defending it before the House. Requests for consideration of bills should be made by Members either in person or in writing, the number of the bill to be stated. Evidence filed direct with the committee must have indorsed thereon the number of the bill to which it relates.

Now, I want to say in this connection, before I propound the question again, that it is not my purpose here—and I am sorry that the gentleman from New Hampshire has manifested some display of impatience—that it is not my purpose to cast any opprobrium on the committee. I realize that you have not time to consider the mass of bills brought in for private pensions at this session of Congress. There have been introduced in this House and in the Senate together between 3,500 and 4,000 private pension bills. There was never assembled the same number of lawyers as constitutes this Committee on Invalid Pensions in any country on earth that could give proper consideration to one half the number of justice-court cases as this committee is compelled to consider of these pension bills.

This is in line with what the gentleman from Tennessee [Mr. GAINES] said, because you told him that the reason these bills came here was because they could not receive proper consideration in the Pension Bureau. Now you bring them into a body which every Member knows is absolutely determined to give them no consideration. You have tried to subdivide the labor. You do not profess in this card which I have read that the committee can consider these matters, but you subdivide the work and give certain States to certain Members and place certain States with certain Members to give consideration to the bills coming to the committee from those States, manifesting, Mr. Chairman—and I say it with all due respect—the physical and mental inability of the committee to give the attention it deserves to the great number of measures brought before it. And still further evidencing your inability to properly consider these measures, you invite the Members who have introduced them to select the ones to be considered by the committee.

Mr. SULLOWAY. We consider them all as far as we can, having first obtained from the Member a list of the cases he considers the most deserving and most meritorious, and we further ask him to specify them in their orders.

Mr. RUSSELL. As far as you can?

Mr. SULLOWAY. As far as we consider them. The subcommittee first examines a bill and then reports it to the full committee, and it is then considered by the full committee, the report being read in full in each case and all the facts brought out.

Mr. RUSSELL. The question still presents itself. By this card you have had printed you say you are unable to give them consideration. It is no reflection on the ability of the committee. I have been a hard-working lawyer ever since I came to the bar, and I know how to turn off business of that sort. I make the assertion that there never was a lawyer. I do not care what his mental virility is, that can take the bills that are sent to your committee, if they were justice-court cases, and give them one-half of the consideration that they deserve.

Mr. SULLOWAY. May I ask the gentleman a question?

Mr. RUSSELL. Yes.

Mr. SULLOWAY. Does the gentleman anticipate that not 25 per cent of them are ever asked to be considered by the Members who introduced them?

Mr. RUSSELL. Well, then, if I understand you, there are certain bills that Members never ask to be considered. Is that so?

Mr. SULLOWAY. There has to be with this great number of bills.

Mr. RUSSELL. Why?

Mr. SULLOWAY. Because they can not be reached.

Mr. RUSSELL. They can not be reached by the committee?

Mr. SULLOWAY. Not if we had to consider every bill.

Mr. RUSSELL. There never has been a period since I have been a Member of this body that Congress has not passed every one that you have reported.

Mr. SULLOWAY. That shows great confidence in the committee. [Laughter.]

Mr. RUSSELL. This committee needs no defense——

Mr. FORDNEY. Then what is the gentleman objecting to?

Mr. RUSSELL. I am trying to get some information for this House. The question that I started to propound was this: Has that committee established any rule or any practice by which each Member of this House can have reported or considered any certain number of bills? Members have told me on the floor that you have agreed to allow each Member two bills.

Mr. SULLOWAY. Nothing of the kind.

Mr. RUSSELL. Is it four bills?

A MEMBER. I have been told that it was two bills.

Mr. RUSSELL. A Member says two bills. I hear it all around me. Have any of you other gentlemen heard it?

Mr. SULLOWAY. It is no matter what the gentleman hears. I am not responsible for that. I say there is no such agreement.

Mr. RUSSELL. Has the committee established any such practice?

Mr. SULLOWAY. There is no practice except to equalize the distribution of bills among Members as far as possible and afford relief in as many meritorious cases as can be reached.

Mr. RUSSELL. I heard a Member say the other day that each Member was to have one bill on the Calendar for that day, and he stated, further, that the Member to whom he was talking was fortunate in having secured the reporting of two of his bills for that Calendar.

Mr. SULLOWAY. That meant that Calendar that day.

Mr. RUSSELL. What is the agreement about that?

Mr. SULLOWAY. There is no agreement about it.

Mr. RUSSELL. Now, then, if that be true, why do you tell gentlemen in this card to report to the committee the bills they want considered?

Mr. SULLOWAY. Simply because we want to go round and treat each Member the same, as that card says.

Mr. RUSSELL. That is what I am trying to get at. Is there an understanding amongst the committee that you will go around?

Mr. SULLOWAY. That is what we are doing.

Mr. RUSSELL. How many times?

Mr. SULLOWAY. That is exactly what the gentleman meant that spoke to you the other day, that we have on the Calendar so many bills for different gentlemen in the House.

Mr. RUSSELL. You say now the committee wants to go round—how many times?

Mr. SAMUEL W. SMITH. Just as often as we can, sir.

Mr. RUSSELL. That is the practice, then—as often as you can?

Mr. SAMUEL W. SMITH. Yes.

Mr. RUSSELL. How many times can you go round?

Mr. SAMUEL W. SMITH. Sometimes four and sometimes five during a Congress.

Mr. RUSSELL. Then the maximum is four?

Mr. SAMUEL W. SMITH. I did not say that.

Mr. RUSSELL. If that be true, then some Members on that side of the House—I have not had time to look all of it up, but you have some Members on that side of the House that up to the adjournment of the extra session had introduced, one of them eighty bills, another seventy, and another one had introduced eighty-nine bills. Now, here is the question that I want to ask the committee: If this Member, Mr. Jones, or Mr. Brown, or Mr. Thompson, or whoever he may be, comes in here with eighty bills, and he picks out four of them and tells your committee that he wants you to investigate those four, why is not that gentleman doing the other seventy-six a greater injustice than has been done them over here at the Pension Bureau?

Mr. SULLOWAY. May I answer the gentleman?

A MEMBER. The blame is not with the committee.

Mr. RUSSELL. I don't care who the blame rests with. I am not talking about where the blame should be placed.

Mr. SULLOWAY. It will appeal to anybody that a Member in his district knows the meritorious cases better than a man living in some other State or district, and the Members are asked to name the bills in the order as they deem them the most meritorious. That is the reason.

Mr. RUSSELL. Now, Mr. Chairman, without any feeling in the matter, supposing that be the rule the committee has established, and I take it from that confession of the gentleman that that is the rule——

Mr. SULLOWAY. I don't admit it is any confession—there is no confession about it. I am merely stating a fact.

Mr. RUSSELL. Well, admission then.

Mr. SULLOWAY. There is no admission about it.

Mr. RUSSELL. Well, then, statement. I shall accommodate myself to the verbal differences between myself and the gentleman. I will say the statement, then, and I recall the expressions "admission" and "confession"—the statement the gentleman makes. If that be true, this state of facts is bound to be existent in this House, and that is this: Nobody here disputes the fact that the private-pension system has grown utterly beyond the power of this House to consider it—to consider it. I mean that word in its broadest signification. There is not a man in this House—and I make the statement now and ask that it be challenged if it can be—who will say that in the practice of the House in passing these bills any consideration is given to them at all. And the committee in this card states that it has grown beyond the power of the committee to consider them.

Mr. SULLOWAY. No bill is reported here that has not been carefully considered. I can not let that statement go into the RECORD unchallenged.

Mr. RUSSELL. Nobody knows anything about this bill now, I will venture the assertion, except the Member who made the report and the man who introduced it. You can not find out anything about it.

Mr. SULLOWAY. The report is before you, the same as in every other bill that comes before the House for consideration, and a carefully considered detailed statement, warranted by the evidence and presented to this Committee of the Whole House, and these reports are easily obtainable at the Document Room.

Mr. RUSSELL. Mr. Chairman, this Calendar shows——

Mr. GARDNER of Michigan. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Michigan?

Mr. RUSSELL. I yield.

Mr. GARDNER of Michigan. I would like to ask how much the gentleman addressing the House knows or will know when he votes upon the present bill before the House—that is, the army appropriation bill, carrying $80,000,000—how much he knows in detail about the provisions of that bill, and how much he knew about the details of the bill which passed the other day, carrying twenty-eight millions, reported from the Appropriation Committee?

Mr. RUSSELL. I am glad that the gentleman has asked that question. I wish to God we had the same chance to have the same examination of these private pension bills. I know that the bill last week making appropriation for legislative, executive, and judicial purposes is almost similar to bills of that character that have passed this House for the last fifty years. I know that before that bill was brought in here it was put within the power of every man in this House to go to the Book of Estimates and see what the bill was going to be based upon.

I know that the departments having charge of those matters brought in a report that every one in this House had an opportunity to read. I know that in each of those bills and in every other appropriation bill which is passed here we devote from six hours to three days in discussion of it, so that we can find out something about it.

Upon the other hand, I know that there went upon the Calendar of this House on last Monday 103 private pension bills. I know that on Wednesday you added eighty-five to that number. I know that you added twenty-two to-day. Since last night, after the House adjourned, you have put twenty-two bills on that Calendar.

Mr. SULLOWAY. That is not the fact. We have put no bills on the Calendar last night or to-day.

Mr. RUSSELL. Does the gentleman say that twenty-two bills have not been put on the Calendar since last night?

Mr. SULLOWAY. Not from the Committee on Invalid Pensions.

Mr. RUSSELL. I am not asking from what committee these bills came; but they are private pension bills that appear on this Calendar for the first time to-day. I know that there were 103 put on last Monday. I have the Calendars to prove my assertion. I know that there were one hundred and eighty-odd on the Calendar on Wednesday, and that now you have 210. Now, what chance has there been to consider those bills?

Mr. GARDNER of Michigan. The gentleman has not given any answer to the question I propounded. He has simply said how he might get information in regard to the two bills to which I referred; but the question is, Did he personally investigate and obtain the information for himself on those two great bills?

Mr. RUSSELL. Yes, sir. I sent and got the Book of Estimates, and I have been giving the best attention I could to those bills.

Mr. GARDNER of Michigan. How much have you given?

Mr. RUSSELL. Every bit that I have ability to give.

Mr. GARDNER of Michigan. That is very indefinite. [Laughter.]

Mr. RUSSELL. Certainly it is.

Mr. GARDNER of Michigan. I owe it both to the gentleman and myself to say that in my remark just now I meant no reflection upon his ability. The House put an entirely wrong construction upon my remark if it supposed that I meant any reflection of that kind.

Mr. RUSSELL. I did not so consider it. I am not so modest as that. I assure the gentleman that I am taking no offense at his answer—not a bit.

Mr. GARDNER of Michigan. But it is well known to every Member of this House that it is a mental and physical impossibility—and no one knows it better than the gentleman from Texas if he has been a studious, patient, and faithful member of the committees to which he belongs—to enter into the details of each and every bill coming before the House and vote intelligently upon each specific provision.

Mr. RUSSELL. You commit the bill to the committee, do you not?

Mr. GARDNER of Michigan. Wait a moment. We must take the judgment of the committees largely, and the committees take the judgment of the subcommittees.

Mr. RUSSELL. Very true; but you have not done that in this instance, according to this card. You have taken the personal selection and personal decision of the man who introduced the bill.

Several MEMBERS. Oh, no.

Mr. RUSSELL. You say so in terms.

A MEMBER. They are the only ones that have been considered.

Mr. RUSSELL. If you do not consider them, in the name of heavens what chance has a bill?

Mr. SULLOWAY. We have only taken up the cases which a Member desired to have considered.

Mr. RUSSELL. Well, I will ask the chairman of the Committee on Invalid Pensions this question: Have you ever reported a bill here this session, or at the extra session, except one that a Member has sent to your committee to be considered?

Mr. SULLOWAY. We did not have any bills before us at the extra session as there was no committee at that time.

Mr. RUSSELL. Well, this session.

Mr. SULLOWAY. We have had but one pension day in the House this session before to-day.

Mr. RUSSELL. Oh, don't fence with me in that way. Have you reported any bill here except such as a Member asked to have considered?

Mr. SULLOWAY. Not one, except Senate bills.

Mr. RUSSELL. Then the gentlemen of this House who have introduced from 50 to 150 bills and who, according to the gentlemen who addressed me a while ago over there, are relying upon the fact that there may be a chance to "go round" four times, must be a heavy burden to go home to say to their constituents why they passed out those four bills particularly to be considered.

Mr. BURKE. May I ask the gentleman a question?

Mr. RUSSELL. Yes, sir; certainly.

Mr. BURKE. I should like to have the gentleman state whether he has ever introduced a bill in this House upon any subject that was considered by a committee before he had requested the committee to consider it.

Mr. RUSSELL. I presume not.

Mr. BURKE. Then would you expect a bill which you had pending here for a private pension to be considered before you requested it?

Mr. RUSSELL. Now you emphasize my position. These gentlemen will not only go back to their constituents with the information that four bills were picked out by them, but they will go back, according to the gentleman's assertion, with the additional information that they have not asked the committee to consider any more.

Mr. BURKE. Now, let me put this proposition——

Mr. RUSSELL. All right.

Mr. BURKE. I would say to the gentleman that I represent a constituency that has a very large old-soldier population. I have, perhaps, introduced at this session of Congress six bills. Out of that number I indicated two bills that I wanted to have considered before the other two. These two parties were not upon the pension rolls at all, while the others were already drawing pensions under existing law. Now, I want to know if it was not proper to indicate to the committee that I wanted the two bills of the parties not drawing pensions at all considered before they considered the other bills?

Mr. RUSSELL. I think the gentleman has got his defense in the RECORD, and I will expect to see him back here next Congress.

Mr. SAMUEL W. SMITH. Will the gentleman allow me to ask him a question?

Mr. RUSSELL. Certainly.

Mr. SAMUEL W. SMITH. Do you claim that a single Member here has not been fairly treated by the Invalid Pensions Committee?

Why, Members of the House for years and years have been interested in these people who are to get the pensions; they are interested in the people for whom they introduced these bills.

Mr. RUSSELL. How many bills have you introduced?

Mr. SAMUEL W. SMITH. I do not know. I am not sure as to how many.

Mr. RUSSELL. Have you introduced as many as fifteen or sixteen?

Mr. SAMUEL W. SMITH. I have introduced more than fifteen.

Mr. RUSSELL. Have you introduced as many as fifty? What interest have you in those bills? Those poor men back in your district are interested in them, but what interest have you in those bills?

Mr. SAMUEL W. SMITH. Why, no more interest than in any other measure I have introduced.

Mr. RUSSELL. You are a personal acquaintance of a great majority of them.

Mr. FORDNEY. How many bills of this kind have you introduced?

Mr. RUSSELL. I have not introduced any at all.

Mr. HOLLIDAY. Have not you introduced any bills—pension bills?

Mr. RUSSELL. No, sir.

Mr. FORDNEY. Have you no old soldiers back in your district? Do you not know that Members on your side of the House have introduced as many as 150 bills?

Mr. RUSSELL. I say this: I am glad the gentleman called my attention to it, and I will say that the old soldiers of this country have not any better or truer friends in this House—and I will mention their names, because they are the two that now occur to me—than Judge MIERS, of Indiana, and Mr. ROBINSON of Indiana. I would as soon take Judge MIERS's word on any bill he brings in here as anybody, but you bring in a whole lot of these measures when you know they can not be considered. You ask us to pass them all without any opportunity to consider them.

Mr. FORDNEY. Here is the report on this measure.

Mr. HEPBURN. Will the gentleman allow me to ask him a question?

Mr. RUSSELL. Certainly.

Mr. HEPBURN. I understood the gentleman to say that he has not any feeling in this matter.

Mr. RUSSELL. Not at all.

Mr. HEPBURN. I want to ask the gentleman if it is not true that in the campaign he made against Mr. De Graffenreid, a gentleman who had for his friend every man who knew him, if he did not assail him—bitterly assail him—because he had not stopped what you choose to denominate this outrage upon the public Treasury in granting all these pensions? Did you not make that a personal issue against him?

Mr. RUSSELL. I made this issue——

Mr. HEPBURN. Oh, just answer my question.

Mr. RUSSELL. I will answer the question in my own way.

Mr. HEPBURN. Did not you make that a personal issue with Mr. De Graffenreid?

Mr. RUSSELL. I decline to permit the gentleman to put the words into my mouth in answering the question that he has asked me. I will answer it in my own way.

Mr. HEPBURN. Did you not make it a personal issue with him that he did not stop the granting of these pensions?

Mr. RUSSELL. I am going to answer the gentleman's question, and he must not answer it for me. I will answer it myself. And he must let me make my answer.

Mr. HEPBURN. Make it.

Mr. RUSSELL. I said this: That if the pension laws were unjust, if they were improper and unequitable, they ought to be amended and some general power, under sworn authority, should have charge of these matters and say who should and who should not have pensions in this country; and I said that an examination of the records would show that this House did not have the time to deal with or consider so many of these pension bills.

Mr. HEPBURN rose.

Mr. RUSSELL. Let me get through. Since I have come here I have found this information has been confirmed by my own personal observation.

Mr. HEPBURN. Now, have you made your answer?

Mr. RUSSELL. Yes, sir.

Mr. HEPBURN. Now, will you answer the question I asked you? Did you not assail Mr. De Graffenreid because he had not exerted himself, as you said, against this wrong and outrage?

Mr. RUSSELL. Not because he had not assailed it, but because he had engaged in it.

Mr. HEPBURN. Engaged in it!

Mr. RUSSELL. And I took the position that no one who had engaged in it could consistently attack it.

Mr. HEPBURN. Then you did have that personal feeling, and you did have that personal issue, because you rode that issue over his head in that race. [Applause on the Republican side.]

Mr. RUSSELL. No, I do not believe that was the only issue upon which I was elected. I had no personal issue in the matter—no personal feeling in the matter now. I had simply an interest in the existence of a state of affairs here that, in my judgment, ought not to prevail, and I still have that opinion.

Mr. HEPBURN. Let me ask the gentleman another question?

Mr. RUSSELL. Certainly.

Mr. HEPBURN. Have you introduced any measure here looking to stopping what you denounce a dereliction of duty or to remedy a dereliction of duty upon the part of Mr. De Graffenreid, and have you introduced any measure in the two Congresses of which you have been a Member except three bills for the particular and especial benefit of people in your district?

Mr. RUSSELL. Certainly. I will tell you what I have done. I do not see how you can introduce a general law that would curtail the privileges of this Congress in passing special acts. The gentleman is too good a lawyer to say that I could introduce a general law here that would be held valid to prevent Congress passing these special acts, but I will tell the gentleman what I have done.

Mr. HEPBURN. Just a moment, if the gentleman will permit me. He has introduced three bills during his Congressional life—

one to provide for the enlargement and improvement of the public buildings at Tyler, Tex.; another to provide for a public building at Terrell, Tex.; another for the relief of the legal representatives of the Hon. O. M. Roberts and others. That is the extent, is it not?

Mr. RUSSELL. I am glad my friend puts that in the shape of an interrogatory, because that relieves him from standing upon it as an assertion. No, sir; that is not the fact. Now I will tell you what I have done. Let me ask you a question. I offered a bill here—you were speaking about what my career has been as a Member of Congress—and it is a recent one——

Mr. HEPBURN. I only spoke of it because of the specific character of the assault the gentleman made upon my old-time friend De Graffenreid.

Mr. RUSSELL. Then the gentleman holds malice against me because I came to Congress, I presume. [Applause on the Democratic side.]

Mr. HEPBURN. No; that is not the reason at all——

Mr. RUSSELL. I will say to the gentleman that if he harbors that malice I regret it, because he will have it the longest day he lives. Let me get back to the gentleman from Iowa. It is not fair to me, Mr. Chairman, for the gentleman to put in this RECORD that these three bills were all I have introduced without taking an answer. I now take a personal interest in putting this into the RECORD. I introduced early here a bill, public in its character, making it a felony for any national bank or banking association or officer thereof to accept a deposit of money, or create any indebtedness by which such deposit could get into the bank, if it was in failing or insolvent circumstances. You have got that law in Iowa. Do you not think it is a good law?

Mr. PERKINS. That is the law now.

Mr. RUSSELL. That is the law in Iowa. Is it not a good law?

Mr. HEPBURN. That is a good law.

Mr. RUSSELL. Then you approve of the course of the gentleman from Texas in that? [Applause on the Democratic side.] I trust before I get through I may be able to dissipate the malice you evidently have against me for my defeat of Mr. De Graffenreid.

Mr. HEPBURN. No; there is no malice. The only——

Mr. RUSSELL. I take that back, because I know the gentleman did not mean that. The gentleman's question was more a matter of pleasantry, and I have replied in the same vein and spirit. That is not the only public bill I have offered. I regret that my personality has been injected into this discussion; but that is not the only public bill which I have offered. There are others—measures which I think possess merit and which I shall offer again.

Mr. GARDNER of Michigan. Did I understand the gentleman to say that he did not introduce any bill or bills of a private nature affecting soldiers?

Mr. RUSSELL. Yes, sir.

Mr. GARDNER of Michigan. Have you any Federal soldiers living in your district?

Mr. RUSSELL. I think so.

Mr. GARDNER of Michigan. Do you know of any?

Mr. RUSSELL. I am sure of it; yes.

Mr. GARDNER of Michigan. About how many?

Mr. RUSSELL. I have not the remotest idea.

Mr. GARDNER of Michigan. Have you ever been requested to introduce any such bills?

Mr. RUSSELL. For Federal soldiers—no, sir.

Mr. GARDNER of Michigan. Then the gentleman acknowledges that you are against it in the South?

Mr. RUSSELL. I have no animosity toward the old soldier; not at all; but I am opposed to the system of passing private pension bills as it prevails in this body. I do submit that the system as it prevails here is subject to animadversion, and it ought to be abolished. Let me tell the gentleman this: You have got 210 bills on this Calendar, and you are going to pass them this afternoon, every one of them. The gentleman knows that the committee can not do it if it gives them any consideration.

There is but one way to rectify this evil. When that great body of men known as the Grand Army of the Republic realizes that you gentlemen have, by the passing of bills here for men that could not get the relief under the general law, by means of which you give more to them than you do to the old soldier in the Union Army that went into the field of battle and fought for his country—when they realize that they are going to demand that this system stop, and it will stop. [Applause on the Democratic side.]

Mr. CLARK. Now, Mr. Chairman, before anybody else speaks, let us have order.

The CHAIRMAN. The gentleman's point is well taken. Members will resume their seats and cease conversation.

Mr. MIERS of Indiana. Mr. Chairman, I did not desire to take the time of the committee for more than two or three minutes, and that only for the purpose of making an explanation. I have a good deal of sympathy with the gentleman from Texas [Mr. RUSSELL]. I can realize that it is not an unfriendly motive, that it is not an unpatriotic motive that prompts him to go into the RECORD. I realize under the rules of this House no Member can fully keep up with all legislation, except from the committee of which he is a member, yet I can not allow his statement, that these bills have not and can not be properly considered, to go into the RECORD without a challenge. I am a member of that committee and do not believe the committee needs any defense at my hands, yet I want to say to him and the House what is the truth, that I, in common with other members of that committee, have spent not only hours on the regular meeting days—Mondays and Fridays—but I believe the record will show (I know it is the fact) that I and other members of that committee have put in the committee room more than two hours nearly every day, considering these questions and others that came before the committee. While all claims can not be considered, all claims that are considered favorably have been carefully considered and the committee is ready to defend the action of the committee. I will agree with the gentleman that it is impossible for that or any other committee to consider all the bills that are referred to that committee.

I believe the facts are, to that committee have been referred nearly 50 per cent of all the bills that have been introduced in this House. No other committee has so many bills, and I doubt if any other committee does more work. I understand the gentleman from Tennessee to say that it is in some way the fault of the Pension Bureau. I am not quite willing to admit it. I do not believe there could be a million of litigants, whether they belong to this class of soldiers or not, that when their cases have been adjusted, but what there would be as much or more complaint and more bills than there are from the Pension Bureau. I confess the position occupied by the Committee on Pensions is a very laborious one and very difficult, and I hope this Congress will make the law plainer and better define the rights of the soldier.

I will agree with the gentleman that many of us under the circumstances introduce more bills than we can expect to have passed or considered. But when an old soldier becomes destitute and physically weak we can only introduce the bill, then do all we can for him, and if we can not get all bills considered it is not our fault.

Mr. GAINES of Tennessee. Mr. Chairman, I want to suggest to the gentleman that this whole controversy grew out of an inquiry that I made of the chairman, to wit, Why is it that so many bills under our new Pension Commissioner came here to Congress for relief instead of being sent to and settled by the Pension Bureau? Under the H. Clay Evans administration the gentleman from New Hampshire [Mr. SULLOWAY] said it was because injustice was done them at the Pension Office.

Now, is injustice that is being done them at the Bureau the reason why the bills come here now in such large numbers? I do not believe that Mr. Ware would do anybody injustice knowingly, and the debate discloses the truth of this. The gentleman from New Hampshire says that some "clerk" was responsible for these numerous troubles. If that is so, I think we ought to "go after" that clerk, or anybody else that does the soldier "injustice" and sends all these claims to Congress. If he can be found he ought to be discharged. Nobody objects to the passage of these bills that are just and legal, but we do want to find out what officer is doing this "injustice," so that we can relieve Congress from the burden—a great burden—taking four days of each month to "pass on" these bills, thus barring us from other work a "clerk" can't do.

Mr. MIERS of Indiana. If my friend will excuse me, the trouble is this: There is a law that applies to a million claimants. The claimants are like other people; they are never quite satisfied unless the adjudication of the case goes their way; that is human nature. The officer is compelled to justify his action and must do it under the law, and I do not believe that a better answer can be made to the gentleman's question than for me to read from the report in this very case.

First, let me say that, so far as I know, the Commissioner does the best he can, and the same applies to others in the Pension Bureau. I visit the office of the second deputy almost daily. Captain Kelley presides, and I have always found him and his force fair and just. I have universally found them willing to do all the law will permit for the soldier. I have never found any influence, political or otherwise, that influenced their action. While I am a Democrat, I can get for the soldiers of my district any action that is proper or permissible. I have never heard any other claim, except during the last campaign my honorable competitor claimed that a Democrat could not have the same consideration as a Republican. But I want to again refute the charge.

Mr. GAINES of Tennessee. I do not object to this particular case, and I am, and the whole committee practically are, unadvised of the merits of these bills and cases.

Mr. MIERS of Indiana. I know the gentleman does not, but it will answer his question by reading from the record.

Mr. GAINES of Tennessee. I have no objection to this case, because I do not know anything about it.

Mr. MIERS of Indiana. I know; but I want to read from this report, because it will answer the gentleman, so that he can no longer doubt.

This bill proposes to increase the pension of the soldier named therein from $24 to $50 per month.

James H. Christmas, now 69 years of age, served as a private in Company B, Eleventh Michigan Cavalry, from September 15, 1864, to June 16, 1865, when honorably discharged.

Medical records of the War Department show that he was under treatment at various dates for measles and sciatica.

He is now pensioned under the general law at $24 per month on account of chronic diarrhœa and resulting piles and general debility.

A claim on account of hernia as a result of his disabilities was rejected in September, 1893, upon the ground that such disability could not be accepted as such result and a claim filed in 1902 for increase of pension, in which the beneficiary alleged that he required the regular and constant attendance of another person, was also rejected in May, 1903, upon the ground that the disability of a pensioned service origin did not warrant a rate in excess of $24 per month and that his condition was due in part to other than the pensioned cause.

When last examined on August 27, 1902 the board of surgeons found him so disabled from heart disease, chronic diarrhœa, hernia, chronic diarrhœa, hemorrhoids, cataract, enlarged prostate, defective hearing, constipation, extreme nervousness and malnutrition as to require the aid and attendance of another person in dressing and undressing, and rated him $50 for that condition.

The soldier alleged that in the summer of 1887 he was confined to his bed with chronic diarrhœa, which caused him to strain a great deal, that he had gallstones with severe at times latter part of the statement that he was very sore about the lower abdomen so that the burning sensation continued him, and that soon after this a lump appeared in the left side which the doctors pronounced a hernia, and another on the right side in about six or eight weeks thereafter.

[Upon appeal, the Secretary of the Interior held, under date of September 23, 1903, that from the claimant's own clear version as to the initiation and cause of the discovery of the hernia it was clear that it was not incurred simply as a result of straining, but evidently of gradual development, and described to attend such hernia as a result of chronic diarrhœa.

Medical evidence, filed in the Pension Bureau in 1903, shows that the beneficiary still requires the aid and attendance of another person by reason of his combined disabilities.

A claim on account of disease of heart as a result of the pensioned causes was also rejected by the Bureau in 1899 as having no connection therewith, and claims for resulting varicose veins and partial deafness were likewise rejected.

Now, then, this examination shows that the man could not only not dress himself, but he could not hear, that he requires the aid of some one to assist him every hour of the day. That is the condition of that old soldier. We have a law, and what is that law? The law says if that condition is due to his Army service, he is entitled to $50 a month. If it is not due to the service, he can only have $24. Here is the clerk's reasoning. The clerk who passed upon that said he did not believe the evidence of the fact that this person's condition was of service origin. Hence they only gave him $24 a month under the law.

Mr. GAINES of Tennessee. How many officers approved of that adjudication?

Mr. MIERS of Indiana. What does the gentleman mean by "how many?"

Mr. GAINES of Tennessee. Did Mr. Ware approve of it?

Mr. MIERS of Indiana. Yes. But I do not suppose the Commissioner personally reviewed the claim, but it went the same route of all other claims.

Mr. GAINES of Tennessee. And then the claimant came to Congress?

Mr. MIERS of Indiana. Yes; there was nothing else for him to do.

Mr. GAINES of Tennessee. Will the gentleman tell me why there are as many claims brought here at this session of Congress under the Ware administration as were brought here before under the Evans administration? I am asking for information; I am not objecting to this case.

Mr. MIERS of Indiana. I do not question the gentleman's honesty. When the clerk who passed on this deemed it not to be of service origin it came to this committee and I might read further from this report to show the justification of the law. This man is 5 feet 8 inches high. He weighs only 140 pounds. He is 69 years old. He gave two years of his life, the best part of it, for the old flag and the Union and the integrity of the Union and the Constitution that you and I so well love and as Democrats desire so often to talk about. We find him homeless, in destitute circumstances. His present pension does not yield him the ordinary necessaries of life. Now, without saying whether the Bureau is right or wrong, when your committee finds that kind of a record, perhaps we construe the doubts one way while the Department over at the Pension Bureau construed it the other.

Mr. GAINES of Tennessee. Mr. Chairman, I have stated that I have no objection on God's earth to the passage of this bill. I made a simple inquiry, which the gentleman has not answered. I know the gentleman can always answer questions, and I know my friend will be frank enough to answer my question. Why is it, I say, that there are as many claims brought here every Friday under Mr. Ware's administration as were brought under Mr. Evans's administration, and is it a fact that down there they have not time to consider claims and that they thus come here to be considered?

Mr. MIERS of Indiana. No, sir; all claims are considered.

Mr. GAINES of Tennessee. And if that is a fact, why not give them more force down there and let Congress go on with other business, instead of doing that which the "clerks" and this Bureau can do.

Mr. MIERS of Indiana. I am not prepared to say what the motive is or why the soldier is not satisfied nor what blame should attach to the Commissioner. I will say to the gentleman from Tennessee frankly that I realize that the position of the Commissioner of Pensions is a very difficult one.

Mr. GAINES of Tennessee. So do I.

Mr. MIERS of Indiana. I will say to him further, if he wants me to, that I do not believe the Commissioner of Pensions is as liberal as I would be or the country expects of him. That is one of the reasons they come here. Upon the other hand, there is another reason, and that is that a man is so built that by reason of self-interest he is not fully satisfied unless he gets the adjudication just as he wants it. They find that you and I and the Members of this House are friendly and they come here for a little further relief. The Bureau is administered with ability and I am sure it takes great patience of the head of the department. You may take the number of cases that is on the Calendar and you will find that the committee has carefully sifted them, and, by the way, in the way of answer to a question of my good friend from Texas [Mr. RUSSELL], who asked if we had turned down any claims, I will tell him this: The claims considered are not all put on this Calendar. There are Members within the sound of my voice as well as the other members of the committee who have asked certain bills to be considered.

The committee has considered them and has found that it was not practicable to report favorably upon them. Many are refused, and some that appeal pretty strongly, but the committee, like the Commissioner, does the best it can. I do not know whether it is a matter for criticism or not, and if it is I never thought it, but in that event we have said to the Members, "Your bill that you ask is No. 1, 2, or 3; the committee can not consider it favorably. We want to treat you like any other Member of the House; you indicate some other bill, and we will take that up and consider it." And the facts are that on this Calendar we have gone around among the Members and treated all Members alike, until there are 107 Members represented on this Calendar to-day. The committee tries to deal fairly with the Members, as well as the soldier and the country.

Mr. GAINES of Tennessee. Now, will my friend yield?

Mr. MIERS of Indiana. Certainly.

Mr. GAINES of Tennessee. Have they enough machinery down at the Pension Office to attend to the pension business?

Mr. MIERS of Indiana. I think so; yes.

Mr. GAINES of Tennessee. Some one stated a while ago on the other side of the House that they have not.

Mr. MIERS of Indiana. That is a matter of opinion. I think they have. At least I have heard no complaint. There are near 2,000 clerks, and $140,000,000 is disbursed by reason of the Pension Bureau.

Mr. GAINES of Tennessee. Does not the gentleman think that instead of having a Commissioner down there we had better establish a court of three judges and let the findings of that court be similar to the findings of the Court of Claims, at least, instead of having all this labor every Friday and all this trouble and delay? Clearly better attention would be given cases by a court than this House is even allowed to give these bills and cases. No one wants to keep the soldier out of his pension if he be just. The gentleman knows that I have been here day and night for seven years whenever this committee has met, and have helped that committee to pass these bills. I am ready to vote for this bill, but I hope the gentleman will find out who that clerk is down there that is doing an injustice to these people, compelling them to come here and bother Congress to take up one day out of every week through the long as well as the short session of this body.

Mr. MIERS of Indiana. As a matter of course, if I were to hunt out that clerk, then it would be a question of opinion between that clerk and myself or yourself. He has simply adjudicated the claim. Now, as Representatives, we find these claims. I know the gentleman's motive is high and honorable and that he is not opposed to giving the soldier his just desert. As members of the committee we have sifted them. If I or some other gentleman has introduced many more bills than we can have considered, that is a matter which we must settle with our consciences and with the gentlemen whose bills were introduced. We come now to this question confronting us. I have advocated a court of appeals, but it has not met with favor in the House of Representatives. The committee is now considering a service-pension bill, and I think it will make a favorable report to the House. For one I favor a service pension. I would give every soldier who had three years' service, an honorable discharge, and 62 years old, $24; two years, $20; and one and one-half years, $18; and one year, $12; and make every such soldier's discharge his absolute right—and if totally disabled, $30. A bill will be reported, and I am sure the wisdom of the House will improve the present pension laws. [Applause.]

A deserving old soldier submits his case; the House is ready and willing to consider it favorably; the money is in the Treasury; the people of this great Republic are saying, "Yield to such men just a little compensation from our abundant Treasury for what they have suffered."

Now, shall we do that, or shall we take up more time and do nothing? For one I am in favor of granting relief to these few to whom we can grant it; and if we can not give the needed relief to any greater number, then it is not a hardship to those who do not receive because their comrades do receive just a little at the hands of this body.

Mr. GIBSON. Mr. Chairman, I wish to state to the House, as there are a great many new Members here who have not heard these discussions in past sessions, what the practice of the Committee on Invalid Pensions is in the case of bills of this kind referred to them for consideration.

In the first place, there are now pending before that committee over 5,000 special bills. Of course it is manifest to Members that it is impossible for us to consider the whole 5,000. We want to do justice as far as possible to the beneficiaries in these bills, and we want to favor Members of Congress as much as possible, consistent with equal justice to them all.

We have uniformly given it out that we would take up cases for consideration for each Member who has bills before the Committee. It makes no difference on which side of the House he sits. We pay absolutely no attention to section or to politics in the committee, as my friend from Indiana [Mr. MIERS] who has just spoken will attest. We endeavor to give every Member of Congress his pro rata, and we call upon all the Members to let us know which of their bills they wish considered first, and we take the cases up and consider them in the order in which Members indicate their preference. A Member with twenty bills will indicate to us, I will say, three bills; he will mark one "No. 1," another "No. 2," and another "No. 3." Thereupon, we send to the Pension Bureau for the files in those three cases.

Our expert clerk takes the files with such other evidence as may be furnished him by the Member of Congress or the beneficiary. He goes through the files; he makes his statement of the facts as he understands them. The file marked "No. 1" is preferred for consideration and is referred to a subcommittee—we will suppose it to be subcommittee No. 1, of which I happen to be a member. That committee takes up the case. We examine it. We see whether it is meritorious. If it be not meritorious, it is so reported, and if the whole committee concurs we lay it aside; and it is not further considered at this session of Congress unless the defect in it shall hereafter be remedied. The subcommittee reports to the full committee of fifteen members. If there is any objection at all, it is brought out in the consideration and discussion. The whole case is stated.

This Member has something to say; that Member has something to say. This one criticises; that one answers the criticism. If there is unanimity upon the part of the committee the bill is reported favorably—not by the subcommittee, but by the whole committee. If there is serious criticism, the bill is laid aside. We do not report any case upon the vote of a bare majority. There must be almost absolute unanimity in order to give a particular bill the sanction of a favorable report from the Committee on Invalid Pensions.

After we have reported a bill for one Member we postpone that Member until every other Member of the House who is asking to have a bill considered has had one considered. We go all around and consider a bill for each Member asking it before reporting a second bill for any Member.

Of course, in order to receive favorable consideration by the committee, it must be a meritorious bill. Very frequently Members request the consideration of a bill that is not meritorious.

I have myself had laid aside at this session of Congress nine bills that I have been asked to have reported from our committee, the committee of course concurring in my action. They were laid aside for the reason that they were not meritorious. In such a case I have gone to the Member and said to him, "Give me another chance to report a bill for you. The one you asked to have reported is not meritorious, and we can not afford to bring it before the House and make a report in favor of it, to be spread upon the records of the country."

The Member has immediately thanked me and said, "I have another bill which I am just as anxious to get through as the former one;" and thereupon he tells me what bill it is. We send to the document room for it; he indorses upon it, "I want this bill next preferred," and he signs his name to it, and then this bill is taken up and considered on the proof in the case.

Now, Mr. Chairman, that is the method of procedure in our committee. The committee is fairly evenly divided on questions of politics; but the question of politics has never been sprung in the committee since I have been a member of it, and I have been such for eight years. Our anxiety is to give every Member his fair pro rata of bills reported by the committee.

We are anxious to give the Democratic side their fair pro rata; and there are Members on that side who will bear witness that I actually go over among them and suggest to them, "Why don't you make a preference of some of your pension bills and give us a chance to report them for you?" For it happens that my constituency in this House—the States that I am considered as representing on my subcommittee—are largely Democratic States; and I am anxious that the Democratic Members of this House shall have a fair showing before the Invalid Pensions Committee, and I have asserted their rights in this respect uniformly, not only in the committee, but on the floor of this House.

Mr. ROBINSON of Indiana. I am in accord with the sentiment of the gentleman and bear testimony to the fairness of the committee, and I want to ask him this question: Can he give us information as to how many bills are introduced by House Members and also how many Senate bills are introduced—the total number per Congress?

Mr. GIBSON. There are at present about 5,000 private pension bills that have been introduced in the House and about 2,000 in the Senate.

Mr. ROBINSON of Indiana. And about the number per annum or per Congress that the committee is able to consider and pass upon?

Mr. GIBSON. We pass upon about 1,500, and lay aside about 200 of those 1,500.

Mr. ROBINSON of Indiana. Is there not some way that that committee can devise that the soldiers may have their claims passed upon more rapidly or have a prompt adjudication?

Mr. GIBSON. That is not the object of my rising to make these remarks. I want to state to the House what the general rules are under which the Invalid Pension Committee acts in passing upon private pension bills.

Mr. ROBINSON of Indiana. Then only about 10 per cent of those introduced receive the consideration of Congress?

Mr. GIBSON. I will state to the gentleman that a great many Members introduce private bills that they know have no very special merit, but do it to satisfy their constituents. I plead guilty to that charge myself; but Members introduce many bills that are exceedingly meritorious, and they are very anxious to have them passed on by the House. A great many bills have no special merit and are never brought before our committee, because the men who introduce them know that they will be turned down, and therefore they select some of their most meritorious bills for our consideration. The Members themselves cull them out, and then we consider them carefully, and if found meritorious we report them, and it is this class of bills that are now on the Calendar.

Now, Mr. Chairman, I want to go a step further and say why it is that we report bills. On what grounds do we act? I will take the first bill passed this morning. It is the case of Mark A. Shelton, a bill introduced by the gentleman from Missouri [Mr. DEARMOND], a prominent Member upon the Democratic side, and it well illustrates the principles of our action. Who is this man Mark A. Shelton? In the first place he served in the Mexican war from June, 1846, to June, 1847. He was a Mexican war soldier with an honorable discharge. In the next place, he served in the Union Army during the war of the rebellion from March, 1862, to March, 1863, and was honorably discharged.

A year's service in the Mexican war and a year's service in the civil war. How much pension is he drawing? Twelve dollars a month, under the act of 1890. He could also have drawn it under the Mexican pension law, which now gives every Mexican soldier $12 a month; but he was already drawing that under the act of 1890 as a civil-war soldier and was getting that pension of $12 a month when we increased Mexican-war pensions to $12 a month.

Now, Mr. Chairman and gentlemen, let us look at the condition of this man as shown by the report in the case. He is 77 years of age, practically blind in both eyes, suffering from piles, disease of the heart, and rheumatism; has to be helped by somebody from room to room; can not travel the streets without a guide and help, and he is to-day dependent chiefly upon the charity of his friends for the food he eats, the roof he sleeps under, and the clothes he wears.

Mr. Chairman, shall it be said by Members of the Congress of the United States that we are "wasting our time," that we are "burdening Members unnecessarily" when we take up the question of relieving this hero of two wars—the war with Mexico,

dear to the heart of every Democrat, the war for the Union, dear to the heart of every Republican? Shall it be said unchallenged on this floor that we are "frittering away our time," that we are "wasting the time of the House" in considering cases like this? What better business could we be engaged in than in giving adequate relief to a soldier who served twelve months in the Mexican war and twelve months in the civil war, now blind, helpless from rheumatism, afflicted with heart disease and piles, and having no means of support excepting a $12 pension and the charity of his friends? This, Mr. Chairman, is a fair sample of the bills we are acting on here to-day.

Now, Mr. Chairman, somebody will say, Well, why does he not go to the Pension Bureau? Mr. Chairman, these disabilities were not contracted in the Army of the United States; therefore he has no standing under any law at the Bureau. His rheumatism was not contracted under the flag; his blindness was not contracted under the flag. Read the cases that are brought before this committee to-day and you will find that the great mass of them are cases where men are drawing under the new law, as we call it, the act of June 27, 1890, $12, or, if drawing under the old law, is drawing some small pension, and in each case is suffering from some extraordinary disease that incapacitates him from doing anything, that renders him helpless and necessitates the regular attendance of another person.

We take the pension which he gets under the law as a basis of action and then give him something for the disability he is suffering from, which was not incurred in the war and for which he can not draw any pension at the Pension Bureau.

Now, Mr. Chairman, in conclusion, shall we say that a man who has rendered good service to the country, but who is to-day suffering a disability—I will say blindness, for those cases are very frequent; I will say rheumatism, for those cases are still more frequent, or I will say paralysis, for those cases are very numerous—necessitating the regular aid and help of another person every hour in the day, shall we say that that man shall be dependent upon the charity of his neighbors for his support when here is a great country in whose behalf he risked his life and his health, well able to support him?

I am proud to say that this proposition has never been seriously disputed in this House, but both this House and the other branch of Congress have uniformly come to the help of these men and given them sufficient means to enable them to live with a moderate degree of comfort, without being dependent on the charity of their friends or being driven into the poorhouses of the land. [Applause.]

Mr. CALDERHEAD. Mr. Chairman, I do not intend to prolong this discussion. I have noticed more than once in the last six years in this House that a discussion of this kind could be sprung at about this hour on pension afternoons and stop the passage of these bills for an hour or two hours, and every minute of time that is taken in this kind of discussion is just so much taken from the time of the actual passing of these bills. That is one reason why every member of the committee does not appear upon the floor for the defense of the action of the committee. The committee does its work as fairly as it is able to do it, and presents the results to the House.

There is ample opportunity for any man who desires to do so to ascertain when its work is unfair or when the report upon any bill does not show a meritorious case, and to make an objection to it. There was one implication made by a quibble upon words which I wish to correct. The chairman of the committee, in reply to a question as to why so many of these bills were brought in by this committee, answered, "Because the claimants were not able to get justice at the Department," and immediately somebody stated that the Department was doing injustice. The chairman did not mean that. The general laws do not provide justice for all claimants. No general law can do anything of that kind, or do that much.

The general law goes as far as it can go as a general law. When there are a million of claimants now upon the pension roll, it is very evident there must be a great many whose cases do not come within the provisions of any law, either by reason of the fact that the law does not provide pensions for the disability which they exhibit or by reason of the fact they are unable to furnish the evidence necessary to satisfy the Bureau of that thing, and upon that question it is right that the Bureau should require the evidence to be satisfactory. We give the Commissioner a hundred and thirty-eight or a hundred and forty million dollars to expend. It would be an easy matter by lax application of the rules of evidence in cases to squander millions and to make the pension roll a burden.

As a matter of necessity the rules of evidence in the Department must be strict and the applicant must comply with the letter of the law to become entitled to a pension, and no officer would be tolerated who would undertake to enlarge the law by his own arbitrary action. The Pension Bureau does justice as far as the law permits it to do, or at least as far as they think the law permits. When it fails, the work of our committee begins. We do it as well as we can and bring the result before the House, and unless we are doing injustice the work of our committee ought not to be obstructed, on an afternoon like this, by discussions which are merely made for partisan purposes, or merely made to fill the RECORD and satisfy the constituencies of those unfriendly. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendments.

The question was taken; and the amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM M. UNDERHILL.

The next business on the Private Calendar was the bill (H. R. 8058) granting an increase of pension to William M. Underhill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William M. Underhill, late of Company A, Fifth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA M. DEL B. CUNNINGHAM.

The next business on the Private Calendar was the bill (H. R. 7699) granting an increase of pension to Martha Del' Banco Cunningham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha M. del B. Cunningham, widow of John Scott Cunningham, late pay director, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Martha," strike out the words "del' Banco" and insert in lieu thereof the words "M. del B."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Martha M. del B. Cunningham."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN A. FOREMAN.

The next business on the Private Calendar was the bill (H. R. 6705) granting an increase of pension to Edwin A. Foreman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin A. Foreman, late of Company A, Twenty-third Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Foreman" and insert in lieu thereof the word "Forman."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to Edwin A. Forman."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES H. BELL.

The next business on the Private Calendar was the bill (S. 190) granting an increase of pension to Charles H. Bell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Bell, late of Company D, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

STEPHEN GASCOIGNE.

The next business on the Private Calendar was the bill (S. 744) granting an increase of pension to Stephen Gascoigne.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen Gascoigne, late of Company E, First Regiment Wisconsin Volunteer Infantry, and Company B, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN SWENSON.

The next business on the Private Calendar was the bill (S. 745) granting a pension to John Swenson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Swenson, late of Company C, One hundred and twenty-fourth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

FERDINAND WIEDEMANN.

The next business on the Private Calendar was the bill (S. 930) granting an increase of pension to Ferdinand Wiedemann.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ferdinand Wiedemann, late of Company E, First Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BARNEY L. BROOKINS.

The next business on the Private Calendar was the bill (H. R. 4365) granting a pension to Barney L. Brookins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Barney L. Brookins, late of Company D, Fifty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM W. JACKSON.

The next business on the Private Calendar was the bill (S. 1543) granting an increase of pension to William W. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Jackson, late captain and commissary of subsistence, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. SULLOWAY. Mr. Chairman, I move that this bill be laid aside to be reported to the House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

The motion was agreed to.

IRVING W. COOMBS.

The next business on the Private Calendar was the bill (S. 547) granting an increase of pension to Irving W. Coombs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Irving W. Coombs, late of Company H, Fifteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SILAS MESERVE.

The next business on the Private Calendar was the bill (S. 471) granting an increase of pension to Silas Meserve.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Silas Meserve, late of Company F, Twentieth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. HOWARD.

The next business on the Private Calendar was the bill (H. R. 7682) granting an increase of pension to William H. Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Howard, late of Company K, Fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILHELMINA MILLER.

The next business on the Private Calendar was the bill (H. R. 134) granting a pension to Wilhelmina Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilhelmina Miller, widow of Eckart Miller, late of Company C, Sixty-fifth Regiment New York Volunteer Artillery, and pay her a pension at the rate of $24 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilhelmina Miller, widow of Eckart Miller, late of artillery company, Sixty-fifth Regiment New York Volunteer Militia, and pay her a pension at the rate of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES A. HOOVER.

The next business on the Private Calendar was the bill (S. 1491) granting an increase of pension to James A. Hoover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Hoover, late second lieutenant Company O, Second Regiment West Virginia Volunteer Cavalry, and pay him a pension, at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES STERMER.

The next business on the Private Calendar was the bill (S. 929) granting an increase of pension to Charles Stermer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Stermer, late of Company A, First Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES P. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 5699) granting an increase of pension to James P. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James P. Johnson, late private, Company C, Twenty-sixth Regiment Indiana Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the word "Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMY C. BOSWORTH.

The next business on the Private Calendar was the bill (S. 1334) granting a pension to Amy C. Bosworth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amy C. Bosworth, widow of George W. Bosworth, late captain Company F, Eighteenth Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 9, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Amy C. Bosworth."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES F. HOLT.

The next business on the Private Calendar was the bill (S. 182) granting an increase of pension to Charles F. Holt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles P. Holt, late of Company G, Second Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY E. MELDRUM.

The next business on the Private Calendar was the bill (H. R. 4457) granting an increase of pension to Mary E. Meldrum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Meldrum, widow of Alonzo R. Meldrum, late first lieutenant Company E, Fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "Company E" and insert in lieu thereof the words "Company E"; and

In line 9 strike out the word "twenty-five" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. CUTTS.

The next business on the Private Calendar was the bill (S. 1826) granting an increase of pension to Mary E. Cutts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Cutts, widow of James Madison Cutts, late captain Company F, First Battalion, Eleventh Regiment United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said James Madison Cutts until they reach the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

MINNIE GUSLER.

The next business on the Private Calendar was the bill (H. R. 4045) granting a pension to Minnie Gusler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Minnie Gusler, helpless child of George Gusler, deceased, late a private in Company F, One hundred and ninety-sixth Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "helpless," insert the words "and dependent."

In same line strike out the word "deceased."

In line 7 strike out the words "a private in" and insert in lieu thereof the word "of."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH C. PAQUIN.

The next business on the Private Calendar was the bill (S. 1429) granting an increase of pension to Elizabeth C. Paquin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth C. Paquin, widow of Joseph Paquin, late of Company A, and musician Company F, Fifth Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CALVIN DAWS.

The next business was the bill (S. 1335) granting an increase of pension to Calvin Daws.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Calvin Daws, late of Company A, Twenty-fifth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HESTER E. MOONEY.

The next business was the bill (H. R. 3815) granting an increase of pension to Hester E. Mooney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hester E. Mooney, widow of James J. Mooney, late lieutenant-colonel Forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CLARENCE E. BULLARD.

The next business was the bill (S. 1437) granting an increase of pension to Clarence E. Bullard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clarence E. Bullard, late of Company B, Sixth Regiment Wisconsin Volunteer Infantry, and second lieutenant Company C, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANDREW C. RANARD.

The next business was the bill (S. 959) granting an increase of pension to Andrew C. Ranard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew C. Ranard, late of Company I, Twenty-second Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HAMILTON E. BURRITT.

The next business was the bill (H. R. 4276) granting an increase of pension to H. E. Burritt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of H. E. Burritt, late of Company F, Fifth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "H." and insert in lieu thereof the word "Hamilton."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Hamilton E. Burritt."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M. STANYAN.

The next business was the bill (S. 1259) granting an increase of pension to John M. Stanyan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Stanyan, late of Company A, Second Regiment Illinois Volunteers, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM PAUL.

The next business was the bill (S. 1402) granting an increase of pension to William Paul.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Paul, late of Company [illegible], Fifteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM BIEBER.

The next business was the bill (H. R. 3037) granting a pension to William Bieber.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Bieber, the little [illegible] son of Oscar Bieber, late of Company A, Seventeenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "the."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MAMIE THAYER.

The next business was the bill (S. 814) granting a pension to Mamie Thayer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mamie Thayer, helpless and dependent child of Galen H. Thayer, late of Company E, Third Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $12 per month, payable to her duly constituted guardian.

The bill was ordered to be laid aside with a favorable recommendation.

DEXTER T. DRAKE.

The next business was the bill (H. R. 1487) granting an increase of pension to D. T. Drake.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of D. T. Drake, late of Company H, Second Regiment New York Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "D." and insert in lieu thereof the word "Dexter."

In same line strike out the words "of Company H" and insert in lieu thereof the words "first lieutenant Company G, Tenth Regiment, and Company H."

In line 7, before the word "Artillery," insert the words "Volunteer Heavy."

In same line strike out the word "forty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Dexter T. Drake."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH A. SOULE.

The next business on the Private Calendar was the bill (H. R. 2183) granting an increase of pension to Joseph A. Soule.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph A. Soule, late of Company E, Eighteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANA COOK.

The next business on the Private Calendar was the bill (H. R. 1497) granting an increase of pension to Dana Cook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dana Cook, late of Company D, Sixth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Infantry," insert the words "and One hundred and seventy-first Company, Second Battalion, Veteran Reserve Corps."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

W. NEIL DENNISON.

The next business on the Private Calendar was the bill (S. 821) granting an increase of pension to W. Neil Dennison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. Neil Dennison, late captain Company [illegible], Twenty-seventh Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

TRACY M. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 5199) granting a pension to Tracy M. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Tracy M. Johnson, helpless and dependent son of Arthur M. Johnson, late of Company E, First Regiment Ohio Light Artillery, and pay him a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Emma M. Johnson, widow of Arthur M. Johnson, late of Company E, First Regiment Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving: *Provided, however*, That in the event of the death of Tracy M. Johnson, helpless and dependent child of said Arthur M. Johnson, the additional pension herein granted shall cease and determine."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN L. BEVERIDGE.

The next business on the Private Calendar was the bill (S. 847) granting an increase of pension to John L. Beveridge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Beveridge, late second Seventeenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN G. FAIRCHILD.

The next business on the Private Calendar was the bill (H. R. 2923) granting an increase of pension to John G. Fairchild.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Fairchild, late of Company B, Eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES C. CHASE.

The next business on the Private Calendar was the bill (H. R. 865) granting an increase of pension to Charles C. Chase.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles C. Chase, late captain of Company G, First Regiment Maine Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "captain," strike out the word "of."

In line 7 strike out the words "Maine Cavalry" and insert in lieu thereof the words "District of Columbia Volunteer Cavalry."

In line 9 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES A. TEMPLETON.

The next business on the Private Calendar was the bill (S. 798) granting an increase of pension to James A. Templeton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James A. Templeton, late of Company D, First Regiment Vermont Volunteers, war with Mexico, and Company A, First Regiment Vermont Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE W. M'MULLEN.

The next business on the Private Calendar was the bill (S. 589) granting an increase of pension to George W. McMullen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. McMullen, late [illegible] Fifth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE JEFFREY.

The next business on the Private Calendar was the bill (H. R. 8187) granting an increase of pension to George Jeffrey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Jeffrey, late of Company A, Fifth Regiment New York Heavy Artillery Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers."

In same line, before the word "Heavy," insert the word "Volunteer."

The bill as amended was ordered to laid aside with a favorable recommendation.

JOHN B. CARTER.

The next business on the Private Calendar was the bill (S. 898) granting an increase of pension to John B. Carter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Carter, late of Company E, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELLA P. KERSTETTER.

The next business on the Private Calendar was the bill (H. R. 681) granting an increase of pension to Ella P. Kerstetter.

The bill was read, as follows:

Be it enacted etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ella P. Kerstetter, widow of Thomas T. Kerstetter, late of Companies E and B, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Kerstetter" and insert in lieu thereof the word "Kerstetter."

In same line strike out the letter "T." and the word "Kerstetter" and insert in lieu thereof the letter "J." and the word "Kerstetter."

Amend the title so as to read: "A bill granting an increase of pension to Ella P. Kerstetter."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT S. CARNS.

The next business on the Private Calendar was the bill (H. R. 4114) granting an increase of pension to Robert Carns.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Carns, late of Company K, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "Robert" insert "S." and the letter "."

In same line after the word "late" strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Robert S. Carns."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH HINKLE.

The next business on the Private Calendar was the bill (H. R. 4251) granting an increase of pension to Joseph Hinkle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Hinkle, late of Company B, One hundred and sixty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "Volunteer Infantry" and insert in lieu thereof the words "Militia Men."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANSON P. WILLIAMSON.

The next business on the Private Calendar was the bill (S. 587) granting an increase of pension to Anson P. Williamson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anson P. Williamson, late of Company K, Twenty-seventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

NANCY S. MARSH.

The next business on the Private Calendar was the bill (S. 484) granting a pension to Nancy S. Marsh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nancy S. Marsh, widow of Luther R. Marsh, late unassigned, Twelfth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES E. BARNARD.

The next business on the Private Calendar was the bill (S. 565) granting an increase of pension to James E. Barnard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Barnard, late of Company K, Ninth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY D. TOWSLEY.

The next business on the Private Calendar was the bill (H. R. 2111) granting a pension to Henry D. Tousley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry D. Towsley, late of Company B, First Battery Vermont Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry D. Towsley, late of Company B, First Battery Vermont Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Henry D. Towsley."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

OLIVE J. BAILEY.

The next business on the Private Calendar was the bill (S. 478) granting an increase of pension to Olive J. Bailey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Olive J. Bailey, late of Company B, Twelfth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BYRON D. BABCOCK.

The next business on the Private Calendar was the bill (S. 473) granting an increase of pension to Byron D. Babcock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Byron D. Babcock, late of Company G, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN A. SILLS.

The next business on the Private Calendar was the bill (H. R. 4325) granting an increase of pension to John Amer Sills.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Sills, late of Company E, Second Maine Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Sills, late of Company E, Second Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John A. Sills."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY E. PENNOCK.

The next business on the Private Calendar was the bill (H. R. 3298) granting a pension to Mary E. Pennock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Pennock, widow of

Cyrus Pennock, late of Company B, Sixteenth Regiment Kansas Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN SHAFER.

The next business on the Private Calendar was the bill (H. R. 6046) granting an increase of pension to John Shafer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Shafer, late of Company H, One hundred and sixty-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Infantry," insert the words "and Fortieth Company, Second Battalion, Veteran Reserve Corps."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN A. REEDS.

The next business on the Private Calendar was the bill (H. R. 6701) granting an increase of pension to John A. Reeds.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Reeds, late of Company H, Twelfth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT L. MILES.

The next business on the Private Calendar was the bill (H. R. 5634) granting an increase of pension to Robert L. Miles.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert L. Miles, late of Company B, Twenty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of."

In same line strike out the letter "G" and insert in lieu thereof the letter "H."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. DAY.

The next business on the Private Calendar was the bill (H. R. 1316) granting an increase of pension to George W. Day.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Day, late of Company I, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM PITTENGER.

The next business on the Private Calendar was the bill (H. R. 3632) granting an increase of pension to William Pittenger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Pittenger, late of Company G, Second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SERENUS KILBOURNE.

The next business on the Private Calendar was the bill (H. R. 8748) for the relief of Serenus Kilbourne.

The bill was read, as follows:

Be it enacted, etc., That Serenus Kilbourne, of Battery L, First United States Artillery, shall be held not to have deserted on July 31, 1895, but shall be held to have been discharged as of that date, and that the Secretary of War is hereby authorized to issue to him an honorable discharge in accordance herewith: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The bill was ordered to be laid aside with a favorable recommendation.

CYNTHIA THOMAS.

The next business on the Private Calendar was the bill (H. R. 2427) to grant a pension to Cynthia Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cynthia Thomas, widow of Charles Thomas, late of Company K, Third Regiment Iowa Volunteers, Indian Wars, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "Granting a pension to Cynthia Thomas."

In line 7, after the word "Regiment," insert "United States;" and in the same line, after the word "Infantry," insert "Florida Indian war."

In line 8 strike out "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DUDLEY R. W. WILLIAMS.

The next business on the Private Calendar was the bill (H. R. 2932) granting a pension to Dudley R. W. Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dudley R. W. Williams, late of Company, Iowa Volunteers, war with Mexico, and pay him a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Iowa," insert "Mounted."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

REUBEN A. FINNELL.

The next business on the Private Calendar was the bill (H. R. 6879) for the relief of R. A. Finnell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of R. A. Finnell, late of the Washington Territory volunteers, Indian war, and pay him a pension of $30 a month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting a pension to Reuben A. Finnell."

In line 6, after the word "Indian," insert "war."

In same line strike out all in the bill after the word "hereby," in line 3, and substitute the following: "authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Reuben A. Finnell, late of Company B, First Regiment Washington Territory volunteers, Oregon and Washington Territory Indian war, and pay him a pension at the rate of $8 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALFRED C. ISACHSEN.

The next business on the Private Calendar was the bill (H. R. 455) to grant a pension to Alfred C. Isachsen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred C. Isachsen, late of Company F, First Regiment Wisconsin Volunteer Infantry, war with Spain, and pay him a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARY G. BONESTEEL.

The next business on the Private Calendar was the bill (H. R. 8740) granting an increase of pension to Mary G. Bonesteel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary G. Bonesteel, widow of Charles Bartwell Bonesteel, late major, Twenty-third United States Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after "Twenty-third," insert "Regiment."

In line 8 strike out "forty" and insert "thirty-five."

Add to the end of the bill the words "and $2 per month additional on account of the minor child of said Charles Hartwell Bonesteel until she reaches the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN S. SINES.

The next business on the Private Calendar was the bill (H. R. 6861) granting an increase of pension to John Sines.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Sines, late of Company B, Fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Insert the initial "S" in claimant's name where it appears in the title and body of the bill.

In line 7 strike out the word "Volunteer;" and in the same line, after the word "Infantry," insert "war with Mexico."

The amendments were agreed to.

The bill, as amended, was ordered to be laid aside with a favorable recommendation.

ROBERT P. BAKER.

The next business on the Private Calendar was the bill (H. R. 7020) granting a pension to Robert P. Baker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert P. Baker, a soldier of the Mexican war, late of the United States Army in the Mexican war, and pay him a pension of $8 per month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read "Granting an increase of pension to Robert P. Baker."

Strike out all in the bill after the word "roll," in line 4, and substitute the following: "subject to the provisions and limitations of the pension laws, the name of Robert P. Baker, late of Captain Dagley's company, Second Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $8 per month in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM P. HEREFORD.

The next business on the Private Calendar was the bill (H. R. 5617) granting an increase of pension to William P. Hereford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Hereford, late of Second Regiment of the United States Dragoons, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out "of the Second Regiment of the United States Dragoons," and insert in lieu thereof "late of Company A, Second Regiment United States Dragoons, Florida Indian war."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADALINE SHAW LOVEJOY.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting an increase of pension to Adaline Shaw Lovejoy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adaline Shaw Lovejoy, widow of Charles H. Lovejoy, late of Company [illegible], Fifteenth Regiment Massachusetts Volunteers, war with Mexico, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 5 strike out "twenty" and insert "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL R. WASSON.

The next business on the Private Calendar was the bill (H. R. 4[illegible]) granting an increase of pension to Samuel R. Wasson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel R. Wasson, late of Company G, First Regiment Illinois Volunteers, Mexican war, and pay him a pension at the rate of $8 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "First," insert "Regiment;" and in lines 6 and 7 strike out "Infantry" and insert "Volunteer Infantry."

In line 7 strike out "Mexican;" and after the word "war" insert "with Mexico."

Also in line 7 strike out "of fifty" and insert "at the rate of twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PATRICK CANNON.

The next business on the Private Calendar was the bill (H. R. 1959) granting an increase of pension to Patrick Cannon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Patrick Cannon, late of Company [illegible], Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HARRY HALLER.

The next business on the Private Calendar was the bill (H. R. 6582) granting an increase of pension to Harry Haller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harry Haller, late of Company [illegible], Fifteenth Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Volunteer."

In line 8 strike out "thirty-five" and insert "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JANE ELIZABETH BULLOCK.

The next business on the Private Calendar was the bill (H. R. 5538) granting a pension to Jane Elizabeth Bullock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Elizabeth Bullock, and to pay her a pension at the rate of $8 per month.

The amendment recommended by the committee was read, as follows:

Strike out all in the bill after the word "Bullock," in line 6, and substitute the following: "widow of Henry W. Bullock, late of Company [illegible], Second Regiment Texas Mounted Volunteers, war with Mexico, and pay her a pension of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES S. BELLOWS.

The next business on the Private Calendar was the bill (H. R. 6032) granting an increase of pension to Charles S. Bellows.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] at the rate of [illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

MATILDA LAFFERTY.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting a pension to Matilda Lafferty.

The bill was read, as follows:

[illegible]

The amendments recommended by the committee were read, as follows:

Strike out all of line 7.

In line [illegible] and of."

In line [illegible] after the word "Regiment."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. KERBY.

The next business was the bill (H. R. 3867) granting an increase of pension to George W. Kerby.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Kerby, late of Company [illegible], Maryland Volunteer Infantry, and

pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL M. PERRY.

The next business was the bill (S. 14) granting an increase of pension to Samuel M. Perry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel M. Perry, late of Company [illegible], Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM W. ROWLETT.

The next business was the bill (H. R. 7563) granting an increase of pension to W. W. Rowlett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. W. Rowlett, late of Company [illegible], Second Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "W." and insert in lieu thereof the word "William."

In line 8 strike the word "fifty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to William W. Rowlett."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY S. M'ALISTER.

The next business was the bill (H. R. 734) granting an increase of pension to Henry S. McAlister.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry S. McAlister, late of Company A, Sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES M. EVERETT.

The next business was the bill (H. R. 3617) for the relief of Charles M. Everett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Everett, late of Company [illegible], New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Everett, late of Company [illegible], Fifteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he now receives, subject to the provisions and limitations of the pension laws."

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Everett, late of Company [illegible], Fifteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Benjamin F. Grigsby."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRISON H. HAKES.

The next business was the bill (H. R. 7095) granting an increase of pension to Harrison H. Hakes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harrison H. Hakes, late of Company [illegible], Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW BLACK.

The next business was the bill (H. R. 7798) granting an increase of pension to Andrew Black.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Black, late first-class fireman, U. S. S. Pittsburg, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line [illegible], after the word "Black," insert the words "late coal and."

In line [illegible] strike out the words "first-class fireman" and insert in lieu thereof the words "of the."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALBERT W. BULLOCK.

The next business on the Private Calendar was the bill (S. 452) granting an increase of pension to Albert W. Bullock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert W. Bullock, late of Company B, Third Mounted Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HORACE E. DAVIS.

The next business on the Private Calendar was the bill (H. R. 8242) granting a pension to Horace E. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horace E. Davis, late of Company G, Second Regiment New York Volunteer Mounted Rifles, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In the same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN F. GRIGSBY.

The next business was the bill (H. R. 5609) granting an increase of pension to B. F. Grigsby.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of B. F. Grigsby, of Chattanooga, Tenn., late a private in Company [illegible], Second Regiment Tennessee [illegible], on the pension roll at the United States Army and pay him a pension at the rate of $30 per month in lieu of that he now receives, subject to the provisions and limitations of the pension laws.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Grigsby, late of Company [illegible], Second Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Benjamin F. Grigsby."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRISON H. HAKES.

The next business was the bill (H. R. 7095) granting an increase of pension to Harrison H. Hakes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harrison H. Hakes, late of Company [illegible], Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW BLACK.

The next business was the bill (H. R. 7798) granting an increase of pension to Andrew Black.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Black, late first-class fireman, U. S. S. Pittsburg, United States Navy, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line [illegible], after the word "Black," insert the words "late coal and."

In line [illegible] strike out the words "first-class fireman" and insert in lieu thereof the words "of the."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALBERT W. BULLOCK.

The next business on the Private Calendar was the bill (S. 452) granting an increase of pension to Albert W. Bullock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert W. Bullock, late of Company B, Third Mounted Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HORACE E. DAVIS.

The next business on the Private Calendar was the bill (H. R. 8242) granting a pension to Horace E. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horace E. Davis, late of Company G, Second Regiment New York Volunteer Mounted Rifles, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In the same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Horace E. Davis."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH HARDY.

The next business on the Private Calendar was the bill (H. R. 3272) granting an increase of pension to Elizabeth Hardy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth Hardy, widow of David L. Hardy, late captain of Company M, First Regiment Colorado Volunteer Cavalry, and pay her a pension at the rate of $20 per month in lieu of that which she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "of."

In line 9 strike out the word "which."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIS A. P. LEWIS.

The next business on the Private Calendar was the bill (S. 1827) granting an increase of pension to Harris A. P. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harris A. P. Lewis, late of Company [illegible], Eighty-second Regiment Massachusetts Volunteer Infantry, and Company B, [illegible] Regiment Maine Volunteer Infantry, and pay him a pension at the rate of [illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN PANGRATZ.

The next business on the Private Calendar was the bill (H. R. 1156) granting an increase of pension to John Pangratz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of John Pangratz, late a private in Company E, Seventieth New York Volunteers, on the pension roll, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Pangratz, late of Company [illegible], Seventieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZA S. SMITH.

The next business on the Private Calendar was the bill (H. R. 8123) granting a pension to Eliza Stoddard Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Stoddard Smith, widow of Samuel B. Smith, late of Company, Eleventh Regiment Ohio Volunteer Infantry, and Ninety-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Stoddard" and insert in lieu thereof the letter "A."

In same line, after the word "late," strike out the word "of" and insert in lieu thereof the word "captain."

In line 7, after the word "Company," insert the letter "K."

In same line strike out the words "Eleventh Regiment Ohio Volunteer Infantry, and"

In line 9 strike out the word "fifty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY BARRETT.

The next business on the Private Calendar was the bill (H. R. 7355) granting an increase of pension to Henry Barrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Barrett, late of Company I, Fifty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHARINE M. M'CLANAHAN.

The next business on the Private Calendar was the bill (H. R. 4578) granting a pension to Catharine M. McClanahan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine M. McClanahan, widow of John W. McClanahan, late captain of Company [illegible], Fifty-third Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "of the."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CYRENIUS DENNIS.

The next business on the Private Calendar was the bill (H. R. 7477) granting an increase of pension to Cyrenius Dennis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, instructed to place on the pension roll the name of Cyrenius Dennis, late of Company [illegible], Seventy-fifth Regiment Illinois Volunteer Infantry, Spanish-American War, and pay him a pension at the rate of $24 per month, subject to the provisions and limitations of the pension laws.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cyrenius Dennis, late of Company C, Seventy-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES P. CLARKE.

The next business on the Private Calendar was the bill (H. R. 3345) granting an increase of pension to Charles P. Clarke.

The bill was read, as follows:

Be it enacted, etc., That [illegible] Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles P. Clarke, late [illegible] United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "captain," [illegible] out the word "of."

In line 7, before the word "[illegible]," insert the word "Regiment."

In same line strike out the words "Volunteers, United States Army," and insert in lieu thereof the words "Volunteer Infantry."

In same line strike out the word "[illegible]."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM Y. M. WILKERSON.

The next business on the Private Calendar was the bill (H. R. 4987) granting an increase of pension to William Y. M. Wilkerson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Y. M. Wilkerson, late [illegible] Company [illegible], Regiment [illegible] Volunteer Cavalry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "seventeen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID E. BURBANK.

The next business on the Private Calendar was the bill (S. 9) granting an increase of pension to David E. Burbank.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David E. Burbank, late first lieutenant of Company E, Sixteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANDREW J. PIERCE.

The next business on the Private Calendar was the bill (S. 456) granting an increase of pension to Andrew J. Pierce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Pierce, late of Company G, First Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMMA H. HIGLEY.

The next business on the Private Calendar was the bill (H. R. 520) granting a pension to Emma H. Higley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Emma H. Higley, widow of Alonzo Higley, late of the Tenth Regiment Ohio Volunteer Cavalry, and pay her a pension of $30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma H. Higley, widow of Alonzo Higley, late of the Tenth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES K. BLYE.

The next business on the Private Calendar was the bill (H. R. 737) granting an increase of pension to James K. Blye.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James K. Blye, late of Company A, Eleventh and Sixteenth Regiments New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In lines 6 and 7 strike out the word "Sixteenth" and insert in lieu thereof the word "Sixth."

The amendment was agreed to.

The bill was ordered to be laid aside with a favorable recommendation.

MARY DEWIRE.

The next business on the Private Calendar was the bill (H. R. 2194) granting a pension to Mary Dewire.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Dewire, widow of John Dewire, late of Company I, Second Regiment Nebraska Volunteers, and pay her a pension at the rate of $16 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Cavalry."

In line 8 strike out the word "sixteen" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN HERZOG.

The next business on the Private Calendar was the bill (H. R. 6025) granting an increase of pension to John Herzog.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Herzog, late of Company F, Twenty-fifth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM T. FILLER.

The next business on the Private Calendar was the bill (H. R. 5720) granting an increase of pension to William T. Filler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William T. Filler, late of Company E, One hundred and thirty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM CLARK.

The next business on the Private Calendar was the bill (S. 13) granting an increase of pension to William Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Clark, late of Company F, Second Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CYRUS DAVIDHEISER.

The next business on the Private Calendar was the bill (H. R. 7757) granting an increase of pension to Cyrus Dandheiser.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cyrus Dandheiser, late private, Independent Battery D, Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Dandheiser" and insert in lieu thereof the word "Davidheiser."

In the same line strike out the word "private" and insert in lieu thereof the word "of."

Amend the title so as to read: "A bill granting an increase of pension to Cyrus Davidheiser."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNIE H. ZOLL.

The next business on the Private Calendar was the bill (S. 586) granting a pension to Annie H. Zoll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie H. Zoll, helpless and dependent child of Rodolphus B. Zoll, late of Company D, Ninety-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES H. MILLER.

The next business on the Private Calendar was the bill (H. R. 7594) granting an increase of pension to Charles H. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Miller, late of Company K, Fourth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIETT B. RILEY.

The next business on the Private Calendar was the bill (H. R. 1855) granting a pension to Harriett B. Riley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriett B. Riley, widow of William E. Riley, late captain Company K, First Regiment Connecticut Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

ANSON HEFFRON.

The next business on the Private Calendar was the bill (H. R. 6028) granting an increase of pension to Anton Heffron.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anton Heffron, late of Company L, Seventy-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Anton" and insert in lieu thereof the word "Anson."

In same line strike out the letter "L" and insert in lieu thereof the letter "A."

In same line strike out the word "Seventy-ninth" and insert in lieu thereof the word "Twenty-fourth."

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Anson Hoffron."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. BLANCHARD.

The next business on the Private Calendar was the bill (H. R. 1906) granting an increase of pension to George W. Blanchard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Blanchard, late of Company G, Second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

RUDOLPH SIEBELIST.

The next business on the Private Calendar was the bill (S. 937) granting an increase of pension to Rudolph Siebelist.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rudolph Siebelist, late of Company H, Twenty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANK LEWIS.

The next business on the Private Calendar was the bill (H. R. 84[illegible]) granting an increase of pension to Frank Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank Lewis, late of Company A, [illegible] Regiment Maine Volunteer Cavalry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HELEN M. BATES.

The next business on the Private Calendar was the bill (H. R. 74[illegible]) granting a pension to Helen M. Bates.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Helen M. Bates, widow of George [illegible], late of Company G, Thirteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "C" and insert in lieu thereof the letter "E."

In line 9, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Helen M. Bates."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES JOHNSON.

The next business on the Private Calendar was the bill (H. R. 8207) granting an increase of pension to Charles Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Johnson, late of Company G, One hundred and tenth Pennsylvania Volunteer Infantry, and Company E, Fourth Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Pennsylvania," insert the word "Regiment."

In line 8, after the word "Fourth," insert the word "Regiment."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES ANDERSON.

The next business on the Private Calendar was the bill (H. R. 2040) granting a pension to James Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Anderson, late of Company C, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

In same line, after the word "month," insert the following: "the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROYAL A. S. KINGSLEY.

The next business on the Private Calendar was the bill (S. 555) granting an increase of pension to Royal A. S. Kingsley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Royal A. S. Kingsley, late of Company A, Seventy-seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES WIGERT.

The next business on the Private Calendar was the bill (H. R. 602[illegible]) granting an increase of pension to Charles Wigert.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Wigert, late of Company [illegible], Forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS SPRINGER.

The next business on the Private Calendar was the bill (H. R. 6342) granting a pension to Thomas Springer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Springer, late of Company [illegible], Fifty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month heretofore allowed said Thomas Springer under act of June [illegible].

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Springer, late of Company [illegible], One hundred and fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Thomas Springer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMA L. NAGLE.

The next business on the Private Calendar was the bill (H. R. 608[illegible]) granting an increase of pension to Emma Louisa Nagle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma Louisa Nagle, widow of [illegible] Nagle, late of Company [illegible], Fifty-second Regiment New York Volunteers, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Louisa" and insert in lieu thereof the letter "L."

In line 7, before the word "Maryland," insert the words "Potomac Home Brigade."

Amend the title so as to read: "A bill granting an increase of pension to Emma L. Nagle."

The amendments were agreed to.

The bill was ordered to be laid aside with a favorable recommendation.

EDWARD A. WILBUR.

The next business on the Private Calendar was the bill (H. R. 5972) granting an increase of pension to Edward A. Wilbur.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward A. Wilbur, late of Company I, Fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ORLO H. LYON.

The next business on the Private Calendar was the bill (H. R. 2122) granting a pension to O. H. Lyon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of O. H. Lyon, late of Third Independent Battery Iowa Light Artillery, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "O." and insert in lieu thereof the word "Orlo."

In same line, before the word "Third" insert the word "captain."

In same line, before the word "Light" insert the word "Volunteer."

Amend the title so as to read: "A bill granting a pension to Orlo H. Lyon."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGIE S. BARBOUR.

The next business on the Private Calendar was the bill (H. R. 60[illegible]) granting a pension to Georgia S. Barbour.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Georgie S. Barbour, widow of [illegible] Barbour, late of Dick Pulton, Mississippi Regiment, Marine Brigade, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Georgia" and insert in lieu thereof the word "Georgie."

In line 7 before the word "Dick" insert the word "ram."

In same line strike out the word "Regiment."

Amend the title so as to read: "A bill granting a pension to Georgie S. Barbour."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN BULLAMORE.

The next business on the Private Calendar was the bill (S. 578) granting an increase of pension to John Bullamore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Bullamore, late of Company [illegible], Second Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ADOLPH HEISER.

The next business on the Private Calendar was the bill (H. R. 5718) granting an increase of pension to Adolph Heiser.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adolph Heiser, late of Company [illegible], Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANKLIN MOORE.

The next business on the Private Calendar was the bill (H. R. 5367) granting an increase of pension to Franklin Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin Moore, late major, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In lines 7 and 8 strike out the word "seventy-two" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABRAHAM J. YEOMANS.

The next business on the Private Calendar was the bill (H. R. 2852) granting an increase of pension to Abrahan J. Yeomans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abraham J. Yeomans, late lieutenant Company I, One hundred and twenty-second New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "lieutenant," insert the word "second."

In line 7, before the words "New York," insert the word "Regiment."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES BEATTIE.

The next business was the bill (S. 458) granting an increase of pension to Charles Beattie.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Beattie, late first lieutenant Company F, Fourteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY WURTZ.

The next business was the bill (H. R. 4823) granting an increase of pension to Mary Wurtz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Wurtz, widow of Peter Wurtz, late of Company A, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALPHEUS D. BROWN.

The next business was the bill (H. R. 6061) granting an increase of pension to Alphus D. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alphus D. Brown, late of Company D, Eleventh Illinois Volunteer Infantry, and afterwards of Company G, Twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Alphus" and insert in lieu thereof the word "Alpheus."

In the same line, after the word "Eleventh," insert the word "Regiment."

In line 7 strike out the words "afterwards of."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Alpheus D. Brown."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES W. DAVIS.

The next business was the bill (H. R. 3616) granting a pension to James W. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Davis, late of Company [illegible], [illegible] New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the words "New York," insert the word "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "sixteen."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James W. Davis."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES H. HARGIS.

The next business was the bill (H. R. 9583) granting an increase of pension to James H. Hargis, sr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Hargis, sr., late of Company C, Fifty-ninth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "senior."

In line 7 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to James H. Hargis."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY CHENOWITH.

The next business was the bill (H. R. 7732) granting a pension to Mary Chenowith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Chenowith, mother of W. M. Chenowith, late of Company A, Thirteenth Regiment Missouri Volunteers, and pay her a pension at the rate of $35 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "mother," insert the word "dependent."

In same line strike out the letter "W" and insert in lieu thereof the word "William."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Mary Chenowith."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM BAILEY.

The next business was the bill (H. R. 7447) granting an increase of pension to William Bailey.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Bailey, late of Company D, Eighth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "D" and insert in lieu thereof the letter "B."

In line 8 strike out the word "forty-five" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN DALY.

The next business was the bill (H. R. 9080) granting a pension to John Daly.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Daly, late captain Company I, One hundred and fourth Regiment of New York Volunteer Infantry, and pay him a pension at the rate of $40 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "of."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John Daly."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES R. HAUPTLY.

The next business was the bill (H. R. 5555) granting an increase of pension to James R. Hauptley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James R. Hauptley, late of Company C, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Hauptley" and insert in lieu thereof the word "Hauptly."

Amend the title so as to read: "A bill granting an increase of pension to James R. Hauptly."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THERESA NEBRICH.

The next business was the bill (H. R. 6994) granting an increase of pension to Theresa Nebrich.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theresa Nebrich, widow of Henry Nebrich, late musician in regimental band, Twenty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the words "in regimental band."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY EDWARDS.

The next business on the Private Calendar was the bill (H. R. 8717) granting a pension to Henry Edwards.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Edwards, private in Company E, Eighteenth Regiment, and Company D, Thirteenth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9, and insert in lieu thereof the following: "of Henry Edwards, late of Company E, Eighteenth Regiment, and Company D, Thirteenth Regiment, Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Henry Edwards."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID Z. BEIDLER.

The next business on the Private Calendar was the bill (H. R. 6426) granting a pension to David J. Beidler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David J. Beidler, late of Company D, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "J" and insert in lieu thereof the letter "Z."

Amend the title so as to read: "A bill granting an increase of pension to David Z. Beidler."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID WARENTZ.

The next business on the Private Calendar was the bill (H. R. 5883) granting an increase of pension to David Warentz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of David Warentz, late a private in Company B, Seventy-ninth Indiana Volunteer Infantry, and pay him a pension of $30 per month in lieu of the pension now received by him, such increase of pension to be paid subject to the provisions and limitations of the pension laws.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Warentz, late of Company B, Seventy-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSHUA HARLAN.

The next business on the Private Calendar was the bill (H. R. 5865) granting an increase of pension to Joshua Harlan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Joshua Harlan, late of Company I, Fifth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

PHILIP SNOW.

The next business on the Private Calendar was the bill (H. R. 5818) granting an increase of pension to Philip Snow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Philip Snow, late of Company F, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH J. MURRAY.

The next business on the Private Calendar was the bill (H. R. 5179) granting a pension to Joseph J. Murray.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph J. Murray, late of Company L, Fourteenth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES W. HIBBERT.

The next business on the Private Calendar was the bill (H. R. 4915) granting an increase of pension to James W. Hibbert.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James W. Hibbert, of Company I, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "Hibbert," insert the word "late."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES KELEHER.

The next business on the Private Calendar was the bill (H. R. 5391) granting a pension to James Keleher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of James Keleher, late a private in Company G, Eighteenth New York Cavalry, upon the pension roll of the United States, and pay him a pension at the rate of $24 per month from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Keleher, late of Company G, Eighteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James Keleher."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID P. M'DONALD.

The next business on the Private Calendar was the bill (H. R. 4759) granting an increase of pension to David P. McDonald.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David P. McDonald, late of Company B, Sixth Regiment Kansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM J. SHEPARD.

The next business on the Private Calendar was the bill (H. R. 4536) granting an increase of pension to William J. Shepherd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Shepherd, late of Company B, Fifth Regiment Tennessee Mounted Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Shepherd" and insert in lieu thereof the word "Shepard."

In same line strike out the letter "B" and insert in lieu thereof the letter "D."

In line 7, before the word "Mounted," insert the word "Volunteer."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to William J. Shepard."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CALEB ARNETT.

The next business on the Private Calendar was the bill (H. R. 4136) granting a pension to Caleb Arnett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caleb Arnett, late of Company C, Eleventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $75 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-five" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN HAWKER.

The next business on the Private Calendar was the bill (H. R. 3521) granting an increase of pension to John Hawker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hawker, late chaplain of Twenty-ninth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "chaplain," strike out the word "of."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM J. HART.

The next business on the Private Calendar was the bill (H. R. 3411) granting an increase of pension to William J. Hart.

The bill was read, as follows.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Hart, late of Company G, Tenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In line 7 strike out the word "Infantry" and insert in lieu thereof the words "Heavy Artillery."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY A. CRAIGUE.

The next business on the Private Calendar was the bill (H. R. 3337) granting an increase of pension to Mary A. Craigue.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations thereof, the name of Mary A. Craigue, widow of William W. Craigue, late a member of Company D, Seventeenth Maine Infantry, and pay her a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Craigue, widow of William W. Craigue, late of Company D, Seventeenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT E. POGUE.

The next business on the Private Calendar was the bill (H. R. 3172) granting an increase of pension to Robert E. Pogue.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward E. Pogue, late of Company C, Second Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $6 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "and."

In line 7 strike out the word "twenty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN WATT.

The next business on the Private Calendar was the bill (H. R. 2869) granting an increase of pension to John Watt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Watt, late of Company E, Seventh Regiment Iowa Cavalry, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "Eleventh," insert the word "Regiment."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 7 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE WINTZ.

The next business on the Private Calendar was the bill (H. R. 2553) granting an increase of pension to George Wintz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Wintz, late of Company B, One hundred and eighteenth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty," and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET A. COOK.

The next business on the Private Calendar was the bill (H. R. 1888) granting a pension to Harriet A. Cook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet A. Cook, daughter of Edward Cook, late of Company F, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 a month, said Harriet A. Cook being now, and having been since she was five years old, helpless and dependent, and absolutely irresponsible, without means, and unable to earn a living by her own labor.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "daughter," insert the words "helpless and dependent."

In line 7, after the word "dollars," strike out the word "a" and insert in lieu thereof the word "per."

In lines 7 and 8, after the words "said Harriet A. Cook being now and having been," strike out lines 10, 11, and 12.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL W. SEARLES.

The next business on the Private Calendar was the bill (H. R. 1[illegible]) granting a pension to Samuel W. Searles.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel W. Searles, late private of Company K, Twenty-third Regiment of Infantry, New York Volunteers, lieutenant of Company H, Second Regiment of Veteran Cavalry, New York Volunteers, and pay him a pension of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of Samuel W. Searles, late of Company H, Twenty-third Regiment New York Volunteer Infantry, and Company L, First Regiment New York Veteran Volunteer Cavalry, and pay him a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES F. EMERY.

The next business on the Private Calendar was the bill (H. R. 812) granting an increase of pension to Charles F. Emery.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Emery, late corporal and musician, Company F, United States Volunteers, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles F. Emery, late corporal and musician, Company F, United States Volunteers, Indian wars, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN J. FLEMING.

The next business on the Private Calendar was the bill (H. R. 7079) granting an increase of pension to John J. Fleming.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John J. Fleming, late of Company D, One hundred and forty-eighth Regiment Pennsylvania Volunteers, infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALDRIDGE PATTERSON.

The next business on the Private Calendar was the bill (S. 1938) granting an increase of pension to Aldridge Patterson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Aldridge Patterson, late of Company B, Second Regiment Ohio Volunteers, War with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANN A. DEVORE.

The next business on the Private Calendar was the bill (S. 1760) granting a pension to Ann A. Devore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann A. Devore, widow of Elbert Devore, late of Capt. T. J. Hibbler's company, First Regiment South Carolina Volunteer Infantry, Seminole Indian war, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 9 strike out "twelve" and insert in lieu thereof the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AUSTIN ALMY.

The next business on the Private Calendar was the bill (S. 200) granting an increase of pension to Austin Almy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Austin Almy, late of Company [illegible], Second Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "twenty-four" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPHINE L. WEBBER.

The next business on the Private Calendar was the bill (S. 1825) granting a pension to Josephine L. Webber.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josephine L. Webber, widow of William W. Webber, late private, United States Marine Corps, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARIE A. RASK.

The next business on the Private Calendar was the bill (S. 1559) granting an increase of pension to Marie A. Rask.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marie A. Rask, widow of Olof H. Rask, late first lieutenant United States Marine Corps, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOEL C. SHEPHERD.

The next business on the Private Calendar was the bill (S. 99) granting an increase of pension to Joel C. Shepherd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joel C. Shepherd, late of Company D, Sixth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN M. LAWTON.

The next business on the Private Calendar was the bill (H. R. 754) granting a pension to John M. Lawton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Lawton, and pay him a pension of $15 a month in lieu of any pension now paid him.

The amendment recommended by the committee was read, as follows:

Strike out all in the bill after the word "Lawton" in line 6, and insert the following: "late of Company C, Third Regiment United States Volunteer Engineers, war with Spain, and pay him a pension at the rate of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY HUFF.

The next business on the Private Calendar was the bill (H. R. 6352) granting a pension to Mary Huff and her five children.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Huff, and her five children, widow of George W. Huff, late of Kossuth Battery Field Artillery, Fifth Regiment United States Army, and pay her a pension at the rate of $20 per month and $2 a month for each child.

The amendments recommended by the committee were read, as follows:

Strike out of the title the words "and her five children." Strike out all in the bill after the words "Mary Huff," in line 6, and substitute the following: "widow of George W. Huff, late of the Kossuth Battery, Field Artillery, Second Regiment United States Army, and on account of the minor children of the said George W. Huff until they reach the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MICHAEL LANDY.

The next business on the Private Calendar was the bill (H. R. 195) granting a pension to Michael J. Landy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael J. Landy, late a seaman, [illegible] United States Navy, war with Mexico, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all in the bill after the words "the name of," in lines 5 and 6, and substitute the following: "Michael Landy, late lieutenant, United States Navy, and pay him a pension at the rate of $8 per month."

Amend the title so as to read: "A bill granting a pension to Michael Landy."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS JOYCE.

The next business on the Private Calendar was the bill (H. R. 8850) granting a pension to Thomas Joyce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Thomas Joyce, late a drummer in Company D, Second Regiment of New York Infantry, in the Florida war, at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Amend the title so as to read: "Granting an increase of pension to Thomas Joyce."

Strike out all in the bill after the words "pension roll," in line 4, and insert the following: "subject to the provisions and limitations of the pension laws, the name of Thomas Joyce, late of Company [illegible], Second Regiment United States Infantry, Florida Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Mr. SMITH of Illinois. Mr. Chairman, I move to amend the committee amendment by striking out in line 11 the word "twenty" and inserting in lieu thereof the word "forty." In support of that I wish the attention of the committee for just a moment. I never attempt to delay legislation on matters of this kind, but I want to say one word in reference to this proposed amendment. This old soldier is 92 years of age. His wife is about [illegible]. I have known them all my life. They have in all in worldly goods a little house and lot, the value of which is not, as the report shows, exceeding $100. The old soldier has been totally blind, as the report shows, for eleven years. Under those circumstances, he being 92 and his wife about the same age, with no means of support and no children to support them or care for them, and as the sands of their lives are about run, it seems to me that we should give them $40 a month for the few remaining days they have.

Mr. LOUDENSLAGER. Mr. Chairman, I trust the amendment of the gentleman from Illinois will not prevail. This is purely and simply a service-pension bill. None of the disabilities of this man were incurred in the service, nor is this an exceptional or extraordinary case. There are a large number of these old soldiers of the Mexican war who are very far advanced in years, beyond 80 years, some of them. They are very feeble; some of them are paralyzed and several of them are totally blind. This is the maximum amount that has been reported from the Committee on Pensions, which has been recommended by the committee and the House of Representatives, and I trust this committee will not make an exception of this bill.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The question now recurs on the committee amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES F. WHEELER.

The next business on the Private Calendar was the bill (H. R. 4946) to restore James F. Wheeler to the pension roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to restore James F. Wheeler, of Greenwood, Mass., to the pension roll at the rate of $12 per month, his restoration to date from September 15, 1902, on which date he was dropped from said roll, and that he be paid at that rate from the date of his last payment next before the fifth day of September, 1902.

The amendments recommended by the committee were read, as follows:

Amend the title so as to read: "A bill granting a pension to James F. Wheeler."

Strike out all in the bill after the words "directed to," in line 4, and substitute the following: "place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James F. Wheeler, late of Company K, First Regiment Texas Volunteer Rifles, war with Mexico, and pay him a pension at the rate of $12 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SUSIE C. G. SEABURY.

The next business on the Private Calendar was the bill (H. R. 8916) for the relief of Susie G. Seabury.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susie G. Seabury, widow of the late Samuel Seabury, lieutenant, United States Navy, and pay her a pension at the rate of $50 per month in lieu of $30, the amount she is now receiving.

The amendments recommended by the committee were read, as follows:

Amend the title so as to read: "A bill granting an increase of pension to Susie C. G. Seabury."

Strike out all in the bill after the words "name of," in lines 5 and 6, and insert in lieu thereof the following: "Susie C. G. Seabury, widow of Samuel Seabury, late lieutenant, United States Navy, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving, and $6 per month additional on account of the minor child of said Samuel Seabury until she reaches the age of 16 years."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN HOLZER.

The next business on the Private Calendar was the bill (H. R. 6547) granting a pension to John Holzer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of John Holzer, late of Company H, First Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The amendment recommended by the committee was read, as follows:

In lines 7 and 8 strike out "and pay him a pension at the rate of $20 per month" and insert in lieu thereof the words "war with Spain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN O. RICE.

The next business on the Private Calendar was the bill (H. R. 7799) to increase the pension of John O. Rice.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John O. Rice, late of Company I, Third Tennessee Infantry, war with Mexico, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Third," insert "Regiment," and after the word "Tennessee," in the same line, insert "Volunteer."

Amend the title so as to read: "A bill granting an increase of pension to John O. Rice."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY MCCALL.

The next business on the Private Calendar was the bill (H. R. 7072) granting a pension to Mary McCall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary McCall, widow of John McCall, late of Company K, First Regiment Tennessee Volunteer Cavalry, Mexican war, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Mexican war" and insert "war with Mexico."
In line 8 strike out "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. BROWN.

The next business on the Private Calendar was the bill (H. R. 6091) granting an increase of pension to John W. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Brown, late a member of Company C, Second Regiment Louisiana Infantry, Mexican war, and pay him a pension at the rate of $8 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 change "Company C" to "Company A."
In line 7 change "Mexican war" to "war with Mexico."
In line 8 strike out "fifty" and insert "twenty."
In line 7, after the word "Illinois," insert "Volunteer."
In line 6 strike out "a member."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM P. CONNER.

The next business on the Private Calendar was the bill (H. R. 6020) granting an increase of pension to William P. Conner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William P. Conner, late a sergeant, Company G, Third Regiment Kentucky Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "a sergeant;" in line 8 strike out "thirty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LOUIZA PHILLIPS.

The next business was the bill (H. R. 2822) granting a pension to Louisa Phillips.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louisa Phillips, widow of William C. Phillips, late private, Captain Boston's company, Second Regiment Alabama Volunteers, in Creek war, 1836, and pay her a pension at the rate of $12 per month from and after the passage of this act.

The amendments recommended by the committee were read, as follows:

Amend the title so as to read: "Granting an increase of pension to Louiza Phillips."

Change the spelling of the Christian name of the claimant where it appears in the body of the bill to "Louiza."

Strike out all in the bill after the words "William C. Phillips," in line 6, and insert in lieu thereof the following: "late of Captain Boston's company, Alabama Volunteers, Creek Indian war, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCIS S. HOWARD.

The next business was the bill (H. R. 2916) granting an increase of pension to Francis S. Howard.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis S. Howard, Capt. John Lane's independent company, Georgia Mounted Volunteers, and pay him a pension at the rate of $25 per month in lieu of the amount he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 3, after the word "Interior," insert "be, and he," and after the word "is," in the same line, insert "hereby," and after the word "authorized," in the same line, insert "and directed." In the same line change "upon" to "on."
In line 5, after the word "Howard," insert "late of."
In line 7, after the word "Volunteers," insert "war with Mexico," and in the same line change "twenty-five" to "twenty."
In line 8 strike out "the amount" and insert "that."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH A. JONES.

The next business was the bill (H. R. 2912) granting a pension to Mrs. Elizabeth A. Jones.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Elizabeth A. Jones, of Chattahoochee County, Ga., and to pay her a pension at the rate of $20 per month in lieu of that which she is now receiving.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to Elizabeth A. Jones."

Strike out all in the bill after the word "directed," in line 4, and substitute therefor the following: "subject to the provisions and limitations of the pension laws, the name of Elizabeth A. Jones, widow of James Jones, late a captain, Georgia Volunteers, Creek Indian war, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

In line 3, after the word "Interior," insert "be, and he."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN M. PRATT.

The next business was the bill (H. R. 3435) granting an increase of pension to John M. Pratt.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Pratt, late of Company N, Second Regiment Missouri Mounted Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MINERVA J. BURTON.

The next business was the bill (H. R. 219) granting a pension to M. J. Burton, widow of Thomas Burton.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of M. J. Burton, widow of Thomas Burton, late of Company —, First Regiment Tennessee Volunteer Infantry, Mexican war, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "Granting a pension to Minerva J. Burton."
In line 6 strike out the initial "M." where it appears in the claimant's name and substitute therefor the Christian name "Minerva."
Fill in the blank space on line 7 with the letter "L.," and in the same line strike out "Mexican."
In line 8, after the word "war," insert "with Mexico," and in the same line strike out "twelve" and insert "eight."

Mr. GAINES of Tennessee. I should like to put an inquiry to the chairman of the committee reporting this bill. This is a pension for the widow of some Mexican soldier, is it not?

Mr. LOUDENSLAGER. Yes, sir.

Mr. GAINES of Tennessee. And the amount proposed is $12.

Mr. LOUDENSLAGER. Eight dollars.

Mr. GAINES of Tennessee. You propose to raise it to $12?

Mr. LOUDENSLAGER. No; this is an original pension for the regular amount.

Mr. GAINES of Tennessee. She is now receiving $8?

Mr. LOUDENSLAGER. She is not receiving anything. This is an original pension which we propose to grant at the rate of $8 a month.

Mr. GAINES of Tennessee. Does not the gentleman think that the widow of a soldier of the Mexican war should be entitled to a little more than $8 a month?

Mr. LOUDENSLAGER. I can only say in reply to the gentleman that that is what the general law gives such a widow. Her application for this pension was rejected at the Department because of a technicality. The committee now by this bill removes the technicality, but does not see why the rate should be increased at the same time.

Mr. GAINES of Tennessee. Then the general law is wrong, and we can give a proper standard of relief in this case now. The gentleman knows that we are changing the general law in many cases right here to-day. In many of these cases (and we know nothing about them except as we may have hearsay information) the Bureau has refused to grant the pension because the law does not cover the case, we are told; yet the committee decide that the applicant should be pensioned, or in other cases that the pension should be increased, because of the demands of justice as presented in the particular case.

Now, I think—and I hope my friend from New Jersey [Mr. LOUDENSLAGER] will agree with me—that we ought to give these old soldiers of the Mexican war more than $8 a month; and after the death of such a soldier we ought to give the widow more than $8. They have never been properly pensioned, at least not as the civil-war veterans and their widows.

The survivors of the Mexican war and their widows are now old people of sixty or seventy years at least; and the gentleman knows how little $8 a month amounts to for the support of one of these aged widows. That sum is only equal in purchasing power to what $5.50 were a few years ago. The gentleman knows that everything entering into the cost of living has appreciated in cost.

He also remembers that at the last session of Congress, Mr. Moody, Secretary of the Navy, sent word to us by message or report, through the President, that the cost of material and labor had appreciated 30 per cent in twelve months, and therefore he held that Congress ought to increase by $2,000,000 the amount allowed for rebuilding the Annapolis Academy, making ten millions all told, and Congress gave the two millions. There is close connection between a soldier or his widow and the Navy.

Now, I submit—and I am serious in this and entirely frank—that in none of these cases have the old soldiers of the Mexican war received what they should have received. It does not make any difference where they may live. I understand that this widow lives in Tennessee, the volunteer State, but that does not make a particle of difference to me in considering the merits of this question.

I say we should pay the soldier of the Mexican war more than we are paying him—not simply because he was wounded—not simply because he is old—but because he did serve in that war and can not now from age maintain himself. And the same considerations apply in the case of his widow. Eight dollars a month can not support one of these widows decently, and yet many of them are obliged to live on this pittance and charity. I appeal to the gentleman in favor of a more liberal allowance. This widow must be aged and infirm.

Mr. LOUDENSLAGER. The question of what these old soldiers of the Mexican war and their widows are entitled to is a question which I should be very glad to discuss with the gentleman whenever it properly comes up.

It does not come up in this case. Widows in the civil war and widows of the Mexican war get $8 a month. Now, this widow was denied a pension at the Department on account of some technicality.

Mr. GAINES of Tennessee. Do you know what that technicality was?

Mr. LOUDENSLAGER. It was the inability on her part to prove her legal widowhood. The committee, taking all the facts into consideration, believed that she was justly entitled to a pension. But we certainly did not think that in removing the technicality that we ought also to give her more money than any other widow of the Mexican war was given under the general law, and so she was given by the committee the same amount that was given to the other widows, and we thought that in doing that we were doing an act of equity and of justice.

Mr. GAINES of Tennessee. Now, the pension of the Mexican soldier was raised from $8 to $12 a month as an act of grace by the last Congress—less than a year ago. Why not raise his widow's

Mr. LOUDENSLAGER. That is not to the widow.

Mr. GAINES of Tennessee. I understand that; but a good wife is always better than a good husband.

Mr. LOUDENSLAGER. I think that is true, as a general proposition.

Mr. GAINES of Tennessee. Now, we are here pensioning these Mexican soldiers, and have been doing it from year to year at $8 a month; and we have given pensions to soldiers of the civil war, some of them as much as $250 and possibly some more than that; and we gave the Mexican soldier a pension here for years and years at $8 until last session when, because of their getting old, although they may not have been wounded or maimed, but because old age had withered their powers of self-support, we gave $12 a month.

And now, when the soldier is dead and leaves a widow, a grateful people and a grateful Congress, with a bankrupt Treasury, and a liberal-hearted Congress will only give his widow, at least his wife, $8 a month! Possibly she has no home. I asked the gentleman several times about her condition, but no reply to that. Now here is a widow of a Mexican soldier who himself died probably of old age, and yet this committee only proposes to give his widow $8 a month.

I will move to substitute $12 for the $8. As shaped last session, we gave the Mexican soldier himself $12 because of his old age. Here is this soldier who died and left a widow, who was probably the greatest blessing he had on earth. She in all probability was as good as her husband, if not as happy to-day. Now, I move to strike out "eight" and insert "twelve," and appeal to the generosity of our friends to allow that amendment to be made without detaining the committee longer. I appeal to the manhood and patriotism of the members of the committee to give her that amount.

The CHAIRMAN. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The gentleman from Tennessee moves to amend the committee amendment by striking out "eight" and inserting "twelve" in lieu thereof.

Mr. LOUDENSLAGER. I just desire to say a word or two before the vote is taken, so that members of the committee may thoroughly understand what they are voting for. This claimant was not the wife of this soldier during the war. She was, perhaps, never the legal wife of this soldier. She was married to him in 1850, but he had a wife living.

It is but fair to say, however, that she did not know of the former marriage. She lived with the soldier for many years, and when he died she applied for a pension, but the Pension Bureau refused her a pension because she could not prove a legal marriage.

The committee took into consideration her long life with the soldier and also the testimony that the former wife was dead at this time, and concluded to grant her a pension; but I can not conceive how it would be possible for any fair-minded man to say that this widow should have that technicality removed, and that she should receive a higher amount than the widows of other soldiers who served in that war.

Mr. BARTLETT. Mr. Chairman, I simply desire to say this. Recognizing the justice and propriety of pensioning the widows of the Mexican-war soldiers, I myself have introduced a bill to change existing law, providing that hereafter, if that bill should pass, these widows shall receive $12 per month instead of $8 per month; and I trust that the gentleman from New Jersey, as chairman of that committee, will see that in justice to these few remaining widows of Mexican war soldiers that the bill is passed.

Mr. GAINES of Tennessee. Mr. Chairman, just a moment or two to reply in part to what my friend from New Jersey has said. He says that this claimant was not the legal wife of the deceased soldier because at the time she claims the marriage he had another wife somewhere, and the claimant was entirely ignorant of this, and subsequently the legal wife died, but there is not any proof in this record—at least if there is the gentleman has not stated it—showing that this woman was ever unfaithful to him or he to her.

She was patriotic enough to stand by him, and when the din of war was sounded she sent him to Mexico, and he did not repudiate her when he came back, and she clung to him, and probably was the only one who went to his grave and wept over him, and perhaps the only one to-day who goes and puts the evergreens about it.

I say, Mr. Chairman, it is a distressing thing for such a marriage as that to occur. Certainly a reflection on the dead soldier, Mr. Chairman, that he was guilty of such a thing, and yet we pension him; and now a good woman, as this record must demonstrate, because we hear nothing to the contrary, simply because she forty or fifty years ago was not by every technicality of law married to him, although she was faithful to him to the grave, and honors and respects his memory to-day, here in the face of, I

hope, a generous Congress he says that she was not his legal married wife, and therefore Congress should not give her the $12 the husband was due under the law of to-day.

Mr. Chairman, law does not make virtue nor morals, but protects each. There is nothing in this record to show, as I have said, that she was otherwise than his wife in fact, whether in law or not. There may be to-day orphan children or grandchildren clamoring around her knees, their little stomachs pinched with hunger, and here is the great Congress, with a Treasury packed with money, so much so that we have to send it out to the country banks to keep them from breaking possibly, or keep the money in circulation, and yet, Mr. Chairman, we stand here and balk: this great Congress halts on giving this aged and infirm woman what her husband was entitled to have and did receive, when, the fact is, coming from the representations of the gentleman himself, she was a better woman than he was a man, because he perpetrated a fraud on her; yet, nevertheless, wifelike and true, she clung to him like the ivy about the old and shivered oak until his last battle was fought, the last roll call was heard, and now we stand here to-day hesitating about giving such a wife as that a twelve-dollar pension.

The woman is humiliated, I dare say, whenever she is visited by people, if visited at all. She is forced to avoid them because she was not his legal wife, and without her fault, although she clung to him with unremitting devotion to the last.

I do not know the unfortunate woman, I never heard of her until this bill was read from the desk, and possibly will never hear of her again; but I think that simple justice demands, as this is a peculiar case—a remarkable case of loyalty, love, and devotion of a good woman for a man who at one time in his life abused her confidence, while she was loyal and good down to his grave—that we should put a premium upon such loyalty, such love, such devotion. [Applause.]

The question was taken, and the amendment of Mr. GAINES of Tennessee was rejected.

The bill as amended was ordered to be laid aside with a favorable recommendation.

Mr. SULLOWAY. Mr. Chairman, I move that the committee do now rise and report its action on the several bills to the House.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GARDNER of New Jersey, Chairman of the Committee of the Whole House, reported that that committee had had under consideration sundry bills upon the Private Calendar and had directed him to report back Senate bill 1548 with the recommendation that it be recommitted to the Committee on Invalid Pensions; that the committee had also directed him to report sundry other bills with amendments with the recommendation that the amendments be adopted and that the bills do pass; also certain other bills without amendments with the recommendation that they do pass.

PENSION BILLS PASSED.

The House then proceeded to the consideration of the bills just reported from the Committee of the Whole House.

House bills of the following titles, reported from the Committee of the Whole House with amendments, were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 967. A bill granting an increase of pension to M. A. Shelton (title amended);

H. R. 6562. A bill granting an increase of pension to Frances Thompson (title amended);

H. R. 3665. A bill granting an increase of pension to Henry C. Jones;

H. R. 5611. A bill granting a pension to Juliette Westbrook;

H. R. 2920. A bill granting an increase of pension to Daniel W. Huffman;

H. R. 4157. A bill granting an increase of pension to Adam Kohlhauff;

H. R. 3886. A bill granting an increase of pension to David H. Thompson;

H. R. 178. A bill granting an increase of pension to Henry Hale;

H. R. 7756. A bill granting an increase of pension to Charles Schroeder;

H. R. 6947. A bill granting an increase of pension to Joseph H. Cooper;

H. R. 8376. A bill granting an increase of pension to J. J. Smith (title amended);

H. R. 8920. A bill granting a pension to Harriet A. Tucker;

H. R. 165. A bill granting an increase of pension to Thomas Adelsperger;

H. R. 8729. A bill granting an increase of pension to Gustus S. Remick;

H. R. 6085. A bill granting a pension to Anna M. Maier-Moyer (title amended);

H. R. 4887. A bill granting a pension to George N. Thorpe (title amended);

H. R. 2916. A bill granting an increase of pension to George Gardner;

H. R. 249. A bill granting a pension to May Shields Mitchell (title amended);

H. R. 5471. A bill granting an increase of pension to A. Marion Gamble;

H. R. 4937. A bill granting an increase of pension to Emily Conklin;

H. R. 610. A bill granting an increase of pension to Samuel Alexander;

H. R. 6588. A bill granting an increase of pension to James H. Cummings;

H. R. 8078. A bill granting an increase of pension to William M. Underhill;

H. R. 7659. A bill granting an increase of pension to Martha Del Banco Cunningham (title amended);

H. R. 6705. A bill granting an increase of pension to Edwin A. Foreman (title amended);

H. R. 4365. A bill granting a pension to Barney L. Brookins;

H. R. 7682. A bill granting an increase of pension to William H. Howard;

H. R. 134. A bill granting a pension to Wilhelmina Miller.

H. R. 5699. A bill granting an increase of pension to James P. Johnson;

H. R. 4457. A bill granting an increase of pension to Mary E. Meldrum;

H. R. 4045. A bill granting a pension to Minnie Gusler;

H. R. 8815. A bill granting an increase of pension to Hester E. Mooney;

H. R. 4276. A bill granting an increase of pension to H. E. Burritt (title amended);

H. R. 3037. A bill granting a pension to William Bieber;

H. R. 1487. A bill granting an increase of pension to D. T. Drake (title amended);

H. R. 2183. A bill granting an increase of pension to Joseph A. Soule;

H. R. 1497. A bill granting an increase of pension to Dana Cook;

H. R. 5199. A bill granting a pension to Tracy M. Johnson (title amended);

H. R. 865. A bill granting an increase of pension to Charles C. Chase;

H. R. 8187. A bill granting an increase of pension to George Jeffrey;

H. R. 681. A bill granting an increase of pension to Ella P. Kersteter (title amended);

H. R. 4114. A bill granting an increase of pension to Robert Carns (title amended);

H. R. 4251. A bill granting an increase of pension to Joseph Hinkle;

H. R. 2111. A bill granting a pension to Henry D. Tousley (title amended);

H. R. 4825. A bill granting an increase of pension to John Amen Sills (title amended);

H. R. 3298. A bill granting a pension to Mary E. Pennock;

H. R. 6036. A bill granting an increase of pension to John Shafer;

H. R. 6701. A bill granting an increase of pension to John A. Reeds;

H. R. 5634. A bill granting an increase of pension to Robert L. Miles;

H. R. 1316. A bill granting an increase of pension to George W. Day;

H. R. 2427. A bill granting a pension to Cynthia Thomas (title amended);

H. R. 2942. A bill granting a pension to Dudley R. W. Williams;

H. R. 6879. A bill for the relief of H. A. Finnell (title amended);

H. R. 475. A bill granting a pension to Alfred C. Isachsen (title amended);

H. R. 8740. A bill granting an increase of pension to Mary G. Bonesteel;

H. R. 660. A bill granting an increase of pension to John Sines (title amended);

H. R. 703. A bill granting a pension to Robert P. Baker (title amended);

H. R. 5617. A bill granting an increase of pension to William P. Hereford;

H. R. 5534. A bill granting an increase of pension to Adaline Shaw Lovejoy;

H. R. 4081. A bill granting an increase of pension to Samuel R. Wasson;

H. R. 6582. A bill granting an increase of pension to Harry Haller;

H. R. 5538. A bill granting a pension to Jane Elizabeth Bullock;

H. R. 8728. A bill granting a pension to Matilda Lafferty;

H. R. 7563. A bill granting an increase of pension to W. W. Rowlett (title amended);

H. R. 9617. A bill for the relief of Charles M. Everett (title amended);

H. R. 2477. A bill granting an increase of pension to Frank J. McLaughlin;

H. R. 5609. A bill granting an increase of pension to B. F. Grigsby (title amended);

H. R. 7095. A bill granting an increase of pension to Harrison H. Hakes;

H. R. 7798. A bill granting an increase of pension to Andrew Black;

H. R. 8342. A bill granting a pension to Horace E. Davis (title amended);

H. R. 8272. A bill granting an increase of pension to Elizabeth Hardy;

H. R. 1156. A bill granting an increase of pension to John Pangratz;

H. R. 8123. A bill granting a pension to Eliza Stoddard Smith (title amended);

H. R. 7355. A bill granting an increase of pension to Henry Barrett;

H. R. 4578. A bill granting a pension to Catharine M. McClanahan;

H. R. 7477. A bill granting an increase of pension to Cyrenius Dennis (title amended);

H. R. 8345. A bill granting an increase of pension to Charles P. Clarke;

H. R. 4987. A bill granting an increase of pension to William Y. M. Wilkerson;

H. R. 529. A bill granting a pension to Emma H. Higley;

H. R. 727. A bill granting an increase of pension to James K. Blye;

H. R. 2194. A bill granting a pension to Mary Dewire;

H. R. 5720. A bill granting an increase of pension to William T. Filler;

H. R. 7757. A bill granting an increase of pension to Cyrus Davidheiser (title amended);

H. R. 7594. A bill granting an increase of pension to Charles H. Miller;

H. R. 6028. A bill granting an increase of pension to Anton Heffron (title amended);

H. R. 3407. A bill granting an increase of pension to Frank Lewis;

H. R. 7439. A bill granting a pension to Helen M. Bates (title amended);

H. R. 8207. A bill granting an increase of pension to Charles Johnson;

H. R. 2040. A bill granting a pension to James Anderson;

H. R. 6023. A bill granting an increase of pension to Charles Wigert;

H. R. 6342. A bill granting a pension to Thomas Springer (title amended);

H. R. 6089. A bill granting an increase of pension to Emma Louisa Nagle (title amended);

H. R. 5972. A bill granting an increase of pension to Edward A. Wilbur;

H. R. 2122. A bill granting a pension to O. H. Lyon (title amended);

H. R. 3029. A bill granting a pension to Georgia S. Barbour (title amended);

H. R. 5718. A bill granting an increase of pension to Adolph Heiser;

H. R. 5367. A bill granting an increase of pension to Franklin Moore;

H. R. 2852. A bill granting an increase of pension to Abraham J. Yeomans;

H. R. 4823. A bill granting an increase of pension to Mary Wurtz;

H. R. 6051. A bill granting an increase of pension to Alphus D. Brown (title amended);

H. R. 3616. A bill granting a pension to James W. Davis (title amended);

H. R. 9588. A bill granting an increase of pension to James H. Hargis, sr. (title amended);

H. R. 7732. A bill granting a pension to Mary Chenowith (title amended);

H. R. 7447. A bill granting an increase of pension to William Bailey;

H. R. 9030. A bill granting a pension to John Daly (title amended);

H. R. 5555. A bill granting an increase of pension to James R. Humptley (title amended);

H. R. 6994. A bill granting an increase of pension to Theresa Nebrich;

H. R. 8717. A bill granting a pension to Henry Edwards (title amended);

H. R. 6426. A bill granting a pension to David J. Beidler (title amended);

H. R. 5883. A bill granting an increase of pension to David Warentz;

H. R. 5818. A bill granting an increase of pension to Philip Snow;

H. R. 4915. A bill granting an increase of pension to James W. Hibbert;

H. R. 5891. A bill granting a pension to James Kelcher (title amended);

H. R. 4526. A bill granting an increase of pension to William J. Shepherd (title amended);

H. R. 4136. A bill granting an increase of pension to Caleb Arnett;

H. R. 3521. A bill granting an increase of pension to John Hawker;

H. R. 3411. A bill granting an increase of pension to William J. Hart;

H. R. 3337. A bill granting an increase of pension to Mary A. Craigue;

H. R. 3172. A bill granting an increase of pension to Robert E. Pogue;

H. R. 2809. A bill granting an increase of pension to John Watt;

H. R. 2553. A bill granting an increase of pension to George Wintz;

H. R. 1883. A bill granting a pension to Harriet A. Cook;

H. R. 1330. A bill granting a pension to Samuel W. Searles;

H. R. 812. A bill granting an increase of pension to Charles F. Emery;

H. R. 7079. A bill granting an increase of pension to John J. Fleming;

H. R. 754. A bill granting a pension to John M. Lawton;

H. R. 6352. A bill granting a pension to Mary Huff and her five children (title amended);

H. R. 195. A bill granting a pension to Michael J. Landy (title amended);

H. R. 8850. A bill granting a pension to Thomas Joyce (title amended);

H. R. 4946. A bill to restore James F. Wheeler to the pension roll (title amended);

H. R. 8916. A bill for the relief of Susie G. Seabury (title amended);

H. R. 6547. A bill granting a pension to John Holzer.

H. R. 7799. A bill to increase the pension of John O. Rice (title amended);

H. R. 7072. A bill granting a pension to Mary McCall;

H. R. 6091. A bill granting an increase of pension to John W. Brown;

H. R. 6020. A bill granting an increase of pension to William P. Conner;

H. R. 2822. A bill granting a pension to Louisa Phillips (title amended);

H. R. 2916. A bill granting an increase of pension to Francis S. Howard;

H. R. 2912. A bill granting a pension to Mrs. Elizabeth A. Jones (title amended); and

H. R. 219. A bill granting a pension to M. J. Burton, widow of Thomas Burton (title amended).

House bills of the following titles, favorably reported from the Committee of the Whole House without amendment, were severally considered, ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 689. A bill granting an increase of pension to Edgar Chapman;

H. R. 6005. A bill granting an increase of pension to George B. Davis;

H. R. 1294. A bill granting an increase of pension to William McBeth;

H. R. 3299. A bill granting a pension to Medie M. Flanders;

H. R. 5372. A bill granting a pension to Marnah Kuechler;

H. R. 6442. A bill granting an increase of pension to James P. Wallace;

H. R. 198. A bill granting an increase of pension to Emmett Cole;

H. R. 2923. A bill granting an increase of pension to John G. Fairchild;

H. R. 3032. A bill granting an increase of pension to William Pettenger;

H. R. 8748. A bill for the relief of Serenus Kilbourne;

H. R. 1859. A bill granting an increase of pension to Patrick Cannon;

H. R. 6032. A bill granting an increase of pension to Charles S. Bellows;

H. R. 3367. A bill granting an increase of pension to George W. Kerby;

H. R. 734. A bill granting an increase of pension to Henry S. McAlister;

H. R. 6025. A bill granting an increase of pension to John Herzog;

H. R. 1835. A bill granting a pension to Harriett B. Riley;

H. R. 1906. A bill granting an increase of pension to George W. Blanchard;

H. R. 5865. A bill granting an increase of pension to Joshua Harlan;

H. R. 5179. A bill granting a pension to Joseph J. Murray;

H. R. 4759. A bill granting an increase of pension to David P. McDonald; and

H. R. 3485. A bill granting an increase of pension to John M. Pratt.

Senate bills of the following titles, favorably reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read the third time, and passed:

S. 1498. An act granting an increase of pension to Winslow P. Eayrs;

S. 1497. An act granting an increase of pension to Walter F. Chase;

S. 12. An act granting an increase of pension to Francis E. Chase;

S. 190. An act granting an increase of pension to Charles H. Bell;

S. 744. An act granting an increase of pension to Stephen Gascogne;

S. 745. An act granting a pension to John Swenson;

S. 930. An act granting an increase of pension to Ferdinand Wiedemann;

S. 547. An act granting an increase of pension to Irving W. Coombs;

S. 471. An act granting an increase of pension to Silas Meserve;

S. 1491. An act granting an increase of pension to James A. Hoover;

S. 929. An act granting an increase of pension to Charles Stermer;

S. 182. An act granting an increase of pension to Charles F. Holt;

S. 1826. An act granting an increase of pension to Mary E. Cutts;

S. 1429. An act granting an increase of pension to Elizabeth C. Paquin;

S. 1335. An act granting an increase of pension to Calvin Daws;

S. 1437. An act granting an increase of pension to Clarence E. Bullard;

S. 959. An act granting an increase of pension to Andrew C. Ran[illegible]

S. 1259. An act granting an increase of pension to John M. Stanyan;

S. 1402. An act granting an increase of pension to William Paul;

S. 814. An act granting a pension to Mamie Thayer;

S. 821. An act granting an increase of pension to W. Neil Denison;

S. 847. An act granting an increase of pension to John L. Beveridge;

S. 798. An act granting an increase of pension to James A. Templeton;

S. 589. An act granting an increase of pension to George W. McMillen;

S. 898. An act granting an increase of pension to John B. Carter;

S. 587. An act granting an increase of pension to Anson P. Williamson;

S. 484. An act granting a pension to Nancy S. Marsh;

S. 505. An act granting an increase of pension to James E. Barnard;

S. 478. An act granting an increase of pension to Olive J. Bailey;

S. 473. An act granting an increase of pension to Byron D. Babcock;

S. 14. An act granting an increase of pension to Samuel M. Perry;

S. 451. An act granting an increase of pension to William T. Conant;

S. 452. An act granting an increase of pension to Albert W. Bullock;

S. 1327. An act granting an increase of pension to Harris A. P. Lewis;

S. 9. An act granting an increase of pension to David E. Burbank;

S. 456. An act granting an increase of pension to Andrew J. Pierce;

S. 13. An act granting an increase of pension to William Clark;

S. 586. An act granting a pension to Annie H. Zoll;

S. 937. An act granting an increase of pension to Rudolph Siebelist;

S. 555. An act granting an increase of pension to Royal A. S. Kingsley;

S. 578. An act granting an increase of pension to John Bullamore;

S. 458. An act granting an increase of pension to Charles Beattie;

S. 1988. An act granting an increase of pension to Aldridge Patterson;

S. 1825. An act granting a pension to Josephine L. Webber;

S. 1559. An act granting an increase of pension to Marie A. Rask; and

S. 99. An act granting an increase of pension to Joel C. Shepherd.

Senate bills of the following titles, favorably reported from the Committee of the Whole, with amendments, were severally considered, the amendments agreed to, ordered to a third reading, read the third time, and passed:

S. 1334. An act granting a pension to Amy C. Bosworth (title amended);

S. 1760. An act granting a pension to Ann A. Devore; and

S. 200. An act granting an increase of pension to Austin Almy.

The bill (S. 1543) granting an increase of pension to William W. Johnson was recommitted to the Committee on Invalid Pensions in accordance with the recommendation of the Committee of the Whole House.

Mr. GIBSON. I ask unanimous consent that in the case of each of these bills acted upon by the House a motion to reconsider be regarded as entered, and that the motion be laid on the table.

There being no objection, it was ordered accordingly.

HORSES, CARRIAGES, ETC., AT GOVERNMENT EXPENSE.

Mr. JENKINS. Mr. Speaker, I desire to make a privileged report from the Committee on the Judiciary.

The Clerk read as follows:

House resolution 151.

Resolved, That the Attorney-General be, and he is hereby, requested to furnish this House, at his earliest convenience, a statement [illegible] showing the number of horses, carriages, and automobiles maintained at the expense [illegible] for the use of officers in his Department, together with a statement showing the cost of said horses, carriages, automobiles, and harness, and the purpose and the amount of wages paid to men driving the same, [illegible] also, the list of officials entitled to the use of said carriages.

Mr. JENKINS. Mr. Speaker, the committee report a substitute in lieu of the resolution; which I will ask to have read.

The Clerk read as follows:

Resolved, That the Attorney-General be, and he is hereby, requested to furnish this House, at his earliest convenience, a statement [illegible] showing the number of horses, carriages, and automobiles maintained at the expense [illegible] for the use of officers in his Department, together with a statement showing the cost of said horses, carriages, automobiles, and harness, the purpose of purchase, from what fund the payment was made, and the amount of wages paid to men driving the same, [illegible] and on the rolls as such or in some other capacity, also the list of officials entitled to the use of said carriages, and the purposes for which said vehicles are used.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

FREE ENTRY OF CERTAIN ARTICLES AND MATERIALS.

Mr. TAWNEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9658) to provide for the withdrawal, free of duty under bond, for incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, of articles and materials exhibited at the Louisiana Purchase Exposition.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to permit, at the expiration of the Louisiana Purchase Exposition, the withdrawal, free of duty, by any State or municipality or any incorporated institution established for religious, philosophical, educational, scientific, or literary purposes, of any articles and materials imported under bond for exhibition at said exposition and donated to any such institution. The exhibitions shall be given on original entry of the articles at St. Louis, Mo., to be canceled only on the production of evidence satisfactory to the Secretary of the Treasury, showing the donation and the bona fide acceptance of the articles and materials, but bonds shall be given under such rules and regulations as the Secretary of the Treasury may prescribe, conditioned for the permanent preservation of the articles by the donee and for the payment of lawful duties which may accrue should any of the articles and materials aforesaid be sold, transferred, or used contrary to this provision; and such articles shall be subject, at any time, to examination and inspection by the proper officers of the customs: *Provided*, That the privilege thus conferred shall not be allowed to associations or corporations engaged in business of a private or commercial character: *Provided further*, That nothing herein contained shall prevent the withdrawal, free of duty, of the articles enumerated in and under the conditions prescribed by paragraphs 648, 648, 649, 702, and 703 of the tariff act of July 24, 1897.

Amend the title so as to read: "A bill to provide for the withdrawal, free of duty under bond, from the Louisiana Purchase Exposition of any articles and materials donated to incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, or to any State or municipal corporation."

Mr. TAWNEY. Mr. Speaker, I would state that this bill is reported from the Ways and Means Committee and that it is a unanimous report. The bill has been asked for by the Treasury Department to enable articles imported for the purpose of exhibition at the Louisiana Purchase Exposition to be donated to these various institutions, including States and municipalities, which could not otherwise be done without the payment of these duties.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken: and the bill ordered to be engrossed and read a third time, read the third time, and passed.

The SPEAKER. Without objection the title will be amended.

There was no objection.

On motion of Mr. TAWNEY, a motion to reconsider the last vote was laid on the table.

PRINTING FOR COMMITTEE ON PRIVATE LAND CLAIMS.

Mr. SMITH of Illinois. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the Committee on Private Land Claims be, and hereby is, authorized to have printed such papers and documents as may be necessary for the business of said committee during the present Congress.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the resolution which has just been reported. Is there objection?

Mr. PAYNE. Mr. Speaker, reserving the right to object, I would ask the gentleman from Illinois if it is usual for that committee to have that resolution passed?

Mr. SMITH of Illinois. We have had it before. That committee does work occasionly, at least.

Mr. PAYNE. Has the committee had any hearings?

Mr. SMITH of Illinois. A good many—a great many.

Mr. PAYNE. At this present session of Congress?

Mr. SMITH of Illinois. We will have a hearing on Monday next.

Mr. PAYNE. I say during this present session, has that committee had any hearings?

Mr. SMITH of Illinois. Not yet; but we will have on Monday next.

Mr. PAYNE. Well, Mr. Speaker, I think we had better wait until there is occasion for it. I shall have to object.

The SPEAKER. The gentleman from New York objects.

ILLUSTRATIONS FOR REPORT ON NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for the present consideration of the order which I send to the desk and ask to have read.

The Clerk read as follows:

Ordered, That the Public Printer be authorized to furnish such illustrations as may be required by the Committee on Naval Affairs in its report on the naval appropriation bill.

The SPEAKER. The gentleman from Illinois asks unanimous consent for the present consideration of the order which has just been reported. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the order.

The order was agreed to.

CHANGE OF REFERENCE.

By unanimous consent, the following change of reference was made:

The bill (S. 128) granting an increase of pension to Clara M. Gibon, from the Committee on Invalid Pensions to the Committee on Pensions.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BURLESON, for one week, on account of business.

To Mr. HUGHES of West Virginia, for ten days, on account of important business.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. WILSON of Arizona to withdraw from the files of the House, without leaving copies, the papers in the case of David K. Wardwell, Fifty-seventh Congress, no adverse report having been made thereon.

ADJOURNMENT.

Then, on motion of Mr. PAYNE, at 3 o'clock and 50 minutes p. m. the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of survey of Skidaway Narrows, Georgia—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Lee Crouch, administrator of estate of Abram Crouch, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, calling attention to certain cases in which sites for public buildings can not be acquired within the limit of cost—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting papers relating to granting annual leaves of absence to gaugers, storekeepers, and storekeepers' gaugers in the Internal-Revenue Service—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for naval station at Guantanamo, Cuba—to the Committee on Naval Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BOUTELL, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 4818) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois, reported the same without amendment, accompanied by a report (No. 447), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 5811) to authorize the Norfolk and Western Railway Company to bridge the Tug Fork of Big Sandy River at certain points where the same forms the boundary line between the States of West Virginia and Kentucky or the boundary line between the States of West Virginia and Virginia, reported the same without amendment, accompanied by a report (No. 448); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8884) to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company, reported the same with amendment, accompanied by a report (No. 449); which said bill and report was referred to the House Calendar.

Mr. SAMUEL W. SMITH, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes, reported the same with amendment, accompanied by a report (No. 450); which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9308) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota, reported the same with amendment, accompanied by a report (No. 452); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 7869) in relation to bonds on contracts with the District of Columbia, reported the same without amendment, accompanied by a report (No. 453); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8688) to transfer jurisdiction of reservation No. 32, in the city of Washington, D. C., reported the same without amendment, accompanied by a report (No. 454); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7024) to name streets, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes, reported the same without amendment, accompanied by a report (No. 455); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 10230) for the relief of Telisha Webb—Committee on Invalid Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 10711) granting a pension to Mary Henrietta Baston—Committee on Invalid Pensions discharged and referred to the Committee on Pensions.

A bill (H. R. 10476) granting a pension to Charles B. Gallagher—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10555) granting an increase of pension to Jonathan W. Barber—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7[illegible]) to provide for the payment of arrearage of salary due to inspectors of customs for the district of Boston, Mass., and so forth—Committee on Ways and Means discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 2 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. M. MORRAN: A bill (H. R. 10858) to provide for the erection of a public building and acquire a site therefor at Mount Clemens, Mich.—to the Committee on Public Buildings and Grounds.

By Mr. VOLSTEAD: A bill (H. R. 10859) regulating the settlement of the accounts between the United States and the several States relative to the disposal of the public lands, and for other purposes—to the Committee on the Public Lands.

By Mr. SELLS: A bill (H. R. 10860) to provide for site and public building at South Bethlehem, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BINGHAM: A bill (H. R. 10861) to equalize the rank and pay of certain retired officers of the Navy and Marine Corps—to the Committee on Naval Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10862) to confer jurisdiction upon the Court of Claims to hear and determine the claims of churches, lodges, and educational or eleemosynary institutions arising from the late civil war—to the Committee on War Claims.

By Mr. BOWERS: A bill (H. R. 10863) to provide for the purchase of a site and the erection of a public building thereon at Laurel, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 10864) to provide for the purchase of a site and the erection of a public building thereon at Gulfport, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

By Mr. RIDER: A bill (H. R. 10865) to provide for placing in the public schools of the District of Columbia copies of the laws of George Washington—to the Committee on the District of Columbia.

By Mr. BARCLOCK: A bill (H. R. 10866) to amend section 48 of volume 28 of the United States Statutes at Large—to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 10867) to make it a felony for any officer of any national bank or banking institution to receive any deposit of money or other valuable property after such officer has knowledge that such bank is insolvent or in failing circumstances—to the Committee on the Judiciary.

By Mr. HOUSTON: A bill (H. R. 10868) to provide for the purchase of a site and erection of a public building thereon at Lewes, in the State of Delaware—to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 10869) to apply a portion of the proceeds of the sales of public lands to the endowment of schools or departments of mines and mining in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for similar purposes, being a further supplement to said act—to the Committee on Mines and Mining.

By Mr. OTIS: A bill (H. R. 10870) to provide for the erection of a public building at the city of Yonkers, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. GAINES of Tennessee: A bill (H. R. 10871) to further provide for the redemption of mutilated United States paper currency and to maintain the cleanliness of the circulation—to the Committee on Banking and Currency.

By Mr. RAINEY: A joint resolution (H. J. Res. 85) to lower the height of the Government dams in the Illinois River at Kampsville and Lagrange 2 feet—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 10872) to correct the military record of John Moelow—to the Committee on Military Affairs.

Also, a bill (H. R. 10873) granting a pension to Malona Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10874) granting a pension to M. M. Lyndall Goddard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10875) granting a pension to Ellen Warner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10876) granting a pension to Mrs. Edward M. Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10877) to remove the charge of desertion against Thomas A. [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 10878) to remove the charge of desertion against William C. Jones—to the Committee on Military Affairs.

Also, a bill (H. R. 10879) to remove the charge of desertion against Daniel Fleming—to the Committee on Military Affairs.

Also, a bill (H. R. 10880) to remove the charge of desertion against C[illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 10881) to remove the charge of desertion against Thomas Egan—to the Committee on Military Affairs.

Also, a bill (H. R. 10882) to remove the charge of desertion against Albert Stratton—to the Committee on Military Affairs.

Also, a bill (H. R. 10883) granting an increase of pension to Minerva T. Gillispie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10884) granting an increase of pension to John I. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10885) granting an increase of pension to John Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10886) granting an increase of pension to Florence N. Leathem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10887) granting an increase of pension to Monroe D. Bishop—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to William W. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10[illegible]) granting an increase of pension to Lianthia T. [illegible]—to the Committee on Invalid Pensions.

By Mr. [illegible] a bill (H. R. 10[illegible]) to remove the charge of desertion from the military record of William H. Spradling—to the Committee on Military Affairs.

By Mr. [illegible]: A bill (H. R. 10891) for the relief of [illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) to correct the military record of [illegible]—to the Committee on Military Affairs.

By Mr. [illegible]: A bill (H. R. 10893) for the relief of [illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) granting an increase of pension to Charles Lafferty—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 10895) to authorize the President to appoint Col. Henry Lippincott, United States Army, retired, to the grade of brigadier-general, United States Army, on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 10896) for the relief of Lucy M. Fisher—to the Committee on War Claims.

By Mr. FLOOD: A bill (H. R. 10897) for the relief of Bolser H. Pullen, of McDowell, Highland County, Va.—to the Committee on War Claims.

By Mr. FRENCH: A bill (H. R. 10898) granting a pension to William D. Pemberton—to the Committee on Invalid Pensions.

By Mr. GOEBEL: A bill (H. R. 10899) granting an increase of pension to Benjamin Jelliff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10900) granting a pension to Laura B. Carson—to the Committee on Invalid Pensions.

By Mr. GOLDFOGLE: A bill (H. R. 10901) granting an increase of pension to John Quinn—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 10902) granting a pension to Jerry B. Gilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10903) for the relief of Fannie H. Christopher—to the Committee on War Claims.

By Mr. HARDWICK: A bill (H. R. 10904) granting a pension to Edson H. Crawford—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 10905) for the relief of the Salem Baptist Church, of Clarke County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 10906) for the relief of the Mount Zion Church of United Brethren, Frederick County, Va.—to the Committee on War Claims.

By Mr. HEPBURN: A bill (H. R. 10907) for the relief of John Lewis Young—to the Committee on War Claims.

By Mr. HINSHAW: A bill (H. R. 10908) granting an increase of pension to Hanley B. Closson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10909) granting an increase of pension of John S. Beardsley—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 10910) to pay Elijah Patrick, of Salyersville, Ky., for two years' service in the late war as captain of a company of volunteers, and granting him a pension—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: A bill (H. R. 10911) granting a pension to Lewis Ward—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10912) granting a pension to Leonard J. Whitney—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 10913) for the relief of the estate of Nancy Barrow, deceased, late of Bolivar County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10914) for the relief of the estate of A. W. McAllister, deceased, late of Washington County, Miss.—to the Committee on War Claims.

By Mr. JAMES: A bill (H. R. 10915) for the relief of J. C. Peeples—to the Committee on War Claims.

By Mr. KLINE: A bill (H. R. 10916) for the relief of Morris F. Cawley—to the Committee on Claims.

Also, a bill (H. R. 10917) for the relief of Samuel M. Pitzer—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 10918) for the relief of W. M. Coulling—to the Committee on Military Affairs.

By Mr. LILLEY: A bill (H. R. 10919) granting an increase of pension to Susan E. Oliver—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. 10920) for the relief of Julius Frank—to the Committee on War Claims.

By Mr. MOON of Tennessee: A bill (H. R. 10921) for the relief of William E. Walker—to the Committee on War Claims.

Also, a bill (H. R. 10[illegible]) for the relief of the legal representatives of Gincey Edwards, deceased—to the Committee on War Claims.

By Mr. McMORRAN: A bill (H. R. 10922) granting a pension to I. Winslow Avery—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 10924) granting an increase of pension to Clane Morris—to the Committee on Invalid Pensions.

By Mr. POWNER: A bill (H. R. 10925) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.—to the Committee on Claims.

By Mr. POWERS of Maine: A bill (H. R. 10926) granting an increase of pension to Andrew J. Gardiner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10927) granting an increase of pension to Amanda J. Cowan—to the Committee on Invalid Pensions.

By Mr. RAINEY: A bill (H. R. 10928) granting a pension to William H. Wendell—to the Committee on Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 10929) for the relief of the heirs of George Orville Ragland, deceased, late of Madison County, Ala.—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 10930) for the relief of Louisa J. Grau—to the Committee on Claims.

By Mr. RYAN: A bill (H. R. 10931) granting an increase of pension to Christopher O'Hara—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 10932) granting a pension to Eliza Woolard—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 10933) for the relief of John Holberg—to the Committee on War Claims.

Also, a bill (H. R. 10934) for the relief of Emeline E. Musgrave—to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 10935) for the relief of Rebecca Mayo—to the Committee on Pensions.

By Mr. SOUTHARD: A bill (H. R. 10936) granting an increase of pension to George R. Smith—to the Committee on Invalid Pensions.

By Mr. SPIGHT: A bill (H. R. 10937) for the relief of D. W. Carpenter, of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 10938) for the relief of the Old School Presbyterian Church, at the town of Panola, Panola County, Miss.—to the Committee on War Claims.

By Mr. THOMAS of North Carolina: A bill (H. R. 10939) granting an increase of pension to Jesse Harrison—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (R. R. 10940) to pay Joel Oswalt for stones and supplies—to the Committee on War Claims.

By Mr. TRIMBLE: A bill (H. R. 10941) granting an increase of pension to Mary Dougherty—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 10942) granting an increase of pension to John E. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10943) granting a pension to Joseph Wolf—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 10944) to remove charge of desertion from the record of Robert Moore—to the Committee on Military Affairs.

Also, a bill (H. R. 10945) granting a pension to Lola Qualls—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10946) granting a pension to Susan Wycaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10947) granting a pension to Eliza M. Crisell—to the Committee on Pensions.

Also, a bill (H. R. 10948) granting an increase of pension to John N. Matthews—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10949) granting an increase of pension to Larkin L. Hensley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10950) granting an increase of pension to William Clark—to the Committee on Pensions.

Also, a bill (H. R. 10951) granting an increase of pension to McDonald Bumgarner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10952) granting an increase of pension to John F. Oruts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10953) granting an increase of pension to Henry H. Hallinan—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolution of the Manufacturers' Club of Philadelphia, relative to an act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 1271, for the relief of Mrs. Jane W. Mason—to the Committee on Claims.

By Mr. ADAMS of Pennsylvania: Paper relating to the services of Rev. John William Runkel during the Revolution—to the Committee on the Library.

By Mr. BADGER: Petitions of citizens of Central College and Westerville, Ohio, in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of A. V. Wilson, of Elk Creek, Nebr., in favor of Sunday closing of Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

Also, petition of David L. Smith, of Tecumseh, Nebr., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of B. W. Marsh, of Auburn, Nebr., against sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. DRAPER: Resolution of the Central Federation of Labor, of Troy, N. Y., relating to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. EMERICH: Letter of Chicago Mailers' Union, No. 2, favoring eight-hour and anti-injunction bills—to the Committee on Labor.

Also, resolution of Amalgamated Woodworkers' International Local Union, No. 7, of Chicago, favoring repeal of desert-land law—to the Committee on the Public Lands.

Also, letter of S. Karpen & Bros., of Chicago, favoring untaxed wood alcohol for use in arts and manufactures—to the Committee on Ways and Means.

Also, resolution of Paint Grinders' Association of the United States, relative to increasing power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, letter of New York and Chicago Road Association, favoring betterment of highways—to the Committee on Agriculture.

Also, letter of the International Union of Steam Engineers, favoring eight-hour and anti-injunction bills—to the Committee on Labor.

Also, letter and resolution of Illinois Manufacturers' Association, favoring establishment of naval headquarters for the purchase of supplies in Chicago—to the Committee on Naval Affairs.

Also, resolution of Local Union No. 135, Amalgamated Meat Cutters and Butchers of North America, favoring repeal of desert-land act—to the Committee on the Public Lands.

Also, resolution of the Commercial Telegraphers' Union of America, favoring passage of an eight-hour bill and anti-injunction law—to the Committee on Labor.

Also, letter, resolution, and report of the Grand Army of the

Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Papers to accompany bill H. R. 9373, to increase pension of James Pollard—to the Committee on Invalid Pensions.

By Mr. FLOOD: Papers to accompany bill for the relief of Balser H. Pullin—to the Committee on War Claims.

By Mr. FOSTER of Vermont: Petition of Woman's Christian Temperance Union of Worthfield, Vt., against sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

By Mr. FULLER: Resolution of Hurlbut Post, No. 164, Grand Army of the Republic, Belvidere, Ill., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: Petition of vessel owners, fishermen, and others, of Gloucester and Swampscott, Mass., praying that Congress authorize payment of bounty on dogfish sufficient to insure their extermination—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Civic Club of Boston, favoring arbitration treaties between United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. GOLDFOGLE: Petition of Outdoor Art League of California, for the preservation of the big trees of California—to the Committee on the Public Lands.

Also, resolution of New York Board of Trade and Transportation, against repeal of the national bankruptcy bill—to the Committee on the Judiciary.

Also, petition of F. C. Linde, Hamilton & Co., in favor of Otjen-Tawney anti-coupon bill—to the Committee on Ways and Means.

Also, resolution of Medal of Honor Legion of New York City, favoring passage of bills H. R. 6477 and S. 972, relative to service pension—to the Committee on Invalid Pensions.

By Mr. HEDGE: Petition of citizens of Green Bay Township, Iowa, relative to the improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. HINSHAW: Papers to accompany bill H. R. 8755, granting an increase of pension to Eugene Schilling—to the Committee on Invalid Pensions.

By Mr. HITT: Resolution of E. D. Kittoe Post, No. 502, Grand Army of the Republic, Galena, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: Resolution of Fourth Immune Command, No. 15, Spanish War Veterans, of Washington, D. C., in favor of a museum of war as a memorial—to the Committee on Public Buildings and Grounds.

By Mr. LANNING: Resolution of Aaron Wilkes Post, No. 23, Grand Army of the Republic, of Trenton, N. J., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LILLEY: Papers to accompany bill granting an increase of pension to Susan E. Oliver—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolution of the Medal of Honor Legion of New York City, favoring placing on a service-pension roll soldiers who have received medal of honor from Congress—to the Committee on Invalid Pensions.

Also, resolution of the Manufacturers' Association of New York, against repeal of the national bankruptcy act—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Papers to accompany claim of William E. Walker—to the Committee on War Claims.

Also, papers to accompany claim of Gincy Edwards—to the Committee on War Claims.

By Mr. PATTERSON of Pennsylvania: Papers to accompany bill H. R. 3399, granting a pension to Rebecca De Wald—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Cline Morris—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for the relief of the heirs of George Orville Ragland—to the Committee on War Claims.

By Mr. RIDER: Resolution of the Manufacturers' Association of New York, against repeal of the national bankruptcy law—to the Committee on the Judiciary.

By Mr. SOUTHARD: Resolutions of Volunteer Post, No. 715, of Toledo; Ford Post, No. 14, of Toledo; Wiley Post, No. 46, of Bowling Green; Bronson Post, No. 85, of Jersey City; Forsyth Post, No. 15, of Toledo; Harry Caster Post, No. 56, of Haskins; Page Post, No. 471, of Sylvania; Brint and McBride Post, No. 225, of Richfield Center, and Charles B. Mitchell Post, No. 84, of Maumee, Ohio, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SPIGHT: Papers to accompany bill for the relief of Old School Presbyterian Church—to the Committee on War Claims.

Also, papers to accompany bill for the relief of D. W. Carpenter—to the Committee on War Claims.

By Mr. STANLEY: Resolution of the Tobacco Board of Trade, Hopkinsville, Ky., relative to amending the revenue laws—to the Committee on Ways and Means.

By Mr. STEPHENS of Texas: Petition of the St. Joseph's Roman Catholic Benefit Association, of Muenster, Tex., against passage of the Hepburn-Dolliver bills—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Memorial of the Upper Mississippi River Improvement Association, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. TRIMBLE: Papers to accompany claim of Irene E. Johnson, administratrix—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: Resolution of Alexander Post, No. 89, Grand Army of the Republic, of Flora, Ill., in favor of the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Susan Wycough—to the Committee on Invalid Pensions.

Also, papers to accompany bill to correct military record of Robert Moore—to the Committee on Military Affairs.

Also, papers to accompany bill granting a pension to Lola Qualls—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Henry H. Hallman—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to William Clark—to the Committee on Invalid Pensions.

Also, resolution of Tom Smith Post, No. 345, Grand Army of the Republic, Metropolis, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 23, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday was read.

The SPEAKER. Without objection, the Journal will stand as approved.

CORRECTION OF THE RECORD.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the other day in the debate on the civil service question I, amongst others, made the mistake of thinking that Mr. Machen, while he had not entered under the civil service, had been covered in under it later and had been kept in office by it. After a careful examination I find that I made a mistake, and I therefore wish to correct it and have risen to a question of personal privilege for that reason, as I do not want the matter to stand in the RECORD as I left it.

I ask to append to this statement Mr. Machen's official record.

The SPEAKER. Is there objection? The Chair hears none.

The record referred to by Mr. WILLIAMS of Mississippi is as follows:

Name, August W. Machen; legal residence, Ohio; position, Superintendent Free Delivery Service, Post Office Department; Fourth Assistant Postmaster General; date appointed or assigned, [illegible]; date of original appointment, August 22, 1898; changes in status, April 25, 1901, General Superintendent Free Delivery, $3,500, to take effect July 1, 1901; May 27, 1903, removed. Exc. to notice.

HORSES AND CARRIAGES IN THE NAVY DEPARTMENT.

Mr. FOSS. Mr. Speaker, I desire to submit a privileged report. The Committee on Naval Affairs, to which was referred resolution 149, have directed me to report the same back with amendments and with a recommendation that the resolution as amended be adopted.

The resolution was read, as follows:

Resolved, That the Secretary of the Navy be, and he is hereby, requested to furnish to this House at his earliest convenience a statement showing the number of horses, carriages, and harness maintained at Government expense for the use of the Department, together with a statement showing the cost of such horses, carriages, harness, and harness and the expense of wages paid to men acting as coachmen, footmen, and chauffeurs, together with the pay as carried on the rolls as such, or under any other classification; also the list of officials entitled to the use of such carriages.

The amendments reported by the committee were to insert after the word "harness," in line 7, the words "the date of purchase, from what fund the payment was made;" and to insert at the end of the resolution the words "and the date when such service was inaugurated."

The amendments were read and agreed to.

The resolution as amended was adopted.

On motion of Mr. FOSS, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HEMENWAY, from the Committee on Appropriations, reported a bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. WILLIAMS of Mississippi. I wish to reserve all points of order on this bill.

The SPEAKER. All points of order will be reserved.

Mr. HEMENWAY. I desire to give notice that after the consideration of the army appropriation bill is concluded I will call this bill up for consideration.

RECEIPTS, ETC., OF THE LOUISIANA PURCHASE EXPOSITION.

Mr. PERKINS. I desire to present a privileged report from the Committee on Printing.

The report was read, as follows:

The Committee on Printing, having had under consideration the concurrent resolution (S. C. Res. No. 20) providing for the publication of [illegible] reports of the management of the receipts and expenditures of the Louisiana Purchase Exposition, with the accompanying report, recommend that said resolution be amended by striking out all after the resolving clause and inserting in lieu thereof the following:

"That the Public Printer be authorized and directed to print and bind in paper covers [illegible] copies of the management of the receipts and expenditures of the Louisiana Purchase Exposition, from the date of incorporation to September 30, 1903, with the accompanying report submitted by the National Commission, of said exposition, of which 5,000 copies shall be for the use of the Senate and 10,000 copies for the use of the House of Representatives."

With the foregoing amendment, the committee recommend that the resolution as amended.

The Public Printer estimates the cost of this publication at $1,605.

Mr. PERKINS. I ask for the immediate consideration of this resolution with the amendment submitted as a substitute.

There being no objection, the House proceeded to the consideration of the resolution.

The amendment offered by the committee in the form of a substitute was agreed to.

The resolution as amended was adopted.

On motion of Mr. PERKINS, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

ARMY APPROPRIATION BILL.

On motion of Mr. HULL, the House resolved itself into the Committee of the Whole on the state of the Union (Mr. OLMSTED in the chair) and resumed the consideration of House bill 10370, the army appropriation bill.

The CHAIRMAN. House bill 10670, the army appropriation bill, is now before the Committee of the Whole on the state of the Union for consideration under the five-minute rule.

The Clerk read as follows:

Contingencies of the Army: For all contingent expenses of the Army not provided for by other estimates, and embracing all branches of the military service, including the office of the Chief of Staff, to be expended under the immediate orders of the Secretary of War, $20,000.

Mr. HEMENWAY. I desire to call the attention of the chairman of the committee [Mr. HULL] to this language in line 8 on page 1:

For all contingent expenses of the Army not provided for by other estimates, etc.

I suggest that this language ought to be changed so as to read "not provided for otherwise;" that is to say, by appropriation bills, not estimates. Of course, many estimates are made that are not appropriated for.

Mr. HULL. The bill follows the language which has been in these bills for a good many years; but I have no objection to the change.

Mr. HEMENWAY. Then I suggest that the gentleman offer the amendment.

Mr. HULL. I prefer that the gentleman should do it.

Mr. HEMENWAY. I move to amend, in line 8, page 1, by striking out the words "by other estimates" and adding the word "otherwise."

The CHAIRMAN. The gentleman from Indiana moves to amend, in line 8, page 1, by striking out the words "by other estimates" and inserting in lieu thereof the word "otherwise."

Mr. HAY. Mr. Chairman, that makes very bad English. Make it "not otherwise provided."

Mr. HULL. I suggest that the word "otherwise" go in before the word "provided."

Mr. HAY. That is just what I suggested.

Mr. HEMENWAY. Insert the word "otherwise" before the word "provided."

The CHAIRMAN. The Clerk will report the amendment as now presented.

The Clerk read as follows:

Page 1, line 8, strike out the words "by other estimates" and insert before the word "provided" the word "otherwise."

Mr. HULL. That will read "contingent expenses of the Army not otherwise provided for."

Mr. HEMENWAY. That is it.

Mr. HULL. I have no objection; it amounts to the same thing.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken, and the amendment was agreed to.

Mr. HEMENWAY. In line 10 I offer the following amendment: Strike out the words "office of the Chief of Staff."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 1, line 10, strike out the words "office of the Chief of Staff."

Mr. HULL. The gentleman from Indiana desires to make that motion to strike out the words "including the office of the Chief of Staff," in lines 9 and 10?

Mr. HEMENWAY. "Including the office of the Chief of Staff."

I suggest to the chairman of the Committee on Military Affairs that in the legislative bill there is carried for the contingent expenses $50,000. The office of the Chief of Staff in the War Department shares in these contingent expenses, and I do not believe, and I am sure the chairman of the Committee on Military Affairs does not believe, that an office ought to have more than one contingent account to take money from. If that practice grows up, of leaving offices to have three separate contingent funds from which to draw, we have no way of keeping tab on these expenditures of that particular office. They ought all to be confined to one contingent fund. In this particular office I understand that there is some military business, but it is nearly entirely an executive office of the War Department, and it ought to be confined in the conduct of the business of that office to the contingent expenses appropriated for the War Department.

Mr. HULL. Is the gentleman through?

Mr. HEMENWAY. Yes, sir.

Mr. HULL. Mr. Chairman, I sincerely hope that the amendment offered by the gentleman from Indiana will not prevail. The Committee on Military Affairs for a great many years—ever since the Government had a Commanding General of the Army—appropriated a contingent fund for the General Commanding the Army. That office has been abolished. The Chief of Staff has taken the place of the General Commanding the Army. The committee in the consideration of this bill abolished the appropriation of $3,000 for contingent expenses for the General Commanding the Army, and consolidated that contingent expense with that of the Secretary of War. We were informed by the Department that unless we included the Chief of Staff in this appropriation, he would be excluded from whatever part of the contingencies under the direct control of the Secretary of War he might be entitled to otherwise.

I want to say to my friend from Indiana, further, that the Chief of Staff is more than an administrative officer. He is the commanding general of the Army, and when we deal with the appropriations they made an estimate, as was reported to us in the Book of Estimates, that they wanted us to report $3,000 for his contingencies. We believed that these contingent expenses should be put under one head, not going to the commanding general any longer, but making the Secretary of War directly responsible for its disbursement, and for that reason we gave them the $3,000 asked for out of the contingent expenses for Chief of Staff, under the disbursement by the Secretary of War, and allowed them, so as to cover the entire contingent expenses of that great Department, $20,000, where heretofore we had allowed in the bill $23,000. It seems to me that the gentleman from Indiana is mistaken when he wants to exclude this office from a proper share of this appropriation. For years the committee appropriated, as we were requested to do by the Department, giving to him a direct appropriation of $3,000 that he could expend under his own orders. In place of doing that, in the interest of what we considered good administration, we provided that he must go to the Secretary of War for whatever he needed out of this appropriation. I hope the amendment of the gentleman will be voted down.

Mr. HEMENWAY. I want to suggest this to the gentleman, and I desire to do it by the way of a question.

Let us understand each other. The appropriation for the General of the Army was contingent fund, not to be expended in the executive departments of the War Department. In other words the contingent fund is to be expended for headquarters all over the United States. Now, then, I have no objection to this

contingent fund being carried in this bill if the gentleman will ask, by way of amendment, that no portion of this fund shall be expended in the Department at Washington. In other words, the lines drawn between the army bill and the legislative, executive, and judicial bill is that the appropriation for the Army shall be confined to the Army, to the different headquarters of the Army over the United States, and that the legislative bill shall carry the appropriation for the Executive Departments.

Now, among other duties the office of the Chief of Staff performs is duty up here in the War Department, where he has a corps of clerks to perform substantially the same duties that are performed by all the other clerks of the War Department. Then, as far as that Department is concerned, the Chief of Staff ought to be confined to the contingent fund appropriated for the War Department, but of course if he needs a contingent fund away from Washington, why he ought to have that contingent fund, but I want to call the attention of the Members of the House to this fact that if you allow an officer up here in an executive department to have two or three contingent funds to draw upon we can not keep track of the contingent expenses of that office, and I believe an amendment ought to go into this item saying that no portion of this fund appropriated in this army bill shall be used in the executive department—office of Chief of Staff—in Washington.

I think the chairman can see my point, and that it is well made, that he ought not to have the right to reach out and take from this army bill contingent fund to be used up here in the Executive Departments, but as far as the object of the office of the Chief of Staff is concerned, outside of the Executive Department, let him share in this contingent fund.

Mr. PALMER. May I ask a question?

Mr. HEMENWAY. I will be glad to have you do so.

Mr. PALMER. What is this contingent fund, and what is it for? I notice on page 4 of the bill there is an item for contingent expenses at the headquarters of the several military divisions and departments, including the staff corps serving thereat, an item of $7,000, and on the same page, for contingent expenses of the military information division, an item of $10,000.

Mr. HEMENWAY. That is it.

Mr. PALMER. And on page 22 there are incidental expenses covering specific expenses estimated for, an item amounting to $2,000,000. Now, will you please tell me what this $20,000 is for—what it is to be expended for?

Mr. HEMENWAY. That is what I shall ask the chairman of the Committee on Military Affairs to do. I am going through this bill. As we come to the different items I desire to call attention to them. This Chief of Staff can draw from at least four contingent funds. I do not believe this is good legislation. I believe that the Chief of Staff ought to be confined to one contingent fund. Why, we have had in the House in the last few days all of this talk about carriage hire, the very items we have been unable to reach at and point out the particular fund from which they pay those expenses. If you can confine each head of a Department to one contingent fund, there will be no trouble in learning what the expenses are and what the money is expended for. If they are scattered here and there through different appropriation bills, and they come before this House in different contingent funds from which they can draw, it keeps up this confusion. Now, in the Book of Estimates for 1905, under the head of "Office of Chief of Staff" we find this estimate for the military information division, office Chief of Staff, a corps of clerks which are doing business up here in the Executive Departments.

They are carried on the legislative appropriation bill, where they properly belong, and there is appropriated for the contingent funds of the War Department. Now, then, what I believe ought to be done, and I hope the chairman of the Committee on Military Affairs will agree with me, is: as far as the duties of the War Department are concerned—the executive duties—the Chief of Staff be compelled to depend upon the contingent fund provided for that purpose. Now, as to his military duties, which extend beyond the executive duties of the War Department, appropriate for his contingent fund in one item, so that it can be located.

Mr. HULL. Mr. Chairman, one word further. I desire to call the committee's attention to the army appropriation bill of last year:

To defray the contingent expenses of the Commanding General's office or that of Chief of Staff at his discretion, $3,000

The words "or the Chief of Staff" were inserted in last year's bill because on the 15th of August the office of Commanding General of the Army ceased to exist and the office of Chief of Staff was created.

Mr. HEMENWAY. I want to call the gentleman's attention to the fact that the construction placed on that item was always this: That that contingent fund went for army purposes; but no portion was used for any executive department. If this item goes on, as is now provided, the Chief of Staff and his clerks in the War Department may share in this contingent fund. It is wrong because it duplicates the items. We have appropriated $30,000 in the legislative bill for that purpose.

Mr. HULL. The amendment is to strike out "including the Chief of Staff."

Mr. HEMENWAY. If the gentleman thinks that will embarrass the office, he can put it in another form.

Mr. HULL. I want to quote one or two sentences from the hearing before the committee, what the Secretary of War said on this proposition:

Secretary ROOT. And last year it was put in the alternative, "the office of Commanding General or Chief of Staff." Now, I never knew of the propriety of having of course the Commanding General, and so I do not know any reason why the office of Chief of Staff should have it. I believe it is clear that the appropriation for contingencies of the Army will cover such incidental unforeseen expenses—proper expenses in the office of the Chief of Staff.

The CHAIRMAN. Would it not if that is left out? If that is put in, of course, none of it can be used for that kind of thing.

Secretary ROOT. I should suppose that inasmuch as the appropriation for contingencies of the Army has been in the bill for a good many years, and has been uniformly used for the contingencies of army headquarters, there would be no danger of the same appropriation being applied to the office of Chief of Staff now—that is to say, that contingencies of those kinds would be excluded.

Then he states that by putting it in here it would cover all doubt as to its being properly used as a part of this contingent fund. It seems to me that you have got to trust the Secretary of War in these appropriations. The Comptroller has to pass on the vouchers, and if you can not trust the Secretary of War to disburse this largely reduced sum, it would be better to take it out.

Mr. PALMER. May I ask the gentleman from Iowa a question?

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Pennsylvania?

Mr. HULL. Certainly.

Mr. PALMER. I asked the gentleman from Iowa and the gentleman from Indiana to tell me what this contingent fund is to be used for, but neither of them did it. The gentlemen seem to be discussing an item of $30,000 which has been heretofore appropriated for the use of the General of the Army. Now, then, what is the item of $20,000 for contingency of the Army?

Mr. HULL. It was $28,000 last year and $30,000 before that.

Mr. PALMER. I do not care what it was last year. What I am trying to find out is what this contingent fund is for this year. The bill provides for almost every contingency, it would seem, that can be imagined. In one place it appropriates $7,500; in another place $25,000; in another place $2,000,000 for contingencies.

Mr. HULL. This fund is to meet certain expenditures which the Secretary of War thinks ought to be in the interest of good administration, and which are not provided for in any specific appropriation in the army or in the legislative bill.

Mr. PALMER. That is all right; but what are they for?

Mr. HULL. If the gentleman wants a specific statement, I think he would have to go to the War Department. We asked the question, and they said it was to cover various small items, and that they did not expend nearly all that was appropriated. One item that was mentioned specifically was a thousand dollars allotted to the new school for artillery at Fortress Monroe. It is to cover things that come during the year that are not provided for, that in the interest of public service must be met. It is in the discretion of a Cabinet officer.

If the gentleman will introduce a resolution asking for a detailed statement and vouchers of last year, I have no doubt we will be able to get them to Congress. Personally I would not be willing to permit any Cabinet officer of any party to the amount of this item, limiting the expenditure of ten thousand or fifteen thousand or twenty thousand dollars, as the case may be.

Mr. PALMER. We will now, as to the item mentioned by the gentleman from Iowa. On page 3 of the bill, line 10, you make an appropriation for this very school which the gentleman mentions. For that and other schools is appropriated the sum of $25,000. Can the gentleman mention some other item?

Mr. HULL. That is the only item that the Secretary of War mentions. The gentleman is mistaken when he says that is one of the things appropriated for in the bill that the contingent fund is used for. When that was used for the school it was not provided for by specific appropriation.

So the gentleman is entirely mistaken in that contention.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana.

The question was taken, and the amendment was rejected.

Mr. HEMENWAY. Mr. Chairman, I offer the following amendment:

In line 11, after the word "dollars," insert "provided that no portion of this sum shall be used by the office of the Chief of Staff in the executive department of the War Department at Washington."

Mr. Chairman, I hope the gentleman will accept that amendment, because that in no way reaches the expenditure of this contingent fund. In other words, it simply says that the appropriation for the contingent fund in this executive department shall not be duplicated here.

Mr. BUTLER of Pennsylvania. Does that change the usual practice?

Mr. HEMENWAY. No; it conforms to the usual practice. But if this item goes in this bill as it appears here now it allows the Chief of Staff, who is at the head of a corps of clerks up here at the War Department, to share in two contingent funds. We appropriated $30,000 for a contingent fund for the War Department, which is sufficient for that Department, including the office of the Chief of Staff in that Department.

If this item goes in here it allows one bureau in the War Department to share in two contingent funds, when every other bureau of the War Department would be confined to the contingent fund carried in the legislative bill, which is $30,000. It certainly is bad practice, and I hope the chairman of the committee will accept the amendment, because it simply says that in the office of the Chief of Staff, where he performs executive duties—not duties in connection with the Army—this fund shall not apply, and that he shall be confined, as he has heretofore been confined, to the appropriation made in the legislative bill.

Mr. HULL. Mr. Chairman, I do not know that I have any personal objection to the gentleman's amendment. It simply seems to me that he is arguing before the committee from a false basis. The Chief of Staff has no control over this contingent expense at all. It is under the direction of the Secretary of War.

Mr. HEMENWAY. I concede that, Mr. Chairman, but if you make this appropriation available for the office of the Chief of Staff in the executive department it permits him to share in two funds. I am not criticising the Secretary of War or any other Secretary, except I know that they take these contingent funds and expend them very often for what do seem to be unnecessary purposes. This War College of which the gentleman speaks, down here at Fortress Monroe, was established without authority of law. It was established from a contingent fund. It is wrong; it ought not to be done, and I think the gentleman ought to concede that my amendment is proper, because we want to draw the line between the army bill and the Executive Departments, and all I seek to do by this amendment is to say that no sum herein appropriated shall be used in the executive department of the War Department.

Mr. HULL. Mr. Chairman, as I said, I have no personal objection to the amendment, but I have to the gentleman's argument. In the first place, the Chief of Staff does not control, as I stated, a dollar of this contingent fund. In the next place, he is not an executive officer under the terms that the gentleman refers to. He does not discharge or employ a clerk. He has nothing to do with the clerical work of the War Department.

Mr. HEMENWAY. Oh, yes, he has.

Mr. HULL. He is engaged in considering military problems, the discipline, management, and control of the Army as a whole.

Mr. HEMENWAY. He has charge of a force of clerks in the executive department, estimated for and appropriated for.

Mr. HULL. Of course, the Chief of Staff has clerks under him. So has the Quartermaster-General, and the heads of the other bureaus have clerks under them; but they can not appoint one of them. They can not remove one of them, except for cause. If they want to employ one they have to certify to the Civil Service Commission in order to get a clerk, and as a matter of fact the regulation of all the clerks is under the control of the Assistant Secretary of War and has been for the last four years.

Mr. HAY. Will the gentleman yield for a suggestion?

The CHAIRMAN. Does the gentleman yield?

Mr. HULL. Yes.

Mr. HAY. I suggest to the gentleman that if the amendment offered by the gentleman from Indiana [Mr. HEMENWAY] is agreed to, there is no use of this appropriation at all, because, as a matter of fact, a large portion of this contingent fund, if expended at all, is expended in the Department.

Mr. HULL. Not for the hire of clerks, however.

Mr. HAY. I call attention to page 21 of the hearings, where Secretary Root says:

The question has arisen since August as to where payment was to come from for stationery and expenses of that kind in the office of Chief of Staff, whether that was to be supplied from the army appropriation——

Mr. SCOFIELD. The War Department appropriation.

Secretary ROOT. The War Department appropriation, or to come out of this contingent fund. I do not remember how that was settled.

Mr. Scofield, the chief clerk, said it was not settled at all. That would show that stationery and things of that sort which are needed in the office of the Chief of Staff and in the office of the Secretary of War come out of this contingent fund, and if it is not expended in the Department, then the appropriation ought to be stricken out.

Mr. HULL. In the hearings this question was brought to the attention of the Secretary of War quite fully, and he said that he did not remember how much of the $25,000 was expended, but not nearly all of it. In another place I asked the question whether he could give us some idea for what this contingent fund was used. I confess I did not know. He said:

They are small things. As a rule, we are not permitted to use it for anything for which an appropriation is made specifically. They are very small items.

Now, it seems to me, especially after the gentleman from Virginia has said it would be a mistake to hamper the Secretary in a little appropriation like this, we should not adopt this amendment. I hope it will not be done.

Mr. HEMENWAY. The gentleman from Virginia [Mr. HAY] has brought out just what I tried to bring out. The army appropriation bill, it must be conceded, has nothing to do with the Executive Departments of the Government. If the statement by the gentleman from Virginia is true, then this item has no business on the army appropriation bill and is subject to a point of order. It is simply an effort on the part of the Secretary of War and the War Department to increase the item which is appropriated in the legislative appropriation bill and get an additional amount out of which they can take money for contingent purposes.

The object of Congress is to keep track of all these items: to appropriate for them in the proper place, the army bill taking care of the Army, the legislative, executive, and judicial appropriation bill taking care of the Executive Departments.

All I seek by this amendment is to provide that no portion of this sum shall be used for contingencies in the Executive Departments of the Government.

Mr. PARKER. Have you not already provided that that shall not be done by introducing the words "not otherwise provided?"

Mr. HEMENWAY. No. Under the language of this provision the $30,000 here provided for could be used, every cent of it, by the Secretary of War in the executive department of the Government—in the office of the Chief of Staff.

Mr. PARKER. Then, it is not otherwise provided for by the legislative appropriation bill?

Mr. HEMENWAY. In the legislative appropriation bill we provide $30,000 for this item. But if you provide here that the office of Chief of Staff may share in this $30,000, the Secretary of War may take every dollar of it and use it in the executive department.

It is my duty to call the attention of the House to a condition of things which we are trying to avoid; and I am sure the chairman of this committee, when he first admitted that he had no personal objection to this item going out, realized the fact I am stating. I hope the Committee of the Whole will adopt the amendment.

The CHAIRMAN (having put the question on the amendment of Mr. HEMENWAY). The ayes appear to have it.

Mr. HULL. I call for a division.

The question was again taken; and there were—ayes 65, noes 33.

So the amendment was agreed to.

Mr. HAY. I move to amend by striking out in line 11 the words "twenty thousand dollars," because after the adoption of the amendment of the gentleman from Indiana there will be no use whatever, so far as I know or can ascertain, for this appropriation of $20,000.

Mr. HULL. I hope that amendment will not prevail.

Mr. HEMENWAY. This embraces all branches of the military service, including the headquarters at Chicago and the headquarters at St. Louis.

Mr. HAY. Not at all; they are provided for in other portions of the bill.

Mr. HEMENWAY. If the gentleman thinks they are sufficiently provided for, then there is no reason why his amendment should not be adopted.

Mr. HAY. All the department headquarters are provided for in another part of the bill.

Mr. HEMENWAY. Then the amendment ought to be adopted.

Mr. HULL. I hope the amendment will not be adopted. There is need for some contingent fund. There has never been a bill of this kind, even when the Committee on Appropriations took charge of these bills, that did not provide a contingent fund at the disposition of the Secretary of War—in this bill as well as the legislative bill. That was when they had jurisdiction of both bills. They segregated the items and struck out the appropriations and left to the Secretary of War a small fund to protect the interests of the Government. My judgment is that it would be a great mistake to take this out.

Mr. HAY. Will the gentleman allow me a question?

Mr. THAYER. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Massachusetts?

Mr. HULL. Certainly.

Mr. THAYER. Some of us over here would like to know what you are going to give this money for. If the gentleman from Virginia is right, there is no need of it, and it will have to be turned back into the Treasury. We would like to be informed as to what is to be appropriated for.

Mr. HULL. The Secretary of War so carefully administered this fund last year that half of it was turned back into the Treasury. It appears to be absolutely necessary, because there are places outside of the city of Washington where he has to have the use of the contingent fund or have the interest of the Government suffer. I certainly hope my friend from Virginia will withdraw his amendment. It is a mistake on the part of the House to put a limitation on the use of the fund and in my judgment is a reflection on the administration of the War Department to some extent. But to strike it out would simply make another error.

Mr. HAY. Will the gentleman allow me to ask him a question?

Mr. HULL. Certainly.

Mr. HAY. Does not the amendment put upon it, just passed, do away with the necessity for it?

Mr. HULL. I think not.

Mr. HAY. How can it be used elsewhere?

Mr. HULL. It can be used in the Artillery School and the publication of the journal.

Mr. HAY. I know that practically this fund or some of it was used for acquiring information for which there was no other fund provided; and it ought to be on the bill without any limitation; and it ought to be intrusted to the Secretary of War; and that is the way it has been used heretofore. It is not being used in any improper way, and therefore, when you are going to put this limitation on it, you are going to eliminate the use of it, and therefore I offer the amendment to strike it out altogether.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Virginia.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

For contingent expenses at the headquarters of these several military divisions and department commanders, $7,000.

Mr. HEMENWAY. Mr. Chairman, I just ask for information of the gentleman in charge of this bill what is meant by this. I see the word "divisions" added.

Mr. HULL. That is on account of the general order of the War Department creating divisions. They were heretofore known as "departments" and now "divisions," one division including two or three departments. The departments come under the brigadier-generals and the divisions under the major-generals. These departments were made on account of a recent order of the Department creating these new divisions.

The Clerk read as follows:

For contingent expenses of the military information division, General Staff Corps, including the purchase of law books, books of reference, professional periodicals and newspapers, and of the military attaches of the United States embassies and legations abroad, and of the branch office of the Military information division at Manila, to be expended under the control of the Secretary of War, $10,000: *Provided*, That not to exceed $200 of the amount herein appropriated shall not apply to subscriptions for professional newspapers and periodicals to be paid for from this appropriation.

Mr. HEMENWAY. Mr. Chairman, I desire to call the attention of the chairman in charge of the bill to the fact that the provisions of this item, from line 7 to line 17, would be to repeal section 3648 of the Revised Statutes, so far as it applies to the purchase of these newspapers and periodicals is concerned. This appropriation for the purchase of newspapers and periodicals ought to be made.

Mr. HULL. It is the same that we had in the last year, and the hearings of last year give very full information.

Mr. HEMENWAY. I call his attention to "periodicals and newspapers." The gentleman remembers——

Mr. HULL. We put the word "professional" in this year, so as to make a limitation, so that they can not buy any ordinary magazine or newspaper or general news or ordinary publication. We intended to limit it to newspapers and periodicals containing military information, in the nature of giving them information, like text-books, or something of that kind.

Mr. HEMENWAY. The gentleman remembers that that was the language used many years ago, and under that language, "professional periodicals and newspapers," we found a library containing The Lady in White and all the other novels that were being printed in this country, trashy as well as good, and I suggest that you put a limitation on the amount to be expended for professional newspapers and periodicals, whatever the gentleman thinks is really enough.

Mr. SLAYDEN. I want to suggest to the gentleman from Indiana that when we had the item under consideration in the committee room, apprehending exactly the difficulty which he has pointed out, I believed then it would be wise, and I believe now it would be wise, to make a clearer definition of the provision made for professional publications.

Mr. HEMENWAY. I just suggest a limit on the amount, say, of $100 or $150—whatever is necessary.

Mr. HAY. I would suggest to the gentleman from Indiana that the statutes require that they shall be paid for when they are bought.

Mr. HEMENWAY. Yes.

Mr. HAY. Now, the officers stationed at the different headquarters and legations abroad can not do that, because the appropriation is not then available for the purpose, and the purpose of this is to enable them to pay the subscriptions to these professional newspapers out of the funds or out of the appropriation—in other words, they have heretofore been obliged to pay for it out of their individual funds. That is the purpose of this.

Mr. HEMENWAY. But there should not be a rule for this Department that does not apply to the other Departments of the Government, and there is one fixed rule of the Government—that it never pays for anything until it is delivered, and it is a very good rule. Now, as to the last provision, I shall make the point of order when we reach it; but as to the first provision, in regard to professional periodicals, there ought to be a limit in this bill in the amount to be expended for that purpose, because under this exact language grew up the practice of the Departments of buying all kinds of novels and building up libraries.

Mr. SLAYDEN. Do you not believe if you put the word "purely" in front of "professional" it will cut off your French novels?

Mr. HEMENWAY. I think we ought to limit the amount expended for this purpose.

Mr. HULL. I do not think this whole question is worth ten minutes' time. The only reason for putting in this proviso was to enable officers at Manila and distant points to obtain these professional publications. If the gentleman can show that under this language where the word "professional" is put in that any Department could purchase novels, the Lady in White mentioned especially, and other novels, I should be in favor of not giving them any discretion whatever.

Mr. HEMENWAY. I want to insist right now that we have not reached the proviso and that we are discussing this item for professional periodicals. When we reach the proviso I intend to make the point of order.

Mr. HULL. Oh, it is subject to it. I will not discuss it a minute.

The CHAIRMAN. One moment. The Chair would suggest that there is nothing before the committee, no motion having been made, no amendment offered, or point of order raised.

Mr. HEMENWAY. I suggest to the gentleman that he offer his own amendment, or I will offer it if he does not desire to do so. The amendment I would suggest would be that for the purchase of professional books a sum not to exceed $200 shall be available.

Mr. DENNY. Strike out "books."

Mr. SLAYDEN. Professional periodicals.

Mr. HEMENWAY. In line 14, "*Provided*, That a sum not to exceed $200 of the amount herein appropriated shall be available for the purchase of professional periodicals and newspapers."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "dollars" in line 14, page 4, insert: "And not to exceed $200 of the sum herein apppropriated."

Mr. HULL. Provided not to exceed $200——

Mr. HEMENWAY. Yes.

The Clerk continued to read, as follows:

Provided, Not to exceed $200 of the amount herein appropriated shall be available for the purchase of professional books and periodicals.

Mr. HULL. No, no; he said he did not intend to include books.

Mr. HEMENWAY. Professional newspapers. I would follow the language of your bill and make the limit $200.

Mr. BUTLER of Pennsylvania. This is a new provision.

Mr. HEMENWAY. Not that part of it.

Mr. BUTLER of Pennsylvania. Is there any evidence that the privilege given to the Secretary of War or the proper officer was

violated last year in the purchase of books and professional newspapers?

The CHAIRMAN. The question is upon the amendment——

Mr. BUTLER of Pennsylvania. Let us have it reported again.

The CHAIRMAN. The Clerk will again report the amendment.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Let the amendment be again reported.

The Clerk read as follows:

After the word "dollars," in line 14, insert: "*Provided*, That not exceeding $200 of the amount herein appropriated shall be available for the purchase of professional newspapers and periodicals."

Mr. PARKER. Mr. Chairman, I desire to say that this amendment would be certainly one of the very worst that could be adopted. If there is any part of the whole War Department that should be given a very free hand, it should be this very information bureau.

It is well known that the professional periodicals abroad in a foreign army are published secretly for the use of the officers of that army. The sale of the books with reference to the guns and artillery in France was one of the matters of which Dreyfus was accused. These books are distributed secretly over the particular country. Their acquisition may need large sums of money and at particular times would be of the greatest advantage to our Army, and any limitation placed on this particular section that takes away from our officers abroad the right to get such information as we may need at home is, in my judgment, a great mistake, and I can not understand any such penny-wise and pound-foolish policy.

Mr. HAY. Mr. Chairman, I trust the amendment of the gentleman from Indiana will not be agreed to. We have a great many embassies abroad. I do not know how many, but we have to provide for those professional periodicals for the military information bureau of the General Staff every year. They have to be provided for in each of the embassies abroad. They have to be provided for at the military information division in the Philippine Islands. Two hundred dollars will not begin to provide for the professional periodicals and newspapers at all the different places.

Mr. HEMENWAY. Will the gentleman permit a question?

Mr. HAY. Certainly.

Mr. HEMENWAY. How much will it take to provide for professional periodicals and newspapers?

Mr. HAY. I do not know; I never saw an estimate of it. I know the professional periodicals are much more expensive than other periodicals, because their circulation is limited to professional men.

Mr. HEMENWAY. It would not cost the whole $10,000?

Mr. HAY. No; that includes books of reference.

Mr. HEMENWAY. Certainly. All I want to do is to limit the periodical item so as to prevent the purchase of anything that is not for professional use of the Army. We know, as a matter of experience, where that item goes. When they have the benefit of the full $10,000 they go clear beyond reason. It has been demonstrated in every Department of the Government.

Mr. HAY. Will the gentleman point out any instance where the War Department has spent any part of this appropriation for the purpose of buying novels or any book which was not necessary for use and information of the military department?

Mr. HEMENWAY. Yes; I will point it out.

Mr. BUTLER of Pennsylvania. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Will the gentleman from Virginia yield to the gentleman from Pennsylvania for a question?

Mr. HEMENWAY. The gentleman from Virginia is asking me a question.

Mr. HAY. I will yield to the gentleman from Pennsylvania.

Mr. HEMENWAY. Doesn't the gentleman from Virginia want me to answer his question?

Mr. HAY. Yes.

The CHAIRMAN. The committee will be in order. The gentleman from Pennsylvania addressed the Chair, and the Chair asked the gentleman from Virginia if he would yield to the gentleman from Pennsylvania.

Mr. HAY. Mr. Chairman, as soon as I get through with the gentleman from Indiana I will yield to the gentleman from Pennsylvania for a question.

Mr. BUTLER of Pennsylvania. All right; there is some hope. [Laughter.]

Mr. HEMENWAY. The gentleman from Virginia has asked me to point out where the War Department has ever purchased any books that were not necessary. I point to the library up in the War Department.

Mr. HAY. Not out of this appropriation.

Mr. HEMENWAY. The War Department has a library that contains novel after novel that has been purchased out of just such appropriations as this.

Mr. HAY. Have they been purchased out of this appropriation?

Mr. HEMENWAY. No; because this appropriation has not passed the House.

Mr. HAY. Oh, well, the gentleman knows that I mean appropriations that have passed the House in this bill.

Mr. HEMENWAY. Certainly. Where else could they get them?

Mr. HULL. Out of the appropriation in the legislative bill. [Laughter.]

Mr. HEMENWAY. They have got it out of all these items, and that is the reason I am trying, in my feeble way, to prevent their doing it again. If the gentleman will state how much it will take to buy these professional newspapers and periodicals, I will suggest that limit. If it is a thousand dollars, make it a thousand dollars.

Mr. HAY. Can the gentleman tell me who it was that bought these novels?

Mr. HEMENWAY. The heads of the different departments.

Mr. HAY. The heads of the departments?

Mr. HEMENWAY. I can not go into details; the books are there in the library.

Mr. HAY. Somebody must be charged with the purchase of these books. Who violated the law?

Mr. HEMENWAY. The heads of the departments, with the approval of the Secretary of War, or else the books could not be there.

Mr. HAY. Then the gentleman says that these novels have been purchased by the heads of the divisions, with the approval of the Secretary of War?

Mr. HEMENWAY. That is the only way they could be purchased, and there is a library full of them that anyone can see who will go and look.

Mr. HAY. What Secretary of War?

Mr. HEMENWAY. I don't know. It runs back very many years.

Mr. HAY. The present Secretary of War?

Mr. HEMENWAY. I don't know whether it has been done recently or not.

Mr. HAY. His predecessor?

Mr. HEMENWAY. Why, the gentleman's predecessor, evidently, because it is during my term in Congress that we have tried to suppress this evil and that we have tried very often to transfer these great libraries to the Library of Congress, or to some central library in the District of Columbia, but every Department of the Government has built up a library.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HULL. Mr. Chairman, I will ask that the gentleman from Virginia have five minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the gentleman from Virginia may proceed for five minutes. Is there objection?

There was no objection.

Mr. HAY. Mr. Chairman, I do not want to vote for this appropriation if what the gentleman from Indiana [Mr. HEMENWAY] says is true, but there is no doubt about the fact that the Army and the officers of the Army ought to be equipped with proper information.

Mr. HEMENWAY. Why, certainly.

Mr. HAY. And that they ought not to be obliged to buy these periodicals and newspapers themselves.

Mr. HEMENWAY. But let me say right there——

Mr. HAY. I will yield in a moment. I was going to say that if this abuse has arisen it ought to be put down. If these novels that the gentleman speaks of have been bought, the practice of buying them ought to be stopped; but I have been in the library at the War Department and I confess that I did not see the books to which the gentleman refers. However, as I say, if that is true, that this abuse exists, the gentleman ought to be able here to produce some specific information and not to make a general charge that all the heads of the different bureaus and the Cabinet officers have violated the law and have perpetrated an outrage upon the country by expending a fund intended for one purpose in buying French novels and things of that sort. Now I will answer the gentleman's question, if he desires to ask one.

Mr. HEMENWAY. The only thing I desire to say is, that if the gentleman knows the amount of money necessary to buy these periodicals and newspapers and knows that $200 is not enough, why, let us make it enough, but limit the amount that can be expended for that purpose on this bill to a reasonable sum.

Mr. HAY. I am perfectly willing to meet the gentleman on that; but the complaint of the gentleman is not that too much money has been expended for professional periodicals and newspapers, but that it has been expended for novels.

Mr. HEMENWAY. And I refer the gentleman to the libraries

of the different Departments of this Government for evidence of that fact.

Mr. HAY. Therefore the gentleman's amendment, which would limit the purchase of periodicals and newspapers, would not apply to the abuse of which he complains; and it is impossible for me to say how much money it will take to annually subscribe for the different professional periodicals and newspapers which may be necessary here or at the different embassies abroad or in the Philippine Islands. Therefore I do not know how to meet the gentleman on that particular ground.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am glad to say that here is something else upon which we do not propose to stand altogether pat.

Mr. Chairman, I believe that the position of the gentleman from Indiana [Mr. HEMENWAY] is partially well taken. I do not believe that the proper way to meet it is to strike out the appropriation, however. I remember that several years ago when we looked into the library which had accumulated at the Department of Agriculture we found all sorts of books there, and we found in addition to that all sorts of newspapers and periodicals being taken at public expense. We cured that evil by introducing a limitation upon the appropriation.

Mr. HEMENWAY. Just what I seek to do here.

Mr. WILLIAMS of Mississippi. That no books should be bought except of a strictly technical character, pertaining to the work of the Department of Agriculture, and I think that sort of an amendment ought to be entered into the provisions upon each bill that comes in here making appropriations for these several Departments. Each Department has its library, and each Department ought to have its library of technical works, pertaining to the duties of the Department, because it is almost impossible to carry on the work, let us say, of the Agricultural Department, without a library of chemical works and biological works, etc.; and it is almost impossible to carry on the work of the War Department without works on fortifications and perhaps some works on military histories, even going that far; but these provisions on all these bills ought to be carefully and strictly carried out. The language ought to be such as to admit of nothing except technical books and periodicals pertaining to and necessary for the operation of the work of the Department itself.

Mr. HAY. Has the gentleman read the language of the bill?

Mr. WILLIAMS of Mississippi. Yes, sir; I am just reading it.

Mr. HAY. It provides for "the purchase of law books, books of reference, professional periodicals, and newspapers."

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon. As I read the clause it provides "for the purchase of necessary articles of office, toilet, and desk furniture, binding, maps"——

Mr. HAY. Oh, no.

Mr. WILLIAMS of Mississippi. Then come "books of reference."

Mr. HAY. It is the paragraph on page 4, line 7, that we are talking about.

Mr. WILLIAMS of Mississippi. The particular matter in the bill which pertains to books is the clause beginning line 23, page 3, and that is where this item ought to come in.

Mr. HAY. That is an entirely different proposition.

Mr. WILLIAMS of Mississippi. This is a specific item which covers the matter in another place. It says "books of reference," but it does not say "technical books of reference." Then the language continues: "professional newspapers and periodicals." But the language is not sufficiently guarded. I think the word "technical" ought to be used.

On page 4, in line 7, to which the gentleman from Virginia refers, we have similar language:

> Including the purchase of law books, books of references, professional periodicals, and newspapers.

But it does not say "technical books of reference." The language used would cover encyclopedias, dictionaries——

Mr. HAY. Ought they not to have a dictionary?

Mr. WILLIAMS of Mississippi. Well, I have my doubts whether this Government ought to furnish anybody with a dictionary.

Mr. HAY. These are not to be furnished to everybody, but are for the use of the Department as a whole.

Mr. WILLIAMS of Mississippi. Well, I have my doubts whether each of these Departments ought to be furnished with a set of encyclopedias. Under the language "books of reference" meteorological books might be furnished to the War Department and works on fortifications to the Agricultural Department.

I do not know how far this abuse has gone in the War Department. We have corrected it in the Department of Agriculture, or we had it corrected for a while. I know that for a while the purchases in this line were confined to such books, periodicals, etc., as treated technically of those subjects with which the Agricultural Department had to do.

Mr. HEMENWAY. I think generally the matter has been corrected now in the different Departments. All I am seeking to do now is to continue such legislation as will keep it corrected.

Mr. WILLIAMS of Mississippi. This is not at all a party question; but I think the gentleman has made a mistake in moving to strike out the appropriation.

Mr. HEMENWAY. I have not moved to strike it out, but simply to limit the amount that may be used for the purchase of newspapers and periodicals to $200. If that sum is not enough, make it more.

Mr. WILLIAMS of Mississippi. I would not limit the amount of money, but would define the purpose or character of the books, etc.

Mr. HEMENWAY. Then let the gentleman suggest an amendment of that kind. All I want is a proper limitation.

Mr. SLAYDEN. Mr. Chairman, if the libraries in the War Department contain the class of books that the gentleman from Indiana says they do——

Mr. HEMENWAY. I do not specify any particular Department. I think the evil runs through different Departments.

Mr. SLAYDEN. Then I will amend my language by saying that if any Department contains the class of books that the gentleman from Indiana has indicated that they do it is clear that the law has been violated, and I quite agree with him that the language of this bill ought to be such that it will be impossible for any executive officer to justify the purchase of any such books as he has mentioned.

From the time we began the consideration of this bill I have favored the insertion of such words as would limit these purchases to books and periodicals of a purely professional class. I believe that such language ought to be inserted here, and, if we may be permitted by the committee to return to the preceding paragraph of the bill, it should be inserted at the end of line 2, thus correcting this particular evil, while not interfering at all with the amount of money appropriated.

Mr. HEMENWAY. That is all right.

Mr. SLAYDEN. Then, Mr. Chairman, I ask unanimous consent to return to line 2, page 4, and insert after the word "maps"——

Mr. HULL. That certainly is not in order now when we are considering another amendment.

Mr. SLAYDEN. Then I move to amend by inserting before the word "professional," in line 9, page 4, the word "technical."

The CHAIRMAN. There is an amendment pending, offered by the gentleman from Indiana.

Mr. HEMENWAY. Mr. Chairman, I only seek to remedy this evil, and I withdraw my motion.

The CHAIRMAN. The gentleman from Indiana withdraws his amendment, and the gentleman from Texas offers an amendment.

Mr. SLAYDEN. Line 9, on page 4, before the word "professional," which occurs near the middle of the line, insert the word "technical."

The Clerk read as follows:

> So as to read: "Books of reference, technical professional periodicals, and newspapers."

Mr. HULL. Do you want that? Why not put in the word "and?"

Mr. SLAYDEN. Professional and technical.

Mr. HULL. Make it professional and technical, so that it will apply to technical books of reference.

Mr. SLAYDEN. Then, Mr. Chairman, I move to amend it by inserting the words "professional and technical" between the words "professional" and "periodicals."

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Texas.

Mr. PRINCE. Mr. Chairman, the gentleman from Indiana has stated that abuses have grown up in the War Department, especially mentioning that Department in so far as its library is concerned. He has specifically charged that under the direction of the heads of the Departments, with the approval of the Secretary of War, a lot of trashy literature has been added to that library. He said it was "the Secretary of War;" he did not proceed to say whether it was the present Secretary or his predecessor. He said that such had occurred during his term of service in Congress, but he would not state that it had grown up and was being practiced under the present Secretary of War. As I recollect, he distinctly stated there was no abuse now, in so far as this appropriation is concerned.

It seems to me a little strange, after eight years of service in the House, connected largely during a part and perhaps all the time with the committee of which he is now the honored chairman, that he had not called the attention of this House earlier to this supposed abuse.

Mr. HEMENWAY. Will the gentleman permit me to interrupt him?

Mr. PRINCE. I gladly yield to the gentleman.

Mr. HEMENWAY. If the gentleman had kept in touch with the performance of the "gentleman from Indiana" on this floor, he would have known that the attention of this House has been called to it quite a while ago, and that upon bills that come from the Committee on Appropriations the item is now carried and has been for a few years last past.

Mr. PRINCE. I am very glad to know that it has been carried, so far as that bill is concerned. But let me say to the House that the bill that passed the last Congress making the appropriation for the support of the Army for the year ending June 30, 1904, had in it the same provision that it has now. We have sought in this bill that we now present to the House at this session of Congress to limit it by inserting the word "professional." The gentleman from Pennsylvania, who sought the floor, sotto voce said that he would like to know if this provision had been abused during the past year. He never had an opportunity to present that question, but the chairman of the Committee on Appropriations has answered it to the House, stating that at present there is no violation of this law.

Mr. HEMENWAY. Oh, if the Chair please, the "gentleman from Indiana" has made no such statement. What he said was that so far as he knew in the last few years there had been no violation of any of these appropriations by buying unprofessional books, and he was emphasizing what was in the bill in trying to prevent the abuse. I am not criticising the Committee on Military Affairs. They put in this word "professional," seeking to do what I seek to do, and I only suggest that they go a little further. I am not here trying to criticise this committee, but I am here trying to help them perfect this provision.

Mr. PRINCE. I did not understand that the gentleman was trying to criticise the committee. So far as I understand his first statement I exonerate him, and do not in the slightest degree make any charge against him in that way. It seems to me strange, however, that an executive officer of this Government, who, like ourselves, has taken an oath to carry out the provisions of the law, has engaged in or should be seduously anxious to evade the law. For myself, I am loath to think that there is an executive officer that is seeking to evade the law rather than to carry out the provisions of the law, and until some specific and direct charges are made upon that question I shall refuse to entertain any such belief on my part as a Member of this House. Therefore I can see no reason why such an amendment should prevail to-day. As there has been no abuse of the law in the past, and this provision was in the law of the prior enactment, I hope and trust that this amendment will not obtain.

Mr. ROBINSON of Indiana. Mr. Chairman, I move to strike out the last word. I agree with the spirit that seeks to limit appropriations, as suggested by my colleague from Indiana [Mr. HEMENWAY] and the gentleman from Texas [Mr. SLAYDEN], and desire to suggest to the House that, without innuendo, I will speak directly. I charge that officers of the Government, its bureaus, and Departments, by a system of construction of our general language in appropriation bills, by a system of enlargement and a running wild in construing, have exhausted our patience and have taken subjects from the control of Congress.

While what I cite may only be an analogy in the matter under discussion, it is sufficient here to put us upon inquiry and to urge us to insist that general appropriations shall not be made unless we know to what they are to be applied. There are reasons for this course stronger than have heretofore existed, because evils in construction have grown up. The War Department—the Board of Ordnance and Fortification in that Department—has permitted an expenditure for scientific purposes of thousands in a vain attempt to breathe life into an air-ship project which never had a substantial basis, and which collapsed, thus showing the correctness of what I say. This was wasteful expense and should have been, it seems, so regarded by everyone. It had no utility about it. This the officers did without the express sanction of Congress by a misconstruction of an appropriation bill in its terms general, but clearly never intended for adventure. We should have had last year in that bill, as we should in this, a limit by express legislation and restriction.

In 1888 Congress established a board of officers known as the Board of Ordnance and Fortification, and it was stated that "the board shall be under the direction of the Secretary of War and subject to his supervision and control, and that it shall be composed of army officers," and it provided that a large appropriation should be available for "experiments and tests" for "implements and engines of war," for "devices," etc., and "before any of the money shall be expended it shall be made clear to the board that after due inquiry the Government of the United States has lawful right to use the invention." Did Congress thereby or by the last fortification bill authorize feats that clearly meant the sinking of air ships in the Potomac? The salary account for years has gone on to the extent of many thousand dollars a year in a futile invention of an air ship, and not with our sanction.

Air-ship vagaries prevail, the result of inattention of our officers, a misconception of our purposes, the result of a wide interpretation of Congressional action in general terms, and it has cost the Government many thousands, when the scheme never had a grain of promise of utility about it. This board is under the direction of the Secretary of War, and is composed of war officers, a board sanctioned by this Congress, which gave them in 1888 an appropriation of millions with which to operate. By the fortification bill of last year we gave them $100,000 of money to be wasted on this scientific aerial navigation experiment. No; that never was our purpose. But it was wasted because, perchance, a professor, wandering in his dreams of flight in the air, sought to impress, and did impress, upon the officers who were charged with the expenditure of public money the solidity of the foundation on which he built his air castles.

I commend the gentleman from Illinois [Mr. PRINCE] for standing by Government officers in proper expenditures, and I am sure he will join in correcting errors. We can all join in placing curbs and checks in our bills, so that violent interpretation shall not obtain and extravagance cease. Let us close the gaps. Let us not give the invitation. We can then fix the responsibility.

If we allow our appropriation bills to be general in language and do not curb them, and do not specifically limit them in character, in kind of literature, as in this case, and in the amount to be expended specifically, they will be subject to every flight of fancy, and the money of the people will be dissipated. I take it that nobody on that side of the House or this, had he been charged with the execution of the law, would have expended this money under the language of that act. This money is gone, lost—sunk forever in the bottom of the Potomac River by this aerial phantasm, without our approval. I call this to the attention of the House as an analogy to guide us to the way we ought to guard the appropriations and limit them more closely and make them specific.

Mr. BINGHAM. Mr. Chairman, in the matter of contingent expenses the Committee on Appropriations have at all times encountered difficulty. Every deficiency bill that comes into this House carries in some page or some part the claim from a Department for a deficiency greater than the appropriation ran. This House but a few days ago qualified the contingent account of every Department of this Government in these words:

> Contingent expenses, War Department, for the following sums, which are so apportioned as to prevent deficiencies thereon, namely

To the War Department we gave $50,000, together with $25,000 additional for stationery. That ran to the Interior Department, "For professional and scientific books, etc., $1,000, of which sum $250 may be used for the Civil Service Commission." In the Navy Department we make the same qualification.

In fact, in every Department we qualified distinctly an apportionment of the contingent fund. Why? Simply because your Committee on Appropriations is met every year with the claim from the Departments for greater sums than the contingent sum appropriated. Five years ago the Navy Department, of its own volition, came to the Committee on Appropriations and submitted that there should be one fund for the Department with regard to books of reference and technical and professional books, for the reason that the heads of bureaus were taking from the increase of the Navy fund thousands of dollars annually for professional and scientific books.

Your committee have endeavored to correct that, and believe in the several Department bills that will come from the Committee on Appropriations there will be the same limitations that were put in the legislative, executive, and judicial bill, recently passed this House. There should be a limitation on this fund wherever there is a contingent expense account, and it is simply a question of being consistent with the action of the House a week ago that there should be a limitation upon professional books, law books, periodicals, and newspapers in this contingent fund.

Mr. CALDERHEAD. Mr. Chairman, the gentleman from Indiana has modified his original charge against the Department since he began this discussion.

Mr. HEMENWAY. Will the gentleman from Kansas permit a question?

Mr. CALDERHEAD. Yes.

Mr. HEMENWAY. I will ask the gentleman if there is not in the War Department a circulating library of fiction?

Mr. CALDERHEAD. If the gentleman will not interrupt me until I have made a statement that would justify such a question as that——

Mr. HEMENWAY. The gentleman said that the gentleman from Indiana made a charge. I ask him if there is not in the War Department a circulating library?

Mr. CALDERHEAD. I will answer the gentleman in my own way. I will state, for my information is direct from the chief in

charge of the Bureau that he accuses, that there has not been a novel or a book of light literature purchased for that library out of any funds provided by this Congress in the last ten years. There is a library of novels and light literature there, bought by the money of the officers themselves out of their own pockets, and last year a large donation was made by the librarian in Philadelphia. These books are probably in use, probably in some bookcase over there, and in some moment of economy the gentleman from Indiana may either require rent from the officers for the space occupied by the bookcase there, or require that they shall be kept in some other place. [Laughter.]

The expense of this discussion for the last forty minutes has probably cost the country more than would have been used by the Department for the purchase of the papers that he objects to if it had been used that way. I repeat again the statement that my information is direct from General Greely, whose honor and integrity I know the gentleman from Indiana does not intend to impeach before this country, that no purchase of light literature, or of any novel, or of any general literature of that kind has been made out of any fund provided by Congress in the last ten years. It is unfair to the officers for the gentleman to stand here in his place and say that a short time ago he found a novel called "White Wings" there, and make that a ground for objection to this bill.

Mr. HEMENWAY. The gentleman said he would yield, and now I desire to ask him a question.

Mr. CALDERHEAD. Very well.

Mr. HEMENWAY. What proportion of the library in the War Department was purchased from appropriations in different bills and what proportion by subscription of the clerks?

Mr. CALDERHEAD. None of the books which are not professional, not technical, not law literature were purchased by the Department out of appropriations. No novel, no volume of general literature has been bought out of any fund appropriated by this Congress within the last ten years.

Mr. HEMENWAY. I put the question again about the library there. What proportion was purchased by Government funds and what portion by private subscription?

Mr. CALDERHEAD. I do not know; I have not sufficient knowledge to answer the gentleman. The library was built up by efforts of the Secretary.

Mr. HEMENWAY. The gentleman has not sufficiently answered my question.

Mr. CALDERHEAD. I say, upon the authority of General Greely, that no such purchase has been made within the last ten years.

Mr. HULL. Mr. Chairman, it is very difficult for me to know just what proposition is before the committee at this time, but I want, before I call for the amendment, to address myself for a few moments to the question of this appropriation and to quote from the RECORD as to what is done with it. I want to say to this committee that I would not be afraid to stake my reputation on a proposition that under the contingent expense of the military information division of the General Staff Corps, including the purchase of law books and books of reference, no single book has ever been bought that was not contemplated by the action of Congress.

Mr. GROSVENOR. Will the gentleman from Iowa permit an interruption?

Mr. HULL. Yes.

Mr. GROSVENOR. I suppose that historical books relating to the war would properly come under the purchase authorized by Congress?

Mr. HULL. I doubt if simple histories of the war would come under this appropriation.

Mr. BINGHAM. It would be a book of reference.

Mr. GROSVENOR. I have been wondering whether the purchase of these novels, after all, could not be justified if we could only get the names of them from somebody. What I wanted to know was whether Gen. Charles King's novels have been purchased by the War Department as a part of the military history of the Army? [Laughter.]

Mr. HULL. Mr. Chairman, I did not yield to the gentleman for that question.

Mr. GROSVENOR. I want to ask the gentleman if he does not think that they would stand well on a par with some of the unofficial reports that we have had printed about the Army by the War Department? [Laughter.]

Mr. HULL. Well, Mr. Chairman, I am not going to institute a comparison between Charles King's novels and the official reports. The greater erudition and larger industry of my friend from Ohio [Mr. GROSVENOR] would make him a competent judge on that. I have not been industrious enough in that line of reading to be competent to pass upon it.

But, Mr. Chairman, to return to this question, I think the Military Committee and all the members of it, as well as the Members of the House, are anxious to limit this so that no abuse can come from it. I regard this appropriation as one of the most valuable appropriations in the bill, and if the gentlemen will take the report of the Adjutant-General made this year, I think they will get some idea as to what is done under it that will be of benefit to us all. On page 12 of the report is found the statement:

> The reports received from the military information division at Manila indicate a large amount of valuable work on the part of that branch, either in the collection of information respecting the Philippines and neighboring countries and its distribution to the troops serving throughout the archipelago.

That is one part of it. Three thousand dollars was allotted out of this $10,000 for this line of information. Then you will find that they have made improvements in the collection and the classifying of the professional data, and then, in addition to that, they have the reports of the military attachés, and of this it is said:

> In addition to the regular work of the division, communications written in foreign languages and addressed to the War Department or its several bureaus have been translated for the respective offices, as well as many documents, reports, etc., desired for official use.

During the year the division has prepared an index of special military subjects contained in books, pamphlets, and periodicals received in the Military Information Division or the Adjutant-General's Office, War Department, during the quarter ending December 31, 1901, as follows, etc.:

It goes on then in detail collecting a vast amount of most useful and valuable information which if we do not secure we will be behind every other civilized nation on earth. It is not an abuse; it is not building up a library; it is accumulating information, and will enable our officers and our soldiers to perform their duties in the light of the civilization of this century.

Now, I understand that the gentleman from Texas [Mr. SLAYDEN] proposes to put upon this the limitation of "technical." I think if the word "technical" is applied to books of reference it would be a valuable limitation. I think if you apply it to periodicals and newspapers you practically destroy all the information that can be had from professional periodicals and newspapers, because the word "technical" might limit it to such an extremely fine point that it would be difficult for the Department under that law to administer the office without crippling the sources of information.

I understand that that is what is before the committee, and I hope that my friend from Texas will modify it and make it apply to books and not to periodicals. The committee, as he will remember, and with his entire assent, did undertake to limit it so that there could be no abuse in the periodicals and newspapers by inserting the word "professional."

Mr. SLAYDEN. Mr. Chairman, I think that the chairman of the committee will quite agree with me that an effort to so frame the law that there can not be improper expenditures in the future is not necessarily a charge that there have been improper expenditures in the past. I don't know whether there has ever been a single book purchased by any bureau chief or executive officer of this Government which should not have been purchased, but I do believe that language which limits the purchases to purely professional works and books in these instances is wise to insert.

I don't know whether any executive or bureau chief in the future may be inclined to violate the law, but I am convinced that if this language is inserted he will not be able to do so, and my amendment has not been offered in any spirit of criticism of the acts of such officers in Departments, because I am not advised that there has been any abuse of it. The chairman has mentioned the fact that in the committee there was an effort made to shape that legislation, so that these abuses could not be practiced. He evidently does not remember that I was not satisfied with the language in that paragraph and endeavored to insert practically the same thing that I am now offering as an amendment here on the floor of the House. I hope that the amendment will be sustained.

Mr. HAY. Let us have the amendment reported again.

The CHAIRMAN. Without objection, the amendment will be again reported.

There was no objection, and the Clerk again reported the amendment.

Mr. HULL. Mr. Chairman, I have no objection to that at all, the way it is worded now.

Mr. WILLIAMS of Mississippi. Mr. Chairman, substantially the part of the bill beginning on line 23, page 3, and ending on line 17, page 4, is the same section, if the bill had been divided by sections. Both of those paragraphs relate to books, newspapers, and periodicals, except that the first one relates to them at the headquarters of the several military divisions and departments, and the second is for the information of the General Staff office and relates to military attachés. Now, I would like to have the attention of the gentleman from Indiana [Mr. HEMENWAY] a moment. I think that same language, in order to perfect the bill, ought to be put in front of the word "books" in line 2, page 4, and also in front of the word "newspapers," after the word "professional," in that same line on that same page.

Now, one other suggestion. If you do not insert the word "technical" before the word "newspapers" you are going to have trouble, because they are going to say at the Department that there are no technical daily newspapers, and that when Congress allowed them to purchase newspapers it meant newspapers other than technical. I believe the gentleman from Virginia [Mr. HAY] has an amendment drawn up covering this matter.

Mr. HULL. I must object to going back until we finish what we are now engaged on.

The question being taken on the amendment of Mr. SLAYDEN, it was agreed to.

Mr. HAY. I offer the amendment which I sent to the desk.

The Clerk read as follows:

> In line 2, on page 4, before the word "books," insert the word "technical," so as to read "technical books of reference."

Mr. HULL. Of course that is subject to a point of order, because we have passed that paragraph; but if the amendment can be acted on without debate, I have no objection to it.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] asks unanimous consent to recur to a previous part of the bill for the purpose of considering the amendment which has been read. Is there objection? The Chair hears none.

The question being taken on the amendment of Mr. HAY, it was adopted.

Mr. SLAYDEN. I move to insert in line 2, page 4, after the word "professional," the words "and technical," so as to harmonize with the language just now adopted.

The CHAIRMAN. Is there objection to considering the amendment proposed by the gentleman from Texas [Mr. SLAYDEN]? The Chair hears none.

The question being taken, the amendment of Mr. SLAYDEN was agreed to.

The CHAIRMAN. The Clerk will resume the reading of the bill.

Mr. HEMENWAY. I believe the proviso of the paragraph has not been read.

The Clerk read as follows:

> *Provided*, That hereafter section 3648, Revised Statutes, shall not apply to subscriptions for professional newspapers and periodicals to be paid for from this appropriation.

Mr. HULL. It seems to me that this is an important provision; but if the gentleman from Indiana [Mr. HEMENWAY] proposes to make a point of order upon it, I will at once admit that it is subject to such a point and after the ruling of the Chair I want to offer the provision in a form which I think will obviate the objection.

The CHAIRMAN. Does the gentleman from Indiana [Mr. HEMENWAY] make a point of order upon this proviso?

Mr. HEMENWAY. I do; and I will say that my only reason is in the interest of sound policy on the part of the Government. The general rule is that the Government pays for nothing until it gets it. I regard this provision as objectionable on the ground that it may be adopted as a precedent and extended to other matters.

Mr. HULL. It applies only to these professional newspapers and periodicals.

Mr. HEMENWAY. But if we allow it to go through in this case it may lead to dangerous practices in other directions.

The CHAIRMAN. Will the gentleman from Indiana [Mr. HEMENWAY] state his point of order?

Mr. HEMENWAY. This proviso proposes to repeal a section of the Revised Statutes relating to this subject. It is therefore a change of existing law.

The CHAIRMAN. The Chair sustains the point of order.

Mr. HULL. Then I offer the proviso in the form in which it appears in the last army appropriation bill:

> *Provided*, That section 192, Revised Statutes, shall not apply to subscriptions to newspapers by the military information division for the fiscal year ending June 30, 1905.

Mr. HEMENWAY. I reserve a point of order on that.

Mr. HULL. This simply suspends the operation of this provision so far as it may affect this appropriation. It is practically the same provision that has been in previous army appropriation bills.

Mr. HEMENWAY. Well, it will permit payment by the Government for something before the Government has received it.

Mr. HULL. Yes, sir.

Mr. HEMENWAY. Then I make a point of order against the provision, because it is the fixed rule of the Government not to do that. My point of order is that the amendment proposes to change existing law.

Mr. HULL. It is the provision of the last appropriation bill.

Mr. STEVENS of Minnesota rose.

Mr. HULL. Before the Chair decides the point of order, I ask that the gentleman from Minnesota [Mr. STEVENS] may be heard, to state the reasons for the amendment.

Mr. STEVENS of Minnesota. Mr. Chairman, perhaps the gentleman from Indiana may not quite realize the importance of this provision to the officers of the Army in distant stations. Most of the foreign periodicals—in fact, all of them—are required to be paid for in advance. When the law does not allow such payments from Government funds, the officers have to pay out of their own pockets and then wait for a year before being reimbursed, or else they must go without the periodicals. Now, many of the officers abroad are not so situated that they can pay or do pay for these publications in advance.

I think that if this provision could be limited to such cases as that it would be a wise thing. I believe that without some such provision as the chairman of the committee now offers there would be cases where the proper military information could not be obtained. I believe that if a limitation could be agreed to, confining the provision to foreign technical newspapers and periodicals, it would accomplish the purpose of the amendment of the chairman of the committee.

The CHAIRMAN. Does the gentleman from Iowa desire to be heard on the point of order?

Mr. HULL. Mr. Chairman, I simply want to call attention to the fact that I submitted the old proviso in the old bill without looking at it. I will ask the Clerk to report the one I now submit.

The Clerk read as follows:

> In line 14, after the word "*Provided*," insert: "That section 3648 of the Revised Statutes shall not apply to subscriptions for foreign and professional newspapers and periodicals to be paid for from this appropriation, ending June 30, 1905."

The CHAIRMAN. Does the Chair understand the gentleman from Indiana to make a point of order against this amendment?

Mr. HEMENWAY. I have no objection to putting in the word "foreign." I do not want to embarrass the committee. After the statement of the gentleman from Minnesota, if you add the word "foreign" I will withdraw the objection.

Mr. STEVENS of Minnesota. You make it "foreign and professional."

Mr. HEMENWAY. You have stricken "hereafter" out.

Mr. HULL. Only limiting this law to this appropriation.

Mr. HEMENWAY. I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn, and the question is on the amendment offered by the gentleman from Iowa.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

> Submarine cable, Sitka to Fort Liscum, Alaska: For the purchase, installation, operation, and maintenance of a submarine military cable for connecting the headquarters Department of the Columbia with military garrisons in Alaska, said cable to extend from Sitka, Alaska, to Fort Liscum, Alaska, to be immediately available and to remain available until expended, $[illegible].

Mr. PALMER. Mr. Chairman, I reserve the point of order for the purpose of asking a question of the chairman of the committee. Is this cable authorized by any existing law?

Mr. HULL. The cable is authorized in the sense that we have been appropriating for cables from year to year.

Mr. UNDERWOOD. I desire to make the point of order on the paragraph.

Mr. HAY. I make the point of order, if they are to reserve the point of order, the gentleman will have to ask unanimous consent for debate.

Mr. PALMER. I make the point of order in order to get information.

Mr. UNDERWOOD. If the point of order has not been made, I desire to make the point of order against the paragraph; and if the gentleman will allow me, as I believe the point of order has precedence——

Mr. PALMER. I would rather go on with my inquiry.

Mr. UNDERWOOD. I ask if I waive the point by allowing the debate to continue? If not, I will make the point.

The CHAIRMAN. The gentleman from Alabama will not waive his right so far as an opportunity to make the point of order is concerned.

Mr. HAY. I make the point of order that debate can not go on except by unanimous consent without the point of order is made.

The CHAIRMAN. That point of order is well taken.

Mr. HAY. I object.

Mr. PALMER. I make the point of order against this section that it is not authorized by any existing law, and on that question I suppose there will be debate.

The CHAIRMAN. The gentleman from Pennsylvania makes the point of order that this paragraph is not authorized by existing law.

Mr. PALMER. This submarine cable, provided in lines 8 to 15.

Mr. UNDERWOOD. That was not the point I desired to make. Further, I desire to state that point, so that it will not be lost. I desire to make the point of order against that portion of the section that reads: "To be immediately available and remain available until expended." These words go beyond the power of the Committee on Military Affairs, and I ask that that point of order be pending until the other point of order is disposed of.

Mr. BURKETT. Mr. Chairman, there is another point of order against this. I desire to raise it so that we may take them altogether.

The CHAIRMAN. The Chair is of the opinion that at present the point of order stated by the gentleman from Alabama is broader than that made by the gentleman from Pennsylvania, and therefore that is the point first to be considered.

Mr. BURKETT. The other point can be raised against it after that is considered if it is not valid.

The CHAIRMAN. They had better be stated now.

Mr. BURKETT. The point of order I make against this is that it is a permanent appropriation, contrary to the statute, continuing over two years.

Mr. PALMER. My point of order is not technical. The point is this: Has this submarine cable been authorized by any existing law?

Mr. HULL. If the gentleman will look back over the appropriations he will find that these appropriations for the Army——

Mr. HAY. My point of order is that the gentleman can not discuss the point of order unless it is made.

The CHAIRMAN. That point of order is well taken.

Mr. PALMER. I would like to know what the point of order is, and I would like to be heard on it.

Mr. UNDERWOOD. I would like to be heard on the point of order I have made.

The CHAIRMAN. The Chair will first hear the gentleman from Pennsylvania upon the point of order which he raised.

Mr. PALMER. My point of order is that so much of the bill as is contained in line 8 to line 15, which provides:

Submarine cable, Sitka to Fort Liscum, Alaska: For the purchase, installation, operation, and maintenance of a submarine military cable for connecting the headquarters Department of the Columbia with military garrisons in Alaska, said cable to extend from Sitka, Alaska, to Fort Liscum, Alaska, to be immediately available and to remain available until expended, $[illegible]

is subject to the point of order that that cable has not been authorized by any existing law and that you can not legislate upon a general appropriation bill. That is the point of order.

Mr. HULL. Now, Mr. Chairman, will the Chair kindly state what the point of order of the gentleman from Pennsylvania is?

The CHAIRMAN. The point of order of the gentleman from Pennsylvania, as the Chair understands it, is that the appropriation covered by the paragraph beginning in line 8 and ending in line 15, page 5, is not authorized by existing law.

Mr. HULL. Mr. Chairman, this is part of the administration of the Army. We have troops scattered all over Alaska; it is a military division, and there is no connection with them for eight months in the year except by cable; probably nine months in the year it will be impossible to reach them except by this. For some years back the army appropriation bill has carried an appropriation for continuing this work of cables to connect the military posts in Alaska with this country. This is to finish up that work and make the last connecting link between the United States and the different posts and stations in Alaska. It is to finish work commenced and carried on by appropriations from year to year. We are now dependent upon a foreign line to reach Alaska by running through Canada out there until they strike our outside posts and then connect with our cables, and our dispatches are returned the same way.

I do not believe it is subject to the point of order because it is a continuing work for the use of the Army and is as much in order as building a new battle ship for the Navy or the construction of new posts for the Army. It is absolutely in my judgment, in order, and if it were even subject to the point of order, I regret to see that any man in the American Congress should evoke a technical rule for compelling us to be dependent upon a foreign government to communicate with our own people. [Applause.]

Mr. PALMER. Now will you answer a question?

Mr. HULL. Will you not let the point of order be decided now?

Mr. PALMER. I would like to have the gentleman state to the House how many military posts there are between Sitka and Fort Liskum, Alaska, that will be reached by this proposed cable.

Mr. HAY. I make the point of order that it is not germane.

Mr. HULL. That does not hit the question at all.

The CHAIRMAN. The Chair is ready to rule upon the points of order. Rule 21, second paragraph, provides that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress; nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

Now, the Chair has not been pointed to any law authorizing the laying of any submarine cable of which this cable is to be a continuation, nor to any appropriation of which this proposed appropriation will be in continuation. Upon its face this appears to be an entirely new appropriation for an entirely new cable, and the situation is much the same as if it appropriated for the construction of a transcontinental railroad for the transportation of troops without previous authority of law for its construction. Furthermore, as suggested by the point made by the gentleman from Alabama, the language of the paragraph makes this appropriation "immediately available," and in the point made by the gentleman from Nebraska it is "to remain available until expended," although this is the army appropriation bill "for the fiscal year ending June 30, 1905." Upon consideration of all these matters, the Chair holds that this paragraph is not in order upon this bill.

The Clerk read as follows:

PAY OF ENLISTED MEN.

For pay of enlisted men of all grades, including recruits, $9,000,000: *Provided*, That hereafter first-class gunners of field artillery shall receive $2 per month and second-class gunners $1 per month in addition to their pay.

Mr. HEMENWAY. Mr. Chairman, I just reserve the point of order and ask the chairman if this is an increase of pay?

Mr. HULL. That is subject to a point of order, but before the gentleman——

Mr. HEMENWAY. I said I reserved the point of order.

Mr. HULL. The gentleman from New Jersey [Mr. PARKER] is very greatly interested in this, and it has also been cordially recommended by the Department, and I would like for the committee to hear him.

Mr. PARKER. This clause is certainly subject to the point of order. In the Navy the pay of the men is not fixed by law, but by a regulation of the President; and from time to time, as the development of modern gunnery and small-arm practice have shown the need of intelligent marksmanship, higher pay has been given to expert marksmen and higher pay has been given to expert gunners. In the Army, being bound by law to pay so much to every sergeant, every corporal, and every private, there has been no power to do as the Government ought to do, and to encourage such marksmanship without an act of Congress. The difficulty of passing special acts for all manner of improvements of the Army will be seen by every Member of this House.

It was only last year that in the infantry and cavalry and, indeed, throughout the service we gave $1 a month extra pay to very expert marksmen, but we had nothing for gunners. General Randolph, Chief of Artillery, in speaking of this matter, says:

That has not been brought up but I want to speak of it because we have a class of what we call "gunners" specialists, with [illegible] men, who can pass a much more rigid examination than any of those who are classified "gunners." They have become very expert. I mentioned it in my report. It says [illegible]:

"Attention is particularly invited to the report of the work done by six of these in the artillery district of Portland, during the combined maneuvers, which was [illegible] pay [illegible] stations. The commandant of the artillery school in his annual report to the Adjutant-General recommends that Congress be asked to enact a law."

Now, that law was for even more relief than this. In 1901, February 20, the act increasing the efficiency of the permanent military force provided that first-class gunners should receive $2 per month and second-class gunners $1 per month, in addition to their pay. In the estimate this act is referred to for these classes of gunners.

I will read a letter from the War Department:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, December 31, 1903.

SIR: I have the honor to invite attention to the provisions of section 7 of the act of February 2, [illegible], "to increase the efficiency of the permanent military establishment of the United States," which provides that first-class gunners shall receive $2 per month and second-class gunners $1 per month in addition to their pay.

It appears to have been held that the term "gunners" as used in this act applies only to coast Artillery, the Field Artillery not being in existence when that law was passed. Experience, however, shows that the first and second class have been provided for in the Field Artillery and it seems to be for the best interests of the service that the same encouragement be given to excellence in the Field Artillery as is given for the gunner's class as [illegible] in the Coast Artillery and several other organizations. I therefore respectfully recommend that the inclosed copy of a provision authorizing the increased pay for gunners of Field Artillery be inserted in the army appropriation bill under the head of "Pay of enlisted men."

Very respectfully,

S. B. M. YOUNG,
Lieutenant-General, Chief of Staff.

The SECRETARY OF WAR.

And then follows the proviso:

For extra pay to gunners of field artillery, $11,160: *Provided*, That hereafter first-class gunners of field artillery shall receive $2 per month and second-class gunners $1 per month in addition to their pay.

It is therefore a provision which simply extends to the field artillery this provision for pay as experts that existed before in reference to the coast artillery.

Mr. HEMENWAY. Let me ask the gentleman what is the pay now of a gunner of the first and second class?

Mr. PARKER. My understanding is that a gunner is simply a private, and he is to be paid in this way $2 a month extra, and that is all.

The CHAIRMAN. Does the gentleman from Indiana withdraw his point of order?

Mr. HEMENWAY. I do, Mr. Chairman.

Mr. PALMER. Mr. Chairman, I move to strike out the last word for the purpose of making an inquiry of the chairman of the committee. I observe that the bill appropriates $6,071,425 for the pay of the officers of the line and $9,000,000 for the pay of the enlisted men. Now, does not the gentleman think that is a pretty large proportion, that the officers of the Army should get two-thirds as much pay as the whole Army?

Mr. HULL. Mr. Chairman, I do not think it is a question of what I think, or what the gentleman from Pennsylvania thinks. The law of the United States provides for an army composed of so many men, commissioned officers, and for so many enlisted men in the time of war, to be reduced to a minimum in time of peace.

We are providing for a little less than the number of officers provided for by law, on the theory that there would not be the full number of officers, owing to death or resignation or retirement; that there would always be a little shortage in the number. The Pay Department computed for the total number authorized by law. The committee cut it down to what they believed the general average would be, as we have done heretofore, and there has been no shortage.

If the gentleman thinks there are too many officers in the United States Army, a very simple remedy would be for him to introduce a bill embodying his ideas as to the number of officers, and then, if it should become a law, the committee in preparing the next bill would appropriate on the basis of the new number fixed under the bill that might be enacted.

Mr. PALMER. The gentleman from Pennsylvania does not think anything about it; he rose to get information which he is entitled to, and I see that the chairman of the committee is willing to give it. I wish to inquire whether the organization of officers from the General Commanding the Army down through the various grades of brigadier-general, colonel, captain, and lieutenant is not practically as large as it was when the Army had 200,000 men?

Mr. HULL. No; but as large as it was when the Army had 100,000 men or 96,000.

Mr. PALMER. Has there been any proposition to reduce the number of officers in the Army to correspond with the reduced Army?

Mr. HULL. No; and I will tell the gentleman why. In the reorganization of the Army the bill provided that in time of war they could fill up the companies to the maximum and in time of peace reduce them to the minimum. That gave to the Army in the time of peace 60,000 men in round numbers, but it did not disturb any organization. It left the organization intact, so that in time of emergency you could put the recruit in with the trained soldier and fill up regiments without increasing the officers in time of war, except as they might be increased by volunteer regiments taken in. As I understand it, the gentleman from Pennsylvania had a war service during the civil war; and if he will remember back, he will remember that one of the greatest influences for crippling the service was the constant making of new regiments, with new officers. That, at the close of the war, was changed so that the recruit went into the old regiment, into a veteran regiment with veteran officers, and became a fighting machine much quicker than when he went into a new regiment under inexperienced officers.

We believe and Congress believes that the number of officers provided for were necessary in time of war and time of peace, and to-day, in place of proposing to decrease the officers, there is a cry from many parts of the country and from the War Department for an increase in the number of officers. Every State wants a detail of a regular officer in connection with their National Guard. Every school of any size in the country is clamoring for the detail of an officer as a military instructor; so that in place of having too many officers, we have fewer officers than meet the need of the country in time of peace, and a bill is now before the Congress of the United States to give the power to use some of the officers on the retired list for the different services where they can be of service as military attaches abroad, as instructors in military schools, in addition to what is now provided for in the bill.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. HULL. Then, Mr. Chairman, I will talk in my own time for two or three minutes. I beg the pardon of the gentleman from Pennsylvania. But I will give him ample opportunity to talk.

Mr. PALMER. Oh, that is all right; I am getting the information I desire.

Mr. HULL. I was trying to answer the gentleman's question and run off onto another line. With the creation of the General Staff there is a large detail of officers from the line, and to-day in Manila there is not one-third of the companies with their full complement of officers.

In the United States there is not one-third of the companies with their full complement of officers, and if we continue on the line of peace a few years more the demands of the different States, the demands of the different institutions of learning, the demands for military attachés abroad will make a growing demand for increasing the number of officers of the Army or giving the power to employ officers on the retired list for this class of duty.

Mr. PALMER. There are thirty regiments of infantry and fifteen regiments of cavalry and some artillery. Now, the gentleman says that these organizations are short of officers. Where are these officers that are getting $6,000,000 every year as pay from the Government? What are they doing?

Mr. HULL. Those that are with the companies are performing the duties of the line, and those that are on detached duty are doing the duty that the Secretary of War and the President of the United States have assigned them to do. There are thirty regiments of infantry, fifteen regiments of cavalry, and there are some fourteen regiments of artillery, if they had a regimental organization.

Mr. HITCHCOCK. Mr. Chairman, I would ask the chairman of the Committee on Military Affairs to inform the House what the total amount of pay for officers is, including officers of the line and those mentioned under different classifications later in the bill.

Mr. HULL. I have not added that up. If the gentleman will take the pay given to staff officers, which does not include the General Staff—they are all officers of the line and appropriated for under this—if he will take the Engineer Corps and the Adjutant-General's Corps and the Medical Corps and the other staff corps of the Army, and add what we appropriate there to what is appropriated under this head, the gentleman will get it. But I want to say, Mr. Chairman, that what the committee has done is simply to take the law and make the appropriations that the law requires should be made. It may be possible that in the desire of the committee to save some money we have cut this a little below what we will actually need to pay the officers, but in my judgment it is ample.

Mr. HITCHCOCK. Can the gentleman state why it is that the Army of the United States, consisting of only some 60,000 men, requires an annual appropriation so much larger in proportion than does the army of any other great nation of the world?

Mr. HULL. Oh, yes; I can state that, and take great pleasure in doing so. I say, Mr. Chairman, that it is because it is the Army of the United States. We give our soldiers more pay than any other nation on earth, because they are citizens of the United States of America. Germany pays $2.50 a month; Austria pays 90 cents a month; Italy pays less than a dollar a month. We pay $13 a month and add to their pay every year up to $18 a month, and I want to say to the gentleman that I am glad that I belong to a country that does not have to resort to conscription to carry its flag; that I belong to a country that is willing to recognize the man who is willing to imperil his life in defense of that flag and the honor of the country; that I belong to a country that believes that the man who does that is worthy of having at least a living wage while he is serving under the starry banner of the Republic. [Applause.]

I am not willing to even concede that the Congress of the United States should be criticised for liberal pay to the soldiers and sailors of the United States. We pay higher wages to our soldiers and sailors than any other nation on earth, and, thank God, we are able to do it, and we will continue to pay it while we are as patriotic as we are to-day. [Applause.]

Mr. HITCHCOCK. I would like to ask the gentleman if it is not a fact that in this great appropriation of $[illegible] only $9,000,000 goes as pay to the soldiers. I have been trying to find out how much went as pay for the officers, but the gentleman seems to be unable to state.

Mr. HULL. There is a good deal more paid to the soldiers than to the officers. I want to say to the gentleman that while we pay our officers in the lower grades higher wages than any other nation, we pay our officers in the higher grades lower wages than any other nation.

If the gentleman will refer to page 189 of the Book of Estimates and the pages immediately following, he will see stated the exact amount of money paid to each class of officers and to the enlisted men of our Army.

Mr. GROSVENOR rose.

Mr. HULL. I yield to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. I simply wanted to call attention to the fact that the pay of the soldier is one thing, to which must be added his rations and clothing.

Mr. HULL. Certainly.

Mr. GROSVENOR. Some gentlemen here do not seem to understand that.

Mr. HULL. That allowance is made also by other nations, but in a less degree.

I wish to say to my friends on the other side another thing in connection with the suggestion of my friend from Ohio. When our army went to China in the advance guard to relieve the legations there, it was the best equipped and the best fed army of all the armies of all the nations of western civilization that landed on the shores of China and marched to Pekin, and the officers of the German and some other armies said that our enlisted men were better clothed and better fed than were the officers of many other countries.

Mr. PRINCE. I suggest that if gentlemen will refer to the report accompanying this bill—report 421, page 5—they will see there a specific detail of the appropriations. I think this will answer the question that has been raised.

Mr. HULL. Yes; it is all stated in detail there. I ask for the reading of the bill.

The CHAIRMAN. Without objection, the pro forma amendment of the gentleman from Pennsylvania will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

And said clerks and messengers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve.

Mr. UNDERWOOD. Mr. Chairman, I desire to reserve a point of order upon that provision.

Mr. HULL. Do you raise it now?

Mr. UNDERWOOD. Yes, sir.

Mr. HULL. Then I want to be heard on that point of order. If there is anything in continuing appropriations where officers are appropriated for for a long series of years, and where the question has been raised and decided on points of order as to their pay, I think if the Chair will take time to look into this question, he will see that this provision belongs absolutely here; otherwise there is no such thing as establishing the right of a committee to report such provisions.

I do not believe the Chair gave to the other proposition the consideration that he usually gives to all questions coming before him. But some five years ago, when Mr. HOPKINS (then a Member from Illinois, now Senator) was in the Chair, an increase of pay was asked for these clerks, and the point of order was raised that we could not make the increase and could not retain them in the bill. That is my recollection of the matter. And after full discussion and careful consideration by the Chair the point was overruled.

Provisions of this kind have been in a great many appropriation bills for a number of years—I do not know how many. In my judgment they are as clearly within the jurisdiction of the Committee on Military Affairs as any single appropriation in the bill. These are different clerks from those provided for by the Department. They have been carried in this bill from the time these offices were created and appropriated for. They are headquarters clerks, not departmental.

If the point of order should be overruled, I desire to have read a communication on this point from the Secretary of War. If the Chair would like to hear it, it can be read now.

The CHAIRMAN. Will the gentleman from Alabama [Mr. UNDERWOOD] state his point of order?

Mr. UNDERWOOD. I was waiting for that purpose until the gentleman from Iowa had concluded. I had not stated the point of order, but the gentleman seemed to anticipate that I was going to make it and seemed to be fully prepared to answer it. He read my mind very successfully.

Mr. HULL. We have thrashed this straw over a good many times.

Mr. UNDERWOOD. Mr. Chairman, my point of order is this: That certain provisions in this paragraph are not within the jurisdiction of the Committee on Military Affairs.

This provision provides for one chief clerk at $2,000. It is evident from the language of the bill that that chief clerk will be employed here in the District of Columbia. Now, it is not necessary to discuss to the Chairman and to the House the necessity of a Committee on Appropriations remaining in its own jurisdiction. If you allow the committee on general appropriations to assume general jurisdiction of one appropriation and then the Committee on Military Affairs to assume the same jurisdiction, you have the heads of Departments where they have got two doors through which they can go to get their money, and Congress will have no check whatever upon the Departments here.

Now, that is an ample and good reason why the committee should be held within its own jurisdiction in its own bill. When the bill carrying appropriations for the Army was originally taken from the general Appropriations Committee and given to the Committee on Military Affairs its jurisdiction was definitely and clearly defined. It was given jurisdiction of those appropriations which applied to the Army at large, those appropriations which applied to the military establishment. But Congress at that time retained in the hands of the general Appropriations Committee those appropriations relating to the Army that provided for the Department clerks and those persons employed in the War Department whose place of business was in the city of Washington. I do not think the gentleman from Iowa disputes that point.

Now, the question is, Congress having left in the hands of the Appropriations Committee the right to appropriate for the great Departments here, including the War Department, and the gentleman from Iowa and his committee, knowing that they have no jurisdiction over those clerks located in the Departments here, went beyond their jurisdiction when they sought to appropriate for a chief clerk in the headquarters, because that chief clerk is located here. The appropriation for and establishment of that position must go on the legislative bill. Now, I know that the gentleman from Iowa will in all probability cite me to the fact that this belongs to the Commanding General of the Army, and that the Commanding General of the Army does not come within the jurisdiction of the legislative bill. I grant that. I grant that the old position of General Commanding the Army did not come within the jurisdiction of the legislative bill, but that office of Commanding General of the Army has been abolished. There is no such office existing.

Mr. HAY. How about the office of Chief of Staff?

Mr. UNDERWOOD. I am coming to that. Congress has established another office, the Chief of Staff, and in the legislation creating that office the Chief of Staff is located here and becomes a part of the establishment of the Secretary of War. He is not an independent officer. Under the old law the general in command of the Army could locate his headquarters where he pleased. We all remember that General Sherman at one time took his office away from the city of Washington and located it in the city of St. Louis, Mo. It was a part of the army establishment, and not a part of the War Department here, located in Washington. But when Congress passed the law establishing the office of Chief of Staff, that office became a part of the War Department itself.

The Chief of Staff can not move his office away from Washington except by order of the Secretary of War or the President, his chief. He is located here, and the clerks in his main office are as much a part of the War Department as the chief clerk of the War Department. The chief clerk of the Chief of Staff is as much a part of the staff of the War Department as the chief clerk of the Department is, and has nothing to do with the military establishment at large. Therefore I say, Mr. Chairman, that in the legislation now taken the House might as well recognize this proposition and clearly define it. It is bad legislation and bad practice to allow two committees to exercise jurisdiction in the same matter. This matter of Department clerks comes within the jurisdiction of the general Appropriations Committee, and they have provided for them on the legislative bill. Now, I say, if the Committee on Military Affairs invades their jurisdiction, why Congress will lose all check in this matter, because you will have two committees legislating in reference to the same matter. Believing that the Chief of Staff has become under the law a part of the War Department and no longer is a separate establishment, belonging to the Army at large, I say that this provision is not in order on this bill.

Mr. HULL. Mr. Chairman, the only argument of the gentleman that I could catch that has any bearing on this is relating to the Chief of Staff. The Chief of Staff, under the law creating the office, took the place of the Commanding General of the Army, and wherever the Commanding General of the Army is mentioned in any of the laws it applies to the Chief of Staff. Now, if you will go back to the appropriations, you will find in the appropriation bill ending June 30, 1901, we lumped these clerks together, with fifteen clerks at $1,800, and ten at $1,600, and so forth.

In the act expiring June 30, 1902, we segregated and made the clerks exactly as they are now paid. The act of Congress (Fifty-third Congress), United States Statutes at Large, page 236, provides specifically for and creates these offices:

For clerks and messengers at the headquarters of the Army and at the several departmental headquarters.

The Chief of Staff is the headquarters of the Army now, whether he is located in Washington or New York. He takes the place of the Commanding General of the Army.

At the recruiting headquarters and depots; at the Military Academy at West Point; at the artillery school at Fort Monroe, Va.; at the infantry and cavalry schools at Fort Leavenworth, Kans., and at the cavalry and light artillery school at Fort Riley, Kans., not exceeding ninety clerks, at $1,000 each; twenty-five clerks, at $1,100 each; ten clerks, at $1,200, etc.

The law afterwards changed their pay, as I have said, by the appropriation act expiring June 30, 1902. It was never carried in the legislative bill, these clerks having nothing to do with departmental work. They are at the Headquarters of the Army and do the military work of the Army, and have never been carried on any appropriation bill except the army appropriation bill.

Mr. UNDERWOOD. Will the gentleman from Iowa answer a question?

Mr. HULL. Certainly, if I can do so.

Mr. UNDERWOOD. Here is the office of a chief clerk, at $2,000. Will not that clerk be located with the Chief of Staff, in the District of Columbia, at the War Department?

Mr. HULL. He will be with the Chief of Staff, wherever he goes, just as he was with General Miles when he was Commanding General of the Army during his entire time.

Mr. UNDERWOOD. Does the gentleman mean to say that the Chief of Staff has a right to move his office out of the city of Washington?

Mr. HULL. No. Neither has the Commanding General of the Army——

Mr. UNDERWOOD. He did do it.

Mr. HULL. He did it by authority of the President. The Commanding General could not move his offices. When General Sherman went to St. Louis he applied to the President of the United States for authority to go to St. Louis.

Mr. UNDERWOOD. I would like for the gentleman to show his authority for that.

Mr. HULL. All officers of the Army are subject to the President's authority.

Mr. UNDERWOOD. The President could order him back, or the President could suspend him.

Mr. HULL. When General Scott went to New York it was by consent given by the President of the United States.

Mr. UNDERWOOD. I presume the President could order him there, but I say there is no law requiring him first to go to the President to get his consent.

Mr. HULL. There is the general law of the Constitution of the United States, which makes the President of the United States Commander in Chief.

Mr. UNDERWOOD. The President may be Commander in Chief of the Army, but——

Mr. HULL. And it is suggested by my friend from Minnesota very pertinently that Congress could not make a law compelling the President in these matters.

Mr. UNDERWOOD. I admit that, but it does give authority to the General of the Army to move his headquarters anywhere he pleases without consulting the President. The President can order him back, and if the gentleman has authority for it there I would like to see it, as I have not seen it.

Mr. HULL. I think they are all subject to assignment by the President entirely, and this matter was created by law and placed in the army bill and carried in that ever since.

Mr. PARKER. Mr. Chairman, I desire to say just a word upon this point of order. It seems to me that in discussing such points as these it is advisable not only to look into the history of the appointment of these clerks, but also into the reason for that history. These clerks who have headquarters with the various major-generals and the headquarters of the Commander in Chief, which practically is that of the Chief of Staff, have in history been always appointed and draw their appointment from an army appropriation bill, which said, and it says here:

To be appointed and assigned by the Secretary of War.

Hence, in the whole history of legislation they have not come within the legislative or civil appropriation bill, but have been carried in the army appropriation bill. Such a history must have a reason, and it does have a reason, many reasons. One reason is that that clerk who sits in the office of the general is not selected merely because he knows this or that and can pass a civil-service examination.

He must have a certain amount of acquaintance with military affairs to do his duty in that office. He must know military terms; he must know the customs of the Army; and I do not speak from knowledge, but I will speak from presumption and say I believe that most of these clerks have served in the Army as noncommissioned officers, and have obtained the experience which enables them to be useful clerks in that way, and not by any civil service and with no sort of examination to take that place.

In the next place, they must be men who can be trusted, whom the General has known for years, known as soldiers, men whom he knows he can trust just as well as any soldier in his command, because secrets of his command in time of war and in time of peace go through these men. They must be in a way military men. They must be selected, therefore, for their military ability, just as you would select officers. For these reasons the law has always given the appointment of these clerks to the Secretary of War, and probably on the recommendation of different officers whom they are to serve.

These reasons are valid reasons for maintaining the law as it stands, and not for upsetting it and a statute of the United States—not only one statute but successive statutes of the United States—by a point of order raised under the rules of Congress.

Now, I appeal to the gentleman from Alabama, as one who loves the Army, if he thinks there is anything in his point of order, to withdraw it under the circumstances for the benefit of the Army. But if he insists on it I appeal to the Chair to overrule it, because the point of order is taken against the precedent of repeated statutes passed for good reasons for a term of years.

Mr. SLAYDEN. Mr. Chairman, I think the contention of the gentleman from Alabama [Mr. UNDERWOOD] that the General Staff is a part of the civil executive establishment here in Washington, presided over by Secretary Root, is altogether wrong. The General Staff is composed of officers of the line, a part of the effective fighting machine, and for the time being designated for the performance of a certain duty.

Mr. STEVENS of Minnesota. And scattered all over the country.

Mr. SLAYDEN. And, as the gentleman from Minnesota says, scattered all over the country. While they are here in the city of Washington it is true that they are not here as a part of the civil establishment known as the War Department. The headquarters of the Army has to be established somewhere, and it happens to be convenient to have it in the vicinity of the offices of the Secretary of War and of the President. Clerks in the offices of the General Staff are as nearly connected with and as certainly connected with the line of the Army appropriated for by this bill as are the clerks in the various departments in Manila or elsewhere, and may be ordered all over the country.

Mr. STEVENS of Minnesota. Mr. Chairman, there is one matter of history that ought to be considered. Some years after the civil war a considerable part of this work was transacted by enlisted men in what is known as the general service corps, if I remember correctly. That was abolished, whether by statute or by order of the Secretary I do not know, but it makes no difference for the purpose of this question. The work that was done by enlisted men in the Army and paid for out of army appropriations is the identical work that is provided for by this section. So it has not only been carried as a matter of history in the army appropriation bill, but the reason for it is that the men perform military work. They carry out the military orders of the military officers; they have done it either as enlisted men or as civilians, and as it happens now in this bill, they are carried as civilians.

Mr. UNDERWOOD. Mr. Chairman, in answer to what the gentlemen have said, I will say that some of my friends on the other side of the Chamber have misunderstood my position in reference to the clerks in the army establishment outside of Washington. I admitted at the beginning, and admit now, as to those clerks employed by the general army establishment not in the District of Columbia, the military committee has already had jurisdiction of that matter, and has it now. But I say that when the Congress repealed the law under which we had a Commander in Chief of the Army of the United States and established a Chief of Staff in his place at the same time it practically abolished the Adjutant-General's Office so far as the control of the clerks in Washington went. It made him merely adjutant of the Chief of Staff.

The clerks with the Adjutant-General's Office were always carried on the legislative bill. These men are now transferred to a different division, many of them going, and a large portion of the work going, under the Chief of Staff. Some of it goes to other places, but the great bulk of the Adjutant-General's work goes to the Chief of Staff. It was always provided for in Washington; the work must be done in Washington, where he can be communicated with by the Secretary of War and the President. There is a portion of the work of Chief of Staff that is, I admit, and properly belongs to the military establishment.

Mr. HULL. Will the gentleman from Alabama yield for a suggestion?

Mr. UNDERWOOD. Yes.

Mr. HULL. On page 8 the gentleman will find the same provision placed in the bill:

And said clerks and messengers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve.

Mr. UNDERWOOD. Certainly; but it was limited entirely to the Commander in Chief of the Army. Now, I understand—and if I am wrong the gentleman from Iowa [Mr. HULL] can correct me—

that this one chief clerk at $2,000 and four clerks at $1,800 each are to be employed here in Washington in the office of the Chief of Staff, and not in the field.

Mr. HULL. I can not say where he will assign them. I have not looked into it, but I will call the attention of the gentleman to one other matter——

Mr. UNDERWOOD. But let me ask the gentleman a question right there.

Mr. HULL. Certainly.

Mr. UNDERWOOD. The gentleman reported this bill to the House.

Mr. HULL. Yes.

Mr. UNDERWOOD. And he says that these appropriations for these clerks are necessary. Now, does he mean to tell the House that his committee has no information as to where these clerks are to be established?

Mr. HULL. We have placed no limitation upon the Secretary of War. Our understanding is they are to be employed at headquarters—division headquarters, department headquarters, and the Headquarters of the Army.

Mr. UNDERWOOD. I understand that, as to the other clerks on the other side of the page, but I want the gentleman to state—if he says it is serious and if he knows these clerks will be employed in the field, then I have nothing more to say—if it is not a fact that these particular clerks named by me were to be employed in Washington, and do not the hearings of the gentleman's committee show that?

Mr. HULL. My understanding is that the one employed here in the Chief of Staff office, especially, is the highest paid clerk carried on the rolls.

Mr. UNDERWOOD. Do not the hearings of the gentleman's committee show that these clerks named by me are to be employed in Washington in the War Department?

Mr. HULL. No; they may be sent out, but they can be employed here if necessary as part of the headquarters of the Army. There is no doubt that some of them will, and I will state to the gentleman, further, that the Secretary of War sent up a request for a large additional number of clerks, and we believed that it would be subject to a point of order and did not put it in the bill. If the gentleman will look back to the last appropriation bill, when the law creating a Chief of Staff was fresh, he will find there that one chief clerk at Headquarters of the Army, or that of the Chief of Staff, was provided for at $2,000, and that is the one clerk that is clearly to be employed here with the Chief of Staff.

Mr. BENNY. Mr. Chairman, will the gentleman from Alabama yield for a question?

Mr. UNDERWOOD. I will.

Mr. BENNY. Does the gentleman believe that the clerks are necessary?

Mr. UNDERWOOD. Oh, I have no doubt they are necessary.

Mr. BENNY. Has the gentleman any objection to the amount of salaries appropriated by this bill?

Mr. UNDERWOOD. None whatever.

Mr. BENNY. Has the gentleman any idea that they will draw these salaries more than once in case this bill passes?

Mr. UNDERWOOD. No.

Mr. BENNY. Then why not let us go along and transact some other business?

Mr. UNDERWOOD. That is very kind of the gentleman who has just addressed me; but as the gentleman is a new member and probably not very well informed, I would state to him that it has been the custom of the House in the past to assign different matters to various committees when Congress assembled and that certain amounts of appropriations are assigned to the Appropriation Committee and certain other appropriations for clerk hire and other things are assigned to the Military Committee.

Thus we assign tariff bills to the Committee on Ways and Means and public-building bills to the Committee on Public Buildings; and if one committee invades the jurisdiction of another committee, it brings about a great deal of confusion in legislation, and on appropriation bills necessarily means lax management and a lack of economy. As this is a new question, this Chief of Staff, as to whether he belongs to the general military establishment at large and should come under the direction of the Committee on Military Affairs or as to whether he is a part of the Department and belongs to the jurisdiction of the Committee on Appropriations, and as this is the first time it has come before the House, it is an important matter that the jurisdiction of the two committees should be defined. It is not that I care very much which committee has jurisdiction, but it is of the utmost importance to good legislation to have the jurisdiction defined so that we will not have two committees legislating about the same matter. I therefore can not yield to the point that the gentleman makes.

Mr. PARKER. Mr. Chairman, I wish to put a question to the gentleman as to whether the clerk at military headquarters and the clerks in the office of the Chief of Staff were not of the same character—segregated from the ordinary clerks, but allowed to have the confidential information that belongs to military actions, with the only difference that the men in the office of the Chief of Staff must know much more about it than those at headquarters?

Mr. UNDERWOOD. Let me say to my friend from New Jersey [Mr. PARKER] that the question whether the Appropriations Committee or the Committee on Military Affairs should have jurisdiction of a particular matter—the wisdom of the assignment to one or the other of these committees—is not a question which it is necessary for us to discuss here. The gentleman may be very wise and correct in his judgment on that question. But that jurisdiction has been defined. If the gentleman does not like the definition that has been given by the House in defining the jurisdiction of these committees, he has his time and his committee have had time to try to change it; that is, when the President's message comes in and the jurisdiction of the committees with reference to the different subjects embraced in that message is defined.

Mr. PARKER. I am not arguing on that point with the gentleman, because that is a matter for the Chairman of the Committee of the Whole; but I did have an argument with the gentleman in which I appealed to him, for the sake of the good of the Army, not to differentiate the clerks at headquarters and the clerks who have to do with the office of the Chief of Staff. I appealed to my friend and to the House for unanimous consent to allow this matter to go on the appropriation bill. I do this because I think it is for the good of the service that it should be done. I do not understand why the technical point should be taken when the good of the service demands that it should be waived.

Mr. UNDERWOOD. I do not desire to take any "technical" point in this matter; but the House has heretofore defined the jurisdiction of the Committee on Appropriations and has put under the jurisdiction of those clerks employed in the War Department as a part of the War Department establishment. I say that under the law this office of Chief of Staff comes within the jurisdiction of the Committee on Appropriations. It is not with me a matter of personal convenience; but I may decide this question; but I want a decision, so that the line may be definitely drawn.

Mr. HAY. As I understand, the point of order of the gentleman from Alabama goes only to lines 7 to 15, on page 7.

Mr. UNDERWOOD. Well, I am informed, and if I am wrong I ask the gentleman from Iowa to correct me, that these are the only two classes of clerks that will be employed in the Department here at Washington; that these clerks have been considered by the Committee on Military Affairs in one paragraph with the clerks in the field. Now, as to the clerks in the field I have no statement to make; but as to the clerks in the Department in Washington I raise this question.

Mr. HAY. The paragraph does not show which of these clerks are to be employed "in the field," as the gentleman puts it. They are not "in the field," but at the headquarters of the military divisions in various parts of the country.

Mr. UNDERWOOD. As I understand, your hearings show——

Mr. HULL. No. There were no hearings at all on this matter.

Mr. HAY. That is true. There were no hearings on this subject. This bill has been drawn in this way, to my personal knowledge, for the last seven years; how much longer I do not know.

The clerks under the Chief of Staff, as I understand, are not legislative clerks under the legislative bill.

Mr. HULL. Yes, they are; but not the clerks at military headquarters.

Mr. HAY. Those are the clerks that we are talking about. Those are not provided for in the legislative bill.

Mr. HULL. No; they are not appropriated for in the legislative bill.

Mr. BINGHAM. Allow me a word. In the Book of Estimates, at the foot of page 49, will be found the estimates for the office of Chief of Staff in the civil administration of the War Department, for which there is an estimated $20,460, the appropriation for the current year being something over $9,000. This clerical force of the Chief of Staff has heretofore been paid from what is called the "temporary fund" of the War Department appropriated in the legislative bill; and for the next fiscal year we have provided a temporary fund in the amount of $325,000, which will include all the details of the civil administration of the Chief of Staff, as well as other War Department expenditures for clerical force.

Mr. HAY. Is the chief clerk provided for in this bill provided for in the legislative bill?

Mr. BINGHAM. Here is the Book of Estimates. In the legislative bill we find in the office of Chief of Staff, one chief clerk of division, $1,800.

Mr. HAY. That is one clerk—a chief of division.

Mr. BINGHAM (continuing). So many clerks of class 3, so many clerks of class 2, so many of class 1, draftsmen, etc. Now,

let me give the gentleman the information. When the legislative bill was made up we took into consideration in the temporary allowance of $325,000 to complete the equipment for the future, in the discretion of the Secretary, the Chief of Staff's office. Now, that applies only to the Chief of Staff. I do not believe the point of order runs as to the other branch of your bill, applying to clerks and messengers at headquarters of divisions and departments, because I believe they are military. But the civil establishment, the War Department civil establishment, and the estimates for the Chief of Staff we gave the allowance of $325,000, to employ on the temporary roll in that Department for the next fiscal year, in order that the Secretary of War may organize his Department as seemed to him best. I consider that in the line as it is here in the bill it is out of order.

Mr. HULL. Will the gentleman allow me to ask his attention to the Book of Estimates, page 150, for pay of the Army, where the estimate is made? I find the language:

Pay to clerks and messengers at headquarters of Departments and office of Chief of Staff: One chief clerk, $2,000; four clerks, at $1,800; ten clerks, at $1,600.

So that what the gentleman was reading from was for an entirely different purpose, and this estimate has nothing whatever to do with that.

Mr. BINGHAM. That is the chief clerk of the Department.

Mr. HULL. I am giving you what is in the Book of Estimates.

Mr. BINGHAM. I would say to the gentleman that at the hearings before the committee the Secretary asked for $20,460 for the next fiscal year for the organization of this very Bureau——

Mr. HULL. Now, I do not think it at all conflicts with this, because the estimates are submitted upon a different line.

Mr. BINGHAM. Will the gentleman tell us what comes under Chief of Staff in your big appropriation of $873,160?

Mr. HULL. I should imagine that one chief clerk should come in, because wherever the term "General of the Army" is used under the law it is to apply to the Chief of Staff, and the General of the Army having a chief clerk, it must apply to him, because the Chief of Staff is also the General of the Army, and he is a line officer detailed by the President for this specific purpose.

Mr. HAY. I could not quite understand that part of the gentleman's statement.

Mr. BINGHAM. I say to the gentleman that we have duly appropriated to the Secretary, at his discretion, $325,000, out of which the Chief of Staff's office will secure its subordinate pay roll.

Mr. HAY. The gentleman from Pennsylvania himself admits that this paragraph is not subject to the point of order as to the clerks which are to be used in the Bureau, as he takes it. Now, there is nothing to indicate that any of these clerks or chief clerks are to be used here in the Department. It does not say that the chief clerk is to be used in the office of the Chief of Staff. It does not say that any of the clerks at $1,800 are to be used in the office of the Chief of Staff, and the point of order can not be applied to one part of this paragraph without being applied to all of it. The gentleman from Pennsylvania and the gentleman from Alabama admit that it does not apply to the clerks who are employed at Army Headquarters, Departments, and the various headquarters throughout the Union.

Mr. UNDERWOOD. If the gentleman from Virginia will allow me to interrupt him, the point of order is made against——

The CHAIRMAN. The Chair would like to ask the gentleman from Virginia his opinion as to the effect of lines 13, 14, and 15 on page 8.

Mr. HAY. "And said clerks and messengers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve." I believe that under that the Secretary of War would have the authority to assign these clerks to the headquarters of divisions and departments as he might see fit.

Mr. HULL. The Secretary of War now is authorized to make the assignment.

Mr. HAY. This has always been a provision of the bill that the Secretary of War should make the assignments to the various headquarters, he being informed as to the necessity of the different headquarters throughout the country. It is not a temporary provision. As I say, it has been carried in this bill for seven years, and I do not understand now by what reasoning the gentleman from Alabama or the gentleman from Pennsylvania can make the office of Chief of Staff a part of the civil department of the War Department.

The office of Chief of Staff is purely military in its functions and can not be a part of the civilian bureau of the War Department, and therefore it does seem to me that if any one item in this paragraph is subject to the point of order every other item is, and when he makes the point of order it must apply to all or it can not apply to any.

The CHAIRMAN. The Chair is ready to rule. This paragraph appropriates for "pay to clerks and messengers at headquarters of division and departments and office of the Chief of Staff." The point of order of the gentleman from Alabama, as the Chair understands it, is that because this paragraph includes an appropriation for clerks in the office of the Chief of Staff, therefore it is in effect an appropriation for one of the Executive Departments of the Government at Washington, and therefore should not be included in this army appropriation bill, which comes from the Committee on Military Affairs, but should be covered by the legislative, executive, and judicial appropriation, which is within the jurisdiction of a different committee. We have a statute which provides that—

Each head of a Department is authorized to employ in his Department such number of clerks of the several classes now or hereafter allowed by law, and such messengers, assistant messengers, watchmen, and laborers as shall be appointed, and at such rates of compensation, respectively, as may be appropriated for by Congress from year to year.

Salaries for such clerks and employees are properly carried in the executive, and not in the army bill. As to what constitutes a "Department," the Chair calls attention to an opinion of the Attorney-General of the United States, directly in point. It is found in Opinions of the Attorney-General, volume 15, page 267, and reads as follows:

The several Executive Departments are by law established at the seat of government. They have no executive assistants. Only those bureaus and offices can be deemed bureaus or offices in any of these Departments which are constituted such by the act of reorganization. The Department, with the bureaus and offices, is the establishment of the law as contradistinguished from the branches of the public service non the officers thereof, who are under its supervision. Thus the office of postmaster, or of collector of internal revenue, or of pension agents, or of consuls, is not properly a department, nor is it an office in a Department having supervision over the branch of the public service to which it belongs. Thus, an official relation exists here between the office and the Department, one superior of subordination of the former to the latter, but this does not make the office a part of the Department.

The Chair thinks that ruling very applicable to the case in hand. Referring to the act of February 14, 1903, entitled "An act to increase the efficiency of the Army," being the act whereby this office of Chief of Staff is created, it does not appear that there is any provision that he shall be established or even have his headquarters at Washington. He may be in the field. He may be anywhere the necessities of the service require. He is, among other things, to "have supervision of all troops of the line," and to "perform such other military duties" as may be lawfully assigned him by the President. The Chair is of the opinion that he is not the head of a "Department" within the meaning of the law and ruling of the Attorney-General, but his relation to the War Department, so far as the bill is concerned, is of a character similar to that formerly sustained by the Lieutenant-General. The words embraced in lines 13, 14, and 15 on page 8, "And said clerks and messengers shall be employed and assigned by the Secretary of War to the offices and positions in which they are to serve," would, if introduced for the first time in this bill, be open to objection, but it appears to be the identical language which is in the existing law, the army appropriation bill of last year. It is a mere reaffirmation of law. The Chair, therefore, overrules the point of order.

The Clerk read as follows:

Three hundred acting quartermasters, at $100 per annum in addition to pay as officers of the line, $30,000.

Mr. HEMENWAY. Mr. Chairman, I reserve a point of order.

Mr. HAY. I make the point of order, Mr. Chairman, that it changes existing law.

The CHAIRMAN. What is the gentleman's point of order?

Mr. HAY. That lines 7, 8, and 9, at page 10, change existing law.

Mr. HULL. Mr. Chairman, I want to make one statement, giving the reasons the committee had for putting this into the bill. For forty years the acting commissaries have had the extra pay of $100 a year. The acting quartermasters have had responsible and heavy duties to perform, and we believed that they should be on an equality. This is a change of law, and of course is subject to a point of order if the gentleman sees fit to make it?

The CHAIRMAN. The Chair sustains the point of order.

Mr. HULL. Mr. Chairman, there should be a change in the total.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In lines 10 and 11, page 11, strike out "three hundred and twenty thousand" and insert "two hundred and ninety thousand;" so that it will read: "290,550."

The amendment was agreed to.

The Clerk read as follows:

Medical Department: For pay of officers in the Medical Department, $633,400.

For additional pay to such officers for length of service, to be paid with their current monthly pay, $55,000.

In all, $688,400.

Mr. PALMER. Mr. Chairman, I move to strike out the last word. It appears that the Medical Department at present is composed of 1 brigadier-general, 9 colonels, 12 lieutenant-colonels, 45

captains, 178 lieutenants, in all 336 doctors for a little less than 60,000 men. That is 1 doctor for every 180 men. The cost to the United States for the pay of these officers is $833,400, without saying anything about the medicines or hospital stewards or nurses.

On page 15 of the bill there is an item of $450,000 for 250 contract surgeons. That is to be added, making a total cost for the pay of doctors for these 60,000 men of $1,283,400. In my opinion, Mr. Chairman, that is too much to pay for that service. I think somehow or other and some time or other this force of doctors ought to be reduced to correspond in some degree with the present size of the Army.

The same criticism can be made of the Pay Department. There is at present 1 Paymaster-General, who is a brigadier-general; 3 assistant paymasters-general, with the rank of colonel; 4 assistant paymasters-general, with the rank of lieutenant-colonel; 20 majors, 24 captains, a total of 53 paymasters for 60,000 men—for 30 regiments of infantry, 15 regiments of cavalry, and 15 regiments of artillery. In active service a paymaster is expected to pay 10 regiments every two months, and if this Army was in active service in the field, where they could be got at, 6 paymasters ought to do the job. There are 53 paymasters, and they cost $[illegible]355 to the Government.

They have 90 paymasters' clerks, which is pretty near 2 clerks to every paymaster. They have an item of $1,[illegible] appropriated for paymasters' messengers. What a paymaster's messenger is I don't know. There were none in the civil war. The paymaster's clerk did the work and the paymaster drew the salary, and the only thing I know that a paymaster's messenger could do is to brush the flies off the paymaster's nose. [Laughter.]

I make the same remark with respect to the paymasters—that somewhere, somehow or other, this force in the Pay Department ought to be reduced to correspond to the strength of the Army. There may be some sense and some reason in maintaining the other arms of the service in the numbers which they now contain, but in time of actual war, while we may need trained officers to organize the Army as a nucleus to muster the volunteer force around, you can always get paymasters and doctors by the regiment. You can hire a thousand of them in twenty-four hours who will perform the duty as well as the gentlemen who are now drawing the pay and, as it seems to me, doing mighty little for it. Anyone who knows the multiplication table and can add figures and who can give a bond for the faithful performance of his duty can be a paymaster. There is no mystery about it.

Mr. Chairman, I withdraw the amendment.

Mr. HULL. Mr. Chairman, just one word.

The CHAIRMAN. There is now no motion pending before the committee. The gentleman has withdrawn his pro forma amendment.

Mr. HULL. I will renew it. If the gentleman had been present at the hearings before the committee, he would have found that the Medical Corps is asking for an increase, and makes a good showing for the necessity of it.

Mr. PALMER. I don't doubt it.

Mr. HULL. We cut them down in the reorganization bill below the amount they desired. The Army is largely scattered. We have troops in Porto Rico, in Alaska, in Manila, in Honolulu, and we have them scattered in different portions of this country. We have two battalions of a regiment in Porto Rico now and the doctors must be placed wherever there are troops.

At one time there were over 400 posts in the Philippine Islands alone—small detachments—and I know my good friend from Pennsylvania [Mr. PALMER] would not like to send out even 25 men in the Tropics away from the base of supplies, where it would be impossible to get medical attendance, without having an officer of the Army there to minister to them in case of sickness. The contract surgeons are in some sense a precautionary measure. The Surgeon-General says that we do not know when we may need them by this process of sending out troops in small detachments.

Now, as to the Pay Department. I can only say that when that question was before the committee and before Congress in the reorganization of the Army we took the evidence submitted by the Secretary of War, who has wonderful efficiency in his administrative as well as his executive office, and we took the smallest number of men for the Pay Corps that the Secretary of War certified would be necessary to promptly pay the troops.

If any gentleman can give the Committee on Military Affairs any evidence that this corps is too large, or if he will introduce a bill and give the evidence, I will promise him we will give it careful consideration, and if he can establish his case we will be glad to cut out any of this corps that are unnecessary.

Mr. GAINES of Tennessee. Mr. Chairman, I would like to ask the gentleman if he had any evidence before the committee when he made this bill up on this subject?

Mr. HULL. Certainly, we took evidence; and in this bill we are appropriating for those provided for by law.

Mr. GAINES of Tennessee. Those officers are provided for by law?

Mr. HULL. Certainly.

Mr. GAINES of Tennessee. We have reduced the Army from 100,000 to about 60,000. Have we the same number of officers for the 60,000 that we had for the 100,000?

Mr. HULL. Yes.

Mr. GAINES of Tennessee. Of the class the gentleman has described?

Mr. HULL. Yes.

Mr. GAINES of Tennessee. In other words, we have the same number of doctors and the same number of clerks for 60,000 troops that we had for 100,000. That is frugality run mad.

Mr. HULL. I will say that during the progress of the war, when we had additional regiments and a volunteer corps in the field, the Pay Corps was very much larger, and so was the Medical Corps, but this is a permanent establishment, and whether the Army is 100,000 or 60,000 does not make any difference as to the number of officers.

Mr. GAINES of Tennessee. I hope the gentleman will tell us why we have not some departmental recommendation or some recommendation from the President, the Commander in Chief of the Army, urging a reduction of these officers? Why is it Secretary Root has not made some recommendation about reducing these officers?

Mr. HULL. Because they do not want them reduced.

Mr. GAINES of Tennessee. The gentleman from Pennsylvania [Mr. PALMER] has made a remarkable argument here in a minute or two, showing to me that there is no desire on the part of the powers that be—the Commander in Chief of the Army—to cut off these unnecessary officers and lessen expenses. The gentleman's statement is remarkable for brevity, as well as for meaning, and the gentleman from Iowa [Mr. HULL] now states that he has had some testimony, and what was your evidence on this point?

Mr. HULL. The gentleman from Tennessee certainly did not understand the gentleman from Iowa.

Mr. GAINES of Tennessee. I hope he did not.

Mr. HULL. I stated positively that when the reorganization of the Army was before the committee they had very full hearings. They went over all these staff corps, and they cut it down to what they now stand at and what we believe to be a proper force.

Mr. GAINES of Tennessee. Haven't they reduced the Army since that time?

Mr. HULL. No; the Army has been reduced in its enlisted force under the provisions of that law, but under the provisions of the law that was adopted by Congress at that time we are now simply appropriating for offices provided for in the permanent law.

Mr. GAINES of Tennessee. How many soldiers have we in the Philippine Islands?

Mr. HULL. I can not answer that offhand. I should imagine about 10,000.

Mr. GAINES of Tennessee. How many of these officers, these clerks and typewriters and stenographers, are there with them?

Mr. HULL. I do not understand that the stenographers have gone with them. The gentleman made a very careful investigation of the Philippines, and I will ask him if he found any stenographers at these posts?

Mr. GAINES of Tennessee. I think the Government sent a number over there that were mighty glad to get back, and a great many of them came back with the kids down over their faces.

Mr. HULL. Mr. Chairman, I withdraw the amendment.

Mr. GAINES of Tennessee. Then, Mr. Chairman, I will renew it. The gentleman himself had some little reminder of coming back that way himself. I think he stayed in the Philippines a little too long for his physical welfare. Now, Mr. Chairman, I have alluded to this very thing time and again in my strenuous opposition to this newborn babe in American jurisdiction, known as "imperialism" or "colonialism."

Here the distinguished gentleman from Pennsylvania [Mr. PALMER], the ex-attorney-general of that State, the State from which the chairman of the committee himself comes, has had the courage to say, old soldier that he is, that this expenditure is quite unnecessary, as are the excessive number of officers, the excessive number of messengers, and the excessive pay; and all of it is brought about, as explained by the gentleman from Iowa [Mr. HULL] because the Army is spread all over the face of the earth.

Mr. Chairman, I want to dilate a little on what the gentleman has said. He rightfully complains of too many officers, too much salary, and too many clerks. But this all follows colonialism. We have carried our jurisdiction, and with it our Army, in the past six years to Hawaii, Porto Rico, and the Philippines, and

we must keep the Army in these countries to control the people who unwillingly submit to the white man's control.

I believe we have an army post in Alaska, too, and now righteous complaint comes from the gentleman from Pennsylvania [Mr. PALMER] because of the unnecessary officers and clerks under them and the salaries paid—but all this naturally comes from colonialism, the child of the Republican party.

[illegible] Chairman, it is a mighty short cow that does not [illegible] a [illegible]. This colonialism and its cost is coming home and haunting the Republican party, and it will continue as long as we own colonies. It is becoming a burden and a menace to the American people. Thomas Jefferson warned us against this [illegible] acquisitions. He told us to stay on the [illegible] of the Atlantic, and congratulated us that a wide ocean separated us from the war powers of the Old World; and our forefathers took his advice.

They [illegible] took to build a government to suit themselves on this [illegible] the world and called it "United States of America." They [illegible] colonialism and [illegible] and greed got in the saddle and now are riding at supreme control. The old [illegible] of keeping the ship of state between the two oceans is abandoned, and a big army of soldiers and an army of officers is the result in part—death, disease, pensions, and high taxes we are [illegible] days.

I [illegible] that some other old soldier—and I am glad I am not one, but I am delighted to see my distinguished friend from Pennsylvania [Mr. PALMER] looking so well——

Mr. PALMER. I do not want to sail under false colors. I am not an "old soldier"——

Mr. GAINES of Tennessee. Well, you look like one. [Laughter.]

Mr. PALMER. I was an humble paymaster's clerk; but I undertake to know something on the subject I am talking about; and I say I will take the job of paying these 60,000 men in the United States Army at this time for 10 per cent what the Government is paying for the business now, and will make money out of it.

Mr. GAINES of Tennessee. Now, Mr. Chairman, there is a downright, eighteen-carat fine, honest Republican. [Laughter.] I hope he will live long and prosper. I want to have the tax reduced on alcohol; and if the gentleman will permit his friends, and I am one, will preserve him, and put him on exhibition here to succeeding Republican Congresses if we ever have one. [Laughter.]

Mr. HAY. In answer to the gentleman from Pennsylvania, I wish to say that so far as the Medical Corps of the Army is concerned, his statement that he can get a thousand regiments——

Mr. PALMER. A thousand doctors.

Mr. HAY. That he could get a thousand doctors in twenty-four hours, I believe he said——

Mr. PALMER. Yes.

Mr. HAY. To do as good work as the present Medical Corps is doing, I must respectfully take issue with him. He is evidently entirely unacquainted with the work of the Medical Corps of the Army.

There is not a more efficient class of men in the Army to-day than the Medical Corps. No discovery in modern times in connection with medicine has been of greater benefit to the world than those that have been made by the Medical Corps of the Army. And that corps is not sufficient to do the work which it ought to do for the Army. Anybody who is acquainted with the question, anybody who knows or who has studied the conditions that surround the Medical Corps of the Army and the Army itself, knows that what I say is true. That corps in the last six years has contributed to science more than any other branch of the medical profession within my knowledge. If the gentleman can get together a thousand men such as Reed and Gorgas and the present distinguished Surgeon-General and the late Surgeon-General of the Army, and others who might be named, he can do more than anybody else in this country or in this world can do. It seems to me it ought to be a matter of pride to the people of this country that we have a Medical Corps of which we can be proud and whose opinions are valued by every scientific and medical association in the world.

Mr. PALMER. Mr. Chairman, I made no criticism on the Medical Corps of the Army nor on the efficiency of the physicians employed in it. I do not yield to the gentleman from Virginia or anybody else in my respect for that corps. But I did undertake to say that there are too many men in that corps; that there is no sense in having one for every 180 men. I further undertook to say that if war came a sufficient number of contract surgeons could be employed to do the necessary work, and it does not seem to me worth while to keep up in time of peace an establishment which is five or ten times larger than it need be.

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

RETIRED OFFICERS.

For pay of officers on the retired list and for officers who may be placed thereon during the current year, $[illegible].

For additional pay to such officers for length of service, to be paid with their current monthly pay, $[illegible].

In all, $[illegible].

Mr. HULL. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the State of the Union, reported that that committee had had under consideration the bill H. R. [illegible], the army appropriation bill, and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. GILLESPIE for ten days on account of important business.

Mr. HULL. I move that the House do now adjourn.

DAM ACROSS THE MISSISSIPPI RIVER IN MINNESOTA.

Mr. LIND. Will the gentleman withhold his motion for a moment?

Mr. HULL. I will.

Mr. LIND. Mr. Speaker, I ask unanimous consent for the present consideration of the bill I send to the Clerk's desk.

The Clerk read as follows:

A bill (H. R. 9268) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota.

Be it enacted, etc., That the consent of Congress is hereby granted to the Minnesota Power and Trolley Company, a Minnesota corporation, its successors or assigns, to construct and maintain across the Mississippi River a dam, [illegible] necessary pertinent towards, for water-power purposes, at any point between sections 12, in township 33 north, of range 25 west, in Wright County, and section 6, in township 32 north, of range 26 west, in Sherburne County, Minn.

SEC. 2. That such dam and ways, to be approved by the United States Fish Commission, shall be constructed and maintained at said dam by said corporation, its successors or assigns.

SEC. 3. That the right is reserved to alter, or repeal this act is hereby expressly reserved, and this act shall become null and void unless the construction of said dam herein authorized be commenced within one year after the passage of this act and completed within three years thereafter.

The amendments recommended by the committee were read, as follows:

In line 8, page 1, after the word "seventeen," insert the words "or eighteen."

On page 2, line 1, after the word "Minnesota," strike out all down to and including the word "situated" in line 19, and insert the following:

Provided, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of construction of the same: *And provided further*, That the said Minnesota Power and Trolley Company, its successors or assigns, shall not deviate from such plans after such approval, either before or after the completion of said structures, unless the modification of said plans shall have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a sluiceway so arranged as to permit logs, timber, and lumber to pass around, through, or over said dam without unreasonable delay or hindrance and without toll or charges: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time construct in connection therewith a suitable lock for navigation purposes, and may at any time, without compensation, control the said dam so far as shall be necessary for purposes of navigation, but shall not destroy the water power developed by said dam and structures to any greater extent than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such modifications and changes in the construction of said dam, as he may deem necessary in the interests of navigation: *And provided further*, That in case any lawsuit arises from the building of said dam, or from the construction of said river by said dam or appurtenant works, there may be trialon the proper courts, as now provided for that purpose in the State of Minnesota and in the United States, but nothing in this act shall be construed as to repeal or modify any of the provisions of law now existing in reference to the protection of the navigation of rivers or to exempt said structures from the operation of same.

The SPEAKER. Is there objection?

Mr. PAYNE. Reserving the right to object, I would ask the gentleman if this bill is reported from any committee?

Mr. LIND. It is unanimously reported from the Committee on Interstate and Foreign Commerce. It is reported by my colleague [Mr. STEVENS of Minnesota].

Mr. PAYNE. It has not been considered by the Committee on Rivers and Harbors, has it?

Mr. LIND. No.

Mr. PAYNE. Is it approved by the War Department?

Mr. LIND. It is in the exact language approved by the War Department.

Mr. PAYNE. Which is written in the amendment?

Mr. LIND. It is.

Mr. PAYNE. I have no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading, and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LIND, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. HULL. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 45 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for field maneuvers of the Army and navy—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for marking the boundary line between the Territory of Alaska and the Dominion of Canada—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Chairman of the United States Government Board, Louisiana Purchase Exposition, submitting an estimate of appropriation for rent of temporary quarters in Washington for certain exhibits—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a copy of the journals of the twenty-second legislative assembly of the Territory of Arizona—to the Committee on the Territories.

A letter from the Secretary of the Treasury, recommending an immediate appropriation for purchase of site for Federal building at Los Angeles, Cal.—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HEMENWAY, from the Committee on Appropriations, to which was referred the bill of the House (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, reported the same without amendment, accompanied by a report (No. 457); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. MORRELL, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 9294) to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 458); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9912) granting an increase of pension to Simon Elgiser, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. HEMENWAY, from the Committee on Appropriations: A bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes—to the Union Calendar.

By Mr. BABCOCK: A bill (H. R. 10955) for the further prevention of communicable diseases in the District of Columbia—to the Committee on the District of Columbia.

By Mr. BOWERS: A bill (H. R. 10956) to amend sections 2566 and 2567 of the Revised Statutes of the United States, 1878, so as to remove the port of entry for the district of Pearl River from Shieldsboro to Gulfport, and for other purposes—to the Committee on Ways and Means.

By Mr. FLACK (by request): A bill (H. R. 10957) granting homesteads to certain veterans of the civil war, and for other purposes—to the Committee on the Public Lands.

By Mr. MACON: A bill (H. R. 10958) to confer jurisdiction upon the Court of Claims to hear and determine the claims of churches, lodges, and educational or eleemosynary institutions, arising from the late civil war—to the Committee on War Claims.

By Mr. HOPKINS: A bill (H. R. 10959) making available so much of fund appropriated for improvement of Kentucky River as may be necessary to build bridge across Two Mile Creek, in Clark County, and meet other damage caused by construction of Dam No. 10, at Ford, Ky.—to the Committee on Rivers and Harbors.

By Mr. BENTON: A bill (H. R. 10960) for the erection of a public building at Carthage, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. McGUIRE: A bill (H. R. 10961) extending the jurisdiction of the district court sitting at Pawhuska, in the Osage Indian Reservation, in the Territory of Oklahoma, authorizing the court to appoint United States commissioners, who shall be ex-officio justices of the peace, to provide penalties for the crimes of larceny and the stealing of domestic animals, and for other purposes—to the Committee on the Judiciary.

By Mr. CLAUDE KITCHIN: A bill (H. R. 10962) to prevent removals from State courts into courts of the United States by nonresident corporations—to the Committee on the Judiciary.

Also, a bill (H. R. 10963) to limit removals from State courts into courts of the United States in certain cases—to the Committee on the Judiciary.

By Mr. COWHERD: A bill (H. R. 10964) for the extension of S street, in the District of Columbia—to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 10965) granting a pension to Sarah J. Cline—to the Committee on Pensions.

By Mr. BEALL of Texas: A bill (H. R. 10966) granting a pension to Alberta Noulen—to the Committee on Pensions.

By Mr. BOUTELL: A bill (H. R. 10967) granting an increase of pension to Jane B. Robinson—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 10968) granting a pension to Marceline P. Hamilton—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 10969) granting an increase of pension to Joseph H. Shay—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 10970) granting an increase of pension to Charles A. Norcross—to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 10971) granting a pension to Eli Brazelton—to the Committee on Invalid Pensions.

By Mr. CANDLER: A bill (H. R. 10972) for the relief of Mrs. Lucretia Lambert—to the Committee on War Claims.

By Mr. CONNER: A bill (H. R. 10973) granting a pension to Harry F. Thompson—to the Committee on Invalid Pensions.

By Mr. COUSINS: A bill (H. R. 10974) granting an increase of pension to Robert Conn—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 10975) granting an increase of pension to Benjamin F. Missemer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10976) granting an increase of pension to Jacob T. Coplan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10977) for the relief of certain quartermaster employees enrolled, and sworn into the United States service—to the Committee on Military Affairs.

By Mr. DARRAGH: A bill (H. R. 10978) for the relief of J. W. Cromwell, surviving partner of the firm of J. W. Cromwell & Co.—to the Committee on War Claims.

Also, a bill (H. R. 10979) to correct the military record of Henry W. Knapp—to the Committee on Military Affairs.

Also, a bill (H. R. 10980) granting an increase of pension to Baron Blanchard—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 10981) granting a pension to Frances E. Truesdell—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 10982) granting an increase of pension to Linus Toles—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 10983) granting an increase of pension to Roseline V. Campbell—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 10984) granting a pension to Dennis A. B. Fay—to the Committee on Pensions.

Also, a bill (H. R. 10985) to correct the military record of Daniel O'Brien—to the Committee on Military Affairs.

By Mr. GAINES of West Virginia: A bill (H. R. 10986) for the relief of Mrs. Mary Shannon, and so forth—to the Committee on War Claims.

By Mr. GIBSON: A bill (H. R. 10987) for the relief of D. Froneberger, for himself and as surviving partner of the firm of D. & C. Froneberger, of Knox County, Tenn.—to the Committee on War Claims.

By Mr. GROSVENOR: A bill (H. R. 10988) granting an increase of pension to August Graf—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 10989) to pay certain Pottawatomie Indians of Michigan unpaid annuities under treaties made with the Pottawatomie Indians of Michigan—to the Committee on Claims.

By Mr. HAY: A bill (H. R. 10990) for the relief of Mary E. Collier—to the Committee on War Claims.

By Mr. HEMENWAY: A bill (H. R. 10991) granting an increase of pension to Frances C. McFarland—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 10992) granting a pension to Henry C. Nash—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10993) granting a pension to Mary McEvoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10994) granting a pension to William T. Vanderpool—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 10995) permitting the personal representative of Mrs. Esther Gearheart to present for adjudication her claim against the United States Government in the Court of Claims—to the Committee on War Claims.

Also, a bill (H. R. 10996) granting an increase of pension to Philip Hamman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10997) granting a pension to Mary McGill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10998) granting a pension to James Obrien—to the Committee on Invalid Pensions.

Also, a bill (H. R. 10999) granting a pension to Woodford M. Shoemaker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11000) to correct the record of William Lindon and granting him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11001) correcting the record of Jonathan Chaney and granting him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11002) correcting the record of James Mitchell and granting to his widow a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11003) correcting the record of James Grooms and granting him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11004) to correct the record of Isaac Stephens and grant him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11005) correcting the record of Allen Daniels and granting his widow a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11006) to correct the record of James Stone and grant him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 11007) correcting the military record of G. W. Perkins—to the Committee on Military Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 11008) granting a pension to John Bartram—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 11009) granting an increase of pension to John Broyles—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 11010) for the relief of the First Baptist Church, of Helena, Ark.—to the Committee on War Claims.

By Mr. MAHON: A bill (H. R. 11011) granting an increase of pension to John Linn—to the Committee on Invalid Pensions.

By Mr. MARSH: A bill (H. R. 11012) granting a pension to William Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11013) granting an increase of pension to William Haig—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11014) granting an increase of pension to Robert L. Duncan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11015) granting an increase of pension to Joseph Wardle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11016) granting an increase of pension to Samuel P. Short—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11017) granting an increase of pension to John Shattuck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11018) granting an increase of pension to William B. Bruner—to the Committee on Pensions.

Also, a bill (H. R. 11019) granting an increase of pension to Samuel L. Smith—to the Committee on Invalid Pensions.

By Mr. OTJEN: A bill (H. R. 11020) granting an increase of pension to Henry W. Hurlbut—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 11021) granting an increase of pension to Joseph Weems—to the Committee on Pensions.

By Mr. REID: A bill (H. R. 11022) granting a pension to Mollie Kupperle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11023) granting a pension to Clarence E. Haney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11024) granting an increase of pension to William H. Chrouch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11025) for the relief of Daniel Guffey, of Casa, Ark.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11026) for the relief of W. A. Galloway, of Jacksonville, Ark.—to the Committee on Claims.

Also, a bill (H. R. 11027) for the relief of Eli G. Collier—to the Committee on War Claims.

Also, a bill (H. R. 11028) for the relief of Mrs. R. M. Scruggs—to the Committee on War Claims.

By Mr. SPIGHT: A bill (H. R. 11029) for the relief of the heirs of John D. Martin, deceased, late of Marshall County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 11030) to confer jurisdiction on the Court of Claims in certain cases—to the Committee on War Claims.

Also, a bill (H. R. 11031) for the relief of the estate of A. M. Doak, deceased, late of Lafayette County, Miss.—to the Committee on War Claims.

By Mr. TALBOTT: A bill (H. R. 11032) for the relief of Frederick Gray—to the Committee on Military Affairs.

By Mr. WARNOCK: A bill (H. R. 11033) granting an increase of pension to Noah Minnick—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 11034) granting a pension to William D. Carpenter—to the Committee on Pensions.

By Mr. WOODYARD: A bill (H. R. 11035) for the relief of John E. James—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the Chicago Local Council of the Merchant Tailors' National Protective Association of America, protesting against the enactment of bills H. R. 89 and 8136—to the Committee on the Judiciary.

By Mr. ACHESON: Papers to accompany bill H. R. 8909, granting an increase of pension to William R. Wilkins—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 6304, granting an increase of pension to Joseph E. McCabe—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Papers to accompany bill granting a pension to Matthias A. Cullman—to the Committee on Invalid Pensions.

Also, resolution of Heath Post, No. 6, of Gardiner; Bosworth Post, No. 2, of Portland, and Hannibal Hamlin Post, No. 16, Grand Army of the Republic, of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Papers to accompany House bill granting a pension to Eli Brazelton—to the Committee on Invalid Pensions.

By Mr. CANDLER: Papers to accompany House bill for the relief of Mrs. Lucretia Lambert—to the Committee on War Claims.

By Mr. DARRAGH: Resolution of Andrew McComber Post, No. 141, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DEEMER: Resolution of Colonel John D. Musser Post, No. 66, Grand Army of the Republic, of Muncy, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. FRENCH: Petition of citizens of American Falls, Idaho, against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. FULLER: Resolution of Joseph Woodruff Post, No. 281, Grand Army of the Republic, Marseilles, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Philadelphia Maritime Exchange, relative to arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

By Mr. GIBSON: Papers to accompany bill granting an increase of pension to James P. Fancher—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Resolution of J. Lewis Post, No. 560, Grand Army of the Republic, Wilksville, Ohio, against the placing of statue of Gen. R. E. Lee in Statuary Hall—to the Committee on the Library.

Also, papers to accompany House bill granting an increase of pension to August Graf—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Papers to accompany bill for the relief of Pottawatomie Indians of Michigan—to the Committee on Indian Affairs.

Also, resolution of L. C. Woodman Post, No. 196, of Lawton, and Hill Post, No. 179, of Middleville, Mich., Grand Army of the Republic—to the Committee on Invalid Pensions.

Also, petition of business men of Dowagiac, Mich., protesting against the parcels post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HAY: Papers to accompany bill for the relief of Mary E. Cosher—to the Committee on War Claims.

By Mr. LEMENWAY: Papers to accompany House bill to increase pension of James McFarland—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Resolutions of Kearney-Janeway Post, No. 15, of New Brunswick, and Elwood Arnold Post, No. 87, Grand Army of the Republic, New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KEHOE: Petition of residents of Mason County, Ky., in favor of bill H. R. 4[illegible]—to the Committee on the Judiciary.

By Mr. KEIFHAM: Petition of Poughkeepsie Foundry and Machine Company, against passage of bills H. R. 89, 1284, 4063, and 8136—to the Committee on the Judiciary.

Also, petition of C. A. Van Deusen, of Hudson, N. Y., protesting against passage of bills H. R. 89, 1284, 4063, and 8136—to the Committee on the Judiciary.

By Mr. LACEY: Resolution of Gordon Granger Post, No. 64, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: Papers to accompany bill to correct military record of V. B. Gatewood—to the Committee on Military Affairs.

Also, papers to accompany bill to correct military record of Charles Branstetter—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 5589, granting a pension to Celia C. Owen—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10537, correcting military record of Richard H. Welch—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 4604, granting a pension to Christian Kloeppel—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 10062, granting increase of pension to Oscar Murray—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Resolutions of Fred A. Norwood Post, No. 146, and Weld Sargent Post, No. 92, Grand Army of the Republic, Department of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MAHON: Resolution of H. D. H. Wilson Post, No. 134, Grand Army of the Republic, Mifflintown, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Morgan Huff and 20 others, of Dudley, Pa., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Papers to accompany House bill granting increase of pension to Andrew Jarvis—to the Committee on Invalid Pensions.

By Mr. MINOR: Resolution of George D. Eggleston Post, No. 188, Grand Army of the Republic, Appleton, Wis., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Marinette (Wis.) Good Roads Association, favoring amendments to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Marinette (Wis.) General Improvement Association, favoring certain amendments to the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. OTJEN: Resolutions of Robert Chivas Post, No. 2, and Rank and File Post, No. 300, Grand Army of the Republic, of Milwaukee, Wis., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. PADGETT: Paper to accompany House bill granting an increase of pension to Joseph Weems—to the Committee on Invalid Pensions.

By Mr. PORTER: Resolution of Colonel James C. Hull Post, No. 157, Grand Army of the Republic, Pittsburg, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Weil Bros. & Co., of Fort Wayne, Ind., in favor of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Papers to accompany bill H. R. 10931, granting an increase of pension to Christopher O'Hara—to the Committee on Invalid Pensions.

By Mr. SIMS: Papers to accompany claim of Mrs. M. A. Doak, administratrix—to the Committee on War Claims.

By Mr. SNOOK: Resolution of Joy Post, No. 152, Grand Army of the Republic, of Pioneer, Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SPIGHT: Paper to accompany bill for the relief of the heirs of John D. Martin—to the Committee on War Claims.

By Mr. TALBOTT: Paper to accompany bill granting an honorable discharge to Frederick Gray—to the Committee on Military Affairs.

By Mr. WATSON: Papers to accompany bill H. R. 10402, for the relief of Robert G. Carter, United States Army (retired)—to the Committee on Military Affairs.

SENATE.

MONDAY, January 25, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, in response to a resolution of the 11th instant, a statement as to the quarters and buildings rented by the Department of State in the District of Columbia and the various States and Territories, and the annual rental in each case; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

AMERICAN NATIONAL INSTITUTE AT PARIS, FRANCE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting a letter from Miss Mathilda Smedley, relative to the incorporation of the American National Institute (Prix de Paris) at Paris, France; which, with the accompanying papers, was referred to the Committee on Foreign Relations, and ordered to be printed.

FEDERAL BUILDING AT LOS ANGELES, CAL.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, requesting that an additional appropriation be made for the acquisition of land for the enlargement of the Federal building and site at Los Angeles, Cal.; which was referred to the Committee on Appropriations, and ordered to be printed.

SEÑOR ALFONSO ZELAYA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, in compliance with the request of the Government of Nicaragua, through its minister at Washington, and with the consent of the Secretary of War, a draft of a resolution authorizing the Secretary of War to receive Señor Alfonso Zelaya, son of the President of Nicaragua, as a student at the Military Academy at West Point at the expense of the Government of Nicaragua; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

THEATERS, ETC., IN THE DISTRICT OF COLUMBIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, in response to a resolution of the 5th instant, information relative to the condition of all theaters and places of public entertainment in the District of Columbia, etc.; which, with the accompanying paper, was referred to the Committee on the District of Columbia, and ordered to be printed.

JANITOR FOR SUBTREASURY, ST. LOUIS, MO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the assistant treasurer at St. Louis, Mo., requesting that an additional male janitor be provided for that office at a compensation of $600 per annum; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

DIVISION OF CUSTOMS, TREASURY DEPARTMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Assistant Secretary of the Treasury relative to the services of three additional clerks at $1,200 each in the division of customs, Treasury Department, in lieu of three clerks at $900 each; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

EXAMINER FOR AUDITOR FOR STATE AND OTHER DEPARTMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Auditor for the State and other Departments, requesting that provision be made for one examiner in the office of the Auditor at a salary of $2,000 per annum; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

JOURNALS OF LEGISLATIVE ASSEMBLY OF ARIZONA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a copy of the journals of the twenty-second legislative assembly of the Territory of Arizona for the year 1903; which, with the accompanying paper, was referred to the Committee on Territories.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

A bill (S. 200) granting an increase of pension to Austin Almy;
A bill (S. 1334) granting a pension to Amy C. Bosworth; and
A bill (S. 1760) granting a pension to Ann A. Devore.

The message also announced that the House had passed the concurrent resolution providing for the printing of 15,000 copies of the statement of the trustees of the Louisiana Purchase Exposition Company from the date of incorporation to the year 1903, with an amendment; in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 134) granting a pension to Wilhelmina Miller;
A bill (H. R. 138) granting an increase of pension to Henry Hale;
A bill (H. R. 165) granting an increase of pension to Thomas Adelsperger;
A bill (H. R. 195) granting a pension to Michael Landy;
A bill (H. R. 198) granting an increase of pension to Emmett Cole;
A bill (H. R. 219) granting a pension to Minerva J. Burton;
A bill (H. R. 249) granting an increase of pension to Mollie J. Mitchell;
A bill (H. R. 475) granting a pension to Alfred C. Isachsen;
A bill (H. R. 529) granting a pension to Emma H. Higley;
A bill (H. R. 610) granting an increase of pension to Samuel Alexander;
A bill (H. R. 660) granting an increase of pension to John S. Sines;
A bill (H. R. 681) granting an increase of pension to Ella P. Kerstetter;
A bill (H. R. 689) granting an increase of pension to Edgar Chapman;
A bill (H. R. 703) granting an increase of pension to Robert P. Baker;
A bill (H. R. 727) granting an increase of pension to James K. Blye;
A bill (H. R. 734) granting an increase of pension to Henry S. McAlister;
A bill (H. R. 754) granting a pension to John M. Lawton;
A bill (H. R. 812) granting an increase of pension to Charles F. Emery;
A bill (H. R. 865) granting an increase of pension to Charles C. Chase;
A bill (H. R. 937) granting an increase of pension to Mark A. Shelton;
A bill (H. R. 1156) granting an increase of pension to John Pangratz;
A bill (H. R. 1294) granting an increase of pension to William McBrien;
A bill (H. R. 1316) granting an increase of pension to George W. Day;
A bill (H. R. 1330) granting a pension to Samuel W. Searles;
A bill (H. R. 1487) granting an increase of pension to Dexter T. Drake;
A bill (H. R. 1497) granting an increase of pension to Dana Cook;
A bill (H. R. 1855) granting a pension to Harriett B. Riley;
A bill (H. R. 1859) granting an increase of pension to Patrick Cannon;
A bill (H. R. 1883) granting a pension to Harriet A. Cook;
A bill (H. R. 1906) granting an increase of pension to George W. Blanchard;
A bill (H. R. 2016) granting an increase of pension to George Gardner;
A bill (H. R. 2040) granting a pension to James Anderson;
A bill (H. R. 2111) granting an increase of pension to Henry D. Towsley;
A bill (H. R. 2122) granting a pension to Orle H. Lyon;
A bill (H. R. 2183) granting an increase of pension to Joseph A. Soule;
A bill (H. R. 2194) granting a pension to Mary Dewire;
A bill (H. R. 2427) granting a pension to Cynthia Thomas;
A bill (H. R. 2477) granting an increase of pension to Frank J. McLaughlin;
A bill (H. R. 2553) granting an increase of pension to George Wintz;
A bill (H. R. 2809) granting an increase of pension to John Watt;
A bill (H. R. 2822) granting an increase of pension to Louisa Phillips;
A bill (H. R. 2852) granting an increase of pension to Abraham J. Yeomans;
A bill (H. R. 2912) granting an increase of pension Elizabeth A. Jones;
A bill (H. R. 2916) granting an increase of pension to Francis S. Howard;
A bill (H. R. 2920) granting an increase of pension to Daniel W. Huffman;
A bill (H. R. 2923) granting an increase of pension to John G. Fairchild;
A bill (H. R. 2932) granting a pension to Dudley R. W. Williams;
A bill (H. R. 3032) granting an increase of pension to William Pettenger;
A bill (H. R. 3037) granting a pension to William Bieber;
A bill (H. R. 3172) granting an increase of pension to Robert E. Pogue;
A bill (H. R. 3272) granting an increase of pension to Elizabeth Hardy;
A bill (H. R. 32[illegible]8) granting a pension to Mary E. Pennock;
A bill (H. R. 3299) granting a pension to Medie M. Flanders;
A bill (H. R. 33[illegible]7) granting an increase of pension to Mary A. Craigue;
A bill (H. R. 3345) granting an increase of pension to Charles P. Clarke;
A bill (H. R. 3367) granting an increase of pension to George W. Kerby;
A bill (H. R. 3407) granting an increase of pension to Frank Lewis;
A bill (H. R. 3411) granting an increase of pension to William J. Hart;
A bill (H. R. 3435) granting an increase of pension to John M. Pratt;
A bill (H. R. 3521) granting an increase of pension to John Hawker;
A bill (H. R. 3616) granting an increase of pension to James W. Davis;
A bill (H. R. 3617) granting an increase of pension to Charles M. Everett;
A bill (H. R. 3665) granting an increase of pension to Henry C. Jones;
A bill (H. R. 3815) granting an increase of pension to Hester E. Mooney;
A bill (H. R. 3836) granting an increase of pension to David H. Thompson;
A bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson;
A bill (H. R. 4045) granting a pension to Minnie Gusler;
A bill (H. R. 4114) granting an increase of pension to Robert S. Cairns;
A bill (H. R. 4136) granting an increase of pension to Caleb Arnett;
A bill (H. R. 4157) granting an increase of pension to Adam Kohlhauff;
A bill (H. R. 4251) granting an increase of pension to Joseph Hinkle;
A bill (H. R. 4276) granting an increase of pension to Hamilton E. Burritt;
A bill (H. R. 4323) granting an increase of pension to Mary Wurtz;
A bill (H. R. 4325) granting an increase of pension to John A. Sills;

A bill (H. R. 4365) granting a pension to Barney L. Brookins;
A bill (H. R. 4457) granting an increase of pension to Mary E. Mel[illegible];
A bill (H. R. 4526) granting an increase of pension to William J. Sh[illegible]ard;
A bill (H. R. 4578) granting a pension to Catharine M. McClanahan;
A bill (H. R. 4759) granting an increase of pension to David P. McDonald;
A bill (H. R. 4887) granting an increase of pension to George N. Thorp;
A bill (H. R. 4915) granting an increase of pension to James W. Hab[illegible];
A bill (H. R. 4937) granting an increase of pension to Emily Conklin;
A bill (H. R. 4946) granting a pension to James F. Wheeler;
A bill (H. R. 4987) granting an increase of pension to William Y. M. W[illegible];
A bill (H. R. 5179) granting a pension to Joseph J. Murray;
A bill (H. R. 5199) granting an increase of pension to Emma M. J[illegible];
A bill (H. R. 5367) granting an increase of pension to Franklin Moore;
A bill (H. R. 5372) granting a pension to Mariah Kuechler;
A bill (H. R. 5391) granting an increase of pension to James Kelsey;
A bill (H. R. 5471) granting an increase of pension to A. Marion Gam[illegible];
A bill (H. R. 5534) granting an increase of pension to Adaline Shaw Lo[illegible];
A bill (H. R. 5538) granting a pension to Jane Elizabeth Bullock;
A bill (H. R. 5555) granting an increase of pension to James R. Happily;
A bill (H. R. 5609) granting an increase of pension to Benjamin F. Grigsby;
A bill (H. R. 5611) granting a pension to Juliette Westbrook;
A bill (H. R. 5617) granting an increase of pension to William P. Hereford;
A bill (H. R. 5634) granting an increase of pension to Robert L. M[illegible];
A bill (H. R. 5699) granting an increase of pension to James P. Johnson;
A bill (H. R. 5718) granting an increase of pension to Adolph Heiser;
A bill (H. R. 5720) granting an increase of pension to William T. Filler;
A bill (H. R. 5818) granting an increase of pension to Philip Snow;
A bill (H. R. 5865) granting an increase of pension to Joshua Ba[illegible];
A bill (H. R. 5883) granting an increase of pension to David W[illegible];
A bill (H. R. 5972) granting an increase of pension to Edward A. W[illegible];
A bill (H. R. 6005) granting an increase of pension to George B. [illegible];
A bill (H. R. 6020) granting an increase of pension to William P. C[illegible];
A bill (H. R. 6023) granting an increase of pension to Charles W[illegible];
A bill (H. R. 6025) granting an increase of pension to John He[illegible];
A bill (H. R. 6028) granting an increase of pension to Anson Heffron;
A bill (H. R. 6032) granting an increase of pension to Charles S. [illegible];
A bill (H. R. 6036) granting an increase of pension to John Sha[illegible];
A bill (H. R. 6061) granting an increase of pension to Alpheus D. [illegible];
A bill (H. R. 6085) granting a pension to Anna M. Maier;
A bill (H. R. 6089) granting an increase of pension to Emma L. N[illegible];
A bill (H. R. 6091) granting an increase of pension to John W. Bro[illegible];
A bill (H. R. 6342) granting an increase of pension to Thomas Sp[illegible];
A bill (H. R. 6352) granting a pension to Mary Huff;
A bill (H. R. 6426) granting an increase of pension to David J. Bo[illegible];
A bill (H. R. 6442) granting an increase of pension to James P. Wallace;
A bill (H. R. 6547) granting a pension to John Holzer;
A bill (H. R. 6562) granting an increase of pension to Frances A. Thompson;
A bill (H. R. 6582) granting an increase of pension to Harry Haller;
A bill (H. R. 6588) granting an increase of pension to James H. Cummings;
A bill (H. R. 6701) granting an increase of pension to John A. Reeds;
A bill (H. R. 6705) granting an increase of pension to Edwin A. F[illegible];
A bill (H. R. 6879) granting a pension to Reuben A. Finnell;
A bill (H. R. 6947) granting an increase of pension to Joseph H. Cooper;
A bill (H. R. 6994) granting an increase of pension to Theresa Nebrich;
A bill (H. R. 7072) granting a pension to Mary McCall;
A bill (H. R. 7079) granting an increase of pension to John J. Fleming;
A bill (H. R. 7095) granting an increase of pension to Harrison H. Hayes;
A bill (H. R. 7355) granting an increase of pension to Henry Barrett;
A bill (H. R. 7439) granting an increase of pension to Helen M. Bates;
A bill (H. R. 7447) granting an increase of pension to William Bailey;
A bill (H. R. 7477) granting an increase of pension to Cyrenius Dennis;
A bill (H. R. 7563) granting an increase of pension to William W. Rowlett;
A bill (H. R. 7594) granting an increase of pension to Charles H. Miller;
A bill (H. R. 7682) granting an increase of pension to William H. Howard;
A bill (H. R. 7699) granting an increase of pension to Martha M. del B. Cunningham;
A bill (H. R. 7732) granting an increase of pension to Mary Chenowith;
A bill (H. R. 7756) granting an increase of pension to Charles Schroder;
A bill (H. R. 7757) granting an increase of pension to Cyrus Davidheiser;
A bill (H. R. 7798) granting an increase of pension to Andrew Black;
A bill (H. R. 7799) granting an increase of pension to John O. Rice;
A bill (H. R. 8058) granting an increase of pension to William M. Underhill;
A bill (H. R. 8123) granting a pension to Eliza S. Smith;
A bill (H. R. 8187) granting an increase of pension to George Jeffrey;
A bill (H. R. 8207) granting an increase of pension to Charles Johnson;
A bill (H. R. 8342) granting an increase of pension to Horace E. Davis;
A bill (H. R. 8376) granting an increase of pension to Jonathan J. Smith;
A bill (H. R. 8717) granting an increase of pension to Henry Edwards;
A bill (H. R. 8[illegible]) granting a pension to Matilda Lafferty;
A bill (H. R. 8739) granting an increase of pension to Gustus S. Remick;
A bill (H. R. 8740) granting an increase of pension to Mary G. Bonesteel;
A bill (H. R. 8850) granting an increase of pension to Thomas Joyce;
A bill (H. R. 8916) granting an increase of pension to Susie C. G. Seabury;
A bill (H. R. 8920) granting a pension to Harriet A. Tucker;
A bill (H. R. 9029) granting a pension to Georgie S. Barbour;
A bill (H. R. 9030) granting an increase of pension to John Daly;
A bill (H. R. 9368) permitting the building of a dam across the Mississippi River, between the counties of Wright and Sherburne, in the State of Minnesota;
A bill (H. R. 9583) granting an increase of pension to James H. Hargis; and
A bill (H. R. 9658) to provide for the withdrawal, free of duty under bond, from the Louisiana Purchase Exposition of any articles and materials donated to incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, or to any State or municipal corporation.

The foregoing pension bills were subsequently read twice by their titles, and referred to the Committee on Pensions.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented petitions of the Winter Club, of Brooklyn, N. Y.; of the congregation of the First Christian Church of Hamilton, Mo., and of sundry citizens of Eau

Claire, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented memorials of the German Maennerchor of Kankakee; of the Gentle Verein of Peoria; of the Plattdeutsche Gilde Daniel Bartels, No. 6, of Chicago; of Lodge No. 353, of Chicago; of the Maennerchor of Bloomington; of the Deutscher Kranken Verein of Freeport; of the Turn Verein of Joliet; of the German Roman Catholic Benevolent Society of Freeport; of the Plattdeutsche Gilde Ewig Treu, No. 55, of Chicago; of Robert Blum Lodge, No. 58, of Chicago; of the Maennerchor of Rock Island; of the Brothers of the Melomania Lodge, No. 380, of Chicago; of Plattdeutsche Gilde Almira, No. 24, of Chicago; of Plattdeutsche Gilde John P. Altgeld, No. 34, of Chicago; of Plattdeutsche Gilde No. 56, of Chicago; of Plattdeutsche Gilde Voran, No. 62, of Chicago; of the Sharpshooters' Association of Joliet; of Court Germania, No. 19, of Chicago; of the German Krieger Verein, of Joliet; of the German Blucher Lodge, of Bloomington; of the Turn Verein of Elgin; of the Plattdeutsche Gilde of Chicago; of Fritz Reuter Council, No. 577, of Chicago; of Plattdeutsche Gilde, No. 18, of Chicago; of the Plattdeutsche Grot Gilde, of Chicago; of the Deutscher Krieger Verein, of Chicago; of the Low German Gilde, of Chicago; of Vorwaerts Lodge, No. 137, of Chicago; of the Plattdeutsche Gilde, No. 27, of Chicago; of Plattdeutsche Gilde Mathias Claudius, No. 28, of Chicago, and of the Süd-Seite Turn Verein, of Peoria, all in the State of Illinois; of Schiller Encampment, No. 33, of Bridgeport; of Zufriedenheit Lodge, No. 15, of Rockville, and of the Maennerchor of Ansonia, all in the State of Connecticut; of the Brewery Workmen's Benefit Society of Denver; of Court Germania, No. 15, of Denver; of Mozart Lodge, No. 1, of Denver; of Harmonia Lodge, No. 3089, of Pueblo; of the German Krieger Verein, of Denver; of the Social Turn Verein of Denver, and of the West Denver Turn Verein, of Denver, all in the State of Colorado; of the Helvetia Singing Section, of Sacramento; of Lodge No. 124, of Sacramento; of the Gesellschaft Teutonia, of San Francisco; of the German Red Men Singing Society, of Sacramento; of the German-American Singing Society, of Los Angeles; of Lodge No. 12, of Los Angeles; of the Deutscher Krieger Verein, of San Francisco; of the Bremervorde Verein, of San Francisco, and of the Schweizer Verein Helvetia, of Los Angeles, all in the State of California; of the Schwaben Verein, of Terre Haute; of St. Henry's Benevolent Society, of Evansville; of Schiller Tent, No. 20, of South Bend, and of the Germania Park Association, of Indianapolis, all in the State of Indiana; of the German-American Political Club, of Des Moines; of the Claus Groth Gilde, of Davenport; of the Deutscher Verein, of Lansing; of the Turn Verein of Ottumwa, and of the Deutscher Verein, of Davenport, all in the State of Iowa; of Germania Lodge, No. 15, of Wichita, Kans.; of the Louisiana Gewerbe Verein, of New Orleans, La.; of the Turn Verein of Newport; of the German Pioneer Association, of Newport; of the Anchor Mutual Aid Society, of Newport; of Mozart Lodge, No. 18, of Louisville; of the German-American Protective Aid Society, of Louisville, and of Schiller Lodge, No. 24, of Louisville, all in the State of Kentucky; of the Turn Verein of Manchester, N. H.; of the Plattdeutscher Verein of Guttenberg; of the Frohsinn Gesang Verein, of Camden; of Hermann Lodge, No. 81, of Elizabeth; of Schiller Lodge, No. 1477, of Elizabeth; of Beethoven Lodge, No. 147, of Hoboken; of the German-American Central Alliance of Hoboken; of Cherusker Lodge, No. 151, of Trenton; of the Arion Maennerchor, of Passaic; of the Maennerchor of Rahway; of the Gemuether Verein Bruder Lustig, of Elizabeth; of the Liedertafel Singing Society, of Trenton; of Germania Lodge, No. 121, of Newark; of the Beneficial Society of Bridgeton; of the Turn Verein of Trenton; of the Maennerchor of Camden, and of the East Trenton Maennerchor, of Trenton, all in the State of New Jersey; of the Gesang Verein Frohsinn, of Worcester; of Bunker Hill Lodge, No. 48, of Cambridge; of the Turn Verein Vorwaerts, of Holyoke; of the German Society of East Hampton; of the Einigkeit Club, of Salem, and of the Frohsinn Singing Society, of North Attleboro, all in the State of Massachusetts; of the Liederkranz of Butte; of Lodge No. 3, of Helena, and of Goethe Lodge, No. 6, of Marysville, all in the State of Montana; of Schiller Lodge, No. 537, of Saginaw; of the Harmonia Society of Detroit; of Barbarossa Lodge, No. 14, of Menominee; of the German Aid Society of Marquette; of the Teutonia Singing Society, of Detroit; of the Turn Verein of Detroit; of Humboldt Lodge, No. 154, of Bay City, and of the German Benevolent Workingmen Association, of Battle Creek, all in the State of Michigan; of Columbia Lodge, No. 1412, of St. Louis; of Lodge No. 113, of St. Louis; of German Order of Hungari, of St. Louis; of the Southwest Turner Society, of St. Louis; of the Turn Verein of St. Joseph; of the Saengerbund of Jefferson; of the Socialer Turn Verein, of Kansas City; of the Saengerbund of Freeburg; of the United German Singing Society of St. Louis; of the Deutschen Militar Verein of St. Louis; of the German-Austrian Benevolent Society, of St. Louis; of the Schweizer Club of St. Louis; of the Saengerbund of St. Louis; of the Schwarzwald Unterstuetzung Verein, of Kansas City; of the Socialer Turn Verein, of St. Louis; and of the Saengerbund Sons of Hermann, of St. Louis, all in the State of Missouri; of Junior District, No. 248, of Baltimore; of the Turn Verein of Baltimore; of the Plattdeutscher Verein of Baltimore; of the Bavarian Maennerchor, of Baltimore; of the Independent Citizens Union, of Baltimore; of the Locust Point Maennerchor, of Baltimore; of the German Beneficial Union, of Baltimore; of Von Moltke District, No. 115, of Baltimore; of the Germania Club, of Baltimore; of the Arion Singing Society, of Baltimore; of the German Beneficial Union, No. 108, of Baltimore; of Harmonia Lodge, No. 2, Improved Order Knights of Pythias, of Baltimore; of the Germania Kranken Unterstützungs Verein, No. 1, of Baltimore; of Wittelsvach Section, No. 1, Bavarian National Society, of Baltimore; of the Brewmasters' Association of Baltimore; of the Turn Verein of Baltimore; of Friendship Union, No. 2, of Baltimore, and of the Schwaben Verein of Baltimore, all in the State of Maryland; of the Frohsinn Singing Society, of Sacramento, Cal.; of the Turngemeinde of Wilmington, Del.; of the Turn Verein of New Haven; of Court Hermann, No. 8, of New Haven; of the Gesang Verein Liederkranz, of Bridgeport; of the Singing Society of Rockville; of Fortschritt Lodge, No. 30, of Waterbury, and of Frohsinn Lodge, No. 24, of South Manchester, all in the State of Connecticut; of the Singing Society of Chicago; of the Gesang Verein of Chicago; of the Plattdeutsche Gilde Hummel, No. 33, of Chicago; of the Plattdeutsche Gilde Vorwaerts, No. 7, of Chicago, and of the Germania Royal Circle, No. 41, of Springfield, all in the State of Illinois; of the German Military Society, of Evansville, and of St. Edwards Commandery, Knights of St. John, of Evansville, all in the State of Indiana; of the Germania Singing Society, of Salina, Kans.; of the German Workingmen's Association of Boston, Mass.; of the Arion Singing Society, of Detroit, and of the German-American Arbeiter Verein, of Detroit, all in the State of Michigan; of the Turn Verein of St. Joseph, and of the Rockaway Saengerbund, of St. Louis, all in the State of Missouri; of the Chernsker Lodge, No. 8, of Bozeman, Mont.; of the Turn Verein of Newark; of Lodge No. 208, of Bayonne City; of the Bergische Maennerchor, of Newark, and of the Turn Verein of Atlantic City, all in the State of New Jersey; of Minnesota Grove, No. 1, of St. Paul; of Freundschaft Lodge, No. 98, of Winona, and of the German-American Lodge, No. 58, of St. Paul; of the United German Society of New York City; of the Harugari Library, of Buffalo; of Lodge No. 242, of Utica; of the Hoffnung Verein, No. 55, of Buffalo; of the Harugari Wehr, No. 1, of Utica; of the Young Men's Benevolent Association of Buffalo, and of the Harmonia Singing Society, of Buffalo, all in the State of New York; of the Turn Verein of Youngstown; of the German Society of Cincinnati; of Germania Lodge, No. 113, of Cincinnati, and of Eintracht Circle, No. 6, of Marion, all in the State of Ohio; of Germania Lodge, No. 1270, of Providence, R. I.; of Lodge No. 10, of Bee Cave, Tex.; of the church council of the German Evangelical Lutheran Church of Philadelphia; of the German Benevolent Society of Latrobe; of the Maennerchor of Bethlehem; of the Mozart Harmonia Singing Society, of Philadelphia; of Rhine Lodge, No. 424, of Pittsburg; of the Turn Verein of Allegheny, and of the Hessen-Darmstadter Volksfest Verein, of Philadelphia, all in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PLATT of New York presented a petition of sundry Baptist ministers of Buffalo, N. Y., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Chamber of Commerce of Utica, N. Y., praying for the enactment of legislation to prevent unjust discrimination in tariff rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce of Utica, N. Y., praying for the enactment of legislation providing for the creation of an American merchant marine, to be built, owned, and manned by American citizens; which was referred to the Committee on Commerce.

He also presented a memorial of the Church & Dwight Company, of New York City, remonstrating against the passage of the so-called anti injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of J. Broodbent Post, No. 188, Department of New York, Grand Army of the Republic, of Dexter, N. Y., and a petition of J. B. Butler Post, No. 111, Department of New York, Grand Army of the Republic, of Pulaski, N. Y., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Congressional Medal of Honor

Association of New York City, praying for the enactment of legislation to place all soldiers on a service pension roll of $75 per month who have received a medal of honor for gallantry; which was referred to the Committee on Pensions.

He also presented a petition of Admiral Farragut Garrison, No. 25, Army and Navy Union, of Albany, N. Y., praying for the enactment of legislation providing that in computing the thirty years' time for the retirement of petty officers and enlisted men of the Navy all serving in the Army, Navy, and Marine Corps shall be credited; which was referred to the Committee on Naval Affairs.

He also presented a memorial of the Manufacturers' Association of New York City, remonstrating against the repeal of the national bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Oil City, Pa.; of the congregation of the First Baptist Church of Greece, and of sundry citizens of Brockport, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented the petition of Weil Brothers & Co., of Fort Wayne, Ind., praying for the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Indianapolis Retail Grocers' Association, of Indianapolis, Ind., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Harris Post, No. 96, Department of Indiana, Grand Army of the Republic, of Indiana, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Chrysanthemum Association and the Woman's Home and Foreign Missionary Society of the Presbyterian Church, of Petersburg, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURNHAM presented petitions of the congregation of the Congregational Church of Seabrook and of the congregations of the Congregational and Methodist Episcopal Churches of Haverhill, all in the State of New Hampshire; of the New York Sabbath Committee, of New York City, and of the Wisconsin Sunday Rest Day Association, of Milwaukee, Wis., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which were referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Society for the Protection of New Hampshire Forests, of Concord, N. H., praying for the enactment of legislation providing for the concentration of the forest work of the Government in the hands of the Secretary of Agriculture; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Society for the Protection of New Hampshire Forests, of Concord, N. H., praying for the enactment of legislation providing for the establishment of the Southern Appalachian Forest Reserve, the White Mountain Forest Reserve, etc.; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BURROWS presented a petition of the Woman's Christian Temperance Union of Manton, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BARD presented a petition of the Pioneers of Los Angeles County, Cal., praying for the enactment of legislation providing for the preservation of the Calaveras grove of big trees; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Chamber of Commerce of Santa Ana, Cal., praying that an appropriation be made for the improvement of the inner harbor of San Pedro, Cal.; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of Santa Ana, Cal., praying that an appropriation be made in aid of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the improvements of the harbors of the Territory of Hawaii; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation providing for the destruction of derelicts at sea; which was referred to the Committee on Commerce.

Mr. QUARLES presented a petition of the Coterie Club, of Darlington, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of J. B. McPherson Post, No. 27, Department of Wisconsin, Grand Army of the Republic, of Lake Geneva, Wis., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Local Lodge No. 151, Brotherhood of Railroad Trainmen, of Antigo, Wis., praying for the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the National Guard Association of Wisconsin, praying for the enactment of legislation to increase the appropriation for the organization, armament, and discipline of the National Guard; which was referred to the Committee on Military Affairs.

Mr. FOSTER of Washington presented a petition of the congregation of the First Methodist Episcopal Church of Clarkston, Wash., and a petition of the congregation of the First United Presbyterian Church of Everett, Wash., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which were referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Commercial Club of Walla Walla, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. MILLARD presented a petition of the Woman's Christian Temperance Union of Dawson, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented the petition of O. L. Brown, of Tecumseh, Nebr., praying for the enactment of legislation to prohibit the importation and sale of liquors in original packages in prohibition territory; which was referred to the Committee on the Judiciary.

Mr. BEVERIDGE presented a petition of sundry citizens of Rockville, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of the Indiana Retail Merchants' Association, of Evansville, Ind., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. KEAN presented a petition of Clayton Conrow, of Cinnaminson, N. J., and the petition of R. E. Leighton, Bayonne, N. J., praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Village Improvement Society of Cranford, N. J., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of Major James H. Dandy Post, No. 43, of Perth Amboy; of George H. Thomas Post, No. 29, of Jersey City; of Mansfield Post, No. 22, of the same, and of Aaron Wilkes Post, No. 23, all of the Department of New Jersey, Grand Army of the Republic, in the State of New Jersey, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. NELSON presented a memorial of the Fisherman's Protective Union of the Pacific Coast and Alaska, remonstrating against the enactment of legislation relative to the payment of allotment in the coastwise trade; which was referred to the Committee on Commerce.

He also presented petitions of Workman Post, No. 31, of Little Falls; of Jo. Morean Post, No. 111, of Pine Island; of Post No. 3, of Spring Valley, and of Local Post of Edgerton, all of the Department of Minnesota, Grand Army of the Republic, in the State of Minnesota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CLAY presented a petition of the board of directors of the Georgia Experiment Station, praying that the appropriations be increased for the maintenance of the agricultural experiment stations of the several States and Territories; which was referred to the Committee on Agriculture and Forestry.

Mr. CULLOM presented petitions of General John A. Logan Post, No. 540, of Pleasant Hill, of General George Crook Post, No. 31, of Kirkwood; of John Hunter Post, No. 168, of Minier; of Warren Shed Post, No. 262, of Aldo; of Colonel John Bryner Post, No. 67, of Peoria; of Lett Post, No. 70, of Gibson; of Lawton Post, No. 792, of Danville; of George H. Thomas Post, No. 5, of Chicago; of John Wood Post, No. 96, of Quincy; of Colonel Nodlim

Post, No. 140, of Champaign, and of James T. Jones Post, No. 628, of Vernon, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. MITCHELL presented the petition of David W. Rhodes, of Bay City, Oreg., praying that he be granted a pension; which was referred to the Committee on Pensions.

He also presented a petition of George Wright Post, No. 1, Department of Oregon, Grand Army of the Republic, of Portland, Oreg., praying for the enactment of legislation providing that the National Cemetery Rolls shall be kept commemorative by placing therein statues of only such citizens as have been illustrious for heroic renown, etc.; which was referred to the Committee on the Library.

He also presented a petition of the congregation of the United Evangelical Church of Salem, Oreg., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of sundry citizens of Portland, Oreg., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of Mountain View, Hawaii, praying for the adoption of certain amendments to the land laws of Hawaii; which was referred to the Committee on Pacific Islands and Porto Rico.

He also presented a petition of sundry citizens of Forest Grove, Oreg., praying for the enactment of legislation to abolish the canteen in Soldiers' Homes, to prohibit the sale of intoxicating liquors in all Government buildings, and also that an investigation be made of the delay by the War Department in providing gymnasiums ordered by Congress; which was referred to the Committee on Military Affairs.

He also presented petitions of the Relief Corps of Forest Grove; of the congregation of the Free Methodist Church of Forest Grove; of the congregation of the Methodist Episcopal Church of Creswell; of the Woman's Christian Temperance Union of Salem, and of the Woman's Christian Temperance Union of Scio, all in the State of Oregon, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. McLAURIN presented a petition of the Woman's Christian Temperance Union of Flora, Miss., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. LONG presented petitions of the congregation of the First Presbyterian Church of Minneapolis; of sundry citizens of Gray County; of Thomas D. Hubbard, of Kimball, and of sundry citizens of St. Johns, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Ness County, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented the petition of Rev. J. O. Wrightson, John T. Stone, and sundry other citizens of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petition of I. E. Wheeler and sundry other citizens of Craftonville, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PLATT of Connecticut presented a petition of the congregation of the Baptist Church of Ardmore, Ind. T., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of sundry citizens of Westville, Ind. T., praying for the enactment of legislation providing a day of rest for railroad employees in that Territory; which was referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of Craftonville, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Westville, Ind. T., praying for the enactment of legislation granting the right of suffrage to the women of that Territory; which was referred to the Committee on Indian Affairs.

He also presented a petition of sundry citizens of Afton, Ind. T., praying for the enactment of legislation providing for continued protection from the sale of intoxicating liquors and also that seminary sites should be given that Territory; which was referred to the Committee on Indian Affairs.

Mr. FORAKER presented petitions of Wayne Post, No. 296, of Orrville; of Dick Mason Post, No. 304, of Lowell; of Captain William McCrey Post, No. 366, of Owensville; of Newton Falls Post, No. [illegible] of Newton Falls; of Lexington Post, No. 311, of Lexington; of Miller Moody Post, No. 314, of Belleville; of Henry Eckstein Post, No. 3[illegible]0, of Roundhead; of John A. Spellman Post, No. 321, of Hilliard; of Fair Post, No. 322, of Spencerville; of McClure Post, No. 323, of Grover Hill; of David McIlroy Post, No. [illegible], of Ravenna; of Phil. H. Sheridan Post, No. [illegible], of McConnelsville; of Earl Millikan Post, No. 333, of Windham; of I. N. Leggett Post, No. 336, of Montville; of U. S. Grant Post, No. 340, of Cincinnati; of Jonathan Custo Post, No. 342, of Blanchester; of Lewis Post, No. 347, of Xenia; of Commodore Perry Post, No. 3[illegible]0, of Cleveland; of Watkins Andrews Post, No. 352, of Trimble; of Sul. Stevens Post, No. 353, of Marrow; of Brough Post, No. 359, of Collinwood; of Reese Mitchell Post, No. 361, of Camden; of Frances Smith Post, No. 365, of Jackson; of John W. Fowler Post, No. 366, of New Lexington; of Daniel W. Williams Post, No. 369, of Pleasanthill; of W. W. Sampson Post, No. 370, of Belle Center; of David Lloyd Post, No. 374, of Marengo; of Samuel Slavens Post, No. 375, of Stockdale; of James Young Post, No. 376, of Burbank; of Douthitt Post, No. 377, of Edinburg; of L. D. Kee Post, No. 378, of Colebrook; of Powell Post, No. 387, of Fremont City; of Clay Hay Post, No. 393, of New Carlisle; of H. B. Ward Post, No. 385, of Canal Fulton; of Reed Post, No. 387, of Chardon; of N. M. McConkey Post, No. 391, of Catawba; of Tom Burley Post, No. 392, of Crookville; of C. C. Nichols Post, No. 394, of Newcastle; of Debolt Post, No. 396 of Centerburg; of Joseph Walter Post, No. 397, of Lincoln; of Fred C. Jones Post, No. 401, of Cincinnati; of Joseph Roth Post, No. 402, of Evansport; of Cleveland City Post, No. 403, of Cleveland; of Vinton Post, No. 408, of Pikerun; of Fred Aler Post, No. 412, of Adamsville; of S. N. Yeoman Post, No. 418, of Milledgeville; of W. H. Elliott Post, No. 420, of Alton; of Welch Post, No. 422, of Uhrichsville; of Mounts Post, No. 424, of Prospect; of Hall Post, No. 426, of West Farmington; of Miles Standish Post, No. 430, of Dexter; of Sandy Valley Post, No. 433, of Waynesburg; of Creighton Post, No. 435, of West Mecca; of Joseph Sailor Post, No. 440, of Degraff; of Eugene Reynolds Post, No. 441, of Bellefontaine; of Joseph H. Ingersoll Post, No. 444, of Miami; of Burnside Post, No. 137, of Leetonia; of Starr Post, No. 138, of Lisbon; of Tom Talbot Post, No. 143, of Somerset; of Kinsman Post, No. 150, of Kinsman; of Addison Clark Post, No. 151, of Liberty Center; of George L. Fowler Post, No. 153, of Berlin Heights; of Hiram Louden Post, No. 155, of Montpelier; of Jobes Post, No. 157, of Greenville; of A. H. Coleman Post, No. 159, of Troy; of Isaac Willis Post, No. 160, of Limerick; of A. L. Brown Post, No. 162, of Chillicothe; of E. M. Stanton Post, No. 166, of Steubenville; of H. G. Blake Post, No. 169, of Medina; of Arthur Strong Post, No. 170, of Creston; of Royal Dunham Post, No. 187, of Bedford; of Buell Post, No. 178, of Marietta; of A. H. Day Post, No. 185, of Kent; of William Nelson Post, No. 186, of Cincinnati; of Army and Navy Post, No. 187, of Cleveland; of Channell Post, No. 188, of Utica; of Kilpatrick Post, No. 189, of Goshen; of Lieutenant Fallen Post, No. 194, of Ray; of August Willich Post, No. 195, of Cincinnati; of Jaqueth Post, No. 196, of Sycamore; of H. B. Banning Post, No. 198, of Madisonville; of Commodore Foote Post, No. 200, of Cincinnati; of Phil Hendrix Post, No. 201, of Colton; of Mart Armstrong Post, No. 202, of Lima; of Drummond Post, No. 203, of St. Clairsville; of John M. Barrere Post, No. 205, of Hillsboro; of Spiegel Post, No. 208, of Shiloh; of Shreve Post, No. 209, of Shreve; of J. P. Fyffe Post, No. 210, of Higginsport; of A. G. Wileman Post, No. 212, of Marlboro; of Hamlin Post, No. 219, of Wellington; of Robert Hilles Post, No. 220, of Barnesville; of Braunum Post, No. 221, of Bridgeport; of Charles S. Hayes Post, No. 224, of Cleves; of Brent and McBride Post, No. 225, of Richfield Center; of Anthony Marsh Post, No. 231, of Keystone; of Carr B. White Post, No. 232, of Georgetown; of Loemerz Post, No. 233, of Malinta; of Henry Cope Post, No. 237, of Wellsville; of Baxter Post, No. 238, of Lyons; of G. W. Shuster Post, No. 239, of Toronto; of Henry Clark Post, No. 252, of Peru; of Alfred Cannon Post, No. 261, of Canal Winchester; of Robert Hamilton Post, No. 262, of Bluffton; of Colonel Val. Lapp Post, No. 263, of Baltimore; of Wilkins Post, No. 264, of Wharton; of James P. Mann Post, No. 267, of Lewisville; of Bloom Post, No. 269, of South Webster; of George L. Waterman Post, No. 272, of Peninsula; of J. E. Coomer Post, No. 281, of Ashley; of Ray Heller Post, No. 284, of Whitehouse; of Hughes Post, No. 285, of Malta; of Tom Dew Post, No. 222, of Buchtel; of Guiggle Post, No. 289, of South Wanton; of Bentley Post, No. 294, of Mantua; of Harry Caster Post, No. 56, of Haskins; of Morris

McMillan Post, No. 58, of Wilmington; of Smith Post, No. 61, of Jackson Center; of Neal Post, No. 62, of Sidney; of John Bell Post, No. 63, of Proctorville; of Richard Allen Post, No. 65, of Elyria; of W. T. Sherman Post, No. 68, of Hudson; of Richard Lanning Post, No. 69, of Coshocton; of Lemert Post, No. 71, of Newark; of Thoburn Post, No. 72, of Martins Ferry; of Daniel Miller Post, No. 78, of Leipsic; of Hiram Strong Post, No. 79, of Dayton; of Hazlett Post, No. 81, of Zanesville; of James St. John Post, No. 82, of Cardington; of Lieut. William S. Kishler Post, No. 83, of St. Marys; of Charles B. Mitchell Post, No. 84, of Mansfield; of Bronson Post, No. 85, of Jerry City; of Columbus Golden Post, No. 89, of Athens; of Weiser Post, No. 93, of Dupont; of Curtis Post, No. 94, of Cedarville; of Cantwell Post, No. 97, of Kenton; of W. A. Brand Post, No. 98, of Urbana; of W. C. Scott Post, No. 100, of Van Wert; of Carman Post, No. 101, of Ada; of Edgar Post, No. 102, of Dunkirk; of A. N. Goldwood Post, No. 104, of West Rushville; of Potter Post, No. 105, of Green Spring; of Eagle Post, No. 109, of Benton Ridge; of Rice and Crezlow Post, No. 112, of Attica; of Ransom Reed Post, No. 113, of Marysville; of Burkhalter Post, No. 115, of Yellow Springs; of Cooper Post, No. 117, of Marion; of Strong Post, No. 118, of Jamestown; of L. M. Fuller Post, No. 123, of Rogers; of Canfield Post, No. 124, of Gibsonburg; of Cadot Post, No. 126, of Gallipolis; of Leith Post, No. 127, of Nevada; of Keifer Post, No. 128, of Bucyrus; of Dick Morris Post, No. 129, of Galion; of Hart Post, No. 134, of Massillon; of Robinson Post, No. 135, of Republic; of J. A. Garfield Post, No. 136, of Conneaut; of Paulus Post, No. 4, of Ashtabula; of Veteran Post, No. 5, of National Military Home, Dayton; of Trescott Post, No. 10, of Salem; of Charles E. Austin Post, No. 11, of Ausmington; of Buckley Post, No. 12, of Akron; of George H. Thomas Post, No. 13, of Cincinnati; of Ford Post, No. 14, of Toledo; of Forsyth Post, No. 15, of Toledo; of McPherson Post, No. 16, of Niles; of Dyer Post, No. 17, of Painesville; of Lincoln Post, No. 18, of Pierpont; of McMeens Post, No. 19, of Sandusky; of Joe Hooker Post, No. 21, of Mount Vernon; of Bishop Post, No. 22, of Defiance; of The Old Guard Post, No. 23, of Dayton; of William McKinley Post, No. 25, of Canton; of Bowers Post, No. 28, of Geneva; of E. E. Noyes and R. L. McCook Post, No. 30, of Cincinnati; of W. H. Gibson Post, No. 31, of Tiffin; of Wooster-Boalt Post, No. 34, of Norwalk; of Leasure Post, No. 35, of Wanseon; of Pell Harmon Post, No. 36, of Warren; of Phil Kearny Post, No. 38, of Nelsonville; of N. L. Norris Post, No. 40, of Chagrin Falls; of Kyle Post, No. 41, of Wapakoneta; of McKill Post, No. 42, of Bainbridge; of General Lyon Post, No. 44, of East Liverpool; of Mitchell Post, No. 45, of Springfield; of Wiley Post, No. 46, of Bowling Green; of William H. Lytle Post, No. 47, of Cincinnati; of Stoker Post, No. 54, of Findlay; of Diester Post, No. 446, of Dayton; of Lorain Post, No. 448, of Lorain; of J. M. Wells Post, No. 451, of Columbus; of I. B. Richardson Post, No. 454, of Lakeside; of Colonel Melvin Clarke Post, No. 459, of Hebron; of O. H. Bassett Post, No. 462, of Perry; of John M. Mosiv Post, No. 470, of Dexter City; of Page Post, No. 474, of Sylvania; of Zeno H. Scott Post, No. 479, of Moscow; of Mirane Judy Post, No. 480, of Bloomingburg; of General Sanders Post, No. 482, of Quaker City; of Union Post, No. 483, of East Trumbull; of Emerson Opdyke Post, No. 486, of Martinsburg; of Lees Newport Post, No. 489, of Newport; of Davidson Post, No. 490, of Smithville; of John Ball Post, No. 493, of Mowrystown; of S. M. Neignbor Post, No. 494, of Newcomerstown; of Harrison Wright Post, No. 497, of Gratis; of Daniels Post, No. 500, of Xenia; of Cutler Post, No. 502, of Cutler; of C. Bronard Post, No. 503, of Trumbull; of Dearderff Brook Post, No. 506, of Middletown; of Cotton Post, No. 510, of Beach City; of B. T. Steiner Post, No. 511, of Pierce; of Mark Horton Post, No. 515, of Garrettsville; of T. J. Mercer Post, No. 539, of Chesterhill; of Silas D. Prather Post, No. 590, of Baurenwelhe; of Asa R. Hillyer Post, No. 592, of Monroeville; of Lieutenant Boyd Post, No. 540, of Antioch; of Harvey J. Covell Post, No. 546, of Rockcreek; of Captain Bart Emery Post, No. 554, of Loveland; of George D. Harter Post, No. 555, of Canton; of Forest City Post, No. 556, of Cleveland; of Wilson V. Tood Post, No. 559, of Wakeman; of J. Lewis Post, No. 560, of Wilkesville; of John Bartges Post, No. 561, of North Georgetown; of Barden Post, No. 562, of Barden; of A. W. Graves Post, No. 563, of Lockland; of W. H. Byrd Post, No. 565 of Spring Valley; of Walter A. Slaughter Post, No. 568, of Edgerton; of W. S. Hancock Post, No. 571, of Thurman; of R. G. Shaw Post, No. 572, of Cincinnati; of L. A. Myers Post, No. 582, of Sunbury; of James A. Garfield Post, No. 591, of Mentor; of John A. Miller Post, No. 592, of Parks Mills; of W. D. W. Mitchell Post, No. 596, of Byhalia; of Al. Mason Post, No. 598, of Miamisburg; of Wilson Post, No. 602, of Vienna Cross Roads; of General W. P. Richardson Post, No. 609, of Woodsfield; of William H. Bailey Post, No. 610, of Blue Creek; of Spencer Cherrington Post, No. 614, of Jackson; of Taylor Post, No. 616, of Somerton; of A. Linnabary Post, No. 621, of Melrose; of Harlem Springs Post, No. 524, of Harlem Springs; of J. M. Hifer Post, No. 632, of Ansonia; of John Brown Post, No. 633, of Springfield; of Rings Post, No. 637, of West Unity; of Hecker Post, No. 638, of Cincinnati; of E. L. Hughes Post, No. 640, of Buford; of Caleb Marker Post, No. 646, of New Paris; of Moses Martin Post, No. 649, of Huron; of Justus Paxton Post, No. 652, of Shauck; of J. G. Reithmuller Post, No. 658, of Hannibal; of Martin Post, No. 665, of Claysville; of Roberts Post, No. 672, of Poplar; of Kaldenbaugh Post, No. 676, of Mineral City; of J. W. Ash Post, No. 679, of Kansas; of Joseph W. Vance Post, No. 680, of Scott; of Theodore G. Merchant Post, No. 683, of Paulding; of R. Marshall Post, No. 684, of South Perry; of John H. Jackson Post, No. 689, of Cheviot; of Colonel John T. Toland Post, No. 695, of State Soldiers' Home, Upper Sandusky; of Charles N. Stout Post, No. 700, of Stout; of A. W. Duncan Post, No. 702, of Killbuck; of Fry Post, No. 706, of Brandon; of Walker Jackson Post, No. 713, of Ripley; of Volunteer Post, No. 715, of Toledo; of Lieutenant S. V. Walk Post, No. 720, of Eagle Mills; of John C. Fremont Post, No. 729, of Alliance; of Shennefield Post, No. 734, of Ewington; of Edward Crouse Post, No. 737, of Harrisburg; of Jesse Ellis Post, No. 740, of Batavia; of David G. M Faddin Post, No. 741, of Sardinia; of George K. Moss Post, No. 742, of Broadwell; of Judge N. Shennon Post, No. 747, of Eldorado; of Neal Post, No. 62, of Sidney; of Wallace McNeal Post, No. 687, of Iberia; of Andrew Crawford Post, No. 6, of New Philadelphia; of A. B. Banning Post, No. 198, of Madisonville; of Thurston Post, No. 213, of Lebanon; of Ricksecker Post, No. 469, of Canal Dover; of Fifer Post, No. 632, of Ansonia, all of the Department of Ohio, Grand Army of the Republic, in the State of Ohio, praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

Mr. DOLLIVER presented a petition of J. Dodder Post, No. 446, Department of Iowa, Grand Army of the Republic, of Grand View, Iowa, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregation of the United Presbyterian Church of Morning Sun, of the congregation of the Baptist Church of Murray, of the congregation of the Methodist Episcopal Church of Murray, of the congregation of the United Presbyterian Church of Washington, of the congregations of the Presbyterian and Methodist Episcopal churches of Crawfordville, of the Woman's Christian Temperance Union of Oelwein, of sundry citizens of Washington, of the congregation of the Christian Church of Murray, and of the congregation of the Free Methodist Church of Morning Sun, all in the State of Iowa, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. ALDRICH presented a petition of Netop Council, No. 7, Order of United American Mechanics, of East Providence, R. I., and a petition of the Woman's Christian Temperance Union of Charlestown, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WARREN presented sundry papers to accompany the bills (S. 2602) for the relief of Florville Kerlegan; (S. 1195) for the relief of the estate of A. W. McAllister, deceased; (S. 3134) for the relief of Thomas D. Ruffin; (S. 2615) for the relief of the estate of Wiley B. Brigance, deceased; (S. 1063) for the relief of the estate of Nancy Barrow, deceased; (S. 3058) for the relief of the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va.; (S. 607) for the relief of M. A. Lockhart; (S. 992) for the relief of Mary Ann Jackson; (S. 3214) for the relief of the Germantown Baptist Church, of Shelby County, Tenn.; (S. 3059) for the relief of the Methodist Episcopal Church, of Middletown, Frederick County, Va.; (S. [illegible]) for the relief of the estate of John O'Ferrall, deceased; (S. [illegible]) for the relief of James H. Young, Benjamin F. Young, and F. A. Young; (S. 3056) for the relief of the Presbyterian Church of Strasburg, Shenandoah County, Va.; (S. 3243) for the relief of M. V. Stearnes; (S. 3445) for the relief of James Boro, Mary Boro, and the estate of James Boro, deceased; (S. 3472) for the relief of the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va., and (S. 3057) for the relief of the St. Thomas Episcopal Church, of Middletown, Frederick County, Va.; which were referred to the Committee on Claims.

Mr. FRYE presented a petition of the president and faculty of the University of Maine, Orono, Me., praying for the enactment of legislation providing for the preservation of the Calaveras grove of big trees; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented the petition of F. S. Nash and 29 other shipmasters of Brunswick, Ga., praying for the establishment of a light-ship off Point Lookout, Ga.; which was referred to the Committee on Commerce.

MINT AT DENVER, COLO.

Mr. ALLISON. I present a letter from the Secretary of the Treasury relating to the mint at Denver, Colo., with a supplemental estimate accompanying it. I move that the letter and estimate be printed as a document and referred to the Committee on Appropriations.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1330) granting a pension to Jerry S. Fish;

A bill (S. 3054) granting an increase of pension to Kate M. Strange;

A bill (S. 2198) granting a pension to Thomas Irvin; and

A bill (S. 1597) granting a pension to Rosa D. Mayhew.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1937) granting a pension to Samuel Richards;

A bill (S. 2103) granting an increase of pension to John L. McVey; and

A bill (S. 2924) granting an increase of pension to Samuel E. Comany.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3000) granting an increase of pension to William C. Best;

A bill (H. R. 4115) granting an increase of pension to Joseph S. Young;

A bill (H. R. 3001) granting an increase of pension to Alpheus Converse; and

A bill (H. R. 5043) granting a pension to William H. Harrison.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon; which were agreed to, and the bills were postponed indefinitely:

A bill (S. 1395) granting a pension to Mary Louisa McGilvary;

A bill (S. 1322) granting an increase of pension to Mary E. Dugger; and

A bill (S. 1357) granting a pension to M. Elizabeth Kent.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2955) granting an increase of pension to John Hogarth Lozier;

A bill (S. 588) granting an increase of pension to Wilbur F. Little; and

A bill (S. 3452) granting an increase of pension to Charles Male.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 2237) granting an increase of pension to Louise Chandler;

A bill (S. 386) granting an increase of pension to Homer D. Wells;

A bill (H. R. 3776) granting an increase of pension to Alfred I. Judy;

A bill (H. R. 4200) granting an increase of pension to Milton H. Sweet; and

A bill (S. 3088) granting an increase of pension to Joseph H. Kennedy.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4916) granting an increase of pension to Allen M. Pierce;

A bill (H. R. 3778) granting an increase of pension to Juliaetta Rowing;

A bill (H. R. 6619) granting an increase of pension to Benjamin R. Lande;

A bill (H. R. 3013) granting an increase of pension to John A. Mavity;

A bill (H. R. 6880) granting an increase of pension to Charles E. Lewis;

A bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard;

A bill (H. R. 6932) granting an increase of pension to Harvey R. King;

A bill (H. R. 2188) granting an increase of pension to Richard L. Cook;

A bill (H. R. 2472) granting an increase of pension to David F. Lewis;

A bill (H. R. 895) granting an increase of pension to Margaret M. Walker;

A bill (H. R. 1908) granting an increase of pension to Harvey D. Barr;

A bill (H. R. 2139) granting an increase of pension to James W. Kight;

A bill (H. R. 7002) granting an increase of pension to James S. Rearden; and

A bill (H. R. 2690) granting an increase of pension to Thomas Kelly.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (S. 3608) granting a pension to Lizzie Breen, reported it with an amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on the District of Columbia, to whom was referred the bill (S. 2299) to authorize the Commissioners of the District of Columbia to remit fines and grant pardons, reported it with amendments, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Pensions, to whom was referred the bill (S. 2396) granting a pension to Frances F. Hopkins, reported it with amendments, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6975) granting an increase of pension to George W. Lawson; and

A bill (H. R. 5464) granting an increase of pension to Francis M. Northern.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (H. R. 6331) granting an increase of pension to James M. Dickey, reported it with an amendment, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 2430) to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia, reported it with amendments, and submitted a report thereon.

Mr. BARD, from the Committee on Public Lands, to whom was referred the bill (S. 904) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State, reported it without amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Territories, to whom was referred the amendment submitted by himself on the 19th instant, proposing to appropriate $250,000 for the construction of a wagon road from Valdez by the most practical route to Fort Egbert or Eagle, on the Yukon River, in the district of Alaska, intended to be proposed to the sundry civil appropriation bill, reported it with an amendment, submitted a report thereon, and moved that the amendment and report be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. SMOOT, from the Committee on Pensions, to whom was referred the bill (S. 3373) granting a pension to Eliza Williams, reported it with an amendment, and submitted a report thereon.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden;

A bill (H. R. 5559) granting an increase of pension to Josephine C. Chase;

A bill (H. R. 2198) granting an increase of pension to Henry D. Wright;

A bill (H. R. 1856) granting an increase of pension to Alexander H. Covert; and

A bill (H. R. 864) granting an increase of pension to Albert Moulton.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3645) granting an increase of pension to Francis Hall;

A bill (S. 962) granting an increase of pension to Jennet Thoits; and

A bill (S. 3130) granting an increase of pension to Nathan P. Bowman.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 2965) granting a pension to John Herzinger, reported it with amendments, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the Library, to whom was referred the bill (S. 792) to authorize the erection of a monument at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial

treaty concluded October 18, 1774, reported it with amendments, and submitted a report thereon.

Mr. TELLER, from the Committee on Indian Affairs, to whom were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (S. [illegible]) [illegible] the Indian reservation in the State of Washington, and for other purposes;

A bill (S. [illegible]) to ratify an agreement with the Indians of the Kickapoo Indian Reservation in Kansas, and making appropriations to carry the same into effect.

Mr. MORGAN, from the Committee on Indian Affairs, to whom was referred the bill (S. [illegible]) to ratify and confirm an agreement with the Turtle Mountain band of Chippewa Indians in the State of North Dakota and to make appropriations for carrying the same into effect, reported it with amendments, and submitted a report thereon.

Mr. BALL, from the Committee on Pensions, to whom was referred the bill (S. [illegible]) granting an increase of pension to John T. Perry, reported an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. [illegible]) granting an increase of pension to Jennie Long;

A bill (S. [illegible]) granting a pension to Sallie H. Hoffecker; and

A bill (H. R. 6[illegible]) granting an increase of pension to George W. Travis.

Mr. BALL, from the Committee on Pensions, to whom was referred the bill (H. R. 5841) granting an increase of pension to Abram Wilson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5176) granting an increase of pension to Alonzo Dutch, reported it with an amendment, and submitted a report thereon.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (S. 1419) to fix the salary of the collector of customs at Omaha, Nebr., asked to be discharged from its further consideration, and that it be referred to the Committee on Commerce; which was agreed to.

UTAH SENATORIAL INVESTIGATION.

Mr. BURROWS, from the Committee on Privileges and Elections, reported the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Privileges and Elections of the Senate, or any subcommittee thereof, be authorized to continue the investigation of the election of Reed Smoot, a Senator from the State of Utah, and to employ such stenographers and other assistants as may be required to attend such investigation at the expense of the Senate; and that the reports of the testimony taken in said investigation be printed from day to day for the use of the Senate upon such orders as may be approved by the chairman of the committee.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. MILLARD introduced a bill (S. 3753) exempting certain officials and employees from civil-service law; which was read twice by its title, and referred to the Committee on Civil Service and Retrenchment.

He also introduced a bill (H. R. 3754) for the relief of Henry T. Clarke; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3755) granting an increase of pension to William H. Conner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. M. A. LAURIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3756) for the relief of James Henderson;

A bill (S. 3757) for the relief of Mrs. Ina J. Fee;

A bill (S. 3758) for the relief of the heirs of U. H. Buck (with accompanying papers);

A bill (S. 3759) for the relief of James P. Pace, administrator of Jesse M. Pace, deceased;

A bill (S. 3760) for the relief of the estate of Mrs. Sarah T. Jarratt, or her legal representatives;

A bill (S. 3761) for the relief of Julia A. Thomas, administratrix of the estate of L. S. H. G. Greer, deceased;

A bill (S. 3762) for the relief of R. M. Lay, administrator of Henry Lay, deceased; and

A bill (S. 3763) for the relief of Smith Simmons, administrator of John Watres, deceased.

Mr. KEAN introduced a bill (S. 3764) granting an increase of pension to Manuel Kuhn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3765) granting a pension to Dorothy A. Louden; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SEWELL introduced a bill (S. 3766) for the suppression and punishment of bribery and corruption in the purchase of the United States vote and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Privileges and Elections.

Mr. LAPHAM introduced a bill (S. 3767) to amend section 1 of an act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901; which was read twice by its title, and referred to the Committee on the Judiciary of Columbia.

Mr. MALLORY introduced a bill (S. 3768) for the relief of Adam Scott; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of New York introduced a bill (S. 3769) granting a pension to Edward G. Catlin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3770) authorizing the President to appoint Henry T. Skelding, now a paymaster on the retired list of the Navy, as a pay director on the retired list of the Navy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. PROCTOR introduced a bill (S. 3771) granting an increase of pension to Virginia C. Spencer; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BARD introduced a bill (S. 3772) correcting the military record of David Bullis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. SCOTT introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3773) granting an increase of pension to Charles W. Ebert;

A bill (S. 3774) granting an increase of pension to John C. Felton (with an accompanying paper); and

A bill (S. 3775) to restore the name of William L. Freeman to the pension roll (with accompanying papers).

Mr. QUARLES introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3776) granting an increase of pension to Thomas W. Murray (with accompanying papers);

A bill (S. 3777) granting a pension to Sarah S. Smith (with accompanying papers); and

A bill (S. 3778) granting an increase of pension to Joseph L. Cotey (with a companying papers).

Mr. GAMBLE introduced a bill (S. 3779) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 3780) authorizing the Yanktown, Norfolk and Southwestern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McCUMBER introduced a bill (S. 3781) relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3782) to carry into effect the findings of the Court of Claims in the Congressional case No. 23993, the Washington Loan and Trust Company, legal representative of the estate of Aaron Van Camp, deceased, and Mary M. U. Chapin, [illegible] ma P. Chapin, legal representative of the estate of Virginius P. Chapin, [illegible] was read twice by its title, and referred to the Committee on Claims.

Mr. HANSBROUGH introduced a bill (S. 3783) for the relief of the families of certain Indian scouts who were killed during the engagement on the Little Big Horn, June 25, 1876, and for the relief of Alexander Mc[illegible]e, who was wounded in said engagement; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 3784) granting medals to certain Indian policemen on the Standing Rock Agency, N. Dak.; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. OVERMAN introduced a bill (S. 3785) for the relief of

James R. Neill; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 3786) for the further prevention of the spread of communicable diseases in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3787) granting an appropriation to the trustees of the Woman's National Industrial Exhibit of the city of Washington, D. C.; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HEYBURN introduced a bill (S. 3788) to provide for an examination to determine the feasibility of reclaiming the overflowed lands of the Kootenai River in northern Idaho and Montana; which was read twice by its title, and referred to the Committee on the Geological Survey.

Mr. CLAPP introduced a bill (S. 3789) to provide for the purchase of an additional site for the enlargement of the Federal building at Duluth in the state of Minnesota; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. BURNHAM introduced a bill (S. 3790) for the relief B. Jaquess; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3791) granting an increase of pension to Edwin J. Tenney; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3792) for the relief of H. H. Belew;

A bill (S. 3793) for the relief of the estate of Laodocia Bivens, deceased; and

A bill (S. 3794) for the relief of J. M. Carney.

Mr. CARMACK introduced a bill (S. 3795) granting a pension to Nora Stokes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 3796) to enable the Secretary of Agriculture to conduct experiments in the noncorn-growing States and Territories in the breeding and feeding of the various classes of live stock for market and in growing crops and forage plants adapted to these purposes; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 3797) for the relief of the heirs of Elias Gilbert; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LONG introduced a bill (S. 3798) to correct the military record of Talton T. Davis; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 3799) to revise the laws of the United States relating to trade-marks; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Patents.

He also introduced a bill (S. 3800) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. McCOMAS introduced a bill (S. 3801) granting an increase of pension to Susie G. Seabury; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3802) to enable the Joint Committee on the Library to purchase the sword of Gen. George Washington from Virginia Tayloe Lewis; which was read twice by its title, and referred to the Committee on the Library.

Mr. MITCHELL introduced a bill (S. 3803) granting a pension to David W. Rhodes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 3804) granting a pension to Jennie R. Hunt; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3805) granting an increase of pension to James B. Luckey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. M. A. LAURIN introduced a bill (S. 3806) for the relief of Mrs. A. T. Mason; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. DOLLIVER introduced a bill (S. 3807) granting an increase of pension to Otis H. Shurtliff; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 3808) for the relief of the heirs of George Orville Ragland, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a joint resolution (S. R. 38) to authorize the President to appoint as a surgeon in the Navy Dr. Francis S. Nash; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. SCOTT submitted an amendment proposing to change the grade of the consulate at Buenos Ayres, Argentine Republic, from Class IV, Schedule B, at $2,500 a year, to the grade of consul-general at $3,500 a year, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. NELSON submitted an amendment proposing to increase the salary of the consul-general at Kingston, Jamaica, from $2,000 to $3,000, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. HEYBURN submitted an amendment proposing to appropriate $895 to repay to the members of the tribe of Nez Perce Indians, of Idaho, the amounts contributed by them for the purpose of paying expenses incurred by the delegates sent by said tribe to Washington, D. C., to represent them in certain matters in their interest pending before the Indian Office and in Congress during the years 1902, 1903, and 1904, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. LODGE submitted an amendment proposing to appropriate $10,000 for inspection of consulates, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $1,040.65 to enable the Secretary of the Treasury to appoint an additional assistant appraiser for the port of Boston for the balance of the fiscal year ending June 30, 1904, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. MITCHELL submitted an amendment proposing to increase the salary of the principal clerk of the Senate to $2,500 while held by the present incumbent, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

Mr. CULBERSON. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the President be requested to inform the Senate if all the correspondence and notes between the Department of State, or any other department of the United States, and the representatives of the Government of Colombia for the entire period of the controversy and the consequences and notes between the United States and any other nation or representatives of the Government of Panama concerning the secession of Panama from Colombia have been sent to the Senate, and if not, that he be requested to send the remaining correspondence and notes to the Senate in executive session.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. LODGE. Let it go over.

Mr. CULLOM. I think I shall have to object to its consideration to-day.

The PRESIDENT pro tempore. The resolution will go over under the rule.

Mr. CULLOM. I did not fully hear the resolution read. I think it had better go over for to-day.

The PRESIDENT pro tempore. The resolution will be printed and go over under the rule.

JUDGMENTS IN INDIAN DEPREDATION CASES.

Mr. BAILEY submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Attorney-General be directed to transmit to the Senate a list of judgments of the Court of Claims for Indian depredation cases mentioned in the last two annual reports of his office, and pending appropriations at the present session of Congress, not already transmitted.

HOUSE BILLS REFERRED.

The bill (H. R. 9308) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 9659) to provide for the withdrawal, free of duty under bond, from the Louisiana Purchase Exposition of any articles and materials donated to incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, or to any State or municipal corporation, was read twice by its title, and referred to the Committee on Finance.

The bill (H. R. 8748) for the relief of Serenus Kilbourne was read twice by its title, and referred to the Committee on Military Affairs.

SNAKE RIVER BRIDGE, ALASKA.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 3341) authorizing the city of Nome, a

municipal corporation organized and existing under chapter 21, title 3, of an act of Congress approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River at Nome City, in the Territory of Alaska.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill.

Mr. GALLINGER. Mr. President, I do not rise to object to the consideration of the bill, but I should like to have the privilege of making a statement, occupying a few minutes, touching the order of business in the Senate.

Rule VIII provides that—

[illegible]

Now, Mr. President, the Senate has been in session, I think, about six weeks since the commencement of the regular session, and during these six weeks the Calendar has not been proceeded with a single day under the provisions of that rule.

I do not expect, Mr. President, to interrupt the debates, interesting as they are, which are going on in the Senate, but I wish to give notice that I shall watch an opportunity day by day, if the opportunity shall present, to ask the Senate to proceed upon some consideration to the Calendar, as it is provided that the Senate shall give consideration to the Calendar.

We have now a very considerable Calendar. Take, for instance, the very meritorious measures of which I chance to be chairman, the Committee on the District of Columbia. We have reported a large number of bills. I do not too like getting up day after day and asking unanimous consent to have those bills considered, but unless something is done to facilitate the ordinary business of the Senate the Calendar will not be reached possibly for weeks to come.

I should wish, Mr. President, that if no Senator is prepared to speak to-day on the pending resolutions we might devote an hour or two to the Calendar this very day. But I apprehend that the business of the Senate will be conducted otherwise. I simply want to have it understood that I shall take it upon myself, if no other Senator does, to urge at every opportune moment the fact that we ought not to neglect the Calendar for the purpose of indulging even in debate on very important questions that are agitating the country at the present time.

I simply wish to make this statement so that if I shall be somewhat importunate hereafter it will be understood what my purpose is in being so.

Mr. HALE. Mr. President, I am much pleased that the Senator from New Hampshire has given this notice. In the last Congress, at the request of many Senators, I took upon myself the same role, and I did push, in season and out of season, for the consideration of the Calendar. The result was that long before the end of the session we cleared up the Calendar, and Senators were not obliged to watch for a chance to get through particular bills.

I am very glad the Senator from New Hampshire, who is an old and experienced Senator and knows parliamentary law, who knows how business can be done here, has consented to take upon himself the charge of this matter, and I hope whenever other business is not pushing and pressing he will keep the Calendar before the Senate in the morning hour. Then he will find and we will find that in two or three months, as soon as other matters are out of the way, we will have cleared up the Calendar, and Senators will have gotten their bills through without having been obliged to watch for every chance.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. NELSON] has the floor. Does the Senator from South Carolina rise to the request made by the Senator from Minnesota for the consideration of a bill?

Mr. TILLMAN. I wish to make a suggestion to the Senator from Minnesota. If we begin the matter of going to the Calendar upon special requests, I do not know how long it will last. The business I have is purely morning business, and I should like to finish it, if he will allow me take the floor and get up my resolution. If the Senator will permit me, of course I will then yield to him and others who are importunate about getting special measures through. I make the suggestion to the Senator, and ask his consent to that arrangement.

Mr. NELSON. I have no special objection to the course proposed, Mr. President, but this is a local bill, relating to Alaska, providing for a bridge, and I am very anxious to secure its early consideration.

Mr. TILLMAN. The subject I want to call up has had some debate on it and will likely lead to more, but I think it is a very important matter. We left it dangling in the air on our last day.

Mr. NELSON. The bill has been brought before the Senate, and it will take but a minute to dispose of it. I suggest to the Senator that he allow the bill to go through.

Mr. TILLMAN. If it takes no debate, I will consent.

Mr. NELSON. It will take no debate at all.

The PRESIDENT pro tempore. The bill which the Senator from Minnesota desires to have acted upon will be read for the information of the Senate.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Commerce with an amendment, in section 1, page 2, line 11, after the word "prescribe," to insert:

[illegible] be charged for such [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHANGES IN RAILWAY TARIFF RATES.

Mr. QUARLES. The Senator from South Carolina, who I believe has the floor, has very kindly consented to yield to me that I may ask simply that a matter of morning business be transacted.

Some days ago I introduced a Senate resolution, No. 87, requesting certain information from the Interstate Commerce Commission. I asked for its present consideration, and an objection was made. Therefore the resolution went over. It has fallen under this mass of resolutions here. It is the desire of the Committee on Interstate Commerce to have the resolution referred to it. They have agreed to take prompt action upon it. I therefore ask unanimous consent that resolution No. 87 be taken from the Calendar and referred to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. The Senator from Wisconsin asks unanimous consent that the resolution submitted by him directing the Interstate Commerce Commission to furnish the Senate a report showing the principal changes in railway tariff rates, etc., be taken from the table and referred to the Committee on Interstate Commerce. The Chair hears no objection, and that order is made.

COLLECTION DISTRICT OF INDIANA AND ILLINOIS.

Mr. HOPKINS. The Senator from South Carolina [Mr. TILLMAN], who, I understand, has the floor, has kindly consented to permit me to call up a bill from the Calendar. I ask unanimous consent for the present consideration of the bill (S. 540) providing for additional officers in the district of Chicago, in the collection district of Indiana and Illinois.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported by the Committee on Commerce with an amendment, in line 5, after the words "naval officer," to strike out "and a surveyor for the district. The naval officer shall receive a salary of $5,000 a year, and the surveyor shall receive a salary of $5,000 a year" and insert "for the district, who shall perform the duties pertaining to that office, and shall receive a salary of $5,000 a year;" so as to make the bill read:

Be it enacted, etc., That there shall be in the district of Chicago, in the [illegible] and shall receive a salary of $5,000 a year.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois."

REPUBLICS OF NICARAGUA AND COSTA RICA.

Mr. GAMBLE. Mr. President——

Mr. GALLINGER. Now, Mr. President, I call for the regular order.

The PRESIDENT pro tempore. The Senator from New Hampshire demands the regular order. The Chair lays before the Senate the first resolution in order, which will be stated by title.

The SECRETARY. Senate concurrent resolution No. 32, submitted by Mr. MORGAN January 11, 1904, declaring it to be the duty

of the United States to open negotiations with the Governments of Nicaragua and Costa Rica as required under the act of June 28, 1902, providing for the construction of an interoceanic canal.

Mr. TILLMAN. In the absence of the Senator from Alabama [Mr. MORGAN] who introduced the resolution, I ask that the resolution go over, retaining its place and its privileges.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

HOURS OF LABOR IN EXECUTIVE DEPARTMENTS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution the title of which will be stated.

The Secretary read the resolution submitted by Mr. STEWART on the 11th instant, as follows:

[illegible] That the Committee on Appropriations be instructed to inquire [illegible] clerks in the Departments to avoid the necessity of extending the hours of labor from 4 to half past 4 o'clock.

Mr. STEWART. I should like to modify that resolution by inserting the word "requested" for the word "instructed;" so as to make it a request to the committee.

The PRESIDENT pro tempore. The Senator has the right to modify the resolution. The question is, Will the Senate agree to the resolution as modified?

Mr. COCKRELL. Why should not that resolution go to the Committee on Organization, Conduct, and Expenditures of the Executive Departments?

Mr. STEWART. I prefer that it shall go to the Committee on Appropriations.

Mr. COCKRELL. I do not think that the Committee on Appropriations has anything to do with that subject. It is a matter of management of the Executive Departments and not of appropriations. We have a specific committee for that purpose, which has not much business to do, and this would be a very good job for them to undertake.

Mr. STEWART. I think this a question on which we want the experience of the Committee on Appropriations, because the question of the number of clerks is determined by that committee. So I think that is the committee that should consider and investigate this matter. The Senator from Missouri will know all about it without any investigation.

Mr. COCKRELL. Then I shall say in advance that I believe in the theory of more work and less clerks, instead of more clerks and less work.

Mr. STEWART. Very well; but my preference is that the resolution should go to the Committee on Appropriations.

Mr. COCKRELL. As the object of the resolution seems to be to increase the number of clerks, I think it had better go to the committee I have indicated.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

CORRESPONDENCE WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate——

Mr. TILLMAN. I should like to make a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. TILLMAN. There seems to be a considerable number of these resolutions which have come over from day to day. I was about to ask, and will now ask, if I may be allowed, that by unanimous consent they stay on the table, as nobody seems to be fretting about them or trying to dispose of them.

Mr. LODGE. Some of these resolutions can be disposed of. We have already disposed of one or two.

The PRESIDENT pro tempore. Two have been disposed of. The one referred to by the Senator from South Carolina may be reached very shortly.

The Chair lays before the Senate resolution numbered 81, submitted by the Senator from Virginia [Mr. DANIEL] on the 12th instant, which will be stated.

The SECRETARY. Senate resolution 81, requesting the President to send to the Senate all correspondence between the Secretary of State and Colombia relating to that country since November 4, 1903, and which has not been heretofore transmitted.

Mr. LODGE. That is covered substantially by the resolution introduced to-day. I suggest that it go over without losing its place.

Mr. GORMAN. I ask that that may be done.

The PRESIDENT pro tempore. The resolution will go over without losing its place.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution submitted by the Senator from Georgia [Mr. BACON] on the 12th instant, which will be stated.

The SECRETARY. Senate resolution 82, informing the President that the Senate favor and advise the negotiation of a treaty with the Republic of Colombia to satisfactorily determine and adjust all differences between the United States and Colombia growing out of the recent revolution in Panama, etc.

Mr. BACON. Mr. President, I have unfortunately been unavoidably absent from the Senate for some time. I am not able to-day to address to the Senate the few remarks which I desire to submit upon the resolution. For that reason, I ask that the resolution may go over until some time in the near future, possibly to-morrow, when I shall desire to be heard upon it.

The PRESIDENT pro tempore. The Senator from Georgia asks that the resolution may go over, retaining its place. Is there objection? The Chair hears none, and that order will be made.

SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore. The Chair lays before the Senate Senate resolution numbered 86, submitted by the Senator from Colorado [Mr. PATTERSON] on the 13th instant, which will be stated.

The SECRETARY. Senate resolution 86, directing the Interstate Commerce Commission to send to the Senate copies of all petitions, etc., received relative to relieving common carriers by railroad from, etc., any of the provisions of safety-appliance acts, etc.

Mr. KEAN. When that resolution was heretofore under consideration, I made a motion to refer it to the Committee on Interstate Commerce.

The PRESIDENT pro tempore. That is the pending motion.

Mr. KEAN. But I do not see the Senator from Colorado [Mr. PATTERSON] present; and so I ask that the resolution may go over, retaining its place.

The PRESIDENT pro tempore. The Senator from New Jersey asks that the resolution may go over, retaining its place. Is there objection? The Chair hears none, and that order will be made.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution submitted by the Senator from Maine [Mr. HALE] on the 13th instant as a substitute for the resolution submitted by the Senator from Georgia [Mr. BACON]. The resolution will be stated.

The SECRETARY. Senate resolution 88, that in any claim which the Republic of Colombia may make against the Republic of Panama for indemnification or loss of territory or increased burden of the debt of said Republic of Colombia, the President is requested to tender his best offices toward the peaceful adjustment of all controversies that have arisen, etc., between the two Republics.

Mr. LODGE. That should go over with the resolution of the Senator from Georgia [Mr. BACON].

Mr. BACON. That, as I understand, is a substitute for the resolution offered by me. After the statement made at the time it was offered, that it was to accompany my resolution and take whatever direction was given to that by the Senate, I think it should go over.

Mr. HALE. Let it take the course to which the Senator has referred. It was offered as a substitute for the resolution of the Senator from Georgia, and may go over, retaining its place, as his resolution has gone over.

The PRESIDENT pro tempore. In the absence of objection, that order will be made.

PAWNEE INDIAN SCHOOL.

The PRESIDENT pro tempore. The Chair lays before the Senate Senate resolution numbered 93, submitted by the Senator from Tennessee [Mr. CARMACK] on the 15th instant, which will be stated.

The SECRETARY. A resolution (S. Res. 93) directing the Secretary of the Interior to transmit to the Senate the original or copies of all charges, etc., relating to the superintendent and other employees of the Pawnee Indian School, etc.

Mr. TILLMAN. I should like to make another parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his parliamentary inquiry.

Mr. TILLMAN. I should like to know under what rule these resolutions get their status or condition of precedence. The resolution I am trying to call up was introduced on the 11th of December and is numbered 51. I notice that at least half a dozen resolutions that were subsequently introduced, and lie behind it, have been called up ahead of the one which I had on the table, which has been already called up once, but not completed. I am not complaining, but I just want to know how this thing goes.

The PRESIDENT pro tempore. The clerks are instructed to present to the Chair the resolutions in the order in which they are offered in the Senate.

Mr. TILLMAN. Then mine would have precedence over all of these, because it is numbered 51 and was offered on the 11th of December.

The PRESIDENT pro tempore. But the Senator's resolution was laid on the table, in the ordinary way of a resolution offered on the floor, and placed on the Table Calendar.

Mr. TILLMAN. But my resolution was offered as the RECORD shows, subject to call at any time, and was so recorded on the Calendar.

Mr. McCOMAS. If the Senator will permit me, I see his resolution was [illegible] December 11, and on January 22 it was [illegible] resent status.

Mr. TILLMAN. That [illegible] I am not complaining [illegible] so far as this is concerned, [illegible] here. [illegible] on the table subject to call of the Senator from [illegible] and the Chair is informed that the Senator's resolution is [illegible] on the table.

Mr. TILLMAN. Subject to call, the same as the rest of the resolutions.

The PRESIDENT pro tempore. No; not the same.

Mr. [illegible] they are not all subject to call.

The PRESIDENT pro tempore. Some are not subject to call at all.

Mr. TILLMAN. Then, if I am displaying my ignorance, I am not at all mortified, because I just want to understand how resolutions Nos. 84 and 93, and all that kind of thing, can get ahead of No. 58, and how a resolution offered in January can get ahead of one offered in December. I should like to have light on that point.

The PRESIDENT pro tempore. The Chair is not undertaking to present the Senator [illegible]

Mr. TILLMAN. I hope the Chair does not imagine for a moment that I have a suspicion or even the scintilla of a suspicion that the Chair is unfair. He is incapable of such a thing.

Mr. PATE. As the resolution which was laid before the Senate by the Chair is [illegible] by my colleague [Mr. CARMACK], who is not now present, I ask that it may go over without prejudice, retaining its place.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be made.

NICARAGUA CANAL.

The PRESIDENT pro tempore. The Chair lays before the Senate the concurrent resolution submitted by the Senator from Alabama [Mr. MORGAN] on the 20th instant, which will be stated.

The SECRETARY. Senate concurrent resolution 36, declaring that obedience to law requires that the President shall proceed to open negotiations with Nicaragua and Costa Rica for a treaty for a canal on Nicaragua route.

Mr. GORMAN. That is a resolution submitted by the Senator from Alabama [Mr. MORGAN], is it not?

The PRESIDENT pro tempore. It is.

Mr. GORMAN. I ask that it may go over without prejudice, retaining its place.

The PRESIDENT pro tempore. Is there objection? The Chair hears none; and that order is made.

RECESS APPOINTMENTS.

The PRESIDENT pro tempore. Does the Senator from South Carolina desire to call up his resolution now?

Mr. TILLMAN. I do. I ask unanimous consent that Senate resolution No. 51 be taken from the table.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent to take from the table a resolution, which will be read.

The Secretary read the resolution submitted by Mr. TILLMAN December 11, 1903, and modified January 22, 1904, as follows:

Whereas article 2, section 2, of the Constitution of the United States provides:

"The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and, by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law;

"The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session."

And

Whereas it is known that certain officers appointed during the recess of Congress from March 4 and to December 3, and whose appointments were published, have been in possession of said offices and exercising the powers and functions appertaining thereto; and

Whereas it is desirable that the Judiciary Committee of the Senate be, and it is hereby, authorized and directed to report to the Senate—

First. What constitutes a "recess of the Senate," and what are the powers and limitations of the Executive in making appointments in such cases.

Second. What legislation is necessary to prevent the holding of an office by any person to whom the President may issue or are held by Executive exercise of unauthorized authority, if any there be.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution? The Chair hears none; and it is before the Senate.

Mr. TILLMAN. Mr. President, on Friday last, when this resolution was under discussion, we did not complete the statement of the case of the pending [illegible] before the Senate just what the actual facts are. The Senator from Maine [Mr. HALE] called a [illegible] on that side of the Chamber [illegible] legality or constitutionality of a constructive recess. He declared, as I remember, that the appointments under discussion were not [illegible] I believe that is a correct statement [illegible] explanation of the purpose in the [illegible] lose at once and forever, beyond doubt, just what [illegible]

Mr. HALE. I [illegible] in this theory of a [illegible] did, and [illegible] had committed himself to that proposition. Afterwards some question arose as to the [illegible] General Wood, and Mr. Crum, of [illegible] which would be represented [illegible] Senator from South Carolina suggests. I stated [illegible] nation made, not by myself, but by some one else, I believed that the nominations sent in by the President did not disclose that he had committed himself in any way to the proposition—the new proposition, the strange proposition—of a constructive recess, but that they were sent into the Senate as original nominations.

I have since looked at the records, and they disclose as to those two cases, this condition: That after the long recess between March and November, the nominations of General Wood and Mr. Crum were sent in, referring to their being recess appointments, but that the nominations sent into this session—the regular December session—disclose no [illegible] kind. They are original nominations, without [illegible] and we are dealing with them as original nominations.

I have the two nominations here. This is the nomination of Mr. Crum that was sent in after the actual recess, the long recess, between March and November.

William D. Crum, of South Carolina, to be collector of customs for the district [illegible], in the State of South Carolina, in place of Robert M. Wallace, deceased.

[illegible]

Nobody denies that that is right. There had been a real recess, and he held the place under a recess appointment. The nomination shows that.

In December, in this session, when the nomination was sent [illegible] now—it was simply sent in as an original nomination. It reads:

William D. Crum, of South Carolina, to be collector of customs for the district [illegible], in the State of South Carolina, in place of Robert M. Wallace, deceased.

That is just like any original nomination. So that the statement I made, not on my authority, but on the authority of others, on Friday last is borne out.

Mr. MITCHELL. I wish to ask the Senator from Maine if this nomination gives Mr. Crum the right to hold office?

Mr. HALE. That is not the question we are considering. That is a question which will come before the Comptroller when a claim is made for salary.

Mr. MITCHELL. But what is the Senator's opinion?

Mr. HALE. I have not looked into the matter.

Mr. MITCHELL. I [illegible]

Mr. HALE. I am willing to leave it to the Comptroller. He is a man of large experience, undoubted integrity, and great industry, and I have no doubt [illegible] short shrift, if the question comes before him, of any such thing as a constructive recess.

Mr. BAILEY. May I ask the Senator from Maine a question?

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Texas?

Mr. HALE. Certainly.

Mr. BAILEY. I agree with the Senator from Maine that it is [illegible] for the Comptroller so far only as the salary is concerned; but that it is a question for the Senate whether a man pretending to be an officer is exercising the duties of an office without the proper appointment. The only way in which the matter can be presented to the Comptroller is on the question of salary. I take it that is the smallest part of the question presented here.

Mr. HALE. That does not take it away from the Senate. The Senate does not settle that question.

Mr. BAILEY. Not the question of salary, but I take it that no Senator will agree that the President may appoint men to office and that they may enter upon the discharge of the duties of their offices without the sanction of the Senate when the Senate is in

session, and that we should dispose of it all by waiving it back to the Comptroller of the Treasury to say whether he shall pay the salaries or not.

Mr. HALE. The Senator will bear in mind that we are not now considering the nominations. We are not in executive session. We have neither Mr. Crum nor General Wood before us.

Mr. BAILEY. I perfectly understand that.

Mr. HALE. This is only, you may say, an academic discussion.

Mr. BAILEY. My sole purpose was simply to dissent from the idea that the President could appoint a man during the session of the Senate, and that man, before he was confirmed by the Senate, could enter upon the discharge of his duties and hold the office, and that the Senate had no further concern about the matter. I simply dissent from that view of the question.

Mr. HALE. My point was only that the nomination—and my search into the documents, going to the executive room of the Secretary's office and getting the original appointment—shows that when the President sent in these nominations to this session he did not do what he did in the executive session after the actual recess. So that my original point holds good that the President does not, from anything we see here, commit himself to the theory or the proposition of a constructive recess when the two sessions were merged on the same point of time. As I said the other day, the Constitution is not a pitfall for the unwary; it does not deal in devices and surprises; but it is a plain open way. The recess provided for in the section and article of the Constitution which was read the other day is an actual recess, in which business can be done and when offices can be filled, as they ought to be filled in order to run the Government. But the discussion the other day showed that all the precedents were against the theory of a constructive recess when there is no actual recess.

All I wanted to say was that I have looked at the records and they do not show that the President sent these nominations in at this session with reference to the recess appointment, as he did in the November session. That is all that I wanted to say. We do not adopt the idea that there has been a recess at all; we are not committed to it, and there is nothing in the papers to show that the President has committed himself, and I hope he has not committed to that proposition.

Mr. TILLMAN. The papers themselves show.

Mr. HALE. I have the original nominations here, and I refer to them. I do not refer to any mere letter such as the Senator may have, but I have the original nominations, which are official documents, which speak for themselves. I do not know what the Senator has, but he can have nothing so fundamental and so conclusive as the original nominations sent by the President to this body.

Mr. TILLMAN. Mr. President, as I said the other day, this is too great a question to be decided from any partisan standpoint. I deprecated the entry into it of any partisan feeling or any supposed necessity that Senators here must express themselves and take attitudes in accord with their party affiliations. It is too serious and too great a question to be thus belittled. I reiterate and I want to emphasize, so far as I am able, that the purpose and feeling I have is simply to guard the ancient rights, the constitutional rights, of the Senate in dealing with appointments which it has to confirm.

In order to get the facts more clearly before the Senate, I will produce the letters here. I have a copy of one and the original of the other. Here is a copy of the correspondence that occurred in regard to the Crum appointment. On January 8 I addressed the following letter to the Secretary of the Treasury:

UNITED STATES SENATE,
Washington, D. C., January 8, 1904.

Hon. LESLIE M. SHAW,
Secretary of the Treasury, Washington, D. C.

SIR: Will you please give me an answer to the following questions:

First. When was Mr. W. D. Crum appointed [illegible] as at the port of Charleston, S. C.? [illegible]

Second. Is he now [illegible]

Third. Did [illegible] If so, give date.

Fourth. Has he been required to give a bond under his last appointment?

Fifth. Has he ever received any compensation for his services, and if not, why not?

An early reply will be appreciated by,

Yours, respectfully, B. R. TILLMAN.

I received this answer from Secretary Shaw:

OFFICE OF THE SECRETARY, TREASURY DEPARTMENT.

[illegible]

MY DEAR SENATOR: Replying to your note of January 8, relative to Dr. W. D. Crum, collector of customs at the port of Charleston, S. C., I beg to advise:

[illegible] of 1902, possibly in September, during a recess of the United States Senate. [illegible] Mr. Crum [illegible] the nomination. On the 23d day of March the Senate being in special session in the [illegible] nomination was again sent in. The Senate adjourned without confirming, and on March 29, 1903, the President issued a commission under which Mr. Crum entered upon the discharge of his duties. He was allowed compensation, however, in view of the [illegible] recess appointment. I should not wonder if you are familiar with the facts. The Senate [illegible] November, 1903, and the nomination was again [illegible] not acted upon.

Now, here is the point:

At the commencement of that special session, which commenced [illegible] o'clock noon of the [illegible]

In other words, at the precise minute when the [illegible] died and the new session began, the extra session disappeared, the regular session began.

[illegible]

Very truly, yours, (Signed) L. M. SHAW.

Hon. B. R. TILLMAN,
United States Senate.

Now, Mr. President, if the President has not given his sanction to the constructive recess, there are two things to which I would like to call attention. The first is that it was entirely unnecessary for the Secretary of the Treasury to notify me, as he has done, that this last appointment was made precisely at 12 o'clock, between the two sessions; secondly, that under the unbroken custom and, I believe, the law, no man can hold a position and discharge its functions under such circumstances.

The appointment last March, during the recess after the Senate adjourned, was entirely legitimate and lawful. When the Senate adjourned at the special session, which began on the 9th of November, without taking action, that temporary appointment, which is mentioned here, expired by limitation of law, and under the Constitution and the laws, as I understand them, there was no authority anywhere and there is no authority now to give him another appointment, except one such as the Senator from Maine contends for, which does not give him the office, which does not induct him into office, which gives him no commission, because without the consent of the Senate he can not hold that office lawfully. We have to confirm him. He has to pass the gamut of the votes of this body in order to be able to hold that office and discharge its functions.

Mr. HALE. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from South Carolina yield to the Senator from Maine?

Mr. TILLMAN. With pleasure.

Mr. HALE. Now, the Senator is discussing what will result from certain conditions about holding office and drawing pay. That is something which, while we can inquire into it and take an interest in it, does not come before us by the nomination that the President sent in. The nomination which I have just read is dated December 7, the day we assembled here. That it was made the minute this session began gives it no special rights. It is an original appointment. It is not made as the appointment was made at the beginning of the extra session, referring to the recess appointment, but is an original appointment, like anything else. That is all we have before us. I do not know what the result will be. That has to be fought out before the Comptroller.

Mr. TILLMAN. I have here a resolution, of which the Senator has failed to take cognizance, which seeks to have the Judiciary Committee investigate and report and give their authoritative opinion as lawyers as to what are the powers and rights of the Senate and what are the powers and drights of the Executive under these very conditions.

Moreover, I saw in the morning paper—I think it was this morning; certainly within the last two or three days—a cablegram from the Philippines from "Leonard S. Wood, major-general." He is not a major-general, but he is exercising the power and functions of a major-general, and with no lawful authority.

Mr. HALE. I have no objection to having the resolution referred to the Judiciary Committee and let them look up the question of constructive recess; but I do not need that. My mind is as clear as the daylight——

Mr. TILLMAN. But the Senator proposes no remedy. We all agree as to our legal rights as Senators and the powers of the Executive. At least I believe we do. But the Senator is endeavoring—I will not say that either—but he appears to be willing to let the rights of the Senate drop into abeyance or become eclipsed and to let the will of the Executive go on in filling offices contrary to the law and the Senate sit idly by.

Mr. HALE. That is not my position at all.

Mr. TILLMAN. I may be mistaken. I am merely giving his attitude as I understand it.

Mr. HALE. I have no objection to the committee reporting, but I do not need that. My mind is so clear that there is no such

thing as a constructive recess that I do not need that. All I say is that the papers which we have before us and all that will be in existence [illegible] are based upon a proposition which I make no reference to a [illegible] and I do not in any way by themselves commit the President to that proposition. I should be sorry to learn that the Chief Executive had availed the strained construction of which I have never been able to find the letter, that there is a constructive recess when the two sessions come together at the beginning and end of time.

As I have repeatedly said, the Comptroller will make short work of that when it comes before him, and we have not got it before us by the nomination. I have no objection to the Senator getting the Committee on the Judiciary to report if he wants to, but I [illegible] what their report would be.

Mr. TILLMAN. I [illegible], but Mr. President, we are not considering Mr. Crum's confirmation here. If so, these doors would be closed and we would be in executive session. Mr. Crum is a mere incident—a very slight incident, and incident—a great constitutional question which I am trying to present here.

I am opposing the establishment of a precedent which will destroy the rights of the Senate in regard to the appointment of information that is necessary. In the [illegible] business, he can kill the most important office in the Government, and until the Senate takes up the matter and reports it, or takes him by the throat as a prisoner of his was taken by the throat, the thing goes on, and that is the whole sum and substance of it.

I reiterate that I am not undertaking to attack the individual here, and I am not considering the individual. I am considering the constitutional question and the destruction of one of the foundation principles of the Government.

The Senator from Maine says he does not know who is the author of the constructive recess idea. I happen to have here a newspaper. Newspapers are not always reliable, especially when they talk about me. [Laughter.] But nevertheless they are the best light we can get, and I can gather from the statements made here a considerable amount of light on this question. I read from the Evening Star of this city of December 8. It is, as you all know, a strong Republican paper and more than friendly to the President.

RECESS COMMISSIONS. LIVELY CONTROVERSY OVER GENERAL WOOD'S NOMINATION—NO CHANGE IN STATUS—OFFICERS, IF CONFIRMED, WOULD RANK FROM YESTERDAY—MANY EXPERT OPINIONS [illegible]—WAR DEPARTMENT WILL TEST THE CASE BY PAYING OFFICERS' SALARIES.

According to the officials of the War Department the ending of the special session and the beginning of the regular session of Congress has made no change in the status of General Wood and the [illegible] nominations filed of record at the special session. What the President has done is for the purpose of preventing the occurrence of an idea [illegible] concerned in the event that there was actually a constructive recess [illegible] an almost impromptu period of time.

As has been stated by the Star, the President and officials of the War Department [illegible] that there was a recess and [illegible] commissions issued during the holding over of Congress [illegible] President's temporary Wood and the other [illegible] commissions were issued [illegible] and were dated on the morning of [illegible] the same officers at August last which they [illegible] they were appointed. Such commissions hold good until the termination of the succeeding session of Congress.

I hope the Senator from Maine will call for those papers if they are not in the possession of individual officers. We can address a communication to the Secretary of War and ask him to tell us whether there is anything in this but mere idle reportorial gossip; whether it is a statement of the facts.

Mr. HALE. Now, the Senator can do that, but he has not done it. He can address a Senatorial inquiry to the Secretary——

Mr. TILLMAN. I do not like to have the burden of upholding the dignity of the Constitution and the time-honored traditions of this Government fall upon such weak shoulders as mine. I have an Ajax on my left and a Titan on my right, and between the two they ought to sustain this proposition and let me out.

Mr. HALE. I wish the Senator would permit me to finish my sentence.

Mr. TILLMAN. I beg the Senator's pardon. He is always so courteous and so kind, especially to me, that I beg his pardon if I have seemed to be rude.

Mr. HALE. The Senator need not do that. All I was saying was that he indicated what he might do——

Mr. TILLMAN. No; I was asking the Senator from Maine to do this very thing.

Mr. HALE. Perhaps I will. I can do it. He can or I can introduce a Senatorial resolution, asking the Secretary of the Treasury what has been the actual course in this case and whether Mr. Crum has been installed in this office.

Mr. TILLMAN. I was asking the Senator to write to the Secretary of War——

Mr. HALE. The Senator does not let me finish my sentence.

Mr. TILLMAN. I will sit quietly down.

Mr. HALE. I wish the Senator would occasionally restrain what I may call these ebullitions. The Senator from Wisconsin [Mr. SPOONER], who has had experience in it, says to me it is the impetuosity of youth. We are all in love with the impetuosity of youth. Most of us have left it far behind, except the Senator from South Carolina. If he will hold on a moment, I will say what I started to say.

If the Senator or I choose to direct a Senatorial inquiry to the Secretary of the Treasury, asking him if Mr. Crum has been installed in this office since the extra session expired and by what method it has been done and under what claim of law or under what [illegible], the Senate will pass the resolution at once, whether he [illegible] it or whether I do, and then we will have the subject-matter before us. But I repeat that under the nomination [illegible] President to this session of Congress it does not appear that there is any reference to a recess appointment.

I do not object, as I said, to have this matter go to the Committee on the Judiciary and let them look it up, but I am afraid that, by asking the Committee on the Judiciary to consider the question, the Senator has unduly magnified the importance of it. It is fugitive, stray, isolated proposition that somewhere somebody has fathered the proposition that when two sessions come together at the same point of time there is a constructive recess. And yet I will not object to his request.

Mr. TILLMAN. The Senator from Maine is so adroit a fencer and he takes things so much for granted sometimes, as a matter of course, and is apparently so innocent of guile or suspicion of guile in others—I will relieve the Senator from the suspicion of guile in himself—I take that back, I modify that——

Mr. HALE. Of course.

Mr. TILLMAN. He has had such extensive experience with parade men, he has been so great a part and instrument in this Government that of course he has rather a bucolic or youthful understanding of human nature, and to that extent he is sometimes given to the pooh-poohing of things as a most effective weapon of defense, and undertaking to belittle this case and set it aside as unworthy or consideration, I think, is rather a ruse than any actual opinion of his that it can be determined in that way.

I was reading from the Star a very interesting presentation of what is asserted to be a fact. According to this paper—

In the Administration's view the original commissions expired at the end of the [illegible] session of Congress.

That was on the 7th of December—

and the new commissions will run until the expiration of the pending session provided no action is taken in the meantime on the nomination before the Senate.

In addition to the issue of these recess commissions direct to the officers, the President has also sent in their regular nominations to the same offices.

We would seem to have a double-barreled commission here, a special, so-called constructive recess appointment, and then this regular, awful [illegible] appointment, the one which we are now holding and which we will consider in executive session.

In doing which he has simply followed an unbroken custom in the case of [illegible] commissions are issued and bonds filed at the beginning of the regular session of Congress. In August last [illegible] the same officers were commissioned [illegible] the regular session of Congress. When [illegible] the President [illegible] the succeeding session of Congress.

In [illegible] that there was no legal recess of Congress [illegible]

In other words, that there was not any break; we simply merged and went on, and according to the view of the Senator from Wisconsin [Mr. SPOONER], which he tentatively suggested the other day, these officers would hold until the end of this session, because there was absolutely no intermegnum between the two. However, the Senator did not stand by that contention, I believe.

But you see that this whole subject has been very thoroughly canvassed and considered at the War Department, and of course by the Attorney-General and the other legal advisers of the President, and it is not a case which we can pooh-pooh and dismiss with a wave of the hand. A precedent is being established, and we can stop it only by calling attention to it and having the Senate announce authoritatively its view or by having Congress re-enact a statute which unfortunately is not now on the statute books.

Secretary Root has decided to bring the question before the accounting officers of the Treasury as soon as practicable. He has [illegible] War Department and the [illegible] Treasury [illegible] Department. It will then be for those officers to determine the propriety of the commissions, and they will be called on to [illegible] will also consider and determine the question as to whether there was or was not a recess of Congress [illegible] the beginning of the present session.

Now, I want to ask my great friend and lawyer and constitutional headlight whether he is willing to allow a subordinate in the Treasury Department to pass upon the constitutionality of these appointments and leave the Senate dawdling around here, neglecting its duty, and too cowardly apparently to discharge it and to claim its rights and maintain them?

Mr. HALE. I can not hinder a subordinate in the War Department, or the Treasury Department, or the Secretary of either Department trying this. I do not propose——

Mr. TILLMAN. Will the Senator allow me to read a statute?

Mr. HALE. Wait a moment until I get through. I have no objection to their trying it, but it will not avail; if it is not law, nothing will come of it; there will be no salary drawn; there will be no legal incumbency of the office if the Comptroller, who has to settle this question, decides that there is no law for these men holding the office; that they can not get the pay. Then the understrapper, to whom the Senator refers, whether in the Treasury Department or in the War Department, will be up against the law. But we shall have nothing to do with it. The Comptroller will settle that question. We can express our opinion about it. The Senator, as I said before, can have an inquiry directed, but it is not before us now except in this way, that the Senator wants the Committee on the Judiciary to consider this subject. I will not go over that again.

But I do not know anybody who is responsible for the Star article. I never heard of it before. I was unfortunate enough not to read it at the time; perhaps I ought to have read it. But it never occurred to me that the Star or the Post or the Times is the exponent either of the Congress or the President. If I followed newspaper articles, as the Senator says about articles that deal with him personally, I do not know where I would be. My wits would go woolgathering all the time. I do not know of anybody who is responsible for that article, and I do not know whether these Treasury and War Department underlings have undertaken to do this; but if they have, and there is no law for it, they will get what we call in the country their come-up-ance when the matter reaches the Comptroller.

Mr. TILLMAN. I will read section 1761 of the Revised Statutes:

No money shall be paid from the Treasury as salary to any person appointed during the recess of the Senate to a vacancy that may happen if the vacancy is alleged to exist in the Senate, but a nomination has not been made to the Senate next after the recess for the vacancy required to be filled by advice and consent of the Senate until such appointee has been confirmed by the Senate.

It looks to me like the Comptroller would simply have to draw that, and he certainly will not pay any money. But that does not relieve the situation at all.

Mr. SPOONER. What section is it?

Mr. TILLMAN. Section 1761. Now, we will see who some of these understrappers are, according to the Star reporter:

Secretary Root and Judge-Advocate General Davis of the Army hold that as there was constructively—

Constructively—

an interval between the adjournment of the Senate in special session and its reassembling in regular session the recess commissions heretofore issued lapsed and were necessary for a fresh issue of commissions.

[illegible] in a sense, contrary to the [illegible] session of Congress [illegible] Congress [illegible] run [illegible] if the [illegible] being [illegible] regular [illegible]

[illegible] that the [illegible] in the statutes of the officers [illegible] Congress. W[illegible] are [illegible] or the [illegible] a [illegible] are some of the matters to be determined by the Treasury officials.

Mr. HALE. The Comptroller.

Mr. TILLMAN. No; this is the Star quoting Secretary Root and Mr. Davis.

Mr. HALE. The Treasury official referred to is the Comptroller.

Mr. TILLMAN. Oh, the Comptroller.

It happened, as I said the other day in quoting the RECORD to show the attitude of the Senate in the past, that certain statutes were passed upon the statute books in 1867, at the very time when the debate from which I quoted was had. I want to read how the Congress which had to deal with Andrew Johnson thought it necessary to make the law over his veto:

SEC. 1769. The President is authorized to fill all vacancies which may happen [illegible] Senate [illegible] and [illegible] Congress [illegible] and [illegible] Senate [illegible] and [illegible] Senate [illegible] and [illegible] Senate

The Secretary answered on the same date, as follows:

OFFICE OF THE SECRETARY, TREASURY DEPARTMENT,
Washington, January 8, 1904.

MY DEAR SENATOR: Replying to your note of January 8, relative to Dr. W. D. Crum, collector of customs at the port of Charleston, S. C., I beg to advise:

The vacancy occurred in the fall of 1902, possibly in September, during a recess of the United States Senate.

I will note here that the duties of the office were performed in the interim by the deputy collector.

Congress regularly convened in December of that year, and on December [illegible] Mr. [illegible] nominated [illegible] Mr. [illegible] March [illegible] The Senate adjourned [illegible] December [illegible] The nomination was [illegible] Senate [illegible] Mr. [illegible] was made during this constructive recess, or else Mr. Crum is not [illegible]

[illegible] of the office, but without compensation, for reasons [illegible] stated.

Very truly, yours,

L. M. SHAW.

Hon. B. R. TILLMAN,
United States Senate.

Mr. HALE. Now, right there——

Mr. TILLMAN. Right there it says, "Mr. Crum has again given bond and is in the discharge of the duties of his office, but without compensation." It does not say whether he [illegible] commission or not.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Maine?

Mr. TILLMAN. I do.

Mr. HALE. The Senator is reciting what took place. What took place at the beginning of the unadjourned recess after March was that the new appointment was made and a commission issued. The Secretary says, when he comes to deal with the conditions at the end of the extra session, that an appointment was made at precisely 12 o'clock, and that the Senate now has that before it. That is the appointment which I have read:

William D. Crum, South Carolina, to be collector of customs for the district of Charleston, in the State of South Carolina, in place of Robert M. Wallace, deceased.

THEODORE ROOSEVELT.

DECEMBER 7.

There is nothing said to the effect that a commission was issued.

Mr. TILLMAN. That would not be stated in any communication of an appointment.

Mr. HALE. He goes further than that. He says that an appointment was made the moment Congress expired, and that the Senate now has it. That is what we have. This is not a recess appointment. It is a regular appointment.

Mr. TILLMAN. It is the only one we have.

Mr. HALE. It is the only one we have.

Mr. TILLMAN. This is the one made at precisely 12 o'clock. It is obliged to be that one, because there is no other.

Mr. MITCHELL. Is it not very clear from the whole correspondence that no commission has been issued this last time?

Mr. TILLMAN. Then it would be very clear that Mr. Shaw is very negligent of his duty and is indictable for malfeasance or misconduct. He states here——

Mr. MITCHELL. The letter to the Secretary of the Treasury, among other inquiries, inquired whether a commission had been issued, and the Secretary replies, "Yes; a commission was issued when the appointment was made in the regular recess."

Mr. HALE. Yes; in March.

Mr. MITCHELL. In March. Then he goes and recites later that an appointment was made at 12 o'clock, and says nothing about a commission having been issued.

Mr. HALE. And the Senate has it now.

Mr. MITCHELL. The Senate has it now under consideration. It is very clear, it seems to me, from the correspondence, taken altogether, that no commission has been issued by the President.

Mr. TILLMAN. What is Crum doing in office?

Mr. MITCHELL. I know nothing about that. I know not whether he is in office.

Mr. BAILEY. The letter of the Secretary of the Treasury states that he is.

Mr. TILLMAN. The letter states that he is and that he has given a new bond.

Mr. MITCHELL. Does the letter make that statement?

Mr. TILLMAN. Yes.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Rhode Island?

Mr. TILLMAN. Certainly.

Mr. ALDRICH. It is nearly 2 o'clock. I should like to make a practical suggestion to the Senator from South Carolina.

Mr. TILLMAN. The Senator is the most practical man I ever met, and I welcome any kind of a move in the direction of solving this question according to the Constitution and laws.

Mr. ALDRICH. The original contention of the Senator from South Carolina, as I understood him, was that certain nominations had been sent here by the President which were improperly and unlawfully made. That contention, as shown by an examination of the papers, is not correct.

Mr. TILLMAN. I dispute that. I deny it.

Mr. ALDRICH. There is [illegible] nothing in the nomination [illegible]

Mr. TILLMAN. There is [illegible] that [illegible] was made during the constructive recess, or else Mr. Crum is not [illegible]

Mr. ALDRICH. I. With the contention that nominations were improperly made the Senator has [illegible], of course, [illegible] Senator now discloses a new condition of affairs. He raises a new question, which has no relation to the other that I can see, and that is, that certain persons are improperly holding office. I would suggest that he request the Senate to pass a resolution asking the Secretary of the Treasury to define the status of Mr. Crum, if he is holding the office of collector, and if so, by what right.

Mr. TILLMAN. I have asked him that in the letter.

Mr. ALDRICH. There is certainly no definite answer as to the status of Mr. Crum. So far as the nomination is concerned, it was entirely regular. There is no question whatever that any provision of the law or Constitution has been violated. Now, if there is another question, I would suggest to the Senator that he prepare a resolution asking for this information, and when the information is secured then it will be time enough to discuss punishment, if any, that shall be inflicted.

Mr. TILLMAN. If my friend will permit me, will he do me the kindness to draw such a resolution and submit it to me?

Mr. ALDRICH. No.

Mr. TILLMAN. Oh, the Senator has suggested that way out, and I know that he knows a great deal more about how to get out of any difficulty than I can possibly ever learn.

Mr. ALDRICH. The Senator from South Carolina does not need any assistance from me.

Mr. TILLMAN. I want to know what kind of a commission has been issued to these army officers, and if possible——

Mr. BAILEY. If the Senator from South Carolina will permit me to make a suggestion in reply to the Senator from Rhode Island, such a resolution can not be [illegible] now, because the Senate has before it the official reply of the Secretary of the Treasury to a letter addressed to him by the Senator from South Carolina, in which the Secretary of the Treasury expressly declares that this appointee is now in the discharge of the duties of the office. If the Senator will permit me, I will read the Secretary's very words:

"[illegible] appointment [illegible] was made in the regular recess of the Senate, and he is now in the discharge of the duties of the office, but without compensation, for reasons [illegible] stated."

Now, the Secretary of the Treasury must clearly intend that this is an ad interim appointment, as [illegible] appointment there is no reason for withholding the salary of the incumbent.

Mr. MITCHELL. That law only applies to a recess appointment.

Mr. BAILEY. Certainly. But the papers presented to the Senate by the Senator from South Carolina raises another very grave question, and that is the right of the President to appoint a man to office while the Senate is in session and to permit that man to enter upon the discharge of the duties of that office before his confirmation. The Secretary of the Treasury brings himself within a constructed point, an absolute controversy. I cordially agree with the Senator from Maine that there can be no such thing as a constructive recess between two sessions of Congress, one beginning the instant at which the other expires. But still there are some grounds for controversy, though not much for argument on that point.

However, when the papers are presented here intended to show that the President does not commit himself to the Secretary of the Treasury in support of a theory of a constructive recess, he does present to the Senate another and a very grave question as to his power to induct men into office during the session of the Senate before they have their appointments confirmed.

Mr. ALDRICH. Mr. President, the Senator from Texas clearly confuses nominations and appointments in his mind. At least that is the impression——

Mr. BAILEY. Not at all. I am contending that the President can nominate during the session of the Senate, but the nominee can not enter upon the discharge of the duties of the office until the Senate confirms the appointment. I make no question about his sending the nomination to the Senate, but the question I make is that he sent a nomination to the Senate regular, so far as the [illegible] regular, but the fact develops from a letter written by the Secretary of the Treasury that his nominee is now in the discharge of the duties of the office, although he was not made while the Senate was in session and the Senate had not confirmed it.

Mr. ALDRICH. If the appointment made in that case was in the nature of a recess appointment, he would be clearly entitled to compensation.

Mr. BAILEY. No; he clearly would not be.

Mr. MITCHELL. It is just the reverse of that. The withholding of the salary only applies to recess appointments.

Mr. BAILEY. He would be clearly entitled to enter upon the discharge of his duties, but without salary until he was confirmed.

Mr. ALDRICH. Still the salary would date back——

Mr. BAILEY. Certainly.

Mr. ALDRICH. Until the time of the original appointment.

Mr. BAILEY. That is true.

Mr. ALDRICH. The papers show, if they show anything, that Collector Crum is now discharging the duties of the office. Under what kind of a commission or by virtue of what kind of appointment, I submit, is not clear from the Secretary's letter.

Mr. BACON. Will the Senator pardon me to make a suggestion? The Secretary of the Treasury distinctly states that Crum is in the discharge of the duties of the office under an appointment made exactly at 12 o'clock on the 7th day of December. Now, one of two things must necessarily follow from that statement. The Secretary of the Treasury regards that as an ad interim appointment, and therefore the appointee had the right to enter upon the discharge of the duties before confirmation. That must be one alternative. On the other hand, he must contend that it is not an ad interim appointment, but a regular appointment sent during the session into Congress, and that under it the appointee had the right to enter upon the discharge of his duties prior to confirmation. Now, one of these two cases must necessarily be true. There is no escape from it.

Mr. HALE. The Secretary says——

Mr. BACON. If the Senator will pardon me just a moment, as to the first, I understand there is no Senator in this Chamber who has risen in his place and taken the position that an appointment under those circumstances, as an ad interim appointment, can be defended. All declined to take that position and to defend that position. Therefore they are remitted to this proposition. If it was not an ad interim appointment, is there any possible justification under the law for the Secretary of the Treasury to recognize as a duly constituted incumbent one whose name had been sent into the Senate during a session of the Senate, but who has not been confirmed?

Now, Senators may take either horn of the dilemma they wish.

Mr. ALDRICH. What I was trying to bring to the attention of the Senator from South Carolina was that this is not a constitutional question at the present moment which demands the action or consideration of the Senate, but that we should first ascertain the precise facts. We should ascertain the entire facts. It is not to ask the Judiciary Committee for facts.

I would suggest to the Senator from South Carolina, if he is not willing to take the other course, that he allow this resolution to go to the Committee on the Judiciary, and they can take up not only the suggestions made by the Senator, but all the cognate facts and questions relating to this matter and consider them. Certainly the Senate could not pass the resolution in the form in which it is now presented, because it contains implications and insinuations which the Senate would not be willing to make; but if the Senator will allow the resolution to be referred to the Committee on the Judiciary I have no doubt he could have the matter investigated as to both the law and facts.

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived, the Chair lays before the Senate the Calendar of General Orders.

Mr. TILLMAN. If the Senate will indulge me a moment, I ask that the resolution may go over and retain its place on the table. I think if I get an opportunity I will ask the Senate to pass a resolution later specifically calling for all the facts, and be prepared to have no further dispute as to what really is the status. I therefore ask unanimous consent that the resolution may go over, retaining its privileges.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent that the resolution shall go over without prejudice. Is there objection? The Chair hears none.

Mr. TILLMAN subsequently said: Mr. President, in furtherance of the suggestion of the Senator from Rhode Island [Mr. ALDRICH], made a while ago, that additional information be obtained in regard to the matter then under discussion, I have prepared a couple of resolutions and ask unanimous consent that they may be taken up and considered now.

The PRESIDENT pro tempore. The Senator from South Carolina asks unanimous consent for the present consideration of the resolution he how submits. Is there objection? The Chair hears none.

The resolution was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, instructed to send to the Senate information by way of reply to the following questions: What is the date of the first appointment of W. H. Crum to be collector of [illegible] of the second appointment, and was any commission issued? What is the date of the third appointment and its character and [illegible] What is the date and circumstances of the fourth appointment? [illegible] authority of [illegible] have?

Mr. TILLMAN. I now present another resolution of a similar character, calling upon the Secretary of War for certain information.

The PRESIDENT pro tempore. The Senator from South Carolina offers a resolution and asks for its present consideration. The resolution will be read.

The Secretary read the resolution, as follows:

Resolved, That the Secretary of War be, and he is hereby, instructed to [illegible] Senate information in the nature of answers to the following [illegible] Mr. WARREN. Mr. President, in the absence of the acting chairman of the Committee on Military Affairs [Mr. PROCTOR], I will ask that the resolution go over.

Mr. TILLMAN. If the Senator had been in the Chamber he would know that these resolutions have been [illegible] long debate covering this whole subject, and that it was [illegible] consensus of opinion on all sides that it was necessary to get this information in order to proceed intelligently.

Mr. WARREN. Has the Senator had any conference with the acting chairman of the committee, the Senator from Vermont, regarding it?

Mr. TILLMAN. No, sir; but we had the entire matter up this morning.

Mr. WARREN. Well, Mr. President, it strikes me that a matter as broad as that and referring so directly to the duties of the Committee on Military Affairs ought not to be acted on in the absence of the acting chairman of the committee. So, unless there is some special reason to the contrary, I will ask that the resolution may go over.

Mr. TILLMAN. There is some special reason. As I said, if the Senator had been in the Chamber he would understand it. This whole subject has been under discussion during nearly the entire morning hour. I assure the Senator there is no trick in it; there is no effort to corkscrew any information. It was done in furtherance and at the suggestion and advice of the Senator from Rhode Island [Mr. ALDRICH].

Mr. WARREN. Of course, I know that the Senator would not propose anything with a trick in it. It was a mere matter where I thought somebody ought to speak for the committee. If there are other members of the Committee on Military Affairs who believe that it has been properly considered by that committee, I, of course, would have no question.

The PRESIDENT pro tempore. Objection being made, the resolution will go over under the rule.

Mr. TILLMAN. Do I understand the Senator from Wyoming to object?

Mr. WARREN. Yes.

The PRESIDENT pro tempore. It goes over under the rule.

GRAVES OF CONFEDERATE SOLDIERS AND SAILORS.

Mr. FORAKER. I ask unanimous consent for the present consideration of the bill (S. 2081) to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby authorized [illegible] to ascertain the locations and condition of all the graves of the soldiers and sailors of the Confederate army and navy in the war between the States [illegible], who died in Federal prisons and military hospitals in the North and who were buried near their places of confinement; [illegible] grounds where said prisoners are buried [illegible] now possessed or under the control of the United States Government, [illegible] to be prepared accurate registers in duplicate, one for the superintendent of the cemetery, one for the Quartermaster General's Office, and one for the War Record's Office, Confederate archives, of the

places of burial, the number of the grave, the name, company, regiment, or vessel, and State of each Confederate soldier and sailor who died, by verification with the Confederate archives in the War Department at Washington, D. C., to cause to be erected over said graves white marble headstones similar to those recently placed over the graves in the "Confederate section" in the National Cemetery at Arlington, Va., suitably inscribed; to build proper fencing for the preservation of said burial grounds, and to care for said burial grounds in all proper respects not herein specifically mentioned.

That for the carrying out of the objects set forth herein there be appropriated and paid out of the Treasury of the United States not otherwise appropriated, the sum of [illegible] or so much thereof as may be necessary.

And the Secretary of War is hereby authorized and directed to approach some competent person in each county in each State and Territory of the Confederate States not heretofore located, and to commit the matter of the work herein contemplated with the regulations in the premises, and authorize the same when found satisfactorily to be performed by the body of persons who have performed such work in the past, and who are now in charge of the graves in the Arlington National Cemetery, or such other person as may be deemed competent, who must be a resident of the county in which the work is to be done.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Committee on Military Affairs with an amendment, on page 2, line 15, before the word "hundred," to strike out "one" and insert "two;" so as to make the paragraph read:

"For the carrying out of the objects set forth herein there be appropriated out of any money in the Treasury of the United States not otherwise appropriated, the sum of [illegible] or so much thereof as may be necessary."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. FORAKER the title was amended so as to read: "A bill to provide for the appropriate marking of the graves of Confederate soldiers and sailors who died in northern prisons and were buried near the prisons where they died, and for other purposes."

Mr. TELLER. Mr. President ——

Mr. HALE. Mr. President, now let us have the regular order, and take up bills on the Calendar in their order.

The PRESIDENT pro tempore. The Senator from Maine demands the regular order. The regular order is the Calendar.

NATIONAL APPALACHIAN FOREST RESERVE.

The bill (S. 887) for the purchase of a national forest reserve in the southern Appalachian Mountains, to be known as the National Appalachian Forest Reserve, was announced as first in order on the Calendar.

Mr. LODGE. I think that bill had better be passed over.

Mr. TELLER. I ask that the bill may be passed over. The Senator who reported it is not here.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

IMPROVEMENT OF BRIDGEPORT (CONN.) HARBOR.

The bill (S. 168) to provide for the modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn., was announced as next in order, and the Senate as in Committee of the Whole proceeded to its consideration. It authorizes the Secretary of War to make such modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn., adopted in the river and harbor act of March 3, 1899, as in his judgment the commercial interests of the harbor require. But the cost of completing the project as fixed by law at shall not be increased by reason of such modification.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SOLICITING SEAMEN AS LODGERS.

The bill (S. 2261) to amend section 4607 of the Revised Statutes was read, as follows:

"Be it enacted, etc., That section 4607 is hereby amended by adding thereto the following:

"This section shall apply to vessels of the United States and to foreign vessels."

SEC. 2. That this act shall take effect from and after its passage.

Mr. COCKRELL. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report, submitted by Mr. HANNA December 19, 1899, as follows:

[illegible] Committee on Commerce, to whom was referred the bill (S. 2261) to amend section 4607 of the Revised Statutes, having considered the same, report back with an amendment to the title, and as thus amended recommend that it pass.

The bill proposes to make the following suggestions of the Commissioner of Navigation in his annual report for 1898:

"A slight modification of the provisions of section 4607 of the Revised Statutes is desirable, which would authorize certain classes of persons boarding on board vessels for the purpose of soliciting lodgers.

"R. S. 4607. If within twenty-four hours after the arrival of any vessel at any port in the United States, any person not being an officer of such vessel, or an agent or runner to procure a lodging or board at the house of any person keeping lodgings for hire, or takes out of such vessel any article of any seaman, except under his personal direction, and with the permission of the master, he shall for every such offense be punishable by a fine of not more than $50, or by imprisonment for not more than three months."

The section was originally enacted in the act of June 7, 1872. In Grant v. The United States, in Fed. Rep., [illegible] the United States circuit court of appeals held that the act was intended to protect the interests of American seamen within the boarding houses of the United States and not foreign vessels, and does not apply to foreign vessels. We [illegible] Revised Statutes since [illegible] to section 4607. The decision referred to in Grant v. The United States, reversed in Appeals, [illegible] the law. It [illegible] as well as to American vessels [illegible] the law is [illegible] of the United States [illegible] Mr. [illegible] of foreign [illegible] until the quarantine and customs inspection [illegible] passed.

[illegible] of the officers of British ships than on [illegible]

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 4607 of the Revised Statutes, relating to soliciting seamen as lodgers."

REVENUE CUTTER AT HONOLULU, HAWAII.

The bill (S. 901) providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii, was considered as in Committee of the Whole. It appropriates $225,000 for the construction, under the direction of the Secretary of the Treasury, of a steam vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIFE-SAVING STATION NEAR MONTARA REEF, CALIFORNIA.

The bill (S. 1748) to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California, was announced as in Committee of the Whole.

It was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY D. HALL.

The bill (S. 4[illegible]) to restore Henry D. Hall to the Revenue-Cutter Service was [illegible] on Commerce with amendments, on page 1, after [illegible] the, to strike out "permanent waiting orders" and insert "retired;" in line 7, after the words "officer" [illegible] to strike out "permanent waiting orders" and insert "the retired list;" so as to make the [illegible] read:

[illegible] with the pay of that [illegible]

Mr. HOPKINS. I should like to hear the report of the committee read [illegible].

The PRESIDENT pro tempore. The report will be read.

The Secretary [illegible] the report submitted by Mr. MARTIN December [illegible] as follows:

[illegible] to [illegible] report it back with amendments, and as amended recommend that the [illegible]

A [illegible] bill was favorably reported from this committee in the Fifty-seventh [illegible] Treasury, which are appended and made a part [illegible]

[illegible] the Senate and House of Representatives [illegible] Congress assembled:

"May it please your [illegible] from what he considers [illegible] give consideration to his [illegible] petitioner herein sets forth, direct his restoration [illegible]

To this end your petitioner would respectfully submit the following statement:

[illegible] the springtime [illegible] your petitioner [illegible] in the northwest territory [illegible] of their authority [illegible] Secretary of the Treasury [illegible] the Revenue-Marine Service, [illegible] the State of Maine, [illegible] in the first regiment of volunteer infantry raised in that State under President Lincoln's first call for 75,000

men, and in the following August (the term of enlistment of the three-months men having expired) your petitioner (at the solicitation of the late Hon. William Pitt Fessenden) was appointed to a third lieutenancy in the Revenue-Marine Service, after having passed the prescribed examination for that position and in February, 1863, was promoted to a second lieutenancy after a second examination, and in May, 1864, after passing a satisfactory examination for the position of first lieutenant, was promoted to that grade.

"In this your petitioner received his commission as captain without examination, your petitioner having been promoted to a vacancy having been occasioned by the unsuccessful passage of the first lieutenant's examination. Whereupon, and upon the recommendation of his superiors, and in proof of this, your petitioner was ordered south that he was ordered to the command of various vessels prior to his promotion to captaincy.

"In November, 1865, your petitioner was ordered to appear before a board of officers, his own peers in rank, who had passed upon examinations for their own positions, for an examination as to his professional qualifications for his then present status, and as a result of such examination, which was passed, [illegible] the character was satisfactorily determined, the service [illegible] the Revenue-Marine Service, your petitioner having [illegible] the same been promoted to the command of a vacancy occasioned by the [illegible] the New Hampshire [illegible] the West [illegible] the year 1866 he [illegible] the [illegible] Alaska [illegible] Mr. [illegible] Bering Sea [illegible] Mr. [illegible] perished.

"The action of this board appears to your petitioner to have been in the last degree unjust, inasmuch as only a portion of the list of captains was [illegible] examination, the [illegible] have been given an opportunity [illegible] examination, which would have given the same [illegible] have [illegible] having many officers, the most [illegible] exempt [illegible] promotion, [illegible]

"Your petitioner would respectfully refer to his official record at the Treasury Department, which shows a service of [illegible] years of unblemished service, and a service of a character having been [illegible] from office as a grade [illegible] officer of [illegible] that, through your petitioner was secured by the [illegible] Secretary of the Treasury [illegible] to his promotion.

"In his capacity as [illegible] your petitioner's position that among the various [illegible] rendered by him while an officer of the Revenue-Marine Service was the saving of the revenue steamer Wayanda from capture after the death of Captain Thomas M. Dugan, [illegible] with the steamer on August [illegible], in Waquoit River, Va., [illegible] association [illegible] to be [illegible] in the [illegible] of the revenue steamer Morrill, at Washington, N. C., [illegible] of which [illegible] at the Treasury Department.

"Your petitioner having during his service been promoted [illegible] the [illegible] and having [illegible] to the position [illegible] a vacancy occasioned by the unsuccessful examination of the first lieutenant, your petitioner in which it was conducted [illegible] and its unsuccessful passage [illegible] of your petitioner [illegible] the [illegible] of the Revenue-Marine Service, [illegible] from chronic rheumatism, contracted by exposure [illegible] passed.

[illegible] further that since the date of his dismissal he [illegible] while he remains.

"Very respectfully, your obedient servant,

"HENRY D. HALL,
"*Late Captain, U. S. R. C. S.*"

Mr. HOPKINS. I do not know that ultimately I shall oppose the passage of that bill, but I ask unanimous consent that it be passed over without prejudice. I should like to look into it a little further.

The PRESIDENT pro tempore. There is a letter in the report from the Secretary of the Treasury, which has not yet been read.

Mr. HOPKINS. Recommending the passage of the bill?

The PRESIDENT pro tempore. Yes.

Mr. HOPKINS. Very well. I withdraw my objection, then, and I ask that the letter be read.

The PRESIDENT pro tempore. The Secretary will resume the reading of the report.

The Secretary resumed and concluded the reading of the report, as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, January 15, 1900.

SIR: I have the honor to acknowledge the receipt of Senate bill 2178, etc.

The following record of Mr. H. D. Hall is drawn from the files of this Department, from which it will be seen that as an officer of the Revenue-Cutter Service it was a good one, and that he resigned [illegible] after passing the required examination [illegible] that he served as such from [illegible] 4, 1863, to April 15, 1871, efficiently and without ever having a charge of any kind against him, thus proving his ability to command and his fitness for the commission he held.

Henry D. Hall, late captain in the Revenue-Cutter Service, was, on August 6, 1861, commissioned third lieutenant. Commissioned [illegible] 1862 lieutenant, to rank from September 12, 1862, in the Revenue-Marine, at Baltimore, Md.; April 2, 1863, to the Revenue-Marine, at Baltimore, Md.; June 14, 1863, commissioned second lieutenant; May 17, 1864, to the Revenue-Marine, at New York, N. Y.; June 4, 1864, to the Revenue-Marine, at Baltimore, Md.; June [illegible] commissioned first lieutenant; March 20, 1865, to the Revenue-Marine, at New York, N. Y.; August 11, 1865, to the Revenue-Marine, at New York, N. Y.; August [illegible] 1865, commissioned captain; April [illegible], 1866, to the Revenue-Marine, at New London, Conn.; April [illegible], 1866, to the Revenue-Marine, at Boston, Mass.; April 22, 1868, to the Revenue-Marine, at Wiscasset, Me.; September 6, 1869, commissioned captain; January 28, 1870, to the Revenue-Marine, at Boston, Mass.; May 1, 1873, to the Revenue-Marine, at New Bedford, Mass.; April [illegible], 1875, commissioned, upon recommendation, a board of examiners.

Had not been appointed and as a promotion to captain, and also before his promotion to lieutenant, and first promotion, he had passed a successful professional examination. Such examinations were then required of first lieutenants from being promoted to higher ranks of captain.

On August 2, 1864, while [illegible] Hall was in the service on board the revenue-cutter Morrill, that vessel was attacked by a [illegible] and [illegible] in the Great Wicomico River, Virginia. The commanding officer, Captain M. Dugan, was killed, a number of men killed or wounded, and some boat [illegible] prisoners. The attack being future was so disguised as to cause the [illegible] in the [illegible] Hall, who succeeded in [illegible] upon the death of Captain Dugan, in [illegible] the vessel and brought her safely away without further loss.

The records show Lieutenant Hall to have been a meritorious and faithful officer, and [illegible] the service [illegible] the [illegible] for the [illegible] the [illegible] from the recommendation of the Inspectors of Navigation that he be restored.

It further appears that the board making this recommendation was the only board of examiners in the history of the service before whom captains were [illegible] to a grade [illegible] as a grade [illegible] promotion [illegible] examinations, as above indicated in parenthesis, [illegible] examinations, as above indicated in this case) were ordered for examination.

I recommend the passage of this bill.

Respectfully,

L. J. GAGE, *Secretary.*

Hon. W. P. FRYE,
Chairman Committee on Commerce, United States Senate.

Mr. HOPKINS. I withdraw any objection to the bill, Mr. President.

Mr. COCKRELL. I move to amend the bill.

The PRESIDENT pro tempore. The amendments reported by the Committee on Commerce have not yet been acted upon. The question is on agreeing to the amendments, which have been read.

The amendments were agreed to.

Mr. COCKRELL. I move an amendment, to come in at the end of the bill, to insert "from and after the passage of this act;" so that it will be specific that pay is not to accrue until after the passage of the act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANN A. DEVORE.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1760) granting a pension to Ann A. Devore; which was, in line 9, before the word "dollars," to strike out "twelve" and insert "eight."

Mr. McCUMBER. I move that the Senate nonconcur in the amendment of the House of Representatives and ask for a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. BURTON were appointed.

AUSTIN ALMY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 200) granting an increase of pension to Austin Almy; which was, in line 8, to strike out "twenty-four" before "dollars" and insert "twenty."

Mr. McCUMBER. I move that the Senate nonconcur in the amendment of the House of Representatives, and ask for a conference with the House on the bill and amendment.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. FOSTER of Washington, and Mr. TALIAFERRO were appointed.

AMY C. BOSWORTH.

The PRESIDENT protempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1334) granting a pension to Amy C. Bosworth; which were in line 9, after the word "month," to insert "in lieu of that she is now receiving;" and to amend the title so as to make it read "A bill granting an increase of pension to Amy C. Bosworth."

Mr. McCUMBER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

FOREST RESERVE LANDS.

Mr. HEYBURN. Mr. President, I should like to interrupt the business of the Senate long enough to give notice that to-morrow, after the disposal of the morning business, I shall submit some remarks on the joint resolution (S. R. 10) [illegible] proceedings [illegible] upon any application to enter patents [illegible] of the public lands of the United States in lieu of [illegible] surrendered by any railroad company or [illegible] any forest reserve.

GENERATING ELECTRICITY FROM COOSA RIVER, ALABAMA.

The bill (S. 1319) authorizing Robert A. Chapman, of Alabama, his associates and assigns to use the waters of the Coosa River, in Alabama, for the purpose of generating electricity, was considered as in Committee of the Whole. It authorizes Robert A. Chapman and his associates, successors, and assigns to construct, maintain a dam across the Coosa River, in Alabama, at Lock No. 25, 26, 27, or 28, as now indicated by the Government survey of that river, with all other works incident thereto, for water-power purposes for generating and distributing electricity, and provides that plans and specifications and evidence of the same shall first be submitted to and approved by the Secretary of War, etc.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PENSION AND MILITARY RELIEF BILLS.

Mr. McCUMBER. Mr. President, at this time I ask unanimous consent that to-morrow at 4 o'clock the Senate shall proceed to the consideration of pension bills reported from the Committee on Military Affairs relieving soldiers from charges of desertion, as shown on the Calendar.

Mr. WARREN. I ask the Senator if he will not include the bills reported from the Committee on Military Affairs relieving soldiers of charges of desertion? It is usual to consider them along with pension bills.

Mr. McCUMBER. I have no objection.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that at 4 o'clock to-morrow the Senate proceed to the consideration of unobjected pension bills and bills reported from the Committee on Military Affairs relieving soldiers from charges of desertion. Is there objection?

Mr. CULLOM. Mr. President, the Senator from North Dakota has just been talking to me in regard to this matter. I do not know what it may, but it is possible a condition may arise in the Senate which will render it inadvisable to consume to-morrow afternoon in the consideration of pension bills. I have, however, said to the Senator that if [illegible] shall be nothing pending for attention in connection with the subject which has been under discussion for some time, so far as I am concerned, I shall have no objection to pension bills being considered. Believing that there will be no trouble about it when the time comes, I do not object now.

The PRESIDENT pro tempore. The Chair hears no objection to the request of the Senator from North Dakota that to-morrow after noon at 4 o'clock unobjected pension bills and bills correcting the military records of soldiers be considered; and that order is made.

LIGHT-SHIP OFF OUTER BAR, BRUNSWICK, GA.

The bill (S. 462) to construct and place a light-ship off the outer bar of Brunswick, Ga., was announced as next in order on the Calendar.

The PRESIDENT pro tempore. The Senator from Georgia suggested to the Chair that he might wish this bill to go over for the present.

Mr. CLAY. I will state to the Senate, Mr. President, that after a conference I have secured the necessary information and am ready to have the bill taken up and passed.

The PRESIDENT pro tempore. So that there is no objection to it now?

Mr. CLAY. There is no objection to the bill being passed.

The Secretary read the bill, and by unanimous consent the Senate proceeded to its consideration.

The bill was reported from the Committee on Commerce with amendments, in line 6, before the word "thousand," to strike out "one hundred," and insert "ninety;" and in line 7, before the word "thousand," to strike out "one hundred," and insert "ninety;" so as to make the bill read:

[illegible] That the Secretary of the Treasury is hereby authorized and directed to place upon the station at Brunswick, Ga., a light-ship of such size and character as may be necessary to be obtained for the sum of $90,000, to be expended under the direction of the Secretary of the Treasury for that purpose.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISSUE OF DUPLICATE MEDALS.

The joint resolution (S. R. 9) authorizing the issue of duplicate medals where the originals have been lost or destroyed was considered as in Committee of the Whole. It provides that in any case where the President of the United States has heretofore, under any act or resolution of Congress, awarded any medal to be made and presented to any officer or person in the United States on account of distinguished or meritorious services, on a proper showing made by such person to the satisfaction of the President that such medal has been lost or destroyed through no fault of the beneficiary, and that diligent search has been made therefor, the President is authorized to cause to be prepared and delivered to such person a duplicate of such medal, the cost of which shall be paid out of any money in the Treasury not otherwise appropriated.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUE OF COMMODORE JOHN D. SLOAT.

The bill (S. 906) to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal., was considered as in Committee of the Whole. It proposes to appropriate $5,000 [illegible] and completion of a statue of the late Commodore John D. Sloat, United States Navy, at Monterey, Cal.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MONUMENT IN MEMORY OF JOHN PAUL JONES.

The bill (S. 93) for the erection of a monument to the memory of John Paul Jones was considered as in Committee of the Whole. It proposes that there shall be erected in the city of Washington, D. C., a statue to the memory of John Paul Jones and to appropriate $50,000 for the purpose of procuring and erecting the statue, [illegible] and for the purposes of [illegible].

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REVENUE CUTTER ON NARRAGANSETT BAY.

The bill (S. 131) to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters was considered as in Committee of the Whole. It proposes to appropriate $225,000 to be expended in constructing and equipping a modern revenue cutter for service in Narragansett Bay and adjacent waters, [illegible] Newport, R. I.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPOT SITE FOR REVENUE-CUTTER SERVICE.

The bill (S. 1380) to provide for a site for a depot for the Revenue-Cutter Service was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to acquire a suitable site, upon which to construct a depot for the Revenue-Cutter Service, and appropriates therefor the sum of $[illegible].

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PROTESTANT EPISCOPAL CHURCH OF WASHINGTON.

The bill (S. 492) to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington" was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAKE SUPERIOR AND MISSISSIPPI CHIPPEWA INDIANS.

The bill (S. 711) to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in this case be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CLAPP December 11, 1903, as follows:

[illegible] which was referred Senate bill 711, [illegible] and [illegible] for a report thereon, have had the same under consideration, and [illegible] the following report:

DEPARTMENT OF THE INTERIOR,
Washington, March 2, 1903.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th ultimo, inclosing a copy of Senate bill 711, Fifty-second Congress, second session, and to request a report thereon.

[illegible] which was referred to the Department of the Interior [illegible] Senate, and the [illegible] renewed.

The attention of the committee is also called to Document No. 97, Fifty-fifth Congress, third session, Senate, and to Report No. 8, Fifty-fifth Congress, first session, Senate, which contains full information on the subject.

Very respectfully,

THOS. RYAN, *Acting Secretary.*

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

DEPARTMENT OF THE INTERIOR,
Washington, December [illegible], 1902.

SIR: I have the honor to acknowledge the receipt [illegible] of Senate bill 7[illegible], being a bill "conferring upon the Court of Claims authority to hear and determine certain claims of the Chippewa Indians of [illegible]," which has the same object in view by authorizing [illegible] the Mississippi," which has the same object in view by authorizing [illegible]

[illegible] tion of the House of Representatives, these [illegible] Indians [illegible] Treaty of September 30, 1854, it was [illegible] the Chippewas of Minnesota under the act of January 14, 1889 [illegible] Congress and the Department [illegible] Chippewas [illegible] had with the Chippewas of Minnesota under the act of January 14, 1889 [illegible] Treaty of September 30, 1854, it was [illegible] Chippewas [illegible] Chippewas [illegible] the sum of $15,000 which [illegible] Washington [illegible] Chippewas [illegible] Chippewas [illegible] Chippewas

So as to read:

The United States shall also have the right to use, without charge therefor, any copyright [illegible] in the preparation of its patents and in the publication of the same or any part thereof, or any other patents issued by the United States, and to grant to others the right to do so for any purpose.

The amendment was agreed to.

The next amendment was, in section 5, page 6, line 17, after the word "That," to strike out "Congress may at any time" and insert the words "the right to;" and in line 18, after the word "act," to insert "is hereby expressly reserved;" so as to read:

SEC. 5. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REPRESENTATIVES OF M. F. MERRITT, DECEASED.

The bill (S. 352) for the relief of the representatives of M. F. Merritt, deceased, was considered as in Committee of the Whole. It proposes that the claim of M. F. Merritt for further compensation for the construction of the light-draft monitor *Cohoes* may be submitted by his personal representatives, within six months after the passage of the bill, to the Court of Claims.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT D. M'AFEE AND JOHN CHIATOVICH.

The bill (S. 175) for the relief of Robert D. McAfee and John Chiatovich was considered as in Committee of the Whole. It proposes to release and discharge Robert D. McAfee and John Chiatovich from all obligation to the United States on account of the official bond executed by them on the 14th day of February, 1890, as sureties for the late Elias B. Zabriskie, as melter and refiner of the United States mint at Carson City, Nev.

Mr. SPOONER. This is the bill which was called up the other day?

Mr. STEWART. It is the same one.

Mr. COCKRELL. It is the same bill.

Mr. STEWART. It ought to be passed. There is no question about it. There is nothing to cause any hesitation in its passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

REIMBURSEMENTS TO CITIZENS OF NEVADA.

The bill (S. 177) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada, was considered as in Committee of the Whole.

Mr. BEVERIDGE. I wish the Senator from Nevada would give a little bit of explanation of the bill.

Mr. STEWART. In 1860 there was an Indian war in Nevada, in which a large number, seventy or eighty, of our best citizens were killed. Then Captain Stewart came over with Gen. [illegible] Hays, Jack Hays commanded [illegible] regulars. The supplies were furnished to the Army for the use of the Army acting under Captain Stewart. A commission was appointed by the State to investigate these claims many years ago.

Mr. BEVERIDGE. This occurred in 1860?

Mr. STEWART. In 1860; many years ago. The claim has been here ever since, and it has passed the Senate so often that it has become very familiar.

Mr. SPOONER. I thought I recognized it.

Mr. STEWART. You have heard of it often. I suppose it passed the Senate a dozen times or more. We thought we had disposed of it in the omnibus bill several three years ago, but in making up the bill the clerk took a copy that was first introduced, the old bill, and it did not contain the whole of the claims. So they were not all in that bill. It was agreed to put them all in, but they were not in. Consequently, when the omnibus bill passed these claims were not paid. The House at that session and at the next session reported favorably on these claims, but they have not been paid. I believe that if there is anything which it has been settled ought to be paid, it is these claims. The rule is that the Government shall pay for volunteers who served with and under the direction of regular army officers.

Mr. BEVERIDGE. It is to pay the heirs or representatives of the original parties?

Mr. STEWART. Their heirs and representatives.

Mr. BEVERIDGE. It is not to pay the soldiers?

Mr. STEWART. It is not to pay the soldiers. It is to pay persons who furnished supplies.

Mr. CULLOM. How much is involved in the bill?

Mr. BEVERIDGE. What is the total?

Mr. STEWART. I think nearly $25,000.

Mr. BEVERIDGE. May I ask the Senator a question? I have no desire to obstruct his bill. I did not understand it, and the statement seemed a little strange to say that it had passed the Senate about a dozen times.

Mr. STEWART. Yes.

Mr. BEVERIDGE. How did it fail in the House?

Mr. STEWART. It failed in the House as bills usually fail there. It was reported favorably, but did not get through the House. Such bills often fail on account of the names; somebody objects because the names have to be read. The bill was never discussed in the House unfavorably.

Mr. BEVERIDGE. It also says "whose claims were presented to and allowed by the State board of examiners of Nevada." I did not understand that.

Mr. STEWART. The State board of examiners of Nevada sent them here and they were here examined by the Committee on Claims. They were gone through with in great detail until the committee were satisfied. They eliminated everything that was doubtful.

Mr. BEVERIDGE. When did the State board pass on the claims—a long time ago?

Mr. STEWART. A long time ago.

Mr. BEVERIDGE. Not recently?

Mr. STEWART. Not recently.

Mr. BEVERIDGE. I do not know that I have any personal objection to the consideration of the bill. There are two or three things about it that struck me enough to make the inquiries of the Senator.

Mr. STEWART. Yes; that is proper.

Mr. BEVERIDGE. First, that it occurred way back, a long time ago.

Mr. STEWART. No; it occurred in 1860.

Mr. BEVERIDGE. That is forty-three years ago.

Mr. STEWART. Yes.

Mr. BEVERIDGE. This is a payment to the representatives, and as the bill carries, as the Senator says, about $25,000 it seemed to me worthy of a little explanation. It seems that the older Senators here are familiar with the claims.

Mr. STEWART. There have been repeated reports—elaborate reports—in both Houses, going into details and giving each item.

Mr. SPOONER. I should like to ask the Senator if there has been any payment made by the Government on account of these claims?

Mr. STEWART. On account of a part of them. As I stated, a part of these claims were paid.

Mr. SPOONER. Why were not these claims paid then?

Mr. STEWART. Because the clerk in making up the bill got hold of the first bill. That was years and years ago.

Mr. SPOONER. What clerk?

Mr. STEWART. The clerk of the committee who made it up.

Mr. SPOONER. Where were the Senators and Members from Nevada?

Mr. STEWART. The Senators and Members from Nevada were not present when the bill was made up.

Mr. SPOONER. Were they not present in the Senate and House when the bill was passed in an imperfect condition?

Mr. STEWART. Yes.

Mr. SPOONER. Why did they not correct it?

Mr. STEWART. Because they did not observe it. I did not notice it, and I presume they notice almost everything.

Mr. SPOONER. You do.

Mr. STEWART. I did not notice that they had been left out.

Mr. BAILEY. And you are trying to remedy that omission.

Mr. STEWART. I am trying to remedy it. I am trying to make amends for my former negligence.

Mr. SPOONER. I did not mean to reflect upon the Senator. Are these claims precisely of the same nature as those that were allowed?

Mr. STEWART. They are of the same nature and were allowed by the same board.

Mr. SPOONER. And proven in the same way?

Mr. STEWART. They were proven in the same way. There is no distinction between them.

Mr. PLATT of Connecticut. If the Senator will allow me, I think he ought to explain why the old bill, the first bill introduced, did not include all the claims that had been allowed by the examiners.

Mr. STEWART. It was because they examined them from time to time. They were several years in making the examination and getting the proof. They sent some to the Treasury Department and some here. After I came here they sent some to me. The claims were scattered. I introduced a bill which passed covering those that came to me, but it did not include all of them. There was a bill that had passed the Senate three or four times with all of them in. In preparing the bill an old bill was used and it left out these claims that were afterwards collected and put in. They were all the same kind of claims.

Mr. PLATT of Connecticut. The Senator assures us that these have all been audited by the examining board of the State of Nevada?

Mr. STEWART. Yes.

Mr. PLATT of Connecticut. And that certain claims audited by them have already been passed and paid?

Mr. STEWART. Yes.

Mr. PLATT of Connecticut. But these have not been paid?

Mr. STEWART. No.

Mr. PLATT of Connecticut. So these claims are of the same character?

Mr. STEWART. They are of exactly the same character.

Mr. SPOONER. I should like to have one other bit of information from the Senator, and that is whether any have been left out now?

Mr. STEWART. No; none have been left out.

Mr. SPOONER. They are all included?

Mr. STEWART. They are all included.

The bill was reported to the Senate without amendment, and ordered to be engrossed for a third reading.

Mr. BEVERIDGE. Is there a report accompanying the bill?

Mr. STEWART. Oh, yes.

Mr. NEWLANDS. The report is No. 117.

Mr. BEVERIDGE. I confess that I should like to hear the report read. Would the Senator object to having the bill go over for a day or two?

Mr. STEWART. It is up now, and it is very hard to call up bills here.

Mr. BEVERIDGE. I am not insistent upon it.

Mr. STEWART. This same bill has passed the Senate before.

Mr. BEVERIDGE. All right.

The bill was read the third time, and passed.

N. F. PALMER, JR., & CO.

The bill (S. 334) for the relief N. F. Palmer, jr., & Co. was considered as in Committee of the Whole. It proposes to pay to N. F. Palmer, jr., & Co. the sum of $63,620.59, in full of their claim for damages and losses incurred in the construction of the armored cruiser *Maine*, that being the amount recommended to be paid by the Secretary of the Navy.

Mr. CULLOM. We have been passing bills here every few minutes, making large appropriations, without having the reports read.

Mr. STEWART. There is a report accompanying this bill. Here is the written report.

Mr. CULLOM. It seems to me that in every case of this character we ought to have the report read.

Mr. STEWART. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

Mr. PLATT of Connecticut. Before the reading of the report, may I make an inquiry? The sum here appropriated is $63,620.59. That has been recommended——

Mr. STEWART. By the Secretary of the Navy.

Mr. PLATT of Connecticut. By the Secretary of the Navy. The Secretary of the Navy, however, says that if it is proposed to add to that anything for insurance——

Mr. STEWART. We do not propose to do that; we just take what the Secretary recommends.

Mr. PLATT of Connecticut. There is nothing for insurance in the bill?

Mr. STEWART. No.

Mr. PLATT of Connecticut. I have no objection to it.

Mr. STEWART. The reading of the report will make it very clear.

Mr. CULLOM. I think the report had better be read.

Mr. STEWART. Very well.

Mr. BEVERIDGE. The total is $63,620.59?

Mr. PLATT of Connecticut. Yes. The original claim was $99,000, I believe.

Mr. STEWART. The reason why it was cut down and everything is stated in the report. The report is not very long.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. STEWART December 16, 1903, which is as follows:

[illegible] Committee on Claims, to whom was referred the bill (S. 334) for the relief of N. F. Palmer, jr., & Co., report as follows:

[illegible] passed by this committee and passed the Senate [illegible] House too late in the session to be considered [illegible] Committee on Claims.

[illegible] providing for the payment of the [illegible] by the Senate Committee on Naval Affairs [illegible] as the Senate and but [illegible] as a part of this report, and your committee recommend that [illegible] pass.

[Senate Report No. 2577, 57th Cong., 2d sess.]

The Committee on Claims, to whom was referred the bill (S. 6375) for the relief of N. F. Palmer, jr., & Co., report as follows:

This claim is for the losses and damages sustained by the firm of N. F. Palmer, jr., & Co., of New York City, in furnishing and installing the machinery, including engines, boilers, and appurtenances of the ill-fated U. S. armored cruiser *Maine*.

The *Maine* and the *Texas*, sister ships, were built by the Navy Department in Government navy-yards, the former vessel at New York and the latter at Norfolk. Contracts were made with outside firms for the machinery of these vessels. In both instances there were delays on the part of the Government in the building of the vessels, mainly caused by the inability of the Department to get the armor. The result was that when the contractors for the machinery had the engines, boilers, etc., ready for delivery and installation the vessels were not far enough advanced to receive the said machinery and the contractors were subjected to immense expenses and losses on account of the unreasonable delays on the part of the Government. In the cases of the *Texas* the builders of the machinery presented a claim to Congress for their losses as aforesaid, and were paid $66,500.89. (See act approved May 7, 1896, in 29 Stat. L., 1431.)

The bill under consideration containing the amount claimed by the firm of N. F. Palmer, jr., & Co., $99,000.00, was referred by your committee to the Navy Department for recommendation as to what would be a just and reasonable compensation for the losses and damages sustained by the firm. The Secretary referred the bill and accompanying papers to the Bureaus of Construction and Repair and Steam Engineering, the bureaus under which the work was done for examination and recommendation. These bureaus, in joint report, find that the claimants are "justly entitled to compensation, and after carefully auditing the claim they find $63,620.59 to be a fair award." Having incorporated the report of the two bureaus in his letter the Secretary of the Navy concurs in the views of the bureaus and approves the recommendation made by them, the amount to which such company is entitled.

In view of the report of the Secretary of the Navy fixing the amount justly due the claimants, to wit, $63,620.59, your committee recommend that said amount be paid the firm of N. F. Palmer, jr., & Co., and accordingly report back the bill with the following amendments:

In lines 5 and 6, in lieu of the words "ninety-nine thousand six hundred and sixty one dollars and seven cents," insert "sixty-three thousand six hundred and twenty dollars and fifty-nine cents."

With the amendment your committee recommend that S. 6375 do pass.

The letter of the Secretary of the Navy is appended.

NAVY DEPARTMENT,
Washington, December 9, 1903.

SIR: The Department acknowledges the receipt of your letter of the 5th ultimo, inclosing a copy of the bill (S. 6375) for the relief of N. F. Palmer, jr., & Co., accompanied by the following documents, which are returned herewith:

House Report No. 2114, Fifty-seventh Congress, first session.
House Document No. 68, Fifty-fourth Congress, second session.
Senate Report No. 184, Fifty-fifth Congress, first session.

The claim of N. F. Painter, jr., & Co. for the sum of $99,661.07 arises from a contract dated April 4, 1889, entered into by that company with the Navy Department for the construction of the machinery for the United States armored cruiser *Maine* and the delivery and erection of the same on board that vessel. The terms of the contract required that the machinery should be completed and ready on the vessel begun in two years and six months, or by October 4, 1891, and that the contract should be completed one year later, or by October 4, 1892, when it was to be subjected to a four hours' trial with the vessel under way and accepted subject to satisfactory compliance with the contract requirements as to power. We quote on

The hull of the *Maine* was launched by that company at the navy yard, New York. The armor was furnished and ready for contractors to fit the Department [illegible] The *Maine* was accepted November 18, 1890. By October 3, 1891, the company had completed and installed the vessel the main engines, boilers, auxiliaries, etc., [illegible] and the company was ready for turning the turrets, which could not be installed in the turrets and mounting towers to be supplied by the Government were not yet in place. The contractors had at [illegible] completed their contract.

[illegible] the demand for delivery of armor, the *Maine* was in such [illegible] it was impossible to perform a trial trip [illegible]

On [illegible] the Department permitted a trial trip to be made. The machinery and [illegible] to the contractors.

[illegible] the contract took place in Long Island Sound [illegible] contractors were informed, under date of October 31, 1891, of the [illegible] acceptance of the machinery.

The *Maine* was not ready for the trial trip [illegible] by the contract to be [illegible] the pay [illegible] accepted under date of June 21, 1895, after a special dispensation at the [illegible]

When the machinery was accepted the contractors executed the usual release [illegible]

[illegible] from prosecuting any claim against Congress for compensation on account of losses incurred by the contractors and for expenses incurred in [illegible] and preparation of the machinery during said delays.

[illegible] are now barred by the statute of limitations from prosecuting [illegible] before the Court of Claims.

The bureaus have [illegible] referred your letter and accompanying documents to the bureaus of Construction and Repair and Steam Engineering, [illegible] their report in the premises.

It appears that the information from the files of the bureaus necessary [illegible] is contained in the documents herewith.

We [illegible] that the contractors [illegible] the system [illegible] and that amounts should be allowed on the following [illegible]

1. Interest on reservations of contract payments for the time delayed through fault of the Government.

2. Expenses of dock trial over and above any expense of such dock trial as [illegible] and necessary for every contractor to make at his own expense under the fulfillment of his contract.

3. Expenses of care and preservation of machinery during the time its completion was delayed through fault of the Government.

4. Additional cost of insurance and bond required by the contract for the [illegible] period.

[illegible] from these papers, but can be determined from the records of the Department, whether the usual insurance on the [illegible] machinery should have been carried during the period of delay, but if so the expense is a just claim. The bureaus are of the opinion and the contract [illegible] be maintained on the trial trip, and therefore the [illegible] should [illegible]

The performance of a large and special contract of this nature [illegible] any contractor a large increase in general expense by the employment of an extra force of clerks and draftsmen, experts, foremen, and superintendents of labor, and the claimants are justly entitled to recover for such

part of this force as it was necessary to maintain during the period of delay caused by the Government.

[illegible] on the seventh, [illegible] would be to make [illegible] where they can be thoroughly and carefully [illegible] as [illegible] to the Department on the better of December 8, [illegible] has expired [illegible] the contractors were [illegible] been the business of the opinion that a definite [illegible] be made to [illegible] the Department and [illegible] on petition to both parties to the case, which would be [illegible] reference to the court.

"RECOMMENDATIONS OF ADVERSE REPORTS.

"*1. Indorsed.*—The claim for [illegible] October 3, 1892, the date of [illegible] paid, viz:

"[illegible] reservations on [illegible]	$66,150
"And the last payment	[illegible]
"Total	139,650

"[illegible] of just claims given above, however, interest can not be [illegible] had not been [illegible] until it was [illegible] for [illegible] dock trial, three hundred and six days [illegible] six months after the date of payment after official trial. [illegible] four days, at 6 per cent, on $15,000, special reservation, [illegible] dock trial [illegible] and preservation, as rendered by the contractor [illegible] be determined by the bureaus.

"[illegible] It may be assumed [illegible] the strong and [illegible] which the [illegible] ment. [illegible] date on which [illegible] of the vessel [illegible] extension was [illegible]

"On this basis the expense would be $73,5[illegible]

"[illegible]

"[illegible] be added any cost for [illegible] incurred from October 3, 1892, to November [illegible] trip.

"[illegible]

The Department concurs in the views of the [illegible] claimant [illegible] amount of the machinery and [illegible] [illegible] the [illegible] [illegible] the [illegible] [illegible] the

not subject to the jurisdiction of the country of either of these cities except Bogota, being a mere corporation living by comity within the borders of a foreign state.

Mr. Frelinghuysen, the Secretary of State, was alert as to this French enterprise and believing that it would lead to failure he opened negotiations with Nicaragua which resulted in a treaty, dated December 1, 1884, and was sent to the Senate with a view to its ratification.

I will insert a copy in the appendix to my remarks. (See Appendix I.)

This treaty, in articles 1 and 2, provides as follows:

ARTICLE 1. [illegible]

ARTICLE 2. There shall be perpetual alliance between the United States of America [illegible] and the former agree to protect the integrity of the territory of Nicaragua.

At that time it was not known that Costa Rica had any interest in the San Juan River, because its boundaries were undefined. That question was afterwards settled by Mr. Cleveland as umpire while he was President of the United States.

This treaty created a joint ownership of the canal by the two Governments, but the United States was to construct the canal, and the management of it was intrusted to a board of six managers, three to be appointed by each Government, the chairman of the board to be a citizen of the United States, with an additional vote in case of a tie. No compensation was to be made to Nicaragua, except $1,000,000 as a loan, to bear interest at the rate of 3 per cent and to be paid by Nicaragua out of its one-third of the net revenues of the canal.

This joint agreement was designed to avoid apparent conflict with the Clayton-Bulwer treaty. Yet it was, in fact, in actual conflict with that treaty.

A long bipartisan debate on this treaty occurred in the Senate. On the vote for ratification it failed of gaining a majority of two-thirds of the Senate, wanting two votes. Mr. Edmunds, of Vermont, having changed his vote to the negative, to be in order to move for a reconsideration, he made the motion, and the debate upon it occupied much of the attention of the Senate, when in executive session, until that Congress expired.

Mr. Cleveland took office as President on the 4th of March, 1885, and on the 5th sent a message to the Senate withdrawing the treaty from consideration.

The right to withdraw it, unless by resolution of the Senate, was questionable, but the point was not raised by objection. Shortly thereafter he sent a message to the Senate, in which he stated his reasons for withholding the treaty, the chief of which was that it created an entangling alliance with Nicaragua and contained a guaranty to protect the sovereignty of that Republic.

After that, during that Administration, the policy of the Government was to foster the efforts of private persons to build the canal under concessions from Nicaragua, and assistance was given by the Secretary of the Navy in detailing an engineer or the Navy to survey the canal and by Congress, in granting a charter to the Maritime Canal Company of Nicaragua, to be managed under the supervision of the United States.

Afterwards the Senate passed bills in two Congresses, with very impressive majorities, to assist the company by an indorsement of its bonds in one case and the purchase of its stock in the other.

Neither of these bills was considered in the House.

The House, in the Fifty-sixth Congress, passed the first Hepburn bill, by a vote of 224 yeas to 36 nays. This bill was a clean-cut and decisive expression of the will of the American people that the canal should be constructed, owned, and controlled exclusively by the United States, and this could be done without regard to the Clayton-Bulwer treaty.

Thereupon, Great Britain entered into negotiations with our Government to remove the obstruction of the Clayton-Bulwer treaty, which resulted in the first Hay-Pauncefote treaty.

When that treaty was under consideration in the Senate certain amendments were proposed by leading Republican Senators that threatened its rejection by Great Britain if it was so amended. That treaty passed the Senate with those amendments on the 20th day of December, 1900, and Great Britain refused to accept them.

Before this vote of the Senate was had Admiral Walker made to President McKinley the preliminary report of the Isthmian Canal Commission on the 3d of November, 1900, in which that Commission recommended the Nicaragua route as being the most feasible and practicable route for an isthmian canal. They repeated that recommendation to President Roosevelt in their final report on the 16th of November, 1901, a year later, before the second Hay-Pauncefote treaty was ratified.

When the preliminary report was made to Mr. McKinley on November 30, 1900, he had been already thoroughly informed of the facts through the depositions of the members of the Commission, which had been made in May, 1900, *and he was prepared to act promptly and effectively to decide the question as to the location of the canal, and the question then under discussion in the Senate as to the Clayton-Bulwer treaty, and the question of the purchase of the canal rights and properties from the New Panama Canal Company.* As to this purchase he had been intrusively urged by Cromwell, Bonnardell, and Hutin, director-general of the New Panama Canal Company, to his great annoyance, and he determined to end it.

Hunn, president of the canal company, addressed to Mr. Hay a caustic letter of complaint as to the report and conduct of Admiral Walker in dealing with him, which is printed in report No. 1, Fifty-seventh Congress, first session, on pages 521 to 526.

An examination of this letter, which I will insert in the appendix to my remarks, will lay widely open the whole purpose of the New Panama Canal Company in its effort to raid the Treasury of the United States by introducing and attempting to force the purchase of these fraud-infected and scandal-laden concessions and the miserable debris of the property in Panama that was then, as it is now, worth no more to them than the price they could wring out of the United States, our Government being the only possible purchaser.

This letter is dated November 22, 1901, after the death of President McKinley.

M. Hutin must have forgotten the first letter he wrote President McKinley, on February 28, 1899, on this subject, which is printed on pages 195–196 of the report above referred to. It opens with this statement, intended to mislead the President:

[illegible] The New Panama Canal Company has never proposed and does not propose to sell its property to the Nicaragua canal company, which is a competitor of ours, and [illegible] stakes in the enterprise of canal.

The letter of November 22, 1901, simple proves, in the first sentence, that his previous statement was false.

Mr. McKinley was as apt to detect this fraud as anyone, and he determined to crush it at one blow. He did it, like an honest, brave man. We are about to revive it, put a varnish of respectability on it, and take it into our embraces "for business reasons," the chief of which is the robbery of the Treasury of the United States.

Thus history repeats itself; fraud gains a new indorsement, and scandal is revived.

Mr. McKinley penetrated with his keen and just vision into every phase and bearing of the entire situation, and at once disposed of it by a single act. He directed Mr. Hay to open negotiations with the ministers of Nicaragua and Costa Rica on the 1st day of December, 1900, not allowing even a day to elapse after the Walker report was made to him; and on that day the following agreements were made in the same terms with Costa Rica and Nicaragua.

I will read one of the protocols, and follow it with an extract from the first Hay-Pauncefote treaty that defines the canal rights therein conceded to the United States:

Protocol of an agreement between the Governments of the United States and of Nicaragua [illegible] for the construction of an interoceanic canal by way of Lake Nicaragua.

It is agreed between the two Governments [illegible] when the President of the United States shall have [illegible] of the Senate of the United States [illegible] or other territory and the payment to the Government of Nicaragua [illegible]

[illegible] Provided, That the rights and privileges granted to the United States in this article and in the preceding article shall not be construed to impair the sovereignty of Nicaragua in the territory through which the said canal may pass, or to authorize the United States to interfere in the political or commercial government of Nicaragua, or to impair the rights of property of citizens or subjects of other nations in said territory except such as may be acquired by the United States by condemnation or purchase, or to affect the duty of the United States to protect the said canal and the ports and waters adjacent thereto, and the neutrality thereof, as provided for in the treaty between the United States and Great Britain, of the 19th of April, 1850, commonly called the Clayton-Bulwer treaty, which said treaty, in all other respects, is recognized as [illegible] and the provisions of the same shall be applied to the said canal [illegible]

[illegible] Nicaragua [illegible] or other territory referred to, [illegible] shall be subject to the action of the Congress of the United States and the National Congress of Nicaragua respectively, and shall be [illegible] by the respective Congresses, or by the proper authorities of the two countries acting under the subsequent assent of the same.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

Done in duplicate at Washington this 1st day of December, 1900.

JOHN HAY. [SEAL.]
LUIS F. COREA. [SEAL.]

Article I of the first Hay-Pauncefote treaty—February 5, 1900—referred to and made part of that agreement, is as follows:

ARTICLE I.

It is agreed that the canal may be constructed under the auspices of the Government of the United States [illegible] or [illegible] convention, the said Government shall have and enjoy all the rights incident to such construction, as well as the exclusive right of providing for the regulation and management of the canal.

In compliance with her agreement, Costa Rica instituted proceedings for the amendment of her constitution, and the President sent the following message to the Congress of that State.

Extract from the message of Señor Rafael Iglesias, President of Costa Rica, to the Constitutional Congress.

There are better prospects at this than at any other time that the project of construction by and under the control of the United States of America of an interoceanic canal across the Central American Isthmus will be carried out.

Costa Rica being greatly interested in the construction of that great work [illegible] a part of her territory that may have to be occupied, the Government of the United States has opened with [illegible] negotiations [illegible] a treaty which [illegible] that Government [illegible] and exclusive right to construct, operate, and control the said canal [illegible] and to the use of such portions of the territory of Nicaragua and Costa Rica as may be necessary for the purpose of the canal [illegible] and properties from the New Panama Canal Company [illegible] and the payment to the Government of Nicaragua [illegible]

[illegible] Provided, That the rights and privileges granted to the United States in this article and in the preceding article shall not be construed to impair the sovereignty of Nicaragua in the territory through which the said canal may pass, or to authorize the United States to interfere in the political or commercial government of Nicaragua, or to impair the rights of property of citizens or subjects of other nations in said territory except such as may be acquired by the United States by condemnation or purchase, or to affect the duty of the United States to protect the said canal and the ports and waters adjacent thereto, and the neutrality thereof, as provided for in the treaty between the United States and Great Britain, of the 19th of April, 1850, commonly called the Clayton-Bulwer treaty, which said treaty, in all other respects, is recognized as [illegible] and the provisions of the same shall be applied to the said canal [illegible]

[illegible] or [illegible] referred to, [illegible] shall be subject to the action of the Congress of the United States and the National Congress of Nicaragua respectively, and shall be [illegible] by the respective Congresses, or by the proper authorities of the two countries acting under the subsequent assent of the same.

In witness whereof the undersigned have signed this protocol and have hereunto affixed their seals.

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JOHN HAY. [SEAL.]
LUIS F. COREA. [SEAL.]

And the constitution of Costa Rica was so accordingly amended.

President McKinley did not send these agreements to the Senate. Why? Because he did not wish to notify Great Britain, while engaged in treating with her, of his determined purpose to get rid of the Clayton-Bulwer treaty by making an agreement with Nicaragua and Costa Rica that simply revoked and annulled it, so far as the United States could do it. He knew the support he had in Congress and among the people and did not stop on the halfway ground, as Mr. Arthur had been compelled to do, in the Frelinghuysen-Zavala treaty, for the want of such support from an indorsing Congress.

He fully understood that in these compacts he had located the canal on the Nicaragua route; that he had freed the country from the scandals of the New and Old Panama Canal companies, and that he had removed the obstructions of the Clayton-Bulwer treaty. In each of these results he quietly and firmly crystallized the wishes of the American people into compacts with these States, subject only to the authorization of Congress, and there they stand as living monuments of his wisdom and courage.

This act ranks in its importance even above the great protocols he was arranging, at the same time, with China and the five European powers, which involved the execution of princes and others of high dignity in China; the joint conduct of a great war; the protection of our missionaries; the revision of the entire tariff system of China, and hundreds of millions of dollars of fines and damages to various nations, imposed by those protocols.

They were never submitted to the Senate for its approval. Yet we are regularly collecting the $25,000,000, our share of those fines, while China has paid many other millions to our missionaries.

Have we quarreled with these results or denied his power to make these agreements without the advice and consent of the Senate? On the contrary, have we not, within a few days, ratified a treaty with China the basis of which was one of several of these protocols?

If these protocols of agreements with China are valid, those made by the same President during the same period are quite as valid and binding on the parties.

Challenges of disputation are frequent in the Senate of late, and following that questionable habit—lest my sincerity might be questioned—I challenge the refutation of this precedent which now controls this Government in the affairs of supreme importance in China and Manchuria.

It is easy to follow and applaud the course of a President whose conduct is to our advantage, even after he is in his grave. But it is easier to follow and applaud a living President, in the amplitude of power and patronage, when, for ambitious reasons, he destroys the work of his predecessor by denying his right to do a splendid act that would be a benediction to the country and refusing to execute it, even under the express mandate of a statute enacted by Congress and approved by him.

But I turn from the contempt thus visited on President McKinley to that which is being visited on the States that so generously assisted him in making these protocols. They also knew and fully appreciated the great work of the President, and stood by him. His pledge to them was a sacred thing. They knew he would keep it, and they had no conception of an American President who would break it.

The constitution of Costa Rica was probably in the way of their agreement, and that State at once proceeded to change it, on our suggestion, so as to free her compact from all doubt. She did so change her constitution. Can any one deny that this was a compact between the United States and Costa Rica, when she changed her organic law that stood in the way to its perfect obligation?

Nicaragua had reserved her lands within the canal zone for three years from settlement by her own people because she had granted them to the United States in her compact of December 1900, and in negotiations based upon it.

In this matter and in the negotiations with Nicaragua and Costa Rica that were conducted to a conclusion with our Government every step taken by all the contracting parties was taken under and in pursuance of the protocols signed, sealed, and exchanged by Mr. Hay under the orders of President McKinley.

The light is not hid under a bushel. It is as a city seated upon a hill, which all the world can see. It is another signal light to show the world how the grand Republic deals with the little republics of America.

Let us not deceive ourselves. Because we are boasting that we are a world power, let us not forget that honor and justice are the true foundations of that power.

A correspondence between Mr. Hay and myself, as chairman of the Committee on Interoceanic Canals, which I will now read, establishes the fact of our continued and unbroken confirmation of these compacts. I will first read my letter to Mr. Hay:

WASHINGTON, D. C., *March 11, 1902.*

Hon. JOHN HAY,
Secretary of State.

DEAR SIR: [illegible] by the Committee on Interoceanic Canals [illegible] at the convenience of the [illegible] Costa Rica and Nicaragua [illegible] United States and Great Britain [illegible] the treaty with that Government is ratified, [illegible] 4. [illegible] the United States will [illegible] pay Nicaragua [illegible] after the treaty with that Government is ratified, [illegible]

5. [illegible] to and signed in December, 1900, by the United States and Nicaragua [illegible] man without alteration [illegible] and a condition [illegible] treaty.

6. The United States and Nicaragua [illegible] any [illegible] and privileges, or other [illegible] may [illegible]

[illegible] to and signed in December, 1900, by the United States and Nicaragua [illegible] man without alteration [illegible] made by [illegible]

Mr. Silas [illegible] of the United States as minister from Colombia, [illegible] him, but has not presented his [illegible] statement [illegible] has Secretary of State Cooke it is [illegible] for him to make them.

JOHN T. MORGAN, *Chairman.*

Mr. Hay, in replying to my letter containing these statements, says:

DEPARTMENT OF STATE,
WASHINGTON, *March 12, 1902.*

Hon. JOHN T. MORGAN,
United States Senate.

DEAR SIR: I have received your letter of yesterday's date, and herewith return the copy you sent.

It states with substantial accuracy the purport of the conversation I had the honor to hold with [illegible]

Yours [illegible] JOHN HAY.

On the 15th of May, 1902, Mr. Hay, Secretary of State, sent me the following letter addressed to me as chairman of the Committee on Interoceanic Canals:

DEPARTMENT OF STATE,
WASHINGTON, *May 15, 1902.*

Hon. JOHN T. MORGAN,
Chairman Committee on Interoceanic Canals, United States Senate.

SIR: [illegible] honor to inclose copies of [illegible] minister [illegible] the [illegible] and by [illegible] such [illegible] and [illegible] of [illegible] the [illegible] of [illegible] control, and protection of an interoceanic canal over the [illegible]

[illegible] of a [illegible] to [illegible] of [illegible] Nicaragua [illegible] Panama Canal [illegible] and rights [illegible] for [illegible] I have the [illegible] presented to the [illegible] Nicaragua [illegible] I have [illegible] the [illegible] of Costa Rica, but [illegible] Costa Rica [illegible] Government is ready to enter into any satisfactory arrangement with that of the United States on

the basis of the protocol of December 1, 1900; but that, as set forth in the recent message of President Iglesias, an extract from which I inclose, it will be necessary that the Government of Costa Rica should, before entering into positive negotiations with that of the United States of America, adopt a constitutional amendment authorizing the necessary concessions for the construction of an interoceanic canal or to have the matter referred to public opinion in some [illegible]

I am assured [illegible] as soon as you shall be the very worthy, by this proposal [illegible] Congress of [illegible] I should be pleased if it were [illegible] the canal. I also [illegible] the President [illegible] Nicaragua [illegible] I have the honor to be, sir, your obedient servant, JOHN HAY.

The [illegible] in that letter will be printed in the appendix to my remarks.

On the 18th of June Mr. Hay sent me the following letter:

DEPARTMENT OF STATE,
Washington, June 18, 1903.

Hon. JOHN T. MORGAN,
United States Senate.

SIR: I have the honor to inclose [illegible] Costa Rica [illegible] Canal Commission [illegible] Nicaragua [illegible] Canal Commission [illegible] I have the honor to be, sir, your obedient servant, JOHN HAY.

The note of transmittal by Mr. Corea, minister of Nicaragua, to Mr. Hay, Secretary of State, of the draft of the completed negotiation with Nicaragua is as follows:

[Translation.]

Mr. Corea to Mr. Hay, May 14, 1903.

In pursuance of the other memorandum [illegible] in his personal note of the 13th instant [illegible] I have the honor to transmit herewith a draft of a [illegible] Nicaragua [illegible] Government something that [illegible] Nicaragua [illegible] I have [illegible] as has been stated [illegible] proposition [illegible] and was proposed to annul on March 11 [illegible] in response to the requests presented to me.

[illegible] as you said to me very worthy, by this proposal [illegible] Congress of Nicaragua. I should be pleased if it were [illegible] the canal. I also [illegible] President [illegible] Nicaragua [illegible] Canal Commission [illegible] Nicaragua [illegible] Canal Commission [illegible] upon their action [illegible] determining the question of the route of the proposed interoceanic canal.

[illegible] that [illegible] treaty for [illegible] by the Congress of Nicaragua [illegible] I have the honor to be, sir, your obedient servant, JOHN HAY.

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Washington, June 18, 1903.

Hon. JOHN T. MORGAN,
United States Senate.

SIR: I have the honor to inclose [illegible] Costa Rica [illegible] Canal Commission [illegible] Nicaragua [illegible] Canal Commission

being connected only by two provisions: First, that of providing for the construction of a canal, including an indefinite sum of money for the purpose of purchasing concessions on either route, and, second, the provision for an isthmian canal commission and other agents or contractors to execute the work.

As to all other matters, the provisions of the Spooner law are as separate and distinct as if they were in separate laws, the provisions pertaining to the Nicaragua route to take effect when those pertaining to the Panama route ceased to be effective.

The provisions relating to the Nicaragua act came into full force and effect when either of the conditions stated in the laws and announced in the message of the President made it impossible for Colombia to grant concessions to the United States on the Panama route.

Such impossibility, when its existence became certain, covered the special appropriation for the Panama route into the Treasury, and that ended the matter as to that route.

The act relating to a canal at Panama would have been functus officio if it had been a separate law. It is not less so because it is a part of the Spooner law.

It is a law that has expired by its own limitations and is as dead as if it had been repealed.

The Spooner law prescribed the terms and conditions for the cesser or expiry of that part of the act that applied to a canal at Panama. The fact of the failure of Colombia to ratify the Hay-Herran treaty, and to exchange the ratifications with the Government of the United States on or before the 22d September, had, even if standing alone, completed the condition on which the provisions in favor of the Nicaragua route became operative; and the condition on which any money could be applied, under that act, to a canal at Panama ceased and fell, and with it fell the appropriation of $40,000,000 for the purchase of concessions, rights of property, and all else, from the New Panama Canal Company, described in the first section of the Spooner law, because those conditions were mutually dependent.

This state of facts is put beyond dispute by the official statements of the President in his annual message to Congress, from which I will read extracts:

> Nevertheless the Government of Colombia not merely repudiated the treaty but expressed it in such manner as to make it [illegible] that the Congress adjourned that not the smallest steps looking toward obtaining a satisfactory treaty from them. The Government of Colombia [illegible] the treaty, and yet when the Congress of Colombia was convened, [illegible] it was the unanimous ratification was unanimous. Indeed, it appears that the Government made any real effort to secure ratification.
>
> Every effort has been made by the Government of the United States to persuade Colombia to follow a course which was essentially not only for our interests and to the interests of the world, but to the interests of Colombia itself. These efforts have failed, and Colombia, by her perversity in rejecting the advantages that have been given, has forced us, if the interests of our citizens and of the interest and well-being of the people of the Isthmus of Panama and the interest of civilization and of the world, to take decisive steps to bring to an end a condition of affairs which had become intolerable. The new Republic of Panama promptly offered to negotiate a treaty with us. This treaty I transmitted to the Senate. I believe that our interests are better subserved thereby than in the treaty which Colombia had rejected, which was ratified by the Senate at its last session. It is better as a means toward the ultimate good of Colombia herself, and it is better than any of the treaties offered to us by the Republics of Nicaragua and Costa Rica.

Has the President asked Nicaragua or Costa Rica for better terms than those secured by Mr. McKinley in his compacts with those States? Or has he asked them for better terms than are agreed upon in protocols settled by the Secretary of State, in execution of these protocols, as is shown by his several letters which I have just read to the Senate? He has done neither of these things, nor has he invited either of these States to enter into any negotiations with our Government since the failure of the Hay-Herran treaty.

Without any such effort, why does he say to Congress that the Hay-Varilla treaty "is better in its terms than the treaty offered to us by the Republics of Nicaragua and Costa Rica." To what treaties does he allude, and why has he not laid them before the Senate, that they may have a voice in determining their qualities and whether they are not as good as the Hay-Varilla treaty?

At a time prior to the Panama secession the President informs Congress that he intended to lay this matter before them for consideration, but changed his purpose. He says in his message that he did not attempt to treat with Nicaragua or Costa Rica, and gives his reasons, as follows:

> By the act of June 28, 1902, the Congress authorized the President to enter into treaty with Colombia for the building of the canal across the Isthmus of Panama; it being provided that in the event of inability to secure such treaty after the lapse of a reasonable time, resource should be had to building a canal through Nicaragua. It has not been necessary to consider this alternative, as I am confident I by any before the Senatorial [illegible] for the building of the canal across the Isthmus of Panama. This was the route which commended itself to the deliberate judgment of the Congress, and we can now acquire by treaty the right to construct the canal over this route. The question now, therefore, is not by which route the isthmian canal shall be built, for that question has been definitely and irrevocably decided. The question is simply whether or not we shall have an isthmian canal.

Did the Spooner law empower him to refuse even to consider the alternative route through Nicaragua, if he should discover that there was a hope or prospect of the secession of Panama from Colombia? I voted for that law, it being the only chance to get any canal, and I protest, for myself and my colleagues in the Senate, that the construction placed on our votes, by the President, has no foundation in fact.

He also says:

> *As events turned out, the question of a reasonable time did not enter into the matter at all.*

I hope that after this statement by the President we shall not hear very much debate or discussion on the floor of the Senate about a reasonable time given him in which to negotiate treaties with Nicaragua, or to see if he could not fight his way back into Panama. He says:

> As events turned out, the question of a reasonable time did not enter into the matter at all.

Then, taking shelter under the "reasonable time" clause in the Spooner law, he says, I repeat:

> A second alternative was that by the close of the session on the last day of October, upon the rejection of the treaty by Colombia and without any steps taken by Panama, the Nicaragua Congress on some subsequent date in November would be confronted with a situation in which there had been a failure to come to terms as to building the canal along the Panama route, and yet there had not been a lapse of a reasonable time—using the word "reasonable" in a new proper sense—such as would justify the Administration going to the Nicaragua route. This situation seemed on the whole the most likely, and as a matter of fact I had made the original draft of my message to the Congress with a view to its occurrence.

What was this "alternative" to which he looked forward, and what was the "situation that seemed, on the whole, most likely" to happen? The President answers this query in terms that are direct and unmistakable, as follows:

> My anticipation was to consult the Congress as to whether under such circumstances it would not be proper for us to declare that the entire work to be done should be done by us as a work belonging to the Government of the United States, and that if such course were deemed proper we should then proceed with Panama instead, or have what other steps were needed in order to begin the enterprise.

If we follow the President in a declaration of this kind, we will have the reputation of being not only a great world power, but of being the most hectoring and arrogant nation that ever existed in the world. Again, he says:

> A second possibility was that the people of the Isthmus who had formerly been in revolt against Colombia, but who had been reduced to subjection by the force of arms of Colombia, might again rise in revolt and might declare their independence of Colombia. Although the Government of Colombia at the moment was in a position to put down such a revolt, it was not in a position to do so if the revolt came immediately after the rejection of the canal treaty, and such a revolution would have met with the hearty sympathy and approval of the people of the United States. As a matter of fact, such a revolution did actually break out, and of its success. It was a matter of common notoriety.

This is a bold confession of an unworthy purpose—the waiting for the expected secession of Panama to obtain a canal route that we could not otherwise secure.

Surely this is not of the "essence" of the Spooner law.

It was this "third possibility" and only that which induced the President to refuse to treat with Nicaragua and Costa Rica, as he was required to do under the act of Congress called the "Spooner law," and this he admits.

He expected Panama to secede from Colombia for reasons which he says were common knowledge, and he waited "a reasonable time" for that event, during which he insists that there was no reasonable time for even attempting to treat with Nicaragua and Costa Rica.

The President found it necessary in his justification of this action to totally pervert the plain meaning of the Spooner law in his explanatory message.

He says:

> It was further provided that should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia * * *.

There come in three asterisks indicating the omission of matter which changes the meaning of the act—

> within a reasonable time and upon reasonable terms, then the President should endeavor to provide for a canal by the Nicaragua route. The language quoted—

It was not quoted; it was misquoted—

> defines with exactness and precision what was to be done and what as a matter of fact has been done. The President was authorized to go to the Nicaragua route only if within a reasonable time he could not obtain from Colombia the necessary territory of the Republic of Colombia. This contingency has never been obtained; the provision of the act has been complied with; it is no longer possible under existing legislation to go to the Nicaragua route as an alternative.

No Senator on this floor has stated that proposition and nobody has attempted to defend it.

This act marked the climax of the effort on the part of the United States to secure, so far as legislation was concerned, an isthmian canal across the Isthmus. The effort continued longer for this purpose than one of the Central American republics, and stood on the same footing with the effort to secure a treaty under any or many conditions.

Why did not the President, in quoting the Spooner law in his message, add, as that law provides, that the control of the necessary territory should be obtained by treaty with Colombia?

That statement would have destroyed the whole fabric of his explanation, and would have saved the country from the moral pressure of his statement that—

> The control has now been obtained, and the conditions of the act have been complied with, it being the best possible under existing conditions to go to Nicaragua as an isthmian nation.

This is a final decree and is not based on what Congress enacted, or in the remotest degree contemplated when that act was passed, or that the President contemplated when he approved it.

The "essence" of the act, as it is construed by the President, gave no intimation of its hidden existence until Congress had rejected the Hay-Herran treaty and it was commonly known that some conspirators in Panama would "rise as one man" and do some [illegible] for a revolution.

The final pronouncement of this "essence" took on immediately the odor of gunpowder and the "pomp and circumstance of glorious war." It startled our people, but it has failed to excite any other than serious inquiry when, like it has not placed the country in a false and humiliating attitude.

Congress still has the opportunity, by adopting the concurrent resolution before the Senate, to refuse to accept the burden of this irregularity by asking the President to execute the still living parts of the Spooner law in opening negotiations with Costa Rica and Nicaragua under that law and in conformity with the compact made with those States by President McKinley. Let them at least have a chance to refuse to make concessions that we are satisfied with.

The Panama Canal is out of the question and will so remain until Congress shall, by legislation, substitute some other act for the Spooner Act, or shall make some other appropriation for building a canal at Panama in place of that provided in the Spooner law, which has lapsed and is covered into the Treasury.

Colombia has refused to create the condition on which the appropriation can be applied to a canal at Panama, and the President officially informed Congress that the refusal of Colombia is final and irrevocable.

No officer of the United States can lawfully draw a dollar from the Treasury to pay for canal concessions to be purchased from Panama or from Colombia, or for any property or concessions from the New Panama Canal Company, and it may as well be said now as later that such money can not lawfully be drawn from the Treasury.

When the Hay-Varilla treaty is ratified, not one dollar of appropriation will remain available for constructing any isthmian canal. What then? A scramble for a new appropriation, with objections from the friends of any canal, unending debate, and a final adjournment of Congress, with great promises of appropriations, until after the Presidential election.

Has the vitality and force of the Spooner law been destroyed as to the provisions and appropriation as made, separately, for the Nicaragua route, because the Panama route has been dropped from the law and has ceased to be possible under the provisions of the Spooner law? The appropriation for the construction of the canal at Panama is $40,000,000, while that for the canal on the Nicaragua route is $10,000,000. These separate funds are not a joint charge on the Treasury, subject at the same time to be drawn out on a warrant of the President. He must draw from each fund the money to construct the canal that is selected under the terms and provisions of the Spooner law, and his right to draw from either of these separate funds establishes the fact that neither the President nor any other person can lawfully draw money from the other fund.

The right to draw money from one of these funds negatives and destroys the other fund, for both can not be at the same time subject to the warrant of the President.

His right and duty to resort to the separate fund set apart for the construction of the Nicaragua Canal became effective, and the money became available, when the President's right and duty to apply it to the separate fund appropriated for the construction of the Panama Canal ceased, the only remaining condition being that the canal concessions described in the Spooner law should be obtained from Nicaragua and Costa Rica by satisfactory treaties.

But the ratification of the Hay-Varilla treaty repeals the appropriation in the Spooner law for the Nicaragua route, as the failure of the Hay-Herran treaty, in legal effect, covered the appropriation of that law into the Treasury. Those who shall vote to ratify the Hay-Herran treaty will vote to repeal all existing appropriation for any isthmian canal.

The plain and simple duty, enjoined on him and made mandatory by the Spooner law, the President has openly and defiantly refused to perform, and the purpose of this resolution is to further direct and urge him to perform that duty.

Before further discussing this very grave and important matter I will call attention to the present state of obligation resting on Costa Rica and Nicaragua under and in virtue of their agreements or compacts under seal, made with President McKinley on December 1, 1900.

Neither of those States has repudiated its agreement, nor could one State do this without the consent of the other, because they were made at the same time, in exactly the same terms, and with reference to a corresponding public policy of both of those States as to the same canal, in the prescribed route of which they has a joint and indivisible interest.

The San Juan River is the boundary between these States and their rights in its waters are so held in common that a canal could not be constructed, of which that river is an essential part, without the consent of both States.

Not only is it true that neither of these States has attempted to repudiate or to abrogate or to dissent from their respective agreements, but I have shown from the statements of the ministers of Nicaragua and Costa Rica that so long as they were permitted by our Government they proceeded with the treaty negotiations that are expressly provided for in those protocols and in consummating the work until they were concluded and the treaty draft were ready for signature—a copy of which I have to-day and heretofore presented to the Senate.

These documents are in the archives of the Department of State. The agreements of these Governments and of the United States to enter into treaties to arrange and execute in detail the canal concessions in these agreements, which are under seal and are duly signed by the accredited agents of all three of these contracting powers, are, of themselves, even as independent agreements, binding and in every sense obligatory under the laws of nations.

It is a serious breach of faith in a nation to refuse to negotiate, or to treat with another power with which it has made such an agreement. The United States is under that obligation to Nicaragua and Costa Rica in these protocols, and the President violates our pledged faith as well as the manifest of the Spooner law when he refuses to comply with that duty.

These States have waited with proper and dignified patience the ending of our dealings with Colombia under the Hay-Herran treaty and have made no demands or protests in respect of their rights under these protocols, but their silence is not in any sense to be construed to their disadvantage, and their respectful attitude toward the United States since the passage of the Spooner law and since the defeat of the Hay-Herran treaty can not be set up by us as an abandonment of their rights or the repudiation of our obligations under those protocols or of the pledges of our Government given to them in the Spooner law.

To Costa Rica and Nicaragua the canal through the route along their water courses is of such importance that few minds dare to conceive of its magnitude. They know and feel very deeply the blow inflicted upon their country by the breach of faith and the present ungrateful attitude of our Government toward them, in which they have my most sincere sympathy and commiseration and that of many millions of our people—indeed, of all Christian nations.

They have witnessed our struggle with Great Britain during more than a half century for the right and privilege of building a canal through their country to connect the oceans, and in every phase of that controversy, which called forth our best diplomatic efforts and aroused our deepest anxieties and apprehensions, these Republics stood by our Government as if they had been States in our Union.

They have refused us nothing that our Government or our people have desired at their hands, and have not even complained when we have broken the public faith with them.

This is all established by the official documents I have laid before the Senate to-day, which could be multiplied, twice over, by other evidence of equal value.

They have suffered war at the hands of Colombia and will again have to suffer it, because they granted canal concessions to the United States; and M. Bunau-Varilla, minister from Panama, and the eidevant "champion of the Panama Canal"—a contractor who grew rich in association—has trumpeted falsehoods as to the Nicaragua route from the forums of many of our cities.

He joins Mr. Loomis, Assistant Secretary of State, in the grossest misrepresentations as to the opinions of great American engineers, whom he is afraid to name to the public, that the Nicaragua route is impracticable.

De Lesseps, after Nicaragua refused to sell him a canal concession at a great price, took his revenge by coming to the United States and leaving a fund of $2,500,000 in the hands of an "American committee" in New York.

A salary of $25,000 per annum was paid out of this fund to a Secretary of the Navy as president of that committee.

When President Hayes heard of this strange honor thus conferred on the Secretary of the Navy, that Cabinet officer could not resign his office quick enough to escape a summary dismissal.

That Secretary then devoted his best efforts to the work of "laying the Nicaraguans on their backs," as he wrote a friend, and De Lesseps and, succeeding him, the New Panama Canal Company, has kept up the fight against the Nicaragua Canal, which has finally created civil war in Colombia from 1898 to 1902, and has made every American republic unfriendly to the United States.

And Nicaragua and Costa Rica have taken shelter under the Republic of Panama and her queenly mother, the United States, to avoid the further hostility of Colombia.

It may be, very soon, that we will be cogitating the question whether Nicaragua and Costa Rica have escaped the conclusive grants in the protocols of December 1, 1900. We may find that they are of great service to the United States and have not perished through our indifference to the honorable obligations they impose on us. We may need those agreements in an hour that may be full of danger to the United States.

In such a case, I am glad that I have had occasion to say to their representatives that, in my judgment, they are irrevocably bound by these grants, unless the United States will voluntarily release them by act of Congress. This has never been done, and will never be done, no matter what national reproaches we may incur, for the owners and freighters of sailing ships, and the people who will soon be in the power of a great railroad and steamship trust, through the Panama Canal, will clamor for the competitive advantages of the Nicaragua route in a way not to be misunderstood.

And much sooner than we expect, the Panama Canal, with its sea gate at the western entrance to control the tide of 21 feet that is a daily visitor, will retard the passage of ships to less than one an hour, so that it can not accommodate even the steamships that will seek to pass through it; and sooner than we expect the wonderful increase in tonnage that passes the canal at Sault Ste. Marie will be only a feeble illustration of that which will pass through an American isthmian canal.

I am glad of the opportunity now to record the opinion that in fifty years another canal through the Isthmus will be as much needed to accommodate the commerce between the oceans as the one that is now so eagerly desired.

We look back for fifty years at the humiliating part we have played under the Clayton-Bulwer treaty with deep regret, but with some satisfaction, because it united all our strength on the Nicaragua canal route and abrogated that barrier to a splendid future.

We have still an enemy in our midst that divides our strength, and has suddenly and wickedly enticed us into discordant factions.

We look with a sense of shame and indignation at the part we are now playing in a sister republic, with a dummy we are using as Great Britain used the Mosquito King, that we call a republic.

The Panama Canal Company is the real enemy, with whose wiles and frauds and intrigues our country is being agitated and its splendid fame is being darkened.

The Republic of Panama is the spawn of the company. Its first breath of life came in a prediction, made last August, from the "champion" of the Panama Canal Company, and the officers of the railroad owned and controlled by that company fulfilled the prophecy on the 3d of November. This company, condemned in the reports of the Isthmian Canal Commission as having its origin in robberies of the old Panama Canal Company, for which its leading stockholders were convicted as felons in the French courts and were pardoned on their promise to organize the New Panama Canal Company and to complete the canal, has created all the discord that is now aggravated into war between Panama and Colombia, and has driven out the Republics of Costa Rica and Nicaragua as if they were culprit nations.

We see Nicaragua and Costa Rica, our true friends, cast out in hopeless despair, but still wearing, as chains that we may yet employ to bind them, the necklace that McKinley laid upon their shoulders as tokens of honor. And when we ask ourselves why there should be a tinge of shame on the brow of the Republic, we will say—if we should speak truly—the Senate will be compelled to say—it is because we aided the President to violate the law and in repealing all canal appropriations of the Spooner law, including that for the Nicaragua Canal, through a treaty with Panama, that he should thereby compel Democrats to support his wayward and defiant violation of the laws of the United States or else get no appropriation for a canal, even on the Panama route. Nor do I believe they will ever get any.

For one, I decline to assist the President in the open contempt and violation of an act of Congress which he approved, in order to gratify his latest whim.

Let him first cast out the beam from his own eye, that he may see more clearly the mote that is in our eyes.

Let him not force the New Panama Canal Company into the question of a canal at Panama or at Nicaragua. Let the country be free to do full justice to that company, its agents, and its diplomatic champions, without the handicap of "the contemplated purchase" of its alleged concessions and property rights, with France and Panama at its back, to force us to purchase these things at its own price and on its own terms.

Let full justice be done to the Panama Canal Company. In that case it will reap the harvest that comes from its own broken promises that it never intended to keep. It will not be of gold, if we are true to ourselves. It will cease to be known in our country except as the promoter of two wars in Colombia, the last of which is about to open, unless we intervene to prevent it.

I will devote some attention to these wars and prove the complicity of that company in them on another occasion.

APPENDIX.

[Extract from the message of Señor Rafael Iglesias, President of Costa Rica, to the Constitutional Congress.]

There are better prospects at this than at any other time that the project of construction by and under the control of the United States of America of an interoceanic canal across the Central American Isthmus will be carried out.

Costa Rica being directly interested in the construction of that great work, by reason of a portion of her territory that may have to be occupied, the Government of the United States has opened with this Government negotiations looking to the consummation of a treaty whose [illegible] United States will be authorized to occupy and for the term of a perpetual lease a certain belt of territory for the construction, maintenance, and operation of the canal, and to exercise therein the jurisdiction which properly belongs to our sovereignty.

In return for these and other minor concessions we are offered the guaranty of the independence and sovereignty of Costa Rica and the integrity of her territory and the payment to the Government of a [illegible] and a half dollars. In view of the great and permanent importance of this matter, I deemed it expedient to call an advisory board consisting of persons of well-known ability and patriotism, in order to obtain their opinion on so delicate and grave a question. A committee, under the chairmanship of the secretary of state for the department of foreign relations, was appointed among the members of that board. This committee has discharged its duties in a satisfactory manner, touching all the points which in its opinion do not contravene the spirit of our political institutions, in conformity with the provisions of the fundamental code as regards the integrity of the territory and the exercise of sovereignty. In consequence thereof, the Government is powerless to enter into positive negotiations with that of the United States of America unless there should be previously passed a constitutional amendment by which such consent is given for the construction of the interoceanic canal may be [illegible] or the matter referred to public opinion in some other way by calling a constituent assembly for the purpose.

NEGOTIATION WITH COLOMBIA.

LEGACION DE COLOMBIA.
Washington, D. C., March 31, 1902.

I have the honor to hand your excellency the proposal of the Republic of Colombia for a convention [illegible] between the Republic of Colombia and the United States of America [illegible] for the purpose of insuring peace, order, control, and protection of the interoceanic canal over the Isthmus of Panama.

I seize [illegible] hand you a letter of exposition and also have requested Mr. William Nelson Cromwell, general counsel of the New Panama Canal Company, to present you a statement, when I have approved.

Please accept these additional communications in connection with the proposed treaty.

I avail myself of this opportunity to renew to your excellency the assurance of my high consideration.

JOSE VICENTE CONCHA.

Hon. JOHN HAY,
Secretary of State of the United States.

[Translation.]

LEGATION OF COLOMBIA.
Washington, D. C., March 31, 1902.

The undersigned, envoy extraordinary and minister plenipotentiary of the Republic of Colombia, has the honor to supplement the note which he had the honor to hand to the honorable Secretary of State, together with the ratification setting forth the passed a treaty between Colombia and the United States for the purpose of securing the organization and [illegible] for the New Panama Canal Company to transfer its rights and properties to the American Government and regulating the relations between the contracting parties in respect of the enterprise.

The bases have been formulated after a serious and mature consideration of those which were submitted to the [illegible] President of the Isthmian Canal Commission, which had been intrusted by the Secretary of State with the discussion of the question. The intent of these bases has been to condense the most liberal terms that could be granted by Colombia in the matter.

The Republic that I represent realizes the importance of the contemplated interoceanic waterway for the development and progress of the world, and since nature has placed the most favorable and expeditious route within her territory of the Republic, Colombia would be false to herself if she closed her doors, so that the great work must be begun within the shortest possible time.

If the people of the United States consider an earnest desire that their Government apply its energies and resources to the construction of the canal, Colombia not only will not place any obstacle whatever in the way of such a purpose or keep her concessions within the bounds of those just barely conceded to private enterprise, but will enlarge those concessions to such an extent as to constitute a demand for the ownership after the lapse of a number of years of operation, as stipulated in the French company's contract; she will grant the use of a much more extensive zone than that originally conceded for the execution of the work, extend facilities in all the ports of the Republic for cooperation in the work of the enterprise, relinquish her proprietary and usufructuary rights in the Panama Railway, and, finally, foregoes a fixed participation in the proceeds of the canal, confining her demands to a fee or annuity for the lease of the zone, the revenues of the railway, and the heavier expenses put upon the public administration in the isthmus by the increase of population and the traffic consequent to the work on the canal itself.

Thus does Colombia give fresh evidence of her long standing and cordial sentiments of friendship toward the United States, and evinces in a clear and sincere manner the gratification with which she will receive the industrious and intelligent citizens of your Republic in her territory.

Colombia has no lust of unwise lucre through the construction of the canal

in her territory, and a final convention on this subject will not be hampered by pecuniary considerations. Her problem in the matter is limit on having the proposed waterway between the two oceans that ideal of universal peace and sovereignty. Thus the concessions asked by Colombia have special importance only in that they will imply a practical and constant recognition of her sovereignty.

The undersigned has no doubt that the mere perusal of the memorandum will lead forward the prompt and equity of the propositions, which, if accepted, would be perfected in the same spirit.

The undersigned embraces this opportunity to reiterate to the honorable Secretary the assurances of his highest and most [illegible] consideration.

JOSE VICENTE CONCHA.

Hon. JOHN HAY,
Secretary of State of the United States.

SULLIVAN & CROMWELL,
40 and 51 Wall Street, New York, March 31, 1902.

Hon. JOHN HAY,
Secretary of State, Washington, D. C.

SIR: In connection with the presentation by Señor Jose Vicente Concha, minister plenipotentiary and envoy extraordinary from the Republic of Colombia, of a proposed supplementary convention or treaty between the United States and Colombia, to facilitate the construction, operation, control, and protection of the Panama Canal, by the United States, I have been requested by the minister, in view of my relation to the subject as general counsel of the Panama Canal Company, and of my knowledge of the negotiations leading up to the present draft, and my conferences in the preparation of the treaty, to submit for your consideration the following memorandum:

Colombia wishes the United States to its territory and will facilitate in every way the exercise of such rights as may be necessary to the United States in the needs of the United States for the construction, operation, maintenance, and protection of the canal across the Isthmus of Panama, and grants to the United States the use of such territory and such jurisdiction as may be necessary for the purpose, and a concession and grant of land, and [illegible] for canal purposes.

Colombia wishes to make a treaty which shall be in harmony with the spirit and intention of the Hay-Pauncefote treaty, and to do all things which may be necessary to make the canal a neutral highway for the world, and to that end to enter into such agreements with the United States as may be necessary to secure the construction, operation, and protection of the canal by the United States, and to the neutrality of the canal when completed, and to the protection of the canal by the United States against any attack upon it, and to the neutrality in time of peace forever of the peoples of the earth.

History does not furnish another instance of such national generosity, patriotism, and wisdom.

The news has not yet reached us from Colombia the warmest response, and that nation's people [illegible] upon such an occasion [illegible] and [illegible].

The last [illegible] A [illegible] elected [illegible] are by President Marroquin [illegible] canal treaties and to delay the [illegible] United States to [illegible] unanimously [illegible] the Hay-Pauncefote treaty [illegible] the [illegible] convention being arrived at [illegible] United States [illegible].

[illegible] is the determination of the concessionary company [illegible] Panama necessary for the [illegible] canal [illegible] to further the [illegible] United States and [illegible] the [illegible] Panama Canal Company [illegible] the [illegible] United States [illegible] the [illegible] canal [illegible] United States [illegible] Colombia [illegible] the [illegible] United States [illegible] Colombia [illegible] United States [illegible] Colombia [illegible] United States [illegible] Colombia

ARTICLE III.

To enable the United States to exercise the rights and privileges granted by the foregoing articles, the Republic of Colombia grants to that Government the use of a zone of territory within the limits of its own territory of not less than 3 kilometers in width on either side thereof, measured from the center line of the canal or railway, which zone is to be necessary for the construction, maintenance, and operation thereof. The United States may have the use and occupation of the ground and lands in the Bay of Panama called Perico, Naos, and Flamenco, together with islands in the bay of Panama and the waters of the bay, in extension of the canal, and the same shall not be construed as being within the zone hereinbefore mentioned, but governed by the special provisions applicable to this point. This concession shall be for the term of one hundred years, commencing at the exchange of the ratifications of this convention, and shall be renewed at the option of the United States for periods of similar duration and subject to the payment of the compensation hereinafter expressed.

This grant shall in no manner vitiate the titles or rights of private landholders in the said islands, nor shall it interfere with the rights of way over the public roads of the Republic.

And the Republic of Colombia hereby grants to the United States all the rights, power, and authority within the said zone necessary for the construction, maintenance, sanitation, and protection of the said canal, and to the cities of Panama and Colon, and to the lands, waters, and islands adjacent, sufficient for the proper sanitation and protection of the said cities and lands to be affected by the canal and its dependencies. All the provisions of this article shall be in conformity with the above mentioned article 35 of the Treaty of 1846.

The Government of Colombia shall have the right to place its troops and police on the said territory and islands, and the United States may station such police and such land and naval forces on said territory and islands as it may deem necessary.

ARTICLE IV.

The rights and privileges granted to the United States in this convention are granted without prejudice to the sovereignty of Colombia over said territory, and the laws of Colombia shall prevail therein so far as they are not inconsistent with the exercise of the rights and privileges granted to the United States by this convention, or with such police regulations as may be established by the United States for the government of the said territory, and to preserve the peace, order, and decorum in the said territory, and to promote the health and the material and moral prosperity of the inhabitants thereof.

ARTICLE V.

The Republic of Colombia authorizes the United States to construct and maintain such enterprises and undertakings as may be necessary to the execution of the purposes of this convention, and to protect the lives and property of citizens of the United States and of Colombia employed in the said enterprises and those passing through the said territory, and to maintain order among such persons, and to prevent the interruption of the said enterprises by the said persons, and to protect the said enterprises, and to preserve the said canal from injury or damage of any kind, and to protect the said persons and property from all such injury or damage, and to pass such laws and to establish such courts as may be necessary for the exercise of such jurisdiction as may be requisite for the administration of justice in the said territory, in accordance with the laws and customs prevailing in the territories of the United States.

The Government of Colombia shall have the right to be represented in the said territory by such officers as may be necessary to maintain its sovereignty and to protect its interests therein, and to exercise such jurisdiction as may be exercised by the Government of Colombia over its other territories, and such as may be necessary to the exercise of the rights granted to Colombia in this convention.

The Government of Colombia shall have the right to establish such ports of entry and such customs houses as it may deem necessary in the said territory, and to collect such duties, imposts, and taxes as may be established by the laws of Colombia upon all persons and property without the said territory and upon all persons and property passing over any railway or through any canal which may be constructed under the concession granted by the Government of Colombia to the New Panama Canal Company, and such portion of the said duties, imposts, and taxes as may be agreed upon from time to time, not exceeding the amount payable to the Government of Colombia by the said company under its concession, shall be paid over to the Government of Colombia by the Government of the United States at such time and place and under such regulations as may be agreed upon from time to time, and the Government of the United States will aid the Government of Colombia in the collection of said duties, imposts, and taxes in such manner as may be agreed upon as most effectual to secure the collection of revenue and the prevention of smuggling, and will give to the Government of Colombia such police protection as may be agreed upon as most effectual to secure the payment of said duties, imposts, and taxes and the protection of the said canal and its dependencies, and the said railway and its dependencies, and the said lands and waters adjacent thereto, and the said cities of Panama and Colon, and the lives and property of persons employed in the said enterprises and those passing through the said territory, and to maintain order among such persons, and to prevent the interruption of the said enterprises by the said persons, and to protect the said enterprises, and to preserve the said canal from injury or damage of any kind, and to protect the said persons and property from all such injury or damage, and to pass such laws and to establish such courts as may be necessary for the exercise of such jurisdiction as may be requisite for the administration of justice in the said territory, in accordance with the laws and customs prevailing in the territories of the United States.

ARTICLE VI.

The Republic of Colombia agrees that it will not cede or lease to any foreign government any of the ports or islands of Colcolombia in the Bay of Panama and on the Atlantic coast adjacent to the said canal or the said railway, which ports and islands by their position may afford facilities for the control of the said canal and railway, and which it may be necessary for the United States to occupy for the protection of the said canal and railway and the lives and property of persons employed in the said enterprises and those passing through the said territory, and to maintain order among such persons, and to prevent the interruption of the said enterprises by the said persons, and to protect the said enterprises, and to preserve the said canal from injury or damage of any kind, and to protect the said persons and property from all such injury or damage, and to pass such laws and to establish such courts as may be necessary for the exercise of such jurisdiction as may be requisite for the administration of justice in the said territory, in accordance with the laws and customs prevailing in the territories of the United States, and which ports and islands are hereby granted to the United States in addition to the territory and islands granted to the United States by the preceding articles of this convention, and such other islands and such other territory in the said bay and on the said coast as may be necessary for the protection of the said canal and railway and the lives and property of persons employed in the said enterprises and those passing through the said territory, and to maintain order among such persons, and to prevent the interruption of the said enterprises by the said persons, and to protect the said enterprises, and to preserve the said canal from injury or damage of any kind, and to protect the said persons and property from all such injury or damage, and to pass such laws and to establish such courts as may be necessary for the exercise of such jurisdiction as may be requisite for the administration of justice in the said territory, in accordance with the laws and customs prevailing in the territories of the United States, and the sovereignty of the Republic of Colombia over the said islands and such other territory in the said bay and on the said coast shall be subject to the said grant to the United States, and to the said exercise of such jurisdiction by the United States, and to the said protection of the said canal and railway and the said persons and property and the said maintenance of order among such persons and the said prevention of the said interruption of the said enterprises by the said persons, and the said protection of the said enterprises, and the said preservation of the said canal from injury or damage of any kind, and the said protection of the said persons and property from all such injury or damage, and the said passing of such laws and the said establishment of such courts as may be necessary for the said exercise of such jurisdiction as may be requisite for the said administration of justice in the said territory, in accordance with the said laws and customs prevailing in the said territories of the United States, and the said sovereignty of the said Republic of Colombia over the said islands and such other territory in the said bay and on the said coast shall be subject to the said grant to the said United States, and to the said exercise of such jurisdiction by the said United States, and to the said protection of the said canal and railway and the said persons and property and the said maintenance of order among such persons and the said prevention of the said interruption of the said enterprises by the said persons, and the said protection of the said enterprises, and the said preservation of the said canal from injury or damage of any kind, and the said protection of the said persons and property from all such injury or damage, and the said passing of such laws and the said establishment of such courts as may be necessary for the said exercise of such jurisdiction as may be requisite for the said administration of justice in the said territory, in accordance with the said laws and customs prevailing in the said territories of the said

for the said purposes, free of any charge so far as the said materials may be procured on the lands belonging to said State.

ARTICLE II.

The State of Nicaragua cedes and grants to the United States, or to a chartered company of the citizens thereof, as the case may be, absolutely, all the land that may be required for the location and construction of said canal or canals, road or roads, and which may be necessary for the erection of buildings and houses of every description for the residence and accommodation of the engineers, superintendents, and laborers actually engaged in the making and construction of the said works, or in operating, managing, and controlling the same, and also for the erection of all such necessary buildings as may be requisite and proper for the purpose of storing away therein all the tools, implements, materials, and property of every description which may be required for the use in the construction, repairing, preservation, and management of said works, and should any portion of the lands or materials, or of the rivers, bays, ports, or their coasts or lakes and their shores, which may be necessary and proper to be appropriated for the location and construction of said works and its appurtenances, belong to individuals, the State of Nicaragua agrees and undertakes that the Government of Nicaragua will to procure the same upon just and reasonable conditions for the aforesaid purposes. The aforesaid canal and grant shall include a space of not less than 30 feet on each side of the lines of said works and extending all along the whole length thereof, so that ample space be secured on the margin of said works for the unobstructed use thereof. The just values of such of said lands and materials as may be private property at the date of this treaty will be paid for by said company.

ARTICLE III.

It is agreed that if the Government of the United States shall decide not to undertake and construct the said works, then either the President of Congress thereof shall have the power and liberty to charge, create, and issue a character or act of incorporation containing such title and privileges and such grants of rights and privileges as may be consistent with the rights of the contracting parties herein secured, as may be necessary, proper, and just to effect the great objects in view, which charter and act of incorporation shall provide, namely:

First. That the company which may be formed and organized under and by virtue of the provisions shall be composed exclusively of the citizens of one or both of the contracting parties, who may subscribe for and become the owners of the stock required for organizing such company. If, however, such citizens shall fail to furnish the requisite capital, then in that case to admit to be formed and for the organization of the said company, such stock the requisite thereof not taken by them may be taken, paid in, and owned by the Governments of both or either of the contracting parties, or by their citizens or subjects, or any other nation, kingdom, or country.

Second. That said company shall have the sole and exclusive right and privilege of constructing and working such works herein named within the State of Nicaragua, provided the same are commenced and prosecuted within the time limited in this convention.

Third. It shall authorize the said company to build and construct said canal or canals in such a manner and of such width and depth as they shall in their discretion determine and if the route of said canal or canals, or any of them, adopted, the route, width, depth, and manner thereof shall be determined upon by the said company as they may think proper.

Fourth. It shall provide that said company may make contracts, sue, and be sued as a corporation with a given name and style, have a corporate seal, and engage in all such trade and business as may be proper and necessary in promoting all the operations required for the accomplishment of the object in view.

Fifth. It shall contain provisions adequate for the organization of said company. It shall provide for the appointment of the president, engineers, surveyors, superintendents, and other employees of said company, and that said company may make and adopt such by-laws and regulations, so that the same be not in conflict with the provisions of this convention.

Sixth. It shall provide that said company may not only build and operate but also charge, after repairs and improvements have been made as they may think proper, and that they may manage and govern the same and maintain order in the finances, officers of the company.

Seventh. It shall provide that said company shall make annual reports to the executive governments of the United States and the State of Nicaragua setting forth their receipts and expenditures, and the nature, operations, and affairs of the said company.

Eighth. It shall provide that the management of the affairs of said company shall be vested and lodged in nine managers, five of whom shall be appointed by the company for a period of three years in a manner to be prescribed by the said charter, and in like manner shall the said managers fill up all vacancies in their number, and the four managers shall be annually appointed by the Presidents of the United States and two by the Executive Power of the State of Nicaragua, and the said nine managers shall appoint their own president.

Ninth. It shall provide that the Governments of either of the contracting parties may through their commissioners, their executive and inspectors of the affairs, business, accounts, and condition, financial and otherwise, of the said company, and for such purpose shall have necessary access to the books and papers of the company, and examine the officers thereof, and other persons on oath and make reports thereon to their respective governments.

Tenth. It shall provide that said company shall have the sole and exclusive right and privilege of conveying persons and passengers and of conveying all steamers, ships, and vessels of all kinds, by towage or otherwise, and of transporting in the vessels of others or of their own all property, goods, wares, and merchandise over the canal and upon and any galine waters, canal or canals, road or roads, which shall be improved, made, or constructed by them at such prices, charges, dues, and tolls as the said company may think proper to establish, except however, that the said charter shall provide that all the vessels of war, and other public vessels of every description belonging to the Governments of the two contracting parties as well as all other vessels which may be engaged in the permanent or temporary employment of the Government or in transport their troops, munitions of war, their public property of all kinds and their employees, officers, agents, messengers, and all the officers, crews, and military, shall be permitted to have the free and unmolested passage of the said canal or canals and waters, and shall if possible be conveyed through the same by the said company free of all tolls and charge, said charter shall further provide and that the public mails of the contracting parties shall be conveyed and transported along and over the said works by the said company in their own vessels free of charge, and the contracting parties agree and stipulate with all company that the aforesaid rights and privileges shall be enjoyed by each other impartially, and that said charter shall provide accordingly, said charter shall also further provide that the citizens of the two parties shall enjoy and possess the right and privilege with their vessels, goods, merchandise, and property and persons to pass and be conveyed through upon and over the said canal or canals, road, and navigable waters on terms at least as favorable as the subjects or citizens of any other nation or country.

Eleventh. Said charter shall provide that the said works shall be commenced by said company within ten years after it shall be fully organized under said charter, or otherwise forfeit their privileges, as likewise if they shall after said works are begun declare their intention to abandon them and cease to prosecute the same for four entire successive years intentionally.

ARTICLE IV.

The charter aforesaid may contain such other provisions and grants of rights and privileges not in violation of or in conflict with any of the provisions of subsequent articles of this treaty as may be deemed necessary, convenient, or proper for the objects in view by either the President of Congress of the United States and the same when framed and agreed shall be approved and confirmed by the Government of the State of Nicaragua, and no judges or commissioners shall be granted in said charter to any of the contracting parties which shall not likewise be held and enjoyed to the same extent by the other.

ARTICLE V.

The Government of the United States shall have the right to erect such forts and fortifications at the ends and along the lines of said works, and to arm and equip the same in such manner and with such troops as may be deemed necessary by the said Government for the protection and defense of the said canal, and also for the preservation of the peace and neutrality of the territories of Nicaragua, to whom pertains equal rights as inherent to her sovereignty.

ARTICLE VI.

The public armed vessels letters of marque and privateers and the private armed and trading vessels belonging either to the contracting parties or the subjects or citizens of the contracting parties or persons who have received of the contracting parties letters of marque or commissions which may be deemed of such war, be allowed to pass and repass through the said canal, free of any charge, tonnage, duties, or other impositions of any kind whatsoever, and no account whatever shall the vessels of neutral powers with which the parties may be at war be molested or hindered in their passage through the said canal or canals, or in the waters or ports adjacent thereto, or be compelled to pay any duties or imposts of any kind whatsoever for such passage, except the vessels of any nation or nations which may be engaged in war with the State of Nicaragua, and actually in possession of the said canal or canals, and the waters and ports adjacent thereto, and in such case the said vessels may be subjected to such tolls and imposts as may be imposed by the said company on the vessels of the contracting parties and which shall be the same for the vessels of both the said parties, and passed on the same terms and conditions, and the said company shall have the right to prevent the said canal or canals, and the said waters and ports adjacent thereto, from being used as a port for the shelter, refitting, or departure of any expedition against any country with which the State of Nicaragua may be at war, or against the citizens or property of any country with which the State of Nicaragua may be at war, except in the case of a war between the contracting parties, and in the case of a war between the contracting parties the said canal or canals, and the said waters and ports adjacent thereto, shall be free to the vessels of both the said parties, and free from the molestation of the other, and free from any charge, tonnage, duties, or other impositions of any kind whatsoever, except such tolls and imposts as may be imposed by the said company on the vessels of the contracting parties, and passed on the same terms and conditions, and the said company shall have the right to prevent the said canal or canals, and the said waters and ports adjacent thereto, from being used as a port for the shelter, refitting, or departure of any expedition against

Nicaragua, at 2 miles distant from the same and following the curve of its bank, lots of 2 English miles front by 2 deep.

Sixth. In the places where the company in accordance with the Government may select from the existing unappropriated public lands twenty-five lots, each 2 English miles in frontage by 4 deep. As a general rule at the extremities of the interoceanic canal, should the same be within the territory of Costa Rica, the opposite lots will be allotted, one to the Government and one to the company; but, if this be not possible, the first will belong to the Government.

The State shall vest in the association the ownership of said lands as soon as the location of the canal is finally determined and the instructions issued by the association.

The rights required by private parties in the lands set forth in the preceding clauses are hereby reserved.

The measurement and setting out of all lands ceded by this contract shall be made at the expense of the grantee, with the intervention of the Government.

The final title deeds shall be issued in due proportion as the work advances, and not before.

Between the Atlantic and the point 3 miles below Castilla Viejo all parts of the San Juan and Colorado rivers occupied by the canal shall be considered, for [illegible] as part of the said canal.

It is hereby understood that the ownership [illegible] to the association by [illegible] in the foregoing articles shall not exceed in amount one fourth of the total amount of land granted to the company by the Government of Nicaragua, according to [illegible] State may except such amount the distribution of [illegible] by reducing the number of lots mentioned in subsequent lots of this article.

ARTICLE XXI.

The State reserves the right to [illegible] in the general lots of land ceded to the association, such spaces as may be needed for a town and public buildings, if it may deem convenient. In the [illegible] to use the water power building materials may be taken from said land wherever they may be necessary for any work upon which it may [illegible] Should these lands become the property of private persons or be held in a trustworthy manner, and the State shall need them for the purposes set forth in this article, or for any other purposes, it shall pay their owners for them in conformity with the laws, and the appropriated parties shall have no right of action against the association.

Should the associations have made improvements on the lands referred to, whether for the purposes of utility, amusement, or ornament, the State shall be bound to compensate it for such damages as it may suffer according to appraisals of experts.

ARTICLE XXII.

Mines of coal, gold, silver, iron, or other metals and stone quarries situated in the lands ceded to the association shall belong to it, for good work and the necessity of possessing the materials, and it may use them for its own purposes whenever it may consider it necessary to do so, and the State shall not but such lands as have been transferred by the association to private parties shall not enjoy this privilege.

ARTICLE XXIII.

The association shall also have the right to utilize for the works of the canal and its dependencies the timber in the forests situated in the lands granted to it by the State from the very moment from which [illegible] of the same under the present contract, the acquired rights being reserved.

ARTICLE XXIV.

From the day in which the present concession shall be ratified by Congress no immigrants shall be made of any transportation [illegible] the colonization of the same, nor of those who to the association in the labors of the canal. Now [illegible] by contract to the [illegible] party. However, should the location of the canal, for its greater advantage, [illegible] the Government is pleased, the [illegible] the article to be preserved to follow the [illegible] of Costa Rica.

The association shall have the right of [illegible] of Costa Rica, [illegible] the [illegible] and in the whole extension of the canal, under the [illegible] such water powers [illegible] for manufacturing purposes, [illegible] ing this canal, and all other works that may be required for the establishments, factories, and industries, [illegible] of the canal.

The association shall be exempt from all taxes [illegible] and on the Costa Rican bank of the San Juan River and the Colorado [illegible] affluents and confluents as well as on the Costa Rican [illegible] the Lake of Nicaragua, the banks of which [illegible] their law to the Pacific or to the Atlantic [illegible] make repairs, dredgings, improvements, and [illegible] buoys, and [illegible] of the [illegible] navigation [illegible] which may be made [illegible] canal on the [illegible] expenses of the canal, and belonging to [illegible] Government shall have the right to [illegible] of Costa Rica. The association shall not [illegible] beaches unless [illegible] banks to the [illegible] banks to the [illegible] post shall belong to the [illegible]

In general the association shall have the right to use all the lakes and rivers of Costa Rica, the waters of which may be necessary in the [illegible] of the enterprise of the association to construct and feed the canal and to improve its operations, but this right shall have the following restrictions, to wit:

First. The navigation of the Costa Rican rivers which the [illegible] may date of [illegible] the opening of the canal, shall remain at the termination of the respective works in as good condition as it was before they were made.

Second. In the places where the waters of said rivers may overflow in consequence of the opening of dams or other works, the association shall be the association. The said association shall be obliged to do whatever may be proper to prevent the formation of swamps and marshes.

Third. Shall damages have to be caused to private parties in consequence of the deviation or covulsion of the streams shall be indemnified for by the association according to appraisals made by experts in conformity with the laws of the Republic, but the association shall not be obliged to pay more than the State would under similar circumstances.

ARTICLE XXVI.

The association can not import merchandise into the territory of the Republic for the purposes of trafficking with it without paying the custom duties established by law, but it shall have the right to import free from custom duties and of any other imposts whatsoever the articles needed for the works of the enterprise, its surveys, explorations, construction of buildings, constructions, the operation, maintenance, repairs and improvements of the canal, and also for the transportation and railroad service of the canal, and the works and workshops of the company, and the said articles may consist of implements, machinery, apparatus, tools, lumber, of all classes, lime, iron, and other metals, whether raw or manufactured, mining materials, cement, or any other analogous substances. These articles may be transported between whatever points they may be needed during the work of the construction of the canal, and shall be landed and stored free from all local taxes.

The association shall also have the right to import free from duties or imposts, during the work of constructing the canal, such provisions, clothing for the workmen, and medicines may be also found necessary for its own consumption.

Those articles the commerce of which is not free are excepted from the privileges granted in this article and shall remain subject, with the exception of gunpowder, dynamite, and other explosives, to such regulations and duties as are established by law.

ARTICLE XXVII.

The vessels that the association may employ as tug boats or for the service of the canal shall be free from all imposts or taxes of any kind whatsoever, and also the material to be used for their repair and the fuel that they may consume.

The vessels and their appurtenances from whatever place they may come, for the service of the association shall be exempt from all duties and imposts.

ARTICLE XXVIII.

The Government shall enact such regulations as it may deem necessary to prevent smuggling and for the prompt [illegible] of persons [illegible] the vessels lying within the territory of Costa Rica or [illegible] the waters of Wanks [illegible] Government. The authorities shall be bound to aid the [illegible] for the [illegible] such regulations. But in the free zone along the margin of the canal, as hereinafter [illegible] the measures for the prevention of smuggling shall be [illegible] the part of the employees of any vessels which it may consider without right to any further inspection or any [illegible] passengers [illegible] of the employees [illegible] of leaving the canal, for persons and property, with the sole [illegible] established in the canal. Consequently, the association shall have the right to [illegible] at such point as may be necessary in order to [illegible] persons or objects in the vessels or which may be discharged at any point of the canal, but [illegible] any penalty in [illegible] of any kind [illegible] contrary to [illegible] or contraband of any kind [illegible] and before beginning operations, notice is given to the [illegible] competent authority.

ARTICLE XXIX.

The Government shall afford its protection, in conformity with the laws of the Republic, to the employees, workmen, [illegible] and their [illegible] may be [illegible] and operation of the canal.

ARTICLE XXX.

The association shall be exempt from all forced loans or military requisitions, whether in time of peace or of war. The property of the association shall be exempt from all forced loans, military requisitions, or any other [illegible] in the time of war, [illegible] and operation of the canal.

ARTICLE XXXI.

The association may freely introduce into the lands granted to it employees and laborers of every class who may be deemed by the association [illegible] and [illegible] which employees, laborers and their families may remain in the lands granted to the association, subject to the laws of the country. The association may [illegible] pay the direct taxes established by law in case they may become owners of real property or establish [illegible] business.

ARTICLE XXXII.

The association may freely introduce into the lands granted to it employees and laborers of every class who may be deemed by the association [illegible] and [illegible] which employees, laborers and their families may remain in the lands granted to the association, subject to the laws of the country. The association may [illegible] pay the direct taxes established by law in case they may become owners of real property or establish [illegible] business.

ARTICLE XXXII.

The [illegible] of Costa Rica [illegible] and its agents, within the limits of the [illegible] with other rights than those granted by law to Costa Rican citizens.

ARTICLE XXXIII.

The Government shall [illegible] the line of the canal which may [illegible] of buildings, salaries [illegible] of [illegible] taking into consideration the requirements and necessities of the [illegible] and watchmen for the [illegible]

ARTICLE XXXIV.

All contracts in regard to the works of the canal that the association may [illegible] Costa Rica, [illegible] the laws of the Republic.

ARTICLE XXXV.

The association shall be exempt during the period of the concession both in time of peace and in time of war from all forced loans or military requisitions, and from all [illegible] of direct taxes, local charges, or any other impositions relating to the property and use of the canal, or of the two ships and the [illegible] and the employees thereof, all being its actual, including those situated in the ports and maritime establishments on the two oceans.

This franchise is not transferable to the purchasers of the real estate which the association may acquate under this grant.

ARTICLE XXXVI.

The Republic of Costa Rica shall not establish any tonnage, anchorage, pilot, or [illegible] dues of any other charges of any kind whatsoever upon any vessel belonging to any [illegible] or flag in the free [illegible] passing through the canal from [illegible] or any other [illegible] provided for the benefit of the association as provided for in Article XXXIX.

ARTICLE XXXVII.

For the purpose of secu[illegible] the [illegible] liberty of transit of [illegible] and [illegible] in [illegible] and [illegible] equal by the laws of the Republic shall, however, be [illegible] and the revenue [illegible] necessary [illegible]

ARTICLE XXXVIII.

It [illegible] that [illegible] the part of the [illegible] act in conformity with the law should be [illegible] for the [illegible] as such [illegible] as the [illegible] ded or discharged at any point of the canal [illegible] shall pay the [illegible] of the [illegible]

ARTICLE XXXVIII.

For the proper administration of the canal and its dependencies and [illegible] reservation being [illegible] regulations.

ARTICLE XXXIX.

By way of compensation for the expenses incurred in the surveys, construction, and completion of the canal, [illegible] by the association at any time, on condition [illegible] ted without any exception [illegible] in the following article.

ARTICLE XL.

[illegible] trade or in the reciprocal [illegible] arily of the register [illegible] nt by Nicaragua, [illegible] ment with Costa Rica.

ARTICLE XLI.

[illegible] ing to the tariff that it may establish in [illegible]

ARTICLE XLII.

The association shall [illegible] at the expense the [illegible] of the [illegible] which are in progress and those hereafter [illegible] by the association [illegible] for the benefit by [illegible]

A period of two years and a half is computed from the date of the ratification of this contract [illegible] the association shall have to make the said final surveys, organize the company which is to carry on the work, and begin the work of construction.

The work of construction shall be understood to have commenced if within three years [illegible] of the [illegible] ARTICLE XLIII.

A term of ten years is [illegible] ten years from the said the works sh[illegible] difficulties encountered, [illegible]

ARTICLE XLIV.

As a guaranty of the fulfillment of the obligations which the final contract [illegible] with the [illegible] shall act in conformity with the law should be [illegible] ARTICLE XLV.

In consideration of the valuable privileges, franchises, and concessions [illegible] of [illegible] rates of its capital.

ARTICLE XLVI.

[illegible] company shall take in the first [illegible] the expenses for [illegible] to be ready to [illegible] expenditures.

ARTICLE XLVII.

[illegible] company may have become [illegible] to the property [illegible]

ARTICLE XLVIII.

At the expiration of the [illegible] stipulated in this contract or [illegible] company shall enter into possession of the canal and the other property referred to in the first part of this article, and the delivery shall embrace everything expended in the said first part, except the lands ceded to the association by this contract and the reserve and sinking fund.

The failure to comply with any of the conditions of the lease shall terminate it, and the State shall enter into the possession of the part of the canal which corresponds to it, owing to it being situated in Costa Rican territory or in the places in which Costa Rica is joint owner, and also of the other works which belong to the canal, in accordance with the provisions of the preceding paragraph.

ARTICLE XLIX.

Any misunderstanding that may arise between the Republic and the company in regard to the interpretation of the present stipulations shall be submitted to a court of arbitrators, composed of four members, two of whom shall be appointed by the State and two by the company.

These arbitrators shall be designated by each party within the period of four months from the day on which one of them shall give notice to the other in writing of the want of agreement on the point at issue. Should one of the parties allow this period to lapse it shall be considered as assenting to the opinion or claim of the other.

The majority of the votes of the arbitrators shall finally decide without recourse. In case of a tie vote the arbitrators shall appoint by mutual consent, a fifth person, who shall decide, and in case of their default the respective parties will appoint him. If they can not agree to such appointment they shall draw lots for the name of the diplomatic representatives accredited to Costa Rica, and the first one drawn out shall exercise the functions of the fifth arbitrator. He shall concur on one of the two opinions, and what may be so decided shall be final and without recourse of any kind. If the fifth arbitrator should fail, the second person drawn shall exercise these functions, and so on successively until the decision is reached.

Prior to the initiation of the works of opening the canal the Government, in concurrence with the company, shall formulate a set of rules to be observed by the arbitrators in all matters relating to procedure.

All questions between the concession and private parties residing in Costa Rica shall be determined by the ordinary courts of Costa Rica in conformity with the legislation of the Republic. In matters pertaining to parties not residing in Costa Rica the rules of private international law shall be observed.

ARTICLE L.

This contract after being approved by the honorable general President of the Republic shall be submitted to the supreme legislative power for the purpose that if they deem it convenient they should impart to it the necessary ratification, and in case such approval is not obtained the Nicaragua Canal Association will be released from all the guarantees to which it is bound by it. Such ratification or nonratification shall be made within one hundred and twenty days from date.

In witness whereof the contracting parties set their hands to four copies of the present contract, two for each party, in San Jose de Costa Rica, 31st July, 1886.

PEDRO PEREZ ZELEDÓN.
A. G. MENCUAL.

APPENDIX C.

[New Panama Canal Company—Concessions—Contracts with the United States of Colombia, dated March 20, 1878, ratification of 1880; April 4, 1881.]

WYSE CONCESSION, MARCH 20, 1878.

[Translation from the Diario Official of Bogota, Wednesday, May 22, 1878.]

CONTRACT FOR THE CONSTRUCTION OF AN INTEROCEANIC CANAL ACROSS COLOMBIAN TERRITORY.

Eustorgio Salgar, secretary of the interior and of foreign relations of the United States of Colombia, duly authorized, of the one part, and, of the other part, Lucien N. B. Wyse, [illegible] in 1876, 1877, and last member and president of the Panama Interoceanic Interoceanic Canal Association, [illegible] Paris, from the 27th to the 28th of October, 1877, have celebrated [illegible]

ARTICLE 1. The Government of the United States of Colombia grants to Mr. Lucien N. B. Wyse, who accepts it in the name of the civil International Panama Canal Association represented by the board of directors, the exclusive privilege for the construction of a navigable canal, and for the opening of a canal between the Atlantic and Pacific oceans. Said canal may be constructed without restriction of any kind.

The concession is made under the following conditions:

First. The duration of the privilege shall be for ninety nine years from the day on which the canal shall be wholly or partially opened to public service, or when the grantees or their representatives commence to collect the dues on transit and navigation.

Second. From the date of approbation by the Colombian Congress for the opening of the inter oceanic canal the Government of the Republic can not construct, nor cede to any company or individual, under any concession whatever, the right to construct another canal across Colombian territory which shall connect the two oceans. Should the grantees wish to construct a railroad as an auxiliary to the canal, the Government, with the exception of existing rights, can not grant to any other company or individual the right to build another inter-oceanic railroad, for use itself during the time allowed for the construction and use of the canal.

Third. The necessary studies of the ground and the route for the line of the canal shall be made at the expense of the grantees by an international commission of individuals and competent engineers, to which two Colombian engineers shall take part. The commission shall determine the general route of the canal and report to the Colombian Government directly, or to its diplomatic agents in the United States or Europe, upon the results obtained, at the latest in 1881, unless unavoidable circumstances clearly proven shall prevent their so doing. The report shall comprise in duplicate the scientific labors performed and an estimate of the proposed work.

Fourth. The grantees shall then have a period of two years to organize a universal joint stock company, which shall take charge of the enterprise and of the construction of the canal. This term shall commence from the date indicated in the preceding paragraph.

Fifth. The canal shall be finished and placed at the public service within the subsequent twelve years after the formation of the company which will undertake its construction, but the executive power is authorized to grant a further maximum term of six years in the case of encountering superhuman obstacles beyond the power of the company, and, if after completed the canal is built, the company should acknowledge the impossibility of concluding the work in the said twelve years.

Sixth. The canal shall have the length, depth, and all other conditions requisite in order that sailing vessels and steamships measuring [illegible] tons, 16 meters in width, and 8 meters in draft shall, with lowered topmast, be able to pass the canal.

Seventh. All public lands which may be required for the route of the canal, the ports, stations, wharves, moorings, warehouses, and in general for the construction and service of the canal as well as for the railway, should it be convenient to build it, shall be ceded gratis to the grantees.

Eighth. These unoccupied public lands shall revert to the Government of the Republic with the railroad and canal at the termination of this privilege; there is also granted for the use of the canal a belt of land 200 meters wide on each side of its banks throughout all the distance where it may run, but the owners of lands on its banks shall have free passage to the canal and its ports as well as to the right of using any roads which the grantees may open therein; and this without paying any dues to the company.

Ninth. If the lands through which the canal shall pass, or upon which the railroad may be built, should, in whole or in part, be private property, the grantees shall have the right to demand their expropriation by the Government according to all the legal formalities in such cases. The indemnity which shall be made to the landowners and which shall be borne by the national owner shall be at the expense of the company. The grantees shall enjoy in this case, and in those of expropriation of similar private property, all the rights and privileges which the existing laws concede.

Tenth. The grantees may establish and operate a telegraph line on the lines which they may consider best as an accessory in the building and management of the canal.

Eleventh. It is, however, stipulated and agreed that if, before the payment of the security determined upon in article 2 [illegible] the Government should receive any formal proposition [illegible] guaranteed by the general Government, [illegible] advantageous conditions for the United States of Colombia [illegible] shall be communicated to the grantees or their representatives, [illegible] may be substituted therein in whole or in part, [illegible] do not accept such substitution, the [illegible] shall be [illegible] tified in article 2 the sum of [illegible] in which shall be [illegible] nity to the grantees.

ART. 2. Within the term of twelve months from the date at which the international commission shall have presented the [illegible] granted by the national Congress, or within the term of [illegible] the period of said twelve months, be extended for the period [illegible] to be determined. If the grantees [illegible] of the canal [illegible] shall be deducted [illegible] of the canal [illegible] without recourse [illegible] of the canal [illegible] of the canal [illegible] of the canal

Additional contract modifying that of March 23, 1878, approved by law 28 of the same year.

LAW 27 OF 1890. (DECEMBER 20)—EXTENSION OF TEN YEARS FOR THE OPENING OF THE INTEROCEANIC CANAL ACROSS COLOMBIAN TERRITORY.

THE CONGRESS OF COLOMBIA DECREES:

ONLY ARTICLE. The contract modifying that of March 23, 1878, for the opening of an interoceanic canal across Colombian territory, concluded between the minister of foreign affairs and Mr. Lucien N. B. Wyse, special representative of the Compagnie Universelle du Canal Interocéanique de Panama, is approved in all its parts, which contract is literally as follows:

Antonio Roldan, minister of foreign affairs, duly authorized by his excellency the President of the Republic, hereinafter called the "Government," of the one part, and Lucien N. B. Wyse, naval officer, employed, and specially delegated by the president, vice-president, and general director of the receiver of the Compagnie Universelle du Canal Interocéanique de Panama, acting as attorney, executed at Paris May 16, 1890, hereinafter called the "Company," of the other part, have agreed to modify the contract of March 23, 1878, for the opening of an interoceanic canal across the Isthmus of Panama, approved by law 28 of the same year, in accordance with the following articles:

ARTICLE FIRST. The Government grants to the Company, and the Company accepts, an extension of ten years within which to complete the canal, in consideration of the said extension the said company shall pay to the Government of Colombia the sum of two hundred thousand francs (200,000 francs) as well as the interest accrued up to the date of the present contract, which the Government acknowledges to be the sum of [illegible] the deposit of [illegible] for the purpose of fixing the amount of the fine [illegible] turned. By the payment of the said sum of [illegible] fine [illegible] the company.

ARTICLE SECOND. A special member, which the Government has the right to appoint in the company's board of directors, in accordance with the terms of the contract in force, shall reside in the new company to be organized for the completion of the canal, the same advantages and [illegible] granted to the other members of the company of the contract now [illegible] upon the basis already established, shall [illegible]

[illegible] which may form part of the [illegible] be free to enter vessels [illegible] the Government [illegible] transit at the month of the Rio Grande [illegible] number of men of the [illegible] upon the basis already established, shall [illegible] the company with the exception of [illegible] the company shall be [illegible] by the Government [illegible] the company shall be [illegible] by the Government [illegible] the company shall be [illegible] by the Government

to the arbitration of a friendly power, if one can be agreed upon; or, failing such agreement, each party shall request a friendly nation to name an arbitrator, and the arbitrators thus named shall select a third. The decision of the arbitrating power, or a majority of the board of arbitrators, as the case may be, shall be final and conclusive.

ART. XXII. The United States will aid by their good offices, if desired, in securing the union of the five Central American Republics under one representative government, and the reorganization of the said Republics in one nationality being accomplished, the Central American Republics shall have the same rights and bear the same obligations as Nicaragua has and bears by virtue of this treaty.

ART. XXIII. If appearing that the financial condition of Nicaragua is prosperous, that the Republic is without encumbrance of debt, and that the Government finds it necessary to change its contracts for certain railways within the Republic, to extend its telegraph lines and to improve the navigation of the river San Juan, which enterprises will benefit and be the intended favorable to its speedy construction and successful operation, the Government of the United States agrees to loan to the Government of Nicaragua the sum of $4,000,000, to be applied to the above-mentioned purposes. Of this amount $1,000,000 to be paid in the City of Washington within sixty days after the exchange of the ratifications of this convention and the remaining $3,000,000 in instalments of $500,000 each every six months thereafter until the whole amount shall have been paid; but a failure to pay any of these sums from accident or neglect of Congress or from other causes shall not be held as affecting in any way the other engagements of this convention.

The Government of Nicaragua agrees that the Government of the United States shall be entitled with and from the share of Nicaragua in the net receipts of the canal, to deduct and to pay itself the principal of this loan, which it shall have been entirely exhausted, with the interest thereon at 3 per cent per annum from the dates when the several sums shall be received by Nicaragua and the Republic of Nicaragua may vote yearly through its Congress and authorize the Treasurer of the Republic to be applied to the payment of the loan and to its speedy extinguishment.

And further the Government of Nicaragua, assuming the repayment of said loan, hereby hypothecates it until extinguished together with the interest thereon as hereinbefore provided, as a lien upon all rights of Nicaragua in the canal, its accessories and appurtenances, this lien to continue until the repayment of the said sum advanced with the interest but the repayment is not to be exacted more than ten years after the said canal shall have been completed and opened to navigation.

ART. XXIV. Neither of the parties to this convention shall sell, assign, or otherwise transfer or suffer the same to be encumbered of its, or any part of its, interest, right, or property prior to the said canal, railway or telegraph line, nor of the same be built or their or any other adjuncts or accessories or any of the works or enterprises appertaining thereto without the consent of the other contracting party expressed in writing.

ART. XXV. This treaty is complete, subject to ratification by the proper constitutional authorities of each party hereto, and to the legislation by the appropriate legislative bodies of each which is necessary to carry it into effect. It shall be ratified as soon as possible, but within two years from its date, and the ratifications thereof shall be exchanged in the City of Washington within six months from the approval by the said legislative bodies of Nicaragua and of the United States of the present treaty.

In testimony whereof the undersigned plenipotentiaries have hereunto affixed their hands and seals.

Done in duplicate in the English and Spanish languages, in Washington, the 1st day of December, in the year of our Lord, 1884.

FRED'K T. FRELINGHUYSEN. [SEAL.]
JOAQ'N ZAVALA. [SEAL.]

APPENDIX E.

Chap. 1292.—An act to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans.

Be it enacted, etc., That the President of the United States is hereby authorized to acquire, for and on behalf of the United States, at a cost not exceeding $40,000,000, the rights, privileges, franchises, concessions, grants of land, right of way, unfinished work, plants, and other property, real, personal, and mixed, of every name and nature, owned by the New Panama Canal Company of France on the Isthmus of Panama, and all its maps, plans, drawings, records (on the Isthmus of Panama and in Paris, including all the documents not less however than 68,000 shares of the Panama Railroad Company owned by or held for the use of said canal company, provided a satisfactory title to all of said property can be obtained.

SEC. 2. That the President is hereby authorized to acquire from the Republic of Colombia, for and on behalf of the United States, such terms as he may deem reasonable, perpetual control of a strip of land, the territory of the Republic of Colombia, not less than 6 miles in width, extending from the Caribbean Sea to the Pacific Ocean, and the right to use and dispose of the waters thereon, and to excavate, construct, and to perpetually maintain, operate, and protect thereon a canal, of such depth and capacity as will afford convenient passage of ships of the greatest tonnage and draft now in use from the Caribbean Sea to the Pacific Ocean, which control shall include the right to perpetually maintain and operate the Panama Railroad, if the corporate control of or a controlling interest therein shall have been acquired by the United States, and also jurisdiction over said strip and the ports at the ends thereof to make such police and sanitary rules and regulations as shall be necessary to preserve order and preserve the public health thereon, and to establish such judicial tribunals as may be agreed upon thereon as may be necessary to enforce such rules and regulations.

The President may acquire such additional territory and rights from Colombia as, in his judgment, will facilitate the general purpose hereof.

SEC. 3. That when the President shall have arranged to secure a satisfactory title to the property of the New Panama Canal Company, as provided in section 1 hereof, and shall have obtained by treaty control of the necessary territory from the Republic of Colombia, as provided in section 2 hereof, he is authorized to pay for the property of the New Panama Canal Company $40,000,000 and to the Republic of Colombia such sum as shall have been agreed upon, and a sum sufficient for both said purposes is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall then, through the Isthmian Canal Commission hereinafter authorized, cause to be operated, constructed, and completed, minding to that end as far as practicable the work heretofore done by the New Panama Canal Company of France, and its predecessor company, a ship canal from the Caribbean Sea to the Pacific Ocean. Such canal shall be of sufficient capacity and depth as shall afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of the vessels passing through the same from ocean to ocean, and he shall also cause to be constructed such safe and commodious harbors at the termini of said canal, and make such provisions for defense as may be necessary for the safety and protection of said canal and harbors. That the President is authorized for the purposes aforesaid to employ such persons as he may deem necessary, and to fix their compensation.

SEC. 4. That should the President be unable to obtain for the United States a satisfactory title to the property of the New Panama Canal Company and the control of the necessary territory of the Republic of Colombia and the rights mentioned in sections 1 and 2 of this act within a reasonable time and upon reasonable terms, then the President, having first secured for the United States perpetual control by treaty of the necessary territory from Costa Rica and Nicaragua, upon terms which he may consider reasonable, for the construction, perpetual maintenance, operation, sanitation and protection of a canal connecting the Caribbean Sea with the Pacific Ocean by way of the route commonly known as the Nicaragua route, shall, through the said Isthmian Canal Commission, cause to be excavated and constructed a ship canal and waterway from a point on the shores of the Caribbean Sea near Greytown, by way of Lake Nicaragua, to a point near Brito, on the Pacific Ocean.

Said canal shall be of sufficient capacity and depth to afford convenient passage for vessels of the largest tonnage and greatest draft now in use, and such as may be reasonably anticipated, and shall be supplied with all necessary locks and other appliances to meet the necessities of vessels passing through the same, and shall also construct such safe and commodious harbors at the termini of said canal as shall be necessary for the safe and convenient use thereof, and shall make such provisions for defense as may be necessary for the safety and protection of said harbors and canal, and such rules or sanitary measures as may be agreed upon by the Republic of Nicaragua and Costa Rica for the protection of the lands of said Nicaragua and Costa Rica for the easements and rights hereunder provided to be acquired by the United States, and hereby appropriated, out of any money in the Treasury not otherwise appropriated, to be paid on warrant or warrants drawn by the President.

The President shall cause the said Isthmian Canal Commission to make such surveys as may be necessary for said canal and harbors to be made, and in making such surveys and in the construction of said canal and harbors to adopt such plans as he may deem necessary, and may fix their compensation.

In the excavation and construction of said canal the San Juan River and Lake Nicaragua, or such parts of each as may be made available, shall be used.

SEC. 5. That the sum of $10,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, toward the project herein contemplated by either route so selected.

And the President is hereby authorized to cause to be entered into such contract or contracts as may be deemed necessary for the prosecution of the work, construction, completion, and defense of said canal, harbors, and adjuncts by the route finally determined upon under the provisions of this act. Any appropriations therefor shall from time to time be hereafter made not to exceed in the aggregate the additional sum of $15,000,000 should the Panama route be adopted, or $20,000,000 should the Nicaragua route be adopted.

SEC. 6. That in any agreement with the Republic of Costa Rica or with the States of Nicaragua and Costa Rica, the President is authorized to grant unto to said Republic or to said States the use of said canal and harbors upon such terms as may be agreed upon, for all vessels owned by said States or by citizens thereof.

SEC. 7. That to enable the President to construct the canal and works appurtenant thereto as provided in this act, there is hereby created the Isthmian Canal Commission, the same to be composed of seven members, who shall be nominated and appointed by the President, by and with the advice and consent of the Senate, and who shall serve until the completion of said canal unless sooner removed by the President, and one of whom shall be named as the chairman of said Commission. Of the seven members of said Commission at least four of them shall be persons learned and skilled in the science of engineering, and at the time of their appointment shall be members of the United States Army, and at least one shall be an officer of the United States Navy, the said officers respectively being either upon the active or the retired list of the Army or of the Navy.

Said commissioners shall each receive such compensation as the President shall prescribe until the same shall have been otherwise fixed by Congress. In addition to the members of said Isthmian Canal Commission the President is hereby authorized through said Commission to employ such service out of the engineers of the United States Army at his disposal, and likewise to employ engineers in civil life, at his discretion, and any other persons necessary for the proper and expeditious prosecution of said work. The compensation of all such engineers and other persons employed under this act shall be fixed by said Commission, subject to the approval of the President. The official salary of any officer appointed or employed under this act shall be deducted from the amount of salary or compensation provided for or which shall be fixed under the terms of this act.

Said Commission shall in all matters be subject to the direction and control of the President, and shall make to the President himself and at such other periods as may be required, either by law or by the order of the President, full and complete reports of all their actings and doings, and of all moneys received and expended in the construction of said work, and in the performance of their duties in connection therewith, which reports shall be by the President transmitted to Congress, and the said Commission shall furnishing give to Congress, or either House of Congress, such information as may at any time be required either by act of Congress or by order of either House of Congress. The President shall cause to be organized and assigned for the speedy execution of this act such officers as may, with the available employees of the same, be necessary and proper, in his discretion, for the proper discharge of the duties imposed.

SEC. 8. That the Secretary of the Treasury is hereby authorized, under the order of the United States from time to time, as the President shall be required to defray expenditures authorized by this act, such funds as may be required to be used only for the purposes of meeting such expenditures, a sum of $100,000, or so much thereof as may be necessary, and to procure and issue therefor coupon or registered bonds of the United States of the denomination of $500 or multiples of $500 to the amount of such sum, redeemable in gold coin at the pleasure of the United States after ten years from the date of their issue, and payable thirty years from such date and bearing interest payable quarterly in gold coin at the rate of 2 per cent per annum; and the bonds herein authorized shall be exempt from taxation or charge of the United States, as well as from taxation in any form by or under State, municipal, or local authority. *Provided*, That such bonds may be disposed of by the Secretary of the Treasury at not less than par, upon such conditions as he may prescribe, giving to all citizens of the United States an equal opportunity to subscribe therefor, but no commission shall be allowed or paid thereon, and a sum not exceeding one-tenth of 1 per cent of the amount of the bonds herein authorized is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay the expense of preparing, advertising, and issuing the same.

Approved June 28, 1902.

Mr. MORGAN. I move the reference of the concurrent resolution to the Committee on Foreign Relations.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I understand that some Senators desire to have a brief executive session. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, January 26, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 25, 1904.

ASSAYER.

H. Smith Woolley, of Idaho, to be assayer of the United States assay office at Boise City, Idaho, to succeed John W. Cunningham, removed.

POSTMASTERS.

CALIFORNIA.

J. E. Olmsted to be postmaster at Petaluma, in the county of Sonoma and State of California, in place of James L. Dinwiddie. Incumbent's commission expired January 17, 1903.

COLORADO.

Paul J. Sours to be postmaster at Denver, in the county of Denver and State of Colorado, in place of John C. Twombly. Incumbent's commission expired January 23, 1904.

DELAWARE.

Charles C. Tomlinson to be postmaster at Delmar, in the county of Sussex and State of Delaware. Office became Presidential January 1, 1904.

GEORGIA.

A. I. Haynes to be postmaster at Wrightsville, in the county of Johnson and State of Georgia. Office became Presidential January 1, 1904.

ILLINOIS.

Joseph H. Hunt to be postmaster at Byron, in the county of Ogle and State of Illinois. Office became Presidential January 1, 1904.

William A. McKnight to be postmaster at Alexis, in the county of Warren and State of Illinois, in place of William A. McKnight. Incumbent's commission expires January 29, 1904.

INDIANA.

Edward C. Faith to be postmaster at Washington, in the county of Daviess and State of Indiana, in place of Frank I. Sefrit, resigned.

IOWA.

Walter M. Consins to be postmaster at Alden, in the county of Hardin and State of Iowa, in place of Charles L. Hartinger. Incumbent's commission expired January 17, 1904.

MAINE.

George R. Foster to be postmaster at Lisbon Falls, in the county of Androscoggin and State of Maine, in place of George R. Foster. Incumbent's commission expired January 18, 1904.

Rufus C. Reed to be postmaster at Damariscotta, in the county of Lincoln and State of Maine, in place of Rufus C. Reed. Incumbent's commission expired January 18, 1904.

MASSACHUSETTS.

George P. Bliss to be postmaster at Florence, in the county of Hampshire and State of Massachusetts, in place of George P. Bliss. Incumbent's commission expires February 2, 1904.

MICHIGAN.

Frank A. Peavey to be postmaster at Upton Works, in the county of St. Clair and State of Michigan, in place of Frank A. Peavey. Incumbent's commission expires February 2, 1904.

MISSOURI.

John N. Bishop to be postmaster at Ironton, in the county of Iron and State of Missouri, in place of John N. Bishop. Incumbent's commission expired February 14, 1903.

William C. Gardner to be postmaster at Billings, in the county of Christian and State of Missouri. Office became Presidential January 1, 1904.

George E. Muns to be postmaster at Montgomery City, in the county of Montgomery and State of Missouri, in place of Eugene B. Pegram. Incumbent's commission expired January 3, 1904.

NEBRASKA.

Joshua H. Evans to be postmaster at Callaway, in the county of Custer and State of Nebraska. Office became Presidential January 1, 1904.

NORTH CAROLINA.

John S. Hasty to be postmaster at Monroe, in the county of Union and State of North Carolina, in place of John S. Hasty. Incumbent's commission expired April 4, 1902.

Samuel M. Jones to be postmaster at Sanford, in the county of Moore and State of North Carolina, in place of Isaac H. Lutterloh. Incumbent's commission expired January 17, 1904.

PENNSYLVANIA.

C. V. L. McMinn to be postmaster at Newberry, in the county of Lycoming and State of Pennsylvania, in place of George D. Leonard. Incumbent's commission expired January 18, 1904.

Robert H. Sloan to be postmaster at Clairton, in the county of Allegheny and State of Pennsylvania. Office became Presidential January 1, 1904.

SOUTH CAROLINA.

Elizabeth L. Bampfield to be postmaster at Beaufort, in the county of Beaufort and State of South Carolina, in place of Elizabeth L. Bampfield. Incumbent's commission expires February 2, 1904.

TEXAS.

John B. Baker to be postmaster at Haskell, in the county of Haskell and State of Texas. Office became Presidential January 1, 1904.

David W. Barnhill to be postmaster at Uvalde, in the county of Uvalde and State of Texas, in place of David W. Barnhill. Incumbent's commission expired December 14, 1903.

Wesley J. Clarke to be postmaster at Dalhart, in the county of Dallam and State of Texas. Office became Presidential April 1, 1904.

David Doole, jr., to be postmaster at Brady, in the county of McCulloch and State of Texas. Office became Presidential January 1, 1904.

Carl E. Ericson to be postmaster at El Campo, in the county of Wharton and State of Texas, in place of Carl E. Ericson. Incumbent's commission expired December 14, 1903.

Alice S. Farmer to be postmaster at De Leon, in the county of Comanche and State of Texas. Office became Presidential January 1, 1904.

Henry C. Ford to be postmaster at Whitney, in the county of Hill and State of Texas. Office became Presidential January 1, 1904.

James Gipson to be postmaster at Coleman, in the county of Coleman and State of Texas, in place of James Gipson. Incumbent's commission expired December 14, 1903.

Andrew J. Harrison to be postmaster at Goldthwaite, in the county of Mills and State of Texas, in place of Andrew J. Harrison. Incumbent's commission expired December 14, 1903.

C. M. Hughs to be postmaster at Wharton, in the county of Wharton and State of Texas, in place of Christen S. Bodenhamer, removed.

William C. Hurley to be postmaster at Sulphur Springs, in the county of Hopkins and State of Texas, in place of William C. Hurley. Incumbent's commission expired December 14, 1903.

William H. King to be postmaster at Whitewright, in the county of Grayson and State of Texas, in place of William H. King. Incumbent's commission expired December 14, 1903.

Julius Laux to be postmaster at Fatonia, in the county of Fayette and State of Texas, in place of Julius Laux. Incumbent's commission expired December 14, 1903.

William N. Merritt to be postmaster at Nocona, in the county of Montague and State of Texas, in place of William N. Merritt. Incumbent's commission expired December 14, 1903.

Orion L. Niccolls to be postmaster at Marfa, in the county of Presidio and State of Texas. Office became Presidential October 1, 1903.

Frank H. Pierce to be postmaster at Laredo, in the county of Webb and State of Texas, in place of Frank H. Pierce. Incumbent's commission expired December 14, 1903.

Clarence V. Rattan to be postmaster at Cooper, in the county of Delta and State of Texas, in place of Clarence V. Rattan. Incumbent's commission expired December 19, 1903.

Isham Russell to be postmaster at Winnsboro, in the county of Wood and State of Texas, in place of Isham Russell. Incumbent's commission expired December 14, 1903.

Joel B. Sharpe to be postmaster at Brownsville, in the county of Cameron and State of Texas, in place of Joel B. Sharpe. Incumbent's commission expired December 14, 1903.

Harper Simpson to be postmaster at Edna, in the county of Jackson and State of Texas, in place of Harper Simpson. Incumbent's commission expired January 10, 1904.

John S. Snook to be postmaster at Caldwell, in the county of Burleson and State of Texas, in place of John S. Snook. Incumbent's commission expired December 14, 1903.

George H. Sparenberg to be postmaster at Big Spring, in the county of Howard and State of Texas, in place of George H. Sparenberg. Incumbent's commission expired December 14, 1903.

Charlie B. Starkie to be postmaster at Holland, in the county of Bell and State of Texas. Office became Presidential January 1, 1904.

George F. Taylor to be postmaster at Royse City, in the county of Rockwall and State of Texas. Office became Presidential January 1, 1904.

WEST VIRGINIA.

James F. Strother to be postmaster at Welch, in the county of McDowell and State of West Virginia. Office became Presidential October 1, 1901.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 25, 1904.

POSTMASTERS.

ARKANSAS.

Lula V. Cox to be postmaster at Fordyce, in the county of Dallas and State of Arkansas.

John Edwards to be postmaster at Gurdon, in the county of Clark and State of Arkansas.

Adolphus G. Lemay to be postmaster at Waldron, in the county of Scott and State of Arkansas.

ILLINOIS.

August J. Beger to be postmaster at Nauvoo, in the county of Hancock and State of Illinois.

Anna A. Burns to be postmaster at Bushnell, in the county of McDonough and State of Illinois.

Eugene L. Hoge to be postmaster at Milford, in the county of Iroquois and State of Illinois.

INDIAN TERRITORY.

Hubbard Ross to be postmaster at Fort Gibson, in the Cherokee Nation, Ind. T.

KANSAS.

B. L. Taft to be postmaster at Parsons, in the county of Labette and State of Kansas.

KENTUCKY.

John H. Hankla to be postmaster at Junction City, in the county of Boyle and State of Kentucky.

MARYLAND.

Richard E. Bouldin to be postmaster at Bel Air, in the county of Harford and State of Maryland.

NEBRASKA.

John H. Crowder to be postmaster at Gordon, in the county of Sheridan and State of Nebraska.

Williams T. Owens to be postmaster at Loup City, late Loup, in the county of Sherman and State of Nebraska.

Marion E. Richardson to be postmaster at Clarks, in the county of Merrick and State of Nebraska.

Daniel N. Wenger to be postmaster at Blue Springs, in the county of Gage and State of Nebraska.

NEW JERSEY.

William C. Howell to be postmaster at Blairstown, in the county of Warren and State of New Jersey.

Daniel M. Merchant to be postmaster at Morris Plains, in the county of Morris and State of New Jersey.

Thomas Moretz to be postmaster at Cranbridge, in the county of Essex and State of New Jersey.

William G. Simpson to be postmaster at High Bridge, in the county of Hunterdon and State of New Jersey.

NEW MEXICO.

Charles O. Leach to be postmaster at Portales, in the county of Roosevelt and Territory of New Mexico.

NEW YORK.

Robert G. Anderson to be postmaster at Freeport, in the county of Nassau and State of New York.

Albert H. Clark to be postmaster at Silver Springs, in the county of Wyoming and State of New York.

Charles H. Cutler to be postmaster at Au Sable Forks, in the county of Essex and State of New York.

William J. Greene to be postmaster at Philadelphia, in the county of Jefferson and State of New York.

Thomas A. McWhinney to be postmaster at Lawrence, in the county of Nassau and State of New York.

Lansing S. Montanye to be postmaster at Union, in the county of Broome and State of New York.

Charles H. Wilkinson to be postmaster at Briarcliff Manor, in the county of Westchester and State of New York.

NORTH DAKOTA.

Henry Engelhaupt to be postmaster at New Salem, in the county of Morton and State of North Dakota.

Wilmot Gulbranson to be postmaster at Carrington, in the county of Foster and State of North Dakota.

Jens A. Lonzwed to be postmaster at Esmond, in the county of Benson and State of North Dakota.

Edwin H. Wiper to be postmaster at Bowdon, in the county of Wells and State of North Dakota.

OKLAHOMA.

Charles D. Campbell to be postmaster at Apache, in the county of Caddo and Territory of Oklahoma.

VERMONT.

Mary W. Chase to be postmaster at Derby Line, in the county of Orleans and State of Vermont.

VIRGINIA.

William H. Mosby to be postmaster at Bedford City, in the county of Bedford and State of Virginia.

WEST VIRGINIA.

America M. Baldwin to be postmaster at St. Albans, in the county of Kanawha and State of West Virginia.

George M. Right to be postmaster at Belington, in the county of Barbour and State of West Virginia.

HOUSE OF REPRESENTATIVES.

MONDAY, *January 25, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

CARRIAGES, ETC., USED BY THE STATE DEPARTMENT.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I submit a privileged report. I am instructed by the Committee on Expenditures in the State Department to report back the resolution (H. Res. 150) with a recommendation therefor, which I send to the Clerk's desk, and I ask for its immediate consideration.

The SPEAKER. The Clerk will read the substitute.

The Clerk read as follows:

Resolved, That the Secretary of State be and he is hereby directed to furnish to the House of Representatives the following information, viz: [illegible] on the rolls as such or in some other classification, the list of officials entitled to the use of said carriages and the date when such service was inaugurated.

Mr. KLUTTZ. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. ADAMS of Pennsylvania. I yield for a question.

Mr. KLUTTZ. Does that include automobiles?

Mr. ADAMS of Pennsylvania. Automobiles are included.

Mr. HITCHCOCK. Mr. Speaker——

The SPEAKER. Does the gentleman from Pennsylvania yield?

Mr. ADAMS of Pennsylvania. I yield for a question.

Mr. HITCHCOCK. I would like to ask the chairman of the committee to offer an amendment to the resolution so as to make it applicable to carriages and automobiles used in the past [illegible] I would like to see that the resolution as originally drawn by me contained that clause, but as written out by my stenographer those words were omitted, and the omission of those words will leave a serious loophole for failure to get at the necessary information.

Mr. ADAMS of Pennsylvania. In reply I will state to the gentleman that I have no authority to accept that amendment, and I [illegible] that it is precisely in the language of the resolutions [illegible] heretofore with reference to the other Departments [illegible] action of the House.

Mr. HITCHCOCK. I would like to inquire whether it is in [illegible] to offer an amendment to the substitute.

The SPEAKER. Well, the gentleman from Pennsylvania has the floor.

Mr. ADAMS of Pennsylvania. And I decline to yield for an amendment.

The SPEAKER. The gentleman declines to yield for an amendment.

Mr. ADAMS of Pennsylvania. I demand the previous question on the resolution.

Mr. HITCHCOCK. Then I would like the yeas and nays on that question.

The SPEAKER. The gentleman demands the yeas and nays. The yeas and nays were ordered.

Mr. ROBINSON of Indiana. I would ask the Clerk to again report the resolution.

The SPEAKER. The Clerk will call the roll. Pending that, without objection, the resolution will be again reported.

The resolution was again read.

Mr. HITCHCOCK. Now, Mr. Speaker——

The SPEAKER. The gentleman is not in order.

Mr. HITCHCOCK. I desire to make a parliamentary inquiry.

Mr. TAWNEY. A parliamentary inquiry.

The SPEAKER. The gentleman from Nebraska will state his parliamentary inquiry.

Mr. HITCHCOCK. I desire to know whether it would be in order for me to ask unanimous consent to present this amendment, and cut the matter short. If it is, I desire to ask unanimous consent.

Mr. PAYNE. Regular order.

The SPEAKER. The regular order is demanded. For what purpose does the gentleman from Minnesota rise?

Mr. TAWNEY. Are we to have a vote upon the resolution reported by the Committee on Foreign Affairs——

The SPEAKER. The regular order is demanded.

Mr. TAWNEY. Or the resolution which the gentleman offered as a substitute?

The SPEAKER. The vote is on ordering the previous question on the resolution reported by the Committee on Foreign Affairs——

Mr. ADAMS of Pennsylvania. The Committee on Expenditures in the State Department.

The SPEAKER [illegible] In lieu of the resolution referred to the committee. The Clerk will call the roll.

The question was taken; and there were—yeas 136, nays 100, answered "present" 9, not voting 147, as follows:

YEAS—136.

[illegible]	Draper,	Jones, Wash.	Overstreet,
Adams, Pa.	Dresser,	[illegible]	Palmer,
Adams, Wis.	Driscoll,	[illegible]	Parker,
Allen,	[illegible]	[illegible]	Payne,
Ames,	Esch,	[illegible]	Pearre,
Babcock,	[illegible]	Kyle,	Perkins,
[illegible]	Foster, Vt.	Lafean,	Powers, Me.
[illegible]	Fuller,	Littauer,	Powers, Mass.
[illegible]	[illegible] W. Va.	Littlefield,	Reeder,
Beidler,	[illegible] Mass.	[illegible]	Rodenberg,
Bingham,	[illegible]	[illegible]	Scott,
Birdsall,	[illegible] Cal.	[illegible]	Sloan,
Bishop,	[illegible]	[illegible] Minn.	Smith, Pa.
[illegible]	[illegible]	[illegible]	[illegible]
Bowersock,	[illegible]	[illegible]	[illegible]
Brown, Wis.	[illegible]	[illegible]	[illegible]
Brownlow,	[illegible]	[illegible]	[illegible]
Burke,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible] Minn.
[illegible] Pa.	[illegible]	[illegible]	[illegible]
Calderhead,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible] Pa.	[illegible]
Conner,	[illegible]	[illegible]	[illegible]
Currier,	[illegible]	[illegible]	[illegible]
Curtis,	[illegible]	[illegible]	[illegible]
Cushman,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible] N. J.	[illegible]	[illegible]
Davidson,	[illegible]	[illegible]	[illegible]
Davis, Minn.	[illegible]	[illegible]	Young.
Dick,	[illegible]	[illegible]	
Douglas,	Humphrey, Wash.	Otjen,	

NAYS—100.

[illegible]	Gregory,	[illegible]cking,	Shober,
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]nd,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible] Ky.
Bowers,	[illegible]	[illegible]	[illegible] Tex.
Brantley,	[illegible]	[illegible]son, N. C.	[illegible]
Caldwell,	[illegible] Tex.	[illegible]son, Tenn.	[illegible]
Candler,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]ney,	[illegible] N. Y.
Clayton,	[illegible]	[illegible]	[illegible]
Cochran,	Humphreys, Miss.	[illegible]	[illegible]
Cockrell,	[illegible]	[illegible]a.	Tate.
Davis,	[illegible]	[illegible]	Taylor,
[illegible]	[illegible]	[illegible]ison, Ala.	Thayer.
[illegible]	[illegible]	[illegible]	[illegible] N. C.
Dinsmore,	[illegible] Wm. W.	[illegible]	[illegible]
Dougherty,	[illegible]	[illegible]son, Ark.	[illegible]
Field,	Lamar, Mo.	[illegible]son, Ind.	Wade.
Finley,	Lester,	[illegible]	Wallace,
Fitzpatrick,	Lever,	Ryan,	Webb,
Flood,	Lewis,	Shackleford,	Welborn,
Gaines, Tenn.	Lind.	[illegible]th,	[illegible] Ill.
Gaston,	Little	[illegible]ard,	[illegible] Miss.
Garner,	Livernash.	[illegible]	[illegible]

ANSWERED "PRESENT"—9.

Adamson,	Deemer,	Kel[illegible]	Miers, Ind.
Brantley,	Jenkins,	Mahon.	Reid
Cunningham,			

NOT VOTING—147.

Aiken,	[illegible]	Davis, Fla.	Gillet, N. Y.
Alexander,	[illegible]	Dickerman,	Gillett, Mass.
Bassett,	Butler, Mo.	Dixon.	[illegible]
Beall, Tex.	Byrd,	Dovener,	Goebel.
Bell, Cal.	Capron.	Dunwell,	[illegible]
Benton,	Cassel.	Emerich.	[illegible]
Bradley,	[illegible] Pa.	Evans.	[illegible]
Brandegee,	[illegible] Tex.	Fitzgerald,	[illegible]
Brenzealo,	[illegible] Wis.	Flack.	[illegible]
Brick,	Cousins,	Fox.	Hasson.
Brooks,	Croft.	Foster, Ill.	Hearst.
Broussard,	[illegible]	Fowler.	[illegible]
Brown, Pa.	[illegible]	French.	[illegible]
Brundidge,	[illegible]ker	Gardner, Mich.	[illegible]
[illegible]	[illegible]	Gardner, N. J.	[illegible]
Burgess,	[illegible]	Gilbert,	Howell, Pa.
Burleigh,	Davey, La.	Gillespie,	Hughes, W. Va.
Hunter,	Loud,	Roberts,	Sullivan, Mass.
[illegible] Md.	Lovering,	Robertson, La.	Swanson.
Jackson, Ohio	McAndrews,	Rucker,	Thomas, Iowa
Jones, Va.	[illegible]	[illegible]	Trimble,
Kellher,	McDermott,	[illegible]	Vandiver,
Ketcham,	[illegible]	Scudder,	Van Duzer
Kline.	McNary,	Sherman,	Van Voorhis,
Lacey,	[illegible]	Shiras,	[illegible]
Lamar, Fla.	Maynard,	Shull,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Smith, Ill.	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	Patterson, Pa.	[illegible]	[illegible]
Lorimer,	Porter,	[illegible]	[illegible]
Lilley,	Prince,	Snapp,	[illegible]
Lindsay,	[illegible]	Southall,	[illegible]
Livingston,	[illegible]	[illegible]	[illegible]
Lloyd,	[illegible]son, Tenn.	[illegible]	[illegible]
Lorimer,	Robb,	[illegible]	

So the previous question was ordered.

The Clerk announced the following pairs:

For the session:

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.

Mr. DEEMER with Mr. SHULL.

Until further notice:

Mr. CAPRON with Mr. GRANGER.

Mr. WARNER with Mr. BREAZEALE.

Mr. MAHON with Mr. [illegible].

Mr. LANNING with Mr. VANDIVER.

Mr. DOVENER with Mr. DAVEY of Louisiana.

Mr. WATSON with Mr. ZENOR.

Mr. WADSWORTH with Mr. LAMB.

Mr. SMITH of Iowa with Mr. [illegible].

Mr. VAN VOORHIS with Mr. CUNNINGHAM.

Mr. EVANS with Mr. GILLESPIE.

Mr. BRANDEGEE with Mr. LLOYD.

Mr. LOUD with Mr. LAMAR of Florida.

Mr. FREDERICK LANDIS with Mr. CROWLEY.

Mr. CASSEL with Mr. GOOCH.

Mr. BUCKMAN with Mr. GILBERT.

Mr. BRICK with Mr. MIERS of Indiana.

Mr. ALEXANDER with Mr. SPARKMAN.

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. CROMER with Mr. [illegible].

For one week from January 21:

Mr. LORIMER with Mr. SWANSON.

For one week from January 22:

Mr. [illegible] with Mr. BURLESON.

For the day:

Mr. ROBERTS with Mr. KELHER.

Mr. FLACK with Mr. BENTON.

Mr. OTIS with Mr. JONES of Virginia.

Mr. SIBLEY with Mr. HARRISON.

Mr. DANIELS with Mr. BELL of California.

Mr. PORTER with Mr. AIKEN.

Mr. BROWN of Pennsylvania with Mr. CROFT.

Mr. DUNWELL with Mr. [illegible].

Mr. VREELAND and Mr. HEARST.

Mr. CHARLES B. LANDIS with Mr. HOWARD.

Mr. GILLETT of Massachusetts with Mr. RICHARDSON of Tennessee.

Mr. BRADLEY with Mr. GOULDEN.

Mr. SHIRAS with Mr. PUJO.

Mr. GARDNER of Michigan with Mr. GLASS.

Mr. [illegible] with Mr. [illegible].

Mr. WM. ALDEN SMITH with Mr. MAYNARD.

Mr. SMITH of New York with Mr. BEALL of Texas.

Mr. WACHTER with Mr. MCNARY.

Mr. WILEY of New Jersey with Mr. WILSON of New York.

Mr. WEEMS with Mr. WILEY of Alabama.

Mr. WILLIAMSON with Mr. REID.

Mr. THOMAS of Iowa with Mr. VAN DUZER.

Mr. STEVENS of [illegible] with Mr. TRIMBLE.

Mr. SAMUEL W. SMITH with Mr. SOUTHALL.

Mr. SMITH of Illinois with Mr. SCUDDER.

Mr. PRINCE with Mr. SCARBOROUGH.

Mr. METCALF with Mr. ROBERTSON of Louisiana.

Mr. MCCALL with Mr. RAINEY.

Mr. LOVERING with Mr. ROBB.

Mr. LILLEY with Mr. MAHONEY.

Mr. LAWRENCE with Mr. MCLAIN.

Mr. JENKINS with Mr. LIVINGSTON.

Mr. KETCHAM with Mr. LINDSAY.

Mr. HUNTER with Mr. LEGARE.

Mr. HUGHES of West Virginia with Mr. KLINE.

Mr. HERMANN with Mr. HOWELL of Pennsylvania.

Mr. HAUGEN with Mr. HOPKINS.

Mr. GOEBEL with Mr. FOSTER of Illinois.
Mr. GILLET of New York with Mr. GOLDFOGLE.
Mr. GARDNER of New Jersey with Mr. FITZGERALD.
Mr. FOWLER with Mr. BUTLER of Missouri.
Mr. FOSS with Mr. COOPER of Texas.
Mr. DARRAGH with Mr. BURNETT.
Mr. CROMER with Mr. BURGESS.
Mr. COUSINS with Mr. BROUSSARD.
Mr. COOPER of Wisconsin with Mr. BRUNDIDGE.
Mr. COOPER of Pennsylvania with Mr. McANDREWS.
Mr. BROOKS with Mr. BASSETT.
Mr. WANGER with Mr. ADAMSON.

On this vote:

Mr. JACKSON of Maryland with Mr. SULLIVAN of Massachusetts.
Mr. MURDOCK with Mr. RUCKER.
Mr. LACEY with Mr. McDERMOTT.

Mr. CASSINGHAM. Mr. Speaker, when my name was called I voted "no." I am paired with the gentleman from Ohio, Mr. VAN VOORHIS. I desire to withdraw my vote and answer "present."

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. CASSINGHAM, and he answered "present," as above recorded.

The result of the vote was then announced as above recorded.

The resolution was agreed to.

On motion of Mr. ADAMS of Pennsylvania, a motion to reconsider the last vote was laid on the table.

LIMIT OF NAVIGATION OF THE OSAGE RIVER IN MISSOURI.

Mr. HAMLIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 7620) defining the limit of navigation of the Osage River in the State of Missouri.

The Clerk read the bill, as follows:

[illegible] That the Osage River in the State of Missouri [illegible] point where the south line of section 10 and [illegible] Range 22 west of the fifth principal [illegible] State of Missouri [illegible] shall be so treated by the Secretary of War and by all other authorities.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BURTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman how this comes before the House.

Mr. HAMLIN. This bill, Mr. Speaker, only fixes the head of navigation of the Osage River. The river runs through the county of Benton, and is at that point very small. It has not been navigable for years, if it ever was, and the county seat of that county is on the banks of this river. A large part of the people live on the opposite side of the river. Under the present condition of things the county can not build bridges over the river, and they seek to fix the limit below the town, so that bridges can be built for their accommodation. There is a favorable report from the Secretary of War, and I certainly can not see that there can be any objection to the bill.

Mr. BURTON. I should like to ask the gentleman the distance at which these proposed bridges are to be located from the upper lock in the river.

Mr. HAMLIN. I can not give the distance, but it is a long distance from the mouth of the river, where it enters into the Missouri.

Mr. SHACKLEFORD. There is only one lock, let me say to the gentleman, in the Osage River, and that is something like 150 miles below the head of navigation, as stated in this bill.

Mr. BURTON. Why is this method selected of declaring the river not to be navigable instead of bringing in a bill asking authority for the construction of bridges across the river at that place?

Mr. HAMLIN. As a matter of fact, the river is not navigable that high up. No large boat has passed up the river, neither can one pass, except perhaps once in ten years, when there is an overflow in the river. It is not navigable at all, and can not be made so. There is no disposition to make it so. If the river is declared not navigable at this place the county can go ahead and build bridges across it for the benefit of the people.

Mr. BURTON. Railway bridges or highway bridges?

Mr. HAMLIN. Highway bridges for wagons and teams. The river is not navigable at this place, and, as a matter of fact, never has been.

Mr. DENNY. I would like to ask the gentleman if the river at this place is above Osceola?

Mr. HAMLIN. It is just below.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. HAMLIN, a motion to reconsider the last vote was laid on the table.

BRIDGE OVER THE MONONGAHELA RIVER.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River. This bill is a revival of the bill passed heretofore, and I ask unanimous consent that the part stricken out may be omitted and the part that is proposed to be legislated upon be read alone.

The SPEAKER. The Clerk will report the amendment in the shape of a substitute.

The Clerk read as follows:

That the act of Congress approved Mar[illegible] entitled "An act to [illegible] the construction and [illegible] a bridge across the Monongahela River," which act has expired by limitation, be, and is hereby, revived and reenacted.

[illegible] "SEC. 7. That this act shall be null and void unless the construction of such bridge shall be commenced within one year and completed within three years from March 3, 1904."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DALZELL. Mr. Speaker, this bill has been reported by the Committee on Interstate and Foreign Commerce.

Mr. HEPBURN. Mr. Speaker, I think there is no objection to this bill, as it will preclude all further bridges on the Monongahela River. After this the river will run through a channel covered substantially by bridges. [Laughter.]

Mr. DALZELL. Oh, no, Mr. Speaker; I want to say to my friend from Iowa that I have two or three more. [Laughter.]

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. DALZELL, a motion to reconsider the last vote was laid on the table.

DISTRICT DAY.

Mr. BABCOCK. Mr. Speaker, under the rules of the House I believe this is District day.

Mr. HULL. Mr. Speaker, before the gentleman proceeds, I wish to ask him if he is not willing to accept next Monday in place of to-day for the consideration of matters respecting the District, as I am very anxious to go on with the army appropriation bill, and want to finish it to-day, if possible.

Mr. BABCOCK. Mr. Speaker, I would say that we have quite a number of important measures which relate strictly to legislation in the District, but I am desirous of doing anything that will help forward the business of the House, and if I can get unanimous consent to use next Monday instead of to-day, I will be glad to concede to-day to the Committee on Military Affairs.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to substitute next Monday in lieu of to-day for District day. Is there objection?

There was no objection.

ARMY APPROPRIATION BILL.

Mr. HULL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10670, the army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10670, the army appropriation bill, with Mr. OLMSTED in the chair.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For purchase [illegible] for the Quartermaster's Department, including [illegible] barracks and quarters, transportation [illegible] and equipage, losses of land and damages [illegible]

Mr. HULL. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk reported the amendment, as follows:

On page 13, line 13, after the word "Quartermaster's," insert the words "and Ordnance."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. HULL. I wish also, Mr. Chairman, to have a verbal correction made, to make the reading of the bill conform to the amendment which has just been passed. The word "Department" should be "Departments."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

[illegible] appropriated for the expenses of the organized militia for such joint encampment, maneuvers, and field instruction shall be disbursed as, and for that purpose shall constitute, one fund; and the Secretary of War shall hereafter forward to Congress at its next session a detailed statement of the expenses of such encampments and maneuvers.

Mr. HEMENWAY. Mr. Chairman, I offer the following amendment, which I will send to the desk, and ask to have read.

The Clerk read as follows:

On page 13, line 25, after the word "maneuvers," insert "and said sum shall be so apportioned and expended as to prevent deficiencies therein."

Mr. HULL. Does the gentleman desire to be heard on that amendment? I do not think it ought to be adopted.

Mr. HEMENWAY. Mr. Chairman, I certainly approve the action of the Committee on Military Affairs, and evidently every Member of this House does, in putting in this provision which has just been read. As I understand it, prior to this time this sum was paid out of a general appropriation for the Army.

Mr. HULL. It was last year.

Mr. HEMENWAY. The Committee on Military Affairs, in place of allowing it to be paid in that way, specified the amounts that shall be used for this particular purpose. I fear that the purpose desired to be accomplished will be defeated unless that committee goes further and says that the sum shall be so apportioned as to prevent deficiencies. I think if the chairman of the Committee on Military Affairs will stop to think for a moment he will agree with me that, following the practice of these Departments, they will go ahead and create deficiencies for this item. I have no doubt it was the intention of the Committee on Military Affairs, when it reported this item and made this appropriation, to confine this particular service to the use of the appropriation which was made, and I simply seek now to confine the Department to it and to prevent them from creating deficiencies.

Mr. HULL. Mr. Chairman, I have full sympathy with the general idea of preventing deficiencies, and the idea of the Committee on Military Affairs, I think I can say, was to make the Department report in such detail the cost of the militia in connection with the Army at these general maneuvers that the whole country might have the information as to what these different maneuvers cost; but it is impossible for the Department, with the small experience they have had, to make an absolute statement that the amount here would cover what was necessary for next year. For instance, they have never had maneuvers on the Pacific slope. They expect next year to have maneuvers there, and there are very long distances over which troops must be transported. They expect to have maneuvers on the Atlantic slope, and I will state that the seaboard States have a larger number of militia than any other part of the country. Now, to tie them down so absolutely as that, where not one dollar of deficiency could be created, would, in my mind, be an injustice to the National Guard—not to the Regular Army, but to the National Guard—in this case where this idea is being started and from which the whole country expect so much.

I do not believe that there is any dollar expended that is worth as much to the country as the money expended in the instruction given to the citizen soldiery of the country—the National Guard. And while I sympathize with the proposition that Congress ought zealously to guard every appropriation, I do not believe it is wise in the beginning of this work to make the limitation proposed in the amendment of the gentleman from Indiana [Mr. HEMENWAY]; and I hope it will not be adopted.

Mr. HEMENWAY. Mr. Chairman, the urgent deficiency bill will be the next bill presented to this House for consideration. It is certainly annoying to Members of Congress who have to deal with these great bills—and it ought to be to the Committee on Military Affairs—when they have spent weeks in trying to ascertain what the different Departments of the Government need for a particular service, to have them come in with a great deficiency; in other words, paying no attention to the limit that Congress has undertaken to put upon the amount they can expend for that particular purpose, but going ahead and spending all the money they want to, and then coming in with a deficiency.

Unless we prevent these deficiencies Congress might just as well quit trying to thrash these matters out and simply say to the Departments, "Spend all the money you choose, and if we have not taken care of the matter in the regular appropriation bills we will take care of it on a deficiency bill."

Mr. PARKER. Will the gentleman allow me a question?

Mr. HEMENWAY. Yes, sir.

Mr. PARKER. Is there any considerable sum from the War Department or the branches of the War Department on the deficiency bill?

Mr. HEMENWAY. Oh, yes; from the War Department and every other department of the Government.

Mr. PARKER. The gentleman may be correct as to "every other department;" I am speaking about the War Department.

Mr. HEMENWAY. Oh, certainly; from the War Department we have deficiency after deficiency.

Mr. PARKER. In this bill?

Mr. HEMENWAY. Not on this bill, because in this bill the committee does not undertake to care for deficiencies. That is where the trouble comes.

Mr. PARKER. I mean on the deficiency bill you have just reported.

Mr. HEMENWAY. All the deficiencies come to the Committee on Appropriations. That committee takes care of the deficiencies for all the Departments of the Government.

Mr. PARKER. The gentleman does not understand me. I ask whether in the preparation of the present deficiency bill, which you are just about to bring before the House, you did not find that the War Department had, as a whole, kept within the appropriations?

Mr. HEMENWAY. Oh, no; not a single Department of the Government has kept within its appropriations. Every one of them is coming and asking for deficiencies.

I have no doubt that the Committee on Military Affairs gave this item careful study. They took it up and figured out how much money ought to be appropriated for these different items, and they have reported appropriations accordingly. Now, what I am seeking to do is to compel the Department to so expend this money as to keep within the appropriations and not to come back here at the next session of Congress asking for a deficiency. I have no doubt that when the urgent deficiency bill comes before the House we shall have the distinguished gentleman from Iowa [Mr. HULL] and other distinguished gentlemen on this floor wanting to know why this item and that item and the other item have been reported by way of deficiencies.

We do not want to appropriate for these deficiencies. We believe they ought to be discontinued. We believe that when Congress studies a matter out and says to a Department, "You may have so much money for that particular service," they ought to understand that when they have spent that much money they must stop and come back to Congress for an increase, if the appropriation has not been sufficient. Unless the practice of the Departments is made to conform to this idea, what is the use of our worrying here trying to figure out the amount of money necessary for the different Departments, if they can spend all the money they want and come in for more money by way of deficiencies? All that I seek to do is simply to have Congress say that the Department shall stand by the action of the Committee on Military Affairs and not spend any more money than Congress appropriates for this purpose.

Mr. HULL. The gentleman will allow me to ask whether he does not believe it better to have a small deficiency than a large surplus in the appropriation?

Mr. HEMENWAY. Never.

Mr. HULL. Never?

Mr. HEMENWAY. No; because if there is a surplus, it remains in the Treasury; it is not expended, and the Department keeps within the amount fixed by Congress. If they are allowed to make deficiencies, they go beyond the amount fixed by Congress.

Mr. HULL. Then I will ask the gentleman why it is that in the urgent deficiency bill nearly the entire amount carried there for the different Departments of the Government is to cover deficiencies in appropriations from the gentleman's own committee? The only deficiencies in the appropriations from our committee, covering many millions, amount to about $9,000, while on the bills which the gentleman reported they run up as high as a million dollars.

Mr. HEMENWAY. I have not a copy of the bill before me. When we take up the urgent deficiency bill I will call attention to some of these items. I am going to try to reform that all along the line, and when we come to the House with the bill I want the aid of the Committee on Military Affairs and the other committees to prevent deficiencies, and I am trying right here in this item, by putting an amendment, to say that this money shall be so apportioned as to prevent deficiencies. Let us commence right here and get at it, and I seek the aid of gentlemen on every bill that comes before the House to put such legislation on them as shall prevent deficiencies.

Mr. PERKINS. I would like to ask the gentleman a question.

Mr. HEMENWAY. I yield to the gentleman, if I have the time.

Mr. PERKINS. I would like to ask the gentleman why the best procedure would not be for the Committee on Appropriations to refuse to report deficiencies? In that case the Departments will have to live within their means.

Mr. HEMENWAY. That can not very well be done, because in many of these deficiencies there are no estimates. Of course there are items where there would be deficiencies, where there is no way of ascertaining in advance what amount of money is

necessary. Congress will recognize those items as they come up, but in items like this, where the amount can be ascertained, there ought to be a provision to prevent deficiencies.

Mr. STEVENS of Minnesota. Mr. Chairman, I thoroughly agree with the idea of the chairman of the Committee on Appropriations that it is not wise in legislation to allow deficiency estimates from the various Departments unless absolutely necessary, but that the amounts should be fixed by the House and that they shall be sufficient upon which the Departments must be conducted for the year. I think that is an entirely wise rule. But this item would be one of the exceptions he has just stated when he said there are circumstances where the Departments can not estimate for the next year, and in such cases the deficiency may be properly allowed. Now, the amounts that are read in these items were never estimated by the War Department. They could not be estimated under the circumstances. During the last year there were maneuvers held for about 12,000 men. The militia bill, known as the Dick bill, which was passed last year, provided for the payment of officers and men, for subsistence and supplies, and for transportation out of the general funds appropriated for the Army for those various purposes. Now, the appropriations for such purposes for the present year amounted to nearly $10,000,000. There were never made specific estimates for the purposes included in those items. The Committee on Military Affairs had to segregate those items the best it could.

We took the detailed statement of the expenses of the cost of maneuvers, and from that have agreed as to the amount that we thought that the Department needed. Now, there has been no estimate as to what the maneuvers will be or cost the coming year. Maneuvers for about 12,000 men cost something over $600,000. The War Department states now that it would like to have maneuvers on the Pacific coast and on the Atlantic, but has made no estimates for those purposes, so that I am frank to state to the gentleman from Indiana and to the committee that I believe there will be a deficiency if the present plans of the War Department are carried into effect. It is my belief that the War Department should have liberty to conduct fairly good-sized maneuvers this year. I believe that the proposition of the gentleman from Indiana is just one year too early. I believe that the War Department should have fairly large maneuvers this year, and then there should be a detailed statement of the expenses forwarded to the House, as provided by the last clause of this item, and then next year we could put upon the bill such an amendment as the gentleman from Indiana now proposes to put on this bill. I think that his amendment is one year too previous.

Mr. BERMENWAY. In view of the statement of the gentleman from Minnesota that the War Department gave no estimates upon which this item can be properly ascertained, I withdraw the amendment.

Mr. HEPBURN. Mr. Chairman, I ask unanimous consent to go back to page 12, line 14, for the purpose of offering the amendment which I will send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the committee revert to page 12, for the purpose of an amendment which the Clerk will report.

The Clerk read as follows:

At the end of line 14, page 12, insert:

"*Provided*, That no part of the money appropriated by this act shall be expended in payment to any retired army officer of the Army who receives payment for services as clerk or other civil employee in any of the Departments of the Government."

The CHAIRMAN. Is there objection?

Mr. HULL. It is subject to the point of order, and I will object.

Mr. HEPBURN. It is certainly not subject to a point of order. It is simply a limitation upon the appropriation that I propose.

The CHAIRMAN. The gentleman from Iowa objects.

Mr. HULL. I don't object to going back. I simply say it is subject to the point of order, and I will raise the point of order.

The CHAIRMAN. The point can be raised after unanimous consent has been given to recurring to that page.

Mr. HULL. My idea was that unanimous consent had been given.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the amendment of the gentleman from Iowa. Does the gentleman from Iowa make any point of order?

Mr. HULL. I will raise the point of order, Mr. Chairman, and let the Chair passon it. I do not desire to argue it.

The CHAIRMAN. Does the gentleman from Iowa care to be heard on the point of order?

Mr. HEPBURN. I do not care to be heard on it.

The CHAIRMAN. The Chair is of opinion that as it is in the power of Congress to refuse to appropriate at all for this purpose it is within its power under the rules of the House to limit the appropriation in the manner provided by this amendment, and, therefore, overrules the point of order.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

[illegible] surgeons, $450,000: *Provided*, That hereafter contract surgeons [illegible] Philippine Islands, and Porto Rico [illegible] when [illegible] in the methods now provided by regular [illegible] of the Army.

Mr. PARKER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New Jersey offers an amendment which the Clerk will report.

The Clerk read, as follows:

After the word "Army," in line 21, page 12, insert: "*Provided*, That when a contract surgeon is in charge of a hospital he shall have the same authority as commissioned medical officers."

Mr. PARKER. Mr. Chairman, this is subject to a point of order. The Surgeon-General of the Army finds especially upon a recent decision of the Supreme Court that a contract surgeon in charge of a hospital finds himself without authority to control the men in the hospital, and military punishment can not be inflicted for disobedience of his orders, and he desires where a contract surgeon is put in charge of a hospital he shall have authority to give orders. I simply state that, and leave the amendment to the House.

Mr. GROSVENOR. Mr. Chairman, I make the point of order against the amendment.

Mr. HULL. The point comes too late; it has been debated.

Mr. GROSVENOR. The gentleman can not go on and make——

Mr. PARKER. If the gentleman chooses to make the point of order, it applies to it; but this is simply for the benefit of the service, as the men in the hospitals should be under control.

Mr. GROSVENOR. I have very substantial objections to the amendment, and I do not believe that it ought to become part of the law.

Mr. PARKER. It is certainly subject to the point of order if the gentleman chooses to make it.

Mr. HULL. Mr. Chairman, I raise the point of order that when the gentleman from New Jersey offered his amendment and stated that it was subject to the point of order, any member of the committee desiring to raise the point of order should have gotten up then and made the point of order. But in place of that the gentleman from New Jersey continued until he had concluded his remarks, and then the gentleman from Ohio comes in and urges the point of order. I raise the point of order on that that the gentleman from Ohio is out of order in raising the point of order at this time.

Mr. GROSVENOR. I did not know what it was until the gentleman stated what it was. It is very strange if you can violate the rules of the House by strangling opportunity to make a point of order. Has this question ever been stated to the House? I make the further point of order that there is no question before the House. It has not been read by the Clerk of the House, and I do not know now what the question is except what I gathered from the gentleman's statement.

The CHAIRMAN. The Chair will state that the amendment was reported from the Clerk's desk and was debated by the gentleman from New Jersey with no point of order against it having been made, and the Chair is of opinion that the point of order of the gentleman from Ohio comes too late.

Mr. FINLEY. Mr. Chairman, I think this amendment is a proper one, and while we are on this paragraph I think that some information should be given the House by the chairman of the Military Committee as to how long the system of employing contract surgeons in the Army is to be kept up. I, for one, think the policy a bad one to have contract surgeons year after year. Two hundred and fifty are provided for in the bill. Now, it is true that it has been necessary to have them, I will say, in the past few years to some extent, but I wish to say, Mr. Chairman, that I do not think the policy a good one. I know, and I believe that the Members of this House know, that it is not to be expected that the best of medical talent can be secured for the Army under the contract system. A young man fresh from a medical college can only secure a contract for two years, as I understand, so he makes the service temporarily, and for this reason it is not to be expected that he will have the same interest in the service and in the welfare of the men under his care as a commissioned officer would. So, Mr. Chairman, I, for one, am opposed to the system.

I know of my own knowledge at least one or two cases where bright, promising young physicians sought commissions as assistant surgeons in the Army. They did not secure the commissions, but they did secure service as contract surgeons; but as soon as their time was out they left the service, and it is only to be expected that they should leave the service. The inducements are not sufficient to obtain men of the highest class and to retain them in the service. So I hope that the military committee will,

at some time in the near future, bring forward such a bill or proposition that will eliminate what I think is one of the most objectionable features in the organization of the Army. The contract-service proposition is one that I do not think is calculated to promote the welfare of the soldiers whose interests are to be served.

Mr. GROSVENOR. Mr. Chairman, I want to call the attention of the committee to the fact that I did not attempt to make a point of order against the proposition without having some reason for it. I attempted to make the point of order just as quick as it was possible under the machinery as it was running. I waited, as a matter of course, until the gentleman had relinquished his place on the floor. I had no right to jump up and interrupt him and make the point of order. It would have been wholly improper for me to do so. I was in earnest in my opposition to this proposition. I do not believe that an employee of the Government, hired simply by the month in cases of emergency, should be clothed with the powers and authority of a commissioned officer. I do not believe it is necessary, and it is enough to say that in all the long history of the connection of contract surgeons with the army organization no proposition of this kind was ever heard of before, so far as I have ever been advised.

The contract surgeon does not bear a commission in the form of a commissioned officer. He is employed for a given length of time, and the Government can put an end to his employment at any time. He is put, perhaps, in charge occasionally of a hospital, and if his reasonable requests and directions to the men on duty in that hospital are disregarded by them, these men are subject to discipline by a proper application or complaint made to the commissioned officer. There is no necessity for having an ununiformed officer or a nonuniformed employee of the Government and putting him into authority so that a soldier will be compelled under the Articles of War and liable to be shot for disobedience of orders. That is the whole of this. It amounts to nothing more. The contract surgeon or employee of the Government with such authority as that—while the soldier may not know the official character of the man at all is liable to be shot for disobedience of orders. We have got along thus far without such a provision. I do not know whether it has been recommended by anybody or not; but I believe it is an innovation here that is wholly unnecessary. That is the reason why I tried to prevent legislation on this appropriation bill of the radical character of this proposed legislation.

Mr. HULL. Mr. Chairman, the committee has no particular feeling about this amendment. The gentleman from Ohio is mistaken as far as the previous action of the Government is concerned. Until very recently a contract surgeon placed in charge of a hospital could give orders for the administration of affairs in that hospital. It has only recently been decided that he could not give an order even to a nurse. The Surgeon-General of the Army, who is as jealous of the prerogatives of his office, recently as the gentleman from Ohio could probably be, insists that in the matter of good administration it is necessary to have this amendment, and if the gentleman will turn to the hearings, on page 95, he will find that the Surgeon-General says this:

[illegible] to give an order even to the nurse in a hospital, or to anyone else.

Now, I submit that if a contract surgeon is placed in charge of a hospital, by authority of law, where they need his services, and then if the Judge-Advocate-General's Department holds that he can not give an order to a nurse in that hospital, it is absurd to place him there. He may be a thousand miles from any other regular army surgeon; he may be, and sometimes in Alaska is more than a thousand miles from any commissioned officer of the Medical Corps of the Army; and to say that we can employ him and pay him as we do, and pay him his mileage, that we can put him in charge of a hospital and then say that he can not even give a nurse a direction to the comfort of the sick is an absurdity. In my judgment, this amendment should prevail. It would not be necessary under the administration of a year ago; but under the decision in these cases it is absolutely necessary, if you are going to place these men and pay to look after the sick of the Army.

This proposition is exactly what the Surgeon-General of the Army asked Congress to give. Does the gentleman from Ohio or this committee believe that the Surgeon-General, at the head of the Medical Corps, would favor a measure that was not for the best interest of the sick the Medical Corps must administer to? It seems to me that it ought to be adopted from a mere statement of the case. These men pass an examination to show that they are competent, and when they are placed in charge of a hospital they ought to have the authority to administer the hospital for the interest of the suffering people that are under their charge.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from New Jersey.

The question was taken; and the amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

For Porto Rico Provisional Regiment of Infantry, composed of two battalions of four companies each: Pay of enlisted men, $95,148.

Mr. COWHERD. Mr. Chairman, I would like to ask the chairman of the committee a question. If I rightly understand the law, the officers in charge of the Porto Rico Provisional Regiment of Infantry are to be mustered out of the service?

Mr. HULL. The line officers, yes.

Mr. COWHERD. I realize, of course, that any provision changing existing law would be subject to a point of order, but I would like to ask the chairman of the committee if he does not think it would be entirely proper to retain these officers who have been in that regiment up to a high state of efficiency, officers who have served in Cuba and the Philippines and in China, and understand the language of the people, rather than to muster them out?

Mr. HULL. Mr. Chairman, that is a question upon which there is a very wide difference of opinion. For many reasons, yes, I should say it would be wise to retain them, but for others, no. The law provided that on the 30th of June, 1904, the line officers should be mustered out. The enlisted force is retained. The officers were appointed as temporary officers when they accepted the commissions. They have been a very efficient body of officers. The only question that the gentleman can determine, or that any other member of the committee can determine is whether it is necessary to include these men now in the regular commissioned force of the Regular Army. The regiment itself, or the two battalions, form part of the Regular Army. The field officers, the colonel, lieutenant colonel, and two majors have always been detailed from the line of the Army. The captains and lieutenants were commissioned the same as in the provisional regiment that served for two years in the Philippine Islands. I confess that if there is some way to retain them as an independent body of men belonging only to this regiment I can see a great deal of justice in it; but to place them on the commissioned force of the Regular Army with the rank they are holding under these temporary appointments would, to my mind, be a very great injustice to the officers of the Regular Army who have served many years longer than some of these officers.

Mr. COWHERD. Mr. Chairman, I fully agree with the gentleman that they ought not to go on the rolls of the Regular Army, but it does seem to me that this Porto Rican regiment is somewhat peculiar in its character, because of the fact that it is composed of native troops, and that therefore the men who are in command of it ought to be men who are familiar with the language and the habits and customs of the country, and that the regiment will maintain a much higher state of efficiency with officers of that kind. I understand that it is now officered by men who have brought it to such a state of efficiency that in the late competitive target practice in the Department of the East, of the three two men who qualified, 60 per cent of them were from this provisional regiment. That is something unusual when it is remembered that Americans are considered ordinarily the best shots in the world. Of the twelve medals given, four were captured in by men from this regiment, and one man qualified on the American team.

Now, it seems to me that if some provision of law could be inserted into this bill which would keep there the officers who have brought this regiment to that state of efficiency and would not [illegible] a large number of detail of officers from the Regular Army, who are not familiar with the people or their language or habits, it would be much better for the regiment and much better for the service. I have here the draft of a measure that was sent to me, and I am going to ask the Clerk to read it. I suppose there will be a point of order made against it. I submit it to the chairman of the committee.

The CHAIRMAN. Does the gentleman from Missouri offer this as an amendment?

Mr. COWHERD. Yes.

The CHAIRMAN. The Clerk will read the amendment.

The Clerk read as follows:

An act fixing the status of the Porto Rico Regiment of Infantry of the United States Army.

Be it enacted, etc., That on and after the 30th day of June, 1904, the present Porto Rico Provisional Regiment of Infantry shall be designated as the Porto Rico Regiment of Infantry, and shall constitute an infantry regiment of the United States Army, organized as are the other infantry regiments. The enlisted strength thereof shall be composed as nearly as practicable of natives of Porto Rico.

SEC. 2. The field officers shall be appointed by the President from the Army. The President is authorized in his discretion to commission the captains, first and second lieutenants, and assistant surgeons of the present Porto Rico Provisional Regiment of Infantry in their respective grades, who have served in that regiment, as officers of the Porto Rico Regiment of Infantry, and they shall have the rank, pay, and allowances of their respective grades in the Regular Army.

SEC. 3. That all vacancies which may exist in the grades of captain and first lieutenant in the two battalions constituting the present Porto Rico Provisional Regiment of Infantry, after they have merged into the Porto Rico

Regiment of Infantry, promotions shall be made according to seniority of the first and second lieutenants commissioned from the present Porto Rico Provisional Regiment of Infantry. Remaining vacancies shall be filled by the President by appointment of persons from the Army or who were in the military service of the United States during the war with Spain.

Sec. 4. After the regiment shall have been fully organized, promotions shall be made as vacancies occur in the grades of captain, first lieutenant, and second lieutenant in the regiment. Vacancies in the grades of major to be filled by the promotion next below, from the exclusive of the Army, upon the date of such vacancy, which date promotions to generate such other vacancies to be filled in accordance with the provisions of this paragraph. To fill the vacancies occurring in the grades of captain, first lieutenant, and second lieutenant, promotions from the regiment to be made according to seniority of the original second lieutenants of the regiment, subject to such examination to determine their fitness for promotion as may be prescribed by the President.

Sec. 5. Appointments to fill vacancies occurring in the grade of second lieutenant shall be made by the President.

Sec. 6. All appointments provided for by this act shall be made by the President by and with the advice and consent of the Senate.

Sec. 7. All laws and parts of laws inconsistent with the provisions of this act be, and the same are hereby, repealed.

Mr. HULL. Mr. Chairman, I raise the point of order on that.

The CHAIRMAN. The gentleman will state it.

Mr. HULL. It is new legislation. It changes existing law in every particular. The existing law is that all volunteer officers now in this Porto Rican provisional regiment shall be mustered out June 30, 1904, and their places filled by detail from the line of the Army. Not only that, but the law creates only two battalions, while this proposed amendment creates a full regiment. It is a change of the law in every respect.

The CHAIRMAN. The Chair is of opinion that the amendment offered by the gentleman from Missouri is in conflict with Rule XXI, which provides against changing existing law in any appropriation bill, and therefore sustains the point of order.

Mr. SLAYDEN. Mr. Chairman, before that paragraph is left, I rise for the purpose of moving a motion to strike out all of lines 8, 9, 10, and 11, on page 16 of the bill. In support of that motion I wish to direct the attention of the House to the fact that a year ago the Secretary of War recommended ——

Mr. GROSVENOR. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. GROSVENOR. At what particular time can a point of order now be made? The gentleman from Texas [Mr. SLAYDEN] has stated that he proposes an amendment. The amendment has not been read, and I don't know what it is. He proceeds now under the ruling of the Chair to debate a question that has not been stated, when the rules declare that the Chairman shall state the question to the House.

Mr. SLAYDEN. Why, Mr. Chairman, I thought that proposition had been stated and the Chair had ruled upon it and that we were now on another matter.

Mr. GROSVENOR. I am talking about the matter to which the gentleman is addressing himself. I want to know what the amendment is.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk reported the amendment, as follows:

On page 16, strike out lines 8, 9, 10, and 11.

The CHAIRMAN. Does the gentleman from Ohio [Mr. GROSVENOR] desire to raise a point of order?

Mr. GROSVENOR. I do.

The CHAIRMAN. It is now in order to do so.

Mr. SLAYDEN. Now, Mr. Chairman, I am permitted, I suppose, to resume my remarks.

The CHAIRMAN. The Chair understood the gentleman from Ohio to raise a point of order.

Mr. GROSVENOR. I make the point of order that this is new legislation—a change of existing law.

The CHAIRMAN. The Chair would like to hear the gentleman from Texas upon that point of order.

Mr. GROSVENOR. I have nothing to say about it. I simply want to have it understood that I do not wish to make any more mistakes. I do not want to make a point of order against an amendment that I have not heard and that has not been stated by the Clerk.

The CHAIRMAN. The Chair will state to the gentleman from Ohio that the amendment to which the gentleman did make a point of order has been reported from the Clerk's desk.

Mr. GROSVENOR. So I have heard; but gentlemen sitting around me say that they never heard it, and I am sure I did not. And my statement that I have not heard it was certainly sufficient to have prevented the Chair in ruling that the amendment should be reported again.

Mr. SLAYDEN. Did the gentleman from Ohio make a point of order to my amendment, or was he referring to the previous amendment, the one offered by the gentleman from Missouri [Mr. COWHERD]?

The CHAIRMAN. Does the Chair understand the gentleman from Ohio to insist on his point of order against the amendment offered by the gentleman from Texas [Mr. SLAYDEN]?

Mr. GROSVENOR. No, I do not.

The CHAIRMAN. The point of order being withdrawn, the gentleman from Texas will proceed.

Mr. SLAYDEN. I was trying to direct the attention of the House to the fact that a year ago the Department of War recommended the abolition of the Porto Rican regiment as altogether unnecessary. The size of the Army had been fixed by Congress and was well understood by all; and it was in contemplation by all that at the end of the last fiscal year the Porto Rican Regiment would cease to exist. That regiment, as the House knows, if made up of natives, or presumably natives, of that island, and officered by volunteers—the only body of volunteers that are in the service of the Government; in a military capacity, I believe.

The report of the Secretary of War at that time was conclusive, it seemed to me, in its argument that it was not necessary any longer to maintain that regiment, which was a public expense. When the recommendation for the creation of that regiment was made there were more disturbances in the Philippine Islands than there have been since, and there was more necessity for an enlarged Army.

Since that time the army in the Philippines has been reduced, and thousands of troops have been brought back to the United States, and they can be used in Porto Rico if needed. The only reason that the regiment was continued for one year was that very potent reason applying to a great number of legislators in this House; and that is the consideration for personal appointees. There are a number of young gentlemen down there—worthy men, efficient officers—who have their friends scattered throughout this country and this House, who saw to it that provision was made for continuing them upon the pay roll for another year.

When the Secretary of War was before the committee the other day I inquired of him with reference to this recommendation; and here in the hearings, on page 11, is his reply to my question. I will ask the Clerk to read what I have marked in the report of the hearings.

The Clerk read as follows:

Mr. SLAYDEN. A year or so ago there was a recommendation from the Department looking to the abolishment of the Porto Rican regiment. [illegible] Secretary. As a military question I should answer that yes. In the consideration of that subject a question came up as to I found that [illegible] upon Porto Rico.

The CHAIRMAN. [illegible]

Mr. SLAYDEN. [illegible] we do not discontinue it, but it was recommended that we [illegible]

Secretary ROOT. The law as it stands now discontinues the officers and details [illegible]

Mr. SLAYDEN. Is it necessary to continue that regiment in order that the Army [illegible] that I have heard of. There is less call for them in the Philippines.

Secretary ROOT. Well, we have the Army down to its minimum; I do not think it is any too large. [illegible] including these two battalions of Porto Ricans I do not think it is any too large.

Mr. CAPRON. Is it not [illegible] those people, and [illegible]

Secretary ROOT. [illegible] body of Porto Ricans who are [illegible] quiring [illegible] from military service. [illegible] I do not think [illegible] necessity for it from a military point of view, I think [illegible] is a very strong one.

Mr. SLAYDEN. Could not that consideration be met by permitting enlistments of those people into the regular established [illegible]

Secretary ROOT. That is permitted now. In the settlement of the question last year a provision was made providing for mustering out the officers and providing regular [illegible] ge, and there was put in a proviso permitting the Porto Ricans [illegible]

Mr. SLAYDEN. Then it is merely a small addition to the size of the Regular Army?

Secretary ROOT. Yes.

Mr. SLAYDEN. Now, Mr. Chairman, I want to also direct attention to the fact that the Secretary said that the necessity for this regiment is not a military but a political one. I do not believe that we ought to authorize this expense—certainly not upon this bill—for any mere political reasons. The Army is large enough. The Secretary of War frankly admits that this is an effort to increase slightly the size of the Army. I hope, therefore, that the House will adopt my motion and expunge that paragraph of the bill.

Mr. HULL. I sincerely hope that the House will not adopt this amendment. If it is desirable to abolish the two battalions of Porto Rican troops as a separate organization, it ought to be done in some other way than by simply striking out the appropriation in the bill. I do not think the gentleman from Texas meant to convey to the House the idea that Secretary Root's use of the word "political" was meant in any partisan sense whatever.

Mr. SLAYDEN. Assuredly not.

Mr. HULL. I think what the Secretary meant by that was

that its effect upon the people of Porto Rico was beneficial, and that the loyalty and discipline which might come from serving under the flag was worth all it cost the Government. It is true that these Porto Ricans can enlist in the Regular Army. They can independent of this, or in addition to this. But if they enlist as other citizens of the country it is to be assigned to companies and regiments as the companies and regiments might need recruits. This is a solid body of Porto Ricans, who are under the influence of American officers, who are taught the American language, who are taught to love the American flag, and they are civilizing agents all over that island, to help in building up American ideas and good citizenship among those newly acquired people of that beautiful little island of the sea.

Mr. HAY. Will the gentleman allow me to ask him a question?

Mr. HULL. Certainly.

Mr. HAY. Is it not a fact that these Porto Rican troops are part of the Regular Army and that they have enlisted for a term of years?

Mr. HULL. They have.

Mr. HAY (continuing). And that the failure to make this appropriation would be breaking the contract of the Government with them?

Mr. HULL. There is no doubt about that, and I hope the amendment will not prevail. I wanted to emphasize the fact when you reduced the cost of the regiment to the minimum number of men by making this provision it will return to the Government many times its cost in building up and developing good government.

Mr. SLAYDEN. Mr. Chairman, I want to say to the gentleman from Iowa that I entirely sympathize with every effort made to help the Porto Ricans, but I do not believe they need the civilizing influence of the bayonet. I prefer to educate them along more purely American lines—to give them the position to which I believe they are entitled. I would, if we are to continue them under our flag, prefer to see them given the rank of a Territory, and ultimately, having the courage of the situation, to bring them into the American Union as a State after they have manifested their fitness for it, as I believe they would in a reasonable time. In my judgment that would have a more elevating, a more spiritual, and a more patriotic influence on the Porto Rican people than if we merely permitted a hundred or two of them to enlist in the Army.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

QUARTERMASTER'S DEPARTMENT.

Regular supplies: For general expenses of the Quartermaster's Department, including the [illegible] for the health and comfort of the troops in the insular possessions, [illegible] furniture, [illegible] for the necessary [illegible] and all for the expenses incident to recruiting service and transportation of recruits [illegible] lies of infantry [illegible] number of [illegible] Pay and Quartermaster's departments, and for [illegible] orders and [illegible] for the transportation of baggage, the hire of teams, and for the transportation of the quartermaster's department, and for [illegible] of War, by the hire of [illegible] That hereafter, [illegible] of all supplies for the use of the troops [illegible] their full enlisted authorized strength, and [illegible] be paid out of the appropriation for the Quartermaster's Department, [illegible] War under such regulations as he may prescribe.

Mr. HEMENWAY. Mr. Chairman, in line 12, page 20, the language of the last bill was "for the health and comfort of the troops in the insular possessions." That included the insular possessions. Now, I want to reserve the point of order on this. Where ice machines were required I notice you have struck out of this bill the words "insular possessions."

Mr. HULL. Mr. Chairman, that was because of the fact, under the old law, the Medical Department had charge of the ice machines in this country and the Quartermaster's Department in the other places. The Quartermaster's Department did the building and the construction. Now it is all placed under the head of the Quartermaster's Department, so that now, in the tropical parts of this country, in the southern States, or wherever they need to manufacture ice, the Quartermaster-General's Department has control of the entire plant manufacturing the ice. Therefore it was not necessary to limit them to the Philippine Islands as was done last year, because as a matter of administration the whole matter had been turned over to the Quartermaster's Department.

Mr. HEMENWAY. In your provision in the bill of last year money could have been expended for the purchase of ice machines at any post in the United States.

Mr. HULL. Because the Medical Department had charge then.

Mr. HEMENWAY. Where do you strike out the provision for the medical department?

Mr. HULL. We strike it all out.

Mr. HEMENWAY. This does not authorize them to purchase anything that they had not authority to do before?

Mr. HULL. In one Department or other of the Government; no, sir.

The CHAIRMAN. Does the gentleman from Indiana insist on his point of order?

Mr. HEMENWAY. I do not make the point of order.

Mr. GAINES of Tennessee. I move to strike out the last word for the purpose of asking the gentleman from Iowa a question about the language contained in line 12, page 21, to wit, "where it is impracticable to secure competition."

Mr. Chairman, I ask the gentleman from Iowa where in the United States is it impracticable for the United States Government to get goods furnished the Army by competitive bids?

Mr. HULL. Oh, there are some things they buy in such a very small amount that it would cost more to advertise than it would to buy them.

Mr. GAINES of Tennessee. "Impracticable to secure competition"—would that cover that kind of case?

Mr. HULL. It may be an emergency where you had to buy at once. It is a very small thing, some of the purchases being as low as $5.

Mr. GAINES of Tennessee. It is the usual language used?

Mr. HULL. It is the usual language.

Mr. PRINCE. The same as used last year?

Mr. HULL. The same as used for many years.

The Clerk read as follows:

Horses for cavalry, artillery, and engineers: For the purchase of horses for the cavalry, artillery, and engineers, and for the [illegible] and for such remounts and remounts of the Hospital Corps in field campaigns as may be required to be issued, and transportation incident thereto, $[illegible]: Provided, That the number of horses purchased under this appropriation, added to the number now in hand, shall be limited to the actual needs of the mounted service, subject to the approval of the Secretary of War: no part of the appropriation shall be paid for horses not purchased in accordance herewith, nor for transportation hereunder except for the Quartermaster's Department, and an inspection under the direction and authority of the Secretary of War.

Mr. HEMENWAY. Mr. Chairman, I would like to ask the chairman of the committee why "engineers" are added?

Mr. HULL. I will say, Mr. Chairman, under the reorganization bill we created a battalion of engineers, and the horses have been purchased for them under this clause. It is a question of construction whether they can furnish the horses for the Engineer Corps unless the law authorizes it, and at the request of the Department the committee put in that in order to clear the matter up.

The Clerk read as follows:

Barracks and quarters, Philippine Islands: Continuing the work of permanent character for the proper housing of troops and required control of the government of the United States, including the purchase of land and the erection of buildings where necessary, and the fitting up of buildings for the use of the Quartermaster's Department, and for the purchase and erection of buildings for the Pay and Quartermaster's departments, and for [illegible] and all other buildings necessary for post administration purposes, $[illegible]

Mr. PATTERSON of Tennessee. Mr. Chairman, I desire to interrogate the Chairman of the Military Committee in regard to this section of the bill. In the first place, I want to ask him how many soldiers are now quartered in the Philippine Islands?

Mr. HULL. They have there the constabulary (they are not provided for at all in this bill and are half soldier and half police); they have scouts, I suppose about 5,000 men, if they are filled to their full enlisted authorized strength, and I think they have probably eight to ten thousand American soldiers.

Mr. PATTERSON of Tennessee. Now I want to ask him further. What progress has been made in the construction of these barracks and buildings since the last Congress?

Mr. HULL. The last Congress, on the urgent deficiency bill, appropriated $550,000 for a post at Manila. The regular army bill carried, as I remember, $1,500,000 additional. It was expected at that time this amount given would be sufficient to complete the system of posts for the care, shelter, and protection of our troops in the Philippine Islands. They find that it is necessary to ask this amount additional, and the information the committee has is that this amount will practically complete the necessary appropriation for the erection of barracks and quarters in the Philippine Islands.

Mr. PATTERSON of Tennessee. That hardly answers the question, which is, What buildings have already been erected and where have these buildings been erected?

Mr. HULL. Well, Mr. Chairman, I do not know that I can answer that question in detail. There have been erected buildings at Manila, buildings at Iloilo, buildings at Cebu, buildings at different posts in the island of Luzon, and buildings at the different posts in Mindanao, and at the places where we have regular established posts. It would be more than a large number of posts altogether, at probably a hundred places where we have permanent barracks.

Mr. PATTERSON of Tennessee. I think the gentleman is mistaken in one thing. The [illegible] was appropriated for the very purpose [illegible] for by this Congress, not for the year of Manila, I mean.

Mr. HULL. Well, Mr. Chairman, I am simply giving the information we have as to what they need. If the gentleman does not like the [illegible] he can move to strike it out.

Mr. PATTERSON of Tennessee. Well, I do not want to be put in the attitude of striking out a proper appropriation. What I am trying to get at is the information in regard to the necessity of the appropriation and how the large sums of money has been spent.

Mr. PALMER. Two million dollars.

Mr. PATTERSON of Tennessee. I am reminded it is more than $2,000,000. What was the testimony before the committee on that subject?

Mr. HULL. I will read from the hearings:

The CHAIRMAN (reading). Barracks and quarters, Philippine Islands. We appropriated last year the [illegible]

Colonel HEISTERBERG. We had [illegible] and this year we have on the regular appropriation [illegible] also under sanction [illegible] for the fiscal year ending June 30, 1904.

Mr. PATTERSON of Tennessee. That came in under a separate bill?

Mr. HULL. Yes.

Mr. PATTERSON of Tennessee. And is not embraced in this at all?

Mr. HULL (reading):

Mr. LEON. For the fiscal year 1903 we appropriated one million and a half, and in the deficiency there was another $250,000, making in all one and three-quarters [illegible]

Colonel HEISTERBERG. You are [illegible] in the Army [illegible]

The CHAIRMAN. This [illegible] with the idea of completing the work, [illegible] there is money carrying it on.

Colonel HEISTERBERG. Expecting it on to completion and for necessary repairs the $750,000 is needed for.

Mr. PATTERSON of Tennessee. Now, can the chairman of the committee give the information to the committee as to when this work will likely be completed?

Mr. HULL. Oh, certainly not. It will never be entirely completed. We have had in the United States a hundred and more years of government, and we have never completed any line of our public work.

Mr. PATTERSON of Tennessee. Does the gentleman think there will always be a necessity for troops in the Philippine Islands and for the expenditures in question?

Mr. HULL. I think that the time will never come when the United States will not have troops in the Philippine Islands any more than the time has ever come when we have not had troops in the State of New York and in the State of Illinois.

Mr. PATTERSON of Tennessee. [illegible] Mr. Chairman. I notice on page 21 there is an appropriation for barracks and quarters, among other things, of $[illegible]. Then here is this particular section where we appropriate for the proper shelter of enlisted men of the Army of the United States. What would be the difference [illegible] for officers and for the proper shelter and quarters of enlisted men of the Army?

Mr. HULL. There is this difference. Under the head of "Barracks and quarters" we appropriate for officers as well as enlisted men, but there is a [illegible] money to be [illegible] in this country [illegible] a law limiting the posts, and carry it on in a different way; while there we have to proceed largely to the military establishment to determine many questions.

Mr. PATTERSON of Tennessee. Can the gentleman from Iowa give me any information as to the number of buildings [illegible] or any evidence as to the cost of the building sites, or the cost of any of the buildings?

Mr. HULL. No; the committee did not go into the number at all.

Mr. MIERS of Indiana. Mr. Chairman, that the laborer is worthy of his hire no one stands ready to dispute. The laborer is entitled to such compensation that he may have over and above his living, enough to accumulate at least a small competency for old age. The coal miner is entitled to such wages as will enable him to educate his children as well as the mine owner educates his. This is only justice to the laborer, and the best interest of the Republic demands it. Education is one of the cardinal doctrines of the Republic. This consideration applies to all classes of laborers, and should apply to those in the Government employ as well as to those in individual employment. I do not believe in a little economy that requires Government employees to work another half hour and leaves a [illegible] go unfed.

It has been notorious for many years that post route mail carriers are very poorly paid, and has been frequently charged that the rural-route carriers are also underpaid. I received a marked copy of the Labor [illegible] that contained an article that claimed [illegible] to be known as the State of Mediocrity, and I presume the same condition exists in all the States. The article sums up the situation so well that I send it to the Clerk's desk and ask that the same may be read in my time.

The Clerk read as follows:

[illegible]

[illegible] must come from other sources as, in fact, did the original [illegible] of $800.

[illegible] Assuming that the carriers are paid a year's salary [illegible] in the aggregate expense [illegible] $2,000 a year more than [illegible] a post office inspector [illegible] per annum for each carrier, an eloquent bank account for Uncle Sam's employees.

Mr. GAINES of Tennessee. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee this question: As I understand it, Congress either leases by law our army posts in the United States, or the leading general, with his aids and associates, do so under the limitations of the

law. Now, will the gentleman tell us who has located the army posts where these lands are to be bought, where we take title to lands, where we build the army posts and expend millions of money? Will he tell me who is selecting, who is buying, who is supervising that matter?

Mr. HULL. The commanding general of the islands and the board of officers appointed by him to select the site. The quartermaster-general makes the plans when he knows the number of troops to be housed by the post, just as we used to do here. In any fort that is temporary now the Department can select a post.

Mr. GAINES of Tennessee. I do not pretend to remember all the laws that we have enacted, because we have enacted so many, but I would like to ask the gentleman from Iowa if the law permits the commanding general of the Philippine Islands to go throughout the islands and purchase these sites, as it seems he has done by the answer made by the gentleman to the questions put by my colleague, Mr. PATTERSON? Do our laws, in short, permit the commanding general of the Philippine Islands to go anywhere and locate an army post?

Mr. HULL. I think there is no doubt of that under this appropriation bill.

Mr. GAINES of Tennessee. Can the gentleman refer me to any statute that permits the general in the Philippine Islands to go anywhere and buy land and erect a post such as we authorized last Congress at Manila?

Mr. HULL. This clause places no restriction on the selection of the property for that purpose, but leaves it to the proper officer to carry it out. I think the gentleman from Tennessee would not want to interfere with the discretion, because he will realize that men who have charge of the department, whose troops are located in that district, know the different surroundings and different localities and are better judges than Congress would be. We could not undertake to locate or limit or restrict the proper discretion of the officers in this matter.

Mr. GAINES of Tennessee. I would not interrupt proper and legitimate protection to our troops—they obey orders and must go where ordered. I am, however, anxious, Mr. Chairman, to find out, and I think we ought to know, whether or not the officer in charge of locating these expensive army posts is going along the islands doing so without any authority of law just as he pleases, without any express statute giving him authority to do it. The government of the Philippine Islands is not building the army posts: the people of the United States are doing it. I am disposed to think that the appropriations for the Army and for the Navy have been so large that some of our home undertakings are suffering—for instance, our river and harbor bill and the public-buildings bill—but I hope they are not done away with for all time. These home enterprises are suffering, I think, from these immense expenditures for the Army and the Navy because of our colonies—imperialism, in short. Inasmuch as our home people are paying the money out, we want to know where it goes, whether legally or not and the amounts. My recollection is that we made a specific appropriation to erect an army post at Manila and there was considerable contest about it, because it was an entering wedge to a great and continuous expense. The gentleman from Iowa very frankly states that our buildings in the Philippine Islands for troops are never going to stop: that they will never end. In other words, our own people will and must suffer for our colonists—just as I prophesied time and again—and the end, the gentleman says, will never come.

He further states that we have not stopped in the United States, and he goes on and argues it, lawyer-like, as to whether he is one or not, and says we have never seen the time in the United States when we did not have soldiers in the State of New York; but, Mr. Chairman, the soldiers in New York are at home. When we have American soldiers they have always fought at home. Our Navy, it is true, has gone on the other side of the world to protect our rights on this side, but our soldiers have always been at home until this modern way of annexing a republic with a lot of unfortunate colonists on the other side of the world was inaugurated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PRINCE. I rise.

Mr. GAINES of Tennessee. I will yield to the gentleman.

The CHAIRMAN. The Chair will state that the time of the gentleman from Tennessee has expired. [Laughter.]

Mr. GAINES of Tennessee. Then I am doubly glad to yield. Mr. Chairman, I move to strike out the last two words. I now yield to the gentleman. [Laughter.]

Mr. PRINCE. Has the gentleman the right to yield to me now?

Mr. GAINES of Tennessee. Oh, yes. The Chairman is good enough to allow me to go ahead.

The CHAIRMAN. The Chair will permit the gentleman from Tennessee to yield to the gentleman from Illinois.

Mr. PRINCE. Mr. Chairman, I would like to ask the gentleman from Tennessee if we are not appropriating in this bill for necessary shelter and protection of the officers, including shelter for the animals and supplies, and all other buildings necessary for post administration purposes?

Mr. GAINES of Tennessee. The gentleman is reading from the bill?

Mr. PRINCE. Yes.

Mr. GAINES of Tennessee. Of course, I can not answer the question. The gentleman has the bill before him, and certainly the bill ought to tell him. Read it.

Mr. PRINCE. Yes; on page 26 the gentleman will find the amount is stated at $[illegible].

Mr. GAINES of Tennessee. Now, I will ask the gentleman something that is not in the bill. How much did we appropriate last year for that same purpose?

Mr. PRINCE. I can not state now from memory.

Mr. PATTERSON of Tennessee. Five hundred thousand dollars.

Mr. GAINES of Tennessee. Five hundred thousand dollars, my colleague tells me. Now it seems that it has gone into an amount nearly equal to $2,000,000, as my friend from Pennsylvania [Mr. PALMER] suggests. So you see, my dear sir, this thing is going into millions, and it will be piling up here in a year or so into millions and millions, and we are going all over the Philippine Islands erecting army posts, and I dare say they will erect them where they will cost the least to the Government, of course; but we have nothing here to show that, and the end will never come to our Philippine expenses.

I have not heard any testimony read here as yet which tells us how much these buildings will cost or where they are located. I believe the gentleman from Iowa [Mr. HULL] said they are located all over the islands. Well, I have never heard of any law—I do not mean that I am an expert in military law, for I am not, and I do not mean to say that I recollect what we have passed already——

The CHAIRMAN. The Chair desires the committee to understand that the gentleman from Tennessee is proceeding under unanimous consent.

Mr. GAINES of Tennessee. Just a moment, and I am done. I never heard of any law that permitted anybody to go all over the Philippine Islands and expend the people's money for army posts or anything else, but it seems this appropriation contemplates that.

The Clerk read as follows:

Transportation of the Army and its supplies: Transportation of the Army, including transportation of its troops when moving either by land or water, and [illegible] from the appropriation for expenses of transportation of supplies to the [illegible] by the War Department of the necessary [illegible] and supplies, of [illegible] sheep and government employees, and other quartermaster's stores, from army depots or places of purchase or manufacture to army posts and army depots and from those depots to the posts in the [illegible] and subsistence stores from the personal purchase, and from the places of manufacture under contract to such places as the commanding officers may prescribe, thereto to be sent, of [illegible] from the foreign ports and arsenals to the United States, [illegible] and army depots, freights, wharfages, lighterages, [illegible] hire of draft and pack animals and mules, and the hire and repair of wagons, carts, and carts, and of [illegible] for the transportation of troops and supplies and for gratuities, forwarding and storage at the several posts, for [illegible] and other compensation, commutation, pay of enlisted men, [illegible] of transportation, at a charge not to exceed that now paid, [illegible] and hiring of wagons, transportation of furniture of the Army, the expenses of sending public transports on the various rivers, the Great Lakes and the Atlantic and Pacific oceans, the steamships in the transportation service of the United States shall be used or disposed of with the consent of Congress having been first had or obtained; for the pay of [illegible] and [illegible] for the pay thereof [illegible] and for the support of passengers [illegible] and for the pay of [illegible] and for the pay of [illegible] and for the pay of

against the language found in line 7 on page 27 and ending at the word "obtain," in line 9, for the purpose of inquiring of the chairman if that is the existing law:

Mr. HULL. It is. It was enacted last year.

Mr. GROSVENOR. It is not changing existing law in any respect?

Mr. HULL. Not at all. The committee simply wants to make it so that Congress retains control of these boats, so that they shall not be hawked about the country unless Congress gives full authority.

Mr. GROSVENOR. How long has that been the law?

Mr. HULL. One year.

Mr. GROSVENOR. Before that time a great many of them were sold?

Mr. HULL. Yes; and at a very low price.

Mr. GROSVENOR. That is all. I withdraw the point of order.

The Clerk read as follows:

Construction and repair of hospitals: For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same and providing a proper expenditure for contingencies not provided for in the Army and Navy Hospital at Hot Springs, Ark., and for the care and treatment of patients, and for furniture, care of grounds, and repair of roads, buildings and appurtenances thereof, and for all necessary expenses incident thereto, and for the purchase of such land as may be necessary in connection therewith, not to exceed in all $20,000, of which sum not exceeding $5,000 may be used to construct a hospital at any one post.

Mr. HEMENWAY. Mr. Chairman, I reserve the point of order on the proviso commencing in line 22, page 29. I wish to ask the chairman of the committee whether under the law he is permitted to expend more than $20,000 for the purpose contemplated by the proviso?

Mr. HULL. Mr. Chairman, I would refer the gentleman to the note to be found on page 190 of the Book of Estimates, and I hope the committee will give attention to it when I read it:

This estimate is in accordance with the recommendation of the Surgeon-General of the Army, who says: "Of the above amount $[illegible] should be used in a modern hospital for 250 beds at Fort Riley, Kans.; $[illegible] for a modern hospital for 24 beds at Fort Totten, N. Y.; $[illegible] to enlarge the hospital at Fort Leavenworth, Kansas; $[illegible] for enlarging the hospital at Fort Snelling, Minn., and $[illegible] for enlarge the hospital at Fort Stanton, N. Mex. These funds are necessary to meet the requirements caused by increased garrisons, and as section 1136 of the Revised Statutes forbids the erection of buildings costing over $20,000 without special authority of Congress, it is requested that Congress be asked to designate the amounts mentioned as needed for each post or so much thereof as may be necessary."

Now, there is no question in my mind but that the point of order raised by the gentleman from Indiana [Mr. HEMENWAY], if he should insist upon it, is well taken; but it did seem to me that in view of the large posts that are now being erected and the necessity for the hospital accommodations, it would not be good administration to limit the sum to $20,000; and for that reason we put upon this bill a proviso that the amount expended in this way shall not exceed $50,000. That covers practically all the hospitals except the one at Fort Riley, Kans.; and if there they want a hospital to cost as much as $100,000, I think it is only right, this amount being so much beyond the ordinary, that they should come and ask for it in the regular way.

But it seems to me, in view of these posts now being constructed and the number of troops now housed at these large centers of military concentration, $50,000 is not an unreasonable sum for Congress to allow in this appropriation bill. I hope the gentleman from Indiana will not insist on his point of order.

Mr. STEVENS of Minnesota. Mr. Chairman, I should like to read two extracts from the testimony of the Surgeon-General before the Committee on Military Affairs as bearing on this point of the gentleman from Indiana. I read from the statement of General O'Reilly before the committee:

You gentlemen know what $20,000 would do in 1859 as compared with what it will do now.

He had stated that the law limiting the appropriation to $20,000 at any one post was passed in 1859. He then continued:

The way things are now is an abominable nuisance. We are called upon to construct a hospital at a post. The estimates are made, the plans are made and they get the approval of the authorities, including the Secretary of War. We then advertise for bids. Bids come in, [illegible] something like that, perhaps representing half what under the circumstances should be accepted. We then make plans again and again ask for bids. The bids come in for about the same amount. Then we cut off this and cut out that until we have left a shed of a building that is hardly fit for occupancy, readvertise, and then maybe we will get a bid for say $22,000. Then it is necessary to do something more expensive to add it to another year, so we cut off a wing or something of that kind. At the end of ten years we have a building which will have to be added to from year to year, and which will cost you more in the end than if you had erected a good building in the first place.

Farther on in his statement he says:

We can put up a part of the building this year. That will cost $20,000, and we can add $20,000 next year and $20,000 more the third year, and maybe some more the fourth year; and then after we have got all that we have a patchwork building which has cost more than if we had had an appropriation of $60,000 or $80,000 in the first place to spend on the building.

It was on this testimony that the committee suggested this provision.

Mr. HEMENWAY. Mr. Chairman, section 1136 of the Revised Statutes was passed evidently for the purpose of keeping this matter within the control of Congress—prohibiting the erection of buildings which would cost more than the amount named without the direct authority of Congress. I think that is a very good provision, because we do not want to give to army officers the right to build hospitals whenever they choose, and if they are carrying on the practice that the hearings evidently prove they are carrying on, they are violating the law. If they are spending $20,000 on a particular building one year and then $20,000 on the same building the next year, they are violating at least the spirit of the law, which says they shall not spend more than $20,000 in the construction of a building unless under the direct authority of Congress.

I do not think such a practice is right. I do not feel that I should be doing my duty if I failed to make this point of order, because we do not want to leave to the heads of Departments the determination as to where more hospitals shall be built. We want to retain the right ourselves to say by legislation when these buildings shall be constructed.

Now, I believe this section of the statutes is a good one. I remember that where the buildings are to cost more than $20,000, and are authorized by law, they are usually taken up on the sundry civil appropriation bill. But at least there should be authority of law where a larger amount than $20,000 is expended on any of these buildings; and for that reason, Mr. Chairman, I make the point of order against the proviso.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. HEMENWAY. My point of order is that this provision changes existing law. Section 1136 of the Revised Statutes prohibits the erection of any buildings the cost of which is to exceed $20,000, except by special authority of Congress. The pending provision would allow the erection of buildings at a cost of $50,000 without receiving such special authority.

The CHAIRMAN. Does the Chair understand that the point of order made by the gentleman from Indiana is directed to the proviso alone?

Mr. HEMENWAY. Yes, sir.

Mr. HULL. I would ask the Chair to consider this one point in connection with it: That if this appropriation is made for hospitals and construction and repairs, and the proviso that no more shall be expended than this, it is entirely a different proposition from changing the law. I submit it to the Chair and hope the Chair will consider that point.

Mr. HEMENWAY. If the Chair is in doubt at all on the point of order, I want to argue it.

The CHAIRMAN. Just one moment. The Chair will call the attention of the gentleman from Iowa to the fact that, owing to the distance, the Chair was unable to hear all the gentleman said and will be glad if he will restate his position.

Mr. HULL. As the gentleman from Indiana stated his point of order, the proposition he made was that under this authorization by law no more than so much should be expended for any one building. He did not mean hospitals any more than any other building. That is the law, as I understand it. Now, the law has established posts at certain places—at all the places that have been enumerated by the existing statutes as to localities where this money shall be expended. This appropriation gives in gross a large sum of money for the construction and repair of hospitals under the law. The proviso is simply for the purpose of saying that not more than $50,000 shall be expended on any one building, and I think it is an open question if a point of order can lie against it under these conditions. The appropriation itself makes law.

The CHAIRMAN. Can the gentleman from Indiana cite the statute to which he refers?

Mr. HEMENWAY. I have just sent it up. It is section 1136.

The CHAIRMAN. The Chair finds that section 1136 of the Revised Statutes appears to limit the amount which may be appropriated for such a purpose without previous special authority of Congress to $20,000. The proviso against which the point of order is made authorizes the expenditure of $50,000 for the construction of a hospital. It seems to have that effect, although the language is somewhat indefinite. That seems to be the proper construction of it. The Chair is therefore of the opinion that the point of order is well taken and must be sustained.

The Clerk read as follows:

Army general hospital, District of Columbia: For the construction in or near the city of Washington, D. C., of an army general hospital for the treatment of special cases or cases for purposes of instruction and in connection with an army medical school, for training enlisted men of the Hospital Corps in nursing, and to serve as a base hospital in time of war, and for the purchase of land in the District of Columbia for a site for said hospital, $400,000: *Provided*, That no part of this appropriation shall be used until it shall have been determined by the Secretary of War that the entire cost of plans, buildings, and grounds will not exceed the sum hereby appropriated.

Mr. PALMER. Mr. Chairman, I make the point of order against this section, that there is no existing law authorizing this appropriation, which is legislation upon a general appropriation bill.

Mr. HULL. Mr. Chairman, the gentleman made a point of order only last Saturday of continuing the work by the Signal Corps in laying a cable in Alaska. If the Chair will hold the same as to this provision as he held on that occasion, why, I presume that it will be subject to the point of order, although I can not believe that the Chair decided that correctly, because it was a continuing work, and that was an appropriation to finish the work. I did not appeal, because I did not think it necessary. I want to say, as to this, that there is a general hospital now located in the city of Washington. It has been established at the barracks formerly known as the "Washington Barracks," now known as the "Engineer School," and the law under which we transferred the engineer barracks to the Engineer School provided for a system of buildings there for the school of engineers that interfered with this general army hospital.

It was also provided by law that they should erect a war college on these grounds. That has been done to a certain extent, and there is another appropriation in here for that. In the course of this new work it has become absolutely necessary to tear down the present general army hospital and to erect another one on some other ground to be purchased by the Government, and in my judgment the point of order is not well taken on this, as it is a part of the general plans for the Army, which is not changed by this bill, and is legitimate to appropriate for in this bill.

Mr. HEMENWAY. If the Chair is in doubt, I want to be heard.

The CHAIRMAN. The gentleman from Pennsylvania.

Mr. PALMER. Mr. Chairman, the proposition is to tear down the general hospital, which it is said cost $40,000, and which it is said is now ten years old, and therefore not fit for further use, and to buy ground to build another hospital somewhere else. That is the proposition. Now, if that is a continuing work, the point of order is not well taken. It is not proposed to repair the old hospital, nor to add to the old hospital; but the proposition is to tear down the old hospital and to buy new ground somewhere else and build another hospital for the sum of $400,000. If this were a mere continuation of that old work, then it would not say the new hospital in this bill. Now, I do not know but that a new hospital is needed in the city of Washington. Perhaps it is. But I do know, or at least I think I know, that a work on this magnificent scale—the selection of a site and the preparation of plans and the expenditure of $400,000 for the purpose of establishing a new hospital for the purposes named in the bill—ought not to be undertaken without some amount of investigation and some reason be given that will show the necessity for such work.

Now, practically the reasons given by the Surgeon-General in his communication to the committee are that he needs a new building, to cost $400,000, for the purpose of setting up a medical school for the instruction of the student officers in the science of medicine; for the purpose of treating special cases which he mentions, old army officers who are to be retired on account of disability. He wants a $400,000 place where he can examine these men and say whether they are really entitled to be retired. Now, in my opinion, and I may be wrong, I do not believe that the United States Government ought to go into the business of running a medical school or a medical college; I do not believe we ought to spend $400,000 for the purpose of establishing a place where the student officers can learn the use of the Röntgen rays as the Surgeon-General recommends.

I do not believe it is essential to establish such a place as that for a base hospital, around which can be located some tents for temporary hospitals in case there should be a war, as he recommends. Now, those are the reasons. I am not against a hospital if needed, but I do say there ought to be some kind of an investigation and some kind of an inquiry and some kind of a responsibility fixed somewhere, more than is contained in this letter, which is addressed by the Surgeon-General to the committee and on which this appropriation has been recommended.

Mr. HULL. Mr. Chairman I would like to add one word to what the gentleman has said in regard to this report of the Surgeon-General. The Surgeon-General says:

A conservative estimate of the money saved the United States by the successful surgical work of this hospital since its establishment [illegible] is seen to be upward of [illegible] and it is stated that [illegible] patients have been admitted upon and received to duty. Without this [illegible] would have been over $[illegible] a year, and that 50 enlisted men have been returned to duty after operations for appendicitis, without permanent disability, and have been discharged, would have amounted to nearly $40,000 a year. The mere saving has thus [illegible] already paid for itself many times over. From its surgical work alone, which constitutes an essential part of the instruction of young medical officers and enlisted men of the Hospital Corps, can not be estimated.

Mr. PALMER. Well, Mr. Chairman, that saving of $75,000 and the $40,000 was made in this little old $40,000 hospital that you propose to tear down because it is ten years old.

Mr. HULL. If the gentleman had read the other part of this he would see that that old hospital would have to come down. It is built of timber, it is in the way, and the ground is to be occupied for other purposes. Even if it were not for other purposes, it is in such condition as to be unsanitary as a hospital.

Mr. PALMER. This is what the Surgeon-General says:

Plans for the War College and Engineer School contemplate a new building on the present site of the hospital. It has been proposed to move the present building and use it as a good hospital during the construction work, but for this purpose it is neither too large nor too elaborate in size. Being a general hospital in character and, being largely built of timber it has shrunk and settled until it is too late, if possible to transform it into a perfect sanitary condition where the necessary hospital operations are to be performed. The building is about ten years old and cost less than $40,000.

Well, it is ten years old and cost $40,000, and it has been adequate for the needs of the Government up to this time. Now, all I am proposing is that before going into the appropriation of such a large sum as $400,000 and the selection of a site for the erection of a new building there ought to be some kind of inquiry and there ought to be some kind of a law authorizing the expenditure.

Mr. HAY. Mr. Chairman, I do not believe that the gentleman who has just taken his seat nor the gentleman from Iowa has addressed himself to the point of order, and therefore I want to read further from the report of the Surgeon-General where the gentleman from Pennsylvania left off. He says, speaking of this hospital:

It is always crowded so that nurses must be lodged outside, and there are no proper wards for officers or special cases. The building is so built into the center it were possible to run the site, and the ground is low and the heat excessive in summer. I present these emphatically on previous occasions upon that a general hospital of sufficient size and perfect in every respect be built in the District of Columbia for the following purposes.

Then he goes on and gives the reasons for it.

Now, Mr. Chairman, I do not wish to speak upon the reasons for establishing this hospital when the point of order has not yet been passed upon. Therefore I will wait until the Chairman passes upon it.

I will print as a part of my remarks the following:

ARMY GENERAL HOSPITAL IN THE DISTRICT OF COLUMBIA—REASONS FOR ENLARGING THIS INSTITUTION AND PUTTING IT ON A MORE PERMANENT BASIS.

The need of a large general hospital at the national capital is not new. In time of war one or more will always be required for the services of the troops concentrated or mobilized near Washington, while in time of peace it will be equally necessary for the treatment of special cases and as a part of the system of instruction of young medical officers and members of the Hospital Corps and Nurse Corps, as stated below.

Having these wants, the District of Columbia 32 hospitals, treating 20,000 sick and wounded, and the Surgeon-General in his report for that year, which is remarkable for its wise and far-seeing summary of the needs of the Medical Department, says as follows:

Already there is needed an institution in which medical cadets and others seeking admission into the corps and medical officers desiring such instruction as would better fit them for commissions and which they can not obtain in the ordinary medical schools, has a great demonstration. Such an institution could be organized in connection with any general hospital with but little, if any, expense to the United States.

"A hospital of a more permanent character than any now in this city is, I think, very necessary and will be required for years after the present rebellion has ceased. I therefore recommend that such hospitals be purchased or erected for that purpose. If this is done, the medical school and museum will be important accessories to it."

The first of these recommendations for the establishment of an army medical school was received in January of the twelfth year of a thoroughly and ideal existence. The second recommendation, the establishment of a permanent general hospital at Washington, was adopted [illegible] when the Secretary of War ordered the conversion of the post hospital at Washington Barracks into a general hospital and the construction of some additional wooden hospitals of a temporary character. This is the present general hospital establishment and organization. The time has arrived when a larger and more permanent establishment has become imperative.

Favorable action on the part of Congress is necessary now for three reasons:

1. The present buildings are, as shown below, unsuitable and inadequate, and the temporary ones have become so dilapidated as to be nearly uninhabitable.

2. The space occupied by these buildings is necessary for the completion of the new engineer post as authorized by Congress, and the personnel of the general hospital is displaced to make way for a plaza which declares that two belong and can not occupy the same space at the same time.

3. In order to reap the full measure of usefulness of this institution it should have room for great extension in time of war and should be the great training school for the Hospital Corps. It should also afford a home for the Army Medical School. The combination of these two institutions, as is the case with the English army hospital and school established after the Crimean War at Netley and the celebrated French hospital at Lariboisière at Paris, offers advantages which are great and evident and which are appreciated below.

The establishment has fully demonstrated its value to the military service, but as now constituted is entirely inadequate, and the work of reconstruction at Washington Barracks will render the removal imperative in the near future. In order to construct this hospital elsewhere in the District of Columbia and upon a satisfactory basis, land will have to be purchased and suitable buildings erected thereon. To this end the Secretary of War has asked for an appropriation from Congress of $400,000.

This hospital is needed (*a*) for the treatment of special cases; (*b*) for training enlisted men of the Hospital Corps; (*c*) for instruction in connection with

the Army Medical School; (d) for expansion and use as a base hospital in time of war; (e) to provide adequate accommodations on a good site.

The usefulness of the hospital in meeting the needs of the service and the necessity for an adequate establishment will be discussed under each of the above heads.

(a) THE TREATMENT OF SPECIAL CASES.

Cases of illness and injury are constantly arising in the military service which require special skill and special appliances for their treatment in order to save the men to the service, to reduce the pension list, and to give men disabled in the service of their country the benefit of the most advanced medical and surgical knowledge. Hospitals at posts, posts are equipped for the usual run of cases, but it is too expensive to equip as hospitals to the Army with the special apparatus required for the treatment of [illegible] cases equally, it is impossible to have at all posts surgeons trained in all the specialties of medicine and surgery. The [illegible] has [illegible] has produced a large number of specialists, [illegible] appliances, and has [illegible] situated the training of medical men for their use, and in the observation and treatment of special diseases. The present state of [illegible] [illegible] for the purpose. The [illegible] [illegible] [illegible]

THE CANTEEN.

To the American Public Health Association:

At a meeting of the American Public Health Association held in Buffalo September 10 to 13, 1901, the following resolutions were adopted:

"Resolved, That this body deplores the action of Congress in curtailing the operation of the army canteen or post exchange and in the interpretation of general and military statutes in continuing the establishment on its former basis at the earliest possible date.

Another resolution was adopted, as follows:

"The committee appointed for the purpose of forming a special committee to prepare and present at an early date a petition for the passage of a law establishing the canteen system in the United States Army upon the basis upon which the military canteen, together with a complete statement of the data upon which this action was based and the authority or reasons for such action, should be given, which such information is requested to be printed in the name of the association, and to be presented to Congress and interested examination."

The present discussion is made in view of the fact (1) that an important function of the association is to promote the public protection of temperance, that there has never been a time when the public need was more urgent, and (2) that a very large number of good citizens, in and out of the army, are to be found, some of them occupying high positions of our nation, and, as to be hoped, those who are now possessed of backing, are now and ever ready to lend the government of establishing such.

Introduction.—In order to appreciate the object of these resolutions it should be stated that the canteen system was introduced as a temperance measure at Vancouver Barracks in 1886. It was put into effect in Washington, February 1, 1889, as shown by the following extract from General Orders, No. 15, Headquarters of the Army, Adjutant General's Office:

"3. Canteens may be established at military posts where there are no post traders for supplying the troops with nonintoxicating beverages and such articles as may be required necessary for their comfort and convenience, and for forbidding them the temporary favorites for gymnastic exercises, boxing and other proper games. The commanding officer may set apart for the purpose of the canteen any suitable room that can be spared, and may, whenever practicable, be in the same building with the library or reading room.

"4. The sale of the canteen shall be in charge of a sergeant, but the commanding officer is authorized to permit others and light beer to be sold therein by the drink on week days and at a reasonable hour on Sundays, whenever he considers that the giving to the men the opportunity of obtaining such beverages within the post limits has the effect of preventing them from resorting for strong drinks to places without such provisions tends to promote temperance and decorum among them. The profits of what is known as trading should be distributed under the regulations."

"5. Gambling or playing any game for money or other thing of value is forbidden."

Subsequent order, dated May 13, 1890, provides that:

"The practice of what is known as trading must not be permitted."

After the abolition of post traders these canteens became the sole purveyors and supplied the officers and men with the necessary articles which the government does not provide such as tobacco, cigars, tobacco, and general merchandise articles of clothing, stationery, etc., and as such it was used also a very important economic function.

The establishment of the canteen system in the Army, and the evidence which will be presented hereafter, proved to be a most efficient preventive agency for the diminution of vice and drunkenness among the troops, and it was thanks to an act of Congress, approved February 2, 1901, on purely sentimental grounds that it was deprived by an vote cast in the proceedings of personal and moral diseases. Since the question of intemperance is intimately connected with the health, morals, discipline and general efficiency of the Army, it is necessary to consider the subject in all its bearings and for the purpose of approaching the question from the practical rather than the sentimental standpoint we will present a summary of the statistics.

Personnel of the Army.—The recruits for the Army are recruited generally from among men of ordinary habits of life and without, therefore, the conditions of the latter whether they be good or bad. It is not true that the soldier is particularly vicious, indeed, and many, especially those who are in a position to safeguard himself against temptations, are, as a rule, recruited by Dr Munson in his Theory and Practice of Military Hygiene, on page 498.

He begins with 100,000 men, and at the end, at the end, he finds, he says, that he has lost 40,000 men, and the remaining 60,000 have reduced and yet it is not true that the soldier does not change his habits or moral conduct in with the force following the uniform.

Among the members of your committee served in the Army both as an enlisted man and as an officer, and we have, therefore, personal knowledge of the conditions as to the character and habits of the enlisted men, their temperament, the peculiar environment and the temptations to which they are subject, and the effect of the troops. We need speak to provide the men and their wives in forty years. The first time we saw the effects of the canteen system in the United States Army.

The second time occurred in forty years, especially of German descent, accustomed to their wives or have been used to drinking beer in the morning, and, when spare time, spent the evening in the company of a few good companions, they enjoyed beer as an article of food and a good accompaniment, and for which these communities have never been accustomed to their accustomed drinks. The third class is made up of some good men, but a good number who are the victims of intemperance have been greatly increased by the influence of the saloon and the temptations to which they are subjected in the purpose of securing the temporary great temptation. The fourth class is made up of men who are in poor health and physical condition, and who are the victims of the climate, and who are in a state of mind and physical condition for appetite, in spite of the restraining influence of the canteen, and a number of these are the victims of dissipation, and under ordinary circumstances the higher we go, the greater the dissipation.

Consumption of liquor.—It is difficult to give an exact estimate of the extent of the drinking habit among the enlisted men in the Army, and the consumption of intoxicants as shown by the annual medical statistics, statistics compiled by the Adjutant General's Office show that for the year 1900, the first year of the Spanish Army, with a total of 100,000 men, the average amount spent for beer by each man in the army of 70,000 men was $[illegible] per year or 48 glasses at 10 cents per 20 cents per month, equal to 1.6 glasses per month for each man. The consumption in 1900 in the army of 100,000 men was $[illegible] or 184 glasses per year, or 15 glasses or 1½ glasses per month for each soldier and man. This is a very [illegible] showing when it is supposed that the average consumption of liquor in the United States amounts to [illegible] gallons per capita.

The following table, taken from Munson's Hygiene, page 500, based upon official records of the Surgeon General's office, shows the prevalence of alcoholism in the military forces of the Army during the twenty eight years of peace, 1878-1905, inclusive:

Year.	Mean strength.	Number of cases admitted to hospital per 1,000 strength.	Number of cases of desertion to troops per 1,000 strength.
1870	31,831	38.20	(a)
1871	29,430	45.80	(a)
1872	26,584	47.50	(a)
1873	27,989	49.40	(a)
1874	27,021	58.10	(a)
1875	28,575	68.00	(a)
1876	28,886	64.50	(a)
1877	29,797	59.00	(a)
1878	28,381	59.40	(a)
1879	29,904	65.10	(a)
1880	29,094	61.00	(a)
1881	29,562	55.00	(a)
1882	29,299	63.70	(a)
1883	29,499	66.00	(a)
1884	29,024	66.10	(a)
1885	29,188	53.70	1.57
1886	23,572	42.80	1.01
1887	23,841	46.70	.88
1888	24,728	40.20	.92
1889	25,048	41.40	.51
1890	24,254	40.70	.85
1891	22,289	40.60	.90
1892	24,248	37.20	.78
1893	25,287	33.80	.55
1894	25,376	30.90	.82
1895	25,204	30.10	.83
1896	25,119	28.80	.58
1897	25,417	27.80	.58
1898	147,795	15.16	(a)
1899	105,546	18.70	(a)
1900	100,380	22.43	(a)
1901	82,491	26.25	(a)
1902	80,778	24.02	(a)

a No figures available.

The committee has extended this investigation so as to include the five years ending December 31, 1902, and find, as first pointed out by Munson, that during the war with Spain the admission rate fell to [illegible] per 1,000 men, and [illegible] the rate for the year 1902 was [illegible] per 1,000 men, which is the lowest on record. The same was true of the rate for all causes. In the body of the Army engaged in hostilities and hard field service in the Philippines was only about half as high as among those serving in Cuba and [illegible] as high as among those stationed in Porto Rico.

The rates for the United States for the year 1902 were 22.43; for 1901, 26.25; for 1900, 22.0. In Cuba and Porto Rico the rates were, for 1900, 32.01; 1901, [illegible]; and 1902, [illegible]. In the Philippine Islands the rates were 12.16 in 1900, 21.07 in 1901, and [illegible] in 1902.

From the table we learn that the rates for alcoholism in our service have steadily increased. There seems to reason for believing that the per capita consumption of liquor in the United States has steadily increased, the decrease in the liquor rates for [illegible] years, [illegible] and [illegible] to an increase in the consumption of liquor in the United States and the increase in the liquor rates in the Army, and last, but not least, the beneficial effects from the establishment of canteens.

It will be observed that the decrease is especially marked since the establishment of the canteen system, and the increase in 1900 and 1902 are not sufficiently marked to be considered [illegible] with other evidence, an increase in alcoholism since the abolition of the canteen.

It is interesting to note that the statistics collected by Dr. Munson [illegible] the rates for 1902 to have been 194, and as compared with the average [illegible] the percentage of average enlisted strength in nearly have deserted. He gives the per cent of average enlisted strength deserting in his department as follows:

[illegible]	3.20
[illegible]	7.50
1901 1902	11

And writes as follows:

It is the opinion of many that there has been a deplorable increase of desertions in general and of desertions in particular. In my opinion there are two principal causes for this state of affairs: 1. Recruiting has not continued long enough [illegible] 5-7 by men returning from field service to the hardships and monotony of garrison life. 2. The abolition of the canteen has [illegible] the post traders. Since this action was taken self-styled "hardwood [illegible] have been established just outside the boundaries of the various reservations, in many instances [illegible] and [illegible] rels, which [illegible] to desertion. The saloons and [illegible] Being, in most cases outside the jurisdiction of the military authorities, [illegible] are supposed to be [illegible] and where the laws [illegible] are not observed. Gambling is carried on in these places, and they are frequented by desperate women, [illegible] whose desire for a drink would seldom be satisfied by a few pennies, have in the [illegible] of the post exchange been a source of trouble. The soldier does well if he escapes before he has spent or gambled away all he has money possessed and leaves, or engaged in not infrequently. As a rule, the civil authorities regard the existence of these places with the utmost [illegible] or approval, as it causes the soldier to spend his money in the community.

The efficiency of the Army or the men of a good character is nothing to them. There can be no reasonable doubt that most of the trials by general courts martial and summary courts at least so far as this department is concerned are directly traceable to this cause. Since I have had command here there has taken place the punishment of several noncommissioned officers of long service and the [illegible]. In short, the recent legislation of Congress on this question so far as the department is concerned, has led to little, if any, to lower the discipline of the Army, ruin scores of good

rooms for gambling and the introduction of lewd women of the lowest class, and as a result, in addition to the excesses of alcoholic stimulants, the effects of an immoral life and its far-reaching consequences were stamped upon those unable to resist the temptations, and as a result trials for drunkenness, absence without leave, admissions for alcoholism and venereal diseases increased with startling rapidity.

One of the members of your committee can recall that on more than one occasion, in order to avert complete demoralization of the men, the commanding officer felt constrained to resorts to orders prohibiting the sale of intoxicants, for he realized that the post trader could be compelled to sell a pure article of whisky and thus diminish the baneful effects of alcoholic stimulants to a minimum.

At posts located within the heart of an Indian country, and where it was impractical to [illegible] a [illegible] distance from the post, whiskey was brought into the [illegible] through the mails in various disguises or in [illegible] packages, and produced in [illegible] by the soldiers [illegible] Other [illegible] the purchase of essences of ginger, lemon, vanilla, bay rum, alcohol, and patent proprietary remedies containing alcohol in various proportions.

Under such favorable environment failed to prohibit. It was not until the establishment of the canteen system that better conditions were offered for the promotion of temperance among our soldiers. It was the [illegible] club which reduced drinking to a minimum and promoted not only temperance and contentment, but also lessened sickness, immorality and crime.

Statistics of drunkenness, etc.—The statistics already presented show [illegible] with the general [illegible] of the Army. These statistics [illegible] amount of drunkenness which formerly handled [illegible] the demoralization of individuals, and to the expense of assaults, injuries and deaths.

The following statistics, prepared by Dr. Munson and [illegible] by the committee, show a material improvement in the morals of the Army, as [illegible] by the number of court-martials. This improvement is especially [illegible] the establishment of the canteen.

The average [illegible] and [illegible] for drunkenness and conditions arising therefrom for three years prior to 1901 was 322.5 against an average of 160.6 for the six years after the establishment of the canteen. (Table Munson's Hygiene, p. 810.)

Year.	Total number of trials and convictions in the Army—all causes.	Number of trials and convictions for drunkenness.
1886	1,640	342
1887	1,708	299
1888	1,690	357
1889	1,772	423
1890	1,907	407
1891	2,030	417
1892	2,108	288
1893	2,189	163
1894	1,728	120
1895	1,486	142
1896	1,384	168
1897	1,245	143
1898	1,885	313
1899	5,094	1,586
1900	6,475	1,565
1901	6,065	1,458
1902	5,311	1,439

The [illegible] rate for 1902 should be excluded as the [illegible] of the Spanish-American war, when a large proportion of volunteers were employed. In the [illegible] of the War Department and published in House of Representatives Ex. Doc. No. 236, first [illegible] Congress, [illegible] Brig. Gen. Frederick Funston, United States Army, commanding Department of [illegible] reports of the [illegible] for the year ending December 31, 1902, to have been 194, and as compared with the [illegible] year the percentage of average enlisted strength in nearly have deserted. He gives the per cent of average enlisted strength deserting in his department as follows:

[illegible]	3.20
[illegible]	7.50
1901 1902	11

And writes as follows:

It is the [illegible] that there has been a deplorable increase of desertions in general and of desertions in particular. In my opinion there are two principal causes for this state of affairs: 1. Recruiting has not continued long enough [illegible] 5-7 by men returning from field service to the hardships and monotony of garrison life. 2. The abolition of the canteen has [illegible] the post traders. Since this action was taken self-styled "hardwood [illegible] have been established just outside the boundaries of the various reservations, in many instances [illegible] and [illegible] rels, which [illegible] to desertion. The saloons and [illegible] Being, in most cases outside the jurisdiction of the military authorities, [illegible] are supposed to be [illegible] and where the laws [illegible] are not observed. Gambling is carried on in these places, and they are frequented by desperate women, [illegible] whose desire for a drink would seldom be satisfied by a few pennies, have in the absence of the post exchange been a source of trouble. The soldier does well if he escapes before he has spent or gambled away all he has money possessed and leaves, or engaged in not infrequently. As a rule, the civil authorities regard the existence of these places with the utmost [illegible] or approval, as it causes the soldier to spend his money in the community.

The efficiency of the Army or the men of a good character is nothing to them. There can be no reasonable doubt that most of the trials by general courts martial and summary courts at least so far as this department is concerned are directly traceable to this cause. Since I have had command here there has taken place the punishment of several noncommissioned officers of long service and the [illegible]. In short, the recent legislation of Congress on this question so far as the department is concerned, has led to little, if any, to lower the discipline of the Army, ruin scores of good soldiers, and fill the pockets of a lot of saloon keepers, gamblers, and prostitutes."

Desertions.—The following table, compiled from the records of the War Department, shows what the establishment of the canteen has accomplished in the prevention of desertions during the five years prior to the Spanish war. The table demonstrates that for the ten years previous to the establishment of the canteen the number of men serving a desertion from the service amounted to 195 per 1,000 strength, while for the ten succeeding years the annual number of desertions was reduced to 4.7 per 1,000 strength.

It is to be deplored that this favorable record, which continued for ten years after the canteen system was [illegible] by an increase in 1901 by a rate of 53 per 1,000 the year following the [illegible] These figures are extremely suggestive, because the best index of contentment and virtue of the troops is to be found in the rate of desertions and trials by courts-martial.

Table showing percentage of desertions in the Army of the United States from 1880 to 1902, inclusive.

Year.	Strength	Percentage	Year.	Strength	Percentage
1880	24,601	9	1891	24,625	5.3
1881	23,572	12.5	1892	24,248	5.7
1882	23,743	16.4	1893	25,650	6.3
1883	23,814	14.2	1894	25,661	5.6
1884	24,705	13.6	1895	25,200	5.3
1885	24,816	10.6	1896	25,143	3.4
1886	24,385	8.3	1897	25,304	2.9
1887	24,438	10	1898	41,397	4.4
1888	24,790	11	1899	62,019	4.9
1889	25,594	11	1900	66,490	4.4
1890	24,600	7.5			
		12.50			4.62
			1901	75,431	4.12
			1902	82,472	7.30
					5.71

Savings deposits.—Doctor Munson, on page 810 of his Military Hygiene, also points to the increase in savings deposits as a strong proof of the beneficial effects of the canteen system, by the [illegible] of [illegible] and contentment. At [illegible] the Secretary of the Treasury in his annual report for 1898 showed that the average [illegible] amounting to [illegible] for the canteen years, 1899-1901, and [illegible] for the five years prior to the establishment, the average deposits were [illegible] per capita per year. [illegible] a proposed establishment, and the [illegible] moral [illegible] the additional deposits were created, thus practically giving bonus to the Government for good behavior.

Statement showing the number of enlisted men, the amount of soldiers' deposits, and the average deposit per man per year for four usual years, from 1897 to 1900, inclusive.

Year.	Troops.	Deposits.	Average per man.
1900	64,989	$3,215,544.66	$49.49
1901	67,000	3,448,529.11	53.05
1902	59,771	2,090,950.06	37.02
1903	59,866	1,888,014.87	31.54

Venereal diseases.—Another remarkable victory achieved by the canteen system over vice and disease is shown by the decrease in the prevalence of venereal diseases in the United States Army. This reduction was gradual and coincident with the adoption of the canteen system, which [illegible] marked and lamentable increase is noted the admission rate for syphilis, [illegible] and gonorrhea in 1897 having almost doubled when compared with the rate for the years 1880-1890.

Venereal diseases, United States Army—Syphilis.

Year.	Admission to hospital per 1,000 strength.	Year.	Admission to hospital per 1,000 strength.
1880	49.4	1891	14.7
1881	47.6	1892	16
1882	40.1	1893	15.6
1883	35.6	1894	14.1
1884	29.8	1895	11.1
1885	24.8	1896	10.9
1886	22.5	1897	12
1887	22.9	1898	10
1888	22.2	1899	14.7
1889	22	1900	18.4
1890	19.7		

	1898.	1899.	1900.	1901.	1902.	Decade 1893-1902.
Syphilis	10.08	14.97	18.46	21.38	22.37	12.67
Chancroid	38.29	46.44	37.18	31.99	17.80	17.80
Gonorrhea	46.42	93.19	93.08	99.25	100.58	85.09

The predictions of the honorable Secretary of War, Mr Elihu Root and Right Rev. Archbishop Ireland here, also, [illegible] Mr Root in his testimony before the Senate Committee on Military Affairs, December 14, 1900, [illegible]

"In the vile resorts which cluster around the barracks, every army post there is not only the repute of the [illegible] but there is the practice. The man who goes to the girl and has her seduced, has put the hands of that woman and becomes back not merely to the guardhouse for drunkenness or for overstaying his time, but to go into the hospital with venereal

disease. These magnetical people are doing satan's work in endeavoring to [illegible] and drive them out into the horrible [illegible] of sin.

Before the [illegible] Archbishop Ireland declared:

[illegible] people who discuss the canteen [illegible] which is, of course, fatal to the [illegible] and body. They only look at the mere drinking, but when a soldier goes [illegible] fort or reservation [illegible] the danger [illegible] You [illegible] of investigation; they are [illegible] the canteen, and they [illegible] for the purpose of investigating [illegible] I refer to are on the borders [illegible]

Insanity.—For the [illegible]

Year.	Cases.	Mean strength.	Admissions per 1,000 of mean strength.
[illegible]	50	24,462	2.1
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	34	24,644	2.1
[illegible]	[illegible]	24,198	1.4
[illegible]	[illegible]	23,572	1.4
[illegible]	46	23,841	1.9
[illegible]	46	24,724	1.1
[illegible]	34	25,438	1.3
[illegible]	33	24,294	1.3
[illegible]	37	23,399	1.5
[illegible]	48	24,963	1.9
[illegible]	28	25,287	1.1
[illegible]	24	25,356	[illegible]
[illegible]	[illegible]	25,206	[illegible]
[illegible]	[illegible]	25,119	[illegible]
[illegible]	[illegible]	25,[illegible]	[illegible]
[illegible]	[illegible]	147,795	1.1
[illegible]	[illegible]	105,546	1.1
[illegible]	[illegible]	110,760	2.7
[illegible]	166	92,491	1.8
[illegible]	[illegible]	86,778	1.7

Present aspect of the question and the effect of [illegible]

[illegible] rooms and in some cases with [illegible] established within such limits.

"2. Special mention to be made of saloons temporarily opened in the vicinity [illegible] of regiments returning from the Philippine Islands are to be mustered out.

"3. To observe whether [illegible] mands increases or decreases as a [illegible] canteen; whether the percentage [illegible] drunkenness for the coming six months is greater or less than for the past six months.

"4. To make similar observations as to desertion and absences without leave.

"5. To observe generally the effect of the abolition of the sale of beer at the post canteen on the morals and discipline of the command.

"6. To make similar observations as to the effect upon the health of the command.

"7. To report the effect of the law upon the table fare of the soldier in garrison and in the field, and to [illegible] measures for any improvements thereon that may be considered [illegible]

[illegible] have been received at the War Department which indicate the following [illegible]

[illegible] the reports under this head show that [illegible] the passage of the act abolishing [illegible] the military posts 1,550 saloons, at which [illegible] were dispensed, and at the date of the last report there were [illegible] to-wit, that 89 post canteens [illegible] had been closed and there [illegible] saloons in the Philippines [illegible] in every many cases [illegible] and in at least [illegible] Many of the adjacent saloons have been [illegible]

[illegible] of the abolition of the canteen has decreased as a [illegible] number of [illegible] had been closed, ten have had decreased, and in seven cases the commanding officers had no means of comparison owing to absence of canteen or absence of data relating to prior conditions [illegible] since February 2, 1901, and the failure to report on the specific question, or [illegible] to reach a positive determination from the language of the report. [illegible] showing increase in alcoholism [illegible]

Trials by summary or other courts for drunkenness and for offenses caused by drunkenness.—To this [illegible] been more numerous since the passage of the act [illegible] the effects were in doubt, for [illegible]

Year ending June 30—	Non-commissioned men.	Prosecutions.	Average per man
[illegible]	[illegible]	[illegible]	$[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	70,711	[illegible]	[illegible]
[illegible]	62,[illegible]	[illegible]	6.82

[illegible] in the various bu-

[illegible] the War Department for the opportunity of [illegible] and the [illegible] of the report and papers given to Dr. Edward L. Munson, United States Army, the medical of Military hygiene, for invaluable assistance in the preparation of this report.

Respectfully submitted.

GEO. M. KOBER, M. D.,
Professor of Hygiene, Medical School of Medicine, Georgetown University, Washington, D. C., Chairman.
F. F. WESBROOK, Ph. D.,
Professor of Bacteriology, [illegible] Medical College.
Bacteriologist to the [illegible] Board of Health, Canada.
JESUS E. MONTARAS, M. D.,
City of Mexico.

APPENDIX.

[Extracts from reports of post commanders.]

Commanding officer, Fort Caswell, N. C.:

[illegible] I do not think the [illegible] one of the [illegible] has been [illegible] for commissaries at the post, and I believe a [illegible]

Commanding officer, Fort Snelling, Minn.:

[illegible] prior to the [illegible] Fort Snelling, September 1, [illegible]

[illegible] gymnasium in connection with a race track and ath-

[illegible] Representatives in Con-

[illegible] adopted by the American [illegible]

[illegible] And in the interest of [illegible]

[illegible] morality and [illegible]

[illegible] tures

[illegible] Army or the United States [illegible] a good [illegible]

4. Every precaution should be observed to conduct post exchanges and the

sale of light wine and beer along the lines recommended by Munson in his Theory and Practice of Military Hygiene, pages 830-832, and your committee begs to emphasize the fact that the bar feature should be entirely abolished and that the exchange should, if [illegible] "soldiers' clubs" with ample facilities for reading rooms, legitimate amusements, and athletic sports, where the soldier as a self respecting individual may satisfy in an orderly manner the [illegible] of human [illegible] duties of a military life without [illegible]

[illegible] tea, coffee, bouillon, soups and [illegible] substitutes for [illegible] the Army [illegible] prepared [illegible] the canteen [illegible] its use. In [illegible] well prepared, and properly [illegible] the most effective [illegible] against the "drink habit" in civil as well as military life, and no effort should be spared to bring the culinary department in the Army to the highest state of perfection.

5. Military officers should point out the [illegible] morality and [illegible] the social conditions of the [illegible] the War Department for the opportunity of [illegible] and the [illegible] of the report and papers given to Dr. Edward L. Munson, United States Army, the medical of Military hygiene, for invaluable assistance in the preparation of this report.

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4. Every precaution should be observed to conduct post exchanges and the

[Effects in prohibition States, where the sale is regulated by the State.]

Commanding officer, Fort Fremont, S. C.:

* * * The number of cases of venereal diseases in the command has in-

[illegible] The liquor sold in [illegible] and is, from what I can learn, [illegible] symptoms and each dying within [illegible]

[illegible] the privilege, and respected it, and were well satisfied with their [illegible] surroundings, knowing that they were being treated as well respecting men, free to indulge a perfectly proper and legitimate appetite in a perfectly proper way, and knowing also that they were being benefited morally in their better food provided upon their mess table. * * * The moment the spirit was absorbed the human nature of every individual man, good, bad, and indifferent, at once resented the interference with his individual right to regulate his appetite and to try and force him to be a total abstainer from the use of ale and drinks.

Commanding officer, Sullivans Island, S. C.:

"The stoppage of the sale of beer induces patronage of State dispensaries where liquor is sold by bottle only, and consequently large quantities are drunk at one time."

Commanding officer, Fort Riley, Kans.:

* * * In February is less, there were eleven joints and eight drug stores within 1 mile of the reservation limits. On August 1 [illegible] and eight drug stores. The drug stores in Junction City sell liquor, spirits, and beer, and the joints are simply barrooms. Kansas is a prohibition State.

Commanding officer, Fort Ethan Allen, Vt.:

"Vermont is a prohibition State. * * * While there are no liquor saloons, there are many drug stores. All sell liquor on prescription. Prescriptions are easily obtained."

Commanding officer, Fort Logan H. Roots, Ark.:

* * * The [illegible] from all the ranks of our Army from many walks of life, and many of the most valuable clerks, mechanics, [illegible] men, of good education and trades, who are in the Army because [illegible] have lost for them great prospects in civil life, and they enlisted [illegible] to remove the disposition to drink. Take their day privileges from them, [illegible] they would be [illegible] and you make drunkards of them."

Commanding officer, Fort Apache, Ariz.:

* * * In my opinion the introduction of the canteen system has been the greatest boon we have experienced in many years. Before its adoption [illegible] were, as a rule, [illegible] with [illegible] connections, they had good [illegible] the canteen was opened in our one was for there was [illegible] and [illegible] and they were rarely drunk and seldom absent. Now [illegible]

[illegible] the posts if all than [illegible] the [illegible] of the men would [illegible] the many [illegible] of their [illegible] in a [illegible] hour at the post [illegible] drinks of the [illegible] and [illegible] their [illegible] away from the post for a day or two. Some [illegible] more [illegible] dissent. The idea that full grown men are going to patronize a saloon [illegible] is a [illegible]

Commanding officer, Twenty-seventh Regiment, New York Volunteers, Camp Wikoff, Montauk Point, N. Y.:

* * * My camp was located just inside the main gate of the reservation. Across the street and in the immediate vicinity were located many saloons, which were [illegible] by soldiers. The saloons were there because [illegible] and were supported. Drunkenness and disorders were very frequent. From my observations while serving with the volunteers in the Philippines, I consider the abolishment of the sale of beer in the post canteen a [illegible] to temperance in that [illegible]. Men will drink alcoholics if they wish to, and there is always a supply where there is a demand.

In the Philippines, drinking men are almost sure to resort to the native drink [illegible] which [illegible] I [illegible] whisky [illegible] distilled and [illegible] upon the men. The latter drink seems to destroy the character of a man [illegible] morally, and physically. I believe many deaths and years of the [illegible] occurred during my stay in the islands were due or indirectly or indirectly to the use of [illegible]

Commanding officer, Presidio of San Francisco, Cal.:

* * * [illegible] have made raids upon near-by saloons [illegible] drunkenness, perhaps [illegible] by men of long [illegible] grievances, as [illegible] between January 1 and [illegible] 1, 1903, which were so [illegible] necessary for the commanding officer to [illegible] * * *"

Commanding officer, Sheridan, Ill.:

[illegible] percent [illegible] has been over 10 per cent the last [illegible] Beer [illegible] every [illegible] the [illegible] company [illegible] the most financially backing a rum [illegible]

Commanding officer, Fort [illegible]:

[illegible] the sale of beer is very bad, both morally and [illegible] have beer and must go into the city for [illegible] and [illegible] contact with immoral women and [illegible] and [illegible] These drinks cause some [illegible] and [illegible] of the [illegible] drunkenness and [illegible]

Commanding officer, Fort Schuyler, N. Y.:

[illegible] drinking and venereal diseases, [illegible] the latter [illegible] Where is a [illegible] cases of venereal [illegible] for the ma- [illegible] to have been subsequent to drunkenness and [illegible]

Commanding officer, Fort Douglas, Utah:

[illegible] than I have ever seen before. [illegible] to stay on the post last [illegible] men [illegible] of them."

Commanding officer, Fort [illegible]:

A part of the soldier's home during the time he is in the Army, and a [illegible] and [illegible] wines [illegible] and [illegible] * * * [illegible] to be [illegible] and [illegible] * * * [illegible] and [illegible] * * * [illegible] and [illegible] * * * [illegible] admits of no argument.

Commanding officer, Fort Clark, Tex.:

* * * The effect of the abolition of the sale of beer has been to double the man [illegible] and [illegible] without leave."

Commanding officer, Winchester, Ky.:

* * * With the [illegible] well behaved, self respecting, and orderly men of the command [illegible] upon their soldierly conduct and good behavior, had the privilege of drinking an occasional glass of beer in an orderly, clean, and perfectly proper establishment for that purpose.

They enjoyed the privilege, and respected it, and were well satisfied with their [illegible] surroundings, knowing that they were being treated as well respecting men, free to indulge a perfectly proper and legitimate appetite in a perfectly proper way, and knowing also that they were being benefited morally in their better food provided upon their mess table. * * * The moment the spirit was absorbed the human nature of every individual man, good, bad, and indifferent, at once resented the interference with his individual right to regulate his appetite and to try and force him to be a total abstainer from the use of ale and drinks.

"The effect was at once to make every man assert himself to indulge intemperately in the use of beer or something stronger; at once to seek outside of the post that which he was denied therein, and to be dissatisfied, restless, and disorganized, and to show this spirit on any and every occasion possible. * * * The demand for all night passes became so overwhelming that positive and stringent regulations had to be adopted to regulate the number. * * * When the attempt of the sale of beer the soldiers could practically control, and beer was promptly demanded and procured and was to go to the saloon dives and brothels of the city of Washington, with their every decided immoral effects.

"The hospital records show that during the period August 2, 1880, to February 2, 1901, there were admitted [illegible] cases of venereal disease and diseases of alcoholism, while for the period February 2, 1901, to August 2, 1901, there were admitted 31 cases of venereal disease and [illegible] * * * The total abstainers may count when they please to [illegible] of the sale of beer in the Navy. It is regretted [illegible] that [illegible] of all a particular [illegible] the same rules [illegible] of the enlisted men [illegible] and [illegible] and [illegible] and

Mr. HULL. In the neighborhood of 4,000.

Mr. HEPBURN. Is there anything for anybody else to do when these gentlemen are at school?

Mr. HULL. They do not take all of them at once. I will say to my friend. They take them by installments, and then send them back to their command; and I will say to my friend that these schools of artillery—not so much engineering—especially infantry and cavalry and staff corps, have been of great benefit to a very large number of volunteer officers.

Mr. HEPBURN. Will the gentleman tell us what they all cost in the aggregate?

Mr. HULL. There is very little additional cost beyond what is carried in the regular pay of the officers of the line. The gentleman can see here by the appropriation what these schools cost.

Mr. HEPBURN. There was $[illegible] appropriated last year, was there not, for this building?

Mr. HULL. The year before last.

Mr. HEPBURN. And $300,000 this year?

Mr. HULL. All the United States service schools—and that includes these different ones—cost $25,000 last year, and we have appropriated the same amount for this year.

Mr. HEPBURN. Altogether?

Mr. HULL. Yes.

Mr. HEPBURN. That is the total expense of these seven schools, exclusive of West Point?

Mr. HULL. That is the service schools. Then we have the School of Artillery and the School of Submarine Defense, $10,000, and for material, apparatus, special apparatus, apparatus for electricians, buildings, books, etc., making it altogether run up more than that, so that I should say that $50,000 would cover absolutely all the expense of these schools.

Mr. HEPBURN. Of all schools excepting West Point?

Mr. HULL. I think so.

Mr. HEPBURN. Of every character?

Mr. HULL. Yes.

Mr. HEPBURN. Will that include the traveling expenses of gentlemen that go to the schools?

Mr. HULL. I would not want to give an absolute statement of that without more information.

Mr. PALMER. Who are the students that attend the War College?

Mr. HULL. They are the gentlemen who have graduated with greatest honor at the other schools.

Mr. PALMER. That is to say, these are officers detailed to come here to Washington to make the researches that the brigadier-general refers to in the communication which has been read—to study out plans as to what ought to be or might be done in certain emergencies or under certain conditions?

Mr. HULL. The War College, as I understand, is designed to give the highest education to the best class of officers going through these other schools.

Mr. PALMER. Probably about how many officers will be here in attendance at this War College at any one time?

Mr. HULL. From what we learned during the hearings, I should say twenty-five or thirty at one time.

Mr. PALMER. Then will the gentleman please tell me what is the use of a building costing $700,000 if it is only for the instruction of twenty-five or thirty students at one time?

Mr. HULL. That is a question which was naturally asked in the hearings before the committee by the chairman. Of course it seemed as if the expenditures were very large for this purpose. We were informed that this building is not only for the accommodation of the students, but for many other purposes, for which considerable space is required. I sympathize with the theory of the gentleman, but these were the facts stated to us.

The CHAIRMAN. Does the gentleman from Indiana [Mr. HEMENWAY] insist on his point of order?

Mr. HEMENWAY. I do; and if the Chair is in doubt, I want to be heard.

The CHAIRMAN. The Chair will hear the gentleman on the point of order.

Mr. HEMENWAY. My point is that this building has not been authorized by law in accordance with the provisions of section 1136 of the Revised Statutes.

The CHAIRMAN. To what provision of the bill is the gentleman's point directed?

Mr. HEMENWAY. To the provision beginning at line 23, page 34:

For the completion of the necessary buildings [illegible] beginning and lighting plant for the Army War College at Washington Barracks, D. C., in accordance with plans of the architects, $30,000, etc.

Mr. CRUMPACKER. The gentleman makes his point of order on the whole paragraph?

Mr. HEMENWAY. The whole paragraph, beginning at line 23, page 34.

Section 1136 of the Revised Statutes provides that—

Permanent barracks or quarters and buildings and structures of a permanent nature shall not be constructed unless detailed estimates shall have been previously submitted to Congress and approved by a special appropriation for the same, except when constructed by the troops and no such structures the cost of which shall exceed $20,000 shall be erected unless by special authority of Congress.

I make the point of order that there has been no special act of Congress authorizing the construction of this building, and the further point of order that if there has been carried upon an appropriation bill an appropriation of $400,000 for this purpose, no point of order having been made against it, and it having gone through for that reason, this provision is still subject to a point of order for the reason that the amount carried is more than $20,000, and there has been no special authority of Congress for the construction of the building.

In other words, suppose that at the last session of Congress, on an appropriation bill, an item got through for the construction of a building, no one having made a point of order upon it, that does not cure this provision when on a later appropriation bill it is sought to increase the amount. In other words, this provision is still subject to a point of order, because the requirements of the statute have never been complied with—estimates have not been made and submitted to the proper committee, and no special act of Congress has ever been passed authorizing the construction of this building.

Mr. CRUMPACKER. Will the gentleman allow me a question?

Mr. HEMENWAY. Certainly.

Mr. CRUMPACKER. Is not this the building the construction of which was commenced a year or so ago, the corner stone of which was laid last February, and is it not now in process of construction?

Mr. HEMENWAY. I say that even if the building is in process of construction it was provided for on an appropriation bill——

Mr. CRUMPACKER. Then the gentleman's theory is that its original inception was unauthorized, and the work that has been done on it and the money expended on it had no authority of law, and the gentleman makes that point now?

Mr. HEMENWAY. Yes, sir.

Mr. HULL. Mr. Chairman, the United States Statutes at Large, page 512, contain this language:

Provided, That the Secretary of War is hereby authorized to expend the sum of $400,000, or so much thereof as may be necessary, from the unexpended balance of the appropriation for land appropriated in the act approved March [illegible] for [illegible] the necessary buildings for the Army War College, estimates of which have been submitted to Congress, for the instruction of officers of the Army and marine of the United States.

That was enacted in an appropriation bill; but it has been reserved for the gentleman from Indiana [Mr. HEMENWAY] to state that a law enacted in an appropriation bill is not a law, and that all money expended under such a law is illegally expended. This is the first time, I think, that that charge has been made upon this floor. On the regular estimates for this year, the Chair will find, on page 162, is an estimate made for the completion of the Army War College.

Mr. HEMENWAY. Let me ask the gentleman right there. Does not your act limit the cost to $[illegible]

Mr. HULL. Oh, as much as buildings are ever limited in the language of the act. This year we put it so that they could not go beyond. Take the State of Illinois and the appropriation made for the construction of the post-office at Chicago. Does the gentleman claim that the money expended was done illegally because they come with an appropriation on the deficiency bill? Take the case of the buildings at Omaha and all over the country.

Mr. HEMENWAY. If the gentleman will allow me to answer, there can not be a dollar appropriated beyond the limit of cost fixed.

Mr. HULL. That limit was raised.

Mr. HEMENWAY. The limit must be raised by unanimous consent, and if any point of order was made upon this floor, why, an appropriation can not be made, and any dollar of money put into the building for Chicago, or any other building, beyond the limit of cost originally fixed is subject to the point of order.

Mr. HULL. In the estimates for this year you will find on page 162 an estimate for the completion of this building, and a note which says:

By the army appropriation act approved June 28, 1902, it states that the Secretary of War was authorized to expend the money from the unexpended balance of the appropriation for land appropriated in the act approved March 3, 1901, for the completion of the necessary buildings for the Army War College, Washington Barracks, D. C. [illegible] for the instruction of officers of the Army and marine of the United States. [illegible] has shown that some additional shelter will demand considerably greater floor space than was first anticipated.

The $400,000 already made available might possibly be sufficient to inclose the necessary space in the cheapest types of fireproof construction, using nothing but common brick for the exterior of the building, though it would not permit an architectural treatment at all adequate to its situation and permanence.

The gentleman makes an argument upon the point that provision should have been made that the limit be raised. I want to say to the gentleman from Indiana that his argument might be good upon the question as to whether Congress should give the additional amount or not, but that so far as the point of order is concerned it has no effect whatever.

Here is a work commenced by authority of law. The limit was not enough to finish it properly, and an appropriation was made for the approaches, heat, and lighting plant, so much money. That is what the point of order is based on. As to whether they should have it or not is a matter to be determined after the point of order is decided.

Mr. HEMENWAY. It clearly exceeds the limit of cost fixed by the last Congress.

The CHAIRMAN. Section 1136 of the Revised Statutes provides:

Permanent barracks or quarters and buildings and structures of a permanent nature shall not be constructed unless detailed estimates shall have been previously submitted to Congress and approved by a special appropriation for the same, except when constructed by the troops and in such structures the cost of which shall exceed $20,000, shall be erected unless by special authority of Congress.

Whether that means $20,000 for one structure or $20,000 for all the structures it is not necessary to decide here, as in the opinion of the Chair that provision of law as to this particular college was repealed by the act of June 30, 1902, which authorized the expenditure of $400,000 and did not limit the cost of the buildings even to that amount, but authorized the expenditure of that amount for that year.

Now, section 1136 of the Revised Statutes being thus repealed as to this college by the act of 1902, the Chair is of opinion that the paragraph against which this point of order is made specifically providing for the completion of the necessary buildings, which the Chair is advised are already in course of construction under authority of law heretofore given, the point of order must be overruled.

Mr. LACEY. I move to strike out the last word. I had leave the other day to extend my remarks upon the tariff by inserting some documents. I wish further leave in this connection, as some controversy seems to exist as to the views of the President upon the tariff revision, to insert an extract from a speech delivered by him on April 4 last at Minneapolis.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD in the direction he has indicated. Is there objection? [After a pause.] The Chair hears none.

The extract is as follows:

EXTRACT FROM SPEECH OF PRESIDENT ROOSEVELT.

We are now in a condition of prosperity unparalleled, not merely in our own history, but in the history of any other nation.

This prosperity is deep rooted and stands on a firm basis because it is due to the fact that the average American has to him the stuff out of which victories are made in the great industrial contests of the present day, just as in the great military contests of the past; and because he is now free to use and develop his qualities to best advantage under our well-established economic system.

UNITED STATES WINNING HEADSHIP.

We are winning headship among the nations of the world because our people are alive to keep their high average of individual citizenship and to show their mastery in the hard, complex, pushing life of the age.

[illegible] from time to time in our prosperity, but it will continue [illegible] just so long as we keep up this high average of individual citizenship, just so long as we keep our people free to work out their own salvation under proper economic conditions.

The present phenomenal prosperity has been won under a tariff which was passed by a Republican majority [illegible] Which is now being reexamined to produce the improvement of the American industries, American labor, American wages and American wealth.

The question of tariff revision, with regard to changes in detail, I believe this country is unanimously committed to be fundamentally based upon protection, and the difference between the case of protection that is [illegible] and that which is not advantageous to our manufacturers, our farmers, our miners, our workmen, and of the most benefit to them that our own home market be secured to them as far as possible, and that we shall not take the chance of losing the benefit of our own home market by giving it away to foreign manufacturers, to foreign capital over American capital, to foreign labor over our own labor.

NEED HIGH TYPE OF LABOR.

This country has and this country needs better-paid, better educated, better [illegible] workingmen, of a higher type than are to be found in any other country.

It needs a higher, more vigorous, and more prosperous type of [illegible] than is possessed by any other country.

The wages in our industries and manufactures, and the managers of the [illegible] show the same superiority when compared with [illegible] type abroad.

The events of the last few years have shown how skillfully the leaders of American industry use in industrial and business competition the benefits accruing to us from the protection afforded them by the resources of our country, the activity of our laws, and the skill, the inventive genius, and the administrative capacity of our people.

These are matters more than to say that we want to use everything to our power to foster the welfare of our entire body politic. In other words, we need to treat the tariff as a business proposition from the standpoint of the interests of the country as a whole, and not with reference to the temporary needs of any political party. It is almost as necessary that our policy should be stable as that it should be wise.

TARIFF CHANGES.

A nation like ours could not long stand the ruinous policy of readjusting its business to radical changes in the tariff at short intervals, especially when, as now, owing to the immense extent and variety of our products, the tariff schedules carry rates of duty on thousands of different articles.

Sweeping and violent changes in such a tariff touching so vitally the interests of all of its embracing agriculture, labor, manufacture, and commerce, would be disastrous in any event, and they would be fatal to our present well-being if administered on the theory that the principle of the protective tariff was to be abandoned.

The business world—that is, the entire American world—can not afford, if it looks to regard for its own welfare, even to consider the advisability of abandoning the protective system.

Yet, on the other hand, where the industrial conditions are frequently change, as will as must of necessity be the case, it is a matter of paramount importance that we should be able from time to time to adapt our economic policy to the changed conditions.

Our aim should be to preserve the policy of a protective tariff to which the nation as a whole has acquiesced, and to endeavor so to frame the details of a protective tariff that it may be easy to change the duties in accordance with the varying conditions as manifested by the business detail, if such a change is demanded by the interests of the nation as a whole.

In making any readjustment there are certain important considerations which can not be disregarded. For a time a new law has on the whole worked well; and business has prospered, people are not prospering at time, we hesitate to encounter some positive misfortune, good prosperity, for a time, at any rate, changes in business, satisfying conditions, and perhaps, we have gone through and discussed the subject. The fact that there may be some minor defect in any law is not, in itself, a sufficient reason for the question of whether it is worth while to change the schedules in a particular way. Every tariff deals with thousands of commodities, and inevitably provides some anomalies in its operations.

These duties affect the vital interest of all classes and conditions of people. If necessary for our welfare, then of course Congress must consider the question of changing the law; a change of schedule or change in any given rates of duty; but we must remember that whenever even a single schedule is considered some persons will appear to demand a change in almost every schedule in the law, and when it comes to putting these business generally the effect upon the business interests of the country would be ruinous.

THE TRUSTS.

One point we must steadily keep in mind. The question of tariff revision, speaking broadly, stands wholly apart from the question of dealing with the trusts. Neither a tariff duties can have any substantial effect in solving the so-called trust problem.

Certain great trusts or great corporations are wholly unaffected by the tariff. Practically all the others that are of any importance have, as a matter of fact, driven out smaller American competitors, and only a change in the tariff which would work injury to the large corporation would work not merely injury but destruction to its smaller competitors; and equally of course such a change would mean disaster to all the wage-workers connected with either the large or the small corporations. From the standpoint of those interested in the solution of the trust problem such a change would, therefore, merely mean that the trust was removed of the competition of its weaker American competitors and thrown only into competition with foreign competitors, and that the first effect to meet this new competition would be made by cutting down wages, and would therefore be primarily at the cost of labor.

In the case of some of our greatest trusts such a change might confer upon them a positive benefit. Speaking broadly, it is evident that the changes in the tariff will affect the trusts for weal or for woe simply as they affect the whole country. The tariff affects trusts only as it affects all other interests. It makes no these interests, larger or small, profitable, and its benefits can be taken from the large only under penalty of taking them from the small also.

Taking up then, we must as a people approach it as a matter of such prime economic importance as the tariff from the standpoint of our business needs.

We can not afford to become frightened or to lose our balance upon the fact that as the years go by the country may be necessary to meet some new needs by readjusting certain features of our tariff laws. Still less can we afford to lose our balance for fear that these changes must not be immaterial, that we may for them outweigh the thousand advantages which may result, and when it becomes necessary to make them they should be made with full recognition of the need of safeguarding our entire economic system and of keeping unchanged the principle of that system which has become a settled policy in our national life. We have prospered marvelously at home. As a nation we stand in the very forefront in the great international industrial competition of the day. We can not afford to run any risk of injury to forfeit the position to which we have thus triumphantly attained.

The Clerk read as follows:

For [illegible] and supplies. Manufacture or purchase of [illegible] for [illegible] needs and reserve supply and [illegible] including the cost of targets and service [illegible] at the National Home for Disabled Volunteer Soldiers and its several branches, including National [illegible] in Washington, D. C., [illegible] and medals for [illegible] of the service, [illegible] for the purchase of [illegible] and medals and other prizes to be presented and awarded under such regulations as may be prescribed by the Secretary of War, and extended to be used in the Army, Navy, Marine Corps, and the National Guard organized by [illegible] of the several States, Territories, and of the District of Columbia, and for the rent of the trophy prizes, and medals herein provided for, the sum of $2,500, and the sum so herein appropriated, out of any money in the Treasury not otherwise appropriated, to be expended for the purposes herein specified under the direction of the Secretary of War.

Mr. HEMENWAY. Do I understand the desire of the chairman is to make this a permanent appropriation?

Mr. HULL. I think that was the desire of the committee.

Mr. PALMER. And the desire of the Secretary of War?

Mr. HULL. And the desire of the committee, I think, too. The idea is that anything that will stimulate the rifle practice of the different organizations of the United States, including the Army, Navy, and Marine Corps, is money very well expended.

Mr. HEMENWAY. The idea is to set aside $2,500 a year for this purpose?

Mr. HULL. We practically last year made it permanent by saying "hereafter;" but, while that is true, it did not include the Marine Corps and did not include the Navy. The Secretary of

War believes that all arms in the service should be brought in here, not only all arms of the regular service, but the National Guard and the various military organizations of the United States. There was a time, Mr. Chairman, in the history of this country when almost every man in the nation was an expert rifle shot. The time is rapidly coming when no one who is not trained in some of these military organizations will know anything about shooting.

Mr. HEMENWAY. The only thing I suggest is, had we not better take care of the amount as it comes due annually in place of making it a permanent appropriation?

Mr. HULL. The only question is whenever they do not need it it will not be expended, and if they should need it they would have to come back each year for it.

Mr. HEMENWAY. But you lose sight of it when it gets clear out of your control.

Mr. HULL. There is this about it, however. I should imagine whenever the Department would not need this for paying the expenses of rifle shooting they would fail to ask for it.

Mr. HEMENWAY. All I desire is that the gentleman should have oversight over it. It it becomes a permanent appropriation it goes to the Committee on Appropriations, and the gentleman's committee knows better how to take care of this item than the Committee on Appropriations, and I would rather the gentleman would not make it an annual appropriation.

Mr. HULL. I will say to the gentleman that as far as trophies are concerned my idea was that there should not be a trophy to be won each year, but that the trophy should be put up and shot for each year and go to the winner, like a cup in yacht races or the Iowa trophy for the National Guard. A medal is something that a man retains permanently.

Mr. HEMENWAY. You want to make this a permanent appropriation?

Mr. HULL. That is the idea of the committee. I was overruled on the trophy business, but that is the idea of the committee, the same as last year.

The Clerk read as follows:

For the purpose of procuring field-artillery material for the organized militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia, but to remain the property of the United States, to be accounted for in the manner prescribed by law, the Secretary of War is hereby authorized under such regulations as he may prescribe, on the requisitions of the governors of the several States or Territories or the commanding generals of the militia of the District of Columbia, to issue said artillery material to the organized militia and the sum of $[illegible] is hereby appropriated, to remain available until expended, for the procurement and issue of the articles constituting the same.

Mr. HEMENWAY. The item commencing at line 6 and ending at line 19. Do I understand you wish to make an annual appropriation?

Mr. HULL. On page 37?

Mr. HEMENWAY. On page 37.

Mr. HULL. For field artillery? We do not want to make that an annual appropriation. We only make this appropriation to finish up the batteries for that artillery for the militia.

Mr. HEMENWAY. No; you say "to remain available until expended." Why not strike out that and keep it under the control of your committee?

Mr. HULL. I want to say to the gentleman the estimate was provided in that way for the reason it would be impossible to finish them up during this year.

Mr. HEMENWAY. Then you can appropriate next year the money.

Mr. HULL. You can do that, of course.

Mr. HEMENWAY. I wish you would do it.

Mr. HULL. But they want to make a contract for it.

Mr. HEMENWAY. We ought all the time to be in touch with what they are doing and not to make permanent appropriations.

Mr. HULL. My judgment from the evidence given in regard to making their contract is that it would be better to make it available than for them to come back again to Congress. I would not really know how to divide this, because we do not need to make all of this appropriation if we do not make it available until expended.

Mr. HEMENWAY. We had better make the full amount available until the end of the fiscal year, and then if it is not expended it goes back into the Treasury and can be reappropriated.

Mr. HULL. I have no objection to that, as far as I am concerned, but I hope it will not defeat the early arming of the Militia.

Mr. HEMENWAY. You leave the whole amount in, and they can contract when the money is appropriated.

Mr. HULL. Then the gentleman moves to strike out the words "to remain available until expended."

Mr. HEMENWAY. That is it.

Mr. HULL. I have no objection.

Mr. HEMENWAY. Make the motion yourself, then.

Mr. HULL. No; the gentleman can make his own motion.

Mr. HEMENWAY. Then, Mr. Chairman, I move to amend, on page 37, line 18, by striking out the words "to remain available until expended."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 37, line 18, strike out the words "to remain available until expended."

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

Hereafter all employees of the Ordnance Department whose rate of compensation is annual shall be paid monthly at the rate of one-twelfth of the annual rate, and of such monthly rate and of all other monthly rates of compensation one-thirtieth shall be the daily rate for computation of pay for fractional parts of a month; and for the purposes of this provision each and every month shall be held to consist of thirty days, whether the actual number of days be greater or less.

Mr. HEMENWAY. Mr. Chairman, I have no objection to that provision, although it ought not to apply to the Ordnance Department at Washington, because it would give one set of people in the Department one method of computation and to others another.

Mr. HULL. Mr. Chairman, I think it has only been one or two years since we made it apply to the pay of the Army, and made it permanent law, but we seem to have left this out. I talked with the Auditor of the War Department about it, and he said that all Departments of the Government ought to come under this provision, as it simplifies the accounts.

Mr. HEMENWAY. If they were all to come under it, there would be no objection to it.

Mr. HULL. This brings the Army all in.

Mr. HEMENWAY. But the employees in the Ordnance Department at Washington who do not belong to the Army will not be taken in. Your language will take in a little bunch of clerks up here and give them rates that the other clerks of the Government would not have.

Mr. HULL. The Chief of the Ordnance Department, in the hearings, made this statement:

General CROZIER. You see what the difficulty is there—that we have some employees who are paid [illegible] of Congress [illegible] and that [illegible] fashion and it is very difficult to get the money straight. What have you to say on that subject, Captain Montgomery?

Captain MONTGOMERY. The law as embraced in the army appropriation bill last year provided for payment of the sums appropriated for the support of the Army. As it reads, it applies to all army appropriation acts. It does not make a [illegible] payment is to be made from the appropriation [illegible] "for the Army," or any other. We have some employees [illegible] the Ordnance Department [illegible] the Ordnance Department [illegible] the army appropriation act [illegible] and the result is that you will have to calculate that man's pay on two different bases.

In one case your calculation will be based on the Government salary tables, which have been gotten up by the Comptroller of the Treasury and have been in effect for years.

Mr. HEMENWAY. I do not think the gentleman from Iowa gets my point. If this were applied to the employees in the Ordnance Department at Washington, it would give a bunch of clerks employed in that Department this method of payment and the balance of the clerks in the other Departments of the Government another plan of payment. The gentleman ought not to confine it to the Army, but let the provision go on that it shall not apply to those employed in the Ordnance Department at Washington.

Mr. HULL. This only simplifies the matter. The Comptroller has decided that it does not apply to anything but the money carried in the army appropriation bill.

Mr. HEMENWAY. The Comptroller has decided that it would not apply to any money that is not carried in the army appropriation bill?

Mr. HULL. That is right.

Mr. HEMENWAY. And the clerks provided for under the legislative bill would not come under it?

Mr. HULL. They would not. I do not know what it is, but they would be paid under a different plan or theory. The object of this is to bring the employees all under one computation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Hereafter all moneys arising from dispositions authorized by law and regulation of serviceable ordnance and ordnance stores shall constitute one fund on the books of the Treasury Department, which shall be available to replace like ordnance and ordnance stores thus disposed of throughout the fiscal year in which the disposition was effected and throughout the following year.

Mr. GROSVENOR. Mr. Chairman, I rise to give notice that I wish to make some points of order on the remaining portion of this bill. I give this early notice so that I may not be ruled out.

Mr. HEMENWAY. Mr. Chairman, I make a point of order on

this paragraph, and the point of order is that it changes existing law. It says:

Hereafter all moneys arising from dispositions authorized by law and regulation of serviceable ordnance and ordnance stores, shall constitute one fund on the books of the Treasury Department, which shall be available to replace like ordnance and ordnance stores thus disposed of.

In other words, it provides that the Ordnance Department may sell certain things that they think ought to be sold, and turn around and repurchase other items with that money. It is a change of existing law. Under the law now the proceeds for any item which is sold have to be turned into the Treasury.

Mr. HULL. I wish the gentleman from Indiana would withhold his point of order, because I acknowledge that it is subject to a point of order, if he insists upon it. I would like to ask the gentleman if he has read the hearings?

Mr. HEMENWAY. Yes; but I would not allow any officer on earth to dispose of property of the Government and then turn around and invest the money received for it on his own motion.

Mr. HULL. But you have done it for forty years.

Mr. HEMENWAY. Then we ought to stop it. The temptation is always strong for a man, when he wants something new and can not get an appropriation for it, to find something that he can sell and then go and buy what he wants.

Mr. HULL. I acknowledge that it is subject to a point of order, but the gentleman is not correct in the statement that we do not allow it. We allow commissary officers to sell stores from the commissary department, and the money does not go back into the Treasury, but they buy other stores with it.

Mr. HEMENWAY. I am sorry if they do; if I had charge of the bill, I would change it as quick as I could.

Mr. HULL. I would not.

The CHAIRMAN. To what language does the gentleman make the point of order?

Mr. HEMENWAY. I make the point of order against lines from 13 to 19, inclusive.

The CHAIRMAN. The point of order is sustained.

The Clerk read the last section of the bill, as follows:

That the officers of the Adjutant-General's Department, except the Adjutant-General and the officers of the Record and Pension Office, and those for constitute one department of the Army to be known as the Military Secretary's Department, and the Adjutant-General's Office and the Record and Pension Office, heretofore constituting bureaus of the War Department, shall hereafter constitute the Adjutant-General's Department, which shall be a division of a consolidated bureau to be known as the Military Secretary's Office of the War Department. The officers [illegible] on one list in the order of rank held by them, and [illegible] permanent appointments as officers of the Adjutant-General's Department or of the Record and Pension Office shall be entitled to promotion below the grade of major-general as now provided by law, in the order of their standing on said list. Except as otherwise provided herein the laws now in force shall continue to govern the appointment, promotion, and detail of all officers of the [illegible] Department herein created: *Provided*, That the officers of the [illegible] Department shall be subject to the supervision of the Chief of Staff: *Provided further*, That no appointment to or detail to the grade of major-general [illegible] of said grade in the Adjutant-General's Department shall be [illegible]: *Provided further*, That of the officers [illegible] the senior in rank, who shall be chief of the [illegible] the title of whose office is hereby changed to Chief of Military Secretary, shall hereafter have rank one grade higher than that now [illegible] he shall become separated from service on the active list of the Army the rank of military secretary on such retirement [illegible] by the [illegible] of the officers holding [illegible] shall be [illegible] that they now bear: *Provided further*, That [illegible] the [illegible] of the Army shall not be [illegible] the several officers now designated by the title Assistant Adjutant-General and by the title Assistant Chief of the Record and Pension Office, be designated by the title Adjutant-General. Nothing in this act shall be construed as [illegible] any officer of his commission or to increase the total number of officers of the Army, and all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. GROSVENOR. Mr. Chairman, I make the point of order of that paragraph beginning at page 39, line 20, and ending with the words "Adjutant-General" in the twelfth line on page 41, that it is new legislation throughout, and I make the further point of order against the several distinct and separate provisos, each as a distinct and separate proposition, because it is all new legislation materially affecting, repealing, and changing existing law.

Mr. HULL. Mr. Chairman, I do not purpose contesting the point of order. It it obvious to every Member of the House that it is subject to a point of order. I do want, however, to say for the Committee on Military Affairs that at the time it was incorporated in the bill it was supposed it would have practically no opposition on the part of the Members of the House.

It was placed on the military appropriation bill because it was understood it was exceedingly desirous to get these provisions through at the earliest possible date, for the reason set out by the Secretary of War in his letter of the 16th of January, in which he says that if it should become a law it will necessitate many transfers in the clerical force of the Department, all of which must be provided for in the legislative, executive, and judicial appropriation bill. He says:

I beg leave to suggest, therefore, that if the measure meet with the approval of your committee it be incorporated in the pending army appropriation bill, in order to avoid, as far as possible, the delays to which a separate bill is likely to be subjected.

At the time it was incorporated in the bill the committee had every reason to believe that it would be permitted to remain there. That action not having been taken by the House, there is nothing to say except that we believe the measure would result in a large saving to the Government, in better administration to the War Department, and that we hope in the near future to bring it before the House as a separate measure.

The CHAIRMAN. The Chair sustains the point or order.

Mr. HULL. Mr. Chairman, I ask unanimous consent to recur to the paragraph providing for contingent expenses of the military information division, on page 4, in order that I may ask unanimous consent that the amendment offered by the gentleman from Indiana [Mr. HEMENWAY] be withdrawn. I ask that for this reason, that if his amendment remains in the bill it is impossible for a Chief of Staff to buy a ribbon for a typewriter. It is impossible to buy a paper of pins for his office. It is impossible to buy any stationery for the General Staff, and I do not believe the gentleman intended to make an amendment so restrictive as that. I hope he will consent to having it withdrawn.

Mr. HEMENWAY. I did not intend to and did not do what the gentleman fears. The $50,000 carried on the legislative bill is available for the items the gentleman mentions. I object to returning to that paragraph.

The CHAIRMAN. Objection is made.

Mr. HULL. Mr. Chairman, I move that the committee do now rise and report the bill to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10670, the army appropriation bill, and had instructed him to report that it had made sundry amendments thereto and recommends that the amendments be agreed to and that the bill as amended do pass.

Mr. HULL. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. Is a separate vote asked on any amendment? If not, the vote will be taken on the amendments in gross. The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. HULL, a motion to reconsider the last vote was laid on the table.

ENROLLED BILL SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 6804. An act providing for the appointment of a customs appraiser at Pittsburg, Pa.

WITHDRAWAL OF PAPERS.

By unanimous consent, leave was granted to Mr. CASSINGHAM to withdraw from the files of the House, without leaving copies, the papers in the case of Nathan Finnigan, Fifty-seventh Congress, no adverse report having been made thereon.

Also to Mr. LORIMER, to withdraw from the files of the House, without leaving copies, the papers in the case of Louis J. Sacriste, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. WILEY, of New Jersey, for five days on account of death in his family.

To Mr. MURDOCK, for fifteen days, on account of important business.

ADJOURNMENT.

Then, on motion of Mr. HULL (at 4 o'clock and 5 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a detailed statement of the refunds of customs duties for the fiscal year ended June 30, 1903—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for miscellaneous expenses of Fish Commission—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Chief of Division of Printing and Stationery supplies, submitting an estimated deficiency for postage in Congressional franks—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for a building at the military post near Indianapolis, Ind.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of State, proposing a joint resolution to permit Alfonso Zelaya, of Nicaragua, to become a cadet at the West Point Military Academy—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting, with a favorable recommendation, a communication relating to the incorporation of the American National Institute at Paris—to the Committee on the Library, and ordered to be printed (all except accompanying printed documents).

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. NEEDHAM, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 3581) providing the means of acquiring title to two groves of Sequoia gigantea in the State of California, with a view to making national parks thereof, reported the same with amendment, accompanied by a report (No. 4811), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 7619) construing the provisions of sections 2304 to 2309 of the Revised Statutes of the United States in certain cases—Committee on Invalid Pensions discharged, and referred to the Committee on the Public Lands.

A bill (H. R. 10968) granting a pension to Marceline P. Hamilton—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10969) granting a pension to Edson H. Crawford—Committee on Military Affairs discharged, and referred to Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 1 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. KALANIANAOLE (by request): A bill (H. R. 11036) to prohibit the employment of aliens on public works in the Territory of Hawaii—to the Committee on the Territories.

Also, a bill (H. R. 11037) for the improvement of entrance to harbor of Honolulu, Territory of Hawaii—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 11038) for survey and estimate for the construction of a breakwater for the protection of the harbor at Hilo, island of Hawaii, Territory of Hawaii—to the Committee on Rivers and Harbors.

By Mr. NEVIN: A bill (H. R. 11039) to amend section 3262 of the Revised Statutes as amended—to the Committee on Ways and Means.

Also, a bill (H. R. 11040) for the erection of a public building at Hamilton, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. HOWELL of New Jersey: A bill (H. R. 11041) for the extension of Wyoming avenue, and for other purposes—to the Committee on the District of Columbia.

By Mr. HAY: A bill (H. R. 11042) to provide for the settlement of certain claims of officers and enlisted men of the Army for loss or destruction, without fault or negligence on the part of said officers and men, of property belonging to them in the military service of the United States—to the Committee on Claims.

By Mr. MORRELL: A bill (H. R. 11043) to amend an act entitled "An act relating to the Metropolitan police of the District of Columbia," approved February 28, 1901—to the Committee on the District of Columbia.

By Mr. WILSON of Arizona: A bill (H. R. 11044) relating to certain mineral lands now included in the Gila River Indian Reservation, in Arizona—to the Committee on Indian Affairs.

By Mr. MANN: A bill (H. R. 11045) to provide for a public building at South Chicago, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. HENRY of Texas: A bill (H. R. 11046) making an appropriation for the improvement of the Brazos River between Old Washington and Waco—to the Committee on Rivers and Harbors.

By Mr. COWHERD: A bill (H. R. 11047) for the construction of a conduit for the waters of Rock Creek, and for other purposes—to the Committee on the District of Columbia.

By Mr. THOMAS of Iowa: A bill (H. R. 11048) for the judicial ascertainment of claims against the United States—to the Committee on the Judiciary.

By Mr. FOSTER of Vermont: A bill (H. R. 11049) to amend section 1 of an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. RANSDELL of Louisiana: A bill (H. R. 11050) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre—to the Committee on Interstate and Foreign Commerce.

By Mr. WADSWORTH: A bill (H. R. 11051) for the extension of Elm street northwest—to the Committee on the District of Columbia.

By Mr. SCUDDER: A joint resolution (H. J. Res. 86) directing the Secretary of War to submit plans and estimates for the construction of a breakwater at Lanes Landing, Northville, Suffolk County, N. Y.—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 87) directing the Secretary of War to submit plans and estimates for a channel leading into West Harbor, Fishers Island, all in the county of Suffolk and State of New York—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 88) directing the Secretary of War to submit plans and estimates for a breakwater at Fire Island Inlet, in the county of Suffolk and State of New York—to the Committee on Rivers and Harbors.

By Mr. DE ARMOND (by request): A joint resolution (H. J. Res. 89) for the relief of Daniel B. Watts—to the Committee on Military Affairs.

By Mr. BINGHAM: A concurrent resolution (H. C. Res. 35) for binding in one volume the three separate inaugural addresses delivered before the two Houses of Congress—to the Committee on Printing.

By Mr. NEVIN: A resolution (H. Res. 164) to pay the sum of $[illegible].50 to Jacob Bader—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AMES: A bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston—to the Committee on Pensions.

By Mr. BENTON: A bill (H. R. 11053) granting a pension to Cynthia J. Hathcock—to the Committee on Pensions.

Also, a bill (H. R. 11054) granting a pension to Henry P. Conn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11055) granting an increase of pension to Winfield S. Russell—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: A bill (H. R. 11056) to authorize the President to appoint Henry T. Shelding, now paymaster on the retired list of the Navy, a pay director on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. CALDWELL: A bill (H. R. 11057) granting an increase of pension to Samuel H. McCarty—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 11058) granting a pension to Mary Apple—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 11059) granting an increase of pension to Josiah E. Keyes—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 11060) granting an increase of pension to Thomas Maker—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 11061) granting an increase of pension to Frances Thorn Brann—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 11062) to provide suitable medals for the officers and crews of the United States vessel of war Kearsarge in the fire she sank the Confederate vessel of war *Alabama* off Cherbourg, France, June 19, 1864—to the Committee on Naval Affairs.

By Mr. DE ARMOND (by request): A bill (H. R. 11063) granting an increase of pension to Robert L. McMurtry—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 11064) granting an increase of pension to Elbert Parker—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 11065) granting an increase of pension to Elihu Wheeler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11066) granting an increase of pension to Joshua D. Griffith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11067) granting an increase of pension to Eli Duvall—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 11068) granting a certificate of merit to John A. Cassell—to the Committee on Military Affairs.

By Mr. HASKINS: A bill (H. R. 11069) granting an increase of pension to William H. Willey—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 11070) for the relief of George H. Mellen, deceased—to the Committee on War Claims.

By Mr. HOWELL of New Jersey: A bill (H. R. 11071) for the relief of Franklin Patterson—to the Committee on Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 11072) for the relief of Turman V. Cremeans—to the Committee on Military Affairs.

By Mr. HULL: A bill (H. R. 11073) granting an increase of pension to Henry B. Summey—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 11074) granting a pension to Merritt R. Simpson—to the Committee on Invalid Pensions.

By Mr. JONES of Virginia: A bill (H. R. 11075) for the relief of Downings Methodist Episcopal Church South, of Oak Hall, Va.—to the Committee on War Claims.

By Mr. KNOPF: A bill (H. R. 11076) granting an increase of pension to Elvira Miller—to the Committee on Invalid Pensions.

By Mr. LIVERNASH: A bill (H. R. 11077) granting a pension to Gustav Jansen—to the Committee on Pensions.

Also, a bill (H. R. 11078) for the relief of William R. Wheaton and Charles H. Chamberlain, of California—to the Committee on Claims.

Also (by request), a bill (H. R. 11079) to increase the pension of William Turner—to the Committee on Pensions.

By Mr. LORIMER: A bill (H. R. 11080) granting a pension to M. R. Clark—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 11081) for the relief of Samuel L. Robertson—to the Committee on War Claims.

By Mr. MANN: A bill (H. R. 11082) granting a pension to Johann G. Fleckles—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11083) to authorize the Secretary of War to correct the military record of Oscar B. Knight—to the Committee on Military Affairs.

Also, a bill (H. R. 11084) to compensate E. C. Sturges for property lost during the Spanish-American war—to the Committee on War Claims.

Also, a bill (H. R. 11085) placing Hugh T. Reed on the retired list with rank of captain—to the Committee on Military Affairs.

Also, a bill (H. R. 11086) granting a pension to Charles W. Crary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11087) granting a pension to John Eckerman—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 11088) granting an increase of pension to Cora M. Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11089) granting an increase of pension to William H. Summers—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 11090) granting an increase of pension to Joseph Reese—to the Committee on Invalid Pensions.

Also a bill (H. R. 11091) granting an increase of pension to Charles Stackhouse—to the Committee on Invalid Pensions.

By Mr. MCCALL: A bill (H. R. 11092) granting a pension to Ellen N. Blake—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 11093) for the relief of the heirs at law of Charles K. Smith, jr.—to the Committee on Claims.

By Mr. OTJEN: A bill (H. R. 11094) for the relief of William A. Power—to the Committee on War Claims.

By Mr. PAGE: A bill (H. R. 11095) for the relief of E. J. French, heir of Patrick D. Gilchrist, deceased—to the Committee on Claims.

By Mr. POWERS of Massachusetts: A bill (H. R. 11096) to remove the charge of desertion from the military record of George D. Coburn—to the Committee on Military Affairs.

By Mr. POWERS of Maine: A bill (H. R. 11097) for the relief of Seth H. Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11098) granting an increase of pension to Leonard H. Washburn—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 11099) granting a pension to Catrena Helmig—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 11100) for the relief of J. W. Bauer and others—to the Committee on Claims.

Also, a bill (H. R. 11101) for the relief of J. C. Pendleton, of Jefferson County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 11102) granting a pension to Christina Vetter—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 11103) for the relief of George T. Larkin—to the Committee on Claims.

Also, a bill (H. R. 11104) for the relief of George T. Larkin—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 11105) granting an increase of pension to Peter Furnier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11106) granting an increase of pension to Sherman R. Haskill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11107) granting an increase of pension to Charles V. Lincoln—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11108) granting an increase of pension to John W. Cleuch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11109) to correct the military record of James Taylor, alias James Wilson—to the Committee on Military Affairs.

Also, a bill (H. R. 11110) to correct the military record of Joseph C. Keubeler, alias Karl Kuhne—to the Committee on Military Affairs.

Also, a bill (H. R. 11111) to correct the military record of Edward S. Knappen—to the Committee on Military Affairs.

By Mr. TAWNEY: A bill (H. R. 11112) granting an increase of pension to Henry H. Howard—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 11113) granting an increase of pension to Silas G. Soules—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 11114) granting an increase of pension to William D. Leek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11115) granting an increase of pension to Mary E. Lantz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11116) for the relief of Charles C. Bauman—to the Committee on Claims.

Also, a bill (H. R. 11117) to correct the military record of Timothy Lyons—to the Committee on Military Affairs.

By Mr. WILSON of Arizona: A bill (H. R. 11118) for the relief of Pima County, Ariz.—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of William McKinley Post, No. 701, Grand Army of the Republic, Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ADAMSON: Resolutions of board of directors of the Georgia Experiment Station, favoring an increased appropriation for agricultural experiment stations—to the Committee on Appropriations.

By Mr. BABCOCK: Papers to accompany bill H. R. 7878, granting an increase of pension to Richard Jones—to the Committee on Invalid Pensions.

Also, petition of residents of Prairie du Chien, Wis., for the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. BARTHOLDT: Petition of Mound City Council, No. 207, United Commercial Travelers of America, in favor of bill to amend bankruptcy law—to the Committee on the Judiciary.

Also, petition of the presidents of the St. Louis Manufacturers' Association and Business Men's League, relating to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. BARTLETT: Resolution of the board of directors of the Georgia experiment station, favoring increasing appropriations for agricultural experiment stations—to the Committee on Appropriations.

By Mr. BENTON: Papers to accompany bill granting a pension to Cynthia J. Hatchcock—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Winfield S. Russell—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Henry P. Cann—to the Committee on Invalid Pensions.

By Mr. BURKETT: Petition of residents of Bethany County, Nebr., and E. B. Lockwood, of Tecumseh, Nebr., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Resolutions of John B. Hubbard Post, No. 20, of Hallowell, Heath Post, No. 6, of Gardiner, Warren Post, No. 66, of Winterport, and George Goodwin Post, No. 32, of Ripley, Me., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: Resolution of General George A. Meade Post, No. 31, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: Papers to accompany bill to increase pension of Joseph Starr—to the Committee on Invalid Pensions.

Also, resolution of the Ohio Vicksburg Battlefield Commission, in favor of bill H. R. 5084, providing for a national military park commission—to the Committee on Military Affairs.

By Mr. CLARK (by request): Petition of Rev. J. P. Koeller and 10 others, of Herman, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CROMER: Resolution of Warren Cole Post, No. 523, Grand Army of the Republic, Department of Indiana, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of H. C. Adams and others, of Muncie, Ind., against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DANIELS: Papers to accompany bill H. R. 4487, relative to a trail up Mount Whitney, California—to the Committee on Military Affairs.

By Mr. ESCH: Resolution of William Moore Post, No. 92, Grand Army of the Republic, Black River Falls, Wis., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. FIELD: Petition of H. W. Armstrong and 68 others, of Hearne, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FLOOD: Papers to accompany bill H. R. 10209, to increase the pension of Margaret Delaney—to the Committee on Invalid Pensions.

By Mr. FULLER: Memorial of the Commercial Club of Topeka, Kans., relative to the restoration of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of E. N. Kirk Post, No. 656, Grand Army of the Republic, of Peru, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: Paper to accompany bill H. R. 7456, relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. GIBSON: Papers to accompany bill to increase pension of Elbert Parker—to the Committee on Invalid Pensions.

Also, paper to accompany bill to correct military record of Frank Medlin—to the Committee on Military Affairs.

By Mr. GREENE: Resolutions of the Board of Trade of Gloucester, Mass., relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Board of Trade of Gloucester, Mass., favoring arbitration treaties between United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of the Board of Trade of Gloucester, Mass., favoring the rehabilitation of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Board of Trade of Gloucester, Mass., in favor of destruction of derelicts at sea—to the Committee on Interstate and Foreign Commerce.

By Mr. GRIFFITH: Papers to accompany House bill to increase pension of Joshua D. Griffith—to the Committee on Invalid Pensions.

Also, resolution of Wadsworth Post, No. 127, Grand Army of the Republic, of Franklin, Ind., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, paper to accompany House bill to increase pension of Henry B. Sparks—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Papers to accompany bill granting a certificate of merit to John A. Cassell—to the Committee on Military Affairs.

By Mr. HAMILTON: Resolution of George H. Thomos Post, No. 14, of Benton Harbor, Mich., and A. W. Chapman Post, No. 21, of St Joseph, Mich., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompany bill granting a pension to Warren R. Herrell—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 9563, granting a pension to James J. Wallis—to the Committee on Invalid Pensions.

By Mr. HARDWICK: Resolution of the board of directors of the Georgia Experiment Station, relative to an increase of appropriation for agricultural experiment stations—to the Committee on Agriculture.

By Mr. HAUGEN: Petition of citizens of Postville, Iowa, against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HEPBURN: Petition of J. L. Mitchell and 12 others, of Smyrna, Iowa, in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWARD: Petition of voters of Young Men's Christian Association of Union Point, Ga., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HULL: Paper to accompany bill H. R. 8921, granting an increase of pension to M. C. Staves—to the Committee on Invalid Pensions.

By Mr. JOHNSON: Paper to accompany House bill granting a pension to Merritt R. Simpson—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of citizens of Blakesburg, Iowa, in favor of bills providing relief for military telegraph operators in the civil war—to the Committee on Military Affairs.

By Mr. LANNING: Resolution of George B. McClellan Post, No. 99, Grand Army of the Republic, Lambertville, N. J., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LIVERNASH: Resolutions of San Francisco Building Trades Council and of City Front Federation, of San Francisco, concerning the use of militia at Cripple Creek, Colo.—to the Committee on Military Affairs.

Also, resolutions of Central Trades and Labor Union of St. Augustine, Fla., favoring an eight-hour and anti-injunction bill—to the Committee on Labor.

Also, resolutions of Board of Trade of San Francisco, for the improvement of Siuslaw Harbor—to the Committee on Rivers and Harbors.

Also, resolution of San Francisco Labor Council, against United States soldiers coming in competition with civilian mechanics on Government work—to the Committee on Labor.

Also, resolutions of San Francisco Labor Council, concerning John Turner—to the Committee on Foreign Affairs.

By Mr. LOUDENSLAGER: Petition of Henry D. Moore and 19 others, of Haddonfield, N. J., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MANN: Papers to accompany bill H. R. 9590, granting a pension to Grace P. Paddock—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10920, for the relief of Julius Frank—to the Committee on War Claims.

Also, papers to accompany bill H. R. 8887, granting a pension to Emma R. Wallace—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Papers to accompany House bill granting an increase of pension to Herman J. Watjen—to the Committee on Invalid Pensions.

Also, petition of George Lendreck and others, of Vincennes, Ind., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany House bill granting an increase of pension to Cora M. Mosier—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting pension to William H. Summers—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 6647, granting an increase of pension to Thomas Headley—to the Committee on Invalid Pensions.

By Mr. MORRELL: Resolution of Colonel James Asworth Post, No. 334, Grand Army of the Republic, of Frankford, Philadelphia, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of representatives of grain-trade organizations, relative to the inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. NEVIN: Petitions of J. E. Wheeler and 11 others, of Craftonville, Cal.; O. F. McJenkin and 17 others, and S. T. Bennett and 25 others, of Dayton, Ohio; T. J. Stubbs and 36 others, and C. Halsey and 29 others, of West Elkton, Ohio; Rev. G. H. Draper and 28 others, of Middletown, Ohio; Harvey Pennuell and 28 others, of West Carrollton, Ohio, and H. C. Minnich and 202 others, of Oxford, Ohio, in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. OLMSTED: Resolution of Post No. 58, of Harrisburg, Pa.; Captain Colwell Post, No. 201, of Carlisle, Pa., and Sedgwick Post, No. 42, of Lebanon, Pa., Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. OTJEN: Resolution of the executive committee of the Wisconsin Rest Day Association, for Sunday closing of the proposed Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

By Mr. POWERS of Maine: Papers to accompany House bill granting an increase of pension to Seth H. Hall—to the Committee on Invalid Pensions.

Also, paper to accompany House bill granting an increase of pension to Leonard H. Washburn—to the Committee on Invalid Pensions.

By Mr. PRINCE: Resolutions of the Chamber of Commerce of Quincy, Ill., favoring passage of Senate bill 1618, for reorganization of United States consular service—to the Committee on Foreign Affairs.

Also, resolutions of George W. Parker Post, No. 709, Grand Army of the Republic, of Williamsfield, Ill., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of Julius Pratt Post, No. 149, Grand Army of the Republic, of Kewanee, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: Papers to accompany bill H. R. 10039, granting a pension to Harrison Cook—to the Committee on Pensions.

Also, papers to accompany bill to pension William A. Russell—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 2421, for the relief of William P. Tanner—to the Committee on War Claims.

By Mr. RIXEY: Papers to accompany claim of George M. Fry—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of H. O. Wells, of Fort Wayne, Ind., in favor of bill H. R. 1976, relative to post-check system—to the Committee on the Post-Office and Post-Roads.

By Mr. RUPPERT: Resolutions of Manufacturers' Association of New York City, on pending bills to repeal the national bankruptcy act—to the Committee on the Judiciary.

By Mr. SHACKLEFORD: Paper to accompany bill granting a pension to Catrena Helmig—to the Committee on Invalid Pensions.

By Mr. SHERLEY: Papers to accompany bill H. R. 7497, granting a pension to Emma A. Webster—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 8408, for the relief of Catherine B. Jones—to the Committee on War Claims.

By Mr. SMITH of Michigan: Resolutions of John A. Logan Post, No. 1; Innes Post, No. 408; Bonner Post, No. 306; Sedgwick Post, No. 16; W. H. Whitney Post, No. 350; Joseph Wilson Post, No. 87; O. H. Read Post, No. 234, and Henry Rice Post, No. 151, Department of Michigan, Grand Army of the Republic, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SNOOK: Papers to accompany bill H. R. 9273, granting an increase of pension to James H. Sackett—to the Committee on Invalid Pensions.

By Mr. STAFFORD: Resolution of Robert Mueller Post, No. 250, Grand Army of the Republic, of Milwaukee, Wis., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SULZER: Resolutions of New York Board of Trade and Transportation, in opposition to the repeal of the national bankruptcy act—to the Committee on the Judiciary.

By Mr. TAWNEY: Papers to accompany bill granting an increase of pension to Henry H. Howard—to the Committee on Invalid Pensions.

Also, petition of the Upper Mississippi Improvement Association, of Winona, Minn., for the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. TIRRELL: Papers to accompany bill granting an increase of pension to Silas G. Soules—to the Committee on Invalid Pensions.

By Mr. WADE: Resolutions of August Wentz Post, No. 1, of Davenport, Iowa, and of John R. Buckman Post, No. 382, of Leclaire, Iowa, Grand Army of the Republic, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petition of O. P. Scovell and others, of Lewiston, N. Y., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WILEY of New Jersey: Petition of pastor of the Central Presbyterian Church, of Orange and East Orange, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WILLIAMS of Illinois: Resolutions of Chamber of Commerce of Quincy, Ill., in favor of Senate bill 1618, for reorganization of the consular service—to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *January 26, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. PENROSE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved without objection.

CLERICAL FORCE AT SUBTREASURY, BOSTON, MASS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the assistant treasurer at Boston, Mass., relative to an increase in the clerical force in his office of three clerks at $1,200 each, and one clerk at $1,000; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

CLERICAL FORCE AT SUBTREASURY, CHICAGO, ILL.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter addressed by the Treasury Department to the Committee on Appropriations, House of Representatives, relative to the growth of business in the office of the assistant treasurer at Chicago, Ill., and recommending that provision be made for an increase in that force; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Turn Verein of Chattanooga, Tenn.; of Lodge No. 50, of Buffalo Lake, and of Freiheit Lodge, No. 142, of St. Paul, in the State of Minnesota; of the Arion Association, of Wheeling, W. Va.; of the German Dramatic Society of Providence, R. I.; of the Deutscher Krieger Verein of Charleston, and of Schiller Lodge, No. 30, of Charleston, in the State of South Carolina; of Columbia Lodge, of Randolph, Nebr.; of the Maennerchor of Waco; of the Turn Verein of San Antonio; of Lodge No. 43, of Welcome; of Schley Lodge, of Uhland; of the Deutsche Bauern Lodge, of Sandoval; of Welfen Lodge, No. 52, of Galveston; of Lodge No. 162, of Fredham; of the Liederkranz Singing Society, of San Antonio; of Lessing Lodge, No. 12, of Sealy; of the Turn Verein of Houston, and of Germania Lodge, No. 1096, of San Antonio, all in the State of Texas; of William Tell Lodge, No. 5, of Washington; of the United German Societies of Washington; of the Verein Baden, of Washington; of the German Order of Knights in Black, of Washington, and of the Plattdeutsche Verein of Washington, all in the District of Columbia; of the Deutscher Landwehr Maenner Verein, of Milwaukee; of the Turn Verein of Madison; of Armin Lodge, No. 9, of Milwaukee; of St. George's Benevolent Society, of Kenosha; of Einigkeit Lodge, No. 34, of Wausau; of the Deutscher Kriegerbund, of Milwaukee; of Lodge No. 145, of Milwaukee; of the Harmonie Singing Club, of Kenosha; of the Bavarian Sick and Benefit Society of Sheboygan; of the Bruderbund of Milwaukee; of the Germania Singing Society, of Eau Claire, and of the Turn Verein of Milwaukee, all in the State of Wisconsin; of the Germania Benevolent Association, of Richmond, Va.; of the Goethe Lodge, No. 592, of Burlington, Vt.; of Multnomah Lodge, No. 10, of Portland, and of the General German Aid Society, of Portland, all in the State of Oregon; of the Saengerbund of Rome; of the Germania Gesang Verein, of Dunkirk; of the Plattdeutsche Bowling Club of Brooklyn; of the Lueneburger Heide Club, of New York City; of the Court Clinton Lodge, No. 198, of Buffalo; of the Deutscher Krieger Verein of Buffalo; of the Turn Verein of New York City; of the Arion Club of Amsterdam; of the Turn Verein of Newburgh; of the Saengerbund of Syracuse; of the United Grocery and Tea Clerks' Union, of New York City; of the Arbeiter-Liederkranz, of Mount Vernon; of the Turn Verein of Yonkers; of the Arbeiter Liedertafel, of Syracuse; of the Schützen Club of Brooklyn; of the German Order of Harugaris, of Olean; of Point Gratiot Lodge, No. 181, of Dunkirk; of Concordia Tent, No. 128, of Rochester; of the Stein Hive, Ladies of the Maccabees of the World, of Rochester; of the Leher Club, of Brooklyn; of the Turn Verein of Mount Vernon; of the Social Gymnastic Society of Dolgerville; of the Plattdeutsche Club of Brooklyn; of the Bavarian Benefit Society of Syracuse; of the Nachtwaechter Cycles, of Buffalo; of Friendship Lodge, No. 551, of Utica, and of the Workmen's Sick and Death Benefit Fund, Branch No. 88, of Utica, all in the State of New York; of the Secret Heart Society of Erie; of the German-American Benevolent Association of Erie; of the Singing Society of Wilkesbarre; of the Turn Gesang Verein of McKeesport; of the Beneficial Association of Philadelphia; of the Turn und Gesang Verein Eintracht, of Monongahela; of the Aurora Gesang Verein, of Allegheny; of the German Guards

Corps of Allegheny; of Mozart Lodge, No. 971, of Allegheny; of the St. Paul's Unterstuetzungs Verein, of Philadelphia; of the Germania Musical Association, of Philadelphia; of Lodge No. 721, of Pittsburg; of the Gesang Verein Harmonia, of Williamsport; of Marnie Lodge, No. 24, of Erie; of Germania Grand Lodge, No. 47, of Erie; of the Veteran Corps, First Regiment Band, of Philadelphia; of the Turn Verein of Philadelphia; of the Spring Hill Social Kegel Club, of Allegheny; of the Central Turn Verein, of Pittsburg; of the Harmonia Singing Society, of Smithton; of Germania Lodge, No. 500, of Pittsburg; of the Quartette Club of Reading; of the German Beneficial Union, District No. 89, of Reading; of the Harmonie Maennerchor, of Reading; of Beneficial Society No. 2, of Pittsburg; of the West [illegible] Maennerchor, of Philadelphia; of the [illegible] Verein, of Philadelphia; of the German Mechanics' Union, Lodge No. 620, of Philadelphia; of Schiller Lodge, No. 16, of Philadelphia; of the Deutsche Singing Society, of Allegheny; of the Labor Lyceum Association, of Philadelphia; of the West Erie Beneficial Society, of Erie; of Teutonia Lodge, No. 152, of Allegheny; of the Columbus Ohio Yearly Beneficial Society, of Philadelphia; of District No. 36 of the German Beneficial Union, of Allegheny; of the German Militar Verein, No. 7, of Etna; of the Germania Militar Society, of Allegheny; of [illegible] Lodge, No. [illegible], of Wilkesbarre; of the Gruetli Society, of Philadelphia; of the Central [illegible] und Gesang Verein, of Braddock; of the Turn und Gesang Verein Eintracht, of Homestead; of the Charles Diehl Society, of Philadelphia, and of the Quaker City Benevolent Society, of Philadelphia, all in the State of Pennsylvania; of the Hundsruck Verein, of Columbus; of Western Lodge, No. 87, of Cincinnati; of the St. Peters Maennerchor, of Chillicothe; of the Deutscher Bund, of Marion; of the Maennerchor of Dayton; of Eintracht Lodge, No. 1420, of Columbus; of the Deutscher Militar Verein, of Cincinnati; of the Germania Smoking Casino, of Cincinnati; of the Turn Verein of Cincinnati; of the North German Benevolent Society of Toledo; of the German Central Bund, of Toledo; of the Turngemeinde of Dayton; of Hermann Lodge, No. 208, of Cincinnati; of the German Good Luck Union, of Massillon; of Goethe Lodge, No. 487, of Cleveland; of the Humboldt Lodge, No. 274, of Cincinnati; of the Hudepohl Combination, of Cincinnati; of the Baden Benevolent Society, of Toledo; of the German Republican Club of the Sixteenth Ward, of Cleveland; of the Badische Saengerrande, of Dayton; of Centennial Rebeckah Lodge, No. 226, of Cincinnati; of Lodge No. 12, of Piqua; of Harmonia Lodge, No. 359, of Cleveland; of Harmonia Lodge, No. 358, of Columbus; of the Turn Verein of East Liverpool; of the Schwaben Unterstuetzungs Verein, of Cleveland; of the Germania Turn Verein, of Steubenville; of the Verein Deutsche Eintracht, of Cleveland, of District No. 65, German Beneficial Union, of Cleveland; of Augustus Lodge, No. 408, of Cleveland; of the Turn Verein of Cincinnati; of the Plattdeutsche Verein of Sandusky; of the Deutsche Enge Lodge, No. 469, of Dayton; of the Harugari Maennerchor, of Cleveland; of the Germanias Schuetzen Club, of Cleveland; of the Arbeiter Verein of Columbus; of Miami Chapter, No. 3, of Piqua, and of Friedrich Lodge, No. 522, of Hamilton, all in the State of Ohio, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented petitions of sundry citizens of California, Kansas, Montana, Vermont, and Arizona, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Beaver County Association, Union of Ex-Prisoners of War, of Pennsylvania, praying for the enactment of legislation granting pensions to soldiers and sailors confined in so-called Confederate prisons; which was referred to the Committee on Pensions.

He also presented petitions of Lieutenant Edward W. Gay Post, No. 372, of Philadelphia; of Post No. 446, of New Wilmington; of Jason A. Kelton Post, No. 228, of Philadelphia; of Sedgwick Post, No. 42, of Lebanon; of Andrew G. Tucker Post, No. 50, of Philadelphia, and of Albert W. Perrin Post, No. 870, of Ridgway, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

He also presented a petition of the West Pennsylvania Synod of the Evangelical Lutheran Church, of Gettysburg, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Medal of Honor Legion of New York City, praying for the enactment of legislation to place all soldiers who have received a medal of honor from Congress for gallantry on the service-pension roll at $75 per month; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Grangeville; of the congregations of the Baptist, Presbyterian, Methodist Episcopal, and United Presbyterian churches, all of Leechburg; of the Woman's Christian Temperance unions of Armstrong County, Oil City, and Bradford; of the Young People's Presbyterian League of Bradford; of the congregation of the First Methodist Episcopal Church of Bradford; of the congregation of the Northminster Presbyterian Church, of Philadelphia; of the Twentieth Century Club of Mifflinburg; of the congregation of the United Brethren Church of Bradford; of the New Century Club, of West Chester, and of sundry citizens of Bradford, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DRYDEN presented a petition of the Village Improvement Association of Cranford, N. J., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of General George B. McClellan Post, No. [illegible], of General William S. Truex Post, No. 118, of South Amboy; of Lincoln Post, No. 11, of Newark; of Aaron Wilkes Post, No. 23, of Trenton; of G. Van Houten Post, No. 3, of Jersey City, and of Phil Sheridan Post, No. 110, of Newark, all of the Department of New Jersey, Grand Army of the Republic, in the State of New Jersey, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the First Presbyterian Church of Morristown, of the congregation of the Methodist Episcopal Church of Atlantic Highlands, of the Woman's Christian Temperance Union of Point Pleasant, of the Woman's Christian Temperance Union of Gloucester County, and of the congregation of the Methodist Episcopal Church of Putnam Grove, all in the State of New Jersey, and of the National Union of Women's Organizations, of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. FOSTER, of Washington, presented a petition of the congregation of the First Baptist Church, of Tacoma, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented petitions of Lemon Post, No. 211, of Farmer City; of W. H. L. Wallace Post, No. 55, of Centralia; of Frank Sampson Post, No. 298, of Waynesville; of Franklin Post, No. 256, of Monticello; of Reynolds Post, No. 559, of Reynolds; of Arthur W. Marsh Post, No. 348, of Warsaw; of W. W. H. Lawton Post, No. 498, of Griggsville; of Julius A. Pratt Post, No. 143, of Kewanee; of Clement Post, No. 186, of Chillicothe; of Irwin McDowell Post, No. 501, of East St. Louis; of [illegible] Post, No. 585, of Grafton; of George W. Parker Post, No. 700, of Williamsfield, and of William McKinley Post, No. 701, of Chicago, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. FAIRBANKS presented the memorial of J. L. Bieler, of Indianapolis, Ind., representing the German American Alliance of the State of Indiana, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

SHIPPING BETWEEN THE UNITED STATES AND PHILIPPINE ISLANDS.

Mr. LODGE. I move that an order be made to print as a Senate document a hearing had before the Committee on the Philippines of the Senate on the bill (S. 2959) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, and for other purposes.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. [illegible]) to refer to the Court of Claims the claims of the Pottawatomie, Kickapoo, Wea, and Piankashaw Indians against the United States, and for other purposes, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

Mr. PERKINS, from the Committee on Naval Affairs, to whom was referred the bill (S. 3667) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. KEAN (by request) introduced a bill (S. 3809) for the relief of Mary A. Shafeldt; which was read twice by its title, and referred to the Committee on Claims.

Mr. DRYDEN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3810) granting an increase of pension to Virginia B. Mullan;

A bill (S. 3811) granting an increase of pension to Thomas B. Farrell; and

A bill (S. 3812) granting an increase of pension to Charles W. Bechtel (with an accompanying paper).

Mr. GIBSON introduced a bill (S. 3813) granting an increase of pension to Stephen Spitzley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Claims:

A bill (S. 3814) for the relief of the estate of Raphael Segura, deceased;

A bill (S. 3815) for the relief of the estate of Jacob Israel, deceased;

A bill (S. 3816) for the relief of the heirs of Jabez Tanner, deceased, and estates of L. York and Elias J. Hoover, deceased;

A bill (S. 3817) for the relief of the estates of W. R. Brown and Mrs. Elmyra Brown, deceased;

A bill (S. 3818) for the relief of the estate of Lucy J. Boyle, deceased;

A bill (S. 3819) for the relief of the estate of Elizabeth W. F. Chevis, deceased;

A bill (S. 3820) for the relief of Eli C. Brown; and

A bill (S. 3821) for the relief of the estate of Dr. Joseph Moncla, deceased.

Mr. BALL introduced a bill (S. 3822) directing the Commissioners of the District of Columbia to refund certain moneys received by the collector of taxes of the said District; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PETTUS introduced a bill (S. 3823) authorizing the payment of the claim of M. A. Gantt & Son for board and lodging to volunteers during the Spanish-American war; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 3824) in relation to pharmacy in the Indian Territory; which was read twice by its title.

Mr. STEWART. I ask that the bill, with the accompanying papers, be referred to the Committee on Indian Affairs.

Mr. BEVERIDGE. Why should it go to the Committee on Indian Affairs? I have no objection to the reference, but naturally it would go to the Committee on Territories.

Mr. STEWART. I think it belongs to the Committee on Indian Affairs.

Mr. BEVERIDGE. Is there some special reason why it should be so referred? If it applies to Indian Territory, then it might come to the Committee on Indian Affairs, if anything ought to go to the Committee on Territories.

The PRESIDENT pro tempore. A similar bill was referred to the Committee on Indian Affairs in the last Congress.

Mr. BEVERIDGE. If it was referred in the last Congress, I have no objection to its reference at this session.

The PRESIDENT pro tempore. It will be referred to the Committee on Indian Affairs. The bill and accompanying papers will be referred to the Committee on Indian Affairs.

Mr. DILLINGHAM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3825) granting an increase of pension to Anna H. Lyman;

A bill (S. 3826) granting an increase of pension to Roswell B. Bradley; and

A bill (S. 3827) granting an increase of pension to Norman B. Davenport (with accompanying papers).

Mr. PROCTOR introduced a bill (S. 3828) to provide for the settlement of certain claims of officers and enlisted men of the Army for the loss of clothing, without fault or negligence on the part of said officers and men, of property belonging to them in the military service of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BEVERIDGE introduced a bill (S. 3829) granting an increase of pension to James H. Crawley; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3830) granting an increase of pension to Jasper H. Robison; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3831) granting an increase of pension to Francis M. Howard; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 3832) to correct the military record of Edward Payton; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3833) granting an increase of pension to George T. Edwards;

A bill (S. 3834) granting an increase of pension to Jasper N. Jennings; and

A bill (S. 3835) granting an increase of pension to Isaac C. Ross.

Mr. GALLINGER introduced a bill (S. 3836) to amend section 1 of an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903; which was read twice by its title, and referred to the Committee on Immigration.

He also introduced a bill (S. 3837) for the extension of W street north between North Capitol and First streets west; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3838) for the extension of Albemarle street; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3839) granting an increase of pension to George B. Abbott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 3840) granting a pension to John A. Cousley, jr.; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3841) granting an increase of pension to John M. Bigger; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 3842) to amend an act entitled "An act amending the civil code of Alaska providing for the organization of private corporations, and for other purposes," approved March 3, 1903; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

He also introduced a bill (S. 3843) providing for the hearing of cases upon appeal in the circuit court of appeals for the ninth district in the State of Washington; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the Judiciary.

Mr. NELSON (by request) introduced a bill (S. 3844) to authorize the Nome Improvement Company to open and improve the mouth of Snake River at Nome, Alaska; which was read twice by its title, and, with the accompanying petition, which was ordered to be printed, referred to the Committee on Commerce.

Mr. PENROSE introduced a bill (S. 3845) to correct the military record of Robert D. Magill; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3846) granting a pension to Emma A. Poland;

A bill (S. 3847) granting an increase of pension to W. D. Stauffer;

A bill (S. 3848) to pension volunteer army nurses;

A bill (S. 3849) granting an increase of pension to George W. Allen;

A bill (S. 3850) granting a pension to Rachel Flegel;

A bill (S. 3851) granting a pension to Caroline Goshall;

A bill (S. 3852) granting a pension to Kate E. Young;

A bill (S. 3853) granting an increase of pension to Margaret Hornsby;

A bill (S. 3854) granting an increase of pension to Joseph Anderson;

A bill (S. 3855) granting an increase of pension to John T. Brothers; and

A bill (S. 3856) granting an increase of pension to W. H. H. Taylor.

Mr. MILLARD introduced a bill (S. 3857) to provide for the purchase of a site and the erection of a public building thereon in the city of West Point, State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3858) to provide for the purchase of a site and the erection of a public building thereon in the city of Columbus, State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. KITTREDGE introduced a bill (S. 3859) granting an increase of pension to Arthur Linn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. KEARNS introduced a bill (S. 3860) granting a pension to

James Henry Martineau; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 3861) to provide for the inspection of certain seagoing sail vessels and barges, and to protect life and property at sea; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BATE introduced a bill (S. 3862) granting an increase of pension to James M. Kercheval; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3863) granting a pension to Lillie P. Hinman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 3864) granting an increase of pension to Dean W. King; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BACON introduced a bill (S. 3865) granting a pension to Jefferson Willcox; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 3866) to provide for the investigation of infectious diseases of domestic animals prevalent in the State of Minnesota and adjoining States; which was read twice by its title, and referred to the Committee on Appropriations.

Mr. BLACKBURN introduced a bill (S. 3867) granting an increase of pension to Osmer S. Deming; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 3868) for the relief of David K. Wall and the heirs of John A. Witter, deceased; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NELSON submitted an amendment proposing to appropriate $8,724.10, with interest thereon at 6 per cent from March 18, 1902, as compensation to the owners of the Norwegian steamer *Ragnar* for damages to said steamer by collision on March 18, 1902, with the United States army transport *Sumner* in the Yangtze River, China, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to increase the salary of the messenger in the Chief Clerk's office, House of Representatives, from $750 to $1,200, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. ELKINS submitted an amendment proposing to appropriate $60,000 for continuing and enlarging the work of the Geological Survey in examining, analyzing, and testing the coals and lignite in the United States in order to determine their fuel values, etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on the Geological Survey, and ordered to be printed.

HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. PROCTOR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Agriculture and Forestry be and it is hereby authorized to employ a stenographer to report hearings to be held during the sessions of said committee, the expense thereof to be paid from the contingent fund of the Senate, and that this committee be authorized to have said hearings printed.

FOREST RESERVE LANDS.

Mr. HEYBURN. Mr. President, I desire to call up from the table this morning for consideration Senate joint resolution No. 30, and to submit a few remarks upon it.

The PRESIDENT pro tempore. The Senator from Idaho asks unanimous consent to take from the table a joint resolution, which will be read by title.

The SECRETARY. A joint resolution (S. R. 30) directing the stay of all proceedings now pending upon any application to enter or patent even-numbered sections of the public lands of the United States in lieu of odd-numbered sections surrendered by any railroad company, or its assigns, within the limits of any forest reserve.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Idaho? The Chair hears none.

Mr. HEYBURN. Mr. President, the joint resolution is directed to the practice or the interpretation which has been placed upon the law granting lands to the various railroad companies, which lands have since been included within forest reserves. There was a restriction placed upon these land grants, confining them to odd-numbered sections of land, and it was the intention of Congress, as expressed in making such grants, that the railroad companies should not be allowed to take solid blocks of land to the exclusion of the right of settlers and homemakers who might desire to take these lands under the homestead law.

The reason is obvious. A great advantage was to be derived to the country through which the railroads were constructed, and had the land grants been made in the form of solid blocks of land settlers could only enter upon it and derive the benefit from the construction of the railroad as purchasers from the railroad company having the grant. Congress in its wisdom determined that the railroad company should take the odd-numbered sections and that the even-numbered sections should be retained for the homesteader or homemaker who did not desire or was not able to purchase the railroad company's land.

This was the policy of the Government for a long time. By and by the policy of creating forest reserves was inaugurated, and these forest reserves falling, as they of necessity would in many cases, within the limits of the railroad land grant, it was necessary to make some adjustment of the rights of the railroad company, and they were given the right to select lands outside of the forest reserves in lieu of the odd sections that fell within them.

The act granting this right is a part of, refers back and relates to, the land-grant act. It was the intention of Congress, and it is the letter and spirit of the law that only the same class of lands—that is, the odd-numbered sections—shall be taken in lieu of odd-numbered sections surrendered, carrying out the original intent of Congress that the homemaker should at all times have an open door in the midst of the progress that results from the building of the railroads.

Through some inadvertence the act creating the Mount Rainier Reserve in the State of Washington was not guarded as carefully as it might have been, and there was no specific provision in that act limiting the right of selection to odd-numbered sections. But it is declared that the extent of the reservation shall not be enlarged by the creation of the right of exchange; in other words, that the railroad company's land grant shall remain of the same character and the same general limit, notwithstanding the right to select lieu lands that is given.

The act also provides that they may take them in any State or Territory through which the railroad extends. While I am not making any particular attack upon any particular railroad company, yet I will use for illustration the road that lies nearest to the section of the country with which I am best acquainted—the Northern Pacific Railroad Company.

The Mount Rainier Reserve contains something over 2,000,000 acres. I have the exact area stated here. It contains 2,027,520 acres of land. Assume for the purpose of argument that half of that—every alternate section—is railroad land. It is situated in the State of Washington. A land grant is to some extent a burden upon the State in which it lies.

The railroad is not a burden, but the land grant is a burden to this extent, that it diminishes the right of the settler to exercise his homestead rights. It compels him to buy for cash, by bargain and sale, what otherwise he would have a right to locate upon under the land laws.

It is a burden in another way. The States which have been admitted in recent years on the Pacific coast have been given certain concessions for educational and other public purposes. They have the right of selection from the public lands of the United States. It is an absolute grant that passed with the admission act of the State. That right of selection is diminished by the enlargement of the railroad land grant within the borders of the State.

I will illustrate it by the instance in point, the Rainier Reserve. With over 2,000,000 acres of land in the State of Washington they surrender the railroad lands, say a million acres, and take a roving commission into every State and Territory in the Union to select lands in lieu of that surrender. What is the result? They come down into the State of Idaho and select a part of our public lands that form the capital, the stock in trade, upon which rest our future growth and greatness, and the body of public land is diminished to the extent of the selections made in that State.

Washington is relieved of the burden she has created, whether to her profit or not I do not undertake to say, having a great forest reserve, a national park around Mount Rainier, with over 2,000,000 acres in it, and other States have to indemnify the State of Washington or the railroad company for the lands thus taken.

Now, it is all right for the Government to create great reserves and parks for the public benefit, for the benefit of all the people of the whole country, but the Government should do it at its own general expense and not at the expense of the public lands that are held in trust by the Government for the benefit of the people now and hereafter to be in the State of Idaho or in the State of Washington or in any other State.

That is the application of this pernicious principle of granting a roving commission to the railroad company to select lands in any State or Territory in lieu of those surrendered.

Even the forest reserves that are created in Arizona result in the selection of lands in Idaho, Oregon, Washington, or in any

State where the railroad company may choose to go for the purpose of selecting lands in lieu of those surrendered in Arizona.

I will not this morning go into the question of the relative value of these lands further than to say that as a matter of fact these companies, acting through their representatives or their grantees, if you please, have surrendered worthless lands in the Mount Rainier Reserve in the State of Washington, and have selected white-pine lands in the State of Idaho that will scale from 3,000,000 to 6,000,000 feet of lumber to the quarter section. That I cite merely as an instance of the method or the manner in which this system works.

Now, this joint resolution provides that all these entries shall be suspended. There is no limitation on them. They never had the right under the law to make the selections. They have been permitted to make them, and they have reached a point in the Interior Department having jurisdiction of the issuing of patents for those lands that, while some of them have passed to a patent, a large number of them stand at the doorway ready for a patent.

I submit to the Senate that those entries should be suspended, because if they are allowed to be made they are a violation of the spirit of the law that granted the lands to the railroad companies.

The forest reserves already created number more than fifty—about fifty-two. They contain 62,352,685 acres of land. The railroad land which lies within those forest reserves amounts to about 4,000,000 acres.

The railroad companies are given the right to select, at their option, a better class of land than those they surrender. They are given a right to go into other neighborhoods than that in which the land surrendered is situated, and to take advantage of the growth and advancement of the country in selecting the land. They can select land out in the vast forests of Montana or Washington and go down in the neighborhood of established cities and civilization and exercise the right of selection. The injustice of it must be obvious, and that it is in direct violation of the spirit of the law creating railroad land grants must be self-evident.

Mr. BEVERIDGE. Will the Senator from Idaho permit a question for information?

Mr. HEYBURN. Certainly.

Mr. BEVERIDGE. Can they exercise this right at will, or is it done under the direction and supervision of the Secretary of the Interior?

Mr. HEYBURN. The direction expressed in the act goes only to the method of exercising it, the question of a survey, and the method of transfer by the railroad company in surrendering land to the Government.

Mr. BEVERIDGE. But the question I ask is whether they exercise this privilege of taking even-numbered sections in lieu of odd-numbered sections at will, where there are vacant even-numbered sections, or is that done under the supervision of the Secretary of the Interior?

Mr. HEYBURN. It has been done under a misdirection or misapprehension as to their legal rights, with the permission of the Land Department in its various branches, and it is to that that the joint resolution is directed.

Mr. CLAPP. May I interrupt the Senator from Idaho?

Mr. HEYBURN. Certainly.

Mr. CLAPP. I think the matter can be simplified to the Senator from Indiana if it is understood that after the surrender by the companies to the Government certificates are issued which are called scrip. That scrip is disposed of to whoever may take it, and then they may locate that scrip under the terms of the act. As to the Northern Pacific, that scrip is only available in the States through which the company runs, as I think the Senator will see.

Mr. HEYBURN. Yes; but as to other reservations that does not apply. The joint resolution is directed to an inquiry under the process of exchange as to all reservations. I merely used the Rainier Reservation as an illustration.

Mr. CLAPP. I understood the Senator this morning to state that the Rainier bill was exactly similar to the others.

Mr. HEYBURN. No; not to all others.

Mr. CLAPP. But as to the Northern Pacific.

Mr. HEYBURN. Yes; there is no bill except as to the Rainier Forest Reservation. The others were created under the general law giving the President power to create them by proclamation, and there are some fifty-odd of them that have been created that way. In the instance of the Rainier Reservation it was created by an act of Congress, but the provisions of the general act differ slightly from those in the special act relating to the Mount Rainier Reserve.

The joint resolution is directed not alone in its purpose to suspending these entries by railroad companies operating under the general forest-reserve act, but under the Rainier act. It appears from the reports made at various times by the Interior Department that the Northern Pacific Railway Company, claiming to be the successor of the Northern Pacific Railroad Company, is claiming to exercise the right of exchange given to the Northern Pacific Railroad Company in the Rainier Reserve.

The Northern Pacific Railway Company is not the successor of the Northern Pacific Railroad Company, and Congress, in order that there might be no mistake about it, has by direct enactment refused to recognize it as the successor, doubtless actuated by a knowledge of the manner of the reorganization of that road.

The Northern Pacific Railroad Company made certain mortgages in violation of the charter granted to it by Congress. Those mortgages were void under the decision of the Supreme Court of the United States. Notwithstanding that fact, the Northern Pacific Railroad Company foreclosed, or those mortgages that were made without authority of law were foreclosed against it.

The question arose as to whether the title passed. With all those things in the minds of the lawyers who participated in the proceedings of Congress, they affirmatively denied the right of selection or refused to recognize it as existing in the Northern Pacific Railway Company. Yet that company has been assuming to exercise the right of selection for the Northern Pacific Railroad Company.

If those entries are suspended as to the even-numbered sections it will detract nothing from whoever may be entitled to exercise that right so far as the joint resolution is concerned. It is not directed at the exercise of the right to take odd-numbered sections except that it confines them to certain limits.

It has been suggested that it is not competent to take away any vested right because they may have sold to innocent purchasers. The purchaser of the right of exchange from the railroad company stands exactly in the position the railroad company stands in. He can have no greater right. He can not enlarge the right of the railroad company by purchasing the right to exercise it.

If innocent parties have been misled into the belief that they could select even-numbered sections in lieu of odd-numbered sections surrendered, they have made a mistake which is easily rectified. If the railroad company has sold them a right which they did not have, their remedy is plain. If they have exercised or exhausted the right of selection by taking lands or filing upon lands not subject to selection, they still have the right, and may exercise it within the scope and the power that went without the right of selection.

So it is not a case where anyone is going to be injured. It is not a case of an ex post facto law. It is simply a case of correcting a wrong impression and a wrong practice which has grown up pursuant to it in a Department over which Congress has absolute power.

It matters not what contracts the Interior Department may have made with reference to the exchange of these lands, if those contracts are not within the spirit and the letter of the power given by law they are void. They are as void as any other contract that might be made by an individual beyond the power to make them.

So there can be no objection to the passage of the joint resolution if it is agreed that Congress only intended that the railroad companies should have the right, either as an original grant or by selection, to odd-numbered sections. The practice to which the joint resolution is directed results in enlarging the land grant in one State and diminishing it in another at the election of the railroad company. I hope that the joint resolution will meet with the approval of the Senate.

Mr. FULTON. Mr. President——

The PRESIDENT pro tempore. What does the Senator from Idaho desire to have done with the resolution?

Mr. HANSBROUGH. I was about to suggest that this whole matter is now before the Committee on Public Lands, which is having hearings on the subject, and that the joint resolution should be referred to that committee.

The PRESIDENT pro tempore. The joint resolution having been read twice, it will be referred to the Committee on Public Lands.

Mr. FULTON. Before it is referred, I should like to ask the Senator from Idaho a question.

I understand the objection to permitting the railroads or their assigns to select the even-numbered sections within the limits of a railroad grant is that it would take from the Government the entire land within those limits and give the railroad companies practically a solid body of land.

But I see that by the joint resolution and by the bill which was introduced by the Senator from Idaho it is proposed to prohibit the selection of even-numbered sections in any locality, whether within the limits of a railroad grant or otherwise.

I did not understand the Senator to explain the object and purpose of that provision, or rather why they should be confined to odd-numbered sections in a locality outside of a railroad grant.

Why should they not be allowed to select even as well as odd sections as long as the land is not within the limits of a railroad grant? I simply ask for information, because I did not understand the object.

Mr. HEYBURN. It was not the intention of Congress that the railroad company should, under any circumstance, go beyond their lien-land limits. They were given an express and direct grant. Then they were given certain limits in which they might select lands in lieu of those they lost from any cause within their grant. It certainly would be a violation of the spirit and intent of the law as it stands to allow them to go outside of the lieu lands under any circumstances.

As to the selection in a solid block inside, which they have done, if they take every even section, having already the odd sections, it results in excluding everybody but themselves from that section of the country. Then they make contracts. They sell these rights and give forty and fifty years in which to remove the timber. It results in making that section of the country an uninhabited desert until the expiration of that period, and ties up the growth of the State within those limits.

The PRESIDENT pro tempore. The joint resolution will be referred to the Committee on Public Lands.

HEIGHT OF BUILDINGS IN THE DISTRICT.

The PRESIDENT pro tempore. The Chair will lay before the Senate certain resolutions that are on the table.

Mr. STONE. I desire to ask leave, if it suits the convenience of the Senate at this time, to call up resolution No. 84, which I offered some days ago.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. The Senator from Missouri [Mr. STONE] has been recognized.

Mr. GALLINGER. I hope the Senator from Missouri will yield to me for a moment, as I simply desire to make a correction of the Calendar.

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from New Hampshire?

Mr. STONE. Certainly.

Mr. GALLINGER. On the 8th day of January the bill (S. 2435) to amend an act to regulate the height of buildings in the District of Columbia was favorably reported from the Committee on the District of Columbia. On January 22 a similar bill, which had passed the House of Representatives, was ordered favorably reported, and was so reported. In reporting that bill I meant to ask that it should take the place on the Calendar occupied by the Senate bill, and that the Senate bill be indefinitely postponed. I now ask that that order may be made.

The PRESIDENT pro tempore. What is the Calendar number?

Mr. GALLINGER. The Calendar number of the Senate bill is 184 and the Calendar number of the House bill is 398. I simply ask that the House bill shall go on the Calendar in the place of the Senate bill and that the Senate bill shall be indefinitely postponed.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be made.

RECESS APPOINTMENTS.

Mr. STONE. Mr. President——

Mr. TILLMAN. I ask the indulgence of the Senator from Missouri to let me request the consideration of a resolution which I introduced yesterday, which was objected to by the Senator from Wyoming [Mr. WARREN]. I have had conferences with members of the Committee on Military Affairs, and they say that they have no objection to the passage of the resolution. It will only take a moment, and I shall be obliged if the Senator will permit me to have that resolution now taken up.

The PRESIDENT pro tempore. Does the Senator from Missouri yield?

Mr. STONE. I yield for that purpose.

Mr. TILLMAN. I ask that the resolution requesting certain information from the Secretary of War, which I submitted yesterday, may be taken up.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution submitted yesterday by Mr. TILLMAN, as follows:

Resolved, That the Secretary of War be and he is hereby instructed to send to the Senate information in the nature of answers to the following questions:

First. What officers in the Army were appointed during the recess of the Senate occurring between March 16, 1903, and December 5, 1903? Where were they assigned to duty? Whence came, and what were their stations? What officers failed of confirmation during the second session of the Fifty-seventh Congress? Where were they assigned to duty during November and December, 1903? Have these officers been paroled, and have commissions been issued to them? If so, what is the date of the commission and what authority of law is there for its being issued?

The resolution was considered by unanimous consent, and agreed to.

REVOLUTION IN PANAMA.

Mr. STONE. I now renew my request that the resolution submitted by me on the 13th instant may be taken up.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the resolution referred to by him may be now taken from the table for consideration. Is there objection?

Mr. CULLOM. If I may be allowed to interrupt the Senator from Missouri for a moment, as I understand he simply desires his resolution to be taken up at this time for the purpose of enabling him to address the Senate upon it, and not with any expectation of disposing of the resolution now.

Mr. STONE. Yes; and then I shall ask that the resolution lie over.

Mr. CULLOM. All right.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the concurrent resolution of the Senate to print 5,500 additional copies of the annual report of the Commissioner-General of Immigration.

The message also announced that the House had passed with amendments the concurrent resolution of the Senate to print and bind 3,000 copies of Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, laws, Executive orders, etc., relative to Indian Affairs," in which it requested the concurrence of the Senate.

The message further announced that the House had passed with amendments the concurrent resolution of the Senate to print and bind 10,000 copies of the proceedings upon the unveiling of the statue of Count de Rochambeau in which it requested the concurrence of the Senate.

The message also announced that the House had passed with amendments the concurrent resolution of the Senate to print and bind 16,500 copies of the acceptance by Congress of the statues of Charles Carroll of Carrollton and John Hanson in which it requested the concurrence of the Senate.

The message further announced that the House had passed the bill (S. 2121) entitled "An act to amend an act entitled 'An act providing for public printing and binding and the distribution of public documents.'"

The message also announced that the House had passed the following bills: in which it requested the concurrence of the Senate:

A bill (H. R. 5761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River;

A bill (H. R. 7620) defining the limit of navigation of the Osage River in the State of Missouri; and

A bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (H. R. 6804) providing for the appointment of a customs appraiser at Pittsburg, Pa.; and it was thereupon signed by the President pro tempore.

REVOLUTION IN PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution called up by the Senator from Missouri, which will be read.

The Secretary read the resolution submitted by Mr. STONE on the 13th instant, as follows:

Resolved, That the Committee on Foreign Relations be, and hereby is, authorized and instructed to inquire into the facts pertaining to the late revolution in the Republic of Panama and the secession of that province from the Republic of Colombia, and whether any agent, officer, or citizen of the United States was a party, directly or indirectly, to said revolution, and what part, if any, was taken by the Navy of the United States, and what part, if any, was taken by any officer or agent of the Panama Canal Company in said revolution, and whether any such officer or agent had any previous knowledge of said revolution, and if so, what he did with such knowledge; and whether any such officer or agent had any previous knowledge of the time when the revolution would occur, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the place where the revolution would occur, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the persons who would be the leaders in said revolution, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the plan of said revolution, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the time when the revolution would be declared, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the time when the revolution would be consummated, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the time when the revolution would be recognized by the United States, and if so, when he first had such knowledge; and whether any such officer or agent had any previous knowledge of the time when the revolution would be recognized by any other nation

we be advised of other things of which we have only an inkling. I do not charge misconduct on the part of the Administration; I do not charge complicity of any American official in the Panama insurrection; but I can not shut my eyes to the fact that the situation is surrounded by circumstances that cast upon it the shadow of grave suspicions. If anything has been done by the President or by his direction which should not have been done, I am willing to believe it is due more to indiscretion, impulsiveness, and to that volcanic, irrepressible love he has for things eruptive, tragical, lurid, and sensational than to any other cause. But whatever the cause, our duty and responsibility remain the same.

GROUNDS OF SUSPICION.

Mr. President, what are the things, or some of them, that give to our part in the Panama revolution a sinister aspect? Let us see. To begin with, while the Hay-Herran treaty was pending for ratification before the Colombian Senate Secretary Hay sent some remarkable communications to Bogota. In his message to Congress of January 4 the President said:

> That there might be nothing omitted [Secretary Hay through the minister at Bogota repeatedly warned Colombia that grave consequences might follow a long delay or rejection of the treaty.

We have some of these messages to the American minister, and some of the communications made, under instructions, by the minister to the Colombian Government. He was directed to warn the Colombian Government, which he did, that to reject the treaty or unduly delay its ratification would seriously compromise the friendly relations between the two countries, and might result in consequences which every friend of Colombia would regret.

This is strange language, Mr. President, for one sovereign to address to another. It is not the language of diplomacy or amity or courtesy, but of threat and menace. It did not tend to conciliate, but to exasperate. Is it too much to say that it was not spoken to persuade, but to intimidate and coerce? Would the Secretary of State have dared—I put it strongly, have dared, I say—under like circumstances, to have addressed a communication of that kind to any first-class power? And, Mr. President, what would you and these American Senators have done if Great Britain had sent an insult like that to this Chamber when the Hay-Pauncefote treaty was under consideration? I do not care to express just what I think of this example of Roosevelt-ian diplomacy. I will only say that I can take no pride in seeing my country strut before the world like a swaggering bully on the stage. Colombia was "warned," says the President, that grave consequences might result from a rejection of the treaty. What consequences? What did he mean? If he meant anything, necessarily he meant if the treaty should be rejected we would forcibly seize the Isthmus of Panama and settle with Colombia on our own terms, or he meant that Panama would secede from Colombia and set up an independent government under the protection of the United States. That was the undoubted meaning of his threat. The President himself admits it. In his recent message to Congress on this subject January 4, 1904, he bluntly boasts that he had these two remarkable alternative schemes in mind.

As to the first of these two schemes—that of the forcible acquisition of the Isthmus—he said in the message alluded to:

> My intention was (if the treaty should be rejected) to consult the Congress as to whether under such circumstances it would not be proper to announce that the canal would be dug forthwith; that we would give the terms we had offered and no others, and that if such terms were not agreed to we would enter into an arrangement with Panama direct or take what other steps were needful in order to begin the enterprise.

There you have it—the declared purpose of the President to seize vi et armis the territory of a neighboring, friendly nation for a purely commercial purpose, openly proclaimed in the blustering diction of the buccaneer without disguisement and without shame. Here is an American President preaching the morality of force and the doctrine that might makes right, a monstrous doctrine which has filled the history of European monarchies with crime, and a doctrine, too, which our nation was born in bloody protest against.

True the President admits that he had some thought of complimenting Congress by consulting it before he acted, and no doubt it is true. I am willing to concede as much, that he really intended, if the circumstances were auspicious, to observe his constitutional obligations to that extent. But whatever he thought of doing, or might have done, in that behalf is immaterial. The declaration of his intention shows his temper, disposition, and purpose. It reveals a fixed determination upon his part to appropriate the Isthmus of Panama to this enterprise at all hazards, and a willingness upon his part to go to any length to accomplish his purpose. This is important, for it throws a light upon other things and should make it easier for us to understand what actually happened. Ordinarily when we know a man's mind we have some index to his conduct.

The President, I say, was determined to have the Isthmus of Panama at all hazards. That is perfectly plain. He makes it so himself. He intended, if the occasion arose in the execution of his plans, to ask the Congress to authorize him to seize it. But that extreme step was not to be taken or attempted if the same end could be accomplished in another way. That other was the secession of Panama; and that was one, and the preferable one, of the two schemes the President had in mind.

In his message the President says that he thought it possible, if the Hay-Herran treaty should be rejected, that the people of Panama—

> might take the protection of their own vital interests in their own hands, * * * declare their independence upon just grounds, and establish a government competent and willing to do its share in this great world enterprise.

And, as the President naively put it, "this is what actually occurred;" and this was one of the grave consequences with which he threatened Colombia.

What is it the President says? What is it he justifies and applauds the people of Panama for doing? Why, it is for an act of secession, for dismembering and breaking up an established American republic. And what are the grounds the President defines and labels as "just grounds" for this act of rebellion? Only this and nothing more—that Panama might do its share in constructing a world highway for the reason that it might be of some commercial advantage to the people of the Isthmus. Mr. President, if those who have gone to the shadowy bourne from which no traveler returns are permitted, in the language of Hamlet, to view the transitory scenes of this earth, with what feelings of regret must the dead foreman point John C. Coleman and his fellows view the righteous and fair-minded performance of President Theodore Roosevelt! South Carolina has been vindicated by the President. Will any Republican who approves this declaration of the President ever dare in future to reproach the South or rend the bloody shirt to excite the passions of northern audiences against treason and rebellion? Mark you, the President admits that he contemplated the secession of Panama as a consequence of Colombia's refusal to ratify the Hay-Herran treaty, and that secession was one of the calamities with which the President threatened Colombia.

The President resents any insinuation of complicity by this Government in the revolutionary movement in Panama, and declares that any such insinuation is "as destitute of foundation as of propriety." This assurance of the President, so positively made, has great weight with me, and its weight is augmented by the fact that I am anxious to acquit him and all others of any improper connection with the Panama insurrection. I hope he is not misinformed or mistaken and that he is absolutely correct in what he says. Nevertheless even the President must admit that the circumstances are most unfortunate if the Administration is innocent, and certainly no man will deny that while this treaty is pending the Senate, as a matter of right and duty, ought to be fully advised as to all the facts, and especially the President or his Cabinet ministers ought not to withhold from the Senate any information in their possession or send it here grudgingly and by piecemeal, as has been done.

Whatever the President may or may not have had to do with what actually eventuated in Panama, one thing is sure, and that is that he contemplated entering into direct arrangement with Panama if Colombia rejected the treaty. He says so in so many words. He says if Colombia refused the terms we offered her he intended to ask the Congress for authority to "enter into an arrangement with Panama direct." That is the language of his message, and there can be but one meaning to it. He was not to wait upon Panama, but was himself to seek Panama for the arrangement; he was himself to initiate the arrangement. That he admits he intended doing if he found it to be necessary. But Panama could not have made any arrangement with the President without seceding from Colombia and establishing a government of her own. Without independence Panama would have had no power to make a treaty. Without independence Panama could not have interfered with the jurisdiction, sovereignty, and right of Colombia. Thus the President admits his willingness, if he had found it necessary to his purposes, to have inspired revolt—to have incited rebellion in Panama.

If he was willing to foment a rebellion, it follows he would have been willing to support and uphold it. And now with this admission before us of his willingness to instigate rebellion, boldly avowed in a public message of high import, I can not perceive why the President should be so oversensitive about suspicions. I can not understand why he should resent a bare suspicion that he might have done what he openly admits he was willing to do. He stands before us as admitting his entire willingness to have fomented rebellion in Panama, to have dismembered the Republic of Colombia, and to have supported the lawless act by the power of our arms, and yet he denounces any suspicion of complicity by this Government in what was actually done as being as "destitute of foundation as propriety." Destitute of propriety is pretty

strong. I can not agree to the language of this disclaimer. It is not warranted by the facts.

In the present aspect of the case there are circumstances that force their way upon our perception and make it difficult for us to reconcile them with any theory that does not compromise the integrity and good faith of our Government. There are circumstances surrounding the situation that make it impossible for me to rid myself of the apprehension that the zeal of the Administration carried it beyond the line of international rectitude. It may be that these circumstances can be so explained as to silence this apprehension, but it can not be silenced by mere reproach. The very attitude of the President, standing alone, would be sufficient to excite suspicion as to the conduct of the Administration. And when we turn from the magisterial figure of the President, bestriding the Isthmus like a miniature Colossus, to the occurrences themselves that suspicion is not allayed, but intensified.

To begin with, is it possible for any sane man to believe that a rebellion could have been organized in Panama with the faintest hope of success without foreign aid? Colombia has a population of about 5,000,000, exclusive of Panama, while Panama has a population of 250,000. This enormous disparity in numbers would of itself make hopeless the cause of Panama in a war with Colombia. The men who organized this rebellion were guilty of treason, and it is unreasonable to suppose that they would have staked their lives and fortunes on such a venture without some assurance of extraneous help, and certainly not without greater reason than they had. The fact that other ventures of like kind had ended disastrously, so far from encouraging a new attempt, would prove any such attempt also doomed to failure if left alone.

Without foreign aid this revolution would have been insipid, abortive, impossible. It would have been an act of stupidity and madness. It requires a blind unreasoning faith to believe that it would have been attempted without some assurance of outside aid. By whom such aid was promised, or by what authority, is another question, but that it was promised by some one and relied upon, who can doubt?

AID PROMISED.

The public prints declare that Bunau-Varilla, now Panama's minister at Washington, promised it. It has been said that Duque and Amador, who came from Panama to this country on that mission, promised it. Whether these utterances of the public press are true, in whole or in part, I neither affirm nor deny, for I do not know. What I know is that Bunau-Varilla, Duque, and Amador were all conspicuous figures in the conspiracy out of which this revolution sprang; that they matured their plans in New York; that they were frequently in Washington seeking audience of our high officials, and I know what they are reported to have said has been set forth with great circumstantiality of detail.

Undoubtedly it is true that they might have advised the people of Panama that they had official assurance of American support, and yet have done so falsely and without authority. However, that would have been a cruel and wanton thing to do, for they were here to represent their associates in a dangerous enterprise, and to have advised them falsely might have been to involve them in irretrievable disaster. Still they might have been capable of such an act; they may have made such representations without authority. And that is the view I would unhesitatingly take. I would not for a moment tolerate the possibility of a high and responsible official of this Government participating in a treasonable conspiracy against a neighboring sovereignty, except for that unfortunate combination of circumstances that give form and substance to grave suspicions.

I can not escape this fact, that if Bunau-Varilla and his coadjutors had been permitted to outline the course of this Government there would be no change, not the slightest deviation, from the course actually pursued. Bunau-Varilla himself could not have ordered events more to his liking than they were ordered by the officials of our Government. All that happened may have happened naturally and without collusion, expressed or implied, but beyond question the circumstances are sinister and inculpatory. The President desired the secession of Panama and expected it. It would be folly to deny that he intended from the beginning to suppress and prevent any interference with the revolutionary movement by the forces of Colombia. Every precaution was taken and every preparation made in advance to meet the expected emergency when it arose. So anxious was the Department of State about it, and so sure of its advent, that the First Assistant Secretary thought that it had come hours before it really eventuated. At 3.40 p. m., November 3, 1903, he cabled the consul-general at Panama as follows:

> Uprising on Isthmus reported. Keep Department promptly and fully informed.

To this the consul-general replied:

> No uprising yet. Reported will be in the night.

From whence came this premature report to the State Department? It would be interesting to know. Could it have come from that voluble, grandiloquent Frenchman, seemingly ubiquitous and omnipotent, who finds no obstacle in conscience or propriety in combining an agency for the Panama Canal Company with the more ornate duties of a minister plenipotentiary for the new Republic? The report was ahead of time, but no matter; though premature, it was prophetic. The Secretary was not doomed to disappointment. The uprising was belated, but it came. And after it came, what happened? Events followed fast upon the heels of each other. I need not recall those events in detail. They have been fully exploited here already. It is sufficient to say that the captains of our war ships and marines were promptly and peremptorily ordered to prevent the landing of Colombian troops in Panama, and to use whatever force might be necessary to prevent any conflict on the Isthmus. These orders were obeyed, as they should have been. Colombia sought to convey troops in sufficient numbers to suppress the insurrection, maintain order and restore her authority, but was denied the right to land them, and the troops she had there were so hedged about, restrained, and coerced by our authority that they were practically driven from the Isthmus.

In consequence of this intervention on our part, preconcerted and prearranged, the revolution, otherwise hopeless, became a shining success in its way. In a sense, almost literal sense, we booted Colombia from the Isthmus and lined the coast with our guns to prevent invasion. Whatever the motive or excuse for this, the effect was to protect the conspirators and assure the success of their enterprise. There was nothing the Panama insurgents could have desired this Government to do that it did not do. Never did ambitious duty take greedy power so opportunely to a rescue.

RECOGNITION OF PANAMA.

Thus, Mr. President, was this new child spewed forth into the family of nations. The revolt occurred on November 3. Before three suns had set, before a Government worthy of the name had been established, the President recognized what he called, or misnamed, the Republic of Panama, and entered into diplomatic relations with it. I will not add to the discussions we have had here upon that point. Whatever may be said in the abstract regarding the law of nations in recognizing new revolutionary governments, and whatever may be said regarding precedents in such cases, in this instance we had such special interests at stake and were so involved in the complications that a delicate sense of justice and honor should have impelled us to move with the utmost deliberation. But the Government did not move with deliberation; on the contrary, it moved with the greatest precipitation. It acted with unseemly haste and in a manner that gives to the act a bad appearance. This quick recognition could not have been more unwarily adjusted to time and circumstances. To the world it is bound to look as if it were part of a programme—an act in a play.

THE TREATY.

But there was method in the madness. Recognition was the one necessary thing left to be done before the final step. After recognition came the crowning act, the conclusive act, to which all precedent acts were but preliminary—the making of a canal treaty with Panama. The belief is inevitable that to this end everything done had been directed. Without this the whole business would be aimless and meaningless. If the situation created was not created to furnish the President an opportunity to "enter into an arrangement direct" with Panama, then what was it created for? The opportunity was created, and the President embraced it with the fervent ardor of a lover who waits impatiently at the tryst. On November 6 he recognized the Republic of Panama. On the same day the junta of Panama appointed Varilla minister to the United States. Varilla is a Frenchman, not a Panamanian, and his interest in the revolution sprang not from patriotism, but from his connection with the French canal company, in whose stocks he is said to be a large investor. His appointment as minister he extorted from the junta as the price of his influence at Washington.

Immediately after the President recognized the Panama Republic on November 6 a commission was appointed by the junta to come to Washington, with power to negotiate a canal treaty. On November 10 Doctor Amador and Frederico Boyd, of this commission, sailed for New York, and arrived there on November 17. They telegraphed Varilla of their arrival and intention to proceed at once to Washington. They arrived in Washington on November 18, and found that the treaty had been already drawn and signed by their French minister and our Secretary of State a few hours before their arrival. That is the treaty now before the Senate, dated November 18, 1903, and signed alone by John Hay and Bunau-Varilla. The commissioners had their long journey for naught. For fear that they might be troublesome,

they were ignored and then dismissed without apology. Indignant they may have been, but helpless they certainly were. They had no alternative but to accept the treaty as it was written. The Administration held the whip handle and could drive them as it would. Within two weeks after the President's recognition of the Republic of Panama this remarkable treaty had been executed in this remarkable way at Washington. Mr. President, some may hold this to be wise diplomacy and honorable statecraft, but, to my thinking, it wears more the aspect of political artifice.

Mr. HOPKINS. Mr. President——

Mr. STONE. Sir, strange stories have been told in the newspapers about these various occurrences—startling stories, even monstrous, if they are true. I do not know that they are true, although related with great minuteness of detail, and hence I have thought it would be ungracious to exploit them here. I have barely adverted to them; I have not recounted them. Still they have gone to the world with their dreadful accusing, plausible in the light of known events, and can we afford to dismiss them with a sneer? However that may be, the undisputed facts can not be ignored. Judged by these facts, measured by that standard, it is impossible to review the history of these transactions without a feeling of profound astonishment.

Mr. HOPKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Illinois?

Mr. STONE. I now yield to the Senator.

Mr. HOPKINS. The Senator was speaking about the Government holding the whip hand in the negotiation of this treaty. I should like to ask the Senator if he thinks the Government has asked anything in the treaty that it should not, or if the treaty is more favorable to the interests of civilization and the interests of this country than it ought to be.

Mr. STONE. Mr. President, it is as favorable to the United States as any citizen of this country could possibly ask. But concessions and rights are granted in that treaty to the United States that no respecting sovereignty acting of its own free will would ask or grant. It gives to the United States practically a sovereign title to the zone as a part of the canal, which I understand embraces practically all that is of value to Panama.

HOW JUSTIFIED.

And now, Mr. President, upon what flimsy pretenses is our conduct justified?

First, it is said that the United States were overgenerous in what they offered Colombia in the Hay-Herran treaty, and that Colombia was guilty of an ungracious act in rejecting that treaty. All that may be true—it is needless to inquire—but to say we would be justified on that ground in resorting to force to accomplish our ends is to assert an absurd proposition, vicious and indefensible from every proper standpoint of international law or morals. Colombia acted strictly within her right, as every sovereignty may do, and as we have done under similar circumstances.

It is not unusual for treaties made by the President with foreign governments to be rejected by the Senate here. Colombia acted in accordance with her constitution and forms of law, strictly within her right, and in conformity to the usage of nations. The Colombian Congress had the same right to ratify or reject the treaty that the American Senate had to ratify or reject it. To hold differently would be to abridge the sovereignty of Colombia and destroy her freedom of action. We might question her wisdom or impugn her motives, but her right is above impeachment. The argument of the President on this head, made in his recent message, is the veriest sophistry, put forth to create a sentimental excuse in the absence of a legal one. This whole contention is puerile, vicious, and preposterous.

Secondly, a novel and visionary right of international eminent domain has been intimated, if not asserted. In other words, it has been advanced, in substance, that since an isthmian canal is of great moment to the world's commerce, the United States, acting for the world, might take whatever was necessary for the canal and settle for the despoilment afterwards. That is an old doctrine in the Old World, but a new one here. It is the exact doctrine under which powerful nations, without conscience, have plundered weak ones in all the ages. It is the doctrine of the divine right of force. Whenever and wherever that doctrine is accepted, the one limit upon its application is the power to apply it. When the hand of power is strong enough to serve the spirit of greed some refinement of sophistry can always be found to excuse a crime. That doctrine has not yet been written into our code of morals or creed of public faith; and it is to be hoped that this first attempt to make it a principle of our international policy will be the last.

Thirdly, it is contended that we interfered because of treaty obligations to keep the peace and protect transit across the Isthmus. This contention is predicated on the treaty of 1846 between the United States and the Republic of New Granada (now Colombia). By this treaty the United States stipulated to guarantee "the perfect neutrality" of the Isthmus of Panama," with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists;" and, in the same manner, the United States guaranteed "the rights of sovereignty and property which New Granada (Colombia) has and possesses over the said territory." By this treaty it is contended the President was obligated to protect transit across the Isthmus from interruption, and that in the furtherance of that duty he had the right to exclude Colombia from all participation in the work of preserving order in that part of her territory.

In other words, under this treaty an attempt is made to justify the President in all he did. The United States, by virtue of this treaty, have intervened on former occasions to maintain order on the Isthmus, and these interventions are now pointed to as precedents for the things recently done by the Executive. But the circumstances and conditions under which the former interventions occurred were very dissimilar from those existing when the last occurred, and all former interventions were made at the request of Colombia or in aid of her authority, and when peace had been restored our interference ceased. In this instance our intervention was not to aid Colombia, but to thwart her. The effect of this intervention, whatever the purpose, was not to aid the sovereignty responsible for order, but to aid insurgents who were guilty of disorder. The effect, whatever the purpose, was not to uphold the sovereignty of Colombia, but to overthrow it in the interest of a rebellious movement.

A treaty is a law, but it is a law made by the consent of the contracting parties. The ordinary canons of interpretation should be applied to a treaty as well as to a statute. The intention of the contracting sovereignties should be regarded in interpreting a treaty, as the intention of the law-making power is regarded in interpreting a statute. It surpasses belief, it is unreasonable to suppose, that Colombia would have entered into a convention with the United States under which she could have been lawfully denied the right to exercise her own power in preserving order and upholding her authority in her own territory. Whether we look to the text of the treaty or to the intention of the parties, it is manifest that the interpretation now sought to be placed upon the treaty is farfetched and untenable and made under stress to meet an exigency.

Not only was it the right and duty of Colombia, as the sovereign, to keep the peace, but she had also special and important property interests at stake. She was a large stockholder in the Panama Canal Company, and a large proportion of her revenues, amounting to hundreds of thousands annually, were derived in payment of concessions from the Panama Railroad Company.

In addition to that, all the properties of the Panama Canal Company and the Panama Railroad Company were to belong absolutely to Colombia, without compensation, at certain periods fixed for the expiration of their respective concessions. The value of the canal properties can be estimated when we reflect that in the pending treaty it is agreed that we shall pay to the canal company $40,000,000 for its possessions. All these vast interests of Colombia we have imperiled, if not destroyed, by our act. Already has Colombia been denied representation in a recent meeting of the canal shareholders held in Paris. And yet, despite all this, we are asked to believe that Colombia deliberately entered into a treaty, and has permitted it to stand in the face of an express stipulation that she must reform or annul it on twelve months' notice, under which her sovereign holdings and offers might be lawfully visited upon her. Such an interpretation is against reason and in contempt of justice. Our intervention brought peace, it is true, but it was the peace that reigned at Warsaw.

UNSATISFACTORY.

Mr. President, I profoundly regret that I can find nothing in the grounds put forward to justify the President's course which is satisfactory to my mind. If the Administration is really innocent of wrongdoing, the facts are woefully unkind to the Administration. The things proved, to say nothing of those asserted, put the Government on the defensive. They tend strongly to show that we were in some way, some discreditable way, a party to the Panama insurrection. And if so, what do you think about it?

There was a conspiracy of Panamanians against Colombia. They conspired to dismember that Republic. Their plans were matured, or partly matured, in the United States. These men were traitors who staked their lives on the cast of the die. And if it be true, no matter how disguised, that high officials of our Government, conscious of the designs of these conspirators against a friendly nation, an American republic, had secret audiences with

them, receiving confidences and imparting knowledge, what do you think about it?

Mr. President, we may secure an isthmian canal as the result of these embroilments, which we could have better obtained without them. But what a pitiful chapter will our connection with this insurrection be in the history of our country! The insurrection itself was venal and selfish. It was not a struggle for liberty, but for greed. Generals, admirals, and civil officers serving in Panama, now lauded as patriots, were bribed with cash to support the insurrection. Protesting loyalty to the central government, they accepted bribes to betray it. I make this statement on the authority of the Globe-Democrat, the most strenuous Republican journal in the Mississippi Valley, whose special correspondent in Panama, vouched for as a gentleman of high intelligence and integrity, makes the accusation with the utmost detail, giving the names of the traitors and the amounts received for their treachery.

Sir, if a weak, brave people oppressed should outstretch their hands to us with a cry for liberty upon their lips, and we should go to the rescue, it would be a noble act. But to aid, in whatever way, a band of lawless conspirators in an attack upon a sister republic, that they and we might promote a mere commercial enterprise of common interest to both, is to do something I would rather should not be written in American history. We can not afford to become marauders and plunder weaker nations. A giant we are, indeed, but we should not use our strength brutally, like a giant. Good morals forbid it anywhere, and, in addition, a wise self-interest forbids it on this hemisphere.

The PRESIDENT pro tempore. The Senator from Missouri will suspend for one moment while the Chair lays before the Senate the Calendar of General Orders.

Mr. CULLOM. I hope the Senator from Missouri will be allowed to complete his remarks.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senator from Missouri be allowed to proceed. The Chair hears no objection. The Senator from Missouri will proceed.

OUR TRUE POLICY.

Mr. STONE. The true policy of this Government with reference to the republics south of us would lead us on different and higher lines. We should so comport ourselves as to inspire the unhesitating confidence of our neighbors. They should not stand in dread of our power, but rely upon it as a shield for their protection. We should link them to us by bonds of mutual amity and interest. What boot is the Monroe doctrine to them if it stands only to guard them against European aggression, while the door is open for us to invade at pleasure?

If I could be potent in shaping our policy in this behalf, I would be governed by one supreme consideration—that of attracting the southern republics to us by a course instinct with the spirit of candor, justice, and fair play. I would enter into such compacts with them as would promote our commercial relations and make them for all practical purposes, offensive and defensive, a part of us. I would strive to inaugurate great republican policies of government—monetary, commercial, and political—common to all America, and these I would oppose, if need be, to the monarchical policies of the Old World. But that is a dream—an iridescent dream—while our Government goes careering under the impulse of rough-riding strenuosity.

CONCLUSION.

Mr. President, we should have the truth, are entitled to the truth, and the whole truth, about these transactions. I would hope that the whole truth, when known, would vindicate our good name, but we should have it anyhow to the end that we may act intelligently and in the interest of justice and national honor. Senators, ever mindful of that high independence which should characterize their conduct, should not turn aside from the straight path of duty, and, to serve a party exigency, suppress the truth, or any part of it, to shield any man from his folly. To call on the President for information, to be given if in his judgment compatible with the public interest, is not sufficient, and certainly not in the present case, where the personnel of the Administration is most affected. The Senate should inquire in its own way and through its own agencies. A direct charge of wrongdoing is unnecessary; but grave suspicions are abroad, and unhappily they seem to be warranted by the facts.

Of course you can refuse to inquire, and if you do I suppose we will have to accept and be governed here by what may be voluntarily given us from official sources. But I shall protest against being confined to information coming from those upon whom suspicion rests and who are interested, if any are, in suppressing or coloring the facts for self-vindication. If I shall be compelled to vote on the ratification of this treaty without full information as to all the occurrences out of which the treaty has come, I shall do so with a feeling of doubt as to my duty, because uncertain to what extent the honor of the country is involved.

Mr. President, unless some Senator desires to speak upon the resolution I shall ask——

Mr. STEWART. I should like to make a few remarks right now.

Mr. STONE. Very well.

The PRESIDENT pro tempore. What request did the Senator from Missouri make as to the resolution?

Mr. STONE. I said that if no Senator desired to speak upon it at this time I would ask that it might go over subject to call.

The PRESIDENT pro tempore. Subject to the call of the Senator——

Mr. BEVERIDGE. The Senator from Nevada is going to speak.

The PRESIDENT pro tempore. Or that it lie on the table without prejudice?

Mr. STEWART. I should like to make a few remarks.

Mr. STONE. The Senator from Nevada desires to be heard.

The PRESIDENT pro tempore. As soon as the Senator from Nevada has finished his remarks, the Chair will have that disposition made of it if the Senate is willing. The Senator from Nevada is entitled to the floor.

Mr. STEWART. Mr. President, the honor of the country is assailed under a misapprehension of facts. After the Spanish rule in Central America was broken, a confederacy was formed between Panama, Colombia, Venezuela, and Ecuador. This confederacy, as the records will show, was for common defense against foreign aggression. There was a full recognition of the right of secession.

In 1846 a treaty was formed between this confederacy, which was then known as New Granada, and the United States. By this treaty the New Granadan Government grants to the Government of the United States—

> the right of way or transit across the Isthmus of Panama upon any modes of conveyance that now exist or that may be constructed, granted to the Government and citizens of the United States.

And the United States—

> guarantees the rights of sovereignty and property which New Granada has and possesses over the said territory.

Venezuela seceded from the confederacy of New Granada. Afterwards Ecuador did the same. Another confederacy was then formed between Colombia and Panama, having the same object as the former confederacy, namely, defense against foreign aggression.

THE RIGHT OF SECESSION

was expressly reserved in this new confederacy. There was no trade or commercial relations between Panama and Colombia. Over 200 miles of jungle, mountains, and morasses intervene between the city of Panama and Colombia. Contrary to the terms of the confederation, Colombia repudiated the conditions of the compact with Panama and treated Panama as a conquered province or colony, to be governed by satraps appointed at Bogota and to be robbed without any real representation. Of the $250,000 annual payments made by the Panama Railroad for the privilege of crossing the Isthmus, $225,000 was taken to Bogota and the remaining $25,000 absorbed by Government officials in Panama who were appointed at Bogota.

No public improvements were made in Panama, but the vast accumulations from customs and other sources were expended at Bogota. The treatment of the people of Panama by the oligarchy at Bogota was never exceeded by Spain in any of her provinces,

WEYLER'S RULE IN CUBA NOT EXCEPTED.

Uprisings and revolutions were almost continuous from the beginning of 1850 until the final revolution in 1903, whereby Panama acquired her independence. During all this time the influence and authority of the United States were exerted to prevent the rebels of Panama acquiring their independence. It was impossible for the people of Panama to conduct a war for independence without making the transit across the Isthmus the theater of action. The bulk of the population of the Isthmus is at the cities of Panama and Colon and along the line of the Panama Railroad. Fighting at either of these cities or along the line of the road would necessarily interfere with travel and commerce, and the United States stood guard over the only part of the Isthmus where a war for independence could be conducted and thereby upheld and maintained the wicked and tyrannical rule of the oligarchy of Colombia.

I call the Bogota Government an oligarchy because it is governed by military chieftains who abolish constitutions at will. The constitution to which the people of Panama agreed was abolished by Colombia because it restrained the rapacity of Bogota.

In 1886 Mr. V. O. King, United States minister to Colombia, in a dispatch to the Secretary of State of the United States, gives a fair specimen of the manner in which the Bogota Government treated constitutions. He says:

At the close of the late revolution President Nunez, whose term of office had then nearly expired and whose reelection was forbidden by the constitution then in force, issued a proclamation declaring that government and declaring an interregnum in the government. He appointed provisional governors in all of the nine states, and directed them to select three delegates each who together, should constitute a national council to convene at the capital.

In assembling in November, 1885, the first act of this body were to ratify the action of Doctor Nunez and to [illegible] a dictatorship. It then elected him as chief magistrate of the nation for the term of six years and proceeded to formulate a project of [illegible] for a new constitution to be submitted to the representatives of the states and boards of elections throughout the country. [illegible] the new constitution [illegible] a monarchy of such a form as to be favorable to the new dynasty proposed to substitute the government that is hereafter to succeed, which from the number, fullness and precision of its provisions, would leave but little of the machinery to be devised by the executive or legislative power.

Who will say that such proceedings as this did not justify Panama in her fifty attempts to throw off

THE DESPOTIC RULE OF COLOMBIA?

Who can say that these revolutions would not have been successful if the influence and arms of the United States had not been used against the rebels in order to keep open the transit? Why did Colombia constantly call upon the United States to put down the rebellions on the Isthmus? Was it wrong, after the usurping President Marroquan and his coworkers had rejected the treaty for a canal without debate, after it had been given out from high sources in Bogota that twenty-five millions were wanted from the United States, besides the forty millions that this country was about to pay the French company, for the President of the United States to refuse to suppress another revolution on the Isthmus? Was it wrong after the delegates from Panama at Bogota had given notice that there would be a renewed attempt on the part of Panama for independence, for the President to direct our ships to Panama and Colon

TO PROTECT THE INTERESTS OF THE UNITED STATES?

Was it wrong, when the soldiers of Colombia were threatening the lives of our people and the destruction of the property of citizens of the United States, for the President to cause troops to be landed for the protection of the lives and property of Americans? Who will say that the new Republic was not justified in getting rid of Colombia's soldiers, sent there for their subjection, either by killing them or bribing them or by any other method known to civilized warfare?

Six days after the revolution in Panama our minister, Mr. Beaupré, sent the following dispatch to the Secretary of State:

Knowing that the revolution has already commenced in Panama, * * * says that if the Government of the United States will land troops to preserve Colombian sovereignty and the transit, if requested by the Colombian Government, the new government will see to it that a new, [illegible] constitutional government, which public order is restored, will immediately decree the ratification of the canal treaty as signed, or if the Government of the United States prefers, will call extra session of Congress next November friendly members next May to approve the treaty.

Would it have been right for the Administration to have acted on this dispatch and overthrown the government of Panama and reinstated the sovereignty of the usurper Marroquin? This seems to be the view taken by those who criticise the President. Is it possible? Has it come to this, that the President of the United States can do no right and that the usurper Marroquin, who rules by the sword, can do no wrong? The appeal of Marroquin to the Administration having failed, he is not without hope. Ex-Consul Smythe says that he was authorized by President Marroquin to quote him as saying that—

The people of Colombia still hope that actual conflict may be averted through Democratic intervention in the Senate. Personally I count on the assistance of the Democratic party and the great American people to save the sacred rights of Colombia, which have been so shamefully violated.

I do not believe that President Marroquin is as familiar with the views of the Democratic party as he claims to be. If he should have the question put to any Democrat aspiring to be elected President next fall, does he suppose that such Democrat would take sides with Colombia against the United States? It is true that the President of the United States was elected Vice-President, and became President on the death of the Chief Executive, as provided by the Constitution. It is equally true that President Marroquin was either elected or proclaimed Vice-President of Colombia, and became President by ejecting the Chief Executive, and by means of a bloody revolution has remained in office. It is natural for such a man to want to trade with the United States for the restoration of Panama, in consideration of the ratification of the treaty by Colombia. No one is surprised at his proposition

TO ABOLISH THE CONSTITUTION

and ratify the treaty, because that appears to be a customary practice in our so-called sister Republic. The case is different, however, with the Democratic party of the United States. It is patriotic, believes in law, order, and constitutional government. Marroquin has no more chance to gain even the sympathy of the Democrats of the United States for his vile practices than he has to influence the Administration to make war on the Republic of Panama in order to give him another chance to exact tribute for transit across the Isthmus.

The Government of the United States and all the leading governments of the world have recognized the independence of Panama as an established fact. If the influence of the United States was exerted to aid Panama in establishing that Government, which is not proved, what wrong has been done? The people of the United States detest tyranny, oppression, and robbery of a struggling people. Those who are familiar with the history of the Isthmus for the last fifty years have felt keenly the injustice of the use of the power of the United States to prevent the people of Panama from asserting their rights. There will be no rejoicing on the part of the people of the United States because the Government of Colombia overstepped the mark and demanded too much blackmail from the United States and the French company. If twenty-five millions and forty millions more on account of the French company was a larger tribute than she was capable of collecting, will any just man be sorry that she failed?

I PROTEST AGAINST CHARGING DISHONOR

upon this Government for the refusal of the Administration to longer lend the power of the United States to the tyrants and plunderers at Bogota. It is sufficient while Colombia was in possession, through her satraps, of the Isthmus of Panama, for the United States to overawe and suppress insurrection which would interfere with the right of way secured by the treaty of 1846, but when Panama, without firing a gun, was able to acquire peaceful possession of the Isthmus, was it not the duty of the Government of the United States to see to it that the transit across the Isthmus was not disturbed by a foreign foe from Colombia? Was it not the duty of the United States to protect the lives and property of American citizens peaceably residing upon the Isthmus, as they rightfully might?

I do not believe that the people of this country will for a moment sympathize with the complaints of Colombia. She has lost no property. She has lost no territory. The people of Panama have simply asserted their right to property and right to territory. By the compact she formed with Colombia her right of secession was secured. If the exercise of that right has long been delayed on account of the influence of the United States, Panama has not lost that right. This Administration need not

WAIT FOR THE VERDICT OF HISTORY

to approve its Panama policy. That policy has already been approved by the nations of the world in their speedy recognition of the Government of Panama. If by the honest and patriotic course of the Administration the United States have acquired a right of way to build the canal across the Isthmus, who has been injured? The people want the canal. The folly and extravagance of Colombia cleared the way. The new Government has granted the rights and privileges which are necessary in the vast undertaking of connecting the two oceans by a waterway. Civilization and progress and the aspirations of the American people are promoted by the action of the Administration. I have no intention to discuss details, but I felt called upon to enter my protest against reflections upon the honor of this Government based upon a total misapprehension of facts.

The PRESIDENT pro tempore. The Secretary will state the first bill on the Calendar.

Mr. STONE. I inquire, Mr. President, what disposition has been made of the resolution?

The PRESIDENT pro tempore. The resolution is on the table, subject to the Senator's call.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

Mr. CULBERSON. Mr. President, I think the resolution introduced yesterday, which came over until to-day, ought to be laid before the Senate at this time.

The PRESIDENT pro tempore. The hour for laying resolutions before the Senate has passed. The Calendar of General Orders is now the regular order.

Mr. CULBERSON. That resolution, then, goes over until to morrow, holding its place, as I understand?

The PRESIDENT pro tempore. It holds its place under the ruling the Chair made a short time ago, that every resolution was entitled to a day in court.

Mr. CULBERSON. In that case, Mr. President, I ask unanimous consent to correct a word in the resolution, so that it may be reprinted by to-morrow. In line 7, after the word "representatives" the word "of" should be stricken out and the word "or" inserted. The resolution is printed correctly in the RECORD, but in the resolution printed by order of the Senate there is an error, and so I ask that the resolution may be reprinted in correct form.

The PRESIDENT pro tempore. The Chair hears no objection, and the resolution will be reprinted with the correction the Senator has made.

MEMORIAL BRIDGE ACROSS THE POTOMAC.

The PRESIDENT pro tempore. The Secretary will state the first bill on the Calendar.

The bill (S. 820) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property was announced as first in order.

Mr. PLATT of Connecticut. Mr. President, I do not think we can dispose of that bill this morning. Let it go over.

The PRESIDENT pro tempore. The Senator from Connecticut asks unanimous consent that this bill may be passed over for the present, retaining its place.

Mr. GALLINGER. I would simply say in that connection that a similiar bill has passed the Senate two or three times. The bill has been unanimously reported by the Committee on the District of Columbia. I will not insist, as, of course, I can not insist, that it shall not go over.

The PRESIDENT pro tempore. One objection does not lie against a bill on the Calendar of General Orders after 2 o'clock.

Mr. GALLINGER. I beg the Chair's pardon. I had overlooked that.

The PRESIDENT pro tempore. It is for the Senate to decide whether or not it will proceed with the consideration of the bill.

Mr. GALLINGER. I have no doubt the Senate will pass this bill in the near future, and I think we might as well act upon it to-day as at any other time.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. PLATT of Connecticut. Is there a report accompanying that bill?

The PRESIDENT pro tempore. There is.

Mr. PLATT of Connecticut. Let the report be read.

The Secretary read the report submitted by Mr. MARTIN December 11, 1903, as follows:

The Committee on the District of Columbia, to whom was referred the bill (S. 820) [illegible] for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property, having considered the same, report thereon [illegible] Commissioners of the District of Columbia, as will appear by the following letter:

EXECUTIVE OFFICE,
COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, December 7, 1903.

SIR: The Commissioners have the honor to recommend favorable action upon Senate bill 820 (58th Cong., 1st sess.), "To provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property," which was referred to them at your instance for their examination and report.

These bodies for the past three years annually recommended a similar proposition [illegible] the United States [illegible] the Grand Army of the Republic at Washington, been [illegible] a fine memorial [illegible] Secretary of War upon the [illegible] of the Republic.

Very respectfully,

HENRY B. F. MACFARLAND,
President of the Board of Commissioners of the District of Columbia.

Hon. J. H. GALLINGER,
Chairman Committee on the District of Columbia,
United States Senate.

The PRESIDENT pro tempore. The bill is in the Senate as in Committee of the Whole, and open to amendment.

Mr. PLATT of Connecticut. Mr. President, I do not think we ought to provide for the erection of a memorial bridge without Congress itself passing on the plans. There has been a great deal of criticism about the plans that have heretofore been prepared and submitted for this memorial bridge; and this bill proposes to put the decision, as I understand it, of the plans for the construction of the bridge solely in the hands of the Secretary of War. It seems to me that when we are about to enter upon a work, the importance of which I think I fully recognize, Congress ought to know what kind of a bridge is to be constructed, and not, as the years go by, have the whole country feeling that a mistake has been made in the character and appearance of the bridge.

I have every confidence in the present Secretary of War, but he is not an engineer; I have every confidence in the incoming Secretary of War, but he is not an engineer, and I, myself, do not feel that I can vote for a bill which conclusively appropriates $5,000,000—although only $500,000 is carried in this bill—for a bridge, which is to be approved by any one man.

I think that what ought to be done is to appropriate $500,000 to enable the Secretary of War to secure the plans and make report to Congress, and then let Congress determine what plans shall be selected for the construction of the bridge. If we do not adopt such a course, I think we will regret it hereafter.

Of course I do not intend to go through all the controversy that there has been about the plans; but there has been such controversy about the plans that no bridge has been yet constructed. The difficulty about it, as I understand, has been that the plans which have been presented have met with such opposition—some of them, not all of them—from parties who have expended much talent in relation to such matters that it has not been possible to reconcile the different views as to the plans for the bridge.

I saw one plan, Mr. President, which it was supposed would be accepted and the bridge built according to it, and with my little knowledge on the subject and from what I could gather by looking at the picture of it, it seemed to me to be entirely too narrow.

I do not know that I desire to say anything more about it. I want to vote against this bill. I would vote for a bill which directed the Secretary of War to call for plans and appropriate $500,000 with which to secure those plans and then left to Congress the determination of the question.

Now, I suppose it will be said that when the plans come to Congress there will be a difference of opinion about them. I suppose there will be, but, if that be so, I think we had better wait before beginning the construction of this bridge until we can get some one plan which will receive the acquiescence of a majority of Congress, to say the least, and the plans being submitted and the report made to Congress, if a majority of Congress is not ready to adopt any of them, then I think it would be worth while to try it over again and get some other plans.

Mr. President, I did not intend to say a word about this measure. I made the objection, and I thought the bill would go over.

The PRESIDENT pro tempore. It is under Rule VIII where objection is made that a bill goes over.

Mr. PLATT of Connecticut. I know that.

The PRESIDENT pro tempore. It does not apply to bills under Rule IX.

Mr. PLATT of Connecticut. This bill involves something more than the building of a bridge to drive carriages over from this side of the river to the Arlington estate. It involves the whole plan for the beautification of this great capital city of the nation, and a plan of bridge ought to be selected with reference to the whole subject of the improvement of the city of Washington. To have a bridge that would be inharmonious would be a thing that we should forever regret. It is for that reason that I think we ought not to put the final determination of what plan shall be finally adopted into the hands of any one man or that it should be subject to the decision of any one man.

What more capacity has the Secretary of War to accept a plan and to proceed to expend $5,000,000 to construct a bridge according to that plan than has the President of the Senate or, indeed, any Senator?

I do not know that I desire to say anything more about the bill, but what I fear is, that if this bill in its present form is passed, in the future we are very likely to regret that Congress ever gave into the hands of a single individual the right to say what that bridge should be, what its plans should be, and what its appearance should be. I want to vote against it, and I will call for the yeas and nays, so as to have an opportunity to record my vote.

Mr. MARTIN. Mr. President, the proposition for the construction of a bridge from Washington to the Arlington estate has been before the Senate quite a number of times in the last few years, and the difficulty has always been to agree upon some plan for the bridge. No Senator, so far as I know, has ever antagonized the purpose of such a bill.

Mr. PLATT of Connecticut. And I do not now.

Mr. MARTIN. That is just the point to which I wish to invite attention.

Mr. GALLINGER. Mr. President, that there may be no misunderstanding, if the Senator will permit me——

Mr. MARTIN. Cheerfully.

Mr. GALLINGER. In addition to the fact that similar bills have been before the Senate for quite a number of years the Senator will likewise recall the fact that the Senate has passed such bills.

Mr. MARTIN. I was coming to that. Whenever such a bill has been before the Senate, I say it has never been antagonized by any Senator on this floor; but the trouble it has met has always been from those who declare themselves the friends of the measure.

I am not wedded to any particular plan. I want, as other Senators do, the very best plan adopted, in order to have this bridge one such as will meet the useful purpose contemplated and also

such as will make it an ornament and a credit to the national capital. I believe every Senator must realize that the two Houses of Congress are not so constituted as to enable them to determine the technical matters involved in the construction of a great bridge.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Indiana?

Mr. MARTIN. I do.

Mr. FAIRBANKS. If the Senator will allow me. I am in thorough sympathy with the object of the Senator's measure; but there seems to be a great deal of force in the objection made by the Senator from Connecticut [Mr. PLATT]. There would seem to be some danger in leaving the entire subject to the discretion of one officer of the Government. A plan has occurred to me, which I desire to suggest to the Senator for his consideration. Would it not be better to constitute by the bill a commission, say a commission composed of the President pro tempore of the Senate, the Speaker of the House of Representatives, the chairman of the Committee on the District of Columbia of the Senate, and the chairman of the committee of the House, with the Secretary of War in addition? It seems to me there is a commission in whose discretion Congress might very well leave this subject.

Mr. MARTIN. I will ask the Senator from Indiana and the Senator from Connecticut if it would meet their views to say "the President of the United States, on the recommendation of the Secretary of War."

Mr. PLATT of Connecticut. No.

Mr. MARTIN. A large commission, such as has been suggested, seems to me not only unnecessary, but rather cumbersome, and that it might tend to delay.

If you want to safeguard this measure you must put the responsibility somewhere, and when you put the responsibility on the Secretary of War, it is not his judgment alone that the country will have. He will have the engineer officers of the Government. He will have the architects and the engineers, who will present plans and will argue them before him. Under this bill the field is open to the world, and the War Department would simply be the judge to pass upon the different plans presented. So the talent and skill of the whole country will be availed of.

But we must have some tribunal to decide between the competing plans which will be presented. If Senators do not feel that it is best to leave it to the arbitrament of the Secretary of War, although he will have the assistance of the Staff to aid him, I would gladly, if it meets their views, propose to amend the bill by saying it shall be left to the President of the United States on the recommendation of the Secretary of War.

Mr. BEVERIDGE. Will the Senator from Virginia yield to me for a moment?

Mr. MARTIN. Certainly.

Mr. BEVERIDGE. The recent history of all great and successful works of this kind has universally been along the line suggested by my colleague. They have been conducted by a commission, and I think the suggestion will commend itself to everybody. But I suggest this to my colleague and the Senator from Connecticut and the Senator from Virginia: Why would it not be most expedient and practicable to authorize the Secretary of War to appoint a commission of experts, of which he shall be ex officio the chairman? That simplifies the matter. It reduces it to a matter of art and engineering, and this is a combined work of art and engineering. It pursues——

Mr. CLAPP. Mr. President——

Mr. BEVERIDGE. I am merely making a suggestion. I do not know whether or not it will meet the views of the Senators. It pursues the common course which has been followed in recent years in this and every other country where a great work of art and of engineering skill has been erected. The idea of a commission I think nobody would object to, but I am suggesting whether a commission of three or five experts, appointed by the Secretary of War, would not be a better commission than to have the commission suggested by my colleague.

Mr. FAIRBANKS. The objection to that is it takes it out of the control in any way of Congress.

Mr. BEVERIDGE. Yes.

Mr. FAIRBANKS. The commission I propose would leave it within the control of Congress, because the majority of the commission would be composed of Senators and Representatives.

Mr. BEVERIDGE. I was going to suggest one more thing, and then I am through. This is merely by way of suggestion. And that the plan reported upon by this commission shall be referred to Congress. That would be the plan which has universally been pursued in every great work of combined engineering and art.

Mr. MARTIN. I feel that the bill is sufficiently safeguarded as it is, but, as I say, I am not wedded to any plan. To meet the views of the Senator, I would be willing to have the plan approved by a board. I really think it should be the President of the United States. That would in effect be a board. He would not act without consultation with competent people. He would have his advisers. But I do not object to a board, or to a board to be appointed by the President or the Secretary of War.

Mr. BEVERIDGE. I do not care which one.

Mr. MARTIN. I would not object——

Mr. GALLINGER. Will the Senator from Virginia permit me?

Mr. MARTIN. I yield to the Senator from New Hampshire.

Mr. GALLINGER. Mr. President, I have heretofore cooperated in the committee and on the floor of the Senate with the Senator from Virginia in this matter, as he knows. I have felt it incumbent upon Congress at some time to make provision to construct this bridge, which will be an ornament to the capital city and a credit to the country.

I rose particularly to suggest to the Senator, inasmuch as there is so much difference of opinion, whether it would not be wise to let the bill go over and let the members of the committee confer with other Senators with a view of reaching an agreement as to the form in which this matter shall be put in the bill.

I myself quite sympathize, upon reflection, Mr. President, with the view that it is rather risky to leave the matter in the hands of one officer of the Government, however accomplished he may be, and I think perhaps instead of taking the afternoon in the discussion of the bill, if the Senator will agree with me, we might pass it over to-day and possibly come in the next time the Calendar is reached with an arrangement which will enable us to pass the bill speedily.

Mr. MARTIN. I will act on that suggestion and let the bill be passed over to-day, retaining its place on the Calendar. In the meantime I will confer with the Senators who have expressed their fears about the wisdom of leaving the determination of the plan to one man, and I will be very glad to agree with them upon some board or commission, which shall be named in the bill or the appointment of which shall be authorized in the bill, with power to determine the plan. I consent that the bill may go over.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

Mr. MARTIN. Without prejudice, retaining its place on the Calendar.

The PRESIDENT pro tempore. Yes.

Mr. MARTIN subsequently said: Since the bill (S. 820) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property was under consideration a few moments ago and passed over, I have conferred with the Senators who made some suggestions in respect to the bill, and we have agreed upon an amendment which I think will be satisfactory to all Senators. I ask that the Senate may resume the consideration of the bill.

There being no objection, the Senate as in Committee of the Whole, resumed the consideration of the bill (S. 820) to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property.

Mr. MARTIN. I move to amend the bill by inserting in line 8, page 1, after the word "by," the words "a board composed of;" and to further amend it by inserting in line 9, after the word "War," the words "the President pro tempore of the Senate, the Speaker of the House of Representatives, the chairman of the Committee on the District of Columbia of the Senate, and the chairman of the Committee on the District of Columbia of the House of Representatives."

The PRESIDENT pro tempore. The Senator from Virginia offers an amendment, which will be stated.

The SECRETARY. On page 1, line 8, after the words "approved by," insert "a board composed of;" and in line 9, after the word "War," insert "the President pro tempore of the Senate, the Speaker of the House of Representatives, the chairman of the Committee on the District of Columbia of the Senate, and the chairman of the Committee on the District of Columbia of the House of Representatives;" so as to read:

"The said bridge to be constructed upon plans to be approved by a board composed of the Secretary of War, the President pro tempore of the Senate, the Speaker of the House of Representatives, the chairman of the committee on the District of Columbia of the Senate and the chairman of the Committee on the District of Columbia of the House of Representatives, and but to cost the sum specified."

The amendment was agreed to.

Mr. MARTIN. At the suggestion of the Senator from Wisconsin, for the sake of better expression, I will offer another slight amendment. I move to strike out the word "have," in line 4, page 1, and to insert in lieu thereof the words "cause to be."

The PRESIDENT pro tempore. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. In line 4, page 1, strike out "have" before the word "constructed" and insert in lieu thereof the words "cause to be;" so as to read:

That the Secretary of War is hereby authorized and directed to cause to be constructed a memorial bridge from the most convenient point of the Naval Observatory grounds, or adjacent thereto, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONSIDERATION OF PENSION AND MILITARY RECORD BILLS.

Mr. SCOTT. I notice by the Calendar that at 4 o'clock to-day unobjected bills reported from the Military Affairs Committee to correct records, and also unobjected pension bills, are to be taken up. I would ask the Senate to let us go on with that order now.

Mr. GALLINGER. Mr. President, I think we had better continue with the Calendar of General Orders until that time is reached. There are other bills here which should be considered.

The PRESIDENT pro tempore. The Secretary will state the next bill on the Calendar.

EXTRA PAY TO CERTAIN DEPARTMENTAL EMPLOYEES.

The bill (S. 1842) to provide for compensation for certain employees of the Treasury, War, and Navy Departments was announced as the next business in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on Claims with an amendment, to add at the end of the bill the following:

For executive department, to pay the employees of the executive office, $8,176.02, for services rendered prior to the adjournment of the Fifty-first Congress, and a list of employees, War Department, $5,165.90, in accordance with the recommendation of the Secretary of War contained in letters of June 9, 1902, and for clerks employed at headquarters of the Marine Corps, $96.68, in accordance with the recommendation of the Commandant of said corps and of the Assistant Secretary of the Navy.

The amendment was agreed to.

Mr. ALLISON. I should like to hear the report read, if it is not long.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. STEWART December 16, 1903, as follows:

The Committee on Claims, to whom was referred the bill (S. 1842) to provide for compensation for certain employees of the Treasury, War, and Navy Departments, having considered the same, report thereon as follows:

A bill similar to this was reported favorably and passed for payment of claims of the Department of the Interior. While the Senate passed this bill at the first session of the Congress and was also incorporated by this committee in the omnibus bill, so called ("For allowance of certain claims reported by the Court of Claims, etc."), at last session. Since the passage of the bill by the Senate additional recommendations have been made by the War and Navy Departments covering certain War Department and Marine Corps employees and your committee has added to this bill provision for these employees.

As this committee's report, made during the first session of the last Congress on a similar bill which passed the Senate, well states the facts in this case, your committee adopt the same as their report on this bill and incorporate it herein, with the addition of the recommendations as to the employees of the War Department and Marine Corps employees, and report back the bill with the following amendment:

Add to the provisions of the bill the following (p. 2, line 7, after the word "War"):

"For executive Department, to pay the employees of the Executive Office, $8,176.02, for services rendered prior to the adjournment of the Fifty-first Congress, and a list of employees in the offices of the Adjutant-General, Paymaster-General, and Chief of Engineers, War Department, $5,165.90, in accordance with the recommendation of the Secretary of War contained in letters of June 9, 1902, and for clerks employed at headquarters of the Marine Corps, $96.68, in accordance with the recommendation of the Commandant of said Corps and of the Assistant Secretary of the Navy."

With this amendment your committee recommend the passage of the bill.

[Senate Report No. 777, Fifty-seventh Congress, first session.]

The Committee on Claims, to whom was referred the bill (S. 1694) to provide for compensation for certain employees of the Treasury, War, and Navy Departments, having considered the same, submit the following report:

The bill provides for the compensation of certain employees of the Treasury, War, and Navy Departments for the extra hours they worked during the period of the Spanish war, and is carrying out the earnest recommendations of the Secretaries of the Treasury, War, and Navy Departments, which recommendations are printed herewith as an appendix to this report.

As an amendment to the general deficiency bill of last session providing for the compensation for certain employees of the War Department was favorably reported by your committee at last session and referred to the Committee on Appropriations, but no action was taken by the Senate upon it.

The services rendered by the employees of the three Departments mentioned, for which compensation is provided in the pending bill, are well described in the recommendation of the Secretary of War to Congress dated January 14, 1903, which statement also applies to the services of the Treasury and Navy Department employees, viz:

"The work performed by the war with Spain rendered it necessary that the clerks and other employees should work regardless of hours, in order to the performance of the increased amount of current work devolved upon the Department, and consequently they have worked by night as well as by day, including Sundays and legal holidays. With a spirit of patriotic zeal they responded to every demand made upon them and labored with promptness and zeal, sacrificing health, comfort, and personal convenience to the performance of duty. Under these circumstances it seems to be a measure of justice that these employees should be compensated for the excessive and arduous services thus rendered."

The present Secretary of War has supplemented this recommendation. His recommendation is printed in the appendix.

The day's labor for Government employees in the Departments is fixed by law at seven hours, to wit, from 9 o'clock a. m. to 4 o'clock p. m. (sec. 1 of act approved March 15, 1898). While the strict letter of the law permits the head of a Department, by special order, to extend the hours of work for employees, your committee believe that the labor, inconvenience, and hardships attending such extra work constitute strong equities for extra compensation. On this point the Secretary of War, in his recommendation of January 14, 1903, says:

"The fact that the law referred to establishes the hours of labor would seem to justify the belief that it was not the intention of Congress that the prescribed hours should be permanently or indefinitely extended without additional compensation, but that the provision was designed to meet any exigency or temporary emergency that might arise."

The policy of Congress to compensate only such extra work performed by Government employees as shown in the following joint resolution approved February 6, 1895, providing for the payment to certain provers, workmen and mechanics at Navy Yards and stations of 50 per cent additional pay for work performed in excess of their regular hours.

"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby, authorized and directed to pay 50 per cent additional for all work in excess of eight hours per day performed by laborers, workmen, and mechanics whose compensation is fixed upon a basis of eight hours per diem, and who on January 1, 1895, and October 31, 1895, were employed at any United States navy yard or naval station, and who worked in excess of eight hours per day and have not already received such additional compensation; the amount due each laborer, workman, and mechanic affected by the above to be based upon the time recorded in the several bureaus at the navy-yard or naval station where the work was performed."

Pay of per diem granted to the navy yard employees was additional pay when they had already been paid the regular rates for every extra hour's work done, and was forced as a work performed during the Spanish war, in the same manner as the extra work performed by the employees of the Treasury, War, and Navy Departments, for which compensation is now asked.

The following are the regulations of the Secretary of the Navy under which extra work is now performed in the navy yards:

"(2) The following rules shall be observed for estimating the pay of laborers, workmen, and mechanics for work performed in excess of eight hours per day and for work performed on Sundays or legal holidays:

"(a) For work performed, on account of extraordinary emergency, in excess of eight hours per day, the ordinary rate of pay, with 50 per cent additional, shall be allowed.

"(b) Men employed in relays shall be paid at the rate allowed for day work, whether they work by day or at night.

"(c) For work performed on Sundays or legal holidays the ordinary rate of pay, with 50 per cent additional, shall be allowed.

"(d) The foregoing provisions relative to laborers, workmen, and mechanics whose compensation has been fixed upon a basis of eight hours per day, and have no application to employees whose ordinary duties require their presence before or after eight hours of work, or on Sundays or on legal holidays, and whose compensation has been fixed, with reference to the irregular and unusual character of their employment."

The compensation provided for in the bill under consideration is not at a greater rate than regular pay, such as was paid the navy-yard employees and recognized by Congress as just and proper for extra work, but is merely pay at the regular rates for the extra time during which services were rendered.

There seems to be no reason or justice in Congress providing by law for the payment of one class of Government employees for extra work caused by the Spanish war and refusing to pay another class of its employees for extra work caused by the same war.

The following are the Departments' estimates of amounts required by Treasury, War, and Navy Departments to pay the extra compensation as recommended by the heads of said Departments:

Treasury Department	$8,176.02
War Department	108,893.59
Navy Department	43,447.56
Total	160,467.17

In view of the foregoing facts, and the strong recommendations of the Secretaries of the Treasury, War, and Navy Departments, your committee believe that the provisions of S. 1694 are just and proper, and therefore report the said bill back to the Senate with the recommendation that it pass.

APPENDIX.

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, February 19, 1903.

SIR: I have the honor to transmit herewith, for the favorable consideration of Congress, communications from the Treasurer of the United States, the Bureau of the Treasury, and the chief of the division of loans and currency in relation to legislation for compensation for the employees of the Treasury Department mentioned by them in connection with the extra work done per diem under the provisions of the act of June 9, 1898, such work as having been rendered after the hours of 5 p. m. and on Sundays and holidays.

The amount required to be appropriated to meet such extra compensation is $8,176.02, as follows:

Office of Treasurer of the United States	$2,795.50
Office of Register of the Treasury	2,489.75
Division of loans and currency, office of Secretary	2,890.68

Respectfully,

O. L. SPAULDING, *Acting Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, January 2, 1899.

SIR: I have the honor to transmit herewith petitions from civilian employees in the offices of the Surgeon-General and the Quartermaster-General of the Army praying that they be granted compensation for the work performed by them in excess of the regular working hours during the war with Spain. As I perceive no objection, I respectfully recommend that the Quartermaster-General be requested to report upon the claims of the employees named in the petitions, as appears from their respective indorsements.

These petitions apply to only two of the bureaus, although the statements therein contained are applicable alike to other bureaus and offices of the Department.

Section 7 of the legislative, executive, and judicial appropriation act approved March 3, 1897, prescribes the hours of labor for clerks and other employees in the Executive Departments, and provides—

"That the heads of the Departments may, by special order, stating the reason, further extend the hours of any clerk or employee in their Departments, respectively; but in the case of an extension it shall be without additional compensation."

The fact that the law referred to establishes the hours of labor would seem to justify the belief that it was not the intention of Congress that the prescribed hours be permanently or indefinitely extended without additional compensation, but that it was thought to be sufficient to meet any sudden or temporary emergency that might arise.

The extra hours created by the war with Spain rendered it necessary that the clerks and other employees should work overtime in order to the performance of the necessary amount of work required upon this Department, and consequently they have been called by night as well as Sunday, including Sundays and legal holidays. With a spirit of cheerfulness they responded to every demand made upon them and labored with energy and zeal, sacrificing health, comfort and personal convenience to the performance of duty. Under these circumstances it seems to be a matter of justice that these employees should be compensated for the extraordinary and arduous services thus rendered, and I therefore earnestly recommend that provision be made by Congress whereby such compensation may be secured for such services during the period from May 1 to December 31, 1898.

Very respectfully,

R. A. ALGER, *Secretary of War.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, January 25, 1904.

SIR: I have the honor to transmit herewith for the consideration of the Committee on Appropriations statements showing in detail the number of days service rendered to the employees of the several bureaus and offices of this Department in excess of the regular working hours and the amount that would be required to pay for such services should Congress decide to make provision for that purpose.

These statements represent an appeal by the employees for compensation for their extra work, and in thus submitting the matter to Congress I do not hesitate to state that were it an appeal simply to a sport of generosity, for the grant of a gratuity, I should feel bound to adjudge the consideration thus bestowed as being based upon justice. I therefore submit the matter to them for favorable consideration.

Since the commencement of the war with Spain these employees have worked early and late, regardless of hours, including Sundays and holidays, with a zeal and fidelity unexcelled in the history of the public service. The services thus rendered were pressed by the Government in order to meet the demands imposed upon the Department by the exigencies of war, the Government thus becoming the beneficiary. As a consequence of the severe strain thus imposed upon the employees the health of many of them became impaired, necessitating expensive medical treatment, where all have an efficient, natural personal comfort and convenience.

It therefore seems to be only just that those employees who have rendered such faithful and valuable service to the Government in excess of the regularly established office hours should be compensated therefor, and I accordingly respectfully recommend that an item be inserted in the pending deficiency appropriation bill making an appropriation of the amount necessary for that purpose.

Very respectfully,

R. A. ALGER,
Secretary of War.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

WAR DEPARTMENT,
Washington, March 1, 1902.

SIR: I have the honor to forward herewith, for transmission to Congress, a detailed statement showing the number of days service rendered by the employees borne upon the regular rolls of the War Department and its bureaus and offices in excess of the regular working hours of seven hours each, from April 21, 1898, to January 31, 1902, and the amount required to pay for the employees for such service should Congress decide to make provision for that purpose.

In submitting this estimate of appropriation it is proper to state that I should not feel inclined to forward the same if it were not believed to be a matter of simple justice to a class of employees who have rendered great service to the Government.

Since the beginning of the war with Spain and up to the present time the clerks of the War Department have labored early and late and with a zeal and fidelity to the interests of the Government worthy of the highest commendation. No extraordinary privileges as to a shorter work day, as contemplated by the law, of the employees of the Department, and those from labor bureaus and other bureaus were called upon to cooperate with at the effort to meet the demands made upon them in connection with the war.

Some days have died and the health of many has been impaired in discharging duties. It is thought, in view of the arduous labor and the faithful and responsible service rendered during the trying period, that a gratuity should be considered. The extra duty was performed by the clerks cheerfully and faithfully, with great patriotism, and it is believed that the gratuity from the employees of the War Department, though small, is comparatively paid in comparison with those employed elsewhere in the departmental service.

This measure was inaugurated by my predecessor, a copy of whose letter addressed to Congress at the last session is herewith inclosed. There are numerous precedents for such action, a list of which is inclosed herewith, and it will prove but an act of justice to certain public servants who, in my opinion, are justly entitled to the favorable consideration of Congress in respect. The measure commands my favorable consideration and hearty approval.

Very respectfully,

ELIHU ROOT, *Secretary of War.*

The SECRETARY OF THE TREASURY.

NAVY DEPARTMENT,
Washington, March 1, 1902.

SIR: In view of the fact that recommendations have been made by the honorable the Secretary of the Treasury and the honorable the Secretary of War for an appropriation to pay for services rendered by employees of those departments in excess of the regular hours established office hours, and be compensated therefor, and I accordingly respectfully transmit herewith a statement of the Navy Department showing the number of days service rendered in excess of the regular hours, from April 21, 1898, to January 31, 1902, by reason of the exigencies of work due to the war with Spain, I have the honor to ask, in case these recommendations are favorably considered, that the same consideration be given to the employees of the Navy Department who have rendered like services. The Bureau of Navigation has prepared an estimate with reference to employees of that Bureau, which I inclose, and I have authorized the other bureaus to furnish estimates also for similar transmission.

It has occurred to me that if this form of remuneration should met meet the approval of your committee it would be proper to consider whether or not the same plan might be adopted that is sometimes adopted with reference to employees in the Senate and House of Representatives: that is, to make an appropriation for paying an extra month's or more months' salary.

Very respectfully,

JOHN D. LONG, *Secretary.*

The CHAIRMAN OF THE COMMITTEE ON APPROPRIATIONS,
House of Representatives, Washington, D. C.

NAVY DEPARTMENT,
Washington, November 25, 1901.

SIR: Replying to your letter of the 8th instant, in which you refer to the [illegible] Department [illegible] Navy Department [illegible] in connection [illegible] for the year ending June 30, 1903, [illegible] and Department [illegible] Navy Department [illegible] upon each bureau and office of the Navy Department for the purpose mentioned, viz:

Office of Secretary of Navy (omitting Secretary and Assistant Secretary)	$3,402.02
Bureau of Yards and Docks	914.24
Bureau of [illegible]	1,216.88
Bureau of [illegible]	2,855.98
Bureau of [illegible]	1,767.80
Bureau of Construction and Repair	7,588.40
Bureau of Steam Engineering	3,084.32
Bureau of Ordnance	5,061.60
Bureau of Medicine and Surgery	913.72
Bureau of Supplies and Accounts	1,640.96
Office of Judge Advocate General	1,518.80
Office of Naval War College	210.80
Bureau of Navigation	7,750.40
Naval Observatory	3,191.60
Nautical Almanac Office	1,354.00
Office of Naval Intelligence	369.04
Total	42,447.56

Referring to the bill you propose to introduce at the coming session of Congress [illegible] for the payment of these extra war [illegible] of the Navy and Navy Department [illegible] appropriation therefor in order to make an equitable distribution.

All clerks who have employed during the entire period, January 1, 1898, to June 30, 1899, shall be allowed one month's extra pay. Those employed for a shorter period shall have one eighteenth of a month's pay for each month or fraction of a month employed during said period.

Very respectfully,

JOHN D. LONG, *Secretary.*

Hon. WILLIAM M. STEWART,
United States Senate, Washington, D. C.

WHITE HOUSE,
Washington, March 25, 1902.

MY DEAR SIR: I have the honor to submit the following statement of the employees of the [illegible] Department [illegible] Spanish-American war, [illegible] $8,914.10 be appropriated by the Con-[illegible]

Very [illegible],

GEO. B. CORTELYOU,
Secretary to the President.

The CHAIRMAN OF THE COMMITTEE ON CLAIMS,
United States Senate.

DETAILED FORCE, EXECUTIVE OFFICE, DURING THE SPANISH-AMERICAN WAR.

Number of hours' service rendered in excess of the customary office hours, from April 21, 1898, to January 31, 1902, inclusive, with amount required for compensation, calculated at the rate paid for the regular day service.

	Salary.	Per day.	Number hours extra service.	Amount.
Joseph S. Moss, clerk, War Department	$1,600	$4.38	340	$212.74
Thomas P. Randolph, clerk, Interior Department	1,600	4.38	357	223.38
William F. Ryan, clerk, Interior Department	1,600	4.38	540	337.88
N. P. Webster, clerk, War Department, to July 1	1,200	3.33	202	96.06
R. [illegible], clerk, War Department	1,200	3.33	595	254.50
[illegible], clerk, War Department	1,200	3.33	[illegible]	326.67
E. C. [illegible], clerk, War Department	1,200	3.33	593	263.96
M. [illegible], clerk, Interior Department	900	2.50	267	95.00
George Marshall, messenger, Metropolitan police	1,080	2.95	850	358.61
Louis Bryant, messenger, Treasury Department	720	2.00	720	206.00
R. F. Anderson, messenger, Navy Department	660	1.83	716	187.18
Total				2,561.08

REGULAR FORCE, EXECUTIVE OFFICE, DURING THE SPANISH-AMERICAN WAR.

Number of hours' service rendered in excess of the customary office hours, from April 21, 1898, to January 31, 1902, inclusive, with amount required for compensation, calculated at the rate paid for the regular day service.

	Salary.	Per day.	Number hours extra service.	Amount.
B. F. Barnes, executive clerk	$2,200	$6.11	1,025	$894.68
W. S. Young, clerk	1,800	5.00	1,116	797.00
R. [illegible], clerk	1,600	4.38	1,275	797.16
A. J. [illegible], clerk	1,600	4.38	1,275	797.16
N. P. Webster, clerk, executive office from July 1	1,600	4.38	1,075	672.66
E. W. [illegible], clerk	1,600	4.38	1,225	766.30
T. H. [illegible], clerk	1,600	4.38	658	349.14
T. J. [illegible], messenger	1,200	3.33	1,000	472.86
Arthur [illegible], messenger	1,200	3.33	1,000	472.86
E. R. [illegible], messenger	1,200	3.33	700	333.00
Total				6,353.02

WAR DEPARTMENT,
Washington, January 4, 1902.

SIR: In connection with Senate bill 1694, Fifty-seventh Congress, [illegible] of the Navy Department [illegible] such services to May 16, 1898, [illegible] War [illegible] House of Representatives [illegible] the War [illegible] yees who were inadvertently omitted [illegible]

[illegible]	$31.65
Office of the Chief of Engineers	2,097.55
[illegible]	8.70
Total	2,137.90

Very respectfully,

ELIHU ROOT, *Secretary of War.*

Hon. THADDEUS M. MAHON,
Chairman Committee on War Claims, House of Representatives.

No. 100.] HEADQUARTERS UNITED STATES MARINE CORPS,
Washington, D. C., May 17, 1902.

SIR: It has been brought to my attention that a bill passed the Senate yesterday (S. 1694) providing one month's extra pay for clerks of the War, Navy, and Treasury Departments who worked overtime during the war with Spain. [illegible] provision for the benefit of the clerks employed at these headquarters during said war, for eight hours [illegible] until [illegible] Spanish-American war, [illegible] as I understand it, it seems that just that thing happened, the same extra compensation as has been given in other branches of the Navy Department who performed the duty and I respectfully request that a [illegible] be transmitted by the Department to the Committee of the House of Representatives to have the matter [illegible] so amended when it reaches the House as to provide [illegible] extra pay for the clerks at these headquarters who performed extra service during the war with Spain, whose names and monthly pay are as follows:

F. R. Hanna, chief clerk, commandant's office	$128.40
J. W. Armstrong, messenger, commandant's office	80.94
W. W. Deal, chief clerk, quartermaster's office	168.10
H. J. W[illegible], clerk, quartermaster's office	124.71
L. L. N[illegible], clerk, commandant and inspector's office	128.40
M. A. [illegible], clerk, commandant and inspector's office	124.71
J. H. [illegible], chief clerk, paymaster's office	133.34
H. H. [illegible], clerk, paymaster's office	104.66
Percy F. Archer, clerk, assistant quartermaster's office, Washington	116.66
Daniel Kirby, clerk, assistant quartermaster's office, Philadelphia, Pa.	116.66
Total	1,186.98

Very respectfully,

CHARLES HEYWOOD,
Brigadier-General, Commandant.

The SECRETARY OF THE NAVY.

[First indorsement.]

NAVY DEPARTMENT, *May 19, 1902.*

Referred to the honorable the Secretary of the Navy with the recommendation that provision be made in the bill now before Congress for the benefit of the clerks employed at the marine headquarters.

CHAS. H. DARLING, *Assistant Secretary.*

Mr. BEVERIDGE. Mr. President. I have no objection to the bill, but I wish to ask the Senators who reported it and who are responsible for it if this is a correct statement of the whole thing: Certain clerks and employees of the Government, whose regular period of work is embraced within the arduous hours of work during a war that the country was engaged in, worked some time overtime, and this bill is for the purpose of paying them extra for working overtime, beyond those hours—9 to 4—during war. Is that it?

Mr. STEWART. That is it.

Mr. WARREN. Mr. President, this is a bill to pay employees who were asked to volunteer and render extra services. They were not forced to do it, but they were told that the Departments were behind in their work. The heads of the several Departments asked these volunteers if they would work from 9 to 5 in the day and return at 7 and work till 10 in the evening. These employees worked in this way for months, including many of them Sundays and holidays. This is to pay them not 50 per cent extra, as has been provided in some cases—the Navy Department, for instance, as to its employees at times—but is to pay them the same price per hour for the extra that they were paid during the regular hours of the day.

Mr. SCOTT. Mr. President, this bill is certainly a very deserving measure. At the time of the Spanish-American war it became my duty, as Commissioner of Internal Revenue, to put into effect a law of Congress within sixteen days in order that the people all over this great country might have stamps to carry on business legally. In order to do that I had to ask for volunteers in that department, and many of them worked twenty hours a day, especially those who were engaged in sending out by express packages of stamps. They worked on Sundays. They worked on the Fourth of July. They were willing workers. If it had not been for those people the business of this country would have come to a standstill, because it would have been impossible to get the stamps out in time to transact the business of the country. There ought not to be a word of objection to the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. GALLINGER. Ought not the title to be amended as the executive department is included by the amendment which has been agreed to? I suggest the addition of the words "and for other purposes."

The PRESIDENT pro tempore. The title will be amended as suggested by the Senator from New Hampshire.

The title was amended so as to read: "A bill to provide for compensation for certain employees of the Treasury, War, and Navy Departments, and for other purposes."

Mr. GALLINGER. That will do.

RELIEF OF CERTAIN DESERT-LAND ENTRYMEN.

The bill (S. 147) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but who were unable to perfect entry thereof, was considered as in Committee of the Whole.

Mr. PLATT of Connecticut. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. CLARK of Wyoming December 16, 1903, which is as follows:

The Committee on Public Lands, to whom was referred the bill (S. 147) for the relief of persons who made the first payment for desert lands under the act of March 3, 1877, but were unable to perfect entry thereof, having had the same under consideration, beg leave to report it back with the recommendation that it do pass.

A similar bill was considered in the first session of the Fifty-seventh Congress. It passed the Senate, but failed in the House. The following report was made on a bill identical with the present measure, introduced in the Fifty-sixth Congress. It is adopted as the report of the committee.

[Senate Report No. 1206, Fifty-sixth Congress, first session.]

If this bill shall pass and become a law, the loss and gain account between the Government on the one side and the entryman on the other would stand about as follows:

1. The Government loses nothing whatever. It simply pays back some of the money it received several years ago, without interest on the same, for which it gave no thing or value whatever.

2. The Government gains in the use of this money since paid in up to the time of proposed repayment, plus a consolidation against each entryman of his desert-entry right, in that he entry man can not again enter desert lands.

As to the settler, it is different. His losses are:

1. His desert-entry right has been exhausted.
2. He will have lost the use of his money during the intervening years.
3. And a point of much more importance, he will have lost all the money expended in improvements upon the forfeited land such as ditches, fences, buildings, etc., because the land has reverted to the Government.

The proposed measure restores some part of the losses of the settler by returning to him a part of the gains of the Government, but even after this measure of partial justice the advantages are still with the Government as against the entryman.

In many of the Western States and Territories there were vast areas of public lands which in their natural condition were arid and unproductive and to which the preemption, homestead, and other existing laws were so inapplicable that no effort was made to acquire title to them under these laws. It was known that portions of these lands possessed a rich soil, and if [illegible] irrigation would become highly productive.

[illegible] to their reclamation the act of March 3, 1877, was passed, [illegible] provided that any citizen of the United States, or person who [illegible] intention to become such, could, upon payment of 25 cents [illegible] a declaration under oath with the register and receiver of the [illegible] stating his intention to reclaim a stated tract of desert [illegible] by conducting water upon the same, and that [illegible] three years thereafter, upon making satisfactory proof of [illegible] of the tract and upon the payment of the additional sum of [illegible] the claimant would obtain a patent for the land. This act was by [illegible] applicable to the same description of timber lands and mineral [illegible] not, without irrigation, produce some agricultural crop.

[illegible] issued by the General Land Office March 19, 18[illegible], a copy of which is herewith inclosed, clearly recognized the reasonableness of desert-land claims. By these instructions land officers were directed to issue a certificate to desert claimants, in which it was certified that if within three years from the date hereof the said [illegible], or his assignee or legal representatives, shall satisfactorily prove that the said land has been reclaimed by carrying water thereon, and shall pay to the receiver the additional sum of $1 per acre for the land above described, he or they shall be entitled to receive a patent therefor under the provisions of the said act."

Acting under these instructions assignments of desert-land claims were

sustained by the General Land Office, and this practice was continued until about April 15, 1889, when the Secretary of the Interior, in the case of S. W. Dewney, vol. 7, C. L. O., p. 26, held that desert land claims were not assignable and that purchasers thereof secured no right or title thereto.

On account of the former rulings, however, assignments of desert-land claims whose made prior to April 15, 1889, were recognized, subject to the qualification that whether by original entryman or by assignee, no entry should acquire title to 640 acres under the desert land act. Prior to the decision in the Henry W. Rusk land, Mr. Raynolds, Rusk's land agent, had expressed his opinion to an assignee, based on the laws and decisions, that he could take anything under an assignment of a desert claim, provided that was not the case when the assignment was made, and if he had any original entryman, or person making any such entry, as his agent, he would be required by the Government to compel such person to assign to assignee, and so perfect the title in the latter, although that was not the case when the original claim was made or when he acquired his interest by assignment.

Congress has since, in the act of March 1, 1891, expressly authorized assignments of desert claims, and has given by legislation the prior assignments equal rights.

In Wyckoff v. Lamont (14 L. D., 330) and Beley v. Naphtaly (169 U. S., 366) it is held by the Supreme Court that assignments are valid under the original act, and that the Government can not question the assignment, but it is the purchaser, assignee of the original entryman, who must make the proper showing of the fact that the original entryman has complied with the law, and that the assignee has acquired no rights by the assignment. The decisions of the Supreme Court have put to rest the question of the validity of such assignments, and the passage of the act of March 1, 1891, confirmed such assignments, as under the court's decisions it now seems it ought to have done.

The rulings of the Land Department as to what were desert lands within the meaning of the act of March 3, 1877, were not consistent. By land office decision of March 12, 1877, the question was put to the land office whether lands of the character described in the act of March 3, 1877, should be classified as desert lands, and the land office decided in the affirmative, stating that the act was intended to apply to such lands as could not be cultivated to any profit, and which could be reclaimed only by the application of water, and that lands which could be cultivated to profit without irrigation, or which could be reclaimed by the application of water, should be classified as agricultural lands. In the

think these little returns should be made of money that the Government has received and has rendered nothing for whatever and has had the use of long enough to compensate at least for some little annoyance about the law. If Senators had seen the country settled as I have seen it settled, and if they knew what it cost to settle the country, they would not be quite so tenacious, or quite so severe, or quite so [illegible] of the settler.

Mr. President, if a man [illegible] has failed to comply with the law, he has failed to comply [illegible] He has not filed on a piece of land [illegible] and abandoned it after paying his 25 cents if he had the power to go on and complete under the law the entry he began to make.

Now, Mr. President, I want to say a word about the law. In 1885, when the law was first passed, I was a member of this body. At that time in Colorado we did not need the law. Our [illegible] were easily [illegible] to its application to the State of Colorado. [illegible] people [illegible] would get [illegible] and take a great deal of land [illegible] to have. It was not until 1887 or later, perhaps, when on [illegible] the law [illegible] Colorado was put in. I know that in Wyoming, in Utah, in Idaho, and in Colorado [illegible] the law went into effect it [illegible] a [illegible] by which men have been enabled to get land.

Mr. WARREN. May I ask the Senator a question?

Mr. TELLER. Certainly.

Mr. WARREN. Does he not understand that it was the intention of the law to provide for [illegible] where men were not able to comply with its terms?

Mr. TELLER. It would be an exceedingly harsh law that did not allow a man to make an [illegible] if he found himself incapable of going on and completing the entry. The Government was after two things. The primary thing the Government had in view when it passed the law was to get the arid land settled. That was the primary purpose, and they kept who settled under the arid land law paid for it all that it was worth, and often many times more than it was worth. Communities would combine to build a ditch. They would figure that it would cost two or three or five dollars an acre, and when they got through it would cost very often at least three or four times that amount.

Now, I wish to say a word or two about the execution of the law. After a while, say for the next four years after 1885, there was an exceedingly harsh execution of the law. They were required to put water practically upon every acre of the 160 or 320 acres, whichever they had taken. If they found that one end of the claim was too high for water of the neighborhood there was trouble with the parties, and many of them were compelled to abandon their land or get it under some other system after they had paid this money.

Now, Mr. President, the gist of the whole thing is this. It is seen in this one thing. The Government of the United States has still got the title to the land or has sold it to somebody else. They have got the money of the settler, for which he got nothing from the Government in return. The amount, I understand, is not large, but it will be of benefit to some of those people, and I think with the generosity of the Government in very many other directions [illegible] ought to complain of this little money that is going to the settler who has failed to make good his title when the Government has suffered nothing by his failure.

Mr. SPOONER. Mr. President, I do not myself become restive at all under the strictures of the Senator from Colorado that there is something akin to stinginess in the spirit of inquiry which has for a few moments obstructed the ordinarily easy passage of such measures through the Senate. I beg the Senator to remember, and I know he does remember, that we are a little more apt to be too easy than too strict. We are not here expending our own money for the purpose of indulging in our own generous impulses, and there is no one here who does not want to deal justly, I take it, by the settlers on the western lands, and all of them.

But the Senator contends for a principle, and there is a principle underlying this bill which, when the power of precedent in a legislative way is remembered, is of very great consequence to the people of the United States. If, on a thorough investigation, justice by the Government to its citizens demands the payment of this money, it ought to be paid, and more should be paid if justice demands the payment of more.

But I want to say, in the first place, that I dislike to see a report upon a bill of this kind relating to the public lands come to the Senate with some evidence accompanying it that the measure has been referred to the appropriate Department of the Government, the Department charged with the execution of the land laws of the United States, for its examination and report as to the facts and as to the justice of the claims. If all the men in this country who expend money under contracts with the Government for land which afterwards they for one reason or another, not fraudulent, abandon are to be reimbursed, this is a bagatelle, a trifle utterly; it would bankrupt the country. Every man who has made a homestead entry in good faith and paid land-office fees, who has been obliged for some reason not at all his fault, involving no fraud, to abandon it, should be refunded the money which he paid, or it should be given to his heirs, upon the theory which underlies this bill. Why not? The Government either would still own the land or it would have disposed of it under the laws of the United States to some other [illegible]

There has been a great underlying governmental policy as to the disposition of all the lands of the Government, differing as the character of the lands differ. In this instance the law was intended to apply to waste places in the country to bring about settlement. So were the homestead laws intended to furnish homes to the people, to take people out of the crowded cities, to increase taxable values.

I can see no reason for this legislation. These men knew when they made this contract just what they would be called upon to do under the law. The man who made a [illegible] knew the law just what his contract was, just what he was obliged to do.

Mr. President, there is pending in this body a bill for the relief of some homestead settlers in the northern [illegible] and, joined with that, a bill for the relief of homestead settlers in the wagon-road grant in Oregon. These men went upon these lands many years ago by [illegible] the Government. They had been railroad lands. On contest, first by the General Land Office and then the Secretary of the Interior, it was held that they were part of the [illegible] men were invited [illegible] years; they felled [illegible] lands; [illegible] the vast forest fires, in which some of them, in the endeavor to protect their log cabins, their improvements, and their [illegible]

Later the Supreme Court of the United States [illegible] the Interior Department was wrong, that the land belonged to the railway company, and that those settlers had no title. Do you suppose it would be possible to make up to those people their loss in time, in toil, in hope, in improvements? The full measure of justice thus far to receive legislative sanction from [illegible] the right to select an equal amount of other lands elsewhere in the United States; and coupled with that was a provision that, although they had lived five years upon the lands of which they were deprived, they must live one year on newly selected lands [illegible] that is, the widows and their children should go out on the frontier, go on uncultivated lands without capital, and live upon them for a year—must make bricks without straw—before they could have any relief at all under the law.

The hardships which come to settlers upon the public lands are not limited to those people who have settled under the desert-land law. They are not limited to the arid region of the United States by any means. There are innumerable cases of the kind in all the public-land States of the United States. Now, if this principle is to be adopted, if it is right, let us adopt it, but it is so magnificent in its proportions that we ought not to adopt it in a haphazard way, without most thorough deliberation and examination, and without the advice or report of the Land Department. I ask my friend from Colorado [Mr. TELLER] if I am wrong about that?

Mr. TELLER. I will tell you in a moment.

Mr. SPOONER. Will you not tell me now?

Mr. TELLER. I would rather not interrupt the Senator until he gets through.

Mr. SPOONER. All right. I can not myself quite see—perhaps the Senator may be able to explain it—why the homesteaders over the country who have entered upon lands, who have built their modest structures—the origin of improvements always upon the public lands—who have cultivated their little patches, felled forests, made fences, and all that, and then been ousted through some misfortune—perhaps a forest fire or poverty, sickness, anything other than fraud—to abandon them, leaving the land to the Government, leaving the improvements to the Government, to be sold to somebody else—I can not for the life of me see why the fees paid at the land office by that army of men should not be reimbursed if the fees paid in these cases are to be reimbursed. I think I shall therefore move, without the [illegible] to settlers—for I have none—to recommit this [illegible] the Senator from Colorado convinces me that I am wrong, to the committee from which it came, expressing the hope that it will be referred to the Interior Department for investigation and report.

Mr. TELLER. Mr. President——

Mr. WARREN. Will the Senator from Colorado kindly yield to me, as the Senator from Wisconsin has asked me a question?

Mr. TELLER. I will yield to the Senator from Wyoming.

Mr. WARREN. The Senator from Wisconsin speaks of that very deserving class who were wronged by reason of their settlement upon railroad lands; but I think he stated—at least I so understood him—that some measure of restitution had been offered by the Government. Am I right about that?

Mr. SPOONER. I stated that it was pending. I do not know what the Government will do about it, but it is a mere trifling restitution.

Mr. WARREN. As this is, Mr. President. Here is a case where the land remains with the Government, where the land that has been paid for remains with the Government and the man's right to enter further land has been canceled, and the money that he has expended upon the homestead has all been lost. Now the Senator would refuse such a man the meager sum of 25 cents in part restitution for the land. I want to ask a question, and it is this——

Mr. SPOONER. I will answer the question, and then I want to ask the Senator a question.

Mr. WARREN. The rulings of the Land Department at one time were that the growth known as mesquite was not timber, and that the entry could be entertained under the desert-land law of such mesquite lands. Later on the department ruled—and that ruling stood for several years—that those lands were not susceptible of that class of entry, but were timber lands and not desert lands. Consequently, those who had entered upon mesquite lands in good faith were unable to prove up, and they lost their land. Still later the department again returned to its old ruling, and made a ruling that the mesquite lands were not timber lands at all. Does the Senator think that the parties who made entries in good faith upon mesquite lands ought to be charged with fraud? Does he think the contract of the Government is one in which the entryman is at fault in a case like that?

Mr. SPOONER. I have not said anything about land entries by fraud.

Mr. WARREN. I am speaking of a contract that was made by the Government with the consent of the entryman.

Mr. SPOONER. The Senator, then, refers to a case where some one has attempted to obtain a patent for land which he has taken, which was not open to entry under the act?

Mr. WARREN. Not at all. He entered upon the land, paid the 25 cents per acre, and spent one, two, or three years upon that land. He then was confronted with the change in ruling that had been made by the Interior Department, and consequently was unable to prove up his land.

Mr. SPOONER. Is the bill confined to those cases?

Mr. WARREN. The bill is virtually confined to them; but I do not think it should be confined to them.

Mr. SPOONER. I should now like to ask the Senator a question.

Mr. WARREN. Very well.

Mr. SPOONER. What is the real difference in principle between the class of cases which is covered by this bill—at least one class of cases covered by this bill—and the case of persons who in good faith entered homesteads on railroad lands? In the case of a man who enters upon a homestead in good faith, pays the land-office fees, moves upon it with his family, if he has a family, or lives alone upon it, if he has no family, and makes the requisite improvements, a man who, through some misfortune or cause not imputable to fraud, is compelled to abandon and leave the land and improvements to the Government, why should not he be paid back his land-office fees if the land-office fees should be paid back in this case? What is the difference in principle?

Mr. WARREN. Answering that question, I will say that where the land-office fees are paid in addition——

Mr. SPOONER. That is a mere play upon words.

Mr. WARREN. They should be reimbursed if the fault was the Government's that the settlers were unable to prove up. I think the law provides that entries of that kind may be reinstated.

Mr. TELLER. Mr. President——

Mr. BEVERIDGE. With the permission of the Senator from Colorado [Mr. TELLER]——

Mr. TELLER. Certainly.

Mr. BEVERIDGE. I should like to ask the Senator from Wyoming [Mr. WARREN] a question. My attention was attracted to certain provisions of this bill concerning assignments of these entries. I have myself some little knowledge and personal experience of the settlement of the western country.

I should like to ask the Senator for information whether or not it was not sometimes, if not frequently, the case, that there were a large number of entries under the names of individuals in behalf of a third party or corporation, and that if, after a while, those entries were not assigned to the person or corporation for whom, in fact, they were made? Is not that so?

Mr. WARREN. My attention was diverted by a question asked me by a Senator behind me; and I should be glad if the Senator from Indiana would repeat his question.

Mr. BEVERIDGE. I was saying, by the permission of the Senator from Colorado, that I desired to ask the Senator a question. I was simply asking the Senator whether or not it was not sometimes, if indeed not frequently, the case that entries of land were made by various individuals in their names, and then afterwards assigned to a third individual or corporation, who thereby became the assignees of those entries; and, further, I ask whether or not the provisions of this bill would not pay back, not to the person who originally entered the land, but to those collective assignees, the money which had been paid in?

Mr. WARREN. Only in cases where they had in good faith proceeded with the reclamation of the land.

Mr. BEVERIDGE. That would be true, according to the Senator's interpretation of the bill, only in case it was not done fraudulently. Now, I ask the Senator, under the bill, how is the fact that it was done fraudulently going to be established?

Mr. WARREN. The Interior Department will not undertake to pay unless each case is made clear from suspicion or fraud or unlawful act.

Mr. BEVERIDGE. How could it be made clear, I will ask the Senator, who is familiar with this matter, except by an affidavit of the assignee that he was acting in good faith? If that be the case, is it not perfectly clear that any person who had taken such assignments in large bodies of land, in a large number of cases collectively, would certainly make that affidavit?

Mr. WARREN. The Interior Department has, in every case, all the papers and proofs submitted by the entryman when he offered proof. This much to start upon——

Mr. TELLER. Mr. President——

Mr. WARREN. I understand that we are proceeding by the permission of the Senator from Colorado [Mr. TELLER], who is entitled to the floor.

Mr. TELLER. If the Senator from Indiana will accept my answer, I should like to answer the question myself.

Mr. BEVERIDGE. Certainly.

Mr. WARREN. The Senator from Colorado is peculiarly qualified to answer the question, he having once been Secretary of the Interior.

Mr. TELLER. In the case the Senator from Indiana [Mr. BEVERIDGE] suggests I will say that I think some of the things which have been referred to were done, but the parties to whom assignments were made went on and completed the title. So those people are not here and are not coming here. Anybody, any corporation, or any individual who took an assignment of a number of claims did it with the capacity of completing the entry and holding it, and they have got completed entries. This is to cover cases where one settler bought out another settler and then found himself unable to get water on his claim, either because it could not be had at an expense that would just fy him in procuring it or for some other reason and so he was obliged to give up.

Mr. BEVERIDGE. The question that attracted my attention was whether or not this bill would only apply to such a case as that to which the Senator now refers. I do not know.

Mr. TELLER. The trouble with the Senator's proposition is that there are not any such cases. There might be an isolated case or two.

Mr. President, I have had some knowledge of the settlement of the Western States. Pretty nearly forty years ago I went through a good portion of the present State of Idaho and through a portion of Utah. I have been all over the State of Colorado, except a very small portion of it, again and again. I have been through Montana and the Dakotas. I know something about that country, and I know that the fright some people have now that that country is going to be aggregated into great farms and great holdings is simply nonsense.

Irrigated land is the most profitable land there is when an intelligent man farms it, and except in rare cases it can be farmed in a profitable way only in small holdings. By "small holdings" I mean a quarter section or a half section at the outside. Of course occasionally a farm much larger than that can be found, where some intelligent man manages to farm it, but he is there looking after it.

Irrigated land can not be farmed as land with rain can be. There must be an intelligent man to know how much water to put on, when to put it on, and when not to put it on, and there has not been under the desert-land law, to my knowledge, any great aggregation of desert-land holdings in the Western States.

Mr. BEVERIDGE. If the Senator will permit me to interrupt him, in case there had been aggregations of collective assignments to one person or corporation, would or would not the bill cover them?

Mr. TELLER. I think if there had been an aggregation in the hands of an individual or corporation who failed to go there and complete title, then there would be a claim, but I will venture to

say that the Senator may search with a search warrant and he will find that in all of these cases assignments are made to individuals, not to corporations, and not in great numbers, either.

Now, Mr. President, I want to apologize to the Senator from Wisconsin [Mr. SPOONER]. If I seemed to be criticising the Senator or anybody else, I wish to say that I had no intention of doing that, but I presume I did speak in an improper manner, because I have some feeling when it comes to these questions, and it is natural that I should have.

When I went to that western country in 1861, in the beginning of the year, there was an area of country two-fifths of the United States with practically nobody in it—a desert. The State of Colorado had about 25,000 people within it; miners congregated in the mountains. Except a little fringe along the Missouri River, there was no settlement from that river until California was reached but a gathering of Mormon people in Salt Lake Valley. We used to go in a stage hundreds of miles, seeing no homes or farms, nothing but the stage stations every 10 or 12 miles apart.

The PRESIDENT pro tempore. The hour of 4 o'clock having arrived, under the special order of the Senate pension and military relief bills are now to be considered.

Mr. TELLER. I will conclude in just a moment, Mr. President. I did not know there was a special order.

Mr. BEVERIDGE. I ask that the Senator may be permitted to conclude his remarks.

Mr. TELLER. I only want a moment.

The PRESIDENT pro tempore. In the absence of objection, the Senator from Colorado will proceed.

Mr. TELLER. I will merely say, in the briefest possible terms, that I have seen that country settled. I have seen there communities as good as can be found anywhere in the world. I will venture to say that I can find in the arid lands of Colorado a community that need not fear comparison with any community in the United States. I can find amongst the farmers of Colorado as many educated men and women as you can find in any New England State, or in the State in which I was born—the State of New York.

Mr. President, they have made a garden of the desert, and they made it under tribulations, with the expenditure of toil and with sacrifices that entitle them to praise and not contempt. When I think what that country was forty-three years ago and think of what it is now, I feel that I should like to take off my hat to its early settlers. I want to give those who went into that country the meed of praise. They organized communities three or four years before there was any national law for their control and maintained all the arrangements of a civil government as well as they are maintained to-day under the State governments, and infinitely better than they are maintained in some of them, and even in some sections of my own State.

It is not to be wondered at that we men who went there in the early days, if we were not of that class, should have some feeling that if the Government has taken $160, as it has in some cases, out of a settler who has been unable to complete his entry under the law, and the Government has given nothing for that $160, it ought to pay it back.

It is not any answer to say that there are other deserving citizens of the United States who have been trying to make homes on the public lands who are also entitled to our consideration. I would not measure justice to the people of the United States by the amount that it would cost. I say we owe it to these people to pay them back the money, and if there are other classes to whom we owe the same obligation, we need not be disturbed for fear the amount will be beyond our ability to pay. I doubt whether in this case the expenditure can possibly reach a quarter of a million dollars, a sum that we vote away here day after day to the most worthless and undeserving objects, not measuring our right to vote it away unless when it comes to be what the Senator from Wisconsin calls a charity.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 4761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River; and

A bill (H. R. 7620) defining the limit of navigation of the Osage River, in the State of Missouri.

The bill (H. R. 16670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes, was read twice by its title, and referred to the Committee on Military Affairs.

CHARLES W. HOWARD.

Mr. SCOTT. I call for the regular order, Mr. President.

The PRESIDENT pro tempore. The Secretary will state the first bill in order on the Calendar.

The bill (S. 59) for the relief of Charles W. Howard was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that Charles W. Howard shall be held and considered to have been honorably discharged, upon tender of his resignation on account of disability, from the military service of the United States as a second lieutenant of the Second Regiment Missouri Artillery Volunteers, on the 10th of December, 1863, and it authorizes the Secretary of War to issue to him a certificate of honorable discharge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM B. BARNES.

The bill (S. 54) for the relief of William B. Barnes was considered as in Committee of the Whole. It provides that William B. Barnes, late major, Eleventh Regiment New York Heavy Artillery, shall be considered and held to have been honorably discharged from the military service of the United States on September 30, 1863, and that a certificate of such discharge shall be issued.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LAURA S. GILLINGWATERS.

The bill (S. 57) for the relief of Laura S. Gillingwaters was considered as in Committee of the Whole. It provides that, notwithstanding the records of the proceedings and sentence of the court-martial in the case of Private James E. Gillingwaters, late of Company H, Twelfth Missouri Cavalry Volunteers, the Secretary of War be directed to issue to him an honorable discharge of the date of his release from military control; and it directs the Secretary of the Treasury to cause to be paid to Laura S. Gillingwaters, widow of James E. Gillingwaters, all pay and allowances forfeited by the proceedings and sentence of the court-martial and full pay and allowances up to the date of his release from military control.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES W. HOWELL.

The bill (S. 58) for the relief of James W. Howell was considered as in Committee of the Whole. It provides that James W. Howell, late of Company H, Fifty-fourth Regiment Illinois Infantry Volunteers, shall be held and considered to have been honorably discharged from the military service of the United States as a private in that company and regiment on the 4th of July, 1865, and authorizes the Secretary of War to issue to him a certificate of discharge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RICHARD C. SILENCE.

The bill (S. 62) for the relief of Richard C. Silence was considered as in Committee of the Whole. It provides that Richard C. Silence shall be held and considered to have been a first lieutenant of Company I, First Regiment, West Tennessee, from November 29, 1862, to March 7, 1863, and to have been honorably discharged from the service of the United States as of date of March 7, 1863, and that a certificate of such service and discharge be issued to him.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES STIERLIN.

The bill (S. 63) for the relief of Charles Stierlin was considered as in Committee of the Whole. It provides that Charles Stierlin, late second lieutenant, Battery L, First Missouri Artillery, shall be considered and held to have been honorably discharged from the service of the United States March 16, 1864, and that an honorable discharge shall be issued to him of that date.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GOTTLIEB C. ROSE.

The bill (S. 60) for the relief of Gottlieb C. Rose was considered as in Committee of the Whole. It provides that Gottlieb C. Rose, late major of the Fourth Missouri Cavalry, shall be considered and held to have been honorably discharged from the United States service December 12, 1864, and that a certificate of such discharge shall be issued to him.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM B. THOMPSON.

The bill (S. 64) to correct the military record of William B. Thompson was considered as in Committee of the Whole. It directs the Secretary of War to correct the military record of William B. Thompson, Company C, Sixty third Regiment Indiana Infantry Volunteers, by removing therefrom the word "deserted" and substituting therefor the words "absented himself without proper authority, and was, on writ of habeas corpus, by the civil

authorities, in September, 1862, discharged at Indianapolis, Ind., being under 21 years of age."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES K. BOLSTER.

The bill (S. 746) to remove the charge of desertion from the military record of Charles K. Bolster was considered as in Committee of the Whole. It directs the Secretary of War to remove the charge of desertion standing against the name of Charles K. Bolster, late a private, Company G, Fifteenth Maine Volunteer Infantry, and to grant him an honorable discharge from the military service of the United States as of September 17, 1864.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM T. GODWIN.

The bill (S. 970) to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant, was considered as in Committee of the Whole. It authorizes the President to revoke the order, dated September 13, 1862, dismissing William T. Godwin, late first lieutenant Company G, Tenth Regiment United States Infantry, from the United States Army, and to appoint him a first lieutenant in the Army and place him on the retired list with that rank.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE M. LINCH.

The bill (S. 2688) granting an increase of pension to George M. Linch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Linch, late of Company A, Twenty-sixth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN W. TIFFANY.

The bill (S. 2870) granting an honorable discharge to John W. Tiffany was considered as in Committee of the Whole. It directs the Secretary of War to revoke General Orders, No. 95, Headquarters Department of Washington, July 13, 1865, approving and confirming the proceedings, findings, and sentence in the case of Second Lieut. John W. Tiffany, of Company H, Twenty-seventh Regiment Michigan Volunteers, so far as they relate to him, and to disapprove the proceedings, findings, and sentence, and to issue to him an honorable discharge as of date July 13, 1865.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT C. GREGG.

The bill (S. 968) to grant an honorable discharge from the military service to Robert C. Gregg was considered as in Committee of the Whole. It authorizes the Secretary of War to review and to revoke the order dismissing Robert C. Gregg from the service as a first lieutenant of the Forty-ninth Regiment United States Volunteer Infantry, and to issue a certificate of honorable discharge for him, to date from the 31st day of March, 1866.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM S. DUNN.

The bill (S. 446) granting an honorable discharge to William S. Dunn was considered as in Committee of the Whole. It directs the Secretary of War to revoke the discharge without honor heretofore issued to William S. Dunn, private in Company F, Third Wisconsin Volunteer Infantry, and to issue to him in lieu thereof an honorable discharge from the service of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MALVINA C. BUZZELL.

The bill (S. 2999) granting an increase of pension to Melvina C. Buzzell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," where it occurs the first time, to strike out the name "Melvina" and insert "Malvina;" in line 7, after the word "Regiment," to strike out "Main" and insert "Maine;" and, in line 9, before the word "dollars," to strike out "fifty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Malvina C. Buzzell, widow of Hiram Q. Buzzell, late of Company A, Twenty-second Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Malvina C. Buzzell."

RUDOLPH REINHART.

The bill (S. 1678) granting an increase of pension to Rudolph Reinhart was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rudolph Reinhart, late of Company C, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL M. SMITH.

The bill (S. 900) granting an increase of pension to Daniel M. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel M. Smith, late of Company E, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN DOW.

The bill (S. 2429) granting an increase of pension to John Dow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Dow, late of Company K, Seventh, and Company A, Sixth Regiments, Maine Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRISON W. FOX.

The bill (H. R. 900) granting an increase of pension to Harrison W. Fox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harrison W. Fox, late of Company B, Sixth Regiment Connecticut Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD T. MILLER.

The bill (H. R. 4935) granting an increase of pension to Edward T. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward T. Miller, late of Company E, First Regiment New York Volunteer Engineers, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ZECHARIAH B. STUART.

The bill (H. R. 722) granting an increase of pension to Zechariah B. Stuart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Zechariah B. Stuart, late of Company I, Eighteenth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DE WITT C. PARKER.

The bill (H. R. 907) granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of De Witt C. Parker, alias Clinton J. Parker, late of Company H, First Regiment New Hampshire Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN H. SMALLEY.

The bill (S. 148) granting an increase of pension to Benjamin H. Smalley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin H. Smalley, late of Company H, One hundred and twenty-eighth Regiment New York Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HUGH T. CROCKETT.

The bill (S. 154) granting an increase of pension to Hugh T. Crockett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hugh T. Crockett, late of Company A, Forty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES REED.

The bill (S. 2216) granting an increase of pension to Charles Reed was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Reed, late of Company A, Thirty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM W. TURK.

The bill (S. 153) granting an increase of pension to William W. Turk was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Turk, late of Company B, Sixty-second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRIET L. FORD.

The bill (S. 156) granting an increase of pension to Harriet L. Ford was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet L. Ford, widow of Andrew M. Ford, late of Company C, Forty-seventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY C. RIGGS.

The bill (S. 2217) granting an increase of pension to Henry C. Riggs was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry C. Riggs, late of Company A, First Regiment Missouri Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $8 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL B. BRIGHTMAN.

The bill (H. R. 4726) granting an increase of pension to Samuel B. Brightman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel B. Brightman, late second lieutenant and sergeant, Company B, Fourteenth Regiment Missouri Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH B. SARSON.

The bill (S. 133) granting an increase of pension to Elizabeth B. Sarson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth B. Sarson, widow of William B. Sarson, late captain Second Regiment United States Infantry, and to pay her a pension of $50 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM W. ANGELO.

The bill (S. 893) granting an increase of pension to William W. Angelo was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Angelo, late of Company B, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAURA F. HINE.

The bill (H. R. 7663) granting an increase of pension to Laura F. Hine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Laura F. Hine, widow of Howard L. Hine, late commissary-sergeant and second lieutenant Company F, Twelfth Regiment Connecticut Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET COTTER.

The bill (H. R. 227) granting a pension to Margaret Cotter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret Cotter, widow of John A. Cotter, late of Company B, Second Regiment Tennessee Volunteer Cavalry, and to pay her a pension of $8 per month and $2 per month additional on account of the minor child of said John A. Cotter until it reaches the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA BUTLER.

The bill (H. R. 2424) granting a pension to Emma Butler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma Butler, widow of Alexander T. Butler, late of Company B, Second Regiment Tennessee Volunteer Cavalry, and Companies B and I, Seventh Regiment Tennessee Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHNIKEN L. MYNATT.

The bill (S. 2557) granting a pension to Johniken L. Mynatt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Johniken L. Mynatt, late of Capt. Gideon S. White's company, National Guards of East Tennessee, and to pay him a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALLIE H. KINCAID.

The bill (S. 2938) granting an increase of pension to Sallie H. Kincaid was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sallie H. Kincaid, widow of Henry H. Kincaid, late first lieutenant Company H, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said Henry H. Kincaid until he reaches the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN G. BROWN.

The bill (S. 70) granting an increase of pension to John G. Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "war," to strike out "in the," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Brown, late corporal Company K, Fifty-ninth Regiment Illinois Volunteers, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M. MARKHAM.

The bill (S. 89) granting an increase of pension to James M. Markham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Tennessee," to insert "East;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Markham, late of Company A, Second Regiment East Tennessee Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES W. DE ROCHER.

The bill (S. 693) granting an increase of pension to Charles W. De Rocher was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. De Rocher, late captain Company C, Second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS M. PARKISON.

The bill (H. R. 930) granting an increase of pension to Thomas M. Parkison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas M. Parkison, late of Company E, Fifty-fourth Regiment Illinois Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. FOLEY.

The bill (H. R. 3743) granting an increase of pension to Charles E. Foley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles E. Foley, late of Company H, Ninety-third Regiment Pennsylvania Volunteer Infantry, and One hundred and sixteenth Company, Second Battalion, Veteran Reserve Corps, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE HYDE.

The bill (S. 2948) granting an increase of pension to George Hyde was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Hyde, late of Company C, Twenty-second Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE RILEA.

The bill (S. 2087) granting an increase of pension to George Rilea was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Rilea, late of Company C, Thirty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $55 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN F. OVIATT.

The bill (S. 312) granting an increase of pension to John F. Oviatt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "Engineers," to insert "Volunteer;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Oviatt, late of Company K, Fifty-fourth Regiment Michigan Volunteer Engineers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MORTIMER HALLETT.

The bill (S. 317) granting an increase of pension to Mortimer Hallett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mortimer Hallett, late of Company M, First Regiment Minnesota Volunteer Cavalry, and Company H, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Mortimer Hallett."

JANE PATTERSON.

The bill (S. 2841) granting a pension to Jane Patterson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 10, before the word "Infantry," to insert "Emergency Militia;" and, in line 11, before the word "dollars," to strike out "twenty" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Patterson, widow of William H. Patterson, late first lieutenant Company K, One hundred and twenty-fourth Regiment Ohio Volunteer Infantry, and sergeant Company K, First Regiment Ohio Volunteer Emergency Militia Infantry, and pay her a pension at the rate of $17 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY CHRISTY.

The bill (H. R. 468) granting an increase of pension to Henry Christy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Christy, late of Company C, Second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ANDREW IVORY.

The bill (H. R. 7370) granting an increase of pension to Andrew Ivory was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew Ivory, late second lieutenant Company G, Eleventh Regiment Pennsylvania Reserve Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. LONGENHAGEN.

The bill (H. R. 1184) granting an increase of pension to William F. Longenhagen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William F. Longenhagen, late of Company F, Forty-seventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WORTHINGTON S. LOCK.

The bill (H. R. 5005) granting an increase of pension to Worthington S. Lock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Worthington S. Lock, late first lieutenant and quartermaster, Fifteenth Regiment Maine Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. HUTCHISON.

The bill (H. R. 1517) granting an increase of pension to George W. Hutchison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Hutchison, late of Company H, and commissary-sergeant Fourteenth Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SEBASTIAN B. ELLIOTT.

The bill (H. R. 5246) granting an increase of pension to Sebastian B. Elliott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sebastian B. Elliott, late of Company D, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN OLSON BAKKEN.

The bill (S. 3291) granting an increase of pension to John Olson Bakken, alias John Olson, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Olson Bakken, alias John Olson, late of Company K, Eleventh Regiment Minnesota Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FLORA STANTON KALK.

The bill (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899, was considered as in Committee of the Whole. It proposes that the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899, be amended so as to read as follows:

That the Secretary of the Interior be and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Flora Stanton Kalk, widow of Frank Green Kalk, late of the Fifty-fifth Illinois Volunteers, and pay her a pension at the rate of $17 per month, and $2 per month additional on account of each of the minor children of said Frank Green Kalk until they reach the age of 16 years.

Mr. COCKRELL. I should like to ask if this is an increase of a pension allowed by a former act?

Mr. GALLINGER. That is what I was going to ask.

Mr. COCKRELL. I understand the Committee on Pensions has an invariable rule that it will not increase any pension which has been granted by Congress by law. They have refused to do so in a number of such cases that I have had, and I have very quietly and complacently submitted, supposing they were treating everyone in that way.

Mr. SCOTT. If the Senator will allow the Secretary to read the report, he will see that it gives the reason.

Mr. COCKRELL. Let the report be read. I do not think the report explains it, though.

The Secretary read the report submitted by Mr. McCUMBER on the 18th instant, as follows:

The Committee on Pensions, to whom was referred the bill (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899, have examined the same and report:

The purpose of this bill is simply to provide for the usual allowance of $2 per month on account of each of the minor children of the late Frank Green Kalk, Fifth United States Infantry, whose widow, Flora Stanton Kalk, was granted a pension of $17 per month during the third session of the Fifty-fifth Congress. There are two children under the age of 16 years.

Previous to the passage of the act granting pension to Mrs. Kalk, it was the practice of the Bureau to allow the $2 per month additional for each child under 16 years of age, without any express provision to that effect in the act. Just about that time, however, it was decided in the Bureau that this additional allowance for the children would not be granted unless specifically so provided in the special act. Because of this ruling Mrs. Kalk has been unable heretofore to receive the additional allowance for her children. Since the promulgation of this ruling care has been taken by the committees of both Houses to authorize the allowance of the additional $2 per month for each of the soldiers' children under the age of 16 years in cases where an original or increased pension is granted for the widow. In all fairness and equity, Mrs. Kalk is entitled to the additional allowance of $2 per month for each of her children, and it is but just that her bill should be amended so as to provide for the same.

The bill is reported back favorably, with a recommendation that it pass.

Mr. GALLINGER. I think the Senator from Missouri will agree that this is a proper bill. In providing pensions by special act, unless a provision is placed in the bill continuing the pension to the minor children their pension is dropped at the Bureau, and this was simply an omission in the bill which was passed.

Mr COCKRELL. It would not be the granting of an increase of pension?

Mr. GALLINGER. It would not.

Mr. COCKRELL. It would simply be legalizing what ought to be done?

Mr. GALLINGER. Precisely.

Mr. SCOTT. Legalizing it as to the children.

Mr. COCKRELL. What I wanted to know was whether the widow's pension was increased over and above what it was in the former bill?

Mr. SCOTT. No.

Mr. GALLINGER. No.

Mr. COCKRELL. If it is to grant a pension to the minor children, they are entitled to it. They ought to have had it in the other law.

Mr. SCOTT. It is to protect the minor children.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH H. OTTEY.

The bill (S. 3423) granting an increase of pension to Joseph H. Ottey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Ottey, late of Company B, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES S. CLARK.

The bill (H. R. 5521) granting an increase of pension to Charles S. Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles S. Clark, late of Company G, Forty-eighth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH K. WELT.

The bill (H. R. 2616) granting an increase of pension to Joseph K. Welt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph K. Welt, late of Company E, Fifty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY F. HAMILTON.

The bill (H. R. 5010) granting a pension to Mary F. Hamilton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary F. Hamilton, widow of Elisha B. Hamilton, late quartermaster-sergeant, One hundred and eighteenth Regiment Illinois Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HANNAH PADGETT.

The bill (H. R. 3821) granting an increase of pension to Hannah Padgett, now Riley, was considered as in Committee of the

Whole. It proposes to place on the pension roll the name of Hannah Padgett, now Riley, blind and dependent mother of Jacob M. Padgett, late of Company F, Twenty-second Regiment Indiana Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER FILLION.

The bill (H. R. 6441) granting an increase of pension to Peter Fillion was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Fillion, late of Company B, One hundred and forty-fifth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SEXTON.

The bill (H. R. 4319) granting an increase of pension to John Sexton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Sexton, late of Company K, Fifth Regiment Ohio Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GRACE E. CARSON.

The bill (H. R. 196) granting a pension to Grace E. Carson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Grace E. Carson, widow of Robert Carson, late of Company K, One hundred and seventy-sixth Regiment New York Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FORBES HOMISTON.

The bill (H. R. 5719) granting an increase of pension to Forbes Homiston was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Forbes Homiston, late of Company K, Tenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JASON STEVENS.

The bill (H. R. 1288) granting an increase of pension to Jason Stevens was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jason Stevens, late of Company L, Second Regiment Wisconsin Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LYDIA A. TOPPING.

The bill (H. R. 2991) granting an increase of pension to Lydia A. Topping was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lydia A. Topping, widow of Henry S. Topping, late of Company M, Twenty-first Regiment New York Volunteer Cavalry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK LEE.

The bill (S. 2441) granting an increase of pension to Frank Lee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank Lee, late of Company G, Third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MATHIAS S. FRIEND.

The bill (S. 2561) granting an increase of pension to Mathias S. Friend was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mathias S. Friend, late of Company K, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUISA R. CHITWOOD.

The bill (S. 2289) granting a pension to Louisa R. Chitwood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louisa R. Chitwood, widow of George R. Chitwood, late of Company F, Sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said George R. Chitwood until they reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Louisa R. Chitwood."

THEODORE E. CHATFIELD.

The bill (S. 2239) granting an increase of pension to Theodore E. Chatfield was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore E. Chatfield, late of Company B, 5th Regiment Iowa Volunteer Cavalry, and second lieutenant Company E, Forty-fourth Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE C. SHERMAN.

The bill (H. R. 3903) granting an increase of pension to George C. Sherman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George C. Sherman, late of Company F, Ninth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE M. WATERS.

The bill (S. 2445) granting an increase of pension to George M. Waters was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Waters, late of Company A, Nineteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALFRED H. ROGERS.

The bill (H. R. 958) granting an increase of pension to Alfred H. Rogers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty"; so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred H. Rogers, late of Tenth Independent Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

ALONZO R. KIBBE.

The bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "and," to strike out "the Twelfth Wisconsin Battery" and insert "Twelfth Battery Wisconsin Volunteer Light Artillery," and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo R. Kibbe, late of Twelfth Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. BROWN.

The bill (H. R. 5197) granting an increase of pension to William C. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Brown, late of Company L, Eighth Regiment Michigan Volunteer Cavalry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELECTA ALLEN.

The bill (S. 1582) granting an increase of pension to Electa Allen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Electa Allen, widow of David R. Allen, late of Company F, Twenty-fourth Regiment Indiana Volunteers Mexican War, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CATHARINE W. COLLINS.

The bill (S. 846) granting an increase of pension to Catharine W. Collins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catharine W. Collins, widow of [illegible], late of Company [illegible], Sixty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABRAM H. HUNT.

The bill (H. R. 892) granting an increase of pension to Abram H. Hunt was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram H. Hunt, late of Company [illegible], Twenty-fourth Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN BEAIRD.

The bill (S. 2889) granting an increase of pension to John Beaird was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "sergeant;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Beaird, late of Company B, Eleventh Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. LYON.

The bill (H. R. 6004) granting an increase of pension to William C. Lyon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Lyon, late [illegible] Company C, Twenty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET LIDDLE.

The bill (S. 2940) granting an increase of pension to Margaret Liddle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Liddle, widow of [illegible], late second lieutenant Company [illegible], Fifty-second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES W. BECHSTEDT.

The bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Bechstedt, late of Company B, Eighty-first Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH E. MECKLY.

The bill (H. R. 661) granting an increase of pension to Elizabeth E. Meekly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth E. Meekly, widow of Thomas W. Meekly, late acting assistant surgeon, U. S. S. *Lodona*, United States Navy, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. CLARK.

The bill (H. R. 5177) granting an increase of pension to William H. Clark was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Clark, late of Company F, First Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALONZO CARPENTER.

The bill (H. R. 957) granting an increase of pension to Alonzo Carpenter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alonzo Carpenter, late of Company I, First Regiment New Jersey Volunteer Infantry, and Company F, One hundred and eighty-fifth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH S. CHRYSLER.

The bill (H. R. 616) granting an increase of pension to Sarah S. Chrysler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah S. Chrysler, widow of Gifford W. Chrysler, late captain Company E, Second Regiment New York Veteran Volunteer Cavalry, and to pay her a pension of $15 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES F. HARDY.

The bill (H. R. 942) granting an increase of pension to James F. Hardy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James F. Hardy, late of Company E, Third Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

G. G. MARTIN.

The bill (S. 2560) for the relief of G. G. Martin was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 6, after the word "of," to strike out "the;" and in the same line, after the word "date," to strike out "he left the service" and insert "December 31, 1863;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to issue to G. G. Martin, late lieutenant-colonel First United States Colored Troops, an honorable discharge as of date December 31, 1863.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL H. SNYDER.

The bill (S. 2177) for the relief of Daniel H. Snyder was considered as in Committee of the Whole. It authorizes the Secretary of War to revoke the order dismissing Daniel H. Snyder as a second lieutenant of the Fiftieth Regiment Pennsylvania Infantry Volunteers and to issue a certificate of honorable discharge for him, to date from the 31st day of August, 1864.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN H. SKINNER.

The bill (S. 2433) to amend the military record of John H. Skinner was considered as in Committee of the Whole. It authorizes the Secretary of War to place on the muster rolls of Company G, Eleventh Kentucky Cavalry, the name of John H. Skinner and give him only pay and allowances as supernumerary second lieutenant from the 31st day of March, 1863, to November 1, 1863, or such portion of that time as he actually performed the duties of supernumerary second lieutenant.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. HUGO.

The bill (S. 228) for the relief of William H. Hugo was considered as in Committee of the Whole. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint William H. Hugo, now of Fort Bayard, N. Mex., a first lieutenant of cavalry in the Army of the United States, and thereupon to place him on the retired list of the Army.

Mr. COCKRELL. In line 4 the bill reads, "for the purposes of this bill." I think it ought to be amended so as to read, "for the purposes of this act," so that when it becomes a law it will read in that way.

The PRESIDENT pro tempore. The bill will be amended as suggested by the Senator from Missouri.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL F. HALL.

The bill (S. 2357) to correct the military record of Samuel F. Hall was considered as in Committee of the Whole. It authorizes the Secretary of War to correct the records of the War Department so as to show that Samuel F. Hall was mustered into the United States military service for a term of two years with, and as a private of, Company F, Thirty-third Regiment New York Volunteer Infantry, July 6, 1861, to date from May 22, 1861, and was honorably discharged as of the same grade on August 5, 1861, on account of disability.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JERRY S. FISH.

The bill (S. 1330) granting a pension to Jerry S. Fish was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twenty-five" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Jerry S. Fish, of Cameron, Marshall County, W. Va., son of Nathan S. Fish, deceased, late first lieutenant of Company B, Twelfth Regiment West Virginia Infantry, subject to the provisions and limitations of the pension laws, and allow him a pension of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

KATE M. STRANGE.

A bill (S. 3054) granting an increase of pension to Kate M. Strange was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "war," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kate M. Strange, widow of [illegible], Company [illegible], Fifty-second Regiment Illinois Volunteer Infantry, Mexican War, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS IRVIN.

The bill (S. 2198) granting a pension to Thomas Irvin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "and," to strike out "Volunteers" and insert "Volunteer Infantry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Irvin, late of Company B, Fifth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROSA D. MAYHEW.

The bill (S. 1597) granting a pension to Rosa D. Mayhew was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars" to strike out "eighteen" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa D. Mayhew, widow of William H. Mayhew, late machinist, first class, United States Navy, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL RICHARDS.

The bill (S. 1937) granting a pension to Samuel Richards was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Richards, late of Company A, [illegible] Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Samuel Richards."

JOHN L. MCVEY.

The bill (S. 2103) granting an increase of pension to John L. McVey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "first lieutenant;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. McVey, late first lieutenant Company A, Seventh Regiment West Virginia Volunteer Cavalry,

and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL E. CORMANY.

The bill (S. 2924) granting an increase of pension to Samuel E. Cormany was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to insert "first lieutenant and;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel E. Cormany, late first lieutenant and adjutant, Seventeenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM C. BEST.

The bill (H. R. 3000) granting an increase of pension to William C. Best was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Best, late of Company H, Fifty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH S. YOUNG.

The bill (H. R. 4115) granting an increase of pension to Joseph S. Young was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph S. Young, late of Company P, One hundred and ninety-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALPHEUS CONVERSE.

The bill (H. R. 3001) granting an increase of pension to Alpheus Converse was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alpheus Converse, late of Company I, Second Regiment Pennsylvania Provisional Volunteer Heavy Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. HARRISON.

The bill (H. R. 5043) granting a pension to William H. Harrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Harrison, late unassigned, Pennsylvania Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HOGARTH LOZIER.

The bill (S. 2955) granting an increase of pension to John Hogarth Lozier was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "chaplain," to strike out "of;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hogarth Lozier, late chaplain Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILBUR F. LITTLE.

The bill (S. 588) granting an increase of pension to Wilbur F. Little was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Volunteer," to strike out "Veteran;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilbur F. Little, late of Company K, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES MALE.

The bill (S. 3452) granting an increase of pension to Charles Male was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Volunteer," to strike out "Minnesota" and insert "Michigan;" and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Male, late of Company E, Fourth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUISE CHANDLER.

The bill (S. 2237) granting an increase of pension to Louise Chandler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise Chandler, widow of Charles J. Rowling, late of Company C, Thirty-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HOMER D. WELLS.

The bill (S. 386) granting an increase of pension to Homer D. Wells was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Homer D. Wells, late captain Company A, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALLEN M. PIERCE.

The bill (H. R. 4916) granting an increase of pension to Allen M. Pierce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allen M. Pierce, late assistant surgeon, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIAETTA ROWLING.

The bill (H. R. 3778) granting an increase of pension to Juliaetta Rowling was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Juliaetta Rowling, widow of Charles J. Rowling, late of Company C, Thirty-seventh Regiment Illinois Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said soldier until they reach the age of 16 years: *Provided, however*, That in the event of the death of the helpless child, George Rowling, on whose account the pension of Juliaetta Rowling is increased, the pension of said Juliaetta Rowling shall continue only at the rate of $8 per month from and after the date of death of said helpless child.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN R. LITTLE.

The bill (H. R. 6619) granting an increase of pension to Benjamin R. Little was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin R. Little, late of Company E, Eighty-fifth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. MAVITY.

The bill (H. R. 3013) granting an increase of pension to John A. Mavity was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Mavity, late of Company B, Sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. LIKES.

The bill (H. R. 6830) granting an increase of pension to Charles E. Likes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles E. Likes, late of Company E, One hundred and twenty-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALVIN B. HUBBARD.

The bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alvin B. Hubbard, late of Company I, Ninety-first Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARVEY R. KING.

The bill (H. R. 6932) granting an increase of pension to Harvey R. King was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harvey R. King, late of Company I, Twenty-first Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RICHARD L. COOK.

The bill (H. R. 2188) granting an increase of pension to Richard L. Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard L. Cook, late assistant surgeon, Eleventh Regiment Maine Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID F. LEWIS.

The bill (H. R. 2472) granting an increase of pension to David F. Lewis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David F. Lewis, late of Company A, Eighty-first Regiment Indiana Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET M. WALKER.

The bill (H. R. 895) granting an increase of pension to Margaret M. Walker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret M. Walker, widow of Andrew H. Walker, late of Company D, Eleventh Regiment Iowa Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARVEY D. BARR.

The bill (H. R. 1908) granting an increase of pension to Harvey D. Barr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harvey D. Barr, late of Company B, Thirty-second Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. KNIGHT.

The bill (H. R. 2139) granting an increase of pension to James W. Knight was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Knight, late of Company K, Ninety-first Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES S. REARDEN.

The bill (H. R. 7002) granting an increase of pension to James S. Rearden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James S. Rearden, late colonel Twenty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $80 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS KELLY.

The bill (H. R. 2690) granting an increase of pension to Thomas Kelly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Kelly, late of Company H, Eighteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED I. JUDY.

The bill (H. R. 3776) granting an increase of pension to Alfred I. Judy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred I. Judy, late captain Company K, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LIZZIE BREEN.

The bill (S. 3408) granting a pension to Lizzie Breen was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "a member;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie Breen, widow of Thomas Breen, late corporal, Company A, First Regiment Dragoons, United States Army, and Company G, First Regiment, United States Cavalry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANCES S. HOPKINS.

The bill (S. 2596) granting a pension to Frances S. Hopkins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances S. Hopkins, widow of Charles F. Hopkins, late midshipman U. S. S. Saratoga, United States Navy, war with Mexico, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Frances S. Hopkins."

GEORGE W. LAWSON.

The bill (H. R. 6975) granting an increase of pension to George W. Lawson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Lawson, late of Company F, Sixth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS M. NORTHERN.

The bill (H. R. 5464) granting an increase of pension to Francis M. Northern was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis M. Northern, late of Company F, First Regiment Tennessee Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. DICKEY.

The bill (H. R. 6331) granting an increase of pension to James M. Dickey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

[illegible] That the Secretary of the Interior be and [illegible] a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ELIZA WILLIAMS.

The bill (S. 3373) granting a pension to Eliza Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

[illegible] That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Williams, widow of [illegible], late of Company A, First Battalion District of Columbia Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARCUS E. AMSDEN.

The bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marcus E. Amsden, late of the U. S. S. *Minnesota* and *Mercedita*, United States Navy, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPHINE C. CHASE.

The bill (H. R. 5559) granting an increase of pension to Josephine C. Chase was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Josephine C. Chase, widow of Willis R. Chase, late of Company H, One hundred and ninety-third Regiment New York Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Franklin W. Chase, helpless and dependent child of said Willis R. Chase, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY D. WRIGHT.

The bill (H. R. 2108) granting an increase of pension to Henry D. Wright was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry D. Wright, late of Company K, Sixth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALEXANDER H. COVERT.

The bill (H. R. 1856) granting an increase of pension to Alexander H. Covert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander H. Covert, late of Company H, Twenty-seventh Regiment Connecticut Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT MOULTON.

The bill (H. R. 864) granting an increase of pension to Albert Moulton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert Moulton, late of Company K, First Regiment Maine Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS HALL.

The bill (S. 3645) granting an increase of pension to Francis Hall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. GALLINGER. Mr. President, I wish to call the attention of the Senator from West Virginia [Mr. SCOTT] to this case. It is one I am entirely familiar with. The committee evidently were laboring under a misapprehension, as will be seen from the report, which says:

[illegible]

Proceeding down the page, the information is given that the soldier—

[illegible] under the general law, and was pensioned May [illegible] October 1, 1884, which rate was increased to $24 per month March 19, [illegible], to $16 per month February 23, [illegible], and to $17 per month November 2, [illegible].

So, instead of receiving $12 at the present time, he is receiving $17 for a shell wound and for disease of the eye. The report further states:

Claimant is about 78 years of age. His medical examination, dated October 15, 1902, rated him $12 for shell wound of right knee, $18 for disease of eyes, being totally blind in right eye and sight much impaired in left eye, and $6 for rheumatism.

Which would be a total of $36 a month.

I know this soldier very well, and in drafting the bill I felt that $30 per month was not a large allowance under the circumstances. He is drawing $17 per month now, and in my opinion, after examining the papers, he ought to have been allowed at least $30 per month in the Bureau. I hope the Senator will agree with me that the amendment ought not to be agreed to, and that the pension should remain at $30 per month.

Mr. SCOTT. I am perfectly willing to have the amendment disagreed to.

Mr. GALLINGER. Let the amendment be disagreed to.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JENNET THOITS.

The bill (S. 962) granting an increase of pension to Jennet Thoits was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twelve;" so as to make the bill read:

[illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATHAN P. BOWMAN.

The bill (S. 3190) granting an increase of pension to Nathan P. Bowman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions of the pension laws, the name of Nathan P. Bowman, late of Company [illegible], United States Volunteers, and pay him a pension at the rate of $6 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HERZINGER.

The bill (S. 2965) granting a pension to John Herzinger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Herzinger, late of Company [illegible], Missouri Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to John Herzinger."

MILTON H. SWEET.

The bill (H. R. 4200) granting an increase of pension to Milton H. Sweet was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Milton H. Sweet, late of Company A, [illegible] Iowa Volunteers, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. DOLLIVER. This is a House bill which passed at $30, and I notice that the committee proposes to reduce the pension to $24. I think that ought not to be done, for the reason that the pensioner is totally blind and totally helpless. He is a very old man, with a long record. In 1886 he was allowed a pension under the old law at $4 a month for a disease of the eye, which appears to have resulted in his total blindness, according to the House report. I ask the Senator from West Virginia to consent that the amendment shall be rejected.

Mr. SCOTT. In considering this case, in view of the fact that the party who is proposed to be pensioned is worth some property in western Iowa and in view of a rule the Pension Committee goes by, the committee thought he was entitled only to the amount we recommend in the bill.

Mr. DOLLIVER. I will say the report indicates that he has no property in the world except a cottage in the town of Washington, in Iowa, worth $1,500, and he is in a very helpless condition. I think my colleague is perfectly acquainted with the old man.

Mr. ALLISON. I am.

Mr. SCOTT. What did the bill as passed by the House give?

Mr. DOLLIVER. Thirty dollars.

Mr. SCOTT. Very well; I am willing to have that amount restored.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JANE I. LONG.

The bill (S. 3274) granting an increase of pension to Jennie Long was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane I. Long, widow of [illegible], late [illegible], United States Volunteers and Regular Regiment, Indian Wars, [illegible], and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

Mr. KEAN. Mr. President, I hope the amendment which reduces the pension from $100 to $50 will not be agreed to. The record of General Long is a brilliant one, and I would ask that the report be read.

I will state to the Senate that General Long left no estate whatever, and his widow is entirely dependent upon her pension for a livelihood. She gets $8 a month at the present time, and that is all she has. General Long during his life could obtain no insurance, and in consequence he left his family entirely destitute. He died from the effect of wounds, though they were unable to prove it satisfactorily before the Department.

I trust the amendment will not be agreed to and that a pension of $100 a month will be granted. I ask that the report be read.

Mr. SCOTT. Before the report is read, I should like to make a statement.

The Committee on Pensions at some previous time—I am sorry the Senator from New Hampshire [Mr. GALLINGER] has left the Chamber—adopted a rule that in the case of widows of general officers the maximum pension should be $50 per month. That is the reason why the rate fixed by the House was stricken out. The widows of such officers as Lawton and others get only $50.

I personally have no objection to having the larger amount put in the bill, but I wished to explain to the Senate why the committee reduced it, so that Senators may know the reason the committee had for striking it out. It was not because General Long was not a brave and gallant officer, as he certainly was from his record, but it is on account of the rule established by the committee for pensioning the widows of general officers.

Mr. KEAN. I move to amend the committee amendment by striking out "$50" and inserting "$100."

Mr. COCKRELL. To disagree to the committee amendment is the proper way.

The PRESIDENT pro tempore. That would not do in this case. The Senate will have to amend the committee amendment in order to fix the rate at $100.

Mr. KEAN. I will state to the Senator from Missouri that the amendment strikes out all after the enacting clause and inserts a substitute.

Mr. COCKRELL. So I see.

The PRESIDENT pro tempore. The Senator from New Jersey moves an amendment to the amendment, which will be stated.

The SECRETARY. On page 2, line 4, before the word "dollars," strike out "fifty" and insert in lieu thereof "one hundred."

The amendment to the amendment was agreed to.

Mr. PLATT of Connecticut. When the bill has passed I shall ask leave to make a single remark.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jane I. Long."

Mr. PLATT of Connecticut. Mr. President, I think the passage of the bill is a mistake, and I think it will return to plague us.

Mr. COCKRELL. The published rules of the Committee on Pensions, which have been published for some years, state that on no bill will they report over $50 for the widows of officers. This is breaking the rule of the committee. I do not know what effect it will have. I have no doubt that General Long was a very gallant officer, that his widow is in comparatively destitute and needy circumstances, and all of that; but it is a dangerous precedent, and I want to say that I voted "no" on the passage of the bill. I did not ask for a yea-and-nay vote upon it, but I now record my vote "no." I have stood by the committee and tried not to violate their rules and not to ask any of my constituents to violate them.

Mr. PLATT of Connecticut. I shall certainly have to ask for the amendment of a bill which I have introduced and which is pending before the committee, in which I told the widow of a very high officer in the Army that $50 is all she could expect to get. I shall have to ask that the rate fixed in that bill shall be raised to $100. I now notify the committee.

Mr. CULLOM. It seems to me we ought to vote on the bill.

Mr. SCOTT. Mr. President——

The PRESIDENT pro tempore. The Chair will regard the bill as an open question if the Senate desires.

Mr. CULLOM. I think we had better so regard it and vote down the rate of $100. It seems to me that a pension of $50 is as much as Mrs. Long ought to receive.

Mr. KEAN. I hope the Senator will not insist upon that.

Mr. SCOTT. I have stated the rule of the committee, and since I have been a member of the Committee on Pensions we have never deviated from it, no matter how deserving or how gallant the officer. I will say to my friend the Senator from New Jersey that, as much as I would like to favor her personally and the widow of this gallant officer, I am sure the committee will have a hundred or a hundred and fifty bills in a very short time proposing an increase from $50 to $100 for the widows of general officers.

Mr. CULLOM. Of course you will, and Congress will give it to them.

Mr. SCOTT. The Senate ought to be careful in this matter. If they decide to raise the limit to $100, of course it is the privilege of the Senate to do so.

The PRESIDENT pro tempore. These motions are put with such rapidity that if any Senator desires it the Chair will not regard a bill has passed because it has been announced as passed. The Chair will regard the vote reconsidered by which the bill was ordered to a third reading and passed and by which the amendment was agreed to, and will put the question again on agreeing to the amendment.

Mr. BLACKBURN. Mr. President, if it be the purpose of the Senate to adhere to a fixed Procrustean rule here—and I am not criticising it if that shall be its determination—then I have not a

word to say. But if there is to be any departure in the direction of raising the limit, as it has been termed here, I am satisfied that if the Senate would listen to the report filed with this bill this is a case which would have been excepted because of the conspicuous record of this dead officer. He died directly as the result of wounds received—not once, but repeatedly—in the service, long years intervening between the close of the war and his death, and he a hopeless sufferer from those wounds.

The testimony borne in the report which accompanies this bill will induce the Senate, in my judgment, to depart from a fixed rule, unless it be the purpose of the Senate not to depart from that rule in any case. Now, if that is what the Senate means to do, I have not a word to say; but if there is to be an exception anywhere to be made, I insist that the motion of the Senator from New Jersey to amend ought to have the fullest measure of consideration at the hands of the Senate because of the exceptional record of this officer.

Mr. PLATT of Connecticut. Mr. President, it is only a short time ago when we pensioned the widow of General Lawton, who was shot by the enemy, at $50 a month. How can we justify ourselves in giving a pension of $100 to another lady, the widow of an officer of whom we may admit, and do admit, all that has been said? It seems to me that we shall be called upon to increase the pensions already granted at $50 a month, and certainly hereafter we shall be called upon to increase them to $100 a month.

I make these remarks with the greatest hesitation, but it appears to me that we must observe some rule about this matter and not let our sympathies in favor of a particular widow run away with our judgment in the case. It seems to me it is better to adhere to the rule which has been established.

Mr. CULLOM. Mr. President, I wish to say only a word. It does not seem to me that we can afford to set this precedent. I remember since I have been in the Senate of securing several pensions to widows; a pension for the widow of General Palmer, for instance, who served with us and who was as gallant an officer as ever was in an army. His widow is poor, and yet she got $50. General McClernand was another gallant officer whose widow is poor. Both of them are living in my town. I never asked for more than $50 a month for either of them, and they were glad to get that.

Now, if we set the example of $100 for another widow, the very ladies who are now content with what they have been given will see this, and before I am four days older, probably, I will have a bill to give them $100 apiece. I think we had better adhere to the rule.

Mr. SCOTT. I ask that the bill may go over for to-day.

Mr. KEAN. I trust the Senator will not make that request.

The PRESIDENT pro tempore. Will Senators please vote? The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. KEAN] to the amendment of the committee.

The amendment to the amendment was rejected.

The amendment of the Committee on Pensions was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Jane I. Long."

SALLIE H. HOFFECKER.

The bill (S. 2215) granting a pension to Sallie H. Hoffecker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "captain;" and in line 9, before the word "dollars," to strike out "twelve" and insert "eight;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sallie H. Hoffecker, widow of Joseph V. Hoffecker, late captain Company A, Sixth Regiment Delaware Volunteers, defensive, and pay her a pension at the rate of $8 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. TRAVIS.

The bill (H. R. 6022) granting an increase of pension to George W. Travis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Militia," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Travis, late of Company F, Forty-seventh Regiment New York State Volunteer Militia Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ABRAM WILSON.

The bill (H. R. 5841) granting an increase of pension to Abram Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abram Wilson, late of Company E, Third Regiment New York Volunteer Cavalry, and Company H, Fourth Regiment New York Provisional Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALONZO DUTCH.

The bill (H. R. 5176) granting an increase of pension to Alonzo Dutch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo Dutch, late first lieutenant Company E, Eighth Regiment New York State Militia Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. PLATT of Connecticut subsequently said: I wish to call attention to a bill which was passed. It is the bill (H. R. 5176) "granting an increase of pension to Alonzo Dutch, late first lieutenant Company E, Eighth Regiment New York State Militia Infantry." I do not know whether that is a proper description. I have no objection to the bill. I suppose it refers to an officer in the regular service.

Mr. COCKRELL. I want to say that if we pension militiamen generally, we have about 40,000 of them in Missouri.

Mr. SCOTT. Oh, no; we do not want to do that.

Mr. COCKRELL. I think in all probability that is a mistake, as the soldier is already a pensioner, and he would not be a pensioner if he was simply a militiaman and not mustered into the United States volunteer service. Militiamen are not pensionable. I do not think there will be any harm done by letting the bill stand passed.

JOSEPH H. KENNEDY.

The bill (S. 3038) granting an increase of pension to Joseph H. Kennedy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph H. Kennedy, late corporal Company F, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. McCREARY. The amendment fixes the amount at $24 per month. The original bill proposed the rate of $25 per month, but the amendment is satisfactory to me.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE M. LINCH.

Mr. KITTREDGE. Senate bill No. 2688, granting an increase of pension to George M. Linch, was passed during my absence temporarily.

I move that the votes by which the bill was ordered to a third reading and passed be reconsidered.

The motion to reconsider was agreed to.

Mr. KITTREDGE. I move that the amendment reported by the Senate committee be disagreed to. In that connection I am authorized by the chairman of the committee to state that since the bill was reported to the Senate additional evidence has been presented to the committee and he is satisfied to have the amendment disagreed to.

Mr. COCKRELL. Let the bill be read.

The Secretary read the bill (S. 2688) granting an increase of pension to George M. Linch.

The PRESIDENT pro tempore. The amendment which has been agreed to will now be stated.

The SECRETARY. The amendment reported by the committee, which was agreed to, was to strike out the word "thirty," before the word "dollars," and insert "twenty."

Mr. COCKRELL. Now, what is the proposition—to make the pension $20 or $30 per month?

Mr. KITTREDGE. To make it $30, as provided in the bill before it was amended.

This soldier is drawing a pension of $17 per month under the general law. His condition is such, and especially this winter since the bill was introduced, that upon presenting proof of that condition the chairman of the committee authorized me to make the statement which I have made.

The PRESIDENT pro tempore. The amendment which was agreed to will be disagreed to, if there be no objection. The Chair hears none, and the amendment is disagreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. ALLISON. Are the pension cases concluded?

The PRESIDENT pro tempore. That completes the pension cases.

EXECUTIVE SESSION.

Mr. ALLISON. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, January 27, 1904, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nomination confirmed by the Senate January 25, 1904.

POSTMASTER.

INDIANA.

Charles E. Disbro to be postmaster at Greentown, in the county of Howard and State of Indiana.

Executive nominations confirmed by the Senate January 26, 1904.

COLLECTOR OF CUSTOMS.

Luke B. Colbert, of Massachusetts, to be collector of customs for the district of Marblehead, in the State of Massachusetts.

APPOINTMENTS IN THE MARINE CORPS.

To be second lieutenants in the United States Marine Corps from the 16th day of January, 1904.

William P. Upshur, of Virginia.
Lovick P. Pinkston, of Texas.
Arthur P. Crist, of District of Columbia.
Edward W. Banker, of New York.
William E. Parker, of Rhode Island.
William M. Small, of Maryland.
Epaminondas L. Bigler, of Ohio.
Robert B. Farquharson, of Vermont.
Charles R. Sanderson, of District of Columbia.
Walter N. Hill, of Massachusetts.
Tillman Bunch, of South Carolina.
Benjamin S. Berry, of Pennsylvania.
Russell B. Putnam, of New York.
Benjamin A. Lewis, of New York.

APPOINTMENTS IN THE NAVY.

To be assistant paymasters in the United States Navy from the 16th day of January, 1904.

Ben D. McGee, of Ohio.
William L. F. Simonpietri, of New York.
Neal B. Farwell, of Minnesota.
Reginald Spear, of Pennsylvania.

PROMOTIONS IN THE NAVY.

Pay Inspector Charles W. Littlefield to be a pay director in the Navy from the 27th day of December, 1903.

Paymaster Samuel L. Heap to be a pay inspector in the Navy from the 27th day of December, 1903.

P. A. Paymaster Ray Spear to be a paymaster in the Navy from the 4th day of November, 1903.

POSTMASTERS.

CONNECTICUT.

James E. Ballard to be postmaster at Darien, in the county of Fairfield and State of Connecticut.

Merton S. Buckland to be postmaster at West Hartford, in the county of Hartford and State of Connecticut.

Sanford E. Chaffee to be postmaster at Derby, in the county of New Haven and State of Connecticut.

Harry W. Crane to be postmaster at Wethersfield, in the county of Hartford and State of Connecticut.

INDIANA.

Edward C. Faith to be postmaster at Washington, in the county of Daviess and State of Indiana.

MAINE.

Clark H. Barker to be postmaster at Portland, in the county of Cumberland and State of Maine.

Arthur A. Dinsmore to be postmaster at Dover, in the county of Piscataquis and State of Maine.

MASSACHUSETTS.

William H. Coffey to be postmaster at Tufts College, in the county of Middlesex and State of Massachusetts.

Charles F. Hammond to be postmaster at Nantucket, in the county of Nantucket and State of Massachusetts.

George L. Minott to be postmaster at Gardner, in the county of Worcester and State of Massachusetts.

MICHIGAN.

Fred Slocum to be postmaster at Caro, in the county of Tuscola and State of Michigan.

NEW HAMPSHIRE.

George A. McIntire to be postmaster at Milford, in the county of Hillsboro and State of New Hampshire.

PENNSYLVANIA.

Everett W. Greene to be postmaster at Patton, in the county of Cambria and State of Pennsylvania.

George W. Mullen to be postmaster at Dillsburg, in the county of York and State of Pennsylvania.

Penroe C. Romberger to be postmaster at Elizabethville, in the county of Dauphin and State of Pennsylvania.

Samuel G. Wilson to be postmaster at Bridgeport, in the county of Montgomery and State of Pennsylvania.

RHODE ISLAND.

Eugene R. Phillips to be postmaster at Phillipsdale, in the county of Providence and State of Rhode Island.

HOUSE OF REPRESENTATIVES.

TUESDAY, *January 26, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

SWEARING IN OF A MEMBER.

Mr. PAYNE. Mr. Speaker, Mr. George J. Smith, Representative-elect from the Twenty-fourth district of the State of New York, is present and ready to take the oath of office.

The SPEAKER. The gentleman will present himself.

Mr. George J. Smith came forward and was duly qualified by taking the oath of office prescribed by law.

JANITOR FOR THE COMMITTEE ON INDUSTRIAL ARTS, ETC.

Mr. HILDEBRANT, from the Committee on Accounts, reported back favorably the following resolution; which was read, considered, and agreed to:

Resolved, That the chairman of the Committee on Industrial Arts and Expositions is hereby authorized to appoint a janitor to said committee for the Second Session of the Fifty-eighth Congress, to be paid out of the contingent fund of the House of Representatives, at the rate of $90 per month.

JANITOR FOR LIBRARY OF THE HOUSE.

Mr. HILDEBRANT also, from the Committee on Accounts, reported back favorably the following resolution; which was read, considered, and agreed to:

Resolved, That the Clerk of the House is hereby authorized and directed to appoint another janitor to serve in the library of the House, to be paid out of the contingent fund of the House, at the rate of $90 per month until otherwise provided by law.

HORSES, CARRIAGES, ETC., FOR POST-OFFICE DEPARTMENT.

Mr. OVERSTREET. I am directed by the Committee on the Post-Office and Post-Roads to report a substitute for a resolution referred to that committee.

The following proposed substitute for House resolution 152 was read:

Resolved, That the Postmaster-General be, and is hereby, requested to furnish to the House, at his earliest convenience, a statement showing the number of horses, carriages, and automobiles maintained at Government expense for the use of officers of his department, together with a statement showing the number of such horses and carriages so used, harness, the date of purchase, from whom purchased, the price paid, to whom paid, and the amount of wages paid for maintaining the same, to whom paid, and shall state whether carried on the rolls as such, from the same officer specifications, also the list of officers entitled to the use of such carriages, and the date when such service was inaugurated.

Mr. OVERSTREET. I move the adoption of the substitute reported by the committee.

Mr. HITCHCOCK. Mr. Speaker——

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Nebraska?

Mr. OVERSTREET. Yes, sir.

Mr. HITCHCOCK. I should like to ask the chairman of the committee whether he will accept an amendment to specify the time upon which payment of wages has been asked?

Mr. OVERSTREET. I do not feel free to accept any amendment, Mr. Speaker, as I have been directed by the committee to report this substitute.

Mr. HITCHCOCK. I understand the committee desires to obtain information sufficient to guide the House, and as the matter now stands the information obtained is likely to be almost worthless.

Mr. OVERSTREET. I move the previous question.

The SPEAKER. The gentleman from Indiana [Mr. OVERSTREET] moves the previous question.

Mr. HAY. Mr. Speaker, I rise to a point of order. The gentleman from Indiana had made a motion to adopt the substitute, whereupon the Speaker put the motion to the House. The gentleman from Indiana did not call the previous question and did not retain the floor. The gentleman from Nebraska [Mr. HITCHCOCK] got the floor in his own right.

Mr. OVERSTREET. No; he asked me a question. I have not surrendered the floor.

The SPEAKER. The Chair recollects quite well that the gentleman from Indiana [Mr. OVERSTREET] yielded to the gentleman from Nebraska [Mr. HITCHCOCK]. The Chair asked the gentleman from Indiana whether he yielded, and he did yield, for a question. The Chair does not understand that the gentleman from Indiana yielded the floor.

Mr. CLARK. Is there not debate for forty minutes allowed on a motion for the previous question, if anybody wants it?

Mr. OVERSTREET. This is a unanimous report of the committee. I see no occasion for debate.

Mr. CLARK. I have no desire on earth to make a speech; but I want to know what is the rule.

The SPEAKER. If there has been no prior debate, forty minutes are allowed for debate under the previous question, twenty minutes on a side.

Mr. CLARK. Then I give notice that I should like to be recognized for that purpose.

The SPEAKER. The gentleman from Indiana asks the previous question.

Mr. ROBINSON of Indiana. Mr. Speaker, I will ask the gentleman from Indiana to withhold that——

The SPEAKER. Does the gentleman from Indiana [Mr. OVERSTREET] yield?

Mr. OVERSTREET. I do not.

Mr. ROBINSON of Indiana (continuing). Long enough to answer a question that will interpret this resolution.

Mr. OVERSTREET. I do not yield.

The SPEAKER. The gentleman from Indiana declines to yield.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. If the previous question is voted, then will there not be twenty minutes on a side for debate?

The SPEAKER. Under the rule, if there has been no debate.

Mr. WILLIAMS of Mississippi. Well, there has not been thus far——

The SPEAKER. The Chair states that under the rule, if there has been no debate, there is twenty minutes on a side, after the previous question is ordered, for debate.

Mr. ROBINSON of Indiana. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. ROBINSON of Indiana. Has there been such debate on this question as would preclude the forty minutes' debate after the previous question is ordered?

The SPEAKER. That is a question of fact.

The previous question was ordered.

Mr. HITCHCOCK. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HITCHCOCK. Is debate now in order?

Mr. OVERSTREET. Mr. Speaker, I make the point of order that debate is not in order, for the reason that debate has been had already.

Mr. CLARK. Now, Mr. Speaker, surely the fact that one Member asks another Member a question can not be construed by any fair rule as a debate.

The SPEAKER. Under some circumstances the Chair thinks he might well hold that there had been debate where it was evidently for obstruction or dilatory purposes; but it seems to the Chair that a fair construction of the rule under existing conditions would not authorize the Chair to say that such debate had been had as to preclude debate at this time. [Applause on the Democratic side.] Therefore the Chair recognizes the gentleman from Indiana. Does the gentleman from Indiana desire recognition at this time?

Mr. OVERSTREET. I will reserve my twenty minutes.

Mr. HITCHCOCK. Mr. Speaker——

The SPEAKER. The gentleman from Nebraska desires recognition?

Mr. HITCHCOCK. Yes.

The SPEAKER. The gentleman from Nebraska is recognized for twenty minutes.

Mr. HITCHCOCK. Mr. Speaker, I shall occupy only a few moments and leave the balance of the time open to other gentlemen on this side who may desire to be heard.

When this matter came up on the Republican side of this Chamber, I was surprised, and I think many others were surprised, not so much at the extravagance and unauthorized expenditures which had been going on in all the Executive Departments, by [illegible], but I was surprised at the confession of the chairman of the Committee on Appropriations, made upon the floor of this House, that he knew that those expenditures were going on: that he knew that carriages were being illegally used and coachmen and chauffeurs and footmen illegally employed under the name of "skilled laborers," and the further confession which he made that he had been unable, when he had endeavored to do so, to procure information as to the extent of the abuse from the responsible heads of those great Departments.

Now, Mr. Speaker, it seems to me that this presents even a greater evil than the mere evil of governmental extravagance. Governmental extravagance authorized by the representatives of the people is one thing. Governmental extravagance, however, in these Departments, unauthorized by anybody, is much worse. Not only have we had this governmental extravagance and illegal expenditure, but it was incurred and carried on without any authorization whatever, and in spite of this fact the eminent chairman of this great and powerful Committee on Appropriations has been unable either to ascertain its extent or to put a stop to it.

Extravagance of that sort is carried on in the dark, carried on under a cloud of secrecy, but without the knowledge of the people and without authority from any source, a kind of extravagance that this House should stop, too, and which the people of the country will not tolerate. Therefore, Mr. Speaker, I introduced these resolutions, designed to obtain for this House and for the country specific information; and in the resolution which came before the House yesterday, or which should have come before this House yesterday, I asked for information as to what wages had been paid to these coachmen, chauffeurs, and footmen "during the past calendar year." The committee emasculated that resolution by striking out the period specified and laid themselves open to the suspicion—and I have no hesitation in saying it, Mr. Speaker—laid themselves open to the suspicion that they did not want to procure and lay before this House information as to the extent of the expenditures, illegal expenditures, that have been going on for the past year and longer, but desire to put the Executive Departments in a position to report simply what is existing now.

Now, Mr. Speaker, a reform may have occurred. It has been intimated to me—it is, in fact, an open secret in this town—that since these resolutions were introduced there has been a rattling of dry bones and official carriages which have been turned in and [illegible] over and given up. This resolution in its emasculated condition will enable these executive heads of the Departments simply to report to this House what is now in existence and to conceal previous extravagance and the illegal expenditures which have been in progress during the past year.

Mr. TAWNEY. Will the gentleman permit an interruption?

Mr. HITCHCOCK. Yes, sir.

Mr. TAWNEY. Your resolution contemplated obtaining information covering merely the last year—the calendar year?

Mr. HITCHCOCK. Yes, sir.

Mr. TAWNEY. I would like to know, is it not a fact that when the information comes to the House giving the date of the purchase of these carriages, if that does not include not only the calendar year, but the whole length of time during which this has been going on: if the resolution reported does not, in fact, give more information or call for more information than you yourself called for?

Mr. HITCHCOCK. I will reply to the gentleman by saying that each one of these committees has reported a substitute, which does purport to seek for the additional information, which purports to ask for information as to when these carriages were purchased, and I am told that it is the evident purpose to fasten upon some Democratic Administration, if possible, the responsibility for the purchase of these carriages that have existed.

Mr. Speaker, I have no desire to conceal anything. I approved that part of the substitute, and I am perfectly willing to put any responsibility where it belongs, upon a Democratic Administration as well as upon a Republican Administration; but when

these committees come in here and emasculate these resolutions by striking out the inquiry for specific information as to the wages paid in the past year, then I think they have sought to conceal from this House one of the most important facts which should be revealed. Now, Mr. Speaker, I am through, and if the Republican side of this House desires to take the responsibility of concealing this important matter, well and good. I have introduced these resolutions for the purpose of getting light. I reserve the balance of my time, but yield to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. For a question, Mr. Speaker. As I understand, the object of your resolution is to prevent anybody "standing out from under" on account of the operation of the resolution or any possible action by Congress by turning in carriages, horses, etc., and then reporting that at the time of their report they had none?

Mr. HITCHCOCK. That is exactly it. I reserve the balance of my time.

Mr. OVERSTREET. Mr. Speaker, this resolution, or substitute for the resolution, is in exactly the same language that was first reported to the House from the Committee on Ways and Means, calling for similar information from the Secretary of the Treasury, and the language followed by the others of the different committees which have thus far reported similar substitutes. That resolution, I understand, was considered by the Committee on Ways and Means and amended to meet the situation. To enter upon a change of phraseology in this resolution would be to call for a different kind of information from that which has already been called for from the other Departments of the Government. My understanding is that thus far the House has called for this information from the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Department of Commerce, and from the State Department. If, therefore, we should modify the language of the resolution which the Post-Office Committee now submits as to the inquiry made of the Postmaster-General, I presume that the gentleman from Nebraska would assume that he had further lease of life for notoriety in seeking additional information from each of the Departments that had already been inquired of.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. OVERSTREET. I will.

Mr. TAWNEY. Is this substitute not reported unanimously from your committee?

Mr. OVERSTREET. It is a unanimous report from the Committee on the Post-Office and Post-Roads, at its meeting held this morning.

Mr. LIVINGSTON. Will you allow me one question?

Mr. OVERSTREET. I will.

Mr. LIVINGSTON. There was so much disturbance on the floor I could not hear. Does your substitute cover the time of the inquiry for twelve months or two years?

Mr. OVERSTREET. The substitute is in the identical language of every resolution thus far passed by the House which covers the various Departments, with possibly the exception of the Secretary of Agriculture.

Mr. LIVINGSTON. Then one more question. If an officer had carriages two months ago, or one week ago, and has turned them in before this inquiry goes to him——

Mr. OVERSTREET. I can answer the question more quickly by reading the resolution.

Mr. LIVINGSTON. Thank you; I could not hear it.

Mr. OVERSTREET. I read from the resolution adopted by the House yesterday, calling for information from the State Department, and I substituted the "Postmaster-General" where the resolution has "Secretary of State:"

Resolved, That the Secretary of State be, and he is hereby, requested to furnish to this House at his earliest convenience a statement showing the number of horses, carriages, and automobiles maintained at Government expense for the use of officials in his Department, together with a statement showing the cost of said horses, carriages, automobiles, and harness, the date of purchase, from what fund the payment was made, and the amount of wages paid to men acting as coachmen, footmen, and chauffeurs, whether carried on the rolls as such or in some other classification; also the list of officials entitled to the use of such carriages and the date when such service was inaugurated.

That means the information up to the time he received this resolution.

Mr. LIVINGSTON. Now, pardon me. If I understand your substitute, if he has turned that carriage in he does not have to report the date at which it was bought or the cost.

Mr. PAYNE. Of course he does.

Mr. LIVINGSTON. Is that your construction of it?

Mr. OVERSTREET. I am hardly prepared to even assume that any Cabinet officer is going to resort to a trick of that low character.

Mr. MADDOX. I would like to ask the gentleman a question.

Mr. OVERSTREET. I reserve the remainder of my time.

Mr. MADDOX. Will you just answer a single question?

The SPEAKER. Does the gentleman yield?

Mr. OVERSTREET. I do.

Mr. MADDOX. Do you construe your resolution, that is, the resolution from your committee, to cover all expenses from the time the service was inaugurated up to date? Is that the idea?

Mr. OVERSTREET. I am following, or rather the committee is following, exactly the language of every other resolution thus far reported by the House.

Mr. MADDOX. I understand that.

Mr. OVERSTREET. Wait a moment. It is not, I think, fair now to frame a resolution which would be susceptible of a different construction, for this reason, if the House desires this information from the various Departments of the Government it should come to us under similar requests made of each, so that we will have the same construction on each one of the inquiries.

Mr. MADDOX. If the gentleman will permit me just a minute, I think if we can ever get order, and the Members of this House can understand what we are after, probably the trouble will be reached. What struck me was the vital question covering the idea suggested by the gentleman from Nebraska.

Mr. OVERSTREET. My construction is this: I will say to my friend that the date of purchase will limit the beginning of the inquiry. If they have any such articles in the Department then they will report them, together with the date of purchase. I do not care how far back it goes. It relates to the articles they have at the time they get the inquiry.

Mr. MADDOX. It is not to bring along with it the expense that has occurred from that date up to this time. That is what I am after.

Mr. OVERSTREET. I presume so.

Mr. TAWNEY. If the gentleman will take time enough to read the original resolution of the gentleman from Nebraska——

The SPEAKER. Does the gentleman from Indiana yield to the gentleman from Minnesota?

Mr. OVERSTREET. I yield to the gentleman from Minnesota.

Mr. TAWNEY. Mr. Speaker, I wish to read for the information of the House the original resolution of the gentleman from Nebraska and call attention to the changes, and the only changes, that have been made in that resolution by the Committee on the Post-Office and Post-Roads. The resolution is:

Resolved, That the Postmaster-General be, and he is hereby, requested to furnish this House at his earliest convenience a statement showing the number of horses, carriages, and automobiles maintained at Government expense for the use of officials in his Department, together with a statement showing the cost of said horses, carriages, automobiles, and harness.

Down to that point both resolutions are identically the same. Then the committee has added this:

The date of purchase, and from what fund the payment was made—

The rest of his resolution is the same—

and the amount of wages paid to men acting as coachmen, footmen, and chauffeurs, whether carried on the rolls as such or in some other capacity; also the list of officials entitled to the use of said carriages.

It will be readily seen by the Members of the House that the substitute resolution is much broader and includes a great deal more than the original resolution. It includes all that the gentleman from Nebraska called for and a great deal more. The resolution reported by the committee will, if answered, give the House far more and fuller information on the subject to which the resolution relates.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman——

Mr. OVERSTREET. I want to call the attention of the House to an additional amendment which further broadens the resolution. At the end of the resolution originally offered by the gentleman from Nebraska, and after the word "carriages" there have been inserted in each of the several resolutions the following language: "On the date when such service was inaugurated." So that the substitutes which have been thus far adopted by the House are much broader than the original resolutions. Now I will yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I ask the gentleman from Indiana this question as to his own construction of the resolution as it stands. Suppose that somebody hitherto having a carriage or automobile, knowing that this inquiry was pending before the House and would be reported, were to dispose of the carriage or automobile. Then I ask the gentleman this question: Could he not then in his reply to this resolution of inquiry simply say: "January 27, 1904," or whatever date it was, "this division, or this bureau, has no carriage, has no automobile in its service, and therefore there is no date of the purchase of the automobile or carriage." Does not the gentleman think that might happen?

Mr. OVERSTREET. I answer that if that criticism should lie against this substitute, it would not only lie against each of the

substitutes adopted by the House, but also against the original resolution.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon, but I am not talking about the original resolution. You have in some respects made the original resolution better. The question now is whether, with the original resolution as you have made it, you can not still further better it by admitting this language and avoiding the possibility of this loophole of escape when the replies are made.

Mr. DALZELL. Mr. Speaker, I want a minute to ask the gentleman from Mississippi a question. Is not this resolution in the identical terms that it was reported from the Committee on Ways and Means?

Mr. WILLIAMS of Mississippi. Certainly; and I voted for it. I am sorry the gentleman has asked that question, because it forces me to confess in public that I had not the insight nor the foresight of the gentleman from Nebraska, who has discovered this possible loophole and convinced me that it is a loophole.

Mr. TAWNEY. The insight and the foresight of the gentleman from Nebraska happens to be the gentleman's hindsight, because the gentleman from Nebraska did not discover it until afterwards.

Mr. DALZELL. Let me ask the gentleman from Mississippi if he did not participate in the discussion and make the suggestion—

Mr. WILLIAMS of Mississippi. Yes; I agreed to the resolution brought into the House from the Committee on Ways and Means at the time, and thought at the time that the resolution was broad enough, and the only suggestion I made was to broaden the original resolution which I voted for and to which I agreed.

Mr. OVERSTREET. Mr. Speaker, I reserve the remainder of my time.

The SPEAKER. The question is on agreeing to the substitute.

The question was taken; and the substitute resolution was agreed to.

PRINTING BLANK FRANKS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2121) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents."

The Clerk read the bill, as follows:

Be it enacted, etc., That chapter 23 of the Statutes of the United States entitled "An act providing for public printing and binding and the distribution of public documents," approved January 12, 1895, be, and is hereby, amended by inserting after the words "blank franks," where they occur in the second paragraph, of section 3 of said chapter the following words: "printed on sheets and perforated or simply at the option of said Senators, Members, and Delegates."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MADDOX. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Indiana to explain this.

Mr. CHARLES B. LANDIS. The object of this bill is to authorize the Public Printer in preparing the frank slips for the use of the Senate and House to so perforate the sheets as to facilitate the addressing when the time comes to send out packages of seeds and public documents. The perforations will save a great deal of work, and the expense is practically nothing.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be read a third time, was read the third time, and passed.

PROCEEDINGS ON UNVEILING OF STATUE OF COUNT ROCHAMBEAU.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the following concurrent resolution No. 4.

The Clerk read as follows:

Concurrent resolution No. 4.

Resolved by the Senate (the House of Representatives concurring), That there be printed, and bound in the form such as is customary in the case of similar documents, the proceedings upon the unveiling of the statue of the Count de Rochambeau, of which statue, by the act of the Senate [illegible] for the use of the Senate, [illegible] for the use of the Members of Congress for such disposition as he shall think fit, the remaining copies of which are shall be bound in full morocco, to be distributed, under the directions, the chairman of the Joint Committee on the Library, to the guests invited from the French Republic and the speakers who took part in said celebration.

Mr. TAWNEY. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Indiana why it is that the Senate, in the distribution of these documents, is given a great many more, in proportion to the number, than the House receives. The Senate gets 8,000 and the House 6,000. We have 386 Members and they have 90 members. I will ask if the committee considered that that was a fair distribution between the two Houses?

Mr. CHARLES B. LANDIS. The resolution is just as it came from the Senate. That question was not raised by anyone in the committee.

Mr. TAWNEY. I think the committee ought to raise the question of its own motion for the protection of the Members of the House in getting their share of the public documents.

Mr. CHARLES B. LANDIS. Mr. Speaker, I will say to the gentleman from Minnesota [Mr. TAWNEY] that this is not an unusual division. The division is somewhat arbitrary, and in the case of distributions previously made I understand this rule is followed.

Mr. SHERMAN. Mr. Speaker, I will ask the gentleman if it is not done on the theory that Senators have a very much larger constituency than Members have, individually?

Mr. CHARLES B. LANDIS. I should say that possibly that has something to do with it. The same distribution has been followed, Mr. Speaker, in similar publications provided for by the Committee on Printing.

The SPEAKER. Is there objection to the present consideration of the resolution.

There was no objection.

Mr. TAWNEY. Mr. Speaker, if I may be permitted, I would like to offer an amendment. I have no objection to the present consideration of the resolution, but I will offer an amendment that the number to be distributed or placed to the credit of the Senate at 2,000 and the number to be placed to the credit of the House and the House document room at 7,000.

Mr. CHARLES B. LANDIS. I have no objection to the amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In line 7 strike out the word "three" and insert in lieu thereof the word "two."

Also, in line 8 strike out "six" and insert in lieu thereof the word "seven."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken; and the resolution was agreed to.

TREATIES, LAWS, AND ORDERS RELATING TO INDIAN AFFAIRS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate concurrent resolution which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be reprinted and bound [illegible] Senate Document No. 452, Fifty-seventh Congress, first session, entitled "Treaties, Laws, Executive Orders, etc., Relating to Indian Affairs," as revised, 400 of which shall be for the use of the Senate, 900 for the House of Representatives, 200 for the Commissioner of Indian Affairs, 500 for the House Committee on Indian Affairs, 50 for the Senate Committee on Indian Affairs, and the remaining 1,100 shall be sold by the Superintendent of Documents.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

CHARLES CARROLL AND JOHN HANSON.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate concurrent resolution which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed and bound of the proceedings in Congress upon the occasion of the unveiling of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, [illegible] copies, of which 5,000 shall be for the use of the Senate and 10,000 for the use of the House of Representatives and the remaining [illegible] shall be for the use and disposition of the Senators and Representatives in Congress from the State of Maryland.

That the Joint Committee on Printing is hereby authorized to have the same prepared for the Public Printer who shall procure suitable copper process plates to be bound with these documents.

The SPEAKER. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. TAWNEY. Mr. Speaker, I rise to ask if the chairman of the Committee on Printing will not consent to an amendment to this resolution changing the ratio of numbers of copies for distribution between the two Houses, so that there will be 3,000 for the use of the Senate and 12,000 for the use of the House?

Mr. CHARLES B. LANDIS. Mr. Speaker, I will say that I have no objection to accepting the amendment, but I wish to say in this connection that this is the usual distribution which is made of documents of this nature.

Mr. TAWNEY. I understand that it may be usual in concurrent resolutions which originate at the other end of the Capitol, but it is not the rule as to distribution which the House has heretofore followed; and if it were there is a very good reason why that rule should now be changed, because the House to-day consists of 386 Members, whereas heretofore it consisted of 356. I move,

therefore, Mr. Speaker, that the resolution be so amended as to provide 3,000 copies for the use of the Senate and 12,000 for the use of the House.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

In line 7 strike out the word "five" and insert in lieu thereof the word "three."

Also, in line 8, strike out the word "ten" and insert in lieu thereof the word "twelve."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken; and the resolution was agreed to.

REPORT OF COMMISSIONER-GENERAL OF IMMIGRATION.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate concurrent resolution which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed in paper covers, at the Government Printing Office, [illegible] additional copies of the annual report of the Commissioner-General of Immigration for the year ended June 30, 1903, [illegible] of which [illegible] shall be for the use of the Senate and [illegible] for the use of the House of Representatives, and the remaining 2,500 copies shall be delivered to the Bureau of Immigration for distribution.

The SPEAKER. Is there objection to the present consideration of the resolution which has just been reported?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. CHARLES B. LANDIS, a motion to reconsider the several votes by which the several resolutions were passed was laid on the table.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. I move that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering the urgent deficiency bill. Before we go into committee I desire, if possible, that we may agree upon a limit for general debate. I ask the attention of the gentleman from Georgia [Mr. LIVINGSTON].

Mr. SMITH of Kentucky. I should like to know whether points of order have been reserved on this bill.

Mr. HEMENWAY. There have been.

Mr. LIVINGSTON. I suggest we should like about two hours on our side.

Mr. HEMENWAY. Well, I ask unanimous consent that there be five hours of discussion on the bill in the Committee of the Whole, two hours and a half on a side, the time of the majority side to be controlled by myself and on the minority side by the gentleman from Georgia [Mr. LIVINGSTON].

The SPEAKER. The gentleman from Indiana [Mr. HEMENWAY] asks unanimous consent that general debate in Committee of the Whole on this bill be limited to five hours, one-half of that time to be controlled by himself and one-half by the gentleman from Georgia [Mr. LIVINGSTON]. Is there objection? The Chair hears none.

The question being taken on the motion of Mr. HEMENWAY, that the House resolve itself into Committee of the Whole on the state of the Union, it was agreed to.

The House accordingly resolved itself into Committee of the Whole on the state of the Union (Mr. TAWNEY in the chair) and proceeded to the consideration of the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years and for other purposes.

The Clerk read the title of the bill.

Mr. HEMENWAY. I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? The Chair hears none. The gentleman from Indiana [Mr. HEMENWAY] is recognized.

Mr. HEMENWAY. Mr. Chairman, before referring to the provisions of the bill which I bring before the House, I want to call attention to the condition of the Treasury of the United States. It is well in the affairs of Government as well as private affairs to take occasionally an account of stock and see "where we are at."

In view of different statements made by Members of this Congress in which legislation is suggested upon the ground that we have a large surplus in the Treasury, I think it my duty to call the attention of the House and of the country to a real problem that we are called upon to solve. It is this: How can we reduce the estimated expenses of the Government for the ensuing fiscal year $32,000,000?

The total estimates submitted at the beginning of this session for ordinary expenses, exclusive of $56,500,000 required to meet the sinking fund, amount to $727,474,266.79.

In addition, more than ten millions in the nature of supplemental estimates have come to the Committee on Appropriations by reference of the House. Those that have gone to other committees and still more that will follow that will come to Congress before the session closes will surely increase that sum at least $15,000,000. The arbitrary cut made in the Engineer's estimates for contract work on rivers and harbors, which will probably not be sustained if the contract obligations are met, amounts to $4,843,716. Adding these sums to the original estimates makes a grand total of $747,317,982.79.

The total revenues are estimated by the Secretary of the Treasury for the fiscal year beginning July 1 next at $[illegible] Estimates in excess of the probable revenues, $42,845,862.07.

The problem is all the more serious when we realize that at the last session Congress appropriated, exclusive of deficiencies, within less than $10,000,000 all that was submitted in the estimates, and that at the first session of the last Congress—the session corresponding to the present session of this Congress—the appropriations, exclusive of deficiencies and the large sum of $50,130,000 for the isthmian canal, approached the sum of the estimates within a little less than $24,000,000.

Nor is there any comfort afforded in the fact that the total estimates, excluding the sinking fund, submitted last Congress were at the first session thereof $19,672,311.53 less than the estimated revenues, and at the last session $44,310,887.70 less than the estimated revenues.

It only argues that we now have no latitude to appropriate beyond the lines laid down in the regular estimates, and that these lines must of necessity be materially contracted. Three of the great annual supply bills for the Government—the pension, legislative, executive, and judicial, and the army—have passed the House. They carry in the aggregate $242,006,123.35, nearly one-third of the whole annual estimates, as presented to us by the Executive. Yet they show a reduction in the sum total of only $4,116,629.26 under those estimates. If the ratio of reduction is not materially increased when we come to consider the remaining bills, the expenses for the next fiscal year, as we shall authorize them, can only be met by heavy inroads on the surplus in the Treasury.

The present net cash balance in the Treasury amounts to $224,000,000. This sum is likely to be materially diminished in the near future (1) by payment on account of the isthmian canal, $50,000,000; (2) by requisition on account of unexpended balances of appropriations, which are: For increase of the Navy, $27,000,000; for rivers and harbors, $37,000,000; for public buildings, $17,000,000; total, $131,000,000.

Thus, if all outstanding obligations fixed by appropriations already made were liquidated the net cash in the Treasury would be reduced to the dangerously low-water mark of $93,000,000, a sum less than it has reached at any period since the era of depression that antedated the beginning of Mr. McKinley's first Administration.

There yet remains to be appropriated to meet contract obligations authorized chiefly by the last Congress on account of public works, as follows:

For increase of the Navy	$32,718,659.00
For rivers and harbors	[illegible]
For public buildings	[illegible]
Total	136,569,238.29

The estimates of appropriations required to be made at this session on account of the foregoing are:

For increase of the Navy	$38,236,800.00
For rivers and harbors (engineers' estimates)	[illegible]
For public buildings	[illegible]
Total	60,894,821.00

There should be no legislation passed reducing revenues, and this Congress must exercise economy, not refusing any necessary item, to meet the growing expenses of this great country, but to strike from the estimates and from the appropriation bills reported to this House every superfluous item. We must keep within the revenues.

Now, gentlemen, I desire to call attention to the bill that has been presented to the House. It is something more than an urgent deficiency bill; we have made it general in its character, in that it provides for all ascertained obligations of the Government for the current and prior fiscal years. For instance, judgments of the Court of Claims, judgments of the courts generally, and accounts that are audited and ascertained by the different departments of the Government. All have been taken care of on this bill.

We are urging certain legislation upon the bill. It is, of course, subject to a point of order, and can only go through by the unanimous consent of the House.

The first item is legislation authorizing the Government board

of the Louisiana Purchase Exposition to rent certain buildings in the city of Washington. It seems to be necessary in getting together the different Government exhibits that they should have certain rooms in the city of Washington. The general statute prohibits the renting of any buildings in the District of Columbia without express authority of law. So we put that item on the bill authorizing these buildings to be rented.

We next propose the following:

The President is hereby authorized to establish convenient districts for the collection of revenue from customs, and for that purpose may unite any State or Territory within or appurtenant to the United States, or may unite two or more States or Territories within or appurtenant to the United States, or any part or parts thereof, into one district, and may from time to time alter said districts: *Provided*, That there shall be no more than 125 collection districts.

We have to-day in the United States about 165 collection districts. Many of these districts are maintained at great loss to the Government. I will put in the RECORD a statement taken from page 25 of the report of the Secretary of the Treasury, which shows these districts that are maintained at a loss to the Government. For instance, at Elizabeth City, N. C., we have a port, the receipts of which last year were $87. It cost the Government $1,770 to maintain that district. We have at Brownsville, Tex., a district, where the receipts last year were $4,700 in round figures, and it cost the Government $31,000 to maintain the district. We have at Galena, Ill., a district, where there was collected 70 cents last year——

Mr. WILLIAM W. KITCHIN. Will the gentleman allow me to ask him a question?

Mr. HEMENWAY. I will directly. It cost the Government $878 to maintain that district; and so all along the line, in the last year, and from year to year, are given the amount collected and the amount it cost to maintain the port. Now I yield to the gentleman.

Mr. WILLIAM W. KITCHIN. What do you propose to do with reference to these offices?

Mr. HEMENWAY. What do we propose to do in the matter?

Mr. WILLIAM W. KITCHIN. Have you any suggestion in your bill?

Mr. HEMENWAY. We propose here by the bill to legislate substantially in the same manner as was done in regard to the internal-revenue collection districts in 1877. Years ago the same condition existed in the Internal-Revenue Service. They had numerous unnecessary collection districts all over the country, and provision was placed upon an appropriation bill authorizing the President of the United States to combine the districts and limit the number they should have in the United States. Under that legislation the districts were combined and many were discontinued.

The service is reputed to be to-day the best administered and least expensive branch of the public service. The internal revenue is collected, collected promptly, collected easily, at a very light expense, and there is no reason why the customs should not be collected in the same way. The Secretary of the Treasury, quoting again from his report, pages 109 and 110 to 113, gives tables showing that $230,740,925 of internal revenue was collected during the last fiscal year with 1,814 employees, at a total cost of only $4,771,188.50, or a little over 2 per cent on the dollar. During the same period there was collected in revenue from customs $287,784,490; the service cost $8,494,558.14, or more than 3 per cent on the dollar, and employed 6,358 persons.

Mr. WILLIAM W. KITCHIN. Would you still have your officer at each one of these small ports?

Mr. HEMENWAY. Where it was necessary there would simply be an officer there in charge, as you have now. You have your stamp agencies——

Mr. WILLIAM W. KITCHIN. Your deputies.

Mr. HEMENWAY. Your deputies. For instance, in the State of Indiana there used to be quite a number of districts—I think five or six—for the collection of internal revenue, and in each district was a separate organization employing many persons. That has all been done away with. We have now two districts, and at each important point of the State——

Mr. WILLIAM W. KITCHIN. Your proposition would not then close these ports; or would your proposition close these ports?

Mr. HEMENWAY. It would not close a single port of the United States that is necessary. The effect would be in such places we would not have a high-salaried Presidential officer and a great army of clerks; they would have simply a deputy, with a sufficient force to transact the public business.

Mr. MADDOX. And it would consolidate some of them?

Mr. HEMENWAY. And it would consolidate some of them. As I have stated, this item is subject to a point of order, but I do not believe that Members of this House will make a point of order against an item that will result in such a great reform.

Mr. FITZGERALD. This provision contemplates a very great change for these offices, does it not?

Mr. HEMENWAY. Oh, certainly it contemplates a great change in the offices.

Mr. FITZGERALD. Probably the most comprehensive legislation on this subject that would be enacted in years?

Mr. HEMENWAY. I did not understand the gentleman's question.

Mr. FITZGERALD. This is the most comprehensive legislation on this matter that has been enacted or will be enacted in some years.

Mr. HEMENWAY. Well, as I understand it, there has been no legislation upon the question since 1872, except to add to the number of collection districts. I want to say to the gentleman that it is almost impossible to agree upon legislation upon this matter. When you try to get a bill that will specify points all over the United States it is a very difficult thing to agree upon it. Members of the House looking after their particular districts or their particular territory insist that that port should be here or there, so that it is much better to leave the whole matter, as was done in the case of the collection of internal revenue, to the officer in charge to simply put the port where it is absolutely necessary. We have had experience along the line in the collection of internal revenue and it has worked well. It was started just as this has started, the item being in almost the exact language.

Mr. FITZGERALD. Has there been any effort made to agree upon such a bill as the gentleman refers to?

Mr. HEMENWAY. Oh, I can not say as to that. I judge there has been, as this evil has existed for many years, and it is reasonable to believe that efforts have been made to agree upon a bill.

Mr. FITZGERALD. I want to ask the gentleman if he believes that legislation of such important character should be inserted upon an appropriation bill?

Mr. HEMENWAY. I do in this instance, because there is no better place to put it, and we have had, as I say, an example in the result of the legislation placed upon an appropriation bill in regard to the collection of internal revenue. We have so thoroughly demonstrated in that department that it can be done that there is no danger in following the same legislation in regard to the collection of customs. Nearly all remedial legislation of this character has had its origin and abiding place on appropriation bills, a recent notable instance being the abolition of the fee system for United States attorneys and marshals, that was accomplished on an appropriation bill and has resulted in the saving of many millions of dollars to the country.

Mr. FITZGERALD. If the gentleman will permit me, this bill was reported to the House last Saturday?

Mr. HEMENWAY. Yes, sir.

Mr. FITZGERALD. A copy of the bill or of the report was unavailable until yesterday to the Members, and now the gentleman urges Members of this House to favor this provision of the bill and reads from a report to which no attention is called in the report from his committee, and it seems to me that it is unfair to the Members of this House to ask them to pass upon such important legislation in this way.

Mr. HEMENWAY. I read from the annual report of the Secretary of the Treasury, which was sent to the different Members of Congress, and they have certainly had it in their possession for the last month, I should say, or six weeks.

Mr. FITZGERALD. Not at all; about two weeks.

Mr. LOUDENSLAGER. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from New Jersey?

Mr. HEMENWAY. I do for a question.

Mr. LOUDENSLAGER. In your judgment, will this change in any way affect the commercial interests of our country to their detriment?

Mr. HEMENWAY. Not in the least. At every point where it is necessary to have a port I have no doubt there will be one, in charge of a deputy or in charge of a collector; but it will result in this, that a great many ports which are unnecessary, as it can be shown by this report, will be abolished and less important ones will be consolidated. Why should a collection port exist that turns in only $5.19?

Mr. BARTLETT. How much does it cost to collect that?

Mr. HEMENWAY. In one instance, $236. In many instances it is a great deal higher than that. There is one point where it costs, if you take the report, $135 to collect $1, and there is another place where it costs $540 to collect $1.

Here is another place where it costs $540 to collect a dollar; another where it costs $258 to collect a dollar.

Mr. LOUDENSLAGER. There are no great comprehensive changes connected with this legislation, but it is of great importance in the line of economy?

Mr. HEMENWAY. That is all.

Mr. POWERS of Maine. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Maine?

Mr. HEMENWAY. I will.

Mr. POWERS of Maine. How much will it reduce expenses to make these changes? Has the gentleman made any estimate of that?

Mr. HEMENWAY. The estimate is about $100,000 a year, and they think they can save more than that.

Mr. POWERS of Maine. Has the gentleman any detailed statement showing where it will come in?

Mr. HEMENWAY. The detailed statement contains the number of unnecessary ports to be dispensed with. We have a letter from the Secretary of the Treasury, which I will put into the RECORD, and which goes into it in detail.

Mr. POWERS of Maine. Is there any place where there is a collectorship to-day that it would not be necessary to have a deputy collector in case you abolish the collectorship?

Mr. HEMENWAY. Yes.

Mr. POWERS of Maine. Where?

Mr. HEMENWAY. If the gentleman wants me to go into detail, I can only give him my opinion, and it might not be of any value. I refer him to the list printed on page 25 of the report of the Secretary of the Treasury, and the gentleman can figure out the places where the ports ought to be discontinued.

Mr. POWERS of Maine. If you discontinue a collectorship and it is necessary to appoint a deputy under the civil service, will it not in many instances entail a larger expense rather than a smaller expense?

Mr. HEMENWAY. No; there is not a single instance where it would entail a larger expense, but in every instance the expense will be reduced.

Mr. POWERS of Maine. My own impression is that there are places where it would cost more.

Mr. HEMENWAY. I do not think there is a place in the United States where it could possibly cost more.

Mr. POWERS of Maine. Is it always a fair method in determining the necessity of a collectorship to take the amount of revenue collected as compared with the cost of collection?

Mr. HEMENWAY. Not always. At certain great ports of the United States where inspectors are necessary the amount collected does not always determine the importance of the port, but at interior ports it always determines the importance of the port.

Mr. POWERS of Maine. I have the honor to represent several hundred miles of coast and interior line, and there are three or four collectorships along that line. I do not know but one—that is Machias—where it costs more than the receipts. I think none of the others cost more than their receipts. One of them, Bangor, is the largest collector of revenue in the State. Now, along that line it is necessary, for the prevention of smuggling, as there are several railroads that cross the line, to have deputy collectors and inspectors, whether you have a collectorship or not.

Mr. HEMENWAY. Let me say to the gentleman that there are seven ports in Maine where the revenue collected amounts to less than the expenditures.

Mr. POWERS of Maine. I would like to ask the gentleman if Machias is one of them?

Mr. HEMENWAY. Belfast is the first one in the list.

Mr. POWERS of Maine. That is not in my district.

Mr. HEMENWAY. The gentleman can get the list from page 25 of the Secretary's report.

Mr. POWERS of Maine. I want to say to the gentleman that I do not want to vote for any such radical change in existing law without I carefully look into it.

Mr. HEMENWAY. The gentleman will have ample time to do that.

Mr. MADDOX. Mr. Chairman, I would like to ask the gentleman from Indiana a question.

Mr. HEMENWAY. Very well.

Mr. MADDOX. Isn't it true that these subports that the gentleman is talking about have added largely to the expense of collection of the revenue of the country? Does not the Assistant Secretary say himself that these expensive ports from which we receive no revenue have created these deficiencies that the gentleman is asking for in this bill? His testimony seems to be pretty full in this report, which it seems the gentleman from New York [Mr. FITZGERALD] has not discovered.

Mr. FITZGERALD. The gentleman from Georgia misunderstood what I said. The statement of the Assistant Secretary is in the report, but the list of places that the gentleman from Indiana was reading from to the committee is not in the report. That is the information upon which he is basing this argument.

Mr. HEMENWAY. The table from which I read is in the report of the Secretary of the Treasury, on page 25. Now, Mr. Chairman, I desire to call attention to the hearings, showing the difference in the cost of the collection of customs and that of internal revenue. The percentage of cost of collecting the customs is one-third more than it is for the collection of internal revenue.

Mr. SPARKMAN. Mr. Chairman, I would like to have the gentleman read the list.

Mr. HEMENWAY. It is too long to read, but I will put it in the RECORD.

Mr. PAYNE. Mr. Chairman, I was absent from the room at the beginning of this discussion. I understand the question was asked whether any attempt has ever been made to remedy this state of things.

Mr. HEMENWAY. The question was asked, and I could not answer it.

Mr. PAYNE. In 1898 Mr. Gage, Secretary of the Treasury, reported these matters fully and in detail, and that report was sent to the Committee on Ways and Means. Afterwards there was a hearing had there in reference to those matters, and we endeavored to frame a bill; but because of the opposition there was to it we did not succeed in agreeing upon any bill to cut off any ports; we did not succeed in bringing in any such bill. Secretary Shaw also made a recommendation in his report to this Congress. The matter was brought up at the last meeting of the Committee on Ways and Means and a direction made for further investigation of the subject.

There is no doubt but that some of these ports ought to be cut off. They cost a good deal of money. I think one port collected 70 cents when the cost of collection was three or four hundred dollars. Some of them are inland ports, and, as the gentleman from Indiana [Mr. HEMENWAY] has well said, there is no excuse for keeping up the inland ports where the cost of collection is more than the revenue. There is more excuse for a seaport, because very often the collector there is able to prevent smuggling. The question arises whether all of that business could not as well be done by a subcollector as by a collector with a full corps of officials. I believe myself it is a matter which ought to be thoroughly investigated and that some bill ought to be brought before the House remedying this. It is a useless expense in a great many cases, and it is an exorbitant expense in other cases, and where, if the ports are not cut off, a subport might be made, with a much smaller force and with a great deal less expense.

Of course the members of the committee will readily see that where there are ports scattered along the seacoast in which vessels may enter there is danger of smuggling unless a United States officer is about; but a deputy collector at a subport can prevent smuggling just as well as a collector with a larger salary and a whole corps of officials. The collectors in some of the small ports receive more money than the deputy collectors to-day.

Mr. POWERS of Maine. Oh, not always.

Mr. PAYNE. No, I think not; but it is not ganged on the amount collected, else some of them would not receive more than a nominal salary during the whole year.

Mr. POWERS of Maine. The object of a port is to prevent smuggling at that particular port.

Mr. PAYNE. Yes; at some of the small ports. I think perhaps at most of these places along the seacoast there should be a subport, but there is no need of a full army of officials to look after smuggling.

Mr. POWERS of Maine. I am very confident that there are many ports in Maine where the current expenses are less than they would be if a deputy collector were sent there under the civil-service rules.

Mr. HEMENWAY. These same men would stay there as deputy collectors.

Mr. POWERS of Maine. Their pay would be very much enlarged.

Mr. BURKETT. They would not have to do it under this bill.

Mr. PAYNE. The House can regulate the pay by legislation. A large portion of these were cut off before.

Mr. POWERS of Maine. The pay of deputy collectors is about the same—four or five dollars a day.

Mr. PAYNE. The pay of a collector is, of course, greater than the pay of a deputy collector.

Mr. POWERS of Maine. Not at all.

Mr. PAYNE. I do not think the comparison between the collection of customs and internal revenue is hardly fair as to the amount of expense. On account of the larger revenue from customs the percentage would not be so much larger, as the gentleman indicates, and then the two branches of the service are so entirely distinct that it is not fair to compare them. The collection of the internal revenue is so much more easily gotten at in a great many instances that I do not think that comparison is quite fair.

Mr. CRUMPACKER. I would ask the gentleman if ports and subports are not established by act of Congress?

Mr. PAYNE. Yes, they are.

Mr. CRUMPACKER. The provision under consideration does

not authorize the Secretary of the Treasury to abolish any ports or subports, but it provides that he may consolidate customs districts, and if a district with a port were consolidated with another district that port would become a subport by operation of law or by act of the President, would it not? What would be the status?

Mr. PAYNE. I have not noticed the provision in this bill, but when the matter was presented in 1898 the Treasury Department drew a very elaborate bill, and in that bill established and reestablished ports and subports all over the United States, of course eliminating some of these smaller ports, where the expense was so large in proportion to the collection, and placing ports where the Secretary of the Treasury thought there ought to be ports. I have sent for that report of the Secretary of the Treasury, but they do not seem to be able to find it.

Mr. CRUMPACKER. This bill has a provision giving the President a broad discretion to rearrange and consolidate districts throughout the country without limitation, providing that there shall be not more than 123 collection districts altogether.

Mr. PAYNE. I would be glad to have that provision of the law read.

Mr. CRUMPACKER. I will read it:

> The President is hereby authorized to establish convenient districts for the collection of revenue from imports and for the collection of such additional revenue as may be required from time to time, and for the purpose of carrying into effect the provisions of this act, and to assign to the United States ports of entry and ports of delivery authorized by the laws of the United States, or any part or parts thereof, to such districts, and to change the limits of such districts: *Provided*, That there shall be no more than 123 collection districts.

The gentleman will notice that this gives the President unlimited power to consolidate and reorganize, but there is no authority, of course, to close a port or to change a port from the status of a port to that of a subport, because that status is fixed by act of Congress, as I understand.

Mr. PAYNE. I should doubt very much whether that provision would remedy the evil. We have now before the committee a proposition to establish some subports in the State of Washington and also a recommendation by the Secretary of the Treasury to remove the principal port from Port Townsend to Seattle, both in the same customs district. We are met by a portion of the Representatives from that State who desire that the old port at Port Townsend, where there are about 2,500 people and a very small quantity of imports—1 or 2 per cent of the whole amount—continued, instead of being transferred to Seattle, where over 50 per cent of the imports are received, so that there would be an obvious saving to the Government on the transportation of the money that goes to the subtreasury at San Francisco by placing the port where the commerce is. This is a matter which it seems to me ought to have most careful investigation, and a bill in regard to it should be carefully framed.

Mr. POWERS of Maine. I should like to ask the gentleman another question. I see by looking over the list of those ports where the cost of collection is more than the amount of revenue received that the cost in thirteen of them is considerably less than $1,000 and at some less than $500. Now, if a collectorship is necessary where the Government receives but $1,100 or $1,200——

Mr. PAYNE. I think the aggregate of cost, at least as shown in the report for 1903, if not the present report, was some [illegible] while the amount collected, if I remember rightly, was only $10,000 or $12,000. I would not be absolutely sure about the amount; but it cost perhaps ten times as much to make the collections as the amount collected.

Mr. POWERS of Maine. But if an officer is necessary at those points, would you decrease the cost any by this arrangement?

Mr. PAYNE. I do not wish to trespass on the time of the gentleman from Indiana, who, I understand, has disposed of a portion of his time, so I will not interrupt him further.

Mr. HEMENWAY. Mr. Chairman, I have called attention to this item now. When we reach it on the bill, I shall ask, if necessary, for more than five minutes of discussion—say two hours or whatever time may be necessary. My object in calling attention to it now is that the House may have an opportunity to look the matter over while the general discussion goes on.

Mr. GAINES of Tennessee. What is the item?

Mr. HEMENWAY. The item for the consolidation of collection districts, on page 13.

Mr. POWERS. Will the gentleman allow me a moment? I notice it is here provided that there shall be no more than 123 collection districts. Can the gentleman tell us how many collection districts there are now?

Mr. HEMENWAY. One hundred and sixty-five.

Mr. BOWERS. The gentleman, a few moments ago, in stating the cost of collecting internal revenue as compared with the cost of collecting customs duties, stated that it cost 3½ per cent more to collect the customs than the internal revenue. I take it the gentleman is aware that there is performed in every custom-house a large amount of services for American vessels for which no charge is made to the vessel, the expense being paid by the Government, and going to make up, in the smaller ports, the salary of the collector.

Mr. HEMENWAY. In the Internal-Revenue Department many inspectors are necessarily employed, and yet their services result, apparently, in no direct collections for the Government.

Mr. BOWERS. I understand that; but the inquiry I desired to make was whether the cost of these services rendered to American vessels and paid by the Government has been added as a part of the salary of the collector.

Now, Mr. Chairman, I desire to call attention to the next item of legislation on this bill. It is in regard to the public building at Macon, Ga. It appears that on the site purchased there there is a livery stable which can be converted into a building that will be all right for the post-office, thus avoiding the necessity of paying rent on another building. We have authorized certain repairs to that building, so that the post-office may be moved into it while the new one is being constructed.

Mr. BARTLETT. I do not think the gentleman has stated exactly the conditions under which this appropriation is to be made.

Mr. HEMENWAY. Then I ask the gentleman from Georgia to make a statement of the matter, as he is familiar with it.

Mr. BARTLETT. In 1900 and 1901 there were appropriated regularly for rent of temporary quarters $5,000 in one year and $6,000 in the other. After the appropriation had been made Congress increased the appropriation for the building there, and that made it necessary to buy for the purposes of the site additional land adjoining the present site. Upon that site there is located a building which, if properly put in order, would answer all the purposes of a post-office and save the Government at least $4,000 a year. This appropriation merely authorizes the Secretary of the Treasury to use money already appropriated for the purposes of temporary quarters, so that the Government can get its quarters more cheaply than it otherwise could.

Mr. HEMENWAY. The gentleman has stated the substance of this change.

On page 30 of the bill we recommend this:

> That hereafter no part of any money appropriated shall be used in payment of per diem compensation to any clerk for attendance in court, except for days when the court is actually in session opened in the presence of the judge, where last shall be certified to the approval of the marshal.

That is to correct an abuse that now exists, where a clerk will keep a court open and put a little entry on the docket each day, keeping the court constantly open in order to draw $5 per diem. This practice evidently was not contemplated at the time the law was passed, and it is certainly an abuse, and we seek to remedy it.

The next item is:

> That the judgment creditors and men severally entitled of the judgments, herein pronounced for, or the Court of Claims for bounty for destruction of property in [illegible] be paid from any moneys appropriated hereunder for the payment of judgments against the United States, and the Secretary of the Treasury is hereby authorized and directed to pay the same in the manner and out of the moneys herein specified, upon the production of duly authenticated copies of said judgments and awards rendered against the United States by the Court of Claims and of the judgments rendered against the United States by the court of claims and of the judgments rendered against the United States pursuant thereto, upon application therefor by the judgment creditors, or their legal representatives, or assignees, and upon the production of such evidence as may be required by the Secretary of the Treasury, showing the identity of the claimants and the validity of the claims, and showing proper discharge of the judgments, and upon such other evidence as may be required by the Secretary of the Treasury, showing the identity of the claimants and the validity of the claims.

Under the Dockery law or present accounting system they have to be paid through the Auditor's office for the State Department, and there is every reason why they should be paid through the Auditor's office from which they went.

Now, there is just one other item on this bill to which I desire to call attention, and then I shall be through with my statement. That is the item of mileage.

At the extra session of Congress there was reported from the Committee on Appropriations a resolution making the mileage then appropriated for available for the extra session.

A similar resolution was offered in the Fifty-third Congress by Mr. Holman, who was then the chairman of the Committee on Appropriations. The mileage was made available and was paid for attendance on the extra session. At the regular session which followed, Mr. Hayes, of Iowa, offered on the floor of the House an amendment for mileage of Members of the House of Representatives and Delegates from Territories, $130,000, for the second session of the Fifty-third Congress.

Thereupon, Mr. Wells, then a Member of Congress, made the point of order. There was a long discussion, which finally resulted in a ruling by the Chair, in which the Chair held that the point of order was not well taken, and that the amendment was in order on the bill, that it was an appropriation authorized by law.

In the Fifty-fifth Congress there was an extra session, and the same procedure was had: a joint resolution was passed making the mileage available for the extra session of Congress, and at the following regular session an item passed upon the appropriation bill without debate, no one raising any question against the item

in the House, providing for mileage for that regular session of Congress.

Now, the Committee on Appropriations, following the precedents laid down by the Fifty-third Congress and the Fifty-fifth Congress, and following the ruling of the Chair in the Fifty-third Congress, report in this bill an item for mileage, and simply say to the House, "Now it is up to you." We have followed the precedents laid down in the Fifty-third and the Fifty-fifth Congresses. Under our construction of the ruling in the Fifty-third Congress and of the action of the Fifty-fifth Congress, this mileage is authorized by law. In fact that was the exact point passed upon by the Chair in the Fifty-third Congress, and we have put it on the bill. The House can determine whether or not they want to accept the mileage.

I will say in addition to that that the other question arises which is made by some gentlemen, that this is one continuous session of Congress; that there has been no adjournment of the special session of Congress. That is a question which the House must determine for itself; but the Committee on Appropriations bring this item in here for the consideration of the House.

Mr. BINGHAM. Following the law.

Mr. HEMENWAY. Mr. Chairman, I reserve the balance of my time, and will print as a part of my remarks the following.

[From report of the Secretary of the Treasury, page 25.]

List of ports at which customs expenses exceed receipts.

Name of port.	Receipts.	Expenses.	Number employed.	Cost of collecting $1.
Albemarle (Elizabeth City), N. C.	$87.00	$1,770.67	2	$20.35
[illegible]	1,913.61	3,513.63	4	1.83
[illegible]	720.43	4,107.16	7	5.63
[illegible]	15.01	1,775.19	2	118.44
[illegible]	761.41	3,566.32	4	4.70
[illegible]	2,768.80	2,[illegible]	6	1.00
[illegible] (Brownsville), Tex	4,792.77	[illegible]	26	6.75
[illegible], N. J.	292.02	1,[illegible]	5	4.00
[illegible] (Warren), R. I.	103.61	254.[illegible]	2	2.45
[illegible], Iowa	52.67	441.80	1	8.38
[illegible] (Trenton), N. J.	4.80	[illegible]	2	93.75
[illegible]	1,808.85	4,[illegible]	6	2.51
[illegible], Texas	27.73	388.70	2	14.01
[illegible] (Charles City), Va.	30.00	[illegible]	3	31.30
[illegible], Md.	[illegible]	[illegible]	2	38.34
[illegible]	[illegible]	[illegible]	4	4.73
[illegible] Bay (Ellsworth), Me	182.[illegible]	[illegible]	5	3.30
[illegible]	70	[illegible]	1	54.05
[illegible], S. C.	28.[illegible]	[illegible]	2	16.04
[illegible]	[illegible]	[illegible]	11	2.22
[illegible] (Somers Point), N. J.	[illegible]	[illegible]	3	1.08
[illegible] (Eureka), Cal	1,491.64	2,874.18	1	1.92
[illegible], Me	6.41	114.32	2	17.8[illegible]
[illegible]	15.[illegible]	[illegible]	2	[illegible]
[illegible]	1,212.44	[illegible]	5	3.53
[illegible] (Grand Haven), Mich.	5,132.42	[illegible]	14	1.73
[illegible]	15.70	[illegible]	1	9.[illegible]
[illegible]	1,578.[illegible]	[illegible]	5	3.84
[illegible], N. J.	[illegible]	[illegible]	5	4.44
[illegible], Miss.	[illegible]	[illegible]	6	1.16
[illegible]	785.06	1,4[illegible]	2	1.85
[illegible]	22.08	775.14	2	35.10
[illegible]	2.44	[illegible]	2	5.52
[illegible] (Cedar Keys), Fla	320.05	1,[illegible]	2	5.07
[illegible]	[illegible]	[illegible]	1	28.[illegible]
[illegible], Mass.	5,[illegible]	[illegible]	6	1.15
[illegible]	2,[illegible]	[illegible]	9	1.85
[illegible] (Coos Bay), Oreg	[illegible]	1,[illegible]	2	130.90
[illegible], La.	102.[illegible]	[illegible]	3	27.80
[illegible]	[illegible]	[illegible]	1	21.80
[illegible]	4,[illegible]	[illegible]	7	1.85
[illegible], W. Va.	880.[illegible]	[illegible]	2	1.73
[illegible], N. Y.	4,[illegible]	[illegible]	5	1.41
[illegible], Me.	[illegible]	[illegible]	3	2.50
York, Me.	5.19	236.87	1	45.44

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
[illegible], 1904.

The CHAIRMAN OF THE COMMITTEE ON APPROPRIATIONS,
House of Representatives.

SIR: As requested by the committee, your attention is directed to the report [illegible] page [illegible] of the Secretary of the Treasury, which has been sent to the House of Representatives in response to a letter asking certain facts touching the collection of customs duties. A copy of this letter is appended to pages [illegible] and [illegible] of the report referred to. While [illegible] the statistics herein presented [illegible] country. It will be seen that the statistics used to support a change in the [illegible] by reference to the table on page [illegible] of the same volume of the report [illegible] the foregoing [illegible] to convert a number of the minor revenue ports into [illegible].

While [illegible] at the present moment, no satisfactory [illegible] of collection per dollar of collection [illegible] be presented [illegible] the [illegible] Congress Mr. Dockery on January [illegible] 1903 introduced a bill authorizing the [illegible] of customs-collection districts, which was read twice and referred to the Committee on Ways and Means, but never became a law. It proposed [illegible] of the subtreasury districts. A copy of the bill is inclosed herewith for the consideration of the committee.

Historically [illegible] there were 185 internal-revenue districts. In 1870 and 1877 legislation now appearing as section 3141 of the Revised Statutes was enacted. Through its operation the number of internal-revenue districts has been reduced to 66, and the cost of collection steadily lowered. Section 3141 of the Revised Statutes reads as follows:

> "For the purpose of assessing, levying, and collecting the taxes provided by the internal-revenue laws, the President may [illegible] collection districts, and for that purpose he may [illegible] any State, Territory, or the District of Columbia, or may [illegible] any State or Territory into districts, and may from time to time alter such districts: *Provided*, That the number of districts in any State shall not exceed the number of Representatives in Congress to which such State is entitled in the Congress next ensuing, except in such states as were entitled to more representation in the Thirty-sixth Congress, in which States the number of districts shall not exceed the number of representatives [illegible] such State was so entitled: *And provided further*, That in the States [illegible] the President may establish a number of collection districts equal to the number of Senators and Representatives to which said State was entitled in the Thirty-seventh Congress."

[illegible] limited the maximum number of internal-revenue collection districts [illegible] ever been reached. The purpose of the act [illegible] was to be [illegible]

"[illegible] within thirty days shall be no more than 185 collection districts, and it shall be the duty of the President [illegible] and directed to reduce the internal-revenue districts to not exceeding the number allowed to the number of representatives provided by law."

This was a provision following an appropriation for expenses of [illegible] of the legislative, executive, and judicial appropriation bill for the fiscal year ending June 30, 1873.

It is respectfully suggested that authority similar to that given in section 3141 for the establishment and reorganization of internal-revenue districts be given to the executive department of the Government for the purpose of an [illegible] of customs districts. It is further suggested that a provision to the effect carrying such authority into effect be inserted in the urgent deficiency bill now [illegible] Congress, and that a clause be inserted in this [illegible] bill [illegible] appropriation for the fiscal year ending June 30, 1905, together with the estimated amount which will probably be required during the remainder of the fiscal year, [illegible] the [illegible] receipts, would make a small [illegible] for the contingent expenses, and with a proviso that [illegible] shall be paid out of the appropriation for the fiscal year ending June 30, 1905. The [illegible] for a deficiency appropriation of any kind [illegible] given to the executive department to reorganize the customs [illegible] a deficiency [illegible] business [illegible] appropriation [illegible] a [illegible] with its business.

If such authority is granted to the Department, there is no probability of the [illegible] of any collection district [illegible] of persons [illegible] would be now independent [illegible] to some [illegible] arising at such [illegible] points that are now managed to the detriment of the Government [illegible] would be [illegible] with the [illegible] of all the ports of the district and the [illegible] would be uniform. Many cases arising at such [illegible] points that are now managed to the detriment of the Government [illegible] would be [illegible] with the [illegible] of the [illegible] and [illegible] to the [illegible] of the immediate transportation laws and [illegible] to the extent of [illegible] the [illegible] of the [illegible] would be [illegible] with the [illegible] of the [illegible] and [illegible] to the [illegible] of the [illegible] in the [illegible] of the [illegible] to the [illegible] of the [illegible] in a satisfactory manner.

At each of the subports a sufficient force would be retained to conduct the business [illegible] the [illegible] are [illegible]. The [illegible] would be [illegible] and [illegible] of all the ports of the district and the [illegible] would be uniform. Many cases arising at such [illegible] points that are now managed to the detriment of the Government [illegible] would be [illegible] with the [illegible] of the [illegible] and [illegible] to the [illegible] of the immediate transportation laws and [illegible] to the extent of [illegible] the [illegible] of the [illegible] would be [illegible] with the [illegible] of the [illegible] and [illegible] to the [illegible] of the [illegible] in the [illegible] of the [illegible] to the [illegible] of the [illegible] in a satisfactory manner.

Respectfully,

R. B. ADAMS, Director,
Assistant Secretary.

The CHAIRMAN. The gentleman from Indiana reserves the balance of his time. The gentleman from Georgia [Mr. LIVINGSTON] is recognized.

Mr. LIVINGSTON. Mr. Chairman, I yield sixty minutes to the gentleman from Alabama [Mr. UNDERWOOD].

The CHAIRMAN. The gentleman from Georgia yields sixty minutes to the gentleman from Alabama, who is recognized for that time.

Mr. UNDERWOOD. Mr. Chairman, I do not know that I should say anything on this bill were it not for the fact that I am a member of the subcommittee that reported it, and I desire to make a few statements to the House as to my views on the items contained in the bill.

Among other things that the subcommittee examined into at the time of the hearings upon the bill was the question of carriage hire. A number of heads of Departments were before the committee and testified in reference to the use of carriages in the Departments. The testimony showed that some of the carriages used in the Departments were very necessarily and properly used. There was other testimony going to show that carriages were used by persons for their private use that were not used for the benefit of the Government, and that they were unnecessary.

I think that the whole testimony taken together demonstrated one fact very clearly. That is that a system has grown upon the Government departments and bureaus in Washington and in Army and Navy post stations away from here, of allowing heads of departments and officers to use the contingent funds allowed to them by Congress for other purposes for the purchase and maintenance of carriages and horses for their own private use at Government expense; that is not necessary and is improper. I do think, however, that there are certain cases in which the officers of the Government ought to be provided with carriages. For instance, take the Secretary of State and the Assistant Secretaries of State. A real part of their official functions is to make calls and answer calls of foreign diplomats, and to attend certain

diplomatic functions. They are paid a very small compensation, and I think it would be entirely proper for the Government to furnish them with carriages and horses.

But, on the other hand, from the testimony it seems that the heads of certain bureaus have been using private carriages and maintaining them out of the contingent fund provided by Congress for other purposes. I think that is all wrong. But it has grown up to be a custom, and I think there is but one way of getting at it and remedying the evil, and that is for Congress expressly—not for the Appropriations Committee, for we have not the jurisdiction in this matter, but for the House, which has jurisdiction of the case—to pass a specific law saying that no fund appropriated for contingent expenses shall be used to maintain private carriages, or public carriages for that matter, of Government officials, and then by express law state what officials of this Government are entitled to have carriages and appropriate for them, for the pay and maintenance of carriages and horses as provided by law, and stop the indiscriminate use of the contingent funds that are appropriated for other purposes.

In the bill there is another item that I think it necessary to call to the attention of the House, and that is an appropriation of $100,000 put in this bill that is not of necessity an urgent deficiency. It is $100,000 to survey the Alaskan boundaries. As Members know, that question has been in dispute for many years. The tribunal selected has finally decided that question, has ordered a survey made and certain monuments erected. The more quickly it is done, the better. If we wait for the regular appropriation bill, it would be several months before the work begun. Therefore the committee saw proper to put an appropriation in here of $100,000 in order that the survey might commence at once.

Then there is an item in here, a rather large appropriation, for the diplomatic service in Panama. It is an item proposing to pay the minister of the United States at Panama a salary of $10,000 a year, and appropriates for his salary for the balance of the fiscal year—that is, up to the 30th of June, 1904. Now, I want to say that I voted for that appropriation in committee, and shall vote for it in the House. The reason that I voted for it in the committee and shall vote for it in the House is this: The President of the United States has appointed Mr. Buchanan minister to Panama. The Senate of the United States has confirmed that action. He is a governmental officer duly and properly commissioned, fulfilling his functions as representative of the United States at a place where, at the present time, it is very necessary for us to have an able and active officer to look after the affairs of the United States, regardless of what we may think as to the action of the President or the Executive in reference to the Panama revolution.

In view of the fact that this man was properly appointed, confirmed by the Senate, and that we need a diplomatic officer there, I voted to pay him his salary. The reason we fix $10,000 as his salary, which may seem to be a large salary for a diplomatic officer in so small a country, was this: The testimony before the committee showed that Panama was an exceedingly unhealthy place; that a great many of our consuls-general had died there, and, as one witness said, part of it was salary and some of it, a large part of it, was life insurance.

And under these circumstances the committee did not believe that a salary of $10,000 was too large in order to get an intelligent and able and efficient Government agent at that place.

Now, in reference to the item for the collection of customs revenues, the chairman of the committee has stated the action of the committee in bringing in an amendment in this bill that is subject to a point of order under the rules of the House, but it is evident that it is an amendment that is very badly needed. The Secretary of the Treasury has shown that under the present system of collecting revenues from customs it costs something like 3 cents and 4 mills to collect each dollar of customs revenue, whereas, on the other hand, it only costs 2 cents and 1 mill to collect the internal revenue.

Some years ago it cost just as much to collect the internal revenue as it does to collect the customs revenue now, but a law was passed through Congress authorizing the President of the United States to consolidate the revenue-collecting districts. By that means economy was created. The cost of collecting this revenue was cut down to a total cost of 2 cents and 1 mill to a dollar. Now, the Secretary of the Treasury asks for a deficiency appropriation of $2,400,000 on this bill—a deficiency appropriation. When he is asked, Why is this large deficiency, and why he can not collect this money at a less expense, he says because the existing law requires him to keep revenue collectors at certain ports where the expense to the Government is greater than the revenue collected; but he states that he is bound by the law; that he must obey the law, and therefore he can not reduce the cost of collection, and for that reason he asks for this amendment to be passed in order that the President may consolidate the ports of entry. Change full ports into subports, and thereby economize and reduce the cost of collection, and he intimates that he can probably cut it down somewhere in the neighborhood of 2 cents on the dollar, as he has the internal revenue, and save the Government something over a million dollars in the collection of its revenue.

Mr. THOMAS of North Carolina. Mr. Chairman, I would like to interrupt the gentleman.

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from North Carolina?

Mr. UNDERWOOD. Certainly.

Mr. THOMAS of North Carolina. I want to ask the gentleman from Alabama—because I am interested in this item, as some of the ports of entry of my district might be affected—does the Secretary of the Treasury or does the amendment suggest any particular ports of entry or customs districts which are to be abolished or consolidated?

Mr. UNDERWOOD. Not at all.

Mr. THOMAS of North Carolina. I am particularly interested in the ports at Beaufort and Newbern, N. C., and I trust there is no possibility under this legislation that these ports will be consolidated with any other port or placed under deputy collectors, because they are important ports and old ports and customs districts and have been in existence for many years.

Mr. UNDERWOOD. I will state to the gentleman from North Carolina this legislation can only pass by unanimous consent of every man in this House.

Mr. THOMAS of North Carolina. In other words, the item is subject to a point of order.

Mr. UNDERWOOD. It is subject to the point of order, but I say it is wise to let it stay in this bill or in some other way to enact it, because clearly it is costing more money to collect our revenue than it ought to cost, and the reform is needed. I will read to the gentleman just what the law proposed is:

> The President is hereby authorized to establish convenient districts for the collection of revenue from customs, and for that purpose may subdivide any state or Territory within or appurtenant to the United States, or may unite two or more States or Territories within or appurtenant to the United States, or any part of any State or Territory, into one district, from time to time, as public convenience may require. There shall be no more than 123 collection districts.

Now, I will say to the gentleman from North Carolina, that is exactly what Congress did when it passed a law in reference to the collection of internal revenue and authorized the President to consolidate districts. It would be a very difficult thing for Congress to pick out the districts to be consolidated, because we are all naturally looking after our own. If the question came up here of consolidating a port in my district or in yours or one in another, we would soon have a combination here where we would all vote to save our own ports, and therefore vote as a unit against the bill, not that we care for the other ports, but to protect ourselves, so that no legislation could be passed.

Mr. THOMAS of North Carolina. There may be possibly ports of entry that ought to be abolished in the interest of economy, but when it comes to the ports of entry in North Carolina, such as Beaufort, Newbern, Wilmington, Edenton, City—few in number, but important—certainly these ports ought not to be abolished. [Laughter and applause.]

If this item is subject to a point of order, then I shall be compelled to make the point of order.

Mr. GAINES of Tennessee. Will the gentleman tell us how much salary is paid to the customs officer at the various large ports in the United States—say New York, Boston, Philadelphia, and San Francisco?

Mr. UNDERWOOD. I can not recollect them, and my time will not permit me to go through it. I will refer the gentleman to the letter of the Secretary of the Treasury contained in House Document No. 269, which will give him that information.

Mr. GAINES of Tennessee. I am familiar with the comparison between the cost of collection of customs and that of internal revenue, but I thought we might economize by cutting down some of these salaries at the large ports of the country. I understand some of them are as high as $20,000 and some $30,000. It seems to me that we ought to begin this economy at the top rather than to go out into the woods and into the little places around in the country and close ports in this summary way.

Mr. FITZGERALD. I would like to ask the gentleman from Alabama what amount the Secretary estimated would be saved by this provision?

Mr. UNDERWOOD. The Secretary of the Treasury did not estimate the exact amount, but in his testimony before the committee he intimated that by this change he could probably cut down the cost of collection to what it cost per dollar to collect the internal revenue, which would be a saving of about 1½ cents on a dollar, amounting in the total to about one million and a half dollars.

Mr. FITZGERALD. That would still leave a deficiency of $900,000 on the regular appropriation?

Mr. UNDERWOOD. Yes; in relative figures it would, although it is just to say that there has been a deficiency on this appropriation since 1872. Congress has adopted the custom of making an annual appropriation of $3,500,000 for the collection, and then put the balance in the deficiency bill. So there really has been a deficiency all the time.

Mr. FITZGERALD. Has the gentleman at hand the deficiency for the previous year?

Mr. UNDERWOOD. The deficiency for 1903 was $2,300,000. The estimated deficiency for this year is $2,400,000. It has been growing for many years, and will continue to grow unless some reformation is made in the collection of these revenues. The Committee on Appropriations admit that this is not within their jurisdiction; that this legislation is not in order if objected to. Any man can knock it out on a point of order, but when we considered the need of holding down expenditures, and the fact that the Secretary of the Treasury has recommended this legislation, we felt that it should be presented by the committee of the House, either for them to act now or hereafter, as the House deems proper.

Mr. SMALL. Mr. Chairman, I would like to ask the gentleman a question.

Mr. UNDERWOOD. I yield to the gentleman.

Mr. SMALL. I would like to ask the gentleman if he is not aware that in all these collection districts, both where there is a full collector and a deputy collector, these officers have various services to perform in connection with the licensing, registering, and enrolling of vessels and the changing of masters, and that this proposed amendment of the law contains no provision for the appointment of deputy collectors? Is not the gentleman aware that great inconvenience will result?

Mr. UNDERWOOD. The gentleman from North Carolina misunderstands the amendment. This amendment provides that the President shall have authority to create ports into subports. Of course a subport will carry the same number of officers it has now. If the President thinks, in his discretion, that a port ought to remain a full port, it will have all the men that it carries now. If he thinks it only needs the officers of a subport, why he will make it a subport. In other words, he combines not only the ports, but he combines these collection districts where they have the immediate right of transportation, where a great deal of unnecessary expense is now created.

Mr. SMALL. At any point where a deputy collector exists now it will rest in the discretion of the Secretary of the Treasury or the President whether that shall be continued as a port or a subport?

Mr. UNDERWOOD. Unquestionably.

Mr. SMALL. Is it not true that in any of these subports great inconvenience will be created in connection with the service to American vessels if they should be abolished?

Mr. UNDERWOOD. I will say to my friend that I have no doubt that the people of every town in which a full port is located would almost be having it made a subport. Of course in every actual port on the seashore, I take it, the President would not abolish the station entirely. He might reduce a full port to a subport. I take it further that the people living in a place having a full port now, if it was reduced to a subport, would feel that they had been done a great hardship; but that would not make it wrong; somebody must exercise the discretion.

This House ought itself by a bill reduce the number of ports and reform the matter, or they ought to give the Executive the right to reform it. Now, the committee does not say to the House you must reform it one way or the other, but we simply say that the executive officer of this Government, the Secretary of the Treasury, has said that he could not economize under the present law, that the law must be changed, and that he asked for some authority to change it so that the cost of collection can be reduced, and he suggests this provision of the law. That is all.

Mr. SMALL. Now, I want to illustrate to the gentleman from Alabama what an injustice this may entail.

Mr. UNDERWOOD. I will ask the gentleman from North Carolina not to do that for my time is running. I am glad to answer any question, but the gentleman can make his speech in his own time.

Mr. SMALL. Very well. I want to say that I do not think the committee has thoroughly considered this question.

Mr. FINLEY. Mr. Chairman, I will ask the gentleman who argues that there should be a change in the law why he or some member of this committee does not bring in a bill for that purpose if they are convinced of this fact, and not undertake to make the change in this bill.

Mr. UNDERWOOD. I have just stated to the House that this committee simply reported to this House what the Secretary of the Treasury said was necessary. We call the attention of the House to the fact that it is not in order on this bill, that it can not come in here except by unanimous consent. If the unanimous consent of every Member of this House is given, then it is all right to have it here. If the gentleman from South Carolina [Mr. FINLEY] does not think this legislation ought to be had on this bill, when the question is reached he ought to rise in his seat and take the responsibility of killing it, as he can do.

Mr. FINLEY. Does the gentleman think that the legislation that is incorporated in the bill is sufficient and broad enough to cover the question in its entirety?

Mr. UNDERWOOD. Well, I can not say that myself from my own knowledge. The Secretary of the Treasury seems to think that it is. The committee did not go into a very full investigation of the question. It is not the business of the Appropriation Committee to do so, but it was our business when the matter was called to our attention, and we were told that we could not economize unless there was some legislation to enable them to economize, to report those facts to the House, and that is all this committee has done.

Mr. HERMANN. If the gentleman will permit me, I would like to ask him a question. Is it not a fact, under the present reorganization system of the collection districts, that in all those districts where there are full collectorships and the receipts are small the salary paid the collector is so small that the services could not be performed for any less compensation, even by a deputy?

Mr. UNDERWOOD. My friend is asking me something I know nothing about except as I get it from the report of the Secretary of the Treasury. The Secretary of the Treasury in his report in 1902—and it will be found on page 35—reports that there were some fifty-odd ports that were not paying, costing more to maintain than they collected, and that they ought to be consolidated. I do not know. It is a technical question. I will say candidly that I am not informed on the subject.

Mr. HERMANN. In my own State ——

Mr. UNDERWOOD. Now, I will ask my friend not to make a speech in my time.

Mr. HERMANN. Just one remark further. In my own State there are two collection districts where the entire receipts, I presume, do not equal one-half of the compensation that is paid the officers employed to supervise the collection; and yet at the same time the maximum compensation does not exceed $100 a month—a compensation for which you can not obtain the services of any person, let him be known as a collector, a deputy, or even as a clerk.

Mr. UNDERWOOD. I know nothing about that.

Mr. HERMANN. There could be no reform in abolishing such collection districts as those.

Mr. UNDERWOOD. I know nothing about that fact.

Mr. WILLIAMS of Mississippi. Mr. Chairman, before the gentleman takes his seat, I would like to have him call attention to such matters in the bill as are matters of new legislation and subject to the point of order.

Mr. UNDERWOOD. I will. Mr. Chairman, that is all I have to say on the question of the collection of customs revenue. I will endeavor to call attention to the other matters of new legislation in this bill, as suggested by the gentleman from Mississippi [Mr. WILLIAMS]. The first item of new legislation is the question of authorizing the board of commissioners of the Louisiana Purchase Exposition to hire rooms in this city.

In reference to all other expositions heretofore the commissioners have been allowed to take out of the general fund of their appropriation money for the purpose of hiring temporary offices in the city of Washington to enable them to assemble the Government exhibits. The comptroller of the Treasury has recently held that under the last appropriation they can not use any of that money for that purpose. That will be found on page 3 of his report.

Mr. GAINES of Tennessee. How much money does it take?

Mr. UNDERWOOD. It is a general provision allowing them to use so much as may be needed for that purpose from the funds already appropriated. It is simply to enable them, out of the appropriation already made of $800,000—the Comptroller having held that they could not use any of that—to secure rooms in which to assemble exhibits before shipping them away. Then comes a provision to allow the Government to rent a building in Macon, Ga., to be used as a temporary post-office while it is tearing down the old building and rebuilding another one, which provision is proper and necessary.

Mr. BARTLETT. Mr. Chairman, I will state that the gentleman makes a mistake when he says it is to permit the Government to rent a building. It simply permits the Government to use the money already appropriated for rent to repair its own building and put it in shape so that it can be used for a post-office. I do not think it is subject to the point of order.

Mr. UNDERWOOD. Well, we put it in the bill as new legislation, but there is no reason in the world why the Government should not be allowed this privilege, and I suppose nobody on earth will object.

Mr. BARTLETT. It saves the Government $4,000 a year for two years.

Mr. UNDERWOOD. The committee shows it will be a saving to the Government, and it is necessary for these people to have some place in which to conduct their post-office business while the new building is being constructed.

The next provision of new legislation is this: A deficiency appropriation was asked for by the Department of Justice for per diem for clerks, and, as shown by the testimony, it was a rather large deficiency. We called for a statement to show the cause of this large deficiency, and it seems that when the courts are not in session, if a judge enters an order at his place of residence and sends it to the clerk to be entered on the docket of the court, the clerk can charge the Government $5 a day for each day that he enters one of these orders, regardless of whether the court is actually in session or not. In other words, if the judge at his home makes a half dozen orders and sends them down to the clerk to be entered up, the clerk can enter one each day and claim that the court was open on each day, although there was neither judge nor jury in attendance and nobody there but the clerk, who receives $5 a day for doing so. At the suggestion of the Department of Justice, the committee have inserted in this bill a provision that will hereafter prevent this practice. And the same provision was made to apply to the district court in the District of Columbia.

These are the questions of new legislation arising on this bill, unless the provision for the payment of salary to a minister to Panama be regarded as new legislation (and the committee did not so regard it) and unless the provision in this bill for mileage be regarded as new legislation. The majority of the committee did not so regard it, although I do.

Another provision to which I think it proper to call the attention of the House is the appropriation of $44,500 by way of deficiency for the Marine Corps. This deficiency was created by the necessity, or what the President determined was the necessity, of sending a number of marines to Panama—a provision for their traveling expenses, necessary supplies, etc., down there, which have been used from funds that would have been available to carry the Marine Corps through the balance of this fiscal year. It left a deficit; and unless we make an appropriation now, there will not be funds available to maintain that corps for the balance of this year. So that the committee felt it necessary under these circumstances to make this appropriation in order to maintain the marines until the 1st of July next.

Then we come, Mr. Chairman, to the question of mileage. I want to state that I differed with my colleagues on the committee as to the legal status of this proposition. The committee reported the bill to the House with the understanding that every member of the committee should be at liberty to take whatever position he thought proper on this question. Most of the members of the committee came to the conclusion that the existing law is that Members of Congress shall receive this mileage. Those members held that we have had two sessions of Congress, and that, whether it was right or wrong for us to receive the mileage for November, the law requires that it should be paid now and that it was necessary for the committee to report it as it was carrying out existing law.

Mr. Chairman, I differed with my colleagues on that proposition, because I contend that there has been but one session of Congress. If we had had two sessions, then I admit the question would come before Congress as to whether we should take the money or not—a question for every man to determine for himself. But if we have had but one session of Congress, if the session in which we were engaged in November is the same session in which we are now engaged in January, then there is no right or reason, technical or ethical, why we should appropriate $145,000 for mileage for Members of Congress.

Now, I do not intend to tire you with a long argument on this question, but I think it is but justice to myself and justice to the House to state my views, as I hold them, in reference to this question.

I contend that under the Constitution of the United States a session of Congress can come to an end in but one of three ways: First, we can adjourn, under the Constitution, by a concurrent resolution of the two Houses; second, we must necessarily adjourn when the end of the term for which we were elected arrives on the 4th of March, and, third, when the two Houses differ as to whether they want to adjourn or not then it is within the discretion of the President to adjourn us to such time as he may see proper. All this is provided for in the Constitution of the United States, and these are the only means by which the two Houses can adjourn under the Constitution of the United States when they have once assembled.

That is practically admitted by all up to that point. But the gentlemen who say we have had two sessions of Congress say that that is true, that a regular adjournment by the action of Congress can be had only in that way, but that the Constitution provides that you must meet on the first Monday in December every year in regular session, and that when that time comes you have got to start a new session.

Now, if that is so, of course we have had two sessions of Congress, but if it is not so we have not. Now, what does the Constitution say?

The Congress shall assemble at least once in every year. Such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

What is the intention of that provision? Congress shall assemble at least once in every year. Is not that the governing clause in the sentence? The writers of the Constitution intended that we should be here at least once every year, but they did not make it binding on a particular day. They appointed that day provided we did not choose to assemble on some other day; but if we are already assembled, where is there any violation of the Constitution in remaining assembled? There is no reason why we should adjourn. The object was not that we should create a new session of Congress and start in on a new term on the first Monday of each December, but the object of the Constitution was to have us in session at least once every year. We could change the date and order the session to begin in August, if we wanted to, and there would be no compulsion on our part to meet here on the first Monday in December. I say, therefore, there is no authority given by the Constitution, or given by Congress, to the President of the Senate and the Speaker of this House to declare the two Houses adjourned and then call them together again.

More than that, Mr. Chairman, if I were alone in this proposition, if it were a new question, I might have some doubt upon it. It might be open to some such construction. But I have taken the trouble to examine into the precedents in the past and I find that the Second Congress of the United States, in its second session, met on the 5th day of November, 1792, and remained in continuous session until March 2, 1793; that it passed by the first Monday in December, and that not one single word was said by any Member of that Congress about finding an infinitesimal space of time between 12 o'clock noon on the first Monday in December of that year and 12 o'clock noon on the first Monday in December of that year that divided the session of Congress under the Constitution. Not one word was said about it. Many able and distinguished men constituted that body.

I find that there were among the membership Roger Sherman and Charles Ellsworth, of Connecticut; Charles Carroll and William Pinckney, of Maryland; Fisher Ames and Elbridge Gerry, of Massachusetts; Rufus King, of New York; Nathaniel Macon, of North Carolina; Robert Morris and Frederick A. Muhlenberg, of Pennsylvania, and James Madison and James Monroe, of Virginia—all distinguished men, many of them signers of the Declaration of Independence or members of the original Constitutional Convention. But none of those men when that momentous first Monday in December arrived found that there was an infinitesimal space of time in which one House could adjourn over a minute and start another in order that the Members of the Congress might receive mileage for the purpose of riding on the street car down to their hotels and back again. [Applause on the Democratic side.]

But that is not all. The Third Congress of the United States in its second session assembled on the 3d day of November, 1794, and continued in session until March 3, 1795. The Fifth Congress met in its second session on November 13, 1797, and remained in continuous session until July 16, 1798. The Sixth Congress in its second session started on November 17, 1800, and remained in continuous session until March 3, 1801.

The Eighth Congress in its first session started on October 17, 1803, and remained in continuous session until March 27, 1804. The Tenth Congress assembled on the 26th day of October, 1807, and continued in session until July 25, 1808. The second session of that Congress met November 7, 1808, and remained in session until March 3, 1809. The Eleventh Congress met in its second session on November 27, 1809, and remained in session until May 1, 1810. The Twelfth Congress met in its first session November 4, 1811, and remained in continuous session until July 6, 1812. The second session of that Congress met on the 2d of November, 1812, and remained in session until March 3, 1813. The Thirteenth Congress met on September 19, 1814, and remained in session until March 2, 1815. The Fifteenth Congress met in its second session on November 16, 1818, and remained in session until March 3, 1819. The Sixteenth Congress met in its second session on November 13, 1820, and remained in continuous session until March 3, 1821.

Every one of these Congresses I have named met before the first Monday of December and was in session on the first Monday of December; and among all the line of distinguished men that occupied seats in the House and Senate of the United States during these Congresses not one single man arose in his seat or even

thought there was an infinitesimal space of time that made it necessary for the Congress to adjourn, so that we would be authorized to appropriate $145,000 for mileage. Not a single man in all those years, in all those Congresses, believed that it was their duty to assemble a new session of Congress on the first Monday in December when they were already in session.

Mr. BARTLETT. I desire to ask the gentleman from Alabama if it is not a fact that in 1857—I do not know whether the gentleman has carried his investigation down that far or not—that not only the House, but Congress, passed a law and enacted it into law, providing that on the first day of each session of Congress in each and any succeeding session, whether regular or called, that the Members of Congress should be paid on demand mileage?

Mr. UNDERWOOD. Well, I have not examined into that question. The gentleman seems to have done so. I have no doubt he is correct.

Mr. BARTLETT. I call the gentleman's attention particularly to the fact that in 1857 Congress, both the Senate and House of Representatives, passed an act, which was approved by the President, in which it is especially provided that every session, beginning with the first, without reference to how many there might be, but on the first day of every session Members should be paid their mileage upon claiming it. And is it not true that that continued to be the law down to 1866?

Mr. UNDERWOOD. My friend has evidently investigated this question and is familiar with it. But whether they paid themselves mileage or not has nothing to do with this question as to whether we have had one or two sessions. The law now very distinctly says we shall be paid for each regular session. If we have been in session since November down to the present time, if it has been one continuous session, there certainly is no reason at all for the payment of a second mileage.

I want to say that when you come down to the Fortieth Congress we find that that Congress assembled in extra session on March 4, 1867, and remained in session until December 2, 1867, at 11 o'clock and 50 minutes, when by concurrent resolution of the two Houses they adjourned, and they met ten minutes afterwards in another session, and they received but one mileage for the two sessions.

The point that I make is that the Members of that Congress believed it took the united action of the two Houses by a concurrent resolution to adjourn them. I find in the Forty-fifth Congress that they met on October 15 and run up to December 3, and a few minutes before noon on that day they adjourned by concurrent resolution, and then were again called together in regular session. I have gone through the Journals of every session of Congress since the beginning of the Government in which there were extra sessions. We have had sessions that overlapped the first Monday in December, and among the many distinguished men that were here not one of them ever called attention to the fact that they were compelled to adjourn and meet again when the first Monday in December was reached, or that the presiding officer of the Senate or the Speaker of the House could adjourn them without action by the House and Senate.

Now, I say that is the law, and if this question is ever presented to the courts of this land it will be so decided. Of course it can not be on the mileage question, because we are the sole judges of that. If we were to vote ourselves $10,000 apiece and the President of the United States will sign the bill, we could do it, and there is no check on earth except public sentiment. But if this question ever comes before the courts of this land—and it probably will with reference to the salaries of some of these appointees of the President who are awaiting confirmation—I have no doubt in the world the courts will decide that there has been but one continuous session of Congress since we assembled here in November. Now, if that is so, there is no reason in the world for the payment of this money.

There is no reason or law that I know of for any gentleman to contend we ought to have this mileage. Congress has not gone home. If we had adjourned and gone home and come back, I think the main object of the law regardless of technicalities would have been carried out, and the people contemplated when they elected us to pay our way here to Washington and to pay our way back again for ourselves and for our families, if we had adjourned long enough to go home. Some of the members may have gone home on private business or political exigencies may have carried them home, but the Congress of the United States was here; the Congress of the United States was here assembled; it was assembled at five minutes to 12, noon, on the first Monday in December, and the same Congress was assembled at noon on the first Monday of December of that day, and no fiction, such as the Speaker leaving the chair and calling the House to order again, would change that proposition and the law.

Mr. THAYER. Will the gentleman permit me a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Massachusetts?

Mr. UNDERWOOD. I do.

Mr. THAYER. If I understand the gentleman correctly, his contention is that there has been, then, no lawful adjournment of the extra session up to this hour.

Mr. UNDERWOOD. Yes. Now, whether you call it the regular session or the extra session, we are and have been in continued session.

Mr. THAYER. If the President called an extra session that everybody on earth knew was an extra session, why should we not have pay whenever that ends, if we are also in regular session——

Mr. UNDERWOOD. If we had pay for the extra session and we had not been home and come back to earn any other pay——

Mr. THAYER. Then we should have no pay for the regular session; is that the gentleman's contention?

Mr. UNDERWOOD. I say that we have been paid for this session of Congress, whether you call it extra or regular, whenever each one of us receives one mileage, and that is all we are entitled to.

Mr. THAYER. That is for the extra session.

Mr. UNDERWOOD. Well, I do not care whether you call it extra or regular.

Mr. THAYER. What do you call it?

Mr. UNDERWOOD. I simply call it one mileage for one session of Congress. That is all we are entitled to.

Mr. WILLIAMS of Mississippi. Will the gentleman from Alabama permit an interruption?

Mr. UNDERWOOD. Certainly.

Mr. WILLIAMS of Mississippi. I think if the gentleman will examine the law he will find we have already received mileage for the regular session. In other words, it was worded so as to anticipate the mileage of the regular session to let it be paid then.

Mr. THAYER. Well, I have not got mine for either yet, and I should like to have both. [Laughter.]

Mr. WILLIAMS of Mississippi. My friend is very candid about it, and I believe many would like to have it if it is proper.

Mr. THAYER. I think I am entitled to it.

Mr. SMITH of Iowa. Will the gentleman permit me a question?

The CHAIRMAN. Does the gentleman from Alabama yield to the gentleman from Iowa.

Mr. UNDERWOOD. I do.

Mr. SMITH of Iowa. If one regular session of Congress ran into the second session of Congress, so that it was a continuous session, do you claim that because Congress was constantly in session no mileage should be paid?

Mr. UNDERWOOD. I most certainly do, because, I say, mileage is granted for a specific purpose—that is, to take you and me home and to bring us back here. If we do not go home and come back, we are not entitled to be paid.

Mr. SMITH of Iowa. Say, though, the law provides that Congress may select a time for its regular session, which regular session ran into another, you claim there should be but one mileage for the entire Congress?

Mr. UNDERWOOD. I say if we met the 5th day of March and stayed in continuous session until the 4th day of March two years afterwards, when we adjourn by law, we would be entitled to but one mileage, because the reason for which the mileage is awarded would not have taken place; that is, neither you nor I would have gone home. We may have gone home on a political exigency; we may have gone home to attend to some political affairs; but as Members of Congress we would not have returned home to our constituency, because Congress had not adjourned.

Mr. SMITH, of Iowa. What I wanted to get at was your idea of the law. Now, you claim, as I understand you, notwithstanding that the law says there shall be a session of Congress on the first Monday in December, if one should meet on the first Monday in December in one year and continue past the first Monday in December the next year, there would be but one session of Congress, and not two sessions of Congress.

Mr. UNDERWOOD. I unquestionably say that, and the authorities I have cited vouch for it. Not one Congress, but a number of Congresses have passed the first Monday of December and made no claim that there was a new session, and made no claim for mileage.

Mr. SMITH of Iowa. I am not speaking of whether they made any claim, or whether they were entitled to a second mileage. Did they not always treat it as a new session?

Mr. UNDERWOOD. Certainly not, and I have cited instances. A dozen or fifteen Congresses down to the present time have gone along on, and their Journals have shown that the session began in October and ran until May, and it was simply the first session of that Congress.

Mr. SMITH of Iowa. So I understood the gentleman; but the matter has never been decided because the facts have never existed before. The law provides for two regular sessions, one commencing the first Monday of December, and, if Congress continued

in session after the time fixed for its second session, the gentleman holds that it is still the first session of Congress?

Mr. UNDERWOOD. Unquestionably; there is no law otherwise.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman from Alabama, because he has investigated this matter, is it not true that there never was an appropriation for mileage for the extra session eo nomine; was it not always the case that the resolution was introduced to make the mileage for the regular session immediately available?

Mr. UNDERWOOD. That is correct.

Mr. WILLIAMS of Mississippi. And is it not true that we have already been paid the mileage of the regular session?

Mr. UNDERWOOD. Yes; if this is the regular session, we have been paid the mileage. But this is only one session; the Speaker had no power on earth to adjourn it. It was only ourselves by concurrent resolution that could do so. If the Speaker of the House could adjourn us, then we could violate the provision of the Constitution that says that we shall not adjourn for more than three days without the consent of the Senate. The form that we went through in the House and in the Senate was merely a form, and nothing but a form. The fact that the Journal is dated the second session of this Congress means nothing but mere form; and I have no doubt that the courts of this land will determine ultimately that we have not had but one session, and then, if it appears that we have voted ourselves two mileages, and taken two mileages at one session of Congress, I say it would put us in an embarrassing attitude, and one that I am not willing to remain in.

I do not intend to criticise my colleagues' action in this matter. They are just as fair men as I am; they are just as conscientious men as I am. They are just as capable of determining what is right and what is wrong as I am, but, for myself, I claim the privilege of voting against this resolution because I do not believe that I am entitled to two mileages; and I want to say that if you pass this resolution for two mileages I do not propose to take mine, but to allow it to be covered back into the Treasury on the 1st day of next July.

Mr. RICHARDSON of Alabama. Mr. Chairman, I want to understand the gentleman's position, because I am in sympathy with him. We met in extraordinary session on the 9th of November. Now, suppose we had adjourned by concurrent resolution on the 20th of November and gone home and came back here on the first Monday of December. What does the gentleman say about that?

Mr. UNDERWOOD. I would say then, under the law, that we had applied the mileage for the regular session for the first session. There would have been two sessions of Congress, and we might vote ourselves another mileage because we had been home and come back.

Mr. RICHARDSON of Alabama. Could we do so under the law, according to the gentleman's construction? Suppose on the 20th of November we had gone home and come back to the regular session in December.

Mr. UNDERWOOD. If we had not taken the December mileage in November, the law would carry it to us. But we have already been paid the mileage. We made the December mileage available to us in November, and we ought not to vote ourselves a new mileage. You passed a resolution in this House making the mileage that was due to us on the first Monday in December available and payable to ourselves in November.

Mr. RICHARDSON of Alabama. But suppose we had adjourned on the 20th of November and gone home, paid ourselves for the session, for the extra travel, and then came back on the first Monday of December, would we be entitled to a second mileage according to the gentleman's own construction?

Mr. UNDERWOOD. There might be good reason if we went home and came back. I would be willing if I went home, if the extra session adjourned, and I was put to the expense of coming here with my family and taking them home, I would be perfectly willing to take it.

Mr. RICHARDSON of Alabama. But the view of the gentleman is that, not having adjourned at all and going right along in this continual session, we are not entitled to our mileage.

Mr. UNDERWOOD. We are not entitled to pay ourselves two mileages for one session of Congress.

Mr. GAINES of Tennessee. As a matter of fact we all know that Congress was here, that the Members were all here—certainly presumptively here—and we did not go home at the end of the extra session, but begun this regular session the following Monday—the first Monday in December. Now, should we in equity—I hope not in law, because I am utterly against this mileage proposition—should we as a matter of equity to ourselves pay ourselves the extra mileage when we were already here when Congress met in regular session, under the Constitution, December, 1903?

Mr. UNDERWOOD. I will say to my friend what I have just said, that so far as the equity is concerned I have decided that I shall vote against the bill, and if my brother Members of Congress pass it, that I will not take the mileage, but that it can be converted back into the Treasury.

Mr. GAINES of Tennessee. That's right.

Mr. UNDERWOOD. That is the decision I have reached as to the equity in the matter, but I decide for no one but myself, and I have as high regard and respect for the decision of other Members of Congress in that respect as I have for my own, and I would not in any way reflect on any other Member of Congress because he looked at the question from a different attitude from mine.

Mr. MOON of Tennessee. If the gentleman is correct in his contention about the law, he certainly is correct in his conclusion that we ought not to take the mileage. I would like to ask the gentleman a question.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. I will ask that the gentleman be permitted to have five minutes longer.

Mr. HEMENWAY. Mr. Chairman, I will yield the gentleman five minutes' time.

Mr. UNDERWOOD. I thank the gentleman.

Mr. MOON of Tennessee. We want to get a correct understanding of the law so that we may act intelligently. If I understand the gentleman, his contention is that there has been but one session of Congress up to this time.

Mr. UNDERWOOD. That is it.

Mr. MOON of Tennessee. And there being but one, there ought not to be but one mileage paid.

Mr. UNDERWOOD. Yes.

Mr. MOON of Tennessee. Now, I call his attention to this section of the Constitution:

> The Congress shall assemble at least once in every year and such meeting shall be on the first Monday in December, unless they shall by law appoint a different date.

Now, Congress has not by law appointed a different date. The Constitution, therefore, fixes a particular time when the regular session of Congress must commence. As a matter of proper legal interpretation of the Constitution and of the law, is it not evident from this provision that if the President called a session of Congress previous to the first Monday in December that this called session must, by operation of the Constitution itself, expire on the first Monday in December regardless of the passage of a concurrent resolution to adjourn by Congress.

Mr. UNDERWOOD. Evidently my friend was not here when I discussed that phase of the question.

Mr. MOON of Tennessee. I did not hear you, and I should like to hear now what the gentleman has to say about it.

Mr. UNDERWOOD. I will not go through the full discussion. If my friend is interested in it, he will find it in the RECORD in the morning. I will say this: The position I take is that the object of that provision of the Constitution was merely to require that Congress should be in session at least once a year; that if it was allowed to stand on that the provision of the Constitution had been complied with. More than that, I cited numbers of instances of Congresses from the Second Congress down to the present day where they had met before the first Monday in December and had gone on in continuous session without anybody regarding that it was necessary to adjourn on the first Monday in December, where no one found that there was an infinitesimal space of time which required the adjournment of the two Houses, and where this question was not raised. It was considered one continuous session from the fall until the early spring.

Mr. MOON of Tennessee. Due to the fact that the question was not raised.

Mr. UNDERWOOD. That may be true.

Mr. MOON of Tennessee. And even if all that were true, does that afford an answer to the contention that the express provision of the Constitution requires the Congress to enter upon a regular session on the first Monday in December? We are now in the second session of the Fifty-eighth Congress. The first ended December 7, when the second, by the Constitution, began. The House and Senate recognize this fact and so dates the records.

Mr. UNDERWOOD. My friend interprets the Constitution from a different standpoint. I contend that the governing sentence in that clause is that Congress shall be in session at least once a year, and to insure that the Constitution fixes a date, unless it is otherwise fixed. I say that under the law, when the President fixed a different date and we remained in session until the first Monday in December, then the provision of the Constitution was complied with, as shown by all the precedents in the matter.

Mr. MOON of Tennessee. I make these suggestions to my friend only in order that we may discuss this matter together to see if we can reach a conclusion. I, however, differ very radically from the gentleman on the question of law involved and the construction of the Constitution, as is apparent. The President has no control of the meeting of Congress at its constitutional sessions.

Mr. SMITH of Iowa. Is it not a fact that in the case where Congress met in 1867 that was distinctly without the rule that would apply here, because Congress met in pursuance of a specific law and not at the call of the President at that time?

Mr. UNDERWOOD. Well, the first meeting of Congress in 1867 took place on March 4.

Mr. SMITH of Iowa. Is it not an historical fact that owing to the differences that existed between Congress and the President the date for the meeting of Congress was fixed at that time by law, not by proclamation, and that under an act of Congress the Congress convened in extraordinary session?

Mr. UNDERWOOD. I believe my friend is right.

Mr. SMITH of Iowa. So that Congress did not meet in December, under the terms of the Constitution, but under the law which had fixed the date of the meeting.

Mr. UNDERWOOD. But when Congress came to meet in December, for some reason—I do not know what—they wanted to adjourn and start a new session. It was not done for the purpose of drawing mileage, because the Congressmen did not take two mileages that year. But they did adjourn by concurrent resolution on the 3d day of December and met again on that day.

Mr. SMITH of Iowa. As a matter of fact, the time of the meeting of Congress had been changed by a law.

Mr. UNDERWOOD. That is true. But take the Forty-fifth Congress, in 1877——

Mr. SMITH of Iowa. That is not a precedent, because they met in pursuance of law.

Mr. UNDERWOOD. If the Fortieth Congress is not a precedent, then the Forty-fifth certainly is, when the Congress met regularly on a regular call by the President, as we did at the extra session in November last, and ran on until the 3d of December, when they adjourned by concurrent resolution (recognizing that a concurrent resolution was required) and then met again. In that case they did not adjourn for the purpose of claiming mileage, because the Members at that time accepted only one mileage.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3341. An act authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, title 3, of an act of Congress approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska, and for other purposes," to construct a free bridge across the Snake River at Nome City, in the Territory of Alaska;

S. 540. An act providing for additional officers in the district of Chicago, in the collection district of Indiana and Illinois;

S. 2081. An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes;

S. 1681. An act to provide for the modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn.;

S. 2261. An act to amend section 4607 of the Revised Statutes;

S. 901. An act providing for the construction of a vessel of the first class for the Revenue-Cutter Service, to be stationed with headquarters at Honolulu, Hawaii;

S. 1748. An act to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California;

S. 469. An act to restore Henry D. Hall to the Revenue-Cutter Service;

S. 1319. An act authorizing Robert A. Chapman, of Alabama, his associates and assigns, to use the waters of the Coosa River, in Alabama, for the purpose of generating electricity;

S. 462. An act to construct and place a light-ship off the outer bar of Brunswick, Ga.;

S. R. 9. Joint resolution authorizing the issue of duplicate medals where the originals have been lost or destroyed;

S. 906. An act to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.;

S. 23. An act for the erection of a monument to the memory of John Paul Jones;

S. 131. An act to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters;

S. 1380. An act to provide for a site for a depot for the Revenue-Cutter Service;

S. 492. An act to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington;"

S. 711. An act to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same;

S. 1490. An act to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota;

S. 708. An act authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River, in the State of Minnesota;

S. 270. An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.;

S. 352. An act for the relief of the representatives of M. F. Merritt, deceased;

S. 175. An act for the relief of Robert D. McAfee and John Chiatovich;

S. 177. An act to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada; and

S. 384. An act for the relief of N. F. Palmer, jr., & Co.

The message also announced that the Senate had nonconcurred in the amendment of the House of Representatives to the bill (S. 1760) granting a pension to Ann A. Devore, had asked for a conference with the House on the bill and amendment, and had appointed as conferees on the part of the Senate Mr. McCUMBER, Mr. SCOTT, and Mr. BURTON.

The message also announced that the Senate had nonconcurred in the amendment of the House of Representatives to the bill (S. 200) granting an increase of pension to Austin Almy, had asked for a conference with the House on the bill and amendment, and had appointed Mr. McCUMBER, Mr. FOSTER of Washington, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1334) granting a pension to Amy C. Bosworth.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. HEMENWAY. I yield one hour to the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. Mr. Chairman, the gentleman from Mississippi [Mr. WILLIAMS], the alert, resourceful, and aggressive leader of the other side of the Chamber, has several times during this Congress characterized the devotion of the Republican party to the principles of protection as a sort of idolatry. He has been joined in this charge by other Members of the minority. His distinguished colleague, the scholarly gentleman from Alabama [Mr. UNDERWOOD], who has just submitted an able argument to the House, in the course of the carefully written speech which he delivered some days ago charged that the Republicans were still wedded to their idols. And again the gentleman from Mississippi said that those of us who regard the Dingley tariff bill as a wise and beneficent measure were fetich worshipers. Now, there is something sinister about the sound of that word "fetich." It smacks of barbarism and superstition. Let me suggest, however, to the gentleman from Mississippi that those who worship in glass temples should pull down the blinds.

But inasmuch as he and those of his political faith seem to glory in the performance of their fantastic rites with the shutters of their sanctuary wide open, they will not be surprised if we direct the attention of the country to some of their wild ceremonies. And I trust they will not be embarrassed if I ask some of them in the course of my remarks whether these weird rites conform strictly to the rubric of the Democratic missal of Jefferson, Jackson, and Cleveland.

Now, Mr. Chairman, about eight years ago the Democrats of this country, the political children of Jefferson, Jackson, and Cleveland, were carried away in captivity. By the waters of the Platte there they sat down; yea, they wept when they remembered Bryan, for he was their Nebuchadnezzar. After the captivity King Nebuchadnezzar set up a graven image 80 cubits high, and he made it of silver. It had a great white, senseless face, and it was so constructed that it could repeat with ceaseless, senseless iterations the silly words "Sixteen to one." [Laughter.] Then the edict went forth that "at what time ye shall hear the sound of the cornet, flute, harp, sackbut, psaltery, and dulcimer, and all other kinds of music, ye shall fall down and worship the graven image which I have set up. And those that fall not down shall be cast into a burning, fiery furnace." [Laughter.]

You all know the cornet—that strong wind instrument. King Nebuchadnezzar himself took the cornet. And you know how the other instruments were distributed. My friend from Missouri [Mr. CLARK], whose genial face usually looks at me from his

accustomed seat, certainly played the harp. With his seraphic countenance he could not play anything else than that heavenly instrument. And his colleague from Missouri on the Rules Committee [Mr. DE ARMOND], from the name of the instrument, must have played the sackbut. I never saw one, but I know it has a doleful sound.

But my friend from Mississippi [Mr. WILLIAMS], beyond all doubt, with that silver eloquence of his, performed his part on the dulcimer. And the chorus struck up. And then what happened? You all fell down and worshiped—five millions of you or more worshiped. Worshiped! You gentlemen who taunt us with idolatry worship, you simply squirmed and groveled on your marrowbones before that white, senseless idol. You wore holes in the knees of your intellectual trousers. You wore the toes off your moral boots that ought to have been used in spurning from your presence that white, senseless monstrosity of political paganism. Then when you got up you thought of the fiery furnace, and you thought with glee of the stubborn and stiff-necked ones that were going to be consumed there, and you got up off your marrowbones just long enough to gather around the burning, fiery furnace.

And lo, what happened? Well, we all know. There was Shadrach Olney, and Meshach Whitney, and Abednego Carlisle, walking around there in the burning, fiery furnace, just as cool as cucumbers [Laughter], lighting their cigars on the coals and getting up a scheme to sell out the burning, fiery furnace to the steel trust. [Laughter.] And when they came out, without a singe on their hair or the smell of fire about their garments, one of the disgusted stokers of the burning, fiery furnace called out to the king, "Hey, Neb, where did you get your bum idol?" [Laughter.]

Well, then a great rock that was not made by the hand of man came out of the sky and smote that idol into unrecognizable fragments. The king told you it was a gold shot from the English navy, or some other impossible cause, but you know what it was. It was the aroused public sentiment of the intelligent people of the United States that destroyed your idol, and it ought to have put an end to your idolatry. Then you looked around for the king, and there he was, as calm as could be, amid the fragments of his idol, as complaisant as Marius in the ruins of Carthage, blowing away on his cornet to beat the band, a wild, weird air called "The First Battle." And then you gathered around and went to work picking up the fragments of the great silver idol. That took you four years.

Four years went by and King Nebuchadnezzar thought he saw his chance again and he set up another graven image, and he made this one 60 cubits high, because he used all the old silver that was in the old one, and he added to it a lot of brass and mud and slime; and running down the great brazen cheeks of the idol were the slimy tears for Aguinaldo; and this idol also was taught to say "sixteen to one," as a sort of refrain; but he was taught to say many other things. It was all worked into a monotonous chant: "Anti-imperialism, anticanned beef, sixteen to one, one Filipino is as good as sixteen American soldiers—sixteen to one, antimilitarism, antiprosperity, anticommerce, antitariff." And then the edict went forth again that "at what time ye shall hear the sound of the cornet, flute, harp, sackbut, psaltery, dulcimer, and all other kinds of music, ye shall fall down and worship the graven image that I have set up; and whoso falleth not down shall be cast into the den of lions."

Well, now, there were some that were not at all afraid of the burning, fiery furnace, who, when they heard the lions roar, got down on their marrow bones; but there was one who has been the Daniel of your party, Grover Cleveland. The roaring of the lions did not frighten him at all, and after you had been bowing down to this graven image quite a while you got up to see Daniel destroyed. You saw him cast into the den of lions and gathered around the mouth of the den, and behold! what do you see? There sat Daniel on a stone, just as sociable and comfortable as could be, passing his flask around to the lions and telling them fish stories. [Laughter.] The lions never touched him, and when he came out those lions just stood in two rows, bowed to him as he passed smiling. They have been afraid of him ever since, and not only the lions, but the tiger up in the State of New York has been afraid of Daniel. Now, wouldn't you think that would have put a stop to your idolatry? Well, it did for a time, and you sent Nebuchadnezzar out into the tall grass. [Laughter.]

Now, a strange thing happened. Has it ever occurred to any of you gentlemen on that side of the House what a remarkably profitable position leadership in the Democratic party is? I remember there was a local leader, Mr. Croker, up in the city of New York. I do not remember that he ever had any special business or profession. He led the Democratic party for a long time. After a while, when he got tired of it, he retired to old England and set up a fine establishment and a racing stable and began to lead the life of an English country—well, I do not care to cast any reflections upon the rural gentry of England; but he is over there, living in splendor and running his racing stable.

So, when Nebuchadnezzar was put out to grass, the first thing he did was to make his arrangements to go over to the old country.

Mr. FITZGERALD. Will the gentleman allow me to ask him a question?

Mr. BOUTELL. I will be glad to yield to a gentleman who contributed to the music of the ceremonies of 1896 and 1900.

Mr. FITZGERALD. Does not the gentleman think that his going over there might improve the tone of English society?

Mr. BOUTELL. If the tone of English society was improved by his going over there, I should say, "God help English society." [Laughter.] Now, I have noticed this thing, that a Democratic leader rampant froths and foams at the mouth whenever he refers to England or anything English, but when he becomes a Democratic leader recumbent or redundant, he finds something very attractive about old England.

Now, I have been wondering why this was. I have heard the distinguished gentleman from Mississippi [Mr. WILLIAMS] affirm that all true Democrats are followers of Thomas Jefferson. He said, not very long ago, if the Democrats could nominate a man who believed all the theories of Thomas Jefferson they could make him President.

I have made some study of the theories of Thomas Jefferson myself, just to see what principles of Thomas Jefferson these Democratic leaders redundant sought to follow in hastening to old England. I ran across something which I thought explained the whole thing. In August, 1775, Thomas Jefferson wrote a letter to his intimate friend, John Randolph, in reference to the impending conflict with Great Britain, in which he used this language, which has been lost sight of.

He regretted the possibility of war because he was a man of peace, but more especially because it would prevent a *reunion* with Great Britain, and he said:

> I am sincerely one of those who would rather be in dependence upon Great Britain properly limited than on any other country on earth or that of any other country.

The gentleman from Mississippi will kindly correct me if I misquote.

Mr. WILLIAMS of Mississippi. What date is that?

Mr. BOUTELL. August 25, 1775.

Again, I find that this distinguished founder of the Democratic party, as late as November 24, 1775, showed how thoroughly he loved union with Great Britain.

Mr. WILLIAMS of Mississippi. What was that date?

Mr. BOUTELL. November 24, 1775. I did not know but what these two distinguished leaders had gone over there to get up a union between Great Britain and the United States; but, perhaps, there was still another and a more recondite or personal one. In 1771 Thomas Jefferson, in writing to his agent, Mr. Thomas Adams, in London, closes his letter with these words, which I have very seldom seen alluded to and do not know whether they are regarded by Democrats as principles that all true followers of Jefferson ought to adopt:

> One other favor. I wish you would search the Herald's office for the arms of my family.

[Laughter.]

What a picture! The founder of Democracy looking for his lost coat of arms! [Laughter.]

> I have what I have been told were the family arms, but on what authority I know not. Possibly there may be none.

Well, now, if he came from a distinguished English family who were entitled to a coat of arms, it was certainly very justifiable to look it up, if only as a matter of curiosity. We know that many distinguished men in Virginia used to decorate their coaches with coats of arms when they were entitled to them.

Mr. Chairman, that would not have been astounding, of course, if he had been animated by a desire to see the genuine coat of arms in his family. No Democrat ever would have complained in those early days of his wearing it, but still it hardly seems Jeffersonian. "It is possible there may be none. If so, I want, with your assistance, to become a purchaser, having Stern's word for it that a coat of arms may be purchased as cheap as any other coat." [Laughter.]

The gentleman from Mississippi will kindly correct me if I misquote the distinguished author of the Declaration of Independence and the founder of the Democratic party. Now, it occurred to me that this new leader of the Democracy might have some such object as this in mind in going over to England and visiting the distinguished leader from New York—that of looking up his coat of arms. If he could not find any, perhaps he might arrange with the Herald's office to buy one.

Now he has come back, and we have the statement of the public press for it that he has got a new idea. I wonder if it is his

coat of arms that he bought over there? I can only surmise what it is, but there is no man perhaps better known in the wide world to-day than Mr. Bryan. The Herald's office knows his record, and they may have gotten him up some coat of arms which they would consider suited to his character. Possibly this: He beareth on a field argent a mule rampant, gules, with this motto, "Sexdecim cum uno."

Well, whatever he went over there for, he has come back. He has got an inspiration from Mr Croker. He has got an idea, and he has brought it back, and all I wish to say to you gentlemen is, Take care, take care. You have charged us with idolatry; look out that you do not fall into any more idolatry, for you have still got William Jennings Bryan to reckon with, and I tell you that one of two things will happen to you, and it does not seem to me that it makes much difference which it is—Bryan is going to play again the successful part of Nebuchadnezzar and bring you into a new idolatry, or he is going to play the successful role of Samson. It makes little difference to your party whether you fall into a new idolatry or whether you have the pillars of your temple pulled down over your head. And it does not make any difference to us.

Now, when this idol worship was going on eight years ago the Chaldeans and soothsayers and astrologers went abroad through the land telling the people what was going to happen. We went into the campaign of 1896 perfectly openly. We said to the country that if we were elected we would repeal the Wilson-Gorman tariff bill.

Your soothsayers and astrologers told the people that if the Republican tariff bill was adopted and Republican financial measures were enacted terrible things would happen to this country. Some of the dire things which you predicted it is very easy to prove have not come true. You said, among other things, that with a Republican protective tariff our exports would fall off. Instead of that our exports began to increase immediately upon the passage of the present Dingley tariff act. I hold in my hand a statement from the Bureau of Statistics, showing the increase in the exports of this country during the period of some twenty years or more, which I will insert in the RECORD.

UNITED STATES LEADS IN EXPORTS

It is only within recent years that the United States has taken her place at the head of the list of the world's great exporters of domestic products. In 1875 the exports of domestic products by the world's great exporting nations were as follows:

United Kingdom	$1,097,497,000
France	737,400,000
Germany	593,657,000
United States	497,393,297

In 1885 the domestic exports of these four countries stood as follows:

United Kingdom	$1,037,124,000
Germany	696,791,000
United States	675,493,926
France	556,000,000

In 1895 the domestic exports of the four countries were as follows:

United Kingdom	$1,100,452,000
United States	807,742,415
Germany	789,690,000
France	651,100,000

In 1903 the relative rank of the four countries in the exportation of domestic products was as follows:

United States	$1,457,565,793
United Kingdom	1,415,677,592
Germany[a]	1,270,000,000
France[b]	812,000,000

[a] Nine months' figures and estimate for closing quarter of the year.
[b] Eleven months' figures and estimate for last month of the year.

RECORDS OF GROWTH.

The table which follows shows the exports of domestic products from the United States, United Kingdom, and Germany in each year from 1875 to 1903, the figures being in all cases for the calendar year:

Year.	United States.	United Kingdom.	Germany.
1875	$497,393,297	$1,097,497,000	[illegible]
1876	[illegible]	[illegible]	[illegible]
1877	[illegible]	[illegible]	[illegible]
1878	724,286,821	[illegible]	[illegible]
1879	734,556,755	[illegible]	[illegible]
1880	875,504,075	[illegible]	[illegible]
1881	814,102,941	[illegible]	[illegible]
1882	749,901,726	[illegible]	758,817,000
1883	[illegible]	[illegible]	778,257,000
1884	[illegible]	[illegible]	792,462,000
1885	[illegible]	[illegible]	[illegible]
1886	[illegible]	[illegible]	[illegible]
1887	[illegible]	[illegible]	[illegible]
1888	[illegible]	[illegible]	[illegible]
1889	[illegible]	[illegible]	[illegible]
1890	845,996,645	[illegible]	[illegible]
1891	[illegible]	[illegible]	[illegible]
1892	[illegible]	[illegible]	[illegible]
1893	854,799,454	[illegible]	[illegible]
1894	[illegible]	[illegible]	[illegible]
1895	807,742,415	[illegible]	[illegible]
1896	988,890,080	1,168,671,000	838,981,000
1897	[illegible]	[illegible]	$865,194,000
1898	[illegible]	1,025,642,000	894,063,000
1899	[illegible]	[illegible]	[illegible]
1900	[illegible]	[illegible]	[illegible]
1901	[illegible]	[illegible]	[illegible]
1902	[illegible]	[illegible]	[illegible]
1903	[illegible]	1,415,677,592	a1,200,000,000

a Estimate for closing quarter of year.

The exports during the calendar year just closed amounted to $1,457,000,000, the record year in exports of the United States to foreign countries, nearly double the entire exports in the year 1895. But another thing that is very gratifying to us all, gentlemen, partisanship aside, gratifying to every American in this House, is that during the past few years our great Republic has changed its place from fourth in the list of exporting nations to first, and to-day we lead Great Britain, Germany, and France in our annual exports. [Applause.]

Again it was predicted that the volume of money in the country would decrease, but it has not; it is greater now than it ever was before. It was predicted that the gold in the Treasury would decrease, but it has not; we have more gold in the Treasury now than there ever was in the United States Treasury before, and we have more gold coin and bullion in the United States Treasury than was ever collected at any one spot before in the history of the world—nearly seven hundred millions of dollars. It was predicted that wages all over the country would go down, but on the contrary, from the inauguration of President McKinley up to this year just closed, the average rate of wages all over this country has gone up.

Not only the average money wage, but the actual wage as compared with the cost of subsistence.

Mr. BENNY. Will the gentleman from Illinois yield for a question?

Mr. BOUTELL. With pleasure.

Mr. BENNY. Will the gentleman tell us the rate of increase in the wages of the workingmen of the country and also the rate of increase in the cost of living to the workmen?

Mr. BOUTELL. I should be very glad, Mr. Chairman, to go into full details of that matter from figures that I have before me, but all I can say in the brief time allotted to me is that, from the statistics we have, it appears there has been a steady annual increase in the rate of wages of our workmen and mechanics, and that there has been a material decrease in the retail prices of most of the commodities of life which the workman buys with his wages.

Mr. BENNY. Perhaps, Mr. Chairman, I can put that question in better shape. Is it not a fact that the increase of wages to the workmen of the country has been less than 10 per cent, while the increase in the cost of living has been 30 per cent?

Mr. BOUTELL. It has not.

Mr. BENNY. Will the gentleman state what it has been?

Mr. BOUTELL. The average increase, taking all classes of workmen and mechanics throughout the United States, has been nearer 12 per cent. The figures that the gentleman alludes to in relation to the cost of living are simply the wholesale prices, whereas the actual cost to laboring men of the necessities of life was never so low as it is in the United States to-day.

Mr. Chairman, departing for one moment from the bounds of political discussion, let us all rejoice as Americans in the splendid record this country has made. I hold in my hand a copy of the daily consular reports containing a statement sent from one of our able consuls in Manheim, in which he goes into the rate of wages in that prosperous city of the German Empire. He shows that blacksmiths and other mechanics are getting less than one-half of the wages that men in the same employment are getting in this country, and that the cost of living to the workmen is constantly increasing in the German Empire. And so it has been with all of these predictions that were made by the Democrats in 1896; everything that was predicted by the Democrats has proven false.

Mr. RICHARDSON of Alabama. Will the gentleman yield to me for a question?

Mr. BOUTELL. Nothing would give me greater pleasure.

Mr. RICHARDSON of Alabama. Will the gentleman be kind enough to state what is the difference in the annual production of gold in the last four years from what it was in 1896 to 1900?

Mr. BOUTELL. The gentleman means the increase in the annual production of gold.

Mr. RICHARDSON of Alabama. The gentleman from Illinois spoke of the increase of the per capita rate from $19 to $29.

Mr. BOUTELL. Oh, no; I didn't say that at all, although it is true. I said that the prediction was in 1896 that the amount of gold in the Treasury would fall off if the Republican tariff bill

and the Republican financial measures were adopted. I said that now in the Treasury of the United States we have nearly seven hundred millions of gold against less than two hundred millions of gold in 1895.

Mr. RICHARDSON of Alabama. Then, my friend does admit that the annual production of gold in the last four or five years has been enormously increased?

Mr. BOUTELL. Yes; the annual production of gold, like our productions of the farm, of the workshop, of the loom, and of the mill, is unprecedented. I do not claim that that is all due to the Republican tariff or the financial legislation of the Republican party.

Mr. RICHARDSON of Alabama. I thought the gentleman did.

Mr. BOUTELL. We have a great deal to thank God for.

Mr. RICHARDSON of Alabama. I thought the spirit of the gentleman's argument was that the Republican party claimed the credit of it.

Mr. BOUTELL. Not at all: I said nothing upon which such a construction could be placed. I hasten to assure my friend from Alabama that the United States is under the guidance of the God of Nations, and that He sends His early and later rains upon the just and the unjust, as he always has upon the Democrats and the Republicans alike. [Laughter.]

Mr. MACON. Mr. Chairman, will the gentleman yield for a question?

Mr. BOUTELL. I yield with pleasure to the gentleman from Arkansas, as I am going to speak of his State.

Mr. MACON. The gentleman said that all the predictions made by the Democratic party in 1896 had failed or were false.

Mr. BOUTELL. No: I said every serious prediction. You made some that were so trifling and immaterial that it mattered not whether they came true or not.

Mr. MACON. Was it not predicted by the Democratic party at that time that if we had a larger circulation of metallic money, if the per capita rate was larger, that we should have prosperous times?

Mr. BOUTELL. I do not know but what it was; but the main prediction was that if we had more silver money we would have more prosperous times.

Mr. MACON. Was it not more metallic money, but not silver?

Mr. BOUTELL. I did not hear much about anything metallic except silver. I will say to my friend, throughout that campaign.

Mr. GROSVENOR. I would like to ask the gentleman a question. Assuming this enormous increase in gold coin, suppose in 1897 we had enacted a provision for coining silver at a ratio of 16 to 1, in the opinion of the gentleman how much of the increase of gold coin would have found its way into circulation in the United States?

Mr. BOUTELL. Very little, and not one dollar into the Treasury of the United States. Speaking of that subject, I am very glad that the gentleman from Arkansas [Mr. MACON] and the gentleman from Ohio [Mr. GROSVENOR] remind me of it. I hold in my hand an editorial from the Chicago Chronicle, one of the ablest Democratic newspapers published in this country, under date of September 10, 1902, entitled "Gold in the Treasury." The sum and substance of this editorial is that the reason why there is more gold in the Treasury, not only Government gold but the people's gold, put there in exchange for gold certificates, is that the people of the country now have confidence in the financial system that we have adopted and are willing to let their gold stay there. [Applause on the Republican side.]

But, Mr. Chairman, these few remarks I have been making were merely on the side, as will be seen when I go further into my argument. I did not expect at this time to get into a general discussion, a general run of questions. I desired to call the attention of the House and of the country to this fact, that most of the prophecies, the serious prophecies, of the Democratic party relating to what would take place if the Republicans triumphed in 1896 and in 1900 have proven false, and all these predictions which can be gauged by official statistics have been so proven. But they also said, Mr. Chairman, in general terms, that if the Republicans triumphed and enacted a protective tariff law and financial legislation in keeping with the principles of the Republican party we would bring distress and disaster, blight and mildew upon the country. Mr. Chairman, it is to these predictions that I wish to address myself during the remainder of my remarks.

Seven years have elapsed since the Dingley tariff law was placed upon the statute books. They have been, in my opinion, seven good, fat years for this Republic. In my part of the country I could not find any blight or mildew, and I thought that if any existed I would like to see it, and it occurred to me that if that blight and mildew existed anywhere it would be in the State of Missouri and in the solid South, because it was in that State and in the solid South that the blight and mildew were most strongly predicted. I was at a loss to know how to make a trustworthy examination. I thought if I went through all the Southern States myself and came back here and reported what I found there that it might be thought my views were tinged in some way by my political sentiments.

I did not wish to take the opinion of any mere Government statistics. I thought that it might be charged that those were incorrect. I did not wish to take any trade reports exclusively, except in connection with other reports, because I have heard it charged that these trade reports are sometimes tinged or colored. I did not wish to take the statement of any active politician. I did not wish to take the statement of newspapers in the heat of a campaign, and so I was at a loss to know where I could find an account of the spots of blight and mildew throughout this country. Then this idea occurred to me, that if there was anything honest in this world it was the newspapers.

I have had the word of my distinguished friend from Mississippi [Mr. WILLIAMS] on several occasions in this House that he would rather have a country without almost anything than without newspapers, the great educators of the people. So I said to myself, "I will go to the newspapers and find out what has been going on where this blight and mildew ought to be." I was afraid that papers issued during a campaign might be prejudiced. So it occurred to me that if I should hunt up the local papers—taking the metropolitan journals where necessary, and the little village and country papers, the weekly and biweekly newspapers that were published about the holiday time, that season of peace on earth and good will toward men—I would find the actual truth. So for the last three weeks I have been looking over the papers from the State of Missouri and from the solid South, and I must say to you, gentlemen, that I have been surprised at the condition of affairs disclosed by these local papers. The gentleman from Mississippi [Mr. WILLIAMS] in his speech in the House on the 19th said:

> Protection, Mr. Chairman, is a system of taxation whereby many are robbed in order that a few men may be hothoused by legislation into artificial prosperity.

And the RECORD goes on to say that that statement was received with laughter and applause on the Democratic side. I may say that I was not at all surprised at the laughter, but I was surprised at the applause. He goes on further to say:

> As a supplementary definition, protection is a system of taxation whereby capital and labor are deflected from naturally profitable pursuits and enterprises into the channels of naturally unprofitable pursuits and enterprises.

This again was met with laughter and applause on the Democratic side of the House, and again I say I do not wonder at the laughter. Before I go on to give the story of the condition of things throughout the South, let me impress upon your minds these words of the gentleman from Mississippi:

> Protection is a system of taxation whereby capital and labor are deflected from natural profitable pursuits and enterprises into the channels of naturally unprofitable pursuits and enterprises.

Now, let us see if we can find any blight and mildew where we should expect to find it from the utterances of gentlemen on the other side. And I begin with the State of Missouri, for several reasons—partly because I have very tender recollections of the State of Missouri. I do not see here now my friend from Missouri, Mr. COWHERD, with whose district I will begin here. But during the closing year of the war, as a boy of 8, I spent one of the most picturesque years of my life in the district of that gentleman.

Mr. CLARK. You were a very old boy.

Mr. BOUTELL. I have given my age, and you see you are an older boy than I am.

The Kansas City Journal of January 1 says:

> According to statements made by officials of the railroads running into Kansas City, every company has reason to rejoice over the business for the year just closed. One general agent said that the earnings of his road had increased 35½ per cent over 1902.

That was bringing the cattle and the products of the farm.

The Star, in an editorial of January 1, says:

> Bank clearings are not always a distinct reflection of business movements, but they may be taken as a reliable basis of comparison in noting progress from one city. The clearings in Kansas City for the past year were [illegible] thousand and seventy-five millions, or an increase of eighty-six millions, 9 per cent, over the record of 1902. Building records and real estate transfers show similar increase. Both the wholesale and retail merchants report gains.

I congratulate the State of Missouri and my colleague [Mr. COWHERD] upon this showing.

I next refer to the St. Joseph Gazette of January 1. I do not see here at present the gentleman who represents St. Joseph—and I think this is the first time that I have ever missed him from this House; he is one of the most regular attendants here. He played a very loud instrument in the ceremonies of 1896, but the principal thing that he claimed when he performed on his musical instrument was that never, never, under any Republican financial legislation, would there be enough basic money or any other kind of money in the country to do the business required.

I do not know what the gentleman's connection with the St. Joseph Gazette is at present.

[Mr. COCHRAN at this point entered the Hall.]

Mr. BOUTELL. Ah, I congratulate myself on seeing the gentleman before me. The St. Joseph Gazette of January 1 says:

> The country upon which St. Joseph depends for its maintenance is prosperous to a most gratifying degree. Crops have been fairly abundant; prices for the products of the farm and range far in excess of the average for many years.

Now, mark this—what gall and wormwood it must be to the gentleman from St. Joseph——

Mr. COCHRAN. Will the gentleman yield a moment?

Mr. BOUTELL. Of course. I always yield with great pleasure to the gentleman.

Mr. COCHRAN. With almost tearful gratitude, I rise to announce to the gentleman that among other acquisitions of the great syndicate which embraces so many of the daily papers of the country the St. Joseph Gazette is now owned by the followers of MARK HANNA and my friend from Illinois. [Applause and laughter on the Democratic side.]

Mr. BOUTELL. I congratulate my friend from St. Joseph on having such prosperity in his district, that he was able to dispose of the St. Joseph Gazette at such a good price.

Mr. COCHRAN rose.

Mr. BOUTELL. The gentleman from Missouri when I am through will have an opportunity to deny the truth of these statements as to the prosperity in his district. And I may say now, Mr. Chairman, that as I read this story of the condition of the South I will ask any gentleman on the other side of this Chamber, if he cares to do so, to get up and deny the truth of this story that I read, and if he likes to go back to his constituents and tell them that he has made the denial.

Now, let me close what I was saying about St. Joseph.

> Money we have in sufficient quantities to meet the reasonable requirements of every line of legitimate investment and for every department of trade.

The St. Louis Globe-Democrat, in an editorial of January 1, says:

> Fortune was kind to St. Louis in the year which has just closed.

And I congratulate St. Louis. We have in Chicago a sisterly regard for her. We have just been connecting the two cities by water, and I hope there will be a steadily increasing trade and commerce between those two cities on this great waterway.

> Seldom in all its history has the city been more prosperous. Never before has the aggregate of its great business activities been so large.

Mark that.

> December, 1903, broke the record for that month in bank clearings in St Louis, with a total of $234,065,088. This was $24,946,152 in excess of that for the same month in 1902. In receipts of flour, corn, oats, rye, barley, corn meal, hay, lead, cattle, sheep, hogs, horses, and mules the city's transactions for 1903 were greater than for the preceding year, while there was a falling off in receipts for wheat, cotton, tobacco, wool, pork, hams, and other sorts of meats. In building operations the record for this city was broken in the year.

Mr. Chairman, I congratulate St. Louis and the State of Missouri.

Now, we come across the country to the Old Dominion. First, I read from the Newport News Press, of January 1, in a news article, which says:

> The merchants say that business this Christmas was better than it had been in four years. The police census, taken recently, showed that there were fewer vacant houses than there were a year ago; real estate values are firm and rents are cheap. A better statement of affairs could hardly be asked for.

Then why, may I ask, does their Representative here ask for a change? Why not let well enough alone?

The clearing-house statement follows:

1903	$7,312,825.66
1902	6,664,978.34

Now we come to Norfolk. The Despatch in an editorial of January 1 says:

> The people of this [illegible] Virginia have experienced a [illegible] and [illegible] growth during the past two years. Norfolk is in many, many ways better [illegible] than a year ago. Improved sanitary conditions, [illegible] and [illegible] have [illegible] and growth and progress within the year. [illegible] have shown a steady increase during the year, and [illegible] bank clearings [illegible] and an increase in the volume of business done in this city, and the period of the year past is the largest in the history of the city.

I congratulate the Old Dominion.

The Landmark in a news article of January 1 says:

> The exports were $[illegible] in 1903, an increase of $2,256,000 during the year, showing that the year has been a prosperous one in the shipping trade.

The Petersburg Index-Appeal, of January 1, in a news article, says:

> In taking a view of the business progress of our city in 1903 as it relates to [illegible] we are pleased to note that our people have been very conservative and the speculative range has not impaired nor retarded the advance in regular business. In all regular properties the close is very satisfactory, advances having been made all along the line. The good crops of our contributory counties, with attractive remunerative prices places, our agricultural neighbors in a very prosperous condition.

The Richmond Times-Despatch of January 1 says:

> Merchants have had good trade, manufacturing industries have done well, and it is most gratifying that in spite of the stock panic and the shrinkage in the value of stocks and bonds the banks of Richmond have stood the storm without a quiver and are to-day in every respect stronger and better than in any corresponding period of their history.

I congratulate the city of Richmond on this splendid showing.

Florida: The Jacksonville Times-Union of January 1 says in a news article:

> The record of shipping at the port of Jacksonville for the month of December was one of the best in the history of the port, and was a closing of one of the most remarkable years yet recorded in the annals of the city's export business. More than [illegible] vessels were cleared from the port during December, 1903, in excess of the amount cleared for the corresponding month last year. Laughter is the keynote upon which commercial [illegible] are sounding [illegible] and this continues in spite of the fact that there has been a [illegible] of various complaints of by prominent lumbermen for the past several months.

The Metropolis of January 1 says:

> The old year was extremely kind to Jacksonville. She has prospered unprecedentedly. There has not been a failure of a business house or individual of much financial standing during the past year. Millions of dollars more money are afloat in battle than ever before.

And let me say, Mr. Chairman, that you will notice through all these accounts that it has taxed the ingenuity of the editor to find adjectives large enough and broad enough to characterize the prosperous condition of the country.

The Pensacola News of January 1 says:

> With the closing of the year 1903 the record of the local custom-house shows that the month of December has been one of the best on record. The total values, so far as can now be obtained, will aggregate the immense sum of $3,148,056. The nearest approach to these figures was the same month last year, when the two million mark was just passed.

The St. Petersburg Times of January 2 says in an editorial:

> St. Petersburg has had a bright year, and an even brighter is before her. There is a no more prosperous spot in the Union.

I looked over the House for my good friend from Florida [Mr. SPARKMAN], in whose district this prosperous enterprising city is located. I congratulate him and his district. I come to Kentucky.

Lexington: The Leader on January 1 printed the views of the leading business men of the city on the achievements of 1903 and the outlook for 1904. In all branches of business the merchants claim that a prosperous year has passed and all take an optimistic view for the coming year.

Not some few Republicans in Lexington, but all the people in Lexington, unless it be her Representative up here, take an optimistic view of the future.

Mr. GAINES of Tennessee. Will the gentleman from Illinois permit me to ask him a question?

Mr. BOUTELL. I am very glad indeed to yield to the gentleman who played on the musical instruments during the campaigns of 1896 and 1900. I do not know whether my friend played the psaltery or the base drum, but I am quite willing to yield to him for a few strains on either, although I may say I am coming to Tennessee further on.

Mr. GAINES of Tennessee. I believed so. I know that all good men want to come down to Tennessee. [Laughter.] We have a great many from your country.

Mr. BOUTELL. Yes; they are going, and they are taking good money with them.

Mr. GAINES of Tennessee. Now you complain——

Mr. BOUTELL. And not all Democrats ——

Mr. GAINES of Tennessee. If you will come down there we will elect you mayor of the city of Nashville in two years. You would be a shouting Democrat in Tennessee. [Laughter.] You speak of Kentucky. I live very near to Kentucky, and I know the condition of the people in that country as to tobacco growers.

Mr. BOUTELL. The gentleman does not seem to understand that I am reading from the local papers.

Mr. GAINES of Tennessee. My mail is filled with letters complaining to me and to the Members of Congress about the terribly destructive internal-revenue regulations upon the tobacco-growing industry of that country, and the tobacco growers are now meeting all over Kentucky and Tennessee and are talking to-day about preparing a petition to Congress for a reduction of the tobacco tax, which is so destructive of their tobacco-growing industry. This tax began in 1862 and has been perpetuated to this hour. They want relief from it.

Mr. BOUTELL. I am glad that the gentleman from Tennessee has called attention to this desire on the part of the people of the State adjoining his. This paper shows him that those people of Kentucky, who, no doubt, will thank my good friend for his patriotism in rising in this House and making an iridescent appeal for the repeal of this obnoxious tax, do not complain of anything.

Mr. GAINES of Tennessee. Sometimes people think that everything is true when they see it in a newspaper report, and it would be true if Thomas Jefferson edited it.

Mr. BOUTELL. Thomas Jefferson was not in the editing business. The Louisville Herald, in a news article, on January 1, says——

Mr. GAINES of Tennessee. Now, that is a Republican paper.

Mr. BOUTELL (continuing to read):

High-water mark was reached by the bank clearings of 1903, with the handsome total of $529,241,195.13, an increase of $27,817,085 over the year 1902, the previous record period.

The gentleman from Tennessee indicated that this was a Republican paper. That is entirely irrelevant. As a lawyer he knows that it is a non sequitur. Do you wish to get up and dispute the figures of $529,000,000 of bank clearings?

The Louisville Times in a five-page review of the year in the business of the city shows a large advance in all lines over previous years.

Now I come to the State of Georgia. First to the district represented by the gentleman who has charge of this bill on the minority side. The Atlanta Journal, in news article on January 1, gives city comptroller's report, showing receipts for 1903 of $2,036,548.82, with a surplus of $1,720.29 after provision has been made to meet all outstanding obligations. For 1902 the receipts were $1,682,703.63. This statement shows the condition of all departments of the city government, and as such is therefore an index of the prosperity of the city.

The Atlanta Constitution, in a news article of January 1, says:

Annual reports of city officials show a bright chapter in the history of Atlanta, the year 1903 having been one of the most prosperous in its history.

In the same paper an article on the report of the Atlanta clearing house says:

The clearings of 1903 were increased by $13,791,580.34. The year's record is a remarkable one, and is considered as a strong indication of the substantiality and growth of business in Atlanta.

The Augusta Chronicle, in an editorial of January 1, says:

Augusta enters the new year with every cause for encouragement. In the first place, her merchants, both wholesale and retail, closed up the old year with one of the best business records in their history. There has indeed been a generally good year, while money has not been altogether plentiful, there has been enough to go around.

The high price of cotton has added thousands of dollars to the last year's income of hosts of the people hereabout. Augusta's hospitality has brought out the country contingents to Augusta the people are more than ordinarily prosperous and more than ordinarily hopeful for the future.

We know that Georgia people are always hopeful, and we are glad that now they are prosperous.

Mr. COCHRAN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. BOUTELL. Certainly, with pleasure.

Mr. COCHRAN. That by most people is attributed to the boll weevil. Do you call that a Republican institution or not? [Laughter.]

Mr. BOUTELL. If I was going to reply truthfully to the gentleman who played the trombone in the ceremonies in 1896, I should say that was an entirely irrelevant remark. Whether the boll weevil was sent by Providence or was something originated by the Democratic party, I want to say to him that it was the Republican party in this House that without a division or an objecting voice or a roll call, in defiance of the principles of your party, generously appropriated everything that was asked for to extinguish the boll weevil, wherever it came from. [Applause.]

Mr. COCHRAN. I would like to ask a further question.

Mr. BOUTELL. Certainly.

Mr. COCHRAN. Do you think your constituents will be delighted when they find that you answer my question in that way?

Mr. BOUTELL. I think they will be very much delighted, but I will be glad to take you out there and introduce you to them and let them tell you.

Mr. COCHRAN. I think the gentleman might have answered whether the boll weevil was a Republican concern or not. I want to know whether the Republican party is responsible for the boll weevil, whether the gentleman is responsible for it I do not know.

Mr. BOUTELL. I will pass on. We now come to Macon. Mr. Chairman, perhaps I ought to pause here in coming to the country of my good friend from Georgia [Mr. BARTLETT], for whom I have as high a respect as any man in the House, and great fondness, and say that it was disclosed in reading the report on this bill a few minutes ago that there was nothing the matter with the prosperity in Macon. The gentleman in charge of this bill called attention to the fact that down there in Macon they have prosperity so broad and deep that they are able to build a livery stable good enough for the United States post-office. I congratulate the gentleman on that condition of things down there.

Mr. BARTLETT. Oh, no.

Mr. BOUTELL. Does the gentleman deny they build good stables in Macon?

Mr. BARTLETT. No; they build such good ones that they are good enough for a Government post-office with a little addition.

Mr. BOUTELL. And the Republican party will give all the additions you want for the purpose.

Mr. BARTLETT. Much obliged.

Mr. BOUTELL. The Macon News of January 1 says:

Builders and architects declare that the past year was a splendid one in the building era of Macon. Buildings have been erected in 1903 worth $500,000, while many of these buildings were such as the Mercer University costing some $30,000, and St. Paul's Church, costing $20,000.

I congratulate the gentleman from Georgia, not only on the prosperity of his district, but on the character of the buildings which this prosperity enabled him to build.

It is also noticeable that those owned by the working classes—

And I call the special attention of my friends on the other side of the Chamber to this—

It is also noticeable that those owned by the working classes and constructed with the savings of these workers form no small part of the increase noted in the building inspector's report for the year.

I congratulate the gentleman from Georgia that these workingmen in his State are so prosperous. In the same paper, under an editorial, it says:

The new year finds Macon all right.

Of course it is——

Mr. BARTLETT. And always has been that way.

Mr. BOUTELL (reading)—

The city is progressing and our business concerns prospering and our industrial institutions are flourishing, and the year just closed has seen her limits extended, her population increased, her property has increased in value, and her trade has enlarged.

How could you get anything better than that?

In a news article of the Savannah News, it says:

Savannah established a new record during the year ending last night.

I am glad to see the gentleman from Savannah here taking in all this good news about his district.

The foreign exports from this port for 1903 were over $[illegible] greater than those for any previous year in the history and nearly [illegible] greater than they were for the year 1899, which was one of the best years prior to the last four years.

Savannah's record last year shows that the confidence felt by its citizens in its future is not misplaced, and there will be no government to be a strong [illegible] in its business relations with the world outside of the United States.

In another news article of the same date the News says:

Business men of Savannah predict great things for the coming year.

Of course they are: they are entitled to it as long as the Republican party remains in power.

Past conditions have been good; advanced prices in cotton has helped all lines of business. Bankers, brokers, and business men generally are jubilant over future prospects. The banks have plenty of money to loan, despite the present demands in the cotton market.

Mr. POU. Mr. Chairman, I want to ask the gentleman a question.

Mr. BOUTELL. With pleasure.

Mr. POU. I want to ask the gentleman if he claims sincerely that the Republican party is in any measure at all responsible for the present high price of cotton? Does the gentleman claim that his party is entitled to the credit of the price of cotton, which is now selling at 15 cents a pound?

Mr. BOUTELL. Mr. Chairman, I am afraid the gentleman from North Carolina misconstrues the trend of my remarks, and has confused what is said in these good Democratic journals with what I have said. I have made no claim at all of any such preposterous nature, and if the gentleman will kindly wait until I am through I should be very glad to yield to any questions that he may ask. I am making no claim as yet for what the Republican party has done or for what the Republican party has not done. I am reading from the local papers of thirteen States what the editors of those papers have to say in regard to the condition of things in their localities, and any claim that I have to make I will make when I have finished reading, and if the gentleman will kindly allow me to proceed, I will then yield to him.

I now come to North Carolina. The Rural News and Observer, in an editorial of January 1, says:

The year that closed last night has been a good one for North Carolina and the American Republic. Crops have been large and prices good. It has been a specially good year for farmers.

And this applies somewhat to what the gentleman says.

Mr. POU. Mr. Chairman, might I ask the gentleman one more question? I admit that, so far as my section is concerned, we are enjoying unusual prosperity. That prosperity is brought about largely from two causes—the high price of cotton, which is the principal cause. Now, I want to ask the gentleman from Illinois if he claims that the Republican party is entitled in any degree to the credit of the present high price of cotton?

Mr. BOUTELL. The Republican party has nothing to do with the current price of cotton, specifically, any more than it has to do with the current price of any other article; but when the springs of prosperity are pure and at full pressure they will reach a high level all over the country.

Mr. WILLIAMS of Mississippi. In that immediate connection will the gentleman permit a question?

Mr. BOUTELL. Mr. Chairman, I have asked permission to continue the story of the condition of things in the Southern States, and after that is over I shall be very glad to yield.

The CHAIRMAN. The gentleman from Illinois declines to yield.

Mr. BOUTELL (continuing the reading):

It has been a specially good year for farmers. There can be no widespread prosperity that does not reach the farm. When good times bless the rural homes there is improvement in every line of business and stability in the nation's financial condition, for it is the amount paid for farm exports that determines the balance of trade. High-priced cotton has not only blessed every avenue of trade in the South, but has blessed every section of the country. Cotton growing and cotton manufacturing mean much for North Carolina. The State depends chiefly upon the cotton farm and the cotton mill.

I am glad to call attention to the fact that the time has come now when, under the invigorating influence of Republican protection, the cotton manufacturing becomes profitable to the Southern States.

The Wilmington Morning Star, in a news article on January 1, says:

The steady increase in the commerce of Wilmington is extremely gratifying to the people of this city, and the growing importance of the chief seaport of North Carolina will alike be a source of gratification to the people of the entire State.

During the year 1903 the exports of Wilmington were more than $20,000,000.

Now I come to South Carolina, and I quote from the Charleston News and Courier, in a news article of January 1, which says:

The banks of Columbia show by their reports that they have had a very successful year, and it follows that the people of the city have cause to be, in large measure, satisfied with the last year's business. The total deposits in the five banks amount to $5,[illegible], a very large sum for a city of the population of Columbia. Compared with former years the deposits increased very much, and the bankers seem to be full of confidence of still greater proportionate increase during the present year.

The Greenville News of January 1, in a news article, says:

The year 1903 has been one of unprecedented growth and general improvement. Something like $2,000,000 has been expended during the year in the erection of public and private buildings, manufacturing plants, and various other commercial enterprises. The most successful year in the history of Greenville has passed. Nineteen hundred and three has left the city greater, richer, and more prosperous than when it came.

We now come to the State of Tennessee. The Chattanooga Times, in a news article of January 1, says:

The balance, after deducting all expenses of the city, is much larger than a year ago. The reports show that [illegible] more permits for buildings and improvements were issued during last than for the former year [illegible]. These buildings and improvements were issued $940,000, as against $[illegible] the previous year. The bank clearings of 1903 show an increase of $[illegible] over the preceding year, the total clearing for this year in Chattanooga being $[illegible]. This is one of the best reports ever given out by the local clearing house and proves the condition of business in the city to be very healthy.

The Knoxville Journal and Tribune, in a news article, says:

According to the annual clearing-house reports, an enormous increase of 43 per cent is shown in 1903 over the preceding year. The clearings were $[illegible] as compared with forty millions, or an increase of $17,000,000, in the city of Nashville. The building permits for the year were nearly double those of 1902.

Now we come to Memphis, and I ask the committee to pay especial attention to this. The Commercial Appeal, on January 1, in a news article, says:

For the year past the total clearings of Memphis were $214,000,000. This figure is one that taxes the mind to comprehend.

I congratulate the district in which is situated the city of Memphis on its having a Representative on the floor of this House who can entirely comprehend these figures. The article goes on to say:

These show an excess over 1902 of about $35,000,000, a monthly increase of nearly $3,000,000.

The Scimitar of January 1, in an editorial, says:

Memphis starts the new year with as bright prospects as any city in the country. The records made in the various branches of industry in 1903 far surpass anything ever known here, and there is nothing on the horizon to indicate that the present prosperity will soon be eclipsed.

Evidently in the mind of the editor of the Scimitar the Democratic party is not on the horizon. [Laughter on the Republican side.]

The Nashville Banner of January 2 says:

The increase of the Nashville bank clearings for 1903 over those of the previous year carry unmistakable proof of the business advancement of this city. The Nashville clearings show an increase of $[illegible], which is about 38 per cent, the total clearings for the year being $[illegible].

We now come to Alabama. The Birmingham News of January 2, under an article taken from the Manufacturers' Record, of Baltimore, says:

Leading railroad officials of the South and Southwest tell a story of progress and prosperity such as could never before have been presented from that section.

Listen to this—those who think that all the prosperity in the South comes from cotton:

Agriculturists, fruit growers, stock raisers, wood workers, timber operators are coming into the South from all sections of the older and more settled states, and the development of every line of husbandry and industry is progressing at a rate never before equaled in the South.

In a dispatch from Bessemer—does it not seem strange that if any town in the South is controlled by a Democratic population they would be willing to name a town Bessemer without repealing the duty on steel—in the Birmingham World and Herald of January 1, we find the following:

The year that goes out to-night has been especially prosperous for this city. The merchants will report an exceedingly healthy business, and are looking for additional success during the coming year. The numerous new buildings which have been erected during the past twelve months bespeak the confidence placed in the prospects of the city of Bessemer. The banks are in a flourishing condition and enjoy the patronage of an immense number of citizens.

Here we have a dispatch from Selma, and I look about for the friendly and genial countenance of my friend Mr. BOWIE——

Mr. RICHARDSON of Alabama. I agree with the gentleman in all that he says about all these things, excepting that he does not tell enough.

Mr. BOUTELL. I am telling all that I can within my hour, and my time has been extended already.

Mr. RICHARDSON of Alabama. Everything the gentleman has said about Birmingham is a fact, but it is also true that within the past twelve months there were 60,000,000 tons of coal taken out by the South, and that Birmingham itself took out more than one-quarter, or 20,000,000 tons more than was taken out in the United States in 1880.

Mr. BOUTELL. So it is all over the South. It is the same grand story that comes to us. [Applause and laughter on the Republican side.]

Mr. WILLIAMS of Mississippi. I would like to remind the gentleman——

Mr. BOUTELL. I am coming to Mississippi presently.

Mr. WILLIAMS of Mississippi. I know; but I would like to remind the gentleman that that coal was taken out in the only year of free coal that we have had in a long time. [Laughter and applause on the Democratic side.]

Mr. BOUTELL. If the gentleman really thinks that that makes any difference or that there is any politics in this matter, I can only recall—probably he will recall it, though it may seem a non sequitur—that the first tariff item placed in the bill of 1789, by a Virginian, was to tax coal, and in the Chamber of the House of Representatives he said, in pressing that item:

If we can put a restraint on the importation of coal, Virginia can furnish enough for all the United States.

That is where the first tax on coal came.

Mr. WILLIAMS of Mississippi. Now, if the gentleman will permit me a moment, he evidently misunderstood the application of my remark. It was designed simply to prove that neither the Republican party nor the Republican party's protective policy had anything to do with taking out that great amount of coal.

Mr. BOUTELL. And that the Democratic party and Democratic policy had still less to do with it, if that were possible.

Mr. WILLIAMS of Mississippi. Well, the removal of the tariff on that article did not hurt anybody.

Mr. BOUTELL. A Selma correspondent of the Montgomery Advertiser of January 2 sends an interesting dispatch, and in reading it I look around for my genial friend Mr. BOWIE:

The past year has been a memorable one in Selma in way of material advancement, as the following partial list of some of the visible improvements will show:

Louisville and Nashville Railroad bridge (completed)	$[illegible]
Louisville and Nashville passenger station (completed)	[illegible]
First Baptist Church	4[illegible]
City building	25,000
Elks' Home	21,000

Every Elk will appreciate that.

Public building (authorized)	75,000
M. W. Walker's stores and warehouses	15,000
G. W. Hooper & Co.'s month store	10,000
W. R. Peacock's residence	7,000
Jud Brislin's residence	6,000
Twenty-five cottages (average cost $2,000)	150,000
Total	495,000

"Twenty-five cottages!" That is what I like to hear about—these cottages going up in the South; that is the sort of prosperity that I like to hear of from every part of the country, and especially from the South.

Now we come to Arkansas. The Arkansas Democrat, of Little Rock, in an editorial of January 1, says—and I will say that nobody may stop me to say whether these papers that I am quoting from are Republican papers or not; this one is called the "Democrat:"

Little Rock has made rapid strides during the past year, adding many substantial improvements to her material development.

The Gazette of January 1, in a news article, says:

The reports of the board of trade for 1903 show the business of the city to be in a very prosperous condition. The decrease in the cotton crop because of the increase in value, as shown by the bank clearings. The bank clearings for 1903 were $[illegible], for 1902 $[illegible], showing an increase of $[illegible], or 8 per cent.

The Gazette of January 2, in an interview with George R. Brown, secretary of the board of trade, says:

My opinion is that the past year has been the most prosperous in the history of Little Rock. By prosperous I mean that all classes of our people have done well; the laborer has had steady employment at a good wage, the merchants have had good trade, manufacturers have had more than they could do, and investors have reaped a rich harvest wherever their capital has been invested.

That is glorious news from Arkansas. We now come to Texas.

The Galveston News of January 1, 1904, publishes an article containing these statements:

Business over the wharves of Galveston during the past year was $528,602,561, as against $387,693,163 in 1902.

The growth of the port is satisfactory and all that could be desired.

Suffice it to say, the record of the past year is grand enough even in the estimation of the most sordid pessimist to inspire confidence in a glorious future.

During the year the port advanced from fourth to third place in its rank amongst exporting ports in the United States. Both the wholesale and retail trade in Galveston during the past year [illegible]

The bank buildings were valued [illegible] as against $[illegible] in 1902.

The custom house receipts were [illegible] as against $[illegible] in 1902.

The foreign export trades realized the enormous sum of $149,768,564, as against $[illegible] in 1902.

A part of the increase is due to the high price of cotton and to the heavy movement of the staple during October, November, and December; but a portion of the increased business is due to the more general use of this port by the immense territory tributary to it.

The interest during the last year were $1,877,[illegible], as against $1,[illegible] in 1902.

In 1903 the Federal Government spent at this port of Galveston in [illegible]. The fund available for expenditure at this port for the year [illegible]. During the past year 2,[illegible] immigrants landed in Galveston, as against 1,[illegible] in 1902.

I congratulate the Representative from that district [Mr. GREEN], on the splendid showing that Galveston has made among the great exporting and importing cities of the country.

The Austin Statesman of January 1, in an editorial, says:

In a business way Austin is larger and better than ever before. Its business men can record a success that is a large improvement on former years. All departments of business have experienced this improvement. In the matter of receipts of post offices Austin for the past year has doubled. Great is the confidence and contentedness of its people. Perhaps no city in the State has added within it and on its environs more attractive [illegible] than Austin, and at the close of the year there is nothing to discourage but much to encourage to renewed activity in all departments, whether of public or private utility.

I certainly congratulate my good friend from Texas [Mr. BRUMSON] on this magnificent showing in his district. And so it is all through the State of Texas.

The El Paso Herald, in an editorial of January 1, says:

Business in all lines has prospered during 1903. With a few comparatively unimportant exceptions there have been no business failures, and the general standing of business enterprises to-day is far better than it was a year ago.

The Fort Worth Record of January 1, in a news article, says:

From a financial standpoint 1903 was the best year that has ever passed over Fort Worth. The condition of the banks reflects the condition of the people. The clearings during the year were $103,[illegible], an increase of $20,[illegible] over the clearings of 1902.

The Galveston News of January 1, in a news article, says:

At the port of Galveston the year 1903 has been wonderful in many ways. The records of the previous years were not broken by a [illegible], but so far surpassed that old values appear insignificant by comparison. Foreign exports were $143,[illegible]. For 1902 they were $87,[illegible], an increase of $[illegible]. Bank clearings for 1903 were $448,[illegible], as against $[illegible] for 1902, a gain of $[illegible].

The Galveston Tribune, in an editorial on January 1, says:

Texas, throughout its length and breadth, never enjoyed greater general prosperity than during 1903. Commerce has expanded with a spacious stride. More records have been broken in the business world through the past year in the transactions of corporations, firms, and individuals doing business here than ever before in a single year.

The Post, of Houston, Tex., in a news article of January 1, says:

No better barometer of trade can be found in the city than the statement of the clearing house. The clearings for the year were $[illegible], as against $[illegible] in 1902, an increase of $[illegible]. The figures tell the story of business in the twelve months just ended, and indicate that the time has been a prosperous one.

Mr. Chairman, I do not wonder that our good friend, Representative BALL, wanted to get back to his district. We are sorry to lose him, but with such prosperity reigning there no one could blame him for wanting to be on the ground. But we extend a cordial grasp of welcome to his successor and congratulate him on the district that he comes from.

Mr. LACEY. Mr. Chairman, let me ask my friend in this connection if that is not the State that has been suffering from the ravages of the boll weevil?

Mr. BOUTELL. It is; but I have no reflections to make on that. This story must be told in the words of the southern papers themselves, and if the gentleman will kindly let me finish this story I shall be obliged.

The San Antonio Express of January 1 says:

The year that has just been closed has been a remarkable one in the business history of San Antonio.

And I look about for my friend from Texas [Mr. SLAYDEN] to dispute it or deny it if he cares to.

It was a year of magnificent prospects, which were reflected in the large real-estate transactions in the spring months. It was also a year of heavy crops, not only for the county, but for the trade territory of San Antonio, the healthy condition of the rural districts being reflected in a holiday trade that broke the record for many years.

Now we come to the good old creole State. First we have the Baton Rouge Advocate of January 1, and I look for my colleague on the Ways and Means Committee [Mr. ROBERTSON of Louisiana]:

Yesterday marked the close of a most prosperous year in the history of Baton Rouge. Good crops and splendid prices brought worlds of money to our people, and all, black and white, have done exceedingly well. A new railroad opens up a new section of country to us and it will aid materially in our prosperity. Public finances—city and parish—are in fine condition, new enterprises are being installed, and the volume of trade and business continues to multiply and improve.

Is not that a grand statement from this community?

Here we have from New Orleans an editorial in a paper called the Item, on January 1, a paragraph of which says:

The year 1903 closes at New Orleans with a magnificent business showing, as evidenced by our bank clearings, which is an accurate index of the growth or decline of business. Clearances for 1903, $927,710,850; for 1902, $872,380,577.

The Picayune, in an editorial on January 1, says:

Probably never in the history of this city has there been a more prosperous [illegible] known as 1903. Of [illegible] fact is not regarded [illegible] The South as a whole has [illegible] has very naturally [illegible] largest city and financial [illegible] her own as a great [illegible] from New York the supremacy as the [illegible]

I congratulate my friends [Mr. MEYER of Louisiana and Mr. DAVEY] on the triumphs of the financiers of New Orleans over those of Wall street. [Applause.]

The Times-Democrat, in an editorial of January 1, says:

From all parts of the Union will the words "A happy New Year" come more [illegible] than in the Southern States. For instance, although [illegible] has recovered [illegible] cotton, however, is only one of [illegible] prosperity for the year. The lumber business [illegible] manufactures of all kinds. The South has [illegible] construction of new railroad trackage and in the increase in the amount of business its railroads have [illegible]

And let me say of the Times-Democrat, for fear that it might be colored by any friendly feeling toward the present Administration, that some of the adjoining editorials would seem to indicate very plainly that it was still in the solid column of Democratic newspapers. It says:

Yesterday New Orleans closed its books on the best year the city has ever [illegible] in business. For the year 1902 over 1901 there was an improvement on the [illegible] $[illegible], or 11.4 per cent, and we thought that very satisfactory and something to boast of, but 1903 shows an advance of $355,350,273, or 38.1 per cent.

I call attention to this, and if any paper in the South can speak for all that country it is this journal.

Well might this paper give to the country a happy New Year on the part of the South.

Mr. GAINES of Tennessee. Will the gentleman allow me a minute?

Mr. BOUTELL. I asked that I might be permitted to conclude this story that is made up with scissors and a paste pot.

Mr. GAINES of Tennessee. All right.

Mr. BOUTELL. We now come to the State of Mississippi.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEMENWAY. I yield the gentleman thirty minutes more time.

Mr. BOUTELL. I did not realize that this story was so good or so long or would be so interesting.

The Natchez Democrat, in an editorial of January 1, said:

A review of the past year in a business sense is hardly necessary at this time, as it has been [illegible] year, where the year was [illegible] Cotton, which is [illegible] an unusual [illegible] and New Orleans have been added [illegible] which is [illegible] and Texas [illegible] world. There has been a substantial increase [illegible] The building work of New Orleans, for instance, has been a [illegible] boom, and it will be continued through this year.

I hope that it will, and for very many years to come; and I am glad to know that the boom has struck Mississippi. [Applause on the Republican side.]

In looking over the little local papers to find out, if I could, the most trustworthy statements from the rural homes and the quiet retired spots, I ran upon the Weekly Clarion and Ledger, of Jackson, Miss., of January 7, 1904. I found that this little paper contained what purported to be the full text of the annual message of the governor of Mississippi to the legislature. I think Governor Longino had completed his four years' service, and delivered this as a valedictory address before Governor Vardamann had come in and delivered his salutatory. I felt certain that a man who had been governor of Mississippi for four years was better entitled than anybody else to speak for the whole State. I was glad, therefore, to find in his address so much information as to the conditions in Mississippi.

Now, I regret very much there are some expressions in this message which I would omit if possible, for fear of wounding the feelings of my friend from Mississippi, because they do not seem to be up to his plane of proper Democratic principle; but he will see that in order to keep the connection I had to keep in these expressions. Governor Longino, in completing his four years' service, spoke as follows to the legislature:

I desire to reiterate for the purpose of emphasizing now what I had the honor to say in my inaugural address to the legislature four years ago.

He then quotes from what he said four years ago, which I will now read. Picture to yourselves that he had just entered upon a four years' term of service as governor of the State of Mississippi:

It is perhaps meet to say here that now when the tidal wave of new industrial [illegible] comes to bless Mississippi the State and capital is hesitating [illegible] and conservative policy should be pursued to [illegible] and corporate interests. In shaping our legislation [illegible] business [illegible] prosperous or great without a [illegible] and capital [illegible] Experience has shown it to be wise [illegible] and privileges to such corporations [illegible] and the public generally as well [illegible] I cannot but hope, based on past [illegible] to railroads or other corporate enterprises [illegible] Mississippi and go to other States offering [illegible] concessions.

[Loud applause on the Republican side.]

Now, I want to reread this if I can in connection with the remark that the gentleman from Mississippi [Mr. WILLIAMS] made about [illegible] capital that was profitably employed [illegible] would be unprofitably employed; and I ask him—and there will be time yet, either to-day or some other day—to explain whether this money that has gone into Mississippi has been [illegible] into unprofitable enterprises. That ends the government [illegible] from his message of four years ago, and now [illegible] ago, showing how well the legislature lived up to his advice. I think it is hardly necessary for me to ask my friend from Mississippi whether the legislature to which this advice was given was a Democratic or a Republican legislature.

[illegible] sentiment shared by both executive and legislature gave confidence to [illegible] Thus encouraged by liberal laws and tempted—

Mark this—

[illegible] opportunities for profitable investment capital has [illegible] and given to Mississippi an industrial, manufacturing, and commercial importance and thrift never before enjoyed by [illegible]

[Applause.]

I am glad of it. We are all glad of it. I was very much surprised. I could not have taken the words of the Clarion Ledger alone for it, and it was only the verbatim address of the governor that made me confident that this good news was true that "capital has poured into the State by millions and given to Mississippi a prosperity that she has never enjoyed before." I am glad of it, and the country is glad of it.

The governor goes on and quotes from the annual report of the secretary of state, in which he says:

That during the years from 1890 to 1903 747 corporate charters were granted, [illegible] four years from 1896 to 1899, aggregating a capital of $25,000,000, although during the earlier four-year period, from 1890 to 1896, only a $5 fee was charged for each charter.

Whereas during this latter period (that is, the four years of great prosperity) these charters were charged up according to the capital stock. Now, you see, you have this careful arrangement by the secretary of state of Mississippi into an eight-year period, from 1896 to 1899 and from 1900 to 1903, and during all this period money has been coming in there by the millions, and the prosperity and the manufacturing enterprises and granting of charters have continually increased. Then, commenting on this, the secretary of state says:

The increase in the amount of business in the State during the eight-year period—

Now, mark this, not something sporadic, not something due to the boll weevil, not something due to adventitious circumstances, but "the increase in the amount of business in the State during that eight-year period"—the period of Republican administration of this country—

has been healthy, steady, and rapid each year, showing marked progress over its predecessor. The assessed value of the property of the State in 1899 was $162,255,[illegible], while in 1903 the value of the State's property aggregated $[illegible].

[Applause.]

And then the governor says:

I feel safe in venturing the assertion that Mississippi stands among the foremost, if not in the lead, in the rank of railroad building—

And the governor continued—

I therefore commend—

Remember, this was just three weeks ago—

to this legislature a continuance of the liberal policies which characterized the course of your predecessors and feel that nothing will be done by you to check the State's great progress.

Mr. HILL of Connecticut. Stand pat! [Applause.]

Mr. BOUTELL. That seems to be what might be called a condensed version of the address of the governor of Mississippi.

Well, now, such in brief—and I wish for your sakes, Mr. Chairman and gentlemen, that it had been briefer—is the story of prosperity in the "solid South" and the State of Mississippi during the year which has just closed. You will notice that they have all predicted equal if not greater prosperity in the future, and as confirming that prediction I will read just a few words from one of the trade reports, bringing the figures down to the week ending January 1, 1904, which says:

Confidence in a prosperous spring trade finds support in an enlarging volume of business in southern and southwestern markets, an awakening of interest at some of the northwestern centers, and growth even at central, western, and eastern markets, where, however, weather conditions are a drawback to the fullest activity.

The good prospects coming into realization during the third week in January are altogether in the South and Southwestern States. Now, from the bank clearings for the third week ending January 21, I find this splendid showing, that in nineteen southern cities there has been an increase in bank clearings from one-tenth of 1 per cent in the western city of Kansas City up to 105 per cent in Jacksonville, Fla., and 133 per cent in the city of Memphis, Tenn.:

BANK CLEARINGS FOR THE WEEK.

The following table, compiled by Bradstreet, shows the bank clearings at the principal cities for the week ending January 21, with the percentages of increase and decrease as compared with the corresponding week last year:

City.	Amount.	Percentage of—	
		Increase.	Decrease.
St. Louis	$50,167,628	14.5	
[illegible]	22,[illegible]	[illegible]	
New Orleans	25,[illegible]	34.8	
[illegible]	9,320,298	15.4	
[illegible]	4,147,097	1.6	
[illegible]	6,744,806	139.7	
[illegible]	3,441,828	2.7	
[illegible]	2,866,[illegible]	8.8	
[illegible] Ga.	1,993,273	22.3	
[illegible]	1,791,287	10.8	
[illegible]	1,592,[illegible]	10	
[illegible]	1,458,461	25	
[illegible]	867,[illegible]	9.9	
[illegible]	674,[illegible]	4.8	
[illegible]	786,441	18	
[illegible], Fla.	770,234	105.5	
[illegible]	18,223,113	16.9	
[illegible]	9,[illegible]		
[illegible]	1,28[illegible],499		

Now, Mr. Chairman, such is the story as told by the local newspapers of the industrial and financial conditions through the State of Missouri and the whole South.

Mr. RICHARDSON of Alabama. Mr. Chairman, will the gentleman from Illinois yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Alabama?

Mr. BOUTELL. I would like not to be interrupted for a moment until I complete this.

Mr. RICHARDSON of Alabama. Just this——

Mr. BOUTELL. If the gentleman from Alabama will kindly suspend.

Such, Mr. Chairman and gentlemen, is the bright story told by the local newspapers throughout the State of Missouri and the Southern States. Is it not good news that this story brings? Is it not splendid news? Is it not glorious news? I ask the gentlemen from the districts where these papers are published, Is it not true news?

Isn't it something that we are all glad of aside from any political reason which one or another may give for this situation? We are all glad of it, Mr. Chairman, as American citizens. There never was, perhaps, a sadder sight in the history of the world than the condition of the Southern States at the close of the awful war of 1861 to 1865. I sometimes think, my friends on this side of the Chamber—you who bore arms for the North in that conflict—I am sure, will agree with me—that we have failed to appreciate what an awful blow that war was to the South. The bloodiest battlefields in the history were fought in her territory. The people had lost all their property. The wives and mothers and sisters who had buried their dead did not even have the means with which to erect lasting monuments to their memory. All over the South forty years ago, in almost every county, there were burying grounds of southern soldiers with no soldier's monument. Those who mourned were unable to place any memorial over their dead except the fading tribute of flowers. They were unable to write any inscription over their dead except with their tears.

But now it has all changed and we all rejoice in the new and better order of things. I am glad of all that this story tells for the sake of the wives and mothers and the sisters of these soldiers who lost their lives in that war.

Stoop, angels, hither from the clouds;
There is no holier spot of ground
Than where defeated valor lies
By mourning beauty crowned.

[Applause.]

We rejoice, too, Mr. Chairman, for the sake of those who went

back from the war, the young men who went back from Appomattox, taking their horses with them by command of our magnanimous leader, who found their homes in ruins and their fields devastated, and who for forty years have paid without complaint these taxes which have been most largely spent at the North. Now they are coming to their own again, and we congratulate them.

Mr. Chairman, I am glad of this bright story from the South for one personal reason, let me say to my southern friends. The first murmuring of that awful struggle came to me as a child of 5 in a little quiet New England town. I had a father and six near of kin in the northern army, and of course I remember some of the bitterness that raged between the two sections. In the chances of war I landed as a youngster in western Missouri, and finally in the State of Lincoln and Grant. Of course, for many years following the bitterness between the two sections was kept up. All that is over and gone. I see before me, among my best friends, the sons of those who lie in Confederate graves, and during the last few years I have thanked God daily in my heart that I have lived to see the day when the last trace of bitterness between the two sections of this country has vanished forever. [Great applause.]

I am proud that I was granted the privilege of serving in this House with some gentlemen who had been officers in the southern army, and to see them, when the call to arms came in our war with Spain, promptly offering their services.

It was a glorious sight when such soldiers as Lee, of the Old Dominion, and Wheeler, of Alabama, put on the uniform of the United States Army and marched under the Stars and Stripes. [Applause.] But that is not all. These men are growing old. The gray uniforms hang in their houses to-day, but when these great heroes of two wars come to give up all there is of mortality they will be laid in the earth clad in the uniform of the United States Army, with their casket wrapped in the Stars and Stripes. [Applause.]

Mr. Chairman and gentlemen, I hope you will pardon this digression, but it does seem to me that this is an occasion where we can all rejoice in this splendid prosperity, this unequaled prosperity, that exists all through the southern part of our country.

And now I do not claim that this is all due to the Republican protective tariff; not at all. Mr. Chairman, no one who even tried to think as a state-man would ever make any such claim as that. The only claim I make, the only claim the most ardent Republican could make, is, and it can not be denied, that the principle of protection is an American principle, that the principle of protection has always been recognized on our statute books: that the Dingley revenue act is the wisest and most beneficent tariff act for all sections of the country that has ever been placed on the statute book; and this story and that which I have read tend strongly to prove this claim.

This story shows that the blight and mildew which were predicted as the certain results of Republican victory seven years ago can not be found in any part of the country. And so, as the campaign is coming on, the platform of the Republican party needs nothing but its record during the last eight years. [Applause on the Republican side.]

Mr. FITZGERALD. Will the gentleman yield?

Mr. BOUTELL. Mr. Chairman, I will be glad if the gentleman will not interrupt me at the present time.

The CHAIRMAN. The gentleman declines to yield.

Mr. BOUTELL. And, Mr. Chairman, there is no more doubt about our leader than there is about our platform. [Applause on the Republican side.] I know that some gentlemen on the other side of the House have censured our President for being impetuous, but I want to say, Mr. Chairman and gentlemen, that the people of the United States would rather have a President who is impetuous and frank than a President who would be suave and subterranean. The people know what Theodore Roosevelt stands for, and he needs no defense in this House or before the people. I want to tell you that we love him and you fear him for the enemies he has made. [Applause on the Republican side.] Has he forfeited any Democratic esteem because in season and out of season he has been zealous in enforcing the laws against illegal combinations? Censure is the tax that strong men pay for doing right, and Roosevelt has always been a heavy taxpayer of this kind.

Has there been anything in his attitude toward any of the public questions of the day in which he has not shown himself equally strong, frank, and manly in dealing with them? Let me say to those on this side of the Chamber who read with misgiving that this man or that man or the other man in our party is looking for another Presidential candidate that such statements are no new thing in our history. Why, away back, even in the time of George Washington and the early Presidents, every President who was ever elected to a second term had to meet at the close of his first term the intrigues of personal enemies and even the schemes of rivals. And so it has been all the way down through our history.

I want to call attention briefly to the experience of Abraham Lincoln. In 1863, when he was bearing the great burdens that were put upon his shoulders, he had his Horace Greeley, who wanted to see Rosecrans nominated in 1864. Greeley proposed to force Abraham Lincoln to retire, make Hamlin President, and Rosecrans the candidate in 1864. A committee was sent by Greeley to Missouri to ask Rosecrans if he would come into the scheme. He gave them the reply of a brave and devoted soldier, when he said:

> My place is here. My country gave me my education and is entitled to my military service.

Then there was in Mr. Lincoln's Cabinet Mr. Chase, the Secretary of the Treasury, who used his position in the Treasury to further his own candidacy for the Presidency. President Lincoln treated him with as much calmness and courtesy and affability as though he were loyally supporting him, but what happened? The legislature of Ohio instructed all its people for Abraham Lincoln, and when the electoral college met Mr. Lincoln got every vote in the college but 21. Afterwards, with unparalleled magnanimity, he made Mr. Chase Chief Justice of United States Supreme Court.

So it was in the days of Grant in 1872. There were those who were going to replace him with another candidate. The same occurred in the case of Grover Cleveland, and in the case of Mr. Harrison, and four years ago there were rival candidates springing up against William McKinley. So, I want to say to you, my friends on the other side, do not take a bit of comfort in what you see in the newspapers about troubles in the Republican ranks. There is no question as to who will be the nominee of the Republican party. With the record of the Republican party behind it for the last seven years, and no question about our leadership, there can be no question as to the result. Our record will be our platform and Theodore Roosevelt will be our candidate, and he will be reelected by the same kind of majorities that were given to Lincoln, to Grant, and to McKinley.

I tell you, my friends on the other side of the Chamber, if there were not so many among you down in your country who are merely what I call "geographical Democrats" or "social Democrats;" in other words, if you voted your honest convictions on financial and economic questions next November, Theodore Roosevelt would be reelected by as large an electoral vote as was given to President Monroe in 1820. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEMENWAY. Mr. Chairman, if I have any further time I yield it to the gentleman.

The CHAIRMAN. The gentleman has no more time.

Mr. HEMENWAY. Then I will ask the gentleman from Georgia [Mr. LIVINGSTON] to yield the gentleman some of his time.

Mr. LIVINGSTON. I can not do that. I yield thirty minutes now to the gentleman from Mississippi [Mr. WILLIAMS]. [Applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I am sure that nobody in this Chamber has listened with more pleasure to the remarks of the gentleman from Illinois [Mr. BOUTELL] than I. From grave to gay, from humorous to pathetic, from the actual to the fictitious, he has furnished us pleasure for over an hour. He has proven himself master of the entire gamut of the musical instrument which he accused me of playing, the dulcimer. [Laughter.]

Now, I am not going to allow the gentleman from Illinois to assume either all of the patriotism or all of the pride and pleasure and happiness in the spectacle of American prosperity that can be felt by American citizens. I, too, thank God for the things which we have, though I am not quite ready to "stand pat" upon them and say that they are "well enough." I have never known things to be "well enough" in this poor, miserable world of ours.

But I am ready to go back in history with the gentleman from Illinois. I am ready, too, to thank God that we are a united citizenry. I am ready to thank God that there are children in this world to-day whose mothers were daughters of Confederate soldiers and whose fathers were sons of Union soldiers. I am, above all, Mr. Chairman, ready to thank God that there does not exist to-day along the Potomac, along the Ohio, and along the southern boundary of Missouri and the southwestern boundary of Texas a line of custom-houses "protecting" us from one another. [Applause.]

I am ready to thank God that Massachusetts can consume the cotton of Mississippi and the sugar of Louisiana, and that Louisiana can consume the iron of Pennsylvania. And I thank God for it, because I know in my heart that if we were separate and independent governments and each was "protecting" itself from the "pauper labor" and "inundation of products" of the other, we would be vastly less happy and less prosperous than we are to-day. [Applause.]

Why, Mr. Chairman, not long ago I went down to Newport News with my good and valued friend, Mr. LACEY, of Iowa; and he told me during the trip that somebody had said to him that there was now no difference between a Yankee and a Southerner, except that one "reckoned" and the other "guessed." Not many days ago in Boston, addressing the "Free Trade League," I announced to them the glad tidings that even that difference had disappeared; that since we had fallen heir to the present incumbent of the White House nobody "reckoned" because there was no basis to "reckon" on [laughter]; that we were all Yankees now, because we were all "guessing" [renewed laughter]; and that nobody could guess even twenty-four hours in advance. [Laughter.]

Why, sir, the gentleman says we have objected to this candidate because he is impetuous. I dare say that perhaps the word he heard was somewhat different from that. Was not the word "cataclysmic" or "earthquakey," or "volcanic," or some other word? Are you sure [addressing Mr. BOUTELL] that it was simply "impetuous?" [Laughter and applause on Democratic side.]

Mr. BOUTELL. Yes, because I read it from the gentleman's speech.

Mr. WILLIAMS of Mississippi. Well, I think not; they must have misquoted me.

Now, another thing: We are not, as the gentleman apprehends, taking any comfort out of the fact that other candidates are arising to oppose the renomination of the present incumbent of the White House. On the contrary, we are shaking in our boots for fear that some of them may succeed. [Laughter.] The comfort we are taking is out of the fact that you have gone so far that you can not go back, and you are obliged to nominate him. [Applause on Democratic side.] You have got to "stand pat" on him, together with all the other things.

About a year ago a number of your State conventions swore that the horse was "eighteen feet" high, and as you have announced a general all-round "stand pat" policy you have got to keep on swearing that that horse is "eighteen feet high."

Why, my friends, I do love to listen to the gentleman from Illinois. There is nothing that pleases me so much as a public speech of his, except perhaps a private conversation with him. But I love to listen to his public speeches because he is so sweet mannered in his cocksureness of everything, and so remarkably amusing in his hatred and contempt of Thomas Jefferson.

Mr. BOUTELL. On the contrary, I have a very high regard for most of Thomas Jefferson's opinions.

Mr. WILLIAMS of Mississippi. Yes; it is that sort of "regard" I heard that an Irishman had for a candidate: when he was asked to "go for him," he said "I went for him last night; I tried to smash his nose all over his face." [Laughter.] I never hear the gentleman expressing any "regard" for Thomas Jefferson; I always hear him trying to "smash his nose all over his face."

The gentleman this morning quotes something about Mr. Jefferson wanting to know if he had a coat of arms. In his day nearly everybody had a coat of arms. Unfortunately for poor old Thomas Jefferson he was derived, as I am, from common Welsh stock and he could not find any coat of arms. But George Washington found one and sported it everywhere; and I have never heard anybody blame him for it. [Laughter.]

The next step was that the gentleman suggested a coat of arms for Mr. Bryan. Will he permit me to suggest a coat of arms for his candidate—"the man that everybody is for and nobody wants." [Laughter.] I would suggest a caricature that I saw in the Post not long ago—the face of a certain Republican upbuilder and organizer upon a dog's body, looking down in a very dignified and good-humored, though somewhat condescending, manner, and a little child, with the beatific countenance upon him that we know so well at the other end of the Avenue, looking at him and saying, "Can't you talk?" [Laughter.]

Or, if you are not willing to "stand pat" on that coat of arms, I will suggest another of a more serious character, another caricature that I saw in another paper—a man astride of a cannon marked "Presidential Cannon," with his back to the muzzle and his face to the breech, with a whole lot of groundlings whose ears he tickles, out behind the breech, throwing up their caps and huzzaing, and the man who is playing with the Presidential Cannon touching it off every now and then to see if it would hit anything, but in absolute ignorance of what was in front of it and in absolute recklessness of what was in front of it, too. So much for coats of arms, my friends.

The gentleman says I played upon the dulcimer. I wish I were a musician and could play upon some instrument to the glory and the honor and the praise of Democracy and of its father, Thomas Jefferson. I would not mind even it were a dulcimer; but the gentleman has played upon the dulcimer this morning, and in playing upon it he has spent quite a long while eloquently and genially and intellectually, too, singing as he played the praises of God and the American farmer, but leaving people to infer that in somehow or other the Republican party was responsible for God and the American farmer. [Laughter.]

Why, do you know, I dislike very much to sink to the ordinary anecdotal phraseology of Abraham Lincoln upon an occasion of this magnitude and dignity. I love dignity, you know; but an old anecdote of Abraham Lincoln occurs to me. The gentleman gets propter hoc and post hoc and everything else mixed up. He gets certain things occurring accidentally together with an accidental Republican administration, and then he couples these things together and would have you believe—although he is too honest to come out and say so, still the object of his speech is to have the reader of it draw the inference—that the Republican party is somehow responsible and in some way to be credited for it all. Abraham Lincoln once said that there was a woodpecker away up in the top of a tree, pecking and pecking and pecking at the tree, and after a while a windstorm came along and blew down the tree and the woodpecker; and the woodpecker believed to its dying day that it pecked the tree down. [Laughter.]

The gentleman tells me that the South is prosperous. Of course the South is properous.

Mr. BOUTELL. But we never heard it from the other side of the House during the last three months.

Mr. WILLIAMS of Mississippi. Why, you have heard it from me, I am sure. Of course the South is prosperous. Do you know what I am going to do? I am going to get as many copies of the gentleman's speech as the gentleman from Illinois in his generosity will allow me to have, and I am going to distribute them as an immigration pamphlet for the South. Does he think that he can take any more pride or pleasure in the prosperity of Dixie Land than I can? I imagine he can not. I want to use that speech as an immigration inducer. We want more white people down South. [Applause on the Democratic side.]

They will help us to solve our great problem. Of course the South is prosperous, and the South would have been doubly as prosperous as it is to-day under Democratic local administrations all over the South but for the dread ten years' history of Republican misrule there. [Applause on the Democratic side.] And the South would be trebly as prosperous as it is to-day but for the indefinite, vague dread of some sort of an outside superimposition of Africanization through the Republican party at some day in the future. [Applause on the Democratic side.]

Why, the South was rich enough this year to finance her own cotton crop; and when the men that knew the cotton crop was short went up to New York and wanted to borrow money, they said: "We will stop this little thing. We will not lend them a cent." Hitherto in the history of the country whenever they said that, that did stop it; but this year they went right down to New Orleans and Charleston and the other southern cities and borrowed every bit of it.

And I will tell you another thing. I will be still prouder than I am now of the fact that this is a reunited country and that South and North stand together, whenever you cease to let ooze out of you unconsciously the conviction down in your own hearts that we are not the children, but the stepchildren, of the Republic. There are two unwritten laws in America to-day.

Gentlemen talk to me about being reunited and all under one Government and proud of it, and we are proud of it and glad of it; but there are two unwritten laws in this country to-day equally august. We boast that we have absolute religious freedom and equality, and yet no Roman Catholic, if he were the wisest man in the land, could possibly be nominated for the Presidency; so we boast that we have absolute sectional peace and equality, and you boast of your magnanimity, and yet it is a known fact that no Southerner, if he were the wisest and most patriotic man in the land, and if he drew the breath of life for the first time as late as 1866 or 1867, after the unpleasantness was over, could be nominated for the Presidency of the United States, or if nominated could be elected.

The gentleman asks me a question about the millions capital that have floated into the State of Mississippi. He asks me if it had been deflected from otherwise profitable pursuits, as I said was the case with capital drawn by legislation into industries created by a tariff. I will answer the gentleman by saying this: not one dollar of the millions was drawn to the State of Mississippi for cultivating one single protected article upon the Dingley schedules. [Applause on the Democratic side.] That capital was not drawn by protectionism. It was therefore not hothoused out of some other pursuit and not deflected from use in otherwise profitable pursuits. Why, the State of Mississippi is the most purely agricultural State in this Union.

With an area of about the State of Iowa, perhaps not so much, 46,000 square miles, she has a population of a million and a half of people, and yet has only one town in her entire borders of 20,000 population; only two that pretend to have 12,000 to 15,000,

and all the balance of the people live as their Teutonic ancestors did in Europe, and as their English ancestors did in Great Britain, out in the country, living the life of independent countrymen, in God's free air, learning to do all things, not a slave to the division of labor, where a man drives a tack, tack, tack, with a piece of machinery all day long, until he forgets how to think.

What does the protective tariff have to do with all this prosperity that the gentleman was singing about this morning? Has the protective tariff raised the price of cotton to 15 cents a pound, or, as it was yesterday, 16 cents a pound in New York? It has only taxed the cotton raiser on nearly everything he buys—implements, gins, fence wire, etc. Does a gentleman of common sense upon that side dare to stand upon this floor to-day or to-morrow and say that a protective tariff has given value to the oats and to the corn and to the cattle and mules that have been raised in the State of Mississippi? America exports all of these. Is there a gentleman upon that side who will say, that with regard to the heavy cotton goods that are manufactured in the State of Mississippi and are sold in competition with Germany and England in China and Manchuria and other world markets where the greater part of these Southern goods are sold, that they owe a cent of the prosperity of their workers to your protective tariff?

The South does not owe but one thing to you, and it does not owe that to you as the Republican party. It owes it, however, to I do not know how many millions of men—about two millions on one side and six hundred thousand on the other—who met one another bravely in battle and settled a long-disputed question that could not be settled any other way. It owes, perhaps, something to the result of that conflict; and what it owes to this result is stated thus: That the magnificent broad area of free trade, carrying we have with it from the Atlantic to the Pacific and from the Gulf to the Canadian border, is not divided up the middle by customs-houses. [Applause on Democratic side.] I am sure that is no better way Republican doctrine, whatever it may have been earlier.

Now, Mr. Chairman, I have not had any time to make an elaborate reply to my friend from Illinois, who seems to have grown tired of this "standing pat," and wants now to go onward. This morning his discourse might have been divided into two heads—

The CHAIRMAN. The time of the gentleman has expired.

Mr. LIVINGSTON. I yield to the gentleman sufficient time to finish his remarks.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I shall not take much time.

Mr. PAYNE. How much time does the gentleman want?

Mr. WILLIAMS of Mississippi. I do not know; ten or fifteen minutes.

Mr. PAYNE. I ask unanimous consent that he have ten minutes.

The CHAIRMAN. The gentleman from Georgia yields to the gentleman.

Mr. BOUTELL. I hope, Mr. Chairman, that he will have all the time he wants. [Applause.]

Mr. WILLIAMS of Mississippi. The gentleman's remarks might have been divided into two parts, unlike the ancient Gaul which was divided into two parts, but into two parts like the Republican party to-day. One part was his desire to get "standing pat" and taking a position in Congress on past issues, or at any rate not live issues, to see if he could not put Democracy on the defensive, and the other was the cheap, often sung and yet ever new song that "steers are worth six cents in Missouri." While the gentleman speaks of a just and honored leader of the Democracy, able, patriotic, and honest, who can not be belittled, because he does not deserve it, he put me out as being a Nebuchadnezzar. I call attention to the fact that the Republican party to-day is not even a Nebuchadnezzar. It can not even "eat grass." It can not do anything except "stand pat" [laughter], standing pat with its head up and its eyes shut, and it will starve to death and starve the country, or it will get knocked in the head and thrown aside if it does not give up its attitude pretty soon. [Applause on Democratic side.]

Now, I did not say that every man who believes that the Dingley tariff bill was a good bill was a fetich worshiper. I said every man who said it was the duty of a great party in the interest of the country to "stand pat" upon every schedule of it was a schedule fetich worshiper, and what else are you if you are not that? You must have one of two reasons for "standing pat" upon every single solitary schedule of a bill after parts of it have proven too high, even from your own standpoint. It must be either because of the worship of the schedule or it must be because you are afraid to touch it.

Now I know you all too well to believe that the latter reason can possibly be the reason actuating you in "standing pat." I do not believe you are at all afraid. Some people have insinuated that you thought may be if you opened the matter up all sorts of differences in your ranks might appear; objections might come from Iowa, out amongst the "new idea" people; some from Minnesota, and that Michigan might have a word to say, and Boston might have something to say, especially upon the coal question and Canadian reciprocity, but I do not believe you are really afraid of one another. Are you?

Somebody has insinuated that maybe if you didn't "stand pat" that New England might want to put hides on the free list and the hide men might want to reduce duty on shoes 50 or 75 per cent; but I do not think so meanly of you as to believe you are afraid of your hide men, or your boot men, or your shoe men. Of course not. You are surely braver than that. It is simply because way back in your hearts schedule worship has become your religion, and, by the way, you have almost ceased to have any other religion. You just worship the tariff schedules and the old song, "steers are worth 6 cents a pound in Missouri." The gentleman says, however, we have wonderful speeches, and I think he is a little bit unfair in a part of that argument.

In 1896 the Democratic party went before this country, not appealing as he says, for silver and everything else, but crying for bimetallism—meaning the equal coinage of both metals at a fixed ratio—for the law of American [illegible] association. The Democratic party at that time admitted as he says, that without a substantial increase in the volume of metallic, self-dependent, self-[illegible], self-cleaning, race-fixing, [illegible], there could not be a substantial rising [illegible] that there would continue to be a scale of falling prices.

But it is true that the Democratic party at that time thought that the only possible manner in which it could get an increase in the volume of metallic money was through the free coinage of silver. With the lights then before it, it could not have hoped [illegible] from any other source, unless its members and leaders had been [illegible] prophets. It is true that since that time God, who is so much kinder to His children than their elected legislators are, has pointed out a way by means of which what they sought in vain was accomplished. They have gotten through the act of God and by human intelligence and invention through the instrumentality of gold that which they sought from human legislators through the instrumentality of silver. What has occurred?

Why, I remember standing upon this floor in 1893 and some gentleman said, "Does the gentleman from Mississippi pretend that the world could absorb some one or two or a year of silver production?" I replied in my poor, weak, and modest way, that I thought it could at a slight and gradual increase of prices. At that time the production of gold was a hundred and nine million. I have not seen the figures lately, but from the last I saw the production of gold was $340,000,000 per year, more than all the silver and all the gold of all the world put together at the time when we were making that fight in 1893 upon this floor, and we do not owe it to the Republican party; we owe it partly to accident under the providence of God, in the way of discovery of new gold mines; we owe still more to the inventions and new methods by which incorrigible ores are treated. The world has easily absorbed the increase with only a moderate rise in the scale of average prices.

Mr. BOUTELL. Will the gentleman kindly yield for a question?

The CHAIRMAN. Does the gentleman from Mississippi yield?

Mr. WILLIAMS of Mississippi. I do.

Mr. BOUTELL. Would the gentleman now favor a return to the free coinage of silver at the ratio of 16 to 1, and would you make that a part of your national contention?

Mr. WILLIAMS of Mississippi. I will answer that right now, sir. You know frankness is my [illegible].

Mr. BOUTELL. Otherwise I would never have asked that question.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I have no more doubt now, speaking for myself, than I had in 1893 or in 1896, of the correctness of the underlying economical principles which justified our appeal for bimetallism. I have no doubt at all of this proposition that God has fixed the price of metallic money just by the same law that He has fixed the price of wheat and cotton, of the dancing ballet girl, or an opera singer, by the law of supply and demand, by speculation of a number of people who make an effective demand for a product and the supply of the product itself.

I have no more doubt than I have had in all my life that under the will of God the law of supply and demand, which fixes the price of wheat and cotton, also fixes the price or purchasing power of coin or metallic money. I know that God did not come up a golden image and fall down before it and worship it, and say to metallic money: "Thou art exempt from this universal law of value, determining market prices." Therefore, when three hundred and forty millions of metallic money are being added to the crop of money in the world each year—real money, not promises to pay money, which are no more money than promises to pay horses are horses—when that has taken place, then resulted the rising scale of prices which we have had for several years.

Mr. BOUTELL. Has not the gentleman lost sight of my question?

Mr. WILLIAMS of Mississippi. No, I am leading back to your question.

Mr. BOUTELL. Sixteen to 1: that is the question.

Mr. WILLIAMS of Mississippi. I am leading back to 16 to 1. Now, I have no doubt of the fact also that when the great wars took place in England—and all historians have come to that conclusion—that the Stuarts had historical precedents for a great many of their actions—but no English statesman would discuss, except academically, the issues of the days of the Stuarts.

Mr. BOUTELL rose.

Mr. WILLIAMS of Mississippi. I am going to answer the gentleman.

Mr. BOUTELL. I am going to help the gentleman out.

Mr. WILLIAMS of Mississippi. No, you are not. [Laughter.]

Mr. BOUTELL. I am: I withdraw my question. [Laughter.]

Mr. WILLIAMS of Mississippi. I decline. I am about to answer it. I have no doubt of that proposition. I have no doubt of several other things that have come about in this world and have passed away. I have no doubt of this fact, that parties do not make issues, but that conditions make issues, and issues make parties, and that the time and circumstances immediately antecedent to and accompanying the time and circumstances make conditions. Now, then, it is not left for any man nor any party to make a platform which shall be a real issue: time and circumstances and conditions make it, and the conditions which I have outlined have been such that the silver question is relegated to the rear. [Applause.]

Mr. HILL of Connecticut. May I ask the gentleman a question right there?

Mr. WILLIAMS of Mississippi (continuing). Now, mind you, I am not saying what will be in any platform in the land; that is not my business. The gentleman has asked me a question as a Representative on this floor, and I have answered it as a Representative from the Eighth district of Mississippi—as plain Mr. WILLIAMS, standing simply in his own poor, plain shoes, answering for nobody but himself. [Applause.]

Mr. BOUTELL. May I say that I expected the gentleman from Mississippi would give just that answer, and I congratulate him on that conclusion.

Mr. WILLIAMS of Mississippi. If the House will excuse me a moment for uttering a little language perhaps in the minds of some of you almost traitorous; when I go back and study the circumstances surrounding the adoption of the Constitution of the United States, and the debates in the Constitutional Convention, and the history of the time when some of the people in New England threatened to secede—the Hartford convention times—when neither Thomas Jefferson nor James Madison denied that they had no right to do it, if they chose, and when I take all that and the Constitution as I find it, I believe as an academic and historical proposition that my old grandfather, in his day, was right in saying that a State had a technical, constitutional right to secede, but I am not fool enough to be raising that issue right now. [Great applause.] Moreover, if I did raise it, and either [illegible] it, nobody but the platform makers would pay any attention to it.

Mr. HILL of Connecticut. Will the gentleman allow me to ask him a question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. HILL of Connecticut. I understood the gentleman to say that prosperity for the last few years had been largely due to the increased production of gold continuously for a few years. I would like to ask the gentleman if he thinks it would have any effect on his argument to remember that during the African-Boer war the Transvaal mines were closed, and that there has been a reduction in the output of gold during these years of increased prosperity, so that the argument of the gentleman falls to the ground.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I have put into the RECORD, in a speech that will come out to-morrow, which I made the other day, clippings, showing that approximately as long as the annual crop of gold kept up, the annual increase of productive enterprise and the scale of rising prices went on. I did not put them there for that purpose, however.

Mr. HILL of Connecticut. Then, why does it not fall when your production goes down?

Mr. WILLIAMS of Mississippi. It does soon after. Prices are beginning to go down, and have been going down for a year.

Mr. HILL of Connecticut. The amount of gold is now rising.

Mr. WILLIAMS of Mississippi. I know that, and it will probably soon brace things up; but the effect can not be counted the minute the gold is gotten out of the mine. Does not the gentleman know that the crop of anything does not count until it begins to get into the market? The amount of gold that was mined last year did not affect the price last year, nor even this year as yet hardly. It takes some time for it to go where it is coined and minted, and it takes time to distribute it from the mint among the people, where it begins to constitute a part of the effective demand for products. Nor is there any exact mathematical relationship between supply and demand in wheat, cotton, gold, or anything else, because after all it is a correlation, not of the actual supply and actual demand, but of the estimated supply and estimated demand—the estimate going all over the world.

Now, then, the gentleman said that we worshiped another fetich, and he said that fetich was our opposition to the annexation and retention of the Philippine islands. Well, if that be a fetich, if anticolonialism be an idol, George Washington not only worshiped it but fought for it; and if Jefferson wrote for it, and Patrick Henry spoke for it, and the men at Valley Forge starved for it, and the men at Kings Mountain killed Ferguson for it, and the men at Guilford's Courthouse ran over the British dragoons for it, and the Democratic party has not quit it yet [Applause on the Democratic side], if colonialism is another thing you want to "stand pat" on, stand pat, then, on your un-American, old European, military-camp, grab-nation policy of indefinite colonialism. What are you going to do about this Philippine question, anyhow? Why, I see there is some hedging beginning already.

I saw not long ago that some prominent gentleman, I think it was Professor Schurman, said that Mr. McKinley had told him that he never had any idea of permanently retaining the Philippine Islands; that he just wanted to carry them through a sort of kindergarten process and turn them loose after a while; but if you want to stand pat upon the proposition of indefinite colonialism in the Philippines—if you want to stand pat upon the proposition of killing human beings then and there, or thereafter, or hereafter, in order to "do business,"—then God help you! And only the infinite mercy of God could help you. [Applause on the Democratic side.]

It reminds me of a story I heard about old Meredith P. Gentry, in Tennessee. He had run for governor or something and been defeated by Andrew Johnson. He was an old-line Whig and quite an aristocrat in his way. He had a contempt for Johnson, and when Johnson defeated him he felt badly, not so much because he had been run over, but because, as the boys said, he "had been run over by that calf." He went into a state of decline, and soon after that his wife died and Gentry became more and more melancholy until finally a lot of old-line Whigs around Knoxville concluded to invite him to Knoxville to the house of old Dr. Sandy Williams, and have a party of friends meet him there and have a nice time and make him forget his sorrows.

They got Gentry there, and among others of the old-line Whigs who came was Parson Brownlow, one of the uncles of the gentleman who now represents an East Tennessee district. Parson Brownlow was "powerful in prayer," as they say down South, and in those days the gentlemen had their long-necked demijohns with their whisky, and they drank until pretty late at night. Then they would have prayers, because they all belonged to the church and were religious. Late at night old Sandy Williams, who was the host upon the occasion, said: "Gentlemen, you know it is the custom in my house, whenever there is a minister of the gospel present, to have prayers before we retire. Brother Brownlow will now (in the words of the Speaker), 'lead us in prayer.'" [Laughter.]

Then upon Brother Brownlow, who was powerful in prayer, arose. He prayed for the rich and for the poor. He prayed for the government and for the learned. He prayed for this country and for other countries, and especially prayed for the beloved Commonwealth of Tennessee. Then he began to pray for his friends and the friends of those who were there, and then he touched upon Meredith P. Gentry's case and prayed for him, that God might send a salve to heal the wounds that had been wrought in him and close up the gaps that had been made in his political constitution. He prayed for Gentry very pathetically and eloquently. All of the gentlemen had had their toddies, and Gentry was kneeling down by the sofa and could be heard audibly to sob as Brownlow referred to the fact that his good wife, one of the sweetest women in Tennessee, had died a short time before, and referred to the beautiful relationship between them, the fact that she had gone and left him comfortless at the very hour when he most needed her.

Then the parson expanded and began to pray for everything; and he finally said, "And, O Lord, if in Thy infinite mercy it be possible, have mercy also upon Andrew Johnson and John M. Savage." Then it was that Meredith P. Gentry, great man and great statesman as he was, arose with the tears streaming down his face and said, "Stop, Mr. Brownlow, stop; you will exhaust

the fount of infinite mercy." [Prolonged laughter.] And sometimes when I feel like praying to God to have mercy upon you all in this new pathway of colonialism, recklessness, land robbery, and greed that you have marked out for yourselves under the guise of carrying the white man's burden and introducing "civilization," by gunshot wounds, into the brown man's home, I am almost afraid to pray for fear it may be blasphemous, in that it might possibly exhaust the fount of infinite mercy. [Prolonged applause and laughter on the Democratic side.]

But my friend whose hatred of Thomas Jefferson is so amusing, says that Thomas Jefferson on August 25 and November 25, 1775, wrote letters in which he said that America would rather be dependent upon Great Britain than upon any other government, and that America would rather be dependent upon Great Britain than upon a republican government; and he seems to think, student of history as he is—and by the way he is perhaps the man in this House best qualified in my opinion upon historical questions——

Mr. BOUTELL. Thank you.

Mr. WILLIAMS of Mississippi. The gentleman seems to think that he has discovered a mare's nest. Nobody but a Federalist or a political descendant of a Federalist would be misled that far, my friends. That was in August and November, 1775. It was not very long after the last date when George Washington crossed the Potomac River on his way to the first Congress of the Colonies and being accosted by an old Episcopal rector with the remark, "Mr. Washington, if you all go on with this, it will end in a Declaration of Independence or in a rebellion;" and George Washington's reply substantially was, "I would cut off my arm first." The gentleman will remember also that about that same time Benjamin Franklin told Pitt that "he had never heard independence mentioned by a man in America." In other words, Thomas Jefferson and George Washington and the colonies were driven to desperation and rebellion.

They were trying by every means within their power to get Great Britain to reconsider her idea of unlimited and unlimited colonialism in America—her idea of subjecting people subject to the flag of Great Britain upon the continent of America to one law, while people subject to the flag of Great Britain in the islands of Great Britain were subject to another. They were pleading at first as loyal subjects against a system the exact forerunner of what you are now practicing under the flag of the Union in the Philippines. They pleaded; they prayed most humbly; they sent up appeal after appeal to King and to Parliament. They would rather have remained with Great Britain; they would rather have been dependent upon her than any other country; they would rather have been dependent upon her than upon no country. British soldiers coming over here had joined with the Colonial troops led by George Washington in Virginia, and led by others in New England, and they had fought side by side against the French and the Indians for the maintenance of the supremacy of the English-speaking race upon the continent of America.

Every liberty that America prized most highly had come down from the English common law. Nearly every drop of blood in the veins of American citizens at that time was English—Cromwellian or Stuart, or whatever may have been the line of political demarcation in the old country. They were anxious to remain under the flag; they were anxious to do it provided they could deal with honor and provided the protection of the flag could be equal, and justice could be dealt out to them. They would have been subjects of Great Britain to-day but for the fact that King George III anticipated on the part of Great Britain the sort of imperial policy that you are now applying to the Philippine Islands and with obstinacy equal to yours proceeded to it. The only difference is that he met a strong and virile people and failed, while you have met a weak and inferior race, who have succumbed. I beg your pardon, there is another difference: English tyranny in America never engaged in a dual tyranny, oppression, and greed to your tyranny in the Philippines. There is another fact: it frankly confessed that it proposed to exploit America; in the interest of British trade and empire, and hid behind no hypocritical pretense of expansion for the sake of the oppressed, "bearing the white man's burden," or "benevolent assimilation."

I do not want to retain or annex any people whom we can not really assimilate, and you can not assimilate any inferior race with whom you will not intermarry. That is the real test of a real assimilation.

Mr. BOUTELL. Will the gentleman yield a moment? Of course Thomas Jefferson thought that a continued union with Great Britain under such circumstances did not amount to much. I was simply referring to that by way of explanation——

Mr. WILLIAMS of Mississippi. But you said I was always pleasing him, and you wanted to attack me on that ground.

Mr. BOUTELL. I was referring to the position of Jefferson when he favored dependence——

Mr. WILLIAMS of Mississippi. Will the gentleman allow me to finish the line of remark in which I was engaged? I fear I shall lose the train of thought.

Mr. BOUTELL. I thought that in that same connection it might be well to put in the name of that other distinguished son of the Old Dominion, Patrick Henry, as well as the names of Alexander Hamilton and Sam Adams, who did not want dependence on Great Britain on any terms whatever.

Mr. WILLIAMS of Mississippi. When Patrick Henry, "the tongue of the Revolution," introduced his celebrated resolutions into the Virginia house of burgesses, which were voted through, and two of which were reconsidered the next day, it was young Thomas Jefferson, who subsequently proved "the pen of the Revolution," who was standing at the door of the house and cheered the orator to the echo.

It was Thomas Jefferson, this man whom you try to deery, who had the courage always to draw state papers during that controversy, that always went too far for George Washington and the Lees and the Pendletons and Dickersons and Witherspoons and the Franklins and the balance of them. Not a paper of his was ever rejected because it did not go far enough; several of them were rejected because they went too far. Conservative men thought his positions too advanced, and when he saw and advocated the necessity of a total independence of Great Britain but few others went so far. To do him justice, old Samuel Adams was one who was abreast with him, if not in advance of him.

They talk about Thomas Jefferson, Mr. Chairman. They have got on my hobby now. [Laughter and applause on the Democratic side.] A distinguished accidental incumbent at the other end of an avenue in this city has gone so far as to speak of him as having been cowardly. A coward! A man who dared confess a disbelief in the divinity of Christ and be a candidate for the Presidency in the eighteenth century? A coward! The man who dared drag up by the roots primogeniture and entail against the opposition of all of the old Virginia aristocracy in the Virginia House of Burgesses, against the protests of the Pendletons and the Randolphs and the Lees and the Washingtons and the Harrisons and I believe the Careys and nearly all the balance of them. A coward!

The American President who threw down the gauntlet to Napoleon the Great and informed him of the fact that if the Mississippi River fell into the hands of France it would be a cause of warranting could he have the Swiss minister, who dared say to him, "The only natural enemy of the United States is the owner of the Mississippi Valley;" and who dared to send word to our minister that the emperor must be told plainly that that sort of possession would not be permitted. A coward! The man who dared—why, he was morally one of the most courageous men that ever lived—the man who dared face my Church, the Church of England, and disestablish it in the State of Virginia. A coward!

The man who dared to trust human nature so far that when he built the first elective school university in the world, down here at Charlottesville, Va., which he had named the University of Virginia, dared base it upon self-government amongst the boys themselves, giving no professor or any other body outside of the class room the right to control them, except the officers of the law, telling them to be guided by their honor, and giving them as a maxim "Be free and you shall be wise."

Oh, this hatred, this old Democratic relic of hatred of Thomas Jefferson would be patriotic if it was not amusing. [Applause on the Democratic side.]

Now, Mr. Chairman, the gentleman from Illinois had something to say about my definition of a tariff. I need not repeat it. I will stand by it, and I will stand by the fact, too, that the way in which you can create an industry under the guise of deflecting into that industry, which without law would be unprofitable, labor and capital engaged in other industries, which without law would be profitable, and that this sort of creation of industries merely amounts to a change of men and dollars from one business to another.

Why, the gentleman has this morning dwelt upon the prosperity of the South, and what has caused it. He told about the great buildings that were going up in Kansas City, in Jacksonville, and all over Dixie land, and he might have added, all over many other parts of this country. Let me ask him now, and let him answer, if he can, what the protective tariff had to do with that, except this, that it increased the price of structural iron and structural steel, and made the process of building less in volume and slower in time?

Mr. BOUTELL. Mr. Chairman, does not the gentleman from Mississippi know that the tariff on structural steel under the Dingley act is less than it was under the Wilson-Gorman bill?

Mr. WILLIAMS of Mississippi. Mr. Chairman, the answer to my question is the same old dodge: two boys get together and one of them wants to fight the other, and the other looks like he wants to fight, but finally one of them grows into a little bit of a lack of confidence upon the proposition and says, "Let us talk about that fight we had last week." [Laughter.]

If the tariff upon structural steel and iron was higher in the Wilson-Gorman bill than it was under the Dingley bill, and I frankly confess that I do not know whether it was or not——

Mr. BOUTELL. Well, it was, a little.

Mr. WILLIAMS of Mississippi. And I equally frankly confess that I do not care: it is merely a proof that that is one more place where Democrats made a mistake, that is all.

Mr. BOUTELL. And that they would make just the same mistakes if they were in power again.

Mr. WILLIAMS of Mississippi. On the contrary. Oh, we have made many mistakes. The only difference between you and us is that we confess them and you never do. [Laughter.]

And another thing, Mr. Chairman. At the time that the Wilson-Gorman bill went into effect there was, from a protectionist's standpoint, some need for protection upon these things. Now to-day they are shipping these very things to the markets of the world outside of America, selling wherever they are not shut out by foreign tariffs in competition with the world's "pauper labor," thereby proving that they have no need of the duty at all, unless they need it for the purpose of extorting higher prices from the home consumer.

Now, the gentleman tells us about the railroads everywhere, and that the earnings of the railroads have increased. Now, I want to call his attention to the peculiar conditions in this respect under Republican administration. The earnings have increased about 33⅓ per cent, he says. I take these figures to be accurate, although I have not looked up the figures.

Mr. BOUTELL. That is the increase in the railroad earnings in the localities referred to in the papers.

Mr. WILLIAMS of Mississippi. I understand that, but there has been an increase throughout the country so far as that is concerned. Now, I read the head lines from the Chicago Chronicle in your own city dated October 18:

[Chicago Chronicle, October 18, 1903.]

[illegible] improvements will shut down November 10.

So the workmen are not getting the earnings. There are a good many of these things I will not read, though they will be found in the RECORD in connection with the speech made the other day. Here is a special telegram from Cleveland, October 17:

[Special telegram.]

CLEVELAND, OHIO, *October 17, 1903.*

Following on the heels of the cut in the force of workmen at the shops of the Lake Shore and Michigan Southern Railroad all over the country comes the annual announcement to-day that, commencing Monday, there will be a re- [illegible] hours in all the locomotive [illegible] shops in Collinwood [illegible] order.

At the headquarters here to-day it was stated that there was not enough work on hand to keep the large forces busy and the reduction in hours was thought to be the best thing to do.

[illegible] consternation among the hundreds of workmen in and around Cleveland.

And this telegram from Philadelphia:

PHILADELPHIA, [illegible]

Forestalling action on the part of the 15,000 trainmen on its lines east of [illegible] Railroad [illegible] Vanderbilt [illegible] frequent demands on the part of its men, will resolutely refuse to yield an inch.

[From New York Post, October 17, 1903.]

REDUCTION IN RAILWAY FORCES—WHAT THIS WEEK'S ANNOUNCEMENTS MEAN—A REMINISCENCE OF A DECADE AGO—VIEWS OF RAILWAY OFFICERS—EFFECT OF THE ECONOMIES—WHY THE STEP WAS TAKEN.

Steps taken during the week by several of the larger railway systems toward reducing the number of workingmen employed attracted attention [illegible] New York Central [illegible] Lake Shore [illegible] Vanderbilt [illegible] Atchison, Topeka and Santa Fe [illegible] Lake Erie and Western 300. These are the rough [illegible] showing.

SAN FRANCISCO, [illegible]

An order for retrenchment on a scale unknown [illegible] Southern Pacific [illegible] Within a few days between [illegible] men will be discharged from the [illegible] Coast division and the service of a proportionate number on the other lines radiating out of this city. [illegible] In all it is expected that the present force of men in the employ of the road on its California lines will be decreased at least 1,200.

One of the first moves made was to consolidate the position of two train dispatchers and a train master on the narrow-gauge system, throwing all the duties of the three places on the shoulders of the latter official, thus saving to the company the salaries of two dispatchers. Then the positions of traveling conductors along the divisions were scratched off the pay roll. Next the recently created positions of train agents were abolished. In the maintenance of way department it was decided to lay off the men employed on the construction of the double track south of the city. The carpenter force in the bend shops of the same department was cut to another 40 men before laid off. Then an order went out discharging various assistants along the coast route. Even the night station agents, whose duty it is to report trains as they pass in the night, were suspended with [illegible]

Some weeks ago a large force of men was discharged from the shops at [illegible] and several in the repair shops in this city [illegible]

The management of the Southern Pacific system of the western system is proportionately as large as that on the coast division.

[Special to the World.]

BIG LAY OFF PREDICTED—VANDERBILT OFFICIALS SAY OTHER SYSTEMS WILL REDUCE FORCE.

PHILADELPHIA, *October 18, 1903.*

Early and large reductions in the number of employees of the big railroad systems of the country are predicted by some of the Vanderbilt chiefs.

A [illegible] was made yesterday that 1,400 New York Central and West Shore men [illegible] will be laid off.

When asked whether the Pennsylvania Railroad has materially reduced the number of men on its pay roll, or anticipate such action, General Manager Atterbury said:

"We have not reduced our force very much, and only as the exigencies of the service have required.

"[illegible] laid off yet by the Philadelphia and Reading Railway, whose traffic returns are heavy. When a curtailment comes, if it does, it is likely to be in the shops and among the track hands first.

FIVE HUNDRED LAID OFF AT BUFFALO AND DEPEW.

BUFFALO, *October 18, 1903.*

Following the order to reduce the force of shopmen on the Vanderbilt system, about 500 employees have been discharged here and at Depew.

[Boston Transcript, October 14, 1903.]

RAILROADS REDUCING FORCES—ABOUT 20,000 MEN SOON TO BE DISCHARGED.

NEW YORK, *October 14, 1903.*

Several railroad companies have announced reductions in their working forces, and it is reported that between now and November 1 nearly every railroad company will, for some sake of the employees, [illegible] this [illegible] number of men [illegible] because the roads have been working [illegible] A [illegible] falling off in traffic [illegible] assigned for [illegible] reasons.

[illegible] experienced [illegible] men will probably be laid off [illegible] this fall. There are about 1,250,000 railroad employees in the United States.

Vice-President Brownell, of the New York Central thinks that about 2,500 men may be [illegible] under the pay roll of that system this month. The greater portion of the [illegible] will be from the car shops.

About [illegible] men, train men, and firemen will be discharged on the Pennsylvania system. Vice-President Pugsley says that most of the men to be [illegible] are to be discharged, and no important work of improvement is to be undertaken.

The Atchison, Topeka and Santa Fe operating department will lay off about 500 men this month, and such improvements as can wait will be deferred until next year.

Not less than 3,000 employees will be dispensed with on the Union Pacific and the Southern Pacific systems between now and December 1. These dismissals, it is said, are to be made because the work for which the men were hired is completed. It is probable that all of the transcontinental lines will cut down their working forces some after the crop shipments are over. The falling off in one shipments has caused some of the western roads to take off about 10 per cent of their freight trains.

The Illinois Central will cut its operating force anywhere from 600 to [illegible] Chicago, Burlington and Quincy [illegible] but [illegible] Western [illegible] on November 1.

The Delaware, Lackawanna and Western discharged several hundred men from the [illegible] between now and November 1. The West Shore will lay off about [illegible] men. The Baltimore and Ohio [illegible] The New York, New Haven and Hartford Railroad [illegible] about 1,000 employees. A [illegible] will be laid off [illegible]

The Missouri Pacific and other Gould lines will reduce their working forces slightly, but there is to be no [illegible] in work of [illegible] improvement. The Wabash expects to discharge a number of men [illegible] The Erie [illegible] Pennsylvania systems will lay off between 1,000 and 1,500 men this month and next.

[Boston Transcript, October 12, 1903.]

VANDERBILT LINES RETRENCH—ABOUT 1,500 MEN IN SHOPS ON VARIOUS ROADS DROPPED—SAVING OF $3,000 A DAY.

NEW YORK, *October 12, 1903.*

Orders have been issued from here whereby 15 per cent of the employees in the car shops, repair shops, and roundhouses of the entire Vanderbilt railway system will be dropped. One thousand five hundred men will be thrown out of employment and a saving of nearly $3,000 a day will be effected.

The action affects employees of the New York Central and all subsidiary lines coming out of New York, the Lake Shore and Michigan Southern, the Lake Erie and Western, and other roads, will have its effect in more than 100 shops and roundhouses. It will take 600 men out of the New York

[illegible] West Albany, N. Y., as many more from Depew, N. Y., near Buffalo, a hundred or more from Rochester, Hall, and a [illegible] the Lake Shore [illegible] Lake Ontario. [illegible] hundreds, wipers, oilers, and laborers are employed, 15 per cent of them [illegible]

[From the New York World, October 22, 1903.]

DON'T SHARE IN PROSPERITY—RAILROAD LAYS OFF 200 MEN WHILE BUSINESS NEVER WAS SO GOOD.

ALBANY, *October 21, 1903.*

[illegible] said, but it had [illegible]

I have never had any doubt that the capitalists got something out of [illegible]

Mr. BOUTELL. In Mississippi the laboring people are prospering.

Mr. WILLIAMS of Mississippi. Yes. And they are laboring people who [illegible] in the field in direct competition with the pauper labor of India and with the [illegible] and do not work a piece of property from the Federal Government. [Applause on the Democratic side.] And there are the people in the factories of Mississippi who are making the Levys wear [illegible] that are shipped to China and Manchuria, and will continue to be shipped to Manchuria unless the Republican Administration allows it [illegible] to close the ports, a thing I very much fear at the present. [illegible] sell that product in China and [illegible] tariff, although a tariff does exist upon that class of goods. The tariff can not affect the price for those goods in a foreign market.

So it seems that these railroads get [illegible] and not the men working on the railroads. Whenever they want to get higher wages they are locked out, and when they do not ask for higher wages they are reduced.

Now, I will not read any more of these. So much in answer to the proposition that the railroads' earnings have increased [illegible] per cent. Now, let me show the immense difference between increasing the aggregate wealth of a country and increasing the real prosperity of the people of the same country.

There may be an increased prosperity of the people accompanying an increase in the aggregate wealth, and there may not be. It depends upon how the aggregate wealth is distributed. If every man gets his due share. And if in this great prosperity capital gets an undue share and labor gets no part or parcel or [illegible] the movement then you have not got a happy condition for the people; all high figures may show great increase of wealth in the aggregate. It is a curious fact that to-day the most prosperous parts of the American Union are the agricultural portions, that protection can not help, because they export their products; and the portions of the country that are beginning to feel distress and what promises to be a gradual depression are in New Jersey, New York, New England, and Pennsylvania, where many business are dependent upon a protective tariff to a very large extent.

Now the gentleman refers to Croker. I will not go into the Croker business, but I can say this with a perfectly clear conscience, that Philadelphia under Republican rule has furnished a thousand Croakers to where New York under Democratic rule has furnished one, and not a single Philadelphia Croker was ever received admittance into polite society. [Laughter and applause.]

Mr. COCHRAN. And St. Louis has furnished an ex-prize fighter and saloon keeper and loss as a delegate to the national convention.

Mr. WILLIAMS of Mississippi. Yes; though I do not know so much about St. Louis.

Now, Mr. Chairman, in conclusion, I asked the other day if you would "stand pat" on a number of things. I will not ask you if you will "stand pat" on your candidate, because I know you have to whether you want to or not.

Now, I hold in my hand an article from the Washington Post of Thursday, December 10, which is quoted from the New York Evening Post, and is a summary of the report of Treasurer Shaw.

I have not the voice and lungs nor strength to read it, but I am going to insert it in the RECORD, and I am going to ask you whether you are going to stand pat upon the self-confessed extravagance in the Treasury Department pointed out by your own Secretary of the Treasury; whether you are not going to examine into it through some of these numerous committees upon expenditures in the several departments, and whether if there is anything wrong going on you are going to correct it? Your Secretary says there is wrong. He says there is glaring extravagance which ought to be corrected, and yet he has done nothing under the sun to correct it, and Congress has not taken any part in it.

That is one of the other things I want to ask you whether you are going to "stand pat" upon.

EXTRAVAGANCE CONFESSED—AWKWARD FINANCIAL FACTS PRESENTED IN SECRETARY SHAW'S ANNUAL REPORT.

[From the New York Evening Post.]

If the Democratic [illegible] Secretary Shaw's annual report as a campaign document. Mr. Shaw is a [illegible] but circumstances have compelled him to [illegible] in a way that is most awkward for his party on the eve of a Presidential election. His report is a mosaic in its way. It [illegible] your with [illegible] approval. And there is only an [illegible] the Secretary frankly admits a deficit [illegible] is confronted with [illegible] in the matter of [illegible] Republicans of 1903 apparently have a great advantage [illegible] or for urging retrenchment. But [illegible]

Now, Mr. Chairman, I owe the House, and especially my own side, a little apology, I think, for undertaking to answer so ornate, elaborate, and well prepared an argument in such an offhand and [illegible] way; but I have such absolute confidence in the [illegible] principles that I always wade in like David with his [illegible] sling no matter if Goliath is prearmed and panoplied in armor or not, trusting to God and truth for the result.

[Great and prolonged applause.]

Mr. HEMENWAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole, reported that the committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

CONTESTED-ELECTION CASE—CONNELL VS. HOWELL.

Mr. DRISCOLL. Mr. Speaker, by direction of the Committee on Elections No. 3 I present a privileged report and resolutions in the contested-election case of Connell v. Howell, from the Tenth Congressional district of the State of Pennsylvania, and ask that this be referred to the House Calendar and printed, and I further wish to give notice that it will be called up for consideration one week from next Friday, the 5th day of February.

The SPEAKER. The gentleman from New York presents a report from the Committee on Elections, the title of which the Clerk will read.

The Clerk read as follows:

Contested-election case of Connell v. Howell (Tenth Congressional district of Pennsylvania).

The SPEAKER. It will be referred to the House Calendar and printed.

Mr. [illegible]. Mr. Speaker, I wish to call attention to the fact that [illegible] is to have until Monday to file the minority report.

Mr. DRISCOLL. Yes; we have agreed on that, Mr. Speaker.

The SPEAKER. The gentleman from New York asks unanimous consent that the minority have until Monday next to file their report. Is there objection? [After a pause.] The Chair hears none.

Mr. DRISCOLL. I give notice it will be called up for consideration one week from next Friday.

Mr. TAWNEY. One moment more, Mr. Speaker. I desire to ask the gentleman from New York if he expects a vote to be taken within a day or two after it is called up? If he does, I would suggest to him to place the time for consideration earlier in the week, either that week or the following week, as the gentleman well knows it is almost impossible to keep the House here on Friday and Saturday.

Mr. DRISCOLL. I wish to withdraw that notice, then, and will give notice to-morrow morning of the time when we wish to call it up.

REPRINT OF URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent for a reprint of the urgent deficiency bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent for a reprint of the urgent deficiency bill. Is there objection? [After a pause.] The Chair hears none.

Mr. HEMENWAY. Mr. Speaker, in view of the fact that more time has been consumed this afternoon than was expected, I ask that the time for general debate on the urgent deficiency bill be extended for three hours.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the time for general debate on the urgent deficiency bill be extended three hours.

Mr. WILLIAMS of Mississippi. Mr. Speaker, one question before that. I suppose, of course, it is the intention if there is any inequality between the two sides as to time that our side shall be compensated by the new time.

Mr. LIVINGSTON. We have thirty minutes of the old time.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. R. 82. Joint resolution to fill vacancies in the Board of Regents of the Smithsonian Institution;

S. 1334. An act granting an increase of pension to Amy C. Bosworth;

S. 1437. An act granting an increase of pension to Clarence E. Bullard;

S. 959. An act granting an increase of pension to Andrew C. Ranard;

S. 1498. An act granting an increase of pension to Winslow P. Eayrs;

S. 1497. An act granting an increase of pension to Walter F. Chase;

S. 1491. An act granting an increase of pension to James A. Hoover;

S. 1429. An act granting an increase of pension to Elizabeth C. Paquin;

S. 1402. An act granting an increase of pension to William Paul;

S. 1335. An act granting an increase of pension to Calvin Daws;

S. 1259. An act granting an increase of pension to John M. Stanyan;

S. 1559. An act granting an increase of pension to Marie A. Rask;

S. 1825. An act granting a pension to Josephine L. Webber;

S. 1826. An act granting an increase of pension to Mary E. Cutts;

S. 1938. An act granting an increase of pension to Aldredge Patterson;

S. 1827. An act granting an increase of pension to Harris A. P. Lewis;

S. 9. An act granting an increase of pension to David E. Burbank;

S. 814. An act granting a pension to Mamie Thayer;

S. 821. An act granting an increase of pension to W. Neil Dennison;

S. 847. An act granting an increase of pension to John L. Beveridge;

S. 898. An act granting an increase of pension to John B. Carter;

S. 929. An act granting an increase of pension to Charles Stermer;

S. 555. An act granting an increase of pension to Royal A. S. Kingsley;

S. 565. An act granting an increase of pension to James E. Barnard;

S. 920. An act granting an increase of pension to Ferdinand Wiedemann;

S. 578. An act granting an increase of pension to John Bulamore;

S. 586. An act granting a pension to Annie H. Hall;

S. 587. An act granting an increase of pension to Anson P. Williamson;

S. 589. An act granting an increase of pension to George W. McMullen;

S. 744. An act granting an increase of pension to Stephen Gascoigne;

S. 745. An act granting a pension to John Swenson;

S. 798. An act granting an increase of pension to James A. Templeton;

S. 190. An act granting an increase of pension to Charles H. Bell;

S. 451. An act granting an increase of pension to William T. Conant;

S. 458. An act granting an increase of pension to Charles Beattie;

S. 452. An act granting an increase of pension to Albert W. Bullock;

S. 456. An act granting an increase of pension to Andrew J. Pierce;

S. 471. An act granting an increase of pension to Silas Meserve;

S. 478. An act granting an increase of pension to Olive J. Bailey;

S. 473. An act granting an increase of pension to Byron D. Babcock;

S. 484. An act granting a pension to Nancy S. Marsh;

S. 547. An act granting an increase of pension to Irving W. Coombs;

S. 14. An act granting an increase of pension to Samuel M. Perry;

S. 99. An act granting an increase of pension to Joel C. Shepherd;

S. 182. An act granting an increase of pension to Charles F. Holt;

S. 12. An act granting an increase of pension to Francis E. Chase;

S. 13. An act granting an increase of pension to William Clark; and

S. 937. An act granting an increase of pension to Rudolph Siebelist.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3341. An act authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, title 3, of an act of Congress approved June 6, 1900, entitled "An act making further provision for a civil government for Alaska and for other purposes," to construct a free bridge across the Snake River at Nome City, in the Territory of Alaska—to the Committee on Interstate and Foreign Commerce.

S. 2081. An act to provide for the appropriate marking of the graves of the soldiers and sailors of the Confederate army and navy, and for other purposes—to the Committee on Military Affairs.

S. 1681. An act to provide for the modification of the project for the improvement of Bridgeport Harbor, Bridgeport, Conn.—to the Committee on Rivers and Harbors.

S. 2261. An act to amend section 4407 of the Revised Statutes—to the Committee on the Merchant Marine and Fisheries.

S. 901. An act providing for the construction of a vessel of the first class for the Revenue-Cutter Service to be stationed with headquarters at Honolulu, Hawaii—to the Committee on Interstate and Foreign Commerce.

S. 1748. An act to provide for the establishment of a life-saving station at Half Moon Bay, south of Point Montara and near Montara Reef, California—to the Committee on Interstate and Foreign Commerce.

S. 469. An act to restore Henry D. Hall to the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

S. 462. An act to construct and place a light-ship off the outer bar of Brunswick, Ga.—to the Committee on Interstate and Foreign Commerce.

S. 906. An act to aid in the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.—to the Committee on the Library.

S. 23. An act for the erection of a monument to the memory of John Paul Jones—to the Committee on the Library.

S. R. 9. Joint resolution authorizing the issue of duplicate medals where the originals have been lost or destroyed—to the Committee on Military Affairs.

S. 144. An act to provide for the construction and equipment of a revenue cutter for service in Narragansett Bay and adjacent waters—to the Committee on Interstate and Foreign Commerce.

S. 159. An act to provide for a site for a depot for the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

S. 492. An act to amend section 2 of an act entitled "An act to incorporate the Convention of the Protestant Episcopal Church of the Diocese of Washington"—to the Committee on the District of Columbia.

S. 711. An act to authorize the Secretary of the Interior to fulfill certain treaty stipulations with the Chippewa Indians of Lake Superior and the Mississippi, and making appropriation for the same—to the Committee on Indian Affairs.

S. 1199. An act to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota—to the Committee on Indian Affairs.

S. 708. An act authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River, in the State of Minnesota—to the Committee on Interstate and Foreign Commerce.

S. 270. An act authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.—to the Committee on Interstate and Foreign Commerce.

S. 352. An act for the relief of the representatives of M. F. Merritt, deceased—to the Committee on War Claims.

S. 175. An act for the relief of Robert D. McAfee and John Chiatovich—to the Committee on Claims.

S. 177. An act to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada—to the Committee on Claims.

S. 334. An act for the relief of N. F. Palmer, jr., & Co.—to the Committee on Claims.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 1451) granting an increase of pension to Eleanor H. Hord; and the same was referred to the Committee on Pensions.

ADJOURNMENT.

Mr. HEMENWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 47 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor withdrawing certain estimates of appropriation—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the heirs of Solomon P. McKinnie against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HASKINS, from the Committee on War Claims, to which was referred the bill of the Senate (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont the money appropriated by the act of Congress of July 1, 1902, and to adjust matching claims between the United States and the State of Vermont, reported the same without amendment, accompanied by a report (No. 550); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4674) granting an increase of pension to John Thompson, reported the same with amendment, accompanied by a report (No. 462); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to George Hayden, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Melinda H. Chapman, reported the same without amendment, accompanied by a report (No. 463); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to James H. Sackett, reported the same with amendment, accompanied by a report (No. 465); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2858) granting an increase of pension to Delia B. Stuart, reported the same without amendment, accompanied by a report (No. 466); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1689) granting an increase of pension to Henry H. Houghton, reported the same without amendment, accompanied by a report (No. 467); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7719) granting an increase of pension to Hiram B. Coates, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1688) granting an increase of pension to Frederick Bellman, reported the same without amendment, accompanied by a report (No. 469); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5010) granting a pension to Annie Dorfner, reported the same with amendment, accompanied by a report (No. 470); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2392) granting an increase of pension to William W. Misner, reported the same without amendment, accompanied by a report (No. 471); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9633) granting a pension to Margaret Hutcheson Booth, reported the same with amendment, accompanied by a report (No. 472); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4392) granting a pension to Alice E. Webster, reported the same with amendment, accompanied by a report (No. 473); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 265) granting an increase of pension to Frances Gray, reported the same without amendment, accompanied by a report (No. 474); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2509) granting an increase of pension to Abner B. Edson, reported the same without amendment, accompanied by a report (No. 475); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2126) granting an increase of pension to Thomas Williams, alias Thomas W. Lennox, reported the same without amendment, accompanied by a report (No. 476); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3910) granting an increase of pension to Charles W. Hoffman, reported the same with amendment, accompanied by a report (No. 477); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2198) granting an increase of pension to George A. Seebold, reported the same without amendment, accompanied by a report (No. 478); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1851) granting an increase of pension to David T. Towles, reported the same with amendment, accompanied by a report (No. 479); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8718) granting a pension to Caswell P. Ford, reported the same with amendment, accompanied by a report (No. 480); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4911) granting an increase of pension to Ambrose W. Severance, reported the same without amendment, accompanied by a report (No. 481); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2548) granting an increase of pension to Emma McFarland, reported the same without amendment, accompanied by a report (No. 482); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4694) granting a pension to Isabella Phelps, reported the same with amendment, accompanied by a report (No. 483); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4679) granting an increase of pension to Martha M. Pierce, reported the same with amendment, accompanied by a report (No. 484); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 980) granting an increase of pension to Mary Von Kusserow, reported the same without amendment, accompanied by a report (No. 485); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4180) granting an increase of pension to Joseph G. Thomas, reported the same with amendment, accompanied by a report (No. 486); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2470) granting an increase of pension to Harriet S. Packard, reported the same with amendment, accompanied by a report (No. 487); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2496) granting an increase of pension to Ebenezer Wing, reported the same without amendment, accompanied by a report (No. 488); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2689) granting an increase of pension to David M. Kanouse, reported the same without amendment, accompanied by a report (No. 489); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 910) granting an increase of pension to Freeman York, reported the same without amendment, accompanied by a report (No. 490); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5598) granting a pension to Hiram Parker, reported the same with amendment, accompanied by a report (No. 491); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5568) granting an increase of pension to Emily Chapman, reported the same with amendment, accompanied by a report (No. 492); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3370) granting an increase of pension to Joseph Addams, reported the same with amendment, accompanied by a report (No. 493); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1428) granting an increase of pension to George Pennington, reported the same without amendment, accompanied by a report (No. 494); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 594) granting an increase of pension to Finley T. Johnson, reported the same without amendment, accompanied by a report (No. 495); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 598) granting an increase of pension to William H. Horn, reported the same without amendment, accompanied by a report (No. 496); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 614) granting a pension to Michael O'Brian, reported the same with amendment, accompanied by a report (No. 497); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9660) granting an increase of pension to John Connors, reported the same with amendment, accompanied by a report (No. 498); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9633) granting a pension to Henry Austin, reported the same without amendment, accompanied by a report (No. 499); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2298) granting a pension to Patrick J. Conway, reported the same without amendment, accompanied by a report (No. 500); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2222) granting an increase of pension to Richard A. Kendall, reported the same without amendment, accompanied by a report (No. 501); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9610) granting an increase of pension to Fredrick Halling, reported the same with amendment, accompanied by a report (No. 502); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9 26) granting an increase of pension to William S. Campbell, reported the same with amendment, accompanied by a report (No. 503); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7239) granting a pension to Lydia M. Hill, reported the same without amendment, accompanied by a report (No. 504); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7418) granting an increase of pension to Peter Minkler, reported the same with amendment, accompanied by a report (No. 505); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8079) granting an increase of pension to Charles H. La Forest, reported the same with amendment, accompanied by a report (No. 506); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9576) granting an increase of pension to Martin Reuthler, reported the same with amendment, accompanied by a report (No. 507); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 891) granting an increase of pension to Erwin R. Cole, reported the same without amendment, accompanied by a report (No. 508); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 897) granting an increase of pension to Lewis D. Frogge, reported the same without amendment, accompanied by a report (No. 509); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6969) granting an increase of pension to Albert W. Jones, reported the same with amendment, accompanied by a report (No. 510); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to James M. Hemphill, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6881) to pension Zachariah T. Bryant, reported the same with amendment, accompanied by a report (No. 512); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8932) granting an increase of pension to William C. Davis, reported the same

with amendment, accompanied by a report (No. 513); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to whom was referred the bill of the Senate (S. 4447) granting an increase of pension to Patrick Judge, reported the same without amendment, accompanied by a report (No. 514); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to whom was referred the bill of the Senate (S. [illegible]) granting a pension to Sarah J. Bellamy, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Jacob Laird, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to W. R. McCormick, reported the same with amendment, accompanied by a report (No. 517); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6869) granting an increase of pension to Lorenzo D. Lamer, reported the same without amendment, accompanied by a report (No. 518); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7382) granting a pension to Ellen A. Harrison, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1953) granting a pension to Susan Fenno, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House (H. R. 8806) for the relief of Avin W. Harper, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 3485) for the relief of Joseph Swisher, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House (H. R. 1280) for the relief of W. J. Warren, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 10539) for the relief of Capt. R. P. Brown, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. JOHNSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. [illegible]) for the relief of William T. Ratliff, administrator of the estate of Sarah G. Clark, deceased, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 3227) for the relief of Frank Hanson, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 796), reported in lieu thereof a resolution (H. Res. 165) referring to the Court of Claims the papers in the case of the owners of the barge *Charlie*, accompanied by a report (No. 528); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) reported in lieu thereof a resolution (H. Res. [illegible]) referring to the Court of Claims the papers in the case of Mary J. McClothen, accompanied by a report (No. 529); which said resolution and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House H. R. 5371, reported in lieu thereof a resolution (H. Res. 167) referring to the Court of Claims the papers in the case of John L. Seargeant, accompanied by a report (No. 530); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 2385, reported in lieu thereof a resolution (H. Res. 168) referring to the Court of Claims the papers in the case of Burwell J. Curry, accompanied by a report (No. 531); which said resolution and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House H. R. 7520, reported in lieu thereof a resolution (H. Res. 169) referring to the Court of Claims the papers in the case of W. W. Norris, accompanied by a report (No. 532); which said resolution and report were referred to the Private Calendar.

Mr. JOHNSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1030, reported in lieu thereof a resolution (H. Res. 170) referring to the Court of Claims the papers in the case of E. A. [illegible] of A[illegible] Turner, deceased, accompanied by a report (No. 533); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 2403, reported in lieu thereof a resolution (H. Res. 171) referring to the Court of Claims the papers in the case of M. H. Carr, accompanied by a report (No. 534); which said resolution and report were referred to the Private Calendar.

Mr. HAUGEN, from the Committee on War Claims, to which was referred the bill of the House H. R. 9920, reported in lieu thereof a resolution (H. Res. 172) referring to the Court of Claims the papers in the case of the heirs of Nancy Montgomery, accompanied by a report (No. 535); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 10816, reported in lieu thereof a resolution (H. Res. 173) referring to the Court of Claims the papers in the case of Mattie P. Barnard, Katharine C[illegible]well, and Harry M. Rhett, heirs of Harr[illegible] M. Barnard, deceased, accompanied by a report (No. [illegible]); which said resolution and report were referred to the Private Calendar.

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House H. R. 2160, reported in lieu thereof a resolution (H. Res. 174) referring to the Court of Claims the papers in the case of the personal representative of the estate of Alexander Myers, deceased, accompanied by a report (No. 537); which said resolution and report were referred to the Private Calendar.

Mr. GREGG, from the Committee on War Claims, to which was referred the bill of the House H. R. 7815, reported in lieu thereof a resolution (H. Res. 175) referring to the Court of Claims the papers in the case of the heirs of Robert May and others, accompanied by a report (No. 538); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 2408, reported in lieu thereof a resolution (H. Res. [illegible]) referring to the Court of Claims the papers in the case of [illegible] F. L. Hammond, deceased, accompanied by a report (No. [illegible]); which said resolution and report were referred to the Private Calendar.

Mr. GREGG, from the Committee on War Claims, to which was referred the bill of the House H. R. 10714, reported in lieu thereof a resolution (H. Res. [illegible]) referring to the Court of Claims the papers in the case of Francis M. [illegible] accompanied by a report (No. 540); which said resolution and report were referred to the Private Calendar.

Mr. CALDWELL, from the Committee on War Claims, to which was referred the bill of the House H. R. 6068, reported in lieu thereof a resolution (H. Res. 178) referring to the Court of Claims the papers in the case of J. E. [illegible] accompanied by a report (No. 541); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1613, reported in lieu thereof a resolution (H. Res. 179) referring to the Court of Claims the papers in the case of Dan Walden, accompanied by a report (No. 542); which said resolution and report were referred to the Private Calendar.

Mr. SPIGHT, from the Committee on War Claims, to which was referred the bill of the House H. R. 10749, reported in lieu thereof a resolution (H. Res. 180) referring to the Court of Claims the papers in the case of Mrs. G. W. Ross, Mrs. H. C. Cary, Mrs. Annie Brooks, L. C. Wilcoxon, and Willie Wilcoxon, heirs of Wiley Franks, deceased, accompanied by a report (No. 543); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 10585, reported in lieu thereof a resolution (H. Res. 181) referring to the Court of Claims the papers in the case of the vestry of Christ Episcopal Church, of Holly Springs,

Miss., accompanied by a report (No. 544); which said resolution and report were referred to the Private Calendar.

Mr. FRENCH, from the Committee on War Claims, to which was referred the bill of the House H. R. 1010, reported in lieu thereof a resolution (H. Res. 182) referring to the Court of Claims the papers in the case of the heirs of Samuel Ayres, deceased, accompanied by a report (No. 545); which said resolution and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House H. R. 2628, reported in lieu thereof a resolution (H. Res. [illegible]) referring to the Court of Claims the papers in the case of Mr. [illegible] accompanied by a report (No. 546); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1117, reported in lieu thereof a resolution (H. Res. 184) referring to the Court of Claims the papers in the case of the trustees of the Methodist Church at Prospect, Giles County, Tenn., accompanied by a report (No. 547), which said resolution and report were referred to the Private Calendar.

Mr. SPIGHT, from the Committee on War Claims, to which was referred the bill of the House H. R. 11010, reported in lieu thereof a resolution (H. Res. 185) referring to the Court of Claims the papers in the case of the First Baptist Church, [illegible]a, Ark., accompanied by a report (No. 548); which said resolution and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House H. R. 1150, reported in lieu thereof a resolution (H. Res. 186) referring to the Court of Claims the papers in the case Hiram Lodge, No. 7, of Free and Accepted Masons, of Franklin, Tenn., accompanied by a report (No. 549); which said resolution and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the House (H. R. 10561) for the relief of Amos Woodruff, president of the Overton Hotel Company, reported the same adversely, accompanied by a report (No. 527); which said bill and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles, which were thereupon referred as follows:

A bill (H. R. 9599) granting a pension to Grace P. Paddock—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5880) granting an increase of pension to Dennis Dunn—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 10404) granting a pension to Florence E. Foster—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7985) granting a pension to Alice Jenifer—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 805) granting an increase of pension to George W. McConkey—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5881) granting an increase of pension to William Cary—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. McGUIRE: A bill (H. R. 11119) to provide for the purchase of a site and the erection of a public building thereon at Shawnee, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11120) to provide for the purchase of a site and the erection of a public building thereon at Elreno, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11121) to appropriate the sum of $150,000 to erect a public building at Enid, Okla.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes—to the Committee on the Territories.

By Mr. THOMAS of North Carolina: A bill (H. R. 11123) for the improvement of White Oak River—to the Committee on Rivers and Harbors.

By Mr. WADE: A bill (H. R. 11124) to suppress monopolies or trusts in restraint of trade in cattle, hogs, other animals, or meats—to the Committee on the Judiciary.

By Mr. DARRAGH: A bill (H. R. 11125) to amend section 2 of the act approved March 3, 1879, being an act making appropriations for the payment of arrears of pension—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 11126) to authorize the Secretary of the Interior to add to the [illegible] and asphalt lands in Choctaw and Chickasaw Nations, Indian Territory—to the Committee on Indian Affairs.

By Mr. HULL: A bill (H. R. 11127) authorizing and directing the Secretary of War to improve the Des Moines River, and for other purposes—to the Committee on Rivers and Harbors.

By Mr. MARSHALL: A bill (H. R. 11128) to modify and amend an agreement with the Indians of the Lake Traverse Reservation, in North Dakota, to accompany the [illegible], and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. SCUDDER: A bill (H. R. 11129) [illegible] protect shipping, and contribute to the defense of the harbor and city of New York, by the construction of a [illegible] Long Island Sound and the [illegible] and on the south side of Long Island, with New York Harbor—to the Committee on Rivers and Harbors.

By Mr. STEENERSON: A bill (H. R. 11130) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota—to the Committee on Indian Affairs.

By Mr. KALANIANAOLE: A bill (H. R. 11131) to refund to the Territory of Hawaii the amount expended maintaining lighthouses and light-house service on its coasts from the time the Territory became United States territory until said light-houses were taken under Government control—to the Committee on Claims.

By Mr. BRANDEGEE: A bill (H. R. 11132) to establish a light and fog signal at or near Black Ledge, New London Harbor, Connecticut—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 11133) [illegible] to the Connecticut commissioners for the care and preservation of Fort Griswold—to the Committee on Military Affairs.

By Mr. STEENERSON: A bill (H. R. 11134) to modify and amend an agreement with the Red Lake and Pembina bands of Indians of the Red Lake Reservation, in Minnesota, and to ratify the same as amended, and making appropriation and provision to carry the same into effect—to the Committee on Indian Affairs.

By Mr. TAWNEY: A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri"—to the Committee on Industrial Arts and Expositions.

By Mr. BEDE: A bill (H. R. 11136) to provide for the hearing and determination of contests of the claims of States to swamp land under swamp-land grants—to the Committee on the Public Lands.

By Mr. KINKAID: A bill (H. R. 11137) to grant to homesteaders on the Fort Randall Military Reservation in Boyd County, Nebr., and Gregory County, S. Dak., a second homestead right—to the Committee on the Public Lands.

By Mr. GREENE: A bill (H. R. 11138) to increase the efficiency and safety of the mercantile marine of the United States by creating a commission to revise the laws relating to construction, installation, and inspection of marine boilers, to provide uniformity of inspection of marine boilers in the United States and insular possessions, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 11139) to require the employment of vessels of the United States for public purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. MIERS of Indiana: A bill (H. R. 11140) in amendment of sections 2 and 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. MAHON, from the Committee on War Claims: A resolution (H. Res. 165) referring to the Court of Claims the bill H. R. 796—to the Private Calendar.

Also, from the same committee, a resolution (H. Res. 166) re-

ferring to the Court of Claims the bill H. R. 6915—to the Private Calendar.

By Mr. HAUGEN, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. GILLESPIE, from the Committee on War Claims: A resolution (H. Res. 168) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. HAUGEN, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. JENKINS, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. GILLESPIE, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. [illegible], from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. [illegible], from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. [illegible], from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. FLOOD, from the Committee on War Claims: A resolution (H. Res. 174) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. GILLESPIE, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. GIBSON, from the Committee on War Claims: A resolution (H. Res. 176) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. GILLESPIE, from the Committee on War Claims: A resolution (H. Res. 177) referring to the Court of Claims the bill H. R. 10614—to the Private Calendar.

By Mr. CALDWELL, from the Committee on War Claims: A resolution (H. Res. 178) referring to the Court of Claims the bill H. R. 6068—to the Private Calendar.

By Mr. GIBSON, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. SPERRY, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

Also, from the same committee, a resolution (H. Res. 181) referring to the Court of Claims the bill H. R. 10585—to the Private Calendar.

By Mr. FRENCH, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

Also, from the same committee, a resolution (H. Res. 183) referring to the Court of Claims the bill H. R. 2623—to the Private Calendar.

By Mr. GIBSON, from the Committee on War Claims: A resolution (H. Res. [illegible]) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. SPERRY, from the Committee on War Claims: A resolution (H. Res. 185) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. GIBSON, from the Committee on War Claims: A resolution (H. Res. 186) referring to the Court of Claims the bill H. R. [illegible]—to the Private Calendar.

By Mr. BAKER: A resolution (H. Res. 188) directing the Judiciary Committee to investigate and report whether, in sending a railroad pass to Roscoe Bonn, a Member of this House, the Baltimore and Ohio Railroad Company was violating the law—to the Committee on Rules.

By Mr. [illegible]: A resolution (H. Res. 189) taking steps to conserve the forests of America—to the Committee on Rules.

By Mr. DRISCOLL, from the Committee on Elections No. 3: A resolution (H. Res. 190) that Hon. George Howell was not elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania—to the House Calendar.

Also, from the same committee, a resolution (H. Res. 191) that Hon. [illegible] was duly elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania and is entitled to a seat therein—to the House Calendar.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 11141) granting an increase of pension to John B. Keller—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 11142) granting an increase of pension to Charles H. L. Groffmann—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 11143) for the relief of David K. Wall and the heirs of John A. Witter, deceased—to the Committee on the Post-Office and Post-Roads.

By Mr. BROWNLOW: A bill (H. R. 11144) granting a pension to Elzie May Camp Bernard—to the Committee on Pensions.

Also, a bill (H. R. 11145) for the relief of George T. Welch—to the Committee on Military Affairs.

Also, a bill (H. R. 11146) granting an increase of pension to Robert Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11147) to restore David B. Jeffers to the United States Army with the rank of first lieutenant and place him upon the retired list—to the Committee on Military Affairs.

By Mr. CALDERHEAD: A bill (H. R. 11148) granting an increase of pension to George W. Stanfield—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11149) granting an increase of pension to Charles R. Ellis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11150) granting an increase of pension to Marvin A. Wixson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11151) granting a pension to Eliza M. Burke—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 11152) for the relief of the estate of Oliver Milburn, deceased—to the Committee on War Claims.

By Mr. DWIGHT: A bill (H. R. 11153) granting an increase of pension to William D. Brooks—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11154) granting an increase of pension to William M. Swart—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 11155) granting an increase of pension to Henry Wheeler—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 11156) for the relief of Mary Leary and children—to the Committee on Claims.

By Mr. FORDNEY: A bill (H. R. 11157) for the relief of Seth Davis—to the Committee on Military Affairs.

Also, a bill (H. R. 11158) granting an increase of pension to William W. Hargrave—to the Committee on Pensions.

Also, a bill (H. R. 11159) granting an increase of pension to Hiram E. Monroe—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 11160) granting an increase of pension to Randall Denney—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 11161) to authorize the President to appoint Maj. William Austine, retired, to the grade of colonel in the United States Army and place him on the retired list as such—to the Committee on Military Affairs.

By Mr. HAY: A bill (H. R. 11162) for the relief of the estate of Samuel Good, deceased, late of Rockingham County, Va.—to the Committee on War Claims.

By Mr. HILDEBRANT: A bill (H. R. 11163) granting an increase of pension to Azuboth Stofe—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 11164) granting a pension to Elizabeth C. Winton—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 11165) granting a pension to Thompson F. Frisbee—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 11166) granting a pension to John Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11167) granting an increase of pension to James K. Nickell—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 11168) for the relief of Isaac A. Kase—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 11169) granting an increase of pension to Reuben G. Porter—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 11170) granting an increase of pension to Sarah J. Paynter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11171) granting an increase of pension to Isabella Whitson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11172) granting an increase of pension to John W. Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11173) granting an increase of pension to Joseph M. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11174) granting an increase of pension to Herman J. Watjen—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 11175) granting an increase of pension to Isaac S. Drummond—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 11176) granting an increase of pension to George Lintern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11177) granting an increase of pension to George Manypenny—to the Committee on Pensions.

By Mr. PEARRE: A bill (H. R. 11178) for the relief of Miss Lelia G. Casey—to the Committee on Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 11179) to increase the pension of William G. Miller—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 11180) for the relief of George S. Ayre—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 11181) to authorize the Secretary of the Interior to issue a patent to the city of Roswell, N. Mex., for certain tracts of land—to the Committee on the Public Lands.

By Mr. ROBINSON of Arkansas: A bill (H. R. 11182) granting an increase of pension to William J. Murray—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 11183) for the relief of Marmon Spence Pope—to the Committee on War Claims.

By Mr. SPALDING: A bill (H. R. 11184) to carry into effect the findings of the Court of Claims in the Congressional case No. 23193, the Washington Loan and Trust Company, legal representative of the estate of Aaron Van Camp, deceased, and Mary M. C. Chapin and Rufus P. Chapin, legal representatives of the estate of Virginius P. Chapin, deceased, against the United States—to the Committee on Claims.

By Mr. SMITH of Iowa: A bill (H. R. 11185) for the relief of Daniel J. Ockerson—to the Committee on War Claims.

By Mr. SAMUEL W. SMITH: A bill (H. R. 11186) granting relief to certain members of the Seventh Michigan Cavalry, war of the rebellion—to the Committee on War Claims.

By Mr. SULLOWAY: A bill (H. R. 11187) granting an increase of pension to Fvanna Myers—to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 11188) granting an increase of pension to Hanson Bottomstone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11189) granting an increase of pension to Capt. Henry Wilhelm—to the Committee on Invalid Pensions.

By Mr. WYNN: A bill (H. R. 11190) for the relief of Henry Finnegan—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 11191) granting a pension to Zachariah Minnear—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 11192) granting an increase of pension to William Seymour Alden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11193) granting an increase of pension to Abbie W. Griffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11195) for the relief of James A. Chamberlain—to the Committee on Claims.

Also, a bill (H. R. 11196) for the relief of the heirs and legal representatives of Samuel Svenson—to the Committee on Claims.

Also, a bill (H. R. 11197) for the relief of the heirs and legal representatives of Valentine Kirchner—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 11198) granting an increase of pension to James M. Jones—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of J. D. Mitchell and six others, of Union Point, Ga., in favor of the enactment of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Whipple Post, No. 414, Grand Army of the Republic, Kankakee, Ill., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, memorial of Hon. A. H. JACKSON, asking for compensation for expenses in the contested-election case of Norton v. Jackson—to the Committee on Elections No. 2.

By Mr. ALLEN: Petition of the officers and teachers of the University of Maine, for converting the big-tree groves of California into national parks—to the Committee on the Public Lands.

By Mr. BABCOCK: Letter from Woodhouse & Bartley Bank, Bloomington, Wis., in favor of the passage of bill H. R. 5068, relative to the redemption of mutilated United States notes—to the Committee on Banking and Currency.

Also, letter from Wisconsin Banking Association, favoring passage of bill H. R. 5068—to the Committee on Banking and Currency.

Also, resolution of Grand Army of the Republic Post No. 158, Ontario, Wis.—to the Committee on Invalid Pensions.

By Mr. BADGER: Resolution of Farmers' Institute at Groveport, Ohio, in favor of the enactment of the Brownlow good-roads bill, etc.—to the Committee on Agriculture.

Also, resolution of Leavenworth Council, No. 76, United Commercial Travelers, relative to amending the bankruptcy act—to the Committee on the Judiciary.

Also, resolution of Mound City Council, No. 207, of United Commercial Travelers of America, relative to the amending of the bankruptcy act—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Paper to accompany House bill to pension C. H. L. Groffmann—to the Committee on Invalid Pensions.

Also, petition of citizens of St. Louis, against eight-hour law—to the Committee on Labor.

Also, petition of citizens of St. Louis against anti-injunction bill—to the Committee on the Judiciary.

By Mr. BIRDSALL: Resolution of E. C. Little Post, No. 54, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petition of citizens of Pittsburg, Pa., in opposition to the enactment of an eight-hour bill—to the Committee on Labor.

Also, petition of citizens of Pittsburg, Pa., opposing anti-injunction bill—to the Committee on the Judiciary.

By Mr. DARRAGH: Papers to accompany bill H. R. 2574, granting an increase of pension to Elias Riegle—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 9355, granting an increase of pension to Byron Drake—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting an increase of pension to John Richmond—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 9362, granting an increase of pension to Stephen Bashaw—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 9358, granting an increase of pension to Albert D. Davey—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 9356, granting an increase of pension to Harvey C. Button—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10034, granting a pension to Lucinda Vincent—to the Committee on Pensions.

Also, papers to accompany bill H. R. 2569, granting an increase of pension to Mahlon L. Angle—to the Committee on Invalid Pensions.

Also, resolution of Charles A. Price Post, No. 405, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DE ARMOND: Papers to accompany H. J. Res. 89, for the relief of Daniel B. Watts—to the Committee on Military Affairs.

By Mr. DWIGHT: Papers to accompany bill granting pension to William M. Swart—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of Everett Chamber of Commerce, urging an appropriation of $50,000 to increase the facilities of the Tulalip Indian Reservation school—to the Committee on Indian Affairs.

By Mr. FULLER: Memorial of J. E. Pettit, in favor of bill H. R. 2895, for the relief of telegraph operators who served in the war of the rebellion—to the Committee on Invalid Pensions.

Also, resolution of the Merchant and Manufacturers' Association of Baltimore, relative to the improvement of the main ship channel—to the Committee on Rivers and Harbors.

Also, resolution of Randolph Post, No. 93, Grand Army of the Republic, of Tonica, Ill., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: Resolution of the Gloucester Board of Trade, relative to the restoration of merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Gloucester Board of Trade, relative to arbitration treaties between the United States and foreign countries—to the Committee on Foreign Affairs.

Also, resolution of the Gloucester Board of Trade, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Gloucester Board of Trade, relative to the destruction of derelicts at sea—to the Committee on Interstate and Foreign Commerce.

By Mr. GIBSON: Petition of E. E. Wiley and 26 others, F. J. Fowler and 30 others, Robert Walker and 28 others, and A. P. Bissell and 17 others, of Harriman, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, paper to accompany bill to pension Martha J. Taylor—to the Committee on Invalid Pensions.

Also, paper to accompany claim of J. T. Cooper—to the Committee on War Claims.

By Mr. GROSVENOR: Paper to accompany House bill granting an increase of pension to Randall Denney—to the Committee on Invalid Pensions.

Also, resolution of the Ohio Vicksburg Battlefield Association in favor of the enactment of bill H. R. 5084, providing for a national park commission—to the Committee on Military Affairs.

By Mr. HEDGE: Memorial of the Upper Mississippi River Improvement Association, relative to the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. HEPBURN: Resolutions of Farragut Ransom Post, No. [illegible]; Lincoln Post, No. [illegible]; Abe Fleck Post, No. 437; John A. Adams Post, No. [illegible]; Shively Post, No. 42[illegible]; William Baker Post, No. [illegible]; Frank Nevins Post, No. [illegible]; Ross Post, No. [illegible]; Upton Post, No. [illegible]; Van Wert Post, No. [illegible]; Stanton Post, No. [illegible]; Wayne Post, No. [illegible]; Weldon Post, No. [illegible]; Wright Post, No. 491; Union Post, No. [illegible], and [illegible] Post, No. 173, Grand Army of the Republic, Department of Iowa, in favor of a service-pension Bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Resolution of Jonathan Casto Post, No. [illegible], Grand Army of the Republic, of [illegible], Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, [illegible] bill for the relief of E. E. Wisby—to the Committee on War Claims.

By Mr. [illegible], petition of Grand Junction Ministerial Association, of Colorado, favoring passage of the Hepburn-Dolliver bill—to the Committee on Agriculture.

Also, resolution of Shelby County, Iowa, Board of Trade, protesting against changes in present land laws—to the Committee on the Public Lands.

Also, resolutions of Grand Army of the Republic posts No. 63, Department of Colorado and Wyoming; No. 13, of Greeley, Colo.; No. 109, of Meeker, Colo.; No. 16, of Monte Vista, Colo.; No. 32, of Colorado Springs, Colo.; No. 100 and No. [illegible], of Trinidad, Colo., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Resolution of General William S. Truex Post, No. 118, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: Petition of the Reformed Church of Paramus, of Ridgewood, N. J., against sale of liquor in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Reformed Church of Paramus, of Ridgewood, N. J., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, resolution of George G. Meade Post, No. 7, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of citizens of Blakesburg, Iowa, in favor of the passage of bill H. R. 2895, for the relief of military telegraph operators—to the Committee on Invalid Pensions.

By Mr. LAFEAN: Resolution of the West Pennsylvania Synod of the Lutheran Church, in favor of the Hepburn bill (H. R. 4072)—to the Committee on the Judiciary.

By Mr. MAHONEY: Petition of C. Zeglen, relative to bullet-proof cloth—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: Papers to accompany House bill to increase pension of Joseph M. Baldwin—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting increase of pension to Thomas Headdy—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase pension of J. E. Speakes—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase pension of Sarah J. Paynter—to the Committee on Invalid Pensions.

By Mr. PALMER: Petitions of W. S. Morgan and 15 others and of the First Methodist Episcopal Church, of Derranceton, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of Simon J. McCann, of Fort Wayne, Ind., in favor of bill providing for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. SIMS: Resolution of the county court of Madison County, Tenn., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SAMUEL W. SMITH: Resolutions of G. H. Ewing Post, No. [illegible]; Steele Brothers Post, No. 441; Dick Richardson Post, No. 147; Dewey Post, No. 60; John and Alfred Ryder Post, No. 404; J. B. McPherson Post, No. 188; Henry H. Knapp Post, No. [illegible]; Fred Walker Post, No. 184; James Bradley Post, No. 194; Governor Crapo Post, No. 145, and Phil. McKernan Post, No. 53, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of C. P. Maxan, of Waterford, Mich., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. STEENERSON: Papers to accompany House bill relative to the Red Lake and Pembina bands of Chippewa Indians, of Minnesota—to the Committee on Indian Affairs.

By Mr. WADE: Resolution of James [illegible] Post, No. 292, Grand Army of the Republic, of Mallinsburg, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Resolutions of William Lawrence Post, No. 794, of New Burnside, Ill., and James C. Lasater Post, No. [illegible], of Mechanicsburg, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Golconda, Ill., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

SENATE.

WEDNESDAY, *January 27, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

WALTER B. JORDAN.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs, relative to the action of the Secretary of the Interior in the case of Walter B. Jordan, of Miles City, Mont., for the delivery at various posts during the fiscal year 1901 of large quantities of provisions for the Indian service, amounting to $1,289.51, and recommending that he be reimbursed the amount so paid, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PURCHASE OF INDIAN SUPPLIES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs relative to purchases made in open market of Indian goods and supplies in excess of $[illegible] and other expenditures made by the Secretary of the Interior during the fiscal year [illegible], with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PINE RIDGE AGENCY, S. DAK.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting papers from the files of the records of the Indian Department giving the history of the recent encounter between certain Sioux Indians of the Pine Ridge Agency, S. Dak., and the sheriff's posse from Wyoming, etc.; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

A bill (S. 9) granting an increase of pension to David E. Burbank;
A bill (S. 12) granting an increase of pension to Francis E. Chase;
A bill (S. 13) granting an increase of pension to William Clark;
A bill (S. 14) granting an increase of pension to Samuel M. Perry;
A bill (S. 99) granting an increase of pension to Joel C. Shepherd;
A bill (S. 182) granting an increase of pension to Charles F. Holt;
A bill (S. 190) granting an increase of pension to Charles H. Bell;
A bill (S. 451) granting an increase of pension to William T. Cramer;
A bill (S. 452) granting an increase of pension to Albert W. Bullock;
A bill (S. 456) granting an increase of pension to Andrew J. Pierce;
A bill (S. 458) granting an increase of pension to Charles Beattie;
A bill (S. 471) granting an increase of pension to Silas Meserve;
A bill (S. 473) granting an increase of pension to Byron D. Babcock;
A bill (S. 478) granting an increase of pension to Olive J. Bailey;
A bill (S. 484) granting a pension to Nancy S. Marsh;
A bill (S. 547) granting an increase of pension to Irving W. Coombs;
A bill (S. 555) granting an increase of pension to Royal A. S. Kingsley;
A bill (S. 565) granting an increase of pension to James E. Barnard;

A bill (S. 578) granting an increase of pension to John Bulamore;
A bill (S. 586) granting a pension to Annie H. Zall;
A bill (S. 587) granting an increase of pension to Anson P. Williamsen;
A bill (S. 589) granting an increase of pension to George W. McMullen;
A bill (S. 744) granting an increase of pension to Stephen Gascoigne;
A bill (S. 745) granting a pension to John Swenson;
A bill (S. 798) granting an increase of pension to James A. Templeton;
A bill (S. 814) granting a pension to Mamie Thayer;
A bill (S. [illegible]) granting an increase of pension to W. Neil Dennison;
A bill (S. 847) granting an increase of pension to John L. Beveridge;
A bill (S. 898) granting an increase of pension to John B. Carter;
A bill (S. 929) granting an increase of pension to Charles Sterner;
A bill (S. 930) granting an increase of pension to Ferdinand Wiedemann;
A bill (S. 937) granting an increase of pension to Rudolph Siebelist;
A bill (S. 959) granting an increase of pension to Andrew C. Ranard;
A bill (S. 1259) granting an increase of pension to John M. Stanyan;
A bill (S. 1334) granting an increase of pension to Amy C. Bosworth;
A bill (S. 1335) granting an increase of pension to Calvin Daws;
A bill (S. 1402) granting an increase of pension to William Paul;
A bill (S. 1429) granting an increase of pension to Elizabeth C. Paquin;
A bill (S. 1437) granting an increase of pension to Clarence E. Bullard;
A bill (S. 1491) granting an increase of pension to James A. Hoover;
A bill (S. 1497) granting an increase of pension to Walter F. Chase;
A bill (S. 1498) granting an increase of pension to Winslow P. Eaers;
A bill (S. 1559) granting an increase of pension to Marie A. Rask;
A bill (S. 1825) granting a pension to Josephine L. Webber;
A bill (S. 1826) granting an increase of pension to Mary E. Cutts;
A bill (S. 1827) granting an increase of pension to Harris A. P. Lewis;
A bill (S. 1938) granting an increase of pension to Alfredge Pettingill; and
A joint resolution (S. R. 32) to fill vacancies in the Board of Regents of the Smithsonian Institution.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Turner Liedertafel and Singing Society, of Hamford; of Friedrich Hecker Lodge, No. 440, of New Haven; of the Germania Singing Society, of Washington; of the Turner Bund of Torrington, and of the Germania Society of Torrington, all in the State of Connecticut; of the Schnetzen Verein of San Francisco; of the Pacific Turn Bezirk, of San Francisco, and of the Arion Verein, of San Francisco, all in the State of California; of Lodge No. 596, of Denver, and Beer Drivers' Union No. 56, of Denver, in the State of Colorado; of the Freie Brüder Gemeinde, of Davenport, of the West Davenport Maennerchor, of Davenport; of the West Davenport Geselligkeits Club, of Davenport; of Hermann Lodge, No. 489, of Davenport; of the Avoca Gesang Verein, of Avoca; of the Deutscher Maennerchor, of New Hampton; of Concordia Lodge, No. 4, of Sioux City, and of the German Mutual Fire and Windstorm Association of Manning, all in the State of Iowa; of Herwegh Lodge, No. 565, of Chicago; of Robert Blum Lodge, No. 397, of Chicago; of Tugend Lodge, of Chicago; of the Schweizer Turn Verein, of Chicago; of Columbia Lodge, No. 178, of Chicago, and of Fortschritt Lodge, No. 579, of Chicago, all in the State of Illinois; of the Social Turn Verein, of Indianapolis, Ind.; of the German Soldiers' Aid Society, of Louisville, Ky.; of the Howard Relief Company, of Wilmington, N. C.; of the Deutsche Landwehr Verein, of Omaha, Nebr.; of the German School Society, of Manchester, N. H.; of the German Sick Benefit Society, of Lawrence; of Rosalindale Lodge, No. 604, of Boston, and of Washington Lodge, of Clinton, all in the State of Massachusetts; of Humboldt Lodge, No. 4, of Minneapolis; of Germania Rebekah Lodge, No. 7, of Winona, and of St. Anthony's Turn Verein, of Minneapolis, all in the State of Minnesota; of Goethe Tent, No. 207, of Bay City; of the German Aid Society, of Port Huron, and of the Deutsche Einheits Lodge, No. 645, of Kalamazoo, all in the State of Michigan; of the German Maennerchor, of Cumberland, and of the Singing Society of Baltimore, in the State of Maryland; of the Teutonia Singing Society, of St. Louis; of the Far West Lodge, of St. Louis; of the Gesangsecktion Liederkranz, of St. Louis; of the Baden Society, of St. Joseph, and of the Germania Lodge, No. 17, of St. Louis, all in the State of Missouri; of the Charles C. Ewald Quartette Club, of Trenton; of the Orphans Singing Society, of Newark; of the Workmen's Sick and Death Benefit Fund Branch No. 61, of Trenton; of the Schwaben Club, of Hoboken; of the Second Turn Verein, of Trenton, and of the Singing Society of Hoboken, all in the State of New Jersey; of the Maennerchor of Troy, of the Schwaben Sick Aid Society, of Utica, of the North German Society of Long Island; of the Turn Verein of Brooklyn, of the Gleichenberger Club, of New York City; of the Turn Verein of Yonkers; of the Germania Lodge, of New York City; of the Deutsche Volksfest Verein, of New York City; of the William F. Gruell Association, of New York City; of Guttenberg Lodge, No. 112, of Troy; of Humboldt Lodge, of Syracuse, and of the Sangerbund Society, of New York City, all in the State of New York; of the Turn Verein of Cleveland; of the Turn Verein of Cincinnati; of Steuben Lodge, of Dayton; of the Liederkranz of Cleveland, of Teutonia Lodge, No. 21, of Dayton; of the Alemania Verein, of Cleveland; of Harmonie Lodge, No. 117, of Dayton; of Hermann Encampment, No. 66, of Cincinnati; of the Harugari Singing Society, of Dayton; of the Turn Verein of Akron; of the Liederkranz Singing Society, of East Liverpool; of the Workmen's Sick and Death Benefit Fund of Dayton; of the Deutscher Schwaenger Verein, of Cincinnati, and of the Liberal Bayerischer Verein, of Cincinnati, all in the State of Ohio; of the Deutsche Gesellschaft of Providence, R. I.; of Concordia Lodge, No. 2035, of Austin; of the Shooting Company of San Antonio; of the Deutsche Sterbe Kasse, of Austin; of Wilhelm Tell Lodge, No. 175, of Gonzales, and of the Frohsinn Maennerchor Singing Society, of San Antonio, all in the State of Texas; of the Singing Society of Salt Lake City, Utah; of Lodge No. 2, of Seattle; of the German Club of Seattle, all in the State of Washington; of Lodge No. 803, of Milwaukee; of the Apollo Male Choir, of Milwaukee; of the Gesang Verein of Milwaukee; of the Orpheus Club, of Milwaukee; of the Syra Male Choir of Milwaukee; of the Enterne Men's Choir, of Milwaukee; of the South Side Gymnastic Association, of Milwaukee, and of the Incorporated German Society, of Marinette, all in the State of Wisconsin; of the German Beneficial Society, of Pitcairn; of the Danish Society of Philadelphia; of the East Pittsburg Turn Verein, of East Pittsburg; of the Upholsterers' Relief Association, of Philadelphia; of German Beneficial Union No. 2, of Pittsburg; of German Beneficial Union No. 18, of McKeesport; of the Turn Verein of Pittsburg; of German Beneficial Union No. 45, of Allegheny; of the Schiller Turn Verein, of Pittsburg; of the German Military Society, of Pittsburg; of the Schwaben Relief Society, of Allegheny County; of the German Beneficial Union of North Tonawanda; of Lodge No. 464, of Homestead; of District No. 46, of Homestead, and of the Baker Arbeiter Verein of Philadelphia, all in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented a petition of the Young People's Society of Christian Endeavor of the Jefferson Avenue Presbyterian Church, of Detroit, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a memorial of the Washington State Grange, Patrons of Husbandry, of La Center, Wash., remonstrating against the passage of the Shipping Ship-subsidy bill; which was referred to the Committee on Commerce.

He also presented the petition of Mrs. Ella [illegible], of Whatcom, Wash., praying for the enactment of legislation permitting the transmission of authors to be carried at the lowest rates; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Washington State Grange, Patrons of Husbandry, of La Center, Wash., praying that an appropriation be made for the construction of State and county roads; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the Central Methodist Episcopal Church, of Tacoma, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Chamber of Commerce of Everett, Wash., praying that an appropriation be made for the Indian school at Tulalip Indian Reservation, in that State; which was referred to the Committee on Indian Affairs.

Mr. GAMBLE presented the petition of Nelson A. Nelson, of Yankton County, S. Dak., praying for the establishment of a post-check currency; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of Local Union No. 152, Cigar Makers' International Union, of Sioux Falls, S. Dak., remonstrating against any change being made in the duty on tobacco imported from Cuba; which was referred to the Committee on Finance.

Mr. CULLOM presented petitions of Wilkins Post, No. 25, of Watseka, of Pine Grove and [illegible] Post, No. [illegible], of Lake Park; of T. B. Lee Post, No. [illegible], of [illegible]; of Washington Post, No. 573, of Chicago, of [illegible] Post, No. 515, of Pittsfield, and of Farmer City Post, No. [illegible], Department of Illinois, Grand Army of the Republic, and of [illegible], praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CULLOM presented a memorial in the nature of a petition from the city of Houston, Tex., praying for the construction of a [illegible] on Galveston Island; which was referred to the Committee on Commerce, Science, and Transportation.

Mr. [illegible] presented a petition from the citizens and general community of the city of Houston, Tex., praying for the construction of an [illegible] on Galveston Island; which was referred to the Committee on Commerce, Science, and Transportation.

The following petition was read, and referred to the Committee on Interoceanic Canals, as follows:

[illegible]

[illegible] of the United States has been unable to negotiate with the Government of Colombia for the building of such [illegible]

[illegible] for ratification [illegible]

[illegible] is one of the [illegible] to the country [illegible]

[illegible] seal of the city be mailed to each [illegible]

W. J. [illegible]

Mr. [illegible] presented a petition of the Manufacturers' Association of Connecticut, praying for the adoption of the [illegible] was referred to the Committee on Manufactures.

He also presented a petition of the Board of Trade of Alameda, Cal., praying for the improvement of Oakland Harbor, in that State; which was referred to the Committee on Commerce.

He also presented a petition of the Manufacturers and Producers' Association of Connecticut, praying for the adoption of the American measure of [illegible]; which was referred to the Committee on Commerce.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation appropriating [illegible] between the [illegible] and Delaware Bays; which was referred to the Committee on Commerce.

He also presented a petition of the Universal Peace Union of Philadelphia, Pa., praying for the enactment of legislation to prevent the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Board of Trustees of Philadelphia, Pa., praying for the enactment of legislation for the encouragement of the merchant marine; which was referred to the Committee on Commerce.

Mr. [illegible] presented a petition of the Central Labor Union of Portland, Oreg., praying for the enactment of legislation to modify the [illegible] only to such persons [illegible] violence; which was referred to the Committee on Immigration.

He also presented a petition of the president and faculty of the University of Maine, Orono, Me., praying for the enactment of legislation converting the big-tree groves into national parks; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. SIMMONS presented petitions of the Rehobeth Woman's Christian Temperance Union of Skinnersville; of the Rehobeth Woman's Christian Temperance Union of Creswell; of the Woman's Christian Temperance Union of Elizabeth City; of the congregation of the Methodist Episcopal Church South, of Sumberland; of sundry citizens of Winston, and of the Woman's Christian Temperance Union of Belvidere, all in the State of North Carolina, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. KEAN presented a petition of General William S. Truex Post, No. 118, Department of New Jersey, Grand Army of the Republic, in the State of New Jersey, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Presbyterian Church of Laurel Springs, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the congregation of the Reformed Church of Paramus, of Ridgewood, N. J., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the Reformed Church of Paramus, of Ridgewood, N. J., praying for the enactment of legislation to prevent nullification of State liquor laws and no-license ordinances by so-called "original packages" and other "interstate-commerce" tricks; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of the Woman's Missionary Society of the Presbyterian Church of Racine; of the Coterie Club, of Darlington; of sundry citizens of Barrow, and of the Young Woman's Christian Association of Platteville, all in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of J. B. McPherson Post, No. 27, Department of Wisconsin, Grand Army of the Republic, of Lake Geneva, Wis., and a petition of George D. Eggleston Post, No. 133, Department of Wisconsin, Grand Army of the Republic, of Appleton, Wis., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LONG (for Mr. BURTON) presented a memorial of the Grain Dealers' Association of Topeka, Kans., remonstrating against the enactment of legislation providing for the inspection of grain by the National Government at terminal markets; which was referred to the Committee on Agriculture and Forestry.

He also (for Mr. BURTON) presented a petition of Local Council No. 76, United Commercial Travelers, of Leavenworth, Kans., praying for the adoption of an amendment to the existing bankruptcy law; which was referred to the Committee on the Judiciary.

He also (for Mr. BURTON) presented a petition of Farragut Post, No. 602, Department of Illinois, Grand Army of the Republic, of Chicago, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also (for Mr. BURTON) presented a petition of the Woman's Christian Temperance Union of Kansas City, Kans., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. PATTERSON presented a petition of the congregation of the Capitol Hill Baptist Church, of Denver, Colo., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of the Christian Citizenship Union of Denver, Colo., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Mesa Woman's Christian Temperance Union, of Pueblo, Colo., and a petition of sundry citizens of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Butler Post, No. 91; of Post No. 13; of Post No. 54, and of Post No. 85, all of the Department of Colorado and Wyoming, Grand Army of the Republic, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. McLAURIN presented sundry papers to accompany the bill (S. [illegible]) for the relief of [illegible] W. [illegible], deceased; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 3187) for the relief of the heirs of William Hunt, deceased; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. [illegible], from the Committee on Foreign Relations, to whom was [illegible] on the 25th instant, proposing to appropriate $10,000 for inspection of consulates, intended to be proposed to the urgent deficiency appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations; which was referred to the Committee on Appropriations.

Mr. CULLOM, from the Committee on Foreign Relations, to whom was referred the message from the President of the United States, transmitting a report from the Acting Secretary of State [illegible] Mexico, in June, 1901, at Mexico, in certain coal hulks belonging to the United States, asked to be discharged from its further consideration, and that it be referred to the Committee on the Philippines; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. SCOTT on the 25th instant, proposing to change the grade of the consulate at Buenos Ayres, Argentine Republic, from Class IV, Schedule B, at $2,500 a year, to the [illegible] a year, intended to be proposed to the diplomatic and consular appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. NELSON on the 25th instant, proposing to change the consulate at Rotterdam, Netherlands, from Class [illegible] to the diplomatic and consular appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by Mr. NELSON on the 25th instant, proposing to change the consulate at Odessa, Russia, from Class [illegible] B, to Class III, of the same schedule, reported favorably thereon, and moved that it be referred to the Committee on Appropriations; which was agreed to.

He also, from the same committee, to whom was referred an amendment proposed by him to the Senate bill (S. [illegible]) for the erection of new buildings for consular purposes at Seoul, Korea, intended to be proposed to the diplomatic and consular appropriation bill, and moved that it be referred to the Committee on Appropriations; which was agreed to.

Mr. [illegible], from the Committee on Claims, to whom was referred the bill (S. [illegible]) for the relief of the legal representatives of A. G. Boone, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. [illegible]) for the relief of the Metropolitan National Bank of Washington, D. C., reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Claims, to whom was referred the bill (S. [illegible]), reported it without amendment, and submitted a report thereon.

Mr. TALIAFERRO, from the Committee on Claims, to whom was referred the bill (S. [illegible]) for the relief of W. R. Austin & Co., reported it without amendment, and submitted a report thereon.

Mr. HARD, from the Committee on Public Lands, to whom was referred the bill (S. [illegible]), to authorize the sale of certain lands to two [illegible] in the State of California, with a [illegible] amendment, reported it with an amendment, and submitted a report thereon.

Mr. [illegible], from the Committee on Public Lands, to whom was referred the bill (S. [illegible]) for the protection of [illegible] in the United States, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Education and Labor, to whom was referred the bill (S. [illegible]) making provision for conveying in [illegible] to the city of St. Augustine, Fla., for school purposes, reported it with an amendment, and submitted a report thereon.

He also, from the Committee on Claims, to whom was referred the amendment submitted by Mr. NELSON on the 20th instant, proposing to appropriate $4,956.67 for compensation to the owners of the Norwegian steamship *Nicaragua* for damage to said owners by reason of the rescue of an American citizen, John McCafferty, and the consequent quarantine of said ship at Mobile, Ala., in 1894, intended to be proposed to the general deficiency appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. MARTIN, from the Committee on Claims, to whom was referred the bill (S. 483) for the relief of the owners and officers of the brig *Olive Frances*, and others on board said brig, reported it without amendment.

PROTECTION OF FUR-SEAL HERD OF ALASKA.

Mr. FORAKER, from the Committee on Foreign Relations, to whom was referred the resolution submitted by Mr. DILLINGHAM November 20, 1903, and referred to that committee, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

[illegible]

Whereas this failure of these concurrent regulations, if not corrected at [illegible] and complete extermination of the fur-seal [illegible]

[illegible] award of the tribunal of arbitration at Paris, August 15, 1893; and be it [illegible]

[illegible] season opens in February, 1904.

UTAH SENATORIAL INVESTIGATION.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution reported on the 25th instant by the Senator from Michigan [Mr. BURROWS] from the Committee on Privileges and Elections, to report it with an amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution.

The amendment of the committee was, in line 6, after the word "Senate," to strike out the words "and during the recess of Congress;" so as to make the resolution read:

[illegible] Privileges and Elections of the Senate, [illegible] authorized to sit [illegible] send for persons and papers [illegible] upon [illegible]

The amendment was agreed to.

The resolution as amended was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. TALIAFERRO introduced a bill (S. 3869) for the extension of Albemarle street; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. [illegible]) for a pension to [illegible] W. Lewton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MORGAN introduced a bill (S. 3871) for the relief of the estate of David Crowell, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3872) granting an increase of pension to Narcissa Tait; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McLAURIN introduced a bill (S. 3873) granting a pension to C. R. Beardslee, alias Charles Playday; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SIMMONS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3874) for the relief of Colin J. Cowles;

A bill (S. 3875) for the relief of Sidney Maxwell;

A bill (S. 3876) for the relief of [illegible] Smith; and

A bill (S. 3877) for the relief of [illegible].

Mr. SIMMONS introduced a bill (S. 3878) granting an increase of pension to George Coffee; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3879) granting an increase of pension to C. Q. Lemmond; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALGER introduced a bill (S. 3880) granting an increase of pension to Michael Sheedy; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3881) granting an increase of pension to James B. Judson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MILLARD introduced a bill (S. 3882) granting an increase of pension to Armour W. Patterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 3883) for the construction of a conduit for the waters of Rock Creek, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PENROSE introduced a bill (S. 3884) granting an increase of pension to Thomas J. Young; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3885) granting a pension to Robert J. Campbell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON (by request) introduced a bill (S. 3886) to establish a national military park at Fort Reno, D. C., and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3887) granting an increase of pension to Charles J. Clark; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3888) granting an increase of pension to George W. Neely; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 3889) for the relief of the heirs of William L. Waddy, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3890) granting an increase of pension to J. N. Cullen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3891) for the relief of George A. Williams; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. HALE introduced a bill (S. 3892) to authorize the President to appoint Gen. A. S. Daggett to the grade of major-general in the United States Army on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3893) granting an increase of pension to John L. Kinney; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BATE (by request) introduced a bill (S. 3894) granting a pension to W. H. Fitzgerald; which was read twice by its title, and referred to the Committee on Pensions.

He also (by request) introduced a bill (S. 3895) granting a pension to W. E. Sharp; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE (for Mr. BURTON) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3896) granting an increase of pension to R. F. Nugent;

A bill (S. 3897) granting an increase of pension to G. H. Adams (with accompanying papers);

A bill (S. 3898) granting an increase of pension to Noah C. Standford;

A bill (S. 3899) granting an increase of pension to Michael McKenna;

A bill (S. 3900) granting an increase of pension to P. P. Brady; and

A bill (S. 3901) granting pensions to officers and enlisted men of the Ninth, Tenth, Eleventh and Nineteenth Regiments Kansas Volunteer Cavalry who served thirty days or more in the Sioux Indian wars in 1865, 1866, and 1867, and for other purposes.

Mr. BAILEY introduced a bill (S. 3902) granting a pension to George F. Spence; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PULITZER introduced a bill (S. 3903) for the relief of the Lower Band of Chinook Indians of the State of Washington and the Kathlamet band of Chinook Indians of the State of Oregon; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MARTIN introduced a bill (S. 3904) for the relief of Walter H. Taylor, administrator of Richard Taylor, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. PROCTOR introduced a joint resolution (S. R. 34) authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Alfonso Zelaya, of Nicaragua; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a joint resolution (S. R. 35) to incorporate the American National Institute (Prix de Paris) at Paris, France; which was read twice by its title, and, with the accompanying papers, which were ordered to be printed, referred to the Committee on Foreign Relations.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PENROSE submitted an amendment proposing to amend section 3857 of the Revised Statutes of the United States, relating to the designation of post-offices at the intersection of mail routes and termini of rural free-delivery routes as distributing or separating offices, intended to be proposed by him to the post-office appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-roads.

Mr. MITCHELL submitted an amendment proposing to appropriate $[illegible] to pay Chinese Salvin, here in prison [illegible] at Clarke City, Arizona, [illegible] 1, 1898, to March 31, 1899, and for transporting [illegible] during said period, intended to be proposed by him to the [illegible] deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

CORRESPONDENCE RELATIVE TO PANAMA TREATY.

Mr. MORGAN submitted the following resolution, which was read:

[illegible] That the Secretary of State be directed to send to the Senate a copy of a certain [illegible] between the Government of the United States and the Government of the Republic of Panama, [illegible] ratification of the treaty between the United States and Panama, and the reasons for withdrawing the same, as stated by Mr. Buchanan, minister to Panama.

The PRESIDENT pro tempore. Does the Senator from Alabama desire action upon the resolution?

Mr. MORGAN. I prefer that the resolution should be printed and lie over until to-morrow.

The PRESIDENT pro tempore. The resolution will be printed and go over.

HYGIENIC CONDITIONS, ETC., ON ISTHMUS OF PANAMA.

Mr. MORGAN submitted the following resolution, which was read:

[illegible] That the [illegible] be directed to inform the Senate [illegible] will [illegible] construct a railroad across the Isthmus of Panama [illegible] the Isthmian Canal Commission [illegible] and [illegible] that the Panama route has a [illegible] route.

[illegible] company [illegible] works [illegible] of climate. In Nicaragua the trade [illegible] both. [illegible] for [illegible] Mr. Bunau-Varilla [illegible] not [illegible] art [illegible] Panama [illegible] the [illegible] be [illegible] necessary [illegible] paper.

And the following extract from Senate Document No. 48, being a part of the [illegible] transmitted to Congress by Secretary Root, was ordered to be incorporated in a report to Surgeon General Lyman, dated November 2, 1904:

PANAMA.

Deaths in the city of Panama during the years 1901, 1902, and 1903.

[illegible] General Gudger reports, November 23, to the Department of State as [illegible]

[illegible] Panama for the years [illegible] 1902, and 1903.

Synopsis of deaths occurring in the city of Panama during the years 1901 to 1903.

Disease.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	Total.
Deaths during the [illegible]	81	48	64	72	70	95	108	119	125	115	150	153	1,20[illegible]
[illegible]	4	1	2	2	[illegible]	1	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11
[illegible]	[illegible]	[illegible]	1	4	4	38	13	15	19	17	25	20	121
[illegible]	[illegible]	[illegible]	[illegible]	6	6	7	7	12	18	15	12	14	121
[illegible]	[illegible]	[illegible]	6	6	6	9	13	9	11	14	17	14	12[illegible]
[illegible]	2	3	1	2	3	[illegible]	1	[illegible]	4	6	5	10	[illegible]
[illegible]	10	2	2	5	5	4	13	7	8	2	7	10	75
[illegible] during the [illegible]	138	127	136	128	133	232	281	232	215	302	240	247	[illegible]
[illegible] fever	[illegible]	[illegible]	[illegible]	4	2	14	38	28	14	38	30	19	[illegible]
[illegible]	40	45	46	20	17	3	4	2	[illegible]	[illegible]	[illegible]	1	[illegible]
[illegible]	7	8	9	5	6	10	15	10	12	20	12	4	[illegible]
[illegible]	5	18	10	12	12	14	12	16	15	15	15	10	154
[illegible]	2	2	1	5	1	2	1	2	2	14	11	3	42
[illegible]	9	3	9	15	22	47	49	31	37	20	13	23	29[illegible]
Deaths during the [illegible]	201	123	118	62	94	58	107	117	99	125	[illegible]	[illegible]	1,144
[illegible]	10	7	5	1	3	3	4	11	3	1	[illegible]	[illegible]	4[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1	3	[illegible]	[illegible]	1	3	[illegible]	[illegible]	[illegible]
[illegible]	4	4	3	2	[illegible]	5	3	4	3	3	[illegible]	[illegible]	31
Dysentery	20	16	8	4	11	8	10	11	12	10	[illegible]	[illegible]	110
[illegible]	3	1	5	1	2	[illegible]	4	4	6	19	[illegible]	[illegible]	45
[illegible]	12	13	11	3	11	8	7	6	2	3	[illegible]	[illegible]	76

It will be [illegible] the population comprised in this report there has been [illegible] war. The [illegible], many in number, sent from higher altitudes have died. This has greatly swelled the death rate [illegible] of health officers to the Bureau of Marine-Hospital [illegible]

"PANAMA.

"The city of Panama, a town of 15,000 inhabitants, is situated upon an ele- [illegible] of inferior water, piped in from a [illegible] old canal con- [illegible] most of the [illegible] situated at the head of the bay, about 2 miles from the [illegible] island and Panama, and [illegible] Panama are so constructed and of such material and so [illegible] filth that [illegible] eradicated.

"COLON.

[illegible] as clean and well kept, but the rest are generally dirty. There are no sanitary ar- [illegible] the population is crowded into small rooms, as [illegible] are on a [illegible] formed [illegible] Monk [illegible] Hill in both [illegible] and.

"THE PROBLEM OF SECURING LABOR—COOLIES ARE OBNOXIOUS TO PANAMA'S CITIZENS AND WEST INDIANS ARE UNRELIABLE AS WORKERS.

[By Merrill A. Teague, special correspondent of the Advertiser.]

"COLON, [illegible]

"If the American plans for an interoceanic canal offer no serious or forbidding engineering difficulties, there are other problems grave in character that we shall have to solve. Foremost among these is that of applying the laws of [illegible] obedience to these laws. Of [illegible] most serious [illegible] live cheaply is more pronounced here than [illegible] h an act, and Doctor Amador is [illegible] pr [illegible] ness characteristic of the yellow race [illegible] They know [illegible] accumulate. This fear is, of course, well founded, but [illegible]

"WEST INDIANS POOR LABORERS.

"The [illegible] West Indian negroes to the Isth- [illegible] a day when he can [illegible] will the [illegible] sleeping his meat and going into the forest and jungle for regis- [illegible]

"[illegible] West Indian negroes [illegible] that will sooner or later have to be solved.

"REASONS NOT PLEASANTABLE.

"[illegible] of the West Indian negroes [illegible] there is that one of [illegible] canal re- [illegible] under full swing, we shall need almost in- [illegible] are that with [illegible] the work [illegible] are not [illegible] reports [illegible] the Chinese Wall [illegible] supply the [illegible] the [illegible] Chinese Wall [illegible] to whom the wages offered would prove a magnet [illegible] for this work, those who [illegible] their [illegible] contractors will pay [illegible] be [illegible] Now the standard rate of wages for ordinary [illegible] is $[illegible] a day. It will probably never be any higher for [illegible] the Republic fix a maximum rate of six dollars at [illegible] is now

[illegible] proposed, this wage will be equal to $1.10 gold a day. Certainly the contractors [illegible] will not pay more than this sum.

[illegible] have studied the problem of labor supply in the West Indies [illegible] of the wages likely to be paid [illegible] from the Indies. That portion of [illegible] Indian [illegible] and Central America [illegible] I have [illegible] Panama, is a monument to [illegible]

[illegible] to result from the employment of [illegible]

"LABOR MUST BE DEPORTED.

[illegible] are naturally too provident to [illegible]

"THE COOLY A STEADY WORKER.

[illegible] to favor the employment of coolies [illegible] ss way, requir[illegible] rsecers, and then in their [illegible] the West [illegible] are naturally too provident to [illegible]

"COOLY LABOR MUST BE DEPORTED.

[illegible] cooly, as no other [illegible] Panama, is a monument to [illegible] to result from the employment of [illegible] ed, go into [illegible] my citizens [illegible] horde that contributes [illegible] the isthmian Republic with a population of incurably a scourge in the long run.

"Such are the general aspects of the labor problem as it will be presented by the ratification of the canal treaty. This problem we shall have to face [illegible] going to the [illegible]

[illegible] appears when the consideration is one of a [illegible] at therefore in any way compromising the stand it has taken on [illegible] try, our [illegible] solve the labor pro[illegible]

[illegible] committee will consider and report such other facts relating to [illegible] that they may ascertain and may consider important and re[illegible]

And, in view of [illegible] committee consider and report especially as to such [illegible] or in the com[illegible] connection with its con[illegible]

During the reading of the foregoing resolution.

Mr. HOPKINS. Mr. President, I suggest that the [illegible] matter of that resolution would carry it to the Commit[illegible] Oceanic Canals, but if there is any doubt about that [illegible] should like to have the resolution lie over until the chairman [illegible] that committee is present.

Mr. MORGAN. The reading of the resolution has not been completed, Mr. President.

Mr. HOPKINS. I beg pardon of the Senator, I thought the reading had been concluded.

The Secretary resumed and concluded the reading of the resolution.

Mr. MORGAN. I ask that the resolution be printed and go over until to-morrow.

The PRESIDENT pro tempore. The resolution will be printed and go over.

REPUBLICS OF NICARAGUA AND COSTA RICA.

The PRESIDENT pro tempore. Are there further r[illegible] concurrent or other? If not, the morning business is co[illegible] and the Chair lays before the Senate a resolution, to w[illegible] calls the attention of the Senator from Alabama [Mr. M[illegible]

The Secretary [illegible] No. 32, s[illegible] ted by Mr. MORGAN January 11, 1904, declaring it to be the [illegible] of the United States to open negotiations with the Government [illegible] Nicaragua and Costa Rica as required under the act of June [illegible] 1902, pro[illegible] for the construction of an inter[illegible]

Mr. MORGAN. [illegible] Mr. President, has been su[illegible] stituted by one of a later date, which has been referred to the [illegible] Committee on Foreign Relations. I therefore withdraw the res[illegible]

The PRESIDENT pro tempore. The resolution is withdrawn.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the res[illegible] by the Senator from Georgia [Mr. [illegible]

The Secretary [illegible] ing the President that the Senate favor and [illegible] of a treaty [illegible] the Republic of Colombia to s[illegible] determine and adj[illegible] all differences between the United States and Colombia grow[illegible] present revolution in Panama, etc.

Mr. BACON. Mr. President, by the courtesy of the Senate, on account of my necessary absence from the Chamber for some [illegible] past, that resolution has been permitted to lie upon the table su[illegible] ject, I understood, to my call. I desire to say that if my physical condition to-morrow shall permit, I will ask the leave of the Senate to address to it some remarks relative to the resolution.

The PRESIDENT pro tempore. The Senator from Geo[illegible] unanimous consent that the resolution lie on the table, subject to [illegible] call.

Mr. BACON. Yes, sir.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

CORRESPONDENCE WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution heretofore submitted by the Senator from Virginia [Mr. DANIEL], which will be read.

The Secretary read the resolution submitted by Mr. DANIEL on the 12th instant, as follows:

Resolved by the Senate, That the President of the United States be, and he is hereby, requested, if in his opinion [illegible] transmit to the Senate all correspondence pertinent [illegible] and the Republic of Colombia, which has not been heretofore transmitted.

Mr. SIMMONS. Mr. President, I desire to make some remarks on that resolution.

The PRESIDENT pro tempore. The Senator from North Carolina is recognized.

Mr. SIMMONS. Mr. President, it is my purpose in the remarks which I shall submit upon the [illegible] a statement of the facts of this Panama situation as I see them and my conclusions drawn from those facts.

When the Fifty-seventh Congress met there was an apparently [illegible] conventions of both parties had declared for that route. The Canal Commission had unanimously reported in its favor, and the alternative route by way of the Isthmus of Panama, on account of the exorbitant, if not impossible, price asked by the Panama Canal Company for its concessions, had, so far as the public mind and sentiment of the country were concerned, been eliminated from discussion and consideration.

In these conditions the Panama Canal Company, realizing that its only chance of selling its property on the Isthmus to this Government, its only possible purchaser, was about to be lost, reduced its demand from one hundred and nine to [illegible] dollars. Thereupon the Canal Commission was promptly [illegible] vened and changed its recommendation from a unanimous report in favor of the Nicaragua to a unanimous report in favor of the Panama route.

As the result of this changed situation the old [illegible] tween the two routes, which had slumbered for years [illegible] and reopened, and the relative merits of the two routes again became the subject of earnest investigation and heated discussion. The discussion in this Chamber was long and exhaustive. Every phase of the question was debated. In consequence of this debate and the discussions through the press and by the people there occurred one of the most remarkable changes in public sentiment ever witnessed in this country. The Senate, following the recommendation of the Canal Commission, adopted the so-called Spooner Act, expressing its preference for the Panama route.

The House, which had already passed a bill authorizing the construction of the canal by the Nicaraguan route, reversed itself and followed the footsteps of the Senate, and the people acquiesced, as is shown by the fact that in States where the demand for the Nicaraguan route was once the strongest, [illegible] ing their disapproval of the methods by which the Hay-Varilla treaty was made possible, the people are now demanding that that treaty shall be ratified.

I will not undertake to say what arguments, or reasons, or facts, in addition to the reduction by the canal company of its price, and the demonstrated feasibility of the Panama route, brought about this sudden and extraordinary change of opinion.

It may have been the fact that a canal by the Panama route may be made a sea-level canal, while a sea-level canal can never be constructed by the Nicaragua route.

It may have been the fact that it will require two nights and a whole day for a ship to pass through a canal at Nicaragua, while a ship can enter and pass out of a canal by the Panama route within the light of a single day. For the purpose of this statement and argument, suffice it to say that this change was not brought about by artifice or trickery, but that it was undoubtedly the result of a real change of opinion respecting the relative merits of these two routes.

In view, Mr. President, of these circumstances, in reaching a [illegible] the President under the Spooner Act in locating the [illegible] expressed in that act for the Panama over the Nicaragua route [illegible] be considered as a mere perfunctory declaration by Congress or by the people. Undoubtedly the lawmakers by that declaration of preference meant more than simply to say to the President, as between the two routes, "While we somewhat prefer the Panama route, it does not matter much which you select so we get the canal, and get it quickly."

On the contrary, Mr. President, they meant to say to him, and to say it with unmistakable emphasis: "Panama is decidedly the best route. We have selected it after long and mature consideration. We therefore direct you to construct the canal by that route, if possible to acquire title thereto within reasonable time." The circumstances antecedent to and contemporaneous with this expression of preference show that it was intended that this preference should be treated as vital, the only condition of defeasance being the failure to acquire title in reasonable time.

Manifestly, Mr. President, by "reasonable time," as used in this act, is not meant the [illegible] That phrase when used in litigation, in civil controversies and [illegible] between man and man has to do with the rendering [illegible] and must be interpreted in the light of the [illegible] principle of swift justice and its corollary, a speedy trial.

The phrase "reasonable time" used in connection with this great transaction, which considered in relation to [illegible] actions of the world to-day is easily the greatest [illegible] tion of which after half a century [illegible] in view of the [illegible] the subject-matter and the slowness with which nations move in matters of such high import.

So interpreted, I can not believe there was such lapse of "reasonable time" as would have [illegible] President [illegible] to [illegible] I think that no one will contend that the President should have abandoned hope—broken off negotiations and gone to Nicaragua—while the Colombian Congress was yet in session and in any manner whatever considering the treaty, and this did not happen, as I understand, until the latter part of October.

But, putting aside and out of [illegible] that a call had then been issued for an early extra session of Congress, and putting aside and out of consideration the President's [illegible] though [illegible] in view of this fact, it was his duty to wait and refer the whole matter back to Congress. The President knew, as everyone knew, that Colombia really and earnestly wanted the canal; that, if anything, she was more anxious that it should be constructed across the Isthmus instead of Nicaragua than we ourselves. He knew that the secret motive of Colombia's tactics and dilatory diplomacy toward the treaty was directed to compelling the canal company into paying her for consenting to the sale of the concessions to this Government. He knew that the property of that company would become utterly worthless if the canal went elsewhere, and in these circumstances he might reasonably have concluded that mutual interest in the premises would bring these traffickers together, and that either Colombia would ratify the canal treaty [illegible] company or the canal company, rather than lose its only possible purchaser, would yield to the demands of Colombia, and that in this manner and within "reasonable time" the way might be made clear to give effect to the preference expressed in the Spooner law for the Panama route.

But, Mr. President, let me return to the recital of the facts of the case.

Some time during the month of March, 1903, the President presented to the Senate [illegible] and Colombia, granting to the United States, on certain conditions and terms not inconsistent with the Spooner law, [illegible] ment to build a canal across the Isthmus. That convention was rejected by the Senate, as [illegible] the two-thirds vote necessary for ratification.

I assume that those Senators who preferred the Nicaragua route voted to ratify the Hay-Herran treaty not because they liked it, not because its terms were satisfactory to them, for to many of them some of these terms were notoriously objectionable, but because they thought it was their duty to aid the President in carrying out the law and will of the majority as it was written in that law. This convention was rejected by Colombia and for that reason became inoperative.

The President now presents to the Senate another treaty, known as the Hay-Varilla treaty, [illegible] purpose as the one with Colombia, which has already been ratified by the other contracting party, and there [illegible] our ratification to make it effective. With this ratification the hostile interests here in this country and abroad which have [illegible] our efforts to secure a canal in the past, which perhaps have sought to nullify our recent negotiations with Colombia, if they had had sufficient time and warning, might have defeated the negotiations which eventuated in the treaty now under consideration, which, should we repudiate this treaty and go to Nicaragua, might indefinitely delay and ultimately defeat our necessary negotiations with that country or Costa Rica, one or both; which sought, with sinister designs, to lure us to Nicaragua when we were about to go to Panama, and which now, should we start to Nicaragua, would with like motive seek to lure us back to Panama; which, in divers and sundry ways, through many and long years, have succeeded in

confusing and dividing our councils and bringing to naught our new hopes for the consummation of this great enterprise, will have [illegible] indefinitely delayed, and the last obstacle in the way of the accomplishment of the long-cherished aspirations of our people for a canal connecting the two oceans will have been removed.

Shall we refuse to ratify this treaty and once again, after the long and weary struggle, work all its vexatious tribulation, and uncertainty?

Mr. President, I do not intend to discuss the provisions of this treaty. I have [illegible] from time to time in open session of the Senate. But the treaty has been [illegible] published, and I think it is not improper for me to say generally in passing that in nearly every way the treaty is more favorable to the people of the United States than the one negotiated by Colombia and which the national pride which failed of ratification by the Congress of that country.

I have heard of no contention nor intimation that Panama did not have the legal right to make this treaty. Some question has been made about the authority of the President under the Spooner Act, to act for behalf of this Government, but none has been made, and, in my judgment, rightly so, as to Panama's right in the premises, for when we recognized the independence of Panama, and shortly thereafter practically all of the other great nations of the world, including Nicaragua, her competitor for the canal, joined us in that recognition, whether that recognition was rightful or wrongful, whether in accordance with international law or in contravention of it, Panama became an independent and sovereign State, with all the rights and powers which sovereignty implies including, of course, the treaty-making power.

But Mr. President, the opponents of this treaty, admitting that it is highly favorable to us and that Panama is a free State possessed with full right to make it, still contend that it should not be ratified—first, because they say the President had no right under the Spooner Act to contract with Panama for the right of way across the Isthmus, the language of that law restricting his authority to negotiations for that purpose to Colombia; secondly, because, they say, the President unlawfully and in violation of our treaty obligations with Colombia incited and promoted the revolution in Panama, and recognized her independence in violation of the principles of international law.

Mr. President, I can not agree, in view of the present ownership by Panama of the territory to be acquired, with the contentions that the Spooner law does not confer upon the President full authority to acquire the right across the Isthmus from Panama. In the construction of every legislative act the intent of the lawmakers and the objects and purposes of the law furnish the rule for determining its meaning.

If it had been any part of the intention and purpose of the Spooner Act to indirectly confer a bounty upon Colombia by buying from her a "specific thing" at a greater price than its actual value, then the President undoubtedly would not have had, by virtue of the powers vested in him by this act, authority to buy that "specific thing" from another who had in the meantime succeeded to its ownership, because that would have contravened and defeated a material purpose of the law.

But it was no part of the purpose of the Spooner Act to confer a bounty upon Colombia; the sole object of that law was to authorize this Government to acquire the right of way to construct a canal across the Isthmus, and Colombia was named as the nation with which the President should negotiate for this right solely because at that time she was the owner of the territory over which we sought to acquire this right of way.

To deny to the President authority under this act to acquire this right of way from Panama, its present owner, would be to hold that the letter of the law respecting a nonessential is of more importance than its better preserving its main object. It would be to defeat the main purpose of the law, as well as the only object and purpose of the law itself. And in the event, Mr. President, who would be benefited; what object would be accomplished; what public policy would be promoted by this strained construction of that statute?

Surely we would not be benefited. Surely no policy of this country would be advanced, for we have dealt with our present owner for the Panama route. Colombia would not be benefited, because she no longer owns the territory, and can not therefore cede it to us. The only effect of this strained construction would prevail would be to force the canal to Nicaragua, which would in turn defeat that purpose of the act preferring Panama. Thus, in sticking to the letter of the law regarding a nonessential, not only the purpose, but one of the most important provisions of the law would be defeated.

If, however, the President had no authority to make this treaty under the Spooner Act, he undoubtedly had that authority, under his general power to negotiate treaties with foreign nations. Whether this treaty was made by the President under his general powers or by authority of the Spooner Act is immaterial, except as it affects the question of an appropriation to satisfy its money obligations.

President McKinley, without legislative authority, made the treaty of Paris whereby a sum called for as the Philippine indemnity for [illegible] and the appropriation was made afterwards. In this view it is simply a question of whether the appropriations provided in the Spooner Act would be available to satisfy the money obligations of this treaty, and the doubt about that, if there be any, can be removed by amending that act by inserting Panama for Colombia wherever it appears.

I do not myself think such a [illegible] necessary for any amendment of that act. But to remove any possible question of doubt I had [illegible] would be made before the treaty was taken up, although I suppose it would, answer the purpose if done afterwards. I suppose such an amendment would meet with no serious opposition anywhere.

I do not think, therefore, Mr. President, that the Hay-Varilla treaty can be assailed on the ground of lack of power in the President to contract as he has contracted in this treaty with Panama. Neither do I think what the President may have done so far as present information discloses in connection with the revolution in or the recognition of Panama is sufficient reason, in law or in conscience, for the defeat of this treaty, otherwise all else satisfactory.

I do not want nor do I intend to discuss this treaty from a partisan standpoint. The people have made the canal a nonpartisan question, and we should not drag it into politics.

On this side of the Chamber we have not made it a partisan question. We will vote on it according to our individual judgment. If it has been brought into politics at all, that has been done by the other side of this Chamber, which is solidly lined up in favor of it. Therefore the statement I am about to make I shall make in no partisan spirit, but simply as a statement of fact.

Mr. President, what has been done in Panama has been done, and it can not be undone. It was not done by the authority or under the auspices of the Democratic party, neither could that party have prevented its doing, and therefore it is in no way responsible for its doing. If what has been done in Panama can be undone at all by this Government, it can only be undone by doing a greater wrong to Panama than has already been done to Colombia. Surely in any event the defeat of this treaty will not either undo or remedy that wrong.

I am not here, Mr. President, to defend the actions of the President, either in connection with the revolution in or recognition of the independence of Panama. There is much in his conduct in these connections of which I wholly disapprove, which I regard as improvident and unwise; as rash and dangerous to the peace and welfare of this country; as contrary to the traditional policy of this Government in its dealings with other nations, [illegible] and as not calculated to advance us in the esteem and respect of other nations.

I do not think, however, that everything the President did in these connections was wrong. From the bottom of my heart I would be glad, for the honor of my country I would be glad, if I could reconcile all of his acts in these connections with my notions of right and law, but I can not and be honest with myself.

When the revolution was announced to the world, it seemed to me that the President, to use the expressive term of the Senator from Maine [Mr. HALE], showed too much prevision, and I was [illegible] for what that prevision enabled him to see would happen in Panama. But the President has assured us in a special message to this Senate in the most emphatic manner that he did not, consciously and intentionally, in any way, direct or indirect, incite, encourage, or promote this revolution.

The fact, Mr. President, that as long ago as last August, when the Colombian Congress had begun to show an unfriendly disposition toward the treaty, there were mutterings of secession; that later, when it became apparent that the treaty would not be ratified, there were thinly veiled threats of secession uttered upon the very floors of the Colombian Congress, which later became [illegible] into [illegible] and [illegible] secession, both at Panama and at Bogota; the fact that there was at Panama, long anterior to the revolt, an organized band actively engaged in the organization of the insurrection; that these conspirators had, under the pretense of [illegible] a fire department, organized a military force of [illegible] men in the city of Panama and a [illegible] for the expulsion of the Colombian general and the forces under his command stationed in that city, as well as with the commander and the marines under him of one of the two Colombian gunboats then anchored in that harbor, leads to the belief that in their determination the leaders of the revolutionary movement had made up their minds to seek remedy for their wrongs in revolution.

It may be—in fact, it is almost certain—the Panaman conspirators knew what course this Government would pursue in the event of insurrection in the Isthmus and that they counted on

that action to make their revolution successful. If they had such information—and, as I said, I think they did—I do not know how they obtained it, but I can see how it might have been acquired, without the actual or guilty knowledge or complicity of either the President or the Secretaries of State, War, or the Navy.

Such secrets are notoriously hard to keep. The possession of this information should not, in my judgment, be accepted as contradicting or discrediting the positive statement of the President. In entire deference to the views of others on this side of the Chamber who may differ with me in this opinion, I think that the statement of the President in this respect should be accepted, and for myself I do accept it. Undoubtedly the President knew of the forthcoming revolution in Panama, and so knowing it was his duty, in view of the maintenance of insurrection there, to have on the ground a sufficient force to protect the lives and property of American citizens.

This he did; and if he had done no more than this he would have done no more than his duty under the law or the treaty. But, Mr. President, that was not all that he did, or ordered to be done, if necessary to carry out the purpose of those orders. In specific terms he ordered the commanders of our naval forces, both at Colon and at Panama, to prevent the landing of troops, including the troops of Colombia, not only upon the transit and at its terminus, but anywhere in the Isthmus of Panama.

I admit that under the guaranty of neutrality contained in the treaty of 1846 it was not only the right but the duty of this Government to prevent interference or hostile military operation by any foreign nation everywhere upon the Isthmus. But we did not have the right, Mr. President, in my judgment, under any reasonable construction of that treaty, to prevent Colombia from landing and occupying the Isthmus and its waters with its naval and military forces for the purpose of suppressing domestic disorders or subduing her refractory and rebellious subjects.

We had the right and it was our duty, under that clause of the treaty, to say to Colombia, in the event of insurrection in Panama, "You must so order and conduct your necessary military operations as not to actually interrupt or embarrass the transit across the Isthmus;" and that I believe is the extent of our right to interfere with military operations conducted by her in enforcing obedience to her laws and sovereignty. We did not have the right to say to her, "You shall not conduct hostile operations at all along the transit," for it is unreasonable to suppose that Colombia intended by that treaty, in any contingency whatever, to part with her right to maintain her sovereignty anywhere on the Isthmus.

Therefore I can not escape the conclusion that when the President directed the commanders of our naval forces to prevent the landing of troops, including Colombian troops, with hostile intentions upon any part of the Isthmus, or within 50 miles of the transit, he exceeded our rights under the treaty.

It is no answer to this position to say that the President merely gave orders to this effect, and that as a matter of fact no Colombian troops were prevented by these orders from landing on the Isthmus with the purpose of suppressing rebellion. These orders were received by the persons to whom they were sent, and undoubtedly measures were taken by them to carry them into effect in case of necessity.

The purport of these orders and the intention of the commanders of our forces at Colon and Panama with respect to them must have manifested itself and become a matter of common knowledge both at Bogota and on the Isthmus; and the known purpose of this Government to prevent the landing of Colombian troops in case such landing should be attempted, no doubt had the effect of overawing and preventing any attempt on the part of Colombia to take such measures as she had a right to take and would otherwise probably have taken to suppress the insurrection.

If Colombia was intimidated and deterred by these orders of the President or the known attitude of this Government in the premises from attempting to land her forces and from taking such measures as she had a right to take, the effect was the same as if she had been forcibly prevented by us from asserting her rights in this behalf. Such orders and the resulting attitude of our commanders there, whether so intended or not, was an unauthorized interference on our part with her sovereignty, if not an act of war.

I admit that the recognition of belligerency or independence is an Executive act, which has always, so far as I know, been left by us to the executive branch of the Government. And the fact that it may involve us in war with friendly nations interposes no objection to its exclusive exercise by the Chief Executive. I admit also, that in granting recognition it has been our practice to be governed by considerations of public policy; that is, that we have made our recognitions speedy, or we have procrastinated, as the one or the other course of action has been thought by us to be conducive to our national interest.

But whether our recognition has been hasty or tardy we have, always, heretofore, regarded it as a condition precedent to recognition that there should be a government, de facto at least, reasonably capable of maintaining itself.

The President in his message seems to admit this principle of international law, but he contends that Panama, on account of our treaty rights and duties and because he says we, that in the matter of the construction of a canal connecting the two oceans we have received a mandate from collective civilization, that Panama is excepted from its application.

This is a plea in confession and avoidance which, in my judgment, can not be admitted, but which when taken in connection with the statement in the President's message to the effect that when the Colombian Congress adjourned without ratifying the treaty, and before the revolution occurred in Panama, he was considering referring the whole matter to Congress for instruction whether he should proceed to construct the canal across the Isthmus without further authority from Colombia, shows not only an excess of zeal on his part for the canal, but a painful disregard of the rights of other nations.

I am bound to say, and I have no pleasure in saying it, that the course of the President, both in connection with the revolution in Panama and the recognition of its independence, was, to say the least, hasty, rash, improvident, and dangerous to the peace and welfare of this country, and justifies the feeling of many of his political friends as well as his political opponents that he lacks that conservatism which considerations of national stability and safety make necessary and desirable in the Chief Executive of the nation.

Mr. President, it is contended and vehemently asserted by some of the opponents of this treaty that a vote for its ratification is, under the circumstances, tantamount to condoning the action of the Administration, both as to the revolution and to the recognition. If I thought that, as favorable as I regard this treaty, as deeply important to us as is the immediate construction of the canal, and as vexatious as I am sure will be the delays in the commencement of that great work if this treaty should be defeated, I do not think I could vote for it.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. SIMMONS. Certainly.

Mr. TILLMAN. The Senator from North Carolina is too good a lawyer, I judge, not to know that it is good law that the receiver of stolen goods is as guilty as the man who steals them.

Mr. SIMMONS. Oh, I do not think the President has stolen anything over there. I do not think there is any question of stolen goods and thievery involved in this matter.

Mr. President, as I was about to say when interrupted by the Senator from South Carolina, if Senators, however much they desire the canal, believe that that will be the effect of a vote for this treaty, while I dissent from that conclusion, I can not and will not criticise their opposition to it and their refusal to support it.

To my mind, Mr. President, the revolution in and the recognition of Panama and the ratification of the treaty with Panama as an independent State are two separate and distinct propositions. And I think to refuse to ratify the treaty because we can not approve of the way in which Panama acquired her independence, would be to unnecessarily confuse these two separate propositions. Josh Billings said: "I never argue against a success." The great humorist probably only meant by this saying to emphasize the truth that it is hard to argue against a success.

Mr. President, if it is hard to argue against success, it is impossible to argue against a fact. You may deal effectively, you may even punish the agents and instrumentalities which have brought a fact into existence, but you can do nothing with the fact itself except to recognize it. No amount of disapproval, criticism or denunciation will destroy it or modify its existence as a subsisting thing.

I join my colleagues on this side of the Chamber in condemning whatever wrong the President and the Administration may have done in connection with bringing about the independence of Panama, but in my vote upon the treaty I propose to recognize and act upon the fact that Panama is an independent State, possessed of equal rights and powers to make this treaty as we ourselves possess, not only with our consent, but the practically unanimous consent of all the civilized nations of the world.

I do not suppose that many Democrats approved of the action of this Government in connection with the revolution and annexation of Hawaii. The charges made against the action in this matter of the Administration then in power were not far different from those now made against the President.

Surely it can not be said that those Democrats who voted to give Hawaii representation in the House of Representatives, and those who have before and since voted for laws to give to the

people of that island good government and administration, by these votes condoned the wrongful and illegal acts of this Government which led to and made successful that revolution and annexation. Certain it is they did not intend by those votes to condone these things, but only to recognize a subsisting fact and act upon it.

The same is true with reference to the acts of the Administration toward the Philippine Islands after we had wrested that country from the dominion of Spain. It was then said that we had used the power of our Army to take from those people, whom we had [illegible] fighting for country and liberty, not only their country, but their [illegible] and [illegible] in violation of our own published [illegible] to them, and of the [illegible] principles of our own Constitution to deal [illegible] where the power of [illegible] and [illegible] the [illegible] of the nation.

I confess that I did [illegible] that business myself; but can it be said that [illegible] when [illegible] voted for Mr. Luke Wright [illegible] the Philippine Islands [illegible] act condemning [illegible] and [illegible] against the Constitution of our fathers and the laws of civilization? Certainly they did not intend to do any such thing. They intended only to recognize an accomplished fact and to make the best of a [illegible] that were or any other vote to give to the people of those [illegible] good laws and a [illegible] government.

The people of the South voted for the fourteenth, and subsequent amendments to the Constitution of the United States, but they did not mean by those votes to indorse the war that had been waged against the South to prevent her withdrawing, as they thought she had a right to do, peacefully from the Union. They did not mean to indorse the forcible abolition of slavery. They simply recognized the fact that the sword had forever put an end to the right of slavery and secession in this country and to act upon those facts without approving the way in which they had been brought about.

Mr. President, to my mind, you might as well say that I can not a [illegible] on the [illegible] of a dead man without approving of his death as to say that I can not act upon the admitted fact that Panama is an independent nation without approving of the means by which that independence was achieved.

Mr. President, I can not find it in my heart to blame the Panamanians for seceding from Colombia. If oppression, if tyranny, if despotism ever justified revolutions, they were justified in revolution. They were bound to a State which had never felt or shown any interest in them or in their welfare. They were forced to pay enormous taxes with only nominal representation, without receiving in return any of the benefits of taxation in government or administration, in public improvements or in the education of the people.

The canal was their only hope for relief from the miserable and wretched conditions to which Colombia's greed and tyranny had reduced them, and even that the Government at Bogota defied them.

Perhaps their aspirations for freedom were wrong, but our forefathers under like conditions did not think so. Perhaps they should have submitted supinely to oppression, but our forefathers under similar conditions struck for liberty and with the help of France achieved it.

On the other hand, Mr. President, I can not enthuse over the alleged wrongs of Colombia. The treaty we made with her was of her own making. It was signed by her authorized agents, with full knowledge of its contents. It provided for the construction upon her own territory of the greatest work of material and international improvement and development ever essayed by man.

By duplicity and treachery she defeated that treaty, not because she did not want the canal and would not have gladly taken it upon the terms provided therein, but because she wanted in an indirect way to extort more money from us or the Panama Canal Company, or perhaps from both.

Her treachery toward Panama and toward us in this canal matter illustrates both her traditional policy toward Panama and her standard of diplomacy. In all her history I know of nothing to excite the admiration of any American man or any patriotic liberty-loving American citizen.

Mr. President, when I consider the wrongs Colombia has perpetrated against Panama, and when I consider the last great act of indifference to the welfare of that long suffering people, the conclusion forces itself upon me that when Colombia lost the canal, when Panama succeeded in establishing her independence, the eternal principles of right and righteousness once again prevailed.

Mr. President, I shall vote for these several resolutions of inquiry, the general purpose of which is to place the Senate in possession of the same information when it votes upon the ratification of the treaty that the President had when he made the treaty. That is right. The construction of the canal is a matter of the greatest importance to all of our people. It is of supreme importance to the section from which I come.

The people of the State which I in part represent feel deeply concerned, not only in having the canal built and in opening it as speedily as possible. They are impatient to know, they want to see negotiations ended and the work begun. They preferred the Nicaraguan route, but they do not think that the defeat of this treaty makes the canal at Nicaragua, either in the near or remote future, at all certain.

They see in its defeat only vexatious delays, dangerous procrastinations, and perhaps the [illegible]. They do not wish to see this great enterprise [illegible] politics. They wish me to vote for this treaty. I [illegible] [illegible] if I can get votes for it they will be [illegible] they will not condemn me.

I shall wait for the [illegible] of the information asked for in the pending resolutions. I [illegible] my mind upon until all the facts be [illegible]. It may [illegible] proper or make it [illegible] it without doing violence to my conscience. I [illegible]

Mr. President, what I have tried to make plain, I have no sympathy with Colombia. I think she has [illegible] and I trust that some proper way may be found to compensate her in some way for what it is [illegible] may be the speedy construction of the canal upon terms, not only [illegible] so to Colombia; and I [illegible] the initiative in bringing before Congress measures looking to that end.

REVOLUTION IN PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 84, by Mr. STONE, directing the Committee on Foreign Relations to ascertain whether Bunau-Varilla and others residing in the United States, etc., did aid an insurrection in Panama against the Republic of Colombia.

Mr. SPOONER. I move the reference of the resolution to the Committee on Foreign Relations.

Mr. GORMAN. The Senator from Missouri [Mr. STONE] is absent at this moment.

Mr. SPOONER. I have, of course, no desire to press the motion in his absence.

Mr. GORMAN. I trust the motion will not be pressed. The purport of the resolution is [illegible] Foreign Relations to make this [illegible] very ably presented by the Senator from Missouri who offered the resolution. It is a matter which it strikes me must be determined by the Senate.

Mr. SPOONER. Is this the same resolution? I did not so understand it.

Mr. GORMAN. It is the Stone resolution, directing the Committee on Foreign Relations to make the inquiry.

Mr. SPOONER. The resolution to which the Senator from Missouri [Mr. STONE] [illegible] I understood went to the table subject to his call later.

Mr. GORMAN. I may be wrong, but I ask the Secretary to kindly read the resolution and let us see what it is.

The PRESIDENT pro tempore. It is the resolution which the Senator from Missouri [illegible].

Mr. SPOONER. [illegible]

The PRESIDENT pro tempore. The original [illegible] of the Senator from Missouri was that it might lie on the table subject to his call. The [illegible] shows, "January 26, modified," and it shows [illegible]. Perhaps a fair construction would be that the modified resolution shall lie on the table subject to [illegible].

Mr. GORMAN. I trust it may be so considered.

Mr. SPOONER. Certainly. I did not suppose it was the same resolution.

Mr. GORMAN. It is the same resolution.

Mr. SPOONER. I remember the Senator from Missouri asked that it might lie on the table subject to his call.

Mr. GORMAN. That was the original resolution, but I trust that the Chair will hold that the same order applies to the modified resolution.

The PRESIDENT pro tempore. The Chair will consider that the resolution lies on the table subject to the call of the Senator from Missouri. Does the Senator from Wisconsin withdraw the motion to refer?

Mr. SPOONER. My motion can go with it.

The PRESIDENT pro tempore. Yes; the motion can go with the resolution.

SAFETY APPLIANCES ON RAILROADS.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. A resolution by Mr. PATTERSON, calling on the Interstate Commerce Commission to send to the Senate copies of all petitions, etc., received relative to relieving common carriers by railroad from any of the provisions of safety-appliance acts, etc.

Mr. PATTERSON. Mr. President, I have an understanding with some of my colleagues that I would not call up the resolution unless they were here. Notice to the Senators to whom I made the promise is present. So I hope the resolution will go to the Calendar, subject to call by me.

The PRESIDENT pro tempore. The Senator means that it shall go to the table subject to his call?

Mr. PATTERSON. Yes; let it go to the table.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado that the resolution shall lie on the table subject to his call? The Chair hears none, and that order is made.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution No. 88, by Mr. HALE, requesting the President to tender his best offices toward the adjustment of differences between Colombia and Panama.

Mr. BACON. Mr. President—

The PRESIDENT pro tempore. This was to accompany the resolution offered by the Senator from Georgia [Mr. BACON] and is supposed to be offered as a substitute for it. The Senator from Georgia yesterday had his resolution laid on the table subject to call. If there be no objection the resolution will be regarded by the Chair as laid on the table, subject to call.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. GORMAN. I request that all of the resolutions relating to the investigation of the Post-Office Department may be taken up and referred. We have agreed on all sides (and I understand that no further debate is desired in the Senate on them) that they shall be referred to the Committee on Post-Offices and Post-Roads.

The PRESIDENT pro tempore. They have all been referred to the Committee on Post-Offices and Post-Roads, together with the pending amendments.

Mr. GORMAN. I am very glad to hear it. I was not aware of it.

PAWNEE INDIAN SCHOOL.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 93, by Mr. CARMACK, directing the Secretary of the Interior to transmit to the Senate the originals or copies of all charges, etc., relating to the superintendent and other employees of the Pawnee Indian School.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution, submitted by Mr. CARMACK on the 15th instant, was agreed to, as follows:

[illegible]

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 102, by Mr. NEWLANDS, requesting the President to negotiate a new treaty with the United States of Colombia providing for the cession of all rights it may claim to have in connection with the Isthmus of Panama or the treaty of 1846.

Mr. GORMAN. I ask that this resolution may go over also.

Mr. SPOONER. Let it go over, Mr. President.

The PRESIDENT pro tempore. The Senator from Maryland asks unanimous consent that the resolution shall go over without prejudice. The Chair hears no objection.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 104, by Mr. CULBERSON, requesting the President to inform the Senate whether all the correspondence, etc., between the Department of State and the legation of the United States at Bogota, etc., has been sent to the Senate.

The PRESIDENT pro tempore. The Senator from Texas [Mr. CULBERSON], as he was to be necessarily absent from the Chamber, asked the Chair that this resolution might go over without prejudice.

Mr. GORMAN. Subject to his call?

The PRESIDENT pro tempore. No; that it shall remain on the table without prejudice. That would leave it in its present condition.

Mr. TILLMAN. To come up in the morning.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and that order is made.

MEMORIAL OF BATTLE AT POINT PLEASANT, W. VA.

Mr. SCOTT. I ask unanimous consent to have taken up out of its order the bill (S. 792) to authorize the erection of a monument at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774.

The PRESIDENT pro tempore. The bill will be read to the Senate in full for its information.

The SECRETARY. The Committee on the Library report to amend the bill by striking out all after the enacting clause and substituting [illegible]

[illegible]

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to aid in the erection of a monument or memorial at Point Pleasant, West Virginia, to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians October 10, 1774."

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his Secretaries, announced that the President had on the 23d instant approved and signed the following acts:

An act (S. 6) granting a pension to [illegible];

An act (S. 7) granting an increase of pension to Alfred Woodman;

An act (S. 8) granting an increase of pension to Perry Kittredge;

An act (S. 11) granting a pension to John L. Sullivan;

An act (S. 65) granting an increase of pension to Charles R. Allen;

An act (S. 112) granting an increase of pension to Henry G. Hammond;

An act (S. 172) granting an increase of pension to Elizabeth McClaren;

An act (S. 338) granting an increase of pension to Jane M. Watt;

An act (S. 339) granting an increase of pension to Ebenezer H. Richardson;

An act (S. 367) granting an increase of pension to George W. Richardson;

An act (S. 1604) granting an increase of pension to Mary A. Bissell;

An act (S. 1652) granting an increase of pension to Minerva A. McMillan;

An act (S. 1704) granting an increase of pension to Lucretia Ritchhart;

An act (S. 1755) granting an increase of pension to Thomas Banks;

An act (S. 1756) granting an increase of pension to Zebedee M. Cushman;

An act (S. 1772) granting an increase of pension to Louise K. Bard;

An act (S. 1819) granting an increase of pension to Charles P. Skinner;

An act (S. 1832) granting an increase of pension to George W. Herron;

An act (S. 1913) granting an increase of pension to Lorenzo E. Harrison;

An act (S. 1929) granting an increase of pension to George W. Spahr;

An act (S. 1952) granting an increase of pension to John Monahan;

An act (S. 1984) granting an increase of pension to Levi Roberts:

An act (S. 1985) granting an increase of pension to Jonathan Hines:

An act (S. 2078) granting an increase of pension to Hampton C. Watson:

An act (S. 2125) granting an increase of pension to Marcus T. Caswell:

An act (S. 2218) granting an increase of pension to Amanda B. Tisdale; and

An act (S. 1496) [illegible] to the act of February 6, 1893, incorporating the [illegible] College in the District of Columbia, and [illegible]

The message also [illegible] that the President of the United States had on the [illegible] approved and signed the following acts and joint resolution:

An act (S. [illegible]) to amend an act entitled "An act to permit the Pittsburg Gas Company to lay pipes and mains in streets in the city of Washington," approved May 19, [illegible]

An act (S. [illegible]) [illegible] Center, Pa., a subport of entry; and

A joint resolution (S. R. [illegible]) [illegible] in Harrison, public land owned by the United States in the city of Indianapolis, state of Indiana.

The message further announced that the President of the United States had on the 25th day approved the joint resolution (S. R. 32) to fill vacancies on the Board of Regents of the Smithsonian Institution.

ALASKA SALMON COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was referred to the Committee on Fisheries, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of Commerce and Labor suggesting a permanent tenure of the Alaska Salmon Commission established in accordance with the recommendations in my letter of November 5, 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 27, 1904.*

NOTE.—The report accompanied a similar message to the House of Representatives.

A. R. CRUZEN.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read:

To the Senate:

In response to the resolution of the Senate of January 13, 1904, requesting the President "if not in his judgment incompatible with the public interest, to furnish to the Senate such information as may be in his possession relative to the claim of A. R. Cruzen, formerly a citizen of the United States, for services rendered the Government of Spain in the Spanish-American war, and the action taken by the Government of Spain upon said claim, and the action, if any, taken by this Government with respect to said claim," I transmit herewith a report by the Secretary of the Treasury in question.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 27, 1904.*

Mr. BATE. My colleague [Mr. CARMACK], who offered the resolution, is not in the Chamber. I do not know what disposition he would desire to have made of the message. He was here a minute ago. I have sent for him.

The PRESIDENT pro tempore. The message will be printed and lie on the table.

Mr. BATE. Very well.

NATIONAL APPALACHIAN FOREST RESERVE.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders.

The bill (S. 887) for the purchase of a national forest reserve in the Southern Appalachian Mountains, to be known as the "National Appalachian Forest Reserve," was announced as first in order on the Calendar.

Mr. COCKRELL. The Senator in charge of that bill is absent, and the Senator from Colorado [Mr. TELLER] also specially requested that it should be passed over without losing its place.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Missouri, that the bill be passed over for the present without prejudice? The Chair hears none.

RELIEF OF CERTAIN SETTLERS.

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 278.

Mr. COCKRELL. Let us go on with the Calendar regularly for a little while and then we can take up that bill.

Mr. MITCHELL. I hope the Senator will not object to my request. After this bill is passed I shall consent to the course he suggests. A similar bill has passed the Senate two or three times heretofore.

Mr. COCKRELL. Let us see what it is.

The SECRETARY. A bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands, and to provide for the payment of certain fees, purchase money, and commissions paid on void entries of public lands."

The PRESIDENT pro tempore. The bill will be read to the Senate in full.

The Secretary proceeded to read the bill.

Mr. MITCHELL. I have been advised by the Senator from Arkansas [Mr. BERRY], who is a member of the Committee on Public Lands, that he would like to look into the bill. I supposed the report was unanimous, but he tells me he was not present when it was passed upon. I had rather that this bill go over.

Mr. SPOONER. Is there a printed report?

Mr. MITCHELL. There is.

Mr. SPOONER. It is not in my file.

The PRESIDENT pro tempore. The bill will go over without prejudice.

Mr. MITCHELL. Without prejudice.

RELIEF OF CERTAIN DESERT-LAND ENTRYMEN.

The bill (S. 147) for the relief of persons who made the first payment on desert lands under the act of March 3, 1877, but who were unable to perfect their entries, was announced as next in order on the Calendar.

The PRESIDENT pro tempore. The bill was considered yesterday, and is before the Senate as in Committee of the Whole [illegible]

Mr. BERRY. Mr. President, I wish to [illegible] the bill. On page 2 of the bill, line 1, after the word "[illegible]" I move to insert the words "where the claim has not been [illegible]." Further along I move to strike out, in line 3, the words "[illegible]" and insert in lieu thereof the word "aforesaid," in line 5, down to line 8, including the word "repayment," and also to strike out the second proviso, beginning in line 11.

The PRESIDENT pro tempore. The Senator from Arkansas moves an amendment which will be stated.

The SECRETARY. On page 2, line 1, after the word "thereof," insert the words "where the claim has not been assigned."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

Mr. WARREN. Mr. President, while I agree with what I think the Senator from Arkansas wishes to accomplish—i. e., a [illegible] paying fraudulent claims—yet I want to call his attention to one feature of the case.

The original act, in contradistinction, perhaps, with others, seemed to be based upon the expectation of assignment in many cases, and the equity in such cases is often with the assignee. I [illegible] the Senator's attention to the fact that none of these entries will be paid unless the Department is satisfied that they are legal and proper, and, of course, they have proofs as to every case on file in the Department.

Take a case where an assignment was properly made. The party has proceeded under it and expended his money, but is debarred from title on account of something beyond his control. Then I assume the Government would not care to [illegible] such an assignee, who proceeded in good faith, should lose his money just from the bare fact that he was an assignee, and properly so, under the law.

All these entries and proofs offered are matters of record. Not a case has been refused by the land offices without assigning the reasons therefor.

Mr. BERRY. Mr. President, the bill, as I stated yesterday, is not in its entirety a bill that I think appeals very strongly to either the sense of justice or equity which ought to control the Senate. Nevertheless, I would not have so much objection to refunding to the original entryman or his heirs, where he is dead, who had made no assignment, who had been prevented, and without fraud on his part, from consummating his entry. I would have no special objection to the money that he paid into the Treasury, 25 cents per acre, being refunded to him or to his heirs. But where he made an assignment, he, of course, can have no claim, because the assignee no doubt paid him the amount of 25 cents an acre and in many cases perhaps more than that. Therefore, he could have no claim whatever where he had assigned the claim.

Mr. MITCHELL. Will the Senator from Arkansas allow me a moment?

Mr. BERRY. Certainly.

Mr. MITCHELL. I wish to call the attention of the Senator from Arkansas to the fact that neither the chairman of the Committee on Public Lands [Mr. HANSBROUGH] nor the Senator from Wyoming [Mr. CLARK], also a member of the committee who reported this bill, is present. It seems to me that the measure ought not to be proceeded with in their absence. I submit it to the consideration of the Senate.

Mr. BERRY. I will say to the Senator that the bill was discussed something like an hour yesterday, the Senator from Wyoming [Mr. WARREN], who sits on my right, seeming to be in charge of the bill. If anyone desires, the bill may go over. It has come up on regular call. I am not pressing the matter. But I would like to conclude what I was saying and then the Senate can take such action as it chooses. I have not called it up. It came up in regular order. The Senator from Wyoming made no objection on account of the absence of his colleague, and, of course, I could not object.

Mr. President, I have already stated that where the original entryman made an assignment he could have, of course, no claim, because he was paid back his money by the party to whom he assigned.

Now, where some one else purchased his right, went into the market, made the contract with him, he certainly can have no claim against this Government. He bought the land from the other party upon the theory that it would pay him to buy it and that it was a matter to his interest. If he failed in that, if he was mistaken, if he was unable from any cause to carry out the provisions of the law and make the balance of the payments, certainly the assignee, I think, has no claim, either legal or equitable, against the Government that it should be paid back to him.

If these amendments I have offered prevail, then the bill will simply stand that where the original entryman made this entry, paid the Government 25 cents an acre, and was unable to carry out the provisions of the law, and there was no fraud or unlawful act upon his part, then, under the bill, he shall receive back his money. But I insist that the assignee has no kind of claim against this Government. He purchased it on speculation from the original entryman. If his speculation failed, he can not claim that it is the duty of the Government to pay him back money that he had never paid to the Government, but which he paid to another individual.

This seems clear to my mind. I would not, as was charged by the Senator from Colorado [Mr. TELLER] yesterday, do the settlers in the West, or in any other part of this country, an injustice if I knew it, but it does seem utterly unreasonable that these claims should be paid. How many of these claims they have [illegible], from whom they have purchased, or in whose hands they are I do not know; nor is it shown here how many of these claims there are, or probably will be, except by a general statement.

I insist, therefore, that before this bill is passed, if it is to be passed, it ought to be amended as I have suggested.

The Senator from Colorado [Mr. TELLER] yesterday said a great deal about these entries, and the harassing [illegible]. He said something, in reply to what I had said, about men of wealth and corporations and combinations procuring others to take up lands and that then they would get the benefit of them. I am told, and the Secretary of the Interior so stated in his report a year ago, if not in the last, that thousands of acres have been procured in that way, by inducing persons to enter under the desert-land act, where there was never an attempt made even to put water upon the land; and in many cases individual cattle and sheep holders to-day own thousands of acres of land, procuring title from the Government, when the law was never complied with, and there was never any water put on the land, as the law required.

Of course those parties do not come under this bill, because they have title to the land, but I make this statement in answer to much that has been said by the Senator from Colorado. The Secretary of the Interior says that the frauds which have been perpetrated in some of the Western States under the desert-land act, under the timber and stone act, and under the commutation clause of the homestead act are perfectly appalling.

The Senator from Montana [Mr. GIBSON], who made a report in favor of the repeal of these laws during the last Congress, recites case after case where lands have been procured from the Government by the means which I have named, and where thousands of acres have been [illegible] by corporations, upon which they are grazing sheep and cattle to-day, and the provisions of the desert-land act have never been complied with in a great many hundreds of those cases.

Mr. SPOONER. Mr. President, I move that the pending bill with the amendments be referred to the Committee on Public Lands. I make this motion for the reason, mainly, that I am unwilling to vote for a measure involving an appropriation of a million dollars possibly, but of a quarter of a million dollars anyway, without some report from the Department of the Government which is charged with the administration of the affairs out of which the liability grows. I think this bill should be accompanied by a report of the Secretary of the Interior, and it should also be accompanied by a report from the Commissioner of the General Land Office, a very able man, who comes from the far West and who has had experience and observation of the class of cases which are covered by this bill. There is more than one class of cases covered by it.

How many Senators here know anything about what this bill carries in the way of appropriations or [illegible] in merit between the two classes of cases, or the three or four classes, between language which will protect a man who, perhaps, [illegible] all [illegible] I have [illegible] the [illegible] and I am not [illegible] because of my dullness.

I now make this motion, and I shall generally make it in matters of this kind. I think such bills, where they involve [illegible] of consequence, ought to go to the proper Committee [illegible] to the Senate, so that we shall have the Government's side of the matter as well as the claimant's side of the matter.

Mr. WARREN. Mr. President, I do not wish to antagonize the motion made by the Senator from Wisconsin [Mr. SPOONER], but I feel moved to say a word in connection with what the Senator from Arkansas [Mr. BERRY] has stated about continuing in the [illegible].

The Senator, either purposely or not, has seemed to convey the idea that it was the desert-land law under which most of the fraudulent entries have been made and from which most of the [illegible] arisen. I think he will find, if he will [illegible] the report of the Secretary of the Interior, to which he refers, that the same complaint is made as to all the land laws.

Mr. BERRY. I so stated, if the Senator will permit me.

Mr. WARREN. Very well. If the Senator so stated as he says he did, what is he going to do about it? Is he going to say, because there have been some fraudulent proofs, and because there have been abuses of the law, that all of the land laws have been failures?

I should like to have him look for a moment at the country which is covered by the homestead service under the general land law, see what it was before the desert land law was passed and what it is now, and see what it has done toward peopling the soil of this nation. I contend that there is no law upon the statute book, aside from the original homestead law itself, which has as a whole, has been of as much benefit to this nation as the desert land law. I know it has been abused in many instances, and I know that there would have been enough [illegible] land to support one county in each State perhaps had it not been for this law. I know, and the Senator from Arkansas should know, the great progress there has been because of the operation of the desert-land law.

Now, as to the assignments, I will admit all the Senator says as to really fraudulent assignments. But there have been many other cases. For instance, I recall a town where there are probably fifteen hundred persons now living, a happy community. How came they there? Not many years ago it was as desolate a piece of land as existed in the State. There were a few public-spirited men who knew that water enough passed by it and that a large amount of money expended there would render available enough water to make that a large and valuable settlement. Half a dozen men clubbed together in the first instance, and later on a greater number contributed. Their own rights had been previously exhausted by desert-land claims, but there were others, some of whom worked to have desert-land claims, to go along with this aggregation, this association, and prove up upon their individual claims. There were still others who were willing to use their claim rights for the association, because they were living in the East and had contributed to have gone on the land, but were willing to help reclaim the waste places and under the law they had the right to assign to somebody who could step into their places and go on. The men who went into it and entered first, six of them, expended from $30,000 to $50,000 apiece, which they have never since seen. Others expended smaller sums in trying to carry out the scheme of making the desert bloom and of locating there a happy colony.

Orders of the Department relating to proofs under the desert-land laws underwent so many changes that the original capital put in was all wiped out. The settlers had to go back and start anew.

Fortunately changes occurred which again brought the Department to a more liberal view of the matter. So we have there to-day some 1,000 acres of land under intense cultivation, producing great crops, cultivated by happy people; and yet, back of it all lies the work and men—for the money they had invested was invested in just as good faith as though they had succeeded—because the Government, under various officials and orders, made it impossible for them to prove up.

Now, the suggestion of the Senator from Arkansas is to reimburse the original entry fee. That is good so far as it goes, but

there are a very great many of the assignees who should be treated with the same degree of liberality, because they were able to expend, and did expend at the time, much larger amounts of money than the usual first settlers could or would expend.

As to the matter of the recommitment of this bill, I am perfectly willing that it shall be recommitted, for this bill has not been pressed in here against the wishes and knowledge of the Interior Department. The Department was consulted regarding it, as were the members of the committee who have had it in charge. I have not the slightest objection to its recommitment for the purpose mentioned, but such a course of course it will delay its passage and perhaps endanger its defeat by reason of delay only. A precisely similar bill has been passed here three times while the same Senators who are now opposing it were members of this body. I am in great doubt if it should ever have had the earnest attention of the Senator from Arkansas, who is a member of the Committee on Public Lands, because that committee has favorably reported it here on its merits, and never adversely.

Mr. [illegible]. I should like to inquire if the report of this bill has ever been accompanied by a report from the Interior Department.

Mr. WARREN. I think the report which is now before us is the only one that has come from the committee.

Mr. [illegible]. Mr. President, I will say, in answer to the Senator from Wisconsin, that the matter was discussed in the Committee on Public Lands this morning. The clerk of the committee did not have time to make a very careful examination, but he stated that there was nothing on file with the committee to show that the Interior Department had ever made any report upon this bill.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wisconsin [Mr. SPOONER], to recommit the bill, with the pending amendments, to the Committee on Public Lands.

The motion was agreed to.

W. J. KOUNTZ.

The bill (S. 421) for the relief of W. J. Kountz was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to W. J. Kountz, his heirs or legal representatives, $2,887.41, that being the amount found due him by the Third Auditor, and approved by the Second Comptroller of the Treasury, on vouchers properly presented and on file, for services and [illegible] rendered by him in transporting troops and supplies on the Yellowstone River, under a contract dated March 12, 1878, between W. J. Kountz and the Quartermaster's Department of the United States Army, at St. Paul, Minn., but which was withheld by the accounting officers of the Government pending a suit by the United States to recover from said Kountz $22,845.51, from the payment of which sum he was released and discharged by act of Congress of February 19, 1895, and the order of the Secretary of War of March 24, 1897, carrying the act of Congress into effect.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SADIE THOME.

The bill (S. 1585) for the relief of Sadie Thome was considered as in Committee of the Whole.

Mr. GALLINGER. Mr. President, it strikes me that this bill is not in very good form. It has a preamble that can not be stricken out and leave the bill perfect in itself, and so I offer what I send to the desk as a substitute.

The PRESIDENT pro tempore. The amendment in the nature of a substitute submitted by the Senator from New Hampshire will be read.

The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sadie Thome, widow of Major Jacob Thome, late of the United States Army, the sum of $[illegible] being the amount of salary due said Major Thome at the time of his death, on the [illegible] day of March, 1897, the sum of $[illegible] being the amount of salary for one year.

Mr. COCKRELL. That does not relieve it. The only way to relieve it is to let the bill be passed and then to strike out the preamble.

Mr. GALLINGER. That would not leave a perfect bill, I will say to the Senator, as he will see if he will read it.

Mr. COCKRELL. Then the Senator proposes to leave the preamble stand? When the Senator's substitute is agreed to the preamble will still be in the bill.

Mr. GALLINGER. Yes, but I shall move to strike that out later on.

Mr. COCKRELL. All right.

Mr. SPOONER. Mr. President, I want to say a word about this bill. I am not certain that I am opposed to it, and I dislike to say a word which seems adverse to a bill which proposes to give money to the widow of a consular officer; but is it to become the rule that whenever a consul or an officer of the United States dies in a foreign land in the diplomatic service at his post of duty his widow is to be given a year's salary? I want to ask the Senator who reported this bill if that is regarded by the committee as a proper rule to adopt in all cases of [illegible] or is there some peculiarity about this case which would make it fairly an exception to the rule?

Mr. KEAN. For the information of the Senator, I will state that the Committee on Foreign Relations [illegible] no peculiarity about this case, and they thought [illegible] reported favorably.

Mr. SPOONER. I was not present at the meeting when this bill was considered, though I am on the Committee on Foreign Relations.

Mr. PENROSE. I should like to state, for the information of the Senator from Wisconsin, that a bill similar to this I think passed the Senate twice in preceding Congresses, and I understand it is the custom to pay the balance of a year's salary where a consul dies at his post of duty.

Mr. SPOONER. I have known of cases that were passed.

Mr. KEAN. If the Senator from Wisconsin will look at the letter of the Department of State [illegible] contained in the report of the [illegible] the widows of consuls who died at their posts, but there have been very few instances of the kind.

Mr. SPOONER. Well, Mr. President, it will soon get to be a rule, and I think the Senate ought to consider whether it ought to become a rule.

Mr. WARREN. May I ask the Senator a question?

Mr. SPOONER. Yes.

Mr. WARREN. Does the Senator not think it would be a safe rule to adopt that, with the small salaries which this Government pays its consular agents, there might be some security to the widow and children [illegible] enough to get them home to the United States in case of the death of the consul?

Mr. SPOONER. Certainly; but how are you going to grade it as to salary?

Mr. WARREN. I want to ask, on the line of principle, if the Senator does not think that as a rule this Government ought at least to bring home its own, whether dead or living, from the consular service without regard to salary, in cases of the death of consuls while on duty abroad? The various cases may be considered as they come up, each by itself, for there is no general rule; but in this case there seems to be a modest sum appropriated—only a matter of $1,000.

Mr. SPOONER. It is a year's salary. They always begin with modest sums, but the amounts are gradually increased.

Mr. WARREN. Yes, and the time to stop it is when the sums get large.

Mr. SPOONER. When the sums get large we will not stop them. Precedent, precedent, precedent will [illegible]

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from New Hampshire [Mr. GALLINGER].

The amendment was agreed to.

Mr. PLATT of Connecticut. The precedents alluded to in the report do not seem to me [illegible] them.

Mr. KEAN. Mr. President, if the Senator from Connecticut will read the letter of the Department of State [illegible] instances in which widows of consuls were paid. The cases at the beginning of the report refer to ministers who died at their posts.

Mr. PLATT of Connecticut. I wish, first, to read the very able [illegible] of the Senate [illegible] New Hampshire [illegible] the precedents. The first one is that of the widow of Bayard Taylor, who was paid $1,000, which, I think, was not a year's salary. The payment was made, the report says—

to compensate his estate for the extraordinary expenses and losses incurred by it in consequence of his death so soon after reaching his post.

That was a special case. Then—

[illegible] of Mrs. [illegible] widow of [illegible] Minister to Russia, who died while minister to Russia, after his arrival at his post of duty, the sum of $[illegible].

I suppose that was his salary for the balance of the year. The same action was taken in the case of Mrs. Kilpatrick, widow of General Kilpatrick, who died while minister to Chile.

The report then gives the case of Mrs. Garnet, as follows:

The joint resolution approved August 1, 1892, gave to Mrs. Garnet, widow of [illegible] minister received to his death. Mr. Garnet died in Liberia a few weeks

That was similar to the case of Bayard Taylor. The report continues:

The deficiency bill approved March 3, 1883, gave to Mrs. Marsh, widow of George P. Marsh, esq., who died while minister to Italy, the balance of one year's salary.

Then:

The act approved December 23, 1884, gave to Mrs. Jane Venable, widow of William E. Venable, esq., who died as minister to Guatemala, the sum of $[illegible] being the balance of one year's salary. In this case Mr. Venable was commissioned March 14, 1882, and died at Guatemala August 28 of that year, not representing his Government. Consequently the action of Congress dates to only seven years after the minister's death.

The next case cited in the report is as follows:

The deficiency bill approved March 3, 1885, gave to Mrs. Wing, widow of E. Burgess Wing, esq., who died while minister to Ecuador, and to Mrs. Hunt, widow of William H. Hunt, esq., who died while minister to Russia, a sum equal to six months' salary in each case. Mr. Wing was commissioned minister resident November 16, 1869. Shortly afterwards, however, Congress discontinued the mission to Ecuador.

Now, with regard to consuls. The letter of the Secretary of State, after a reference to Senate report No. 238 of the Forty-ninth Congress, first session, where a list of the diplomatic officers who died in the service and whose families have received various sums, from six months' salary to one year's compensation, says:

Since then Congress has provided for Mrs. Verona E. Pollock, widow of Alexander L. Pollock, who died while consul of the United States at San Salvador, the sum of $6,840, which included a claim for the loss of private property, and her late husband's compensation.

Then, on April 17, 1900, Congress provided—

for the payment to Mrs. Clara M. Ashby, widow of William W. Ashby, who was drowned while consul of the United States at Colon, the sum of $2,860, which represented the balance of one year's salary.

Again, in 1901—

Congress provided for the payment to Ella Lowery Moseley, widow of Robert E. Moseley, who died while consul-general at Singapore, a sum equal to three months' salary, $[illegible].

These are the cases of payment of this nature to widows of consular officers that the Department recalls at present.

So that the precedents have not been uniform in the amount which has been paid.

As the Senator from Wisconsin [Mr. SPOONER] says, I think this bill becomes important from the fact that, if we pass it, it will be considered as setting a precedent for paying a year's salary to the widow of any consul who may die in the service.

Mr. President, why should we pay such sums to the widows of consuls and not pay them to the widows of other Government officials, wherever serving, whether in Washington or any of the States of our Republic? I know that we pay a year's salary to the widow of a Senator who dies; I know that we pay a sum equal to six months' salary to the widows of the officers of the Senate who die in the service, which sum is to include all the expenses of the funerals; but what is there about a consul's office which entitles his widow to a year's salary when he dies any more than that of an Auditor of the Treasury Department, a Cabinet officer, or one of the assistant secretaries?

Mr. BEVERIDGE. May I ask the Senator a question?

Mr. PLATT of Connecticut. Yes.

Mr. BEVERIDGE. If one of our ministers or ambassadors or any other officer of the diplomatic corps stationed abroad dies, is the salary of such officer for that year paid to his widow?

Mr. PLATT of Connecticut. In some cases that has been done by Congress. The practice, however, has not been uniform, I think.

Mr. CULLOM. It is not the rule.

Mr. BEVERIDGE. For example, the ambassador to Germany, I think, gets a salary of $17,500; and if he died his widow would be paid that amount. Is that the idea?

Mr. PLATT of Connecticut. It seems to me, Mr. President, we can not stop very well with consuls. A consul is an officer of no higher grade than a Cabinet officer, or an Assistant Secretary of one of the Departments, or a judge of the district court in the District of Columbia, or a United States attorney in any of the Territories of the United States, or a district judge. I know that in one or two instances we have made appropriations for the widows of deceased officials. I remember we did make an appropriation in the case of Mrs. Miller, the widow of Justice Miller, of the Supreme Court, but if we pass this bill I do not see why the widow of every consul who may die at his post should not feel that she has a claim, under the practice of the Government, to one year's salary.

If in the case of a consul of the United States dying at his post a year's salary is to be paid to his widow, why should not the same practice be followed if the Commissioner of Pensions should die? Why would not his widow be entitled to the same favor, as well as the widow of the Commissioner of Education or of the Commissioner of Labor or of any of the Assistant Secretaries? The principle would be extended to cover the families of the deceased, and if the widows of the officers I have named are entitled to this bounty, why not the widow or family of every person employed in the service of the Government of the United States? Is there any reason why we should do this in the case of a consul dying at his post which does not apply with equal force to every person in the employment of the Government?

There has been a good deal of talk about a civil pension—that is, a pension for civil officers after having served the Government and having become too old to be efficient. But that proposition has not been carried out; and the proposition contained in the bill under discussion is in the nature of a pension.

Right here I wish to speak of a matter which was suggested by the Senator from Pennsylvania [Mr. PENROSE]. He said this bill or similar bills had twice passed the Senate. I know that is so, Mr. President, but bills of this character pass the Senate without any consideration, without discussion, without [illegible], usually in the hurry of business when there is no time for discussion. I do not think that action by the Senate settles the principle at all. I think, as the Senator from Wisconsin has said, it is a very grave question whether we ought, by passing this bill, to establish the principle that whenever a person in the service of the Government dies his widow is to receive a year's salary. I think there is no special reason in this case why the bill should be passed. If it were a bill to bring home the remains of a deceased consul——

Mr. GALLINGER. The Government always does that.

Mr. PLATT of Connecticut. I think that is already provided for by the Government. This bill is not to reimburse the widow for any expense connected with the bringing home of the remains or the funeral expenses; it is simply saying that where a consul dies away from this country his widow shall have a year's salary voted to her by Congress. I can not see why, if that is to be done, there should not be voted to the widow or family of every person holding office under the Government a year's salary.

Mr. GALLINGER. Mr. President, first I want to make a parliamentary inquiry, and that is as to whether it has not heretofore been the custom that in proceeding to the Calendar we have acted under Rule VIII, and not under Rule IX, so that we could take up unobjected cases?

The PRESIDENT pro tempore. When the Calendar is taken up before 2 o'clock, it is under Rule VIII; but when the Calendar of General Orders is taken up after 2 o'clock, it is under Rule IX.

Mr. GALLINGER. I have heretofore noticed that we have had two Calendars; that proceeding under Rule VIII certain objected cases went to the Calendar which was said to be under Rule IX, and I had thought our custom had been, regardless of the hour, to proceed under Rule VIII. If I am wrong, of course I submit.

Mr. HALE. It can easily be settled at any time by asking unanimous consent when we take up the Calendar that we proceed under Rule VIII.

Mr. GALLINGER. Yes.

Mr. HALE. That is the Calendar under which we pass a great many cases that are satisfactory to Senators. Under Rule IX we get the fighting cases.

Mr. GALLINGER. I had it in mind, if the ruling of the Chair should be against me, to ask unanimous consent now that we consider the Calendar under Rule VIII.

The PRESIDENT pro tempore. The Chair would be obliged to rule against the proposition of the Senator. If the Calendar was commenced at any time before 2 o'clock, the Chair would hold that it was under Rule VIII, with the limitations of debate and all that sort of thing, but when it reaches 2 o'clock and the Chair lays before the Senate the Calendar of General Orders, the Chair would rule then that it is proceeded with under the general rule of the Senate.

Mr. GALLINGER. Has the Chair ruled that unanimous consent can not be given that we proceed under Rule VIII?

The PRESIDENT pro tempore. Unanimous consent will do anything except amend the Constitution of the United States.

Mr. GALLINGER. Precisely. That is what I thought. Mr. President, and for that reason I now ask unanimous consent that we proceed under Rule VIII in the further consideration of the Calendar today.

The PRESIDENT pro tempore. Does the Senator intend to have it apply to the pending bill?

Mr. COCKRELL. Let it apply to everything.

Mr. GALLINGER. I should think so, sir. I am quite willing that this bill should go over.

I will say in this connection that I this morning introduced a bill to make an allowance of $1,000 to the widow of a consul who died recently, and who was from my own State. I do not believe in the principle at all, but if this bill is to be paid, I want the New Hampshire bill to be paid.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that the further consideration of the Calendar to-day shall be under Rule VIII. Under Rule VIII there is a limitation of the time of debate; there is a limitation as to how many times a Senator may address himself to the same

question, there is also a provision that if objection is made the case must go over, unless on motion it is determined by the Senate that it shall be considered. If it is so considered, then the ordinary rules prevail and not the provisions of Rule VIII. Is the bill now under the request of the Senator from New Hampshire? The Chair hears none.

Mr. COCKRELL. Let the bill which has been under consideration passed.

The PRESIDENT pro tempore. Objection being made, the bill will go over. When objection is made, a measure simply goes over, retaining its place.

Mr. COCKRELL. Certainly; retaining its place.

CERTIFICATION OF LAND [illegible].

The bill [illegible] the General Land Office to [illegible] papers, [illegible] papers was [illegible] of the Whole. It provides that copies of any patents, records, books or papers in the General Land Office, authenticated by the seal and countersigned by the commissioner of such Office, shall be evidence equally with the originals thereof, to have same force and effect as when certified by the Commissioner of that Office.

Mr. COCKRELL. I should like to ask the Senator in charge of the bill why it is necessary to dispense with the signature of the head of a bureau and simply allow the clerk of a bureau practically to certify to official papers? I should like to know of some reason for it. Heretofore we have required the Commissioner of the General Land Office to certify. Now, here is the provision, a chief of a division in the Land Office, who is to certify to papers with the same effect as if the Commissioner of the General Land Office had done it.

Mr. LODGE. The bill requires the certification by the Commissioner.

Mr. BEVERIDGE. No.

Mr. LODGE. I think it is a mistake in the bill.

Mr. COCKRELL. No; I think not. I think it is just the reverse.

Mr. LODGE. No; the bill says, in the last line—oh, yes; I see.

Mr. COCKRELL. It is to do away with the certification by the Commissioner.

Mr. LODGE. The Senator is correct.

Mr. COCKRELL. I do not think it ought to be agreed to. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COCKRELL, subsequently said: I was [illegible] to recur to Senate bill 372. I requested that it might go over.

I find that it does not provide for the certification of all papers by this officer, but simply that he shall certify copies of patents which have already been issued and which are in the possession of office. I find that the Commissioner of the General Land Office wants the bill to pass. That being the object of it, I think it ought to be passed.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RESERVOIR RESERVATIONS.

The bill (S. 122) authorizing the Secretary of the Interior to restore to public entry lands [illegible] reservoir or [illegible] segregations for reservoirs was considered as in Committee of the Whole. It provides that any or all of the lands heretofore included within reservations for reservoir purposes may, in the discretion of the Secretary, be thrown open to entry and settlement under the land laws as though such reservation had never been made.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MINOR COINS.

The bill (S. 903) providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of such coins was considered as in Committee of the Whole.

Mr. BERRY. I should like to ask the Senator from Rhode Island whether the bill affects adversely or in any way the mint at New Orleans?

Mr. ALDRICH. Under the law as it now stands minor coins are coined only at the mint in Philadelphia. This proposes to extend the same privileges to the mints at New Orleans, San Francisco, and Denver.

Mr. BERRY. To New Orleans?

Mr. ALDRICH. To New Orleans; to give them privileges which they do not now have.

Mr. BERRY. I did not observe the word there, and I was not sure about it. Is it a unanimous report from the Committee on Finance?

Mr. ALDRICH. Yes.

The bill had been reported from the Committee on Finance with amendments. The first amendment of the Committee on Finance was, to insert after the enacting clause the following:

That sections [illegible] be, and the same are [illegible] to read as follows:

[illegible] was agreed to.

The next amendment was, on page 1, line 6, before the word "that," to insert [illegible] in line 10, after the word "may," [illegible] and insert "designate, with the approval [illegible] the Treasury;" in line 11, after the [illegible] to strike out "by the Secretary of the Treasury" and [illegible] line 2, after the words "San Francisco," to insert [illegible] be carried on, etc.

[illegible] was agreed to.

The next amendment was, on page 2, line 19, to strike out "Sec. 2" and insert "Sec. 3529."

The amendment was agreed to.

The next amendment was, on page 3, after line 11, to strike out the following:

[illegible] sections 29 and 30 of an act entitled "An act revising and [illegible] offices, and coinage of the [illegible] approved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF NAPOLEON B. GIDDINGS.

The bill (S. [illegible]) for the relief of the legal representatives of Napoleon B. Giddings was considered as in Committee of the Whole. It directs the Secretary of War to cause to be investigated the circumstances of the alleged taking from Napoleon B. Giddings, in January, 1847, at Santa Fe, N. Mex., and deposit with A. B. Dyer, lieutenant of ordnance, United States Army, by order of [illegible] the army in New Mexico at that time, of 140 kegs of gunpowder; and if the powder was never returned to Giddings, then the Secretary of the Treasury is authorized to cause to be paid to the legal representatives of Giddings the reasonable market value of the powder.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

M. E. SAVILLE.

The bill (S. 61) for the relief of M. E. Saville was considered as in Committee of the Whole. It directs the Secretary of War to cause to be investigated embezzlement of quartermaster and commissary funds and stores at Fort Gill, Okla., discovered while M. E. Saville, first lieutenant, Tenth Regiment United States Infantry, was quartermaster and commissary at that post; and if [illegible] the Secretary is satisfied that Saville exercised due diligence and care in the discharge of his duties he is directed to release and discharge Saville from any further liability.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SHIPPING BETWEEN UNITED STATES AND PHILIPPINE PORTS.

The bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes, was announced as the next business in order on the Calendar.

Mr. LODGE. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. It will go over.

RUDOLF HERBST.

The bill (S. 126) for the relief of Rudolf Herbst was considered as in Committee of the Whole. It directs the accounting officers of the Treasury to reopen the claim of Rudolf Herbst, late hospital steward of the United States Army and hospital steward of the First Montana Volunteer Infantry, and allow him the pay, allowances, and extra pay of a hospital steward from August 18, 1898, to the date of the muster out of the First Montana Volunteer Infantry, less the pay, allowances, and extra pay received by him for that period.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COUNTY OF WHITE PINE, NEV.

The bill (S. 1741) for the relief of the county of White Pine, State of Nevada, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to the county of White Pine, Nev., $769.67, to reimburse the county for money expended in caring for certain Indians who contracted smallpox during the smallpox epidemic from February 26 to July 1, 1901.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BUST OF GENERAL LAFAYETTE.

The joint resolution (S. R. 21) authorizing the purchase of a marble bust of General Lafayette, executed by David D'Angers, was considered as in Committee of the Whole. It proposes to appropriate the sum of $2,000 to enable the Joint Committee on the Library to purchase from Henry K. Jenkins, executor of the will of the late Dr. Gabriel F. Manigault, a marble bust of General Lafayette, executed by David D'Angers.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

STATUE OF HENRY WADSWORTH LONGFELLOW.

The joint resolution (S. R. 20) authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow was considered as in Committee of the Whole. It proposes that the chairman of the Senate Committee on the Library, the chairman of the House Committee on the Library, and the Secretary of War shall be appointed a commission to select a site upon property belonging to the United States in the city of Washington other than the Capitol or Library grounds, for the erection of a statue in bronze of the late Henry Wadsworth Longfellow, to be provided by the Longfellow Memorial Association.

For the preparation of the site so selected and the erection of a pedestal upon which to place the statue, etc., $4,000 is appropriated.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARKING OF GETTYSBURG BATTLEFIELD.

The bill (S. 2697) to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army was considered as in Committee or the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SECOND LIEUTENANTS, MARINE CORPS.

The bill (S. 2114) to fix the rank of certain officers in the Army was considered as in Committee of the Whole. It proposes that any second lieutenant of the United States Marine Corps who may have been appointed second lieutenant of artillery since the 2d day of February, 1901, shall, in determining his lineal and relative rank, be entitled to the same credit for prior commissioned service as a lieutenant of volunteers appointed under the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEONARD L. DIETRICK.

The bill (S. 146) for the relief of Leonard L. Dietrick was considered as in Committee of the Whole.

The bill had been reported from the Committee on Military Affairs with an amendment, on page 1, line 12, after the word "Dietrick," to strike out "repaid" and insert "accounted for and paid;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, [illegible] and paid to the proper officer of the United States from his own [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COUNTY GOVERNMENT IN HAWAII.

The bill (S. 2400) to approve act No. 31 of the session of 1903 of the legislature of the Territory of Hawaii, approved April 22, 1903, entitled "An act providing for the organization and government of counties and districts, and the management and control of public works and public institutions therein," was announced as the next business in order on the Calendar.

Mr. HALE. Let the bill go over.

The PRESIDENT pro tempore. The bill will go over.

REMOVAL OF DERELICTS.

The bill (S. 2262) to provide for the removal or destruction of derelicts was considered as in Committee of the Whole. It proposes that the President may detail any public vessel to remove or destroy any derelict from the course of vessels at sea. Any public vessel when so detailed shall be under the direction of the Secretary of Commerce and Labor.

One hundred and seventy-five thousand dollars is appropriated for the construction, under the direction of the Secretary of Commerce and Labor, of a steam vessel especially fitted for and adapted to the purpose of removing or destroying derelicts from the course of vessels at sea.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIFE-SAVING STATION AT NOME, ALASKA.

The bill (S. 2692) to establish a life-saving station at Cape Nome, Alaska, was considered as in Committee of the Whole. It proposes to establish a life-saving station at Cape Nome, Alaska, at such point as the General Superintendent of the Life-Saving Service may recommend, the necessary boats and apparatus placed there under the authority of the act making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1902, to form a part of the equipment of said station.

Mr. PERKINS. I move to amend the bill by striking out, in line 4, before "Nome" the word "Cape."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to establish a life-saving station at Nome, Alaska."

NATIONAL CEMETERY, PENSACOLA, FLA.

The bill (S. 619) making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla., was considered as in Committee of the Whole. It proposes to appropriate [illegible] for the purpose of completing the construction of the roadway from Pensacola, Fla., to the national cemetery near that city.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ELECTRIC LIGHT AT HONOLULU.

The bill (S. 2461) to approve a special act duly enacted by the legislature of the Territory of Hawaii [illegible] and provide for the manufacture, distribution, and supply of electric light and power on the island of Oahu, Territory of Hawaii, was announced as next in order.

Mr. GALLINGER. Let that bill go over.

The PRESIDENT pro tempore. The bill goes over.

REPUBLIC OF PANAMA.

The resolution, submitted by Mr. HOAR December 10, 1903, requesting the President to communicate to the Senate such facts as may be in his possession or in that of any of the Executive Departments as will show whether, at the time of the ratification of the treaty with the Republic of Panama, that province had successfully established its independence, etc., was announced as next in order.

Mr. GALLINGER. Let the resolution go over.

The PRESIDENT pro tempore. The resolution will go over.

STATUE OF GEN. JAMES MILLER.

The bill (S. 1634) for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H., was considered as in Committee of the Whole. It proposes to appropriate $5,000 for the erection of a statue, in bronze or granite, to the memory of Gen. James Miller, the hero of Lundys Lane, at Peterboro, N. H., which sum shall be expended under the direction of the Secretary of War, or such officer as he may designate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN F. WESTON.

The bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60, etc., was considered as in Committee of the Whole. It proposes to pay to John F. Weston the sum of $241.60, being compensation for loss, in 1877, of his professional books and clothing while changing station, under orders, from the cantonment on Tongue River, Montana, to Helena, Mont., as captain and commissary of subsistence, United States Army.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ORDER BOOK OF GEN. ARTHUR ST. CLAIR.

The joint resolution (S. R. 8) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair," was announced as next in order.

Mr. LODGE. Let that go over.

The PRESIDENT pro tempore. The joint resolution goes over.

HEIRS OF JOSEPH W. ETHERIDGE AND JOHN M. RICHARDSON.

The bill (S. 468) for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson was considered as in Committee of the Whole. It proposes to pay to the widow and children (in equal proportions) of the late Joseph W. Etheridge, late superintendent of the sixth life-saving district, who died February 15, 1893, from pneumonia, contracted by him from exposure in the line of his duty in the Life-Saving Service, a sum equal to two years' pay of a district superintendent of the Life-Saving Service, and to pay the same amount to the widow of the late John M. Richardson, late superintendent of the first life-saving district, who died the 13th day of June, 1896, from the effects of a trip of inspection through his district, in the line of his duty in the Life-Saving Service, made by him while in an enfeebled condition, against the advice of his physicians and at the cost of his life.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IDAHO SOLDIERS AND SAILORS' HOME.

The bill (S. 250) granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho Soldiers and Sailors' Home was considered as in Committee of the Whole. It grants 50,000 acres of the unappropriated nonmineral public lands within the State of Idaho to that State, the same to be selected by the proper authorities thereof, to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers and Sailors' Home, and such portion as may not be necessary for the purpose specified shall be applied to the support of such public, benevolent, reformatory, or other educational institution as the legislature of the State may designate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RELIEF OF CERTAIN SETTLERS.

The bill (S. 278) to amend an act entitled "An act for the relief of certain settlers on the public lands and to provide for the repayment of certain fees, purchase money, and commissions paid on void entries of public lands" was announced as next in order.

Mr. PLATT of Connecticut. Let that go over.

The PRESIDENT pro tempore. The bill goes over.

NATURALIZATION OF PORTO RICANS.

The bill (S. 2845) to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes, was considered as in Committee of the Whole.

Mr. KEAN. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. COCKRELL (for Mr. FORAKER) December 19, 1903, as follows:

The committee on Pacific Islands and Porto Rico have had under consideration the following bill:

"A bill to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That on the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who may become permanent allegiance to the United States and who may become residents of any State or organized Territory of the United States with the foregoing that for the purpose [illegible] shall not be required to renounce allegiance to any foreign sovereignty, but shall make his declaration of intention to become a citizen of the United States at least one year prior to his admission, and residence within the jurisdiction of the United States owing such permanent allegiance, shall be regarded as residence within the United States within the meaning of the five years' residence clause of the existing law.

"SEC. 2. That the provisions of the act approved March 2, 1887, entitled 'An act to extend the laws relating to government lands in the United States to the Territory of Alaska' [illegible] under the provisions of an act of Congress approved July 2, 1862,' be, and the same are hereby extended to Porto Rico.

"SEC. 3. That the Secretary of War be, and he is hereby, empowered to authorize the construction or extension of any wharf, pier, dolphin, boom, weir, breakwater, sea wall, jetty, groin, or other structure in any of the lands belonging to the United States which [illegible] the harbor areas and navigable waters and situated along the shore surrounding the Island of Porto Rico and the islands adjacent thereto, and to authorize the [illegible] or dredging of such areas and to authorize any of the structures in the said harbor areas and navigable waters and situated [illegible] Provided, however, That the plans for such work be first approved by the chief of engineers."

The passages of the measure is recommended. The following [illegible] of the sections of the bill show the scope and purpose of the proposed legislation.

Section 1, authorizing the naturalization of citizens of Porto Rico, was favorably reported from the Committee on Pacific Islands and Porto Rico at the last session in the same form in which it appears in this measure. The committee now simply repeats what it said at that time in support of the provision, namely:

"The naturalization laws of the United States now in force contemplate the admission to citizenship, by naturalization, of such aliens who prior to naturalization owe allegiance to some foreign sovereignty. The inhabitants of Porto Rico and the Philippines, Guam, Tutuila, and other insular possessions have not been made citizens of the United States. They have, however, passed under our jurisdiction, and are under our sovereignty, and owe allegiance to the United States, and do not owe allegiance to anybody else, and still they are neither aliens nor citizens. Not being aliens, they can not be naturalized, and for that reason citizenship is to them impossible; their situation in that respect is worse therefore than that of aliens. Such an anomalous result was not intended by the legislation that has been enacted affecting the civil and political status of the inhabitants of our recently acquired insular possessions. The section provides a remedy."

This section was contained in the bill (H. R. 17546) to provide a Delegate to the House of Representatives of the United States from Porto Rico, which passed the Senate March 3, 1903. It failed to become law, however, by reason of the lack of time on the part of the House to consider and agree to the Senate amendments.

Section 2 of the bill extends the provisions of the Hatch and Morrill laws, so extended, to the island of Porto Rico. The effect of this section will be to entitle Porto Rico to be paid the sum of $15,000 annually for the support of a college for the benefit of agriculture and the mechanic arts. Every other Territory of the United States, as well as every State in the Union, now enjoys the benefits of these laws. There is no place where such an educational fund is more needed or where it will be better appropriated. This section, with the incorporation of the Hatch law, was [illegible] in the bill [illegible] mentioned (H. R. 17546), which passed the Senate at the second session of the last Congress.

Section 3 of the bill is drawn in the interest of improved harbor facilities for the island, the necessity for which has been brought to the attention of this committee through numerous petitions, memorials, etc., praying for legislation proposed. Several times in time, the latest being one from the municipal council of the city of Ponce and one from the commercial council of Porto Rico. The bill H. R. 17546, above referred to as having passed the Senate at the second session of the Fifty-seventh Congress contained this section also.

Mr. SPOONER. I wish to make an inquiry of the Senator who reports the bill.

Mr. FORAKER. It was reported during my absence by the Senator from Missouri [Mr. COCKRELL], but it was reported, as it states here, for me.

Mr. SPOONER. I listened to the report or a portion of it.

Mr. FORAKER. It was reported in that way, I suppose, simply because I am the chairman of the committee.

Mr. SPOONER. Does the bill make any change in the political status of the Porto Ricans?

Mr. FORAKER. No; it makes no change whatever.

Mr. SPOONER. Does it provide for a Delegate?

Mr. FORAKER. It does not.

Mr. BEVERIDGE. It provides the machinery for naturalization.

Mr. FORAKER. It simply provides for their naturalization. It is evident from the provisions of the law, and it has been so held by the courts, that they are not aliens. It has not been settled yet that they are not citizens, but the language of the law is such as to preclude that idea, as we think, and it has been held that in order to become citizens they must be naturalized. Under the law as it now stands they can not be naturalized, because the first requirement of the law is that they shall forswear allegiance to some foreign potentate or power. They do not owe any such allegiance. They owe allegiance only to us. Their condition is worse than the condition of the Spaniard who elected to remain loyal to Spain and continued to live in Porto Rico, because he can become naturalized and the Porto Rican can not.

Mr. NELSON. May I ask the Senator a question?

Mr. FORAKER. Certainly.

Mr. NELSON. Has any court decided that the Porto Ricans are not citizens of the United States?

Mr. FORAKER. No; no court has so decided.

Mr. QUARLES. It was decided that they are not aliens.

Mr. FORAKER. The Supreme Court has recently decided that they are not aliens, and the point made in the report is that they are not aliens owing allegiance to some foreign Government or power, and for that reason the naturalization laws as they now stand do not apply to these people to enable naturalization.

Mr. SPOONER. Under the operation of this bill do they become naturalized?

Mr. FORAKER. They do not. They have to become naturalized.

Mr. SPOONER. When they come to this country?

Mr. FORAKER. They become naturalized when they come into this country, and not until they come in.

Mr. BEVERIDGE. I should like to ask the Senator, on that very point, the meaning of this language:

And residence within the jurisdiction of the United States owing such permanent allegiance shall be regarded as residence within the United States.

Mr. FORAKER. That is as to the time when they can be admitted as citizens by the court; but the first provision, as the Senator will see, is that the applicable provisions of the laws of the United States shall apply to these Porto Ricans. They have to appear before a court of the United States or of some State.

Mr. BEVERIDGE. I did not so understand it. I only noticed an apparent conflict between the provision which I read and the prior provision.

Mr. FORAKER. That simply means that when they shall have resided under our jurisdiction, in Porto Rico or elsewhere, for a period of five years, they may when they come into this country, showing that fact, be eligible to naturalization.

Mr. HALE. The Senator from Wisconsin asked if there was anything in this bill that changes the status of these people, to

which the Senator from Ohio, the chairman of the committee, I think, replied that there is not. It seems to me the Senator can not go quite so far as that. It appears to me that it does change the status considerably; whether desirable or not is another question.

I should like to have that part of the bill read which touches the consideration at the moment in the Senator's mind, about where these Porto Ricans must be naturalized and whether a five years' residence in Porto Rico heretofore is adequate to entitle them to apply for citizenship. Let that be read.

Mr. FORAKER. If the Senator from Maine will pardon me, before it is read I will say to him that I did not intend to answer in the broad way he seems to have understood me. The effect of this bill is not to change the status, but it is to afford to Porto Ricans means of changing their status; that is, the effect of the bill is to give them some way in which to become naturalized citizens of the United States. They have no such way now. That is the only purpose of it. It is provided in the bill that if they have lived five years under the jurisdiction of the United States, under the laws of the United States, whether that be in Porto Rico or in the Philippines or elsewhere, they shall, when applying for naturalization in accordance with the laws now in force, be admitted to naturalization.

Mr. HALE. The clause in lines 6 and 7, perhaps, covers what was in my mind, but here is the whole provision:

That all the applicable provisions of the naturalization laws of the United States shall apply to and be held to authorize the admission to citizenship of all persons not citizens who owe permanent allegiance to the United States.

That is intended, of course, to cover Porto Rico—

and who may become residents of any State or organized Territory of the United States.

That, the Senator would say, excludes Porto Rico from that part of it.

Mr. FORAKER. What I said awhile ago, and repeat, is that under the provisions of this law a Porto Rican can not become naturalized in Porto Rico, in the courts of Porto Rico; he must come here.

Mr. HALE. The language is—

and who may become residents of any State or organized Territory.

That would not include Porto Rico?

Mr. FORAKER. No.

Mr. HALE. So that no Porto Rican, after this bill passes, can be naturalized unless he becomes a resident of the United States.

Mr. BEVERIDGE. And makes his declaration.

Mr. HALE. Or who may become a resident of any State or Territory, just as if he came from Ireland or Italy or Germany.

Mr. FORAKER. Precisely the same, except that he is allowed credit for the time he has lived under our jurisdiction, whether that be in Porto Rico——

Mr. HALE. Where is that provision?

The applicant shall not be required to renounce allegiance to any foreign sovereignty—

That is right—

he shall make his declaration of intention to become a citizen of the United States at least one year prior to his admission; and residence within the jurisdiction of the United States owing such permanent allegiance shall be regarded as residence within the United States within the meaning of the five years' residence clause of the existing law.

That is, he must count up five years either of residence since the passage of the Foraker Act or in the United States.

Mr. FORAKER. Yes.

Mr. BEVERIDGE. If a citizen of the Philippines comes over here and after the provisions of this proposed act becomes naturalized and then goes back there, he is no longer a citizen of the Philippine Islands, but a citizen of the United States, is he not?

Mr. FORAKER. He is no longer what?

Mr. BEVERIDGE. He is a citizen of the United States. He comes over here and becomes naturalized, and when he goes back he goes back as a citizen of the United States like anybody else who goes from the United States. Would not that be the effect of this bill?

There are two or three propositions embraced in the bill which present some confusion, at least in my mind. It raises rather an [illegible] question.

Mr. LODGE. The bill does not touch the Philippine Islands at all.

Mr. BEVERIDGE. It does not? I do not know.

Mr. LODGE. It refers only to citizens of Porto Rico.

Mr. GALLINGER. It does not in the text.

Mr. FORAKER. It does only in the title.

Mr. GALLINGER. That is all.

Mr. FORAKER. I do not know but that it would be construed to apply to anybody living anywhere under the jurisdiction of the United States.

Mr. BEVERIDGE. Yes; under the jurisdiction of the United States.

Mr. FORAKER. The point I would make in answer to the Senator's suggestion is, if that be true, what harm can come from it? People do not come here in considerable number merely for the sake of becoming naturalized and then going back.

Mr. BEVERIDGE. I agree with the Senator. I do not know that there would be any harm in it, but it will at once occur to every Senator that there is at the moment confusion in that statement and it raises a questionable situation.

I have no disposition to object, of course, to the consideration of the bill, but does it not occur to the Senator that there are two or three matters of confusion suggested here by the queries of Senators, and that it might well go over?

Mr. FORAKER. No; I do not see any confusion, if the Senator will pardon me for saying that. It is probably due to the fact that we have given a good deal of study to this subject. We had it before our committee at the last session of the last Congress and the bill was then reported. It was considered in the Senate, and the Senate passed unanimously a bill in these exact words. There is no change whatever.

Mr. BEVERIDGE. Of course this bill does apply to the Philippines as well as to Porto Rico.

Mr. FORAKER. I do not think there should be any trouble about it. I do not know why——

Mr. SPOONER. Will the Senator from Ohio allow me?

Mr. FORAKER. In a minute. I do not know why it should not apply to a citizen of the Philippines living there, an inhabitant there, and owing allegiance to us, owing permanent allegiance to us as a people. That expression was furnished us by the State Department. This measure was referred to the State Department and very carefully considered there. If my memory does not serve me incorrectly, it originated with the State Department. They communicated to us in regard to it, saying that this trouble constantly arises. The citizens of Porto Rico and the citizens of the Philippines also, for I think it would have equal application to them, owe us permanent allegiance; and yet if they see fit to come here and reside in good faith and for all time they never can become naturalized. Their condition is worse than the condition of their fellow-citizens who, under the terms of the treaty of peace, elected to retain their allegiance to Spain.

Mr. BEVERIDGE. The Senator will observe——

The PRESIDENT pro tempore. Under Rule VIII no Senator is entitled to speak more than once.

Mr. BEVERIDGE. I was going to put a query to the Senator. However, I will not insist upon it.

Mr. SPOONER. I do not intend to speak on the bill. I only wish to ask the Senator from Ohio whether, in view of its importance, it would not be better that it should go over and not be considered under the five-minute rule?

Mr. FORAKER. I am willing that it shall go over, if Senators think they want to discuss it; but it seems to me to be a very simple proposition. It appears to me that these Porto Ricans, who have been under our jurisdiction and who have been good and loyal people, ought to be put on at least as good footing as the Spaniard who elected to retain his allegiance to Spain.

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. FORAKER. Certainly.

Mr. PETTUS. I desire to ask a question of the Senator in charge of the bill. Would it not be better to make the island of Porto Rico a Territory and thereby solve the question as to citizenship?

Mr. FORAKER. Well, that is a different kind of a question. I have not as much objection to that as some of my colleagues in the Senate have expressed. I think the Porto Ricans have a good government now. I think they have a very fortunate position under the law under which they are living and by which they are being governed. I doubt if a Territorial government would be of any advantage to them or, at the present time, of any advantage to us. But whether they are to have the one or the other, it seems to me that at once they ought to be given the right to become naturalized citizens of the United States if they so desire.

Mr. HALE. This will not apply to many people. Very few of those people will come here.

Mr. FORAKER. Very few.

Mr. BEVERIDGE. They will come over and go back there.

Mr. FORAKER. If they do go back, they go back as citizens, and that will be all the better for us.

Mr. FAIRBANKS. Mr. President, I rise simply to observe that I think the bill is certainly a very meritorious one. It seems to me to be the merest act of justice to give the people of Porto Rico citizenship here. As it is, they are not citizens of the United States, nor are they capable of becoming citizens. Certainly there will be comparatively few of them who will come here; but if they do come, they ought to have the right to become naturalized.

Mr. FORAKER. In other words, owing us permanent allegiance ought not to put them in a worse situation than is the alien; their state ought not to be worse than that of aliens. I hope the bill will pass without amendment.

Mr. HEYBURN. I should like to inquire, through the Chair, of the Senator having the bill in charge what is meant by the phrase in the last line on page 1, "residence within the jurisdiction of the United States." Are not those people now within the jurisdiction of the United States?

Mr. FORAKER. Certainly they are; but the purpose is to give them credit for the five years required to entitle them to naturalization although they are living in Porto Rico.

Mr. HEYBURN. Would they not be within the jurisdiction of the United States if they lived in the Philippine Islands?

Mr. FORAKER. Certainly they would.

Mr. HEYBURN. Then, it seems to me, the question of residence is not being mentioned to be imposed in the bill, inasmuch as they now reside within the jurisdiction of the United States.

Mr. FORAKER. If the Senator will permit me, under the naturalization laws as they now exist, these people must reside here within the United States for five years. And the purpose of the committee in framing the bill in this case was to let those years count for the time they have lived under our jurisdiction, whether here or in Porto Rico, owing us allegiance.

Mr. HEYBURN. Is it the intention that they shall live within the jurisdiction of the United States for the period named in the bill, even though they may have lived within that jurisdiction in the island of Porto Rico?

Mr. FORAKER. When we come to consider whether they have been five years residing within the jurisdiction of the United States, the purpose of the bill is to give them credit for all the time that they have lived under our jurisdiction and have been owing us allegiance.

Mr. HEYBURN. Do I understand that they will be entitled, upon application for citizenship, to have credit for the time that they have resided in Porto Rico since it has been under our jurisdiction?

Mr. FORAKER. They would be entitled to whatever time they can show they have lived here or in Porto Rico since the island has been under our jurisdiction and subject to our laws.

Mr. NELSON. Mr. President, so far as I am concerned my mind is entirely clear that the bill is a perfectly harmless one. The people of Porto Rico are citizens of the United States in that general sense that all persons who are subject to our jurisdiction are citizens. There are two classes of citizenship. One is a citizenship by which we understand a man to be a voter. That right can only be acquired through legislation. But there is another citizenship, as to which the word is used in the same sense as is the term "subject" in monarchical countries.

If Senators will examine the reports they will see that the Supreme Court has decided that under our immigration laws the people of Porto Rico are not aliens, and I think, under the fourteenth amendment, they are clearly citizens of the United States in the broad general sense. If Senators will examine the case of Governor Boyd, of Nebraska, I think they will find the principles laid down in that case which will cover this case. There is such a thing as naturalization by the incorporation of one country as a part of another country. Where we incorporate a country and make it a part of our own we make the people of that country citizens of our own.

Having this view of the case, I regard the bill as perfectly harmless. I have not any doubt at all that if this matter should be brought before the court the people of Porto Rico would be deemed citizens of the United States in the general sense, not as voters, but as citizens in the same sense that the term "subject" is used in monarchical countries.

Mr. FORAKER. That is, the term "citizen" in the international sense is equivalent to the term "subject" in a monarchy, where they owe us allegiance and we owe them protection.

Mr. NELSON. In that sense they are citizens, but in respect to the right of suffrage that is a matter regulated wholly by local law.

The PRESIDENT pro tempore. The bill is still before the Senate as in Committee of the Whole, and open to amendment.

Mr. BEVERIDGE. I think the bill ought to go over, Mr. President.

Mr. FORAKER. I hope not. I want the bill to pass.

Mr. BEVERIDGE. If the Senator is anxious about it, I will withdraw my request. Otherwise I should like to have the bill go over, in order that I may have an opportunity to examine it.

The PRESIDENT pro tempore. No objection has been made, because no Senator has risen in his place to make an objection.

Mr. BEVERIDGE. Does the Chair rule that asking a Senator a question is speaking within the rule?

Mr. FORAKER. No; there is no objection to that.

The PRESIDENT pro tempore. The Senator from Ohio [Mr. FORAKER] has exhausted his five minutes two or three times over. [Laughter.]

Mr. FORAKER. Very well.

Mr. BEVERIDGE. The Senator from Ohio has himself admitted that the bill makes the naturalization laws apply to Porto Rico.

Mr. FORAKER. Oh, no; I did not admit that.

Mr. BEVERIDGE. I think the RECORD will so show; and now he admits it does apply to the Philippines. It is a pretty broad division. I think that I shall have no objection, so far as I am concerned, to the bill; but however much has been said here, it is perfectly clear that Senators have had new thoughts suggested to them as the discussion of the matter has proceeded. If, however, the Senator from Ohio is anxious that the bill shall pass, I have no objection. Otherwise I should like the bill to go over.

Mr. LODGE. I have not spoken, I believe. Mr. President.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Massachusetts.

Mr. LODGE. Mr. President, the title of the bill is faulty, but the bill itself is perfectly correct. There is no misunderstanding possible about it. The title simply needs to be made commensurate with the bill—that is all—and that can be done when that stage in the consideration of the bill is reached. The bill is not from my committee, but I sincerely hope it may pass, as it contains provisions which I am certain are extremely important to the welfare of the people of that island.

Mr. FORAKER. I will move an amendment to the title at the proper time.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

On motion of Mr. FORAKER, the title was amended so as to read: "A bill to amend the provisions of the naturalization laws of the United States, and for other purposes."

Mr. SPOONER. I move to reconsider the vote by which the bill has been passed, and I ask that my motion may go over until to-morrow.

The PRESIDENT pro tempore. The Senator from Wisconsin enters a motion to reconsider the vote by which the bill has been passed.

ALABAMA RIVER BRIDGE NEAR MONTGOMERY, ALA.

The bill (S. 2465) to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala., was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with an amendment, to strike out all after the enacting clause and insert:

That the act approved March 3, 1903, entitled "An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.," which act has expired by reason of the failure of the company named therein to construct said bridge within the time prescribed by said act, be, and the same is hereby, revived and shall read as follows:

"That the Montgomery and Autauga Bridge Company, a corporation duly incorporated under the laws of the State of Alabama, and its successors and assigns, be, and the same are hereby, authorized to construct a bridge across the Alabama River at a point suitable to the interests of navigation, and to connect such bridge with the roads on the opposite shores of said river, and to do all things necessary to the construction, maintenance, and operation of said bridge, and to charge such tolls for the passage of persons and property over said bridge as may be approved by the Secretary of War; and said company shall have one year from March 3, 1903, for the completion of said bridge, and if said bridge be not completed within said time the rights and privileges hereby granted shall cease and be forfeited."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to revive and amend an act entitled 'An act to authorize the Montgomery and Autauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.'"

WYOMING STATE SOLDIERS AND SAILORS' HOME.

Mr. GALLINGER. I move that the Senate proceed to the consideration of executive business.

Mr. WARREN. Will the Senator withhold that motion for a moment?

Mr. GALLINGER. I will, with pleasure.

Mr. WARREN. I desire to ask unanimous consent for the consideration of a small bill, which will leave me under some embarrassment unless it is taken care of. There were two bills identical in import, one referring to the State of Idaho and the other to Wyoming, which were reported from the Committee on Public Lands or ordered to be reported at the same time. Through an error—the Senator who made the report is not now present—one was placed on the Calendar far removed from the other. I should like to ask unanimous consent that at this time Senate bill 921 may be taken up and considered.

Mr. GALLINGER. I will yield for that purpose, but give notice that I will renew my motion for an executive session immediately after the bill shall have been disposed of.

Mr. WARREN. I ask unanimous consent for the present consideration of the bill (S. 921) granting to the State of Wyoming [illegible] of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It grants 50,000 acres of the nonmineral nonassociated nonmineral public lands within the State of Wyoming to the said State, to be selected by the proper authorities thereof, to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home, but such portion of the granted lands as may not be found necessary for the purposes specified shall be applied to the support of such public, [illegible] university, or other educational institution as the legislature of the State may designate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. GALLINGER. I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After one hour spent in executive session the doors were reopened, and (at 4 o'clock and 50 minutes p. m.) the Senate adjourned until to-morrow, Thursday, January 28, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 27, 1904.

COLLECTORS OF CUSTOMS.

George F. Bartlett, of Massachusetts, to be collector of customs for the district of New Bedford, in the State of Massachusetts. (Reappointment.)

James Ready, of Massachusetts, to be collector of customs for the district of Fall River, in the State of Massachusetts. (Reappointment.)

Obed G. Smith, of Massachusetts, to be collector of customs for the district of Nantucket, in the State of Massachusetts. (Reappointment.)

APPRAISER OF MERCHANDISE.

John Linzee Snelling to be appraiser of merchandise in the district of Boston and Charlestown, in the State of Massachusetts, vice Alfred W. Brown. (Resigned.)

PROMOTIONS IN THE ARMY OF THE UNITED STATES.

QUARTERMASTER'S DEPARTMENT.

To be assistant quartermaster-general with the rank of colonel.

Lieut. Col. George E. Pond, deputy quartermaster-general, January 20, 1904, vice Hathaway, appointed brigadier-general.

To be deputy quartermasters-general with the rank of lieutenant-colonel.

Maj. William W. Robinson, jr., quartermaster, January 20, 1904, vice Pond, promoted.

Maj. Medad C. Martin, quartermaster, January 22, 1904, vice True, appointed brigadier-general.

PAY DEPARTMENT.

To be assistant paymaster-general with the rank of colonel.

Lieut. Col. Charles H. Whipple, deputy paymaster-general, January 25, 1904, vice Dodge, appointed Paymaster-General.

To be deputy paymasters-general with the rank of lieutenant-colonel.

Maj. John C. Muhlenberg, paymaster, January 23, 1904, vice Dodge, promoted.

Maj. George R. Smith, paymaster, January 25, 1904, vice Whipple, promoted.

To be paymaster with the rank of major.

Capt. William G. Gambrill, paymaster, January 23, 1904, vice Muhlenberg, promoted.

CORPS OF ENGINEERS.

To be colonel.

Lieut. Col. Charles W. Raymond, Corps of Engineers, January 23, 1904, vice Mackenzie, appointed Chief of Engineers.

To be lieutenant-colonels.

Maj. Charles F. Powell, Corps of Engineers, January 22, 1904, vice Allen, appointed brigadier-general.

Maj. John G. D. Knight, Corps of Engineers, January 23, 1904, vice Raymond, promoted.

To be majors.

Capt. James C. Sanford, Corps of Engineers, January 22, 1904, vice Powell, promoted.

Capt. Hiram M. Chittenden, Corps of Engineers, January 23, 1904, vice Knight, promoted.

To be captains.

First Lieut. Edward H. Schulz, Corps of Engineers, January 22, 1904, vice Sanford, promoted.

First Lieut. Harry Burgess, Corps of Engineers, January 23, 1904, vice Chittenden, promoted.

To be first lieutenants.

Second Lieut. William G. Caples, Corps of Engineers, January 22, 1904, vice Schulz, promoted.

Second Lieut. Henry C. Jewett, Corps of Engineers, January 23, 1904, vice Burgess, promoted.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. John E. Greer, Ordnance Department, January 19, 1904, vice Moncrieff, appointed brigadier-general.

Lieut. Col. John Pitman, Ordnance Department, January 21, 1904, vice Butler, appointed brigadier-general.

To be lieutenant-colonels.

Maj. Daniel M. Taylor, Ordnance Department, January 19, 1904, vice Greer, promoted.

Maj. David A. Lyle, Ordnance Department, January 21, 1904, vice Pitman, promoted.

To be major.

Capt. J. Walker Benét, Ordnance Department, January 19, 1904, vice Taylor, promoted.

To be captain.

First Lieut. Edward P. O'Hern, Ordnance Department, January 19, 1904, vice Benét, promoted.

ARTILLERY CORPS.

To be colonels.

Lieut. Col. Frank Thorp, Artillery Corps, January 21, 1904, vice Taylor, appointed brigadier-general.

Lieut. Col. Louis V. Caziarc, Artillery Corps, January 23, 1904, vice Story, appointed chief of artillery.

To be lieutenant-colonels.

Maj. Oliver E. Wood, Artillery Corps, January 21, 1904, vice Thorp, promoted.

Maj. Edward Davis, Artillery Corps, assistant adjutant-general, January 23, 1904, vice Caziarc, promoted.

To be major.

Capt. David Price, Artillery Corps, January 21, 1904, vice Wood, promoted.

INFANTRY ARM.

To be colonels.

Lieut. Col. George A. Cornish, Twenty-sixth Infantry, January 20, 1904, vice Haskell, Third Infantry, appointed brigadier-general.

Lieut. Col. Charles A. Williams, United States Infantry, inspector-general, January 23, 1904, vice Kline, Twenty-first Infantry, appointed brigadier-general.

Lieut. Col. Marion P. Maus, Twenty-second Infantry, January 24, 1904, vice McCaskey, Twentieth Infantry, appointed brigadier-general.

Lieut. Col. Frederick A. Smith, United States Infantry, inspector-general, January 24, 1904, vice Dougherty, Eighth Infantry, appointed brigadier-general.

To be lieutenant-colonels.

Maj. William Paulding, Eighteenth Infantry, January 20, 1904, vice Cornish, Twenty-sixth Infantry, promoted.

Maj. Lorenzo W. Cooke, Twenty-sixth Infantry, January 24, 1904, vice Maus, Twenty-second Infantry, promoted.

POSTMASTERS.

CALIFORNIA.

Lucetta Wood to be postmaster at Point Richmond, in the county of Contra Costa and State of California. Office became Presidential April 1, 1903.

IDAHO.

John Larson to be postmaster at Hope, in the county of Kootenai and State of Idaho. Office became Presidential January 1, 1904.

ILLINOIS.

Daniel McArthur to be postmaster at Glencoe, in the county of Cook and State of Illinois. Office became Presidential April 1, 1903.

INDIANA.

John G. Lowry to be postmaster at Montezuma, in the county of Parke and State of Indiana. Office became Presidential January 1, 1904.

KANSAS.

June B. Smith to be postmaster at Cottonwood Falls, in the county of Chase and State of Kansas, in place of William Norton, resigned.

MARYLAND.

Samuel Hambleton to be postmaster at Rising Sun, in the county of Cecil and State of Maryland, in place of Samuel Hambleton. Incumbent's commission expired January 17, 1904.

Walton C. Orrell to be postmaster at Centerville, in the county of Queen Anne and State of Maryland, in place of John E. Wilson. Incumbent's commission expired December 19, 1903.

MINNESOTA.

Ira C. Richardson to be postmaster at Thief River Falls, in the county of Red Lake and State of Minnesota, in place of Ira C. Richardson. Incumbent's commission expired January 23, 1904.

MISSISSIPPI.

William B. Martin to be postmaster at Indianola, in the county of Sunflower and State of Mississippi, in the place of Minnie M. Cox. Incumbent's commission expired January 25, 1904.

MISSOURI.

Samuel R. Durham to be postmaster at Piedmont, in the county of Wayne and State of Missouri. Office became Presidential January 1, 1904.

Thomas L. Howden to be postmaster at Skidmore, in the county of Nodaway and State of Missouri. Office became Presidential January 1, 1904.

NEW HAMPSHIRE.

Frank S. Huckins to be postmaster at Ashland, in the county of Grafton and State of New Hampshire, in place of Frank S. Huckins. Incumbent's commission expires February 2, 1904.

NEW YORK.

Delano D. Cottrell to be postmaster at North Cohocton, in the county of Steuben and State of New York, in place of Delano D. Cottrell. Incumbent's commission expires February 2, 1904.

Charles H. Griffin to be postmaster at Oakfield, in the county of Genessee and State of New York, in place of Charles H. Griffin. Incumbent's commission expired January 18, 1904.

Henry P. Wilcox to be postmaster at Cohocton, in the county of Steuben and State of New York, in place of Henry P. Wilcox. Incumbent's commission expires February 2, 1904.

Peter H. Zimmerman to be postmaster at Wayland, in the county of Steuben and State of New York, in place of Peter H. Zimmerman. Incumbent's commission expires February 2, 1904.

NORTH CAROLINA.

William P. King to be postmaster at Windsor, in the county of Bertie and State of North Carolina. Office became Presidential January 1, 1904.

OHIO.

Lee L. Cassady to be postmaster at Dresden, in the county of Muskingum and State of Ohio, in place of Lee L. Cassady. Incumbent's commission expired December 19, 1903.

John C. Douglass to be postmaster at College Corner, in the county of Butler and State of Ohio. Office became Presidential January 1, 1904.

SOUTH DAKOTA.

John Longstaff to be postmaster at Huron, in the county of Beadle and State of South Dakota, in place of Charles N. Cooper. Incumbent's commission expired January 3, 1904.

Abram E. Van Camp to be postmaster at Highmore, in the county of Hyde and State of South Dakota. Office became Presidential January 1, 1904.

TEXAS.

Charles R. Bone to be postmaster at Beaumont, in the county of Jefferson and State of Texas, in place of Charles R. Bone. Incumbent's commission expired January 23, 1904.

Crockett Campbell to be postmaster at Lufkin, in the county of Angelina and State of Texas, in place of Joshua W. Shadwell. Incumbent's commission expired January 23, 1904.

Frankie Houssels to be postmaster at Childress, in the county of Childress and State of Texas, in place of Frankie Houssels. Incumbent's commission expired January 25, 1904.

B. M. Sneed to be postmaster at Rockport, in the county of Aransas and State of Texas. Office became Presidential October 1, 1903.

WISCONSIN.

Dean J. Hotchkiss to be postmaster at Foxlake, in the county of Dodge and State of Wisconsin, in place of Moses E. Williams, resigned.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 27, 1904.

POSTMASTERS.

ALABAMA.

Charles Valentine to be postmaster at Clayton, in the county of Barbour and State of Alabama.

DELAWARE.

Charles C. Tomlinson to be postmaster at Delmar, in the county of Sussex and State of Delaware.

ILLINOIS.

Joseph H. Hunt to be postmaster at Byron, in the county of Ogle and State of Illinois.

William A. McKnight to be postmaster at Alexis, in the county of Warren and State of Illinois.

MICHIGAN.

Frank A. Peavey to be postmaster at Upton Works, in the county of St. Clair and State of Michigan.

MISSOURI.

John N. Bishop to be postmaster at Ironton, in the county of Iron and State of Missouri.

George E. Muns to be postmaster at Montgomery City, in the county of Montgomery and State of Missouri.

William C. Gardner to be postmaster at Billings, in the county of Christian and State of Missouri.

OHIO.

Harlow N. Aldrich to be postmaster at Elmore, in the county of Ottawa and State of Ohio.

TEXAS.

John B. Baker to be postmaster at Haskell, in the county of Haskell and State of Texas.

David W. Barnhill to be postmaster at Uvalde, in the county of Uvalde and State of Texas.

William H. Bradley to be postmaster at Groveton, in the county of Trinity and State of Texas.

Wesley J. Clarke to be postmaster at Dalhart, in the county of Dallam and State of Texas.

David Doole, jr., to be postmaster at Brady, in the county of McCulloch and State of Texas.

Carl E. Ericson to be postmaster at El Campo, in the county of Wharton and State of Texas.

Alice S. Farmer to be postmaster at De Leon, in the county of Comanche and State of Texas.

Henry C. Ford to be postmaster at Whitney, in the county of Hill and State of Texas.

James Gipson to be postmaster at Coleman, in the county of Coleman and State of Texas.

Andrew J. Harrison to be postmaster at Goldthwaite, in the county of Mills and State of Texas.

C. M. Hughs to be postmaster at Wharton, in the county of Wharton and State of Texas.

William C. Hurley to be postmaster at Sulphur Springs, in the county of Hopkins and State of Texas.

William H. King to be postmaster at Whitewright, in the county of Grayson and State of Texas.

Julius Laux to be postmaster at Flatonia, in the county of Fayette and State of Texas.

William N. Merritt to be postmaster at Nocona, in the county of Montague and State of Texas.

Orion L. Niccolls to be postmaster at Marfa, in the county of Presidio and State of Texas.

Frank H. Pierce to be postmaster at Laredo, in the county of Webb and State of Texas.

Clarence V. Rattan to be postmaster at Cooper, in the county of Delta and State of Texas.

Isham Russell to be postmaster at Winnsboro, in the county of Wood and State of Texas.

Joel B. Sharpe to be postmaster at Brownsville, in the county of Cameron and State of Texas.

Harper Simpson to be postmaster at Edna, in the county of Jackson and State of Texas.

John S. Snook to be postmaster at Caldwell, in the county of Burleson and State of Texas.

George H. Sparenberg to be postmaster at Big Spring, in the county of Howard and State of Texas.

Charlie B. Starkie to be postmaster at Holland, in the county of Bell and State of Texas.

George F. Taylor to be postmaster at Royse City, in the county of Rockwall and State of Texas.

WEST VIRGINIA.

James F. Strother to be postmaster at Welch, in the county of McDowell and State of West Virginia.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *January 27, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on War Claims was discharged from consideration of the bill (H. R. 9313) to pay all Federal soldiers honorably discharged $2 per day while confined in Confederate military prisons thirty days or more; and the same was referred to the Committee on Invalid Pensions.

POSTAL CARS.

Mr. OVERSTREET. Mr. Speaker, I submit the following privileged report.

The Clerk read as follows:

Resolved, That the Postmaster-General be, and he is hereby, requested to furnish to the House of Representatives information showing the serial [illegible] in [illegible] to the amount paid for carrying the mails on the railroad lines [illegible] company owning the same, and the time of actual use of said cars from date of original construction and first use, together with any and changes in serial number of car and ownership.

The Clerk read the report, as follows:

The Committee on the Post-Office and Post-Roads, to which has been referred House resolution No. 121, calling upon the [illegible] General [illegible] has had the same under consideration, and begs to report the same to the House, and with the recommendation [illegible] the preamble. Add after the word "serviceable," in line 9, the following: "and the condition of said cars on June 30, 1903."

The SPEAKER. The question is on agreeing to the amendments.

The amendments were considered, and agreed to.

The resolution as amended was agreed to.

On motion of Mr. OVERSTREET, a motion to reconsider the last vote was laid on the table.

FLYING-MACHINE EXPERIMENTS AND CONSTRUCTION.

Mr. HEMENWAY. Mr. Speaker, I present the following privileged report from the Committee on Appropriations.

The Clerk read as follows:

Resolved, That the Secretary of War be, and he is hereby, requested to furnish the House of Representatives at his earliest convenience with a statement [illegible] said [illegible] were made.

The SPEAKER. Has the gentleman from Indiana any motion to submit?

Mr. HEMENWAY. I move the adoption of the report and that the resolution lie on the table.

The SPEAKER. That is the first intimation the Chair has had of any motion to lay on the table. The gentleman from [illegible] moves that the report lie on the table.

Mr. ROBINSON of Indiana. Mr. Speaker, I ask the gentleman to have the resolution again reported.

The SPEAKER. Without objection, the Clerk will again read the resolution.

The Clerk again reported the resolution.

The SPEAKER. Does the gentleman from Indiana desire to have the report read in his time?

Mr. HEMENWAY. I do.

The Clerk read as follows:

Mr. HEMENWAY, from the Committee on Appropriations, submitted the following report:

[illegible] on Appropriations [illegible] resolution No. 160, requesting the Secretary of War to furnish a statement of the amount of money disbursed by his Department in the operation of flying-machine experiments and construction, together with the dates when said disbursements were made and funds from which they were [illegible] as follows:

[illegible] as the information called for by the resolution is fully set forth in [illegible] tion, under [illegible] lution be laid upon the table.

Mr. HEMENWAY. Now, Mr. Speaker, I ask in my time that the law be read and then that the report of the Board of Ordnance and Fortification relating to this matter be also read.

The SPEAKER. The Clerk will read as requested.

The Clerk read as follows:

BOARD OF ORDNANCE AND FORTIFICATION.

To enable the Board to make all needful and proper pu[illegible] [illegible] 24, 1898, and for the necessary traveling expenses of said member when traveling on duty as contemplated in said act, for the payment of the necessary expenses of the Board, including a per diem allowance to each officer detailed to serve thereon, when employed on duty away from his permanent station, of $4 for each day used for the test of experimental aerodromes and other devices presented in accordance with the provisions of the act of the Board and organization, $50,000, the expenditures of which shall be made by the general bureaus of the War Department upon requisitions signed by the chairman of the Board or by the Board itself, [illegible] Secretary of War and approved. Bids before any money shall be expended in the construction or test of any aerodrome or other device, [illegible] the supervision of the said Board, the Board shall [illegible] that the Government of the United States has a [illegible] in the construction of such a gun, [illegible] payment of for the construction or test is found and the payment of a person entitled to the right of authorized to [illegible] to the Government:

[illegible] under the foregoing provisions of this act [illegible] American [illegible] which, in the judgment of the Secretary of War, is to the manifest interest of the United States to [illegible] in limited quantities abroad, which material shall be admitted free of duty.

The Clerk read the following from the Board of Ordnance and Fortification:

THE LANGLEY AERODROME.

Early in the year 1898 a board composed of officers of the Army and Navy was appointed to examine the models and promises of this aerodrome devised by Dr. S. P. Langley, of Smithsonian Institution, and to report whether or not, in the opinion of the board, a large machine of this design could be [illegible] and whether it would be of value to the United States Navy.

[illegible] the Board of Ordnance and Fortification [illegible] Doctor Langley was invited to appear before the Board and further explain the proposed construction.

In view of the general security of such a device as a practical success, the [illegible] Secretary of War [illegible] to be made under the direction of [illegible] with the understanding that no [illegible] should be made later. On December 18, 1899, the additional [illegible] was made.

[illegible] of the machine was delayed by Doctor Langley's inability to [illegible] which he was [illegible] to design. The aerodrome was [illegible] 1903, and its test is in progress.

Mr. HEMENWAY. Mr. Speaker, in view of the fact that this report furnishes the information desired by the gentleman who introduced the resolution, the Committee on Appropriations recommend that the resolution lie on the table. Years ago there was great complaint that the citizens of the United States, who had some inventions that they wanted tested by the Government, could not be recognized; that only army officers and those connected with the Government service had any chance of having their inventions tested. So a new board was created, known as the "Board of Ordnance and Fortification," and a civilian member ordered to that Board. Congress having in view that this civilian member would take care of the rights of the citizens who wanted to have matters tested. A hundred thousand dollars has been set [illegible] purpose of these investigations. It is evi[illegible] Board has set aside $50,000 for the [illegible] flying machines. Later they set aside [illegible] more, the first $25,000 having been expended. That is the [illegible] of the Board [illegible] the law when [illegible] for that investigation. Whether or not [illegible] is to be determined by this [illegible] Fortification. But, as the information [illegible] the Department has reported to the master be contained in this report, we see no reason why the resolution should not lie on the table.

Mr. HITCHCOCK. Will the gentleman permit me to ask him a question?

Mr. HEMENWAY. Yes.

Mr. HITCHCOCK. Does this $50,000 which has been set aside from the funds appropriated for ordnance and fortifications represent all the expenditure of Government money for this flying-machine experiment?

Mr. HEMENWAY. It does.

Mr. HITCHCOCK. There has been no money taken from other funds?

Mr. HEMENWAY. I understand not. I don't think there is any fund available in the Government.

Mr. HITCHCOCK. Now, I am informed from the Smithsonian Institution itself, in an [illegible] has been drawn from other funds after the exhaustion of either the [illegible] appropriation, and I would like to ask the gentleman what [illegible] be to getting the fullest information at this moment. This is a problem worse than the problem of Ann's age, and if it is going to cost us $75,000 to construct a mud duck that will not fly 50 feet, how much is it going to cost to construct a real flying machine?

Mr. HEMENWAY. I want to say, leaving out any question about a mud duck that the twenty-three or twenty-four thousand dollars that has been expended is a loan to the Government [illegible] money belonging to the Government. It is money that belongs to the Smithsonian Institution. When that Institution was founded, Mr. Smithson donated a large sum of money, and from time to time the citizens of the United States have donated money to the Smithsonian Institution. That money is under the control of the Regents of the institution. It

is not Government money in any sense and the Government has no control whatever over that money. Out of that fund I understand some $[illegible] or so [illegible] in that neighborhood, has been expended on this flying machine.

Mr. HITCHCOCK. So [illegible] 00 that has been referred to [illegible] from the appropriation [illegible].

Mr. HEMENWAY. It is [illegible]. The gentleman ought to believe [illegible] my answer. It is [illegible] at all. The Government has no control whatever over the [illegible] the Smithsonian Institution. It [illegible] ngs to that Institution. It is [illegible] Regents of the Institution.

Mr. HITCHCOCK. To w[illegible]

Mr. HEMENWAY. It is [illegible] by the Government in many ways, but having a large fund of its own, [illegible]

Mr. HITCHCOCK. It is an institution which belongs to the [illegible]

Mr. [illegible]OR. No.

Mr. HEMENWAY. Oh, no; the Government aids the Smithsonian Institution in many ways.

Mr. HITCHCOCK. Is it a private institution?

Mr. HEMENWAY. They have a large fund that is purely a private fund, which has been donated to that institution by private individuals, and that the Government in no way contributes to that. I believe, have something to do with the appointment of the Regents of the Smithsonian Institution. I believe he is one of the Regents, and these three are now Mr. HITT of Illinois, Mr. ADAMS of Pennsylvania, and Mr. DINSMORE of Arkansas. They composed this body.

Mr. HITCHCOCK. I would like to ask the chairman of the committee whether a reasonable amount of time will be allowed to discuss this resolution under the rules? I should like to make a talk on the common[illegible].

Mr. HEMENWAY. I will yield the gentleman five minutes' time, if he desires it.

Mr. ROBINSON of Indiana. I will ask the gentleman for ten minutes.

Mr. HEMENWAY. I yield to the gentleman from Nebraska [Mr. HITCHCOCK] for five minutes.

Mr. TAWNEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. TAWNEY. A parliamentary inquiry. I understand that this is a report that the resolution lie on the table. If it is, I make the point of order that a motion to lay on the table is not debatable.

The SPEAKER. That motion has not yet been entered. The resolution is reported back, and it would require a motion to be entered before a point of order would lie.

Mr. TAWNEY. I understood that the report of the committee was that the resolution do lie on the table, and that has been presented.

The SPEAKER. The report was read within the time of the gentleman from Indiana [Mr. HEMENWAY], no doubt, for the information of the House; but the reading of the report does not make the motion to lie upon the table. Now, the gentleman from Indiana [Mr. HEMENWAY] is recognized for an hour and has already addressed the House and from his time yields to the gentleman from Nebraska [Mr. HITCHCOCK] five minutes. When the gentleman from Indiana or anybody else having the floor with the right to make a motion to lie upon the table makes that motion, then that motion is not debatable.

Mr. HEMENWAY. Mr. Speaker, I do not desire to make the motion until there can be reasonable debate. The gentleman from Nebraska ought to be heard.

The SPEAKER. The Chair recognizes the gentleman from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Mr. Speaker, I am unable to understand why a legitimate inquiry for information—detailed information—should be met by these continuous efforts to keep the information from the House. If there is any possibility which the newspaper in Washington covers better than any other, it is the overwhelming and tremendous extravagance of this Government. We are now expending of the people's money over $2,000,000 a day. That is twice as much as was required for the Government expenditures twenty years ago. We are expending this vast sum of money in a time of absolute peace. We are approaching, as the chairman of the Committee on Appropriations [Mr. HEMENWAY] himself has said, a period in which the national finances will be involved in a large deficit. And yet any effort, however small, to curb extravagance and investigate ridiculous and unwarranted expenditures is met by the leaders on the Republican side of this House with an effort to cut it off and shield the extravagance.

I realize, Mr. Speaker, that Professor Langley, Curator of the Smithsonian Institution, is a learned man. He is erudite in scientific matters. He knows a vast amount about extinct animals and stuffed birds. He is at home with the *Pterodactyl ornithostoma*, and for such reasons he has a valuable part in the work of the Institution. But I see no reason, and the taxpayers of the country can see no reason, why [illegible] Darius Green met with no more encouraged flight from the New England barn [illegible]

[illegible] It is because our national revenues are derived not in proportion to their ability to pay, not in [illegible] they derive from this National Government, but [illegible] poor man with a [illegible] than the wealthy [illegible] Our national laws lay no [illegible]lth. The [illegible]ulations of wealth make no [illegible] to our [illegible].

Our national finance [illegible] of taxing the consumer. He [illegible] tax, passed by a Democratic Congress, was killed by the Supreme Court.

This is the fact. It is a bad system. It puts the burdens of [illegible] on the people without any regard to the [illegible] pay. This being so, the least we can do is not to [illegible] money. This vast revenue taken from the people at the rate of $[illegible]) a day should be [illegible]ended as a trust fund, and the [illegible]propriations owes it to the people to see that all these [illegible] ments and wastes of public [illegible]. It is not the duty of the chairman of that committee, or any other chairman, when an inquiry is proposed seeking information as to [illegible] tions and obstacles. He refers to some va[illegible] seen and which was m[illegible] any detail. That report [illegible] ome to this House, and w[illegible] know when and how much money was expended in this matter.

Now, Mr. Speaker, I realize that it is not possible to get this information if the chairman of the committee refuses to give us [illegible]. I realize my unpopularity in Washington. I realize fully that in coming here as an advocate of economy in national affairs I expose myself to attack. As the chairman of the Committee on the Post-Office and Post-Roads said yesterday, I "incur more notoriety." I know that a demand for economy is not the path to popularity in Washington.

But I tell you gentlemen on the Republican side that in the next campaign, the campaign that we are approaching, you will find the Democratic party appealing to the people of the country [illegible] you have been running [illegible] into a degree of extra[illegible] of the history of the world. Compared to [illegible] of the world, you have made ours reckl[illegible] wasteful. You have squandered the people's money, and the party in power at the [illegible] with full responsibility. [Loud applause on the Democratic side.]

Mr. ROBINSON of Indiana. I ask the gentleman from Indiana [Mr. HEMENWAY] to yield me ten minutes.

Mr. HEMENWAY. I wish the gentleman would take his time when we come to the urgent deficiency bill.

Mr. ROBINSON of Indiana. It will not take any more time now, and I hope the gentleman will not interpose objection.

Mr. HEMENWAY. I should like to dispose of this matter and get to the urgent deficiency bill.

Mr. ROBINSON of Indiana. I think the gentleman recognizes that this is not going to precipitate any considerable debate. I think that my remarks will practically be all there is of discussion.

Mr. HEMENWAY. Well, I yield ten minutes to the gentleman.

Mr. ROBINSON of Indiana. Mr. Speaker, evidence is multiplying daily to show that every plan proposed for the expenditure of money, though it be fantastic and extravagant, receives support from some officer, bureau, or department, and we must design means to restrain impetuosity and curb this lavish waste. No extravagant scheme should be ventured on by a board or bureau till expressly sanctioned by Congress.

The chairman of the Committee on the Merchant Marine and Fisheries, Mr. GROSVENOR, of Ohio, in his recent report, said:

> There is no legitimate expenditure possible within the wide scope of national jurisdiction that the American people do not rush lavishly into, even [illegible] expenditures [illegible] extravagance.

This, I think, is diplomatic censure of extravagance where found, and intended for the officers who represent and should stand for the people, and does not imply that the people approve it. The gentleman stands afar off and points in the right direction

of the target and hits around its edges. He is a prominent actor in the shooting match and a friend of the proprietors of the show. Some of the owners are not vigilant, others are sleeping, but he hesitates to ring the gong to wake them up. I am a little closer than my friend, and will try to hit the bull's-eye if I can.

We should strike directly at that queer scheme of aerial navigation whereby a scientific promoter, encouraged by executive [illegible] if not by Congress, raised the high expectation of the [illegible] and his demands for money, only to have the venture [illegible] and the money sunk at the first opportunity to test his [illegible]. We should stay the hand of wasteful adventure and [illegible] such costly bubbles as Langley's air ships and air [illegible].

I would do the professor no injustice. I admit his ability and power, but I do not concede it in the field of aerial navigation, but in the domain of hypnotism, and to that stands as a shining mark his ability to get many thousands of dollars from officers not in [illegible] ness wisdom. Such he influenced in his aerodrome device, so visionary that to the ordinary mind it would seem that wisdom would have shown its futility.

[illegible] or be charged with the folly. If Congress [illegible] in general language and executives [illegible] rs pursue this course, there is no [illegible] Quixote extravagances that belong to the realm of romance [illegible] fiction.

[illegible] appropriation bill—and it [illegible] September, 1888, creating the Board of Ordnance and Fortification, which spends this money—we provided for "investigations, experiments, and tests," and used the words "other implements and engines of war." Within these words is the only authority for this reckless expenditure. Is Langley's air ship an "implement" or "engine of war?" I think not. Did the experts think so? I would not so charge them. A regiment of them would not conquer the Fiji Islands, except, perhaps, by scaring their people to death.

Mr. HEMENWAY. Does the gentleman say that an effective air ship would not be an instrument of war?

Mr. ROBINSON of Indiana. I say that Langley's air ship is not an instrument of war.

Mr. HEMENWAY. Not Langley's air ship, but an effective air ship.

Mr. ROBINSON of Indiana. I am referring to this particular one.

Mr. HEMENWAY. If they could sail up over the enemy's camp and see what he had there in the way of men and fortifications, and ascertain all about him, and still be out of danger themselves, that would be an instrument of war that would be more valuable and more formidable than any that the world has ever yet seen.

Mr. ROBINSON of Indiana. I am sure that the gentleman will never see any such thing done by Langley's air ship. We must stop this or some bureau under the guide of some professor will be projecting a railroad to the moon.

If we do not, who can tell how soon some one will influence some Department to test the principle of erecting buildings beginning with the roof, with no foundation; who knows how soon some scientist will be promoting with Government aid a plan to feed spiders on glue and bluebottle flies to make "[illegible] a fabric of strength and color; who knows but that some dreamer will be encouraged to test the efficacy of hermetically sealed [illegible] air in bottles in summer to let it loose in cold [illegible].

We should frame our appropriation bills so that unscrupulous [illegible] able to hypnotic influence [illegible] Give them a Congressional jolt to awaken them from the spell cast by [illegible] enthusiasts to disenchant them, to the end that the public shall be protected, that the Government pay roll shall not open to [illegible] and to emphasize that official position is not a "private snap." That the avenues to the Treasury shall not open to scientific [illegible] or exploiters either of the earth or heavens, except as the public needs require it.

Is the Board of Ordnance and Fortification by its adventures to become known as holding out invitation to those who honestly believe that the world owes them a living and who can not make connection to get it outside of Government shelter? This Board is a creation of Congress sixteen years old. It has been fed by blanket appropriations. We are warned to be specific.

What became of Langley's air-ship plan that cost so much money? It was referred to the Board and the public knows the result.

At the breaking out of the Spanish war a gentleman wrote to me that he had an idea that he thought [illegible] would tend to shorten hostilities. He had great confidence in the War Department, but he was desirous of securing credit if his plan was adopted. It was for our soldiers to carry with them metal plates, highly polished, or mirrors, and reflect the sun in the eyes of the enemy on the firing line.

I did not at that time know that this Board was investigating these subjects, and I responded to him that I had perfect confidence in the War Department, as he could have. I never heard that his matter was a subject of investigation or expense; but I make no complaint, not even though there may have been a discrimination in favor of Langley's project.

I have no disposition to criticise Professor Langley or his scientific theory, except as the [illegible] of aerial navigation. He was [illegible] of the pet hobby of the scientific specialist. He nursed up his ship with great secrecy, and withal elaborately and at great expense; it was well [illegible] cately balanced; in [illegible] entific scale; it was prepared for flight, [illegible] as terra firma an ark of safety, head forward, and over [illegible] the Potomac River; external force was applied to give it momentum, and it started on its flight in the air over the river; it flew 2 or 3 inches beyond its base (there is some dispute as to the distance), and leaving its firm base it gravitated straight down to the earth in the bottom of the river.

There it lay, a jumble of tangled wreckage; a tangled mass that looked like [illegible] and [illegible] sleepy tide of the Potomac, resting in its watery grave, a monument—to Langley and of administration folly. This fruit of "investigation, experiments, and tests" of "implements and engines of war" did not have the virtue of a flying machine invented centuries ago. When the promoter of that took his position on a promontory over a river and jumped off, flopping his wings, he fell into the water, but it was found that the wings that would not sustain him in the air saved him from drowning when he [illegible].

Langley's last and final collapse almost resulted in the death of Mr. Manly, and this misfortune was only averted by the vigilant newspaper correspondents, who [illegible] in their boats for the final test that, according to the press accounts, their beards had grown long and shaggy.

This was the end of the scientific exploration, but the absurd development of this [illegible] years, and was on the Government pay roll, wasting thousands of dollars in salary fund and for experimentation. [illegible] failure, and collapse only seemed to sharpen the appetite for more money.

Is it not time for Congressional dissent? The last Army fortification bill, following former acts, provided "that [illegible] any money shall be expended in the construction or test of [illegible] implements * * * the board shall be satisfied after due inquiry that the Government of the United States has a lawful right to use the inventions." Did the War Department think that this was an invention? Charity forbids that thought.

The public [illegible] that all devices claimed as inventions are not necessarily such; that the Patent Office [illegible] line on a freak invention claimed, and refused a patent to one who claimed the property of [illegible] drawing a chalk [illegible] was [illegible] up.

What we are interested in now is, who is responsible for this folly? Is Congress? Will not some Member having the appropriation bill in hand tell us? Can he not make it clear that Congress [illegible] such [illegible] suggested by knowing [illegible] of discussion [illegible] it? This must be done or Congress stands charged with the folly.

One good will come from investigation and [illegible]. It will throw light on how far Congress has been [illegible] our acts and [illegible] in this and other [illegible] Congress. I think we can clear our skirts and show that the [illegible] and Fortification is alone are responsible, and we should be swift to apply the remedy.

Mr. HEMENWAY. Mr. Speaker, the resolution before the House is on the resolution of the gentleman from Nebraska [Mr. HITCHCOCK]. The resolution proposes to get information. The Committee on Appropriations report back the resolution with the recommendation that it lie on the table, for the reason that the information requested by him is given in a report which has been read at the Clerk's desk and given exactly, showing that so much money has been set aside by the Board of Ordnance and Fortification for this purpose; that $25,000 was first set aside; that that sum has been expended; that $35,000 more was set aside, and that that sum has been partially expended.

It further develops that from the funds of the Smithsonian Institution [illegible] has been expended. So that gives the information that the gentleman from Nebraska sought to secure, and there is no occasion for the resolution being sent to any of the

Departments of the Government, and no reason why the resolution should not lie upon the table.

Now as to the merits. If you read the records of Congress you will find that years ago, between 6 [illegible] and 12 [illegible] one night, when it was said that a telegraph line could be constructed, and that we could send messages by wire from here to Baltimore, many men in this House got up and laughed at the idea and said it was a ridiculous waste of public money to appropriate anything for that purpose. Yet the appropriation was made, and we not only send telegrams by wire to Baltimore but we can send them all over the world.

When the telephone was proposed they said you could not talk from here to [illegible] in New York; yet they are talking to-day from New York to Nebraska through the telephone. When investigations of this kind are being made we always find gentlemen who [illegible] say these things are impossible.

The pending question before the House now is to secure the information requested by the gentleman in his resolution. That information has been furnished and placed before the House. That is all you are determining on this vote. It is not a question whether money should or ought not to be expended for flying machines. That question is not here.

The only question is Has the information requested by the resolution been furnished? It has been furnished in the report that has been read to the House, and there is nothing else to do with the resolution but to lay it on the table. Therefore I move, Mr. Speaker, that the resolution of the gentleman from Nebraska be laid on the table.

Mr. BATTLEOCK. I would like to ask the gentleman a question.

Mr. HEMENWAY. I do not care to yield now. The gentleman has had his time.

The SPEAKER. The gentleman from Indiana moves to lay the resolution on the table.

The question was taken, and the resolution was ordered to lie on the table.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10954.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10954.

The question was carried.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. TAWNEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10954.

Mr. HEMENWAY. Mr. Chairman, I yield twenty minutes to my colleague on the committee [Mr. BURKETT].

Mr. BURKETT. Mr. Chairman, on last evening we all went home late to dinner. The Journal, as just read, shows that we did not adjourn until 5 P. M. We commenced here at 10 o'clock after the usual hour. Consequently we were [illegible] listening to the gentleman from Mississippi [Mr. WILLIAMS], the distinguished leader of the Democrats of the House and the leader of the Democratic party of this United States.

You gentlemen on this side of the aisle were anxious to hear what was to be presented upon your banner in the coming campaign, anxious to know what issue would be made. I came out some keynote and give to you, perhaps the paramount issue, as it were, and with it some [illegible] for you. We upon this side of the House were anxious to know what excuse there might be for the longer existence of the Democratic party.

I want to say, in addressing to our Democratic friends that I have always had a good deal of deference for a Democrat, individually speaking. I have always believed that a Democrat was as honest as any other [illegible] and as patriotic as any other man. I have always contended, as the Democratic individually, that they were and as devoted to humanity, their flag, and their country as any other, but I have always believed, as I believe to-day, and my belief grows stronger every time I hear a speech on your side of the House, that the Democratic party is absolutely wrong upon every question of government in this country, and that, all I can observe there is no hope for anything better from it in the future.

Now, the discussion yesterday suggested to me to make a few remarks, and I may say that I had not asked for any time and did not expect until last night, in fact, that I should speak.

The gentleman from Illinois [Mr. [illegible]] asked the gentleman from Mississippi, the leader of the Democratic party, the direct question: "Are you or are you not in favor of the free coinage of silver?" It should have required but one word to answer. The gentleman from Mississippi said he would answer frankly, and then he took fourteen minutes and thirty-seven seconds of time to do it [laughter], and said what will be a column of the Record in that "frank expression" of his position. And when he got through there was not a man in the House who knew any better than he did when he began where he stood and where the Democratic party was going to stand on the free coinage of silver, and the RECORD will show that there was loud applause on the Democratic side of the House. [Laughter.]

Now, let me say to the Democratic party: Do any of you know where you stand upon the silver question? Do you know where you stand upon the revenue question of this country—whether you are going to be for free trade or for revenue tariff or for a moderate reduction of the present tariff system? I will tell you when you will answer that question directly—when the convention meets at St. Louis on the 4th day of next July. Then we will all know where the Democratic party will stand so far as this campaign is concerned—when you find out whether my distinguished constituent from Nebraska is going to lead the hosts of the Democracy out from Nebraska to that convention or whether the reorganizers of your party are going to control and repudiate everything you have stood for in past campaigns.

Mr. THAYER. We understand what we are going now.

Mr. BURKETT. I undertake to say that there is not a Democrat in the House who knows whether he is going to talk for free silver or for the gold standard after the coming St. Louis convention. There is not one of you that knows whether you will talk for free trade or for revenue tariff or whether in accord with the doctrines of a distinguished gentleman from the State of Maryland, who says, I believe, that the Democratic party only wants to revise in a very limited degree the present revenue system.

Mr. BENNY. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from New Jersey?

Mr. BURKETT. I do.

Mr. BENNY. Did the Republican party in 1896 know where it was going to stand on that question until it was told by TOM PLATT, who told them after the convention was assembled?

Mr. BURKETT. I do not know what the gentleman knew about what TOM PLATT told the convention of 1896; so far as the gentleman who is talking is concerned he knew very well where he would stand and where the Republican party of Nebraska would stand a good many months before the convention of 1896.

Applause.] I will say to the gentleman that the Republican party of Nebraska had crossed that bridge so far as they and the [illegible] were concerned many weeks ahead of the suggested direction of THOMAS PLATT, of New York, or of any other gentleman.

Mr. BAKER. Will the gentleman yield to another question?

Mr. BURKETT. Yes.

Mr. BAKER. Do I understand the gentleman to say now that the Republican party in the next campaign is going to [illegible] a vigorous criminal prosecution of the officials of the trusts which have violated the Sherman antitrust law?

Mr. BURKETT. I will say to the gentleman that nobody ever knows, as I will undertake to show before I get through, where the Republican party stands at all times on all questions, as I let me say further to the gentleman that every law that was ever put upon the statute books of the United States for the suppression of trusts, good and bad, was passed there by the Republican party against the opposition of Democracy. [Applause.] And [illegible] law that has ever been enacted has been enacted by a Republican Administration in this country.

Mr. SMITH of Kentucky. Will the gentleman permit me a question?

Mr. BURKETT. Certainly.

Mr. SMITH of Kentucky. I have heard the statement made so repeatedly that what is known as the Sherman antitrust law is a production of the Republican party that I want to ask the gentleman from Nebraska if it is not a fact that in the United States Senate, when that bill was pending before that body, the gentleman's Senator from Wisconsin, Mr. SPOONER, declared that Senator Vest, of Missouri, had more to do with the framing of that act than any other one man in either branch of Congress?

Mr. BURKETT. Let me say to the gentleman now I do not know what that has got to do with my speech or what that has got to do——

Mr. SMITH of Kentucky. The gentleman from Nebraska is claiming all the credit for the Republican party for antitrust legislation. That's what it has to do with it.

Mr. COCHRAN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Missouri?

Mr. BURKETT. I would like to get through with one of these men at a time.

Mr. COCHRAN. The gentleman looked so complacent that I thought he had got through with the whole earth.

Mr. BURKETT. Go ahead, then, and ask your question.

Mr. COCHRAN. You say the Nebraska Republicans had solved the financial problem and had taken their position in favor of the gold standard long before the convention——

Mr. BURKETT. Before the St. Louis convention.

Mr. COCHRAN. Was that about the time the late President McKinley made his famous swing around the circle and made silver speeches all over Ohio——

Mr. BURKETT. I did not hear him in Ohio, but Major McKinley made no silver speeches in Nebraska.

Mr. COCHRAN. You only know what took place in Nebraska?

Mr. BURKETT. Let me say to the gentleman I have read every speech of his that the Democratic party circulated in the campaign of 1898, and I defy anybody on the Democratic side to get up and say that President McKinley ever advocated the unlimited free coinage of silver in the sense that the Democratic party did in that campaign, or that Blaine did, or any of the rest of the list of great statesmen whose speeches you circulated in your effort to show that they at some time had stood for free silver.

Mr. COCHRAN. But did they advocate the gold standard prior to 1896?

Mr. BURKETT. There was no particular contest on that subject prior to 1896.

Mr. COCHRAN. Did you ever hear of any political party in this country framing a platform declaring in favor of the gold standard prior to 1896?

Mr. BURKETT. Let me say to the gentleman from Missouri that that is a question that has been thrust at us a good many times. I have heard you upon that side say a good many times that the Republican party was the first party that ever dared to advocate the "pernicious gold standard." Let me say to the gentleman, I thank God it was.

The Republican party has been the first party that has dared to advocate a good many things in this country against the opposition of Democracy. The Republican party was the first party that ever dared to say 4,000,000 black men should no longer be slaves in this country, and that they would go to war, if necessary, to carry out that position.

The Republican party was the first party that ever dared to advocate cheap postage in this country and free homesteads. They were the first who dared to advocate the resumption of specie payment, and we have had them all because the Republican party had the nerve to declare for them. All along the line the history of the Republican party shows that it has been the party that has taken the lead in the progress, the development, and the upbuilding of this country against the opposition of the Democracy of the United States. [Applause on the Republican side.]

Mr. COCHRAN. The gentleman has had fourteen minutes and thirty-seven seconds, and he has not answered at all. [Laughter.] I ask you the question again: Is it not true that every party, Republicans, Democrats, Populists, Greenbackers, Prohibitionists, and every political party in this country prior to 1896, had made solemn declarations in favor of the coinage of silver?

Mr. BURKETT. The Republican party never, in any platform, in any convention, either State or national or county, so far as I know, not even in Missouri, advocated the free and unlimited coinage of silver.

Mr. COCHRAN. In 1892 did not the platform adopted at Minneapolis merely beclout the subject and carry the impression that it was in favor of it, and did not the orators on the stump claim that they were more in favor of silver coinage than the Democrats?

Mr. BURKETT. So far as the records of the parties go, the Republican platform was almost as clear as the platform of the Democratic party. The gentleman must recognize this, that in the campaign of 1892 neither your party nor the Republican party made issue at all upon the money question. You went before the country on a tariff different issue. The question was not raised, and perhaps not one man in ten heard the money question spoken of in 1892.

Mr. COCHRAN. Did not whole State delegations—notably the Colorado delegation—go to St. Louis on a special train, bearing on their badges of the party to the unlimited coinage of silver and gold?

Mr. BURKETT. That I do not know, for I did not see the train.

Mr. COCHRAN. Now, then——

Mr. THAYER rose.

Mr. BURKETT. Mr. Chairman, in view of the fact that there are so many wanting to interrupt me, and they can not determine among themselves who shall be recognized, I decline to yield further.

Mr. THAYER. The question that I want to ask the gentleman, and the question to which I think the country wants an answer, is, Do you propose to go back to 1896 for your issues, or do you propose to face the conditions of 1904?

Mr. BURKETT. Let me say to the gentleman from Massachusetts that the Republican party never looks backward upon any question at any time or on anything. [Applause on Republican side.] The Republican party will keep its face to the front. It will handle the issues in the campaign of 1904, as it has handled them in the past, for the best interests of all the people of the whole country.

Now, let me go on, for I do not know but that my speech may be "deflected," to use the term of the gentleman from Mississippi. I will say in response to the gentleman from Massachusetts that there is no probability of our discussing 1896 issues this year. The Democratic party never stood still that long upon any question. You will have to have a different issue than you have ever had before if you expect to establish yourselves in the confidence of the American people. And I do not blame the gentleman for wanting to get away from 1896.

Now, this calls to my mind the fact that every four years, and sometimes oftener in the past, our Democratic friends have had to change their paramount issue and have a new excuse for existing longer as a party.

We Republicans are never in that unfortunate condition. Our positions and our policies are enduring.

I remember the first time I ran for Congress, in 1898, the paramount issue of your party out in my district was the McCleary bill. I do not know whether any of you had to run up against it or not. Probably it was a good bill, for it bore the name of my distinguished colleague and coworker in the committee from Minnesota. I never happened to hear particularly about that bill until some gentleman came from the East and declared it was the paramount issue. For sixty days we had to go over the district talking about the McCleary bill, and nobody has ever heard of it since. In 1896 the paramount issue of the Democratic party was "the free and unlimited coinage of silver at the ratio of 16 to 1, without the aid or consent of any other nation on earth." There is not one of you who can say that as smoothly as I did.

You have not tried it since 1896, yet in 1896 every Democrat of you was authority on 16 to 1. You went out of that convention in Chicago, every mother's son of you, and you got a piece of white metal sixteen times as big as a piece of brass and you hung it on your coat lapel and strutted up and down the streets and the lanes of this country swearing you stood for 16 to 1 or bust, and every one of you busted. [Laughter on the Republican side.]

Now, let us go back further, as the gentleman from Missouri [Mr. COCHRAN] said, to 1892. Your paramount issue then was free trade. When Garfield was the candidate, it was the force bill. When Hayes was the candidate you said if he was elected he was going to turn the temples of liberty over into the hands of the money changers, or something of that kind. When Grant was a candidate it was militarism, and when Lincoln was a candidate it was imperialism. Every four years you have had a new paramount issue.

Now, this is the question that confronts us, and it confronts the people, and that embarrasses the Democracy of the country. Why is it that every four years you have not only got to have a paramount issue, a new excuse for nominating candidates, but in no two successive campaigns have you ever dared to take the same position that you took in the previous campaign upon any question?

Now let us go back, if the gentleman from Missouri [Mr. COCHRAN] will, to that campaign of 1896 and see why and whither comes these divers and sundry paramount issues. When that convention met in Chicago in 1896 there was not a Democrat here that had any idea that they could nominate a candidate for President with any hope of electing him. We had had four years of Democracy in this country, four years of free trade. We had had four years of the hardest times that the American people had ever gone through, and I pray God that we will never be called upon to go through four more such years as we went through from 1892 to 1896. When your convention met in 1896 not one of you thought it was worth while to nominate a candidate for President. From that convention came forth the proposition of the free and unlimited coinage of silver at the ratio of 16 to 1, etc. You went before the people, and I must say you made considerable stir.

Now, I am going to make a confession. I never wonder why so many people voted for free silver when I think of the conditions of those times and the environments. There are three things in connection with that campaign of 1896 that, when I think of them, I never wonder why so many people voted for free silver. When I think of the conditions of those times, when I think of the abuse that a man had to go through in 1896 if he advocated the gold standard, and, further, when I think of the prophecies and the predictions and the promises that your party made in 1896, every single one of which you would be ashamed to make

to-day, I do not wonder that so many people were misled in the campaign as there were, and let me say right now in the beginning that of all the speeches that you all made there is not one of you that dares stand up on the floor to-day and make the speech as you made it in 1896.

There is not one of you who will dare to stand up in this House or stand up on a platform before enlightened American citizens in all the length and breadth of this land and make the arguments and prophecies and promises and predictions that you made in 1896. Think of the conditions of those times. You remember how hard times were. You remember the want and hunger and idleness of those four dark years. I remember that all I ever had had been taken, as many others did, my share of Democratic times but which was gotten out of me at the time—that old story of a man shearing his sheep. I think the story went back to those from Missouri, or from Ohio, because we did not have any sheep out our way at that early day. Two men said that when he thought he knew the price of sheep was and how cheap wool was he never dared shear a sheep in those Democratic days in the old appropriations; were, by clearing it from the head toward the tail but he grabbed the sheep by the tail and sheared him toward his head, because he was ashamed to look a sheep in the face. [Laughter.]

I remember the great armies of American laboring men all over this country that were marching on to Washington. I was not here at the time, but I remember the great armies under Kelley and Coxey and their captains and colonels and lieutenants that gathered together all over this country and marched on to Washington. They came from the Rocky Mountains and the Alleghanies, from the North and South. They passed through the town I live in, as they passed through the towns that every one of you lives in. They came here to Washington and some people called them hoboes. But they were not. They were loyal patriotic, and industrious American citizens, who with all their brain and all their brawn and muscle could not find work enough to do in this country to employ their hands with which to furnish the necessaries of life for the wives and children they had sworn to protect at home. They came here to Washington. They petitioned Uncle Sam for a loaf, not one. What was it they asked? What was their petition? It was this:

"Uncle Sam, here we are, your children, 2,000,000 of us, idle American laboring men, who are walking the streets by day in search of work and are following our shadows home at night to a crust of bread and a pallet of straw. Here we are, Uncle Sam.

"We want you—the United States Government—to make some great public work; we want you to do something, to build buildings; we want you to do something or other that will give our idle hands employment."

[Here the hammer fell.]

Mr. HEMENWAY. I yield the gentleman sufficient additional time to complete his remarks.

Mr. BURKETT. I am sorry I have overrun my time; but it was not altogether my fault. I did not seem to be able to control that matter.

That was the condition that confronted the people at that time—in 1896.

Another thing. A man could not advocate the gold standard in 1896 without being ostracised. It took nerve to be a Republican in 1896. You could not go down the streets of this town or the different towns in your districts the length and breadth of the land without being ostracised without being called a "Hannacrat," a "plutocrat," without being accused of trying to get your feet on the backs of the "poor, helpless people," as they said, and stamp the life out of them. It took nerve in 1896 to be a Republican as was never before required of men in civil affairs.

One other thing in passing. I do not know that I have the attention here today for all that I should like to say, but the trend that the earlier part of this debate has taken leads me to go into that point. You remember that in 1896 you people went into the field of prophecy; you prophesied what was going to happen. You said that if the people did not vote for the free and unlimited coinage of silver terrible things would happen. Now, there is not one of you who to-day would stand up before an intelligent audience and say those same things over again.

I have put here all the matter to which I should like to refer, but fortunately I happen to have at hand some more matter showing some of those things which were said at that time by your great, peerless leader. And I am going to read some of those things. As I read them I want you to see whether any of you would stand up and affirm that any of the dreadful things that were then predicted to happen have occurred in any conceivable system.

Soon after the campaign of 1896 was over Mr. Bryan wrote a book, and he collected together in that book the speeches he had made in that heroic campaign that gave the country far off look to the Presidency. The book has his name on the title page, so we may be sure that it is authoritative as to what he said.

I have not that book here. If I had known the turn which this debate would take, I would have brought here the original document. But I have here, luckily, some extracts from that publication of Mr. Bryan and I have the pages noted, so that the quotations which I make may readily be verified. I repeat, as I read these predictions, if any of you are ready to say that any of these predictions have proved correct, I should be glad to have you stand up and say so. When Mr. Bryan was saying these things in that campaign, every one of you were repeating them; every one of you insisted that what he said was true; every one of you was ready to bow down at his altar and worship.

Among the things which Mr. Bryan said, and which I ask you now particularly to notice, was this:

If you elect the gold-standard candidate, it will increase the purchasing power of a dollar and [illegible] increase the debts of the people, lessen ability to pay debts, make [illegible]

In another speech he said:

If you elect the gold-standard candidate, it will starve everybody but the [illegible]

The gentleman from Mississippi [Mr. WILLIAMS], in his remarks yesterday not only continued in that same miserable strain of prophecy but he said, if I remember rightly—unfortunately my [illegible] speech is not in the RECORD, but if I misquote him he will be [illegible] to say so—he said the Republican party was now [illegible] it had at the past, continuing more and more to starve the people of this country.

Now, as I heard the gentleman from Mississippi say that, I remembered the statement of Mr. Bryan four years ago—the statement which he then proclaimed all over this country. Now, either it was not true, as Mr. Bryan said, that if the people elected the gold-standard candidate they would [illegible] the money changers, or else all the people of this country have become money changers; for our people, all of them, all classes and everywhere, are the slickest, fattest, most prosperous people of all the world and of all times.

Now, I quote from page 485 of this book:

[illegible] take the bread out of one [illegible]

Think of it! What a pathetic thing! A regular surgical operation! [Laughter.] [illegible] when your [illegible] prophecies which were then made?

If you elect the gold-standard candidate it will make the rich richer and [illegible] distress, destroy opportunity [illegible]

There is where they almost caught me. I always like to work; [illegible] if [illegible] elected "it would destroy opportunity to work." I must say it almost caught me.

Now, I read from page 540:

If you elect the gold-standard candidate it will encourage hoarding of money.

In other speeches such statements as these were made: The election of the gold-standard candidates will—

[illegible]
[illegible] farmer.
[illegible] so.
[illegible] ks.
[illegible]
[illegible] husbands and wives to pay mortgages.
[illegible]
[illegible]
[illegible]

You McKinley was elected, and we adopted the gold standard, and [illegible] true.

Why, I remember within six months after that [illegible] corn went up out in Nebraska, and our [illegible] died [illegible] "Why, [illegible] you know they have a famine over in Europe somewhere, and that is what has made corn go up." Then hogs went up, and they said, "That is because hogwash is used as meat, and it has found a [illegible] went up, and [illegible] country went up except free silver, and I thought old Cervera's fleet.

Mr. BENNY. Will the gentleman permit a question?

Mr. BURKETT. Yes; certainly.

Mr. BENNY. Do you believe that the rich have grown richer and the poor have grown poorer, or not?

Mr. BURKETT. I do not believe it. I believe they have all

grown richer. I believe the rich have grown richer and the poor have grown richer, too. The whole country has grown richer.

Mr. SCUDDER. In equal proportion?

Mr. BURKETT. The gentleman knows that could not be true. They should grow richer in the same ratio, but not in equal amounts. The man who starts out with twice the advantage is certain to grow rich faster than the other man.

Now, I want to follow this thing up. Four years later the Democratic party met in Kansas City. The people of this country understood free trade after the campaign of 1892. They understood free silver after the campaign of 1896, and when your convention met in Kansas City you had to have a new issue, a new excuse for going before the American people. I will tell you why.

Every one of you can remember when you were a boy and your mother washed and dressed you and kissed you good-by and started you to school, and instead of going to school you went fishing or swimming. Then, do you remember that when you appeared in school the teacher called you up in front and wanted to know why you had been late or absent? Do you remember that? You gave her some kind of an excuse. You got caught the second morning if you gave the same excuse. So you never offered her the same excuse the third morning, after you had been caught. The Democratic party in this country got caught on free trade in 1892. You got caught on free silver in 1896, and just ordinary schoolboy common sense told you to get a new excuse.

Now, when you went into that convention in Kansas City you adopted free silver, it is true, but you proceeded from that moment absolutely to refuse to say a word upon the money question throughout all that campaign. You did adopt free silver, but you had to go away out into the Pacific Ocean, two or three thousand miles away from home, to get the deciding vote that put that money plank into your platform. Why? Had you changed your judgment on it? Had your consciences had an awakening in the meantime? Did you know more than you did four years ago? That was not the proposition. You had been defeated on that issue four years before, and you did not have the nerve, so far as the Democratic party on the continent—in the United States—was concerned, you did not have the courage, you did not have the faith in your convictions of 1896 to put them into your platform, and if it had not been for that delegate from Hawaii you never would have referred to free silver in 1900 even in your platform.

Mr. SCUDDER. Is not that one of the misfortunes of expansion?

Mr. BURKETT. That may be true to your party. But you did not stop there. I will tell you what your paramount issue was then. Your paramount issue was then, as you brought it out there, three things, if I remember right: Imperialism, militarism, and trusts—triplets of the political family of graveyard walkers, imaginary horrors, reared at that time, for what? To cover up the egregious blunders of the past, to make the American people forget, if it was possible, your false argument on free trade in 1892, and your ridiculous prophesies on free silver in 1896.

Mr. SCUDDER. Will the gentleman yield for a question?

Mr. BURKETT. Yes.

Mr. SCUDDER. Does the gentleman contend that the trust issue is an imaginary issue at this time?

Mr. BURKETT. It will be an imaginary issue so far as the Democratic party is concerned. I am quite confident of that. It always has been imaginary, so far as the Democratic party was concerned.

Mr. THAYER. And so far as the Republican party has been concerned, too.

Mr. BURKETT. It has not been in the past.

Mr. SCUDDER. How much of the appropriation of $500,000 is it understood they have expended for executing the laws against trusts?

Mr. BURKETT. I will say to the gentleman that the expenditure of money is not necessarily a measure of the degree of the enforcement of the laws so far as the Republican party is concerned.

Mr. SCUDDER. The President asked for it, and said it was essential.

Mr. BURKETT. He spent all that was necessary.

Mr. SCUDDER. Twenty-five thousand dollars. Does the gentleman think that is sufficient to suppress the trusts?

Mr. CHARLES B. LANDIS. That was $25,000 more than the Democratic party expended for the same purpose.

Mr. BURKETT. Now, I am not going into a trust speech today. It has been heretofore handled by those who sat in this House at the time the Democratic party had complete power, and they certainly have shown that the Democratic party can take unto themselves no particular glory for what they did in reference to the trust matter during the time they were in control of this Government. So far as the people of this country are concerned, they have never had any more confidence in your party to deal with the trust question successfully than they have upon any other question that has come before them to determine.

Mr. DALZELL. Will the gentleman allow me a suggestion?

Mr. BURKETT. Certainly.

Mr. DALZELL. Mr. Bryan says that the Democratic Administration, the only Democratic Administration we know anything about, was the most plutocratic that this Government ever knew [laughter and applause on the Republican side], and that the party spent a million dollars in the States of New York and New Jersey in order to put that plutocratic party into power.

Mr. CAMPBELL. And got that out of Wall street.

Mr. BARTLETT. And that was not as plutocratic as the Republican party.

Mr. SCUDDER. I was going to say, in answer to the suggestion of the gentleman from Pennsylvania, that it would seem, judging from the applause in the House, that Mr. Bryan has to look to the Republican party just now for his support. [Laughter on the Democratic side.]

Mr. BURKETT. I want to take up this discussion where the gentleman from Mississippi left it yesterday.

After the gentleman from Illinois had gone from Missouri clear around through Texas and Alabama to the Atlantic Ocean with his newspaper clippings, singing as they did the great battle hymn of the Republican party, "Good times and good cheer and prosperity," the gentleman from Mississippi arose at that point to interject into the debate what we all expected to be the paramount issue of the Democratic party for the coming campaign. But we were all disappointed. He only scolded. There is not a man on that side of the House but knows that every paper published in his district is teeming to-day with statements of the great prosperity that the people are enjoying.

The people never were so well fed, so well clothed, and so well housed as during this series of Republican years. There never was a time in the history of this country of such prosperity, and those newspapers, as read by the gentleman from Illinois, only confirmed what every one of us know, that there has been universal prosperity since 1897. Now, let me tell you what is going to be the paramount issue in the next campaign.

Mr. SCUDDER. Is that due entirely to the Republican party or has God Almighty had something to do with that prosperity?

Mr. BURKETT. Now, let me answer that, and also answer the question whether or not God Almighty or the Republican party is responsible for the boll weevil and for the high price of cotton, which has been asked so many times from that side of the House during this debate. Let me tell the gentleman from New York, and all the rest of you who have asked the question, that I have no hesitancy in saying that the Republican party is not only responsible for the price of cotton, but we are responsible for the fact that the people in New York and all over this country are able to buy cotton at 15 cents a pound, a rate that you have to sell it for to be profitable when the boll weevil has destroyed half of it. We are not responsible for the boll weevil, and we are trying to do with the boll weevil exactly what we have been trying to do with the Democratic party, the chinch bug, and every other pest in this country—we are trying to exterminate it. [Laughter on the Republican side.]

Mr. BARTLETT. Will the gentleman allow me to ask him a question?

Mr. BURKETT. I am trying to make my speech, if I am not interrupted.

Mr. BARTLETT. I do not want to interrupt the gentleman, if it is not agreeable to him.

Mr. BURKETT. I yield to the gentleman always.

Mr. BARTLETT. You said the Republican party made the manufacturers in the East able to buy our cotton at 15 cents a pound. Does not the gentleman know it to be a fact that the manufacturers in the South buy as much cotton as the manufacturers of the North, and that we sell three-fourths of our cotton crop abroad?

Mr. BURKETT. Well, let me say to the gentleman from Georgia in that particular that he fails to grasp——

Mr. BARTLETT. That is the truth.

Mr. BURKETT (continuing). He fails to grasp the real position of the Republican party not only upon the proposition of home markets, but on foreign markets as well. We have sold—and the Republicans are glad to admit it—more goods abroad since Major McKinley was made President and the Dingley tariff bill was passed than before in ten times as many years.

Mr. BARTLETT. Will the gentleman tell this House and the country what tariff there is upon raw cotton that is sold, and

which is the chief product of the South, and how the Dingley tariff bill has affected the price of raw cotton——

Mr. SULZER. And sold in competition with the pauper labor of China and Manchuria.

Mr. BARTLETT. Will the gentleman tell me how much that has affected them?

Mr. CHARLES B. LANDIS. Did I understand the gentleman from Georgia to say that some portion of that product of the South is sold abroad?

Mr. BARTLETT. I do, yes, sir.

Mr. CHARLES B. LANDIS. Will the gentleman tell me how [illegible] when the Dingley bill was in the process of its passage it was [illegible] bill it would [illegible] [Laughter and applause on the Republican side.]

Mr. BARTLETT. I do not know that anyone ever made such a statement as far as cotton is concerned, for it is not protected by the tariff.

Mr. CHARLES B. LANDIS. Will the gentleman answer that question? You said we would find a stone wall around America [illegible] goods abroad and any [illegible]

Mr. BARTLETT. I do not understand that any such argument [illegible]

Mr. CHARLES B. LANDIS. Now the gentleman says that there cannot be of our product of cotton is sold abroad.

Mr. BARTLETT. And always has been under all tariffs.

Mr. CHARLES B. LANDIS. But they said it would cease if the Dingley bill became a law.

Mr. BARTLETT. I do not know of any man who made any such statement in that. I have never heard of.

Mr. BURKETT. Now, Mr. Chairman, let me take my time and make my speech.

Mr. BARTLETT. I thought I had the gentleman's permission.

Mr. BURKETT. I am always delighted to have the gentleman from Georgia say almost anything he pleases, for it does him so much good and it does not hurt me. Let me say to the gentleman from Georgia that there is a tariff on some sort of [illegible] but that is not the proposition——

Mr. BARTLETT. I said raw cotton.

Mr. BURKETT. The Democratic party has taken the position here that because the last Congress got into the position [illegible] that it would be given up in prime. Now, I tell me how high cotton would have gone in 1894 and 1895 and 1896. There was no sale for it then at any price; cheap as it was then it was a drug upon the market. It would not have gone up then, among the same circumstances, because there was [illegible] who had any money to buy cotton with in those days. The laboring men were out of work and business men were out of business.

The prosperity in this country has been brought about, not by the majority of the people increasing the demand, commodities [illegible] but through the ability of the people of New England next door to the United States to buy that cotton even at two or three times as high a price as it was during the Democratic times which the gentleman from Georgia is going to remember [illegible] this morning. Their ability to buy is because the people have had been employed at good wages and at good times and good wages is a Republican product.

Now, let me get back to my speech. There is a question that bothers people. Why is it that every four years you Democrats have to change your platform or policy? Why is it that the Republican party never changes its platform or policy? The answer is [illegible] Democratic party has to-day at least four years ago, and it had to have it when Cleveland was a candidate, and it has gone on ever since then. Now, I might go further and say that a Democratic senator has to change his opinion every [illegible] because the Democrats have the same disease as Saul of Tarsus, they have the same goad to attack the same object [illegible]

It is based on a proposition far from upon that which for every year you must have a new issue. You never take a position that you can stand by for more than one campaign, but the Republican party has gone traveling along the same old road, going in the same direction in the same thing. And the result is that we have prospered and been happy and everything that you gave us to hope for when you made that your issue four years ago.

Mr. SULZER. Will the gentleman yield?

Mr. BURKETT. I wish the gentleman would not inject so many questions, but I will yield for a question.

Mr. BARTLETT. Mr. Chairman——

Mr. BURKETT. I can only yield to one at a time. Very well.

Mr. SULZER. The same position as to nothing at all to cut off your hair is a [illegible]

Mr. BURKETT. I decline to answer that. Mr. Chairman, I refer the gentleman to the history of this country for the fifty years of its existence as an answer as to whether or not we have been a do-nothing party. I suggest that the gentleman read the history of this country for the last half century.

Mr. DINSMORE. Mr. Chairman, I dislike to interrupt the gentleman very much for he is making a good speech. He was saying that the Republican party is advocating the same principles to-day that they have advocated for years and that he can make the same speech that he has made all the time. I would like to ask him if they are still, as in the platform of 1888, denouncing Grover Cleveland for trying to demonetize silver. [Applause on the Democratic side.]

Mr. BURKETT. Oh, Mr. Chairman, we have every hope that the Democrats will take control of Grover Cleveland. [Laughter.] Let me say that while your people every four years have had to change your position and have had to have a new issue, the Republican party has never had but one issue, and it will be the issue in this campaign. It is the welfare and happiness of the American people, the prosperity and development of the American nation. [Applause on the Republican side.]

It does not cause any difference whether free silver shall be acute in the Democratic party at that time, whether free trade shall be acute in the Democratic party, or whether the way we are going to handle the Philippine Islands shall be acute in the Democratic party, or whether Panama shall be acute, the Republican party will keep its face constantly to the front and advocate the one proposition—to do that thing at all times that will bring the greatest happiness to the American people that will be for the welfare and prosperity of the great American nation. [Applause on the Republican side.]

Here is where the people are interested. Let me tell my friends on the other side that this is what concerns the people of this country, and before you enter upon the coming contest, with your theories and your hackneyed policies, you would do well first to consider how will they affect the welfare and happiness of the American people, the progress and development of the American nation. Only a few years ago you went before the country and stated that the most important question was the way we were going to take care of 5,000,000 people in the Philippine Islands. But the people, by the greatest majority we have ever had, indorsed that a more important question to them was the way we were going to take care of 77,000,000 people right here in the United States. That is the question that comes home to every man and will be the paramount issue in the next campaign. When a man goes into the ballot booth to cast his vote he will say, "Which party, which one of these policies, which one of these theories when carried out will be for the highest interest for me and my wife and for those that I have sworn to take care of at home?" That is the paramount issue of the Republican party, always to do that thing which will make light hearts and happy faces, good homes and pleasant places.

As I said before, everybody in this country wants good times. We are having good times and the people want to know how long these good times are going to last. Out in western Nebraska, in 1894, land was worth about $20 an acre and slow sale at any price. To-day you can not buy that land for less than fifty or a hundred dollars an acre. The people want to know how long these good times are going to continue. The people will want to know what assurance we can give them that they have good work and good wages, but that you will not visit upon them the same disasters that you did from 1893 to 1896. Let me tell the gentleman from Mississippi the difference between the real conditions and what he appeared to conceive them to be in his argument of yesterday.

I can tell him how long these good times are going to last, whether his party gets into power or whether my party gets into power. I will tell you when the good times will stop—when we have stopped doing business on a sound business proposition. You have gone on and you have violated the laws of the business world, and you have violated the laws of good business. There are two rules that govern business successfully. These two rules, if followed, will make individuals successful and will make a nation prosper.

In my judgment you never would comply with them in the future, as you never have in the past.

The first of these rules is "spend less than your income." You have to do it as an individual if you expect to get ahead in the world. It makes no difference whether your income is 10 cents a week or 40 cents a minute, you must spend less than your income if you would get rich.

The second is, if you expect to get on in this world and prosper as a nation "sell more than you buy." You have to do it. You can not buy more than you sell and ever succeed. No farmer could sell $600 worth of corn and buy $700 worth of goods and prosper. Just so is it with national affairs, and no nation will ever prosper that spends more than its income or that sells less than it buys. The trouble with the Democratic party is you don't recognize these rules. You spend more than your

income and you buy more than you sell. Let me tell you what you did during the four years of the Administration of Grover Cleveland.

I have here, from the Statistical Abstracts, the receipts and expenditures of this Government during the four years beginning with 1894 and ending in 1897, when the Republican party came into power. I am not going to read them all, but I will put them in the RECORD, with the permission of the House. Let me say that in 1894 you had a surplus of $2,341,674. In 1894 you expended [illegible] and your receipts were only $372,[illegible]. You had a deficiency of $[illegible]261. In 1895, the next year, you had a deficiency of $[illegible]. In 1896 you had a deficiency of $25,203,246. In 1897 you had a deficiency of $18,052,454. Every year you had a deficiency [illegible] and peace in this country, simply because you spent more than your income.

Mr. MADDOX. Will the gentleman permit me to interrupt him for a moment?

Mr. BURKETT. Well, I should like to have the gentlemen defer for a time, for I wish to finish this matter.

Mr. MADDOX. Will the gentleman just step back now and tell us how much of a surplus Harrison had on hand and how much he expended and how he came out, and whether the Republicans spent more than their income at that time? [Applause on the Democratic side.] When he was inaugurated he had over a [illegible] millions of dollars in the Treasury, and when he turned the reins of government over to Mr. Cleveland there was not over two millions in the Treasury.

Mr. SMITH of Iowa. He paid off two hundred millions of bonds in the meantime.

Mr. PAYNE. He paid off two hundred and sixty-two millions of bonds in the meantime.

Mr. BURKETT. If you will go back and take the North American Review——

Mr. MADDOX. Oh, not the North American Review, but just take the United States Treasurer's reports.

Mr. BURKETT. I hope the gentleman will not get excited. We will try to debate this matter in decorum.

Mr. MADDOX. I want you to take the reports of the Treasury.

Mr. BURKETT. I think the gentleman will take my answer just as I give it, as long as I control the time. If you will go back and read the Forum and the North American Review——

Mr. MADDOX. But let us take the official records.

Mr. BURKETT. Mr. Chairman, I wish the Chair would try to keep the gentleman quiet. I am trying to answer all questions with proper decorum and courtesy.

Mr. MADDOX. Oh, I will withdraw the question if it embarrasses the gentleman at all. [Laughter on the Democratic side.]

Mr. BURKETT. No; it does not embarrass me in the slightest.

Mr. MADDOX. I will say that I indorse entirely the gentleman's idea of what the Government should do and what an individual should do, but I want to say to the gentleman that his party has not practiced what he is preaching and that the official records show it.

Mr. BURKETT. Now, let me tell the gentleman there never was an hour from the time that the civil war closed, on an average down to the beginning of the Administration of Grover Cleveland when the Republican party did not pay off $174,000 of the indebtedness of this country—every blessed hour that you and I have lived since the civil war. [Applause on the Republican side.] They paid that indebtedness because they had a surplus and they had a surplus only because they did follow those rules. If the gentleman will go back six months previous to the time of the election of Grover Cleveland, he will find the North American Review and the Forum and the financial journals of the country with this sort of articles in them: "What shall we do with the surplus in the United States Treasury?" "What shall we base bank notes upon when the national debt is paid?" That was the problem during all those later years of the Harrison Administration—what was to be done with the enormous surplus that was accumulating in the Treasury? I do not ask the gentleman to take my word, but let him go to the files of the North American Review or any of the great magazines of the country at that time and see for himself.

Grover Cleveland was nominated and he was elected, and between that time and the 4th of March the income of this country was absolutely shut off, and why? Because business stopped. The people of this country understood, or thought they did, at least, the conditions under which they could bring goods into this country as soon as Grover Cleveland should be inaugurated and Democratic policies put into operation, and they absolutely stopped importations into the country, as the records show. As the importations were decreased the revenues were decreased, the surplus decreased, and in that last year, instead of having an enormous surplus, just as we had had every year before, in 1893 our income was cut down to within two and a half millions of our expenses.

It was a close call, I admit, for a Republican Administration, but it was a surplus. It was a pretty thin margin to skate on, but, sirs, thin as it was, close to the line as it was, it was miles and miles better than your sixty-nine millions of deficiency the very next year. Let me go on, and I will tell the gentleman something else along this line of Democratic inconsistency.

After you had had control of affairs four years you handed them back to us, glad to escape the responsibility, and the very first thing that the Republican party had to do when it came into power after that Democratic Congress and that Democratic Administration was [illegible] to pay the deficiency of this Democratic party that your party had run the Government into, to an amount of $[illegible]7,165,001.82. Not only that, but during those four years you went four times to the money markets of the world and you borrowed $[illegible] specially to pay running expenses, and issued bonds for it. You issued more bonds during that time, for this purpose, absolutely traceable to running expenses of the Government. In short, you borrowed $[illegible] on the bonds of the country and three hundred and forty-seven millions on oral account and then left the Treasury empty and official salaries unpaid.

Now, that was the management of the Democratic party during the time they had the reins of government in their hands in this country. Why should we expect you to do better in the future than you have in the past when you adhere to the same old free trade theory?

Now let me continue where I left off when interrupted. The last year I gave you was 1897, when you Democrats in time of peace had a deficiency of more than $18,000,000. The next fiscal year, or that of 1898, was the first year under the McKinley Administration. It took us a little while to get our machinery started, and then the Spanish war came in on us, and then the Philippine war, and they made millions of extra expenses.

The first year of that Administration, or 1898, we had a deficiency of thirty-eight millions. In 1899 we spent eighty-nine millions more than our income. But there the story changed. In 1900 our surplus was [illegible] millions; in 1901 it was seventy-seven millions; in 1902 ninety-[illegible] millions, and in 1903 our surplus was fifty-four millions. With that enormous amount of surplus we have been paying our debts. We always do. That is also Republican policy. When the Republican party turned the Government over into the hands of Democracy in 1893 the public debt, less cash in the Treasury, was exactly $938,999,475.75. When you Democrats went out of office in 1897, after four years of peace, that public debt was $[illegible].14.

I happen to have here a Treasury statement for September 1 last, and that shows the debt to be only $917,752,545. Thus since 1897, when we came into power, we have conducted the Spanish war and the Philippine war, have paid every cent of the cost, and have reduced the national debt $68,903,541.14. We have done it by any legerdemain process, but by following the simple rule of business of spending less than our income.

Receipts and expenditures of the Government from 1893 to 1903.

Year.	Receipts.	Expenditures.	Surplus.	Deficiency.
[illegible]	$[illegible]	$[illegible]	$2,341,674	
[illegible]	[illegible]	[illegible]		$[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]		[

The gentleman from Mississippi said that conditions have changed since gold has been pouring into this country; that the accidental discovery of new supplies of gold—and, perhaps, to be exact, to [illegible] of the different mines that have been discovered. I think he spoke of those mines that have been uncovered in Alaska from which we have received large quantities of gold into the United States, and the new mines that have been developed in California. As he remarked that because new mines had been discovered that, therefore, we have gone back in this country, and, therefore, the silver question has been relegated to the rear.

I always admit a fact when it is brought to my attention. I admit that there have been great gold discoveries out in Cripple Creek, and that [illegible] are being mined in Alaska. The gold has come to us from other quarters that were not expected. I admit all that.

But I propose to show the gentleman one thing that he will find out if he studies the statistics of this country. For every dollar in gold that we have gotten in the way of increase to our circulating medium out of the gold mines of Colorado, Cripple Creek and Alaska and all the world for every dollar in gold that has been added to our money product on that account we have gotten $10 more in gold from foreign nations in the world simply by selling them more than we bought and getting the difference in cash. [Applause on the Republican side.] It is the old story, let me say to the gentleman from Mississippi. It is by following the two little rules that his father gave him when he was a boy—to spend less than he [illegible] and to sell more than he bought. Ah, go back and trade as a country of a poor country in connection with our consular service.

Mr. WILLIAMS of Mississippi rose.

Mr. BURKETT. I would rather not yield until I finish my train of thought, and then I will be glad to yield to the gentleman. Let me tell the gentlemen on that side to go back and study the history of their party in connection with our consular service. I have heard some of the older Members of the House tell about that, and I have some little of it myself, and I had [illegible] a proposition has been made in this House to [illegible] of our consular service, to broaden and extend that magnificent system, there has always been a Democrat somewhere ready to keep up and advocate that increase and that upbuilding.

The Republican party has not only [illegible] the protection of the home markets, but it has also said, "We want to extend and capture the markets of the world." And since 1897 we have sold to foreign nations more than $[illegible] 000,000 worth more of goods than we have bought of those countries, and we have gotten that $[illegible] on each. I read last week of a great ship——

Mr. WILLIAMS of Mississippi rose.

The CHAIRMAN. Does the gentleman from Nebraska yield to the gentleman from Mississippi?

Mr. WILLIAMS of Mississippi. It is right on the point that the gentleman is talking about.

Mr. BURKETT. Not till I get through.

Mr. WILLIAMS of Mississippi. The gentleman is getting away from the point I want to ask him about.

Mr. BURKETT. I will go back to it whenever the gentleman suggests his question.

I read only two or three days ago of a great ship that started out of New York with [illegible] tons of American-manufactured goods on board. I remember also when it was announced six months or a year ago that a ship started out with 8,000 tons of American-made farm machinery—reapers, harvesters, binders and threshers, wagons, corn planters—all made in this country with American money, with American muscle, out of American material; and that ship went clear around the world over to Russia with that cargo.

I read the speech of a distinguished gentleman the other day who had traveled in Europe, and he said he saw on almost every road in Europe engines that were made in the United States. What a wonderful fact that is! What a sermon that is to the gospel of Republicanism! How that must thrill the heart of every American citizen, to feel that we are sending our products into every market on the face of the earth! How have we done it? Because we have not been satisfied simply to protect our own markets for the things that we produce in this country, but the Republican party has gone on with an even greater determination into the larger field of conquering foreign markets. It has gone out to capture the markets of the world and make them respond for the welfare and happiness of the American people, the progress and development of the American nation. [Applause on the Republican side.]

Now I will yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I should like to ask the gentleman three questions in one.

Mr. BURKETT. I hope so, because I am ready to stop. I am becoming somewhat fatigued.

Mr. WILLIAMS of Mississippi. I am sorry the gentleman did not let me ask the questions while he was talking on those particular points.

Mr. BURKETT. We will get right back to the points.

Mr. WILLIAMS of Mississippi. Now, I will have to repeat the statement somewhat.

Mr. BURKETT. Ask the question.

Mr. WILLIAMS of Mississippi. The gentleman said that for every dollar that came from the mines of the world to increase the American supply of gold $10 had come from other nations of the world.

Mr. BURKETT. I estimated it at that; yes. I have not figured it accurately. I made the statement approximately, as the result of some figures I got this morning.

Mr. WILLIAMS of Mississippi. I did not suppose the gentleman intended to do anything more than to approximate it. I do not hold him to an absolutely accurate statement.

Mr. BURKETT. [illegible]

Mr. WILLIAMS of Mississippi. Now, I wish to ask these three questions——

Mr. BURKETT. All right.

Mr. WILLIAMS of Mississippi. Did not this gold that came from the gold mines in other parts of the world come to us chiefly in return for the export of our cotton, wheat, corn, and meat, none of which either are or can be protected? That is one question.

Then I want to ask the gentleman this: Has not the gold supply increased not only here our in Great Britain and Germany and all over Christendom, and has there not been in consequence of that a rise in the scale of world's prices during the time that he is speaking of? That is the second question.

Then I want to ask him, in the third place, if these engines, about which he talks as being sent to all parts of the world and sold in competition there with pauper labor, are not now highly protected under the Dingley bill against competition on the part of foreigners in the American market? I would like the gentleman to answer those questions.

Mr. BURKETT. I will say to the gentleman in response to all three of them that so far as whether or not each of these articles is protected in all forms I do not know that I can tell. I do not suppose the gentleman can. I know in a general way, as he does, but do not carry all the schedules in my mind. Practically, however, I do not see what difference it makes, so far as the amount of what we export is concerned, whether it was protected or not. And I might say in response also that the Democratic party has always insisted that the protective tariff was bound to destroy all our foreign trade. Now, the way that come about at this particular point was, I was showing where the money, the great increase of money, was from. It was $24 per capita when you made your speeches in 1896 and said we needed more money. It is now $30.48 per capita, as is shown from the report of the Secretary of the Treasury made yesterday.

Now, you attribute that all to the discovery of mines. We attribute it, as Republicans, also to the fact that we have increased our exports, and that as we have been able to sell more goods to foreign countries than we were ever able to sell before, that in return we have received more money than ever before.

Now, let me go on and state one more proposition, and then I will be through. I want to see if we can find the real difference between the Republican party and the Democratic party, and why your policy does not bring as good times as Republican policies do. I mean now the general trend of your policies. I do not refer to details of carrying those policies out. The difference as I have always conceived it is this, and I do not know that anybody else will agree with me, but the difference is in the way we work and the objects that we seek to gain and the class of people we seek to benefit. The Republican party always works for the benefit of the producer; the Democratic party works for the benefit of the consumer.

Now, that is the difference between the two parties, in my judgment, in a few words. The Republican party works for the benefit of the producer and the Democratic party helps the consumer. A man must be a producer to be benefited by Republican policy. It does not make any difference whether he produces steam engines or ax handles or a bushel of corn or an hour's work or what it is. If he is a producer, he is helped when the Republican party is in power. The Democratic party, on the other hand, gives little concern to the producer, but seeks to make things cheap for the consumer.

Mr. Chairman, I remember very well the first time that I ever heard my distinguished constituent, Mr. Bryan, speak in the campaign for election to Congress in 1892. I remember that he carried an old hat, a butcher knife, a bolt of red flannel, and a tin pan around with him, and he said that that terrible high protective tariff was robbing the people.

He would hold up that bolt of red flannel and in a manner that

brought tears to the eyes of the people would tell them that by the action of the Republican party that every yard of that flannel that went into the poor man's shirt cost him half a cent a yard more than it ought to cost him as a result of that terrible McKinley protective tariff. After getting the people to agonizing over their terrible condition he then proposed that if they would elect him and Grover Cleveland that they would knock off that half a cent a yard and restore it to the poor laboring man. The people accepted his proposition. They let him and Grover Cleveland in, and within six months they had stolen the whole shirt. [Laughter and applause on the Republican side.]

There was not a laboring man in this country in the four years [illegible] that ever thought of having a flannel shirt. They did not wear flannel shirts in those good old Democratic days. Now, I will admit that you believe in making things cheap, and I admit you do make things cheap, but you do not make them easier to get. I remember that when Cleveland was President, in 1894, 1895, and 1896, horses were cheaper in this country than they were ever before or since. That is a question we know of, because we produce horses in Nebraska, and they got so cheap that we used to can them and send them back East here to you people to eat. [Laughter.] Horses were cheaper than ever before, but more people went on foot than had ever walked since [illegible]. House rent was cheaper than ever before, and there were more people without homes than ever before. I admit that bread was cheaper than ever before. It got down to 2 or 3 cents a loaf, and yet in every town in this country the people had to take up collections to buy bread for the laboring men of this country who could not provide for their wives and families at home.

I remember that all these things were cheaper, but let me say you did not make any of them easier to get. The Republican party helps the producer, and whenever I find a man who is not a producer I can not believe he is helped much in Republican times. I am frank to admit it. Whenever you see one of those men complaining about the times, you can set him down as a nonproducer, and usually as a Democrat, too. Whenever you see a man sitting on a goods box whittling and spitting and criticising the Government, complaining of the times, set him down as a nonproducer, and usually a Democrat.

Now, a man came into my office whom I knew very well a year or so ago, and he began to find fault with the times. He said that he could not see that they were any better than they were before, and that it was just as hard to live as it ever had been. Now, I knew his business; he was a collector. He collected the money that his wife made taking in washing. So, when he insisted that he could not see any of our good times, I said to him, "Have you sold any corn?" He said, "No; I haven't had any corn to sell." I said, "Have you sold any horses?" He replied, "No; I haven't had any to sell." I then said, "Have you done any work?" "No," he replied; "I am not able to work."

Now, he had not produced a thing, not a bushel of corn nor an hour's work or a thing in the world, and yet he was kicking at the Republican party because it did not fan prosperity into his face. It never will, because he is not a producer. I remember one day last summer a hailstorm came through our county, and the next day a friend of mine came in and said, "We had a hailstorm out our way last night that wiped me off the face of the earth. I have not left standing a hill of corn or a spear of wheat. Everything that I had has gone." Five minutes of hailstorm changed that man from a producer into a consumer. I admit that 30 cent corn did not help him, because he had to buy it. I admit that high prices did not help my friend, because he was a consumer. But it did help every other man in that county and State who did produce something. There is more production than consumption in this country. Every man supports more than one more of something than he consumes. Therefore the Republican party helps the larger end of this industrial proposition.

In concluding let me urge you Democrats to consider the paramount issue of the Republican party. There may be this or that particular thing put to the front, as the exigencies of the times may necessitate. I mean that this thing or that thing may be acute in the coming campaign. But the Republican party on the tariff question, on the money question, on every other question, on schedules and ratios, will continue in the future, just as it has in the past, to press forward to attain the one goal—"the welfare and the happiness of the American people, the progress and the development of the American nation." [Applause.]

Mr. LIVINGSTON. Mr. Chairman, I yield ten minutes to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Chairman, I can do but scant justice to the extended remarks of the gentleman from Nebraska [Mr. BURKETT] in the brief time at my disposal. It is true that in 1896 the Democratic party favored the immediate restoration of bimetallism. Its newspapers and orators were bitter in their denunciation of the gold standard. Some of them may have used the identical language of the late President McKinley, who looked with concern upon the financial policy inaugurated by Grover Cleveland and denounced it and the gold standard in extravagant terms.

Mr. Cleveland's policy was opposed by a majority of the Democrats in this Chamber and at the other end of the Capitol. It was supported by the Republican press and the Republican membership of the American Congress. It was denounced by many Republicans and by nearly all Democrats as a menace to the welfare of the country.

It was distinctly the policy of the great bankers of two continents and was inaugurated by Grover Cleveland. In so far as a mere instrument may lay claim to a work performed under direction of a master, it may be called Mr. Cleveland's policy. It was a policy which no other man holding high position had previously espoused, one that emanated from no political party.

Although the dearest object to a coterie of gentlemen, millionaire speculators and stockjobbers, who since 1893 have been the advisers of Presidents, it found no outspoken champion holding a position of authority until 1893. Its enforcement, effected as it was by the institution of a reign of terror caused by a shopmade panic, brought upon this great continent the desolation of a desert and the gloom of the grave. It may be observed in passing that since then its real author has been caught, red-handed, in a financial scheme of plunder, by which a multitude of small investors have been robbed by means as criminal as those resorted to by Canada Bill, the notorious king of confidence men, in fleecing his numerous victims.

The financial policy of Grover Cleveland, which has become the corner stone of the Republican creed, was promoted by J. Pierpont Morgan, who was recently unmasked as a coarse swindler, and so sinks from the position of adviser of Presidents and inventor of financial legislation to the level of the man with a gold brick to sell or the fakir with three cunning little shells at a county fair. [Laughter.]

But, Mr. Chairman, it is pertinent to inquire what answer was made by the Republicans to the arguments made by the Democrats in 1896. Did they say that the gold standard was to be established? No. Did they say that in seven or eight years the addition of five or six hundred million dollars in gold to the volume of money would cause a rise in prices and better times? Nay, verily. They said we didn't need any more money; that we only needed confidence. They said they didn't want higher prices for the products of labor.

The Republican literature of that period urged the workingmen to vote against Bryan as a means of preventing a rise in prices. Republican orators told the workingman that by enforcing the gold standard the purchasing power of a dollar had been enhanced, and that this was a benefit to the wage-workers. They said that what was wanted was a dollar of enhanced purchasing power. For, said they, this would enable the workingman to obtain more for the fruits of his labor.

Again, I inquire of gentlemen on the other side of the Chamber, did you predict that the gold supply of this country would be recruited to the extent of five or six hundred million of dollars during the ensuing eight years? No. You said there was money enough. You insisted that confidence in the ability to secure credit and not more money was needed. You ridiculed the contention of the Democrats that the country needed a larger supply of specie. In the teeth of all writers on political economy, you ridiculed the quantitative theory of money and insisted that there was little or no relation between the volume of money and prices.

I challenge the gentleman from Nebraska to produce here a single Republican speech made at that time in either House of Congress which looked forward to the future and predicted or suggested an early solution of the financial question, as far as coinage was concerned, by a tremendous increase in the output of the gold mines.

Mr. Chairman, some of the gentleman's figures almost took my breath away. It is common for gentlemen to use figures trippingly—thousands, millions, billions. Why, he said that in a few years past we had exported the [illegible] of gold in excess of our imports, and that thereby we have added [illegible] from American gold mines we have drawn $10 from abroad.

Does the gentleman know that the production of American gold mines during the past eight years is [illegible] equal to that which has been added to our gold supply during the same period?

Mr. Chairman, I am as firmly convinced as I was in 1896 that the world needs bimetallism. It is not true—it never will be true—that the world's commerce can be based upon a single metallic standard with safety to civilization.

Consult statistics and you will discover that the coinage question has not been finally settled, and you will also be convinced that, while it may not excite popular interest now sooner or later it will become again a prominent theme of political discussion in all parts of the world. While we have been recruiting our specie

we have imported over one hundred millions in excess of our exports of gold from European countries. It is advantageous to take [illegible] and it has been the effect of our exports of gold upon foreign exchanges [illegible] abroad.

[illegible] from the Treasury Report [illegible] the balance in the public [illegible] of the great European powers of Europe, we find [illegible] of the fiscal year of the preceding year. [illegible] supply of gold in all these countries, [illegible] during the preceding year [illegible] of gold.

[illegible] $100,000,000 less gold than she had at the beginning of the year [illegible] Germany [illegible] France [illegible] Russia [illegible] Austria [illegible] Italy [illegible] Spain [illegible] Portugal [illegible] Belgium [illegible] Switzerland [illegible] Holland [illegible] Sweden [illegible] Norway [illegible] Denmark [illegible] Greece [illegible] Turkey [illegible] Egypt [illegible] Mexico [illegible] Canada [illegible] Japan [illegible] Chile [illegible] Peru [illegible] Brazil [illegible] Argentina [illegible] Uruguay [illegible] Colombia [illegible] Venezuela [illegible] Ecuador [illegible] Bolivia [illegible] Paraguay [illegible] Central America [illegible] Cuba [illegible] Porto Rico [illegible] Dominican Republic [illegible] Haiti [illegible] Santo Domingo [illegible] Hawaii [illegible] Philippines [illegible] Australia [illegible] New Zealand [illegible] Cape Colony [illegible] Natal [illegible] Orange Free State [illegible] Transvaal [illegible] Portuguese East Africa [illegible] Portuguese West Africa [illegible] British East Africa [illegible] British West Africa [illegible] Egypt [illegible] Algeria [illegible] Tunis [illegible] Morocco [illegible] Madagascar [illegible] Mauritius [illegible] Reunion [illegible] Cape Verde Islands [illegible] Canary Islands [illegible] Azores [illegible] Madeira [illegible] Malta [illegible] Cyprus [illegible] Crete [illegible] Aden [illegible] Bombay [illegible] Calcutta [illegible] Madras [illegible] Rangoon [illegible] Bangkok [illegible] Saigon [illegible] Hongkong [illegible] Shanghai [illegible] Yokohama [illegible] Kobe [illegible] Nagasaki [illegible] Manila [illegible] Batavia [illegible] Singapore [illegible] Penang [illegible] Colombo [illegible] Karachi [illegible] Aden [illegible] Port Said [illegible] Alexandria [illegible] Cairo [illegible] Tangier [illegible] Tunis [illegible] Algiers [illegible] Oran [illegible] Tripoli [illegible] Cape Town [illegible] Pretoria [illegible] Johannesburg [illegible] Durban [illegible] Lourenzo Marquez [illegible] Mozambique [illegible] Zanzibar [illegible] Mombasa [illegible] Lagos [illegible] Freetown [illegible] Monrovia [illegible] Tangier [illegible] Fez [illegible] Mogador [illegible] Tananarive [illegible] Port Louis [illegible] Saint Denis [illegible] Praia [illegible] Las Palmas [illegible] Ponta Delgada [illegible] Funchal [illegible] Valetta [illegible] Nicosia [illegible] Canea

"colored man and brother" ignored. In 1862 there were no constitutional changes by the States, but in 1864 new constitutions were adopted or old ones amended in Arkansas, Connecticut, Kansas, Louisiana, Maryland, Nevada, New York, Rhode Island, Pennsylvania, and Virginia, and yet in not one of all this great array of states was negro suffrage even hinted at.

In 1865 constitutional amendments providing for negro suffrage were submitted by the legislatures of Connecticut, Colorado, Wisconsin, and Minnesota, but when these propositions were submitted to the people in the fall elections of 1865, negro suffrage was rejected in each and every one of these States by decisive majorities.

Mr. HILL, of Connecticut. Why, they vote now and have been voting for years in my State.

Mr. HARDWICK. What State does the gentleman refer to?

Mr. HILL, of Connecticut. Connecticut.

Mr. HARDWICK. You have an educational qualification?

Mr. HILL, of Connecticut. And always have had.

Mr. HARDWICK. So that at the close of 1865, while the emancipation of the negro was an accomplished fact, his enfranchisement was apparently as distant as on the day the war began.

In tracing the history of the negro suffrage movement, I come next to that period in the history of our country known as "reconstruction," memories of which, I hope, are unpleasant to the people of every State and section. Certainly the word recalls to the entire South, and especially, possibly, to my own State of Georgia, the bitterest and saddest period of her history, when her cup of humiliation was indeed full and her people drank of the very dregs of despair. During its progress her people suffered as once a thousand fold more bitter to a spirited, high-strung people than even the untold miseries of war; but with a courage that might have been expected of the most homogeneous of all the American people they went to work to restore their shattered fortunes, and upon the ruins of their old civilization they built the South of to-day—that marvelous edifice of material wealth and industrial independence that is now challenging the admiration of the world.

Painful as are the memories of reconstruction to us all, yet I believe the time has at last come when we can discuss some of its events without prejudice or bitterness, and in that spirit I shall undertake it.

On December 8, 1863, President Lincoln issued a proclamation offering general amnesty to the people of the South and outlining his plan of reconstruction, which has been truly termed "most liberal and humane," but as it was made at a time when the South was undeceived in the field and hopeful of the final result of the appeal to arms, it had no practical effect and is chiefly significant now to show what Mr. Lincoln's plan was. While Mr. Lincoln demanded freedom for the slaves of the South and insisted upon their enfranchisement, he demanded nothing more than these two things, and expressly stated that with these modifications which a State government was reconstructed "its constitution and laws proper and in harmony with the proclamation" should be respected. Nowhere did he expressly or impliedly demand or suggest that the right to vote should be bestowed upon the negro.

It has, however, been contended that Mr. Lincoln modified this position in the Hahn letter of March 13, 1864, in which he suggested for the "private consideration" of Hon. Michael Hahn, the provisional governor of Louisiana, whether or not the constitutional convention about to assemble in Louisiana might with safety extend the elective franchise to the very intelligent negroes, and especially to those who had fought in the Union Army. The letter does not indicate that Mr. Lincoln had modified his oft-repeated views in opposition to negro suffrage, even to the very moderate extent suggested in the letter, although it is true that he was considering the modification of them to that extent only, and it is significant that two weeks after this letter, Wendell Phillips, the most radical and most outspoken advocate of negro suffrage, had read the handwriting of the Republican party in the sky and in an independent Republican paper came out against Mr. Lincoln, the alleged leader of the Republican party, being what was termed Mr. Lincoln's weak and vacillating war policy and his tender and indecisive policy of southern reconstruction.

Mr. Phillips not only inaugurated this radical movement, but on May 27, 1864, he wrote a letter to Edward Gilbert, esq., of New York, which was read before the Fremont Convention, at Cleveland, Ohio, in May, 1864, in which letter Mr. Phillips used this among other expressions:

> There is no plan of reconstruction possible at this twelve months' notice which will not be a mockery and a delusion. Reconstruction must take root in the soil of the States. * * * Against such reconstruction Mr. Lincoln stands pledged by proclamation and veto.

In the next place, in December, 1864, after his overwhelming reelection, Mr. Lincoln stated in his annual message to the Thirty-eighth Congress that his views on southern reconstruction had undergone no change, and those views as will be remembered, did not include negro suffrage for the South.

It is true that in the last speech of his life, on April 11, 1865, only a few days before his assassination, Mr. Lincoln publicly expressed in somewhat more positive terms the idea he had suggested for the "private consideration" of Governor Hahn the year before. He said:

> It is suggested by some that the elective franchise is not given to the colored man. I would like it conferred on the very intelligent, and those who serve our cause as soldiers.

The phraseology of the great war President is significant. He classes himself apart, in another class, from those who were "dissatisfied." He favored and upheld the Louisiana government, while those who were "dissatisfied" opposed it. He personally favored negro suffrage in these exceptional cases he mentioned, principally no doubt out of gratitude to the negroes who had served as Union soldiers; and yet he did not abandon his fixed and announced reconstruction policy or even suggest that negro suffrage ought to be forced upon any State, even if such State was in the process of reconstruction.

President Lincoln's contention was that it was the right of the Executive to reconstruct the State governments of the South. This doctrine, however, was not agreed to by the Congress, and the result of this difference of opinion was the passage of the first Congressional reconstruction act of July 2, 1864. This act may fairly be assumed to represent the sentiment of that wing of the Republican party that was opposed to Presidential reconstruction, and it is therefore particularly worthy of note that in this act the elective franchise was limited to "white males of 21 years of age."

From this act Mr. Lincoln withheld his approval, and it therefore failed to become a law, for which he was roundly abused in the Davis and Wade manifesto of August 5, 1864.

The political effect of this difference between the Congress and the President was a political schism in the Republican party, the Congressional wing of that party, who disagreed with the President's war policy and reconstruction plan, nominating John C. Fremont for President at Cleveland, Ohio, on May 31, 1864, on a platform radical enough in all truth, but which, while demanding equal civil rights for the negro, did not demand the elective franchise for him, although that it should do so was expressly suggested by Wendell Phillips and others. On September 21, 1864, Fremont withdrew, and in the election of November, 1864, Mr. Lincoln triumphed over the Democratic nominee, Gen. George B. McClellan, by a popular majority of more than 400,000 votes and by the enormous electoral majority of 191 votes.

Hon. A. C. Braxton, a distinguished lawyer of Staunton, Va., whose able paper, read at the last meeting of the Virginia Bar Association, is one of the most valuable contributions to the literature of this great subject, has well suggested that the dastardly assassination of Mr. Lincoln in April, 1865, left the Nation, North and South, mourning brightly." I fully agree with him. I was a double misfortune. Mr. Lincoln, although much misunderstood by the people of the South at the time, had already given [illegible] table [illegible] p too [illegible] and if he had lived to [illegible] gan, his kindly heart [illegible] pletely won the South, w[illegible] ving hand and unbending [illegible] of the ship of state and [illegible] of [illegible] m.

He [illegible] to carry out the reconstruction policy of his predecessor; but, although [illegible] North, which had been able to poll 1,800,000 votes in the last Presidential election (1864)—would control the Senate at once [illegible] and the House in the election of 1866.

In the West, which had [illegible] the remedy suggested was that Federal representation should be based upon the number of qualified voters, rather than on population. This was the remedy suggested by the Republican State convention of Wisconsin in the form of a resolution, 1865, which was [illegible] a.

[illegible] Mr. Thaddeus Stevens, of Pennsylvania, voiced this demand by proposing in the House a resolution to amend the Constitution so that "representation shall be apportioned among the States that may be within the Union according to their respective legal voters." When this question came up for debate in January, 1866, Mr. Blaine, of Maine, opposed the proposition embodied in Mr. Stevens's resolution, citing the census reports of 1860 to show that the change from total population to voting population would be manifestly unfair to New England and the Northern States, who had sent so many of their sons to

ninth Congress ordained negro suffrage for the District of Columbia, being actuated by two motives: first, because the leaders of the Republican party in that Congress felt impelled to make some concession, however trifling, to the growing sentiment in their own ranks in favor of the general enfranchisement of the negro in the South and in the Territories, and, next, because they wished to make an experiment on a small scale as to the results of the system.

If the times had not been so turbulent, and they had been willing to patiently await the result of the experiment, it is only fair to conclude that they would not have inflicted either subsequent reconstruction acts upon the people of the South or the fourteenth and fifteenth amendments upon the people of the Republic, for so unsatisfactory did the experiment of negro suffrage in the District of Columbia prove that by the act of February 21, 1871, a Territorial form of government was given the District, and by the act of June 20, 1874, as finally amended by the act of 1878, the present system of District government was established, so that while white manhood suffrage had proven satisfactory in the District of Columbia for the sixty-five years intervening between 1802 and 1867, impartial manhood suffrage only survived four years, that much of the experiment entirely reconciling the people of the District to a total deprivation of all voting rights in preference to a continued endurance of existing conditions.

In the meantime the Congress had not been slow in extending the experiment of negro suffrage to the Territories of the United States and to the States of the South, who, exhausted by the most bloody and devastating war that the world had ever witnessed, lay helpless and powerless at its feet.

In May, 1866, Congress, again disregarding the same principles of local self-government, and acting in the very teeth of a contrary expression from the people of Colorado, not eight months old, had peremptorily established negro suffrage in Colorado and in all the Territories of the United States.

In 1866 Nebraska sought admission into the Union, with a constitution that limited the elective franchise to white males 21 years of age, adopted by a popular vote, and yet, in February, 1866, Congress imposed the celebrated "fundamental condition" that Nebraska should be admitted with the understanding that she should not limit the elective franchise because of race, color, or previous condition of servitude, and that this recognition should be made by the legislature of Nebraska in a "solemn act" passed for that purpose. It will be observed that the acceptance of this condition was not left to the people of Nebraska, who could alone make or unmake their constitution, but to its legislature, which had no more power under the rules of constitutional law to change its constitution than the legislature of Georgia would have had to make or amend a constitution for Nebraska.

On March 2, 1867, Congress passed the first reconstruction act, by which it immediately imposed negro suffrage upon the people of the South, and ultimately forced a ratification of the fourteenth amendment.

Under the original Constitution of the United States the representation of the States, both in the House of Representatives and in the Electoral College, was based on population, except that representation was only allowed for three-fifths of the slaves. This basis of representation was the result of a compromise between the contending forces of the North and South, effected in the Convention that framed the Constitution. It was considered advisable that there should be a readjustment of the basis of representation, for the production of the dominant power vested with no little [illegible] that with population as still the basis of representation, every freedman counted the States of the South would gain [illegible] ty to forty votes in the electoral college and the House [illegible] North, which had been able to poll 1,800,000 votes in the last Presidential election (1864)—would control the Senate at once [illegible] and the House in the election of 1868.

In the West, which had many [illegible] the remedy suggested was that Federal representation should be based upon the number of qualified voters, rather than on population. This was the remedy suggested by the Republican State convention of Wisconsin in the form of a resolution, 1865, which was [illegible] a.

[illegible] Mr. Thaddeus Stevens, of Pennsylvania, voiced this demand by proposing in the House a resolution to amend the Constitution so that "representation shall be apportioned among the States that may be within the Union according to their respective legal voters." When this question came up for debate in January, 1866, Mr. Blaine, of Maine, opposed the proposition embodied in Mr. Stevens's resolution, citing the census reports of 1860 to show that the change from total population to voting population would be manifestly unfair to New England and the Northern States, who had sent so many of their sons to the great West, and thereby largely decreased their relative voting strength.

Among the many illustrations that he gave of the injustice that would be worked by the change was a comparison between Vermont and California, which States were substantially equal in population and had the same number of Representatives; but California had 207,000 voters to Vermont's 87,000, and under Mr. Stevens's plan would have eight Representatives if Vermont should have three. A compromise between these two ideas, effected first in the Committee on Reconstruction and afterwards perfected in conference between the House and Senate, resulted in the fourteenth amendment as it was proposed to the States and as it stands to-day. It reads as follows:

ARTICLE XIV.

> Sec. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.
>
> Sec. 2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Sections 3 and 4 of the amendment are not pertinent to this discussion, while section 5 simply provides that Congress shall have the power by appropriate legislation to enforce the provisions of the article.

The Thirty-ninth Congress finally adopted this amendment on June 16, 1866, and sent it out to the several States for their adoption or rejection.

It is worthy of note that many of the more radical Republicans thought and stated, while the amendment was being discussed, particularly in the Senate, that the first section of the amendment protected political as well as civil rights, this view being expressed in the Senate debate by Senators Ross of Kansas and Edmunds of Vermont; but in the case of Minor v. Happersett (21 Wallace, 162) the Supreme Court held that the right to vote was not a "privilege or immunity" within the meaning of this section, and in that case and many others has uniformly held that this section does not add to the privileges and immunities of citizens, but simply prohibits the States from denying or abridging existing privileges or immunities.

The second section of the proposed amendment was considered by the Republican leaders as a most happy solution of the difficult [illegible] for by it the New England and Northern States would lose no part of their representation or comparative power, as they must necessarily have done had the voting population been made the basis of representation, while under its provisions the Southern States would make the dreaded gains in power in the event they enfranchised the negro—a result that thoughtful Republicans did not seriously fear, as they felt that the people of the South would not pay so dear a price for increased Federal power, and if they did not pay that price, her power could be reduced by a simple reduction, the most far-reaching and [illegible] could be [illegible]. For the [illegible] plan, neither "[illegible] nor fowl," had [illegible] strength, but on a crafty combination of both, we [illegible] ling elements of the dominant power and was [illegible] by the rank and file as "heaven-sent [illegible]."

On June 21, 1866, this amendment was proposed by Congress to the States. At this time, in some [illegible] of Congressional representation, the States of [illegible] were back in the Union. Presidential reconstruction had been proclaimed and recognized in them—the appointment of Federal judges and [illegible] for them had been confirmed by the Senate, and finally, as the [illegible] act of reconstruction this very amendment submitted to them by the Congress [illegible] ratification. At this time there were thirty-six States in the Union. Beginning with Connecticut on June 30, 1866, eighteen States of the North and West and one in the South ratified the amendment prior to March 2, 1867. But in the meantime, while the amendment was pending and before it had either been accepted or rejected, one of these eighteen States, namely, the State of New Jersey—withdrew her assent in September, 1866, as did another of them—namely, Ohio—in January, 1868.

During this same period, beginning with Texas on October 13, 1866, and ending on March 2, 1867, the amendment had been rejected by ten Southern States and the two border States of Kentucky and Delaware, a total of twelve States voting in the negative.

Massachusetts, Iowa, California, Nebraska, and Maryland were

[illegible] it was reasonably certain that the [illegible] would accept it and the last reject it, as the [illegible] three [illegible] if the [illegible] vote of New [illegible] event it was [illegible]

[illegible] was not to be easily outdone. The [illegible]

[illegible] of the various Southern States [illegible]

[illegible] this amendment, [illegible] to the National [illegible]

[illegible] It lay [illegible] by the Government [illegible] its [illegible] did not enfranchise [illegible] it had not been [illegible]

[illegible] Mr. Shellabarger of Ohio, Mr. [illegible] Maine, and Mr. Jenks of [illegible] of two and [illegible]

Senator Sumner, of Massachusetts, also urged this view in the Senate [illegible] that the [illegible] of any State [illegible] of humanity [illegible]

[illegible] in the House and Senate were without avail. [illegible] in 1866 or 1867 to attempt such a change in the Constitution, nor had current political events strengthened their [illegible]

In October, 1867, the people of Ohio rejected an amendment to [illegible]

In [illegible] every State who [illegible] forced to make [illegible] properly [illegible] States.

[illegible] this pledge the [illegible] of both branches of the legislatures of a [illegible]

[illegible] Mr. Sumner said in the United States Senate that Mr. [illegible] had protested against the adoption of the [illegible] Mr. [illegible] excessive and [illegible] It was excessive [illegible] then. It could only be discreditable in the view that it proposed to force upon the South something that the North and West were not willing to accept for themselves. It is worthy of comment that none of the [illegible] to which I have referred were made publicly until after the [illegible] tion.

The Fortieth Congress met for its last session in December, 1868. It had [illegible] of the [illegible] party in both Houses of Congress with the [illegible] tory still ringing in their ears, [illegible] party, which had [illegible] right to control [illegible]

Insensible [illegible] this barefaced fraud, they boldly [illegible] upon w[illegible] and exclaim[illegible] lives. [illegible] haste, its final passage being announced on February 26, 1869, just six days before the Congress expired by law.

Up to 1868, as we have already seen, the people of no State in all the Union except New York had ever expressly [illegible] the negro the right to vote, and every State that had [illegible] on the question had expressly declined to do so except New York, and even there the gift was not [illegible]

But in 1868 the radical wing of the [illegible] and Maine [illegible] male [illegible] of voting age to [illegible] the two [illegible] tially to the [illegible] the Republicans only succeeded in [illegible] such an amendment by a majority of [illegible] given [illegible] and Iowa thus became the [illegible] States [illegible] impaired [illegible] from Mi[illegible] where negro [illegible] had already [illegible] by the people, once in 1865 and again in 18[illegible] hunted leaders of the radical Republican [illegible] 1,000 votes [illegible] to the [illegible] with its borders.

It can not be contended that the action of any of the Southern States [illegible] as they all were by the military and leg[illegible] powers of the G[illegible] was [illegible] that [illegible] States of Iowa and Minnesota are [illegible] States in this [illegible] terms prior to [illegible] ment, and in each of those States, as I have just den[illegible] there were such an insignificant number of negro voters that question was more of a [illegible] than a practical one.

In [illegible] during the same year [illegible] in Michigan was [illegible] ty, although M[illegible]

[illegible] the leaders of the [illegible] by Senator Wilson, of Massachusetts, who said:

[illegible] United States, has cost the Repu[illegible]

Th[illegible] was approved by Mr. Blaine, who quotes it in Twenty [illegible] Congress, and he further records that [illegible]

Why, then, this measure? There were undoubtedly m[illegible] est and earnest men in the Fortieth Congress who bel[illegible] thoroughly in the principle at stake that they were wi[illegible] make any political sacrifice upon its altar. Mistaken [illegible] I think, [illegible] men to [illegible] as I [illegible] I can not withhold f[illegible] principle, always merits. But it must be remembered that the real leaders of the Fortieth Congress were nothing if not practi-

cal. The States of the South were helpless under military domination; for the present they need be neither feared nor considered. The people of the North were so grateful to the Republican party, and as yet so unreconciled to the South, that the leaders of the radical wing of the dominant party believed that they could for a while longer hold the North, even if one of their prescriptions should be the nauseating and often-rejected dose of negro suffrage. They were wise men. In any event they had a fresh [illegible] of power, and they knew that then was the proper time to [illegible] a permanent constitutional plan to take the place of the [illegible] rary statutory plan of reconstruction, and to deliver over the States of the South to the freedmen and their allies "in fe[illegible] ever," and thus insure perpetuation of their political [illegible]

On February 5, 1869, Mr. Sumner, debating the fifteenth amendment, exclaimed in the Senate:

[illegible] they will all vote for those that stand by them in [illegible]

The amendment as finally proposed to the States reads as follows:

ARTICLE XV.

SEC. 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of race, color, or [illegible]

SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

On February 26, 1869, the final vote was taken in both Houses. The total number of Representatives to which the States actually admitted to representation in Congress were entitled was 226. There were 3 vacancies, thus reducing the total membership to 223, two-thirds of which would be 149. The record shows that in the House the vote on the passage of the resolution proposing the amendment was—yeas 145, nays 44, not voting 35.

In the Senate there were at the time the vote was taken 66 votes, excluding the 8 Senators from the States of Virginia, Mississippi, Texas, and Georgia, who had not been admitted to the Senate, of which two-thirds was 44; yet the vote in the Senate on the passage of the resolution proposing the fifteenth amendment was—yeas 39, nays 13, not voting 14. So that, while the resolution received in both Houses two-thirds of the votes actually cast, it did not receive two-thirds of the votes of the total membership of either House.

Article V of the Constitution provides:

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose amendments to this Constitution.

A comparison of the language used in Article V with similar constitutional provisions is not unimportant in order to arrive at the real meaning of Article V.

Thus, II, section 2, clause 2, provides that the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Article I, section 3, clause 6, provides that no person tried by the Senate as a court of impeachment shall be convicted without "the concurrence of two-thirds of the members present."

It is undoubtedly a grave question as to whether or not, giving due weight to these comparisons, the broader [illegible] used in Article V does not require the assent of two-thirds of the total membership of each House in proposing a constitutional amendment. Our Supreme Court has never as yet passed upon that question. Indeed, it has never been presented to it for its adjudication, [illegible] Oregon, 579, sustained the [illegible] declared that the clause in the Oregon constitution [illegible] that no negro, mulatto, or Chinaman be allowed to vote [illegible] as to the va[illegible] was more properly the function of the courts of the United States [illegible] and that in the partisan bitterness and excitement then [illegible] it would be dangerous for the court to hold the fifteenth amendment [illegible]

[illegible] will not [illegible] will not be [illegible] by any [illegible] State or Federal, that [illegible] principle of justice [illegible] people, that it is [illegible] duty of the courts to decide the law without regard to the popularity or unpopularity of their decisions.

The amendment was submitted to the people in spite of the protests made in the Senate that the resolution proposing it had not received the requisite constitutional majority, and was rushed to waiting legislatures. In the North and West Republican legislatures impressed with that same dread of political power that had so charmed their party colleagues in Congress flocked to ratify their instructions from the people and to [illegible] upon them by ratifying the amendment, and in their unseemly haste [illegible] political power may [illegible] States to pass their resolutions of ratification upon the receipt of the telegraphic [illegible] political friends and associates in Washington, without awaiting official notification from the Department of State that such a resolution was proposed for adoption or what its terms were. "Carpet Bagger" [illegible] power to Congress in reconstruction, hastened to ratify for the Southern States, and in Virginia, Texas and Mississippi, which were still under military [illegible] by Congress, such ratification being once again made a [illegible] of admission, at the suggestion of Thomas Farrer, of Massachusetts.

On March 30, 1870, the ratification of the amendment was proclaimed by the Secretary of State, and thus the great drama of reconstruction was complete, and there was written in our organic law the last of the great war amendments.

The first of these amendments, the thirteenth, by which slavery was abolished, was accepted by the people of all sections, and by none more loyally and sincerely than the people of the South as the necessary and logical result of the war, but the last two, the fourteenth and fifteenth, were adopted, if adopted at all, against the will of a majority of all the people in the Union, by trickery and treachery in the North and by force and violence in the South.

Whatever may have been the purpose of the second section of the fourteenth amendment and the fifteenth amendment, yet, construing these two sections in pari materia and giving full force to the provisions of each, the only fair construction of them is that no State may deny or abridge the right to vote of any citizen of the United States simply because of race, color, or previous condition of servitude; but, with this single exception, a State may establish any qualification for voting that its people may ordain—whether that qualification be based on education, on the possession of property, or the payment of taxes, or upon any other basis whatsoever, except race, color, or previous condition of servitude—provided that if, in so doing, it shall in any way deny or abridge the right to vote of any of its male inhabitants 21 years of age and citizens of the United States, except for participation in rebellion or other crime, then such State is subject to the proportionate reduction imposed by the fourteenth amendment, if the Congress shall deem it wise and proper to enforce that penalty.

If this be a fair and correct statement of the law, as I believe it to be, two corollaries necessarily follow:

First. That all provisions in State laws, whether constitutional or statutory, that disfranchise citizens of the United States because of race, color, or previous condition of servitude are void ab initio, and have not now, and [illegible] never had, any binding force in law, and can not ever be made the basis of indictment under section 2 of Article XIV.

Second. With the above limitation, any State may withhold the franchise from any of its citizens for any reason that may seem good to it, but *when, for any such reason, it shall deny or* in any way abridge the right to vote of any of its male inhabitants of years of age and citizens of the United States, except for participation in crime, the representation may be reduced by Congress.

What condition of affairs do we find within three decades after these conclusions were reached? An examination of the various States of the Union will disclose the fact that there is not a single State in all this Republic in which the right to vote of male inhabitants of such State 21 years of age and citizens of the United States who are qualified electors under the laws of such State is not denied or in some way *abridged*" by one or more of the following classes of qualification:

1. Educational or property qualifications, or both.
2. Payment of taxes.
3. Religious belief, or nativity.
4. Australian ballot laws, requiring varying degrees of intelligence and education.

So that, when particular reference is made to the Southern States, we answer that if the charge is made that they violate the fifteenth amendment, that can not be the basis of indictment under the second section of the fourteenth amendment, for it must be apparent to the meanest intelligence, that in their constitutions and laws they have stood every test hitherto imposed upon them or likely to be imposed hereafter made.

If, however, you take the other horn of the dilemma and assert

that we are subject to the second section of the fourteenth amendment, than I believe that every State in the North and West is likewise subject to the same penalty, and that if Congress should be [illegible] enough to do so [illegible] the discretionary power vested in it by section 5 of Article XIV, it will not only be a most serious shock of the present cordial relations so happily existing between the sections, but it will require a readjustment of the basis of representation that will not start at the Potomac and end at the Rio Grande, but will stretch from Hatteras to the Golden Gate, from Maine to Florida, and will embrace in its magnificent sweep every State and Territory in the Union, and even our new islands of the sea—for Hawaii has an educational qualification for voters, and is seeking admission to the Union.

So that we would impose on the valiant Dan Quayles of this body not to embark on their warlike crusade, but rather as honest men who see and know the frailty and folly of the law as it is written, and who are opposed to keeping among the organic provisions of our national law one that is impossible of enforcement, to join with us in adjudicating its repeal.

According to the census reports of 1890, there were in the entire Union at the time the census was taken almost [illegible] negroes, constituting nearly 10 per cent of the total population. Of these 9 [illegible] million, considerably more than 7,000,000 live in the eleven States that once constituted the Southern Confederacy—namely, the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Tennessee, Alabama, Mississippi, Louisiana, Texas, and Arkansas—where they constituted in the aggregate about one-third of the entire population, varying from [illegible] per cent of the population in Mississippi to 20.4 per cent in Texas.

Nearly a million more negroes live in the four border States of Kentucky, Maryland, Missouri, and Pennsylvania, constituting 13.3 per cent of the population in Kentucky, 19.8 per cent of it in Maryland, 5.2 per cent of it in Missouri, and 2.5 per cent of it in Pennsylvania. The remainder of them—a little less than a million in number—are scattered through the balance of the Union among the other thirty States and seven Territories, in numbers varying from nearly 100,000 in New York to 134 in Nevada, but not constituting in the aggregate more than an average of about 2 per cent of the total population of these States and Territories.

In males of voting age the negroes number a little more than 2,000,000 in the entire Union, which is not quite 10 per cent of the total number of males of voting age in the Republic. In the eleven Southern States which I have named they number in the aggregate of voting age over 1,500,000, varying from 223,000 in Georgia to 6,000 in Florida, and constituting in the aggregate 36 per cent of the entire voting strength of these States, varying from 57 per cent in Mississippi to 19 per cent in Texas.

These [illegible] figures and percentages can not fail to impress any thoughtful man with the magnitude of the problem that they suggest and with the colossal interests involved in it. The 12 [illegible] white people of the eleven Southern States named have irrevocably, finally, and almost unanimously determined that they will prevent, by every constitutional means in their power, these people from exercising the elective franchise, and within the last few years have [illegible] in accomplishing that purpose, and to-day throughout the South the great bulk of them are not permitted to vote, being barred by provisions and qualifications varying in the different States, in some by property or educational qualifications, in others by requiring the payment of taxes prior to voting, and in still others by American Australian laws that require varying degrees of intelligence, while in some of the States two or more of these methods are adopted.

So far as the constitutionality of these laws are concerned, it is not believed by the great majority of our best informed lawyers and statesmen who have given it careful thought to the subject that any of these provisions violate the fifteenth amendment, and it is undoubtedly true that they have so far stood every test of the courts. If they do not violate the fifteenth amendment, they can never be held unconstitutional by any court, and if they do violate that second clause of the fourteenth amendment, the States in question have merely subjected themselves to a possible application of the penalty imposed in that amendment, a penalty almost impossible of enforcement, for the reasons I have already suggested, and as I believe any Congress will discover that should be otherwise and impotent enough to attempt to exercise the discretionary and not mandatory power of Article XIV, section 5, by enforcing the penalty prescribed in the second section of the amendment.

In this peculiar situation it is not improper that we should appeal to you to undo the mistakes of the past. Let us repeal laws which permit by indirection that which they were intended to prohibit. Let us return once more to the old constitutional doctrine of our fathers, that representation should be based solely upon population, and that each State should regulate its own election laws, and in the discussion of these great questions in this high tribunal in which the representatives of the whole people ought to sit in solemn impartiality, and in that higher court in which public opinion sits as the final and supreme earthly judge, we submit our contention that the negro can no longer pose as the special ward of the nation or expect partial treatment, but must stand or fall on his merit or demerit as a citizen and voter.

What, then, are the objections to negro suffrage? In the first place, the same objection that applies to all peoples ignorance applies peculiarly when that ignorance is the possession of a people not accustomed to participate in representative government, unacquainted with its institutions, and uninspired by its traditions.

Of the more than a million and a half negro males of voting age, three-fourths of a million of them can neither read nor write. In Alabama's 181,000, 55.8 per cent are totally illiterate; of Florida's 41,000, 35.6 per cent are totally illiterate; of Georgia's 223,000, 51.4 per cent are totally illiterate; of Louisiana's 117,000, 58.7 per cent are totally illiterate; of Mississippi's 198,000, 47.5 per cent are totally illiterate; of North Carolina's 127,000, 46.4 per cent are totally illiterate; of South Carolina's 153,000, 50.5 per cent are totally illiterate; of Tennessee's 112,000, 41.4 per cent are totally illiterate; of Texas's 137,000, 37 per cent are totally illiterate, and of Virginia's 146,000, 45 per cent are totally illiterate.

These figures speak to you more eloquently than any words I can utter, and when you remember that the test of literacy and illiteracy, upon which these figures are based, is *bare ability to read and write*, you can get an inkling as to what the true condition of this race in the South is on this subject; and when you recall that these are statistics taken after more than thirty years of freedom and education, after the States of the South have taxed themselves to exhaustion, and millions of money have been poured out by generous northern philanthropists, for negro education, you will be no longer amazed that the South has at last rid itself to a large extent of this black mass of density and ignorance, who, in the words of one of the recent governors of my State "neither recognize the sanctity of the ballot or realize the responsibilities of citizenship."

But it may be contended that, appalling as is the present illiteracy of the negro, he has made wonderful progress in education, considering his comparatively short opportunity, and is educating himself more rapidly and more thoroughly than did the white man himself for his duties as a citizen and voter. I conceded the premise that he is reducing his illiteracy at a rapid rate, but the conclusion on that he is therefore and thereby fitting himself for his duties and responsibilities as a citizen and voter I flatly dispute and believe I can successfully controvert. Let us examine the [illegible] educational progress, beginning with 1880, so as to give him a full decade of preparation before any test is applied. In 1880 70 per cent of all the negroes in the Republic were illiterate. In 1890 only 56.8 per cent were illiterate, and in 1900 only 44.6 per cent. In the eleven Southern States the figures are not greatly different from those for the entire nation, the percentage of illiteracy for the negro in these States being 77 per cent in 1880, 63 per cent in 1890, and 49 per cent in 1900. This seems to indicate rapid and gratifying progress. It does undoubtedly indicate progress along educational lines, but does it follow that with the educational advancement he has in like proportion progressed in the acquirement and attainment of those civic and moral qualifications that will render him a better citizen and voter?

Let us see. Let us look into that question. From 1880 to 1890 his illiteracy in the South had decreased from 77 per cent to 63 per cent, a relative decrease of 14 per cent and a relative increase of 18 per cent. Yet during this same period his criminality increased in more rapid ratio than his literacy decreased.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman let me ask him a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HARDWICK. No; not at this time. I will ask the gentleman to wait for a moment, and if I have time I will be very glad to answer any question he may propound. I am not at all afraid of the question of questions, but I have a certain ground to cover, and then I will take up any question that any gentleman may ask and answer it.

In 1880 there were in these Southern States 2,480 negro prisoners to the million of negro population. In 1890 there were in these States 3,275 negro prisoners to every 1,000,000 of negro population, an absolute increase of 31 per cent in criminality. Still his illiteracy had in this same decade decreased 14 per cent absolutely and 18 per cent relatively. Again in 1880 relative to the white race, and calculating each race upon the basis of population reduced to equality as between each other, the white constituted 27 per cent of the criminal classes of the South and the blacks 73 per cent. Yet in 1890, calculated on this same basis, the whites fell from 27 per cent to 16 per cent, while the negroes advanced from 73 per cent to 84 per cent of the total criminal classes, an absolute increase in criminality on this equalized basis of 11 per cent for the negro and a relative increase of 15 per cent. Yet it

must not be forgotten that during this same decade the negro had reduced his illiteracy 14 per cent absolutely and 18 per cent relatively. The Census Bureau has not its criminal statistics compiled for the year 1900, but from 1890 to 1900 the last State reports from the eleven Southern States I have named indicate that these same figures are holding good in that decade.

The conclusion is irresistible that the more you educate the negro the more criminal he becomes. But it may be urged that the negro is unfairly treated in these Southern States; that courts and juries are too prone to look seriously on his faults and to condemn him too hastily and to deal with him too harshly. Let us see. Now, if you will take the criminal statistics from the entire Union and from the different States of the North and different sections of the North and West, you will find that the negro has been punished to a very much greater degree—in other words, is very much more criminal—in the North and West than he has been in the South.

Number of negro prisoners to million of negro inhabitants.a

	1870.	1880.	1890.
[illegible]	1,621	2,480	3,275
[illegible]	1,277	2,142	2,810
[illegible]	b1,757	c4,000	c4,[illegible]
[illegible]	6,960	4,861	5,304
[illegible]	9,792	5,836	7,213
[illegible]	6,975	7,704	9,789
[illegible]	4,993	5,415	7,949
Indiana	2,581	4,993	5,847
Iowa	2,408	2,896	6,455
Ohio	1,990	3,461	5,645
Minnesota	5,321	3,086	6,000
[illegible]	3,696	7,195	7,474
[illegible]	10,274	10,235	5,490

a From Eleventh Census, Crime, Pauperism, and Benevolence, part 2, pages 4 to 10, inclusive.

b [illegible]

c Texas.

Now, what conclusions are you bound to draw from these figures? There are two. First, that he has not been treated unfairly in the South; and, second, that in the North and West, where he is more educated and less illiterate, he is more criminal. Therefore, as I say, you see everywhere the marvelous spectacle of increased negro criminality and of decreasing negro illiteracy linked together, like Siamese twins, all over this Union. Now, I want to ask this question, and I propound it to every thoughtful, candid man: If it is true that education will not keep the negro from crime, if it is true that decreasing illiteracy does not seem to deter him from criminality, by what extraordinary process of reasoning is the conclusion arrived at that it will make him a better citizen or a better voter?

In this connection let me call to your attention briefly some significant facts and conclusions stated by President Winston, of the Agricultural and Mechanical College of North Carolina, in an exceedingly able paper on this subject, read, I think, before the National Prison Association. The statistics referred to by him are from the census of 1890. Professor Winston discovered the following facts from these reports:

1. The colored element is more criminal than any other in our population.

2. From 1880 to 1890 there was an increase of 33½ per cent in the ratio of colored criminals to the colored population. In other words, the colored population was increased more rapidly in [illegible] than in [illegible].

3. While 35 per cent of the colored population are illiterate, only 54 per cent of colored criminals are illiterate. The colored population in that can read and write is more criminal than the illiterate. This is not true of any other element in the American population, where the illiterate criminals are in excess of those who can read and write.

4. The ratio of prisoners to population in pauperism is greater in the Northern States than in the Southern States. * * * The negro is more a pauper than a criminal in the North Atlantic as in the South Atlantic States; over twice as criminal in the North Central as in the South Central States, and three and a half times as criminal in the Western as in the South Atlantic States.

Mr. WATSON. Is there anything in those statistics to show what per cent of the Southern ——

Mr. HARDWICK. If the gentleman will wait a moment, I will be glad to answer any question when I get through.

Mr. GROSVENOR. But I will state to the gentleman that his time is not nearly up.

Mr. HARDWICK. If I can get a little more time, I will be glad to answer these questions.

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Indiana?

Mr. HARDWICK. If the gentleman will waive his question for a moment or two, I will answer it with pleasure later on. I prefer to go on now.

Mr. GROSVENOR. Of course, I do not wish to do anything at all if it will disconcert the gentleman.

Mr. HARDWICK. Not at all; but for the present I prefer to proceed in my own way.

The next objection I urge to negro suffrage is the almost universal corruptibility of the negro as a voter. There may be exceptions to the rule, more or less numerous in the North and West, and, indeed, a few rare ones in the South, but the rule is that any negro, rich or poor, educated or uneducated, will sell his vote, his chief concern being to obtain the highest possible price for it. I have no statistics to demonstrate this truth, but it needs no demonstration. It is a matter of common knowledge among the people of the South, and I believe this truth is known to people everywhere among whom there are any considerable numbers of negroes, and while I do not positively know it, and hence do not assert it, I surmise very strongly that the gentlemen who have controlled the various national Republican conventions since the negro became a political factor could, if they would, give competent evidence in corroboration of it.

The negro, of course, is not solely to blame for this; indeed, he is not even equally to blame with others, for where there is a seller there must be a buyer, and the buyer can not surely be held blameless for his part in such a transaction. But although it is true that the vote buyer ought to be severely punished, it is equally true that the vote seller should be forever disfranchised. Indeed, the disfranchisement of those voters whom we know do sell out is the only effectual cure for this great cancer on the national body politic. From the very nature of the transaction, from its secrecy, from the penalties attached to it, and from the opprobrium incurred by it, it is a transaction rarely susceptible, under ordinary circumstances, of proof, and hence the ordinary penalties usually provided by law can rarely be enforced.

I contend that certain truths that I now propose to state are axiomatic and undeniable. What are these truths? They are these: That the right to vote is not an absolute natural right that exists for the benefit of the individual, but a great civil and political privilege, conferred or withheld for the benefit of and in the interest of society and good government, and that men who so little appreciate their votes as to sell them ought to be deprived of them forever; and from these propositions I draw the necessary conclusion, in the light of the South's unvarying experience with the negro vote, that the negro ought to be disfranchised.

There is another and, if possible, a still more weighty reason why I oppose negro suffrage. The natural, indeed the irresistible, tendency of political equality is toward social equality. No two races have ever yet lived side by side in anything like equal numbers on terms of political and social equality without amalgamation. All history proclaims the truth of this doctrine, without an exception in any age or in any clime.

Amalgamation being impossible so long as there is a single drop of blood in the veins of a single southern white man, it follows that there can be neither social nor political equality between the races; that so long as they live together there must be the positions of superior and inferior, and that the white race will demand and take the superior position is beyond controversy. Six thousand years of history proclaim his right to it. Superior mental and moral force assert it. Justice and equity unite in confirming his title to it in this land that his adventurous ancestors discovered and conquered from its savage inhabitants, wrested from foreign tyranny, and in which they have founded and preserved that Government that is to-day the richest, the most powerful, and the most glorious on earth.

And who is the negro that he should dispute this demand? A race that never yet founded a government or built a state that did not soon lapse into barbarism; a race that never yet made a single step toward civilization, except under the fostering care and guidance of the white man; a race into whose care was committed one of the three great continents, and who has made it ever since the remotest times a land of utter darkness, until to-day the nations of Europe, in the onward march of irresistible civilization, are dividing his heritage, the greatest of the continents, among themselves. But why multiply words? It may be thought that because I am from the South and intensely southern I have an undue amount of race prejudice. I will therefore for the moment suspend my own argument and summon to my aid an illustrious advocate, one of the most illustrious, living or dead, that this country ever produced. Hear his argument, for he presents the argument I fain would make to-day, and voices with a terseness and strength I can never hope to equal the sentiments of my people.

On October 16, 1854, in a speech at Freeport, Ill., Abraham Lincoln said:

> What next? Free them [referring to the negroes] and make them politicians and socially our equals? My own feelings will not permit me to do this, if they would, we all know that there are of the great mass of the white race. Whether this feeling proceeds from the color or from the fact that the race is not the same, it is a fact. A universal feeling, whether well or ill founded, can not be disregarded.

During this same Freeport speech Mr. Lincoln also said:

> Let it not be said that I am contending for the establishment of political and social equality between the whites and blacks. I have already said the contrary.

During the same speech he also used these words:

Senator Douglas remarked in substance that he had always considered this Government made for the white people and not for the negroes. Why, in point of fact, I think so, too.

It will thus be observed that on three separate occasions during this one speech Mr. Lincoln impressed upon the people his opposition to social and political equality between the races.

In 1858 Mr. Lincoln and Judge Douglas [illegible] in that memorable contest for the Illinois Senatorship that attracted the attention of the nation. [illegible] because of the importance of the issues of the two [illegible] as the tremendous issues involved. During [illegible] Mr. Lincoln [illegible] points of [illegible] express and emphasize his [illegible]

In the Ottawa [illegible] August 21, 1858, Mr. Lincoln said:

[illegible] am in favor of the race to which I belong having the superior position.

Again in the Charleston debate, September 18, 1858, Mr. Lincoln used these words:

I [illegible] that I am not nor ever have been in favor of bringing about the political and social equality of the white race and the negro race [illegible] I will say that there is a difference between me and the honorable gentleman [illegible] I am not nor ever have been in favor of bringing about in any way the political equality of the white race and the negro race, and have never been in favor of making voters or jurors of negroes, nor of qualifying them to hold office, nor to intermarry with white people; and I will say in addition to all this that there is a physical difference between the white and black races which will forever prevent them from living together on equal footing. I am not nor ever have been in favor of bringing about the social equality of the white race and the negro race. I am as much for his [illegible] as any man, am in favor of his being [illegible] as any other man, am in favor of his being entitled to the same political rights as any other man, am in favor of his being entitled to the same social rights as any other man, am in favor of his being entitled to the same political rights as any other man, am in favor of his being entitled to the same social rights as any other man, am in favor of his being entitled to the same political rights as any other man, am in favor of his being entitled to the same social rights as any other man, am in favor of the superior position assigned to the white race.

When we add to the force, simplicity, and strength of this language [illegible] I can not hope to do so. I can only commend it to the thoughtful consideration of all the people of the Union, and especially would I commend the words of this great statesman, who came out of the great Middle West, to these latter-day statesmen, who come from the banks of the great Middle West with lances in rest to take a lance at the South.

But it may be asked, what then of the negro; you take from him the ballot that was conferred upon him for the preservation of his freedom and the protection of his civil rights—what substitute do you propose?

The answer is simple. His civil rights are forever secured to him by section 1 of the Fourteenth amendment, and so far as the South is concerned I wish to say this, that with his political infirmity eliminated and his social ambition checked he will quietly and peacefully seek that [illegible] position for which nature and training have fitted him, and so long as he is in their midst the people of the South, who understand him better and know him more kindly than any other people on earth, will be his friends. It has pleased you, in a real political sense, to give him civil rights, and you have conferred upon him political rights, and you have bestowed the elective franchise, the right to have a fair and impartial trial as to life, liberty, and property, the right to have a fair and impartial trial as to life, liberty, and property, the right to have a fair and impartial trial as to life, liberty, and property

S. 2441. An act granting an increase of pension to Frank Lee;
S. 2561. An act granting an increase of pension to Mathias S. Fr[illegible];
S. 2989. An act granting a pension to Louisa R. Ch[illegible];
S. [illegible] An act granting an increase of pension to Th[illegible]e E. Ch[illegible];
S. 1445. An act granting an increase of pension to George M. W[illegible];
S. 1[illegible]. An act granting an increase of pension to Alonzo R. K[illegible];
S. 1[illegible]. An act granting an increase of pension to Electa Allen;
S. 8[illegible]. An act granting an increase of pension to Catharine W. C[illegible];
S. 2557. An act [illegible] Johniken L. Mynatt;
S. 2558. An act [illegible] H. Kincaid;
S. 70. An act [illegible] pension to John G. Brown;
S. [illegible]. An act [illegible] pension to James M. Markham;
S. 802. An act granting an increase of pension to Charles W. De R[illegible];
S. 2048. An act granting an increase of pension to George Hyde;
S. 2087. An act [illegible] to George Riley;
S. 242. An act [illegible] to John F. Oviatt;
S. 237. An act [illegible] pension to Mortimer Ha[illegible];
S. 2[illegible]. An act granting a pension to Jane Patterson;
S. 148. An act granting an increase of pension to Benjamin H. St[illegible];
S. [illegible]. An act granting an increase of pension to Hugh T. Cr[illegible];
S. 1216. An act granting an increase of pension to Charles Reed;
S. 753. An act granting an increase of pension to William W. Turk[illegible];
S. 156. An act granting an increase of pension to Harriet L. Ford;
S. 2217. An act granting an increase of pension to Henry C. Riggs;
S. 1[illegible]. An act granting an increase of pension to Elizabeth B. Sarson;
S. 893. An act granting an increase of pension to William W. Angelo;
S. 968. An act to grant an honorable discharge from the military service to Robert C. Gaggs;
S. 846. An act granting an honorable discharge to William S. Dunn;
S. 2999. An act granting an increase of pension to Melvina C. Buzzell;
S. 1678. An act granting an increase of pension to Rudolph Reulbach;
S. 900. An act granting an increase of pension to Daniel M. Smith;
S. 2429. An act granting an increase of pension to John Dow;
S. 59. An act for the relief of Charles W. Howard;
S. 54. An act for the relief of William B. Barnes;
S. 57. An act for the relief of Laura S. Gillingwaters;
S. 58. An act for the relief of James W. Howell;
S. 62. An act for the relief of Richard C. Silence;
S. 63. An act for the relief of Charles Stierlin;
S. 60. An act for the relief of Gottlieb C. Rose;
S. 64. An act to correct the military record of William B. Thompson;
S. 746. An act to remove the charge of desertion from the military record of Charles K. Bolster;
S. 970. An act to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant;
S. 2688. An act granting an increase of pension to George M. Lingh;
S. 2870. An act granting an honorable discharge to John W. Tiffany;
S. 820. An act to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property;
S. 1842. An act to provide for compensation for certain employees of the Treasury, War, and Navy Departments;
S. 3373. An act granting a pension to Eliza Williams;

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 5841. An act granting an increase of pension to Abram Wilson;
H. R. 4200. An act granting an increase of pension to Milton H. Sweet;
H. R. 864. An act granting an increase of pension to Albert Moulton;
H. R. 1856. An act granting an increase of pension to Alexander H. Covert;
H. R. 2108. An act granting an increase of pension to Henry D. Wright;
H. R. 5559. An act granting an increase of pension to Josephine C. Chase;
H. R. 3472. An act granting an increase of pension to Marcus E. Amsden;
H. R. 5464. An act granting an increase of pension to Francis M. Northern;
H. R. 6975. An act granting an increase of pension to George W. Lawson;
H. R. 2690. An act granting an increase of pension to Thomas Kelly;
H. R. 7002. An act granting an increase of pension to James S. Rearden;
H. R. 2139. An act granting an increase of pension to James W. Knight;
H. R. 1908. An act granting an increase of pension to Harvey D. Barr;
H. R. 895. An act granting an increase of pension to Margaret M. Walker;
H. R. 2472. An act granting an increase of pension to David F. Lewis;
H. R. 2188. An act granting an increase of pension to Richard L. Cook;
H. R. 6932. An act granting an increase of pension to Harvey R. King;
H. R. 2042. An act granting an increase of pension to Alvin B. Hubbard;
H. R. 6830. An act granting an increase of pension to Charles E. Likes;
H. R. 3013. An act granting an increase of pension to John A. Mavity;
H. R. 6619. An act granting an increase of pension to Benjamin R. Little;
H. R. 3778. An act granting an increase of pension to Juliaetta Rowling;
H. R. 4916. An act granting an increase of pension to Allen M. Pierce;
H. R. 5043. An act granting a pension to William H. Harrison;
H. R. 3001. An act granting an increase of pension to Alpheus Converse;
H. R. 4115. An act granting an increase of pension to Joseph S. Young;
H. R. 3000. An act granting an increase of pension to William C. Best;
H. R. 942. An act granting an increase of pension to James F. Hardy;
H. R. 616. An act granting an increase of pension to Sarah S. Chrysler;
H. R. 957. An act granting an increase of pension to Alonzo Carpenter;
H. R. 5177. An act granting an increase of pension to William H. Clark;
H. R. 661. An act granting an increase of pension to Elizabeth E. Meekly;
H. R. 2155. An act granting an increase of pension to Charles W. Bechstedt;
H. R. 6004. An act granting an increase of pension to William C. Lyon;
H. R. 5197. An act granting an increase of pension to William C. Brown;
H. R. 2991. An act granting an increase of pension to Lydia A. Topping;
H. R. 1288. An act granting an increase of pension to Jason Stevens;
H. R. 196. An act granting an increase of pension to Grace E. Carson;
H. R. 4319. An act granting an increase of pension to John Sexton;
H. R. 6441. An act granting an increase of pension to Peter Fillion;
H. R. 3821. An act granting an increase of pension to Hannah Padgett;
H. R. 5010. An act granting a pension to Mary F. Hamilton;
H. R. 2616. An act granting an increase of pension to Joseph K. Welt;
H. R. 5521. An act granting an increase of pension to Charles S. Clark;
H. R. 5246. An act granting an increase of pension to Sebastian B. Elliott;
H. R. 1517. An act granting an increase of pension to George W. Hutchison;
H. R. 5005. An act granting an increase of pension to Worthington S. Lock;

H. R. 1184. An act granting an increase of pension to William F. Longenhagen;
H. R. 7370. An act granting an increase of pension to Andrew Ivory;
H. R. 930. An act granting an increase of pension to Thomas M. Parkison;
H. R. 227. An act granting a pension to Margaret Cotter;
H. R. 7666. An act granting an increase of pension to Laura F. Hine;
H. R. 4726. An act granting an increase of pension to Samuel B. Brightman;
H. R. 907. An act granting an increase of pension to De Witt C. Parker;
H. R. 722. An act granting an increase of pension to Zechariah B. Stuart;
H. R. 4985. An act granting an increase of pension to Edward T. Miller; and
H. R. 990. An act granting an increase of pension to Harrison W. Fox.

The message also announced that the Senate had passed with amendment bills of the following titles; in which the concurrence of the House of Representatives is requested:

H. R. 5176. An act granting an increase of pension to Alonzo Dutch;
H. R. 6092. An act granting an increase of pension to George W. Travis;
H. R. 6331. An act granting an increase of pension to James M. Dickey;
H. R. 3776. An act granting an increase of pension to Alfred I. Judy;
H. R. 892. An act granting an increase of pension to Abram H. Hunt;
H. R. 958. An act granting an increase of pension to Alfred H. Rogers;
H. R. 468. An act granting an increase of pension to Henry Christy; and
H. R. 3903. An act granting an increase of pension to George C. Sherman.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. MACON. Mr. Chairman, it is not my purpose in the thirty minutes kindly allotted me by the gentleman in charge of this bill to make a political speech. In other words, I do not think political speeches amount to much here. They are made upon one side and answered upon the other, and it is virtually a throwing backward and forward of something that has no material effect upon this body. Evidently they are made for the purpose of distribution at home, for the purpose of vote getting there; but as I understand it, the Members who have been elected to this Congress are here for the purpose of doing business, for the purpose of legislating for their country, and as they fulfill that measure their works will stand or fall. If they have legislated in a way that is contrary to the wishes of the people, as I understand it, the people, when they have an opportunity to express themselves at the polls, will, by their ballots, condemn their conduct here and will pay no special attention to any speech which has been made for political purposes only.

But, sir, a few things have been said along political lines that I beg the pardon of the committee for alluding to. This morning the gentleman from Nebraska [Mr. BURKETT] said the Democratic party while in possession of the affairs of the Government conducted them in such a manner that it did not have money enough to do the business of the country and hence failed as an Administration. Sir, I understand from the history of the country that when Mr. Cleveland was elected President in 1884, the first Democratic President that the country had seen since Mr. Buchanan yielded to Abraham Lincoln in 1861, the Treasury of the Government was depleted to a point that greatly embarrassed it in the discharge of the duties devolving upon it, and that Mr. Cleveland took charge of it in that condition and during his four years of service as President of the Union he accumulated quite a large amount of revenue, called "the surplus." I remember full well that during the campaign of 1888 the question was often asked, "What shall we do with the surplus?"

Mr. WILLIAMS of Mississippi. I understand the gentleman to say that that was the cry at the end of Cleveland's Administration—that he had accumulated a revenue. It was really the cry at the end of Cleveland's first Administration.

Mr. MACON. Yes, that was the cry even before the end of Cleveland's first Administration. Mr. Harrison then came into office as a Republican President and at a time when the whole country was wondering what was to be done with the surplus that the Democratic President had, by an economical and honest administration, accumulated within the period of four years. But the question as to the disposition of it was settled as soon as it was known that Mr. Harrison had been elected. The cry that went up was, "God save the surplus!" We all remember that. It had gone into the hands of the Republican party. Therefore the expression so universally heard, "God save the surplus!" During the Administration of Mr. Harrison we know that the surplus was exhausted and that when he went out of office he had directed that plates be prepared with which to print bonds for the purpose of getting money to run the affairs of the Government upon, and we all know that Mr. Harrison attributed his defeat for a second term to the depressed times, the hard conditions of our country, and the scarcity of money to do the business of the country upon. That was what he was defeated on by Mr. Cleveland in 1892.

Therefore I say, gentlemen, that the charges made upon the other side of the House to the effect that when Democracy was in power we wasted the surplus of the country and so administered the affairs of the Government that it did not have money enough to do the business of the country upon is contrary to the history of the country as it existed at the time.

If I am wrong in my declarations I specifically invite some one upon the Republican side to correct me in regard thereto. Mr. Cleveland then came into office on March 4, 1893, for a second Administration. He again found the Treasury in a depleted condition, with stamps already made for the purpose of issuing bonds to be sold to get money to administer the affairs of the Government upon, and that, too, during a period of absolute peace.

But, sirs, I do not want to dwell upon the subject of politics. I am simply repeating some of the arguments offered by the gentleman from Nebraska this morning, and offering such refutations thereto as are warranted by the facts in the case; and, sirs, I now repeat that if I am incorrect in my statements about conditions that existed during the periods mentioned, you now and here have opportunity to show that I am not stating the facts as shown by the records of our country. It is not my purpose to deceive—to argue against facts as they existed at the time and as they are expressed upon the pages of history.

I heard the gentleman from Illinois [Mr. BOUTELL] deliver a speech on yesterday that I enjoyed from the moment he parted his lips until he closed them, and just here I want to say I have heard a great many good things come from the Republican side of this Congress since I have been a Member of it, and if you will pardon me and not consider that I am speaking for personal purposes, I will say that my estimate of the Members who sit on the Republican side of the House has been considerably elevated since I have had the pleasure of associating with them. [Applause from the Republican side.] I believe, sirs, that you intend to do right, and that if you do wrong, in the main, it is because of erroneous ideas and faulty judgment. But now and then we find an individual Member upon that side who, for "Cheap John" political purposes, makes declarations that are not borne out by the facts, and hence it becomes necessary for us who occupy the minority side to resist such things in so far as to deny them and to furnish facts to refute them, and that far it pleases me to go, but no further.

As I said, I enjoyed the speech of the gentleman from Illinois yesterday, and I especially enjoyed that part of it that referred to the great prosperity of Arkansas. Arkansas, in my judgment, is one of the greatest States in the matter of natural resources and good citizenship that the world has ever known. She is only lacking in development, but the time has come when her superior resources are being made known everywhere, and men of means and sense are flocking to her plains and peaks to take advantage of the wonderful opportunities she is unfolding to eager humanity. She is beckoning men from every land and every clime to come to her rich fields and splendid mines and dwell among her happy people. I want to say to the gentleman from Illinois, however, that the prosperous condition that he spoke of as existing in Arkansas does not result from the high protective tariff of the Republican party.

I defy him to point to a single community in the State of Arkansas that has been benefited, to the extent that he contends, by reason of the Dingley tariff act. Our prosperity has been produced by the strong and willing arms of those who hold the plow, pick the cotton, husk the corn, and dig deep into the mines. We have increased that prosperity by reason of the fact that we have an economical people—a people who are willing to struggle and to strive in order to benefit their condition—and all they ask in this world is that you keep your hands off of them and allow them to run the race of life as God Almighty intended them to run it, untrammeled by interference from the outside. In regard to the question of which the gentleman from Georgia [Mr. HARDWICK] has just spoken—the negro question—I will say that if you will let Arkansas alone she will take care of the negro question, and she will do it without prejudice to the negro. Nobody can say here or elsewhere that Arkansas has ever enacted a law that

denies the negro an equal right with me in the worship of God, the pursuit of happiness, or the acquisition of property.

Her election law provides that the negro who pays his poll tax as I do has the same right to go to the polls and vote that I have, and, sirs, the amount paid as a poll tax goes to the common school fund, for the purpose of educating his children along with mine, and therefore I say that nothing that has been said upon the floor of this House concerning election laws or the negro question can possibly be turned upon my great State. Her policy is to do right along all lines, and all she asks is, as I said a moment ago, that you let her alone and let her administer her own affairs in her own way, and she will do it without prejudice to any of the peoples of the earth. She allows you to proceed in your own way about all matters and things that concern your own States and is not impudent enough to make suggestions to you or offer interference in connection therewith.

We have had the negro among us all of our days, and you can not find a true southern man in that State that will not fight for him when he sees that his rights are being imposed upon. When free from the influence of "long haired men and short haired women," the negro is happy and contented, and they go to their worship or their toil with a song upon their lips and a smile upon their faces. Let the colored people of Arkansas alone, and they will never rise up and complain of the conduct of a truly southern soul.

Mr. Chairman, I beg pardon for the digression that I have made in my speech. I did not rise to make a political speech or a speech upon the negro question. My purpose is to present a question to the House that I consider of much greater consequence, of a much higher and more holy character than either of the questions that I have just touched upon. I introduced a bill in this Congress, the title of which reads as follows:

To prohibit the granting or issuing of revenue licenses to sell or giving permits for intoxicating liquors within specified territory in possession of or under the control of any of the personal States or Territories of the United States of America where the sale or giving away of such intoxicating liquors, within specified territory, are prohibited by the laws of said States or Territories.

Various States in this Union have enacted laws governing the question of issuing a license to sell intoxicating liquors. In the State of Arkansas, that I speak for directly, it is provided by State enactment that where a majority of the voters of a township or county express themselves against license none shall be issued in said township or county. It is provided further that where a majority of the adult residents in a given locality petition the county court against the issuing of license for the sale of liquors within 3 miles of a given schoolhouse or church that none shall be issued. About one-half of the counties of the State have said by their votes that they are opposed to the issuing of a license to sell liquors in their respective communities. Many of the counties that have not so expressed themselves at the polls have within their borders churches and schoolhouses, a majority of whose adult attendants and patrons have signed a petition against the issuing of license to sell liquor within the 3-mile territory, and the various county courts have entered orders prohibiting the sale thereof in accordance therewith.

If the States are left to themselves they can be very effective in the matter of enforcing their local-option laws, but when interfered with by the issuing of a national license by the Government to sell liquor in the prohibited territory they have an uphill pull along that line. In morals, when the Government issues a license to sell liquors in territory that is prohibited by State law it becomes an accessory before the fact to a crime, so to speak, because it is a crime against the State whenever a person sells liquor contrary to the laws of the State. Therefore, as I see it, the Government is to-day an accessory before the fact in every community in the United States where it issues a license to some one to commit a crime against the laws of a State by selling intoxicating liquors in communities where it is sometimes declared by State law that it shall be unlawful to sell them. I do not believe that it is the desire of the legislators of this great nation that our Government shall occupy such an unenviable attitude.

Ah, but you say, gentlemen, why do these people sell it in defiance of law—state law? I say, in answer to that, for the simple reason that they are encouraged to do so by the issuing of a license to them by the Government. It is upon the same principle that a child will become reckless and uncontrollable and absolutely defy the authorities of communities if it is encouraged to do so by a thoughtless parent. The child thinks the parent more powerful and of greater consequence than the rest of the world combined, and so the "blind-tiger" man thinks that when his parent government authorizes him to commit certain acts, no matter how much in violation of the law of the community in which he lives, that he is measurably justified in so violating the local laws. He feels that the power behind him is greater than that against him and hence he slants his eye to local laws and local influences and becomes a "blind tiger" in defiance of local authorities.

Mr. GROSVENOR. Will the gentleman yield to me for a question?

Mr. MACON. With pleasure.

Mr. GROSVENOR. Will the gentleman from Arkansas have the special tax on liquor sellers repealed?

Mr. MACON. No, sir; I would not.

Mr. GROSVENOR. The gentleman would continue the license, then?

Mr. MACON. I would not continue it in prohibited territory, where States and Territories prohibited the sale of it.

Mr. GROSVENOR. But suppose some day the local option should terminate by the action of the people in that locality.

Mr. MACON. Then the Government would be at liberty, under the law, to issue a license the very next hour.

Mr. GROSVENOR. Does not the gentleman use the wrong word when he speaks of a "license?"

Mr. MACON. I understand that anything that gives a person the privilege to sell liquor is a license to sell.

Mr. GROSVENOR. But does it give a person the privilege to do anything of the kind? It simply taxes him if he does sell it, but it gives him no authority.

Mr. MACON. In our State we call it a license.

Mr. GROSVENOR. I know, but the courts have said that it did not authorize him to sell in violation of law. The gentleman having been a law officer knows that there is no immunity for doing a thing under a license if the government that issues the license is incompetent to do so, and that the liquor seller is not thereby protected by the payment of the special tax imposed upon him by the government in any locality where he is forbidden by law to sell.

Mr. MACON. Not from the penalties of the State law.

Mr. GROSVENOR. And the United States statute expressly provides that the certificate of the fact that he has paid his tax shall not be a license to sell. The receipt itself so reads, and he is notified when he pays his tax that it is not a license and gives him no authority anywhere.

Mr. MACON. Will the gentleman from Ohio say that the courts of the United States will interfere with his selling it in prohibited territory after it has furnished him with a certificate?

Mr. GROSVENOR. They will not interfere with it, nor will they protect it.

Mr. MACON. But does not the Government say to him in terms, "We will be hands off; we hand you this certificate for so much; we are hands off; now go and sell when and where you please?"

Mr. GROSVENOR. Wherever the Government of the United States has jurisdiction it will punish a man. It will punish him in this city and it will punish him in the Territories, and it will punish him anywhere in the United States if he sells without paying the license.

Mr. MACON. That is exactly what I am trying to get this Congress to do—to provide by law that no license shall be issued to a man to sell liquors in prohibited territory so that when they do sell the Government will prosecute them for so doing.

Mr. GROSVENOR. Or tax.

Mr. MACON. Well, call it tax, if you please.

Mr. GROSVENOR. He commits one crime by selling without having paid the tax.

Mr. MACON. Yes.

Mr. GROSVENOR. He commits another crime against another jurisdiction if he violates the law of a State, and he can, therefore, as it has been held over and over again, be punished for a single act. That is one of the anomalies of our national statutes.

Mr. MACON. I understand that, and that is why what I have introduced this bill for—to stop that sort of nonsense.

Mr. GROSVENOR. I am not complaining of the bill. I am complaining only of the gentleman's claiming that this great Government is licensing a man to sell liquor.

Mr. MACON. I will take that back, if it would please the gentleman from Ohio.

Mr. GROSVENOR. It would please me very much.

Mr. MACON. And say that it is allowing him, by reason of the fact that he pays a tax to it, to go into prohibited territory and violate State and Territorial laws with the assured understanding that he will not be interfered with on the part of the Government, no matter how vicious and debauching his business becomes.

Mr. GROSVENOR. The Government does not allow him to sell and the Government notifies him that it is not an allowance to sell. When he pays the money for taxation, the Government says to the man: "This shall not be an authority to you to violate the local statute of a State or city or town." It says so in distinct terms, just as much as when the government of Arkansas puts a tax on your horse it still allows you to run that horse in a race, and you may violate the law of Arkansas by betting on that horse, but it gives you a receipt for the tax that you have paid on your

horse. The State of Arkansas taxes your house, but it does not allow you to keep a gambling institution in that house. That is the distinction I am trying to draw, that the government that taxes property or an occupation by no means licenses or countenances or authorizes the continuation or doing of an act in violation of a local statute of the State or municipality, nor yet of the United States Government.

Mr. MACON. In response to what the distinguished gentleman from Ohio has said, I will say that whenever the strong arm of this Government issues to anyone a certificate saying that it will not interfere with his transactions when he violates a State or Territorial law in the business that he is engaged in, such as the selling of liquor, then and there it puts an instrument in his hands to do a thing that is in violation of local law. In other words, I contend most earnestly that such a proceeding is an inducement to him to engage in an illegitimate business. He feels that the Government of the United States is behind him, to the extent at least that he has its sanction to engage in the business and an assurance from it that it will keep the hands of its officers off of him.

Mr. GROSVENOR. But the Government has notified the taker of that certificate that it will not protect him.

Mr. MACON. I think I will be able to satisfy the gentleman in my argument before I get through. I recognize the fact that the Government does not notify him that it will protect him against the State law, but it says, "You have my permission to sell in violation of State law."

Mr. GROSVENOR. It does not say anything of the kind, if the gentleman will allow me. It utters no word to him except that he has paid the money and that the payment of the money is not a protection to him against the violation of law.

Mr. MACON. That is a quibble upon words.

Mr. GROSVENOR. It is the receipt for the tax.

Mr. MACON. I insist that it is a quibble upon words, pure and simple.

Mr. GROSVENOR. Is a receipt for the tax on your revolver, if you have one, an encouragement to you to go and shoot somebody with that revolver?

Mr. MACON. If the Government, for the payment of a tax, were to give me a certificate or receipt for the money that justified me in its estimation in going and killing people with my revolver, I say to you that, as an ordinary man, I would be much more likely to kill people than I would if I had no authorization from so great an institution to commit such diabolic offenses. Anything that is sanctioned or condoned by a strong power like our Government is an inducement to ordinary mortals to do that which they would not otherwise think of doing.

If the Government of the United States had a law saying that unless I paid a special tax I could not carry a pistol, and I was more afraid of the courts of the United States than I was of the local courts, I would, when the tax was paid and the certificate authorizing me to carry it given, be stimulated to a degree to put the pistol in my pocket and take my chances with the local courts. Upon the same principle, when the Government of the United States says to its citizens, "If you will pay a certain amount of money the Government will allow you, so far as it is concerned, to engage in the 'blind-tiger' traffic in violation of local law," it is necessarily an encouragement to them in their nefarious and illicit practice. Again, gentlemen of the House know that every man who violates law in this country would rather violate the local than the national law, especially where there is a punishment fixed for the violation of the law, he not being a corporation but only a human being.

Mr. GROSVENOR. Will the gentleman allow me a moment? As I understand his proposition, the officer whose duty it is to collect the tax may refuse to give the certificate.

Mr. MACON. Yes, sir. I not only want him to refuse to give the certificate, but I want him to be denied the right to give it to anyone and collect money therefor, call it tax money or what you will, in prohibited territory.

Mr. GROSVENOR. But if the man goes into that kind of territory and sells in violation of the United States statute, then he may be punished for it.

Mr. MACON. Of course he will be punished for it by the United States courts, if the Government officials have not granted him the right by reason of the collection of a tax to go into it and violate the law. I hope the gentleman will allow me to finish my argument, and if when I have completed it there is anything I have left out that he wants to know about the bill I will thank him for calling my attention to it.

Mr. GROSVENOR. It is not what you "left out" that I am complaining of, but what you put in.

Mr. MACON. Well, I want to "put in" a little more. [Laughter.] The gentleman has interfered with the thread of my argument to the extent that I have not been able to connect the links so as to make a complete chain. The gentleman from Ohio has taken up so much of my time that I will have to ask the House to be patient with me.

[Here the hammer fell.]

Mr. MACON. I understood I was to have thirty minutes.

The CHAIRMAN. The gentleman has occupied thirty minutes.

Mr. MACON. I have been interrupted so much that I have not had the opportunity to make the speech I would have liked to make upon this subject, and I would be glad to have a little more time. I want the gentlemen of the House to hear every phase of this question, as I believe it is one of great moment and ought to appeal to every head and heart in the United States.

Mr. LIVINGSTON. I yield the gentleman ten minutes more.

Mr. MACON. Mr. Chairman, it is not my purpose to abuse the men that engage in the "blind-tiger" business or to accuse them all of being bad at heart. I have known many of them who would travel through sunshine or shadow, through fair weather or through storm, in order to do a good deed; but for some unknowable reason some men will engage in that kind of business. Usually they are what are termed "good fellows," and are ready to divide to the last piece of bread with the footsore way farer. Hence there is always some one and usually so, to say a good word for them as individuals, no matter how much they decry their business.

Always having adherents in the communities in which they live, they feel that if they can get the sanction of their National Government to engage in the illicit sale of liquor they will take chances as against the local law. They know that they are to be tried by men of their immediate locality, and they think that when they face the jury they will see some one on it, perhaps for whom they have performed some personal service and who they believe will give them the benefit of any sort of doubt, and it is a fact that in many cases, just because the accused is a "good fellow," some one will be found on a local jury who will hang it or force an acquittal. Or, suppose he is convicted. The offender and his friends can go to the governor and appeal to him in a pathetic way with great hope of success in getting him a pardon. These same men know very well that when they are tried under the laws of the United States the marshal is not elected by them and is under no obligation to them; they know that they are tried by persons who come from all over a large district and who are not in personal sympathy with them or their local conditions, for whom they have performed no service of any kind or character, and therefore have no reasons to look to them for any sort of favor. They also know that when convicted they have to go a long, long way to reach the President's ear, and they know, further, that his time is so employed by great questions of state that he can not afford to pay any attention to those who knock at the White House door seeking pardons for having violated the revenue laws of the country. The knowledge of such facts deters them from engaging in the "blind-tiger" business. In other words, they are afraid of the United States courts. Under the present practice of the Government these parties often defeat justice even in the United States courts, and laugh about it after it is done.

For instance, they buy a license, or pay a tax, as the gentleman from Ohio [Mr. GROSVENOR] would have it called, for three months, and they sell the year round under that special privilege. When a witness is brought before the grand jury and informs upon them and the party that he appears against is indicted and brought to trial the witness is put upon the stand and during the course of the examination he is asked to specifically name the time that he bought intoxicating liquors from the accused. He may reply that he bought it in July, but is not positive as to the time. Then he will be pressed to know if the purchase could not have been made in April, May, or June, or some other time than the month of July. He usually has some doubt about whether it was in July, as he thought, or at some other time, and in that condition he is dismissed. The accused is then put upon the stand, and he says that he remembers well that he sold the liquor to the prosecuting witness at a specific time, being sure to name a time that is covered by his tax receipt, as the gentleman from Ohio would call it, and he then exhibits his receipt, showing that he has paid the revenue for the quarter beginning with April and ending with June. That leaves the matter in such condition as that the court would not allow a conviction to stand in his case. Hence the prosecution has been a farce, and the accused can well afford to go out and laugh.

Mr. Chairman, I assert with all the seriousness of my nature that the enforcement of the local-option laws of this country is a more large and will be so long as the Government issues a tax receipt, certificate, license, or anything else the gentleman from Ohio cares to call it, that clothes them with immunity from the Federal courts, no matter how flagrantly they may violate the local-option laws of the various States and Territories. Pass the kind of law that I now propose and "blind tigers" will take to the woods. They will "hunt tall timber," as the old say-

ing is, and the social conditions of every community in this fair land will be cleared up and made manifestly better by reason thereof. The "blind tiger" man does no good for himself, for if he persists in his business he usually reaches an untimely grave and leaves a homeless and poverty-stricken family behind him. He poisons the social atmosphere of every community in which he exists. He debauches manhood and makes perjurers of some of our best young men, young men who, if left free from such baneful influences, would adorn society and fill the high places of our country. He causes salty tears to trickle down the wrinkled cheeks of devoted old mothers. He sends daggers into the hearts of loving wives and sisters. He causes children to shiver, wilderness and to suffer with the pangs of hunger. He brings sorrow, but no joy. He makes criminals, but no Christians. He can not thrive in any community where the States or Territories authorize by license the sale of liquors, and he can not thrive in the presence of prohibition if the Government will take from him the authority that it gives him to invade the sanctity of those communities and to violate the sanctions of local laws. He is an enemy to himself, his family, and his country, and hence there is no reason that I can conceive of for his existence upon the face of the earth.

I am not talking against the individual, but I want to do and say everything I can against his diabolic business. This is not a Democratic or a Republican question. It is one that concerns every man alike, whether he be white, black, red, or of other complexion. It concerns every mother, wife, sister, and babe in the broad land, and no one will have the temerity to say that if enacted into law it will not be beneficial to every community within these United States. The only argument that I have heard against the passage of the bill is that it will cut off a portion of our revenue. Gentlemen, you have heard of the cry of blood money all your lives. In my judgment no money was ever stained with redder blood than that which comes to the Treasury of the United States through the "blind-tiger" channel. Every dollar of it is dyed with the red blood that is wrung from the hearts of the women and children of this country, and no matter how deep they may sink it in the "till," the stain will not be removed, and it can not escape the sound of the heart-rending wails that inveigh against it.

I have taken up too much of your time in talking about this matter, I know, and yet I have not said half that I would like to say upon the subject. I ask you to investigate every phase of the question; to sound the communities in which you live and see whether or not it is the wish of your people to have the United States Government grant a privilege to persons to sell liquors in the various communities contrary to the laws of the State or Territory in which they are situated. If you find that the bill is in the interest of humanity; if you believe it is to the interest of social conditions and happy homes, I beseech you to pass it, and all the people who live in communities where the blind-tiger pest now abides will rise up and call you blessed. [Applause.]

Mr. Chairman, I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD. Is there objection? The Chair hears none, and the request is granted.

Mr. HEMENWAY. Mr. Chairman, the time so far taken has been about equally divided. The gentleman from Georgia [Mr. LIVINGSTON] used ten minutes more time than has been used on this side. I am going to ask that the committee rise temporarily, so that I may obtain unanimous consent for an extension of time. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, Mr. LACEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the urgent deficiency bill, and had come to no resolution thereon.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. CHARLES B. LANDIS] be given time in which to address the Committee of the Whole, and that the amount of time occupied by him be granted to the gentleman from Georgia [Mr. LIVINGSTON], to distribute as he desires, after the gentleman from Indiana [Mr. CHARLES B. LANDIS] has concluded.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that an extension of time be given to the gentleman from Indiana [Mr. CHARLES B. LANDIS] to address the Committee of the Whole House on the state of the Union on the pending bill, and that an equal amount of time be given to the gentleman from Georgia [Mr. LIVINGSTON], to be disposed of as he may see fit. Is there objection?

Mr. HEMENWAY. And I will ask to add to that the request that upon the conclusion of that time the general debate shall close.

The SPEAKER pro tempore. And that at the conclusion of that length of time the general debate upon the measure shall be closed. Is there objection?

There was no objection.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. LACEY in the chair.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved bills and joint resolutions of the following titles:

January 21, 1904:

H. R. 7273. An act to enable the city of Phoenix, the town of Tempe, and the town of Mesa, all in Maricopa County, Ariz., severally to issue the bonds of said municipalities for the purpose of aiding in the construction of a freighting and wagon road from any convenient point in the Salt River Valley to the Salt River reservoir dam site in Maricopa County, Ariz.

January 23, 1904:

S. 6. An act granting a pension to Cora M. Converse;

S. 7. An act granting an increase of pension to Alfred Woodman;

S. 8. An act granting an increase of pension to Perry Kittredge;

S. 11. An act granting a pension to John L. Sullivan;

S. 65. An act granting an increase of pension to Charles R. Allen;

S. 112. An act granting an increase of pension to Henry G. Hammond;

S. 172. An act granting an increase of pension to Elizabeth McClaren;

S. 338. An act granting an increase of pension to Jane M. Watt;

S. 339. An act granting an increase of pension to Ebenezer H. Richardson;

S. 367. An act granting an increase of pension to George W. Richardson;

S. 1604. An act granting an increase of pension to Mary A. Bishop;

S. 1652. An act granting an increase of pension to Minerva A. McMillan;

S. 1704. An act granting an increase of pension to Lucretia Ritchhart;

S. 1755. An act granting an increase of pension to Thomas Bailey;

S. 1756. An act granting an increase of pension to Zebedee M. Cushman;

S. 1772. An act granting an increase of pension to Louis K. Bard;

S. 1849. An act granting an increase of pension to Charles P. Skinner;

S. 1862. An act granting an increase of pension to George W. Herron;

S. 1913. An act granting an increase of pension to Lorenzo E. Harrison;

S. 1929. An act granting an increase of pension to George W. [illegible];

S. 1952. An act granting an increase of pension to John Monahan;

S. 1984. An act granting an increase of pension to Levi Roberts;

S. 1985. An act granting an increase of pension to Jonathan Hites;

S. 2078. An act granting an increase of pension to Hampton C. Watson;

S. 2125. An act granting an increase of pension to Marcus T. Caswell;

S. 2218. An act granting an increase of pension to Amanda B. Tisdel; and

S. 1496. An act supplemental to the act of February 9, 1821, incorporating the Columbian College in the District of Columbia, and the acts amendatory thereof.

January 25, 1904:

S. R. 31. Joint resolution authorizing the erection and maintenance of a monument in memory of the late President Benjamin Harrison, upon land owned by the United States in the city of Indianapolis, State of Indiana:

S. 652. An act making Chester, Pa., a subport of entry; and

S. 465. An act to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," approved May 19, 1896.

January 27, 1904:

S. R. 32. Joint resolution to fill vacancies in the Board of Regents of the Smithsonian Institution.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. CHARLES B. LANDIS. Mr. Chairman, I have been very much interested in the line that this debate has taken, political in its character. Beyond everything else we are a political people. The very nature of our institutions makes us such. Political parties in their birth were coincident with the birth of our Constitution, and since that instrument was adopted we have always had two great political parties in this country. I sincerely trust that the time may never come when there will not be two great political parties, the one to keep watch on the other; but if ever there was a time that it seemed as though there were really but one political party, that time is the present.

Back on the Wabash, where I live, there was a farmer who employed at one time an Irishman fresh from across the water. The farmer had come in possession of a water turtle, and he asked Pat the next morning after he arrived to go out in the barn lot and kill the water turtle. I do not know whether all Members of this body are acquainted with the habits, manners, and customs of that creature or not; but it possesses the peculiar ability to walk about after its head is cut off. Pat went out and cut off the head of the turtle. The farmer in the course of a few hours saw the turtle walking around in the barn lot. He said to Pat, "I thought I told you to kill that turtle?" "Yes," said Pat, "you did, and I killed the turtle, and the turtle is dead, but it does not realize it." [Laughter.] I take it that this is the position of the Democratic party largely to-day. It is dead, but it does not realize its condition. But it will realize its condition unless some method be adopted by which the "peerless leader" from Nebraska can be muzzled and taken off the public platform.

Mr. Chairman, if there is any one political proposition that has been established beyond another in this country in the last ten years, it is that the hope of power and the failure to possess power are absolutely essential to cohesion in the Democratic party. Success at the polls is absolutely fatal to the Democratic party. Those were splendid legions that followed Tilden in 1876; those were splendid legions that followed Hancock in 1880; and those that followed Cleveland in 1884, 1888, and 1892. Where are they now? The success of 1892 scattered them——

Mr. LIVINGSTON. Getting together.

Mr. CHARLES B. LANDIS (continuing). And to-day the Democratic party finds itself in the midst of demoralization and humiliation, without a leader and without a man. I was very much impressed by a statement made a short time ago by Mr. William C. Whitney, a well-known Democrat, who lives in New York. He said that at the present time the Democratic party was absolutely without a measure and without a man. By that he did not mean that there were not in the various elements that make up the Democratic party able men; what he did mean was that there was no man who could stand for all the fads and isms represented by the various factions of the Democratic party.

On the other hand, the Republican party is rich in men and it is rich in measures. The Republican party has always been rich in men and it has always been rich in measures.

Mr. LIVINGSTON. Got any money?

Mr. CHARLES B. LANDIS. We always have money under a Republican Administration, even down in the distinguished gentleman's State. [Applause on the Republican side.] And, speaking of men, Mr. Chairman, recalls the fact that there have been great changes in this body since some of us came here in the Fifty-fifth Congress.

We recall the days of that Congress with pride not unmixed with sorrow and can never revert to them with other than feelings of reverence. The four men most conspicuous in our party and most potential in the affairs of government at that time now belong to the ages. William McKinley, our President; Garret A. Hobart, our Vice-President; Thomas B. Reed, our Speaker; Nelson Dingley, our leader. I doubt if four men ever contemporaneously served this Republic who were better fitted to perform their parts than were these four men. They had a great work before them. They were to lead in the work of the restoration of business, which meant the prosperity, the comfort, and the happiness of 70,000,000 people.

How well they performed their work the world knows, and when we laid them away not the slightest stain tarnished the shield of any one of them. McKinley, Hobart, Reed, and Dingley! Certainly even our political opponents ought to concede some virtue to a party which in a few brief months can give to immortality such a quartet as that and still stand with its face to the future more hopeful, more ambitious, more courageous, more nearly invincible than ever before. [Applause.]

What a tribute to the reserve strength of the Republican party! Our leaders go and others step forward to take their places. It has been thus since the days of Abraham Lincoln, and is true because the principles for which those men have stood have been grounded in truth and political righteousness.

A gentleman who addressed this House a few days ago stated that he could never understand why the people of this country had turned their backs on the Harrison Administration in 1892 and gone over to the Democratic party and changed the policies of the Government. The gentleman's memory must be exceedingly short, for were he to go back and call up the incidents of that campaign it would all seem perfectly plain to him.

Benjamin Harrison and his Administration from 1888 to 1892! Up to that time there was nothing like it in the history of the American Republic; there was more wealth in more homes in 1892 than there had ever been before; there were more people owning their own homes that ever before. Wages were higher then than ever before; there were more young men and young women going away to college from the country, from the small towns, and from the cities than ever before; more carpets were on more floors and more pictures were on more walls and more pianos were in more parlors than there had ever been at any time in any country since the stars sang together on the morning of the creation.

But for some unaccountable reason a majority of the American people went to the polls and voted the Democratic ticket. Why did they do it? It was because they were deceived and misled; they did it, Mr. Chairman, because our friends on the other side who led in that campaign raised and took the people away from the truth. I remember distinctly——

Mr. LIVINGSTON. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Georgia?

Mr. LIVINGSTON. May I ask the gentleman a question?

Mr. CHARLES B. LANDIS. Yes, sir.

Mr. LIVINGSTON. Is it not true, my dear sir, that every Presidential election has been decided in the last twelve years by what is called the "independent" or "floating" vote in this country? Is that not true? Is it not true of Indiana? Is it not true of Illinois? Is it not true of New York State and many other States that the independent or "floating" vote controls the State?

Mr. CHARLES B. LANDIS. The independent vote controls the election in all the States north of Mason and Dixon's line, but I want to say to the distinguished gentleman it does not control any votes on the other side of Mason and Dixon's line.

Mr. LIVINGSTON. Do you make any distinction between that independent vote and the regular Republican vote?

Mr. CHARLES B. LANDIS. Why, there is some distinction; yes.

Mr. LIVINGSTON. You are asking the question why Mr. Harrison was defeated and why Mr. Cleveland got an overwhelming majority and why Mr. McKinley got an overwhelming majority.

Mr. CHARLES B. LANDIS. Yes.

Mr. LIVINGSTON. Was it not from this floating or independent vote?

Mr. CHARLES B. LANDIS. It was from the independent vote which the Democratic leaders misled.

Mr. LIVINGSTON. And it is the independent vote you sometimes lose that would beat you.

Mr. CHARLES B. LANDIS. That is true, but I want to say to the gentleman that the independent vote does not come from his section of the country.

Mr. LIVINGSTON. I understand; and it will never come from there, as we have no such vote there.

Mr. CHARLES B. LANDIS. We will never get it from there until we have a minority representation on election boards.

Mr. BOWIE. You have got them.

Mr. CHARLES B. LANDIS. You appoint them.

Mr. BOWIE. No, sir.

Mr. CHARLES B. LANDIS. I would rather have a Democrat on an election board than a Republican appointed by a Democrat. [Applause on the Republican side.] Right in line with that——

Mr. WILLIAMS of Mississippi. Let me ask the gentleman, Have you election boards in Indiana?

Mr. CHARLES B. LANDIS. There is no election board in the State of Indiana upon which there is not a minority representation, and upon which the Democratic party does not name the Democratic member.

Mr. WILLIAMS of Mississippi. Who appoints them?

Mr. CHARLES B. LANDIS. They are selected by the chairmen of the two leading political parties.

Mr. WILLIAMS of Mississippi. Yes; but what officer appoints them?

Mr. CHARLES B. LANDIS. The clerk.

Mr. WILLIAMS of Mississippi. The clerk is either a Democrat or a Republican?

Mr. CHARLES B. LANDIS. Yes.

Mr. WILLIAMS of Mississippi. They are appointed the same

way down South, and any statement that is made that in Mississippi, at any rate, the minority representative is not always upon a board of that sort, is a very erroneous statement.

Mr. LIVINGSTON. Now, as to the State of Georgia——

Mr. CHARLES B. LANDIS. I want to say to the gentleman from Mississippi that that wasn't done in the South before the colored vote was disfranchised.

Mr. BOWIE. In Alabama at the last election, the Republicans had an even division, the election board was their own selection. That is now a part of the law of the State of Alabama.

Mr. CHARLES B. LANDIS. That was after the amendment to the Constitution was passed. I was much impressed by an interview with a gentleman from Tennessee, published in one of the local papers a short time ago. He had been up in New York. He returned to Washington and was interviewed by a local reporter as to the political outlook generally. He said he was not prepared to speak for New England or any Northern State, but as far as Tennessee was concerned it did not matter who was nominated or upon what sort of a platform he stood. Tennessee would give the Democratic party a majority of 30,000. [Laughter on the Republican side.] He might as well have said 100,000.

Mr. WILLIAM W. KITCHIN. Will the gentleman yield for an interruption?

Mr. CHARLES B. LANDIS. For a question.

Mr. WILLIAM W. KITCHIN. As the gentleman from Indiana is evidently not acquainted with the Southern election boards, I wish to remind him that in North Carolina, which we think is a fairly Democratic State, the election boards are composed of members of both parties and that the Republican members of these boards are appointed under the law upon the recommendation of Republican organizations.

Mr. CHARLES B. LANDIS. That is since the adoption of the grandfather clause.

Mr. WILLIAM W. KITCHIN. No, sir; we have had a law similar to that for years and years, and for many years in our State a majority of the election officers were hostile to the Democratic party, and under such circumstances as these, when the majority of the election officers were against us, we have elected our candidate by overwhelming majorities. [Applause on the Democratic side.]

Mr. CHARLES B. LANDIS. I served as a member of an election committee, and I saw samples of the fair elections in South Carolina, and the gentleman from North Carolina [Mr. KITCHIN] has my impression. Those elections were conducted by Democrats clad in red shirts and armed with shotguns.

Mr. STEPHENS of Texas. I want to say to the gentleman that the boards are selected by the chairmen of the various political parties in Texas exactly as has been explained by the gentleman from North Carolina. The Republican party has a fair representation upon that board selected by their own chairman of that State, and I believe Texas is a Democratic State.

Mr. FINLEY rose.

Mr. SLOCUMBER. Mr. Chairman——

Mr. CHARLES B. LANDIS. Oh, I can not yield to all; my time is going very rapidly. There is not time for all the States.

Mr. CURRIER. Mr. Chairman, if the gentleman from Indiana will allow me, I want to say that in an election case just heard before the House committee it appeared that in one Southern State the Republican judges that were appointed were men that could not read or write.

Mr. WILLIAMS of Mississippi. In very many of the places there are no Republicans to act, can read or write. [Laughter on the Democratic side.] Would you have them cut them out entirely?

Mr. PAYNE. Why don't you let them in under the grandfather clause? [Laughter.]

Mr. CHARLES B. LANDIS. Mr. Chairman, I will say to the gentleman from Mississippi that if his minority actually polled votes there were only about eleven hundred and seventy-five votes in his district altogether at the last election.

Mr. WILLIAMS of Mississippi. Does the gentleman mean in my district?

Mr. CHARLES B. LANDIS. Yes; in the gentleman's district.

Mr. WILLIAMS of Mississippi. Why, there wasn't any Republican votes. [Laughter.] There wasn't any opposition to me. There was no nomination by the other party.

Mr. CHARLES B. LANDIS. Why?

Mr. WILLIAMS of Mississippi. Because no one was silly enough to imagine that he could be elected in that most intelligent district of the United States of America, where nobody can vote unless he can read and write the English language. [Great laughter.]

Mr. CHARLES B. LANDIS. It would seem, then, from the returns that there were only about 1,170 who could read and write the English language. [Laughter.]

Mr. WILLIAMS of Mississippi. There the gentleman is mistaken, as usual, for the old familiar Republican reason, that half knowledge is so much worse than no knowledge at all. I ran through a very exciting Democratic primary election just prior to that general election, and if the gentleman would look at the primary returns he would find the vote was a very large one, considering that the voters are required to name who can read and write, and that 62 per cent of the population are negroes, and that negro population 58 per cent can not read and write, and the balance would rather bribe themselves with $3 a piece not to vote than to vote, even that with the gentleman's payment of a $2 tax.

Mr. CHARLES B. LANDIS. Why, they bribe themselves. [Laughter.] I will tell you how.

Mr. CHARLES B. LANDIS. I will say to the gentleman from Mississippi that I have heard of a man who robbed his own trunk, but I have never heard of a man who bribed himself. [Laughter.]

Mr. WILLIAMS of Mississippi. Why, this is a most reasonable statement, and yet a plain story will enable a gentleman of the intelligence of the gentleman from Indiana [Mr. CHARLES B. LANDIS] to comprehend it perfectly. The white people of the State of Mississippi, understanding race traits and tendencies, put upon the statute books a poll tax and said that before anybody could vote he must have paid that poll tax the February previous to the election.

Then we went a step further and provided no machinery to collect that tax except from taxable property. I can be made to pay it, but a poor nigger without taxable property or a white man without it can not be made to pay it. The sheriff can not go and arrest him; he can not take any steps to collect the tax, and the only penalty is that if a man does not pay it he can not vote, and Mr. Sambo prefers to bribe himself not to vote. [Applause on the Democratic side.]

Mr. CHARLES B. LANDIS. And the result in Mississippi is just exactly as it has always been—there was no difference before these new qualifications were established.

Mr. WILLIAMS of Mississippi. Oh, yes; there was.

Mr. CHARLES B. LANDIS. You selected a solid delegation then by a no larger vote than you cast now.

Mr. WILLIAMS of Mississippi. Oh, yes; we cast a very much larger vote, and had very exciting elections—sometimes far beyond in excitement any that the gentleman and his colleagues read up in his country. Sometimes we went to the point of bloodshed.

Mr. CHARLES B. LANDIS. At the primaries?

Mr. WILLIAMS of Mississippi. No; at the general elections; and up to the time of the adoption of the constitution we had a contest in nearly every county, and I will say further that I have run against two Populists in my time as Populist nominees for Congress, and [illegible] was [illegible].

Mr. PAYNE. I will state that Mr. Allen—John Allen; we all remember him—used to explain how they did in those days. He said that whenever they used to fire a gun so the niggers might know there was going to be an election—simply to call their attention to it. [Laughter.]

Mr. CHARLES B. LANDIS. Mr. Chairman, I would like very much to submit——

Mr. LACEY. Mr. Chairman, I would like my friend to permit me to offer him a suggestion by saying that we are at this time suffering from the absence of the gentleman from Texas, who has had to go home in order to pay his poll tax in order to vote at the next election.

Mr. WILLIAMS of Mississippi. That shows what a good citizen he is. He would not surrender the sacred function of citizenship.

Mr. MARTIN. Will the gentleman from Indiana yield?

Mr. CHARLES B. LANDIS. I will yield this one time, but no more.

Mr. MARTIN. I should like in the interest of information, in the time of the gentleman from Indiana [Mr. CHARLES B. LANDIS] to ask the gentleman from Mississippi [Mr. WILLIAMS] how many qualified voters there are in his district.

Mr. WILLIAMS of Mississippi. I do not know how many there are in the district which I now represent. In the Fifth district, which I represented before I was thrown into this new one, there were some [illegible]. But I have not had those statistics at my command.

Mr. MARTIN. The Eighth is the district of the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. That is the district I represent. The Fifth was the district I represented before I was thrown into the last time, and I have not the figures of the number of qualified voters in the present district.

Mr. MARTIN. I see the gentleman is now from the Eighth district.

Mr. WILLIAMS of Mississippi. Yes.

Mr. MARTIN. I would ask the gentleman what his best judgment is as to the number of qualified voters in his district?

Mr. WILLIAMS of Mississippi. In this district, which is mostly composed of black counties, I do not think that there are over 10,000 qualified electors.

Mr. MARTIN. I notice the number of votes cast in the election in the district represented by the gentleman from Mississippi [Mr. WILLIAMS] at the last election, as given in his biographical sketch, is 1,433.

Mr. WILLIAMS of Mississippi. And so careless were we about it that I will say that the gentleman from Mississippi did not even go to the polls and vote for himself. There was no opposition.

Mr. CHARLES B. LANDIS. I understand arrangements are now being made to so amend your constitution as to elect you for four years. [Laughter.]

Mr. WILLIAMS of Mississippi. Oh, no.

Mr. PAYNE. Was the gentleman from Mississippi [Mr. WILLIAMS] saving his $3—is that the reason he did not go to vote? [Prolonged laughter.]

Mr. WILLIAMS of Mississippi. "The gentleman" could not save his $3, because he had taxable property in the State, and the tax could have been made out of that property. It is only the poor man, without taxable property, who can save his $3. And the poll tax goes to the support of the public schools—over half of it to the education of the negroes.

Mr. PAYNE. And only the poor man who can not raise the $3 can be successfully deprived of his vote.

Mr. CHARLES B. LANDIS. Mr. Chairman, a short time ago I had occasion to look over the election returns from Mississippi, and I discovered that the eight Members from that State received about 18,000 votes. That is not half the number of Republican voters there were in my district at the last election. In other words, in Mississippi you elect your entire delegation——

Mr. WILLIAMS of Mississippi. My friend from Indiana wants to be fair, of course.

Mr. CHARLES B. LANDIS. Always.

Mr. WILLIAMS of Mississippi. I know that, because I know him well enough to know that, as "Uncle Joe Cannon" once said, "He is as fair as political exigencies admit of." [Laughter.]

Now, then, suppose in your district, and in all the other districts of the State of Indiana, there were no Democratic nominees running against any of the Republican candidates for Congress; and suppose that had been going on for three terms——

Mr. CHARLES B. LANDIS. That is a supposition contrary to reality.

Mr. WILLIAMS of Mississippi. Suppose it, however; we can suppose anything.

Mr. CHARLES B. LANDIS. In Mississippi! [Laughter.]

Mr. WILLIAMS of Mississippi. Especially men with so brilliant an imagination in regard to facts as that possessed by my friend from Indiana. [Laughter.]

Now, suppose that to have been the case, how many voters do you think would have turned out in your Congressional district to vote for you as a perfunctory act when they had already nominated you?

Mr. CHARLES B. LANDIS. That is absolutely an unsupposable case in my district.

Mr. WILLIAMS of Mississippi. Suppose, furthermore, that the law provided, as I doubt not it does in your State, that the names of the persons to be voted for must be upon the ticket two weeks, or some other specified time, before the election; and suppose that the period of two weeks before the election had arrived and partly expired and no other nominations had been made, that the name of nobody else had been put upon the ticket, even by petition, and nobody else could possibly be voted for under the law. How many voters does the gentleman suppose would have turned out and voted for him when there was no possibility whatever of his being defeated?

Mr. CHARLES B. LANDIS. That is not a supposable case.

Mr. ADAMS of Pennsylvania. May I be allowed to interrupt the suggestion of the gentleman from Mississippi?

Mr. CHARLES B. LANDIS. I must insist that my time shall not be all occupied by other gentlemen.

Mr. ADAMS of Pennsylvania. I will say to the gentleman from Mississippi that in my district there was no nomination made by the Democrats, yet 45,000 votes were cast.

Mr. WILLIAMS of Mississippi. Ah, but in Philadelphia they vote by machinery. [Laughter and applause on the Democratic side.]

Mr. ADAMS of Pennsylvania. No; we do not——

Mr. WILLIAMS of Mississippi. You have a labor saving device.

Mr. ADAMS of Pennsylvania. We do not have to restrict those people to whom the Constitution of the United States has granted the ballot in order to elect our candidates.

Mr. WILLIAMS of Mississippi. Nor do we; nor have we ever done so, and anybody who says that we have made mistakes is no better lawyer than the judges of the Supreme Court of the United States.

Mr. ADAMS of Pennsylvania. I know what the Constitution says——

The CHAIRMAN. Has the gentleman from Indiana [Mr. CHARLES B. LANDIS] yielded the floor to anyone, and if so, will he kindly indicate to whom?

Mr. CHARLES B. LANDIS. I must decline to yield further to anybody.

The CHAIRMAN. The gentleman from Indiana declines to yield further.

Mr. ROBINSON of Indiana. I want to remind the gentleman from Indiana that his time is unlimited.

The CHAIRMAN. The gentleman from Indiana declines to yield.

Mr. ROBINSON of Indiana. I want to bring the gentleman nearer home—to some matters concerning the fairness of elections which I am sure he desires to learn.

Mr. CHARLES B. LANDIS. I must decline to yield for the present.

Mr. ROBINSON of Indiana. In the matter of redistricting——

The CHAIRMAN. The gentleman from Indiana declines to yield.

Mr. CHARLES B. LANDIS. In response to the gentleman from Mississippi, who said that in Philadelphia they vote by machinery, I would suggest that it does not seem to be an objection in Philadelphia as coming by the suggestion from the State of Mississippi. [Derisive cries on the Democratic side.]

And in this connection I want to call attention to the fact that the gentleman from Pennsylvania [Mr. DALZELL], who was a contestant in the recent election, yet there were cast for Lincoln 300,000 votes. General BEAVER had no opponent, and there were cast for him 300,000 votes. [Applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Were there not other officers voted for at the same election?

The CHAIRMAN. The gentleman from Indiana declines to yield. The gentleman from Mississippi is not in order.

Mr. WILLIAMS of Mississippi. I did not mean to transgress.

The CHAIRMAN. The gentleman has declined to yield.

Mr. WILLIAMS of Mississippi. The gentleman has not declined to yield. I am asking him now.

Mr. CHARLES B. LANDIS. I must decline to yield, Mr. Chairman.

Mr. LIVINGSTON. You did have a gubernatorial election. Why don't you admit it?

Mr. WILLIAMS of Mississippi. There were other officers voted for at the same time, Mr. Chairman.

Mr. CHARLES B. LANDIS. I regret, Mr. Chairman, that this discussion has been drawn into this partisan form. [Laughter.] I had intended simply addressing myself to the question why the people of this country abandoned Republicanism in 1892 and went over to Democracy. That was my intention at the time I was interrupted. The reason why the people abandoned the Democratic party in 1892 was because they were passed, because they were deceived.

You remember how political orators went through the country in that campaign and succeeded in impressing upon the people as a fact that Congress had passed laws whereby they were being oppressed by the mill bosses and the factory lords, and that the heel of the plutocrat was upon their necks; that the rich were growing richer and the poor were growing poorer. I remember hearing a prominent Member of this House speak in Indiana in that campaign going over a rigmarole that was very popular at time.

He would pick out some poorly dressed man in the audience and say to him: "John, do you know that you are being robbed? Do you know that you are being victimized by the mill bosses and factory lords? Do you know that you are taxed from the day you are born until the hour you die?"

"Why," he would say, "John, you arise in the morning by turning down a coverlid that is taxed 60 per cent. You put your feet out on a carpet that is taxed 40 per cent. You put on a hat that is taxed 100 per cent. You put on a pair of pantaloons that is taxed 100 per cent; a pair of suspenders that is taxed 40 per cent. You lift a latch on the door that is taxed 50 per cent; wash your face in a basin that is taxed 50 per cent, and then go in and sit down at the breakfast table and eat your poor, God-forsaken breakfast with a knife and fork taxed 100 per cent."

He would repeat that until that man would think after he had heard it all that it would cost him from $150 to $200 to get ready for breakfast every morning. [Laughter.]

Hired peddlers were sent out by the national Democratic committee, who went through Indiana offering tin cups for sale at a dollar apiece, and every time the housewife would shake her head and marvel at the price, the hired peddler would shake his head and say, "Well, it is high, but it is all on account of the infamous McKinley bill." And in some parts of Indiana they sent men

through the country peddling gourd seed, offering it for nothing, and saying to the farmer, "They have robbed you of your tin cup and your tin pail, but thank God they can not take from you the gourds of your fathers." [Laughter.]

That is the way you did it in 1892, and you won. Grover Cleveland was elected. You secured control of both branches of this Government, and I contend that that was the greatest mistake the Democratic party ever made. They found themselves facing the people of this country in the midst of a domestic prosperity never before equalled. They were pledged to improve it. Capital was employed; they promised to employ it better. Wages were high; they promised to make them higher. Labor! There was not an idle man in the United States of America unless he was idle from choice; and you are acquainted with the result. Scarce three months passed until the idle men were numbered roaming over the country.

Bankruptcy became an epidemic. Illness got to be a professional and business festivals became popular social functions. You did that, gentlemen. You brought about that condition of affairs—you politicians, you promoters, you arrangers. You packed the side tracks of the railroads of this country with empty cars. You sent the price of corn so low it was burned as fuel. The farmer fed 30-cent wheat to 2-cent hogs, and horses were not worth wintering, and sheep shivered and died on the range because they were not worth sheltering, and as many as 100 idle men were found on single trains roaming this country in search of work.

At the end of four years everybody in the United States admitted that everything was wrong, and that it was simply a question as to the best policy to bring us back where we were when Benjamin Harrison was President of the United States. Our friends on the other side said that the panacea was free silver. They said we did not have enough money with which to carry on the business of the country. We must have had very little money, because we did not have any business. They said that the only way to get more money was to have free silver; that the only way to get good times was through the ratio of 16 to 1.

The Republican party said, "The money is all right. We have enough money. The trouble is with this policy of tariff for revenue only, or free trade. If we can elect a President and a Congress that will kill the free-trade Wilson bill and reenthrone the policy of protection, prosperity will return."

The two parties went before the country, one headed by Mr. Bryan and the other by Mr. McKinley. In November the verdict was rendered, and by an overwhelming majority the people of this country declared in favor of sound money and a protective tariff, and elected William McKinley President of the United States.

I say is there anybody in the sound of my voice who voted for William McKinley that has ever regretted it:

> If such there be, go mark him well;
> For him no minstrel rapture will ever swell.

And you knew that times would get better. You gentlemen on the other side of the aisle expected it. I remember walking down the street of the little town in which I live the second morning after the election, and a well-known Democrat said to me, "You have elected your President." I said, "Yes." "You have secured control of both branches of Congress." "Yes." "Well," said he, "where is your prosperity?" [Laughter.]

They expected us to set the national hen in the evening and serve the Democrats with fried chicken out of the same nest the very next morning. [Laughter.] A special session of Congress was called. You remember just as soon as we met they asked us, "Where is your prosperity?" Then the Dingley bill passed the House, and they kept asking us, "Where is your prosperity?" I remember that after the bill went over to the Senate and came back here to receive the approbation of this body they would come up to us and ask, "Have you seen the General?" We would ask, "General who?" And then they would say, "General Prosperity," and then they would laugh; they would laugh until their sides would ache; but it was no trouble for their sides to ache, because their stomachs had been empty for four years. [Laughter.]

Then the bill passed through conference and became a law, and after that bill became law did any Republican ever hear any Democrat in this land who would ask, "Have you seen the General?" The way had been prepared for the General to come, and straightway he came. Avenues for prosperity had opened, and prosperity came. And it did not come solely from New England and Pennsylvania, which have frequently been said to be the sole beneficiaries of a protective tariff.

It came from the South, whose States, from the Carolinas to the broad fields of Texas, have been pouring into the world's commerce an annual contribution worthy of a mighty empire. It came from the far West; from Kansas and Nebraska and their sister States with their black soil; from those States that wear mountains on their bosoms—mountains grim in their ruggedness and haughty in their wealth of hidden ore. It came from California, from Oregon, from Washington. It came from the broad sweep of the Mississippi Valley, whose farms and whose cities, whose soil and whose wealth, and whose people and whose progress are at once the marvel and the hope of American civilization, embodying as they do the spirit, the ambition, and the conservatism that are the surest guaranty of the growth and stability of the Republic.

From everywhere it came, showering its blessings on the children of men. And this prosperity will stay, if Democrats will simply keep their hands off. It would go to pieces to-morrow if there should be absolute evidence that Democratic ascendency were assured within the next twelve months. Business would be blighted, confidence would become a coward, and we would find ourselves where our fathers found themselves under the Administrations of Martin Van Buren and James Buchanan, and where we found ourselves under the last Administration of Grover Cleveland. [Applause.]

But the American people will not repeat the mistake of 1892. The present generation will not soon forget those four years.

The Republican party came into power in 1897. A special session of Congress was called, and the Republican party proceeded to keep its promises and redeem its pledges. The first thing we did was to take a club and kill that free-trade Gorman-Wilson tariff bill. Then the next thing we did was to pass a bankruptcy law—a general bankruptcy law. Such a law is as essential after a Democratic Administration as a hospital corps is with an army that fights battles. [Laughter.]

Then after that we passed a law establishing the gold standard, and while we were doing all these things we were giving attention to Spain. That war was fought, Cuba was freed, Porto Rico was taken, Hawaii annexed, and the Philippine Islands taken care of, and to-day the American people stand and challenge the world on the record that the Republican party has made. We will go into the next campaign and we will fight that battle on this record; and, Mr. Chairman, I am not afraid of the result.

To-day, under the Republican party, the country is still moving forward. Busy men have employment; happiness is in the home. We imported from abroad last year more than a billion dollars' worth—several millions of dollars more than ever before. We sent abroad last year in the neighborhood of $1,400,000,000 worth—millions of dollars more than ever before.

We sold abroad in the neighborhood of $850,000,000 more than we bought abroad. Our domestic trade amounted to $30,000,000,000. We can scarcely find figures in which to express it, but our friends on the other side of the Chamber say they are going to make the next campaign by contrasting the conditions under Mr. Roosevelt's Administration with conditions under Mr. McKinley's Administration.

No; no! We will fight this next campaign on the conditions existing under the McKinley and Roosevelt Administrations as contrasted with the conditions existing under the last Cleveland Administration. [Applause on the Republican side.] You can not get away from it.

I was very much impressed with the speech made by my friend from Illinois yesterday, in which he called attention to the prosperity that marked the South—a great and natural prosperity. It was doubtless astonishing to a number of the Members on the other side of this Chamber——

Mr. LIVINGSTON. Not at all.

Mr. CHARLES B. LANDIS. Then I can not understand why you continue to vote the Democratic ticket. I have made up my mind that my friend from Georgia can not be surprised by anything——

Mr. LIVINGSTON. It is because those States under Democratic administration are prosperous, and we continue to vote that ticket for that reason.

Mr. CHARLES B. LANDIS. That is ridiculous. That country on the other side of Mason and Dixon's line—those States—increased in population, since 1880, 50 per cent and in wealth 200 per cent.

Mr. LIVINGSTON. That is native population, not foreign. The increase is native population.

Mr. CHARLES B. LANDIS. Think of it! In 1880 you produced [illegible] tons of bituminous coal. Last year you produced [illegible] tons.

Mr. LIVINGSTON. The Secretary of Agriculture stated a few days ago, in a public speech, that it was not the Republican party or the Democratic party, but the farmers who had saved the country. What do you say to that?

Mr. CHARLES B. LANDIS. Well, I will not take issue with the Secretary of Agriculture on that question. One thing I will contend for, and that is that the Democratic party has never saved it, and if the farmers have saved it they have saved it under Republican policies.

Mr. LIVINGSTON. Not in the South.

Mr. CHARLES B. LANDIS. The prosperity brought about by our policies. Its blessings are visited upon you as well as upon us. In other words, we have saved you from yourselves. You are prosperous in the South in spite of your political bigotry. [Applause on the Republican side.] Another thing, Mr. Chairman, with reference to the South. There has been poured into the South during the last five years for cotton and its products alone $2,652,000,000.

Mr. LIVINGSTON. Our cotton crop amounted last year to $700,000,000.

Mr. CHARLES B. LANDIS. Yes, your cotton and cotton products amounted to $900,000,000.

Eight hundred and seventy-three million dollars more for southern cotton than during the previous five years, that $873,000,000 representing more than the capital of all the national banks in the United States. You consumed during this last year more cotton by a million pounds than all the mills of New England. Six million additional spindles came to you during the last twelve years; only 1,800,000 went to Great Britain, and New England increased only 2,000,000. You had 40 cotton-seed oil mills in 1880. To-day you have 700.

In 1880 you had in the South 20,000 miles of railway. To-day you have 60,000 miles. In 1880 your lumber products amounted to $39,000,000. To-day it is $188,000,000. The total output of pig iron in the South to-day is four times the total output of the United States in 1860. Since 1890 the number of your national banks has increased from 521 to 928, and the deposits have more than doubled—have increased from $126,000,000 to $318,000,000.

Mr. BOWIE. Why not come down, then, and visit us?

Mr. CHARLES B. LANDIS. Now, Mr. Chairman, these statistics refute the Democratic contention for sixty years past; these statistics are enough to make John C. Calhoun, Bob Toombs, and Jefferson Davis turn over in their caskets. In New Orleans every time there is a meeting of the board of trade it is almost like a Fourth of July celebration—felicitations are passed around. New Orleans has regained her lost prestige under the policies of the Republican party, and Galveston has risen until it is the third export and import city in the United States.

Fifty-three lines of steamships head out from Galveston. I saw the other day there had been 832 industrial establishments located along the Southern Railroad during the last year; 30 cotton mills are in course of construction along the line of that road.

From the Southern Farm Magazine I get the information that during the last ten years 75,000 northern farmers have settled between New Orleans and Corpus Christi.

This southern industrial farming has brought under cultivation 3,000,000 acres of southern farm land. Eight hundred thousand acres of this land are devoted to the cultivation of rice, for which a large area of the South has recently been discovered to be particularly adapted. I received a letter the other day stating that 1,000 home seekers had visited the rice-growing district of Louisiana in a single week.

Mr. LIVINGSTON. I want to say to the gentleman that our stocks have all doubled up by the natural increase.

Mr. CHARLES B. LANDIS. That natural increase did not characterize that section of the country under the last Cleveland Administration. [Applause.] Your cotton was a drug on the market. North and south, east and west, prosperity has been general, and nowhere has it been as great as in the Southern States. Your railroad bonds during the last year have paid a greater dividend than bonds of any railroads in the United States.

Mr. LIVINGSTON. Up to a few years ago the price of cotton was fixed in Liverpool and Wall street. For the last two years we have fixed it in the city of New Orleans, and have got double for our cotton what we ever did before. We intend to make the price hereafter in New Orleans and not in Liverpool or Wall street.

Mr. CHARLES B. LANDIS. Why didn't you do it under the Democratic Administration? [Laughter and applause on the Republican side.]

Mr. LIVINGSTON. We happened to have but little Democratic Administration: it did not last long. Out of forty-two years you charge us with eight years of Democratic Administration, with four years of Republican Administration in between the eight, and then you undertake to compare that with forty years of Republican hold upon this country, and ask us why we haven't done what you did. My dear man, you know that is an unfair comparison. [Laughter.]

Mr. CHARLES B. LANDIS. Now, Mr. Chairman, my friend from Mississippi, in a speech delivered on the floor of the House a short time ago, used these words:

> You will remember that Harrison himself said in a newspaper interview which I read, and have never seen denied, that the reason he was thrown out of power and Cleveland was elected was because of the unprecedented hard times and suffering for which the people of the South and West, without due reason, held his Administration responsible.

Mr. Chairman, I would say that General Harrison, while he was President of the United States, did not make it a business to go on record in newspaper interviews. If he had anything to say he said it in his state papers. And it happens that he spoke to this Congress a short time after the election of 1892, and this is what he said, as contrasted with the words put in his mouth by my friend from Mississippi. I quote from his annual message of December 6, 1892:

> In submitting my annual message to Congress I have good satisfaction in being able to say that the general condition of business and the relations of the United States are the happiest and most promising at the close of the existing year of any with which I have been connected. A comprehensive review of the prosperity will, I believe, show that we have in a degree of prosperity and in general a diffusion of the comforts of life were never before enjoyed by our people.
>
> The total wealth of this country in 1850 was $16,159,616,068. In 1890 it amounted to $65,037,091,197, an average increase of [illegible] per year. * * * [illegible] have been a time in our history when work was so abundant or when wages were so high, whether measured by the gold and silver in which they are paid, or by the purchasing power of the money received for labor. It is true that the immense production of recent years could not have been now if the new markets created by legislation had not been ready for the products of our farms and factories. [illegible] Not without some exceptional cases of hardship and suffering, but in the main our people have met the situation with courage and patience. [illegible] But while this fact I have sought to draw attention to the depressed condition of our agriculture, I have sought to do it in such a way as not to lessen the confidence with which I look upon the future of our farmers. The depression in agriculture has been much less than that which has been felt in other callings, and the recovery has been more complete and more encouraging. The combined efforts now being made by our farmers to diversify their products promise a large increase in the production of those things which we have been in the habit of buying from our neighbors, and a consequent decrease in the balance of trade against us. The [illegible] of our farmers to pay their debts, improve their farms, and to live within their income should be encouraged by every one, and I am sure it will be by the Congress of the United States. But while this fact [illegible] I have sought to draw attention to the depressed condition of our agriculture, I have sought to do it in such a way as not to lessen the confidence with which I look upon the future of our farmers. The depression in agriculture has been much less than that which has been felt in other callings, and the recovery has been more complete and more encouraging. The combined efforts now being made by our farmers to diversify their products promise a large increase in the production of those things which we have been in the habit of buying from our neighbors, and a consequent decrease in the balance of trade against us. The [illegible] of our farmers to pay their debts, improve their farms, and to live within their income should be encouraged by every one, and I am sure it will be by the Congress of the United States. But while [illegible] to agriculture a fair participation in the general prosperity. * * *
>
> I believe that the protective system, which has now for something more than thirty years been firmly established in our legislation, has been a strong and, for the most part, a beneficent factor in the development of our national resources and in securing to our people the largest and most profitable market for their labor. It is not my purpose to renew here the argument in favor of a protective tariff.
>
> The result of the recent election must be accepted as having introduced a new factor in our tariff discussions. We may assume that the present tariff, enacted upon the recommendation of a President who was reelected upon a platform which declared for its revision, will be reopened and that there is to be substituted for it a tariff law framed in accordance with the theory that revenue alone is to be the object to be sought in the revision and that no duty is to be imposed upon any article which will enable the American maker to compete with the foreign maker in the American market. * * * I remembered that the whole subject of tariff revision had been left to the Democratic party by the people, and that it would be a breach of faith to attempt to anticipate the action of the new Congress by any legislation of a character which would disturb the business interests of the country. * * * Those who have advocated a protective tariff have not asked that it should be made a means of enriching the manufacturer at the expense of the consumer, but have contended that the duties should be so adjusted as to secure the production of articles of common use by our own people, and that the wages of those who produce them should be such as to afford a reasonable profit to the manufacturer and a fair wage to the operative. Experience has shown that, under the operation of such a tariff, the prices of the products of our factories have been steadily reduced, to the great advantage of our people, and that the wages of our workmen have been higher and more easily earned than for any period in our history. It is not to be expected that this policy will be continued if it be not found to be productive of the results which were confidently predicted for it by its advocates, and if it be not so it will be the duty of its friends to acquiesce in its modification or repeal. It is not to be assumed that the new Congress will not be disposed to give to the industries of the country the benefits of a period of fair trial of the revised tariff law before subjecting them to the disturbing influence of another change. It is not, however, to be assumed that the new Congress will not be willing to consider the question of such changes in the tariff as may be shown to be necessary to the development of new industries and the employment of our people upon profitable wages. It is not to be assumed that the new Congress will not be willing to so modify the tariff as to secure the production of those articles which we have been in the habit of buying from our neighbors, if it can be shown that the interests of our own people will be promoted by such action

in favor of pauper tropical sunshine against self-respecting American hot-house labor? [Laughter on the Democratic side.]

Let us look a little and ponder the matter [illegible] I am fond of statistics. I quoted [illegible] What would [illegible] Manufacturers [illegible] exclusive support of American industry [illegible] [illegible] would have reduced the [illegible] [illegible] the whole definition and an [illegible] working of the protective tariff wherever it is [illegible]

I would like to know if that is the sort of [illegible] Illustration my friend from Mississippi [illegible] If that is a sample, I do not wonder that there were only seven hundred and some odd votes cast in his Congressional district at the last election, because I say if there ever was an instance illustration, it is the favorite banana theory of the gentleman from Mississippi.

As a matter of fact, the gentleman can not point to a single article manufactured in this country on which there is a protective tariff that is not cheaper to-day than it was the day the protective tariff was placed on the article, and he establishes the reverse by his illustration.

I have gone an illustration that I desire to submit in contrast with the gentleman's "favorite banana theory." Illustrating, as it does so well, the practical workings of the protective tariff.

In 1886 there were no wire nails produced in this country. They were then selling at $6 a keg. We manufactured that year 50,000 kegs, when a tariff of $4 a keg was placed upon wire nails. In 1886 we manufactured 75,000 kegs, and the price dropped to $4 a keg. In 1885 we manufactured 100,000 kegs, and the price dropped to $3 a keg. In 1886 we manufactured 500,000 kegs, and the price dropped to $2.50 a keg. In 1887 we manufactured 700,000 kegs, and the price dropped to $2.50 a keg. In 1888 we manufactured 2,000,000 kegs, and the price dropped to $2 a keg. In 1889 we made over 2,000,000 kegs, and the price dropped to $2 a keg. And at the time the duty was $4 per keg. The average price in 1892, the latest official report, was $2.15.

That is the way the Republican policy of protection works. It does not work the banana way. Applause on the Republican side.] And it has worked this way with reference to hard, tough, and with reference to tin, and with reference to every other manufactured article is produced in this country upon which there is a protective tariff. [Applause.]

Those within the sound of my voice will remember how, in 1890, when it was proposed to put a tariff on the plate glass used in the [illegible] and that it would [illegible] all the plate manufactured in this country during the next ten years.

Well, the Democratic stomach is equal to almost anything, but it was not equal to that proposition, because the very manufacturing almost a million pounds of the [illegible] plate glass every year, and the price of the plate which [illegible] the tariff was placed upon it was lower than the plate that came from abroad in the United States. That is the way it works with all [illegible] And that is not in harmony with this banana illustration.

Mr. WILLIAMS of Mississippi. Would the gentleman from Indiana mind continuing those figures in regard to wire nails [illegible]

Mr. CHARLES B. LANDIS. Yes; I will give the gentleman those figures. [illegible]

Mr. WILLIAMS of Mississippi. Would the gentleman mind reading those now?

Mr. CHARLES B. LANDIS. Well, I do not care to repeat my own [illegible] time. Time is short, and I do not feel that I [illegible]

Mr. WILLIAMS of Mississippi. I will give the gentleman unlimited time. I will say

Mr. CHARLES B. LANDIS. I will give them to the gentleman at the conclusion of my remarks.

Mr. PENNY. Mr. Chairman, will the gentleman yield?

Mr. CHARLES B. LANDIS. No; I would like to very much, but I have not the time now.

The CHAIRMAN. The gentleman declines to yield.

Mr. CHARLES B. LANDIS. And the triumphs that followed in the wake of the restoration of the tariff in the increase of our wealth here at home are paralleled by the triumphs that have followed in every other avenue in which the Republican party has [illegible] since 1897.

The Spanish war came on, and I contend now, Mr. Chairman, that the brightest page that has been written by the Republican party in the last seven years has been written with reference to those questions that followed our war with Spain. That war lasted only ninety days, but the problems that came with it are with us to-day, and they will remain with us until our children are in their graves.

You remember, how after that war came to an end, our friends on the other side of the Chamber insisted that Cuba should immediately be given her freedom and independence. The man in the White House said no, they are not ready. You said, "You have lied to Cuba; you do not intend to give Cuba her independence." We said, "She is not ready for it; we want time to prepare her for her independence."

We brought a cargo of school-teachers from Cuba and educated them. We sent scores of Americans down there to teach them the principles of self-government. We went down there and built hundreds of miles of roads and towns and put in sewerage systems, and on the 20th of May a year ago Columbia presented Cuba with a pure white page upon which to write her history of liberty and freedom, and she has been able to take care of that freedom and is happy and independent to-day. Had we done as you wanted us to do, yellow fever would be raging in Cuba to-day. Revolution would follow revolution, as in Central America, South America, Santo Domingo, and other Spanish-American republics upon which we should have been involved with other nations of the world.

Not a twelvemonth in the forty years last past when the people of the Southern States have not been anxious almost to the point of hysteria over the threat of the spread of yellow fever, and yet during the last three years there has not been a single case of yellow fever in all Cuba. Why? We remained there long enough to destroy the germs.

Take Porto Rico. Well-informed gentlemen from the island of Porto Rico state that prior to our occupation of that island small-pox had gathered there for three hundred years. One of the first things we did when we went there was to take 900,000 people and vaccinate every one of them, and for the last four years there has not been a single case of small-pox in all Porto Rico.

Over in the Philippine Islands when our soldiers went over there it was proposed that it would take an army of 100,000 men [illegible] to establish civilization in those islands so that there would be peace and order and good government.

Those islands have been pacified, law and order have been established, and the army has been reduced to 18,000 men. We have spent vast sums on their docks; we have spent millions on their roads. [illegible] we sent a ship loaded with [illegible] teachers over there to light the torch. Last month [illegible] boys came to this country to be educated. They will go back to educate their fellows.

We have started normal schools over there. We have organized [illegible] and have [illegible] with the natives of Asiatic Spain. We [illegible] them religious liberty. We [illegible] the farmers of the Philippines [illegible] of the Republican party. We have given the [illegible]

Where did the Administration of Mr. McKinley and Mr. Roosevelt fail? One merged into the other practically, for Roosevelt was carried out under Theodore Roosevelt was [illegible] under William McKinley. And that is the reason I am for Theodore Roosevelt as the next President of the United States.

And, Mr. Chairman, I want to say that I am not one of those who [illegible] to be the original Roosevelt man. Years ago I [illegible] Mr. Roosevelt and the theories he then espoused. I [illegible] him in my own newspaper. It came to be a habit with me to say hard things against him. I questioned his honesty. I said in my own newspaper that he was a sham reformer and a pretender. But, Mr. Chairman, I have changed my mind with reference to Theodore Roosevelt.

Mr. FITZGERALD. You have got on the band wagon. [Laughter on the Democratic side.]

Mr. CHARLES B. LANDIS. No, sir; but if I have, I am riding on a wagon that the gentleman's degree of good judgment would not enable him to select a seat in. [Applause on the Republican side.] There is not any such thing as a band wagon in the Democratic party.

Mr. FITZGERALD. There is no pie wagon in our party either. [Applause on the Democratic side.]

Mr. CHARLES B. LANDIS. I take that with a good deal of consolation, noting the avidity with which the gentleman welcomes to membership a distinguished rich man from New York City.

Mr. FITZGERALD. I have a candidate for President, and I hope the party will nominate him.

Mr. CHARLES B. LANDIS. Grover Cleveland?

Mr. FITZGERALD. No, sir; Judge Parker, of New York.

Mr. CHARLES B. LANDIS. Will the gentleman kindly give me his post-office address? [Laughter and applause on the Republican side.] Mr. Chairman, I would like to ask the gentleman what the first name of his candidate is?

Mr. FITZGERALD. Is the gentleman a lawyer?

Mr. CHARLES B. LANDIS. I trust not. [Laughter.]

Mr. FITZGERALD. If he were, he would know that Judge Parker is the chief justice of the greatest court, next to the Supreme Court of the United States, in the world. I refer to the court of appeals of the State of New York.

Mr. CHARLES B. LANDIS. He is secure in his place, and he had better remain where he is.

No, Mr. Chairman, neither patronage nor selfish policy led me to change my mind with reference to Theodore Roosevelt. He won me, as he won millions of other of his countrymen, by his zeal, by his forcefulness, by his patriotism.

I began to appreciate how I had misjudged him when I saw him, in the face of threatening war, infuse into one of the great departments of this Government, stagnant with the monotonous routine and dry rot of a third of a century, the red blood of activity and timely preparation. I realized what an erroneous estimate I had formed of him when I saw the announcement that he had decided to resign a place of honor and responsibility and power, which insured conspicuous performance in the very theater of war, to raise a regiment to lead to the front.

It seemed to me this was the supremest test, for it involved good-bye, if not farewell, to little children and their mother. Later I knew how fearfully I had wronged him when, with my colleagues on the floor of this House, I read bulletins which told how he, at the head of his regiment, under a blistering sky, the target for a hundred sharpshooters, had given a modern exhibition of that courage, that daring, that heroic valor which for more than one hundred years had compelled all nations to subscribe to the verdict that the American volunteer soldier is the greatest soldier in the world.

We are told that he mixed up in the Northern Securities affair. Yes; he did. With hundreds of thousands of his countrymen he believed that conservatism had lost its head and that capital had gone mad. He invoked the law passed by this Congress and he called a stop on combination and speculation that was running wild in the Republic. That law was passed by this Congress at the earnest solicitation of the American people.

One of the richest men in New York told me that the country would never know what a service Theodore Roosevelt had rendered when he started the machinery of that litigation. He stated that had matters been permitted to go on unchecked we would have had a panic that would have been without parallel in the history of American financial devastation. The men who are condemning him most severely now are those whom he saved from [illegible] at the expense of their own reputations.

We are told that he injected himself into the anthracite coal strike. He did. And who is there who will say that he [illegible]

Mr. BAKER. Will the gentleman yield for a question?

Mr. CHARLES B. LANDIS. No, sir.

Mr. BAKER. Has he taken any steps to prosecute——

Mr. CHARLES B. LANDIS. Mr. Chairman, I decline to yield further. As I was saying when interrupted, in that anthracite strike the President saw passion and greed facing each other, [illegible] and he said to them: "Come, let us [illegible] together." He brought about a settlement of that strike, and he did it without sacrificing, in any manner, the dignity of his office.

We must not forget the situation as it existed then. Millions of people were without fuel. Disease was claiming its victims and the chill of death was in many a cottage. Right here in the city of Washington people were burning their furniture to keep warm. This Capitol building was running on twenty-four hours of coal rations, and we knew not at what hour we would have to suspend business. Men who were known as conservative citizens all over the Union were heading delegations which would stop trains loaded with coal and confiscate the cargo.

Do you not think it was time for some one to speak? A coward in the White House would have remained silent. But there was a brave man in the White House, and he acted, and that strike was settled, and the nation was saved from a series of riots that might have ripened into a revolution. His conduct in the Northern Securities case and in the anthracite coal situation elevated him in the confidence and esteem of the American people and his course in the Panama achievement has placed him so securely in the affections of his countrymen as to protect him absolutely from the plotting of Democracy and assure his vindication next November.

Theodore Roosevelt will occupy a unique place in our history. Admittedly he has won the greatest victory that it is possible to win in this Republic, a victory over ease, a victory over leisure. It is not difficult for a poor boy to climb and conquer in this Republic—that is the rule; that is the natural thing. Ask those captains of industry, who from places of power and responsibility issue their orders, whence came the original inspiration that ripened into their success, and they will point to the days when want and adversity forced the industry that won the victory.

That one who is born in the lap of luxury has the real struggle to make in this country to win for himself a name. It is so much easier to fight poverty than riches, for riches wears the shield of leisure, and leisure is such a gentle foe. Its bonds of imprisonment are silken bonds. It caresses and lulls and soothes into a contentment and complacency that is at once sweet and fatal.

That youth who can despise ease, which has come as a gratuity; who can place the proper stamp on luxury, which is the gift of others; who can mock at every invitation to idleness, which is the chief patrimony of the rich, and who can go out into the world with a clear head, an honest heart, and a passion for toil and achievement and win the laurels of success—sir, I lift my hat to such a man and am willing that his name shall be inscribed on the portals of Columbia's proudest temple.

I claim that by every standard fixed by fair and honest men Theodore Roosevelt has made a great President. A tragedy placed him in the White House. He went there while bells were tolling and at a time when grief had washed politics away. Sorrow consecrated his oath, and, turning from that sepulcher in northern Ohio, a nation in tears gave him its confidence. Responsibility and power did not dwarf him; they made him broad and great. He has faced unflinchingly every critical situation. He has solved every difficult problem.

The people believe in him; the people trust him. The people associate his life and work with the life and work of that good man whom he succeeded, and when the Republican party meets in national convention next June it will make his Administration its platform. It will inscribe his name upon its banner, and then the ranks will close up and the Republican party will march to another glorious victory. [Prolonged applause on the Republican side.]

Mr. LIVINGSTON. Mr. Chairman, I believe that under the arrangement made in the House I have the same length of time that the gentleman from Indiana has occupied.

The CHAIRMAN. The gentleman from Georgia has one hour and seventeen minutes.

Mr. LIVINGSTON. I want to ask the other side of the House to submit to an adjournment now, as that one hour and seventeen minutes will keep us here entirely too long this evening.

Mr. PAYNE. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 588. An act granting an increase of pension to Wilber F. Little—to the Committee on Invalid Pensions.

S. 2237. An act granting an increase of pension to Louise Chandler—to the Committee on Invalid Pensions.

S. 386. An act granting an increase of pension to Homer D. Wells—to the Committee on Invalid Pensions.

S. 2596. An act granting a pension to Frances S. Hopkins—to the Committee on Pensions.

S. 2615. An act granting an increase of pension to Francis Hall—to the Committee on Invalid Pensions.

S. 962. An act granting an increase of pension to Jennet Thoits—to the Committee on Invalid Pensions.

S. 2275. An act granting a pension to Sallie H. Hoffecker—to the Committee on Invalid Pensions.

S. 2078. An act granting an increase of pension to Joseph H. Kennedy—to the Committee on Invalid Pensions.

S. 2658. An act granting an increase of pension to George M. Lindle—to the Committee on Invalid Pensions.

S. 2889. An act granting an increase of pension to John Beaird—to the Committee on Invalid Pensions.

S. 2940. An act granting an increase of pension to Margaret Liddle—to the Committee on Invalid Pensions.

S. 2960. An act for the relief of G. G. Martin—to the Committee on Military Affairs.

S. 2177. An act for the relief of Daniel H. Snyder—to the Committee on Military Affairs.

S. 2433. An act to amend the military record of John H. Skinner—to the Committee on Military Affairs.

S. 228. An act for the relief of William H. Hugo—to the Committee on Military Affairs.

S. 2557. An act to correct the military record of Samuel F. Hall—to the Committee on Military Affairs.

S. 1830. An act granting a pension to Jerry S. Fish—to the Committee on Invalid Pensions.

S. 3054. An act granting an increase of pension to Kate M. Strange—to the Committee on Pensions.

S. 2198. An act granting a pension to Thomas Irvin—to the Committee on Invalid Pensions.

S. 1937. An act granting a pension to Samuel Richards—to the Committee on Invalid Pensions.

S. 2993. An act granting an increase of pension to John L. McVey—to the Committee on Invalid Pensions.

S. 2924. An act granting an increase of pension to Samuel E. Cormany—to the Committee on Invalid Pensions.

S. 2955. An act granting an increase of pension to John Hogarth Lozier—to the Committee on Invalid Pensions.

S. 3291. An act granting an increase of pension to John Olson Bakken, alias John Olson—to the Committee on Invalid Pensions.

S. 3428. An act granting an increase of pension to Joseph H. Ottey—to the Committee on Invalid Pensions.

S. 2441. An act granting an increase of pension to Frank Lee—to the Committee on Invalid Pensions.

S. 2561. An act granting an increase of pension to Mathias S. Friend—to the Committee on Invalid Pensions.

S. 2289. An act granting a pension to Louisa R. Chitwood—to the Committee on Invalid Pensions.

S. 2239. An act granting an increase of pension to Theodore E. Chatfield—to the Committee on Invalid Pensions.

S. 2445. An act granting an increase of pension to George M. Wates—to the Committee on Invalid Pensions.

S. 1837. An act granting an increase of pension to Alonzo R. Kibbe—to the Committee on Invalid Pensions.

S. 1532. An act granting an increase of pension to Electa Allen—to the Committee on Invalid Pensions.

S. 848. An act granting an increase of pension to Catharine W. Collins—to the Committee on Invalid Pensions.

S. 2557. An act granting a pension to Johniken L. Mynatt—to the Committee on Invalid Pensions.

S. 2558. An act granting an increase of pension to Sallie H. Kincaid—to the Committee on Invalid Pensions.

S. 701. An act granting an increase of pension to John G. Brown—to the Committee on Invalid Pensions.

S. 891. An act granting an increase of pension to James M. Markham—to the Committee on Invalid Pensions.

S. 693. An act granting an increase of pension to Charles W. De Rodher—to the Committee on Invalid Pensions.

S. 2948. An act granting an increase of pension to George Hyde—to the Committee on Invalid Pensions.

S. 2987. An act granting an increase of pension to George Rilea—to the Committee on Invalid Pensions.

S. 312. An act granting an increase of pension to John F. Oviatt—to the Committee on Invalid Pensions.

S. 317. An act granting an increase of pension to Mortimer Hallett—to the Committee on Invalid Pensions.

S. 2841. An act granting a pension to Jane Patterson—to the Committee on Invalid Pensions.

S. 148. An act granting an increase of pension to Benjamin H. Smalley—to the Committee on Invalid Pensions.

S. 154. An act granting an increase of pension to Hugh T. Crockett—to the Committee on Invalid Pensions.

S. 2216. An act granting an increase of pension to Charles Reed—to the Committee on Invalid Pensions.

S. 143. An act granting an increase of pension to William W. Turk—to the Committee on Invalid Pensions.

S. 156. An act granting an increase of pension to Harriet L. Ford—to the Committee on Invalid Pensions.

S. 2217. An act granting an increase of pension to Henry C. Riggs—to the Committee on Invalid Pensions.

S. 893. An act granting an increase of pension to William W. Angelo—to the Committee on Invalid Pensions.

S. 968. An act to grant an honorable discharge from the military service to Robert C. Gregg—to the Committee on Military Affairs.

S. 446. An act granting an honorable discharge to William S. Dunn—to the Committee on Military Affairs.

S. 2999. An act granting an increase of pension to Melvina C. Buzzell—to the Committee on Military Affairs.

S. 1678. An act granting an increase of pension to Rudolph Reinhart—to the Committee on Invalid Pensions.

S. 900. An act granting an increase of pension to Daniel M. Smith—to the Committee on Invalid Pensions.

S. 2429. An act granting an increase of pension to John Dow—to the Committee on Invalid Pensions.

S. 59. An act for the relief of Charles W. Howard—to the Committee on Military Affairs.

S. 54. An act for the relief of William B. Barnes—to the Committee on Military Affairs.

S. 57. An act for the relief of Laura S. Gillingwaters—to the Committee on Military Affairs.

S. 58. An act for the relief of James W. Howell—to the Committee on Military Affairs.

S. 62. An act for the relief of Richard C. Silence—to the Committee on Military Affairs.

S. 63. An act for the relief of Charles Stierlin—to the Committee on Military Affairs.

S. 60. An act for the relief of Gottlieb C. Rose—to the Committee on Military Affairs.

S. 64. An act to correct the military record of William B. Thompson—to the Committee on Military Affairs.

S. 746. An act to remove the charge of desertion from the military record of Charles K. Bolster—to the Committee on Military Affairs.

S. 970. An act to authorize the President to revoke the order dismissing William T. Godwin, late first lieutenant, Tenth Infantry, United States Army, and to place the said William T. Godwin on the retired list with the rank of first lieutenant—to the Committee on Military Affairs.

S. 2870. An act granting an honorable discharge to John W. Tiffany—to the Committee on Military Affairs.

S. 2995. An act granting an increase of pension to Edwin B. Lufkin—to the Committee on Pensions.

S. 1842. An act to provide for compensation for certain employees of the Treasury, War, and Navy Departments—to the Committee on War Claims.

S. 820. An act to provide for the construction of a memorial bridge across the Potomac River from Washington to the Arlington estate property—to the Committee on Interstate and Foreign Commerce.

ALASKA SALMON COMMISSION.

The SPEAKER laid before the House the following message from the President of the United States:

To the Senate and House of Representatives:

I transmit herewith a communication from the Secretary of Commerce and Labor, submitting a preliminary report of the Alaska Salmon Commission, appointed in accordance with the instructions in my letter of November [illegible], 1902.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 27, 1904.*

The message and accompanying documents were ordered to be printed, and referred to the Committee on the Merchant Marine and Fisheries.

SIOUX INDIANS IN SOUTH DAKOTA.

Mr. BURKE. Mr. Speaker, I ask unanimous consent that upon the disposition of the bill now before the House, namely, the urgent deficiency bill, the bill (H. R. 10418) to ratify and amend an agreement with the Sioux Indians of the Rosebud Reservation, in South Dakota, be made the special order and that it continue to be the special order until disposed of, this order not to interfere with revenue or appropriation bills, or bills upon the Private Calendar, or with any business that is privileged under the rules, and that the bill be considered in the House.

Mr. WILLIAMS of Mississippi. This, I understand, is a bill to open up the reservation in South Dakota.

Mr. BURKE. It is.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the bill H. R. 10418 be considered in the House immediately after the completion of the urgent deficiency

bill, and to remain a continuing order, not to interfere with revenue or appropriation bills, the Private Calendar, private business, or other privileged matters. Is there objection? [After a pause.] The Chair hears none.

ASSISTANT CLERKS TO THE COMMITTEE ON ENROLLED BILLS.

Mr. GRAFF. Mr. Speaker, I offer the following privileged report.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 141.

Resolved, That the chairman of the Committee on Enrolled Bills be and he is hereby authorized to appoint assistant clerks to said committee, who shall receive the compensation limited by law therefor at the rate of $[illegible] per day during the remainder of the present session.

The amendments recommended by the committee were read, as follows:

In lines 2 and 3 strike out the words "an assistant clerk" and insert the words "two assistant clerks."

In line 5, after the word "day," insert the word "each."

Mr. GRAFF. Mr. Speaker, I will say by way of explanation of this resolution that it was considered in our committee this morning, and that the resolution is to authorize the employment of these clerks during the balance of the present session only, and it does not continue them at the next session of the present term. These two clerks were shown to the committee to be needed for facilitating the business in the House. It was found that the enrolled bills are being delayed, and there was considerable complaint on the part of the Senate regarding the matter. It is for these reasons solely that these additional clerks are required—purely and solely for the purpose of facilitating the business of the House. It is the custom of the House at the long session to employ additional clerks for this work from time to time, as the work grows greater and as the session advances.

Mr. WILLIAMS of Mississippi. What committee is that?

Mr. GRAFF. The Committee on Enrolled Bills.

Mr. BARTLETT. Do I understand the gentleman to say that it was considered this morning in the committee?

Mr. GRAFF. Yes, sir.

Mr. BARTLETT. I had no notice of any meeting to-day.

Mr. GRAFF. I will say that the meeting of the committee was called, and that a page was sent around, and it was supposed that he saw all the members of the committee that it was possible for him to see, and if he did not notify the gentleman, it was because he was not accessible at that time.

Mr. BARTLETT. I was accessible at all times after the House met. I had no notice that the committee was to meet.

Mr. LIVINGSTON. Were any of the minority members of the committee present?

Mr. GRAFF. Yes, sir.

Mr. LIVINGSTON. This is reported unanimously?

Mr. GRAFF. Yes, sir. Mr. EMERICH of Illinois was present.

Mr. BARTLETT. I want to say this: The committee was to meet on yesterday, and I was present at the time the committee was called to meet and there was no one there. The chairman of the committee was unwell or sick.

Mr. GRAFF. That was true.

Mr. BARTLETT. I inquired whether there would be a committee meeting to-day, or any regular time, and I was informed by the clerk there would be none. I received no notice of this meeting, and therefore I am unable to give the House, so far as I am concerned, any information about the resolution.

Mr. GRAFF. I will say to the gentleman that I had the same experience yesterday. I had received a written notice of a meeting on yesterday, and I was then informed that the chairman was sick, and afterwards, this morning, I received notice of the meeting of the committee orally.

Mr. BARTLETT. I received no such notice myself, and was not present for that reason.

Mr. GRAFF. I understand it was before the gentleman came to the Capitol this morning.

Mr. GAINES of Tennessee. What is it, Mr. Speaker?

The SPEAKER. The question is on agreeing to the amendments.

Mr. GAINES of Tennessee. I would like to ask the gentleman what it is?

Mr. GRAFF. The resolution is to authorize two assistant clerks for the Committee on Enrolled Bills, for the purpose of facilitating the business of the House. The committee took the matter up for the reason that there was an immediate exigency for the employment of these people.

Mr. GAINES of Tennessee. How many people?

Mr. GRAFF. Two.

Mr. GAINES of Tennessee. For whom—for what committee?

Mr. GRAFF. Assistant clerks to the Committee on Enrolled Bills.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and the amendments were agreed to.

The resolution as amended was agreed to.

BRIDGE ACROSS TOMBIGBEE RIVER BETWEEN CLAIKE AND CHOCTAW COUNTIES, ALA.

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent for the present consideration of two bridge bills.

The Clerk read as follows:

A bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian.

The bill was read at length.

The amendments recommended by the committee were read.

The SPEAKER. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

BRIDGE ACROSS WARRIOR RIVER IN TUSCALOOSA COUNTY, ALA.

Mr. TAYLOR. Mr. Speaker, I have another bill similar to that on the Tombigbee.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Warrior River between Tuscaloosa County, Ala., in section 8, township 21 south, range 9 west, of Huntsville meridian.

The bill was read at length.

The amendments recommended by the committee were read, and agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was read the third time, and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MILLER, indefinitely, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 8038) to provide for the improvement in breeding of horses for general-purpose uses, and to enable the United States to procure better remounts for the cavalry and artillery service, and the same was referred to the Committee on Agriculture.

Mr. HEMENWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 33 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Attorney-General, transmitting, in response to the inquiry of the House, a statement as to the horses and carriages maintained at public expense for use of officials in his Department—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Navy, submitting a report of the cost of the battle ships *Connecticut* and *Louisiana* to September 30, 1903—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting a report from the Commissioner of Indian Affairs in relation to purchases during the fiscal year ended June 30, 1903, made in open market and otherwise, for necessaries for Indians—to the Committee on Expenditures in the Interior Department, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Commissioners of the District of Columbia submitting an estimate of appropriation for public schools—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, public bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. [illegible]) to [illegible] lands in the States of Mississippi, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. LITTLE, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. [illegible]) authorizing bail in criminal cases upon appeal in the courts of Indian Territory, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 19) establishing a United States court at Muskogee, Ind. T., reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. JENKINS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. [illegible]) to amend section 5499 of the Revised Statutes of the United States, reported the same without amendment, accompanied by a report (No. 601); which said bill and report were referred to the House Calendar.

Mr. VOLSTEAD, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. [illegible]) to [illegible] to the State of Minnesota certain lands to be used for State park purposes, reported the same with an amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Calendar of the Whole House, as follows:

Mr. GIBSON, from the Committee on War Claims, to which was referred the bill of the House (H. R. [illegible]) for the relief of the Presbyterian Church of [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to William [illegible] Kirkpatrick, reported the same with amendment, accompanied by a report (No. 561); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. BENNETT, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible] John Gangwish, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Hosea [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Albert P. Sawyer, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7992) granting a pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7805) granting an increase of pension to William N. Hall, reported the same with amendment, accompanied by a report (No. 568); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7083) granting an increase of pension to Albert P. Jackson, reported the same with amendment, accompanied by a report (No. 569); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Elizabeth Hatfield, reported the same with amendment, accompanied by a report (No. 570); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8733) granting an increase of pension to Benjamin F. McGraw, reported the same with amendment, accompanied by a report (No. 571); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7063) granting a pension to Elton F. Lynch, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4179) granting an increase of pension to Martha C. Kuhn, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5149) granting an increase of pension to John W. Erwin, reported the same without amendment, accompanied by a report (No. 574); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4119) granting an increase of pension to William Mercer, reported the same with [illegible] report (No. 575); which said bill and report were referred to the [illegible].

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4466) granting a pension to William R. Barton, reported the same with amendment, accompanied by a report (No. 576); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. 578); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Washington Dodge, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to John [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to William [illegible], reported the same without amendment, accompanied by a report (No. 581); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to William H. Vickers, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4642) granting an increase of pension to William L. Wheeler, reported the same without amendment, accompanied by a report (No. 583); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4792) granting an increase of pension to John T. Collins, reported the same with amendment, accompanied by a report (No. 584); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4314) granting an increase of pension to J. F. Slate, reported the same with amendment, accompanied by a report (No. 585); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5906) [illegible] a pension to Sarah Ulshafer, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7[illegible]) granting an increase of pension to Eli Lachman, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1287) granting a pension to Cyrus B. Dopp, reported the same with amendment, accompanied by a report (No. 588); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9778) granting a pension to [illegible] W. Adkins, reported the same with amendment, accompanied by a report (No. 589); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9815) to pension Maggie [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the [illegible] Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10706) granting a pension to Alfred J. West, reported the same with amendment, accompanied by a report (No. 591); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 783) granting an increase of pension to Nicholas Reinhart, reported the same with amendment, accompanied by a report (No. 592); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2572) granting an increase of pension to George W. Steffey, reported the same with amendment, accompanied by a report (No. 593); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9421) granting an increase of pension to Thomas P. Marshall, reported the same with amendment, accompanied by a report (No. 594); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Frank M. Spears, reported the same without amendment, accompanied by a report (No. 595); which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10192) granting a pension to Martha Mullins, reported the same without amendment, accompanied by a report (No. 596); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8022) [illegible] a pension to Hiram Flint, reported the same with amendment, accompanied by a report (No. 597); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2416) granting an [illegible] to Mary Louisa Adams, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2, Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. HEMENWAY, from the Committee on Appropriations, to which was referred the House resolution (H. Res. 160) concerning disbursements on account of flying-machine experiments and [illegible], reported the same accompanied by an adverse report (No. 602); which said resolution and report were ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 5822) granting an increase of pension to Eveline V. Ferguson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6056) granting an increase of pension to Blanche L. Chunn—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting a pension to John Hughes—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7411) granting an increase of pension to Matthew Caldwell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9756) granting an increase of pension to Harry Bachrach—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9313) to pay all Federal soldiers honorably discharged $2 per day while confined in Confederate military prisons thirty days or more—Committee on War Claims discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 5682) granting an increase of pension to Charles B. Hunt—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SULLOWAY: A bill (H. R. 11199) granting pensions to certain soldiers and sailors who served in the war of the rebellion and their widows—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 11200) to provide for the retirement of enlisted men of the Marine Corps and Army—to the Committee on Naval Affairs.

By Mr. BEDE: A bill (H. R. 11201) to provide for the purchase of an additional site for the enlargement of the Federal building at Duluth, in the State of Minnesota—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 11202) to remove restrictions on the sale of certain lands in the Creek Nation, Ind. T., to be used for town-site purposes—to the Committee on Indian Affairs.

By Mr. HILL of Connecticut: A bill (H. R. 11203) authorizing the Secretary of the Navy, in his discretion, to construct four submarine boats at a cost not to exceed $1,000,000—to the Committee on Naval Affairs.

By Mr. DRESSER: A bill (H. R. 11204) to ratify and confirm a lease made by the Seneca Nation of New York Indians to John Quilter—to the Committee on Indian Affairs.

By Mr. STEPHENS of Texas: A bill (H. R. 11205) to establish probate courts in the Indian Territory, and for other purposes—to the Committee on the Judiciary.

By Mr. SCUDDER: A bill (H. R. 11206) to provide for the improvement of certain waterways on the north side of Long Island, in the State of New York, opening into Long Island Sound—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 11207) to provide for the improvement of certain waterways in New York State on the southern shore and the eastern end of Long Island—to the Committee on Rivers and Harbors.

By Mr. SMITH of New York: A bill (H. R. 11208) for the erection of a public building at Oneonta, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. POWERS of Massachusetts: A bill (H. R. 11209) to repeal the act providing for the sale of timber and stone lands, the desert land act, and the commutation provision of the homestead act—to the Committee on the Public Lands.

By Mr. SMITH of New York: A bill (H. R. 11210) to increase the limit of cost of the United States post-office at Kingston, N. Y.—to the Committee on Public Buildings and Grounds.

By Mr. SPARKMAN: A bill (H. R. 11211) providing for the marking and the protection of the battlefield known as "Dade's massacre," in Sumter County, Fla., and for the erection of a monument thereon—to the Committee on Military Affairs.

By Mr. BELL of California: A bill (H. R. 11212) amending section 4747 of the Revised Statutes of the United States—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 11213) to extend the privilege of immediate transportation of dutiable merchandise to various

ambports in the customs collection district of Puget Sound, and for other purposes—to the Committee on Ways and Means.

By Mr. RUSSELL: A bill (H. R. 11214) to amend and construe existing pension laws—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 11215) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect—to the Committee on Indian Affairs.

By Mr. LITTLEFIELD: A joint resolution (H. J. Res. 90) for the erection of a monument to the memory of Dorothea Lynde Dix—to the Committee on the Library.

By Mr. RUSSELL: A joint resolution (H. J. Res. 91) proposing an amendment to the Constitution of the United States providing that Congress shall not be permitted to pass any private bill where general laws relating to the same subject-matter are then in force—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 92) proposing an amendment to the Constitution of the United States prescribing the judicial power to be exercised by courts of the United States in certain cases—to the Committee on the Judiciary.

Also, a joint resolution (H. J. Res. 93) proposing an amendment to the Constitution of the United States providing for the election of certain judges of the United States courts and district attorneys by the people of the several States, and for the tenure of office of certain judges—to the Committee on the Judiciary.

By Mr. SPARKMAN: A concurrent resolution (H. C. Res. 36) authorizing and directing the Secretary of War to cause a survey to be made of Charleston Harbor—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 11216) to correct the military record of Joshua L. Sawyer—to the Committee on Military Affairs.

By Mr. BADGER: A bill (H. R. 11217) appropriating $550 to pay for medical services rendered to Thomas Finley while arresting two United States Army deserters—to the Committee on Appropriations.

By Mr. BEDE: A bill (H. R. 11218) setting aside a certain island in Bartlett Lake, Minnesota, as a park and forest reserve—to the Committee on the Public Lands.

By Mr. BROWNLOW: A bill (H. R. 11219) for the relief of Joseph McGuigan—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 11220) granting an increase of pension to P. McCort—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11221) granting an increase of pension to William H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11222) granting an increase of pension to Orville E. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11223) granting an increase of pension to Joseph H. Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11224) to remove the charge of desertion from the record of James E. Dickerson and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. DAYTON: A bill (H. R. 11225) granting a pension to George W. Webb—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 11226) granting a pension to Socrates Moore—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 11227) granting an increase of pension to George W. Walls—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 11228) granting an increase of pension to Edson K. Chapell—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 11229) granting a pension to Francis M. Good—to the Committee on Pensions.

By Mr. HILDEBRANT: A bill (H. R. 11230) granting an increase of pension to Levi Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11231) granting a pension to Samuel Kincaid—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 11232) granting a pension to Josiah B. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11233) for the relief of Benjamin T. Hooper and Marcellus Aaron—to the Committee on Claims.

By Mr. LAFEAN: A bill (H. R. 11234) granting an increase of pension to Frederick Shanabrough—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 11235) for the relief of Clarissa E. McCormick—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 11236) granting an increase of pension to George Wininger—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 11237) granting an increase of pension to Robert W. Keen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11238) granting an increase of pension to Julius C. Aitken—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 11239) granting an increase of pension to Ezra W. Merrill—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 11240) to pay claim of Samuel O. Randall, administrator of the personal estate of Richard Ralph Randall, deceased—to the Committee on Claims.

By Mr. NORRIS: A bill (H. R. 11241) granting a pension to Myrtle Lee—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11242) granting a medal to George W. Churchill—to the Committee on Military Affairs.

By Mr. POWERS of Massachusetts: A bill (H. R. 11243) granting a pension to Laura S. Ware—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 11244) to remove the findings of a court-martial by which Charles Held was dismissed from the military service of the United States—to the Committee on Military Affairs.

By Mr. REEDER: A bill (H. R. 11245) granting an increase of pension to William H. Mize—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11246) granting a pension to S. A. Burges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11247) granting an increase of pension to William Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11248) granting an increase of pension to Samuel Likins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11249) granting an increase of pension to Simeon D. Chelf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11250) granting an increase of pension to J. W. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11251) granting an increase of pension to David Essick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11252) granting an increase of pension to Archie P. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11253) granting an increase of pension to Joel F. Terry—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 11254) for the relief of Anthony McAndrews—to the Committee on Claims.

By Mr. SLEMP: A bill (H. R. 11255) granting an increase of pension to Catherine L. Benteen—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 11256) for the relief of the estate of D. L. Pritchard, deceased, late of Camden County, N. C.—to the Committee on War Claims.

By Mr. SMITH of Iowa: A bill (H. R. 11257) granting an increase of pension to Andrew H. Hazlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11258) granting an increase of pension to James L. Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11259) granting a pension to George W. Stennett—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: A bill (H. R. 11260) granting a pension to Alberti Ross—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 11261) to authorize the Secretary of War to correct the military record of I. N. Nance—to the Committee on Military Affairs.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 11262) granting a pension to John Hegarty—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 11263) for the relief of the heirs of John Smith, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11264) for the relief of James L. Curry—to the Committee on War Claims.

Also, a bill (H. R. 11265) granting an increase of pension to Wilder D. Easlick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11266) granting a pension to Jane Van Wey—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 11267) for the relief of the legal representatives of William P. Custis—to the Committee on War Claims.

By Mr. WYNN: A bill (H. R. 11268) to reimburse the city and county of San Francisco, State of California, for money paid by said city and county to Adolph L. Rehfeld upon a judgment recovered by him against said city and county for damages to his

property inflicted by soldiers of the United States Army—to the Committee on Claims.

Also, a bill (H. R. 11269) granting a pension to Frank Klein—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Antietam Post, No. 64, Grand Army of the Republic, of Parsons, Kans., praying for national aid for a cemetery for interment of former soldiers—to the Committee on Military Affairs.

Also, memorial of National Convocation of Prayer convened at Baltimore, in favor of legislation to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, memorial of Williams Post, No. 25, Grand Army of the Republic, Watseka, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Resolution of George G. Meade Post, No. 1, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: Petition of Tower Grove Lodge, No. 429, of St. Louis, Mo., Brotherhood of Railroad Trainmen, in favor of bills H. R. 7041 and 89—to the Committee on the Judiciary.

Also, petition of the Anheuser-Busch Brewing Association, in favor of the bill providing for bonds in appealed criminal cases in Indian Territory—to the Committee on the Judiciary.

Also, petition of Typographical Union No. 80, of Kansas City, Mo., in favor of an eight-hour law and anti-injunction bill—to the Committee on Labor.

Also, petition of Missouri State Federation of Labor, in favor of an eight-hour law—to the Committee on Labor.

By Mr. BUTLER of Pennsylvania: Resolutions of Lieutenant Josiah White Post, No. 45; Brandywine Post, No. 54, and Post No. 255, Grand Army of the Republic, Department of Pennsylvania, in favor of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of East Whiteland Presbyterian Church, of Frazer, Pa., for closing Lewis and Clark Exposition on Sunday—to the Committee on Industrial Arts and Expositions.

By Mr. CLARK: Petition of C. B. Faulconer and 64 others, of Montgomery City, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Pennsylvania: Resolution of William T. Campbell Post, No. 375, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CURTIS: Papers to accompany bill H. R. 5880, granting a pension to Dennis Dunn—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolutions of Farragut Post, No. 602, Chicago, Ill., and Major W. G. Lowry Post, No. 548, Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid pensions.

By Mr. DANIELS: Resolution of the Manufacturers and Producers' Association of California, relative to the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Manufacturers and Producers' Association of California, relative to the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

Also, resolution of the Manufacturers and Producers' Association of California, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Board of Trade of Kern County, Cal., relative to a trail up Mount Whitney—to the Committee on Military Affairs.

By Mr. DAYTON: Paper to accompany bill granting a pension to George W. Webb—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Papers to accompany bill H. R. 11153, for the relief of Mary Leary—to the Committee on Claims.

By Mr. FRENCH: Resolution of E. D. Baker Post, No. 6, Grand Army of the Republic, of Hailey, Idaho, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of McCulloch Post, No. 475, Grand Army of the Republic, of Earlville, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Retail Merchants' Association of Ottawa, Ill., in favor of passage of McCumber-Hepburn pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Chamber of Commerce of Quincy, Ill., in favor of the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. GOLDFOGLE: Petition of Joseph Loth & Co., of New York, in favor of the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of the Merchants and Manufacturers' Association of Baltimore, relative to the improvement of the main ship channel—to the Committee on Rivers and Harbors.

By Mr. GOULDEN: Letters of Gas Engine and Power Company and Charles L. Seaburg & Co. in opposition to bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

By Mr. HERMANN: Resolution of the National Good Roads Association, relative to the Lewis and Clark Exposition—to the Committee on Industrial Arts and Expositions.

By Mr. HILL of Connecticut: Petition of the Lake Torpedo Boat Company, relative to the construction of submarine boats—to the Committee on Naval Affairs.

By Mr. HUGHES of New Jersey: Petition of Soldiers' Patriotic Alliance of the United States, in favor of establishing a museum of war at Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAM W. KITCHIN: Petition of R. A. Wommack and 29 others, of Winston-Salem, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of residents of Winston-Salem, N. C., relative to the interstate liquor traffic—to the Committee on the Judiciary.

By Mr. KLINE: Resolution of E. B. Young Post, No. 87, Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Cigar Makers' Union, No. 236, of Reading, Pa., favoring the passage of bill H. R. 6, relative to amending section 3394 of the Revised Statutes, relating to tobacco—to the Committee on Ways and Means.

By Mr. LACEY: Resolution of the Everett Chamber of Commerce, in favor of an appropriation for Tulalip Reservation—to the Committee on Indian Affairs.

Also, resolution of Farragut Post, No. 602, Grand Army of the Republic, Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LAFEAN: Resolutions of Major Jenkins Post, No. 99, of Hanover; Corporal Skelly Post, No. 9, of Gettysburg, and General John Sedgwick Post, No. 37, of York, Pa., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LITTLE: Papers to accompany claim of Edward C. Brogan, administrator—to the Committee on War Claims.

By Mr. LITTLEFIELD: Petition of the Christian Civic League of Farmington, Me., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, petitions of the Christian Civic League of Farmington, Me., for the passage of a bill to forbid the sale of intoxicating liquors in all Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Prof. Harold S. Boardman and other officers of the University of Maine, for protection of the California big trees—to the Committee on the Public Lands.

Also, petitions of Frank O. Marten and others, in favor of the McCumber and Hepburn-Dolliver bills, and of citizens of Craftonville, Cal., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of the National Society, Daughters of the American Revolution, of Milwaukee, Wis., in favor of bill H. R. 4699, to prevent the desecration of the national flag—to the Committee on the Judiciary.

Also, resolutions of Pueblo (Colo.) Citizens' Alliance, favoring the passage of bills H. R. 89 and 8136—to the Committee on the Judiciary.

By Mr. LIVINGSTON: Petition of Commissioners of Pilotage and Chamber of Commerce of Savannah, Ga., against passage of bill S. 2260—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: Resolutions of Enterprise Harbor, No. 2, A. A. of M. and P. of S. B. relative to maintaining entrance to harbor of refuge at Cape May, N. J.—to the Committee on Rivers and Harbors.

By Mr. McCLEARY of Minnesota: Resolutions of Alexander Wilkins Post, No. 9, of Mankato, Minn., and James Callaugh Post, No. 54, of Winnebago City, Minn., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: Resolutions of the Manufacturers and Producers' Association of California, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Manufacturers and Producers' Associa-

tion of California, relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Manufacturers and Producers' Association of California, relative to the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. NEVIN: Resolutions of Caleb Marker Post, No. 646, of New Paris, Ohio; Al. Mason Post, No. 588, of Miamisburg, Ohio; Hiram Strong Post, No. 79, of Dayton, Ohio; Harrison Wright Post, No. 497, of Gratis, Ohio; Reese Mitchell Post, No. 361, of Camden, Ohio; Veteran Post No. 5, of National Military Home, Ohio; Wetzel-Compton Post, No. 96, of Hamilton, Ohio; Duster Post, No. [illegible] of Eaton, Ohio, and [illegible] Post, No. [illegible] of Dayton, Ohio, Grand Army of the Republic, in favor of the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. PORTER: Papers to accompany bill H. R. 10925, directing the [illegible] a check drawn in favor of the [illegible] Manufacturing Company—to the Committee on [illegible].

By Mr. RIXSON of Indiana: Petition of La Due & Carmer, of Auburn, Ind., in favor of increasing powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolutions of the Buffalo Lumber Exchange in favor of [illegible] the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: Resolutions of Lawrence Post No. 20, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolutions of Lodge [illegible], Rev. C. T. [illegible], William [illegible], H. C. [illegible], John W. [illegible], Isaac W. [illegible], of the Providence (R. I.) Chamber of Commerce, relative to the [illegible] Judith harbor of refuge.

By Mr. WILLIAMS: [illegible] of James Mayes Post, No. [illegible], and [illegible] and 37 others, of Pennsboro, W. Va., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

THURSDAY, *January 28, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The journal of proceedings of Wednesday last was read and approved by unanimous consent, the proceedings of Tuesday being dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

JUDGMENTS IN INDIAN DEPREDATION CASES.

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney General, transmitting, in response to a resolution of the Senate of the 18th instant, a list of judgments in Indian depredation cases, with the accompanying papers, which was referred to the Committee on Appropriations, and ordered to be printed.

PROCEEDINGS OF BOARDS OF REGISTRY AND DEMOCRACY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, transmitting, in compliance with a resolution of the Senate of the 18th instant, a report of the proceedings of the boards of registry and democracy at the city of Washington on the 6th instant, which, with the accompanying papers, was referred to the Committee on Pensions and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. Browning, its clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 6307) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between sections 6 and 7, township 9, range 1 west of St. Stephen's meridian, and section 7, township 9, range 1 west of St. Stephen's meridian, Alabama;

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of R. B. Hays Post, No. 120, of Plano; of Veteran Post, No. 49, of Elgin; of Streator Post, No. 68, of Streator, and of General W. B. Hazen Post, No. 7, of Chicago, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. HANSBROUGH presented a memorial of sundry citizens of North Dakota, remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PENROSE presented a memorial of sundry citizens of Reading, Pa., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Bradford, Pa., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the Christian Church of Brazil, Ind., praying for the ratification of the treaty between the United States and the Republic of Panama; which was referred to the Committee on Foreign Relations.

He also presented petitions of Colonel Ulric Dahlgren Post, No. 14, of Philadelphia; of Lieutenant William A. Bright Post, No. 14, of Smithville; of Perkins Post, No. 202, of Athens; of Post No. 14, of Philadelphia; of Post No. 114, of Philadelphia; of Erastus Brooks Post, No. 14, of Charlestown; of George Smith Post, No. [illegible], of [illegible]; of Lieutenant James M. Lyons Post, No. [illegible], of Athens; of Robert Orbison Post, No. 527, of Philadelphia; and D. B. Birney Post, No. 63, of Philadelphia; of Post, No. 217, of Easton; of General Phil Kearney Post, No. [illegible], of Philadelphia; of Colonel James Cameron Post, No. 185, of Philadelphia; of Larimer Post, No. [illegible], of Philadelphia; of Post, No. 594, of Wilkes-Barre; and of Post, No. [illegible], of Lewisburg, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Post, No. [illegible], of Meadville; of Post, No. [illegible], of Chester; of Post, No. [illegible], of Wilkes-Barre; of J. W. Reynolds Post, No. [illegible], of Lansdowne; of Post, No. [illegible], of Philadelphia; of Post, No. [illegible], of Pittsburg; of Post, No. [illegible], of Pittsburg; of Post, No. [illegible], of Pittsburg

HEARINGS BEFORE COMMITTEE ON AGRICULTURE AND FORESTRY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. PROCTOR on the 26th instant, reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry be, and it is hereby, authorized to send for persons and papers, to administer oaths, and to employ a stenographer to report such hearings as may be deemed necessary by said committee, and that the committee be authorized to have said hearings printed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3906) granting an increase of pension to James H. V. Venter (with an accompanying paper);

A bill (S. 3907) granting an increase of pension to Charles S. Kenney;

A bill (S. 3908) granting an increase of pension to Hugh M. Stewart (with an accompanying paper); and

A bill (S. 3909) granting a pension to Angeline Allen (with accompanying papers).

Mr. PENROSE also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3910) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.; and

A bill (S. 3911) for the relief of Mary Cairney.

Mr. LODGE introduced a bill (S. 3912) to authorize the President of the United States to appoint John Gibbon captain and quartermaster in the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 3913) to equalize the pay of retired officers of the line, Engineer, Medical, and Pay Corps of the Navy with officers of corresponding rank on the retired list of the Army; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. BEVERIDGE introduced a bill (S. 3914) granting an increase of pension to John W. Brasch; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 3915) granting an increase of pension to Benjamin F. Bessinger; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3916) to fix the salary of the collector of customs at Portsmouth, N. H.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3917) to define the term "registered nurse" and to provide for the registration of nurses in the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 3918) granting a pension to Abbie A. Straw; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LATIMER introduced a bill (S. 3919) granting a pension to Florence E. Foster; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 3920) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine certain claims for compensation for carrying the mails and pay for the transportation of postal service; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3921) to authorize the Secretary of War to cause to be investigated and to provide for the payment of all claims for the use and occupation of church and school buildings and grounds for Government purposes by the United States military authorities during the late war, and all claims for damages resulting from the application to Government purposes of any of the buildings or materials in said class of buildings; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS introduced a bill (S. 3922) for the relief of the estate of D. L. Pratt; which was read twice by its title, and referred to the Committee on Claims.

Mr. KEAN introduced a bill (S. 3923) for the extension of Wyoming avenue, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CLAY introduced a bill (S. 3924) for survey and estimate of cost of deepening Brunswick (Ga.) inner harbor and outer bar; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McENERY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 3925) for the relief of T. Alonzo Walker and Augusta C. Todd;

A bill (S. 3926) for the relief of James Goodwin (with an accompanying paper); and

A bill (S. 3927) for the relief of the estates of Celeste Belanger Tanner and Lemuel Tanner, deceased (with an accompanying paper).

Mr. KITTREDGE introduced a bill (S. 3928) to provide an American register for the steam yacht *Waturus;* which was read twice by its title, and referred to the Committee on Commerce.

Mr. SCOTT introduced a bill (S. 3929) for the relief of the estate of H. F. Cocke, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3930) to provide for the payment of a bounty to District of Columbia Volunteers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. FORAKER introduced a bill (S. 3931) to acquire certain ground in Hall and Elvan's subdivision of Meridian Hill for a Government reservation; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT of Connecticut introduced a bill (S. 3932) to establish a light and fog signal at or near Black Ledge, New London Harbor, entrance to New London Harbor, Long Island Sound, Connecticut; which was read twice by its title, and referred to the Committee on Commerce.

Mr. HANSBROUGH introduced a joint resolution (S. R. 37) providing for the editions to be printed of the annual and special reports of the Librarian of Congress; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PROCTOR submitted an amendment proposing to appropriate $135,000 for the enlargement of the post at Willetts Point, Long Island, New York, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the salary of the first assistant in the Senate document room from $1,800 to $2,100, and to increase the salaries of two assistants in the Senate document room from $1,400 to $1,800, intended to be proposed by him to the legislative, executive, and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. FOSTER of Washington (for Mr. ANKENY) submitted an amendment proposing to appropriate $50,000 for the construction of bachelor officers' quarters, storehouse for officers' and troop property when ordered to distant stations, and for reconstruction and necessary repairs to present officers' quarters and barracks at Fort Walla Walla, Wash., intended to be proposed by Mr. ANKENY to the army appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Military Affairs.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. STEWART submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

[illegible]

A. C. HAWLEY.

Mr. CULLOM submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

[illegible] Arms be, and he is hereby, dir[illegible] for, he[illegible]

JOURNAL OF CONFEDERATE STATES CONGRESS.

Mr. FORAKER submitted the following resolution; which was considered by unanimous consent, and agreed to:

[illegible] That the Secretary of War be, and he is hereby, directed to [illegible] and the First [illegible] in the [illegible]

ABSTRACT OF TWELFTH CENSUS.

Mr. QUARLES. I submit a concurrent resolution and ask unanimous consent for its present consideration.

The concurrent resolution was read, as follows:

[illegible] That there be printed [illegible] of the Abstract of the Twelfth Census [illegible] for the use of the House, and 1,[illegible] to be distributed by the Director of the Census.

The PRESIDENT pro tempore. The Chair is inclined to think that the resolution ought to go to the Committee on Printing, as the cost will be more than $500.

Mr. QUARLES. Very well, let it go to the committee.

The PRESIDENT pro tempore. The concurrent resolution will be referred to the Committee on Printing.

PROCEEDINGS OF NEW PANAMA CANAL COMPANY.

Mr. MORGAN. I present the official proceedings of the New Panama Canal Company at its meeting in Paris—its ordinary meeting, it is styled here in French—on the 30th day of December, 1903, accompanied by a report of the council of administration of that company and also of the commissionaires or auditors.

The document is in French. It is authentic. I have attempted to have it translated at the Library and also at the Bureau of American Republics, but without success, unless I would pay money for it. I ask that the paper be printed as a document for the use of the Senate, and that the Secretary of the Senate be instructed to have it translated into English.

The PRESIDENT pro tempore. The Senator from Alabama asks that the paper which he sends to the desk be printed as a Senate document, and that the Secretary be instructed to have it translated.

Mr. CULLOM. May I inquire of the Senator what it is? I did not hear his remarks.

Mr. MORGAN. It is the official proceedings of the New Panama Canal Company at Paris on the 30th day of December last.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and the order is made.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 16,500 copies of the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, which were, in line 7, to strike out "five" and insert "three;" and in line 8 to strike out "ten" and insert "twelve."

Mr. McCOMAS. In the absence of the chairman of the Committee on Printing, I move that the Senate nonconcur in the amendments of the House of Representatives and request a conference on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. PLATT of New York, Mr. McCOMAS, and Mr. GORMAN were appointed.

TREATIES, LAWS, ETC., RELATING TO INDIAN AFFAIRS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the concurrent resolution of the Senate providing for the printing of 3,000 copies of Senate Document No. 452, Fifty-seventh Congress, first session, of the "Treaties, Laws, Executive Orders, etc., Relating to Indian Affairs," which was, in line 14, after the words "one thousand," to insert "five hundred."

Mr. STEWART. I move that the Senate agree to the amendments of the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

The bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian; and

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (H. R. 661) granting an increase of pension to Elizabeth E. Meekly;

A bill (H. R. 722) granting an increase of pension to Zechariah B. Stuart;

A bill (H. R. 864) granting an increase of pension to Albert Moulton;

A bill (H. R. 907) granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

A bill (H. R. 930) granting an increase of pension to Thomas M. Parkison;

A bill (H. R. 942) granting an increase of pension to James F. Hardy;

A bill (H. R. 957) granting an increase of pension to Alonzo Carpenter;

A bill (H. R. 990) granting an increase of pension to Harrison W. Fox;

A bill (H. R. 1184) granting an increase of pension to William F. Longenhagen;

A bill (H. R. 1288) granting an increase of pension to Jason Stevens;

A bill (H. R. 1517) granting an increase of pension to George W. Hutchison;

A bill (H. R. 1856) granting an increase of pension to Alexander H. Covert;

A bill (H. R. 2042) granting an increase of pension to Alvin B. Hubbard;

A bill (H. R. 2108) granting an increase of pension to Henry D. Wright;

A bill (H. R. 2155) granting an increase of pension to Charles W. Bechstedt;

A bill (H. R. 2188) granting an increase of pension to Richard L. Cook;

A bill (H. R. 2472) granting an increase of pension to David F. Lewis;

A bill (H. R. 2616) granting an increase of pension to Joseph K. Welt;

A bill (H. R. 2690) granting an increase of pension to Thomas Kelly;

A bill (H. R. 2991) granting an increase of pension to Lydia A. Topping;

A bill (H. R. 3000) granting an increase of pension to William C. Best;

A bill (H. R. 3001) granting an increase of pension to Alpheus Converse;

A bill (H. R. 3013) granting an increase of pension to John A. Mavity;

A bill (H. R. 3472) granting an increase of pension to Marcus E. Amsden;

A bill (H. R. 3743) granting an increase of pension to Charles E. Foley;

A bill (H. R. 3778) granting an increase of pension to Juliaetta Rowling;

A bill (H. R. 3821) granting an increase of pension to Hannah Padgett, now Riley;

A bill (H. R. 4115) granting an increase of pension to Joseph S. Young;

A bill (H. R. 4319) granting an increase of pension to John Sexton;

A bill (H. R. 4726) granting an increase of pension to Samuel B. Brightman;

A bill (H. R. 4935) granting an increase of pension to Edward T. Miller;

A bill (H. R. 5005) granting an increase of pension to Worthington S. Lock;

A bill (H. R. 5177) granting an increase of pension to William H. Clark;

A bill (H. R. 5197) granting an increase of pension to William C. Brown;

A bill (H. R. 5246) granting an increase of pension to Sebastian B. Elliott;

A bill (H. R. 5521) granting an increase of pension to Charles S. Clark;

A bill (H. R. 5719) granting an increase of pension to Forbes Homiston;

A bill (H. R. 6004) granting an increase of pension to William C. Lyon;

A bill (H. R. 6441) granting an increase of pension to Peter Fillion;

A bill (H. R. 6619) granting an increase of pension to Benjamin R. Little;

A bill (H. R. 6830) granting an increase of pension to Charles E. Likes;

A bill (H. R. 6975) granting an increase of pension to George W. Lawson;

A bill (H. R. 7002) granting an increase of pension to James S. Rearden;

A bill (H. R. 7370) granting an increase of pension to Andrew Ivory; and

A bill (H. R. 7666) granting an increase of pension to Laura F. Hine.

STATUE OF KOSCIUSKO.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which was read, referred to the Committee on the Library, and ordered to be printed:

To the Senate and House of Representatives:

[illegible]

[illegible] service which can never be forgotten by our people.

THEODORE ROOSEVELT.

WHITE HOUSE, January 28, 1904.

NOTE. The papers accompanied a similar message to the House of Representatives.

W. D. CRUM.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Treasury, which will be read.

The Secretary read as follows:

OFFICE OF THE SECRETARY.

[illegible]

MY DEAR SIR: [illegible]

Very truly yours,

L. M. SHAW.

Hon. WILLIAM P. FRYE,
President pro tempore United States Senate.

The PRESIDENT pro tempore. The communication will lie on the table and be printed.

PIPE LINE THROUGH INDIAN LANDS.

Mr. STEWART. I am directed by the Committee on Indian Affairs to report back favorably without amendment the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands, and to request its immediate consideration. It contains the same provisions which we have passed in other bills for the benefit of those who are ready to develop the oil and gas fields, and I hope it will be passed with it. I ask unanimous consent for the immediate consideration of the bill.

Mr. ALLISON. What is the bill?

Mr. STEWART. It authorizes the Secretary of the Interior to grant the right of way for pipe lines through Indian lands. It is the same as other bills which have been passed by the Senate, and it is reported by the Committee on Indian Affairs.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent for the present consideration of the bill just reported by him. It will be read.

The Secretary read the bill.

Mr. ALLISON. How long is the mineral leasing act after the bill? For all time? I think it ought to be properly worded. I object.

Mr. STEWART. Just pipe lines underground will not do any harm, I think.

Mr. ALLISON. I do not know. Some one else might want to put pipe lines there.

Mr. STEWART. There is no reservation given by the bill.

Mr. SPOONER. Is there a reservation in it? Is the right reserved to Congress to amend the act?

Mr. STEWART. I do not think there is. There should be such a reservation.

Mr. ALLISON. There is no limitation on the power of the Secretary of the Interior.

Mr. STEWART. Let that be put in the bill.

Mr. SPOONER. I have no right to alter and amend.

Mr. COCKRELL. I have looked at the bill. I had occasion to examine it a little more than a few days ago, as I had introduced a bill which is now pending on the Calendar reported favorably. That bill proposes to insert "oil and pipe lines" in section 3 of the Indian appropriation act, which I have here on my desk.

Mr. STEWART. I have no objection to the bill going over.

Mr. COCKRELL. I have compared that bill with this. Practically the only difference between them is that in the bill I proposed after the word "telegraph" the words "oil and gas pipe" were inserted. As I understand this bill it reenacts section 3 and puts in all the provisions that were in section 3, just as they were in the bill. So practically it is only inserting those words. However, I have no objection to its lying over. I have the original act and all the other acts. I happened to look at this bill, thinking that it was on the same subject. I have not had time to read the two, but so far as I have been able to discover the only difference in the world is that this bill reenacts the old law, so that it will be an independent law.

Mr. STEWART. There is no objection to the bill going over if any Senator wishes to look at it further. I think that it had better be acted upon because if the committee reported answers the purpose it can be called up and passed. There is no objection to its lying over to see whether it does.

Mr. COCKRELL. I do not object. Section 3 of the act of March 3, 1901, is the section that is practically reenacted by the bill. The bill I introduced is Senate bill 2302, and it is on the Calendar now. It just provided for the insertion after the word "telegraph" of the words "oil and gas pipe," so that it would read "telegraph, oil and gas pipe lines." This bill puts those words in and repeats the provision. There ought to be a provision in the bill to alter, amend, and repeal, as a matter of course.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

Mr. COCKRELL. I move as an amendment, "that Congress reserves the right to alter, amend, or repeal this act."

Mr. STEWART. Let it come in as a separate section.

The PRESIDENT pro tempore. The amendment of the Senator from Missouri will be stated.

The SECRETARY. It is proposed to add at the end of the bill, as a new section:

SEC. —. Congress reserves the right to alter, amend, or repeal this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution coming over from a previous day, which will be stated.

The SECRETARY. Senate resolution 102, by Mr. NEWLANDS, requesting the President to negotiate a new treaty with the United States of Colombia providing for the cession of all rights that they may claim to have in the Isthmus of Panama.

Mr. CULLOM. I move that the resolution be referred to the Committee on Foreign Relations.

The motion was agreed to.

HYGIENIC CONDITIONS, ETC., ON ISTHMUS OF PANAMA.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 103, by Mr. MORGAN, directing that certain official documents, hearings before the Committee on Interoceanic Canals, relative to the nomination of Merrill A. Hearn and [illegible] be printed.

Mr. HANNA. I suggest that the Committee on Interoceanic Canals, in consideration of the subject-matter of the resolution, [illegible] HANNA], is present. It may be taken as [illegible] but I wish to have such action taken as [illegible] chairman of the committee.

Mr. MORGAN. I have no objection to that course, if the resolution goes over subject to call.

The PRESIDENT pro tempore. The Senator from Alabama asks that the resolution be laid over subject to call. It will remain on the table without predjudice. It holds its former position.

CORRESPONDENCE RELATIVE TO PANAMA TREATY.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution, which will be stated.

The SECRETARY. Senate resolution 110, by Mr. MORGAN, directing the Secretary of State to send to the Senate a copy of a dispatch or letter dated January 22, 1904, relating to the withdrawal or amendment of all amendments to the Hay-Varilla treaty, etc.

Mr. MORGAN. I am informed that that paper will be laid before the Senate in executive session, and being under that engagement, I withdraw the resolution.

The PRESIDENT pro tempore. The resolution is withdrawn.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar under Rule VIII.

Mr. CULBERSON. I call the attention of the Chair to the fact that resolution 104 ought to be laid before the Senate now. If not, I ask that it be done.

The PRESIDENT pro tempore. The trouble is that some resolutions have been laid on the table subject to call, and others have been laid on the table under the rule. This resolution was laid on the table subject to call.

Mr. CULBERSON. I call it up at this time.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution which will be stated.

The SECRETARY. Senate resolution 104, by Mr. CULBERSON, requesting the President to inform the Senate whether all correspondence, etc., between the Department of State and the legation of the United States at Bogota, has been sent to the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

Mr. CULLOM. Mr. President, I do not agree, so far as I am concerned, to the resolution as it now stands. In the first place, the resolution goes back fifty or sixty years probably, if it is the purpose to go back as far as the canal question has been before the country, and there is no evidence that it does not. If the resolution passes, I desire that it shall be amended so as to fix a date behind which the Department may not have to investigate, because we would not get an answer within two months unless we furnished them clerks.

Mr. CULBERSON. Mr. President, in answer to the suggestion of the Senator from Illinois, I will state that it is not the purpose of the resolution, of course, to go beyond the correspondence in reference to the Hay-Herran treaty.

Mr. SPOONER. Then let the resolution say so.

Mr. ALLISON. Then say so.

Mr. CULBERSON. It does, I think, say so in effect, without using that expression.

Mr. CULLOM. I suggest that after the word "notes," in line 10, the words "beginning with March, 1903," be inserted. That is the date of the ratification of the Hay-Herran treaty by the Senate. Then I would also suggest——

Mr. CULBERSON. What is the suggestion of the Senator from Illinois?

Mr. CULLOM. That the resolution shall be so amended as to limit it to March, 1903, which is the date of the ratification of the Hay-Herran [illegible] by the Senate.

Mr. CULBERSON. I [illegible] there is a great deal of correspondence on this [illegible] up to the negotiation of the treaty, and we [illegible] to be bound by the date of the ratification by the Senate.

Mr. CULLOM. It [illegible] treaty that I am thinking about. If you fix [illegible] thing that anyone has any [illegible] subject. If the Senator wants an answer at [illegible] to me that it is in the interest of a prompt answer that the Department shall not be required to go back so far as the resolution [illegible]

Mr. CULBERSON. I [illegible] tended to go [illegible] Herran treaty. With that understanding, I have no objection to [illegible] that will make that purpose clearer than the [illegible]

Mr. CULLOM. I [illegible] March 17, 1903," which is the date of [illegible] and the question had not been discussed much, if at all, except between the Secretary of State and the minister or chargé d'affaires, who [illegible]

Mr. CULBERSON. Mr. President, a great deal of correspondence has already been sent to the Senate, and I understand there is a great deal between the Secretary of State and the representative of Colombia [illegible] the Hay-Herran treaty. We think there are other papers relating to the same subject which have [illegible] and what we desire is to have the correspondence [illegible] of this treaty up to the time of its ratification by the Senate on the 23d of January, 1903, and any subsequent [illegible] ratification by the Republic of Colombia. The suggestion of the Senator from Illinois will not [illegible]

Mr. CULLOM. What I desire is that the resolution shall be so framed as that when it is adopted—if it shall be adopted—there will be some point of time beyond which the Department shall not have to go in order to furnish the documents.

Mr. CULBERSON. We are willing, Mr. President, that it may not go back beyond June 28, 1902—the date on which the President approved the Spooner Act—if that will be satisfactory.

Mr. CULLOM. I am willing for that, but I want some date by which the Department can be governed.

Mr. CULBERSON. I will modify the resolution by inserting after the word "canal," in line 5, the words "since June 28, 1902."

The PRESIDENT pro tempore. The resolution will be so modified.

Mr. CULLOM. I have no objection to that modification. All I want is to get the information sent in here at some time or other, and give the Department a chance to know what they have got to furnish.

The PRESIDENT pro tempore. Will the Senate agree to the resolution as modified?

Mr. CULLOM. I am not willing to agree to the resolution as it now stands. I propose to amend by adding at the end of the resolution the words "if not in his judgment incompatible with the public interest;" and I insist on that amendment being adopted.

Mr. CULBERSON. I ask that the Secretary will now read the resolution as it now stands modified, and as it would stand if the amendment suggested by the Senator from Illinois should be adopted.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

[illegible]

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Illinois [Mr. CULLOM].

Mr. CULBERSON. Mr. President, it is not my purpose to enter into a discussion of the general subject of the Panama question, but to confine myself strictly to the pending resolution, and the amendment which has been offered by the Senator from Illinois.

The resolution is confined to and does not call for any personal correspondence on the part of any official of the Government of the United States, nor does it seek any information of an extraneous character. It is confined distinctly and expressly to a request to send to the Senate official correspondence, and official correspondence only, relating to the negotiation and subsequent conduct of the Hay-Herran treaty and the incidents connected with Panama.

Mr. President, as an original proposition, I do not believe that it can be successfully refuted that the Senate is entitled to this information. The President is not authorized by the Constitution to negotiate a treaty wholly by himself, but treaties must be negotiated by the President with the advice and consent of the Senate, and certainly, Mr. President, the Senate is entitled to the official information which the President has in his possession upon which his judgment and advice is asked to the ratification of a treaty. Certainly the President can not remain in possession of matters of an official character between himself and the other contracting government which would lead him to negotiate a treaty without its being communicated from the Senate upon which it must pass the judgment as to whether it should be ratified, rejected, or amended by a treaty.

Not only [illegible] but, as I understand it, this [illegible] subject; and the amendment proposed by the Senator from Illinois is not to be adopted. I have not [illegible] to an examination of this question; but I have been [illegible] and search among [illegible] others have been [illegible] matter for me, [illegible] Senate, [illegible] that when the [illegible] of a treaty to be submitted to it in confidence by the President, it should be left to his judgment and discretion whether that information should be sent here.

The Constitution does not allow the President to send this information [illegible] to send it to the Senate [illegible] and with all the confidence those terms at least ought to import in this body.

While I will not, Mr. President, undertake to recite at length the precedents on this subject, I do ask leave to call attention to certain transactions in our history which bear strongly upon this proposition.

In the message of President Washington March 30, 1796, sent to the House of Representatives, he declined to send information requested by the House upon the distinct ground that the treaty

which he was then discussing was not one in which the concurrence of the House of Representatives was required, or upon which the House of Representatives was entitled, under the Constitution, to express an opinion, indicating most clearly the opinion of President Washington that, if it had been a request from the Senate for this information pending the ratification of a treaty, the information would have been sent.

In a message of President Polk, dated January 12, 1848, answering a resolution of the House of Representatives, President Polk quotes from this message of President Washington in 1796, insisting under the rule laid down there and for the reason given there, that the House of Representatives was not entitled to the information, but clearly indicating in the argument that, if the request had been made by the Senate, the information would have been sent. In a message of President Polk, dated February 29, 1849, he uses this language:

> In compliance with the resolution of the Senate passed on [illegible] I transmit herewith the documents called for.

Mr. President, that was a resolution which passed, it is true, in executive session, calling upon the President to submit to the Senate, in confidence, the correspondence in question; but I take it that there is no special force in the fact that the information was called for while the Senate was sitting in executive session rather than in open session, because the information was to be sent to the Senate in confidence, as called for in the resolution now under consideration.

In another message of President Polk to the Senate February 9, 1849, this appears:

> In compliance with the resolution of the Senate of the 6th instant, [illegible] documents called for.

Mr. SPOONER. Was that a Senate resolution?

Mr. CULBERSON. Yes; a Senate resolution.

Mr. ALLISON. Will not the Senator read the resolution?

Mr. CULBERSON. Certainly. It is as follows:

> Requesting the President to cause to be laid before that body, in "executive or open session, in his discretion, any instructions given to Ambrose H. Sevier and Nathan Clifford, etc."

In that resolution of the Senate the President was requested to give the information to the Senate either in open session or in secret session, as his judgment might dictate.

Mr. SPOONER. Will the Senator allow me to ask him a question only for information?

Mr. CULBERSON. Certainly.

Mr. SPOONER. Was that resolution introduced in legislative session or in executive session?

Mr. CULBERSON. It appears to have been introduced in legislative session. At least, the contrary does not appear, and I take it it was introduced in legislative session of the Senate. I should not think, however, that that would be of any special consequence; but if that is a matter of any particular importance, I presume the one I am now about to read will answer the suggestion of the Senator from Wisconsin.

Mr. SPOONER. I did not make any suggestion. I asked for information.

Mr. CULBERSON. I think the question was suggestive.

On March 8, 1848, President Polk sent a short message to the Senate as follows:

> In answer to the resolution of the Senate of the 6th instant, requesting the President to lay before that body, in executive or open session, in his discretion, any instructions given to Ambrose H. Sevier and Nathan Clifford, ministers of the United States to the Mexican Congress, and the correspondence between Mr. Trist and the Mexican commissioners, relative to the treaty of peace, I transmit herewith a report from the Secretary of State, to whom the resolution has been referred, to the Senate.

Mr. President, that is a resolution in perfect consonance with the one which is being considered by the Senate at this time. It was passed in open session, and the information was requested to be sent to the Senate confidentially, as is the information requested to be sent to the Senate in confidence or in executive session in the resolution we are now considering.

I therefore submit that in no case, so far as I have been able to discover, either by examination myself or through the aid of others, particularly when the question is called to the attention of the Senate, has any resolution ever been adopted by the Senate asking the President to communicate information in confidence to the Senate for the purpose of considering a treaty in which it has ever been left to his judgment and discretion as to whether that information shall be sent, and it occurs to us that it ought not to be done in this case.

The information is important, no doubt. We have information—we have direct information—that some documents and some official correspondence which have passed between our Government and the officials of Colombia bearing upon this general question have not been sent to the Senate heretofore in communications of a voluntary character made by the President, and we ask that it be done now, in order that we may have the full information here when we are called upon to advise and consent to the ratification of this treaty.

Mr. CULLOM. I want to assure the Senator, whether those words are in or out, that if the resolution shall be passed, he will get all the information there is in the Department which is pertinent to the general subject.

The thing which I am inclined to complain of is that there is, on the part of some Senators, a disposition or want of confidence that the President of the United States is willing to give information that is in possession of the executive department, that there is something behind, and that the Senate ought to pass a resolution directing and insisting upon the President furnishing further information, which certain Senators seem to think is lying back in some secret corner.

Mr. President, it is a very common thing for the Senators of the United States in executive session and in [illegible] to pass resolutions referring to treaties with the words inserted, "if in the judgment of the President it be not incompatible with the public interest to furnish the information;" and when I insist upon those words going into this resolution, I want the Senator from Texas and everybody else to understand that I am just as anxious as anyone can be that every single particle of information that is in the Department which is pertinent to the subject shall be furnished by the President, and I have no more doubt that it will be done than I have that I stand here in the presence of this Senate.

Now, I want to call the attention of the Senate for a moment to the very first resolution which my eye lights upon, that has been passed by this body only recently, and during the life of the late distinguished Senator Sherman:

> [illegible] the treaty of arbitration now pending in the Senate.

This resolution calling for information which was adopted in executive session, was introduced by the late Senator Sherman, and it was answered. I do not know what the answer was, for I have not had time to look it up.

That is one resolution, and I believe the Senator from Texas intimated to me the other day that if I could find one such resolution he would be very much gratified if I would show it to him. I did not happen to have the time to do the latter, but there is the resolution.

Mr. CULBERSON. What is the date of the resolution?

Mr. CULLOM. The date is 1897, only a few years ago, and the resolution was introduced in this body by the late Senator Sherman.

Mr. CULBERSON. Has the Senator a copy of the resolution?

Mr. CULLOM. Here is the thing itself. I had it copied from the Journal of the Senate.

Mr. CULBERSON. I did not understand from the reading whether or not the resolution was adopted in executive session.

Mr. CULLOM. Here is another. I do not know whether this resolution refers to a treaty, but I have taken the pains, Mr. President, by the aid of my clerk, to go over the records and see whether anything could be found on this subject generally. I do not know, as I said, whether this resolution has reference to a treaty or not, but I will read it:

> [illegible] to, and if any such protest or [illegible]

That resolution, which was introduced by the Senator from Colorado [Mr. TELLER], was agreed to. It does not refer directly to inquiries as to what the President did about the matter, but asked for other information.

Mr. LODGE. May I ask the Senator if these are executive resolutions?

Mr. CULLOM. Yes; executive resolutions.

Mr. LODGE. Taken from the Executive Journals of the Senate?

Mr. CULLOM. Yes; they are taken from the Journals of the executive sessions of the Senate. And I wish to say that anything

which was introduced in legislative session would not appear in the Journals of the executive sessions of the Senate.

Mr. COCKRELL. I want to ask the Senator if any point is made that this resolution is not in executive session? It does not make any difference, it seems to me, whether such a resolution is passed in executive session or not if it asks that the information be sent to the Senate in executive session.

Mr. CULLOM. That is true. I think, myself, however, while I make no point upon it, it would have been more apt and appropriate, as the resolution asks for an answer in executive session, that the resolution should have been introduced in executive session.

Mr. CLAY. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Illinois yield to the Senator from Georgia?

Mr. CULLOM. I do.

Mr. CLAY. Is it not true that the Senate is a part of the treaty-making power, and participates with the Executive in making treaties, and that the Executive can not make a treaty without the consent of the Senate?

Mr. CULLOM. Most assuredly.

Mr. CLAY. Then, is it not true that the Senate in executive session would be entitled to all the information the President himself had, and all that aided him in making the treaty—every fact and circumstance connected with it—especially if we desired it in executive session?

Mr. CULLOM. Everybody knows that the Constitution makes the Senate a part of the treaty-making power.

There is no purpose on the part of the President to withhold information, but I take it that he does—though I do not know whether he does or not—insist that the usual courtesy which has been extended to other Presidents shall be extended to him. He will furnish every scrap of information that is in possession of the executive department, but I insist that the words I have suggested shall go into the resolution as the usual expression of later days when calling upon the President for information.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. CULLOM. I do.

Mr. TILLMAN. Suppose the President does not.

Mr. CULLOM. Then we can deal with the subject when that time comes.

Mr. TILLMAN. But as part of the treaty-making power it seems to me we have to guard against the precedent of a surrender of the right, even in calling for these things, of demanding them rather than begging for them. No one wants to treat the President with any discourtesy; there is not the slightest intention to cast any imputation upon his honesty or his loyalty or his truthfulness or anything of that sort, but it is merely to give notice that certain papers are wanted, and that we, as part of the treaty-making power, have a right to those things. It is not any discourtesy to let the President understand that we have the right and to let him understand that we understand our rights.

Mr. CULLOM. The President of the United States has the right—and I insist upon it—to refuse or to comply, as he sees proper, whether you put the words in the resolution or not.

Mr. TILLMAN. Does the Senator say that the President has a right to refuse to send papers of this sort to the Senate in executive session?

Mr. CULLOM. I do say so.

Mr. TILLMAN. The Senator of course has a right to his opinion, but I should be very sorry to see the Senate of the United States surrender one of its prerogatives and constitutional rights to anybody at any time or anywhere.

Mr. HALE. Let me make a suggestion.

The PRESIDING OFFICER. Does the Senator from Illinois yield?

Mr. CULLOM. Yes, sir.

Mr. HALE. I wish to ask the Senator if he does not recall, as other Senators will recall, the circumstances taking place here when, upon nominations which must be confirmed by the Senate before commissions issue, the Senate under the leadership of the then veteran Senator from Vermont, Mr. Edmunds, insisted that the Senate had a right, as a part of the appointing power, to ask the President, and to compel him if need be, to send in all papers relating to nominations and the reason for the nominations, or for removal in case of a nomination in place of a removal? Some of us stood here for days waging that contest. President Cleveland declined, and stated squarely that he could not and would not send to the Senate such papers; and we on this side of the Chamber backed out of the controversy upon the presumption, the theory, that there was a discretion underlying in the President, and that we could not compel him.

Mr. COCKRELL. May I ask the Senator a question?

Mr. HALE. If the Senator will wait a moment, I will yield.

Mr. CULLOM. I have yielded to the Senator from Maine [Mr. HALE].

Mr. HALE. Now, in these cases—and that is the practical view of it, though there is great force in the contention of the Senator from Texas [Mr. CULBERSON] that upon a treaty the Senate should receive all possible information in the hands of the President—the universal courtesy has always obtained of granting the discretionary power to the President in the requests which are made by the Senate. I never knew it otherwise. It is no use in talking about the difficulty of crossing a stream until you reach it.

There never was, and never will be, a President who will decline upon a treaty to send to the Senate, a part of the treaty-making power, information upon the subject, unless it happens to be of that intricate and subtle kind that ought not to be communicated to anybody, and we shall never find a President declining to answer, if we send the customary message, including the courtesy that has always obtained, and the answer will satisfy us. If it does not, then we can deal with that situation; but we need not anticipate such a case by leaving out of the resolution the customary phrase.

I am sorry the Senator from Texas, who is a conservative man in his instincts, wants to violate the precedents. I am sorry that he has precipitated this question upon the Senate now, when there really never will be any occasion, when the answer is returned, for us to complain.

If there is we can deal with it; I do not know just how, but we can then express ourselves and can exhaust whatever power there is in the Senate. But I should hope that it would not be insisted upon now. Let us wait and see if the President in any way will even take the ground that President Cleveland did, that he would not send to the Senate certain information he had.

Mr. COCKRELL. Will the Senator from Maine yield for a question?

Mr. HALE. Certainly.

Mr. COCKRELL. Did not the demand there go beyond asking for papers relating to appointments and call for those relating to removals?

Mr. HALE. The Senator from Missouri probably did not notice it, but I said in my remarks that it involved the question not only of an appointment, but of removal, where an appointment was based upon a removal, and the President declined.

Mr. COCKRELL. I remember the discussion very distinctly——

Mr. HALE. As the Senator knows, we were here for weeks on it.

Mr. COCKRELL. I remember distinctly that I was very much opposed to the course of the President, and that the then Senator from Tennessee, Mr. Harris, and I both protested to the President against refusing to send in the papers relating to appointments. We did not think the Senate had any right to ask in regard to removals.

Mr. HALE. And the President maintained his attitude.

Mr. COCKRELL. He substantially maintained it, and yet, I understand, finally sent in all the papers relating to appointments, but not those relating to removals.

Mr. CULLOM. Of course. He would have done it anyway.

Mr. HALE. And the Senate abandoned its contention—abandoned its resolution.

Mr. COCKRELL. I do not think it might be considered an abandonment. There were only two or three speeches made on the Democratic side sustaining the President in his position. I know that. Finally the majority then, as now, acted upon all the nominations and were satisfied with the papers that he sent and did not call for additional ones.

Mr. HALE. "Times change and we change with them," and it is worth while to remember that as issues shift one side takes a position to-day and the other side the same position to-morrow; and it ought to be a monition to us not to be very forward in seeking to innovate in these cases.

Mr. MITCHELL. I wish to call the attention of the Senator from Maine to the fact that there were three resolutions——

Mr. CULLOM. Mr. President——

Mr. MITCHELL. I believe I have the floor.

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Oregon?

Mr. CULLOM. I am inclined to yield to anybody who wants to speak.

The PRESIDING OFFICER. The Senator from Illinois has the floor, and he yielded to the Senator from Maine.

Mr. MITCHELL. I wish to call the attention of the Senator from Maine to the fact that there were three resolutions, embodied all in one paper, bearing upon the general question discussed at that time. One of the resolutions, the last one, is the one to which the Senator refers, and my recollection is that the two former resolutions were adopted while the latter one was rejected.

Mr. TILLMAN. Will the Senator from Illinois yield to me?

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from South Carolina?

Mr. CULLOM. Briefly.

Mr. TILLMAN. It seems to me we are contending here from different points of view, and as the Senator from Maine intimated a moment ago as to the whirligig of time and the ups and downs of politics, that a matter this we might easily [illegible]. But there is a principle involved here which was not involved in the Cleveland case. A treaty is a law of the land. An appointment is not a law of the land. It is not binding upon everybody.

Mr. ALDRICH. Oh, yes, it is.

Mr. TILLMAN. If the Senate agrees to an appointment, the appointee becomes a part of the machinery of government, it is true, but somebody else could take his place very readily, and it would not make any difference.

If Senators on the other side are merely contending for courtesy to the President, without the Senate surrendering any of its rights, I do not think any man on this side would hesitate for a moment to pay the President all proper courtesy and respect. But the whole question, as it appears to me, is whether or not in the matter of a treaty the Senate should ever consent to the view that it is within the discretion of the President to refuse information which would throw light on the treaty and enable Senators to pass upon it intelligently.

Mr. CULLOM. Mr. President, I think there is a principle involved in the discussion of those words, because the President of the United States is the head of one branch of the Government, and he has a right to his view of his duty under the Constitution as well as we have. But I say that in the position we will be answered fully and completely and as truthfully as any executive officer ever answered a resolution in his life and as truthfully as anybody can answer anything.

Mr. HALE. And everybody will be satisfied.

Mr. CULLOM. And everybody will be satisfied, as the Senator from Maine says. This is an effort, apparently, on the part of some of our friends to get an advantage. After they had caucused on this matter, if I may be allowed to say so, for a week or two, this was the result. Mr. President, there never was a President in the White House in the history of the Government who was more far from prevaricating upon any question, whether it affected him or otherwise, than the present President of the United States. But I did not rise to discuss the resolution at very great length.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Texas?

Mr. CULLOM. Certainly.

Mr. CULBERSON. I do not think I ought to allow the opportunity to pass without suggesting to the Senator that the inference he would seem to draw from the introduction of this resolution [illegible].

Mr. CULLOM. I withdraw any suggestion of that sort which I may have made.

Mr. CULBERSON. There is no indication that in presenting the resolution there is any disposition on the part of anybody to hold the President to an account, or to criticise or [illegible]. The gentlemen simply proposed, Mr. President, what is [illegible] to be true, that if [illegible] the Senate [illegible].

Mr. CULLOM. If there is, you will get it.

Mr. CULBERSON. That the President is requested to sent it. The President has never sent it in any instance to this body that he has sent all the correspondence, and he never has [illegible] he does that he has sent all the correspondence on the subject of [illegible] of the Chamber as well as on the other side, as [illegible] has statements as [illegible].

Mr. CULLOM. I was proceeding to give instances as to what we had done heretofore, so as [illegible] the Senator and all Senators that the question of the words which I suggested should be put in the resolution as the most reasonable thing to be done when we are asking the President for information. For instance, I read a resolution introduced by the Senator from Maine [Mr. HALE] who has just been speaking:

Resolved, That the President be and hereby is requested if not in [illegible] relative to the Bering Sea controversy [illegible].

[Agreed to March 28, 1892.]

Those words were in that resolution. The resolution was adopted, and I have understood, though I did not hear it far enough to speak with certainty, that the President was able to [illegible] fully.

Again, on June 21, 1886, Mr. Vilas—this was during the Administration of Mr. Cleveland—offered the following resolution:

Resolved, That the President of the United States be requested, if in his opinion compatible with the public interests, to furnish to the Senate the correspondence between the Department of State and the Government of France relative to the pending extradition treaty between the two Governments [illegible] the discussion relative to such treaty acquired since it was first submitted to the Senate.

I have my hands full of references to such resolutions, many of them exactly like that.

Mr. COCKRELL. Have you the resolution which was passed in 1888 calling on President Cleveland for information about [illegible]?

Mr. CULLOM. No; I do not think I have it.

Mr. LODGE. That was an executive resolution.

Mr. CULLOM. It was an executive resolution.

Mr. LODGE. Yes.

Mr. FAIRBANKS. Mr. President

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Indiana?

Mr. CULLOM. Certainly.

Mr. FAIRBANKS. I should like to ask the Senator whether in the research which has been made of precedents any resolution has been found that does not leave to the President discretionary power.

Mr. CULLOM. Yes: there have been such resolutions. I will read such a one, which I believe I have in my hand at this moment. The following resolution was submitted in executive session, January 9, 1844:

Resolved, That the President be and he is hereby requested if not incompatible with the public interest, to communicate to the Senate a copy of any proposition made by the King of the Sandwich Islands to cede or convey any portion of the territory of said islands to the United States; and if so, to communicate to the Senate, etc., I do not know.

It turned out, I believe, that the President declined to comply with the resolution. There was a resolution in which there was no incompatibility phrase and yet the President declined to answer it.

Mr. FAIRBANKS. Will the Senator state the time when that resolution was adopted?

Mr. CULLOM. In 1844.

Mr. FAIRBANKS. 1844?

Mr. CULLOM. January 9, 1844.

Mr. MALLORY. Does the Senator know why the President declined?

Mr. CULLOM. I have not had time to run down the question.

Mr. MALLORY. It was not because he considered the question of the incompatibility clause as a discourtesy to him or anything of that kind?

Mr. CULLOM. I have not had time to look up the question of the reason.

Mr. MALLORY. I think not.

Mr. CULLOM. I have not had time to look up the reason in any case. But in the time I had I ran over, with the help of my clerks, the journals of the executive sessions to see just exactly what had taken place in connection with such resolutions.

Mr. ALLISON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Iowa?

Mr. CULLOM. Certainly.

Mr. ALLISON. I want to suggest to the Senator from Illinois that he is now reading from proceedings in executive session.

Mr. GORMAN. It has all been made public since then.

Mr. ALLISON. I do not think those proceedings have been made public, although I do not know. I merely call attention to it.

Mr. GORMAN. They have all been made public.

Mr. ALLISON. They are all public? I would like to know whether [illegible].

Mr. CULLOM. I [illegible] is well taken as to some of those proceedings, although it did not occur to me at the moment.

Mr. ALLISON. The resolution of 1844 undoubtedly has been made public.

Mr. LODGE. They have been made public down to 1890.

Mr. GORMAN. Yes.

Mr. LODGE. Down to 1890 and not since; and there have been resolutions read dated 1897.

Mr. CULLOM. Yes. The first one I read ought not to have been read. It did not occur to me at the moment, however.

Mr. COCKRELL. They have all been made public up to 1890.

Mr. CULLOM. Senator Weller, on June 19, 1852, submitted the following resolution, which was agreed to:

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, whether any proceedings have been taken by the Government of Great Britain in pursuance of the notice given by the late Chargé d'Affaires of Great Britain at Mexico, of the intention of his Government to occupy the Island of Tiburon; and if such islands to the United States, that he communicate to the Senate all official information in his possession touching said occupancy.

On June 26 the President replied that he had taken the request into consideration. "But the conclusion which I have arrived at

is that the public interest would not be promoted, but, on the contrary, might, under circumstances of possible occurrence, be seriously endangered if it were now to be complied with."

The President answered that frankly and stated the reason why he was not disposed to comply with it, and so would any other President if there was anything which he could not, in his judgment, lay before the Senate either in executive session or in legislative session. This was in executive session.

Mr. COCKRELL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Missouri?

Mr. CULLOM. Certainly.

Mr. COCKRELL. There was no treaty pending to which that related?

Mr. CULLOM. Does the Senator refer to the Weller resolution? No; I think there was not.

Mr. COCKRELL. There was no action of the Executive pending for consideration at the time when the request for information was refused.

Mr. CULLOM. "Whether any propositions have been made by the King of the Sandwich Islands to cede or convey any portion of the territory of said islands to the United States; and if so, to communicate to the Senate," etc., I do not know.

Mr. COCKRELL. But there was no treaty pending——

Mr. CULLOM. No treaty was pending.

Mr. COCKRELL. About which the Senate had any right to call upon him for correspondence.

Mr. CULLOM. He declined to answer, and gave the reasons why.

Mr. CULBERSON. And very properly. It had not been consummated.

Mr. COCKRELL. Certainly.

Mr. CULLOM. Mr. Mason, on June 25, 1852, introduced the following resolution, which was agreed to:

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, whether any proceedings have been taken by the Government of Great Britain in pursuance of the notice given by the late Chargé d'Affaires of Great Britain at Mexico, of the intention of his Government to occupy the Island of Tiburon; and if such islands belong to the United States, that he communicate to the Senate all information in his possession touching said occupancy, etc.

That comes as near a treaty as you could possibly come and not actually be making one in terms.

President Fillmore declined to furnish the information, stating:

[illegible] existing circumstances.

Mr. COCKRELL. The treaty had not been negotiated.

Mr. CULLOM. I do not know whether it had or not. They were dealing with the Mosquito Indians of Nicaragua.

Mr. COCKRELL. Nothing was completed.

Mr. CULLOM. Nothing was completed, and he declined to give any further information at that time.

Now, here is one from the late Senator Bayard.

The following resolution was submitted by Mr. Bayard on January 16, 1856, was agreed to, and the President complied with it:

Resolved, That the President be requested, if not incompatible with the public interest, to lay before the Senate a copy of the instructions given to the Minister of the United States to Mexico, relative to the boundary between the United States and Mexico, and also a copy of any correspondence which may have passed between the Government of the United States and that of Great Britain in relation to the boundary between Mexico and Texas.

Secretary lay the said resolution before the President of the United States.

Now, I will not take up the time of the Senate in running over these resolutions longer, because there are so many of them. I [illegible] in perfect frankness that Webster introduced the words "if not incompatible with the public interest" in the first resolution calling upon the President in executive session for information that I have found. Of course in the early history of the Government, when meager records were kept, it is difficult to get full information, but Webster seems to have been the first man to introduce those words into such resolutions in executive session, calling upon the President for information of whatever [illegible].

Mr. President, I think the Senator having charge of this resolution ought to allow it to pass with those words in it, if he wants the information he is calling for; and I assure him that if we pass it in that way, handing it in point of time so that the Government can answer it within a reasonable period, he will get a full and complete answer in a very few days.

I do not care to say anything more.

Mr. GORMAN. Mr. President, I feel that I ought to assure the Senator from Illinois [Mr. CULLOM], chairman of the Committee on Foreign Relations, in addition to what the Senator from Texas [Mr. CULBERSON], the author of this resolution, has said, that so far as I know—and I think I know that much—there has not been, there is not now, and there is not likely to be at any time a disposition on this side of the Chamber, in framing communications to the President of the United States, to couch them otherwise than in the most respectful language and that the matter of the resolution itself shall be such that it can not be construed into a desire to reflect upon the President of the United States. We have too much respect for that office. That, however, will not and ought not to prevent us from criticising the acts of the President of the United States with frankness, but always within proper bounds.

In the matter of the resolution which is pending, I am quite certain that the words "within the discretion of the President" were left out purposely and properly. I know the records show that the action of this body has been in both forms. The President of the United States has frequently been requested to send to this body all the information that he might have in the Departments when a treaty was pending in the Senate. It is true that in later years, I think in nearly every case, the words "within his discretion" or "if not incompatible with the public interest" have been inserted. In every case the President has responded frankly, sometimes telling the Senate he has furnished all the correspondence and all the information.

In some cases, in one great case particularly, the President of the United States said it would not do, in the then condition, to furnish the Senate with all the information, but that the Senate and each Senator who was compelled to deal with the question should have the information at the Department, and that he would furnish every facility for them to see the original documents. But, Mr. President, there has never been any hesitation on the part of the Senate, under any Administration, in requesting every single item of information within the possession of the President or of the Secretary of State.

During President Polk's Administration Mr. Webster offered and had passed a resolution in this body while the treaty with Mexico was pending and while the armies were facing each other, only divided by a river. At that time the question of further conflict was pending, and the statement had been made in the public press, through the attacks upon Mr. Polk's Administration, that methods were used to bring about a result, and that for that purpose $30,000,000 had been placed in the hands of an agent of the Government, the secret service of the United States. No more delicate position could be occupied by a President than President Polk occupied at that time, and yet, Mr. Webster in this body offered the following resolution:

Resolved, That the President of the United States be requested to inform the Senate, if not incompatible with the public interest, whether any money has been paid to Nicholas P. Trist to draw upon the fund appropriated by the act of the 3d of March, 1847.

President Polk did not refuse to furnish it to the Senate. The treaty was pending, as this treaty is pending now, and the call was made for the specific document. The reply came, and came in confidence. It does not appear in any document printed by the Senate.

Again, as the Senator from Illinois has referred to a resolution requesting the President of the United States to send to the Senate all the correspondence relating to the great controversy with Great Britain as to the northern boundary, which threatened war at any time, I will say a word on that subject. He sent in not only the correspondence as to the treaty that was pending, but he sent the instructions and as to the correspondence with Mr. McLane, the agent or minister of the United States in Texas, which will be found in the Presidents' Messages and Documents, between 1841 and 1849, on page 455, he said:

WASHINGTON, *July 21, 1846*.

To the Senate of the United States:

In compliance with the request of the Senate in their resolution of the 27th of June, I transmit herewith a report from the Secretary of State, together with the correspondence with our Minister at Texas, and the instructions to the Oregon [illegible]. Mr. McLane's dispatches, from the time he first presented his credentials to the Government of Texas, have been communicated to the Senate, with the exception of those of the 10th and 17th of April last, which are now transmitted. The Secretary of State has also communicated to Mr. McLane the instructions which were necessary to explain the answers given to them by the Government of Texas.

These papers have been withheld from communication until now from the consideration that publicity at a previous period would be productive of no good, and might be productive of much evil in the present state of our relations with Mexico.

Some considerations also have induced me to withhold the dispatches of Mr. McLane [illegible] the Secretary of State. I [illegible] the Senate, in the course of his report herewith transmitted, against the consideration of those dispatches.

Mr. McLane has performed his whole duty to his country, and I am not aware of any instance that could justly subject him to censure. I have an opportunity of perusing those dispatches at the Department of State. The Secretary of State has been instructed to afford every facility for the purpose.

JAMES K. POLK.

But that was while the matter was pending between this Gov-

ernment and another great nation, when the premature publication might produce disastrous results.

In this case we are dealing with a small and insignificant country compared to ours, where the transaction, so far as the executive branch is concerned, is at an end; where there can be no document the publication of which would disturb the peace of the two countries. It is only the light we desire—all the information relating to a transaction that has passed from the hands of the President and has come to us.

Mr. LODGE. May I ask the Senator from Maryland a question?

Mr. GORMAN. Certainly.

Mr. LODGE. Do I understand the Senator to say that when we ratify the treaty the matter is at an end?

Mr. GORMAN. I mean to say that so far as concerns the negotiations leading up to the point where the treaty has been completed by the executive branch and has been transmitted to us——

Mr. LODGE. The Senator, of course, is aware that the treaty is not completed.

Mr. GORMAN. I am aware of that, and it can not be completed until it has been acted upon by this body.

Mr. LODGE. I mean after it is acted upon by this body it is not complete.

Mr. GORMAN. And it ought not to be acted upon here until we have every single item of information that the President had when he negotiated it.

Mr. ALDRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Rhode Island?

Mr. GORMAN. Certainly.

Mr. ALDRICH. I suppose Senators on the other side are desirous of obtaining information to be used in executive session in the consideration of the treaty?

Mr. GORMAN. Yes, sir.

Mr. LODGE. And they desire information upon all matters pertaining to it?

Mr. GORMAN. Yes, sir.

Mr. ALDRICH. And not upon negotiations of a difficult and delicate character, perhaps, which are now going on between some of these governments in regard to matters which have grown up since the treaty was negotiated. If that is their purpose, I suggest that an amendment or modification be made in the resolution, so that the correspondence called for shall be such as was exchanged prior to the negotiation of or has reference to the treaty now pending.

I think the Senator from Maryland himself would hardly feel like asking the President of the United States, who is charged with this work of carrying on diplomatic negotiations, to send here information in regard to what is now being done, if anything, as to matters between Colombia and the United States or between Panama and Colombia. I trust that that is not the purpose of this resolution.

Mr. GORMAN. I do not think the Senator from Rhode Island could put such a construction upon the resolution. Certainly it is not the intention.

I was not aware that other negotiations are pending. I hope, for the honor of the country, that they are, and that we may find some way out of it, so that every Senator, no matter whether on this or the other side, may feel and know that by sound judgment a wise public policy may be inaugurated which will bring back to us the good feeling of the people south of us on this continent. This is the first public intimation I have had that such a thought may have entered the minds of another branch of this Government.

No, Mr. President, I answer the Senator from Rhode Island frankly and say to him that if the President of the United States and his Secretary of State should say to the Senate of the United States in response to this resolution, as did President Polk to his great Secretary of State, there are communications in connection with this matter that ought not to be made public, but that Senators shall have every facility for informing themselves, we would all be content. It is due to him and due to his office. I beg Senators on the other side to understand perfectly, that while there is intense feeling it is not a feeling of hostility to the President of the United States himself, but there is intense feeling that this matter is beyond party lines, and while the motive, as stated by the President himself in his message, has been to advance civilization and commerce, the manner of doing it, the methods which have been employed, in the judgment of many of us put in jeopardy, if they do not entirely destroy, the work that has been begun for so many years and which has been followed by Republican as well as by Democratic statesmen.

It being the great purpose of our Government to promote commercial prosperity on honorable terms, in view of the great volume of trade that should come to us, greater from the states on the American continent than all that you are struggling for in the Orient, it is the wise policy of the Government to attach those people to us, not by the Monroe doctrine, by which we were to protect them from foreign power, but to bring them in the closest possible commercial relations. And hence we have had commissions and congresses, and there has been a railroad constructed down the backbone from the farthest limit of our northern possessions, to the end that that trade might be brought to us. Look at the trade we have gained because of the American money that has entered into the construction of internal improvements in Mexico which have brought that great nation closer to us, and thereby our prosperity has been greatly increased.

What we desire is a policy of fair and honorable dealing, a policy which will bring them to us instead of taking their trade to Germany. That country, systematically and with great force, by planting its people upon the territory south of us, and by the inauguration of lines of transportation and banking facilities, is absorbing the commerce which belongs to us and which our present course is driving away.

That is the motive which prompts us, when you treat it alone from the commercial standpoint; but more than that we feel seriously and earnestly that the method of doing it is a blot upon our diplomatic relations which will never be wiped out.

That is the idea which has suggested all these inquiries, and I beg the Senator in charge of the great Committee on Foreign Relations not to be so sensitive. The President's honor will be taken care of, and the President's rights are perfectly guarded. There is no disposition to reflect upon him by any inquiry.

But we are bound, Mr. President, to guard the perfect right of the Senate of the United States. You and I are a part of this treaty-making power. The claim that any fact connected with the transactions shall be suppressed from you and me ought not to have a single advocate for a moment in this body.

Look at the documents sent here by President McKinley in the Fifty-sixth Congress, at the second session, in relation to the treaty, in the negotiation of which you, Mr. President [Mr. FRYE in the chair], bore a conspicuous part as well as in its consideration here. Not a line in regard to that treaty, so far as is known, was kept from the Senate, and documents of the most confidential character were sent without hesitation. Asking the President for them by the Senate was not a reflection upon him. He was too well versed in the conduct of the affairs of the nation to hesitate for a moment. He knew, as the present President knows, that it was not unusual for this body to advise the President pending negotiations, and that a resolution or an intimation that a course should be pursued was always followed by the President.

In the treaty-making power this is the first time, I think, where a majority being with the President have hesitated to give the information. It is proper to assume that all that has been done is honorable, is fair, and would not reflect upon the honor of the Government from the view point of the Executive. Then why be so sensitive? Why hesitate about the passage of any one of these resolutions? Will you force the treaty through before you give the information to us? I scarcely think, Mr. President, that the most intense partisan, the Senator most anxious simply to ratify the acts at the other end of the Avenue, will go quite so far. No Senator on this floor can point to a single proposition in the shape of a resolution that is not proper in itself, in every letter of it, and if, when they have been offered, a suggestion has been made on the other side that the phraseology should be changed, as in the case of the resolution I offered, the suggestion was promptly accepted.

I insist there is nothing in this resolution that is not in conformity with precedent, and when we have followed so distinguished a statesman as Mr. Webster, surely my friend from Illinois can not object.

Mr. SPOONER. Mr. President, this resolution is understood to represent "collective wisdom" of the other side.

Mr. GORMAN. "The best thought."

Mr. SPOONER. "The best thought" of the other side of the Senate. I do not adopt the suggestion made by the Senator from Illinois [Mr. CULLOM], that there could have been in its introduction in the open and legislative session of the Senate any ulterior purpose, because I know how absolutely guileless the Senator from Maryland [Mr. GORMAN] and the Senator from Texas [Mr. CULBERSON] are in all matters which could by any possibility even have a political aspect. I hope it will not be offensive, however, for me to say that after the speech of the Senator from Maryland I have a suspicion that this resolution, drawn as it was and introduced in legislative session, has already partly subserved the purpose which led to its introduction in this form.

Of course the Senators, I suppose, assumed that some one on this side of the Chamber would probably, as has been the custom, seek to insert in the resolution the amendment which has been moved by the Senator from Illinois, qualifying the resolution so as to leave it, as it would be probably without it, to the President

to determine whether the public interest would be subserved by withholding any document or correspondence. From that might be derived the inference, not of course for any partisan purpose, I would not suggest that for the world, that the Republican Senators would not pass this resolution without putting into it a shelter behind which something which ought to be published was to be kept private.

The PRESIDENT pro tempore. The Senator from Wisconsin will suspend while the Chair lays before the Senate the Calendar of General Orders.

THE SECRETARY. Order of Business No. 18, Senate bill 887.

Mr. LODGE. I hope the Senator from Wisconsin will be allowed to proceed.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the Senator from Wisconsin may proceed.

Mr. ALDRICH. I ask that the resolution may be considered as being before the Senate until it is disposed of.

Mr. CULLOM. Yes; let us get it out of the way.

The PRESIDENT pro tempore. The Senator from Rhode Island asks unanimous consent that the resolution may proceed. Is there objection?

Mr. LODGE. Until disposed of.

The PRESIDENT pro tempore. Until disposed of.

Mr. ALDRICH. Until disposed of, making it the unfinished business.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

Mr. SPOONER. The Senator from Maryland made a very eloquent protest in connection with the amendment proposed here and by way of argument against it. He said, "Why shall anything be concealed which the Senate and the public ought to have?" Does the Senator think that the purpose of concealment is necessarily or naturally involved in making the language of this resolution in harmony with the custom of the Senate? The other day a resolution was introduced here calling for certain papers, the report of a special agent of the Treasury Department, confidential in its nature. The Senate incorporated in it, "if, in the judgment of the President, not incompatible with the public interest."

Mr. GORMAN. There was a special reason.

Mr. SPOONER. There was a special reason because it was confidential, because papers like the reports of the secret-service agents and many other documents which are in the archives of the Government are in their nature confidential, and because it is obvious to everyone that it might be detrimental to the public interest that they should be given to the public.

I suggest to the Senator from Maryland that this area here [indicating the aisle] never has divided the members of the Senate on any lines of national honor or of Senatorial honor, and that there is no one in this Chamber who may properly arrogate to himself the claim that some of the Senate care more for national honor than others. We are all as sensitive upon that subject, I take it, without regard to party, as any member of this body can be. But all that will be discussed later.

Now, Mr. President, I protest that the better practice, notwithstanding the precedents which have been referred to—and diligent search has produced but few and most of them of long ago—is that resolutions relating to executive or confidential business should be introduced in executive session. Since I have been a member of this body that has been the rule, although now and then there has been a departure from it.

This resolution recognizes the fact that there may be in the documents called for, and doubtless will be, papers which should not, in the interest of the Government, be given to the world, because the Senate, acting in a legislative capacity, is asking the President of the United States to send to the Senate, acting in an entirely different capacity, certain papers in *the confidence of the executive session.*

I can easily conceive of a situation in which it would be impossible to *argue* in the open session properly in antagonism to the passage of such a resolution. The chairman of the Committee on Foreign Relations might know that in a correspondence there were references to another government which, if given to the world, would be offensive. He could not so state in the open session.

There are many reasons, Mr. President, why the practice of recent years should be adhered to in confining executive business to the executive session of the Senate.

Now, I know of no papers which have not been sent to the Senate. If there is anything to be concealed about this business, I know nothing of it. I am speaking upon the theory that there is no scrap of paper which the President will not be willing to send to the Senate in executive session. But that is for him to determine.

The negotiation of treaties is a function conferred by the Constitution entirely upon the President. The Senate is not a participant in that function. He may negotiate treaties through such agencies as he may choose. It may be done through the minister or ambassador, or whoever it may be, resident at the court of the country with which the treaty is to be made. It may be done upon oral negotiation; it may be done by the Secretary of State here at home in conversation with the representative of a foreign power.

The President, in the very nature of things, in negotiating treaties of vital consequence to the country, must have the utmost liberty of frankness in the instructions, the arguments, the strategy which he desires the agent whose service he is employing to pursue; and I am not willing to admit that the Senate, even in executive session, may command the President to lay before it all the negotiations, the letters of instruction, the correspondence, the conversations, the motives which led to this move or that, to this argument or that, when the treaty is laid before the Senate for consideration.

I do not know how it may have been, but I assume that in the old days Senators to whom papers were sent in confidence or who listened in executive session to frank speech under the seal of secrecy always maintained inviolable the faith.

Mr. President, I see a resolution here introduced January 5, 1899, I think in legislative session, by the Senator from Massachusetts [Mr. HOAR]:

Resolved, That the President of the United States, so far as in his judgment may be consistent with the public interest, be requested to communicate to the Senate, if not incompatible with the public interest, any information in his possession relating to the pending treaty with Spain, and all correspondence between the Executive or the Department of State with such commissioners, and all reports made by them, so far as the Department.

I do not know whether the resolution was adopted or not.

Mr. LODGE. It was adopted.

Mr. SPOONER. I do remember that the correspondence, the protocols, were sent by the President to the Senate in executive session.

Mr. LODGE. And not printed.

Mr. SPOONER. No, not printed; but after the treaty had been ratified and when the time came to legislate as to certain phases of the matter, they were made public by the Senate.

Mr. BERRY. Not all of them, I think, if the Senator will permit me.

Mr. SPOONER. I think the Senator is right.

Mr. BERRY. I think some of them were never made public.

Mr. SPOONER. I think the Senator may be right about it.

Mr. LODGE. Some of them were not made public.

Mr. SPOONER. Some of them were not made public. I remember now one item in that correspondence which it would not have been in the interest of this country to have made public, although entirely proper and wise to be used by this Government.

Now, Mr. President, our relation to the President in legislative session we all understand. He is not the servant of Congress. He is not the servant of the Senate. It is not for the Senate to direct him or command him except within certain lines of legislation, within his oath to see that the laws are faithfully executed; and although we are a part of the treaty-making power, he is still the head, under the Constitution, of a coordinate and independent branch of this Government. He is not subject to the command of the Senate in executive session.

It is perfectly proper for the President, in executive session or in responding to a resolution adopted in executive session, to declare that he withholds certain papers because in his judgment the public interest requires it. None disputes that.

Mr. TILLMAN. Does the Senator mean in regard to treaties, too?

Mr. SPOONER. Yes, I mean in regard to treaties. I think it is true as to treaties especially.

Mr. TILLMAN. Does the Senator forget that two-thirds of the Senate can pass a law over his veto and make him obey it?

Mr. SPOONER. If I forgot that I ought to go home. I do not forget.

Mr. TILLMAN. But the Senator is arguing apparently, to my mind, an absurdity. We have as much power in our sphere as the President.

Mr. SPOONER. Ah! That is just what I say; no more.

Mr. TILLMAN. No more. But as one part of the treaty-making body he can not keep secret from the other part of it any of the facts connected with that treaty and then have them all equal.

Mr. SPOONER. He can.

Mr. TILLMAN. Well, of course, he can; but the Senate ought not to permit it.

Mr. SPOONER. Oh, we will debate that in executive session. I am talking about one thing, and the Senator is talking about another. He was talking about our legislative power to veto under the Constitution. That is an entirely different subject.

Mr. TILLMAN. If the Senator will pardon me, I though we were discussing the relative powers of the executive and legislative branches of the Government, we being a part of the latter.

The Senator seemed about to surrender to the Executive everything under certain circumstances; which is a contention I can not agree to at all.

Mr. BERRY. Will the Senator from Wisconsin permit me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Arkansas?

Mr. SPOONER. Certainly.

Mr. BERRY. If a treaty can only be made by the President and the Senate, and the President has possession of documents and papers bearing on the question as to whether that treaty ought to have been made or ought to be ratified, will the Senator say why the President ought not to send to the Senate, in executive session, every paper—I do not mean for publication—which bears on the question as to whether or not that treaty should or should not be ratified?

Mr. SPOONER. Who is to be the judge as to whether or not a paper is a proper document bearing on the question?

Mr. BERRY. The Senate, when it calls for it, thinks that it does bear upon it. I do not know how we could make it more specific. We can make the request that the papers be furnished, and I can not see how it can be construed into the public interest that the President should withhold from the Senate, in executive session, any matter that bears upon the question as to whether or not a treaty should be ratified.

Mr. McLAURIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Mississippi?

Mr. SPOONER. Yes, sir.

Mr. McLAURIN. I was just going to make the suggestion that he who has to pass upon the question would be the proper judge whether the document and the evidence would be material and relevant to the question under consideration.

Mr. SPOONER. Oh, this question is an abstraction anyway. No President ever refused to send to the Senate, I take it, or ever will, when the Senate is considering a treaty, all information that would aid and help the Senate in determining how it will act upon it as to its wisdom, and I say that the Senate in executive session, in my judgment, has to depend upon the Executive, if he, for any reason, in his judgment, thinks that some part of the negotiations which led to the signing of the treaty; but we can take care of that later.

As to this resolution, I wish to say further—and I wish to hurry, because another Senator desires to be heard—I have myself no doubt that all the papers which the President has will come to the Senate. I have no doubt whatever of that. I am simply contending for a principle, for an attitude which I think should be maintained unshakenly by the Senate toward the head of a coordinate and independent branch of the Government.

But this resolution is broader than any argument made in support of it implies. It is not simply a resolution calling upon the President to send to the Senate all correspondence which led to the negotiation of the treaty which is now pending before the Senate and which the Senate knew, when it entered upon the consideration of it, it also calls upon the President to send to the Senate correspondence which the Senate did not call for when the treaty in which it refers was pending before the Senate and which came to the Senate. I refer to the correspondence which led up to the signing of the Hay-Bunau treaty. We had almost unanimously rejected that treaty. It was recalled by the Senate.

It can not come to my Senator as that case that the President should be called upon to send to the Senate the entire correspondence by which he was trying to negotiate a treaty which the Senate had rejected in the negotiation. That treaty is gone. Mr. President, I shall not discuss and now the President is called on to send to the Senate correspondence which led to a treaty which has never become the law of the land——

Mr. CULLOM. Mr. President——

Mr. SPOONER. And which Senate did not ask for, as I recollect, when that treaty was pending.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. In order that they may use it *in acting upon another treaty* made with a different government.

Now, I yield to the Senator from Texas.

Mr. CULLOM. I call the Senator's attention to the fact that the correspondence to which he refers was not in the resolution as it was first suggested by the Senator from Illinois [Mr. CULLOM].

Mr. SPOONER. Very well; what change does that make? That simply relieves the President from sending to the Senate all the correspondence that ever existed in the history of this Government between this Government and Colombia in regard to a canal. That would call upon the President to send to the Senate in confidence the correspondence relating to the treaty of 1846 so far as it related to a canal and it specifically mentions a canal.

Mr. CULBERSON. I invite the Senator's attention now to the fact that any such construction as that was expressly disclaimed by the mover of the resolution.

Mr. SPOONER. I am not talking about the mental operation or the oral disclaimer of the Senator from Texas. I am talking about the resolution.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Certainly.

Mr. TILLMAN. I call the Senator's attention to the fact that the pending treaty is made up of the correspondence of Hay and Bunau-Varilla and that the President himself in his message has taken the ground that whether we made a treaty in regard to the canal with New Granada, or Colombia, or Panama made no difference. It seems that the question of the honor of the Government is involved. I [illegible] We are not the only guardians of the honor of this Government, and we do not claim to be.

I [illegible] to the fact that this whole subject relates to a canal [illegible] or dishonesty, the honor of the Government is involved in the question of this canal transaction is under discussion, and that, therefore, any correspondence relating to a canal or a treaty [illegible] New Granada, Colombia, or Panama [illegible] ument. Of course, [illegible] of 1846. We are dealing [illegible] ly with the two treaties, one of which has been [illegible] which is now pending, the [illegible] and the other negotiated with—well, I suppose [illegible] though the question as to [illegible]

I ask the Senator's attention to that [illegible] ly a part of the documents [illegible] with the successor of Colombia [illegible] That is not [illegible] but I [illegible] my friend sometimes in doing a little more than asking a question.

Mr. SPOONER. It is a long question, Mr. President, and, in my humble judgment, it has no more to do with the matter that I am immediately discussing than "the flowers that bloom in the spring." [Laughter.]

Mr. TILLMAN. I expected that.

Mr. SPOONER. But I am anxious to get through. I intend to vote, not only now, but always while I am a member of this body, no matter who is President—because it is in the interest of the country, and it is respectful and decent to any President—for the proposition or assertion which I think should have a wise discretion of the President to withhold any papers which, in his judgment, ought not to be made public.

I shall vote for it because, I am I do it because I think it is wise [illegible] be done and I shall do it also in the full belief that in responding to a resolution which authorizes me to call for a paper which I think it proper to withhold I can do so without any [illegible] to the Senate [illegible] judgment.

That is all I wish to say.

Mr. TILLMAN. Mr. President, the famous message in which Washington refused to send papers relating to the Jay treaty to the Senate of the United States has been already [illegible] well known, chiefly to the [illegible] Senate. I do not think there is any case in which the [illegible] a treaty has led to a dispute between [illegible]

Mr. President, I think there is a distinction to be drawn, [illegible] ly ask for and what [illegible] the Senate has [illegible] to ask the President to give his reasons for refusing any [illegible] the public service. I think that is [illegible]

I [illegible] the Senator to take another example—has any right to ask the President to account to the Senate [illegible] is which the Senate [illegible] a foreign minister or an ambassador is vested in the President and [illegible] the Constitution. On the other hand, I think the Senate may lawfully call for papers which will [illegible] and I think the Senate may lawfully call on the same principle, for any papers relating to a treaty. But the fact that we may lawfully call for papers does not deprive the President of the right to withhold papers in either case, if he thinks it is for the best public interest.

Andrew Jackson stated this distinction, I think, very well in 1835. The Senate sent a resolution asking for certain papers in regard to the removal of Gideon Fitz, late surveyor-general south of the State of Tennessee. The President said:

> This is another of those calls for information made upon me by the Senate [illegible] of them. [illegible] from any [illegible] to which I [illegible] minds. [illegible] the rights of the Executive.

Later on he says:

> [illegible] much of the resolution of the Senate [illegible] any" in relation to Mr. Fitz, and in [illegible] of them all at the earliest possible [illegible] vote on anything, not even on these resolutions. If we could be permitted to vote on them, they at least could be disposed of.

Mr. BACON. Mr. President, I am not especially concerned about this resolution or the particular [illegible] under it by the President. [illegible] which have been made by Senators, that a full response is going to be made by the President whatever may be the language of the resolution. But Mr. President, the questions taken by honorable Senators here [illegible] which is involved [illegible] this a very important question. I [illegible] the occasion should [illegible] ply what I may [illegible] in this Chamber by myself and [illegible] I [illegible] of what [illegible] I am sure will not be regarded by those of us who now occupy places which they then so greatly honored and distinguished.

I am the more inclined not to permit this resolution to pass from the fact that on yesterday we had a [illegible] parliament, in [illegible] to this Senate, and in that reply made by the President of the United States [illegible] in his [illegible] n, it was not [illegible] United States should have the information [illegible]

The debate which have been held here to-day raises clearly this issue [illegible] President of the United States [illegible] his discretion, [illegible] nt, to communicate to [illegible] at his will to [illegible] the business of the President [illegible] and it, or Senators on the [illegible]

It had been [illegible] by the Senator from Massachusetts [illegible] it was not [illegible] Senate [illegible] in his [illegible] n, it was not [illegible] United States should have the information [illegible]

The debate which have been held here to-day raises clearly this issue [illegible] President of the United States [illegible] his discretion, [illegible] nt, to communicate to [illegible] at his will to [illegible] the business of the President [illegible] and it, or Senators on the [illegible]

It had been [illegible] by the Senator from Massachusetts

for it was a great debate, a debate participated in by Senators whose superiors, considered collectively, never sat in this Chamber since the foundation of the Government—I felicitate myself and the country upon the fact that in that great debate the Republican Senators took the position, and maintained it, that it was a matter for the determination of the Senate as to the information which it required, and that the President had no right to reply that he was the judge of that question.

Senators have read here to-day utterances of Democratic Presidents. I pin my faith to the utterance of no man when it is in derogation of the rights and the prerogatives of the Senate, be he of my party or against it. I am free to say two things—that I utterly disapprove of the contention of the Democratic Presidents whose utterances have been read here, who assumed to themselves the right to determine whether certain information should be given to the Senate upon its demand; and the other thing, which I am more than glad to say, is that in that great debate, in which the Republicans were upon one side in this Chamber and the Democrats upon the other side—not only do I concede it now, but I have conceded it heretofore in reference to this debate—the Republicans were, in my opinion right and the Democrats were wrong as to the question of constitutional power.

It was a very narrow line of division between Democratic and Republican Senators in that debate. Upon both sides it was conceded that wherever the matter out of which the call proceeded rested confessedly within the jurisdiction of the Senate the Senate had the right to call for the papers and for themselves to determine whether or not they should be called for. On the side of the Republicans it was contended that when the question was in dispute whether or not the subject-matter was within the jurisdiction of the Senate it was then a question for the determination of the Senate. The Democrats, on the other hand, contended that in that case it was for the Executive to say whether or not it was within the jurisdiction of the Senate or without their jurisdiction.

That was the narrow line of division, and I am frank to say—and I have said so heretofore in the Senate—that the Republicans were then right in their contention. They went to the utmost limit, Mr. President, in the assertion of the power of the Senate not only to call for whatever was within the jurisdiction of the Senate, but to determine what was the jurisdiction of the Senate, and to deny to the President the right to assume that a certain demand was as to a matter outside the jurisdiction of the Senate.

Now, in passing I will call the attention of the learned Senator from Wisconsin to the fact, in view of his suggestion that questions of this kind should always originate in resolutions adopted or offered, if you please, in executive session, that the resolution out of which that great debate grew was one which related to executive business, and that it was offered in open session by the Judiciary Committee, then a Republican committee, headed by the Hon. George F. Edmunds. And that distinguished committee on the Republican side was composed of these Members: George F. Edmunds, John J. Ingalls, S. J. R. McMillan, GEORGE F. HOAR, James F. Wilson, and William M. Evarts.

Am I justified, after reading that list of names, in the statement which I made that there were men there whose superiors collectively considered never sat in this Chamber?

Mr. ALDRICH. Who signed the minority report?

Mr. BACON. I have not the minority report before me, but I can state it pretty well from memory—Mr. Pugh, of Alabama; Mr. Vest, of Missouri, and two others whose names I do not now recall.

Mr. SPOONER. George, of Mississippi.

Mr. BACON. Yes; George, of Mississippi, if you please. I think he was undoubtedly one of them. Their names are not here.

This document which I hold in my hand contains the report of the majority. There was a minority report filed. But I want to call the attention of Senators to the fact that even as to the minority there was no possible dispute or contention denying to the Senate the right to call peremptorily for anything which related to a matter within the jurisdiction of the Senate, as I, even according to their contention, this report now called for would be a legitimate call, and one not vested in the discretion of the President to refuse to furnish, because it relates to a treaty, which is a matter distinctly within the jurisdiction of the Senate.

In that particular case Senators, some of whom are now here and who were then here, will remember that the issue grew out of the fact that the President of the United States sent in a certain nomination for appointment to an office, and the question was raised as to whether or not there was legitimately a vacancy, in the fact that the President had removed the party who had theretofore held the office, and the Senate wanted to know the cause for which he had removed him. That was the contention upon which the debate rose.

Mr. SPOONER. That whole debate was predicated largely on the tenure-of-office act.

Mr. BACON. I understand that; there is no doubt about that fact. But that fact in no manner affected the merits of the question of constitutional power which was involved between the President and the Senate.

Mr. ALDRICH. Will the Senator from Georgia allow me to call his attention to a fact?

Mr. BACON. Certainly.

Mr. ALDRICH. The pending resolution has no reference whatever in terms to the pending treaty.

Mr. BACON. Well.

Mr. ALDRICH. The resolution does not ask for any correspondence or notes relative to the treaty in any form.

Mr. BACON. I will not stop to discuss that, because, as I stated in the beginning, my purpose in rising is not so much as to any particular interest in this particular resolution, but because of the position taken by Senators here, which I am unwilling shall pass unchallenged; and I wish to challenge it, not upon the strength of my convictions or my arguments, but upon the most elaborate and learned arguments that were made here by Republican Senators, then members of this body.

Mr. SPOONER. Will the Senator from Georgia allow me to ask him a question for information, not for debate?

The PRESIDING OFFICER (Mr. DEPEW in the chair). Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. Do I understand the Senator is contending that in no case the President is to be the judge of what information he or the executive department of the Government will send to either House?

Mr. BACON. If the learned Senator will allow me to pretermit an immediate answer to that question, I will endeavor, before I conclude, to answer the Senator in his own language which he has uttered in this Chamber. That will be the most satisfactory reply, I presume, that I can make to him.

Mr. SPOONER. I would rather have your opinion than my own.

Mr. BACON. I will endeavor to express it before I get through, if my physical condition permits.

There was sent to the Senate on that occasion a most elaborate report, signed by all the Republican members of the Judiciary Committee of the Senate, whose names I have already read to the Senate, headed by the Hon. George F. Edmunds, as chairman. The report is too long to be read now, but I will ask, if I may be excused, because I am not in the most robust physical condition at present, the Secretary to read on pages 4 and 5 where it is marked in this report. I will say to the Senate that it is Senate Report 135, Forty-ninth Congress, first session. I would prefer to read it myself, but under the circumstances I will ask the Secretary to read it. I hope it may have the attention of the Senate.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[illegible]

[illegible] was this [illegible] Constitution [illegible] Senate [illegible] Senate [illegible] Senate

the senior Senator from Wisconsin. He began his speech in this way:

I may be attempted to discuss the [illegible] Republican party [illegible] here and elsewhere, to reap every [illegible] takes from the blunders and [illegible] shall be of this Administration. [illegible] that as a Senator my first duty [illegible] a party interest which would be harmful to the interests of the people.

Therefore the very learned and able [illegible] guished Senator upon this [illegible] imputed to him as one [illegible] tage, but as an argument [illegible] nized as one of the [illegible] States, and [illegible] more entitled [illegible] to answer that. [illegible] in making that it is to [illegible] that we also in the present debate may be [illegible] of partisan purposes.

The Senator from Wisconsin proceeded to say:

[illegible] was [illegible] to harass [illegible] the proper [illegible] purposes.

Will Senators accord to me at this time such equality of sincerity of purpose as that which was then claimed for himself by the honorable and distinguished Senator from Wisconsin.

Such a reading would be [illegible] not be so lightly imputed.

I commend the language to the Senators on the other side, not to the Senator from Wisconsin, because he has not imputed, as far as I have heard, but others have.

The principle involved in the controversy [illegible]

And it is this principle and the gradual recognition of the gravity of it that [illegible] the Senate at this time—

The [illegible] question as [illegible] mind is far above the

Mr. President, with that very high [illegible] Senator and with [illegible] addressed himself to the argument of this great [illegible] al question, because [illegible] tter, so far as the pending resolution is concerned, it is a great constitutional question whether or not any officer of the Government, as the President of a [illegible] has a right to shut the doors in the face of Congress as to any information desired by it in the discharge of its duties. In the practical workings of the departments of this Government and in the proper and ancient [illegible] ates by Congress and in the exercise of the legitimate powers of Congress there can be no greater [illegible] question than that; and once conceded as a power belonging to the Executive, there is no limitation to the extent to which that power can be carried and exercised.

Now, the Senator from Wisconsin knows I can not read the whole of his speech. I wish I could. I will say that it would not be necessary that I should myself say another word if I could, in support of my contention, read the whole of it. In the course of it he uses this language:

[illegible]

Mr. President, I will suspend the reading part of the Senator's speech for a moment for the purpose of reading the resolution which was reported by the Judiciary Committee of the Senate, and also reading the reply which was sent by the executive department to the Senate, in order that the Senate may have distinctly the issue before it which was made. On January 25, 1886, the Judiciary Committee reported to the Senate the following resolution for its adoption. Now, here is the resolution:

[illegible] A. D. 1885—

And not therefore—

[illegible] district attorney of the United States for the western district of Arkansas.

That being called for because of the fact that the President had sent in the name as a nominee to fill an office and had removed the district attorney, and the Senate desired to know whether or not he had removed him for good cause before they would proceed to the consideration of the nomination. Therefore they called for all the papers which had been there for a year before the occurrence, and on the following day that resolution was adopted, to wit, on the 26th day of January. On the 1st day of February thereafter the Senate received the following communication in response thereto:

DEPARTMENT OF JUSTICE,
Washington, February 1, 1886.

It seems that was the date of the communication, and the document was received here on the 1st day of February.

DEPARTMENT OF JUSTICE,
Washington, January 28, 1886.

The President pro tempore of the Senate of the United States:

I have [illegible] the receipt of a resolution of the Senate adopted on the 25th [illegible] United States be and he [illegible] of [illegible]

It thus quotes the resolution and then proceeds:

In response to the said resolution the President [illegible]

This is not the reply of the Attorney-General. He is speaking for the President of the United States—

[illegible]

A. H. GARLAND,
Attorney-General.

Now, Mr. President, there was the square issue made, not by the [illegible] by having the Attorney-General comply with the resolution. In [illegible] the United States assumed to judge, [illegible] upon him to comply [illegible] I think they were right, was this: Shall [illegible] whether or not it is to the public [illegible] or shall the Senate judge, and [illegible] that judgment, if exer- [illegible] or of any other Department and say to the Senate, "In my judgment you have no right to enter and to know what is here?"

Mr. President, I am tempted to proceed with that line of argument, but I will not, because I started to read the argument of the Senator from Wisconsin as the superior to anything I can say. I repeat the last sentence which I read in order to have it [illegible]

This is the speech of the Senator from Wisconsin from which I read—

An executive officer of the United States, recognizing the fact that the [illegible] documents therein mentioned to the Sen-

[illegible] the reply. Then the Senator proceeds:

[illegible] Duskin had been thereby removed. [illegible] confirmed and Duskin had been thereby removed. [illegible] them.

If George M. Duskin were still in office [illegible] tions of the position, and the Senate [illegible] as or [illegible]

Is this not the attitude? The President, not denying that there may be circumstances under which either the House or the Senate would be entitled

to such papers, to demand them and compel their production, assumes that [illegible] for a purpose which in his judgment is not within the jurisdiction of the Senate.

The Senate will mark that the Senator comes directly to the issue as to whether or not the President has the right to assume that.

[illegible] purpose within the power of the Senate it can direct under any [illegible]

The Senator asks how it would do for the President to transmit such a message as that, and he continues:

Would that be in effect any different from this response of the Attorney-General? [illegible] one man government? Would it do anything less than enable the President of the United States to shut out at his will the sunlight of investigation from all the public affairs? May the Senate [illegible] the purpose and submit to his judgment as to [illegible]

[illegible] and secret papers of the President himself.

Now, Mr. President, it is true that there the distinct question was as to whether Congress or the Senate [illegible] its motive was a legitimate one or whether the President [illegible] judge whether it was a legitimate one. But it matters not as to what question is raised, under the argument and under the reasoning of the argument, whenever there is any objection on the part of the President as to the disclosure of information which is desired, the question is one to be determined by the Senate and not by the President, because if the President can in the one case say, "In my opinion you have no right to have this information," he can say it in all cases, and it is within the power of the President of the United States, in his discretion and for any reason deemed by him to be sufficient, to absolutely shut up and hermetically seal every door of every Department of the Government.

The Senator continues, and I am sorry to have to omit any of it, because it is all strong and directly to the point. On the same page from which I last read—and I call the attention of my learned friend [illegible]

Mr. SPOONER. Will the Senator kindly give me the page?

Mr. BACON. Yes, sir; I have [illegible] it again. Page 2488, March 18, 1886. The Senator said as the conclusion of that branch of his argument:

[illegible] question as to whether it [illegible] to a [illegible]

And yet it is sought to deny to such a power from the other power of the Senate as to whether or not it has, in the language of the learned senator, the right to obtain from the President, upon request, information to enable it to act intelligently upon the question as to whether or not it would advise and consent to the ratification of a treaty. If he [illegible] as to the two it will be but another evidence of the versatility and ability of the distinguished Senator.

Mr. TILLMAN. Mr. President—

THE PRESIDENT pro tempore. Does the Senator from Georgia yield?

Mr. BACON. I yield to the Senator.

Mr. TILLMAN. I wish to suggest to the Senator from Georgia that the history which he has been reading is so interesting that it recalls the old fable about the bull and the ox.

Mr. BACON. I will say to the Senator that I have had that in mind, but not being a happy reader I did not venture upon its narration. I will allow him to go ahead.

Mr. TILLMAN. It appears to be very clearly proven that if a Democratic President gets up a tree the Democratic dogs bark at and intimidate, and when a Republican President gets up a tree it is the same old thing, and we appear to carry politics on constitutional questions of this character according to the exigencies and necessities of our parties.

Our friends on the other side undoubtedly voted for the contention of the Senator from Wisconsin. [illegible] to vote that way now. Would it not? In other words, consistency is a jewel.

Mr. BACON. If the Senator takes issue with me on any point I shall be happy to hear from him. If he is on my side, I can go on.

Mr. TILLMAN. I was trying to illuminate the question. I could not do it as well as the Senator from Georgia of the Senate from Wisconsin; but I was trying to ease my friend from Wisconsin out of the unpleasant attitude of being on both sides of this question.

Mr. BACON. Mr. President, I had not finished what I propose to read from the speech of my distinguished friend. I presume at the particular place where I was reading when the Senator from South Carolina interrupted me.

I hope I may be allowed, in order that the connection may be kept, to read that sentence over again, because the next sentence directly relates to it. I read again that sentence from the Senator's speech:

I assert now the proposition that the Senate has a right to obtain of a Cabinet [illegible] if to act intelligently upon the question as to whether it will [illegible]

The Senate will mark that that is not qualified. It is a right to have it when [illegible] and the Senator, in full recognition of the fact that that was his meaning, turns to the Democratic Senators and asks this question, referring to the utterance which he has just made:

The Senators on the other side will not, I think, charge that the issue, so far as I am concerned, is not broad enough.

The Senator states it in as emphatic language as his great command of language would permit him, and then emphasizes it by turning to his opponents and challenging them to his statement that it is as broad as it can be made, and that nobody can find fault with it by reason of its failure to be broad enough.

In other words, Mr. President, the Senator lays down, as broadly as his language will permit him, the proposition that as to any [illegible] which relates to the business of the Senate and within the jurisdiction of the Senate the Senate has the right to have it on a request addressed to the President, not a demanded right, and he emphasizes it by the statement that no one can find fault with that statement on the ground that it is not broad enough, and it only could have strengthened both to make it more forcible if he had had it in his power he would have done so, because it was his intention to make it as broad as language would permit.

The Senator then goes on to say [illegible]

Is the proposition sound in law?

That is the great question here to-day.

[illegible] for which I desire to use it.

Then the Senator proceeds to quote from the minority report:

"The [illegible]

Reading now from the minority report—

"The minority assert, once for all, that any and every public document, paper, or record [illegible]

The Senator from Wisconsin then reading that report interjects this language:

[illegible] Government, or in the possession of the President, relating [illegible] in the exercise of its constitutional powers and prerogatives.

There spoke Pugh, and George, and Jackson, and Vest, and Coke. Continuing to read from the minority report:

"It is on this clearly defined and well founded constitutional principle that, whenever such papers are located in the executive, as, for example, follow such [illegible] to the Congress, or either House, or to the President, or any Department or officer of the Government, or to the President in and with the advice and consent of the Senate, the proper [illegible] such documents, namely, the grants and belong to and can be exercised by the constituents of such powers, jointly or severally, as they may be vested, by the [illegible]

It is in the application and enforcement of this unquestioned rule of construction that either House of Congress has the right inherent in the power

itself to call on the head of any Department or request the President to transmit any such information in the knowledge of either."

Then the Senator from Wisconsin again interjects the words:

Note that—

"or any public or official papers or documents, or their contents, on the files or in the possession of either, provided such papers or documents relate to matters, processes or business in the jurisdiction of either House of Congress, or such information, papers or documents as the exercise of any right, power, jurisdiction, or duty may require to be sought for or obtained by either House, or by the President by and with the advice and consent of the Senate."

That is the end of the part of the minority report which was then read in that speech by the distinguished Senator from Wisconsin, and then he resumed. The Senator from Wisconsin said:

[illegible] in a bold way as lawyers [illegible] the same subject, and [illegible] from Washington [illegible]

Quoting now from Mr. Cleveland—

"To the end that the service may be improved, the Senate [illegible] proposed vacancies and to take the place of suspended officers."

After reading that the Senator from Wisconsin said:

Why? Because under the Constitution the Senate is a factor in the act [illegible] Senate, under the Constitution, has jurisdiction over the subject-matter.

Mr. President, as I say, I regret very much that I can not read the whole speech of the Senator; but on a subsequent occasion, on the 15th of March, the next day, as will be found on page 2329 of the CONGRESSIONAL RECORD, the Senator from Wisconsin, in a discussion of the same resolution, uses this language:

Possessing, therefore, the right to call for papers and information from [illegible] it can not forego that right when in its opinion its exercise is necessary.

There is the distinct issue made, and there is the distinct proposition so clearly announced by the Senator from Wisconsin. In other words, it can not submit to the statement of the President of the United States that, in his judgment, it is not a matter for the Senate but a matter for him to determine; that the Senate "can not forego the exercise of this right;" that it will not admit and can not acknowledge the right of the President to say that it is not entitled to the papers; but that the Senate will insist upon and maintain its rights. That is the language or rather the substance, the meaning, of the language of the Senator from Wisconsin.

He continues:

It may not suffice, by its assertion, that [illegible] papers now [illegible] It is not a question of dignity nor is it a question of position. It is very far from [illegible]

The Senate has no right to trench upon the prerogative or powers of the [illegible] the Senate [illegible] to be [illegible] to the permanency and [illegible] Neither should [illegible] upon the other, [illegible] its constitutional functions and prerogatives.

By which the Senator certainly meant to say that one of the prerogatives of the Senate was to determine for itself what papers it required, and that it would not forego or surrender that prerogative to the Executive.

The Senator from Wisconsin continued:

The Senate can not yield the principle that in any case or under any circumstances the files of the Departments, evidencing the conduct of public offices, shall be secret from the inspection, or that any paper or letter bearing upon the conduct of a public office, placed upon the files of any Department, or in custody of any executive officer, and which ought to be placed upon the file of any Department, can, at the will of anybody, even though it be the President, become personal and subject to removal or destruction.

Mr. President, the language of the Senator there was directed to the particular subject-matter under consideration, but the reasoning and the language will embrace all matters in an Executive Department, and asserts, as the prerogative of the Senate, and also of the House of Representatives—not the Senate exclusively, except as to matters within its exclusive or peculiar jurisdiction—asserts the right of either House of Congress in a matter in which it has jurisdiction to enter into any executive office, to see anything that is in it; to ask no man's permission to do so, and to receive from no man a denial.

Mr. President, I am glad this question has come up. I sat here yesterday and heard the message from the executive department responding to a resolution introduced by the Senator from Tennessee [Mr. CARMACK] calling for certain information, in which the Senate was told that, in the opinion of the Executive, it was not a proper matter to be sent to the Senate.

Mr. KEAN. Has the Senator from Georgia read the message of the President of the United States?

Mr. BACON. I only heard it read.

Mr. KEAN. If the Senator would read the letter of the Secretary of the Treasury accompanying the message, I think he would find a very good reason given for the declination to furnish the information.

Mr. BACON. I do not care what the reason is.

Mr. KEAN. It is a very good one.

Mr. BACON. If the request by the Senate was not qualified, and was made in the discretion of the Department or of the President, it matters not what the reason is which is assigned for refusal. The reason can properly be conveyed to the Senate before final action is taken upon the demand of the Senate. If there is a good reason, it is perfectly proper that the President should send to the Senate a communication in confidence, that for such and such reasons he asks that the demand shall not be insisted upon. Can anybody doubt that, if any proper reason is given in such a case, the Senate will not respect a suggestion of that kind?

But to refuse is to deny; it matters not whether it be for a good or a bad reason, the power to refuse is the thing; and if the President has the power to refuse, he has the power to refuse for a bad reason as well as for a good one, and when he refuses, it matters not what is the reason, good or bad, he has, in my opinion, violated the law and invaded one of the highest prerogatives of Congress, which is to know everything that relates to this Government—everything; and if there was another word that was more comprehensive than that, I would use it. So it matters not, Mr. President, whether the reason be good or bad. If there was a good reason why the information should not be given to the Senate, the proper course would have been, through the proper officer, to have communicated to the Senate that such a demand had been made, and then——

Mr. KEAN. But, Mr. President, that is just what the President did; and if the Senator from Georgia will read what the President says, he will find it out.

Mr. BACON. But the Senator did not hear me through. I say that the proper action to take was to communicate in a proper way to the Senate that such a demand had been made, and to say that for such and such reasons, whatever they may be, in the opinion of the President it would be unwise to furnish the information, and to ask the Senate not to insist upon it; but when he assumes that, in his judgment, that reason is sufficient, and refuses without more, it matters not whether it is good or bad, sufficient or insufficient, he can control it. So I say, Mr. President, that if you admit his right in his judgment, upon what he may consider to be a good reason, to shut the door of a Department, the power is unlimited to shut that door upon any judgment or any reason which he may deem to be sufficient.

Mr. President, that is the exact point that was involved in the great debate of 1886 in this Chamber; that was the exact point at issue, and the only point at issue. It was maintained with great power and ability, and I think with conclusiveness of argument on the part of the Republicans, that the President did not have that right; and in the language of the Senator from Wisconsin, which I have read, it was vigorously contended that it was the high prerogative of the Senate and that the Senate would not forego it at the behest of any man, be he even the President.

Mr. MITCHELL. May I ask the Senator a question?

Mr. BACON. Certainly.

Mr. MITCHELL. Does the Senator from Georgia draw any distinction between the two cases: In one case where papers are called for bearing upon the question of the removal of a man from office and, in the other case, where papers are called for in connection with the consideration of a treaty?

Mr. BACON. None whatever, because the principle is absolutely the same.

Mr. MITCHELL. Then the Senator does not agree with the position taken by President Cleveland.

Mr. BACON. I certainly do not, and I am unqualified in agreeing with what was said on that occasion by distinguished Republicans in the debate.

Mr. MITCHELL. One other question. The Senator has stated that that was the only question discussed at that time. There was another question, and a still more important one in my judgment, which was reported by the Judiciary Committee, discussed at length, and passed upon, and that was that it was not wise should be taken in the power of the Senate of the United States calling upon the President of the United States to send papers to the Senate—for instance, it may have been in the consideration of an appointment—and the President refused to send the papers. The position of the Republican party at that time was that it was the duty of the Senate to stop business, to refuse to consider appointments, and there was quite an extensive controversy over that matter. Now, I want to ask the Senator from Georgia: Suppose the President is called upon for papers and declines to submit them, what is the remedy?

Mr. BACON. There is none.

Mr. MITCHELL. Is there any remedy except by impeachment?

Mr. BACON. None whatever; nor is there any remedy for any dereliction of duty by the President save only that. But that does not answer the question; that does not meet my proposition at all.

Mr. GALLINGER. Mr. President, the Senator, I think through inadvertence, has twice said within the last few minutes that the Senate had made a demand on the President. The Senate always requests the President.

Mr. BACON. In this case I will state to the Senator that I am not incorrect in the use of language, for the reason that I was discussing a resolution which had been adopted by the Senate, which was a direction to the Attorney-General, and which was replied to by the Attorney-General in the name of the President, so that it was a demand in that case. But in all of the debate to which I have referred all the Senators spoke of it as a right to demand or direct a subordinate officer, and a right to receive information on a request to the President, and a right which they would not forego.

Mr. GALLINGER. What has puzzled me somewhat as a layman is to differentiate between the demand upon a Cabinet officer and a request made to the President. It has seemed to me that the fact that we request the President carries with it the presumption that he may decline to accede to our request.

Mr. BACON. Not at all. The Senator will pardon me if I reply in the language of the Senator from Wisconsin [Mr. SPOONER] in that regard.

I should like to quote him as to all these matters, and I will return to what I have already read, in order that I may reply, in much more felicitous language than I can command, to the inquiry of the Senator from New Hampshire [Mr. GALLINGER]. The Senator from Wisconsin had been discussing what is the right of the Senate; and he said it is the right of the Senate to receive this information upon the request of any officer, even if it be the President.

Now, if it is right, of course it is not a matter subject to qualification; it is a right which the Senator says it "can not forego"—using that language. I will now read again the last sentence which I read from the speech of the Senator from Wisconsin:

The Senate can not yield the principle that in any case or under any circumstances—

That is certainly pretty broad language—

The Senate can not yield the principle that in any case or under any circumstances the files of the Departments, evidencing the conduct of public offices, shall be secret from the inspection, or that any paper or letter bearing upon the conduct of a public office, placed upon the files of any Department, or in custody of any executive officer, and which ought to be placed upon the files of any Department, can, at the will of anybody, even though it be the President, become personal and subject to removal or destruction.

Or subject evidently, according to the context, to the refusal of the President to communicate it to Congress.

Mr. GALLINGER. If the Senator will permit me, that is certainly very strong and direct language; and if we are to accept that as the correct doctrine, then I apprehend that the phraseology that we request the President, "if not incompatible with the public interest," is a mere matter of courtesy. Is it?

Mr. BACON. Not altogether so. There are many instances where the Senate has used that language because they did not think it of vital importance that they should obtain the information; but I think, as a matter of courtesy, it should always be introduced except in a case of extreme urgency.

I do not know that the Senator from New Hampshire heard what I said in the outset of my remarks, that I am not discussing this question so much with reference to this particular resolution, because I have no doubt that, under the assurances already given, the President will furnish us with all that is required, but that the announcement had been made on the other side of the Chamber to-day that as to whether or not the President should respond to any request the Senate might make of him was a matter within his discretion, and I cited the Senate to the fact that on yesterday, in response to a resolution previously sent by the Senate directing one of the officers or the head of one of the Departments to send certain information here, we had had a communication from the President that, in his judgment, it was a matter which ought not to be communicated to the Senate.

As I just said in replying to the Senator from New Jersey [Mr. KEAN], it matters not whether the reason which the President gave was a good one or a bad one, if he has got the right to exercise his judgment as to whether it is good or bad, and to act upon that right when a direction is thus given by the Senate to the head of a Department, then he has the right unqualifiedly in every case to say "no" to any request that may be made for the communication of any information needed by the Senate. That is the proposition which I make, and which I say has been so ably maintained, not by me, but by the distinguished Republican Senators whose names I read. I do not think the Senator from New Hampshire was in the Chamber at the time, but I mentioned the names of George F. Edmunds, GEORGE F. HOAR, William M. Evarts, John J. Ingalls, and Samuel J. R. McMillan, of Minnesota.

Mr. GALLINGER. I will say to the Senator if he will permit me, that I have been listening with great interest to his very able address, but I was unavoidably called from the Chamber in the transaction of public business and did miss a portion of his speech, which I regret.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. BACON. I should like to proceed with my remarks, but I yield.

Mr. TILLMAN. I want to suggest to the Senator from Georgia, who has illuminated this subject so fully, an inquiry along this line: Whether there is not a difference between a request for information conveyed in the usual courteous language—"if in his judgment not incompatible," etc.—calling for relatively unimportant information, and a resolution calling for information of much moment. Might there not be some things which the President would feel warranted in sending to us to go into the Record or to become public property, and some which he would not feel warranted in sending to us unless it was in the nature of a secret communication, which would be for our information alone?

Does the Senator not differentiate in that particular? Then, if in the judgment of the Senate it was still desirable and necessary that it should have the information, I agree with him entirely—it would have the right to demand that it be sent in confidence. But does not the Senator differentiate between the ordinary courteous resolution of inquiry on matters that are not of very serious moment and those that are vital?

Mr. BACON. I endeavored to suggest that same idea in response to the inquiry of the Senator from New Hampshire.

Now, let me illustrate the orderly way in which this can be done and ought to be done. I will illustrate it by an occurrence during the Spanish war. I introduced a resolution directing the then Secretary of War, the present junior Senator from Michigan [Mr. ALGER], to communicate to the Senate certain information—I have forgotten now exactly what it was—relative to the defenses of the southern coast, where people were apprehensive that they were not prepared to meet the onset which they anticipated. That resolution was sent to the Secretary of War.

If the proceeding for which the Senators on the other side now contend had been adopted the Secretary of War would have gone to Mr. McKinley, and Mr. McKinley would have sent in a message saying that in his opinion it was incompatible with the public interests that that information should be given. That would have been a good reason, but still it would have been an infringement of the prerogatives of the Senate. Instead of that, the proper course was taken. The Secretary of War sent for the chairman of the Military Committee of the Senate, General HAWLEY, and communicated to General HAWLEY the facts which in his opinion would make it improvident and unwise to communicate that information to the Senate, even in executive session, because it might get to the enemy.

General HAWLEY came to me and explained what the Secretary had said. I recognized at once that his reason was a good one; and as soon as the Senate met I myself moved that the Senate withdraw the request, and it was withdrawn. Can anybody doubt that in any case where there is a good reason for it a similar course would not be taken?

But, Mr. President, while that course is practicable and works no harm, whenever you once set up as a law the right of the President to say peremptorily, "I will not give the information," you give him the right in all cases and under all circumstances to close the door to the inquiries of the Senate; because if he has the power in one case, he has it in all, and the question of its exercise is a question solely in his discretion.

Mr. President, I had no expectation when I rose of occupying so much of the time of the Senate, because I really did not feel physically able to do so, but I want to read a little more of the debate from which I have been quoting.

While the Senator from Wisconsin [Mr. SPOONER] made an argument in that case which is not surpassed in its ability and soundness by that made by any other Senator, arguments upon the same line were made by others of the distinguished men whose names I have mentioned and by some others whom I have not mentioned.

I will read now what Mr. Logan, then a member of the Senate from Illinois, said. He may not have been as distinguished a lawyer as some others whose names I have mentioned, but still I

think he enjoyed the confidence of the people as a man of strong mentality and as a lawyer of ability. Said Mr. Logan, then a Senator from Illinois, and I read from page 2799 of the same volume from which I have been reading:

> If the people through their representatives [illegible] the presidency of the country [illegible] power [illegible] of a duty disagreeable [illegible] such a theory to carry us if it is followed up.

And that is the important inquiry.

We have been told for years by our opponents that the concentration of power [illegible] our legislation proved this to be the tendency of our government.

Referring to the Republican party—

> that this has been successful and growing from year to year; that the power of the government is in the hands of the few; that the people were losing their liberties.
>
> I think [illegible] to be true.

I hope Senators will listen to this language—

> I should like to have Senator to tell me what greater concentration of power [illegible] attempt made by the President of [illegible] United States [illegible] the power to examine public records, documents and papers at his pleasure. Suppose the most [illegible] of Congress [illegible] United States say, when we ask for the papers [illegible] of executive [illegible] how it has been [illegible] the congressional [illegible] Congress of the United States [illegible] committee of investigation [illegible] United States, the Attorney-General, the Secretary of [illegible] Postmaster-General, or any other head of a department, for papers [illegible] question with the view either for or against the [illegible] that the Senate of the United States are not [illegible] these papers. If so, why refused? Would it be on the ground that they are private documents? Is that the ground?

But, Mr. President, the same argument might be used as to any other information which Congress might need in the conduct of its business. There is no argument which could be used in favor of the right of the Senate to see any paper connected with the question of an office where the incumbent was under investigation, or where inquiry was to be made concerning him, which does not apply with equal force and consciousness as to any other subject-matter relating to the Government about which Congress asks information, and there is no reason why the President should be clothed with a power to shut the door for one purpose which would not give him an equal power, if he saw fit to exercise it, for another purpose, and it may be either in the same Department or another Department of the Government.

I will read further from Senator Logan.

Mr. PLATT of Connecticut. What page?

Mr. BACON. Page 2799 of the same volume:

> If this theory is to be carried out—

That is, the right of the President to deny access to any paper or any document or any information in one of the Departments—

> [illegible] the President [illegible] Congress [illegible] papers that are on file? Certainly the Senate is the judge of that.

What does he mean? The question at issue was whether the Senate was the judge when the President desired that information should be given or whether the President was in that case the judge; and Mr. Evarts says:

> Congress has power in the [illegible] of court.
>
> [illegible] the President [illegible] Congress [illegible] the President [illegible] Congress [illegible] the President [illegible] Congress

Mr. BACON. And justly so.

Mr. SPOONER. I thank him for that; but I notice that when he reads some speech of mine which he thinks is inconsistent with some other speech or position which I am taking he emphasizes quite as much as he compliments. That is his right. I thought that speech, when I made it, was the best speech I ever could make.

I am surprised on listening to it to discover that it was as good as it seems to me now to be. Nor do I find anything in it, save one thing, which is inconsistent, in my judgment, with the attitude which I take to-day. I should be very sorry if in all the years which have passed since then I had not learned some things about the law and about the usages and necessities of government.

That debate was predicated upon the tenure-of-office act, by which Congress had undertaken to limit the President's power of removal from office. I think I stated in that speech the opinion that that act was not constitutional. At any rate, it had always been a subject of doubt. It provided that the President might suspend a man from office, but the officeholder was to continue in office where his term was fixed until the Senate had made of that suspension a removal by confirming the nomination of a successor.

I can not now look at the speech, but from some things which the Senator read and in accord with my recollection, I criticised the action of the Attorney-General in declining to furnish the information because we did not wish it for use in the discharge of a constitutional duty, but wished it for some other purpose. That I took to be insulting. I have not changed my mind at all about that. If the Senate has a right in its legislative capacity or in any capacity to information, it is not for the President to say whether it is wanted for a legitimate purpose or what he deems an illegitimate purpose.

The proposition I made there, and enforced, of the power of either House of Congress to investigate the Departments and to call for information, for letters, papers of all descriptions, for everything tending to disclose the conduct of the Government, I do not altogether agree to now; but as a general proposition I insist upon it to-day as strongly as I did then.

I always have regarded that controversy with Mr. Cleveland as not only a fruitless one, but one hardly worthy the great struggle which was made over it.

I am not willing to say to-day, as language I used in that speech would seem to indicate I thought then, that upon every request the President is bound to furnish in the first instance a specific answer, that he is obliged to send to the Senate any document from the Interior Department, the Treasury Department, the Department of Justice, or the War Department which Congress, or either House of Congress, may see fit to call for.

Mr. PLATT of Connecticut. Or from his own correspondence.

Mr. SPOONER. I will get to that. I think there are exceptions to that rule. I think if the House or the Senate should adopt a resolution calling upon the President to transmit the reports of the secret service of the Treasury Department, the President would be in the highest degree subject to criticism if he transmitted them.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. SPOONER. Yes.

Mr. BACON. In such a case which does the Senator think would be the proper attitude for the President to occupy and the proper course for him to pursue, to send a peremptory refusal to Congress—or to the Senate rather—I should say—that he should address to it a communication setting forth reasons why it ought not to make the request?

Mr. SPOONER. I thank the Senator from Georgia for his question, for it brings me to an observation which I wish to make. The President first, let me say, ought not to transmit it. It would not be in the public interest that he should comply with that request. They are detectives. They are exploring the country to discover frauds upon the Treasury, upon the Government, counterfeiting, forgeries, conspiracies against the life of the President in more cases than one.

Upon their reports and their investigations depend, perhaps, life—certainly great financial loss and certainly the apprehension and conviction of criminals. There is not a man, woman, or child in the United States who would not say that documents of the kind indicated are confidential and that the public interest from every standpoint requires that they should remain confidential.

Now, what is the decent thing to do? Where Congress desires information which in its nature may be confidential, should it be a request or a demand that it be furnished, putting the President in the attitude in reply of a peremptory refusal, putting him where it may be said of him that he has defied the Congress, or is it the polite and the fair position that the Senate or the House should recognize the character of the document, should recognize the fact that it is confidential in its nature, and that a public interest might or might not be injured by a refusal to transmit it, and to incorporate in the resolution the qualification, "if in his judgment not incompatible with the public interest?"

Mr. BACON. Will the Senator permit me?

Mr. SPOONER. Yes.

Mr. BACON. I entirely agree with the Senator. I think the latter is the proper course.

Mr. SPOONER. That is all we have been contending for as to this resolution.

Mr. BACON. Oh, no; I beg pardon. I am not discussing this resolution.

Mr. SPOONER. I am.

Mr. BACON. I am discussing the general statement made by the Senator and others, the question as to whether or not information reqnired by Congress shall be the ultimate decision of the President or of Congress.

Mr. SPOONER. We have not got to that.

Mr. BACON. If the Senator will pardon me a moment——

Mr. SPOONER. Yes.

Mr. BACON. I distinctly stated—I do not know whether the Senator was in his seat at the time I made the statement or not—that I thought in all cases except in a case of great urgency it is entirely proper to put the language in, and that it is only where Congress should come to the conclusion that it is of paramount importance and peremptory in its nature that it should not put in the qualification.

I think that in nine hundred and ninety-nine cases out of a thousand that language should be used; and I think that wherever the language is not used it is perfectly consistent with propriety and a proper respect to the Senate that the President should communicate to the Senate respectfully the fact that in his opinion it ought not to be communicated, and give his reasons; and it is not to be assumed for a moment that under such circumstances the Senate would ever insist.

But I am simply on the abstract question which was discussed in the great debate in 1886, as to whether the President has the final power to say to Congress, whenever it calls for a paper or for information, "I will not give it, because in my judgment it ought not to be given."

Mr. SPOONER. We never got to the final question in that transaction, nor have we approached it now as to this transaction. I am attempting to reply——

Mr. CULBERSON. Mr. President——

Mr. SPOONER. If my friend will allow me, for I do not wish to take any time to-morrow——

Mr. CULBERSON. I simply want to ask the Senator one question.

Mr. SPOONER. Well.

Mr. CULBERSON. The Senator has been illustrating with the subject of secret service, men clothed by the different Departments with duties to execute the law of the United States. By the Constitution of the United States it is made the duty of the President to see that the laws are faithfully executed. Neither House of Congress is associated with him in that requirement. On the contrary——

Mr. SPOONER. I thought the Senator wanted to ask me a question.

Mr. CULBERSON. I will ask it. On the contrary, in the matter at hand, the President and the Senate are clothed with the duty which we are seeking to perform, and I ask the Senator if there is not a broad and well-defined distinction between the right of the Senate to inquire into the execution of the law by the President, and to inquire into the correspondence between him and foreign governments with respect to our joint duty to make treaties?

Mr. SPOONER. Yes, Mr. President, there is a distinction, but the distinction is not in the line which the Senator attempts to draw it, in my judgment. I think that as a rule as to the Departments, which Congress creates and which Congress can abolish, and which are administered under laws enacted by Congress, in nine hundred and ninety-nine out of a thousand cases we should do what we have done. We should, when we wish information, direct the head of the Department to send it. I think it is in few cases, relatively, that this qualification should be inserted.

The Senator from Georgia criticises the President for the response to the resolution of a day or two ago as if it invaded some prerogative of the Senate. My friend had not read the message which embodies the resolution sent to the President, nor, I think, had he read the reply. And that brings me back to the distinction which I was attempting to make and the qualification which experience leads me to make in the remarks which I made many years ago on this subject.

This was known by the Senate, and the point was raised here, to be a confidential communication, as a rule, for which the Senate was asking, and there was included in the resolution these words: "If not in his opinion incompatible with the public interest" to

inform the Senate so and so. The Secretary of the Treasury writes a letter to the President giving the reasons why in his opinion that report should not be made public, and the President adopts it.

Mr. SPOONER. Mr. President, will the Senator permit me?

Mr. SPOONER. Yes.

Mr. BACON. I never do a wrong but what I am ready to correct it. I did not notice that that provision was in the resolution.

Mr. SPOONER. I said you did not notice it.

Mr. BACON. I simply heard it read from the desk.

Mr. SPOONER. I said you did not notice it.

Mr. BACON. I thought it did not contain that provision and that it was addressed to one of the heads of Department. Is it not?

Mr. SPOONER. Yes.

Mr. BACON. I think the resolution was changed after it was introduced. Am I not correct in that?

Mr. SPOONER. Yes.

Mr. KEAN. The resolution was changed.

Mr. BACON. I was not familiar with that fact. I heard the resolution as it was introduced, and it was addressed to the Secretary of the Treasury.

Mr. SPOONER. Yes.

Mr. BACON. If the Senator will permit me——

Mr. SPOONER. Yes.

Mr. BACON. I recognize the fact that in this particular instance the response of the President was entirely proper.

Mr. SPOONER. Very good. Now——

Mr. BACON. I am speaking of the general proposition. If it had been otherwise, the Senator will contend it would be proper in the absence of that language.

Mr. SPOONER. The Senator from Georgia admits my contention by his interruption. I knew he must do so. I did not impute to him any willingness at all to be unjust to the President. He admits my contention, Mr. President, that where the paper for which the Senate desires to make request is in its nature a confidential paper, and if it is left by the resolution to the judgment of the President as to whether it can with due regard to the public interest be made public, and he withholds it upon the ground that the public interest would be injured by publicity, he is respectful to the Senate.

Mr. BACON. Nobody has ever contended otherwise.

Mr. SPOONER. If, on the other hand, that is omitted from the resolution and the President, with the same opinion as to the public interest, sends back a message that in his judgment the public interest requires that it should not be made public, he would be liable to the criticism which the Senator from Georgia, in ignorance of the true character of this resolution, passed upon this very message.

That is one reason why I have thought that the Senate always, in legislative session and in executive session, in requesting the President by resolution to send to this body a paper in its nature confidential, should insert in it this qualification, so as thereby to protect the President, whatever his politics may be, from criticism as to having sharply closed the door without reason to an inquiry of this body.

Mr. GORMAN. Will the Senator from Wisconsin permit me to interrupt him for a moment?

Mr. SPOONER. Yes.

Mr. GORMAN. Does the Senator from Wisconsin hold that under the act organizing the Treasury Department, where Congress has reserved the exclusive power, without passing through the office of the Executive, the same rule applies to that Department which he is now arguing as to other Departments and as to the President himself?

Mr. SPOONER. The Treasury Department?

Mr. GORMAN. Yes, the Treasury Department.

Mr. SPOONER. Yes.

Mr. GORMAN. Under the act organizing that Department we have distinctly and broadly provided——

Mr. SPOONER. That they shall report to Congress.

Mr. GORMAN. The right to bring the Secretary of the Treasury direct before either House of Congress. Does the Senator think that this rule should apply to that Department?

Mr. SPOONER. Does the Senator contend that we have not the right to bring any of the Secretaries, except the Secretary of State, within certain limits——

Mr. GORMAN. No.

Mr. SPOONER. Before our committees to answer questions?

Mr. GORMAN. No; I do not.

Mr. SPOONER. No; nor do I.

Mr. GORMAN. The Senator will remember, as well as I do, that special provision was made regarding the one who holds the purse strings, and that he was made directly amenable to Congress and required to report directly to this body.

Mr. SPOONER. Oh, that is his annual report?

Mr. GORMAN. Yes.

Mr. SPOONER. He reports to Congress; but what has that to do, if I may ask, with deference to the Senator from Maryland, with the question which I am discussing? He is an administrative officer. He is executing the laws of the United States which relate to the Treasury, and he has to do with a great many transactions which in the interest of the public are secret, and as to which the public interest would be destroyed if he were obliged upon the demand of either House to transmit them to Congress.

Mr. GORMAN. It never has been held so.

Mr. SPOONER. It always ought to be held so. In other words, Mr. President, I maintain only this, that where the nature of the communication or the report which is called for is confidential, inherently confidential, the President, who under the Constitution is charged with the general administration of the law, who selects his Cabinet officers, who is held responsible for the manner in which they discharge their duties, ought to have an opportunity, in response to a demand from Congress, without being subject to animadversion as contemning a prerogative of either House, to say in reply, in my judgment, "this is not compatible with the public interest." That is all there is to it.

I will take the War Department, which the Senator from Georgia referred to a while ago. Suppose we had reason to apprehend trouble with some foreign government, and we passed a resolution directing the Secretary of War to inform the Senate, or the House, if it passed such a resolution, how much ammunition the Government of the United States had in store and how much could from day to day be supplied; would not the President of the United States, be justified, if, in his judgment—and he would know better, for it is his business to conduct our foreign relations, and his alone under the Constitution, he would know better than either House of Congress could know whether that information given to the public would not be detrimental to the public interests—in declining to furnish, because to make it public would, in his judgment, be incompatible with the public interest?

Suppose he were called upon to inform the Senate or the House in a public way as to the condition of our coast defenses, would not the same observation be true as to that? Suppose the Secretary of the Navy were called upon to inform the world of the location of every ship in our fleet. All I say about that is, not that Congress may not properly ask for the information, but it is that the President, in his judgment—and he must be the judge, primarily, at least—has the power to say from his larger knowledge of the situation: "It is, in my opinion, incompatible with the public interests that this information be given to the world."

Now, tell me whether in such case it is not the polite, the fair, and the decent thing to put that qualification in the resolution, in order that the President may, without criticism, just or unjust, in compliance with the resolution itself, say: "It is, in my judgment, incompatible with the public interests."

Take the Department of Justice, which is charged with all the lawsuits in the United States. In the speech from which the Senator from Georgia quoted I spoke too broadly, in my judgment. I know it now better than I knew it before, for I know more about the Government.

Could we, although we created the Department and we may abolish it by law if we choose to do so, drag out from the Department of Justice all the papers, reports, and documents which the Senate or the House of Representatives might wish to inspect?

Mr. BACON. If the Senator will pardon me, the question of policy is one thing and the question of right is another.

Mr. SPOONER. I am talking, Mr. President, about the question of decency.

Mr. BACON. Ah, that is all very well; but that does not answer the argument, Mr. President, and the Senator knows that as well as anyone.

Mr. SPOONER. I know this, Mr. President, that the President of the United States who was asked by either House of Congress to make public papers which, under his oath and from his better knowledge, he knew would injure those public interests would be unfit for his place if he did not decline to do so.

Mr. BACON. Does the Senator think that the President ought to peremptorily decline?

Mr. SPOONER. Ah——

Mr. BACON. If the Senator will pardon me, I hope he will let me ask my question.

Mr. SPOONER. Very well.

Mr. BACON. Does the Senator think the President ought to peremptorily decline, or ought he not to communicate to the House asking for the information his reasons why the request should not be preferred or insisted upon?

Mr. SPOONER. I think he ought to be put in a position where he is not obliged to peremptorily decline. I think Congress ought to recognize the fact that the public interests may be served only by his declining and so word its resolution as that he may do his duty without having the word "peremptorily" applied to him.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes.

Mr. TILLMAN. Does the Senator think that the President can legitimately or properly or decently claim that he has the public welfare more at heart than has the Senate when he communicates with us in secret?

Mr. SPOONER. No, sir; I do not claim that any branch of the Government has the public welfare in mind at heart than another branch of the Government. But I do claim this, that so far as the duties of the President are concerned, he knows more about the public interests which has domain than the other branches of the Government may know as to those things that are considered.

Mr. TILLMAN. Well, then——

Mr. SPOONER. He knows better. Mr. President, what are the conditions of our foreign relations than the world may know. One reason why the Confederation was found to be weak was that the Congress was the organ of communication with foreign governments. One reason, Mr. President, that the sole conduct of our foreign relations, when the Constitution was adopted, was placed in the President was that it should be deposited in one source because of the secrecy and the quickness of action which might be necessary in order to subserve the public interests.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. We might just as well say, Mr. President, if we called upon the President when war was approaching to report to Congress what his plans of campaign were or when the war should be declared, that he would not be justified in declining to transmit such information. I do not favor any more than does the Senator from Georgia the impeachment by this body of one, however small it may be, of its prerogatives.

I do not think that any Department of the Government should be permitted in anywise to invade another—judicial, legislative, or executive—but I do repudiate the notion that there may not be in the conduct of public affairs transactions and information which, for the safety of the country—and that was the purpose of the Constitution—may not be kept close in the mind of the Executive.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. I hope my friend will permit me to get through. However, I do not know how I can refuse to yield to him.

Mr. TILLMAN. Mr President, I was trying to bring the Senator, if I could, to the question at issue——

Mr. SPOONER. I have been getting there. [Laughter.]

Mr. TILLMAN. And that is, the right of the Executive to deny to the senate, which is the co-ordinate branch of the treaty-making power, information which it would enable it to determine whether or not it will ratify his action as Executive in having negotiated a treaty. That is the point, and that is the only point here.

Mr. SPOONER. That is not the point.

Mr. TILLMAN. And all of the [illegible] I do not want to use any offensive word, but the Senator's argument, is so sarcastic, is so adroit, and so persuasive as to "make the worse appear the better reason," that I have to persuade back the proposal——

Mr. SPOONER. I wish I could only persuade you once in a while.

Mr. TILLMAN. Whenever you are right you can persuade me without the least trouble.

Mr. SPOONER. No. Mr. President, the Senator does not state the point that is at issue in this debate. It is not a question of what the Senate has a right to demand of the President. That is not the point in debate at present. We have been debating it. The point in debate is this: What form shall a resolution take in the Senate which calls upon the President for information which only he can furnish? That is the point.

Mr. BACON. I hope the Senator will pardon me for saying that has not been the point which I discussed.

Mr. SPOONER. It has not been. I come to that.

Mr. BACON. It has not been. I expressly disclaimed that I had sole reference to this particular resolution.

Mr. TILLMAN. If the Senator will permit me, I want to say that I have expressly disclaimed, and I say for myself, for all of us on this side of the Chamber, any intention to insinuate or to do anything which would reflect on the President's integrity of purpose or his patriotism. We merely want certain facts.

Mr. SPOONER. I am not belittling or insulting the President of the United States by doubting his patriotism or his integrity. He needs no defense as to either. That is not the question.

Mr. TILLMAN. Then the question is whether we on this side have endeavored to treat him with discourtesy.

Mr. SPOONER. I am not talking about you. I am talking about the general proposition.

Mr. TILLMAN. I am talking about the resolution which was presented from this side, on which we are asking the action of the Senate, which calls for certain information in regard to this treaty—that and nothing more. If I understand the Senator from Wisconsin, he contends that there is a discourtesy here. We disclaim it, we deny it.

Mr. SPOONER. I did not contend that. This is an abstraction. There is no truth about it.

My proposition is this: It is not made simply to this matter, for this resolution ought not to have been here, in my judgment, in the form in which it is made upon the public side—and it is intended to be addressed to this subject not only as to the resolution here, but to all similar resolutions coming from the Senate, that the proper form of resolution is that to which we have adhered so long. I have known anything about the Senate, to ask the President, if not in his judgment incompatible with the public interests, to send such papers to the Senate.

There never has been a President in the White House who has been more frank, Mr. President, more utterly free from concealment of public matters, than the present occupant of the Presidential mansion—not one—and I have no more doubt than I have of my existence that the President will send, however the resolution may be worded, every shred of paper which the resolution calls for. I know of nothing that need be concealed; I want nothing concealed, and it is safe to say that the President has nothing which he desires to have concealed. It is only what is the proper attitude as to such matters for the Senate to take, not simply as to this President, but as to all Presidents.

Now, Mr. President, I want to [illegible] a matter and I shall finish. I think there is a distinction between the State Department in respect of its relation to the Senate and the other Departments of the Government. That Department was not required to report to Congress. The Secretary of State has been called, I think, in one opinion of the Supreme Court, "the right hand of the President."

There are undoubtedly matters in that Department which the Senate has a right to call for; but when the Senator from Georgia claims, if he does claim it, that the Senate has a right to call for and to inspect all the documents at all times in the State Department, I think he makes a proposition which can not be sustained; I think he makes a proposition, Mr. President, which would nullify the clear purpose of the original act of Congress creating that Department and would defeat the proper execution of a power which, he [illegible] the President alone.

I suppose it can not be denied that under the Constitution the conduct of our foreign relations is solely in the Executive. The Supreme Court has repeatedly so decided. It is apparent from the records of debates in the Constitutional Convention, and I have never heard it disputed until recently. The President is given the power to negotiate treaties. Suppose you repeal the law creating the State Department. You do not minimize at all, as you, the power of the President to conduct our foreign relations—his power to negotiate treaties.

He can not *make* a treaty without the intervention of the Senate; but his negotiation of it, as to the manner of it, as to the form of it, as to the agency by which it shall be carried on, is absolutely, under the Constitution, his prerogative, with which neither the Senate nor the House of Representatives nor the Congress has anything whatever to do or in relation to which it has [illegible]

Mr. CULBERSON. Mr. President, will the Senator yield to me for a question?

The [illegible] OFFICER (Mr. GALLINGER in the chair). Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Yes.

Mr. CULBERSON. When the Senator states that the President negotiates treaties, if he means to confine it to the practice of the Government, well and good. If he means to say, however, that the Constitution invests the President with any such power, I [illegible] upon it, because the only phrase in the Constitution upon this subject is [illegible]

Mr. SPOONER. I know what the Constitution says.

Mr. CULBERSON. Still, I should like to get it in the RECORD.

Mr. SPOONER. Very well.

Mr. CULBERSON. "He [the President] shall have power, by and with the advice and consent of the Senate, to make treaties."

Mr. SPOONER. Yes; I know that.

Mr. CULBERSON. And of course the Senator, I do not believe, will insist that there is any special authority given in the Constitution clothing the President with power to negotiate treaties. It is the practice of the Government, and the correct practice.

Mr. SPOONER. Oh, Mr. President, it is not the practice of

the Government. The President does not exercise that power by the sufferance of Congress. He does not exercise that power by any prescriptive right; neither is it to be spelled out of the Constitution. It is there.

Who is to negotiate a treaty? Can the Senate negotiate a treaty under the Constitution? The Constitution says the President may, by and with the advice and consent of the Senate, make treaties, but a treaty has to be negotiated before it can be made by and with the advice and consent of the Senate. Who is to negotiate it? In the old country, from which we took our institutions in part, the King negotiates treaties.

Mr. CULBERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Yes.

Mr. CULBERSON. I want to ask the Senator how he accounts for the early practice and custom of the President to confer openly with the Senate as to the making of treaties?

Mr. SPOONER. What does the Senator mean by "confer openly?"

Mr. CULBERSON. I mean conferring personally with the Senate in the Senate Chamber about the terms of a treaty before it was ever entered into or ratified.

Mr. SPOONER. Well, Mr. President, it hardly grew into a practice, and it never was open.

Mr. LODGE. It never happened? [illegible]

Mr. SPOONER. Once, Mr. President, Washington, I think, consulted the Senate privately, not openly, as to some treaty which he proposed to make.

Mr. LODGE. A treaty with an Indian tribe.

Mr. SPOONER. I do not remember. Perhaps it was with an Indian tribe. He was not compelled to do that. I suppose President Roosevelt could come down here, consult with us, and take our advice in advance if he chose to do so, but it would be only advisory. He would be entitled to entirely disregard it and make a treaty on entirely different lines. Such action would not be a ratification of the treaty. The Senator from Texas [Mr. CULBERSON] shakes his head.

Mr. BACON rose.

Mr. SPOONER. I did not mean the Senator from Georgia.

Mr. BACON. But I shook my head. I refer to the Senator using the word "make" when he should have said "negotiate."

Mr. SPOONER. I said that would not make a treaty; that would not preclude the necessity that the Senate, after the treaty was negotiated, should help the President *make* it by ratifying it.

But there is only that one instance in the history of the country. Is it pretended here by any lawyer in this body that it is not the sole function of the President to negotiate treaties? The other Departments execute laws which we pass; they owe their creation to Congress, and their duties are defined by Congress. The President's power to negotiate treaties comes from the power to which we owe our existence—the Constitution. We can not confer added power in that respect upon him by law, nor can any law enacted by Congress impair in the slightest degree his constitutional power in respect of treaties.

Suppose you abolished the State Department and there was no longer a Secretary of State. The President could still as constitutional commander-in-chief, negotiate treaties, just as he could before the establishment of the Department of State, just as he could before the United States came into existence and negotiate a treaty with Spain. Could the Senate say that it was a violation of the Constitution of the United States upon which it was based? I mean would the Senate have a right to do so? It could, I suppose, if it chose.

Suppose it were a treaty of alliance, if you please, which involved the [illegible] of the Government to be carried out, and had to give it power to carry it into effect in the interests of this Republic. Will any man claim here that the Senate would have the right—they would have the right to reject it, but would they have a right so that the President would be compelled to carry it into effect, or invalidate the proceedings of the Senate? I do not need to answer my question.

All I wanted in the speech to which the Senator from Georgia has referred and all the Senator from Georgia [Mr. BACON] has said in his speech as applied to the Departments of this Government might be admitted to be a good argument, and still it be true, Mr. President, that so far as the conduct of foreign relations is concerned—the negotiation of treaties is concerned—we have [illegible] the President to be the sole agent of the United States. I would not be a Senator in an independent branch of the Government if I would admit the Senate has an unlimited right of demand of information of it; but that we have a right to demand of the President that all his instructions, that every step in the progress of the negotiations, shall be sent to the Senate without the right, because we have confirmed it to the Senate, to decline to send it to us, I am not prepared to admit.

Now, Mr. President, after all, we all want to do the right thing. Senators want these papers. I want to see the resolution put in the usual form. I expect the President to send in everything. The Senator from Texas said that in no paper yet had the President stated he had sent all of the papers.

Mr. CULBERSON. I think he has not.

Mr. SPOONER. I suppose in framing a resolution, wanted as such resolutions are, he has the President on record that he has sent all the papers, or he will say that he has withheld some because in his opinion the public interest requires it. I do not anticipate [illegible] I am not [illegible] particular transaction; I am speaking upon the general proposition.

I am sorry to have taken the time of the Senate. I speak earnestly about the matter. I want the dignity of the Senate maintained; I want the relations between the Senate and the President to be what the Constitution intended and what the public interest requires.

The only difference between us is not in the result—it is not only for this case, either—but it is as to what is the proper course, whether we shall pass this resolution in the form introduced here, so that if the President should withhold any paper in this case or any other for reasons which he thinks are good he shall be subject to animadversion and criticism to the statement that, "Ah, there is something here that is mysterious," or whether we should not, accomplishing the same result, put in this qualification, so that whatever his answer may be nobody can say that it is anything but courteous to the Senate.

That is all there is to it; and the other talk, the debate of my friend from Georgia and a part of mine, is an abstraction. If the President of the United States in a case where we have a right to obtain information should refuse to accord it, and the Senate should still demand it and he should still refuse, we had no power to enforce it, we could not enforce it. No President will ever do that, I think, and our intercourse with the President as to these matters ought to be such as to minimize all possibility of feeling or friction.

If I know my heart, and I think I do, what I feel and think upon this subject does not apply simply to a Republican President, but to any man who shall occupy that chair. While I have a place in the Senate I shall vote, where the document called for is in its nature confidential, to include in the resolution this qualification.

Mr. McLAURIN. Mr. President, it is getting late and I desire to discuss this resolution briefly. If it is the desire of the Senator who has charge of the matter——

Mr. CULLOM. Does the Senator from Mississippi desire to make a long speech?

Mr. McLAURIN. I should like to make a speech——

Mr. CULLOM. It is only half past 5.

Mr. McLAURIN. It will take some time, and I should prefer to go on to-morrow.

Mr. CULLOM. I had expected to get a vote on the resolution to-night, and I should like very much to do so.

Mr. SPOONER. The Senator from Mississippi can discuss this subject later.

Mr. ALDRICH. There are plenty of other resolutions.

Mr. CULLOM. The Senator can make his speech on almost any of the resolutions, if he wants to speak generally on the subject of the treaty.

Mr. SPOONER. Or on this subject.

Mr. CULLOM. Or on this subject.

Mr. McLAURIN. No, sir; I want to address myself to the pending resolution. I supposed [illegible] the discussion would not go on until to-morrow. However, if it is the desire of the Senator that I should go on with what I have to say, I can say it now.

Mr. CULLOM. I should like very much if the Senator could do so, unless he does [illegible] It is only half past 5. The time is passing. I think we ought to sit longer each day than we have been doing heretofore. We have been in session now nearly three months, and we are making little progress.

Mr. McLAURIN. I prefer to speak to-morrow on the resolution, but if the Senator or the Senate desires it I will go on now with what little I have to say.

Mr. CULLOM. I should like to dispose of this resolution this evening.

Mr. ALDRICH. I suggest to the Senator from Mississippi that there are a number of resolutions upon the President's table relating to canal and lateral matters. If it is the desire of the Senate to consider legislation, if there is any compromise to be sent, this resolution ought to be passed now, in order that, if there is any such compromise, it may be used in connection with the senate. I supposed it is the desire of the Senator from Texas that the information shall be secured for use in connection with the treaty. Therefore let us pass the resolution, and if the Senator from Mississippi wants to make a speech on the canal question or any collateral question——

Mr. SPOONER. Or upon this question.

Mr. ALDRICH. Or upon this question, he can just as well make it to-morrow.

Mr. McLAURIN. After this resolution shall have been adopted.

Mr. ALDRICH. After this resolution shall have been disposed of, as he can to-night.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from South Carolina?

Mr. McLAURIN. Certainly.

Mr. TILLMAN. I confess I am a little astonished that what is the common custom of the Senate it is proposed shall be denied to the Senator from Mississippi.

Mr. McLAURIN. I hope the Senator from South Carolina will not make any appeal on my behalf.

Mr. TILLMAN. I do not think the importance of this matter justifies the adoption of drastic measures and the driving of things. It is not courteous. I hope we will have an executive session now or an adjournment. I have never known anything to be gained here by undertaking to drive anybody.

Mr. ALDRICH. If the Senator from South Carolina regards my request as an effort to drive anybody, he is very much mistaken.

Mr. TILLMAN. I hope the Senate will do what we have always done, and allow the Senator from Mississippi to go on to-morrow, as he wants to do.

Mr. McLAURIN. I assure the Senate——

Mr. ALDRICH. I appeal to Senators to gratify the great desire on the part of the Senator from Texas and other Senators on the other side to secure information by letting this resolution pass at once, and then if later the Senator from Mississippi desires to speak upon this subject he can do so.

Mr. TILLMAN. But the Senator from Mississippi has expressly declared that he does not want to go on to-night and that he does not want to speak on a resolution that has passed the Senate and gone. I do not think, with all due deference to the Senator from Rhode Island, that it is courteous——

Mr. CULLOM. Allow me to make a suggestion.

Mr. CULBERSON. I rise for the purpose of calling the attention of the Senator from Rhode Island to the fact that the Senator from Mississippi expressly stated he desires to debate this particular resolution.

Mr. CULLOM. What I was going to suggest is that if no other Senator desires to speak on this resolution, let us agree that after the Senator from Mississippi makes his speech to-morrow we shall vote upon it.

Mr. ALLISON. That is a good suggestion.

Mr. CULLOM. I do not feel like pressing him into service this evening.

Mr. TILLMAN. Suppose somebody else wants to continue the discussion of it to-morrow. We do not propose to hammer this wind bag, so to speak, just for amusement. We want information. I do not think we ought to be forced to shut off any other Senator who may feel interested enough to take it up.

Mr. CULLOM. If this is nothing but a wind bag, we ought not to spend months on it. We have listened to debate on this question all day to-day and part of yesterday, and it seems to me that a little resolution like this, calling upon the President for information which all of you seem so much to desire, and I do myself, should be disposed of. I want to see the resolution answered. Let us not spend a month on this little resolution. If the Senator from Mississippi desires to speak to-morrow morning, let us allow him to do so, and then vote upon the resolution. I ask unanimous consent that that shall be done.

Mr. CULBERSON. I suggest to the Senator from Illinois that there are very few Senators present—at least a large number are absent—and there might be hesitancy in agreeing or refusing to agree to a request for unanimous consent under the circumstances. It is my judgment that in all probability no one will desire to speak on the resolution to-morrow except the Senator from Mississippi.

Mr. CULLOM. I do not want to cut him off. I ask unanimous consent that we may vote on the resolution to-morrow after the Senator from Mississippi shall have spoken.

Mr. TILLMAN. I would have to object to that request on the general proposition that it is not fair to Senators to undertake to get a unanimous-consent agreement on a matter of this kind. We all agree to the request for unanimous consent that we shall vote to-morrow. I do not want to speak and I do not know of anybody else who wants to speak, but I am opposed to this kind of proceeding. That is all.

Mr. McLAURIN. Just one word in explanation of my desire to wait until to-morrow morning.

The PRESIDING OFFICER. The Senator from Mississippi has the floor.

Mr. McLAURIN. The Senator from Illinois kindly asked me if I intended to make a speech, and I told him that I preferred to speak to-morrow, as the time was getting late. I understood, although I may have misunderstood him, that he would, upon my getting the floor, make a motion to go into executive session or adjourn, and give me an opportunity to take the floor to-morrow morning after the morning business was transacted and go on with what I have to say. For that reason I had dismissed from my mind the line of thought I intended to pursue, and preferred not to go on, though I can proceed now if it is the desire of the Senate that I shall do so.

Mr. ALLISON. Nobody wants the Senator to do that.

Mr. CULLOM. I am not asking that the Senator shall go on to-night.

Mr. COCKRELL. I suggest that the resolution be taken up at half after 12 o'clock to-morrow and proceeded with, and we will dispose of it to-morrow readily enough.

Mr. CULLOM. Suppose we say "dispose of it before 3 o'clock" or "at 3 o'clock."

Mr. BACON. I am sure there will be no trouble in disposing of it.

Mr. CULLOM. Let us say 5 o'clock. I want to get something done here and not be talking all the time.

Mr. COCKRELL. We will dispose of it to-morrow, and I think we will adjourn before 5 o'clock.

Mr. McLAURIN. I have no desire to speak longer than fifteen or twenty minutes.

Mr. CULLOM. I have no idea the Senator from Mississippi is going to make a long speech.

Mr. McLAURIN. No.

Mr. CULLOM. He is not in the habit of doing that.

Mr. COCKRELL. We will dispose of the resolution to-morrow.

Mr. CULLOM. I agree to that.

Mr. McLAURIN. Is it understood that I have the floor?

Mr. CULLOM. Yes.

The PRESIDING OFFICER. That is the understanding.

Mr. PLATT of Connecticut. I understand the unanimous-consent agreement is that we are to vote on the resolution to-morrow?

Mr. ALLISON. That is it.

Mr. CULLOM. Undoubtedly.

Mr. ALLISON. Let it be put by the Chair.

The PRESIDING OFFICER. The Chair will state that no such request has been put by the Chair.

Mr. TILLMAN. Then I now ask unanimous consent that we may vote on the resolution to-morrow.

The PRESIDING OFFICER. The Senator from South Carolina asks unanimous consent that a vote shall be taken on the pending resolution to-morrow. Is there objection? The Chair hears none, and it is so ordered.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Friday, January 29, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *January 28, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CONVICT-LABOR CONTRACTS FOR THE ARMY.

Mr. VAN DUZER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. VAN DUZER. I rise for the purpose of offering a resolution for present consideration.

The SPEAKER. Is the resolution a privileged one? The Clerk will read.

The Clerk read as follows:

[illegible] to be used by the army [illegible]

The SPEAKER. The resolution is not a privileged resolution.

Mr. PAYNE. Mr. Speaker, there is so much confusion that we can not hear what he says.

The SPEAKER. What does the gentleman desire—to have the resolution considered now or referred?

Mr. VAN DUZER. I desire to have it considered now.

Mr. PAYNE. I make the point of order that the resolution should go to committee. I object to its present consideration.

The SPEAKER. Objection is made to its present consideration.

Mr. VAN DUZER. Mr Speaker, I have another resolution——

The SPEAKER. The gentleman can withdraw the resolution if he desires and introduce it under the rule by which it would go through the box and receive proper assignment.

Mr. VAN DUZER. I desire also, Mr. Speaker, to introduce another resolution on the same line.

The SPEAKER. Well, the gentleman can not take the time of the House unless he has a question of privilege.

Mr. VAN DUZER. Well, Mr. Speaker, certainly if there is objection the matter will go over. I simply desired to have the resolution introduced, and if there is objection made of course it will go over.

The SPEAKER. The rules provide how memorials and resolutions shall be introduced, and there is no trouble about the proper reference of them under the rules.

CONTESTED-ELECTION CASE—CONNELL V. HOWELL.

Mr. DRISCOLL. Mr. Speaker, by direction of the Committee on Elections No. 3, I wish to announce that the contested-election case of Connell v. Howell will be called up for consideration one week from next Tuesday, February 9.

Mr. McLAIN. I would like to ask the gentleman in reference to the time to be allowed for debate. Do we agree on that now or do we agree upon it when the case is called up?

Mr. DRISCOLL. I presume we will agree as to time when the case is called up.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent that the time for general debate on the urgent deficiency bill be extended until 5 o'clock to-day, provided that if there is no one desiring to speak we can commence the reading of the bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent that general debate may be closed upon the deficiency appropriation bill at 5 o'clock to-day, provided that if no one desires to discuss it then the reading of the bill under the five-minute rule shall begin.

ORDER OF BUSINESS.

Mr. MAHON. Mr. Speaker, to-morrow is the day for the Committee on War Claims. I do not want to get in the way of this bill, and I ask unanimous consent that the Committee on War Claims may have next Tuesday in place of to-morrow, so that this bill can be finished.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that Tuesday next, in lieu of Friday, be devoted to private business under the rules. Is there objection?

Mr. HEMENWAY. Mr. Speaker, I wish the gentleman would add to his request, "provided it does not interfere with privileged matters."

The SPEAKER. As the Chair understands it, if consent is given it places Tuesday next precisely in the same position as Friday next—that is, in lieu of Friday, with no more rights than the private bills would have on Friday.

Mr. HEMENWAY. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania? [After a pause.] The Chair hears none. Is there objection to the request of the gentleman from Indiana?

There was no objection.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The motion was agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TAWNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of House bill 10954, the urgent deficiency bill, and the gentleman from Georgia is recognized.

Mr. LIVINGSTON. Mr. Chairman, I now yield twenty minutes to the gentleman from New Jersey [Mr. BENNY].

Mr. BENNY. Mr. Chairman, a few days ago I had occasion to say on the floor of this House that if the old Pharisee who used to stand on the street corner in Jerusalem and thank his Maker that he was not like other men should suddenly come into this Chamber and listen to three ordinary Republican speeches, he would hide his face in shame, and admit that in comparison with the latter-day Republican saints here he, in the old days in Jerusalem, knew absolutely nothing about his business. [Laughter.] I want to say that I understand the old fellow in Jerusalem was a drinking man, and if that be the fact I am very glad that he did not come in here yesterday, or the afternoon of the day before, because if he had I am afraid that he would have gone out of this Chamber and straightway drank himself to death. [Laughter.]

I listened yesterday afternoon to two speeches, and to one on the afternoon of the day before, and it seems to me that the three of them, taken together, show this: Egotism grown so that it is now at least hysteria, and very nearly insanity; claims of power in and credit to the Republican party approaching blasphemy; and braggadocio altogether foolish. I wondered after the last of the three speeches was made last night if there was anything good in the United States of America that the Republican party did not claim credit for, or anything bad that they did not blame the Democratic party for or lay to Almighty God.

I listened with a good deal of interest to the gentleman from Illinois [Mr. BOUTELL] on day before yesterday, and when reading from his speech I noticed this: He says that the Democrats, in the election of 1896 and 1900, groveled before a silver image and wore out the knees of their intellectual trousers.

Mr. Chairman, if there can not be better order in the House than there is, may I have unanimous consent to sing the rest of mine instead of speaking it? [Laughter.]

Mr. PALMER. All right, sing it.

Mr. BENNY. I'm such a powerfully poor singer that I have not the heart to inflict myself in that way upon even my friend the enemy.

The CHAIRMAN. The gentleman's point is well taken. The committee will be in order, and gentlemen in the aisles will take their seats.

Mr. BENNY. That was an interesting speech the gentleman made; so pathetic it brought tears to our eyes, and so humorous that it filled the House with laughter, not only on your side, but on ours, and so harsh on the last Democratic candidate that it raised the resentment of every Democrat in the Chamber. I am sorry he spoiled a speech otherwise good by abusing the man who was our standard bearer in the last two campaigns. But I do not think that Mr. Bryan need feel in any way hurt; he is in good company. It so happens that every man who amounted to anything in the United States was abused, and two men who were abused more than any others in the country were the two who stand first and second in United States history—George Washington, number one, and Abraham Lincoln, number two.

In the company of those men, in the abuse that he is receiving from the other side, Mr. Bryan may feel quite comfortable, and I would like to call the attention of the gentlemen on the other side who like to throw things at Mr. Bryan to this fact: A year ago I attended an annual banquet of the board of trade in the city of Newark, in my State, and at that banquet Senator DOLLIVER made a great speech. While the Senator was talking at the banquet he mentioned the name of Mr. Bryan. That brought from the rear of the hall a hiss. Senator DOLLIVER stopped short, and his face grew white and then red. He pictured then and there Mr. Bryan as one of the foremost men of the United States, and he wound up his remarks by saying that there lived in the United States to-day no man who had right or license to hiss at the name of William Jennings Bryan.

I commend the speech of Senator DOLLIVER to the careful attention of those gentlemen on the other side who are perhaps not so great in the country as is the Senator, with the hope that they will profit by it. There seems to be a great deal of joy expressed in these speeches because of the alleged fact that the Democratic party is in bad shape. Let me suggest to my friends over there that it is the Republican party that is to-day sick. It is the Republican party that needs a doctor, and you have not been able as yet to get Doctor HANNA to say a word that is going to help you. Let me also suggest that when the election is over next fall perhaps the gentlemen who have been so loud in their announcements that the Republican party is going to win may be disappointed; and if it turns out, as we hope it will, that the next election will be a Republican burial, I hope you will have engraved on the side of the tombstone this inscription:

"Here lies the Republican party, once the party of Abraham Lincoln, but long since strayed away from his teachings, the party that helped to abolish black slavery, but a few years later became itself the slave of the great American trusts.

"Let it Rest in Peace.

"Immediate cause of death, these policies:

"1901, Let Well Enough Alone.

"1902, Keep on Letting Well Enough Alone.

"1903, Stand Pat.

"1904, We Hold the Ace.

"P. S.—If that reporter had not written 'ace' when I said 'edge,' we would have been all right.—HANNA.

"P. P. S.—HANNA does not know the game. If he had said 'age,' and not 'ace' or 'edge,' we would have been hunky-dory.—GROSVENOR." [Laughter.]

But I want to say, Mr. Chairman, that in the campaigns of 1896 and 1900 I supported Mr. Bryan. I do not know what kind of an instrument the gentleman from Illinois [Mr. BOUTELL] would say I played on, perhaps a 2-cent tooter; I can not tell. But no man who supported that candidate in those two campaigns need

feel any shame about it or feel uncomfortable about it. He was perfectly right in supporting him. I want to ask why it is [illegible] on the other side take so much time and get so much heat out of attacking the man. The gentleman from Nebraska [Mr. BRYAN] yesterday said that the Democratic party to-day did not know where it stood on silver. Isn't it a fact that when the Republican convention of 1896 assembled [illegible] there and the majority of those delegates were for [illegible] from the same declaration in the platform of that convention [illegible] silver that the Democratic platform contained?

Was it not only because of the [illegible] of the Senator from New York [Mr. HILL] [illegible] of the land would be [illegible] that the Democratic party [illegible] that the Republican party [illegible] that from that time forward [illegible] Mr. Bryan had [illegible] and [illegible] you can go over his speeches and [illegible] and perhaps [illegible]

Why, you bet, and how he knew about the great courage of the man who is now President of the United States. The man who is a [illegible] who thinks a letter or a [illegible] in the book does not necessarily have to be a coward. And I want to ask you if the man who is now President of the United States does not say to do what he thinks is right as Mr. Bryan has always dared to do what he believes to be right?

Mr. Bryan believed, with the leaders of your party, with McKinley, with Hanna, with Sherman, and every man who has amounted to anything in your party in the last twenty-five years, that the free and unlimited coinage of silver was right. I always had my doubts about it. I believed then and now what Thomas Jefferson did when he wrote in the Forum for January, 1897, these words:

"[illegible] on developing along the same lines no matter what the currency has been.

He believes to-day that he is right. Hasn't he a right to believe that? [illegible] have paid for your [illegible] At one time you said [illegible] silver was right. Now you believe that you were wrong in that and that gold is right? [illegible] Mr. BRYAN [illegible] when the Democratic convention of 1896 [illegible] was proposed in the way [illegible] Mr. Bryan [illegible] "I [illegible] from a gold peak and [illegible] of the silver, the election is at your mercy—the Presidency is yours." What was the answer? Was it not the same that Clay gave years ago: "I would rather be right than be President"? [illegible] he believed to be [illegible]

What does Mr. Roosevelt do? Does he dare to come forward and do what he believes to be right? I give Mr. Roosevelt the credit of believing in his heart and his conscience [illegible] prosperity of this country, and that [illegible] in any way. I believe that if he should [illegible] I believe that were it not for the [illegible] fear that he would not be nominated and elected, he would do that. He has not [illegible] a second term. That is a thing to cut no [illegible]. He wants to be elected President of the United States. He wants to succeed [illegible] not by accident or by the act of God, but by the [illegible] people, and he knows if he is to succeed he must [illegible] the interests of Wall street and the trusts, interests of this country, and [illegible] he does not dare to do right.

[illegible] President's message [illegible] of the President [illegible] in preparing the message. The Attorney-General had [illegible] at his command. It could hire all the extra help it wanted; there was no limit [illegible] there was no [illegible] to do work which [illegible] What have they done? They tell us now that they have [illegible] to see what it has done. For what purpose, what effect it has had, no one can find out, with the aid even of a microscope.

Now, do you think—does the gentleman from Illinois, or the gentleman from Nebraska, or the gentleman from Indiana who spoke yesterday, does any one of these gentlemen, or all of them, think that Mr. Roosevelt intends this year to prosecute the trusts or begin to do so? That half million of dollars might be compared to a quart of good cream that the doctor had ordered to be given by the nurse to the patient. And this is how Mr. Roosevelt, acting for the nation, now ill by reason of the exactions of the trusts, is going to use his cream. He is going to dump into it two or three gallons of water to help out the quantity of the cream.

Listen to his statement of affairs. Here is his message of this year. And on page 8, after [illegible] the fact that all the last national [illegible] he had asked for [illegible] which was given to him by Congress, he goes on to say:

[illegible]

Now, do you mean to say that President Roosevelt is going to use a half million of dollars to prosecute the trusts? He has [illegible] the trusts. The [illegible] indicated—viz. the [illegible] laws of the country.

Mr. THAYER. Will the gentleman yield to me for a moment?

Mr. BENNY. Certainly.

Mr. THAYER. Can the gentleman tell me how it happens that the Administration, after securing the assistance of additional prosecuting attorneys, indicted Briggs, a Democrat, in New York, under a statute on which they could convict him and prosecuted Parsons on a technicality on which they knew they could not convict? Can the gentleman explain how that happened?

Mr. BENNY. Certainly. They wanted to catch the Democrat and they wanted to miss the Republican. [Laughter and applause on the Democratic side.] That is an old expedient; [illegible] always will. [illegible] Democrat [illegible] city of Washington [illegible] by various officers of the Department of Justice [illegible] President [illegible] country by the [illegible] I am [illegible] what [illegible] they are [illegible] here from using [illegible] the [illegible] of the United States [illegible] go on [illegible] of the railroads [illegible]

Now, Mr. Chairman, I [illegible] very Mr. Bryan [illegible] the silver magic, etc. Let me tell you why Mr. Bryan was beaten in 1896 and 1900. He was beaten by the worst use of money that was ever resorted to in any campaign. [illegible] "If Mr. Bryan [illegible] they [illegible] down those [illegible] The object was to coerce [illegible] way. And do we not know that all over the United States [illegible] And the Law [illegible] the other side.

And then they tell you that another reason why the Democratic [illegible] of the Republican [illegible] a few, has been absolutely carried out, and to-day, according to all the statistics, all of the wealth of the country is in the hands of a few men, and when the board of directors of the United States Steel Corporation met down in Washington [illegible] the wealth of the United States. That prophecy was not wrong. Any prophecy he made was not any further wrong than the prophecy that THOMAS C. PLATT, of New York, made to the Republican convention in 1900, when he said "Bryan and Schurz and Henry and Hoar and Roosevelt, there "for God's sake" to take Theodore Roosevelt out of New York politics by making him Vice-President of the United States. Did they take him out of New York politics? That prophecy went wrong, too.

And then they tell us on the other side, Mr. Chairman, that wages have increased 12 per cent during the Republican Administration and that the cost of living has actually gone down. Now, I do not think that there ever was a more erroneous statement made on this floor than that same one. The gentleman from Illinois [Mr. BOUTELL] was very careful when speaking [illegible] to give us any figures on the cost of living. Let me give you some figures from Dun's Review, which I suppose every man here will take to have some weight at least.

The figures, based upon quotations of 350 articles, with due allowance for the relative importance of each, are as follows:

	Jan. 1, 1890.	[illegible]	[illegible]	May 1, 1902.	[illegible]	[illegible]	Jan. 1, [illegible]
[illegible]	$13 765	$10 587	$13 954	$10 954	$17 452	$16 [illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total	99,191	72,455	95,295	[illegible]	99,456	97,37[illegible]	[illegible]

These figures indicate that the cost of living was 6 per cent higher in 1900 than in 1890, and 31 per cent greater in 1900 than in 1897; 41 per cent more in 1902 than in 1897, and 34.4 per cent more on October 1, 1902, than on July 1, 1897, and about 39 per cent greater on the first day of this year than on the 1st day of July, 1897; 39 per cent increase in the cost of living and 12 per cent increase, taking the figures of gentlemen on the other side, in wages; and yet they say every laboring man in the country and every citizen of the land ought to be thankful that the Republican party [illegible]

There was one thing Mr. Chairman, that I did like in the speech of the gentleman from Illinois [Mr. BOUTELL], and that was his statement that he did give some credit to Almighty God for the prosperity which he claims exists in the country. He was the first Republican that I ever heard on this floor [illegible] that but every [illegible] tell this House what percentage [illegible] of the prosperity of this country was due to the Republican party and what percentage was due to the goodness of the Almighty. I assume that the percentage he was going to credit to the Almighty was so small that he was ashamed to state it.

And then the gentleman from Illinois looked around the room and demanded of some Democrat to contradict his statement that the country was prosperous. Well, I wonder, Mr. Chairman, what condition any man here would expect the United States to be in. Would not our country under natural conditions be expected to be prosperous? Does the gentleman marvel that the United States is prosperous? Why, they remind me a good deal of the log of a ship that came into New York some time ago. The captain one day during the voyage was on watch, and he wrote in the log, "Mate drunk to-day." The mate did not like it very well, and the next day when he was on watch he wrote in the log, "Captain sober to-day." So the Republican party comes here and declares that the United States is prosperous, as though it was an unusual thing.

Why, if you on the other side would let us alone—would not by your laws on the one hand help a certain few people at the expense of many others, and by your failure on the other hand to enforce the laws of the land designed to give all men an even chance—and would not divert the prosperity [illegible] and the money from the prosperity into a few pockets, the country would always be prosperous. [Applause on the Democratic side.] It is only because of that kind of work on your side that the country is ever in any other condition; and yet to-day you [illegible] are prosperous, as though it was [illegible] else in our country. I expect it always to be so [illegible], and it always will be if you will only give it a fair [illegible] and let the country and the people in it develop the resources of this, the greatest land in the world, and go along on [illegible] your miserable [illegible]

[illegible] President Roosevelt is so sure of reelection that there is no use bothering at all; that there is no sense in the Democrats putting up a candidate.

Well, let me suggest to you gentlemen on the other side if you think that is so, why are you making all this fuss? What difference does it make to you when we nominate or what the platform is? And if you are going to beat us anyway, why not keep quiet? You remind me of the boy going through the graveyard, who whistled at the top of his lungs all the time, not because he wanted to whistle, but just for the purpose of keeping his courage up. That is why you are so loud on the other side now. [Laughter.]

Mr. JAMES. Is it not true that these laboring men at this time are only able to keep up their wages by reason of their organizations, and not by reason of anything which has been done for their benefit by the Republican party?

Mr. BENNY. I will answer that question for the gentleman. In answer, Mr. Chairman, to the gentleman's question, I desire to say this: I firmly believe that, except in a very few instances, not enough to be the exceptions that serve the rule, no laboring man ever had his wages increased except as the result of united action of his fellows and himself in a union for their mutual advantage. The organization of labor into unions has increased the wages of all these men.

Mr. JAMES. Is it not further true that if it were not for those organizations that the monopolies and trusts that have been created and fostered by the Republican party would have crushed the wages of the laboring men far below what they are now?

Mr. BENNY. It would have been so exactly; and I will give you for that the statement of Vice-President Warren of the Central Railroad Company of New Jersey. He was vice-president a few years ago. I was in the New Jersey legislature at the time when the railroad men of the State of New Jersey had a bill in that body similar to a bill which I am told was before Congress, and which was [illegible] for the purpose of compelling the railroad companies of the State to properly safeguard the passengers and employees on their railroads. The delegation from the union went over to see Vice-President Warren and ascertain what he was going to do about it, and this was his answer: "Boys, fellows are getting too fresh. You always want something; if it isn't a raise in pay, then it is some improvement on the road. Now, let me tell you something. Inside of four years there will only be half a dozen railroad companies in this country, and inside of ten years from that time there will only be one. Then we will have you fellows by the short hair, where we ought to have had you long ago." That meant simply this: When and railroads are combined and owned by one company, that company with its combined power would crush out the unions and have them at its mercy; but the time will never come when a company embracing all the railroads of the country can get the better of a union comprising all the men in its employ. The trusts would do away with labor unions, and when you do away with the labor unions you will have no [illegible] labor, but a lot of white slaves to take the place of the black slaves.

Mr. BAKER. Does the gentleman forget that the policy of protection, as announced by its advocates, is for the purpose, the primary purpose of enabling the manufacturers of this country, protected by the tariff, to pay high wages?

Mr. BENNY. I know that is the "announced" object of the tariff, but they do not do it, and let me show you how that works on the poor innocents. Here is a knife that I bought in New York at Christmas time for $3.25. I can buy the same identical kind of a knife, imported from Germany, down in the town below here for the [illegible] $1.86. I wanted to find out how it was that I could buy it there for $1.86 when I had to pay $3.25 for it in New York, and the answer was, "Uncle Sam does not have to pay any tariff."

Of course the object, as given to us by gentlemen on the other side, is to raise the wages of the employee. But it does not do [illegible]. The employee gets his wages raised when he unites in [illegible] and when the [illegible] of thousands are [illegible] and [illegible] as soon as he gives [illegible] the [illegible] get low. [Loud applause on the Democratic side.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENNY. I would like to get about two minutes more.

The CHAIRMAN. It is not in the power of the Chair to give the gentleman more time.

Mr. BENNY. Is the gentleman in charge of the bill on the Democratic side on the floor?

Mr. LIVINGSTON. I yield ten minutes more to the gentleman.

Mr. BENNY. The gentleman from Nebraska made a statement yesterday that every four years the Democrats have a new paramount issue, and that they do not dare to have the same issue that they stood on in any previous campaign. Let me ask the gentleman from Nebraska if there is not a different issue every day in this Congress? Is there not a different issue in every year? The issue in the war of 1776 was different from the issue in that of 1812, and in that war of 1812 another issue was decided, and again an entirely different one in the civil war, and a new one again in the war with Spain. There is nothing at all about that difference, because different issues come up. Different questions come up today from the issues that came up four years, eight years, or twelve years ago.

There will always be different issues, and let me suggest that you on your side can not say what the issues are to be, nor can we on this side reply that we will give you some other issue. The issues of any campaign are the questions which are most profoundly affecting the people at the time of the campaign, and this time you are going to have, perhaps, a different issue than you

ever had before, because the situation is more acute. You point out to us here, day after day, the tremendous business done in the United States, both in imports and exports.

You are as proud of the fact as we are that the United States now has raised itself to the position of number one among the nations in the amount of its exports. We are delighted with that situation. But let me ask you this, who is getting the benefit of it? Do the laboring men who produce these things get it? Do the ordinary citizens receive it, or does it nearly all go into the pockets of a few men who have control, not only of the railroad lines of the country, but every great industry in the land? And there is another question in that connection that is going to come up in the next campaign. You can not keep it down. Neither could we if we wanted to do so.

This is the question: Are the railroad companies of the United States going to be permitted to go on as they have been doing for years past in their iniquitous freight discrimination, driving out of business one lot of men to make millionaires out of some others, favoring the Standard Oil Company and concerns of that kind, discriminating in favor of one set of men at the expense of other men who want to do business in opposition? You can no more dodge that issue in the next campaign than you can conduct your business in a flying machine. We are going to present that to the people of the land. Do you think you can escape discussing that as an issue by shouting "Hurrah for prosperity?"

And, in connection with that, the people of the country are asking to-day why the railroad companies in their freight discriminations are not hauled up by the President or by the legal department of the Government. Why is it not done? The answer which most of our people get is this: That the railroad companies "grease the ways" as they go. You get hurt anywhere by a railroad car or a trolley car, and you proceed to compel the company operating it to give damages for your injuries. The first thing you are apt to find is a judge on the bench with a pass from that company or some other company in his pocket. The man who serves the papers in the case often has a pass also, and some of the jurymen, perhaps, have passes in their pockets. Then how are you going to get equal and exact justice there?

The subsidizing of men in official station by railroad, telephone, telegraph, and other companies is now almost a national scandal, and you on the other side can not escape consideration of that when it is before the people by shouting "Down with free silver!"

Now, the point is made on the other side that in 1896 there were 3[illegible] men out of work. Do you not know that the man who makes up the statistics for this Administration and who favors it in every way he can, Mr. Carroll D. Wright, has said that there are a million men out of work now, and the number is increasing daily. The country right now is one-third as badly off, as far as the laboring men are concerned, as in the very worst time under President Cleveland.

Mr. LACEY. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from New Jersey yield?

Mr. BENNY. Certainly; I am always glad to do so.

Mr. LACEY. Did I understand the gentleman to claim that material in the way of stationery for the House is bought abroad and imported free of duty and sold to the Members free of duty?

Mr. BENNY. That is what I am told.

Mr. LACEY. The gentleman is certainly misinformed about that. No such arrangement has ever been made, and it is a proposition impossible on its face. The fact is we buy at wholesale and give the Members the benefit of the wholesale prices, but the goods are bought here, not abroad, and duties are paid on them if they are of foreign manufacture.

Mr. BENNY. I will say in answer that the knife I have here is a foreign-made knife. I priced it downstairs in the stationery room and was told that they could sell the same knife for $1.86, for the reason, as they said, that Uncle Sam did not pay duty. I want to say further that I do not think the United States Government, or whoever buys the material for the stationery room, buys one one-hundredth part as many knives as does the firm of Joseph Cutley in New York, where I bought this knife, one of the greatest cutlery concerns in the United States, if not the largest one.

Mr. BAKER. Does not the gentleman know that the foreigner pays the tax?

Mr. BENNY. Oh, no; I do not know that. Now, I would like to ask the gentleman from Iowa if he thinks there could be a difference of $1.39 between the price of a knife in New York and the knife here if the tariff did not enter into it?

Mr. LACEY. Evidently the gentleman must have helped to pay the rent of the store in New York when he bought his knife. The expenses of operation there are a good deal more, and perhaps the retail rates are higher.

Mr. BENNY. Well, if the gentleman thinks that is a sufficient answer I am satisfied.

Mr. LACEY. I want to say this: Of course if you buy at retail you pay more than you would at wholesale, and if you buy in New York you perhaps pay more at retail than in other places. New York is not the cheapest place in the United States to buy goods at retail.

Mr. BENNY. One other question.

Mr. GROSVENOR. Let me say to the gentleman that in regard to the purchase of articles in the stationery room I have taken the pains to inquire, and they say that they not only never imported an article free, but that they never said that they did. On the contrary, the knives which the gentleman refers to and which they sell to Members I am told are all bought of an American trader who imports them. Now, I want to say to the gentleman from New Jersey that we are to-day selling a great many more knives and cutlery abroad than we are importing from abroad.

Mr. BENNY. That may be. Let me say to the gentleman from Ohio that I never said that the knife was bought abroad. It was made abroad and imported from abroad. The knife that I hold in my hand was bought in New York, but it was made abroad, and the same knife you can buy downstairs for $1.86 is made in the same place on the other side of the ocean.

Mr. GROSVENOR. But the gentleman gave as a reason that the price of the knife was so low in the stationery room was that Uncle Sam did not have to pay any duty.

Mr. BENNY. All I said was that I was told so. I do not know what Uncle Sam does; what I know is what the man told me. I was told that I could buy it cheaper downstairs, and when I asked how much I could buy a duplicate for he said $1.86. I said, "Why?" and he said, "Because Uncle Sam does not have to pay any duty."

Mr. GROSVENOR. Who said that?

Mr. BENNY. I do not know his name; I do not know the name of any man down there.

Mr. GROSVENOR. Is not this what the gentleman said, that "Uncle Sam charges no profit?"

Mr. BENNY. No; there was nothing said about Uncle Sam's profit. That is a good suggestion; the gentleman is an ingenious lawyer, and that is well put in.

Mr. GROSVENOR. I am ingenious enough to say that when a young man makes a statement that I know is not true I would like to relieve him from the responsibility of it.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. BENNY. Will the gentleman yield me two more minutes?

Mr. LIVINGSTON. I will provided the gentleman will not give it away to the other side. [Laughter.]

Mr. BENNY. Well, I think they need it. [Laughter.] Do not go away, General.

Mr. GROSVENOR. Oh, no; the gentleman need not worry; I am not going away. [Laughter.]

The CHAIRMAN. The gentleman from New Jersey is out of order in addressing a Member in that way.

Mr. BENNY. I am sorry, Mr. Chairman, if I was out of order; but I saw that the gentleman from Ohio was going away, and I did not know any other way to stop him. If I was out of order in calling him "General," I will withdraw it. Now, what I want to know is if the gentleman from Ohio means that I said anything that I knew was not true?

Mr. GROSVENOR. Certainly not; I think the gentleman was misled.

Mr. BENNY. Does the gentleman not believe the statement was made to me downstairs?

Mr. GROSVENOR. Why, the word of the gentleman is unquestionably to be taken.

Mr. BENNY. Thank you. The gentleman is delightful. Now, Mr. Chairman, as I can not close in two minutes, I will ask that I may have permission to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BENNY. The gentlemen on the other side aver that there were more pianos, more carpets, more pictures in more homes in the United States last year than ever before—because of the Dingley tariff. I answer there were more babies born in this country last year and more deaths, too, than ever before. Is the Republican party responsible for the deaths and entitled to the credit of the babies?

Said the gentleman from Indiana: Just look at the increase in the production of nails in this country during the seven years of prosperity we have contributed. Year after year the quantity has increased tremendously and the price has fallen. When we stop to consider that an American workman turns out twenty-eight times as many nails per day as does the workman on the other side of the ocean, it is not to be wondered at that the number of kegs produced yearly has increased. This, of course, is due largely to improved machinery and better methods here. But who saw

the American nail makers' wages go up to keep pace with the increased production?

But we are told that the bravery of Mr. Roosevelt is so great that all men should vote for him; that he "reached in" and settled the coal strike that threatened disaster to the land. When Mr. Baer, of "divine right" notoriety, visited the President at the White House and roundly insulted him and told him to mind his own business and keep his hands out of the railroad and coal [illegible] him? Jackson's reply was, "By the Eternal, if you do, I'll hang you to yonder tree!" Why did not our President immediately cause proceedings, civil and criminal, to be taken against Mr. Baer for violation of the laws of the nation?

Mr. Chairman, your party can yell "Down with free silver!" and "Amen with Bryan!" till it gets blue in the face without in the least altering the situation next November. You can not cry "Stop thief!" and have the people in the role of the policeman run away on a false trail. You can dodge and squirm all you please, but you must return again and again to these questions which the people insist shall be discussed and disposed of in this year of [illegible]

1. What of your stewardship? How have you exercised the responsibilities of power placed with you seven years ago?

2. Wherein is your candidate better or worse than he on the Democratic ticket?

3. Wh[illegible] trusts? Are they to go on eating up the people and the fat of the land?

4. What of railroad freight discriminations and their effect upon our business men?

5. How about a p[illegible] of laws so that our p[illegible] home as cheap as the foreigner may purchase them abroad and may obtain the n[illegible]?

6. Why have the wages of our workingmen been increased (your own Republican figures) only 12 per [illegible] perity y[illegible] the cost of the [illegible] increased [illegible] per cent?

And to the [illegible] other questions you must give answer, and that direct.

Mr. BEDE. Mr. Chairman, I had not intended to make any remarks at this time or to occupy the attention of Congress at this session. I am altogether [illegible] this country needs my counsel, but some of my [illegible] the world has been waiting too long to hear from me and that I should speak at this time. [Laughter.]

First, in reply—and all the reply I shall make—to the gentleman from New Jersey [Mr. BENNY] is to pledge him that if he will get the Democrats to stop abusing Grover Cleveland I will induce the Republicans to stop abusing Bryan. They are both working for the interest of the Republican party and we can afford to make that promise.

I wish now formally to invite the Democratic party through its leaders in Congress to disband. I have been studying the interests of that grand organization for a long time. I find that as the factions of that party are lined up now neither can have a two-thirds vote in the next convention, and that therefore they can not nominate a candidate, and that the only safety for them is to disband and to come into the Republican ranks—to come in with the party that is doing things. Then at the end of four years they can go back without any rules, for if there is anything that ought to be unruled it is the Democratic party.

Thus they will get rid of their two-thirds rule by dissolution and can nominate a Presidential candidate in 1908, but to-day they are so torn with factions that they could not nominate a candidate if they went into a convention. Therefore, in their own interests, I ask them to come into our party, for they believe in everything that we believe in. I see Democrats looking in my face now who believe in the gold standard, who believe in expansion, who believe in the Panama Canal, who believe in everything that the Republican party is doing. Yet because of their environment or association or inheritance they are still voting the Democratic ticket, and they know not why.

Therefore, I repeat, I invite them to come into the Republican party and share in the blessings that we are scattering broadcast over the whole land. I think [illegible] Democrats in Minnesota believe in Theodore Roosevelt. I believe that the next election in Minnesota will give him at least [illegible] majority, and many of the votes cast for him will be Democratic votes.

I believe that if the Democrats should nominate Mr. Cleveland, or Mr. GORMAN, or some man representing that [illegible] Mr. Bryan himself would cast his vote for Theodore Roosevelt. Why not, then, come in and make it an era of good feeling? These eras of good feeling, like panics, come and go at certain periods, and as we have not had one for about eighty years, I think it is the Democratic party's turn to come in with us this time and make another such [illegible] true. Then, after another [illegible] years, they can [illegible] themselves, if they see fit, and [illegible]

I realize that we need two political parties in a [illegible] and for that reason I am not here to say one we[illegible] of a man because he is a Democrat. If we were [illegible] or all Democrats [illegible] we would soon separate [illegible] would be radical and the other conservative. And [illegible] same thing to me if you call one man a "Republican" and the other a "Democrat," as it would if you called one man a "conservative" and the other a "radical," though they belong to the same party.

Therefore, there is no quarrel [illegible] I have been teaching the doctrine of good will [illegible] I have come here now to teach it to you gentlemen [illegible] I wish to say that the only opposition I have heard to [illegible] is that which comes from a little bunch of [illegible] down in Wall street. [Laughter.] [illegible] who deal in fiat. We [illegible] we wiped it out. We went out when we saw a [illegible] and threw salt on his whiskers and caught him and brought him into the Republican ranks. [Laughter.]

We [illegible] in the West [illegible] determined [illegible] of P[illegible] We [illegible] can not dictate the n[illegible] of either party. We have put 100 cents in every dollar of our money, and it is now [illegible] them to put 100 cents of assets behind every dollar of the s[illegible] they [illegible] properly [illegible] who [illegible] paper venturers on unmeandered and boundless waters to nameless ports, and they may as well know now as at any other time that they can not defeat the renomination of Theodore Roosevelt next June.

They are making [illegible] throughout the West and make the people there believe that there is such [illegible] that he will be defeated if renominated. They are trying to get an echo from the West, but the echo refuses to come back, and so the West will do its duty and the East will do its duty, and he will be triumphantly reelected. Therefore, I invite the Democrats, who are hopeless in this campaign, to come in and [illegible] make this campaign [illegible] a happy land.

Mr. Bryan asks, "Why do you want to reorganize? What are you going to do when you get reorganized?" It is quite clear that neither one faction nor the other is going to win, and thus you will be torn with dissensions until you resolve to dissolve. It is a great deal better just to disband at once and come in and be a part of us. You will be far better off when you get through with the campaign if you will come in and vote the Republican ticket this year. You will get rid of all the isms that have been distracting your party so long. You have Johnsonism down in Ohio, though they got pretty well rid of that this year, and the only way to get rid of it is to do as the Ohio folks did last November and do it plenty.

As you have done with Johnsonism in Ohio so you should do with Bryanism and all these other "isms" throughout the whole country, and when you have wined them all out you can start in on the old basis, for we need the Democratic party in our business. No man ever made a harness without a hame strap and a hold-back strap. You need a breeching on your harness, especially when you are going down hill, and, as some cruel wit has said, the country is nearly always going down hill when you Democrats are in power. But we want you to reorganize on old lines and get together again, for nothing tends more to the safety of the country than to have two strong parties contending for supremacy.

And let me ask, Who is the leader of the Democracy to-day? No one on the other side of the House can tell. There is no recognized leader of that party. The distinguished gentleman from Mississippi [Mr. WILLIAMS] I admit, leads, and ably leads, his party in Congress. But his modesty as well as his geography prevents him from grasping the reins of the mighty and becoming a candidate for the Presidency at this time. So, there is no leader; and because there is no recognized leader and you are rent in factions we come to you in your grief and let us solve your problems for you and heal up your wounds.

We have heard a great deal from pessimistic speakers on this floor about some organizations of wealth. No man, whether Republican or Democrat, believes in monopolies. But what are these great aggregations of wealth that we have to-day? What are they doing? Are they destroying the country, or are they adding to its happiness? Could you do the manufacturing business of

the world [illegible] without these aggregations? Why, sir, fifty or a hundred parts [illegible] manufacturing was a simple thing.

[illegible] was a shoemaker who made boots and shoes for the neighborhood at the same cross-roads was the blacksmith and horseshoe maker who made the wagons and the farm implements for the community. They had no railroads then, and but little water transportation. The country was divided up into [illegible] now the world is changed. You have [illegible] of Jones & Smith, or whatever it may have been, is not able to-day to do the business of the world. If you should cut down the aggregations of wealth [illegible] conducting the great manufactures to-day, you would [illegible] then we could [illegible].

I [illegible] great [illegible] in New York State the other day. [illegible] as many [illegible] part of the work. [illegible] The old shoemaker, it is true, has [illegible] ment and is perhaps not so happy as he [illegible] have been too old to learn a new trade. But [illegible] some fellow is learning how to [illegible] rather help him to "catch on" else-[illegible] up these centers of wealth that are [illegible] not alone for our own people, but for a [illegible]. Does any man [illegible] tive that to-day and [illegible] there were not [illegible] of dollars some-[illegible] derful machine [illegible] ago and [illegible] Why, sir, at that time [illegible] ient capital for the little [illegible] nt. But now the same [illegible] ts of American genius—are [illegible] r scale, which [illegible] you must [illegible] tures of our country.

[illegible] were none of the modern machinery that is [illegible] day. The cotton compressor was unknown at [illegible] I not have that great machine if you had [illegible]. The great farm [illegible] known [illegible] are [illegible] means of the drastic legislation that I [illegible] you would do away with all the progress [illegible].

[illegible] few years—and I [illegible] on this silver question. In the campaign [illegible] people told us that wheat and silver [illegible] not been going together very much [illegible]. I doubt very much whether they are going together anywhere.

[illegible] to the world that have [illegible] things that had no necessary connection [illegible] we built the Pacific railroads through the [illegible] reduced the cost of producing silver and [illegible] two metals [illegible] again [illegible] our platform, you [illegible] Rocky Mountains and repeal a [illegible] wherever you do that you can have [illegible].

[illegible] of all the gold pro-[illegible] y 15 or 20 per cent [illegible] has not seriously [illegible] does require [illegible] You have destroyed [illegible] and you can not get it [illegible] you now enjoy.

[illegible] time you were [illegible] and [illegible] during [illegible] in Africa. They dug a [illegible] Suez Canal down in Africa [illegible] nearer to the heart of the world. The [illegible] was dragged upon the backs of Europeans and [illegible] in competition with the products of Minnesota.

[illegible] the bimetallic [illegible] in America and the [illegible] in Africa had a bearing upon the ratio between gold and silver and between wheat and silver that was no [illegible] in the conditions recently passed. A little study of history will tell you what it was that disturbed the ratio, and point out the only way that you can bring it back.

I have said that most of the Democrats were in favor of the Panama Canal, and I believe that with the digging of that canal and the development of waterways in the Southern States that the old South in the next generation will have a progress that it has never dreamed of. If we continue along the lines we have followed in the last generation the South will be the greatest beneficiary of Republican policies in the generation to come. Why, then, should you not accept my invitation to disband and help this good work on?

A great many people think, as some of our friends on the opposite side would have us believe, that the rich men own all the money of the world. Let me merely suggest that the poor men own the money and the rich men own the collateral, and that if you can frighten the poor men of the United States you can make hard times in ninety days. Ninety per cent of all the business men in the country are doing business on credit. They have money, but they owe it. The poor man draws his wages and puts them in a bank, and he owns the money and it is his.

I was in the city of Cleveland last fall, and I found that one single savings bank had $40,000,000 in deposits: 84 [illegible] single city in a single savings bank, and not the money of the rich; but the money of the toilers of that metropolis of Ohio. So it is all over our broad land. In every city you find in the banks the hoards of the poor, and not the hoards of the rich. And [illegible] ninety days, by disturbing the confidence of the poor and [illegible] them withdraw and hide their cash, you can bring a taste of the hard times that you had in 1893 and 1894 and 1895.

And let me say in passing that it does not make so much difference [illegible] law as it does whether it is [illegible] ble. Stability makes business secure and the wages of the poor certain. Tariff agitation for a year or two in a political campaign, another agitation for a year or so before Congress [illegible] disturbs business beyond all description, and it seems to me that if the two political parties are wise in the future they will never make a national campaign on a question that is so closely connected with the business interests of the country. I believe the Republican party itself is wise enough to see when [illegible] are needed and to make them without agitation and [illegible] of the American [illegible].

It may be that the people of my State, at a little time will ask for some modification [illegible] ple in Minnesota to-day who think that Canadian wheat ought to come "across lots" on its way to Europe. They feel that the tariff of 25 cents on wheat does not bring anything to our Treasury, and it keeps a great deal of business out of Minneapolis and Duluth. There is a great deal of that feeling in the North and West. Whether it will assert itself so formidably that it will ask action of the Republican party or not I can not surely say, but I believe it will do so very forcibly and very soon.

Because of our delay the Canadian people have builded within the last few years elevators with a capacity of 2[illegible] on the north shore of Lake Superior, and are taking grain to Liverpool through Canadian territory that would naturally pass through our ports, and by the cost of transportation and the handling and insurance would leave millions of dollars among our people.

Let me say also that the State of Minnesota is changing from wheat growing to diversified farming. To-day we have [illegible] ries within our State, and in another generation unless through our agricultural experiments we can raise the yield of wheat from 15 to 25 bushels per acre, we shall cease to be a wheat-producing State. We hope to increase that average [illegible] we do not wheat will pass away from [illegible] pal product, for we can make more money at [illegible] else, and in another generation it will be a State of diversified farming; and if we shut out Canadian wheat the great flouring center that you have known at Minneapolis will have passed away forever.

In a very few years her mills will need the harder wheat of Canada to mix with the softer wheats grown farther south if we are going to make that a great flour manufacturing center and let it have the supremacy that it has held for a generation. The handling of a hundred [illegible] would [illegible] in the other industries that would be built up by the side of the great grain business in Minneapolis and Duluth, and it is a subject worthy [illegible] deration of the Republican party for the Canadian product [illegible].

But I am not here to start an agitation upon this question. I feel that the tariff should not be a campaign issue; that it should be an issue among the party leaders; that they should know what is wisest and best for our country, and do it without long agitation and the disturbance of the business interests of our people.

I do not know what the Ways and Means Committee will do, because I have not consulted with them, but I believe that they will hear from the West upon that question, and when they do hear I think they will yield to the reasonable demands of our people. They can, at least, correct the present law, which requires our mills when grinding Canadian wheat in bond to ship the bran and all the other refuse out of the country. This is impracticable, and be-

sides we need these by-products for feed for our stock in the West. But enough of this for the present.

A [illegible] many Democrats—and I see some facing me that I think a great deal of—are afraid of what is going to happen in this country. Let me assure them that nothing is going to happen very serious very soon. I want to congratulate the Democratic party itself on some improvements that it has made. I was glad to find when I entered Congress for the first time this year that the Democrats of Ohio had made a vast improvement in exchanging the honorable Mr. Lentz for Judge BADGER of that State. [Laughter.] That seems to me one of the greatest improvements their party has made within my memory.

A [illegible] many Democrats are afraid that we are going to have an [illegible] here. They are going to try to make that one of the issues of the next campaign. They tried to make it one before. Mr. [illegible] New York the day before yesterday that [illegible] the people did not take to that issue, and he w[illegible] it as a party issue. But, gentlemen, we have [illegible] since we were a Government. [illegible] by one we have driven them off the continent.

You remember that we had a dispute with the King of England for a few years, and he let go of this part of the world and went away. Then we are soon to celebrate the purchase of Louisiana Territory from the first consul and soon-to-be Emperor of France. We [illegible] upon this continent. It has been th[illegible] that they do not want an empire [illegible] and got rid of more empire. We took [illegible] and got California and all that territory [illegible] westward, and gradually got rid of the Spanish Empire. [illegible] we completed by purchasing Alaska from Russia, and got rid of an[illegible] empire.

[illegible] across the Pacific, we saw Queen Lil[illegible] to "come off," and we took her little [illegible] in and ha[illegible] erty to her people. So, one by one we have been getting rid of empires, and we are not going to make one of our country. Why, when our Government was [illegible] fathers hardly dared to leave the selection of Presi[illegible] tives to the people. For many years the Congressmen fixed the nominations for President. The people would not permit that to-day.

In all our history we have been steadily tending toward a government immediately in the hands of the people. Out in the State of Minnesota we are coming, through our educational system of uplifting the common people, to the point that they understand [illegible] as you or I what is the best interests of this country. We are now beginning there what I think our southern brethren should begin soon—the consolidation of the country schools. We are taking half a dozen country districts and unit[illegible] schools, and we shall soon be teaching agri[illegible].

The man who teaches a graded school in the country can have his [illegible] by the side of the schoolhouse, and agriculture can [illegible] ching the literary branches. And soon it [illegible] When th[illegible] untry, North and S[illegible] Democratic [illegible] will be allayed. [illegible] as we have [illegible] in the b[illegible] s no object even to that. Gentle[illegible] said that the President acted a little [illegible] in doing what everybody wanted [illegible] g aid and comfort to a Republic. [illegible] t on this floor who, if he had the [illegible] that vote for the [illegible] ng of the canal. [illegible] tion I have ever heard raised to it was that by digging a canal [illegible] the two oceans into a combine, but that is not a [illegible] ter.]

[illegible] an party and be one of us, I know how hard it is [illegible] to do it. There is a little railroad down in southern Minnesota, in a district represented by one of my colleagues, a [illegible] with a daily mixed train that always gets to its [illegible].

A lady who was riding on this train one day complained to the conductor that the train was going too slow, and finally, after many importunities, asserted that she could walk faster than the train was going. The conductor retorted by asking her why she did not get off and walk, and she said that she would do so, but her people would not be looking for her until the train got in. [Laughter and applause.] So I realize how hard it is for the Democrats to get out and walk faster than their party is going, as nobody will be looking for them; but nevertheless I extend the invitation in the kindliest spirit and with no feeling of hate.

I was indeed a little sorry that we could not have leaders in this House upon the different [illegible] of the country. In my reading of history I [illegible] from the South have always been [illegible] the North, and my only regret is that [illegible] can side and the leader on the Democratic side [illegible] from the North or both from the South. [illegible] these old sectional differences and forget them for evermore. Sometimes, unfortunately, the mere fact that the leaders live in these sections arrays the people behind them against each other, and I would gladly remove even this seeming [illegible].

And now, in spite of all the pessimistic speeches we have heard, I wish to [illegible] the time. [illegible] not be tolerable now. You are raising more cotton in the South than you did with slave labor before the war, and you do not want to go back to that. The conditions in the South are happier to-day than ever before.

We had some debate upon that yesterday, and while there may be a difference of opinion, I think if we [illegible] sanship as we everyone will admit that the South is happier and more [illegible] and her joy fires burning brighter to-day than ever [illegible] under any condition or under any party.

[illegible] the North is [illegible] than it was ever before; the volume of our manufactures is greater than [illegible] home is greater, our exports abroad are greater than [illegible] ever before, and the people are happier because everybody is prosperous, thus bringing equality of condition, and the real secret of happiness is, in my judgment, this equality of all the [illegible] the results [illegible] feeling of equality be[illegible] and less distinction, due, perhaps, to a more un[illegible] pr spe[illegible], and you never have true happiness except where there is that feeling of equality toward the fellows with whom you [illegible].

This feeling of equality is the sw[illegible] ness, and through the prosperity that we have ex[illegible] years we have lifted up the labor [illegible] means to be on an equality with all of his fellows, even with his employer, and——

Mr. SCUDDER. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. BEDE. Certainly.

Mr. SCUDDER. I would like to ask the gentleman whether that feeling of equality could possibly prevail where the races are different?

Mr. BEDE. I could not hear the [illegible].

Mr. SCUDDER. I would like to ask the gentleman whether that feeling of equality to which he has made reference is possible where the races are different? I ask whether it could, in his opinion?

Mr. [illegible]. Well, I would hardly try to settle the race problem here [illegible].

Mr. [illegible]. I thought the ge[illegible]

Mr. [illegible]. No, no; I did not. [illegible] to refer to that. I did not mean to do so. I re[illegible] troubles of her own. We know that [illegible] of our country had a peculiar institution that has brought its own peculiar burdens which they of that section must needs bear. I for my part will never add one [illegible] is resting upon them. [illegible] And I have only invited you [illegible] them along with all the rest. [Applause [illegible].]

I th[illegible] in every Southern State. I have met a great [illegible]. I know they are good [illegible] I [illegible] invite them into [illegible] m is an assurance that I believe [illegible].

Mr. THAYER. [illegible] crats to join the Re[illegible] to that desire from [illegible] vote against the [illegible] next Presidential election and [illegible] Democratic party?

Mr. [illegible]. I would ask the gentleman from Massachusetts [illegible] he is going to nominate? [Laughter on the Republican side.]

Mr. SCUDDER. That is going to be decided by the Democratic convention.

Mr. THAYER. I should be pleased to answer the gentleman if I had the power in my hands to nominate, but in the Demo-

[illegible] party we have no bosses; we have no one man who nominates the President.

Mr. [illegible]. Mr. Chairman, I live in a State in which they nominate Congressmen by primaries, where all the people have a vote as to who shall be Congressmen. I understand there is a contest in one district of the Democratic party in New York about Congressmen who are sent to Washington by appointment. [Laughter on the Republican side.] I understand there are certain others of this House that would like to [illegible] a great [illegible] from the right of suffrage. I never heard of a Republican [illegible] a bell [illegible] Democratic [illegible].

Now, I am not going to say whether these [illegible] were right or wrong when they were passed. I am [illegible] going to say to-day that we elected a President that was [illegible] from its [illegible], and we cannot have [illegible] or have done the same thing in a better way and be loyal, but the Republican party [illegible] that some of [illegible] have been made the best way to make them [illegible] and not to back up.

As I have already intimated, it is far from my heart to say one word that would be a [illegible] to gentlemen from the Southern States. I know we have had a great many [illegible] from the South, not alone from Southern States like [illegible] my predecessor in this House was from that State. We have had good friends from Missouri, too. We had friends from Missouri who came up there and introduced the Missouri system of finance. [Laughter.]

They borrowed money on their back, and we kept them there for twenty-five years. [Renewed laughter.] We do not let any Missourians get away when they come to us with malice aforethought. We have a sort of hospitality and try to keep them there, and we do not permit the kindness that we have [illegible] to us to hurt our Commonwealth, one of the best and one of the most blessed States in the Union.

Mr. GAINES of Tennessee. Will the gentleman yield to me?

Mr. BEDE. Certainly.

Mr. GAINES of Tennessee. What did you do with the mayor of one of your good cities in Minnesota? Is he in for twenty-five years or for life? [Laughter.]

Mr. BEDE. He is not in yet, and I hope he is innocent. He was formerly a Democrat and had been a Republican only [illegible] months when he was convicted. [Laughter on the Republican side.]

Mr. GAINES of Tennessee. That shows what a good man does when he gets into bad company. [Laughter.]

Mr. BEDE. We hadn't had time to reform him.

Mr. WILLIAMS of Mississippi. Will the gentleman yield in a good natured way?

Mr. BEDE. Certainly.

Mr. WILLIAMS of Mississippi. How much advantage has the gentleman over this mayor that he refers to?

Mr. BEDE. Let me say to the gentleman, and to this side of the House as well, that the gentleman from Iowa, Mr. HEPBURN, [illegible] my first vote in the campaign of 1884. I want to admit frankly, and you will see it in my biography in the Directory, that I voted the Democratic ticket a few times, and I know how hard it is. [Laughter.] My first vote and my last vote were Republican, but in the meantime I voted the Democratic ticket and it was necessarily the mean time when you do a thing like that. [Great laughter.]

Mr. WILLIAMS of Mississippi. Instead of that being a mean time for the gentleman, wasn't it a tolerably good time? Wasn't he United States marshal during that time?

Mr. BEDE. I was United States marshal for a very few months. I served during the war of the strikes in 1894, and then resigned, a thing which proves that I was not a real Democrat. [Laughter and applause on the Republican side.]

Now, Mr. Chairman, I have been saying a great many things. I came here with no set talk to make, and had not intended to take up the time of the House. But let me add that the Democratic party has been reaching out for the Populist vote of the West, while often ridiculing the Populists, and yet they speak as the gentleman recently did of [illegible] Bryan. I read in a Democratic paper in St. Louis [illegible] of a Populist convention, and that paper described the Populists as "an aimless and useless outfit composed of [illegible], grasshoppers and rapscallions." [Laughter.]

We have never said anything so mean against anybody that we have been trying to get into our party, and I shall not say anything so mean against any gentleman in that side of the House or any man that you may seek to nominate as a Presidential candidate for your party. I know Mr. Bryan personally and well, and have the highest regard for him. I believe that he is sincere, and all the more dangerous because he is sincere. I know Mr. Cleveland fairly well. I think he is one of the great men of the country.

I believe that ultimately his Administration will be looked upon as one of the best in our history, though it is one that the Democrats the most now abuse the most. Now, if I am willing to praise both Mr. Cleveland and Mr. Bryan, will you Democrats do as much? [Laughter on the Republican side.] I want this to be an era of good feeling. I want you to love one another and to love us, and stop sitting up nights hating each other in your own party. We do not do that out in Minnesota. To be sure, we have [illegible] but we do not do that out in Minnesota. [illegible] Populists [illegible] Democrats [illegible] Populists [illegible] party. I admit: but it is due [illegible] to the Republican policies that help the sunshine. [Laughter.]

Besides, we have got improved [illegible] out there. I remember distinctly as a boy on the Western Reserve in Ohio that they used to cut their grain with a scythe and with an old [illegible] and a sickle. We do not do that now. [illegible] sell anything to a farmer in Minnesota that he can not sit down on. [Laughter.] [illegible] our way.

I saw a farmer in the district of the chairman of this committee [Mr. TAWNEY], in the [illegible] Minnesota. A year [illegible] what was cut [illegible] and [illegible] had [illegible], came along and handed the farmer his morning paper and his letters as he was cultivating his crop. He had an umbrella or a sort of canopy over his cultivator, and he [illegible] a gentleman from that sort of a district. [Laughter and applause.]

I am only asking you Democrats to be full-fledged Americans; just to come in out of the wet while you wait, and be like us. Out in the West I saw a few years ago a little party of gentlemen [illegible] there, and among the gentlemen was a Scotchman, an Englishman, a German, an Italian, and finally they came to one fellow who said that he was a Norwegian, but that he had been "neutralized." [illegible]

I am willing [illegible] Democrats if you will just be "neutralized," just be full-fledged Americans and belong to the whole [illegible]. Once upon a time I know there was a little difference between the North and the South, and then every relative I had on earth over the age of age was in the Union Army. My good old father is sleeping over here in Arlington to-day, but that does not make me hate any man that comes from the South.

The statute of limitations has run on that business, so far as I am concerned, and I am willing to take you into full fellowship just to let you disband and get rid of your two-thirds rule, and in four years come out and elect for President the gentleman from Mississippi [Mr. WILLIAMS], if you can. I want to find some way to promote him. [Laughter and applause.] And the world is not so bad as it has been pictured by some of those boys who were talking recently. When they have lived longer they will see things differently.

I used to think sometimes myself that things were not just right, and I have not the slightest doubt now that I could run this country better than it ever was run, but there are a lot of you fellows who will not let me have my own way, so I have to compromise with about 80,000,000 people, and it is pretty hard to lead the country exactly right when one is compromising with so many. But I do not will be [illegible] I am here in Congress. I won't let anything happen on this side. [Applause and laughter.]

So throw away your fears and throw away all these old socialistic doctrines that you can not put in practice here. We have got to run the Government, and to do so we must have five or six hundred millions of dollars a year, or else we can not go down South and improve the rivers that are too shallow and bank up those that are too deep. We are doing everything that you want us to do, and we can not do it without an abundant revenue, and while you are [illegible] on that abundant revenue let us put it on where it will do the American laborer the most good. [Applause on the Republican side.]

The world in a sense is smaller than it ever was. Did you ever stop to think of that? I see a gentleman here from Louisiana. Now, when the battle of New Orleans was fought down in his [illegible] in 1815 peace had been proclaimed for two weeks in Europe, and the world had not heard of it this side of the Atlantic, and we could have gone on killing Englishmen for a couple of months before the news got here. It does not travel that way now.

In 1898, when Dewey lined up his ships for battle in Manila harbor, I am told that he [illegible] miles, over continents and under seas, and was tacked up in the White House here in Washington in just thirty-five minutes. The world in one way is getting smaller, and we are getting closer together, and our country is becoming a world power with interests common to all mankind. Just at the close of the Spanish war a friend of mine, who was rather opposed to expansion, was going from Paris to Rome on a modern railroad train—made in America, under our

Republican industrial system, by the way, and shipped across the [illegible] on that train he fell in with General Garibaldi, of Italy, a gentleman he thought was a Scotchman at first by his conversation [illegible] over American affairs and our victory. Garibaldi asked what America was going to do now.

My friend did not know. He was pretty [illegible] as every American was before the Spanish war. But General Garibaldi said: "You have become a world power, whether you will or not." Said he: "There is not a meeting of a crowned head in Europe but the first question asked on any subject is, 'What will the United States of America say about it?' They can not do business unless they know what our opinion is. The thought of America is to-day dictating the political thought of the world. We have lifted our standard higher than any other nation, and we are teaching other nations how to fight battles." [Applause.]

We erected a Republic here; and Mexico followed; and the States of Central and South America followed Mexico. Then we threw the Monroe doctrine around them, and he said was a pretty good doctrine. And as we had "an era of good feeling" under Monroe, why can you not come in now and make "an era of good feeling" under Roosevelt? Just make it unanimous this year, my dear ones! [Laughter.] You have not done anything so remarkable or significant in a long while. It will rid you of all your bitterness and save you a lot of medicine.

Get all this vinegar out of you. Come in, and we shall have the jolliest time in this Congress that you ever knew. And then four years from now you can segregate yourselves and select a leader that is a leader. Let us not have any dispute over the silver or gold standard, because that question is academic. The world has passed along. The gold standard is here to stay, whether Mr. Bryan wills it or not.

Just come in and be good natured about it. Do not make any more of these bitter speeches. It does not pay. They may read well down in the South, just as some bitter speeches on our side may read well in the North. But they will not read well after a while. They may be "a good enough" Monroe doctrine speech, but that is not the kind of stuff to educate young America on.

It seems to me that the interests of this country are too great to permit us to give up our time to these petty wrangles, and I look forward with impatient joy to that good time coming when all these little whirlpools of earthly hate shall be lost in the great ocean of God's love. There are other points that I would like to raise, but I see my time has been exhausted.

Mr. HEMENWAY. Go ahead, you can have all the time you want.

Mr. BEDE. Thank you. I would like to suggest to this House, that on one side of it, that the Monroe doctrine to which I have referred is just as big as the United States Navy, and no bigger. [Applause on the Republican side.] If you should destroy our Navy to-day you would have no Monroe doctrine to-morrow. If you build up the Navy you extend the Monroe doctrine, and you can do as you will with it.

I believe that the policy of this nation, if we are to be a great nation among the others of the world, is to have such a Navy as will enforce those laws that we have laid down, or else withdraw the law and not pretend to its enforcement. I am not pretending to say how much this House or any House shall spend for that purpose; but I am here to say that the people of the West stand for that thought; that they are willing you should do whatever is reasonable to help to make this the greatest nation in the world, as we think our State is the best, if not the greatest, in this Union.

I may be excused if I tell some of my friends here that we have a school fund of $15,000,000 in our State that we use in the management of citizens; $15,000,000 with which we are buying the bonds of other States, invested in a permanent school fund. I would that every State of the South had as simple a problem in the education of its youth, black and white, as we have in our great Commonwealth. I know that you have the double standard of some as down there, and most needs have it. I would that your numbers were lighter than they are, and that your progress might be greater; but I urge again that the next quarter century under Republican policies will give to the South more progress than it has known in the last hundred years.

You were devastated by a civil war; you have had the burden of two races to educate and to adjust. One generation has passed away, and you are only now coming into your inheritance. We want to build the Panama Canal to help you, and yet your party at the other end of the Capitol is holding it back. Why not pass the treaty and have the work begun? When we first talked of that canal it was to be built so that the Pacific coast States could get to Europe; but the Senate has been talking, and now we are going to dig the canal so that the Atlantic States and the South can get to the Orient. The world has turned around while the Senate has been talking about these things. [Laughter.]

We have been trying to help you for a long time, but you refused to be helped. Now, go to your friends and tell them to pass that treaty. Tell them to let the work begin to let Republican progress march on, and it will be for the uplifting of your States more than it will for mine. The South has more at stake in the Panama Canal than any other part of the Union. The city of New York, the city of Baltimore, and a few Atlantic coast towns are the only ones that have any great interest in it, and we are doing it because we believe that it is necessary for the protection of the Union, and incidentally for the uplifting of the commerce of the South.

I look for that time when New Orleans will be one of the great cities of our continent, perhaps the greatest exporter [illegible] continent. I look for Mobile to have a magnificent [illegible] and the building of [illegible] and the development of the [illegible] navigable [illegible] to St. Louis, and perhaps beyond, the drainage canal even to Chicago itself. And when all these plans for progress have been carried out the South will then approve of Republican policies, and it might just as well come in and vote for them now. [Laughter.]

Oh, we have heard some very pessimistic talk from the other side, but the world is not very bad after all. I have heard fellows find fault before. I met a friend of mine since who was kicking very hard. He had just came out of a saloon. He told me the [illegible] some lining for his underclothes. [Laughter.]

Why, he said:

> [illegible]
> [illegible]
> [illegible]
> [illegible]
> [illegible]
> [illegible]
> [illegible]
> [illegible]

[Laughter.]

He thought that was carrying the single tax a little too far. [Laughter.] But if you would analyze his case and analyze the cases of all complaining people, you would find that most of a [illegible] are responsible for their own troubles and kick themselves. They do not improve the opportunities they have, the opportunities that lie at their doors.

I have had occasion to go out in my State to induce the farmers to build creameries. It is sometimes the hardest thing in the world to induce people to do the thing that is for their own interest. I have gone into [illegible] and kept two or three cows, and set the milk on a shelf in the living room, where they discussed Democratic politics and chewed tobacco, and did a lot of things. And when they brought their butter into town you could taste every member of the family. [Great laughter.]

They did not meet halfway the opportunities that they had. That is the complaint I have against you Democrats over there. You have now an opportunity and a cordial invitation to vote the Republican ticket, and you refuse. You have an opportunity to [illegible] and you decline to do so. I sincerely hope that in another generation there will be more spindles in the Southern States than in all the rest of the world. I want to see every water fall in Dixie turning spindles and giving employment to blacks and whites alike. [Loud applause.]

I want to see you so prosperous that you will indorse what I am saying now. [Laughter.] Why, when I hear one of those Democratic speeches it reminds me of an incident that occurred once in a little western town where a "Mr. Day" was wedded to a "Miss Week," and a great many people regretted the loss of time. [Laughter.] But a country editor who had a penchant for poetry removed all sorrow, if he did not dry every eye, with the lines:

> A Week is [illegible] a long [illegible], but why should we complain,
> For soon there will be days enough to make the Week a month.

[Great laughter.]

Mr. WILLIAMS of Mississippi. May I interrupt the gentleman?

Mr. BEDE. Certainly.

Mr. WILLIAMS of Mississippi. On behalf of the history of literature, I would like to have it go into the Record that George D. Prentice was the author of those immortal lines.

Mr. BEDE. I am glad to pay my tribute to the memory of George D. Prentice, and may every Democrat be as happy as he. I know that the Democratic party needs a good deal of my advice. [Laughter.] I have given it a great deal in my own State when I belonged to it [laughter] and when I did not. And I think I can speak more convincingly, as I can more impartially, than if I did not know the humors of its soul.

It is hard for the Southern people to vote the Democratic ticket and at the same time to believe in the gold standard; to believe in the Monroe doctrine that we are carrying out; to believe in the Panama Canal; to believe in our expansion policy in

the Philippines, and to believe in protection, as many of them do. I have talked with business men in New Orleans and in Mobile who believe on all these questions as I do, but when it comes to election they do not vote as I do. This, I think, is due to their environment, and I am willing to go down there and help them to change things. I would that the South might enjoy every blessing known to the people of my State. You, gentlemen, are bearing your own peculiar burdens, and it is perhaps not practical for the Federal Government to do anything to aid you in this.

That progress is most secure when we achieve for ourselves. But I do feel, as one of our writers has said, that "he serves his country best who joins the tide that bears her nobly on," and it is the Republican party that bears her nobly on. [illegible] ness we have [illegible] you for the past. [illegible] ask you to come in to [illegible] that we so rich [illegible] and avoid the useless expense of a [illegible] year. [Laughter.]

You can not elect anything [illegible]. It is no use trying that. [illegible] There are a few people, as I read in New York, who want a President that will be [illegible] "do" folks, but we insist upon a President that will let us [illegible]. We are going to get our kind of a President and are willing you should share in the triumph. We are going to carry the Eastern States, as we have always done. We are going to carry the West, because we [illegible] the election there will be nothing but a [illegible] [Laughter.] That Bureau, you know, has become permanent now. So there is no use of all the [illegible] on your part [illegible] by extending to you this sincere and formal invitation to disband and come into our ranks.

I do not wish to say one word that would give you sorrow. I feel that the stars and bars of the old Confederacy, justly preserved as the fondest heirloom of a proud and gallant people, [illegible] be kissed and caressed by loving [illegible] a thousand times more sacred when, as an emblem of [illegible] power, baptized in flame and embalmed in pathetic story, it was furled forever.

And now another and more beautiful flag floats over every foot of our broad land and over a people [illegible] the sun. Long may it wave! Its thirteen bars [illegible] and powerful states, and Old Glory grows [illegible] and brighter in the sweet radiance of its own gathering stars. [Applause.]

We invite you to share its blessings with us in the fullest measure, and to—

> Sound by the flag, all doubts and dangers scorning;
> [illegible]
> That it shall float until the eternal morning
> [illegible]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. LIVINGSTON. Mr. Chairman, I yield thirty minutes to the gentleman from Alabama [Mr. RICHARDSON].

Mr. RICHARDSON of Alabama. Mr. Chairman, I shall claim the attention of the committee for a few minutes, and that on a certain kind of discussion. I am unwilling, Mr. Chairman, for the opportunity to pass and fail to put on record the facts and the history connected with the prosperity of the South that made it possible for the [illegible] gentleman from Illinois [Mr. BOUTELL] to tell the country that he [illegible] "The story of the South." Mr. Chairman, I concur in every word that the gentleman from Illinois said relative to the prosperity of the South, taken, though, as he said it was, and made up by the work of [illegible] and the people of [illegible]. I believe, Mr. Chairman, that this prosperity had [illegible] and foundations that come from the growth of the great manufacturing, agricultural, mineral, and other interests of the South.

I say I believe that these facts are better [illegible] and understood by referring to those statistics taken from [illegible] purpose. No man on this floor responds more [illegible] than I do to the loyal, noble, and patriotic sentiments that the accomplished gentleman so sonorously uttered when he said that he was glad to know that the bitterness and animosity that were produced years ago by our great civil conflict had passed away. That sentiment finds a hearty response with the people of the South. I stood, not many months since, upon that [illegible] battlefield of the South—the battlefield of Chickamauga—and I read there the beautiful and patriotic inscriptions that the different States of the North and South had made, commemorative of the magnificent and glorious deeds of their noble sons, and I wondered if there was a patriotic American who could read those inscriptions and not feel a proud inspiration that it was a splendid tribute to American courage.

I believe in that sentiment, and I say now to the distinguished gentleman from Illinois that the "story" of the prosperity of the South has been whispered for years into the hearts of the wonderful, patient, and long-suffering people of the South and given to them a [illegible] and hope that [illegible] never realized before. Mr. Chairman, I am not going to discuss the hackneyed and worn subject of the race problem, save as logically connected with the industrial growth of the South. I believe even now that too much has been said on that subject of a sectional partisan character. "Let us [illegible] the South, and so far as the logic of our industrial progress and its [illegible] and development is concerned we will settle [illegible] great question. I hope there is no gentleman on [illegible] this Chamber who feels otherwise than that this question, called the "negro problem," ought to be settled [illegible] with due regard to the material interests of the South and the peace of the country at large. That which I will [illegible] me to believe that the progress, development, and growth [illegible] trial interests of the South is fast settling that question.

No man doubts [illegible] minority in the South [illegible] shops, the mines, and the cultivation of the soil, [illegible] step in the direction of settling the so-called "negro problem." Now, what are the facts about this? What is it that has contributed an important part to this wonderful prosperity, present and future, in the South? I am glad, Mr. Chairman, yes, I rejoice, to be able to stand here and say that in my humble opinion the South to-day stands upon the threshold of a greater growth and prosperity than the most favored section of the world has ever realized.

We feel it in the atmosphere. We see it in the unexcelled opportunities and advantages that the South holds out to the world for profitable investment. The attention of the whole country—yes, even of the world—is fixed on our section. This means immigration will follow, and has now set in. All of this points to commercial supremacy. The first significant fact that I call the attention of the committee to is this: Go to the last census, and what startling fact do you find there? There were 34,000,000 acres of tillable land in the South that was cultivated in the twelve months preceding the publication of the census.

How was it cultivated? Who did it? It speaks more than volumes can tell of the wonderful changes that are going on in our industrial interests in the South. Out of that 34,000,000 acres of tillable cotton land, white men cultivated and raised cotton on 14,000,000 acres of it; 5,000,000 were cultivated by what were known as "managers" who employed negro labor. Is not that a significant fact? Is it not more than a whisper in the ear as to the progress and development of the South, a wholesome change in our [illegible]? The idea and theory that worthy, good, intelligent and respectable white people will not and can not cultivate and raise cotton and that negro labor alone can make cotton cultivation a success is [illegible]. The South is [illegible] tended to disturb the friendly relations between the white people of the South and the negro. We welcome this movement [illegible] auspiciously commenced to have white people cultivate the farming lands of the South. We say this in no spirit of hostility.

It is a change the significance of which ought to attract the attention and approval of every patriotic man, North and South. And, as suggested just now, we of the South have that question in our own hands. We are more interested in the peaceable and honest solution of it than any other section of the Union. In that connection, I will take occasion to read a few extracts from great and prominent northern newspapers that indicates what the trend of public opinion in the North is on this subject-matter. It shows how public opinion is working on it. I read from the Philadelphia Record, a conservative, able, and leading newspaper, published in the great "City of brotherly love"—Philadelphia—and no soul can be more loyal and patriotic than the sentiment of the people that it gives [illegible] to utterance. Listen:

> The [illegible] upon distran- [illegible] Appomattox if, [illegible] or [illegible] protect themselves against African intrusion.

That is ominous, yet how true! "Take measures to protect themselves against African intrusion," says the Record. I do not say in any spirit of levity that the trouble heretofore on this subject with northern people is that distance gave enchantment

to the negro. The question is drawing near to them now, and when it does they will solve it in the best way for the interests of themselves, their families, and their States, just like the South is doing to-day.

Why, then, should the gentleman from Indiana [Mr. LANDIS] complain so lustily, as he did in his remarks on the floor yesterday, about the constitutions of the different States in the South in seeking to protect themselves from that very element of citizens of which the Record says, "Our heavy negro vote is already a political misfortune, contributing potentially toward the continuance of misgovernment." Learn first to pluck the beam from your own eye, and then you can see more clearly to pluck the mote out of your brother's eyes. I say this in the kindliest spirit. This is a question that we ought to discuss free from partisanship or prejudice.

Now I will read another paragraph. I admit, Mr. Chairman, that the people [illegible] that we can never fully repay until the last old antebellum negro in the South has disappeared. We feel that and recognize it. Here is another item from the Pittsburg Dispatch. This, too, is a powerful public organ in shaping public opinion and in reflecting it:

> [illegible] majority of the negroes, especially those raised in the North, are [illegible]

> "His temperament leads him into a recklessness and flagrancy of crime that has few parallels," etc.

Why, Mr. Chairman, what severer criticism could I make on the negro than that? I refer to it simply to show that there is a drift of public opinion on this subject that will soon relegate the negro question to the shades of the rear.

These are the sentiments coming from the leading newspapers of the North, and my judgment is that to-day we represent [illegible] the conservative public sentiment of the North [illegible] dispose of it for itself. They realize that they have in the North a problem to settle far greater than the South has in the settlement of the negro problem.

Mr. BOUTELL. Will the gentleman yield for a moment?

Mr. RICHARDSON of Alabama. With pleasure.

Mr. BOUTELL. I would like to ask whether in the opinion of the gentleman the tide of European immigration that almost always follows great prosperity in any section of the land will not naturally tend to the South, and perhaps, as we all hope, in a few years settle this question naturally.

Mr. RICHARDSON of Alabama. I say that it not only tends to go there, but it is actually going there now; and I am [illegible] day so doing more as an immigration agent for the South than in any other capacity. I believe that when the white people commence to raise cotton and explode the old idea that nobody but a negro can raise it—that when that takes [illegible] grant a will come bountifully into the South.

Mr. WILLIAMS of Mississippi. Will the gentleman yield to me?

Mr. RICHARDSON of Alabama. Certainly.

Mr. WILLIAMS of Mississippi. There is an immigration coming into the South, but it is coming mainly from the [illegible] and the Northwestern States. In [illegible] immigration of Europe, mainly from [illegible] Italy. They have [illegible] much more out of the land for everybody, as well as for themselves, than the incoming negro population has ever been able to do. We do not apprehend very much from the European immigration generally. We expect that other immigration among [illegible] negro population. But [illegible] from Iowa, Michigan, Wisconsin, Illinois, Indiana, and Ohio, and these men, I am glad to say, within two or three years after they get there, whether Democrats or Republicans, are Southerners to the backbone, and more ultra than are our own people in the South [illegible].

Mr. BOUTELL. Why we not hope to encourage the European immigration?

Mr. RICHARDSON of Alabama. So that we get honest, good, patriotic, intelligent citizens for our country, let them come from wherever they may. I will tell you the fact, Mr. Chairman, in reference to these white men [illegible] acres in the South, has been to drive the negro to the cities and towns and there to [illegible] criminals. No man will understand me as including all negroes in that class. It would be untrue and unjust for me to do so. We have a large number of worthy, intelligent, respectable negroes who spurn and condemn the vagrant and criminal class of their own race and do not associate with them. This class of negroes are respected by all the people of the South.

It is for that reason that the [illegible] such a strenuous position on the subject of vagrants [illegible] to vote.

Mr. GROSVENOR. Now, does not the gentleman from Alabama [Mr. RICHARDSON] believe that the [illegible] a large per cent of the population in the [illegible] driven away, in point of fact, the [illegible] by law against the citizenship of the colored man is one of the strong obstacles in the way of the coming to the South of the immigration that has been coming to this country that is valuable [illegible] Now, [illegible] so forth into the South are going there, are they not [illegible] velop your resources with their money; and is it not a fact that the population coming from these States, which the gentleman has enumerated, into the South [illegible] many things—timber, coal, and iron—as in the State of Alabama, and all that?

Mr. RICHARDSON of Alabama. Oh, no; not at all.

Mr. GROSVENOR. Do they not go as laborers for the northern capitalists who are developing their [illegible]?

Mr. RICHARDSON of Alabama. They come there, the great majority of them, for the purpose of buying small farms and cultivating them themselves. That is preeminently the case in the Tennessee Valley, that I have the honor to represent on the floor of this House; and not only that, but these men that come there from Ohio and from North and South Dakota and from other Northern States. [illegible] voted for the new constitution of Alabama which disfranchises, as you say, the negro.

Mr. WILLIAMS of Mississippi. If the gentleman from Alabama [Mr. RICHARDSON] will excuse me, in further answer to the question of the gentleman from Ohio [Mr. GROSVENOR], I would state that there are whole towns of these people. They are forming colonies, like, for instance, [illegible], Ga., and Highland, Miss., and several others; and that the people go there to live, not merely to invest capital.

Mr. RICHARDSON of Alabama. Yes; they are forming colonies in some of the counties in my district. They have a magnificent colony in Cullman, in the district just below me, and that is taking place all over that section of the South. They are purchasing farms, and our own native white population are buying and cultivating small farms.

Mr. WILEY of Alabama. If the gentleman will excuse me, I would like to make a statement.

Mr. RICHARDSON of Alabama. Certainly.

Mr. WILEY of Alabama. I want to say that in my district in Baldwin County, there is a large colony of gentlemen, composed [illegible] from Ohio and Illinois. They [illegible] California. They have small farms, and [illegible] best parts and a [illegible] of our citizenship, and we welcome them to our [illegible].

Mr. GROSVENOR. If the gentleman will allow me, I want to say that I ask these questions only for information. I have no opinion on the subject.

Mr. RICHARDSON of Alabama. Certainly; and if I can answer any questions I will do so cheerfully.

Mr. GROSVENOR. I have been answered, and I am [illegible] and it is the most hopeful [illegible] I am [illegible].

Mr. RICHARDSON of Alabama. And [illegible] tion—just what we say it will do. Let us alone. Do not [illegible] and stand in dread of the South [illegible] States. That [illegible] I say that I would [illegible] of Representatives of the American Congress who wants the race question settled otherwise than peacefully and without sectional friction. Take the South away. What [illegible] Congress [illegible] of Lowland under that [illegible]. We are not building up a growth and prosperity that [illegible] nation and wonder of the world. Why is it, then, that people think we want disturbance and conflict? Let us alone and we will settle the question and settle it to the strength and glory of the American Union. [Applause.]

Mr. BOUTELL. Mr. Chairman, I will ask the gentleman to yield just one more time. I dislike very much to interrupt him.

Mr. RICHARDSON of Alabama. Not at all; I am glad to be interrupted by the gentleman.

Mr. BOUTELL. I want to revert just one moment to something that seemed to be insinuated in the remarks made by the gentleman from Mississippi [Mr. WILLIAMS] that there was some sinister purpose on my side in the South. Now, we all know [illegible] flows along its channel [illegible]. I would like to have back some of this house join hands [illegible] northern Italy and southern Germany and southern France that they will find no [illegible] similar to their own, to go to their [illegible] Republic.

Mr. RICHARDSON of Alabama. I think that is the truth.

Mr. BOUTELL. [illegible] that is preventing that sort of [illegible] at work [illegible] here on the floor of the House [illegible] to it.

Mr. RICHARDSON of Alabama. What we need is [illegible] against anything that would operate in this way as a discouragement. I believe [illegible] expressed by the gentleman from Illinois [Mr. BOUTELL] are the [illegible] of his heart, that he believes that whenever [illegible] take the place of the negro and the negroes are [illegible] throughout the [illegible] settlement of the negro problem, and make it in a proper way. We do not object to that disposition. It will be a [illegible] for the Northern States to take some of the negro population. The sentiment will then be understood. More opposed to a wholesale colonization of the negroes of the South.

Now I [illegible] further in reference to the beautiful "story" that [illegible] from Illinois [illegible] in such eloquent and [illegible] words [illegible] on the floor of this House [illegible] yesterday [illegible] story to which I listened with a great deal of interest.

Let us look and see what the South is really doing. It is a matter [illegible] to a page above [illegible] study it; it creates the [illegible] when [illegible] the question and [illegible] in a comparative manner. I have taken occasion, in the short time that I have had to look into the matter, to find out some of the facts. Of course, I can only refer in a limited way to statistics. In considering this question no fair-minded man will pretend to deny that the South only got on its feet, was only in a position to do [illegible] for itself about the year 1880—I will not go back, because it would look as if I were seeking political purposes. I will not go back to compare Democratic administration in Alabama or any other Southern State [illegible] Republican administration [illegible] the war and during reconstruction. Is there a man on this floor of this House who would say for a moment that the South to-day would be [illegible] prosperity and [illegible] for a contemporaneous and [illegible] in any of the Southern States [illegible] would be invested there. The fact that the [illegible] conservative [illegible] are administering the affairs of those States [illegible] about our [illegible] and guarantees and insures an unlimited prosperity in the early future.

Twenty years ago the South manufactured in her mills [illegible] Last report. We [illegible] In that short space of time [illegible] our Republic. She to-day [illegible] cent of the cotton [illegible] What does that mean? What does it signify? Nothing [illegible] nothing more than this—simply. The northern man, like the southern man, [illegible] has been investing and [illegible] upon the money that he invests. We have the advantage, we have a [illegible] advantages superior to the North for the [illegible] That shall that it means. Listen to this. It [illegible] then the gentleman from Illinois can tell it and [illegible] can. I take it from the Manufacturers' Record:

[illegible]

Mr. WILLIAMS of Mississippi. Does the gentleman desire further time?

Mr. RICHARDSON of Alabama. Yes, sir.

Mr. WILLIAMS of Mississippi. Will five minutes be sufficient?

Mr. RICHARDSON of Alabama. I should like longer time than that.

Mr. WILLIAMS of Mississippi. Mr. Chairman, how much time is [illegible]

The CHAIRMAN (Mr. POWERS of Massachusetts in the chair). One [illegible]

Mr. WILLIAMS of Mississippi. Very well. I yield [illegible] minutes more to the [illegible]

Mr. RICHARDSON of Alabama. I am much obliged to the [illegible]

[illegible] about to say, of those 110,000,000 spindles, the South [illegible] which has begun? Do you [illegible] who have put money in these enterprises will sit [illegible] down and fold [illegible] No, sir.

[illegible] prosperity.

It is just such facts as these that will enable the North to better understand the South. That is what we need. These are the facts that will break down the walls of sectional feeling and misunderstanding.

Take the town where I have the pleasure to live and a few years since we had but one [illegible] Lowell, Mass., will, when it comes to a [illegible] bring there, as has been conservatively estimated, a population of 10,000 [illegible] I just received the news the [illegible] be erected there at Birmingham, Ala. [illegible] these also are large enterprises. All the mills [illegible] prosperity.

Just before I left home an estimate was made of the [illegible] value of the products of the cotton mills at that place. [illegible] that way want to be disturbed in their ordinary [illegible] and business by assuming the population on so [illegible] and quietude that capital de[illegible]

[illegible] more reason or inducement in the South to observe the law and do what [illegible] Not in humiliation, not in recognition of anything that is unbecoming to us as men of honor and courage, but to advance our own interests, to advance our pecuniary welfare; and in doing that we shall find, if [illegible], a solution of this vexatious problem about the negro. We shall find it peacefully and quietly settled.

Now, Mr. Chairman, [illegible] sir, [illegible]

Mr. WILLIAMS of Mississippi. Will five minutes be sufficient?

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Now, Mr. Chairman, [illegible] sir, [illegible]

Mr. WILLIAMS of Mississippi. Does the gentleman desire further time?

Mr. RICHARDSON of Alabama. Yes, sir.

There is one thing else that I desire to call attention to and express my views upon. I have often said that I do not believe that Congressmen were paid enough, and I heard a distinguished gentleman from Maine, whom I do not see on the floor now, not long since make a very truthful remark. He said when he was at home he could touch a bell and one or two bell boys would answer it; but here, in his representative capacity as a Congressman, they touch the bell, and he had to answer, [illegible] the duties and the burdens that we labor under as Congressmen.

The question of mileage is what I refer to. While I say that I do not believe that we are as well paid as we probably we ought to be, I believe that the Executive branch of the government is paid enough, and under the act of the last Congress I voted to increase their pay, but I do not want to touch or have anything connected with it that has stood it the taint of [illegible]. Now, I am governed in my opinion, as every other lawyer will be, according to his own construction of the statute. I would not have mentioned it, because I never would have shown of it if it had not been brought up on the floor of the House. I hope [illegible] any other Member of the House, by my own [illegible], to my constituents, who, I think, would give me that credit for honesty in any vote I would cast here. Section 17 of the Statutes at Large of the United States, Twenty-ninth Congress, volume 14, page [illegible], reads as follows:

[illegible]

Now, I admit, Mr. Chairman, that I am great stress upon the word "regular." I understand that it has been done in the extra session called by President McKinley, as well as in the extra session called by President Cleveland. The sessions adjourned before the regular session commenced. Where the Constitution says that at least one term of Congress shall meet each year, the implication is very strong, as a matter of course, that after their session can meet, and when it meets and adjourns before the regular session shall commence the Members would be entitled to mileage. But when they meet, as we did on the 9th day of November, and glide quietly and softly out of that, without any line of demarcation or distinction, into the "regular" session, in my humble view, I do not believe that I am entitled to the mileage provided for in the urgent deficiency bill.

Mr. MOON of Tennessee. Will the gentleman allow me to ask him a question?

Mr. RICHARDSON of Alabama. Certainly.

Mr. MOON of Tennessee. There are two methods of meeting by Congress.

Mr. RICHARDSON of Alabama. Yes.

Mr. MOON of Tennessee. Both are fixed by the Constitution. The Constitution provides that Congress shall meet on the first Monday of December.

Mr. RICHARDSON of Alabama. Yes.

Mr. MOON of Tennessee. Then there is another provision of the Constitution providing that on extraordinary occasions the President may convene Congress. Now, both of these methods of meeting are by virtue of the Constitution itself. Now can we construe any session of Congress called by the President in pursuance of that constitutional power, or meeting itself in pursuance of the Constitution, anything but a regular session?

Mr. RICHARDSON of Alabama. I admit that there is a hazy line [illegible] along there, and the fact that [illegible] in my opinion, is that we did not meet. It was a continuing session. We did not adjourn.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RICHARDSON of Alabama. I ask the privilege of extending my remarks in the RECORD.

Mr. MOON of Tennessee. I will ask that the gentleman have five minutes more.

The CHAIRMAN. The time is under the control of the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. I think [illegible] will be satisfied for me to give the gentleman two minutes more.

Mr. RICHARDSON of Alabama. I wanted off in my answer. I admit that there is a hazy line [illegible] under the ordinary construction of statutes there is a great difference [illegible] the meeting of Congress to receive the President's message [illegible] and in favor of the [illegible].

Mr. MOON of Tennessee. While I may agree with the gentleman that, under the present construction of the law in reference to this question, the Congress which met here in last voting the mileage, I have not the slightest doubt that extra sessions of Congress are regular and by law technically we have the right to make the appropriation.

Mr. RICHARDSON of Alabama. Then you believe it is the law for us to get that mileage?

Mr. MOON of Tennessee. I believe we would be entitled to it technically under the law, but under existing conditions I think it would be unwise for us to vote it, and I would rather forego it than pass the appropriation under those conditions.

Mr. RICHARDSON of Alabama. I do not intend, Mr. Chairman, to take money that I would have to accept technically.

Mr. MOON of Tennessee. I do not either.

Mr. RICHARDSON of Alabama. I want to get it absolutely legally, but I am not criticising anybody's views or opinions. I have as much respect for the gentleman's opinion of law as any man on the floor of the House, but I am giving my own construction of it.

Mr. MOON of Tennessee. I have not any doubt about that, but there are gentlemen who think we are entitled to this as a matter of law, of right, and of morals. I agree with those gentlemen that we have the right to take this mileage under the law, that we have the right to take it morally. But it is a question of question to vote money to ourselves. I think, under the existing circumstances, that in the interest of economy and to avoid the appearance of wrong, that it is best to resolve the doubts and all equities in favor of our constituents and not vote for the mileage. I am simply disagreeing with the gentleman's views of reasoning.

Mr. RICHARDSON of Alabama. I frankly say to my friend from Tennessee that if I believed that I had a right to it legally I should vote for it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAMAR of Missouri. Mr. Chairman, I have listened with considerable interest and with profound attention to the discussions on this floor for the past three months, and especially did I listen with interest to the gentlemen this morning on the other side of the House. But they need not worry about the dissolution of the Democratic party; neither need they worry themselves with invitations to us to come over and join their ranks. The death of the Democratic party was predicted a century ago; Federalism was to dispatch it, but Federalism died and was buried with the elder Adams.

After that the Whig party, perhaps the purist and best opponent the Democratic party ever had, was its decreed executioner; but the Whig party did not survive its great leader, Henry Clay. For a century the Democratic party in this land has been the champion of individual liberty and personal rights and has stood as a bulwark between the aggressions of concentrated wealth and power and the rights of the people, and when those principles which the gentleman espouses and that party of which he proudly boasts have been relegated to oblivion and are only remembered among the reminiscences of what once had an existence the Democratic party will still live. Democracy contains within itself the indestructible elements of perpetuity, and so long as free government and free institutions live the Democratic party will continue to exist. [Applause on the Democratic side.]

I did not intend to and would not have referred to this but for the fact that the gentleman from Mississippi appeared so much troubled over our impending political dissolution, and the invitation so many times repeated by him for us to disband and join the Republicans.

You ridicule us because we exercise individual opinions; because the Democracy is made up of men who choose to think for themselves; because no one man among us can usurp to himself the power and authority in advance of a convention of the people representing all our party to name a candidate for the Presidency or to make a platform in all its details. The Democratic party is not the subservient tool of any one man or coterie of men. And I say to the gentleman now that out of this conflict of individual opinion and [illegible] and the intelligence of the Democratic party will construct a platform and nominate a man which will before next November lead him to change his ideas as to the decadence of the Democratic party.

I have listened attentively to the discussions and debates of the House and have been much interested; but the reasoning and logic displayed by the gentlemen on the other side of the Chamber appeared [illegible] to me the exact position they occupy. They [illegible] that the present tariff law must not be interfered with; that any modification of existing rates would imperil the prospects, and perhaps the existence, of many of our industrial concerns; would close the furnaces, shut down our factories, stop the wheels of our mills, and bring in its train all the evils [illegible] tribe; and especially they say it would result in throwing out of employment, or reducing the wages of the poor laborer, for whom they express such apparent concern. When any reduction or modification of duties on the necessaries of life is mentioned, they immediately associate much of [illegible] with the pauper labor of Europe, and tell us such a reduction would ruin us, and that our manufactories are unable to meet such competition. I quote here from an article from the American Economist of December 25, 1903, the organ of the American Protective Tariff League, in reply to an editorial in the Springfield Republican. The editorial is as follows:

[illegible]

The reply to that from the Economist is this:

[illegible]

And this is the burden of the argument of the other side on this floor, that without protection, solely for protection's sake, without reference to any consideration of the revenues of the Government, our industrial system could not stand; that it can not, unaided by its protection, unsheltered by prohibitive tariff, withstand the flood of cheap goods from foreign factories with which our markets would be overwhelmed, and we are told they are "too wise to revise the tariff on the eve of a Presidential election," and that they are "standing pat," and that they "hold the ace," which [illegible] many assets.

Since the [illegible] the debate on the Cuban bill, I was surprised at some of the admissions made by the distinguished gentleman from New York [Mr. PAYNE], the leader of the majority on this floor. Ever since I can remember Republicans have been trying to teach the people in my State, first, that "the tariff is not a tax at all," and, secondly, that "if it is a tax, the foreigner pays it," and to intimate that it is a tax, which the consumer must and does pay, would there be considered by all good Republicans the rankest kind of heresy, and for a Republican to admit it, treason even of a worse sort than the "Iowa idea."

Yet the distinguished gentleman from New York said in the course of the debate, to which I have referred—alluding to the tariff on sugar, "and so it is we put the rate of duty higher on sugar than was absolutely necessary, because we could get this splendid revenue from the sugar duty; a revenue that came from the people of the United States, who used it in their households." Verily, it is then true, as we have so long contended, that the consumers of this country pay, in the increased cost to them, the duty on the almost innumerable articles of daily necessity and consumption, and which in most instances does not go to the Government to enhance its revenue, but into the coffers of some trust to enable it to declare a larger dividend on its watered stock, while at the same time reducing the wages of its employees. You admit that the increased cost, by reason of the tariff, on reapers and mowers, and plows, and hoes, and rakes, and harness, and wagons; on wire and nails, and sewing machines, and cutlery; on shoes and clothing, and china and stone ware, and on the thousands of articles of necessity which enter into the millions of homes throughout this land, is paid by the consumers, and that this species of toll—for it is a toll—is collected from all, for all use and consume some of these articles; is taken from the earnings of one class, by virtue of this species of legislation, and given to another class.

Our Republican friends are remarkable for the modesty of their claims. The CONGRESSIONAL RECORD is full of figures and statistical tables and comparisons of the present condition of the country as contrasted with that of ten, twenty, and thirty years ago. If they find more people here now, it is due to the Dingley law. If they find more mines and farms and factories and railroads than we had two or three decades back, it is, according to their logic, due to protection. If a benificent Providence has sent the sunshine and showers and seasons to bless the industry of our farmers with good crops, they sing praises to the Dingley bill and not to the Almighty. If our population has increased and multiplied, they, by some process of reasoning satisfactory, I suppose, to themselves, give credit to the Republican party and not to that blessed class of American women who prefer rearing children to leading a poodle dog by a string. [Applause.] Neither supply and demand, nor failure of crops, nor foreign wars, nor famine, as they reason, have any effect on prices. If mules raise in price on account of foreign wars, blessed is the Dingley law. To them it is "the source from which all blessings flow."

In a circulation statement issued by the Treasury Department January 1, 1904, the average circulation per capita for the United States on that date is given at $30.38. And because the average per capita circulation is greater than at some period in the past, because there is more wealth in the nation to-day than there was a decade ago, we are to lose sight of its distribution, lose sight of the question of whether the people who produce that wealth receive their just share of it, but are told we must "stand pat" and "keep on letting well enough alone" on the simple proposition "that because the country as a whole is increasing in wealth we must assume that the laws are just and equitable and need no alteration or modification." No one denies that the country is increasing in population, in wealth, and in power, but the vice in this line of reasoning lies in averaging the wealth.

By the same system of reasoning it can be demonstrated that a pauper and a multimillionaire, on an "average," are both millionaires, but the one is several times a millionaire while the other has nothing. The trouble is it is only in figures and averages, and it requires quite a stretch of the imaginative faculties, even of a Republican, to imagine the equitable distribution among the people who produce it and from whose pockets it has been extracted of the millions and billions of dollars owned and controlled by these tariff fostered and tariff shielded trusts and which go into the average of the wealth of the country. These "average" circulation statistics and "average" property statistics are perhaps all right as "averages" on paper; but the truth is the wealth has been diverted by class legislation from those who produced it to the favored class, many of whom "toil not, neither do they spin, yet Solomon in all his glory was not arrayed like one of these."

Their modesty is remarkable. If the price of an article is increased—under their logic—it is the Dingley law; if wages are higher there is no possible explanation or reason to be given for it than the protective system. A year ago, when stocks and securities were high, all this prosperity was the outgrowth of Republican policies; but when the bubble bursts—when stocks go down, when wages are cut, and men are thrown out of employment—then we are gravely told that the Dingley law has nothing to do with it.

I desire here to read an editorial from the Springfield Republican, and a reply from that same paper to which I referred a moment ago; the American Economist. The Springfield Republican says this:

Mr. HANNA stood up before the Republican national committee yesterday [illegible] "

[illegible] destructive war?

Replying to that editorial, the Economist has this to say:

[illegible]

Here the great champion of protection, the most ultra "standpatter," the organ of the tariff league, the paper that strenuously opposed the Cuban reciprocity bill as a breach in the protective fortifications, the mouthpiece of protection, admits that the Dingley law has nothing to do with the price of cotton, nothing to do with the reduction in wages of the thousands of cotton workers in the mills of New England, nothing to do with the conditions which have resulted in idleness of a hundred thousand men, nothing to do with the consumption of foreign and home products, nothing to do with the decline of industry and the real necessities. Had the opposite occurred our friends would have loudly proclaimed that their policies and laws caused it all.

We have been trying for years to combat this theory—that "the tariff is not a tax," and "the foreigner pays it," and that it costs the consumer nothing, and have called hard and long and patiently to the people that we were mistaken, and now it is rather gratifying to hear the distinguished gentleman admit it. That statement, that the tariff is a tax, which the consumer pays, coming from the distinguished leader of the other side admits a fact which Republicans have denied and Democrats asserted for so long "that the memory of man runneth not to the contrary." This interesting admission overturns the whole protective theory into the sugar declaration of taxation of all the consumers for the benefit of a few protected interests. But without conceding the soundness of this doctrine, even if protection were necessary for the profitable employment of our mills and factories, let us examine the collected facts and see how it, without the tariff, or at least with a material modification of many of its schedules, they could not still operate at a profit, and if the shelter it affords by preventing competition does not enable them to practice extortion upon the great body of American consumers.

I quote here from pages 15, 16, 17, and 18 of the last Republican campaign text-book:

AMERICAN INVASION OF EUROPE. THE UNITED STATES COMPETING WITH EUROPEAN MANUFACTURERS IN THEIR HOME MARKETS.

[illegible]

[illegible] for sale in every town and was told [illegible]

[illegible] antities, as well as every class of American goods made of iron and [illegible] popular. "Seven-tenths of all the [illegible] of Australasia are the colonial and [illegible] are used on [illegible]

Only the other day the gentleman on the other side from Connecticut [Mr. HILL], in a burst of eloquence on this floor, told us [illegible]

[illegible] le of the harbor was an [illegible] tramp [illegible]

[illegible] at day I went ashore and at night, at the hotel in Vladivostok, I was [illegible]

[illegible] out we wrecked one of these barges and the fre[illegible]

[illegible] in the land of [illegible]

[illegible] for the world. Our bicycles are standard [illegible]

[illegible] to France, watches to [illegible]

This statement also was used almost verbatim by the gentleman from Ohio [Mr. LAMAR] in a speech delivered in the CONGRESSIONAL RECORD of December 16, 1903. On December 20, 1903, an article appeared in the St. Louis Republic, written by the correspondent of that paper in the United States [illegible] I think Mr. Frank G. Carpenter—and I desire to copy that article in my remarks at this point.

[Special correspondence of the Sunday Republic.]

[illegible]

The prospect is that the United States will push their foreign trade during the coming year as never before.

The home market is almost glutted, and if our factories are to keep busy they must find [illegible]

I have [illegible] a Billion [illegible] year. I have a [illegible] of our business of South America.

In this letter I will point out our possibilities at the other side of the globe. In the first place, take a [illegible]

* * * * * * *

Siberia has almost [illegible] people, and it grows like the bean stalk up [illegible] great British cities in trade.

It [illegible] Liverpool, and it does more business than [illegible]

Siberia [illegible] houses in Sydney and [illegible] our goods [illegible]

But what do we sell away down there below the equator?

A recent shipment of one of the big San Francisco steamers included [illegible] tons of sewing machines, [illegible] tons of [illegible] and 8000 cases and [illegible] barrels of kerosene.

[illegible] and revolvers, tons of Philadelphia lawn [illegible] papers, wagons knocked down, coffee mills, and all sorts of [illegible] other manufactured [illegible]

[illegible] antities, as well as every class of American goods made of iron and [illegible]

[illegible] of Australasia are the colonial and [illegible]

[illegible] are used on [illegible]

[illegible] of the harbor was an [illegible] tramp [illegible]

[illegible] at day I went ashore and at night, at the hotel in Vladivostok, I was [illegible]

[illegible] out we wrecked one of these barges and the fre[illegible]

In a [illegible] from New Jersey [illegible] also Mr. [illegible] item from the New York American was read. It is as follows:

BERLIN, November [illegible]

[illegible]

The [illegible] this stat[illegible] which reply was [illegible]

Ah, gentlemen, [illegible] sion of the question. It may be all [illegible] will [illegible] to construct, repair, and operate railroads, they must [illegible] of [illegible], and do charge the people more who use them. You [illegible] not [illegible] They are [illegible] out of employment, and in the next tell us these same [illegible] our [illegible] of [illegible]

The soil of South Africa, Australia, and Japan is turned by American plows, shipped there under the Dingley law, and sold, after paying the freight, in competition with the trade of the

world. Yet the American, over whose field perhaps floats the smoke from the very factory making these plows, must pay 20 per cent, or one-fifth, more, not to the Government, but to the implement trust, for the plow he follows. The clatter of American harvesters shipped there, you tell us, under the Dingley law, and sold, after paying freights, in competition with the world, may be heard in Europe and in Asia and wherever [illegible] or Iowa farmer who buys a [illegible] must pay 20 per cent, or one-fifth, more into the till of the "international harvester" trust.

The hum of the American sewing machine may be heard along the banks of the Bosporus, the Danube, and [illegible] sold in competition with the trade of the world. Yet the poor American seamstress who lives under the very shadow of the factory where they are made must, when she buys a machine, if she is so fortunate as to be able to own one, pay a higher price than is paid by the German peasant on the banks of the [illegible]

[illegible] adelphia draw the crowned heads or royalty over European hills, and that the [illegible] silent solitudes of the Siberian desert are awakened [illegible] shrill whistle of the American engine, running over [illegible] carry the grain and live stock of America's farms [illegible] on; that these American manufacturers are [illegible] and [illegible] oriental potentates cheaper and better and [illegible] say that [illegible] that the American who consumes [illegible] for their benefit.

You tell us "American shoes have captured the favor of Europe, and the foreign makers are hastening to import our machinery that they may compete [illegible] and in L[illegible] shipped there under the Dingley law," and yet the American shoe manufacturers must, by legislation, be permitted to extort from the earnings of the American purchaser of shoes from 25 per cent to 45 per cent increase in cost to protect these same manufacturers from competition with the European shoe manufacturers, and the very man who drives a peg or stitches a seam in the shoe in the factory where they are made must contribute his share of this bonus, or tribute, to the shoe trust, under this unholy schedule. Such are the blessings of protection.

"We are shipping cutlery to Sheffield," yet the American housewife must pay from 40 to 60 per cent more for her table cutlery—her knives and forks—her dishes, her china and glass and earthenware, that the tariff barons may enjoy the beneficient results of protection. You say, in your campaign book, and I assume it was prepared after deliberation and with consideration, and you ratify and confirm it on the floor of this House, "In the list of our triumphs we would find that American exports have not been confined to specialties nor limited as to markets. We have been successfully meeting competition everywhere." If you can pay [illegible] and meet competition there, why can't you do it here, with such incidental protection as a strictly revenue tariff would afford, when the burden of the item of freight rates would be lifted from you and added to the selling price of that competitor who can't meet your prices on his own ground. If he can meet your prices when you pay the freight, how under heaven can he undersell you when he pays the freight.

I want to insert at this point a table showing domestic and foreign prices on a number of articles:

Export and home prices.

Article and description.	Quantity quoted.	Export price.	Home price.	Per cent difference.
Ac[illegible] generator [illegible]	Each	$40 00	$55 00	37
Am[illegible] caps:				
[illegible]	1,000	1 03	1 49	43
[illegible] fire, 32 long	1,000	6 48	9 00	40
[illegible]	[illegible]	2 16	3 00	39
[illegible]	[illegible]	52	1 33	152
[illegible] New Jersey	Loaves	4 50	5 [illegible]	20
[illegible] refined [illegible] lamp	Pound	[illegible]	[illegible]	210
[illegible]	Ton	55 00	70 00	27
[illegible] standard [illegible]		3 00	4 00	58
[illegible] lathe, F.	Each	15 86	*24 00	51
[illegible] and, No. [illegible]	do	10 20	16 00	63
[illegible] Co., face-plate jaws, No. 48, 8 [illegible]	4 sets	28 52	39 00	66

Export and home prices—Continued.

Article and description.	Quantity quoted.	Export price.	Home price.	Per cent difference.
[illegible] spice mills, Enterprise	Each	$40 and 2 per cent	25 to 30 per cent	20
[illegible] Enterprise		[illegible]	$11 00	25
[illegible]	Gross	2 [illegible]	3 23	[illegible]
[illegible]		1 08	[illegible]	[illegible]
"Yankee" [illegible] inches, X [illegible]		1 00	1 30	[illegible]
Lead [illegible]	100 pounds	2 00 to 2 50	3 97	58 to 98
Meat [illegible]	Each	75	1 04	39
[illegible]	do	1 14	1 56	37
[illegible]	do	1 51	2 08	38
[illegible]		2 25	3 12	38
[illegible]		1 50	2 05	36
[illegible]		1 30	2 00	53
[illegible] pliers.		[illegible]	[illegible]	
[illegible]	Each	[illegible]	[illegible]	25
[illegible]	do	[illegible]	[illegible]	18
Pho[illegible] Playing [illegible]				
[illegible]	Gross	12 25	[illegible]	108
[illegible]	[illegible]	[illegible]	.45	[illegible]
[illegible]	do	[illegible]	.32	[illegible]
[illegible]	do	[illegible]	.16	37
[illegible]	do	[illegible]	.48	27
[illegible] in and grape.		$40 and 5 per cent.	25 to 30 per cent.	30
[illegible] able iron [illegible]				
[illegible]	Dozen	1 18	1 50	27
[illegible]	do	1 25	1 60	[illegible]
[illegible]	do	1 20	1 75	26
[illegible]		[illegible]	[illegible]	23
[illegible]		[illegible]	[illegible]	25
[illegible]		$4 [illegible]	[illegible]	20
Saws, Disston & Sons:		per cent.	per cent.	
Band—				
24 inch, gauge 18	Foot	.21	.34	[illegible]
[illegible] gauge 18	do	1.25	1 54	[illegible]
But[illegible]				
No. 7, 24 inches	Dozen	8 50	10 22	20
Hand—				
No. 12, 24 inches	do	14 82	18 04	22
[illegible]	do	11 67	14 57	25
[illegible]	do	10 68	12 00	13
Se[illegible]				
[illegible]	Each	13 25	20 00	50
[illegible] No. 4 or 9	do	17.48	25 00	43
Sh[illegible]				
[illegible]	Dozen	[illegible]	[illegible]	29
[illegible]	do	[illegible]	[illegible]	[illegible]
[illegible]	do	[illegible]	[illegible]	29
Tin [illegible]	100 pounds	3.19	4.19	31
T[illegible] Remington	Each	35 00 to 65 00	100 00	54 to 82
[illegible]				
W[illegible]				
[illegible] zed	100 pounds	[illegible]	[illegible]	[illegible]
[illegible] d	do	1 [illegible]	2.60	40
W[illegible]	do	1 37	2 00	45
W[illegible]				
[illegible]	[illegible]	1 54	2.70	75
[illegible]		1 62	2 97	83
Gauge 12	do	1 76	3 10	76
Gauge 13 to 14	do	1 81	3 37	85
[illegible] to 16	do	2 08	3 78	81
[illegible]	do	2 46	4 05	65
[illegible]	do	2 83	4 32	64
[illegible]		(a)		
[illegible]	Pound	3.75	4.15	11
W[illegible]				
[illegible] inches	100 feet	3.12	9.70	211
1 in[illegible]	do	.72	2 [illegible]	281

a Cheaper in Russia than in United States.

[illegible]

I [illegible] it may be said that some of [illegible] of [illegible] for supposing that similar prices and differences [illegible]

[illegible] Figures and schedules are to most people very dry reading. My

deliberate judgment is that it is only because of the insidious and deceptive methods by which this system of legalized extortion is carried on that it has been tolerated this long. No man knows or can tell at the end of the year the precise amount he has been forced to pay by reason of it in increased cost to him of the articles he purchased during the year. And it would require a vast amount of study and labor to find out. On some things there is a specific duty, on some an ad valorem, on others both, and on others a graduated rate, varying on different classes of the same article.

The Spanish war revenue law suggested a thought to me. If under the revenue laws articles were priced at what the cost would be without the tax, and then the purchaser had to pay a revenue stamp representing the amount of the tax, instead of the duty; if the farmer could buy his plow, his mower, his reaper, his feeding stove, his nails, his harness, his shoes, his clothing, and his furniture at what they would cost him if there were no duty, and then were forced to add the amount of the tax in the form of a revenue stamp to be purchased by stamps for a specific amount, to paste on the article, if the good housewife could buy her calico, her linen and household necessities for what they would cost less duty, and then had to expend one-third more for a revenue stamp to be purchased, pasted on the article, and cancelled before she did it, and then had paid for the stamps out of her pocket, the Government Treasury, but would it be the answer some of our friends insist, if this or any other system equally bad were used the people would fully know just when, how often, and how much was extracted from them that the manufacturing promoters now by stealth at the expense, there would not be that one universal cry against any and all protective systems of legalized robbery which should be revised and reconstructed along the lines of a strictly protective basis.

You talk about the "dinner pail and the workingman," and on while you are working Democrats are forging laws and all employment and the cost of living as the wise men know it has gone far, far above 9 of this, that has increased since January 1, 1897, more than 40 per cent. Here is that statement in detail:

PRICE CONSUMER PAYS TO PROTECTIONISTS.

[Index Bureau Summary from Dun's Review.]

[illegible] rison and economy of space the prices are grouped in [illegible]

Date.	Bread stuffs.	Meats.	Dairy and garden.	Other food.	Clothing.	Metals.	Miscellaneous.	Total.
1899.								
[illegible]	13 [illegible]	7 726	11 702	9 183	15 051	15 608	12 914	85 795
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1900.								
May 1	13 954	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]ary 1...	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
May 1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
June 1...	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
July 1...	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1900.								
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

in the Treasury, and during this decade an occasional interest charge. From 1890 to 1900 [illegible] in the Treasury of the United States and from [illegible] were [illegible] partly in the banks and partly in the Treasury.

Now, then, gentlemen, I believe it ought to be all put in the banks and not withdrawn from circulation, so that it might be used and not hoarded up.

I believe it would be wise to change the law and permit that to be done. But I [illegible] between the [illegible] and the [illegible] or in it, which seems to be [illegible] I am glad that [illegible] in the policy of the [illegible] party. [illegible] and has referred to the Ways and Means Committee a bill of its own as an alternative proposition.

Mr. WILLIAMS of Mississippi. Not as an alternative proposition to the Aldrich bill.

Mr. HILL of Connecticut. Well, as a substitute proposition for the present condition of things, and I ask the gentleman what is the [illegible]

Mr. WILLIAMS of Mississippi. It is meant to strike [illegible] that is now existing, that is all. It does not pretend to be a comprehensive banking and currency measure at all.

Mr. HILL of Connecticut. It was certainly introduced for some purpose. Now, what is the purpose and [illegible] That fund in three months the [illegible] States should be put up at auction to the highest [illegible] to be passed on call or to be placed on time. [illegible] Republican or Democratic side any policy [illegible] gerous use of the Government funds. [illegible] of the Aldrich and [illegible] I was opposed to it. Our funds are now secured by United States bonds. A proposition was introduced at the last session of Congress to have them secured by miscellaneous securities.

Now, I want to show you the retrograde [illegible] since that came in. Under that bill Government deposits could be secured by State bonds which had not defaulted on their interest, the bonds of certain dividend paying railroads, and the bonds of certain cities of a hundred thousand population. What happened? Certain gentlemen rose up and stated that the bonds of their cities were just as good as if they had a hundred thousand population, and down went the limit of population to 50,000. Another gentleman rose and said: "I live in a city where the population is only 15,000, but our bonds are absolutely good, as good as those of the city of New York," and down went the limit again. Down went the limit on railroad bonds.

Then it came to county bonds, and nobody knows where it will end if the door is once opened. And [illegible] I see a very distinguished gentleman sitting here right before me whose acquaintance I enjoy and appreciate, yet in this session of Congress he has introduced a bill by which he proposes to permit the United States to make an absolute investment of its surplus money in miscellaneous bonds, county bonds, State bonds, etc., to be bought and sold in the markets. The United States Treasury on Wall street, think of it. That is not all. In another end of the Capitol we have got a bill for the use of these same miscellaneous bonds to secure national bank circulation, and thus in the way we have gone since that original proposition of the Aldrich bill was introduced. There is where we have gone and there is the tendency, and, gentlemen, I must confess that this proposition is still more dangerous than anything I have seen.

Now, could it be [illegible]? No. It is absolutely impossible, with safety to the country. And if anything was accomplished it would be wholly in the opposite direction from that which the distinguished gentleman expected. Now, why? The Aldrich bill possessed the same [illegible] that this bill does. That had been carefully considered and [illegible] one day a telegram came from Chicago, a [illegible] by the officers of every bank in the city, protesting against its passage. Why? Because the effect of it, gentlemen, would have been exactly the same as this would produce, namely, to strip every Government deposit from every country bank throughout the United States and concentrate them in Wall street; and I do not believe that is what the gentleman from Mississippi intends.

Now, let me demonstrate it. In making a comparison of this bill [illegible] is bill if the plan of the gentleman from Mississippi [illegible] cent, would take [illegible] an annual loss of interest [illegible] when that purchase was made.

Now, you would get [illegible] from that $2,000 interest on your [illegible] would be out of [illegible] per cent money and interest [illegible] 4 per cent on your [illegible] and an [illegible] your b[illegible]

If n[illegible]

Y[illegible] there is but one 2 per cent market in the United [illegible] that is Wall Street, with money on call. There is [illegible] How would the Wall street banker [illegible] He would buy a 2 per cent bond with 2 per cent money [illegible] that [illegible] 2 per cent bond, without [illegible], would be 1.67 per cent, and the Wall street banker with a 2 per cent market could bid [illegible]

Now, figure that out in the same way with the reserve required and you will find that a 6 per cent banker in the country could [illegible] every three [illegible] one hundredths of 1 per cent, while the Wall street banker, with a reserve of 25 per cent instead of 15 per cent, with a 2 per cent money market could bid 1.39, and [illegible] whole country of these deposits and put [illegible] in Wall street.

Now, how does this bill differ from the Aldrich bill? In this respect, that the Aldrich bill made a minimum limit at which the Secretary without receiving bids could put out the money at [illegible] per cent, and you make no minimum at all. The Aldrich bill provided for any amount the Treasurer could loan and for any [illegible] and you put it up at auction in amounts [illegible] equal of a bank. There is the difference between your bill and the Aldrich bill. They would work absolutely in the same way and [illegible] the country [illegible] in Wall street. [illegible] every bond speculator and broker in the United States [illegible] forward with delight and gleeful [illegible] to the passage of that bill.

Now, take a municipal bond. I know gentlemen here are apt to think that [illegible] so with a 4 or 5 or 6 per cent bond. There is a profit in it unquestionably, but the profit is the greatest in the lowest rate of interest market. There is an apparent fallacy there; but yet, when you come to figure it up, you find it is absolutely so, because you start on the proposition of the higher your rate of interest the more you have got to lose in the bond purchased for security, and that loss must be deducted from the interest received from loaning the Government deposits.

The higher the rate of premium, the more still you will lose. Let me show you how that works out on a municipal bond. Take, for instance, Columbus, Ohio, and compare the 6 per cent and 2 per cent rates.

Investment in a Columbus, Ohio, bond at 110½ and paying 4 per cent [illegible] interest, $6,645. [illegible] per cent margin required by the [illegible] $75,000 [illegible] 15 per cent reserve, [illegible] 6 per cent [illegible] net loan [illegible] gain on transaction.

The same deposit on the same bond, with a reserve of 25 per cent instead of 15 per cent, would show, as a 2 per cent [illegible]

Now, who could afford to make the highest bid? The country [illegible] Wall street one?

The PRINCE. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. HILL of Connecticut. [illegible]

Mr. PRINCE. I think in the gentleman's remarks he referred to a bill that I had introduced, wanting to invest one hundred millions of the one hundred and sixty-eight millions now in

national depositories, for which the Government is getting no interest.

Mr. HILL of Connecticut. Yes.

Mr. PRINCE. The Secretary of the Treasury placed that money in the hands of the national depositories, did he not?

Mr. HILL of Connecticut. Yes.

Mr. PRINCE. Now, let me read, if you please, for a moment, what the Secretary of War has done with reference to money that has come into his hands as a result of the sale of the Philippine [illegible]

Mr. HILL of Connecticut. I understand, and I will state now that [illegible] money is not a particle one at all. That is money which [illegible] have got to keep as a gold reserve to maintain the parity of their silver currency. They must keep it. It is a particular fund, [illegible] only to drafts in case there is a demand for gold. The parallel does not exist at all between that case and our condition. We ought not to have a surplus in the banks of the United States. I am free to say that I admit it. But if we are to have it, and so long as it continues, it ought to be there on business principles, ready to be drawn on at sight, not loaned out, for governments to borrow, but do not lend.

Mr. PRINCE. Just let the gentleman answer this, after I have read it. It is on page 15 of the report of the Chief of the Bureau of Insular Affairs. It is as follows:

[illegible] $1,000 certificates were sent to New York by two representatives [illegible] here would have been a profit of $3,188.65 on this issue at the [illegible] of this second sale.

Mr. HILL of Connecticut. I will ask the gentleman this question, whether he believes it is the function of government to take money from the people by taxation and then to loan it out to them at interest?

Mr. PRINCE. I do not.

Mr. HILL of Connecticut. Well, that is the fundamental principle of the whole thing.

Mr. PRINCE. But let me suggest to the gentleman that we have to-day one hundred and sixty-[illegible] which we can not pay the bonded indebtedness for some twenty-three or twenty-five years to come. We tried within the last year to [illegible] the face value of some sixteen millions of bonds and we [illegible] something like twenty-two millions. In other words, we paid a premium of 37½ per cent.

Mr. HILL of Connecticut. I admit all that the gentleman says. I simply repeat again that it is not the function of the Government to take money from the people by taxation and loan it out at interest.

Mr. WILLIAMS of Mississippi. Is it the function of the Government to take the money away from the people and then give it back to them, or, rather, lend it to capitalists without interest?

Mr. HILL of Connecticut. It is the function of government to [illegible] the expense. The effect of your proposition, and of all of these kindred propositions, whether they are Republican or Democratic in source, will be to lower the standard and mark nearly we will get back to where we were in the late [illegible] so efficiently some time ago by the gentleman from Illinois [Mr. BOUTELL], when the United States Government took its money and divided it up among the States pro rata.

Mr. WILLIAMS of Mississippi. Now, I want to ask the gentleman in this question: The gentleman says it is not a part of the function of government to lend its money at interest on call.

Mr. HILL of Connecticut. Not to.

Mr. WILLIAMS of Mississippi. But he admits it is quite excusable to give its money away on call. Now, then, as I understand [illegible]

Mr. HILL of Connecticut. Of course I do not admit anything of the kind.

Mr. WILLIAMS of Mississippi. The gentleman admits that the present system is quite excusable.

Mr. HILL of Connecticut. I admit that the present system is [illegible] check, and would [illegible]

Mr. WILLIAMS of Mississippi. Let me go ahead a moment further. I want to ask the gentleman if money deposited at interest on call is not just as much subject to the gentleman's check, or, in this particular case, to the Government's check, as money *given away* on call or deposited without interest on call?

Mr. HILL of Connecticut. Perhaps so.

Mr. WILLIAMS of Mississippi. Are the deposits on call not subject to exactly the same power to check whenever you please, whether at interest or not?

Mr. HILL of Connecticut. Unquestionably in theory.

Mr. WILLIAMS of Mississippi. Now, one further question. The Government has now, I believe, about $150,000,000, in round numbers, deposited in the national banks.

Mr. HILL of Connecticut. One hundred and sixty-five million dollars, I believe.

Mr. WILLIAMS of Mississippi. Well, then, we are going to build a Panama canal; we can pay for it by checking upon these banks. [illegible] want to do [illegible] I ask the gentleman whether it would not produce a panic in this country.

Mr. HILL of Connecticut. I think it would; and that would be precisely the result which would be accomplished under the terms of the bill if you shifted those deposits [illegible] months to the highest bidder.

Mr. WILLIAMS of Mississippi. It being true then that if we should check for the whole of these deposits, now bearing no interest, it would produce a panic in this country, it must be true also that the Government can not practically check for that amount to-morrow if it is wise as a Government; it must be true also that it will not do so; and then it must be true also that this is a sort of permanent loan, and if it is, why should not the Government receive whatever rate of interest the money is worth to the parties who have the use of it and are using it?

And if that be true, why is it not Republican and Democratic doctrine that this way of doing business should not be confined to the national banks, or to the Government, [illegible] beyond the peradventure of doubt that he will pay the money?

Mr. HILL of Connecticut. I thank the gentleman for that suggestion, for it only shows the downward course we would be pursuing if this policy should be followed by the Secretary. The Treasury and the Treasury should become a one-man bank to loan out the funds of the Government, he alone under the statutes being the judge of the collateral.

Mr. WILLIAMS of Mississippi. Now, will the gentlemen tell me [illegible] I [illegible] necessary to [illegible] government which [illegible] taxes the people, because there ought not to be a good government [illegible] be any surplus at all, except a working margin, and that [illegible] ought to be in the subtreasuries of the Government. I am [illegible] ing a condition, not trying to establish a new order of [illegible] will the gentleman point out a single evil that could come out of [illegible] money should go to banks on interest that does not exist where you deposit the money on call in the banks without interest?

Mr. HILL of Connecticut. I have been trying to explain to the gentleman that under the present law with Government money [illegible] and I am willing to go no further. I am [illegible] than Government bonds as security for Government money, it is impossible for me to do it, unless you [illegible] all your deposits in a [illegible] market, and there is but one such in the United States, Wall street.

Mr. WILLIAMS of Mississippi. I do not wish to take too much of the gentleman's time. But the question I have asked and the question I should like the gentleman to answer is this: Under a system of loaning Government money without the credit of the Government, in banks [illegible] that would not also exist under a system of loaning the Government money on some the notes of the Government to banks, without security?

Mr. HILL of Connecticut. I think the difference is in the method. As I said before, there is not a bank in the United States, by a one-man power, [illegible] at least five directors to [illegible] with its [illegible] Any man [illegible] in a [illegible] what is called a [illegible] does the whole business, [illegible] out the advice of the board. The [illegible] Aldrich bill [illegible]

Now, by this process of loaning out Government funds on promiscuous securities, you are making the Treasury of the United States a one-man bank, with the largest fund of any bank in the world, to be loaned out on promiscuous security at the discretion of one man. I say it is absolutely vicious. Rather than adopt

such a system I would abandon any interest for a century; and no man can deny the correctness of this principle.

Mr. WILLIAMS of Mississippi. One other question. How is the present system—leaving it to the discretion of the Secretary of the Treasury to select the banks to serve as depositories without interest—better than a system which would have him to select—not in his discretion, but according to their bids—the persons or institutions who would receive these deposits at interest?

Mr. HILL of Connecticut. Was it simply for this reason that Congress has prescribed the security and that it shall be Government bonds.

Mr. WILLIAMS of Mississippi. But this bill does not change the security now prescribed by law. On the contrary, it leaves the security just as it is to-day.

Mr. HILL of Connecticut. I admit it; but I have tried to tell the gentleman that I do not know that it is especially important to change the security from United States bonds to the present law. I am present system of security [illegible]

Mr. WILLIAMS of Mississippi. That is another question.

Mr. HILL of Connecticut (continuing). Would be to strip the whole country of the deposits and would not result as he expects it would [illegible]

Mr. WILLIAMS of Mississippi. The gentleman disagrees with me there, but that is another question. That is not what I am on now. The thing I am on now is, will you tell the House now, if the Secretary of the Treasury had to select the depositories banks—and I have [illegible] to a question made to the Ways and Means committee—which would expect a bonus for the security now required by law [illegible] for the benefit of interest, why that would be any more open to the charge of being a one-man-bank's scheme than the present system, which gives the Secretary of the Treasury, under our laws, guiding law, with the own discretion, to select banks which he chooses. And leaves the money without interest?

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HILL of Connecticut. I understood I had forty-five minutes.

The CHAIRMAN. There are only five minutes remaining to that side of the House, and the gentleman from Indiana [Mr. HEMENWAY] said he wanted five minutes.

Mr. LIVINGSTON. How much time has this side of the House?

The CHAIRMAN. That side of the House has fifty-nine minutes.

Mr. HILL of Connecticut. Do I understand that I have the courtesy of the gentleman to proceed? Do I have any more time?

The CHAIRMAN. Not on the Republican side.

Mr. LIVINGSTON. I ask unanimous consent that the gentleman be allowed ten minutes.

The CHAIRMAN. The House by unanimous consent has fixed the time at which this debate is to close.

Mr. HILL of Connecticut. Mr. Chairman, I will pursue this line at some other time. There are some few things in reply to it that I would like to bring to the attention of the House, but I will [illegible]

Mr. HEMENWAY. I have but five minutes remaining, and I yield [illegible] the gentleman from Vermont [Mr. HASKINS].

Mr. HILL. Will the gentleman move that the committee rise for a moment?

On motion of Mr. HEMENWAY, the committee rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 10429), the urgent deficiency bill, and had come to no resolution thereon.

[illegible] AND CONSULAR APPROPRIATION BILL.

Mr. HITT, from the Committee on Foreign Affairs, reported a bill (H. R. 10[illegible]) [illegible] for the [illegible] June [illegible] was [illegible] ing report [illegible] to the Committee of the Whole [illegible]

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire to reserve all points of order on this bill.

The CLERK. All points of order are reserved.

URGENT DEFICIENCY APPROPRIATION BILL.

On motion of Mr. HEMENWAY, the House again resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the urgent deficiency appropriation bill, Mr. TAWNEY in the chair.

Mr. HEMENWAY. I yield five minutes to the gentleman from Vermont [Mr. HASKINS].

Mr. HASKINS. Mr. Chairman, owing to the fact that yesterday I was engaged in committee I was not present during the remarks of the gentleman from Georgia [Mr. HARDWICK]. This morning, however, my attention was called to what he stated with reference to the constitution and laws of Vermont touching the question of suffrage. I read from his remarks:

I respectfully invite the attention of the distinguished gentleman and of the House to the provisions of the constitution of Vermont, framed by a convention composed of [illegible] citizens, who are of quiet and peaceable behavior, and who have the approbation of the board of civil authorities, shall alone be permitted to vote; the most far-reaching franchise law ever adopted in any state, North or South.

Mr. Chairman, the original constitution of the State of Vermont was adopted in 1777. Its framework was the constitution of Pennsylvania of 1776. However, in this particular they did not agree. Pennsylvania placed her suffrage provisions upon taxpaying; Vermont based her suffrage upon manhood only, supplemented by an oath, which we designate as the "freeman's oath," which is taken by the "first voter." Now, that there may be no misunderstanding or misapprehension hereafter as to the constitution and laws of Vermont, I desire to have them incorporated in the RECORD. They are very brief. I read first from the "Declaration of rights of the inhabitants of the State of Vermont," chapter 1:

ART. 8. That all elections ought to be free and without corruption, and [illegible]

I now read the plan or frame of government, chapter 2, section 21; and this was the provision of 1777:

[illegible] admission, shall be entitled to all the privileges of a freeman of this State.

Then follows the freeman's oath:

[illegible] frage touching any matter that concerns the State of Vermont you will do so as in your conscience you shall judge will most conduce to the most good of the same, as established by the constitution, without fear or favor of any man.

Then comes section 42:

SEC. 42. The declaration of the political rights and privileges of the inhabitants of this [illegible] in any [illegible]

These are the provisions only in the constitution. I now read from the law, the statute of Vermont, fixing the rights and the qualifications of voters:

[illegible] 21 years of age or more, having resided in the [illegible] the day of the election [illegible]

Now, the election officers under our law are the justices of the peace and the selectmen and the town clerks of the several towns and in the cities [illegible] the peace. [illegible] of the peace are [illegible] ally. The question as to a man's politics, to be elected a justice of the peace or a selectman, never enters into the election at all.

Now, so far as the approbation of the board of civil authority to a claimed voter taking the freeman's oath is concerned, the inquiry is simply confined to the question of citizenship, residence and age. The provision of the statute in this respect is to guard against fraudulent registration and voting by persons who have never taken the freeman's oath, and who are known as "first voters."

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. I yield one minute to the gentleman from Georgia to read the Vermont law.

Mr. HARDWICK. Section 66 of the Vermont law, code of 1894, reads:

No person shall be admitted to take the freeman's oath or to vote in any election [illegible] approbation of the board of civil authority of the town in which he resides.

Exactly what I stated yesterday. [Loud applause on the Democratic side.]

Mr. HASKINS. If the gentleman will allow me——

Mr. WILLIAMS of Mississippi. He has only a minute, and that has expired.

Mr. HASKINS. He has only occupied half a minute.

Mr. HARDWICK. [illegible]

Mr. WILLIAMS of Mississippi. His minute has expired, and if it has not, we must go on.

Mr. HEMENWAY. I think in view of the fact——

The CHAIRMAN. The minute has not expired. [Laughter.]

Mr. HASKINS. For forty years I have been one of the [illegible] officers in my town, and I never heard the question as to a man's

politics or as to his good behavior raised whenever he had offered to register or to present his vote.

Mr. HARDWICK. I have made a statement about the law and not about the practice.

Mr. HASKINS. That is the practice.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I will not have time nor do I desire to reply to the gentleman from Connecticut in extenso. After I shall have used five minutes, please "call me down." Now, Mr. Chairman, that the gentleman from Connecticut does not understand the difference between the word "and" and the word "or" in the construction of a statute is totally beyond my comprehension.

Mr. HILL of Connecticut. That may be.

Mr. WILLIAMS of Mississippi. Now, what would the difference be as to these words when put in this statute: "The Secretary of the Treasury shall require the associations thus designated to give satisfactory security by the deposit of United States bonds 'and' otherwise?" It means, with the word "and" there, that in part the security has got to be in United States bonds, and with that out, and if the statute should read, with the "security by the deposit of United States bonds 'or' otherwise," that would mean that no part of it would be required to be in bonds of the United States.

Mr. HILL of Connecticut. Could it be all United States bonds; under your construction of the language could it be United States bonds?

Mr. WILLIAMS of Mississippi. It could be all or part, either one: it could not possibly be all of anything else and no United States bonds. Now, Mr. Chairman, the gentleman has attempted laboriously to prove, through some arrangement of figures which I could not follow in my head, that in a country where money lends for 8 per cent the people could not afford to bid as much for United States deposits as in a country where money loans for 3 per cent——

Mr. HILL of Connecticut. Will the gentleman allow me——

Mr. WILLIAMS of Mississippi. My five minutes will not allow me to yield. And the only thing I caught when you were explaining it was this, that you said that a man would have to sacrifice 8 per cent money in the purchase of United States bonds, but you forgot that after the man had sacrificed 8 per cent money in the purchase of United States bonds upon which he would draw 2 or 3 per cent, then he would begin to use the money, and use it in an 8 per cent money market.

Mr. HILL of Connecticut. Certainly, I agree with you.

Mr. WILLIAMS of Mississippi (continuing). And that is absolutely what the gentleman did not mention, or at least failed to mention——

Mr. HILL of Connecticut. Will the gentleman yield——

Mr. WILLIAMS of Mississippi. No, I can not. Now, the gentleman says that I would have a "public auction" take place "once in three months" for people to bid for United States deposits. Well, under the present system, you have a public auction "once in three months" for people to bid to the Secretary of the Treasury to be given United States deposits, because I have quoted in the bill the language of the present statute when I say that "it is hereby made the duty of the Secretary of the Treasury on the 1st day of July, on the 1st day of October, on the 1st day of January, and on the 1st day of April of each year" to do certain things, namely, to deposit the money on interest in a certain manner.

The present law is that it shall be deposited at those times in the discretion of the Secretary of the Treasury with a perfect right to select his personal or political friends, if he chooses to do it, all over this broad country, and to give that immense amount of money which they could use in either a 4 per cent or a 6 per cent or an 8 per cent market without their paying a cent. The word "auction" means nothing; the law now simply gives an "auction" once in three months under the present system without anybody having to pay anything except compliments, flattery, good graces, and perhaps promises to the powers that be, whereas under my system they would have to pay some cash.

The gentleman forgets when he makes that comparison, too, that under the ruling of the Secretary of the Treasury, where he simply wiped out the word "and" and puts in the word "or," that the security would not have to be confined to United States bonds any more than now. The bill provides that the security given shall be the same security as is now required by law, and of course it is subject to the same regulations and construction under the present Administration.

Mr. HILL of Connecticut. Will the gentleman pardon just a word: That rule that provided there should be a margin of 25 per cent puts the financial transaction on the same basis as Government 2 per cent bonds, and consequently makes my mathematical calculations exactly correct.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the mathematics which can convince me that a man who can use money at 8 per cent can not pay as much to get money as the man who can not use it at over 3 per cent will never be discovered. The mathematics can not be found that can convince me of that proposition. Now, Mr. Chairman, United States banks throughout this country deposit their reserve up in New York banks and the New York banks pay 2 per cent for it. Why can not the United States Government be paid 2 per cent?

Now, I am a good-natured fellow, and instead of making that a public bid and giving it to the highest bidder, I think it would be an improvement over the present plan if you would require them to pay, say, 2 per cent, and make it fixed. Let us [illegible] Government [illegible] to put out to highest bidder among banks, State and national, first furnishing absolutely self-sufficing security for repayment, would be better. Why? Because that would carry the money to those parts of the country which need it most for productive enterprise and home development, and not to the great centers where small interest prevails and where it is used chiefly for speculative purposes on 'change.

Now, Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. WILEY].

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 421. An act for the relief of W. J. Kountz;

S. 372. An act authorizing the recorder of the General Land Office to issue certified copies of patents, records, books, and papers;

S. 250. An act granting to the State of Idaho 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Idaho State Soldiers' and Sailors' Home;

S. 146. An act for the relief of Leonard L. Deitrick;

S. 426. An act for the relief of Rudolf Herbst;

S. 122. An act authorizing the Secretary of the Interior to restore to public entry lands embraced in whole or in part within segregations for reservoirs;

S. 61. An act for the relief of M. E. Saville;

S. 36. An act for the relief of the legal representatives of Napoleon B. Giddings;

S. 619. An act making an appropriation for completing the construction of the road to the national cemetery near Pensacola, Fla.;

S. 498. An act for the relief of the widow and children of the late Joseph W. Etheridge and the widow of the late John M. Richardson;

S. R. 21. Joint resolution authorizing the purchase of a marble bust of General Lafayette, executed by David d'Angers;

S. R. 20. Joint resolution authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow;

S. 2697. An act to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of certain regiments and batteries of the United States Army;

S. 2696. An act authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60, and so forth;

S. 2692. An act to establish a life-saving station at Nome, Alaska;

S. 2465. An act to revive and amend an act entitled "An act to authorize the Montgomery and Antauga Bridge Company to construct a bridge across the Alabama River near the city of Montgomery, Ala.";

S. 2362. An act to provide for the removal or destruction of derelicts;

S. 2114. An act to fix the rank of certain officers in the Army;

S. 1741. An act for the relief of the county of White Pine, State of Nevada;

S. 1634. An act for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.;

S. 921. An act granting to the State of Wyoming 50,000 acres of land to aid in the continuation, enlargement, and maintenance of the Wyoming State Soldiers and Sailors' Home;

S. 903. An act providing for the purchase of metal and the coinage of minor coins, and the distribution and redemption of said coins; and

S. 792. An act to aid in the erection of a monument or memorial at Point Pleasant, W. Va., to commemorate the battle of the Revolution fought at that point between the colonial troops and Indians, October 10, 1774.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. WILEY of Alabama. Mr. Chairman, at an early day of the present session I had the honor to introduce into this House a bill (H. R. 10429) for the erection of a monument, in the city of

Washington, to the memory of Jeremiah O'Brien, upon which shall be inscribed the words:

Erected to the memory of
The gallant Irish American,
Who commanded the first vessel
Which captured and sank
A British man-of-war
During the Revolutionary War
The British schooner *Margaretta*.

Congressman Dan Burke has [illegible] characterized as the father of the American Navy. I am [illegible] that a similar bill has already been introduced in this House, [illegible] the creation of a commission of our beautiful national capital, to keep fresh in our memories the [illegible] who helped to make our country, first in peace and [illegible] in war, and to make honorable and glorious the present and future development of the American Navy, the most powerful of all the [illegible] ever chosen for the benefit and advancement of the human race. All honor to his memory!

[illegible] a just tribute to the man whose [illegible] our Navy, let us not forget to do honor to [illegible] O'Brien, who fought the first naval battle in the cause for freedom and struggle for independence [illegible] Liberty.

[illegible] our noble [illegible] in the [illegible] of dary [illegible] a [illegible] under its leadership, [illegible] the wonderful [illegible] of the [illegible] History does not record the name of a hero who has [illegible] in [illegible] and in uncomparable patriotism the immortal [illegible] of a [illegible].

[illegible] men from [illegible] and [illegible] our nation's flag and [illegible] the [illegible] in which are inscribed the brilliant events that have [illegible] during the past one hundred years in the "[illegible] of our [illegible] and [illegible]." The white angel of peace has [illegible] upon the [illegible] of Maritime in the State of Maine and [illegible] her glories. But not so in the memorable month of May. [illegible] Then the tocsin of war was heard on her streets and [illegible] in every household. A wondrous change has [illegible] the spirits of her inhabitants and happy [illegible] the faces of [illegible] women. The same firmness of purpose and [illegible] ing and blessing over the turbid and [illegible] which [illegible] the lines of carnage and death in the first sea fight of the Revolutionary war.

The story runs like this:

The news of the battles of Lexington and [illegible] Sunday morning. It was the [illegible] of May [illegible] There was an armed [illegible] town [illegible] two of Massachusetts's [illegible] ps to Halifax.

The young men of the little village, fired by the story of the deeds of their kinsmen, gathered and [illegible] to lend [illegible] to [illegible] but what could be done? The guns on the [illegible] were [illegible] and [illegible] in the [illegible] and [illegible] were a fine [illegible] but the [illegible] were [illegible] and all the gunpowder was locked fast in the [illegible] and their [illegible]. There was powder in Jonesport [illegible] but no man dared go to get it for fear of [illegible].

And so it happened that Mary Chandler, a young girl of 17, [illegible] from the [illegible] and [illegible] and [illegible] pounds of powder back through the woods [illegible].

The [illegible] was His Majesty's [illegible] and [illegible] and [illegible] and [illegible] and grew [illegible] Scotsman, [illegible] boast, "Britannia rules the waves."

When the shipment of [illegible] was safely [illegible] and [illegible] and [illegible] to [illegible] a [illegible] of [illegible] river to the bay a few miles away, [illegible] thought it would be safe in a safe position to hold the re[illegible] was [illegible] and [illegible] will.

[illegible] warfare.

[illegible] men, selected from among [illegible] at Machias. Full of mettle and [illegible] in years, lithe of limb, and [illegible] of [illegible] and [illegible] country in their [illegible] vant in hope, and proud in [illegible] Hotspur, putting on the "[illegible]," impatient of wrong and weary of oppression, [illegible] to do all that mortal man could do to redress their grievances. The Spartan band, under the skillful generalship of the gallant O'Brien, rushed, as it were, from the very summit of the mount of defiance and quickly seized and unloaded one of the heaviest [illegible] and equipped her for battle, arming her with the old guns dragged from the blockhouse, and [illegible] away in her hold the powder which Mary Chandler had [illegible] through the maze of a thick forest.

[illegible] the early morning light [illegible] the [illegible] sky, [illegible] was the sailing "as the two crafts ranged [illegible] and exchanged beautiful handkerchiefs. [illegible] with her, for [illegible] and holding her fast [illegible] O'Brien, at the head of his [illegible] five "Down Easters," boarded, [illegible] and took her. [illegible] perceive that [illegible] the [illegible] proportions [illegible] our Navy. [illegible] to relate, its first [illegible] It was [illegible] the most [illegible] Government [illegible] of [illegible] and [illegible] to [illegible] and [illegible] Liberty.

[illegible] our noble [illegible] in the [illegible] of dary [illegible] a [illegible] with [illegible] crowned the efforts of our hero, Jeremiah O'Brien. He [illegible] "no tear could ere efface, to purchase safety with [illegible] base." He was

[illegible]

In him was truth and nobleness—man's fidelity with woman's [illegible]. He was tried in the furnace and proved true. He [illegible] "weighed in the balance" and not found wanting. He has been "declared sterling by the general consent of mankind."

If [illegible] country upon the map of nations which challenge our sympathy more than all the rest that country is Ireland. This lovely island, rising from the bosom of her own [illegible] beautiful waters, staggering under a governmental policy which [illegible] to the people, was for many long and [illegible] years [illegible] by the songs of her native bards nor stirred by the eloquence of her impassioned orators. The blighting hand of [illegible] had laid her low, stripped her of her verdure, and [illegible] a [illegible] land, [illegible] from oppression [illegible] and religious and political action for the downtrodden children of Erin is beginning to appear in the east and to flood with light of gold the earth and skies and seas.

Prosperity is at last coming to their homes. "A hewer of wood and a drawer of water" on his own soil, the Irishman, under every sun and in every clime, outside of his own country, wherever and wherever the door of hope and [illegible] nity has not been closed [illegible] him, has [illegible] strated a [illegible] for work and a [illegible] to the [illegible] and [illegible] him to the [illegible] in every profession, vocation, occupation, and [illegible].

[illegible] O'Brien was an Irishman by birth, but an American [illegible].

[illegible]-American citizen, what shall I say of him? Loyal to [illegible] and faithful to the country of his adoption, true [illegible] generous in nature, magnanimous in disposition, liberal in his views, and public spirited always, he is not only [illegible] for [illegible] but [illegible] the intelligence, [illegible] characterize the communities in which he lives.

With loving impulse we glad[illegible] year to year out of a na[illegible] the [illegible] in defense [illegible]. We must [illegible] in order to mark by some enduring structure the [illegible] where Federal soldiers and sailors fought and [illegible].

We are wont to [illegible] those who have served in the public service; to those who have been benefactors to the human race; to those whose endeavors in the arts and sciences, letters and learning have exalted them among their [illegible]. We have built [illegible] at Gettysburg, Chattanooga, Gettysburg, Nashville, Mount Pleasant, Cedar Creek, Bull Run, Manassas, Arlington, Winchester, and on a score of other fields. These silent cities of the dead are surrounded by costly stone fences, adorned with trees and parks, and everywhere ornamented

with headstones of marble or monuments of granite to point out the last resting places or to mark the green graves of those who "died on the perilous edge of battle."

Washington is a city of monuments, and it is meet that these memorials should adorn our place in every park and commons, on every street, along every highway, and be every public ground of the nation consecrated. Father Ryan, with rare and wonderful words as sweet as celestial fruits or the breath of flowers from Paradise when he poured these radiant lines:

[illegible]
[illegible] m:
As after the [illegible] form.

But it may be asked, Why should I from the far South feel such [illegible] from the motive which prompts [illegible] "Know ye [illegible] liberty? [illegible] civil war between the [illegible] country is over. Our swords have been beaten into plowshares and our spears into pruning hooks. The South and the North alike will hold their dead in tender memory forever. The South is proud of the men who wore the [illegible] on Lookout Mountain, on the fiery trail from Dalton to Atlanta, on the rolling [illegible] on the red hills of Georgia, and in the valleys of [illegible] and Tennessee. The North very justly feels a [illegible] more enduring than [illegible] and to tell posterity the glorious deeds of her [illegible] Lee and Grant, Jackson and Thomas, Stuart and [illegible] country is as all.

[illegible] begin anew the [illegible] of life. They understood it in good faith and majestic [illegible] We are loyal citizens of the nation. From the past we have derived wisdom and drawn inspiration. By the [illegible] as it now is, we intend to stand. Let that book of the [illegible] be read by the people never too often, as the book of the laws of Moses was brought forth and explained to the children of Israel in Jerusalem near the shrines of their ancient altars.

The adversities of the South have stirred her manhood, stimulated her energies, and prepared her to work out for herself and posterity a far greater and more fruitful progress than she ever enjoyed when the tide of her fortune ran at its flood. Her [illegible] in the depths of her valleys," while the stars sit, each upon his "ruby throne," and watch with sleepless eye a golden land of [illegible] from which even in the disruption of southern institutions the old romance has never departed.

We are banded together, as never before, in the common bonds [illegible] and fraternal love, [illegible] After a third of a century of peace and prosperity we are all kneeling side by side at the altar of a reunited faith. We have but one flag in the skies. The melodious tunes of Dixie and Yankee Doodle [illegible] and [illegible].

[illegible] of Spain was unsheathed. Innocence, helpless age, [illegible] with its perfidious blows. In the [illegible] cried aloud for vengeance. [illegible] and the [illegible] who had [illegible] each [illegible] Lawton and Wheeler, Dewey and Schley, Rodgers and [illegible] now living and dead, under the folds of "Old Glory" [illegible] the business cried aloud for vengeance. They have [illegible] Let us build the [illegible] Hill monument [illegible] provides for. It will commemorate the glory achieved by American valor and do honor to one "whose remembrance will, to ears and tongues, be theme and hearing ever." [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I now yield thirty minutes to the gentleman from New York [Mr. RIDER].

Mr. RIDER. Mr. Chairman, since the beginning of this session of Congress, to the delight and entertainment of its Members, we have heard [illegible] concerning Canadian reciprocity, good roads, currency, the tariff, the rural mail service, and, indeed, a resume of the civil war by several [illegible] Members on the floor. The Republican Members have pointed with pride, and the present prosperity of [illegible] to the [illegible] the [illegible] the present prosperous [illegible] of this great [illegible]. [Laughter.]

Now, Mr. Chairman, I desire to say a few words in relation to the construction of the Panama Canal.

[illegible] concerning the violation of the Panama treaty, the policy of the Government [illegible] the new Republic of Panama, it is [illegible] that the [illegible] the Isthmus has brought us to a point where we can realize the hopes and ambitions of the United States for many years and [illegible] the East and the West as they have never been realized before. [illegible] and will be [illegible] among the [illegible] of Congress. It is too late to discuss the [illegible] or [illegible]. The present Administration may be [illegible] of this great nation it is, "My country—may she ever be right; but right or wrong, my country!"

For four hundred years men have dreamed of piercing this wall, [illegible] the Spaniards [illegible] the Spanish [illegible] "The [illegible] of [illegible] I count for [illegible] Lake Nicaragua and the route [illegible] which [illegible] upon it." In 1826 Nelson attempted to [illegible] and [illegible] by aid of a land force, but was prevented by the [illegible] of the Spaniards. At the time that the question was discussed of the cession of Louisiana to the United States by France [illegible] Panama [illegible] day it will [illegible] in navigation, [illegible] around the world will be easier than the longest [illegible] route. Louisiana will be on the line of this new route, and its possession will be of inestimable value. Don't give it up."

The subject of this interoceanic canal is of world-wide importance. Many nations have interested themselves in it, many men have given themselves to the study of its many problems, have been [illegible] and many have been sacrificed to it, and many millions of gold have been spent on it. Over no portion of the earth's surface has the [illegible] been so repeatedly run, and now what ages have wished and [illegible] is about to witness. When the pioneers of Columbus failed to find that of [illegible] as a [illegible] It is beyond the range of possibilities to foresee the [illegible] commercial [illegible] from this New-World [illegible] of the [illegible] Isthmian canal will be the most [illegible] the [illegible] of America [illegible] and will reduce the size of the earth at the equator by [illegible]. No other [illegible] ever constructed [illegible] can compare with it in economy in [illegible].

[illegible] to Canton the Suez saves 3,300 miles and to Bombay 4,[illegible] the Panama Canal will save from 5,000 [illegible] between London and [illegible] between New York and [illegible] miles. President [illegible] said: "An interoceanic [illegible] between the [illegible] and [illegible] the Atlantic [illegible] United States, and [illegible] the [illegible] and the world." The [illegible] miles of [illegible] Europe. [illegible] great [illegible] and [illegible] flow of its [illegible] and [illegible] the most important [illegible] the world and its [illegible] with the most important [illegible] is a great [illegible] from Chicago and [illegible] down the Mississippi to the Pacific.

In 1825 Henry Clay, then Secretary of State, said: "The execution of this work will form a great epoch of the affairs of the whole world." From New York to San Francisco by way of Cape Horn it is 14,840 miles; by way of the Panama Canal it will

be only 4,760 miles, a saving of over 10,000 miles and over fifty days' time by freight steamers between those two points, with a corresponding economy to other points on the two coasts. Where two-thirds of the time and distance is saved, there is a corresponding saving of value of repairs, insurance on vessels and cargo, of interest on investment, wages and provisions, and also a two-third cost in saving of transportation; but its saving to existing commerce is by no means all. It will create a vast amount of new commerce. It is impossible, commercially speaking, to transport freight of any sort beyond a point where the cost of transportation exceeds the value of the cargo to a point where it is brought.

ARTICLES OF COMMERCE.

The canal, therefore, by reducing the distance increases the number of articles of commerce. The exports from the Pacific coast are for the most part raw material and will not bear long carriage—for example, lumber, in which the far Northwest is so rich, and the supply of the Eastern States being practically exhausted. Chile has attempted to import Pacific coast lumber, but found it too expensive. As soon as the canal is cut lumber for building purposes will become an exceedingly important article of commerce between the two coasts. It is estimated by lumbermen that the opening of the canal will add $2 to every thousand feet of lumber standing around Puget Sound. The forests of Washington alone contain 175,000,000,000 feet of uncut yellow and red fir.

LUMBER.

The estimate referred to being a reasonable one, the value of the forests of Washington alone will be enhanced about $350,000,000. The supply in Oregon, British Columbia, and Alaska is much greater. W. H. Seward said of this region: "It seems destined to become a shipyard of supply for all nations."

WHEAT.

When the limit for transportation of wheat from the Pacific coast is reduced twenty-five days steamship it will become a merchantable transaction with daily assured profits. At the present time, with a voyage of four or five months around the Horn, taken in relation as to the possible rise and fall of prices which make trade, it is as much a gamble as any hazardous game of chance. Distances on the Pacific coast around Cape Horn are somewhat greater to New York than to Liverpool, and the rich trader of the west coast of Central and South America chiefly goes to Great Britain and Germany, but with the opening of the isthmian canal all this will be changed. The distance will be then from twenty-seven hundred to thirty-five hundred miles in favor of New York, which, with our facilities for manufacture, will give us the market of that coast.

Distances via the Panama Canal.

From—	To New York.	To Liverpool.
	Miles.	*Miles.*
San Francisco	4,760	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Valparaiso	4,700	7,448

THE SOUTHERN STATES.

The Southern States will have a much greater advantage, as New Orleans is 713 miles nearer than New York to the canal, and the almost inexhaustible coal mines of Alabama, so easily worked, can be landed on shipboard at Mobile at $1.25 a ton.

COAL.

Attention is called to the fact that there is but very little coal, and that of inferior quality, on the Pacific coast, and steamers passing through this canal will require 2,000,000 tons per annum, and that will be furnished by Alabama.

PIG IRON.

In Alabama and Tennessee pig iron is produced more cheaply than anywhere else, and in and the markets of the Pacific iron will be in increasing demand for many years to come.

COTTON.

Japan, the greatest manufacturing nation in the Far East, imported some $[illegible] worth of raw cotton during the past year, and in the same year China imported cotton goods valued at $80,000,000. When the canal is cut ocean steamships can load cotton at the river and gulf docks and sail direct to the Orient, which will enable us to successfully compete with Indian cotton.

FOOD.

Statistics show that with 5 per cent of the world's population we produce 25 per cent of the world's food. The Mississippi Valley is our great granary, and the new waterway will connect it with more than half the population of the globe. Thus the Panama Canal will give the Pacific coast access to the European markets, and our Atlantic and Gulf coasts access to the Asiatic markets. New York is 150 miles farther than Liverpool from Cape Horn. This fact, of course, makes Liverpool 150 miles nearer than New York to all the ports on the eastern shore of the Pacific. Liverpool is as much nearer to all points on the west Pacific coast as Liverpool is nearer than New York to Gibraltar, which is about 2,000 miles; that is to say, that the Pacific, commercially speaking, is now an English ocean. The effect of cutting through the Panama Canal will be to bring New York 2,748 miles nearer than Liverpool to its eastern entrance.

The advantage to the commerce of New York City via the Panama Canal over that of Liverpool via the Suez Canal is best illustrated by the following table of distances:

From—	To New York.	To Liverpool.
	Miles.	*Miles.*
Shanghai	10,212	10,390
Yokohama	9,997	11,100
Manila	10,662	11,534
Honolulu	6,447	9,167
Auckland	8,462	11,212
Melbourne	10,000	11,000

The Panama Canal is the gateway to the Pacific, and opens upon 500,000,000 of people, whose imports last year were approximately one billion and a half of dollars. The commerce of the Pacific will increase indefinitely and the United States will command a greater part of it.

The Hon. Archibald Colquhoun, an engineer and traveler, in speaking of the canal wrote that—

[illegible]

Our entrance into competition for the world's markets, access to those markets, makes it imperative that this canal should be completed in the earliest possible time. With the United States, washed by two great oceans, directly connected by this waterway, the nation will be midway between the markets of the world.

POLITICAL BEARING.

The political effect, obvious of the construction of this canal, will be in uniting our coast lines and bringing the most remote portions of our territory into closer relations. Mr. Colquhoun says:

It will bind together the remote sections of that country, assimilate its diverse interests, and go far toward solving many difficult problems and make the United States still more united.

President Hayes said in one of his messages:

"A part of this [illegible] of the United States," and a portion in which we [illegible] and protect it. [illegible] the defenses of the United States—

Says Commodore George W. Melville, of the Navy—

[illegible] be turned upon the foe, whether he shall come from the east or the west.

The building of this canal will bring the western coast of South America, which has for a long time seemed very much out of the world, into closer relation with the eastern coast of North America. The principal ports on the western coast of South America will be from sixteen hundred to seventeen hundred miles nearer to New York than San Francisco. These regions of South America have rich undeveloped natural resources and a sparse population, but they will be brought by the canal into close relation with the richest and most densely populated portions of the United States. A large part of the superfluous and rapidly increasing capital of the latter country will find opportunity there. The isthmian canal will give to the West Indies a commercial importance which will involve great political consequences. For hundreds of years these islands were a source of the tropical products, and during the Napoleonic wars furnished Great Britain with one-half of her [illegible] but misrule, vicious and tyrannical, and other causes have paralyzed their industries and depleted their commerce, until now it is insignificant. The canal will focus the commerce of the world in the Caribbean Sea. Toward it flow three great rivers, the Hudson, the Mississippi, and the Amazon, and as its tributaries to the canal they will pour their commerce through this sea, whose islands will become ports of call.

Capt. A. T. Mahan says:

In the cluster of island fortresses of the Caribbean is one of the great nerve centers of the whole body of European civilization; and I refer to the archipelago as the very domains of the sea power, if ever a region could be called so.

He continues:

Control of a map [illegible] is insured primarily by a navy, secondarily by positions, suitably chosen and spaced one from another, upon which the navy rests and from which it can exert its strength.

It is important, therefore, in this respect that we should consider the extension of our possessions in the Caribbean Sea, provided they come to us by righteous means. If through an expression of the majority of the people of Cuba that the island should come to be a part of our nation in the future in its relations to the construction of the canal, it will prove of incalculable benefit to us. But let that new Republic be bound to us only by the strongest of bonds—the ties of obligation, respect, and love.

INLAND CANALS.

Bearing a direct relationship with the construction of the Panama Canal there is the improvement and extension of the inland waterways of this great nation. Inland waterways tend to cheapen the cost of carriage and to develop industry, and ought to emphasize strongly the economic importance of inland navigation. They cheapen the rate of transportation not only for the products of the farmer, but to the manufacturer as well. Since 1882 there have been biennial appropriations made for improving our inland waterways. As this is a matter of such vital importance to the people, this policy should be changed and annual appropriations made. These water routes have to a large extent made possible the development of our iron industries. The richest iron regions of the United States, those of northern Michigan and Wisconsin, are nearly 1,000 miles distant from the great coal fields of Pennsylvania, but with a waterway connecting them, on which freight rates are a little over 1 mill a ton-mile, the two mining regions are brought closer together.

The distribution and consumption of coal, both for manufacturing and boating purposes, have been largely increased on account of inland transportation through the Ohio River and the Great Lakes. The improvement and extension of the water routes of the Great Lakes, the Mississippi River system, the Missouri, the construction of the ship canal between the Mississippi River and Lake Michigan, of a lake ship canal from Pittsburg to Lake Erie, of a lake ship canal to St. Paul and Minneapolis, will tend to further distribute coal at a cheaper rate and greatly widen the present commercable limits. The inland waterways are likewise of great importance to the consumer and producer of lumber in the United States. Thus far railroads have been able to transport east from Washington only high-grade shingles to the Mississippi Valley. Farther inland, waterways enable home industries to compete more easily with foreign producers, not only by decreased cost of transportation on articles destined for export, but also by making raw material cheaper. The development of the inland navigation of the United States will assist us in maintaining a high standard of life in competition with Europe.

THE FLORIDA CANAL.

In this connection I desire to call the attention of the House to a measure—House bill 9487, now in the hands of the Committee on Rivers and Harbors—providing for a survey or surveys to be made to determine the feasibility of a canal between the waters of St. Johns River and the Gulf of Mexico. The construction of this canal is not only of vital importance to the State of Florida but to the nation at large as well. It means the lessening of time for freight traffic by coasting and steam vessels between all points on the eastern coast and those on the Gulf and Pacific by over [illegible] miles. To the shipping interests it would mean a saving of two days in point of time, 600 tons of coal for steamers, lessening freight rates; to the shipper the decrease in both freight and insurance rates, and quicker delivery. Seventy-five per cent of the manufacturing interests shipping their goods to Pensacola, Mobile, New Orleans, and Galveston at present do not insure, for the reason that the insurance exceeds the freight rates.

To the consumer the construction of the canal means a lessening of the cost. One hundred steamers operating between the ports of New York, New Orleans, and Galveston during the year 1903 shipped 18,000,000 tons of freight. The importance of this measure may well be understood when this is taken into consideration. Every southern city, as well as all the ports along the eastern coast of the United States, should be vitally concerned in regard to this matter. The wreck coast of the United States for years has been the southerly part of Florida and the tortuous channels of the Florida Keys. No private or corporate interests should be permitted to interfere with the passage of such a measure. The line of the canal suggested would be through the St. Johns River, Doctors Lake, and the Waccassie River on the Gulf side. The cost of construction is comparatively small when the fact is taken into consideration that valuable deposits of phosphates, which are salable as fertilizer, are to be found along the proposed line, and also that the lands are heavily timbered. This is one of the many projects of a similar nature which should receive the attention of the National Legislature.

THE WATERWAYS IN AND ABOUT NEW YORK CITY.

The improvement of the waterways in and about New York City, the commercial center of the country, means to a great degree enhancing the prosperity of the entire nation. The commerce of New York, as given by the Bureau of Statistics, Department of Commerce and Labor, show imports, $374,066,584; all other ports in the United States, $409,507,602; aggregate exports, New York, $558,388,935; all others, $889,625,613. This expressed in tons, foreign commerce, New York, 17,398,058; coasting trade, 20,000,000; making a total of 37,564,108 tons. The customs revenue in the city of New York is 65.01 per cent of the total collected in the United States. The improvement of the Harlem River Ship Canal and the Harlem River and Bronx Kills to the deep waters of the Sound and the ocean mean much toward increasing the commerce of the metropolis.

Not only these improvements, but the measure, House bill 9280, providing for a survey or surveys to be made to determine the feasibility of a canal between Flushing Bay and Newtown Creek, county of Queens, State of New York, has an important bearing on the development of the various channels in and about New York. The fabulous sums expended in blowing out Hell Gate in order to open up a channel for passing vessels have not as yet achieved the object sought, and the money spent at Hell Gate would have been more than sufficient to construct the Newtown Creek and Flushing Bay Canal, and provide a broad and clear channel for vessels from the East River and the Sound. All Long Island and the East River section would be immensely benefited by this canal, and it is for this reason that it possesses a national character and that Congress may rightly and properly authorize an expenditure for its construction.

New York is the greatest seaboard terminus and port for international trade for the world, and any project which gives increased value to this port materially benefits every section of the United States. This canal is a scheme which originated with DeWitt Clinton, who saw in the future that the trend of population in this great center of the western world would be toward what are now known as the boroughs of the Bronx and Queens, and that the food supply and material for the well-being of the people would necessarily be delivered at a cheaper rate by the construction of such a waterway. The cost of this work is comparatively small, as the Geological Survey shows an alluvial soil along the entire route and that no blasting will be required.

Enormous sums have been expended by the United States Government in dredging Newtown Creek in the endeavor to maintain an 18-foot channel for a distance of about 2½ miles. With every recurring tide, debris and refuse are deposited and the channel becomes rapidly shallower, and it is now estimated that the work done by the Department of War, and declared practically completed by that Department, June 30, 1903, has failed of its object to such an extent that the channel is only 14 feet at the present time. There is no stream of its size in the United States where such a quantity of freight is handled as in Newtown Creek. The estimated amount is in excess of 2,000,000 tons annually and consists mainly of coal, building materials, oils and chemicals.

The construction of this canal would mean the constant flushing of the creek and the maintenance of a channel of proper depth with little or no cost to the United States Government, and at the same time would greatly enhance the value of the commerce of New York City.

The project proposed is analogous to that of the canal or waterway across Keweenaw Point from Keweenaw Bay to Lake Superior. This canal was purchased by the United States September 16, 1889, and deepened from 13 feet to 20 feet at an outlay of $[illegible] up to June 30, 1902. During the season of navigation in 1901, 2,114,385 net tons of freight were carried through the canal, valued at $57,876,480. This waterway, uniting Portage Lake and Lake Superior, is under Government control. The increasing congestion of traffic on the East River, causing an increase in loss by collision and accidents or arrests in the movement of the waterway, will eventually compel the deepening and extension of every outlet, including the Newtown Creek. The damage done by the sinking of a vessel or two every week or so in the course of a short time amounts to far more than the total expense necessary to construct this canal and to make and maintain the channel. A farsighted policy would, therefore, dictate some means which would prevent a recurrence of such losses in commerce.

While considering this particularly interesting subject, I desire to call the attention of the House to the fact that, despite the statement that has recently been made that "the United States Government is not in the canal building business," the following canals are directly maintained or were constructed by the United States Government, and the gross amount of tonnage compares in no wise to that which would pass through the canal mentioned in the preceding parts of this address.

Government-built canals.

Name.	Length.	Tonnage.
Bee Tree Shoals, Alabama	3 miles	[illegible]
[illegible]	3,467 feet	[illegible]
[illegible]	[illegible]	12,[illegible]
[illegible]	4½ miles	[illegible]
[illegible]	2 miles	2,[illegible]
[illegible]		[illegible]
[illegible]	1½ miles	34,[illegible]

All of these projects are worthy of the most careful and earnest [illegible] our waterways is a matter of the greatest importance, not only to the people living near the waterways as well. It means a lessening of the cost of marketing products and conserving prices. In the words of the Cullom Commission:

[illegible]

Already in every part of the world [illegible] of the United States is using [illegible] is made on the part of the National Government [illegible] commerce without any [illegible] means [illegible] of the entire people. The building of canals, the improvement of the Erie Canal, improving the Hudson River, the Oswego Canal, the Fox and Kaskaskia, the Newtown Creek and Flushing Bay Canal, [illegible] the waters of the Delaware River with the Chesapeake Bay, the improvement [illegible] of our great inland waterways [illegible] to our people in that they act as a check on the greed of corporate interests in railways, [illegible] the cost of freight, and be of great and lasting benefit.

Signs of the times indicate that this nation is about to play a part which it has never taken before in the [illegible] of the world, and that is [illegible] Every effort tending toward improving the internal [illegible] will increase the power of the nation. Through the [illegible] and by forced marches, there will be carried to the nations of the world a [illegible] of liberty and freedom that will prove an [illegible] toward a higher and better world life. Our flag will then represent in government what the cross of Christ represents in religion—all that is highest and noblest and best. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, does any gentleman on that side desire to consume any time now?

The CHAIRMAN. The gentleman from Indiana [Mr. HEMENWAY] has consumed all of his time.

Mr. WILLIAMS of Mississippi. Then I yield such time as remains to this side to the gentleman from New York [Mr. BAKER]. I believe it is fourteen minutes.

The CHAIRMAN. The gentleman from New York [Mr. BAKER] is recognized for fourteen minutes.

Mr. BAKER. Mr. Chairman, a few days ago, on one of the three occasions when gentlemen from the great State of Ohio annoyed the general counsel in response to the general or those questions, [illegible] of Judge Gorman, of Cincinnati, I made an impromptu statement because my reply to the gentleman's remarks was [illegible] and entirely unrepresentative. I said then that in the city of Cincinnati, governed by George B. Cox, that impromptu statement which has been so highly extolled three times upon this floor during the last few weeks, that in that city and under his administration [illegible] the real property [illegible] the landholders [illegible] of Mr. Hemenway—that there were sixty-four votes registered from one room in which sixty-four men could not stand erect.

It appears that I have overstated the case, and as I have no desire to place the matter in any other light than is warranted by the facts, because we are always told when these charges are made that it is an outrage to reflect on the fair fame of Cincinnati. You must not say anything about corruption; you never must say anything about wrong; you never must say anything about misgovernment; you must not discuss the question of illegal or fraudulent registration, because if you do the fair fame of that city has been assailed.

It appears from the statement that I hold in my hand that so far from sixty-four men being registered from a room [illegible] as I then said, there were forty-five men registered on the last registration day in last October. Investigation reveals the fact that 13 rooms [illegible] of two rooms one a fair square and the other somewhat smaller. The only pieces of furniture in these two rooms were two chairs without any backs and an old cannon stove. So that even under the correction of the statement made here, it is probable it was true when I said it was not possible for sixty-four men to stand erect in that room.

Now, Mr. Chairman, I have no desire to take up the time of the House. It is of no interest. I am sure, to my Republican friends, but they will ignore it; but I shall ask unanimous consent to insert as a part of my remarks a letter from Mr. Benton S. Op[illegible] a statement by him [illegible] I spent 23 years and [illegible] I spent in this city, [illegible] composed of Republicans and [illegible] Democrats.

I also ask permission to insert two speeches delivered by the gentleman from Ohio [illegible] on the 12th of October, 1903, and the speech which he made on the 13th of October, 1903, in which he [illegible] the Republican party [illegible] George B. Cox, boss of the Republican party, and [illegible] an city of Cincinnati.

I also wish to insert a few remarks, a part of an article written by Frank Hatton in 1892, written by a gentleman who is well known here as a correspondent of one of the Washington papers, as well as [illegible] very lucid [illegible] B. Cox, who [illegible] He [illegible] as to the class of candidates [illegible] that he [illegible] who shall be [illegible] in the city of Cincinnati. [illegible] are you going to give to [illegible] in a gruff voice. The [illegible] said and told Mr. Cox, "[illegible] I wanted to [illegible] fast for [illegible] I will give him eight votes." [illegible] of Cincinnati to these assembled gentlemen [illegible] "I will give him eight votes." Without consulting [illegible] two terms," says Mr. Cox. "After his first [illegible] he gave me no credit [illegible] his nomination."

Then he gives some details unnecessary to repeat. He then says Mr. Storer came to him and explained, and he told Storer, "No matter what differences there are between you and me, it is [illegible] congressman a second term and I shall not [illegible] that."

That's George B. Cox, the boss of the Republican party, the party that boasts of being the party of Abraham Lincoln. All right. Mr. Storer goes away. Mr. Cox complained that he (Storer) had presided over the Republican convention, but [illegible] him (Cox). Mr. Storer [illegible] and told him it was all right—he would be nominated. He took the advice of those friends and did not [illegible] upon Cox, showing [illegible] "I was willing to ignore me." What did George B. Cox do? The Cincinnati [illegible] P. [illegible] and [illegible] by a [illegible] That is the act of the real governor of the great Republican city of Cincinnati.

Mr. [illegible]. I ask permission to insert these in the RECORD.

Mr. PALMER. I object.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert the matter named in the RECORD. Is there objection?

Mr. PALMER. I object.

Mr. BAKER. Mr. Chairman, I give notice right here and now that hereafter there will be [illegible] of remarks in the RECORD. [Applause.]

Mr. [illegible] of Indiana. Mr. Chairman, I raise the point of order against the objection that the gentleman did not object by rising in his seat.

The CHAIRMAN. If the gentleman insists on that point of order the Chair will have to sustain it. The gentleman did not rise and address the Chair.

Mr. BAKER. Is my time used up, Mr. Chairman?

The CHAIRMAN. The time has not expired. The gentleman has seven minutes remaining. The Chair will [illegible] of the gentleman from New York. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD by inserting the matter to which he has referred. Is there objection?

Mr. PALMER. I object.

The CHAIRMAN. The gentleman from Pennsylvania objects.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, the gentleman from Missouri [Mr. LLOYD] is entitled to time to say a few words, and I ask unanimous consent that he may have that leave.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Missouri may have leave to extend his remarks in the RECORD. Is there objection?

Mr. LIVINGSTON. I would ask that permission for all gentlemen who have addressed the House to-day be included.

Mr. [illegible]WAY. Within what time?

Mr. LIVINGSTON. About two days.

The CHAIRMAN. The request was addressed to the gentleman from Georgia [illegible] The request [illegible]

Mr. LIVINGSTON. I beg to say that it has been done ever since I have been in the House—for two years on [illegible] the gentleman [illegible]

Mr. LIVINGSTON. Very well; I withdraw the request.

The CHAIRMAN. As a matter of fact, under the rule it is [illegible] the Committee of the Whole has power to [illegible] members.

Mr. [illegible]. I [illegible]

The CHAIRMAN. The [illegible] in the [illegible] Is [illegible]

Mr. [illegible]. Mr. Chairman, I want to make a parliamentary [illegible]

The CHAIRMAN. [illegible] from New York [illegible] for him to [illegible] permitted to extend his remarks in the RECORD, as requested.

Mr. BAKER. Then I ask unanimous consent that I be permitted to extend my remarks in the RECORD.

Mr. PALMER. My objection was to putting in two speeches made by [illegible] I object [illegible] own remarks in the RECORD.

The CHAIRMAN. The request for unanimous consent has been made before the committee twice, and objection has been made.

Mr. BAKER. I have no desire to incorporate this article in my remarks, but simply to incorporate two paragraphs [illegible] not inflict upon the House. That is all. I [illegible] about four-fifths of the way through.

The CHAIRMAN. The gentleman from New York has yielded the floor and is not in order [illegible]

Mr. HEMENWAY. [illegible]

The CHAIRMAN. The [illegible] that the committee do now rise.

[illegible] and the Speaker having resumed the [illegible] Mr. [illegible] the W[illegible] H[illegible] had [illegible] H. R. [illegible] bill, and had come to no resolution thereon.

SENATE BILLS REFERRED.

[illegible] and referred to their appropriate [illegible]

S. [illegible]. An act for the relief of M. E. Saville—to the Committee [illegible]

S. 56. An act for the relief of the legal representatives of Napoleon B. Gildersleeve—to the Committee on [illegible]

S. 619. An act [illegible] for completing the construction of the road to the national cemetery near Pensacola, Fla.—to the Committee on Military Affairs.

S. 468. An act [illegible] the late Joseph W. [illegible] and the widow of the late John M. [illegible]—to the Committee on Interstate and Foreign Commerce.

S. R. 21. Joint resolution [illegible] purchase of a marble bust of General Lafayette, executed by David D'Angers—to the Committee on the Library.

S. [illegible]. An act to provide for the removal or destruction of derelicts—to the Committee on Interstate and Foreign Commerce.

S. R. 20. Joint resolution authorizing the selection of a site and the erection of a pedestal for a bronze statue in Washington, D. C., in honor of the late Henry Wadsworth Longfellow—to the Committee on the Library.

S. 2697. An act to amend an act authorizing the Secretary of War to cause to be erected monuments and markers on the battlefield of Gettysburg, Pa., to commemorate the valorous deeds of [illegible] of the United States Army—to the Committee on Military Affairs.

S. [illegible]. An act authorizing the Secretary of the Treasury to pay John F. Weston [illegible] to the Committee on Claims.

S. [illegible]. An act to establish a [illegible] Name, [illegible]

S. [illegible]. An act [illegible] to authorize the [illegible] to construct a bridge across the Alabama River near the city of Montgomery—to the Committee on Interstate and Foreign Commerce.

S. [illegible]. An act for the relief of certain officers in the Army—to the Committee on Military Affairs.

S. 1741. An act for the [illegible] of White Pine, State of Nevada—to the Committee on Claims.

S. [illegible]. An act for the erection of a statue to the memory of Gen. James Miller at Peterboro, N. H.—to the Committee on the Library.

S. 921. An act granting to the State of Wyoming [illegible] acres of land to [illegible] of the Wyoming State Soldiers and Sailors Home—to the Committee on the Public Lands.

S. [illegible]. An act [illegible] for the purchase of metal and the [illegible] Committees on Ways and Means.

S. 792. An act [illegible] W. Va., [illegible] that point between Grant County and Inland [illegible] to the Committee on the Library.

S. [illegible]. An act [illegible] to the Committee on [illegible]

S. [illegible]. An act [illegible] of the General Land Office to [illegible] books, and [illegible] lands.

S. 2500. An act granting to the State of Idaho 50,000 acres of land to aid in the [illegible] and [illegible] of the Idaho State Soldiers and Sailors Home—to the Committee on the Public Lands.

S. 148. An act for the relief of Leonard L. Dietrick—to the [illegible]

S. 126. An act for the relief of Rudolf Herbst—to the Committee on War Claims.

S. 122. An act authorizing the Secretary of the Interior to re[illegible] to the Committee on the Public Lands.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported [illegible] and [illegible] truly enrolled bills of the following [illegible] were [illegible] and were signed [illegible]

H. R. 4115. An act granting an increase of pension to Joseph S. Young;

H. R. 3472. An act granting an increase of pension to Marcus E. [illegible]

H. R. [illegible]. An act granting an increase of pension to Lydia A. T[illegible]

H. R. [illegible]01. An act granting an increase of pension to Alpheus Converse;

H. R. 5719. An act granting an increase of pension to Forbes H[illegible]

H. R. 6830. An act granting an increase of pension to Charles E. Likes;

H. R. 4726. An act granting an increase of pension to Samuel B. Brannan;

H. R. 1288. An act granting an increase of pension to Jason Stevens;

H. R. 907. An act granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

H. R. 1184. An act granting an increase of pension to William F. L[illegible]

H. R. 990. An act granting an increase of pension to Harrison W. Fox;

H. R. 7666. An act granting an increase of pension to Laura F. Hine;

H. R. 8743. An act granting an increase of pension to Charles E. Foley;

H. R. 942. An act granting an increase of pension to James F. Hardy;

H. R. 957. An act granting an increase of pension to Alonzo Carpenter;

H. R. 1517. An act granting an increase of pension to George W. Hutchison;

H. R. 5246. An act granting an increase of pension to Sebastian B. Elliott;

H. R. 7370. An act granting an increase of pension to Andrew Ivory:

H. R. 2188. An act granting an increase of pension to Richard L. Cook:

H. R. 2155. An act granting an increase of pension to Charles W. Brooks:

H. R. 3099. An act granting an increase of pension to William C. Best:

H. R. 4935. An act granting an increase of pension to Edward T. Mill[illegible]:

H. R. 5197. An act granting an increase of pension to William C. Brown:

H. R. 2472. An act granting an increase of pension to David F. Lewis:

H. R. 661. An act granting an increase of pension to Elizabeth E. M[illegible]:

H. R. 2108. An act granting an increase of pension to Henry D. Wright:

H. R. 8778. An act granting an increase of pension to Juliaetta Rowling:

H. R. 864. An act granting an increase of pension to Albert Moll[illegible]:

H. R. 8321. An act granting an increase of pension to Hannah Padgett, now Riley:

H. R. 1856. An act granting an increase of pension to Alexander H. [illegible]ert:

H. R. 5321. An act granting an increase of pension to Charles S. Clark:

H. R. 3013. An act granting an increase of pension to John A. Mavity:

H. R. 322. An act granting an increase of pension to Zechariah B. Stu[illegible]rt

H. R. 6975. An act granting an increase of pension George W. Lawson

H. R. 2042. An act granting an increase of pension to Alvin B. Hubbard

H. R. 2690. An act granting an increase of pension to Thomas Kelly:

H. R. 6441. An act granting an increase of pension to Peter Fillion:

H. R. 2616. An act granting an increase of pension to Joseph K. Wolt:

H. R. 5005. An act granting an increase of pension to Worthington S. Lock:

H. R. 7092. An act granting an increase of pension to James S. Reeden:

H. R. 5177. An act granting an increase of pension to William H. Clark:

H. R. 3819. An act granting an increase of pension to John Sexton.

H. R. 940. An act granting an increase of pension to Thomas M. Parkson:

H. R. 6619. An act granting an increase of pension to Benjamin R. L[illegible]:

H. R. 4200. An act granting an increase of pension to Milton H. Sw[illegible]:

H. R. 1908. An act granting an increase of pension to Harvey D. [illegible]:

H. R. 5841. An act granting an increase of pension to Abraham W[illegible]:

H. R. 6632. An act granting an increase of pension to Harvey R. K[illegible]:

H. R. 9292. An act [illegible] in the District of Columbia:

H. R. 5559. An act granting an increase of pension to Josephine C. [illegible]:

H. R. [illegible]. An act granting a pension to Grace E. Carson:

H. R. 2139. An act granting an increase of pension to James W. Kight:

H. R. 616. An act granting an increase of pension to Sarah S. Cr[illegible]:

H. R. [illegible]. An act granting an increase of pension to Margaret M. Walker:

H. R. 2424. An act granting a pension to Emma Butler:

H. R. 5464. An act granting an increase of pension to Francis M. Northern:

H. R. 227. An act granting a pension to Margaret Cotter:

H. R. 5010. An act granting a pension to Mary E. Hamilton:

H. R. 5048. An act granting a pension to William H. Harrison:

H. R. 4946. An act granting an increase of pension to Allen M. Pierce; and

H. R. 7849. An act to authorize the county of Poinsett, in the State of Arkansas, to [illegible] across the St. Francis River at or near the town of Marked Tree, in said county and State.

The SPEAKER also announced his signature to enrolled bill of the following title:

S. 2121. An act to amend an act entitled "An act providing for public printing and binding and distribution of public documents."

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States: which was read, referred to the Committee on the Library, and ordered to be printed:

To the Senate and House of Representatives:

I herewith lay before the Congress a letter from the Polish organizations of [illegible] Washington, D. C., [illegible] Lafayette [illegible] the Congress to be placed upon [illegible] Lafayette [illegible] Revolutionary War, Von Steuben, and [illegible] the birth of the Republic [illegible] services which can never be forgotten by our people.

THEODORE ROOSEVELT.

WHITE HOUSE, *January 28, 1904.*

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WEEMS was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of William Welsh, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CUSHMAN for three days, on account of important business.

Mr. HEMENWAY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 2 minutes p.m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, submitting a report on the expenditures of recent appropriations for construction, equipment, and maintenance of buildings at military posts and stations for the conduct of post exchange, school, library, amusements, etc.—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy [illegible] from the Secretary of War submitting an [illegible] for a highway bridge across the P[illegible]—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting a revised estimate of appropriation for [illegible] at Olongapo, P. I.—to the Committee on Naval Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Civil Service Commission submitting an estimate of appropriation for traveling expenses—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of War, submitting papers relating to the claim of the Mitsui Bussan Kaisha, a Japanese corporation—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Willamette River opposite Albany, Oreg.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting, with inclosures, a recommendation that authority be given to invite the International Congress of Hygiene and Demography to meet in Washington in 1909—to the Committee on Foreign Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CLAYTON, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 9648) to amend the first section of an act providing that the circuit court of appeals for the 5th judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903, reported the same without amendment, accompanied by a report (No. 608); which said bill and report were referred to the House Calendar.

Mr. PEARRE, from the Committee on the Judiciary, to which

was referred the bill of the House (H. R. 8335) to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, 1892, chapter 28, reported the same without amendment, accompanied by a report (No. 609); which said bill and report were referred to the House Calendar.

Mr. THOMAS, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10142) authorizing the examination as a witness of the husband or wife of the defendant in criminal cases, reported the same without amendment, accompanied by a report (No. 610); which said bill and report were referred to the House Calendar.

Mr. ALLEN, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 9331) to extend the time for completion of the East Washington Heights Traction Railroad Company, reported the same with amendment, accompanied by a report (No. 611); which said bill and report were referred to the House Calendar.

Mr. POWERS of Massachusetts, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 2871) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia, reported the same with amendment, accompanied by a report (No. 612); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 10669) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia, reported the same with amendment, accompanied by a report (No. 613); which said bill and report were referred to the House Calendar.

Mr. POWERS of Massachusetts, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia, reported the same without amendment, accompanied by a report (No. 614); which said bill and report were referred to the House Calendar.

Mr. SAMUEL W. SMITH, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8686) to amend section 805 of the Code of Law for the District of Columbia, reported the same without amendment, accompanied by a report (No. 615); which said bill and report were referred to the House Calendar.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill (H. R. 10421) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 616); which said bill and report were referred to the House Calendar.

Mr. HITT, from the Committee on Foreign Affairs, to which was referred the joint resolution of the House (H. J. Res. 82) to extend the invitation of Congress to the Interparliamentary Union, and making an appropriation for the entertainment of its members, reported the same without amendment, accompanied by a report (No. 619); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House [illegible]:

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 895) granting an increase of pension to Charles Disbrow, reported the same without amendment, accompanied by a report (No. 607); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 4340) for the relief of Vincenzo Gerardi, of Washington, D. C., reported the same with amendment, accompanied by a report (No. 617); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 2 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SHERLEY: A bill (H. R. 11270) to provide for the construction of a dam on the Ohio River at the head of the falls at Louisville, and so forth—to the Committee on Rivers and Harbors.

By Mr. SMALL: A bill (H. R. 11271) to amend section 2519, Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. MORRELL: A bill (H. R. 11272) for the erection of a monumental statue in the city of Washington D. C., to Rear-Admiral John A. Dahlgren—to the Committee on the Library.

By Mr. KINKAID: A bill (H. R. 11273) to amend the homestead laws as to certain unappropriated lands in Nebraska—to the Committee on the Public Lands.

By Mr. DANIELS: A bill (H. R. 11274) to establish four permanent military camp grounds in the States of Texas, Wisconsin, Pennsylvania, and California—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 11275) for opening Thirteenth street, and so forth—to the Committee on the District of Columbia.

Also, a bill (H. R. 11276) for opening Fourteenth street—to the Committee on the District of Columbia.

By Mr. BENNY: A bill (H. R. 11277) to extend the lien for mariners' wages to the masters of vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. LAMB: A bill (H. R. 11278) appropriating $1,200,000 to the Negro Development and Exposition Company of the United States of America—to the Committee on Appropriations.

By Mr. HAMILTON: A bill (H. R. 11279) to legalize and permit the maintenance of certain dams in and bridges over the St. Joseph River in the States of Indiana and Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. BOWERS: A bill (H. R. 11280) to provide for a survey of the mouth of Jordan River where the same empties into the Bay of St. Louis, in the State of Mississippi—to the Committee on Rivers and Harbors.

By Mr. SCARBOROUGH: A bill (H. R. 11281) to amend an act entitled "An act making appropriations for construction, repair, and preservation of public works on rivers and harbors, and for other purposes," approved June 13, 1902—to the Committee on Rivers and Harbors.

By Mr. GILLETT of Massachusetts (by request): A bill (H. R. 11282) providing for conditional retirement of employees in the classified civil service—to the Committee on Reform in the Civil Service.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 11283) providing for the erection of a statue of Abraham Lincoln at Washington, D. C.—to the Committee on the Library.

By Mr. SAMUEL W. SMITH: A bill (H. R. 11284) to transfer to the Secretary of the Interior such supervision of the Government Hospital for the Insane, Freedmen's Hospital and Asylum, and the Washington Hospital for Foundlings as may have been conferred upon the Board of Charities of the District of Columbia under the act approved June 6, 1900, creating such board—to the Committee on the District of Columbia.

By Mr. BABCOCK: A bill (H. R. 11285) to define the term "registered nurse" and to regulate the use thereof in the District of Columbia—to the Committee on the District of Columbia.

By Mr. ALLEN: A bill (H. R. 11286) to prevent the unlawful wearing of the badge or insignia of the Grand Army of the Republic or other soldier organizations—to the Committee on the District of Columbia.

By Mr. HITT, from the Committee on Foreign Affairs: A bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905—to the Union Calendar.

By Mr. LOUDENSLAGER: A bill (H. R. 11288) granting pensions to certain soldiers and sailors who served in the war of the rebellion, and their widows—to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 11289) to establish a fish-hatching and fish station in the State of Minnesota—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHIRLEY: A bill (H. R. 11290) to establish a permanent military camp ground in the counties of Bullitt, Meade, and Hardin, in the State of Kentucky—to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 11291) to regulate the hours of service and compensation of attendants and nurses at the Government Hospital for the Insane, in the District of Columbia—to the Committee on Appropriations.

By Mr. McDERMOTT: A joint resolution (H. J. Res. 94) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. SCUDDER: A joint resolution (H. J. Res. 95) directing the Secretary of War to submit plans and estimates for a breakwater off and to the west of Horton's Point, Long Island Sound, in the county of Suffolk and State of New York, for establishment at said point of a harbor of refuge for the protection of shipping and the promotion of commerce—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 96) directing the Secretary of War to submit plans and estimates for dredging Greenport

Harbor and Sterling Basin, all in the county of Suffolk and State of New York—to the Committee on Rivers and Harbors.

By Mr. ADAMSON: A joint resolution (H. J. Res. 97) proposing an amendment to the Constitution of the United States granting to Congress the power to enforce uniform laws on the subject of divorce throughout the United States—to the Committee on the Judiciary.

By Mr. TAYLOR: A concurrent resolution (H. C. Res. 87) directing [illegible] of War to [illegible] Harper's Ferry, Virginia, [illegible] and authorizing an expenditure of [illegible] to the Committee on Rivers and Harbors.

By Mr. [illegible]: A concurrent resolution (H. C. Res. 88) according [illegible] of James Madison and [illegible] to the people of [illegible]—to the Committee on the Library.

By Mr. VEN[illegible]: A resolution (H. Res. [illegible]) requesting the Secretary of War to furnish a statement showing whether or not and to what extent [illegible] War Department, with authority to [illegible] on behalf of the Government of the United States [illegible] or [illegible] labor—to the Committee on the Post-Office and Post-Roads.

By Mr. [illegible] of Texas: A resolution (H. Res. 194) requesting [illegible] when various suits were instituted—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMSON: A bill (H. R. 11292) granting a pension to Mary A. [illegible]—to the Committee on Pensions.

By Mr. ALEXANDER: A bill (H. R. 11293) granting an increase of pension to Frank [illegible]—to the Committee on Invalid Pensions.

By Mr. AMES: A bill (H. R. 11294) granting an increase of pension to Mary Eaton Livingston—to the Committee on Pensions.

By Mr. BOWERSOCK: A bill (H. R. 11295) granting an increase of pension to James W. Cheney—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: A bill (H. R. 11296) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 11297) granting an increase of pension to Charles H. Montgomery—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11298) granting an increase of pension to George W. [illegible]—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 11299) granting an increase of pension to Earl B. French—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. [illegible]) granting pensions to [illegible] Kansas Volunteer Cavalry who served thirty days in the Sioux Indian war in 1867, 1868, and 1869, and for other purposes—to the Committee on Pensions.

By Mr. CA[illegible]: A bill (H. R. 11300) granting an increase of pension to [illegible]—to the Committee on Pensions.

By Mr. CA[illegible]: A bill (H. R. 11301) granting an increase of pension to Jacob Garner—to the Committee on Invalid Pensions.

By Mr. C[illegible]NER: A bill (H. R. 11302) granting an increase of pension to Robert Balskling—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 11303) granting an increase of pension to James Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11304) granting an increase of pension to John E. Kingsbury—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11305) granting an increase of pension to William P. Stone—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 11306) granting a pension to W. W. Shock—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 11308) granting an increase of pension to Silas T. Overstreet—to the Committee on Pensions.

By Mr. DENNY: A bill (H. R. 11309) to grant an honorable discharge to Jacob Hahn, of the Navy—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 11310) granting a pension to John W. Swisher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11311) granting a pension to Squire H. Smith—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 11312) granting an increase of pension to Malana W. Brant—to the Committee on Invalid Pensions.

By Mr. GAINES of West Virginia: A bill (H. R. 11313) for the relief of [illegible]—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: A bill (H. R. 11314) granting a pension to Margaret Flynn—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 11315) granting an increase of pension to Christian Mott—to the Committee on Invalid Pensions.

By Mr. GREENE: A bill (H. R. 11316) [illegible] to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11317) [illegible] Samuel M. Coleman—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 11318) [illegible] J. M. [illegible]—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 11319) granting an increase of pension to Mary C. Arnold—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11320) for the relief of Martha E. [illegible]—to the Committee on [illegible].

By Mr. LINKLEY: A bill (H. R. 11321) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. KNOX: A bill (H. R. 11322) [illegible] A. Stevens—to the Committee on Invalid Pensions.

By Mr. WILSON of Arizona: A bill (H. R. 11323) granting a pension to Isabella J. Wray—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 11324) granting an increase of pension to Charles Alfred De Arnaud—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 11325) [illegible] increase of pension to Jane S. Minor—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 11326) [illegible] of desertion from the military record of John Remmelen—to the Committee on Military Affairs.

By Mr. MOORE of Pennsylvania: A bill (H. R. 11327) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 11328) for the relief of Henry La[illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. 11329) [illegible] of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 11330) granting a pension to William L. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11331) [illegible] a pension to Peter M. Jumper—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 11332) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11333) [illegible] the Court of Claims to hear and determine the claims of churches, lodges, and [illegible]—to the Committee on War Claims.

By Mr. SHAFROTH: A bill (H. R. 11334) for the relief of the estate of Hugh Davis, deceased, of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. SHIRAS: A bill (H. R. 11335) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: A bill (H. R. 11337) for the relief of G. H. Dearen—to the Committee on Claims.

By Mr. SMITH of New York: A bill (H. R. 11338) granting an increase of pension to Lewis B. Hook—to the Committee on Invalid Pensions.

By Mr. STERLING: A bill (H. R. 11339) granting an increase of pension to Yatchel Carman—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 11340) granting a pension to Eliza Clune—to the Committee on Invalid Pensions.

By Mr. UNDERWOOD: A bill (H. R. 11341) granting a pension to John H. Sumner—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. 11342) granting an increase of pension to Alfred S. Wood—to the Committee on Invalid Pensions.

By Mr. WEEMS: A bill (H. R. 11343) granting an increase of pension to Matthew S. Priest—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11344) granting a pension to Emma Bingham Pearce—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: A bill (H. R. 11345) granting a [illegible] for the relief of Mrs. M. O. King—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were [illegible]:

[illegible] Biological Society, [illegible] for the Calaveras groves of [illegible].

[illegible] Post, No. [illegible], of Rockford, Ill., and J. B. Brown Post, No. [illegible], Grand Army of the Republic, in favor of a service-pension [illegible]—to the Committee on Invalid Pensions.

Also, memorial of the Savannah Cotton Exchange, praying for legislation to enable the Interstate Commerce Commission to fix freight rates in certain cases—to the Committee on Interstate and Foreign Commerce.

By Mr. ALEXANDER: Resolution of James Ayer Post, No. 492, Grand Army of the Republic, of Angola, N. Y., in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Resolution of the Board of Trade of Brunswick, Ga., favoring bill H. R. 7637, for deepening the harbor at Brunswick, Ga.—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce and Commissioners of Pilotage of Savannah, Ga., protesting against passage of bill S. 2260—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Savannah Cotton Exchange, relative to enforcing power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Board of Trade of the city of Milledgeville, Ga., relative to legislation for good roads—to the Committee on Agriculture.

By Mr. BENNY: Papers to accompany bill H. R. 8918, to correct the military record of John Hunter—to the Committee on Military Affairs.

Also, paper to accompany bill granting increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: Petition of the pastors and 46 others, of Tallapoosa, Ga., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Brunswick (Ga.) Board of Trade, relative to improvement of inner harbor at Brunswick, Ga.—to the Committee on Rivers and Harbors.

Also, resolution of Brunswick (Ga.) Board of Trade, in favor of an isthmian canal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of mayor and aldermen of the city of Brunswick, Ga., relative to improvement of inner harbor [illegible].

By Mr. BURKETT: Petition of [illegible] of Nebraska, against sale of liquor in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

By Mr. [illegible]: Resolution of Grand Army of the Republic Post No. 130, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of J. W. Ellise and 42 others, of [illegible], Mo., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of W. H. Brown and 26 others, of [illegible] and 49 others, of Gladbrook, and [illegible] others, of Toledo, all in Iowa, in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DANIELS: Petition of residents of the County of Inyo, California, relative to a railroad from Mount Whitney, California—to the Committee on Military Affairs.

Also, papers to accompany bill granting an increase of pension to William P. Stone—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolution of General Alexander Hays Post, No. 8, Grand Army of the Republic, Department of Pennsylvania, in favor of a service pension bill—to the Committee on Invalid Pensions.

By Mr. DENSMORE: Papers to accompany bill granting a pension to Mary Begly—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Samuel P. Smith—to the Committee on Invalid Pensions.

By Mr. DOVENER: Affidavits in support of a bill for a pension for George H. Stuck—to the Committee on Invalid Pensions.

Also, petition of John W. Swisher for a special act pension—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolutions of Francis M. Lane Post, No. 247, of Ransom, Ill., and [illegible] Post, No. [illegible], of Kingston, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Papers to accompany a bill granting a pension to Samuel M. Coleman—to the Committee on Invalid Pensions.

By Mr. HARDWICK: Papers to accompany bill H. R. 4326—to the Committee on Claims.

Also, resolution of Board of Trade of Brunswick, Ga., in support of bill H. R. [illegible]—to the Committee on Rivers and Harbors.

Also, resolution of the Cotton Exchange of Savannah, Ga., as to [illegible] and localities—to the Committee on Interstate and Foreign Commerce.

Also, petition of certain commercial bodies of Savannah, Ga., protesting against bill S. 2260—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 5998—to the Committee on Claims.

By Mr. HAUGEN: Petition of citizens of Decorah, Iowa, protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HEDGE: Resolution of McFarland Post, No. 20, Grand Army of the Republic, of Mount Pleasant, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: Petition of Joel Woirte Post, No. 81, Grand Army of the Republic, of Rushville, Ind., urging passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Resolution of Burnside Post, No. 58, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Rev. C. E. Pomeroy and 47 others, of Murray, Iowa, in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HULL: Resolution of Colonel Joseph H. Wilson Post, No. 496, Grand Army of the Republic, Department of Pennsylvania in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LAMB: Petition of the Negro Development and Exposition Company of the United States relative to an exhibition of the [illegible] of this country—to the Committee on Industrial Arts and Expositions.

By Mr. LINDSAY: Letter of Rev. Lindsay Parker, D. D., of Brooklyn, N. Y., and others, in favor of bill relative to the recognition and promotion of army chaplains—to the Committee on Military Affairs.

By Mr. LIVINGSTON: Resolution of Savannah Cotton Exchange, in favor of enlarging the powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. McCARTHY: Resolution of the Fremont Commercial Club of Fremont, [illegible] relative to the [illegible] of the [illegible] system—to the Committee on Foreign Affairs.

By Mr. OLMSTED: Papers to accompany bill Tice Post, No. 471, and [illegible] No. 116, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. [illegible]: Petition of the B. Y. P. U. S. of Iowa, [illegible] of the [illegible] river bill—to the Committee on the [illegible].

By Mr. [illegible]: Papers to accompany bill H. R. [illegible], granting a pension to [illegible]—to the Committee on [illegible].

By Mr. [illegible]: Petition of William T. Smith and 6 others, of [illegible], Va., and Rev. W. H. Ballenger and 43 others, of Warsaw, Va., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of A. L. R[illegible] and 75 members of the Automobile Club of Fort Wayne, Ind., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 10979, granting an increase of pension to Francis Marion Hatter—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 7507, to correct military record of Daniel F. Tracey—to the Committee on Military Affairs.

By Mr. SPALDING: Petition of citizens of Morton County,

N. Dak., relative to the division of the Bismarck land district—to the Committee on the Public Lands.

By Mr. SPIGHT: Papers to accompany bill H. R. 10745, for relief of heirs of Mrs. Polly Callahan—to the Committee on War Claims.

By Mr. THOMAS of Iowa: Papers to accompany bill granting an increase of pension to Clark Robinson—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Papers to accompany bill granting an increase of pension to Silas Soules—to the Committee on Invalid Pensions.

By Mr. WEEMS: Papers to accompany bill H. R. 9958, granting a pension to Thomas T. Fisher—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petition of E. J. Woofter and 41 others, of Harrisville, W. Va., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

FRIDAY, *January 29, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, there being no objection.

REPORT OF COMMISSIONER OF PATENTS.

The PRESIDENT pro tempore laid before the Senate the annual report of the Commissioner of Patents for the fiscal year ended December 31, 1903; which was referred to the Committee on Printing.

ENROLLED BILLS SIGNED.

A message from the House of Representatives by Mr. W. J. BREWER, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1[illegible]) granting a pension to Grace E. Carson;

A bill (H. R. 2[illegible]) granting a pension to Margaret Cotter;

A bill (H. R. 6[illegible]) granting an increase of pension to Sarah S. Chevalier;

A bill (H. R. 895) granting an increase of pension to Margaret M. Walker;

A bill (H. R. 1908) granting an increase of pension to Harvey D. Barr;

A bill (H. R. 2139) granting an increase of pension to James W. Kight;

A bill (H. R. 2424) granting a pension to Emma Butler;

A bill (H. R. 4200) granting an increase of pension to Milton H. Sweet;

A bill (H. R. 4916) granting an increase of pension to Allen M. Pierce;

A bill (H. R. 5010) granting a pension to Mary F. Hamilton;

A bill (H. R. 5[illegible]) granting a pension to William H. Harrison;

A bill (H. R. 5464) granting an increase of pension to Francis M. N[illegible];

A bill (H. R. 5559) granting an increase of pension to Josephine C. Chase;

A bill (H. R. 5841) granting an increase of pension to Abraham Wilson;

A bill (H. R. 6932) granting an increase of pension to Harvey R. King;

A bill (H. R. 7849) to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State;

A bill (H. R. 9292) in relation to business streets in the District of Columbia; and

A bill (S. 2121) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents."

PETITIONS AND MEMORIALS.

Mr. LODGE presented a petition of David A. Russell Post, No. 78, Department of Massachusetts, Grand Army of the Republic, of Whitman, Mass., and a petition of E. V. Sumner Post, No. 19, Department of Massachusetts, Grand Army of the Republic, of Fitchburg, Mass., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Alden Club, of Franklin; of the Woman's Club, of Worcester, and of the Woman's Christian Temperance Union of Dorchester, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURROWS presented a petition of the city council of Detroit, Mich., praying that an appropriation be made for the construction of a bridge over the Detroit River; which was referred to the Committee on Commerce.

Mr. HOAR presented a memorial of the national executive committee of the National German-American Alliance of the United States and a memorial of sundry German-American citizens of Montgomery County, Ohio, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church of Long Lake, N. Y., and of the congregations of the Methodist Episcopal, Presbyterian, and First Baptist churches of Vineland, in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church, of the Epworth League, and of the Woman's Christian Temperance Union, all of Blackstone, in the State of Massachusetts, praying for the enactment of legislation to prevent the nullification of State liquor laws by original packages and other "interstate-commerce tricks;" which were referred to the Committee on the Judiciary.

He also presented a petition of Lodge No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., praying for the passage of the so-called Grosvenor anti-injunction and conspiracy bill; which was referred to the Committee on the Judiciary.

He also presented the memorial of E. H. Gibson, of Wellesley, Mass., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented the memorial of F. H. Gibson, of Wellesley, Mass., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Board of Trade of Boston, Mass., and a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for the destruction of derelicts in the North Atlantic Ocean; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Board of Trade of Boston, Mass., and a petition of the Board of Trade of Gloucester, Mass., praying for the establishment of a permanent treaty of arbitration between the United States and the United Kingdom of Great Britain and Ireland; which were referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Boston, Mass., and a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation to reorganize the consular service of the United States; which were referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Boston, Mass., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation to create a commission to consider and recommend legislation for the development of the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the Merchants' Association of Boston, Mass., praying for the enactment of legislation to place wool permanently on the free list; which was referred to the Committee on Finance.

He also presented the petition of Mrs. Moore Murdock, national commandant of the Dames of 1846, praying for the enactment of legislation to increase the pensions of veterans of the Mexican war; which was referred to the Committee on Pensions.

He also presented petitions of H. M. Warren Post, No. 12, of Worcester, of E. V. Sumner Post, No. 19, of Fitchburg, and of David A. Russell Post, No. 78, of Whitman, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of W. L. Nye and 24 other citizens of Berkshire County; of the Worcester Woman's Club, of Worcester; of the Woman's Christian Temperance Union of Westfield, and of the Waltham Woman's Club, of Waltham, all in the State of Massachusetts, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the petition of J. B. Ireland and 10 other citizens of Athol, Mass., and a petition of the Woman's Christian Temperance Union of Blackstone, Mass., praying for the enact-

ment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which were referred to the Committee on Public Buildings and Grounds.

He also presented a petition of sundry citizens of New Haven, Conn., praying that before the final ratification of the Hay-Varilla treaty the action of the United States may be subjected to a careful and deliberate investigation; which was referred to the Committee on Foreign Relations.

Mr. McCOMAS presented a petition of Local Division No. 5, Ancient Order of Hibernians, of Baltimore, Md., praying for the enactment of legislation providing for the erection of a statue at Washington, D. C., to Commodore Barry, "Father of the American Navy;" which was referred to the Committee on the Library.

He also presented a petition of the Chamber of Commerce of Baltimore, Md., praying for the establishment of the principle of arbitration and securing treaties with all foreign nations and to submit differences which may arise to arbitration when they have failed of settlement through diplomatic channels; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Woman's Missionary Society of the Buckingham Presbyterian Church, of Berlin, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BERRY presented sundry papers to accompany the bill (S. 3642) for the relief of the trustees of the Baptist Church, Pine Bluff, Ark.; which were referred to the Committee on Claims.

Mr. DEPEW presented sundry papers to accompany the bill (S. 3384) for the relief of the heirs and legal representatives of those civilian employees of the Government who were killed by the explosion of gunpowder and 13-inch shell at the United States naval magazine, Iona Island, N. Y.; which were referred to the Committee on Claims.

Mr. CULLOM presented a petition of the Delavan Woman's Club, of Delavan, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of L. B. Brown Post, No. 151, of Sheldon; of Hiram McClintock Post, No. 667, of La Grange; of Robert Hale Post, No. 556, of Fulton; of Brewer Post, No. 577, of Walnut; of Rochelle Post, No. 546, of Rochelle; of Vennum Post, No. 796, of Milford, and of Pulaski Post, No. 796, of Pulaski, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. FOSTER of Washington presented a petition of the Good Roads' Association of Island County, Wash., praying for the enactment of legislation providing for the construction of good roads in the country; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the German Methodist Episcopal Church, of Walla Walla, Wash., and a petition of the congregation of the First Cumberland Presbyterian Church, of Walla Walla, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. STONE presented a petition of the Ministerial Association of Springfield, Mo., praying for the enactment of legislation to prevent nullification of State liquor laws and municipal ordinances by so-called "original-package" and other "interstate-commerce" tricks; which was referred to the Committee on the Judiciary.

He also presented a petition of Mound City Council, No. 207, United Commercial Travelers, of St. Louis, Mo., praying for the adoption of an amendment to section 64 of the present bankruptcy law; which was referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of the congregation of the Methodist Episcopal Church and the Woman's Christian Temperance Union of Amos, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HEYBURN presented sundry papers to accompany the bill (S. 3788) to provide for an examination to determine the feasibility of reclaiming the overflowed lands of the Kootenai River in northern Idaho and Montana; which were referred to the Committee on the Geological Survey.

Mr. PLATT of Connecticut. I present a petition of about 150 leading citizens of New Haven, comprising business men, professional men, and professors of Yale College, praying for a ratification of the Hay-Varilla treaty. I suppose it is really a matter for executive session, but as the treaty has been made public I think I may present it in the open session. I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. FRYE presented petitions of the Woman's Christian Temperance Union of Fairfield and of the congregation of the First Baptist Church of Fairfield, in the State of Maine, and of the Woman's Christian Temperance Union of Enfield, N. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

PRESERVATION OF FRIGATE CONSTITUTION.

Mr. HOAR. I present a memorial of the Massachusetts Historical Society, Charles F. Adams, president, and others, relative to the preservation of the U. S. frigate *Constitution*. The memorial relates to a matter of great historical interest. I understand that it was written by Mr. Charles F. Adams. It states the case in his accustomed admirable fashion. I ask that it be printed in the RECORD.

There being no objection, the memorial was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD, as follows:

Memorial.

To the Senate and House of Representatives of the United States:

Your memorialists, the Council of the Massachusetts Historical Society, acting under its instructions, would respectfully call the attention of your honorable bodies to certain facts connected with the United States frigate *Constitution*.

That vessel is now lying at Charlestown, Mass., in a dock also used by the steamships of the so-called White Star Line, she is dismantled, out of repair, and [illegible] Your memorialists further represent that in the American national [illegible] as in the Constitution such as ought to be [illegible] except perhaps the Senate house, Independence Hall, and the Liberty Bell of Philadelphia. This vessel was launched in 1797, and it was the only one which, in the [illegible] war of 1812, appeared upon the high seas in the service of the infant American navy, and [illegible] the American flag. Under Commodore Bainbridge, Decatur, and other officers, such as the British frigates, the Constitution was [illegible] to the British forces on the seas, and [illegible] bright gleam in the darkness of a long and disastrous war. It was the first frigate built with the Western Line of Congressional appropriation. The [illegible] was [illegible] and the sum of [illegible] was put in expressly for a limited number of years, and [illegible] the Western navy, and [illegible] to have [illegible] the Western navy, and [illegible] to New England, and [illegible] it was still [illegible]

[illegible] that the Massachusetts Historical Society, already in 1812 [illegible] more than twenty years in existence, now [illegible] the [illegible] to be [illegible] speaking through her [illegible] in the [illegible] New England. [illegible] to enter into the earliest and most [illegible] which was [illegible] "belonging to people" of the first [illegible] in the memory of the present [illegible] United States. [illegible] the President [illegible] with [illegible] during the [illegible] revolution, and [illegible] which were at all times [illegible] the Revolution [illegible] of [illegible] Constitution. [illegible] to another [illegible] [illegible] by the [illegible] and [illegible] of the [illegible] ship [illegible] at the wharf opposite to which she was launched six years [illegible] ago.

[illegible] that the *Constitution* is thus [illegible] with [illegible] [illegible] United States, no less an interest and sentiment attach to the *Constitution* than in Great Britain attach to the *Victory*. The *Constitution* in the days of

[illegible] for us than ever even the flagship of Nelson did for England. [illegible] which she has been to Americans as a sentient being to whom [illegible]

Yet by Great Britain the [illegible] has been [illegible] for and [illegible] Ascoli, this yearly [illegible] [illegible] the people [illegible] Parliament [illegible]

[illegible] monument not alone of [illegible] and an abiding [illegible] to us.

And yet [illegible]

REPORTS OF COMMITTEES.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 2[illegible]) for the relief of [illegible] and crew of the schooner *Ella M. Dougherty*, reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom was referred the bill (S. [illegible]) to amend the act for the employment of officers of the Army on the general list, and for other purposes, reported it with amendments, and submitted a report thereon.

He also, from the Committee on [illegible], to whom was referred the bill (S. 803) for the relief of Joan [illegible], reported it with an amendment, and submitted a report thereon.

Mr. STONE, from the Committee on [illegible], to whom was referred the bill (H. R. [illegible]) authorizing the [illegible] of the Osage River in the State of Missouri, reported it without amendment, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. [illegible]) for the relief of Rev. Charles Wright, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. 1[illegible]) permitting the Kiowa, Comanche and Fort Sill Railway Company to sell and convey its railroads and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, [illegible] which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (S. [illegible]) authorizing the Choctaw Water [illegible] to lease water land, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Military Affairs, to whom was referred the bill (S. [illegible]) to prevent the desecration of the American flag, reported it with amendments, and submitted a report thereon.

He also, from the Committee on the Census, to whom was referred the bill (S. [illegible]) to amend an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, reported it without amendment, and submitted a report thereon.

Mr. KNOX. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. [illegible]) to amend an act entitled "An act [illegible] Territory of Alaska [illegible] for the organization of [illegible] approved March 3, 1899, and to be known as the Second Division of the District of Alaska, and for other purposes," approved March 3, 1903, to report it without amendment, and I ask for its present consideration.

The Second Division of Alaska was established and organized by the Committee on Territories, which consisted of seven members, under consideration and report of a bill reported in the last Congress.

There [illegible] The Committee on the Judiciary [illegible] the bill and [illegible] to the Senate, for an [illegible] being [illegible]

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. [illegible]) for the relief of Vincent Gossett, of Washington, D. C., reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. 1974) amending the act of Congress approved January 26, 1895, entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes," reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on the District of Columbia, to whom was referred the bill (S. 2434) providing for a superintendent of the [illegible] of the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. FORAKER, from the Committee on [illegible] Affairs, to whom was referred the bill (S. [illegible]) to amend section [illegible] of the code of law for the District of Columbia, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. [illegible]) for the relief of [illegible], reported it without amendment, and submitted a report thereon.

Mr. CULLOM, from the Committee on Military Affairs, to whom was referred the bill (S. [illegible]) to place on the retired list of the Army the name of Major Wesley Merritt, reported it without amendment, and submitted a report thereon.

ALFONSO ZELAYA.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the joint resolution (S. R. 34) authorizing the Secretary of War to receive Alfonso Zelaya, a citizen of Nicaragua, into the United States Military Academy at West Point, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the joint resolution; and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUISIANA PURCHASE EXPOSITION.

Mr. BURNHAM. In the absence of the chairman of the Committee on Printing, I report for him with a recommendation the amendment of the House of Representatives to [illegible] to the concurrent resolution [illegible] and ask for its present consideration.

The amendment of the House was, to strike out all after the resolving clause and to insert:

[illegible]

Mr. BURNHAM. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BURNHAM introduced a bill (S. [illegible]) to amend an act entitled "An act to establish circuit courts of appeals and to define and regulate in certain cases the jurisdiction of courts of the United States, and for other purposes," approved March 3, 1891, which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 3934) [illegible] a pension to Susan E. Pellows; which was read twice by its title, and referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. 3935) granting a pension to [illegible] and [illegible] the accompanying papers, referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. [illegible]) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 3937) to relieve foreign commerce and [illegible] contracts in reasonable restraint of trade and commerce, amend the [illegible] of the act to protect trade and commerce against unlawful restraints and monopolies, approved July 2, 1890; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. DEPEW introduced a bill (S. 3938) for the relief of George H. White; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. NEWLANDS introduced a bill (S. [illegible]) granting an increase of pension to James Miller; which was read twice by its title, and referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. [illegible]) for the relief of the trustees of the Old School Presbyterian Church, of Helena, Ark.; which was read twice by its title, and referred to the Committee on [illegible].

Mr. McLAURIN introduced a bill (S. 3941) for the relief of James W. Watson, [illegible] captain in Tenth Cavalry, United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. [illegible] introduced a bill (S. 3942) to carry into effect the decision of the Court of Claims in the matter of the claim of John [illegible], administrator of the estates of Maria Johnson and [illegible] Ware, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Court of Claims, referred to the Committee on [illegible].

Mr. MITCHELL introduced a bill (S. 3943) to encourage telegraphic communication between the United States, Alaska, the Russian Empire, Siberia, Manchuria, China, the Japanese Empire, and the Philippine Islands; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. LODGE introduced a bill (S. 3944) for the relief of G. F. [illegible]; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Finance.

Mr. [illegible] introduced a bill (S. [illegible]) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3946) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOAR introduced the following bills; which were severally read twice by their titles, and referred to the Committee on [illegible]:

A bill (S. 3947) granting an increase of pension to A. L. Kneeland;

A bill (S. 3948) granting a pension to Thomas O'Connor;

A bill (S. 3949) granting an increase of pension to Benjamin F. Spear; and

A bill (S. 3950) granting an increase of pension to Edward Blaisdell.

Mr. HOAR introduced a bill (S. 3951) to correct the military record of Michael J. Kelley; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DEPEW introduced a bill (S. 3952) for the relief of James E. Simpson, jr., Alfred H. Simpson, and Willie E. Simpson, surviving copartners of the firm of J. E. Simpson & Co.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 3953) granting an increase of pension to Thomas L. Sanborn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HEYBURN introduced a bill (S. 3954) providing for the deposit of a model of any vessel of war of the United States Navy bearing the name of a State or city of the United States in the capitol building or city hall of said State or city; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3955) granting a pension to Amelia Xandry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCREARY introduced a bill (S. 3956) granting an increase of pension to Patrick Fleming; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3957) granting a pension to Isabel [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 3958) granting an increase of pension to Julia A. Daily; which was read twice by its title, and referred to the Committee on Pensions.

AMENDMENT TO URGENT DEFICIENCY APPROPRIATION BILL.

Mr. FORAKER submitted an amendment proposing to appropriate $2,000 to pay the superintendent of insurance of the District of Columbia the balance of his salary due from July 1, 1902, and from July 1, 1903, as fixed by the amended code of law of the District of Columbia, approved June 30, 1902, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

HEARINGS BEFORE COMMITTEE ON PUBLIC LANDS.

Mr. HANSBROUGH submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

[illegible] and that the [illegible] be [illegible]

LAND IN ST. AUGUSTINE, FLA., FOR SCHOOL PURPOSES.

Mr. TALIAFERRO. I ask unanimous consent for the present consideration of the bill (S. 3479) [illegible] provision for conveyance in fee certain public grounds in the city of St. Augustine, Fla., for school purposes.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on Education and Labor with an amendment, to strike out all after the enacting clause and insert:

That [illegible] conveyance heretofore or hereafter made by the mayor of St. [illegible]

The amendment was agreed to.

The [illegible] was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DIPLOMATIC CORRESPONDENCE RELATIVE TO PANAMA, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution submitted by the Senator from Texas [Mr. CULBERSON], which will be stated.

The SECRETARY. Senate resolution [illegible] by Mr. CULBERSON, requesting the President to inform the Senate whether all correspondence, etc., between the Department of State and the legation of the United States at Bogota has been sent to the Senate.

Mr. CULLOM. The Senator from Mississippi [Mr. McLAURIN] is entitled to the floor.

Mr. COCKRELL. The Senator from Mississippi has yielded to me for a few moments.

Mr. President, in the discussion yesterday something was said in regard to what occurred in the Administration of President Cleveland, and it was attempted to make that a precedent for a refusal to pass this resolution. That was an entirely different case. I read from the Journal of the Senate, which shows the view, and what was the subject-matter of the controversy there. Here is a resolution that was passed by the Senate on the 18th of February, 1886. It was reported by Senator Edmunds:

Resolved, That it is, under these circumstances, the duty of the Senate to refuse [illegible] of whom [illegible] of a Department [illegible] deemed necessary by the Senate and called for in considering the matter.

That shows the gist of the contention at that time. Now, I read from Mr. Cleveland's message of March 1, 1886, on page 350 of the Journal of that time. I will read only a few extracts, simply to show what was the contention:

While, therefore, I am constrained to deny the right of the Senate to the [illegible] is vested in the [illegible] That [illegible] When [illegible] of the people and [illegible] of [illegible] a familiar [illegible] every other right of intercourse with [illegible]

[illegible] which assembled after the adoption of the Constitution [illegible] the independence of the Executive in the matter of removals from office was fully sustained.

Now, about the law of 1867, Mr. Cleveland said:

> The first enactment of this description was passed under a stress of partisanship and political bitterness which culminated in the President's impeachment.
>
> [illegible] provided that the Federal officers to which it applied could only be suspended during the recess of the Senate [illegible] overwhelmingly and bitterly opposed [illegible] the exercise of this power [illegible] the President [illegible] the expiration of the session [illegible] the President "to report to the Senate" [illegible] the evidence and reasons for his action [illegible]
>
> The Senate [illegible] overwhelmingly and bitterly opposed [illegible] the exercise of this power [illegible] the President [illegible] the expiration of the session [illegible] the President "to report to the Senate" [illegible] the evidence and reasons for his action [illegible] cation of any pretended constitutional right.
>
> [illegible]

Mr. President, this is not that case. There is no parallel between them. That was in regard to removals from office. That was the main contention. I am far from any desire to encroach upon the constitutional prerogatives of the President. I believe that the prosperity of our Republic and of our Government will depend upon keeping the different branches of the Government separate and distinct. That the legislative branch should not encroach upon the executive branch nor upon the judiciary, nor should either of them encroach upon the rights of the legislative branch.

Mr. President, under our Constitution the President has the right to remove an incumbent from office, and we can ask him no questions about it. That has been determined from the beginning. But when it comes to a finished act, in which the concurrence of the Senate is necessary, the Senate has a right, a constitutional right, to all the papers and documents pertaining to that question. I do not think there can be any question about this.

I was very much astonished that the distinguished Senator from Wisconsin [Mr. SPOONER] took such a broad position in regard to it. I say we have no right whatever to inquire of the President to demand of him anything in regard to an unfinished matter. If he is about to negotiate a treaty, we have no right to inquire what he is doing. We have no right to do anything of the kind. But when he has negotiated a treaty and that treaty has to be ratified by the Senate before it becomes effective, and we have to advise and consent to its ratification, we then have a right to know why he did it and what are the papers in regard to it. That, I say, is a clear right, and I do not believe there is any President who will refuse it.

This resolution is not for the purpose of casting any reflections upon the present Executive. There is no such intention. It is simply that we ask what are all the papers now in regard to this transaction. There is nothing upon the record which shows that the President has transmitted all of them. He has not said so. We do not know whether there are any not transmitted or not. If there are any, we should like to see them. Such a request never has been refused, I believe, in a solitary instance. The information can be given to us, and it must be confidential. The resolution asks that it be given to us in confidence—that it be given to the Senate in executive session.

Now, where is the harshness when such a request has been refused? Suppose it is a very important matter; have we not had precedents in the past? Have we not had them here? Have not Senators now upon this floor seen a case in which a paper was sent here in confidence, and afterwards it was found where it had to be found upon any rumor? It is not upon our records here. It is not in any printed publication. It is not in any one of the numerous communications that were made to the Senate in regard to the transaction in question which it was furnished us. There are other instances in the history of the country.

If there is anything that the President does not think at this time it would be prudent to make public, he ought to communicate it to us. He can send the original paper here and we will treat it, as it always has been treated when such communications have been made to us, in the strictest confidence, and no record will be made of it.

This is not an encroachment, in my judgment, upon the rights of the Executive in any shape, manner, or form. If it were I would not support it. I believe the distinction is clear and must be apparent to anyone who will examine it. We have no right to make inquiries when it is a matter that is being negotiated—when we are not called upon to do or say anything about it.

But when the act is consummated, when the treaty is agreed upon, and it can not become effective until we have advised and consented to it by the requisite vote in this body, we have the right, then, before we give our advice, before we give our consent, to know the whole transaction in regard to it; and if any of the papers are of such a character that it might not be wise and prudent just at this time that they should be made public, let them be communicated to us in confidence, as has been done heretofore in matters of very great importance and of a very confidential nature.

Therefore, I shall support this resolution without the words the Senator from Illinois has proposed to insert in it. I do not think that they are at all necessary.

Mr. MITCHELL. May I ask the Senator from Missouri a question?

Mr. COCKRELL. Certainly.

Mr. MITCHELL. Conceding that this is not a parallel case to that under the Cleveland Administration, and I concede that it is entirely different so far as that is concerned, conceding that it is a different case, can not the Senator from Missouri conceive of a case where we have a right to call upon the President to furnish papers where it might not be consistent with the public interest to furnish the papers?

Mr. COCKRELL. I will say that probably in nine-tenths of the cases in which Congress might call upon him it would be eminently proper to insert the words "if not incompatible with the public interest." But this is not one of those cases. We are not discussing that kind of a case.

Mr. MITCHELL. Can not the Senator see that even in the consideration of a treaty in reference to which the papers are called for, as in this case, there might be certain papers covered by the resolution that it might not be proper to furnish?

Mr. COCKRELL. I have said that there might be such a case, and I have shown the Senate two cases, practically—I have not named them, but you are all familiar with them—where information was called for, and it was thought by the Executive proper to give it out, and yet the paper itself was sent here. We had it here for inspection, and no record was ever made of it.

Mr. MITCHELL. The Senator from Missouri admits that we have a right to call for these papers, and he admits further that there might be a case where it would be improper and not consistent with the public interest to furnish certain papers.

Mr. COCKRELL. No.

Mr. MITCHELL. Why not then insert the amendment of the Senator from Illinois?

Mr. COCKRELL. No; I did not say it would be improper to furnish them. I say it is right that he should furnish them; but he can furnish them as has been done heretofore. He can send a paper here to the Senate and let the Senate examine it, though he does not want to commit it to a record which may be made for future reference. Let it be sent here and examined and be considered confidential if there is anything in it which is of a confidential nature. We have a right, I say, as a part of the executive authority in completing our part of this treaty, to the information which the President has, and if he does not want to communicate it in a public way he has precedents—several of them—for sending the information to us here in a confidential way and letting us examine it.

Mr. MITCHELL. But would it not be the more courteous and appropriate way to first insert in the resolution "if not inconsistent with the public interest;" and then if the President——

Mr. COCKRELL. No. I do not think it would.

Mr. MITCHELL. If he thought that there were certain papers, then——

Mr. COCKRELL. I do not think it is discourteous at all to pass a resolution calling for such information as we have a right to have. If it were anything that was not completed, if it were [illegible] But there is no necessity for the language to be inserted here. It is tweedledum and tweedledee so far as the practical effect of it is concerned. Why are Senators stickling so over this matter? Whatever the facts are, we should have them, simply because it is a constitutional right the Senate enjoys and it ought to assert it. It is no disrespect to the President when we do assert it and pass something that is clearly within our constitutional power, without any intention to reflect, directly or indirectly or remotely, in any shape, manner, or form upon the President of the United States.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Wisconsin?

Mr. COCKRELL. Certainly.

Mr. SPOONER. If this is a mere matter of tweedledum and tweedledee, I can not understand why such strenuous objection should be made to putting in the resolution the phraseology we usually do.

Mr. COCKRELL. This is our resolution, and you are trying to force this amendment upon us.

Mr. SPOONER. Your resolution!

Mr. COCKRELL. And this is your amendment. If the resolution goes through it will be a resolution of the Senate.

Mr. SPOONER. I supposed it was a Senate resolution; that it was no more yours than ours.

Mr. COCKRELL. You say "yours" and "ours." This is not a political question.

Mr. SPOONER. No.

Mr. COCKRELL. There is no politics in it in any shape, manner or form; but we of the minority have been recognized as offering the resolution, and although we have the right, the constitutional right, and when we have told you that it is no reflection on anybody, that it is in pursuance of that constitutional right, yet you try to force an amendment here, for which I see no occasion in the world.

Mr. LAURIN. Mr. President, I shall endeavor to put the ideas I have in reference to this resolution in as few words as possible, in order to make myself intelligible to the Senate. I must submit at the outset, however, that I am not familiar with precedents which have been discussed by Senators during the consideration of this resolution. I have gotten more information as to these precedents from this discussion than I have from any reading of the precedents themselves.

I will say further that I do not think it proper for a Senator, in discussing any resolution in open Senate, to give expression as to how he is going to vote on the treaty when it comes to its final action in the Senate. That is a matter for executive session, and as much as one of the secrets of executive session as anything else.

Before proceeding to a discussion of what I consider the real question contained in this resolution, I want to make an observation in reference to what was said yesterday by the Senator from Illinois [Mr. CULLOM], that this resolution was submitted apparently for the purpose of obtaining some party advantage. It was not introduced for that purpose. I am free to confess that, so far as I am concerned, I am glad when any transaction in the Senate, or in the other House of Congress, or in the executive department redounds to the benefit of the party to which I belong—the Democratic party—but I subordinate all considerations of party interest to my official duty to the entire country.

I can not conceive how there can be anything obtained of advantage to the Democratic party by this resolution, unless there is something behind, as the Senator says has been intimated—I do not think it has been intimated—unless there is something behind that the executive department is not willing for the Senate to know. Assuming, as I do, that there is nothing of that kind in any secret corner, I assert that the best service that can be rendered to the executive department is to give the President the opportunity to make public everything that has been done in reference to the establishment of the Panama Republic if there has not been anything improper done between the officers of this Government and the alleged officers of the so-called Panama Republic, and I assume that there has not been any improper thing done by any officer of our Government.

If the effort were on the part of the Democratic caucus to obtain advantage, the best way to thwart that effort, if there is nothing wrong in the conduct of the Administration in this matter, which I assume, the course is to make everything public, without reference to the judgment of anybody, and that would be the best answer to any suggestion by anybody or any imputation upon the conduct of any officer of the Administration in connection with either the Panama or the Colombian Government or the Panama or Colombian Republics.

I want to make some observations in reference to the statement that was made yesterday by the junior Senator from Massachusetts [Mr. LODGE] that this resolution was a command to the President. It is not a command, but is cast in most respectful language, and in order to show that I will read the resolution entire:

> *Resolved*, That the President be requested to inform the Senate whether all the [illegible] between the Department of State and the [illegible] and notes to the Senate in executive session.

So there is no suggestion of a command, but a request. If our position is correct, we request the President to grant to the Senate not a concession, but that to which the Senate is entitled. There can be no suggestion of discourtesy in the Senate's passing its judgment upon whether it wants that to which it is entitled or not; whether it ought to be sent or not, and not leaving it to the President to decide, because he is not asked to make public information that is in possession of the executive department of the Government, not asked to make any document or anything that has transpired between the executive department and any of its officers either in Colombia or Panama public, but to send it to the Senate in confidence, because when it is sent to the Senate in executive session it means to send it in confidence.

I resent the imputation of the Senator from Wisconsin [Mr. SPOONER] that the chairman of the Committee on Foreign Relations should have possession of any information from the executive department to which every Senator in this body is not equally entitled. It is the Senate and every member of it that is entitled to the information that is contained in the archives of the executive department. Every Senator is as much entitled to the information in question as is the chairman of the Committee on Foreign Relations or any other Senator. The chairman of the Committee on Foreign Relations, when it comes to advising and consenting to the ratification of a treaty or the rejection of a treaty, has no more power and no more authority in this body than any other Senator.

The suggestion was made yesterday—I have not read the RECORD this morning—by the Senator from Rhode Island [Mr. ALDRICH] that probably there are some things transpiring now that we should not have, as they would throw no light on the situation. If they would not, no harm would be done, [illegible] would know of it except Senators. But it [illegible] of law that circumstances and transactions [illegible] shed light upon the real matter in question [illegible] cedent and contemporaneous transactions and circumstances.

The desire of the Senate is, or ought to be—it surely is the desire of the Senator who introduced this resolution and a number of others of us—that we should have [illegible] mation in reference to this matter [illegible] and which may have operated upon his mind in the negotiation of this treaty.

The question is not, as was stated by the Senator from Wisconsin, whether the President would be justifiable in denying to the Senate, or at least in [illegible] secret service of the executive department of the Government, or whether the President would be justifiable in denying to the Senate, and denying to the public, his plan of military campaign in case of war. That is not the question. It can be granted that in case of anything of that kind the President would pause whether it would operate against the interests of the public service for him to make the matter public; but the question here is whether or not in this case the Senate of the United States is entitled, in passing upon the question as to whether it will advise and consent to the treaty which has been made, to the information which the President had and which operated upon his mind. If the Senate is entitled to this information in confidence, as the resolution requests—although the Senate has no power to enforce its request, as has been suggested, it can make the request predicated on its own judgment. It is impossible if the Senate keeps faith by holding the communications in confidence, for any harm to thereby come to the public interest. To put the amendment, therefore, is not only idle, but implies that the Senate may divulge that it receives in confidence. It does not have shown with reason that it would operate against the public good to send any information to the Senate in confidence, and that is what this resolution requests.

I say the simple question is whether the Senate is entitled, in confidence, to all the information the President had and which may have operated upon his mind, so that the Senate can determine whether it was wise for him to make the treaty and whether, therefore, the Senate will advise [illegible]

There is a question of the propriety of the secrecy of the secret service of the executive department. Nobody proposes to do that. The question is whether the Senate is entitled to the information in confidence. If the body is entitled to the information, and this body, which is to pass upon the treaty, says it wants it, it is no discourtesy to the President to request him to send in here that which we are entitled to have in passing judgment upon the treaty. That is the question, and the entire question. As I have said, it is dissociated from any proposition to expose to the public the secret service; it is dissociated from the proposition to expose to the public a plan of military campaign of the President of the United States.

The President has the power to make treaties by and with the advice and consent of the Senate. Whenever the Constitution confers upon the President of the United States any power, it carries with it a duty of that officer. When it confers upon the Senate of the United States a duty it implies the means and power to intelligently discharge that duty. It is the duty of the President of the United States, as much as it is in his power, to make treaties by and with the advice and consent of the Senate of the United States. It was understood by the framers of the Constitution that it would be in the interest of the Government of the United States that treaties should be made with foreign

governments, and it conferred that power upon the President, and that power infers the duty of the President to make treaties.

Where that power limited the power, and therefore limited the duty to the advice and consent of the Senate. When it did that, it made it his duty, this confidential relation existing between him and the Senate, in making a treaty to consult all the information that he was which [illegible] but it is not to be supposed that this body would desire any information that was not pertinent to the matter in hand. It was, then, the duty of the President to function his advisers, who are to advise and consent to a treaty to be negotiated, and the information he had, in order that the Senate may judge of the wisdom or folly of the treaty proposed to be made, and the competency he had for judging of the treaty. Where the property of the treaty is to be the point of [illegible] of two [illegible] national interests it seems to me to be [illegible] to argue that one of them is [illegible] to information [illegible] to the other. If the Senate is entitled to this information [illegible] as is admitted, it seems to me to be a [illegible] as to whether it ought to be given to any body, even the President.

The Senate [illegible] to pass this [illegible] and [illegible] to any other power or any other [illegible]. The Senate may make a treaty [illegible] but the Senate itself [illegible] to be [illegible] y. It can not make [illegible] any other [illegible] of any other body, whether the House of Representatives, the Supreme Court of the United States, the President of the United States, or anybody else. It must [illegible] the [illegible] of the Senate. The [illegible] of the Senate. How can the Senate judge of the wisdom of it when the President has asked for [illegible] the opinion, but the advice, of the Senate—when the President refuses to consult a [illegible] body, who are given and entrusted by laws, the information that is in his possession which this body desires for deliberation on the treaty?

I am not going to discuss the treaty. I am not going further than to say that the very first article of this treaty is a declaration of war against Colombia, if Colombia does [illegible] to assert its authority, even in the interest of the United States. That being so, the Senate must want information which will enable it to judge whether anything has been done in the establishment of this embassy. Republic that would justify us in taking that responsibility upon the Government of the United States or denying that responsibility of the Government of the United States.

We have a right to know everything that the President knows about this treaty. Our authority and our power are coordinate with his authority and his power, coupled with the condition that the Senate advises him to exercise that power and consents to his exercise of that power.

It is said here in advocacy of the position that has been taken by the Administration that Colombia has been a despotic Government over the people of Panama. Mr. President, it does not lie in our mouth to say anything of that kind. We are the last people who ought to assert anything of the despotism of the Colombian Government over Panama in judging of this treaty. That seems to be the argument—that is the argument, I believe—of the Assistant Secretary of State. We are sent off from that because last year we offered a treaty to the Colombian Government whereby we undertook to maintain their authority and their sovereignty over Panama. This Administration undertook to guarantee, less than a year ago, so far as its property was concerned and so far as this territory about which we were treating was concerned, the sovereignty of Colombia and make stronger its hold—its perpetual hold—upon that territory. That was the Hay-Herran treaty. So, as I have said, it does not lie in our mouth to say anything against Colombia for any oppression of Panama.

I am not arguing and I am not going to argue that Panama has not grounds for complaint. I do not know. It is not pertinent or germane to this discussion. If the people of Panama have cause for complaint, it does not lie in the mouth of this Administration to say anything to justify itself because of any tyranny on the part of the Colombian Government over Panama.

It seems that the Administration was willing less than a year ago to fasten the hold of Colombia upon those people if we could only get Colombia to treat with us for control over the Panama Canal and the Panama Canal property. But there is a little intimation contained in the President's message of January 4, on pages 23 and 24, that the time when this Administration wanted to call a halt was when the New Panama Canal Company, not composed of citizens of the United States, but a company in which the Government of the United States is not interested, was about to lose its alleged rights in Colombia by lapse of the statute of limitations, and not when the people of Panama were oppressed by the tyranny of Colombia.

If it is not true that this Administration intended to make this effort for the protection of the New Panama Canal Company, in which the citizens of this Government are not interested, what is the suggestion in the message for? Why is it there? What is its [illegible]? Why should we risk a war for the protection of real or supposed property of citizens of France or any other country?

[illegible] a term that has been suggested by the discussion of the question. If there is such a thing as international law, it should apply to all governments alike great and small, because [illegible] ought not to be [illegible] to the weak and another to the [illegible] and if this Government has a right to [illegible] doctrine of international eminent domain, then it would be similar to the doctrine of national eminent domain; and if so, it would be the duty of this Government, in asserting that right, to pay to the real owner of the soil an amount that the property taken was reasonably worth.

That is about all I intended to say. Mr. President.

The PRESIDING OFFICER (Mr. HANSBROUGH in the chair). The question is on the amendment offered by the Senator from Illinois [Mr. CULLOM].

Mr. CULLOM. I hope we shall have a vote. Mr. President.

Mr. GORMAN. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. PETTUS. Mr. President, I desire to know whether the vote is to be taken on the resolution or on the amendment?

The PRESIDING OFFICER. On the amendment proposed by the Senator from Illinois.

The Secretary proceeded to call the roll.

Mr. CULBERSON (when Mr. BAILEY's name was called). My colleague [Mr. BAILEY] is unavoidably absent. If he were present, he would vote "nay."

Mr. ELKINS (when his name was called). I inquire if the junior Senator from Texas [Mr. BAILEY] has voted?

The PRESIDING OFFICER. The Chair is informed that the Senator from Texas is absent.

Mr. ELKINS. I am paired with that Senator, but I transfer that pair to the Senator from Connecticut [Mr. HAWLEY], and vote. I vote "yea."

Mr. HANSBROUGH (when his name was called). I have a general pair with the Senator from Virginia [Mr. DANIEL]. I presume he would vote "nay," if present. I should vote "yea." In his absence I withhold my vote.

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is detained from the Senate by reason of sickness. I believe he has a pair with the Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY], who is detained from the Chamber by illness. If he were present, he would vote "nay" and I would vote "yea."

The roll call was concluded.

Mr. BEVERIDGE. I have a general pair with the senior Senator from Montana [Mr. CLARK]. The junior Senator from Kentucky [Mr. McCREARY] has a general pair with the junior Senator from Ohio [Mr. HANNA]. I therefore transfer my pair with the Senator from Montana to the Senator from Ohio, which will enable the Senator from Kentucky and myself to vote. I vote "yea."

Mr. McCREARY. I vote "nay."

Mr. WARREN. It has been suggested that I [illegible] with the Senator from Mississippi [Mr. MONEY] to the Senator from Washington [Mr. ANKENY], so that I may vote. I vote "yea."

Mr. CLAY (after having voted in the negative). I desire to ask if the junior Senator from Massachusetts [Mr. LODGE] has voted?

The PRESIDING OFFICER. The Chair is informed that the Senator from Massachusetts has not voted.

Mr. CLAY. I have a general pair with that Senator, and therefore withdraw my vote. If he were present, he would vote "yea" and I should vote "nay."

Mr. LATIMER (after having voted in the negative). I have a general pair with the junior Senator from Illinois [Mr. HOPKINS]. I do not see him in the Chamber and do not know how he would vote, but I presume he would vote "yea." As I have voted, I desire to withdraw my vote.

Mr. PETTUS. I desire to inquire if the senior Senator from Alabama [Mr. MORGAN] is recorded as voting.

The PRESIDING OFFICER. The Chair is informed that he has not voted.

Mr. PETTUS. I thought I heard his name read as having voted.

Mr. SPOONER (after having voted in the affirmative). I inadvertently voted without looking to see if the Senator from Tennessee [Mr. CARMACK], with whom I have a general pair, was present.

Mr. GORMAN (after having voted in the negative). I suggest to the Senator that he and I transfer our pairs. I also voted inadvertently. I have a general pair with the President pro tempore the junior Senator from Maine [Mr. FRYE]. I suggest to the Senator from Wisconsin that we transfer our pairs and let our votes stand.

The CHAIRMAN. Very well.

Mr. CLAY. I will transfer my pair to the senior Senator from Tennessee [Mr. BATE], so that the senior Senator from Tennessee will stand paired with the junior Senator from Massachusetts [Mr. LODGE]. I vote "nay."

The result was announced—yeas 39, nays 20, as follows:

YEAS—39.

Aldrich,	Cullom,	Gallinger,	Perkins,
Alger,	[illegible]	[illegible],	Platt, Conn.
Allison,	Dillingham,	[illegible],	Proctor,
B[illegible]	[illegible]	Hoar,	Quarles,
B[illegible]	[illegible]	Kean,	Scott,
[illegible]	[illegible]	Kittredge,	Smoot,
[illegible]	Fairbanks,	[illegible],	Spooner,
[illegible]	Foraker,	McComas,	Stewart,
[illegible]	Foster, Wash.	McEnery,	Warren
Clark, Wyo.	Fulton,	[illegible]	

NAYS—20.

[illegible]	[illegible],	Mallory,	Pettus,
[illegible]	[illegible]	Martin,	Simmons,
[illegible]	[illegible]	Newlands,	Stone,
[illegible]	[illegible]	Overman,	Taliaferro,
Cockrell,	[illegible]	Patterson,	Tillman.

NOT VOTING—31.

	Daniel,	Hawley,	Money,
Ankeny,	Dietrich,	Hopkins,	Morgan,
B[illegible]	Dubois,	Kearns,	Pearrose,
B[illegible]	Foster, La.	Latimer,	Platt, N. Y.
[illegible]	Frye,	[illegible]	Quay,
[illegible]	Hale,	[illegible]ber,	Teller,
Clark, Mont.	Hanna,	[illegible]	Wetmore,
Clark, Ark.	Hansbrough,	Mitchell,	

So the amendment of Mr. CULLOM was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

Mr. HOAR. I should like to suggest to the Senator on the other side having charge of this resolution that its phraseology is not exactly what we should have in an important state paper going from the Senate. There are two clauses in it. The first clause asks "for the correspondence and notes "for the [illegible] an isthmian canal." I suppose the mover of the resolution would prefer to have it "relating to" instead of "for."

Mr. CULBERSON. There is no objection to that modification.

Mr. HOAR. The other clause is "all the correspondence and notes between the United States and any of its officials." The United States does not correspond with its officials in any proper sense of that phrase. It should be "the Department of State and any official or representative." The United States does not in its own name correspond with any of its servants. One servant corresponds with another. I would suggest instead of "between the United States, the words "between the Department of State and any of the officials or representatives of the United States."

Mr. CULBERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from Texas?

Mr. HOAR. Certainly. I have finished what I had to say.

Mr. CULBERSON. While I think the criticism of the distinguished Senator—and I say it with due deference—is hypercritical, there is no objection to any alteration which may make the resolution clearer to others than it seems to be. If it is satisfactory, it may read:

And notes between the Government—

Mr. HOAR. Will the Senator allow me to suggest what has just been suggested to me? The resolution itself in the first [illegible] is "between the Department of State." If the case is [illegible] the second clause it would remove the criticism.

Mr. CULBERSON. The last paragraph of the resolution is intended to be broader than the first. We want any communication of an official character between any Department of the Government in the last instance and any of its officials or representatives or with the Government of Panama. We have no objection to adding before the words "United States" the words "the Government of."

Mr. HOAR. Suppose the Senator should say "and all the correspondence and notes between any Department of the Government."

Mr. CULBERSON. I was about to suggest, after the word "between," in line 7, the insertion of the words "any Department of."

Mr. SPOONER. That is all right.

Mr. ALLISON. "The Government of the United States."

Mr. CULBERSON. Let the Secretary read the resolution, or the part of it to be amended.

The SECRETARY. It is proposed after the word "between," it is proposed to insert "any Department of the Government of."

Mr. HOAR. That makes it clear.

Mr. CULLOM. Let it be read as the resolution will now read.

The PRESIDING OFFICER. The Secretary will read the resolution as it is proposed to be amended.

The Secretary read as follows:

[illegible]

Mr. HOAR. That was amended by consent, substituting the words "in relation to" instead of "for."

The Secretary resumed and concluded the reading of the resolution, as follows:

[illegible] the Government of Colombia in relation to the construction of an [illegible] Department of the Government of the United States and any [illegible] not, that he be requested to send the remaining correspondence and notes to [illegible]

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Texas.

The amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the resolution as amended.

Mr. BATE. Mr. President, I will thank you to state what the proposition is. I have just entered the Chamber.

The PRESIDING OFFICER. The question is on agreeing to the resolution offered by the Senator from Texas [Mr. CULBERSON].

Mr. STONE. As amended.

The PRESIDING OFFICER. Which has been amended.

The resolution as amended was agreed to.

WILLIAM D. CRUM.

Mr. TILLMAN. I ask unanimous consent for the immediate consideration of the resolution which I send to the desk.

The PRESIDING OFFICER. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, [illegible] whether [illegible] collector? If so, [illegible] is his second appointment made in accordance with law; and if [illegible] or precedent for the holding of an office of this [illegible] to make such appointments during a constructive recess, as this appears [illegible]

Mr. ALDRICH. Mr. President—

Mr. TILLMAN. Will the Senator from Rhode Island give me one minute in which to explain the resolution?

Mr. ALDRICH. Yes.

Mr. TILLMAN. Mr. President, yesterday we received from the Secretary of the Treasury an answer to a resolution passed on the 25th of January, endeavoring to get the same information. I will read that letter, as it is very remarkable:

OFFICE OF THE SECRETARY, TREASURY DEPARTMENT,
[illegible]

MY DEAR SIR: Replying to Senate's resolution [illegible] advise [illegible] if so, under what authority of law? William D. Crum [illegible] of Charleston, S. C. Whether he [illegible]

Very truly, yours,

L. M. SHAW.

Hon. WILLIAM P. FRYE,
President United States Senate.

Mr. President, the trouble with this letter is that it is again [illegible] I have just offered may be found [illegible] that Senators may see just what papers are left out or are left in an ambiguous or uncertain and nebulous condition here.

The PRESIDING OFFICER. The Secretary will again read the resolution.

The Secretary again read the resolution.

Mr. TILLMAN. Does the Senator from Rhode Island wish any additional discussion?

Mr. ALDRICH. I will ask that the resolution may go over until to-morrow.

Mr. TILLMAN. Oh, Mr. President, it takes so so long to get this information when we start [illegible] Senator will not do that. I will not say another word. The resolution is very clear on its face. It simply endeavors to get the Secretary to tell us what a de facto omeal is.

Mr. KEAN. Consult the law books.

Mr. TILLMAN. We are not [illegible] to go to the law books. If the Senator from New Jersey [illegible] me. We are Senators here [illegible] Senations, and I am trying to get the Treasury Department to tell us just where this man is and how he got there.

Mr. ALDRICH. Mr. President——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Rhode Island?

Mr. TILLMAN. I am not here for years, because the resolution is [illegible] for consideration, and if he insists upon its going over it will have to go over. But I submit to him that the honor of the Secretary of the Treasury warrants the inquiries which I have presented. It does not appear that we are going to get this information [illegible] know whether we are going to get it now.

Mr. ALDRICH. I will not object to the first part of the resolution, which simply directs the Secretary to send here the papers in the case. I am [illegible] with the law. It is not for us to tell the Secretary of the Treasury a lot of legal questions.

Mr. HALE. Strike out the last two clauses.

Mr. TILLMAN. The Secretary says [illegible] a de facto official. I want to know where the Secretary [illegible] official of this Government [illegible] Senate, who has a right to exercise [illegible] in other and [illegible] Senate.

Mr. ALDRICH. When the Senate is in possession of the information——

Mr. TILLMAN. I am trying to get it, and the Senator from Rhode Island will not [illegible]

Mr. ALDRICH. The Senator from South Carolina goes further. He asks for opinions, and not facts.

Mr. TILLMAN. Opinions? I ask what a de facto official is? If the Secretary will not send his own opinion here, I would not ask him for the opinions of others.

Mr. ALDRICH. If [illegible] it is better, and that the Senator will reach the purpose [illegible] promptly and efficaciously by asking for facts [illegible]

Mr. HALE. Strike out the last two clauses.

Mr. ALDRICH. Strike out the last two clauses of the resolution.

Mr. TILLMAN. Please read the resolution again, and let me see what it is proposed to have stricken out, and let me see if [illegible] to be heard the ears.

The PRESIDENT pro tempore. The Secretary will again read the resolution.

The Secretary read as follows:

Resolved, That the Secretary of the Treasury be and he is hereby directed to send to the Senate the following papers, if not incompatible with the public interest, namely:

First: Is William D. Crum now holding a commission as collector? If so, give date and send to the Senate a verbatim copy thereof.

Mr. ALDRICH. That is all right.

The Secretary resumed and concluded the reading of the resolution, as follows:

Second: Was his second appointment made in accordance with law; and if so, what law?

Third: Is there any law or precedent for the holding of an office of this kind [illegible]

Fourth: [illegible] intention to claim and exercise the authority to make such appointments during a constructive recess, as this appears to be?

Mr. TILLMAN. If the Senator from Rhode Island will indulge me for one moment, I will call his attention to the fact that [illegible] a personal letter and [illegible] the Senate by the [illegible] resolution, we have tried to get this very information, and that the Secretary has, apparently, with great alacrity, declined it.

Mr. SPOONER. What has he done?

Mr. TILLMAN. He has declined the inquiry as to whether or not this man is lawfully in office.

Mr. SPOONER. Oh, well——

Mr. TILLMAN. And he says he is a de facto official.

Mr. SPOONER. He has stated the facts. He was asked whether this man was in office, and he informs the Senate that he was commissioned in March. That was in the recess.

Mr. TILLMAN. Yes; which was lawful.

Mr. SPOONER. Which was lawful. He informs the Senate also that he was appointed on December 7.

Mr. TILLMAN. "Appointed," mind you. The usual form is nominated again.

Mr. SPOONER. No; appointed on December 7.

Mr. TILLMAN. That is what he states.

Mr. SPOONER. That is what he says.

Mr. TILLMAN. Yes.

Mr. SPOONER. Commissioned December 7.

Mr. TILLMAN. No; he does not say he has a commission now.

Mr. SPOONER. Oh, well; he was appointed December 7. He is still in office, he says, and has given bond. Now he says he is a de facto officer. That is a question of law; and does not the Senator think that as he is asking the Senate to take the deposition of the Secretary of the Treasury and as he has framed several direct interrogatories, as the lawyers call it, he had better let the resolution go over until to-morrow to see if there be not some cross-interrogatories to be put?

Mr. TILLMAN. This is a very important matter. It is very much more important, to my mind, than the matter which we have just disposed of.

Mr. SPOONER. I, too, think it is important.

Mr. TILLMAN. It is too important to be laughed at and slurred over.

Mr. SPOONER. I am not laughing at it. I think the Senator knows on the facts whether or not Crum was lawfully appointed.

Mr. TILLMAN. I have [illegible]

Mr. CULLOM. The difficulty is that it goes further than is necessary, in speaking about a de facto officer.

Mr. SPOONER. Yes.

Mr. TILLMAN. The other inquiry asks under what authority of law the appointment was made, and instead of telling us who he got any authority or where there is a precedent or any statute [illegible] he goes forward and says, "Now he is de facto." That is a brand-new phrase in this connection.

Mr. SPOONER. Oh, no.

Mr. TILLMAN. I understand that. There are de facto governments, like the one at Panama and there are [illegible] and all that kind of thing, but I am endeavoring to locate the contention of the executive department in this connection. If they contend that there is a constructive recess, which occurred between 12 o'clock and 12 o'clock on the 7th of December, let them say so. I do not want them to go and do the thing and then try to [illegible]

Mr. SPOONER. The truth is——

Mr. TILLMAN. Another question I will ask my friend is this: He says this is a question for the decision of the judicial department. I want to know who can bring a case in court to test it if we [illegible] our right and our duty to pass upon the question of [illegible]

I want to ask my friend also: Suppose this was in Milwaukee or New York, instead of Charleston:

Mr. SPOONER. It would not change the case at all.

Mr. TILLMAN. It would not change the case at all; [illegible] would not be attempted, and you know it. No [illegible] dare attempt it.

Mr. SPOONER. I am not feeling very well this morning, and I think the Senator ought not to be so threatening.

Mr. TILLMAN. I feel very deeply and strongly, but I do not intend to threaten my friend. I speak emphatically, and [illegible] so thin-skinned that he objects to Senators displaying earnestness such as [illegible] interests. I will apologize.

Mr. SPOONER. The truth is, this resolution ought to go over until to-morrow.

The PRESIDENT pro tempore. The resolution will go over under the rule.

RELATIONS WITH COLOMBIA.

Mr. BACON. I desire to ask permission of the Senate, under the order which has previously been made, to call up Senate resolution 82, in order that I may submit some remarks in reference [illegible]

The PRESIDENT pro tempore. The Chair lays before the Senate the resolution indicated by the Senator from Georgia.

The SECRETARY. Senate resolution No. 82, by Mr. BACON, favoring the negotiation by the President of a treaty with Colombia for the adjustment of all differences between the United States and that country growing out of the recent revolution in Panama.

Mr. BACON. I ask that the resolution may be read.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary read the resolution submitted by Mr. BACON on the 12th instant, as follows:

Resolved, That the President be respectfully informed that the Senate favors a prompt [illegible] with a view to its ratification as a treaty [illegible] to the end that there may be peace [illegible] Colombia and the Republic of Panama growing out of the recent revolution in Panama and the consequent action of the Panama Canal Commission and the [illegible] the Panama Canal [illegible] power of the United States [illegible] by such acts or laws [illegible] and authority [illegible] such [illegible] as may be made by the United States [illegible] Provided, That the President be requested to inform the Senate [illegible] the same have been shown to be due to any act of the Panama Canal Commission [illegible] the same.

Resolved, That the President be requested to inform the Senate if it should prove to be [illegible] for the United States and the Republic of Colombia [illegible] Panama Canal Commission [illegible] Republic of Panama [illegible] Provided, That the President be requested to inform the Senate [illegible] Colombia [illegible] Panama Canal Commission

into about fifty different treaties for arbitration of differences with other governments.

Of course it is not necessary to enumerate them. Senators are familiar with them and [illegible] I wish to read only one of them. At the close of the Mexican war, when we made the treaty of peace with Mexico—I only mention this as an illustration, and I may [illegible] following article was inserted:

ARTICLE XXI

[illegible]

I only read that as a sample, as one of many, as I said, nearly fifty of them, forty-nine possibly may be the accurate number of treaties which have been made by the United States Government, each of them providing the principle of arbitrating with a country, if ground for it should arise, or a difference arising between the two, and, in case of an impossibility of agreement, for a reference of that matter to the arbitration and settlement of some friendly and neutral power or persons.

The PRESIDENT pro tempore. The Senator from Georgia will please suspend one moment while the Chair lays before the Senate the Calendar of General Orders.

The Secretary. [illegible] Business Senate bill 187.

Mr. CULLOM. I ask unanimous consent that that be laid aside for the benefit of the day.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senate proceed to the consideration of the bill [illegible] The Chair hears no objection, and the Senate will proceed.

Mr. BACON. The memorial from [illegible] which I have alluded and which [illegible] New York, concludes in this language:

[illegible]

Mr. SPOONER. Will the Senator be kind enough to read upon the number of that document?

Mr. BACON. Yes, sir. It is Senate document 141, [illegible] Senate document of the Senate, Fiftieth Congress, [illegible] session.

The presentation of that memorial under the very impressive circumstances which gave rise to it had such influence upon the Senate, and at about the same time there were so many other memorials upon the subject of the peaceful settlement of international disputes, and so many bills and resolutions introduced into the Senate, that the following order was passed by the Senate:

Ordered, That the [illegible] be instructed to report a bill or joint resolution providing for the peaceful settlement of international disputes, and for other purposes.

And in compliance with that order this document which I hold in my hand was compiled and printed.

The presentation by Senator [illegible] was a very small part of the general public information which was made at that time in regard to the Government of the United States in its attitude to the United States, to which compulsory and [illegible] if possible, arbitration of any [illegible] should be found to be impracticable. I want to call the attention of the Senate to some of the memorials which were sent at that time to the Senate of the United States, and to various proceedings of the Senate in pursuance of that general wish which are to be found in this document. They are from people all over the United States, regardless of section. The first one to which I call the attention of the Senate is a petition from citizens of California. The presentation to the Senate of the memorial was January 10, 1888, at least that is the date of the memorial, and it was within a few days after that that the committee appeared before the Senate Foreign Relations Committee.

Mr. FAIRBANKS. May I ask the Senator what memorial he refers to? I did not hear his earlier statement.

Mr. BACON. I refer to the memorial which was presented to the Senate through the Senator from [illegible] of New York, the immediate convocation of a [illegible] in an address which had been presented by two [illegible] members of the British House of Commons [illegible] and the United States which should provide for conciliatory negotiations in case of any differences, and in the absence of any practical agreement to provide in such a case for a court of arbitration. I will [illegible] the repetition of what I had stated before [illegible] Senate. I presume that will be sufficient to connect what I am now saying with what I had previously said.

I called the attention of the Senate to the fact that that proceeding had enlisted the attention of the Senate [illegible] to an extent that it ordered that there should be compiled and printed for the use of the Senate [illegible] of the country [illegible] Congress presented in advocacy of this general idea and desire for conciliatory agreement and for practical arbitration in the absence of a satisfactory [illegible]

[illegible] about to read [illegible] the short petition, as it is [illegible] California, signed by a great many of them:

[illegible]

[illegible] a permanent court is established, we would urge [illegible] of every treaty [illegible] and differences arising under it should be [illegible]

[illegible] was this general and widespread desire on the part of our people that the Government of the United States should, in its most [illegible] and solemn utterances, provide measures which [illegible] the machinery [illegible]

[illegible] from New [illegible] I do not think that I [illegible] unduly occupy the time of the Senate [illegible] I put upon record in [illegible] form that which shall [illegible] and honor [illegible] of war, and [illegible] inferences to a [illegible] tration rather [illegible] out with the attitude of one who asserts he is right [illegible] and wrong and will not admit the adjudication of that [illegible]

[illegible] I would unduly burden the RECORD if I [illegible] in full; but in speaking about the desirability that there should be such arrangements [illegible] between the United States [illegible] Government [illegible] of New Hampshire [illegible] was not one only for peace between [illegible] and the Government of Great Britain, but that it was a [illegible] that the United States Government should occupy [illegible] peoples. It concludes in [illegible] the proposed treaty between Great Britain and the United States:

[illegible]

Next I read one from the State of Ohio. This also referring to the immediate proposition for a treaty between Great Britain and the United States, concludes:

[illegible] may be necessary [illegible] United States of America [illegible] in the interest of humanity and [illegible] peace and good will among men.

Not simply peace between the United States and Great Britain, but in the interest of humanity and universal peace and good will among men.

The memorial from the State of Maine uses similar language, signed by a large number, filling half a page on this printed [illegible] of the citizens of Maine, referring particularly to the [illegible] British treaty, and then recognizing that that is not the [illegible], but that the idea is that the United States Government [illegible] a position which shall plant it upon the side of [illegible] peace, not only with [illegible] strong, but with the weak and with all peoples.

[illegible]

Before I finish I desire to show not only that the people of [illegible] were imbued by such a desire, but that some of the most [illegible] men from Maine, who have illustrated their State and the citizenry of this country, have in the most pronounced manner committed this Government, so far as they were able to do it [illegible] voice and by their influence, to this most benign and beneficent policy.

Mr. President, I have here a large petition, printed in this document, from the State of Massachusetts. I shall not stop to read it. I am sorry that the junior Senator from Massachusetts [Mr. LODGE], who was so exceedingly indignant at the bare idea that the Government of the United States, the great, strong Government of the United States, should for a moment contemplate a [illegible] arbitration or contemplate the attempt at conciliation [illegible] with the weak, petty power of Colombia, is not now present, in order that he might hear me read the resolutions of the legislature of Massachusetts upon that subject, also found in this same document.

Mr. McCREARY. Will the Senator be kind enough to tell the date of those resolutions?

Mr. BACON. I have already stated it; it is in 1888, during the first session of the Fiftieth Congress, when the Senate of the [illegible] by order had this document compiled, showing the memorials which had been presented to that session of Congress. I have read a number of them, but I presume the Senator was not in [illegible]

This is a resolution by the legislature of Massachusetts, signed by all of its officers, both of the senate and the house:

[illegible]

Mr. President, in the same document there is printed a resolution which was reported from the Committee on Foreign Relations [illegible] result of all these memorials and [illegible] the Committee on Foreign Relations of the Senate of this New York committee. It is a resolution which Mr. Sherman, the chairman of the committee, reported as the action [illegible] Foreign Relations Committee in consequence of the appeals which had been made to it and to the Senate:

IN THE SENATE OF THE UNITED STATES.

Mr. Sherman, from the Committee on Foreign Relations, reported [illegible] to invite international arbitration as to differences [illegible]

Not simply between this nation and Great Britain—

[illegible] may be referred to arbitration, and be peacefully adjusted [illegible]

Before I get through I intend to briefly discuss whether or not [illegible] terms of [illegible] Foreign Relations [illegible] but I pretermit that for the present.

It also sets out two bills which were introduced in that session, each of them by a Senator from the State of Iowa. Under date [illegible] 12, 1887, all in the same session of Congress, Mr. Wilson, of Iowa, introduced the [illegible]

IN THE SENATE OF THE UNITED STATES.

Be it enacted, etc., That the President be, and [illegible] be, and hereby is, authorized to invite the [illegible] of North, Central, and South America, and such other governments as he in his discretion may determine, to send delegates to an [illegible] such time as he may [illegible] upon measures for the promotion [illegible]

A [illegible] which [illegible] to which I shall call [illegible]

[illegible] Mr. Al[illegible] a bill which I [illegible] I should like very much it [illegible] in view of our [illegible] cussions here [illegible] in the bill which he introduced. He [illegible] who simply requested the President. His bill read:

[illegible] the United States be and he [illegible] pacificatory, and amicably settled.

But, Mr. President, while all of these to which I have called attention were in that particular session of Congress—and I have not called attention to all of them, by any means, but only selected some of the most prominent—that was [illegible] Government of the United States and of the people [illegible]

It is a remarkable fact that before the present Government of the United States was ever formed, in a treaty made by the old Confederation with one of the Barbary States—I have forgotten which one it was, [illegible] and semicivilized [illegible] was [illegible] provided for [illegible] relations between us and [illegible] any disputes that might thereafter arise in order that [illegible] war might be avoided. But it is true that the most [illegible] and decided attitude of the United States Government [illegible] subject was not assumed until [illegible] period of the great pacification in [illegible] end of the Napoleonic wars and of the war between this country and Great Britain.

But beginning, if I recollect correctly, with the year 1816 up to the year 1902 there has been an almost unbroken series not simply of utterances in Congress, but actually of resolutions introduced or of acts passed looking to such settlement, and of actual treaty negotiations entered into between the Government of the United States and almost all other governments, either inserting some [illegible] provision for arbitration whenever the necessity for it might [illegible] some [illegible] I [illegible] must be a cause of pride to every American when I state that within that term [illegible] half of all the arbitration treaties [illegible] have been [illegible] by all the nations or all the world have been entered into [illegible] Government of the United States with [illegible] and for the purpose of [illegible] and then [illegible] to the determination of some [illegible]

I am [illegible] to touch along at [illegible] and not [illegible] the whole record to [illegible] I think I am [illegible] if the archives of [illegible] records that are beneath the Dome of this [illegible] there would be found absolutely [illegible] memorials which have come to Congress from the people of the United States [illegible] accomplishment of this great, benign, [illegible]

If there is one thing that is more [illegible] the purpose and desire of the people of the United States than another, it is that; and, sir, it is not limited to that [illegible] which is opposed to war under any and all circumstances, but it pervades [illegible] classes of our people who thus [illegible] war, bloodshed, and violence, and who desire that there should be an appeal to reason and a settlement, if you please, by [illegible] rather than a determination by brute force.

As I have said, I am simply going to skip along and note at different times what have been the utterances of this Government, either by acts or resolutions or by the expressions of the committees of the Houses of Congress and otherwise. Away back in 1851 the resolution which I shall now read was reported from the Committee on Foreign Relations of the Senate, and will be found in Senate Report No. 270, Thirty-first Congress, second session. I will read the resolution. There is nothing new in it, but I will read it just to show what has been the uniform manifestation and utterance by the Senate of the United States.

[illegible]

[illegible] judgment of the body it would be proper and desir-

able for the Government of these United States, wherever practicable, to [illegible] with other nations a [illegible] for referring to the [illegible] a future [illegible] on the first instance before a resort to hostilities shall be had.

In 1887 in the very next Congress, the Senate Committee on Foreign Relations makes a most elaborate report of many pages in advocacy of the same idea. This was in response to peace memorials which had been received by the Senate and committee. Without stopping to read the report, which is [illegible] the evils of war and [illegible] which are enumerated in the subject [illegible] arbitration, the committee say:

[illegible]

And [illegible] I will read how what I may have [illegible] to the subject [illegible] I may have occasion to the Senate [illegible] we now have that the United States can not submit to arbitration any question involving a question of our honor—the committee say:

[illegible]

In 1872 Mr. Sumner from the State of Massachusetts [illegible] with preambles setting [illegible] I will read two of the resolutions. I read from the Journal of the Senate, May 31, 1872:

[illegible] That the United States having at [illegible] of peace everywhere between nations, [illegible] that war may cease to be regarded as a proper form of [illegible]

In 1874 the Committee on Foreign Relations of the Senate again, [illegible] Mr. Hamlin is member of the committee [illegible] Simon Cameron of Pennsylvania, then being its chairman, responsive to the petitions and memorials which had come to [illegible] in the report from and over the United States [illegible] following resolution:

[illegible] United States having at heart the cause of peace every[illegible]

[illegible] these words, Mr. President, unnumbered resolutions of a [illegible] pending in the House of Representatives, [illegible] made by people from all over the [illegible] States. I have read a [illegible] ns to see [illegible] I [illegible] lowed one, which is a [illegible] from the Committee on Foreign Relations of the Senate, in this language:

IN THE SENATE OF THE UNITED STATES.

[illegible]

The Senate resolution went to the House of Representatives and was passed by the House on the [illegible] day of April, 1890. So that [illegible] atively a few of which I have [illegible] through committees of [illegible] and in the other House [illegible] there was at last, if not [illegible] concurrent action of the two Houses [illegible] of the United States of the declared policy of the United States at in all cases—and the word "all" is comprehensive and [illegible] of meaning—that in all cases it should be the duty of the people of the United States to adjust by friendly negotiation [illegible] and in the absence of [illegible] such an agreement to submit those differences to the determination of an impartial tribunal.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Indiana?

Mr. BACON. With pleasure.

Mr. FAIRBANKS. If the Senator will allow me, if I understand his resolution it [illegible] assumption that the United States did actively lend its aid [illegible] its land and naval powers to accomplish revolution. Is not that so?

Mr. BACON. I desire to say, with all respect to the Senator, that I shall at a future point in my remarks give particular attention to that inquiry. I simply ask now that he may pretermit it until I come to that part. I will not overlook it.

Mr. FAIRBANKS. That is satisfactory.

Mr. BACON. I will only say now, without stopping to discuss [illegible] and asking that the Senator will not require me to do so now—that I do not agree with him as to the proper construction of the resolution; and I will endeavor to show why at the proper time.

Mr. FAIRBANKS. That will be perfectly satisfactory to me. I only wish the Senator to explain fully the scope and meaning of the resolution before he concludes.

Mr. BACON. I shall endeavor to do so.

Mr. President, not only by such action by Congress, but by the utterances of every President of the United States elected since the close of the civil war, there has been the most [illegible] and cordial approval and recommendation and advocacy [illegible] pursuance of that pacificatory policy by the United States, [illegible] the character of the government with which [illegible] reference other than that they shall be [illegible]

The first one to which I call attention is an utterance of President Grant, which I find in this same document from which I [illegible] reading. In the memorial which was presented by the [illegible] committee to the Senate through the Committee on Foreign Relations there is this statement:

[illegible] ded such a course [illegible] after his return [illegible]

That was the statement of the great soldier. This memorial, embraced in this document, goes on to say:

[illegible] Hayes and Garfield did not hesitate to declare their concurrence [illegible]

We all know the distinguished [illegible] guished man from the State of Maine [illegible] accomplish this result, not only with the nations of the world at [illegible] but particularly with the states of Central and South America. It would be very instructive if I could read all of the circular letter of Mr. Blaine of the date of November 29, 1881, in which he set out the attitude of the Government of the United States upon this important question and in which he endeavored to [illegible] a congress of all the Central and South American states together with those of North America, for the purpose [illegible] that in any difficulty [illegible] between this great and powerful and overshadowing nation and the least of them there should be extended the hand of conciliation, that there should be put behind the thought of force and power and war and bloodshed as the result of such differences, and that there should be an effort by conciliatory means to adjust where such differences should arise, and [illegible] could not be had that they would solemnly pledge themselves that such differences should be settled by the determination of a disinterested party and that there should be no appeal to the sword.

I will read some from that famous letter.

I beg to say possibly I am not altogether a good judge [illegible] most eminent [illegible] may be one who was [illegible] a Republican, and, I will add, no less preeminently an American, [illegible] many [illegible] lips of that distinguished man which will more distinguish and properly and rightfully distinguish him, than the [illegible] uttered in this famous circular letter and the great movement [illegible] thereby to inaugurate. If it were not that I felt it would be a [illegible] of it. But I will read only a part. It is a letter addressed to the representatives of the United States in the different [illegible] sought to reach:

For some years past—

I am not reading from the beginning of it; I am reading [illegible] pages of the eighth volume of the Messages and Papers of the Presidents—

[illegible] to by all the American powers as their friend [illegible]

Words to be remembered, I respectfully suggest, when it is not simply a question of friendship and mediation as between two disagreeing Central or South American countries, but when the

thing comes closer home to us, and it is a question between this great country and one of those countries, however weak and feeble it may be.

Mr. Arthur was then President, and Mr. Blaine goes on, being then his Secretary of State, as follows:

The just and impartial counsel of the President in such cases has never been withheld, and his efforts have been rewarded by the prevention of sanguinary strife or angry contentions between peoples whom we regard as [illegible]

[illegible] North and South, as [illegible] of our common humanity and the strength of [illegible] together as a great and harmonious system of [illegible]

[illegible] affect the innumerable generations that come after [illegible]

These are the thrice memorable words of James G. Blaine, Secretary of State, when he held aloft in the name of the great American Republic the ensign of peace and asked all the nations of the Western Hemisphere to rally beneath its folds.

Mr. President, I concede that there was but little thought then in the mind of that great man—this great man entitled in the light of those words to be denominated as the great philanthropist—that his words would be read in the Senate of the United States at a time when the question was not one of conflict between two feeble powers of Central or South America, but when it would be a question of difference between this great and all-powerful Government and one of the weakest of the peoples whom he then counseled to the ways of peace.

[illegible] r, can any Senator or any citizen of the United States take to himself for a moment the conclusion that while it was proper for the great Government of the United States thus to intercede and counsel the weak nations of this hemisphere that there should be peace among and between them, and that they should settle their differences by agreement, and if not by agreement then by the determination of some impartial tribunal—can the conclusion be taken, I say, by any Senator or citizen of the United States that while that was a legitimate desire and end to be accomplished, it did not relate to a case where the interests of the United States might come in conflict with the interest of one of those nations, or where there might be a controversy between it and one of the feeblest of those peoples?

Mr. QUARLES. Mr. President——

The PRESIDENT protempore. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. With pleasure.

Mr. QUARLES. I have been very much interested in the discussion of the distinguished Senator. He always illuminates any subject he touches. But I should like to see if we can at this stage of his discussion arrive at something practical.

Mr. BACON. I will endeavor to be practical in my application before I get through. I hope the Senator will allow me to arrive at it by my own course.

Mr. QUARLES. Most assuredly. I would not ask to anticipate any of his discussion, but I was going to ask the learned Senator whether, notwithstanding all he has read and said, he looks upon the question raised by his resolution as belonging to that class of questions which great nations, or small ones either, are in the habit of submitting to arbitration?

Mr. BACON. If the Senator will pardon me, if he had been in the Senate all of the time he would have heard me say that I intended, as a corollary to the proposition which I am now endeavoring to submit to the Senate, to discuss that very question, and I propose to do so. If I can not succeed in showing that these differences do belong to this class, of course

The rest is all but leather or prunella

Mr. QUARLES. That being so, I will not——

Mr. BACON. I do not object to any interruption, the Senator will understand, but I simply beg that he will allow me to answer his question at the point in my argument where I had designed to give attention to that particular inquiry.

Mr. President, the President of the United States, at that time Mr. Arthur, in his annual message of December, 1882, immediately succeeding the date of the circular letter of Mr. Blaine, used this language:

I am unwilling to dismiss this subject—

He was speaking then of the proposition that there should be convoked a congress of all the Central and South American and North American republics for the purpose of agreeing upon the pacific policy which was advocated by Mr. Blaine in the circular letter, and then he adds this:

I am unwilling to dismiss this subject without assuring you of my support of any measure [illegible] processes of arbitration.

Mr. Harrison, the signally distinguished patriot [illegible] from the State of [illegible] President [illegible] in the chair, in transmitting to the Senate and House of Representatives the letter of the Secretary of State and the reports adopted by the conference of the American republics in the congress which had theretofore had its sessions in Washington uses this language:

EXECUTIVE MANSION, *September 3, 1890.*

[illegible] and most hopeful [illegible] in the history of the Western Hemisphere.

BENJ. HARRISON.

That was all there was in the message.

Then comes Mr. Cleveland. I said that almost all of the Presidents since the civil war had advocated this policy. I have thus far given the utterances of every President since the civil war, other than Mr. Johnson, who was elected as Vice President during the civil war and then succeeded to the office, but on the part of every President elected since the civil war there has been this most emphatic commendation and advocacy of this policy. I have cited from Grant, Hayes, Garfield, and Harrison, and now come to Mr. Cleveland. In the annual message of Mr. Cleveland, December 4, 1893, he uses this language:

By a concurrent resolution passed by the Senate February 14, 1890, and by the House of Representatives [illegible]

That is the resolution I have already read to the Senate and called attention to the fact that it had been passed by each House—

By a concurrent resolution passed by the Senate February 14, 1890, and by the House of Representatives [illegible] requested to invite from time to time, as the occasions may arise, [illegible] may be referred to arbitration and be peacefully adjusted by [illegible]

That is a quotation from the resolution. The President continues:

April is 1890, the international American conference at Washington by resolution expressed the wish that all controversies between the republics of America [illegible] current resolution above quoted.

That is simply introductory to the utterance I now read. He continues:

[illegible] arbitration.

And again in 1897, January 11, in transmitting to the Senate the proposed treaty of international arbitration between the United States and Great Britain, President Cleveland uses this language, speaking of the proposed treaty:

[illegible] troversies, it is nevertheless confidently believed that the treaty can not fail [illegible] the two countries [illegible] peaceful adjustment as matter of course and in [illegible]

In the initiation of such an important movement—

I omit part of it which does not relate exactly to the point I am after. Further on he says:

The experiment of [illegible] means of settling international questions of right will [illegible] the Republics [illegible] may be expected to be [illegible] Thereafter [illegible] furnished for the spreading appreciation that treaty arbitration is to be felt and taken to heart sooner or later by other nations, and will thus mark the beginning of a new epoch in civilization.

Profoundly impressed as I am, therefore, by the promise of transcendent

good which this treaty affords. I do not hesitate to accompany its transmission with an expression of my earnest hope that it may commend itself to the favorable consideration of the Senate.

Mr. President, that brings us down to the utterances of the ever and universally lamented McKinley. I will say that this is not a sole utterance which I am about to read. When Mr. McKinley was a Member of the House he was one of the foremost advocates of [illegible] rather than a resort to war or violence, and, in the nature of peaceful negotiations, to submit all these differences to the determination of an impartial tribunal. [illegible] the great [illegible] of the United States [illegible] each of other [illegible] Here referred in [illegible] relative to the proposed treaty with Great Britain and used the language:

[illegible] the man[illegible] ing feature of our foreign [illegible]

In this statement Mr. McKinley gives affirmation to what I have [illegible] he Senate to-day regarding the [illegible] an by force of arms [illegible]

Mr. President, if Mr. McKinley had been [illegible] he was with the great desire that peaceful [illegible] the means by which differences should be settled, he might have [illegible] He might have [illegible] the Senate because the Senate was the power which [illegible] The treaty should be ratified. But as Mr. McKinley [illegible] content with that [illegible] the people of the United States and to all the [illegible] the world, that he was the apostle and the advocate of this method [illegible]

Mr. President, I have taken a great deal of time in the effort to present [illegible] that is [illegible] the people of the United States [illegible] manner [illegible] and through the [illegible] congress by [illegible] the committees and through [illegible] been and is most [illegible] to the protection [illegible] exception and without [illegible] in order that I may not [illegible] in all proper cases, with any country, great or small, the policy of this country favored this conciliatory action, involved consensus, if you please, and of arbitration in the failure of such effort through [illegible] conciliatory measures. I say I might have stated that [illegible] and gone on, but I desired to put here in [illegible] all or by any means a less [illegible] part of what could be presented here, but enough to show that what Mr. McKinley said in his [illegible] is the truth, that it has been from the [illegible] this Government the well-defined, loudly advocated and persistently pressed policy of the Government and people of the United States that there should be peace between ourselves and other peoples, and that by peaceful means differences between this and other governments should be arranged and settled.

But I presented, in order that emphasis might be given to it, this to bring to the attention of the Senate those various utterances. I want to give emphasis to them in order that I may [illegible] with the more earnestness [illegible] the conclusion [illegible] I will seek to present that, bound as we are by this solemn [illegible] repeated innumerable times, this is an occasion where we can not honorably refuse to abide by the rule which we have laid down, which we have so often recommended, and which we have so uniformly practiced in all cases properly coming within the purview and jurisdiction of such a method [illegible] I shall endeavor hereafter to show whether this particular controversy does or does not come within the class of those that should thus be dealt with. Before proceeding I desire to call the attention of the Senate to the fact that in pursuance of all these efforts, of all these utterances, of all these expressions of desire, of all this pledged faith, there was assembled in this city, as the result and under the provisions of an act of the Congress of the United States, a congress of all the Central and South American republics, and also including the Government of Mexico and the Government of the United States.

As a result of that congress there was framed a plan of international arbitration, and that was agreed to by all the representatives of those various governments, and was transmitted by the President of the United States, then Mr. Harrison, to the Congress of the United States. I have already read that, as it is [illegible] mitting the letter of the Secretary of State [illegible] proposed agreement, in which the President so forcibly gave his [illegible] congress:

EXECUTIVE MANSION,

To the Senate and House of Represe[illegible]

[illegible] which [illegible] the Western Hemisphere.

BENJAMIN HARRISON.

I can not read all of that agreement between all the representatives of the various countries, but here are the first two articles:

The delegates from North, C[illegible]

Constituting what Mr. Blaine in his circular letter so happily termed "the great and harmonious system of American commonwealths"—

The delegates from North, Central, and South Ame[illegible] in conference as[illegible]

[illegible] earnest desire in favor of the [illegible]

[illegible] tion of the great moral and material [illegible]

[illegible] endly and cordial meeting in the present [illegible]

[illegible] will of all its inhab[illegible]

The republics of North, C[illegible]

ARTICLE II.

Arbi[illegible]

I call attention to this particularly because it is, in a sense, a reply to the inquiry of the junior Senator from Wisconsin:

Arbitration shall be obligatory in all controversies concerning diplomatic [illegible] mavi[illegible]

It will be noted that in this Congress of all the American republics [illegible] States, there is a distinct recognition [illegible] of all controversies [illegible] of the construction of treaties. This will be spoken to applicable to a subsequent portion of my remarks.

The proposed agreement, or, rather, the proposed treaty which was [illegible] to, goes on making all the provisions necessary for a [illegible] agreement for arbitration providing the machinery, etc., and I only omit reading the whole of it because of my reluctance to take so much time of the Senate and my unwillingness to unduly encumber the RECORD.

I had here, but I have misplaced it—I hope to get it before I conclude—the statement of Mr. Blaine as to his estimate of that very [illegible] that Congress. I desire to state in this connection that there were a number of bills introduced into either House of Congress for the purpose of bringing about this result. One of them was introduced by Mr. McKinley, another one was introduced by the present presiding officer of the Senate, Mr. FRYE, and another one was introduced by our distinguished colleague [illegible], now Senator MCCREARY, but then, like Mr. McKinley, an honored member of the House of Representatives, and, by the way, it was that bill introduced by Mr. MCCREARY which passed. It came to the Senate, some alterations were made, and upon a conference the bill was finally passed, which brought about this happy result.

Now, it is true that that treaty has never been enacted as a treaty. It has never been made the law; but it is nevertheless the truth that it expresses the desire and wishes and professed faith of the American people. It had the sanction of the Congress in the proposal for the legislation which brought it about. It had the sanction of every [illegible] President Harrison, and President McKinley. There can be no question that, so far as the moral, binding force of it is concerned, it thoroughly committed the

American people to the proposition that in all cases of difference [illegible] any one of the governments of North, Central, or South Am[illegible] one of the governments of those [illegible] should be peaceful arrangement, and, if necessary, arbitration.

I [illegible] have to read [illegible] its order when I get it, but I will nevertheless read the [illegible] of Mr. Blaine of the scope and im[illegible] work of that convention or [illegible] m, to do away with [illegible] any kind between the governments of North, [illegible] America, and the [illegible] n, and of arbitration in the event of the failure [illegible]

[illegible] ter, under the same authority, by the initia[illegible]

[illegible] ened in the City of Mexico; and w[illegible] an repub[illegible] or, in the report which I have before [illegible] national Con[illegible]

[illegible] made by t[illegible] f the [illegible] to the President, of wh[illegible] ator Davis, of [illegible] was chairman, the s[illegible] ude that after [illegible] effort in the attempt to bri[illegible] al American [illegible] t to arbitratio[illegible] e final [illegible] The Hague convention and declare it [illegible] d it, a part of the [illegible] under the terms of that [illegible] to be controll[illegible] with the governments of North, [illegible] America.

[illegible] nt for peaceful negotiation and for international [illegible] conclusion and as a culmination we had the [illegible] ty, in which the Government of the United S[illegible] all [illegible] s, certain exceptions being made, it would resort to [illegible] asures for the settlement of difficulties and not resort to war for their determination.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER (Mr. CLAY in the chair). Does the Senator from Georgia yield?

Mr. SPOONER. I am only asking the Senator for information.

Mr. BACON. Certainly.

Mr. SPOONER. Has the Senator in mind the exceptions to which he referred this morning?

Mr. BACON. I have them right here, and I can read them. I will do so. I wish to read first [illegible]

Mr. SPOONER. At your leisure.

Mr. BACON. I will read it in this connection dire[illegible] but here is a matter I passed over. I did not have before me [illegible] by Mr. Blaine of his [illegible] conference, which assembled in Wa[illegible] Mr. Blaine, then Secretary of State, said of it:

[illegible] has peace [illegible] ndation.

Alluding to the agreement which had just been executed.

Now, I will endeavor to read from The Hague treaty. I have so many papers here that I find it difficult to refer to them readily. Here it is. It is quite a voluminous document and I do not know that I can refer promptly to the particular part concerning which [illegible] from Wisconsin makes inquiry. Does the Senator [illegible] particular saving clause which was made in favor of the United States. Possibly the Senator will take the document while I proceed and call my attention to that particular part of it.

Mr. SPOONER. I did not refer to that. I referred to the New York memorial. There were some qualifications.

Mr. BACON. There were some.

Mr. SPOONER. There were some exc[illegible]

Mr. BACON. Is this what the Senator wished to see [handing [illegible]

Mr. SPOONER. Yes. I did not hear distinctly the qualifications.

Mr. BACON. Now, if the Senator will pardon me. I am coming to a direct discussion of that a little later, and I will then read it, if that will answer his purpose as well.

Mr. SPOONER. I only asked for information. I will look it up.

Mr. BACON. I regard that as quite important, and I intended to use it in a discussion of the question as to whether or not the [illegible] controversy between this country and Colombia—

Mr. SPOONER. Here is what I referred to [indicating].

Mr. BACON. I am glad the Senator calls my attention to it, because that brings me to say what I possibly should have said before.

Mr. SPOONER. That is [illegible] Mr. BACON. I understand [illegible] called to it for this reason. [illegible] ments and [illegible] easily [illegible] policy of agreement by t[illegible] the one as connected [illegible] if, without such [illegible] hey should do so. I [illegible] m be any o[illegible] So I have [illegible] d. [illegible] f that w[illegible] as a precedent to an [illegible] n to [illegible] tion.

Mr. FAIRBANKS. Mr. President, may I interru[illegible]

Mr. BACON. [illegible]

Mr. FAIRBAN[illegible] not understand, if the Senator [illegible] that there is any [illegible] or in the country [illegible]

Mr. BACON. [illegible]

Mr. FAIRBANK[illegible] he material ques[illegible]

Mr. BACON. If the Senator will pardon me, I have already [illegible] assurance that I [illegible] s that question when I reached [illegible]

Mr. FAIR[illegible] t know whether the Senator was ready to touch upon [illegible]

Mr. BACON. If I [illegible] lation of a predicate to a c[illegible] the fact that all I have said [illegible] s or nothing. Senators on the other side do not realize [illegible] t and are not more alive to it than I am. I recognize [illegible] said if I do not succeed in doing that, then I have failed; but I want to get at it in the proper way.

Mr. SPOONER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. I do.

Mr. SPOONER. Of course, as to everything the Senator has said in favor of international conciliation, no one will dispute that ought to [illegible] nations—peculiarly, perhaps, of this. We will have no [illegible] about it on this side of the Chamber, or I think anywhere [illegible] country; and that means, as the Senator well says, a preliminary effort of conciliation.

Mr. BACON. A pr[illegible] conciliation.

Mr. SPOONER. A p[illegible] at a[illegible] stment without resort to war.

Mr. BACON. Yes.

Mr. SPOONER. In other words, arbitration before war.

Mr. BACON. Yes; if conciliatory conferences between the parties fail to accomplish an agreement, which will make arbitration unnecessary.

Mr. SPOONER. That is the general result of The Hague treaty. That is happily the trend of the sentiment in the world at this time. But I suppose the Senator will admit that no government yet, however—

Mr. BACON. I hope the Senator will let me proceed with that argument. I am coming to that very question.

Mr. SPOONER. However far it may have gone in the way of conciliation and arbitration, no government has ever been willing to submit to foreign arbitrament a question of national honor.

Mr. BACON. I am coming to all those questions.

Mr. SPOONER. Or p[illegible]

Mr. BACON. Well, yes; that, too.

Now, Mr. President, I am coming to what, of course, is the crucial question in the case and [illegible] I have consumed in presenting the evidence of the attitude of the people of this country and its Government for a hundred years has done nothing more than emphasize, as I have stated, what I might [illegible]

At the same time I think it well that there should be presented in this consecutive form somewhat of the history, because I do not want it simply recognized, as it is by all Senators and by the people, that such is the fact. But I want the realization strong, complete, overwhelming, to be in every man's mind and heart that if this is in its nature a proper case for conciliation, if it is a proper case for submission to an impartial tribunal in the event of failure of attempted conciliatory measures then there is no

escape from the conclusion that the United States are, through the utterances and pledges and practice of an hundred years, bound by every sentiment of honor and pledged faith to accede it to Colombia in this instance. I say I do not want it simply recognized as an independent assertion but I want such has been the pledge and sentiment, but I want it borne in the heart and [illegible] of every Senator, which should be [illegible] and their government. Neither Congress, nor President, nor [illegible] whatever as to [illegible] and [illegible]. As I have said, I have been [illegible] faith of the [illegible] and of the Government in that regard.

Now, Mr. President, I come to the question: Is this a case where the [illegible] years [illegible] United States and Colombia by [illegible] possible, and if that is impossible [illegible] Are the differences which [illegible] their peaceful settlement either by negotiation [illegible]

Before I [illegible] I want to answer the question which my [illegible] whether or not it [illegible] I would [illegible] have been [illegible] not. An [illegible] of the words of the resolution [illegible] there is no assumption of any liability on the part of the United States. The [illegible] which should be [illegible] by argument.

I will again say to the Senator, however, what I said to the Senate when I [illegible] upon this [illegible] some consideration. The age and [illegible] of which I have been [illegible] by a personal [illegible] that I am not the intention of the resolution, that I am not wedded to the phraseology, and that I am perfectly content that there should be taken out of the resolution anything which could be properly construed to assume that [illegible] I am willing that there should be [illegible] in the resolution language which should [illegible] as was done by Great Britain in the Washington treaty. I [illegible] can not go further than that.

Mr. FAIRBANKS. Would the Senator so far modify it as to exclude the consideration of political questions?

Mr. BACON. Yes; so far as the submission of that class to arbitration. I am content with anything which shall commit the Government of the United States in the face of the world to the proposition that, whatever there may be of difference between the United States and Colombia, the United States, as a great overshadowing power which can not be compelled by this feeble power to do anything will voluntarily endeavor to agree with it in the settlement of existing differences and that it will not come to an agreement by peaceful negotiation [illegible] its great and resistless power, but that it will endeavor to have a determination of such differences and the claims growing out thereof by some impartial tribunal.

Now in further answer to the question of the Senator from Indiana I again call his attention to the fact that this resolution contains two propositions—first, that there shall be an effort by negotiation directly between the parties to accomplish by agreement a peaceful settlement; and second, if an agreement can not thus be accomplished that the question of difference in the case shall be submitted to some impartial tribunal for a peaceful settlement. Now it will be conceded that there are some classes of questions so closely affecting a nation that it would be unwilling to leave their determination to the judgment and will of any third party. But it must also be conceded that there should be no kind of difference that a nation would not be willing to itself endeavor to settle by agreement with the other nation. So all most recognize this as a correct proposition, that whatever and what is the cause of difference, whether it relates to the honor of a country or to its internal policy or to anything else, there is no impropriety in the effort by negotiation to agree with the adversary, even though they may be questions which should not be submitted to the arbitration and determination of a third party. In the case of the direct negotiation between the parties there could be no conclusion which was not satisfactory to each party and agreed to by each party. There is no possible escape. So that if I should accede to the suggestion of the Senator from Indiana and have incorporated in this resolution words which would exclude the particular class of questions which he suggests, that exclusion ought not to relate to that part of the resolution which seeks to adjust such differences by negotiation between the parties. That exclusion in such case ought only to extend to the part of the resolution which proposes to submit any questions of difference to arbitration or a third party or tribunal.

And thus it is perfectly apparent that the character of the questions which may be involved can not be urged as an objection to that part of the pending resolution which advises negotiation between the United States and Colombia for the purpose of securing an agreement between them and a peaceful settlement [illegible] to base their objections.

Mr. FAIRBANKS. If the Senator will allow me

Mr. BACON. Certainly.

Mr. FAIRBANKS. It appears by the note of the Secretary of State to General Reyes of the 5th instant

Mr. BACON. I am coming to the discussion of that, if the Senator will permit me.

Mr. FAIRBANKS. Indicates that the questions they proposed for submission to The Hague tribunal were political in their nature.

Mr. BACON. I am [illegible] but I hope the [illegible] will keep [illegible] I have just [illegible] while the [illegible] not honorably talk [illegible] about [illegible]

Mr. SPOONER. Will the Senator [illegible] question?

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Wisconsin?

Mr. BACON. Certainly.

Mr. SPOONER. Not for debate.

Mr. BACON. I am willing to yield to the Senator.

Mr. SPOONER. While the Senator is expressing his willingness to accept a modification of the language of the resolution—

Mr. BACON. Anything which preserves the principle of arbitration or conciliation [illegible]

Mr. SPOONER. I want to ask him if he would not be willing to strike out all after the word "[illegible]d" in the [illegible]

Mr. BACON. No.

Mr. SPOONER. And insert: "The approval of the Senate or of Congress, to the tender by the Secretary of State or by the President to Colombia of the good offices of the United States to [illegible] and the Republic of Colombia, to the end that good fellow[illegible]

Mr. BACON. I will come later to a discussion of that particular [illegible]

Mr. SPOONER. The Senator is not willing to accept that amendment?

Mr. BACON. I will come to a discussion of that particular amendment before I get through, but I prefer to do it in a regular way, and if I fail to remember it, I hope the Senator from Wisconsin will call my attention to it.

Mr. SPOONER. I had no thought of discussion, but only asked the Senator a question.

Mr. BACON. Yes; but if I do not answer the question [illegible] I get through I hope the Senator will do me the kindness [illegible] my attention to it, because, if I fail to do so, it will be through inadvertence. I am coming to that question [illegible] this. I am [illegible] in the case: Whether, in view of their [illegible] numbered assertions, their league and covenant [illegible] ditions do not make such a case as calls upon the United States for an attempted agreement for the settlement of any difference between the United States and Colombia, and whether, in effort at agreement [illegible] their unnumbered [illegible] States an agreement for the settlement of these differences by arbitration.

Mr. President, before proceeding with that discussion and adverting to the phraseology of the resolution [illegible] I wish to make a [illegible] that this resolution is susceptible of the construction which the Senator put upon it, to wit, that it assumes liability on the part of the United States Government. I am willing that the language to that extent shall be changed. Not only so, but I am willing that any presumption on the part of the United States Government shall be expressly negatived, just as it was in the case of the Washington treaty at the time when Great Britain entered into a treaty with the United States Government in 1871 or 1872 for submission to a tribunal at Geneva for the adjudication of claims of the latter against the former. There was an express denial by Great Britain of any recognition of liability, and

there is no impropriety in the insertion of such words here if desired. There would certainly then be no possibility of the construction to which the honorable Senator from Indiana thinks the resolution is open.

I do not, however, wish to be misunderstood relative to this matter. I think the resolution is all right as it stands and that it is not legitimately subject to the criticism made upon it. Never[illegible] willing to the change suggested if that will secure the support of Senators on the other side. If, however, such change will not secure the support of Senators, I prefer that the resolution shall stand as it now is.

I come now to the question as to what is the nature of the difference between the United States and Colombia for the purpose of [illegible] whether or not such difference is of a kind that this [illegible] in the first place [illegible] as a difference on [illegible] not for the purpose of arbitration, but for the purpose of agreement with Colombia.

And first I submit the proposition as a sound one, that it matters not what the difference may be or what their nature may be, these differences can be legitimately the subject-matter of concurrent negotiations between the parties with a view to agreement, because that such negotiations do not submit the determination of any question to a third party, which the Government might not be willing to have anybody else decide for it. It keeps that decision to itself when it does not provide for arbitration by a third party as to those particular questions.

[illegible] the Government says, "I will treat with you, I will confer with you, I will negotiate with you as to this, that, or the other question," the Government reserves to itself the power to agree or not to agree to any proposition which the other side may make. Consequently there is no danger that its honor may be in the keeping of somebody else and that a question affecting its honor may be decided by somebody else.

When it comes to the question of submission to arbitration, then the case presented is different, and it is important to see whether or not the difference and the claim based thereon are of the class which can properly be submitted by the Government to the determination of some other party.

Mr. President, when this question was before the Senate for discussion upon a former occasion, we had had no communication which indicated what was the character of the claim made by Colombia and what was the character of the issue which the United States Government made upon those claims. We were limited in that consideration to a supply to the information which we gathered from the public press and from the utterances of parties in an unofficial way by which the public could gather conclusions as to what were the distinct matters in controversy. We knew the fact that Colombia had a representative here; we knew the fact that that representative was in conference with the Secretary of State; and we had the general information that propositions and counter propositions or presentation of claims on the one hand and a denial of the justice and correctness of those claims on the other hand were passing between the parties; but what they were we then did not have the specific information concerning.

Since that time the President of the United States has sent a message, in which he has communicated to Congress the distinct demand made by the representative of Colombia and the distinct reply of the representative of this Government, the Secretary of State. So that we do now know what the controversy is and what the issues are. Senators on the other side, at the time the matter was heretofore before the Senate, said that they did not know—I certainly did not—what was the character of the demands which were made; but we do know now. Here, in the communication sent to us by the President, is a long letter, in the first place, from the Colombian special minister (General Reyes) to Mr. Hay, which I will not stop to read in full; but on page 25 there is a distinct [illegible] by General Reyes of the grounds of complaint against the United States [illegible] of the demands which he makes in consequence thereof. In the letter from General Reyes to Mr. Hay of January 6 he uses the language which I am about to read.

While I may be my personal opinion, I beg the Senate, before I [illegible] the language, to bear in mind that I am in no manner in this presentation asserting that any single thing that General Reyes says is correct or that any single proposition he makes is [illegible]. I am simply trying to show what the controversy is, so that whatever may be the personal views of any Senator relative to the merits of the controversy he may still recognize the propriety of providing a means for the peaceful settlement of that controversy. I read it simply as his assumption, without, for the purpose of this argument, any recognition whatever of the correctness of any fact stated or any conclusion drawn; and then I propose to read the issue made thereon by Mr. Hay in his reply; and those two things join the issue. Then the question is presented whether that issue is of a character which could, in the first place, be properly dealt with by friendly negotiation without any reference to arbitration, and, in the second place, whether or not, in the absence of an agreement, it furnishes a legitimate subject-matter for arbitration under the recognized policy of this Government in that regard.

I will not read all of General Reyes's contentions nor all of the claims he makes, but simply the [illegible] the United States. He says [illegible]

Mr. SECRETARY: I have received the note which your excellency did me the [illegible] let [illegible] that [illegible] territory.

There is the distinct statement of the claim and the grounds upon which it is based.

[illegible]

Then, on page 26, he says:

Ninth. That on the grounds above stated the Government of Colombia [illegible] the claim made, and that is on the one side. Now, Mr. Hay joins issue with General Reyes, and makes the statement which is found on pages 23 and 24 of the same document. It is true that Mr. Hay's contention is stated in a letter written prior to that time, but it is made by Secretary Hay in response to a letter previously written to him by General Reyes, in which practically the same contention was made, so that the issue is joined in that way. I only read from the subsequent letter of General Reyes to Mr. Hay, because he therein more concisely states the proposition than he did in the previous letter. Here is the contention of the United States on those issues:

By [illegible] emergency the powers of the [illegible] Panama the United States [illegible] and subject to the obligations of the [illegible]

Mr. FAIRBANKS rose.

Mr. BACON. The Senator will pardon me. I think I can anticipate what he wants to ask. He will let me state it before he asks anything in regard to it, if he pleases.

Mr. FAIRBANKS. I will not interrupt the Senator if he is going to answer the question.

Mr. BACON. I will answer straight away. If I do not, I hope the Senator will interrupt me.

Now, if we assume for the purposes of this argument that every word that the Secretary of State says is true and that every word and conclusion drawn is correct, and if, on the other hand, we assume for the purposes of the argument that every word that the Colombian minister says is untrue and that every conclusion that he draws is unwarranted, nevertheless these conflicting claims and contentions make the issue. As to what the issue is, in part, I apprehend that the question the Senator was about to ask me is

this. Whether or not the question of the right of our Government to [illegible]

Mr. FAIRBANKS. [illegible]

Mr. BACON. [illegible] I must unhesitatingly say [illegible]

Mr. SPOONER. [illegible]

Mr. BACON. [illegible] I do not think that.

Mr. SPOONER. [illegible] answer that question I wish to [illegible]

Mr. BACON. [illegible] I am saying that I am trying to evade the question.

Mr. SPOONER. I do not think that.

Mr. BACON. [illegible] The Colombian Government, through General Reyes, says that the United States, by use of their power of suppression and by the use of their armed forces, prevented Colombia from using her forces to suppress the rebellion in Panama, and that in the exercise of such intervention on the part of the United States and the protection thus given to the Panama revolution the rebellion would have been speedily suppressed, and that, in fact, it would never have taken place, and that by reason of the action by the United States in aiding and protecting the revolutionists in Panama the Colombian Government has been hampered in the [illegible] of the United States of the [illegible] and says that the United States are responsible for the dismemberment of her territory in Panama.

The Secretary of State in his reply declares that the United States prevented the sovereignty of the Republic of Panama [illegible] against Colombia by armed force, and justifies the action under the treaty of 1846 with Colombia, or New Granada, which is the same thing. The contention of the Secretary is that whereas in the treaty of 1846 the United States guaranteed the rights of sovereignty and property of Colombia in the Isthmus of Panama, as soon as Panama revolted and her independence was established and the rights of Colombia under the treaty passed to Panama and that on the instant the United States became obligated by the treaty to protect the sovereignty of Panama against Colombia, even as against Colombia, with whom the treaty was originally made, that therefore the United States were justified in protecting the revolutionary government in Panama and in preventing by armed force Colombia from using her forces in suppressing the rebellion.

The clause in the treaty of 1846 upon which the Secretary of State bases this contention is found in the thirty-fifth article, and is as follows:

[illegible] the United States also guarantee, in the same manner, [illegible] New Granada (Colombia) has [illegible]

[illegible] that clause of the treaty of 1846 the Secretary contends [illegible] it up. The [illegible] made by him to this effect in the [illegible]

[illegible] became entitled to the rights and subject to the obligations of the [illegible]

From this [illegible] the United [illegible] irritation and hostile feelings which have been caused [illegible] n the [illegible] that the United [illegible] The Secretary of State ad[illegible]

Mr. PLATT of Connecticut. Admits what:

Mr. [illegible] Senator from Wis[illegible] of the [illegible] whether [illegible] n, for [illegible] ut, if [illegible] I do not know where to find the basis [illegible]

Mr. PR[illegible] States makes no [illegible] nt in question [illegible] h is not based [illegible] 846. The whole [illegible] of the question of the [illegible] action [illegible] ty. The message of the President [illegible] which bases the action of the Government of the United States upon the construction of that treaty; [illegible] of the construction of that treaty; every argument which [illegible] or disputes the propriety of the action which has been based on the question of the construction of that treaty, [illegible] of a treaty is of all questions [illegible] of adjudication and [illegible] ment either by agreement of the parties or by arbitration where [illegible] can be possible.

But in order that there may be no mistake about this matter [illegible]

Mr. SPOONER. Will the Senator permit me to ask him a question? for I want to get at his position.

The PRESIDENT pro tempore. Does the Senator from Georgia yield to [illegible]

Mr. BACON. Yes.

Mr. SPOONER. What is the real dispute?

Mr. BACON. I am sorry the Senator was not in the Chamber [illegible]

Mr. SPOONER. I am always sorry if I am out of the Chamber when the Senator is addressing the Senate. The Senator knows we can not be here all [illegible]

Mr. BACON. I understand [illegible]

Mr. SPOONER. I should like, in a word, if the Senator will [illegible] the precise basis of his observation that all that is in dispute here involves the construction of a treaty.

Mr. BACON. I have just stated it. I will state to the Senator—he has this document before him, and I do not want to read it over again.

Mr. SPOONER. But the Senator can state to me his contention.

Mr. BACON. I am endeavoring to do it.

Mr. SPOONER. I know that Secretary Hay contends that article 35 of the treaty of 1846, in its obligations as well as in its grant, upon the independence of the Republic of Panama, being a local obligation, became transferred to the Republic of Panama.

Mr. BACON. Yes.

Mr. SPOONER. And it is claimed, and I think correctly, that the corollary of that is that our corresponding correlative obligations that once had run to the Republic of Colombia were transferred to the Republic of Panama. Now, is it that dispute on

that question which the Senator proposes to submit to some for[illegible]

Mr. BACON. Not necessarily, if it can be arranged through friendly and conciliatory negotiations between the two Governments [illegible]

Mr. SPOONER. I want to remind the Senator, if that be true, that there are three parties now, if Colombia be one, interested in the subject—the United States, the Republic of Panama, and Colombia.

I should like, if I can, to get at precisely what the Senator proposes.

Mr. BACON. The Senator would get at it very much more [illegible] if he would let me proceed.

Mr. SPOONER. I think that is true.

Mr. BACON. I [illegible] my proposition [illegible] is a dispute [illegible] is a controversy between the United States [illegible] and that even if for the purposes of [illegible] and basis for the claim [illegible] it is nevertheless a controversy, and the fact is plain that controversy grows out of the construction of the treaty [illegible]

Mr. [illegible]. If that is to become the rule, it will any day [illegible] in the power of any government with which we have a treaty to force us into a position where we must submit the interpretation [illegible] to arbitration. If the mere fact of the [illegible] party asserts it, however silly it may be, and the other denies it, and then this great principle of conciliation requires the submission of it to arbitration, I do not know what would become of treaties.

Mr. BACON. While I do not wish to discuss the merits of the controversy, I scarcely think that the denial of the remarkable contention of the Secretary of State will be pronounced to be "silly." Without discussing that, I simply repeat the proposition which I think the Senator will find it very difficult to controvert—that an authority, that a controversy which grows out of a dispute as to the construction of a treaty and [illegible] that treaty are recognized as proper matters of negotiation [illegible] tion. Now, if the Senator can produce any authority contrary to this, I should be very glad to see it. But I was about to say when the Senator interrupted me——

Mr. SPOONER. [illegible]

Mr. BACON. The Senator need not beg my pardon, because he is always at liberty to interrupt me, and he knows it. I only desire, in the interest of time, when I am trying to elucidate a certain point, that the Senator will let me proceed to do it, and if I [illegible] I shall be more than h[illegible]

[illegible] sion to arbitration is not the first or the main [illegible] the resolution. It is the secondary question and the minor consideration. The main proposition and the one of [illegible] will in a conciliatory spirit en[illegible]

So, Mr. President, all I have said in reference to the [illegible] of this [illegible] people and Government [illegible] is with the view of the resolution [illegible] the full [illegible] with which the Senator [illegible] that every word said in [illegible] in the way, if Senators are willing to say they are ready to [illegible] a resolution [illegible] I had was to manifest a proper [illegible] e: "While [illegible] know it we do not [illegible] even to talk to you [illegible] your complaint. [illegible] cussion was [illegible] waxed impatient at the [illegible] that the United States should even entertain or consider the proposition to treat with Colombia. They scoffed at and spurned it. The great and all powerful United States were not even [illegible] the matter with this weak and feeble nation. That is what I object to.

It is [illegible]
To have a giant's strength; but it is tyrannous
To use it like a giant.

Mr. President, the Senator from Wisconsin [Mr. SPOONER] asks me to read the closing part of the memorial presented to the Senate in 1888 by David Dudley Field and others of the committee from New York, in which there was a [illegible] which properly would be included in a treaty [illegible] for a court of a [illegible] I now read, for the purpose of my argument, and also in response to the request of the Senator previously made, as follows:

[illegible]

That is the first [illegible]

[illegible] contracting parties [illegible]

That is the first thing, and that is what we want in this case—[illegible] affairs, or its continental policy.

It will be noted that the very first dispute mentioned as furnishing property a subject-matter for negotiation is any difference arising" respecting the interpretation of any treaty." It is really difficult to argue concerning a proposition so self-evident as that of difference respecting the interpretation of a treaty. If such a difference is to be excluded, what possible subject of a serious nature between nations could be included? As reflective of American sentiment, I read to the Senate two editorial utterances of recent date which have appeared in prominent newspapers.

The first is from the Courier-Journal, as follows:

[illegible] then, under the terms of the [illegible] paying for it by guaranteeing Panama's promises to pay [illegible]

The second is from the Independent, which while [illegible] of the [illegible] by the United States in [illegible] advocates arbitration of the differences with Colombia growing out of such action. The editorial is as follows:

Senator BACON has offered a resolution in the Senate proposing to refer [illegible] there is a sharp difference [illegible]

We [illegible] that is not included by the [illegible] treaty: they claim no right against us except as they claim a violation of that treaty; and, so far as the books can show, I do not think the members of the Senate from Wisconsin or any other Senator [illegible] controverts the proposition that so far as a dispute [illegible] a treaty is concerned it is a proper subject-matter of arbitration; but, whether a proper subject-matter of arbitration or not, it is in the language of this memorial a proper subject-matter for "conciliatory negotiation."

If Senators desire to meet this proposition upon grounds that

they can approve. I am perfectly willing that this resolution shall [illegible] to the matter of conciliatory negotiations [illegible] between the parties. [illegible] would in any manner [illegible] would be in [illegible] with a view to the [illegible] of Panama.

The Senator from Wisconsin has asked me a question, to which I will give a [illegible] not I would be willing that the resolution should [illegible] that this Government would [illegible] Colombia and Panama. I have two things [illegible] I would not [illegible] Colombia and the United States [illegible] recognize the fact that [illegible] which, even if we deny its [illegible] to settle and [illegible] The suggestion of the Senator from Wisconsin would not in any manner cover that phase of the case.

A [illegible] which I desire to say in all respect to the Senator, is this: If a guardian had an infant in his arms and there was a controversy between that guardian and a [illegible] proposed to settle property interest of that person the guardian might as well say: "I will exercise my good offices to arrange amicably the differences between this baby in my arms and myself." We agree, Mr. President, that so far as Panama is concerned she is there simply to do what we say about this whole matter.

We know another thing, that if this is an accomplished revolution Colombia has no claim against Panama. There might be some question about paying the preexisting debt or something of that sort, but when a country achieves its independence and its independence is an accomplished fact, the country from which it has been wrested has no claim against the country which thus achieves its independence.

What is the claim that Colombia has against Panama? None whatever except the claim of a right to sovereignty over it. Is that a matter for negotiation? Is that a matter for settlement? There is [illegible] in whatever else the balance of the world has done, denying that its sovereignty has been rightfully wrested from it. If its sovereignty is not true, if its sovereignty has been wrested from it, then Colombia has no claim against Panama which Panama can for a moment consider. To consider it would be to admit that her independence had not been achieved.

Did the Government of Great Britain have any claim against the American colonies when they achieved their independence? What they had won by the sword left no obligation from them to the Government from which they had won it. If Panama independence has been achieved, it is idle to talk about the claim of Colombia against Panama. Are we here to waste words?

Colombia contends that she has been aggrieved and damaged by the United States and under the suggestion of the honorable Senator from Wisconsin we are to answer that contention by saying to her, "We will try to settle the difference between you and Panama and make Panama comply with her obligations that she has to pay," as we know, when every man in the Senate, who is necessarily familiar with international law to that effect, knows that when Panama has achieved her independence there is no obligation left on the part of Panama to Colombia. And yet we are to answer her contention as to whether or not there is a grievance on the part of Colombia against the United States by saying to her in that snarky way, "We will try to see that whatever Panama owes you is paid," or words to that effect, when we know it does not owe her anything.

Nobody disputes the right of the Senate to address this communication to the President if it is a proper subject-matter, if the circumstances warrant it. It is the general practice of precedents that it is proper for the Senate to advise the President in advance of what it conceives to be a proper subject-matter for a treaty.

Senators remembered on the 16th of January, the day when this resolution was presented and debated in the Senate, that it was important to suggest that there should be any negotiations. That, at least, was the opinion on the 16th. It was upon the very point of either this resolution was thus presented and debated, the long, wordy letter of the Secretary himself, as is shown by this communication which has been sent here by the President, did suggest negotiations. On page 2 of this document is the statement by Mr. Hay that he is willing to the following:

First, the question of a foreign nation whether the people of the Isthmus of Panama or the Republic of Colombia [illegible]

Second, the claim to a special share in a transaction consummated by them, claimed by Panama to be a violation of treaties between Panama and Colombia, and [illegible] against the United States as a violation of faith preceding and following the declaration of independence of Panama.

I think those submissions would be entirely ineffectual—I mean they would not satisfy the people; and at the same time it is a step in the direction of negotiations with Panama. If the resolution of this resolution on the 16th and the debate in the Senate on that day contributed the Secretary of State to the step, as much as that action fell short of the requirements of the resolution, the resolution has powerfully contributed to bring in the initiation of negotiations between the United States and Panama.

Mr. FAIRBANKS. The offices were to be extended in order to bring about proper relations between Panama and Colombia.

Mr. BACON. Yes, I understand. But it is evident that Panama is only used as a buffer in a transaction to which she is not a party.

Mr. FAIRBANKS. The Secretary says:

[illegible] and as I have frequently [illegible] of [illegible] and that—Panama.

Mr. BACON. I understand that, and he also suggested that the United States would be willing to submit to a court of arbitration the [illegible] Panama, which, as I have [illegible] ator from Wisconsin, would [illegible] It looks [illegible] much like the case [illegible] of a guardian with a baby in his arms [illegible] to settle differences [illegible] boy. The [illegible] proceed [illegible] of the Secretary to treat the United States [illegible] Panama, but prefer to do it in the name of Panama [illegible] nobler method—that one, or the open, frank method of negotiating directly with Colombia and coming to an agreement with her without [illegible] Panama.

But I want to call the attention of Senators to the statement of the Senator from Rhode Island [Mr. ALDRICH] yesterday, made in this Chamber. In speaking about this very question of the relations between Colombia and the United States, the Senator said this:

And not upon negotiations—

Speaking about the question of information to be had from the State Department or from the President—

And not upon negotiations of a difficult and delicate character, perhaps, which are now going on between some of these governments in regard to matters which have grown up since the treaty was negotiated.

Mr. FAIRBANKS. From what page of the RECORD does the Senator read?

Mr. BACON. Page 1308.

Mr. PLATT of Connecticut. The Senator from Rhode Island is absent from the Chamber. If he were here, I do not think he would admit that he stated upon his knowledge that negotiations were now pending.

Mr. BACON. No; he said "perhaps."

Mr. PLATT of Connecticut. Yes.

Mr. BACON. He said "perhaps." I have read his language.

Mr. PLATT of Connecticut. It was by way of illustration, as I understood it.

Mr. BACON. Of course those of us who are not on the inner circle have not definite information, and it is to be [illegible] we are now told by some who are on the inner circle that [illegible] not mean what we understood him to mean.

I repeat what I said upon a former occasion—that I recognize as a concluded fact the revolution in Panama, and that [illegible] going to be undone. I want to add to that another fact which I recognize as an undoubted one, and that is that there is to be no more controversy as to where the canal is to be dug. I recognize that it is going to be built at Panama.

These are two recognized facts, to my mind, and out of them there grows to me this conclusion. [illegible] ernment of the United States now than to remove [illegible] of friction or of ill feeling there may be between the Government of the United States and the Government of Colombia; and I think that being an accomplished fact the Government of Colombia has a possible opportunity in the future to be recompensed for whatever it may claim to have suffered by any restoration of this territory, the only possibility being that she may be recompensed in some other way. I am strongly of the opinion that the very best investment we could make in connection with this matter would be a liberal concession to that country which would remove the present feeling of hostility and make those people our friends in the future.

There is one feature of this controversy about which there can be a conciliatory negotiation without compromising any honor or

any suggestion of it, and that is this: There is no question about the fact that Colombia denies the loss of her sovereignty in Panama; that she denies the independence of that country. In other words, she still claims it as a part of her territory, and will [illegible] authority if she can ever do so.

We say that the land on which Panama to her independence is complete; but nevertheless there is the claim of Colombia. Out of which controversy will grow and future difficulties grow. Is there any disinclination in our negotiating with Colombia that she shall make a quitclaim to that title? I would be willing to pay [illegible] taxes as much as I think her [illegible] if you please, if thereby peace is [illegible] between Colombia and the United States.

It matters not that it may be, as suggested by the Senator from Connecticut [Mr. PLATT] the other day, that there is no danger of [illegible] war.

If there [illegible] between that country and this [illegible] to a [illegible] tory or guerrilla warfare, if no other. We are [illegible] put into a position where we must maintain [illegible] there. We are necessarily put in a position where [illegible] war we will have [illegible] property against the predatory bands of an unfriendly [illegible] protect those who are there engaged either in the construction of the canal or its operation, and what that will cost [illegible] high a dozen times the amount of money that we would pay to that country and thereby get friendly relations between us. And, sir, this condition of hostility with the Colombian people will not only cost us treasure; it will during long-continued years cost us the lives of our soldiers, officers, and men—lives compared with the value of which the money necessary to make these people our friends is as dust in the balance.

[illegible] suggestion. I have no doubt that the time is coming—in what way or when, I do not know—when the United States Government is going to secure the possession of that Isthmus and own it. When that comes I do not wish that Colombia shall have this unsettled claim with which to harass us. If we are to construct the canal successfully and without undue cost and sacrifice, it is necessary that we should have their friendship and cooperation, and the only way to have their friendship is to agree with them, by the way, before it is too late. We should, as his constitutional advisers, say to the President: "We advise that there shall be such conciliatory negotiations between this country and Colombia as will bring about, as soon as practicable, a friendly condition of affairs."

Mr. President, another thing. Does any man doubt that even if that country is—

Mr. SPOONER. That is a very different thing from your resolution.

Mr. BACON. No; it is not. The first part of the resolution refers exclusively to negotiations looking to an agreement between the two nations and will include all kinds and subjects of friendly and conciliatory negotiations.

Mr. SPOONER. But, Mr. President, if I may take just a moment, the first part of the resolution refers to the negotiation of a [illegible] I never heard before of the Senate advising the President to [illegible] a treaty for ratification by the Senate unless the [illegible] on that there was some substantial and honest [illegible] we became equitably indebted or beholden to the other government.

Mr. BACON. If the Senator will pardon me, exactly the opposite of that was the case on the part of Great Britain in the [illegible] treaty. The United States claimed that the Government of Great Britain was indebted to citizens of the United States [illegible] the fact that the Government of Great Britain had not restrained war [illegible] deliberate government from departing from their ports [illegible] of their neglect on the part of Great Britain those [illegible] I proved upon the com[illegible] before the British Government was under liability and obligation to make good the losses.

Now, when it came to the negotiation of that treaty the British Government, while it [illegible] for an [illegible] expressly [illegible] it did not [illegible] that was [illegible] that is a case [illegible] in point, and the suggestion of the honorable Senator and fully [illegible]

It is entirely [illegible] if there is a controversy between two [illegible] and disavows any [illegible] "I [illegible] of this controversy, [illegible] we will [illegible] with a [illegible] looking to the determination and settlement in some way, either by conciliatory negotiation or by arbitration." In every case the controversy is due to the fact that one party makes a claim which is denied by the other party. That makes the issue, and it is the existence of that issue which calls for adjudication by arbitration. So the Senator, I think, is entirely wrong in that conception.

Another thought not unworthy of our consideration, Mr. President, is that even if Colombia is too feeble to go to war with us, even if she recognizes her feebleness to the extent that she makes no declaration of war and attempts to wage no war, the very fact that she permits the accomplishment of the revolution in Panama without an attempt to prevent it will certainly throw that country into the throes of civil war.

Mr. President, in view of all our professions concerning our care and regard for the American republics, are we under no moral obligation, in the presence of such a situation as that? Are we under no moral obligation even to treat with a country with a view to arriving at an agreement which will soothe their wounded and angry pride and which will prevent these internal commotions among her people?

I confess, sir, that there was pity stirred within me when I read the extract from the letter of General Reyes to Secretary Hay of [illegible] which is found on page 2 of the communication sent in to us by the President of the United States. It is as follows:

[illegible] tions of respect for right, especially the right of the weak—to deliver [illegible]

Then another thing, Mr. President, we have American citizens in that country who own property, and they are jeopardized by this condition.

I have a letter now from a citizen in my own town, whose brother resides in Colombia. This brother, whose business and property are in the interior of that country, has gone to Cartagena because he is afraid to stay in the interior. He writes to his brother that he fears and apprehends the loss of all his property on account of the unfriendly nature of the feelings of the people of that country to the people of the United States, growing out of this proposition. This is doubtless only one of many similar instances.

I am, sir, willing for one, and I believe the American people are willing, that we should deal liberally with the Colombians, because, I repeat, what are a few paltry millions to this great Government compared with the great advantage to this Government of making a friendly, satisfactory arrangement with that people?

I have heard it said—I do not know whether truly or not, I do not pretend to say now that it is true, but it is repeated around—that the Government of Colombia has proposed to the United States that it will be entirely satisfied, that it will produce a restoration of good feeling, that it will surrender all claims on Panama and on the canal if this Government will donate $10,000,000 to the building of a railroad from a point on that canal to the city of Bogota.

I do not know whether there is a particle of foundation in that report, but if there is I do not think there is anything which this Government could do which would be more to the interest of the Government in connection with that enterprise than to do it, for two reasons.

In the first place, it would bring about that condition of friendly feeling which is so important, and, in the second place, it would [illegible] to the value of the canal when constructed to have such a railroad leading into a country filled with minerals and especially abounding in the coal which will be needed by the ships traversing the canal.

Mr. President, why should we hesitate or delay in inaugurating these negotiations for a settlement so consistent with justice and with our possessions of a canal so important to our future interests? Delay is fruitful of evil. Each day adds to the ill feeling of the Colombians. The seeds of bitter prejudice and hate, when they once germinate in a national soil, are most difficult of eradication.

Do we think because the great United States are too proud, too [illegible] to a [illegible] power to cope with it? I am sure, sir, that this is not the wish of the American people, but that, on the contrary, it is their wish that [illegible] be made and that whatever is due to Colombia from us [illegible] in liberal measure.

Mr. PLATT of Connecticut. Mr. President, I do not rise to make a speech in reply to the Senator from Georgia, but simply to suggest that if it is to be the announced policy of the United States that whenever another country makes a claim against us, or whenever there is a controversy between us and another country, in which we do not acknowledge the ground of the claim or

that we have done any wrong, we are to buy our peace at the rate of $10,000,000 or more, we shall have plenty of claims made against the country and plenty of controversies on our hands.

Mr. CULLOM. Are there any in sight? I should like to have the Senator state whether he knows of any movement already in prospect or contemplated.

Mr. PLATT of Connecticut. We shall hear from them. If, admitting that we have done no wrong to Colombia, we buy our peace of her for the sum of $10,000,000 we shall hear of claims, and hear of them from all the Colombias. If, when we have done no wrong, and of which we do not for a moment admit the justice of the claim, we put ourselves in the position of saying we will pay for the same property three, four, and five times, I do not know where we will be left in our relations with Europe and South America, and with the world, and with our own consciences. This Republic has never in any instance made a policy of buying our peace whenever any other nation possibly has to make a claim against us.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourns to-day it adjourn on Monday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After twenty minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until Monday, February 1, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 29, 1904.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Walter W. Jones, a second lieutenant, to be a first lieutenant in the Revenue-Cutter Service of the United States, in place of Percy W. Thomson, promoted.

[illegible] W. [illegible], a first lieutenant, to be a captain in the Revenue-Cutter Service of the United States, in place of John W. Hoyt, retired.

Horace N. Wood, a first assistant engineer, to be a chief engineer with the rank of first lieutenant in the Revenue-Cutter Service of the United States, in place of James A. Seymour, retired.

[illegible] Wood, a second assistant engineer, to be a first assistant engineer with the rank of first lieutenant in the Revenue-Cutter Service of the United States, in place of John [illegible], deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 29, 1904.

APPRAISER OF MERCHANDISE.

John [illegible], to be appraiser of merchandise in the district of Honolulu and Chief Justice, in the Island of Maui.

POSTMASTERS.

ALABAMA.

Charles W. [illegible] to be postmaster at Congress, in the county of Yancey and Territory of Alabama.

ARIZONA.

Marion C. Bean to be postmaster at Fort Jones, in the county of [illegible] and Territory of Arizona.

[illegible] B. Fickas to be postmaster at Dinuba, in the county of Tulare and State of California.

E. M. Ketcham to be postmaster at Santa Maria, in the county of Santa Barbara and State of California.

John W. Wood to be postmaster at Pasadena, in the county of Los Angeles and State of California.

IOWA.

Walker M. Cousins to be postmaster at Alden, in the county of Hardin and State of Iowa.

KANSAS.

June B. Smith to be postmaster at Cottonwood Falls, in the county of Chase and State of Kansas.

[illegible] to be postmaster at Damariscotta, in the county of Lincoln and State of Maine.

MASSACHUSETTS.

George P. Bliss to be postmaster at Florence, in the county of Hampshire and State of Massachusetts.

MONTANA.

Louis V. Bogy to be postmaster at Chinook, in the county of Choteau and State of Montana.

J. E. Sheridan to be postmaster at Bigtimber, in the county of Sweet Grass and State of Montana.

NEBRASKA.

Joshua H. Evans to be postmaster at Callaway, in the county of Custer and State of Nebraska.

SOUTH DAKOTA.

John Longstaff to be postmaster at Huron, in the county of Beadle and State of South Dakota.

UTAH.

Edwin R. Booth to be postmaster at Nephi, in the county of Juab and State of Utah.

Lars O. Lawrence to be postmaster at Spanish Fork, in the county of Utah and State of Utah.

[illegible] to be postmaster at Logan, in the county of Cache and State of Utah.

[illegible] to be postmaster at American Fork, in the county of Utah and State of Utah.

WASHINGTON.

[illegible] R. [illegible] to be postmaster at Clealum, in the county of [illegible] and State of Washington.

[illegible] M. [illegible] to be postmaster at Clarkston, in the county of [illegible] and State of Washington.

[illegible] to be postmaster at Odessa, in the county of Lincoln and State of Washington.

Oscar C. Truax to be postmaster at Tekoa, in the county of [illegible] and State of Washington.

[illegible] Wang to be postmaster at Rosalia, in the county of Whitman and State of Washington.

HOUSE OF REPRESENTATIVES.

FRIDAY, *January 29, 1904.*

The House met at 12 o'clock noon.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

[illegible] children that truth and righteousness and good will [illegible] where, in and through the spirit of the Lord Jesus Christ. Amen.

The Journal of yesterday's proceedings was read.

CORRECTIONS.

Mr. THAYER. Mr. Speaker, on January 21 I introduced a joint resolution proposing an amendment to the Constitution of the United States. [illegible] it. This morning I [illegible] the New York Sun, in which, among [illegible] "Mr. THAYER [illegible] responsibility for his resolution and does not label it 'by request.'"

I [illegible] to write a letter to the New York Sun, [illegible] "Mr. THAYER [illegible], and it did not say upon it that it was introduced by request." When I came to the House and found the resolution already printed and that it was in keeping with the [illegible] the New York Sun in its editorial that it was not done [illegible].

When the resolution was [illegible] to me I went to the [illegible] and [illegible] sitting here [illegible] I did not [illegible] that it was [illegible] by request that relieved [illegible] in introducing [illegible] Now, Mr. Speaker, [illegible] to [illegible] as well as [illegible] in the resolution. I ask that the resolutions as printed may be suppressed and that others may be printed in their stead in accordance with the

fact and in accordance with the records of the House. This is apparently a mistake of the printer and not of those who keep the records in the House, as the books here show that the resolution was introduced by request.

The SPEAKER. The Journal seems to be correct. What is the gentleman's request?

Mr. THAYER. That the resolutions already printed be suppressed and that others be printed in their stead, containing a [illegible] of the fact.

Mr. PAYNE. Did the gentleman write the words on the back of the resolution that it was introduced by request?

Mr. THAYER. I did; and I hold the original resolution in my hand with those words indorsed thereon.

The SPEAKER. Without objection, the printed bills in existence will be suppressed, so far as it relates to the House document room, and a new print will be ordered in accordance with the gentleman's suggestion. The Chair hears no objection.

The Journal was then approved.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The motion was agreed to; and accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. TAWNEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 16504, the urgent deficiency appropriation bill. General debate having been exhausted, the Clerk will proceed with the reading of the bill.

The Clerk, proceeding with the reading of the bill, read as follows:

[illegible]

Mr. HILL of Connecticut. Mr. Chairman, I desire to make a point of order against the last item.

The CHAIRMAN. The gentleman will state it.

Mr. HILL of Connecticut. That it is now legislation and has no authority by act of Congress and has never been authorized by Congress. I make the point of order with the full expectation that it will be overruled, and, if it is, I do not care to take the time of the House in discussing it. I will ask the gentleman from Indiana, in charge of the bill, if he does not recognize that it is not part of the law of a well-taken.

Mr. HEMENWAY. No; Mr. Chairman, I insist that it is not subject to a point of order.

Mr. HILL of Connecticut. Mr. Chairman, I desire to state that [illegible] Congress is not [illegible] year. I [illegible] of the Chairman to [illegible] by the chairmen of committees in this House that such an item in an appropriation bill in one year does not constitute an [illegible] of the Chairman especially to pass upon it [illegible] an object in an annual appropriation [illegible] does not become "existing law" to justify a continuing [illegible]

[illegible] would absolutely throw this item out of this bill. I also [illegible] the chairman to page 349 of the Digest, relating [illegible] of the general rule that the appropriation bill makes [illegible]

[illegible] to the next citation:

"[illegible] for a salary does not thereby create an office, so as [illegible]"

I now [illegible] the Chairman to the item itself to which I [illegible] in the last sundry civil bill of last year [illegible]

[illegible] through diplomatic channels with [illegible] to Document No. 119, [illegible]

Now, Mr. Chairman, there was [illegible] authority whatever for that appropriation at that time. It never was in the House in any way, shape, or manner prior to its being put onto this bill as an amendment by the Senate. It was not only in violation of the rules of this House, but it was in violation of the rules of the Senate itself.

The CHAIRMAN. Will the gentleman from Connecticut inform the Chair the page on which the original law authorizing this commission is to be found?

Mr. HILL of Connecticut. I will take great pleasure in submitting the law itself to the Chair. That amendment never was in this House. It was not an original item in the sundry civil bill last year. It was an amendment put on of $20,000 in the Senate, in violation of its own rules as well as in violation of the rules of the House, and came over here when the bill was brought back from the Senate. It was reduced in conference from $20,000 to $25,000, and I think I may say, and that I do say at the time, that that was to be the end of that proposition. The $20,000 inserted in violation of the rules in both bodies last year, it is now claimed [illegible] as a precedent for all future time.

Mr. PAYNE. May I ask the gentleman a question? What difference does it make whether it was against the rules or not, if it becomes a law finally?

Mr. HILL of Connecticut. It makes no difference as a legal proposition, I suppose, but it makes a very great difference in another way, and it seems to me it is time that the House of Representatives asserted its own dignity and began to put a stop to that kind of procedure.

Mr. PAYNE. The House can not prescribe rules for the Senate. I wish it could.

Mr. HILL of Connecticut. Now, Mr. Chairman, I make this claim, that the appropriation, as inserted in the sundry civil bill last year, without any provision authorizing it, [illegible] that appropriation, in accordance with decisions made time and time again, and last passed on as late as a new appropriation bill, a new proposition and that point of order has been sustained over and again by your decisions of the House.

Mr. HEMENWAY. Mr. Chairman, the point of order actually was determined the other day in respect to an item in the army appropriation bill, where, by amendment of the Senate, there was inserted an appropriation for the purchase of a building at Washington, Pennsylvania. I make the point of order that it not being authorized by law, an additional appropriation for that work was out of order, and that the Senate could not legislate, and that no appropriation or addition to the $300,000 could be made. The Chair sustained that point exactly as this item stands upon the sundry civil and in the last Congress. It was a matter of [illegible] which was agreed to in conference, and of course passed the House in spite of the provisions have [illegible] the House to have they brought law.

The Chair held that, being a public work in progress, the item of $300,000 on the army appropriation bill was in order. I think the Chair was correct in that holding. Here is a provision of law:

To enable the President to cooperate through diplomatic channels with [illegible] as Senate Document No. 119, [illegible]

There is authority authorizing this appropriation and authorizing the Government [illegible] and other [illegible] certain [illegible] Mexico, China, and Japan. Now, that work is in progress. A Commission has been appointed. That Commission is now at work under authority of the law.

[illegible] is now in progress, and which was [illegible] by any person in the last session of the Congress. It is exactly the case which was decided by the Chair five or six days ago, where I contended on the other side of the proposition that where an appropriation of $[illegible] was made the work was limited to the [illegible]. The Chair held I was [illegible] that being a public work in progress the [illegible] be made. It is exactly the same case, and I have no doubt the Chair will rule in the same way.

Mr. LIND. Will the gentleman permit me a question? Do I understand [illegible] that our Government is committed to the proposition of international bimetallism?

Mr. HEMENWAY. Oh, no! [illegible]

Mr. HILL of Connecticut. That is the effect of it.

Mr. HEMENWAY. Oh, no; there is absolutely nothing in this provision that gives anybody the right to commit the Government to any proposition. Congress alone can commit the Government.

Mr. LIND. There is no law authorizing it?

Mr. HEMENWAY. Here is the law:

To enable the President —

Mr. LIND. Will the gentleman permit another question?

Mr. HEMENWAY. I hope the gentleman will allow me to answer the one he has already submitted.

To enable the President to cooperate through diplomatic channels with the Governments of Mexico, China, Japan, and other countries for the par-

[illegible] set forth in the message of the President and accompanying notes submitted to Congress January 29, 1903, and printed as Senate Document No. 119, second session Fifty-seventh Congress, [illegible].

Now, as I understand that provision, it authorized the President to appoint a commission to try to bring about a fixed rate of exchange between Mexico, China, Japan, and other countries and the United States——

Mr. LIND. A fixed rate of exchange for gold and silver.

Mr. HEMENWAY. Giving to that Commission no power in any shape or manner to commit the Government, but simply to try to bring about some arrangement which should afterwards be submitted for approval to the Congress of the United States and to the legislative body of the country or countries joining in the agreement.

Mr. LIND. Then does not the gentleman contend that the point of order is not well taken, because this Government by prior legislation is committed to the proposition of securing stability of international exchange as to gold and silver?

Mr. HEMENWAY. The Government is not committed to it in any way. We are simply trying to bring about, through our diplomatic corps and through this Commission, fixed rates of exchange. When such an agreement has been brought about by negotiation, then Congress will have to legislate upon the question. The Government can only be committed by legislation—not by any agreement which this Commission may be able to arrive at with other countries.

Mr. LIND. The question to which I desire to get a specific answer is this: If, as I understand, existing law commits the Government to these negotiations, then the point of order is not well taken. If it does not, the point of order is well taken, it seems to me.

Mr. HEMENWAY. I do not think the gentleman is correct in his statement. Of course, the Government will not be committed to any agreement made by this Commission. The object of the Commission is to bring about fixed rates of exchange between this country and other countries. For instance, in the dealings between citizens of this country and citizens of Mexico—I may not be exactly accurate, but I understand the fact to be that the price of exchange in Mexico ranged last year from about $2.16 to $2.85.

So a merchant in Mexico having, we will say, an engine and a boiler from some manufacturer in the United States to-day contracts to have the engine and boiler delivered sixty days from now. It may be that exchange to-day is $2.20, but on the day of the delivery of that machinery it may have run up to $2.50. There is no fixed basis on which business can be done as between the two countries.

Now, this Commission hopes to bring about a fixed rate of exchange, so that when the Mexican merchant contemplates to deal with a merchant of the United States he will know on what basis payment is to be made. Whether or not such an arrangement can be brought about between this country and Mexico, China, Japan, and others is a great question. It may not be achieved in a day or a year. It means long diplomatic negotiations between the different countries. But if it can be brought about, as I say it would be of great benefit to the United States.

Now, it is proposed to continue the services of this Commission that is trying to bring about that condition. In a letter and report transmitted to us as a part of the Chairman's remarks, we are asking to report to Congress. They will have a report, and we shall have the opportunity to determine whether we are willing to commit the Government to any scheme which the Commission may propose.

Mr. OVERSTREET. Mr. Chairman, I should be glad to be heard a moment on the point of order. I simply wish to call the attention of the Chair to the history of the legislation or which is particular from year to year to make provision by an additional appropriation. In the latter days of December, 1902, or, perhaps, the early days of January, 1903, the Chinese and Mexican Governments——

The CHAIRMAN. The gentleman will suspend until order is restored. The Committee of the Whole will come to order. [A pause.] The gentleman will now proceed.

Mr. OVERSTREET. It is not my purpose, Mr. Chairman, to address myself to the merits of the question, but simply to the point of order which is raised, and in doing so to call the attention of the Chair briefly to the history of the legislation relating to this subject, which, I believe, throws some material light on the solution of the point of order.

In January, last, the Mexican and Chinese Governments, through their accredited representatives in the United States, made written request of the President of the United States for some plan through which the three Governments might cooperate in arriving at a system of bimetallism and exchange for the benefit of the merchants of gold standard countries dealing with countries which used silver. These communications were transmitted by the Secretary of State, made to the President, and on the 29th day of January, 1903, by message to Congress, addressed to both Houses thereof, the President called that proposition to the attention of Congress and asked for legislation which would enable him to put in operation some such plan. In his message of January 29 he used this language:

> I recommend that the Executive be given sufficient powers to lend the support of the United States in such manner and to such degree as he may deem expedient to the purposes of the two Governments.

Those purposes I briefly referred to. In keeping with that request and recommendation of the Executive, the Congress, on the 3d of March, enacted into law on the sundry civil bill the item giving that power, carrying with it an appropriation of $25,000, to the President.

Acting under that law the President designated a commission of three men, and through his Secretary of State gave instructions to them, and by those instructions they are to-day bound. They have no other power, in law or equity, to bind this Government to any proposition, but under the law under which they are operating must report back through the Executive to the Congress. That Commission has pursued its order of business under those instructions and has made report through the President to the Congress, and at this session the President transmitted that report to the Congress, with a message recommending the further appropriation provided for in this bill.

The CHAIRMAN. Will the gentleman from Indiana permit the Chair to ask him a question?

Mr. OVERSTREET. Certainly.

The CHAIRMAN. The Chair takes it that the gentleman will not contend that this item can be sustained under any other rule than that relating to public works and objects already in progress.

Mr. OVERSTREET. I was going to say, Mr. Chairman——

The CHAIRMAN. Now, does the gentleman consider, under the rulings of the Chair heretofore, that this is a public work or object such as is contemplated by the rule allowing appropriations of this kind?

Mr. OVERSTREET. I certainly believe that it does come within that, and I was just upon the point of stating to the Chair that this very Commission, carrying out the instructions given it through the Secretary of State, is now at work. It is a continuing project, and this item of appropriation is to provide for that continuance by an additional appropriation.

All of this, Mr. Chairman, is a part of the records of this body. Every step of its progress has been made public through the messages of the President, and the last one I refer to is the one in which he refers specifically to this very item, stating in that message the necessity and importance of continuing this project at present session, because they have only begun in the first investigation by visits to European capitals, and are now progressing with their work at the Japanese and Chinese courts. It comes directly within the purview of the authority of this House, shown by its rules, where a project has been authorized the necessity of its continuance has been demonstrated, and the importance of an additional appropriation made plain in order to complete it. I think the point of order is not well taken, for the very reason referred to by the Chair, that it is a project not yet completed. Work has already been authorized and for which a partial report of expenditure has been made.

Mr. HILL of Connecticut. Mr. Chairman, I do not wish to discuss the merits of the proposition. I am ready to make a proposition to the chairman of the Committee on Appropriations. I [illegible] to avoid [illegible] an hour, referring largely to the merits of the bill. The gentleman from Indiana in discussing the point of order has referred to the history of the matter. Well, it depends a good deal on who writes history. I will give a history of this [illegible] that which the gentleman from Indiana has given, and will submit the whole facts to the House if they have any interest. I do not want to do it. I am perfectly willing to leave this matter on the point of order right now with the Chairman of the Committee of the Whole with the understanding that if the gentleman insists the point of order I shall have the same amount of time that the gentleman have already taken to discuss the merits of the proposition on an amendment that I shall offer.

Mr. HEMENWAY. I have no objection to that.

Mr. HILL of Connecticut. Very well; I am ready to submit the point of order without another word.

The CHAIRMAN. The Chair desires to call to the attention of the committee the language of this paragraph against which the point of order has been made; for it seems to the Chair from that language that the appropriation is not in continuation of such a public work or object in progress as the second clause of Rule XXI contemplates:

> For expenses of the Commission on International Exchange, appointed under the provisions of the act approved March 3, 1903, to bring about a proper understanding between great nations and to bring commerce [illegible]

The paragraph does not state specifically what these expenses are; but in view of the language of the act, which the Chair has before it, creating or authorizing the President to create the Commission referred to, it is reasonable to infer that this appropriation is for the payment of salaries and other expenses of employees of the Government—that is, employees at large, as contradistinguished from employees of the Departments, and duties, too, that are not defined by law. In the opinion of the Chair it is difficult to see how the paragraph can be sustained under the provision of Rule XXI, to which the Chair has referred. That rule reads as follows:

> No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

The question is whether this Commission, the purpose of its creation and the continuation of its duties, is such a public object already in progress as this rule intends. On this question the uniform ruling or holding of previous Chairmen has been that public works or objects already in progress authorizing appropriations not provided for by law had to be of a tangible, substantial nature, like the erection of buildings, construction of roads, etc.

The Chair finds in the Book of Precedents a decision on a very similar state of facts; the decision was made by Mr. Payson, of Illinois, who then occupied the chair:

> On April 25, 1890, the House was in Committee of the Whole House on the state of the Union, considering the legislative, executive, and judicial appropriation bill, the clerk having read the paragraph relating to salaries in the Interior Department, Mr. Joseph D. Sayers, of Texas, rose to a point of order that there was no law for the employment of a Board of Pension Appeals. In the appropriation for the Secretary of the Interior, at a salary of $2,000, was a proviso authorizing the Board provided for before mentioned, etc.
>
> The Chair, on the succeeding day, sustained the point of order, the ruling being that the Chairman had been informed by the proper officer that the Board had been created on the 1st day of the past session of Congress, and had been continued on the 1st day of the present session. The appropriation was contained in the deficiency bill, which was reported to the House at the beginning of the session. Three clerks and three salaries are provided for in the bill.

After reciting the law providing for a less number on the Board of Pension Appeals, the Chair said:

> If this provision is properly in this bill at all, the point of order being raised against it, it must be in the judgment of the Chair, [illegible] "unless in continuation of appropriations for such public works and objects as are already in progress." Under the decisions of the United States courts, it is argued, it is lawful for Congress to continue the Board of Pension Appeals, and the Secretary of the Interior has recognized the existence of the Board by the appointment of clerks and three salaries are provided for. The Chair is not prepared to say that the Chairman gave a ruling [illegible] such reflection as the Chair has been able to give to the matter he the Chair is inclined to think that it can not be held.

[illegible] has been repeatedly cited and followed in like and similar cases, and since the provision against which the gentleman from Connecticut [Mr. HILL] has made the point of order merely provides for continuing the duties of this Commission for another year, it does not, in the opinion of the Chair, [illegible] for the continuation of such an "object already in progress" as the rule contemplates. Therefore the Chair sustains the point of order.

The Clerk read as follows:

> [illegible] to mark the boundary, and make the surveys [illegible] treaties, [illegible] between Alaska and the adjacent Canadian possessions, [illegible]

Mr. HAY. Mr. Chairman, I raise the point of order on the paragraph which has just been read, on the ground that it is new [illegible].

Mr. HEMENWAY. If the Chair is in doubt, I want to be heard upon it.

The CHAIRMAN. To what part of the bill does the gentleman refer?

Mr. HAY. Page 2, beginning of line 9.

The CHAIRMAN. The Chair desires to ask the gentleman from Virginia if he will cite to the Chair the law authorizing this Commission?

Mr. HAY. I can not hear the Chair.

The CHAIRMAN. The Chair desires to know if the gentleman from Virginia can cite to the Chair the law authorizing the Commission appointed for the purpose of fixing the boundary line between Alaska and the United States?

Mr. HAY. No; I can not. I do not know of any such law.

The CHAIRMAN. In the opinion of the Chair, there was no legislative authority for the existence of the Commission that has settled the boundary question between the United States and Great Britain in respect to the boundary between the United States and Alaska.

Mr. HAY. That was a treaty; there was not a law, as I understand it. The point I make is——

Mr. HEMENWAY. I suggest to the Chair that a treaty is about the highest law known.

Mr. HAY. I submit to the Chair that this is entirely new; there is no law heretofore, and it is certainly not in order upon an urgent deficiency bill.

The CHAIRMAN. The Chair is of the opinion that this appropriation, which is to defray the expense of marking the boundary and making the necessary surveys between the Territory of Alaska and the Dominion of Canada, is in continuation of a tangible public work already begun. The Commission was created by authority of law for the purpose of defining that boundary line in accordance with a treaty between the United States and Great Britain, and an appropriation was made for the purpose of ascertaining the exact boundary. Volume 32, page 1138, Statutes at Large, provides for or authorizes the beginning of the work of marking this boundary. The paragraph against which the gentleman has made the point of order is in continuation of that public work which is to mark the boundary line as ascertained by the Commission, and the Chair therefore overrules the point of order.

The Clerk read as follows:

> Consular service in Manchuria: For the balance of the fiscal year 1904, [illegible] at Mukden, Manchuria, at the rate of $[illegible] per annum, [illegible] much thereof as may be necessary.

Mr. HITT. Mr. Chairman, I move to amend page 4, in line 21, by striking out the words "four thousand," before the word "dollars," and insert in lieu thereof the words "three thousand five hundred;" so it will read "$3,500."

The CHAIRMAN. The gentleman from Illinois offers the following amendment, which the Clerk will report.

The Clerk read as follows:

> In page 4, strike out the words "four thousand" and insert "three thousand five hundred."

Mr. HEMENWAY. Mr. Chairman, we have no objection to the adoption of the amendment.

Mr. HITT. This is done in order to make the two consulates of similar salary by reducing this one, [illegible] Foreign Affairs having fixed that salary permanently to be in the next fiscal year at $3,500, and it is not to be $4,000 [illegible].

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Chair calls the attention of the gentleman from Illinois to the fact that the total will have to be corrected.

Mr. HEMENWAY. I ask unanimous consent that the total be corrected.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the total be corrected in accordance with the amendment. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

TREASURY DEPARTMENT.

> Office of the Secretary: For two clerks of class 4, to be engaged during the remainder of the fiscal year 1904 in revising the customs regulations, $1,496.32, or so much thereof as may be necessary.

Mr. HAY. Mr. Chairman, I raise the point of order on that paragraph that it creates or authorizes the employment of two new clerks.

Mr. HEMENWAY. I do not care to discuss it; but I simply call the attention of the Chair to the fact that there has been a resolution [illegible] the United States, he will see that it authorizes Congress to provide from time to time such number of clerks as they think necessary for the proper conduct of the business of the Government, and from time to time the Chair has held that items of this kind are in order.

The CHAIRMAN. Does the Chair understand that the Revised Statutes provide such authority for employment of clerks?

Mr. HEMENWAY. Why, certainly, as a number of clerks as Congress shall provide from time to time for the public service.

The CHAIRMAN. To what section of the Revised Statutes does the gentleman refer?

Mr. HEMENWAY. I think it is section 161. If we are mistaken about that we will look it up.

Mr. HAY. That objection does not meet the rule of the House. Congress has not provided for these two clerks. It is now providing for the clerks and appropriating for them, and no such expenditure has been previously authorized by law.

The CHAIRMAN. The Chair finds, upon examining the Revised Statutes, that it is section 169 instead of 161 that authorizes this appropriation. The section reads as follows:

[illegible]

Now, in the opinion of the Chair this section authorizes the employment of the clerks provided for in the paragraph against which the gentleman from Virginia has made the point of order. These clerks are described as "clerks of class 4," and that being one of the classes recognized by law, the point of order is overruled.

Mr. HAY. Mr. Chairman, do I understand the Chair to say that under that ruling the various bureaus of the Department have the right to employ any number of clerks they choose and that Congress will never be allowed to appropriate for them?

The CHAIRMAN. No; that is not the ruling of the Chair. The appropriation must precede the appropriation, and the Chair therefore overrules the point of order.

The Clerk, proceeding with the reading of the bill, read as follows:

[illegible]

Mr. HAY. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the Committee on Appropriations why the twenty-five skilled laborers are provided for in this bill, whether or not they have been heretofore appropriated for and are now employed at this particular work.

Mr. HEMENWAY. I will say to the gentleman from Virginia that the work of the Post Office Department is behind, and he attention to page 14 of the hearings. He will see that in order to bring the work up these clerks are provided for. On the legislative and a number are provided for, quite a number more than are provided for here.

Mr. HAY. They are skilled workmen?

Mr. HEMENWAY. Skilled laborers to count the money orders, of which there are about ten millions a day, that seems to and have to be sorted out. It is done by skilled laborers now in preference than it would be done by clerks, and these are provided for in this bill, so that the work can be brought up.

Mr. HAY. I withdraw my pro forma amendment.

The Clerk read as follows:

[illegible]

Mr. JONES of Washington. Mr. Chairman. I would like to ask if the point of order was made to that paragraph.

The CHAIRMAN. The Chair understands the point was made from Maine to make the point of order to that part of the bill on page 14, from line 14 to line 19, inclusive.

Mr. FOWLER of Maine. Yes; to the whole paragraph.

Mr. HEMENWAY. Mr. Chairman, while I believe the paragraph, if carried into law, would bring about a great reform, resulting in great saving of money to the Government, I have no doubt that the point of order is well taken.

The CHAIRMAN. The point of order made by the gentleman from Maine is sustained.

Mr. HEMENWAY. Now, Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

After line 19 insert the following:

[illegible]

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. THOMAS of North Carolina. Mr. Chairman I make the point of order that this proposed amendment is subject to the same rule that it is a change of existing law and new legislation on an appropriation bill.

Mr. HEMENWAY. I hope the gentleman will not make the point of order, as this only seeks information by which a great reform can be brought about.

Mr. THOMAS of North Carolina. If I should withdraw the point of order, I think it would be renewed by some other gentleman.

Mr. HEMENWAY. It does not in any way bind Congress. It simply secures the information necessary by which the reform can be brought about.

Mr. THOMAS of North Carolina. Mr. Chairman, as I have said, if I withdraw the point of order, I have no doubt it will be renewed. This whole legislation is evidently a sweeping change of existing law.

Mr. HEMENWAY. There is no doubt but that the gentleman's point of order is well taken if he insists upon it; but I urge that this will furnish information by which a great reform can be brought about and large sums of money saved to the Government.

Mr. THOMAS of North Carolina. According to the gentleman's statement in the last one a day or two ago, it will save [illegible] a year.

Mr. HEMENWAY. About a hundred and thirty-five thousand dollars a year.

Mr. THOMAS of North Carolina. Well, Mr. Chairman, the statement made by the gentleman is that they [illegible] Now, this is the second time [illegible] and all [illegible] the [illegible] [illegible] and we [illegible] [illegible] [illegible] laws. But we should have a full hearing, proof, and a full report; then act.

Mr. HEMENWAY. The Secretary of the Treasury points out the [illegible] will be paid. It is very [illegible] the Secretary of the Treasury [illegible] as high as $400 for the [illegible] $2. If we can stop that, it will be a great reform.

Mr. GAINES of Tennessee. Notwithstanding the Treasury report, it has not been [illegible] Mr. Chairman, I have [illegible] laws, [illegible] and said that they ought to be overhauled.

Now, I only ask an appropriation bill [illegible] verbatim [illegible] laws. If there should be a [illegible] Mr. [illegible] as the gentleman from New York [Mr. [illegible]] intimated to the distinguished chairman who [illegible] of that, we are unprepared [illegible] information about it. [illegible] Ways and Means Committee [illegible]

Mr. [illegible] reply a question of [illegible] could try to [illegible] out being [illegible] at all by gentlemen on the other side. I am for this reform, but let it come regularly, fully, completely, so we can see exactly what we are about [illegible] the proper [illegible]

The CHAIRMAN. Does the gentleman from North Carolina [illegible]

Mr. THOMAS of North Carolina. Mr. Chairman, I do not think I ought to withdraw it.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

[illegible] natives of Alaska during [illegible]

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last word. I wish to ask the chairman of the committee if the information called for in the proposed amendment which he submitted a few moments ago can not be furnished now by the President and officers of the Government.

Mr. HEMENWAY. Why, I suppose a resolution could be passed asking for the information, and I think if the chairman of the proper committee would make the request for information it could be secured in that way.

Mr. JONES of Washington. I should certainly think so.

Mr. COWHERD. Mr. Chairman, I would like to ask the chairman what was the authorization for the expenditure of this money by these companies—whether they were authorized to expend it in any bill; and, if so, how much.

Mr. HEMENWAY. As I remember it, at the last session of Congress the Senate put on an appropriation for these items by amendment; the Departments were instructed to ascertain what, if anything, was due from the Government to these different companies and to have the amounts reported to Congress.

Mr. COWHERD. Did from the Government to these companies for [illegible] furnished the Indians? Or was it for supplies, or what was it?

Mr. HEMENWAY. They were furnished in the regular way, according to the law, were sent down for payment, but there was [illegible] of information on the last session of Congress as to whether or not they were accurate.

Mr. COWHERD. What I am getting at and what I want to know is if there is any law now on the statute books providing for the furnishing of supplies to the destitute Indians in Alaska.

Mr. HEMENWAY. I think not. The gentleman will remember [illegible] was the result of the famine which occurred up there some four years ago.

Mr. COWHERD. Mr. Chairman, I think the gentleman will remember—I don't know whether he will or not—that [illegible] of us attempted—I think when the last supply bill was before us [illegible] amendment made to that bill providing for [illegible] supplies to these Indians who at that time the evidence showed were dying by the thousands from famine. If I remember correctly, the gentleman from Indiana [Mr. HEMENWAY]—at least I am certain the chairman of the committee [illegible] I want to know now whether this is [illegible] law.

Mr. HEMENWAY. I think these supplies were furnished prior to that time; but I will state that the members of the Committee on Appropriations would still expose legislation of that kind to [illegible] for the sake of these Indians. When it becomes absolutely necessary and there is danger of famine they will be taken care of, and Congress will find a way to [illegible] the expenses that ought to be paid. Here is the legislation under which these amounts are paid:

[illegible]

Now, under that legislation these amounts were ascertained [illegible] for, and I have no doubt if there is occasion [illegible] for aid up there it will be furnished; but I do not believe it to be good policy to put on an appropriation bill [illegible] them elves, because that has been the history of [illegible]

Mr. COWHERD. Does the gentleman believe it is better to furnish such aid as they please [illegible] than that it should be [illegible]

Mr. HEMENWAY. As the gentleman will see the appropriations [illegible] of this [illegible] at that time.

Mr. COWHERD. Or, [illegible] permit me. I would [illegible] at that time from [illegible] having been furnished [illegible]

Mr. HEMENWAY. Well, I do not——

Mr. COWHERD. As long as the gentleman from Indiana [Mr. [illegible]] has occupied most of my time, I ask an additional [illegible]

Mr. HEMENWAY. I have no [illegible]

The CHAIRMAN. Is there objection to allowing the gentleman from Missouri [Mr. COWHERD] five minutes more? The Chair hears none.

Mr. COWHERD. I want to call the attention of the gentleman from Indiana and of the House to the condition of these people in certain [illegible] in search of gold and have absolutely changed the conditions that surrounded those people. Why, sir, we have passed game laws that have taken away from them their last hope of subsistence. Our game laws have driven [illegible] to stock that country with sheep and cattle, and by a Senate report we find those bears are so numerous that explorers have to defend themselves from their attacks. We have passed game laws to protect the bears and have left the Indians to die from starvation. We have passed game laws to protect the walrus and we have made a closed season that prohibits the Indians from obtaining at the one time that he can obtain it what was formerly for them a great source of food supply. And these people are the only Indians in all the world that never raised their hands against the white man—the only Indians whose homes have been open to every stranger that came knocking at the door.

These are Indians who, the Government admits, have absolutely deprived their families of the means of subsistence in order to feed the white man. These Indians we are trying to die from epidemic and starvation, in order to protect the game of the country for the casual hunter that may come there.

I submit, Mr. Chairman, that this is a blotch upon the legislation of the country—it is a reproach upon the humanity of our legislation that we sit here and permit it. I submit it would be much better for our own race, as well for the Indians, that we should legislate to preserve the Indian rather than to preserve the game, and I remember when this legislation was before the House we were told that the purpose of the law was to preserve the game for the Indians and not from them.

We are spending millions of dollars in teaching civilization, as we say, to the people in the Philippines, the islands of Indian and getting back little or nothing in return. There is a [illegible] which we are drawing millions of dollars in good [illegible]; yet we are neglecting year after year to furnish the Government officers there with the funds which would enable them to take care of this last remnant of a most interesting people—a people who, as reports show, have always extended to us the most [illegible] and who today are perishing from the face of the earth because of the conditions that we have brought around them.

Let me read you from a report made by a Senate committee that has investigated this subject:

They are [illegible] and before the influx of the whites [illegible] in their natural habitat from [illegible] and to administer relief. Appropriations should be made for this purpose.

[illegible] of the United States. It is [illegible] for their relief.

They are [illegible] this was two or three years ago—[illegible] per cent of those people have died from starvation and from [illegible] that prevailed amongst them.

We may not be able to remedy the condition of things at the present time, but I am seeking to call the attention of the chairman of the committee, and to the House, and submit that he may [illegible] and that something may be done for these people [illegible] through appropriations to those companies after famine and pestilence have decimated the race.

[Here the hammer fell.]

Mr. HEMENWAY. I suggest to the gentleman that the Committee on Appropriations has no jurisdiction and has nothing to do with the [illegible] belongs to that committee on Territories, and if the gentleman believes there should be legislation it should be presented through the Committee on Territories.

Mr. COWHERD. Has not the Committee on Appropriations in the sundry civil bill carried an item——

Mr. HEMENWAY. We have carried an item for reindeer—I think we have [illegible] that has resulted in great benefit to those people. [illegible] the gentleman knows that the minute you go to issuing rations to the Indians in Alaska or in the United States or anywhere else you make paupers of them. They immediately

begin to wait for the rations to come around in place of going ahead to try to make their own living. In addition to that they

appropriation should be made in this bill and this claim not sent, like other claims of like character, to the Committee on Claims

Mr. HEMENWAY. It has been adjudicated. The board convened and certified it for appropriation.

Mr. COWHERD. I would like to ask the chairman of the committee [illegible]

man of the Committee on Appropriations why this bill does not carry an appropriation for the purchase of the site for the new

begin to wait for the natives to come around in place of going abroad to try to make the crown living. In addition to that they have a local government [illegible] provided by Congress, by which they collect their own taxes as you collect yours in Missouri, and they ought to take care of their poor people through their local funds. But in any event the Committee on Appropriations has nothing whatever to do with this item, and it belongs to the Committee on Claims.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[illegible] Mexico, to pay the amount found due by the accounting officers of the Treasury under the provisions of the act of March [illegible] to the Pacific Railway Company, owner of the British steamer Mexico, for damages to the said British steamer and her cargo by the United States transport Wyanoke in Mobile Bay, January [illegible], and for other purposes.

Mr. FITZGERALD. Mr. Chairman, I desire to reserve the point of order under the item just read.

The CHAIRMAN. The gentleman will state his point of order.

Mr. FITZGERALD. That it is legislation.

The CHAIRMAN. The Chair will say that on page [illegible] of the Statutes at Large, volume [illegible], is found the following provision:

That the secretary of War be and he is hereby authorized and directed to compensate the Mexico Steamship Company, a British corporation, owners of the British steamer Mexico, for damages to said steamer and her cargo by reason of the collision between said steamer and the United States transport Wyanoke, in Mobile Bay, on the [illegible] day of January, [illegible], and for other purposes, the amount of such damages to be determined by the Secretary of the Treasury, who is hereby authorized and directed to report the same to Congress for its action.

This it has been held to be a special authority authorized by law and the appropriation of money for the purpose of paying the amount found to be due is in order under the Rules of the House. The Chair therefore overrules the point of order.

Mr. FITZGERALD. I submit that it is no deficiency in any sense, but that the Secretary was merely authorized to ascertain and report upon a claim. This is an item to pay a specific claim.

The CHAIRMAN. In reply to the gentleman from New York the Chair will read from the Manual:

In order to provide in an appropriation bill for a deficiency, for the payment of an accounting officer under authority of law.

This account was audited under express authority of law, and is clearly in order.

Mr. FITZGERALD. Mr. Chairman, then I move to strike out the item.

The CHAIRMAN. The gentleman from New York moves to strike out the paragraph just read.

Mr. FITZGERALD. I do that. Mr. Chairman, for the last twenty [illegible] There have been a number of claims of this character presented against the Government of the United States, particularly against the United States and some by citizens of other countries, for damages [illegible] the United States vessels of war. I have [illegible] their claims to the Committee on Claims of the House, and I have introduced legislation [illegible] and it has never met with any favorable consideration on the part of the Committee on Claims, and I do not think it ought to have the courtesy pass when the question of appropriation comes up. We simply have some executive officer of some of the Departments reporting to Congress that in his opinion the damage done by the collision in Mobile Bay was due to the negligence of an officer of the United States, and that the damage occasioned by that collision is ascertained to be such and such money.

It seems to me that there should be a reasonable principle in these cases. I remember well that a [illegible] was permitted to submit its claim, arising out of a collision between one of the war vessels of the United States and a private [illegible] on board, in the East River, in New York, on the ground that the United States sitting as a court of admiralty [illegible] I say that if the Government is to recognize a claim of this kind at all, that is the proper way to do it. I am informed that [illegible] executive officers affect the passage of private bills [illegible] upon this Congress, or to compel them to pass upon the claims of this character, and I believe that these claims, like other claims, should be presented to the properly constituted tribunals of the United States and citizens of other countries in the past.

The CHAIRMAN. The question is on the amendment of the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Refund of duties to North American Transportation and Trading Company, [illegible] North American Transportation and Trading Company, of Seattle, Wash., [illegible] duties paid by said company on account of cost of repairs of the bark New York, shipped on that said vessel, was not entitled to enter under the laws of the United States within the meaning of section 3114 of the Revised Statutes.

Mr. OLMSTED. Reserving the point of order, I would like to ask the chairman of the Committee on Appropriations why this appropriation should be made in this bill and this claim not sent, like other claims of like character, to the Committee on Claims for proper action.

Mr. HEMENWAY. It is to refund the amount found due this company; and of course it does not go to the Committee on Claims, because the amount has been ascertained, and it is agreed by the Government that this amount of money was collected from this company in violation of law.

Mr. OLMSTED. Under what particular law and by what officer has that finding of fact been made?

Mr. HEMENWAY. The Secretary of the Treasury is the officer.

Mr. OLMSTED. Where has the Secretary reported it?

Mr. HEMENWAY. He reports it down in a document which comes to Congress here, recommending that the amount be appropriated.

Mr. OLMSTED. There is nothing in the paragraph that indicates that the amount has been passed upon by any officer of the Government.

Mr. HEMENWAY. This is an account that has been passed on. It has been audited by the Secretary of the Treasury and reported down for appropriation. I can find the document after a [illegible]

Mr. OLMSTED. Then, assuming that to be the case, there is hardly a Member upon this floor who has not constituents who have the equity just claim upon the Government, but they can not get them in these general appropriation bills.

Mr. HEMENWAY. This class of claims is always paid in appropriation bills. Here it is:

[illegible] Statutes.

This is one of the class of claims that is always paid in this bill.

Mr. OLMSTED. What is it you read from?

Mr. HEMENWAY. I read from the estimates submitted by the Secretary of the Treasury.

Mr. FITZGERALD. It took me three years or more to get through a similar claim for a consulate, where the duties had been paid and where the United States Supreme Court decided they were illegally collected; and I could not get that claim put in an appropriation bill.

Mr. HEMENWAY. If the gentleman had got his claim properly allowed and certified down to us for an appropriation, it would have been carried in this bill. Nearly every bill of this character [illegible]

Mr. FITZGERALD. I was [illegible] through in a private bill, and [illegible] or it would have been there [illegible]

Mr. HEMENWAY. I don't [illegible] of the form under which such a claim comes, but in these the Secretary of the Treasury [illegible] appropriation.

Mr. OLMSTED. Mr. Chairman, upon the statement of the gentleman from Indiana, that this account has been adjudicated by the Treasury Department and payment recommended by the Department, I will make no point of order.

The Clerk read as follows:

[illegible] Iowa, for the Fourth Judicial District of Iowa, [illegible] Appropriation.

Mr. OLMSTED. Mr. Chairman, I make the point of order against that paragraph. I do not think that this claim, which is [illegible] Appropriation Committee [illegible] The Chair [illegible] Mr. FITZGERALD. Mr. Chairman, I suggest that there is no law authorizing this claim. The item has been allowed under a special provision of the deficiency act last year and there is no general law authorizing the auditing of these claims.

The CHAIRMAN. The Chair understood the gentleman from Indiana to read the law——

Mr. FITZGERALD. I suggest that the gentleman from Indiana did not read any law. He stated on general authority what he believes the law to be, but there is no such provision of law upon the books.

Mr. HEMENWAY. Does the gentleman make the statement that there is no such general statute authorizing this?

Mr. FITZGERALD. Unquestionably.

Mr. HEMENWAY. Well, we will find it.

Mr. MAHON. Regular order.

The Clerk read as follows:

Council Bluffs, Iowa, post-office. For completion of building under present limit, $[illegible]

Mr. SULZER. Mr. Chairman, I desire to inquire from the chairman of the Committee on Appropriations why this bill does not carry an appropriation for the purchase of the site for the new post-office in the city of New York, as heretofore recommended by the commission appointed for that purpose?

Mr. HEMENWAY. No recommendation has come to the committee coming from a Department.

Mr. SULZER. As I understand it, Congress heretofore passed a law for a commission to select a suitable site for the New York City post-office—a commission consisting of the Postmaster General, the Secretary of the Treasury, and the Attorney General. And the law provided that they should select the location in New York City, and make a report to Congress as to the cost of the same, with additional specified particulars. That report and the recommendations of the commission, as I understand it, have been made to the Congress and are now before your committee.

Mr. HEMENWAY. There is nothing on the subject before the Committee on Appropriations.

Mr. SULZER. I will read the law. It was passed June 6, 1902, and is as follows:

[illegible] Secretary of the Treasury, the Postmaster General, and the Attorney General of the United States, or any three of them, be and hereby is authorized and directed to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of New York, borough of Manhattan, and State of New York, upon which to erect a proposed building for the use and occupancy of the United States post-office and other offices: Provided, That the site so selected shall be located within a mile by a street. When such commission has secured a site in such city, it shall forthwith report to Congress, stating the location and cost of the same, and recommend to Congress the character and size of a building to be constructed upon said site, and state the probable cost of such a building, including proposed vaults, heating and ventilating apparatus, and equipment.

Mr. Chairman, the report of the commission was duly made to the Congress and is now before the House. The site was selected, and it will cost about $2,000,000. This bill should appropriate the money. I would like to ask the gentleman from Indiana [Mr. HEMENWAY] if he has any objection now to my offering an amendment that the sum recommended by the commission, $2,000,000, to purchase this site be incorporated in this bill.

Mr. HEMENWAY. I have, and I will make the point of order against it, because the Committee on Appropriations confines itself to the estimates received from the different Departments of the Government.

Mr. SULZER. Well, this is an estimate; this is in the nature of a contract to purchase the site, and the estimates are made by the Secretaries of three different Departments of the Government.

Mr. HEMENWAY. I do not think the gentleman understands me. There has been no estimate coming to the Committee on Appropriations for the item which the gentleman has mentioned.

Mr. SULZER. But, sir, a commission has been duly appointed under the statutes of Congress, and the commission has recommended an appropriation of $2,000,000 for this site. What better [illegible] you want? I am ready to buy the site, and, as I understand, nothing more can be [illegible]

Mr. HEMENWAY. There has been no recommendation sent to the Committee on Appropriations with regard to the item at all and no [illegible] before the committee to advocate the [illegible] and I would say to the gentleman, if any such [illegible] we would not have heard him until it had been recommended by a Department.

Mr. SULZER. Well, then, I now ask the gentleman if he will raise a point of order against an amendment to this bill that the [illegible] for the purpose of a public building in the city of New York for a new post-office.

Mr. HEMENWAY. The chairman of the Committee on Appropriations would feel it to be his duty to make the point of order against it.

Mr. SULZER. Then I will ask the Chair how the Chair will rule on that point? Will the Chair sustain the point of order?

The CHAIRMAN (Mr. OLMSTED). The Chair will meet that when it arises.

Mr. SULZER. Then I move, Mr. Chairman, to amend the bill, after line 17, on page 18, by inserting:

That the sum of $2,000,000 or so much thereof as may be necessary, be, and [illegible] for the new post-office.

And I hope the gentleman from Indiana will not make a point of order against it. This is the urgent deficiency bill, and I know of no appropriation more urgently demanded than this appropriation to purchase the site for the new post-office in the city of New York. The money should have been appropriated by the last Congress. It must be appropriated by this Congress.

Mr. HEMENWAY. I make the point of order, Mr. Chairman, that it is not authorized by law.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 18, line [illegible], insert: "That the sum of $2,000,000 or so much thereof as may be necessary be, and the same is hereby, appropriated, out of any

Mr. HEMENWAY. It has been adjudicated. The board convened and certified it for appropriation.

Mr. OLMSTED. I would like to ask the chairman of the committee—the gentleman from Indiana—in what better position [illegible] claim stand than the claims of my constituents for damages sustained at the hands of the Army when they occupied Fort Meade, near Harrisburg? The claims were passed upon by the War Department and recommended to Congress, but we had to get special authority to pay them.

If my friend can point me to any authority of law for the payment of this claim I will be glad to withdraw the point of order.

Mr. HEMENWAY. The authority is this: That the statutes authorize and direct and require, in every case of collision, that this board be convened, that an investigation be held, that after the investigation has been held that they certify the amount of damages, if any, and whether or not the United States is liable; and when that is done and the amount fixed and audited it goes through the proper Department and is certified down here under the law for appropriation; the difference being in this class of claims and the class of claims suggested by the gentleman that there is no statute for that class of claims suggested by the gentleman authorizing this procedure, while in this case there is a statute authorizing and directing how these amounts shall be ascertained.

Mr. OLMSTED. Well, I will say that in the case to which I referred there was especial authority of law by statute for an investigation by the War Department and an ascertainment of the amount justly due by the Government to those parties, but after that was had there had to be authorization of law before the money could be appropriated to pay them the money. Some of them have not been paid yet.

Mr. MAHON. Will the gentleman allow me a question?

Mr. OLMSTED. Certainly.

Mr. MAHON. Under the general law all claims which are war claims and are adjudicated by the Treasury Department are, under the rule, sent to the Committee on War Claims, where they are appropriated for and paid. This is not a claim for damages in time of war. This action probably happened in time of peace, and therefore it came properly to that Committee on Appropriations. I simply suggest this to the gentleman who seems to feel that he did not get this kind of a bill passed to introduce the legislation and you will know next time what corner to turn to get it acted upon.

Mr. OLMSTED. I was not finding any fault with the Committee on War Claims. The Camp Meade claims, so far as paid, were paid upon a bill coming through the Committee on War Claims, a regular bill for the payment of the claims; but this kind of a claim would go before the Committee on Claims—not War Claims, but Claims—and there are [illegible] there now. I [illegible] presented from [illegible] last year for the payment of money for revenue [illegible] in tobacco, but it required special authority of law to repay that money, and unless the gentleman from Indiana can point to some statute authorizing this appropriation I shall insist upon my point of order. If he shows me the statute I shall be glad to withdraw it, as of course it can not stand.

Mr. HEMENWAY. Does the gentleman contend that this is not authorized by law? I think I can find the statute in a minute or two.

The CHAIRMAN. The Chair understands the gentleman from Indiana to say that the adjudication of these claims has been by [illegible] law.

Mr. HEMENWAY. There is no doubt about it.

The CHAIRMAN (continuing). And it has been held repeatedly [illegible] authorizes an appropriation for the payment [illegible] The Chair therefore overrules the point of order.

Mr. FITZGERALD. Mr. Chairman, I suggest that there is no law authorizing this claim. The item has been allowed under a special provision of the deficiency act last year and there is no general law authorizing the auditing of these claims.

The CHAIRMAN. The Chair understood the gentleman from Indiana to read the law——

Mr. FITZGERALD. I suggest that the gentleman from Indiana did not read any law. He stated on general authority what he believes the law to be, but there is no such provision of law upon the books.

Mr. HEMENWAY. Does the gentleman make the statement that there is no such general statute authorizing this?

Mr. FITZGERALD. Unquestionably.

Mr. HEMENWAY. Well, we will find it.

Mr. MAHON. Regular order.

The Clerk read as follows:

Council Bluffs, Iowa, post-office. For completion of building under present limit, $[illegible]

Mr. SULZER. Mr. Chairman, I desire to inquire from the chairman of the Committee on Appropriations why this bill does not carry an appropriation for the purchase of the site for the new post-office in the city of New York, as heretofore recommended by the commission appointed for that purpose?

Mr. HEMENWAY. No recommendation has come to the committee coming from a Department.

Mr. SULZER. As I understand it, Congress heretofore passed a law for a commission to select a suitable site for the New York City post-office—a commission consisting of the Postmaster General, the Secretary of the Treasury, and the Attorney General. And the law provided that they should select the location in New York City, and make a report to Congress as to the cost of the same, with additional specified particulars. That report and the recommendations of the commission, as I understand it, have been made to the Congress and are now before your committee.

Mr. HEMENWAY. There is nothing on the subject before the Committee on Appropriations.

Mr. SULZER. I will read the law. It was passed June 6, 1902, and is as follows:

[illegible] Secretary of the Treasury, the Postmaster General, and the Attorney General of the United States, or any three of them, be and hereby is authorized and directed to acquire, by purchase, condemnation, or otherwise, a suitable site in the city of New York, borough of Manhattan, and State of New York, upon which to erect a proposed building for the use and occupancy of the United States post-office and other offices: Provided, That the site so selected shall be located within a mile by a street. When such commission has secured a site in such city, it shall forthwith report to Congress, stating the location and cost of the same, and recommend to Congress the character and size of a building to be constructed upon said site, and state the probable cost of such a building, including proposed vaults, heating and ventilating apparatus, and equipment.

Mr. Chairman, the report of the commission was duly made to the Congress and is now before the House. The site was selected, and it will cost about $2,000,000. This bill should appropriate the money. I would like to ask the gentleman from Indiana [Mr. HEMENWAY] if he has any objection now to my offering an amendment that the sum recommended by the commission, $2,000,000, to purchase this site be incorporated in this bill.

Mr. HEMENWAY. I have, and I will make the point of order against it, because the Committee on Appropriations confines itself to the estimates received from the different Departments of the Government.

Mr. SULZER. Well, this is an estimate; this is in the nature of a contract to purchase the site, and the estimates are made by the Secretaries of three different Departments of the Government.

Mr. HEMENWAY. I do not think the gentleman understands me. There has been no estimate coming to the Committee on Appropriations for the item which the gentleman has mentioned.

Mr. SULZER. But, sir, a commission has been duly appointed under the statutes of Congress, and the commission has recommended an appropriation of $2,000,000 for this site. What better [illegible] you want? I am ready to buy the site, and, as I understand, nothing more can be [illegible]

Mr. HEMENWAY. There has been no recommendation sent to the Committee on Appropriations with regard to the item at all and no [illegible] before the committee to advocate the [illegible] and I would say to the gentleman, if any such [illegible] we would not have heard him until it had been recommended by a Department.

Mr. SULZER. Well, then, I now ask the gentleman if he will raise a point of order against an amendment to this bill that the [illegible] for the purpose of a public building in the city of New York for a new post-office.

Mr. HEMENWAY. The chairman of the Committee on Appropriations would feel it to be his duty to make the point of order against it.

Mr. SULZER. Then I will ask the Chair how the Chair will rule on that point? Will the Chair sustain the point of order?

The CHAIRMAN (Mr. OLMSTED). The Chair will meet that when it arises.

Mr. SULZER. Then I move, Mr. Chairman, to amend the bill, after line 17, on page 18, by inserting:

That the sum of $2,000,000 or so much thereof as may be necessary, be, and [illegible] for the new post-office.

And I hope the gentleman from Indiana will not make a point of order against it. This is the urgent deficiency bill, and I know of no appropriation more urgently demanded than this appropriation to purchase the site for the new post-office in the city of New York. The money should have been appropriated by the last Congress. It must be appropriated by this Congress.

Mr. HEMENWAY. I make the point of order, Mr. Chairman, that it is not authorized by law.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 18, line [illegible]: "That the sum of $2,000,000 or so much thereof as may be necessary be, and the same is hereby, appropriated, out of any

money in the Treasury not otherwise appropriated, to purchase the site in the city of New York heretofore recommended by the commission for the new post-office.

Mr. HEMENWAY. The point of order, Mr. Chairman, is that it is not authorized by law.

Mr. [illegible]. Mr. Chairman, I want to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. HEMENWAY. I suggest, if the gentleman from New York will permit, that these hearings as a rule are all printed in the report [illegible] tion [illegible]. The [illegible] in the course of construction during the last Congress.

Mr. [illegible]. Mr. Chairman, I [illegible] from [illegible] that [illegible] to carry [illegible] that [illegible] to the [illegible] which [illegible] in this House.

Mr. HEMENWAY. Mr. Chairman, I make the point of order that it is not authorized by law. I will be glad to hear the gentleman. I do not [illegible] that law that has [illegible].

Mr. [illegible]. Mr. Chairman, under the law of 1902 power [illegible] the Secretary of the Treasury and the Attorney-General [illegible] permitted to select and locate a site in the city of New York for a new post-office. [illegible] New York City in [illegible] made a report [illegible] of $2,500,000 [illegible] and is laid on this House. Most of the Members of the House are familiar with the law [illegible] it seems to me the point of order is not well taken and is [illegible].

It seems to me that where there is a law to secure the site the appropriation should be made, [illegible] are reasonable. I think it has been held by the [illegible] of the committee and other Chairmen of the Committee of the Whole House that where a law has been passed [illegible] a commission to secure a site for a public building [illegible] of Representatives to appropriate the money. It is [illegible] or to the [illegible]. The situation in New York City regarding this post-office is today a shame [illegible].

The present post-office building in the city of New York is a disgrace to the Federal Government. It is old, [illegible] overcrowded, and dilapidated. It is totally [illegible] the immense postal business. It was [illegible] and the business is now [illegible] New York City today is more in need of [illegible] than any other city in the United States. [illegible] down town is worse [illegible] to properly handle and distribute the [illegible] and noisy. It is [illegible] and dangerous. The Government [illegible] the city of New York, [illegible] because it is well known that New York City is our greatest [illegible].

Mr. [illegible]. The post-office of New York City pays the Government an [illegible] than any other [illegible] States of the Union. [illegible] from the New York City post-office is about $[illegible] and increasing more and more every year. With facts [illegible] in the face, it is a shame, in my judgment, that for the reason or that excuse it has been [illegible] the people of New York City, or their representatives in Congress, to get Congress to remedy the postal evils in New York City and give the people there a post-office that will reflect credit on the Federal Government and facilitate the distribution of the mails.

It is well known, Mr. Chairman, to these Members [illegible] with this question that a few several years of weary effort and arduous struggle we finally succeeded in getting the Committee on Public Buildings and Grounds of this House to pass a law [illegible] appointing a commission composed of the Postmaster-General, the Secretary of the Treasury, and the Attorney-General to go to New York City and select a suitable site for the new post-office building. No appropriation was made to pay for the site was made in this law, because we were told such a proposition was unheard of and contrary to precedent, and that no appropriation was ever made by Congress until the site was selected, and that just so soon as the site was selected Congress would [illegible] all necessary money to pay for the same and to begin the construction of the building.

That is all, Mr. Chairman, I have to say at this time. I trust [illegible] point of order. It should be immaterial [illegible] so long as it is made—and it [illegible] law.

The CHAIRMAN (Mr. OLMSTED). Accepting the statement [illegible] Chair is not in a position to sustain the point of order. [illegible] of a board for the [illegible] a public building [illegible] a [illegible] in, in a [illegible] order on the [illegible].

The Clerk, proceeding with the reading of the bill, read as follows:

[illegible] public buildings: For heating, hoisting, and ventilating apparatus, $20,000.

Mr. LIND. Mr. Chairman, I desire to offer an amendment to [illegible] been read.

The Clerk read as follows:

At [illegible] 9, on page 20, amend [illegible].

Mr. HEMENWAY. Mr. Chairman, I suggest to the gentleman [illegible] that there is $10,000 [illegible] for the purpose of [illegible] and that the [illegible] was selected, and that just so soon as the site was selected Congress would [illegible] all necessary money to pay for the same and to begin the construction of the building.

That is all, Mr. Chairman. I rose

Bureau of Yards and Docks. But the naval bill has not been reported by the committee, and I think this provision ought to wait until that bill shall be reported. I therefore make a point of order against the paragraph.

Mr. HEMENWAY. This matter having been discussed, I think the point of order comes too late. Of course I have no feeling about the matter one way or the other, except that I am assured by the statement of the Secretary of the Navy that this is a deficiency. The appropriation for work at that navy-yard has been exhausted, and the Secretary says it is one of the most important items in the bill. He grounds his request that, as he pays it money appropriated, it can not be paid, that the dry dock facilities may be used now in any emergency, and they want this dock for use in the spring.

Of course if they have to use it in the spring they must get the money on the ways. The money provided on the bill reported from the committee is appropriated would not be available until July 1, and the Secretary has already work for men in the navy-yard. He must have this appropriation now. I do not think it is subject to a point of order.

Mr. RIXEY. The chairman of the committee is entirely familiar with the fact that different committees frequently make [illegible]

Mr. HEMENWAY. That provision on an appropriation bill is subject to a point of order.

Mr. RIXEY. It is very frequently done. If this is a matter of [illegible] would be good to find out.

Mr. HEMENWAY. That is not the proper way to legislate. It is subject to a point of order to make an item [illegible] available at least is further evidence that the item is disorder on this bill. I do not undertake to say that I know as much about the necessity for it as the gentleman himself. I only have before me the [illegible] from the Secretary of the Navy, in which he states that it is very important that the Navy Department [illegible] be paid. It now has money in some battery, that dry dock is liable to settle down.

The CHAIRMAN. Does the gentleman from Indiana insist on his point of order?

Mr. HEMENWAY. The point of order, I understood, was not made.

Mr. RIXEY. I made the point of order.

The CHAIRMAN. The Chair understood the gentleman from Virginia to make the point of order, but he withdrew the gentleman from Indiana to make the point. [illegible]

Mr. HEMENWAY. Oh, yes, we have been discussing it for ten minutes.

The CHAIRMAN. The Chair thus sustains the point of order made by the gentleman from Indiana that the point made by the gentleman from Virginia, not having been made until after there had been debate, came too late.

Mr. HEMENWAY. I ask the Clerk to read.

The Clerk read as follows:

UNDER SECRETARY OF THE NAVY.

For necessary expenditures [illegible] the occupation and utilization of the navy-yard [illegible] be used for such purposes as the Secretary of the Navy may direct, $[illegible]

Mr. RIXEY. I should like to have some explanation of the paragraph at the end of page 7, the [illegible] I should like to know what that is to be expended for. In order that I may be in [illegible] I reserve the point of order.

Mr. HEMENWAY. I am going to read from the statement of Secretary Moody, in the hearing before the committee:

NAVAL STATION, GUANTANAMO, CUBA.

This [illegible] highest importance.

Mr. HEMENWAY. [illegible]

[illegible]

We need that money now. We do not want to pay for the land and we want to begin by [illegible] work. [illegible] and in the Naval Committee [illegible] works there a dry dock, [illegible] power of the expenditures, but at the time I want the [illegible] for this present

nary work, and it is impracticable to specify it. It will be the last general appropriation I shall ask.

The Secretary simply wants added to the $100,000 he now has the sum of $200,000 more, to enable the Department to purchase the lands and prepare them for the buildings so as to be ready to go ahead.

The Clerk read as follows:

BUREAU OF NAVIGATION.

For [illegible] work in connection with extension to Naval War College at Newport, R. I., $[illegible]

Mr. HAY. On the paragraph beginning with line 1, on page 14, I reserve the point of order, and ask the chairman what this paragraph is for. I desire to know whether this is adding to some [illegible] body's salary or whether it is an [illegible] inspector, who he is, and what he does? I reserve the point of order.

Mr. HEMENWAY. In reply to the gentleman's question, I find the answer of the Secretary of the Navy, who says:

The next item is for the pay of an inspector, simply because of the delay [illegible] the inspector to be employed a [illegible] would have been.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For clerk hire, rent, and other [illegible] of the district land [illegible] for the payment [illegible]

Mr. MONDELL. Mr. Chairman, I move to strike out of line 14, page 39, the word "thirty-five," and insert in lieu thereof the word "fifty."

The CHAIRMAN. The gentleman from Wyoming offers the following amendment, which the Clerk will report.

The Clerk read as follows:

In line 14, page 39, strike out "thirty-five" and insert in lieu thereof "fifty;" so that it will read "fifty thousand dollars."

Mr. MONDELL. Mr. Chairman, my reason for offering this amendment is that the sum of $[illegible] and more is urgently required by the General Land Office for the purposes specified in this item. The General Land Office last year asked for $[illegible] work. An appropriation of $[illegible] was made. We all know the work of the local land offices has very largely increased in the past year, and the amount asked for would not have been sufficient to pay the necessary expenditures. Twenty [illegible] was asked was appropriated, and the deficiency therefore becomes greater than it otherwise would have been.

It will be remembered that this appropriation is not for the purpose of carrying on new work or investigations which can be waived or left undone. It is for the purpose of carrying on the work of the people in connection with the entry of public lands. There is no local land office in the country that has a single solitary clerk more than is needed for the dispatch of the public business, and the Commissioner of the General Land Office, in a memorandum that I hold in my hand, says that if the amount now asked is not allowed it will be necessary to discharge over [illegible] at the various land offices. This being true, I hope the gentleman on the committee will not make any objection to the increase asked for.

Mr. HEMENWAY. Mr. Chairman, the Secretary of the Interior for the fiscal year 1904 asked for $[illegible] Congress the Secretary asked for a [illegible] $[illegible]. We gave him $[illegible] or $[illegible] more than [illegible] last year. The original amount we appropriated was $[illegible], and $50,000 makes $[illegible], against the $220,000 originally requested by the Secretary of the Interior.

Mr. MONDELL. I want to call the gentleman's attention to the fact that it is impossible for the Secretary of the Interior or anyone to accurately determine in advance how much business will be done at the local land offices. The business in the local land offices has trebled in the last two years. The income from the sale of public lands in the last fiscal year amounted to [illegible], or an increase of about $4,000,000 in [illegible] over the year before, and the receipts for that year were twenty [illegible] the receipts of the year preceding. So that the business coming before the registers and receivers has increased by leaps and bounds.

It is absolutely necessary that the registers and receivers shall have [illegible] enough to clear out of the business pending before their offices. I am quite sure that neither the chairman of this committee nor any member of this committee wishes to have [illegible] and intending entrymen on the public lands and those [illegible] to make final proof on their lands turned away from the land office because forsooth we refuse to appropriate a niggardly $[illegible] or $[illegible] for this necessary work.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBINSON of Indiana. Mr. Chairman, I move to strike out the last word. I do this for the purpose of asking the gentleman if it is not true that the large increase in the business of the Land Office, the demand for the larger number of clerks provided for, and the [illegible] appropriation necessitating a large sum for that purpose have been due to the large number of fraudulent entries of land?

Mr. MONDELL. Well, I will say to the gentleman that I do not think so at all. I have no knowledge that it is due to that.

Mr. ROBINSON of Indiana. It is a fact, is it not, that many millions of acres have thus been fraudulently entered in the last year or two?

Mr. MONDELL. I do not believe that is true. I believe that nine-tenths of the allegations of land fraud that have been made have been made by people who had a purpose in making such allegations and did it to serve their own personal ends, and that they are largely the paid agents of the transcontinental land-grabbing railways, who would like to have all the land laws repealed in order that the thirty or forty million acres which they own may find a better market.

Mr. ROBINSON of Indiana. Does not the gentleman acknowledge the fact, which has been stated in the report of the Secretary and also through the press, that millions of acres of public lands have gone astray by reason of fraudulent land entries?

Mr. MONDELL. Well, I think the gentleman rather exaggerates the statements of the Secretary of the Interior.

Mr. ROBINSON of Indiana. Then does the gentleman deny that millions of acres have gone astray by reason of fraudulent land entries, that the system through which it was done has been suspended by the Secretary, and this for the reason that the condition exists in regard to fraudulent land entries?

Mr. MONDELL. I do not pretend to know all about the land business of the Government, but I live in a State and have lived all my life in regions where public land was being entered. I live in a State where 95 per cent of the land is still public land, and I will say to the gentleman, so far as my personal knowledge is concerned, and I have taken some pains to investigate, my opinion is that in this year of grace there is less fraud in connection with public lands in the United States in proportion to the acres entered than there ever was before.

Mr. ROBINSON of Indiana. But the gentleman is not oblivious to the fact and he has evidently read the current public news which states that the Secretary of the Interior has repeatedly [illegible] there is a great amount of fraudulent land entries out in the western country; has he not?

Mr. MONDELL. The gentleman has not carefully read the Secretary's reports. I think the gentleman has read——

Mr. ROBINSON of Indiana. I refer to newspapers and such information——

Mr. MONDELL. The gentleman has probably read the land repeal bureau's edition of the Secretary's suggestions.

Mr. ROBINSON of Indiana. I have read the Secretary's statements and the newspaper interviews which were accredited at the time of the arrest of a gentleman engaged largely in it, but a few weeks ago, and the scandal that was ventilated in the newspapers. Surely the gentleman read that, and he knows, evidently, that some——

Mr. MONDELL. There is no question but what there has been some scandal in connection with the public lands, particularly as regards entries under timber and stone acts, in some parts of the country.

Mr. ROBINSON of Indiana. Then is it not in the interest of the public service to keep down the appropriations until these matters are regulated by the Secretary of the Interior?

Mr. MONDELL. Well, I do not follow the gentleman's philosophy or agree with his reasoning.

Mr. ROBINSON of Indiana. That is my judgment, Mr. Chairman.

Mr. MONDELL. It seems to me if he takes——

Mr. ROBINSON of Indiana. In view of the fact that the gentleman is not responding to any of the inquiries which I have put to——

Mr. MONDELL. How is that?

Mr. ROBINSON of Indiana. The gentleman is not responding to any inquiries I have put to him. I disagree entirely with the gentleman——

Mr. MONDELL. I beg the gentleman's pardon if I am taking his time; I did not intend to do so.

Mr. ROBINSON of Indiana. No, the gentleman is not taking my time, but as he is not responding to any of my inquiries here I will go on. I desire to emphasize the fact, Mr. Chairman, that that condition prevails not only with reference to this land, but the Secretary of the Interior, with the assurance of Congress is trying to put it down, and therefore I would not at this time increase the appropriations over the head of the Appropriation Committee, which has carefully made its inquiry and presented its conclusion to this House, because perhaps they might affect irrigation land out West or in other parts of the country in which there is public land.

Mr. LACEY. Mr. Chairman, I move to strike out the last word. I was out in the hall for a few minutes and as I understand the amendment proposed increases the appropriation for the land offices. I want to call the attention of the committee to a memorandum that was made by the land department on the 27th of January, which states the situation exactly.

Either a large force of clerks must be furloughed or there must be an additional appropriation. The amount expended was, for clerk hire, $210,189.77; for rent of offices, $[illegible]; for incidental expenses, furniture, etc., $8,425.06. [illegible] the amount appropriated, but the amount of expenditure increased. That was what was anticipated to be expended. The amount of appropriation is inadequate by $[illegible] to cover the deficiency. A new item was submitted to the committee for the urgent deficiency bill of $50,000. The amount appropriated in the bill is [illegible],000, which would still leave a deficit of $[illegible]0,000. There are [illegible] clerks [illegible] employed. These clerks receive salaries from $900 [illegible] $1,400 [illegible] per annum. If this would still leave a deficit of $[illegible] in order to meet which 33 clerks will have to be discharged on February 1, but as it will require $5,000 for emergency purposes for the balance of the year it would be necessary to discharge [illegible] clerks.

The situation is the same as it is in other Departments of the Government which have anything to do with the [illegible] of the country. The growth of the business of this country has met with a response in the business of the Land Office. The amount of land taken, the amount of business in the Department has been greater than the year before, just as the business of disposing of private land by private owners has increased in the last year, and the year before, and the year before that and for a number of years. So it is necessary that this work should be proceeded. If the department is embarrassed by inadequate funds, the business must be suspended to the detriment of the people. The request for an appropriation of $50,000 is a reasonable one. The income to the Government from land offices is enormously in excess of the expenditure in carrying on the business of the department, which is, in fact, the largest ever known within the present generation for the past year.

Now, this requires that instead of discharging or furloughing clerks they should be kept at work. The Government is not demanding an increase of force, but they do not think this is a proper time to furlough clerks in order to keep inside of an appropriation. They have asked for $50,000. This is a reasonable request, covering the actual deficit, and they are only given $25,000. Why give them any less? Why [illegible] Because it is needed, and $[illegible] is asked as [illegible] $50,000. I ask the chairman of the committee to accept this amendment. It is a very moderate request—a reasonable one—and one that is necessary in order to properly carry on the Government business.

Mr. ROBINSON of Indiana. I know the gentleman from Iowa will be frank with us. I would like to ask him if the Secretary of the Interior does not ask for this larger appropriation for the purpose of having more inspectors to discover fraudulent land entries?

Mr. LACEY. That is not involved in this appropriation.

Mr. ROBINSON of Indiana. Is not this appropriation available for that purpose?

Mr. LACEY. This [illegible] does not cover that question.

Mr. ROBINSON of Indiana. I ask if it is not available for that purpose?

Mr. LACEY. Not [illegible] it is for the ordinary business of the Department for the various offices in the service of the Department. [illegible] as a deficiency for carrying on the business of the Department for this fiscal year.

Mr. ROBINSON of Indiana. I hope the gentleman from Iowa agrees with the gentleman from Wyoming as to the extent of the land frauds by which the business of the Department has been increased within the last two years.

Mr. LACEY. I do not come to discuss the question of land frauds in this connection, because it is a long question that I could not discuss in the time that I have and [illegible] to the committee. At some [illegible] I shall [illegible] this House into the consideration of the Committee on Public Lands and give them all the information that the committee has.

Mr. ROBINSON of Indiana. The gentleman can tell us whether the Secretary has not suspended the rules by which the fraudulent land entries were encouraged and under which the operators operated.

Mr. LACEY. Oh, there have been land frauds ever since the organization of 1785, and there will be land frauds as long as there is a public domain. The Department will endeavor to eliminate and prevent as many of them as is possible. There are land

frauds no doubt now in cases pending before the Department. The Department of the Interior is not only trying to put them down with all the power it has, but it is doing it with vigor.

Mr. ROBINSON of Indiana. [illegible]

Mr. LACEY. No. I think not. [illegible] North Dakota [illegible] in a [illegible] land, on the [illegible] a few years ago [illegible] supplied by the [illegible] For [illegible] harvesting a [illegible] For [illegible] of [illegible]

Mr. ROBINSON of Indiana. Why not be fair to the [illegible]

Mr. LACEY. [illegible]

Mr. ROBINSON of Indiana. [illegible] read a synopsis of the report of the Secretary of the Interior.

Mr. LACEY. The first question to be taken will be on the amendment offered by the gentleman from Wyoming [Mr. MONDELL].

Mr. ROBINSON of Indiana. But I [illegible] the report of the Secretary [illegible] on this subject.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[illegible] of the disposition of the public lands in violation of law, and to the destruction of the timber and the maintenance of unlawful inclosures [illegible] registers and receivers, as to the compliance of the claimants with [illegible] of the large number of alleged fraudulent entries [illegible] large number of cases involved in timber trespass and [illegible]

The CHAIRMAN. The time of the gentleman has expired.

[illegible] Mr. Chairman. I ask unanimous [illegible] to be permitted to continue for three [illegible].

Mr. LIVINGSTON. Mr. Chairman, I suggest that the limita- [illegible] gentleman make the point of [illegible] ne minutes. [illegible] r.

Mr. R[illegible] Mr. [illegible] over the head of [illegible]

[illegible] a. Then the gentleman who says this [illegible] I have [illegible] r, by [illegible] or in some way for [illegible]

I [illegible] floor. If they [illegible] ments which would seem to imply [illegible] be available for that purpose.

Mr. SHAFROTH. The irrigation act, as I understand——

Mr. ROBINSON of Indiana. I withdraw my pro forma amendment.

Mr. LIVINGSTON. I now renew the point of order that the debate on the paragraph is exhausted.

The CHAIRMAN. The point of order is sustained. The question is on agreeing to the amendment of the gentleman from Wyoming [Mr. MONDELL].

The question being taken, there were on a division (called for by Mr. ROBINSON of Indiana)—ayes 58, noes 26.

So the amendment was agreed to.

The Clerk read as follows:

For furnishing transcripts of records and plats, to be expended under the [illegible] the Secretary of the Interior, $4,000: *Provided*, That separate em- [illegible] shall be selected by the Secretary of the In- [illegible] $3 per day while actually employed, at such times [illegible] periods as the exigencies of the work may demand.

Mr. LACEY. I offer the amendment which I send to the desk.

The Clerk read as follows:

For per diem in lieu of subsistence of inspectors and of clerks detailed to [illegible] land entries, trespasses on the public lands, and cases [illegible], $[illegible].

The Chairman proceeded to put the question on agreeing to the amendment, and said, "The ayes seem to have it."

Mr. HEMENWAY. I want to discuss that amendment. I supposed that the gentleman from Iowa had some explanation to offer. I call for a division, if necessary.

Mr. LACEY. I hope this matter will be left open, by unanimous consent, until it can be explained.

The CHAIRMAN. If there be no objection, the vote will be withheld until the amendment has been explained.

Mr. HAY. I object. I call for the regular order.

The question being again taken, there were—ayes 8, noes 30.

So the amendment of Mr. LACEY was rejected.

The Clerk read as follows:

Removal of intruders, Five Civilized Tribes: For the purpose of removing [illegible] and placing allottees in unrestricted possession of their allotments, [illegible]

Mr. STEPHENS of Texas. I raise a point of order on the paragraph just read. I submit that it is not in accordance with the existing law, but is a new provision. I will state very frankly that in the Fifty-sixth Congress a provision of this kind was passed, but it was omitted in the Fifty-seventh Congress. No similar provision was adopted in that Congress; consequently it is not existing law.

Mr. UNDERWOOD. Mr. Chairman, I understand that there is a provision of law that when necessary the Commissioners of the Five Civilized Tribes, constituting what is called the "Dawes Commission," shall put these Indians in actual possession of their land after it has been apportioned to them. The testimony of the Indian Commissioner before the committee was to that effect; and as an appropriation heretofore made for this purpose has been exhausted, this provision has been inserted in the bill to carry out that proposition of the law. I understand that there is already an enactment of law to this effect so far as the Dawes Commission is concerned.

The CHAIRMAN. Does the Chair understand the gentleman from Alabama [Mr. UNDERWOOD] to state that the law now requires the Dawes Commission to place these Indians in possession of their lands?

Mr. UNDERWOOD. In actual possession of their lands. The appropriation to pay the agent to put them in possession of their lands has been exhausted.

Mr. STEPHENS of Texas. I was not aware of any law of that kind now existing.

The CHAIRMAN. Can the gentleman from Alabama cite the law?

Mr. UNDERWOOD. I have not the volume at hand, but I think the chairman of the committee [Mr. HEMENWAY] can probably do so.

Mr. HEMENWAY. In the treaties with the different tribes of Indians we have a provision that the Indians shall be put in possession of their allotments.

Mr. STEPHENS of Texas. What law is that?

Mr. HEMENWAY. In all these treaties with the different Indian tribes there is that provision that where the land is allotted the Indians shall be placed in possession of their allotments. Now let me state the necessity for this appropriation as shown in the hearings. In one case, we will suppose, a man has a pasture of [illegible] acres. The land is allotted. An Indian comes and claims possession of the piece of land allotted to him. The man in charge, the occupant of the land, bluffs him off and says, "You can not have it."

The CHAIRMAN. Can the gentleman from Indiana cite for the information of the Chair the statute referred to?

Mr. HEMENWAY. We can secure one of these treaties so as to show it to the Chair later on. I ask unanimous consent that we pass the item and go ahead with the reading of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

Mr. STEPHENS of Texas. I have other objections to the section. I desire to move to strike it out, and also to amend it, when we return to it.

The CHAIRMAN. Without objection, it will be passed.

Mr. HEMENWAY. If the gentleman desires to move to strike it out, we can pass on the motion to strike it out now.

Mr. STEPHENS of Texas. I desire a ruling as to whether or not it is germane or whether it is new legislation.

Mr. HEMENWAY. Reserve the right, if it is not stricken out, to raise the point of order.

The CHAIRMAN. The request is that the paragraph be passed, reserving to the gentleman from Texas the right to move to strike it out or to amend it. Is there objection?

There was no objection.

The Clerk read as follows:

Contingent expenses: For all necessary contingent and miscellaneous expenses of the office of the Secretary of Commerce and Labor, the Bureau of Manufactures, [illegible] and the [illegible] Department of Commerce and Labor, including the purchase of official and scientific books, law books, bound periodicals, pamphlets, blank books, pamphlets, maps, newspapers, [illegible] $2,500; stationery, furniture and repairs to the same, [illegible] and fuel, [illegible] supplies, [illegible] and lighting, for the purchase, exchange, and care of horse-drawn vehicles to be used only for official purposes and for rent of stables therefor from date to date, to pay freight and express charges, postage, telegraph and telephone service, typewriters, and repairs thereof, and all other miscellaneous items and necessary expenses not included in the following, $35,000.

Mr. HAY. Mr. Chairman, on page 45, line 3, I move to strike out the word "newspapers."

The amendment was read by the Clerk, as follows:

Page 45, line 3, strike out the word "newspapers."

Mr. HAY. I should like to inquire of the chairman of the committee why there should be an appropriation made for the office of the Secretary of Commerce and Labor for newspapers? The gentleman made a very sharp criticism on the Committee on Military Affairs the other day because they were making appropriations to buy what he called "French novels." Now, I do not know why we should appropriate for newspapers for the Department of Commerce and Labor.

Mr. HEMENWAY. The gentleman evidently misunderstood the gentleman from Indiana the other day. I was not opposing the item of newspapers or any necessary item. What I was seeking to do was to limit the amount that could be expended for these purposes, and if the gentleman will notice, in this bill we do exactly what I was seeking to do on the military bill. Or this item of $35,000 we provide that not to exceed $2,500 shall be expended for—

Professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, and newspapers.

Mr. HAY. Why should we appropriate for newspapers?

Mr. HEMENWAY. The Department of Commerce and Labor have to advertise in newspapers for all the supplies they buy, and in many instances under the law are required to advertise in certain newspapers. Now, in order that they may know that the advertisements have been inserted, they must subscribe for a limited number of newspapers. The item, of course, in this bill, as in all other bills coming from the Committee on Appropriations, is now limited to a certain amount of money that can be expended for the purchase of books, newspapers, and periodicals.

Mr. HAY. But you do not limit the amount that may be expended for periodicals and newspapers.

Mr. HEMENWAY. This is a part of the appropriation for professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, and newspapers. All of those items shall not exceed $2,500, out of the total appropriation of $35,000.

Mr. PAYNE. May I suggest to the gentleman that the Bureau of Statistics is in this Department of Commerce and Labor?

Mr. HEMENWAY. Yes.

Mr. PAYNE. Does it not necessarily have to take a number of newspapers?

Mr. HEMENWAY. Oh, yes; there is the Bureau of Statistics, the Bureau of Navigation, and a whole lot of other bureaus.

Mr. PAYNE. They have to subscribe to technical newspapers and other newspapers.

Mr. HEMENWAY. Certainly.

Mr. HAY. Do they have to subscribe for periodicals?

Mr. HEMENWAY. Yes; many of them.

Mr. HAY. For Ainslee's Magazine and Harper's, etc.?

Mr. HEMENWAY. No.

Mr. HAY. You provide for it here. They can buy them.

Mr. HEMENWAY. No.

Mr. HAY. The gentleman said the other day in debate that the head of a Department was buying all sorts of books and periodicals and magazines.

Mr. HEMENWAY. Yes.

Mr. HAY. Now, I want to know why they could not buy any periodical they please under this appropriation?

Mr. HEMENWAY. No, sir; because we ascertain the amount of money necessary to buy the actual papers and periodicals that they need for their professional use and limit the amount that can be used to that sum.

Mr. HAY. Why can not they take part of the $2,500 to which you limit them and subscribe for any periodical they choose?

Mr. HEMENWAY. Because they are prohibited, first, by law from doing that.

Mr. HAY. Where is the law that prohibits them?

Mr. HEMENWAY. And next, because the amount of money authorized in this item is not sufficient. The gentleman ought to be fair. Under the item in the army bill you have a large lump sum appropriated, running into the thousands of dollars, as we have here. Now, all I asked of the gentleman was to limit the amount that should be authorized to be used to buy books and buy periodicals and newspapers, etc., just as we limit it in this bill.

Mr. HAY. Why, it was limited there.

Mr. HEMENWAY. Oh, no; it was not.

Mr. HAY. Why, the contention of the gentleman——

Mr. HEMENWAY. It was by the amendment that was put on.

Mr. HAY. Why, the contention of the gentleman from Indiana was that the periodicals and newspapers provided for in that item, as in this, had no limitation upon it.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HEMENWAY. I ask that the gentleman have three minutes additional time.

The CHAIRMAN. Without objection, the time of the gentleman will be extended for five minutes.

There was no objection.

Mr. HAY. The point made by the gentleman from Indiana was that under that appropriation the money could be expended for any book the head of the Department desired. So now, I say, under "periodicals" you can expend that or as much as you please in subscriptions to magazines. That was the contention that the gentleman from Indiana made, and an amendment was agreed to providing that it should be "professional periodicals," dealing with subjects pertaining to its own particular branch. I think the same ought to be done here.

Mr. HEMENWAY. Well, the gentleman will remember that the amendment offered by "the gentleman from Indiana" was to limit the amount that could be expended for periodicals, books, etc., to $200.

Mr. HAY. Periodicals and newspapers, $200.

Mr. HEMENWAY. I said then to the gentleman from Virginia if $200 was not sufficient amount, not being sufficiently familiar with it myself to fix the amount, they might fix the amount at a sufficient amount—just exactly what has been done by the Committee on Appropriations. Why, here is an appropriation for $35,000 for contingent expenses. We put in here a limit of $2,500 that can be expended out of this $35,000 item. Just exactly what I asked the gentleman to do on the army bill. Now, prior to the time limits were placed in the bills they could take any sum out of the lump sum appropriated and buy any book that they considered necessary, and thus build up libraries of fiction in the Departments. As soon as limitations were put upon it they have confined themselves to the items absolutely necessary, and there have been no more purchases of books of fiction in consequence.

Mr. HAY. Is it not a fact that under this provision of $2,500 for books of reference, etc., they can expend out of that $2,500 any amount they please for any kind of books they please?

Mr. HEMENWAY. No.

Mr. HAY. Why not?

Mr. HEMENWAY. Will the gentleman read the item?

Mr. HAY. You do not limit them?

Mr. HEMENWAY. It is evident that the gentleman has not read the bill.

Mr. HAY. I have read the bill.

Mr. HEMENWAY (reading). "Including the purchase of professional and scientific books, law books, books of reference, periodicals, blank books, pamphlets, maps, newspapers."

Mr. HAY. Does that mean "professional" periodicals?

Mr. HEMENWAY. Why, certainly.

Mr. HAY. Why not say so?

Mr. HEMENWAY. Why, we do it.

Mr. HAY. Oh, no.

Mr. HULL. Does not the gentleman from Indiana want to conform to the army bill and put in the word "technical?"

Mr. HEMENWAY. I did not put in that amendment; it was put in by a member of your own committee.

Mr. HAY. I suggest that you comply with your own suggestion and say that so much money will be expended for newspapers and periodicals, and comply with the suggestion that you insisted we should make in the army bill.

Mr. HEMENWAY. I do not say that they shall not have the right to subscribe for newspapers.

Mr. HAY. The gentleman says that they have got to do that, because they have advertisements in the newspapers and have got to take them in order to see that the advertisements appear in those newspapers.

Mr. HEMENWAY. And for the other reasons that I gave. The Bureau of Statistics is in this Department, and the Bureau of Navigation is there, and there are thirteen or fourteen divisions——

Mr. HAY. You say that the Bureau of Navigation is there?

Mr. HEMENWAY. The Bureau of Navigation is there, and there are thirteen or fourteen divisions covered by the Bureau of Labor.

Mr. HAY. I did not know that the Bureau of Navigation was there.

Mr. BOUTELL. Will the gentleman from Indiana yield?

Mr. HEMENWAY. Yes.

Mr. HAY. I thought I had the floor.

Mr. HEMENWAY. I had the floor and yielded to the gentleman from Virginia.

Mr. BOUTELL. Will the gentleman from Virginia kindly yield?

Mr. HAY. Certainly.

Mr. BOUTELL. In order, perhaps, to put as speedy an end as possible to this controversy and satisfy the gentleman from Virginia, I would like to call attention to this one expression of Thomas Jefferson——

Mr. HAY. I did not suppose that the gentleman could call attention to anything more after what he said the other day.

Mr. BOUTELL. Thomas Jefferson said, in writing to Edward Carrington:

> The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.

I think that is good Democratic doctrine.

Mr. HAY. If that throws any light, it can only throw light upon the mind of the gentleman from Illinois.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. HAY. Well, Mr. Chairman, I move to strike out the last two words.

Mr. PAYNE. If the gentleman will allow, I will move to strike out the last word and will take but a minute or two and then yield the balance of the time to him. Mr. Chairman, I want to suggest to the chairman of the Committee on Appropriations there is a strong question as to whether his provision of the twenty-five hundred dollar limit applies to anything more than newspapers. I suggest that he amend by adding, after the word "dollars," "for all the foregoing."

Mr. HEMENWAY. I will say to the gentleman from New York that the Comptroller has passed upon this two or three times and holds that it applies to all these.

Mr. PAYNE. I suppose that makes the law for the present Comptroller, but it is not a sensible construction of the language.

Mr. HEMENWAY. I think it is.

Mr. PAYNE. Then, I want to ask the gentleman whether "professional and scientific" applies to anything more than the word "books," or whether it goes on down through the item?

Mr. HAY. That is a point I suggested all the time.

Mr. PAYNE. It will hardly apply to blank books.

Mr. HEMENWAY. You can not apply that to the newspapers and possibly not to periodicals, because there is the Bureau of Statistics, the Bureau of Labor; they can not conduct the business of those great bureaus without reading the newspapers of the country.

Mr. PAYNE. I agree with the gentleman; I think it is utterly impossible.

Mr. HEMENWAY. It is a wholly different proposition for the War Department, the Navy Department, or some other Department which does not need them for their official purposes.

Mr. PAYNE. That is the reason I asked the question. I did not know but what the Comptroller had decided that it applied also to the newspapers.

Mr. HAY. I would like to ask the gentleman from New York if the Bureau of Statistics relies upon newspapers for their statistics?

Mr. PAYNE. I suppose for market prices, yes. I do not see where they can get them elsewhere. The Bureau of Labor relies for information upon strikes and matters of that kind upon newspapers as well as other information they can get.

Mr. HAY. I am surprised to know it.

Mr. PAYNE. I suppose it is impossible for them to get along without having a large number of newspapers to gather their statistics from, such as may be of use to them. They must do that.

Mr. HAY. Of newspapers?

Mr. PAYNE. Certainly.

Mr. HAY. The same argument would apply as to the Navy or the Army or any other Department of the Government, that they rely for their information upon what appears in the newspapers.

Mr. PAYNE. I do not think so; but we will cross that bridge when we come to it on the naval bill.

Now, Mr. Chairman, I yield the balance of my time to the gentleman from Virginia, as I agreed to do.

Mr. HAY. Well, I was going to get it in my own right.

I withdraw the amendment to strike out the word "newspapers," and move to insert, in line 3, page 45, before the word "newspapers," the word "professional."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> On page 45, line 3, before the word "newspapers" insert the word "professional."

Mr. HEMENWAY. Will the gentleman yield for a question?

Mr. HAY. Certainly.

Mr. HEMENWAY. I want to ask the gentleman, with the word "professional" before the word "newspapers," what newspapers they can buy?

Mr. HAY. Any newspapers of that character.

Mr. HEMENWAY. What is a professional newspaper as applied to this Department of Commerce and Labor?

Mr. HAY. You might call the Scientific American a professional newspaper.

Mr. HEMENWAY. Well, as applied to the labor item?

Mr. HAY. Labor organizations have a great many publications.

Mr. HEMENWAY. As applied to the Bureau of Corporations, what would be professional?

Mr. HAY. I do not know that corporations have any professional newspapers. They seem to have control of a great many newspapers. [Laughter.]

Mr. HEMENWAY. If your amendment is adopted, what newspapers could the Bureau of Corporations buy?

Mr. HAY. What would they want of the newspapers? What statistics could they get from them generally about corporations?

Mr. HEMENWAY. Mr. Chairman, I want to be recognized a minute in opposition to this amendment.

The CHAIRMAN. The gentleman from Indiana is recognized.

Mr. HEMENWAY. The House can see how—I was going to say how ridiculous this amendment would be. Here is a Department of Commerce and Labor, which has its different bureaus—the Bureau of Statistics, the Bureau of Labor, the Bureau of Navigation, the Bureau of Corporations, and all these great bureaus that must have daily newspapers. It is absolutely necessary for them to have the current news. Under the amendment which the gentleman has offered they could not buy them. I think the amendment offered by the gentleman ought to be defeated.

Mr. LIND. Mr. Chairman, I feel very much as does the chairman of the Committee on Appropriations. It seems to me that we are quibbling a good deal about matters of not much consequence. We are dealing here with a Department the head of which has had the candor to ask the Appropriations Committee for just what he wanted. He is the only one, as I understand it from the members of the committee, who asked for coachmen [illegible], and the head of a Department who goes before the [illegible] with so much candor ought certainly to be trusted in the [illegible] of buying newspapers, and who knows but that he may want the newspapers to advertise for the trusts? [Laughter.]

The enforcement of the trust legislation is committed to his Department. I think he ought to be afforded every facility, every opportunity to execute the law as he says he will. He appeared one other evening at the banquet given to the boards of trade in this city, I think, as the spokesman of the President, to present the President's greetings, and in discussing this question of the execution of trust legislation committed to him he said that he wanted the gentlemen before him to understand that these laws would be sanely and conservatively executed.

Now, a man who shows so much discretion, so much care and candor in public affairs, ought to be trusted with a few dollars to expend for newspapers.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The question was taken; and the amendment was rejected.

Mr. GARDNER of Massachusetts. Mr. Chairman, I desire to offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

> On page 45, line 15, insert "for rent and necessary expenses of the United States shipping commissioners' offices, $6,000."

Mr. UNDERWOOD. To that, Mr. Chairman, I reserve a point of order.

Mr. GARDNER of Massachusetts. Mr. Chairman, the point of order in this case, which I suppose the gentleman from Alabama intends to reserve, is that the appropriation is not in accordance with existing law. It is precisely because this appropriation is in accordance with existing law that I offer the amendment. The law specifically requires that the rent and necessary office expenses of United States shipping commissioners shall be paid out of the Treasury. That requirement has been confirmed by the Supreme Court in an opinion handed down by Justice Shiras in the case of The United States against James C. Reed. It has subsequently been confirmed by special statutory requirement to the effect that these expenses should be paid by the United States Government.

And yet year after year the Commissioner of Navigation has sent in these expenses in his estimates, and year after year the Committee on Appropriations has simply refused to appropriate the money. Now, I am perfectly aware that it is by no means unusual for the Committee on Appropriations to override the law and refuse to appropriate for expenses provided for in existing law; but in this case there is no economy whatever in such a course, because year after year these shipping commissioners go to the Court of Claims and get judgment in their favor for the necessary and legal expenses of their offices. Not one cent is gained by the Government, and a great deal is lost in defending these cases in the Court of Claims, while the shipping commissioners are put to unnecessary expense to get their money. Now, if it was a question of salary it would be one thing. The officer who has less money appropriated for his salary than the law entitles him to has no remedy, but when it is a case of expenses incurred for the Government he can go before the Court of Claims and get his judgment.

Now, Mr. Chairman, I want to call the attention of this committee to page 59 of the bill that we are considering. Under the heading "Judgments, Court of Claims," a certain sum is appropriated to pay for judgments in the Court of Claims, as specified in two documents, one of which I hold in my hand, Document No. 275. Three of the claims that are being paid in this very bill under that paragraph are the claims of Robert F. Morse, shipping commissioner at Bath, Me., Joseph M. Dickey, now railroad commissioner of the State of New York and formerly shipping commissioner of the port of New York, and the estate of Ellwood Becker, deceased, the three claims amounting in all to about $7,000. They were adjudged on December 14 last, and we are paying for them in this very bill. Every shipping commissioner whose expenses we cut off will go before the Court of Claims under the decision in the case of The United States v. Reed, and he is going to get this very amount which I ask you to put into the bill.

We shall have to pay it in the long run, and in addition we must go to all the expense of defending those suits. We shall take right out of the pockets of our shipping commissioners their necessary expenses for the litigation in our Court of Claims.

Mr. UNDERWOOD. Mr. Chairman, one of the reasons why I shall insist upon the point of order is that the gentleman from Massachusetts [Mr. GARDNER] did not appear before this committee to make any attempt to procure this appropriation or give an explanation why it should be made. My point of order against the appropriation coming now is that this is an urgent deficiency bill, and the item he contends for would not properly be an item on this bill, even if he had appeared before this committee and attempted to have it put on. This is not an urgency item, and it would naturally go on the sundry civil bill and not on this bill if the appropriation committee appropriated it.

Mr. GARDNER of Massachusetts. Mr. Chairman, my item covers a deficiency already incurred. As a matter of fact, I went to the Committee on Appropriations——

Mr. HEMENWAY. Will the gentleman yield for a minute? I will ask the Chair if the point of order has been passed upon.

The CHAIRMAN. It has not. The gentleman from Alabama reserved the point of order, but the Chair understands now that he makes the point that this is not a deficiency appropriation.

Mr. UNDERWOOD. And especially an urgent deficiency appropriation.

Mr. GARDNER of Massachusetts. Mr. Chairman, I submit that it is a deficiency appropriation. Those expenses have all been incurred and have not been taken care of by law.

The CHAIRMAN. The Chair calls the attention of the gentleman from Massachusetts to the fact that his amendment does not state for what nor the time these expenses were incurred and for which this $6,000 is to be appropriated. The amendment says simply for expenses of United States shipping commissioners' offices, $6,000.

Mr. GARDNER of Massachusetts. Mr. Chairman, if necessary I will insert the words "existing deficiencies;" but I submit

that the amendment when read in connection with the whole bill renders no such wording necessary. I will, however, make that addition to my amendment and request that the Clerk add it.

The CHAIRMAN. Does the Chair understand the gentleman from Massachusetts to ask that this amendment be inserted in line 15, page 45, as indicated on the amendment?

Mr. GARDNER of Massachusetts. Under "Contingent expenses," at the end of line 14.

The CHAIRMAN. The gentleman has indicated it was at the end of line 15.

Mr. GARDNER of Massachusetts. Well, at the beginning of line 15.

The CHAIRMAN. The Clerk will again report the amendment as modified.

The Clerk read as follows:

[illegible] of United States shipping commissioners [illegible]

Mr. UNDERWOOD. Mr. Chairman, as that amendment now reads it is not germane to the paragraph where it is inserted, and I also make that point of order.

The CHAIRMAN. The Chair would call the attention of the gentleman from Alabama [Mr. UNDERWOOD] to the fact that this is not offered as a new paragraph, but that it is a continuation of the paragraph just read, after the word "dollars" in line 14.

Mr. UNDERWOOD. Well, it is not germane, Mr. Chairman, to that portion of the bill that we are reading. That paragraph and that section of the bill relate to the contingent expenses in the office of the Secretary of Labor, if I have the right place in the bill. It does not relate to either rent or to the payment of salaries of officials.

Mr. GARDNER of Massachusetts. I was not aware that I had offered it as an amendment to any particular paragraph of the bill. I offered it as an independent provision.

The CHAIRMAN. The Chair understood the gentleman to offer it as an addition to the paragraph ending on line 14, page 45. The gentleman now offers it as an additional paragraph to come in after line 14. The Chair is of the opinion that the amendment as modified by the gentleman is in order. The point of order is overruled.

Mr. HEMENWAY. Mr. Chairman, this amendment ought not to be adopted for the reason that it has not been considered by any committee of the House. There is nothing in the amendment to inform the House as to whom this money is to be paid to, or what for, or why. In addition to that, here are judgments, as the gentleman states, of the Court of Claims, arising out of this same transaction. We do not know whether the judgments included in this item are the same judgments that we appropriate for here in the bill or not. No item of this kind ought to go upon an appropriation bill without first being considered by some committee of this House. This item has not been considered. It has not been referred in the regular way for consideration by the Committee on Appropriations. There was no estimate for it considered by the committee in making up this bill.

Mr. GARDNER of Massachusetts. Do I understand the chairman of the committee to say that this was not included in the estimate of the United States shipping commissioners?

Mr. HEMENWAY. For the next fiscal year there are some estimates; but nothing at all on this bill.

Mr. GARDNER of Massachusetts. I submit that in the last estimate this matter which this amendment of mine covers was specifically estimated, and I think that the former chairman of the Committee on Appropriations, now sitting on my right [Mr. CANNON], will bear me out in that statement.

Mr. HEMENWAY. That may be true, but that was at the last Congress. At this session there was no estimate on this subject submitted to the committee having in charge the urgent deficiency bill.

I repeat that the amendment offered by the gentleman has not been considered by any committee. There is nothing in the amendment indicating what it is for, except that it is to cover certain indefinite deficiencies not set out in the amendment and which Congress does not know anything about, and does not know whether or not they are included in items of appropriation in this bill for judgments of the Court of Claims. Certainly it would not be wise for Congress to adopt any proposition of this kind without knowing something about it. I sincerely hope that the amendment will be rejected and that the item will go to the proper committee to be regularly considered and reported upon before being adopted.

Mr. GARDNER of Massachusetts. Do I understand the gentleman to suppose that the proceedings in our Court of Claims are so rapid that any of the shipping commissioners' expenses of last year can possibly be included in the judgments of the court in the cases of Morse and Dickey and Baker?

The question being taken on the amendment of Mr. GARDNER of Massachusetts, it was rejected.

Mr. OVERSTREET. I desire to offer an amendment to insert, after the word "homes," in line 21, page 45, the following words: "and designated headquarters."

Mr. HEMENWAY. I make the point of order that this is a change of law.

Mr. OVERSTREET. Will the gentleman reserve that point for a moment?

Mr. HEMENWAY. I reserve it if the gentleman wishes to be heard.

Mr. OVERSTREET. The point to which I desire to call the attention of the committee is that without these words of limitation this provision will clearly grant to these inspectors $4 additional pay for every day in the year. I do not think that such is the intention of the Committee on Appropriations nor of the Committee of the Whole.

These men will always be away from their homes as soon as appointed; but they will be at headquarters most of the time, and as this is a per diem in lieu of an expense incurred, I think that a condition ought to be fixed in the law.

I confess that I am not familiar just now with what the law is; but I believe it is the clear intention of the law that the $4 a day in lieu of subsistence is not additional salary, unless the person is away from both his home and his headquarters in the discharge of his duties.

Mr. HEMENWAY. I am not quite sure, Mr. Chairman, discussing the merits of this proposition, whether or not this would be a good provision; but certainly it ought to be considered very carefully before being placed on this bill, and as this is only a deficiency bill, and this item will come up on the regular appropriation bill, I shall insist on my point of order until I can investigate more fully as to what the effect of this change would be. It is certainly a change of existing law.

The CHAIRMAN. The Chair desires to ask the gentleman whether there is any law at present specifying these salaries?

Mr. HEMENWAY. No law except such as is enacted in the appropriation bill. The current appropriation law has the language which appears in the deficiency bill. I know of no law other than the law fixed by the current appropriation law.

The CHAIRMAN. The Chair is of the opinion that this amendment is in order. It is merely descriptive of the purpose for which the money is to be appropriated. It does not create any new duties or any new offices. It merely amplifies what is already required under this provision. The Chair overrules the point of order. The question is on the amendment offered by the gentleman from Indiana [Mr. OVERSTREET].

The question being taken, on a division (demanded by Mr. OVERSTREET) there were—ayes 47, noes 8.

Mr. HEMENWAY asked for tellers.

Tellers were ordered; and the Chairman appointed Mr. HEMENWAY and Mr. OVERSTREET.

The committee again divided; and the tellers reported—ayes 78, noes 41.

Accordingly the amendment was agreed to.

The Clerk read as follows:

Hereafter the clerk of the supreme court of the District of Columbia shall account for official emoluments in the same manner as clerks of the United States circuit and district courts.

Mr. ROBINSON of Indiana. Mr. Chairman, at the request of my colleague [Mr. CRUMPACKER], who is unavoidably detained, and for him, I make the point of order against lines 9, 10, 11, and 12 of page 50 as being contrary to existing law. I am ready to cite to the Chair the provisions of the District code passed in 1901, and the provisions of the law of 1875 governing the conduct of the clerks with reference to their emoluments.

The CHAIRMAN. Does the gentleman make the point that this changes existing law?

Mr. ROBINSON of Indiana. That it changes existing law, and I have for the inspection of the Chair, or will read to the Chair, the code provisions which were passed in 1901 which govern the conduct of clerks with reference to their emoluments. The purpose of these lines in this bill is to have them governed by the general law of 1875. I will send a marked copy to the Chair. The purpose of this act is to make the provision of the general law applicable to the clerks, instead of the special law that was passed in the District Code of 1901.

The CHAIRMAN. It seems to the Chair that on the face of the paragraph it is legislation involving an accounting for official emoluments different from what the law now contemplates, and from the statute which the gentleman has sent to the desk it is evident that it is a change of existing law. The Chair therefore sustains the point of order.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill and

joint resolution of the following titles; in which the concurrence of the House was requested:

S. 3317. An act authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands; and

S. R. 36. Joint resolution accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and [illegible] the thanks of Congress to the donors therefor.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to concurrent resolution No. 13.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives to Senate concurrent resolution No. 21, had asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PLATT of New York, Mr. MCCOMAS, and Mr. GORMAN as the conferees on the part of the Senate.

URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

To pay amount found due on account of canceling machines, fiscal year 1902, as certified in House Document No. 366, of this session, $225.

Mr. OVERSTREET. Mr. Chairman, reserving the point of order, I should like to ask the gentleman in charge of the bill to explain that item just read.

Mr. HEMENWAY. For canceling machines?

Mr. OVERSTREET. To pay some one for canceling machines, lines 15 to 18, inclusive. What I desire to know is whether that is a clear deficiency or whether the item has been passed upon by any Auditor.

Mr. HEMENWAY. I suggest to the gentleman that the item is an amount found due by the Auditor for the Post-Office Department, an audited account, and so certified.

Mr. OVERSTREET. Is it a certification, or simply a report from the Auditor?

Mr. HEMENWAY. It is a certification of an amount found due by the accounting officers of the Post-Office Department. If the gentleman thinks it ought not to be paid, a motion to strike it out is in order.

Mr. OVERSTREET. I do not want it stricken out if it is a proper item; but I should like to inquire of the gentleman whether or not the hearings before his committee disclosed the fact that this property was actually purchased at a proper price and is now in use.

Mr. HEMENWAY. I refer the gentleman to Document No. 366, and can only say that the Auditor certifies that the amount is due. As to whether the item was purchased at a proper price or not I do not know. We simply have that certificate of the Auditor of an audited account sent down for appropriation.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[illegible] clerks appropriated for in the [illegible] fiscal year is hereby [illegible] class 4, at $1,000 [illegible] class 3, at $1,000 [illegible] class 2, at $1,000 [illegible] the aggregate sum [illegible] the Railway Mail Service in the post-office appropriation act of March 3, 1903.

Mr. OVERSTREET. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 52, line 21, strike out all after the word "allow" down to and including the word "each," in line 3, page 53, and insert in lieu thereof the following:

"Two thousand six hundred and fifty-six clerks of class 2, at not exceeding $1,000 a year each, and 780 clerks of class 1, at not exceeding $900 each.

The amendment was agreed to.

The Clerk read as follows:

Pay of laborers at division headquarters, rural free-delivery service, $205,44.

Mr. OVERSTREET. Mr. Chairman, I would like to ask the gentleman in charge of the bill to give some explanation in reference to the pay of laborers at these division headquarters.

Mr. HEMENWAY. Why, it was by some oversight in the classification of the employees of the Department. I will give Mr. Bristow's explanation. You will find this on page 163 of these hearings:

In the last post-office bill there was an appropriation for six clerks, at $900. Formerly they had been laborers, at $900. I suppose in the provision that it was just intended to make them clerks instead of laborers, but the Comptroller has decided differently, and the Civil Service Commission would not classify them. So they were dropped out and new clerks had to be put in their places. These clerks had worked until this much money was due them before we knew that.

In other words, this appropriation bill provides for the pay of these laborers who were used as clerks. The laborers went ahead and did the work, and it was ascertained that they were not allowed the salary until the bill was passed by Congress or is reported by the Post-Office Committee. So we pay these clerks for the time they did the work. This appropriation is necessary.

The Clerk read as follows:

To pay amounts found due by the accounting officers of the Treasury and certified in House Document No. 366 of this session on account of the rural free-delivery service for fiscal years as follows:

For the fiscal year 1902, $[illegible];

For the fiscal year 1903, $21,026.37.

Mr. OVERSTREET. Reserving the point of order, I would like to inquire of the gentleman in charge of the bill if these items have been certified by the Auditor?

Mr. HEMENWAY. I call the gentleman's attention to the reading of the bill.

Mr. OVERSTREET. I know the bill says they have been certified.

Mr. HEMENWAY. You will find that they have been audited by the accounting officers of the Treasury and certified in House Document 366 of this session, on account of free rural-delivery service for the fiscal year. I refer the gentleman to the document for the information.

Mr. OVERSTREET. The gentleman has the document in his hand. What I want to know is whether or not Document 366 says that they have been certified by the proper accounting officers who have passed on the facts and know the facts, or whether it is simply the report of an officer that they need the money? If it is a certification then I have no objection.

Mr. HEMENWAY. The bill so states.

Mr. OVERSTREET. The bill so states, but what does the report say?

Mr. HEMENWAY. Well, I suggest to the gentleman that it would not so state in the bill unless it was found that it was true as was stated, and if the gentleman still makes further inquiry I refer him to the document to which I have heretofore called attention. It is Document 366. Mr. Chairman——

The Clerk read as follows:

HOUSE OF REPRESENTATIVES.

For mileage of Members of the House of Representatives and Delegates from Territories for the second session of the Fifty-eighth Congress, $145,000.

Mr. HEMENWAY. Before that is read ——

Mr. MADDOX. I make the point of order on that.

Mr. HEMENWAY. I tried to stop the Clerk in the reading of the paragraph before we got to it.

Mr. MADDOX. It is understood that I reserve the point of order.

Mr. HEMENWAY. I tried to stop the reading, but did not succeed in doing it. I would like to have the attention of the House. Before the words "House of Representatives," on page 58, before line 1, I ask unanimous consent that the following be inserted, simply to correct the bill before we come to this item.

By an oversight in preparing the bill, or printing the bill, the mileage for the Senate was left out. Now, that ought to go into the bill, so that the point of order can be made against the whole item—the two items taken together—and any discussion that may occur may be made on the whole item under consideration.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the amendment which he sends to the Clerk's desk may be inserted before line 1.

The Clerk read as follows

On page 58, before line 1, insert the following:

"SENATE.

"For mileage of Senators for the second session of the Fifty-eighth Congress, $45,000."

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. I move to strike out the entire paragraph.

The CHAIRMAN. The gentleman from Georgia made the point of order against this paragraph.

Mr. LITTLEFIELD. I had risen for the same purpose. Does the Chair recognize the gentleman from Georgia?

The CHAIRMAN. The Chair had recognized the gentleman from Georgia upon the conclusion of the reading of the paragraph to make the point of order against the paragraph.

Mr. MADDOX. Mr. Chairman, I am aware of the fact that this point of order was raised to a similar section in an appropriation bill in the Fifty-third Congress.

The CHAIRMAN. Will the gentleman from Georgia answer the Chair a question for information? The Chair understands the gentleman's point of order includes the amendment offered by the gentleman from Indiana, and also the paragraph that has just been read.

Mr. MADDOX. Yes, sir.

The CHAIRMAN. The paragraph as amended with the provision for mileage for the Senate.

Mr. MADDOX. I say, Mr. Chairman, I am aware of the fact that a decision was made by the Chairman of the Committee of the Whole in the Fifty-third Congress holding that this same pro-

vision was in order at that time. I, Mr. Chairman, am not satisfied with that decision—at least, with the reasons given when the decision was rendered.

It may be that it is not subject to the point of order, but certainly the reasoning given there, or, in other words, the begging or dodging the question, as it seems to me, does not carry conviction to my mind or to anybody else, I think, who has given due consideration to this ruling, that it is at all conclusive and that this could stand as a precedent. I would like for some chairman to give a better reasoning for it. Now, the reason given in that opinion was simply this: Mr. Hayes, I believe, of Iowa, at that time argued against this point of order that was made by Mr. Lynch. The Chair, ruling upon that point, said that inasmuch as we had diverted the sum originally appropriated for the regular session of Congress to be used, or, in other words, had made it available in the extra session, therefore that there being no question about the present session being a regular session, just as in this present instance a regular session, that we were entitled to the mileage of that regular session.

Thereupon the Chairman decided that point—the point of order not well taken. He did not take into consideration when he decided the point as to whether the amount or the sum that had been appropriated for the regular session had been diverted to the extra session for which we were not entitled. They proposed to bolster up the decision by getting a letter from the Auditor at that time. The Auditor also dodges the question and says this thing being a regular session that they are entitled to the mileage. We all know that. The statute is perfectly plain upon that subject, that each regular session we are entitled to the mileage. The question is, though, are we, when we divert the regular mileage for the payment of a special or extraordinary session, to be allowed to come in here now and appropriate for a regular session when we have taken the mileage from the regular session, put it in our pockets and have spent it.

Now, that is the question I want to hear the Chair rule on. I apprehend that the Chair probably will have some trouble upon this point—that is, the question as to whether the extraordinary session merged into the regular session and made one continuous session, or, in other words, whether there was any length of time between the extraordinary session and the regular session by which we can claim that there have been two sessions of Congress. Now, so much for that point of order. Now the question is, if I may be permitted to go forward on this line, Is it expedient, gentlemen, to pass this resolution giving to ourselves this extra money?

Mr. GROSVENOR. Mr. Chairman, if the gentleman will yield to me for a moment, I want to ask unanimous consent to offer an amendment to the item under consideration.

Mr. MADDOX. All right.

Mr. GROSVENOR. And let it be pending to the proposition which the gentleman is now discussing.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to have pending, subject to the point of order——

Mr. GROSVENOR. Certainly.

The CHAIRMAN. An amendment, which the Clerk will report.

The Clerk read as follows:

Provided, That any Member of the Congress so desiring may cover any money due by him on account of this appropriation into the Treasury, and it shall be accounted for by the Secretary of the Treasury as a miscellaneous item.

[Applause.]

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? The Chair hears none.

This question does not involve the merits of the proposition, and the Chair hopes that gentlemen will confine themselves to a discussion of the point of order.

Mr. MADDOX. I would like to be heard on the merits, too.

The CHAIRMAN. There will be an opportunity for that, possibly, if the paragraph is retained in the bill.

Mr. MADDOX. I have often, not only in this House, but in other legislative bodies, heard that cheap amendment offered, such as has been offered by the gentleman from Ohio, before. I know I need not draw this money without the amendment, so far as that is concerned. I can exercise that right without any advice from the gentleman from Ohio or even of this House. That is my privilege to do, and it is my privilege to take it if I wish after this House has determined that it is legal. I am not proposing to set myself up here as better than any other Member of this House or that my judgment is better than anybody else's.

I want to say to the Chair that the Fifty-third Congress was not the first time that this question has been presented to the Congress of the United States. On more than two occasions that I know of—in which the records will bear me out—this proposition was voted down. As I say, the point is whether this is a regular session or an extraordinary session, or whether the extra session is merged into the regular session.

The CHAIRMAN. Does the Chair understand the gentleman from Georgia that if this is a regular session—the second session of the Fifty-eighth Congress—then there is authority of law for the appropriation carried in this paragraph?

Mr. MADDOX. The point I make to the Chair is simply this, that the appropriation made for the regular session was diverted to the special session, and the question now is as to whether this clause in the bill making a new appropriation for mileage for the regular session when we have already received that sum which was appropriated for the regular session. In other words, can we draw mileage for an extra session which was appropriated for the regular session and then vote ourselves another mileage for the regular session?

Mr. LITTLEFIELD said: Mr. Chairman, if in order, I would like to make a few suggestions in support of the point of order. I wish to state at the outset, Mr. Chairman, that I have not a word to say about the propriety or the impropriety of the pending proposition. Whether, if it reaches that stage, Members vote to pass the bill as it stands or vote to strike out the proposition is a question for every single individual Member, and I do not think he is to be criticised or reflected upon, either directly or indirectly, by any Member of the House. It is purely a personal proposition. I shall not spend a moment on the merits, or morality, or equity of the appropriation. In my judgment—of course I may be wrong—the appropriation is not authorized by existing law.

The appropriation provides for mileage for the second session of the Fifty-eighth Congress, and, in my opinion, the only question raised by the point of order, or that can properly be raised or debated in committee is whether or not this is a second session of the Fifty-eighth Congress, or whether we are now in the first session of the Fifty-eighth Congress.

The history of the situation is simply this: During the last term of Congress an appropriation was made for mileage for the Congress that would meet on the first Monday of December, 1903. Congress met on the 9th day of November, 1903, under a call of the President for what may be termed and sometimes is termed a "special session," or an "extraordinary session"—and I may say right here that the Constitution does not recognize any distinction between sessions; it does not refer to a regular session or a special session or an extraordinary session.

What is termed popularly a "regular" session, to be sure, begins on the first Monday of December of each year, because, unless otherwise provided, that is when Congress assembles. Congress is assembled when an extraordinary occasion exists under the proclamation of the President, and Congress did then assemble as the Fifty-eighth Congress. It is not mentioned in the Constitution as an "extraordinary" or "special" or "extra" session. It simply says "he may, on extraordinary occasions, convene both Houses, or either of them."

When this Congress met on the 9th day of November, or shortly after, by joint resolution, very properly it diverted the appropriation for mileage made for the Congress that was to meet on the first Monday of December, 1903, to the payment of the mileage of the Congress that met on the 9th day of November, 1903. But it left no appropriation for mileage for this Congress, assuming now that there is a distinction between the two sessions.

The precedent referred to in the Fifty-third Congress is not in the slightest degree in point. It hasn't anything to do with the case pending here, because there was in that case two separate and independent sessions. The law now provides that an appropriation for mileage can be made for each regular session, and the only question is whether the session we are now engaged in is a regular session. It does not make any difference how many days of the session we have had or how short the interregnum was if there was an interregnum, we are entitled to mileage for the regular session, in my judgment, nor if that is the fact do I see any legal reason why a man should be criticised for voting for it.

There is no question but that Congress has the power to appropriate or divert the mileage appropriated for a session beginning on the first Monday of December to one beginning on the 9th day of November.

Then the question recurs, there being no appropriation for mileage in addition thereto, will it now appropriate for mileage for the session that is alleged to have begun on the first Monday of December?

That raises the specific question as to whether or not we are now in a continuous session or whether there are clearly two sessions. If two sessions, this appropriation is correct; it is authorized by existing law and it ought to be made, and every man can properly receive it. Now, if there is a continuous session, then there is only one session, then there is no law that authorizes the appropriation of two mileages for any one session. What is mileage for a session? Mileage, I take it, is the sum that enables a Member of Congress to attend at the beginning and return to his home at the end of a session of Congress. Everybody concedes, no matter what the other facts may be, that in this case

this Congress, or, at least, Congress, did meet on the 9th day of November, 1903, and continued its session, in any event, until 12 o'clock noon on the 7th day of December, 1903, so that, of course, as a matter of fact, the mileage extended until that time.

We were paid for coming here on the 9th day of November, and we were paid for returning on the 7th day of December at 12 o'clock, and if there is an interregnum we would equally be entitled to pay under existing law for returning at the same 12 o'clock to attend the regular session. In my judgment the only question is, Is there one continuous session or, under the circumstances, are there two? In other words, is there an interregnum? In my opinion, and I may be wrong about it, there was no interregnum. Under what circumstances does Congress meet? What constitutes it together? Well, the provisions of the Constitution: and what are they? In the first place, this provision, which provides:

The Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different date.

In this case Congress has not by law appointed any different date, so that, so far as the discussion at this stage is concerned, that does not disturb us; but there is another way by which Congress can constitutionally meet. That is provided for in section 3 of Article II, prescribing the duties of the President:

He may, on extraordinary occasions, convene both Houses, or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper.

That is not a final adjournment, but simply an adjournment "to such time as he shall think proper." On extraordinary occasions he can call Congress in session. It is not an extraordinary session by the language of the Constitution, it is not an extra session by the language of the Constitution, but the extraordinary occasion intervening, then the President can exercise the power to call, for instance, the Fifty-eighth Congress into session. Congress having been constitutionally called to meet on the 9th day of November, 1903, and being in session, its session can not be terminated and ended except in one of two ways. What are they? First, by adjournment of the body itself; second, by operation of law.

The only question here is, then, whether after the 9th day of November, 1903, Congress had adjourned, in the first instance, on its own motion. Everybody concedes that it had not. There has not been any attempt to adjourn without day finally from that time until to-day. The only other question left is, Was Congress terminated by operation of law? because that is the only other way by which it can be terminated, and that brings us to this proposition: Does the fact that the Constitution requires Congress, if it is not in session, to meet on the first Monday in December of itself terminate a Congress that is then in session? In my judgment it does not. What is the purpose, object, and intent of that provision of the Constitution, and its only purpose, object, and intent? Simply to call Congress together in order that it may be in session as a Congress. It is simply for the purpose of calling it together.

The Constitution designates a specific day in order that Congress may "assemble *at least once in every year*." The assembling "*at least once* in every year" is the real essential and sole purpose of the specific constitutional day of meeting.

Now, Congress was already together and in session when that time intervened. It met on the 9th day of November, 1903, and continued in session, and there was no occasion for it to meet in order to begin session, because it was here in session. The only purpose that can be accomplished by this provision of the Constitution as to the time of meeting is to cause Congress to meet and begin a session. That is its only purpose and object. In this instance on the 7th day of December, 1903, this provision had nothing upon which to operate, as the Fifty-eighth Congress had already been and was then in session. The object of this provision had already been accomplished. The Fifty-eighth Congress had actually assembled "*at least once*" in the year 1903, and the only essential mandate of the Constitution had been obeyed. It is a familiar legal principle that when the reason for a law fails, the law fails and the rule ceases to operate. If the Fifty-eighth Congress had not been in session when the hour of 12 o'clock noon, December 7, 1903, arrived, it would have been its duty to meet and begin its session; but it had no occasion to meet for that purpose, either constructively or actually, because it had already met and was in session.

How can it with any propriety be said that it is the duty of Congress to meet when it has already met? It is a legal absurdity to say that a body that is in session, must meet either constructively or actually, in order to be in session. In order to hold that the session of the Fifty-eighth Congress, which began on November 9, 1903, terminated by operation of law at 12 o'clock noon December 7, 1903, it must be held that although the Fifty-eighth Congress was in full constitutional session at 12 o'clock noon on that day, it was terminated and the session ended in order that, at the same instant of time, the same Congress should be in like full constitutional session—being in session, by operation of law, by one act, and at the same moment of time a session is ended and begun in order that it may be in session when, as a matter of fact, the session is actually continuous. What is there to justify the assertion of this extremely fatal and attenuated technical legal proposition? This constructive termination of a session hardly approaches the dignity of a legal fiction, and the law abhors a fiction. It may perhaps tolerate a fiction in order to accomplish some substantial purpose that can not be attained in any other way, but not otherwise. Here the fiction was entirely unnecessary, as the essential result, a session "at least once in every year," had been already achieved. What is there about the Fifty-eighth Congress, that would have assembled at 12 o'clock noon December 7, if it had not already been assembled, that differentiates it from the same Fifty-eighth Congress that met November 9? Absolutely nothing. Has the latter any constitutional power not possessed by the former? None. Can it do anything that the other could not do? Nothing. Is there any legal reason why one is superior to or supersedes the other; why the former should give way to the latter? Absolutely none.

It must be borne in mind that these provisions of the Constitution relating to calling sessions of Congress are in no sense analogous to the by-laws of a corporation providing for the calling of meetings of the corporation. If they were, the provisions requiring Congress to meet on the first Monday of December might be thought parallel to the by-law providing for the annual meeting of the corporation at which officers are to be elected, and such other business transacted as may be specified in the call. Unless so specified, no other business can be transacted. The call for a special meeting of a corporation must specify the business to be transacted at the meeting, and the usual business of the annual meeting, such as the election of officers, could not be transacted at such meeting, because such business is by the by-laws to be considered at a specific meeting, and notice thereof would not be given in the call.

In the case of Congress, however, whether called by the President under the Constitution or meeting at the time specified in the Constitution or at the time appointed by Congress under the Constitution, it meets with the same plenary powers, and is in no sense limited or restrained as to the acts which it can do, by the time when, or the manner in which, it is called together, and there is, therefore, no legal reason why the Fifty-eighth Congress, meeting at the time fixed by the Constitution, in session at noon on December 7, can be held to displace or supersede the Fifty-eighth Congress in session at and prior to that time, meeting equally at the time fixed by the Constitution by virtue of the President's call. In order to overrule the point of order some such legal reason must be given. How is it that Congress, that has the power to change the time fixed for meeting by the Constitution, has not the power to continue its own session beyond the time thus fixed? It has elected to so continue it in this instance.

For the purpose of testing the principle, let us assume that the legislative day of December 5 extended without any recess until 12 o'clock noon on the 7th, at which time a roll call was in progress. Would the roll call be stopped and the session ended because if Congress had not met and was not in session it would have met at that time? If continuing after 12 o'clock, must Congress stop its business and, although it continues to sit, begin anew the consideration of the measure pending, or at least begin a new roll call? This would be the result if the session ended, as that would end the consideration of business pending. Will the Chair hold that a roll call could not be completed under such circumstances, and would not such a holding involve a palpable legal absurdity? The assumed condition might easily occur and is clearly involved in the operation of the proposition, and the Chair must so hold, I submit, in order to overrule the point of order.

So far as the action of Congress is concerned upon this question, the records disclose the following facts. The second session of the First Congress adjourned to meet on the first Monday of December next, which was the constitutional day. The Journal of the session that met on that day shows, however, that they met "on the day appointed by the two Houses for the meeting of the present session," instead of on the day appointed by the Constitution therefor.

In the following instances Congress met in session by virtue of the date fixed by it, by law, under the provision of the Constitution allowing them "to appoint a different day," and continued in session beyond the day that Congress would otherwise have met, as provided in the Constitution, on the first Monday of December:

The first session of the Second Congress;
The second session of the Second Congress;
The second session of the Third Congress;
The second session of the Fifth Congress;
The second session of the Sixth Congress;

The second session of the Eighth Congress;
The second session of the Tenth Congress;
The second session of the Eleventh Congress;
The second session of the Twelfth Congress;
The second session of the Fifteenth Congress; and
The second session of the Sixteenth Congress.

I do not contend, may it please the Chair, that these meetings of Congress under these circumstances are precisely in point upon my present contention, because Congress met then at the time fixed by law, which eliminated, under the terms of the Constitution, the constitutional time fixed for the meeting. But there are other instances that are precisely in point. In the following instances Congress was called in session by a proclamation earlier than the day fixed by the Constitution, and continued in session on that day and beyond that day without making any reference to that date or taking any notice of it, and there was no intimation that Congress was instantaneously adjourned and convened by operation of law:

The first session of the Eighth Congress, the first session of the Tenth Congress, the first session of the Twelfth Congress, and the third session of the Thirteenth Congress. Here are four cases in which Congress, if it may please the Chair, in the early history of the Republic gave a contemporaneous construction of this constitutional provision, and every one of them in the line of, and in harmony with, our contention sustaining the point of order. It is well settled that early and practically contemporaneous construction by legislative action is entitled to much greater weight than action that is remote.

The CHAIRMAN. Will the gentleman from Maine state whether or not any question whatever was raised in the cases he refers to as to the termination of the sessions preceding the regular sessions?

Mr. LITTLEFIELD. Not as the records disclose. In those cases the question was not even raised. The men in the early days of the Republic assumed that when Congress, called in session by the proclamation of the President, continued beyond the constitutional time otherwise fixed, that it was a continuous session and made one session, and the question was not even raised or suggested.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman from Maine permit one question?

The CHAIRMAN. Does the gentleman from Maine submit to an interruption?

Mr. LITTLEFIELD. Certainly.

Mr. COOPER of Wisconsin. I have not heard all of the gentleman's argument, but this occurs to me as being a pertinent question: All of the bills, all of the resolutions of this session, all of the Journals, are as of the second session?

Mr. LITTLEFIELD. Yes.

Mr. COOPER of Wisconsin. The second session of the Fifty-eighth Congress. How can there be a second session of a body which has not had a first session completed?

Mr. LITTLEFIELD. I will answer that question by asking another one. How can the clerks of the House or the officers of the House change a principle of constitutional law by labeling the bills or the records or the Journals of the House? Of course it tends to show what their opinion was, but in my judgment they can not thus change the constitutional law.

Mr. LIVINGSTON. On the line of your argument I want to bring this to your attention: Suppose this Congress now in session should continue until the first Monday in next December, up until 12 o'clock, and then proceed on until the 4th day of next March. Mileage being a sessional appropriation and not an annual appropriation, what would be your opinion as to the mileage for the next session?

Mr. LITTLEFIELD. The same proposition would apply to it. There would not be any next session so long as this session continues in session, without an adjournment or without a termination by operation of law.

Mr. GAINES of Tennessee. I should like to ask the gentleman——

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from Tennessee?

Mr. LITTLEFIELD. I should be glad to do this, if the gentleman will allow me: I should like to conclude the suggestions that I have to make and then I will answer any questions.

The CHAIRMAN. The gentleman declines to yield.

Mr. LITTLEFIELD. Now, I want to call the attention of the Chair to the fact that we not only have four Congresses between the Eighth and the Thirteenth where the construction that is now suggested was adopted, I concede without question or controversy—and I certainly have no desire to mislead any Member on this proposition—we not only have four Congresses in the early history of Congress, but we have two cases where Congress has substantially by its action adopted this proposition. The first is the Fortieth Congress. The first session of the Fortieth Congress met as appointed by law on the 4th day of March, 1867, and was in session on November 26, 1867, when the following resolution was presented in the Senate by Senator Grimes, of Iowa:

Resolved by the Senate (the House concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to adjourn their respective Houses without day on Monday, the 23d of December next, at 3 o'clock p. m.

Senator Sumner moved to amend the resolution by making the hour 12 o'clock, giving as a reason that Congress might not safely adjourn, for even so small a time, lest the President, who was thought by him to be patriotic, should improve the interval in time to issue commissions. He thought, therefore, that one session should come close up to the other, and that one should end when the other began.

His amendment was agreed to and the resolution as amended was adopted, and in pursuance thereof on Monday, the 23d of December, the presiding officers of the two Houses declared the Houses adjourned without day at 12 o'clock, and immediately thereafter they were called to order in the second session, and the roll was called by States.

Now, I ask the Chair to note this: If it had been true that by operation of law that Congress would have expired at 12 o'clock noon, was it necessary to adopt a concurrent resolution providing for adjournment at that time? Clearly not. Evidently the men who were in the Senate, Senator Sumner and Senator Grimes, assumed that without such action on the part of the Houses adjourning at that time Congress would have continued by operation of law, because otherwise there would have been no occasion for the adoption of the resolution.

Now let me go a little further, because it assumes the correctness of the legal proposition on which we rely. On October 15, 1877, the Forty-fifth Congress met in special session on the call of the President and remained in session until the first Monday in December, the day appointed by the Constitution for the regular assembling thereof. On Saturday, December 1, Mr. Fernando Wood, of New York, offered the following resolution, which was adopted by the House:

Resolved (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be and they are hereby directed to adjourn their respective Houses without day at 3 o'clock p. m. this day.

Thereafter on that day the House took a recess until 10 o'clock a. m. of the calendar day of Monday, December 3, the day prescribed by the Constitution for the meeting of the regular session of Congress. The Senate took a recess on the same day to the same hour on December 3. At that time—December 3, at 10 a. m.—immediately on the approval of the Journal of the Senate, Mr. George F. Edmunds, of Vermont, offered this resolution, which was agreed to without debate:

Resolved by the Senate (the House of Representatives concurring), That it is the judgment of the two Houses that the present session of Congress expires by operation of law at 12 o'clock meridian this day.

That resolution, I state frankly to the Chair, is precisely in point against our contention. It was adopted in the Senate without debate; it was concurred in by the House without debate, and so far as the record discloses without the slightest consideration, investigation, or deliberation. It was, at the most, purely academic. Although Senator Edmunds was a great lawyer, in the hurry and turmoil of that stage of a session, so far as we know, the resolution may have been drawn on the spur of the moment, and may not express his well-considered opinion. But there is other action taken in the same Congress that is absolutely inconsistent with this academic declaration upon the law relating to the ending of the session of Congress.

The Senate went on after that, after this resolution had been agreed to, the resolution in relation to the declaration of the law—after that resolution had been agreed to the Senate took up the former resolution of the House as to adjournment, disagreed to it, and adopted an amendment striking out "3 o'clock p. m. this day" and inserting "11.50 a. m. the 3d of December instant," and the House concurred in the amendment. Then the Houses agreed to the usual resolution authorizing the appointment of a committee to notify the President of the United States that Congress had adjourned, and the Speaker then declared the House adjourned.

Now, I ask the Chair to note this when he comes to rule upon this question. Here is an academic resolution that passed the Senate and passed the House without debate, without deliberation, a resolution that accomplished nothing, resulted in no action of any kind; and after the passage of that resolution, although that resolution declared that Congress would expire by constitutional limitation by virtue of law, after the adoption of this resolution the two Houses, placing no confidence in their own declaration, not relying upon their legal proposition, passed the joint resolution adjourning Congress, and then adjourned in pursuance of the resolution without day and met in the next session after ten minutes. But if their academic resolution had been sound law, they would have adjourned, or the session would have terminated by operation of law, without their last resolution. If their first resolution was sound, why clearly the second was unnecessary and entirely a work of superogation. While their dictum is against us their definitive legal action is the only precedent established, is by obvious construction, precisely in point in our favor.

So I call the attention of the Chair to the fact that there is no adverse legal precedent in the history of the Congress of the United States, and I challenge the production of one that can in any sense militate against the proposition suggested in behalf of this point of order. On the other hand, every precedent sustains it. These two cases to which I have called the attention of the Chair by necessary implication adopt the legal proposition relied upon to sustain this point of order. The action of Congress during four Congresses among the early part of its history adopted this theory without any question.

As I have said, Mr. Chairman, I simply present this as a legal proposition. I have not the slightest feeling about it one way or the other. I believe, my own judgment is, that as a matter of law this appropriation for this session, one appropriation already having been made for this session, is not authorized by the existing law. I do not believe, inasmuch as this Congress never has undertaken to adjourn, that it has been terminated by the operation of any such finical, attenuated, unsubstantial, technical legal proposition as that suggested, and which must be relied upon in order to establish the alleged interim, and therefore I believe, Mr. Chairman, that the point of order should be sustained.

Mr. GAINES of Tennessee. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from Tennessee?

Mr. LITTLEFIELD. Certainly.

Mr. GAINES of Tennessee. I have been very much interested in the gentleman's argument and now will ask him if an "end" to a session of Congress is not contemplated by this provision of the Constitution. I read from the Constitutional Manual, page [illegible]:

The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.

The word "end" is here used—"end of their next session"—that is, the Senate at least.

Now, suppose the President during the interim made a temporary appointment during the "recess," and the Senate refused (I do not allude to any particular case) to ratify the nominations thus made—two-thirds not voting, but a majority of the Senate or a majority of the Congress should force a continuous session—does the Constitution allow the Senate or Congress to do this? This would allow the President to foist upon the country temporary appointees whom the Senate—two-thirds—refuse to indorse, ratify.

Couple this provision of the Constitution with the other, "Congress shall meet once every year," are we not forced to conclude that sessions of Congress are ended by the Constitution and must in law at least begin and end sessions, and that Congress must meet "once every year" and must therefore end its sessions at least once "every" year, otherwise great confusion would follow.

Mr. LITTLEFIELD. That is assuming that Congress continues in session during the whole two years.

Mr. GAINES of Tennessee. Yes; that it just continues along.

Mr. LITTLEFIELD. Of course that would be a very violent assumption. Now, I am very glad to hear the gentleman state that he does not understand that there is any particular case to be affected by his interrogation.

Mr. GAINES of Tennessee. No; not at all, I assure the gentleman.

Mr. LITTLEFIELD. I have perhaps an indefinite impression there may be other cases pending elsewhere that might be affected by any suggestion we might make, and far be it from me to make any suggestion or reflection——

Mr. GAINES of Tennessee. Oh, no; I do not desire that at all.

Mr. LITTLEFIELD. As I was saying, far be it from me to express any opinion upon a hypothetical proposition which might be construed directly or indirectly as a reflection upon another branch of Congress—a coordinate branch of this great body.

Mr. GAINES of Tennessee. I am afraid that if that remained as the law of the land and Congress were opposed to the President it could go along and refuse to confirm nominations of the President until many public and high offices would be filled by temporary or recess appointments, condemned by two-thirds of the Senate refusing to confirm them. This would be deplorable, but continuous sessions would do this very thing, it seems to me.

Mr. LITTLEFIELD. That is just exactly what Congress did in 1867, when they adjourned at 12 o'clock noon. They did adjourn by their own action, and they accomplished the very purpose which seems to fill my friend with apprehension. I say it is possible for Congress to do it in that way also. I have no doubt of its power to accomplish the result in that way.

Mr. GAINES of Tennessee. The President has certain rights under the Constitution, and this is one of them, and Congress, by acting in the way you say, might rob the President of his Executive prerogative.

Mr. LITTLEFIELD. That was a matter for that Congress which sat then, and I will not waste time commenting upon that or expressing an opinion as to the propriety of the action. That is what it did, and it is what they could do again.

Mr. SHERLEY. I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Maine yield to the gentleman from Kentucky?

Mr. LITTLEFIELD. Certainly.

Mr. SHERLEY. The gentleman cites the Forty-fourth Congress. Was it necessary for that Congress to adjourn by joint resolution because it could not continue, owing to the fact that so far as some Members of both Houses were concerned their term of office had expired?

Mr. LITTLEFIELD. Well, your question might apply to the Senate, because the term of a Member of the House could not expire at irregular periods, of course.

Mr. SHERLEY. Say the 4th of March.

Mr. LITTLEFIELD. That might apply to the Senate. Well, the 4th of March would not involve the proposition so far as the first Monday in December is concerned, because it is too far removed from it.

Mr. SHERLEY. But it might apply so far as the Senate was concerned.

Mr. LITTLEFIELD. Well, you would hardly have a continuous session of the Fifty-eighth Congress after it had expired by constitutional limitation and the Fifty-ninth had come in. You could not get together the Fifty-ninth Congress by calling it during the period of the Fifty-eighth.

Mr. SHOBER. Mr. Chairman, will the gentleman yield to me?

Mr. LITTLEFIELD. Certainly.

Mr. SHOBER. Suppose by any chance—this being a hypothetical question also—suppose the President of the United States should call or had called, as he did, the Senate in special session, and had called the whole Congress of the United States together on March 5, and this Fifty-eighth Congress had remained in special session for two whole years, until the terms of the Members of the Congress had expired. I would like to ask the gentleman in that case what sort of a session it would be, and how it could be reconciled with the provision of the Constitution that there shall be two regular sessions, beginning on the first Monday of December?

Mr. LITTLEFIELD. I think when the Constitution of the United States requires that Congress shall assemble at least once in every year, that if it is assembled on every one of the 365 days it has assembled at least once in that year. Three hundred and sixty-five days would be 365 times once.

Mr. SHOBER. Then, Mr. Chairman, I would like to ask, in that event, how could you have two sessions when there is a continuous session from one end to the other?

Mr. LITTLEFIELD. I beg the gentleman's pardon; I do not think that necessarily follows.

Mr. McDERMOTT. Will the gentleman from Maine yield to me for a question?

Mr. LITTLEFIELD. With pleasure.

Mr. McDERMOTT. I understand the contention of the gentleman from Maine to be that we are now in the same session that we were in in November?

Mr. LITTLEFIELD. Yes.

Mr. McDERMOTT. My understanding of the Constitution is that there are two kinds of sessions of Congress. One what might be called the President's session, the other the constitutional session. The constitutional session has this provision in the Constitution, that neither House shall adjourn for more than three days without the consent of the other. Now, the session of Congress which I may designate as the Presidential session is under the control of the Executive. I call the gentleman's attention to page 23, section 3, of the book that he has in his hand.

On extraordinary occasion on which the President may convene both Houses in case of disagreement between them in respect to the time of adjournment, he may adjourn them to such time as he shall think proper. Now, if there has not been in its relation to the Executive any change in the session—in other words, if it is not another sitting as contemplated by the Constitution—then the President can adjourn Congress to-day to such time as he think fit, if there be a disagreement.

Mr. LITTLEFIELD. I will say this, because I think it is a pertinent and proper question. I will say that I do not think that clause has special reference, or is confined, to an extraordinary session, so called. It certainly is not confined to the special or extraordinary session in terms. I see no reason why it should

be confined to the special session. A deadlock in what may be termed a regular session is attended by the same inconveniences as a deadlock in a special session; and if it is important to remove it in one case it is equally important in the other.

If it was within the power of the President to adjourn the special session without day, and thus produce a recess or an interregnum between what you may call his session and the so-called regular session, I can see force in confining it to the special session. But this power is not conferred upon him. In that case it would be applicable to the special session, because it might be said that he had in that event the power to destroy what he had created. But he has no such power, and therefore no such reason applies.

There is no such thing as an extraordinary session. The Fifty-eighth Congress meets when an extraordinary occasion exists upon which the President bases his call. But if the contention of the gentleman from New Jersey applies, unless it creates a constitutional distinction between the two sessions it does not affect the proposition pending before the House. Why? Because it does not give him the power to adjourn Congress without day, and that is the question involved here, whether this Congress has ever adjourned without day. It is a matter of very little consequence whether he would still have the power in case of a disagreement between the two Houses to adjourn us from time to time. Does the gentleman get my idea?

Mr. MODERMOTT. I get the gentleman's idea, but it seems to me that it does not advance the argument. The President has no power to intervene unless the session is an extraordinary one. In other words, the President's session is to be held until they agree to adjourn, or until he tells them to adjourn. The question can not arise at a regular session. The President of the United States can not adjourn Congress as it is now constituted. We can remain in session for two years, from one session to another, and he can not adjourn it. Therefore the session which is called by the President of the United States has a constitutional distinction from that session which is called by the Constitution itself.

Mr. LITTLEFIELD. Where does the gentleman find in the Constitution that provision that undertakes to take care of the disagreement between the two Houses in a regular session, or isn't there any such provision?

Mr. MODERMOTT. Simply this, that you shall not adjourn for more than three days unless by agreement. It is not that you shall not adjourn for more than three days unless by agreement, provided that if you do not agree and the Executive thinks you should have agreed, he can fix the date of adjournment.

Mr. LITTLEFIELD. Does that apply to the regular session?

Mr. MODERMOTT. Why, no; but it does to the President's or extraordinary session.

Mr. LITTLEFIELD. Well, in the special session does the other provision apply to it?

Mr. MODERMOTT. In the special session you can not adjourn for more than three days without an agreement between the Houses. That would seem to apply; but if you do not agree to adjourn and the Executive desires to interfere, it being his session, he may interfere. Therefore, in the relation that we bear to the Constitution, there is an entirely different aspect between what is known as an extraordinary session and the session called by the Constitution. This was recognized last December by the President of the Senate when he adjourned the Senate. He declared that the Senate was adjourned by lapse of time. In other words, the Constitution having demanded that Congress shall meet on a certain Monday in December that then meeting in accordance with that demand of the Constitution, Congress was then under the Constitution and not in a Presidential session under the direction and power of the Executive. That is the difference between the two propositions, in my view.

Mr. LITTLEFIELD. That is the difference between the two Congresses in the gentleman's view, as I understand it.

Mr. MODERMOTT. Yes.

Mr. LITTLEFIELD. Inasmuch as your suggestions involve the whole question I do not see how it tends to militate against the proposition, if I am correct in my reasoning.

Mr. THOMAS of Iowa. Mr. Chairman, I would like to ask the gentleman from Maine a question. Are we now in session on the call of the President or under the provision of the Constitution requiring us to convene on the first Monday in December?

Mr. LITTLEFIELD. I think we are in session, Mr. Chairman, by virtue of the provision of the Constitution that authorizes the President to call Congress in session on an extraordinary occasion.

Mr. THOMAS of Iowa. We are not in session under the authority of both. We must be in session either under the call of the President or under the constitutional provision.

Mr. LITTLEFIELD. Each has constitutional authority.

Mr. THOMAS of Iowa. Certainly; but we are not now in session under both, are we?

Mr. LITTLEFIELD. Oh, no; I do not think we are.

Mr. GROSVENOR. Well, which is it, then?

Mr. LITTLEFIELD. I think we are in session under the call of the President.

Mr. GROSVENOR. What became of the duty put upon us by the Constitution? Have we violated it?

Mr. LITTLEFIELD. No; that duty was already performed, and it was unnecessary to again perform it. Now, the law does not require a man to do an absurd or an impossible or an unnecessary thing.

Mr. THOMAS of Iowa. One further question. I apprehend, as we are proceeding now, unless the two Houses agree on a resolution to adjourn, we would continue in session until the 4th of March, next year, would we not?

Mr. LITTLEFIELD. Most certainly we would, either under a regular or a special session.

Mr. THOMAS of Iowa. If we could not agree on a time to adjourn in a special session, the President could adjourn us to some day in the future, could he not?

Mr. LITTLEFIELD. He may possibly adjourn us, under that provision of the Constitution, from time to time.

Mr. THOMAS of Iowa. Can he do it as we are now proceeding?

Mr. LITTLEFIELD. I do not see why not if we do not agree.

Mr. THOMAS of Iowa. Where is the constitutional power for that? I do not think there is any.

Mr. HEMENWAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

REMOVAL OF SNOW AND ICE FROM THE STREETS.

Mr. McCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Joint resolution (H. J. Res.—) to provide for the removal of snow and ice from the streets, cross walks, and gutters of the business portion of the District of Columbia.

Resolved, etc., That the sum of $[illegible] is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be immediately available, for the purpose of [illegible] for the removal of snow and ice from the streets, cross walks, and gutters of the business portion of the District of Columbia, to be paid upon the requisition of the Board of Commissioners of the District of Columbia and the disbursement of the money by the disbursing officer of the District of Columbia, in the manner provided by law for the payment of other expenses of said District: Provided, that the same shall be expended under the direction of the Commissioners of said District, and the other half out of the Treasury of the United States.

The SPEAKER. The gentleman from Minnesota asks unanimous consent for the present consideration of the resolution which the Clerk has just read. Is there objection?

Mr. UNDERWOOD. Reserving the right to object, I wish to inquire whether this resolution has been referred to any standing committee.

Mr. McCLEARY of Minnesota. The resolution was considered by the subcommittee of the Committee on Appropriations having charge of the appropriations for the District of Columbia. I also conferred with a number of other members of the general committee and hope that under the circumstances the measure will meet the prompt concurrence of the House.

Mr. UNDERWOOD. I will ask the gentleman whether the full subcommittee was in attendance and whether the report was unanimous?

Mr. McCLEARY of Minnesota. The subcommittee was present in its entire membership, except one; and the report was unanimous, both sides being represented.

Mr. UNDERWOOD. I would like to inquire whether this is the amount usually appropriated under these circumstances, or is it in excess of that?

Mr. McCLEARY of Minnesota. The amounts have varied all the way from $1,000 to $20,000. The commissioners in this case asked for $20,000; but inasmuch as Congress is in session and can meet any succeeding emergency as it may arise, we concluded to recommend an appropriation of $5,000.

The SPEAKER. Is there objection to the present consideration of this joint resolution?

Mr. COWHERD. I should like to ask the gentleman from Minnesota whether there has not been a similar appropriation made this session?

Mr. McCLEARY of Minnesota. There has been.

Mr. COWHERD. Has that appropriation been spent? As I remember, the bill making the appropriation did not get through until after the snow had, to a large extent, melted.

Mr. McCLEARY of Minnesota. The gentleman is in error. That is very rare for him, and hence I take the liberty of mentioning it.

Mr. COWHERD. Has that appropriation been spent?

Mr. McCLEARY of Minnesota. I am advised by the president of the Board of Commissioners that the last of that money will

be expended this afternoon. It is for to-morrow and succeeding days that this money is needed.

The SPEAKER. Is there objection to the present consideration of this joint resolution? The Chair hears none.

The House accordingly proceeded to the consideration of the joint resolution, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. McCLEARY of Minnesota, a motion to reconsider the last vote was laid on the table.

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 4115. An act granting an increase of pension to Joseph S. Young;

H. R. 2991. An act granting an increase of pension to Lydia A. Topping;

H. R. 5177. An act granting an increase of pension to William H. Clark;

H. R. 5005. An act granting an increase of pension to Worthington S. Lock;

H. R. 7002. An act granting an increase of pension to James S. [illegible];

H. R. 2616. An act granting an increase of pension to Joseph K. Welt;

H. R. 2650. An act granting an increase of pension to Thomas Kelly;

H. R. 2042. An act granting an increase of pension to Alvin B. Hubbard;

H. R. 1856. An act granting an increase of pension to Alexander H. Covert;

H. R. 3743. An act granting an increase of pension to Charles E. Foley;

H. R. 864. An act granting an increase of pension to Albert Moulton;

H. R. 2108. An act granting an increase of pension to Henry D. Wright;

H. R. 3000. An act granting an increase of pension to William C. Best;

H. R. 5197. An act granting an increase of pension to William C. Brown;

H. R. 661. An act granting an increase of pension to Elizabeth E. Moakly;

H. R. 3778. An act granting an increase of pension to Juliaetta R. [illegible];

H. R. 5321. An act granting an increase of pension to Hannah Padgett, now Riley;

H. R. 6975. An act granting an increase of pension to George W. Lawson;

H. R. 942. An act granting an increase of pension to James F. Hardy;

H. R. 1517. An act granting an increase of pension to George W. Hutchison;

H. R. 2188. An act granting an increase of pension to Richard L. Cook;

H. R. 2155. An act granting an increase of pension to Charles W. [illegible];

H. R. 4935. An act granting an increase of pension to Edward T. Miller;

H. R. 7870. An act granting an increase of pension to Andrew Ivory;

H. R. 5719. An act granting an increase of pension to Forbes H. [illegible];

H. R. 3001. An act granting an increase of pension to Alpheus C. [illegible];

H. R. 5521. An act granting an increase of pension to Charles S. Clark;

H. R. 3013. An act granting an increase of pension to John A. Maying;

H. R. 722. An act granting an increase of pension to Zechariah B. Stuart;

H. R. 6004. An act granting an increase of pension to William C. Lyon;

H. R. 6619. An act granting an increase of pension to Benjamin R. Little;

H. R. 6441. An act granting an increase of pension to Peter Fellion;

H. R. 3472. An act granting an increase of pension to Marcus E. Amsden;

H. R. 930. An act granting an increase of pension to Thomas M. Parkison;

H. R. 3472. An act granting an increase of pension to David F. Lewis;

H. R. 6880. An act granting an increase of pension to Charles E. Likes;

H. R. 4726. An act granting an increase of pension to Samuel B. Brightman;

H. R. 1184. An act granting an increase of pension to William F. Longenhagen;

H. R. 990. An act granting an increase of pension to Harrison W. Fox;

H. R. 1288. An act granting an increase of pension to Jason Stevens;

H. R. 907. An act granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

H. R. 5246. An act granting an increase of pension to Sebastian B. Elliott;

H. R. 957. An act granting an increase of pension to Alonzo Carpenter;

H. R. 7666. An act granting an increase of pension to Laura F. Hine;

H. R. 4319. An act granting an increase of pension to John Sexton;

H. R. 895. An act granting an increase of pension to Margaret M. Walker;

H. R. 616. An act granting an increase of pension to Sarah S. Chrysler;

H. R. 2139. An act granting an increase of pension to James W. Kight;

H. R. 5841. An act granting an increase of pension to Abram Wilson;

H. R. 1908. An act granting an increase of pension to Harvey D. Barr;

H. R. 4200. An act granting an increase of pension to Milton H. Sweet;

H. R. 5464. An act granting an increase of pension to Francis M. Northern;

H. R. 5559. An act granting an increase of pension to Josephine C. Chase;

H. R. 4916. An act granting an increase of pension to Allen M. Pierce;

H. R. 6932. An act granting an increase of pension to Harvey R. King;

H. R. 5043. An act granting a pension to William H. Harrison;

H. R. 5010. An act granting a pension to Mary F. Hamilton;

H. R. 227. An act granting a pension to Margaret Cotter;

H. R. 2424. An act granting a pension to Emma Butler;

H. R. 196. An act granting a pension to Grace E. Carson;

H. R. 9292. An act in relation to business streets in the District of Columbia;

H. R. 7849. An act to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Francis River at or near the town of Marked Tree, in said county and State; and

H. R. 6804. An act providing for the appointment of a customs appraiser at Pittsburg, Pa.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3317. An act authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands—to the Committee on Indian Affairs.

S. R. 36. Joint resolution accepting a reproduction of the bust of Washington from certain citizens of the Republic of France and tendering the thanks of Congress to the donors therefor—to the Committee on the Library.

CHANGE OF REFERENCE.

By unanimous consent, the Committee on Foreign Affairs was discharged from the further consideration of so much of House Document No. 354 as refers to the claims of Ramon O. Williams and Joseph A. Springer; and the same was referred to the Committee on Claims.

LEAVE OF ABSENCE.

Mr. HULL, by unanimous consent, obtained indefinite leave of absence, on account of important business.

ADJOURNMENT.

And then, on motion of Mr. HEMENWAY (at 5.20 o'clock p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Commissioner of Patents, submitting his annual report—to the Committee on Patents.

A letter from the Secretary of War, submitting a reply to the inquiries of the House relative to the use of horses and carriages in the War Department—to the Committee on Expenditures in the War Department, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MARSHALL, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect, reported the same with amendment, accompanied by a report (No. 637); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the Senate (S. 1935) providing for the holding of an additional term of court in the northern district of West Virginia at Martinsburg, W. Va., reported the same without amendment, accompanied by a report (No. 639); which said bill and report were referred to the House Calendar.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9640) to amend an act granting to the Keokuk and Hamilton Water Power Company right to construct and maintain a dam, etc., approved February 5, 1901, reported the same without amendment, accompanied by a report (No. 640); which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1909) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land, reported the same with amendment, accompanied by a report (No. 641); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCLEARY of Minnesota, from the Committee on the Library, to which was referred the concurrent resolution of the House (H. C. Res. 38), that the thanks of Congress be given to the people of Wisconsin for the statue of James Marquette, the renowned missionary and explorer, reported the same without amendment, accompanied by a report (No. 642); which said concurrent resolution and report were referred to the House Calendar.

Mr. JENKINS from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 9656) to permit United States marshals to delegate authority to sign official checks, reported the same without amendment, accompanied by a report (No. 643); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 486) granting a pension to Green B. Yawn, reported the same without amendment, accompanied by a report (No. 620); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2559) granting a pension to James Graham, reported the same without amendment, accompanied by a report (No. 621); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2809) granting an increase of pension to Jesse J. Finley, reported the same with amendment, accompanied by a report (No. 622); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2418) granting a pension to Marit Johnson, reported the same without amendment, accompanied by a report (No. 623); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9669) granting an increase of pension to William Edgar, reported the same without amendment, accompanied by a report (No. 624); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8185) granting a pension to Herman Lemmerman, reported the same with amendment, accompanied by a report (No. 625); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8648) granting a pension to Shadrach D. Bardin, reported the same without amendment, accompanied by a report (No. 626); which said bill and report were referred to the Private Calendar.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8173) granting an increase of pension to Anna Waters, reported the same without amendment, accompanied by a report (No. 627); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6351) granting an increase of pension to Charles G. Corr, reported the same with amendment, accompanied by a report (No. 628); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7680) granting an increase of pension to De Witt C. Foster, reported the same with amendment, accompanied by a report (No. 629); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5090) granting a pension to William H. Mount, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5879) granting an increase of pension to Bennett Putnam, reported the same with amendment, accompanied by a report (No. 631); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9402) granting an increase of pension to Daniel Nagle, reported the same with amendment, accompanied by a report (No. 632); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4750) to place W. I. Jackson on the pension roll, reported the same with amendment, accompanied by a report (No. 633); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 1005) granting a pension to Marat E. Powell, reported the same with amendment, accompanied by a report (No. 634); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 880) granting a pension to Caroline S. Winn, reported the same with amendment, accompanied by a report (No. 635); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 877) granting a pension to Ann M. Driggars, reported the same with amendment, accompanied by a report (No. 636); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 2769) granting an increase of pension to William E. Armstrong, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AMD MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SNAPP: A bill (H. R. 11347) to provide for enlarging and improving the United States building at Aurora, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. MARTIN: A bill (H. R. (11348) to set apart certain lands in the State of South Dakota as a public park, to be known as the Battle Mountain Sanitarium Park—to the Committee on the Public Lands.

By Mr. DIXON: A bill (H. R. 11349) for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of all surplus lands after allotment—to the Committee on Indian Affairs.

Also, a bill (H. R. 11350) to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

By Mr. PRINCE: A bill (H. R. 11351) granting bounty to certain soldiers of the war of the rebellion—to the Committee on War Claims.

By Mr. LINDSAY: A bill (H. R. 11352) in addition to the acts creating the office and defining the duties of the supervisor of the harbor of New York, and to regulate towing within the limits of said harbor and adjacent waters—to the Committee on the Merchant Marine and Fisheries.

By Mr. MADDOX: A bill (H. R. 11353) to distribute the surplus in the Treasury of the United States to the several States, Territories, and the District of Columbia for the sole purpose of improving the roads therein—to the Committee on the Post-Office and Post-Roads.

By Mr. FITZGERALD: A bill (H. R. 11354) to authorize the Secretary of the Navy to cede certain lands to the city of New York—to the Committee on Naval Affairs.

Mr. HERMANN: A bill (H. R. 11355) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect—to the Committee on Indian Affairs.

By Mr. FITZGERALD: A bill (H. R. 11356) to prevent the unauthorized use of the names or pictures of persons for the purposes of trade—to the Committee on the Judiciary.

By Mr. McDERMOTT: A bill (H. R. 11357) to amend section 4452 of the Revised Statutes of the United States, relating to appeals from decisions of supervising inspectors of steamboats—to the Committee on the Merchant Marine and Fisheries.

By request: A bill (H. R. 11358) to amend an act entitled "An act to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York City, by dumping or otherwise, and to punish and prevent such offenses"—to the Committee on Rivers and Harbors.

By Mr. HERMANN: A bill (H. R. 11359) to provide for the payment of a bounty to District of Columbia volunteers—to the Committee on War Claims.

By Mr. FINLEY: A bill (H. R. 11360) for the erection of a public building at Gaffney, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. BRICK: A bill (H. R. 11361) to legalize and permit the maintenance of certain dams in and bridges over the St. Joseph River, in the States of Indiana and Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. SHOBER: A bill (H. R. 11362) authorizing the President of the United States to establish free depots or manufacturing colonies—to the Committee on Ways and Means.

By Mr. SIBLEY: A bill (H. R. 11433) to prevent Sunday banking in post-offices in the handling of money orders and registered letters—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 11434) to empower the Interstate Commerce Commission to fix transportation rates in certain contingencies—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 11363) correcting the military record of James W. Byrd—to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 11364) for the relief of the St. Louis Hay and Grain Company—to the Committee on War Claims.

By Mr. BEIDLER: A bill (H. R. 11365) granting an increase of pension to Henry Rottman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11366) granting an increase of pension to Virginia Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11367) granting an increase of pension to George Reese—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11368) to correct the naval record of Alfred Burgess—to the Committee on Naval Affairs.

Also, a bill (H. R. 11369) to correct the naval record of John Rohrer—to the Committee on Naval Affairs.

By Mr. BELL of California: A bill (H. R. 11370) to relieve the Italian-Swiss Agricultural Colony from the internal-revenue tax on certain spirits destroyed by fire—to the Committee on Claims.

By Mr. BRICK: A bill (H. R. 11371) for the relief of William H. Anderson—to the Committee on the Post-Office and Post-Roads.

By Mr. BROOKS: A bill (H. R. 11372) for the relief of David K. Wall and the heirs of John A. Whitter, deceased—to the Committee on Claims.

By Mr. BROWNLOW: A bill (H. R. 11373) making appropriation to pay the estate of Samuel Lee, deceased, in full for any claim for pay and allowances made by reason of the election of said Lee to the Forty-seventh Congress and his services therein—to the Committee on Claims.

By Mr. CALDERHEAD: A bill (H. R. 11374) granting an increase of pension to William Wells—to the Committee on Invalid Pensions.

Also (by request), a bill (H. R. 11375) for the relief of William Gregory—to the Committee on Military Affairs.

By Mr. DAVIS of Florida: A bill (H. R. 11376) granting an increase of pension to Milton A. Smith—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: A bill (H. R. 11377) granting an increase of pension to Mahala J. Price—to the Committee on Pensions.

Also, a bill (H. R. 11378) granting a pension to William Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11379) granting a pension to H. R. Creceline—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11380) removing charge of desertion from the military record of George W. Hann—to the Committee on Military Affairs.

Also, a bill (H. R. 11381) granting an increase of pension to Marion H. Messinger—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 11382) granting an increase of pension to Mary Peternmann—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 11383) to correct the military record of Nathaniel Leonard—to the Committee on Military Affairs.

Also, a bill (H. R. 11384) granting a pension to Julia A. Wysong—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11385) granting a pension to Ella S. Plank—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11386) granting a pension to Annie S. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11387) granting a pension to Patrick Kinney—to the Committee on Pensions.

Also, a bill (H. R. 11388) granting an increase of pension to Calvin Tobias—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11389) granting an increase of pension to Henry C. Penrod—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11390) granting an increase of pension to Daniel Shock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11391) granting an increase of pension to George Weight—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11392) granting an increase of pension to Levi Kegg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11393) granting an increase of pension to Adam Leonard—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 11394) for the relief of Frank P. Hayes—to the Committee on Military Affairs.

Also, a bill (H. R. 11395) removing the charge of desertion from the naval record of Patrick Naddy—to the Committee on Naval Affairs.

By Mr. FLACK: A bill (H. R. 11396) granting a pension to Winifred Casey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11397) granting a pension to William Leonard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11398) granting an increase of pension to Joseph E. Cobb—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 11399) granting an increase of pension to James Sleeth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11400) granting an increase of pension to Lambert Johnston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11401) granting an increase of pension to James C. Neff—to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 11402) granting an increase of pension to Agnes B. Hesler—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 11403) granting a pension to John M. Bailey—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 11404) granting an increase of pension to William H. Wood—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: A bill (H. R. 11405) for the relief of the legal representatives of Joseph White, deceased—to the Committee on War Claims.

By Mr. HASKINS: A bill (H. R. 11406) granting an increase of pension to Horace B. Stetson—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 11407) for the relief of George F. Ormsby—to the Committee on Claims.

Also, a bill (H. R. 11408) granting an increase of pension to Michael Brunner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11409) granting an increase of pension to William Grant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11410) granting an increase of pension to Almon Bradford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11411) granting a pension to Mary Johnson—to the Committee on Invalid Pensions.

By Mr. HUGHES of West Virginia: A bill (H. R. 11412) to remove the charge of desertion from record of Jefferson Mullins—to the Committee on Military Affairs.

By Mr. HUNTER: A bill (H. R. 11418) granting an increase of pension to Jasper F. Morton—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 11419) to correct the military record of Thomas McAvoy—to the Committee on Military Affairs.

By Mr. LEGARE: A bill (H. R. 11420) for the relief of estate of Rudolph Lobsger, deceased, late of Charleston County, S. C.—to the Committee on War Claims.

By Mr. LINDSAY: A bill (H. R. 11421) granting a pension to Mary E. Morris Houghton—to the Committee on Pensions.

By Mr. LITTAUER: A bill (H. R. 11422) granting a pension to Ada Collins—to the Committee on Invalid Pensions.

By Mr. McREA: A bill (H. R. 11423) for the relief of the heirs at law of Robert D. Salmons, deceased—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 11424) for the relief of John W. McAfee—to the Committee on War Claims.

By Mr. SHACKLEFORD: A bill (H. R. 11425) granting an increase of pension to William Hogg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11421) granting an increase of pension to M. Champlain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11422) for the relief of George Barron—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 11423) granting a pension to Evelyn S. Beardslee—to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 11424) granting an increase of pension to William W. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11425) granting an increase of pension to Henry Bostick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11426) for the relief of the heirs and representatives of William G. Burke, deceased, late of Harford County, Md.—to the Committee on War Claims.

By Mr. THOMPSON: A bill (H. R. 11427) for the relief of the legal representatives of the estate of Henry C. Sills, deceased—to the Committee on War Claims.

By Mr. WILLIAMSON: A bill (H. R. 11428) for the relief of Augustus Fellows—to the Committee on Invalid Pensions.

By Mr. WYNN: A bill (H. R. 11429) to reimburse the city and county of San Francisco, State of California, for money paid by said city and county to Mary Powers upon a judgment recovered by her against said city and county for damages to her property inflicted by soldiers of the United States Army—to the Committee on Claims.

Also, a bill (H. R. 11430) to reimburse the city and county of San Francisco, State of California, for money paid by said city and county to R. Goldberg upon a judgment recovered by him against said city and county for damages to his property inflicted by soldiers of the United States Army—to the Committee on Claims.

By Mr. COOPER of Pennsylvania: A bill (H. R. 11431) granting an increase of pension to Henry O'Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11432) granting an increase of pension to Jacob Weaver—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Ira Stephens and other citizens of Watseka, Ill., against sale of liquors in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. ADAMS of Pennsylvania: Resolution of General Thomas C. Devin Post, No. 363, Grand Army of the Republic, of Philadelphia, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BABCOCK: Resolution of Williamson Post, No. 109, Grand Army of the Republic, of Dodgeville, Wis., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: Papers to accompany House bill for the relief of the St. Louis Hay and Grain Company—to the Committee on War Claims.

By Mr. BARTLETT: Resolution of the city council of Brunswick, Ga., relative to improvement of inner harbor and outer bar at Brunswick, Ga.—to the Committee on Rivers and Harbors.

By Mr. BEIDLER: Petition of C. D. Weightman and 35 others, of Medina, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BENNY: Paper to accompany claim of Ferdinand W. Rave—to the Committee on Claims.

By Mr. CLAYTON: Petition of residents of Bullock County, Ala., relative to the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CASSINGHAM: Resolution of Wayne Post, No. 296, Grand Army of the Republic, of Orrville, Ohio, in favor of a service pension bill—to the Committee on Invalid Pensions.

By Mr. EMERICH: Letter of E. G. Stearns, of Chicago, protesting against bill H. R. 7056, relative to licensing engineers for and lessees of craft—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Grain Dealers' National Convention at Minneapolis, relative to interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Farragut Post, No. 609, and General W. P. Hazen Post, No. 7, of Chicago, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of National Business League of Chicago, favoring larger Navy—to the Committee on Naval Affairs.

Also, telegram of Hibbard, Spencer, Bartlett & Co., of Chicago, advocating permanent Indian supply warehouse in Chicago—to the Committee on Indian Affairs.

Also, resolutions of Chamber of Commerce of Quincy, Ill., and Aermoter Company, of Chicago, favoring Lodge bill for reorganization of the consular service—to the Committee on Foreign Affairs.

Also, memorial of Five Civilized Tribes, favoring independent statehood for Indian Territory—to the Committee on the Territories.

Also, resolutions of Illinois River Association, favoring deep waterway from the Great Lakes to the Gulf of Mexico—to the Committee on Rivers and Harbors.

By Mr. EVANS: Resolutions of Lieutenant W. H. Lower Post, No. 82, and Emery Fisher Post, No. 30, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Altoona Ministerial Association, in favor of the Hepburn interstate liquor bill—to the Committee on the Judiciary.

By Mr. FLACK: Papers to accompany House bill granting a pension to Winifred Casey—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of Resaca Post, No. 478, Grand Army of the Republic, of Genoa, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Eleventh Ward Improvement Club of Chicago, relative to lowering tunnels under Chicago River—to the Committee on Rivers and Harbors.

By Mr. GARDNER of New Jersey: Resolutions of Lyon Post, No. 10; Joe Hooker Post, No. 32, and Martin Delaney Post, No. [illegible], Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of pastor and congregation of Chelsea Presbyterian Church, Atlantic City, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GREENE: Resolution of Massachusetts State Board of Trade, favoring merit system in appointment of consuls—to the Committee on Foreign Affairs.

Also, resolution of the Philadelphia Board of Trade, favoring bill H. R. 7056, relative to merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Massachusetts State Board of Trade, relative to destroying derelicts on the Atlantic Ocean—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Massachusetts State Board of Trade, favoring arbitration treaties between United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. GROSVENOR: Papers to accompany claim of the heirs of Joseph White—to the Committee on War Claims.

Also, papers to accompany bill H. R. 5966, granting an increase of pension to Alfred Howser—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting increase of pension to Daniel J. Nunnemaker—to the Committee on Invalid Pensions.

By Mr. HARDWICK: Resolution of the mayor and council of Brunswick, Ga., relative to the improvement of inner harbor and outer bar at Brunswick, Ga.—to the Committee on Rivers and Harbors.

By Mr. HEMENWAY: Petition of J. M. Zimmerman & Son and others, of Lynnville, Ind., urging defeat of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. G. Rees and others, citizens of Mount Vernon, Ind., urging defeat of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY of Connecticut: Petition of the official representatives of the Ancient Order of Hibernians of Connecticut, relative to the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. HILDEBRANT: Papers to accompany bill granting a pension to Michael Brunner—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Resolution of the State and county officers of the Ancient Order of Hibernians of Connecticut, in favor of the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. HINSHAW: Petition of citizens of Nebraska, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the postmaster of Geneva, Nebr., relative to changes in third-class post-offices—to the Committee on the Post-Roads.

By Mr. HITT: Resolutions of Robert Hale Post, No. 556, of Fulton, Ill., and Rochelle Post, No. 546, of Rochelle, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Mr. LACEY: Resolution of Tom Connor Post, No. 399, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Resolution of Joseph E. Colby Post, Grand Army of the Republic, Department of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MAHON: Resolutions of Colonel Peter B. Housum Post, No. 25, Captain John E. Walker Post, No. 287, and John C. [illegible] Post, No. 407, Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petition of G. B. Smith and 18 others, of [illegible], N. Dak., and F. R. Shaw and 37 others, of Pembina, [illegible], in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Petition of citizens of Monroe City, Ind., protesting against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. PRINCE: Resolutions of John Wood Post, No. 96, of [illegible], Ill., and Joseph P. Jasley Post, No. 542, of Camp Point, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RAINEY: Resolutions of W. W. H. Lawton Post, No. [illegible], of Griggsville, Ill.; Dick Gilmer Post, No. 515, of Pittsfield, [illegible] J. Q. A. Jones Post, No. 526, of Havana, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Resolution of H. M. Warren Post, No. 12, Grand Army of the Republic, of Wakefield, Mass., in favor of a service-pension bill—to the Commitee on Invalid Pensions.

Mr. ROBINSON of Indiana: Petition of S. Bash & Co., of Fort Wayne, Ind., in favor of bill H. R. 6273, to define the duties of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Papers to accompany bill H. R. 8078, to pension William J. Mosier—to the Committee on Invalid Pensions.

Also, petition of Cigar Makers' Union No. 2, of Buffalo, N. Y., favoring passage of bill H. R. 6—to the Committee on Ways and Means.

Also, petition of Greater New York District Council, United Brotherhood of Carpenters and Joiners of America, against employment of enlisted men as carpenters—to the Committee on Military Affairs.

By Mr. SHERMAN: Resolution of Little Falls (N. Y.) State Grange, relative to legislation for good roads—to the Committee on Ways and Means.

By Mr. SOUTHWICK: Resolutions of William G. Mitchell Post, No. [illegible], Grand Army of the Republic, Department of New York, and General W. S. Hancock Regiment, No. 15, Union Veterans' Union, Department of New York and New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: Resolution of the Board of Trade of Fernandina, Fla., relative to the treaty between the United States and the Republic of Panama—to the Committee on Foreign Affairs.

By Mr. SPERRY: Resolution of the Ancient Order of Hibernians of Connecticut, favoring the erection of a monument to the memory of John Barry—to the Committee on the Library.

By Mr. STEPHENS of Texas: Petition of Rev. J. H. Gambrell [illegible] of Tyler, Tex., in favor of the passage of the Hepburn-[illegible]—to the Committee on the Judiciary.

By Mr. SULZER: Petition of vessel owners, fishermen, and others, relative to paying bounty on dogfish to insure their extinction—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Greater New York District Council, United Brotherhood of Carpenters and Joiners of America, against employment of enlisted men as carpenters—to the Committee on Military Affairs.

By Mr. VAN VOORHIS: Papers to accompany bill granting an increase of pension to Alfred S. Wood—to the Committee on Invalid Pensions.

By Mr. WANGER: Resolutions of Lieutenant John W. Fisher Post, No. 101; T. H. Wynkoop Post, No. 427, and George Smith Post, No. 79, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Joseph T. Fitzpatrick, of Norristown, Pa., for the erection of a monument to Commodore John Barry—to the Committee on the Library.

By Mr. WARNOCK: Resolution of Boggs Post, No. 558, Grand Army of the Republic, of Huntsville, Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WEEMS: Papers to accompany House bill granting an increase of pension to Mathew S. Priest—to the Committee on Invalid Pensions.

HOUSE OF REPRESENTATIVES.

SATURDAY, *January 30, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

URGENT DEFICIENCY BILL.

On motion of Mr. HEMENWAY, the House resolved itself into Committee of the Whole on the state of the Union (Mr. TAWNEY in the chair) and resumed the consideration of the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

Mr. FULLER. Mr. Chairman, I listened with a great deal of interest yesterday to the learned and able discussion by the gentleman from Maine [Mr. LITTLEFIELD] on the point of order now before the committee. I recognize the fact that he is a great lawyer and that his opinion is entitled to much weight with this committee. But I must differ with him in the conclusion he reaches upon the point before the committee. I agree with him fully as to his first statement, that the only question that can be raised upon this point of order or before this committee is whether or not this is the second session of the Fifty-eighth Congress or whether we are now in the first session, because that session was as much a regular session as any session of Congress that could be held.

If we are now in the second or so-called "regular" session of the Fifty-eighth Congress, then I agree with him that there can be no question that it was the duty of the Committee on Appropriations to include in the bill reported by that committee this appropriation for the mileage of Members at this session.

But I differ with him on the other proposition, that we are now in the first session of the Fifty-eighth Congress. My opinion is that that session, called by the President, upon an extraordinary occasion, came to an end at the hour of 12 o'clock noon on the 7th day of December, when we were, under the Constitution, and have ever since been in another, the regular or second session of the Fifty-eighth Congress.

This so-called "regular" session is provided for by the Constitution of the United States, which declares that the Congress shall meet on the first Monday in December. We did meet upon that day in the regular or constitutional session; and no matter how the extraordinary session ended, it had come to an end; and that is not a matter of argument simply, but it is a matter of judicial decision, I think, in every State of this Union.

I will cite an illustration which seems to me to be absolutely conclusive upon that question. Every lawyer in this House knows, as to the proceedings of courts, that there may be a special session of court, for instance, or it may be a regular session of court, and that session may run up to the very moment when another session of that court, provided for by law, must be held.

Would the gentleman say that processes returnable to the regular term of court could be held to be void because there was no such term; and when the time came would not that court be in session for the regular term as provided by law? Would not jurors be compelled to appear there at and for that regular term as summoned; and would not all the proceedings of that term of court be as of the regular term of court sitting for that time? And would not the first term have lapsed by operation of law?

That, I think, is so held everywhere. In all of the great cities one term of court runs right up to the very time when another term of court, provided for by law, is to commence. And when that term arrives—the January term, for instance—from that moment the court is in session as of the January term, and all the rules of the court apply as of that term. Jurors come there to that term. Suppose, for instance, that one man, or more than one, had been upon the jury of the term before and was also summoned to appear there as of that term. He would be bound again to appear at the January term, for instance, commencing upon the day fixed by law. He would be entitled to his mileage for

that term, and the whole proceedings, from the time that the regular term must convene under the law, would be as of that term. There would be two separate and distinct terms of court. The term which lapsed by law would be the first and not the subsequent term.

So with legislative bodies. It matters not how a former session may have come to an end. I contend that, so far as this House at least was concerned, the extraordinary session came to an end when we adjourned on Saturday, the 5th day of December, without day; and when we met here on Monday, the 7th day of December, we met in the regular or constitutional session of Congress, provided for by the Constitution of the United States, and from that day and from that hour all proceedings of this Congress have been as of the second session of the Fifty-eighth Congress, the regular session provided for by the Constitution.

Suppose, for instance, that under the power granted to the President of the United States, upon a disagreement between the two Houses as to the adjournment of that session, he had adjourned Congress until the 12th day of December, as he might have done, and suppose that Congress then came together here, as we were bound to do under the Constitution, on the 7th day of December as next. What session of this Congress would it have been? Manifestly the regular or constitutional session as distinguished from the extraordinary session, which had adjourned to a time beyond the constitutional date for the convening of the regular session.

As a legal proposition, and without interest or feeling in the matter in any other way, I contend that there can be no doubt, upon the argument made by the gentleman from Maine himself, that we are now in the second session of the Fifty-eighth Congress, and the Committee on Appropriations had no discretion but to provide for this appropriation. [Loud applause.]

Mr. PARKER. Mr. Chairman, this is a question which is addressed to the legal conscience of the Chairman of this committee and of each one of its members. It is to be governed by law. The law is to be expounded by common sense, by its reason, and its purpose, and, expounding that law in that way, I believe that there has been but one session of this Congress and that this appropriation is not authorized by law.

The law, in addition to $5,000 a year, gives to each Member mileage coming to and returning from each regular session. I find no difficulty in the word "regular." It is not confined, in my judgment, to the annual session. "Regular" means governed by rules; and whether we come here on the call of the President or by reason of the annual meeting, we come here in pursuance of the rules of the Constitution, and therefore the session is regular. It is easy, however, to see why that word was placed in the statute. Congress itself, without the consent of the President, by concurrent resolution, can adjourn now for one month and go home. It would not be a regular session when we came back again; it would be an adjourned session, taking its force not from the rules established by the Constitution, which make it regular and force attendance, but from the action of the House, which can by no means confer upon itself mileage.

I therefore dismiss, so far as my mind is concerned, the suggestion that there can be no mileage for a session called upon an extraordinary occasion. But——

Mr. GILLETT of Massachusetts. Will the gentleman allow a question there?

Mr. PARKER. Yes.

Mr. GILLETT of Massachusetts. Has the gentleman examined the history of this statute at all?

Mr. PARKER. No, sir.

Mr. GILLETT of Massachusetts. I think if the gentleman would he would find—I looked at it this morning—that in 1852 the word "regular" was used, and it was used in contradistinction to the word "extra." It said:

No mileage shall be allowed for an extra session.

And then used the word "regular," thus showing that when it began the word "regular" was used in contradistinction to the word "extra."

Mr. PARKER. It seems to me, however, and I submit to the gentleman that when they left out the provision in the new statute that no mileage should be allowed for an extra session they meant to avoid that construction and meant to allow mileage for any session which we were forced to attend, because mileage is for compulsory attendance and for nothing else.

Now, in common sense, however, and in a common-sense construction of the statute, we have been in continuous session since the 9th day of November.

Mr. THAYER. Mr. Chairman—

The CHAIRMAN. Does the gentleman from New Jersey yield to the gentleman from Massachusetts?

Mr. PARKER. For a question, yes, with pleasure.

Mr. THAYER. I would like to ask the gentleman from New Jersey how he explains this position on the theory that we are now in continuous session? The first article of the Constitution, section 4, in the last clause, provides:

The Congress shall assemble at least once every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day.

Does that give any authority to the President of the United States, or place any authority anywhere, to say that we shall be relieved from gathering here on the first Monday in December, unless we appoint another day? And if so, are we not now in the session provided for by the Constitution?

Mr. PARKER. The gentleman is simply anticipating what I am coming to. There is no difficulty whatever upon that score in my mind, and if the gentleman will listen to the end of what I have to say, if I have not answered, I will then answer.

We met in a regular session, although upon an extraordinary occasion, on the 9th day of November. We assembled, and there was a meeting of Congress. From day to day, by ordinary adjournment of not exceeding three days, we assembled and met until the 7th day of December, and the 8th day of December, and until the present time.

Mr. THAYER again rose.

Mr. PARKER. Will the gentleman pardon me? I do not wish to be interrupted in the middle of my statement. I thought the gentleman understood my position, that I wished him to wait until I finish what I have to say. I would like to answer him then.

The CHAIRMAN. The gentleman from New Jersey declines to yield.

Mr. PARKER. We assembled and met from day to day. On the Saturday previous we adjourned to assemble and meet upon the 7th day of December. We met on the morning of the 7th day of December. When we assembled and met on that 7th day of December we did it in pursuance of that adjournment. We did it also in pursuance of a duty imposed by the Constitution to meet on that day. The fact that we had a new sanction for meeting upon that day did not destroy the fact that we had adjourned to that day and continued our session. We had performed our duty by the adjournment to that day. The sanction of the Constitution confirms our action. That adjournment was in accordance with the statute that we should assemble and meet upon that day, and that continuance was that to which we were bound by law.

Mr. LIVINGSTON. I want to ask the gentleman to explain this action on the part of the House: When we met on the first Monday in December we notified the Senate that we were now organized and ready for business; we notified the President that we were now organized and ready for business. If that was a continuous session, why did we do that?

Mr. PARKER. I understand the gentleman's question, and I can give him an answer that is perfectly complete. We did it to take every precaution. We could not adjourn the session that existed, except by the joint, concurrent action of both Houses. It could not be adjourned without day.

Mr. SMITH of Kentucky rose.

Mr. PARKER. I ask the gentleman to please wait until I am done. I have asked not to be interrupted. I told one gentleman I wished him to wait, and I shall have to ask the gentleman from Kentucky to wait.

The CHAIRMAN. The gentleman declines to yield.

Mr. PARKER. I say we adjourned by the simple action of this House. The Senate adjourned at the same time. There was no concurrent resolution by both Houses such as would have made an adjournment of Congress without day. It was simply the adjournment of each House to that day on which they had to assemble and meet, and in which they did assemble and meet, with two sanctions for such an assemblage—one the adjournment, the other the order of the Constitution that we should meet on that day—two sanctions which were not inconsistent the one with the other.

The Constitution simply confirmed the action that we had taken. Now, I will go one step further. It is not merely a question of money or of mileage. I know nothing about existing conditions, but I will say, as a matter of principle, that the Constitution orders that all appointments to office made by the President, when Congress is not in session—and in this great Government there are many—shall remain until the adjournment of the Senate. It was intended that that body should have full time and that in its discretion it should take such time as it thought necessary for the consideration of such nominations. It would be a very bad construction of the Constitution, so far as results are concerned, if by a mere technicality of law, after less than one month, the Senate is to be held adjourned against its will as the clock struck 12, making it impossible for nominations to be sent in during any vacation except by a rush, and making it necessary to renominate, instead of going on with deliberation on the nominations already in their hands until concluded. I submit that the fact that they met on the next day or on the same day, by warrant of a new sanction in pursuance of a new duty, did not vacate the fact that they met in pursuance of the adjournment. I will go one step further and am ready to contend, though without so much certainty——

Mr. GAINES of West Virginia. Will the gentleman yield to me for one moment?

Mr. PARKER. Not now. I am ready to contend, though without so much certainty in that connection, that when the law spoke of the session it meant a session in fact; it means a sitting; it means a continuous sitting; it does not involve the question whether it is authorized in one way or in another; it means such a sitting as forces a man to come from his home and forces him to stay here until he goes back again. I submit that to allow mileage for the time that the clock was striking 12, to go 3,000 miles to the other side of the continent and to come back, was not intended by the law, which spoke of the reality of a regular session or sitting and not of a fictitious interval between two sessions or sittings, and that the law therefore must be construed by its purpose, which was to provide for possible travel, the movement of a man with his family and belongings during a real vacation of Congress, and not a fictitious move during the time of that adjournment. We have talked of horses and carriages for official use, Mr. Chairman. I submit that no ruling should be made which will allow a mileage for fictitious travel, for it is only a fiction if it be done.

It is brought before us that at one time in our history there was a concurrent resolution for adjournment without day for only a few minutes. The gentleman from Maine, who has been over the records, may be able to tell me whether mileage was allowed for the hours of the adjournment at that time; but whether there was or no, that adjournment at that time, as everyone in the House knows and as stated in the debate, was taken under circumstances of great public urgency, where the Senate and the House were not in agreement with the President, and where it was feared that something wrong might happen during the time of the adjournment. That is not the sort of precedent that should govern. The precedents that should govern this House are the precedents of which there are so many, absolutely uncontradicted—precedents following what I consider to be the absolute governing law.

Now, Mr. Chairman, I appeal to the gentlemen of the committee to pardon anything that I have said that seems too earnest. Each man's conscience, each man's opinion, is his own, and he has a right to it. I am only urging considerations which have governed me and have led me, with great reluctance, fearing that I might say something that might offend the honest judgment of my fellows, to believe that this point of order is well taken; and now, Mr. Chairman, I am ready to answer any questions that gentlemen may desire to ask of me.

Mr. PAYNE. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. PARKER. I will answer the gentleman from New York.

Mr. PAYNE. In view of the fact that the President of the Senate adjourned the Senate at 12 o'clock on the 7th day of December, with the remark that the special or extraordinary or called session, whatever it may be designated, had expired, because Congress now assembled under the clause of the Constitution requiring it to assemble on Monday; and in view of the fact that both Houses had a regular call of the Members of the respective Houses, in this House by States and a roll call in the Senate to ascertain if a quorum was present, and the fact that the present presiding officers of each House, and especially this House, because we are more concerned in this House than the other, declared that a quorum had assembled; and in view still further of the fact that the House adopted a resolution notifying the Senate that a quorum of the House had appeared, and also appointed a committee to join a committee from the Senate to inform the President of the United States that the two Houses had assembled and a quorum was present, and asking if he had any communication to make, and receiving the message; and in view of the fact that the Journal of the House, the files of the House, have recognized every day since the 7th of December that this was the second session of the Fifty-eighth Congress, is it not rather late now to ask the Chairman of the Committee of the Whole House to rule that the House in its determination has been all wrong since the 7th day of December, and that now we must go back and hold that this is the called session and not the constitutionally provided date session of the Fifty-eighth Congress?

Mr. PARKER. Mr. Chairman, I find no difficulty in the question propounded. The statement of the President of the Senate was a statement of his individual opinion at that time, and it binds neither the Senate nor ourselves. I know from the debates since then, and especially from a careful argument upon another subject by the Senator from Maine, that many other Senators do not agree with him in that construction.

The other matters mentioned—the calling of the roll, the sending to the President, the keeping of the Journals of the House—are all matters which may very well be done every day. There are many legislative bodies in which the roll is called every day, and when we have much business here we have it called a good deal. The roll was called on the day upon which we had to be here, and upon which it was essential that we should be here, and was proper in order to show that a quorum was present because on that day we began to act under a second sanction and under a second duty, as well as by the duty imposed upon us by the adjournment of the previous session. The message to the President was to show that that duty had been especially performed on that particular day, but it was no less a continuance of the previous session that assembled and met on that day.

Mr. PAYNE. It signified nothing that we notified the President that the two Houses had assembled on that day?

Mr. PARKER. It signified this: That we notified him that we had assembled, according to our duty under the law, and it was also an assembling made necessary by the adjournment on the previous day.

Mr. PAYNE. How about the Journal, which says this is the second session?

Mr. PARKER. The Journal of this House does not have the force of a concurrent resolution, and the statement as to whether this is the first or second session is one of those things which is simply a matter of formality.

Mr. PAYNE. Is it not the only evidence that the court looks at to see what the action of the House was?

Mr. PARKER. Yes; but it is merely a designation.

Mr. OLMSTED. Will the gentleman from New Jersey yield to me?

Mr. PARKER. Certainly.

Mr. OLMSTED. I would like to ask the gentleman from New Jersey if it is not the fact, as he understands it, that when Congress is in session, regular or extraordinary session, either House may, under the Constitution, without the consent of the other, adjourn for a period not exceeding three days?

Mr. PARKER. Yes.

Mr. OLMSTED. Would you say that this House on the 5th of December could have lawfully adjourned until the 8th of December, notwithstanding the constitutional mandate that Congress should assemble on the 7th of December, which was the first Monday?

Mr. PARKER. No; we could not adjourn to the 8th of December, because we were ordered to assemble on the 7th. I said that we had a double sanction for assembling—one the adjournment, and the other by the Constitution. We assembled to meet on that day as we did on all previous days, but with a new sanction, and, as matter of fact, the session was continuous.

Mr. THAYER. Mr. Chairman, will the gentleman yield?

Mr. PARKER. I will.

Mr. THAYER. I want to ask a question, but perhaps in this conversation that has taken place on the other side the point may have been brought out. I want to set the gentleman right when he said that we had adjourned from time to time until 12 o'clock, December 7, the extraordinary session. The record of this House shows that on December 5 the Speaker declared this House adjourned—not until 12 o'clock on Monday, not sine die, not to any time or any particular time, but he declared it adjourned, and there is no record that it ever reconvened. The record of the Senate shows that upon December 7 they adjourned sine die before they commenced the regular session, which began on the 7th of December.

I merely wanted to set him right on that, and then, if he has time, I would like to go back and ask him the question I first asked relative to the Constitution in this matter, a subject upon which, if he spoke, I did not hear one word.

Mr. LITTLEFIELD. The RECORD shows the same thing in reference to every day.

Mr. PARKER. I am told that the RECORD shows the same thing with reference to adjournment on every day; but I want to say that we know perfectly well ourselves that the session of December 5 was continued to the 7th of December.

Mr. THAYER. I want to ask the gentleman if, so far as was in the power of this House, on Saturday, December 5, we did not adjourn and never reconvene?

Mr. PARKER. We adjourned as we did on every Saturday, which carries us over to the next Monday at 12 o'clock.

Mr. SMITH of Kentucky. Mr. Chairman, the question that I desire to ask has been substantially asked by some other gentlemen. Now, I agree with the gentleman from New Jersey [Mr.

PARKER that by the terms of the Constitution Congress was required to convene at 12 o'clock on Monday, December 7. My question is this: Was not our adjournment on the previous Saturday, the 5th of December, to an impossible time? And is not an adjournment to an impossible time tantamount to an adjournment sine die? For instance, if we should adjourn—

Mr. PARKER. One moment. We adjourned to a possible date, a legal date, and a necessary date, namely, December 7.

Mr. SMITH of Kentucky. No, sir. The point I make is this, that the Constitution fixed Monday, December 7, as the time when a session of Congress should begin.

Mr. PARKER. Now—

Mr. SMITH of Kentucky. It does not—

Mr. PARKER. Now, we assembled and meet on that day and we adjourned so as to assemble and meet on that day; but it does not say we shall begin on that day.

Mr. SMITH of Kentucky. That is the difference between "tweedledum and tweedledee." The proposition that I have stated more clearly in this statement: Suppose that on the 5th day of March, before the expiration of our term, the Congress passed a resolution to adjourn to the 7th of March. Would not that operate as a sine die point sine die?

Mr. PARKER. We can not reason at any rate in any argument sine die without the concurrent action of the Senate.

Mr. SMITH of Kentucky. If the House have the adjournment under its power to adjourn three days at a time or for an indefinite time to the 7th of March, would not that then operate as a sine die adjournment of the House?

Mr. PARKER. We would have no power to meet on the 5th of March, after our term of office should expire, and therefore it would be sine die.

Mr. SMITH of Kentucky. That is the point I make.

Mr. PARKER. We would have power to meet on the 7th day of December, as we did, and [illegible] adjourned [illegible] the 5th day, and the adjournment was valid because I had the power to adjourn.

Mr. COOPER of Wisconsin. Mr. Chairman, as we have been [illegible] times until during this debate, the only question involved before us is as to the proper construction to be put upon some two provisions of the Constitution, one providing that the meeting of the ordinary or regular session of Congress shall be on the first Monday in December. And the other providing for the assembling of Congress in special session. I wish to say a few words in reply to the gentleman from New Jersey [Mr. MARTIN], who has just spoken, and who is a very acute and accomplished lawyer, to be of very little weight, if any, in any way whatever this absolute command of the Constitution of the United States. Does anybody question that if the Congress of the United States should pass a law or a concurrent resolution, if one were needed, adjourning from the first Monday in December to the 15th of January, that that would not be a compliance with the command of the Constitution? Not at all. It might not be wise, it might not have been passed; nor should it weigh an iota in determining the question of the duty of Congress. We met on the first Monday in December in pursuance of a resolution of adjournment of the Fifty-first Congress, and we adjourned to a [illegible] Monday in December, unless they should be called together in special session by the President. It is said that there has never been a precedent established for such a resolution. The gentleman from Maine [Mr. LITTLEFIELD], and that early Congresses went directly from a special session into a regular session and treated it as one session.

Mr. MARTIN. Mr. Chairman—

Mr. COOPER of Wisconsin. Just one moment. He has not cited a precedent as well as [illegible] F. Ellsworth of the greatest of our constitutional lawyers, introduced in the Senate a resolution declaring that a special session ended when it met by law when the regular session began. The gentleman from Maine [Mr. LITTLEFIELD] [illegible] a compensation, which was passed, was passed in a minute [illegible] without any discussion, was directly opposed to his contention. He therefore thought it of little importance. But the [illegible] Senator Edmunds introduced that resolution and that it received the unanimous vote of the Senate are facts entitled to great weight in this discussion.

But, Mr. Chairman, if it were true that there is no precedent contrary to the gentleman's contention, that, in and of itself, would not be conclusive. Congress had uniformly held that a question decided by the Constitution, passed a [illegible] and had a precedent [illegible] Supreme Court. Such, indeed, in the [illegible] it was overthrown in this Chamber, and [illegible] that time-honored precedent has been given the [illegible] by the Supreme Court of the United States. A bad precedent does not make good law.

There is a constitutional provision for an extraordinary, but there is also one for a regular session of Congress. If there were no constitutional provision for a regular session, we should be at the mercy of the President of the United States, as the people of

session of Congress would have been to open the way to tyranny in the United States. Did that Constitutional Convention then fail to make provision for a regular session of Congress? No language could be plainer than this phraseology in the Constitution:

Congress shall assemble at least once in every year—

That is, Congress shall assemble at least annually—

That is, [illegible] meeting

[illegible] Monday in December, unless they—

Congress—

[illegible]

The language is mandatory. The meeting must be on the first Monday in December, and the first Monday in December comes regularly as the world revolves around the sun or turns upon its axis.

Under the Constitution, as [illegible] the 3d Monday in December Congress [illegible] a different day [illegible] by law.

The gentleman from Pennsylvania [Mr. OLMSTED] hit the [illegible] I had intended to [illegible] and to [illegible] the gentleman from New Jersey [illegible] I will yield to the gentleman from New Jersey [illegible]

MARTIN. I will yield to the gentleman from Maine [illegible] the 5th day of December preceding the first Monday in December, the day of that month should the House and the Senate by concurrent resolution have adjourned over the holidays [illegible] and of necessity [illegible] the Constitution, that Congress should [illegible] Monday in December, as Congress itself has enacted a law appointing a different day, and there is no such law.

[illegible] have been either a statute, or a joint resolution [illegible] President. This special session [illegible] November. Having met on the [illegible] Monday in December. As to the calling of the [illegible] a question for each man to answer for himself. I have [illegible] my time since the convening of the special session, and I never [illegible] is voted.

Mr. GROSVENOR. Does the gentleman from Wisconsin [illegible] understand that under the statutes this sum of money called "mileage" has anything to do with the compensation of a member? Or is it a part of the compensation added to the salary of a year?

Mr. COOPER of Wisconsin. I presume that may be so.

Mr. GROSVENOR. Will the gentleman yield permit me to read the words of the statute of 1866, section 17:

[illegible] from the seat of the general government, and in addition thereto, mileage at the rate of 8 cents per mile.

Mr. COOPER of Wisconsin. Mr. Chairman, I desire briefly to refer to the argument made by the distinguished gentleman and lawyer from Maine [Mr. LITTLEFIELD], in which he said that the Constitution does not provide for an extraordinary session of Congress nor for a regular session, and that there is no distinction between sessions, that they are all alike. Mr. Chairman, I beg to differ with the gentleman from Maine on this point. The word "extraordinary" is used in the Constitution in this connection:

He (the President) may on extraordinary occasions convene both Houses or either of them.

If the President "on an extraordinary occasion" convenes both Houses, it is an extraordinary session of Congress.

In Webster's Unabridged Dictionary he defines the word "extraordinary" as "not usual, not regular." An extraordinary session is therefore a session which is not a regular session. And would it not be a most remarkable thing, Mr. Chairman, if Alexander Hamilton and James Madison and Benjamin Franklin and George Washington and their compatriots and associates at Philadelphia in that wonderful Constitutional Convention had forgotten to provide for a regular session of Congress? If they had not provided in the Constitution for a regular session of Congress, then all would have been left to the discretion of the President, and should he choose to be a man of the ideas and of the disposition of Charles I, Congress would not assemble during his term of office. Not to have provided in the Constitution for a regular

England were at the mercy of the Stuarts when they refused to assemble the British Parliament. And I am unwilling to believe that the great statesmen in that Convention, presided over by the greatest of all men, George Washington, forgot so vitally important a duty as the appointing of a date for the regular meeting of Congress.

Mr. MARTIN. Will the gentleman yield for a question? The gentleman has, I think, very clearly demonstrated that a regular session of Congress convenes on the first Monday of each December by operation of law. I should like to ask if it does not follow logically and legally that if a regular session convenes by operation of law, fixed in the Constitution, at a particular time, the session in force theretofore must conclude by operation of law at the same instant.

Mr. COOPER of Wisconsin. I do not think that there can be any question about it. The answer, in my judgment, is yes.

Mr. LITTLEFIELD rose.

The CHAIRMAN. The Chair is ready to rule, but the Chair will recognize the gentleman from Maine.

Mr. LITTLEFIELD. I do not rise, Mr. Chairman, for the purpose of answering the discussion, but I will say just a word in response to the suggestion made by the distinguished gentleman from Illinois [Mr. FULLER], who spoke with a great deal of force and a great body of argument, upon the analogy between a session of Congress and a session of Congress. I would concede that if the analogy is sound, his argument is entitled to great weight, if not, perhaps, be conclusive; but I wish to submit that the analogy is not sound, because a session of Congress, among other things, is returnable; motions are to be made within a certain time and pleas in abatement are to be filed. The court has no power to change the day fixed for its meeting. None of these things are true of Congress. No process is returnable to a session of Congress. Nothing is to be done by virtue of the law or the Constitution on the specific day of meeting, or within a particular [illegible] day; these are the elements involved in a session of court are entirely absent in connection with a session of Congress, and the analogy is not complete.

I [illegible] just a word with reference to the suggestion very [illegible] and forcefully made last [illegible] New Jersey [Mr. MARTIN], and that is with [illegible] as to whether the clause providing that the President may convene Congress from time to time is limited [illegible] ns to a special or extraordinary or Presidential session [illegible]. If so limited, beyond any question it would create [illegible] between the two sessions, which [illegible] the question pending.

[illegible] adjournment last evening I have taken occasion to read [illegible] son's Journal of the Constitutional Convention, and [illegible] upon that precise point, for the purpose of ascertaining [illegible] ght, if any, might be [illegible] and [illegible] to give the committee the benefit of the investi-

[illegible] that in the report of the committee on detail, made on August 6, 1787, that the clause in question appears in Article X, section 2, which reads as follows:

[illegible] give information to the Legislatures of the [illegible]

[illegible] man & Co. Ed.

This is the first time the clause appears in the proceedings of the Convention. It appears in a section [illegible] the powers and duties of the President with the clause antecedent [illegible] of Congress in an extraordinary session, where they would naturally be expected to appear. It will be observed that the two [illegible] are placed in separate and distinct [illegible] One [illegible]

[illegible] them on extraordinary occasions.

And the other—

In case of disagreement between the two Houses with regard to the time of adjournment, he may adjourn them to such time as he thinks proper.

In this section the argument of juxtaposition as a reason why the clause in question is a limitation upon the so-called "Presidential session" clearly fails.

In the report of the committee on style, which had no power to change any substantive provision of the Constitution and only had the power to perfect the language and arrangement of such on September 12, 1787, those two independent sentences are grouped together, making two clauses of one section in Article II, section 3, cited, 799, reading as follows:

He may on extraordinary occasions convene both Houses, or either of them, and in case of disagreement between them with respect to the time of adjournment, he may adjourn them to such time as he shall think proper, etc.

transposing the first sentence and slightly varying the second. Article X, section 2, down to and including the words "He shall commission all officers of the United States," as the report of the committee on detail, appears in the report of the committee on style, in Article II, section 3. The substance of the latter clause of section 2 remains entirely unchanged, and with some slight change of verbiage is found in sections 1 and 2 of Article II, in the report of the committee on style.

Under these conditions the argument of juxtaposition seems entitled to but little weight. There is nothing, so far as I can find in the debates in the Convention, to indicate that the clause of this section in the report of the committee on detail, and later on the report of the committee on style.

In the Federalist, in No. 68, written by Mr. Alexander Hamilton, who was also a member of the committee on style reporting the Constitution in the language in which it now stands, the clause is referred to and considered. This is the ground taken in which Mr. Hamilton is defining the powers and the limitations upon the power of the President of the United States, and with reference to this specific point he says:

[illegible] in the National Legislature in the [illegible]

Look for a moment to particulars. If [illegible] to a special session, it is a very important and [illegible] Mr. Hamilton is [illegible] to define in this paper the limitations upon the Presidential power and he [illegible] the two independent and [illegible] sessions. Therefore it is a fair inference that in his judgment he [illegible] the power of taken a part in the [illegible] and being [illegible] the language as it now stands, it was not limited to the operation to a special session, but applied generally. His first illustration of an analogous power is that "The British monarch may prorogue or even dissolve Parliament." This illustration, of course, can not be confined to special sessions, but applies to all sessions. Further, by way of illustration, he says:

The governor of New York may also prorogue the legislature of this State for a limited time; a power which, in certain situations, may be employed [illegible]

Applicable, apparently, to every session.

Of course it is not conclusive, but it is significant, and if the Chair please, I point to the fact that which Hamilton elaborates the proposition, he, in no sense [illegible] that it is confined in its application to a special session of Congress. If it is true that this clause is confined to special sessions, it is a most important limitation, and should have been emphasized rather than omitted by Hamilton. To hold that Hamilton omitted it is to impeach either his intelligence or candor, neither of which can be done successfully.

The CHAIRMAN. The Chair is ready to rule.

Mr. McDERMOTT. Mr. Chairman, the Madison Papers, as I recollect them, are commonly quoted by the gentleman from Maine. In [illegible] power similar to the power of the King to prorogue Parliament, was [illegible] in a separate sentence. When the Convention was assembled, the congress was [illegible]. "He might convene them on extraordinary occasions and" [illegible] Now, the introduction of [illegible] in my judgment, shows the [illegible] between the power of proroguing and the convening of the extraordinary session.

You must also read it, it seems to me, in view of the entire text of the Constitution. It is impossible to believe that a Constitution provides that neither House can adjourn without the consent of the other for more than three days, and that provides that [illegible] as a [illegible] of the Constitution of the United States [illegible] and legislative enactments and that the power of neither shall be exercised by any other, intended to confer upon the President of the United States, or vest in him rather, the power given by the unwritten constitution of England to the King of Great Britain to prorogue Parliament.

That power had been exercised by the King of England to the point of revolution. The exercise of it was one of the causes of [illegible] that led to the Revolution. Our forefathers were well acquainted with it, and they were in a remedial frame of mind, and when they inserted that conjunction they intended to limit the power of the President as to the practical dissolution, as

proroguing is and always was when exercised by the King of England, in a case where he as President called them to carry out his views on legislation, demanding an extraordinary session. I do not know that it is at all important as affecting this bill, but I look at it as raising the question whether a President in partisan affiliation and sympathy with one House of a divided Congress—divided in a partisan aspect—may prorogue Congress if they disagree.

Hence we come to the fact that there is one joint resolution, and only one, that the President of the United States can not pass upon. Every law and every joint resolution must be certified to the President and receive his action, or in case of vetoing become effective as the votes of Congress independent of his view, with one or other. We preserve the right to Congress to adjourn. The joint resolution of the House and Senate to adjourn is the only resolution that the President of the United States is not called to pass upon when passed by Congress. It seems to me, therefore, that the framers of the Constitution did not intend that the President and one House of Congress acting in antagonism could prorogue Congress as the King had been accustomed, in fear or otherwise, to prorogue Parliament. However, as to the relation of this question to this bill, I am not entirely clear that it is governing. It is an interesting point, and I shall ask the leave of the House to continue the discussion of the question in print.

The CHAIRMAN. The gentleman from New Jersey asks unanimous consent to continue his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLEFIELD. Mr. Chairman, one suggestion only. I simply wish to say this——

The CHAIRMAN. The Chair desires to state to the committee that the Chair is ready to rule.

Mr. LITTLEFIELD. I would, perhaps, like to make this additional suggestion.

Mr. McDERMOTT. I would like to call the attention of the gentleman from Maine to one thing that occasion has arisen under this section where the President may act. The Senate adjourned without day. The Senate adjourned by the declaration of its presiding officer sine die. This House has never adjourned sine die, therefore the Senate is not in session under the extraordinary call, while, if the view of the gentleman from Maine as to the continuous session is correct, we are in session under that call, and therefore a disagreement has arisen between the House and the Senate, and the duty or power of the President to act is conferred by the Senate, and he could invoke it and prorogue us to meet some other time.

Mr. LITTLEFIELD. I do not concede the gentleman's premises. I never will concede, neither do I think any court would hold, that the President of the Senate, on his own motion without a preliminary motion adopted by the Senate, could adjourn even that body without day. He has not that power, in my judgment.

Mr. McDERMOTT. I think the rule, Mr. Chairman, of parliamentary law is this: That when there is not dissent by a body the body assents, and that where the president or presiding officer of a body declares the body adjourned, and there is no objection, his ruling is assent by the body, and all preliminary matters of form are immaterial. If the president declares that body adjourned and there is not objection on the part of anybody and——

Mr. LITTLEFIELD. The body is not in a position to object after the drop of the gavel.

Nobody could then raise an objection as far as that is concerned. If the gentleman from New Jersey thinks that a presiding officer of a body, on his own motion, can terminate the existence of a body by his having adjourned sine die——

Mr. McDERMOTT. Not at all, they may proceed to displace him and elect another officer, but if they consent to it, it is the decision not of the Chair, but of the body, and a consent to adjourn sine die. Therefore there is a practical disagreement between the two Houses.

Mr. LITTLEFIELD. No. I do not think that amounts to a disagreement. A disagreement between the two Houses results from the action of one body sending that action down to another. Here they have had no chance to disagree.

Mr. McDERMOTT. They have had the chance by continuing in session.

Mr. LITTLEFIELD. It has never reached us as a legislative proposition. A disagreement between the two Houses results from something we have had the opportunity to concur with or disagree to, and this proposition has never been sent down to us.

Mr. McDERMOTT. It arises from the fact that the Senate adjourned sine die. There was no necessity to send it down to us if they had actually adjourned.

Mr. LITTLEFIELD. But the gentleman begs the question or assumes it.

Mr. McDERMOTT. I want to call the attention of the gentleman from Maine to this fact, that there is no regular way provided in the Constitution by which the President of the United States can obtain cognizance that there is a disagreement between the Senate and the House on account of adjournment. It is a peculiar resolution, in no wise to be certified to him, and the only concurrent resolution that is not certified to him.

Now, it does seem to me that where he calls a session he may suggest the adjournment, as the King used to, and if then there is a disagreement, he may prorogue it. I think the old practice was in the minds of those who framed the Constitution. I think he may suggest the adjournment, and if the House disagrees with the Senate in following his suggestion, he may prorogue them. I know of no way in which the President of the United States can get official knowledge of the fact that there is a disagreement between the House and the Senate as to the time of adjournment, nor do I know of any way in which at a regular session any such disagreement can ever arise.

Mr. LITTLEFIELD. The suggestions of the distinguished gentleman from New Jersey are involved in the concrete proposition as to whether or not this clause to which he refers is specifically applicable and confined to special session. I will not follow him in that discussion because, in my judgment, it is hardly worth while. I also fully appreciate the distinguished gentleman's position when he says that the report of the committee on detail left this proposition with reference to the power of the President to convene from time to time applicable to both sessions, but that the report of the committee on style changed it and confined the operation of that clause to the special session.

I call his attention to this fact, that, as we all know and everybody concedes, the committee on style had no power to change the substance of the Constitution; it was simply their purpose and duty to report it in better and more concrete shape, and if they produced that pronounced change, they transcended their power. That must be the obvious conclusion. Without any debate or discussion, it is a violent inference that they did so transcend it. I proceed upon the basis that the final draft of the Constitution is in entire harmony with the report of the committee on detail and was actually considered by Hamilton, March 14, 1788, when he wrote the great paper above referred to.

The CHAIRMAN. The Chair is ready to rule on the point of order.

The question raised by the point of order made by the gentleman from Georgia [Mr. MADDOX] does not involve the question of whether or not Senators, Representatives, and Delegates attending Congress at this time should or should not receive mileage. That is a question for the Committee of the Whole to decide, and not the Chair. The question presented to the Chair is the parliamentary question of whether or not there is any existing law authorizing the payment of the mileage for which it is proposed to appropriate the amount stated in this bill.

The legislative, executive, and judicial appropriation bill passed at the last session of the Fifty-seventh Congress appropriated for the payment of mileage to Senators, Representatives, and Delegates attending the first annual session of the Fifty-eighth Congress. This appropriation, however, was not available until the day appointed by the Constitution for the assembling of this Congress at its first annual session.

The Fifty-eighth Congress was convened by proclamation of the President of the United States November 9, 1903. Soon thereafter [illegible] the following resolution:

[illegible] of Senators, Members of the House of [illegible] Territories made in the [illegible]

By this resolution the money appropriated for the payment of mileage at the session of this Congress beginning on the first Monday of December last was paid to Senators, Representatives, and Delegates attending the session of this Congress convened by the President. By the wording of this resolution Congress declared that the session convened by the President was the first session of the Fifty-eighth Congress. It is now declared by the paragraph in this urgency deficiency appropriation bill that this is the second session of this Congress, and it is proposed to appropriate money for the payment of mileage to Senators, Representatives, and Delegates attending upon this second session.

The gentleman from Georgia makes the point of order against this paragraph, claiming there is no existing law authorizing the appropriation, and that therefore the paragraph is not in order under section 2 of Rule XXI, which is as follows:

2. No appropriation shall be reported in any general appropriation bill or [illegible] any

The Chair has spent some time in endeavoring to ascertain

what, if any, law there is governing the payment of mileage. As a result of this investigation it has been ascertained that under various statutes Senators, Representatives, and Delegates attending the sessions of Congress have received mileage whether the session was convened by the President or assembled at the time fixed by the Constitution or by statute, the only exception being in the Fortieth Congress. When the act fixing the 4th of March for the assembling of Congress, in addition to the times fixed by the Constitution, was passed, by that act it was provided that Members and Senators of the previous Congress should not receive mileage for attendance upon the session beginning March 4, and for the information of the committee, and with its permission, the Chair will print, in connection with this ruling, these several statutes.

The act of 1874, repealing the increase of salaries of Members of Congress to $7,500 a year, revived the act of 1866, since which time there has been no legislation upon this subject. Therefore the act of 1866 is the law in force to-day in respect to the compensation to be paid to Senators, Representatives, and Delegates, and also the law now in force governing the question of mileage. This law reads as follows:

SEC. 17. *And be it further enacted*, That the compensation of each Senator, Representative, and Delegate in Congress shall be $5,000 per annum, to be [illegible] Congress, and in [illegible] to be computed by the shortest route [illegible] traveled in going to and returning from each regular session.

It will be observed that the language of this act in respect to mileage is significant, and from it there can be but one conclusion, and that is that the mileage authorized to be paid is intended as [illegible] compensation without any particular reference to the expense incurred in traveling to and from the sessions of Congress, just as the law allows a certain per diem in addition to the salary paid to the officers and agents of the Government who are obliged to travel on the business of the Government or in the discharge of their duties. The language which follows is merely descriptive of how the mileage authorized to be paid is to be estimated. The law says it is "to be estimated by the nearest route usually traveled in going to and returning from each regular session." In the opinion of the Chair the words "regular session" do not mean alone the sessions of Congress convened under authority of the Constitution, but rather that this mileage is to be paid at any session of Congress lawfully convened, and the amount is to be estimated as stated in the act—that is, on the same basis that mileage is paid to Senators and Representatives when attending the regular or annual sessions provided for by the Constitution.

Of course no one contends that under this law Senators and Representatives and Delegates are entitled to more than one payment as mileage for attending one session of Congress. The question, therefore, of whether this paragraph is in order or whether there is any existing law authorizing the appropriation of this money turns upon the proposition of whether Congress is now in the session convened by the President of the United States or whether that session expired by operation of law and Congress is now in session under and by virtue of that provision of the Constitution which designates the first Monday in December as the day when it shall assemble in annual session.

When this Congress convened on November 9 the business of the Congress proceeded as usual, and it was in session on Saturday, December 5, 1903, the last secular day before the first Monday in December. In the House of Representatives, at the close of that day, as appears from the RECORD, the simple motion to adjourn was agreed to, and the Speaker announced, "The House stands adjourned," without adding, as usual, the day to which the "House stands adjourned." No resolution to terminate the session was proposed. In the Senate on the same day it was voted to take a recess until 11.50 a. m., Monday, December 7. On that day and hour the Senate met, and after the transaction of the usual business and the adoption of the usual vote of thanks to the presiding officer, the hour of 12 o'clock having arrived, the President pro tempore said:

Senators, the hour provided by law for the meeting of the first regular session of the Fifty-eighth Congress having arrived, I declare the extraordinary session of the Fifty-seventh Congress [illegible]

And the President pro tempore left the chair.

Immediately thereafter the President pro tempore called the session to order for the second session of the Fifty-eighth Congress.

In the House at the same hour the Speaker called the House to order and, after prayer by the Chaplain, directed that the roll be called by States to ascertain the presence of a quorum, and business proceeded as at the beginning of a session. The usual resolution was passed, notifying the President of the United States that the second session of the Fifty-eighth Congress was assembled and that a quorum of the two Houses was present and ready to receive any message which he might deem proper to submit.

This is a complete statement, as shown by the RECORD, of what took place in the two Houses of Congress on December 5 and December 7.

On the following day the Journal of the House records the fact that on Monday, December 7, the second session of the Fifty-eighth Congress assembled. The language of the Journal is as follows:

JOURNAL OF THE HOUSE OF REPRESENTATIVES, CONGRESS OF THE UNITED STATES.

Begun and held at the Capitol, in the city of Washington, in the District of Columbia, on Monday, the 7th day of December, anno Domini one thousand nine hundred and four, being the second session of the Fifty-eighth Congress, which was begun and held under the Constitution of the United States, which was ratified by the conventions of the several States, and which was first assembled on the fourteenth day of March, anno Domini one thousand seven hundred and twenty-eighth year of the independence of the United States.

MONDAY, DECEMBER 7, 1904.

On which day, being the day fixed by the Constitution of the United States for the meeting of the second session of the Congress, the Senate, a quorum being present, the House of Representatives, a quorum being present, Members of the House of Representatives were sworn to their names.

This Journal declaring this to be the second session of the Fifty-eighth Congress was unanimously approved by the House. The Journal of the Senate reciting the same facts was likewise approved.

In the opinion of the Chair the question of whether this is a continuation of the session of Congress convened by the President or the second session convened under and by virtue of the provision of the Constitution fixing the time for the assembling of Congress is a mixed question of law and fact, and the Chair, as the presiding officer of this committee appointed by the Speaker of the House, in deciding this question is bound to take cognizance of what the House itself has done in determining whether or not this is or is not the second session of the Fifty-eighth Congress.

As a matter of law, the Chair is clearly of the opinion that the session of this Congress convened by the President of the United States terminated when the moment of time arrived for the Congress to convene in its regular annual session under the Constitution. That session of Congress there terminated by operation of law, not because there is any law fixing the limit of time that a session of Congress convened by the President should remain in session, but because of the constitutional provision fixing the time when the first regular annual session of this Congress should convene. The contention that because Congress was in session on the last secular day preceding the first Monday in December and that there was no formal termination of this session at that time, and that therefore this is a continuation of that session, seems to the Chair untenable. It would, in the opinion of the Chair, be as reasonable to say that because there will be no formal ending of to-day and no formal beginning of to-morrow therefore Saturday will continue forever or throughout our existence. [Applause.]

The illustration used by the gentleman from Maine to prove his contention that this is a continuous session—namely, that if the House was in the act of calling the roll upon the passage of some bill when the hour arrived for the convening of Congress in its annual or constitutional session that the roll call could not be further proceeded with—does not prove anything. As a matter of fact, and as the records of Congress show, that incident or circumstance has occurred on several occasions when the time for the termination by operation of law of the second annual session of Congress arrived. The opinion of the Chair that the first session of the Fifty-eighth Congress convened by the President terminated by operation of that provision of the Constitution which fixes the time for the beginning of the annual session of this Congress is not without precedent.

In the Fortieth Congress this same question arose. Just at the close of the extra session, Mr. Sherman, then a Senator from Ohio, said:

I can not see any object in passing this concurrent resolution.

The concurrent resolution he referred to was that the presiding officers of the two Houses should at a specified time declare their respective Houses adjourned without day.

Said Mr. Sherman:

The [illegible] the first Monday [illegible] the hour for meeting on that day [illegible] We could [illegible] adjourning, and the result is that the next session of Congress will [illegible] at noon on Monday.

Mr. Sumner, on the same occasion, said:

And that brings me to the exact point as to whether the present session should be prorogued [illegible] I do not propose the latter even for five minutes.

It was proposed to adjourn to 11 o'clock and 55 minutes.

Let one session come right up close upon the other, and then we shall exercise every prerogative of [illegible] Mr. President [illegible] Congress, we begin at the same moment the beginning of the new session.

These quotations, taken from the Globe, show that in the judgment of such men as Mr. Sherman and Mr. Sumner, two of the ablest men in either House of Congress at that time, if not

[illegible]

[illegible]

[illegible]

ble or labor or expense, there would be some good, valid reason why a Member's compensation should be increased: but when I say that we were here on Saturday and adjourned over to Monday, were in session at 11.55 o'clock in what they call an "extra session" and met again in a few minutes, I want to know where is the reason that justifies us in increasing our compensation or justifies us in taking it?

Mr. SIMS. Now, then, in the Fifty-fifth Congress we had an extra session on the 15th day of March, eleven days after the Fifty-fourth Congress adjourned, and many Members did not go home in the brief interval between the Fifty-fourth Congress and the Fifty-fifth, and yet we passed a resolution giving them mileage, and, as far as I recollect, the gentleman assented to it. Now, if we gave that mileage, is it not an addition to the compensation not contemplated by the law?

Mr. UNDERWOOD. I do not know whether it is contemplated by the law, but it was expended, and, of course, increased the compensation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. But Congress adjourned, and we went home. Of course some of the men did not go home, but Congress went home, as far as that was concerned, and I believe most of the Members of the House did.

Mr. SIMS. I am opposed to paying this, but not on the question of compensation.

Mr. UNDERWOOD. I want to add that the Committee on Appropriations reported this item to the House because it seemed to them to be in the line of precedents, as stated by the chairman of the committee, and in order that the House might have the opportunity to give it consideration, the subject having been officially brought to the attention of the committee by the following letter:

HOUSE OF REPRESENTATIVES U. S.,
OFFICE SERGEANT-AT-ARMS,
Washington, D. C., [illegible] 1905.

Hon. J. A. HEMENWAY,
Chairman Committee on Appropriations House of Representatives:

DEAR SIR: In the joint resolution approved March [illegible] 1903, [illegible] made in the appropriation, expenses, and mileage of Members of Congress, [illegible] provided for payment for transportation and mileage of Members of Congress for the present session [illegible] and the [illegible] been paid for attendance at the extraordinary session of the present Congress which assembled November 9, 1903.

I am daily in receipt of applications from a large number of Members of the Fifty-fifth Congress for mileage for the present session, [illegible] who claim that they are entitled to mileage for every regular session of Congress. In view of the manner in which the proposed and paid mileage stands under law, I respectfully ask the attention of your committee to the necessity to provide an appropriation in the deficiency bill or otherwise in the sum of $[illegible].

Very respectfully,
HENRY CASSON,
Sergeant-at-Arms, House of Representatives.

Mr. GROSVENOR. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The gentleman from Ohio offers the following amendment, which the Clerk will read.

The Clerk read as follows:

In line 5, page 6, after the word "[illegible]," add the following:

"[illegible] Members of Congress [illegible] mileage appropriated in the [illegible] act to be [illegible] Treasury, and the Sergeant-at-Arms of the House [illegible] Members of Congress [illegible] and be taken up as a like item of money in the Treasury."

Mr. HAY. Mr. Chairman, I make the point of order on the amendment.

Mr. GROSVENOR. What is the point of order?

Mr. HAY. That it changes existing law.

Mr. GROSVENOR. It is simply a limitation upon the paragraph.

Mr. HAY. It is legislation on an appropriation bill.

The CHAIRMAN. The Chair will hear the gentleman from Virginia if he has anything to say in support of his point of order.

Mr. HAY. It is already the law that all such sums shall lapse into the Treasury after the 1st day of July, and this is new legislation on an appropriation bill and practically repeals that law.

Mr. GROSVENOR. Mr. Chairman, I think it is not necessary to argue that question.

The CHAIRMAN. The Chair desires to call the attention of the gentleman from Ohio to the general rule of parliamentary law that it is doubtful if, even, to change existing law under a form or form of a limitation.

Mr. GROSVENOR. Now, but here we propose to make an appropriation of $[illegible], and this amendment simply proposes that when so made the conditions upon which it is made shall adhere to the document itself. It does not change existing law, it simply limits the appropriation of this money to the time and the specific purpose for which it is offered.

Mr. HEMENWAY. I suggest to the Chair that it in no way changes the appropriation, it simply limits it after the money has been appropriated.

The CHAIRMAN. The Chair is of the opinion that, there being no law on the subject of the disposition of mileage not paid, this would be a limitation upon this appropriation, and it is in order.

Mr. GROSVENOR. Then, Mr. Chairman, I wish to say a very few words on this general subject. The gentleman from Georgia [Mr. MADDOX] is reported in the RECORD to have said yesterday—I could not hear him because of the great confusion—when I offered this amendment in a rather imperfect form:

I have often, sir, [illegible] this House, but in other legislative bodies, heard that [illegible] proposition, such as has been offered by the gentleman from Ohio, before.

Now, I want to simply disabuse the mind of the gentleman from Georgia that this is a silly amendment, or an amendment made as a joke. It is, to my mind, a very serious amendment, and I make it in all good faith and in all seriousness. If this money is due to the Members of this House, and I believe it is, each individual Member of the House has a duty to perform, first, in the question of the appropriation of the money, and that is a public duty that he owes to the whole body, and secondly, a duty that he owes to himself. If, in his individual judgment, this money ought not to be paid to himself, I provide a remedy by which he can put it back into the Treasury, and I call the attention of the gentleman from Georgia to the fact that he is in error when he says that we can put money into the Treasury of the United States.

He could not do it. If this money is appropriated and placed to the credit of a Member of Congress in the hands of the Sergeant-at-Arms, the gentleman from Georgia nor any other gentleman can put that money into the Treasury of the United States, for there is no law authorizing it to go in. I for one would not put any money, under these circumstances, into what may be called the "conscience fund," about which there is a provision of law. So I am right in saying first that there is no avenue by which this money can go back into the Treasury except by the provision of law, and that provision I purpose to incorporate in this bill.

Mr. FINLEY. Will the gentleman from Ohio yield?

Mr. GROSVENOR. In a moment, when I get through. In the second place, but for the further limitation of this second proviso a Member of Congress, if he saw fit, could leave the money standing as a claim in his own favor to be barred by the statutes of limitation. It is a claim in his own favor at some subsequent date and a claim in favor of his estate after he is dead.

Now, we had some exploiting of propositions of this sort a good many years ago in this country. I remember a single case at the time of the "salary grab," as it was called, where a Member of Congress, whose name I shall not mention, voted against it and declared in a public interview that was telegraphed all over this country that he would not take it. Fifteen years afterwards I happened to be in the Treasury and a clerk there called my attention to the fact that, beginning seven or eight years after the gentleman had gone out of Congress, he began to check against that money and checked it all out. [Laughter.]

Now, my proposition is, and I think everybody will be in favor of it who desires to meet this question fairly, first, that every man shall vote as he sees fit on the question of the appropriation, and if the appropriation is carried, let him not undertake to dodge the responsibility that grows out of the appropriation of this money, but let him march right up like a man and do one of two things—either take the money or turn the money back into the Treasury, as he well may if he agrees with me in my position on this question. That, Mr. Chairman, is the purpose of my amendment. [Applause.] It is to put it beyond the manipulation in the coming election by demagogues. Stand up and take your money or give it back to the Treasury of the United States. That is the whole of it; that is all there is in this amendment. It is very simple, very plain and obvious, and the way to peace of mind and [illegible] of purpose and action on the part of every Member of this House. [Laughter and applause.] Now, I will yield to the gentleman from South Carolina.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. MADDOX. Mr. Chairman, in my reply to the gentleman from Ohio yesterday that I did not need his advice about what to do with the money, or what I should do with it, I was under the impression that if the money was not drawn from the Treasury on the 1st of July it was covered back into the Treasury.

Mr. GROSVENOR. If I understand the law, and I am told by a gentleman recently Solicitor of the Treasury that I am correct, it takes two years before it lapses. But in this case it will be money in the hands of the disbursing officer belonging to the Member, and if my amendment is defeated it will remain for years.

Mr. MADDOX. Then how did the man that the gentleman refers to draw it out after seven years?

Mr. GROSVENOR. That was the trouble: a question arose whether the money was an ordinary appropriation, and it was decided that it became a credit to him against the Government and was not an appropriation within the meaning of the statute. Therefore it would never lapse back.

Mr. MADDOX. Mr. Chairman, from my view of the case, from what I believe to be the law, I think I am still right in respect to that matter that this mileage would lapse back into the Treasury on the 1st day of July unless it were drawn out.

Now, I want to repeat that when the gentleman talks about demagogues and wants us to march up to the issue, I want to say that I will meet him on the issue at this place or any other place. I never dodged a question that came up in this House during the twelve years that I have been here.

Mr. GROSVENOR. Oh, I have no controversy with the gentleman from Georgia.

Mr. MADDOX. Then, I can not understand what the gentleman meant when he referred to demagogues; I am the only man that has spoken on this matter.

Mr. GROSVENOR. I only used the word in reference to a question to be met hereafter.

Mr. MADDOX. I want to say to the gentleman, without giving him an opportunity to use up my time, that I stand ready now and have upon all propositions, as I always have in this House on all occasions, to vote upon any proposition, and I intend to do it now. Now, what have we got presented to us? In a few words I want to briefly state my position. The Chair has ruled, and we accept the ruling, that we have had two sessions.

But there was only a shadow of time, something which can be only imagined, that existed between those two sessions. We were all here or ought to have been in our seats when the adjournment took place and when the new session began. By my side, perhaps, sits a man from the Pacific coast, taking probably $2,500 of mileage, myself $270, and the gentleman from Maryland [Mr. DENNY] $16, and yet, without traveling or incurring any expenses, the gentleman from the Pacific coast will add to his salary $2,500 and the gentleman from Maryland $16 and myself $270, so that the effect of it is to add to our salaries a sum of money for doing absolutely nothing and with no consideration given therefor, besides operating as a gross discrimination against some of us.

Now, the question is, Is it expedient, is it honest, to do anything of that sort? We have been calling upon these various Departments for a statement of the expenditure of money for carriages and automobiles and things of that sort that were not provided for by law. I want to say to you, gentlemen of the committee, that if you expect to have any effect upon these Departments and upon the country toward correcting these evils you must first sweep before your own door; the spring must be clear if you expect the water to be clear below it—the fountain must be pure. We have the right as Representatives to vote this money, under the ruling of the Chair, into our pockets, if we see proper, but the question is, Are we equitably entitled to it? That is the question. I do not think so, and I shall vote against it.

Mr. GILLETT of Massachusetts. Mr. Chairman, I offer an amendment in the nature of a substitute.

The Clerk read as follows:

"[illegible] and after the passage of this act no [illegible] Members of the [illegible] session [illegible] payment of any session for which he has received or is entitled to mileage."

Mr. GILLETT of Massachusetts. Mr. Chairman, that is not wholly original with me, for it represents the principle of a law that was passed in 1852, and which may be in force to-day, and I have no doubt that it will surprise this House to know that that was apparently originated to cure an abuse which arose in that center of economy and altruism, the United States Senate. At that time the Senate had obviously contracted the habit of taking mileage for the executive session which is always called at the beginning of every Presidential term, and so in 1851 a law was passed prohibiting any Senator from taking mileage for the session beginning March 4, 1853, and the sessions every four years thereafter. The next year—in 1852—Congress went a step further and made this principle apply to both House and Senate by a law which said:

The above act shall apply to all extra sessions of Congress of the Senate convened within ten days after the adjournment of a regular session.

In other words, it provided that whenever one Congress comes within ten days of another the second Congress is not entitled to mileage. I fancy that Congressmen in those days were just as fond of mileage as we are; that they did not legislate from any unwillingness to take it, but that it was under the stress of public opinion that they refused to take mileage for one session when it came within ten days of another; and it seems to me the same public opinion holds to-day and that although, of course, we have a right to vote ourselves any amount of mileage, as we have the right to vote ourselves any amount of compensation, at the same time public opinion recognizes that when one Congress ends and another begins immediately there is no travel and there ought to be no mileage. It seems to me that the same law which they passed then offers a good example for us to follow to-day, and that we ought to adopt this amendment which I have offered, and thus settle the practice conclusively. If this fails, I shall vote for the motion of the gentleman from Alabama [Mr. UNDERWOOD], to strike out the appropriation; but that still leaves us with a technical legal claim on the Treasury which any subsequent appropriation bill may satisfy. This amendment of mine not only accomplishes more perfectly the object he aims at now, but it also settles the law and the right for the future.

I think myself we ought to go a step further. I think we ought to consolidate all these different methods we have of getting compensation. I would strike out all mileage and give every Member of the House $500 in lieu thereof. That would cost the Treasury about the same as now, and would make the division among the Members much more equal, although that would favor those who live near by as the present law favors those who live far off. I would strike out the stationery and give every Member $125, as at present. That makes $625. I would strike out clerk hire, for which we get $1,200, and strike out all the limitations about it by which we are not allowed to make our own contracts. That would make $1,825. Then I would give every man $675 more in lieu of office rent and repeal this law that we have passed to build a big office building. I think the interest on the money required to erect that building, and its running expenses, would amount to more than $675 per Member, and I think with that sum each Member could get accommodations more satisfactory to himself than the office building. This would give to each Member $2,500 in lieu of mileage and stationery and clerk hire and office rent, and allow him to expend it as he pleases. It would not cost the country, I believe, a dollar more than it is paying to-day, and it would not be giving us anything more except in the office rent, but I think it would make it a great deal more comfortable for us all. It would allow us to make any contracts we please about our clerks. Each man could pay as much and save as much as he pleased, and while benefiting us would not cost the country anything.

But, of course, that would not be permissible here, as it would be clearly subject on this bill to a point of order and ought to be passed on carefully by a committee.

But I think myself that all these perquisites, as they might be called, ought to be wiped out, and we ought to give ourselves the money to use as we please. I do not believe the people think that we are overpaid to-day, and, of course, it is only because we are afraid of public opinion that we do not raise our salaries. This proposition of mine would not raise our salaries in the sense of costing the Treasury more than we do to-day, but at the same time, by consolidating our different accounts, it would be to our advantage and convenience. I think that we ought not to take this extra mileage, whether it is technically compensation or not, because, although mileage has come to be a mere matter of phrase and is not used to pay for our traveling expenses, yet the people, the country at large, look upon it as compensation for going home and coming back, and if we take it now they will say that we are taking an allowance for thus going home and coming back, when, in fact, we had just a second in which to make the journey. Therefore, while we have unquestionably a legal right to it and this appropriation simply carries out existing law, I think we would be very unwise to take it.

The CHAIRMAN. The Chair desires to ask the gentleman from Massachusetts [Mr. GILLETT] whether he offered this amendment as a substitute for the text of the bill or as a substitute for the amendment of the gentleman from Ohio?

Mr. GILLETT of Massachusetts. As a substitute for the text of the bill.

Mr. BAKER. I should like to ask the Chair whether the law cited by the gentleman from Massachusetts is the present law or not? If it is the present law, must not the Chair rule that this section is out of order as new legislation?

The CHAIRMAN. It is not the law; the gentleman from Massachusetts did not so state.

Mr. BAKER. I asked the Chair that question because I understood the gentleman from Massachusetts to say he was in doubt.

The CHAIRMAN. It is not the law. The only law on the subject to-day is the act of 1866.

Mr. DE ARMOND. Mr. Chairman, the question of order having been disposed of, the real question involved in this proposition is now before the House. It is raised by the presence in the bill of these paragraphs providing for mileage, and by the motion of the gentleman from Alabama to strike them out. The question is now whether we ought to adopt that motion or ought to pass the bill with those paragraphs retained in it.

In my judgment, the motion to strike out ought to prevail. I do not believe that the Chairman is correct in his construction of the law in regarding mileage as a part of our compensation. I do not believe that the gentleman from Alabama [Mr. UNDERWOOD] is correct in his conclusion that there is no doubt about the correctness of the construction given to the statute by the Chairman of the Committee of the Whole. On the contrary, I believe the compensation is $5,000 per year, and in addition to the compensation, mileage at a specified rate is allowed. Now the reading of the provision itself:

"That the compensation of each Senator, Representative, and Delegate in Congress shall be $5,000 per annum, to be computed from the first day of the present Congress."

That language of the clause last quoted has reference, of course, to the particular Congress which passed the act, and has no meaning now, so that, commencing that clause and bringing the remainder of the words into closer connection, the provision is:

"That the compensation of each Senator, Representative, and Delegate in Congress shall be $5,000 per annum, and in addition thereto mileage."

At the specified rate.

The construction which gentlemen put upon these words "in addition thereto" makes them return to the "$5,000." That is the construction of the Chairman, and the construction which the gentleman from Alabama adopts. I do not take the same view. The words "in addition thereto" mean, I think, "in addition to the compensation." The compensation is $5,000, and in addition to the compensation mileage is given. I believe the language properly carries that meaning without construction, or, if considered, requires that construction as the only proper construction.

But if the "mileage" is "compensation," why should the Representative from California or the Delegate from Hawaii have greater compensation than the Representative in Congress from the city of Baltimore, who has but about 40 miles to travel?

I know the answer will come very readily, "Because the Delegate from Hawaii or the Representative from California has very much farther to travel than the Representative from Baltimore." Had he farther to travel to attend this session of Congress, calling this the second session?

If there is a division between these sessions, so that instead of this being a part of the session which began the 9th day of November we are in another session which began the first Monday in December, the session beginning the 9th of November ending at the same moment of time when the third session begins—however that may be, and that has been determined by the ruling of the Chair, as affecting this matter, every only knows that it was an absolute physical impossibility for a new Member of Congress or new Delegate to go to his home and return thereon in the short period of time, or supposed period of time, existing between the ending of the one session and the beginning of the other.

Then, if "mileage" be "compensation," the Representative in Congress from the city of Baltimore is certainly entitled to just as much of the mileage provided by this bill, and entitled to it by just as good a right, as the Representative in Congress from a district in California or the Delegate in Congress from Hawaii.

Are we really entitled to this mileage? Waiving the question whether we have the legal right to vote it to ourselves, are we entitled to it? The mileage, I believe, is intended to cover the necessary travel from our homes to the place of the assembling of Congress and the return, at the conclusion of the session, from the place where Congress sits to our homes.

Now, Mr. Chairman, if we did not and could not make this trip—and there was no mileage earned and supposed to be earned by us in coming to this place—I have never heard that we could be paid for a journey we did not make. Why, Mr. Chairman, if we could do that, there would be some of us who would be tempted to make the journey, if we could get paid for it, when we did not make it. I suppose I am perfectly good for my mileage when I make the journey, and I propose for myself and my colleagues that we will be paid for what we do, and we will not be paid for what we do not do. I believe that is the sentiment of the House. I know that is the sentiment of my colleagues. I believe that is the sentiment of the country.

In that belief I for one shall vote to strike it out, shall vote against the retention in the bill, shall vote against the passage of the bill if it be left in it, shall, if I can get recognition, if it remain in the bill, offer a motion to recommit the bill with instructions to the Committee on Appropriations to strike it out. I shall do this just simply in the exercise of my judgment and the performance of my duty as I see it, without any reflection upon anybody, and without assuming any superior knowledge or any superior virtue in the matter.

That is all I desire to say.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. GROSVENOR].

Mr. BAKER. Do I understand the Chair to rule that the amendment offered by the gentleman from Ohio is in order?

The CHAIRMAN. The Chair held that it was.

Mr. BAKER. Then I will discuss that as well as the other.

The CHAIRMAN. The gentleman from New York.

Mr. BAKER. Mr. Chairman, whatever may be the legal aspects of this matter, it seems to me perfectly obvious that the Members of this House must decide it as a question of morality, as a question of equity. I can not agree with those who construe the language of the statute to mean that the $5,000 salary and the mileage taken together are compensation. There can, in my judgment, be no such construction. The $5,000 is the salary of every single one of us as Members of this House. The mileage is obviously to equalize the difference in the cost of reaching Washington. That being so, if it is impossible, as it is, waiving the question whether there was an immoderate space of time between the adjournment of the first session and the convening of the second, it is perfectly conceivable that there could have been any traveling on the part of the Members of Congress who were doing their duty.

If they were here attending to their duty as Members of Congress they could not have done any traveling between those two sessions, and obviously that being so no one can claim any right to mileage for the second session of Congress. To admit that they have a right to compensation is to say, as in the words of the gentleman from Missouri [Mr. DE ARMOND], that Members from California shall each get $1,250 more compensation than the law permits while gentlemen from Maryland or New York shall get $5,000 and no more. Of course there could be no such intent when the statute was passed. The statute clearly was to equalize the disadvantage, to equalize as between Members of Congress the cost of reaching this body, and there can be no claim in equity for the payment of mileage when there has been no possibility for anyone to return to his home and to come back in the interval of the second session, even if it is assumed to be a second session.

Mr. HITCHCOCK. Mr. Chairman.

Mr. HEMENWAY. Mr. Chairman, is not debate on this amendment exhausted?

The CHAIRMAN. If the point of order is made, the Chair will have to hold that debate is exhausted on this amendment. The question is on the amendment of the gentleman from Ohio.

Mr. HITCHCOCK. I move to strike out the last word of the amendment.

Mr. HEMENWAY. I suggest to the gentleman that that is an amendment to the amendment now pending, and is not in order.

Mr. HITCHCOCK. Mr. Chairman, I move—

The CHAIRMAN. The Chair is of opinion that the motion to strike out is not in order as an amendment to the amendment offered by the gentleman from Massachusetts, is not in order.

Mr. HEMENWAY. Well, Mr. Chairman, I ask unanimous consent that ten minutes of debate on this paragraph and all amendments thereto—

Mr. HITCHCOCK. Five minutes.

Mr. HEMENWAY. Put it at ten minutes. I ask unanimous consent that in ten minutes debate on this paragraph and all amendments thereto—

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that all debate on the pending amendment and paragraph be closed in ten minutes.

Mr. HEMENWAY. A substitute—

The CHAIRMAN. The gentleman asks that all debate be closed. Is there objection? [After a pause.] The Chair hears none.

Mr. HITCHCOCK. Mr. Chairman, I suppose it is conceded that this is an [illegible] to the pending amendment, and I also suppose that [illegible] that proposition. I wish to say a few words in opposition to the proposition of the gentleman from Ohio. [Mr. GROSVENOR.] I do not know how the House may be disposed to vote upon this question, but I do know that it is a question that should be discussed and vote be taken upon it. As the gentleman from Missouri has said, there is not any conceivable reason why this mileage should be paid. Congress should be just enough and square enough and true enough to its conscience as a body to vote in favor of striking out this paragraph allowing mileage.

It is very true, as the gentleman from Ohio has stated, that no man is compelled to take this mileage money after it is once voted; but it is also true that one of the great evils of this country to-day is governmental extravagance, and this Congress should set an example to other Departments of the Government by refusing to vote to its Members compensation which none of them can claim and which none of them can be tempted to accept if the question is squarely put to them.

I think, Mr. Chairman, that it is not fair, nor wise, nor in the public interest for Congress to vote a questionable compensation and then let each Member to decide for himself whether it is right. This would be under this amendment to allow a man to legislate for himself and decide for himself whether mileage should be allowed. This is an important question, not for the amount of money involved, but in the principle involved, and this Congress should not vote money for any purpose which is not justified by public service and by public needs.

I think, Mr. Chairman, that the gentleman from Ohio in offering his amendment is betraying the question which is really before the House, and, as I said, he places it in a light in which it should not be placed. I think the House of Representatives, now that the question has been raised, should set the example to all the Departments of this Government of refusing to vote public money not legitimately required for public purposes. There has been no traveling necessary for public purposes at this session; let there be no mileage allowed.

Now, Mr. Chairman, I am one of those who would receive or be authorized to receive a considerable amount of money if this mileage should be voted. The amount is larger perhaps than the average Member receives, but I believe that not I, nor any other Member of Representatives as an authority, should say emphatically in his vote, "The public money shall not be used in these cases, and shall not be authorized in other cases, for any purpose when not legitimately required for public uses and public needs."

Mr. GILLETT. Mr. Chairman, I offer an amendment which I think will settle all this trouble. [Laughter.]

The CHAIRMAN. The Chair desires to ask the gentleman from Massachusetts if his amendment is an amendment to the amendment offered by the gentleman from Ohio, or an amendment to the substitute.

Mr. GILLETT. I offer it as an amendment to the amendment of the gentleman from Ohio.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

[illegible] appropriation shall be paid to any Member [illegible] that he did in point of fact [illegible] the Post-office and Post-roads [illegible] [Laughter.]

Mr. DEARMITT. I ask the gentleman to put in "and that he paid his fare going to and coming from." [Laughter.]

The CHAIRMAN. The amendment of the gentleman from New Jersey is not in order. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken, and [illegible] was [illegible]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Massachusetts for the text of the [illegible]

Mr. [illegible]. Mr. Chairman, I ask unanimous consent that [illegible] be reported again.

The CHAIRMAN. The Clerk will again report the substitute offered by the gentleman from Massachusetts.

The [illegible] Mr. Chairman, I would [illegible] "adjournment or end." I suggest that amendment to the amendment making it "adjournment or end."

Mr. GILLETT of Massachusetts. I will accept the suggestion [illegible]

Mr. GROSVENOR. [illegible] is clearly subject to a point of order.

The CHAIRMAN. The point of order was not made.

Mr. GROSVENOR. They are now proceeding to perfect the amendment, and when it is perfected I desire to make the point of order.

Mr. GILLETT of Massachusetts. It is too late, Mr. Chairman, for the point of order.

Mr. GROSVENOR. I make the point of order—

Mr. GILLETT of Massachusetts. Why, it is too late.

Mr. GROSVENOR. Why, they are just perfecting it and are making changes in it.

Mr. GILLETT of Massachusetts. After an amendment has been once offered and is in order, any amendment to perfect it is in order.

Mr. GROSVENOR. I do not know whether it is or not.

Mr. GILLETT of Massachusetts. I will submit it to the Chair.

Mr. GROSVENOR. Very well, I do not care.

The CHAIRMAN. The Chair does not state that the gentleman from Massachusetts in order to make his amendment will have to withdraw it and then offer it in the modified form.

Mr. GILLETT of Massachusetts. Well, I do not dare to do that, because I fear the point of order will be raised; therefore I would prefer to have it as it is.

The CHAIRMAN. The gentleman can offer it as an amendment to be voted on.

Mr. GILLETT of Massachusetts. I offer as an amendment that the words "or end" be inserted after the word "adjournment."

The CHAIRMAN. The gentleman from Massachusetts proposes an amendment, which the Clerk will read.

The Clerk read as follows:

After the word "adjournment" insert the words "or end;" so as to read "adjournment or end."

Mr. SHOBER. I make the point of order on this substitute—the point of order being that it is a piece of legislation.

The CHAIRMAN. The point of order comes too late—it has been debated.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Massachusetts [Mr. GILLETT].

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Chair understands that the motion of the gentleman from Alabama is pending——

Mr. UNDERWOOD. Mr. Chairman, I submitted two motions. There are two paragraphs in the bill, one providing mileage for the House and one providing mileage for the Senate. I moved to strike out both paragraphs, and I ask unanimous consent to have both paragraphs now be voted upon at once.

The CHAIRMAN. Without objection, the vote will be on the motion to strike out both paragraphs. [After a pause.] The Chair hears none. The question is now on the amendments offered by the gentleman from Alabama to strike out both paragraphs.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MADDOX. Division, Mr. Chairman.

The CHAIRMAN. The Chair will order that this vote be taken by tellers, and the gentleman from Alabama [Mr. UNDERWOOD] and the gentleman from Indiana [Mr. HEMENWAY] will act as tellers.

The question was again taken by tellers; and the tellers reported that there were—ayes 167, noes none.

So the amendment was agreed to. [Great applause on the Democratic side.]

The Clerk resumed and completed the reading of the bill.

Mr. STEPHENS of Texas. Mr. Chairman, I now ask leave to return to the bottom of page 44 for the purpose of making the point of order that I raised yesterday. I will read the whole paragraph, a part of which I object to:

[illegible] $15,000.

The objectionable part of this paragraph is the words "removal of intruders," in lines 21 and 22, "removing intruders and." Now, for the purpose of [illegible] these words, I offer an amendment, which I understand will be satisfactory to the chairman of the committee. I move to amend the paragraph by striking out, in line 21, "removal of intruders;" and in line [illegible] the words "removing intruders and."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

[illegible] for the purpose of placing allottees in unoccupied [illegible]

Mr. STEPHENS of Texas. Mr. Chairman, I will withdraw the point of order if the amendment is satisfactory. I understand it is satisfactory to the chairman of the Appropriations Committee.

Mr. HEMENWAY. There is no objection to the amendment.

The CHAIRMAN. The amendment will be considered as agreed to without objection.

There was no objection.

Mr. STEPHENS of Texas. Mr. Chairman, I ask leave to extend my remarks upon this question in the RECORD.

The CHAIRMAN. The gentleman from Texas asks leave to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. STEPHENS of Texas. Mr. Chairman, the object of my

amendment is to strike out the words "removal of intruders" from lines 2 and 3 on page 12 of the bill, for the reason that if those words are left in the bill the Indian inspectors—J. George Wright and Guy P. Cobb—or the Indian agent could use the power of the Government to remove any person residing on Indian lands that they might for any reason desire to remove. The bill as amended will only permit them to remove trespassers from lands already allotted to some individual Indian for the sole purpose of placing the allottee in possession of his land.

Mr. Chairman, this paragraph as amended is in exact accord with section 28 of the act of Congress approved July 1, 1902, which simply authorizes "an Indian agent upon the application of the allottee to place him in possession of his allotment."

Mr. Chairman, I object to placing in the hands of these Indian inspectors the power to remove, at their discretion, any person that they might call an intruder from any land in the Indian Territory. This power, in my judgment, has been used and could and would again be used by these Government officers for private speculation, and the power thus given them would enable them to make money illegitimately out of their official positions.

Mr. Chairman, I am aware that I am making a strong charge of official corruption against public officials; but, sir, there is abundant proof to sustain my charges, and if this Congress would do its duty the Interior Department's conduct of affairs in the Indian Territory would be fully and fairly investigated by Congress and the guilty parties brought to justice.

I understand that Mr. Bonaparte and a Mr. Chalmers have been sent to the Indian Territory to investigate the charges of grafting and corruption coming from that unfortunate Territory; but no report has been furnished us from these gentlemen. I believe that the unfortunate condition in that Territory is largely due to the arbitrary, stored law-defying, and vacillating course pursued by the present Secretary of the Interior. Any man who is naturally an autocrat, with autocratic powers placed in his hands by Congress, is a dangerous man to intrust with the property rights of a vast and rich country like the Indian Territory.

Mr. Chairman, Mr. S. M. Brosius, an agent of the Indian Rights Association, went to the Indian Territory last August, and in his official character and after a full investigation made the following report to Mr. Garrett, the president of the Indian Rights Association. This letter was sent by Mr. Garrett to Secretary Hitchcock, and is as follows:

[Springfield (Mass.) Republican, August 18, 1903.]

KNAVERY IN INDIAN TERRITORY. DAWES COMMISSION ACCUSED OF MAKING MONEY BY OFFICIAL RUN. THE INDIAN "THE WORST SCANDAL OF THE NATION."

FRIENDS OF THE LAFFERTY *President Indian Rights Association:*

[illegible] oil and gas companies in [illegible] there is a scramble for oil lands by the principal [illegible] In a [illegible] law has been [illegible] that Indian agents [illegible] the Indians [illegible] the ratification of the [illegible] by way of large profits [illegible] it is be- [illegible] case, without [illegible] be compelled to do, since these com- [illegible] the Dawes commission for the enrollment of the members of the Indian tribes, [illegible] for their expenses during [illegible] the long delay [illegible] of the Commissioners will not be completed for some thirty-odd years. These [illegible] figures of the expert mathematician serve to show at least the need of greater [illegible] wrongs to the Cherokees lies in the manner of dealing [illegible] in favor of the com- [

The Clerk read the bill, as follows:

A bill to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provisions to carry the same into effect.

Whereas James McLaughlin, United States Indian Inspector, did on the 14th day of September, A. D. 1901, make and conclude an agreement with the male adult Indians of the Rosebud Reservation, in the state of South Dakota, which said agreement is in words and figures as follows, to wit:

This agreement made and entered into on the 14th day of September, 1901, by and between James McLaughlin, United States Indian Inspector, on the part of the United States, and the Sioux [illegible] residing on the Rosebud Indian Reservation, in the State of South Dakota, witnesseth:

ARTICLE 1. The said Indians [illegible] Rosebud Reservation, S. Dak., for the consideration [illegible] grant, and convey to the United States [illegible] right, title and interest in and to all that part of the Rosebud Reservation in said State described as follows, to wit: [illegible] Missouri [illegible] and conveyed by [illegible]

[illegible] It is agreed that of the amount to be expended for and paid to said Indians on [illegible] Texas [illegible] women, and children, [illegible] cash payments shall be made within four months after the ratification of this agreement.

[illegible] Reservation, S. Dak., of [illegible] and forty-eight more than a majority consented to [illegible] of that bill. This bill is substantially the same as the bill I have just referred to, except that [illegible] in view of a suggestion made by the Commissioner of Indian Affairs, in which he said he had no objection to the passage of this bill provided the Indians were insured of as much money as they would have received under the treaty, instead of [illegible] was provided in the bill [illegible] fixed the price at $3 per acre for all lands [illegible] first six months and $2.50 for all lands taken thereafter.

It was thought by the committee that this would certainly insure to the Indians as much money as they would have received under the original treaty, and, in my judgment, it insures their [illegible] more. There is no opposition to the passage of this measure, so far as I know. The Indian Bureau and the Secretary of the Interior have both approved it, providing we fix a price, as we have done, that will insure the Indians as much money as they would have received under the original treaty. The Committee on Indian Affairs has considered it fully and at [illegible] spent several meetings of the full committee con[illegible] report of the committee is unanimous. I do not [illegible] the attention of the House in more [illegible] the bill, and unless the gentleman desires to ask [illegible] I will reserve the balance of my time.

[illegible]LEY. Mr. Speaker, I observe that in section 4, relands, it is provided that the Government pay for [illegible] Is that the usual appropriation that is put in all bills of this character?

Mr. BURKE. I am glad the gentleman has asked me that [illegible] I would state that under the enabling act under which [illegible] South Dakota was admitted to the Union it was pro[illegible] sections 16 and 36 in said State should be reserved for [illegible] the common schools of that State, and it further provided that as to the lands within an Indian reservation the pro[illegible] until the reser[illegible] and the land restored to the public [illegible]

That enabling act was passed by Congress on the 22d day of February, 1889. In March of that same year Congress ratified a treaty with the Sioux Indians in South Dakota by [illegible] the enabling act, to pay outright out of the Treasury the money [illegible] 16 and 36 of that land at the price stipulated for in the treaty.

Mr. FINLEY. Then, as I understand the gentleman, he bases [illegible] on or equity for this provision upon the enabling act admitting South Dakota into the Union?

Mr. BURKE. Yes.

Mr. FINLEY. And not otherwise?

[illegible] Agency, S. Dak., this 14th day of September, A. D. 1901.

JAMES McLAUGHLIN,
United States Indian Inspector.

No.	Name	Mark	Age.
1	[illegible]	X	[illegible]
2	[illegible]	X	[illegible]
3	[illegible]	X	[illegible]
	[illegible]		

[illegible]

ROSEBUD AGENCY, S. DAK., [illegible]

[illegible] of the Rosebud Agency, S. Dak., to the foregoing agreement:

[illegible]
C. H. BENNETT
[illegible]
Witness:
[illegible]
Witness:
[illegible]

[illegible]
[illegible]
Witness:
[illegible]
Witness:
[illegible]

LOUIS BENNETT,
[illegible] District.

ROSEBUD AGENCY, S. DAK., October 1, 1901.

I certify that the foregoing agreement was explained to the Indians belonging on the Rosebud Reservation, S. Dak., and that the signatures attached to said agreement, being at least three-fourths of the male adults of said Indians belonging on the Rosebud Reservation, S. Dak., [illegible]

CHAS. S. McCHESNEY,
United States Indian Agent.

ROSEBUD AGENCY, S. DAK., October 1, 1901.

Therefore,

Be it enacted, etc., That the said agreement be, and the same hereby is, accepted, ratified, and confirmed as herein amended and modified, as follows:

"ARTICLE 1. The said Indians belonging on the Rosebud Reservation, S. Dak., for the consideration [illegible] grant, and convey to the United States [illegible] right, title and interest in and to all that part of the Rosebud Reservation [illegible] described more particularly as follows, to wit: [illegible] Missouri [illegible] S. Dak., of [illegible]

[illegible] and conveyed by [illegible]

[illegible] in each of the following years [illegible]

[illegible] within four months after the ratification of this agreement [illegible]

[illegible] Reservation, S. Dak., of [illegible] and forty-eight more than a majority consented to [illegible] of that bill. This bill is substantially the same as the bill I have just referred to, except that [illegible] in view of a suggestion made by the Commissioner of Indian Affairs, in which he said he had no objection to the passage of this bill provided the Indians were insured of as much money as they would have received under the treaty, instead of [illegible] was provided in the bill [illegible] fixed the price at $3 per acre for all lands [illegible] first six months and $2.50 for all lands taken thereafter.

It was thought by the committee that this would certainly insure to the Indians as much money as they would have received under the original treaty, and, in my judgment, it insures their [illegible] more. There is no opposition to the passage of this measure, so far as I know. The Indian Bureau and the Secretary of the Interior have both approved it, providing we fix a price, as we have done, that will insure the Indians as much money as they would have received under the original treaty. The Committee on Indian Affairs has considered it fully and at [illegible] spent several meetings of the full committee con[illegible] report of the committee is unanimous. I do not [illegible] the attention of the House in more [illegible] the bill, and unless the gentleman desires to ask [illegible] I will reserve the balance of my time.

[illegible]LEY. Mr. Speaker, I observe that in section 4, relands, it is provided that the Government pay for [illegible] Is that the usual appropriation that is put in all bills of this character?

Mr. BURKE. I am glad the gentleman has asked me that [illegible] I would state that under the enabling act under which [illegible] South Dakota was admitted to the Union it was pro[illegible] sections 16 and 36 in said State should be reserved for [illegible] the common schools of that State, and it further provided that as to the lands within an Indian reservation the pro[illegible] until the reser[illegible] and the land restored to the public [illegible]

That enabling act was passed by Congress on the 22d day of February, 1889. In March of that same year Congress ratified a treaty with the Sioux Indians in South Dakota by [illegible] the enabling act, to pay outright out of the Treasury the money [illegible] 16 and 36 of that land at the price stipulated for in the treaty.

Mr. FINLEY. Then, as I understand the gentleman, he bases [illegible] on or equity for this provision upon the enabling act admitting South Dakota into the Union?

Mr. BURKE. Yes.

Mr. FINLEY. And not otherwise?

[illegible] to pay for the lands granted to the State of South Dakota, as provided [illegible]

[illegible] the reading of the bill Mr. FINLEY rose.

[illegible]. For what purpose does the gentleman rise?

Mr. [illegible]LEY. I believe that we are reading the bill. Is the bill open [illegible] amendment?

The SPEAKER. Not while it is being read. It will be open for [illegible] when the reading is completed.

[illegible] the reading of the bill.

[illegible]. Mr. Speaker, I am [illegible] for the opening [illegible] a portion of the Rose[illegible], in South Dakota, being that portion of the [illegible] County. In 1901 a treaty was entered into [illegible] and Indians on the part of the United States, by [illegible] Indians agreed to sell to the Government this land for [illegible] bursed by [illegible] of the lands to settlers, it never [illegible] than through the Committee on Indian Affairs, which [illegible] reported it favorably. It was [illegible]

[illegible] luding days of the last session of Congress a new bill was prepared, substantially as this bill now provides, and [illegible] provided that the lands should be ceded by the [illegible] Government, disposed of to settlers under the provi[illegible] to be [illegible] Congress because of lack of time, but during the [illegible] that bill was submitted to this tribe of Indians for their [illegible] and forty-eight more than a majority consented to [illegible] of that bill. This bill is substantially the same as the bill I have just referred to, except that [illegible] in view of a suggestion made by the Commissioner of Indian Affairs, in which he said he had no objection to the passage of this bill provided the Indians were insured of as much money as they would have received under the treaty, instead of [illegible] was provided in the bill [illegible] fixed the price at $3 per acre for all lands [illegible] first six months and $2.50 for all lands taken thereafter.

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Mr. BURKE. I am glad the gentleman has asked me that [illegible] I would state that under the enabling act under which [illegible] South Dakota was admitted to the Union it was pro[illegible] sections 16 and 36 in said State should be reserved for [illegible] the common schools of that State, and it further provided that as to the lands within an Indian reservation the pro[illegible] until the reser[illegible] and the land restored to the public [illegible]

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Mr. FINLEY. Then, as I understand the gentleman, he bases [illegible] on or equity for this provision upon the enabling act admitting South Dakota into the Union?

Mr. BURKE. Yes.

Mr. FINLEY. And not otherwise?

Mr. BURKE. No.

Mr. FINLEY. What is the number of acres of land that have been granted by the National Government to the State of South Dakota for school purposes [illegible]

Mr. BURKE. Sections 16 and 36.

Mr. FINLEY. About how many acres does it amount to?

Mr. BURKE. I could not state.

Mr. FINLEY. The State is quite rich in school lands, is it not?

Mr. BURKE. Yes.

Mr. FINLEY. About what amount of money will be required from the Treasury of the United States to pay for these lands provided for here in section 4?

Mr. BURKE. Not [illegible] about $70,000—I think $72,000 or [illegible] I am going to ask to amend the bill by striking out [illegible] and inserting "$75,000." The actual amount, I think, will be about $72,000, as nearly as I can calculate.

Mr. [illegible]. I reserve the balance of my time and yield ten [illegible] to the gentleman from New York [Mr. BAKER].

Mr. BAKER. Oh, make it fifteen.

Mr. BURKE. I hope the gentleman will be satisfied with ten minutes. We want to get through [illegible] as quickly as possible.

Mr. BAKER. Mr. Speaker, I [illegible] that it will [illegible] when the vote on this bill is taken whether I speak for five or fifteen minutes. Yet, Mr. Speaker, because this bill involves what seems to me a violation of the principle which should [illegible] with reference to the ownership of land because it [illegible] settlement, I desire to enter my protest against [illegible] on these grounds.

I regret very much, Mr. Speaker, that I did not know until a [illegible] ago that this bill was to be discussed to-day. I [illegible] have liked a short time, if but an hour, to send [illegible] to the attention of the House, so as to am[illegible] remarks I shall now have to make spontaneously.

Mr. Speaker, what is it that this bill proposes to do? From the [illegible]point from which I shall discuss the bill we can [illegible] from the discussion. I am not going to raise the [illegible] point: the point is what is to become of that land when it comes into the possession of the United States and the ownership [illegible] of the people as a whole.

The bill, [illegible] a policy which has obtained in the past. Is that not so?

Mr. BURKE. Yes, sir.

Mr. BAKER. Now, Mr. Speaker, that policy to my mind is a fatally defective policy—a policy which in a large measure is responsible for the economic conditions that exist in the United States. [illegible] Congress on the other side will say that the [illegible] in this country were never more prosperous than they are now. Let us concede for the sake of argument that is so; that they are more prosperous than they ever were; yet that does not alter my position that they would have been infinitely more prosperous than they are, relatively more prosperous. That they have ever been so is the fact that the United States has allowed this natural [illegible] to be [illegible] of its public lands. They have permitted [illegible] land, and no matter how low the price [illegible] as the result of [illegible] population—aside from the natural [illegible] of the increase of value, goes into the private pocket of the individual who was fortunate enough, perhaps shrewd enough, or quick-witted enough, or anything else you may choose to call it, to get there a little ahead of some other one and by [illegible] in many cases [illegible] for a mere song a property that may have been the real value at the time of the purchase, but which subsequently attached to that land as a result of population [illegible].

Now, in what particular does this policy violate what should in my judgment be the policy of the United States? It violates it in this way: it says to the man who is shrewd enough to go there and arrives a day, a month, or a year ahead of somebody else—I care not what the period of time may be—he shall have the exclusive "ownership" of that land; he shall enjoy all the [illegible] which subsequently attaches, no matter what causes that [illegible].

In other words, you are by this and similar bills perpetuating—you are offering a premium to [illegible] in land speculation in the United States, and land [illegible] of this country, as it has been the curse of every [illegible] country in the world.

The evil results which have followed the existing systems of entry and purchase of public lands are clearly illustrated in an article by J. L. McCreery, of this city, entitled "Our system of distributing the public lands."

In illustrating some of the fraudulent methods employed, which no doubt in the main are due to the fact that the present system offers great premiums in the shape of whatever increment of value may subsequently attach to land by reason of increase of population, etc., he says:

[illegible]

Why do men engage in these gigantic land frauds? Is it conceivable that they would do this, that such practices would be engaged in if the leasing system obtained, if they knew that no matter what the increase in the value of the land its annual rental would increase in like proportion? Certainly not! They do this, they are willing to lose even their own souls because of the great prizes offered them for the possibility of a large increase in the value of the land, which at some time in the future they will be able to squeeze out of the genuine settler, the man who is really looking for a quarter section of land upon which to build a home and rear a family. Periodical appraisements at brief intervals would destroy this form of land speculation and all the fraud which attaches to it.

The methods which Mr. McCreery cites are no doubt largely responsible for the existence of enormous land holdings by companies and individuals. Every schoolboy knows the enormous increasing power of accumulated capital. As these large estates increase in size and number the greater will be their power to absorb the smaller farms adjoining them. Our farms of 500 acres and over would now cover an area more than five times the size of the great State of Indiana, with its 2,000,000 and over inhabitants. That is to say, about 115,940 men own a vast area of about 126,000,000 acres of the best farming land in the world, and which should be divided among 10,000,000 people, and which is capable of giving support, well-ordered homes, and happiness to that vast number of people. And when we consider the further awful fact that about one-half of this vast expanse of 126,000,000 acres of land, which within the memory of men still living was parceled out by our Government to our citizens in small farms, is now at this early day described by and owned by 31,540 men and corporations, the situation is still more alarming. In one of his speeches Daniel Webster once said: "A free government can not long endure where the tendency of laws is to concentrate the wealth of the country in the hands of a few, and to render the masses poor and dependent." In the light of the above facts, can there be any doubt as to the tendency of our present land laws, and that radical changes in our land laws are absolutely necessary?

The extent of many of these large estates is simply astounding, as is shown by the following list of a very few of the large land owners of this country:

	Acres.
Col. D. C. Murphy	4,000,000
Three [illegible] owned by four men	3,000,000
The Stanford [illegible]	1,000,000
John W. Toward, a farmer in North Dakota (nearly as large as Rhode Island)	704,000
Ex-Senator Dorsey	500,000
[illegible]	500,000
Miller & Lux, San Francisco	450,000
Mr. McLean, of California	400,000
William A. Clark	350,000
New York [illegible]	300,000
[illegible]	300,000
[illegible] Cattle Company	[illegible]
[illegible]	200,000
[illegible]	200,000
[illegible]	200,000
[illegible] family, of California	150,000
[illegible]	100,000
[illegible] Coal and Iron Company	100,000

But a still more alarming feature lies in the enormous alien ownership of our land. In addition to the numerous smaller alien holdings here, fifty-six foreign persons and corporations own more than 26,000,000 acres of our land—an area equal to four of the great States of Ohio, Kentucky, or Virginia. The enormous size of some of these holdings of land in this country by foreigners may be seen by the following partial list:

	Acres.
[illegible]	1,500,000
[illegible]	700,000
[illegible]	600,000
[illegible]	500,000
[illegible]	422,000
W. W. [illegible]	300,000
Duke of Northumberland	191,000
[illegible]	185,000
[illegible]	116,000
[illegible]	120,000
[illegible]	100,000
[illegible]	75,500
W. W. [illegible]	90,000
[illegible]	70,000
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]

was one of the great railroad lawyers of the country, Thomas G. Shearman, who had not only been attorney for some of the great railroad systems—among others, for James J. Hill, of the Great Northern—but at the time of his death was counsel of that great Rockefeller institution, the National City Bank. Mr. Shearman repeatedly said, "that neither the preferred nor the common stock of the railroads of this country represented any actual investment of capital (if we exclude money paid and stock issued to legislators—not legislatures—for their franchises), but that the railroads as a whole had not originally cost to exceed 35 per cent of the par of the bonds; that from 25 to 50 per cent of the preferred was issued as an extra inducement to the bankers who bought the bonds, and that the balance of the preferred and practically all of the common stock was divided between the promoters of the railroad, the legislators, and the intermediaries who secured the franchises.

Now, Mr. Speaker, what should be the policy of the United States? The policy of the United States should be to lease these lands and all other lands which it owns; to lease them for short periods of years, and at the end of such short period let there be another leasing, giving to the Government whatever increment of value has attached to these lands by reason of the increase of population that has taken place in the meantime, by reason of the increase of invention, by the improvements of government, or anything else. For you must remember that there is no invention, there is no improvement of government, fire, police, or anything else, there is no increase of population, but what adds to the value of land. The policy of the Government, as I say, should be to lease the land for brief periods, and at the end of these periods of lease the land should be reappraised and men should be permitted to bid, and if some one else beside the owner of the improvements gets the land of course he would be recompensed the full value of the improvements.

Mr. LACEY. I should like to ask my friend how many orchards, he thinks, would be set out in Dakota and Iowa if a man had a three years' lease on the land and the chance of somebody else taking it away from him at the end of that time?

Mr. BAKER. I will answer the gentleman from Iowa by saying that I have said nothing whatever about the length of the period of lease. My own judgment, however, is that it ought not to be more than five years. Therefore, I will meet his question. Let me say to the gentleman that if the owners of the land are assured, as they will be, that they shall have the preference of opportunity to secure the new lease, there will be no difficulty. And I will say that the people of the United States are not going to pass any law interfering with the present system of land tenure that does not to a very large extent favor the men who are in possession of the land. Why, the whole system has been to favor these men in the past.

My friend from Iowa asks "how many orchards would be set out in Dakota and Iowa if a man had a three years' lease on the land and the chances of somebody else taking it away from him at the end of that time."

I do not imagine that the people of Iowa or South Dakota are much different from those of Illinois. In the latter State one man, really an alien, Lord William Scully, of London, owns from fifty to sixty thousand acres of the best farming land there. We are told "that he rents it at the highest cash rental, requires the tenants to build their own houses, barns, etc., and until the State prohibited it they had to pay the taxes on the land. Since then he has added the tax to the rent." From his tenants he receives about $150,000 per annum for the privilege of merely existing on his soil.

This shows not merely that men will rent land, but that they are doing so on a large scale from private individuals, and I want to call the attention of the gentleman from Iowa to this, for here they not merely lay out their own orchards, but they build their own houses, barns, etc., upon this rented land. And they are compelled to do so because of the policy which is perpetuated in this bill under which individuals are encouraged to engage in land speculation on a gigantic scale.

They are encouraged, aye, almost invited, to engage in the shameful practices I have referred to. Because of the tremendous prizes which this system offers, fraud, robbery, and sometimes arson are engaged in. Any and all means are adopted by the shrewd, cunning, and unscrupulous, who are frequently even in these cases the rich and the powerful, to get title to immense tracts of the public land, not for occupancy and use, but to withhold from use, for the more land thus withheld the greater premium these men can squeeze out of the real settlers either in original purchase price or in annual rentals. That even the possession of great wealth does not deter men from engaging in such practices is shown in the decisions of the General Land Office, volume 12, January 1 to June 30, 1891, which, on page 34, recites:

[illegible] land entries were filed in that [illegible] acres, which at once passed into the hands of Mr. J. B. Haggin, and for which he paid to the receiver $3,744.45. Haggin's claim was that he had loaned money to these 151 entrymen, and that they had assigned to him their "final certificates."

What the present value of these 35,000 acres of land may be I have no means of knowing, but it is quite possible that their ownership thus obviously fraudulently acquired is the basis of at least one of the millions he is reputed to possess.

Time and time again we are told that perpetual ownership of the fee is absolutely essential to induce men to cultivate the land. It is constantly asserted that unless the land is sold for all time the occupier will not improve it; that, according to the inference of the query of my friend from Iowa, no one will plant orchards thereon. This, in the face of the fact that for over three hundred years the leasing policy—the policy of paying the rental for the use of the land into the public treasury instead of into private pockets—obtains in Freudenstadt, Germany, as set forth in an article by Henry Labouchere in his paper, the London Truth. He says:

For instance, there is Freudenstadt, a hamlet in the valley among the Alps in the southwestern part of the German Empire, 45 miles of [illegible]. That region has been favored with but few natural resources, but [illegible] three and four hundred years ago [illegible] land. [illegible] whatever natural wealth or resources were found to accrue [illegible] [illegible] community [illegible] The theory and practice has been persisted [illegible] some price of valuable timber which the people dig and plow for [illegible] This man who do the digging receive day's wages, but what they [illegible] day's sold the pay for the carcass" what remains "represents" [illegible] treasury. Upon the hillsides is some serviceable timber. The men who dig down and pile up the timber are paid day's wages; when the timber is sold its value as it stood uncut upon the stump—in short, the "stumpage"—goes into the treasury.

What a pity a few thousand such monks, intelligent in economics, did not come to this country instead of the William Penns who transplanted here the English system of selling the land.

The income from these sources pays their share of the tax levied for support of the German Empire, pays their own officers, builds their houses, and pays their teachers. Hence their children have not been taxed a cent in three hundred and more years. Their income always exceeds their expenditures. In 1882 this surplus was divided among the inhabitants per capita, each man, woman, and child receiving in terms of our money $40. The amount distributed in 1890 would have been $10.55, but the citizens voted to apply it to building water works.

The folly of the present system of permanently alienating the land is clearly set forth in Mr. McCreery's article, from which I quote:

The refusal of the Government to use for its own support the rental value of its ordinary land, the royalty of its minerals, the stumpage of its timber compelled it necessary to pass other laws most oppressive, unrighteous, and demoralizing. The tariff laws, resulting in smuggling, provoking perjury in the custom-house, and when honestly enforced woefully discriminating against the poor man. Internal-revenue laws, inducing the making of "moonshine whisky," the murder of revenue officers, and other forms of lawlessness.

But when I ask the average farmer, "Would you not like such a change in the tax laws as would remove you of one half the tax you are now paying, and place it on the shoulders of the land speculators, the mine owners, the timber syndicates, the oil companies, and others who are now enriching themselves by monopolizing the bounties of nature?" he answers, "The old plan, by which I and my ancestors have been fleeced in the past, is good enough for me." When I ask the average laborer, "Would you not like a system of taxation that would furnish employment to a million more workingmen than can now find employment (half a million in the cities and another half a million in the country) and raise the wages of all?" he turns upon me with a sneer and says, "You are a crank and an anarchist. Get hence!"

I could very well afford to go, for while the farmer and the workingman are paying twice the tax they need to they are also paying at least half of mine. But alas! this is not merely a question as to which shall pay his own or the other's tax, but one of honesty or morality and national welfare. Aside from the fact that our system of land laws opens invitingly wide the door to gigantic frauds upon the Government and upon individuals and offers an enormous premium on perjury, their effect, even when enforced in strict accordance with the intent of the legislative power that enacted them, is consequently pernicious.

He says:

If it be demoralizing to train a nation to become a set of liars when confronted by tax assessors or custom-house officers; if it be demoralizing to educate the young to the idea that labor is degrading and that the most respectable and honorable thing in life is to enrich one's self by being a parasite upon one's fellow-creatures; if it be demoralizing for the Government not only to throw away its present resources, but to do so upon a lottery plan which encourages gambling and a horde of kindred vices; if it be demoralizing to increase the number of the landless multitude who have no stake in the welfare of our nation; if it be demoralizing to have a million idle men among us, constituting a "reserve" ward in every city and a great army of tramps traversing the country; then I have proved the proposition that in addition to being the parent of fraud and perjury, our land laws, even when honestly and faithfully administered, are a source of widespread and woeful demoralization.

You say, if you do not permit private ownership, there will be no security of tenure; there will be no inducement for people to go on and improve their land. To any man who cares to make that statement upon this floor I wish to say that some of the greatest buildings in the city of New York are situated upon leased land—that some of the most valuable buildings in the city of New York have been erected upon leased land, upon land owned by the Sailors' Snug Harbor corporation land that for generations has been leased from time to time. The entire usufruct of that land goes to that private corporation—the Sailors' Snug Harbor—and

does not go to the men who own the buildings, who use the buildings, and carry on great mercantile affairs. Yet you will say that it is necessary that there shall be permanent private ownership of land before men will engage in business enterprises.

Mr. Speaker, go into any one of the large cities of the United States, and what will you find? You will find hundreds of thousands of individuals congregated in such a small area that it is [illegible] impossible for them to breathe separately. The crowded [illegible] of New York City, the crowded condition of Chicago, [illegible] that exist in those and other cities and that also [illegible] here in the capital of the United States, are directly due to this policy of encouraging people to withhold land from [illegible] that they may be able to exact an ever-increasing tribute [illegible] who subsequently use it, after paying a brigand's ransom for it.

I have said that the existence of slums in our great cities is directly traceable to the policy which is continued in this bill of selling the public lands outright. This policy of outright sale, together with the policy of assessing unused land at but a fraction of its value, creates overcrowding—that is, the slums—and which has been recently shown to exist right here in Washington to an alarming degree. To what extent land speculation is encouraged in the District of Columbia by this foolish policy of [illegible] entirely exempting unused land from taxation is shown in [illegible] of Paul T. Bowen, who in January, 1896, then being a [illegible] Treasury Department, purchased 2.3 acres of land in [illegible] southwestern part of the District, near Chevy Chase, for $1,840. When he bought it it was assessed at $225 an acre. The following year the assessment was reduced to $200 an acre as "agricultural" land at $1 on the $100, and was continued at that rate until January, 1901, when he sold the land for $5,000, making a net profit of $3,137—170 per cent—in five years. This land sold for an out $2,200 an acre and was assessed at $200 an acre—about one-eleventh of its value. I suppose the assessors assessed it as "agricultural land" so as to help the farming industry.

The following from the Washington Post gives but one illustration of the results that follow this encouragement to land speculation:

[Washington Post, January 8, 1902.]

The object of the resolution, argued Mr. M. I. Weller, was to provide for an equalization of taxation and proper valuation of these parcels of land [illegible] for speculative purposes. The Government property adjoined [illegible] a plot containing 71 acres from a tract of 250 acres. The portion bought by the Government was about one-fourth of the whole, and the [illegible] by the assessors at $85,000. The actual valuation [illegible] and at the prices of real estate men the price [illegible] Government was by no means high. As one instance of the [illegible] more startling was shown by Mr. Weller. The Government [illegible] another piece of property beyond the [illegible] $2,400 was paid. He had [illegible] back up the [illegible] and found it to be $3,000, less than 6 per cent of the amount that the Government paid for it.

One of the disastrous effects which have followed our adoption of the English land system, which is perpetuated in this bill, is [illegible] in an editorial paragraph in a recent issue of the Public, a paper which I stated on a previous occasion discusses current affairs in a manner that can not help but clarify the thought of those who read its editorials:

How American sympathy went out to the evicted Irish some years ago. [illegible] were turned out of their homes for nonpayment [illegible] New York City. Apparently the only difference is in the fact that [illegible] during the year has a shadowy thing special in [illegible] New York overcrowded and your wages about twenty times as high as in the [illegible] year of Irish evictions. In proportion to population the [illegible] Whereas the Irish evictions of the last year represented [illegible] of population, those of New York numbered about 1 to [illegible] of population.

Does it not constitute an indictment of the present system of [illegible] public land, thus encouraging land speculation, which has produced the same evils here as have afflicted Ireland for generations?

I have said that our policy of permanently alienating the public lands was copied from England. That is true. I wish I could say it is also true that this country is ready to follow England in a change in this very policy which she seems to be on the eve of making, or at least which she gives unmistakable signs of being likely to do in the near future. My Republican friends some five years ago suddenly became such great admirers of England and the policy of territorial aggrandizement of her Tory ministers that they "benevolently assimilated" the Filipinos. Recently they have been even more warm in their expressions of admiration for Joseph Chamberlain's cynical, retrograde policy. No more are we told that it is necessary to twist the British lion's tail on every occasion that offers; on the contrary, our American Tories even seemed to be about to invite that renegade radical, Chamberlain, who is out-Torying the Tories, to come over here and take charge of the rapidly approaching campaign for "protection and plutocracy"—I beg pardon, for "protection and labor."

I admit that their pro-Chamberlain ardor has apparently somewhat cooled with the English election returns of the past six weeks. With constituency after constituency, rural as well as urban, recording themselves against a resuspension of the corn laws or any other form of protection, our Republican friends are probably not quite so sanguine of what will come out of a British general election.

While it is gratifying to observe that Chamberlain is not succeeding in his attempt to hoodwink the British workingman into believing that he can lift himself up by his bootstraps—that he can tax himself rich, that a tax upon foodstuffs will benefit him—it is even more gratifying to observe that the Liberal party there, the prototype of the Democratic party here, is not content to meet Mr. Chamberlain with the mere negative proposition of "leaving well enough alone," nor to emulate Marcus Hanna in his "stand-pat" policy, but are rather showing an unmistakable disposition to go to the root of the matter.

One of the great London magazines, the Contemporary Review, has in its January number an article entitled "The need of a Radical party." If we were for American consumption, I suppose it would have called it "The need of a radical Democratic party."

This article, in describing what is needed to combat and successfully overthrow the revival of protection, says:

[From Contemporary Review for January.]

There [illegible] a great question which will live means in [illegible] with the Government, which it will [illegible] that the land question goes to the root of [illegible] "Man has [illegible] save Heaven's manage, and in Christian man and he land are parted. It [illegible] surprising that not only [illegible] and friends of Donald [illegible] view this question. What far reaches is the [illegible] the [illegible] to the rearing of [illegible] The [illegible] of agriculture the fact that a yearly increasing load of [illegible] and work on the soil, and a yearly decreasing proportion feed a increasing [illegible] [illegible] the population of [illegible] in the last [illegible] years a further decrease of 20 per cent has taken place, while in fatal testimony to the tendency to make land the sport [illegible] of the rich rather than the performance of the entire people, the number of gamekeepers has increased 25 per cent in the same period. Is it possible to state a fact of greater social significance?

It may be profitable to ask right here why the number of English agricultural laborers has declined 52 per cent in fifty years, while gamekeepers have increased 25 per cent during that period. The answer is not hard to find. It is found in a system of taxation in England, as here, which places nearly all the burden of local taxation upon improvements and upon personal property, while land values almost escape taxation. Let England but reverse this policy. Let her exempt improvements and other forms of labor products from taxation and place the burden of taxation where it naturally belongs—on land values—and her dukes, marquises, and earls will no longer find it profitable to breed rabbits and foxes. The land will then be cultivated, and farm laborers will not need to immigrate here or to Canada to look for employment. It is land monopoly, made possible because land is not taxed according to its value, that drives the farm laborer from the country of his birth, while gamekeepers are employed to drive his fellow off of "my lord's" land. Our policy of selling the public lands and then placing the burden of taxation upon the settlers' improvements, while the land speculator almost entirely escapes, is producing in America the same evils.

The writer goes on to describe further the desertion of English fields and the degradation of the landless laborers, and asks: "What are the remedies?" He answers:

Not the discredited device of protection, which the laborers will not have at any price, but the reform of our land system for land system [illegible] the more effective bar to the employment of the wealth so discovered that [illegible] and Malthusian theorist of the pressure of population on the means of subsistence be and forever and that, as Prince Kropotkin shows, the land of [illegible] enough out of the earth to feed not merely the foreign-fed manufacturers of beauty, but double and treble that number.

The writer continues:

Municipal bodies charged with the growing burden of improvements, the [illegible] of transport and other expenses, the appalling waste of [illegible] are rapidly coming to Mr. Lloyd's conclusion, that the taxation of ground values lies at the root of the housing problem.

As it is inevitable that we in this country must ultimately conclude.

The article then shows the reasonableness of this method of taxation and violently attacks Mr. Chamberlain's proposals, calling them a "monstrous piece of economic atavism"—an attempt to shift more and more of the burdens of the state upon industry and wages.

The conclusion of the author is that "the land question is ripe for action."

The Contemporary Review is not alone in pointing to the taxation of land values (in England sometimes termed the "taxation of site values," at other times "taxation of ground rents") as the policy which the Liberal party must adopt to successfully and completely defeat Chamberlain's protection propaganda. For the London Speaker, the leading Liberal weekly, in its editorial of January 9, says:

We have to attack not merely the false remedies the protectionists are offering us, but the real abuses and injustices they are defending.

It proceeds:

For this reason we are delighted to notice the emphasis laid by the Independent Review on the necessity of land reform a subject which occupies two articles in the January number of that periodical. The first article, [illegible] from the pen of the editor, destroys in a terse and luminous style [illegible] the historical grounds for land monopoly. The second, written by Mr. Charles Trevelyan, [illegible] for the taxation of land [illegible] opinions in favor of treating this question as one of immediate urgency have been expressed often enough in these columns.

The Speaker urges the Liberal party to grapple fearlessly with the land problem, and says "the case for action is unusually strong."

Mr. Chamberlain proposes to increase the price of food without relieving at all the pressure of rent, and [illegible] measures of [illegible] grappling with the problem in its various aspects, for the land question is just as important in Ireland as in England.

The SPEAKER. The time of the gentleman has expired.

Mr. BAKER. I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. STEPHENS of Texas. Mr. Speaker, I desire to offer an amendment to one section of the bill.

Mr. BURKE. I do not think it would be in order to offer an amendment. I can not accept it.

The SPEAKER. The gentleman is entitled to an hour, and after the expiration of that time the bill is open to amendment, unless the previous question operates.

Mr. BURKE. Well, I do not yield to an amendment, Mr. Speaker.

Mr. STEPHENS of Texas. I will say to the gentleman that I am in favor of the bill. I believe it is correct in its policy. I believe that these reservations should be opened up, but I do not believe in the provision of the bill that provides that after the four years' time has elapsed that the remaining portion of the unsold land should be sold in unlimited quantities under such rules and regulations as the Secretary of the Interior may prescribe. I desire to offer an amendment providing that the amount sold to any one man shall not exceed 640 acres. I would limit it to 160 acres if it were agricultural land, but I presume all the agricultural land will have been taken within the four years and that there will be no agricultural land to be taken up.

Mr. BURKE. Does the gentleman want to limit the amount to 640 acres?

Mr. STEPHENS of Texas. Yes; to 640 acres.

Mr. BURKE. Is that all that the amendment provides?

Mr. STEPHENS of Texas. That is all that part of the amendment provides.

Mr. BURKE. I do not object to that.

Mr. STEPHENS of Texas. There is another amendment which I think should be made to this bill. If there were valuable minerals in this land the minerals should not pass with the land and be subject to entry. I believe that the miners are entitled to as much consideration as the homesteader.

Mr. BURKE. There is a general law that protects that.

Mr. BAKER. I desire to offer an amendment.

The SPEAKER. The Chair will again state to the gentleman from South Dakota that he is recognized for an hour.

Mr. BURKE. I understand that, Mr. Speaker.

The SPEAKER. And that the bill is subject to amendment unless the gentleman at the end of that time asks the previous question.

Mr. BURKE. I stated that I had no objection to the amendment offered by the gentleman from Texas, to limit it as he states, and after the disposition of that I shall ask for the previous question upon the bill and amendments to its passage.

The SPEAKER. The Chair will state to the gentleman from South Dakota that the Chair understands the rule to be this: In the hour that the gentleman controls the bill is not subject to amendment, and that so far the amendments have been read for information. Now, if the gentleman yields the floor the bill will be subject to amendment.

Mr. BURKE. I am not yielding the floor, Mr. Speaker, and I ask for the previous question.

The SPEAKER. The previous question is asked for.

Mr. BAKER. I shall object, Mr. Speaker, unless I can have an opportunity to offer my amendment.

Mr. BURKE. I ask that the bill be amended as suggested by the gentleman from Texas.

Mr. BAKER. Mr. Speaker, I object.

The SPEAKER. The gentleman from South Dakota asks unanimous consent——

Mr. BAKER. I object, Mr. Speaker, unless I can have an opportunity to offer my amendment. You can vote my amendment down in a second.

Mr. BURKE. Do I understand that the amendments of the committee are now considered as pending?

The SPEAKER. The amendments reported from the committee are pending. The gentleman from South Dakota can offer an amendment if he sees proper, and then call the previous question. He can test the sense of the House at any time he desires.

Mr. BURKE. Mr. Speaker, I offer the following amendment:

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

After the word "interior," in line 12, page 10 of the bill, insert the words "not more than 640 acres to any one purchaser."

Mr. STEPHENS of Texas. That covers the ground of my amendment.

On motion of Mr. BURKE, the previous question was ordered.

The question was taken on the amendment, and the amendment was agreed to.

Mr. BAKER. Mr. Speaker, a parliamentary inquiry. Do I understand I can not now offer an amendment?

The SPEAKER. The previous question is now operating.

Mr. FINLEY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FINLEY. Merely for a matter of his information. I wish to call the attention of the gentleman from South Dakota to the proposition to amend the amount of appropriation by reducing it from $90,000 to $55,000.

Mr. BURKE. I am going to offer that at the proper time. I move to amend, Mr. Speaker, in section 5, in line 11, to strike out the word "ninety" and insert "seventy-five."

The SPEAKER. Is there objection?

Mr. BAKER. I object.

The SPEAKER. Objection is made. The question is on the engrossment and third reading of the bill.

Mr. FINLEY. I move to recommit the bill with instruction to report back a reduced appropriation from $90,000 to $55,000, in line 10, page 11.

The SPEAKER. The gentleman from South Carolina moves to recommit the bill with instructions to the committee to report the same back immediately with an amendment, striking out the word "ninety" and inserting the word "seventy-five" in line 10, page 11; so as to make the appropriation $55,000 instead of $90,000.

Mr. BURKE. Mr. Speaker, a parliamentary inquiry. What will be the status of the bill if the gentleman's motion prevails?

The SPEAKER. It will have to be reported back by the committee forthwith if this motion is adopted.

The question was taken; and the motion was agreed to.

Mr. BURKE. Mr. Speaker, I report back the bill H. R. 10448 with an amendment, in accordance with the direction of the House.

Mr. BAKER. A parliamentary inquiry. Has the committee had a meeting?

Mr. BURKE. I now ask the previous question on the bill and the amendments to its passage.

Mr. BAKER. You can not——

The SPEAKER. One moment. The Chair is informed, and his recollection without the information concurs with the information, that this is the usual proceeding and that there are precedents. The Clerk will read section 1022 of Hinds's Parliamentary Practice.

The Clerk read as follows:

SEC. 1022. A bill may be recommitted with instructions that it be reported back forthwith, and this request may be made at any time in the consideration of the committee and is not subject to the point that it had been considered in the Committee of the Whole if it has previously been considered there.

Mr. BURKE. Mr. Speaker, I now ask the previous question on the passage of the bill and the amendments.

Mr. BAKER. A parliamentary inquiry, Mr. Speaker. Do I understand that under the rules it is not necessary for the committee to meet when the bill was recommitted?

The SPEAKER. Such has been the practice with such instructions.

Mr. BAKER. All right; I want to get that clear. Now I ask unanimous consent to offer an amendment. The fate of that amendment is known. Probably there will not be another vote for it in this House.

The SPEAKER. The gentleman from New York asks unanimous consent to offer an amendment. Is there objection?

Mr. MARTIN. I object.

The SPEAKER. Objection is made. The question now is on the engrossment and third reading of the bill.

The question was taken; and on a division (demanded by Mr. BAKER) the ayes were 110 and the noes 1.

Mr. BAKER. Mr. Speaker, I make the point of no quorum.

The SPEAKER. The gentleman from New York makes the point of no quorum.

Mr. BURKE. Mr. Speaker, I ask unanimous consent that the

gentleman from New York may be permitted to offer his amendment. [Laughter.]

Mr. BAKER. I withdraw my point of no quorum, Mr. Speaker.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that the gentleman from New York may offer an amendment.

Mr. MACON. I object.

Mr. BAKER. I raise the point of no quorum, Mr. Speaker.

Mr. PAYNE. Evidently, Mr. Speaker, there is no quorum, and we can vote on this Monday morning to accommodate my friend from New York. I move that the House do now adjourn.

The SPEAKER. Pending that, the Chair will submit the following personal request:

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BADGER indefinitely, on account of important business.

ADJOURNMENT.

The motion of Mr. PAYNE was then agreed to.

Accordingly (at 3 o'clock and 45 minutes p. m.) the House adjourned until Monday next at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the president of the Capital Traction Company, submitting a statement of the receipts and disbursements for the year ended December 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Samuel B. Harris against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Postmaster-General, submitting a reply to the House as to the use of horses and vehicles in his Department—to the Committee on Expenditures in the Post-Office Department, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy submitting an estimate of appropriation for reimbursement of the owners of the tug *Hustler*—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HENRY of Texas, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 10145) to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas, reported the same without amendment, accompanied by a report (No. 644); which said bill and report were referred to the House Calendar.

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 5498) to provide for circuit and district courts of the United States at Albany, Ga., reported the same with amendment, accompanied by a report (No. 645); which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 10993) granting a pension to Mary McEvoy—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11165) granting a pension to Thompson F. Frisbee—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9966) for the judicial ascertainment of claims against the United States—Committee on Claims discharged, and referred to the Committee on the Judiciary.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SCUDDER: A bill (H. R. 11435) to establish a permanent military camp ground in Suffolk County, Long Island, in the State of New York—to the Committee on Military Affairs.

By Mr. CANDLER: A bill (H. R. 11436) to extend the limits of the Shiloh National Military Park and to provide for the improvement thereof—to the Committee on Military Affairs.

By Mr. POWERS of Massachusetts: A bill (H. R. 11437) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. McCARTHY: A bill (H. R. 11438) for the purchase of site and erection of a public building in the city of Wayne, Nebr.—to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 11439) to authorize district judges to appoint the chief bailiffs, and fixing salaries—to the Committee on the Judiciary.

Also, a bill (H. R. 11440) to provide for transfer of civil and criminal cases from one division to another in the northern district of Georgia—to the Committee on the Judiciary.

Also, a bill (H. R. 11441) to designate certain counties as the Atlanta division of the northern judicial district of Georgia—to the Committee on the Judiciary.

Also (by request), a bill (H. R. 11442) to authorize district judges to order certain officers from one division to another—to the Committee on the Judiciary.

By Mr. GARDNER of Massachusetts: A bill (H. R. 11443) to extend the exemption from head tax to citizens of Newfoundland entering the United States—to the Committee on Immigration and Naturalization.

By Mr. DICK: A bill (H. R. 11444) to grant certain lands to the State of Ohio—to the Committee on the Public Lands.

Also, a bill (H. R. 11445) to increase the pensions of those who have lost an eye or the sight of an eye in the military or naval service of the United States—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11446) to amend section 9 of the act approved March 1, 1889, entitled "An act to provide for the organization of the militia in the District of Columbia"—to the Committee on Militia.

By Mr. SPARKMAN: A bill (H. R. 11447) increasing the pensions of those now receiving or entitled to pensions under the acts of Congress approved July 27, 1892, and June 27, 1902—to the Committee on Pensions.

By Mr. HILDEBRANT: A bill (H. R. 11448) making an appropriation from the unclaimed fund in the Treasury of the United States due the estates of deceased colored soldiers of the civil war for the erection of buildings for the use of the military department of Wilberforce University, an institution for the education of colored youths, located in Greene County, Ohio—to the Committee on Military Affairs.

By Mr. BUCKMAN: A bill (H. R. 11449) to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River—to the Committee on Interstate and Foreign Commerce.

By Mr. BARTHOLDT: A bill (H. R. 11450) to amend Title LX, chapter 3, of the Revised Statutes of the United States of America, relating to copyrights—to the Committee on Patents.

By Mr. SHAFROTH: A joint resolution (H. J. Res. 99) authorizing the Commission on International Exchange to agree with other nations upon uniform laws, subject to the approval of Congress, tending to preserve the gold product of the world for coinage and monetary purposes—to the Committee on Coinage, Weights, and Measures.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BABCOCK: A bill (H. R. 11451) granting an increase of pension to Alexander Morrison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11452) granting a pension to Ann Jones—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 11453) granting an increase of pension to Maria Leuchart—to the Committee on Invalid Pensions.

By Mr. BROOKS: A bill (H. R. 11454) for the relief of Alfred James Saynor—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 11455) for the relief of William H. Linton—to the Committee on Military Affairs.

By Mr. DICK: A bill (H. R. 11456) granting a pension to Emma C. Hayes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11457) granting a pension to Maryetta Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11458) granting a pension to Maria C. Waste—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11459) granting a pension to Rollin H. Crane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11460) granting a pension to Mary E. Kern—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11461) granting a pension to Mary C. James—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11462) to remove the charge of desertion and grant an honorable discharge to Ceylon Gowdy—to the Committee on Military Affairs.

Also, a bill (H. R. 11463) for the relief of Jackson Pryor—to the Committee on Military Affairs.

Also, a bill (H. R. 11464) for the relief of Carl F. Kolbe—to the Committee on War Claims.

Also, a bill (H. R. 11465) granting an increase of pension to Frances E. Rex—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11466) granting an increase of pension to James J. Mears—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11467) granting an increase of pension to James J. Winans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11468) granting an increase of pension to Edson G. Holcomb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11469) granting an increase of pension to Edward Potter—to the Committee on Invalid Pensions.

Also a bill (H. R. 11470) granting an increase of pension to James H. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11471) granting an increase of pension to Verus A. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11472) granting an increase of pension to Vendruth Washburn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11473) granting an increase of pension to Caleb F. Bandle—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 11474) granting an increase of pension to D. J. Robins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11475) granting an increase of pension to William J. Moon—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: A bill (H. R. 11476) granting a pension to Margaret Flynn—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 11477) granting an increase of pension to Alson E. Reese—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 11478) to remove the charge of desertion from the military record of Mathew W. Face—to the Committee on Military Affairs.

Also, a bill (H. R. 11479) granting a pension to Catharine Berry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11480) granting an increase of pension to Lemuel R. Wilcox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11481) to correct the military record of David R. Blessing—to the Committee on Military Affairs.

By Mr. LONGWORTH: A bill (H. R. 11482) granting a pension to Charles B. Snell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11483) granting a pension to Catharine Haddock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11484) granting an increase of pension to Christina Voigt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11485) for the relief of Pardon M. Bowen—to the Committee on Military Affairs.

Also, a bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11487) granting an increase of pension to John Wybrant—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11488) for the relief of Joseph Crist, late first mate United States steamer *Missionary*—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11489) for the relief of the heirs at law of M. A. Phelps and the heirs at law of John W. Renner—to the Committee on Claims.

Also, a bill (H. R. 11490) granting honorable certificates of discharge to certain officers and enlisted men of the United States volunteer service who were called out by the proclamation of Gen. Lewis Wallace, issued September 5, 1862—to the Committee on Military Affairs.

Also, a bill (H. R. 11491) granting a pension to Adelaide B. Warwick—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 11492) granting an increase of pension to Samuel B. Bartley—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 11493) for the relief of Sarah Crabtree and the estate of Eli Crabtree, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11494) granting an increase of pension to Sarah Jane Grissom—to the Committee on Pensions.

Also, a bill (H. R. 11495) granting an increase of pension to James P. Shaw—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 11496) granting an increase of pension to Anne Murphy—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 11497) granting an increase of pension to Daniel B. Legg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11498) granting an increase of pension to William A. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11499) granting an increase of pension to Albert Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11500) granting a pension to Sarah Harlow—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 11501) granting a pension to Sarah S. Mulcahay—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 11502) for the relief of La Grange College, of Colbert County, Ala.—to the Committee on War Claims.

By Mr. SAMUEL W. SMITH: A bill (H. R. 11503) granting a pension to Moses Fragar—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11504) granting a pension to John Algoe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11505) granting a pension to James Abbott, alias James Buck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11506) granting a pension to William R. Hiscock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11507) granting a pension to Freeman Rohrabacher—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11508) granting an increase of pension to Sophia E. Farland—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11509) granting an increase of pension to William H. McEnally—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 11510) granting an increase of pension to William H. Organ—to the Committee on Invalid Pensions.

By Mr. McLACHLAN: A bill (H. R. 11511) granting an increase of pension to Edward M. McCook—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolutions of the board of directors of the Chicago Board of Trade, in favor of postal currency—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Mrs. Annie Long and 39 others, of Greenwood, Fla., praying for legislation to enable them to obtain title to certain lands—to the Committee on the Public Lands.

Also, resolutions of the regents of the University of Wisconsin, in favor of legislation for additional aid to agricultural experiment stations—to the Committee on Agriculture.

Also, resolutions of Peshtigo Good Roads Association, of Marinette, Wis.; of Cairo (Ill.) Board of Trade, and of the National League of Commission Merchants, praying for legislation to enable the Interstate Commerce Commission to fix freight rates in certain cases—to the Committee on Interstate and Foreign Commerce.

By Mr. BADGER: Resolution of Elias J. Beers Post, No. 575, Grand Army of the Republic, of Columbus, Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BROOKS: Resolution of the Salida Board of Trade, of Salida, Cal., against any changes in the land laws—to the Committee on the Public Lands.

By Mr. BUCKLEIGH: Petition of the officers of the University of Maine, in favor of converting the big-tree groves of California into national parks—to the Committee on the Public Lands.

Also, resolutions of C. M. Williams Post, No. 111, Grand Army of the Republic, of Mount Vernon, Me., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Paper to accompany bill for the relief of William H. Linton—to the Committee on Military Affairs.

By Mr. COOPER of Pennsylvania: Resolution of Grand Army of the Republic Post No. 570, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolution of First Battalion, Naval Brigade, of the Ohio National Guard, relative to a naval training station at Put in Bay—to the Committee on Naval Affairs.

Also, petitions of J. C. Dowell, of Pittsburg, Pa., and Pittsburg Woman's Home Missionary Society of the Pittsburg Conference of the Methodist Church, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of W. H. Hammon, of Pittsburg, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DOUGHERTY: Petition of E. B. Thompson and 47 others, of Jamesport, Mo.; E. Beaches and 40 others, of King City, Mo., and J. B. Williams and 42 others, of Martinsville, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DWIGHT: Paper to accompany bill granting increase of pension to William M. Moon—to the Committee on Invalid Pensions.

By Mr. FLACK: Resolution of Peru (N. Y.) Grange, Patrons of Husbandry, favoring good-roads legislation—to the Committee on Agriculture.

By Mr. FULLER: Resolution of the Board of Trade of Cairo, Ill., in relation to enlarging the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of R. B. Hayes Post, No. 120, Grand Army of the Republic, of Plano, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GUDGER: Letters of citizens in favor of army chaplain bill—to the Committee on Military Affairs.

Also, paper to accompany bill to increase pension of Alson E. Reese—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Letter of Hart-Parr Company, of Charles City, Iowa, relative to the passage of bill H. R. 9802, which provides for the removal of internal revenue on denaturized alcohol—to the Committee on Ways and Means.

Also, petition of E. B. Hall and others, of Swaledale, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Henry Howard Post, No. 259, and Frank A. Brush Post, No. 77, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: Petition of citizens of Thompsonville, Conn., relative to the closing of the St. Louis Exposition on the Sabbath—to the Committee on Industrial Arts and Expositions.

By Mr. HOWELL of New Jersey: Resolutions of Captain J. W. Conover Post, No. 63, Grand Army of the Republic, Freehold, N. J., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of W. L. Pearson and others, of Oskaloosa, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on Invalid Pensions.

By Mr. LANNING: Resolutions of James M. Weart Post, No. 108, of Hopewell, N. J., and Bayard Post, No. 8, of Trenton, N. J., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolution of the Oneida Republican Association of the Fifteenth Ward of Brooklyn, N. Y., indorsing the action of the President in relation to the isthmian canal question—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTAUER: Papers to accompany House bill granting a pension to Catharine Berry—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to correct the military record of Mathew W. Face—to the Committee on Military Affairs.

Also, papers to accompany House bill to correct the military record of David R. Blessing—to the Committee on Military Affairs.

By Mr. LITTLE: Papers to accompany bill H. R. 10304, for the relief of Mrs. Eliza J. Haines—to the Committee on War Claims.

By Mr. LITTLEFIELD: Petition of citizens of Jennings Creek, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Sedgwick Post, No. 4, Grand Army of the Republic, of Maine, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. McCALL: Petition of Massachusetts State Board of Trade, in favor of arbitration treaties with Great Britain—to the Committee on Foreign Affairs.

Also, petition of Massachusetts State Board of Trade, in favor of certain changes in postal rates—to the Committee on the Post-Office and Post-Roads.

Also, petition of Massachusetts State Board of Trade, in favor of providing a vessel to patrol Atlantic coast waters and destroy derelicts—to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: Papers to accompany bill granting an increase of pension to Sarah Jane Grissom—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 8999, for the relief of the estate of H. B. Hunegar, deceased, late of Bradley County, Tenn.—to the Committee on War Claims.

By Mr. OTIS: Petition of citizens of Mount Vernon, N. Y., relative to the sale of liquor in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Rev. G. W. McPherson, of Yonkers, N. Y., against sale of liquor in Soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. PORTER: Letter of Thomas K. Cree, relative to certain provisions in the postal laws—to the Committee on the Post-Office and Post-Roads.

Also, resolution of First Battalion, Naval Brigade, of the Ohio National Guard, relative to a naval training station at Put in Bay—to the Committee on Naval Affairs.

By Mr. ROBINSON of Indiana: Petition of Cigar Makers' Union No. 37, of Fort Wayne, Ind., in favor of bill H. R. 6—to the Committee on Ways and Means.

By Mr. RYAN: Resolution of National League of Commission Merchants, relating to enlarging powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL W. SMITH: Resolutions of Carver Post, No. 123, and John Gillaly Post, No. 114, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 11261, to correct the military record of I. N. Nance—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 8856, for the relief of the heirs of William W. Leftwich—to the Committee on War Claims.

By Mr. SULLOWAY: Petition of citizens of Freedom, N. H., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. WADSWORTH: Petition of Clark Allis and 47 others, of Medicina, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WANGER: Resolutions of M. E. Richards Post, No. 595, of Pottstown, Pa., and General S. K. Zook Post, No. 11, of Norristown, Pa., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, a memorial of Harmony Grange, No. 891, Patrons of Husbandry, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

SENATE.

MONDAY, *February 1, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

Mr. CHARLES H. DIETRICH, a Senator from the State of Nebraska, appeared in his seat to-day.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

SOLDIERS' HOME AT MARION, IND.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of deficiency in the appropriation for the National Home for Disabled Volunteer Soldiers, Marion Branch, for the fiscal year ending June 30, 1904, $5,000; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

BOARD FOR PROMOTION OF RIFLE PRACTICE.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of War submitting an estimate of appropriation for the service for the fiscal year ended June 30, 1903, for expenses of Board for Promotion of Rifle Practice, $850; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

REPORT OF CAPITAL TRACTION COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Capital Traction Company for the year 1903; which was referred to the Committee on the District of Columbia, and ordered to be printed.

JOURNALS OF CONFEDERATE STATES CONGRESS.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 28th ultimo, a copy of the Journals of the Provisional and the First and Second Congresses of the Confederate States of America, now in the custody of the War Department.

The papers comprise about seven octavo volumes, and, if there be no objection, the Chair will refer them to the Committee on Printing without any order in reference to the printing, leaving the Committee on Printing to determine what shall be done.

Mr. BATE. I think that course will be agreeable.

Mr. BACON. Is it a recommendation of the Secretary of War?

The PRESIDENT pro tempore. Yes; a communication from the Secretary of War.

Mr. BACON. What is the purport of the communication?

The PRESIDENT pro tempore. It transmits the Journals of the Provisional and the First and Second Congresses of the Confederate States.

Mr. BACON. I understand, but I wish to know what is the purpose of the transmission.

The PRESIDENT pro tempore. The papers were transmitted in order that they might be printed.

Mr. HALE. I think it is in reply to some resolution adopted by the Senate asking the Secretary of War to send in these papers.

Mr. BACON. That is what I wished to know.

Mr. HALE. It is a matter of historic value, and if it goes to the Committee on Printing they will report as to the printing.

Mr. BATE. Let it be printed and lie on the table, please.

The PRESIDENT pro tempore. There are seven octavo volumes.

Mr. BATE. Oh, no; just the communication from the Secretary of War.

The PRESIDENT pro tempore. The communication will be printed and referred, with the accompanying papers, to the Committee on Printing.

Mr. FORAKER subsequently said: Mr. President, I understand that while I was absent from the Senate for a few minutes the Chair laid before the Senate the papers transmitted by the Secretary of War in response to a Senate resolution adopted on the 28th ultimo, calling for a copy of the Journals of the Provisional and the First and Second Congresses of the Confederate States of America, and that they were referred by the Chair to the Committee on Printing.

I ask that that reference may be reconsidered and that the papers may be printed as a Senate document. I think there will be no controversy as to the propriety of printing the document. It is something which has been prepared by the War Department at a very great expense of time and trouble.

Mr. BATE. I think that is all we desire on this side about it.

The PRESIDENT pro tempore. And without any further order in relation to the printing?

Mr. FORAKER. I understand that it is not necessary to make any order under the rule. It is a document prepared by the War Department, called for by the Senate and transmitted to the Senate in response to a resolution adopted by the Senate. The document is one entirely proper to be printed and the purpose in asking for it was to have it printed. So I——

The PRESIDENT pro tempore. What the Chair was asking was as to the future in addition to the number to be printed under that order, and as to how many additional copies the Senator would desire to have printed? There is a limit fixed by the rule to the number that can be printed as a Senate document.

Mr. FORAKER. Let it be printed as a Senate document. Then, after we have had a chance to look at it, if we want to have additional copies we can adopt a resolution providing for the printing of additional copies for the use of the Senate and also for the use of the House.

Mr. BATE. For the present I think that is the correct course.

Mr. ALDRICH. What are the papers?

Mr. FORAKER. Copies of the Journals of the Provisional and the First and Second Congresses of the Confederate States.

Mr. GALLINGER. Is that the document which the Chair stated is in seven octavo volumes?

The PRESIDENT pro tempore. It is.

Mr. GALLINGER. It seems to me that some committee ought to look at it before it is ordered printed. Does the rule apply to this document that if the printing exceeds the cost of $100 the question shall be referred to the Committee on Printing?

The PRESIDENT pro tempore. It does not. When the request is made that it be printed as a Senate document there is no limit as to the cost.

Mr. FORAKER. It is the same as in the case of any other Senate document.

The PRESIDENT pro tempore. The same as in the case of any other Senate document.

Mr. FORAKER. It is a document prepared by the War Department; it comes under the rule, and it is one, I think, the public will be interested in seeing.

Mr. GALLINGER. Mr. President, I am quite clear in the opinion that this will be a document of much interest to Congress and to the people of the country, and yet it is a fact that one of the most striking and startling extravagances of Congress is in the matter of printing. Our homes and our committee rooms are filled with books and documents that are never consulted. I wish that there might be some way devised whereby we could economize somewhat in the item of printing.

So far as this particular document is concerned, I shall be very glad indeed to have a copy of it, and if the Senator from Ohio is clear in the opinion that it ought to be printed, of course I shall interpose no objection.

Mr. FORAKER. I feel that way about it. It has been prepared under the supervision of the War Department, and it belongs to the history of the country. I think it ought to be printed.

Mr. BATE. I ask if this is the same document that was presented a while ago and went over?

The PRESIDENT pro tempore. It is the same. It was referred to the Committee on Printing without an order to print.

Mr. BATE. So I understood.

The PRESIDENT pro tempore. The Senator from Ohio asks that that reference may be reconsidered and that it may be printed as a Senate document.

Mr. BATE. Does the Senator from Ohio indicate the number of copies that shall be printed?

Mr. FORAKER. No; I simply ask that the usual number of copies may be printed—that is quite a considerable number—and after it is in document form and we have had a chance to look at it we can provide for the printing of further copies, whatever number may be necessary.

Mr. BATE. I think the first printing should be as suggested and then we can provide afterwards for additional copies if necessary.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Ohio to reconsider the vote by which the document was referred to the Committee on Printing? The Chair hears none. Is there any objection to the request of the Senator from Ohio that the papers be printed as a Senate document? The Chair hears no objection, and that order is made.

Does the Senator, after it is printed as a document, desire any reference of it?

Mr. FORAKER. No; I do not suppose any reference is necessary. It will be printed simply as a Senate document and will be distributed among Senators, each one having his allotment, as all other Senate documents are distributed.

ENGINEER CORPS OF THE ARMY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a General Staff report relating to the increase of the Engineer Corps of the Army, together with a draft of a proposed bill on that subject; which, with the accompanying paper, was referred to the Committee on Military Affairs, and ordered to be printed.

RECESS APPOINTMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 26th ultimo, certain information relative to recess appointments of Army officers; which, with the accompanying papers, was ordered to lie on the table, and be printed.

Mr. TILLMAN subsequently said: I have examined the papers sent by the Secretary of War in answer to the Senate resolution, and in order to facilitate the understanding of their contents by the members of the Senate in the morning before they come here, I ask that they may be printed in the RECORD as well as printed as a document. Otherwise Senators could not see them or get hold of them until they came to the Senate.

The PRESIDING OFFICER (Mr. PATTERSON in the chair). The Senator from South Carolina asks unanimous consent that the papers to which he refers may be printed in the RECORD. Is there objection?

Mr. ALLISON. What is the document?

Mr. TILLMAN. It is the answer of the Secretary of War to the resolution of the Senate in regard to the appointment of certain officers, and my sole purpose in asking that it may be printed in the RECORD is that Senators may see it in the morning, which otherwise they would not have an opportunity of doing. It has already been ordered printed as a document.

Mr. ALLISON. Is it a very long document?

Mr. TILLMAN. It is not a long document, sir. I have examined it, and it will not take two pages of the RECORD.

Mr. ALLISON. I shall not object, then, Mr. President.

The PRESIDING OFFICER. Is there objection to the request of the Senator from South Carolina? The Chair hears none, and the document referred to will be printed in the RECORD.

The papers referred to are as follows:

WAR DEPARTMENT,
Washington, January 29, 1904.

To the Senate:

I have the honor to reply to the following resolution of the Senate passed January 26, 1904:

"Resolved, That the Secretary of War be, and he is hereby, instructed to send to the Senate information in the nature of answers to the following questions:

"First. What officers in the Army were appointed during the recess of the Senate commencing between March 19, 1903, and November 9, 1903? Were commissions issued to these officers, and if so, of what character? What officers failed of confirmation during the special session beginning November 9, and ending December 7, 1903? Have these officers been reappointed, and have commissions been issued to them? If so, what is the character of the commissions, and what authority of law is there for the same?"

A list of the officers in the Army appointed during the recess of the Senate commencing between March 19, 1903, and November 9, 1903, is annexed herein, marked "A."

The ordinary recess commissions were issued to these officers, in terms expiring at the end of the next session of the Senate.

The only information which the Secretary of War has as to what officers have failed of confirmation is derived from the Senate. By comparing

the list of nominations sent to the Senate with the list of confirmations communicated by the Senate to the President it appears that the officers named in Schedule B, annexed hereto, had not been confirmed at noon on the first Monday in December, 1903.

All the officers specified in Schedule B have been reappointed, and recess commissions of the character specified above have been issued to them in the understanding of the Department that the authority of law therefor is found in Article II, section 2, paragraph 3, of the Constitution, which reads as follows:

"The President shall have power to fill all vacancies that may happen during the recess of the Senate by granting commissions, which shall expire at the end of their next session."

Very respectfully,

ELIHU ROOT,
Secretary of War.

[Three inclosures.]

WAR DEPARTMENT.
OFFICE OF THE ADJUTANT GENERAL,
Washington, January 27, 1904.

Respectfully returned to the Chief of Staff with the following information, called for by the within resolution of the Senate of January 26, 1904:

First. A list of officers in the Army appointed during the recess of the Senate commencing between March 19 and November 9 last. The nations of appointees of the Army appointed during the recess specified, in which only are appointees currently given in the list of Executive nominations received by the Senate November 10, 1903, and published in the Congressional Record of that date. The list thus published is inclosed to save the time of transcribing all the names.

Officers receiving recess appointments whose names do not appear in the list of the Senate (Lieut. F. E. Hodgman, Artillery Corps, presented herein as a second lieutenant, and who, resigned during the session and accepted a commission in the Senate, and superintendent Sergt. Maj. Bernard Hodgins, Twenty-first Infantry, presented to be a second lieutenant of infantry, but not mentioned in the Senate nominations) are included herein because the Department prefers to be guided by the Senate. Commissions, signed by the President, were issued to all these officers of the character desired by the United States Senate, as stated when it was asked. These commissions in terms expire at the pleasure of the President of the United States for the time being and until the end of the next session of the Congress.

A list of those officers who failed of confirmation during the special session of the Senate beginning November 9 and ending December 7, 1903, is not available. The Department has no record of such failures. These officers were reappointed and given commissions of the character stated in the preceding paragraph. These commissions authorize the same character as those issued during the recess preceding November 9, 1903, that is to say, they expire at the end of the next session of the Senate.

Second. A list of those officers who failed of confirmation during the recess of the Senate commencing November 9, 1903, that is to say, December 8, 1903, and ending December 7, 1904, inclusive, and the character of the commissions issued to them. Answer: The only information which the Department has on this point is that derived from the Senate. By comparing the list of nominations sent to the Senate with the list of confirmations communicated by the Senate to the President it appears that the officers named in Schedule B, annexed hereto, had not been confirmed at noon on the first Monday in December, 1903.

All the officers specified in Schedule B have been reappointed, and recess commissions of the character specified above have been issued to them in the understanding of the Department that the authority of law therefor is found in Article II, section 2, paragraph 3, of the Constitution, which reads as follows:

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Third

Capt. George M. Wells, assistant surgeon, August 6, 1903, vice Torney, promoted.

Capt. Henry C. Fisher, assistant surgeon, August 9, 1903, vice Crampton, promoted.

Capt. Henry A. Shaw, assistant surgeon, September 22, 1903, vice Gardner, promoted.

PAY DEPARTMENT.

To be paymasters with the rank of major.

Capt. Robert S. Smith, paymaster, February 19, 1903, vice Tucker, promoted.

Capt. Seymour Howell, paymaster, June 25, 1903, vice Newbold, retired from active service.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. David P. Heap, Corps of Engineers, April 13, 1903, vice Smith, appointed brigadier-general.

Maj. Clinton B. Sears, Corps of Engineers, April 21, 1903, vice Hains, appointed brigadier-general.

To be lieutenant-colonels.

Maj. Ernest H. Ruffner, Corps of Engineers, April 13, 1903, vice Heap, promoted.

Maj. Clinton B. Sears, Corps of Engineers, April 21, 1903, vice Jones, promoted.

To be majors.

Capt. George A. Zinn, Corps of Engineers, April 13, 1903, vice Ruffner, promoted.

Capt. William C. Langfitt, Corps of Engineers, April 21, 1903, vice Sears, promoted.

To be captains.

First Lieut. William B. Ladue, Corps of Engineers, April 13, 1903, vice Zinn, promoted.

First Lieut. William J. Barden, Corps of Engineers, April 21, 1903, vice Langfitt, promoted.

To be first lieutenants.

Second Lieut. Ernest D. Peck, Corps of Engineers, April 13, 1903, vice Ladue, promoted.

Second Lieut. George R. Spalding, Corps of Engineers, April 21, 1903, vice Barden, promoted.

Second Lieut. Elliott J. Dent, Corps of Engineers, June 4, 1903, vice Rhett, resigned.

ORDNANCE DEPARTMENT.

To be colonels.

Lieut. Col. John A. Kress (since retired from active service), Ordnance Department, August 1, 1903, vice Reilly, appointed brigadier-general.

Lieut. Col. Jesse G. Butler, Ordnance Department, August 16, 1903, vice Kress, appointed brigadier-general.

To be lieutenant-colonels.

Maj. Charles S. Smith, Ordnance Department, April 5, 1903, vice Varney, retired from active service.

Maj. Stanhope E. Blunt, Ordnance Department, August 1, 1903, vice Kress, promoted.

Maj. Frank Heath, Ordnance Department, August 16, 1903, vice Butler, promoted.

To be majors.

Capt. Lawrence L. Bruff, Ordnance Department, April 5, 1903, vice Smith, promoted.

Capt. Charles H. Clark, Ordnance Department, August 1, 1903, vice Blunt, promoted.

Capt. Frank E. Hobbs, Ordnance Department, August 16, 1903, vice Heath, promoted.

To be captains.

First Lieut. John H. Rice, Ordnance Department, April 5, 1903, vice Bruff, promoted.

First Lieut. David M. King, Ordnance Department, August 1, 1903, vice Clark, promoted.

First Lieut. James L. Ames, Ordnance Department, August 16, 1903, vice Hobbs, promoted.

SIGNAL CORPS.

To be captains.

First Lieut. Walter L. Clarke, Signal Corps, March 2, 1903, vice Greene, promoted.

First Lieut. Basil O. Lenoir, Signal Corps, March 2, 1903, vice Reber, promoted.

First Lieut. William Mitchell, Signal Corps, March 2, 1903, vice Squier, promoted.

First Lieut. Henry W. Stamford, Signal Corps, March 2, 1903, to fill an original vacancy.

First Lieut. Charles S. Wallace, Signal Corps, March 2, 1903, to fill an original vacancy.

First Lieut. George S. Gibbs, Signal Corps, March 2, 1903, to fill an original vacancy.

First Lieut. Charles de F. Chandler, Signal Corps, March 2, 1903, to fill an original vacancy.

CAVALRY ARM.

To be colonels.

Lieut. Col. John B. Kerr, United States Cavalry, assistant adjutant-general, August 1, 1903, vice Forsyth, Fourth Cavalry, retired from active service.

Maj. Joseph H. Dorst, Twelfth Cavalry, April 15, 1903, vice Wheaton, Third Cavalry, appointed brigadier-general.

Maj. George S. Anderson, Sixth Cavalry, April 18, 1903, vice Rucker, Eighth Cavalry, appointed brigadier-general.

Lieut. Col. Edward J. Hinkle, Tenth Cavalry, April 19, 1903, vice Baldwin, Seventh Cavalry, appointed brigadier-general.

Lieut. Col. Morton E. Throckmorton, Tenth Cavalry, August 5, 1903, vice Wells, Fifth Cavalry, appointed brigadier-general.

Lieut. Col. George A. Sternberg, Fourth Cavalry, August 16, 1903, vice Carter, Sixth Cavalry, appointed brigadier-general.

Lieut. Col. Edgar S. Sloan, United States Cavalry, assistant adjutant-general, August 16, 1903, vice Carr, Fourth Cavalry, appointed brigadier-general.

To be lieutenant-colonels.

Maj. George F. Chase, Seventh Cavalry, April 15, 1903, vice Dorst, Twelfth Cavalry, promoted.

Maj. William H. Beck, Eighth Cavalry, April 15, 1903, vice Steever, Third Cavalry, detailed as assistant adjutant-general.

Maj. Peter S. Bomus, First Cavalry, April 18, 1903, vice Anderson, Sixth Cavalry, promoted.

Maj. Jacob Parker, United States Cavalry, assistant adjutant-general, April 18, 1903, vice Bomus, First Cavalry, promoted.

Maj. Joseph Garrard, Ninth Cavalry, April 22, 1903, vice Sprole, First Cavalry, deceased.

Maj. Frank C. Robinson, Second Cavalry, May 25, 1903, vice West, Fifth Cavalry, deceased.

Maj. Guy L. Hunt, Third Cavalry, August 5, 1903, vice Hughes, Tenth Cavalry, promoted.

Maj. George H. Paddock, Fifth Cavalry, August 16, 1903, vice Stedman, Ninth Cavalry, promoted.

Maj. Samuel W. Fountain, United States Cavalry, assistant adjutant-general, August 16, 1903, vice Parker, Thirteenth Cavalry, detailed as assistant adjutant-general.

To be majors.

Capt. Charles B. Hoppin, Second Cavalry, March 23, 1903, vice Craig, Fifth Cavalry, promoted.

Capt. James S. Mettler, United States Cavalry, commissary, April 15, 1903, vice Dorst, Seventh Cavalry, promoted.

Capt. Henry L. Ripley, Third Cavalry, April 15, 1903, vice Beck, Eighth Cavalry, promoted.

Capt. Joseph Galbraith, First Cavalry, April 18, 1903, vice Bomus, First Cavalry, promoted.

Capt. James B. Erwin, Fourth Cavalry, April 22, 1903, vice Garrard, Ninth Cavalry, promoted.

Capt. George H. Morgan, Third Cavalry, April 27, 1903, vice Gale, Ninth Cavalry, detailed as inspector-general.

Capt. Dugan D. Pennington, Third Cavalry, May 25, 1903, vice Robinson, Second Cavalry, promoted.

Capt. Hunter L. Sickel, Seventh Cavalry, July 16, 1903, vice Hare, Twelfth Cavalry, retired from active service.

Capt. Andrew C. Ennis, Eighth Cavalry, August 5, 1903, vice Hein, Third Cavalry, promoted.

Capt. Frank D. Johnson, Third Cavalry, August 16, 1903, vice Paddock, Fifth Cavalry, promoted.

Capt. Rufus J. Slocum, United States Cavalry, quartermaster, August 28, 1903, vice Swift, First Cavalry, detailed as assistant adjutant-general.

To be captains.

First Lieut. Robert B. Powers, Seventh Cavalry, March 23, 1903, vice Hoppin, promoted.

First Lieut. Francis P. Pope, Second Cavalry, April 4, 1903, vice Merillat, Fifteenth Cavalry, retired from active service.

First Lieut. Matthew E. Hanna, Second Cavalry, April 15, 1903, vice Ripley, promoted.

First Lieut. George F. Mitchell, Seventh Cavalry, April 17, 1903, vice Hawkins, Fourteenth Cavalry, deceased.

First Lieut. Frank A. Mahoney, Seventh Cavalry, April 18, 1903, vice Galbraith, promoted.

First Lieut. Frederick T. Arnold, Fourth Cavalry, April 22, 1903, vice Erwin, promoted.

First Lieut. Charles N. Magee, Fourteenth Cavalry, April 27, 1903, vice Morgan, promoted.

First Lieut. William S. Valentine, Second Cavalry, May 16, 1903, vice Overton, deceased.

First Lieut. Frank Taylor, First Cavalry, May 17, 1903, vice Summerlin, promoted.

First Lieut. Charles D. Roper, Seventh Cavalry, May 25, 1903, vice Boughton, promoted.

First Lieut. Charles A. Roberts, Tenth Cavalry, July 16, 1903, vice Sickel, promoted.

First Lieut. [illegible], Tenth Cavalry, August 5, 1903, vice Hamilton, promoted.

First Lieut. Charles B. Morey, Tenth Cavalry, August 16, 1903, vice Johnson, promoted.

First Lieut. Edward E. Dravo, Fifth Cavalry, September 19, 1903, vice Fenton, promoted.

First Lieut. Charles B. Ewe, Fourteenth Cavalry, September 28, 1903, vice Fleming, Fifth Cavalry, detailed as quartermaster.

To be first lieutenants.

Second Lieut. George F. Bailey, Eighth Cavalry, February 25, 1903, vice Ovenshine, deceased.

Second Lieut. Samuel Sturgeon, Fourth Cavalry, March 1, 1903, vice Morrow, deceased.

Second Lieut. Frank R. Kennedy, Fourth Cavalry, March 23, 1903, vice Pope, promoted.

Second Lieut. Roger Sherman, Fourteenth Cavalry, April 4, 1903, vice Pope, promoted.

Second Lieut. Charles Crawford, Second Cavalry, April 15, 1903, vice Hanna, promoted.

Second Lieut. Edward S. West, Sixth Cavalry, April 17, 1903, vice Mitchell, promoted.

Second Lieut. Henry C. Callaway, Eleventh Cavalry, April 18, 1903, vice Mahoney, promoted.

Second Lieut. George M. Lee, Seventh Cavalry, April 22, 1903, vice Arnold, promoted.

Second Lieut. John L. Hayes, jr., Fifth Cavalry, April 27, 1903, vice Munro, promoted.

Second Lieut. Edgar S. Gaillard, Twelfth Cavalry, May 15, 1903, vice Valentine, deceased.

Second Lieut. Jacob Darrow, Twelfth Cavalry, May 17, 1903, vice Smither, promoted.

Second Lieut. Solomon L. Jeffers, Twelfth Cavalry, May 28, 1903, vice Harper, promoted.

Second Lieut. Charles A. Roberts, Eighth Cavalry, July 16, 1903, vice Roberts, promoted.

Second Lieut. Andrew S. Phillips, Eighth Cavalry, August 5, 1903, vice Sirmyer, promoted.

Second Lieut. Compton R. Fortescue, Fourth Cavalry, August 16, 1903, vice Morey, promoted.

Second Lieut. John Allen Logan, Fourth Cavalry, September 17, 1903, vice Brown, Twelfth Cavalry, detailed in the Signal Corps.

Second Lieut. Arthur S. Tyson, Twelfth Cavalry, September 17, 1903, vice Johnston, Fifteenth Cavalry, detailed in the Signal Corps.

Second Lieut. Bryce P. Disque, Fifth Cavalry, September 17, 1903, vice Hennessy, Third Cavalry, detailed in the Signal Corps.

Second Lieut. Avon S. Fortescue, Fourteenth Cavalry, September 17, 1903, vice Bailey, Eighth Cavalry, detailed in the Signal Corps.

Second Lieut. Robert M. Burton, Ninth Cavalry, September 19, 1903, vice Hall, Fifth Cavalry, promoted.

Second Lieut. Walter J. Scott, Tenth Cavalry, September 28, 1903, vice Dan, Fourteenth Cavalry, promoted.

Second Lieut. Richard W. Walker, Eighth Cavalry, October 15, 1903, vice Parker, Fifth Cavalry, dismissed.

ARTILLERY CORPS.

To be colonels.

Lieut. Col. Abner H. Merrill, Artillery Corps, April 14, 1903, vice Rawles, appointed brigadier-general.

Lieut. Col. William Lyman, Artillery Corps, assistant adjutant-general, August 1, 1903, vice Myrick, appointed brigadier-general.

Lieut. Col. George S. Grimes, Artillery Corps, July 19, 1903, vice Vose, retired from active service.

Lieut. Col. John M. K. Davis, Artillery Corps, July 28, 1903, vice Haskin, appointed brigadier-general.

Lieut. Col. Benjamin K. Roberts, Artillery Corps, August 3, 1903, vice Sanford, appointed brigadier-general.

Lieut. Col. James O'Hara (since retired from active service), Artillery Corps, August 4, 1903, vice Rodney, appointed brigadier-general.

Lieut. Col. Peter C. Taylor, Artillery Corps, August 10, 1903, vice Woodward, appointed brigadier-general.

Lieut. Col. Henry W. Hubbell, Artillery Corps, August 10, 1903, vice Kinzie, appointed brigadier-general.

Lieut. Col. William F. Stewart, Artillery Corps, August 11, 1903, vice Tierney, appointed brigadier-general.

Lieut. Col. Anthony W. Vogdes, Artillery Corps, November 1, 1903, vice Greene, retired from active service.

To be lieutenant-colonels.

Maj. Ephraim T. C. Richmond, Artillery Corps, April 14, 1903, vice Merrill, promoted.

Maj. Henry D. Potts, Artillery Corps, inspector-general, July 19, 1903, vice Grimes, promoted.

Maj. Charles R. Ross, Artillery Corps, July 28, 1903, vice Davis, promoted.

Maj. Stephen W. Taylor, Artillery Corps, assistant adjutant-general, July 1, 1903, vice Hale, detailed as assistant adjutant-general.

Maj. Charles Humphreys, Artillery Corps, August 3, 1903, vice Roberts, promoted.

Maj. George Lomia, Artillery Corps, August 4, 1903, vice O'Hara, promoted.

Maj. Alexander D. Schenck, Artillery Corps, August 10, 1903, vice Taylor, promoted.

Maj. Sedgwick Pratt, Artillery Corps, August 10, 1903, vice Hubbell, promoted.

Maj. John McClellan, Artillery Corps, August 11, 1903, vice Stewart, promoted.

Maj. Harry R. Anderson, Artillery Corps, August 14, 1903, vice Taylor, detailed as assistant adjutant-general.

Maj. Robert H. Patterson, Artillery Corps, November 1, 1903, vice Vogdes, promoted.

To be majors.

Capt. Henry H. Ludlow, Artillery Corps, April 14, 1903, vice Richmond, promoted.

Capt. William R. Hamilton, Artillery Corps, April 14, 1903, vice Best, deceased.

Capt. Charles W. Foster, Artillery Corps, July 28, 1903, vice Hills, promoted.

Capt. Clarence Deems, Artillery Corps, July 31, 1903, vice Hoskins, detailed as inspector-general.

Capt. Jean Y. White, Artillery Corps, August 3, 1903, vice Humphreys, promoted.

Capt. Rasmus M. Weaver, Artillery Corps, August 4, 1903, vice Lomia, promoted.

Capt. [illegible], Artillery Corps, August 10, 1903, vice Schenck, promoted.

Capt. Charles Adams, Artillery Corps, August 10, 1903, vice Pratt, promoted.

Capt. Frederick Marsh, Artillery Corps, August 11, 1903, vice McClellan, promoted.

Capt. Charles G. Woodward, Artillery Corps, August 14, 1903, vice Anderson, promoted.

Capt. Edward E. Gayle, Artillery Corps, August 14, 1903, vice White, detailed as assistant adjutant-general.

Capt. Hamilton Rowan, Artillery Corps, November 1, 1903, vice Patterson, promoted.

To be captains.

First Lieut. Percy P. Bishop, Artillery Corps, April 14, 1903, vice Ludlow, promoted.

First Lieut. Henry J. Hatch, Artillery Corps, April 14, 1903, vice Hamilton, promoted.

First Lieut. Elmer J. Wallace, Artillery Corps, May 2, 1903, vice Nugent, promoted as quartermaster.

First Lieut. William F. Hase, Artillery Corps, July 28, 1903, vice Foster, promoted.

First Lieut. Williams R. Desobry, Artillery Corps, July 31, 1903, vice Bridgman, retired from active service.

First Lieut. Alfred A. Starbird, Artillery Corps, July 21, 1903, vice Deems, promoted.

First Lieut. James F. Howell, Artillery Corps, August 3, 1903, vice White, promoted.

First Lieut. John C. Goodfellow, Artillery Corps, August 4, 1903, vice Weaver, promoted.

First Lieut. John T. Geary, Artillery Corps, August 10, 1903, vice Hoyle, promoted.

First Lieut. Guy T. Scott, Artillery Corps, August 10, 1903, vice Adams, promoted.

First Lieut. Morrell M. Mills, August 11, 1903, vice Marsh, promoted.

First Lieut. Charles R. Lloyd, jr., Artillery Corps, August 14, 1903, vice Anderson, promoted.

First Lieut. Edward Carpenter, Artillery Corps, August 14, 1903, vice Gayle, promoted.

First Lieut. Henry M. Merriam, Artillery Corps, August 27, 1903, vice Chase, promoted as quartermaster.

First Lieut. Oliver L. Spaulding, jr., Artillery Corps, August 27, 1903, vice Slocum, promoted as quartermaster.

First Lieut. Harrison B. Black, Artillery Corps, Ordnance Department, August 27, 1903, vice Ewe, promoted as quartermaster.

First Lieut. Conrad H. Lanza, Artillery Corps, November 1, 1903, vice Patterson, promoted.

To be first lieutenants.

Second Lieut. Allan Lefort, Artillery Corps, April 14, 1903, vice Bishop, promoted.

Second Lieut. Joseph Matson, Artillery Corps, April 14, 1903, vice Hatch, promoted.

Second Lieut. Jesse G. Langdon, Artillery Corps, May 2, 1903, vice Wallace, promoted.

Second Lieut. Francis H. Lincoln, Artillery Corps, June 2, 1903, vice McCorch, resigned.

Second Lieut. Daniel F. Craig, Artillery Corps, July 28, 1903, vice Hase, promoted.

Second Lieut. Robert B. Mitchell, Artillery Corps, July 31, 1903, vice Starbird, promoted.

Second Lieut. William H. Wilson, Artillery Corps, August 3, 1903, vice Howell, promoted.

Second Lieut. Edward D. Powers, Artillery Corps, August 4, 1903, vice Goodfellow, promoted.

Second Lieut. Nathan J. Shelton, Artillery Corps, August 7, 1903, vice Gigernat, resigned.

Second Lieut. Charles E. N. Howard, Artillery Corps, August 10, 1903, vice Geary, promoted.

Second Lieut. Edwin C. Long, Artillery Corps, August 10, 1903, vice Scott, promoted.

Second Lieut. Augustus B. Warfield, Artillery Corps, August 11, 1903, vice Mills, promoted.

Second Lieut. Howard L. Landers, Artillery Corps, August 14, 1903, vice Lloyd, promoted.

Second Lieut. Cummings M. Seaman, Artillery Corps, August 14, 1903, vice Carpenter, promoted.

Second Lieut. Hugh J. B. McElgin, Artillery Corps, August 27, 1903, vice Merriam, promoted.

Second Lieut. Arthur L. Fuller, Artillery Corps, August 27, 1903, vice Spaulding, promoted.

Second Lieut. Francis H. Lomax, Artillery Corps, September 29, 1903, vice Grimes, deceased.

Second Lieut. William H. Burt, Artillery Corps, November 1, 1903, vice Lanza, promoted.

INFANTRY ARM.

To be colonels.

Lieut. Col. John J. O'Connell, Third Infantry, April 20, 1903, vice Rogers, Thirtieth Infantry, appointed brigadier-general.

Lieut. Col. Samuel R. Walker, Twenty-seventh Infantry, July 20, 1903, vice Page, Third Infantry, appointed brigadier-general.

Lieut. Col. James Regan, Ninth Infantry, July 29, 1903, vice Minor, Sixth Infantry, appointed brigadier-general.

Lieut. Col. John B. Rodman (since retired from active service), Tenth Infantry, July 30, 1903, vice Sanno, Eighteenth Infantry, appointed brigadier-general.

Lieut. Col. Harry L. Haskell, Twelfth Infantry, July 31, 1903, vice Robe, Ninth Infantry, appointed brigadier-general.

Lieut. Col. Patrick Cornman, Twenty-fourth Infantry, August 8, 1903, vice Coolidge, Seventh Infantry, appointed brigadier-general.

Lieut. Col. Charles B. Hall, Twentieth Infantry, August 8, 1903, vice Roberts, Second Infantry, appointed brigadier-general.

Lieut. Col. Joseph W. Duncan, Thirteenth Infantry, August 9, 1903, vice Thompson, Twenty-third Infantry, appointed brigadier-general.

Lieut. Col. Henry Wygant, Sixth Infantry, August 11, 1903, vice Miller, Twenty-second Infantry, appointed brigadier-general.

Lieut. Col. Frank W. Mansfield, First Infantry, August 12, 1903, vice Craigie, Seventeenth Infantry, appointed brigadier-general.

Lieut. Col. J. Henry Ray, Eighth Infantry, August 12, 1903, vice Bowman, Twenty-fifth Infantry, appointed brigadier-general.

Lieut. Col. Benjamin C. Lockwood, Twenty-ninth Infantry, August 13, 1903, vice Rice, Nineteenth Infantry, appointed brigadier-general.

Lieut. Col. Philip Reade, Twenty-third Infantry, August 13, 1903, vice Pierson, Twenty-ninth Infantry, appointed brigadier-general.

Lieut. Col. John T. Van Orsdale, Seventeenth Infantry, August 14, 1903, vice Spence, Fourth Infantry, appointed brigadier-general.

Lieut. Col. James A. Buchanan, Eleventh Infantry, August 14, 1903, vice Forbes, Twenty-seventh Infantry, appointed brigadier-general.

Lieut. Col. Joseph P. Blunt, Nineteenth Infantry, August 15, 1903, vice Mattis, Twenty-fourth Infantry, appointed brigadier-general.

Lieut. Col. William H. W. James, Twenty-fifth Infantry, October 31, 1903, vice Rodman, Twenty-fifth Infantry, retired from active service.

To be lieutenant-colonels.

Maj. Loren C. Allen, Sixteenth Infantry, March 15, 1903, vice Baldwin, Sixteenth Infantry, deceased.

Maj. James E. Runcie, Eleventh Infantry, April 20, 1903, vice O'Connell, Third Infantry, promoted.

Maj. William L. Pitcher, Eighth Infantry, May 25, 1903, vice Williams, Twenty-eighth Infantry, detailed as inspector-general.

Maj. Herbert S. Foster, Twenty Infantry, July 23, 1903, vice Whitall, Twenty-seventh Infantry, promoted.

Maj. John T. Dean, Twenty-fourth Infantry, July 29, 1903, vice Regan, Ninth Infantry, promoted.

Maj. George K. Morrison, Twenty-sixth Infantry, July 30, 1903, vice Rodman, Tenth Infantry, promoted.

Maj. Edgar E. Dravo, Ninth Infantry, July 31, 1903, vice Haskell, Twelfth Infantry, promoted.

Maj. Charles A. Booth, Seventeenth Infantry, August 8, 1903, vice Cornman, Twenty-fourth Infantry, promoted.

Maj. Henry A. Greene, United States Infantry, assistant adjutant-general, August 9, 1903, vice Bell, Thirteenth Infantry, promoted.

Maj. George B. Duncan, Twenty-fourth Infantry, August 9, 1903, vice Duncan, Thirteenth Infantry, promoted.

Maj. Jacques Pierce, United States Infantry, inspector-general, August 11, 1903, vice Wygant, Sixth Infantry, promoted.

Maj. Charles A. Shonton, Twenty-third Infantry, August 12, 1903, vice Mansfield, First Infantry, promoted.

Maj. Herbert H. E. Loveland, Sixth Infantry, August 12, 1903, vice Ray, Eighth Infantry, promoted.

Maj. Joseph C. Byram, United States Infantry, assistant adjutant-general, August 13, 1903, vice Lockwood, Twenty-ninth Infantry, promoted.

Maj. Peter D. Vroom, Twenty-second Infantry, August 13, 1903, vice Reade, Twenty-third Infantry, promoted.

Maj. Edward T. Comegys, Twenty-second Infantry, August 14, 1903, vice Van Orsdale, Seventeenth Infantry, promoted.

Maj. George F. Dick, Twenty-eighth Infantry, August 14, 1903, vice Buchanan, Eleventh Infantry, promoted.

Maj. Edward B. Pratt, Twenty-fifth Infantry, August 15, 1903, vice Heaton, Nineteenth Infantry, promoted.

Maj. Charles H. Lane, United States Infantry, assistant adjutant-general, August 27, 1903, vice Baird, detailed assistant adjutant-general.

Maj. Robert K. Evans, United States Infantry, inspector-general, October 31, 1903, vice James, Twenty-fifth Infantry, promoted.

To be majors.

Capt. John Newton, Sixteenth Infantry, March 15, 1903, vice Allen, Sixteenth Infantry, promoted.

Capt. Samuel W. Dunning, Sixteenth Infantry, March 19, 1903, vice Lover ing, Twenty-ninth Infantry, detached as quartermaster general.

[illegible] M. T. Parker, Twenty-third Infantry, April 17, 1903, vice [illegible] Infantry, detached as quartermaster [illegible].

Capt. Louis H. Strather, Twenty-sixth Infantry, April 20, 1903, vice Mack [illegible] Infantry, promoted.

[illegible] M. Frank, Second Infantry, May 25, 1903, vice Pitcher, [illegible] Infantry, promoted.

[illegible] M. Frank, Twenty-eighth Infantry, June 22, 1903, vice Ed wards, Twenty-third Infantry, retired from active service.

Capt. [illegible], jr., Fifteenth Infantry, June 23, 1903, vice Foster, Twelfth Infantry, promoted.

Capt. Charles J. T. Clarke, Tenth Infantry, July 29, 1903, vice Dent, Twenty fourth Infantry, retired.

Capt. [illegible], Twenty-fourth Infantry, July 30, 1903, vice Mc Guire, [illegible] Infantry, promoted.

Capt. John S. Parker, jr., [illegible] Infantry, July 31, 1903, vice Robert son, Ninth Infantry, promoted.

Capt. Frank H. M[illegible], [illegible] Infantry, August 8, 1903, vice Booth, Seventeenth Infantry, retired from active service.

[illegible] Infantry, August 9, 1903, vice Bolton, Twenty fourth Infantry, retired.

Capt. [illegible] K. Nance, Ninth Infantry, August 12, 1903, vice Hodges, Twenty-first Infantry, promoted.

Capt. Charles W. Adams, jr., Twelfth Infantry, August 13, 1903, vice [illegible] Infantry, promoted.

Capt. [illegible] M. [illegible], Seventh Infantry, August 13, 1903, vice Tay lor, [illegible] Infantry, promoted.

Capt. John D. [illegible], Seventh Infantry, August 14, 1903, vice Yeatman, Twenty-second Infantry, promoted.

[illegible] Infantry, promoted to captain as "Will T. May," Fifteenth In fantry, August 14, 1903, vice [illegible], Twenty-fourth Infantry, retired from active service.

Capt. Henry W. Hayes, Twenty-fourth Infantry, August 24, 1903, vice [illegible] Infantry, detached as inspector general.

Capt. [illegible], Second Infantry, August 15, 1903, vice Bryan, Twenty-first Infantry, promoted.

Capt. Walter A. Wenger, Seventh Infantry, August 26, 1903, vice Evans, Twenty-second Infantry, detached as assistant adjutant general.

Capt. [illegible], Twelfth Infantry, August 26, 1903, vice Starr, Twenty-second Infantry, detached as assistant adjutant general.

Capt. [illegible], Twenty-second Infantry, August 26, 1903, vice [illegible], Twenty-fourth Infantry, detached as assistant adjutant general.

Capt. [illegible], Twenty-second Infantry, detached as assistant adjutant general, vice [illegible].

To be captains.

First Lieut. G. Manny Crallé, Twentieth Infantry, March 15, 1903, vice New ton, Seventeenth Infantry, promoted.

First Lieut. George F. Dillon, Fourteenth Infantry, March 19, 1903, vice Dun ning, Seventh Infantry, promoted.

First Lieut. James H. Bradford, jr., Nineteenth Infantry, April 17, 1903, vice Parker, Twenty-third Infantry, promoted.

First Lieut. David L. Stone, Twenty-second Infantry, April 20, 1903, vice Stimson, Twenty-sixth Infantry, promoted.

First Lieut. Alfred W. Bjornstad, Twenty-ninth Infantry, May 1, 1903, vice Morgan, Twenty-eighth Infantry, promoted.

First Lieut. Peter A. Cornman, Twenty-first Infantry, May 25, 1903, vice Dwyer, Twenty-fourth Infantry, retired from active service.

First Lieut. John B. Sanford, Ninth Infantry, May 25, 1903, vice Fremont, Second Infantry, promoted.

First Lieut. Walter P. Bates, Twenty-sixth Infantry, June 2, 1903, vice Stevens, Twenty-seventh Infantry, detached as quartermaster.

First Lieut. Edward P. Quinn, Seventeenth Infantry, June 23, 1903, vice Tyler, Twenty-eighth Infantry, promoted.

First Lieut. Harry M. Cummings, Nineteenth Infantry, July 26, 1903, vice Bell, Fifteenth Infantry, promoted.

First Lieut. George N. Bomford, Sixth Infantry, July 29, 1903, vice Clarke, Tenth Infantry, promoted.

First Lieut. Robert F. Noonan, Ninth Infantry, July 29, 1903, vice Hodges, Twenty-first Infantry, promoted.

First Lieut. John W. Heisler, Twelfth Infantry, July 30, 1903, vice Greene, Twenty-second Infantry, promoted.

First Lieut. Charles W. Shipton, Thirteenth Infantry, July 31, 1903, vice Parke, Twenty-first Infantry, promoted.

First Lieut. Peter C. Cavanaugh, Eighth Infantry, August 7, 1903, vice Bell, Seventeenth Infantry, promoted and assistant quartermaster.

First Lieut. George M. Gillette, Twelfth Infantry, August 8, 1903, vice Morgan, Seventeenth Infantry, promoted.

First Lieut. George R. Parker, Fourteenth Infantry, August 9, 1903, vice Chamberlain, First Infantry, promoted.

First Lieut. John F. W. Rogers, Sixth Infantry, August 12, 1903, vice Noyes, Ninth Infantry, promoted.

First Lieut. Rufus D. Wickham, Twelfth Infantry, August 12, 1903, vice Albert, Twenty-second Infantry, promoted.

First Lieut. William B. Howell, First Infantry, August 13, 1903, vice Blatchford, Eleventh Infantry, promoted.

First Lieut. Hiram Beard, Fifteenth Infantry, August 14, 1903, vice Beacom, Ninth Infantry, promoted.

First Lieut. William K. Naylor, Ninth Infantry, August 14, 1903, vice May, Fourteenth Infantry, promoted.

First Lieut. William H. Guary, Twelfth Infantry, August 14, 1903, vice Hoyer, Twenty-fourth Infantry, promoted.

First Lieut. Austin F. Prescott, Seventh Infantry, August 15, 1903, vice Hoyer, Twenty-first Infantry, promoted.

First Lieut. Roger A. Fry, Thirteenth Infantry, August 15, 1903, vice Brown, Fourth Infantry, deceased.

First Lieut. Harry A. Eaton, Eighth Infantry, August 22, 1903, vice Weigel, Eleventh Infantry, detached as quartermaster.

First Lieut. Campbell King, First Infantry, August 26, 1903, vice Wright, Seventh Infantry, promoted.

First Lieut. Tenney Ross, Third Infantry, August 26, 1903, vice Hardin, Eighteenth Infantry, promoted.

First Lieut. George E. Martin, Second Infantry, August 26, 1903, vice Pendleton, Twenty-second Infantry, promoted.

First Lieut. Robert O. Van Horn, Twelfth Infantry, August 27, 1903, vice Creary, Twelfth Infantry, detached as paymaster.

First Lieut. Roswell J. Williams, Fifth Infantry, September 3, 1903, vice Leonhauser, Twenty-fifth Infantry, promoted.

First Lieut. Moir N. Falls, Twentieth Infantry, September 14, 1903, vice Perry, Thirtieth Infantry, retired from active service.

First Lieut. Joseph W. Glasgow, Nineteenth Infantry, September 23, 1903, vice Howze, Twenty-fifth Infantry, retired from active service.

First Lieut. John R. R. Hannay, Twenty-second Infantry, September 28, 1903, vice Wren, Seventeenth Infantry, detached as quartermaster.

To be first lieutenants.

Second Lieut. Frederick S. Lawrence, Eleventh Infantry, February 4, 1903, vice Rodenbough, Sixteenth Infantry, promoted.

Second Lieut. Charles F. Adams, Seventeenth Infantry, February 10, 1903, vice [illegible], Twenty-second Infantry, promoted.

Second Lieut. Angus McIntosh, Infantry, February 18, 1903, vice Bingham, [illegible] Infantry, promoted.

Second Lieut. Hubert H. West, Twenty-second Infantry, February 28, 1903, vice [illegible], Infantry, resigned.

Second Lieut. William M. [illegible], Seventeenth Infantry, March 4, 1903, vice Martin, [illegible] Infantry, promoted.

Second Lieut. Jacques M. Loiseau, Twentieth Infantry, March 15, 1903, vice [illegible], Twenty-second Infantry, promoted.

Second Lieut. Martin Anderson, Nineteenth Infantry, March 19, 1903, vice [illegible], Infantry, promoted.

Second Lieut. John R. Sheridan, Twenty-eighth Infantry, April 10, 1903, vice [illegible], Twenty-fourth Infantry, promoted.

Second Lieut. Charles G. Lawrence, Fifteenth Infantry, April 11, 1903, vice [illegible], Twenty-first Infantry, promoted.

Second Lieut. Francis K. Ketchum, Nineteenth Infantry, April 17, 1903, vice Bradford, Nineteenth Infantry, promoted.

Second Lieut. William P. Ketts, Twenty-first Infantry, April 20, 1903, vice [illegible], Second Infantry, promoted.

Second Lieut. Eugene P. Gaston, Fourth Infantry, May 1, 1903, vice Bjornstad, Twenty-ninth Infantry, promoted.

Second Lieut. Arthur M. Dyer, Twenty-first Infantry, May 7, 1903, vice [illegible], Infantry, promoted.

Second Lieut. William F. Kirkpatrick, Seventh Infantry, May 25, 1903, vice [illegible], Infantry, promoted.

Second Lieut. Ernest D. Peck, Ninth Infantry, May 25, 1903, vice Schoeffel, Ninth Infantry, promoted.

Second Lieut. Walter Harvey, Sixteenth Infantry, June 2, 1903, vice Bates, Twenty-sixth Infantry, promoted.

Second Lieut. Frank R. Lucas, Fifth Infantry, June 23, 1903, vice Ovenshine, Seventeenth Infantry, promoted.

Second Lieut. Harry D. Mitchell, Sixteenth Infantry, July 23, 1903, vice [illegible], Infantry, deceased.

Second Lieut. Otto C. Nordan, Fourth Infantry, July 25, 1903, vice Bushfield, Seventeenth Infantry, deceased.

Second Lieut. Kirwin T. Smith, Sixth Infantry, July 26, 1903, vice Cochran, Nineteenth Infantry, promoted.

Second Lieut. William W. Russell, Twenty-sixth Infantry, July 29, 1903, vice Bonham, [illegible], promoted.

Second Lieut. Frank C. Bennett, Tenth Infantry, July 29, 1903, vice Nicklin, Ninth Infantry, promoted.

Second Lieut. Craig H. Beal, Twenty-third Infantry, July 30, 1903, vice Frost, [illegible], promoted.

Second Lieut. A. Cason Seymour, Eleventh Infantry, July 31, 1903, vice Sharp, Twelfth Infantry, promoted.

Second Lieut. Robert H. Lemmon, Twenty-first Infantry, August 5, 1903, vice Van [illegible], Fifteenth Infantry, promoted.

Second Lieut. Ben Joseph H. Hoge, Eighth Infantry, August 7, 1903, vice Cavenaugh, Eighth Infantry, promoted.

Second Lieut. Edward L. Dargan, Twenty-fifth Infantry, August 8, 1903, vice Grumble, Twenty-sixth Infantry, promoted.

Second Lieut. [illegible], Fourth Infantry, August 9, 1903, vice Harker, Fifteenth Infantry, promoted.

Second Lieut. Frank S. Bowen, Sixth Infantry, August 12, 1903, vice Wilkinson, Sixth Infantry, promoted.

Second Lieut. Ward Lewis, First Infantry (subject to examination required by law), vice [illegible], Twenty-second Infantry, promoted.

Second Lieut. Paul M. Goodale, Ninth Infantry, August 13, 1903, vice Folwell, First Infantry, promoted.

Second Lieut. Harry H. Pindle, Eighth Infantry, August 14, 1903, vice Conrad, Eighth Infantry, promoted.

Second Lieut. William W. Taylor, jr., Twenty-second Infantry, August 14, 1903, vice Nesmith, Ninth Infantry, promoted.

Second Lieut. Ernest J. Band, Tenth Infantry, August 14, 1903, vice Oury, Twenty-second Infantry, promoted.

Second Lieut. Henry A. Ball, Twenty-second Infantry, August 15, 1903, vice Pennington, Seventeenth Infantry, promoted.

Second Lieut. [illegible], Fifth Infantry, August 15, 1903, vice Fry, Thirteenth Infantry, promoted.

Second Lieut. George A. Herbert, Twenty-third Infantry, August 22, 1903, vice Eaton, [illegible], promoted.

Second Lieut. Joseph J. Lanier, Twenty-fifth Infantry, August 26, 1903, vice King, First Infantry, promoted.

Second Lieut. Thomas M. Hunter, Tenth Infantry, August 26, 1903, vice Ross, Tenth Infantry, promoted.

Second Lieut. [illegible], Fifteenth Infantry, August 26, 1903, vice Marks, Second Infantry, promoted.

Second Lieut. Frank E. Foster, Twelfth Infantry, August 27, 1903, vice Van Horn, Twelfth Infantry, promoted.

Second Lieut. William S. Neely, Twenty-second Infantry, September 3, 1903, vice Williams, Fifth Infantry, promoted.

Second Lieut. Frank H. Albright, Seventeenth Infantry, September 14, 1903, vice Falls, Twentieth Infantry, promoted.

Second Lieut. George [illegible], Ninth Infantry, September 17, 1903, vice Vance, Eighth Infantry, promoted in Second Corps.

Second Lieut. William H. Burnham, Ninth Infantry, September 17, 1903, vice Kimball, Twenty-sixth Infantry, detached in Second Corps.

Second Lieut. Dana A. Lockwood, First Infantry, September 17, 1903, vice Jennings, First Infantry, promoted in Second Corps.

Second Lieut. Leonard J. Wagner, Nineteenth Infantry, September 17, 1903, vice Gresham, Nineteenth Infantry, detached in Second Corps.

Second Lieut. Edgar M. Newton, Sixth Infantry, September 17, 1903, vice Briggs, Fourteenth Infantry, detached in Second Corps.

Second Lieut. Lewis H. Beacom, Ninth Infantry, September 17, 1903, vice Fitzgerald, Ninth Infantry, detached in Second Corps.

Second Lieut. Nevin Anderson, Seventeenth Infantry, September 23, 1903, vice Gordon, Nineteenth Infantry, promoted.

INFANTRY ARM.

George A. Detchemendy, late captain, Twenty-second Infantry, United States Army, to be captain of infantry, May 9, 1903.

TO BE SECOND LIEUTENANTS

Corps of Engineers.

1. Cadet Douglas MacArthur.
2. Cadet Charles T. Leeds.
3. Cadet Harold C. Fiske.
4. Cadet Max C. Tyler.
6. Cadet Ulysses S. Grant, 3d.
7. Cadet Julian L. Schley.
9. Cadet William H. Rose.
10. Cadet Ferdinand Williams.
12. Cadet Rodney C. Moore.
14. Cadet Lewis M. Adams.

Cavalry Arm.

5. Cadet Charles Telford.
8. Cadet [illegible] Reeves.
16. Cadet William N. Nichols.
18. Cadet [illegible] Anderson.
19. Cadet [illegible] P. Lawrence.
20. Cadet [illegible] E. Snyder.
30. Cadet [illegible] F. Van Natta, jr.
33. Cadet [illegible] A. Moss.
34. Cadet [illegible] L. Morrison.
37. Cadet [illegible] N. [illegible].
38. Cadet [illegible] A. Stevens.
28. Cadet Allen M. Page.
39. Cadet [illegible] Bowers.
43. Cadet John C. Montgomery.
44. Cadet James S. [illegible].
47. Cadet [illegible] R. [illegible].
51. Cadet Dorsey R. Rodney.
[illegible] Cadet [illegible] M. [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] W. [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] of Louisiana, late second lieutenant, United States [illegible], promoted.
[illegible] Cadet [illegible] W. [illegible], Fourteenth Infantry, promoted.

Artillery Corps.

17. Cadet Owen G. Collins.
[illegible] Cadet [illegible] Baker.
[illegible] [illegible] H. Smith.
17. Cadet Marion W. Howze.
23. Cadet George W. Cochran.
[illegible] Cadet [illegible] H. Harrison.
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] E. [illegible]rne, jr.
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] [illegible].
21. Cadet [illegible] [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] E. [illegible].
46. Cadet William M. Colvin.
[illegible] Cadet Francis M. Hinkle.

Infantry Arm.

21. Cadet George A. Lynch.
22. Cadet [illegible] M. P. Murphy.
41. Cadet [illegible] [illegible].
42. Cadet [illegible] M. [illegible].
48. Cadet [illegible] H. [illegible].
49. Cadet [illegible] [illegible].
50. Cadet [illegible] [illegible].
55. Cadet [illegible] W. Cochran.
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] W. [illegible].
56. Cadet Max B. [illegible].
[illegible] Cadet [illegible] I. [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet Walter V. [illegible]gher.
[illegible] Cadet [illegible] M. [illegible].
[illegible] Cadet [illegible] [illegible].
[illegible] Cadet [illegible] W. [illegible]thers.
[illegible] Cadet [illegible] F. [illegible], jr.
[illegible] Cadet [illegible] [illegible].
70. Cadet [illegible] [illegible].
71. Cadet [illegible] [illegible].
72. Cadet [illegible] [illegible].
73. Cadet [illegible] E. Moore.
74. Cadet [illegible] [illegible].
75. Cadet [illegible] [illegible]kmar Bendel.
76. Cadet [illegible] [illegible].
[illegible] Cadet [illegible] W. [illegible].
78. Cadet [illegible] F. [illegible].
79. Cadet [illegible] [illegible].
80. Cadet [illegible] R. [illegible].
81. Cadet Stuart A. Howard.
82. Cadet John F. Franklin.
[illegible] Cadet William C. Russell.
84. Cadet Richard W. Houghton.
85. Cadet John S. Upshur.
86. Cadet Keith S. Gregory.
87. Cadet Irving M. Morrison.
88. Cadet Henry Farmer.
89. Cadet Everett N. Bowman.
90. Cadet Homer N. Preston.
91. Cadet Jesse Gaston.
92. Cadet Edward A. Brown.
93. Cadet Charles F. Smith.

Infantry Arm, with rank from June 13, 1903.

George Edgar Nelson, of Vermont.

Sergeant Morris Harrison, from at large.

[illegible] Thomas Kilbreth, of Alabama.

Emmett Brumbaugh Tarbutton, of Maryland.

Cornelius Reuben Hodges, from at large.

Dunbar Henry Ansordine, of Maryland.

William Goodlett Mabow, of Tennessee.

INFANTRY ARM.

To be second lieutenants, to rank from October 9, 1903.

Sergt. James M. Churchill, Forty-second Company, Coast Artillery, vice [illegible], Second Infantry, promoted.

Corp. Philip H. Ragan, Forty-first Company, Coast Artillery, vice Whitson, Twenty-seventh Infantry, promoted.

Sergt. Luther R. Jones, Twenty-ninth Company, Coast Artillery, vice Johnson, Eighth Infantry, promoted.

Sergt. Andrew D. Cowan, Company B, Twenty-ninth Infantry, vice Barlow, Fourth Infantry, promoted.

Private Ernest B. Smalley, Company L, Twentieth Infantry, vice Grinstead, Twenty-third Infantry, promoted.

Sergt. Henry W. Bunn, Company G, Twenty-second Infantry, vice Williams, Twenty-sixth Infantry, promoted.

Sergt. First Class Frederick W. Boschen, Hospital Corps, vice McClelland, Eighteenth Infantry, promoted.

Sergt. Charles W. Stewart, Troop I, Second Cavalry, vice Kistler, Eighteenth Infantry, resigned.

Corp. Paul Engel, Troop D, Eleventh Cavalry, vice Graham, Fifteenth Infantry, promoted.

Corp. [illegible] Farrell, Company K, Twenty-seventh Infantry, vice Jennet, First Infantry, promoted.

Sergt. Charles O. Schadt, Company L, Nineteenth Infantry, vice Danforth, Tenth Infantry, promoted.

Corp. Fred W. Potts, Company H, Second Battalion of Engineers, vice [illegible], Second Infantry, promoted.

Sergt. Emanuel Aiello, Chemical Detachment, Eleventh Cavalry, vice Williams, Twelfth Infantry, promoted.

Sergt. Henry L. King, Twenty-sixth Company, Coast Artillery, vice Bugbee, First Infantry, promoted.

Sergt. Charles H. Noble, Forty-seventh Company, Coast Artillery, vice Goodlin, Seventeenth Infantry, promoted.

Corp. William F. Robinson, Company E, Second Battalion of Engineers, vice [illegible], Twenty-second Infantry, promoted.

Sergt. Charles J. Bardwell, Thirteenth Company, Coast Artillery, vice Bury, First Infantry, promoted.

Sergt. Samuel M. Garrett, Coast Artillery, vice Leisenring, Eleventh Infantry, promoted.

Sergt. Jonathan A. Dawes, One hundred and twentieth Company, Coast Artillery, vice Anderson, Seventeenth Infantry, promoted.

Sergt. First Class Max Arthur G. Hansen, Fourth Cavalry, vice Briggs, Seventeenth Infantry, promoted.

Sergt. Alexander A. Hermann, Forty-second Company, Coast Artillery, vice [illegible], Twenty-second Infantry, promoted.

Sergt. Henry S. [illegible], Sixty-sixth Company, Coast Artillery, vice [illegible], Coast Artillery, promoted.

Sergt. George Mac Farlane, Sixteenth Infantry, vice True, Sixteenth Infantry, promoted.

Sergt. James Boyd, Company I, Eighteenth Infantry, vice Molony, Fourteenth Infantry, promoted.

Corp. Frank C. Malone, Troop F, Fourteenth Cavalry, vice Petty, Twenty-fifth Infantry, promoted.

Sergt. Edward Novak, Sixth Company, Coast Artillery, vice Novak, Nineteenth Infantry, promoted.

Sergt. Lawson P. Hunter, Company D, Sixth Infantry, vice Davis, Twenty-fifth Infantry, promoted.

Sergt. Edward L. McLaughlin, Company E, Fourteenth Infantry, vice [illegible], Fourteenth Infantry, promoted.

Sergt. Farrell M. [illegible], Troop L, Twelfth Cavalry, vice Shuman, Twenty-eighth Infantry, promoted.

Corp. M. Sergt. Fred Remington, Company E, Seventeenth Infantry, vice [illegible], Seventeenth Infantry, promoted.

Sergt. Frank L. Bates, Twenty-second Company, Coast Artillery, vice Lawrence, Fifteenth Infantry, promoted.

Corp. Harvey B. Rich, Troop E, Twelfth Cavalry, vice Kelland, Nineteenth Infantry, promoted.

Sergt. Jacob C. Potter, Thirteenth Company, Coast Artillery, vice Caughey, Twenty-sixth Infantry, promoted.

Corpl. Albert T. Rich, Troop E, Twelfth Cavalry, vice Kitts, Twenty-first Infantry, promoted.

Battalion Sergt. Maj. David P. Wood, Fifteenth Infantry, vice Crowne, Fourth Infantry, promoted.

TO BE SECOND LIEUTENANT, INFANTRY ARM.

First Sergt. William F. Harrel, Sixty-ninth Company, Coast Artillery, June 12, 1903.

CAVALRY ARM.

Arthur M. Graham, late a private, Troop B, Fourth Cavalry, to be second lieutenant, February 2, 1901.

Nominations previously named was nominated to the Senate for the above-named appointment December 5, 1901, as Arthur M. Graham, and was confirmed December 16, 1901. This message is submitted to correct an error in the name of the nominee.

INSPECTOR-GENERAL'S DEPARTMENT.

To be inspector-general with the rank of brigadier-general.

Col. Peter D. Vroom, since retired from active service), Inspector-General, April 11, 1903, for a period of four years, vice Breckinridge, appointed major-general, United States Army.

Lieut. Colonel Henry H. Perry, Inspector-General, April 12, 1903 (for a period of four years), vice Vroom, retired from active service.

JUDGE-ADVOCATE-GENERAL'S DEPARTMENT.

Capt. Walter A. Bethel, Artillery Corps, acting judge-advocate, United States Army, to be judge-advocate with rank of major, July 15, 1903, vice Hull, promoted.

QUARTERMASTER'S DEPARTMENT.

Kenney J. Hampton, of Kentucky, late assistant quartermaster, United States Volunteers, to be quartermaster with the rank of captain, April 21, 1903, vice [illegible], promoted.

MEDICAL DEPARTMENT.

To be assistant surgeons with the rank of first lieutenant.

James Irving Mayhew, of Michigan, May 15, 1903.

George Dyson Powell, of Virginia, late major and surgeon, United States Volunteers, July 10, 1903.

Thomas Lindsay Thompson, of Michigan, late major and surgeon, United States Volunteers, July 10, 1903.

Ralph Stephens Foster, of Illinois, late major and surgeon, United States Volunteers, July 10, 1903.

Perry Lutherford Jones, of Tennessee, late captain and assistant surgeon, United States Volunteers, July 10, 1903.

Fred Wheaton Parmer, of Michigan, late captain and assistant surgeon, United States Volunteers, July 10, 1903, vice Richards, resigned.

Edward Bright Vedder, of Pennsylvania, July 10, 1903, vice Harris, promoted.

Henry Flanagan Pipes, of West Virginia, July 10, 1903, vice Wood, appointed brigadier-general, United States Army.

Charles Lovelace Foster, of the District of Columbia, July 10, 1903, vice Banister, promoted.

John Robert Bosley, of Maryland, July 10, 1903, vice Poindexter, retired from active service.

Robert Courtenay Loving, of Kentucky, July 10, 1903, vice Woodruff, promoted.

Chester Jewett Stedman, of West Virginia, July 10, 1903, vice Swift, promoted.

Orville Graham Brown, of the District of Columbia, July 10, 1903, vice Shillock, promoted.

George Frederick Juenemann, of Maryland, July 10, 1903, vice Wetherill, whose retired.

Joseph Franklin Siler, of Alabama, July 10, 1903, vice Rafferty, promoted.

Arthur Maurice Wakeley, of Michigan, July 10, 1903, vice Mason, promoted.

Theodore Lamson, of Massachusetts, October 1, 1903, vice Wood, promoted.

Craig Richard Snyder, of Indiana, October 1, 1903, vice Bradley, promoted.

Richard Oswald Heysinger, of Pennsylvania, October 1, 1903, vice Ten Eyck, promoted.

Lewis Llewellyn Smith, of New Jersey, October 23, 1903, vice Cloud, retired from active service.

John Brannon Bridgman, of New York, October 13, 1903, vice Willcox, promoted.

Edgar William Miller, of Iowa, [illegible], vice Pinkham, resigned.

William Henry Taft, of New York, [illegible], vice Frank, promoted.

To be brigadier-generals.

Rev. John Aloysius Ferry, of New York, June 4, 1903, vice McKinnon, deceased.

Rev. Andrew C. Murphy, of Illinois, September 17, 1903, vice Kelly, retired from active service.

Rev. Samuel Lane Faunce, of Colorado, late chaplain First Colorado Volunteer Infantry, September 15, 1903, vice McKoon, resigned.

APPOINTMENTS, BY TRANSFER, IN THE ARMY.

[illegible] H. Davis, Twenty-third Infantry, from the Infantry Arm to the Quartermaster's Department, March 25, 1903, with rank from [illegible].

[illegible] Infantry Arm to the Quartermaster's Department, [illegible], with rank from [illegible].

[illegible] Infantry Arm to the Quartermaster's Department, [illegible], with rank from [illegible], 1903.

SCHEDULE B.

List of officers [illegible] for appointment in the Army, in the various grades indicated, [illegible] confirmation during the present session of the Senate, December, 1903.

The officers whose names are preceded by an asterisk (*) have been retired from active service.

No.	Name.	Rank.	Date of rank.
1	Leonard Wood	Major general	August 8, 1903.
2	*Charles A. Coolidge	Brigadier general	Do.
3	[illegible]	[illegible]	Do.
4	[illegible] Thompson	do	August 9, 1903.
5	[illegible]	do	Do.
6	[illegible] A. Woodruff	do	August 10, 1903.
7	[illegible]	do	Do.
8	[illegible]	do	August 11, 1903.
9	John L. Pershing	do	Do.
10	[illegible]	do	August 12, 1903.
11	[illegible]	do	Do.
12	[illegible]	do	August 13, 1903.
13	[illegible]	do	Do.
14	[illegible]	do	August 14, 1903.
15	[illegible]	do	Do.
16	[illegible]	do	August 15, 1903.
17	[illegible]	do	Do.
18	[illegible]	do	August 16, 1903.
19	[illegible]	do	Do.
20	[illegible]	do	August 17, 1903.
21	[illegible]	do	Do.
22	[illegible]	do	August 18, 1903.
23	William A. Simpson	Assistant adjutant general with the rank of colonel.	August 15, 1903.
24	John L. Clem	Assistant quartermaster-general with the rank of colonel.	August 15, 1903.
25	William S. Patten	do	August 17, 1903.
26	William H. Miller	Deputy quartermaster-general with the rank of lieutenant-colonel.	August 15, 1903.
27	Samuel R. Jones	do	August 17, 1903.
28	John Elston Saxton	Quartermaster with the rank of major.	August 15, 1903.
29	Moses G. Zaliski	do	August 17, 1903.
30	Charles B. Byrne	Assistant surgeon-general with the rank of colonel.	August 9, 1903.
31	Timothy E. Wilcox	do	September 22, 1903.
32	Louis W. Crampton	Deputy surgeon-general with the rank of lieutenant-colonel.	August 9, 1903.
33	[illegible] Gardner	do	September 8, 1903.
34	[illegible] Foster	Surgeon with the rank of major.	October 9, 1903.
35	[illegible] A. Shaw	do	September 2, 1903.
36	John G. Butler	Colonel in the Ordnance Department.	August 25, 1903.
37	Frank Heath	Lieutenant-colonel in the Ordnance Department.	Do.
38	Frank E. Hobbs	Major in the Ordnance Department.	Do.
39	Thales L. Anno	Captain in the Ordnance Department.	Do.
40	Clarence A. Stedman	Colonel of cavalry	August 7, 1903.
41	Edgar Z. Steever	do	August 8, 1903.
42	George H. Paddock	Lieutenant-colonel of cavalry.	August 16, 1903.
43	Samuel W. Fountain	do	August 26, 1903.
44	Franklin J. Johnson	Major of cavalry	August 16, 1903.
45	Herbert J. Slocum	do	August 26, 1903.
46	Frank R. Kennedy	Captain of cavalry	August 16, 1903.
47	[illegible]	do	September 10, 1903.
48	Charles H. [illegible]	do	September 22, 1903.
49	Granville R. Fortescue	First lieutenant of cavalry	August 8, 1903.
50	John Alden Degen	do	September 17, 1903.
51	Arthur N. Pickens	do	Do.
52	Brice P. Disque	do	Do.

List of officers holding recess commissions dated December 7, 1903, etc.—Cont'd.

No.	Name.	Rank.	Date of rank.
53	[illegible]	First lieutenant of cavalry	September 17, 1903.
54	[illegible] M. [illegible]	do	September 19, 1903.
55	[illegible]	do	September 21, 1903.
56	[illegible]	do	Do.
57	[illegible] W. [illegible]	do	Do.
58	[illegible]	do	August [illegible]
59	[illegible]	do	August [illegible], 1903.
60	[illegible]	do	August [illegible], 1903.
61	Anthony W. Vogdes	do	November [illegible], 1903.
62	Alexander D. [illegible]	Lieutenant-colonel in the Artillery Corps.	August [illegible], 1903.
63	Sedgwick Pratt	do	Do.
64	John McClellan	do	August 11, 1903.
65	[illegible]	do	August [illegible], 1903.
66	[illegible]	do	August [illegible], 1903.
67	[illegible]	do	Do.
68	[illegible]	Major in the Artillery Corps	August [illegible], 1903.
69	[illegible]	do	Do.
70	[illegible]	do	August 11, 1903.
71	[illegible]	do	August 14, 1903.
72	[illegible]	do	Do.
73	[illegible]	do	Do.
74	[illegible]	do	August 27, 1903.
75	[illegible]	do	Do.
76	[illegible]	do	September 20, 1903.
77	[illegible]	do	November [illegible], 1903.
78	[illegible]	do	August [illegible], 1903.
79	[illegible] B. Black	do	Do.
80	[illegible]	do	November 1, 1903.
81	Chas. E. N. Howard	First lieutenant in the Artillery Corps.	August [illegible], 1903.
82	[illegible]	do	Do.
83	[illegible]	do	August 11, 1903.
84	[illegible]	do	August 14, 1903.
85	[illegible]	do	Do.
86	[illegible]	do	August 27, 1903.
87	[illegible]	do	Do.
88	[illegible]	do	September 20, 1903.
89	[illegible]	do	November [illegible], 1903.
90	[illegible]	do	August [illegible], 1903.
91	[illegible]	Colonel of infantry	August [illegible], 1903.
92	[illegible]	do	Do.
93	[illegible]	do	Do.
94	[illegible]	do	August 11, 1903.
95	[illegible]	do	August 12, 1903.
96	E. Henry Ray	do	Do.
97	Benjamin C. Lockwood	do	August 13, 1903.
98	[illegible]	do	Do.
99	[illegible] Vogdesdale	do	August 14, 1903.
100	[illegible]	do	Do.
101	[illegible]	do	August 15, 1903.
102	[illegible]	do	October 31, 1903.
103	[illegible] A. Bennett	Lieutenant-colonel of infantry	August 8, 1903.
104	Henry A. Greene	do	Do.
105	[illegible]	do	August 9, 1903.
106	[illegible]	do	August 11, 1903.
107	[illegible] E. Lyons	do	August 12, 1903.
108	[illegible]	do	Do.
109	[illegible]	do	August 13, 1903.
110	[illegible]	do	Do.
111	[illegible] Chapman	do	August 14, 1903.
112	[illegible]	do	Do.
113	[illegible]	do	August 15, 1903.
114	[illegible]	do	August [illegible], 1903.
115	[illegible]	do	August [illegible], 1903.
116	[illegible]	Major of infantry	August [illegible], 1903.
117	[illegible]	do	Do.
118	[illegible]	do	August 12, 1903.
119	[illegible]	do	Do.
120	[illegible] M. Burton	do	August 13, 1903.
121	[illegible]	do	Do.
122	[illegible] Beacom	do	August 14, 1903.
123	[illegible]	do	Do.
124	[illegible]	do	Do.
125	[illegible]	do	August 15, 1903.
126	[illegible]	do	August 26, 1903.
127	[illegible]	do	Do.
128	[illegible]	do	Do.
129	[illegible]	Captain of infantry	August 8, 1903.
130	[illegible]	do	August 9, 1903.
131	[illegible]	do	August 11, 1903.
132	[illegible]	do	August 12, 1903.
133	[illegible]	do	Do.
134	[illegible]	do	August 13, 1903.
135	[illegible]	do	August 14, 1903.
136	[illegible]	do	Do.
137	[illegible]	do	August 15, 1903.
138	[illegible]	do	August 26, 1903.
139	[illegible]	do	Do.
140	[illegible]	do	Do.
141	[illegible]	do	August 27, 1903.
142	[illegible]	do	September 1, 1903.
143	[illegible]	do	September [illegible], 1903.
144	[illegible]	do	September 12, 1903.
145	[illegible]	do	Do.
146	[illegible]	do	Do.
147	[illegible]	do	Do.
148	[illegible]	do	Do.
149	[illegible]	do	Do.
150	[illegible]	do	Do.
151	[illegible]	do	Do.
152	Frank H. Kalde	do	August 14, 1903.

List of officers holding recess commissions dated December 7, 1903, etc.—Cont'd.

No.	Name.	Rank.	Date of rank.
153	Wm. W. Taylor, jr	First lieutenant of infantry	August 14, 1903.
154	Russell C. Hand	do	Do.
155	Henry A. Bell	do	August 15, 1903.
156	[illegible]	do	Do.
157	George A. Bennett	do	August 22, 1903.
158	[illegible]	do	August 26, 1903.
159	[illegible]	do	Do.
160	[illegible]	do	Do.
161	[illegible]	do	August 27, 1903.
162	[illegible]	do	September [illegible], 1903.
163	[illegible]	do	September [illegible], 1903.
164	[illegible]	do	September [illegible], 1903.
165	[illegible]	do	September 12, 1903.
166	[illegible]	do	Do.
167	[illegible]	do	Do.
168	[illegible]	do	Do.
169	[illegible]	do	Do.

against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented petitions of sundry inmates of the Soldiers' Home of Boise, of sundry citizens of Boise, of sundry citizens of Kootenai County, and of sundry citizens of Harrison, all in the State of Idaho, and of the Young People's Society of Christian Endeavor of the Church of the Covenanters, of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MARTIN presented a petition of the Board of Directors of the Chamber of Commerce of Richmond, Va., praying for the passage of the two-cent postage bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PATTERSON presented a petition of Local Union No. 3, Amalgamated Woodworkers' International Union, of Denver, Colo., praying for the appointment of a court of arbitration to settle labor disputes; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented sundry memorials of citizens of Joliet, Ill., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Baptist Association of Middle Creek, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of Aaron Weider Post, No. 75, of Fairbury; of Major Sam Hays Post, No. 477, of Summer Hill; of Newton Post, No. 696, of Marissa; of Matt Starr Post, No. 378, of Lanark; of Colonel Post, No. 508, of Mount Vernon, and of Emerson Post, No. 582, of Okawville, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. ALGER presented a petition of the Young People's Society of Christian Endeavor of the Jefferson Avenue Presbyterian Church, of Detroit, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of H. W. Lawton Post, No. 452, of Detroit; of Post No. 38, of Saginaw; of Henry H. Knapp Post, No. 284, of Michigan; of Charles O. Twist Post, No. 396, of Michigan; of Phil Mc Kernan Post, No. 53, of Michigan, and of General G. M. Fox Post, No. 453, of Michigan, all of the Department of Michigan, Grand Army of the Republic, in the State of Michigan, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. SCOTT presented a petition of sundry citizens of Sherrard, W. Va., praying for the enactment of legislation providing for the construction of good roads throughout the country; which was referred to the Committee on Agriculture and Forestry.

Mr. HOPKINS presented memorials of sundry citizens of Jacksonville, Flora, Kankakee, Rockford, Mount Olive, and Pontone, all in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Hubbard Post, No. 164, of Belvidere; of Batavia Post, No. 48, of Batavia; of Carter Van Vleck Post, No. 174, of Bushnell; of James A. Sexton Post, No. 759, of Chicago Heights; of William McKinley Post, No. 701, of Chicago; of Farragut Post, No. 602, of Chicago; of Washington Post, No. 573, of Chicago; of General W. B. Hazen Post, No. 7, of Chicago; of Joseph P. Sasley Post, No. 542, of Camp Point; of J. L. Parks Post, No. 518, of Craborchard; of Veteran Post, No. 49, of Elgin; of Yates Post, No. 88, of Effingham; of Forrest Post, No. 114, of Forrest; of Kittoe Post, No. 5020, of Galena; of Homer Post, No. 263, of Homer; of Barnes Post, No. 395, of Kingston; of Whipple Post, No. 414, of Kankakee; of Lake Forrest Post, No. 676, of Lake Forrest; of James Mayes Post, No. 480, of Mount Erie; of Post No. 471, of Milford; of Harley Wayne Post, No. 169, of Marengo; of Post No. 469, of Macedonia; of Walter Blanchard Post, No. 396, of Naperville; of Post No. 419, of Nashville; of W. A. Babcock Post, No. 416, of Onarga; of Colonel John Bryner Post, No. 67, of Peoria; of L. W. Sheppard Post, No. 623, of Quincy; of Post No. 546, of Rochelle; of Will Enderton Post, No. 739, of Rock Falls; of Post No. 519, of Sandwich; of Randale Post, No. 568, of Trenton; of Williams Post, No. 25, of Watseka; of Hesse Post, No. 223, of Winchester; of Lassater Post, No. 570, of Will Shesl, and of Post No. 374, of Waukegan, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Cairo Woman's Club, of Cairo, of the Kenwoods Woman's Club of Chicago, of the Chicago New Jerusalem, of Chicago; of the Woman's Christian Temperance Union of Urbana, and of sundry citizens of Chicago, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. OVERMAN presented a petition of sundry citizens of High Point, N. C., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. SPOONER presented a petition of the congregation of the Methodist Episcopal Church of Waupaca, Wis., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of Blackbird Lodge, Good Templars' Mutual Benefit Association, of Westgreen, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Good Roads Association of Marinette County, Wis., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. LODGE presented a petition of sundry citizens of Bridgewater, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Chamber of Commerce of Boston, Mass., praying that an appropriation be made for the erection of a new custom-house at that place; which was referred to the Committee on Public Buildings and Grounds.

He also presented a petition of the Massachusetts Board of Trade, of Boston, Mass., praying for the enactment of legislation to reorganize the consular service of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for an exchange of prisoners between the United States, Great Britain, and the reorganization of the consular service of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for the restoration of the American merchant marine, and also praying that an appropriation be made for the destruction of derelicts at sea; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Massachusetts State Board of Trade, of Boston, Mass., praying for the enactment of legislation providing for the revision of the present postal rates; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry shipowners, shipbuilders, and shipmasters of Boston, Mass., remonstrating against the admission of any foreign-built vessel to American registry except prizes of war or vessels forfeited for violation of the laws of the United States; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for the restoration of the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the ratification of a treaty of arbitration between this country and the United Kingdom of Great Britain and Ireland; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Gloucester, Mass., praying for the enactment of legislation providing for the removal of derelicts at sea; which was ordered to be laid on the table.

Mr. BATE presented sundry papers to accompany the bill (S. 807) for the relief of the heirs of J. L. Kirkpatrick; which were referred to the Committee on Claims.

Mr. GAMBLE presented a petition of the Woman's Home Missionary Society of Huron, S. Dak., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Conference of the Methodist Episcopal Church of Deadwood, S. Dak., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in Soldiers' Homes; which was referred to the Committee on Military Affairs.

Mr. FOSTER of Washington presented a petition of the congregation of the Presbyterian Church of Clarkston, Wash., praying for the enactment of legislation providing for the closing on Sundays of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the Chamber of Commerce of Spokane, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Chamber of Commerce, of Spokane, Wash., praying for the enactment of legislation relative to the transportation of railroad rates; which was referred to the Committee on Interstate Commerce.

Mr. PLATT of Connecticut. I have here a petition which is of a good deal of importance, with reference to the Government [illegible] for the Indian Indians of northern California. It is signed by Colonel Pratt, of the Carlisle Institute, and by a large number of persons who have been connected with the Indian service. I think the petition will be found to be very interesting, and I ask that it may be printed as a document.

The PRESIDENT pro tempore. The Senator from Connecticut asks that the petition sent to the desk by him may be printed as a Senate document. Is there objection? The Chair hears none, and that order is made.

Mr. PLATT of Connecticut presented a petition of the Chamber of Commerce of Everett, Wash., praying that an appropriation be made for the construction of a road through the Tulalip Indian Reservation, in the State of Washington; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Ancient Order of Hibernians of Norwich, Conn., praying that an appropriation be made for the erection of a monument to the memory of Commodore John Barry, the father of the American Navy; which was referred to the Committee on the Library.

He also presented a petition of the congregation of the Congregational Church of Goshen, Conn., and a petition of sundry citizens of Putnam, Conn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. HALE presented a petition of the executive council of the Philadelphia Board of Trade, of Philadelphia, Pa., praying for the enactment of legislation creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes; which was referred to the Committee on Commerce.

He also presented a petition of the First Battalion of the Ohio Naval Brigade, of Toledo, Ohio, praying for the enactment of legislation providing for the establishment of a naval training station at Put in Bay Island, on the Great Lakes; which was referred to the Committee on Naval Affairs.

Mr. MITCHELL presented a petition of the National Good Roads Association of Oregon, praying that an appropriation be made for the Lewis and Clark Centennial Exposition, to be held in Portland, Oreg., in 1905; which was referred to the Committee on Appropriations.

Mr. FRYE presented a petition of the regents of the University of Wisconsin, Madison, Wis., praying for the enactment of legislation to increase the Federal aid to agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Union No. 3, Amalgamated Wood Workers' International Union, of Denver, Colo., praying for the enactment of legislation providing for an investigation of the martial-law proclamation of the governor of that State; which was referred to the Committee on the Judiciary.

He also presented a petition of Kit Carson Post, No. 2, Department of the District of Columbia, Grand Army of the Republic, of Washington, D. C., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented the petition of Leta Brown and 23 other citizens of Roswell, Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and elections.

THE CENSUS BUREAU.

Mr. FAIRBANKS. I present a communication from the Secretary of the Department of Commerce and Labor, transmitting a letter from the Director of the Census regarding the building now occupied by the Census Bureau and the public future needs of that Bureau in the way of quarters. I move that the communication and accompanying papers be printed as a document and referred to the Committee on Public Buildings and Grounds.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment:

A bill (H. R. 1[illegible]) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Choctaw and Clarke, Ala., in section 7, township 9, range 1 west of the Choctaw meridian;

A bill (H. R. 5761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River; and

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railway Company to construct and maintain a bridge across the Black Warrior River in Tuscaloosa County, Ala., in section 8, township 21 south, range 11 west of Huntsville meridian.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 5867) to authorize the Vulcan Coal Company, of Vulcan, W. Va., to bridge the Tug Fork of the Big Sandy River at Vulcan, Mingo County, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1834) granting an increase of pension to John W. Paul;

A bill (S. 2122) granting a pension to Annie C. Rogers;

A bill (H. R. 1816) granting an increase of pension to George W. Day;

A bill (H. R. 5367) granting an increase of pension to Franklin Moore; and

A bill (H. R. 8376) granting an increase of pension to Jonathan J. Smith.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 727) granting a pension to George W. Witherell;

A bill (S. 3362) granting an increase of pension to Daniel H. Wallace; and

A bill (S. [illegible]) granting a pension to Mary S. Clark.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1[illegible]) granting an increase of pension to Emmett Cole;

A bill (H. R. [illegible]) granting an increase of pension to Thomas Anderson;

A bill (H. R. [illegible]) granting an increase of pension to Thomas Springer;

A bill (H. R. 165) granting an increase of pension to Thomas Adelsperger;

A bill (H. R. 1906) granting an increase of pension to George W. Blanchard;

A bill (H. R. 3272) granting an increase of pension to Elizabeth Hardy;

A bill (H. R. 5718) granting an increase of pension to Adolph Heiser;

A bill (H. R. 2553) granting an increase of pension to George Wintz;

A bill (H. R. 4323) granting an increase of pension to Mary Wurtz;

A bill (H. R. 4276) granting an increase of pension to Hamilton E. Burritt;

A bill (H. R. 812) granting an increase of pension to Charles F. Emery;

A bill (H. R. 195) granting a pension to Michael Landy;

A bill (H. R. 660) granting an increase of pension to John S. Sines;

A bill (H. R. 4759) granting an increase of pension to David P. McDonald;

A bill (H. R. 4915) granting an increase of pension to James W. Hibbert;

A bill (H. R. 6028) granting an increase of pension to Anson Heffron;

A bill (H. R. 689) granting an increase of pension to Edgar Chapman;

A bill (H. R. 6442) granting an increase of pension to James P. Wallace;

A bill (H. R. 1888) granting a pension to Harriet A. Cook;

A bill (H. R. 6947) granting an increase of pension to Joseph H. Cooper; and

A bill (H. R. [illegible]) granting a pension to Matilda Lafferty.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (H. R. 475) granting a pension to Alfred C. [illegible], submitted an adverse report, which was agreed to; and the bill was postponed indefinitely.

Mr. McCUMBER (for Mr. BURNS), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1796) granting an increase of pension to Matthew Woodworth;

A bill (S. 1802) granting an increase of pension to John M. Morgan;

A bill (H. R. 5885) granting an increase of pension to Joshua Harlan;

A bill (H. R. 2809) granting an increase of pension to John Watt; and

A bill (H. R. 5520) granting an increase of pension to William J. Shepard.

Mr. McCUMBER (for Mr. BURNS), from the Committee on Pensions, to whom were referred the following bills, reported them severally with an amendment, and submitted reports thereon:

A bill (H. R. 1485) granting an increase of pension to James W. Burke;

A bill (H. R. 8411) granting an increase of pension to William J. Burk;

A bill (H. R. 6061) granting an increase of pension to Alphens D. Brown; and

A bill (H. R. 5888) granting an increase of pension to David Warentz.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1787) granting an increase of pension to Swepston B. W. Stephens;

A bill (S. 3415) granting an increase of pension to Manluff W. Reynolds; and

A bill (S. [illegible]) granting a pension to Adolphus N. Pacetty.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5834) granting an increase of pension to Adaline Shaw Lawson;

A bill (H. R. [illegible]) granting an increase of pension to Loniza Perkins; and

A bill (H. R. [illegible]) granting a pension to James F. Wheeler.

Mr. McCUMBER (for Mr. CLARK), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7799) granting an increase of pension to John O. Rice;

A bill (H. R. 7798) granting an increase of pension to Andrew Black;

A bill (H. R. 219) granting a pension to Minerva J. Burton; and

A bill (H. R. 249) granting an increase of pension to Mollie J. Mitchell.

Mr. McCUMBER (for Mr. CARMACK), from the Committee on Pensions, to whom was referred the bill (H. R. [illegible]) granting an increase of pension to Caleb Arnold, reported it with an amendment, and submitted a report thereon.

Mr. ALGER, from the Committee on Military Affairs, to whom was referred the bill (S. [illegible]) to correct the military record of James W. Hosser, reported it without amendment, and submitted a report thereon.

He also, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. [illegible]) granting an increase of pension to Samuel Rollins;

A bill (S. 2690) granting a pension to Naomi Green;

A bill (S. [illegible]) granting an increase of pension to Harriet H. Howlett;

A bill (S. [illegible]) granting an increase of pension to Mary A. Hughes;

A bill (H. R. 6532) granting an increase of pension to Harry Haller; and

A bill (H. R. [illegible]) granting a pension to Minnie Gasler.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. [illegible]) granting an increase of pension to John Hawker;

A bill (H. R. 3172) granting an increase of pension to Robert E. Pegue;

A bill (H. R. 6020) granting an increase of pension to William P. Conner;

A bill (H. R. 561) granting an increase of pension to Eri Summy;

A bill (H. R. [illegible]) granting a pension to Thomas F. Nash;

A bill (H. R. 7315) granting a pension to Rebecca A. Mathias;

A bill (H. R. 2201) granting an increase of pension to George McDonald;

A bill (H. R. 7374) granting an increase of pension to Jabez Perkins;

A bill (H. R. 6005) granting an increase of pension to George B. Davis; and

A bill (H. R. 8123) granting a pension to Eliza S. Smith.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1280) granting an increase of pension to Henry Wilfong;

A bill (S. 3527) granting an increase of pension to Jerningham Beeler;

A bill (S. 3267) granting an increase of pension to Mary V. Carson;

A bill (S. 2043) granting an increase of pension to Andrew J. Williams; and

A bill (S. 3569) granting an increase of pension to John A. Chamberlain.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2689) granting a pension to Louisa Lyon;

A bill (S. 1642) granting an increase of pension to Blanche L. Chunn; and

A bill (H. R. 2019) granting a pension to Mary Gwynn.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 134) granting a pension to Wilhelmina Miller;

A bill (H. R. 5617) granting an increase of pension to William P. Hereford;

A bill (H. R. 5818) granting an increase of pension to Philip Snow;

A bill (H. R. 3345) granting an increase of pension to Charles P. [illegible]; and

A bill (H. R. 5720) granting an increase of pension to William T. [illegible].

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3339) granting an increase of pension to George B. Alcorn;

A bill (S. 760) granting an increase of pension to Mary Loretta Armstrong; and

A bill (S. 1530) granting an increase of pension to Theron T. Langdon.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (S. [illegible]) granting an increase of pension to Louisa S. Cochran, reported it with a recommendation that it do not pass, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. [illegible]) granting a pension to Georgie S. Barbour;

A bill (H. R. 734) granting an increase of pension to Henry S. McAlister;

A bill (H. R. 727) granting an increase of pension to James K. Blye;

A bill (H. R. 2111) granting an increase of pension to Henry D. Thompson;

A bill (H. R. 8729) granting an increase of pension to Gustus S. Remick;

A bill (H. R. 3337) granting an increase of pension to Mary A. Congdon;

A bill (H. R. 1859) granting an increase of pension to Patrick Cannon;

A bill (H. R. 1855) granting a pension to Harriet B. Rice;

A bill (H. R. 2016) granting an increase of pension to George Gardner; and

A bill (H. R. 2932) granting a pension to Dudley R. W. Williams.

Mr. BALL, from the Committee on Pensions, to whom was referred the bill (H. R. 6077) granting a pension to Mary Hall, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4457) granting an increase of pension to Mary E. Meldrum;

A bill (H. R. 754) granting a pension to John M. Lawton; and

A bill (H. R. 6994) granting an increase of pension to Theresa Nebrich.

Mr. BALL, from the Committee on Pensions, to whom was referred the bill (H. R. 8910) granting an increase of pension to Susie C. G. Seabury, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. CHAPMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2912) granting an increase of pension to Elizabeth A. Jones;

A bill (H. R. 2916) granting an increase of pension to Francis S. Howard; and

A bill (H. R. 4629) granting an increase of pension to Thomas C. Pond.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3656) granting an increase of pension to William Turner;

A bill (S. 2966) granting a pension to William Conover;

A bill (S. 2221) granting a pension to Carlotta E. Hooper; and

A bill (S. 2969) granting a pension to Henry Derity.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 294) granting a pension to Vincent G. Proctor, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. [illegible]) to regulate appointments of [illegible] in the Government of the District of Columbia, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. MITCHELL, from the Committee on the Judiciary, to whom was referred the bill (S. 3117) to expedite business in the district court of the United States for the District of Oregon, reported it without amendment, and submitted a report thereon.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to; and the bills were postponed indefinitely:

A bill (H. R. 4707) granting a pension to Margaret J. Snook; and

A bill (S. 71) granting an increase of pension to Asia Burgess.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5299) granting an increase of pension to Sarah E. Vroner;

A bill (H. R. 5531) granting an increase of pension to Marvin [illegible];

A bill (H. R. 6071) granting an increase of pension to Abraham C. Null;

A bill (H. R. 5528) granting a pension to Maria Lindhorst; and

A bill (H. R. 3435) granting an increase of pension to John M. Pratt.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 5555) granting an increase of pension to James R. Hopper;

A bill (S. 3470) granting an increase of pension to Richard W. [illegible];

A bill (S. 3413) granting a pension to Henry P. Howard;

A bill (S. 2863) granting an increase of pension to David C. Cooper; and

A bill (S. 2200) granting an increase of pension to Charles R. Collins.

Mr. PATTERSON, from the Committee on Pensions, to whom was referred the bill (S. 3395) granting an increase of pension to Mary F. Pentzer, reported it with amendments, and submitted a report thereon.

THE DAWES COMMISSION.

Mr. BATE, from the Select Committee on the Five Civilized Tribes of Indians, to whom was referred the letter of the Secretary of the Interior, transmitting a memorial of members of the Dawes Commission in regard to certain representations made especially to the Senate by R. C. Adams as attorney for the Delaware Indians concerning the Commission and its action in connection with the making of the Delaware segregation and concerning the members of the Commission in their personal as well as their official capacity, asked to be discharged from its further consideration, and that it be referred to the Committee on Indian Affairs; which was agreed to.

REPORT OF COMMISSIONER OF PATENTS.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the annual report of the Commissioner of Patents for the year 1903, asked to be discharged from its further consideration, and that it be referred to the Committee on Patents; which was agreed to.

REPORTS OF LIBRARIAN OF CONGRESS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 32) providing for the editions to be printed of the annual and special reports of the Librarian of Congress, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the joint resolution was considered as in Committee of the Whole. It provides that of the annual and special reports of the Librarian of Congress hereafter submitted to Congress, but including the report for 1903, there shall be printed and bound in cloth 7,500 copies, 2,000 copies for the use of the Senate, 4,500 copies for the use of the House of Representatives, and 500 copies for the use of the Library of Congress.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADDITIONAL DISTRICT JUDGE IN PENNSYLVANIA.

Mr. PLATT of Connecticut. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 3962) to provide for an additional judge of the district court of the United States for the eastern district of Pennsylvania, to report it favorably with amendments. The business has become very much congested there, and if there is no objection I should like to have the bill acted upon at the present time.

There being no objection, the bill was considered as in Committee of the Whole.

The first amendment of the Committee on the Judiciary was in section 1, page 1, line 3, after the word "President," to strike out the words "of the United States;" so as to make the section read:

That the President, by and with the advice and consent of the Senate, shall appoint one district judge, in and for the eastern district of Pennsylvania, who shall possess the same powers, perform the same duties, and receive the same salary as the present district judge of said district.

The amendment was agreed to.

The next amendment was to strike out section 2, in the following words:

SEC. 2. That this act shall take effect immediately.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

A. C. HAWLEY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. CLARK on the 28th ultimo, reported adversely thereon, and it was postponed indefinitely, as follows:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to place upon the payroll of the House of Representatives a clerk at an annual salary of $1,440, to be paid from the contingent fund thereof, who shall be possessed of, he having been assigned through the Congressional Record and bulletins.

THOMAS KENNEDY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. CLAPP, by request, on the 25th ultimo, reported adversely thereon, and it was postponed indefinitely, as follows:

Resolved, That Thomas Kennedy be employed to the Sergeant-at-Arms as laborer on the Senate building, at a salary of $840 per annum, to be paid from the contingent expenses of the Senate, the said employment to take effect January 1, 1904.

COURTS IN MINNESOTA.

Mr. NELSON. I am directed by the Committee on the Judiciary to report back favorably without amendment the bill (S. 707) to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1889. On account of the importance of the subject, I ask for the immediate consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to amend section 4 of the act, so as to read:

SEC. 4. That regular terms of the circuit and district courts shall be held as follows: In the fourth division, on the fourth Tuesday in May and the third Tuesday in November; in the second division, on the fourth Tuesday in April and the fourth Tuesday in October; for the third division, on the first

Tuesday in June and the first Tuesday in December, for the fourth division, on the first Tuesday in April and the first Tuesday in October, for the fifth division, on the second Tuesday in January and the second Tuesday in July, for the sixth division, on the 23d February in May and the second Tuesday in November.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LOUIS J. SOUER.

Mr. TILLMAN. I move that the Committee on Appropriations be discharged from the further consideration of the joint resolution (H. R. 1) for the relief of Louis J. Souer, collector of internal revenue for the collection district of Louisiana, and that any part of the money now in the Treasury not otherwise appropriated be appropriated and paid to Mary A. Souer, widow of said Louis J. Souer, in the deficiency appropriation bill, and that it be proposed to the pending deficiency appropriation bill, and that it be referred to the Committee on Finance.

The motion was agreed to.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. HOAR introduced a bill (S. 3959) granting a pension to Anna Mansfield; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALDRICH introduced a bill (S. 3960) for the relief of Mary S. A. Pennington; which was read twice by its title, and referred to the Committee on Claims.

Mr. BATE introduced a bill (S. 3961) for the relief of D. Frombergher, for himself and as surviving partner of the firm of D. & C. Frombergher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 3962) for the relief of the estate of Antonio Lopez, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. TILLMAN introduced a bill (S. 3963) authorizing the Commissioner of Patents to remove the patent issued to Jacob Karr for quartz-crushing mortar; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Patents.

Mr. ALDRICH introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3964) granting an increase of pension to Laura C. Dodge; and

A bill (S. 3965) granting an increase of pension to Nathaniel R. Kent; which was accompanied by papers.

Mr. PLATT of New York introduced a bill (S. 3966) to increase the limit of cost of the United States public building at Kingston, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3967) for the erection of a public building at Catskill, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SCOTT introduced a bill (S. 3968) granting an increase of pension to Joel Bee; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 3969) for the relief of John L. O'Mara; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3970) granting an increase of pension to Martha C. Kuhns;

A bill (S. 3971) granting a pension to William H. Rogers;

A bill (S. 3972) granting a pension to Thomas B. Cornelius;

A bill (S. 3973) granting an increase of pension to Laura S. Pickang; and

A bill (S. 3974) granting an increase of pension to John B. Wilcox (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 3975) to authorize the President to place the name of John Roop on the retired list of the United States Navy with the rank of first assistant engineer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 3976) providing for the erection of a statue of Abraham Lincoln at Washington, D. C.; which was read twice by its title, and referred to the Committee on the Library.

Mr. DIETRICH introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 3977) granting an increase of pension to Luther S. Baker;

A bill (S. 3978) granting an increase of pension to George W. Howard; and

A bill (S. 3979) granting an increase of pension to Sterling L. Parker.

Mr. BURROWS introduced a bill (S. 3980) to legalize and permit the maintenance of certain dams in and bridges over the St. Joseph River in the States of Indiana and Michigan; which was read twice by its title, and referred to the Committee on Commerce.

Mr. FOSTER of Washington introduced a bill (S. 3981) for the erection of an additional suitable building, cistern, oil house and [illegible] at the New Dungeness light-house, in the State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3982) making an additional appropriation for the Tacoma Point post [illegible], in the State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 3983) providing for additional employees [illegible] at the Bellingham Bay and Roosevelt Beach stations, in the State of Washington; which was read twice by its title, and referred to the Committee on Commerce.

Mr. [illegible] introduced a bill (S. 3984) to [illegible] the Hospital Corps of the [illegible] Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. McCREARY introduced a bill (S. 3985) granting an increase of pension to Isaiah F. Easton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. [illegible]) granting a pension to Cynthia [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLIVER (by request) introduced a bill (S. 3987) authorizing the Secretary of the Interior to redeem or make allowance for [illegible]; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BAKER introduced a bill (S. [illegible]) granting an increase of pension to John L. Hughes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. [illegible]) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. [illegible]) relating to the Naval Academy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HOPKINS introduced a bill (S. 3991) to provide for enlarging and improving the United States building at Aurora, Ill.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 3992) granting a pension to Ada L. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 3993) for the relief of Edward K. [illegible]; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. [illegible]) for the relief of the heirs of Michael [illegible], assignee of Joseph R. [illegible], deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 3995) to remove the charge of desertion from the military record of James McGreevey; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 3996) for the relief of the heirs of William A. Redman, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TELLER introduced a bill (S. 3997) providing for the purchase of Mathews's portrait of Lincoln; which was read twice by its title, and referred to the Committee on the Library.

Mr. ALLEN introduced a bill (S. 3998) granting a pension to Henry Johnson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 3999) granting a pension to William H. Torbert; which was read twice by its title, and referred to the Committee on Pensions.

Mr. QUARLES introduced a bill (S. 4000) granting a pension to Rosannah J. Ross; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 4001) granting a pension to Benjamin A. Prescott; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4002) granting an increase of pension to Susan E. Armitage; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (S. 4003) to establish a fog signal at Quarry Point, Angel Island, Bay of San Francisco, California;

A bill (S. 4004) to establish at Cape Mendocino, California, quarters for the light keeper;

A bill (S. 4005) to establish a fog signal on one of the jetties at the entrance to the harbor at Humboldt Bay, California;

A bill (S. 4006) to authorize the construction of quarters for light-house keepers at Point Conception, California; and

A bill (S. 4007) to authorize an increase in the appropriation for a dwelling for assistant keepers at Point Bonita, California.

Mr. HALE introduced a bill (S. 4008) for the relief of the Bath Iron Works and others; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4009) defining the power of the academic board at the Naval Academy with regard to the admission of candidates and the retention of deficient midshipmen; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4010) providing for the admission of Arthur Mervyn Whitton to the character and privileges of a citizen of the United States; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. PLATT of Connecticut, introduced a bill (S. 4011) for the relief of the heirs of Jenkins and Havens; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 4012) for the relief of the trustees of the Missionary Baptist Church, at Gravelly Springs, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 4013) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4014) to prevent the fraudulent sale of merchandise; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CLAY introduced a bill (S. 4015) for the relief of Michael Kries; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 4016) for the relief of John Moriarty; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. PLATT of New York introduced a joint resolution (S. R. 38) for the purpose of carrying out the provisions of General Orders, No. 195, War Department, June 29, 1863, for the presentation of medals; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. MITCHELL submitted an amendment proposing to appropriate $1,775,000 for an exposition to be held at the city of Portland, Oreg., in the year 1905, to celebrate the one hundredth anniversary of the exploration of the Oregon country by Lewis and Clark, intended to be proposed by him to the urgent deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to increase the salary of the envoy extraordinary and minister plenipotentiary to the Argentine Republic from $10,000 to $12,000, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate $10,000 to provide for the removal of snow and ice from crossings, cross walks, and gutters of the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. DUBOIS submitted an amendment providing for the issuance by the Secretary of the Interior of a patent in fee to Nora G. Hazlett, a Caddo Indian, for not to exceed 40 acres of the remaining 80 acres of the 160 acres of land heretofore allotted to her in the Territory of Oklahoma, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. FOSTER of Washington submitted an amendment proposing to appropriate $441,580 for the purchase, installation, operation, and maintenance of a submarine military cable for connecting the headquarters, Department of Columbia, with military garrisons in Alaska, etc., intended to be proposed by him to the military appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. STEWART submitted an amendment proposing to appropriate $5,000 to pay such contingent expenses of the Choctaw and Chickasaw citizenship court and such officers as the Secretary of the Interior may deem proper, and also $1,136.25, the amount of the expended balance of the appropriation for contingent expenses as provided in act of July 1, 1902, of $5,000 remaining on the books of the Interior Department December 31, 1903, to the credit of the Choctaw and Chickasaw citizenship court; also $2,680.65 for one stenographer to each of the judges of the Choctaw and Chickasaw citizenship court to be appointed by them respectively, etc., intended to be proposed by him to the urgent deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

MALINDA GORDON.

Mr. KEAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be and he hereby is authorized and directed to pay to Malinda Gordon, widow of Thad Gordon, upon a bill in the Senate of the United States, [illegible] at the rate of [illegible] per annum, from the date of her husband's death, [illegible] to be charged to the contingent fund of the Senate.

HISTORY OF DEPARTMENT OF JUSTICE.

Mr. PENROSE submitted the following concurrent resolution; which was referred to the Committee on Printing:

Resolved, [illegible] there be printed [illegible] the History of the Department of Justice, [illegible] for the use of the Senate, and [illegible] for the Department of Justice.

PROCEEDINGS OF NEW PANAMA CANAL COMPANY.

Mr. MORGAN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate be and he hereby is authorized [illegible] the Senate, under date of January 28, 1904.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 27th ultimo approved and signed the following acts:

An act (S. 137) granting a pension to Joseph Kirk;

An act (S. 215) granting a pension to Mary D. Perry; and

An act (S. 368) granting an increase of pension to Charles M. Wilcox.

The message also announced that the President of the United States had on the 30th ultimo approved and signed the following acts:

An act (S. 9191) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents;"

An act (S. 484) granting a pension to Nancy S. Marsh;

An act (S. 586) granting a pension to Annie H. Zoll;

An act (S. 745) granting a pension to John Sampson;

An act (S. 814) granting a pension to Maggie Thayer;

An act (S. [illegible]) granting a pension to Josephine L. Webber;

An act (S. 9) granting an increase of pension to David E. Burbank;

An act (S. 12) granting an increase of pension to Francis E. Chase;

An act (S. 13) granting an increase of pension to William E. Clark;

An act (S. 14) granting an increase of pension to Samuel M. Perry;

An act (S. 99) granting an increase of pension to Joel C. Shepperd;

An act (S. 182) granting an increase of pension to Charles F. Holt;

An act (S. 190) granting an increase of pension to Charles H. Bell;

An act (S. 451) granting an increase of pension to William T. Conant;

An act (S. 452) granting an increase of pension to Albert W. Bulleck;

An act (S. 456) granting an increase of pension to Andrew J. Pierce;

An act (S. 458) granting an increase of pension to Charles Beattie;

An act (S. 471) granting an increase of pension to Silas Meserve;

An act (S. 473) granting an increase of pension to Byron D. Babcock;

An act (S. 478) granting an increase of pension to Olive J. Bailey;
An act (S. 547) granting an increase of pension to Irving W. Coombs;
An act (S. 555) granting an increase of pension to Royal A. S. Kingsley;
An act (S. 565) granting an increase of pension to James E. Barnard;
An act (S. 578) granting an increase of pension to John Bullamore;
An act (S. 587) granting an increase of pension to Anson P. Williamson;
An act (S. 589) granting an increase of pension to George E. McMullen;
An act (S. 744) granting an increase of pension to Stephen Gascoigne;
An act (S. 798) granting an increase of pension to James A. Templeton;
An act (S. 821) granting an increase of pension to W. Neil Dennison;
An act (S. 847) granting an increase of pension to John L. Beveridge;
An act (S. 898) granting an increase of pension to John B. Carter;
An act (S. 929) granting an increase of pension to Charles Stormer;
An act (S. 930) granting an increase of pension to Ferdinand Wiedemann;
An act (S. 987) granting an increase of pension to Rudolph Siebelist;
An act (S. 999) granting an increase of pension to Andrew C. Ranard;
An act (S. 1059) granting an increase of pension to John M. Stanyan;
An act (S. 1084) granting an increase of pension to Amy C. Beswerth;
An act (S. 1395) granting an increase of pension to Calvin Daw;
An act (S. 1402) granting an increase of pension to William Paul;
An act (S. 1429) granting an increase of pension to Elizabeth C. Paquin;
An act (S. 1437) granting an increase of pension to Clarence E. Ballard;
An act (S. 1491) granting an increase of pension to James A. Hoover;
An act (S. 1497) granting an increase of pension to Walter F. Chase;
An act (S. 1498) granting an increase of pension to Winslow P. Layrs;
An act (S. 1559) granting an increase of pension to Marie A. Rask;
An act (S. 1826) granting an increase of pension to Mary E. Cutts;
An act (S. 1827) granting an increase of pension to Harris A. P. Lowns; and
An act (S. 1938) granting an increase of pension to Aldridge Patterson.

STATUE OF JAMES MARQUETTE.

The PRESIDENT pro tempore laid before the Senate the following concurrent resolution from the House of Representatives:

IN THE HOUSE OF REPRESENTATIVES.

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be tendered to the people of Wisconsin for the statue of James Marquette, the renowned pioneer and explorer.

Resolved, That the clerk be instructed to transmit a copy of these resolutions to the Governor of the State of Wisconsin.

Mr. QUARLES. Mr. President, I rise to ask unanimous consent for the present consideration of the concurrent resolution just presented.

I desire only to state that in 1893 the proposition embodied in the resolution was passed upon by both Houses of Congress, and the State of Wisconsin was thereby authorized to present the marble of Pere Marquette, notwithstanding the fact that he was not technically a resident of the State. It was then that it was presented, and it was accepted by the Senate of the United States with appropriate speeches and ceremonies.

The present resolution is only a complementary tender of thanks to the people of the State of Wisconsin for the presentation of this marble. The Senate having twice expressed its views upon this subject, and this being nothing but a complementary resolution, I can see no reason, sir, why any committee of this body should be troubled with it.

I therefore ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

The concurrent resolution was considered by unanimous consent, and agreed to.

REMOVAL OF SNOW AND ICE.

The joint resolution (H. J. Res. 98) to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia was read twice by its title.

Mr. GALLINGER. Mr. President, that is an emergency matter, and I ask present consideration for it.

The PRESIDENT pro tempore. It will be read to the Senate.

The joint resolution was read, as follows:

Resolved, etc., That the sum of $5,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated to be expended under the direction of the Commissioners of the District of Columbia for the removal of snow and ice from the streets, cross walks, and gutters on the streets, avenues, and other public places in said city, one-half of said sum to be paid out of the revenues of the District of Columbia and the other half out of the Treasury of the United States.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment.

Mr. HALE. There is so much confusion in the Chamber that we do not know even what measure this is.

The PRESIDENT pro tempore. It is a joint resolution from the House appropriating $5,000 for clearing the streets of snow and ice.

Mr. HALE. Now, let me ask the chairman of the Committee on Appropriations whether all the appropriations for removing snow and ice, which become at times here very serious obstructions to travel, are made by precedent—whether we wait until a snowstorm comes and blocks the streets and stops business to a degree and interferes with travel? Does Congress always appropriate precedent as the occasion comes around? If it does, why [illegible] some appropriation bill to provide a [illegible] to cover an entire session of Congress?

We have been in Washington put to the greatest inconvenience for the last month. We had one fall of snow, ice formed, it was difficult to get to business places, travel becoming very hard, and as that melted it precipitated into another storm with a great deposit of snow in Washington a few days ago. Now we are approximating four or five days after the evil has fallen upon us for relieving it.

I should be glad to see the Commissioners intrusted with a fund for an entire session, so that the moment a snowstorm begins all their hundreds of men, if necessary, could be put on, and we could, as they do in other cities and not wait for the slow process of the snow melting and removing itself.

I suggest to the chairman of the Committee on Appropriations, not in any way finding fault with him, because these matters originate in the other branch, that we had better provide in some of the general appropriation bills for a fund which the Commissioners of the District of Columbia can use at once and not wait a couple of days of delay after every storm.

Mr. ALLISON. Mr. President, the suggestions of the Senator from Maine as regards the particular matter of snow and ice I think are wise. We have been dealing with this question for a good many years on the District of Columbia appropriation bill. Snow has fallen and ice has accumulated during all these years, and as the Senator from Washington [Mr. SPOONER] says to me, there will probably be the case in the future. Of course I will not participate as to that.

We and for several years increase the appropriation as it came from the House from $[illegible] to $5,000. Uniformly the House regarded as too small if additional appropriations were needed they would be supplied, so that we yielded. I think that was the case [illegible] at least, perhaps more. An appropriation of $[illegible] was inserted in the District of Columbia appropriation bill [illegible] for the purpose of removing snow and ice.

At the beginning of this session there was a special appropriation of $[illegible] for that purpose. I believe it would have [illegible] during the prevalence of the first storm or the bill would have passed [illegible] last week. I believe beginning on Thursday. The Senator from Maine will support me if I make a mistake. It passed on Friday. The House of Representatives on Friday passed the joint resolution which has just been read before the Senate but passed it too late in the day for consideration in this body. The impression was so general on Friday that we would probably adjourn over until to-day, which is Monday, leaving the streets and ice [illegible].

Mr. HALE. In the air?

Mr. ALLISON. Not in the air, but on the trees and streets and sidewalks. Now, this is the first opportunity we have had to act upon the joint resolution. The Chair has kindly laid it before the Senate, and while I agree with the Senator from Maine that it comes rather late, it is better now than not at all. In the future I shall be glad to have the Senator from Maine exert his

power upon the Committee on Appropriations to secure a reasonable permanent appropriation for this purpose and place it in the hands of the Commissioners of the District of Columbia. I think that ought to be done.

The joint resolution was ordered to a third reading, read the third time, and passed.

NEBRASKA SENATORIAL INVESTIGATION.

Mr. DIETRICH. Mr. President, I rise to a question of personal privilege. By a Federal grand jury at Omaha I have recently been indicted for alleged violation of the laws of the United States, and on a trial of the indictments before a Federal court at Omaha was discharged by the Federal judge without the cause being heard upon its merits, upon the ground that my acts were no violation of the Federal law.

Before taking further part in the deliberations of this body I owe a duty to the Senate, whose honor has been assailed, to the State which in part I represent, whose credit has been attacked, and to myself, whose integrity has been impugned. If guilty of the least of these charges, I deserve to be driven from this high place in disgrace and receive the severest penalty of the criminal law. Confident in my innocence, I desire to submit the whole matter to the Senate.

The reason of my being denied a full trial was clearly brought out in a published statement made by ex-United States Senator Charles F. Manderson, from which I will quote the following:

When the indictment was brought on for trial the business of the district attorney was apparent. He knew that DIETRICH was not a Senator of the United States until he had qualified by taking the oath of office. In my opening statement he put unnecessary and improper emphasis upon the fact that while DIETRICH was elected Senator in March he did not have the certificate of election and the Legislature composition of were having discussion over his credentials. The district attorney argued the admissibility of such evidence and that the court had ruled against us. We had necessarily introduced the book of the testimony for the prosecution, and the opportunity was thus lost to prove to those disposed to smirch the character of a Senator-elect that he had been duly elected by the Legislature, he had taken the oath of office, and he was a Senator, he had a right to be heard, for the reason that some of them would be heard and the jury would be instructed by the court at the end of the Government's testimony to return a verdict of not guilty.

[illegible] nothing for Defendant's counsel to do except to challenge the sufficiency of the evidence of the prosecution and demand that the case should be dismissed at the end of the testimony for the prosecution. [illegible] to be given before those interested in Senator DIETRICH's character were satisfied that we had upon the merits [illegible]. I knew that the charges were strongly supported by Senator DIETRICH, and I was anxious that he should have been glad to have had a full trial upon the merits, but as judge Vandeventer said, referring to the statement of District Attorney Summers, "the case has been rendered unnecessary, and it is the duty of the jury to find him not guilty."

Mr. President, I shall make no remarks in extenuation, nor shall I present any defense, except that which is sustained by the best of evidence. I strongly deprecate that I could not have had a full trial upon the merits of the case, and in order that I may have an opportunity to establish my innocence upon the facts and evidence, as well as upon the law, I ask that the resolution which I send to the desk may be adopted.

The PRESIDENT pro tempore. The Senator from Nebraska submits a resolution, which will be read.

The Secretary read the resolution, as follows:

Resolved, That the President pro tempore shall appoint a committee of five to investigate and report to the Senate all the facts connected with the appointment of Jacob Fisher as postmaster at Hastings, Nebr., and the issuance of his commission as such postmaster, and the issuance of his commission and receiving his official oath of office, and the payment of his salary as such postmaster, and the expenses of such investigation shall be paid out of the contingent fund of the Senate.

The PRESIDENT pro tempore. The resolution will necessarily have to be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. HOAR. Mr. President, I suggest to the Senator from Nebraska that he strike out from the resolution the last clause and have the resolution in that form now adopted. Subsequently, by a separate resolution, he can obtain authority for the committee to take testimony.

Mr. DIETRICH. I ask that the change suggested by the Senator from Massachusetts be made in the resolution.

The PRESIDENT pro tempore. The Senator from Nebraska modifies his resolution by striking out the last two lines.

Mr. LODGE. Let the resolution be read as it will stand when modified.

The PRESIDENT pro tempore. The resolution as modified will be read.

The Secretary read the resolution as modified, as follows:

Resolved, That the President pro tempore shall appoint a committee of five to investigate and report to the Senate all the facts connected with the appointment of Jacob Fisher as postmaster at Hastings, Nebr., and the issuance of his commission as such postmaster, and the receiving his official oath of office, and the payment of his salary as such postmaster, and the expenses of such investigation shall be paid out of the contingent fund of the Senate.

Mr. TILLMAN. It seems to me, Mr. President, that this resolution clearly belongs to one of our regular committees, the Committee on Privileges and Elections, because it involves the rights, privileges, and honor of the Senator from Nebraska. That, it seems to me, is the proper committee to which the resolution should go. I move that as an amendment.

Mr. BURROWS. Mr. President, I think the Senator from South Carolina will, upon reflection, conclude that this matter does not belong to the Committee on Privileges and Elections, as it does not relate to the question of the election of a Senator or a privilege, but relates to a charge against a Senator in this body. I have examined very thoroughly the precedents from the beginning, and I know of no instance where a question of this kind has been referred to the Committee on Privileges and Elections. In the case of Senator Matthews, of Ohio, and in the cases of other Senators in every instance the matter was considered by a special committee composed of five or seven Senators. That is the usual course. I therefore hope the Senator from South Carolina will withdraw his amendment.

Mr. TILLMAN. I have no other desire regarding the matter except to expedite the investigation as much as possible. I merely thought that, instead of having a special committee of five appointed, as we already had a regular committee, the matter would be taken in the usual course by being referred to the regular standing committee. But of course I want to take whatever is the usual course.

Mr. BURROWS. The course I have suggested is the usual course. As to the suggestion of the Senator that it would expedite action upon the resolution by referring it to the Committee on Privileges and Elections, I think it would rather retard it, because that committee has all it can do at the present time.

Mr. TILLMAN. I withdraw the amendment.

The PRESIDENT pro tempore. The amendment is withdrawn. The question is on agreeing to the resolution as it has been modified.

The resolution as modified was agreed to.

The PRESIDENT pro tempore subsequently appointed Mr. HOAR, Mr. PLATT of Connecticut, Mr. SPOONER, Mr. CLARK of Wyoming, and Mr. PETTUS as the committee provided for in the resolution submitted by Mr. DIETRICH.

REPORT OF THE PHILIPPINE COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on the Philippines, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the information of Congress a letter from the Secretary of War, dated January 28, last, accompanied by the annual report of the Philippine Commission, dated December 15, 1903, and the appendix to the report, showing the progress made in the work of the Government of the Philippine Islands, and the recommendations of the Commission for such legislation as may be deemed necessary by the Congress of the United States for the government of the Philippines, and for other purposes, approved July 1, 1902, and amended by an act making appropriations for salaries and expenses of the Commission for the fiscal year ending June 30, 1904, and for other purposes, approved March 3, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 1, 1904.*

CLAIMS IN ARIZONA COUNTIES.

Mr. SMOOT. I ask unanimous consent for the present consideration of the joint resolution (S. R. 111) to authorize certain officers of the Treasury Department to audit and certify claims of certain counties of Arizona.

Mr. HALE. Has the morning business been concluded, Mr. President?

Mr. MORGAN. I prefer to get through with the morning business before proceeding with other matters.

The PRESIDENT pro tempore. There is one resolution lying on the table.

Mr. HALE. I suggest to the Senator from Utah that he wait until the conclusion of the morning business.

Mr. SMOOT. I thought it had been concluded.

Mr. HALE. No.

Mr. SMOOT. Then I will withhold the request for the present.

WILLIAM D. CRUM.

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution submitted by the Senator from South Carolina [Mr. TILLMAN], coming over from a previous day; which will be read.

The Secretary read the resolution submitted by Mr. TILLMAN on the 29th of January, as follows:

Resolved, That the Secretary of the Treasury be, and he is hereby, instructed to send to the Senate information in regard to the appointment of William D. Crum as collector of the port of Charleston, S. C., and that he also send to the Senate the papers that gave him the office.

First, is William D. Crum now holding a commission as collector? If so, give date and send to the Senate a certified copy thereof.

Second, Was his second appointment made in accordance with law, and if so, which law?

Third, Is there any law or precedent for the holding of an office of this kind by a [illegible] official?

Fourth. Is it the contention or intention to claim and exercise the authority to make such appointments during a constructive recess, as this appears to be?

Mr. ALDRICH. The Senator from South Carolina is not in his place at present. I am not sure but that he would be willing to have the resolution referred to the Committee on Finance.

Mr. TILLMAN entered the Chamber.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from South Carolina to the fact that a resolution has just been read before the Senate, submitted by the Senator, calling upon the Secretary of the Treasury for information as to the appointment of Mr. Crum.

Mr. TILLMAN. Mr. President, upon fuller investigation of the information already furnished by the Secretary of the Treasury and the present status of the matter, I feel that the Senate already has all that it needs for the intelligent disposition of the case.

There is, however, another resolution which I had the honor to offer, which was sent by the Senate to the Secretary of War, bearing upon the question of a constructive recess and the issuing of commissions of some kind to certain officers of the Army, which I understand has not yet been responded to.

The PRESIDENT pro tempore. The Chair will state that it was responded to this morning.

Mr. TILLMAN. I had not heard of it. If that information is already here, I should like to have it laid before the Senate.

The PRESIDENT pro tempore. It has already been laid before the Senate, and ordered to be printed.

Mr. TILLMAN. Then I ask that it be now read, so that I may determine what course I may wish to take in reference to the pending resolution.

The PRESIDENT pro tempore. The letter of the Secretary of War has been sent out to be printed. It is quite a lengthy document.

Mr. TILLMAN. Well, Mr. President, possibly I had better let the whole thing go over until to-morrow, when the reply of the Secretary of War will be printed, and we can get the whole subject together and act on it. I ask that the resolution may go over, retaining its place, until to-morrow.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order will be made.

CLAIMS OF ARIZONA COUNTIES.

Mr. SMOOT. I now renew my request for unanimous consent of the Senate for the present consideration of Senate joint resolution No. 11.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (S. R. 11) to authorize certain officers of the Treasury Department to audit and certify claims of certain counties of Arizona. It authorizes the Auditor for the State and other Departments to examine all claims which may be presented in proper form by the different counties in Arizona Territory, and to ascertain the amount due each of said counties on account of legal costs and expenses incurred from March 3, 1889, to June 30, 1899, in the prosecution of Indians under the act of March 2, 1889 (27 Stats., p. 333), for which the United States is liable under act of March 3, 1899 (31 Stat. L., v. 25, p. 1094), and which have been paid by said counties, the amounts so found to be certified by the Secretary of the Treasury to the Speaker of the House for a deficiency appropriation.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CONSIDERATION OF PANAMA TREATY.

Mr. CULLOM. Mr. President, I desire to say that I am anxious that the Senate shall proceed to the consideration of the Panama treaty very soon, and that if there are any addresses to be made by Senators before we go into executive session I hope they will be prepared to make them as the opportunity offers. The general discussion has proceeded for a good while, but not to the extent it ought to have gone in occupying the time of the Senate daily. I hope hereafter Senators will be ready to speak in open session, if that is the place for them to speak, as opportunity may present itself. I say this because I am very anxious that we shall very soon get into executive session for the consideration of the Panama treaty.

PURCHASE FROM NEW PANAMA CANAL COMPANY.

Mr. MORGAN. Mr. President, I desire to call up Senate resolution No. 57.

The PRESIDENT pro tempore. The Senator from Alabama calls up a resolution, which will be read.

Mr. MORGAN. I have made a little modification of it, and I will ask the Secretary to read the resolution as modified.

The PRESIDENT pro tempore. The Senator from Alabama has modified his resolution, and it will be read as modified.

The Secretary read the resolution submitted by Mr. MORGAN December 15, 1903, as modified, as follows:

Resolved, That the Attorney-General is directed to inform the Senate whether he has made, or is making, an inquiry of the United States, a purchase from the New Panama Canal Company of any property rights, jurisdiction, or concessions that were granted by the Republic of Colombia to N. B. Wyse for the purpose of constructing a canal across the Panama, or any interest in the Panama Railroad, or any part of the stock of the Panama Railroad Company, whatever, which may be held by the New York and Panama Steamship Company, or whether attempted or contemplated another or other state or government in the place of any or all such property authorized to be made by the New Panama Canal Company.

2. And that he will inform the Senate as to the terms of such proposed purchase, the consideration proposed to be paid for such property, and such other rights and privileges that may be asked for by the Panama Canal Company relating thereto, so as to inform the Senate fully as to the nature of the transaction.

3. That he will inform the Senate as to any participation of the Government of France in such purchase or sale, whether the same is proposed or contemplated and whether any and what agreement has been entered into between France and the New Panama Canal Company concerning the possession, the government or the fortunes of Panama in respect of said purchase and sale of the property and rights of the New Panama Canal Company.

Mr. MORGAN. Mr. President, it is my purpose, in asking the Senate to vote this resolution, to get the facts that are not yet within the reach of the Senate which affect our duty in acting upon article 22 of the Hay-Varilla treaty.

I will present facts that are of record in support of the resolution, which, I believe, will demonstrate the necessity for its adoption. I think they will be found sufficient to enable us at least to avoid the unwise and humiliating connection with the New Panama Canal Company that the Hay-Varilla treaty forces upon the United States.

It is my purpose to present truly and upon facts of record what is one duty in the state of affairs now existing in Panama and that recently existed in Colombia, and to prevent, if I can, the unnecessary and unwarranted intrusion of the New Panama Canal Company into the treaty relations we are engaged in establishing between the people of Panama and the United States.

To do this I will examine and present the facts now of record that relate to the foundation of the claim of that company to the grossly unjust demands set up in this treaty and to its persistent interference with our Government in its efforts to construct an isthmian canal.

For, whatever else is done or accomplished by the Hay-Varilla treaty, there is no reason or justice in so shaping it that it shall confer upon the New Panama Canal Company any other benefits or advantages than it is entitled to under the concessions it holds from Colombia. When these are fully secured to it justice will be done.

When the full measure of their rights under the obligations of their contracts is secured to them our duty will be performed. That company has no claim to our regard or sympathy for any services they have rendered to the United States or any other country. On the contrary, it has been an incubus on the French people that has stripped millions of them of the fruits of their toil by fraud, amounting to robbery, and is now demanding for its members what rightfully belongs to those people, most of whom belong to the laboring classes.

If we must deal with them in this treaty, as I claim that there is no just reason or excuse for doing, let us give them all they can justly demand when they have complied with the obligations of their contracts.

I invite the scrutiny of the Senate and of all persons to the history I will give of the operations and dealings of those who own and control the New Panama Canal Company, taken from the undisputed records.

In what condition was the canal question when this company first intruded itself into the policy of the United States and undertook to control it?

The importance of this inquiry and of a full response to it can not be exaggerated.

The Clayton-Bulwer treaty did not apply to Colombia. It applied in its operative provisions only to the political division known as "Central America," which never included Panama. When that treaty was abrogated every international difficulty as to the construction of an isthmian canal disappeared.

The President who cleared away these obstructions and by his wise forecast opened the way along the valley of the San Juan River, which the people approved with rejoicing and with gifts of money to construct the canal, was William M. Kinley.

The Senate had twice rejected treaties with Colombia to construct a canal at Panama, once in the Administration of President Johnson and again in that of President Grant.

The people considered that route as condemned; and it was. But when Congress in both Houses had adopted the Nicaragua route in different Congresses by such majorities as are seldom given to any measure, the Panama Canal Company appeared and urged its demands upon us, first under the lead of De Lesseps and the

old company. Then came the New Panama Canal Company, with Bonnardel, Hutin, Cromwell, and Bunau-Varilla as its leaders and promoters. The purpose of these men was to gain absolute control of the movement and to turn over the wreck of the Panama Canal to the United States for the highest possible price, through the assistance of Marroquin. De Lesseps's efforts to destroy our policies were directed to the breaking down of a competitive waterway through Nicaragua, in which he failed, and his company went into bankruptcy.

In the Hay-Herran treaty these plans were thus formulated: The New Panama Canal Company was to get the sum of $40,000,000; Colombia was interested to the amount of $10,000,000, the price of her concessions, and $1,000,000, the price of her stock in the New Panama Canal Company, and $4,500,000, the cash value of lands returned to her, and a perpetual annuity of $250,000, to continue without end. To accomplish this raid it was necessary to destroy the project of the Nicaragua Canal, that McKinley had secured by the protocols of December 1, 1900.

He passed away, and his successor turned the whole power of the Administration in favor of the Panama route and against the Nicaragua route. Not questioning the right of the President to thus exercise his preference, I can safely say that it is not in the power of man to remove or to impair the great record that sustains the Nicaraguan route as being the most feasible and practicable route for an isthmian canal. No such record was ever made and none was ever sustained by higher authority in any controverted matter than that which rests upon the immutable foundation laid by Commodore Maury and built upon by many scores of the greatest engineers in the world.

I do not propose to surrender the final hope or purpose of the people of the United States to realize the value of the counsels of these great men in opening a canal on the Nicaragua route.

Especially will I not sacrifice the rights already secured by President McKinley and by the Spooner law for this vital, national purpose. Above all I will not assist in this work of fatal injury to the country by voting to destroy the great work he has done. I can see nothing but breach of faith and dishonor in such a course.

Treating the proposed canal at Panama as a work that will be undertaken, and hoping, against my own conviction, that it may be successfully accomplished, I feel as deep an interest as any member of this body that there shall not be added to the enormous physical difficulties that stand in the way of success any sort of connection with or responsibility for the scandalous reputation of the old and new Panama Canal companies on the part of the United States.

I wish to point out to the Senate a way in which the Panama Canal can be constructed without incurring on the part of the Senate any just accusation of complicity in those scandals, which have driven a Cabinet minister from office in the United States and have caused the resignation of an entire government in France, and have consigned so great a benefactor to the world as Ferdinand De Lesseps—an innocent man, as I hope and believe—to a felon's grave.

I wish to present record evidence that will establish the fact that the New Panama Canal Company, to which article 22 of this treaty secures great powers over the United States, that are backed by the power of France, has not only taken by succession and inheritance the crimes of the old company, and that its membership consists, in large part, of the persons who gave the old company its bad reputation, but that it has added a darker defamation and worse wrongs to that wretched history by its own acts.

The history of the new company has its origin in the wreck of the old company, that was brought about by some of its controlling men who are now the principal stockholders and managers of the New Panama Canal Company—the same men with whom we are now dealing.

To prove this I will quote from the final report of the Isthmian Canal Commission of November 1901, on page 83, and from the testimony of Hon. Samuel Pasco, given in the hearings before the Committee on Interoceanic Canals:

> The liquidator (of the old company) found himself laboring under several great difficulties, first with the obstructive record left by the special agent, [illegible] Bonaparte Wyse, [illegible] and secondly the fact that the Panama Canal Company was a new corporation on the 28th day of October, 1894, with a capital of 100,000 shares of 25 francs each, 50,000 of these shares were given as fully paid to the Colombian Government in consideration of the concessions, which the terms of the contract of the concession dated December 18, 1893. Thus the cash capital of the company was reduced to 875,000 francs, or $168,750, a sum deemed sufficient for the preparatory operations contemplated.
>
> The services connected with the formation of the old company, which had led to the prosecution and conviction of the Lesseps and other prominent persons, had made it difficult to secure over that amount. Suits had been brought against certain loan associations, administrators, contractors, and others who were supposed to have profited by the extraordinary methods of the old company. A series of compromises were made with those persons by which it was agreed that they should surrender stock in the new company, each such [illegible] to be dropped. Washington Bonnardel, nominated to make up the 875,000 francs, after deducting the sums thus obtained and those to be obtained by public subscription, was to be subscribed by the liquidator. The stock was subscribed as follows, viz:

	Francs.
Baron Eustache	[illegible]
Credit Lyonnais	[illegible]
Societe Generale	[illegible]
Credit Industriel et Commercial	[illegible]
Administrators of the old company	[illegible]
Artigue, Sondereggar & Co	2,250,000
Baratoux, Letellier & Co	2,250,000
Jacob brothers	500,000
Courroux, Hersent & Co	500,000
Various persons to the number of 60, who had profited by syndicates created by the old company	3,985,700
Hugo Oberndorffer	[illegible]
Public subscription	3,848,000
The liquidator	15,885,000
Total	[illegible]

(See fourth report of the liquidator to the court, dated November 26, 1896, pp. 8, 9, and 13.)

The old company and the liquidator had raised by the sale of stock and bonds the sum of $[illegible].

The securities issued to raise this money had a face value of $[illegible]. The number of persons holding them is estimated at over 200,000.

Mr. Pasco testified as follows:

> The CHAIRMAN. Is that report among the appendixes?
>
> Mr. PASCO. Yes, it is just.
>
> Senator MORGAN. Have you a copy of it?
>
> Mr. PASCO. There was a copy in the possession of General Ernst, I think. He will be before you next week.
>
> Senator MORGAN. Is it in French or English?
>
> Mr. PASCO. I think it is in French. He and I had it there. We had all these reports and examined them.
>
> Senator MORGAN. You of course had information upon this very important and rather peculiar situation, as to the men who were being pursued, I suppose, in the legal proceedings of course, probably civilly and probably criminally, for the purpose of recovering money from people that you had obtained from this company and had misapplied and misappropriated. You had the names of those persons?
>
> Mr. PASCO. That is generally but I know of
>
> Senator MORGAN. Are all of those mentioned here part of those transactions?
>
> Mr. PASCO. I do not know the history of every person named. There were compromises and I did not know the history of all those compromises. I only know the fact that there were compromises were made and contributions were made to the stock of the company.
>
> Senator MORGAN. Now, you saw enough in the proof before you, the evidence before you, to authorize you to make this very strong statement about them?
>
> Mr. PASCO. This was prepared by General Ernst, and it is a part of the chapter on the Panama route.
>
> Senator MORGAN. And the Commission authorized it?
>
> Mr. PASCO. Oh, yes; it is stated as a part of the report of the Commission.
>
> Senator MORGAN. It is a finding of fact by the Commission?
>
> Mr. PASCO. Yes; this is the best information that the Commission had upon the subject.
>
> Senator MORGAN. Who were these administrators of the old company who were supposed to have profited?
>
> Mr. PASCO. I can not tell you who they are.
>
> Senator MORGAN. I do not mean the individuals. What office was it that they held? You call them the "administrators" of the old company. What is an administrator?
>
> Mr. PASCO. I can not give you any information with reference to the stockholders other than they are stated.
>
> Senator MORGAN. Do you know what that means—"administrators of the old company"?
>
> Mr. PASCO. No; I do not know what it means.
>
> Senator MORGAN. Did you find any where in the statutes or charter of the old company any such officers as administrators?
>
> Mr. PASCO. No; I have not thought it necessary to examine.
>
> Senator MORGAN. You have not examined into that?
>
> Mr. PASCO. No, sir.
>
> Senator MORGAN. "Various persons to the number of 60 who had profited by syndicates created by the old company." I want you to explain that. How had they profited by the syndicates created by the old company?
>
> Mr. PASCO. I suppose that is a part of the matter referred to on the previous page. I can not remember the history of these subscriptions, but it does not affect the fact that they had been [illegible].
>
> Senator MORGAN. Public subscription, 3,848,000 francs. I suppose that was by the general public.
>
> Mr. PASCO. The general public put their money in.
>
> Senator MORGAN. And then the liquidator comes in with 15,885,000 francs.
>
> Mr. PASCO. Yes.

This proof might have been added to if our Commissioners had thought it worth while, but what they have stated is conclusive of the fact that this New Panama Canal Company was a forlorn hope to relieve a situation in France that demanded any remedy that would ease it. Frauds were to be forgiven; judgments and claims for damages were to be released; convictions were to be annulled; pardons were to be granted, and the robbers and convicts were to organize this new company and take over all the assets of the old company on their agreement to complete the canal. And these are the men we are dealing with.

To show the conditions that forced France to create this company, as the last hope of quelling serious public disturbance, I will quote from the work of Professor Keasbey (pp. 430–432) on isthmian canals, etc.

He says:

> The pace grew quicker as the years went by, until 1887, when the funds ran short, and only about two-fifths of the canal had been dug.
>
> Lesseps had been obliged to go to France [illegible] to sell fresh issues of stock and issue new bonds. But these sources of revenue soon came to an end. The stock then began to be sold out at a large discount and fresh issues on the bonds could no longer be floated. De Lesseps continued to make fresh promises at every stockholders' meeting, but with so little to show for the money already spent the losers of the members worked to be so easily averted. To stave off the inevitable crisis the press had to also be

bribed more liberally than ever and to keep the condition of affairs from being brought up in the Chamber deputies and even distinguished senators had to be bribed.

* * * * * * *

The company's affairs were now in a desperate condition, and at this juncture it was decided to abandon the work [illegible] and resort to the lock system, thus reducing the amount of excavation [illegible] public cards. But this was a fatal modification, for [illegible] a sea-level canal, but De Lesseps was authorized to his Panama project [illegible] and even with the reduction in the amount of excavation [illegible] canal was to be raised [illegible] over $200,000,000 according to the new estimates. A new contract was nevertheless made with M. Eiffel, the famous engineer, to construct the new works and embankments [illegible] the company then began to appeal to the Government for the approval of the lottery loan, but was again refused. [illegible] up with its obligations [illegible] and exactly [illegible] the plan. [illegible] it was [illegible] came and [illegible] had to be suspended.

A parliamentary inquiry was at [illegible] in the hope of saving the enterprise, but [illegible] and conducted quite well, mentioning the fact that there were sixty persons in the list of the convicted and pardoned felons whose names are not given, and it is intimated in the report that the French Government was unwilling that these names should be disclosed. Three sixty persons subscribed 2,285,700 francs to the stock of the New Panama Canal Company, the scapegoat for the sins of those malefactors that has been turned loose, not to perish in the wilderness, but to fatten in the rich pastures generally of the United States.

If this resolution is adopted and fully answered, it will bring to light those refugees who are being so carefully concealed from observation, and some of our synthetic conservators in the boards of the old company will be unearthed. If the stories that fill the newspapers as the intending life-saving [illegible] surrounding the attorney are true, M. Bunau Varilla was among the contractors and others who brought this ruin on the old Panama Company. He makes it his boast of distinction in commending himself to the President as envoy extraordinary from Panama, that he is "the champion of the old Panama Canal Company." Let us see, also, if he is justly accused of being one of its robbers.

Eiffel, a noted French engineer, was convicted in the French courts of having defrauded the old company, and was heavily fined and sentenced to penal servitude for a long term.

He is to profit by section 22 of this treaty to the extent of not less than 33 per cent on his investment of 10,000,000 francs in the stock of the New Panama Canal Company, in addition to purchasing his pardon from the penitentiary by making that subscription.

This resolution of inquiry is directed to the Attorney-General, instead of the Secretary of State, for the reason that the President directed that all negotiations with the New Panama Canal Company should be conducted by the Department of Justice, at the time the Hay-Herran treaty was under consideration, and I have not learned that this arrangement has been altered with reference to the bargain that is to be made under the Hay-Varilla treaty with that company.

If any Senator can inform me that this matter is now in the hands of the Secretary of State, I will ask to change the resolution to meet that fact.

The resolution calls for information in the absence of which it is impossible to act on section 22 of the Hay-Varilla treaty without intelligence or safety.

No part of that treaty places a limit on the sum to be paid by the President for the concessions, rights, or property of the New Panama Canal Company, which, under the Spooner law, was limited and not to exceed $40,000,000.

Treaty no limit whatever as to the price of these claims is fixed in the Hay-Varilla treaty in a portion of instances that no one can fail to understand. It must mean that a greater sum than $40,000,000 is demanded, or is likely to be demanded, by the New Panama Canal Company for these claims and properties, when the contemplated purchase is agreed upon and consummated, in which case the President will have the discretionary right, under article 22 of the treaty, to make an advance in the price to be paid for this property.

Even an honest and just claimant could not decently make such a demand; when it is made for the New Panama Canal Company, its authority is an insult to the country.

That article of the treaty first describes the property and the rights of every description in that it permits that company to sell to the United States, and then, in the last paragraph, it provides that the title of the United States is to become absolute as to Panama when "a contemplated purchase" of these things from the New Panama Canal Company is "consummated." After granting to the United States the supreme and exclusive sovereignty over the canal zone, in article 3, to be paid for at the sum of $10,000,000, we should we not be permitted to exercise the same right that Colombia had to compel the canal company to work out its contract. Why should that company become the real sponsor of the rights ceded to the United States in article 3 of the treaty?

I will insert a copy of that treaty in an appendix to my remarks. [See Appendix A.]

The property and rights thus to be purchased from the canal company by the President include everything acquired by it under any law or concession of Colombia to Napoleon B. Wyse and his assignees or successors, and some other property rights acquired from other sources, including the rights of that company in the stock and property of the Panama Railroad.

If the rights of Colombia in respect of these concessions passed to Panama, under a rule of law that Mr. Hay claims exists as rights that "run with the land," when we pass from that land [illegible] as we shall presently see. Were on the canal zone when Colombia ceded, and when the bonds that had passed through his hands were issued, he [illegible] between Hay and Bunau-Varilla [illegible] defraud purchased the canal, leaving [illegible] the most difficult portion to be done [illegible]

[illegible] then found that the canal had already cost over $[illegible] and still [illegible] the work of [illegible] the French Government in Panama [illegible] ries, profits, commissions and [illegible] which [illegible] thing [illegible] $[illegible] had been paid for [illegible] the various [illegible] The [illegible] to Panama for the eight years [illegible] over [illegible] or as one of the commission's witnesses put it, one third of the funds was spent legitimately, one third was squandered, and one third wasted."

These extracts from Professor Kinchey's work are but a faint picture of the terrible condition of the people and Government in France that was created by the frauds and the failure of the old Panama Canal Company.

Who were the men that brought this ruin and disgrace upon France?

The report of Admiral Walker shows that they are, in large part, if not exclusively, the same men who, as contractors and directors of the old company, had robbed it of hundreds of millions of francs and then organized the New Panama Canal Company, and still own its stock and that they are here now pushing its domicile on the United States to aid them in recovering the money they put into it, for which we are asked to provide not less than 33 per cent profit. Unless all accounts are false, M. Bunau-Varilla was among the men who wrecked the old company, and he is now the minister plenipotentiary of the new company, engaged in making the supreme law for the people of the United States in this treaty, and largely for his own benefit.

This is the most startling adventure that has been attempted on any government in modern times, and I have found no parallel for it in older history.

I must ask the Senate and the President to pause and take breath, at article 22 of this Hay-Varilla treaty, which is intended to force this outrage upon the country, and to consider the evidence I will produce to prove it. It will not take much longer time at most than was consumed in the very hurried final act of settling and signing that treaty, which enabled Bunau-Varilla and his associates to make the thrifty speculation in the bonds of the old Panama Canal Company on or about the same day on which it was signed.

Admiral Walker and his associates seem to have been easily put off in their researches into the frauds, robbery, corruption, and the pockets granted to the members of the New Panama Canal Company.

The lawyer on the Commission, Mr. Pasco, could not escape from making some mention of the matter, in the guarded language I have quoted from that report, but the Commission was very deferential to French repugnance and conducted itself well, mentioning the fact that there were sixty persons in the list of the convicted and pardoned felons whose names are not given, and it is intimated in the report that the French Government was unwilling that these names should be disclosed. Three sixty persons subscribed 2,285,700 francs to the stock of the New Panama Canal Company, the scapegoat for the sins of those malefactors that has been turned loose, not to perish in the wilderness, but to fatten in the rich pastures generally of the United States.

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I must ask the Senate and the President to pause and take breath, at article 22 of this Hay-Varilla treaty, which is intended to force this outrage upon the country, and to consider the evidence I will produce to prove it. It will not take much longer time at most than was consumed in the very hurried final act of settling and signing that treaty, which enabled Bunau-Varilla and his associates to make the thrifty speculation in the bonds of the old Panama Canal Company on or about the same day on which it was signed.

Admiral Walker and his associates seem to have been easily put off in their researches into the frauds, robbery, corruption, and the pockets granted to the members of the New Panama Canal Company.

The lawyer on the Commission, Mr. Pasco, could not escape from making some mention of the matter, in the guarded language I have quoted from that report, but the Commission was very deferential to French repugnance and conducted itself well, mentioning the fact that there were sixty persons in the list of the convicted and pardoned felons whose names are not given, and it is intimated in the report that the French Government was unwilling that these names should be disclosed. Three sixty persons subscribed 2,285,700 francs to the stock of the New Panama Canal Company, the scapegoat for the sins of those malefactors that has been turned loose, not to perish in the wilderness, but to fatten in the rich pastures generally of the United States.

If this resolution is adopted and fully answered, it will bring to light those refugees who are being so carefully concealed from observation, and some of our synthetic conservators in the boards of the old company will be unearthed. If the stories that fill the newspapers as the intending life-saving [illegible] surrounding the attorney are true, M. Bunau-Varilla was among the contractors and others who brought this ruin on the old Panama Company. He makes it his boast of distinction in commending himself to the President as envoy extraordinary from Panama, that he is "the champion of the old Panama Canal Company." Let us see, also, if he is justly accused of being one of its robbers.

Eiffel, a noted French engineer, was convicted in the French

more humiliating to the Senate on the part of the President than to withhold from this body the state of facts as to the contemplated purchase, which is known only to the President and his advisers, and yet to demand of the Senate that this contemplated contract shall be ratified or approved before its terms are known to us or, it may be, even to the President.

I will not dwell upon the relations of confidence that the Constitution creates between the President and the Senate when they are cooperating in the enactment of supreme law for the United States in conjunction with a foreign state.

This relation ought to prevent the withholding of any fact from the Senate on which it must necessarily pass in enacting a supreme law for the United States, or in enacting such a law with studied omissions in the text that he and the Panama Canal Company may fill at pleasure.

I am quite aware that the confidence of the relation that existed and was so conspicuously manifested by President Washington and his contemporaries and successors has given place to the evil spirit of political partisanship to such a degree that the President and the Senate are often found in severe political antagonism. I am quite satisfied that there is a spirit of political domination that frowns down all efforts of the minority in the Senate to gain information that might be inconvenient in the political policy of the President, and that such requests are regarded as being of the same class with the offense of lese majeste that is so firmly prosecuted in the European monarchies. But there are still rights and duties that should control our conduct in these highest matters of state that for one I will not voluntarily abandon, nor will they be denied to me, as a Senator, without protest.

The Senate is required by this treaty to enact a law that is void on its face for its uncertainty, or else it is only the delegation of power to the President to remove the uncertainty in the law by supplying all the terms of the contemplated contract of purchase in accordance with his own will and at his discretion, without submitting it to the Senate, as a part of the treaty-making power, or to Congress as the lawmaking power, either for consideration or concurrence. This is a domestic matter, in which no foreign government can participate.

If it is only a power of attorney to make such a contract of purchase and to inject it into the treaty after the Senate has ratified it, Panama has no right to assist in conferring such extra-official power upon the President of the United States by treaty, with the consent of the Senate, for that would be a simple act of municipal legislation.

[illegible] the power, or the act to be performed, is too indefinite to be made an enactment of supreme law. If it is anything in the form, substance, or spirit of a statute law, it is a bestowal of unlimited discretion upon the President to make a purchase of certain property from the New Panama Canal Company on such terms as to price and payment or such other terms as he may, in his discretion, see fit to make; and the Republic of Panama can not participate with our Senate in such an enactment.

If it stopped there and is only operative as a power of attorney it would be a discretion that might be in some way controlled by Congress, or in some way as yet unknown by the Senate before the action of the President would be finally completed or "consummated."

Consent of this the Senate is required, in advance of any action, declaration, or promise on his part as to what he proposes to do, to ratify all that he may do in making such a purchase and to make it a supreme law of the United States, so that Congress would be under a moral if not a legal obligation to "consummate" the purchase by paying the price for it that the President may see fit to bind Congress to pay.

He agrees to pay $40,000,000 for this property, which is the sum fixed as the maximum in the Spooner law, the time of payment and the question of title are also left to his discretion. Or, if he is willing to raise the price to any sum that meets the demands of the New Panama Canal Company, that price is to be ordained if the Senate ratifies that treaty.

A situation such as this could not be otherwise than indefensible, essential on the part of Senators who respect the rights of the Senate, the Constitution, or the rights of a free people.

The gross of this situation is far greater than its absurdity when the facts and conditions that have made it the leading feature of the strange policy of the President in dealing with Panama are understood.

Admit that Panama is an established republic, independent of Colombia, which it is not true under the principles of international law, and that the New Panama Canal Company has ceased to be a political citizen of Colombia, which is not true as matter of fact or law; and that Panama has the right which Colombia had to consent to the sale by the Panama Canal Company of the concessionary rights through the Wyse concession, and that they are severed from Colombia and have passed, irreclaimably, to Panama, which is not true; and that such rights can be conferred on the United States by this treaty, which is not true. Admit all this, and we will only have reached the margin of the real purpose and effect of article 22 of the Hay-Varilla treaty. That article establishes another fixed qualification upon these rights, which is that we shall never own them until we have purchased and paid for them under agreement with the Panama Canal Company.

That treaty gives to Panama the power to deny to the United States the absolute right to the full ownership and possession even of the canal zone after we have paid her $10,000,000 for it until we have made and "consummated" "the contemplated purchase" of the things that are mentioned in article 22 of the treaty from the New Panama Canal Company.

The Spooner law and the Hay-Herran treaty did not give to Colombia any such authority over our dealings with the New Panama Canal Company as this treaty gives to Panama.

In the Spooner law the sum to be paid for all the rights and property of the canal companies was not to exceed $40,000,000. In this treaty there is no limit. In the Spooner law the purchase of that property was required to be arranged for before a treaty with Colombia could be made, and Colombia had no part in the terms of the purchase or anything else except to consent that the canal company might enter into agreement with the United States for its purchase.

Did Panama impose these fetters upon us in the majesty of her sovereign powers or are they self-imposed by the United States?

Did Panama require that we should first make the contemplated purchase from the Panama Canal Company, on its own terms, before our purchase of the canal zone from her should confer upon the United States the absolute right to the property for which we are required to pay her $10,000,000 at the time of the exchange of ratifications of this treaty? And was this done for some great reason of state, that might be important to the glory and power of Panama and might be demanded by the nobility of her sentiment toward the New Panama Canal Company, or toward M. Bunau Varilla, the envoy extraordinary and minister plenipotentiary of Panama, who signed the treaty with Mr. Hay? Panama had no purpose in prescribing this handicap on the United States, or in any other part of this proceeding, except to do the will of the Panama Canal Company.

This twenty-second article of the Hay-Varilla treaty introduces a third "high contracting power" into this factory for making supreme law for the United States that is a stranger to this country in every sense except as a conspirator against our Treasury and the peace and the welfare of the people.

The PRESIDING OFFICER (Mr. PATTERSON in the chair). The Senator from Alabama will suspend. The hour of 2 o'clock having arrived, unless otherwise ordered, the Senate will proceed to the consideration of the unfinished business, which is Senate resolution 82, submitted by the Senator from Georgia [Mr. BACON].

Mr. CULLOM. I hope whatever is the order regularly may be laid aside until the Senator from Alabama concludes his remarks.

While I am up, Mr. President, I do not desire to call attention especially to what the Senator is saying, but I think he is getting a little outside of the rule in discussing the twenty-second article of the treaty which is before the Senate in executive session.

Mr. MORGAN. I am discussing the effect of the treaty, particularly one article of it, upon the people of the United States.

Mr. CULLOM. I know; but I submit to the Senator whether according to the rule he is not going beyond what under the practice prescribed he has a right to in the premises; in other words, whether he is not violating the rules of the Senate.

Mr. MORGAN. I am not criticising at all the treaty as a law document as it will be when it goes on the statute books of the United States as the supreme law.

Mr. CULLOM. The Senator is discussing the treaty.

Mr. MORGAN. I am not criticising the motives of anybody who has had any hand in negotiating it. I am merely showing, as well as I know how to show, that it is an act of injustice to the reputation of the people of the United States that the New Panama Canal Company should be allowed to intrude into it in any way whatever.

Mr. CULLOM. I understand; but I submit to the Senator on his own judgment whether, in discussing the twenty-second article of the treaty, which is now before the Senate in executive session, he is not overstepping the rule without authority from the Senate.

Mr. MORGAN. Now, let us test that by the next matter that I was going to say. This twenty-second article of the Hay-Varilla treaty——

The PRESIDING OFFICER. The Senator from Alabama will suspend for a moment. The Senator from Illinois asks, as the Chair understands him, that the regular order be laid aside so that the Senator from Alabama may continue his remarks.

Mr. CULLOM. Certainly. I supposed that had been done.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered. The Senator from Alabama will proceed.

Mr. MORGAN. I am speaking now, and have been speaking, and I will be speaking about what I call a third high contracting power that has been brought into this treaty with power to regulate its destiny, with power to prevent its operation after we have ratified it, until that third power is satisfied in respect of an agreement that is contemplated to be made with it that it has been fully compensated.

Mr. CULLOM. While I think the Senator is outside of the rule governing executive and legislative sessions, yet I am not disposed to make the point if he will bear in mind that until otherwise authorized he shall keep within the rule of the Senate.

Mr. MORGAN. The point could have been more appropriately made five times during this debate than it can be made upon the proposition I am now discussing, for the reason that I am not discussing the act of either of the contracting powers to the treaty, but of a third high contracting power that is intruded into it by its provisions. I want to say that that third contracting power could not be allowed any day in court, except to receive power conferred upon it by the people and Congress of the United States according to their contract.

This twenty-second article of the Hay-Varilla treaty introduces a third "high contracting power" into this factory for making supreme law for the United States that is a stranger to this country in every sense, except as a conspirator against our Treasury and the peace and the welfare of our people. The New Panama Canal Company is that high contracting power. It has arrived and has concluded its agreement between France and Panama—that is, outside of this treaty—that its rights and claims of every kind under the laws of Colombia shall be solemnly guaranteed and protected by Panama as the successor government to Colombia.

Then Panama agrees with the United States, in the Hay-Varilla treaty, that the rights of Colombia, under the Wyse concessions and its extensions, for the construction of a canal at Panama shall not inure to the United States directly, but shall come through the New Panama Canal Company. With those rights and powers we could compel the New Panama Canal Company to complete the canal, but this treaty provides that we shall annul and surrender those rights and obligations, instead of having the right that Colombia had to compel that company to complete the canal or else to forfeit all of its concessionary rights, without compensation for any of its canal property, or else to seal them to the United States on fair terms. It is the canal company that is made the vendor of these alleged rights to the United States under this treaty, not Panama.

What reason can any just man give for requiring the United States not only to surrender these rights and powers to the Panama Canal Company but to become entirely subservient to the power of that company and to force our Government to buy the property from it, instead of compelling that company to perform the contracts it made with Colombia, if we choose to require that this shall be done?

We engage with Panama, in this treaty, to purchase those rights at a sum to be agreed upon with the New Panama Canal Company, and until that is done and the purchase is consummated the rights of Colombia under the Wyse concessions are not to pass to the United States as against Panama.

This can mean nothing else but this: That until the United States pay Panama the canal property and railroad stock, at a price to be settled with the New Panama Canal Company, Panama will grant no canal concessions to us in absolute right.

When this treaty is ratified the Panama Canal Company will stand over us with a rod, and France will compel Panama to adhere to and execute the twenty-second article of the Hay-Varilla treaty in its letter.

When we are thus tied up by this treaty with Panama the dugging of the canal will not be begun by the United States until the demands of the New Panama Canal Company as to the price of its property are paid, whatever that price may be.

Before the Senate can afford to enter that trap it should at least know the terms of the "contemplated purchase" of this property and the price we are to pay for it.

Other rights of other persons and of other states and corporations exist in that canal zone that are appurtenant to the land, such as the right of New York to protect the property of the Panama Railroad Company and of its stockholders, and their right to refuse to sell their stock and to surrender the property of the company to the United States. Why are we not required to purchase these rights before we can get a title to the railroad from Panama? Who do we ignore the rights of the New York corporation, while we set these French corporation wreckers in authority over the Government of the United States?

There is a meaning in this scheme that is far deeper and more to be sought after and unearthed than the mere inconsistency of this treaty provision.

The answer is plain enough. It is that the Panama Canal Company is the pet of the Government of the United States and the life—the raison d'être—of the Republic of Panama, and it must be provided for and settled with before this treaty can become operative in constructing a canal at Panama.

We are trifling with ourselves and with the American people when we assume that Panama has any interest of her own in shaping the terms of the contemplated contract we are to make for the purchase of the property and alleged concessions of the New Panama Canal Company acquired from Colombia.

Her interests are only to comply with the demands of the Panama Canal Company, that she does not dare to refuse.

She sells us the canal zone, within which these things are all located, and confers upon the United States the supreme and exclusive sovereignty over the canal zone in article 3 of the treaty, for which it was pay Panama $10,000,000 on the ratification of that treaty, but she annexes a condition to our purchase that we must first purchase and pay for the property of that company at the sum it may demand.

Why should Panama concern her mighty spirit with cares for the welfare of the New Panama Canal Company and proceed to amplify this grant of the 10-mile zone to us by adding, in article 22, that the grant should not be absolute until a contemplated purchase of the concessions and property of the New Panama Canal Company in that zone is consummated?

This demand of Panama in favor of the New Panama Canal Company as to that contemplated purchase is so strange, unnecessary, and apparently unnecessarily intrusive that it demands some explanation from the Government as to the facts and reasons that have caused us to tie our hands and submit to the will of Panama and the New Panama Canal Company and of France in the leading purpose of this treaty, which is to compel the United States to treat the New Panama Canal Company as the owner of the paramount beneficial interest in the canal zone and in all the railroad and canal rights and property in that zone, and to pay Panama $10,000,000 for the privilege of purchasing that interest from the New Panama Canal Company at such price as it shall choose to compel us to pay.

It is the privilege of purchasing these claims, concessions, and properties from the New Panama Canal Company for which we are to pay Panama $10,000,000 that comprises the real consideration for that payment.

Panama's largest money interest in her bargain with the United States is the perpetual annuity of $250,000.

If the concessions made by Colombia to N. B. Wyse and sold by him to the old Panama Canal Company and turned over to the New Panama Canal Company by the liquidator of the old company, with all the rights, duties, and obligations that were assumed to them, have passed to Panama, the sale to the United States of the 10-mile canal zone in which these rights and properties exist conveys the property subject to these concessions, with all conditions, rights, and obligations appertaining thereto.

This result is accomplished in the third article of the treaty by conveying to the United States the supreme and exclusive sovereignty over the canal zone.

Under this act of cession, for it is only that, the full power of Congress is conferred to legislate for that zone and everything and everybody in it. Congress, under our Constitution, in legislating with respect to the rights of the New Panama Canal Company, would be bound to respect and preserve all the vested rights of the New Panama Canal Company within that zone as they exist under the laws of Colombia.

If any of those rights are to be extinguished by purchase from the New Panama Canal Company, Congress must provide the laws under which such purchase can alone be made and the money can be appropriated to consummate it, and all future processes of law applicable to any rights, duties, and obligations within that zone should be left open and without embarrassment to the legislative powers of Congress.

There is no right arising out of these concessions made by Colombia, no duty that they impose on Colombia or the canal companies, or on anybody else, which follows the transfer of the sovereignty of the 10-mile zone to the United States that the Congress is not as completely invested with the power to enforce and charged with the duty to respect under our Constitution as if the whole of Colombia had been ceded to and incorporated into the territory of the United States.

In the Hay-Herran treaty the United States was to have a perpetual lease, for canal purposes, of a 6-mile zone from the coast at Colon to the coast at Panama, as that treaty was interpreted by our Government.

In the Hay-Varilla treaty the supreme and exclusive sovereignty is ceded to the United States over a 10-mile zone, which lies between the 3-mile limit in the Caribbean Sea, off the Bay of Colon, and the 3-mile limit in the Pacific ocean, off the Bay of Panama.

Within this 10-mile zone and out to these limits the sovereignty

of the United States is as supreme and exclusive as it is in our possessions in Alaska, New Mexico, or in any of our insular possessions.

Now, in this situation it became necessary for the purposes of the New Panama Canal Company that the powers of this nascent Republic should be employed in shaping this treaty so as to qualify and limit the sovereign powers of the United States over the canal zone, and so as to compel us to purchase its claims directly from that company at such a price as it would agree to take, and through this result the last paragraph of article 22 was inserted.

It has no other office, function, or meaning, and that alone is its fixed purpose.

The New Panama Canal Company has failed to get the $40,000,000 from the Treasury of the United States in consequence of the defeat of the Hay-Herran treaty, and it determined not to lose it and, if possible, to increase that stipend under the Hay-Varilla treaty.

If this treaty is ratified with article 22 in it, that company will certainly succeed in getting the $10,000,000, and will most likely be able to compel us to largely increase that sum.

Or, if it is ratified with article 22 stricken out, the New Panama Canal Company and the Republic of Panama have the assistance of France already pledged for the maintenance of all French interests in Panama, and especially that the Colombian concessions to the Panama Canal Company shall not expire until the 31st of October, 1910.

I again quote the language of M. Delcassé, the French minister of foreign affairs, in answer to an interpellation in the Chamber of Deputies, to prove this statement, as follows:

LATEST INTELLIGENCE—M. DELCASSÉ ON FOREIGN AFFAIRS.

PARIS, November 3, 1903.

In the course of the debate on the budget for foreign affairs in the Chamber of Deputies this afternoon M. Delcassé, the minister for foreign affairs, [illegible] the statement of the negotiations of the Hay-Herran treaty. He argued [illegible] that the Government had not been [illegible] in the negotiations, which contained a dozen [illegible] rather than words, and with [illegible] France was not [illegible] open hand. [illegible] the Government had officially received and the United States of Panama, he pointed out, had participated with the utmost [illegible] instant, for reasons to which they were not called upon to express opinion.

The Government of France would not express an opinion—

[illegible]

[illegible] the Government to interfere in the domestic affairs of another country. [illegible] Government of Panama [illegible] Hay and the United States [illegible] received notice of that fact and from the moment it [illegible] new republic [illegible] the negotiations necessary for the maintenance of [illegible] they had only to consider what guarantees of interest [illegible] a French point. They were not quite free from apprehension for a certain [illegible]

[illegible] months past it had been said at Bogota that the decision of the [illegible] Government to grant an extension of six years from 1904 for the [illegible] had been completely [illegible] and that in [illegible] the concessions [illegible] Panama. If that treaty had an [illegible] Panama, it would never have received the sanction of France. [illegible] France, in the interests of France and French [illegible] respected. They had received the following [illegible]

[illegible] Panama solemnly, expressly, and definitely undertakes [illegible] the French company in the exercise of its rights, which have been acquired in [illegible] before November 3, 1903, [illegible] relating to the Panama railway, the transmission of [illegible] and the neutrality of Panama. All these conditions are maintained, and [illegible] that we expect from the success on up to 1910.

[illegible] that Panama had [illegible] for them to do so, and, as a matter of fact, had already been done by the constitutional [illegible] of the United States—authority to permit the agents of France to enter into relations with all the agents of the new Republic of Panama.

Permit what?

The agents of France to enter into relations with all the agents of the new Republic of Panama.

No answer has been attempted to this dangerous and dishonorable situation in which our Government is placed by this treaty. The American people will not fail to see and understand this matter or resent the humiliation of having France called in by Panama and the canal company to coerce us into an utter subordination to this combination.

Panama pledges herself to France to maintain and interpret in the most liberal spirit the contracts made before November 3. This does not refer alone to contracts made with Colombia, but to contracts between the canal company and the United States.

If Senators will examine the official proceedings of that company of December 30, 1903, in connection with the statement of M. Delcassé, they will see that this pledge covers all contracts, including those heretofore made with the United States. They will also discover, in running these developments back to article 22 of this treaty, the most unworthy and humiliating chapter in American history.

It has been carefully withheld from public scrutiny and we are indebted to the garrulity of M. Bunau-Varilla and Assistant Secretary Loomis at the banquet of the Quill Club for what light we have on this unprecedented attitude of our Government.

Their flamboyant utterances would have been at once set down to the credit of the adage, "In vino veritas," but for the fact that the banquet was presided over by the Reverend Doctor Tipple.

The astonishment of the country was subdued to serious reflection when the President gave his open and official approval to what was said by these high functionaries. In the part of his oration that is most important, Mr. Loomis said:

WHAT MIGHT HAVE BEEN.

Reflect for a moment on the grave possibilities which confronted the Government as it peered into the future and sought to provide adequately for the safety and [illegible] of a [illegible] thousand miles [illegible] If the proceedings in Panama had not succeeded [illegible] the American navy, guided by the experience of its most hardy officers, and have treated on [illegible] that the Nicaragua route was as impracticable as the [illegible] of the Panama canal [illegible] at Bogota would really be [illegible] a new [illegible] treaty [illegible] the meantime Congress had [illegible] power [illegible] have anticipated the [illegible] I may add a second [illegible] as a well-informed person [illegible] the consummation of France would not have stood serenely by and witnessed [illegible] thousands of her people [illegible] the [illegible] Bogota [illegible] French company of [illegible]

[illegible] Loomis to Paris [illegible] notes that the [illegible] of the French commission was expected [illegible] French [illegible] Mac[illegible] have [illegible] with the Colombians and [illegible] that [illegible] and [illegible] the [illegible] and property of foreign [illegible] French [illegible] would [illegible] the Colombians for a long period. This would have [illegible] Panama [illegible] Mexican [illegible] and we should [illegible] Panama [illegible] French [illegible] have been [illegible] and Panama [illegible] the canal [illegible] was expected to furnish the space to set and the world in flames.

What could have been the threatened situation at Panama that caused Loomis and Varilla to look back at what was so darkly ominous and to shudder at our narrow escape? It was the same that hurried our Atlantic and Pacific fleets to Panama and Colon with an armed of naval power that was never before exhibited by the United States. It was the same that brought the fleet under Admiral Robley Evans to Hawaii from the Chinese station at a moment when our interests in Manchuria and all of China gave our commercial people great anxiety. It was the same that caused M. Thiebaud to assail the French Government with bitter reproaches, before an assembled multitude in Paris, for not having sent warships to Panama in advance of the uprising there.

It was the demand of the New Panama Canal Company, assisted by the compact set forth in the answer of M. Delcassé to an inquiry in the French Chamber of Deputies on the 3d of November, which I have just read, that caused this warlike commotion and alarmed the fears of the Administration.

France made these demands on Panama, and they were conceded before the Hay-Varilla treaty was signed in such hot haste on the 18th day of November, 1903. It was only four days later when M. Delcassé made his official statement to the Chamber of Deputies, which I have just read to the Senate, announcing the compact with Panama and its knowledge of its independence.

The signing of the treaty was such an extraordinary affair that it gave to the country the amusing idea that it was an opera bouffe performance, in which M. Bunau-Varilla sold the title.

The newspapers brought out the fact that it was signed while Amador and Boyd, who were joint commissioners with Bunau-Varilla to negotiate it, were en route by rail from New York to Washington for that purpose. They had never seen the proposed treaty and could not have known its provisions, and they must have been within two hours' travel from Washington, on a fast express train, when the treaty was taken to Mr. Hay's sick room and was signed by him and Varilla, who met his accomplices coming at the door, and hurriedly thrust the great scrip behind a lapel.

They deeply resented the affront, but reciprocated their indignation. It was soon stated in the newspapers that Varilla's exaltation over this strategy was due to the realization of millions of dollars in a deal in Panama canal securities by the announcement that the treaty had been signed—a fact that has not been denied, so far as I am informed. But this financial scheme, of which Mr. Hay was ignorant, had nothing to do with his part in this semitragic act.

He was influenced doubtless by the same emergent policy of the Administration that caused Assistant Secretary Darling of the Navy, to send orders ahead of time to Panama to be on the lookout for "the uprising" and to repel any interference with it.

Haste was required to put the Panama "uprising" in possession of the governing power there and in Colon, but greater despatch was needed to prevent France from intervening and to justify her with the provisions of article 22 of the Hay-Varilla treaty, and Mr. Hay "accepted the situation."

Mr. Hay must have known the facts that Loomis afterwards gave forth in momentous oracles at the Quill Club banquet.

They were dark surmises that France was preparing to appear at Panama with war ships to contest with the United States the occupation of Panama and for the protection of French interests, and especially the interests of the New Panama Canal Company, and, finally, as an ultimatum, to demand the extension of the

Wyse concession from 1904 to 1910, that had been conceived in fraud, sustained by war, in which we had given it aid, and nursed by Marroquin and kept alive by the blood of the people of Colombia.

The twenty-second article of this treaty and the compact between France and Panama secured these fruits of fraud and violence to the New Panama Canal Company and completed the triumph of Cromwell and Varilla. When it was signed he supposed that his triumph was complete, and our Government was in a more tranquil mood.

The fleets were dispersed and the United States guard at Panama went into camp to protect the Republic of Panama while the treaty should be matured in the Senatorial incubator, and Varilla and Loomis were permitted to explode their joy at the Quill Club banquet that we had escaped a war with France. It was not Colombia, it was France, that gave occasion for our grand display of naval power at Panama, and it is the surrender of the Administration to these demands of France, in article 22 of this treaty, that has suddenly ended our great war preparations, that included both the Army and the Navy in the projected military campaign at Panama.

The people could not take it seriously that all this war preparation was needed to protect Panama against Colombia, whose great General Reyes was in Washington suing for peace. They laughed at it as a political pageant, gotten up like the fight of Ransey Scott with the unseen foe in Longstreet's Georgia Scenes.

They were mistaken. There was an enemy in sight; there was a casus belli; there was an ultimatum; there was a surrender and a capitulation, which is set forth in article 22 of the Hay-Varilla treaty.

Time was too short to admit of delay in the signature of the treaty on that fateful evening. France had to be placated and could not wait for the information even of the contemplated purchase of the property of the New Panama Canal Company. So it was postponed until a future time, but was safeguarded with a provision to which Panama assented, that our most important rights in Panama should not become absolute until the contemplated purchase of the things mentioned in article 22 is "consummated."

This article is as the apple of the eye to Cromwell, Varilla, and the pardoned felons of the New Panama Canal Company.

For one, I wish to know what it will cost us before I assist in its ratification. I am willing to assist in every movement, right or wrong in policy, to which the country is committed, even in pursuit of policies that my conscience can not approve, but I am not willing to join in a surrender to fraud and iniquity such as France requires us to accept in the twenty-second article of this treaty.

The wars of the Administration, even if they are wrong but have become unavoidable, demand my support as the bitter side of patriotic duty, but its surrenders to the New Panama Canal Company, on the demand of France, to avoid a threat of hostilities or the failure of a political exploit, is one thing I will not vote for.

I will now further identify M. Bunau-Varilla with the movement of the New Panama Canal Company by quoting an extract from his address at the Quill Club banquet.

He thus states the cause of the rejection by the Colombian Congress of the Hay-Herran treaty.

It is known now that the cause of that rejection was the plan to twist the attitude of that corporation with the Panama Canal Company, in order to declare forfeited the concession and appropriate to itself the Panama Canal and these properties. Thus, in November, when the Colombian Congress was closed, it had succeeded in vainly persuading the President of that country to consummate the usurpation, and thus it had succeeded the very intimate of the President, and finally it had succeeded the very intimate of the President, exposed the people of the Isthmus by destroying the possibility of any satisfaction of the canal.

The result of these acts, which were virtually crimes, was to provoke on the Isthmus a revolution, and throughout the whole world a feeling of indignation against the nation, which is evidenced by the fact that within ten days after the revolution the Republic was recognized and had entered into diplomatic relations with nearly all the nations of the earth.

Varilla and Cromwell have long been hunting in couples to destroy the Nicaragua Canal as the only means of protecting the property of the New Panama Canal Company on the United States.

To get credit for importunity in what he calls a work for Science he has affected to be in some sort the enemy of the New Panama Canal Company. If his enmity has any moral reason to support it, he has not alluded to it. If it is supported by any other reason he can not assume in the face of his public speeches, that a canal on that route is of doubtful success.

His alleged enmity to that company deceives no one, especially in the face of his diatribe against Colombia for endeavoring, as he says, to levy "blackmail" on that company.

In a lecture before the American Academy of Political and Social Science he says, among other accusations:

But she was futile and in vain, and certainly the violent desire of appropriation thanks to a feast in the concessionaire of the canal, in holding the Panama Canal Company and the Republic of Colombia, the property of the French company was too strong for the Bogota politicians, and in closing up themselves in a fool's paradise they let the date of the 23d of September drop without having shown any disposition to comply with the requisitions of vulgar courtesy toward the United States.

MASTERFUL PIECE OF ROGUERY.

Such a disposition of mind seems incredible, and we hesitate to think it possible that a nation can be represented by a responsible body who frames into law such a [illegible] piece of roguery [illegible] conspiracy to obtain its property [illegible] There is not the slightest doubt, however, that it was to whom we read the [illegible] of August 6, which is a [illegible] document, which we read another page [illegible] and, in fact, a masterful piece of roguery, which the Bogota Congress heard before the dissolution at the end of October.

In this report the Colombian Congress [illegible] in diplomatic terms by the recommendation of approving the proposition to bring into [illegible] the Panama Canal concession, [illegible] the conditions for which the purchase money had been paid, and thus to nullify the whole property of the canal company in order to sell with free hands to the highest bidder [illegible] United States, with [illegible] on the price of the property, [illegible] easily made, thanks to a great commission on the price of the property.

This recalls the insolence of Genet, minister of France, but Genet criticised our Government for not responding in a sense of gratitude to France, while Varilla flatters the President, which makes all the difference. Washington dismissed Genet, while Roosevelt hugs Varilla to his bosom.

An enemy of the New Panama Canal Company would never have indulged in such violent criticisms of Colombia for claiming a fourth of the "blackmail" that he and Cromwell were trying to levy on the United States. It was an interested friend of the Panama Canal Company, whose friend he was informed, that utilized these criticisms against Colombia.

He knew that the breach of all the contracts of that company and its claims with Colombia had caused revolt and war in that Republic, and that the very demand that he was then pressing and is still urging for the extension of the Wyse concession from 1904 to 1910 was the cause of that war.

Colombia had wasted for twenty-four years for the canal, under contracts with these French companies, and when they confessed their inability to complete the work, and, to avoid the forfeiture of their concessions, they were trying to close a "business arrangement" with the United States for the sale of property that had cost them less than $12,000,000 for the sum of $40,000,000, it was neither unjust nor in any sense improper that they should have been required to pay Colombia a small part of their winnings in a game that never had an equal in depravity.

They had inflicted upon Colombia a debt of $6,000,000 and the loss of scores of lives in their violation of the laws and consequent war, that terminated in the subjugation of Marroquin, and now they demand that Panama and the United States shall accept and confirm that outrage in the ratification of this treaty under a threat of the displeasure of France.

I say this person, while he was a diplomatic guest near this Government, should not be permitted in the interests of such a cause and imprecation toward an American Republic, whose independence was then recognized and resented at Washington, as Colombian ministers have been received for three quarters of a century, is far below the conceptions that the world has entertained of the dignity, sanctuary, and honor of the grand Republic.

Now, no matter how late in the execution of the concession from 1904 to 1910 is entitled to our respect, or what sacrifices of blood and money it has unjustly cost the people of Colombia, we have over the canal zone sought to make a compact between France and Panama, as above set forth, and we confirm that compact.

I need not pause to demonstrate the determination of France to control the construction of a canal to cross Panama. Every Senator who knows the history of Congress since 1880 will be able to denounce this compact between France and Panama as being in contempt of the decisive action of all our Presidents and Secretaries of State even further back than 1880 and of both Houses of Congress.

In this treaty we pledge and then expressly abandon this declared policy of the Republic of France and Panama.

I am not considering the fair or false to express any opinions of my own as to the propriety of the line of policy we are observing with reference to Panama or Colombia. My purpose is to lay before the Senate such extracts in the history of these transactions as the known facts disclose and to obtain the information from the Government that will support or refute or will explain the true situation.

Before I enter upon the examination of the specific points of the inquiry made in this resolution, I will state, as briefly as possible, an outer result that is [illegible] to be accomplished by the New Panama Canal Company, through the ratification of this treaty, as to which there may be some doubt as to asking that Congress should be informed about it.

The fact I will now state is perfectly understood by the men who are exploiting the enterprise in Washington and Paris, and also by speculators in the bonds and stocks of the old Panama Canal Company.

The ratification of this treaty will repeal every appropriation of

money in the Spooner law for the construction of a canal on the Nicaragua route, which result is earnestly desired by some who claim that they are patriotic.

That result being accomplished, the New Panama Canal Company will have destroyed its only competitor, and with France at its back and with our President's determination to have a canal at Panama endorsed from any where, the whole subject of a canal will be relegated to the condition it was in after the abrogation of the Clayton-Bulwer treaty, and the whole controversy will have to be again fought over. In that battle the Nicaragua route can not participate for this treaty forbids it. This treaty will then force Congress to consummate this "contemplated purchase" at the peril of having no canal.

This repeal of all the canal appropriations, under the effect of this treaty, destroys all the work that has been accomplished toward the construction of any canal.

I have no censures, but great commiseration for those who will assist in this fatal movement. It is both needless and dangerous. But I can not forbear again to call the attention of Congress to the terrible situation this treaty will create, and to implore the law-making power to reach forth a mighty arm and exert all its great powers to relieve the country from a blunder that will be felt for many generations.

I will now turn to the facts that involve the New Panama Canal Company in full and direct responsibility for the last paragraph of article 22 of the Hay-Varilla treaty. In doing this I will make statements that are based upon the correspondence in reputable journals, as the President does, and will ask the Senate to assume as to the resolution before the Senate, to affirm or deny these statements. It is thus stated, and I therefore so assert:

1. That M. Bunau-Varilla was active and persistent in arranging to bring about and to promote the secession of Panama from Colombia, and that this plan was agreed to between him and influential persons in the United States and conferences were held in Paris and in New York about the time it was ascertained that the Colombian Congress was opposed to the ratification of the Hay-Herran treaty.

2. That in the capacity of an engineer in the employ of the old Panama Canal Company, and then as a contractor, he acquired considerable wealth and when that company failed he was largely interested in its bonded indebtedness and its property, or in stock of the company, and is now, or was when he was sent as minister from Panama, largely interested in the contemplated purchase of the property of the New Panama Canal Company, that is provided for in article 22 of the Hay-Varilla treaty.

3. That M. Bunau-Varilla, in announcing his appointment as minister from Panama to the President of the United States and to many official functionaries, proclaimed himself as the champion of the Panama Canal and advertised himself that his new official position was closely correspondent with his splendid career in the promotion of that canal.

This also includes his writings and his public lectures, directed especially to the destruction of the Nicaragua route.

While it is not surprising that M. Varilla, as minister from Panama, appointed by cable while he was in New York, should have considered his personal interests in negotiating and signing the Hay-Varilla treaty, particularly in article 22, it is surprising that he was considered a fit person to assist in making a treaty that was intended to become the supreme law of the United States and to bestow on him and his associates such money as they might be able to wring from the Treasury of the United States under a "contract" upon which our treaty rights are made to depend.

If a Member of Congress should make such a contract with any other person, to get money out of the Treasury of the United States in that way, he would not easily escape condign punishment.

He would, in that matter, amenable to our laws, but, under the laws of nations, he is persona non grata. He is not a fit person.

I will not speculate further in the connection of M. Varilla with the revolt in Panama, as a conspirator, except to say that he is a citizen of France and had no patriotic reason for attempting to free himself from the alleged oppressions of Colombia toward its people.

His interest in contracts on the canal, out of which he had grown rich, and the glory of a new raid on the Treasury of the United States, and of crushing out his old foe—the Nicaragua Canal—was enough to make him frantic, and I do not criticise him for being in that condition. But I do insist that the Senate of a great nation has powers to scrutinize and agree to supreme laws that most deeply affect and ruin some one of our peoples should some upon carefully and faithfully, especially in connection with article 22 of this treaty. That article provides for immense benefits to Varilla and his associates and enables them to bring all the other purposes of this treaty to naught if it is adopted.

In the relations he held to that movement and to the Panama Canal and to the money we are to pay for it and to this treaty, that compels the purchase of the property of the Panama Canal Company, old and new, and to the hurried negotiation and signing of this treaty that cut off the commissioners sent by Panama while they were en route by rail from New York to Washington, there is imperative reason why the Government should explain that transaction to the people. I hope to finish that opportunity in the answer to this resolution. The President has taken Varilla into his confidence with these importations upon Lake and has thereby engendered suspicion as to the right of M. Varilla to sell to us the alleged property of the people of Panama. I pass information which our people cannot be being true it is denied that he had any lawful authority to sell his square miles of the land of Panama to the United States.

Leaving these other matters connected with the Panama secession out of view for the present, I will now present to the Senate some other reasons why the President should inform the country as to the particular matter of the contemplated purchase of the concessions and property of the New Panama Canal Company within the canal zone ceded to the United States, as I have shown, and the consummation of that purchase, as a condition on which our purchase of any right or property from Panama is to become absolute. Why were not the terms and cost of that purchase settled with the canal company before the treaty that binds us to it was signed? What was the cause of this reckless and unauthorized haste?

I believe that it was, first, to assure France that we would accept the terms she had already imposed on Panama as a condition of the recognition of her independence, and that we would provide for them in the treaty now before the Senate, and would even go higher in our bid for the property if the canal company should so require.

Before this treaty can be safely considered, I submit that it is the plain duty of the Government to inform the Senate of the state of facts as to this contemplated purchase.

This duty seems so clear and obvious that the plainest person can see it, and the most astute mind can not furnish a satisfactory reason for withholding this information from the Senate.

I need not dwell on this matter, for everybody must see the necessity for this information in advance of the final action of the Senate on this treaty.

In the Committee on Foreign Relations the examination of this treaty has been without any light on this matter. Members of that committee were denied the privilege of moving an amendment to strike out article 22 of that treaty, and they on last time I have had the opportunity to present the facts and reasons to strike that section. The treaty is still without information from official sources as to any thing that has been done or is expected to be done in making or consummating the "contemplated purchase" provided for in that article.

With whom is the President to make this "contemplated purchase" of the property and other things claimed by the New Panama Canal Company?

Eiffel was a contractor for the locks, and he subscribed 10,000,000 francs to the stock of the new company.

The Crédit Lyonnais was heavily interested in contracts for work on the canal. It subscribed 4,000,000 francs.

Artigue, Sonderegger & Co. were contractors on the Culebra cut. They subscribed 2,000,000 francs.

Baratoux, Letellier & Co. had the contract on the Pacific cut of about 10 miles.

The Isthmian Canal Commission, in their final report, say:

All contractors had failed to complete the work assumed by them because [illegible] the close of the year 1888.

The group of defaulting contractors was compelled by public sentiment, and by the only hope of escape from heavy amercements on suits pending against them and, in some cases, of confinement for delinquencies such as were made in the French courts, to accept Lieutenant De Lesseps's proposition to carry the Panama Canal, changing De Lesseps's plan from a sea-level canal to a canal with locks.

The New Panama Canal Company was organized under this agreement, as is stated in the report of the Isthmian Canal Commission, which I have already read to the Senate from pages 83 and 84 of their final report.

These are some of the most prominent despoilers of the old company, whose funds from [illegible] Panama and Panama stand by to guarantee their contracts on the United States.

But to make this statement more complete and accurate, and to show their breach of faith, I will copy the third section of article 5 of the agreement under which the New Panama Canal Company took over, without consideration, all the rights and property, of every kind, from the liquidator of the old company, under the orders of the French courts:

Third. The rights of every nature in the Panama Railroad belonging to the estate in liquidation and continued by M. Cottron under section 4 of

[illegible] shall become the property of the present company (the New Panama Canal Company) [illegible] and after the stockholders meeting provided for by article 15 hereof without any pecuniary compensation, but upon the express condition that the canal [illegible] within the time fixed by the [illegible] of concession within such time said rights shall revert to the [illegible] government.

[illegible] question should not take the [illegible] the New Panama Railroad Company [illegible] able to build it and have so much involved in it.

M. LAMPRE. [illegible] We have plenty [illegible] to do it.

THE CHAIRMAN. Why are you trying to sell this canal enterprise for $40,000,000, your people able to build it and have so much involved in it?

M. LAMPRE. [illegible] position was to build the canal and realize out of it [illegible]

THE CHAIRMAN. That was your first idea?

M. LAMPRE. [illegible]

THE CHAIRMAN. Was the idea on which that letter was written?

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They became so much afraid of the Nicaragua Canal that they dropped in their offer from $[illegible] to $[illegible] at a single bound.

Now, there is not a fact in these statements that can be disputed, except upon the hypothesis that the officers who made them had been guilty of falsehood.

These official facts show, in a light that is perfectly clear, first: That the New Panama Canal Company consists almost exclusively of men who had [illegible] by the French courts for these crimes, or by reasons from judgments or indictments to solve rule to the canal stock of the new company. Third, that they made the agreement with the court, to complete the canal, as I have above copied. Fourth, that Colombia was given [illegible] francs of paid-up stock in the new company as compensation for consenting to this arrangement. Fifth, that the company was organized by the payment of [illegible] francs or $[illegible] cash subscriptions of stock into its treasury.

Sixth. I will now quote from the sworn statement of M. Edouard Lampre, the secretary of the New Panama Canal Company, when he testified as a witness before the Committee on Interoceanic Canals, on the 11th day of January, 1899. I present this statement to prove that the subscriptions to the stock of the New Panama Canal Company are men of straw and are able, out of their private means and credit, to pay the $40,000,000 it was then estimated that it would cost to complete the canal, and that were the [illegible] stock and the control of the Panama Railroad, which was taken over by the New Panama Canal Company, they could have performed their contract to complete the canal, if that was possible.

M. Lampre's deposition is as follows. The questions asked him related generally to the letters to President McKinley and to Mr. Hay, and especially to the letter of Bonnardel, president of the board of directors, to the President of the United States, dated Paris, November 18, 1898, which I will place in the appendix to my remarks:

THE CHAIRMAN. Now, M. Lampre, that letter to the President of the United States [illegible]

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Now, there is not a fact in these statements that can be disputed, except upon the hypothesis that the officers who made them had been guilty of falsehood.

What do they show?

The first answer is that **this new company never had the honest purpose of keeping their contract to complete the canal.** They [illegible] the ability to raise $40,000,000—their estimate for completing the canal, with their private fortunes.

The second answer is that **they confined the working capital** of the new company to the $12,000,000 cash paid in by them, and never made even an effort to increase it by further sales of stock or by the issue and sale of bonds, and thereby prevented the possibility of completing the canal.

It had already cost the French people and the foreign stockholders and bondholders the sum of 1,329,094,074.74 francs, not including unpaid interest.

With interest included, this sum amounts to over 2,000,000,000 francs.

These figures are taken from the final report of the Isthmian Canal Commission, part 11, pages 21 and 22.

These expenditures have only left a trench in the earth, with [illegible] of any kind except the plant. A great part of the ditch [illegible] up and, with the embankments, is to be again dug out [illegible] if we build the canal there on our plan.

[illegible] a [illegible] more conclusive statement of facts could not be made than is here presented to prove that the New Panama Canal Company never had the intention or expectation of completing the canal with the private resources of the stockholders or by any appeal to the French people for any assistance.

[illegible] that they were [illegible] by the assistance proposed to be given to the Nicaragua Canal is a cheap invention in avoidance of the truth. As soon as the old company got to work, two years before the new company was formed, the United States took up the construction of a canal at Nicaragua, with determined purpose to aid in its construction.

[illegible] to the stock of the New Panama Canal Company had fortified themselves against a possible loss of money in their agreement to complete the canal by two arrangements: first, by the extinguishment of all demands by the old company against them for their frauds and breaches of contract; and, second, by the arrangement made with the court, which I have already quoted, that the Panama Railroad should remain the [illegible] of the New Panama Canal Company; and should never [illegible] to the liquidator of the old company in any event.

If the completion of the canal failed or should be abandoned the railroad was to remain "inalienable" in the hands of the new company on the payment of 20,000,000 francs, or $3,000,000, to the liquidator of the old company.

The stock in the railroad had cost the old company 98,286,186.73 francs, or $18,657,000. (See report of Isthmian Canal Commission, pt. 2, p. 23.)

Under this stipulation they get the railroad for really less than [illegible] its value.

Of the $40,000,000 to be paid by the United States, 40 per cent [illegible] the French courts have already decreed to the New Panama Canal Company; they get $16,000,000, which is a profit [illegible] on the $12,000,000 they paid for their stock in that [illegible]

[illegible] this, the report of the auditors (commissaires) of the New Panama Canal Company, made on the 30th of December, [illegible] that they still have in their treasury the sum of [illegible] remaining unexpended of the $12,000,000 capital stock [illegible] paid into the treasury, and worked seven years with [illegible]

[illegible] this, they have had the net earnings of the railroad, which has not been less than 10 per cent per annum, on a capitalization of $15,000,000, which for the ten years the new company has had control of the railroad must amount to $1,500,000 in addition to betterments. In all, their net profits will be at least 50 [illegible] on their original investment. In Poor's Manual for 1900, [illegible] 1896, it is stated that the net earnings of the Panama [illegible] were more than 35 per cent in 1899, and were even greater for the three preceding years.

Now we are confronted with the question, What has been the real policy of the New Panama Canal Company as to realizing [illegible] on their investment of $12,000,000 in the property of [illegible]

[illegible] demonstrated that it has not been to complete the canal. Their failure to put up the money to complete the canal, or to [illegible] to do it, proves this fact conclusively. They [illegible] expected with $12,000,000 to complete the canal, two-fifths [illegible] which had already cost $[illegible]

[illegible] the canal concession and property at a profit to the [illegible] in the New Panama Canal Company was left to chance [illegible] speculative margin on which it was their purpose to pay [illegible]

They had already secured themselves fully in the agreement with the court against any possible loss, and were fully equipped as a free lance to move against the United States as the only possible purchaser of their holdings.

It required a New York lawyer to work this purchase, and they found an experienced renovator of crippled corporations in Cromwell.

The liquidator of the old company had obtained from Colombia extensions of the canal concessions until October, 1904, and had paid for them out of the assets of the old company.

The first overture of the Panama Canal Company to the United States for a deal in the disposal of canal rights at Panama was made by M. Bonnardel, president of the board of directors of the New Panama Canal Company, dated November 18, 1898. I will insert this letter to President McKinley, with others I have referred to, in an appendix to my remarks. (See Appendix.)

The next approach, ten days later, was by "William Nelson Cromwell, American counsel for the New Panama Canal Company."

This letter, dated November 28, 1898, I will read, as it is the first appearance of Mr. Cromwell on the stage, which, [illegible] act, he prepared to cover with the blood of civil war in Colombia.

Mr. Cromwell to Mr. Hay.

NEW YORK, November [illegible], 1898.

DEAR SIR: Referring to the [illegible] day last and to your [illegible] director-general of the New Panama Canal Company and [illegible] tion with the [illegible] New Panama Canal Company [illegible] leave here for the [illegible] translate the [illegible] which you mentioned, from the house of [illegible] foreign.

I have the honor, etc., WM. NELSON CROMWELL,
Counsel for New Panama Canal Company.

His next appearance was on December 5, 1898, in a letter to Mr. Hay, in which he lifts the curtain and reveals the cause of the war which was then imminent in Colombia:

Mr. Cromwell to Mr. Hay.

NEW YORK, December [illegible], 1898.

MY DEAR SIR: I beg leave to confirm the telegram which I sent you at 10:45 this morning, as follows:

"I just met Director-General Hutin, who had preceded me to New York, that the insurgents which had [illegible] in the Panama [illegible] Congress [illegible] to be [illegible] hour, and would [illegible] that the [illegible]

You will remember that the requests sent to cruisers given upon the Executive, [illegible] have prevented a second difficulty [illegible] Congress [illegible] Colombia and the President, the House having passed formal resolutions [illegible] President refused and refusing to recognize the qualification of the President before the congressional [illegible]

We trust [illegible] the House of Representatives as only a part of [illegible] President, and not a Congress [illegible] of the nation of the Congress in respect of the Panama [illegible] We have no doubt, their interest at Washington [illegible]

I have, etc., your obedient servant,
WM. NELSON CROMWELL,
Counsel for New Panama Canal Company.

It will be noticed that the letter of Bonnardel to the President is official and has been appended to it, "consulted by the secretary of the company, Ed. Lampre," the same witness whose testimony I read a few days ago.

Lampre testified before the Committee on Interoceanic Canals in March, 1899, that this plan of operations was discussed and adopted by the board of directors of the New Panama Canal Company before Bonnardel, Hutin, and Cromwell began operations under it. M. Lampre testified as follows (p. 49 of hearings):

THE CHAIRMAN. Was the letter of Bonnardel [illegible] and authority [illegible] the board of directors [illegible]

M. LAMPRE. Yes, in accordance with the resolution of the board.

When the fact is considered that the action of the board of directors was taken at the very time that Marciano was forcing the decree of Sanctionamiento upon Colombia, at the cost of civil war, [illegible] an extension of the Wyse concession until 1904, which the [illegible] had procured, a sensible weight of [illegible] facts upon [illegible] that [illegible] and Cromwell, whose letter to Mr. Hay proves that he was watching every movement

at Bogota with the eager attention of a lawyer who had set on foot the scheme to corrupt Sanclemente. The outbreak alarmed him only because he was afraid of its effect on President McKinley, and he at once began to hedge against it by false explanations.

Everything being thus prepared, the campaign in the United States was opened, the first point of attack being the Hepburn bill.

The fight was expected to be a long one and more time was needed for prevent Colombia from even forcing the forfeiture of the Wyse concession, thereby destroying all claim of the New Panama Canal Company to control that concession and to sell the property of the old canal company.

The situation was desperate and required desperate action. The last extension of the Wyse concession would expire on the 21st of October, 1902. Within that period of time the Isthmian canal question, the Monroe doctrine, the question of the construction of the canal by the United States, or the passing of the extension of the Wyse concession was a matter of necessity.

The government of Colombia had no further extension of time to be granted to the French company. They knew of the conspiracy inaugurated by the canal company to transfer their concession or the property to the United States in some form that would invade or violate the express prohibitions of the Wyse concession.

They knew that a plan had been put into practice that was given words fairly decipherable in a letter of Cromwell to the President of Panama, dated March 13, 1899, which I will insert in the appendix to my remarks. (See page 1 of appendix x 3.) I respectfully invite their careful consideration.

In the dates of these letters civil war was general and fierce in all the departments of Colombia, caused by the demands of the New Panama Canal Company.

The conspiracy of these men in the development of the flattering prospects of the company as these bold and seductive letters to the President and Mr. Hay show, were known at that period of time that the Government of Colombia is being pressed to take the course of which it has repeatedly protested in the interests that are controlling Colombia.

Conservative statesmen of Europe and Cromwell were not successfully hidden from the Colombian statesmen, and they were resented, especially by the Liberal party, which before was divided.

Sanclemente was then elected President and Marroquin Vice-President of Colombia by the Church party and were inaugurated in July, 1898.

The Congress of Colombia was then in session and continued until December 5 or 6, when they adjourned sine die and never met again.

The cause of that act of dissolution is given in the letter of Cromwell to Mr. Hay, dated New York, December 5, 1898—that I have just read to the Senate.

It is very remarkable that no official account of this important event has been sent to Congress despite that which is in Cromwell's letter which was sent to the Senate in a message of the President of February 20, 1902, in response to a resolution of the body of January 23, 1902.

Earlier in the day of December 5, 1898, Cromwell had sent to Mr. Hay the following telegram:

New York, December 5, 1898.

Are arranging for independencing the [illegible] Congress. Best prospects so far. [illegible] Congress [illegible] Government executives to boost here [illegible] from Bogota [illegible] satisfactorily.

WM. NELSON CROMWELL.
Counsel, New Panama Canal Company.

The proposition of the New Panama Canal Company through Mr. Hay for a prolongation of the concession was first put in printed in the appendix to my remarks. It is dated November 1, 1899.

In connection with it the canal company offered to pay the Colombian Government $10,000 French gold for six years' extension of time. Some had to pass.

It was while that proposition was pending in the Colombian Congress that Hernandez, Hurtado, and Cromwell were earnestly at work to decrease of the public interests, and concessions that the canal company held in Colombia to the United States.

It is not worth while to pause for expressing any denunciations of this double dealing of the Panama Canal Company with Colombia. The bare statement of the facts condemns the men, in every honest bosom, as being perfidious. The motive was too overpowering to be resisted by them. It was to unload their canal property given them by the old company, upon the United States.

Mr. Hart had informed our Government that the Congress of Colombia, after rejecting the proposed extension of the Wyse concession and declaring the office of President vacant, had adjourned sine die.

To meet this and to falsify the facts, Cromwell, in a letter to Mr. Hay, dated December 21, 1898, says:

Messrs. Sullivan & Cromwell to Mr. Hay.

NEW YORK, December 21, 1898.

MY DEAR SIR: Further to my letter of December 5, one paragraph of which was [illegible] at Bogota [illegible] I now have to say that we have [illegible] Government executives and of ourselves that power to grant such concession is vested in the Government by the terms of the Hurtado-Hernandez contract [illegible] Government executives and of ourselves that power to grant such concession is vested in the Government by the terms of the Hurtado-Hernandez contract [illegible] Government executives and of ourselves that power to grant such concession is vested in the Government by the terms of the Hurtado-Hernandez contract [illegible]

Faithfully, yours,

WM. NELSON CROMWELL.

He says that the official minutes of the House of Representatives disclose that the bill concerning the extension of the concession of the New Panama Canal Company was not acted on for the lack of time. If any such minutes are on the records of that House of Representatives that statement is false as to the course of the defeat of the French offer of six years. It was reported by Congress and when Sanclemente gave it out that he would accept the money and make a decree granting the prolongation of the concession, the Congress stigmatized it as a high misdemeanor, deposed the President, and dissolved the Congress.

This was Cromwell's [illegible] and he knew it. He could not expect the United States to intervene and take over a concession that had only five years to run, for it would be impossible to comply into that period in that length of time. If the time could be extended the future was lost. Therefore, Cromwell, in his letter to Mr. Hay on the 5th of December, says:

Our company has not the least assurance nor expectation regarding any prorogation of its concessions it may consider necessary in the future.

And in his letter of the 21st of December he says:

It is the opinion of the Government executives and of ourselves that the power to grant such concession is vested in the Government by the terms of the Hurtado-Hernandez contract [illegible] Government executives and of ourselves that the power to grant such concession is vested in the Government by the terms of the Hurtado-Hernandez contract [illegible] apprehension.

All this was urged to secure our Government to the threatened unlawful purchase of the concession of the canal company that was completed on the 28th of April, 1900, by the decree of Sanclemente, in despite of its rejection by the Congress of Colombia and the great convulsion that followed.

Soon after the Congress dissolved, after having expelled Sanclemente from office as President, civil war began in several of the Departments, and he seized the reins of Government as dictator and declared the entire Republic in a state of siege.

On the 23d day of April, 1900, the Liberal party issued its manifesto declaring the causes of war, and especially mentioned this deal with the New Panama Canal Company as a violation of the constitution and laws of Colombia, declaring the prolongation of the Wyse concession as a felony and warning the nations against acting upon it.

Sanclemente, on the 28th day of April, 1900, made a decree accepting the $10,000 had offered for the extension from 1904 to 1910 and granting the extension. No act of arbitrary power was ever more audacious or corrupt.

It was the insistence of the Liberals that this prolongation was void that caused the people of Colombia to resent the fact that Marroquin, without the consent of Congress, had negotiated the Hay-Herran treaty to dispose of the territory of Panama. M. Lucien Varilla admits the fact.

The dispatches of Mr. Beaupre show that the people were violently opposed to the Hay-Herran treaty before the Congress met in June, 1903, and before they had accurate knowledge of its provisions.

They knew the despotic conduct of Sanclemente in prolonging the concession, and they resented it.

The civil war thus precipitated upon Colombia was a fearful ordeal of slaughter and destruction.

Marroquin succeeded Sanclemente in the Presidency soon after he had decreed the prolongation of the concessions, and prosecuted the civil war with terrible losses, but with relentless vigor.

Active hostilities reached Panama in the winter of 1901–2 and raged heavily until November, 1902. Herrera, the really victorious leader of the Liberals, had Panama and Colon in easy reach of subjection, and was prevented by the active interference of the United States. The message of the President to the Senate on the 19th of March, 1902, leaves no doubt on that point.

"The stars in their courses," on our flag, "fought" for Marroquin, saved him his office, and made possible the ratification of the Hay Herran treaty, that had been negotiated while the civil war was fagrant and while he was dictator of Colombia.

The capitulation of the victorious Herrera, signed on the 21st of November, 1902, stipulated for the election of a Congress for the consideration of the negotiations relating to the Panama Canal. Thus Cromwell, who was a participant if not overseeing, in conducting these negotiations, had the Panama Canal Company placed in the front of the procession of events, having a trail of blood and desolation in his wake.

Nothing could be more clearly established by a comparison of known facts than the fact that the civil war in Colombia was precipitated by the demand of the New Panama Canal Company for a prolongation of the Wyse concession from 1903 to 1904, coupled with the $10,000,000 paid to Sanclemente, and the rejection of that demand by the Congress of Colombia.

Failure of the New Panama Canal Company had the power to prevent that war by complying to the laws and constitution of Colombia and to the vote of the Congress on the proposition of their offer. They preferred civil disorder and the destruction of blood and the desolation of Colombia rather than that the Panama Canal Company should comply with its written obligation to complete the Panama Canal by the 30th of October, 1904, or else forfeit its charter under the terms of their agreement, which was enacted into a statute of that Republic.

If there had been any honest purpose to complete the canal according to contract, Colombia, having already extended the time for twelve years, would have granted any reasonable time for completion.

The French engineers have been engaged for twenty-four years. It is work, and only claim now that two-fifths of it is actually finished. No possible complaint can be made that Colombia has been insincere in extending the Wyse concession.

There was no honest purpose to complete the canal, and no effort by the New Panama Canal Company was made to obtain or secure the extension for that purpose, and at the very time Mr. Hart, the minister of the canal company at Bogota, was trying to get the extension from 1904 to 1910 Cromwell was in Washington trying to induce the United States to take it over.

The Hay-Varilla treaty requires the United States to purchase the New Panama canal company. The [illegible] pledged itself to France that it should be confirmed and protected.

Thus Cromwell again heads the procession of events, and our banners in that august movement have "submission to fraud" for their motto, and flaunt our insult to the Liberals, living and dead, who fought this outrage for more than three years with heroic sufferings in Colombia.

In the present situation, as in that of 1898, the Panama Canal Company, whose whole history is frescoed with fraud and is a mere series of broken contracts that it never meant to keep, again threats itself into our treaty relations and is compelling the Senate to enact a supreme law of the United States that a "contemplated purchase" of its alleged property and claims shall be made by the United States and shall be "consummated" before we can get from Panama all that lawfully appertains to the canal zone, for which we are to pay [illegible].

The present intrusion of the Panama Canal Company into our affairs, in the location and construction of a canal, is offensive and indefensible in the highest sense and even in the lowest sense.

In the highest sense it comes with the pledged support of Panama, given directly to France, that she has the treaty right, derived from Panama, to interfere with the terms and conditions on which the United States shall construct a canal at Panama. In the lowest sense it can be truly said that no nation was ever compelled by its own rulers to stoop so low.

There can be no possible mistake on this point or as to the facts. For they are official and of record.

Even those who shut their eyes to prevent seeing these facts are still compelled to feel them. They feel that there is in this treaty an atmosphere of national degradation at which the self-respect of the people revolts.

When they come to understand that it is a movement prompted by mercenary motive, that Panama never would have revolted against Colombia except to profit by the trade and increased price of property owned and controlled by a few wealthy men through the construction of a canal, and that the President would not have encouraged and assisted them except for the "contemplated" glory of being the founder of a canal and his view of the necessity of that location for it, the people will feel, and will not be slow to say, that this treaty is dishonoring to the country.

The New Panama Canal Company has never done an honest day's work toward the completion of the canal. As it has dug and removed earth from the Culebra Cut it has suffered the

20 miles dug by the old company between Bohio and Colon and the 7 miles between Miraflores and the Bay of Panama to silt up until an Indian canoe can not cross it at many places.

What work has been done was to keep alive the concessions in the hope of disposing of the property to the United States that was given to them by the old company and to escape forfeiture at the hands of Colombia.

It is a disgrace to our country that time will not efface and no financial success will ever excuse that we permitted the government to be controlled by such men and for such purposes into the ratification of article 22 of the Hay-Varilla treaty.

This is the highest sense in which the transaction will be considered by those who will read the history and [illegible] may find excuse for us in the magnitude of the subject we are dealing with.

When they come to examine our work, in the lower sense of a voluntary and preferential advantage and profit extended by the United States to corporations who have produced their own receipt of the property they sell to us and will under a vast profit from the transaction we have placed the stain and disgrace on our records that establish their guilt—the people will not and should not be merciful in their censures.

What we should do in this matter is to strike out article 22 from the treaty and repurchase the [illegible] and pay for it the price established in the treaty. The property will come to us free and clear with every just and legal claim [illegible] in law or equity when Panama [illegible] and enforce the [illegible] the New Panama Canal Company [illegible] Panama Railroad Company is, under the laws of one of the States of the Union.

At the same time we will require that company to honestly keep and perform its [illegible]. If any man can object to this as being [illegible] on the grounds of such correction.

In [illegible] our Government [illegible] from these transactions of the most extraordinary and hideous character of conspiracy imposed on us by Panama—our creature and ward [illegible] the arms of its nurse—we will in some measure escape the [illegible] of sustaining a conspiracy against Colombia, in which the agents at Panama of the New Panama Canal Company were the local leaders, and Bunau-Varilla was the chief conspirator. I am too anxious that the Senate should [illegible] ating attitude to further [illegible] we would be driven.

It is better not to have described such a condition of [illegible] we shall have the good fortune to escape it. If the President will give the Senate the information we ask [illegible] making the contemplated purchase of the [illegible] mentioned in article 22 of the Hay-Varilla treaty, it may be that it will result in the elimination of the New Panama Canal Company from that treaty and the relief of our people from forced contact with the worst productions of the worst of scandals, that will cause all France to shudder at the name of Panama, and the world to look with astonishment at our unworthy associates in this business.

I will not speak now of the second war with Colombia that the New Panama Canal Company has provoked, under the guidance of the New York lawyer, as the surest way to realize its profits on the investment of $10,000,000 in its capital stock.

Most likely we will have leisure to record of his leadership in the diplomacy that has brought about those conditions, and he will have leisure for the enjoyment of his fee that grows with the increase of our national distress and the destroying annihilation of Colombia; but I protest in the name of civilization that the Senate should not voluntarily and [illegible] Cromwell in his prosecution of a second war in Colombia to induce him to increase his bill of costs for such indignities.

I will not now discuss other parts of the Hay-Varilla treaty that are not within the purview of the resolution before the Senate. I will, however, as in duty bound, refer to the resentment spirit of the people with whom we are dealing in this matter.

There are not, all told, as many as 5 per cent of the inhabitants of Panama—and that is the outside limit of the people in that country—who can be rated as being qualified for self-government or the actual duties of citizenship in a free and independent republic.

Amendments have been recommended to be made to this treaty by the Committee on Foreign Relations [illegible] have been so recommended but for the fact that they are indispensable to the future safety of our rights and the performance of our duties in Panama.

I have been notified that a motion to withdraw those amendments will be made, not because they are objectionable to Panama, but because the treaty if it is sent to the constitutional convention now sitting at Panama for the acceptance of any

amendments to it will cause the possible rejection of some of its features or will create dissension in that body.

Such apprehensions, so readily yielded to, admonish us that the people we are dealing with must be approached with open avowals of our intentions and purposes in everything that relates to the government of a canal zone and the people living in its immediate neighborhood. And we must go there prepared to enforce our rights.

If the warmed viper, just but half from the egg, stung its benefactor to warn us of its power to sting, we may well consider what will occur when swarms of them will be gathered in Panama from the lowest degree of all the peoples of the earth.

I have mentioned, through the kind indulgence of the Senate on this and other occasions, to state my views on most of the various questions that have arisen during nearly two years this great project has been before Congress and the people for discussion.

I do not recall any fact I have stated, except upon the highest authority, or any measure I have advocated that did not seem to be necessary for the advancement of the great result the people are so anxious to reach. The growth and expansion of our views in the atmosphere of constant discussion as to the best measures of our duty and of the great policy to be accomplished has, in my judgment, repaid all the delay and all the labor expended in our preliminary work. We do not seem yet to grasp the full scope of the great undertaking that is before us, or to be ready to lay hold of the possibilities of the future with the first hand of earth.

In such a work there can be no room for mistakes to any people, or for the humiliation of any person or company, or for the least real ground of discontent, or for more political or legislative hesitation.

I have gone farther than any of my colleagues in the Senate in the discussion of amendments to the Hay-Pauncefote treaty that are necessary and appropriate for the actual work of constructing and operating an isthmian canal, yet I reach out for nothing that is not lawful.

Any unnecessary appeal to anybody, for political or other reasons, that relies upon the time-honored maxim that the end justifies the means has no weight with any just man, nor will it make any impression on the people who have so long honored me with their confidence.

The South still holds its heroic attitude as a proud people, unbent by disasters and unawed by unnecessary humiliation. It still wears its laurels of honor undefiled over its bosom, guarded with the love and fear of God.

The people of the old South, who stand for its past glory and will forever stand as the model of its future character, are true to their history to-day, as they are true to the blood in their veins.

That tide of life still flows as a benediction to the world, and will always flow uncorrupted through all the hearts that have claimed or will ever rightfully claim a share in the honorable heritage. It was bestowed on us by other hearts that are now still and pulseless. Yet their living examples, like the light that is shut out by night, but comes again to-morrow—still live and rules their day in supreme power.

The people of the South will pray and forgive, but will not forget, such as can find excuse in their fears for a moment disposed for the acceptance of gifts that are stained with fraud and are gathered from the wreck of the Constitution, the statutes enacted by Congress, and the laws of nations.

Whatever we have done in the most perilous actions of our people has been done in the effort to preserve rights that were guaranteed to us in the Constitution and by the laws of the land, and no true Southern heart repents or will ever repent the cost.

We can not, if we would, now convince those who live or those who will live that it is honorable or just or reputable to assist any man who may be President in the violation of the Constitution or the laws of the land.

We can not mark down the people of the South to the figure, in commercial politics, that accepts a favor of any party or any man as the price of its support of men who disregard laws and trample the rights of the weak under foot, or of measures that are wrong and dishonorable. We have never been robbers or faith breakers, and we will not lend our assistance to those who are.

There is nothing in this entire transaction that is complained of by the President, or that could be rationally complained of, besides the loss of an apparently good bargain. Take from the situation as it is described by the President in his annual message to Congress the supposed advantage of the bargain we were trying to make with Colombia and failed to complete, and there is nothing to justify his movement against Colombia, as it is stated in that message, or in any utterance from the Department of State. It is simply because we were ignorant of the advantages we failed to obtain in the Hay-Herran treaty.

Our children and our children's children will scorn the thought that any sentiment but that of constitutional duty could be created in our behalf by such unworthy considerations.

APPENDIX A.

[Confidential. Executive A, Fifty-eighth Congress, second session. December 18, 1903, made public.]

PANAMA CANAL.

Message from the President of the United States, transmitting a convention between the United States and the Republic of Panama for the construction of a ship canal to connect the waters of the Atlantic and Pacific oceans, signed on November 18, 1903; ordered to be printed, and referred to the Committee on Foreign Relations.

To the Senate:

[illegible] of the Senate [illegible] of America and the Minister of Panama [illegible] the waters of the Atlantic [illegible] I [illegible] from the Secretary of State submitting the convention for my consideration.

THEODORE ROOSEVELT.

WHITE HOUSE, *December 7, 1903.*

The PRESIDENT:

The undersigned, Secretary of State, has the honor to lay before the President, for the consideration which he may bestow upon it, a convention between the United States of America and the Republic of Panama, signed at this capital on November 18, 1903.

JOHN HAY.

DEPARTMENT OF STATE,
Washington, November 19, 1903.

CONVENTION.

The United States [illegible] the Republic of Panama being desirous [illegible] to insure the construction of a ship canal to connect the waters of the Atlantic and Pacific oceans, the President of the United States has [illegible] Minister Plenipotentiary of the Republic of Panama, duly authorized to conclude a convention for the purpose, and the said parties have agreed upon the following articles:

ARTICLE I.

The United States guarantees and will maintain the independence of the Republic of Panama.

ARTICLE II.

The Republic of Panama grants to the United States in perpetuity the use, occupation, and control of a zone of land and land under water for the construction, maintenance, operation, sanitation, and protection of said canal of the width of ten miles extending to the distance of five miles on each side of the canal to be constructed by the said Government of the United States, the said zone beginning in the Caribbean Sea three marine miles from mean low water mark and extending across the Isthmus of Panama into the Pacific ocean to the distance of three marine miles from mean low water mark, with the exceptions below stated, and with the powers and authorities hereinafter granted, and for the purpose of opening, maintaining, and protecting the said canal, and for the purpose of providing lands for the use of the employees and their families, and for the purpose of providing a place for the seat of government of the Republic of Panama, the Republic of Panama grants to the United States in perpetuity the use, occupation, and control of the islands in the Pacific ocean, named Perico, Naos, Culebra, and Flamenco, and of the islands in the Bay of Panama, named Perico, Naos, Culebra, and Flamenco.

ARTICLE III.

The Republic of Panama grants to the United States all the rights, power, and authority within the zone mentioned and described in Article II of this convention and within the islands mentioned and described in Article II of this convention which the United States would possess and exercise if it were the sovereign of the territory within which said islands are located to the exclusion of the exercise by the Republic of Panama of any such sovereign rights, power, or authority.

ARTICLE IV.

As rights subsidiary to the grant of territory made to the Republic of Panama herein in perpetuity for the purpose of the canal, the Republic of Panama grants to the United States in perpetuity the right to use all the waters necessary for the operation of the canal, and for other works pertaining to the canal, which may be found in the territory adjacent to the line of the canal, and for the purpose of the construction, maintenance, operation, sanitation, and protection of the said canal.

ARTICLE V.

The Republic of Panama grants to the United States in perpetuity a monopoly for the construction, maintenance, and operation of any system of communication by means of canal or railroad across its territory between the Caribbean Sea and the Pacific ocean.

ARTICLE VI.

The grants herein contained shall in no manner invalidate the titles or rights of private land holders or owners of private property in the said zone or islands at the time of the signature of this treaty, nor shall they impair the rights in any way possessed by the inhabitants of the said zone or islands, except as may be necessary for the control, operation, sanitation, and protection of the said canal, and the works, ports, and buildings connected therewith, and such as may be necessary for the use of the said canal and its auxiliaries, and such as may be granted to the United States in the exercise of the rights herein granted or conferred, which shall be exercised with the least possible inconvenience to the inhabitants of the said zone or islands, and which shall not include the right to levy taxes or other similar impositions within the said zone or islands, and which shall not include the right to place customs houses or other establishments for the collection of customs duties on the navigable waters within the said zone or islands, which said waters shall be free to the vessels of the Republic of Panama engaged in the business of navigation between the interior parts of the Republic of Panama when such vessels are not engaged in the business of navigation between ports of the United States and ports in the interior of the Republic of Panama, and which said waters shall be free to the vessels of the United States in which case the rights of the United States shall be superior.

All damages caused to the owners of private lands or private property of any kind by the operations of the United States in the exercise of the rights granted by this convention, or by the construction, maintenance, operation, sanitation, and protection of said canal, or of the works, ports, and buildings connected therewith, and such as may be necessary for the use of said canal and its auxiliaries, and such as may be granted to the United States in the exercise of the rights herein granted or conferred, shall be paid for by the United States, which shall be the only party to pay for the same, and to the end that the compensation to be paid may be adjusted and ascertained, the amount of damages caused by the operations of the United States in the territory of the Republic of Panama, which are to be paid for by the United States, shall be ascertained and established by a commission composed of two persons, one of whom shall be appointed by the President of the Republic of Panama and the other by the President of the United States, and in case they shall not agree they shall jointly select a third, and the decision of any two of the commissioners shall be final and conclusive; and it is hereby agreed that no claim for compensation for such damages shall be allowed or paid for damages caused by the exercise of any of the rights granted to the United States in accordance with the provisions of this convention, or by the construction, maintenance, operation, sanitation, and protection of said canal, or of the works, ports, and buildings connected therewith, and such as may be necessary for the use of said canal and its auxiliaries, and such as may be granted to the United States in the exercise of the rights herein granted or conferred, except such as may be based upon the ownership of private property in land or water within the territory adjacent to the line of said canal, or upon injuries to such property by the actual diversion of the waters of said canal from their ordinary channels, or by the actual overflow of such property by the waters of said canal, or by the actual taking of such property by the United States for the purposes of said canal, and such as may be based upon the ownership of such property in land or water, and such as may be based upon injuries to such property by such actual diversion, overflow, or taking, and such as may be based upon injuries to such property by the construction, maintenance, operation, sanitation, and protection of said canal, and such as may be based upon injuries to such property by the exercise of any of the rights granted to the United States in accordance with the provisions of this convention, or

[illegible] Canal Company, the Panama Railroad Company, and the New Panama Canal Company.

[illegible] rights and property shall be [illegible]

ARTICLE XXIV.

If it should become necessary at any time for the Government of France to [illegible] or to suspend forth[illegible]

ARTICLE XXV.

No change either in the [illegible] of the Republic of Panama [illegible] into any other [illegible] for the transitor of the property and for the [illegible] which the company may think fit under the authority of this stockholders' [illegible]

ARTICLE XXVI.

This convention when signed by [illegible] of the contracting parties [illegible] of November, in the year of our Lord, 1903.

JOHN HAY. [SEAL.]
P. BUNAU-VARILLA. [SEAL.]

APPENDIX B.

STATEMENT OF M. BUNAU-VARILLA.

The CHAIRMAN. The old stockholders have [illegible] in the [illegible] bondholders [illegible] nothing whatever [illegible]

M. LAMPRE. [illegible] positively agree to accept as absolutely binding the decision [illegible]

Senator MITCHELL. The [illegible] have to run the risk of them carrying [illegible]

M. LAMPRE. No; they would have to run no risk whatever, according to my [illegible]

Senator MITCHELL. This is merely a subject of inquiry [illegible]

The CHAIRMAN. [illegible] Colombia. Of course he represents the stockholders, [illegible]

M. LAMPRE. [illegible] Representing [illegible] all the right, title, interest, and property of the old concern to your company, and that was duly ratified and homologated by the judgment of the [illegible]

Senator MITCHELL. That is the whole substance [illegible]

M. LAMPRE. [illegible] consideration of the transfer, your company was to pay to the [illegible] representing the creditors, bondholders, [illegible] the benefits of the canal?

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] Louisiana. Now, what guaranty will your company [illegible]

M. LAMPRE. [illegible] to make it clear [illegible]

M. LAMPRE. [illegible] I was [illegible] the liquidator [illegible] your law has not any [illegible] go into court and expect to [illegible]

M. LAMPRE. [illegible] as I understand, has authority [illegible] arbitration.

M. LAMPRE. [illegible]

Senator FOSTER of Louisiana. Under your law, does not his act require a homologation [illegible] the court?

M. LAMPRE. [illegible] Senator. But that thing has been [illegible] very expressly provided [illegible] agreement [illegible] authority and authorization from the [illegible] with us.

Senator FOSTER of Louisiana. To enter upon this arbitration?

M. LAMPRE. An agreement, under which we alone would have to deal with the United States.

Senator TURNER. What court is that?

The CHAIRMAN. I want to get at the precise nature of it. Is it as much a contract upon your part as upon that of the Parliament of France.

M. LAMPRE. [illegible] to the Parliament of France. It is [illegible] way.

Senator TURNER. I want to know what it proposes to do. Many things that look [illegible] question along that line. If [illegible] then this [illegible]

M. LAMPRE. [illegible] that we have [illegible] to our stockholders [illegible] to the [illegible] of the property and for the transitor of the property and for the [illegible] which the company may think fit under the authority of this stockholders' [illegible]

Senator TURNER. [illegible] say whatever, because according to the terms [illegible] positively agree to accept as absolutely binding the decision [illegible]

M. LAMPRE. No; they would have to run no risk whatever, according to my [illegible]

Senator MITCHELL. This is merely a subject of inquiry [illegible]

The CHAIRMAN. [illegible] Colombia. Of course he represents the stockholders, [illegible]

M. LAMPRE. [illegible] Representing [illegible] all the right, title, interest, and property of the old concern to your company, and that was duly ratified and homologated by the judgment of the [illegible]

Senator MITCHELL. That is the whole substance [illegible]

M. LAMPRE. [illegible] consideration of the transfer, your company was to pay to the [illegible] representing the creditors, bondholders, [illegible] the benefits of the canal?

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] Louisiana. Now, what guaranty will your company [illegible]

M. LAMPRE. [illegible] to make it clear [illegible]

M. LAMPRE. [illegible] I was [illegible] the liquidator [illegible] your law has not any [illegible] go into court and expect to [illegible]

M. LAMPRE. [illegible] as I understand, has authority [illegible] arbitration.

M. LAMPRE. [illegible]

Senator FOSTER of Louisiana. Under your law, does not his act require a homologation [illegible] the court?

M. LAMPRE. [illegible] Senator. But that thing has been [illegible] very expressly provided [illegible] agreement [illegible] authority and authorization from the [illegible] with us.

Senator FOSTER of Louisiana. To enter upon this arbitration?

M. LAMPRE. An agreement, under which we alone would have to deal with the United States.

Senator TURNER. What court is that?

M. LAMPRE. No; the object of the company at that time was to complete the canal; but I must state that in the charter or by-laws, as I would say, for private [illegible] that at any time the corporation may [illegible]

The CHAIRMAN. [illegible] your judgment about it. I want to get at facts—just the [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] It was the purpose of your company [illegible]

M. LAMPRE. [illegible] to build the canal.

The CHAIRMAN. [illegible] the right [illegible] But you see the liquidator [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] of the Act [illegible] that are expressed or [illegible]

M. LAMPRE. Yes.

The CHAIRMAN. Now if the powers are not found there, expressed [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] about it [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] That is the law under which we [illegible]

The CHAIRMAN. [illegible] we shall be obliged to take some time to consider [illegible] conclusion.

M. LAMPRE. It is [illegible] thing, I understand, in the United States.

Senator MITCHELL. You [illegible] that there was this difference in the law [illegible]

M. LAMPRE. Yes. I understand it.

The CHAIRMAN. [illegible] property to the United States [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] the right to do it (that is what we [illegible]

M. LAMPRE. I do not see that. They can, indeed.

The CHAIRMAN. [illegible] their right upon the action of your stockholders [illegible]

M. LAMPRE. [illegible] with the liquidator for the benefit of the [illegible]

The CHAIRMAN. Yes.

M. LAMPRE. [illegible] Now, the action of the stockholders of the new company [illegible] any from that [illegible]

M. LAMPRE. [illegible] question itself, but you see I stated in the [illegible] are guided solely and only by our charter, and [illegible] make a transfer or [illegible] you to say that your charter did can[illegible]

[illegible] you were to construct this canal and [illegible]

M. LAMPRE. The liquidator has authority to relieve us from that contract, [illegible]

The CHAIRMAN. That is the business of the court to decide, and the court has [illegible]

M. LAMPRE. I think you had better make that clear, because I do not [illegible] your company in [illegible] as I can.

Senator HANNA. At the meeting did the old stockholders take any part in [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] What [illegible]

The CHAIRMAN. [illegible] a New York company? [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] Now you propose to transfer all of your [illegible] Government?

M. LAMPRE. [illegible] The general principle of law, as I under[illegible]

The CHAIRMAN. Yes; but [illegible]

M. LAMPRE. The French court.

Senator TURNER. What is the rank of the court? Is it a court of last resort or [illegible] decisions [illegible] review by other courts?

M. LAMPRE. It is the highest court.

Senator TURNER. A court of first instance?

M. LAMPRE. Exactly.

Senator TURNER. Then its judgment is subject to review if any stockholder [illegible]

M. LAMPRE. It might be; but I do not expect any trouble from that source.

Senator TURNER. Now, let me ask you this question: When you took this charter [illegible] from the liquidator, was it a contract to complete the canal [illegible]

M. LAMPRE. Yes; that was the contract.

Senator TURNER. And to turn over to the old stockholders 60 per cent of the [illegible]

M. LAMPRE. It was [illegible]

Senator TURNER. That was your contract?

M. LAMPRE. It was [illegible]

Senator TURNER. If the bondholders [illegible] 500,000,000 francs [illegible] would be [illegible] to turn over to the old stockholders [illegible]

M. LAMPRE. [illegible] the stockholders as I said—

Senator TURNER. [illegible] would be [illegible]

M. LAMPRE. That [illegible] of the stockholders.

Senator TURNER. Would they have a standing in some court to come in [illegible]

M. LAMPRE. Well, you know any claim may always be set forth, but I am convinced—

Senator TURNER. Is it not quite likely that they would urge a claim of that kind?

M. LAMPRE. It might happen, but I am convinced there would be no difficulty about it [illegible]

Senator TURNER. What right [illegible] court have to issue and enforce [illegible]

M. LAMPRE. [illegible] law [illegible] that when [illegible] interest [illegible] stockholders to the bondholders, have no right to get anything unless the bondholders are completely disinterested.

The CHAIRMAN. [illegible] and having failed the liquidator [illegible] Now what right [illegible] will cut these stockholders off [illegible] a decree?

M. LAMPRE. [illegible]

The CHAIRMAN. Has the law given that right absolutely?

M. LAMPRE. Yes.

Senator TURNER. Without any compensation or consideration to them [illegible]

M. LAMPRE. Quite so.

The CHAIRMAN. Colombia, I learn from these papers, holds stock in the [illegible] company?

M. LAMPRE. Yes.

The CHAIRMAN. The old company and the new?

M. LAMPRE. Not the old company, but new company; and that is 50,000 shares [illegible] making the entire stock of the new company [illegible]

The CHAIRMAN. It holds that in its own right as a government?

M. LAMPRE. Yes.

The CHAIRMAN. How has French court power of [illegible] speak of, going to [illegible]

M. LAMPRE. The court [illegible] obtain [illegible] receive [illegible] Government has agreed as a high act of the [illegible] we [illegible] to do with the United States Government [illegible] The [illegible] passed upon by the representative of the Colombian Government [illegible]

The CHAIRMAN. I gather your idea correctly, the Colombian Government [illegible] is a stockholder in the Panama Canal Company, has given [illegible] sovereign powers and has no other powers than those of any other stockholder?

M. LAMPRE. Its powers as a stockholder and the power derived from the [illegible]

The CHAIRMAN. And she is subject to the courts of France to be disposed of as her interests in the stock as if she were a [illegible]

M. LAMPRE. [illegible] We [illegible] the courts of [illegible] and [illegible] to the stockholders' meeting. [illegible] representative [illegible] voting power to the company [illegible]

The CHAIRMAN. Now, you state that as being the action of the Colombian Government?

M. LAMPRE. I do.

The CHAIRMAN. Has that ever been communicated to the French Government?

M. LAMPRE. The French Government has nothing to do with it, sir.

The CHAIRMAN. That is a matter of opinion which I will determine for myself. Has it ever been communicated to the Government of the United States?

M. LAMPRE. I do not know about that. No; I think not.

The CHAIRMAN. No; whether [illegible] as a sovereign or as a stockholder in this [illegible] Government [illegible]

M. LAMPRE. No; in my opinion [illegible] the Colombian Government [illegible] to the rights [illegible]

The CHAIRMAN. What is this arbitration that you propose to have? What is it [illegible]

M. LAMPRE. The division of the amount we may get—only that.

The CHAIRMAN. What [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. Did you say that the court had passed on it?

M. LAMPRE. Yes; [illegible] special [illegible] authority to resort to an arbitration court upon the division of the property.

The CHAIRMAN. Has there been a judicial proceeding in that court?

M. LAMPRE. Yes.

The CHAIRMAN. When was that?

M. LAMPRE. August [illegible] ago. A month or two ago.

The CHAIRMAN. What [illegible] or $40,000,000?

M. LAMPRE. No; [illegible] It was found [illegible] templated [illegible] The United States. The other [illegible]

The CHAIRMAN. The liquidator might arbitrate under the laws of France as [illegible]

M. LAMPRE. As to the [illegible]

The CHAIRMAN. Let me get an [illegible] please. The liquidator might [illegible] the laws of France as to [illegible] any trade or transaction with the United States out of the [illegible]

M. LAMPRE. That is the [illegible]

The CHAIRMAN. [illegible] the general order of the court?

M. LAMPRE. If [illegible]

The CHAIRMAN. Your proposition to sell for $40,000,000 has not, I understand, been made [illegible] of the court?

M. LAMPRE. No; it has been [illegible] on by the stockholders' meeting and [illegible]

The CHAIRMAN. So the transaction, as you [illegible] I understand it [illegible] amount [illegible] to be received from the United States on a sale of the property [illegible]

M. LAMPRE. Exactly so.

The CHAIRMAN. And that was done when?

M. LAMPRE. The decree of the court [illegible] and [illegible] August 2, [illegible] the [illegible] Canal Commission.

The CHAIRMAN. Why were [illegible] to that last agreement?

M. LAMPRE. [illegible]

The CHAIRMAN. What [illegible] the liquidator?

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] was a party of that agreement?

M. LAMPRE. I believe [illegible] happen [illegible] his country [illegible]

The CHAIRMAN. Now, if I understand [illegible] liquidator [illegible] the purpose of [illegible] received [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. Now, I [illegible] the agreement [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. Has this last agreement been assented to by any tribunal?

M. LAMPRE. [illegible]

The CHAIRMAN. Has this particular act been assented to [illegible]

M. LAMPRE. It has been assented to. Before it was made it was as[illegible]

The CHAIRMAN. It could not have been assented to before it was made.

M. LAMPRE. Yes, [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] there was no occasion for that, as the liquidator has [illegible]

M. LAMPRE. [illegible] I understood you to say that the court had authorized [illegible]

The CHAIRMAN. [illegible] is your interpretation of it, but—

M. LAMPRE. It is a fact. I beg your pardon; it is quite a fact.

The CHAIRMAN. The authorization is based upon an entirely different set of [illegible]

M. LAMPRE. The court has given authority to the liquidator to enter into [illegible] the liquidator has entered into the agreement.

The CHAIRMAN. [illegible]

M. LAMPRE. To present to an arbitration court as to the division of the amount [illegible] be [illegible] the United States.

The CHAIRMAN. And [illegible]

M. LAMPRE. [illegible] Legislation.

The CHAIRMAN. The object of the [illegible] company, [illegible] according to all of its professions here, was to build and complete that canal?

M. LAMPRE. It was.

The CHAIRMAN. And that the present object?

M. LAMPRE. It is [illegible] at the present time, the object is the [illegible] transfer to the United States. That is what we are [illegible] at the present time; but the [illegible] the company stands.

The CHAIRMAN. You [illegible] Now, [illegible] when [illegible] in the form the new company [illegible] of the old company really [illegible] the property by which [illegible] to sell it to somebody else?

M. LAMPRE. No, sir; the honest, clear, straightforward, and clean purpose was to [illegible]

The CHAIRMAN. The agreement, then, between the liquidator and the new company, [illegible] of the court transferring the property to them, was for that purpose, was it not?

M. LAMPRE. Yes, for that purpose.

The CHAIRMAN. Was there any purpose at that time, either expressed or implied or understood, that the new company was formed for the purpose of getting load of that property to sell it to somebody else?

court. It would [illegible] that [illegible] to the justice, the fair [illegible]

M. LAMPRE. Of course the court thought it fair when it gave the authority [illegible]

The CHAIRMAN. Were [illegible] at the time the court authorized [illegible]

M. LAMPRE. No, sir; because the liquidator is the representative [illegible]

The CHAIRMAN. Then the liquidator had notice of the application for [illegible] that authority. He was the man who [illegible] of liquidator of the old company, [illegible]

M. LAMPRE. [illegible] are that the names of the arbitrators have been selected. I should like to know how many there [illegible]

M. LAMPRE. There are four of them, who are to appoint a fifth as president. The names are the highest legal authorities in the court. One of [illegible] nt between the liquidator [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. Oh, not a majority. [illegible] There would be under your law a review of the decision [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] the examination, if the other members [illegible] Mr. Chairman, there is one question on this [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] Louisiana. But in order to have binding force it must [illegible]

The CHAIRMAN. [illegible] accepted?

M. LAMPRE. [illegible] He has it now. It has been [illegible] titled under [illegible]

Senator TURNER. How much money has the new company put into this [illegible]

M. LAMPRE. At the present time?

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. I [illegible] to examine M. Lampre on that point. Do you [illegible]

M. LAMPRE. How much money has the company actually [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] I do not know what the percentage will be.

The CHAIRMAN. [illegible] a matter for the arbitrators?

M. LAMPRE. [illegible]

The CHAIRMAN. The Government of Colombia, as you stated, was one of [illegible]

M. LAMPRE. [illegible] meeting, appeared every time.

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. Does that representative enter into the stockholders' [illegible]

M. LAMPRE. Yes, to [illegible] present.

The CHAIRMAN. [illegible]

M. LAMPRE. [illegible] appointed by the Colombian Government to [illegible]

The CHAIRMAN. [illegible] at every [illegible] meeting the Colombian [illegible] to [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] Colombian Government is not a stockholder [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. You say the Colombian Government is [illegible]

M. LAMPRE. [illegible]

The CHAIRMAN. [illegible] that you [illegible]

M. LAMPRE. Yes.

The CHAIRMAN. Has that agent a voice in the [illegible]

M. LAMPRE. No.

M LAMPRE. I guess we have. It is printed in the report of the Commission.

The CHAIRMAN. That is all the [illegible] authority that you have [illegible]

M LAMPRE. At the present time.

The CHAIRMAN. That is as deep into the subject as Colombia has ever [illegible]

M LAMPRE. [illegible]

The CHAIRMAN. [illegible]

M LAMPRE. Yes, sir.

The CHAIRMAN. You are aware of the contents of that last proposition, [illegible] by M [illegible]

M LAMPRE. I [illegible] if you please, or to [illegible]

The CHAIRMAN. It [illegible] to a partnership with [illegible] then. It is [illegible]

"PARIS, *November 18, 1898.*

"To the PRESIDENT OF THE UNITED STATES:

[illegible] believes it to be its duty to [illegible] the Republic of Colombia of the [illegible] serving the rights of [illegible] led with large financial and [illegible]

[illegible] to appreciate the difficulties and enormous expense [illegible] execution of this work, which [illegible] greatness [illegible] overcome them. [illegible]

"Though [illegible] confidence [illegible] Director-General Hutin, who had [illegible] the company specifically stated to the Government [illegible]

[illegible] Mr. LAMPRE. [illegible] Mr. FAIRBANKS. [illegible]

The CHAIRMAN. Yes; I beg pardon. After the name the communication [illegible]

"As to all statistical and economic questions, the new company established a special commission [illegible] Leroy-Beaulieu, the eminent economist and a member of the [illegible]

[illegible] the Republic of Colombia of the [illegible] serving the rights of [illegible]

[illegible] the most advanced [illegible] which has been [illegible] the work of completion. [illegible] the entire [illegible]

We cannot doubt that you will be interested to learn the essential features of the plans which have been prepared. It is now a letter and carefully [illegible] two copies of [illegible] the proposed sea-level canal [illegible]

I call your attention to the fact that you have abandoned the old sea-level canal.

The principle, with important modifications and improvements, has been adopted by the new company.

"2. The length of the canal from ocean to ocean is 46 miles.

"3. The locks will not exceed four on each slope of the divide; all locks will have [illegible]

"4. [illegible]

"5. [illegible]

"6. [illegible] the [illegible] ago, have been [illegible] of Co- [illegible] shed on the [illegible] by practical [illegible] River; and

"7. [illegible] is equally satisfactory. Its assets, [illegible] ce was char- [illegible] pany?

[illegible] m all incumbrance. The company has no [illegible] nthly pay rolls. Its cash reserve is largely in excess [illegible]

[illegible] nt servants.

"J. B. [illegible]

"*The President of the Board of Directors.*

"Certified by the secretary of the company.

"ED. LAMPRE."

[illegible] by you. Then Mr. Cromwell, who was the [illegible] storm *La Touraine* was delayed in [illegible] late the docu- [illegible]

[illegible] Cromwell telegraphs to Mr. Hay on the 5th day of [illegible]

[illegible] disturbance, of course, in the Government down there; such a [illegible]

The answer referred to are as follows:

"NEW YORK, [illegible]

"My [illegible] through Director-General Hutin, who had [illegible] the company specifically stated to the Government [illegible]

[illegible] office, and [illegible]

[illegible] only a [illegible] Mr. W. [illegible] cently [illegible]

[illegible] may has not the least [illegible] any prorogation of its concessions it may consider necessary in the [illegible]

"I have, etc., your obedient servant,

"WM. NELSON CROMWELL.

"*General Counsel New Panama Canal Company.*"

[Inclosure in letter of Mr. Cromwell to Mr. Hay, December 5, 1898.]

"To the Seigneurie, Dr. P. A. MOLINA,

[illegible]

"A [illegible] Napoleon Matouk, representative to the Government of Colombia of the New Panama Canal Company, has the honor to reply to your excellency [illegible] as follows, viz:

"At the time of the prorogation accorded in 1893 there was in view the completion of the canal in accordance with the plan as established by the [illegible] commission, which plan determined the lowest level of the divide [illegible] show that it will be of great advantage to make the cut deeper, and such work will naturally require a [illegible] necessary to call urgent attention to the fact that the [illegible] the [illegible] of the [illegible] the [illegible] River [illegible] of France, upon the cut of [illegible] Government [illegible] part of [illegible] mention has last you may not courte- [illegible]

I have the honor, etc.,

"M. HUTIN,

"*Director-General of the New Panama Canal Company.*"

APPENDIX C.

Mr. Hutin and Messrs. Sullivan & Cromwell to the President.

NEW YORK, [illegible]

SIR: 1. The New Panama Canal Company has never proposed and does not [illegible] and from the Government of the United [illegible]

2. [illegible] the [illegible] works on the Isthmus of Panama subject to the exam- [illegible] of this Government or any [illegible] and will facilitate in every possible way [illegible]

3. [illegible] that fully two-fifths of the canal works are al- [illegible] to [illegible] engineers [illegible] Government [illegible] work [illegible] November is not [illegible] the harbors of both [illegible] harbors and [illegible] that [illegible] are perfect and [illegible] and that the [illegible] of the United States to the canal are [illegible] and superior by reason of the [illegible] advantages [illegible] by the treaty of 1846 between the United States and Colombia and which [illegible] may be [illegible] respected, observed and [illegible] the [illegible] of Colombia to the Panama Canal Company, under which the canal is being [illegible]

4. While the New Panama Canal Company does not seek any financial aid from the Government, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific [illegible] Therefore the New Panama Canal Company [illegible] show that it will be of great advantage to make the cut deeper, and such work will naturally require a [illegible]

[illegible] necessary to call urgent attention to the fact that the [illegible] the [illegible] of the [illegible]

[illegible] the [illegible] of France, upon the cut of [illegible] Government [illegible] part of [illegible] mention has last you may not courte- [illegible]

I have the honor, etc.,

"M. HUTIN,

"*Director-General of the New Panama Canal Company.*"

[illegible] relies upon the kind cooperation of the Colombian Govern- [illegible] has such great interest in the work, to facilitate the completion [illegible] will accord such extension of time [illegible]

[illegible] tion and approba- [illegible] pete- [illegible]

I have, etc.,

"A. MANCINI,

"*Representative of the New Panama Canal Company.*

"BOGOTA, *November 1, 1898.*"

"NEW YORK, *Decem-* [illegible]

"MY DEAR SIR: Further to my [illegible] the New [illegible] Canal Company [illegible] prehension.

"You will thus see that my confidence in the attitude of Colombia, as indicated [illegible] has been fully and quickly confirmed.

[illegible] years.

"WM. NELSON CROMWELL,

"*General Counsel New Panama Canal Company.*"

"NEW YORK, *December 21, 1898.*

"SIR: In addition to the [illegible] of the [illegible] Government [illegible] part of [illegible] mention has last you may not courte- [illegible]

I have the honor, etc.,

"M. HUTIN,

"*Director-General of the New Panama Canal Company.*"

APPENDIX C.

Mr. Hutin and Messrs. Sullivan & Cromwell to the President.

NEW YORK, *December* [illegible] 1898.

SIR: 1. The New Panama Canal Company has never proposed and does not [illegible] and from the Government of the United [illegible]

2. [illegible] the [illegible] works on the Isthmus of Panama subject to the exam- [illegible] of this Government or any [illegible] and will facilitate in every possible way [illegible]

3. [illegible] that fully two-fifths of the canal works are al- [illegible] to [illegible] engineers [illegible] Government [illegible] work [illegible] November is not [illegible] the harbors of both [illegible] harbors and [illegible] that [illegible] are perfect and [illegible] and that the [illegible] of the United States to the canal are [illegible] and superior by reason of the [illegible] advantages [illegible] by the treaty of 1846 between the United States and Colombia and which [illegible] may be [illegible] respected, observed and [illegible] the [illegible] of Colombia to the Panama Canal Company, under which the canal is being [illegible]

4. While the New Panama Canal Company does not seek any financial aid from the Government, it recognizes the national sentiment in favor of acquiring some pecuniary interest in any canal connecting the Atlantic and Pacific [illegible] Therefore the New Panama Canal Company [illegible] show that it will be of great advantage to make the cut deeper, and such work will naturally require a [illegible]

[illegible] necessary to call urgent attention to the fact that the [illegible] the [illegible] of the [illegible]

[illegible] the [illegible] of France, upon the cut of [illegible] Government [illegible] part of [illegible] mention has last you may not courte- [illegible]

I have the honor, etc.,

MAURICE HUTIN,

Director-General of the New Panama Canal Company.

[illegible]

General Counsel, New York City.

Mr. Hutin to the President.

COMPAGNIE NOUVELLE DU CANAL DE PANAMA,

15 Wall street, New York City, March 11, 1899.

To the PRESIDENT:

[illegible] sion November 16, 1898, and placed in your [illegible] therefore in full accord with our [illegible]

[illegible] any name [illegible] merits of its canal.

THE NEW PANAMA CANAL COMPANY,

By MAURICE HUTIN, *Director-General.*

SULLIVAN & CROMWELL, *General Counsel.*

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 540) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois; and

A bill (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved [illegible]

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 10418) to ratify and [illegible] an agreement with the Sioux tribe of Indians, on the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect; and

A bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, being the resolution submitted by the Senator from Georgia [Mr. BACON], which will be stated.

The SECRETARY. Senate resolution No. 82, by Mr. BACON, favoring the negotiation by the President of a treaty with Colombia for the adjustment of all differences between the United States and that country growing out of the recent revolution in Panama.

Mr. FAIRBANKS. Mr. President, I had intended earlier in the day to address the Senate upon the Panama question, but the hour is so far advanced that I shall defer my remarks until tomorrow or some other more convenient occasion.

Mr. CULLOM. Does the Senator desire to retain the floor for that purpose?

Mr. FAIRBANKS. I do not particularly desire to do so. I have no doubt I can arrange to get the floor in the morning. If there is any question about that, however, I will take it now.

Mr. CULLOM. I was going to suggest that there are several

Senators who desire to speak to-morrow, and I should have been glad if the Senator could have gone on this evening.

Mr. FAIRBANKS. Then I will raise the floor now, and submit what I desire to say to-morrow.

The PRESIDENT pro tempore. The resolution of the Senator from Georgia [Mr. BACON] is the unfinished business and would not come up until 2 o'clock, but by request it can be taken up immediately after the routine morning business.

Mr. FAIRBANKS. Then I will say that to-morrow, after the routine morning business, I shall take the floor.

MISSISSIPPI RIVER DAM AT SAUK RAPIDS, MINN.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 2935) authorizing the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.

There being no objection, the Senate as in Committee of the Whole proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments.

The first amendment was, on page 2, in section 1, line 16, after the words "That the," to insert "dam shall be so constructed that the" in line 18, after the word "navigation," to insert "and provided further, That suitable fishways to be approved by the United States Fish Commission, shall be constructed and maintained at said dam by the Sauk Rapids Water Power Company, its successors or assigns," so as to make the section read:

That the consent of Congress is hereby granted to the Sauk Rapids Water Power Company, a corporation organized under the laws of the State of Minnesota, its successors and assigns, to build a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minnesota, which dam is to be constructed in such place and manner and conforming in such manner as may be approved by the Secretary of War, and the consent of Congress is also hereby granted to the said Sauk Rapids Water Power Company, its successors and assigns, to use and occupy such lands of the United States as may be necessary for the construction, maintenance, and operation of said dam and its appurtenant works, which shall be considered a post route and a lawful highway under the jurisdiction of the United States: Provided, That such lands shall be used and occupied only for such purposes as shall be approved by the Secretary of War, and upon such other conditions as he may prescribe: Provided, That the right of way herein granted shall not be exercised until the plans and specifications of said dam and its appurtenant works shall have been approved by the Secretary of War, and upon such other conditions as he may prescribe: Provided, That the right of way herein granted shall not be exercised until the Sauk Rapids Water Power Company, its successors or assigns, shall have paid to the owners of the lands and property taken and damaged by the construction of said dam such sum as may be determined

On motion of Mr. BURKE, a motion to reconsider the last vote was laid on the table.

CONTESTED-ELECTION CASE OF CONNELL V. HOWELL.

Mr. McLAIN. Mr. Speaker, I rise to present the report of the minority of the Committee on Elections No. 3 in the case of William Connell, v. George Howell, from the Tenth Congressional district of Pennsylvania, and ask that the same be printed.

The SPEAKER. It will be referred to the House Calendar.

AMERICAN MERCHANT MARINE COMMISSION.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Merchant Marine and Fisheries may file the views of the minority on the bill H. R. 7056, to create a commission to consider and report legislation for the development of the American merchant marine, and for other purposes.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the minority of the Committee on Merchant Marine and Fisheries may present its views on the bill H. R. 7056. Is there no objection?

There was no objection.

TO REGULATE PRACTICE OF DENTISTRY IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I call up the bill (S. 2795) to amend an act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto, and ask unanimous consent that a similar House bill (H. R. 8627) lie on the table.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

[illegible]

The bill was considered and read a third time.

Mr. GRIGGS. Mr. Speaker, I desire to ask if it is now in order to offer an amendment to this bill?

The SPEAKER. The Chair is of opinion that the bill is not amendable at this time.

Mr. GRIGGS. Then I ask unanimous consent to offer the amendment which I will send to the desk and ask to have read.

Mr. RODEY. Mr. Speaker, I would like to ask the gentleman in charge of the bill, the gentleman from Wisconsin [Mr. BABCOCK], if the bill applies to anything except the District of Columbia.

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Georgia [Mr. GRIGGS] for the presentation of an amendment?

Mr. BABCOCK. I yield for the reading of the proposed amendment, not for its being offered, until I know what it is. I want to say that all of the dentists in the District have come together and agreed on this proposition, so that there is no opposition to it whatever.

The SPEAKER. If there is no objection, the amendment may be read for the information of the House.

There was no objection.

The Clerk read as follows:

Amend by adding at the conclusion of the bill the following:

"*And provided further*, That the provisions of this act shall apply to students who are regularly matriculated in dental colleges in the District of Columbia, who at the time of such matriculation are pursuing a four-years' course of study, the same to be issued to such students upon graduation and without examination as to qualifications, upon the payment of the certificate fee."

Mr. BABCOCK. Mr. Speaker, I object to that.

The SPEAKER. The gentleman from Wisconsin objects. The question is on the passage of the bill.

Mr. RODEY. Mr. Speaker, before that question is taken I ask unanimous consent that the bill may be read again for information. I am informed that it applies to the Territories as well as to the District of Columbia, and I have not yet heard it read. I see no objection to it so far as the Territory of New Mexico is concerned.

The SPEAKER. If there be no objection, the bill will be again reported.

There was no objection.

The Clerk again reported the bill.

The question being taken, the bill was passed.

The SPEAKER. Without objection, the Senate bill with provisions duplicating those of this bill will be laid on the table.

There was no objection.

BONDS ON CONTRACTS.

Mr. BABCOCK. I ask for consideration of the bill (H. R. 7869) in relation to bonds on contracts with the District of Columbia.

The bill was read, as follows:

[illegible]

Mr. BABCOCK. Mr. Speaker, I will state just what this bill proposes. Under the present law in the District of Columbia a contractor is required to put up a bond for the full amount of his contract, and in cases of street improvements the bond runs for five years. The contractor gets the proceeds from the bond and pays for this five-year bond, and then at the expiration of the bond for the work. The Commissioners recommend that the bond in such cases may be reduced to 25 per cent of the gross amount of the contract, which will amply secure the District and save a good deal of money. That is all that the measure does.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time and passed.

JURISDICTION OF RESERVATION NO. 32.

Mr. BABCOCK. I ask the consideration of the bill (H. R. 8688) to transfer jurisdiction of reservation No. 32 in the city of Washington, D. C.

The bill was read, as follows:

[illegible]

Mr. BABCOCK. Mr. Speaker, this bill refers to the little flat-iron piece or block of ground immediately in front of the site for the new home economical building on Pennsylvania avenue. The bill gives the Commissioners, instead of the War Department, control of that block—transfers the jurisdiction to the Commissioners of the District.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

Mr. BABCOCK. I ask the consideration of the bill (H. R. 8692) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes.

The bill was read, as follows:

[illegible]

SEC. 2. That it shall be the duty of the Commissioners of the District of Columbia, [illegible] to cause such snow to be removed from the paved sidewalk in front of such premises, and to cause the same to be removed therefrom, [illegible] of improved streets and places of intersection of streets with improved sidewalks, [illegible] such paved sidewalks or crosswalks [illegible] of intersection of streets with improved sidewalks to be sprinkled with sand, gravel, or other such material.

SEC. 3. That it shall be the duty of the owner or owners of every vacant or unimproved lot in the District of Columbia fronting or abutting upon a paved walk, within the first four hours of daylight after the ceasing of any fall of snow, as set forth in section 1 hereof, to cause such snow to be removed from the paved sidewalk in front of such lot, or lots in the same manner and to the same extent, and subject to the same penalty as provided in said section, and in the event any snow that may have fallen shall, before its removal, become so compacted by freezing or otherwise that it can not be removed without great difficulty, or if at any time we shall have formed on any such sidewalk by the freezing of rain, hail, melted snow, or in any other manner, it shall be the duty of such owner or owners, within the first four hours of daylight thereafter, to sprinkle or cause such frozen snow or ice, to the extent aforesaid, to be sprinkled with sand or sawdust or other such substance, and for failure so to do such owner or owners shall be subject to the same penalty provided in sec. 1 of this act.

SEC. 4. That in the event of the failure of any such owner or owners of any vacant or unimproved lot to cause the snow or ice to be removed or to cause the same to be properly sprinkled as herein provided, it shall be the duty of the Commissioners of the District of Columbia, as soon as practicable after the hours prescribed for the removal or sprinkling thereof, to cause the same to be removed or sprinkled, as the case may be, and the cost of such work, when performed by the Commissioners of the District of Columbia, shall be a lien against the property so improved or upon which such snow or ice shall have fallen, and shall be collected by the Commissioners of the District of Columbia, as taxes are collected in said District, and when so collected the same shall be paid into the treasury of the District of Columbia to the credit of the appropriation for the expenses of the Commissioners of the District of Columbia for the fiscal year in which the work is performed, and the amount so paid shall be credited to the owner or owners of such lot, and the same shall be charged against the property so improved or upon which such snow or ice shall have fallen, and such property shall be subject to the same penalty for the collection of such charge as for the collection of other taxes in said District; and the Commissioners of the District of Columbia are hereby authorized and directed to make such rules and regulations as may be necessary for the enforcement of the provisions of this act.

SEC. 5. That all prosecutions under this act shall be in the police court of the District of Columbia, in the name of said District, and by its attorney [illegible]

SEC. 6. That [illegible] in the District of Columbia," be, and the same is hereby, repealed.

The amendments reported by the Committee on the District of Columbia were read, as follows:

[illegible] in the words "not more than" and insert [illegible]

[illegible] "strike out the words 'not exceeding' and insert in lieu thereof the word "of," and insert after the word "dollars" in said line, the [illegible]

Mr. BABCOCK. Mr. Speaker, I ask a vote on these amendments of the committee.

The amendments were agreed to.

Mr. BABCOCK. I offer the amendments which I send to the desk.

The Clerk read as follows:

[illegible] "ground" strike out the word "in," and insert in lieu thereof the following: "within the fire limits of;" [illegible] the word "in," and insert [illegible] "within the fire limits."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bill and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3479. An act making provision for conveying in fee certain public grounds in the city of St. Augustine, Fla., for school purposes; and

S. R. 84. Joint resolution authorizing the Secretary of War to receive for instruction at the Military Academy at West Point Alfonso Zelaya, of Nicaragua.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 98. Joint resolution to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to Senate concurrent resolution No. 20.

The message also announced that the Senate had passed without amendment the following resolution:

House concurrent resolution No. 38.

Resolved by the House of Representatives (the Senate concurring), That the thanks of Congress be given to the people of Washington for the use of the Memorial Continental Hall, the necessary and expense.

Resolved, That the statue be accepted, to remain in the National Statuary Hall, in the Capitol of the nation, and that a copy of these resolutions, signed by the presiding officers of the House of Representatives and Senate, be forwarded to his excellency the governor of the State of Wisconsin.

INSANE PERSONS IN THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. I ask for the consideration of the bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes.

The bill was read, as follows:

[illegible]

SEC. 2. That it shall be the duty of the Commissioners of the District of Columbia, [illegible] to be paid into the treasury of the District of Columbia to the credit of the appropriation for the expenses of the Commissioners of the District of Columbia for the fiscal year in which the work is performed, and the amount so paid shall be credited to the owner or owners of such lot, and the same shall be charged against the property so improved or upon which such snow or ice shall have fallen, and such property shall be subject to the same penalty for the collection of such charge as for the collection of other taxes in said District; and the Commissioners of the District of Columbia are hereby authorized and directed to make such rules and regulations as may be necessary for the enforcement of the provisions of this act.

SEC. 3. That all prosecutions under this act shall be in the police court of the District of Columbia, in the name of said District, and by its attorney [illegible]

SEC. 4. That the Commissioners of the District of Columbia may authorize the temporary commitment and care of the insane mentioned herein pursuant to [illegible] and shall be apprehended and detained as provided in sections 1 and 2 of this act, for a period of time not exceeding twenty days in any other hospital in said District which in the opinion of the board of health of said District is properly constructed and equipped for the reception and care of such persons and the officers in charge of which, for the time being, are willing to receive such persons pending the temporary commitment or the formal commitment of such persons as provided by law, [illegible] the insane of the mind, or insane and dangerous, or any insane person or persons found insane and unprotected under sections 1 and 2 of this act may be detained in any private station or house of detention in said District pending the completion of arrangements for such temporary detention in the Government Hospital for the Insane or any other hospital or asylum, and such persons may be committed to the Government Hospital for the Insane or any other hospital or asylum in the manner provided by law in case of or shall be placed in the hospital for the insane in the Government Hospital for the Insane in accordance with the provisions of this act,

in which the alleged insane person is to be confined, or who is professionally or officially connected therewith.

SEC. 6. That any person who makes an affidavit as required by section [illegible] shall be liable to an action for damages for [illegible] such detention or restraint of any other person in the District of Columbia without probable cause for believing such person to be insane, or of unsound mind, or any person who knowingly makes any false affidavit as to the sanity or insanity of any other person shall pay [illegible] to be fined not more than [illegible] or imprisoned not more than [illegible] years, or both.

SEC. 7. That [illegible] with the provisions of this act be, and the same are hereby repealed.

The amendment reported by the Committee on the District of Columbia was read, as follows:

On page 5, line 18, insert, after the word "residents," the following: "or in case of arrest, as provided in section 1."

The SPEAKER. The question is on agreeing to the amendment reported by the committee.

Mr. PEARRE. Mr. Speaker, before the question is put, I should like to make an inquiry of the gentleman from Wisconsin [Mr. BABCOCK]. Is there any provision in this bill for submitting to a jury the question of sanity in these cases?

Mr. BABCOCK. I yield to the gentleman from Michigan [Mr. SAMUEL W. SMITH], the chairman of the judicial branch of our committee, that he may answer the gentleman's question.

Mr. PEARRE. I should like to know whether there is in this bill any provision for submitting the question of sanity in these cases to a jury for its determination.

Mr. SAMUEL W. SMITH. No, sir.

Mr. PEARRE. Does not the gentleman think that, following the practice of almost all the States, it would be wise to provide that, at least in the last resort, there should be a reference of the matter to the judgment of a jury?

Mr. SAMUEL W. SMITH. This is only a temporary matter.

Mr. PEARRE. Temporary? Does not the bill provide that upon the simple affidavit of two physicians a man may be confined in an insane asylum—for how long? Is there any limitation as to the time?

Mr. SAMUEL W. SMITH. Not exceeding thirty days.

Mr. PEARRE. Then what is to be done with him?

Mr. SAMUEL W. SMITH. Then he has a trial in the ordinary way.

Mr. BABCOCK. I will say to the gentleman that the object of this bill is particularly to provide for incipient insane persons, and that class of insane people who are found on the streets.

Mr. PEARRE. What is to be done with them eventually, under this bill?

Mr. BABCOCK. I understand that the usual course of law is proceeded with. Ordinarily it will not require thirty days, but if they had a press of business and a great number of cases it might be that long before a case could be reached. In the end they are brought before the court in the usual way for examination. There is nothing in this bill that interferes at all with an examination by a court or a jury or anything of that kind. It provides for the temporary work of the officers, and the gentleman understands that there is now no provision in the District of Columbia which covers that at all.

Mr. PEARRE. There ought to be.

Mr. BABCOCK. There is no provision for temporarily detaining even a violently insane person.

Mr. PEARRE. Under the gentleman's assurance that this provides for only a temporary detention, and does not contemplate a permanent detention of anyone—

Mr. BABCOCK. Oh, no.

Mr. PEARRE. Under his assurance that it does not contemplate the permanent detention of the party charged with insanity, without examination by a jury, I will, of course, withdraw any objection. But it would be a very dangerous principle to permit a man alleged to be insane to be apprehended and permanently detained upon a mere affidavit.

Mr. BABCOCK. Oh, certainly.

Mr. PEARRE. Or upon the ex parte statement of a physician.

Mr. BABCOCK. Oh, certainly; the gentleman is entirely right.

Mr. CRUMPACKER. Mr. Speaker, there is one provision in this bill that struck me as conferring quite extraordinary powers upon policemen. It is contained in the first section. As I understood it from the reading, it provides that a policeman may arrest and take into custody without warrant any person who is insane or of unsound mind, without regard to the question whether he is dangerous or violently insane. Does it not so provide?

Mr. BABCOCK. Under the police powers of the District a policeman has the right to arrest a drunken man without a warrant if the man is disorderly.

Mr. CRUMPACKER. Yes.

Mr. BABCOCK. If it is patent and clear that a man is insane, he may be dangerously insane, and the lives of other people may be endangered, and it becomes the duty of a policeman to take him in charge.

Mr. CRUMPACKER. That is true; but the criticism I make of your bill is that it does not limit the subjects of arrest to violent or dangerously insane persons. A man may be a harmless lunatic. He may be of unsound mind according to the standard fixed by the courts, but may be perfectly harmless; and yet a policeman is given the power to take him into custody and to set in motion proceedings to take from him his liberty. I think——

Mr. BABCOCK. I call the gentleman's attention to this:

Provided he is incapable of taking care of himself.

Mr. CRUMPACKER. Where is that provision?

Mr. BABCOCK. In line 3 of page 2, section 1.

Mr. CRUMPACKER. I did not hear the provision as it was being read on account of the confusion, but what I heard impressed me that it was an exceedingly dangerous and a most extraordinary power to confer upon a policeman, to arrest a harmless insane person without warrant or authority of law.

Mr. BABCOCK. Another thing I wants to call the gentleman's attention to is that the policeman making the arrest must immediately and forthwith report to the chief of police.

Mr. CRUMPACKER. But suppose the man be a resident of the city, a harmless lunatic, and we know almost every city has them. It is not the policy of the law and perhaps for public purpose is accomplished by setting in motion machinery to detain such persons. Confinement is not necessary for the public safety, where a lunatic is harmless.

Mr. COWHERD. May I call the gentleman's attention to the limitation of that section?

Mr. CRUMPACKER. I wish you would. I may have obtained a wrong impression from the reading.

Mr. COWHERD. This affidavit must also provide that—

If [illegible] or be or to be [illegible] the commission of public peace imperiled and the commission of crime rendered [illegible].

Mr. CRUMPACKER. How soon after the arrest is that affidavit required?

Mr. COWHERD. That must be made immediately, and there must be [illegible] of the physicians.

Mr. PEARRE. I call the gentleman's attention, also, to the fact that the relatives of the alleged lunatic must be immediately notified.

Mr. CRUMPACKER. These safeguards may be sufficient: I do not know. I am willing to submit that question to the judgment of the committee.

Mr. COWHERD. There must be a certificate of two physicians, and there must be the affidavits of two responsible residents of the District of Columbia.

Mr. CRUMPACKER. My first impression was that it conferred upon policemen, without warrant of law, the authority to take up anybody the policeman might deem to be of unsound mind, without regard to the question of danger or violence; but if in the judgment of the committee the personal rights of the alleged lunatic are sufficiently safeguarded, I have no objection to it.

Mr. BABCOCK. I want to say, further to the gentleman from Indiana that this bill has been as carefully provided with safeguards as the Committee on the Judiciary, the medical societies, the superintendents of the different asylums, and the committee could possibly provide.

Mr. CRUMPACKER. Well, this bill provides for the custody of the insane. Does it undertake to provide for guardianship?

Mr. BABCOCK. Oh, no.

Mr. CRUMPACKER. Or control of the property?

Mr. BABCOCK. The very object of the bill is to provide for the indigent insane. That is the prime object of the bill. For instance, a man has gone crazy round here without friends or without relatives.

Mr. CRUMPACKER. To provide for their restraint and treatment?

Mr. BABCOCK. It provides for examination.

Mr. CRUMPACKER. Yes.

Mr. BABCOCK. Within thirty days.

Mr. CRUMPACKER. The purpose is to protect the public against the violently insane.

Mr. BABCOCK. That is it exactly.

Mr. CRUMPACKER. And does not undertake to take further action as to the property.

Mr. BABCOCK. Not at all.

Mr. CRUMPACKER. And it is merely temporary?

Mr. MERRELL. I would like to say to the gentleman that at the present time to effect the arrest of an insane person it has to be accomplished on the charge of some crime, as that he has committed a theft, or something of that description. As the law is at present, the policeman's instrument is incapable of arresting a person whether he is evidently insane or not.

Mr. CRUMPACKER. Is there no authority now for the police to arrest a dangerously insane person?

Mr. BABCOCK. I suppose on a charge of being disorderly.

Mr. MERRELL. Except on a charge of being disorderly or some other infraction of police regulations.

Mr. BABCOCK. I ask for a vote, Mr. Speaker.

The SPEAKER. The question is on the committee amendment.

The question was taken; and the amendment was agreed to.

The bill, as amended, was ordered to be engrossed for a third reading, and, being engrossed, it was accordingly read the third time, and passed.

MUTUAL INVESTMENT FIRE INSURANCE COMPANY OF THE DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I ask for the consideration of the bill (H. R. 2781).

The bill was read, as follows:

A bill (H. R. 2781) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia.

[illegible]

SEC. 3. That the capital stock of said company shall consist of the premium [illegible] shall be con-

[illegible] and "person" as used in this charter shall [illegible]

[illegible] be a board of [illegible] premium notes.

SEC. 10. That every person who shall become a member of said company by [illegible] company; and no policy shall bind the company [illegible]

[illegible] That nothing in this charter shall be construed to exempt [illegible]

The amendment recommended by the committee was read, as follows:

[illegible] strike out the words "capital stock" and insert in lieu thereof [illegible]

[illegible] Mr. [illegible] to the gentleman from [illegible] the report on the bill.

[illegible] there is also a limitation in this bill that they shall not [illegible] money in any way, any kind of business, that they may see fit to do.

Mr. POWERS of Massachusetts. Will I look, Mr. Chairman, that is a matter for the consideration of the bill. Let me say, in reply to the gentleman from Iowa, that this bill as it is is a copy of the [illegible] passed in the Massachusetts Legislature. [illegible] the right under the general laws [illegible] and [illegible] presented this bill, which is a copy, or substantially a copy, of the

charter that was granted to the Provident Company in 1876. In the meantime, for the past six months, their business has been suspended.

Now, with reference to the clause which has been referred to by the gentleman from Iowa, I will say that my understanding of that provision is this: They have moneys in the treasury, and in order that they may improve that money or invest it, they are limited to any improvement or investment of that money outside of any investment in real estate.

Now, I do not assume that there is any likelihood that they will build a railroad, nor is there any likelihood that they will go into any such venture, for the very reason that they company can never have property over $[illegible]. As I said, [illegible] the other two acts passed by Congress and [illegible] by the Commissioners, so I assume that the charters and amendments of the associations or incorporations have already been approved by the Committees of the Houses.

Mr. SULZER. If the gentleman will give way for a moment, as I understand this act relates only to the Institutions

Mr. POWERS of Massachusetts. To fire insurance on the mutual plan.

Mr. SULZER. And it does not relate to life insurance?

Mr. POWERS of Massachusetts. No, it does not relate to life insurance.

Mr. HEPBURN. I would like to call the gentleman's attention to the proviso in line 23, page 7:

"Provided, that any called meeting of the members of the trustees, or any of them, may be held upon the vote of a majority of the members present and voting."

Not a quorum, but of those who happen to be present. Is that as the gentleman wants it?

Mr. POWERS of Massachusetts. Well, the fair presumption is that every member has been notified to be present and that three-fourths of those present and voting is satisfactory. You understand that the people are not interested in this charter beyond the framing of a proper law for the government of a perfectly [illegible] association and this is a mutual association at the present time with a trifle over 300 members. I see no reason to believe that provided that if three-fourths of the members present and voting at a regular meeting choose to remove a trustee and the members of the association are satisfied with that form of the bill—I see no objection why there should not have that proviso.

Mr. HEPBURN. This may be a special meeting.

Mr. SULZER. I desire to ask in that connection what constitutes a quorum?

Mr. POWERS of Massachusetts. I am not sure what the provision is in reference to a quorum of the trustees.

Mr. SULZER. Why should not this provision read three-fourths of a quorum?

Mr. POWERS of Massachusetts. I assume that the by-laws they adopt will determine what a quorum shall be. I should assume they will fix it at a majority of the members of the association. That is left entirely to the by-laws to be adopted hereafter by the [illegible].

The question was taken, and the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

EXTENDING DUTIES OF HARBOR MASTER.

Mr. BABCOCK. Mr. Speaker, I call up the bill H. R. 8686.

The Clerk read as follows:

A bill (H. R. 8686) to amend section 89 of the Code of Law for the District of Columbia.

Be it enacted, etc., That section 89 of the Code of Law for the District of Columbia is hereby amended by striking the [illegible] in any other portion of the navigable waters in the District of Columbia, shall be a misdemeanor, and shall be punished upon conviction thereof by a fine not exceeding $[illegible] for each offense, or by imprisonment not exceeding [illegible] months, or both, in the discretion of the court: Provided, that the harbor master shall have the authority so as to minimize the injury to property owners and the public, in the exercise of said section requiring [illegible] in any other portion of the navigable waters in the District of Columbia, shall be a misdemeanor, and shall be punished upon conviction thereof by a fine not exceeding $[illegible] for each offense, or by imprisonment not exceeding [illegible] months, or both, in the discretion of the court: Provided, that the harbor master shall have the authority so as to minimize the injury to property owners and the public, in the exercise of said section requiring [illegible].

Mr. BABCOCK. Mr. Speaker, I would say that this bill simply extends the duties of the harbor master. Under the provisions of the present law if a boat or scow sinks at the dock the owners must raise and clear the river within five days. This extends the law to Georgetown and to the Eastern Branch.

The bill was ordered to be engrossed and read a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that the bill H. R. 7924 may be considered in the House as in the Committee of the Whole.

NAMING STREETS, ETC., OUTSIDE THE CITY OF WASHINGTON.

The SPEAKER. The Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 7924) to name streets, avenues, alleys, highways, and reservations, and to provide for the numbering of buildings outside of the city of Washington, and for other purposes.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to consider the bill in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The bill was read, as follows:

A bill (H. R. 7924) to name streets, avenues, alleys, highways, and reservations, and to provide for the numbering of buildings in the District of Columbia outside of the city of Washington, and for other purposes.

[illegible]

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message in writing from the President of the United States was communicated to the House of Representatives, by Mr. PRUDEN, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bill of the following title:

On January 30, 1904:

H. R. 6804. An act providing for the appointment of a customs appraiser at Pittsburg, Pa.

VINCENZO GERARDI.

Mr. BABCOCK. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union may be discharged from the consideration of the bill (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C., and that the same may be considered in the House as in Committee of the Whole.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent that the Committee of the Whole House on the state of the Union may be discharged from the consideration of this bill and that the same be considered in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Whereas the Congress of the United States, by act of June 6, 1900, granted to Vincenzo Gerardi, of Washington, D. C., the privilege of purchasing a certain tract of land in the District of Columbia, which said act provided that said Vincenzo Gerardi should pay for said land at the rate of $[illegible] per square foot, and that said Vincenzo Gerardi did pay the said sum of $[illegible] for said land, and did take possession thereof and did make valuable improvements thereon; and

Whereas said Vincenzo Gerardi, after the passage of said act, and before the same was carried into effect, was naturalized as a citizen of the United States; and

Whereas the Comptroller of the Treasury has decided that said Vincenzo Gerardi, by reason of his naturalization, was not entitled to purchase said land, and has refused to issue a patent to said Vincenzo Gerardi for said land; and

Whereas said Vincenzo Gerardi has been deprived of said land and the money paid therefor by reason of a mistake of law

son why the District of Columbia should not be governed by the [illegible] Territories?

Mr. BARCOCK. No, sir.

The bill was ordered to be engrossed and read a third time; and [illegible] read the third time.

The SPEAKER. The question is on the amendment striking [illegible]

The amendment was agreed to.

The bill as amended was ordered to be engrossed.

[illegible]

Mr. PARCOCK. Mr. Speaker, I ask unanimous consent that the Committee of the Whole on the state of the Union and No. [illegible] be discharged from the consideration of S. [illegible] and that the same be referred to the Committee of the Whole House on the state of the Union.

The bill of the bill was read, as follows:

[illegible]

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin that the Committee of the Whole be discharged from the consideration of this bill and that it be referred to the Committee of the Whole House on the state of the Union?

Mr. WILLIAMS of Mississippi. Is it proper for the House to do this in the House as in the Committee of the Whole, so it may be [illegible]

The SPEAKER. It will be subject to amendment, of course.

Mr. WILLIAMS of Mississippi. Then I have no objection.

The SPEAKER. In the absence of objection, the request of the gentleman from Wisconsin [Mr. PARCOCK] will be agreed to.

There was no objection.

The bill was read, as follows:

[illegible] That there is and is hereby created in and for the District of Columbia a board of health [illegible] and [illegible] and [illegible] and [illegible] and [illegible] and [illegible] building is rented [illegible] hereby authorized to appoint a guardian or guardians for that [illegible] from various departments and offices of the gov[illegible] of the board for the [illegible] the inspector of buildings, [illegible] without the consent of said board [illegible] part of a building no person shall occupy so [illegible] of any building or part of a building the [illegible] quest to the date of service of the order on any owner of the house and [illegible] service on any part owner, after thirty days from the date on which said [illegible] order or copies of such order of condemnation was so affixed.

[illegible] defective sanitation, or is not in [illegible] evidence that compensation should be [illegible] shall be received [illegible] the value of the materials of the building.

[illegible] as herein otherwise authorized all expenses incident to the enforcement of this act shall be paid from appropriations made from time to time [illegible] parts of acts inconsistent with the provisions of this act be, and the same are hereby, repealed.

The amendments reported by the Committee on the District of Columbia were read, as follows:

Page 4, line 1, strike out the word "and" and insert in lieu [illegible] the word "such" and insert in lieu thereof "carelessness or [illegible] in the," and add after the word "demolition" [illegible]

Page 8, line 14, strike out the word "three" and insert in lieu thereof "ten."

Page 12, lines 9 and 10, place parentheses before and after the words "as [illegible]

[illegible] before the word "such" the words "carelessness or [illegible]

Mr. WILLIAMS of Mississippi. I wish to suggest to the chairman of the committee, and I will make a [illegible]

The SPEAKER. [illegible]

Mr. [illegible] [Mr. [illegible]], who made this report. I suggest, however, that in the [illegible] we adopt the committee amendments and then take [illegible]

Mr. MORRELL. I move the adoption of the amendments as [illegible]

Mr. PERKINS. I ask the gentleman from Pennsylvania [Mr. MORRELL] [illegible] the bill which, with great respect to the committee [illegible]

Mr. MORRELL. I am [illegible] to yield, but I suggest that [illegible]

The SPEAKER. Without objection, the question will be taken on the [illegible] amendments.

The question being taken, the amendments were agreed to.

Mr. WILLIAMS of Mississippi. I wish to move an amendment.

Mr. MORRELL. I [illegible]

Mr. WILLIAMS of Mississippi. I wish to suggest that the words "or unsafe" be inserted [illegible] the word "sanitary" where it occurs, and also that the words "or safe" be inserted after the word "sanitary" wherever it occurs.

Mr. MORRELL. I am perfectly willing to accept that amendment.

The SPEAKER. The amendment will be reported.

[illegible] shall be received [illegible]

The Clerk read the amendment as stated by Mr. WILLIAMS of Mississippi.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. MORRELL. I now yield to the gentleman from New York [Mr. PERKINS] for his question.

Mr. PERKINS. Mr. Speaker, I never looked at this bill until the last few minutes, and I am [illegible] but I wish to suggest to the members of the committee and to the House that the section of the bill does not present a new proposition and one of very considerable importance.

It is [illegible] to compel property owners, as a case in point, [illegible] by the owners of the buildings or by the proper [illegible] when such buildings become unsafe. In this bill it seems to me, is entirely in the interest of the owners of property that may have become worthless, because by the [illegible] section it is provided [illegible] that where a [illegible] owner of a building that has become unsafe or insanitary, in the ordinary progress of affairs in any city, so far as I know, [illegible] be compelled by the authorities to pull down that building [illegible] the direction of the municipality, [illegible] that this must be paid by the [illegible] building, which I submit can have no value, is to be paid by the other [illegible]

It is provided in section 14 that there shall be a commission of [illegible] and the rules of evidence by which the same is to be governed is fixed by the [illegible] bill. I take it, sir, that the [illegible] of this commission [illegible] that a building is unsafe and not [illegible] of any value? Is it right that a man who owns a building [illegible] which he could sell to the city, should be allowed to have the public pay him for a value which [illegible] Yet the bill provides in section 14 that he shall be paid the value of the materials in the building.

[illegible] that where the building is in a state of de[illegible] he shall be paid the value of the building as it stands, deducting the expense necessary to put it in good repair.

Now, Mr. Speaker, what is the result of this legislation? What will be the practical result of section 14? Every man in the city of Washington who has property that has become insane and unfit for use, instead of pulling it down at his own cost, as is done in every other city in the land, will have his building declared insanitary, unfit for human habitation, which it is and then a commission must be appointed, who are bound by the provisions of this bill to impose upon all the owners of real estate in Washington and the [illegible] of the property, the [illegible] of that property, of which the market value was not one cent.

I do not quite understand this bill, and coming from this committee [illegible] I know [illegible] and I know [illegible] the value of property in cities.

Mr. POWERS of Massachusetts. Mr. Speaker, I should like to ask the gentleman from New York if he has read the first paragraph of the bill, which provides the method of assessing damages in a case where a building is condemned or is found not reasonably capable of being made fit for human habitation.

Mr. PERKINS. I have read it, and [illegible]

Mr. POWERS of Massachusetts. What [illegible] is the provision for the assessment of damages in the case of a building that is being used for illegal purposes, according to the first paragraph [illegible]

Mr. PERKINS. I [illegible] the gentleman from Massachusetts in this way: Here is a building that is being used for illegal purposes, [illegible] is unsafe or insanitary to the health of the inmates. Who should the owner of a building who is engaged in [illegible] have any compensation or be allowed [illegible] to sell his building to the public and get for it all it is worth [illegible] he has paid? Practically, Mr. Speaker, this bill might be entitled "A bill to allow the owners of such dangerous insanitary buildings in the city of Washington to sell them to the public." That is what it comes to.

Mr. POWERS of Massachusetts. The gentleman answers my question, [illegible] by asking another.

Mr. PERKINS. Proceed.

Mr. POWERS of Massachusetts. I should like to ask the gentleman whether he understands that a city or a State, exercising the rights of sovereignty, has the right to take the property of the individual, unless the building or the property which he owns and is maintaining amounts to a public nuisance?

Mr. PERKINS. I understand that under the exercise of the police power, where a building can properly be condemned by the

officers—I not only understand, but the gentleman knows as well as I do—that buildings that are insanitary, that breed disease in any great city can, if necessary, be destroyed under the exercise of the power of a board of health. The gentleman does not question that?

Mr. POWERS of Massachusetts. By the exercise of the powers of the board of health.

Mr. PERKINS. In the exercise of the powers of a board of health, as part of the police power.

Mr. POWERS of Massachusetts. That is, the city exercising the power, through the board of health, may require either a change in the condition of the building——

Mr. PERKINS. Yes.

Mr. POWERS of Massachusetts. Or failing to make a change in the condition of the building, may remove it.

Mr. PERKINS. Exactly, just as they can if a building is dangerous from the standpoint of possible fire, as is done every day.

Mr. POWERS of Massachusetts. Now, does the gentleman understand that one of the purposes of this bill is to bring about the situation of what are known as the alleys in the city of Washington?

Mr. PERKINS. I object to nothing in this bill except the provision in reference to compensation of owners of buildings that are legally condemned as being insanitary and unfit for use. Otherwise I sympathize with the bill. It is a good bill, but I believe that people who have no right to compensation under the law are given compensation by this bill. That is what I object to.

Mr. POWERS of Massachusetts. Does the gentleman mean to say that they are not entitled to compensation for the real estate that is condemned?

Mr. PERKINS. You do not condemn the fee of the land. You tear down the insanitary buildings. The fee remains in the owner, as it was before. He is keeping upon a building that is practically a nuisance, because it is insanitary and unsafe. It is torn down, and then you turn around and pay him the value of the building materials, and rental, less the overcrowding.

If you would leave the question of damages to be disposed of by the law and strike out the fourteenth section, I certainly should have no objection to the bill, but I can tell the gentleman what will happen if this bill becomes a law. If I had a building in Washington that was insanitary, if I wanted to get rid of it, as a man often does, for there is not a person familiar with affairs who does not know that there are many owners of real estate whose buildings are worthless, I would have it condemned under this bill.

A man has got a building that is of no value, and he pulls it down that he may put up a better building. Then in the city of Washington, by this law, he can have his property condemned, and instead of losing the value of the building the taxpayers in Washington will be obliged to pay at least the value of the building material, which is about all the value of any building; and I do not see why that provision should be made.

Mr. POWERS of Massachusetts. I want to call the gentleman's attention to Paragraph A, on page 11, with reference to the cost of the building. Under the first provision—

> That the rental of the building was obtained by reason of the same being unsafe, or upon account of defects in the premises due to the health of the inmates, or upon account of the same being in a state of defective sanitation, or is not in a condition which requires it to be torn down, but the building is built or not remodeled in conformity with the laws and regulations of the District of Columbia, and if the committee shall find that such compensation should be awarded, then that the compensation, etc.

Now the method by which the damages are to be assessed is as follows:

> Shall in the first place, so far as it is based upon rental, be on the rental of the building as it would have been if not overcrowded, or upon such rental as would be obtained for the premises if not so overcrowded, or in the case of persons whose the building was used for the purpose of business, then in such case shall be assessed such overcrowding as a consequence of injuriousness to the health of the occupants.

Now that provides that the party whose property is taken shall receive such a price as he would have been entitled to receive if the building had been legally occupied and not overcrowded. In other words, if it had been in a sanitary condition. Now, the same is true with reference to section 8. Then there was another provision here by which the party can not recover except the building be in such condition that it can be properly and legally used.

Now, I will ask the gentleman if that is not his construction of the language. In other words, is not there a provision to pay nobody for the property, except where it is legally and properly used?

Mr. PERKINS. I will answer the gentleman by saying that I think that the provision is all wrong. Let me state to the gentleman and the committee what it seems to me is a fair rule to be adopted. What is the condition? A man owns a building in the city of Washington; he illegally overcrowds it; he wants to get rid of it and get a new building. You tell him that he must cease his illegal overcrowding. That is all right. He refuses to do so. Then you destroy it.

Mr. MORRELL. Not necessarily, simply because he has overcrowded it.

Mr. PERKINS. You may destroy it.

Mr. MORRELL. There is nothing in the bill that forces a man to destroy the building simply because it is overcrowded.

Mr. PERKINS. Well, it provides that you may destroy it.

Mr. MORRELL. You are mistaken.

Mr. PERKINS. Then he is not entitled to any damages. If you do not do anything, he gets no damages.

Mr. MORRELL. Unless the commission takes forcible possession and destroys the building the owner gets no damage.

Mr. PERKINS. If you do not take forcible possession, then it is not a practical question. But the man is tired of his building. What happens? If he takes down his building and repairs it and makes it a wholesome building, that he gets nothing. He obeys the law; he makes the building sanitary; he stops overcrowding. He gets no pay. That is what he should do. But you offer a reward to him not to make it a good building. Here is a worthless building, and he will not stop overcrowding it, neither will he make it sanitary. He knows that if he does not do that the authorities will destroy that building and give him the money to start a new building. Under the provisions of your law he gets more for an utterly worthless building than anybody under God's heaven would give him except the authorities of Washington under this bill. Now, it may be that that is wise, but we would not have such a bill in Rochester.

Mr. MORRELL. I would like to say to the gentleman that if he disputes the law he is subject and amenable to the law and to the penalties provided in the bill of probably $100 per day. He can not keep a man entirely disputing the law.

Mr. PERKINS. Oh, no; but under this bill you yourselves go on and destroy the building.

Mr. MORRELL. Not necessarily.

Mr. PERKINS. But you have the power. That is the idea. Unless you do it, why, the bill does not amount to anything. If you pass a bill saying you authority to destroy a man's worthless building and do not destroy it, why, then the bill will be useless.

If you destroy an insanitary building, then you have got to pay him the value of it. Why? Why should a man be paid the full value and cost of the building material, say, ten years before perhaps, of a building that is rotten and falling to the ground? Why should he? I do not see the wisdom of it. It seems to me the committee has erred badly in framing this rule of damages. It is not the legal rule, it is not a practical rule, and it does not seem to me, Mr. Speaker, the right rule, with all due respect to the committee.

Mr. MORRELL. Mr. Speaker, I would like to call the gentleman's attention to one fact, that the provisions of this bill in this particular have been very carefully drawn and are almost the exact copy of the law in New York, a law which has stood the test of the common pleas courts of New York, and has been carried up from those courts to the court of appeals and stood the test there, and has been brought also, I believe, to the United States Supreme Court and stood the test there.

Mr. PERKINS. Your law is constitutional. The gentleman does not understand the objection. I think this law is a proper exercise of the police power. The law is constitutional. A similar law in the State of New York is constitutional. The trouble with your law is not the general provision, but the exercise of the police power, but paying a man for damages when he is not entitled to them.

Mr. MORRELL. Mr. Speaker, the provisions of the bill simply provide that damages shall be paid when lawful possession is taken by the commissioners of a building which in the judgment of the commission can not be put in a sanitary condition.

Mr. PERKINS. But why should he be paid for the building can not be put in a sanitary condition?

Mr. MORRELL. This bill provides the owner shall simply be paid for the material.

Mr. PERKINS. That is all a building costs, the material.

Mr. MORRELL. Oh, no; it may be at its cost, but not its present value. The building has a rental value.

Mr. PERKINS. Which does not have to be paid. You don't pay for rental value and the value of the materials too. You take an insanitary building, and if a man would not like to sell such property for the value of the material he must be a good deal of a fool.

Mr. MORRELL. But the gentleman may not be aware that there are hundreds, perhaps thousands of buildings today in Washington which, if this commission is created, would at once be declared insanitary—buildings which are to-day bringing in rentals.

Mr. PERKINS. What a godsend it will be to owners of unsanitary buildings. They will all sell them.

Mr. MORRELL. That may and may not be the case.

Mr. PERKINS. It will be the case.

Mr. MORRELL. Not at all.

Mr. PERKINS. You take a building which is unsafe and in danger of falling; there is not a man in this House living in a city who does not know buildings are constantly destroyed by the fire marshal who declares them to be unsafe and liable to fall. He gives notice to the owner to make it safe. If he does not make it safe within a certain time the city has the power to tear it down, but never is compensation made. The owner has the right to protect himself by making his building safe, and if he will not do that the building goes down, and the public does not have to buy it.

Mr. MORRELL. I think I might be safe in saying, Mr. Speaker, that there are a number of buildings which will come under the operation of this law the owners of which probably get for one year's rental as much as they would get for the materials which constitute the buildings if this law were put into effect and if these buildings were torn down.

Mr. PERKINS. Does the gentleman think, does the gentleman say here to the House of Representatives, that a man who owns an unsafe, unwholesome building, dangerous to the people of a city, dangerous to the community, has the right to keep that building there because he gets good rent and can complain because it is taken away from him? Is that the contention of the gentlemen?

Mr. MORRELL. The gentleman does not say so or think so, but I would like to say to the gentleman that that is exactly the evil which this bill is trying to get at. We desire to give this commission the power to go to work and take these buildings; if the owner refuses to tear them down, this commission shall have the power provided under this bill to tear down these buildings.

Mr. PERKINS. I will give you one prophecy: The owner of any one of these buildings, if he has proper counsel, will always refuse. You can bet your life on that.

Mr. TOWNSEND. Do I understand the value of the materials is to be what they were when they were new, or the old materials?

Mr. MORRELL. No; just the value of the old materials as they then exist. I will now yield five minutes to the gentleman from Massachusetts [Mr. POWERS].

Mr. POWERS of Massachusetts. Mr. Speaker, I want to say one word, because I think my friend from New York misconceives the provisions of this bill. If a person residing in Washington is so occupying or using his building as to amount to a nuisance, that nuisance may be abated by the board of health. If the building is an insanitary building it may or may not amount to a nuisance. In other words, a building may be in such a condition, either by overcrowding or some other conditions which are not healthful, so as to constitute a nuisance, or it may not constitute a nuisance.

Now the object of this bill is to permit the District of Columbia to condemn buildings, paying for the same according to the provisions of the bill. What are the provisions of this bill? The bill provides for the payment of damages. We pay for this property not what it is worth at its rental, if it was used for unlawful purpose, or when it is in an insanitary condition. It is a question for the jury to say what the property is worth if it be legally used, or used in such a manner as not to constitute an insanitary condition.

It is said that this bill affords an opportunity for owners to sell their buildings to the District of Columbia. Not at all. The District of Columbia is not bound to take the buildings unless it desires them. If the owners of buildings so conduct them and use them as to amount to a nuisance, or render them unsafe to public health, the board of health may condemn them. This legislation goes further, and provides that when a building is used illegally—for instance, for gambling—and when it is in an insanitary condition—if it is not in a sanitary condition, that we may proceed and condemn the property.

I do not understand that my friend from New York objects to the general purpose of the bill. The purpose of the bill is to reach buildings which the board of health can not reach and condemn and remove. It seems to me, under the circumstances, the amount of damages the owners are to receive is the amount which they are fairly entitled to under all the circumstances. I do not understand there is any provision in the bill which gives the owner of a building more than what the property is worth if legally and properly used. I assume that after the property has been condemned it is simply the value of the property for material. If the property can not be used in a sanitary condition, then it is of no value except as to the material. If it can be used for remodeling, we are bound to take into consideration what is the value of the property for alteration or remodeling.

Mr. GAINES of West Virginia. Will the gentleman allow me a question?

Mr. POWERS of Massachusetts. Certainly.

Mr. GAINES of West Virginia. What would be the difference in measure of value in a proceeding of this sort and in one of ordinary condemnation, taking property for public use?

Mr. POWERS of Massachusetts. There is not any difference.

Mr. GAINES of West Virginia. Is it the purpose of this bill to give the owner of an insanitary or unsafe building the same compensation that the Government would pay if it wanted the property for public use?

Mr. POWERS of Massachusetts. No; I should say that the rule is not the same as it would be where we condemn property without the restrictions contained in the bill. If we should condemn property that was insanitary, the rule would be the value of the property so condemned for any purpose for which it could be legally used. The bill provides that if it is insanitary the owner shall not receive the rent he receives when it was in the insanitary condition, but he shall be entitled to receive the value of the property—what it might be worth if put in proper condition and used in such condition. So it differs from the ordinary case of condemnation of individual property for public use. In other words, there are certain limitations contained in the bill.

Mr. GAINES of West Virginia. Its being in an insanitary and an unsafe condition goes against the value of the property.

Mr. MORRELL. Mr. Speaker, in answer to the gentleman I would like to say that, in my judgment, the reason why these different provisions are put in the bill in regard to condemnation is this, that in this bill we only proceed for the condemnation of the building. The fee remains in the original owner. We only provide in the bill for taking of the building itself or for the putting in proper repair of the building, or putting it into sanitary condition. We do not contemplate in this bill the taking by the Government of the fee of the ground upon which the building stands.

Mr. BABCOCK. Mr. Speaker, I want to call the attention of the House to one or two matters in this bill which I think will throw some light on the subject, and that is the penalty clause. I do not believe if this bill should become a law that in one case out of a hundred the District would remove a building. Section 13 says:

> That any person violating or aiding or abetting in violating any of the provisions of these rules shall upon conviction thereof in the police court of the District of Columbia, upon information filed on the instance of said District, be punished by a fine of not more than $100 or by imprisonment for not more than ninety days, and each day on which such violation and neglect or failing which such unlawful negligence continues shall constitute a separate and distinct offense.

Now, the prime object of the bill is, in the first place, to abate this unsanitary condition, and if the owners do not do it they are liable to a fine of not more than $100. Now, I want to say that the buildings attempted to be reached here are old shanties, of no value at all except for illegal and unsanitary purposes, for which they are being used now.

The bill provides further that in case the parties have refused to remove the buildings the District may do so. And what is the case then? That they shall have only such measure of damages as could be assessed if the property were used for sanitary and proper purposes. Now, if this property were used for that purpose it practically would be worth nothing. Mr. Speaker, I ask for a vote on the bill.

Mr. PERKINS. Mr. Speaker, before that question is taken, I offer an amendment, simply to test this. I move to strike out in section 14, beginning at line 6 on page 11, the remainder of that section.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 11, section 14, after line 5, strike out the remaining portion of the section.

Mr. BABCOCK. Mr. Speaker, that amendment, if it prevails, will practically destroy the bill.

Mr. PERKINS. Mr. Speaker, that amendment leaves in force every provision of the bill, it leaves in force the power to destroy insanitary buildings. The entire police authority provided by this bill is left untouched, and if any owner of this property has any right to compensation, my friend from Massachusetts [Mr. POWERS] knows perfectly well that we could not take that right away if we tried. He knows perfectly well that if we destroy any property and the owner has a legal right to compensation, he will get his compensation, and no law passed by this Congress will prevent it.

What it does strike out is simply the measure of damages prescribed by this bill, which results in the owners of worthless property being put in a position where they can turn it over to the public and be paid by the public. I say to strike that out, and if they have any legal rights they will get them. This bill can be enforced just as well without this provision as with it, and I think the gentleman from Massachusetts [Mr. POWERS] knows that.

Mr. POWERS of Massachusetts. Mr. Speaker, if that is struck out, then it compels the District, if it wishes to condemn these buildings, to take the real estate.

Mr. PERKINS. Oh, no.

Mr. POWERS of Massachusetts. Does not the gentleman from New York understand that that is the very thing we do not want to do—that we want to take the buildings and not the real estate?

Mr. PERKINS. My friend surely does not mean that at all, as good a lawyer as he is. He knows that where the public enters real estate and pulls down the buildings it does not buy the land. If the act of the public is illegal, then the corporation is liable for the value of the property destroyed.

When, for instance, the public officers, as it constantly does, to destroy a building on the claim of the fire marshal that it is unsafe, and it is pulled down, and the owner claims the building was safe and complied with the regulations, he sues the corporation. Now, the gentleman from Massachusetts [Mr. POWERS] does not claim for one moment that he sues for the value of the land. He sues for trespass, for illegally destroying his building, and if he recovers he gets the value of his building. If the proper officer thinks that the action of his officer in having the building pulled down was in conformity with law, then the owner gets nothing, and that will be the case here. Surely my friend knows that.

Mr. BABCOCK. Mr. Speaker, I am a little astonished at the argument of the gentleman from New York [Mr. PERKINS] when he says that the owners of property have their remedy for damages to the property taken and at the same time proposes an amendment to strike out the provision which protects the District and protects the public and prescribes the rules and regulations under which such proceedings shall be taken, and further says that the estimate of damages shall be conclusive upon the parties and upon the sanitary and proper condition of the property.

In other words, in the case of those little shanties which are renting for from 25 to 50 per cent of their value every year, are overcrowded, where a great many people are living in one little room, and they are in an insanitary and immoral condition, with no proper sewer connections, this bill provides a remedy, and says that no damages shall be considered. I suppose they are on the theory of the Dominican bonds in a certain contract. Now, to strike that out will be striking a blow at the fundamental at the very safeguards of the bill.

Mr. PERKINS. I think the gentleman is entirely wrong, if I may be permitted to say so.

Mr. MORRELL. Mr. Speaker, I call for a vote.

THE SPEAKER. The question is on the amendment offered by the gentleman from New York.

The question was taken; and the amendment was rejected.

THE SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

CRUELTY TO CERTAIN ANIMALS.

Mr. BABCOCK. I ask the present consideration of the bill (H. R. [illegible]) to prevent cruelty to certain animals in the District of Columbia.

The bill was read, as follows:

Be it enacted, etc., That it shall be unlawful for any person or persons to dock the tail of any horse or horses [illegible] in the District of Columbia, or to permit or cause the same to be done, or to import into the District of Columbia any such docked horse or horses which shall have been docked in any other place or country within ninety days next before the passage of this act, or to have or keep any such docked horse or horses in said District.

SEC. 2. That within ninety days after the passage of this act every owner of any such docked horse or horses in the District of Columbia shall register the name of such horse or horses by filing in the office of the Commissioners of the District of Columbia certificates which shall set forth the name of the owner, together with his or her residence [illegible] of such docked horse or horses, which certificates shall be kept in a book or books to be kept for that purpose by said officer, [illegible] for the registering of such docked horses [illegible] that the owner or owners knowing, having in possession or keeping of any such docked horse or horses shall report to the passage of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than $[illegible] nor more than $[illegible] for each offense, or by both such fine and imprisonment. For the purpose of this act the word "person" shall mean and include any corporation, company, society, association, or partnership.

SEC. 3. That any person or persons who violate the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than $[illegible] nor more than $[illegible] for each offense, or by both such fine and imprisonment. For the purpose of this act the word "person" whenever used shall mean and include all persons, whether owners or not, who have in their possession or control any such docked horse or horses within the District of Columbia.

SEC. 4. That all fines and penalties imposed and collected for violations of this act shall be paid into the treasury of the District of Columbia.

SEC. 5. That all laws or parts of laws in conflict with this act are hereby repealed.

The SPEAKER. The question is on ordering the bill to be engrossed and read the third time.

Mr. DALZELL rose.

The SPEAKER. Does the gentleman from Wisconsin yield to the gentleman from Pennsylvania?

Mr. BABCOCK. Certainly.

Mr. DALZELL. Is the District Committee serious in reporting this bill?

Mr. BABCOCK. The committee has reported it, and I think it is a serious matter.

Mr. DALZELL. Does the gentleman believe that we can by law prevent a man from bringing his own property into the District of Columbia——

Mr. BABCOCK. I will refer the gentleman from Pennsylvania to the gentleman from Massachusetts [Mr. POWERS], who is, I believe, prepared to cite some legal authorities.

Mr. DALZELL. If I understand the bill—perhaps I misunderstand it—then under this proposition if I happen to have a horse with a docked tail and bring it into the District of Columbia and keep it here a certain length of time I become guilty of a misdemeanor and liable to fine and imprisonment.

Mr. POWERS of Massachusetts. That is a proposition of the bill. The cause is exactly the same as if my friend from Pennsylvania had shot a bird in Pennsylvania in an open season and brought it here during a closed season. If he did so, he would find himself liable to a penalty.

Mr. DALZELL. Oh, I do not see any analogy.

Mr. POWERS of Massachusetts. [illegible] with the Washington Humane Society, [illegible] of the provision to which the gentleman from Pennsylvania has called attention, the same [illegible] that has been enacted by some of the States of the Union.

Now, the provision which provides a penalty in case a docked horse is brought into this District [illegible] is a provision absolutely necessary for the proper enforcement of the bill. [illegible] there is no question that Congress under its police power has the right to pass a measure of this kind. Nearly all the States in the Union have passed laws of this character.

I understand that certain States bordering on the District of Columbia have not enacted any penalty for keeping the tails of horses. If the gentleman which has been referred to by the gentleman from Pennsylvania were enacted from this bill, the gentleman would be not an outlaw, but the gentleman might take a docked horse back to his District of Columbia. The provision to which the gentleman from Pennsylvania has called attention is to enable the authorities to enforce the law.

There are plenty of precedents for provisions of this kind. You will find the precedents everywhere in our game laws.

Take such a case as I referred to a moment ago where it would not be a misdemeanor to kill certain game in Virginia, yet if the game after being killed should be brought into the District of Columbia at certain seasons of the year the person having possession of the game would be liable to a penalty. The claim is made that those powers are necessary in order to enforce the penalties in the law. The enactment of this bill without such a provision would be of no avail.

Mr. PERKINS. May I ask the gentleman a question?

Mr. POWERS of Massachusetts. Certainly.

Mr. PERKINS. Would you not the gentleman report a bill making it a misdemeanor to clip the ears of a bull terrier? Bull terriers are just as numerous as horses.

Mr. POWERS of Massachusetts. Well, I am not sure but that if the gentleman would offer such a provision as an amendment to the bill I would support it.

Mr. PERKINS. Let me ask the gentleman another question. Would it be a misdemeanor to have a horse docked any more than to have your own hair cut?

Mr. POWERS of Massachusetts. This is a question that has been discussed for the last fifty years——

Mr. PERKINS. Does the gentleman think that it hurts the horse at all?

Mr. POWERS of Massachusetts. This question, I say, has been discussed for the last fifty years in this country, and there is not a humane society or society for [illegible] I know not a person in this country who does not believe that the docking of a horse is an act of cruelty to the animal.

Mr. PERKINS. Did the gentleman ever see a horse's tail docked? Does he know what the operation is?

Mr. POWERS of Massachusetts. Why, I will say to the gentleman that I never could afford to own a horse, and I do not expect to be able to own one while I am a Member of Congress.

Mr. PERKINS. But you may have seen other people's horses.

Mr. POWERS of Massachusetts. I have seen other people's horses.

Mr. PERKINS. The gentleman knows perfectly well, and everybody knows, that this talk about its hurting a horse is just rot and nothing else. I think it a little tiresome for us to spend our time passing silly legislation of this sort simply because it is asked for by a lot of foolish women who do not know a horse from a cow.

Mr. COOPER of Wisconsin. Will the gentleman from New York permit me to say a word right there?

Mr. PERKINS. Yes.

Mr. COOPER of Wisconsin. I have heard a veterinarian of standing say that it did hurt a horse, and that he thought the whole process was an outrage.

Mr. PERKINS. Then that veterinarian of standing must have been a very ignorant veterinarian, because I have seen many a veterinarian perform this operation. I have seen a horse standing eating his oats and never stop eating them while the operation went on. I have seen that time and time again.

Mr. GROSS. Well, that was a hungry horse. [Laughter.]

Mr. PERKINS. This talk about the docking of horses being cruel comes from people who do not know anything about it, and it begins to get tired. That is all I can say about it.

Mr. HITT. The horse would stop eating his oats if it were hot weather and he had been docked and was tormented by flies until he was nearly crazy, as anybody can see who will visit the pastures and public liveries, where horses which have their tails left at the natural state can go out and pasture while the docked horses are tormented or kept already shut up to be protected from the torment of flies. [Applause.]

Mr. PERKINS. If my friend wants to know what to do in order to stop fine trotting horses, let him pass a law to compel them to be docked, as every man does who has a decent horse. It is one of the fads in the world [illegible] that all docked horses [illegible] of a horse's tail amount to good qualities. But those persons who do not think of that. They say, "We will pass a bill in the Congress of the United States providing that it is cruelty to dock a horse's tail."

Mr. COOPER of Wisconsin. Will the gentleman answer a question?

Mr. PERKINS. I will if I know how.

Mr. COOPER of Wisconsin. Why does anybody dock a horse's tail?

Mr. PERKINS. First, because it looks a great deal better. Why do you cut your hair, instead of having it down over your shoulders? [Laughter.]

Mr. COOPER of Wisconsin. That is the cruelest question I have been asked in a great many years. [Laughter.] As a gentleman in my city used to say, "That is very unwrong." [Laughter.] But I never could see why on earth anybody wanted to dock a horse's tail. There is no more sense in it than there is in the practice of the Chinese, who bind the feet of their female children. Both practices are cruel, and, in my judgment, one is just about as wrong as the other.

Mr. PERKINS. Will the gentleman answer a question?

Mr. COOPER of Wisconsin. The Chinese for generations have followed that practice simply because some people in remote times followed it. Now, the docking of the tail of a horse and the making it curl up into a short stub because Lord Flubdub, somewhere over in England, a few generations ago did it——

Mr. SHACKLEFORD. Or Earl Snob.

Mr. COOPER of Wisconsin. Yes: that does not prevent it from being cruel. It does not make the horse look better. There is no earthly reason for it that I can see.

Mr. PERKINS. Will you answer a question?

Mr. COOPER of Wisconsin. Yes.

Mr. PERKINS. A man has a right to dress himself or to dress his horse as he pleases. I do not suppose Congress is going to pass a law saying we shall wear red trousers or blue trousers or that our harness shall be black or yellow. This law can only stand upon one proposition, and that is that docking is cruelty to animals.

Mr. COOPER of Wisconsin. Does not the gentleman know that there are nerves that run down to the end of the horse's tail, and does not the cutting of a nerve involve pain?

Mr. PERKINS. Time after time I have seen horses that went right straight along eating their oats. When a little cocaine is used [illegible] the difference. Now, let me say that if the House of Representatives is going to pass a law to prevent cruelty to horses, let it pass a law that is good for something. These people who come here and cry against docking horses, saying it is cruel, nine-tenths of them keep their horses in noisome stables every moment by the use of an overhead check, which holds the head back. Let the Committee on the District of Columbia report a bill forbidding the use of overhead checks. They will save the horses ten thousand times as much torment as they will by such a bill as this. Let us be sensible and pass a bill that is worth something instead of such a bill as this, simply because it emanated from some female society.

Mr. DOUGLAS. I would like to ask the committee why it can not leave out these words, "or to import or to bring into the District any docked horse or horses." I have no objection to the authorities of the District of Columbia saying that we shall have no more horses docked here, but my taste runs to docked horses, and all the horses I own are docked. If you will simply pass a law that all horses docked shall be registered I have no objection to that. And I have no objection to your saying that horses shall not be docked in the District of Columbia; but I do not think you ought to exclude a man who already owns horses from bringing them here if they are docked, when he is a careful man who takes good care of his horses. If you strike out these words, you will do away with much of the trouble.

Mr. BABCOCK. I want to say to the gentleman that any amendment in the line he suggests would destroy the bill. I would suggest to the gentleman that he vote against the bill and kill it if he does not like it, because that amendment is unnecessary and it would do no good.

Mr. DOUGLAS. I do not see that that applies at all and the bill can be properly amended. I shall vote against it.

Mr. BABCOCK. I now yield to the gentleman from Wisconsin.

Mr. MINOR. I want to ask the gentleman from New York a question.

Mr. PERKINS. All right.

Mr. MINOR. Are you really serious when you say to this House that the cutting off of a horse's tail is not painful—that it is painless?

Mr. PERKINS. If it is properly done, it is painless.

Mr. MINOR. With bone, with muscle, with nerves, and with veins close through it?

Mr. PERKINS. Properly done, with the use of cocaine, it is painless.

Mr. MINOR. Now, that is a strange statement to make, having personal knowledge.

Mr. PERKINS. I have seen it done many times.

Mr. MINOR. I do not propose to argue with a fine gentleman, because he may be better informed than I am on the subject and have personal knowledge.

Mr. PERKINS. I have seen lots of horses operated on.

Mr. BABCOCK. I now yield to the gentleman from Ohio.

Mr. GROSVENOR. Mr. Speaker, I was raised with very high respects upon the perfection and complete perfection of the works of the Almighty on an early occasion which he placed out, among other things, the donkey as one of its world. I am now driven to believe, if I am to take the opinion of the gentleman from New York, that if God Almighty had only had some wise advice before he would have made a horse with a tail sticking right up. [Laughter.]

Mr. PERKINS. No, I do not say that; but I stated it was not cruelty to animals. Now, some may like to dock his horse, but you like it with a long tail.

Mr. GROSVENOR. I am in favor of an acknowledgment of the universal and supreme wisdom of the Almighty.

Mr. PERKINS. Well, you do not follow it in many respects.

Mr. GROSVENOR. I come as near to it as you do.

Mr. BABCOCK. I ask for a vote.

The SPEAKER. The gentleman from Wisconsin asks for a vote.

Mr. MORRELL. I would like to ask the gentleman who reported this bill whether or not he does not think that the second section well might be amended, so that a man may not be prohibited from bringing horses in after the expiration of ninety days; and also if he does not think it would open the door to fraud in the sale of certificates of registration, and he rather hard upon those who may be obliged, from their being elected to an official life, or being sent here, or obliged to come here, that they shall, if they have at home a docked horse, be obliged to leave it there and walk when they come to Washington? Or if they have a horse at home and they are fond of him, if he is docked, they can not bring that horse here, and they will have to sell that horse, and when they come here if they want to have one, be compelled to buy a horse with a long tail, whatever he may look like?

Mr. POWERS of Massachusetts. The bill provides for the registering of docked horses which are now here. It simply requires that the Commissioners should do this. A man can not come to the District if he owns a docked horse and bring it. He must, if he needs a horse here, bring one with a long tail. I do not think there is any difficulty about the question. My friend from Ohio takes the position that God's plan is the best, and I shall be glad if the House will agree with the views of the gentleman from Ohio. I do not see why there should be any further trouble about the enforcement of this law than there is about the enforcement of any penal statute.

Mr. MORRELL. I would like to suggest to the gentleman that it is unjust and illegal to make a provision that a man who is obliged to come here after the expiration of these ninety days who wants to bring his horses shall not be able to bring them unless they have long tails.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The question was taken; and the Chair announced that the ayes seemed to have it.

Mr. PERKINS. Division. Mr. Speaker.

The House divided; and there were—ayes 85, noes 8.

So the bill was ordered to be engrossed for a third reading; and being engrossed, it was read the third time, and passed.

REGULATION OF ISSUE OF LICENSES FOR TURKISH, RUSSIAN, AND MEDICATED BATHS IN DISTRICT OF COLUMBIA.

Mr. BABCOCK. Mr. Speaker, I will say to the Members of the House that we have only one more bill, but it is a very important measure, and particularly the Members of the House are interested in it. I call up the bill H. R. 1999.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 1999) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia.

Be it enacted, etc. That paragraph [illegible] of section [illegible] of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1899, and for other purposes," approved June 1, 1898, is hereby amended so as to read as follows:

"PAR. [illegible] That owners or managers of massage establishments, Turkish, Russian, or medicated baths shall pay a license tax of [illegible] per annum: *Provided*, That no license shall be issued under this paragraph without the approval of the major and superintendent of police: *Provided further*, That it shall be unlawful for any female to give or administer massage treatment to any bath to any person of the masculine, or for any person of the male sex to give or administer massage treatment or any bath to any person of the female sex, in any establishment licensed under this paragraph. Any person violating the provisions of this paragraph shall, upon conviction, be punished by a fine of not less than $50 nor more than $[illegible] for each offense, or by imprisonment for not less than thirty nor more than one hundred and eighty days, or by both such fine and imprisonment, and, in addition to such penalty, if what is conducted in the manner to revoke the license of the owner or manager of the establishment wherein the provisions of this paragraph shall have been violated."

The amendments recommended by the committee were read, as follows:

Page 2, line 7, strike out the word "five" and insert in lieu thereof the word "[illegible]."

Page 2, line 9, strike out the words "one hundred and eight" and insert in lieu thereof the words "[illegible]."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. BABCOCK. Now, Mr. Speaker, I desire to move to reconsider the vote by which the bill passed, and I move to lay that motion on the table, and to have that apply to the several bills which have been called up by the District Committee today.

The SPEAKER. Without objection, it is so ordered.

ADDITIONAL NAVAL OFFICER IN DISTRICT OF CHICAGO.

Mr. BOUTELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 540, which is the same as the bill H. R. 1878, which has been unanimously reported by the Ways and Means Committee.

The SPEAKER. The gentleman from Illinois asks unanimous consent to consider the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 540) providing for an additional officer in the District of Chicago, in the collection district of Illinois and Indiana.

Be it enacted, etc. That there shall be in the district of Chicago, in the collection district of Illinois and Indiana, in addition to the officers now authorized by law, a naval officer for the district, who shall possess the qualifications required for taking to that office, and shall receive a salary of $[illegible] per year.

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Illinois if any committee has considered the bill.

Mr. BOUTELL. The bill is unanimously reported by the Ways and Means Committee, and is also recommended by the Treasury Department, and the bill under consideration is the bill which has already passed the Senate.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The SPEAKER. The similar bill, being H. R. 4878, will lie on the table.

On motion of Mr. BOUTELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

TO AMEND ACT IN RELATION TO FIFTH JUDICIAL CIRCUIT OF THE UNITED STATES.

Mr. CLAYTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 9648.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 9648) to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 8, 1891.

Be it enacted, etc. That the first section of the act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 8, 1891, be and the same is hereby amended by striking out the concluding words of said section, to wit, "on the first Monday in October in each year," and inserting in lieu thereof the words "on the third Monday in October in each year."

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider this bill at this time. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading, and being engrossed, it was accordingly read the third time, and passed.

CIRCUIT AND DISTRICT COURTS OF UNITED STATES AT ALBANY, GA.

Mr. GRIGGS. Mr. Speaker, I ask unanimous consent to consider the bill H. R. 5498.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 5498) to provide for circuit and district courts of the United States at Albany, Ga.

Be it enacted, etc. That the south-western division of the northern judicial district of Georgia is hereby created, and shall be composed of the counties of Baker, Dougherty, Lee, Mitchell, Terrell, Randolph, Early, and Worcester, of the northern district of Georgia, and of Berrien, Colquitt, Calhoun, Decatur, Dougherty, Lee, Mitchell, and Worth, of the southern district of Georgia.

SEC. 2. That a term of the circuit court and of the district court for the northern district of Georgia shall be held at Albany on such days as the circuit court of Appeals in Judicial Districts in each year, and it shall be the duty of the clerk, marshal, and other officers of the northern judicial district to attend said terms of said court, and perform the duties appertaining to said offices and to the administration of said court within said district; and no process, pleadings, or other papers shall be returnable to any other place than Albany, Ga., in said district. The circuit court of appeals for the fifth circuit may be adjourned, if deemed advisable, from time to time, by the clerk thereof, and the expenses incurred for the holding of such courts from expense to the government of the United States.

SEC. 3. That all writs and process of a local nature in the circuit and district courts against a single defendant or inhabitant of said state, must be brought in the district of the division where he resides. Land controversies in said district shall be tried at the term of the court held in the division where the land is situated.

SEC. 4. That proceedings for criminal offenses shall be prosecuted in any of the counties of the southern division of said district in which such offense was committed, and all prosecutions for crimes or offenses committed on the waters of said district, shall be prosecuted in the county of said district next adjoining the same, and all prosecutions for offenses committed within the limits of any fort or other military reservation, shall be prosecuted in the county of said district next adjoining said reservation, or as near thereto as may be, which shall have been established.

SEC. 5. That all civil suits and proceedings now pending in the circuit and district courts of said district, or in any court to which the jurisdiction of said courts may be transferred, or which may be brought in the said southern division of said district, and which would be properly cognizable in said courts if the same had been instituted after the passage of this act, may be prosecuted to judgment in the said southern division of said district, and the same shall be transferred by agreement of all parties by order of the court, to said southern division of said district, and there prosecuted to judgment in the same manner and with the same effect as if they had been instituted therein; and all pleadings, and all processes issued and returnable before the said courts, shall be returnable to the said southern division of said district, and have the same effect as if they had been issued or taken in reference thereto.

SEC. 6. That jurisdiction of persons of color from the counties of the State of Georgia in the same place provided in section 2 of this act, shall be in the southern division of said district, and the same process, pleadings, and other papers shall be returnable to the said southern division of said district, and the same shall be prosecuted to judgment in the same manner and with the same effect as if they had been instituted therein; and all pleadings, and all processes issued and returnable before the said courts, shall be returnable to the said southern division of said district, and have the same effect as if they had been issued or taken in reference thereto.

SEC. 7. That all laws and parts of laws in conflict with this act, so far as the same shall be deemed to refer to the said southern division of said district, be and the same are hereby repealed.

SEC. 8. That this act shall take effect and be in force from and after the 1st day of January, A. D. 1900.

SEC. 9. That the counties of Berrien, Colquitt, Calhoun, Decatur, Dougherty, Lee, Mitchell, Worth, Randolph, Early, and Worcester, be and the same are hereby, transferred from [illegible].

SEC. 10. That all acts and parts of acts in conflict herewith be, and the same are hereby, repealed.

The amendments recommended by the committee were read, as follows:

On page 1, line 5, strike out the word "Baker," and in the same line, after the word "Dougherty," insert the word "Mitchell."

On page 1, line 7, same page, strike out the word "Berrien" and insert in place thereof the word "Baker."

On page 1, line 7, same page, strike out the words "Decatur" and "Colquitt."

On page 1, line 8, same page, strike out the word "Lee" and insert in place thereof the word "Berrien."

In line 7 of the same page strike out the word "Decatur."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. GRIGGS, a motion to reconsider the vote by which the bill was passed was laid on the table.

SESSIONS OF CIRCUIT AND DISTRICT COURTS IN WISCONSIN.

Mr. MINOR. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent for the present consideration of the bill which the Clerk will read.

The Clerk read as follows:

A bill (H. R. 8835) to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, 1892, chapter 28.

Be it enacted, etc. That that act, entitled "An act providing the terms and places of holding the courts of the United States in the eastern district of Wisconsin," approved March 31, 1892, be amended so as to read as follows:

"That the regular terms of the circuit and district courts of the United States for the eastern district of Wisconsin shall be held at the times and places following, to wit: At Milwaukee on the first Mondays of January and October, and at Oshkosh on the second Tuesday in June of each year, and at Green Bay the first Tuesday in April of each year."

SEC. 2. That this act shall take effect and be in force from and after its passage.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was read the third time, and passed.

On motion of Mr. MINOR, a motion to reconsider the vote by which the bill was passed was laid on the table.

APPEALS FROM CIRCUIT AND DISTRICT COURTS, BEAUMONT, TEX.

Mr. HENRY of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10145) to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas.

The Clerk read the bill, as follows:

Be it enacted, etc. That all appeals, writs of error and other appellate proceedings which may hereafter be taken or prosecuted from the courts of the [illegible] of the United States from the city of Beaumont, Jefferson County, Tex., in the eastern district of Texas, to the court of appeals of the fifth circuit shall be heard and disposed of by said court of appeals at the [illegible] held in the city of New Orleans, in the State of Louisiana: *Provided*, That nothing herein contained shall prevent the court from granting supersedeas or writs of error whenever the said court shall sit on cases of injunction, and in all other cases which under the statutes and the rules or in the judgment of the court are entitled to be brought to a speedy hearing.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. HENRY of Texas, a motion to reconsider the last vote was laid on the table.

PORTO RICAN TEACHERS.

Mr. COOPER of Wisconsin. Mr. Speaker, I ask unanimous consent for the immediate consideration of joint resolution No. 79, for the transportation of Porto Rican teachers to the United States and return.

The Clerk read the joint resolution, as follows:

Resolved, etc. That the Secretary of War be, and he is hereby authorized and directed, to cause to be transported, by the government of the United States, of such teachers of Porto Rico as the Commissioner of Education of the United States and the secretary thereof may select, to the United States, to remain in the United States for a period not to exceed one year, and to return to Porto Rico at the end of said period, and to provide the transportation of the said teachers and their baggage, and the subsistence of the said teachers while in the United States, and their transportation from the United States to Porto Rico, by the transportation facilities of the United States, and to provide for the care and subsistence of said teachers while in the United States, by contract or otherwise, as may be deemed advisable by the Secretary of War: *Provided*, That the expenses incurred by the provisions of this act shall not exceed $[illegible] in all: *Provided further*, That the Secretary of War may, in his discretion, allow the wives and families of said teachers to accompany them, in the same manner and under the same conditions as provided in this act, and may allow attendants, or of any such of them, in course, within the United States.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. I object.

Mr. COOPER of Wisconsin. Will not the gentleman from Mississippi withdraw or reserve his objection?

Mr. WILLIAMS of Mississippi. I will reserve it if the gentleman wants to talk.

Mr. COOPER of Wisconsin. Will not the gentleman from Mississippi state the ground of his objection?

Mr. WILLIAMS of Mississippi. The gentleman from Wisconsin can have time to talk if he chooses.

Mr. COOPER of Wisconsin. I do not want to take the time of the House if the gentleman is to object.

The SPEAKER. This is proceeding by unanimous consent.

ORDER OF BUSINESS.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that after the disposition of the diplomatic and consular appropriation bill, the bill H. R. 11128, to modify and amend an agreement with the Devils Lake Indians in North Dakota be made the special order, and that it continue the special order, not to interfere with revenue or appropriation bills or bills on the Private Calendar or with any business that is privileged under the rules, and that the bill be considered in the House.

Mr. PAYNE. Reserving the right to object, I would like to ask the gentleman if this bill is similar to the one passed this morning?

Mr. MARSHALL. Very similar, except it provides for opening of a smaller reservation.

Mr. PAYNE. And there are similar guards in the bill?

Mr. MARSHALL. Yes.

Mr. SHAFROTH. Will the gentleman state about how many acres are involved?

Mr. MARSHALL. One hundred and four thousand acres.

Mr. ROBINSON of Indiana. Reserving the right to object, Mr. Speaker, I would like to ask if this makes any charge on the public Treasury different because of the fact that the proceeds of sale of public land now goes to the fund for reclaiming arid land? By reason of that irrigation act is not this now a direct charge on the Treasury?

Mr. MARSHALL. There is a charge on the Treasury precisely similar to the one in the Rosebud bill, which has been passed, and that is to pay for sections 16 and 36, which are ceded to the State of North Dakota for school purposes.

Mr. ROBINSON of Indiana. The provision in the gentleman's bill making appropriations out of the Treasury for sections 16 and 36, taken from the Indians and turned over to the settlers at so much an acre, is that the Treasury of the United States is asked to give a certain sum similar to the one in the bill passed Saturday.

Mr. MARSHALL. Yes.

Mr. ROBINSON of Indiana. I want to ask the gentleman if he does not recognize the changed conditions now with reference to the Treasury of the United States and a charge on the general fund from what it was before we passed the irrigation bill in that. That before we passed the irrigation bill the proceeds from the sale of public lands went into the general Treasury, and now he is asking the Treasury to appropriate money, although that Treasury does not receive the proceeds of the sales of public lands? Am I not correct in that changed condition now?

Mr. MARSHALL. I will yield to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Mr. Speaker, the question of disposing of the public lands in the interest of irrigation is not connected with the disposal of any of the Indian reservations.

Mr. ROBINSON of Indiana. No; but this is what I mean: Prior to the irrigation act the proceeds of the sale of public lands went into the Treasury of the United States, and now it goes into a reclamation fund. Before that we had a fund out of which we could pay for sections 16 and 36, and in cases similar to the one now presented. But now that fund is diverted or placed in the irrigation fund, and so this means a direct appropriation without any reimbursement to the National Treasury, if I am correct in my assumption.

Mr. MARTIN. In the previous legislation the appropriation made out of the Treasury was a direct appropriation. Before the irrigation act was passed the fund did not pass from the sale of public lands to the payment for school lands. That was not the case. The appropriation was always a direct appropriation where, under the enabling act, the Government was obligated to make good to the State sections 16 and 36. In the enabling act under which North Dakota and South Dakota were admitted into the Union there was a clause in it different from that under which any other State was admitted into the Union prior to that time upon the subject of school lands, and it is expressly anticipated in that enabling act, no doubt, to the fact that the conditions of those particular States were peculiar in that large areas of the State when admission took place were Indian lands—that as Indian reservations should be removed the Government would make good to the States sections 16 and 36.

This bill to which the gentleman from North Dakota [Mr. MARSHALL] has now reference does not provide for the payment to the State of any appropriation out of the General Government, but it does provide for the completion and fulfillment of the contract of the Government in that enabling act to purchase from the Indians these particular sections 16 and 36, and to place them at the disposal of the State for general public school purposes.

Mr. ROBINSON of Indiana. Let me ask the gentleman why it is that in fixing the price of the land as the bill now before the House fixes it he does not fix the price sufficiently high so that resort will not be needed to the general fund in the Treasury?

Mr. MARTIN. That would be a very unjust provision, I think, where in an enabling act like the one in question the Government has bound itself along a general line of policy which has been pursued ever since the ordinance of 1787, namely, to set aside sections 16 and 36 in new States as they should be admitted for the benefit of school funds. I think to do differently would be a very improper hardship upon the settlers, who must have the other sections, and that the expense of these particular sections should not be loaded off onto the settlers instead of the obligation being fulfilled by the Government.

Mr. ROBINSON of Indiana. The gentleman's position might be well taken, except there is a change in the conditions, and that I present to him for explanation.

Mr. SHAFROTH. Mr. Speaker, if the gentleman from South Dakota [Mr. MARTIN] will permit me, I would state to the gen-

tleman from Indiana [Mr. ROBINSON] that the irrigation act does not provide that any lands in Indian Territory shall belong to the States. It still belongs to the National Government, and upon the construction of any reservoir or any irrigation or drainage the people who settle on the lands under that reservoir pay back to the Government every dollar of cost. It does not cost the Government a cent.

Mr. ROBINSON of Indiana. The gentleman recognizes, however, that that is a departure from the real question here. Where does the National Government pay the money of which to pay the obligation provided for in this act? It is clearly evident that it does not get it now from the public lands.

Mr. SHAFROTH. The Government gets it from the fund put aside for such purposes.

THE SPEAKER. The Chair will remind the House that this is a request for special order of business in another house [illegible] A [illegible] of the bill would occupy the remainder of [illegible] to making the special order.

Mr. WILLIAMS of Mississippi. Mr. Speaker, with that view in mind, I desire to ask the gentleman from North Dakota [Mr. MARSHALL] a question. The 10% fund that will go to North Dakota in the other States, does it not? In the long run the lands and all the States certain lands were bought from the Indians and then given by the Federal Government to the States for educational purposes.

Mr. MARSHALL. It goes even further than that. Under the conditions in which North and South Dakota were admitted, provision was made that as fast as those properties were sold [illegible] to those States.

Mr. WILLIAMS of Mississippi. But independently of that, although we had no purpose that I of course knew of, when the Louisiana Purchase was made the Indians were [illegible] the Indians and paid for it by the Federal Government and [illegible] over to the States for educational purposes.

Mr. LAMB. It is two sections now instead of one.

Mr. WILLIAMS of Mississippi. Yes; two sections now instead of one, but a great many has a section two.

THE SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. HITT rose.

THE SPEAKER. The Chair will ask the gentleman to wait a moment.

the treaty was not satisfactory, so she saw fit to reject the treaty, and her Congress adjourned October 31.

Ten days after the Congress of the United States was to convene in extraordinary session to pass upon the ratification of another treaty with Colombia. It was to be specially considered in the treaty business. We had been waiting from early spring to see if Colombia would accept the treaty. Has any longer wait would not have seemed an unwarranted delay to any but an impatient and overzealous person?

Mr. SMITH of Kentucky. Will the gentleman yield for a question?

Mr. TRAVER. Certainly.

Mr. SMITH of Kentucky. I gather from the gentleman's remarks that he passed the rejection of the treaty by Colombia at some time in October?

Mr. TRAVER. The gentleman ought not to gather that from anything I have said. I have not said anything of that kind. I said that the Colombian Congress adjourned October 31 without acting upon it. Away back in the Administration of President Roosevelt, I have been informed, and I do not know that it is true, but I have been informed that at one time or at two different times during that Administration, which was October 31, they could have received their rejection of the treaty and acted upon it if they had so desired.

Mr. SMITH of Kentucky. Was not a resolution introduced into the Colombian Congress looking to a renewal of the treaty or the signing of a new treaty?

Mr. TRAVER. There was. The matter was under discussion and was expressed that there was [illegible] with some modifications [illegible] the treaty with some modifications [illegible] to be done to wait when there can be no doubt about it. If the matter of having a vessel at Panama was not agreed before Congress adjourned, it was then left the Colombian representative in Panama to find out if other terms might be found and Hanna testified that he left the Panama region.

Personally the President was in favor of building the canal at Panama, and he was not in favor of using the Panama Canal company. He received assurances from the American people that they had a President who was the man who did not carry at trifles, one who would ride any kind of a broncho where others, more timorous, dare not tread. It was this imperious and irresponsible personality that he wished to impress upon the people. They wished to realize that their Chief Executive was not only a man of world fell of action. It was his purpose to [illegible] the world [illegible] and [illegible] would make order. The present occupant of the White House was not to be trifled with, low or no low.

He tells us in his message of January 4 that prior to October 21 negotiations between Colombia and the citizens of Panama if Colombia did not accept the treaty [illegible] be necessary for early.

[illegible] Panama [illegible] and the order of [illegible] Panama [illegible] and form an independent government in Panama [illegible] Panama.

Bearing in mind that the Colombian Congress adjourned on October 31 without passing the treaty, and [illegible] far as we can [illegible] between Mr. Beaupre, Minister of the Republic of Panama, or any other of our representatives there and a responsible member of the Government from the time of the adjournment of the Colombian Congress [illegible] was had between October 31 and the following November 3 [illegible] result in the revolt of Panama, or [illegible] the United States [illegible] Panama [illegible] November 3?

Prompt landing of armed forces of the United States at the Panama [illegible] and [illegible] Panama [illegible] a proclamation [illegible] Panama.

And on the same day, November 3, the Navy Department gave the following order to the commander of the Nashville at Colon:

Maintain free and uninterrupted transit of persons and property across the Isthmus by any means at your disposal. Do not permit either Government or insurgent, either at Colon, Porto Bello, or other points.

And the same orders were sent the *Boston* and the *Dixie*.

These orders, we should remember, were issued in a [illegible] which had been patrolled without fire and [illegible] the Isthmus, and before any information or report of [illegible] had reached Washington. It was in the Monday following the Saturday when the Colombian Congress adjourned.

Note also the language:

Government forces reported approaching the Isthmus in vessels.

Who reported this?

When, where, and to whom?

The correspondence furnished the Senate under a resolution asking for all the correspondence fails to show any such report from anyone, and there has not been till this blessed hour any official report or rather given to the American people stating the sources from which this report came.

Is it true that thus early the three traitors to the Colombian Republic—namely, Jose Agustin Arango, Federico Boyd, and Tomas Arias—had begun communicating with our Government here in Washington? These were the same three, with about twenty other in central men in Panama, who formed the junta in Panama to revolt and urged immediate recognition and assistance. These were the men who had been to New York consulting with the counsel and directors of the French canal company. These were the parties who were deeply interested that the canal should be built on Panama at once, at any cost, and at any hazard.

I do not charge that they made the report, for I do not know, and no one else can ever know from the correspondence submitted to the Senate relative to the [illegible] affair.

But we do know that the President gave the order referred to on November 3, twenty-four hours before there was any revolt [illegible] Panama, [illegible] and probably the leaders of the secession movement knew of the order as soon as our representative there did.

It must have given great strength and comfort to the few plotting the revolt. One can easily see the effect which would be produced upon that ignorant and irresponsible people when their [illegible] conspirators could go among the people and truthfully [illegible] the United States had [illegible] with them and by force, if necessary, would prevent a [illegible] from coming into Panama or anywhere within 50 miles of the city to secure order, quell disturbance, and force the little band of insurgents to lay down their arms, if they had any, and submit to the law of the land in short, break up and put an end to the insurrectionary movement, and restore order.

Could Colombia have put down the rebellion and restored order if we had permitted her to?

Colombia had a population of 5,000,000 people. Panama about 350,000. If we had "stood hands off," as we were in duty bound to do under the provisions of the treaty we had with Colombia, it is my opinion [illegible] Colombia would have put down the insurrection [illegible] and re stablished free transit across the Isthmus in a very [illegible] time.

If the [illegible] herself unable to do this, it was our duty, if we were [illegible] thing, to assist her to maintain her sovereignty, and it was not our duty to prevent her doing this by interference of our armed forces.

Now, what is a matter of fact, happened after the Administration had sent orders to our troops not to permit the Colombian troops to enter upon the Isthmus? Just what we expected and expect would happen. There was a revolt the next day, November 4, by a [illegible] the people of Panama.

Colombian generals in command, with four or five hundred troops, went to Panama on November 2. Captain Hubbard, of the *Nashville*, allowed these troops to come, as he says, he did not feel justified in preventing them, as the insurrection had not taken place.

On the next day, November 3, the Colombian generals wanted these troops [illegible] to Panama. This Captain Hubbard would not allow, and on the next day, November 4, ordered a [illegible] the railroad station, so the Colombian troops could not move. In a day or two more they were forced to leave the Isthmus. They stood not upon the order of their going, but went at once.

On November 3, two days after the first revolt occurred in Panama, the United States [illegible] a "junta," that "the Republic of Panama was established."

And on the very next day, November 6, four days before the Assembly in Congress was to convene, the Administration [illegible] the new Republic by the following dispatch to our minister at Panama:

The people of Panama have, by an apparently unanimous movement, declared their independence of Colombia and have established a government of their own, which has been recognized by the United States as the de facto government of the Isthmus. You will communicate the fact to the Panama Government and [illegible] Panama [illegible] Colombian [illegible] Panama [illegible] Colombian [illegible] Panama [illegible] Colombian

[illegible] the last three months. I have no disposition to refer [illegible] to any branch of the Government, but if there [illegible] was a [illegible] were not [illegible] to the [illegible] and [illegible] of a [illegible] Republic. So I shall [illegible] anything new about it.

I have [illegible] said I have a lawyer's training and a lawyer's instincts, about the [illegible] of a [illegible] and I can not [illegible] by [illegible] and [illegible] law, it was [illegible] Panama. And [illegible] the Congress [illegible] Congress [illegible] Mr. [illegible] Mr. [illegible] Mr.

through with my very able remarks when the gentleman injected himself in here to show that the Ostend manifesto —

Mr. THAYER. But the gentleman referred to it himself. I did not.

Mr. GROSVENOR. To show that the Ostend manifesto was condemned by the Republican party. I thought he had done it. He has [illegible] I thought I had done it. I thought he got that platform to read to us to show that the Republicans in 1856 condemned the Ostend manifesto.

Mr. THAYER. I held it now in my hand, but you will not give me the time to read it. You prefer, as in many other things, to continue in your ignorance of it.

Mr. GROSVENOR. Then I am right. I say that the gentleman came in here to show me that we had condemned that platform.

Mr. THAYER. And now the gentleman is contending that it is [illegible] a position right the contrary to that [illegible]

Mr. GROSVENOR. Not at all. I have shown the gentleman as I thought, to my entire very [illegible] that we had [illegible] between a [illegible] and the war of our Revolution or the war of 1812.

Mr. THAYER. I will say that the gentleman has entirely failed to [illegible]

Mr. GROSVENOR. [illegible] plete a [illegible] not want to have it all [illegible] taking the gentleman up. [illegible]

Mr. THAYER. [illegible]

Mr. GROSVENOR. [illegible] speak with [illegible] ought to take pity on me and give me a chance. [Laughter.]

Now, Mr. Chairman, a [illegible] more. There are issues enough, my Democratic brethren, upon which you can go to the [illegible] campaign. I do not know what they all are, but I know there are several of them. You have enough of them, in my judgment, of sufficient strength to make a very respectable fight. The last two campaigns you have waged were not propitious in power. The issues that you sustained were so great, so overwhelming, so [illegible] and so unexpected by you, that the glory of two great campaigns was stripped away.

You are in a position now, if you will call off a few more leaders and get rid of them, to give us a whole lot of trouble in the coming summer and fall. We are glad of that. We do not want to kick and beat the air and pose. Look on an enemy. You have been an enemy worthy of the steel of any political party on earth—grand in your principles, glorious in your devotion to party duty, and powerful when you come under a banner that you are not ashamed of. You have issues enough.

The tradition of your party is substantially the tradition of a free-trade party, and you can look a way back of [illegible] years of our career to the [illegible] of those eight years. There is plenty of food to feed the flame of partisan enthusiasm and interest, but do not go into this battle tied hand and foot to a proposition so distasteful to the American people as to strip you of fighting power.

Do not come to us with an indorsement of any man's speech whether a Representative or a Senator, that undertakes to condemn the United States in its action in the matter of the Panama Canal. If you do there will not be enough left of you in November to make a respectable funeral procession. [Laughter on the Republican side.] I know that some gentlemen who are a little but inclined to be prate-to-nots, a little bit inclined to be good-standard men, are quite willing to get up some cry of imperialism or something about Panama and get a banner under which they can fight without being driven to support the attitude you are going to take upon the great political questions of the day; but do not follow those men. If you do, you will go to ruin again just as you have done heretofore. [Laughter.]

I say that the brightest star in the galaxy that to-day shines upon the pathway of the candidate of the Republican party is his course in the Panama Canal question. [Applause on the Republican side.] It was not unduly precipitate. It was intelligent, wise, and characteristic of the Administration, developed in some part advised and recommended by the distinguished Secretary of State, than whom we have had no better, more clear-headed Secretary of State within the memory of living man. [Applause on the Republican side.]

And the people of the United States are in favor of the men who did it. If you want to be wise, you must not drive the rank and file of the American people to vote for Roosevelt because of his action on the Panama Canal, and that is what you are likely to do. He will be nominated by acclamation, and among the strong arguments that we shall make in his favor will be two things: First, when you say he is overstrenuous, overactive, overimpetuous, we will ask you, "What has he done?" Name the thing now. Where was he overimpetuous? What public act of Roosevelt would you criticise to-day on the stump of the United States? What act has he done that the Republican party can not indorse in its convention and the people of the country can not indorse at the polls? [Applause on the Republican side.] What is it? There is not any such act.

He promised at Buffalo to execute the policy and principles adhered to by William McKinley. I challenge any man—not to get up and interrupt me now—but I challenge him to take time and come here and tell me and tell the American people what principle, what act, what policy of McKinley, Roosevelt has not executed. And when we go to the American people and say to them, "You [illegible] you [illegible] McKinley," [illegible] "You must condemn the policy of the Administration in the Panama question, you [illegible] world because of the Panama question, you [illegible] yourselves in a dilemma that I hope you will never get into." [Laughter on the Republican side.]

Will the gentleman allow me to ask him a question for information?

Mr. GROSVENOR. Yes, sir.

Mr. SMITH of Kentucky. I observe that the official correspondence [illegible] knowledge of the revolution was possessed here before it was [illegible]

Mr. GROSVENOR. I do not care——

Mr. SMITH of Kentucky. What I want to ask the gentleman is [illegible] he might be able to throw some light on [illegible] its knowledge of the revolution from Panama first—I mean, whether there was any official correspondence sent to the State Department from Panama before this message was sent from the State Department to the Panama advising that a revolution had occurred or was about to occur?

Mr. GROSVENOR. I did not get my information in that way. I got my information in July. I read it again in the London Times of the early days of September, that there was in motion an element in Colombia sure to result in revolution in Panama if that treaty was defeated, and I believed it, and I believe the gentleman now believes it; and whether the President of the United States heard of it first or not, I do not know. Where he got his information I do not know. But I will tell the gentleman from Kentucky one thing. Roosevelt may be impetuous and he may be strenuous, but he is honest, he is truthful, and he would not lie, even under the pressure of the Senate of the United States. [Applause.] Whatever he says about the matter I implicitly believe, and so do 10,000,000 voters of the American people, as they will show the gentleman in good time.

Mr. SMITH of Kentucky. I wish to say that I have the utmost confidence in the President's integrity and I have asked these questions simply to get information, if it were possible to elicit it from the gentleman.

Mr. GROSVENOR. So much talk has been made about it—so much has been said about it that it is becoming tiresome. Every gentleman who can get an audience anywhere commences to read a great lot of telegrams and official papers. I have no doubt that the President, keenly alive to his duty, on the alert with an ability of alertness second to no man on earth, heard the reverberation of the forthcoming revolution at Panama long before it took shape in the formation of the provisional government.

Mr. SMITH of Kentucky. I simply wanted to know what brought the business that first message, sent, I believe, by Assistant Secretary Loomis.

Mr. GROSVENOR. The long experience we had of the treachery of those South American fellows down there was a warning to the President to be on the alert and attend to business; and my friend from Kentucky would stand here to-day to condemn him if he had waited twenty-four hours and injury had come to our cause down there, because it is our cause as well as the cause of civilized nations.

Mr. SIMS. May I interrupt the gentleman with a question? I never did it before in my life.

Mr. GROSVENOR. I shall be delighted to hear the gentleman's question.

Mr. SIMS. I am afraid you might think I did not pay proper attention if I did not ask you a question.

Mr. GROSVENOR. The gentleman need not give himself any concern on that.

Mr. SIMS. Now, seriously, I can understand how every Republican and every Democrat who believes the Administration has done nothing wrong should advocate the ratification of the

treaty. I think that is consistent, and think they ought to; but I want to know how the man, Republican or Democrat, can reconcile his position when he gets up here and tells us that the course of the Administration was equivalent to a crime, but that he wants to ratify the treaty and thereby get the benefit of the fruits of the crime.

Mr. GROSVENOR. Well, that is the old cry. The gentleman has had a great deal of experience in the courts of the country, and if he has had an unfortunate tramp accused to him by the [illegible] of the court to defend for the presence on his person of a stolen watch or something of that kind, the gentleman knows how he [illegible] gave it to him and puts the [illegible] himself. I think that every American who votes to build the Panama Canal to appropriate the money and who stands by the Government in the action of the Government, [illegible] the Government for [illegible] the world [illegible] law of the world. That is what I [illegible]

Mr. SIMS. I want to ask this further question, as the gentleman [illegible] If the gentleman from Ohio himself believes that the conduct of the Administration was a crime, he knows I will vote against ratifying the treaty, if he had an opportunity.

Mr. GROSVENOR. [illegible] of a [illegible] now constituted [illegible] believe it.

Mr. SIMS. I do not mean that.

Mr. GROSVENOR. Mr. Chairman, the Republican party will [illegible] in the long run, sooner or later, the merchant marine and the navies of the United States will go triumphantly through the Panama Canal, and all the people of the country will say, "Hallelujah!" and Roosevelt's name will stand high up on the scroll of fame for his part in this magnificent international act. [Applause on the Republican side.]

Mr. Chairman, I ask unanimous consent to place in the RECORD a very carefully written and wholly [illegible] regard to our foreign and interstate commerce. I ask to extend my remarks for that purpose. It was furnished by Hon. O. P. Austin, of the Bureau of Statistics of the Department of Commerce.

Mr. THAYER. Not objecting at all, I wish to ask. Has it anything to do with this question?

Mr. GROSVENOR. Oh, yes; it shows the value of the canal.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend his remarks in the line indicated. Is there objection?

There was no objection.

The matter referred to is as follows:

[Address delivered before the Rochester (N. Y.) Chamber of Commerce, by [illegible] statistics of the Department of Commerce.]

[illegible] you, and I can assure you that this fact was to him a [illegible]

[illegible] country. But the exacting duties [illegible]

When we consider that our country has now an area equal to that of all [illegible]

[illegible] who organizes and directs the work of a new Department of Commerce and Labor.

[illegible] said he to me on leaving, "that I very [illegible] duties here that leave me to ask them to excuse me on this occasion."

And while you are thus, by force of circumstances, deprived of his presence and of what he might say if here, I want to quote to you just a few words from his first annual report, which will indicate the broad view which he takes of the prospective work of the Department of Commerce and Labor and of the subjects with which it must deal—the commerce and industries of the nations of the world. In that report he said:

The Department was not established to control the energies of the people. By furnishing them with needed information, it can help intelligence and self-reliance to put forth efforts in trade with the best results. This will be [illegible] as they are found and will be shown in a [illegible]

[illegible] to give an early showing from its conscientious and untiring [illegible]

DEVELOPMENT OF OUR COMMERCE.

And now, having said what seems proper on such an occasion regarding [illegible] past and some suggestions of what this accomplishment means for the future might not be inappropriate.

A MOVING PANORAMA OF THE WORLD'S COMMERCE.

[illegible] in one or another of the various [illegible]

THE GREATNESS OF GREAT FIGURES.

[illegible] hour after hour, day after day, as fast as he can count them, and yet during

that at the end of thirty-one working days he has only counted 1,000,000. But that is only one beginning of the measurement of great figures; for if this man were to go on counting silver dollars at the same rate of speed for ten years he would find that he had only counted [illegible] of them, and that to count a million dollars would require twenty years [illegible] steadily work at the rate of eight hours per day during every working day of every year of the ten hundred and twenty years.

So when I begin to talk to you of billions of dollars in the measurement of our commerce or that of the world, please remember that a million is a thousand thousands and a billion is a million millions, and that even the [illegible] our commerce or goods are not money [illegible] are approaching.

Our best—indeed, our only—method of foretelling the future is by a study of the past. If we want to know what kind of a [illegible] are to be our competitors in the world's [illegible]

THE IMPORTANCE OF THE HOME MARKET.

Before he [illegible] the question with reference to the markets of the world, I want to call your attention to the fact that the home market is the most important one we have. [illegible] which we have [illegible] a population now increasing at the rate of nearly [illegible]

[illegible] I want to call your attention to the fact that the home market is the most important one we have. [illegible] about [illegible] the home market. [illegible]

A [illegible] ago, in the year 1870, the [illegible] of the world was [illegible] that time [illegible] ought it to be [illegible]

[illegible] measure of value, the entire [illegible] there are certain gateways [illegible] which passed from [illegible] of measuring the internal commerce, then is to take the value of the raw and great products at the farm and mine and [illegible] by the decennial census, and after allowing [illegible] much better, in [illegible] OUR INTERNAL COMMERCE EQUALS THE INTERNATIONAL COMMERCE OF THE WORLD.

Applying, then, this mode of measurement [illegible] equals the entire international commerce of the world in that year.

[illegible] of the men of Manchester and Birmingham [illegible] home market [illegible] the factory to that [illegible] the consumer. [illegible] Now [illegible] that our home market is more valuable than the international commerce. [illegible] of the United States [illegible] our commerce or goods and

of the Philippine Commission, dated December 28, 1903, and the appendixes thereto, submitted in compliance with the provisions of the act of [illegible] entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," approved July 1, 1902, and the act entitled "An act making appropriations for the support of the Government for the fiscal year ending June 30, 1904, and for other purposes," approved March 3, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 1, 1904.*

BURNETTA B. LEHMANN.

By unanimous consent, on motion of Mr. RIXEY, leave was granted to withdraw from the files of the House, without leaving copies, the papers in the case of Burnetta B. Lehmann, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. BOWERSOCK, indefinitely, on account of important business.

ADJOURNMENT.

And then, on motion of Mr. HITT (at 4 o'clock and 55 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Navy, transmitting, in response to an inquiry of the House, a statement of the number of horses and vehicles maintained by his Department—to the Committee on Expenditures in the Navy Department, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings of fact and law in the French spoliation cases relating to the sloop *Charlotte*, Joseph Ingham, master—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting a report in relation to the public building at Des Moines, Iowa—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting a report in relation to the public building at New Orleans, La.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of War, transmitting with the draft of a bill, a recommendation for the promotion of the medical corps of the Army—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Secretary of the Treasury, recommending authorization of additional cost for the public building at Iowa City, Iowa—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for improvements and repairs, public grounds—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a favorable recommendation, a draft of a bill providing for distinguished services in the Army—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Acting Secretary of War, transmitting, with a letter from the Chief of Engineers, report of survey of Charleston Harbor, S. C.—to the Committee on Rivers and Harbors, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for monuments and markers at Shiloh—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William A. Gordon, administrator of estate of William D. C. Murdock, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, submitting in response to the inquiry of the House, a statement of the number of horses and carriages used by his Department—to the Committee on Expenditures in the Treasury Department, and ordered to be printed.

A letter from the vice-president of the Anacostia and Potomac River Railroad Company, transmitting the report for the year ended December 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the Georgetown and Tenallytown Railway Company, transmitting the report for the year ended December 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the Washington Railway and Electric Company, transmitting the report for the year ended December 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the receiver of the City and Suburban Railway, transmitting the report of the company for the year ended December 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the vice-president of the Brightwood Railway Company, transmitting the report for the year ended December 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. BROWN of Wisconsin, from the Committee on Mines and Mining, to which was referred the bill of the House (H. R. 10869) to appropriate a portion of the proceeds of the sales of public lands to the endowment of schools or departments of mines and mining in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," and for other purposes, being a further supplement to said act, reported the same with amendment, accompanied by a report (No. 646); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10741) for the relief of Mrs. Mary Tate, of De Soto County, Miss., reported the same with amendment, accompanied by a report (No. 647); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10682) granting an increase of pension to Marion Arnold, reported the same with amendment, accompanied by a report (No. 648); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10580) granting an increase of pension to Joseph Longberry, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10685) granting a pension to James G. Soims, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9988) granting an increase of pension to William Ellis, reported the same with amendment, accompanied by a report (No. 651); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9921) granting a pension to Virginia Boyd, reported the same with amendment, accompanied by a report (No. 652); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9790) granting a pension to Ada L. Carpenter, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 191) granting an increase of pension to Francis Roy, reported the same without amendment, accompanied by a report (No. 654); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9710) granting an increase of pension to Henry Frazier, reported the same with amendment, accompanied by a report (No. 655); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4631) granting an increase of pension to Julius Kraig, reported the same with amendment, accompanied by a report (No. 656); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5749) granting a pension to James B. Combs, reported the same without amendment, accompanied by a report (No. 657); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3011) granting an increase of pension to Philip Duttenhauer, reported the same with amendment, accompanied by a report (No. 658); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 807) granting an increase of pension to William F. Benefiel, reported the same with amendment, accompanied by a report (No. 659); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8863) granting an increase of pension to Edward O'Malley, reported the same with amendment, accompanied by a report (No. 660); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7221) granting an increase of pension to John Ryan, reported the same with amendment, accompanied by a report (No. 661); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6977) granting an increase of pension to Mary A. Graves, reported the same with amendment, accompanied by a report (No. 662); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4910) granting a pension to Prudentia L. D. Nugent, reported the same with amendment, accompanied by a report (No. 663); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7311) granting a pension to Thomas Large, reported the same with amendment, accompanied by a report (No. 664); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7410) granting an increase of pension to Enos D. Hoge, reported the same with amendment, accompanied by a report (No. 665); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 4796) granting an increase of pension to Mary J. Allen—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 7612) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 9962) for the relief of B. L. Davis—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GILLETT of California: A bill (H. R. 11512) to amend section 1 of an act approved August 13, 1888, entitled "An act to correct the enrollment of an act approved March 3, 1887, entitled 'An act to amend sections 1, 2, 3, and 10 of an act to determine the jurisdiction of the circuit courts of the United States and to regulate the removal of causes from the State courts, and for other purposes, approved March 3, 1875'"—to the Committee on the Judiciary.

By Mr. McDERMOTT: A bill (H. R. 11513) to authorize the appointment of boards of investigation and arbitration, and to define their powers and duties—to the Committee on Labor.

By Mr. HOLLIDAY: A bill (H. R. 11514) providing for an appropriation for the purpose of purchasing a site and erecting a public building thereon at the city of Greencastle, State of Indiana—to the Committee on Public Buildings and Grounds.

By Mr. HEARST: A bill (H. R. 11515) to amend an act entitled "An act to protect trade and commerce against unlawful restraints and monopolies," approved July 2, 1890—to the Committee on the Judiciary.

By Mr. CALDWELL: A bill (H. R. 11516) to provide for the purchase of a site and the erection of a public building thereon at Cadillac, in the State of Michigan—to the Committee on Public Buildings and Grounds.

By Mr. CRUMPACKER: A bill (H. R. 11517) providing for the payment of a portion of the expense of a census taken by any State or Territory in the year which is the mean between the decennial censuses of the United States—to the Committee on the Census.

By Mr. SLEMP: A bill (H. R. 11518) to authorize the holding of a regular term of the district court of the United States for the western district of Virginia in the city of Bigstone Gap, Va.—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: A bill (H. R. 11519) establishing a United States court and recording district at Duncan, Ind. T., and conforming other district therewith—to the Committee on the Judiciary.

By Mr. NORRIS: A bill (H. R. 11520) providing for an additional homestead entry under certain conditions—to the Committee on the Public Lands.

By Mr. STEPHENS of Texas: A bill (H. R. 11521) to pay judges and deputy clerks in the Indian Territory the deficit in their salaries—to the Committee on Appropriations.

By Mr. SCOTT: A bill (H. R. 11522) granting pensions to officers and enlisted men of the Eighteenth Battalion and Nineteenth Regiment Kansas Volunteer Cavalry who served thirty days or more in the Sioux Indian war in 1862, 1863, and 1864, and for other purposes—to the Committee on Pensions.

By Mr. TAYLOR: A bill (H. R. 11523) authorizing the establishment and organization of a corps of dentists in the United States Navy—to the Committee on Naval Affairs.

By Mr. MAYNARD: A concurrent resolution (H. C. Res. 39) directing the Secretary of War to cause an examination and survey to be made of the channel from deep water in Hampton Roads to the Norfolk Navy-Yard—to the Committee on Rivers and Harbors.

By Mr. SPARKMAN: A concurrent resolution (H. C. Res. 40) directing the Secretary of War to cause a survey to be made of the west channel of Tampa Bay, in Florida, known as the west channel of Tampa Bay leading from the town of St. Petersburg to the northwest passage of Egmont Key—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BROWNLOW: A bill (H. R. 11524) granting a pension to John F. Borrows—to the Committee on Invalid Pensions.

By Mr. BOWIE (by request): A bill (H. R. 11525) appropriating payment for services to be rendered in securing just trials for laboring men in the Navy—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 11526) for the relief of Thomas J. McBride—to the Committee on Military Affairs.

Also, a bill (H. R. 11527) granting a pension to Abraham Mann—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 11528) for the relief of the Harbison-Walker Company, of Pittsburg, Pa.—to the Committee on Claims.

By Mr. DENNY: A bill (H. R. 11529) for the relief of the legal representatives of Henry W. Freedley—to the Committee on Claims.

By Mr. GARBER: A bill (H. R. 11530) for the relief of George R. Gary—to the Committee on Military Affairs.

Also, a bill (H. R. 11531) for the relief of John Howell—to the Committee on Military Affairs.

Also, a bill (H. R. 11532) granting an increase of pension to Erasmus B. Manahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11533) granting an increase of pension to George M. Ricker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11534) granting an increase of pension to Samuel Nauss—to the Committee on Invalid Pensions.

By Mr. GOOD: A bill (H. R. 11535) for the relief of John J. Stevens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11536) for the relief of Effie B. Graziani—to the Committee on Invalid Pensions.

By Mr. HARDWICK: A bill (H. R. 11537) for the relief of Warren B. Hutchinson—to the Committee on Claims.

By Mr. HOLLIDAY: A bill (H. R. 11538) to correct the military record of George H. Gibson—to the Committee on Military Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 11539) for the relief of F. F. Moore—to the Committee on War Claims.

By Mr. DE ARMOND (by request): A bill (H. R. 11540) granting an increase of pension to Vernon L. Johnson—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 11541) to authorize the President to appoint Lieut. A. S. Dumont to the grade of major general in the United States Army on the retired list—to the Committee on Military Affairs.

Also, a bill (H. R. 11542) granting an increase of pension to Edwin Burnett—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 11543) granting an increase of pension to George A. Turner—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 11544) granting an increase of pension to Joseph E. Lemmon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11545) granting an increase of pension to Lewis S. Stephenson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11546) granting an increase of pension to George W. Schaefferle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11547) granting an increase of pension to Thomas Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11548) granting a pension to Elizabeth L. Moseley—to the Committee on Invalid Pensions.

By Mr. NORDICA: A bill (H. R. 11549) to correct the military record of Miles F. Dorsey—to the Committee on Military Affairs.

By Mr. PRINDLE: A bill (H. R. 11550) for the relief of the heirs at law of Sarah M. Rhodes, deceased, and others—to the Committee on the District of Columbia.

Also, a bill (H. R. 11551) for the relief of Elizabeth Cramer, administratrix of J. Henry Cramer—to the Committee on War Claims.

Also, a bill (H. R. 11552) for the relief of Isaac Renner—to the Committee on War Claims.

By Mr. ROBERTS: A bill (H. R. 11553) for the relief of Fred M. Dowell—to the Committee on Military Affairs.

By Mr. SHAFROTH: A bill (H. R. 11554) granting an increase of pension to James Langdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11555) granting a pension to Serilda J. Stone—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 11556) granting an increase of pension to Edward M. Tappen—to the Committee on Invalid Pensions.

By Mr. SLEMP: A bill (H. R. 11557) granting a pension to Alfred D. Jones—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. 11558) granting a pension to James R. Luckey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11559) granting a pension to Mary Kirk—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 11560) granting a pension to Frederick E. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11561) granting a pension to Leonard W. Stevens—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: A bill (H. R. 11562) granting a pension to Lucretia Dawson—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 11563) for the relief of Julia A. Allison—to the Committee on Pensions.

Also, a bill (H. R. 11564) for the relief of Elizabeth Mullins—to the Committee on Pensions.

Also, a bill (H. R. 11565) for the relief of Julia A. Patton—to the Committee on Military Affairs.

Also, a bill (H. R. 11566) for the relief of Samuel Garner—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 11567) for the relief of William Worley—to the Committee on Military Affairs.

Also, a bill (H. R. 11568) for the relief of William Pastell—to the Committee on Military Affairs.

Also, a bill (H. R. 11569) for the relief of William Pastell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11570) for the relief of Enos H. Gribble—to the Committee on Military Affairs.

Also, a bill (H. R. 11571) for the relief of Thomas J. Benton—to the Committee on Claims.

Also, a bill (H. R. 11572) to restore First Lieut. Henry H. Carroll, Company B, First Georgia Infantry Volunteers, to pension roll—to the Committee on Pensions.

Also, a bill (H. R. 11573) granting a pension to Eliza A. Woody—to the Committee on Pensions.

By Mr. THAYER: A bill (H. R. 11574) granting an increase of pension to Oscar A. Pooleplace—to the Committee on Invalid Pensions.

By Mr. TIRRELL: A bill (H. R. 11575) granting a pension to Abel N. Button—to the Committee on Invalid Pensions.

By Mr. VOLSTEAD: A bill (H. R. 11576) granting an increase of pension to James E. Stalker—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 11577) granting an increase of pension to Rinaldo Adams—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 11578) granting an increase of pension to Gabriel Stephens—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. 11579) granting Company A of the Loyal West Virginia Militia, as Federal Union soldiers, and so forth—to the Committee on Military Affairs.

By Mr. WYNN: A bill (H. R. 11580) to correct the record of Charles Gill, late of the United States Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the ADJUTANT-GENERAL of seven Grand Army of the Republic posts in York and Cumberland counties, Me., favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Resolutions of board of directors of Savannah Board of Trade, protesting against passage of bill pending in regard to inspection of grain—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of board of directors of Savannah Board of Trade, protesting against bills S. 2260 and H. R. 7398, to amend the interstate commerce act—to the Committee on Interstate and Foreign Commerce.

By Mr. BOWERSOCK: Petition of citizens of Garnett, Kans., praying for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of citizens of Tablerock, Nebr., relative to consolidation of rural free-delivery carriers—to the Committee on Post-Office and Post-Roads.

Also, petition of Lincoln Chamber of Commerce, Nebr., in opposition to H. R. 11372, known as the "anti-injunction bill"—to the Committee on the Judiciary.

Also, petition of Roberts Post, No. 104, of Talmage, Nebr., favoring a service-pension law—to the Committee on Invalid Pensions.

Also, petition of citizens of Bethany, Lancaster county, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of citizens of Concordia, Kans., urging support of Dolliver-Hepburn bill—to the Committee on the Judiciary.

Also, petition of citizens of Salina, Kans., urging an amendment to the Quay statehood bill—to the Committee on the Territories.

By Mr. CAMPBELL: Resolutions of Cigar Makers' Union of Leavenworth, Kans., in favor of bill H. R. 6—to the Committee on Ways and Means.

By Mr. CANNON: Papers to accompany bill for relief of Harlan Waldron—to the Committee on War Claims.

Also, petition of Post No. 59, Department of Pennsylvania, Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DANIELS: Papers to accompany bill H. R. 11571, granting an increase of pension to Peter A. McGuire—to the Committee on Invalid Pensions.

By Mr. DE ALPH: Petition of citizens of New York, opposing bill H. R. 7398—to the Committee on Interstate and Foreign Commerce.

Also, petition of National Grange, Patrons of Husbandry—to the Committee on Agriculture.

Also, petition of the National League of Commission Merchants, of Boston, Mass., protesting against discrimination in tariff rates—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the regents of the University of Wisconsin, favoring the passage of the bill H. R. 8673, to increase Federal aid to agricultural experiment stations—to the Committee on Agriculture.

Also, resolutions of the legislative committee of the National Grange, relating to national aid to road building and other matters—to the Committee on Agriculture.

By Mr. FULLER: Resolutions of Streator Post, No. 68, Grand Army of the Republic, of Streator, Ill., favoring a service-pension law—to the Committee on Invalid Pensions.

By Mr. GOULDEN: Resolutions of Merchants' Association of New York City, favoring passage of a national irrigation act, repeal of desert-land act, of commutation clause of homestead act,

and of the stone and timber act—to the Committee on the Public Lands.

Also, resolutions of New York Board of Trade and Transportation, of New York City, favoring the passage of bill H. R. 7036—to the Committee on the Merchant Marine and Fisheries.

Mr. GREENE: Resolutions of Post No. 46, Grand Army of the Republic, of East Boston, Mass., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Mr. HIFF: Resolutions of Captain George A. Gibbs Post, No. 276, of Pennsylvania, urging passage of a service-pension bill—to the Committee on Invalid Pensions.

Mr. HOLLIWICK: Resolutions of Board of Trade of Savannah, Ga., protesting against passage of bill S. 199—to the Committee on Agriculture.

Also, resolutions of the Board of Trade of Savannah, Ga., favoring the passage of bills H. R. 7398 and S. 2260—to the Committee on the Merchant Marine and Fisheries.

Also, papers to accompany bill for the relief of Warren B. Hunter—to the Committee on Claims.

By Mr. HEMENWAY: Petitions of H. McGlaughlin Post, No. 616, of Indiana, and Samuel H. Dunbar Post, No. 92, of Indiana, Grand Army of the Republic, favoring passage of Hemenway service-pension bill—to the Committee on Invalid Pensions.

Mr. KINKAID: Petition of many citizens of Nebraska, protesting against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, affidavit in relation to passage of bill H. R. 1489—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of D. H. Carter and 30 others, of Winfield, Iowa, urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Prohibition Alliance of Grinnell, Iowa, favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Iowa Brick and Tile Company, concerning the enactment of the anti-injunction bill—to the Committee on the Judiciary.

By Mr. LEVER: Papers to accompany bill H. R. 7392, to promote the efficiency of army chaplains—to the Committee on Military Affairs.

By Mr. LOUDENSLAGER: Petitions of Marshall Owens and other voters of Wenonah, N. J., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McCALL: Petition of Massachusetts State Board of Trade, in favor of establishment of merit system in United States consular service—to the Committee on Foreign Affairs.

By Mr. MORGAN: Resolutions of Frank Lamberton Post, No. [illegible], of Lawrence, Mass., praying for passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of the Board of Trade of Portsmouth, Ohio, favoring the passage of the Cooper interstate commerce bill—to the Committee on Interstate and Foreign Commerce.

By Mr. PEARRE: Resolution relating to H. R. [illegible], for the relief of the heirs of John D. Clemson, with accompanying papers, to Court of Claims—to the Committee on Claims.

By Mr. RAINEY: Petition of Matt Stuart Post, No. 378, of Jacksonville, Ill., and Major Sam Hays Post, No. 477, of Summer Hill, Ill., Grand Army of the Republic, urging the passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of citizens of Ransom, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIDER: Resolution of the Merchants' Association of New York, for the construction of great reservoirs and main line canal—to the Committee on Irrigation of Arid Lands.

By Mr. RIXEY: Papers to accompany bill H. R. 2368, for the relief of Luther H. Pennewill—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of S. B. Tucker and Hontz & Green, of Cromwell, Ind., opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBERTS: Petition of Rev. F. K. Stratton and 50 others, of Wakefield, Mass.—to the Committee on the Judiciary.

Also, petition of William B. Eaton Post, No. 199, of Revere, Mass., Grand Army of the Republic, favoring a service-pension law—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: Petition of 50 citizens of Linn, Osage County, Mo., urging passage of Dolliver bill—to the Committee on the Judiciary.

By Mr. SHULL: Paper to accompany bill for relief of Capt. Anthony Brecklin—to the Committee on Invalid Pensions.

Also, affidavit in case of Anthony F. Bracklin, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. STILES: Resolutions of nine Grand Army of the Republic posts, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Petitions of G. M. Knox and others, of Bertram, Burnet County, Tex., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SOUTHARD: Resolutions of Hamilton Post, No. 90, of Bradner, Ohio, and Bond Post, No. [illegible], of Grand Rapids, Ohio, Grand Army of the Republic, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: Resolution of board of county commissioners of De Soto County, Fla., urging an appropriation to dredge and make navigable Charlotte Harbor and lower Peace River—to the Committee on Rivers and Harbors.

Also, resolutions of the board of county commissioners of De Soto County, Fla., in relation to improvement of Charlotte Harbor and lower Peace River—to the Committee on Rivers and Harbors.

By Mr. SULLIVAN of New York: Resolution of the Manufacturers' Association of New York City, urging an amendment to the bankruptcy act—to the Committee on the Judiciary.

Also, resolution of the Medal of Honor Legion of New York City and vicinity, urging the passage of the Penrose bill (S. 972)—to the Committee on Military Affairs.

By Mr. SULZER: Resolutions of the legislative committee of the National Grange, in favor of national aid to road building, and for other purposes—to the Committee on Agriculture.

By Mr. SWANSON: Petition of J. E. Gwaltney and 50 citizens and voters of Danville, Va., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. TIRRELL: Papers to accompany bill granting a pension to Abel N. Button—to the Committee on Invalid Pensions.

Also, petition of H. B. Marston and 23 others, of Lawrence, Mass., and H. J. Bridge and 50 others, urging the passage of the Dolliver-Hepburn bill—to the Committee on the Judiciary.

By Mr. WALLACE: Petition of Colored Soldiers, for an increase of pension—to the Committee on Invalid Pensions.

By Mr. WARNOCK: Resolutions of Stanley Post, No. 281, of Fremont, Ohio, Grand Army of the Republic, urging passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Women's Christian Temperance Union of Hudson, Ohio, praying that a law be enacted to prevent members of Congress from being engrafted to seats on the floor of the House of Representatives—to the Committee on the Judiciary.

Also, petition of Women's Christian Temperance Union of Hudson, Ohio, praying that a law be enacted to prevent the employment of convict labor in the manufacture of goods for the Government—to the Committee on Appropriations.

By Mr. WILLIAMS: Petition of Henry G. Acworth, W. [illegible], and others, praying for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WOODMANSEE: Resolutions of Grand Army of the Republic posts in Missouri, in favor of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *February 2, 1904.*

PRAYERS.

The Chaplain, Rev. EDWARD EVERETT HALE, said:

The heavens are thine, O God, and thine also is the earth; the Lord thy God, which [illegible] heaven and earth, the sea, and all that therein is, and preserveth them all, and the host of heaven worshipeth thee.

Lord, let this be true.

Rabbi JULIUS PHILIPSON, of Cincinnati, Ohio, offered the following prayer:

Almighty God, Father of us all, in the presence of the manifestations of Thy wonderful greatness we humbly bow the head and prostrate ourselves. Holy, holy, holy, is the Lord of Hosts; full is the whole earth of Thy glory.

We thank Thee for every noble thought that has been thought, for every unselfish deed that has been performed, for every inspiring word that has been heard among men. We thank Thee above all for the clear appearance of some, the promised land of these latter days, the new Canaan, where modern prophets have prophesied that the last struggle of man should be fought by Thy chosen instruments on earth, where some have seen that point to the great universal brotherhood and peace, the hope of all the great souls of the race. To these ideals may we all remain true. May those who grasp the helm of our ship of state be constantly mindful of the high mission of this American people among the nations of the earth to stand as the exemplar of justice, the protector of the weak, the foe of all unrighteousness, the scorner of all wrongdoing, the lover of peace. So imbue all with these ideals that our dear land may stand to the very end as the refuge of all those oppressed elsewhere, the sanctuary of liberty, the haven of peace.

May Thy blessing rest upon this place, this holy place of the liberties of our people. May Thy blessings rest upon the Presi-

dent, his counselors and advisers; upon all those intrusted with the guardianship of our rights and liberties. May peace and good will [illegible] among all the inhabitants of our land. May religion spread blessings among us and every good purpose in [illegible] that from one end of this great land to the other [illegible] the glorious refrain, Praised be the Lord God from everlasting to everlasting. Amen.

The Chaplain recited the Lord's Prayer, as follows:

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done on earth, as it is done in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on the request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

BRIG WILLIAM.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting the correspondence of the Department of State and of law filed under the act of January 20, 1903, to the Fortieth Congress, relative to the seizure by the British authorities of the vessel [illegible], Joseph Thompson, master, which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

TESTS OF SUBMARINE BOATS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, relative to the expenditure of the 1903 appropriation for the tests of submarine boats, and for the purchase of one of the boats found to be the best, as such information would be incompatible with the interests of the public service, which was referred to the Committee on Naval Affairs, and ordered to be printed.

LAND-ENTRY CASES.

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 25th ultimo, a copy of a report by the Acting Commissioner of the General Land Office in the case of [illegible] A. Scott. What does the Senator from Alabama [Mr. PETTUS] desire to have done with the communication?

Mr. PETTUS. I am in [illegible] that it should be referred to the Committee on [illegible] and I move that it be referred to the Committee on Land Entry, and be printed.

The motion was agreed to.

PAWNEE INDIAN SCHOOL.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the 27th ultimo, a copy of reports, and other documents on file in the Indian Department, relating to the superintendent and employees of the Pawnee Indian School, Oklahoma, which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

BRIGHTWOOD RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Brightwood Railway Company of the District of Columbia, for the year ended December 31, 1903, which was referred to the Committee on the District of Columbia, and ordered to be printed.

CITY AND SUBURBAN RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the City and Suburban Railway Company of Washington, D. C., for the year ended December 31, 1903, which was referred to the Committee on the District of Columbia, and ordered to be printed.

WASHINGTON RAILWAY AND ELECTRIC COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Washington Railway and Electric Company for the year ended December 31, 1903; which was referred to the Committee on the District of Columbia, and ordered to be printed.

GEORGETOWN AND TENALLYTOWN RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Georgetown and Tenallytown Railway Company for the year ended December 31, 1903, which was referred to the Committee on the District of Columbia, and ordered to be printed.

ANACOSTIA AND POTOMAC RAILROAD COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Anacostia and Potomac Railroad Company for the year ended December 31, 1903, which was referred to the Committee on the District of Columbia, and ordered to be printed.

BALTIMORE AND WASHINGTON TRANSIT COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Baltimore and Washington Transit Company, of Maryland, for the year ended December 31, 1903; which was referred to the Committee on the District of Columbia, and ordered to be printed.

STATUE OF COUNT DE ROCHAMBEAU.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to Senate concurrent resolution No. 4, which were, in line 7, before the word "thousand," to strike out "three" and insert "two," and in line 8, before the word "thousand," to strike out "six" and insert "seven;" so as to make the concurrent resolution read:

[illegible]

Mr. PLATT of New York. I move concurrence in the amendments of the House of Representatives.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented a petition of the Woman's Christian Temperance Union of Felton, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FAIRBANKS presented a petition of the Good Citizenship League of Pike County, Ind., praying for the enactment of legislation to prohibit the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Lodge Mining Company, of Seymour, Ind., praying for the enactment of legislation to prohibit the practice of freight discrimination between localities and communities; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Presbyterian Church, of Washington, Ind., and the petition of J. G. Ries and sundry other citizens of Mount Vernon, Ind., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BRYDEN presented a petition of Uzal Dodd Post, No. 12, Department of New Jersey, Grand Army of the Republic, of Orange, N. J., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union of Manasquan, N. J., and a petition of the congregation of the Presbyterian Church of Manasquan, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DUBOIS presented a petition of the Chamber of Commerce of Coeur d'Alene, Idaho, praying for the enactment of legislation providing for the construction of good roads throughout the country; which was referred to the Committee on Agriculture and Forestry.

Mr. DILLINGHAM presented a petition of Phelps Post, No. 18, Department of Vermont, Grand Army of the Republic, of Montpelier, Vt., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. GALLINGER presented the petition of Albert A. Pope, of New York City, praying for the enactment of legislation providing for the construction of good roads throughout the country; which was referred to the Committee on Agriculture and Forestry.

Mr. PENROSE presented petitions of sundry citizens of California, Oregon, and Florida, praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Energetic Lodge, No. 378, Brotherhood of Railroad Trainmen, of Allegheny, Pa., and a petition

of Dickerson Run Lodge, No. 632, Brotherhood of Railroad Trainmen, of Dawson, Pa., praying for the passage of the so-called anti-injunction bill, and also for the enactment of legislation relative to the liability of common carriers by railroads; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Philadelphia, of the A. M. Collins Manufacturing Company, of Philadelphia, of the congregation of Christ Evangelical Lutheran Church, of Monessen; of the congregation of the Methodist Episcopal Church of Monessen; of the Woman's Christian Temperance Union of Monessen; of the congregation of the Parkside Lutheran Church, of Philadelphia; of the Society of Christian Endeavor of the Thirty-fourth Street Baptist Church, of Philadelphia; of the congregation of the Thirty-fourth Street Baptist Church, of Philadelphia, and of sundry citizens of Tioga, and of the congregation of the Methodist Episcopal Church of Trainer, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GAMBLE presented the petition of William H. Newcomer and 468 other citizens of Huron, S. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of John H. Chipman Post, No. 89, Department of Massachusetts, Grand Army of the Republic, of Beverly, Mass., praying for the enactment of a service-pension law; which was referred to the Committee of Pensions.

He also presented a petition of the Coal Club, of Boston, Mass., praying for the enactment of legislation providing for the negotiation of a permanent treaty of arbitration between the United States and the Kingdom of Great Britain and Ireland; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Alliance Israelite Universelle of Worcester, Mass., praying for the enactment of legislation to prevent the immigration to America of citizens of the Jewish faith in Russia; which was referred to the Committee on Foreign Relations.

Mr. McCOMAS presented the petitions of Edward F. Kirkness, William R. Flowers, Baker Brothers & Co., James Corner & Sons, and 28 other business firms, and of the congregation of the Second Presbyterian Church, all of Baltimore, in the State of Maryland, praying for the enactment of legislation prohibiting the closing on Sunday of the St. Louis Exposition and the Lewis and Clark Exposition; which were referred to the Select Committee on Industrial Expositions.

Mr. FRYE presented a petition of the congregation of the Fairfield Baptist Association, of Fairfield, Me., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. HALE. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, to report it with amendments, and to submit a report thereon. As soon as the bill as proposed to be amended and the report are in print I shall ask the Senate to take up the bill.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER, from the Committee on Naval Affairs, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3218) for the relief of Civil Engineer P. C. Asserson, retired; and

A bill (S. 2650) to transfer Capt. Seth Mitchell Ackley from the retired to the active list of the Navy.

Mr. GALLINGER, from the Committee on Naval Affairs, to whom was referred the bill (S. 2605) to authorize the appointment of Acting Asst. Surg. Leopold Herbert Scherwin, United States Navy, as an assistant surgeon in the United States Navy, reported it without amendment, and submitted a report thereon.

Mr. PLATT of New York, from the Committee on Naval Affairs, to whom was referred the bill (S. 2164) for the relief of Henry E. Rhoades, assistant engineer, United States Navy, retired, reported it without amendment, and submitted a report thereon.

Mr. BLACKBURN, from the Committee on Naval Affairs, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1283) for the relief of William H. Crawford; and

A bill (S. 1786) restoring James G. Field, naval surgeon, to the line of promotion.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 3347) granting a pension to Isabella Britton, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

NEBRASKA SENATORIAL INVESTIGATION.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. HOAR, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the [illegible] appointed by the Senate on the 19th day of December, 1903, to investigate the election of a Senator from the State of Nebraska, be continued [illegible] and that the committee shall have the same authority and power as the committee on the subject last preceding the adjournment of the Senate, to whom the [illegible] were referred.

PROCEEDINGS OF NEW PANAMA CANAL COMPANY.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by Mr. MORGAN, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and empowered to employ a competent person to translate into English the proceedings of the Panama Canal Company, which the Senate ordered to be printed on the 20th day of January, 1904, and which the Secretary of the Senate has heretofore directed him to have translated.

MALINDA GORDON.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted yesterday by himself, reported it without amendment; and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Secretary of the Senate be, and he hereby is, authorized and directed to pay to Malinda Gordon, widow of Thomas Gordon, late a laborer in the Senate Document Room, a sum equal to six months' compensation at the rate he was receiving at the time of his death, which shall be considered as including funeral expenses and all other allowances.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. BATE introduced a bill (S. 4017) granting an increase of pension to Joseph Weems; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DUBOIS introduced a bill (S. 4018) granting an increase of pension to James Grant; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BALL (by request) introduced a bill (S. 4019) granting a pension to Anna C. Ray; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4020) to modify and simplify the pension laws of the United States; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 4021) for the relief of Andrew A. Lipscomb, administrator of the estate of George W. Eslin, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4022) granting an increase of pension to James H. Pearson; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for an increase of pension of James H. Pearson, together with the affidavits of Dr. E. B. Brown, Thomas C. Anderson, and Lewis Williams and a copy of military record and letter from the Pension Office. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. BERRY introduced a bill (S. 4023) for the relief of Anna F. Polk, Susan H. Keesee, Anna Lee Pepper, Griselda H. Hargraves, and Robin A. Polk, heirs of Allen J. Polk, deceased, or the legal representatives of said Allen J. Polk, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4024) for the relief of Thursa G. Williams; which was read twice by its title and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4025) granting a pension to Mary E. Chamberlain; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SIMMONS introduced a bill (S. 4026) for the relief of the heirs of John H. Richardson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4027) granting an increase of pension to Zebulon A. Shipman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 4028) for the relief of the estate of J. M. C. Knight; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a bill (S. 4029) granting a pension

to Charles F. J. Stein; which was read twice by its title, and with the accompanying papers, referred to the Committee on Pensions.

Mr. BILLINGHAM introduced a bill (S. 4035) granting an increase of pension to Benjamin C. Wood; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4036) granting a pension to Ellen N. Stoughton; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BILLINGHAM introduced a bill (S. 4037) for the establishment and organization of a museum of fisheries in the United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4038) to authorize the abandonment of Water street northwest, Washington, D. C.; which was read twice by its title, and referred to the Commissioners of the District of Columbia.

He also introduced a bill (S. 4039) for the relief of John J. Sullivan; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4040) granting an increase of pension to J. H. Ward;

A bill (S. 4041) granting an increase of pension to Jesse H. Crouch;

A bill (S. 4037) granting an increase of pension to Jacob H. Hook;

A bill (S. 4038) granting an increase of pension to George E. Young;

A bill (S. 4039) granting an increase of pension to Cornelius Malloy;

A bill (S. 4040) granting an increase of pension to Caroline A. Elmore;

A bill (S. 4041) granting an increase of pension to Daniel W. Moore; and

A bill (S. 4042) granting an increase of pension to John S. Hooper.

Mr. McCOMAS introduced a bill (S. 4043) to open Fourteenth street, between Lydia street and Piney Branch road, and for providing assessments in condemnation proceedings; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4044) to open Thirteenth street, between Spring road and Longfellow street, and for providing assessments in condemnation proceedings; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4045) granting an increase of pension to Van Buren Vance; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4046) granting an increase of pension to John Sweers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 4047) to refer to the Court of Claims for adjudication and determination the claims of the widow and family of Matthew P. Newton and others at law of others; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4048) authorizing the appointment of Capt. Theodore Frederick Kane, a captain on the retired list of the Navy, as a rear admiral on the retired list of the Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MILLARD introduced a bill (S. 4049) to provide for macadamizing Fort Creek military boulevard from Fort Creek, Nebr., to the city limits of South Omaha, Nebr., and appropriating money therefor; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4050) to provide for the purchase of a site and the erection of a public building thereon in the city of Wayne, State of Nebraska; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 4051) granting an increase of pension to Susanna V. Wells; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURNHAM introduced a bill (S. 4052) granting a pension to Alice K. Seligson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLARK of Wyoming introduced a bill (S. 4053) granting a pension to William Freeland; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4054) for the relief of Richard King; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DANIEL (by request) introduced a bill (S. 4055) for the relief of the estate of William A. Bowen, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 4056) granting an increase of pension to Frances G. Wright; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4057) to increase the limit of cost for the purchase and the erection of a public building at Washington, Pa.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 4058) [illegible] which was read twice by their titles, and referred to the Committee on Pensions.

A bill (S. 4059) granting an increase of pension to Peter Hess.

A bill (S. 4060) granting an increase of pension to David H. Smith; and

A bill (S. 4061) granting a pension to Mary C. Gassler.

Mr. BITTERLY introduced a bill (S. 4061) for the relief of Bernard Toliver; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4062) to amend section 493 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Patents.

Mr. COCKRELL introduced a bill (S. 4063) for the relief of Edwin F. Mathews; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Capt. E. F. Mathews, praying that his claim for supplies furnished to the Army be referred to the Court of Claims under the Tucker Act, together with his affidavit and the affidavit of William O. Gray, R. L. Pollard, and David H. Eby. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. CULLOM introduced a bill (S. 4064) to renew and extend certain letters patent; which was read twice by its title, and referred to the Committee on Patents.

Mr. BURROWS introduced a joint resolution (S. R. 39) directing the Director of the Census to cooperate with the [illegible] which was read twice by its title, and referred to the Committee on Manufactures.

ORDER OF BUSINESS.

Mr. CLARKE of Arkansas. I ask that Senate resolutions be laid before the Senate, in order that I may submit a few remarks.

Mr. TILLMAN. I hope that the Senator will not interrupt the regular order, which is the bringing over from a previous day of the unfinished business.

Mr. CLARKE of Arkansas. I have no disposition to interfere with any Senator's convenience, and if it suits the Senator from South Carolina not to yield to me specially at this time, I will make my remarks as soon as I can get a hearing.

Mr. TILLMAN. If the Senator wishes to make a speech, of course I would [illegible] but I think the business before the Senate is an important business, and I think we can dispose of it in a little while. I should like to call it up.

Mr. CLARKE of Arkansas. I am informed that the Senator from Indiana [Mr. FAIRBANKS] gave notice that he would speak this morning. I was not aware of that. I will adapt my convenience to that of other Senators. I only want to be heard when no one else desires to take the floor.

Mr. FAIRBANKS. I will not consume much of the time of the Senate in what I have to say, and if it is entirely agreeable to the Senator I will proceed in accordance with my notice of last night.

Mr. CLARKE of Arkansas. That is entirely satisfactory.

Mr. FAIRBANKS. If not, I will yield to him.

The PRESIDENT pro tempore. Senators will allow the morning business to be completed. It is not yet completed.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DRYDEN submitted an amendment providing for a secretary to the legation at Copenhagen, Denmark, at $1,000 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. McCOMAS submitted an amendment proposing to appropriate $2,396.28 to pay the Chesapeake Bank, of Baltimore, Md., the amount found to be due said bank by the Commissioner of Internal Revenue under the act of Congress approved February 28, 1901, for internal revenue taxes illegally collected; intended to be proposed by him to the omnibus claims bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. SCOTT submitted an amendment proposing to increase the salary of the consul at Ciudad Porfirio Diaz, Mexico, from $1,000 to $1,500 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate $4,558.45 to pay Julius A. Kaiser the amount disallowed by the accounting officers as a difference between active duty pay of a commissioned assistant engineer and retired pay of a first assistant engineer from October 21, 1895, to July 8, 1898, while on the active list of officers of the Navy; intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Appropriations.

Mr. CULBERSON. I submit an amendment intended to be proposed by me, to the urgent deficiency appropriation bill, and ask that it may be read and lie on the table.

There being no objection, the amendment was read and ordered to lie on the table, as follows:

Amendment intended to be proposed by Mr. CULBERSON to H. R. 9561 making urgent deficiency appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, viz:

At the end of the bill insert the following:

"SEC. [illegible] That the Secretary of Agriculture is hereby authorized and directed to make such rules and regulations as may be prescribed by the Secretary of Agriculture for the inspection of meat and meat products for exportation to foreign countries, and for the issuance of certificates of such inspection, and for the collection of such fees as may be prescribed by the Secretary of Agriculture for such inspection, and such fees when collected shall be deposited in the Treasury of the United States."

RECESS APPOINTMENTS.

The PRESIDENT pro tempore. The morning hour has expired, and the Chair lays before the Senate a message from the President of the United States, which will be stated.

The SECRETARY. Message from the President, by Mr. TILLMAN, in answering the resolution of the Secretary of the Treasury to send to the Senate the nomination and to the appointment of William D. Crum as collector of the port of Charleston, S. C.

Mr. TILLMAN. Mr. President, I will be very glad indeed to have the message laid by the Senate on the table, but I have in view of the fact that the Senator from Illinois [Mr. CULLOM] and the Senator from Arkansas [Mr. CLARKE] have expressed a desire to be heard not anticipated by any disposition on their part to interrupt the business. I shall try to call up the resolution and have some action on it. If it be out of order then, but it can be done by unanimous consent, I shall request unanimous consent now.

The PRESIDENT pro tempore. The resolution will lie on the table for the present, then, without prejudice.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 2871) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia;

A bill (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C.;

A bill (H. R. 5498) to provide for circuit and district courts of the United States at Albany, Ga.;

A bill (H. R. 7024) to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside the city of Washington, and for other purposes;

A bill (H. R. 7869) in relation to bonds on contracts with the District of Columbia;

A bill (H. R. 8335) to amend an act entitled "An act to determine the sessions of the circuit and district courts of the United States for the eastern district of Wisconsin," approved March 31, [illegible];

A bill (H. R. [illegible]) to amend section 805 of the Code of Law for the District of Columbia;

A bill (H. R. [illegible]) to transfer jurisdiction of reservation No. 32, in the city of Washington, D. C.;

A bill (H. R. [illegible]) to authorize the apprehension and detention of insane persons in the District of Columbia and providing for their temporary commitment to the Government Hospital for the Insane, and for other purposes;

A bill (H. R. 9293) to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes;

A bill (H. R. 9648) to amend the first section of an act providing that the regular sessions of appeals for the [illegible] circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 13, 1903;

A bill (H. R. 10145) to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Indian Territory, in the eastern district of Texas;

A bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia;

A bill (H. R. 10421) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes;

A bill (H. R. 10669) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia; and

A joint resolution (H. J. Res. 98) for the transportation of Porto Rican teachers to the United States and return.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. 98) to provide for the removal of snow and ice from the streets across walks and gutters of the District of Columbia; and it was thereupon signed by the President pro tempore.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate, at the request of the Senator from Indiana, the unfinished business.

The SECRETARY. Senate resolution 82, by Mr. BACON, favoring the recognition by the President of a treaty with the Republic of Colombia to secure to all nations an open and neutral route across the Isthmus between the United States and Colombia, following upon the recent revolution in Panama, etc.

Mr. FAIRBANKS. Mr. President, yesterday I listened to the speech of the honorable and distinguished senior Senator from Alabama [Mr. MORGAN], with much pleasure. There are some questions in it to which I would like to direct attention, but I think, under the rule of the Senate, treaties should be considered in executive session.

Mr. CULLOM. Especially as this is the rule.

Mr. FAIRBANKS. That is, as I understand it, the well-established rule. Therefore, what I may have to say in response to the remarks of the Senator from Alabama will be said when the Senate shall be sitting in executive session.

I believe in the wisdom of the rule which requires the consideration of treaties with our neighbors in executive session, and so far as I am concerned I will not intentionally violate that wise rule of the Senate while I am in the Senate. I am sure

Mr. President, it is not my purpose to consider particularly at the present time the resolution before the Senate, but rather to discuss the larger questions arising out of recent events in Colombia. I may say, however, that I cannot agree that the adoption of the resolution is premature, and differences which can not be adjusted through the usual diplomatic channels. Political questions are not such as are continuous prior to the determination of arbitral proceedings. The Secretary of State notified the special envoy from the Colombian Government that the good offices of the Government of the United States would be used with Panama, if desired, to secure an adjustment of claims of a national order which might now be put forward against the other, but he positively refused to submit to arbitration the alleged questions between the United States and Colombia. His refusal was distinctly put upon the ground that such questions are essentially political, and therefore not within that class of questions which are respecting government's own property subject to arbitration.

Mr. President, the questions growing out of affairs in Panama are important and deserve earnest consideration. The opposition sharply challenges the wisdom of the recognition by the Administration in dealing with the Republic of Colombia and the new Republic of Panama. Many phases of the Isthmian Canal question have been touched upon in the course of the debate; a debate which has been characterized by much earnestness and some manifestation of feeling.

We do not object because those who may disagree with us upon public measures or policies should criticise, for criticism plays a very important and beneficent purpose in public affairs. Measures and policies which can not successfully withstand opposition and criticism should not long receive our serious attention. There must be the utmost latitude of disagreement in republican government, for, out of the conflict of opinion, out of the collision of views, the most wholesome results will come.

We do not object because the popular government objection and criticism are sometimes inspired by the thought of mere partisan advantage. We do not object to even this manner of opposition. It has been practiced in from the foundation of the Government, and will continue throughout the future. It seems to me in the proposed debate that some of the criticism has been inspired by the exigencies of the political situation. I do not mean to suggest by this that some of the questions have not been raised in the utmost good faith, with the view of promoting in the best manner possible the construction of an Isthmian canal under conditions in entire harmony with the good name and best interests of the United States.

The larger question, which is before us is of unusual moment; it is of far-reaching consequence; it means much, not only for the future of the United States but for the entire civilized world. It should be considered upon the high level of national duty and national honor. It should be considered deliberately and in good

temper, to the end that only that which is best may ultimately be done.

We are dealing with a situation, the essential facts of which are generally known. For months attention has been focused to [illegible] a widening [illegible] between the Isthmus of Panama. The [illegible] and [illegible] to be [illegible] to [illegible]. Although the situation gave far more [illegible] the [illegible] was made to obtain.

It was [illegible] that some decisive step was [illegible] Congress [illegible] by [illegible] Mr. [illegible] was to be m[illegible]

A [illegible] President to secure the [illegible] of the New Panama Canal Company [illegible] the President should proceed with the canal upon the Nicaragua route.

The [illegible] Hay-Bunau-Varilla treaty was laid before the Senate for its ratification. It [illegible] and [illegible] It was sharply opposed by those who favored the Nicaragua route. It was [illegible] to have been the creation of the Administration, with respect to the independence of the Republic of Panama. In due time the treaty was ratified and transmitted to the Colombian Government for its approval. The action of that Government was awaited with interest. The world looked on with great [illegible] as Colombia had but to give her approval of the proposed [illegible] transmitted by her minister at Washington and [illegible] the canal and the great work would proceed. Her disapproval would put the enterprise in peril or delay it indefinitely. But the concern of the United States and other countries was but slight when compared with the anxiety of Panama. The treaty which was approved by the Senate of the United States March 17, 1903, was laid before the Colombian Congress which assembled June 20 following.

Opposition to its ratification manifested itself early. Political parties undertook to make capital out of it. Our minister at Bogota informed the State Department before the close of the month in which we ratified it that there was strong opposition to the treaty. The party in power was [illegible] and [illegible] by a portion of the [illegible] press and by prominent [illegible] Marroquin administration.

As early as May 1, 1903, our minister informed the Secretary of State that—

> [illegible] which perhaps very [illegible] [illegible] the effect that [illegible] the Government had a [illegible] [illegible] against the treaty on foreign markets. The [illegible] [illegible] that the price can be greatly augmented.

Three days later he wrote:

> All of the members of the Government are opposed to the [illegible] [illegible] * * * [illegible] [illegible] for our [illegible] [illegible] as the best means of preventing the success of these conspirators and to attempt to organize at once a strong [illegible].

This dispatch clearly shows that early in the consideration of the proposed convention the spirit of revolution was in the air.

The varying fortunes of the treaty are disclosed by the dispatches of our minister, a few of which I have selected from the many he sent.

On August 5, 1903, he advised the State Department that—

> It now appears that the treaty will not be ratified without amendment.

On August 7 he reported:

> The situation is tense just now and intense feeling is being manifested in the debates in the Senate. Apparently there is little prospect that the treaty will be ratified without modifications, but I must still hope that a better sentiment will be brought about before the end.

On August 12, 1903, he said:

> The treaty was [illegible] by the Senate to-day in its entirety. Confidential, [illegible] this is clear. There is still some hope. Wait for further advices.

On August 15 he became somewhat optimistic when he reported:

> [illegible] seems to have passed.

But on October 31 following he was obliged to report:

> [illegible] Evidence from the earliest consideration of the [illegible] would be made, not only to place [illegible] but the [illegible] made upon them. On September 5, Mr. [illegible] was informed that—
>
> [illegible] the treaty; fixing regulations governing purchase of pri[illegible]

The [illegible] at Panama [illegible] on. [illegible] property of the company [illegible] United States, to the great injury [illegible] Panama. Our minister advised the [illegible] Department on November 3 as follows:

> [illegible] member—

[illegible]

This is important [illegible] showing the total lack of appreciation at Bogota of the [illegible] of Panama. It all tended to inflame the minds of the people of that department and stir within them the spirit of revolution and [illegible].

Panama saw in the [illegible] at Bogota the possible loss of her long-desired [illegible]. The [illegible] the United States under the alternative provision of the Spooner law to adopt the Nicaragua route and leave the Panama enterprise to die. The wrongs and injuries which Panama had suffered and endured [illegible] the people. The general feeling of our [illegible] was [illegible]. Her history during most of the time since 1821 [illegible] one part of the Republic of Colombia is but a [illegible] of acts of oppression and [illegible] committed [illegible] authority. While existing as a department of a [illegible] Panama has been [illegible] a province, a [illegible] and [illegible] the Government at Bogota.

Millions of dollars have been wrung from her people first and last, and they have received no adequate return therefor. Monopolies in the necessities of life have been granted, and the revenue derived therefrom has gone to Bogota. Scores of [illegible] have been [illegible] and railroads [illegible] Panama have gone into the federal treasury, and [illegible] most [illegible] portion of it has ever been used for the benefit of that department.

For the [illegible] contributed to the Bogota treasury, according to a report of a new-paper correspondent received a writing from the Isthmus, there is not to-day in the whole State of Panama to-day a single bridge, street, plaza, public building, or other structure of public utility or comfort, the expense of which was borne by the Colombian Government."

From information I have derived personally from citizens of Panama, it is perfectly apparent that the conditions upon the Isthmus have long been intolerable, and revolution has seemed to be the only means of escape.

I have an extract from El Relator, published at Bogota shortly after the revolution, that constitutes an indictment against the

Republic of Colombia without scarcely a parallel in the history of governments. It is impossible for the imagination to conceive a more despotic course pursued toward a province than the Bogota Government pursued toward the Department of Panama. The extract alluded to is as follows:

> We have [illegible] the high and [illegible] of that territory. Panama [illegible] free people—that of electing their magistrates, their legislators, [illegible] for the [illegible] of suffrage; we have [illegible] the [illegible] [illegible] military province, and when this na[illegible] [illegible] people and [illegible] [illegible] [illegible] now! The last [illegible]

What more natural than that the people of the Isthmus, in view of their past history, and the recent action at Bogota, should [illegible] to the parent government? What else was there left for them to do? Every sentiment of self-interest commanded them to take the step when they saw that the treaty was doomed to defeat. They took counsel of their own future welfare; they laid carefully their plans; there was no division of sentiment among them, and on the 3d of November, 1903, they moved as by a common impulse. They took possession of their own country, and set up their own independence. They were guilty of no barbarities; they avoided bloodshed, and treated their [illegible] with rare forbearance and kindly consideration.

Did the Administration inspire the revolution that it might [illegible] of her property upon the Isthmus? Such has been the virtual charge made. It has been made both by direct statement and innuendo. It is a grave and serious charge, and it is worth our while to pause and observe whether or not it is well founded in fact. From what we have observed of the history of Panama prior to the revolution the only wonder is that separation was so long postponed. No people ever had better warrant for renouncing allegiance to their government than had the people of the Department of Panama on the 3d of last November.

Notwithstanding the wrongs which they were obliged to endure, they would undoubtedly have continued to submit to the rule of Colombia if they had entertained hopes of a canal had been gratified.

Our Government was fully informed of the state of public feeling in Colombia, and it also knew the intense desire of the people of Panama for the prompt ratification of the treaty.

It was obvious from the beginning of the consideration of the treaty that a crisis was near at hand. On May 7, 1903, our minister said:

> [illegible] les are that when the measure (treaty) is presented to Con[illegible] [illegible] and the attempt to [illegible]

The treaty was rejected by the Senate on August 12, and three days later our minister reported:

> Since the rejection of the treaty on the 12th instant there has been an al[illegible] alarm and uncertainty in Bogota as to the future [illegible] of the United States.

On September 11 he further advised the State Department as follows:

> I have the honor to report that events of interest have taken place in [illegible] [illegible] [illegible] canal treaty not pass the Department of Panama would secure [illegible] and would be right in doing so.

On October 31 he said:

> The people here are in great anxiety over conflicting reports of secession movements in the Cauca and Panama.

As was foreshadowed at Bogota, as soon as Congress adjourned without ratifying the treaty, the Department of Panama revolted and set up her independence.

It becomes important in view of what has been said in opposition, to ascertain what our rights were, and what was done by the Government at the time of and subsequent to the revolution. The record is before us, accessible to everyone. The facts are spread before the world, and we may judge whether or not and was done, our officials acted in contravention of our [illegible] laws.

For nearly sixty years the United States has had very important rights across the Isthmus which were [illegible] 1846. By article 35 of the convention New Granada [illegible] stipulated—

> [illegible]

It further provided that—

> [illegible]

These treaty [illegible] United States a very substantial right and privilege, and that was the right and [illegible] and free transit across the Isthmus. The [illegible] the property and lives of the people of the United States [illegible] the Isthmus, which was [illegible] by many people who had not [illegible] from a state of savagery. [illegible] important. The United States has [illegible] to protect her own interests at all times and under all [illegible] when she entered into the enjoyment of the privilege granted by the treaty. Secretary Hay says:

> [illegible] United States * * * assumed and discharged, as I primarily [illegible]

The United States by the article above mentioned guaranteed the sovereignty of New Granada over the Isthmus. The generally accepted interpretation of the meaning and effect of this guaranty is that the United States did not undertake to maintain such sovereignty except against foreign powers; that she did not engage to protect her against overthrow by domestic convulsion.

Referring to this provision of the treaty, Secretary Seward said, in 1865:

> [illegible]

The effort to connect this Government with the revolution has been [illegible] tireless. The [illegible] has been applied in every direction in the quest of information which would support the charge of complicity of the Administration in the movement.

We must consider this subject not upon idle rumor or unfounded assertion, but from the record, which the Government has made. That record is written; there it stands irrevocable. By it, and by it alone, the Administration must be judged. As for myself, I shall accept the record as it has been made by the executive department and submitted to the Congress unless it is impeached by something more conclusive than vague suspicion, unsupported assertion, and wild conjecture.

In the ordinary administration of the affairs of the Government it is necessary that each of the three departments should repose trust and confidence in the acts of the others performed within

The Republic of Panama has succeeded New Granada. Colombia, upon the latterness and it follows that her sovereignty is effectually guaranteed by the United States against alien invasion.

It has been urged repeatedly that there has been and is no response in Panama with [illegible] to enter into a valid convention with the United States. [illegible] a written constitution [illegible] of the Republic of Panama [illegible] days of the revolution [illegible] exercising a government [illegible] cannot be a people can [illegible] Any form of government which for the time being expresses the purpose of the people of Panama [illegible] into a treaty compact with [illegible] representative of the people in the [illegible] may be a republic in fact or in name. It may be a [illegible] or a kingdom, or it may be of any form of government which the people can choose. Many [illegible] constitutions in use at this moment [illegible] the people of Panama [illegible] years of their [illegible] existence. There is, so far as we are advised, no constitution.

Under these circumstances [illegible] we are [illegible] with a responsible power and which [illegible] the United States. It may [illegible] sessions for an interoceanic canal [illegible]

There [illegible] Nicaragua and Panama [illegible] the Administration [illegible] is not [illegible] because [illegible] of the law, the President was [illegible] to [illegible]

It is unnecessary to recite [illegible] to permit the Government to [illegible] of the Congress was [illegible] of the former. It is obvious however that if Congress had [illegible] that the Panama Government [illegible] would have [illegible] disadvantage in negotiating terms with the Colombian Government.

It was very [illegible] that in the event suitable terms could not be obtained [illegible] Nicaragua route would be adopted. It was suggested at the time by some members as a [illegible] that [illegible] a difference of little difference which was [illegible] It was but [illegible] time the Spooner law was enacted that the Panama Canal was the preferable [illegible] to any other, and that the utmost [illegible] made effort should be made to secure its construction.

In what has President has done in endeavoring to secure the Panama route he has acted within the letter and spirit of the Spooner Act. What is a "[illegible]" [illegible] by the act? In the case of the law it [illegible] Congress [illegible] in the [illegible] case. What would be a "[illegible]" [illegible] Within the [illegible] Congress [illegible] been [illegible] of the Spooner act [illegible] the Congress [illegible] to be authoritatively considering the practical [illegible] of the act.

[illegible] were [illegible] in the Walker [illegible] [illegible] the [illegible] Congress [illegible] and [illegible] purpose of the [illegible] states. Where the report was [illegible] Congress [illegible] that [illegible] [illegible] law, under which the President was [illegible] [illegible] the duty of negotiating a treaty with Colombia. The [illegible] were [illegible] the proposal and [illegible] to a conference with the Panamanian delegates. The Senate ratified the treaty. It was submitted to the Colombian Congress for its approval [illegible] was rejected. Almost [illegible] within less than a year after the passage of the Spooner bill.

When the Colombian Congress rejected the treaty that did not [illegible] the door to further effort to carry out the [illegible] of Congress in the construction of the Panama Canal. It delayed but did not necessarily defeat the accomplishment of the Congressional desire. It did not relieve the President from persisting in any reasonable effort still to secure it. The subject is a large one and must be dealt with in a large way. [illegible] treaties between governments upon important subjects is at best a tedious process. No body in the world is more [illegible] with this fact than the Senate of the United States. In many instances [illegible] the constitution and [illegible] Congress with [illegible] of our laws [illegible] dealing with the [illegible] we are familiar. The advantages [illegible] Nicaragua route [illegible] much superior that we could [illegible] the expenditure of much more time [illegible] Panama and going to Nicaragua when the Congress of Colombia rejected the treaty. He has been on the [illegible] clearly within the intendment of the act.

There are several conclusions which the record seems to establish. They may be summarized thus:

The revolution by the people of Panama was due to a long series of wrongs inflicted upon them by the Government at Bogota and more particularly to the rejection of the Hay-Herran treaty.

The revolution was [illegible] by the people of Panama and was [illegible] by them.

[illegible] of the [illegible] not such measures as he [illegible] the protection of the property of Americans [illegible] of transit across the Isthmus.

The revolution of Panama was a revolution by the people of the Isthmus.

The revolution was [illegible] vessel or armed force [illegible] Only one [illegible] fired a shot [illegible] and were returned to the ship after accomplishing their purpose.

The President promptly recognized the fact that Panama had secured her independence [illegible]

In recognizing the Republic the President [illegible] the law, the President was [illegible] to [illegible]

It is [illegible] to recognize the independence of Panama was recognized by France and [illegible] soon after recognition by the United States.

A few days after the recognition of the new Republic she signed a treaty with the United States [illegible] Nicaragua [illegible] Panama [illegible] United States.

Under the treaty of 1846 the United States [illegible] incurred on Panama [illegible] of the Government in Panama. By the [illegible] the Republic of Panama [illegible]

[illegible] United States [illegible]

Mr. President, I have [illegible] the salient features of the Panama question [illegible] Mr. President [illegible] the Senate [illegible] We have but to call the roll of the Senate upon the treaty with Panama, and we will [illegible] It is [illegible] the narrow bounds of party. It is as wide as the [illegible] of the Republic.

What happens in the present condition of affairs [illegible] the Panama Canal will be [illegible] It will have back of it the best [illegible] that anything can have, for it will have the approval of the United States. What we say for and against it will swiftly fade

[illegible] the commander, finding that the Colom-

[illegible] them on platform cars behind [illegible]

[illegible] said he [illegible]

[illegible] and [illegible]

[illegible] in conclusion [illegible]

[illegible] any [illegible]

[illegible]

The President promptly recognized the independence of Panama. [illegible] In [illegible] and [illegible] own [illegible]

[illegible] is a [illegible]

[illegible] so observed that the United States has done very [illegible] on the [illegible] of Panama. In [illegible] governments succeeding in Panama would enjoy [illegible]

away and be gone forever, but the canal—the rich fruit of four centuries of [illegible] human effort, the colossal tribute of our people to the commerce of the world—will stand. Yes, we can well believe that it will survive the pyramids.

Mr. CLARKE. Mr. President, I do not intend to address the Senate in support of the general proposition that an isthmian canal [illegible] by the United States Government. This [illegible] out of the domain of discussion. It is no longer [illegible] the policies of the country as a matter of [illegible] quickly recognized this as the proper attitude of the Government from the section from which I come. This condition of opinion is [illegible] small degree to a knowledge of the fact that our people [illegible] are discussed at such great length and in such com- [illegible] that it will serve no useful purpose to restate them now. For the present, further progress toward the actual construction of the canal must be postponed. The United States [illegible] the line of [illegible]

[illegible] in considering what course it is proper to pursue, it [illegible] necessary to consider (1) the competency of the [illegible] into the contract, and (2) the terms and provisions [illegible] submitted for approval by the Senate.

[illegible] the present treaty do not [illegible] to the United States [illegible] way of mere donation, it does [illegible] in the liberality of [illegible] any that we have heretofore been able to secure for [illegible] the Hay-Herran treaty providing for the [illegible] canal upon the [illegible] terms [illegible] able to the United States, not the [illegible] the Senate and the country. On the [illegible] seems to be no dissatis- [illegible] and were returned to the ship after accomplishing [illegible]

[illegible] the Republic of Panama to [illegible] more dispute, and this presents, directly and indirectly, the chief cause of division and consequent opposition.

That actual recognition has been extended to the Republic of [illegible] by the President of a minister from this Government to Panama is not and will not be denied. That it has taken place in accordance with the forms of law prescribed in such cases is also a [illegible] (Cf. [illegible] v. [illegible]) [illegible] ly and independently in those departments of Government which are said to be political; that is to say, the legislative and executive branches. I think it may be safely asserted that the [illegible] Court of the United States is that it will [illegible] as far as it is called upon to deal with [illegible] by the President or [illegible] of the opinions of that court [illegible] are to be found [illegible] If any question [illegible] the legislative [illegible] departments of the Government to convey the [illegible] that it was to be exercised by these acting in [illegible] limitations upon the power of [illegible] in which [illegible] the legislative branch of the Government [illegible] any part in making the recognition which was deemed sufficient to give to the new government the status of a [illegible] in that court or the existence of which was made an element in the rights of any litigant who resorted to that tribunal for their [illegible] This statement of the doctrine of the Supreme Court is not different from that in which Andrew Jackson and [illegible] acted upon as being a proper method in which the right of recognition is to be exercised.

On June 18, 1838, referring to the matter of the independence of Texas, Mr. Clay, in a report from the Senate Committee on Foreign Relations (S. Doc. No. 406, 24th Cong., 1st sess.), said:

> [illegible] an independent power may be made to the United States in two ways. First, by treaty, [illegible] the purpose of a [illegible] commercial intercourse between the [illegible] Secondly, by [illegible] agent [illegible] with the power [illegible] and ascertaining a diplomatic representative from [illegible] which would be a recognition as far as the Executive [illegible] competent to make it. In the first and third modes the concurrence of [illegible] Senate in the exercise of its capacity would be necessary, and in the second in its negative character.

The Senate alone, without the concurrence of some other branch of the Government is not competent to recognize the independence of any power.

The President of the United States, [illegible] charge of their foreign relations, [illegible] to other governments [illegible] and [illegible] of the United States [illegible] for business which [illegible] government. If [illegible] the President should [illegible] in the [illegible] of Spanish America.

Together with this report a resolution was submitted to the Senate from the Committee on Foreign Relations that was as follows:

> Resolved, That the independence of Texas should be recognized by the United States whenever [illegible] shall [illegible] performing the duties [illegible] independence.

President Jackson, in approving this resolution, expressed his satisfaction with the course taken, and said that it was entirely proper for the legislative branch to [illegible] which in its judgment it felt it to be expedient for the Executive to consider in connection with the discharge of public duties.

On July 1, 1836, this resolution being in debate in the Senate, Mr. Webster said he was willing to go so far as to vote funds to enable the President to send out a proper minister, but against a direct recognition by the act [illegible] because it was the proper function of the President to take the lead in this matter.

In a debate in the House in the following year John Quincy Adams said (February 27, 1837) he objected to the proposition before the House on the ground that the act of recognition of a foreign power had heretofore always been a function of this Government. It was the business and duty of the President of the United States, and Mr. Adams was not willing to set the example of giving that recognition on the part of the legislative body without the concurrence of the Executive.

It will thus be seen that Presidents Jackson and Mr. Clay agreed that while the power of recognition by the President was implied in the power to receive foreign ministers, and that if he should exercise the power without invoking the aid and support of the legislative branch, his action in that respect would be beyond question, yet it was conceded that where the [illegible] legislative branch to assume responsibility for the recognition of a new government, in advance of the President being satisfied that it was prudent and proper to do so, a suggestion from the Congress that if the President should through the regularly constituted channels, extend recognition, he would be supported by the legislative branch in any consequences that might ensue, was not only not an offensive suggestion, but one within the competence of Congress to make. This I take it, Congress could do in connection with any duty which the President is called upon to discharge where the public peace and welfare might be involved in his action.

In the present case the Republic of Panama has received the recognition of this Government through the act of the President in receiving her minister and in negotiating a treaty with her. This action on the part of the President, in my opinion, is not subject to review in any proceeding, directly or collaterally, connected with the ratification of the pending treaty. The recognition, no matter whether by the action of the Congress or the President alone, is the act of the Government of the United States and is to be respected and supported as such. The recognition is final, and the existence of the state is a fact to be accepted and this, to borrow a phrase from Bismarck, removes every direction and obscures every exception. Acceptance of our course in recognition by others of an [illegible] country does not [illegible] to [illegible] of justice, is shown in the action taken by other governments, as follows:

List of governments which have recognized the independence of Panama, with

United States	Nov. 6, 1903	Nicaragua	Dec. 18, 1903
France	Nov. 6, 1903	France	Dec. 2, 1903
Cuba	Nov. 6, 1903	Cuba	Dec. 2, 1903
Austro-Hungary	Nov. 6, 1903	Great Britain	Dec. 2, 1903
Germany	Nov. 20, 1903	Italy	Dec. 2, 1903
Denmark	Dec. 3, 1903	Japan	Dec. 2, 1903
Russia	Dec. 3, 1903	Costa Rica	Dec. 2, 1903
Sweden and Norway	Dec. 7, 1903	Guatemala	Dec. 2, 1903
Belgium	Dec. 9, 1903	The Netherlands	Dec. 2, 1903

The terms of the treaty being satisfactory and the technical competency of the parties to the contract being established, my support of this treaty would follow naturally and without further question. But it is suggested that while the recognition of the Republic of Panama may conform to the more formal of the law governing such matters, the facts which preceded it show such an utter disregard by the President and those acting under his orders of the cardinal principles of right and justice as to make it the imperative duty of every right thinking man to condemn his actions and to refuse to take any steps that can directly or indirectly be construed into a condonation of his course; that, while

it is admitted that there is no issue pending in the Senate, and that none can be framed for consideration here by which this body can directly review that action, and it seems to have been inappropriately given to resist the status quo existing at the time it was established by the President, it is contended that there is an inherent necessity to be found in the power of the Senate to refuse to sanction treaties.

And it is earnestly asserted that the necessity and justification for this proposition are such as would seem to have prevented the framers of the Constitution from conferring upon the President the power to negotiate treaties, if they had foreseen the necessity for the exercise of the treaty-making power by the Executive and the ratification of such treaties by the Senate, as well as the necessity of a veto power, to which our governors of sovereignty and freedom is granted by the Senate's consideration, as well as by the well-recognized requirements of constitutional history.

This proposition is supported by Senators on this side of the Chamber [illegible] and I do not believe [illegible] of the Executive Power. I [illegible] I am [illegible] I should [illegible] as well as [illegible] I [illegible] by the [illegible] have by [illegible] [illegible] the same happens with the consideration of the matter has forced me to a look. [illegible] as I have been able to [illegible] I should oppose the ratification of the treaty on the grounds which have been stated in opposition to it.

I may [illegible] with some [illegible], but without [illegible] In consideration of [illegible] in opposition to the treaty I have felt [illegible] of giving to the President a [illegible] which have been [illegible] of necessity to the adoption of my course. The latest account for the fact that I [illegible] proper to go over the road so somewhat [illegible] many aspects of the case that have been so satisfactorily dealt with by others [illegible] I have no [illegible] I [illegible] in bringing [illegible] I [illegible] in the arguments [illegible] I [illegible] upon the [illegible] as the [illegible] to the proposition [illegible] to the treaty [illegible] by the President.

I say, without hesitation, that if I had found myself convinced the existence and recognition of Panama to be the result of a conspiracy, excessively or knowingly formed, by the direction or with the connivance of the President, I should vote against the ratification of the treaty regardless of its merits. And at this point I take occasion to say that I do not find it to be necessary to conclude in order to the approval of every act done by the present occupant of the White House since he first began [illegible] to really the Hay-Varilla treaty, nor does it follow that I [illegible] in the [illegible] I may [illegible] of [illegible] approved the Administration. My duty and [illegible] to [illegible] to this one matter and the support [illegible] comes to me for action. I say, as I have said, that I have been [illegible] to bring myself to the [illegible] the consideration of an enterprise in which my State, in common with the entire country, is vitally interested.

When I consider the whole facts of the transaction, its history and [illegible] of those who have been and [illegible] which finally led the President prompt to action [illegible] the great purpose to [illegible] the [illegible] and to greatly [illegible] people by giving [illegible] ests and [illegible] results while [illegible] prior a [illegible] ious and [illegible] of Colombia—I [illegible] these [illegible] temperament [illegible] to harsh [illegible] but I am entirely [illegible] say this in what is actually [illegible] for [illegible] the power and [illegible] in less as to warrant me in repudiating his act by voting to reject the treaty.

To the well informed and conservative observer of passing events, and of the persons [illegible] therewith, the wonder is not that he did so much to give free rein to the inherent spirit of revolution always rampant in Panama, but it rather excites wonder that he did so little in that direction. When the President comes to consider, in quiet retrospect, the events of the past three months, I do not doubt he will feel like [illegible] and Warren Hastings, when [illegible] fronted with a [illegible] of his [illegible] in the Far East, said:

[illegible]

[illegible]

[illegible] of government [illegible] which it is [illegible] nor. As indicating the character of the Colombians [illegible] I read an extract from the inaugural address of President [illegible] on August [illegible] 1903 [illegible] having overthrown and imprisoned President San[illegible]:

[illegible] of [illegible] he [illegible] any other country, viz.: "I [illegible] Colombians [illegible]

In his message to the special session of Congress which convened on [illegible], 1903, to consider the canal treaty, speaking in [illegible] said:

[illegible] less than the [illegible] of Panama [illegible] the welfare.

He [illegible] of a [illegible] 1902, [illegible] of the North [illegible] F. A. Mendez [illegible] stering affairs in [illegible] Republic of Panama [illegible]

[illegible] that seemed to signify his acceptance of the candida[illegible]

[illegible] and [illegible] 1903, [illegible] honorable, and moral [illegible] under the [illegible] that time refused to resign the government into [illegible]

ruins, there issues the haggard form of distress in the wretched garb of [illegible] with which we are now afflicted is the consequence of that [illegible]

[illegible] while a vacuum was being formed around the Vice-President [illegible] years.

[illegible] of [illegible] he [illegible] of prominence in affairs until he was [illegible] revolution. Under the heading "A Colombian view of the Panama Canal question," Raul Perez says:

[illegible] Colombia would receive as the only compensation is [illegible] quite.

He was referring to the $10,000,000 proposed to be paid to Colombia under the rejected Hay-Herran treaty, which was then [illegible]

[illegible]

We are not required to form our opinion alone from what these Colombians say of their Government's [illegible] authority, and the motives which inspire its action—but we have the corroborative of one who [illegible] and whose ability to state in clear and forceful terms what he saw can not be excelled. I refer to the Hon. William L. Scruggs, who for some time represented our country as our diplomatic representative at several of the governments in Central and South America. He has recorded his observations in a book, published a few years since in this country. He says that party conflicts, as they are understood in this country, are wholly unknown there; that the division among the people is not along lines which are [illegible] to be better able than another to a [illegible] in the interest of the people; but that strife is the result of a struggle between factions and leaders for the aggrandisement of the personal fortunes of those who affiliate for the time being and at the sacrifice of the public interests, that no thought of the public weal are entered into any of the conflicts, nor is it even pretended that such is the case.

He says that during the thirty years intervening from 1829 to 1861 there were seven successive constitutions, all of which were successively overthrown by revolutionary leaders who, in turn, took [illegible] as a [illegible] for engaging in revolts that [illegible] were so frequent that there were not two years of peace and tranquillity during the entire thirty years; and that during this period the condition of public order was exceptional, and that civil war was the rule; that the constitution of 1876 remained in force for twenty-two years before the book was written, and that during that time there were seven or more eleven revolutions [illegible] a minority of those who [illegible] power [illegible].

[illegible] under circumstances like these, there was no [illegible] for the people to progress in the intellectual and material improvement [illegible] condition to-day is worse [illegible] than that in which [illegible] years ago.

Mr. Scruggs gives an account of how these numerous revolutions were [illegible] and the means by which soldiers were enlisted [illegible] that cause. They usually came about [illegible] with the holding, or the [illegible] of the result, [illegible] although there occurred many times when the [illegible] were [illegible]. In some of these wars the alleged pretext is [illegible] in which [illegible] is held, he says:

[illegible]

Lieutenant-Commander Colver, of the war ship *Roosevelt*, in a communication to the Secretary of the Navy, dated Colon, December 13, 1902, says, among other things, of these Colombian [illegible]:

The [illegible] Forty per cent of [illegible] and poverty [illegible]

I have presented this recital of conditions in Colombia with no desire to be [illegible] a people who are so [illegible] situated, but for the purpose of showing the kind of people who constitute that Republic, and who create its public opinion, thus affording some idea of the extent to which a moral obligation would be assumed by us upon them in compelling compliance in good faith with any [illegible] assumed on their behalf. We may [illegible] and justly estimate the conduct of those who have dealt with them in a manner somewhat more arbitrary than would be permissible under other and different conditions. The consideration of every particular case is its character as being right or wrong. What would be a proper negotiation, or a proper denial of a negotiation, with one of the greater governments of the earth, where reciprocal good faith is assured in advance, would not be a condition made up by precedent politicians such as are there described by evidence that never has been contracted and never can be.

I am not to be misunderstood by this as saying that we should appropriate to ourselves, or by greater competency assist others to appropriate that which rightfully belongs to another, however wanting in honesty and intelligence that other may be. Our Government owes it to our own people to treat everyone justly and this not because we fear penalties for failing to do so, but because of the comfort that comes from the sense of having done right for its sake alone.

But in the important negotiations which she is required to conduct in carrying out the great purposes for which this Government was instituted among men she has a right to insist that those with whom she deals shall not make a mockery of her efforts

by a course of duplicity and tri[illegible]. In her negotiations with Colombia she was not dealing with a commercial adversary who had the right to be independent to the extent of being whimsical.

For a proper understanding of the relations between the United States and Colombia it is necessary to advert to a few well known historical facts. These will indicate that at the time the Hay-Herran treaty was rejected by the Colombian Congress in August, 1903, matters had progressed too far for Colombia to claim an unrestricted discretion in dealing with the matter. By a long course of dealing and acquiescence the [illegible] sovereignty of Colombia had been diminished in the interests of her continued existence. For eighty years we have promulgated the Western Hemisphere from European aggression to what is known as the Monroe doctrine. Under this doctrine we declare and maintain that any attempt on the part of European governments to extend their systems to any part of this hemisphere will be dangerous to our peace and safety.

Colombia, in common with the other Central and South American States, has been protected from the casualties from foreign aggressions which this doctrine afforded them. But for this declared policy the continued revolutions and conflicts in Colombia would long since have passed her into the control of some one of the European governments. So jealous have we been of the Monroe doctrine that we have considered the project to build an isthmian canal by any foreign government to be within its scope. When the old Panama Canal Company became insolvent, and it was evident that the project was too gigantic for any private company to undertake in that remote, sparsely and disturbed section of the world, the French Government, our friend and friend, concluded to assume the project, and some [illegible] in the hope of saving something for the [illegible], who had invested and lost so much of their money. While the matter was under discussion in the French Assembly, the United States Senate, by a vote of 49 to 3, on January 7, 1889, passed the following concurrent resolution:

> That the Government of the United States can not, and does not, view with indifference any attempt by any European power to control the Isthmian canal connecting the Atlantic and Pacific oceans, and that the President of the United States should communicate the substance of this resolution to the governments of all nations with which the United States are accredited.
>
> That the President be, and he is hereby, requested to communicate the sentiments of the Government of the United States to the governments of the commercial nations.

This resolution went to the House of Representatives and was reported by the Committee on Foreign Affairs without amendment. It was accompanied by a report which the Committee on Interoceanic Canals of the Senate in the Fifty-second Congress, designated as a very learned and able report by Mr. McCREARY, of Kentucky, now an honored member of this Senate, on March 2, [illegible] at that session of Congress.

This resolution declared it to be a corollary to the Monroe doctrine that the [illegible] and maintaining a protectorate over any enterprise of a canal connecting the waters of the Atlantic and Pacific oceans, that [illegible] protectorate, and control of any foreign government, that it was known that such a step or other arrangement necessary to protect it would be [illegible] to the United States and to the peace and safety of this hemisphere.

[illegible] at the Commercial congress in Chicago, which was followed by the [illegible] of the United States of various commercial [illegible] based upon our possession in the Chinese market. The Chinese authorities, while conceding to the [illegible] that [illegible] be permitted to [illegible] the [illegible] in a perfect security and freedom, the [illegible] the guarantee of [illegible]. [illegible] over the [illegible] to [illegible] the United States to [illegible] the [illegible] of the [illegible].

In the discussion of the subject which followed in the Chinese [illegible] it was stated that this country was necessarily interested in the aggression, and [illegible] by Great Britain over the Mediterranean, stating the fact that she had [illegible] over nations [illegible] would [illegible] advantages at the expense of the United States and other commercial nations seeking to carry on commerce to the south of us. This [illegible] was entered into by our Government, and for more than forty years we have extended to Colombia the protection that it contemplated. It is not predicated, by anyone that this treaty requires the United States Government to protect the sovereignty of Colombia as against the insurrections carried on by her own citizens. As a result of all these discussions of purpose on our part, and contracts entered into with Colombia, the latter was given a share of many of the attributes of sovereignty as we understand that term when it is applied to England, France, or other of the great governments of the world. To the extent that Colombia had it we granted it, and it amounted to a definite interest in the Isthmus.

Colombia's attitude thereafter was that of the owner of an article of property that was hers only in the sense that she was entitled to receive its value when disposed of, and that, in selling it, she should not be required to surrender her incidental governmental rights further than was necessary to vest the purchaser with the title and control necessary to make the purchase effective. This left the question as to how Colombia might utilize the Isthmus for canal purposes by constructing the canal herself or by authorizing a private corporation to do so. It goes without saying that Colombia is wholly without the resources to do so on her own account, and experience demonstrates the fact that available private enterprise and capital are wholly inadequate to the accomplishment of the purpose. The undertaking was of such magnitude and the locality in which it was to be carried on presented so many natural and political difficulties that the unlimited credit and authoritative powers of a great government were necessary in its accomplishment and successful operation.

Under conditions evolved by the past fifty years that government is necessarily the United States. Prior to 1902 the discussions in this country assumed that in consequence of the contiguity between Colombia and the French canal company that the Panama route was not to be taken into consideration in any effort that the United States might make to build a canal on her own account, and because of this the discussions related almost entirely to the advantages and disadvantages of the Nicaragua route. In 1898 a very formidable revolution broke out in Colombia, said to have been due largely to the fact that President Sanclemente had made an unauthorized extension of ten years to the Panama Canal Company. This revolution made such progress that in the year 1902 it was plainly evident that the Departments of Panama, Cauca, and Bolivar were quite likely to be able to maintain themselves as an independent republic. This is shown by the following letters from Admiral Casey, who was in charge of our forces sent to the Isthmus to protect the transit granted to our citizens and commerce under the treaty of 1846. I will read from a note written by the Admiral, dated on the 13th of October, 1902.

> [illegible] Department of State and Bureau of [illegible]
>
> [illegible] to inform the Department that I have [illegible] all an easy victim [illegible]

Again, on the 20th of October he wrote the following in a letter to the Secretary of the Navy:

> [illegible] existing and from information I am able to [illegible] speedy termination of this strife. [illegible]

That was on October 20. They were practically besieged by Herrera and his forces.

> Troops at neither place dare to go beyond their intrenchments.

They had Colombia hemmed in until her troops did not dare go beyond the intrenchments.

> [illegible] but as he came at[illegible] are apparently already [illegible] much.

In fact it became evident that the New Panama Canal Company never could [illegible] it had undertaken, partly because it was impossible to raise the money in the open market for carrying on an enterprise which [illegible] but which was rendered [illegible] of the country in which it was located. Colombia realized [illegible] that her only chance [illegible] save her boundaries from [illegible] that was to interest the United States in the Panama route. For this purpose her minister of war, Mr. Concha, was sent here nominally to take charge of the legation during the temporary absence of the regular minister, but really to cooperate with Cromwell, the attorney of the New Panama Canal Company, in the negotiation of a contract that would put an end to the revolution and at the same time enable the New Panama Canal Company to find a purchaser for its property and franchises and [illegible] the United States [illegible] of the Nicaragua route, which had become [illegible] by the passage of what is known as the "Spooner law" by the House of Representatives, providing for the construction of the canal on this latter route.

As a result of the efforts of Mr. Concha and others, which Mr.

Hay, Secretary of State, says were pressed for more than a year, on the 22d of April, 1902, the form of a treaty was entered into and signed on behalf of the respective Governments, by which the New Panama Canal Company was authorized to sell to the United States its rights and property, and the Government of Colombia agreed to accept from the United States $7,000,000 for the grants and franchises necessary for the construction and operation of the canal. An additional annuity was provided for in the contract signed, but the amount of this was to be determined on the basis of the profit derived from the operation of the canal, to be definitely fixed by arbitration.

In a communication sent by Concha after the protocol had been signed, he perpetrates the following act of characteristic Colombian disingenuousness, which becomes palpable when we recall that the sum of $10,000,000 was demanded a few months later for the very same grants and franchises then being offered for $7,000,000:

> Colombia has no hint of unjust gain through the construction of the canal [illegible] Here public in the matter [illegible] between the two countries that [illegible] a region on her territory and [illegible] property. The [illegible] asked by Colombia [illegible] in that they [illegible] a practical and [illegible] of her integrity.

This Hay-Concha protocol was to become operative as a treaty as soon as our Government should authorize its execution on our part. This was done on June 28, 1902, by the passage of what is known as the "Spooner law," by the provisions of which the President of the United States was authorized to acquire from the Republic of Colombia a strip of land not less than 6 miles in width, over which the canal was to be constructed, provided this territory could be acquired within a reasonable time, and if not, then negotiations were to be entered into with Nicaragua and Costa Rica looking to the construction of the canal on what is known as the "Nicaragua route." The Colombian Government pretended that it was not possible to assemble its Congress for the ratification of the Hay-Concha treaty as long as the revolution was in progress, and because of this the good offices of the United States, [illegible] to suppress the rebellion on a pretext of protecting the Isthmus, were invoked, as will be seen from the following letter received by our State Department:

> BOGOTA, *September 11, 1902.*
>
> SECRETARY OF STATE, [illegible]
>
> [illegible] for foreign affairs discloses me to inform you that his Government [illegible] to inform the Department that I have [illegible] all an easy victim [illegible]
>
> [illegible] continuance of war will delay [illegible]
>
> Minister for foreign affairs emphasized this last point as being well to present to your consideration.
>
> HART.

At that time this Hay-Concha protocol had been signed and was pending.

As a result of the intervention of the United States, on the 21st of November, 1902, the revolution under the leadership of General Herrera, composed just at a time when it was evident that no resistance that Colombia could interpose would prevent its triumph and the establishment of a new republic composed of Panama, Cauca, and Bolivar. The chief cause of the Herrera revolution was the [illegible] in Panama [illegible] by the Colombian Government [illegible] It was evident to the Panamanians that all hope of [illegible] the canal constructed in their territory was about to be [illegible], notwithstanding the superiority of the route, by the United States being [illegible] to adopt the Nicaragua route. In his letter to Admiral Casey, speaking of the proposition, as being considered into a national interest, one of the most vital to the life and prosperity of Panama. The very first stipulation in the treaty or compact entered into between the Colombian Government and Herrera for the termination of the revolution provided that the Congress of Colombia would at once take up and consider and dispose of the mattter of constructing the canal.

The dishonest and perfidious politicians who constituted the Government at Bogota had thus succeeded in putting down the revolution by aid secured on the promise to close the negotiations for the canal on the basis of the Hay-Concha treaty and then [illegible] that the United States had committed itself in a manner to the primary adoption of the Panama route and had, therefore, broken off all pending negotiations with Costa Rica and Nicaragua, repudiated the act of Concha in entering into the treaty and demanded that the terms of a new convention should be agreed upon. Our Government reluctantly acceded to this, and, on the 22d day of January, 1903, what is known as the "Hay-Herran treaty" was signed by the representatives, respectively, of Colombia and the United States.

Under the terms of this treaty the amount to be paid to Colombia was, without explanation, required to be increased from $7,000,000 to $10,000,000, and the annuity fixed at $250,000 a year, with the right of readjustment at every period of one hundred years. Other provisions were incorporated in the treaty, deemed by many to be unfair to the very limit of toleration to the United States Government. But so great was the anxiety on the part of Congress and the people to see actual work begin on the great enterprise that the treaty was ratified by our Government, notwithstanding the palpable imposition practiced by Colombia.

In the regular course the treaty was now transmitted to Bogota for ratification by the Colombian Congress. It is admitted by everyone that the treaty is more than fair to Colombia, both in the amounts that were agreed to be paid and in the concession of territorial rights to the United States. Not only is this the case, but every well informed man knows that the sum of money stipulated to be paid was in excess of the value of the franchise, taking into account the great amount of money necessary to be invested to make the franchise effective and the problematical character of the volume of business necessary to make the project a self-sustaining one, while the rights of compliance received were scarcely in excess of those which the landlord concedes to a tenant on a tract of his land. But, in addition to these material advantages the treaty secured to Colombia, its fair treatment by her was made a matter of duty by the sentimental relation growing out of dealings between the two countries for the past sixty years.

Therefore, in the acts of duplicity and unfairness manifested by Colombia in connection with the consideration and rejection of the treaty could only be taken as an act of cupidity, encouraged by the dishonest spirit which blinded its authors to the extent of their own rights and the natural and imminent character of their dangers. Even before the assembling of the Congress which was to consider the treaty a systematic scheme of blackmail and oppression was developed both as against the interest of the New Canal Company and that of the United States by the politicians of Colombia. As evidencing this fact, and as well showing the attitude of the representatives of Panama in threatening to secede in the event the treaty was not ratified, I make the following somewhat extended quotation from the official correspondence between our diplomatic agents in Colombia and our State Department.

It appears from the communication from Minister Beaupre, on April 7, 1903, after the treaty had been ratified by the United States Senate, but before the Colombian Government was notified of the fact of ratification, that the Bogota authorities had informed the railway and canal companies that it would be necessary to appoint agents to negotiate terms upon which these companies would be allowed to sell and transfer their property and concessions, as provided for in the first article of the treaty.

This is the first evidence of bad faith, since the very purpose of the first article of the treaty was to enable these companies to do the very thing that it was now sought to deny to them by these proposed negotiations.

The following extracts from the correspondence between Minister Beaupre and the State Department will show the duplicity and perfidy which characterized the manner of the Bogota Government in dealing with the ratification of the treaty:

Mr. Beaupré to Mr. Hay.

> APRIL 15, 1903.
>
> The financial crisis had previous to this announcement reached a most [illegible] as the prospect of [illegible] was [illegible] to be paid in Panama [illegible] good condition the finances of the country. I am convinced I am right in saying that the public had never expected better terms. The proof [illegible] from 100 to 200 per cent, and when it was rumored that [illegible] government [illegible] good price per share.
>
> [illegible] Government [illegible] the [illegible] of Congress [illegible] to be [illegible] which [illegible] to the effect that the Government had [illegible] against it.
>
> [illegible] is a complete revolution in feeling has taken place. From approbation to suspicion and from suspicion to decided opposition have been the phases of change in public sentiment during the last month.
>
> * * * * * * *
>
> As the publication [illegible] of the treaty [illegible] of Panama [illegible] United States charge with a [illegible] statements are they voice the opinions and convictions of the Bogota public.
>
> * * * * * * *

This, then, is the present state of affairs. As to what will happen it is impossible to predict; yet this much seems certain to me: If it is the wish of the Government that the convention be ratified, it will be done.

Mr. Hay to Mr. Beaupré.

APRIL 28, 1903.

[illegible]

Mr. Beaupré to Mr. Hay.

MAY 4, 1903.

[illegible]

Mr. Beaupré to Mr. Hay.

MAY 7, 1903.

The probabilities are that when the message is [illegible] there will be a lengthy debate and, as of course [illegible] for a reconsideration [illegible] means of preventing the consideration of these documents [illegible] ing point, however, is the belief that the press can be greatly augmented.

There was constant warning by our State Department that good faith in dealing with the treaty was expected at the hands of the Government of the United States. [illegible]

In a communication dated the 15th of June, 1903, Mr. Hay say:

DEPARTMENT OF STATE, [illegible]

[illegible] HAY.

Beaupré to Hay.

JUNE 10, 1903.

Mr. Mascini, the local agent of the Panama Canal Company, [illegible] me that he had received [illegible] stating that [illegible] throughout the [illegible] passed [illegible] Congress had been called to meet June 20, 1903.

Beaupré to Hay.

JUNE 23, 1903.

Confidential. Express[illegible] Government have convened Congress. I believe no legislation seriously desired by the Government will pass.

Mr. Beaupré to Mr. Hay.

JUNE 25, 1903.

Opposition Chamber of Representatives opened [illegible] documents relating to the treaty. The Government [illegible] because it was not ready to present the treaty. The Government was sustained—vote 38 to 5.

President Marroquin in his message to Congress June 20, 1903, after adverting in an unconcerned way to the arguments advanced for and against the ratification of the treaty, said:

Happily for me the immense responsibility of coming to a decision falls to Congress. That is the body which has to give its approbation or disapprobation of the treaty signed on the 22d of January last. [illegible] I have [illegible] be wholly [illegible]

[illegible] it has been one of our indisputable diplomatic triumphs that the [illegible] United States, in spite of the strong efforts made [illegible] the hands of a bankrupted [illegible] was [illegible] or was unfit to be [illegible] nation where honorable men were called on to act.

Beaupré to Hay.

JULY 5, 1903.

[illegible] Congress to which this treaty was to [illegible] matter that they did not [illegible]

Mr. Beaupré to Mr. Hay.

JULY 11, 1903.

[illegible] on this question has been going on for many days, and the end is [illegible] fact that if the Vice-President signs [illegible] the treaty at all, and in all p[illegible]

He absolutely refused to sign the treaty, to perform the per[illegible] diplomatic rep[illegible] it.

Mr. CLARKE of Arkansas. [illegible] the full [illegible] contracting party at the [illegible]

[illegible]

Mr. Beaupré to Mr. Hay.

JULY 21, 1903.

[illegible] can win it over.

[illegible] that one [illegible] to be [illegible] and whether it would be wrong to undertake to assume construction of the canal.

It seems a similar application was made by others to the representative of the British Government. Neither of these diplomatic representatives gave any encouragement to such a suggestion.

Mr. Beaupré to Mr. Hay.

AUGUST 5, 1903.

It is now apparent that the treaty will not be ratified without amendment, because the positive refusal on the part of the Government can not be expected.

Mr. Beaupré to Mr. Hay.

AUGUST 12, 1903.

The treaty was rejected by the Senate [illegible] in its entirety. Confiden[illegible] again to the Senate and secure its passage without amendments.

Mr. Beaupré to Mr. Hay.

AUGUST 27, 1903.

As I have on many occasions informed you, ratification [illegible] more or less indifferent to the fate of the treaty.

Mr. Beaupré to Mr. Hay.

AUGUST 13, 1903.

There is a feverish anxiety here to know what your position will be upon receiving news of the rejection of the treaty and further action by Congress [illegible]

Mr. Beaupré to Mr. Hay.

[Telegram.]

UNITED STATES LEGATION,
Bogota, August 31, 1903. (Received September 5.)

August 29, 1903, 2 p. m. I said as [illegible] treaty. [illegible] General Reyes's statement concerning presidential candidate, and [illegible] Esmeraldas and Barranquilla [illegible] satisfactory can be expected [illegible] signed by Velez and Soto and [illegible] the treaty. [illegible] Reyes seems [illegible] hopes.

BEAUPRÉ.

Mr. Beaupré to Mr. Hay.

LEGATION OF THE UNITED STATES,
[illegible]

[illegible] are well known, and he is reported [illegible]

[illegible] the feeling of opposition to Señor Obaldia's appointment was given expression by a resolution proposed by Senator Perez y Soto, to the effect that—

[illegible] passed by an almost unanimous vote.

Publicly avowed on the floor of the Senate and discussed in connection with the resolution calling attention to it, his appointment was perfectly well known to be the first step in a revolution if the canal treaty was not adopted. It was a settled and defined policy, in the declaration of which no sort of secrecy was practiced. It was stated upon the floor of the Senate; it was made the subject of a resolution and a vote there, and yet there are those who pretend to believe that it was instigated at a later day and elsewhere.

Panama had the right of revolution, and we did not confer it upon her, although we had frequently prevented her successful resort to it. We had the right of recognition, and we are not compelled to account to Colombia for the manner in which we exercised it.

The debate itself, though short, for it lasted under two hours, was one of the most important that has yet taken place during session. As I telegraphed yesterday, it was nothing more or less than a direct vote of censure.

It was said that Obaldia's appointment could have one, and only one explanation: that he was sent to the Isthmus to make necessary preparations for the presidential election—

Reyes was the candidate of the party with which Obaldia affiliated—

and that other similar appointments had been made with the same end in view, which [illegible] designates to the Department of Bolivar [illegible] from to vince [illegible] general interests of the country for purposes of [illegible]

[illegible] Senator Caro, in a passionate and much applauded speech, warned [illegible] that should it persist in its present course, [illegible] revolution was not far distant [illegible] the general spirit of hostility shown [illegible] Senators themselves and by the [illegible] speech. There was [illegible] resolution opened the door to a general [illegible]

Here is another:

[illegible]

SIR: I have the honor to inform you that there is no [illegible] the Senate [illegible] that the minister for foreign [illegible] that the view [illegible] outlined to [illegible] the President [illegible] Senate [illegible] United States [illegible] upon receiving the President's message. (Mr. Beaupré to Mr. Hay, November 2, 1903.)

Senator Caro, in the course of an impassioned speech in the Senate assaulting the Marroquin government, said:

The [illegible] made by the Government was the appointment of Señor Obaldia to the governorship of the Department of Panama.

And he uttered a statement which ought to be emblazoned in golden letters on the walls of that Senate:

The only strength which a small nation has is its good faith.

* * * * * *

An effort was made by the Government to falsely place the blame for the rejection of the Hay-Herran treaty upon the notes addressed by this legation to the minister for foreign affairs, and the result was awaited in the belief that this view would be accepted by the Government of the United States. This attempt failed; the situation is disturbing; and now the further [illegible] quite apparently, for the purpose of awaiting the action of President [illegible] upon receiving the President's message. (Mr. Beaupré to Mr. Hay, November 2, 1903.)

The election of General Reyes to the presidency of Colombia meant the election of a Congress next year pledged to pass whatever canal treaty the Government should present. Senor Obaldia was therefore a supporter of the canal treaty of Congress, though, and it was for this reason that he was appointed governor of the Isthmus. Mr. Senor Obaldia was before Congress, however, and he was known to have said that, should the Department rise in favor of Government, he would be with Panama. Therefore the Government had a conscienceless purpose, challenged their possession of the Isthmus. He [illegible] to the Senate an extract from the New York Herald containing an interview with Governor Obaldia in which he is quoted as saying [illegible] stated, and in which Senor Obaldia said that, during his sojourn in [illegible] had several interviews with the Americans in order to learn what he had communicated these facts, which Mr Beaupré had doubtless transmitted to his Government.

The reading of this extract caused much confusion. Senator Carmack noted on that occasion the views of President Roosevelt and he thought it was certain he had no intention of adopting the Nicaragua route. It was the prime expectation of the present owners of the canal of United States Government who had events on the Isthmus were being watched. Newspapers [illegible] them for the first time [illegible] the power of the United States Government. Colombia was told that the concession of the canal was essential to the continued good [illegible] of the civilized world, and that she should not, therefore, stand in the way of an enterprise so undertaking. Hence, because of the [illegible] Colombia's sovereignty. But why he acted, and why it should be deemed a crime to deny the existence of a sovereignty. It was because the United States wanted the canal for themselves and not for commerce and civilization.

Beaupré to Hay.

OCTOBER 31, 1903.

Congress adjourned to-day. No action has been taken upon the act [illegible] the canal. Therefore nothing done than the vote of August 12 on voting treaty there.

The people here show great anxiety over conflicting reports of secession movements in the Cauca and Panama.

After the rejection of the treaty and final adjournment of Congress the Colombian Government in its official notification to this Government of the fact placed the rejection of the treaty upon the hyperstrained and unfounded ground that the provisions of the treaty invaded its sovereignty to such an extent as to threaten her territorial integrity. Here is the communication:

At the time [illegible] the treaty was signed by the Colombian plenipotentiary the country was in a state of siege.

Thus seeking to justify her unpardonable act by attempting to take advantage of the very fact which [illegible] in entering into the negotiations in April, 1902, when the Herrera revolution was about to succeed.

The country was in a state of siege; there was not any law giving authority [illegible] and the national representatives could not consider the matter.

No, of course not; simply because the minister for foreign affairs in his request sent through Hurtado on September 2, 1903, says that until the American people put down the Herrera revolution they would not call Congress together. That was the reason they could not consider it—

and as the treaty involves the construction of public works on a large scale and the expenditure of a considerable part of the Treasury [illegible] the Congressmen who signed it [illegible] the face of the Constitution [illegible] a constitutional power of the treaty were [illegible] and political powers would be entirely [illegible] Congress would necessarily [illegible] the treaty [illegible] the Government [illegible] Congress [illegible] the Government [illegible] a treaty of this nature [illegible] convention or by a reforming act of the constitution [illegible] provided.

The Senate declared by the same resolution that it is natural to accept the terms in the contract [illegible] the Government [illegible] United States.

So far from this being true, it will be seen from the following provision that we had not only to guarantee her sovereignty to an extent that left us scarcely safe in our treaty [illegible] possession [illegible] and operate a canal, but she actually insists on our using it as a purpose to increase our territory at the expense of [illegible] or any of the sister republics in Central or South America.

Mr. SPOONER. From what is the Senator reading?

Mr. CLARKE of Arkansas. The Hay-Herran treaty, which was rejected by Colombia.

I now read Article IV of that treaty:

ARTICLE IV.

The rights and privileges granted to the United States by the terms of this convention shall not affect the sovereignty of the Republic of Colombia over the territory within whose limits the works, stations, and properties [illegible] are to be established.

The United States freely acknowledges and recognizes this sovereignty and assents that no claim of any kind based on any supposed exercise of sovereignty in the territory of the Republic of Colombia shall be made by the Government of the United States, nor shall any such claim be prejudiced by the exercise of the rights and powers conferred by this convention.

It appears from the foregoing extracts from the official correspondence that the Marroquin Government was either too corrupt or too badly intimidated to give to the intervention of the United States the support that her country [illegible] and the history of this particular transaction made it its absolute duty to do. On the contrary, we find him refusing to commit himself unequivocally to its support by declining to perform the perfunctory act of signing his name thereto, and this after he had authorized its negotiation and approved its terms. We find the executive officers addressing communications to the canal company, proposing levies of blackmail, which could only be successfully made by denying the authority to seal contained in the first article of the Hay-Herran treaty and for which the Colombian Government was compensated in the payment of $10,000,000 provided for; find them scheming to deny the validity of an extension of the ten years granted to the canal company to complete its project on the pain of forfeiture, in the hope that after committing this act of spoliation they would be able to dispose of the same to the United States and receive the $40,000,000 contracted to be paid the canal company.

We find in the debates that took place on the general question of the treaty, and the circumstances under which it was made, the expression of an utter want of confidence in the Government and a covert notification of a belief that the United States had complicated itself by the passage of the Spooner Act that it could not now go back to the Nicaragua route, and in consequence could be successfully blackmailed into paying an additional sum. Another large element in the Senate was so bitterly and [illegible] hostile to Marroquin and his administration that a purpose to undo him dominated all of its action and subordinated the desire to advance the public good to that of his obstruction. This element cared nothing for the interests of the United States nor the bad reputation for the want of good faith which Colombia would make by conforming her conduct to their suggestions. As Parez said in the article in the North American Review from which I have quoted, to them the amount of $10,000,000 was offensive; $50,000,000 would have been more so.

Just as I remarked a few moments ago, the recorded history of the entire transaction is evidence of the utter want of good faith upon the part of that Government; or, if its officers were acting in good faith, they were living in an environment that subjected them to the control of a despotism behind the throne greater than the throne itself; where the intrigues and cabals of politicians ostensibly had in importance the place of good and blinded the judgment of those who should have advised and protected a country of its rights and warned it of its dangers. They ought to have known, as one of the Senators stated upon the floor of the Senate, that the only protection for a weak nation is its good faith. They ought to have understood that the time for trifling with this great Government upon this great question had passed, that an offer had been made to them which contained every security which covered every value, which protected every right, which pandered to every whim—and Latin American vanity is prolific of these latter—that fairness and justice in its fullest limit had been tendered to them, and that their opportunity was now.

They knew, or ought to have known from their past experience, how ludicrously inadequate Government troops had proved on Panama, but upon every other Department of the Colombian territory. They knew that the Isthmus, outside of the canal and railroad interests there, was of no value whatever, being no greater part which is uninhabited. The Bogota Government knew, or should have known, that [illegible] the United States to Nicaragua, and therefore jeopardized the canal and railroad property values, a revolution would have quickly ensued. They did not have to go back very far in their history to learn this. It was repeated upon the floor of the Senate during [illegible] and there was not the slightest attempt or any body [illegible] denying or [illegible] that the treaty was not ratified another revolution would break out in Panama.

There is no fair [illegible] when it is considered in all its circumstances [illegible] the Hay-Herran treaty, and the [illegible] of the Colombian Congress [illegible] these in the [illegible] our historical and contract rights, but who will admit [illegible] of November [illegible] and not a theory [illegible] the antecedents of the United States. Desire to [illegible] Colombia what her officials should have had sense and patriotism enough to do for her—that is to say, by taking from her, without her consent, a canal strip on the Isthmus upon paying to her its fair and full value. But under existing and recognized modes of procedure we could not do this. But we could take the profits of what had actually transpired and observe with greater accuracy those rules which are the consequence of which must inevitably follow, ready to avail ourselves of any proper opportunities that circumstances might provide. The Colombian Government and the Colombian people had demonstrated an utter incapacity to know their own interests, or a want of will, courage to pursue them, that is amazing. Further negotiation on our part with Colombia was out of the question.

We were therefore warranted in a course of interested nonaction, having a right to assume that out of the chaos of inevitable revolution some adjustment would come that would approximate more nearly to justice than from the deliberations of the so-called Government of Colombia. We therefore stood at arm's length with Colombia. We accepted the situation. We had a right to say to her, in the homely language of the day, "You can paddle your own canoe. For the last fifty years we have been putting down insurrections on that Isthmus for you, looking to the time when it could be used for the construction of a canal to promote the commercial intercourse of the world. We have entertained negotiations at your invitation, in the progress of which we have provided ample and liberal pay for every right we sought to secure from you and respected every suggestion of territorial protection and sovereignty that you expressed. Now we are convinced, beyond the necessity of further enlightenment, of your utter want of that self-respect, coherence, stability, and civic pride that is necessary to constitute any people a government to be dealt with and respected. Now, go your way."

In saying this we had no right to imply that we had it in contemplation to ourselves to invade her rights, or by corrupt connivance aid others to do so, notwithstanding our abundant provocation. We still rested under our traditional duty of dealing justly and fairly with all. But when mere matters of favor are concerned we were restored to our absolute freedom in choosing the beneficiaries thereof. This we could well and justly say in the face of a full knowledge of what was going on on the Isthmus; not only what would go on there as the result of natural and local influences, but of what others might be encouraged to do as the result of assuming that this Government no longer intended to stand ready to suppress insurrections which the misgovernment of Bogota had made a necessity on Panama. These influences were sufficiently formidable to provoke a revolution against the Bogota Government, wholly regardless of any attitude of indifference that the United States might manifest.

In its last analysis the rejection of the Hay-Herran treaty and the continuance of the domination of Colombia over Panama meant that the United States Government would be forced to go to Nicaragua for a canal route. If this were done, the $40,000,000 to be paid for the canal property, as well as the value of the railway property, would be absolutely wiped out of existence. In all former revolutions on the Isthmus the influence of the promoters of these great enterprises was against revolution. Now a successful revolution was absolutely essential to their preservation. Fifty million dollars can mobilize a great many friends, particularly when it has its quarrel inst. The foundation for the obligation to support a government consists in the duty and willingness of the government to protect those who support it. And when by the disloyalty and criminal folly of governmental action it becomes evident that the very purpose for which governments are established among men is being defeated by the government itself, the right of revolution becomes a duty.

[illegible] Panama Canal necessarily require in their successful [illegible] many able men. That they had such it is unnecessary to go outside of these negotiations to be convinced. They and those with whom they cooperated had witnessed so many revolutions on the Isthmus that they knew every [illegible] to be consummated. This will account for the consummate skill as international lawyers they displayed in getting into possession of the Isthmus, the neutrality of which the United States Government was bound by solemn treaty to guaranty, by peaceable means, or, at all events, means that did not involve actual warfare. Thereafter they were [illegible] attack.

[illegible] it is doubtful if they ever contemplated that a [illegible] attack would be made upon them. They knew that as a result of the revolution of but a year ago, in which Herrera come [illegible] in resources and in military [illegible] was compelled to impress boys from 9 to 15 years to fill the ranks of her army. The promoters of the revolution also had reasons to believe that, since governmental mismanagement and oppression had destroyed the sentiment of pride and patriotism among the people, no plea that Colombia could make to them to suppress people in other sections seeking to rid themselves of the same oppression would meet with any response. It is, therefore, evident to any one familiar with the situation of affairs and the history of the Isthmus that, independently of the then known or prospective attitude of the United States, in the revolution on the 3d of November [illegible] Panama began operations under more formidable auspices than any of its predecessors.

I do not find it necessary to deny that I believe that the President of the United States knew what was taking place on the Isthmus or what was likely to take place there. If it is necessary to show [illegible] of events there he either had [illegible] his intelligence I maintain that this can only be done at the expense of his intelligence and sagacity, if not his fidelity to his duty. Every well-informed observer of public events knew it. It was the logical and necessary culmination of forces which the Colombians themselves had set at large. After the rejection of the treaty in the manner it was done we owed to the Colombians nothing and could afford to laugh when their calamity came. Our only duty in the premises was to ourselves, and that was to support the cardinal principles of right and justice, not among religiously from clandestinely or openly inflicting wrong upon her. That we did so refrain I have no doubt.

In what was done by the President and those acting under his orders irregularities may have occurred. I have no doubt. It is probably true that in some of the things done by the President he was, in the opinion of many, too hasty. It may be that in some things he displayed qualities which arouse indignation and subject him to criticism. But with his irregularities I have nothing to do. Others who stand nearer to him must take care of that. But with the fundamentals I must deal, because if I were convinced that he had been guilty of entering into a conspiracy to dismember that country, that fundamental fact would determine my course to vote against this treaty. So far as mere details and methods and incidents are concerned, they are matters for his friends to take care of and for his enemies to exploit as evidencing a tendency of character by which he is made to do wrong even when he seeks to do right. That is their business, and not mine.

Of course, an active conspiracy with the revolutionists or prior assurances of aid clandestinely given to them would constitute a fundamental violation of the principles of rights, and then to assume that after this had been done that the positive disclaimer contained in the President's message was untrue is to make a case of total depravity. Leaving out of the view the President's denial, not because I have any doubt about its sincerity, for I have none, the development of the facts show no aid or comfort given to the revolutionists prior to their declaration of independence, and any haste in thereafter extending recognition to the new Republic was a matter of detail and largely within the discretion of the President. A mistaken or improper exercise of it furnishes no foundation for a charge of prior complicity. We were under no further obligation to Colombia to consider any injurious injury to her welfare that might come about as the result of the exercise of any of our discretionary powers of government.

Keeping within the boundaries of our rights, we could act as our interests or inclination prompted, wholly without responsibility to her. She had kept a Punic faith with us. A jury composed of nearly all the nations of the civilized world has rendered its verdict of the issue tendered by our action, and I see no reason why we should [illegible] what we have done [illegible]. Any sympathy bestowed on Colombia is, in my opinion, misplaced.

Mr. President, it may serve to remove a misapprehension that is quite prevalent when I call attention to the fact that in the construction of an isthmian canal the United States is to reserve to herself the rights and privileges in its use that Egypt and Spain the [illegible] of which is to all of the nations of the earth. A realization of this fact will serve to disarm criticism aimed at our recognition of Panama upon the assumption that in so doing we sought by the power of might to acquire for ourselves a useful [illegible] A great improvement which is to benefit mankind [illegible] character of ownership we will possess with reference to its use, I call attention to the provision of the treaty of November 18, 1901.

Acting upon the belief that any negotiation entered into with Colombia on Colombian ground would be carried out in good faith, that Colombia would carry out the Hay-Pauncefote treaty [illegible] by which it agreed to declare the canal [illegible] in the construction of the world upon terms of perfect equality and impartiality as to tolls and use and added a guaranty that absolute neutrality should be maintained in its [illegible] I confess I did very honestly believe that it was entering into a compact with a civilized power. That we should not have reserved to ourselves, at least to our commercial trade, some discriminating advantages. However, we entered into such a treaty with Great Britain, and here it is:

ARTICLE I.

The high contracting parties agree that the present treaty shall supersede the provisions of the convention of the 19th April, 1850.

ARTICLE II.

It is agreed that the canal may be constructed under the auspices of the Government of the United States, either at the expense of the Government or by aid of loans to private enterprises or corporations, or through subscriptions to or purchase of stock in the company which undertook to do the work, and that, subject to the provisions of this convention, the United States may control the canal as a military highway and may, in time of war as in time of peace, enjoy the exclusive right of providing for the regulation and management of the canal.

ARTICLE III.

The United States adopts as the basis of the neutralization of such ship canal the following rules, substantially as embodied in the convention of

Constantinople signed the 28th October, 1888, for the free navigation of the Suez Canal, that is to say:

1. The canal shall be free and open to the vessels of commerce and of war of all nations, under the same rights and upon the same footing of equality, so that there shall be no prejudice affecting, either as regards the navigation, the conditions, the charges of traffic, or otherwise. Such conditions and charges of traffic shall be just and equitable.

2. The canal shall never be blockaded, nor shall any right of war be exercised nor any act of hostility be committed within it. The Powers, however, shall be at liberty to maintain such forces along the canal as may be deemed necessary, and to avail themselves of the canal in time of war as a neutral power, with only such interruption as may result from the application of this article.

3. Vessels of war of a belligerent shall not avail themselves of the waters of the canal to refit and victual except in the case and to the extent to which it may be ordered by the competent authorities that such vessels may do so without gaining an advantage over the other belligerents. The interval between two departures of vessels belonging to the same belligerent shall be not less than 24 hours.

4. The prizes, in all respects, are subject to the same rules as vessels of war of the belligerents.

5. No belligerent shall have the right to use the waters of the canal for the purpose of [illegible]

6. The powers agree that the execution of works intended to facilitate the passage of vessels by the cutting through of the isthmus, whether by means of canals with fresh water [illegible] shall be free to construct such works as may be deemed necessary, at their own expense, within the limits of their possessions, [illegible]

7. The high contracting parties, in virtue of the principle of equality [illegible] shall not seek, for themselves, any territorial concession nor any advantages with regard to the commerce or navigation of the countries with which the contracting powers may have treaties in force, [illegible] with only such interruption as may result from the application of this article.

8. The powers, on an equal footing, agree to subject to the same rules as vessels of war of the belligerents [illegible]

9. The powers [illegible]

10. The powers [illegible]

It may be said and has been said that many of the things thus were done conflicted with some of the fundamental principles of international law. Many of the arguments have been [illegible] and are now have been duly presented. I have listened with [illegible] and, indeed, under my responsibility as a member of this [illegible] I have [illegible] that if the thing had only would have been and have been [illegible] I have been able to [illegible] that it is [illegible] but, as with other [illegible] and for [illegible] it can not be [illegible] strongly enough, that we are [illegible] have been [illegible] by generations borrowed [illegible] the common [illegible]

Many things are hastily [illegible] and [illegible] taken for the [illegible] and complete [illegible] Parliament [illegible] Declaration of a [illegible] of precedent which [illegible] on an [illegible] or on the [illegible] the end justifies the means as the [illegible] and [illegible] law. But even where [illegible] with the [illegible] have been made in their [illegible]

As a [illegible] of nearly every era-marking achievement in our history many of these [illegible] have been [illegible] as on these particular [illegible] of a distinctly protest against all precedent and keeping [illegible] of precedents and predecessors of [illegible]

A reference to [illegible] will suffice for the purposes of the present [illegible] When the [illegible] pay the price for the Louisiana purchase was [illegible] in Congress. Jordan Cushing, a Democrat New England [illegible] of his time, said if the act became a law it would [illegible] from right moral conception and as it would be the right of [illegible] would be the duty of some to prevent by a resolution—amounting if they could, [illegible] of that act. The [illegible] and nullification thus obtained its first practical application in New England.

Again, when Texas, now the Empire State of the South, and when the Panama Canal is in successful operation, [illegible] the Empire State of the Union, was about to become a part of the great Republic, the legislature of Massachusetts, in its wisdom, of [illegible] resolved:

That under no circumstances whatever shall the people of Massachusetts regard the [illegible] as constituting a [illegible] of the rights of the people of Massachusetts [illegible] of those things which [illegible] the government.

The danger to the peace of the Union contemplated by this resolution would [illegible] the determination of the New England States to forcibly resist the annexation of Texas or to secede from the Union at the happening of that event. The resolution was forwarded to Congress and to the several States. It was intended on the part of Massachusetts that no matter under what circumstances Texas might be acquired by the Union, secession must follow. The succeeding legislature adopted a similar resolution, which it was directed should be sent to the Congress, and in this last it was solemnly resolved:

That the project for the annexation of Texas, being pressed to the threshold, may lead to dissolution of the Union.

In our country it is the right of everybody to speak out against those things in public affairs which he does not approve. This is often necessary even where the things have become accomplished facts, if there is thought to be a wrong side to the transaction in the manner of its accomplishment. The wholesome effect is to educate the public opinion of the country into an understanding of correct principles, because no government can maintain the confidence and respect of its own citizens that permitted the violation of principles of rights in its public acts and policies. No excuse is more appropriate for this than the tendency of some given even such as the present case, for it is difficult, [illegible] to impress these lessons in a more [illegible] way, [illegible] to the [illegible] of the people.

[illegible] that whatever may be done [illegible] be [illegible] by [illegible] of [illegible] have. [illegible] room for [illegible] which is the [illegible] to the [illegible] which [illegible] Nor must [illegible] the fact that [illegible] history of things done, and which when once done are [illegible]

[illegible] furnish an instance where mere discussion has [illegible] or restored a [illegible] the [illegible] on any given [illegible] the [illegible] of [illegible] the [illegible] to a [illegible] he was undone did not in all things come to pass [illegible] And then, as well intensify the elation of the [illegible] with [illegible] I [illegible] a [illegible] upon which rests upon the one or the other [illegible] a party to or to correct the wrongs of a government [illegible] war, or in a certain way, by the force of public [illegible] in its own country. The correction enforced by public [illegible]

I [illegible] when this Panama affair is [illegible] by our people [illegible] the spirit of [illegible] the [illegible] to impress these lessons in a more [illegible] and

to declare martial law as a means to its suppression. This act would incidentally give him the power to negotiate and ratify treaties. Considering the hostile environment in which he was seeking to embarrass the Government, and the violence and utter want of patriotism manifested in their factious contests on the part of those who, in the regular course of events, cooperate with him in concluding the negotiations for the construction of the canal, we may well accord him, with a purpose not altogether reprehensible, when we attribute to him the purpose to inaugurate in a revolution at Panama hoping thereby to accord him in taking into his own hands the whole power of government under his authority to declare martial law.

He knew that our Hay-Herran treaty was as favorable to Colombia as any that he could ever hope to secure, if it not only conferred the best terms that could be secured, but it vouchsafed all that in fairness could be demanded. He knew the hopeless state of bankruptcy that existed in his country, and how generally the people looked upon the proposed Hay-Herran treaty as assuring the prosperity of his distracted country. He was likewise well aware that under the terms of the Spooner Act, whenever it became plain that no concession could be secured from Colombia, that negotiations would be conducted looking to the construction of the canal on the Nicaragua route, and that in the meantime the colossal wealth of the companies in the canal railway and the partially completed canal would be utterly destroyed and the canal idea dead. Among his people there prevailed a belief that, in the light of the negotiations, had attention not been diverted by Commander Hubbard's reports. Before closing on I will say that the reports referred to in the commander's report are in the main accurate. The governor of Panama, Amador, Herrera, president of Panama, Lewis, Santos, a native and Kentucky, and known locally as the "King of the Isthmus," and a leading spirit in the revolution, the act of which was sent to Colon by Torres on the evening of the 3d, are Monroists.

It appears from a telegram sent to the State Department by Minister Beaupré, the American consul at Colon, that the troops who arrived at Colon on the night of the 2d of November were not expected until the 5th. Amador is a native of Colon and a sympathizer with the revolution. It thus appears that the revolutionists were advised of what was going on at Bogota to a fair, at least, as the movement of troops was concerned. After the arrival of the troops at Colon on the morning of the 3d, for the pretended purpose of being transported to Panama, to constitute a garrison there, ostensibly to keep down a revolution, they were permitted to remain in Colon while Generals Tobar and Amaya went over to Panama to arrange matters, as it was said. The 475 troops were left at Colon in charge of Colonel Torres.

Instead of awaiting orders from Panama, to be given by General Amaya as stated, Torres sent a dispatch to Panama. It seems that one arrived at the transportation for his troops having the day of the 3d. This Colonel Shaler, superintendent of the railway, refused to forward troops he was requested to do so by Governor Amador. Later in the day Amador furnished Colonel Shaler with the necessary money to secure the passage of the troops. It is difficult to explain why Amador, the head of the revolutionary party, caused these the Government troops sent to the point at which the revolution was to be consummated without a few hours notice, it is admitted that he fully understood what their errand was to be after they reached Panama. It also appears from the cross-examining clause of the second paragraph of Commander Hubbard's report of November 8 that after the revolution was consummated and its leaders had organized a form of Government, it was found that these so-called Colombian troops at Colon under Torres be then sent over to Panama.

It is shown that on the 4th numerous "pronunciamentos" were made by the representatives of the new Government to Colonel Torres at Colon, and that after several hours consultation with Mendez, the alcalde of Colon, and which was carried on in a well-known cafe of that town, Torres appeared on the streets of Colon with a proclamation publicly that he intended to accept the Amaya an entente in Colon under the auspices of Tobar and Amaya, were pressed by 2 o'clock. This declaration on his part immediately caused consternation among the Americans, and before it was known that it had been made was promptly communicated to Commander Hubbard, who proceeded to hastily take down building and to assemble there all the American citizens who believed in good faith that this warlike preparation was necessary to prevent their extermination. After thus affording a pretext requiring the American forces to land for the first time on Colombian soil, for a purpose unmistakably justified under the practice of nations, and in doing so made a show of force that would afford Torres an excuse for any course that he might have it in mind to pursue as the result of his negotiations with Mendez, Torres entered the fortified building and notified the officers in charge that he had no intention of injuring any American citizen, but on the contrary he loved them very much.

It became necessary for Melendez to procure from Panama sinews of war of a certain kind much sought in Colombia. Torres, under the pretext of having the alcalde obtain from the imprisoned General Tobal an order authorizing him (Torres) to withdraw, secured as the result of this interview, at 8.45, a special train to carry the alcalde to Panama at once. At 10.45 on the 5th Melendez returned to Colon, and it is a fact that is not denied that he brought with him $[illegible], which was paid over to Torres without any effort at concealment, and after receiving the money Torres brought his soldiers into the town of Colon, and Commander Hubbard's report says upon this second entrance: "They did not assume the threatening demeanor of the previous day." The story is that $[illegible] of the money was publicly paid to the troops on the pier of the Royal Mail Line, and that shortly thereafter the troops, together with Colonel Torres, departed for Cartagena.

The day or more Colombian soldiers stationed at Panama under the command of General Huertas were likewise won over to the revolutionists by bribery, and thereafter constituted a part of their force, and so now. There is not the slightest doubt that the troops which reached Colon on the 3d of November were intended to form part of the revolutionary force at Panama, and that Amador and Reyes knew this to be true. Had the plot of Torres been that the revolution should be when these troops were added to the garrison of Panama, Marroquin would be furnished with the pretext for declaring martial law, which he could justify where he called by the political means by calling attention to the force at the disposal of the revolutionists. This is clearly shown by the following telegram sent by the minister from Panama on the 6th of November. It confirms perfectly what the foregoing circumstances make probable:

Beaupré to Hay.

BOGOTA, *November 6, 1903.*

[illegible]

[illegible] about the same number from the Atlantic side. Please answer by telegraph.

BEAUPRÉ.

The same is true of the following telegram of the 7th:

Beaupré to Hay.

BOGOTA, *November 7, 1903.*

[illegible]

He has telegraphed President of Mexico to ask the Government of the [illegible] in the Cauca and Panama. Answer.

BEAUPRÉ.

It will not fail to attract attention that this is a very mild and unconcerned form of communication, considering that there was to be an effort in good faith to suppress the outbreak.

It will also not escape attention that General Reyes had passed the United States Government to take up a position having arrived at Panama and had an opportunity to consult with the new Panama Government, and knew above all things the United States Government must not recognize the new Government. To do that would cause his whole scheme in bringing about the revolution to miscarry.

Then again, in the point of the time [illegible] Colombia and in her people being able to suppose [illegible] well to note that our minister, on November 7, sent the following dispatch:

BOGOTA, *November 7, 1903.*

[illegible] Government of the United States [illegible] Colombian Government [illegible] line of railway. [illegible] tion to suppress the movement [illegible] ance with a view to the treaty of 1846 [illegible] Government is entirely unable to suppress the movement [illegible]

Here it is squarely admitted that a contingency was likely to come about where the Colombian Government would be entirely unable to suppress the secession movement at Panama. Well this doubt might be expressed, for the revolution then in progress had more elements of strength to support it than any of its predecessors, and, in addition to this, it found the United States in a relationship to Colombia that had never existed on any former occasion. In support of this supposition of knowledge and complicity on the part of Marroquin and Reyes the following letter from Vice-Consul Ehrman is relevant, as showing that the whole revolution was brought about by a previous arrangement:

No. 463.] CONSULATE-GENERAL OF THE UNITED STATES,
Panama, [illegible]

Hon. FRANCIS B. LOOMIS,
Acting Secretary of State, Washington, D. C.

[illegible]

[illegible] 10 o'clock on the night of the 3d the *Bogota* fired several shells, [illegible] the revolutionists [illegible] Colombian troops [illegible] Panama [illegible] J. A. Arango [illegible] Colombian Government [illegible] Panama Canal Company [illegible] Twenty-first of November (*Padilla*) was lying off Panama all [illegible] ment [illegible] Colombian Government [illegible] Panama [illegible] Colombian Government [illegible] Panama [illegible] Colombian Government [illegible] Panama

interest in this canal stock, or in any other property to which we may acquire title, that all her rights will be duly ascertained and properly [illegible].

Complaint is made that the President should have declared the [illegible] canal over the Nicaraguan route. Under the Spooner Act it was left to the President to determine which "is the [illegible] route" had [illegible].

[illegible]

Act it [illegible] year to [illegible]

[illegible] Inc[illegible]

We must, in [illegible] very large [illegible] can be built. [illegible] water and more [illegible] ships that will [illegible] in the future. [illegible] that [illegible] tition through the Suez, where ships of even [illegible]

[illegible] and other reasons I strongly favor a sea-level [illegible] sary to get one [illegible] ne." It may be that [illegible] Whether it did or not, and in [illegible] y of my decided [illegible]

[illegible] gratification to me that the Panama Canal [illegible] ther accounts [illegible] canal. I have [illegible] Canal, [illegible] Pacific [illegible]

[illegible] from New York to the Philippines and to southern China the [illegible] Panama Canal [illegible] ar expressions [illegible]

[illegible] le and Demo- [illegible] ir approaches. On [illegible] course is con- [illegible] an isthmian canal. [illegible] The Democratic [illegible] e. The Democratic party [illegible] Mr. [illegible] the Senators on the other side of the Chamber to [illegible] party associates to the extent of inducing them for once in their lives to do a patriotic and praiseworthy act by supporting this great movement in the world's advancement, they will find on this side of the Chamber enough willing Democratic champions

Orient. It is said that four of the best ships afloat have been or are now being built at New London, Conn., for the Northern Pacific Railway Company, to be employed in trans-Pacific shipping. So it is that the only way we can get business enough to make the canal [illegible] is by [illegible] the canal will afford better facilities than any existing route can [illegible]

Of course, in the matter of defense the canal will be of [illegible] [illegible] Act and [illegible] on the Atlantic [illegible]

[illegible]

[illegible] Act [illegible] year [illegible] to be [illegible]

[illegible] Inc[illegible]

We must, in [illegible] very large [illegible] can be built. [illegible] water and more [illegible] ships that will [illegible] ce in the future. [illegible] that [illegible] tition through the Suez, where ships of even [illegible]

[illegible] and other reasons I strongly favor a sea-level [illegible] sary to get one [illegible] ne." It may be that [illegible] Whether it did or not, and in [illegible] y of my decided [illegible]

[illegible] gratification to me that the Panama Canal [illegible] ther accounts [illegible] canal. I have [illegible] Canal, [illegible] Pacific [illegible]

[illegible] from New York to the Philippines and to southern China the [illegible] Panama Canal [illegible] ar expressions [illegible]

[illegible] le and Demo- [illegible] ir approaches. On [illegible] course is con- [illegible] an isthmian canal. [illegible] The Democratic [illegible] e. The Democratic party [illegible] Mr. [illegible] the Senators on the other side of the Chamber to [illegible] party associates to the extent of inducing them for once in their lives to do a patriotic and praiseworthy act by supporting this great movement in the world's advancement, they will find on this side of the Chamber enough willing Democratic champions

of the canal project to unite with them to take out of the list of mere probabilities this great enterprise.

I have said that evidence of popular approval of the President's course in Republican ranks is wanting, notwithstanding he has [illegible] by some of the ablest and most [illegible] men in this Chamber, by reason of the lengths that he has authorized to go in the advancement of this great enterprise. In fact, I think I may go further and say that popular approval of the President himself is somewhat [illegible] if we may rely upon the surface indications.

He is now the central figure of a continuous Belshazzar's feast, awaiting in perturbation of spirit for some friendly Daniel to come forth who can interpret the handwriting on the wall, so that he may know definitely what the chairman of the Republican national [illegible] do—"to fish" or "to cut bait." It is deemed a matter of such [illegible] importance to be discussed daily in the country in box-car headlines when Alaska has instructed her delegates to the national Republican convention in favor of his renomination. It is likewise an event calling for friendly journalistic exploitation when the junior Senator from Massachusetts [Mr. LODGE] [illegible] that the editor, [illegible] they are for Roosevelt and that they intend to see that [illegible] gation from Massachusetts is instructed in favor of his renomination, and that they [illegible] to it that any efforts to Hannaize or Democratize the Roosevelt State convention of Massachusetts [illegible] Senator aforesaid, come to naught.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Massachusetts?

Mr. CLARKE of Arkansas. Yes, sir.

Mr. LODGE. I am sure the Senator does not mean to attribute to me words that I did not utter. They appeared in the newspapers, but I am not responsible for them. I saw the statement in a newspaper, but I assure the Senator nothing of that [illegible]

Mr. CLARKE of Arkansas. "Et tu, Brute!" Then to whom can the President look for comfort and succor in this his hour of [illegible] So it is even doubtful whether the three Federal officials of Boston are loyally for Roosevelt, and the Republican convention of Massachusetts is not entirely safe from the danger of being Hannaized or Democratized.

Again, we find in the new rock-ribbed Republican State of Ohio, after having just recorded an almost indecent majority of 125,000, that a veteran who has served that party for a quarter of a century, displaying every type of activity from the "fire-alarm" [illegible] to a present well-nigh innocuous docility, can no longer hope to appear in his prescriptive capacity as delegate at [illegible] it be upon condition that he shall forego the right to [illegible] his banner a formal [illegible] of his [illegible] the President's reelection.

[illegible] to permit the Republican masses of the [illegible] to express their [illegible] instructions to their [illegible] established in the history of parties in this country and [illegible] conditions precedent in their [illegible] that can not but be cheering to the friends of good government.

On the other hand, what is the condition in the Democratic ranks? Even its vigilant enemies proclaim to the world that it is [illegible] and dangerous." The countenance of every [illegible] is radiant with the smiles of hope and promise of a better day near at hand. The breezes are fairly laden with the sound of the tramp of feet and the hum of voices of "the faithful" as they approach the shrine of Democracy to there renew their allegiance to the party that has always sought to maintain a government of the people, for the people, and by the people. I do not intend without an hour's protest from me to see these patriots elbowed away from that altar now and allow it to be converted into a Wailing Place [illegible] which shall be poured forth the [illegible] of those who [illegible] understand their country's [illegible] to be always to advance it.

I think, rather, that we should profit by the lamentation of the time, and without [illegible] to fall [illegible] strive for harmony of [illegible] and action. For [illegible] principles [illegible] of this nation its safety and advancement.

[illegible], Mr. President, is outside of the purpose of the [illegible]. The matter here under [illegible] in its character. If in carrying out some of the [illegible] curred that which might be turned to party advantage, I [illegible] of [illegible] I can not [illegible] of the earth. The Democratic party has never sought to predicate its success upon the loss of dignity or national pride that would inevitably ensue from such a course, and I trust it never will. No matter how widely and vigorously we may differ as to [illegible] I may say when it comes to a matter upon which has passed into history the Democratic party never has and never will in any possible contingency, insist that this country shall stand discredited before the nations of the earth by insulting upon an [illegible] from any position taken.

[illegible] glorious spirit [illegible] "the Star-Spangled Banner." [illegible]

[illegible]

The following bills were severally read twice by their titles and referred to the Committee on the District of Columbia:

A bill (H. R. 2871) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia;

A bill (H. R. 7024) to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside the city of Washington, and for other purposes;

A bill (H. R. 7899) in relation to bonds on contracts with the District of Columbia;

A bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and [illegible] for [illegible] in the Government Hospital for the Insane, and for other purposes;

A bill (H. R. 9235) to create a board for the condemnation of insanitary buildings in the District of Columbia, and for other purposes; and

A bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia.

The following bills were severally read twice by their titles, and referred to the [illegible]:

A bill (H. R. [illegible]) [illegible] circuit and district courts of the [illegible] at Albany, Ga.;

A bill (H. R. [illegible]) [illegible] "An act to determine the [illegible] in the district of the United States for the eastern district of Wisconsin," approved March 3, [illegible], [illegible];

A bill (H. R. 9618) to amend the first section of an act provided [illegible] of appeals for the fifth judicial circuit of the United States [illegible] term of said court annually in the city of Montgomery, in the State of Alabama, approved January [illegible], 1891; and

A bill (H. R. 10145) to provide for writs of error, and other appellate proceedings from the circuit and district courts of Oklahoma, in the northern district of Texas.

The joint resolution (H. J. Res. 79) for the transportation of Porto Rican products to the United States and return was read twice by its title, and referred to the Committee on the Pacific Islands and Porto Rico.

CONSIDERATION OF CERTAIN DISTRICT BILLS.

Mr. GALLINGER. Mr. President, there have come from the House of Representatives five bills relating to the District of Columbia [illegible] have been reported favorably from the committee on the District of Columbia of the Senate. I wish simply to make a statement [illegible] a moment to show the difference between the two Houses in the matter of dealing with private legislation.

In the other House two days in each month are given for the consideration of private legislation, while here no such rule applies. So in getting through legislation for the District we have to take our chances [illegible] a bill on the Calendar or calling it up by motion. I desire to ask that these five bills may be given consideration to the present time subject to objection. If objection be made, they will then be referred to the committee.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent.

Mr. SPOONER. How long have they been reported here?

Mr. GALLINGER. Similar bills have been reported.

Mr. BAILEY. I hope the Senator from New Hampshire will not ask the Senate to agree that these bills shall be before it for consideration without any of us having an opportunity to examine them.

Mr. GALLINGER. I will say to the Senator from Texas that similar bills are on the Calendar of the Senate, reported some time ago by the Senate committee.

Mr. SPOONER. And these are to be taken up subject to objection.

Mr. GALLINGER. Yes: subject to objection.

Mr. BAILEY. The Senator is not now asking unanimous consent for their consideration?

Mr. GALLINGER. Not at all, unless the Senate shall agree to consider them.

Mr. BAILEY. Then I have no objection.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent for the present consideration of the House bills on the calendar.

Mr. TILLMAN. Will the Senator from New Hampshire yield to me for a moment?

Mr. GALLINGER. Cheerfully.

Mr. TILLMAN. It looks like I am going to get lost in the shuffle again. I had a resolution which came over, and I gave way to let the two appropriation bills and magnificent speeches be made. It is now so late that I do not think it is fair to me. I have had business coming up for months, and I have had to be disappointed in it because it was never reached. If the Senator from New Hampshire will allow me to have it laid aside with its consideration and ask for its immediate consideration, he can dispose of it, and it will go over and I can call it up to-morrow.

Mr. GALLINGER. Mr. President, I can not resist that appeal.

RECESS APPOINTMENTS.

Mr. TILLMAN. I submit a resolution and ask for its immediate consideration.

The PRESIDENT pro tempore. The Secretary will read the resolution offered by the Senator from South Carolina.

The Secretary read as follows:

Whereas Article II, section 2, of the constitution of the United States provides:

"The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate shall appoint, ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.

"The President shall have power to fill up all vacancies which may happen during the recess of the Senate by granting commissions which shall expire at the end of their session."

Whereas it is known that certain officers appointed during the recess of Congress from March 4 last to November 9 last were appointed from persons not members of the Senate, and were in possession of and exercising the powers of said offices prior thereto; and

Whereas it is the duty of the Senate to advise and consent to such appointments, and it is the duty of the Senate to consider the facts and circumstances of such appointments and to advise and consent thereto or not, according to the facts and circumstances of each case; and

Whereas it is necessary to postpone the holding of an office by any person against whom charges are made or are held by Executive order to be indefinitely suspended, pending such investigation; Therefore, be it

Resolved, That it is the sense of the Senate that the President should not make any appointment to office during the recess of the Senate by granting commissions which shall expire at the end of their next session of the Senate in the case of any person who is not a member of the Senate, or who was not such member when such office became vacant or was created, and who was not in possession of and exercising the powers of said office prior thereto, except in cases where the facts and circumstances of such appointment have been considered by the Senate and the nomination confirmed by the Senate.

Mr. HANSBROUGH. Let the resolution go over, Mr. President.

The PRESIDENT pro tempore. It will go over under the rule.

VINCENZO GERARDI.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Hampshire that the bill referred to by him be taken up for consideration, subject to objection? The Chair hears none.

The bill (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C., was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That all real estate lying in the District of Columbia heretofore purchased and conveyed to Vincenzo Gerardi, of said District, prior to the passage of this act, by the property clerk, or other officer of the United States Navy, or other officer of the United States, in charge of the property of an alien enemy, in the prosecution of the war with Spain, in the territory in question, shall be held and deemed to have been lawfully conveyed to said alien, and the property so conveyed shall be held and deemed to be the property of said alien, free and clear of all claim of the United States or any officer thereof, by reason of said conveyance.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent for the present consideration of the bill. Is there objection?

Mr. BAILEY. I would like some explanation of this measure. Really, I had supposed that the request was that these bills should remain on the Calendar, subject to be called up and still subject to objection. That is what I had supposed to be the request preferred by the Senator from New Hampshire a moment ago.

Mr. GALLINGER. My request, I will say, Mr. President, was that consent should be given for their consideration, subject to objection. If objection was made, they would then be referred to the committee from which similar bills have been reported.

Mr. LODGE. I understand that similar bills are on the Calendar, reported from the Senate committee?

Mr. GALLINGER. Precisely similar bills.

Mr. BAILEY. With favorable reports, of course?

Mr. GALLINGER. Of course.

Mr. BAILEY. It would seem a little ungracious for a Senator, because he does not know anything about a bill, to object to its consideration when a similar measure has been reported by the committee having the subject in charge, and I am not going to object.

Mr. GALLINGER. Of course I expected to make a brief explanation if any Senator wished it.

For instance, in relation to this bill I will say that we have passed quite a number of bills to accomplish the same purpose in other cases. A man, who was an alien, came into possession of certain property here. He has since become naturalized, and the bill simply waives the statute which provides that aliens shall shall not hold property in the District of Columbia.

Mr. BAILEY. If he is naturalized, he would certainly be within the statute.

Mr. GALLINGER. He acquired the property while an alien.

Mr. BAILEY. I am inclined to think that if he was a citizen before an action was instituted by the Government to forfeit the property the Government could not forfeit it. At the time the property of an alien came into the Government, at the time the suit was instituted would determine the power of the Government to forfeit.

Mr. GALLINGER. I have had before me and quite a number of similar cases it has been held that [illegible] and, of course, legislation can do no harm if the Senator's conclusion is correct. I will not [illegible]

Mr. BAILEY. The Government must [illegible] the disability of an alien; and, mark you, it is not [illegible] when the [illegible] under the law. Still, [illegible] a man double protection. But I venture [illegible] of that.

Mr. GALLINGER. [illegible] may be found in the last line or two of [illegible] It is barely possible that that is one reason.

The Secretary again read the bill.

Mr. BAILEY. There have been forfeitures not only incurred, but declared.

Mr. GALLINGER. That is it exactly.

Mr. BAILEY. It is practically a proposition to give it back to him.

Mr. GALLINGER. Yes, sir.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill, which will be indefinitely postponed.

The bill (S. 3597) for the relief of Vincenzo Gerardi, of Washington, D. C., was indefinitely postponed.

PUBLIC RESERVATION NO. 32.

The bill (H. R. 8686) to transfer jurisdiction of reservation No. 32, in the city of Washington, D. C., was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That all that part of reservation No. 32, in the city of Washington, D. C., lying south of the south line of Virginia avenue southwest, be, and the same is hereby, transferred to the jurisdiction of the Commissioners of the District of Columbia, to be used for park purposes, and the jurisdiction of said Commissioners over said portion of said reservation is hereby extended for said purposes.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill (S. 3983) to transfer jurisdiction and control over reservation No. 32 in the city of Washington, D. C., was indefinitely postponed.

REMOVAL OF SNOW AND ICE.

The bill (H. R. 10421) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes, was read the first and second time by its title, and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill (S. 4000) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes, was indefinitely postponed.

SECTION 895 OF THE DISTRICT CODE.

The bill (H. R. 8686) to amend section 895 of the Code of Law for the District of Columbia was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That section 895 of the Code of Law for the District of

Columbia is hereby amended by adding the following to the first paragraph thereof:

"SEC. 895. Every vessel coming to anchor in any other portion of the navigable waters in the District of Columbia shall also be governed under the provisions of this act, and be liable to the penalties provided for violating the harbor laws, as provided in this act. The provisions of this act shall be construed with those of the act of March 3, 1899, entitled 'An act to prevent the throwing of refuse into navigable waters of the United States,' and the penalties provided in the last paragraph of the act of March 3, 1899, shall be imposed for the violation of the provisions of this act.

"Sec. 2. That the provisions of the third paragraph of said section requiring the [illegible] to be posted in any dock or at the end of any wharf in the District of Columbia."

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

The bill (S. 2884) to amend section 895 of the Code of Law for the District of Columbia was indefinitely postponed.

LICENSES FOR BATH ESTABLISHMENTS.

The bill (H. R. [illegible]) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That paragraph 30 of section 7 of "An act making appropriations to the District of Columbia for the fiscal year ending June thirty, nineteen hundred and four, and for other purposes," approved March 3, 1903, be, and the same is hereby, amended so as to read as follows:

"30. Every person who shall open, keep, or maintain any Turkish, Russian, or medicated bath, or establishment wherein the provisions of this paragraph shall have been violated, shall be [illegible]

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. I desire to amend the bill by striking out, in lines 9 and 10, page 1, the words "[illegible] and." The next section of the code provides for their regulation, and these words ought not to be in the bill.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read the third time.

The bill was read the third time, and passed.

EXECUTIVE SESSION.

Mr. CULLOM. I believe some Senators desire an executive session. I therefore move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 4 o'clock and 40 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 3, 1904, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 2, 1904.

CONSUL-GENERAL.

John Fowler, of Massachusetts, now consul at that place, to be consul-general of the United States at Chefoo, China.

UNITED STATES ATTORNEY.

William H. Armbrecht, of Alabama, to be United States attorney for the southern district of Alabama.

APPOINTMENTS IN THE REVENUE-CUTTER SERVICE.

John Q. Walton, a first assistant engineer, to be chief engineer, with the rank of first lieutenant, in the Revenue-Cutter Service of the United States.

Horatio N. Wood, a first assistant engineer, to be a chief engineer, with the rank of first lieutenant, in the Revenue-Cutter Service of the United States.

Percy W. Thompson, a first lieutenant, to be a captain in the Revenue-Cutter Service of the United States.

Walker W. Joynes, a second lieutenant, to be a first lieutenant in the Revenue-Cutter Service of the United States.

POSTMASTERS.

MINNESOTA.

Ira C. Richardson to be postmaster at Thief River Falls, in the county of Red Lake and State of Minnesota.

MISSISSIPPI.

William B. Martin to be postmaster at Indianola, in the county of Sunflower and State of Mississippi.

MISSOURI.

Samuel R. Durham to be postmaster at Piedmont, in the county of Wayne and State of Missouri.

James M. Freeman to be postmaster at Shelbyville, in the county of Shelby and State of Missouri.

Thomas L. Howden to be postmaster at Skidmore, in the county of Nodaway and State of Missouri.

Isaac V. McPherson to be postmaster at Aurora, in the county of Lawrence and State of Missouri.

William E. Osterwald to be postmaster at Festus, in the county of Jefferson and State of Missouri.

[illegible] M. [illegible] to be postmaster at Bunceton, in the county of Cooper and State of Missouri.

NEW YORK.

Delano D. Cottrell to be postmaster at North Cohocton, in the county of Steuben and State of New York.

Charles H. Griffin to be postmaster at Oakfield, in the county of Genesee and State of New York.

Henry P. Wilcox to be postmaster at Cohocton, in the county of Steuben and State of New York.

Peter H. Zimmerman to be postmaster at Wayland, in the county of Steuben and State of New York.

TEXAS.

Charles R. Bland to be postmaster at Beaumont, in the county of Jefferson and State of Texas.

B. M. Sheldon to be postmaster at Rockport, in the county of Aransas and State of Texas.

WISCONSIN.

Dean J. Hotchkiss to be postmaster at Foxlake, in the county of Dodge and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 2, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

RESIDENT COMMISSIONER TO THE UNITED STATES FROM PORTO RICO.

Mr. DALZELL. Mr. Speaker, I submit the following privileged report from the Committee on Rules.

The SPEAKER. The gentleman from Pennsylvania submits a privileged report, which the Clerk will read.

The Clerk read as follows:

Resolved, That Rule XII of the House of Representatives be amended by [illegible] United States shall possess the same [illegible] service and in the House [illegible] on the [illegible] on [illegible] Resident Commissioner to the United States from Porto Rico.

Mr. DALZELL. Mr. Speaker, I ask the previous question on the adoption of the resolution.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry. I read in Rule XVII, on page 379, the following:

[illegible] pending the motion for the previous question on any resolution or amendment thereto, shall be recommitted or a motion to recommit, with or without instructions, be in order.

Now, I wish, pending the motion for the previous question, to move that the resolution be recommitted to the Committee on Rules.

Mr. DALZELL. The gentleman from Mississippi can not take me from the floor to make a motion which even if he could, a motion to recommit a report of the Committee on Rules is not in order at any time. But [illegible] to say that I have the floor, and the gentleman is not entitled to get it at this time. I insist on my motion for the previous question.

Mr. WILLIAMS of Mississippi. I was making a parliamentary inquiry and telling the Chair what I wanted to do.

Mr. DALZELL. The gentleman can not take me off the floor to make a parliamentary inquiry.

Mr. WILLIAMS of Mississippi. We can make a parliamentary inquiry in the gentleman's time; certainly.

Mr. DALZELL. I think not.

Mr. WILLIAMS of Mississippi. It is in order under the rules that govern the Democratic convention, anyhow. [Great laughter.]

The SPEAKER. The Chair is not obliged to answer parliamentary inquiries touching a matter that is not before the House.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker——

Mr. DALZELL. I insist on my motion.

Mr. WILLIAMS of Mississippi. Then I [illegible] Rule XVII to offer, pending a motion for the previous question, a motion to recommit.

Mr. DALZELL. The gentleman has not the floor.

Mr. WILLIAMS of Mississippi. And I do offer the motion to recommit, with the [illegible]

Mr. DALZELL. I insist that the gentleman is not entitled to the floor, and in my time, to make a speech.

Mr. WILLIAMS of Mississippi. Then I rise to a point of order, Mr. Speaker.

The SPEAKER. The Chair will rule on the motion made. The gentleman from Mississippi rose to his place and proposed, as the Chair understands, a motion to recommit with instructions to the committee with a certain direction, coupled with a request to the Chair to rule it out of order that it is not at this time, pending a motion for the previous question.

Mr. DALZELL. Well, then, Mr. Speaker, I make the point of order [illegible]

Mr. WILLIAMS of Mississippi. Now, I want to be heard on the point of order, Mr. Speaker.

The SPEAKER. The Chair will hear the gentleman from Pennsylvania.

Mr. DALZELL. Mr. Speaker, I call the attention of the Speaker of the House to the fact that pending the motion for the previous question, a motion to recommit is not in order. The House [illegible] the point of order against the motion.

The SPEAKER. The Chair is ready to rule on the proposition of the gentleman from Tennessee [illegible] a motion to recommit, and therefore overrules the point of order.

And I call the attention of the Speaker to this ruling, also made by Speaker Henderson.

On March 1, 1886, the previous question had been ordered on the adoption of a resolution reported from the Committee on Rules, relating to the consideration of certain bills relating to trusts and monopolies, and it was sought to present a motion to recommit. Mr. JAMES D. RICHARDSON, of Tennessee, being in the chair, the point of order against the motion was made by Mr. JOHN DALZELL, of Pennsylvania, and the point was sustained. Mr. JOHN DALZELL made the point of order against the motion.

The gentleman from Pennsylvania [Mr. DALZELL] has made a speech in making arguments and suggestions which ought to be addressed to the consideration of the House.

The same Speaker on another occasion, to which I will refer, decided that certain [illegible] to recommit.

On February 27, 1888, Mr. JAMES B. BELFORD, of Pennsylvania, from the Committee on Rules, reported a resolution for the adoption of this rule, and [illegible] lately which [illegible] to the House [illegible] to be taken upon the motion to recommit, and therefore overrules the point of order against the motion.

And I will ask the Clerk to read the ruling of Speaker Crisp, to be found in Mr. Speaker Pearson's Precedents, section [illegible]

The Clerk read as follows:

On March 26, 1894, the previous question had been ordered on a privileged report from the Committee on Rules, relating to the consideration of certain bills relating to trusts and monopolies, when Mr. JAMES D. RICHARDSON, of Tennessee, being in the chair, the point of order against the motion to recommit was made by Mr. JOHN DALZELL, of Pennsylvania, and the point was sustained. Mr. JOHN DALZELL made the point of order against the motion.

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And I will ask the Clerk to read the ruling of Speaker Crisp, to be found in Mr. Speaker Pearson's Precedents, section [illegible]

The Clerk read as follows:

On March 26, 1894

Mr. JONES of Virginia. May I ask the gentleman a question?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. JONES of Virginia. Is it not a fact that the House of Representatives in the last Congress unanimously passed that identical [illegible]

Mr. WILLIAMS of Mississippi. I am glad to be reminded of that fact.

Mr. JONES of Virginia. And the very gentlemen who now report this rule voted for it.

Mr. WILLIAMS of Mississippi. I am glad the gentleman reminds me of that fact. It is true that the House of Representatives in the Fifty-[illegible] Congress, [illegible] I do not know [illegible] the island of Porto Rico a Delegate.

Mr. DALZELL. Will the gentleman allow me a moment?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. DALZELL. Will the gentleman tell the House what became of that bill?

Mr. WILLIAMS of Mississippi. It died in the Senate. I suppose.

Mr. DALZELL. Oh, no; it did not die in the Senate.

Mr. BRENNAN of Indiana. I will tell what became of it. If the gentleman from Mississippi will yield.

Mr. DALZELL. I yield [illegible]

Mr. BRENNAN of Indiana. As soon as [illegible] passed the House [illegible] It passed the House of Representatives [illegible] and the Senate [illegible] which I will read:

[illegible] and insert

[illegible]

Mr. WILLIAMS of Mississippi. The gentleman need not read it all. [illegible] I know.

Mr. DALZELL. [illegible]

Mr. WILLIAMS of Mississippi. All right.

Mr. DALZELL. [illegible] amendment [illegible] the United States [illegible]

[illegible]

And so on. That is the second paragraph of the Senate amendment. Now, [illegible]

[illegible]

And so forth. That is the fate that the bill that this House passed [illegible] Capitol [illegible] would probably meet the same fate that this bill met in the last Congress.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the conduct of the Republican Senate has been worse than I thought it was. [Laughter.] I had the idea that the Senate allowed the bill to die a natural death because it did not want to do anything for Porto Rico, but it seems that in addition to that they wanted to do a good many other things, which, in the opinion of the gentleman from Pennsylvania, would be [illegible] wrong, and in my opinion would be also other wrong, too, if I had time to examine it, among other things, to appoint by the President, "with the advice and consent of the Senate," a Delegate on the floor of the House.

The gentleman's argument, Mr. Speaker, reminds me of an anecdote that Zeb Vance of North Carolina used to tell. He says there was an Irish landlord who sent a message to his agent, "Collect the rents." The agent sent back word, "It is absolutely impossible to collect the rents. I have now lost half the tenants, my hat, two through my coat, and one bullet in the seat of my trousers." [Laughter.] Immediately upon receipt of that, a message went back from the landlord, "Collect the rents. They can not scare me by shooting at you." [Laughter.]

The gentleman from Pennsylvania can not scare me by shooting at a Republican Senate. That is all right. I shall heartily join him. [Laughter.]

Now, I was going on to say, Mr. Speaker, that this resolution, reported by the Committee on Rules, reads as follows:

Resolved, That Rule XIII of the Rules of the House of Representatives be amended by adding thereto the following:

"The Resident Commissioner to the United States from Porto Rico shall possess the same powers and privileges as to committee service and in the House as are possessed by Delegates, and shall be entitled to serve on the Committee on Insular Affairs as an additional member."

Now, what we proposed to do upon this side was to amend it so that it should read as follows: mark me and follow me closely, and I believe that if we could have gotten it before the House it would have passed, and I believe that the reason why we can not get it before the House promptly is the fear that it would pass. I understand me. I do not mean that that is the reason why the Speaker has ruled as he did. [illegible] convinced me that from the standpoint of parliamentary law [illegible] at any rate, his ruling was correct. I bow [illegible] him, but I hardly believe that the previous question would [illegible] been called and the right to amend shut off unless there had been some fear among leading Republicans that the House would pass a bill we wanted. And I am sure we want we wanted:

Motion to recommit to the Committee on Rules, with instructions to bring in [illegible] That the third Tuesday of February."—

Or any other day that would make no difference; we had to fix a day [illegible]

[illegible] from Porto Rico.

That bill has not which has been reported, and I believe, [illegible] unanimously by the Committee on Insular Affairs, [illegible] It was merely [illegible] that. Then our amendment goes on—

[illegible] to serve on the Committee on

In other words, we simply ask, in addition to the resolution [illegible] be fixed for the consideration of the bill [illegible] passed by the Insular Committee, [illegible] for [illegible] to six Democrats, [illegible] reported by that committee. I am informed that I am not [illegible] upon that subject. We merely ask that a day be fixed for the consideration of that bill and *that in the* [illegible] powers, and privileges of the Resident Commissioner [illegible] be our rule of conduct, but that [illegible] me a Delegate and that Porto Rico, [illegible] and [illegible] power and privilege and advantage of representation [illegible] we ought not have some of those curious [illegible] of Hawaii, but I [illegible] the people of Porto Rico are [illegible] which has come from the Committee on Insular Affairs and become a part of the law of the land only the intelligent part of the population of Porto Rico can vote for a Delegate.

Mr. LACEY. Will the gentleman permit me to ask him a question?

Mr. WILLIAMS of Mississippi. I yield to the gentleman.

Mr. LACEY. I would like to ask the gentleman if it is not better, in view of the fate that our bill met last year at the other end of the Capitol, that we pass this resolution and later pass the bill [illegible]

Mr. WILLIAMS of Mississippi. My friend takes it for granted—and I as a Democrat never did that—that if the Republican Senate does make a fool of itself it is going to keep on forever. [Laughter on the Democratic side.] I do not think it necessary that they will consider it necessary that substitute for this bill that passed last time and return it by which they found that it satisfied not good days with the House of Representatives. All I ask now is that a day be fixed when this bill shall be considered, and if considered, I think it will be passed, because I think the Members of the Fifty-seventh Congress, with the changes of membership, a large proportion of those constitute the membership of the Fifty-eighth Congress who voted for that measure—will vote for it again.

How much time have I left, Mr. Speaker?

The SPEAKER. The gentleman has nine minutes remaining.

Mr. WILLIAMS of Mississippi. I wish to give nine minutes to the gentleman from Missouri, if he desires it.

Mr. DE ARMOND. I do not.

Mr. WILLIAMS of Mississippi. Is there any other Member on this side who desires to speak? I will yield to any other Member. I shall reserve the nine minutes, Mr. Speaker.

Mr. DALZELL. Well, I suggest to the gentleman that he use his time, as we are entitled to close on this side.

Mr. WILLIAMS of Mississippi. I know that you are. Have you more than one you wish to put in to speak? If you have, put one in now.

Mr. DALZELL. I yield five minutes to the gentleman from Indiana [Mr. CRUMPACKER].

Mr. WILLIAMS of Mississippi. We will vote for your resolution.

Mr. DALZELL. Thank you.

Mr. CRUMPACKER. Mr. Speaker, the last Congress passed a resolution giving the Commissioner from the island of Porto Rico the privilege of the floor. The pending proposition will confer upon him the right to introduce bills, the right to speak, the right to recommit [illegible] members upon him, as I understand it, all the privileges [illegible] from the Territories, excepting the right of a private secretary and the right of mileage. If I am correctly informed, if this amendment is made the Commissioner shall have all other rights and privileges of a Delegate except a private secretary and the right to receive [illegible]

Now, the Committee on Insular Affairs in the last Congress reported a bill creating a Delegate for the island of Porto Rico, and the House passed the bill. But it failed to become a law. The Committee on Insular Affairs during the present session of this Congress has reported a similar bill, and it is now on the Calendar.

[illegible] proposition, which [illegible] a proposition to amend the rules. The House has control of its own rules. It has the right to admit to the floor, the right to admit to discussion and to membership upon committees a representation from each of the outlying Territories as it chooses. It can do that without the concurrence of the other branch of the Government, and it can confer this right immediately. We can confer upon the island of Porto Rico a substantial benefit now, without delay, and it is the object of the Committee on Rules to grant that right, and it does not interfere with the absolute right of the House and the [illegible] of Congress to grant a Delegate to the island of Porto Rico. It does not [illegible] the right to pass subsequent legislation, but it [illegible] this side of the House to confer this benefit upon the people of Porto Rico, and it seems to be the object of the other side of the House, judging from the remarks of its leader, to further illustrate the incorrigible cussedness [illegible]

Mr. WILLIAMS of Mississippi. Mr. Speaker, may I ask the gentleman a question for information?

Mr. CRUMPACKER. You may.

Mr. WILLIAMS of Mississippi. Does the gentleman himself believe that if this resolution is passed that the bill which came from the Committee on Insular Affairs providing a Delegate from Porto Rico will ever be considered at this session of Congress?

Mr. CRUMPACKER. I believe it will.

Mr. WILLIAMS of Mississippi. You do?

Mr. CRUMPACKER. I have no reason to believe otherwise. It was considered in the last House, but I fear if it shall be considered and pass the House again it will be many, many months before it will ultimately become a law, and if that apprehension be well grounded it will be many months before any advantage would come to the people of Porto Rico by virtue of that measure and now we have the opportunity to confer upon them immediate benefits.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon, but if he will allow me just a moment—I dislike to use up his time—but the gentleman clearly did not catch the drift of the proposed amendment. We do not propose to prevent the Resident Commissioner from getting the advantages proposed under this resolution immediately. We say, let it be that a certain day shall be fixed for the consideration of the bill, and now, if the gentleman will give me his attention, we say then in the meantime the Delegate shall be given exactly those advantages proposed by this resolution brought in from the Committee on Rules, so that he has not to wait, and the gentleman's remark to the effect that he would in the meantime be deprived of the advantages which you propose to confer on him now is unfounded.

Mr. CRUMPACKER. It is an attempt, it seems to me, to load up the resolution with something that will possibly defeat its passage. I can not construe it in any other way. This is a plain proposition, and the gentleman's resolution or his motion to fix a time for the consideration of the bill giving to the island of Porto Rico a Delegate may come up on suspension day or under a number of other ways. There is no necessary connection between the two propositions. This is a temporary matter and will operate immediately. We can do this now, and ought to do it untrammeled, and therefore I can see no reason why the rule should be encumbered or anything attached to it.

The SPEAKER. The gentleman's time has expired.

Mr. DALZELL. How much time have I remaining?

The SPEAKER. The gentleman has [illegible] minutes remaining.

Mr. DALZELL. I yield five minutes to the gentleman from Wisconsin [Mr. COOPER].

Mr. COOPER of Wisconsin. Mr. Speaker, I introduced the bill to which the gentleman from Mississippi has referred, giving to Porto Rico a Delegate on this floor. It was unanimously reported from the Committee on Insular Affairs. I introduced a similar bill in the Fifty-seventh Congress. It also was unanimously reported from the Committee on Insular Affairs and passed the House by a unanimous vote. I am still in favor of the enactment of that bill into law. But I am also in favor at this time of the passage of the pending resolution reported by the Committee on Rules. The bill which went through the House in the Fifty-seventh Congress met in the Senate the fate described by the gentleman from Pennsylvania. It is possible, if not probable, that to-day a similar bill would meet a similar fate in that body.

However, the passage of this resolution amending the rule will not prevent the passage of the bill through the House at a later day. I therefore think that it will be the part of wisdom to pass the resolution amending the rule without regard to what may be the ultimate fate of the bill.

Now, Mr. Speaker, in my judgment, Porto Rico, with a million of inhabitants, as as much entitled to representation by a Delegate on this floor as is Hawaii, with less than two hundred thousand—

Mr. SMITH of Kentucky. Mr. Speaker, I should like to ask the gentleman a question.

Mr. COOPER of Wisconsin. Certainly.

Mr. SMITH of Kentucky. I would like to ask the gentleman how it would hurt this proposition to amend the rule [illegible] with it the proposition to set the bill down for consideration by the House at an early day?

Mr. COOPER of Wisconsin. Because if this rule passes, the Delegate [illegible] on the floor with an opportunity to speak. He will be a member of a House committee. He can voice the needs of his constituents and be [illegible] in open debate. If you wait until the passage of the bill he may never be heard.

Mr. SMITH of Kentucky. Will the gentleman yield to me for a suggestion?

Mr. COOPER of Wisconsin. Yes.

Mr. SMITH of Kentucky. This rule does not propose to wait until the passage of the bill [illegible] but fixes a day [illegible]

Mr. WILLIAMS of Mississippi. The resolution reported from the Committee on Rules does not go to the Senate at all, but it goes into operation at once; and all my amendment does is to fix a day for the consideration of the bill so that the House can express its opinion, no matter what the Senate did. If the Senate [illegible] passed a bill [illegible] the House [illegible] Delegate to this House, still the resolution would become effective immediately.

Mr. COOPER of Wisconsin. The Committee on Insular Affairs [illegible] the passage of the bill in good time. They are unanimous now in the opinion that the resolution should pass without delay.

Mr. DALZELL. Mr. Speaker, how much time have I left?

The SPEAKER. The gentleman has [illegible] minutes.

Mr. DALZELL. I yield three minutes to the gentleman from New Mexico [Mr. RODEY].

Mr. RODEY. Mr. Speaker, on the 2d day of March, when the bill referred to by the speakers that have preceded me was under consideration, I spoke on the bill and said there was something pathetic in the Territories at that particular time trying to aid people in a worse condition than themselves. I would like, if I had time, to repeat those remarks here. But I will only take time to say that I believe there is a kindly feeling on behalf of the States represented in this House to grant the million people living in Porto Rico at least the full privilege of having a Delegate on this floor. Most of you gentlemen who represent great States do not stop to think that there are a million people down there on this island which is more people than there are in some ten States of this Union. Most of you do not realize the position of the people in Porto Rico.

The Supreme Court of the United States the other day, in passing upon a question under the immigration laws, held that they were citizens only in a sense, that they were not subject to exclusion under the immigration laws; but the court did not go so far as to say that they were citizens. Now, that is an anomalous condition for a million people, who owe allegiance to the flag of this country, to be up in the air in that manner. I say that the House

ought to do something, whether the Senate approves of it or not. To grant to the Resident Commissioner the privileges of a Delegate because the House primarily represents the people of the United States, and Congress ought to pass some sort of a law that will fix the status of these people. It will be an act of common justice.

People do not stop to consider the conditions of the Territories. We in the West, being more familiar with the Territories, when the cattle country say that the people of the Territories are "mavericks." They never vote for President, for Vice President, for a Senator or a Member of Congress, for governor, for attorney-general, or any of the other officers we vote for in the States, and not even for or against any congressional measure. It is the least privilege you can grant these people in Porto Rico to have a Delegate on the floor of the House. How can the House know the wants of those people unless they have a representative here. Children of the United States ought not to be left in that position. Now, I am glad to see that such a great precedent has been, and if the same spirit will continue when the bill that you propose comes from Wisconsin, says my colleague, in onto the floor in a few days I am sure you will pass that as well, and do some of common justice to the people you have taken under the flag of this country. [Applause.]

Mr. GAINES of Tennessee. Will the gentleman yield?

Mr. WILLIAMS of Mississippi. I will yield the gentleman a minute.

Mr. GAINES of Tennessee. There was a question before the Supreme Court of the United States by virtue of the status of these people. I do not remember just the name, but my recollection is that it was a question whether they were citizens of the United States. I would like to see the gentleman from New Mexico [illegible] the decision of that court.

Mr. LOVE. The court decided, as I have just stated, that they were not aliens in the sense of the immigration laws, not that they were actually citizens.

The SPEAKER. The time of the gentleman from New Mexico has expired.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, the gentleman from Wisconsin [Mr. COOPER] is evidently mistaken about the import of the amendment which was proposed to make it would not, if passed, introduce to the Senate business with the legislation proposed by the Republican majority in the committee on Rules. It merely says that as a matter of common justice it ought to be maintained and not be altered or amended. It does not say that we will give a Delegate to Porto Rico. It simply sets the same course of procedure of the Republican majority on rules to the Senate. It does not change a jot or tittle the character of a House resolution, or that of either a joint or concurrent resolution. It merely says that while we are waiting in the meantime to add to this amendment to Rule XII, and give to the Resident Commissioner in the United States from Porto Rico the same powers and privileges as to committee service and in the House as are possessed by Delegates, and he seems to be an additional member of the Committee on Insular Affairs, that we add a further provision that a time shall be fixed for the consideration of the bill reported by the gentleman from Wisconsin, chairman of the Committee on Insular Affairs.

I was myself a member of the Committee on Insular Affairs at the time that bill was adopted in the Fifty-seventh Congress, and I voted for it and advocated it in committee and on the floor. Now, does the gentleman mean to tell the country that he would have voted against that measure, based on the views he has expressed of a bill from his own committee, and a bill which he advocated so warmly and for which he stood so staunchly? I suppose I am a prophet, but I will venture a prediction that he does. I predict that this is the very last legislation on this subject at this session, and probably in any session of the Fifty-eighth Congress, affecting the rights, powers, and status of a "Resident Commissioner" or any other sort of representative from the island of Porto Rico.

Mr. COOPER of Wisconsin. Mr. Speaker, I came in just before the Speaker began his ruling. I understood him to hold that the proposed amendment was out of order.

Mr. WILLIAMS of Mississippi. Yes, he did; but I am calling the attention of the country now to the fact that the Speaker was forced to make that ruling by the call of the previous question upon the part of the gentleman from Pennsylvania [Mr. DALZELL], who would not have called it if he had been willing that the House should have a chance to amend the pending resolution. He is standing there as a representative of the Republican majority on this floor when he calls for the previous question. He is supporting the policy of the Republican party upon this question, and he is outlawing it in a way of giving partial justice to Porto Rico and a Representative here; he is outlawing it in a way that looks to me as if full justice was not to be given now or hereafter.

Mr. COOPER of Wisconsin. Will the gentleman from Mississippi permit me to say one word?

Mr. WILLIAMS of Mississippi. Yes.

Mr. COOPER of Wisconsin. I want this resolution passed.

Mr. WILLIAMS of Mississippi. So do I, if we can not get anything better.

Mr. COOPER of Wisconsin. But I do not want this situation to arise: I do not want the bill to pass this House and——

Mr. WILLIAMS of Mississippi. It is not a bill.

Mr. COOPER of Wisconsin. No, it is a resolution; but it can not be amended now under the ruling of the Chair. I do not [illegible] to go to the Senate, and there be [illegible]

Mr. WILLIAMS of Mississippi. The gentleman totally misconceives. The gentleman does not comprehend me.

Mr. COOPER of Wisconsin. Will the gentleman permit me to state my position?

Mr. WILLIAMS of Mississippi. No, sir; not in my time—yes, I will. The gentleman is so uniformly courteous that I can not resist.

Mr. COOPER of Wisconsin. This is what I wanted to say: My idea is that were the bill first to pass the House to-day, it would be pigeonholed in the Senate. Then the bill being dead, I should be compelled to ask that a resolution like this be passed before the House, and the answer to my request would be, as I know it will be: "Oh, no; you wanted the bill, now let us wait and see what the Senate is going to do with it." Thus we would get nowhere, but would lose time, and there would be no chance for Porto Rico to have representation on this floor. I therefore think that it is better to pass this resolution, and thus at once secure to Porto Rico representation on this floor. Later we will see what can be done with the bill.

Mr. WILLIAMS of Mississippi. Why, none of the evils and troubles which the gentleman apprehends could possibly occur. The gentleman voted with the majority for the previous question. It is evident that he did not understand the situation, else with his experience he would not have so voted. If my resolution had been adopted, or if it had been adopted by the House, if my amendment had been adopted, he would not have said a thing in the world about its going to the Senate, about having the bill lie there and sleep, or having it amended.

All it would have done under the sun would have been this: It would have allowed a member, the Resident Commissioner from Porto Rico, from the moment of the passage of this resolution, without any changing of any rule or any appointment on the part of the Senate at all, with out any reference to the Senate whatsoever, the committee powers and the right of speaking upon the floor which are accorded to a Delegate from any Territory.

Then it would have done only one other thing, and that would have been to fix a day for the consideration by the House of the report of the committee on Rules. All. If I have not made myself understood now, it is because I do not know how. It could not have piled up in the Senate the bill which has been reported by the gentleman's committee with this resolution of the Committee on Rules at all. Nothing would have gone to the Senate. All it could possibly have done would have been in the [illegible] and [illegible] a day for the consideration of a bill and [illegible] the bill be [illegible] considered, in my private opinion. I am not, of course, in the secrets of the majority, but I believe that this will be the full meed and measure of justice accorded to Porto Rico.

Now, [illegible] better than the present law, and I am going to vote for it. [illegible] that no amendments are in order. And every member of the Committee on Insular Affairs on the Democratic side is going to vote for it, because, if we can not get full justice and full rights for the people of Porto Rico, we are willing to take partial justice and partial rights.

But how could this measure to give the representative of Porto Rico partial justice have been hurt by giving heed to my request for a day for the consideration of your bill?

[Here the hammer fell.]

Mr. DALZELL. I yield the remainder of my time to the gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. Mr. Speaker, the real question in this case is a practical one, not a theoretical one. The real question is, Which side of this House is running the machine of the House? The majority side of the Committee on Rules presents to you a course of procedure looking to a change of one rule of the House, and to adjourn upon the floor of the House the Commissioner from Porto Rico and give him a place on one of the committees of the House. That is a change from the provision of the rules as it now stands. The other proposition is to combine not only the action of the House in amending its own rule, but to provide also for the action of the House and Senate jointly in the matter of the creation of a Delegate. Now, however any Member of the House may feel in regard to the question whether there ought to be a Delegate from Porto Rico or not, surely the membership of this House will not take out of the hands of the constituted organization of the House the question of the amendment and control of its own rules and allow it to be transferred to the other side of the Chamber for the purpose of creating a Delegate.

I want, however, to remind the gentlemen on the other side of the House that after all the talk we have heard here and all the talk that has been current [illegible] for a number of months [illegible] the Republican party for wanting to bring about a [illegible] that [illegible] will bring States into the Union from the insular possessions of the Government, we now find the same side of the House in the attitude of very [illegible] urging [illegible] over the [illegible] for Porto Rico—at least a step in that direction. So [illegible] after when our Democratic friends in this Chamber [illegible]

Mr. WILLIAMS of Mississippi. Will the gentleman permit an interruption?

Mr. GROSVENOR. In a moment.

When they undertake to charge the Republican party with wanting to fill the Senate Chamber and the House of Representatives with representatives of those people on the other side of the [illegible] the direction of conferring statehood upon Porto Rico.

Now I yield to the gentleman from Mississippi.

Mr. WILLIAMS of Mississippi. Of course the acquisition of California was in a certain way a step in the direction of making a State of it. But does the gentleman from Ohio contend that a vote for a Delegate from Porto Rico as well as one from Hawaii is a step in the direction of statehood? If this be so, then did the gentleman take a step in the direction of granting statehood to Hawaii when he voted for admitting a Delegate from Hawaii? Will the gentleman answer me those two questions?

Mr. GROSVENOR. To begin with, I did not do anything of that kind, as I now remember.

Now, let me say to the gentleman, in the little balance of time remaining to me, that I do not know what he means by talking about California and a Delegate from California. I never heard of a Territorial government in California. Such a fact, if it existed, escaped my knowledge; and I was old enough to understand it at the time it should have occurred. I have read many things.

Mr. WILLIAMS of Mississippi. The gentleman from Ohio has evidently misunderstood my suggestion. I said that the acquisition of the Territory of California was, as it proved, as much a step in the direction of statehood as the appointment of a Delegate [illegible]

Mr. GROSVENOR. I did not say anything about California. California never had a Territorial organization.

Mr. WILLIAMS of Mississippi. The gentleman from Ohio said that giving Porto Rico a Delegate was a step in the direction of statehood, and I said that to some extent the admission of California was a step in the direction of statehood, but a vote for either did not mean for statehood.

Mr. GROSVENOR. My friend overlooks the great fact that his own party has constantly been driving at. We are not complaining of any step in the direction of forthcoming statehood of any Territory on this continent bounded by the oceans that surround us.

That is one question. That is a question about which we are all agreed. The real question that I am trying to make is the question of steps toward statehood of the insular possessions of the Government. That is my proposition.

But, Mr. Speaker, I have expended time uselessly. The question here is whether you will stand by this rule that apparently everybody is in favor of or whether you will mutilate it by a defeat of the motion of the gentleman from Pennsylvania, which would result in throwing open the whole question here to the amendment of the rule.

I think the House will stand by the report.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

COMMITTEE APPOINTMENT.

The SPEAKER. The Chair appoints the Resident Commissioner from Porto Rico, Mr. DAVILA, a member of the Committee on Insular Affairs. [Applause.]

ORDER OF BUSINESS.

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the Private Calendar.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the Private Calendar, with Mr. FOSTER of Vermont in the chair.

The CHAIRMAN. The House is in Committee of the Whole House under a special order for the consideration of bills on the Private Calendar. The Clerk will report the first bill.

THOMAS J. COWARD.

The first business was the bill (H. R. 3875) for the relief of the estate of Dr. Thomas J. Coward, deceased.

The bill was read, as follows:

[illegible] for services rendered and expenses incurred by him in caring for and attending the sick and wounded soldiers and sailors of the United States during the late war of the Rebellion, the sum of $1,000 for services and [illegible] furnished by him as contract surgeon during the late war of the Rebellion.

The following amendment, recommended by the Committee on War Claims, was read:

In line 7, strike out "$1,000" and insert "$326.66."

Mr. GIBSON. Mr. Chairman, I will state briefly the character of this claim.

Dr. Thomas J. Coward was employed by the officer commanding a post at Clinton, Tenn., during the war of the rebellion, to attend the sick at that post. He served one month and sixteen days at one time and one month and twenty-four days at another time, and furnished all necessary medicines. The War Department found that he was entitled to $326.66, but disallowed the claim upon the ground that he was not employed by a competent military authority.

The rule of the Surgeon-General's Office at that time required that before a contract surgeon could be employed his employment must be approved by the Surgeon-General.

This was a case of emergency, and it appears by the report of the War Department that this physician was employed by the officer commanding the post. He also furnished his own medicines. According to the report of the War Department his services would have entitled him to compensation of $326.66 if the Surgeon-General had subsequently approved his employment.

The circumstances were such that during the delay which would have been caused in sending to the Surgeon-General's office for the requisite authority there would have been no one to attend the sick soldiers in the hospital. The emergency forbid the delay.

So the committee are unanimous in opinion that this is a meritorious claim, and ought to be allowed, and I move that we favorably report it.

The committee amendments were agreed to.

The bill as amended was ordered to be laid aside to be reported to the House with a favorable recommendation.

WARREN MITCHELL.

The next business was the bill (H. R. [illegible]) for the relief of the legal representatives of Warren Mitchell, deceased.

The bill was read, as follows:

[illegible] Warren Mitchell, deceased, the sum of [illegible] in full for all claims against the Government of the United States for the use and occupation of his property in the city of Nashville, Tenn., during the years 1862 and 1863, and for the destruction of his property in said city, and for all other claims against the Government of the United States growing out of the said use and occupation and destruction of said property, the same to be paid to the legal representatives of said Warren Mitchell, deceased: Provided, that no part of the sum herein appropriated shall be paid to any person who was not his legal representative at the date of the passage of this act.

Mr. MAHON. Mr. Chairman, this bill carries a large sum of money, not money that belongs to the Government of the United States, but that has been held in the Treasury a long time, money belonging to this claimant. Being an important bill, the committee, after a long and tedious investigation, made a unanimously favorable report. I ask that that report be read, and that gentlemen give attention to the reading of it. I ask that it be read in my time.

The CHAIRMAN. The report will be read in the gentleman's time.

The report (by Mr. MAHON) was read, as follows:

[illegible] Warren Mitchell, a citizen of Nashville, Tenn., and a loyal citizen of the United States, during the years 1862 and 1863 and prior thereto, owned a valuable property in the city of Nashville, Tenn., which was used and occupied by the United States Government during the years 1862 and 1863 for a military post, and had the same destroyed by the United States Government during the years 1862 and 1863 for military purposes, without any compensation therefor.

Mr. Mitchell died in the year [illegible], and I honor is [illegible] John W. Stevenson, Hon. Benjamin H. Lewis and Mr. Tom L. H. Ransom, are said to be personal and financial advisers to Mr. Mitchell, and have passed a point to a Confederate [illegible]

Mr. Mitchell promptly brought his suit in the Court of Claims under the [illegible] and the court being equally divided [illegible] the petition was dismissed. On appeal to the Supreme Court of the United States the question was not his loyalty, nor the ownership of his land, but the ownership of his domicile. Attorney-General Wilson [illegible] the proposition:

"If Mitchell resided at Nashville within the Confederate lines, his business there was illegitimate, and he is entitled to recover. If not, his business there was illegitimate, and he is not entitled to recover."

[illegible]

[illegible] book the bill and recommend its passage.

Mr. PAYNE. Mr. Chairman, I understand that this claimant was not able to point out to the Court of Claims or to the Supreme Court, and the court indicated in its opinion that it did not appear that the domicile of this man was in the Confederate States during the time he was collecting the cotton. [illegible] that perhaps there was other evidence [illegible] used. While the report is full in its statement of the law [illegible] etc., and in the judgment of the Supreme Court which decided that this man or his survivors were [illegible] not seem to be very full in stating what evidence there was if there was any, that showed that this man had a domicile in the Confederate States. He said he was in the Confederate States for three years. Now, that fact, that evidence, and all that sort of thing is lacking, and the difficulty in this class of cases is this: They go to the courts, they employ attorneys; the lawyers present their cases, and present the best kind of evidence they can find.

On the other side they are open to cross-examination on the part of the Government attorneys, and the court finally [illegible] the Supreme Court of the United States—and they will then come in with ex parte evidence [illegible] which sends them to the Committee on War Claims, which proceeds to set aside the judgment of the Supreme Court on this ex parte evidence. I do not know in cases of this sort, why the committee should not submit the question of claims to the Court of Claims. I understand there are bills on this Calendar now reported from the Committee on War Claims where the claims themselves are now pending before the Court of Claims and can be reached and the evidence taken on either side and that court decide them and bring them to the House on their report, or entering judgment, or finding the facts, and referring them to be paid by appropriations. I think in large claims like this the chairman of the committee should not be content merely to submit the report, but should tell this committee what there is in it.

Mr. MAHON. Mr. Chairman, the committee did not report this bill on any ex parte evidence. It was reported on the decision of the Court of Claims and of the Supreme Court, where Justice Harlan was the attorney for the claimant, Mitchell, and United States Attorney Williams appeared for the Government. In 1868 Warren Mitchell was a resident of Tennessee. The captured and abandoned property act had been passed. The reasons for the passage of the captured and abandoned property act were several. The first was, in the States that were in insurrection there were [illegible] of dollars' worth of cotton, sugar, and other valuable property that could not be consumed by the Army, and it came to be a question of destruction or saving this property and keeping it for the wealth of the nation, for the present and for the future. The second was, it was a great temptation, with these large amounts of cotton in those States, for the blockade runners to run in and carry it to foreign ports, and bring the gold back to the treasury of the Confederate government. Our Government proposed in this law to take charge of the property and bring it into the Northern market, and dispose of it to people who needed cotton in foreign countries, and bring the gold into our Treasury. So the captured and abandoned property act was passed.

Now it is called captured and abandoned property. The act provided that any man in the South or in the States in insurrection [illegible] market places and warehouses [illegible] all property of this character captured by our forces was to be turned over to the places designated by the Treasury Department. The law provided that the cotton and property captured and abandoned should be sold; the expenses of transportation and of selling should be deducted and a careful account should be kept, and that the sale should be reported to the Treasury of the United States, a careful inventory made [illegible] of the proceeds. So a sum of $37,000,000 under that act passed into the Treasury of the United States. The act also provided that people could apply to the Secretary of the Treasury, and if [illegible] in the Treasury [illegible] 40 were the net proceeds, and about [illegible] that were paid out. This act expired in 1868. They [illegible] to apply for the proceeds of their property. [illegible] loyalty was not raised, got their money; but when [illegible] loyalty was raised against the claimants in the [illegible] Court of Claims held that if the claimant was disloyal [illegible]

The Fahnestock and Klein cases were carried to the Supreme Court of the United States to [illegible] of loyalty. Now, in brief, let us see what the Supreme Court of the United States said about it.

In the Klein case, [illegible] on the subject the court held:

[illegible] the property [illegible] except to those who have continually [illegible]

Now, to be brief, this case came up after the President's proclamation. This case was settled. Then the question of loyalty came up, and in this case and in the two other leading cases the Supreme Court held that the proclamation issued by President Johnson in 1868—which he had the absolute right to issue under the Constitution of the United States—restoring to all these people in 1868 their political, personal, and property rights, gave them a right to this property in the Treasury, even though they had been in active rebellion against the Government. That is the decision of the highest court of our Government.

Now, under the proclamation prior to 1868, while the war was in progress, much of this money was paid out, and it required if any one of these people who owned cotton would come before a United States officer and take the oath of allegiance to the United States and renounce his allegiance to the Confederate government, that early proclamation stated that they were to be restored to their political, personal, and property rights; but this proclamation in 1868 required no oath of any kind. It absolutely wiped out the question of taking an obligation to the Government, and so the court held that every man who could identify his property, identify his part on of the money which was held as a trust fund, was entitled to have it, but while these decisions were in progress the money of 1865 expired and $37,000,000 were left in the Treasury, which perhaps no man will ever claim because no man can file a claim for it——

Mr. PAYNE. Is not that a violent assumption?

Mr. MAHON. Well, unless Congress authorizes them. There is no law on the statute books to-day by which any man can go to the Treasury of the United States or to the courts and put a claim in for [illegible] of Congress, because they are debarred by the statute which expired in 1868. Now, what is this case? This man Mitchell was a resident of Kentucky. His loyalty was [illegible]. The claim went to the Supreme Court. He [illegible] of the best men of the State of Kentucky, [illegible] in the United States Senate, [illegible] say that this man was absolutely loyal to the Government.

He was asked why he did not claim Tennessee as a residence. He had been in Tennessee for three years, and Justice Harlan, who was then [illegible] filed his claim and said if he had put in his petition [illegible] he had been a resident of Tennessee [illegible] out of the Treasury by a decision of the Supreme Court of the United States.

Mr. PAYNE. That was based upon the fact of the nonintercourse act.

Mr. MAHON. I am coming to that. The nonintercourse act would not have interfered, but Mitchell said, "I am not a resident of Tennessee; I am a resident of Kentucky," and insisted that his petition should be filed in that way.

How did he get down to Tennessee? He went down because the captured and abandoned property act had been passed. He was familiar with its provisions. At that time he did know the nonintercourse law had been passed. He goes to the general commanding that department, who issued him a permit to go down into the State of Tennessee, where he had had large transactions when the war broke out, and settle his claims. To save himself from bankruptcy he settled with his creditors and took the property—cotton, sugar, etc.—in payment of his claims. He was a wealthy man, and under that permission from the general commanding, waiving for a time the nonintercourse law, he went down into Tennessee to carry out the purpose of the abandoned-property act and get the cotton out of the country. He made settlement and took cotton to the amount of over $200,000, [illegible] he had settled with the people who owed him he shipped the cotton to Savannah and had it placed in the warehouse, and in 1864, when General Sherman's army entered the city of Savannah, under the captured and abandoned property act General Sherman took the cotton, turned it into the warehouse, and it was sold by the United States official under that act, carefully inventoried, and the net proceeds of the sale of these 740 bales of cotton were turned into the United States Treasury, and the Treasury is indebted to him, so the Treasurer says, for about $138,000.

Mr. SMITH of Kentucky. I would like to ask the gentleman if it is not a fact that that money is carried on the books of the Treasury Department to the credit of Warren Mitchell?

Mr. MAHON. Yes. When the Court of Claims had this up——

Mr. PAYNE. Why, it simply says in the books of the Treasury Department that the money was received as the proceeds of cotton that Warren Mitchell owned.

Mr. MAHON. Yes; that so much cotton was sold under this act.

Mr. PAYNE. The credit made by a clerk in the Treasury Department would not cut much of a figure.

Mr. MAHON. What is that?

Mr. PAYNE. The gentleman from Kentucky asked the gentleman from Pennsylvania if the money was not carried on the books of the Treasury Department as a credit to Warren Mitchell. Of course the mere fact that it appears on the books as the proceeds of cotton that belonged to Warren Mitchell does not cut much of a figure. The question is whether he was entitled to it.

Mr. SMITH of Kentucky. Certainly. I only asked the question to bring out the fact as to the amount of the claim; that there is no dispute—that there was that much money turned into the Treasury Department as the proceeds of the cotton.

Mr. MAHON. Now, Mr. Chairman, these facts are clear about the case. First, that Warren Mitchell was the owner of the cotton in the warehouse at Savannah; second, it was taken under the captured and abandoned property act, and, thirdly, it was sold by the United States officials, a careful inventory made of every bale, the expenses of the sale deducted, and the net proceeds turned into the Treasury of the United States. Now, if he had been a citizen of the State of Tennessee, although he had been guilty of disloyalty to the Government, under this act as construed by the Supreme Court of the United States and President Johnson's proclamation he would have had his money long ago.

Now, what is the trouble? The Court of Claims was divided equally. I have got the report, and the judges were equally divided on one question. They agreed in everything else; they had found all the facts, and the only question before the court upon which this man was denied a judgment was that he had violated the nonintercourse act; that he had left the State of Kentucky and gone into the State of Tennessee and purchased this cotton. Now, the Court of Claims, as I say, was equally divided, one-half saying that he did not, and the other half saying that he did.

What is that act? That was an act prohibiting people in the loyal States going into the Confederate States and transacting business. How did this man get there? The mere fact of the man's loyalty was this: He applied to General Anderson as to whether he had the right to go down there under this act and gather the cotton together, and General Anderson issued to him a license or permit to go and do this very thing. Under that license, he went there. Now, when we come into the Court of Claims, one-half of the court holds, under the conditions that he went into Tennessee, that he had not violated the nonintercourse act, and the other half holds that, technically, he did. All the members of the court expressed sympathy with this man that on account of this technical ground they were compelled to rule him out of court.

Now, where was he to come? They have found all the facts, and simply on the purely technical ground that he did not do it possibly but under a commission from the general commanding that department he went there to do this very thing, but the Supreme Court said that that did not set aside the law, and they expressed regret that they could not so decide, and even said to the claimant: "If you had put in your petition that you had been a resident of Tennessee for three years this court would have given you judgment against the Government for this sum of money."

Now, it is up to Congress. I want to say to the House that this is a large claim. I have been on the Committee on War Claims for nearly twelve years. The claims that come from that committee are generally small, running usually from two to three hundred dollars and very seldom exceeding five or six thousand dollars.

The committee went over the decisions of the courts and all of the evidence in the Court of Claims, and, after a careful and long deliberation, came to the conclusion that the Congress of the United States, the sovereign power, owed to this man who had been, I am not money out of the Treasury of the United States which was put there by the taxpayers, but this one hundred and twenty-eight thousand and odd dollars which had been there since 1864 without interest. This man was not guilty of laches. That act expired in 1868, and as soon as his property had been captured and turned over to General Sherman and the property had been sold, and within a few years after the money had been turned into the Treasury of the United States he filed his application with the Treasurer for the proceeds of his cotton and filed his claim in the Court of Claims, and from there it went to the Supreme Court, pressing it all the time until he became an old man and finally went down in bankruptcy and poverty.

He has an old wife and children, and I will say this: I have been on that committee for twelve years, and if this House is ever going to pass a claim doing absolute justice to a claimant against the United States Government this is one of them. No cleaner case ever came before you—no case having stronger equities and justice than are in this case. I don't know this old lady. I do not know her children, never have laid eyes on them; but I absolutely know that this claim is right and that they are now before the last tribunal, the Congress of the United States, asking by this bill that that money which has been lying in the Treasury since 1865 shall be paid over to these people, to whom it rightfully and equitably belongs.

Mr. PAYNE. Mr. Chairman, the only doubt I had in this case at the commencement was the question of whether this man had been guilty of violation of the nonintercourse act.

Mr. MAHON. It was a technical violation.

Mr. PAYNE. Of course this act was passed for a useful purpose. It was passed to prevent citizens of the United States, loyal citizens of the United States, who loved their country more than anything else except, perhaps, personal gain, from going into the Confederate States and bringing out property and selling

it and sometimes returning the gold to the Confederate States. It was passed for that purpose. Now, this man went in at the commencement of the war. He went in for the purpose of collecting his property, as was stated by the chairman of this committee. He remained in the Confederate states for the space of about three years and collected it so successfully that he obtained $128,000 worth of cotton, which was stored at Savannah. I believe that some cotton which was stored at Savannah got to floating down the river and out of the Confederate States and into the markets of the world and that some money was secured in afterwards—paid for the payment of this cotton. The Supreme Court decided this case upon the point of a violation of the nonintercourse act.

Mr. MAHON. It was a technical violation.

Mr. PAYNE. Well they did not say it was technical. The Supreme Court says:

"Hence the only question upon the proof whether the appellant was domiciled in the Confederate States which he joined in seceding from the Union."

I am not reading from the original report of the court, but from the report of the committee. I do not suppose they put all of the report in. I hope they are frank enough with the House to put in all that bears on this question. Then at the end of the opinion we find this, that—

"Counsel expressed further doubt touching the question whether the appellant was domiciled in the Confederate States when he joined in seceding from the Union. As the case is presented to our consideration it need not be answered in the affirmative."

That is all I see of any expression of regret on the part of the Supreme Court in regard to their coming to that conclusion; but the court thought that both the Government and the claimant could have got in other evidence, and they regretted that this was not done. This case is reported in 21 Wallace. Of course that is a very early report and this is a very early case in the Supreme Court. It appears from the report that John M. Harlan was the attorney for the claimant at the time. I supposed he had always been on the Supreme Bench. It is hard for me to think back to a time when he was not there. The case must have been decided very soon after the war. Now, I asked the gentleman from Pennsylvania [Mr. MAHON] if the committee had decided the question of facts upon ex parte affidavits and he said, "No."

Mr. MAHON. We took it from the record.

Mr. PAYNE. As I understand it, the committee has no evidence in regard to that.

Mr. MAHON. We have the evidence that was before the Court of Claims.

Mr. PAYNE. But the Supreme Court said that the committee had any other evidence than the Supreme Court had upon which they rendered their decision.

Mr. MAHON. Oh, no; we have had nothing outside of that.

Mr. PAYNE. Though good men have claimed since Lincoln's time of the Supreme Court, all this time has elapsed, yet it has not been proven that this claimant has not been able to show even by ex parte affidavits that the ruling of the Supreme Court was not correct or that the finding of facts was not correct as to the fact of domicil and the fact of the violation of the nonintercourse act.

Mr. SHIRLEY. Does not the gentleman recognize that the Supreme Court was necessarily limited to a purely legal decision, and that frequently a case will arise——

Mr. PAYNE. They were limited to the question as presented by the attorneys for the claimant and the attorneys for the United States, upon the evidence as presented by them.

Mr. SHIRLEY. The gentleman does not answer my question.

Mr. PAYNE. Upon the evidence as then presented they said that the claim could not be allowed upon this very question of domicil or the question of the violation of the nonintercourse act. All this time has elapsed, and according to the statement of the chairman of the committee no evidence has been found, not even by ex parte affidavits, to show that the finding of facts upon which the Supreme Court acted was not correct as stated in the record upon which the court based its opinion.

Mr. SMITH of Kentucky. The gentleman will allow me to suggest that the committee thought that even though this man was a citizen of Kentucky he ought not to be cut off from his right to this money, which in equity is due him, he being a loyal citizen of a loyal State, when disloyal citizens of disloyal States were held to be entitled to their money, which was turned into the Treasury under the same circumstances.

Mr. PAYNE. He was cut off by the provision of the nonintercourse act, as held by the Supreme Court. Now, to bring him within some equity—some morality—by which the United States Government might be supposed to be bound to him, I think that this committee ought to have been able to state some facts showing that he had not engaged in collecting cotton and selling it outside.

Mr. SMITH of Kentucky. He had a permit.

Mr. HOLLIDAY. No attempt has been made to disprove that; he admits that he went in there.

Mr. PAYNE. It does not appear that he ever shipped a pound of cotton as a dealer in or shipper of cotton. I asked the chairman of the committee what evidence he had and he said he had no evidence.

Mr. MAHON. Evidence presented to the Court of Claims.

Mr. PAYNE. Evidence presented to the Court of Claims and also to the Supreme Court.

Mr. SMITH of Kentucky. The Supreme Court cut out his claim upon technical rules of evidence.

Mr. PAYNE. The court could not do otherwise than try the case upon the facts presented by the claimant.

Mr. HOLLIDAY. There was no special controversy over the facts. The court held that he had violated the nonintercourse law and therefore could not recover. The same facts were before the committee, and they concluded that, notwithstanding the strong equities of the case, he was entitled to his money, notwithstanding the fact that he had violated the nonintercourse law.

Mr. PAYNE. So that this is a question merely of moral obligation.

Mr. MAHON. The court held that the title was in Warren Mitchell, and therefore it could not be in the Government.

Mr. PAYNE. But the court did not hold that he was entitled to pay.

Mr. HOLLIDAY. The court held that he acted as a trustee.

Mr. PAYNE. Of course it is only a step beyond this case to an entire disregard of the nonintercourse act and a loose way of determining claims here, without any legal evidence whatever as to the facts.

Mr. MAHON. The court held that this man's right to this private property was unchallenged, that his title had not been divested, but refused to render judgment in his favor because of the violation of the nonintercourse act.

Mr. PAYNE. My friend has stated the case very fairly. Claims in the United States Treasury, claims for which will probably never be made. He should not lay any such flattering unction to his soul. Why, Mr. Chairman, a question similar to this came up in the last Congress in reference to the claims of certain persons for carrying the mails in the Confederate States after the war broke out. These claimants were asking payment of these claims. The Confederate government [illegible] claims were paid. The Confederate government [illegible] paid for these mail facilities. The Government of [illegible] The Government [illegible] of the Confederate government, a book showing [illegible] mutilated in some way by cutting out of it [illegible]. I saw the book myself, and it shows payments to a great many [illegible] in here and swore, without [illegible] that they had never received such. Yet this [illegible] complete settlement of these claims. Well, Congress [illegible] very well with these claims. They would [illegible] the Postmaster-General, and it [illegible] claim had been settled in full at a certain date.

Mr. MAHON. That is an entirely different matter from these claims.

Mr. PAYNE. They were quite along very well, but it turned out finally that the [illegible] they did not find on that book [illegible] an effort was made to get at the book. The [illegible]

Mr. MAHON rose.

Mr. PAYNE. Wait a minute until I tell this little story. The Postmaster-General kept the book locked up and did not allow people to see it, but some one, at the suggestion of somebody, I suppose it was the original suggestion of somebody outside, in and out of Congress where they suppose they are engaged in legislating, offered an innocent resolution one day, asking the Postmaster-General to furnish a list of these people who had been [illegible] and the full particulars contained in this book. This information was [illegible] and published as a document. As many of these people whose [illegible] did not appear on that [illegible] with, began to come to Congress with their claims. They made the same kind of a showing that they had made before. I suppose [illegible] have been paid.

Mr. HOLLIDAY. If the gentleman will permit me, I think he ought to state that these reports did not come from the Committee on War Claims of this House.

Mr. PAYNE. Oh, I said another place. I did not say they came from a committee of this House. And so, if these accounts are there in the Treasury Department, that So and so's cotton has been sold, I suppose some way will be found by which these [illegible] will be ascertained, and these agents at the city of Washington, who are most industrious, thrifty, frugal people, will be sailing around these enticing letters saying that "There is such and such a claim in favor of the estate of So and so, who was your grand-

father (or whoever he may have been), and if you will put it in my hands I will carry it through for you for the usual compensation of 50 per cent on the recovery." So this sort of [illegible] will go aglimmering. If we let down the bars and set aside this nonintercourse act by this bill, it will only hasten the day when these individuals will appear here and the money will be paid out. That is all I have to say.

Mr. MAHON. Now, I want to say to the gentleman from New York that the books he speaks of were kept by the Confederacy and were turned into the archives of our Government. The difference is that these books we are now referring to have been kept by the Treasury of the United States. They are not mutilated. The accounts are in Treasury books, and the Court of Claims have found that the money is in the Treasury and that it is the proceeds of the property belonging to the claimant in this bill.

Mr. PAYNE. Now, right there——

Mr. MAHON. Hold on. As I said, I have no interest in this case except to do this man the justice that should be done him, even at this late day. It is not his fault.

Mr. PAYNE. Of course the gentleman has no personal interest in the case.

Mr. MAHON. We appeal to sovereign power, and beyond all controversy that money belongs to Warren Mitchell, except that the Supreme Court on a technical point refused judgment, at same time expressing their sympathy with him. Now, in place of talking about disregarding other old rotten claims, why [illegible] That is no reason why this claim should be [illegible]. I believe in paying every [illegible] of the case. This is a body that [illegible] an outraged citizen. This is a body where no technical objection will be heeded, and if any citizen of this great Government comes here and says that the Government has taken his property, [illegible] in the Treasury, not as the money of the Government, but as his money, and that money can be traced there for an absolute certainty, I say this is a body where no technical objections will avail. We are not complaining about the Supreme Court. This man is a citizen of this country, and this is the sovereign power. He comes here and asks us to do him this justice.

Now, I hold that the act which has been referred to expired in 1868, and every man who did not file his claim to the proceeds in the Treasury was debarred by the act of 1863; but this is one of the few men who is not covered by that. I want to say, gentlemen, that the War Claims Committee are getting about three or four thousand bills referred to them every session. They report back only two or three hundred. There have been thousands of bills sent down here, but upon inquiry at the Treasury Department they could not ascertain whether the claimants owned the cotton, and the Committee on War Claims, where [illegible] asserted that a claimant has never filed his claim under the act of 1863 and asserted his right under the law, in the last twelve years have never reported a bill favorably. But this is one of the few men who did go into the Treasury Department and file his claim, and carried it through the courts, as I have stated, with the results [illegible] stated.

It is not a question of whether there is four millions. I do not know of a dollar that goes out, but if it ever does go out, it goes out by an act of Congress, so that bugaboo does not affect this bill at all, and the gentleman from New York goes to the House [illegible] by saying that he thinks a great many who get this money are not entitled to it. Why, I know of cases where President Lincoln himself gave a license, which was signed by the Secretary of War, allowing men to go down into the rebel States where Pres[illegible] and thousands of pounds of tobacco [illegible] of that State, and where that property was sold the most [illegible] Now, I ask this House in business [illegible] pass this bill. If you do, I am content; if you do not, I am content. I have discharged my duty. I say that this bill ought to pass.

Mr. PAYNE. Will the gentleman allow me to ask him a question?

Mr. MAHON. Yes.

Mr. PAYNE. I understand that there are some bills that the committee do not report that come before it.

Mr. MAHON. A great many.

Mr. PAYNE. Does the committee ever report many of them adversely and file the reports, so that they are printed for the consideration of future Congresses?

Mr. MAHON. I expect about 500 in this Congress.

Mr. PAYNE. I am very glad to hear that.

Mr. MAHON. I want to say this——

Mr. PAYNE. I had been of the opinion that the committee did not file any adverse reports.

Mr. MAHON. The only bills that are on this Calendar reported from that committee are those which have been reported after the most careful consideration.

Mr. PAYNE. Well, some of them have needed careful consideration.

Mr. MAHON. I admit that.

Mr. PAYNE. Not only turning aside the judgment of the court——

Mr. MAHON. Thousands of bills have come into that committee that will never be reported.

Mr. PAYNE. If this was to go on—granting the right to set aside the judgments of courts—there is going to be a million of them instead of 4,000.

Mr. MAHON. But we will only have [illegible] them.

Mr. PAYNE. The number will only depend upon the avarice of the claimants.

The CHAIRMAN. The question is on laying the bill aside with a favorable recommendation.

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

LIGHT-DRAFT MONITOR ETLAH.

The next business on the Private Calendar was the bill (H. R. 201) for the relief of the contractor or his legal representatives for the construction of the light-draft monitor *Etlah*.

The bill was read, as follows:

Be it enacted, etc., That the claim of the contractor or his legal representatives for the construction of the light-draft monitor *Etlah* [illegible] be, and the same is hereby, referred to the Court of Claims, with jurisdiction to hear, adjudicate, and determine the same, and to render judgment upon the merits of said claim, and to ascertain and report the amount, if any, due said contractor or his legal representatives for the construction of said vessel, and the amount so found due shall be paid out of the Treasury of the United States: Provided, that the claimant or his legal representatives shall be barred from prosecuting said claim in said court unless the petition in the proceeding shall be filed within one year from the passage of this act: Provided further, that the Government of the United States may plead the statute of limitations and set up any other defense which it may have against said claim, and the same shall be heard and determined by said court, upon such evidence as may be produced by the parties to said suit, and given such weight and effect as the court shall deem equitable and just.

Mr. MAHON. I yield to the gentleman from Wisconsin.

Mr. OTJEN. Mr. Chairman and gentlemen, I was requested to make this report. Therefore I will endeavor to explain the case as near as I can. In the latter part of 1862 and the beginning of 1863 the Government contracted to build twenty light-draft, iron-clad monitors. They were built in city as near the same pattern, were to be [illegible] in equal proportion, were to cost $65,000, and if completed in six months were to cost $70,000. The Government, knowing that the contractors of Boston were now in the line of war ships, reserved the right at those contracts to change the plans from time to time. The contract had at Charleston changed [illegible] plans [illegible] granted had to be very material [illegible] so the plans were [illegible] changed, and there were so many changes that, instead of these boats being completed in six months, not one was completed and accepted until November, 1865. Charles W. McCord, of St. Louis, built this boat, and built twelve besides.

There were so many delays, and the price of labor and material increased rapidly, and the cost of the monitors, as given by the testimony of the United States naval officer and the United States inspector, was nearly double [illegible] price. The result was that Mr. McCord failed, went into bankruptcy, and his assets were sold by the court in bankruptcy. Among the assets assigned were the claims for extra and for the enhanced price of labor and material in constructing this boat. The assignee of McCord went into the Court of Claims under the law [illegible] of that court, and during the progress of the trial McCord died. During the progress of the trial there was presented by the Government a receipt which was to the effect that a receipt had been given for $26,000, and that it was in full of all claims. It was signed by

Gillman, Son & Co., bankers, of New York, as the agents of McCord. The messengers being unaware of this receipt, were, however, forced to submit the case to the judgment of the court without an explanation of the receipt. The Court of Claims found the facts as it shows:

From these circumstances the work required and done under the original contract was [illegible] the contractor of the extra [illegible] was paid, having a balance for extra material and labor of $6,[illegible].

The claim [illegible] the item [illegible] honor and propriety was rejected [illegible] Congress on Ways [illegible] under the [illegible] the contract [illegible] for all claims. They stated that they had no authority to sign such a receipt [illegible] assignees had been [illegible] claim to the Court of Claims [illegible] of this character [illegible] not take [illegible] stated that [illegible] to show the merits of the case.

A supplement [illegible] claim to the Court of Claims [illegible] which bill was vetoed by President Harrison. The [illegible] any precedents [illegible] that he thought the Court of Claims had [illegible] ings in the matter and had given the [illegible] which Congress could adopt the report, if it saw fit to do so. Acting upon this veto, resolutions were made in this House and also in the Senate for a direct appropriation of amount of claims, and the Senate passed a bill, but it was not reached in the House. Later, in the Fifty-fourth Congress, the bill was [illegible] in the general deficiency bill. It passed both Houses, and went to President Cleveland. President Cleveland vetoed the bill on several grounds and among other reasons he vetoed it on account of this bill, stating that there had been already paid to these people $200,000 for extras.

The President in his veto was mistaken in this regard, because the Court of Claims found that [illegible] had been paid but $110,000 on these extras, the President being in error by $894,000. His further objection was that this claimant had receipted in full for this claim, but the Court of Claims found that there was still due $90,000 on the very item which the President claimed had been receipted for, and Congress in four [illegible] made direct appropriations to relieve claimants where they had signed similar receipts. They had also in about half a dozen other cases referred claims to the Court of Claims [illegible] jurisdiction where the Court of Claims held that there [illegible] a bar to the claim. The action of the committees of both Houses since this Forty-fifth Congress have been uniformly favorable with one exception, and that is the report in the Fifty-fifth Congress. The House has reported this bill [illegible] at two different times, and at two different times passed the same. The Senate has reported this bill twenty-seven different times, and at five different times in some way or another has passed the same.

This bill is entirely similar to those that Congress has heretofore sent to the Court of Claims known as "Annie Fowler's relief of Nashville." McKay and the executors of Donald McKay for the building of the frigate "Shiloh." McKay & Aldus were the builders of the boat. They later went into bankruptcy and the assets of the firm were sold. McKay purchased these assets. By act of Congress he was permitted to go to the Court of Claims. The Court of Claims awarded something over $[illegible]. This case is almost identical with the *Eliah*, because the contracts were the same, the price was to be the same, and the time for completion was to be the same and these people went into bankruptcy. They had an assignment and had also signed a receipt similar to that that was signed in this case, only in the case of the *Eliah* it was signed by bankers in their regular course of business, but in this case the receipt was signed by McKay & Aldus, and the court held that this receipt was no bar to recovery and awarded them the sum of $[illegible].

It will also be remembered that Congress made a direct appropriation relieving the contractors who built the monitor [illegible], appropriating $125,000 for items similar to what is claimed here and substantially under similar circumstances. The boat *Shiloh* was built in the same yard with the *Eliah*, and the general office was used by both of these builders. So that the equities in the case of the two are substantially the same.

By an act approved May 3, 1902, Congress sent to the Court of Claims nearly every one of these remaining twenty claims. I believe they are all disposed of now except this one and perhaps one more. The terms under which they were sent to the Court of Claims were similar to this bill, with the exception of the last provision which has reference to matters that took place in the court heretofore in the case.

Now, I [illegible] of what amount [illegible] any one of these other claims that Congress has already [illegible]. They have paid in four instances by direct appropriation, and half a dozen other cases have been sent to the Court of Claims [illegible] been [illegible] of this character were sent to the Court of Claims, and it is no more than justice to give these people the same treatment [illegible].

Mr. FINLEY. Mr. Chairman, I would like to ask the gentleman a question.

Mr. OTJEN. Very well.

Mr. FINLEY. The real claimants are the people who purchased [illegible]

Mr. OTJEN. The [illegible] Yale. The [illegible]

Mr. FINLEY. Were they the purchasers at the bankrupt sale?

Mr. OTJEN. I [illegible]

Mr. FINLEY. What consideration did they pay?

Mr. OTJEN. I do not know; they were the largest creditors, having furnished the iron, and they owed them something like $200,000.

Mr. FINLEY. The committee has no information as to the amount of the consideration?

Mr. OTJEN. No. I presume the consideration is in some of these Court of Claims reports, but I do not remember now what it is.

Mr. FINLEY. I ask if the committee had any method of ascertaining what the consideration was?

Mr. OTJEN. I think so; but that would not be a very material point [illegible] as I take it.

Mr. FINLEY. The gentleman mentions other vessels built in the same yard and settled for. Did the builders go into bankruptcy and the claims pass into other hands?

Mr. OTJEN. In the case of McKay & Aldus, they went into bankruptcy, and McKay bought the claim against the Government [illegible]

Mr. FINLEY. I notice in the report of [illegible] that the bankers Gilman & Son signed a receipt. Were they [illegible] the authority of these bankers?

Mr. OTJEN. They testified before the Court of Claims that they signed the receipt in the ordinary course of business, but they did not examine the receipt, and that they had no authority from McCord further than to take the money they received.

Mr. FINLEY. I understand that. That is in the report of the committee; but I ask this question: What was the nature of the authority of these bankers as to signing the receipt?

Mr. OTJEN. They were simply agents to collect the twenty-six thousand and some odd dollars as bankers. I now yield the remainder of my time to the gentleman from Pennsylvania.

Mr. MAHON. How much time does the gentleman from Tennessee [illegible]

Mr. SIMS. Three minutes.

Mr. MAHON. I yield five minutes to the gentleman.

Mr. SIMS. Mr. Chairman, this claim is on all fours with quite a number of others reported to the House and passed, as stated by the gentleman from Wisconsin who has just taken his seat. I opposed every one of the bills from the fact that in every instance they had settled with the Navy Department and accepted valid releases [illegible] I could in every case and got defeated most ingloriously in every case. This claim is just as good as any of the others that have been paid, and having made such an inglorious failure to convince the House with the justice of the claims, I thought I would leave the job to some one who would have much better success than I had. I shall vote against it and oppose it on the same ground I did the other cases. But if we are going to vote consistently, I think you gentlemen who voted for the other bills will have to vote for this. I shall vote against it, as I did against the others.

Mr. OTJEN. Congress having relieved practically all the others of these monitor claimants is it not right to treat this claim in the same way as the others were treated?

Mr. SIMS. To be consistent, those who voted for the other bills should vote for this one.

Mr. FINLEY. The gentleman from Tennessee stated that this bill is as good as some others that have been passed. Will he say that it is as good as many others that have not been paid?

Mr. SIMS. Oh, I think hundreds have not been paid that are far better than this. As I say, I only want to put myself right in this matter. I see no additional grounds for voting against it except that this has been vetoed more often than any of the others.

Mr. MAHON. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. PAYNE. Mr. Chairman, of course the gentleman can make that motion, but we will debate it for a while.

The CHAIRMAN. Has the gentleman from Pennsylvania yielded the floor?

Mr. MAHON. Oh, no. I will give the gentleman all the time he wants.

Mr. PAYNE. I do not ask the gentleman for any time. When he gets through, I will take my seat.

Mr. MAHON. I simply want a vote on the bill.

Mr. PAYNE. Mr. Chairman, I find that the gentleman from Pennsylvania [Mr. MAHON], the chairman of the committee, reported adversely this bill in the Fifty-fifth Congress at the second session.

Mr. MAHON. I did.

Mr. PAYNE. So I suppose we will have him voting with us against this claim now. I am glad to see that we are getting on [illegible] It only [illegible] for [illegible] some years, that we [illegible] mittee and the committee is satisfied that they ought to report [illegible] so and put themselves on record. Now, this boat was [illegible] $80,000. It has been so manipulated that if this bill passes it will cost about double that sum. We are [illegible] build up a new Navy. We expend from $[illegible] more or less, a year, paying it out on contract to build up a new Navy. If these precedents are to be followed out, in the coming generation what we expect is going to cost us $60,000,000 a year is going to cost us $120,000,000 a year.

Mr. OTJEN. In the new Navy that we are building up does the Government reserve the right to change the contract at will?

Mr. PAYNE. Oh, yes; they constantly change the contracts. The Board of Construction changes them. They put in things up to date, and things that get out of date, and all that sort of thing. We are liable to the same thing in the future, and the vice of the whole business, Mr. Chairman, is that never, never can we get a settlement. Here is the bill for a monitor built, I think, in 1862. The Government settled with the original contractor, paid him about $200,000, I think, according to this report. I will quote from the report of the chairman of the committee [Mr. MAHON] in 1897:

"The contractor has paid * * * the sum of $[illegible] for extras over and above the contract price, and of this sum the first payment on $[illegible] was made on the [illegible] day of May, 1866, and then Charles W. McCord receipted for the extras expressly in full."

It appears that some attorney signed this receipt for Charles W. McCord, and afterwards one of them testified that he was not authorized to say it was in full for all extras and bind his principal in that way, but he was authorized to receive the money.

I don't care whether he was authorized or not. Charles W. McCord was the original contractor. He knew how much had been expended in extras. He knew how much he had been delayed, and he knew at the time. He knew before he was in bankruptcy; he knew while he was still doing business; he made up his bill for his extras, and he was settled with and received his $210,000, according to the report of the gentleman from Pennsylvania. There is a good deal of haziness, if you look through all these reports, as to the amount he actually did receive. When President Harrison vetoed this bill he put it on the ground that all the facts in the case were known to Congress and there was no use in sending it to the Court of Claims. It got in as a deficiency in an appropriation bill, and on account of this item and two or three others President Cleveland vetoed the deficiency bill and put it on the ground that the man had been paid nearly double the contract price and had settled in full.

After he had settled in full, and after this receipt had been given, he went into bankruptcy, and the assignee in bankruptcy sold his assets. This valuable asset was put up and sold, and these gentlemen who are now the claimants, who now come before Congress with this large bill for extra services, were the purchasers from the assignee in bankruptcy. I have looked through these reports, as far as I have been able. The report of the gentleman from Wisconsin [Mr. OTJEN] contains some twenty pages, and the report of the gentleman from Pennsylvania [Mr. MAHON] some six or eight pages.

Mr. CLAUDE KITCHIN. At what price was it sold?

Mr. PAYNE. That is what I was going to say. I have not been able to find out what price it was sold for, whether they gave a dollar for it, or some other good and valuable consideration. That does not appear anywhere in these reports. They come in here now and ask the Congress of the United States to open up this case. A gentleman who sits near me says that they did not give one dollar for it. They were creditors of this gentleman, and I suppose they had to give some nominal sum. They bid it in as creditors, to be allowed on their claim, I suppose, but they did not pay any actual money for it.

Mr. WM. ALDEN SMITH. Well, there might have been a consideration even then.

Mr. PAYNE. I suppose there was some consideration named. I have not been able to find what it is, as yet. This committee has not given us that information, or, if they have, I would like them to point it out.

Mr. SPALDING. Mr. Chairman, I would like to say to my friend that he is in error in [illegible] to the reasons President Cleveland gave for vetoing this. One of the grounds was that if the item was allowed the cost of the boat would be about double what the contract price called for, and I think the gentleman stated that the objection was that it had cost that much.

Mr. PAYNE. Perhaps I did make a mistake on that point. But let me read the language of President Cleveland's veto:

"The contract for the construction of this battery was made by the Government [illegible] the battery in question would be almost double that of the contract price."

Now, I am not going to debate this bill in extenso. I am not fully enough posted to do so, and I do not know that any other Member is.

Mr. OTJEN. Will the gentleman read what Senator BURROWS said, following the reading of the veto?

Mr. PAYNE. Oh, yes. I see that Senator BURROWS says on the next page that these people were paid, not $200,000 but $[illegible]. On the other hand, my friend from Pennsylvania, who is usually very accurate in figures, says that they have been paid $210,000. Where these learned doctors disagree, far be it from me to undertake to settle such a question of fact. But I do not care whether the amount paid was $110,000 or $200,000.

Mr. OTJEN. The Court of Claims found the facts.

Mr. PAYNE. I see it stated in another of these reports that $210,000 was the amount paid. I can only get my information from the statements presented to us by the committee. Of course, I have not time to go and examine the files; it would be impossible. I must take the facts as presented here.

But I repeat, I do not care whether the amount paid was $110,000 or $210,000. This man was settled with. He brought in his bill for extras; he submitted the details to the Department; he agreed with the Department as to the amount, and the Department paid him in full, and that ought to be, it seems to me, an end to this claim.

But, sir, my friend from Nebraska [Mr. MCCARTHY], who sits behind me, has had more time to examine this matter than I have, and I yield to him.

Mr. MCCARTHY. Mr. Chairman, I have made only a casual examination of this case, and if the gentlemen who are in favor of this bill can convince me that it is right no man in this Hall will more cheerfully vote for the measure than I will. But after my examination of the case I am satisfied that the claim is wrong. I am satisfied that the amount was paid before the claim was assigned. I am thus satisfied from an examination of the evidence and from the further fact that two Presidents of the United States have vetoed bills for the payment of this claim, and from the further fact that the Supreme Court of the United States has squarely declared that the claim was paid, and paid in full.

The only reasons assigned by the committee for making a favorable report on the bill are these: First. That other bills fully as iniquitous as this have been paid. The gentleman from Tennessee [Mr. SIMS] has candidly admitted that heretofore he has always opposed such measures as this. I assume that he was candid in his opposition, and that he still believes the opposition which he interposed to former bills of this same character was right. Now, if it was wrong to allow these other bills, it is wrong to allow this, just because this is similar to those and no worse.

Mr. SIMS. I opposed this bill in the committee and did all I could to prevent its being reported, and I am going to oppose its adoption by this Committee of the Whole.

Mr. MAHON. I hope the gentleman will not undertake to dis-

Mr. [illegible]. I did not file any minority report, and it is only in this way that I can vindicate my position.

Mr. McCARTHY. Another reason assigned by the committee in its report for the consummation of this bill is that [illegible] Congresses have acted upon it favorably. [illegible] of these two measures is sufficient [illegible] consideration of the House.

I assume that this report [illegible] from this report. First, on page 4, we find that

Mr. [illegible]

Now [illegible] for an intelligent [illegible] it it is be [illegible] ding of [illegible] of that same firm who had an [illegible]

Mr. MAHON. Will the gentleman allow me to ask him a question?

Mr. McCARTHY. Yes.

Mr. MAHON. [illegible] the gentleman [illegible] Treasury Department [illegible]

Mr. McCARTHY. That may be the [illegible], but I submit [illegible] evidence in this case to show that du[illegible]

[illegible] In any event, he would be [illegible] to deny the [illegible] facts. We will [illegible] and we will see if the real facts in the case [illegible] or understanding on the part of Mr. Gillman or his firm. The report says:

[illegible]

Now it does not matter what his understanding was. His authority was derived from a written power of attorney, and that [illegible] power of attorney is incorporated in the [illegible] Supreme Court, and it is better [illegible] than to rely upon the report of Mr. Gillman [illegible] reminiscences in his mind twenty or thirty years later. [illegible]

[illegible] had no power to bind their principal [illegible] McCord and the United States.

[illegible] for Mr. McCord had received [illegible] in these transactions. [illegible] not to do any act pertaining to the money that he could do if personally present. [illegible] not seem to [illegible] upon the authorities, and the most was expended [illegible] for that purpose.

Mr. [illegible]. Will the gentleman yield for a question?

Mr. McCARTHY. Yes.

Mr. [illegible]. Where do you get that information?

Mr. McCARTHY. I get it from the copy of the power of attorney filed as a part of the opinion of the Supreme Court of the United States. I will read it [illegible]

Again this report, copying from the report of a former Congress, says:

It [illegible] that this whole statement is erroneous and misleading it is only [illegible]

That is, the misstatement by President Cleveland in his veto [illegible]

Now, what are the facts [illegible] agent [illegible]

Point to Mr. [illegible], please, signed this receipt without [illegible] the knowledge of his principal or his authority to bind him in [illegible]

We will see about that. Now, I should like to know what there [illegible] full [illegible] receipt.

Mr. WM. ALDEN SMITH. [illegible] Mr. Gillman's an[illegible]

Mr. [illegible]. [illegible] authority to sign it. He had power and authority [illegible]

[illegible] to the point now where they begin seriously [illegible] ly signed the receipt or not. But [illegible] it was done [illegible] to receive whatever moneys [illegible] the payment to be made [illegible] of the ac[illegible]

You will agree with me, after having [illegible] the second power of attorney executed in this case, that they had full authority and that it was their duty to know. Any man in McCord's situation, who places his case in the hands of his attorney, is bound by what his attorney does as fully as if he had performed the act himself.

Again, the courts proceeded seemingly upon the theory that McCord had participated in or assented to the transaction of the attorney and his rights were therefore necessarily concluded by the receipt executed by his attorneys in fact.

Again:

In fact, from the [illegible] your committee [illegible] their part of adjusting the claims of [illegible]

Now I read from the United States Reports, volume 95, beginning on page 62. I will first read the [illegible] which Gillman, Sons & Co. signed:

[*Ellah*—Payment on account.]

NEW YORK, *April 21, 1866.*

[illegible] United States [illegible] W. [illegible] were [illegible]

[illegible] extras as compared with the original contract price, [illegible] paid long before, and [illegible] was executed solely for the purpose of settling the claim which remained for extra work and labor.

Mr. CHRISMAN. Does the gentleman know how much [illegible] of extras?

Mr. McCARTHY. Well, President Cleveland said that after his investigation [illegible] had been paid for extras and the gentleman from Connecticut [Mr. MAHON], in his report to the House, said the same thing.

Mr. WM. ALDEN SMITH. Two hundred and ten thousand [illegible] dollars.

Mr. McCARTHY. Yes. I desire to read the first power of attorney and then ask why the second power of attorney was executed:

[illegible] McCord [illegible] made [illegible] and [illegible] at the navy agency [illegible] all payments due or to [illegible] at St. Louis, Mo., named

the [illegible] as per contract dated [illegible] June, 1861, [illegible] and [illegible] [illegible] my hand and seal the 24th day of [illegible]

CHARLES W. McCORD [SEAL.]

Sealed and delivered in the presence of—

THOMAS L. THORNWELL.

Mr. WM. ALDEN SMITH. That was three years before this receipt was [illegible]

Mr. McCARTHY. Yes, sir; but before the time that the light-[illegible] had been completed under the original contract [illegible] had been suggested and arranged for.

Now, [illegible] of January, 1894, the following power of attorney was [illegible]

[illegible] of the city of New York, by true and [illegible] it, without pro-[illegible]

What! Do as they were authorized to do under the other one? No.

To ask, demand, sue for—

It looks as if they were going to have a lawsuit now, so there is authorization—

to sue for, recover and receive all such sum or sums of money, debts, goods, wares, and other demands whatsoever, which are or shall be [illegible]

And will you permit Messrs. Gillman, Son & Co., in the face of a written authority of that character, to come before you [illegible] that they did not have authority to receipt for Mr. McCord? Would not we be considered a wise set of legislators to [illegible] any such violent construction of this instrument as they [illegible] place upon it in view of what the Supreme [illegible] presently? However, I will proceed with the reading of this power of attorney:

[illegible] to the changes, the cost of that work was [illegible]

The appellants asserted a claim for this amount also, which the court re-[illegible]

[illegible] made [illegible] something had occurred to bring about a [illegible] the price of labor and the price of material from [illegible] have recovered from the other [illegible] the contract was [illegible] Not by any manner of means. [illegible] and are [illegible] by it.

[illegible] the [illegible] of Mr. McCord [illegible] claims [illegible] ington to St. Louis and from there to New York, and the presumption is that that is what was done.

The Supreme Court, in [illegible] says:

[illegible] it, without pro-[illegible]

the second proceedings brought in the Court of Claims. The other cases have gone to the Supreme Court, and the second proceeding was upheld out of the Court of Claims on the ground that it did not have jurisdiction.

Mr. McCARTHY. I have already discussed the first proceeding.

Mr. STALLINGS. And the testimony of Gillman & Sons has not been overturned or rather has never been explained by the testimony of Gillman & Sons in the proceeding that went to the Supreme Court, but was explained in the subsequent case in the court of claims.

Mr. McCARTHY. It has never been explained by Gillman & Sons. [illegible]

Mr. STALLINGS. I am not discussing that branch of it.

Mr. McCARTHY. [illegible] $74,000 which [illegible] the government for [illegible] land [illegible] $1.25 [illegible] where the [illegible] and such [illegible] [illegible] a [illegible] [illegible].

Let us do [illegible] let us save our money and use it liberally for legitimate purposes. Instead of squandering it on spurious and fictitious claims.

Mr. COLLIER. Now, it does not make any difference to me whether this [illegible] or not. All I care about is to do a debt to the [illegible] [illegible] to me. The facts are [illegible] showing as the [illegible] [illegible] its path. It [illegible] [illegible] [illegible] [illegible] and a United States [illegible] have [illegible] before the Court of Claims that the court of this land was [illegible] what it was [illegible] to be in the first place. Nobody denies that this claimant signed a receipt which purported to be in full but [illegible] the case of Nathaniel McKee v. The United States, where [illegible] receipt was signed just the same as in this case. Congress sent that claim to the Court of Claims, and the claim was allowed and the man received $[illegible] and the receipt was not held a bar. In the act passed and approved May [illegible] [illegible] very best claims are sent to the Court of Claims under [illegible] lar to this. Now, I don't care whether this [illegible] [illegible] ably or not. But I do say that we ought to treat [illegible] the same as we do another. If it is right to send these [illegible] claimants to the Court of Claims then it is right to send this one there. If it is not right to send this one [illegible] Congress [illegible] [illegible] these other cases. I believe that [illegible] hearing the [illegible] has just as much merit as the other claims, and he [illegible] [illegible] as these other claims. [illegible] been out of [illegible] has already passed. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The question is, Shall the bill be laid aside with a favorable recommendation?

The question was taken, and on a division (demanded by Mr. PAYNE) there were ayes 71, noes 44.

So the motion was agreed to.

Mr. PAYNE. Mr. Chairman, I move that the committee rise and report back the bill to the House with the recommendation that it be laid aside with a favorable recommendation.

The CHAIRMAN. As it stands now, the committee will go right back to the House.

Mr. PAYNE. Then I shall insist upon my motion that the committee rise and report back the bill to the House.

The CHAIRMAN. The question is, Shall the bill be laid aside with a favorable recommendation that it be laid on the table?

The question was taken, and the motion was agreed to.

SETTLEMENT WITH THE STATE OF IOWA.

Mr. HAUGEN. The chairman of the committee yields to me that I may call up the bill (H. R. 6345) for the relief of the State of Iowa.

The bill was read, as follows:

[illegible] Secretary of the Treasury be and he is hereby authorized [illegible] the State of Iowa [illegible] Iowa troops after being mustered into the United States service. [illegible]

The amendment reported by the committee was read, as follows:

[illegible] $90,545.70 [illegible] the State of Iowa for money paid and expenses incurred in Iowa troops after being mustered into the United States service. [illegible] in a report made by the Auditor for the War Department on a similar bill introduced in the Fifty-second Congress on January 26, 1903, to the Secretary of the Treasury, to state:

[illegible] of Iowa within a few days [illegible] shown that the total disbursement of every nature amounts to [illegible].

Amount stated in this bill is $90,545.70, a difference of $[illegible]. The amount stated in the bill is [illegible] less than the amount shown in the report made by the War Department and is accounted for in Adjutant-General Byer's letter, of Iowa, under date of February 11, 1903, and incorporated in this report, and I refer you to page [illegible] of this report.

I also call your attention to the Adjutant-General's statement in his letter of January [illegible], page [illegible] of this report.

[illegible] Department [illegible] A.

I also call your attention to the statement made by the Acting Auditor of the Treasury, Mr. Spaulding, in his letter of January [illegible], page [illegible] of this report.

[illegible] disallowed.

O. L. SPAULDING.

I also call attention to Acting Auditor Seeds's statement, of the War Department, page [illegible] of this report.

[illegible]

E. P. SEEDS, *Acting Auditor.*

[illegible] 1899, directs [illegible] the governor of any State the [illegible]

I hope [illegible] Governor Shaw and Adjutant General Byers, pages 3 and 4 of this report:

[illegible] in your letter you say seems, from date of [illegible]

The evidence goes to show that the money was expended in good faith. That the Adjutant-General had the supervision and paid all claims through his department, and that [illegible] they had the approval of Capt. J. C. Olmsted, of the United States Cavalry, mustering officer, then on duty at Iowa National Guard.

It appears [illegible] claims were made out, but bills were not taken out [illegible] for payment [illegible] that the approval of the United States [illegible] authority for reimbursement by the General Government. [illegible] disputed [illegible].

[illegible] in aid of the United States Government [illegible] organization for volunteers for the Spanish-American war at [illegible] Iowa National Guard [illegible] on duty at the [illegible] of purchase and disposal.

L. M. SHAW, *Governor.*
M. H. BYERS, *Adjutant-General.*

STATE OF IOWA, [illegible]

[illegible] before me by L. M. Shaw, governor, and M. H. Byers, adjutant-general, of Iowa, this [illegible] day of September, A. [illegible]

[illegible]
Clerk of the Supreme Court of [illegible]

The act of July 8, 1898, was clearly for the purpose of reimbursing the States for money paid out by States in mustering into the United States service. Many of the claims have been disallowed by the War Department merely on technical grounds. [illegible] of the [illegible]. We find a [illegible] the War Department or [illegible] law, and if there is any doubt as to the legality of a claim or the claims are a proper charge under certain laws, then it is necessary to disallow the claims; but the spirit of the law was to pass this and all similar claims, and it is now for Congress to carry out the intent of the law and not to stand on technicalities.

The governor of the State of Iowa, Leslie M. Shaw, and his

honest and efficient aid, Adjutant-General Byers, whose integrity and patriotism have never been questioned—Governor Shaw recognized all over this land as one of the most [illegible] men, whose fame and popularity are not confined to the State of Iowa, but have spread beyond those recognized as a lawyer, a man of vast [illegible] in business affairs, supported by his able aid—have acted in good faith.

Now, then, suppose some irregularity occurred, and that some of this [illegible] had been [illegible] and not been [illegible] memorandum [illegible] receipt [illegible] claim: Nobody questions the [illegible] or the standing of these gentlemen, or their capacity for business.

We were then at war with Spain, and I fancy the question was not [illegible] with all the [illegible] red tape [illegible] rules and regulations of any [illegible].

Iowa had been called upon to furnish her share of the 125,000 volunteers called for April 23, 1898, and subsequent calls. The question uppermost in the minds of these men was not only how to furnish the men, but how to furnish the best men, and how to get them to the front the quickest, as well as [illegible] their [illegible]. And let me say to you that the [illegible] were furnished promptly and cheerfully. You got the best we had; they were the very flower of manhood, the very cream of this country; wherever then went, whatever they encountered, they conducted themselves like men, and contributed their part in bringing about the [illegible].

Will any Member of this House say by vote or action that this or any other State shall not be [illegible] paid or incurred in the muster into service, or a single dollar paid for the comfort and protection for any one of these men in health or sickness? I believe not. We all glory in the heroic deeds of these gallant men who have brought so much fame and luster to America's name and are anxious to show a just appreciation of the noble sacrifices which have been made for this country. In all our direful hours, whether during the war with Spain or any other conflict, a sacrifice which includes, in addition to the sufferings at home, the expenditure of money [illegible] the loss of the brave men who [illegible] memory we will ever bow with reverence and respect.

The American people believe in a just recognition of the services rendered, either by our soldiers, our States, or any individual.

Gentlemen, here is an opportunity to show your appreciation of services by the State of Iowa and her people.

This bill has been carefully considered by the Committee on War Claims, and has been unanimously reported [illegible] Fifty-seventh and Fifty-eighth Congresses.

Mr. Speaker, I ask unanimous consent to extend my remarks for the purpose of printing a few tables in the RECORD.

The CHAIRMAN. [illegible] consent to extend his remarks as in the RECORD. [illegible] [After a pause.] The Chair hears none.

Mr. HAUGEN. The tables referred to are as follows:

Status [illegible] of the several States and Territories on account of war with Spain.

State or Territory.	Amount claimed.	Amount allowed.	[illegible]	[illegible]
Alabama	$22,717.06	$22,582.44	$0.15	$134.47
[illegible]	10,157.41	[illegible]	[illegible]	[illegible]
[illegible]	151,486.02	146,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	97,387.95
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	10,408.61	[illegible]	[illegible]	2,[illegible]
[illegible]	[illegible]	2[illegible]	1[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	147	[illegible]	[illegible]	[illegible]
[illegible]	35	[illegible]	[illegible]	[illegible]
[illegible]	194	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	4,[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[

Mr. Chairman, I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The CHAIRMAN. The question is first on agreeing to the amendment reported by the committee.

The amendment was agreed to.

On motion of Mr. HAUGEN, the bill as amended was laid aside to be favorably reported to the House.

INDIANA STATE BOARD OF AGRICULTURE.

Mr. MAHON. I call up the bill (H. R. 7402) for the relief of the Indiana State board of agriculture.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War be and he is hereby, authorized [illegible] Indiana State board of agriculture [illegible] Army [illegible] thorized [illegible] lings and [illegible] value [illegible] to certify to the [illegible] due to said Indiana State board of agriculture [illegible] transportation, and damage, or in any manner arising or growing out of the same.

Mr. PAYNE. Mr. Chairman, it appears by the report that this claim was not filed in time under the act of June 6, 1900. What liability does that act create?

Mr. MAHON. That act provided that the governors of the States should file these claims under that act. Through a misunderstanding or oversight this claim was not filed within the time prescribed by the act.

Mr. PAYNE. Does the act prescribe under what terms the Government shall be liable?

Mr. MAHON. Oh, yes; that is all settled under the terms of the act.

Mr. PAYNE. Why should not this bill be so amended as to [illegible] terms [illegible] must [illegible] the terms of that act.

Mr. HOLLIDAY. Prior to the time this bill was introduced [illegible] the claims which are set up in the report [illegible] would probably have been [illegible] I would [illegible] passed, but for the fact that the members and officers of the State board of agriculture were [illegible] This gentleman was therefore [illegible] Where [illegible] was passed on by the Fifty-second Congress [illegible] for a [illegible] but as has been [illegible] I believe that the War Department [illegible] the subject [illegible] That is merely an [illegible] question. [illegible] money of the Treasury to pay this claim [illegible] explained by the [illegible] and [illegible] general [illegible] claim.

Mr. PAYNE. [illegible] is, I believe, a general appropriation for the payment of such claims.

Mr. HOLLIDAY. I do not know as to that. [illegible]

Mr. PAYNE. Will the gentleman [illegible] that the Secretary of War [illegible] under the terms of the act of June 6, 1900?

Mr. HOLLIDAY. I am not familiar with the terms of the act. I have not examined it carefully.

Mr. PAYNE. Now, here it is. You refer to it in your report.

Mr. MAHON. [illegible] limited, [illegible] under [illegible] as may have been [illegible] by the act of June 6, 1900, and [illegible]

Mr. HOLLIDAY. All that the committee propose and all that the [illegible] have been [illegible] claims [illegible]

Mr. PAYNE. The report states that this claim was filed in the War Department under the provisions of the act of June 6, 1900, but after the time prescribed for filing claims of this character had passed. Now, I have not the [illegible] ing the [illegible] payment, but we do not want to enlarge the scope of the statute.

Mr. MAHON. Such an amendment as the gentleman from New York [illegible] Mr. PAYNE [illegible]

Mr. HOLLIDAY. I have no [illegible] an amendment if the gentleman thinks there is any danger that should be guarded against.

Mr. MAHON. I ask that the bill be read again for information.

The CHAIRMAN. Without objection, the bill will be again reported.

The bill was read again.

Mr. PAYNE. Now, where the words [illegible] "that from [illegible] I move to strike out the proviso in the [illegible]

Mr. HOLLIDAY. I do not deem the amendment necessary, but I have no objection to it.

Mr. MAHON. That is all right. What is the date of that act?

Mr. PAYNE. [illegible]

The CHAIRMAN. The amendment will be reported by the Clerk.

The Clerk read as follows:

[illegible] is "United States," insert "under the act of [illegible]

[illegible] was agreed to.

Mr. PAYNE. Now, Mr. Chairman, I move to strike out the [illegible] I [illegible] there is no provision but what the appropriation will be made.

Mr. MAHON. It will come back as an adjudicated account and will go into the deficiency bill.

Mr. HOLLIDAY. My impression was that this did not carry a direct [illegible]

Mr. PAYNE. It appears that you must get the money out of any money in the Treasury not otherwise appropriated.

Mr. HOLLIDAY. I see no [illegible] should be done provided the matter can be safely accomplished.

Mr. PAYNE. Then I move to strike out the words appropriating the money, directing it to be paid out of any money not otherwise [illegible]

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

[illegible] all after the word "damage," on page 2, line 2.

Mr. HOLLIDAY. I am satisfied to accept that amendment.

[illegible] to be laid aside to be reported to the House with a [illegible]

[illegible] Mr. HOLLIDAY [illegible] by Mr. PAYNE, that the Senate [illegible] following titles; in [illegible] the [illegible] Rapids, Benton [illegible] to authorize certain officers of the [illegible] providing for the editions to be [illegible] of the annual and special reports of the Librarian of [illegible]

[illegible] An act to provide for an additional judge of the district court of the United States for the eastern district of Pennsylvania; and

[illegible] the [illegible] in [illegible] and for other purposes," approved April 26, 1900.

GEORGE W. SAULPAW.

[illegible] (H. R. 1513) for the relief of the [illegible] States for the use of [illegible]

Mr. MAHON. Mr. [illegible] the gentleman from Vermont [Mr. [illegible]

Mr. HASKINS. Mr. [illegible] has been before [illegible] and in the [illegible] Senator TELLER made a report upon the [illegible] and exhaustive, and if any [illegible] or any other Member has [illegible] about the merits of the case, I should like to have that report read.

Mr. PAYNE. It seems to be a pretty old matter, and I think the House ought to have some information on it.

Mr. HASKINS. It has been reported favorably at every session, either by one House or the other, and it passed both Houses in the Fifty-sixth Congress.

Mr. MAHON. It has never been vetoed. It simply reached the President too late.

Mr. PAYNE. I have not been able to find out what the bill is about.

Mr. HASKINS. I will ask the Clerk to read the report of Senator TELLER, commencing on page 2 of the committee report.

The CHAIRMAN. The Clerk will read it in the time of the gentleman.

The Clerk read as follows:

The [illegible] Claims, to whom was referred the petition of George [illegible] report, which [illegible] submitted have examined the petition of George [illegible] over the Tennessee [illegible] the power of this Department to assist you in the [illegible]

"By [illegible]

"Colonel in Charge Third D. W."

"R. J. ATKINSON, Esq., [illegible] D. C."

"QUARTERMASTER'S [illegible]

[illegible] Navy Department by Flag Officer Foote, [illegible] in good manner under as appears by the [illegible] owner [illegible] far as relates to the time, place, and circum- [illegible] marshal to attach [illegible] order of the court [illegible]

"D. L. PHILLIPS, *United States Marshal*, [illegible]

To which is annexed the [illegible]

OFFICE OF GUNBOAT FLOTILLA, [illegible]

"Received from D. L. Phillips, United States marshal, [illegible] by the said David L. Phillips as aforesaid, the said boat being now in the service of the United States as a gunboat on the western waters, which [illegible] United States.

"GEO. D. WISE.

"[illegible]

"GEO. D. WISE.

"R. J. ATKINSON, Esq., [illegible] *D. C.*"

[illegible] do not [illegible] to the true owner of the proceeds of his property now in [illegible]

Mr. PAYNE. Mr. Chairman, the report seems to be very clear

and complete, and I shall take great pleasure in voting for the bill.

Mr. HASKINS. I ask for a vote.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

BOWMAN ACT CLAIMS.

Mr. MAHON. Mr. Chairman, the Committee on War Claims has passed a resolution authorizing me to call up the bill H. R. 9518. This bill I will put in charge of the gentleman from Tennessee [Mr. GREENE], who reported the bill. It contains the findings of the court under the Bowman Act. It is purely findings and nothing else, and the bill has been very carefully prepared by a subcommittee.

Mr. THOMAS of North Carolina. Is that the omnibus bill?

Mr. MAHON. It is what we call the "findings-of-fact bill."

Mr. THOMAS of North Carolina. I do not wish, and do not propose, to offer any obstruction or objection to the omnibus claims bill, because I am interested in that bill myself, but I will ask unanimous consent before that bill is taken up to take up House bill 2819, for the relief of St. John's Masonic Lodge, Newbern, N. C. The reason I ask this is because it is different from other bills, having passed both Houses of Congress, and it is res adjudicata. It has the seal of approval of the Fifty-sixth Congress, and we can pass it in a few minutes. If you will pass it, I will promise not to object to the passage of any other bill of equal merit.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent for the present consideration of the bill H. R. 2819. Is there objection?

Mr. MAHON. I object.

Mr. PAYNE. Regular order.

Mr. MAHON. I would like the gentleman's bill to pass, but I am obliged to carry out the instructions of the committee.

Mr. THOMAS of North Carolina. Understand I am not opposing the omnibus bill, but the Masonic claim bill has been reported favorably to this Congress and passed the Fifty-sixth Congress after full debate, and it will only take a few minutes to pass it now.

Mr. PAYNE. The regular order is the Calendar.

The CHAIRMAN. The regular order is demanded. The Clerk will report the next bill.

Mr. MAHON. I move to take up House bill 9518 and proceed to its consideration. The committee has instructed me to make that motion.

The CHAIRMAN. The gentleman from Pennsylvania moves that the committee now take up House bill 9518.

Mr. LITTLEFIELD. I raise the point of order against that motion. It seems to me the order of the Committee is the way to consider the bills.

Mr. MAHON. It is entirely within the power of the committee to take up any bill.

Mr. LITTLEFIELD. I think it is in the power of the committee to do that under the order for the call of committees, but not under the order.

Mr. KEIFER. The rule provides that the Committee of the Whole may take up any bill on the Private Calendar. There is no question about that.

The CHAIRMAN. The Chair understands that the rule so provides.

The question was taken on the consideration of the bill; and the Chairman announced that the ayes appeared to have it.

Mr. PAYNE. Division.

The committee divided, and there were—ayes 42, noes 13.

So the motion was agreed to.

The CHAIRMAN. The Clerk will report the bill.

The Clerk read as follows:

A bill to pay the balance due on account of certain claims for stores and sup[illegible] the act ap[illegible]

The Clerk proceeded to read the bill and read to page 4, line 19.

Mr. GIBSON. Mr. Chairman, I offer an amendment.

Mr. PAYNE. The bill must first be read; and I make that point of order.

Mr. GIBSON. Mr. Chairman, I ask unanimous consent that the reading of the bill be further dispensed with.

Mr. PAYNE. Oh, I object.

The CHAIRMAN. Objection is made.

The Clerk proceeded with the reading of the bill.

Mr. PAYNE. Mr. Chairman, I ask unanimous consent that the reading of the bill be dispensed with, as we could not get to the second reading of the bill to-night.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. MAHON. I move that the committee do now rise and report the bills to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. FOSTER of Vermont, Chairman of the Committee of the Whole House, reported that that committee had had under consideration sundry bills on the Private Calendar and had directed him to report back the bill H. R. 201 with the recommendation that it be laid on the table; and also sundry other bills, some with and some without amendments, with the recommendation that the amendments be agreed to and that the bills do pass; and also that the committee had had under consideration the bill H. R. 9548 and had come to no resolution thereon.

Mr. MAHON. Mr. Speaker, I move the previous question on the bills and amendments reported.

Mr. PAYNE. Ask unanimous consent. It is not in order to make that motion.

Mr. MAHON. I ask unanimous consent that the previous question be considered as ordered on the bills and amendments.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that the previous question may be ordered upon the various bills and amendments to their final passage. Is there objection? [After a pause.] The Chair hears none.

LIGHT-DRAFT MONITOR ETLAH.

The first bill reported from the Committee of the Whole was the bill (H. R. 201) for the relief of the contractor or his legal representatives for the construction of the light-draft monitor *Etlah*, with the recommendation that it lie on the table.

The question was taken, and the bill was ordered to be laid on the table.

HOUSE BILLS PASSED.

House bills of the following titles, favorably reported from the Committee of the Whole without amendment, were severally considered, ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 1700. A bill for the relief of the legal representatives of Warren Mitchell, deceased; and

H. R. 1513. A bill for the relief of the estate of George W. Saulpaw.

House bills of the following titles, reported from the Committee of the Whole [illegible], were severally considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 7875. A bill for the relief of the estate of Dr. Thomas J. Coward, deceased;

H. R. 6645. A bill for the relief of the State of Iowa; and

H. R. 7402. A bill for the relief of the Indiana State board of agriculture.

On motion of Mr. MAHON, a motion to reconsider the votes by which several bills and amendments were passed was laid on the table.

[illegible]

Under clause 2 of Rule XXIV, Senate bills of the following titles were [illegible] and referred to their appropriate committees as indicated below:

S. 2794. An act [illegible] building of a dam across the [illegible] River at or near the village of Sauk Rapids, [illegible] Minn.—to the Committee on Interstate and Foreign Commerce.

S. R. 11. Joint resolution [illegible] gentlemen [illegible] Treasury Department [illegible] of [illegible] ties of Arizona—to the [illegible]

S. R. 97. Joint resolution [illegible] ing for the editions to be printed of [illegible] of the Librarian of Congress—to the Committee on the Library.

[illegible]

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. J. Res. 98. A joint resolution to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. [illegible] An act providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois; and

S. 2795. An act to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia and for the protection of the people from empiricism in relation thereto," approved June 6, 1892.

UNITED STATES COURTS.

Mr. BEDE. Mr. Speaker, I ask unanimous consent that Senate bill 707 be taken from the Speaker's desk and placed on its passage.

The SPEAKER. The gentleman from Minnesota calls up the following Senate bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 707) to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890.

Be it enacted, etc., That section 4 of an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890, be amended so as to read as follows:

"SEC. 4. That regular terms of the circuit and district courts shall be held as follows: For the first division, on the third Tuesday in May and the third Tuesday in November; for the second division, on the fourth Tuesday in April and the fourth Tuesday in October; for the third division, on the 23d day of June and the first Tuesday in December; for the fourth division, on the last Tuesday in April and the first Tuesday in October; for the fifth division, on the second Tuesday in January and the second Tuesday in July; for the sixth division, on the first Tuesday in May and the second Tuesday in November."

SEC. 2. That this act shall take effect and be in force from and after the 1st day of March, A. D. 1904.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The SPEAKER. Without objection, a similar bill (H. R. 3598) will lie on the table.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 16 minutes p. m.) the House adjourned to meet to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Willamette River, Oregon—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *William*, Joseph Thompson, master—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, submitting, in response to an inquiry of the House, a statement of the number of horses and vehicles used in his Department—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SMITH of Kentucky, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 3598) to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890, reported the same with amendment, accompanied by a report (No. 667); which said bill and report were referred to the House Calendar.

Mr. CRUMPACKER, from the Committee on the Census, to which was referred the bill of the House (H. R. 10653) to amend section 8 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, reported the same with amendment, accompanied by a report (No. 668); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9919) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak., reported the same without amendment, accompanied by a report (No. 670); which said bill and report were referred to the House Calendar.

Mr. BROWN of Wisconsin, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11355) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, reported the same with amendment, accompanied by a report (No. 671); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCALL, from the Committee on the Library, to which was referred the bill of the House (H. R. 853) for the erection of a monumental statue in the city of Washington, D. C., to Paul Jones, the founder of the American Navy, reported the same with amendment, accompanied by a report (No. 672); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 1933) to appropriate the sum of $40,000 to the Cape Cod Pilgrim Memorial Association, to be used in erecting at Provincetown, Mass., a suitable memorial of the landing of the Pilgrims, reported the same with amendment, accompanied by a report (No. 673); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 11318) for the relief of Anna C. Ray—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11809) to grant an honorable discharge to Jacob Hahn, of the Navy—Committee on Military Affairs discharged, and referred to the Committee on Naval Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. DRAPER: A bill (H. R. 11581) to provide for the retirement of enlisted men of the Army—to the Committee on Military Affairs.

By Mr. CURRIER: A bill (H. R. 11582) authorizing the issuance of letters regatory by the Commissioner of Patents, and providing for the execution of letters regatory issued from foreign patent offices—to the Committee on Patents.

By Mr. BOWERS: A bill (H. R. 11583) to provide for the purchase of a site and the erection of a public building thereon at Hattiesburg, in the State of Mississippi—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: A bill (H. R. 11584) for the protection of wild animals and birds in the Wichita Forest Reserve—to the Committee on the Public Lands.

By Mr. CURRIER: A bill (H. R. 11585) to amend section 493 of the Revised Statutes—to the Committee on Patents.

By Mr. OVERSTREET: A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes—to the Committee on Indian Affairs.

By Mr. CANDLER: A bill (H. R. 11587) in aid of the common schools in Mississippi—to the Committee on the Public Lands.

By Mr. HUGHES of West Virginia: A bill (H. R. 11588) to amend act of June 9, 1884—to the Committee on the Post-Office and Post-Roads.

By Mr. DAYTON: A bill (H. R. 11589) to authorize the erection of a monument at Fort Seybert, W. Va., to commemorate the capture and massacre of Captain Seybert and a number of men and women at that point and in the South Fork and Branch valleys of the Potomac by the noted Indian chief Kill Buck and his band of Indian warriors in the year 1756—to the Committee on the Library.

By Mr. STEVENS of Minnesota: A bill (H. R. 11590) to segregate the products of wheat imported into the United States for the manufacture of flour in bonded manufacturing warehouses—to the Committee on Ways and Means.

By Mr. MARTIN: A bill (H. R. 11591) to provide for an armory for the National Guard of the District of Columbia, and for other purposes—to the Committee on Public Buildings and Grounds.

By Mr. DEGETAU: A bill (H. R. 11592) expressly to declare the citizens of Porto Rico citizens of the United States—to the Committee on Insular Affairs.

By Mr. ALLEN: A bill (H. R. 11593) for the extension of Massachusetts avenue extended northward between Joliet street and Fairview Heights subdivision, and for other purposes—to the Committee on the District of Columbia.

By Mr. HEARST: A bill (H. R. 11594) amending an act entitled "An act to further regulate commerce with foreign nations, and among the States"—to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 11595) relating to the promotion of warrant officers in the Navy—to the Committee on Naval Affairs.

By Mr. DIXON: A bill (H. R. 11668) to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

By Mr. SAMUEL W. SMITH: A joint resolution (H. J. Res. 100) [illegible] the Director of the Census to cooperate with the [illegible] State of Michigan in taking the census of manufactures—to the Committee on the Census.

By Mr. PAGET: A resolution (H. Res. 196) of inquiry to the Public Printer—to the Committee on Printing.

By Mr. STEPHENS of Texas: A resolution (H. Res. 197) requesting the Attorney-General of the United States to send to the House of Representatives a [illegible] to be appointed examiner of testimony [illegible] to the Indian Territory—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEDE: A bill (H. R. [illegible]) granting a pension to [illegible] on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. [illegible]) granting a pension to [illegible] on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. [illegible]) granting a pension to [illegible] on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible] on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of John W. [illegible] on Military Affairs.

Also, a bill (H. R. [illegible]) for the relief of David W. Robbins—to the Committee on Military Affairs.

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of [illegible] on War Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of Henry [illegible]—to the Committee on Claims.

Also, a bill (H. R. [illegible]) granting a pension to Anna M. Emmons—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Hattie M. Cochran—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. [illegible]) granting an increase of pension to [illegible] on Invalid Pensions.

By Mr. CANNON: A bill (H. R. [illegible]) granting an increase of pension to [illegible] on Invalid Pensions.

By Mr. COCHRAN: A bill (H. R. [illegible]) granting an increase of pension to Alexander H. Seckman—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to H. H. [illegible]—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Abigail Becker—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to William M. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to William Kunkle—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to J. W. Dinwiddie—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Irvin Crouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to J. W. Messick—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. [illegible]) granting an increase of pension to Wilber W. Fuller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11662) granting an increase of pension to Joseph J. Pomeroy—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. [illegible]) granting an increase of pension to Warner L. Vincent—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 11663) granting an increase of pension to Amos Dalgarn—to the Committee on Invalid Pensions.

By Mr. ENOCH: A bill (H. R. [illegible]) to correct the military record of Owen F. Rossell—to the Committee on Military Affairs.

By Mr. GAINES of Tennessee: A bill (H. R. 11664) for the relief of Sarah McCoy, administratrix of Robert McCoy, deceased, late of Davidson County, Tenn.—to the Committee on War Claims.

By Mr. GARBER: A bill (H. R. 11665) for the relief of David W. [illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) granting an increase of pension to Nannie J. McDowell—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11668) granting a pension to Mary E. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11681) to correct the military record of Henry [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. [illegible]) granting a pension to A. A. McAlister—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to John H. Jenkins—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. [illegible]) granting a pension to David E. [illegible]—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 11685) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. HUMPHREY: A bill (H. R. [illegible]) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. KIELTYKA: A bill (H. R. [illegible]) granting a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. [illegible]) for the relief of [illegible] A. Welch, of [illegible]—to the Committee on [illegible].

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of [illegible]—to the Committee on Claims.

Also, a bill (H. R. 11694) [illegible] a pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. MANN: A bill (H. R. [illegible]) for the relief of [illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. 11[illegible]) granting an increase of pension to Wesley C. [illegible]—to the Committee on Invalid Pensions.

By Mr. P[illegible]: A bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 11645) for the relief of W. M. Justice, of Hunt County, Tex.—to the Committee on War Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 11646) for the relief of George M. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. [illegible]) granting an increase of pension to W. C. Scott—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 11648) granting an increase of pension to Clorinda A. Bostater—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11649) granting an increase of pension to Marcus A. [illegible]—the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 11650) granting a pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Martha Bottineau—the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11653) granting an increase of pension to Anthony W. [illegible]—to the Committee on Invalid Pensions.

By Mr. STILLWELL: A bill (H. R. 11654) granting an increase of pension to Augustus Wagner—to the Committee on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. 11655) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. TIMBLAKE: A bill (H. R. 11656) granting a pension to James P. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Minerva L. [illegible]—to the Committee on Invalid Pensions.

By Mr. VAN VOORHIS: A bill (H. R. [illegible]) granting an increase of pension to Thomas Gill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11659) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11660) granting an increase of pension to James Dawson—to the Committee on Invalid Pensions.

By Mr. WEEKS: A bill (H. R. [illegible]) granting a pension to William H. McClurg—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 11662) granting an increase of pension to John H. Brodrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11663) granting an increase of pension to Stephen S. [illegible]—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. [illegible]) to relieve the Illinois Central Railroad Company for damage to Union Depot at Louisville, Ky., by blasting in the Ohio River—to the Committee on Claims.

By Mr. CURRIER: A bill (H. R. 11665) granting an increase of pension to Betsey Brown—to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 11666) for the relief of Rauken A. Hutsell—to the Committee on Military Affairs.

By Mr. PADGETT: A bill (H. R. 11667) for the relief of J. S. Woody, Martins Mills, Wayne County, Tenn.—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Cigar Makers' Local Union No. 316, of [illegible], Pa., in favor of passage of bill H. R. 6—to the Committee on Ways and Means.

By Mr. ADAMS of Wisconsin: Papers to accompany bill H. R. 5[illegible] for the relief of Lora Millisen—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1[illegible], to increase pension to [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10109, to increase pension of [illegible]—to the Committee on Invalid Pensions.

By Mr. [illegible]: Petition of Lawton Post, No. 279, Grand Army of the Republic, for a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of Rev. H. E. Fuller, Rev. H. J. W. [illegible], and 18 others, of [illegible], Wis., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of the Women's Relief Corps, [illegible] and Army of the Republic, of Independence, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of [illegible], Iowa, for legislation to prevent the sale of [illegible] liquor laws—to the Committee on [illegible].

By Mr. [illegible]: Petition of Samland Post, No. [illegible], Grand Army of the Republic, [illegible], in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of G. A. R. Posts [illegible], No. 44; [illegible], No. 90, Grand Army of the Republic, [illegible], in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of veterans of the civil war of Motley, Minn., and [illegible] in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. [illegible]: Petition of citizens of Watertown, S. Dak., [illegible] the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. [illegible]: Petition of the Nebraska State Horticultural Society, [illegible] for the protection of the Union Pacific [illegible] Nebraska and Colorado—to the Committee on Agriculture.

Also, petitions of citizens of Lincoln City, Nebr., and [illegible] for the passage of the parcels-post bill—to the Committee on Post-Office and Post-Roads.

By Mr. [illegible]: Petition of T. F. Gilley and others, of [illegible], for the passage of the parcels-post bill—to the Committee on Post-Office and Post-Roads.

Also, petition of [illegible] for the passage of the Brownlow bill—to the Committee on Agriculture.

Also, petition of the Pastoral Association of [illegible], for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. [illegible]: Memorial of the Pastoral Association of [illegible], for the passage of the Hepburn-Dolliver bill—to the Committee on Industrial Arts and Expositions.

By Mr. COCHRAN: Petitions of E. H. Stanel and 50 other voters, of Kingston, Mo.; W. [illegible] and 8 other voters, of [illegible], Mo.; Lew T. H. Clemens and [illegible] other voters, of [illegible], Mo.; A. M. Bolling and 120 other voters, and D. Harrison and [illegible], of Newtown, Mo., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CRUMPACKER: Resolutions of Minden Black Post, No. [illegible], Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: Petition of Chaplain Brown Post, No. 106, Valparaiso, Ind., Grand Army of the Republic, urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DANIELS: Petition of F. N. Chapman and other citizens of Imperial, Cal., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of John Moll and 27 other voters of San Bernardino County, Cal., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: Petition of citizens of Hastings, Minn., relative to improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

Also, petition of C. F. Bergquist and others, of Winthrop, Minn., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DE ARMOND: Papers to accompany bill H. R. 11540, for the relief of Vernon L. Johnson—to the Committee on Pensions.

By Mr. DRAPER: Resolutions of New York Board of Trade and Transportation, for the improvement of the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. FULLER: Resolution of Sandwich Post, No. 519, Grand Army of the Republic, Department of Illinois, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of National Grange, Patrons of Husbandry, in favor of postal legislation as to rural mail carriers, parcels post, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES of West Virginia: Petition of J. H. Parker and 75 others, of Buckhannon, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. G. W. Bartlett, First Methodist Episcopal Church, George W. Pollock and 27 others, and to [illegible] others, of Buckhannon, W. Va., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GILLESPIE: Petition of J. W. Rouse and 216 others, of Fort Worth, Tex., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAMLIN: Affidavits in support of claim of Warren B. [illegible] for an increase or pension—to the Committee on Invalid Pensions.

Also, affidavits in support of claim of Henry Stuffleham, alias Henry S. [illegible]—to the Committee on Military Affairs.

By Mr. HASKINS: Resolutions of three Grand Army of the Republic posts of Vermont, favoring a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Petition of Congregational and Methodist Churches and 42 voters of Lakeside, Iowa, and of [illegible] and [illegible] other voters of Paullina, Iowa, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAY: Petition of Rev. C. E. [illegible], of Staunton, Va., and 8 other voters, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Resolutions of city council of East Madison, Iowa, relative to improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

By Mr. HENRY of Connecticut: Petition of manufacturers, business men, and citizens of New Britain, Conn., relative to a postal building in that city—to the Committee on Public Buildings and Grounds.

By Mr. HILDEBRANDT: Petition of Women's Christian Temperance Union of [illegible], in support of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of the Pastor, Church of Lebanon, Oreg., in support of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of [illegible] Lewis and Clark Fair—to the Select Committee on Industrial Arts and Expositions.

Also, resolution of the Miners' Association of Oregon, urging [illegible] and protection of the Chinese—to the Committee on Foreign Affairs and Mines.

By Mr. [illegible]: Resolution of the Commercial Club of [illegible], Cal., relative to improvement of the Sacramento River—to the Committee on Rivers and Harbors.

By Mr. KLUTTZ: Petition of Rev. Edgar Tufts and others, of [illegible] Township, N. C., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KNAPP: Petition of Capt. R. H. Pratt and others, of Carlisle, Pa., protesting against allotments to the Indians of Oklahoma—to the Committee on Indian Affairs.

By Mr. [illegible]: Petition of citizens of Clarinda, Iowa, urging the passage of the Brownlow bill—to the Committee on Agriculture.

By Mr. LINDSAY: Resolutions of New York Board of Trade and Transportation, for the improvement of the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, petition of New York Board of Trade and Transportation, favoring passage of bills H. R. 3559 and 3562 for the improvement of the Bronx Kills—to the Committee on Rivers and Harbors.

By Mr. LITTLEFIELD: Petition of citizens of Boothbay Har-

bor, Me., relative to exterminating dogfish—to the Committee on the Merchant Marine and Fisheries.

By Mr. MARTIN: Petition of citizens of Brookings, S. Dak., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PORTER: Resolution of Grand Army of the Republic Post No. 41, of Pittsburg, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: Petition of shipowners, shipbuilders, and shipmasters of Boston, opposing American registry to foreign-built vessels—to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON of Alabama: Papers to accompany bill H. R. 10099, granting a pension to Harrison Cook—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of D. B. Bowers, of Nails, Ind., relative to increasing the powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. RYAN: Resolution of the Merchants' Association of New York, relative to irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, resolution of New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, papers to accompany bill H. R. 10932, to increase pension of Christopher O'Hara—to the Committee on Invalid Pensions.

By Mr. SCOTT: Resolutions of Pleasant Valley Grange, No. 1416, of Hackney, Kans., favoring the passage of the Brownlow good roads bill—to the Committee on Agriculture.

By Mr. SHACKLEFORD: Petition of Cyrus Penn and 6 others, of Florence, Mo., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SHEPPARD: Papers to accompany House bill for the relief of W. M. Justice—to the Committee on War Claims.

By Mr. SHOBER: Paper to accompany bill H. R. 9834, granting an increase of pension to Elizabeth McL. Hanghey, and papers to accompany bill granting an increase of pension to Edward M. Tappen—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Resolution of the San Antonio Council of the Knights of Columbus, relative to accepting the statue of Pere Marquette—to the Committee on the Library.

By Mr. SMITH of Michigan: Resolutions of A. B. Watson Post, No. 395; George W. Anderson Post, No. 55, and Sherman Post, No. 243, Grand Army of the Republic, Department of Michigan, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: Papers to accompany claim of George M. Smith—to the Committee on War Claims.

Also, affidavits in behalf of W. C. Scott, of Lebanon, Ky., and Francis M. Hatler, of Rosine, Ky., for an increase of pension, and papers to accompany bill H. R. 1830—to the Committee on Invalid Pensions.

By Mr. SNOOK: Papers to accompany bill granting an increase of pension to Melissa A. Myers, and papers to accompany bill granting an increase of pension to Clorinda A. Bastater—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Resolutions of Minnesota State Dairymen's Association, relative to contagious diseases of domestic animals—to the Committee on Agriculture.

Also, resolutions of Acker Post, No. 31, Grand Army of the Republic, of St. Paul, favoring the promotion of Capt. Jared Kinney—to the Committee on Military Affairs.

Also, resolutions of Sons of American Revolution of Minnesota, against desecration of the American flag—to the Committee on the Judiciary.

Also, remonstrance of citizens of St. Paul, against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of St. Paul Branch, Brotherhood of Locomotive Engineers, in favor of a pension for engineers who served during the war of the rebellion, and protest of members of John A. Rawlins Post, Grand Army of the Republic, Department of Minnesota, against the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of Ellison Post, No. 127, of North Branch, Minn., Grand Army of the Republic; of German-American Veterans' Association of St. Paul, and of O. P. Morton Post, No. 571, Grand Army of the Republic, of Minneapolis, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of Methodist Episcopal churches of St. Paul, Minn., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULZER: Resolution of the New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. THOMPSON: Resolutions of the Alabama State Horticultural Society, at Mobile, Ala., January 27, 1904, urging the passage of the Brownlow bill—to the Committee on Agriculture.

By Mr. VAN VOORHIS: Affidavits to accompany papers in case of James Dawson, for an increase of pension—to the Committee on Invalid Pensions.

Also, resolutions of Barlow Post, No. 494, of Barlow, Ohio; General Sanders Post, No. 482, of Quaker City, Ohio, and Martin Post, No. 665, of Caysville, Ohio, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, affidavits to accompany papers in case of Thomas Gill, for an increase of pension—to the Committee on Invalid Pensions.

Also, resolution of the South Side Business and Improvement Association, Columbus, Ohio, relative to a new Federal judicial district—to the Committee on the Judiciary.

Also, papers to accompany House bill to increase pension of Theodore Collier—to the Committee on Invalid Pensions.

By Mr. WACHTER: Resolution of Baltimore Chamber of Commerce, relative to bill S. 199—to the Committee on Agriculture.

Also, resolution of the Philadelphia Board of Trade, relative to bill H. R. 7036—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Baltimore Chamber of Commerce, relative to the consular service—to the Committee on Foreign Affairs.

By Mr. WYNN: Papers to accompany bill H. R. 11190, for the relief of Henry Finnegas—to the Committee on Military Affairs.

SENATE.

WEDNESDAY, *February 3, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

PUBLIC BUILDING AT IOWA CITY, IOWA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, recommending an increase of $1,000 for the purchase of a site and the erection of a public building at Iowa City, Iowa; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact filed by the court in the cases of Wm. G. Hulsizer, jr., v. The United States; Lemon Smith v. The United States; Woodward Carter v. The United States; Robert Arthur, administrator of George Arthur, deceased, v. The United States; A. S. Overly v. The United States; Emily A. H. Tatem, sister and administratrix of Josiah D. Pinner, deceased, v. The United States; Annette B. Wonson, administratrix of George W. Adams, v. The United States; Mary E. Pritchett, administratrix of James M. Pritchett, v. The United States; Thomas Peyroux, administrator of Edward Barrett, deceased, v. The United States; Jane E. Read, administratrix of John H. Read, deceased, v. The United States; Mary Finch, administratrix of Leroy Finch, v. The United States; Robert E. Wheeler v. The United States; Andrew Dunlap v. The United States; Percy Bryant, son of Nathaniel C. Bryant, deceased, v. The United States, and Nellie O'Kane, widow of James O'Kane, deceased, v. The United States; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3015) to amend an act entitled "An act providing for terms of the district court of the United States at Duluth in the district of Minnesota, and for other purposes," approved April 26, 1904.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 1513) for the relief of the estate of George W. Saulpaw;

A bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased;

A bill (H. R. 3875) for the relief of Dr. Thomas J. Coward, deceased;

A bill (H. R. 6345) for the relief of the State of Iowa; and

A bill (H. R. 7402) for the relief of the Indiana State board of agriculture.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 540) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois; and

A bill (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the German Artillery Benevolent Society, of Charleston, and of the Turn Verein of Charleston, in the State of South Carolina; of the Turn Verein of Denver, and of the Harmonie Singing Society, of Pueblo, in the State of Colorado; of the Schwaben Verein, of New Haven; of Lodge No. 436, of Rockville, and of Mozart Lodge, No. 14, of Danbury, all in the State of Connecticut; of the Turn Verein of San Francisco; of Stamm Lodge, No. 252, of Los Angeles; of the California Saengerbund, of southern California; of the Schleswig Turn Verein, of San Francisco; of the Eintracht Verein, of San Francisco; of the Turn Verein of Oakland, and of Stamm Lodge, No. 77, of San Jose, all in the State of California; of the Columbia Brauer Kranken Unterstuetzungs Verein, of Washington, D. C.; of Goethe Lodge, No. 382, of Terre Haute; of the Turn Verein of Evansville; of the Harugari Saengerchor, of Indianapolis; of the Turn Verein of Michigan City; of St. Joseph's Benevolent Society, of Richmond; of St. Antonius Ritter Turn Verein, of Evansville; of St. Anthony's Branch, No. 554, of Evansville, and of the Germania Maennerchor, of Evansville, all in the State of Indiana; of Schiller Lodge, No. 1277, of Louisville; of the Sons of German Pioneers, of Newport, and of Schiller Lodge, No. 1867, of Louisville, all in the State of Kentucky; of the German-American Dental College, of Chicago; of New Teutonia Lodge, No. 1952, of Chicago; of the German Encampment of Odd Fellows of Chicago; of Germania Lodge, No. 657, of Chicago; of Humboldt Lodge, No. 420, of Chicago; of Freiheit Lodge, No. 475, of Chicago; of Schiller Lodge, No. 335, of Peoria; of the Plattdeutsche Gilde, No. 31, of South Chicago; of the Luxemburger Independent Club, of Aurora; of Karl Marx Lodge, No. 544, of Chicago, and of the Turn Verein of Chicago, all in the State of Illinois; of Teutonia Lodge, No. 2, of St. Louis; of Germania Lodge, No. 2, of St. Louis; of the Turn Verein of St. Louis; of the Liederkranz of St. Louis; of the Turn Verein of West St. Louis; of the Harmonie Saengerbund, of St. Louis; of the Executive Board of the St. Louis Gymnastic District, of St. Louis; of the Deutscher Verein of St. Louis, and of the Guttenberg Mannie Lodge, No. 82, of St. Louis, all in the State of Missouri; of the Frohsinn Singing Society, of Detroit; of the Arbeiter Unterstützungs Verein, of Lansing; of the Arbeiter Unterstützungs Verein, No. 2, of Jackson; of the Daheim Maennerchor, of Detroit, and of Teutonia Lodge, No. 31, of Detroit, all in the State of Michigan; of Columbia Lodge, No. 36, of St. Paul, Minn.; of the Frohsinn Singing Society, of Baltimore; of German Beneficial Union, District No. 103, of Baltimore, and of German Beneficial Union, District No. 117, of Baltimore, all in the State of Maryland; of Carl Marx Lodge, No. 1, of Providence, R. I.; of the Personal Rights League of Lincoln, Nebr.; of the Turn Verein of Trenton; of the Hessen Beneficial Society, of Trenton; of the Hessischer Sick Society, of Elizabeth; of Lutzow Camp, No. 3, of Jersey City; of Schiller Lodge, No. 4, of Newark; of the Independent Schuetzen Corps, of Elizabeth; of the Casino Maennerchor, of Newark; of the Vorwarts Sick Benefit Society, of Elizabeth; of the Hudson City Turn Verein, of Jersey City, and of Concordia Lodge, No. 2, of Newark, all in the State of New Jersey; of the Harmonious Aid Society, of Holyoke; of the Rothmanner Ban Verein, of New Bedford; of the Turn Verein of Easthampton; of the Turn Verein of Lawrence; of Eintracht Lodge, No. 19, of Boston; of Teutonia Lodge, No. 219, of Boston, and of the Germania Society, No. 11, of Lynn, all in the State of Massachusetts; of the Concordia Singing and Musical Society, of New York City; of the German Social Scientific Society of New York City; of the Central Spar Verein, of New York City; of the Liederkranz of Schenectady; of St. Lawrence Council, No. 209, of Troy; of the German Sick and Benevolent Society of Oneida; of Genesee Lodge, No. 5, of Buffalo; of the Mozart Verein, No. 328, of New York City; of Beethoven Lodge, No. 2487, of Albany, of the Incorporated Kreis Stadtmaner Association, of New York City; of the Bowling Guard of New York City; of the Freie Bruder Lodge, of Syracuse; of the Deutscher Veteranen Bund, No. 1, of Buffalo, and of the Glee Club of Syracuse, all in the State of New York; of Lodge No. 1, of Tacoma, and of Lodge No. 14, of Ballard; of the Saengerbund, of Tacoma, and of Germania Social Club, of Seattle, all in the State of Washington; of the Deutscher Krieger Verein, of Waco; of Lodge No. 118, of Oldenburg, of the Unterstuetzung Verein, of Yorktown; of the Schlesier Lodge of the Knights of Honor, of San Antonio; of Pecan Camp, No. 387, of Welcome; of the Saengerrande of Austin; of the Hochheim Prairie Mutual Fire and Storm Insurance Association, of Hochheim; of the Saengerbund of Houston, of the Dramatischer Verein, of Nordheim, and of Lodge No. 39, of Shovel Mount, all in the State of Texas; of Lodge No. 123, of Madison; of the Turn Verein of Milwaukee; of the Turn Verein of Sheboygan; of the Deutscher Militar Verein, of Milwaukee; of the Maennerchor of Milwaukee; of Teutonia Lodge, No. 11, of Milwaukee; of the Saengerbund of Milwaukee; of Cleveland Lodge, No. 93, of Milwaukee; of the Frieden Lodge, No. 254, of Eau Claire; of the Yorhn Turn Verein, of Milwaukee; of Guttenberg Lodge, No. 268, of Sheboygan; of Jahn Lodge, No. 16, of Milwaukee; of the Liedertafel Verein, of Milwaukee; of Fortuna Lodge of the Knights of Honor of Milwaukee, and of Teutonia Lodge, No. 8, of Lacrosse, all in the State of Wisconsin; of the Maennerchor of Cincinnati; of the Hessische Verein of Cincinnati; of the Saengerbund of Cleveland; of the Newburgh Germania Maennerchor, of Cleveland; of the Unterstuetzung Verein of Cincinnati; of Uniformirten Schuetzen Corps, No. 1, of Cincinnati; of Hermann Lodge, No. 3, of Canton; of the Unterstuetzung Verein of Cleveland; of Freiheit Union, No. 13, of Cleveland; of Hermann Lodge, No. 92, of Cincinnati; of the Lyra Singing Society, of Cleveland; of the Scioto Tribe, No. 22, of Columbus; of the Hessen Unterstuetzung Verein, of Cleveland; of the Turn Verein of Cincinnati; of the Hannoveraner Smoking Casino, of Cincinnati; of Humboldt Union, No. 3, of Cleveland; of the Badischer Unterstuetzung Verein, of Cleveland; of the Deutscher Cester Unterstuetzung Verein, of Cincinnati; of Fortschritt Maennerchor, No. 75, of Dayton; of Edelweiss Commandery, No. 32, of Toledo; of German Beneficial Union, No. 70, of Cleveland; of the Saengerbund of Dayton; of the Deutscher Verein, of Cincinnati; of the Concordia Benevolent Society, of Cleveland; of the Skat Club of Youngstown; of the Physical and Mental Culture Society of Cincinnati; of the Unterstuetzung Verein of Akron, and of the Deutscher Unterstuetzung Verein Eintracht, of Cincinnati, all in the State of Ohio; of the Shoemakers' Union of Philadelphia; of the Coopers' Union of Philadelphia; of the Veteranen Band of Philadelphia; of Brewery Workers' Union, No. 5, of Philadelphia; of German Beneficial Union, No. 80, of Pittsburg; of the Mount Oliver Turn Verein, of Pittsburg; of Lodge No. 646, of Allegheny; of the Baden Beneficial Society, of Pittsburg; of Cannstatter Verein, No. 1, of Philadelphia; of the Beneficial Society of Pittsburg; of the Franz Liederkranz, of Millvale; of the Deutscher Verein, No. 125, of Pittsburg; of the German Militar and Beneficial Society of Jeannette; of the Liberal Unterstuetzung Verein, of Philadelphia, and of Local Union No. —, Brotherhood of Carpenters and Joiners, of Philadelphia, all in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of the Anti-Saloon League of Parkersburg, W. Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CLAPP presented a petition of the congregation of the Macalester Presbyterian Church, of St. Paul, Minn., praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of Major E. F. Fletcher Post, No. 1, Department of Massachusetts, Grand Army of the Republic, of Massachusetts, and a petition of Charles Russell Lowell Post, No. 7, Department of Massachusetts, Grand Army of the Republic, of Lynn, Mass., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. MILLARD presented the petition of J. L. Tasker, principal of Gates Academy, Nebraska, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the United Presbyterian, the Methodist Episcopal, the Baptist, and the Congregational churches, all of Wilsonville, in the State of Nebraska, praying for the enactment of legislation providing for the closing on Sunday of the St. Louis Exposition and the Lewis and Clark Centennial Exposition, which was referred to the Select Committee on Industrial Expositions.

Mr. CULLOM presented a petition of Forrest Post, No. 114, Department of Illinois, Grand Army of the Republic, of Forrest, Ill., and a petition of Harvey Post, No. 124, Department of Illinois, Grand Army of the Republic, of Harvey, Ill., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. ALLISON presented a memorial of the Iowa Brick and Tile Association, of Mason City, Iowa, remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Iowa Brick and Tile Association, of Mason City, Iowa, remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented petitions of Hassendeufel Post, No. 146, of Guttenberg, of L. G. Irland Post, No. 158, of Sibley, and L. S. Sinaler Post, No. 166, of Brandon, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service pension bill; which were referred to the Committee on Pensions.

He also presented petitions of the Women's Christian Temperance Union of Rockford, of the congregation of the Presbyterian Church of Rockwell City, of the congregation of the Baptist Church of Rockwell City, of the congregation of the Methodist Episcopal Church of Rockwell City, of the Women's Missionary Society of the Presbyterian Church of Mason City, of the congregation of the Presbyterian Church of Rockford, and of sundry citizens of Cedar Rapids, all in the State of Iowa, praying for an investigation of the charges made against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. PLATT of New York presented memorials of sundry citizens of New York City and Brooklyn, in the State of New York, remonstrating against the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of the New York Board of Trade and Transportation, of New York City, praying for the enactment of legislation providing for the completion of the harbor of refuge at Point Judith, R. I.; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Mount Vernon, N. Y., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Military Affairs.

He also presented a petition of Lochner M. Wooster Post, No. 92, Department of New York, Grand Army of the Republic, of Saratoga Springs, N. Y., praying for the enactment of a service pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of New York City, Buffalo, Patchogue, Utica, Brooklyn, Waterford, Auburn, Rochester, Geneva, Oneida, Lockport, Batavia, Rome, Port Jervis, Dansville and Mount Morris, all in the State of New York, praying for the passage of the so-called Bonaparte good roads bill; which were referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 63) for the relief of Mrs. Julia L. Hall, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 67) for the relief of the contractor, or his legal representatives, for the construction of the Indian agency house, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 3[illegible]) for the relief of Harvey O. Dunn, reported it without amendment, and submitted a report thereon.

Mr. PULITZER, from the Committee on Pensions, to whom was referred the bill (S. 4[illegible]) to provide a hospital for the Hospital Corps of Grant's Army, in the State of Wyoming, reported it without amendment.

Mr. CLAPP, from the Committee on Claims, to whom was referred the amendment submitted by Mr. NELSON on the 22d instant, proposing to pay Lewis $[illegible], with interest thereon at 6 per cent from March 15, 1897, as compensation in the payment of the Government share of damages to said steamer by collision on March 25, 1897, with the U. S. survey steamer Somerset in the Tongue River, Ohio, intended to be proposed to the urgent deficiency appropriation bill, reported it with an amendment, and submitted a report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PETTUS introduced a bill (S. 4065) for the relief of Christopher McDonald, executor of Michael Callaghan, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 4066) for the relief of Leonard J. Freeman; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4067) to prevent the unlawful wearing of the badge or insignia of the Grand Army of the Republic and other soldier organizations; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 4068) granting an increase of pension to Mary E. Tickner; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 4069) to provide for the performance, temporarily, of the duties of appraisers and assistant appraisers of merchandise; which was read twice by its title, and referred to the Committee on Finance.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4070) granting an increase of pension to A. Fellentreter;

A bill (S. 4071) granting an increase of pension to John Lindt; and

A bill (S. 4072) granting an increase of pension to James Brown.

Mr. ALLEN introduced a bill (S. 4073) granting an increase of pension to Comfort W. Wolcott; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLARK, of Wyoming, introduced a bill (S. 4074) granting a pension to Amos E. Gregory; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GIBSON (for Mr. CLARK, of Wyoming) introduced a bill (S. 4075) granting an increase of pension to Thomas M. Coughlan; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also (for Mr. CLARK, of Wyoming) introduced a bill (S. 4076) for the relief of the survivors of Company Second Regiment Wyoming Cavalry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. CLARK, of Wyoming, introduced a bill (S. 4077) granting an increase of pension to Ezekiel B. Stevens; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 4078) granting an increase of pension to Charles E. Smith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 4079) for the relief of James Pearson; which was read twice by its title, and referred to the Committee on Claims.

Mr. TILLMAN introduced a bill (S. 4080) for the relief of the [illegible] Company, of Charleston, S. C., and for other purposes; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4081) to remove the charge of desertion from the military record of Thomas J. Lyons, and to grant him a honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. TELLER introduced a bill (S. 4082) for the relief of [illegible]; which was read twice by its title, and referred to the Committee on Claims.

Mr. MORGAN introduced a bill (S. 4083) granting an increase of pension to Lucinda W. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4084) for the relief of L. T. Calloway; which was read twice by its title, and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 4085) for the relief of Payton Stockton; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. NELSON (by request) introduced a bill (S. 4086) for the relief of certain Indian soldiers of the Fifteenth Minnesota Volunteers; which was read twice by its title, and referred to the Committee on Claims.

Mr. PULITZER introduced a bill (S. 4087) granting a pension to Henry R. Baker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4088) for the relief of W. R. Justice; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 4089) to authorize the purchase of the interests in the National Hospital of Medicine; which was read twice by its title, and referred to the Committee on the Library.

He also introduced a bill (S. 4090) granting an increase of pension to Charlotte J. Folsom; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4091) granting an increase of pension to Nathan M. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4092) relating to liability of common carriers by railroads in the District of Columbia and Territories and foreign countries by companies engaged in commerce between the States and between the States and foreign nations to their employees; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4093) for the recognition of the

military service of noncommissioned officers and enlisted men of the United States Volunteers as commissioned officers in certain State military organizations; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4094) to correct the military record of George Milsey; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4095) for the relief of Julius A. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 4096) for the relief of Louis J. [illegible], collector of internal revenue for the collection district of Maryland; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTIGREW introduced a bill (S. 4097) to establish a bureau in the Department of Agriculture to be known as the Bureau of Farm Economics, and to provide for its organization and for the appointment of its officers; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. CULLOM (by request) introduced a joint resolution (S. R. 40) adjusting the rank of Maj. Joseph W. Wood, United States Army, on the retired list; which was read twice by its title, and referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTIGREW submitted an amendment directing the Secretary of War to pay to Edward Moseley the balance of the unexpended balance of the appropriation made by the act of March 3, 1899, for improving the Potomac River the sum of $8,055.05, being the amount found and certified by Lieut. Col. [illegible], to the Potomac River below Washington, D. C., and due to be paid by law to the sundry civil appropriation bill; which was ordered to be printed, and, with the accompanying letter from the Secretary of War, referred to the Committee on Appropriations.

Mr. STEWART submitted an amendment proposing to appropriate $6,000 for paving Q street, between Twenty-second and Twenty-third streets NW., District of Columbia, intended to be proposed to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. CLAPP submitted an amendment proposing to fix the salary of the postmaster at Amherst, Massachusetts, at $1,600 per annum, instead of $1,400, intended to be proposed by him to the postoffice appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate $[illegible] for a [illegible] at Bahia, Brazil, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. PETTIGREW submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Aberdeen, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Watertown, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Huron, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Sioux Falls, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Pierre, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Mitchell, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Lead, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Deadwood, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Aberdeen, S. Dak., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Sioux City, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Des Moines, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Dubuque, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Davenport, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Cedar Rapids, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Burlington, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Ottumwa, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Keokuk, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Fort Dodge, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Marshalltown, Iowa, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Boise City, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Lewiston, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Pocatello, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Ketchum, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Hailey, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Wallace, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Moscow, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Coeur d'Alene, Idaho, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Helena, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Great Falls, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Bozeman, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Butte, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Anaconda, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Miles City, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Lewistown, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Glasgow, Mont., intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTIGREW also submitted an amendment proposing to appropriate $[illegible] for the purchase of a site for a public building at Glendive

The PRESIDENT pro tempore. The Senator asks that the resolutions may go over, lying on the table, without prejudice.

Mr. TILLMAN. And that they shall retain all the privileges they now have.

The PRESIDENT pro tempore. The Chair understands that. Without objection, it is so ordered.

TORPEDO BOATS AND TORPEDO-BOAT DESTROYERS.

Mr. HALE. I move that Senate Document No. 112, Fifty-eighth Congress, second session, being a statement [illegible] torpedo boats and torpedo boat destroyers authorized by the act of May 4, 1898, in connection with the report of the commission thereon, together with certain other data in [illegible], be reprinted and referred to the Committee on Claims.

The motion was agreed to.

RELATIONS WITH NEW GRANADA OR COLOMBIA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States: which was read, and, on motion of Mr. HALE, was, with the accompanying papers, ordered to lie on the table, and be printed:

[illegible]

WASHINGTON, *February 5, 1904.*

[illegible] THEODORE ROOSEVELT.

WHITE HOUSE, *February 5, 1904.*

PUBLIC BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 1518) for the relief of the estate of George W. Snodgrass;

A bill (H. R. 1709) for the relief of the legal representatives of William Mitchell, deceased;

A bill (H. R. 3875) for the relief of Dr. Thomas J. Cowan, deceased;

A bill (H. R. 6845) for the relief of the State of Iowa; and

A bill (H. R. 7402) for the relief of the Indiana State board of agriculture.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HALE. I ask that the Senate proceed to the consideration of the urgent deficiency appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6655) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. HALE. I make the usual request in regard to action on the committee amendments.

The PRESIDENT pro tempore. The Senator from Maine asks that the formal reading of the bill be dispensed with, that it be read for amendment, and that the amendments of the committee stand first reserve consideration. The Chair hears no objection.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the head of "Department of State," on page 2, after line 9, to insert:

[illegible] the President to cooperate through diplomatic [illegible] and the [illegible] for and the [illegible] for the year ending June 30, 1904.

The amendment was agreed to.

The next amendment was, on page 2, line 24, to increase the appropriation for contingent expenses to the Department of State from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, at the top of page 3, to insert:

For the purchase of two horses for the official use of the Department of State, $[illegible].

The amendment was agreed to.

The next amendment was, under the head of "Foreign intercourse," on page 3, line 12, to increase the appropriation for salaries of secretaries in the diplomatic service, "including not exceeding [illegible] of all grades in the Department of State, connected by telegraph and cable," for the fiscal year 1904, from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 4, after line 12, to insert:

For expenses and services of inspectors of consulates, to be expended under the direction of the Department of State, $[illegible].

The amendment was agreed to.

The next amendment was, on page 5, line 5, after the word "annum," to insert "consul at Dalny, Manchuria, at the rate of $3,500 per annum;" and in line 6 after the word "all," to strike out "$3,111.27" and insert "$4,569.60;" so as to make the clause read:

Consular service in Manchuria: For the following for the balance of the fiscal year 1904, namely: [illegible] consul at Mukden, Manchuria, at the rate of [illegible] per annum; [illegible] consul at Antung, Manchuria, at the rate of [illegible] per annum; and so much of the [illegible] as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," on page 6, after line 11, to insert:

For postal service to foreign countries addressed to Postal Union countries, and for postage for the Treasury Department, for the fiscal year 1904, $[illegible].

The amendment was agreed to.

The next amendment was, on page 9, after line 10, to insert:

[illegible] For [illegible] for the [illegible] of the [illegible] in all, $9,025.

The amendment was agreed to.

The reading of the bill was continued to line 1 on page 10, the amendment under the heading "Interstate Commerce Commission."

Mr. BAILEY. I desire at this point to inquire whether it is necessary to make points of order as the bill is being read or to reserve them?

Mr. HALE. If the Senator will allow me, the practice in the Senate is different from that of the House. Points of order need not be reserved.

Mr. BAILEY. A point of order can be made at any time.

Mr. HALE. No; a point of order can be made on any amendment that is offered when it is presented, and it can be made to any part of the bill as it is read.

Mr. BAILEY. I understand that the bill is being read now for amendment.

Mr. HALE. If I may be allowed to make a statement, I understand that the bill is now as in Committee of the Whole Senate, and that when it is reported to the Senate, after it has got through the Committee of the Whole, all points of order are open that would be open upon the bill as originally presented.

Mr. BAILEY. I wanted to reserve my right to make a point of order against this particular amendment.

Mr. HALE. As the Senator from Massachusetts suggests, it can be made at either time.

Mr. BAILEY. Just so that I can make it before it is closed.

The PRESIDENT pro tempore. The amendment will be stated.

The Secretary read the amendment of the Committee on Appropriations which was on page 10, beginning with line 1, to insert the following:

[illegible] and

Provided further, That if at any time after said exposition company has re-

ceived the amount hereby appropriated it makes default in the application or in the prosecution of said enterprise, or any part thereof, as herein required, then, and in that case, the Secretary of the Treasury is hereby authorized to [illegible] the Secretary of the Treasury shall [illegible] upon which the same is to be issued, and the Secretary of the Treasury shall [illegible] upon which the same is to be issued, and the Secretary of the United States.

Mr. CULBERSON. Is an amendment to the amendment in order at this time?

The PRESIDENT pro tempore. It is.

Mr. CULBERSON. I move to amend the amendment by adding at the end the following proviso:

[illegible] from all sections of the United States, a [illegible] line established by the Secretary of Agriculture [illegible] Department and by the Secretary of Agriculture.

Mr. HALE. I have no objection to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. CULBERSON. I ask that the following letter from the Secretary of Agriculture on the subject of the amendment to the amendment be inserted in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., November 12, 1903.

Mr. LOUIS J. WORTHAM,
[illegible], Tex.

DEAR SIR: [illegible] conversation concerning the exhibition of [illegible] Very respectfully,

JAMES WILSON, Secretary.

The amendment as amended was agreed to.

The Secretary resumed the reading of the bill.

The next amendment was, on page 14, after line 2, to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 14, after line 2, to insert:

[illegible] Provided, That the provisions of the act of [illegible] shall be [illegible] Hillsboro in Tampa Bay, Florida, on the night of November 18, 1901, $720.

The amendment was agreed to.

Mr. HOPKINS. I desire to offer an amendment, on page 21, in line 24, after the word [illegible]

The PRESIDENT pro tempore. Is it an amendment to a committee amendment?

Mr. HOPKINS. No.

The PRESIDENT pro tempore. The [illegible] reached for offering [illegible] unanimous-consent agreement the amendments of the Committee on Appropriations are first to be considered.

Mr. HOPKINS. Very well.

The [illegible] was [illegible].

The next amendment of the Committee on Appropriations was, under the subhead "Public buildings," on page 22, line 20, to increase the appropriation for Treasury building, Washington, D. C., special repairs, etc., from $8,000 to $12,000.

The amendment was agreed to.

The next amendment was, on page 24, after line 2, to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 24, after line 19, to insert:

Greensboro, N. C., rent of buildings: For rental of temporary quarters, and expenses incident thereto, $[illegible].

The amendment was agreed to.

The next amendment was, on page 25, after line 3, to insert:

[illegible] for the [illegible] not exceeded [illegible] shall not be exceeded.

The amendment was agreed to.

The next amendment was, on page 26, after line 9, to insert:

[illegible] For [illegible] and [illegible] in [illegible] work done.

The amendment was agreed to.

The next amendment was, on page 27, after line 15, to insert:

[illegible]

Legislative expenses, Territory of New Mexico: For stenographer and typewriter in secretary's office, $720.

The amendment was agreed to.

The next amendment was, under the head of "District of Columbia," at the top of page 28, to insert:

To enable the assessor of the District of Columbia to complete the assessments of real and personal taxes by the employment of temporary services, $[illegible].

The amendment was agreed to.

The next amendment was, on page 28, after line 3, to insert:

For night schools for pupils not over 21 years of age, and teachers of night schools may also be teachers in the day schools, $[illegible].

The amendment was agreed to.

The next amendment was, on page 28, after line 6, to insert:

[illegible] for [illegible], $[illegible].

The amendment was agreed to.

The next amendment was, on page 28, after line 7, to insert:

For the purchase and repair of tools, machinery, material and apparatus [illegible] in manual training, and for [illegible] $[illegible].

The amendment was agreed to.

The next amendment was, on page 28, line 11, to insert:

For amount required for the construction of an open underground drain for the Congress Heights engine house, $[illegible].

The amendment was agreed to.

The next amendment was, on page 28, after line 14, to insert:

For amount required for deepening well, Congress Heights engine house, $[illegible].

The amendment was agreed to.

The next amendment was, on page 28, after line 19, to insert:

[illegible] the provisions of said acts, and to complete [illegible] $[illegible].

The amendment was agreed to.

The next amendment was, under the head of "War Department," on page 30, after line 16, to insert:

[illegible] Secretary of War by law [illegible] $[illegible].

The amendment was agreed to.

The next amendment was, under the head of "Military establishment," on page 31, after line 1, to insert:

[illegible] for use in the construction, [illegible] cable lines to Alaska, $7,000.

The amendment was agreed to.

The next amendment was, on page 33, after line 18, to insert:

[illegible] Mo., [illegible] $[illegible].

The amendment was agreed to.

The next amendment was, under the head of "Military Academy," on page 33, after line 23, to insert:

[illegible] expenses of the Board of Visitors including mileage, for the fiscal year [illegible].

The amendment was agreed to.

The next amendment was, at the top of page 34, to insert:

For [illegible] improvements, [illegible] walls, [illegible] $[illegible].

The amendment was agreed to.

The next amendment was, on page 21, after line 21, to insert:

[illegible]

The next amendment was, under the head of "Public works, Navy Department," on page 24, after line 10, to insert:

[illegible] and repair [illegible]

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page [illegible], after line [illegible]:

[illegible] and of the old [illegible]

The amendment was agreed to.

The next amendment was, under the subhead "Capitol building and grounds," on page [illegible], after line [illegible], to insert:

[illegible]

The amendment was agreed to.

The next amendment was, under the subhead "Government Hospital for the Insane," on page 45, after line 21, to strike out:

[illegible]

And in lieu thereof to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 46, after line 1, to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 46, after line 3, to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 46, after line 22, to insert:

[illegible]

The amendment was agreed to.

The PRESIDENT pro tempore. Is there an amendment offered as a committee amendment an additional [illegible] to insert:

[illegible]

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment of the Committee on Appropriations was, under the head of "Pensions, Interior Department," on page [illegible], after line [illegible], to insert:

[illegible]

The amendment was agreed to.

The next amendment was, under the subhead "Public lands [illegible]," on page [illegible], after line [illegible], to insert:

[illegible] of the land office at St. [illegible]

The amendment was agreed to.

The next amendment was, under the subhead "Geological Survey," on page [illegible], after line [illegible], to insert:

[illegible] until close of fiscal year 1905, from $60,000 to [illegible]

The amendment was agreed to.

The next amendment was, on page 51, after line 9, to insert:

[illegible] a roster of all the officers in the United States Geological Survey [illegible]

The amendment was agreed to.

The next amendment was, on page 51, after line 12, to insert:

[illegible]

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce and Labor," on page 57, after line 2, to insert:

For [illegible] in House Document No. [illegible] of the present session, being for the use of the Senate [illegible] $[illegible].

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Spanish Treaty Claims Commission," on page 71, after line 3, to insert:

For expenses incurred in connection with the taking of testimony in Cuba in claims now pending before the commission, Santo Domingo Commission, [illegible] to employ in Cuba one interpreter and translator at a compensation of $[illegible] per month.

The amendment was agreed to.

The next amendment was, under the head of "Judgments in Indian depredation claims," on page 73, line 6, after the word "Senate," to strike out "Document" and insert "Documents;" in line 7, after the word "Eleven," to insert "and One hundred and thirty;" and in line 9, before the word "dollars," to strike out "forty-one thousand one hundred and twelve" and insert "sixty-five thousand four hundred and forty-six," so as to read:

For payment of judgments rendered by the Court of Claims in Indian depredation claims [illegible] and [illegible] present session, Senate Document [illegible] $65,446.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. HALE. (Going back to page 31, in line 12 I move to strike out the word "three" and insert "six."

The SECRETARY. In line 12, page 31, it is proposed to strike out the word "three," before the word "hundred," and insert the word "six;" so as to read:

[illegible] * * * and for preparing, at a cost not exceeding $[illegible], an illustrated description of said statue.

The amendment was agreed to.

Mr. HALE. That is all, Mr. President.

The PRESIDENT pro tempore. The Senator from Illinois rose to an amendment. The bill is in the Senate as in Committee of the Whole and open to amendment.

Mr. HALE. The amendment has been withdrawn.

Mr. HOPKINS. After a conference with the Senator in charge of the bill I will not present the amendment.

The PRESIDENT pro tempore. Are there further amendments? The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Is there any wish to reserve any of the amendments made as in Committee of the Whole? [A pause.] Shall the amendments reported from the Committee of the Whole be agreed to in the Senate?

Mr. BATE. Mr. President, I beg to call attention to the fact that the Senator from Texas is not in his seat. He stated that he desired to have something to say upon one amendment which he wanted to have stricken out.

Mr. COCKRELL. He knew the bill was under consideration.

Mr. BATE. I merely call attention to it. It is nothing to me. I observed that the Senator from Texas was not in his seat, and I called attention to it as a usual courtesy.

The PRESIDENT pro tempore. It is not the duty of the Chair to have Senators present when a bill is under consideration.

Mr. CULBERSON. Mr. President, what is the question?

Mr. HALE. I sent for the Senator from Texas some time ago.

Mr. COCKRELL. Let us vote.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. The Chair asked whether or not it was the wish of any Senator to reserve any one of the amendments reported to the Senate from the Committee of the Whole.

Mr. BAILEY. I desire to reserve the point of order, or to make it now, if necessary, against the amendment of the committee, beginning in line 1, page 10, providing for a loan of $1,000,000 to the Louisiana Exposition.

The PRESIDENT pro tempore. Will the Senate agree to the other amendments reported to the Senate from the Committee of the Whole? The Chair hears no objection, and they are regarded as agreed to.

The Senator from Texas makes a point of order on one amendment. Will the Senator please state his point of order?

Mr. BAILEY. It is that there is no existing law authorizing further aid to this exposition, either by the way of a loan or direct gift. I take it that the Chair does not deem it necessary to have the point further argued.

The PRESIDENT pro tempore. The Senator from Texas does not distinctly state the point of order. Is it that it is general legislation on an appropriation bill?

Mr. BAILEY. It is what would properly be called special legislation, and that is the very objection I have to it. If it were a proposition to loan money to every man in the country who had undertaken an enterprise and found himself without sufficient funds to carry it through, it would be a general law; but it is a special law, because it provides a special loan to this special institution. But the rule, I observe, uses the words "general legislation," and to conform the point of order to the rule I submit that this is general legislation and therefore not in order under the rules of the Senate.

Mr. HALE. Does the Senator from Texas now desire further to enforce his point of order by argument?

Mr. BAILEY. I think I could not enforce it by an argument, and I am not disposed to occupy the time of the Senate needlessly. I take it that the Chair is as ready to rule on the point of order now as he would be after the most elaborate discussion.

I should like to defeat this proposition if I can. I should like to see it go out on the point of order; but I have never seen anything go out on a point of order that a majority of the Senate desired to keep in. Still, however, out of a kind of [illegible] deference to the rule I make the point of order in the hope, but not in the expectation, that it will go out.

Mr. HALE. Mr. President, I fully sympathize with the Senator from Texas. I do not desire to occupy much time of the Senate.

The situation is anomalous. It has never existed before. The answer to the Senator, in short, must be that the Government has already embarked in this enterprise, that it has committed itself to it by appropriations, that it is a continuing enterprise, and that all that is done now is the advance of certain moneys, to be repaid in a specific way.

The charter of the Exposition Company is a very broad one. Anticipating a point of order, I have been looking it over. Section 1 of the act of March 3, 1902, declared by the United States that there should be this exhibit. It does not leave it to somebody else, but declares that there shall be this exhibit. Section 2 provides a United States commission, to be appointed by the President, to exercise certain jurisdiction over this enterprise and all through its operation. That is another part of this great charter. Section [illegible] provides that the commission shall accept the site selected for the exposition, and that is another very important feature of this large charter, as I call it.

Section 3 provides that anybody else shall fix the designation, but that the Government shall, and when the designation shall be and that is another step. Section 9 provides that [illegible] shall be made to the world, not by any officer of any company or any association, but by the Government of the United States.

Mr. BAILEY. Will the Senator from Maine permit me to interrupt him with a question just at this point?

Mr. HALE. Certainly.

Mr. BAILEY. It has been some time since I have read this particular act, but all preceding [illegible] in any way suggestion that the passage of the act should not commit the Government in any way to further appropriation.

Mr. HALE. Undoubtedly.

Mr. BAILEY. I wonder if that is in this act.

Mr. HALE. Undoubtedly; unless the Government did not go further and commit itself by further appropriations, this company and this exposition could not claim anything more. But while the Government is not committed, it may, as I contend, go further, as it is proposed to do here.

Section 14 provides for the Government participating in the exposition by an immense exhibit, and a block at less than something more than [illegible]. Section 20 gives copyright upon certain conditions to this great enterprise. $1,000,000 of our money. That has been paid in. We have that interest in it. Section 22 provides that [illegible] is all sealed and the business is wound up the United States shall be a shareholder or stockholder and have a share of all the proceeds that are left.

Now, I could not, if I amplified all the morning, state more clearly the reasons why the Committee on Appropriations believed that this further aid, limited and guarded as it is in every respect, was justifiable under the law and under the rules applicable to appropriations in the United States Senate.

The Committee on Appropriations is conservative, and it would not have reported the amendment unless it had believed that under all these conditions the appropriation was just. Under the corporate participation by the Government in this whole affair, its interest in it now and every day, and its final interest as a creditor in the property that is left to be divided, of which the United States Government has a part. The committee did not think that under any conditions should the Government come to the rescue—if I may so put it—of this great enterprise and further embark in it.

But I am willing to leave the question of order to the Chair.

Mr. BAILEY. Mr. President, the rule declares that all general appropriation bills shall be referred to the Committee on Appropriations, with certain exceptions, and it then, after several recitals, declares:

And no amendments shall be received to any general appropriation bill [illegible] unless it be made to carry

The next amendment was, on page 57, after line 12, to insert:

For repairs and improvements to superintendent's residence, Green Lake [illegible]

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," on page 58, line 4, to increase the appropriation for furniture and [illegible] from $1,000 to [illegible]

The amendment was agreed to.

The next amendment was, on page 58, line 7, to increase the [illegible]

The amendment was agreed to.

The next amendment was, under the head of "Expenses of United States courts," on page 60, after line 12, to strike out the following proviso:

[illegible] no part of any money appropriated [illegible] shall be used [illegible]

The amendment was agreed to.

The next amendment was, under the head of "Executive Department," on page [illegible], after line [illegible], for [illegible] from $5,000 to $10,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 20, to insert:

For [illegible] $30,000.

The amendment was agreed to.

The next amendment was, on page 62, after line 22, to insert:

[illegible] Company, expense incurred in [illegible]

The amendment was agreed to.

The next amendment was, on page 63, after line 2, to insert:

For rent, light, and fuel for first, second, and third class post-offices, $30,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Agriculture," on page 66, after line 19, to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 66, after line 24, to insert:

[illegible] in accordance [illegible]

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page [illegible], line [illegible], to insert:

[illegible]

The amendment was agreed to.

The next amendment was, on page 69, after line 2, to insert:

[illegible] and others in the service [illegible] sixteen pages from December 9 to December 8, inclusive, [illegible] J. [illegible]

[illegible] diture, $[illegible]

The amendment was agreed to.

The next amendment was, on page [illegible], after line [illegible], to insert:

[illegible] Sets SW. for the use of [illegible]

The amendment was agreed to.

The next amendment was, on page [illegible], after line [illegible], to insert:

[illegible] paper pasteboard, paste, twine, newspaper wrappers, and [illegible]

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce and Labor," on page 57, after line 2, to insert:

For [illegible] in House Document No. [illegible] of the present session, being for the use of the Senate [illegible] $[illegible].

The amendment was agreed to.

out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session.

Of course if this can be justified at all, it must be justified as the Senator from Maine has sought to justify it, upon the ground that it is in pursuance of existing law. It strikes me as a little singular that the Senator from Maine can find authority for this appropriation in an existing law, which existing law specifically declares that the Government shall not be committed to any further appropriation. In other words, the existing law gave these exceptional gentlemen $5,000,000 of the public Treasury for this great exposition, and then committed the Government to certain extensions which the Senator from Maine says will cost about $6,000,000, thus making it plain that the Government in that act provided for an expenditure of $11,000,000 of public money. That was generous enough. And it is usual, I believe, that Congress in its wisdom should have seen fit to incorporate a proviso that it should not be committed to any further expense. Possibly it is true that the owners had obtained your consideration.

Mr. HALE. Will the Senator from Texas allow me? If I said so I regretted it. The amount is not nearly so large as that, but it is a large amount.

Mr. BAILEY. I have been misunderstood by the Senator.

Mr. HALE. No; I guess the Senator is right. I think I may have inadvertently used that before a Senator, but some other appropriation. It is a very large amount, but not so large.

Mr. BAILEY. I simply have a word to say about the merits of the proposition. I have nothing further to say about the point of order.

The PRESIDENT pro tempore. The Chair submits the point of order to the Senate.

Mr. TILLMAN. Mr. President, I can not add anything in the way of light on the rules. I do want to make one observation on the policy, and to try to persuade, to have some then get into the mooted question as to how long and how far this thing is to go on.

Mr. BAILEY. It will go on forever.

Mr. TILLMAN. The Buffalo Exposition came out in debt, and its representatives appeared here with a pitiful story of disaster, contractors not being paid, etc., and so on, and we gave them $500,000 more, I think. The Charleston Exposition came out in debt. Another pitiful story came up as to the great hardship that would follow if the Government did not come to the rescue and pay the debts, and the Government gave them $250,000 or thereabouts.

Now, there is the five millions that we put into the St. Louis Exposition. That is gone, and we have a request here for a loan. Is this a loan or a gift? If at the end, at the wind up of this business after the exposition has been held, it is discovered that we are not to recover this money, then are we going to pay some more debts if the Exposition Company comes out bankrupt and unable to pay its premium list and incidental expenses? In other words, how far are we going to travel down this bad road?

I have had a little else for my State, and you all remember that I stood here and contended that if we were going to steal, if Congress was going to indulge in that kind of thing, I wanted my share.

Mr. SPOONER. The Senator does not mean a steal?

Mr. TILLMAN. Yes, in one sense. It is unlawful, and everybody knows it is unlawful, and it is unconstitutional. It is constitutional to say that on account of the general welfare we are going to present $5,000,000. That is a very liberal and broad view we have taken. But nobody can undertake to say that to pay the debts of an institution which has gone into an enterprise on its own book is constitutional and lawful, and therefore it is an indirect steal.

Mr. SPOONER. Mr. President——

Mr. TILLMAN. Before I get away from that, and before the Senator interrupts me, I want to say a word in regard to that idea of its being a steal and my having had my share of a steal. I justify that on the ground that we pay taxes, and we contribute our pro rata share to the Treasury, and we get very little back, and if I can get any back I naturally reach out my hands for it.

Mr. SPOONER. Does the Senator think they pay more taxes than they ought to?

Mr. TILLMAN. Undoubtedly, because we do not get back the same proportion of taxes that we pay in. In other words, we contribute a very much larger sum to the Treasury than is ever spent by the Government in our midst. Therefore we are contributing to the wealth of a people away from home who enjoy the benefits which arise from the Government spending elsewhere the taxes which we pay.

Mr. SPOONER. When the Senator speaks of "home," that means the whole country.

Mr. TILLMAN. Yes, in a sense. I am an American.

Mr. SPOONER. Yes.

Mr. TILLMAN. But I am a South Carolinian, too.

Mr. SPOONER. Yes; but does the Senator want to occupy the position of recouping for unjust taxation by theft?

Mr. TILLMAN. Oh, the Senator is quibbling.

Mr. SPOONER. I am not quibbling.

Mr. TILLMAN. He wants to try to play on my words. I simply say that in my judgment the action of Congress in contributing or spending out of the public revenues money in this way is contrary to the laws and to the Constitution and to the rules, and Senators salve their consciences on the legality of this matter by saying, "Well, we have got to vote it; we have to let the money go;" and all that kind of thing. If the Senator will allow me, here is a proposition to lend this money to this concern. Why not lend it to a cotton mill; or, as my friend the Senator from Texas just now illustrated it in private conversation, if it is permissible to lend money to have cotton things exhibited—cattle, for instance—why is it not permissible to lend to the farmer who grows the cattle? The two principles run on all fours. It is another embarrassing business in one sense of the word, as far as principle goes.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Wisconsin?

Mr. TILLMAN. With pleasure.

Mr. SPOONER. I intended no play upon words at all. To tell the truth, I intervened rather to appeal to the Senator to protect himself against himself. I do not think he says what he means when he says that these appropriations, which have been long and which have continued from time to time and which have a pretty substantial basis in some respects, are steals, and that the State——

Mr. TILLMAN. Stop; let us differentiate right here. I acknowledge that the power to spend money for the public welfare would legalize a contribution from the Treasury for a specific purpose under it, and there stop.

Mr. SPOONER. Why does the Senator call it a steal and put himself in the attitude of being a participant in it?

Mr. TILLMAN. We lost our money. Our concern did not get any help. It broke. Buffalo did get help and it broke. They came here with their hats and said, "Gentlemen, we are bankrupt; we have not money enough to pay up. We want you to contribute out of the Treasury." Was that for the public welfare?

Mr. HALE. I wish the Senators would let me pass this little bill, and then they can continue the discussion.

Mr. TILLMAN. The Senator from Maine will get his bill passed in ample time. There is no necessity for being double-quick about it. It is only half past 1 o'clock; and if my friend from Wisconsin wants to protect me from myself, I wish to know wherein I have laid myself liable. I think my code of honesty is just as clean as his.

Mr. SPOONER. Undoubtedly.

Mr. TILLMAN. Well, then, where have I erred and what have I done which would warrant the Senator in getting up and undertaking to say that I have made admissions which convict me of being more dishonest than he is?

Mr. SPOONER. I will tell you. The Senator's code of honesty in his mind and in his heart is as high as that of anybody.

Mr. TILLMAN. Thanks for so much.

Mr. SPOONER. Thank me pro tanto; but the Senator's speech was not so high as his heart or his mind or his standard of honesty, in my judgment.

Mr. TILLMAN. Will the Senator please show how?

Mr. SPOONER. It is not a steal to begin with, as the Senator has admitted; but he calls it a steal, and puts himself on record as participating in a steal, and I mildly, and in a friendly spirit——

Mr. TILLMAN. In the first place, the Senator possibly carried my words further than I myself intended or meant.

Mr. SPOONER. The Senator sometimes——

Mr. TILLMAN. I can not help the Senator's interpretation of my words, you know. It is, I believe, usually allowed a man to explain what he meant.

Mr. SPOONER. Does the word "steal"——

Mr. TILLMAN. What I meant is that from my point of view when the Congress of the United States levies taxes and takes the money from the people and spends it in this way it is a steal. That is my interpretation of a steal. And I say Buffalo got part of a steal and Charleston got part of a steal and St. Louis got a gift, and now comes here for a steal, if we do not get this money back, and nobody expects to get it back. That is what I say. That is what I meant and what I intended to say, and I want to ask Senators how much farther are we going down this road? How far are we going to participate in these——

Mr. SPOONER. Steals.

Mr. TILLMAN. Steals. Yes, I stick to it.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Chair has submitted to the Senate the point of order raised by the Senator from Texas.

Mr. BACON. Mr. President, I wish to say only a word. I am

not willing myself to appear to acquiesce in some things that have been said here. It is not entirely competent for me now to say whether, if we were at the beginning of this road which has been pursued for some time, I would favor appropriations out of the public Treasury for these expositions. At the same time it has been going on for a number of years, and all sections have given their approval in the fact that they have sought and obtained some of the benefits thereunder. And however improper, and, if you please, from some standpoints, outside of the strict letter of the law, these actions by Congress may have been, I am not willing to appear to acquiesce in the designation of these appropriations as having been in any manner tainted with dishonesty.

It is for that purpose that I rise to make this brief statement to the Senate, and a expression of this kind had not been made it is probable I should not have thought upon that part of the Senate. As I am on the floor I will say that if we were now contemplating approval by Congress of appropriations of this kind, I should say that this particular proposition is not the one furnishing the point at which we should call a halt. If there is any one of the exposition which should command the approval of the people and receive the support of Congress, it is one which is not only seeking to make an exhibition at this time of the great progress which our country has made, but which is sought to be used as a means of celebrating and emphasizing the wonderful acquisition in the purchase of the great territory which has been the means of enlarging our country and which has made it possible that we should be in the future, if not already so, the greatest nation of the world.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Georgia yield?

Mr. BACON. Yes, with pleasure.

Mr. TILLMAN. I hope the Senator does not understand my little side remark here as indicating that I am going to vote against this thing.

Mr. BACON. I am sure I have not considered that question one way or the other.

Mr. TILLMAN. But as the Senator appears to be lamenting a difference of opinion and desires to put himself right as to the policy and wisdom and all that kind of thing, I want him not to put me down on a particular line. I merely wanted to know if we were ever going to stop this thing. As I said, Buffalo got hers, Charleston got hers, and St. Louis, of course, shall have hers, so far as my vote goes; but are we to continue perpetually and indefinitely along this policy?

Mr. BACON. Possibly, then, the vote which is to be taken today—not to decide the question which the Senator puts to the Senate, but as I am going to vote for it I am unwilling that the remarks made by the Senator facetiously shall appear to go to the country as an honest expression of an opinion that the contemplated appropriation is a dishonest one.

I wish to say for myself that I do not regard these appropriations as in any way tainted with dishonesty, nor do I regard this particular appropriation as the one at which that point should be made.

Mr. BAILEY. Will the Senator from Georgia permit me?

Mr. BACON. With pleasure.

Mr. BAILEY. Does the Senator from Georgia think that this is a proper application of the public money?

Mr. BACON. Abstractly considered, I should say to the Senator, undoubtedly, no. I do not, and for that reason I said that if we stood at the beginning of this departure I am not prepared to say but that I would disagree with the proposition and refuse to give it my assistance in any way.

I wish to say simply that the whole country having acquiesced in this practice and the entire country having received the benefit of it, it having to a certain extent the sanction of the public in general, while that, of course, can not settle the constitutional question, this is not the particular place and time at which I am willing that it should be brought up as a reason why this great enterprise should now be jeopardized. While I do not like the policy, and at the beginning of it think I should have opposed it, I shall to-day give my assent to it.

Mr. ALLISON. Mr. President, I desire to say a single word upon the point of order. I can not very well do so without mentioning also the facts and circumstances which have led up to this appropriation.

The Senator from Maine [Mr. HALE] has stated succinctly and clearly the original plan or purpose of the exposition, showing that the United States committed itself absolutely to the exposition in commemoration of the great achievement of Thomas Jefferson and those associated with him.

The exposition was organized in the way indicated by the Senator from Maine. The President of the United States was directed to do certain things in connection with it. One of these was to invite foreign governments to participate. That invitation was not extended by a private corporation, but it was extended by the Government, and so far as foreign nations are concerned, they only know practically the Government of the United States in this affair. The foreign governments have already expended or expect to expend, at the invitation of the Government, over $7,000,000 for purposes of the exposition on the site selected by the Government.

Mr. BAILEY. If the Senator from Iowa will permit an inquiry, I shall be glad to interrupt him there.

Mr. ALLISON. Certainly.

Mr. BAILEY. Then, as a matter of fact, the Government of the United States is holding this exposition?

Mr. ALLISON. Mr. President, we will not enter into all the details. As a matter of fact, the Government of the United States is participating in the exposition. Foreign governments have been invited here. They have expended and they are expending large sums of money.

In the original plan or purpose we required the company to invest $10,000,000, and we agreed, upon that condition, to invest five millions more.

Mr. SPOONER. How is that investment represented?

Mr. ALLISON. Our investment is represented by the stock, which provides that $15,000,000 in the way of profits shall be divided between the United States and those who have contributed the $10,000,000 in proportion to the amount contributed. Therefore we are a partner in the enterprise. We are a partner in the sense that we are to participate in the profits of it.

Now, in that view it is found that in order to carry the exposition an additional sum of money is required. We are under an obligation to assist in making the necessary preparations for the opening of the exhibition. That is due to the foreign governments as well as to the States of this Union who have contributed large sums of money in this manner. Therefore it is that here is a work in which we have participated and in which we are bound to participate and follow until the end.

So it seems to me that it would be in order to make a direct appropriation, an additional appropriation. If we had chosen so to do, but instead of that we propose in this amendment to advance the money to the exposition in which we have one-third interest, and we require that the money now advanced shall be presently refunded to us.

Mr. SPOONER. How was it represented by statute?

Mr. ALLISON. It was represented by a statutory provision in advance that when the company had expended $10,000,000 we would spend $5,000,000, and that when the exposition is ended whatever profits there are shall be divided between the Government and the Exposition Company.

Mr. SPOONER. On the basis of five million to fifteen million?

Mr. ALLISON. On the basis of five to fifteen million. Therefore our interest, it seems to me, is plain, and our obligation is also plain, because we can not afford in the presence of foreign nations to allow the exposition to fail at this time for want of money to put it into a condition to be opened on the 1st of May. Now, that is all there is about this matter.

Mr. ELKINS. Will the Senator from Iowa allow me to ask him a question?

Mr. ALLISON. Certainly.

Mr. ELKINS. What security have we for the first $5,000,000?

Mr. LODGE. I wish to ask the Senator a question.

Mr. BATE. Mr. President——

Mr. ALLISON. I have yielded to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia did not address the Chair, and therefore he is not recognized. The Senator from Tennessee has addressed the Chair.

Mr. ALLISON. Then I yield to the Senator from Tennessee.

Mr. BATE. I have no question to ask, but simply wish to make a suggestion.

Mr. LODGE. I wish to ask the Senator from Iowa a question.

Mr. BATE. I desire to say that the point raised by the Senator from Texas meets with my approbation. I think the amendment is amenable to the objection that it is general legislation, and I think we ought to observe the rule. I do not approve of all of the general legislation that has been had touching this and other expositions. I look at this one with great pride.

At the same time, Mr. President, I do not think the Government should become a partner in the loan of money to carry it on. I oppose that. I do not know what right we have to give this money, or to loan it, either, for such a purpose. I do not want to lend my vote to doing it, unless there is some more satisfactory reason given than any I have yet heard.

I wish, Mr. President, to say further——

Mr. ALLISON. I beg the Senator's pardon.

Mr. BATE. The Senator will please excuse me. I thought he was through. I do not——

Mr. ALLISON. I have yielded to the Senator.

Mr. BATE. I do not know how others will vote on this proposition, but I want to place myself right on the record in regard to it.

I wish to make a further remark in regard to the moneys appropriated by the Government for these expositions. I think the Government had better give than loan the money, for it seems that the Government has had most of that it became responsible for to pay in the end. I do not like this partnership between the Government and individuals and corporations. Besides, it is not clear that we have the right under the Constitution to use Government money for such purposes. Let the right be what it may, this partnership policy is bad business.

We held a very large exposition at Nashville in 1897, lasting for months, and I believe it came out without the Government having a dollar to pay. It was managed most beautifully and successfully. Its income was large and it was self-sustaining. I am glad to make that statement for my State and for the exposition that was held at Nashville, and repeat, I know that in the case of a large exposition like the one at St. Louis much has to be done and much has already been done. I want to see everything done in a liberal way, but I do not approve the course of doing it. I am proud of the career that brought it about, of the history that part of our country represents and hope it will be as it ought to be, a wonderful success. But, Mr. President, I think the point of order made by the Senator from Texas is well taken.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Massachusetts?

Mr. ALLISON. Certainly.

Mr. LODGE. Was I wrong to ask the Senator from Iowa is this: We are going to give this additional half million and a half to the fair, and there is an amendment proposed to make that it will be returned. It seems to me that we had better deal with our exposition. Does the Senator from Iowa really believe, as a business proposition, that we are going to get back one dollar of the loan or that we are not much more likely to be called on to pay no more dollars of a bankrupt affair, as we have done two or three times? That is a matter of opinion, I am aware.

Mr. ALLISON. It is a matter of opinion.

Mr. LODGE. But I think we ought to know what we are doing.

Mr. ALLISON. I do not suppose my opinion is of any great value, but I should hate to impair the efficiency of the exposition in advance. Of course its success depends upon the people of the United States who choose to visit it. The Exposition Company have no other debts; this is the only debt they have, and I would venture the opinion that if it is well managed they will be able to refund this sum to the United States. The company will also be able to pay the expenses of the exposition if they have no other debts, and I think they will not create any other.

Mr. LODGE. I am very glad that is the opinion of the Senator from Iowa, because what I anticipate myself is that we shall be asked presently for a repeal of this law, which provides for the receipts being turned in to the Government. I hope I am not unduly pessimistic in expecting that result.

Mr. ALLISON. I think the Senator——

Mr. BAILEY. Will the Senator from Iowa permit me just to remind the Senator of the statement of the Senator from Massachusetts? We may expect what is to come by what has come. The very concluding section of the act originally passed specifically pledged this company or committed the Government against any further appropriation. It says:

> That nothing in this act shall be so construed as to create any liability of the United States growing out of said exposition, or any part thereof, or any loan or guaranty of any bonds or other obligations of said exposition company, or any other form of aid by the United States to support or liquidation of any debts or obligations created by said company.

Now, that act was approved on the 3d of March, 1901. In less than three years they are coming back here and the Senator, as a Senator from Iowa is arguing that, notwithstanding that provision, we are in partnership with them and we must pay more.

Mr. ALLISON. I have endeavored to state the character of our relations to the exposition. That, of course, is a law which we passed three years ago, but I undertake to say that this Congress can, if it chooses, amend that law in order to promote the purposes of the exposition. Therefore I shall vote that this amendment be in order.

Mr. ELKINS. Does the Senator have in mind what our experience was in Chicago and how much the United States lost by that venture?

Mr. ALLISON. We did not lose the $5,000,000 which we have contributed already to the exposition.

Mr. LODGE. That contribution is lost, I take it.

Mr. ALLISON. It is lost unless there is some profit. The Government is to receive its share of the profits.

Mr. ELKINS. I was diverted at the moment, and I did not hear the Senator's explanation.

The PRESIDING OFFICER. The Senator will suspend for a moment. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 82, by Mr. BACON, favoring the negotiation by the President of a treaty with the Republic of Colombia to satisfactorily adjust and determine all differences between the United States and Colombia growing out of the recent revolution in Panama, etc.

Mr. HALE. I ask that the unfinished business may be temporarily laid aside that we may finish this bill.

The PRESIDING OFFICER. The Senator from Maine asks that the unfinished business be temporarily laid aside. Without objection it is so ordered.

Mr. ELKINS. As I remember, when this proposition came before the Senate originally there was a sort of understanding that the Government of the United States would not be asked again to contribute.

Mr. ALLISON. We have that understanding every time we propose to aid an exposition, that it is the last one we will aid.

Mr. ELKINS. Would not the Committee on Appropriations, charged with the interest of the Government in respect to guarding the public treasury, see to it that when an exposition wants money out of the Treasury its agents should keep their promises? The Senate can do that; it can oblige people to keep their promises. We have it in our hands right now to compel this exposition to keep its promises.

Let me say to the Committee on Appropriations, you are contributing to the support of a great enterprise that we can reasonably expect and exercise all the economy we can. Where is this money to come from? Where is this $4,500,000 to come from. I want to ask the Senator from Iowa how he proposes to provide for it? You could provide for the payment of this money without any difficulty, if you will be putting down every penny we come to pay and ask for.

This is in a large sense a local loan. This is for the Mississippi Valley, if you please. There is too much sentiment about this matter. Let us treat this as a business matter. Will the bankers of St. Louis and the promoters of this exposition company come to us upon the faith of this loan in advance that they will pay it back with 4 per cent interest, or without interest in case the gate receipts do not do it? Let us advance it on those conditions.

Let the people of Missouri, let St. Louis that is to be benefited more than any other part of the country, indorse this loan through her great trust companies and her great banks.

If the Senator from Iowa is going to do a piece of private business, I do not mean to say now that he would exercise more care about that than he does about the affairs of the Government, not near as much; but I venture to say that he would say, "I am good for a million for loans I make. I do not take promises." We have taken this promise here and the Senator says it is very probable we will ever get back the $5,000,000 the United States has already advanced.

Mr. ALLISON. What Senator said that?

Mr. ELKINS. The Senator himself said that it was doubtful whether we get back the last $5,000,000.

Mr. ALLISON. Certainly.

Mr. BAILEY. We are taking this as a lien on that now.

Mr. ALLISON. We are giving a lien.

Mr. ELKINS. It is doubtful, in your mind, if we ever get a dollar back of the $5,000,000 already advanced.

Mr. ALLISON. I am not expressing such an opinion.

Mr. ELKINS. We are standing here as servants of the people, as their trustees, and why should we give away $4,500,000 when you do not know where the money is to come from, when you have got to stint the Government in other expenditures in its ordinary operations? I ask the Senator if everything I say on this point is not true?

Mr. ALLISON. Mr. President, if this money is paid, it will be paid from the Treasury of the United States. The security may not be ample, but we do not always have the best security. If we could have the benefit of the argument of my friend from West Virginia, I should feel very much safer.

Mr. ELKINS. If my friend represents the people of West Virginia, should set up an exposition and the Government had money and put it out to this end, I would gladly, with other citizens of my State, indorse any further loan the Government or banks might make to support the exposition.

Mr. ALLISON. But I have no doubt myself, at least I feel a reasonable assurance, that our security for this loan, which is a loan or advance, will be found to be good, and that we will realize the amount we now advance.

I did not intend to say so much on this subject, Mr. President, and least of all do I intend now to enter into an elaborate discussion of the resources of our Government and the question as to how much of these resources shall be annually applied to the improvement of rivers and harbors.

Mr. PERKINS. Mr. President, I desire to say only one word in answer to the statement from West Virginia. It is evident from his question to the chairman of the committee on Appropriations that he has not read the terms of this security. If he had done so as the head of one of the financial or banking corporations with large ability managers and representatives, he would say that this security is adequate. It provides that 40 per cent of the gross receipts from all sources received by the St. Louis Exposition shall be turned in to the Government under such disbursements and regulations as the Secretary of the Treasury may make and provide therefor. Therefore it only requires about $11,000,000 gross receipts from this exposition, in which every State and every county of every State and every American citizen feels a national pride in its success, to pay back the money with as well as reimbursed every dollar that she advances under the terms of the amendment.

Mr. LODGE. May I ask the Senator from California a question?

Mr. PERKINS. Certainly.

Mr. LODGE. If this is perfectly good security, why can they not borrow it in open market of private lenders?

Mr. PERKINS. Because money in the open market is not plentiful at this time. I know in the great money centers like Boston our Yankee friends, known for their prudence as well as their enterprise, because I found them in one of these business ventures, prefer Government securities rather than any other security for loans which they may advance; but I will say, in answer to my friend from Massachusetts, that the Government asserts no interest, and that is the only advantage. The Government is willing to lend its money for a good purpose.

Mr. ELKINS. May I interrupt the Senator?

Mr. PERKINS. Certainly.

Mr. ELKINS. Why is the Committee on Appropriations so willing to give up Government money without security?

Mr. PERKINS. We have security.

Mr. ELKINS. Allow me to ask the Senator one question. You say the Government will get 40 per cent of the gate receipts?

Mr. PERKINS. Forty per cent of the gross receipts.

Mr. ELKINS. You allow 60 per cent for operating?

Mr. PERKINS. Sixty per cent for operating.

Mr. ELKINS. I want to say to the Senator that in the administration of my own affairs, limited as they are, I would want better security than it is proposed to take for the Government. There is not a Senator here advocating the proposition who would not demand better security in his own private affairs.

Mr. PERKINS. The city of St. Louis and of the United States have made a substantial investment here of over $[illegible]. The Congress agrees to the venture and the public pay for admission to the exposition and take a chance for the chance of making an enterprise in this national capital.

Mr. McCOMAS. Will the Senator from California allow me to ask him a question?

Mr. ELKINS. Mr. President——

The PRESIDENT pro tempore. To whom does the Senator from California yield?

Mr. PERKINS. To both my friends, first to my friend from Maryland and then I will yield to my friend from West Virginia.

Mr. McCOMAS. I desire to ask a question, but I wish first to see the Senator from California, as 40 per cent of the gate receipts are the security for the advance, whether he recalls what was the total amount of gate receipts at Chicago.

Mr. PERKINS. We have the data at hand.

Mr. McCOMAS. About how much?

Mr. PERKINS. It is not in my memory at this time. Mr. President, there is no use to go into details upon this matter.

Mr. ELKINS. Will the Senator allow me?

Mr. PERKINS. Certainly.

Mr. ELKINS. Now, suppose there was a great epidemic, and suppose the gate receipts did not amount to $2,000,000 or $20,000,000, where would be the security of the United States?

Mr. PERKINS. Where would be the great city of St. Louis?

Mr. ELKINS. It would be on the banks of the Mississippi.

Mr. PERKINS. Where would be my friend from West Virginia?

Mr. ELKINS. The city and the Mississippi Valley would be the beneficiary. The Government would be furnishing the money with a chance of losing it. Now, what security, let me ask the Senator, does the Government have? Suppose there would be $11,000,000 of gate receipts?

Mr. PERKINS. Because our estimate is four times that sum.

Mr. ELKINS. Whose estimate?

Mr. PERKINS. The estimate of the managers of the exposition.

Mr. ELKINS. The Appropriations Committee does not belong to the managers of the exposition.

Mr. PERKINS. But the managers have given us the benefit of their experience and their representations. The Appropriations Committee have considered this question both from a business standpoint and from a national standpoint, as the chairman of the committee has so ably presented to the Senate. Be it known that the honor of the nation is committed to making the exposition a success, and what we undertake we honor full to.

Mr. ELKINS. Let me state to the Senator that the first five million has been expended. Where and how?

Mr. LODGE. That is gone.

Mr. PERKINS. That was well invested, much better than some of the money we have given to improve the rivers in West Virginia, for the floods have washed away the levees and dams we appropriated money to build.

Mr. ELKINS. Ah, that belongs to the United States.

Mr. PERKINS. So does this great exposition belong to the United States.

Mr. ELKINS. No; the exposition does not belong to the United States. It is, as I said, in a sense a local matter and directly benefits the people who inhabit the great Mississippi Valley.

Mr. TILLMAN. We want to hear what the Senator from West Virginia is saying, and we are very much interested.

Mr. ELKINS. The object is said to be to carry the exposition to a successful conclusion. Now, what I want is security. I do not want to give the Government's money away without security.

Mr. BAILEY. I hope the Senator from West Virginia will not carry his business habits into the discussion.

Mr. ELKINS. I wish to say that it would be better to have less more businesslike habits in the Senate, especially when it comes to giving up the nation's money. Why could not the Appropriations Committee have gotten from the managers of the exposition a security better than the gate receipts?

Mr. KEAN. The gate receipts are cash.

Mr. ELKINS. The great trust companies of St. Louis are bursting with money, and [illegible] the great banks of the city. The [illegible] came to the relief of the Chicago Exposition, loaned to Lyman J. Gage and they took a good deal of the burden off the Government shoulders. The bankers of St. Louis, as I understand, have not agreed to give any of this money.

Mr. PERKINS. I wish to answer my friend from West Virginia, but his questions are too swarming; there is too much sea room. I wish to say to him that our great Government sometimes has had a claim against some of the Central American states and they have not had the means. St. Louis has not the means to pay, to make an advance to this Government and to pay the claim that had been adjudicated by our commissioners or by the Department of State. So they said to this Government, "We will give you a certain per cent of our revenue that comes through the collections in the custom-houses of our country." The Government took that security. My friend from West Virginia would say, "Suppose they did not report anything in their country, suppose they had no revenues, suppose they had nothing, where is the claim of the United States?"

But, Mr. President, above it all this Government is in honor bound and committed to this proposition. I believe I would vote for this appropriation if I knew that we would never receive a cent in return, and I would think in doing so, not, as my friend from South Carolina does, that I was doing a wrong act, but that I was doing a patriotic act to show to the countries of the world the great resources of this nation as presented by the great Louisiana Exposition.

The great Louisiana purchase, in celebration of which this exposition is to be held, has done more to redound to the financial benefit and the honor of this great nation than any other administrative act I can call to mind at this time. But we will have every dollar returned that we now advance to the exposition, and the payments will come right along. In June next the first payment will be made into the Treasury of the United States. We know how efficient that Department is, and certain rules and regulations will be made by which I believe it will successfully bring back to us every dollar we now advance.

I see my friend from South Carolina [Mr. TILLMAN] is waiting to ask me a question, and, as I am on the witness stand, I shall be glad to answer him as best I may.

Mr. TILLMAN. I was not rising to interrupt my distinguished friend from California. I merely wanted to ask if an amendment is still in order. Then I wanted to know if this point of order is not sustained—and I know it will not be, at least I think it will not be—whether then the bill can be amended?

The PRESIDENT pro tempore. It can be.

Mr. TILLMAN. I want to offer at the proper time a proviso

that after my friend from Oregon [Mr. MITCHELL] gets through with his Lewis and Clark appropriation, and if anybody, anywhere, has got another exposition, just long, he also be allowed to come in and claim a part of this donation, and then that we may at some time get a pledge among ourselves that we will stop. Everybody says it is wrong.

Mr. COCKRELL. Mr. President, I want to call the attention of the Senator from West Virginia [Mr. ELKINS] and the Senator from Massachusetts [Mr. LODGE] to some facts of record in regard to the character of the security which the Government will hold as a lien upon all the receipts of the St. Louis Exposition from all sources.

In the Chicago Exposition the total admissions at 50 cents—and I hope the Senators from Massachusetts and West Virginia, as they have been so exercised in saying that there is no security, will give attention to the record for a moment and then they can judge—

Mr. ELKINS. Let me correct the Senator from Missouri. I said it was not sufficient security.

Mr. COCKRELL. Then, as to the sufficiency of the security. The admissions at the Chicago Exposition—and this is the record—during the entire time, charging at 50 cents for each person, amounted to 21,168,000. That exposition was held six months. The St. Louis Exposition will be held seven months. In the last three months of the Chicago Exposition the admissions were [illegible] while in the last three months of the exposition the admissions at 50 cents were 14,904,000. The aggregate receipts per month at 50 cents upon the admissions in Chicago were over $[illegible]. This receipts only to admissions, remember, and not concessions and privileges granted, which would [illegible] equal amount. If in the St. Louis Exposition [illegible] seven months. The attendance for the great [illegible] they were at Chicago, the receipts from admissions at the gates will be twice as much.

The Secretary of the Treasury will [illegible] to take charge of and receive the admissions and the receipts from the concessions. He has the right to appoint an officer [illegible] provide the expenditure of [illegible] and at a [illegible] will begin to pay back to per cent of those revenues. Even on those it was abundantly sufficient to pay off the debt before the exposition closed.

Mr. ELKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from West Virginia?

Mr. COCKRELL. Certainly.

Mr. ELKINS. How can it be the Government lose by the Chicago Exposition, in view of the financial showing made by the distinguished Senator from Missouri?

Mr. COCKRELL. I do not remember exactly. I have not the figures. The Senator from Illinois [Mr. CULLOM] can probably tell.

Mr. ELKINS. They are very satisfactory figures now, but the Government of the United States was a loser in that enterprise, according to the Senator's figures, the Government ought to have been paid every dollar it expended.

Mr. COCKRELL. We have gone over this matter carefully; we have discussed it with Governor Francis, the president of the Commission; we have taken the admission fees that have been received at other expositions; we have taken the revenues from the concessions, and I want to say, after hearing all this, the distinguished Senators from Maine, Iowa, and New Hampshire, who are on the subcommittee, considered 40 per cent to be ample security; but in order to guard against all possibilities we give the United States a lien upon all the receipts, and whenever the Secretary of the Treasury, supervising the expenditure and supervising the receipts, thinks that a default will be made in any payment he has the right to take charge and receive the receipts both from concessions and from gate fees, and the Secretary of the Treasury will do so. The understanding with him is that he will do so. He has sanctioned and approved this measure, and I believe every dollar of this loan will be returned.

Mr. ELKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from West Virginia?

Mr. COCKRELL. With pleasure.

Mr. ELKINS. How can the Secretary of the Treasury enter into this kind of a transaction? How can he watch the gate receipts and decide arbitrarily these questions? The law does not confer such a power upon him.

Mr. COCKRELL. There are sworn officers of the Treasury Department there supervising and approving the expenditure of every dollar of the $5,000,000 that has been spent, and so it will be with this appropriation. The Secretary of the Treasury will be supervising it; he will be receiving the reports of the daily receipts and revenues.

Mr. ELKINS. Could the Secretary of the Treasury substitute his own officers, the officers of the Government, and put them in charge of this exposition?

Mr. COCKRELL. He could do it beyond question.

Mr. ELKINS. Where is the law for that?

Mr. COCKRELL. Right in the pending amendment. The Senator from Maine [Mr. HALE], who largely modified this amendment, put in it everything that he thought was a necessary guard for the protection of the Government.

I want it distinctly understood that I do not believe this is a gift. I believe that it is a legitimate loan by the United States as a shareholder in this enterprise and as an exhibitor at this enterprise. We have invited all the nations of the earth to come here and participate in this exposition. They have accepted the invitation and are spending seven or eight millions of their own money in buildings there. Nearly every State in the Union, I believe with two exceptions, has already taken part in it, and is constructing buildings there, and the Government has encouraged it. This encouragement has been given by all the Departments of the Government.

The Government has put up there one of the handsomest buildings on the grounds, and that building is to-day completed, with the exception merely of its ornamentation. The Missouri State building, costing nearly $[illegible], is completed, and nearly all the buildings are completed or are under contract and will be completed in time for the opening. It will be a complete exposition on the 30th day of April next. All the railroads of the country have agreed to make reduced rates, and it will not be astonishing to me, if our present prosperous condition continues and we [illegible] our policy, if this exposition shall prove to be a phenomenal success.

I do not consider that it is beyond reason that it should be [illegible]. The bonds will be the $[illegible] already expended and [illegible] sum. When this sum is returned, then the United States will have an interest in the St. Louis Exhibition of $[illegible] as against the St. Louis an interest of $[illegible] and [illegible] St. Louis [illegible] $[illegible]. Each one will receive [illegible] profits may be from the exposition. Some expositions in this country have proved [illegible] exposition at Omaha proved to be successful, as did the one at Nashville.

[illegible] will be such an exposition as has never been seen on [illegible] it will be far ahead of anything that has ever heretofore been [illegible]. It will be nearly a half larger than the exposition at Chicago, and the buildings are [illegible] larger.

Nearly all the States are erecting buildings there; the foreign governments are erecting buildings there, and the exhibits are now being put in in many of the buildings.

The buildings will be completed and the opening will be attractive. In my judgment twice as many admission fees will be received in the first three months, if not [illegible] times as many, as were received at Chicago, because, not [illegible], the Chicago Exposition, as everybody knows, was in [illegible] to on the day of the opening.

I do not consider that this Government runs a particle of risk in this matter. I think that it is in honor bound to see that the enterprise is a success. I think the honor of our country is [illegible] property invested in it. I believe that [illegible] world will behold the grandest exposition ever [illegible] by the greatest nation of the earth and the most progressive people.

I hope that the point of order will be voted down and that the amendment will be adopted.

Mr. BAILEY. Mr. President, I refrained from saying anything upon the merits of the proposition when I submitted the point of order, stating, however, that I did desire to have a word to say upon the main question when the point of order should have been disposed of. I believe no Senator [illegible] from Maine [Mr. HALE] has addressed himself to the point of order since the Senator, and if it is the practice here to discuss the merits of a proposition pending a point of order, I may as well avail myself of this opportunity to say what I desire. I will, however, say that the obvious [illegible] on the part of the supporters of the amendment to discuss the merits of it, instead of the point of order, encourages me to believe that I am undoubtedly right on the point of order.

Mr. LODGE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Massachusetts?

Mr. BAILEY. I do.

Mr. LODGE. I was about to ask the Senator if he had the slightest doubt on the point of order?

Mr. BAILEY. Not at all; and I do not think any other Senator has much doubt about it.

Mr. LODGE. Does the Senator suppose for one moment that that point of order is going to be decided on its parliamentary merits?

Mr. BAILEY. I do not.

Mr. LODGE. I know the Senator sees why we are discussing the merits of the proposition.

Mr. BAILEY. Certainly; and the point of order is so obviously well taken that has been submitted to the Senate, so that it may decide the point of order according as it would decide on the passage of the amendment itself. Being a new and inexperienced member of this body, I supposed that the rule could be invoked; and I was innocent enough to think that our rules would control our deliberations; but if the practice is otherwise, I shall conform to the practice without a protest.

I believe that no body in the world can transact its business in an orderly manner, except in accordance with rules previously established. It was deemed so important that the Senate should have the power to make the rules according to which it should conduct its business that in the organic law of the Republic that is one of the especially conferred powers on both Houses; a power which they would undoubtedly have possessed if there had been no mention of it.

But, Mr. President, the only defense for incorporating this provision in a general appropriation bill is that there is now on the books a law which, in some indefinite way, commits us to the success of this great exposition. The Senator from Iowa [Mr. ALLISON] does not more heartily hope for the success of this great enterprise than I do.

The difference between us is that I believe the giving of expositions is a private or a corporate enterprise, and not a governmental function, and upon that difference I vote against such appropriations, while he votes for them. But whatever may be the difference between him and me as to the propriety of such an application of the public money, there can be no difference between him and me as to the proposition that this law, as it stands, is far from authorizing a further appropriation under the guise that the Senate, positively, explicitly, and specifically forbids it.

Mr. SPOONER. Will the Senator read the language of it?

Mr. BAILEY. The language is this:

[illegible] in this act—

The original act—

shall be so construed as to create any liability of the United States, direct or indirect, for any cost or obligation whatsoever—

That was inserted to provide against contingencies that had formerly arisen, in which exhibitors from foreign lands, being underpaid or not paid at all, set up claims upon the equity of the Federal Government for their premiums, and the Federal Government beginning, as I now recall, with the great Cotton Exposition at New Orleans, has paid these unpaid premiums for every exposition. Having covered that in that provision, the act then proceeds—and this is the part of it that covers this case—

nor for any claim for aid or pecuniary assistance from Congress—

And they did not stop there—

or the Treasury of the United States—

Mr. SPOONER. That is the same thing.

Mr. BAILEY. I think so; but the words seem to have been used out of abundant caution, because how the Treasury could aid it without first procuring a law of Congress is, of course, beyond my comprehension, as it is beyond the comprehension of us all.

But, as if to "make"—borrowing the poet's phrase—"assurance double sure," they said that this act should not be construed to commit the Government to any aid either through Congress or through the public Treasury.

The mental process by which a Senator can find in a law which expressly declares against the idea that we are committed to aid a proposition an obligation to continue our aid to it I shall not undertake to follow. There is, of course, some reason for it, or else the Senator from Iowa, whose great ability I profoundly respect, would not make that kind of an argument. I only call attention to it to confess my inability to understand it.

Now, Mr. President, passing from the point of order as very material, but as not to be considered by the Senate, I want to say a word about this practice. It is not an old one. If it had continued through a century I would say that it was now too late to question the policy of applying public moneys to such a purpose; but the Senator from Iowa was a Member of Congress before the first of these appropriations was made. The first one, made to aid the Centennial Exposition at Philadelphia, was, like this, made in the form of a loan, which the Government only recovered at the end of a lawsuit.

This morning, as I came to the Senate Chamber to perform my duties, I met a gentleman, still comparatively a young man, who then had the honor to serve the great State of Pennsylvania as one of its Members in the other House, and although that bill was giving aid to an exposition to be held in his own State and to celebrate, not one of the most important, but the most important, achievement of the human race, he did not see his way clear to support it; and to his honor, be it said, he chose to go out of Congress rather than to support that proposition. The most spiritual speech made against the appropriation, not even excepting the great speech of Mr. Thurman in this body, was made by Alexander G. Cochrane, then a Representative from the State of Pennsylvania.

That first proposition, even under the great enthusiasm of that time, was carried by a bare majority. Gradually we have gone on, first one locality and then another, contributing to the support of such projects men whose judgment did not approve them, even coercing my distinguished friend from South Carolina [Mr. TILLMAN] to the point of voting for all of them because others had voted for one of his. He is not entirely satisfied with his position, and he propounds the very proper query: "Where will it stop?" I tell him there is no stopping place. There are events enough in the history of this Republic to make an exposition for almost every community in the land. Like the brook, these demands for Federal assistance will go on forever, because the repeated appropriations from Congress will hardly be accepted as the settled policy of the Government, and then no man will dare to stand and argue against either the wisdom or the propriety of them.

Mr. TILLMAN. Will the Senator allow me one minute?

Mr. BAILEY. Certainly.

Mr. TILLMAN. I want to correct one little phase, not a mistake so much as ignorance, I suppose, on his part. The appropriation for the Charleston Exposition was not to aid it at all. We asked for it. We put it on the same bill with the St. Louis appropriation. The Senate put it in unanimously, and the chairman of the Committee on Appropriations at the other end of the Capitol took it by the throat and squeezed it to death.

We had our exposition, such as it was, with not a dollar of help from the Federal Government. But when Buffalo came forward and claimed that the million dollars which had been given her had not only been lost, but that there was $[illegible] additional lost, which was due to contractors and others, and there was a [illegible] deficit, there being a deficit in South Carolina, I asked the Senate to pay the debts of South Carolina's exposition; and all we got was $[illegible]. We never got a cent for holding the exposition; we only got our debts paid.

Mr. ELKINS. But you got $[illegible].

Mr. BAILEY. I was not mistaken about the facts in the case. I perfectly understood them as the Senator from South Carolina has stated them. I only meant to say that even South Carolina and her Senator could be brought to imitate a bad example.

Mr. TILLMAN. The Senator, however, disclaimed the integrity and honesty of the appropriation. He said it was a steal, and he says so still.

Mr. BAILEY. The Senator from South Carolina so characterized it.

Mr. TILLMAN. That is my judgment.

Mr. BAILEY. Certainly. The Senator from South Carolina is in the habit of expressing his judgment in very plain words. But I am not willing to call it a steal. I use a milder phrase. I think it is a misappropriation of the public money——

Mr. TILLMAN. Misappropriation.

Mr. BAILEY. I do not say that it is unconstitutional. I am myself inclined to accept, and I have always been inclined to accept, the doctrine laid down by Mr. Monroe in his great message vetoing the Cumberland road bill. I am inclined to think that the power of appropriation is unlimited in the Congress save only that it shall be applied to a general rather than a local purpose; but when you seek to qualify the rule, even as he did in that statement, it becomes impossible to define what is a general and what is a local purpose. That doctrine, as laid down by Mr. Monroe, was afterwards approved by General Jackson in his celebrated message vetoing the Maysville road bill. While the money in the Treasury of the United States I hold that Congress has the right to give it to any purpose that it may deem general rather than local.

I couple with that, however, an insistence upon the other branch of Mr. Monroe's proposition, and that is that it shall be a naked appropriation, unaccompanied by the exercise of any power. Following that, I would prefer—because the money is incomparably less to me than the precedent—to see this money given to the exposition at St. Louis rather than to see Senators standing here wrangling like bank clerks over what is good security.

So far as I am concerned, I believe this money will be paid back; but I would rather give it away than to have the Government become a mere money changer, sending its officers to act as gatekeepers at the doors of an exposition.

The Government's function is to govern and not to engage in private enterprises as a stockholder in private corporations. It may have power to give away the people's money, and in doing so it can do the people no further wrong than to spend their substance, which is a wrong expressed in dollars and cents; but when

the Government steps down from its high place as a sovereign to become a mere dealer in securities, a mere lender of money, stipulating its terms at the door of expositions to collect their bill if does not bring, to save the asset, the real promoting the great respect in which the people ought to hold it.

[illegible] I have no doubt of that—beginning with the great one at Philadelphia down to the latest one at Buffalo, I believe. They have all [illegible] tended to a better understanding of the marvelous resources of this country be its power. But it is no part of a government's business to do that. A thousand useful benefactions can be imagined, fit subjects for municipal and corporate enterprise, but wholly beyond the province of government; and that is why I object to this proposition.

Of all those that have been held, excepting only the great one which centralized the intelligence of our whole country, not one appeals to me with such a force as this, celebrating an event connected not only with the region in which I live, but associated with an immortal name whose memory I cherish. I could not wish otherwise than that an exposition celebrating the Louisiana purchase should be a success. But devoutly as I wish it to succeed, I am not willing to see the Government insure its success any more than I would be willing to see the Government insure the success of any other worthy individual or corporate enterprise.

Tell me, Mr. President, if this Government shall loan its funds for expositions in which the people shall view the products of our marvelous energy, our wonderful intelligence, our incomparable soil, what argument shall you successfully urge upon the man who produces this wealth, which constitutes the marvel of all the ages, against the loan of the Government the loan of money to enable them first to produce those goods that are afterwards to be exhibited? There must be production before there can be exhibition. And mark that it is that the Government laughs out of the halls of Congress the man who appears for a loan to produce them, and yet welcomes to its committee room the gentlemen who apply for loans to exhibit them?

If the farmers of the wonderful Mississippi Valley should come here with a petition reaching from the Capitol to St. Louis, asking the Government to loan them money to make these crops that are to be exhibited at St. Louis, we would draw our skirts about us and say, "Here is another scandalous subsidy-grabbing scheme," and yet I am not able to distinguish on principle between the loan of money to a man to make his crop and a loan to another man or corporation to exhibit the crop when made.

I never had any patience with the subsidy scheme, and although at that time it appeared to be universal in certain States and sections I did not scruple to declare that never, under any circumstances, would I vote to make a money lender of the Federal Government. When I was first a candidate for Congress I said frankly to the farmers, who at that time clamored for all such grants in our section, that they must expect to support the subsidy policy. My judgment could not indorse that, and yet it was as fascinating as this. There was no question as to their security. They would have subsidized even my distinguished friend the Senator from West Virginia [Mr. ELKINS].

The Senator from West Virginia would never have dreamed better security than those farmers offered, because they offered the grain and the cotton that feed and clothe the world.

But we turned them from the door of Congress with the statement that it was no part of the Federal Government's business to be one a money lender. I say so here. I make the same answer to the great St. Louis Exposition that I made to the farmers who advocated the subsidy. It is the business of government to govern, and not the business of government to engage in corporate enterprise or in the loaning of money.

Mr. LODGE. Mr. President, I believe thoroughly in what is known as the principle of the liberal construction of the Constitution. I believe in it by tradition and habit of mind; and I should probably think a business of things [illegible] that the Senator from Texas [Mr. BAILEY] would not; but I confess it seems to me for the Government to lend money to a corporate enterprise of this kind is going pretty far.

Moreover, I would much rather see the money given outright. I think it would be more straightforward; I think it would be dealing more fairly with the people and with the Treasury to do it. I did not say that no security was offered. I said poor security was offered; and I think it is poor security. If it was good security the men in this country who have money to lend would be very quick to advance it to the Exposition Company. Those gentlemen come here to borrow money because they can not borrow money on that security anywhere else. Now, the security may turn out to be excellent. It is all a matter of speculation.

The business of having expositions, as I took occasion to say, I think, once before in debate, has developed into an industry. The getting up at various points of expositions or world's fairs has become a branch of industry and with each successive exposition, so far as my observation goes, the profit has grown less. The gaining and losing is very large. There has been much loss to the money planted. I hope the exposition at St. Louis will be the greatest success in the world. It celebrates a very great event. If anything gives us a conception of what I feel it is the purchase of the Louisiana territory. In the same way I think the Lewis and Clark expedition and the taking of the Oregon country have accrued a very great every and deserve celebration. But go wherever you go on there is no place where they can not find some reason for an exposition, and the tendency of the industry has been to refuse the local support more and more and come more and more to the Government. By and by the Government will be expected to build industrial exhibitions at its own expense at certain points in this country from time to time.

It seems to me that that is not a form of Government expenditure on which it is desirable to embark. We have gone very far already. We have begun by making large appropriations for these expositions as they have arisen. I was not a good enough [illegible] to vote against the Chicago exposition, and I did vote for the Lewis and Clark expedition and its expenses were such that it was a great success to the nation. But we have not stopped there. The next step was to go forward and pay the debts of an exposition to which we had already made a contribution.

Now, there is an exposition to which we have made a great contribution of five millions, an out-and-out gift, of which no dollar will ever come back. We are asked now to duplicate that gift, and in my humble opinion we shall be asked to pay some debts on top of it, and I suppose we shall pay them. This I regard as a gift, and I think it would be just as well to say so.

Mr. President, it is going to pass. The point of order upon which the Senate is called on to pass would never be before us if it were not a good vote. It is before us by submission. It has been [illegible] to us by the Chair, and the Senate knows perfectly well that the point of order is well taken; but we are going to [illegible] it. We are going to vote for the appropriation and pass it.

I voted for the original appropriation for St. Louis. I did so with great cheer, [illegible] it and stated at the time that that was all; that there would be no more. I confess I did not expect to see a second demand made quite so soon; but it is here, and it is going to pass.

What I desire to call attention to is this, and it is all that has led me to take part in the debate: We know the condition of the revenues and the expenditures of the Government. We know and we say the best there is probably going to be deficiency for the end of the year. Just what our financial condition is has been very powerfully [illegible] elsewhere in a very strong speech, and the chairman of the Appropriations Committee elsewhere has put it strongly to the country and to Congress that we ought to amend our expenditures. He [illegible] [illegible] as I have no doubt he will be [illegible] [illegible] half of Cuba Treaty in the Senate [illegible] by the House which has returned to that from the statement. Here we are confronted with this condition of the revenues and the expenditures, and we are to be told in the Senate, on every bill that comes up, by the members of the Committee on Appropriations that we have economized, and we do. I suppose we have.

We have been told that there must be [illegible] and battleships, that we have met the revenues this year to pay at [illegible] under that expenditure. I agree with that proposition. We are told that we must have no public buildings for the same reason, and I think the last general public building bill was only a million and a half in amount more than we are now going to pass for a class. I agree that this is not a good time to go into large public building expenditures. Yet there are public buildings needed—I mean absolutely needed—for the conduct of the Government's work a dozen this country. We need a new Department building, a building that will house the Department of Justice, the Department of Commerce and the State Department. We can not have it. The revenues do not justify it. Its [illegible] would not be much greater than the amount we are going to pass for the fair. I agree that this is not the time to do it. We shall be told that we need economy on the army bill when it comes up, on the naval bill when it comes up, on the diplomatic and consular bill, where we have a starved service, and we shall be told that this is not the time to increase expenditures. We shall be told it on the Post-Office bill, and I happen to be a member of the committee having it in charge. We shall meet it on the sundry civil bill. We shall meet it in every direction the injunction that this is a year for economy and that the revenues do not justify great expenditures.

Now, it is quite possible that public buildings are built which are not altogether needed. Some Senators may think we do not need more battle ships, but for my part I think we need them more than anything else, if we are to maintain peace and main-

tain the Monroe doctrine in this hemisphere. And I might go on with other things. [illegible] to be an [illegible] on the [illegible] or [illegible] the [illegible] of the United States [illegible] and the [illegible] which can be used by all the people of the United States. But in all these directions we must meet the economy, and I [illegible] [illegible] I [illegible] [illegible] country from time to time.

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Now, it is quite possible that public buildings are built which are not altogether needed. Some Senators may think we do not need more battle ships, but for my part I think we need them more than anything else, if we are to maintain peace and maintain the Monroe doctrine in this hemisphere. And I might go on with other things. [illegible] to be an [illegible] on the [illegible] or [illegible] the [illegible] of the great ports of the United States to improve in their present condition. The river and harbor bill is [illegible] to the future, and the impossible because of scarcity of expenditure. There should be economy. We must, nevertheless, [illegible] [illegible] upon business that [illegible] at home.

It may be now that we have [illegible] [illegible] and [illegible] maintaining the establishment for the same begun by [illegible] [illegible] from the Secretary of the Navy [illegible] and [illegible] and only the beginning, for [illegible] [illegible] a naval establishment in keeping with our [illegible] [illegible] and [illegible] [illegible] in all the oceans, and for more war [illegible] when we have more ships now than one be [illegible] a Navy [illegible] by Bonaparte [illegible] the fathers ever [illegible] necessary to maintain the Monroe doctrine [illegible] [illegible] [illegible] [illegible] [illegible]

We shall always maintain the notion that we will prevent any foreign nation from interfering with the respective south of us. A small navy has protected them in the past and our present Navy would do it now if the idea is abandoned which has been recently entered upon of making war expeditions upon these republics. Let us have their hearts and their interests, both personal and commercial, with us, and there is not a nation on the face of the earth that would attack one of them. I am an advocate for a navy sufficient to guard our interests.

But you have entered upon a plan of having as many battleships as Germany, half as many as Great Britain, [illegible] [illegible] [illegible] Navy Department have run up from [illegible] and [illegible] [illegible] The Navy is getting too heavy; there are too many men, too many actions, too many guns afloat. We have more than enough to protect us and guard all our interests on every sea upon the face of the globe. Let war vessels be [illegible] [illegible] [illegible] and, like the Senator from Texas [Mr. BAILEY], I would prefer to make it according to gifts, and then [illegible] [illegible] [illegible] by the Senator from Massachusetts [Mr. LODGE].

Take from war and give the Department of Justice the office home that should be provided for it. [illegible] [illegible] [illegible] New York, Baltimore, and the [illegible] of the great ports and be [illegible] or [illegible] [illegible] the great German and English [illegible] [illegible] [illegible] [illegible] [illegible] without [illegible] [illegible] or waiting [illegible] [illegible] [illegible] [illegible] laws in a spirit of perfect [illegible] [illegible] [illegible] [illegible] [illegible] up in the country, [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] to meet the competition that [illegible] and coming [illegible]

That, Mr. President, seems to me to be the right method of dealing with this question, and it is the one that will bring the greatest prosperity to the country.

Mr. SPOONER. Mr. President, only a moment on this point of order.

I was a little surprised, although I am not certain that anyone ought to be surprised, that the Senator from Maryland [Mr. GORMAN] should find in the point of order or in the speech of the Senator from Massachusetts [Mr. LODGE] an adequate text for a purely personal and partisan speech.

I do not think that the Senator from Maryland need have any fear about the safety of the country or the prosperity. He says we have had prosperity for the last few years. He might without any difficulty have been more specific as to dates, and he might easily have developed the fact—which all the country knows—that the prosperity of the country began when the Administration of his party ended.

I think, Mr. President, that there will be a continuance of prosperity. No ship can be on the crest of the wave all the time. There will be, of course, fluctuations. There is no continuity of good times, but the policies of the Republican party, I have and think, will continue to insure to the people of the United States prosperity and adequate revenues which will enable us to do what we ought to do as a government at home and enable us to do what we ought to do as a government in our international relations.

Of course we have a larger Navy than we had in the days of the fathers. This is a larger country than it was in the days of the fathers. I suppose even the conservative Senator from Maryland would not contend that a Navy which would adequately stand for the protection and the conservation of the interests of a nation of 70 or 80 millions would be expected to answer the purpose, with the growth of the world considered, of a nation of 80 or 90 millions.

An adequate Navy does not necessarily mean conquest. It does not necessarily mean a departure from the traditions of the Government of the fathers.

A distinguished gentleman who recently arrived from other shores deprecated the growth of our Navy, saying substantially

the expenditure of a hundred and fifty or two hundred and fifty millions [illegible] [illegible] [illegible] [illegible] [illegible] [illegible] [illegible]

that he did not want the flag of the United States to be feared—he wanted it to be loved. The people who love a flag, Mr. President, are the people whose flag it is. The people of other countries are not expected to love any flag but their own.

I should like to have our flag loved there at home. It is loved here at home. That is all we can expect, with here and there a rare exception. What we want is that the flag of the United States shall be loved here at home and respected the world over, and it can only be respected the world over, Mr. President, if it is loved the world over.

By that I do not mean that the nations shall fear it as the flag of a nation, as the flag of a country which is as powerful as the flag of a country which does not exist. What I mean is only that that shall be respected as the flag of a country which is just and generous in its relations with other countries, but which has the power behind it and within it in the last analysis to compel an observance of its rights. I suppose the Senator from Maryland will agree to that.

Now, the Senator's reference to our departure in the matter of conquest from the doctrine of the fathers and to the islands 8,000 miles away seems to me [illegible] from out of the past. I supposed that issue had been laid away. The Senator from Nevada [Mr. NEWLANDS], the very able and eloquent Senator, made a speech in Omaha not long ago, and if he was correctly reported I announced to him as soon as I read the address that the issue, which was unmistakably for the Democratic party put before the American people in the last campaign, is no longer an issue.

Mr. NEWLANDS. May I interrupt the Senator from Wisconsin?

Mr. SPOONER. Certainly.

Mr. NEWLANDS. Do I understand the Senator to say that I stated at Omaha that that issue was unhappily placed before the country?

Mr. SPOONER. No; that it is no longer an issue. I said it was unhappily placed by the Democratic party before the country, because the Democratic party placed it before the country and was overwhelmingly beaten by the country on it. I take the responsibility of that part of my assertion. Does the Senator from Nevada impeach that part of my statement? I understood you to plead that he stated there that it had been laid away and that it was no longer an issue.

Mr. NEWLANDS. I stated, if the Senator will permit me, that the issue of imperialism had been made in the last campaign and had received presentation of it had been made in the [illegible] and that the appeal to the people had not been [illegible] and that the [illegible] spirit of the country had [illegible] so far as its [illegible] conscience that the issue had been determined, that the constitutional system was now reestablished and on trial, and that whilst I hoped that the Democratic party would never fail to declare itself against the system of colonial possessions against their will, I did not believe that it would be an issue that would gain votes in the coming campaign.

Mr. SPOONER. I pay my profoundest respect to the intelligence and position and wisdom of the Senator from Nevada. He is wiser than some of his colleagues. The splendor of its presentation only intensified the acquiescence of the popular repudiation of it.

I have but an observation to make as to the reply of the Senator from Nevada, or rather his speech, as he states it. I can hardly understand how a Senator of the United States can impute to the people of the United States that their eyes have been closed by dollars to the demands of liberty or the traditions of the Republic.

Mr. NEWLANDS. I will say to the Senator that that is what I think.

Mr. SPOONER. It is a very bold thing, Mr. President, for anyone in this country to impeach a majority of the American people in that way. The ideals of the American people and the traditions of the American people belong to them, are cherished by them, Mr. President, more keenly than by any of their representatives, perhaps.

I believe in the American people. I believe the sober second thought of the American people comes as near to the perfection of human wisdom as any standard among men can come; and I think no Senator may safely say to them that they have bartered their traditions and ideals in a blind, heedless pursuit of the dollar.

No, Mr. President—and I did not intend to refer to this when I rose—the traditions of the American people may safely be left to the guardianship of the American people. When the excitement of the campaign has passed away, the American people think, and what they think is right.

Mr. CARMACK. After the campaign is over, I understand?

Mr. SPOONER. Oh, in the excitement of the campaign and in the first blush sometimes orators like my friend from Tennessee, who is very persuasive, may mislead them, but not for long. They get right, Mr. President, and when they get right they stay right.

Mr. CARMACK. That is what I hope.

Mr. SPOONER. No man at this day can find a listening ear among the American people to criticism of President McKinley or of the action of the American Congress in what it has done by and large in the Philippines. I am not at all surprised, Mr. President, war over there having ceased, our Army having been reduced, the great work of education having proceeded with such rapidity, a legislative body about to assemble over there if it has not already, education bearing rich fruitage there, that this issue is no longer to be invoked as one of potency by our friends on the other side.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Certainly.

Mr. CARMACK. Do I understand the Senator from Wisconsin to say that the question of a permanent retention of the Philippines is a settled question?

Mr. SPOONER. Mr. President, I do not say that, and my friend did not understand me to say that.

Mr. CARMACK. I am trying to understand you now.

Mr. SPOONER. I think, Mr. President, the question of the ultimate policy of the United States in the Philippines is a question not for us to settle, but for the American people to settle, and I say again no matter what others may think or say, when the time comes that the people of the Philippines are capable of autonomous government, the people of the United States will [illegible] tions. Mr. President, until the time comes when they can be independent with safety to themselves; and when that time comes, if the American people so think, and they will be generous in their judgment as well as just, I am willing to leave it to the American people.

When that day will come I do not know, nor does the Senator, but I trust the people to decide rightly when the time comes. Will not the Senator condescend to do that, likewise?

Mr. CARMACK. Mr. President——

Mr. SPOONER. I have several times [illegible] the American people to decide important questions, and I shall probably so confide and in the future.

But what I wanted to know was, not the information given me by the Senator that the American people would settle this question, which I knew [illegible] Wisconsin, who is a very important part of the American people.

Mr. SPOONER. Oh, Mr. President, I am no important part of the American people.

Mr. CARMACK. I think the Senator is.

Mr. SPOONER. The Senator will find my opinion stated in too many [illegible]

Mr. CARMACK. That is what I want to know, whether the Senator has changed it or not.

Mr. SPOONER. No; I have not changed it. It is a good thing for the American people, Mr. President—a good thing for civilization—that we took the Philippines. The first development in a practical way of that fact was when our legation was attacked in China, when the men and women who had gone there as missionaries to spread the gospel of peace were praying for rescue—praying, Mr. President, for protection against death and, so far as the women were concerned, against worse than death—it was a happy thing that we had a good navy and [illegible] of China from which we could quickly send two splendid regiments and Reilly's battery to their rescue.

Mr. CARMACK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. SPOONER. Certainly.

Mr. CARMACK. Does the Senator assume from that that it would be well for us always in the event of future contingencies——

Mr. SPOONER. I have not said that.

Mr. CARMACK. I am asking the Senator.

Mr. SPOONER. We have resisted all efforts on the other side to [illegible] government in the future by improvident pledges. I am willing to leave to the future the settlement of the questions of the future, with the supremest faith that when the time comes the American people will settle the question in harmony with righteousness, in harmony with the principles of liberty, in harmony with the traditions of our Government.

But I have thought sometimes, Mr. President, that God—for I am a believer in God; McKinley loved Him and in his last moments expressed his faith in Him—might have had some providential care for those far away whom he loved and who were serving him in the affairs which we weak human beings here

were called upon to participate in. I do not know; the Senator from Tennessee [Mr. CARMACK] does not know; but I do know this, that it was a happy, blessed thing when an exigency came like that which suddenly arose in China that war had given to us a great naval and military base in the Philippines.

I want to say to the Senator from Maryland [Mr. GORMAN] that a naval and coaling station in the Philippine Archipelago with adequate fortifications and accompaniments is needed by the United States in every public interest and from every public standpoint, and is in no wise inconsistent with the traditions of this Republic or with our adherence as a people to the spirit of liberty. It was important in Hawaii. I was opposed to the acquisition and annexation of Hawaii. I was in favor—my friends on this side I unhappily differed from—but I never hesitated in the belief that the interests of the United States demanded that we should fortify Pearl River Harbor, in the Hawaiian Islands, making of it an adequate military and naval base for the United States.

Mr. GORMAN and Mr. CARMACK addressed the Chair.

The PRESIDENT pro tempore. To whom does the Senator from Wisconsin yield?

Mr. SPOONER. To the Senator from Maryland [Mr. GORMAN].

Mr. GORMAN. I am always delighted to hear the Senator from Wisconsin, as we all are, but I should like to suggest to him that his answer to the few remarks I made is on an entirely different line from my suggestion.

Mr. SPOONER. I know it is.

Mr. GORMAN. I did not open the discussion as to the right of acquiring or as to the necessity of fortifying and keeping an army in that region, as you have; but what I meant to say, or tried to say, was that while this expenditure is being made because of this new policy you have failed to make provision for [illegible] necessary to our people as are fortifications in the Philippine Islands.

Mr. SPOONER. But, Mr. President, we have duties at home [illegible] Senator from Maryland [illegible] when I am persuaded.

Mr. GORMAN. [illegible]

Mr. SPOONER. [illegible] made his speech on the lines of a sinister attack [illegible] called the "party in power." I am modestly and [illegible] less reluctant [illegible] saying a word on behalf of the party in power. The Republican party and its Administration [illegible] as I know, neglected much, if any, [illegible] time.

Mr. CARMACK. You go to that side for your witnesses.

Mr. SPOONER. Certainly. I go to this side for my witnesses. [illegible] I know that I will derive on this side accurate and non-partisan information. [Laughter.]

Mr. CARMACK. I can not, of course, be expected to approve of that.

Mr. SPOONER. That is the safe and wise course.

Mr. CARMACK. Yes; to always appeal to your party.

Mr. SPOONER. The Senator from Maryland speaks about our failure at this session to revise the tariff upon lines, he was careful to add—and I always admire the Senator from Maryland: he is the most adroit and artistic nonpartisan statesman in the world [laughter]—he was careful to add, "on lines which will not interfere with the industries of the country." That is the song of the siren. That is a song which has been sung before; and it was the song of the siren then as it is now. In saying that I speak with due deference to and with the profoundest respect for the Senator from Maryland.

I remember the St. Louis Democratic convention of 1888. I do not know, and never did know, who drew the platform at that convention. It was a wise platform for the Democratic party to adopt; it was one of the most adroit platforms ever [illegible] and [illegible] I have always suspected the Senator from Maryland of having [illegible] It recognized the fact that the industries of the United States had grown up under the protective tariff, that the business of the country was adapted to it, and that a sudden reversal of that policy would bring about confusion and industrial paralysis.

That, Mr. President, was the height of wisdom. But in 1892, when the Democratic party again assembled in convention to adopt a platform upon the subject of the tariff, what was it? I never suspected the Senator from Maryland of having anything whatever to do with that platform, because it was not wise. It declared, Mr. President, a protective tariff to be *revolutionary and unconstitutional.*

Now, which is to be the platform of the Democratic party this year? The Senator from New Jersey [Mr. KEAN] says "the reunited Democratic party." Having regard for the truth, I can not at this hour say that.

Mr. TILLMAN. Will the Senator not allow us to leave that to the Democratic masses when they meet in convention?

Mr. SPOONER. I do not know what Democratic masses will be in the majority in that convention.

Mr. TILLMAN. Neither do we know, if the Senator will permit me, whether Governor Cummins of Iowa, will cut any figure in the Republican convention. [Laughter.]

Mr. SPOONER. I will tell the Senator one thing about the Republican convention—I do not know; it is only prophecy—I do not think that the Republican convention will depart much from the platform on the tariff upon which President McKinley was last elected. I will tell him another thing——

Mr. TILLMAN. What is that?

Mr. SPOONER. I speak only for myself. That platform was in favor of adherence to the protective principle and the making of such changes from time to time in schedules as changed conditions might require.

Mr. TILLMAN. Was there not something about reciprocity in there, and have we seen a solitary scintilla of reciprocity since?

Mr. SPOONER. Well, the only "solitary scintilla" of reciprocity we have had since the Senator voted against.

Mr. TILLMAN. I surely did, for the simple reason that it was the kind of reciprocity which you gentlemen are so much in love with. It destroyed the sugar industry in Louisiana, or tended in that direction. The reciprocity of which you pretend you are in favor is one that reciprocates somebody else's interest, but does not reciprocate the individual's; all the reciprocity that the Republicans have ever proposed looks to somebody else surrendering the advantages offered by protection.

Mr. SPOONER. I decline to be drawn into a discussion of the reciprocity question.

Mr. TILLMAN. Then the Senator must not tantalize us about the tariff.

Mr. SPOONER. I do not tantalize anybody. The trouble with the Senator from South Carolina is that I can not look at him without tantalizing him. [Laughter.]

Mr. TILLMAN. But you must not speak at him. [Laughter.]

Mr. SPOONER. The Senator from Maryland [Mr. GORMAN] knows perfectly well that the Republican party stand, I assume he does, and I assume that the Democratic party knows the view that I do, although I do not assume to speak for the Republican party—that the Republican party does not intend to enter upon any revision of the tariff at this session of Congress.

Mr. GORMAN. Why not?

Mr. SPOONER. For the reason, Mr. President, in the first place, that a Presidential election is always a very great disturber of business. It has always been so, and it will always be so more or less. I think it will be less so this year than it was in 1896 and 1900, because the Republican party has eliminated from the situation all doubt as to the financial integrity and sanity of the United States.

Mr. President, a Presidential election is necessarily a business disturber, and I do not think—I do not know what the leaders may conclude to do about it—but I do not think in a Presidential year, in the interest of the people, of the industrial enterprises of the country, of the labor of the country, without regard to politics, that the Republican party will project into this campaign a general revision of the tariff. We will attend to that later.

Mr. President, I did not intend to go into these subjects, but I want to speak a word about the point of order that is pending.

I enjoyed the speech of the Senator from Massachusetts [Mr. LODGE]. I always did like it when those lines were taken in the Senate. I listened to him some years ago when he enunciated the phrase "these expositions are becoming an industry." The Senator is a representative of the Committee on Appropriations. I leave to the Senator from Maine [Mr. HALE] to take care of. Nobody in the world is better able to take care of the Committee on Appropriations, or anything else for that matter, than is the Senator from Maine.

But the Senator from Massachusetts says he voted with great pleasure for the Government contribution to the St. Louis Exposition. I voted for it, but I can not say I voted for it with any great pleasure.

The Senator from Texas [Mr. BAILEY] has a peculiar gift, among many, in stating with accuracy and clearness legal and constitutional propositions. I listened with great interest to his speech, and I do not absolutely in all respects find it in my power to dissent from some of the observations which he made. Of course it is the difference between the school of constitutional construction to which the Senator belongs and in which he has been educated and the other school of constitutional construction.

I have voted for many appropriations for the benefit of different sections of our country, some of them in the South, in time of stress and trouble, for which I could have found, from the Senator's standpoint, no justification. Congress has been making such appropriations for many years, supported on that side as well as on this, by one reason and another.

The making of appropriations to these expositions is not a new

procession. We began long ago. I had hoped that the end would come to them, but I see no hope of any end to them without the adoption of a constitutional amendment, except that which the Senator from West Virginia [Mr. ELKINS] afforded us to-day, which only is so far as West Virginia is concerned as long as the Senator from West Virginia lives, because he said he would never ask for any exposition allowance or loan for West Virginia without indorsing the paper himself, which means, of course, that he never will ask for any. [Laughter.]

I voted for the South Carolina exposition——

Mr. TILLMAN. Yes, sir. You voted to pay the debts of the South Carolina exposition.

Mr. SPOONER. Did I not vote with you?

Mr. TILLMAN. I beg the Senator's pardon. He, and other Senators did vote for the proposition to aid the South Carolina exposition, but then he afterwards voted to let it go out of the bill, because that was absolutely necessary in order that the provision for the exposition at St. Louis might go in.

Mr. SPOONER. Mr. President, I voted to let the South Carolina item go out rather than kill a great appropriation bill and starve the Government, but I voted to aid the Charleston Exposition.

Mr. TILLMAN rose.

Mr. SPOONER. I will excuse my friend.

Mr. TILLMAN. If the Senator will allow me, I simply want to give him full credit for being liberal and broad minded in that, as he always is. I do not want to even intimate that he has not always done what he believes to be fair and just and right to the South.

Mr. SPOONER. I do not mean that. I voted, Mr. President, to aid the Charleston Exposition, and afterwards I voted to make up its deficit. Neither did I think I was voting for a steal when I cast those votes.

I voted to aid the Buffalo Exposition to help make up its deficit, which, it was said, had been caused, and very justly, it was the truth, by the awful incident, Mr. President, which left me in the assassination there of President McKinley. I voted for it cheerfully and I did not think I was voting for a steal.

I had a peculiar pleasure in voting for the Charleston Exposition, because I wanted the people of Charleston to know that nothing in the history of this Republic was any longer remembered against them, and that we were as willing to aid them in bringing together and assembling there the products of the South as we were willing to aid any Northern city.

I voted for the appropriation for the St. Louis Exposition; and the method proposed by this amendment is in my judgment a much better one and a much better one by which to give the aid of the Government than the original appropriation which was made to St. Louis.

We appropriated $5,000,000 to aid in the great exposition to be held at St. Louis to celebrate the acquisition of the Louisiana purchase, grown into an empire of great States, an empire of empires, splendid in its way. It could not be refused, Mr. President. Upon what theory was it done? It was done with a provision that out of the profits the United States should be reimbursed that $5,000,000, but with a proviso which the Senator from Texas [Mr. BAILEY] read, that nothing therein contained should be construed as making the United States Government liable for any of the debts of that exposition.

Why was that put there? I can conceive of no reason except this, that having invested in the exposition—having by law made the United States Government a participant in the profits of the exposition—it might be claimed that the Government was a partner in it and therefore liable for its debts.

Mr. BAILEY. Will the Senator from Wisconsin permit me to interrupt him there?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Texas?

Mr. SPOONER. Certainly.

Mr. BAILEY. I am sure that the purpose of that was different from what the Senator supposes. If the Government were a partner, it would hardly relieve itself of either the moral or political obligation by a declaration of that kind. I believe the provision was incorporated there to meet the argument that had been made in both Houses of Congress after the New Orleans Exposition and after all the others, that the Government having encouraged—I remember that argument was used—and the Government having invited foreign nations to participate it was in honor bound to make good the premiums to those foreign exhibitors. That was really the reason why the provision to which the Senator has referred was incorporated.

Mr. SPOONER. Mr. President, having placed this language in the act, it rendered it impossible that there should be any moral obligation upon the Government, because it put the whole world upon notice, by solemn act of Congress, that there could be no such liability.

Mr. BAILEY. That was the purpose of it.

Mr. SPOONER. That was the purpose of it; but it deals not only with moral obligations, but legal obligations. Whatever the purpose of it was, it was a wise provision.

Now, Mr. President, this proposition is what? We have paid the $5,000,000. Our participation in the exposition has popularized it all over the world and has been adequate to secure representation from all the peoples and all the governments of the world. Are we not interested in its success? We have a twofold interest in its success. First, we have that principle of noblesse oblige which binds governments as well as men.

We have entered upon it, and Uncle Sam is bound in some way to go along with it like a gentleman, doing whatever can properly be done, conserving the general public interest, to make of it a success. If it were a failure, it would not simply be a humiliation to St. Louis, it would not be simply a humiliation to the Mississippi Valley; it would be *sub modo* a humiliation to the United States, would it not?

But that is not all. As a mere business proposition, as if this were a "board of directors of a bank," this is a wise appropriation to make. It is a loan. It provides that fortnightly there shall be paid over to the United States Treasury a proportion of the receipts, until the amount of this appropriation or loan has been repaid. It provides that if after a certain time these payments have not discharged this indebtedness—for it is made by the law an indebtedness—the Secretary of the Treasury shall have the right to supervise and impound the gate-receipts of the exposition until the amount has been repaid to the Government.

This loan is made perfectly secure unless some overwhelming calamity shall overtake that great region, and if it overtakes that region it will overtake the country. This loan will be repaid.

This proposition is something more than that, Mr. President. It is a question in a way between success or failure. If we loan this money to that exposition we can help to make a success of it, we not only get back the money we have loan, but we add an infinitely larger chance of getting back out of the profits the money which we have already invested.

So I shall vote, Mr. President, in favor of overruling the point of order. I think it is a proposition by the committee to protect a well-secured loan a $1,000,000 appropriation which the Government has made, and I think it is too late to discuss the question whether we ought or ought not to have made it.

There is something to be said on both sides of this exposition question. It is one thing I am inclined to think—because it has relation to commerce and to commercial companies—to aid in bringing together, according to our place, representatives from all the world to see the products of our farms, our factories, and our industries of every kind, and another thing to pay money to the farmer to buy seed, to plow his field, to harvest his crops. One has relation merely to production; the other has distinct relation to the spread of our business enterprises and of our commerce beyond the seas. But this I only rose to say just——

Mr. McCOMAS. Mr. President, I had not the hesitation in voting when the first appropriation for this exposition was made. I have none now since the growth of the exposition. This enterprise, as the country knows and the Senate knows, is rather an investment of all the expenditures of the participants of the Exposition. Our country consists of foreign nations, States, and Territories. All the States will be represented there, and many of them will spend large sums of money. New York, I think, has appropriated $300,000; Massachusetts a hundred thousand; my own State has spent and will more liberally spend money upon its showing at this exposition. Foreign governments have been approached and earnestly beseeched by Commissioner Francis to exhibit there. It now appears that foreign governments want twice the space that has been allotted to them, and I understand that instead of 600 acres, as at Chicago, which was the first contemplated scope of this project, the managers are now prepared to include 1,200 acres, so that foreign nations may have a part of the space which they now demand for their governmental exhibits.

Mr. President, this shows to me that our country has grown so great, that it is now such a world power, that it is the center of such a commercial development in manufacturing, arts, and sciences that all the world will find in this exposition in the twentieth century the culmination of a movement which began in 1851 with the famous Crystal Palace Exposition in England. This will be much larger and more important than any other in the world. Members of the Senate have seen, as I have seen, exhibitions at Vienna, and Paris, and Berlin, and Geneva, and in Budapest, and in other parts of the world since 1851, but no one has seen anywhere in the world an exhibition of such stately proportions as the one at St. Louis will be.

Not only will all the countries of the world, fifty-three nations of the world, exhibit, but there will be exhibits from our States and Territories and our new island possessions. I am informed by gentlemen who know most about these matters that the Philippine Islands will have and fill a space of 40 acres, and they have contributed a sum of $800,000, which, with a couple of hundred thousand from the exhibition itself, will give a million dollars to exhibit the progress of the archipelago on 40 acres, the splendid development of the policy of the present and the last Administration in the Philippine Islands, and will bury beneath the flowers and foliage of the tropics the deceased "paramount issue" of only three years ago.

In the prosperity of the world there has been in four years no such progress as that which will be displayed by the Philippine Islands on 40 acres of exhibits, which shall show their growth, their prosperity, and the peaceful triumph of a splendid policy which has made, as I understand the Senator from Nevada [Mr. NEWLANDS] to admit, practically to be a dead issue that which was three years ago "the paramount issue" in American politics.

But I am not here to discuss politics. I am to talk of this exposition.

It will cover double the space of the Chicago fair. It is an exposition—national, insular, and international. In Philadelphia we began this business. We gave a million and a half as a loan, and it came back to us. Nobody then said it was unchristian to be a gate keeper at the great exposition of the progress of the arts and sciences and manufactures and industries of this century. To New Orleans we gave outright a sum. I voted for it, and I never regretted it. In Atlanta we helped the exposition. I was glad to help it, and nobody has ever regretted it. It is true that the making of these expositions is getting to be a national industry.

When we first helped the St. Louis Exposition, then was the time to hesitate, and then I did hesitate. But with the tremendous growth and development of the exposition at St. Louis upon the great plan which, by that able president, Governor Francis, has there been carried out and has won the approval of the country, which has aroused the interest of all the world, I am convinced that now is not the time to stop, not because the Government is bound—the act expressly exonerating the Government from obligation—but because the march of events, the development of affairs, and the unexampled growth of our own country now demand that we see this great project to the end in what promises to be an unparalleled success in the history of the world fairs since 1851 down to 1904.

We have here a proposition which simply sets aside a proportion of the gate receipts and takes it as it comes, in due and orderly fashion, to repay the money now proposed to be loaned, so that they may carry through that which they will carry through with this money, without which they might not, with which they surely will, and all of which money will come back; and it may be that in its success the stockholders at St. Louis and the United States as a stockholder will receive, as those at Chicago received, 20 per cent of the original amount appropriated when we gave the five millions to the exposition. Who can say?

I regard the money, therefore, as entirely safe, and I do not regard it as undignified to lend money safely in this enterprise. The lamented President McKinley well said at Buffalo just before his death that these expositions were the timekeepers of progress; and I do not believe this, the greatest, will be the last. Any barrier, any proviso, any resolution providing that hereafter these projects shall not be aided by Congress would be vain, idle, and impotent. They will come again and again, but, taught by their recurrence, it is our province to see that we begin them slowly, but when we have taken part in making a national and international exhibition like this we must then see that it is worthy of our country, our time, and fairly exhibits the splendid prosperity which this country can show, as no other country ever could show, and as no other country can now show.

I do not believe it is a valid argument which has been urged by the Senator from Texas [Mr. BAILEY] that if you can not give this money to the men who produce on the field, in the shop, and in the mines, whose products you exhibit, therefore you should not give money here, because, as he says, production precedes exhibition. Production is encouraged by exhibition. When you take the fruit of the field and the product of the mill, of the loom, and the factory, and the farm and exhibit it all together in our country, contrast the products among the States and in the countries of the world, you encourage the man in the field, in the mine, in the shop to go and do better and to increase his skill.

Mr. BAILEY. Will the Senator from Maryland permit me?

Mr. McCOMAS. Certainly.

Mr. BAILEY. Would you not be willing to give him the first encouragement?

Mr. McCOMAS. Surely, Mr. President——

Mr. BAILEY. If you encourage him by exhibiting his product, you would have no objection to giving it to him in the first instance?

Mr. McCOMAS. I never have hesitated to give him the first encouragement in every vote I could cast.

Mr. BAILEY. You would vote to loan him the money with which to produce the commodities just as readily as you would vote to loan the money for an exposition?

Mr. McCOMAS. We encourage him in a more direct and sensible way by our votes, and I wish that my distinguished friend would do it in the same way. We vote to protect his industry in the field and in the mine and in the factory, and we encourage him to produce to the highest limit of his skill and power so that by reason of the protective system, which will find its greatest defensive argument in the exhibition at St. Louis, we have sold to all the workers of this country of ours, "Here is the splendid illustration of the protection which your country has given you for many years, and especially from 1861 down to 1904."

All the world are attempting to imitate it, and Mr. Chamberlain and the people of England, if they come here, will find the greatest vindication of this encouragement and help to the people on the field, in the farm and the factory in the exposition at St. Louis. And while it is an exposition of peace and not an exposition of politics, yet it is the most convincing and compelling argument in favor of first protecting the people in their production and manufacture and then helping them to exhibit the wondrous fruit of their protected industries in the very center and heart of our continent at St. Louis.

Mr. President, a question which is as long as the Mississippi from its mouth to its source, a breadth of many States on the map, covering in the Louisiana purchase nearly half the developed portion of the United States, is as large and general a question that it troubles me not when it is said it is a local question and not general. We appropriate for the floods of the Mississippi. It is a large problem to the people. We appropriate to preserve its banks; to change its courses, its currents, and to prevent its overflow. We appropriate to protect its banks, reaching down to the empire State of the Senator from Texas himself. That great part of the country is celebrating this momentous event, and why should not we appropriate money with the States embraced in that great purchase for an exposition commemorative of the annexation of half of this Union?

Such an exhibition does more for the producer than contrast his skill and toil with another's. It does more for industry than that. It is an industrial college for the working people, who will go there by the thousands on cheap railway fares and on steamboats and from the Lakes. It is an industrial education to our people who go there in showing our resources, our advance in the arts and sciences, our skill and achievement in architecture, as portrayed in the structures at St. Louis, which now are far superior to the beautiful White City of Chicago and all that the world has thus far seen. All these things——

Mr. FAIRBANKS. May I interrupt the Senator from Maryland?

Mr. McCOMAS. Certainly.

Mr. FAIRBANKS. I came into the Senate during the progress of this discussion, and therefore I do not know the origin of it. I ask the Senator for information. Is there any opposition to lending this money to the St. Louis Exposition?

Mr. McCOMAS. There seems to be a good deal of opposition.

Mr. GALLINGER. A point of order has been raised against it.

Mr. McCOMAS. We are discussing the merits on a point of order.

Mr. FAIRBANKS. I simply rose for information. I will not interrupt the Senator. I am heartily in favor of the report of the committee.

Mr. McCOMAS. Certainly.

My colleague [Mr. GORMAN] spoke of the arts of peace and criticised appropriations for the Navy and Army. My colleague well said, as I caught his phrase, that in the time of Madison and Monroe our Navy was five times smaller than it is to-day and was yet large enough to defend the Monroe doctrine. There are two answers which occur to my mind to that objection. One is that our Navy, gallant as it then was, was five times too small to prevent the British fleet from coming up yonder Chesapeake Bay and its army crossing the country and burning down the Capitol that stood on this hill.

I do not want the time to come again soon when the Navy will be five times too small, so that another fleet can come up the Chesapeake Bay or the Potomac and burn the Capitol on this hill. Far finer is it when the Navy is five times larger than it was in that period, so that our Government is secure in this capital and we may exhibit yonder in the heart of this continent, in the most central spot, St. Louis, the products of all parts of this country and display our advance in naval and war armament along with all those other products which are the triumphs of peace.

And if it be true that the Navy was then five times smaller than it is now, my final answer in behalf of this appropriation, in this triumphant peace made stable by our preparedness for war, in this splendid prosperity of a country whose exports exceed its imports by about five hundred millions, in that if the Navy was five

times smaller then than now, we can make this appropriation and know that this exposition will show the country is five hundred times greater than it was in the days of Madison and Monroe.

Mr. ELKINS. Mr. President, I simply wish to reply to some observations made by the distinguished Senator from Wisconsin [Mr. SPOONER]

As to indorsing the notes of West Virginia, I want to say in this presence, and let it be recorded for all time, that if West Virginia ever gets $5,000,000 from the Government for an exposition of world's fair and then wants any more money, which I do not think she should want, I, with other citizens of West Virginia, would be willing to indorse the notes to secure the payment of the loan, and that is what I think ought to be done in this instance.

I do not claim any more for my State than I am willing to accord to any other State. We are dealing now in the capacity of trustees for a great Government. It is the people's money, not the money of the Mississippi Valley, where the Senator from Wisconsin resides, and where he in part so ably represents on this floor. And of us who do not live in that immediate locality it should not be said that we are opposing this great exposition. The greatest, perhaps, ever held in the world would be ours if we were willing to run security for the people's money, which is now used in the bill to loan.

Mr. President, I do not exactly remember when the first proposition was asked for the St. Louis Exposition, but there was a good deal of opposition, and it was with great hesitation that many members of the Senate and the House, as I understand it, gave their consent to vote for the $5,000,000, and, if I remember correctly, it was distinctly understood that that was all that would ever be asked for this great exposition. And it seems to me this large sum was enough and for the Government to render even so great and so worthy an undertaking.

Mr. President, I do not want to impede, impair, hinder, delay, or embarrass this great work, in which I feel the deepest interest and of which I am just as proud as the distinguished Senator from Missouri [Mr. COCKRELL] can possibly be, but what I wish to insist on is that, with the $5,000,000 the Government has already contributed, and which the chairman of the Committee on Appropriations believes, as I understand him, will be a loss to the Government and end in a mere gift, a bonus, a generous donation to a great and world-wide enterprise, should be all that the Government should be called on to do, and there should be something left in the Treasury. When other Senators and I, from other States, wish some small appropriation for public purposes, we don't want the Committee on Appropriations to say, "We can't grant your requests, we must economize. We must take care of the interests of the Government confided to our care."

This exposition will have gotten out of the Treasury, with the five millions heretofore appropriated, $9,600,000. I want to ask what guaranty have we that we will not be asked for more money to carry on the St. Louis Exposition? There may be a deficit of two or three million dollars, and why should not the nation bear this burden?

Mr. President, what I propose is not to stop the exposition or to embarrass it in the least. This exposition can not and will not stop because this Government insists on proper security for the advance asked, nor for any other reason—failure is impossible to it. We merely want the leaders, the men concerned in and in charge of this great enterprise in the State of Missouri and elsewhere, and the great banks and great corporations and the great railroads and the great institutions in the city of St. Louis who are to be most benefited, either to raise this money themselves or guarantee its payment if advanced by the United States. Five million dollars is enough donation. Let these people come forward, and their great banking institutions, and say we will take the gate receipts, which are ample security to us, and guarantee the United States against any loss in making this advance.

Mr. ALLISON. May I remind the Senator from West Virginia of the fact that it is not a donation, but a loan which is to be returned?

Mr. ELKINS. I know; but they are not to return the $5,000,000. This is already admitted, and the $4,600,000 now asked for by the Appropriations Committee is simply a loan or advance. The question is as to the security for the same. Let me say to the distinguished Senator that he, as our great leader in all these matters and in whom we confide, is confronted with a $43,000,000 deficit next year after wiping out all the surplus now in the Treasury. How is he or his great committee to meet this deficit? Not by giving away $4,600,000 of the people's money without demanding, with interest, of the people ample date and undoubted security. The people can not afford to lose this money, and we should take no risk for them or on their behalf.

Where is the money to come from? Mr. President, it is to come from reducing other appropriations to run the Government, and in no other way.

Mr. ALLISON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Iowa?

Mr. ELKINS. Certainly.

Mr. ALLISON. I do not think it ought to go out just now that we are to have a deficit of $43,000,000, for we probably will have no deficit at all.

Mr. ELKINS. I mean for the next fiscal year for which we are now making appropriations, and the Senator understands me, I think. Already the Treasury and the banks are concerned over the immediate payment of $50,000,000 for the canal. I can name the other items—they are very familiar to the Senator; I mean those which will exhaust the two hundred millions now in the Treasury. And now you put on $4,600,000 more of the people's money, depleting the Treasury this much more.

Now, what I am concerned about is where the money is to come from. You can not increase the taxes. It must come out of the Treasury, and if it is taken out of the Treasury, as it will be now, then you will have to cut down the appropriations for running the Government the next fiscal year. You will have to reduce in other directions appropriations which are necessary to carry on the Government. Money will be needed if we want to increase the Navy, if we want to pay the army in the Philippines, which the Senator defends so eloquently and as to which he is always on the alert. We have to do battle with the other side when they oppose our Philippine policy which is wise and good. We are glad we have the Philippines and glad to hold them, and we will hold them. We are not here to say what we are going to do fifty years hence or a hundred years hence about the Philippines. I can not make the confident predictions that my distinguished friend makes, that the American people will do so and so. The American people perhaps will soon forget what we say here and what we do here and will be governed by the situation and the conditions and the environment when these questions come up in the future and the years we shall not see. I am willing to deal with the present and leave to the wisdom of future Congresses to deal with the future. We have enough difficulties now before us.

But this is a digression. It has nothing to do with taking money out of the Treasury for the St. Louis Exposition. We must look to our great leader—the distinguished Senator from Iowa—to stand by the Government in the present perils that threaten us. If you are going to part with this money, get undoubted security for the Government. The first condition which I think should have been insisted on by the committee was security, and said: "Gentlemen, you believe in this enterprise." Governor Francis is at the head of the exposition; he is a great financier; he is at the head of great banks and great moneyed institutions. Let him, together with a dozen other bankers in St. Louis, write their names across an obligation to pay this money back to the Government. With this I would not want gate receipts or any other security. Gate receipts are uncertain; I do not know what calamity may overtake the country and impair the gate receipts. Why do you not give them all? Why 40 per cent? Can you not raise enough money in St. Louis to run the fair after it is started? What do you want with the other 60 per cent?

The showing of the Senator from Missouri about the Chicago Exposition would encourage one to believe that there is a great profit in exposition gate receipts. This Government has lost money in connection with every exposition with which it has had anything to do. The Senator from South Carolina [Mr. TILLMAN], whom I do not see in his seat, got $250,000 for South Carolina, and we could not help giving it to her. We thought we were clean and clear of that. It was a small affair, but the United States lost a quarter of a million.

Mr. MITCHELL. Will the Senator from West Virginia allow me to ask him a question?

Mr. ELKINS. Certainly.

Mr. MITCHELL. Suppose the Senator from West Virginia were convinced that the failure to make this loan in aid of the exposition at St. Louis would result in a dismal failure there, would he be willing that the nation—because it would be the nation then—should submit to the humiliation rather than to extend this loan?

Mr. ELKINS. That is a very proper question. It is not going to be a failure if it has the merits Senators say it has. The people of St. Louis, before allowing it to become a failure, will put up this money, as they ought to do, and will not ask the Government for it. I know the people of St. Louis and the State of Missouri; they never fail in any undertaking.

Mr. BAILEY. Will the Senator from West Virginia permit me to add to the question of the Senator from Oregon, if he would also fear that it would interfere with the Clark and Lewis Exposition in Oregon?

Mr. MITCHELL. The Lewis and Clark Exposition has nothing to do with the matter. We are discussing the St. Louis proposition. I want to say to the Senator from West Virginia that I am

advised that foreign governments have spent between seven and eight million dollars on the ground at St. Louis. Would it not be a great humiliation if the exposition were not a success, and would it not be one that the United States Government ought not to submit to or countenance for a moment?

Mr. ELKINS. Of course it would be a great disaster, but that is not going to happen. I will tell the Senator that Governor Francis and his colleagues and the great Mississippi Valley are not going to allow it to fail. If the Government should not give nor advance a cent beyond the five millions already given, they would not allow this exposition to fail. Of course, if they can get the money from the Government they will do so, but these people will never fail to carry this exposition to a successful conclusion.

Mr. SPOONER. Then we will get our money back.

Mr. ELKINS. Will you guarantee that it will be paid back? You talked to me about my guaranty.

Mr. SPOONER. I am not in the business.

Mr. ELKINS. No, not at all; and you need not be in the business.

Mr. SPOONER. I do not think the Senator from West Virginia is in the business, either.

Mr. ELKINS. Not a bit of it. If you ever give my State $5,000,000, I will agree that there will be no more sums asked, and if we are going on with these expositions, I suppose West Virginia will have one in Wheeling within the next five or ten years, and I will look to my friend the Senator from Missouri to stand up and vote to hand us $5,000,000. But I will guarantee that we will not ask for any more, and if we do we will undoubtedly give good and sufficient names to indemnify and pay it back to the United States.

The only point of difference here is that, being the immediate guardians of the people's money, the Committee on Appropriations should, when they let go $4,600,000 gold dollars as an advance, which we have in the Treasury in spite of the Democratic party, instead of silver dollars, they should see to it that the United States has something to hold in the way of security.

Bankers do not loan money without security, and the gate receipts may not be sufficient security. I have pointed out, and the Senator from Missouri does not challenge it, that if the great banks and trust companies of St. Louis will come forward and guarantee the repayment of this loan of $4,600,000 it will be ample security to the United States, and they can take the gate receipts for their security.

I am not opposed to the exposition. I am proud of St. Louis and of the people of the State of Missouri. I lived there the largest part of my early life. I want this exposition to be a great success, and it can and will be without any further aid from the United States. In the end, the bankers of St. Louis will loan the money asked for and take the gate receipts as security. They believe they are good security, and time money is now only 4 per cent.

But my personal wishes differ from my duties as a Senator of the United States, charged with looking after the interests of the Government. I am astonished to find the ease with which the great Committee on Appropriations give away $4,600,000, when as watchdogs of the Treasury and economists they will refuse a Senator $50,000 for some needed public purpose. And I am astonished at the unanimity that always characterizes the committee when it wants to do something on a large scale of this kind. I do not say something of a doubtful character at all. How quickly each member of the committee comes to the aid of the whole committee. This makes their decision inevitable.

Mr. BAILEY. Reciprocity.

Mr. ELKINS. But it puts the other Senators on notice, on guard, even when four or five of them, not believing in it at all, are going to vote this money out of the Treasury. I see how the distinguished Senator from Maine is trying to hedge this in with some kind of a provision as to security by putting Treasury agents on guard to watch the gate receipts, but whenever the Secretary of the Treasury wants to put some officer to watch the gate receipts, the managers of the exposition will say, "Get out of here; this is a corporation created under the laws of our State; you have no business here, and away with you."

Mr. PERKINS. The Government has a mortgage or lien on it.

Mr. ELKINS. You have not executed it.

Mr. PERKINS. We will as soon as you vote for this measure.

Mr. ELKINS. No, you will not. You will let it stand just as it is, and I am afraid we will all shake hands and say, "Good-bye to the $4,600,000," as we have to the five millions already gone.

Mr. FAIRBANKS. May I interrupt the Senator from West Virginia?

Mr. ELKINS. Yes, sir.

Mr. FAIRBANKS. I should like to ask the Senator in charge of the bill whether an estimate has been furnished the committee as to the probable receipts, and whether that information has been given. I understand that under the amendment the Government is to receive in repayment of the loan 40 per cent of the gross receipts. What I should like to know is whether an estimate was made for the committee of the probable gross receipts from which the Government will be reimbursed.

Mr. HALE rose.

Mr. ELKINS. Mr. President, this is out of my time. The Senator from Indiana did not ask me that question.

Mr. HALE. If the Senator will give me two or three minutes, I will answer it.

Mr. ELKINS. Well, I will have to yield, I take it, because I myself should like to hear what the Senator from Maine has to say.

Mr. HALE. I will not say that the Senator from Indiana was unfortunate, but the rest of us were unfortunate in the fact that he was absent.

Mr. FAIRBANKS. I was until a few moments ago detained from the Senate, and came in while the debate was in progress.

Mr. HALE. I have no doubt the Senator was well engaged, as he always is.

All of that matter has been gone over. Of course anything that is based upon human events must be a matter of conjectural. No one can promise or guarantee what the receipts of the exposition will be. But taking into account what the receipts of others have been, and the attractiveness to the great exposition it is believed that the receipts from gate receipts and concessions from the 1st of May to the 1st of December, will be considerably more than 40 per cent. It is believed by the committee that the operation of the amendment which is submitted to the bill, the taking of 40 per cent of the receipts, beginning on the 30th of June, will long before the 1st day of December repay this loan to the Government, and that the exposition company will have the balance with which to pay their running expenses after they open to pay the awards and the necessary current liabilities that they will be subjected to. The committee has done all that it could do to secure the Government.

Now, I can not predict or promise the early or the latter rain. I can not guarantee good health in St. Louis. I can not in an affirmative way declare that it will not be found, when the appeal is made to the public, that it is tired of expositions and will not go into the visitation as the public has gone heretofore. But I believe, and the committee believes, that the loan will be repaid, reckoning all these things, taking the chances which all business affairs, all banks, and all trust companies do. Nothing in this mutable world of ours in the domain of human life is absolutely certain. You can not demonstrate in advance. The Senator from Texas is a thoughtful man, and he knows that we can not. But we believe in the light we have had from other expositions that the security is ample. We know that it was the best we could get. It is all we can get. I do not think the Senator or I will be troubled when we come together here next December by finding that any amount of the $4,600,000 has not been paid into the Treasury.

We find fault with these expositions. We do not stick to our text. I recall, as perhaps the Senator from Texas will recall, a debate which took place here at the time when we came to the rescue of the exposition at Buffalo. He and I said then, and other Senators said, and it went nem. con., that after we had got through with that exposition, which was then on foot, never again should there be another exposition. Does the Senator remember that?

Mr. BAILEY. I do.

Mr. HALE. Yet we will find that this does not end it.

Mr. BAILEY. If the Senator will permit me, here is a bill introduced by the Senator from Oregon [Mr. MITCHELL] and already reported, to hold an exposition at Portland, celebrating the Lewis and Clark expedition, and appropriating I think about $2,000,000.

Mr. HALE. That is $2,000,000 to start with. That is only the beginning, and the Senator and I——

Mr. BAILEY. The Senator from West Virginia promises one at Wheeling within the next three or four years.

Mr. HALE. We shall find the Senator from West Virginia, when that comes up, voting for the proposition of my friend from Oregon, and afterwards he will find fault with the Committee on Appropriations because it has not done the proper thing in diligently guarding the public interest.

The Committee on Appropriations is a committee more responsive to the wishes and desires and beliefs and principles of the Senate than any other committee in this body. That is its business. It deals with immense sums of money. It would not have a shred to stand on in its influence and reputation in this House if it had not always been conservative in its action. The fault is not with that committee. If there is any fault it is in the Senate. The Senate is determined to carry this thing through. It was so determined from the beginning. It was determined on the appropriation of the $5,000,000; and now, when perhaps bankruptcy would stare this great enterprise in the face, if we did not come to the rescue, the Senator from West Virginia can not get the

Senate of the United States to commit itself to his policy. He need not spend his time in hammering the Committee on Appropriations. If he had been a member of the Committee on Appropriations he would have been foremost in this matter, because he would have seen it as we do after full testimony had been taken, and after we gave a patient hearing to everybody who would come, and considered both sides.

The Committee on Appropriations is not to be held by him, by my consent, as responsible for [illegible] or for taking the people's money. The Senate has its [illegible] and the vote will show that it does and more when these other things come [illegible] when the Senate [illegible] has said on the Senate in favor of an exposition at Portland we ask to limit in the space of six months, the Senate will be behind that Senator and [illegible]

Mr. MITCHELL. I hope so.

Mr. HALE. If the Committee on Appropriations undertakes to hold in and restrain it and [illegible] it will not be able to do it. The Senate knows what he is about.

Mr. MITCHELL. I hope the Senator from Maine will consent by the time that bill comes up to stand in with the majority of the Senate.

Mr. HALE. I do not know but that I will.

Mr. MITCHELL. I hope so.

Mr. HALE. I am not by any means fond of leading a procession alone. I claim no superior virtue to any Senator. But I do claim in this regard the Committee on Appropriations has been duly careful, that it has been conservative, that it is proposing a measure here that is for the good not only of this exposition, but of the entire country, and that it can not afford to see this great enterprise go awry in its current and become a nonfulfillment.

Mr. NEWLANDS. Mr. President—

The PRESIDENT pro tempore. The Senator from Nevada.

Mr. ELKINS. I yielded to the Senator from Maine. He made a speech, and I not [illegible] and so did the Senator from Indiana. I hope to call the Chair's attention to that fact.

The PRESIDENT pro tempore. The Senator from West Virginia is entitled to the floor.

Mr. HALE. I said I was speaking by the leave of the Senator from West Virginia. He yielded to the Senator from Indiana, who asked me a question, which I tried in a feeble way to answer.

Mr. ELKINS. And the Senator from Maine defended the Committee on Appropriations, which, [illegible] as he does about this matter, was a delightful understanding for him, I know.

Mr. BAILEY. Now that it is evident this matter can not be disposed of this afternoon, would it suit the Senator from West Virginia better to go on in the morning?

Mr. ELKINS. I want to add only a few words and then conclude. I do not want to be put in the attitude of even embarrassing this great exposition, much less causing it to become a failure. I have no idea that if we were to refuse to pay this $5,000,000 it would be a failure. This exposition is going on and will be a splendid success. If I were a St. Louisian, if I were at the head of this great exposition, if I were a citizen of Missouri, I feel I would try to get all the money that a generous and kindly Government would give, and in this way save the citizens from carrying their share and burden of this great work.

Now, the Senator from Maine, who has an antagonism to expositions, I will not say that it [illegible] but an antagonism that is passing and amiable—says it is proposed this is good security. If it is good security to the United States, I ask him to tell me why it is not good security to the banks of St. Louis for a loan of six months? Why should not the banks take the same security that the managers of the exposition say is good and want the United States to take?

Mr. HALE. Now, the Senator is a good business man. To begin with, the banks of St. Louis, the trust companies of St. Louis, the banks of New York, and all the other great [illegible] and financial emporiums of the country are not in the enterprise. They are not already embarked in it. They know nothing about it. It is not in their way. I can understand how the [illegible] if they would lend so and so to the enterprise as they do to any other private concern, would lend them $1 on the place to save their [illegible]. The banks would do that just what the Government is doing now. That is the history of banks; I venture to say it is the history of banks the Senator is connected with, that if they get into a concern and loan to a certain extent they afterwards continue to loan in order not to lose their first loan and in order that their customers shall not fall into bankruptcy. That is the reason why this concern can not go to the banks.

Mr. ELKINS. No, Mr. President, it is conceded that we will never see or get anything of the $5,000,000. I do not want to save that $5,000,000. That is gone [illegible]. We will never hear of it any more. What I want is to save this $4,000,000, and we must save it; it is the people's money.

Mr. President, I think the Senator believes confidently that this is good security. He so stated, did he not?

Mr. HALE. Yes.

Mr. ELKINS. Very well. If it is good security to the United States, is it not good security to the people in St. Louis, who are the direct beneficiaries of this great undertaking?

Mr. HALE. They have put in $10,000,000 already.

Mr. ELKINS. This is not putting it in. The banks would give it on the gate receipts—as they say, good security. If the managers of the exposition should say, "We will give you these gate receipts as security," having $4,000,000 in hand as they state, they would loan the money at 4 per cent.

If this security is good, as the distinguished chairman of the [illegible], as the distinguished Senator from Missouri believes, and as the Senator from Maine believes, why do they not [illegible] to the banks and say, "This is good enough for the Government; it is good enough for you." The Government risks nothing by loaning money. The United States is not in the business of loaning money. We are charged with raising funds and appropriating them to pay the current expenses of the Government. That [illegible] and [illegible].

The Senator from Missouri believes and the chairman of the committee believes that the gate receipts are good security to the Government. The banks and trust companies of St. Louis have $50,000,000 in their vaults and are willing to loan it to-day on the same good security. Governor Francis is the president of the largest trust company in the West. That trust company is able to take these gate receipts and advance this money. That is your largest loan. I suppose a combination of trust companies. These great trust companies and bankers are in the business of loaning money.

Here is a good opportunity with good security, according to Governor Francis.

Why does not the Appropriations Committee say, "Gentlemen, yes, that is an admirable security; we believe in it; now let these banks make the loan." We have given $5,000,000 of the people's money to have this exposition go on. We are willing to give it, and let it go for ever and ever. Now, let the trust companies and banks of St. Louis take this loan at 4 per cent. Don't ask the Government to loan its money. They can afford to take it at 2 or 3 per cent, as the Senator from Maine says, and let me paraphrase his language, which is always—

Mr. GALLINGER. Classic.

Mr. ELKINS. Classic, precise, euphonious, and accurate, and uttered with positive deliberation.

Mr. HALE. I thank the Senator.

Mr. ELKINS. Now, Mr. President, the Senator is a good business man. I am willing to say this after a long and cherished acquaintance with him, and I am sure he thinks the banks of St. Louis, feeling the gate receipts are good security, should make this loan.

There is no getting away from this proposition unless you just simply want to take the risk. I am glad, if we are going to give this $5,000,000, as it appears we are, that we have got the [illegible], but I would rather let that go to the banks whose business it is to loan money. I know something of the St. Louis banks. There are upward of $50,000,000 there on deposit to be loaned. Now, why come to us for an advance? The manly thing would be to say, "There we want $5,000,000 out of the Government, we have got $5,000,000; now give us $4,000,000 more." That is the way to state this proposition. It is too much to ask.

We never got a cent back from the Chicago fair. I believe—not one cent—and how eloquent was the Senator from Illinois [Mr. CULLOM] on that proposition; just like the Senator from Maine [illegible] about all the matter of paying the Government and paying back the advance.

Mr. GALLINGER. What are the Chicago figures?

Mr. ELKINS. About $5,400,000 was advanced. I have the figures here before me. Not any of the money that we advanced—$5,400,000—ever found its way back to the Treasury of the United States. [illegible] the gate receipts.

Mr. CULLOM. Not [illegible].

Mr. ELKINS. Very well.

Mr. HALE. There was no security given.

Mr. ALLISON. There was no understanding as respects repayment.

Mr. ELKINS. Was there not as to the $2,384,000?

Mr. ALLISON. Not a dollar.

Mr. ELKINS. I thought you had a promise that it would be paid back.

Mr. HALE. We hoped so, but had no security.

Mr. ELKINS. I [illegible] a promise.

Mr. ALLISON. It was [illegible].

Mr. CULLOM. I have said nothing about it because I do not remember definitely as to each proposition, but if this debate runs along a little further I shall have time to look it up and give the exact facts.

Mr. ELKINS. The Senator will allow me to suggest that I do not think if he should look up the facts he would be able to find that Congress ever got back one dollar.

Mr. CULLOM. I do not quite understand the Senator's suggestion about the business of private affairs in connection with the State of Illinois.

Mr. ELKINS. Will you let me explain?

Mr. CULLOM. There is nothing pertaining to the State of Illinois or to Congress in the exposition that is not in every way creditable to Congress and the State of Illinois. After the exposition is over the Government takes the buildings, under the leadership of Illinois. It takes them in the name [illegible] and gives them to the people. The Government gets back its money [illegible] and [illegible] together.

Mr. ELKINS. I do not think the Senator can make the transaction [illegible].

Mr. CULLOM. I think I can.

Mr. ELKINS. Then I will give the Senator an opportunity to [illegible] and that is what I am referring to.

Mr. CULLOM. The Senator should be a little careful in referring to a State in that way.

Mr. ELKINS. I do not say that the State of Illinois has anything to do with it. I [illegible] the State of Illinois and the city of Chicago except as I have stated. After [illegible].

Mr. CULLOM. Nobody disputes that.

Mr. ELKINS. The Senator himself does not dispute that.

Now, Mr. President, I close my proposition. I do not suppose it is going to find favor, but I say that the banks of St. Louis are able to guarantee this loan and take the gate receipts as good security, and let the United States, if it loses its $5,000,000 which has already gone, not put $4,000,000 in jeopardy, because there must be doubt about the security if the banks of St. Louis will not advance the money on it.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 4, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 3, 1904.

SURVEYOR OF CUSTOMS.

[illegible] A. Knadler, of New York, to be surveyor of customs for the port of Syracuse, in the State of New York. (Reappointment.)

PROMOTIONS IN THE MARINE-HOSPITAL SERVICE.

[illegible] Henry D. Geddings, of Alabama, to be a surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from November 23, 1903, in place of Robert D. [illegible], deceased.

PROMOTIONS IN THE ARMY.

QUARTERMASTER'S DEPARTMENT.

To be quartermasters with the rank of major.

Capt. Winthrop S. Wood, quartermaster, January 20, 1904, vice Roberts, promoted.

Capt. [illegible] B. Baker, quartermaster, January 22, 1904, vice Martin, promoted.

PAY DEPARTMENT.

To be paymaster with the rank of major.

Capt. Timothy D. Keleher, paymaster, January 25, 1904, vice Smith, promoted.

PROMOTIONS IN THE NAVY.

[illegible] to be a passed assistant surgeon in the Navy from the [illegible] of November, 1903, upon the completion of three years' service in his present grade.

Passed Assistant Surgeon [illegible] to be a commander in the Navy from the 27th day of December, 1903, vice Commander John A. [illegible], retired.

Lieut. Commander Albert G. Hodgson to be a commander in the Navy from the 27th day of December, 1903, vice Commander Charles A. Adams, retired.

Junior Grade Lieut. James E. Adams to be a captain in the Navy from the 31st day of December, 1903, vice Captain Charles O'Neil, promoted.

Lieut. (Junior Grade) Charles T. Owens to be a lieutenant in the Navy from the 1st day of January, 1904, vice Lieut. Harry A. Field, promoted.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 26th day of January, 1904, upon the completion of three years' service in their present grade, viz:

Edward B. Fenner,
Leonard D. Wilson,
Basil B. Duncan,
Edward C. Kalbfus,
[illegible],
[illegible],
[illegible],
[illegible],
Farmer [illegible],
[illegible],
[illegible].

APPRAISER OF MERCHANDISE.

Fred W. Edwards, of [illegible], to be appraiser of merchandise in the District of [illegible], in the State of [illegible]. (New office.)

POSTMASTERS.

[illegible] to be postmaster at [illegible] in the county of [illegible] and State of Colorado, in place of [illegible], deceased.

[illegible]

R. Clifford Tyler to be postmaster at Chester, in the county of [illegible] and State of Connecticut, in place of R. Clifford Tyler. Incumbent's commission expired February 6, 1904.

DELAWARE.

John K. Chambers to be postmaster at Newark, in the county of New Castle and State of Delaware, in place of [illegible] Morrison. Incumbent's commission expired January 25, 1904.

FLORIDA.

George Glass to be postmaster at High Springs, in the county of Alachua and State of Florida, in place of [illegible]. Incumbent's commission expired January [illegible].

William A. Murat to be postmaster at Apalachicola, in the county of Franklin and State of Florida, in place of William A. Murat. Incumbent's commission expired January 17, 1904.

George B. Patterson to be postmaster at Key West, in the county of Monroe and State of Florida, in place of George B. Patterson. Incumbent's commission expired January [illegible].

Louis W. [illegible] to be postmaster at Marianna, in the county of Jackson and State of Florida, in place of W. [illegible] J. Watson. Incumbent's commission expired January 3, 1904.

MASSACHUSETTS.

Abbie H. Souther to be postmaster at Cohasset, in the county of Norfolk and State of Massachusetts, in place of Abbie H. Souther. Incumbent's commission expired January 18, 1904.

MICHIGAN.

Volney W. [illegible] to be postmaster at Hartford, in the county of Van Buren and State of Michigan, in place of William [illegible]. Incumbent's commission expired February 9, 1903.

MISSOURI.

George B. Wade to be postmaster at Jasper, in the county of Jasper and State of Missouri. Office became Presidential January 1, 1904.

MINNESOTA.

Simon J. McKenzie to be postmaster at Albert Lea, in the county of [illegible] and State of Minnesota, in place of Simon J. McKenzie. Incumbent's commission expired January 7, 1903.

NEW JERSEY.

James W. Danser to be postmaster at Freehold, in the county of Monmouth and State of New Jersey, in place of James W. Danser. Incumbent's commission expired February [illegible], 1904.

NEW MEXICO.

Edward Quinn to be postmaster at Gallup, in the county of McKinley and Territory of New Mexico, in place of Edward Quinn. Incumbent's commission expired February 19, 1904.

NEW YORK.

Eugene P. Strong to be postmaster at Bay Shore, in the county of Suffolk and State of New York, in place of Eugene P. Strong. Incumbent's commission expired February 19, 1904.

NORTH DAKOTA.

Albert Albrecht to be postmaster at Anamoose, in the county of McHenry and State of North Dakota. Office became Presidential January 1, 1904.

TEXAS.

Clinton J. Farrell to be postmaster at Vernon, in the county of Wilbarger and State of Texas, in place of Clinton J. Farrell. Incumbent's commission expired January 20, 1904.

VERMONT.

John Metcalf to be postmaster at Fair Haven, in the county of Rutland and State of Vermont, in place of Ira R. Allen, deceased.

WASHINGTON.

William R. Baker to be postmaster at Colville, in the county of Stevens and State of Washington, in place of William R. Baker. Incumbent's commission expired January 9, 1904.

Richard Montgomery to be postmaster at Lind, in the county of Adams and State of Washington. Office became Presidential January 1, 1904.

James W. O'Connell to be postmaster at Republic, in the county of Ferry and State of Washington, in place of John Stack. Incumbent's commission expired December 14, 1903.

John E. Spangler to be postmaster at Cheney, in the county of Spokane and State of Washington, in place of Alexander Watt, resigned.

George Yeager to be postmaster at Sunnyside, in the county of Yakima and State of Washington. Office became Presidential January 1, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 3, 1904.

CONSULS.

John Todd Hill, of Connecticut, to be consul of the United States at San Juan del Norte, Nicaragua.

RECEIVERS OF PUBLIC MONEYS.

Al. J. Gillis, of Walla Walla, Wash., to be receiver of public moneys at Walla Walla, Wash.

MARSHALS.

Charles Lewiston, of Wisconsin, to be United States marshal for the western district of Wisconsin.

POSTMASTERS.

Paul J. Sours to be postmaster at Denver, in the county of Denver and State of Colorado.

GEORGIA.

Mattie H. Hansen to be postmaster at Forsyth, in the county of Monroe and State of Georgia.

Hugh M. Pierce to be postmaster at Moultrie, in the county of Colquitt and State of Georgia.

MISSOURI.

Henry J. Crider to be postmaster at Maitland, in the county of Holt and State of Missouri.

Edward Myers to be postmaster at Appleton City, in the county of St. Clair and State of Missouri.

John P. Rankin to be postmaster at Higbee, in the county of Randolph and State of Missouri.

NEW YORK.

John M. Brown to be postmaster at Port Jefferson, in the county of Suffolk and State of New York.

William S. McLaughlin to be postmaster at Avon, in the county of Livingston and State of New York.

Owen H. Wilber to be postmaster at Randolph, in the county of Cattaraugus and State of New York.

WISCONSIN.

Walter C. Crocker to be postmaster at Spooner, in the county of Washburn and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 3, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CONSULAR AND DIPLOMATIC APPROPRIATIONS.

Mr. SPIGHT. Mr. Speaker, I ask unanimous consent to take from the Private Calendar House resolution No. 181 and recommit it to the Committee on War Claims.

The SPEAKER. Is the gentleman from Mississippi asks unanimous consent that House resolution No. [illegible] on the Private Calendar be taken from the Calendar and recommitted to the Committee on War Claims. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

BRIDGE ACROSS MONONGAHELA RIVER.

Mr. DALZELL. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill, and, Mr. Speaker, if consent be given, then I ask unanimous consent that the substitute be read instead of the bill.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to consider a bill, the title of which the Clerk will report.

The Clerk read as follows:

To authorize H. K. Smith to construct the reconstruction of a bridge across the Monongahela River in the State of Pennsylvania by the Eastern Railroad Company.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. What is the gentleman's request?

Mr. DALZELL. I ask that the reading of the bill be omitted and that the amendment in the nature of a substitute be read.

The SPEAKER. The Clerk will report the substitute.

The Clerk read as follows:

That section 4 of an act approved February 18, 1903, entitled "An act to authorize the reconstruction of a bridge across the Monongahela River in the [illegible] Railroad Company," be, and the [illegible]

The amendment was [illegible], and agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. With [illegible] objection, the title will be amended.

There was no objection.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 11287, the consular and diplomatic appropriation bill; and, pending that, I [illegible] that the gentleman from Arkansas [Mr. DINSMORE] and I be allowed to control the time in general debate.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the diplomatic and consular appropriation bill, and, pending that, he asks unanimous consent that the time for general debate be under control of himself and the gentleman from Arkansas [Mr. DINSMORE]. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. LACEY in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of Union for the further consideration of House bill 11287, the consular and diplomatic appropriation bill.

Mr. HITT. Mr. Chairman, may I ask the gentleman from Arkansas about how much time his side will require for general debate?

Mr. DINSMORE. I last conferred with the chairman of the committee, and he seemed to be anxious for time, and I think there will be considerable time desired upon this side.

Mr. HITT. One hour or two hours?

Mr. DINSMORE. I think even more than that; I think about three hours. I suggest that we can probably reach an agreement about the time later in the day.

Mr. HITT. Very well, we will go on, and agree as we proceed. I now yield to the gentleman from Connecticut [Mr. SPERRY].

Mr. SPERRY. Mr. Chairman, on Monday last our friend from Massachusetts [Mr. THAYER], in his speech upon the Panama matter, referred to a petition from New Haven, which he stated went to the Senate as a petition from the representative men of Yale. The gentleman was [illegible] from Massachusetts, and, perhaps, [illegible] some of the professors of Yale, but a very few in number. I am quite sure that my friend from Massachusetts does not wish to inflict a wrong upon any members of Yale, that being the college from which he graduated, and therefore he must take a little pride in that institution.

As I have already said, that petition, containing twenty names, more or less, was sent to the Senate and presented to that body by the distinguished Senator from Massachusetts, Mr. HOAR. But there was another petition, also from citizens of New Haven, sent to the Senator from Connecticut, Mr. PLATT, signed by nearly ten men nearly all of them connected with the institution to which the gentleman from Massachusetts refers. I do not wish to see an injustice done to any person, especially in my own district, or to have them misrepresented. I do not think that my friend from Massachusetts intended to misrepresent, but he left a false impression upon the Members of the House.

I wish at this time to send to the Clerk's desk the petition which I have just referred to as the one sent to the Senator from

Connecticut, that the same may be read. I want the names read, also their profession or business, and when read I wish to make it a part of my remarks, that these names may be published in the RECORD.

The Clerk read as follows:

WE, the undersigned citizens of New Haven County, without distinction of party, believe that the Panama Canal treaty was duly passed by a large majority of the Senate of the United States, and has been approved by most of the great powers of the civilized world.

WE believe the interests of the United States and of the world would be best served by the speedy completion of the canal, and we therefore petition your honorable body for the ratification of the Hay-Varilla treaty.

Signers of Merchants from New York, New Haven and Hartford [illegible] New York, New Haven, Hartford [illegible]

[illegible]

Mr. THAYER. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman yield?

Mr. SPERRY. One moment, please, until I get through with my remarks. Then I shall be glad to accommodate the gentleman. Mr. Chairman, that petition is not a political one. It contains the names of men of all parties, and at least a third of them are Democrats. My friend the gentleman from Massachusetts [Mr. THAYER] the other day asked what Democratic papers favored the Panama treaty.

Mr. THAYER. Not "Democratic"—"influential." I did not say Democratic.

Mr. SPERRY. "Influential," then. Very well. I want to say that one of the signers of this petition is the owner and controller of the New Haven Register, a Democratic paper. I refer to the name of Mr. John D. Jackson.

So far as I can observe, there is not a single national office-holder upon the petition. I present this petition in justice to the people of my district, some of whom think that the speech of my distinguished friend from Massachusetts did not present the matter in its true light and gave a false impression of the sentiments prevalent at Yale University upon this subject. I wish to add that in the columns of the New Haven Register only a day or two afterwards of the signers expressed himself upon the subject. I will read an extract taken from that paper:

[illegible]

This is from one of the gentlemen whose names have just been read at the desk. I sincerely hope, Mr. Chairman, that this petition will be treated as it ought to be treated, and treated as the real petition from Yale University. The one to which the gentleman from Massachusetts [Mr. THAYER] referred was a petition simply of about twenty names, and there were only a few names of Yale professors on it.

I will also read, before I close, an extract taken from the Hartford Daily Times, a Democratic paper, under the heading "Stop this nonsense:"

If the Roosevelt Administration has erred in this business, is that any reason why the Democratic party should [illegible] the Senate of the United States, [illegible] of the Senate are going to make the very worst possible use of it.

[Applause.]

Mr. DINSMORE. Mr. Chairman, it is not my purpose to make a reply to what has been said by the gentleman from Connecticut [Mr. SPERRY]. I listened with attention and interest to what he read—the petition from his constituents and the excerpts from a newspaper—upon the subject of the ratification of the treaty with Panama. I merely want to call attention to the fact that it does not make any difference whether Republicans or Democrats join in such a request of Congress. Unfortunately there are some Democrats who are influenced by the same motives that influence all the Republican party—that of selfishness and greed and a desire to get something, no matter by what means it is obtained. I regret it very much myself, and other patriotic citizens regret it. The only thing in which I find great comfort is the fact that the Democratic party as a party does not do such things.

I notice that the gentleman from Connecticut [Mr. SPERRY], in reading the extract from the paper, dwelt with peculiar emphasis upon one portion of it in which Prof. Charles H. Smith, of Yale, is credited with having said that there was a strong moral reason why the treaty with Panama should be ratified. Of course we have nothing to do here with the ratification of the treaty. Nevertheless, Members of this House have a right to their own opinions and to the expression of them upon questions of as great importance as is that. But, Mr. Chairman, instead of hearing statements read from newspapers, which the distinguished gentleman from Ohio, Mr. GROSVENOR, were upon this side of the House he would characterize as platitudes, it is not attempted that we can not get the information upon the subject which shows that there is a moral obligation upon us to ratify that treaty.

The distinguished gentleman from Ohio [Mr. GROSVENOR] has characterized what has been said upon this side in the House as platitudes. Of course there were no platitudes in his speech which he made on Saturday. It was a platitude for the gentleman from Ohio to say that the most brilliant star in the galaxy of the present President of the United States is his conduct in the Panama affair. That is not a platitude that is received an unanimity, I [illegible] [illegible] applause on the Democratic side.] That is all there is to that. When I rose, however, Mr. Chairman, all I desired to say was that it was very much better to give a body like this, which men are assembled for the purpose of taking into their care and keeping the interests of a great government, instead of declaiming of the kind which has just been read, something which is said to the human intelligence, something that may please our constituents. Of course I know that the gentleman from Ohio has a peculiar aversion to platitudes, but I will say that we upon this side do not like platitudes either, especially when it comes to dealing with a question of as serious importance as is this.

Names have been read by the gentleman from Connecticut of people who think that this treaty ought to be ratified. Why, Mr. Chairman, in my own part of the country there are people who say that the treaty ought to be ratified because "we ought to have the canal; we have got to have it." Why, Mr. Chairman, I have had a constituent of mine say to me he is a director of a bank, and I observe that the greater part of these names upon the list read this morning by the Clerk of the House in the paper sent up by the gentleman from Connecticut, are the names of

[illegible] gentleman, a director of a bank, said to me, "I am glad the President did it; it was a masterly sort of a thing to do; but I am glad he did it, because we want the canal." I said, "Yes; I may need the money that you have in your vaults but you would hardly justify me in taking a pistol and coming and going and breaking open your safe and taking out that money." It seems to me as if the action of the Government in this matter, if for no other reason than as I have just described, was [illegible] and not defensible.

This is all I desire to say. I yield now a few minutes to the gentleman from Kentucky [Mr. JAMES].

Mr. JAMES. Mr. Chairman, at the beginning of the Fifty-eighth Congress I [illegible] the Extradition [illegible] which I proposed. I desire the Clerk to read [illegible] upon the subject.

The Clerk read as follows:

[illegible]

Mr. JAMES. Mr. Chairman, that there is a necessity for such law in aid of the states in matters of extradition and from one State to another there will be no dispute. The conditions in the States, I may say, of this Union [illegible] necessary that such legislation should be [illegible] to look. The Constitution of the United States, section 2, of section 4, provides:

[illegible]

Mr. CHAIRMAN. [illegible]

Mr. JAMES. [illegible] the right to demand the fugitive that violates its law and [illegible] the right to demand the fugitive from justice, if a [illegible] the right to put himself up the trial courts, to [illegible] the public [illegible] of the accused. [illegible] to say that a sister State of this Union [illegible] of a [illegible] population [illegible] then the [illegible] was greatly [illegible] when they [illegible]

If a [illegible] of the Supreme Court [illegible] the right to [illegible] to be [illegible] the [illegible] State of the Union [illegible] of the law in the Republic [illegible] riot. [illegible] upon the [illegible] can be [illegible] with [illegible] from the vengeance of the law [illegible] of a single State.

I know of no reason, Mr. Chairman, why we should [illegible] to place between the sister States of the Union [illegible] law that will enable the proper [illegible] of the Constitution, I [illegible] section 1 of Article IV [illegible]

[illegible]

This bill that I introduced offers a remedy for these [illegible] It provides what effect the power of the Federal Government in a state shall have, that in case the governor refuses a [illegible] made then the governor of the State demanding the fugitive can proceed to obtain custody of the person by filing a copy of the requisition, so made and refused and then it becomes the imperative duty of the judge of the United States Circuit or District court to issue his warrant for the arrest of the fugitive, and then the sole question, of which he shall be the judge is the identity of the fugitive and if he is found to be the one demanded, he shall then issue an order delivering over such prisoner to the authorities of the State from which he fled.

This section 1 of Article IV, which immediately precedes the section in regard to fugitives and their surrender, evidently was passed for the express purpose of giving Congress the power to pass such laws as would make it impossible for a State to become the hiding place of violators of the law. It is also provided by the Constitution, clause 18 of section 8, Article I, that—

[illegible]

Now, by the Supreme Court, [illegible] the power [illegible] of Congress [illegible] Matter of [illegible] Fed. [illegible]

[illegible]

Now, Mr. Chairman, if Congress has this power—and it is evi- [illegible] the law to the State in [illegible] Would it not greatly tend to [illegible]

[illegible]

In the case in point it would be a remedy for one person who had [illegible] citizen, violated her law, and fled from her [illegible]

Mr. [illegible]

[illegible] in St. Louis:

[illegible] where a corrupt man, fleeing from his country, can rest in peace [illegible]

[illegible]

Accomplishment of this Commonwealth! What should we do [illegible] who is [illegible] and has been for some [illegible] a Republican governor who is the dead [illegible] and upon the awful crime of murder? What should we say of such a one, who was [illegible] and [illegible] the [illegible] Rough Rider himself? [Applause on the Democratic side.]

We see in this late instance as Roosevelt, the governor, trampling upon the laws of extradition, violating the [illegible] of States, [illegible] for the great crime of murder protection from Kentucky courts.

The Albany Argus of May 28, 1900, said:

Taylor's flight is nothing but the logical outcome of his whole previous career. It is the act of the cowardly bully driven to bay. He is the logical [illegible] in Kentucky. It is a pity that New York is not his chosen refuge, in consideration of our [illegible] to pass judgment on Governor Roosevelt's offer to shield a fugitive from justice.

The Indianapolis Sentinel of April 24, 1900, said:

And now it is reported that Governor Roosevelt will not surrender Taylor. [illegible] We may think that political [illegible]

In his message the President says that these bribe givers and [illegible] ought to cross the [illegible] a marshal's [illegible] the law. I say, very well [illegible] but let us cross the Ohio River first and bring the murderer back to Kentucky before you do that. [Applause.] Why, Mr. Chairman, I believe this message was in reality given to Congress [illegible]

I notice he talks so much about the violators of the law in Missouri and wants to cross the rolling sea to bring them back. I read only day before yesterday that Odell, governor of his own State, the master of his political fortunes in New York, gave protection [illegible] Mr. Ziegler, charged with bribery and [illegible] from the Missouri courts, and denied the requisition of Governor Dockery.

I believe, Mr. Chairman, that the message of Mr. Roosevelt, in wanting to reach out for criminals and violators of the law across [illegible] in the face of an [illegible] and a [illegible] the Republic an [illegible] of New York and Indiana they can be protected [illegible] [Applause and laughter on the Democratic side.]

No such [illegible] as being an exile from home can be visited [illegible] a man in [illegible] to take the life of a Democrat. [Applause on the Democratic side.]

So, when I contemplate the anomalous position of Roosevelt the governor and Roosevelt the President, I am forced to decide [illegible] greater than R. Louis Stevenson would have to [illegible] to properly characterize a greater than Dr. Jekyll or Mr. Hyde [illegible] Durbin, the man to-day, giving protection to this violator of [illegible] that Kentucky, through her grand jury has in- [illegible] more than three long years denied the right of the sovereign Commonwealth of Kentucky to bring that man back and let him stand his trial before a [illegible] of her law. And I notice that when Durbin comes to [illegible] upon ex- [illegible] the right to give to the waiting and anxious world the news that "HANNA can run for the Presidency if he wants to." [Laughter on the Democratic side.]

And when we all read that we again said, "The king can do no wrong," and as Durbin starts back to Indiana from his confiden- [illegible] we hear him say amid the applause of [illegible] the land, as he speaks of his own State or Indiana, saying of it:

> Here, here is the land, of every land the pride,
> Beloved by fugitives, O'er every land beside.

Mr. Chairman, their excuse for not honoring this requisition [illegible] have a fair trial. Let us see whether [illegible] test. What did Taylor say before [illegible] was returned, when he heard an indefinite rumor [illegible] to same? I have his own signed statement here, that [illegible] to the world, and in it he does not say that he could not [illegible] a fair trial in that Commonwealth. He does not say that [illegible] corrupt. He does not say that courts are politicized. But listen to Taylor himself before he had heard that certain confessions had been made, that certain witnesses had been called before the grand jury, that the "cat was out of the bag."

Let us see what he says when he felt secure, little dreaming that the world would ever know that he offered $2,500 as a [illegible] a human life: that he said, "Goebel has but twenty- [illegible] to live," and with the wisdom of a prophet this awful [illegible] became a reality: that he said, "You must act first and then I will call out the militia," and the wounded man had not been carried from the place of his fall until the tramp of the mi- [illegible] upon the [illegible] grounds: that he had a [illegible] before conviction: that he was the home and sinew and moving factor in the procurement of Goebel's death.

Here is what he said then, on April 7, 1900, and gave it to the Associated Press bearing his own signature, and it went through [illegible] the States in the American Union:

> Once for all I desire to say neither directly nor indirectly had I any con- [illegible] from justice. Whenever indicted, if such an outrage should ever be committed—

Does he say, "I will flee to Indiana and seek the protecting ægis of a Republican governor in the name of politics?" No; but he says:

> I shall appear for trial [illegible] of my innocence and of the ultimate triumph of right and justice.
>
> W. S. TAYLOR.

There was nothing said then that he could not obtain a fair trial, but what happened? Why, sir, in less than two weeks from that time we heard of him in Washington, and in three days of that time we heard of him in New York, in consultation with Governor Roosevelt and what occurs? Does he come back to Kentucky? Does he stand true to his declaration that he would never be a fugitive from justice? No, indeed. All this [illegible] statement had faded away as his own guilty conscience commenced to tell him that the crime of the deed as well as the small was subject to the truth of that inexorable axiom, "Murder will out."

I say spurred on by this he sought the State of Indiana, and in the name of Republicanism he begged its protection. And notwithstanding four years ago this day one of the bravest and, as we believe, the bravest and knightliest of all that fought for the common people, died from a wound that the indictment of our court said Taylor procured by offering $2,500 and a pardon to the man who fired the fatal shot, he has been protected walking as a free man almost in sight of the blue grass under which his victim sleeps.

What does Bradley say—the leader of their party, Taylor's confidential friend, his attorney in the contest, exgovernor of his State? Here is what he said on April 23, 1900, that is published in the Louisville Commercial, the Republican organ of that State:

> [From the Louisville Commercial (Republican), April 23, 1900.]
>
> [illegible]

That was issued by William O. Bradley. I know that it has been said, in order to excuse this outrage that is daily being perpetrated, that he could not obtain a fair trial. But, sir, Kentuckians are no cowards, their history of one hundred years tells them tell in tones too loud that this statement is false. You protected him because you said the courts of Kentucky were corrupt.

Taylor fled to the State of Indiana about May 15, 1900, and it was from Indiana that he made his triumphal tour to the Republican national convention, where the public press told us that he received an ovation second only to that of Roosevelt, and there in the State of Indiana he has since remained.

On January 1, 1901, the Republican party obtained control of the court of appeals, which court is the court of last appeal in all criminal and civil cases in our State. They retained this control of that court till January 1, 1903. Upon that bench were Guffey, Durelle, O'Rear, and Burnham, four Republicans out of the seven judges that constituted that court.

Do you tell me that he could not obtain a fair trial where his own party controlled the court to which he had the right to appeal his case? The chief justice of that court was Guffey, his old law partner, and this court of appeals would have had the right, if this case against Taylor was a persecution instead of a prosecution, was one of falsity rather than of truth, one without evidence to sustain the verdict of the jury, one procured by corruption, to have reversed the case and remanded it to the lower court with directions to dismiss the indictment, which would have been and remained the law of the case.

And yet, Mr. Chairman, with this condition existing in Kentucky, the Constitution of the United States, providing that "full faith and credit shall be given to the acts, records, and judicial proceedings of every other State," was being trampled upon. The provision of the Constitution providing that the governor should surrender a fugitive upon demand of the executive was being grossly violated. With this court Republican, the demand being made for his extradition, Durbin refused to surrender him to the authorities of the State of Kentucky because he said Taylor could not obtain a fair trial.

Notwithstanding, if all he said be true, it was in the power of the Republican court to have directed the dismissal of the indictment and let him go as free as the lark that sings in the sky. Why, my friends, take this matter home to yourselves. Suppose that the murderer of McKinley had been able to flee after he had committed that awful crime. Suppose he had come to Kentucky and the governor of Kentucky had as little respect for his oath, for the Constitution, and for the laws of his country as Durbin had. Czolgosz would to-day be walking Kentucky's soil, breathing her

pure air, and the nation mourning the death of one of the greatest of her Presidents.

Is that proper? Do you want to make that possible in our magnificent country? Suppose when you came to us and told us that you wanted to return him, so that he might have a trial for taking the life of your greatest leader, McKinley, the man who lifted you to the mountain range of popular favor, and suppose we should have said that you shall not have him for trial until the United States Government had brought about a condition which will compel a State to return to us our citizen, who took the life of one we loved, no less than you did your leader. Your indignation would have known no bounds. Retaliation would have met with indignation at your hands. Congress would have been assembled in extraordinary session, and a law immediately placed upon the statute-books such as I propose here.

Mr. Chairman, the conduct of Governor Durbin, viewed under every searchlight, measured by every yardstick, weighed in every balance, is such as contrite as to properly characterize it the poverty of the English language must stand admitted. [Applause on Democratic side.]

The greatest right that a State can have is the right to try those who have violated its law and fled from its dominion. It is an enlargement of State rights. It is the very sovereignty of the State itself.

I know, sir, that many epithets have been hurled at the courts of Kentucky, but I stand here to defend them, though they need no defense at my hands. Their decisions have been quoted and approved the world around. The jurisprudence of these United States has been made richer, wiser, and greater by their contributions. Equity and justice have both alike welcomed their decisions as examples of their teaching. Innocence in rags, justice without a friend, weakness without a staff, all in full and rounded measure proclaim in tones that defy partisan rancor, and political malice, of their incorruptibility. [Applause on the Democratic side.]

And, sir, when murderers shall find no longer an Indiana of refuge, when requisitions shall no longer be dishonored, when those who laid the miserable plot and took the life of William Goebel shall have been gathered by that dark messenger that needs no requisition, when those who protected them shall live only in memory, Kentucky courts—God bless them—will still live, administering the law in its strength and justice in its purity. [Applause.]

Mr. Chairman, I believe that whether this Congress acts or not, whether Kentuckians may assemble the day a year hence around the grave to place flowers upon it in sweet remembrance of the murdered dead, knowing the chief conspirator is yet unmanacled by the law, pronouncing the wrong perpetrated by the protection of his murderers—I say whether that would occur or not, in my judgment Taylor will come to find another place of refuge, because the engaged people of Indiana will rise up in their might and repudiate the Republican perjury by electing a Democratic governor in that Commonwealth. [Great and continued applause.]

Mr. HUFF. Mr. Chairman, I yield now to the gentleman from Indiana [Mr. CRUMPACKER] such time as he may desire.

Mr. SMITH of Kentucky. Mr. Chairman, I ask leave for the gentleman from Kentucky to extend his remarks in the RECORD.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that his colleague may extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. JAMES. I yield back to the gentleman from Arkansas such time as there may be remaining to me.

Mr. CRUMPACKER. Mr. Chairman, I have listened with regret and amazement to the remarkable address of the gentleman from Kentucky [Mr. JAMES] and his unwarranted and ill-tempered attack upon the governor of the State of Indiana. I am not here to defend the action of the governor of my State. He needs no defense among people who are acquainted with his high character and distinguished ability, and with the history of the election in the State of Kentucky in the year 1899 and the events succeeding the assassination of Mr. Goebel, and the proceedings and trials following that lamentable affair.

In 1899 Hon. William S. Taylor was as honestly and fairly elected governor of the State of Kentucky by the votes of the sovereign citizens of that State as any man was ever elected governor in any State. [Applause on the Republican side.] He was then unseated and deposed by the Democratic State election board, appointed under what is popularly known as the "infamous Goebel law."

Mr. SMITH of Kentucky. Mr. Chairman, I would like to disabuse the gentleman's mind. The fact is that the election of the governor and lieutenant-governor was to be decided, as it is in every State I know of, by the legislature of Kentucky.

Mr. CRUMPACKER. The election was canvassed and certified by the State election board appointed under the Goebel law, as I understand it, composed of a majority of Goebel Democrats. They certified to the election of William S. Taylor as governor and Caleb Powers as secretary of state, and a large portion of the Democratic party, a large share of the Democratic press in that State, acknowledged and admitted the right of Governor Taylor and Mr. Powers to the offices to which the people of the State had chosen them.

Mr. SHACKLEFORD. May I ask the gentleman a question?

Mr. CRUMPACKER. Yes.

Mr. SHACKLEFORD. Is not that just as true of every Democrat that has come to this House and been thrown out by a Republican contest? Do they not come with a certificate of election?

Mr. CRUMPACKER. I am glad the gentleman asked that question. We try contested-election cases here, and there is no one who is acquainted with the habits and temperament of this body that believes for a moment that it has the spirit and capacity to administer justice where political questions are involved. This body passes upon the election and qualifications of its own Members in response to the fundamental principle that it must be absolutely independent of outside control. It is a fundamental safeguard to the independence and integrity of the House, and that overmastering principle is greater and more important than the right of any individual to membership. After the election in Kentucky in 1899 William Goebel contested the right of his successful opponent to the office of governor, and under the laws of that State the contest had to be taken before the State legislature, a body that was essentially partisan, a body that everybody knew in advance would decide according to its partisan majority. The people of Kentucky felt that popular government was at stake, and their indignation over an undisguised purpose to deprive them of the right to select their own governor and State officers was aroused from one end of the Commonwealth to the other. [Applause on the Republican side.]

Mr. SMITH of Kentucky. Will the gentleman yield for a question?

Mr. CRUMPACKER. Yes.

Mr. SMITH of Kentucky. I understand the gentleman makes a thrust now at the body that tried the contests for governor and lieutenant-governor in Kentucky.

Mr. CRUMPACKER. The gentleman may so construe my remarks.

Mr. SMITH of Kentucky. You say the legislature was partisan and incompetent to try a contest. How many States in this Union are there that have any other contest boards for governor and lieutenant-governor?

Mr. CRUMPACKER. I do not know.

Mr. SMITH of Kentucky. There is not one.

Mr. CRUMPACKER. There is no such procedure in the State of Kentucky. That State provides for no legislative contest of the election of governor. The courts and not legislatures are the proper forums in which to contest elections for all executive and ministerial offices.

The contest for the governorship in the State legislature involved the fairness of the election in over a third of the State of Kentucky. The supporters of Mr. Goebel claimed [illegible] upon paper so thin that the mark of the [illegible] could be seen through the ballot. The [illegible] and did prove that in nearly every [illegible] and supporters of Mr. Goebel for governor.

The committee selected to hear the contest made a general report to the legislature recommending the seating of Mr. Goebel. [illegible] the city of Louisville.

[illegible] the assassination of the Commonwealth by the fiat of the governor of Indiana to surrender Governor Taylor to the Kentucky authorities for trial for the murder of Mr. Goebel. Who are the real assassins of the Commonwealth in the State of Kentucky? Are they not the men who [illegible] overturned the elections in [illegible] unseated from office men who were honestly and fairly chosen and put in their places men who were repudiated by the voters at the polls? The [illegible] at the very foundation of republican institutions and [illegible] upon that [illegible] are doubtless [illegible] government. The gang of [illegible] collected in Frankfort in the winter of [illegible] and conspired to cheat the people of the State of Kentucky of their fundamental right to choose their own officers were the assassins of the Commonwealth. Public officers charged with the administration of justice who filled the jury boxes with the tools of partisan Democrats for the purpose of trying men accused of a political crime, were assassins of the Commonwealth.

What greater crime than the prostitution of courts to partisan ends could be committed against any civilization? I do not claim that the institutions and citizenship of the State of Kentucky are not in ordinary matters of as high a standard as those of any other State in the country. That State has a splendid history and a brave and chivalrous citizenship, but notwithstanding conditions have been such since the election in 1899, in relation to the result of that election and the contest following, that the public mind in the State of Kentucky has been and still is absolutely unfit to deal with the question of the guilt of those indicted for the murder of Mr. Goebel with any degree of fairness or justice. This condition may not exist in all parts of the State of Kentucky, but that it does exist in Scott and Bourbon counties—counties from which the juries were drawn—is true beyond a cavil of a doubt.

Mr. WILLIAMS of Mississippi. May I ask the gentleman a question?

Mr. CRUMPACKER. The gentleman may.

Mr. WILLIAMS of Mississippi. Suppose Taylor was elected, suppose there was a contest, and suppose that Goebel was declared elected; suppose that sentiment was aroused; does that justify assassination?

Mr. CRUMPACKER. I am not here, Mr. Chairman, to justify assassination. No provocation justifies a crime so foul and dastardly, but I do propose to submit some reasons in explanation of the attitude of the governors of the State of Indiana—Governor Durbin and his distinguished predecessor, Governor Mount—in refusing to recognize the requisition of the governor of the State of Kentucky for the return of Mr. Taylor, to be tried in the Kentucky courts under conditions then existing. I expect to show that Governor Taylor was not a fugitive from justice, but a fugitive from injustice, oppression, and tyranny.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I will ask the gentleman one other question, if he will permit. I would ask whether he himself doubts that Mr. Goebel was assassinated for political reasons?

Mr. CRUMPACKER. Well, I do not know that that has anything to do with the question before the committee. [Laughter on the Democratic side.] What I may feel or think about the character of the assassination has nothing to do with the question now under discussion. Everybody admits that it was an execrable crime. During the period of intense excitement in the State of Kentucky immediately following the institution of the contest Republicans and Democrats from all parts of the State met at the State capitol to insist that the will of the people should be carried out, that honest elections should be respected, that unscrupulous political buccaneers should not be permitted to take away from the people of the State the right to choose their own officers, and in the white heat of partisan feeling unfortunately somebody shot and killed Mr. Goebel, the contestant.

I am not here to justify that act. It was a crime, a crime against humanity, a crime against civilization, a crime detested in every State in this country. Immediately proceedings were set on foot to hunt out the perpetrators. The political machinery in the State of Kentucky was in the hands of the Goebel Democrats. A hundred thousand dollars was voted by the legislature to discover and convict the criminals. Indictments were returned by partisan grand juries against the Republican governor and secretary of state, amongst others, charging them with the crime. All, I believe, of the candidates on the Republican State ticket, all of the men who were elected by the suffrages of the people to State offices, were included in the indictments, charged with complicity to murder or with being accessories before the fact.

Mr. SMITH of Kentucky. Mr. Chairman, do I understand the gentleman to say that all of the gentlemen who were on the Republican State ticket were included in the indictments?

Mr. CRUMPACKER. I may have included too many. I said all. There were too many. The governor and the secretary of the State I know were indicted.

Mr. SMITH of Kentucky. And that is all.

Mr. CRUMPACKER. Yes, and the secretary of state was tried and tried again, and tried a third time, and respectable Democrats and Democratic papers all over the State of Kentucky denounced the prosecution of the trials and convictions as infamous.

Mr. STANLEY. Can the gentleman name one respectable Democratic paper that ever did that?

Mr. WM. ALDEN SMITH. Oh, there are few respectable Democratic papers in that State. [Laughter on the Republican side.]

Mr. STANLEY. May I ask the gentleman if that is the spirit in which he proposes to denounce partisanship, by saying that there is not a respectable Democratic paper in the State of Kentucky?

Mr. WM. ALDEN SMITH. That is the spirit the gentleman is manifesting in this controversy this morning. The gentleman is not showing a judicial spirit.

Mr. DINSMORE. Well, the gentleman from Michigan is. [Laughter on the Democratic side.]

Mr. WM. ALDEN SMITH. Yes; he always does.

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Kentucky [Mr. STANLEY]?

Mr. CRUMPACKER. I prefer not to now. The organization of the court and jury and the conduct of the trials in the Powers case was condemned by honest-minded, cool-headed Democrats, I will say, and by newspapers that had theretofore been known as Democratic papers, throughout the State of Kentucky. Goebelism came to be a political issue in that State. Governors and State officers were elected and defeated on that issue. Candidates for seats in this body were elected and defeated upon the issue of Goebelism. Many will remember that distinguished Kentuckian, Colonel Berry, who was a Member of the House in the Fifty-fourth, Fifty-fifth, and Fifty-sixth Congresses. He was an anti-Goebel Democrat, and that was his undoing—he is no longer here.

In the empaneling of the juries in the trials of Caleb Powers they were packed by his bitter political opponents. At none of the trials was there a friend of his—a political friend—or an honest representative of his party on the jury.

The CHAIRMAN. Does the gentleman yield.

Mr. CRUMPACKER. I will yield now.

Mr. SMITH of Kentucky. Mr. Chairman, I would like to call the attention of the gentleman to the fact that he is misstating the case grossly.

Mr. CRUMPACKER. Well, let us see.

Mr. SMITH of Kentucky. As a matter of fact, on the first jury that tried Caleb Powers there were six anti-Goebel people. Half the jury were anti-Goebel. There were four anti-Goebel Democrats and two straight Republicans, and he could not be convicted without the verdict of every member of the jury.

Mr. CRUMPACKER. In the first trial the jury was composed of eleven Democrats and one alleged Republican school-teacher, who depended upon local Democratic officers for employment—a lick-spittle who was worse than any honest Democrat could have been. That is my information of the situation.

Mr. SMITH of Kentucky. Mr. Chairman, I beg, in a most respectful and emphatic way, to protest against the statement of the gentleman from Indiana [Mr. CRUMPACKER] as being absolutely without foundation.

Mr. CRUMPACKER. Is it not true that one of the jurymen in the first trial was heralded over the country as a Republican school-teacher? And is it not true that he was employed by Democratic school officers in the county in which he lived?

Mr. SMITH of Kentucky. I did not understand the first part of the gentleman's question. Will he repeat it?

Mr. STANLEY. There are few Republicans in Kentucky who can teach a school. [Laughter on the Democratic side.]

Mr. CRUMPACKER. It is very evident that there is something the matter with Kentucky. Nobody seems to have been teaching very effectively down there. [Laughter on the Republican side.]

Mr. SMITH of Kentucky. If the gentleman desires an answer to his question and will repeat it, I will try to answer it.

Mr. CRUMPACKER. I understand the gentleman claims that in the first organization of the Powers jury there were six Goebelites, four anti-Goebel Democrats, and two Republicans. I say there were eleven Democrats and one Goebel Republican.

Mr. SMITH of Kentucky. I deny that statement most emphatically; and I wish to make the statement further that that gentleman was deliberately assisted Mr. Goebel, went into the jury box with a decided impression that Mr. Powers was an innocent man, but after hearing the evidence and getting into the jury room, I understand he was the first to suggest that the jury find Mr. Powers guilty.

Mr. CRUMPACKER. Yes; and he was employed to teach for another year, and I think he had his salary increased. [Laughter.]

Mr. JAMES rose.

Mr. CRUMPACKER. Constant interruptions practically destroy the continuity of my argument, but I will yield to the gentleman.

Mr. JAMES. The gentleman is proceeding on the idea of assailing the jurors down there. In order that justice may be done upon the question he is raising here as to the selection of the jury, I ask him whether in the first trial and in each of those trials the question was not raised before a Republican court, and not a single time did the Republican court of appeals of Kentucky sustain the contention that the gentleman is now making here. [Applause.]

Mr. CRUMPACKER. The question was raised before the local courts; and on the second trial of Mr. Powers affidavits were filed by several people of the county setting out the fact that the names selected by the jury commissioners were all Democrats and Goebelites except, I think, four or five; and the court was asked to set aside the panel and order the selection of a new list of names.

In a county that was nearly evenly divided in politics, there were [illegible] Democratic names in the jury box, and four or possibly five Republican names.

The State had five peremptory challenges, so that not a single Republican was allowed to sit on the jury. The case had become intensely political; it entered into the politics of every township, county, and Congressional district in the State of Kentucky. Powers was on trial for a political crime before a jury composed entirely of his political opponents. Think of such a trial in the twentieth century! The conduct of Judge Cantrill, and the record he made in that case, considering the advanced standards of men, [illegible] the [illegible] presided over by bloody Jeffreys on the Tarentum circuit eminently respectable. [Applause on the Republican side.]

Mr. SHERLEY. I want to ask the gentleman whether he considers that when a man is being tried for murder it is a political question that is on trial?

Mr. CRUMPACKER. It may be under some circumstances.

Mr. SHERLEY. It seems to be so under some circumstances.

Mr. CRUMPACKER. It was made a political question in the State of Kentucky. The question of the fault of Governor Taylor and Caleb Powers was the Democratic question at elections. It was [illegible] in the Democratic State platforms, and was [illegible] Every man who voted the Democratic ticket voted Taylor and Powers guilty of the crime that overshadowed every thing else in State politics, and the judge that presided over the proceedings of that kind of a court. It was a political trial, and the process, manner and conclusion demonstrated that the crime should be apportioned divided between the two political parties in the county in which the cases were tried.

Mr. SHERLEY. Does not the gentleman know as a matter of law that the question of the political affiliations of a juror is not a question that can be brought before the court in the selection of a jury in the first place?

Mr. CRUMPACKER. That is true enough, and that is the reason the court of appeals failed to take cognizance of that question when presented on appeal, but it can be brought before the jury commissioners, and they can be prevented from packing a jury for the purpose of convicting a man whether he is guilty or not. [Applause on the Republican side.]

Mr. SHERLEY. And the evidence in support of that is no greater than the statement of just such men as the distinguished gentleman who is writing without regard to the facts to give a distorted version. It is not true that the juries of the State of Kentucky have been packed to convict men.

Mr. CRUMPACKER. I do not charge it as a general proposition.

Mr. SHERLEY. It is not true as a special proposition.

Mr. CRUMPACKER. I charge it in relation to the trial of those indicted for the assassination of Goebel, and I can go to the State of Kentucky and produce sentiment and respectable witnesses in the hanged, aye, by the thousand, who will justify the statement I make here.

Mr. WILLIAMS of Mississippi. Will the gentleman put the proof in charge of that in the RECORD when he publishes his speech?

Mr. CRUMPACKER. I will. I have newspaper extracts and letters by the dozens, and I shall ask the privilege of publishing some of them in my speech.

Mr. WILLIAMS of Mississippi. Oh, what newspaper extracts?

Mr. JAMES. You say juries were packed with partisan Democrats for the purpose of convicting those indicted for taking Goebel's life?

Mr. CRUMPACKER. That is the statement.

Mr. JAMES. Now tell me how it was that a jury that was packed as you say tried Captain Ripley and acquitted him, and tried Berry Howard and acquitted him of the murder of William Goebel? How was that if they were juries that were packed for the purpose of convicting anybody or everybody? How was it that those juries [illegible]?

Mr. CRUMPACKER. These two gentlemen were [illegible] in politics and society. The State of Kentucky [illegible] that it would be an insult to the Democratic party to lead them to the penitentiary or on the gallows. [Derisive laughter on the Democratic side.] And it is quite probable that some evidence of guilt, a scintilla of evidence, is required to convict even before the juries I have described.

Mr. SMITH of Kentucky. I beg to suggest to the gentleman that Captain Ripley is a man in as good standing as any man on the Republican State ticket in 1889.

Mr. CRUMPACKER. I say this, that in the second trial of Powers in a county where the political parties were nearly evenly divided, every man on the jury was a Goebelite. It was a political trial, I reassert, and Powers had no chance whatever for his life or liberty. That is the proposition I assert here. In the name of common fairness and common decency why was not the jury divided politically? Why were there not three or four real genuine Republicans on the jury? In the third trial the jury that tried Powers was composed of eleven Goebel Democrats and one Goebel Republican. The Goebel Republican, the evidence showed, had voted for Goebel for governor, and had his picture framed hanging up in the drawing room of his home.

Mr. McDERMOTT. Will the gentleman yield for a question?

Mr. CRUMPACKER. I yield to the gentleman from New Jersey.

Mr. McDERMOTT. The governor of every State in the Union is supposed to be under the State and Federal Constitution. Does the gentleman consider that a requisition being made upon the governor of any State in this Union to surrender one charged with the crime of murder he has the right to consider the question of whether or not the man so charged will receive a fair or an unfair trial if he is returned to the State from which the requisition came?

Mr. CRUMPACKER. He always has considered that question, and it is his duty to prevent that if possible and see that justice will be administered fairly. He has a right to act upon that presumption. He ought to act upon it, and I concede the vital importance under our system of government, in the administration of the laws, that State authorities should respect reasonable and proper presumptions [illegible] that where facts are brought to the notice of the governor of a State, where he is informed in advance, that in a condition of affairs, that such a condition of public excitement prevails that it is [illegible] to turn the accused over to the authorities of another State for trial, then the governor is not only justified, but, in my judgment, it is his duty to deny the requisition.

Mr. McDERMOTT. I beg to suggest this to the gentleman: That even if it was demonstrated to the governor of a State that if the man for whom a requisition had been issued would be so tried that his trial would amount to absolute assassination, [illegible] under the Federal Constitution to consider the question of method of procedure or probable result of trial.

Mr. CRUMPACKER. It is fortunate that the gentleman is not the governor of any State.

Mr. McDERMOTT. I challenge the gentleman to find a writer on political economy in this country. I challenge the gentleman to find a writer on our constitutions, Federal or State, who will support the proposition by one single sentence that any governor is allowed to consider what kind of a trial a man will have if he is returned to the State where he is indicted. [Applause on the Democratic side.]

Mr. CRUMPACKER. Mr. Chairman, if a leader of a mob in a State should apply to the governor of a sister State for the custody of a man that he might be tried by Judge Lynch, be tried by a frenzied mob, the gentleman will not pretend that it is the duty of the governor of that State to surrender a fugitive under those circumstances. If the governor of the State is satisfied that public sentiment is in such a pitch of excitement that while the court may preserve the form and procedure of law it is moved by the spirit of the mob, I say that the governor is justified in refusing that requisition upon principles of common humanity.

Mr. McDERMOTT. If the governor is regulated by the Constitution, if he is regulated by law, any governor has the right to make up such determination as the gentleman [illegible].

Mr. CRUMPACKER. I hope the gentleman will respect the rules of debate and not undertake to make a speech in the time [illegible].

Mr. JAMES. I would like to ask the gentleman a question.

Mr. CRUMPACKER. The Supreme Court of the United States has decided squarely that the governor of a State can not be compelled to grant a requisition made by the governor of a sister State, that the question is discretionary with the governor whether he grants it or not.

Mr. JAMES. I would like to ask the gentleman a question about what he says, frankly, about the courts. I want his judgment upon this, as to whether Governor Taylor could not trust the court from 1900 to 1903, during which time the Republican party had control of the court of appeals, the court of last resort.

Mr. CRUMPACKER. Mr. Chairman, I most assuredly say so. I firmly believe it. The governors of Indiana, both Governor Mount and Governor Durbin, entertained that belief. Subsequent developments have vindicated their judgment. There were three trials of Caleb Powers. I do not think that the result of a single one of the trials is entitled to the respect of fair-minded men in this country.

Mr. JAMES. Does he not believe that his statement is unfair, if not entirely unjust, an injustice piled upon four of the most distinguished Republicans that are in his party in Kentucky?

Mr. CRUMPACKER. Mr. Chairman, I assume the gentleman to be a lawyer, and he knows that while certain questions can be

presented to the Kentucky court of appeals, I presume that court is organized like the courts of final resort in other States. As a rule, questions of fact are not reviewable there on appeal.

Mr. JAMES. If the court was of the opinion that the trial was an unfair one and one that is an assault upon this man, or that the verdict was not sustained by the evidence or was an outrage, your party, who were in majority in that court, would have the right to have the case remanded back to the court below, saying that it was an unfair trial, that there was not evidence to justify the verdict, and instructing the county attorney to dismiss the case.

Mr. CRUMPACKER. The court of appeals reversed two of the judgments convicting Powers because he was not fairly tried.

Mr. JAMES. Not for the reasons that you have suggested.

Mr. CRUMPACKER. For the reason that they were not fair trials—they were not an honest administration of justice.

Mr. JAMES. Not at all. Out of 875 exceptions taken on the trial only three were sustained by the Republican court and in a [illegible] Democratic court.

Mr. CRUMPACKER. The reversals must have been for material [illegible] that prevented the defendant from receiving a fair trial. During the appeals the judge who presided at the trial was running a canvass of the State for a seat in the United States Senate on the ground that he had sent Powers to the penitentiary for the murder of Goebel.

Mr. SHERLEY. I would like to ask the gentleman this question.

Mr. CRUMPACKER. I yield to the gentleman.

Mr. SHERLEY. Do you consider that that opinion of the court of appeals reversing that case is such a statement of judicial misconduct in that State as to warrant the governor of Indiana in disregarding the requisition?

Mr. CRUMPACKER. Not by any manner of means. I am not complaining of the conduct of the court of appeals, but of the conduct of the local court, composed of Judge Cantrill and a Goebel jury.

Mr. SHERLEY. The gentleman's own statement shows the court of appeals reviewed the case and reversed it because there had been, as the gentleman says, not a fair trial, but what was in fact not a trial of——

Mr. CRUMPACKER. It would not make any difference, Mr. Chairman, if the court of appeals had affirmed the judgment. I do not believe any fair-minded man in this country can truthfully say that the three successive trials of Caleb Powers were fair and honest trials. It was a political prosecution brought on by political adversaries——

Mr. SHERLEY. I claim to be a fair and——

Mr. CRUMPACKER (continuing). And under the control of a man who was making a canvass for the United States Senate on the ground that he was engaged in convicting the assassins of William Goebel.

Mr. SHERLEY. I claim to be a fair and honest man and I am willing to stand on the floor of the House of Representatives and say to the gentleman from Indiana that there has not been a man convicted of the murder of William Goebel who, in my humble judgment, both as a citizen and a lawyer, is not guilty of that offense. That is the opinion of the best lawyers and the best men of the State of Kentucky. [Applause on the Democratic side.]

Mr. CRUMPACKER. The gentleman may have the benefit of his statement and he is entitled to anything he can get out of it.

Mr. BREAZEALE. Mr. Chairman, will the gentleman yield time for a question?

Mr. CRUMPACKER. I yield to the amiable gentleman from Louisiana.

Mr. BREAZEALE. I thank you. Just now you stated your belief was that a packed jury convicted these people. Have you any evidence upon which you base that belief or is it merely an impression from loose-jointed statements in newspapers?

Mr. CRUMPACKER. I have been trying to state, if the gentleman pleases, the reasons for my opinion——

Mr. BREAZEALE. I know——

Mr. CRUMPACKER. Take this one proposition: A county where the political parties are nearly evenly divided has a political trial of absorbing interest and the jury is made up almost half of men of one of those parties to the defendant. Would it not be a strange case if it be not that the actors of the jury had been selected?

Mr. BREAZEALE. I admit you are [illegible] in the supposition, but is that evidence; is that sworn testimony of packing a jury, but a mere inference and suspicion when you might have?

Mr. CRUMPACKER. Now, that is one suspicion; we do not rest our case on one suspicion alone, but upon a dozen circumstances, and upon testimony of honest Kentucky Democrats, which I said a moment ago I will submit, if I am permitted to print it in the RECORD.

Mr. BREAZEALE. Is that testimony or mere opinion and suspicion?

Mr. CRUMPACKER. It is the honest opinion of men who were well acquainted with conditions.

Mr. BREAZEALE. An honest opinion, but not evidence.

Mr. CRUMPACKER. Yes.

Mr. BREAZEALE. It is not a serious statement of facts upon which you can base a statement that——

Mr. CRUMPACKER. Mr. Chairman, the technical refining of the gentleman from Louisiana is too [illegible] for practical purposes. We have the prominent facts that Taylor was fairly elected governor; that his political adversaries contested him from that office and had him indicted for the assassination of Goebel, along with the secretary of state and others; that the secretary of state was tried three times before juries made up of men who were as bitter partisan adversaries, that they convicted him and the court of appeals reversed the judgment, they convicted him again and the court of appeals again reversed the judgment, they convicted him a third time, and for a third time the case is pending before the court of appeals of the State awaiting a decision.

Mr. BREAZEALE. Now, may I ask the gentleman one more question?

Mr. CRUMPACKER. These are some of the facts upon which my opinion is founded.

Mr. BREAZEALE. Is not flight evidence of consciousness of guilt?

Mr. CRUMPACKER. It depends upon the circumstances. It is evidence of good sense and prudence on the part of those who were charged with the assassination of Mr. Goebel.

If Mr. Powers had pursued that policy he would have stood a better chance for his life than he does to-day. I have known him for fifteen years. He was educated in the town in which I live, graduating from Valparaiso College, and no one in that community was more respected or stood higher as a student or a citizen than he. We do not believe he is guilty of the crime for which he was convicted.

Mr. JAMES. Does the gentleman know from what college Guiteau graduated?

Mr. CRUMPACKER. I do not.

Mr. JAMES. The fact that a man graduated from a college, then, is no evidence that he is not a criminal. Now, the gentleman seeks to justify the governor of Indiana in refusing to honor the requisition of the governor of Kentucky by the results of the Caleb Powers trial. Was not the requisition refused before Caleb Powers had ever been tried; and now is it that he knew in advance how the trial would be conducted?

Mr. CRUMPACKER. Well, Governor Mount was a man of accurate and reliable instincts. [Laughter.] He was well informed as to the local conditions surrounding the court, and subsequent developments show that he made no mistake. He knew what he was doing. Governor Mount refused the requisition. The voters of the State of Indiana in the election of 1900 fully approved of the action of Governor Mount, and they will stand by Governor Durbin as long as conditions remain as they now are.

Mr. JAMES. Did the same instinct prompt Taylor to issue a pardon to Caleb Powers before he had ever been charged or tried? [Laughter.]

Mr. CRUMPACKER. Conditions sometimes, when political questions greatly agitate the public mind, are such as to take away all sense of fairness and justice from an otherwise honest and upright people. During the second trial of the honourable member of Kansas City for what appeared to be an unprovoked murder a witness on trial at the State was asked on cross-examination if he had not voted for a Republican candidate for Congress. Objection was made to the question. It was urged on the ground that it tended to impeach the credibility of the witness and the presiding judge, a gentleman of distinction, admitted the question, stating that the jury had a right to take into consideration the fact that the witness had voted for a Republican candidate for Congress as bearing upon his credibility. [Laughter.]

That is in the record in the Tillman case. It may be that conditions down in South Carolina are such as to justify that ruling of the court. I am not complaining about the result of that trial, but I am complaining about the results of trials in the State of Kentucky. I admit, for that as a rule it is the duty of governors of the several States to assist in the extradition of fugitives from justice. It is necessary that there may be a proper administration of the criminal laws of the country; but where life and liberty are involved and a combination of public sentiment exists in a State such that the courts are unable to conduct fair and impartial trials, it is the solemn and humane duty of a governor to refuse a requisition from that State until reason has resumed its sway and the excitement has abated.

That the discretion of the chief executive officer can not be controlled is a corollary of the old doctrine of States rights. You can not compel the chief executive officer of a State to exercise a discretion this way or that without controlling or embarrassing the administration of State affairs. That is Democratic doctrine. Now, Mr. Chairman, Governor Durbin was elected to the high

office he now occupies by a majority of nearly 30,000 of the voters of the State of Indiana. My recollection is that in the State platform in the campaign of 1900 the Republicans of Indiana indorsed unqualifiedly the administration of Governor Mount, including his refusal to surrender Governor Taylor to the Kentucky authorities under the then existing circumstances. Governor Durbin has the reputation in Indiana and throughout this country of being not only a law-abiding but a vigilant law-enforcing governor. As chief magistrate he has used the power at his command to arrest and disperse mob after mob in the State of Indiana. In my judgment, he has done more in enforcing the criminal laws of the State and protecting life and property against violence and lawlessness than any other governor that has honored the position he occupies since the days of the great Morton.

Governor Mount refused the first requisition, and he was prompted in his action in some degree by the sincere belief that Taylor had been lawfully elected governor of the State of Kentucky; that he had been ousted from the office by the high-handed and revolutionary proceedings of his political adversaries, and that it would be a recognition of the validity of the contest to surrender the real governor of the State to the one who had unlawfully usurped his seat.

Besides this, before Governor Mount had had an opportunity to act upon the request of Governor Beckham, claiming to be the chief executive of the State of Kentucky, Governor Beckham had arbitrarily refused to recognize a requisition issued by Governor Mount for a fugitive then in the State of Kentucky. A number of days before the request was made upon Governor Mount to surrender Governor Taylor to the Kentucky authorities he made a requisition upon the governor of Kentucky for the arrest and surrender of Rudolph Gossman, a convict who was about to be released from the Frankfort Penitentiary and who was under indictment for a crime in Floyd County, in the State of Indiana. Beckham, in a letter that implied at least an insult to the governor of Indiana, responded to the requisition as follows:

Hon. JAMES H. MOUNT,
Governor of Indiana, Indianapolis, Ind.

A requisition from you for the arrest of one Gossman, wanted in Floyd County, Ind., has been presented to me. I would gladly honor it if you will first assure me that any requisition issued by me as governor upon you will also be honored. I ask this courtesy as desired because of certain expressions attributed to you in the press.

J. C. W. BECKHAM,
Governor of Kentucky.

Upon receipt of this letter from Governor Beckham, Governor Mount wrote him declining to enter into any bargain or compact respecting the question of extradition of criminals between the two States, but insisted that it was the duty of a governor to decide the merits of each application when it was presented to him for action. Governor Mount's letter I will now read.

Hon. J. C. W. BECKHAM, *Frankfort, Ky.*

[illegible]

JAMES H. MOUNT,
Governor of Indiana.

In the face of this record, Mr. Chairman, what have gentlemen to say respecting the conduct of the acting governor of the State of Kentucky in arbitrarily refusing to honor a requisition by the governor of the State of Indiana for a fugitive criminal? The action of Governor Beckham was based entirely, as he says, upon gossip. He had not as yet called upon Governor Mount to surrender the alleged fugitive, but before he would surrender a fugitive from justice from the State of Indiana upon the requisition of the governor of that State in order that he might be tried under an indictment regularly returned, he insisted upon a bargain that the governor of Indiana would in the future when called upon honor requisitions from the governor of Kentucky, which agreement the governor of Indiana properly and in a dignified way refused to make. Was Governor Beckham justified in refusing to respect the request of the State of Indiana for the surrender of Gossman? Did he violate the Constitution of the United States and the fundamental ethics between the States in so acting? When Governor Mount subsequently refused to surrender Governor Taylor to the Kentucky authorities he had before him this recent precedent of the governor of the State of Kentucky.

Governor Durbin simply followed the precedent set by his lamented and highly respected predecessor, but before final action he took pains to fully inform himself respecting the real situation surrounding the court in which the indictment against Governor Taylor was pending. He ascertained to his own satisfaction that such a condition of excitement existed and such an intense political hatred against Governor Taylor pervaded the functionaries in control of the administration of justice there that it would be impossible for him to have a fair and impartial trial. He spent much time in making the investigation and reached the conclusion I have stated. I will let him state in his own way the grounds upon which he refused to honor the requisition of the governor of the State of Kentucky. Here is what he said:

For the second time requisitions have been presented to the governor of this Commonwealth, issued by your authority, asking for the extradition of William S. Taylor and Charles Finley, alleged fugitives from justice from the State of Kentucky, and at this time residing in the State of Indiana. The instrument presented charges these men with conspiracy now before the fact to the wilful murder of William Goebel. I respectfully decline to honor the requisitions.

The reasons given for a similar action on the part of my predecessor, the lamented ex-Governor Mount, which, though in a personal and private way, he has since confessed as fixed, are no doubt fixed have suffered since that time, which only tend to establish the conviction, to those who have impartial and exact justice under the law to all men that the time has not yet arrived within the environments of this prosecution whereby an unprejudiced and impartial hearing of a fugitive could be had. I choose to make use of the right and the duty of the executive of the Commonwealth to exercise a discretionary power of refusal to the end that the purposes of persecution which seems to be the conspicuous feature of the prosecution may not force these men before a court partisan to the very extreme of violent excitement and a jury organized for conviction in the partisan and inflammatory.

The assassination of the late William Goebel was a monstrous crime, deplored as I believe, by every citizen of Indiana and of the Republic. The spirit of assassination is the twin of anarchy. If allowed to go unpunished there could be no more serious crime than that a citizen of a State, [illegible] official representative of the Commonwealth in some capacity, should be foully murdered as the result of conspiracy or as an individual act.

I have given careful and conscientious consideration to the evidence produced in the case by leaders of the persons accused of conspiracy in the murder of William Goebel so far as you have placed in my hands by the attorneys for the prosecution, and I unhesitatingly affirm that convictions based upon such a mass of self-evident perjury cast on the prosecuting witnesses of a court and jury not strong here [illegible] that were these requisitions honored I would be only adding the determination of the prosecution to convict these men without any reference to law, justice or the facts.

I am not a man from whom the presumption of innocence should never be stripped except by legal methods, to be subjected to the rapine of political persecution. Kentucky is a Commonwealth renowned for its high sense of justice and honor. Prosecutors by the representatives of the commonwealth some of the ablest lawyers of the nation, it has historic representations in the Supreme Bench. It was the birthplace of Abraham Lincoln, the emancipator of a race, who dedicated his life to securing the rights of and protection of the law. It is a State wherein very generally justice has been sought to be administered in the purest and purposes of courts, and this notwithstanding [illegible] compromises in comparison the odious acts which in the trial court of Jessamine County have been perpetrated in the name of law where the [illegible] of [illegible] have taken place. Can a fair trial be had [illegible] in the [illegible] of the suspected murderers of William Goebel? Does not the evidence demonstrate that a portion of this sum has been paid for perjury? In the recent trial of Caleb Powers was special counsel [illegible] authorized in the refusal of Judge Cantrill, [illegible] hearing. Why should a party of twelve partisans of the late Mr. Goebel be selected to try the accused?

By striking contrast to the extra partisanship of the Kentucky judge and jury, I present an example of the [illegible] in Indiana shortly after the war, when party spirit was at its [illegible]. The Democratic sheriff of Jennings County was on trial [illegible] Democratic and Republican persons [illegible] Mr. Hendricks [illegible] Democratic [illegible] Mr. Cleveland [illegible] Democratic [illegible] Mr. Cleveland [illegible] Democratic [illegible] Mr. Cleveland

the fact that there were thirteen hundred white Republican voters in Scott County, or in the county where the jury were summoned at the time, and that they were men of average intelligence and respectability—that they measured up to the common standard in the county.

No amount of assertion, no amount of sophistry will convince the American people that it was possible for [illegible] accused of the assassination of Mr. Goebel to be tried fairly when the jury commissioners filled the jury box with names so that the jury drawn for the trial must be composed entirely of Democrats. It is contrary to human nature to expect a fair and impartial result of such a case before such a tribunal and the trials of Caleb Powers were travesties upon justice and are not entitled to the respect of any just [illegible] citizen.

The court in appointing commissioners of both Republicans and Democrats prior to the last election [illegible] from the commissioners in the Powers case [illegible] were composed upon a party division of that high court. The men composing that court were without doubt men of high character and above the political prejudice growing out of the Goebel affair so pronounced [illegible] in the State of Kentucky that no one was free from its virus. When the supreme court of the State in itself, in substance decided the case according to the party necessity of its members, it is too much to expect that an ordinary jury would rise above partisanship and try the cases according to the law and evidence.

The packing of the juries in those cases with political enemies of the accused was an outrage against justice that can never be forgiven.

I make no criticism of the State of Kentucky or any other State, North or South, in relation to the administration of justice as a general proposition. I have no doubt that the sense of fairness and right in the State of Kentucky is as high and pure as it is in the State of Indiana, but I am sufficiently well acquainted with human nature and with the operations of political passions in times of intense excitement to know that a jury made up of the party of one party or the other could not possibly do justice between the State and the accused, even if it were disposed to try to do so. If the jury had been composed entirely of Republicans who is there that will say that there would have been a conviction, regardless of what the evidence might have proved? Human nature is Kentucky I assume is about the same as it is in Indiana. To try a person for his life and send him to the gallows by courts and juries organized and surrounded as the courts and juries were that tried Caleb Powers the last time is [illegible] judicial assassination. Is the governor of a State bound to surrender an alleged fugitive to be tried under such conditions, knowing at the same time that he will have no chance whatever for a fair trial? Would I have done the same thing at any time afterwards?

I regret greatly the necessity for saying these things about the administration of justice in the State of Kentucky under the extraordinary conditions that surround the Goebel trials. The debate was not of my seeking. It was precipitated upon the House by the impassioned and vituperative denunciation of the honored and respected governor of the State of Indiana by the gentleman from Kentucky [Mr. JOHNSON]. I will not remove in my soul and permit the name and standing of my state and her distinguished governor to be unjustly attacked and vilified without offering a word in response. I sincerely hope that in the future elections will be conducted with such fairness in all of the States of the country that no further conditions like those existing in Kentucky after the election in 1899 will never again occur. I have now finished my remarks. [Applause on the Republican side.]

[Extract from Louisville Courier-Journal, August 1, 1900.]

JUSTICE AND PARTISANSHIP.

The curtain was rung down on the third act of a legal farce—or, rather, tragedy—entitled "An attempt to hang Taylor and damn the Republican party."

[illegible]

[illegible] Democrats prior to the last election, and [illegible] from the commissioners in the Powers case [illegible] were composed upon a party division of that high court. The men composing that court were without doubt men of high character and above the political prejudice growing out of the Goebel affair so pronounced [illegible] in the State of Kentucky that no one was free from its virus. When the supreme court of the State in itself, in substance decided the case according to the party necessity of its members, it is too much to expect that an ordinary jury would rise above partisanship and try the cases according to the law and evidence.

The packing of the juries in those cases with political enemies of the accused was an outrage against justice that can never be forgiven.

I make no criticism of the State of Kentucky or any other State, North or South, in relation to the administration of justice as a general proposition. I have no doubt that the sense of fairness and right in the State of Kentucky is as high and pure as it is in the State of Indiana, but I am sufficiently well acquainted with human nature and with the operations of political passions in times of intense excitement to know that a jury made up of the party of one party or the other could not possibly do justice between the State and the accused, even if it were disposed to try to do so. If the jury had been composed entirely of Republicans who is there that will say that there would have been a conviction, regardless of what the evidence might have proved? Human nature in

the governor of the State of Indiana. [Applause on the Democratic side.]

When William M Kinley was struck down there was not a Democratic mother in a household in this broad land that did not feel weighed down by sorrow. There was not a Democrat anywhere that did not feel it. In my own little town we held our meeting and when I spoke to my people about it tears were in the eyes of a great many of them. [illegible] a little bit further. He has at least a [illegible] political assassination, and I hope [illegible] he decides to answer in the negative my question where I asked him if he did not feel [illegible] political assassination.

He now admits that he had to deal and bargain and [illegible] been assassinated. And [illegible] political purposes. [illegible] that the Republican party in Indiana [illegible] sunk to a level of partisan rancor so low that they contend that there was a justification for a [illegible] a political assassination—of a Democratic governor in Kentucky as a political question to Indiana. [Applause on the Democratic side.] The gentleman says that [illegible] and yet there is no man here who does not know that every [illegible] the Republican leader for other reasons and not for that reason. But in the [illegible] Congressional [illegible] as brave men and with as sweet home loving women as the world ever saw, the people decided that question as a political issue, as I decided, by an equally large majority, that, in their opinion, it was assassination, a political assassination, and yet more, that the political assassin, convicted, caged and to be hanged, and that his colleagues in crime ought to be returned to the State of Kentucky.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. I yield to the gentleman such time as he desires.

Mr. WILLIAMS of Mississippi. Just a word. I want to say this in closing, Mr. Chairman. I am on [illegible] I am not Democratic or otherwise [illegible] I am nothing and never have been. My personal feelings do not enter into my politics and my politics do not enter into my personal relations. I say that we have come to a strange state of things in these United States of America when to protect a foul assassin who stands charged to answer for that crime the governor of a State has failed to do his duty in honoring the requisition of a sister State, and even [illegible] by [illegible] argument the reply that there was "bad politics" in the [illegible] States and where indictments grew out of it justify the failure to surrender the alleged criminal on the ground that murder is a political question. The Republican governor of the adjoining State pretends to feel justified in refusing to obey the spirit of the constitutional mandate which gives "full credence" to the courts and proceedings of the adjoining State on such a pretext.

My God, Mr. Chairman, if we have [illegible] must be assumed to be corrupt, capable of bribery, capable of subornation, capable of assassination through [illegible] because they are Democrats, or because they are Republicans, or because they are Kentuckians, and the gentleman has [illegible] Union to stand [illegible] better for us to [illegible] States, founded upon mutual respect and mutual credence, and to elect or in somehow or other to manage to give the power to some good and good man who could manage the country in a fatherly way. [illegible]

Mr. CRUMPACKER. Will the gentleman allow me to ask him a question? How does the gentleman explain the fact that in the three trials of Caleb Powers the juries were made up in every instance almost unanimously of ardent political friends of the late Goebel—Goebel Democrats?

Mr. WILLIAMS of Mississippi. I explain it by simply saying the gentleman is misinformed as to the facts. [Applause on the Democratic side.] In the very first trial of that case—I do not know about these matters in detail—but in the very first trial of that case there were six Goebel Democrats, four anti-Goebel Democrats, and two Republicans, one of whom the gentleman from Indiana says was a Goebel Republican, about which I know nothing.

Mr. CRUMPACKER. Let me ask the gentleman another question. If I am correct, then, in my facts, the gentleman will admit that the indictment that I have made against the State of Kentucky in this particular instance and for this particular occasion is well founded?

Mr. WILLIAMS of Mississippi. I will not.

Mr. CRUMPACKER. Ah!

Mr. WILLIAMS of Mississippi. And I will not admit it for a reason that is patent and obvious to all men. Was not [illegible] the jurors who sat upon the jury who tried the assassin of William McKinley? I do not know yet whether they were all Republicans or all Democrats. It was not a case of politics, it was a case of murder; and if the gentleman came into the State of Wisconsin, and he said, [illegible] simple addition and multiplication and interest—these are prerequisites upon which we impanel jurors there—he will find juries [illegible] day trying the case of a Republican suitor upon which there [illegible] Republican. It is not a political question, [illegible] men who are [illegible] jury to try a [illegible] murder, according to the [illegible] are corrupt and [illegible] to try it not upon the law and the evidence, but upon the [illegible] of the case. The assassination is not only not well taken, but it is unjust to any [illegible] American people, [illegible] in Kentucky or Indiana, and I [illegible] not [illegible] a [illegible] Democrat [illegible] times since this Government was founded.

Mr. WILLIAMS of Mississippi. Not only that—not only was it the crime of taking a [illegible] to a tribunal provided for the laws of hospitality [illegible] in a land of the Sassenach [illegible] a grand [illegible] them at any rate, that very same tribunal—to wit, the legislature of the State—is provided for exactly that same sort of [illegible] election case. The gentleman might [illegible] that because the gentleman from [illegible] Democratic side, was [illegible] by a committee a majority of whom were Republicans, and [illegible] his opinion was [illegible] with resentment by [illegible] the chairman of the Committee on Contested Elections or the contestant, that [illegible] in extenuation of murder.

Mr. POU. Will the gentleman yield to the gentleman a question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. POU. I would like to know of the gentleman, inasmuch as platforms are made generally to get votes, if he knows of any other State in the Union where either political party has sunk so low as to put a plank in the platform for the purpose of getting votes which assumes that jurors and judges of the highest courts in a sister State have committed perjury in advance of the trial in the courts?

Mr. WILLIAMS of Mississippi. The answer to that question is so obvious that it needs no answer. Of course I do not.

Mr. CRUMPACKER. Did not the gentleman say that it was—no, it was the gentleman who preceded him—that in the State of Kentucky that was the issue?

Mr. WILLIAMS of Mississippi. That was not the issue.

Mr. SMITH of Kentucky. The gentleman referred to something that I said.

Mr. WILLIAMS of Mississippi. The gentleman did not say so. The gentleman did not [illegible] the question. The question of the gentleman from North Carolina was this: Whether I knew of any State that had made a political question out of the refusal beforehand of the governor to give credence to a court in a sister State, on the assumption on the part of that governor that the population of the sister State was degraded, and that its judges and judges, therefore—for it could only be therefore—were corrupt, and to that I answered, "No." In Kentucky your own party attempted to make an issue of the prosecution of the murderers, and the Democracy met the issue because your people made it first in the very State where it occurred. You [illegible] it like grain before the scythe, and they are going down [illegible] regardless of the political questions in Kentucky as long as they dare flaunt their banner of assassination and murder as a political issue. [Applause on the Democratic side.]

Mr. SMITH of Kentucky. Mr. Chairman, the gentleman from Indiana [Mr. HEMENWAY] propounded some questions to me a short time ago which I did not at that time have an opportunity to answer, but I will now undertake to answer in as plain, frank, and candid a manner as I am able. I am reasonably familiar, I think, Mr. Chairman, with the entire Goebel matter, if it may be designated as such. I have never been inclined to [illegible] upon the time of this House for the purpose of [illegible] tion here, because I have thought that the people of Kentucky—Democrats, Republicans, Populists, and Prohibitionists—are fully competent to settle all phases of the matter in the proper forum of that great Commonwealth.

Now, Mr. Chairman, since the matter is before the House, I desire to say, in response to the questions of the gentleman from Indiana [Mr. HEMENWAY], that in the campaign of 1899 the Republican party was represented at every precinct in that State, so far as I know, by two members on the precinct election board. That was the law then and had been for very many years before that in Kentucky. The precinct officers [illegible] to the county board, which in turn ascertained the result in the entire county by adding the votes as certified by the precinct boards. The county board certified the result in the county to the State board.

Mr. BURKE. Mr. Chairman, did I understand the gentleman from [illegible] were Prohibitionists in Kentucky?

Mr. SMITH of Kentucky. Oh, yes, a good many of them. If it will be any satisfaction to the gentleman, I will say to him that nearly [illegible] the territory of Kentucky is under prohibition. We have [illegible] down there not so [illegible] the gentleman, which was that the State canvassing board had issued a certificate of election to Governor Taylor and his colleagues [illegible]

[illegible] board made up of three members, whose duties are merely mechanical—that is, to add up the returns from the various counties, ascertain who upon the face of the returns have received a majority of the votes cast and issue certificates of election to them. That is what happened in this case. On the State election board of Kentucky in 1899 were W. S. Pryor, ex-chief justice of the State; W. T. [illegible] three terms a Member of this House, and C. B. Poyntz, of city of Maysville. These gentlemen stand as high and possess as excellent moral characters as any men in Kentucky or elsewhere.

Mr. HEMENWAY. I agree with the gentleman that they were conscientious, strictly [illegible] men, and issued the right kind of a certificate.

Mr. SMITH of Kentucky. Let me answer further that this board was asked to question the validity of a large number of ballots in certain counties when the matter came before them, but upon a full consideration they determined that their functions were solely to cast up the votes that had been [illegible] to them by various county [illegible] and issue certificates to those prima facie entitled thereto.

So I apprehend, Mr. Chairman, it is in every State in this Union, that there is what we call a canvassing board to ascertain who upon the face of the returns [illegible] and that there is also a board for contest purposes, if a contest is desired by any party to the election.

Now, in Kentucky we have had from time immemorial a provision in our State constitution requiring the contest for governor and lieutenant-governor to be tried by the State legislature. I know that nearly all States in the Union have similar provisions, either in their constitutions or statutes. There may be some States that do not recognize the right of contest, but Kentucky Kans are too just, honorable, and intelligent to tolerate a system under which fraud and corruption could not be [illegible] in the ascertainment of even the commonest right of one of her citizens.

Therefore, any man who was a candidate for governor or lieutenant-governor may go before the [illegible] and contest the right of him to whom the certificate of election has been awarded. I don't know whether our sister State of Indiana has any provision for contest or not. I apprehend from the statement of the gentleman from Indiana [Mr. CRUMPACKER] that he does not believe that a man ought to have the right to contest the election of a State officer.

If that is his view, all well and good. I do not participate in any such opinion myself. I believe that when a man is wronged in a political race there ought to be a tribunal before whom he can seek redress. Now, then, coming to the prosecution of Powers and others, I want to say that in my humble judgment the men who have been charged with and tried for the assassination of William Goebel have had as fair and impartial trials as any men or set of men ever charged with crime in any State in the Union.

Powers was indicted in Franklin County and took a change of venue to Scott County. The first and second juries were selected from the latter, and had tried from Franklin County. The first jury was composed of four anti-Goebel Democrats, two straight Republicans, and six straight Democrats, and returned a verdict of guilty within an hour's time, or thereabouts. On the third jury there was one straight Republican, and no verdict was returned [illegible] by a vote of nine [illegible] so that the jury [illegible] of an innocent man as much as of a guilty one.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMITH of Kentucky. Will the gentleman from Arkansas [Mr. DINSMORE] extend my time?

Mr. DINSMORE. Yes, sir.

Mr. SMITH of Kentucky. I desire to say to this House and to the country that on the second jury that tried him Caleb Powers had an old schoolmate and boyhood friend; and you gentlemen understand better than I can describe the strong [illegible] that [illegible] to another. Any man who declares that the [illegible] the gentleman [illegible] political prejudice to inflict the verdict of death or life imprisonment upon one whom he had been [illegible] as his schoolmate in past years does not understand Kentucky character, does not understand Kentucky manhood, and does not appreciate the strength, the force, the breadth, and depth of Kentucky [illegible]

I believe that that schoolmate of Caleb Powers, Democratic in politics as he was, would sooner have suffered his good right arm to be stricken from his body than to have [illegible] a verdict against that man had not the evidence shown his guilt beyond a doubt.

Just now, Mr. Chairman, I desire to answer further a point made by the gentleman from Indiana and which I was about to overlook. He referred to the fact that there had been a great reward fund offered by the Commonwealth of Kentucky for the arrest and conviction of the assassin of William Goebel. I want to say to him, in answer to that, that out of the hundred thousand dollars [illegible] in the [illegible] I do not personally assert it to be a fact—has been [illegible] and bringing to court the witnesses for the [illegible]

[illegible] about Mr. Campbell, intimated [illegible] with Mr. Campbell.

Mr. HEMENWAY. I did not mean to refer to the gentleman personally, but only to his party.

Mr. SMITH of Kentucky. I understand the gentleman meant [illegible] I am informed that Mr. Campbell was employed by the brothers of the deceased William Goebel and looked to them wholly and entirely for his compensation in the case.

Mr. JAMES. Allow me to ask the gentleman whether it is not true that Mr. Campbell [illegible] Goebel [illegible] was a Republican and was an elector at large for the State of Ohio on the electoral ticket [illegible]

Mr. SMITH of Kentucky. That is my information, that he was in politics a Republican, and that he was an elector at large for that State at the time mentioned by my colleague.

Mr. BOWIE. Allow me to ask whether there was a single American on the jury that tried Caleb Powers for the murder of President McKinley?

Mr. SMITH of Kentucky. I do not suppose there was; at least I hope there was not.

Now, Mr. Chairman, in these matters I am one of those who do not desire to see any innocent man suffer. If I know myself

aright. I would be as far from convicting William S. Taylor or Charles Finley or Caleb Powers, if I did not believe them to be guilty, as any man within the Union.

Mr. JAMES. Will my friend tell the House whether or not there was a single witness of Democratic faith and belief who testified to a single material fact against Caleb Powers, whether it is not true that every material fact that was proved against Caleb Powers was proved by Republicans and those who voted for William S. Taylor for governor?

Mr. SMITH of Kentucky. I [illegible] to that proposition. It is a fact that the men who have been [illegible] persons of Mr. Taylor were [illegible] Republicans.

[illegible] but active and many of them, officeholders under Republicans under the last Republican administration of Kentucky.

Mr. JAMES. Is it not true that William O. Bradley, ex-governor of the State of Kentucky, [illegible] the statehouse grounds during the [illegible] that Taylor said to him, [illegible] ex-governor Bradley [illegible]

Mr. SMITH of Kentucky. [illegible] there was a body in the [illegible] Republicans [illegible] it was composed.

Mr. SMITH of Kentucky. Well, I am not able to speak about that [illegible] from [illegible] Governor Taylor [illegible] It is true that [illegible] after the ballot was [illegible] It is true that immediately after the ballot was fired the State guard, or his militia, had surrounded the statehouse and refused to permit any civil officer to enter to make search for the assassin.

Mr. JAMES. Mr. Chairman, I would like to ask the gentleman from Kentucky if it is not true that Caleb Powers said to Youtsey, who had been convicted of being a conspirator in assisting Goebel's slayer, that he wanted Youtsey to give him a written statement that he never knew a word, by speaking or by a gesture, about any man who was contemplating killing Goebel, and if it is not true that Youtsey did write such a statement and that Powers said to Youtsey, "Now, I want you to have one more chance to save your life; I want you to sign this statement; I want you to swear to it; I want you to have one more chance to save your life," and if it was not after that that Youtsey made his confession, and that was brought out upon the trial, that paper signed by Powers himself?

Mr. SMITH of Kentucky. That is correct.

Mr. PAYNE. May the gentleman answer a question?

Mr. SMITH of Kentucky. Yes.

Mr. PAYNE. I wanted to know if it was true that the average juror in Kentucky, when the party is compared with the average citizen, is peculiarly good and impartial and intelligent as the members of the Kentucky delegation on this floor seem to be [illegible]

Mr. SMITH of Kentucky. I do not [illegible] as a question of fact, and taking the statements of opposing witnesses, some of whom he did not know at all, I do not understand that any man rank and file of men in our land such intelligence and qualities as those of us who live upon the Kentucky side. That is the answer I have to make to the gentleman from New York.

Mr. CRUMPACKER. I [illegible] the gentleman a question. The gentleman says there is no doubt but that we have had a fair trial now, and that we are [illegible] and that we are [illegible] the special session.

Mr. SMITH of Kentucky. [illegible] [Applause on the Democratic side.] [illegible] Kentucky has been knocking at your door for four years, asking for the surrender of these fugitives.

Mr. CRUMPACKER. The last question. In view of the fact that there was such a [illegible] the defendant and the evidence furnished before the men to be prosecuted by Republicans, would it not have been good policy to put one or two Republicans upon the jury, just for appearance's sake?

Mr. SMITH of Kentucky. They were on it.

Mr. CRUMPACKER. If you had a safe case, why would it not have been wise to do that?

Mr. SMITH of Kentucky. The gentleman, not content with Republicans, wants Republican juries.

Mr. HEMENWAY. Put half and half, say.

Mr. SMITH of Kentucky. I want to say to gentlemen on the other side of the Chamber that I would not absolutely have been [illegible] it would have been impossible [illegible] —in any state of this Union [illegible] the evidence.

Mr. CRUMPACKER. If there had been half a dozen, there would not have been any such question as we are now considering.

Mr. SMITH of Kentucky. We [illegible] men on the jury, and [illegible] guilty. We [illegible] had two [illegible] on the jury, and they found Powers guilty, and one Republican [illegible] Republican [illegible]

Mr. JAMES. [illegible] Indiana, as to the trial of Youtsey, if it is not true when Youtsey was [illegible] paper in Kentucky and all their papers [illegible] the campaign which was then [illegible] wards, when Youtsey was tried [illegible] after that Youtsey had confessed and Youtsey's confession was [illegible] at Youtsey was a liar? I would like to remind [illegible] that fact.

Mr. [illegible] Was not Youtsey a liar?

Mr. SMITH of Kentucky. I think that so far as his feigned insanity was concerned he lied. I do not think there is any perjury in Youtsey's confession.

Mr. TRAVER. Was he an elected Republican?

Mr. SMITH of Kentucky. Yes; a Republican officeholder.

Mr. JONES of Virginia. I [illegible] from Kentucky what he thinks [illegible] in this country if, after the rendition of the decision [illegible]

Mr. SMITH of Kentucky. That would have [illegible] resolution [illegible] country if [illegible] governor of any State in this Union had sought [illegible]

[illegible] of any [illegible] governor of any State [illegible] assassin or [illegible] n of one man and a different rule for another.

A MEMBER. A Democrat.

Mr. [illegible] That may be a [illegible] ification for [illegible] I believe that there ought [illegible] jury of Franklin County [illegible] in the murder of William Goebel. [illegible] a [illegible] law of the land.

Now, if he may refuse in this case, why may not the governor of any other State do it in any other case? It will not do to say [illegible] Why, sir, [illegible] from serving as governor, and in the very first [illegible] convention held in Kentucky after the [illegible] nation the party leaders of that State indorsed the course of William S. Taylor and his colleagues and brought the matter into politics in Kentucky.

As I said in answer to a question earlier in the day, the Repub-

lican leaders of Kentucky made the speech of Caleb Powers in his defense, before the last jury which tried him, practically a campaign speech, their campaign book in the last election. Whenever they have thrown down the gauntlet upon this proposition the brave and courageous Democrats of Kentucky have stood ready to accept the challenge, as they ever will.

We are ready, if it must be fought out before the people, as Democrats of Kentucky, believing in law, order, and tranquillity—a cheerful submission to the constituted authority—to fight it out before the plain people and let them return the verdict. If the verdict of a Scott County jury or a Bourbon County jury is not sufficient to convince, we are willing to submit it to the honest, just, and intelligent citizenship of Kentucky.

Now, then, I wish to say briefly in conclusion that in my judgment this Congress can do no wiser thing than to add a supplemental provision enabling the States from which a criminal or alleged criminal has fled to recover the fugitive and bring him to trial. Why, sir, if Mr. Taylor is brought back to Kentucky, I have no doubt he can get an entirely fair trial.

There was a time when he could have come back, had a trial, and if he had not received fair treatment in the lower court the majority of members on the supreme court of the State were his political friends who were able and competent to have pardoned him. Then why did he not return? He [illegible] I [illegible] a criminal and he would not be a fugitive, but he turned out not only to be a fugitive but as clearly a criminal, and in that he is protected by the governor of a neighboring State.

Mr. BRICK. Will the gentleman allow me a question?

Mr. SMITH of Kentucky. Yes, sir; I will.

Mr. BRICK. Does the supreme court of Kentucky try the merits of a case upon the facts?

Mr. SMITH of Kentucky. No, sir.

Mr. BRICK. Then how could the supreme court of Kentucky protect a man from a jury of a court below?

Mr. SMITH of Kentucky. [illegible] the authority [illegible] sufficient evidence to warrant a conviction to direct a dismissal of the indictment in the lower court. That is the authority and the jurisdiction of the court of appeals of Kentucky.

Mr. JAMES. And is not that held to be the law in the case?

Mr. SMITH of Kentucky. Yes.

Mr. JAMES. And was it not so held in the Caleb Powers case?

Mr. SMITH of Kentucky. Yes, sir; a rule once made in a case is there, as it is elsewhere, held to be the law of the particular case, although in some other case it may have been held subsequently to have been unsound.

Mr. JAMES. That is right.

Mr. SMITH of Kentucky. That is the law. William Goebel was a brave and able advocate of popular rights as against corporate aggression, and no man in Kentucky was ever so hated by special interests or so loved by the plain people as he. But in conclusion, let me ask Republicans, Can you personally or as a party afford to uphold the governor of Indiana in his course of lawlessness, his course of ignoring the provisions of the Federal Constitution? Can you afford as a great party in this country, which you are, to indorse the course of ex-Governor Mount and present Governor Durbin in ignoring the plainest mandate of the Federal Constitution?

Can you afford to take that position either as a party or as citizens of Indiana? Can you afford to take the chances of making your Commonwealth an asylum for criminals from every quarter of [illegible] I believe the great masses of Indiana are too [illegible] the action of Governor Durbin. I shall be disappointed in my high ideals of Indiana citizenship if the public sentiment does not soon compel Governor Durbin and his party to do that which ought long ago to have been done—surrender Taylor. I thank the committee. [Applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair, a message from the Senate, by Mr. [illegible] announced that the Senate had passed without amendment bills of the following titles:

H. R. 10421. An act to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes;

H. R. 8688. An act to transfer jurisdiction of reservation No. 82, in the city of Washington, D. C.;

H. R. 8686. An act to amend section 895 of the code of law for the District of Columbia; and

H. R. 4344. An act for the relief of Vincenzo Gerardi, of Washington, D. C.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the Senate concurrent resolution No. 4.

The message also announced that the Senate had passed with amendment the bill (H. R. 10089) to regulate the issue of licenses for Turkish, Russian, or medicated baths in the District of Columbia.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The committee resumed its session.

Mr. HITT. I yield five minutes to the gentleman from Indiana [Mr. HEMENWAY].

Mr. HEMENWAY. Mr. Chairman, I do not care to go into the [illegible] Kentucky matter, but the [illegible] that the man whom they seem to think was elected governor of Kentucky was assassinated, I do not believe anybody knows by whom. There was great excitement all over the State of Kentucky, and the Democratic party insists on [illegible] excitement, on working themselves up to a high pitch, which I believe makes it unfair for the governor of Indiana to send ex-Governor Taylor down into Kentucky for trial.

I do not care whether it is in Kentucky, New York, Indiana, or Ohio, or any other State in the Union, crimes growing out of [illegible] less of politics enter into it. I say it is a fact [illegible] gentlemen on the other side were so excited I should dislike to be tried by them. Now, if I were charged with a crime I would be willing to have a jury made up of the Kentucky delegation, for I know I should be treated fairly; but I [illegible] want to be [illegible] a jury. [Laughter.] I should rather be a Democrat if I were going to be tried in the State of Kentucky. But my friends on the other side feel very deeply about this matter.

Now, I put the question a while ago, "Has not Youtsey made [illegible] never came back from [illegible] 'No.'" They know he is a confessed liar. The people of the United States know it. Every man who has read the newspapers published the report of the Kentucky trials knows that Youtsey is a confessed liar; that he lied over and over and over again. And yet they say [illegible] was guilty. I am free to confess that I do not know whether he is guilty or not. I only have the impression that I get from reading the newspapers.

Mr. KEHOE. Will the gentleman yield to me?

Mr. HEMENWAY. No; I can not yield.

Mr. KEHOE. Hasn't Taylor made more than one statement?

Mr. HEMENWAY. Possibly he has. I have not followed it very carefully. Now, in Indiana this has never been an issue. We never heard of it in the campaign. We indorsed the position of Governor Mount and Governor Durbin, and we believe it would not be right at this time, with the excitement that prevails, to send Taylor back to Kentucky for trial. I remember that I was in the governor's room when Mr. Goebel came there and wanted to argue the question with the governor, and did argue the question with him. And Governor Durbin received him with all courtesy.

I remember one of the questions the governor put to him was this: The governor had before him a list of the men elected as jurors in one county where Taylor was supposed to be tried if he was sent back. Every name on the list with the exception of two were Democrats. The governor had before him the statement of men of high character that he could rely upon, who informed him that those men were Democrats, and he put the question to Mr. Goebel, "Do you believe it is fair for me to send Taylor back to Kentucky to be tried by a jury composed of these men?" And Goebel answered, "Yes."

Now, you gentlemen upon that side, as well as upon this side, know that it is not true you know that there could not be a fair trial in times of such political excitement, unless the jury were divided politically. In fact, there ought not to be any trial of a man charged with a political crime until the people have cooled off and can give him a fair trial. I sincerely hope, great God, that some day in the future we will ascertain who killed Mr. Goebel. [illegible] I hope for the good name of Kentucky—and Kentucky has always borne a good name, and I hope she always will in the future—they will find out who killed Goebel, and that the man will be punished for killing him. I [illegible] that if under the unusual excitement which Kentucky has conveyed Powers, if the State allows him to hang, the time will come in the history of that State when everyone will regret it; when you will wish that you could tear one page out of your history.

Get away from your political prejudices and excitement; look

at this as the people of the United States look at it—because you [illegible]

Mr. PAYNE. Oh, wait a [illegible]

Mr. HOWELL. W[illegible] this case differs from the [illegible]

Mr. PAYNE. Go ahead.

Mr. PAYNE. And a little while afterwards a requisition was made [illegible] Republic [illegible] day to [illegible] governor of Ohio [illegible] the governor that it was not [illegible]

Mr. HITT. I now yield to [illegible] Mr. CUNEEN, a very eminent lawyer of [illegible] on the [illegible] and the Pr[illegible] I were [illegible] I [illegible], no matter how good a [illegible] with the murder of Mr. Goebel, and it was [illegible] the shot was fired [illegible] out or in. I would not want [illegible] Kentucky delegation, fair-minded as they are. [Laughter.]

Mr. SHIRLEY of Kentucky. Or [illegible]

Mr. JAMES. Mr. Chairman, I would like to [illegible] gentleman this question. Suppose he had been in the service of duty and said to the [illegible] having the militia already in arms, "You act first, and then I will call out the militia;" and suppose he had had that militia waiting there for an hour ready to [illegible] that order, whenever the shot was fired to take the life of that man, should he not be indicted for murder?

Mr. PAYNE. If any man said that to save his own skin, and went before that jury and swore it was true, and I knew it was absolutely false and [illegible] before that jury, still I will say I would not want to risk my life before a jury from Kentucky having the feeling of the gentlemen who sit on the other side of this Chamber.

Mr. ROBINSON of Indiana. Why does not Governor Taylor [illegible] of some [illegible]

Mr. PAYNE. I am not Governor Taylor's counsel, and I could not tell the gentleman.

Mr. HITT. Mr. Chairman, I now yield fifteen minutes to the [illegible] [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. Mr. Chairman, I think I will [illegible] a very good office if I address the House on a subject [illegible] may serve as a sort of buffer between those who have been [illegible] in this excited debate, and restore the House to that state [illegible] it is generally found when I address it on [illegible]

Mr. Chairman, [illegible] are often ac[illegible] inflict upon the [illegible] I am [illegible] full extent of [illegible]

[illegible] and urgent reasons that I have advanced in its support [illegible]

[illegible] Governor Odell [illegible] in St. Louis, in [illegible]

[illegible] of this kind have been, as I have [illegible] body for several sessions of different Co[illegible] has often got so far as to be reported [illegible] in Foreign Affairs and to be placed on the [illegible] impossible of reconciliation between the two different [illegible]

[illegible] principal basis that is sought in this reorganization is first [illegible] for duty. But against this the political objection has arisen, and I may venture to say that as a fact the Democratic party [illegible] absolutely [illegible] to give its sanction to this feature of the [illegible]

[illegible] of diversion [illegible] are they with the necessity of some [illegible] I, that they are now pre[illegible] to compr[illegible] and to see whether we can not agree upon [illegible] shall in part remedy the evils that now exist in [illegible] service.

I am [illegible] nel of our [illegible] There are [illegible] parties in our consular service as exist in that of any other country. But it is the law and the system which I attack, and so long as [illegible] no real [illegible]

[illegible] all which is the work of a national [illegible] e, of which Mr. Henry A. Garfield, the son of the late [illegible] t, is the chairman, representing all the boards of trade and [illegible] commerce of our [illegible]

[illegible] or. I met Mr. [illegible] adelphia last Satur[illegible] and he placed this measure in my [illegible]

Much as I am interested in the bill which I have been agitating for so many years, I am very glad to abandon it when in the judgment of so many of my colleagues it is pronounced impossible to pass it. Therefore I am ready to fall back on this much smaller measure, which I hope will be a stepping stone and ultimately the foundation for placing the service on the conditions which we all desire.

My object in speaking to-day is to call attention to this bill. I [illegible] Member will read it. In doing so he will find that it [illegible] relating to the service. The first is one which should, I think, appeal to the fairness of every man present.

It is that the service should be classified, the salaries more nearly equalized, and the compensation of all put on a fair footing. As the [illegible] now stands, the compensation is most unequal.

Some officers of the consular service make to-day I do not know [illegible] are paid the magnificent compensation of $1,000 a year, a salary which in my judgment is a disgrace to a country so able as ours to pay to the men who represent it abroad.

It can easily be seen that it is impossible for any man to support himself, much less his family, on this salary and at the same time live in the condition which every representative of the United States—over whose door stands the shield of his country, and who, wherever he goes, is recognized as the official representative of his country, and who is expected to maintain that dignity—has a right to [illegible]

The object of classifying the service, then, is to equalize the [illegible] ation, and so on down the list.

[illegible] re of this bill is that all the fees official and [illegible] be turned [illegible] of [illegible]

[illegible] this will remove the [illegible] the legal rate; this [illegible] of the [illegible] and all those who [illegible] have been sub[illegible] s will remove the [illegible] or [illegible] the com[illegible]

[illegible] UDDER. Will the gentleman allow me to ask him a [illegible]

Mr. ADAMS of Pen[illegible] Yes.

Mr. SCUDDER. Is it not true that the Democratic party has in substance—that is, that the Democratic members of the Com[illegible] n Foreign Affairs have in substance—offered to report a [illegible] ng the lines which the gentleman now suggests, that they [illegible]

[illegible] due to the fact that it would fasten [illegible] service the [illegible] ss and the [illegible] es now attached to [illegible] who are largely there, if not entirely there, as the result of [illegible] system of appointments, which, of course, have been [illegible] ations?

Mr. ADAMS of Pennsylvania. I frankly admit the first part of the gentleman's statement. I could hardly be expected to admit the second half of the gentleman's statement. I have already [illegible] ar it is the system that I think is responsible for the [illegible] conditions and not a political party.

Mr. SCUDDER. But it is the system which has resulted in the appointment of men whom the gentleman himself concedes should [illegible] in the service by the fact that he introduces a bill to reorganize the service.

Mr. ADAMS of Pennsylvania. I will answer the gentleman by [illegible] that in my opening remarks I said I brought no charge [illegible] the personnel of the service. I think it is as good as is possible under the present political system of our country and un[illegible] the law as it stands to-day.

Mr. SCUDDER. Will the gentleman yield for another question? As the law stands to-day, I ask him, is it not entirely [illegible] province of the President to appoint the very best men, and only the best man to each place, and is there any excuse for the appointment of any bad men, if the President will rise above and superior to party considerations and appoint good men?

Mr. ADAMS of Pennsylvania. I will answer the gentleman by saying that I am trying to keep party politics out of this discussion. [illegible] I am trying to meet the views of the gentlemen on that [illegible] the Chamber, and I do not want to drag in past history. I can only answer him in a way that I am loath to do.

He says he holds the present Administration responsible, because they ought to do better. I do not know how far back his [illegible] me into power, to an extent that had never been done be[illegible] much so that it was one of the things that reflected most [illegible] y on that Administration.

[illegible] our [illegible] cratic, can rise superior to existing conditions. There is a political pressure that nobody can resist under our system. I stand here myself as earnest and honest an advocate as any man can be on this question.

It was brought home to me by personal experience in South A[illegible] long before I came to Congress, and I have been work[illegible] writing and speaking and trying to legislate ever since for the improvement of this system; and yet I confess to the gentleman that on one occasion sufficient pressure was brought to hear upon myself, loth as I was, to force me to recommend a man who, in my judgment, was not fully equal to the service.

Under the present system you can not resist that pressure, and that is the reason that the people who are earnestly in favor of the improvement of the system want the law changed, so that that pressure can not be brought to bear. When that is done conditions will chan[illegible]

Mr. SCUDDER. Will the gentleman yield?

Mr. ADAMS of Pennsylvania. [illegible]

Mr. SCUDDER. I should like to say to the gentleman that he himself, if I understood him correctly, interjected a pointed atmosphere into this discussion by stating that on this side of the House we were opposed to a reorganization of the consular system. If [illegible] rectly. I think [illegible] the early part of his speech.

Mr. ADAMS of Pennsylvania. In reply to the gentleman I stated as a fact, which I said was not [illegible] a fact which I think [illegible]

Mr. SCUDDER. I [illegible] man whether or not this tenure of office which [illegible] not a [illegible] means the Republican of the men who are [illegible] ere, instead of opening the door to all who might wish to [illegible]

Mr. ADAM[illegible] the bill that I [illegible] of politics, to the men in th[illegible] r to the applicants who are competent [illegible] ter [illegible]

Mr. SCUDDER. Is not that w[illegible] do?

[illegible] This is not my bill. This bill comes from the national committee representing the business interests of the country.

[illegible] DDER. I would ask the gentleman if the Democrats [illegible] ered to report a bill favoring the classification of the [illegible] there, and thereby [illegible] service, without fastening upon the service the mossbacks and the barnacles that are there now?

Mr. ADAMS of Pennsylvania. The gentleman offered to support that kind of a bill; but answering him frankly I myself [illegible] in favor of the bill we had before us at [illegible] velopment continues, and I have not changed my opinion in a single degree. I have reinforced it in my remarks, and the gentleman has reinforced it also by his [illegible]

Mr. SCUDDER. Will the gentleman yield to me for another question?

Mr. ADAMS of Pennsylvania. I can not yield any more. I have answered your point.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HITT. I yield the gentleman five m[illegible] more.

Mr. ADAMS of Pennsylvania. Now, Mr. Chairman, to conclude in a genera[illegible] stated in fifteen minutes, and sen[illegible] details and illustrate the evils that now exist in our system.

But I wish to impress upon the House the important relations that this branch of service bears to the [illegible] and manufacturers should have [illegible] tistics of the nation of the [illegible] y can possibly have.

All the movements of our [illegible] cial ex[illegible] peo[illegible] The [illegible] to be [illegible] tending toward development of our trade. The [illegible] by unusual wisdom and great foresight, has kept the door in the East open [illegible] all the m[illegible] s that have been placed [illegible] it.

[illegible] y man engaged in business in this country the al[illegible] sity that you shall have [illegible] in for[illegible] m the men who are to gather [illegible]

How can men gather statistics and give us [illegible] if as [illegible] n as they have become capable to fill the [illegible] They oc[illegible] and entire [illegible] fill their places?

How can a man gather information if he can not read the public documents and newspapers and the other [illegible] places to which he is accredited and report them to his Government?

Why, he may have all the energy of the American people, for which we are noted; he may have [illegible] ness of the American people; but if he is handicapped, if he can not read the information that lies at his door, if he can not speak the language of the country to which he is accredited, if he can not

gather the statistics in governmental reports and send them on to the country in our own language. How can you get your information, and how can it be accurate, how can it be reliable?

It is that but one thought that the best interest men in our country in this hour of our peace should receive more attention. I wish to say further that this branch is unique in its character. There is no branch of the service equal to these engineers and architects all the places that have the character of the men in these positions.

We should have men that would represent us with dignity as well as with ability. We should have men, sir, where our country is represented by Congressmen [illegible] that they should possess those qualifications and attributes in their wants.

We would have men whom we would regard the standing of American gentlemen [illegible] the earth, because it comes from [illegible] and we should have men who [illegible] do full justice in a way that should [illegible] our country.

Mr. CHAIRMAN, this bill will be a benefit to the country. I believe [illegible] of those who are interested in this subject will support the proposition.

[illegible] that [illegible] for the [illegible] that we at last can take [illegible] toward the demands of the commercial, [illegible] our country in the great [illegible] their [illegible] but shall extend to the uttermost [illegible]. [Applause.]

Mr. HITT. As I do [illegible] to whom I expected [illegible] I yield eight minutes to the gentleman from Kentucky [illegible].

Mr. STANLEY. Mr. Chairman, I was [illegible] the [illegible] [Mr. CRUMPACKER]. I was astonished at the utterances of my genial friend [illegible] from Indiana [Mr. HEMENWAY]. [illegible] way to contumely [illegible] and low [illegible] will [illegible] regard [illegible] after his kind. [illegible] world who does [illegible] not an [illegible] who [illegible] in those who [illegible] him.

[illegible] part [illegible] Mr. [illegible] CROWLEY [illegible] Mr. [illegible] that [illegible] ment, no [illegible] of his [illegible] to be [illegible]

What would [illegible] at Buffalo [illegible] of [illegible] I Lin [illegible] was a [illegible]

I [illegible] tion. I do [illegible] my [illegible] under a [illegible]

Mr. BEPBURN. Will the gentleman permit me to ask him a question?

Mr. STANLEY. Why [illegible]

Mr. BEPBURN. I [illegible] upon whom you have d[illegible] liver[illegible] ate a man?

Mr. STANLEY. [illegible]

Mr. BEPBURN. I [illegible] ask the fact.

Mr. STANLEY. I [illegible] sir.

Mr. BEPBURN. Will the gentleman answer me?

Mr. STANLEY. Yes, sir. I am answering you now. This man was as brave as Taylor is cowardly——

Mr. HEPBURN. Will you answer my question?

Mr. STANLEY. Yes, sir; and those who slew him as cowardly and false——

Mr. HEPBURN. Will you answer the question?

Mr. STANLEY. Yes, sir: I am answering you. He imbued his hand in the blood of his fellow-man, in defense of his person and in defense of his sacred honor, under the clear skies, in the presence of all men in the open street.

Mr. HEPBURN. And he found an asylum in Kentucky after he did it, did he not?

Mr. STANLEY. No, sir; he found a defense——

Mr. GOOCH. After he was shot.

Mr. STANLEY (continuing). He found a defense in the court which will give to Taylor a fair trial. No jury, however partisan, Democrat or Republican, from that day to this has ever believed [illegible] Wilson County [illegible] upon his [illegible] the wound of a pistol bullet from the hand of the gamest man and the best shot in Kentucky.

Mr. SMITH of Kentucky. I would like to make one suggestion in that connection. Did not Goebel in that case positively [illegible] the governor of Kentucky?

Mr. STANLEY. Yes.

Mr. KEHOE. A Republican governor?

Mr. SMITH of Kentucky. No.

Mr. STANLEY. [illegible] that he would not, unless he were grossly misinformed [illegible] his voice is to be heard in all [illegible], recognizing as I do his prominence and his power, he would not stoop in order to shield this man Taylor to belittle and [illegible] mear with a charge absolutely false the grave of Kentucky's [illegible] dead. I wish to say to you, sir, that the man whom he [illegible] first assailed him in character, first maligned him in [illegible] print.

I saw that same William Goebel at Augusta stand mute but fearless under the [illegible] of this same man. He had persecuted [illegible] for years. He met him on the streets in Covington; he asked [illegible] him in the side, which he carried to his death. [illegible] then fired at his opponent. There were only two shots fired; and if you will tell me how a man can shoot another after [illegible] brain, then I will tell you [illegible].

Sanford [illegible] in his brain—through the center of the forehead [illegible] was found afterwards, torn and bleeding by [illegible] had plowed its way around his body. You can [illegible] that way. There was no window there; [illegible] there; there was no Marlin rifle [illegible] was no peering there. He shot him in the city of [illegible], where his (Goebel's) most powerful opponents were.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. STANLEY. I ask unanimous consent, Mr. Chairman, that I may [illegible].

Mr. GAINES of Tennessee. I will yield to the gentleman my time.

Mr. HITT. I will yield to the gentleman [illegible]

Mr. GAINES of Tennessee. I would like to ask the gentleman, did not Goebel stand trial by a Kentucky jury?

Mr. STANLEY. Yes. Now, I wish to say that the only Republican [illegible] who ever was and who ever will be governor of my [illegible] old be the first to refute that charge because he was the [illegible] minum on the [illegible] I was there [illegible] there was [illegible] in any party or any set of people, not even among his bitterest enemies, a living [illegible] that dared to charge that he was an [illegible] ever [illegible] was thought that to stand before the fire [illegible] death. Such was the man who determined to silence W[illegible] and to remove him from the political [illegible]

[illegible] was the first to admit, the first to recognize [illegible] and first to praise the manliness and courage of William [illegible].

[illegible] and western Kentucky. There may be a disregard, as some see it, for human life, but in Kentucky they look each other in the eye when they fire. In all my life, living in and around Lexington and western

Kentucky, in that part known as the "blue-grass" region and the [illegible] I have never known a man of standing to be even [illegible] tion of the country.

It is for that reason that we feel this anger now; it is for that reason that we feel this resentment now; it is for that reason that when this question is again discussed and when the bloody garments of William Goebel are unveiled before you, and when his memory is assailed by every species of slander, malignity, and hate, when falsehood does the work that assassination left incomplete—it is then that every Kentuckian, not only within the halls of Congress, but within the confines of my native State, feels the blood mount to his cheek and is ready at all times and under all circumstances, with his life if need be, to defend the memory of [illegible] martyred dead. [Applause on the Democratic side.]

Mr. HITT. I now yield a minute to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, in refutation of the [illegible] [Mr. CRUMPACKER], I desire to refer the committee to the sixty-fifth United States Reports, in the leading case of the governor of the State of Kentucky against the governor of the State of Ohio. I read from the pertinent sections of the syllabus of the case:

[illegible] m. [illegible] rial, and he had no [illegible] power as to the nature or character of the [illegible] in which the duty was to [illegible].

So it will be seen that it is a matter of "duty" and not a matter of "discretion," as the gentleman from Indiana [Mr. CRUMPACKER] wrongly stated the law.

[illegible] tute were intended to prevent the exercise of this right of might [illegible] ways the governor of one State has the right to visit on a sister State or States.

[Here the hammer fell.]

Mr. VOLSTEAD. Mr. Chairman, I desire to make a few remarks upon a subject that appears to interest the Northwest particularly. In a speech delivered some time ago by my distinguished friend from [illegible] [Mr. LIND] he took [illegible] with my friend. I used to belong to his Congressional [illegible] he represented with so [illegible] Minnesota. I followed his [illegible] with a great deal of pleasure. I would like to be able [illegible] him now. I know that he is supported by [illegible] whose favor I [illegible] this is a subject to which I have given [illegible] and I feel that he is wrong, though his ear[illegible] made has been very impressive. And while it [illegible] one who is better known and whose utterances would carry more weight [illegible] this House for a few moments while I give my ideas on the subject.

In the speech I refer to my friend [Mr. LIND] took occasion to say that [illegible] when the price of wheat, a commodity of which we export millions upon millions of bushels. This is the [illegible] our [illegible] by the price in the so-called world's market, or the Liverpool market. This is not true to the extent generally contended. If the doctrine is true, [illegible] of wheat in Minneapolis is the price at [illegible] charges and expenses for placing it there. [illegible]

Let us see if that is true. Compare the cash price at Minneapolis with the price at Chicago and you will seldom find it more than 1 or 2 cents higher at the latter than at the former place. This is true, though Chicago is by rail (the only mode of transportation [illegible] a water) about 400 miles nearer to Liverpool than Minneapolis, and has [illegible]

Then, again, compare Minneapolis price with New York prices and you will often find only a slight difference, usually much less than the cost of transportation, not to mention other handling charges. This shows that the relative price at Minneapolis is much higher than at New York. The New York price is quite largely influenced by the Liverpool price, though even that is quite often as high as the Liverpool price. As to freight charges, James J. Hill, president of the Great Northern Railway Company, said in a recent speech that the freight charge from Minneapolis to New York [illegible] a hundred, or 15 [illegible] Lind says the way [illegible] New York has been [illegible] York to Liverpool rate from 8 to 6 cents per [illegible] a total freight charge of from 14 to 15 cents per [illegible] during insurance, elevator, or other charges. [illegible] to find wheat only from 5 to 8 cents higher in Liverpool than in Minneapolis and [illegible] Test this question again in this way: Almost every [illegible] report from Minneapolis will show cash wheat and [illegible] the same crop for future delivery [illegible] market where the demand [illegible] wheat to be [illegible] few weeks prices for May delivery at New York and Minneapolis have been within 2 or 3 cents of each other, and I [illegible] Minneapolis Journal that prices [illegible] less than in Minneapolis [illegible] by Kansas City to place its wheat up in the [illegible] ket is less than that paid by Minneapolis [illegible] market at this time to be from 10 [illegible]

This situation has been [illegible] by the [illegible] The [illegible] to an [illegible] when on this side of the Canadian border. I quote from [illegible] in the N[illegible] in late years, the [illegible] cult to supply these [illegible]

Then again they say:

In [illegible] ing it in paying premiums for [illegible]

This situation exists to-day. The great banking house of Henry Clews & Co., of New York, in its review of trade conditions, December 19, [illegible] m of securing an adequate [illegible]

The Chamber of Commerce of Milwaukee, in its report for 1902-3, has a similar complaint. No one at all familiar with the subject can deny the fact. The [illegible] league [Mr. LIND]. He says it is [illegible] average has generally been 4 to 5 cents higher than the general [illegible]

There are [illegible] south of the Great Lakes and [illegible] is there where [illegible] try, a bu[illegible] ana, Illinois, and Ohio—that p[illegible] above con[illegible] million. It [illegible]

[illegible] territory, b[illegible] is at a disadvantage in competing with the Northwest [illegible] American market, which I have just described. [illegible] flour made from wheat raised in the Northwest [illegible] tation for excellence of quality that [illegible] and [illegible] enjoys an exceptionally low freight rate over the lines of railways [illegible]

[illegible] determine [illegible] demand for wheat in the Northwest. The [illegible] that competition inside the American market has been so keen in years

past as to materially raise the price, a fact generally conceded by [illegible]

Mr. LIND. Would it embarrass my colleague if I should ask him a question?

Mr. VOLSTEAD. No, [illegible]

Mr. LIND. [illegible] whether in his [illegible] that [illegible] Minnesota [illegible]

Mr. VOLSTEAD. [illegible] just what I [illegible] in which it is [illegible]

Mr. LIND. You approve of the condition of affairs that makes the [illegible]

Mr. VOLSTEAD. I approve of it, and I will explain later why I [illegible]

Mr. LIND. [illegible]

Mr. VOLSTEAD. [illegible]

Mr. LIND. [illegible] the Northwest [illegible] Canada. [illegible]

Mr. VOLSTEAD. [illegible] every bushel of it. I am [illegible] in this country unless they pay the tariff, and they can not as the law stands.

Mr. LIND. Will the gentleman yield to another question?

Mr. VOLSTEAD. [illegible]

Mr. LIND. Do you not believe that so long as the United States [illegible] barrel of flour, and the wheat [illegible] that comes from Canada and is ground at Minneapolis [illegible] another barrel of flour or wheat [illegible] country? In other words, is not this true, that every barrel of flour manufactured in the Minneapolis [illegible] export of another barrel of flour [illegible] country—practically another barrel? The ultimate question is [illegible] effect upon the foreign trade.

Mr. VOLSTEAD. No, sir. Canadian flour left in our market will depress prices here and satisfy the intense local demand, which is [illegible] than Minneapolis [illegible] Northwest [illegible] be removed [illegible] an [illegible] tariff [illegible] tariff on wheat is of some value to them it is [illegible] and destroy the value of this market, and if the tariff on wheat can not be repealed, to change the law in regard to shipping in bond, so that wheat can be ground here for reshipment, but allowing the [illegible] tariff [illegible] Labor [illegible] a living profit. [illegible] wheat. [illegible] against the tariff upon wheat as of no value [illegible] Northwest. Let me apply the logic of that sheet to the argument against the steel schedule. My colleague says that schedule is unnecessary, as we produce a surplus of steel goods almost as [illegible] schedule [illegible] prices. [illegible] prices, but the raise can no more be me[illegible] one case than the other. The [illegible] American market for the farm or factory.

Mr. LIND. But is it not true, [illegible] that we import steel? We are an [illegible] iron is concerned, but we are an exporting country so far as wheat and agricultural products are concerned.

Mr. VOLSTEAD. We import [illegible] gram. The relative differences between the [illegible] of wheat as compared with [illegible] is not so very great.

I shall pass by as worthy of pra[illegible] the contention that it would help the Americ[illegible] Canadian wheat come into this country, so that it could be offered in European markets as part of our crop instead of having it offered by the Canadians in competition with ours. There is no law which prevents the Americans from purchasing [illegible] free of duty through the United States to f[illegible] bushel of Canadian wheat. Then, again, our crop is not offered as one crop. Hundreds of dealers are offering [illegible] crops. It it the visible supply which has the largest effect upon the foreign markets, whether that supply be on this side of the line or in Canada.

It is claimed that there is no difference in the character of the people or in the industrial conditions of the United States and Canada that requires a tariff to shut out Canadian products. In this claim I believe my colleague is grossly mistaken. I believe there is a vast difference, which not only justifies but requires a protective tariff. In the first place, Canada produces no agricultural products that we do not also produce in sufficient quantities for home consumption. I would [illegible] agricultural product that we need to import from Canada. The importation from Canada of any agricultural product [illegible] takes away from the American farmer an opportunity to sell for consumption the same article.

Canada is essentially an agricultural country. It has very few cities, and what cities it has are readily supplied from the local territory surrounding them. The situation on this side of the line is vastly different. Along the Great Lakes and in the Northeast Atlantic States are, as I have said, 20 [illegible] people dependent in a large measure for their subsistence upon the agriculture of distant States. Canada can see south of her, moving along upon the Great Lakes and railway systems, hundreds of millions of dollars' worth of agricultural products seeking a market in the great industrial centers of this country. It is [illegible] that the demand in [illegible]

but one result. The people of this country will not be satisfied by [illegible] will demand the [illegible] and there will be [illegible] Instead of a [illegible] will spring up a demand for Canadian [illegible] This is the market where the highest and best grades can [illegible] be sold. This [illegible] would take the place of our [illegible] in America, and the farmer is getting an extra price on that account. The proposition is to largely deprive him of this market. Do you think the farmers [illegible] the Northwest are ready to do this without a murmur? To do it would be [illegible] cents per bushel to place their wheat on the Liverpool market, and [illegible] to secure a market nearer home. To that end they [illegible] to a tariff on lumber, coal, and a thousand other articles [illegible] and now [illegible] wheat is of some value to them it is [illegible] and destroy the value of this market, and if the tariff on wheat can not be repealed, to change the law in regard to shipping in bond, so that wheat can be ground here for reshipment, but allowing the [illegible] tariff [illegible] labor [illegible] a living profit. [illegible] wheat. [illegible] against the tariff upon wheat as of no value [illegible] Northwest. Let me apply the logic of that sheet to the argument against the steel schedule. My colleague says that schedule is unnecessary, as we produce a surplus of steel goods almost as [illegible] schedule [illegible] prices. [illegible] prices, but the raise can no more be me[illegible] one case than the other. The [illegible] American market for the farm or factory.

Mr. LIND. But is it not true, [illegible] that we import steel? We are an [illegible] iron is concerned, but we are an exporting country so far as wheat and agricultural products are concerned.

Mr. VOLSTEAD. We import [illegible] gram. The relative differences between the [illegible] of wheat as compared with [illegible] is not so very great.

I shall pass by as worthy of pra[illegible] the contention that it would help the Americ[illegible] Canadian wheat come into this country, so that it could be offered in European markets as part of our crop instead of having it offered by the Canadians in competition with ours. There is no law which prevents the Americans from purchasing [illegible] free of duty through the United States to f[illegible] bushel of Canadian wheat. Then, again, our crop is not offered as one crop. Hundreds of dealers are offering [illegible] crops. It it the visible supply which has the largest effect upon the foreign markets, whether that supply be on this side of the line or in Canada.

It is claimed that there is no difference in the character of the people or in the industrial conditions of the United States and Canada that requires a tariff to shut out Canadian products. In this claim I believe my colleague is grossly mistaken. I believe there is a vast difference, which not only justifies but requires a protective tariff. In the first place, Canada produces no agricultural products that we do not also produce in sufficient quantities for home consumption. I would [illegible] agricultural product that we need to import from Canada. The importation from Canada of any agricultural product [illegible] takes away from the American farmer an opportunity to sell for consumption the same article.

Canada is essentially an agricultural country. It has very few cities, and what cities it has are readily supplied from the local territory surrounding them. The situation on this side of the line is vastly different. Along the Great Lakes and in the Northeast Atlantic States are, as I have said, 20 [illegible] people dependent in a large measure for their subsistence upon the agriculture of distant States. Canada can see south of her, moving along upon the Great Lakes and railway systems, hundreds of millions of dollars' worth of agricultural products seeking a market in the great industrial centers of this country. It is, as I have said, one of the greatest markets in the world. It is this market that I desire to preserve for the farmers of the Northwest. Canada has nothing like it, to offer. The proposition made is to trade this immense market for what? For [illegible] So would certainly be the height of folly. Canada has nothing to offer that could even in a slight degree compensate us for [illegible] to withdraw protection to her factories. Canada has a surplus for export of oats, barley, rye, hay, butter, [illegible] cheese, and is in a position to rapidly and [illegible] these items, no one can [illegible] portion of the total produce which we export would show that the tariff is ineffectual.

To give some idea of the vast importance of [illegible] call your attention to a few facts. [illegible] a [illegible] bushels of oats annually. About [illegible] enter the channels of trade. Chicago alone [illegible] bushels in 1901. Canada could supply a large [illegible] that. We produce about [illegible] Minnesota, and [illegible] a surplus a[illegible] Northwest [illegible] butter is [illegible] In [illegible] the demand than could the [illegible] the Great Lakes [illegible] the United States. Most of the wheat which reaches Minneapolis, Duluth, and Superior is raised on land worth [illegible] that of Canada will almost equal 10 cents a bushel on wheat.

By an economic law the price of a product naturally tends [illegible] of an article. We have a [illegible] country of the effect of this law. The East was originally agricultural like the West. Its lands were worth as much and generally more than western lands are at present, but the development of the West [illegible] farmers [illegible] of farms were greatly increased. The [illegible] of the western lands made it possible for the West to [illegible] compete with the East despite the handicap in [illegible] It is claimed that the land in Canada has the same [illegible] over our western land. Are we going to repeat the experiment? I tell you, sir, I have no ambition to build up Canada, and I am not going to do it at the expense of this country. Open the markets of this country to the Canadian agricultural products and that country will build up very rapidly. People will go there by thousands and sets of thousands where they now go by hundreds. They would increase exports of agricultural products very rapidly; but leave them alone and let them build their own markets as we have been compelled to do, and we will retain our own people, avoid ruinous competition, and help develop this country. We do not owe Canada anything, she pays no taxes, owes us no obligation, and there is no reason why she should be favored. All appeals for sympathy with Canada appear unnecessary. My sympathy is with this country.

It is perfectly evident that the question of free trade in wheat is not local in character, but one that affects agriculture through the whole country. Turn, if you please, to the statistics on agriculture, and you will find in the years past that whenever the price of corn or wheat has been low there has in the years follow-

[illegible] this House much longer than I ought to, and must make amends by losing in a few minutes.

This is not a question of Canadian reciprocity, though I find it is called such by persons who are anxious to conceal the real issue. It is an effort on the part of local interests to hide under the name of reciprocity their demand for free trade for certain Canadian products, and I find Liberals wielding the party lash with great vigor, evidently to prevent discussion.

I notice in the St. Paul Dispatch, one of the largest Republican [illegible] which it [illegible] editorially. It [illegible] that I am [illegible] fend my farmer [illegible] which the late Hon. [illegible] K. Davis [illegible] Canada in case the tariff was removed. This paper [illegible] reads me out of the Republican party if I oppose what it [illegible] "Changing [illegible]" and [illegible] is as hard above. I have the temerity to oppose it. I am [illegible] to be driven. In the discharge of my duties I am [illegible] to allow the St. Paul Dispatch to dictate my [illegible] In this very remarkable editorial the paper clearly shows its [illegible] not only of my attitude but also of the real question [illegible] It argues that all the protection the tariff affords the [illegible] is one-fourth of 1 cent per bushel. This one-fourth of 1 cent is what is paid for the privilege of milling in bond for foreign export, and has nothing whatever to do with importation of wheat for home consumption. It is well aware that there is a duty of 25 cents per bushel imposed on wheat imported for home consumption and that it is against this duty that [illegible] are complaining. No one objects to [illegible] grain come through the American market or to [illegible] provided it is exported to foreign countries [illegible] have it brought [illegible] our own people, and it is not fair to mislead the public as to the real issue.

The St. Paul Dispatch does not determine what is Republican doctrine in Minnesota. No Republican convention has ever declared for unrestricted reciprocity. When this question was submitted to the last Republican convention in this State, which, by the way, was [illegible] Republican, it refused to [illegible] and I [illegible] have [illegible] it. The State as a [illegible] Its cities and villages depend for their growth and for their prosperity [illegible] Canada. They [illegible] from Canada [illegible] ments or manufactures [illegible] Canada does not supply its [illegible] Canada [illegible] for free lumber and [illegible] I do not believe any duty should be levied upon these articles. Lumber is now cheap and [illegible] per thousand feet than ten years ago, though the saw logs pay [illegible] a thousand. Coal is largely [illegible] year's experience [illegible] But I am not going to discuss the tariff at this time. [illegible] with Canada [illegible] had that will afford fair treatment to all [illegible] I shall be glad to support it at any time. If [illegible] I believe in the preliminary of Blaine and M[illegible] goods, but not in reciprocity in [illegible] which is simply free trade. I believe in the [illegible] which this country [illegible] I do not want that market [illegible] for the benefit of the milling and jobbing interests of a few cities on the lakes. To take from the farmer this [illegible] anything in return, as is proposed, is [illegible]

I may want to thank the House for the kind indulgence it has shown me. [Applause.]

Mr. DINSMORE. I yield ten minutes to the gentleman from New York [Mr. HARRISON].

Mr. HARRISON. Mr. Chairman, I have asked for a few minutes' [illegible] at this time a subject which is somewhat germane to the [illegible] and consular appropriation bill. I refer to the insulting treatment by the Empire of Russia of American citizens who are Hebrews and who come to that Empire with American passports.

Now, I have asked for but a brief time in which to discuss this subject, not because I fail to recognize the importance and gravity of the subject, but because it will be presented to you later in this

[illegible] section, with much more ability and much more eloquence than I can summon, by my distinguished colleague, Mr. GOLDFOGLE. [illegible] Foreign Affairs and which I wish to incorporate in my remarks. For that purpose I should like to have it read by the clerk.

The Clerk read as follows:

[illegible]

Mr. HARRISON. Now, Mr. Chairman, I think we can all see that there is here no question of partisanship. I think, further, that this is not a question of race or of religion, but simply a question of Americanism. It has always been so regarded and [illegible] by the Administrations, both Democratic and Republican, which have taken up this question in the past with more or less energy.

I have no desire to criticise the present administration in the State Department upon this subject. Nor do I believe that the Hebrews of this country have [illegible] gratitude for the courtesy and attention that they have received when bringing this subject before the Department; but, at the same time, to an American citizen who applies at our State Department for a passport to journey in Russia it is a striking thing to be confronted with a circular, of which I am going to read one clause:

The laws of Russia also exclude from Russian territory [illegible]

That is a very weak admission on the part of a sovereign power, the United States of America, that they can not secure equal recognition for all of their citizens while traveling abroad.

[illegible] pressed his willingness to aid as well as he can in the solution of this vexatious problem. But we might as well wait for an iceberg to drift complacently across the equator or for the bear to change his bland and child-like nature as to wait until Russia shall take the initiative in a foreign policy entirely contrary to the internal administration of that empire.

What we need is another example of the new diplomacy—the American diplomacy which always tells the truth; goes straight ahead and gets what it wants.

I would like to read a [illegible] all the Russias in 1832:

ARTICLE I.

There shall be between the territories of the high contracting parties a [illegible] navigation, and particularly to the regulations in force concerning commerce.

Now, Mr. Chairman, I do not know whether anyone in the Government at the time of the negotiation of this treaty knew [illegible] of the Empire of Russia. I [illegible] down to us [illegible] a good-natured but erratic kinsman, John Randolph of Roanoke. Some two years before this treaty was negotiated he was sent as minister to Russia, but after he had spent three weeks there he came home in disgust, [illegible] as he [illegible] the people on the streets of St. Petersburg [illegible] I suppose he had as much love as he always had at that time in America of the imperial subjects of the Emperor of Russia.

Moreover, we had at that time no considerable body of Jews living in the United States as American citizens who could safeguard the interests of that race in the treaty. Since that date [illegible] have changed very much, and we know now, if we did not know then, that in Russia the Jew is not a citizen; that he only exists; that he is not allowed to live except in certain circumscribed places; that he is not permitted to enter into [illegible] in occupations; that he is not allowed to have his children educated, except to a very small proportion of such [illegible].

We know that they are crowded among the border in poverty and abject distress in many places. In spite of all that I believe the treatment of this unhappy race is due to fear on the part of Russia that if they were to have the Jews [illegible] the body politic, assimilate them into their Empire and render them a portion of their population, within two generations the Jews would be the owners of all the Russias.

Now, it is not my purpose to enter into a discussion of the whole Jewish question here. That is entirely extraneous to the subject of the remarks that I wish to make. But I wish to merely say that I have personally visited a good deal in Russia, and I have [illegible] to know Russian [illegible]. I have myself been engaged in discussions as to which the Jews of the United States of America were concerned. I have myself [illegible] without seeing those sections which stirred and filled the civilized world with horror.

I refer to the massacres at Kishenef—outrages upon the Jews—where men were stricken down before their families, where women were violated and torn to pieces, and where babes were dashed against the [illegible] of doorways [illegible] were Jews and had [illegible] of the established Christianity of Russia. I do not refer to these [illegible] and strained feeling between the two countries, but simply to eliminate the fact that under the treaty which now exists American citizens of the Hebrew faith in Russia have no more protection in the law than those people who suffer at the massacres at Kishenef. If they have any protection at all it is from a little company [illegible] Army and Navy, [illegible] I [illegible] for the [illegible] of America, and that is all so far as the law is concerned.

Now, Mr. Chairman, it is almost impossible to realize that here in the twentieth century a man [illegible] from the land [illegible] equipped with a passport [illegible] upon the [illegible] of the Government of [illegible] and when he goes to the borders of Russia, a nation with which we are at peace and [illegible] we have a traditional friendship, he is stopped, he is questioned, he is [illegible] and in all, practically he is treated as a criminal [illegible]

[illegible] been his reasons for going there, whether a [illegible] for his fatherland or a desire to [illegible] which the Russian Empire or whatever his circumstances [illegible] whether he be of American stock which took part in the Revolutionary war or whether he be the proud possessor [illegible] he is an American citizen and we ought to be ashamed that he receive equal recognition with all other American citizens when they reach the Russian Empire. [Applause.]

I have said, Mr. Chairman, that this is not a matter of partisanship. I wish to [illegible] as I believe it is the [illegible] party that has [illegible] the most favorable and equal treatment to its citizens when they [illegible] and [illegible] country. Everywhere the devoted Thomas Jefferson [illegible] liberty in this country we have been [illegible] the cause of humanity [illegible] the simple monument under which lies the body of Thomas Jefferson, containing a few plain words on it summing up his career in life.

The chief among those, I believe, he himself would have considered [illegible] lesson of patriotism, industry or economy or [illegible].

And that is why, Mr. Chairman, I hope that the resolution, which is now before the Committee on Foreign Affairs, if it [illegible] Mr. GOLDFOGLE, [illegible] Member of the House of Representatives, irrespective of what religions belief he personally may have, will unite upon the common ground that American citizens, whatever their religion, whatever their race, whatever their creed, are entitled to equal representation and the protection wherever abroad. [Applause.]

Mr. GOLLIDEN. Mr. Chairman, the report of the Committee on Foreign Affairs including appropriations for the diplomatic and consular service is in such a form that I shall not say anything on this subject.

On this occasion, however, I desire to [illegible] a few words on the subject of pensions. I have heard several speeches [illegible] the gentleman from Tennessee [Mr. [illegible]], Indiana [Mr. MIERS], and other States, on the management of the Bureau of Pensions. While I admit there are grounds for the same, I am forced, in

[illegible] justice to the present Commissioner of Pensions, to differ from [illegible]

In [illegible] more than a year, and with a large number of [illegible] I have had [illegible] a pleasure which [illegible] [illegible] to be the [illegible] and I [illegible] to [illegible] charges [illegible] to secure fiscal [illegible] of pension [illegible]

I have desired [illegible] to the head of the Bureau and Pensions [illegible] of the War [illegible] and efficient manner in which the public business of that office has been [illegible]

Now, a few [illegible] the matter of pensions. [illegible] from the [illegible] who [illegible] that [illegible] is [illegible] a great and [illegible] [illegible] in [illegible] [illegible] the same as for the retirement of officers of the Army and Navy. Perhaps the age of 62 would be better.

In my judgment the time of which President Cleveland spoke some years since has arrived for action. The [illegible] soldiers of the [illegible] war are thinning rapidly. A few years more and their numbers will be largely decreased. Fifty thousand died last year—almost 1,000 a week.

Now is the time for such action. Let Congress act now and do its duty to the old soldier. Now [illegible] be lost if the brave men who are left are to receive [illegible]

I desire to read an editorial from the National Tribune, of Washington, bearing on this subject and to have it printed in the RECORD.

(From the National Tribune, Washington, D. C., Thursday, January 14, 1904.

WHY LONGER DELAY?

A thousand times more impressive than any [illegible] made in Congress any arguments, any [illegible] in the [illegible] are [illegible] every year.

That is, the setting of every Saturday's sun is noted by the eyes of fully 1,000 fewer veterans than greeted his rising the previous Sunday morning.

Every churchyard in the loyal part of the country receives weekly additions to the [illegible] dresses that once stood in the front of [illegible] when the nation's site was [illegible]

[illegible] rises hourly somewhere. The tears of the [illegible] his initial seal [illegible] ment of men that [illegible] the pride and hope [illegible]

[illegible] drawn the immense levy of from 50,000 to 60,000 more to [illegible]

[illegible] of despair, and [illegible]

[illegible] Government did [illegible]

[illegible] Treasurer had paid out [illegible]

[illegible] about $1,250,000,000 [illegible]

[illegible] paid for pensions [illegible] civil war and [illegible]

[illegible] food, medicine, fire, and shel-

[illegible] it would care a little [illegible]

Mr. HITT. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose and the Speaker having resumed the chair, Mr. LACEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had under consideration the bill (H. R. [illegible]), and had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, Mr. SNAPP was granted leave of absence for two weeks, on account of important business.

LEAVE TO PRINT.

Mr. HITT. Mr. Speaker, I ask unanimous consent that permission be granted for five days to those Members who have [illegible] diplomatic appropriation bill to extend [illegible]

[illegible] man from Illinois asks unanimous [illegible] took part in the debate on the con[illegible] propriation bill to extend their remarks in [illegible]

Mr. HITT. [illegible] five days.

The SPEAKER. [illegible] days. Is there objection?

[After a pause.] The [illegible]

Mr. DINSMORE. Mr. Speaker, it has been suggested to me that there are two or three [illegible] who would like leave to print aside from those who [illegible] I would like [illegible]

Mr. HITT. [illegible] and con[illegible] bill.

The SPEAKER. The gentleman modifies his request, and asks that leave to print be extended to the membership of the House to print remarks upon the consular and diplomatic appropriation bill for five legislative days.

Mr. HITT. Can we agree upon the time when general debate shall close?

Mr. DINSMORE. Well, Mr. Speaker, I think I shall want two hours more on this side. We could not anticipate the discussion that we got into this morning.

Mr. HITT. Then we will try and agree upon that in the morning.

Mr. WILLIAMS of Mississippi. Mr. Speaker, we have hitherto several times had confusion when the word "days" was used by [illegible]

The SPEAKER. "Legislative days" is the way the request was put.

Mr. WILLIAMS of Mississippi. I am not particular about it, Mr. Speaker, but I want it put one way or the other.

Mr. HITT. Is it not true that when a motion is put for so many days it is construed as legislative days and not calendar days?

The SPEAKER. That is a mooted question, but the House [illegible] legislative days.

Mr. WILLIAMS of [illegible] Mr. Speaker, I would like to modify the request, making [illegible] dar days. If I can be indulged in a moment, I want to say that I have a [illegible]

[illegible] days after we [illegible] to look for anything of the [illegible] that kind. I [illegible]

[illegible] legislative [illegible]

[illegible] the modified request? [After a [illegible] The [illegible]

[illegible] TT. Mr. Speaker, I move that the House do now adjourn.

[illegible] tion was agreed to; and accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until 12 o'clock noon to-[illegible]

EXECUTIVE COMMUNICATIONS.

[illegible] XIV, [illegible] from the [illegible]

[illegible] from the S[illegible] a communica[illegible] —to the Committee on [illegible] granted.

A [illegible] Clerk of the Court of Claims, transmitting a copy of the [illegible] filed by the court in the case of [illegible] and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and surve[illegible] Horn Island Pass, Mississippi—to the Committee on Rivers and Harbors, and ordered [illegible]

A letter from the Secretary of the Interior, transmitting volumes 1 and 2 of the Revised and Annotated Statutes of Oklahoma—to the Committee on the Territories.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the House (H. R. 4074) constituting Utica, N. Y., a port of delivery, reported the same without amendment, accompanied by a report (No. 701); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. McCARTHY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 891) granting certain lots in Gnadenhutten, Ohio, to Gnadenhutten special school district, reported the same without amendment, accompanied by a report (No. 702); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 1487) creating an additional land office in the State of North Dakota, reported the same without amendment, accompanied by a report (No. 703); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. POWERS, from the Committee on the Territories, to which was referred the bill of the House (H. R. 7274) to amend section 76 of an act entitled "An act to provide a government for the Territory of Hawaii," reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the House Calendar.

Mr. CURTIS of Kansas, from the Committee on Foreign Affairs and Foreign Commerce, to which was referred the bill of the Senate (S. 3341) authorizing the city of Nome, a municipal corporation organized and existing under chapter 21, title 8, of an act of Congress [illegible] entitled "[illegible] making further provision for a civil government for Alaska, and for other purposes," [illegible] city, in the Territory of Alaska, reported the same without amendment, accompanied by a report (No. 705); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private [illegible] of the following titles were severally reported [illegible] and referred to the [illegible]

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension [illegible] by a report (No. [illegible]); which said bill and report [illegible]

Mr. [illegible] on Invalid Pensions, to [illegible] ment, accompanied by a report [illegible]; which said bill and report were referred [illegible]

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension [illegible] by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible] W. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension [illegible] accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension [illegible] by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible] by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Florence R. Russell, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Abram Claypool, reported the same without amendment, accompanied by a report (No. 681); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Horace E. Wood, reported the same without amendment, accompanied by a report (No. 682); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Moses Hurlbut, reported the same without amendment, accompanied by a report (No. 683); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10268) granting a pension to Margaret E. Keller, reported the same with amendment, accompanied by a report (No. 684); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10904) granting

a pension to [illegible] H. Crawford, reported the same with amendment, accompanied by a report (No. [illegible]) which said bill and report were referred to the Private Calendar.

Mr. LI[illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 859) granting an increase of pension to Andrew Barr, reported the same with amendment, accompanied by a report (No. [illegible]) which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1801) granting a pension to James Allen, reported the same with amendment, accompanied by a report (No. [illegible]) which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1179) granting an increase of pension to James Kidney, reported the same without amendment, accompanied by a report (No. 689); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Thomas L. McCune, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Thomas L. McCune, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SALLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to [illegible] Fleming, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to L. B. Wheelock, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Annie P. [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LI[illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7814) granting an increase of pension to David W. Wilson, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7814) granting an increase of pension to James G. Andrews, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Emma Conner, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Georgia Lamont, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SADER, W. Va., from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to James H. Wooten, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SALLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Rosa Gibbs, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the same committee, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to James E. Larkin, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were thereupon referred as follows:

A bill (H. R. 4204) granting a pension to Elizabeth Neilan—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting a pension to Andrew Lowry—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting an increase of pension to Gabriel [illegible]—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) to relieve George M. Smith—Committee on Military Affairs discharged, and referred to the Committee on War Claims.

A bill (H. R. 5725) granting a pension to Grace Dressel—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) granting a pension to [illegible]—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. BROWNLOW: A bill (H. R. 11669) to repeal certain laws relating to permanent and indefinite appropriation—to the Committee on [illegible].

By Mr. [illegible]: A bill (H. R. 11670) [illegible] River at Nome, Alaska—to the Committee on [illegible].

By Mr. [illegible]: A bill (H. R. 11671) to provide for the [illegible].

By Mr. DENNY: A bill (H. R. 11672) to revise the laws of the United States relating to trade-marks—to the Committee on Patents.

By Mr. DIXON: A bill (H. R. [illegible]) [illegible] survey [illegible] surplus lands after allotment—to the Committee on [illegible].

A bill (H. R. 11674) [illegible] classes—to the Committee on [illegible].

By Mr. [illegible]: A bill (H. R. 11675) to amend the navigation [illegible] vessels—to the Committee on the [illegible].

By Mr. [illegible]: A bill (H. R. 11676) to ratify and amend an [illegible].

By Mr. [illegible]: A bill (H. R. 11677) to provide [illegible] Pennsylvania: A bill (H. R. 11677) to provide [illegible] the [illegible] office of the United States—to the Committee on [illegible].

By Mr. GILLETT of [illegible]: A bill (H. R. 11678) relating [illegible] Members of Congress—to the Committee on [illegible].

By Mr. [illegible]: A bill (H. R. [illegible]) [illegible]—to the Committee on the [illegible].

By Mr. GILLETT of [illegible]: A bill (H. R. [illegible]) [illegible].

By Mr. [illegible]: A bill (H. R. 11810) for the [illegible] Adam—to the Committee on [illegible].

By Mr. [illegible]: A bill (H. R. 11811) to amend the code of [illegible] banking corporations—to the Committee on [illegible].

By Mr. MARSHALL: A bill (H. R. 11812) relating to applications [illegible] the land within which [illegible] the Committee on the Public Lands.

By Mr. CURRIER: A bill (H. R. 11813) to establish in the Department of [illegible] a bureau to be known as the Bureau of [illegible] and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

By Mr. BARTLETT: A resolution (H. Res. 199) of inquiry to the Director of the Census relative to appointment under the act of March 3, 1903—to the Committee on the Census.

By Mr. PEARRE: A resolution (H. Res. 200) referring H. R. 6366, for the relief of the heirs of John D. Clemson, with accompanying papers, to the Court of Claims—to the Committee on Claims.

Also, a resolution (H. Res. 201) requiring the Secretary of the Treasury to reexamine settlement No. 5000, of 1884, reported by him in Senate Executive Document No. 5, Fifty-third Congress, third session—to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 11681) granting [illegible] H. V. Voldo, alias James H. Ve[illegible]—to the Committee on Invalid Pensions.

By Mr. BATES: A bill (H. R. 11682) granting an increase of pension to David W. Davison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11683) granting an increase of pension to John H. Gross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11684) granting a pension to Margaret Long Kimmel—to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 11685) to remove the [illegible] Wilson and to grant him an [illegible] H. R. 11686) to remove the charge of desertion [illegible] Brockelman and to grant him an honorable dis[illegible]—to the Committee on Naval Affairs.

Also, a bill (H. R. 11687) to remove the charge of desertion against P. C. Farrell and to grant him an honorable discharge—to the Committee on Naval Affairs.

Also, a bill (H. R. 11688) granting an increase of pension to Erastus D. Butler—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 11689) granting an increase of pension to James C. Wattleworth—to the Committee on Invalid [illegible].

Also, a bill (H. R. 11690) granting an increase of pension to Squire J. Carlin—to the Committee on Invalid Pensions.

By Mr. BYRD: A bill (H. R. 11691) for the relief of John D. Ryan, of Meridian, Miss.—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 11692) granting a pension to Mary J. Neely—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 11693) granting an increase of pension to Henry C. Johnson—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 11694) granting a pension to George R. Millen—to the Committee on Pensions.

By Mr. DEEMER: A bill (H. R. 11695) granting an increase of pension to Fannie B. Pitts—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 11696) granting a pension to Aglionby Montgomery—to the Committee on Invalid Pensions.

By Mr. GUDGER: A bill (H. R. 11697) granting a pension to G. W. Gosnell—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 11698) for the relief of Thomas M. Lippitt—to the Committee on Naval Affairs.

By Mr. HINSHAW: A bill (H. R. 11699) granting an increase of pension to Abraham A. Croy—to the Committee on Invalid Pensions.

By Mr. JACKSON of Maryland: A bill (H. R. 11700) granting an increase of pension to John Toadvine—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 11701) for the relief of John R. Switzer—to the Committee on War Claims.

Also, a bill (H. R. 11702) for the relief of James Y. Pitts—to the Committee on War Claims.

Also, a bill (H. R. 11703) for the relief of the legal representatives of Richard Henderson—to the Committee on War Claims.

Also, a bill (H. R. 11704) for the relief of [illegible] tives of Perry C. Sims—to the Committee on War Claims.

Also, a bill (H. R. 11705) for the relief of A. Q. [illegible]son—to the Committee on War Claims.

Also, a bill (H. R. 11706) for the relief of Charles A. Parkins—to the Committee on War Claims.

By Mr. KETCHAM: A bill (H. R. [illegible]) [illegible] appointment of Capt. Theodore Frederick Kane, a captain on the retired list of the Navy, to be a rear-admiral on the retired list of the Navy—to the Committee on Naval Affairs.

By Mr. LOUDENSLAGER: A bill (H. R. 11708) to correct the military record of John H. Hoagland—to the Committee on Military Affairs.

By Mr. LOVERING: A bill (H. R. 11709) granting a pension to Kate Howard—to the Committee on Pensions.

Also, a bill (H. R. 11710) granting an increase of pension to James F. Walsh—to the Committee on Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 11711) granting an increase of pension to Jerome J. Hinds—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 11712) for the relief of Henry L. Hawkins—to the Committee on Claims.

Also, a bill (H. R. 11713) granting an honorable discharge to Joseph Zuleger—to the Committee on Military Affairs.

Also, a bill (H. R. 11714) to remove the charge of desertion from the record of James D. Moyer—to the Committee on Military Affairs.

Also, a bill (H. R. 11715) to remove the charge of desertion from the record of Peter Ehrstine—to the Committee on Military Affairs.

Also, a bill (H. R. 11716) to remove the charge of desertion from the record of [illegible] Wal[illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 11717) to [illegible] from the record of Anton Sp[illegible]—to the Committee on [illegible].

Also, a bill (H. R. 11718) to remove the charge of desertion from the record of Albert W. Keller—to the Committee on Military Affairs.

Also, a bill (H. R. 11719) granting a pension to Elizabeth Murphy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11720) granting a pension to D. M. Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11721) granting a pension to Lucretia Bartlett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11722) granting a pension to Hattie E. McLain—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11723) granting a pension to Adam Maurer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11724) granting a pension to John Mendenhall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11725) granting a pension to Robert T. Knox—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11726) granting a pension to Robert D. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11727) granting a pension to Harriett Zimmerman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11728) granting a pension to Jennie Fishbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11729) granting a pension to Ellwood Mullin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11730) granting a pension to James Pusey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11731) granting an increase of pension to Konrad Schleicner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11732) granting a pension to Georgiana Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11733) granting an increase of pension to Job S. Inman—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to John Clifford—to the Committee on Pensions.

Also, a bill (H. R. 11735) granting an increase of pension to Eugene Orr, alias Charles Southard—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Jam[illegible] W[illegible]—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Philip Gavin—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to James M. Lowder—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Charles H. Leaman—to the Committee on Pensions.

Also, a bill (H. R. 11740) granting an increase of pension to Henry Adler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11741) granting a pension to Justine F. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to [illegible] Cassity—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Charles H. Baird—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Harley H. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to Jacob Wittenbach—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11746) granting an increase of pension to Isaiah Waltman—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to William A. Ewing—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11748) granting an increase of pension to Edward E. Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11749) granting an increase of pension to Cornelius O'Shea—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11750) [illegible] an increase of pension to Robin M. Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] an increase of pension to Charles E. K[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] an increase of pension to John M. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] an increase of pension to N[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] Milton R[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to John M. B[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to J[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to John W. S[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] an increase of pension to Thomas [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to J[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] Edward M[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] John McG[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] M[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] Patrick H[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] an increase of pension to Andrew J. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] an increase of pension to Thomas C. M[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to George K[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to George W. Purcell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11[illegible]) [illegible] pension to George Hallick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] pension to Samuel W. Cole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11771) [illegible] increase of pension to Joseph Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] an increase of pension to W. H. H. Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11773) [illegible] an increase of pension to Thomas W. Gibbons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11774) granting an increase of pension to Marshall Osborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1177[illegible]) [illegible] pension to William D. Stephens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) granting an increase of pension to Hugh Mooney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11777) granting an increase of pension to Thomas M. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] pension to John [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] pension to Jackson W. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] pension to Thomas Case—to the Committee on Invalid Pensions.

Also, a bill (H. R. 117[illegible]) [illegible] pension to W[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) [illegible] pension to Fleming Crump—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) [illegible] pension to Alfred W. M[illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) [illegible] pension to Adam Walter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) [illegible] pension to Jefferson R. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) [illegible] pension to David Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11787) granting an increase of pension to Benjamin F. Weimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) granting an increase of pension to Henry L. Kyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 1178[illegible]) granting an increase of pension to David W. Swagert—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 11790) granting an increase of pension to George W. Weidman—to the Committee on Invalid Pensions.

By Mr. PORTER: A bill (H. R. 11791) for the relief of Revilow N. Spohn—to the Committee on Claims.

By Mr. RIDER: A bill (H. R. 11792) granting an increase of pension to Anton Mazzanovich—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 11793) granting an increase of pension to August Henning—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11794) granting a pension to J. M. Jordan—to the Committee [illegible].

By Mr. WM. ALDEN SMITH: A bill (H. R. 11795) granting a pension to Lemuel J. Ward—to the Committee on Invalid Pensions.

By Mr. SULZER: A bill (H. R. [illegible]) [illegible] pension to Catharine [illegible].

By Mr. TOWN[illegible]: A bill (H. R. [illegible]) [illegible] to Francis A. M[illegible]—to the Committee on Invalid Pensions.

By Mr. WA[illegible]: A bill (H. R. 117[illegible]) [illegible] to Barton A. Holland—to the Committee on Invalid [illegible].

[illegible] on to Mary Austin—[illegible] (H. R. 11800) for [illegible] Invalid Af[illegible].

Mr. THOMPSON: A bill (H. R. 11801) for the relief of the [illegible] County.

[illegible] H. R. 11802) for the relief of Adolph [illegible] firm of Spiegel, Finkelstein & [illegible].

Mr. PEARRE: A bill [illegible] an increase [illegible] on to Ross R. Samuel [illegible] the Committee on Invalid Pensions.

By Mr. TAYLOR: A bill (H. R. 11804) for the re[illegible] legal representatives and [illegible] Durette—to the Committee on the Public Lands.

By Mr. HITCHCOCK: A bill (H. R. 11805) for the relief of the members of the First, Second, and Third Marine Corps, and for other purposes—to the Committee on Claims.

By Mr. SMITH of Illinois: A bill (H. R. 11806) granting a pension to Napoleon B. Greathouse—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11807) granting a pension to Elijah Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11808) granting a pension to Monroe C. Crawford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11809) for the relief of John, alias Henry, Ridenbaugh, of Pinckneyville, Ill.—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred [illegible]:

By the SPEAKER: Petitions of W. R. B[illegible] voters, James L. Wilcox and 7 other voters, T. [illegible] other voters, J. M. Hutchison and 11 other voters, David S. McCaslin and 63 other voters, and Henry S. Perkins and 99 other voters, all of Hoopston, Ill., praying for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the board of directors of the Chicago Board of Trade, praying for legislation for the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, memorial of Kit Carson Post, No. 2, Grand Army of the [illegible] of Was[illegible] D. C., praying for [illegible] passage of the [illegible] Committee on Invalid Pensions.

By Mr. BA[illegible]: A bill (H. R. 2[illegible]) [illegible] in [illegible] Committee on [illegible].

By Mr. BASSETT: [illegible] of New York Board of Trade and Transportation, relative [illegible] harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. BEDE: Petition of residents of Northome, Minn., relative to amending section 2294 of the Revised Statutes—to the Committee on the Judiciary.

By Mr. BIRDSALL: Petition of H. A. Clark and others, of Franklin County, Iowa, protesting against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER of Pennsylvania: Resolution of Wilde Post, No. 25, Grand Army of the Republic, of Chester, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BYRD: Petition of G. B. Harper, administrator, praying reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. CALDERHEAD: Resolution of Abilene Post, No. 63, Grand Army of the Republic, Department of Kansas, indorsing bills H. R. 5813 and 7873, relative to service pension—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Paper to accompany bill [illegible] correct the military record of Rankin A. Hi[illegible] the Committee on Military Affairs.

Also, papers to accompany bill [illegible] pension to Mary J. Ne[illegible]—to the Committee on In[illegible].

By Mr. COUSINS: Pe[illegible] 15 others, of Toledo, Iowa, and Iowa [illegible] Marshalltown, Iowa, in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Marvin Mills Post, No. 212, of Central City, Iowa, and William Carlisle Post, No. 320, of Sterling, Iowa, [illegible] pension bill—to the Committee on Invalid Pensions.

Also, letter of J. M. Carney, of Gilman, Iowa, urging the passage of the [illegible] check bill—to the Committee on the Post-Office and [illegible].

By Mr. [illegible]LS: Paper to accompany bill H. R. 10196, granting an in[illegible] to Adam L. Bourquin—to the Committee on Invalid Pensions.

Also, papers to [illegible] any claim of George R. Millen—to the Committee [illegible].

By Mr. [illegible]: Petition of Rev. B. F. Hewlett and 7 others, Rev. W. F. [illegible] Kaiser and 9 others, citizens of Ontario, Cal., favor [illegible] passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DEEMER: Resolution of Major Keenan Post, No. 349, of [illegible] re. P[illegible] of Pennsylvania, Grand Ar[illegible] R[illegible] a service-pension law—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Cigar Ma[illegible] of Union No. 9, of Troy, N. Y., in favor of the enactment of bill H. R. 6—to the Committee on Ways and Means.

By Mr. FULLER: Petition of Chicago wholesale merchants, in opposition to a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GILLESPIE: Petition of W. L. Taylor and 103 voters of Springtown, Tex., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HASKINS: Resolution of William C. Tracy Post, No. 37, and Orville Bixby Post, No. 93, Grand Army of the Republic, Department of Vermont, in favor of a service pension bill—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Petition of H. D. Dye and 61 others, of Humeston, Iowa, in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Resolution of Captain An[illegible] Caillaux Post, No. 119, Grand Army of the Republic, De[illegible] of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUFF: Paper to accompany bill H. R. 3907, for the relief of W. Scott King—to the Committee on Military Affairs.

By Mr. HUGHES of New Jersey: Petition of Rev. G. W. Smith and 33 others, of Passaic, N. J., in favor of the enactment of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KETCHAM: Resolution of the board of supervisors of Greene County, N. Y., favoring passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. LAFEAN: Resolution of James Dixon Post, No. 83, Grand Army of the Republic, of Fairfield, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of residents of McSherrystown, Pa., and vicinity, praying for the passage of bill H. R. 6—to the Committee on Ways and Means.

By Mr. LLOYD: Petition of Ministerial Alliance of Hannibal, Mo., in [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

[illegible] of J. L. Wett and 13 others, of Granger, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PATTERSON of Pennsylvania: Papers to accompany [illegible] pension to George W. Weidman—to the Committee on Invalid Pensions.

By Mr. PINCKNEY: Petition of C. D. Robinson and 83 voters of Hempstead, Tex., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIDER: Petition of wholesalers against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. RIXEY: Papers to accompany claim of Samuel D. Fisher—to the Committee on War Claims.

Also, letter to accompany bill granting a pension to J. M. Jordan—to the Committee on Pensions.

By Mr. SMALL: Papers to accompany claim of Harmon Modlin, sr.—to the Committee on War Claims.

By Mr. WM. ALDEN SMITH: Resolutions of John J. Bagley Post, No. 97, and W[illegible] Post, No. [illegible], Grand Army of the Re[illegible] pension bill—to the [illegible].

By Mr. STEVENS [illegible]: Petition of Men's Club of First M[illegible] of St. Paul [illegible] the [illegible] of State liquor laws—to the Committee on the Ju[illegible].

[illegible] —to the Co[illegible].

By Mr. SULLIVAN: [illegible] of New York Board of Trade and Transportation, [illegible] Judith, Rhode Island.

Also, petition [illegible] Art League of California, relative to [illegible] ing trees of California—to the Committee on [illegible].

[illegible] 28, of West[illegible] Post, No. [illegible], Grand A[illegible] a service-pension law—to the Committee on [illegible].

By Mr. TOWNSEND: Resolution [illegible] memov Post, No. 48, Grand Ar[illegible], in favor of a service pension bill—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Petition of Edw[illegible] Frank, asking [illegible] of the Jewish race—to the Committee on [illegible].

[illegible] New York Board of Trade and Transportation, [illegible] Judith, Rhode Island—to the Committee on [illegible].

Also, [illegible] of John Kissel & Son, of Brooklyn, N. Y., asking for re[illegible] tax on distilled spirits—to the Committee on Ways and Means.

Also, resolution of Merchants Association of New York, for the repeal of the desert-land act—to the Committee on the Public Lands.

By Mr. WRIGHT: Resolution of Saxton Post, No. 65, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, February 4, 1904.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

[illegible] proceedings, when, on the request of Mr. [illegible], and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

WALES ISLAND PACKING COMPANY.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of [illegible] transmitting a [illegible] of the Wales Island Packing Company, a [illegible], under the [illegible] New York, and [illegible] to the [illegible] establishments [illegible] of the Alaskan Boundary Tribunal, been passed on the Canadian side of the boundary, and stating [illegible] reason; which, with [illegible] papers, was referred to the Committee on Claims, and ordered to be printed.

STATUTES OF OKLAHOMA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, volumes 1 and 2 of the Revised and Annotated Statutes of Oklahoma for the year 1903; which, with the accompanying volumes, was referred to the Committee on Territories.

HOWARD UNIVERSITY IMPROVEMENTS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter

[illegible] secretary of the Interior [illegible] transmitting an estimate of appropriation [illegible] the completion of the South Pass to Pacific Springs wagon road [illegible] Committee on Appropriations and ordered to be printed.

[illegible]

Mr. GALLINGER [illegible] presented a petition [illegible] Post, No. [illegible] Department of New Hampshire, Grand Army of the Republic, [illegible] N. H., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

[illegible] Mr. [illegible] presented a [illegible] of the Board of Trade, Duluth, Minn., [illegible] the construction of a [illegible] Superior, Wis., [illegible] Mr. [illegible] presented a [illegible] Post, No. [illegible] Department of Minnesota, Grand Army of the Republic, [illegible] Minn., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

[illegible] Mr. [illegible] presented a petition of the Trade Board of [illegible] Minn., [illegible] Mr. [illegible] presented a petition of [illegible] Post, No. [illegible] Department of Minnesota, Grand Army of the Republic, [illegible] Minn., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

[illegible] pill; which was referred to the Committee on Education.

[illegible] s of Ph[illegible]

[illegible] n bill; [illegible] rred to the Committee on the [illegible]

[illegible] Post, No. [illegible] of Phila[illegible] M. Ross Post, No. 94, of Philadelphia; of Li[illegible]

[illegible] No. 19, of P[illegible] Lancaster; and of [illegible] nia, Grand [illegible]

[illegible] which were referred to the Committee on Privil[illegible]

[illegible] Mr. [illegible] presented a [illegible] the Department of Minnesota, Grand Army of the Republic, [illegible] Minn., praying for the enactment of a service-pension law; which were referred to the Committee on [illegible]

[illegible] Mr. CLARK of Montana, [illegible] of Stockman Post, No. [illegible] Department of Montana, Grand Army of the Republic, of Helena, Mont., and a petition of Meagher Post, No. 24, Department of Montana, Grand Army of the Republic, of Townsend, Mont., praying for the enactment of a service-pension law; which were referred to the Committee on [illegible]

Mr. MITCHELL presented a petition of the Northwest Fruit

Growers' Association, of Portland, Oreg., praying for the reorganization of the consular service; which was referred to the Committee on Foreign Relations.

Mr. DUBOIS presented petitions of George H. Thomas Post, No. 9, Department of Idaho, Grand Army of the Republic, of Pocatello; of E. D. Baker Post, No. 6, Department of Idaho, Grand Army of the Republic, of Hailey, and of McKinley Post, No. 30, Department of Idaho, Grand Army of the Republic, of Soda Springs, all in the State of Idaho, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Fortnightly Club, of Hailey, Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FRYE presented a petition of the National Board of Trade, praying that the extension of the navigation laws to the Philippine Islands be made effective July 1, 1904; which was referred to the Committee on the Philippines.

He also presented a petition of the Woman's Christian Temperance Union of Post Creek, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Bethel Presbyterian Church, of Reno, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

COMPILATION OF NAVAL LAWS.

Mr. HALE. I move that Senate Document No. 100, Fifty-eighth Congress, second session, being a compilation of the annual naval laws from 1883 to 1903, including provisions for the construction of all vessels of the new Navy, together with additional matter, be reprinted.

The motion was agreed to.

AIDS TO NAVIGATION IN ALASKAN WATERS.

Mr. NELSON. I have an important letter from the Light-House Board, inclosing a copy of the joint report of the inspector and engineer of the thirteenth light-house district, relative to the need of additional aids to navigation in Alaskan waters. I move that the communication and accompanying report be printed as a document and referred to the Committee on Commerce.

The motion was agreed to.

CHIPPEWA INDIANS IN MINNESOTA.

Mr. CLAPP. I move that House Executive Document No. 247, Fifty-first Congress, first session, being a message from the President of the United States transmitting a communication from the Secretary of the Interior relative to the Chippewa Indians in the State of Minnesota, be printed as a document, as there is but one copy left in the document room.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 3427) to authorize the Williamson Coal Company (incorporated) to bridge the Tug Fork of the Big Sandy River near Williamson, W. Va., where the same forms the boundary line between the States of West Virginia and Kentucky, reported it without amendment, and submitted a report thereon.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 10418) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect, reported it without amendment, and submitted a report thereon.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 1257) to remove the charge of desertion from the military record of George F. Harter, reported it with an amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Commerce, to whom was referred the bill (S. 1419) to fix the salary of the collector of customs of Omaha, Nebr., reported it with amendments, and submitted a report thereon.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. 2817) to remove the charge of desertion against George W. Posey, reported it without amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Fisheries, to whom was referred the bill (S. 907) to establish on the coast of the State of California a station for the investigation of problems connected with the marine fishery interests of that region, reported it without amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on the District of Columbia, to whom was referred the bill (S. 3456) to distinctively designate parcels of land in the District of Columbia for the purposes of assessment and taxation, and for other purposes, reported it without amendment, and submitted a report thereon.

COLLECTOR OF CUSTOMS AT PORTSMOUTH, N. H.

Mr. GALLINGER. I am directed by the Committee on Commerce, to whom was referred the bill (S. 2916) fixing the salary of the collector of customs at Portsmouth, N. H., to report it with an amendment in the nature of a substitute. As it is a bill that it will take but a moment to consider, and it is recommended by the Secretary of the Treasury, I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment of the Committee on Commerce was, to strike out all after the enacting clause and insert:

That section 2659 of the Revised Statutes be, and the same is hereby, amended by striking out in lines the words "to the collector for the district of Portsmouth, N. H., 4 per cent."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 2659 of the Revised Statutes, relating to compensation of collectors of customs."

CENSUS STATISTICS OF MANUFACTURES.

Mr. QUARLES. The Committee on the Census authorize me to make a favorable report on the joint resolution (S. R. 39) directing the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures; and in view of the importance of speedy action, the committee having reported a bill as a substitute, I ask unanimous consent for the present consideration of the bill so reported by the committee.

The bill (S. 4122) to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes, was read the first time by its title, and the second time at length, as follows:

Be it enacted, etc., That the Director of the Census is hereby authorized and instructed to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, the results of which may be accepted by the United States as the census of manufactures of that State for the year 1905: Provided, That the expenditures incident to this cooperation shall not exceed $2,000, such expenditures to be paid from the funds appropriated for the purposes of field work of the census for the fiscal year ending June 30, 1905: And the Director of the Census is authorized to make such arrangements with the State of Michigan and its officers as may be necessary to cooperate with other States which take a census at a different time from that provided by the Federal census.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. PETTUS. I should like to have information from the Senator in charge of the bill. Why the necessity for it?

Mr. QUARLES. The ninth section of the act creating a permanent Census Bureau requires the Director of the Census to collect statistical information regarding manufactures in the year 1905. The constitution of Michigan requires that State to collect the same information during the latter half of 1904. The secretary of state of the State of Michigan made application to the Director of the Census, saying that inasmuch as precisely the same collection of information was to be made by the State within a few months of the time when the Government was required under the act to gather the same information, it would be better and more economical to have a practical cooperation between the State and the Federal authorities, each agreeing to share one-half of the expense.

It was explained furthermore that by that means we would get much more ample information from the manufacturers. There are certain local difficulties and friction in the State of Michigan regarding the taxation of corporations which make the manufacturers very reluctant to give out certain information, and they would give that to the Federal authorities readily, while they might withhold it from the State authorities.

Then it was thought by the Director of the Census that if within a few months of the time the Michigan authorities made this collection the Government should go to collect the same information over the same field, the Government would not obtain as thorough information as it would obtain by this practical cooperation. So,

in short, we concluded that we would get a better census of manufactures for less money by such practical cooperation.

Mr. HOAR. I should like to ask the Senator from Wisconsin if the question has been called to his attention or that of his committee as to whether there are any other States which may be in the same condition? I have not had occasion to look up the matter lately, but we shall take in Massachusetts a census in the year 1905, and we have heretofore always had some provision for cooperation with the Government to some extent in that business. I dare say that is already provided for.

Mr. QUARLES. It is provided for, Mr. President; and in this very bill the Director is authorized in his discretion to cooperate with other States that take censuses at a different time from that prescribed in the act.

Mr. HOAR. I said that we had heretofore cooperated in the census. I think I was mistaken in saying that. I think the cooperation I had in mind was cooperation with the Coast Survey and other things.

Mr. QUARLES. We have anticipated the very case suggested by the Senator from Massachusetts.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLISON. I should be glad if the bill would go over for a day. I see that it is a bill applicable to the State of Michigan alone.

Mr. QUARLES. The Senator from Iowa will permit me to suggest that he is mistaken in that regard. The last clause of the bill, having in mind Massachusetts and two or three other States, provides that the Director may in his discretion cooperate in the manner with other States that take this midway census.

Mr. ALLISON. May I ask the Senator what has become of the statute which provided, some years ago, for this cooperation? Was that repealed by the census act of 1900?

Mr. QUARLES. I understand so, Mr. President. I understand that that act now occupies the field entirely.

Mr. ALLISON. I think this is a very excellent arrangement, but I do not see why it should be applicable to any particular State. The State of Iowa had an interim state census in 1895, and it will have one in 1905. There was a statute which authorized its cooperation and also authorized some division of the expenditures. Under our State law, and under the constitution, I believe, we take this census in the middle period between the national censuses. If the bill covers the case, very well, but I do not see why it should be made applicable to a particular State without embracing all the States in the same way. This bill is not in print. I do not desire to make any objection to its consideration, and if there is pressure about it so that it should pass this morning, I shall not object to it.

Mr. QUARLES. There is. The authorities of Michigan are very anxious to know whether Congress will favor this scheme. Their time is very short and they instructed me if possible to get this measure through the Senate this morning.

Mr. ALLISON. Is there a specific appropriation here?

Mr. QUARLES. I assure the Senator that Iowa and Massachusetts were in the minds of the committee when the bill was considered, and in my judgment it covers the case fully.

Mr. ALLISON. It may be; I do not know that it does.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes."

Mr. ALLISON. I enter a motion to reconsider the vote by which the bill was passed, and I will look at it later.

Mr. COCKRELL. Let it be printed as it has been passed.

The PRESIDENT pro tempore. The bill will be printed under the rule.

Mr. ALLISON subsequently said: This morning I entered a motion to reconsider the vote by which the Senate passed Senate bill 4122. I should be glad to have the motion reconsidered now. The Senator from Wisconsin has an amendment to offer to the bill which settles the question I have in my mind.

The PRESIDENT pro tempore. The Senator from Iowa asks unanimous consent to reconsider the votes by which the bill was read a third time and passed. Is there objection? The Chair hears none, and the votes are reconsidered.

Mr. QUARLES. I offer the amendment which has been agreed upon.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wisconsin will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following words:

or at any time during the current year 1905 and decennially thereafter.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The joint resolution (S. R. 39) directing the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures was indefinitely postponed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. PENROSE introduced a bill (S. 4099) granting an increase of pension to James Hassan; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4100) to acquire certain ground for a Government reservation; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. WARREN introduced a bill (S. 4101) granting an increase of pension to James H. Cate; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4102) for the relief of Louisa McCall, administratrix, and so forth; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4103) granting an increase of pension to John W. Rulette:

A bill (S. 4104) granting a pension to Annie G. Norwood; and

A bill (S. 4105) granting an increase of pension to Josiah B. Ross (with accompanying papers).

Mr. GALLINGER. I introduce two bills, one of them drafted by the Commissioners of the District of Columbia and the other handed me by a citizen of the District.

Mr. President, I wish simply to make the statement that in introducing such bills I do not want to have it understood by the citizens of the District that I always indorse them. The Commissioners draft a very large number of bills and send them to me as chairman of the committee, and of course I present them to the Senate. The idea goes out in the District that they are my bills, and I am flooded with requests for hearings and letters concerning them. I wish simply to disabuse the minds of the citizens of the District on that point.

The bill (S. 4106) to regulate the operation of street railways in the District of Columbia, and for other purposes, was read twice by its title, and referred to the Committee on the District of Columbia.

The bill (S. 4107) to establish a public park on Columbia Heights and to make a new street on its western boundary was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 4108) granting a pension to Elvira M. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4109) granting a pension to Solomon F. Wehr; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4110) for the relief of John M. Follett; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK introduced a bill (S. 4111) for the relief of the estate of Samuel Smith, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4112) for the relief of the estate of Charles Wood, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4113) to authorize the Secretary of the Treasury to adjust the accounts of the Grand Rapids and Indiana Railway Company for transporting the United States mails; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. PATTERSON introduced a bill (S. 4114) granting an increase of pension to John Wilder; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4115) granting an increase of pension to Charles Church; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 4116) for the relief of the estate of Rudolph Lobsiger, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 4117) to pay the members of the plumbing board of the District of Columbia from April 27, 1893,

to July 1, 1898; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS introduced a bill (S. 4118) authorizing the Commissioner-General of Immigration, under the direction of the Secretary of Commerce and Labor, to establish in connection with the immigrant station at Ellis Island an information and display bureau, for the purpose of aiding in the distribution of immigrants, and for other purposes; which was read twice by its title, and referred to the Committee on Immigration.

Mr. BALL introduced a bill (S. 4119) to refer the claims for the Sioux and Nez Perce to the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL introduced a bill (S. 4120) for the relief of Thomas J. Miller; which was read twice by its title, and referred to the Committee on Claims.

Mr. KEARNS introduced a bill (S. 4121) granting an increase of pension to James D. Beasley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 4123) granting an increase of pension to George Simms; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. NELSON introduced a bill (S. 4124) to authorize the construction of a bridge across the Missouri River between Wanamaka, in Burleigh County, and Morton County, in the State of North Dakota; which was read twice by its title, and referred to the Committee on Commerce.

Mr. WARREN introduced a joint resolution (S. R. 41) to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice of and the statutes relating to that court; which was read twice by its title, and referred to the Committee on Printing.

Mr. QUARLES introduced a joint resolution (S. R. 42) authorizing and directing the Secretary of War to cause a survey and examination to be made of the harbor at Oconto, Wis., with a view to securing a depth of 18 feet of water and the necessity for providing an interior basin at the mouth of the river; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL introduced a joint resolution (S. R. 43) to provide for the printing of 3,500 copies of the report of the Isthmian Canal Commission; which was read twice by its title, and referred to the Committee on Printing.

AMENDMENTS TO BILLS.

Mr. GALLINGER submitted an amendment intended to be proposed by him to the bill (H. R. 9548) for the allowance of certain claims for stores and supplies reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the Bowman Act; which was referred to the Committee on Claims, and ordered to be printed.

Mr. QUARLES submitted an amendment providing for the payment, out of any available fund of the Chippewa Nation of Indians in the Treasury of the United States, to R. O. Evans & Co., of Green Bay, Wis., of the sum of $8,780, said amount being in full payment for maps furnished said tribe of Indians at the request of the council of said Chippewa Nation, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. FAIRBANKS. I move that the amendment submitted by myself on the 18th ultimo proposing to appropriate $20,000 for experimental telephone delivery of special rural mail matter, intended to be proposed to the post-office appropriation bill, which was ordered to lie on the table, be referred to the Committee on Post-Offices and Post-Roads.

The motion was agreed to.

AMERICAN INSTITUTE IN PARIS, FRANCE.

On motion of Mr. FRYE, it was

Ordered, That there be printed 500 copies of Senate Document No. 208, Fifty-sixth Congress, first session, 300 copies for the Senate document room and 200 copies for the use of the State Department, together with the maps [illegible]

RECESS APPOINTMENTS.

Mr. PENROSE. I ask unanimous consent to call up the bill (S. 3805) to establish aids to navigation in Delaware Bay and River.

Mr. HALE. Mr. President, it is very desirable to finish the urgent deficiency appropriation bill. We almost finished it last night. There is only one amendment remaining over.

Mr. PENROSE. I will withdraw my request, then.

Mr. HALE. If the Senator will wait until we get the appropriation through, I shall be very much obliged.

Mr. PENROSE. Very well.

The PRESIDENT pro tempore. The Chair is obliged to lay before the Senate the resolutions offered by the Senator from South Carolina [Mr. TILLMAN].

The SECRETARY. Senate resolution No. 114, by Mr. TILLMAN, instructing the Secretary of the Treasury to send to the Senate information in regard to the appointment of William D. Crum as collector of the port of Charleston, S. C.

Mr. TILLMAN. I ask that the other resolution, instructing the Judiciary Committee, be also laid before the Senate.

The PRESIDENT pro tempore. It is being laid before the Senate.

The SECRETARY. Senate resolution 120, by Mr. TILLMAN, authorizing and directing the Committee on the Judiciary to report what constitutes a recess of the Senate, etc.

Mr. HALE. Before the resolutions proceeded with, I will state that the Senator from South Carolina yesterday very indulgently gave way to the appropriation bill, which we expected to finish and which was entirely finished with the exception of one amendment. Does the Senator want to go on with this matter, which has the right of way, undoubtedly?

Mr. TILLMAN. If I could have any assurance that the appropriation bill would be disposed of without any considerable loss of time, I would not hesitate for a moment to give way, but I have no idea that it is going to get through in the morning hour, and then I would be out of place again. I have given way so often, and have been so long-suffering in this matter, that I hope the Senator from Maine will let us take it up and get through with it. The appropriation bill is not so urgent but that it can wait until it comes up as the regular business.

Mr. HALE. The Senator has the right of way, and I shall not importune him in the matter. He very kindly yesterday gave way. I should like to go on and finish the appropriation bill.

Mr. TILLMAN. I gave way the day before, the Senator will recollect, for two speeches. In fact, I have given way so often that I have not kept track of the number of times.

Mr. HALE. Everybody has to give way to a speech. The Senator understands that that is always the case. That not only has the right of way, but it is ever present with us.

Mr. TILLMAN. Possibly. I have a speech now that I want to get off which I have been preparing for some time. So under that rule I would have the right of way clearly.

Mr. HALE. I shall not urge the Senator. He has the right of way undoubtedly. I will get the deficiency appropriation bill up just as soon as I can after he gets through.

Mr. PROCTOR. Mr. President ——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Vermont?

Mr. PROCTOR. I have a letter from the Secretary of War bearing on this resolution in regard to the recess, and which I ask that the Secretary may read, and that it may go into the RECORD and may also be printed as a Senate document.

Mr. TILLMAN. I ask the Senator from Vermont to just withhold that request for a little while until I have laid a framework or presented the real issue involved here. As I understand it, this paper is in the nature of an explanation and a defense of his action by the Secretary of War, and it would come in much better after the indictment or the statement of facts is presented to the Senate. At least I prefer that course rather than that it should come in now.

Mr. PROCTOR. It strikes me that the reasons for this action naturally are the affirmative and should properly come in first. I wish to oblige the Senator, but ——

Mr. TILLMAN. I shall object to its being read now, and will permit the Senator to present it later.

Mr. SPOONER (to Mr. TILLMAN). Let it be read.

Mr. TILLMAN. No; I do not want to have it read now.

Mr. PROCTOR. I will take the ruling of the Chair upon it.

The PRESIDENT pro tempore. The Senator from South Carolina has the floor and did not yield it to the Senator from Vermont. Although the Chair recognized the Senator from Vermont, it was done without yielding on the part of the Senator from South Carolina.

Mr. TILLMAN. If the Senator is very anxious that this shall go in now, I do not care. It is one of the exhibits in the case, and while I am not used to trying causes in a court—but as the Secretary is under indictment, so to speak, as a prisoner or criminal—I am perfectly willing that he shall have his say so before the indictment is read.

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Vermont?

Mr. TILLMAN. I will yield for the reading of the communication.

Mr. HALE. After it has been read, I do not know, but my impression is that there will be no objection to the passage of the Senator's resolution.

Mr. TILLMAN. Possibly there might not be, but the Senator does not like for his baby to come into the world without some clothes on.

Mr. HALE. Oh, I am entirely willing; I do not object.

Mr. SPOONER. The Senator has already made a speech on the subject.

Mr. TILLMAN. But there are many new lights I have that I want to add to the stock of wisdom that you gentlemen learned in the law do not seem to have availed yourselves of.

Mr. COCKRELL. Let the paper be read, and let us proceed with business.

The PRESIDENT pro tempore. The Secretary will read the letter.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 29, 1904.

DEAR SIR, I am about sending to the Senate an answer to their resolution calling for information regarding the recess appointments to military offices which are mentioned in the question somewhat discussed in the Senate, whether there was what is called a "constructive recess" between the extraordinary session, convened on the 9th of November, and the regular session beginning on the 7th of December last. It may facilitate your further consideration of this subject if I state to the Military Committee the views of the War Department regarding these appointments.

On the 5th of December there were 166 nominations for military office pending in the Senate without action, such as the record was well known that there was no objection and that the Senate was prepared to confirm as soon as they had disposed of the objections to the confirmation of General Wood, who stood at the head of the list. It seemed very desirable to avoid, if possible, the legal complications and questions which would result from throwing these 166 officers back into the service from which they had been promoted, or possibly excluding them altogether from office in the Army, a result which nobody wishes and nobody intends, but which might be brought about upon purely technical grounds.

It was apparent that as the Senate was about to pass from the extraordinary session to the regular session without any appreciable change, without the Senators or their presiding officer leaving the Senate Chamber, two different views might be taken in applying the provisions of paragraph 3, section 2, Article II of the Constitution, which provides as follows:

"The President shall have power to fill up all vacancies that may happen during the recess of the Senate by granting commissions, which shall expire at the end of their next session."

(1) If that provision of the Constitution were to be applied to the actual facts and in accordance with the reality of things, it would be found that the session of the Senate had not ended and that the extraordinary session had merely merged into the regular session, without any such end of a session as the Constitution intends to constitute a recess commission.

If this view were taken, then these officers would still continue to hold under the recess commission issued before the 9th of November.

(2) If on the other hand a technical view were taken of the Constitution, it might be argued that the session had ended, and that the officers were appointed in accordance with the literal idea, which underlies the language in existing facts it might be that the 9th of December was the beginning of the Senate session, for it is only at the beginning of a session that the Senate can act, and the meaning of the Constitution. In that view the recess commission issued prior to the 9th of November would expire on the 7th of December.

This view, however, involves the proposition that there was no end of a session of the Senate, within the meaning of the Constitution, but rather the proposition that there was a recess of the Senate, within the meaning of the Constitution, for there can be no end of a session until a time is reached when there is no session, and the time when there is no session is a recess. The phrase isn't literal and mechanical, but it is a more practical one than the idea of a session which is assumed to happen.

A session give and takes a constructive recess. A real end involves a real recess. Necessarily a vacancy caused by the operation of a commission at the end of a session happens in the recess caused by the ending of the session, and it is within the constitutional power of the President to fill up such a vacancy. My own mind leaned strongly toward the opinion that the Constitution did not intend to deal with any fine-drawn distinctions between sitting one hour under one roof and the next hour under another, but that the end of a session is that the constitutional provision meant was when the Senate really stopped sitting and adjourned.

Inasmuch, however, as there were two views possible, it was considered that it was appropriate to give consideration to both views. With the second view above specified, to the end that wherever the responsibility might lie, if the question of determining the legal question involved should develop that question, the war understood extent of the appointing power, meaning both the President and the Senate, might be exercised. For this purpose it is understood that the second set of recess commissions were given.

It is considered quite probable that these appointments, whether it be determined that the original recess commissions are still based upon the theory that an extraordinary session of the Senate will be entitled to the provisions of section 1761 of the Revised Statutes, which reads as follows:

"No money shall be paid from the Treasury as salary to any person appointed during a recess of the Senate to fill a vacancy in any existing office if the vacancy existed when the Senate was in session and was not by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate."

Very respectfully,

ELIHU ROOT, *Secretary of War.*

Hon. REDFIELD PROCTOR,
Acting Chairman Committee on Military Affairs, United States Senate.

Mr. PROCTOR. I ask also that the letter may be printed as a Senate document.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the order is made.

Mr. TILLMAN. Now I ask that resolution 120 be read.

The PRESIDENT pro tempore. Resolution No. 120 will be read.

The Secretary read the resolution submitted by Mr. TILLMAN on the 2d instant, as follows:

Whereas Article II, section 2, of the Constitution of the United States provides:

"The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, and he shall nominate and, by and with the advice and consent of the Senate, shall appoint * * * and all other officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law:

And further:

"The President shall have power to fill up all vacancies which may happen during the recess of the Senate by granting commissions which shall expire at the end of their next session."

And

Whereas it is known that certain officers appointed during the recess of Congress from Mar. 3-4 last to November 9 and whose appointments were not confirmed by the Senate are now in possession of and exercising the powers of said offices; Be it

Resolved, That the Secretary of War be, and he is hereby, authorized and requested to report to the Senate:

First. What commissions were "granted by the Senate" and what are the powers and authorities of the executive in making appointments in our Republic.

Second. What legislation is necessary to prevent the holding of any office by any person who has not been confirmed by the Senate, if any there be.

Mr. HOAR. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield to the Senator from Massachusetts?

Mr. TILLMAN. I do.

Mr. HOAR. I did not know the Senator had taken the floor.

Mr. TILLMAN. Yes, sir; I have the floor; but I will yield to the Senator from Massachusetts.

Mr. HOAR. I wish to suggest that there are a good many considerations affecting the resolution which I do not care to enter upon now one way or the other, but it occurs to me that the Senator might gain his object without using the precise language which he uses at the close of the resolution.

It seems to me that it is hardly respectful to the executive branch of the Government, when the Executive has taken some action which seems to him, according to the communication just read from the Secretary of War, in accordance with his lawful and constitutional duty, to pass a resolution asking what legislation is necessary to check an unlawful exercise of power.

Mr. TILLMAN. If any there be.

Mr. HOAR. I know; but I think, if the Senator would strike out those words, leaving the resolution to ask what legislation is necessary to prevent certain officers from holding office, he would accomplish his purpose. I do not think, under the special circumstances, that the supposition can be supported by the Senate without an implication of disrespect. It seems so to me. I suggest that the Senator can accomplish the substance of what he desires without doing it in that way.

Mr. TILLMAN. Perhaps the Senator from Massachusetts has one idea of what I desire and I have another.

Mr. HOAR. I presume the Senator from South Carolina desires to get the opinion of the committee and perhaps afterwards to have the opinion of the Senate on the question of constitutional law. I did not suppose, and I do not now suppose, that the Senator has any desire to exhibit any disrespect toward another branch of the Government.

Mr. TILLMAN. The Senator from Massachusetts was absent when this question was presented some ten days ago and rather extensively discussed, when some of the purposes and motives which actuated me bringing the attention of the Senate to it were presented. I claimed then, and I claim now, to have no other purpose than to try to get the Senate to demand that the Executive shall respect its prerogatives and rights—its clearly defined constitutional rights. That is all.

If my language is subject to the criticism of disrespect, I want to disclaim any disrespect; but I want to make myself understood. If the President has been guilty of lawlessness, of usurpation, and of an invasion of the prerogatives and rights of the Senate, I do not see why I can not, in the most respectful language which I can employ, if I believe that, say so, and have the Senate itself determine whether or not it agrees with me by passing the resolution. That is all I had in view. But we will discuss the substance and form of the resolution after we have put the facts before the Senate. Let us understand just what is involved in this issue.

Mr. President, in order to get the case, if I may so term it, clearly presented, I should like to read the letter of the Secretary of War of January 29, in answer to a resolution of inquiry, so as to put it in the RECORD. Though many Senators have read it, I shall have to quote it unless it is read, so that they themselves can hear it. He goes on in express terms to speak about the issuance of commissions.

I will read the part of the letter which I want to comment on right here, and I call the attention of the Senator from Massachusetts to it. I want him, if he will be kind enough, to give me close attention while I am endeavoring to marshal the facts. Possibly he is as well or better acquainted with the fact that I am going to state than I am myself, but for fear that his absence from the Senate has left him somewhat in ignorance of the progress of this matter, I ask his attention to the closing paragraph

of the letter of the Secretary of War of January 29 in answer to the Senate resolution of inquiry:

"All the officers specified in Schedule B have been reappointed and recommissioned by the Senate as specified above have been issued to them. It is the understanding of this Department that the authority of law therefor is Article II, section 2, paragraph 3, of the Constitution, which reads as follows:

I will not read that article of the Constitution, because it has been read and everybody knows what it is.

Mr. E. R. Hills, Acting Adjutant-General, makes an addition to this letter of the Secretary of War, in which he more fully sets forth what has been done. He says:

Commissions, signed by the President, were issued to all of these officers of the character indicated by granted "recess commissions," each of which contained "This commission to expire when filled or the pleasure of the President of the United States for the time being and until the end of the next session of the Senate."

Then there is something at the end of the entire exhibit, to which I direct the attention of the Senator from Massachusetts. The Secretary did not act on his own volition, although I have understood that it was under his advice that the President had assumed this attitude. I will now read what the President said:

WHITE HOUSE, *Washington, December 7, 1903.*

The persons above named—

Meaning the 167 officers who have been mentioned—

are hereby appointed to the offices set opposite their respective names to rank repeatedly from the several dates specified in the recess commissions issued to them by them, which expired at the end of the extraordinary session of the Senate convened on the 9th day of November, 1903.

THEODORE ROOSEVELT.

By the President:
ELIHU ROOT, *Secretary of War.*

This is the order of the President instructing these commissions to be issued.

I ask Senators to note that the President himself declares that the "commissions expired at the end of the extraordinary session of the Senate convened on the 9th day of November, 1903."

Now, Mr. President, an examination of Schedule B discloses this fact: The first appointee was Leonard Wood, to be major-general, and then follow nineteen officers, to be brigadier-generals, who have since been retired. So we have the condition further complicated by the fact that the President has issued a so-called recess commission to an officer who has not been confirmed by the Senate and who is now retired as a brigadier-general, although his real rank is that of colonel. The question as to what these nineteen officers shall receive as their retired pay is involved.

Next I want to have the Secretary read the letter of the Secretary of the Treasury in answer to the Senate inquiry in regard to the appointment of William D. Crum to be collector of the port of Charleston. The letter is dated January 27, 1904.

The PRESIDING OFFICER (Mr. PETTUS in the chair). The Secretary will read as requested.

The Secretary read as follows:

OFFICE OF THE SECRETARY, TREASURY DEPARTMENT,
Washington, January 27, 1904.

MY DEAR SIR: Replying to Senate's resolution of January 25, 1904, I beg to advise, William D. Crum was appointed collector at the port of Charleston, S. C., March 20, 1903, and a temporary commission issued. Mr. Crum qualified by executing bond for $60,000 and took oath of office March 30, 1903. Mr. Crum was again appointed December 7, 1903, and has given bond in the sum of $60,000 and took the oath of office on January 9, 1904. There has been no third appointment and no fourth appointment. The same information is contained in a letter to Hon. B. R. TILLMAN, under date of January 8, 1904, and which appears in the CONGRESSIONAL RECORD of January 25, 1904.

The resolution also asks: "Is Mr. Crum now in office, and if so, under what authority of law?" William D. Crum is de facto collector at the port of Charleston, S. C. Whether he holds his position under authority of law is determinable not by the executive department of the Government, but by the judiciary, and by that only. He is not receiving pay, because of the provision of section 1761.

Very truly, yours,

L. M. SHAW.

Hon. WILLIAM P. FRYE,
President pro tempore United States Senate.

Mr. TILLMAN. Mr. President, that last document is such a remarkable one that I must, before leaving it, call attention to the statement that Mr. Crum is now the de facto collector of the port of Charleston and that his tenure is determinable only by the judiciary; that the President, having appointed him in recess last March, reappointed him on the 7th of December, commissioned him and maintained him in the office, and we are coolly informed by the Secretary of the Treasury, no doubt under the general, if not specific, instructions of the President, that the Senate has nothing more to do with the matter, and that the judiciary department or the judicial officers of this Government will determine whether Mr. Crum is lawfully in office or not.

I have here a copy, made for me by the executive clerk of the Senate, of the various steps taken in regard to Mr. Crum:

William D. Crum, to be collector of customs at Charleston, S. C. First nominated January 5, 1903 (57th Cong., 2d sess.); referred January 5, 1903; adversely reported February 18, 1903. No further action.

Second nomination March 5, 1903 (58th Cong., special session of Senate), referred March 5, 1903. No further action.

Recess commission March 20, 1903.

Third nomination November 11, 1903 (58th Cong., 1st sess.), referred November 11, 1903. No further action.

Fourth nomination December 7, 1903 (58th Cong., 2d sess.), referred December 7, 1903.

But we are informed also that he has not only been nominated on the 5th of December, but that he has been appointed on the 7th of December. Now, I want to ask my honorable friend the Senator from Massachusetts whether or not such a case has ever been known? I have been examining pretty closely, but so far I have been unable to discover a precedent for a nomination and appointment the same minute to any office subject to the approval and confirmation of the Senate. Can the Senator recall one?

We have, then, this state of facts, Mr. President. During the recess of Congress, when we were not here, the President nominated and issued temporary commissions to 167 army officers and one collector for the port of Charleston, and he notified us when Congress met in extra session on the 9th of November of his action. The Senate had these nominations under consideration, but it did not confirm any one of them.

Then, when the two sessions merged, the President pro tempore rose from his seat at 12 o'clock on December 7 and said—I quote the words from memory—"The time having arrived for the assembling of the regular session of the Fifty-eighth Congress, I therefore declare the extra session adjourned sine die." Then he struck his mallet on his desk and said, "The Senate will come to order," and the roll was called. I want to ask anybody, anywhere, if there can be, under such conditions, a recess?

Mr. LODGE. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Massachusetts?

Mr. TILLMAN. With pleasure.

Mr. LODGE. Mr. President, the President of the Senate on the 7th of December, when he declared the extra session of the Senate adjourned without day, left the chair and returned with the Chaplain. Then we had prayer—the regular opening of the session.

Mr. TILLMAN. The President pro tempore did not go 3 feet from his seat.

Mr. LODGE. He left his chair, went down on the floor, and came back with the Chaplain.

Mr. TILLMAN. All right; I do not want to quibble, and I am not splitting hairs here. I am endeavoring to get somebody to stand up here in the light of common sense and declare that there was a recess of the Senate in the view of the Constitution during that proceeding.

Mr. PLATT of Connecticut. Well, Mr. President, if there was no recess, then is it not true that the recess appointments, which had been theretofore made, ran over into the so-called regular session?

Mr. TILLMAN. Why, Mr. President, the Senator from Connecticut is too good a lawyer to ask me a question like that. The Senator from Connecticut must understand that our record shows that there was the end of a session. We are not discussing the question of recess. Do not mix the two words, as the Secretary of War has endeavored to do in his special pleading.

Mr. PLATT of Connecticut rose.

Mr. TILLMAN. The Senator will let me give an illustration. Precisely at 12 o'clock midnight on the 31st of December last the year 1903 died, and in one second afterwards the year 1904 was born. Does anyone claim that there could have been a recess in time then? A session is a sitting, and a recess is to withdraw from work, to retire, to quit.

Mr. PLATT of Connecticut. Now, if the Senator will permit me——

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Connecticut?

Mr. TILLMAN. With pleasure.

Mr. PLATT of Connecticut. The Senator asks any Senator to say whether, under the circumstances described, he would be willing to say that there was a recess. Well, it seems to me to follow that if there was no recess there was a continuous session, and therefore the old nominations held over.

Mr. TILLMAN. That is a very attenuated thread for a great constitutional lawyer to hang a commission on. I am afraid it is like that bridge which Mohammed says souls must cross to get into Heaven, so attenuated and so slender—well, like the thousandth part of the spider's web, for instance, or something like that. I believe he describes it—but let me ask the Senator if he undertakes to make that contention, what becomes of the Constitution?

Mr. PLATT of Connecticut. Does the Senator desire me to answer now?

Mr. TILLMAN. Undoubtedly.

Mr. PLATT of Connecticut. Mr. President, I am not prepared to say what I think is the real construction of the Constitution in view of these facts; but I say that I incline to the belief, inasmuch as the purpose of the Constitution was that offices should not be vacant when a recess occurred, that the "end of the next session" may mean the end of a session, at the end of which nominations may be made.

I incline to the belief that under the circumstances "the end of the next session" meant by the Constitution is the end of this session in which we are now engaged, inasmuch as there was no appreciable interval of time between what is called the "extra" session and what is called the "regular" session. I do not speak positively on that subject, but my mind inclines in that direction.

Mr. TILLMAN. Mr. President, I have gone into this subject somewhat extensively, and so far as my investigations have led me I find this to be the condition. There has been contention and struggling for power by the Executive under this clause of the Constitution from the very beginning of the Government. There are scores of opinions by the various Attorneys-General, who were called on in pursuance of that well-known and well-recognized feeling of the human breast that men are always straining after power. Power always seeks its own aggrandizement, and any executive officer wants to use as liberal executive authority as he feels equal to.

I find that while these various legal advisers of the President have strained to give the President more power in regard to appointments in one particular which I shall speak of a little later, there has never been one up to the time who has ever undertaken to say that there was such a thing as a constructive recess and that a man could be appointed to office a month or so before to him, and be inducted into office or mature and mature between 12 o'clock and 12 o'clock of any one day. It is a brand new thing; it is absolutely the first instance on record of any such idea having ever entered anybody's brain.

In regard to all the contention that has been over the question whether the President had the right to appoint after the Congress had adjourned and there was really a recess to fill a vacancy which had occurred when the Senate was in session previously,

I have here a very interesting report, and if the Senator from Massachusetts has not examined it—I know he has had it in his hand before and has read it in the past—I want to ask him to refresh his memory by getting a copy of this report and considering the arguments that were presented and the facts that were adduced in relation to this subject in 1863.

Mind you, now, we all remember that there was a desperate war or battle between the Senate and the House of Representatives on one side and Andrew Johnson on the other, resulting, as I shall show presently, in the enactment of the tenure-of-office law, under which the power of the President to make appointments was practically annulled and he was forbidden to remove men from office unless the Congress adjourned; in fact, he was absolutely hamstrung, and that law remained on our statute books from 1867 to 1887, twenty years, before it was repealed.

I will read some of the sections of that act presently, because it looks very small, as though, under these strenuous constructions of the Constitution which we are now having and the facility with which some local lights are endeavoring to make excuses and explanations and furnish reasons why they are permissible, we will have to do something, or the Senate had just as well quit having anything to do with appointments and turn the President loose. But I want to read now out of this report. It was made by Mr. Howard, from the Judiciary Committee, January 28, 1863. If Senators have not got it, they might do very well to send up to the document room and obtain it, so that they can examine it as I go along.

"The Committee on the Judiciary, to whom was referred the resolution of the Senate of the 16th instant in the following words, to wit: 'Resolved, That the Committee on the Judiciary be instructed to inquire whether the facts which it may find to exist in some of the Departments of the Government, of appointing officers to fill vacancies which have not occurred during the recess of Congress, can be sustained at the preceding session of Congress as in accordance with the Constitution; and if not, what remedy shall be applied.'"

That is the resolution under which this committee acted. They treat on that very point which the Senator from Connecticut [Mr. PLATT] made or attempted to make.

"It is true that the substantial purpose of the Constitution was to keep these offices filled with competent and fit persons, and that to secure this result the officers of the Senate must be appealed to and taken in all cases of vacancies happening during the recess, when, of course, they can not act or be consulted. The language of Mr. Wirt—

"The Attorney General, whose opinion had been quoted—

"leaves it to be inferred that the filling of the office was the only great and paramount purpose. In this we think the argument leaves out of view the constitutional provision, or at most treats it as mere incidental and of special importance and entitled to no weight in interpreting the provision.

"We, on the contrary, hold these provisions to be of the highest and gravest importance, weighing heavily against the unconstitutional interpretation he gives to the language. Why were the advice and consent of the Senate required at all, but for the purpose of ascertaining and passing judgment upon the qualifications? And why, especially, was the giving of the advice and consent made a condition precedent—a sine qua non—to the appointment?

So the idea which the Senator from Connecticut advances, that the law contemplates keeping the offices filled, is brushed aside by this Republican committee of able lawyers in 1863, when that great man, Abraham Lincoln, was here and had the undivided support and love of his party and of the Northern people. They thought it was an absolute piece of nonsense that the necessity for keeping an office filled should weigh against the equal necessity and the constitutional right of the Senate to pass upon the qualifications.

Mr. PATTERSON. Who composed the committee?

Mr. TILLMAN. Well, Mr. Howard, of Michigan, a distinguished lawyer, made the report for that committee. I do not know who the other members of the Judiciary Committee were at the time. It is so far back that we have only one man here, I believe, the Senator from Iowa [Mr. ALLISON] who was then a Member of Congress, but the Senator can send up and get the names of the other members of the committee. I dare say he will find they were of that able galaxy of men who illustrated that day as lawyers and have never been surpassed, even by the present generation—what shall I say? planets. We have got planets and satellites here now, and one of them has just left the office of Secretary of War.

Mr. MITCHELL. What is the date of the report?

Mr. TILLMAN. January 28, 1863, Senate Report No. 80, Thirty-seventh Congress, third session.

Now, here is something more along the same line of the relative powers and duties and rights of the Executive and the Senate in making appointments under this clause of the Constitution:

"It is observable from the language we have quoted that the responsibility of the Senate is imposed in the choice of a person to be appointed to an office, and not in anything else. It is not in the power of the Senate to compel the appointment of any person whatever. The power of nomination is exclusively in the President, and upon the nomination and the possession of the office there must be a concurrence of the Senate and the Executive. The constitutional provision is, in substance, a restraint upon the power of the President, and it was intended to be such a restraint as it was reasonable to impose upon the President and to make it a condition precedent to the exercise of the right of the President to appoint.

"The Senate should then be at liberty, deliberately give its advice and consent to a particular nomination, and the President may then, if he pleases, make the nomination and then the appointment; though it would seem from the language used that the President is first to nominate, and the consent to and advice of the Senate to be given upon the nomination. But it is obvious that neither the President's nomination nor the Senate's advice and consent constitute an appointment under them, the consent and advice only consisting in the exercise of a right which accrues only when the President has made the nomination.

"And it is quite clear that the preliminary action of the Senate upon a particular nomination was contemplated by the framers of the instrument as an important safeguard against executive profusion in appointments. It was presumed by the framers that the Judiciary Committee would be on hand, and that Congress would be in session, and would proceed and pass upon nominations for office coming from the Executive, and that the Senate would be able to act upon the nomination and give its advice and consent or withhold it, and that the President would be able to appoint the person nominated and confirmed

Now, this statute evidently does make this collector a collector de facto. He was appointed, as I understand, last spring after the Senate adjourned. That appointment put him in office at all events, and he continued in office. His commission expired at the adjournment of the next session of Congress, according to the provision of the Constitution which has been read.

The President can not give him a new commission, but he is in office and continues in office even after the adjournment of Congress, holding the place, though not legally entitled to the office. He could not be appointed during the session of Congress, but he could be lawfully appointed last spring after the adjournment of Congress, and being so appointed, he was lawfully in office, and he has continued in office ever since. Now, the commission could not issue during the session of Congress, of course, but he is authorized by this act to continue in the discharge of the duties and to receive the pay.

Mr. SPOONER. The bond would be good, too.

Mr. TILLMAN. Is the Senator from Alabama through?

Mr. PETTUS. I have concluded all I care to say.

Mr. TILLMAN. With all due deference to the Senator from Alabama, that statute does not apply in this case. The trouble about the whole thing is that he never has been collector, and he can not be collector, and he can not do anything more than hold his position temporarily. The Constitution is higher than any statute; at least I have always thought so, and the statute the Senator has just read hinges on the question whether or not he ever was a collector. I say he has not been collector.

He has only had a temporary commission to fill the place until the Senate met in its next session and either confirmed or rejected him. He never was collector. He is not collector now, except de facto. He has no authority to be in office now under any interpretation or construction of the law that has been handed down to us and as all of the decisions have hitherto maintained.

There is a statute here which has been referred to by the Secretary of War and by Mr. Shaw, too. I wish to call it to the attention of the Senator from Alabama. I hope the Senator from Alabama will let me give him some law, too, from the statutes. If he will turn to section 1761 of the Revised Statutes, he will see the case we have in point here directly and positively and clearly taken up:

> No money shall be paid from the Treasury, as salary, to any person appointed during the recess of the Senate, to fill a vacancy in any existing office, if the vacancy existed while the Senate was in session and was by law required to be filled by and with the advice and consent of the Senate, until such appointee has been confirmed by the Senate.

There is a provision clearly and explicitly declaring that no money shall ever be paid to this man until he is confirmed; and yet the Senator has read a statute which provides that he shall receive compensation. But that means that after he has been confirmed and had his commission issued and is not only de facto but de jure a collector. These things obtain and follow, but not before.

Mr. President, in regard to the question as to what is involved in the constitutional provision itself, I want to read from the report which I have been quoting so liberally. After quoting from Mr. Wirt, who had contended that the word "happen" was intended to mean "happen to be existing," Mr. Howard goes on to say:

> Now it is the vacancy that is to "happen." Certainly any event which has begun and become complete must be said to have happened. But if a vacancy once exists, it has in new happened, for it is in itself an instantaneous event. It depends no continuance of time nor that precedes it, but takes effect and is completed and perfected at an indivisible point of time, like the beginning or end of a process. Once in existence, it has happened, and the mere continuance of the condition of things which the occurrence produces can not, without defeating the most obvious distinctions, be taken or treated as the occurrence itself as Mr. Wirt seems to have done.
>
> The words "during their recess" are plainly intended to qualify and limit the term "happen." The vacancy is to happen during their recess. Now, if the vacancy the President is authorized to fill may as Mr. Wirt and his successors contend, take place indifferently during the recess or during the session, it is evident that no meaning or effect whatever is given to the words "during their recess." Are not those words practically expunged from the Constitution?
>
> Again, we see no propriety in forcing the language from its popular meaning in order to meet and fulfill one conceivable great purpose, the keeping of the office filled, while there is plainly another purpose of equal magnitude and importance, letting qualifications attached to and inseparable from the former. In such a case the argument ab inconvenienti has no force, because the anticipated evils on the one hand are counterpoised by those on the other.

Now, here is what I want Senators to consider, for it is the gist of the whole matter:

> But this forced and unnatural interpretation becomes more manifest in its results. These results would quickly open the way to a practical deprivation of all power of the Senate over Executive appointments. For if the President may in the recess appoint to and fill an office which during a session of the Senate was vacant, he may omit to make any nomination at a subsequent session, and at the close of it again appoint him under the idea of filling a vacancy, and so on from session to session.
>
> In the hands of an ambitious, corrupt, or tyrannical Executive this use of the power would soon bring about the very state of things which the Constitution so carefully guards against, by requiring, in express terms, that the advice of the Senate shall first be taken, and its consent obtained, before an appointment shall be made. We do not hesitate to say that this great safeguard of the public rights, interests, and peace is practically prostrated and destroyed by the insidious, and, to our minds, totally unfounded construction which has been forced upon the clause.

Mr. HALE. From what is the Senator reading?

Mr. TILLMAN. I am reading from the report of Senator Howard in 1863. He was chairman of the Judiciary Committee, I think, or on that committee, and he made a most able and conclusive and exhaustive report. The whole subject of the relation between the Executive and the Senate in the matter of appointments is set forth here so luminously and so conclusively that I do not see how anybody can find any argument to controvert the position he takes.

But, Mr. President, we are face to face with a condition and not a theory. The present Executive has not only created a constructive recess in his own mind, but has acted upon that theory, and has not only nominated men here, but at the same moment has appointed them, given them commissions; and under this constructive recess idea these commissions hold until the present session of Congress expires. Then under this power which he has claimed and exercised he can appoint them again; and so on we go indefinitely. The Senate is eliminated as a factor in the matter of appointments upon which the Executive has set his heart.

Mr. McCOMAS. That report was made in the third session of what Congress?

Mr. TILLMAN. In the third session of the Thirty-seventh Congress, Reports of Committees, No. 80.

Mr. HALE. What year?

Mr. TILLMAN. In 1863, before the controversy which resulted in the tenure-of-office act had arisen with Andrew Johnson. It was made in Lincoln's Administration, and it was purely a presentation of the views of that committee in regard to appointments, after the Senate adjourned, to vacancies which had existed while it was in session.

As to this idea which now obtains and which has been acted upon, that was not in the dream of the wildest revolutionists who might have existed at that time. Here are the members of the committee which made this report: Mr. Trumbull was chairman; Mr. Foster of Connecticut, Mr. Ten Eyck of New Jersey, Mr. Harris of New York, Mr. Howard of Michigan, and Mr. Powell of Kentucky. I thank the Senator from Colorado for handing me the list of the committee.

Mr. TELLER. It was a strong committee.

Mr. TILLMAN. I have said about all I care to say, Mr. President, as I do not care to enter into any apparently partisan discussion of this question or any effort to give it any political coloring. I have sedulously and earnestly endeavored to appeal to Senators as Senators and not as Republicans or Democrats, merely trying to uphold the power and rights and dignities of this body in dealing with these matters.

I do not even care to do more than allude in passing to the fact regarding this little, measly position in my State, the collector of the port of Charleston, which is no more, you might say, as far as its importance is concerned, except the principle underlying it, than a gnat. We have not only had the President disobey the direct statutory provisions in regard to who shall perform the functions of that office when a vacancy occurs, but we have had him put into office, holding in office, nominated and issued a commission at the same moment to this man, notwithstanding the fact that the entire business community who have to deal with that office have protested and protested and protested against his unfitness and his utter disqualification for the position.

As far as General Wood is concerned, with that I have nothing to do other than to say that the two are together. They are on all fours. The one is an invasion of the rights of the Senate in regard to the Army and the other an invasion of the rights of the Senate in regard to a collector of the port.

If the President, as I said the other day, can make appointments of this kind and hold the man in office de facto in Charleston, contrary to the will of the Senators, he can do it in Boston, or in New York, or in Chicago, or any other place in the Union.

A little blaze is sometimes easily stamped out, but if you let it go on it spreads into a conflagration which sweeps away millions of property and devastates and destroys vast areas. This seems to be the little beginning of a line of—well, I do not like to use so harsh a word as usurpation, but I do not know what else to call it. The Senator from Connecticut or the Senator from Massachusetts has appealed to my respect for the Executive not to use language in the resolution which would be considered disrespectful. I want to get at the result; I want to accomplish the purpose; and that is to have the Senate declare through its Judiciary Committee that such a thing as a constructive recess is nonsense and that any appointments made in this manner are unlawful. That is what I am after.

Mr. HALE. Does the Senator think this request of his would

in any way be limited or hampered by striking out the second clause?

Mr. TILLMAN. You mean the last clause?

Mr. HALE. Yes. It is marked "second." It is not my suggestion. The Senator from Massachusetts [Mr. HOAR] suggested that amendment, and he is absent. I do not see but that the Senator will accomplish what he wants done and what I think most of us want done, that there should be an expression by the great law committee of the Senate, representing the Senate, upon a subject in which the Senate is very greatly interested. I think the Senator will accomplish all that he desires by leaving off the second clause, which perhaps throws some unnecessary reflection.

Mr. CULLOM. Where is that second clause?

Mr. HALE. It is on the second page of the resolution, the last clause.

Mr. TILLMAN. I can understand, I think, that Senators are not willing to commit themselves to an assertion, by a resolution of this character, that the Executive has exercised any unlawful authority. They know it and they want possibly to correct the evil, but still they do not want to do it officially. If they are very anxious that the resolution shall pass without those words, I will consent to expunge them. But I want to read this.

Mr. HALE. I can not speak for anyone else, but I shall certainly vote for the resolution when that clause is struck off. I am in full accord with the Senator. I do not think, as I have said before, that the Constitution is made as a pitfall for the unwary to fall into. It is an open, clear document, made by open, clear-minded, frank men; and I have no idea that they contemplated any such constructive recess. I would be glad to have the Senate direct the Judiciary Committee to report, or request them to report; but I have no doubt about the final result when it comes around under the section which has been read already this morning, that the Comptroller will make short work of this business.

Mr. TILLMAN. The trouble about that is that Crum is in office and we are calmly told by the Secretary of the Treasury that there is no way to determine whether he is there lawfully or not. He says he is there de facto, and unless we should pass some resolution which might make it possible to determine a question of this kind in the future, I would feel that a mere announcement by the Senate of its views would have little or no weight. It, of course, might be worth something.

Mr. HALE. I think so.

Mr. TILLMAN. Let me read the Senator a statute here that was thought necessary once and that I should like to see enacted again, because it was repealed in 1887. I am reading section 1771 before it was repealed:

> Every person who, contrary to the four preceding sections—

You might strike out "the four preceding sections" and say "contrary to law"—

> Every person who, contrary to law, accepts any appointment to or employment in any office or business or employ, or attempts to hold or exercise, or pretends to hold or exercise any such office or employment, shall be deemed guilty of a high misdemeanor, and shall be imprisoned not more than five years or fined not more than $10,000, or both.

Now, our difficulty is this: The Secretary of the Treasury tells us candidly Mr. Crum is de facto collector of the port of Charleston, that he holds the commission, and he is also here under nomination, and whether he will be confirmed or not it is for the Senate to determine. The Senate has refused to confirm him twice, and it may refuse to do so again.

But suppose it does or suppose it does not; if we would enact a law to make it unlawful for him to occupy that office and put it in the power of some citizen to go to the court and get out a warrant and get this man jerked out of there, we could stop the President from filling offices unlawfully in this way. As it is, I know of no remedy. I am willing to take out the last clause of the resolution and let the Judiciary Committee wrestle with the subject and do what it pleases with it.

The PRESIDENT pro tempore. Does the Senator modify his resolution?

Mr. TILLMAN. I modify it by striking out the last clause.

Mr. McCOMAS. I desire to ask the Senator one question before he takes his seat.

Mr. TILLMAN. I want the resolution to come to a vote.

Mr. McCOMAS. As the hour is near 2 o'clock——

Mr. TILLMAN. I want it to come to a vote.

Mr. McCOMAS. Very well.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

The preamble was agreed to.

Mr. LODGE. What becomes of the other resolution? Does that go to the Committee on the Judiciary?

Mr. TILLMAN. The other resolution has gone to limbo. It will not be necessary any more here.

The PRESIDENT pro tempore. The Chair would like to have it removed from the Calendar.

Mr. TILLMAN. Take it off the Calendar and put it in the waste basket.

The PRESIDENT pro tempore. The resolution will be indefinitely postponed, and also the resolution on the same subject submitted by the Senator from South Carolina December 11, 1903.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 6331) granting an increase of pension to James M. Dickey.

The message also announced that the House had passed a bill (H. R. 8889) to amend an act entitled "An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company;" in which it requested the concurrence of the Senate.

The message further announced that the House insists upon its amendments to the concurrent resolution of the Senate to print the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CHARLES B. LANDIS, Mr. PERKINS, and Mr. TATE managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 408) granting an increase of pension to Henry Christy; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 892) granting an increase of pension to Abram H. Hunt; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 958) granting an increase of pension to Alfred H. Rogers; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3776) granting an increase of pension to Alfred I. Judy; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 3903) granting an increase of pension to George C. Sherman; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 5176) granting an increase of pension to Alonzo Dutch; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 6622) granting an increase of pension to George W. Travis; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON Mr. MIERS of Indiana, and Mr. CALDERHEAD managers at the conference on the part of the House.

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. HALE. Now let the urgent deficiency appropriation bill be proceeded with.

The Senate resumed the consideration of the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The PRESIDENT pro tempore. The question is on the point of order raised by the Senator from Texas [Mr. BAILEY].

Mr. NEWLANDS. Mr. President, when I entered the Senate a few months since it was my intention to conduct myself with that unobtrusiveness that is usually expected of novitiates elected to this honorable body, and to adapt my course to the traditions

of the Senate, which seemed to require a gradual method amal-
[illegible] with the debating [illegible] of this body.

[illegible] ago, however, I [illegible] into the Senate a resolution inviting Cuba to become a state in the Union. I did [illegible] for the sake of consistency, carrying out the [illegible] which I had inserted [illegible] in the House of Representatives, and introducing [illegible] Senate [illegible] Cuba [illegible] union, which would [illegible] the best [illegible] the freedom of trade of the Republic. I proposed that [illegible] Cuba [illegible] the Senate [illegible] Cuba [illegible] union but of free commercial intercourse with these States.

I was compelled to meet Senators upon this floor who, whilst they claimed that it was an insult to invite Cuba into the Union, an insult to Cuba herself, insisted upon it that it was entirely consistent with our friendly relations with the Colombian Republic to bring the [illegible] the United States into her territory, to station that territory with ships of war, to aid in the dismemberment of that Republic and the segregation of her insular from her continental territory.

And so yesterday I was again brought into the debate by the Senator from Wisconsin [Mr. SPOONER], who, in the debate regarding the St. Louis Exposition, saw fit to allude to some utterances of mine at Omaha in the early part of January; utterances which were addressed to party associates at a Jacksonian banquet. The Senator from Wisconsin quoted upon that occasion I republished one of the cardinal doctrines of the Democratic party in the last campaign.

When I explained what I said at Omaha by stating that I had there declared that the issue of imperialism had been presented to the American people in the last campaign with rare and splendid eloquence, but that the conscience of the American people had been blunted by an intense commercialism and that the appeal fell upon their ears in vain, and that whilst I trusted that the Democratic party would never fail to place in its platform the repudiation of the doctrine of controlling subject peoples against their will, I did not believe that that issue, from the experience of the last campaign, would gain many votes, the Senator arraigned me for my alleged indictment of the American people; declared that he could not understand how a Senator of the United States could impute to the people of the United States that their eyes had been closed to dollars to the demands of liberty or the traditions of the Republic; that it was a bold thing to thus impeach a majority of the American people; and then, proceeding, insisted that the ideals and traditions of the American people are cherished by them and that they will not be forsaken.

The Senator seems to think that these ideals have been uniformly maintained by this country. Mr. President, I admit that the ancient ideals of the Republic were maintained throughout the entire history of the Republic until recent years, and I claim that it is only within the last six years, years of Republican domination, that these ideals have been abandoned.

Now, what were those ideals of the Republic? The great and permanent ideal of the Republic was voiced in the words of Jefferson in the Declaration of Independence that all men were created free and equal; that Government instituted for its just powers derived from the consent of the governed. That principle and [illegible] were inseparable. This was the [illegible] gospel of [illegible] world, [illegible] country—the Messiah of the nations.

Would the Senator from Wisconsin, would the Senators of the Republican party subscribe to that doctrine now? Are the [illegible] when under this new theory of government [illegible] two classes of people, part citizens and part [illegible]? Does our Government rest upon the consent of the governed when it embraces and [illegible] dependencies of [illegible], but governed by us without their consent and against their will?

Are taxation and representation inseparable when we have [illegible] two classes of people, those who [illegible] are taxed? What has become of this ideal, declared [illegible] a hundred years by every patriot and orator in the [illegible] the essential element of [illegible] government?

And [illegible] later on the great apostle of liberty, Lincoln, [illegible] proceeding upon a war [illegible] tion could not live half slave and half free, half citizen and half subject. Would the speaker from Wisconsin subscribe to that doctrine now?

And so, later on, Mr. McKinley, unlike our present Executive, in a [illegible] declared [illegible] this country would [illegible] the judgment of the [illegible] of the people whether [illegible] and arduous [illegible] upon this subject, that [illegible] would be [illegible].

I ask whether the Senator from Wisconsin subscribed to that ideal; and if so, how he reconciles the [illegible] of that ideal with the policy of the Republican party within the past six years which in a war, declared for humanity and [illegible] people, equally suffering from [illegible] and [illegible], capable of self-government, equally [illegible] of nations, [illegible] the unrestrained and uncontrolled will of our people and by [illegible] forcibly annexed their country to ours as a colony [illegible]?

I ask now if we can [illegible] the ideal of the immortal Mr. [illegible] that [illegible] bloody war we had, in which an entire province was swept with fire and sword, and in which the liberties of a people desirous of freedom and of maintaining a just and [illegible] were taken away?

And so it is with other ideals that had been declared by the fathers of our country. In this hour of Washington's [illegible] it is the custom to read the Farewell Address of that exalted patriot. I believe the custom is still pursued here, though of late years every word of it contains an indictment of the [illegible] policy of the Republican party.

Let me quote a few words from Washington regarding the ideals of this country as declared by him. In that farewell address he urged that we should—

> Avoid the necessity of those overgrown military establishments which [illegible]
>
> And enjoining upon those intrusted with the administration [illegible] within their respective constitutional spheres, he added:
>
> Avoid encroachments upon other departments. The spirit of encroachment [illegible] one and thus [illegible] despotism.

How [illegible] Mr. President, [illegible] Constitution of the United States the power to declare war is vested in the Congress of the United States. Under [illegible] the President [illegible] war [illegible] the authority of the country [illegible] an Executive [illegible] and [illegible] power [illegible] the country in war, [illegible] submit the great question to the [illegible] representatives of the people in Congress assembled, [illegible] of war [illegible] and [illegible] the powers of war [illegible].

Congress alone can declare war. Yet in the face of this constitutional [illegible] the President of the United States has recently waged—not only declared, but waged—a commercial war, ordered the armed forces of the United States to the territory of a power with which we were at peace, placed them on that territory, lined her shores with war ships, and gave notice to the Government of

that power that it should not land its troops upon its own territory for the purpose of suppressing disorder, and by this display of force so overawed a weak people that they suffered dismemberment and [illegible] of territory.

Yet when we witness these encroachments of power by the Executive, so carefully guarded against by the Constitution, encroachments against which Washington warned us so solemnly, [illegible] of the United States, the Senators of the dominant party, [illegible] Constitution stand here in abject servility and praise the Executive, who has encroached upon one of the most important functions conferred upon them by the Constitution, for his courage in despoiling them of their constitutional power and Congress of her territory.

And so Washington, forecasting the future, insisted that the [illegible] by encroachments, that it was [illegible] for the country but prohibited by the Constitution, and [illegible].

[illegible] usurpation; for though this in one instance [illegible] it is the customary weapon by which free [illegible].

And so in this case the defense is made that the ultimate purpose [illegible] was waged in violation of the Constitution, was beneficial to this country and beneficial to collective humanity. This is the justification for the encroachment of the Executive upon the exclusive power of Congress; but Washington guards against [illegible] which would lead to such an usurpation [illegible].

> But this in one instance may be the instrument of good; it is the customary weapon by which free governments are overthrown.

So these ideals of Washington, to which I have referred, have been [illegible] traditional ideals of the Republic shattered by this Administration during the past six years. How is it with other nations? Washington, regarding our relations with other nations, said:

> Observe good faith and justice toward all nations. Cultivate peace and harmony with all. [illegible]

Where is that ideal to-day? Where was the justice and benevolence which controlled us in our relation to the people of the Philippines?

Where was the justice or the benevolence of our action toward the Colombian Republic, where we, having attained certain rights under a treaty of amity, mere privileges of free access and free [illegible] through a country, [illegible] terminable upon a notice of one year, [illegible] of them as so-called property [illegible] of an offensive war, an aggressive war, against a sister nation, which deprived her of her most valuable territory?

Where was the justice, where was the benevolence of our action regarding that country?

Then Washington says, in speaking regarding a liberal intercourse with foreign nations:

> [illegible] policy should hold an equal and impartial hand, neither [illegible] preference; consulting the natural course of things; [illegible].

"Our commercial policy should hold an equal and impartial hand." How has that ideal, declared by Washington as the ideal of the Republic, been vindicated by the action of the Republican party? Within the last two months a treaty has been made with the Republic of Colombia, some of the stipulations of which she is to raise her tariff wall against every other country from 25 to 35 per cent higher than it exists against our country, the very purpose being to drive out of that island the English, German, and French trade, which is dear to them of right today, because they sell their wares cheaper than do the producers of the United States.

We propose by this treaty, under an ideal which declared for equal and impartial treatment, to drive friendly nations out of the commerce of Cuba, to appropriate it for ourselves; and this we call "impartial trade!" This the Senator calls "cherishing the [illegible]."

Why, Mr. President, the true policy of this Republic is that in this great Union of forty-five States, which embraces over 70,000,000 people, free trade should exist everywhere and that there should be no commercial restraint, no imposition of duties at the custom lines of the States in order to restrain domestic trade and commerce; but the ideal of the Republic, as declared by Washington, in regard to its relations with other countries was that we should seek harmony with all the nations of the world by impartial trade—free trade within the Republic, impartial trade outside of the Republic. But we seek exclusive preferences, [illegible] Washington urges as the ideal of the Republic—

> [illegible] for granting an [illegible] preference, consulting the natural course of things, but forcing nothing.

That was the ideal of Washington. Simply because we can not sell to the Cuban people as cheaply as England and Germany and France, because as a result of the tariff, we have built up trusts and monopolies here which have raised our domestic prices beyond and above the international prices, therefore we are unwilling to sell abroad for less than the domestic price.

We seek by a favored and partial arrangement, by forcing [illegible], as Washington says—to drive friendly nations, whose friendship it should be our effort to secure, out of commerce which they have won through all the honest and important methods of trade.

Let us see what other ideals have been declared by the great men of this country [illegible] to the party which the Senator from Wisconsin [Mr. SPOONER] represents. In a message of Benjamin Harrison, received and read here December 4, 1889, he said, speaking of the Pan-American conference:

> [illegible] the [illegible] peace among the American nations [illegible] a common [illegible].

This was relating to the Pan-American Congress, which was held for the purpose of promoting friendly intercourse and relations between this country and our sister republics of Central and South America. What principle was most discussed there? The principle of peace and the principle of friendly arbitration as so-[illegible].

Benjamin Harrison properly voiced the ideal of the Republic when he declared that the crowning benefit would be found in the establishment of peace among all American nations and the settlement of all contentions by methods that Christian civilization approves.

What has become of that ideal within the last six years of Republican rule? We have within the last three months been embroiled in a war with a sister republic over the construction of a treaty, under which it was claimed that the spirit, not the letter, of the treaty demanded of that country in a contract, which was terminable with one year's notice—that the spirit of that contract demanded that Colombia should make to us any concession intended for the advantage of the commerce of the world which the United States might dictate, and that it must concede it in the very terms laid down by the United States without modification, alteration, or amendment.

So, upon the construction of a treaty with a friendly American republic, after the declaration of this ideal by Benjamin Harrison regarding the maintenance of universal peace upon this continent and the formation of arbitration for that purpose, we have summoned our armed forces, under the order of the Executive, sent our armed ships, with their men and their guns, armed at the forces of a friendly republic about to land upon their own territory for the suppression of domestic disorder, and then we say, in the language of the Senator from Wisconsin, "the American people [illegible] cherishing the ideals of the Republic."

The American ideals have been asserted by other prominent Americans. The present Executive has declared himself upon this subject. In a message of rare excellence addressed to Congress upon taking the seat of the lamented McKinley, he said regarding the Monroe doctrine:

> It is no wise intended as hostile to any nation in the Old World. Still less [illegible] at [illegible] We [illegible] and [illegible] and [illegible].

And yet this very Executive has promulgated the doctrine of war against and subjugation of a sister republic, which I have outlined. There, also, he says, regarding The Hague Tribunal, he says:

> Peace [illegible] to keep it; but [illegible] and [illegible] and [illegible] the [illegible] Hague [illegible] to this [illegible].

Here was another ideal of the American people voiced by an American President—world-wide peace. The Hague Tribunal had been organized as a tribunal of the nations for the peaceful settlement of their contentions, just as in our domestic affairs tribunals decide the rights of man in his relations toward his fellowmen.

Instead of permitting the nations of the world to march hand in hand along the international highways with sword in hand and pistol in hand, an effort was made to submit their contentions to the great international tribunal of peace organized by the treaty-making powers of the various nations of the world.

And yet when it comes to a practical application of this ideal, what does your present Executive say in response to the inquiry of General Reyes, the representative of the Colombian Government—General Reyes, who in all matters has conducted himself with rare discretion and moderation; who, mindful of the obligations of the treaty of 1846, is seeking in an orderly way to present under that treaty Colombia's complaint and grievance against

the United States for injuries done and a wrong accomplished, and who asks that this treaty contention expressly provided for in the convention regarding The Hague tribunal as one which a country can honorably submit to arbitration?

Read the reply of the Secretary of State denying the appeal; and I ask, then, what has become of this ideal of the American people, this ideal which has been voiced by the present Executive, for international peace, for peaceful adjustment of contentions between nations.

So the present Executive in that message adds another word for peace. He says:

Possibly no other great nation in the world is so anxious for peace as we are. There is not a single man, woman, and possibly child in this land who has anything whatever to fear from aggressiveness on our part. All we want is peace, and toward this end we wish to be able to secure the same respect for our rights from others which we are eager and anxious to extend to their rights in return.

Not a single nation has anything to fear from aggressiveness on our part, the President says. Ask Colombia. The President wants peace even if he has to fight for it. His way of securing peace is to send the armed forces of the United States to attack and despoil a friendly power whose sovereignty over the spoliated territory we had by solemn treaty acknowledged.

Now, Mr. President, so much regarding the ideals of which the Senator from Wisconsin says:

I have but an observation to make as to the reply of the Senator from Nevada, or rather his speech as he states it. I can hardly understand how a Senator of the United States can impute to the people of the United States that their eyes have been closed by dollars to the demands of honor or the traditions of the Republic.

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It is a very bold thing, Mr. President, for anyone in this country to impeach a majority of the American people in that way. The ideals of the American people and the traditions of the American people belong to them, are cherished by them. Mr President, more keenly than we are of their representatives, perhaps.

I believe in the American people. I believe the sober second thought of the American people comes as near to the perfection of human wisdom as any standard among men can come, and I think no Senator may safely say to them that they have forsaken their traditions and ideals in a blind, heedless pursuit of the dollar.

S[illegible] Mr President—and I did not intend to refer to this when I rose—the traditions of the American people may safely be left to the guardianship of the American people. When the excitement of the campaign has passed away, the American people think, and what they think is right.

Mr. President, I assent to the proposition urged by the Senator from Wisconsin that the traditions of the American people may safely be left to the guardianship of the American people, but I assert that they can not be safely intrusted to the guardianship of the party in power. There is not a single tradition of the Republic, not a single ideal of the Republic, that has not been shattered by the dominant party here.

It is true that you appear to have the sanction of the American people; it is true that the question of imperialism has been submitted to the people at a popular election; it is true that their verdict has been against us and for you, and so far as appearances go your policies seem thus far to have been sanctioned by the American people; but I believe, with the Senator from Wisconsin, in the sober second thought of the American people.

I believe, with him, that when the excitement of the campaign has passed away and the American people think, they will think right. May Heaven grant that this second thought, the sober thought of deliberation, may come to the American people before the conclusion of the coming campaign.

Mr. LODGE. Mr. President, an extension was given to the somewhat casual remarks which I made yesterday by the Senator from Maryland [Mr. GORMAN]. This was something which I did not anticipate, because I had no desire when I spoke to do anything more than touch on the question of the St. Louis appropriation and the general economy which has been preached in various quarters during this winter. But the Senator from Maryland thought it necessary to infer that I had admitted the failure of our policies, because I had alluded to the fact that we had been told that there was likely to be a deficit in the revenue this year.

Mr. President, for the seven months of the year which have already passed there is, if I am correctly informed, no deficit; we are about $4,000,000 ahead in income. There is no doubt, however, that the revenues and expenditures are very nearly on an equality, which I do not think an undesirable situation at all.

I believe myself that there is plenty of money for all proper, and even for reasonably liberal, expenditures; but, Mr. President, so far from our policies having been failures, I think that the figures will show the exact reverse, and I do not care to leave what I said yesterday with the possibility of any other inference being drawn from my words.

In the first place, the fact that the revenue is very near, or perhaps less than the expenditures, is principally owing to a fact which the Senator from Maryland, no doubt through inadvertence, omitted to state; that within the last three years we have reduced taxation by something over a hundred million dollars. We have removed taxation to that amount. I do not now recall that during the four years of Democratic ascendency there was any reduction of taxation or that any taxes were removed. I recall, however, very distinctly that a new tax, an income tax, was imposed during Mr. Cleveland's last Administration, which, of course, was an entirely new form of taxation.

The Senator from Maryland referred also to the decline in the excess of exports over imports. The amount of that excess no doubt has fluctuated, but I think it was an unfortunate subject to open for purposes of comparison—I mean unfortunate for the Democratic party.

I have drawn up, stated in millions, the amount of imports and the amount of exports since 1893, which I will ask to have printed with my remarks; and I find that the excess of imports in 1893 was $35,000,000; the excess of exports in 1894, $215,000,000; the excess of exports in 1895, $61,000,000; the excess of imports, that is, the adverse balance of 1896, $84,000,000.

Mr. President, I think it is worth while to compare those four years, in two of which there was an adverse balance and in the other two a favorable balance, with the years which have followed. The excess of exports in 1897 was $268,000,000; in 1898, $594,000,000; in 1899, $606,000,000; in 1900, $721,000,000; in 1901, $647,000,000; in 1902, $452,000,000; in 1903, $395,000,000.

The table referred to is as follows:

Year.	Imports.	Exports.	Excess of imports.	Excess of exports.
1893	$866,000,000	$831,000,000	$35,000,000	
1894	[illegible]	[illegible]		$215,000,000
1895	[illegible]	[illegible]		[illegible]
1896	[illegible]	[illegible]	84,000,000	
1897	[illegible]	1,052,000,000		268,000,000
1898	[illegible]	1,201,000,000		594,000,000
1899	[illegible]	1,250,000,000		[illegible]
1900	[illegible]	1,370,000,000		521,000,000
1901	[illegible]	1,460,000,000		647,000,000
1902	[illegible]	1,454,000,000		452,000,000
1903	1,025,000,000	1,420,000,000		395,000,000

Mr. LODGE. There never has been in the history of the country a period of an equal number of years or of all the years together which has approached the years since 1897 in the favorable balance of trade to the United States. There has been a decline in the last two years from the great balances of 1901 and 1899, but in order to find a comparison which shows a falling off in the excess of exports over imports in the last two years the Senator from Maryland is obliged to compare them with other years of Republican ascendency. In this last year, which he pointed out as so bad, the excess of exports over imports was far larger than in the two favorable years of Mr. Cleveland put together.

As for the revenue, even after the great reductions which we have made, I think it is well for the Senator to remember that in order to meet the deficit incurred during Mr. Cleveland's term they found it necessary to borrow, in a time of profound peace, $250,000,000, adding that amount to the permanent debt of the country.

We were charged with the expenses of a war. We met the war. We met those expenses. We met the great loan which was rendered necessary. Yet we have a balance in the Treasury to-day more than equal to that loan, and we have been steadily reducing the permanent debt ever since. We have had no deficit and we have issued no bonds to meet current expenditures. I do not think, Mr. President, it is possible to make a comparison more in favor of the wisdom of Republican policies than those figures show.

Mr. President, I was not aiming at any party question when I was speaking. The point which I desired to make was in regard to the economies which we were urged to observe during the present session. From one point of view I was very glad to see that the Committee on Appropriations, who have charge of our expenditures, and administer them with great wisdom, felt we were able to undertake this additional gift or loan to the St. Louis exposition. The point I desired to make yesterday was that if we could do that there were important branches of the public service which certainly ought not to be sacrificed, and the Senator from Maryland was kind enough to illustrate exactly what I was trying to bring out. He thinks it is more important to make this appropriation for the St. Louis fair than to undertake the immediate building of the canal. He said we had better let that wait rather than sacrifice the fair in any degree or not make this appropriation. On that, Mr. President, I do not agree.

I think the building of the Panama Canal is a greater and more immediate need of this country than any other at this moment. I think it far outweighs in importance any proposition now before the people of the United States. I think its advantages to the entire people of the United States will be greater even than our imagination can picture at the present time. If it is a question of celebrating the great Louisiana purchase, how can we celebrate it so well as by beginning on that great work across the Isthmus which is going to open a waterway to the East

for all the products of that vast region which Jefferson bought, and enable them to pass north and south, instead of compelling them to go, as they have always hitherto gone, by eastern and western routes? If we must choose in expenditures, the Senator from Maryland would have us give to this exposition and let the canal wait, and I would do exactly the reverse. In a word, Mr. President, in the matter of economies, if economies must be made, I should prefer to make them on such a matter as the fair rather than on those subjects which enter immediately into the Government service.

I do not agree, and I think all the facts will sustain me in the position, that other matters of great public importance have been sacrificed to what are called the "military expenditures." It is only two years since we passed the largest river and harbor bill ever passed in this country. We have in previous Congresses been liberal to public buildings. I approve most heartily of all those wise expenditures, and they were not stopped by the expenditures in what are known as the "military departments;" but, Mr. President, if I have to pick and choose and save in one place rather than in another, the very last place where I would economize would be on the Navy or in the defenses of the United States. Self-protection and self-defense are more important than anything else. To be rich, aggressive, undefended, and weak in a military point of view is a very sorry position for a great nation to occupy.

I regard the Navy of the United States as the one great guaranty of peace as well as of the Monroe doctrine. I believe it is more important, and that the money spent on the Navy is more vital to the country than any other money we spend. I know from past experience that the Senator from Maryland takes no new position in his hostility to naval expenditures. They seem to me to outweigh every other in their importance to the United States.

I think we ought to have a fleet which puts the protection of our coasts beyond every peril, which puts the maintenance of the Monroe doctrine beyond a doubt. And the Monroe doctrine, so near to the hearts of the entire American people, so essential to our peace and our welfare, depends absolutely upon the Navy of the United States. Therefore I think the last place to economize and the first place to spend is on the Navy and the defenses of the United States. If we are to have economy, if we are to be careful in our expenditures, let us be careful in regard to things like expositions and fairs and not undertake to sacrifice the defenses of the United States.

Mr. President, I did not call attention to this expenditure, as I said yesterday, because I am hostile to the fair, but because I do not want later and elsewhere to be met with the objection that we can not afford the essential expenditures which this Government needs in other directions, and to be told that the condition of the revenue is such that we can not make a proper authorization for the Navy of the United States; that we can not make a proper authorization for the defenses of the United States or for the harbors of the country; or that we can not make proper continuing appropriations to carry on the river and harbor works already authorized. I do not think it is wise economy to hold back on those great objects of general public interest. If it is necessary to save, let us save on the things which are not essential. Let us not by an unwise, unpatriotic parsimony endanger the Navy, the Army, and the forts which protect the very life and honor of the Republic.

Mr. President, in pointing out as I did what I thought wise economies I did not in the least intend to bring up any discussion of party policies. But if they are to be opened up for discussion I think nothing can be more desirable for the Republican party, nothing can be more strengthening, more instructive than to look back over the past and to compare the eight years now closing with the four which went before; to compare our stable currency to-day, the best in the world, with the threatened and tottering fabric which we had under the Administration of Mr. Cleveland; to compare this period of rest and security in the finances with the days when a Democratic President had to appeal to a Republican minority in the Senate to enable him to repeal a law which threatened the stability of our currency and the very existence of business; to compare the balances of trade; to compare the condition of our manufacturers; to compare the total volume of trade; to go into the entire history of the four years of Democratic supremacy and contrast them with our eight years of supremacy, and not only in matters of money and finance, but in the standing of the country abroad as well as at home.

It is a comparison, Mr. President, as I said in speaking before, that I hope we shall have the opportunity of making with direct application in the next campaign. It is a comparison that has never yet been thoroughly entered into and one Republicans would rejoice to undertake. I hope that it is coming, so that we may enter into it, as I said, with direct application to the Democratic candidate. No, Mr. President, I had no desire in what I said about economies and expenditures to open up anything like a party debate, but if that is desired I can conceive of nothing pleasanter to do, either here or before the people, than to contrast the four years from 1893 to 1897 with the eight years that have since elapsed.

Mr. GORMAN. Mr. President, it seems to me that the Senator from Massachusetts [Mr. LODGE], who states he does not desire to introduce political questions into this discussion, has gone very far in the direction of bringing them prominently before the Senate. I do not intend to follow the Senator from Massachusetts in any comparison of the Administration of Mr. Cleveland, either in expenditures or in the matter of revenue, or in exports and imports, with any subsequent Administration. It can not be made fairly. It can not be made with profit in this discussion. But it is due to say that Mr. Cleveland, when he was inaugurated in 1893, met a condition somewhat similar to the present one, as stated by the Senator from Massachusetts yesterday, only more acute, with the condition of the Treasury far less satisfactory than it is to-day, and where the outgoing Administration, under General Harrison, through his Secretary of the Treasury, had informed Congress and the country that the revenue laws which had been enacted by the Republican party, owing to the changed conditions in trade, had practically bankrupted the Treasury of the United States.

With that old discussion those of us who participated in it, as well as others, are perfectly familiar. We know that bonds for the purpose of relieving the Treasury had been ordered to be printed, and that there was upon the statute books a law in regard to the purchase of silver which had been passed during a Republican Administration and which Mr. Cleveland inherited. We know that whatever came, whether good or bad—and there was a controversy as to that—came from the enactment of that law, for which the Democratic party was in no wise responsible.

The condition was met, and in a time of great depression, with a bankrupt Treasury, with no possibility of passing revenue laws, because Congress was then opposed to the President, and it was met on the other side of the Chamber as well as on this with a patriotic desire to save the credit of the Government; and no man took a more active part than did the distinguished leader of his party on the other side, the chairman of the Committee on Appropriations, in relieving, not the Democratic President, but the Treasury of the United States.

That question has gone and has been disposed of, not, as the Senator from Massachusetts would have us believe, because of the superior intelligence or patriotism of his side of the Chamber, but by the ingenuity and the industry of man and the increased facilities for mining the precious metals, the results of which came to the relief of the country with the advent of President McKinley's Administration. The Senator from Massachusetts can not claim for his party all the great good that came from these natural causes. Prosperity came from a revival of all industries everywhere, and a demand for our products not caused by any legislation by Congress or action by the Republican Administration, but growing out of the necessities of peoples across the ocean who wanted our commodities and bought them and made us rich.

In the discussion of this matter the Senator from Massachusetts brought to our attention sharply, and I think well, the present condition in which we find the country, where the revenue laws have not been and are not now yielding a sufficient return to meet the demands of the Government. My comment upon that statement was and is, that you have entered upon the expenditure of large sums of money, not for the purpose of increasing the commerce of the country, but to prepare for war and to make this nation a great war power both on sea and on land. The expenditures on those accounts have been enormous, and were not felt while we had great prosperity and a surplus of revenue, but the time has now come when the burden is realized. In the appropriations for the Navy for last year because of this system of expenditures the appropriations reached the sum of $82,618,000. For maintaining the Army a hundred and eighteen millions and more are spent when we are at peace with all the world.

The Senator from Massachusetts, although I am sure he did not intend it, said that I have been an opponent of an increase of the Navy, and intimated that my position is one of hostility to that arm of the service, so necessary to protect us upon all the seas of the world. Anyone who so believes is in utter ignorance of my course upon that question, in which I take more pride than in anything else that has occurred during my service in the Senate. In my service upon the committee having charge of appropriations for the Navy, from the day of my entry into this body until now, I have labored with the Senator from Maine [Mr. HALE] and with others associated with us for the construction of a navy of which the whole American people might be proud, composed of ships of the first class, manned with the best of our American citizens, and I always insisted that the appropriations for it should be continued until our Navy reached a point where it is ample to guard American interests everywhere.

I had no idea that in so doing we should have, as it appears this Administration intends if its recommendations are carried out, a navy to compete with that of Germany or Great Britain in size and number of vessels and complement of men. Our conditions are not such as to require it.

I am opposed to a navy so large that we do not know what to do with the vessels, so numerous and so anxious for display that they are assembled in the waters of the South and sent forward through the waves for the inspection of the Commander in Chief of our Army and Navy. I desire to see a substantial navy, well equipped, fit for any service that the American people may want of it. I do not want a hundred thousand unnecessary men in time of peace merely for display. I want economy about it.

I will say to the Senator from Massachusetts that while a natural and necessary increase is right, in 1885 and 1886 and 1887, during a Democratic Administration, we protected the interests of the country, and when Venezuela was threatened by great foreign powers our Navy was sufficient; no power on earth dared interfere with the Republics south of us; and yet we did it at an expenditure of sixteen millions a year, and now the only great deed to be performed is the threatening of Colombia and the capturing of Panama at $8[illegible] a year.

It is time, Mr. President, we should talk economy. One hundred and eighteen millions should no longer be appropriated for an army in times of peace, when no nation on this earth threatens this country. As I said yesterday, you can reduce the expenditures and apply the money so saved from war preparations to the harbors of Boston and Baltimore and New York and give facilities for commerce to come and go from this country. That is all I desire.

I would save the expense on account of the Army by reducing the 100,000 men to 30,000, if you please. An army can be had at any time upon the call of the President of the United States for volunteers. Reduce the size of the Army and apply the money saved to purposes absolutely necessary for the prosperity of our country.

Mr. LODGE. May I ask the Senator from Maryland a question?

Mr. GORMAN. Certainly.

Mr. LODGE. Do I understand the Senator to say that we have an Army of a hundred thousand men?

Mr. GORMAN. Not quite a hundred thousand, but practically. A hundred thousand is the limit.

Mr. LODGE. It is less than 60,000, as a matter of fact.

Mr. GORMAN. It can be reduced to 60,000.

Mr. LODGE. It is less than 60,000 at this moment.

Mr. GORMAN. Whatever it is, the law against which I protested provides that, in the discretion of the President of the United States, it may be increased to a hundred thousand. But if it is 60,000 or less, I say to the Senator from Massachusetts that it is time Congress looked into the matter and ascertained how it is that 60,000 men cost $118,000 one a year; more expensive by double than the French army or the English army per man; more expensive than any other army on the face of the earth. Economize there, and if it is necessary to have a great number of men in uniform, bring the expenditures and the cost of the service within reasonable bounds. Save the people's money in that direction and apply it to the improvement of ports, and, above all other things, now that we have entered upon this enterprise at St. Louis, let us carry it forward. I had nothing to do with it in the beginning, and I agree with my friends on this side of the Chamber that expenditures of this sort have grown and probably will continue to grow and that the point has been reached where they ought to be checked. But this Government entered upon that enterprise, and we have invited the governments of the world to join us at St. Louis. It is to be the great exposition of the century.

As we have participated in these invitations, I would say it would be a disgrace to permit it to be a failure. I would not hesitate a moment to give them the $5,000,000 they now ask and save it from the expenditures of the Army or the Navy.

We hear talk, Mr. President, of going back and making a comparison of the present condition of affairs with an Administration in 1892, but all the conditions have changed since then. What we ask you now to do is not to go back and make these comparisons, but to take the case as it stands.

In the war with Spain we were lavish in the expenditure of money. No Senator on the other side was more anxious than I was in giving the President of the United States—Mr. McKinley—all the power and all the money that was necessary, after we entered into that contest, to bring it to a successful conclusion. Gold or silver or bonds was not a question with me. It was what the Administration believed was necessary. I voted, and you voted, to President McKinley $50,000,000, to be placed in his hands, to be expended without an item ever being submitted to Congress before he received the money—more money than was ever placed in the hands of all the Presidents of the United States, from General Washington's time till now; more by far than was ever dreamed of by Mr. Lincoln when he was engaged in that great conflict which astonished the world. It was all done for the honor of the country and without partisanship.

But now a time has come when, because of the reduction in war taxes and the depression in trade, the revenues do not meet the expenditures. The proposition presented by the Senator from Massachusetts is in effect that we will deny to the exposition this appropriation and continue to let the harbors of the country fill up with sand, so that the great ships can not enter except by lightering or waiting, as I said yesterday, for a high tide. Notwithstanding the necessity for a public building in Washington to house the Department of Justice it shall not be built, and insufficient quarters will continue to be rented from private people in the city. But never reduce, the Senator from Massachusetts says, the expenditures on account of war or the preparation for war, because at some time we may be troubled with some nation on the face of the earth.

Mr. President, an overgrown and an unnecessary army and navy mean what? It is inevitable that the officers, the admirals without number, and captains too many to be counted in the great fleets which are unnecessary for our protection will find a way to make trouble. It appears to me that the action of the Commander in Chief, the President of the United States, in the occurrences now taking place in the Orient, in moving that unnecessary fleet from the presence and from the very ground where a conflict, if it comes, is likely to occur, was a wise precaution. There was more statesmanship shown in that act than in any other order issued to the Navy. It was done so that we might be kept out of what, as everybody thinks, was the desire of the patriotic and brave commander of that fleet to participate.

We have naval vessels everywhere. Have we not enough now? Everybody will answer "Yes," unless it is true, as was floating around in high naval circles, that we are marching around the globe with a chip on our shoulders, looking for the one great nation that troubles us more than any other in our trade relations, to get up some trouble. Who wants it?

Germany, Mr. President, is invading the markets of the whole world. Germany, with the thrift and ingenuity of her people and following our example with her tax laws, is spreading her commercial net in every country on the globe. It is the one nation that has brought England to realize that her commerce, her manufactures, and her trade are in jeopardy. It is the one nation that by a vigorous effort and a thorough training of her men in all branches of the service and in the civil service is invading every country south of us on this continent, that is planting her colonies and taking possession of the banking institutions and the railroads and monopolizing the trade. It is that which is giving us trouble.

We have navy enough now to protect every inch on this continent against that power, no matter how great it is. If we want to go on and add $[illegible] or $30,000,000 per annum to exploit ourselves on the other side of the water, that is not the true American doctrine. Protect our flag and our commerce there always, and the Navy now is sufficiently large for that purpose.

Let us get back, Mr. President, and that is the point of all I desire to say. Without a moment's thought I entered upon this discussion. Let us look at our own internal affairs and keep our own commerce intact. Give us every facility that is necessary to do it.

What person familiar with trade and commerce does not understand the great problem which confronts us. Our taxation, affected to be too high on imports, has produced a reaction on the other side, and we have been met, because of it, with discriminations. Remove it; lower it; and make our commerce more secure.

Then, sir, remember that more than three-fourths of all the trade that goes hence to the Orient goes to-day only because of the nonenforcement of our laws. I mean by that that the rates which enable us to take the cotton from Texas and Mississippi and the grain from the Dakotas and the Middle West to the Orient are one-sixth only of the amount charged for domestic hauls of the same length. If the law were enforced you would wipe out and destroy that trade.

The reason given by the Senator from Wisconsin is that we can not deal with this question of taxation at this time in the presence of a Presidential election. There is force, absolute force, in it from the partisan view. There is also force in his statement that the business interests of the country are always somewhat disturbed during a Presidential election, and that therefore we must move cautiously and carefully lest we add to the fear or increase the disturbance. That I recognize, and I would not have it done in a broad sense of uprooting or attempting to readjust all the schedules of a great tariff. If I were in the majority party I would not advocate such a course; and as a minority member of this body I would not urge anything that added to the fear which now exists and to the further complications that I fear and believe are coming as the months pass by.

But there are branches that can be dealt with. You have determined that all these great expenditures for the Army and Navy shall go on, and if that is to be your policy, collect more revenue. Pray do not sacrifice important improvements at home which are necessary for our commerce. It would be the wise policy to reduce the expenditures, as I have suggested, and give the country relief.

Mr. FORAKER. Mr. President, I had not intended to take any part in this discussion. I have felt that I would be content to simply vote for the amendment that has been reported by the Committee on Appropriations. But the discussion has taken on such features that I feel justified in detaining the Senate a few minutes until I make some observations in response to the speech that has just been made.

I want, however, before commencing that response, to say with respect to this exposition that it is a great American undertaking—just as the acquisition of the Louisiana purchase was a great American acquisition—and I regard this appropriation or this loan, whichever you may see fit to call it, as also giving rise to only an American question. I have so dealt with it, so regarded it, and have been intending so to vote. And I shall vote upon it with that kind of spirit. The good name of our Government and people is involved, and we can not afford to allow the undertaking to fail. To do so would bring reproach upon us all.

It seems to me, therefore, such being the character of this question, that it was quite out of place, to say the least of it, that there should have been injected into this debate a political question; that there should have been any criticism upon party policies, or anything said that would give rise to the character of discussion to which we have just been listening.

I was quite pleased, however, when the Senator from Maryland [Mr. GORMAN] had seen fit to introduce politics in this debate, to hear the kind of answer that was made to him a few moments ago by the Senator from Massachusetts [Mr. LODGE]. That answer made by the Senator from Massachusetts was complete as to all that had been said by the Senator from Maryland up to the time when the Senator from Massachusetts spoke. But the Senator from Maryland, in his reply to the Senator from Massachusetts, has spoken of another matter as to which I desire more particularly to speak than as to anything else.

He has talked about the condition of the country at the close of the Harrison Administration. He has told us that when Mr. Cleveland came into power, as a result of the elections of 1892, he found a bankrupt Treasury; that he found the Treasury in such a condition that it was necessary to issue bonds in order to meet a deficit, to tide over, to preserve the national credit; and he said it is a commonly known fact that steps had already been taken by the Secretary of the Treasury and other governmental officials looking to the issuing of bonds, and that that had been made necessary because of the failure of the policies which had been pursued by the Republican party during the Administration of Mr. Harrison.

Mr. President, I am surprised, in view of what may now be called the historical facts, which must be admitted by all, to hear that kind of a statement made by the Senator from Maryland.

During the Administration of President Harrison this country, as everybody knows, enjoyed a prosperity until that time absolutely unprecedented in the history of the country; a prosperity greater than any other country had ever before that time enjoyed in the history of the world. During all that period the revenues were more than equal to the expenditures. We had prosperity in our foreign commerce. We had balances of trade in our favor. We had a credit exceptionally high, never prior to that time surpassed in the history of this country.

And, Mr. President, until after the election in November, 1892, these revenues continued to be in excess of the expenditures. There was no trouble about the gold reserve or on any other account.

But what happened following the election in November, 1892, and what was the cause of it? In order that we may rightly understand that, we must recall the character of platform declaration upon which Mr. Cleveland came into power.

It will be remembered that in the platform of 1892 the Democratic party denounced the McKinley tariff law as a culminating atrocity—I think that is the phrase they used—and they demanded its immediate repeal and gave a pledge to the country that if they should succeed at the elections and have the power intrusted to them necessary thereunto, they would repeal that law and they would substitute a tariff-for-revenue-only law, which is only another name for free trade. They succeeded. The morning after the election it was announced to this country not only that Mr. Cleveland had been a second time elected President of the United States, but also that Congress would be Democratic in both Houses—a Democratic Senate and a Democratic House of Representatives.

So, Mr. President, the announcement of that election was an announcement that we were not only to have a Democratic President and a Democratic Congress, but a Democratic President and a Democratic Congress pledged to repeal the McKinley law, to change the industrial policies of the country, and substitute instead of the policy of protection the policy of free trade, or the near approach to it of a tariff for revenue only. What was the consequence? Every prudent business man in this country knew that if the industrial policies were to be thus radically changed, it would be well for him to consider what the consequences would be upon him in his business.

We commonly speak of the panic that broke upon the country in 1893 as the panic of 1893. But, Mr. President, that panic which broke upon us, apparently very suddenly, in 1893 was a panic that commenced the morning after the election in 1892. That panic commenced when the thoughtful, prudent, and conservative business men of this country read the result of that election and commenced to study what would be its consequences.

If a man was a banker he knew that a radical change in our industrial policy made it necessary that he should consider what would be the effect upon him, and, not knowing the measure of the effect, or perhaps whether it would be good or bad, determined, as he went to his place of business that morning, that he would look over the list of bills receivable and see which of his debtors he should call upon to pay; and every manufacturer, as he went to his place of business, considered whether or not he could not shorten the pay roll, and men who had given orders for materials to be manufactured commenced to consider whether they could not cancel the same or modify them.

So it went on until shortly it became known to every man in business that all his neighbors were feeling just as he was feeling, and when this feeling became general then came the breaking upon the country of that panic which brought us so much disaster and continued throughout the period of that Administration.

But, Mr. President, that is not all. When the men who were importing goods into this country and paying the tariff duties that were being collected under the McKinley law saw that the Democratic party had thus come into power and that it was pledged to a free-trade policy, that the first duty of the party under such circumstances would be to redeem that pledge to repeal the McKinley law and substitute lower duties, every such importer at once said, "I will see what I can cancel that I have been ordering."

The result was, Mr. President, that orders for goods to be imported were canceled generally throughout the country, and men who had not given orders which they had been intending to give withheld them as a consequence of that election; and so it was that not until after that election, and in consequence of that election, and what the people of the country had a right to expect as a result of it, if the Democratic party was to keep its pledge, the revenues of this country commenced to decrease. They commenced to fail because, for the reasons I have given, importations began to fall off.

That election was in November. December and January and February followed. Through the months of December and January this condition of things had so continued and was so constantly growing worse, men withholding orders for importations until they could have the benefit of Democratic free-trade tariffs, or tariffs for revenue only, which they had a right to expect to be lower, that the revenues were affected. But to what extent?

I have in my hand a copy of a letter which I want to put in the RECORD as a complete statement of that whole matter and as an answer to all that the Senator from Maryland has said. The late Hon. Charles Foster was then the Secretary of the Treasury. He died only a few weeks ago. During the campaign of last year, while he was still living, a statement somewhat similar to that which the Senator from Maryland has made with respect to the condition of the Treasury at the close of Mr. Harrison's Administration was made in Ohio by the Hon. Judson Harmon, late Attorney-General of Mr. Cleveland.

About the same time there appeared in the newspapers an interview with Mr. GAINES, a Member of the House of Representatives from Tennessee, in which he made a similar statement. Seeing these statements in the newspapers, I addressed a letter to Governor Foster, calling his attention to them, and asking him to write me what the facts were. In response to my letter I received the communication which I ask the Secretary to read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

FOSTORIA, OHIO, *October 28, 1903.*

Hon. J. B. FORAKER, [illegible] Ohio.

MY DEAR SENATOR: Your favor of the 27th [illegible] received. Harmon's statement is quite [illegible]. He says [illegible] the Democratic party came into power the Republican Administration had bankrupted the Government. When [illegible] entered the White House there were bonds [illegible] issued by the Republican Administration. They had largely [illegible] that we had to issue bonds to support the Government as they passed of their own administration.

The charge that the Government was bankrupt when Cleveland came into power is false. The revenues up to that time, and until the end of that fiscal year, exceeded the expenditures. The usual charge is the one made by Mr. Curtis in the Nashville American, copied in the Sentinel of the 21st, that Secretary Foster prepared plates for bonds to tide over a deficit.

The facts are that as soon as it was known that Cleveland was elected in November, 1892, it became apparent that there was great danger in anticipation of impending tariff legislation, and that the gold reserve would fall below $100,000,000 unless, by law, [illegible] the suspension of law. After consulting [illegible] with Senator Sherman I made up my mind that it was my duty to maintain the gold reserve exactly I had to do at the end of [illegible]. The only bonds authorized were those of the resumption act of 1875 all bearing high rates of interest and maturing a long time. I suppose to assist Senator Sherman in [illegible] an amendment [illegible] in the Senate with [illegible] and [illegible] who was then known to be the financial Senator, was [illegible] by the Senator and approved Mr. Sherman [illegible] passed the Senate [illegible] attempted [illegible]. This was about the 20th of February. I put the passage feeling that I might be [illegible] for the purchase of gold. I [illegible] the expenditure of the money [illegible] for this bond, a better bond far at a par than those already authorized.

I did this about the time and at the time that and approved by the unanimous Secretary, that passed the Senate receiving a large share of the Democratic votes of that body. I could not pass the House. Had it been I was successful. The House refused to pass it and the papers were not prepared and there were no bonds already signed, as stated by Mr. Harrison. But my letter disposing the proposition is used in evidence that the plates were prepared and [illegible].

To give a large number in this matter, I had fixed upon [illegible] as the minimum of good I would buy and I had [illegible] in New York to do without but they stipulated they would have the bonds in [illegible] and [illegible] week. If [illegible] I would decline upon Secretary Carlisle to consummate part of the contract. The bankers desired Secretary Carlisle [illegible] to make arrangement.

In [illegible] President [illegible] stating the facts to him and saying that many of my [illegible] I had [illegible] in any way in the way of the maintenance of the gold reserve, yet I possessed it my duty as Secretary of the Treasury to [illegible] the best power of the law, that I would do it. I wire to be continued in office. In this I was sustained by Senator Sherman.

Mr. GORMAN [illegible] and sent a messenger for Mr. Carlisle. Mr. Carlisle [illegible] and seemed greatly pleased at what I proposed and went day went to see Mr. Cleveland. Upon his return I was informed that he would execute the part of the plan that would devolve upon him and that Mr. Cleveland was appointed.

[illegible] the Treasury [illegible] any time, and there was no delay and was time to place the bonds, and no bonds were issued.

No bonds were sold. I managed to maintain the gold reserve, turning over to my successor about $65,000,000.

I believe that if the Harrison Administration had been continued the revenues and the gold reserve would have increased, and the condition then prevailing would have improved.

The panic and depressed condition following Cleveland's election was [illegible] due to two causes, first the known purpose of the Democratic party to enact a revenue tax if [illegible] and secondly the known inapacity of the Democratic party then [illegible] power to agree upon efficient legislation, afterwards so painfully demonstrated.

Very truly, etc.,

CHARLES FOSTER.

Mr. FORAKER. Mr. President, I do not intend to undertake to elaborate what is set forth in that letter. It is a clear, straightforward statement, a statement of fact, a statement that is supported by history, a statement throughout that no man, in my opinion, can successfully challenge.

Mr. GORMAN. Will the Senator permit me to interrupt him for a moment?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Maryland?

Mr. FORAKER. Yes.

Mr. GORMAN. Mr. President, apart from the statement just read as to the deficit and the falling off in the revenues being caused by the election of Mr. Cleveland and the threatened revision of the tariff laws, the letter, so far as it relates to me—and I think I have a knowledge of the whole of it—is accurate; that is to say, Secretary Foster—I think I have made this statement once before to the Senate—by direction of President Harrison himself, both of them being great and patriotic men, sought me because of my then relation to party matters on this side and handed to me a balance sheet of the Treasury conditions without, of course, going into what may have been any political considerations, and stated that he desired provision for the issuing of bonds; that he desired and President Harrison desired that the incoming Administration should have in advance of the inauguration this information. He stated just as he states in this letter, what his course would have been about issuing a low-rate bond—a 3 per cent bond. That is all true.

That proposition was carried through the Senate after conference on both sides of the Chamber. It was defeated in the other House because some gentlemen, higher in the councils of the party than anyone on this floor determined that it was unwise and probably unnecessary to take such action. But afterwards the prediction of Secretary Foster was actually verified. During the long discussion, not of the tariff, but of the question of the coinage of silver, occupying six or eight months, the revenues decreased. Then other bonds were issued, no provision having been made for the low-interest bonds.

I acquit the Secretary of the Treasury and President Harrison of any motive of dealing with the question in a partisan standpoint or of any other motive than subserving the interests of the Government. As I stated a moment since, the revenues at that time were not sufficient for the needs of the Government. I may, in the heat of debate, have used an expression that the Government was bankrupt, but that would have been putting it too strongly. What I meant to say was, that the balance in the Treasury was not sufficient and was not considered sufficient, under the then conditions, to conduct the Government successfully.

Mr. FORAKER. Mr. President, I am glad that the Senator from Maryland states that this letter, in so far as it comes within his knowledge, is a correct and truthful statement. I know it to be such because of the character of Governor Foster, and because also of my personal knowledge, as every man has personal knowledge of public affairs with respect to these matters.

I am also pleased, Mr. President, to know that the Senator now modifies the statement he made, to which I was taking exception, namely, that the Government was bankrupt under the Harrison Administration.

Mr. GORMAN. I did not intend to use such a strong expression; and, if I did, I modify it.

Mr. FORAKER. It was a very strong expression, and I thought the Senator, when he reflected, would perhaps want to modify it. One purpose I had in calling his attention to it was to give him an opportunity to at least show that it ought to be modified.

But, Mr. President, it is true, as Secretary Foster says in that letter, that during the whole Harrison Administration and until after the Presidential election the revenues were more than sufficient to meet all the expenditures of the Government, and there was no decrease or falling off of a noticeable character, more than that which would happen on account of ordinary fluctuations, until after that election, until after the country knew the Democratic party was coming into power, pledged to inaugurate a new and a different industrial policy.

What Governor Foster says in that letter is also true to the knowledge of the Senator from Maryland, that the only reason why he was making preparation to issue those bonds, if the incoming Administration saw fit to approve of that proposition, was not his fear that the Government would not be able to meet its obligations, but that the gold reserve of $100,000,000—not required by law, but which was an established requirement because of usage—might become impaired.

Governor Foster says also in this letter that that apprehension was not well founded. Notwithstanding his fear, notwithstanding the decrease in revenues occurring at the time for the reasons mentioned by him, yet when he went out of office the gold reserve had not been impaired, for instead of $100,000,000 he had $103,000,000 in the gold reserve and an abundance of money to meet all the obligations of the Government.

Mr. President, I am not going to stand here and waste time arguing that the condition referred to was due to any failure of Republican policies under the Harrison Administration. The policies of that Administration were precisely the policies that have been pursued since, so far as economic policies and economic conditions are concerned. We had precisely the same prosperity then that we have had since, except only since we have had it in a greater degree.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from South Carolina?

Mr. FORAKER. Yes.

Mr. TILLMAN. Does the Senator include in that the period during which we had a so-called Democratic Administration in power?

Mr. FORAKER. No.

Mr. TILLMAN. Does he include the four years when we got all the odium of those policies and all the odium of issuing bonds and all that kind of thing?

Mr. FORAKER. I was talking about the four years preceding the period of odium, as the Senator from South Carolina sees fit to call it.

Mr. TILLMAN. I would have preferred if the Senator had said there had been no change in policies, because there was absolutely none under Mr. Cleveland. The policy of Mr. Harrison was carried out by his successor, and any results of that policy ought to be claimed by you rather than have you put them upon us.

Mr. FORAKER. I will not stop to answer that, except only to recite what the facts are in a very brief way with respect to the conditions under the Harrison Administration. During that Administration we enjoyed the highest credit that this Government had ever enjoyed until that time; during that period our foreign trade grew as it had never grown before; during that period we had no occasion whatever to issue any bonds to meet the obligations of the Government or on any other account.

Then followed the Cleveland Administration. It came in, as I said, pledged to a different policy. The Senator from South Carolina [Mr. TILLMAN] wants us to believe that there was no change. There was not as much change, perhaps, made by what is known as the Wilson-Gorman tariff law as was expected by many from the McKinley law; but it was the difference, Mr. President, between having a party in power that was pledged to a policy of protection and one that had come into power pledged to the overthrow and destruction of that policy; and during the months preceding the breaking out of that panic the whole country expected a redemption of that pledge.

That was bad enough; but when the Congress assembled and undertook to legislate to carry out that pledge, something worse, apparently, for the country occurred, for then it was developed that no two Democrats in the United States understood alike what was meant by a tariff-for-revenue-only law. They passed a tariff law in the House of Representatives which was supposed to be an expression of Democratic purpose and a redemption of the Democratic pledge. They sent it here to the Senate, and I have seen it stated—I do not know whether the figures are exactly correct or not—that 1,397 mistakes in the interpretation of that pledge by the House had found their way into the bill that they passed, and called for that many amendments here in the Senate.

From one month to another the debate went on, with the panic all the while growing worse and worse and the revenues decreasing, until it became necessary for that Administration, in a time of profound peace, to issue bonds to meet the ordinary expenses of the Government; and finally the credit of this Government became so poor—or so impaired, let me say, rather—under that Administration that when the last issue of $62,000,000, I believe it was, of 5 per cent gold-bearing bonds was put upon the market it was found necessary, in order that a sale might be secured for those bonds, to organize a syndicate of bankers in Wall street through whom those bonds should be disposed of to the country.

I am not going to pursue that further. It is not necessary. But, Mr. President, what happened next? When the McKinley Administration commenced, the trade conditions were what have been indicated by the Senator from Massachusetts [Mr. LODGE].

During two of the years of the Cleveland Administration the balances of trade were against us. During only two of the four years were those balances in our favor, and then only small balances they were. But the very moment that the Republican party was successful at the elections of 1896 business conditions began to improve, slowly, hesitatingly for some months, until the Administration had come into power, and until it could be made plain to the country that less than a majority of this body would be able to so legislate with respect to the tariff as to repeal the Wilson-Gorman law and substitute the Dingley law, as it is now known, in its stead.

But as soon as that was an accomplished fact, the wheels began to turn; men were called from idleness to employment; business conditions revived, and prosperity set in and has continued without interruption until now we have the greatest prosperity in the history of this or any other country on the face of the earth.

The figures read by the Senator from Massachusetts are simply stupendous, almost incomprehensible. During the years that have passed since the McKinley Administration commenced until now our foreign commerce has so grown, and grown in our favor, that the annual balance of trade will average more than $500,000,000, every dollar of which the nations with which we trade have been compelled to pay to us, and pay to us in gold worth 100 cents all around the world. There have been no 50-cent Bryan dollars in those transactions. As a result of it, Mr. President, we have today in the Treasury of this country more gold belonging to the United States than was ever held by any government in the history of the world.

Not only has our foreign trade grown in that manner and to that extent and with that success, but the prosperity which it indicates is general; it is universal; it is distributed throughout the whole country; it is common to all the sections, and to no section more than to the Southern States.

A few days ago there was made in another place where men legislate a very brilliant speech, in the course of which the speaker quoted from newspapers, the leading newspapers from almost every State throughout the whole South, in order to show what the conditions were, according to those papers—almost every one of them a Democratic paper—on the 1st day of January last.

It is a most remarkable array of facts in proof of the statement I make that this prosperity does not alone belong to the Government, to be measured in balances of trade, in the high credit we enjoy, in those things that pertain to our ability to make expenditures, to our National Treasury, but that this prosperity belongs to the people throughout all the sections of this land. I want to briefly call attention to this. It can not be given too much publicity. It was a happy thought that induced this speaker to cite these newspapers. He commences with the State of Missouri. He cites first the Kansas City Journal of January 1, in which it is said:

According to statements made by officials of the railroads running into Kansas City every company has been in receipt of more business for the year just closed. One general agent said that the earnings of his road had increased 35 per cent over 1902.

The Kansas City Star says:

Bank clearings are not always a definite indication of business movements, but they may be taken as a reliable barometer of conditions in this city. The clearings in Kansas City for the past year were one thousand and seventy-five millions, an increase of eighty-six millions or [illegible] per cent over the record of 1902. Building permits and real estate transfers show similar increase. Both the wholesale and retail merchants report gains.

I am not going to read all of these, but I want to read a few of them just to show how universal they are and how all alike tell the story of prosperity. The St. Joseph Gazette says:

The country upon which St. Joseph depends for its maintenance is prosperous to a [illegible] degree. Crops have been [illegible] and [illegible] prices for the products of the farm and range far in excess of the average for many years.

Now I come down to Virginia, skipping quite a number of citations from other papers in Missouri. The Despatch, of Norfolk, says:

The cities of the entire Virginia have experienced a solid and increasing growth during the past ten years. Norfolk is in many ways better off today than a year ago. Conditions which characterize organizations and business enterprises have flourished and grown and improved within the year. Local bank clearings have shown a gradual increase during the year and local bank clearings show an increase in the volume of business done in the city, and the record of the year just is the largest in the history of the city.

Mr. PATTERSON. Mr. President, may I ask the Senator a question?

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Colorado?

Mr. FORAKER. Certainly.

Mr. PATTERSON. If prosperity is as great as it has been, if it has not diminished and is not diminishing, how does the Senator from Ohio account for the material cut in the wages of twenty-five or thirty thousand of the workmen and workwomen engaged in the New England textile fabric mills, a reported cut in wages in all the steel industries, and that there is now assembled at Indianapolis a national convention of bituminous coal miners threatening a national strike because they have been notified that after a time soon to come the wages they are receiving will be materially lessened?

Mr. FORAKER. Mr. President, there is no trouble in answering the Senator. I am not going to answer him in detail as to all the cases he puts, because it is sufficient to answer him as to one, and either that or some similar answer will be found as to each of the others. He puts the case of cotton manufacturers. It is the price of cotton, Mr. President, which has gone so high—whether on account of legitimate demand or whether on account of manipulation of stock brokers and dealers it does not matter—has gone so high as to cripple that industry, to stop a number of factories, and to turn, in consequence, a number of men into idleness.

For other causes, having nothing to do with the general policies of the country, but originating in and having their effect in spite of those policies, the steel industry has been temporarily affected, and the mining of coal has been temporarily affected, perhaps. I am not able to answer as to detailed facts all the suggestions made by the Senator, but we know that it is no unusual thing to see the representatives of labor and the representatives of capital meeting in national convention for the purpose of considering questions of wages and other questions of a similar character.

We do know, however, Mr. President, this to be a fact, that when the Republican party is in power and the people of this country are satisfied with the industrial legislation, there is never any strike, except for differences as to wages or hours or other terms. Labor strikes when it knows if it quits work to-day it can go back and find work to-morrow; capital strikes and goes out of business when you institute policies in which the people have no confidence. That is the difference between strikes under Democratic and strikes under Republican policies.

You are liable to have strikes under any Administration, although from different causes. How was it under Cleveland? Nobody struck then because he was getting less wages than he wanted. The trouble was to get any wages at all. The only striking anybody did was to strike out for a job, the first one he could hear tell of, and pursue it and get it, if he could, anywhere and at "any old price," on any kind of terms.

Now, let me pursue my remarks. I am not going to be tedious about this. I only want to show, Mr. President, that this is not a

prosperity merely of the Government, but it is a prosperity for the whole people and for all the sections of this country. I have read from newspapers in Missouri, and I read from one in Virginia.

Mr. TILLMAN rose.

Mr. FORAKER. I will get to South Carolina in a moment.

Mr. TILLMAN. I just want to ask the Senator from what he is reading? He started out to tell us he was reading from a speech; but he has not told us where it was delivered, or when, or by whom.

Mr. FORAKER. I thought the Senator would understand that the rules of the Senate prohibit my speaking of what occurs in the other House. Therefore, I said this speech was made elsewhere.

Mr. TILLMAN. That is rather thin, Mr. President.

Mr. FORAKER. Well, I can say, I presume, that it was made in the House of Representatives, and it was made by Mr. BOUTELL of Illinois, a Member of that body.

Mr. TILLMAN. I am glad I got the information.

Mr. FORAKER. And it was made on the 26th of January. I invite the Senator's attention to it. He will find it profitable, I think, to give it careful study.

Mr. President, to go on with this, I could read to the same effect from the Petersburg Index-Appeal, to the same effect from the Jacksonville Times-Union, and from the Pensacola News, as to the condition of things in Florida; and I could read to the same effect from the Leader, a paper published in Lexington, Ky., as to the conditions existing in that State, and from the Louisville papers to the same effect. All these papers, let me remind the Senate, are of date January 1, showing the condition only a month ago, as published in these Democratic papers in their respective localities. The Atlanta Constitution, January 1, says:

> Annual reports of railway officials show a bright chapter in the history of Atlanta that may be regarded as one of the most prosperous in its history. [illegible] The year's progress is a [illegible] and is considered as a strong indication of the substantial character and growth of business in Atlanta.

The Augusta Chronicle and a number of other papers in that State are quoted.

Then he goes to North Carolina and from the Rural News and Observer he quotes thus:

> The year that closed last night has been a good one for North Carolina and the American Republic. Crops have been large and prices good. It has been a specially good year for farmers.

I quote now from the Wilmington Morning Star:

> The steady increase in the commerce of Wilmington is extremely gratifying [illegible] and the growth and strengthening more around the mid section of North Carolina will make for a source of great consolation to the people of the entire State.

Now I come to South Carolina, that blessed old State, so ably represented on this floor always, and particularly now. The Charleston News and Courier is quoted from, as follows:

> The banks of Columbia show by their reports that they have had a very successful year, and it follows that the people of the city have cause to be in a more than satisfied with the last year's business. The total deposits in the five banks amount to $[illegible], a very large sum for a city of the size and importance of Columbia. Compared with former years, the deposits have increased very much, and the bankers seem to be full of confidence of still greater proportionate increase during the present year.

Now let me read from another paper, the Greenville News:

> The year 1903 has been one of unprecedented growth and general prosperity. Something like $[illegible] has been expended during the year in the erection of power and factory buildings, manufacturing plants, and numerous other commercial enterprises. This great accession took place in the history of Greenville was passed. Nineteen hundred and three has left Greenville greater richer and more prosperous than when it came.

Then I could read to the same effect from the papers of Memphis and Nashville as to the conditions of prosperity obtaining in the State of Tennessee. And so on throughout the South. I might go on reading to a very much greater extent than I have, but I have read sufficiently to support what I want to state, that this prosperity about which we talk is a prosperity not for any particular section, not for any particular class, but a prosperity for our Government, a prosperity for our country and our whole country, a prosperity for every section of our country, a prosperity for every class in our country, for I have read sufficiently to show that this prosperity has been felt and enjoyed not alone by the merchant and the banker and the manufacturer, but also by the farmer and all those in the humbler vocations and walks of life.

With this kind of prosperity throughout the country, with every newspaper in the South proclaiming it, and everybody throughout the North enjoying it, the whole country in the enjoyment of it, does not the Senator from Maryland think he should modify the statement he made yesterday, when in effect he said, as on reflection he modified his statement of the bankruptcy of the country at the close of Harrison's Administration, the policies of this country as pursued by the Republican party have resulted in failure?

Mr. President, instead of the policies pursued by the Republican party since the McKinley Administration until this time resulting in failure, they have resulted in a triumphant success the like of which has never been known and perhaps never will be again. We can not conceive of the possibility of a greater prosperity than that which the people of this country are enjoying.

Mr. President, I am not going to stand here now to defend the Army or to defend the Navy or to defend the expenditures we are making for the Army and the Navy. That is not necessary. The Army and the Navy of this country have ever, from the beginning of our history, been able, by their heroic achievements and their splendid endeavors, to defend themselves; but I will stop to call the attention of the Senator from Maryland to the fact that the law in respect to the Army authorizes an Army that shall have a maximum strength of not more than 100,000 and a minimum strength of 65,000.

Hardly had the law been passed giving the President authority to increase the Army to the maximum until the President of the United States, instead of taking steps to increase it to the maximum, as was predicted here in the Senate and elsewhere, took steps to reduce it to the minimum of officers and men, and it has never since been above the minimum; and to-day, by the latest official report from the War Department, I see that the total strength of the Army, officers and men, is 59,181, or almost 6,000 below the minimum prescribed by law, and 40,000 below what the Senator from Maryland stated, as I understood him, and as is suggested to me by the Senator from Massachusetts [Mr. LODGE].

Now, as to the expense of our Army, we are told that it is greater than it should be for an army of 60,000 men. We were told that, I believe, by way of explanation as to why he said it was an army of 100,000 men, if I correctly understood the Senator, and we are told of the relative expense of the armies of other countries. Mr. President, it does cost more to maintain the American Army than it does to maintain any other army in the world. England pays to her soldiers the highest wages of any country other than the United States, and the United States pays twice as much to her men and officers as they do in England, speaking in round numbers.

In Germany, France, Italy, Russia, and other countries they pay far below what England pays. So if it be that our expenses are larger for an army of 60,000 men than the Senator from Maryland had calculated they should be, it is because we do what we ought to do. We remember that they are American citizens, who are for the time being serving the American Government, and we expect them when they are through with that service to come back and be a part of the sovereign governing body politic of this country and to be fit and worthy citizens to live in this country and fit and worthy to live here because they love the country, and are ready to respond to its call and stand up in defense of its flag whenever there may be necessity for it.

I do not believe, Mr. President, that the American people have any anxiety about the American Army. I believe that the American people justify the maintenance of the Army we have. We know they do. We had this question paraded and exploited and debated and discussed before the American people in the last campaign, when anti-imperialism and expansion constituted the paramount issue, so called. What was the result? The Democratic party in that campaign marched to an even greater and more fatal Waterloo for them than they found at the end of the campaign under Mr. Bryan in 1896.

No, Mr. President, if the Army is to be arraigned, either on the ground that it is too large, when we are maintaining it only at its minimum, or on the ground that it is overpaid, when we are only paying American wages, the people will answer for the Army and I need not waste any time in doing so.

As to the Navy, from the days of the Revolution to this time the American Navy has been the pride of the American people. Whoever else may have failed the American people, the American Navy never has. It is an organization of which every man in this country can be justly proud. Wherever they have carried our flag they have shown bravery and heroism equal to every emergency and a wisdom and a [illegible] and ability not surpassed by those in civil life trained in diplomacy.

I do not believe the American people want us to stop increasing our Navy until we have made it commensurate in strength with the greatness of this the greatest country on the world. I believe the American people have approved the American policy known as the Monroe doctrine, and that they will hold any Administration derelict in duty that fails to be ready at all times to maintain that doctrine and to assert American rights wherever American rights may be challenged.

So it is, Mr. President, that although we have before us a question that is simply American, a question about which there should be no party lines drawn, we have yet found it necessary—I am glad to know the necessity was not occasioned by the remarks of anyone on this side of the Chamber—to refer to political parties and political administrations and political disasters and political triumphs. Perhaps it is well enough that it is so, for the record

is made up. The American people have passed judgment. Let them stop and consider, for they will be called upon to pass judgment again. We are ready for the debate and ready for the vote. We shall go forward without hesitation, expecting the same triumphant vindication next November that we had four years ago and on the previous occasions which I need not mention.

Mr. PETTUS, Mr. BAILEY, and Mr. HALE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Alabama.

Mr. PETTUS. Mr. President, I do not desire to enter into this political debate. The fact is I am a Presbyterian, and if I were desirous of having a Presbyterian minister occupy the pulpit of the Baptist Church on next Sunday I would never commence by telling the Baptist minister that sprinkling was just as good as going under the water. [Laughter.] I would never raise a question and dispute what the court said, if it was a law question, and I would never raise a question with a jury if it was a jury question. I want to get back to where we started. We started out with a discussion of the rule of the Senate, and that is the only question before the House now.

Mr. President, that Senate rule is a peculiar one. I have been here but a few days, but I have observed a good many things about that rule. I do not intend to go into a discussion of what the rule means at this time, because the Senate has interpreted it at least twenty-five times since I have been here. But do you not all remember that the junior Senator from Massachusetts [Mr. LODGE] put on as an engrossed rider on an appropriation bill all the civil government we now have in the Philippines? We fought it. Oh, yes; we fought it. We on this side were opposed to it, as a general rule, and we fought it, and we clamored for the rule. The rule says the President of the Senate may submit a question of order to the Senate itself, and the wise man in the chair [Mr. FRYE] knows exactly when to submit and when not to submit. [Laughter.]

That is what you gentlemen on the other side of the Chamber did.

There came along another appropriation bill and the Senator from Alabama [Mr. MORGAN] tried to put the Hepburn bill on it as an engrossed rider. All of you Senators on this side of the Chamber who were here then voted to put it on as an engrossed rider to that bill. Other Senators seem to have as much appreciation of this rule as the Chair has. It is a good rule, a first-rate rule. It is a rule by which every man in this Chamber, so far as I have observed, has invariably voted on the question as to whether or not a proposition is in order exactly as he wanted to vote on the measure itself when it came up. I think every member of this Chamber who has been here two years has voted on different sides of this question at least half a dozen times. Why clamor about a rule that the President of the Senate knows perfectly well how to get rid of?

Mr. BAILEY and Mr. HALE addressed the Chair.

The PRESIDENT pro tempore. The Senator from Texas.

Mr. HALE. I have been trying to get the floor for the last half hour. I will not interfere with the Senator from Texas, but——

Mr. BAILEY. Mr. President, like the Senator from Alabama [Mr. PETTUS], I have been here but a few days and they have been very full of trouble. I do not think I have voted with the majority since I became a member of this body, and I doubt if I will be able to vote with the majority before my term expires. I am perfectly willing to be instructed in the method of interpreting the rules, which, according to the Senator from Alabama, is that the rule means whatever the Senate chooses to make it mean.

To my way of thinking we had better have no rule at all than one which the majority can waive aside when it so suits their convenience and enforce when they please. I doubt if any other body in this country would be willing to proclaim that it has no respect for the rules which it had adopted. Still I presume I can live without any rule as well as anybody else. So long as my right is preserved to object to what I do not like and to vote against what I think is unwise I shall make no serious resistance to any rule or to any method of applying the rules that may suit the Senate.

But, Mr. President, it was not for the purpose of complaining at the rules or their manner of enforcement that I rose. It was for the purpose of making some brief reply to the very eloquent and very entertaining but very illogical speech of the Senator from Ohio [Mr. FORAKER]. Following the statement of the Senator from Massachusetts [Mr. LODGE], the Senator from Ohio has asked the Senate and the country to believe that all of the prosperity both among the people and with the Government which we now witness on every hand and in which they do not more sincerely rejoice than I do is due in some way to the policies of the Republican party.

The Senator from Ohio, however, fell into the strange and, for a man of his brilliant parts, the inexcusable error of proving too much. Attributing it all to Republican policies, he finally came to his comparisons and read to the Senate copious extracts from papers which declare that the prosperity of 1903 was actually 33 per cent greater than the prosperity of 1902, and yet the country lived and produced and exchanged in 1903 under precisely the same system of laws which prevailed in 1902.

Mr. President, it has become a habit with our friends on the other side, here and elsewhere, to claim for their party all the blessings of nature and nature's God. When it rains, they take the credit for it, and when the drought comes they charge it to the misdeeds and follies of the Democratic party. There was a time, unfortunately, when some of our Democratic friends were led into the error of supposing that the only way to make this country Democratic was to make it unhappy—by making it believe that it was not prosperous. That time has passed, and no such delusion now enthralls us. We will make no more calamity campaigns.

My judgment is that when the country is most prosperous in a material way it has greatest need to call the Democratic party into its service in order that it may be reminded of its duties outside of the dollars and the cents.

Prosperity, sir, is not the product of politicians nor of governmental policies. It is the joint product of God and man. It comes from the benevolence of nature in giving us rain and sunshine combined with the industry and the intelligence of the American farmers and laborers of every class. They create prosperity in spite of your laws and your policies.

If these Republican policies made such marvelous prosperity from 1897 to 1903, why did not those same policies produce the same results in prior years? The Senator from Ohio has well said that the policies which prevailed under Harrison are the same policies that prevailed under the lamented McKinley and under the one who happens to be President of the United States at this particular time.

They invite us to compare the years under Cleveland with the years under McKinley's Administration. Let us extend the comparison and take the years under Harrison and compare them with the years under Cleveland. Before I do that I desire to say that I am no apologist for Mr. Cleveland's Administration. I was as little in sympathy with it as any man who belonged to the Democratic party.

I was the first Democrat in Congress to break with him. During the last three years of his Administration they did not permit me to name a third-class postmaster in the district which I then represented in the House. Indeed, it became a practice with those who sought appointments to write to the Post-Office Department that I opposed their nomination. Under these circumstances it can well be understood that I have no disposition to apologize for Mr. Cleveland, but I have every disposition to do him and the party which elected him full justice.

His history has been written, his public life has closed, and it is as little as we can do on both sides of this Chamber to be fair toward him. He was not much more unpopular at the close of his Administration than the man will be whom you are apt to elect, if you elect anybody, to serve during the next four years. In all my experience I have never known a candidate whose nomination so many men favored and whose nomination so few men really desired as in the case of the present occupant of the White House.

Everybody is for him and nobody wants him. Before the close of his term, if you elect him, you may find it as unpleasant a task to defend his Administration as it is for us to defend Mr. Cleveland's.

But, Mr. President, let us make the comparison of exports and imports. The Senator from Massachusetts declares, and the Senator from Ohio repeated it, that under Mr. Cleveland's Administration there were but two years when the balance of trade was in our favor, and that insignificant. I tell the Senator from Ohio that the balance of trade in our favor under Cleveland's was larger than it was under the Harrison Administration.

Mr. FORAKER. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. Certainly.

Mr. FORAKER. I made the statement without having looked at the figures. I made it, repeating what the Senator from Massachusetts had said in my hearing. I saw that he had figures for it. I did not pretend to state exactly all the amounts. I did not say anything about the balance of trade under the other Administration in that connection.

Mr. BAILEY. I recognize that the Senator from Ohio followed the statement of the Senator from Massachusetts, and the Senator from Massachusetts is usually very accurate in these matters—he has such facility for their preparation, because he only needs to send a note to the Department and he is amply supplied in the shortest possible order—that I hesitated to believe even my own hearing when he made that statement.

Rather than contradict him then I sent for this statement, a Government publication called the "Statistical Abstract of the United States," prepared under the authority of the Treasury Department itself, and I take from that Statistical Abstract these statements.

Under the Democratic Administration—and with the leave of the Senator from South Carolina [Mr. TILLMAN] I shall call it a Democratic Administration—under the Democratic Administration of Mr. Cleveland, from 1885 to March 4, 1889, I find that the imports——

Mr. FORAKER. Mr. President ——

The PRESIDING OFFICER. Does the Senator from Texas yield?

Mr. BAILEY. Certainly.

Mr. FORAKER. I call the Senator's attention to the fact that we were not talking about the first Administration of Mr. Cleveland but the second. During the first Administration there was a Republican Senate, in the first place, to make impossible such legislation.

Mr. BAILEY. All right.

Mr. FORAKER. If the Senator will bear with me still a moment——

Mr. BAILEY. Certainly.

Mr. FORAKER. Then, moreover, Mr. Cleveland was elected the first time upon a platform that did not declare in favor of a tariff for revenue only, as I remember, but it contained a pledge that there should be no legislation affecting the tariff that would seriously affect or put in jeopardy any business. I can not give the exact language, but that is the substance and effect of it. I remember it well, because all over the country the contention was that if they got into power there would be no change of policies to disturb the business of the country.

Mr. BAILEY. That is entirely satisfactory to me. I dismiss the first Administration and take the second.

Beginning under Mr. Harrison's Administration with 1889, and I take that rather than the one ending in 1889, because the first part of the fiscal year was under the Democratic and only the last four months under the Republican Administration. So I begin with 1890, and I find that our imports were $[illegible],000,000, in round numbers, while our exports were $8[illegible]

In 1891 our imports were $844,000,000 and our exports were $[illegible]

In 1892 our imports were $827,000,000 and our exports were $1,030,000,000.

In 1893 our imports were $866,000,000 and our exports were $847,000,000.

Mr. CLAY. That was the Cleveland Administration?

Mr. BAILEY. That is the Harrison Administration.

Mr. FORAKER. The last one?

Mr. BAILEY. I include 1892 because Harrison served for eight months during that fiscal year and Cleveland only four months.

Now, in the fiscal year ending June 30, 1894, our imports were $654,000,000 and our exports were $892,000,000.

Mr. FORAKER. Will the Senator allow me——

Mr. BAILEY. Let me finish.

Mr. FORAKER. I just wish to ask a question for information before you pass from that; that is all.

Mr. BAILEY. In 1895 our imports were $731,000,000 and our exports were $807,000,000. In 1896 the imports were $779,000,000 and the exports $882,000,000. In 1897 the imports were $764,000,000 and the exports $1,050,000,000.

Thus it appears from a Government publication itself that the balance of trade in our favor was more than twice as large under the Cleveland Administration than under the Harrison Administration.

Now, the Senator from Ohio says that the cause of the great falling off in the revenue was that immediately upon the announcement or ascertainment of Cleveland's election the people of this country revoked their import orders, importations fell off, and consequently import collections fell off. Unfortunately for the Senator from Ohio he spoke without being advised from the record, because the very year before Cleveland was elected the imports were only $827,000,000, while the year in which he was elected they were $886,000,000, and the following year they were only $654,000,000.

So in the year in which the Senator says the orders were revoked by reason of Cleveland's election, as a matter of fact the imports were larger than in the preceding year under Harrison's Administration.

Mr. FORAKER. If that statement be true, the Senator has made a mistake in reading it, or else I made a mistake in listening.

Mr. BAILEY. No.

Mr. FORAKER. What, now, were the imports for the year 1896—the year McKinley was elected?

Mr. BAILEY. The imports that year were $779,000,000.

Mr. FORAKER. What were they in 1897?

Mr. BAILEY. In 1897 they were $764,000,000. So they fell off under your Administration.

Mr. FORAKER. That was the year we were getting started, and acting under the laws of the previous Administration. Before the Senator closes the book I want to inquire about the year Cleveland was elected in 1892. I am asking this only that I may understand the Senator.

Mr. BAILEY. They were actually larger the year he was elected than the year before. Now, there was a year in which they fell off. Anticipating a reduction of duties, importers naturally and sensibly postponed their importations in order to get the benefit of a reduction in customs duties, because plainly they could not import under the higher duties and successfully compete with competitors who imported under the lower duties of a Democratic tariff law.

Mr. FORAKER. I wanted to direct the Senator's attention to that year to know if I correctly understood him. I understood the figures, as he read them, to indicate that they did fall off immediately after the election of Cleveland as compared with the year in which he was elected.

Mr. BAILEY. No; they fell off in the fiscal year ended June 30, 1894, and that was entirely not because Cleveland was elected, as the Senator says, but because the Democratic party was engaged in the very laudable but difficult task of framing a tariff law, and that they would fall off then everybody understood.

Now, I want to go one step further with the Senator from Ohio. He has read to the Senate a letter from ex-Secretary Foster. I know it is a pleasure to defend Secretary Foster on his part; they were personal and political friends; but Secretary Foster's letter, while literally accurate, is misleading. That letter, if accepted as it was read, would seem to imply that there was no insufficiency of revenue under the Republican tariff law known as the "McKinley Act," and yet I have here the sworn statement of Secretary Foster, made before the Committee on Ways and Means in the House, in which he says that while it is true his preparation for bonds was to repair the gold reserve, yet, independently of the bonds, he says, under oath:

> I will tell you the truth. If I was to have the management of the Treasury I would need an increase of revenue to the extent of $50,000,000.

If the revenues were abundant, why would a Secretary of the Treasury insist upon an annual addition of $50,000,000?

Secretary Foster further says in response to the question of Hon. William L. Wilson——

Mr. FORAKER. What is the date?

Mr. BAILEY. The date of the report is March 3, 1893. The date of the hearing was February 25, 1893.

Mr. Wilson asks at a further point of the inquiry:

> Did I understand you to express a general opinion a while ago that in addition to the present sources of revenue that the revenue of the Treasury department ought to be advanced $50,000,000 more a year?

To which question Secretary Foster replied:

> Yes, sir.
>
> Mr. MILLIN. Would you make that for one year or a permanent increase of revenue?
>
> Secretary FOSTER. As things are going now a permanent revenue, for two reasons. I would increase the gold reserve at least $5,000,000 if I had the money to do it with.
>
> Mr. TURNER. But your answer just now seemed to contemplate an annual deficiency.
>
> Secretary FOSTER. I think an annual increase of $50,000,000 would make the Treasury easy, and if I were going to mention it I would want to have it.

That is his sworn testimony.

Mr. FORAKER. He states there he has that opinion because of "the way things are going on now;" and that was the middle of February, three months after the Cleveland election.

Mr. BAILEY. But, Mr. President, surely a Republican Secretary would not be basing his opinion on what he would want under a Democratic Administration. Of course some very improbable things did occur under that Administration.

The President did appoint as Secretary of State a gentleman who had never voted the Democratic ticket, but it was not probable that he would make a like appointment for Secretary of the Treasury, and it can not be supposed that a Republican Secretary of the Treasury was basing his answer upon the supposition that he was to administer a Democratic policy.

No, sir; Secretary Foster said there ought to be $50,000,000 additional, and yet the Senator from Ohio tells the Senate and the country that abundant revenue was flowing into the Treasury under his Republican tariff law. I tell him that in order to meet the usual and ordinary expenses of the Government they used a trust fund, which had been converted into a cash asset of the Treasury.

Mr. FORAKER. I rose simply to inquire of the Senator, as he has the statistics before him, whether or not there is anything there which indicates that there was a deficit at any time during the Harrison Administration prior to the election of November 8, 1892. All I said was that there was no deficit, and that is what I understood the Senator to say.

Mr. BAILEY. That the Government actually defaulted, no; but that the Government was driven to the necessity of using what had been a trust fund to meet its current obligation is true. And after that had been done, when the Republican Treasurer turned over the office to his Democratic successor he delivered only $103,000,000 in gold.

Mr. FORAKER. To what trust fund does the Senator refer?

Mr. BAILEY. For the redemption of national-bank notes.

Mr. FORAKER. I know nothing about any such transaction.

Mr. BAILEY. If I was inclined to be sarcastic, I might say that there were many things the Senator from Ohio does not know about this matter; but the Senator from Ohio comes as near knowing what a Senator ought to know as any gentleman on this floor, and when he does not know it it may be laid down as certain that it would not be to the credit of his party for him to know it.

Mr. FORAKER. Mr. President, I appreciate the compliment which the Senator has paid me. I only rose again that I might say that the reason why I made that remark was to explain why I would not undertake to answer that. I know nothing about it. I may have known about it at the time. My attention has not been called to these matters for a long time, and I will take pleasure in looking it up and seeing to what extent trust funds were misapplied.

Mr. BAILEY. I did not say they were misapplied. I said they were converted into a cash asset of the Treasury.

Mr. FORAKER. It was a cash asset of the Treasury?

Mr. BAILEY. No; they were trust funds.

Mr. FORAKER. What was the amount of the fund?

Mr. BAILEY. I would not venture to state the amount exactly, but the Government now, instead of redeeming those old bank notes out of the trust fund, redeems them itself. The Government was entirely a solvent obligor, and it was not a misapplication or even a diversion of it. It was simply a conversion of it to meet an exigency.

I wish to say to the Senator from Ohio that it is not my habit to charge dishonesty upon my political opponents. I make no such charge, but the whole gravamen of my charge is that in order to escape a deficit they used a trust fund as a cash asset, still holding themselves liable to answer for the trust fund.

Mr. FORAKER. Can the Senator give me the date of that conversion? I want to look it up.

Mr. BAILEY. If the Senator will apply to me at my desk I will do so.

Mr. ALLISON. Will the Senator allow me?

Mr. BAILEY. Certainly.

Mr. ALLISON. The matter of which he speaks now was the change in the laws made in 1890. That is my recollection.

Mr. FORAKER. Was there any deficiency, I will ask the Senator from Iowa, with the permission of the Senator from Texas, of the revenues at that time as an occasion for that?

Mr. ALLISON. I do not wish to interfere with the Senator from Texas, but those special funds were turned into the general funds of the Treasury, I think, not on account of any deficiency in the Treasury, but because of the recommendation of the Secretary at that period that they were funds which ought to be currently in the Treasury. But under the national-bank act of 1864 they were a special fund.

Mr. BAILEY. Certainly.

Mr. ALLISON. Largely they were funds deposited in the Treasury to meet the redemption of national-bank notes of banks that had gone into liquidation or failed. The object was in the line of the opinion of a great many people at that time, that this fund ought to be in circulation and not be held as a special fund in the Treasury which could not be touched by anyone.

Mr. BAILEY. That explanation could hardly be sufficient, because as long as this fund for redemption was in the Treasury the bank note itself was in circulation or else was destroyed and would never be presented for redemption. So that explanation will hardly suffice.

Mr. ALLISON. The Senator misunderstood me—if the national-bank note was in circulation and the greenback in the Treasury. If both were in circulation, there would be an addition to the circulation.

Mr. BAILEY. But both could not be properly in circulation, because one was held for the redemption of the other. I make no complaint as to the perfect legitimacy of that transaction. It was entirely honest, but to circulate the trust fund while using the other fund too would not be a correct financial method.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Indiana?

Mr. FAIRBANKS. Will the Senator allow me to ask him a question?

Mr. BAILEY. Certainly.

Mr. FAIRBANKS. Does the Senator take into account the fact that President Harrison paid off a large amount of Government bonds, and that a large amount of the payment was made from the receipts derived from the customs and other sources?

Mr. BAILEY. He did not pay off as much as Cleveland did in the preceding Administration under precisely the same law.

Mr. FAIRBANKS. No; that was not the question I asked the Senator.

Mr. BAILEY. Neither does it fit right at this place; and I was making an irrelevant answer to an irrelevant question.

Mr. FAIRBANKS. I asked the question simply for information. As I understand it he paid a great many million dollars in liquidation of bonds of the Government out of his revenue.

Mr. BAILEY. That is true; and Mr. Cleveland had done the same and more under his first Administration.

Mr. FORAKER. When he was administering under the Republican policy.

Mr. BAILEY. Under Republican policy, I regret to say, and which policies he continued in a measure, I regret still more to say. But the contention which I am making here——

Mr. FORAKER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield?

Mr. BAILEY. Certainly.

Mr. FORAKER. Would it trouble the Senator if I should ask him this question? If when Mr. Cleveland came in he found the Government bankrupt or the revenues so diminished that they were not equal to the obligation that had to be met, why was it that the Democratic party undertook to so change the tariff as to reduce the revenues?

Mr. BAILEY. We were trying to relieve the burdens of the people, and we had less thought about the revenues of the Government than we had about the burdens of taxation. But the Senator from Ohio knows, because he knows our theories as well as he does his own, that we believe that by reducing a protective duty to a revenue basis we can increase the revenues of the Government.

Mr. FORAKER. Mr. President——

Mr. MITCHELL. Will the Senator allow me?

Mr. BAILEY. One at a time.

Mr. FORAKER. I wanted to inquire of the Senator whether or not the reduction ever had that effect under Mr. Cleveland's Administration?

Mr. BAILEY. If the Supreme Court had not declared our income-tax provision unconstitutional we would have raised ample revenue for all the necessities of the Government economically administered. I am free to say I do not think we could have made many $10,000,000 gifts to expositions and have escaped a deficit.

Mr. MITCHELL. What I wanted to ask the Senator from Texas is whether the Cleveland Administration was trying to rid the people of the burden when during his second Administration there was issued $260,000,000 of bonds?

Mr. BAILEY. That was because they did not know enough to know that they could have preserved the parity between gold and silver without issuing bonds——

Mr. ALLISON. Will the Senator from Texas yield to me for a moment?

Mr. BAILEY. Certainly.

Mr. ALLISON. I have now the statute to which the Senator alluded in his observations respecting the diversion of public funds. That statute was a part of the act of July 14, 1890, when there could not possibly have been any question about a deficit either in the present or in the future in the Treasury, for the Treasury was then as amply, or not quite as amply, supplied with funds as it is now.

Mr. BAILEY. I give the Senator from Iowa and his political associates credit for being able to see two years ahead. They passed an act the title of which declared it to be "An act to reduce the revenues and equalize duties on imports, and for other purposes." That is the title of the McKinley Act.

Mr. ALLISON. Oh, no, Mr. President; this was the act of July 14, 1890, directing the purchase of silver bullion, the issuance of Treasury notes thereon, and for other purposes. This was an amplification of the general understanding at that time that we must have more silver. Under this law four and a half million ounces of silver were purchased every month. There was no question at the time this act was passed as to a deficiency, either present or remote, in the Treasury.

Mr. BAILEY. Mr. President, the Senator from Iowa is not exactly fortunate, I think, in his explanation, because this trust fund had absolutely nothing to do with the purchase of silver. It was included in the silver-purchase act, but it was simply a recognition of what everybody understood, that this fund carried as a trust fund should be covered into the general fund of the Treasury. I will go further, though I did not intend to go into that matter.

Mr. ALLISON. I only want to say to the Senator, if he will excuse me one moment——

Mr. BAILEY. Certainly.

Mr. ALLISON. This was in no sense a trust fund. It was a fund for the redemption of national-bank notes. That act was simply an amendment of the law that had been passed in 1884.

Mr. BAILEY. I think I comprehend the nature of a trust fund. Whenever a fund is held with any person, corporation, or government for a special purpose it comes within the definition of a trust fund. This fund was held by the Treasury for the redemption of the notes of national banks whose charters had expired and which had gone out of business or whose manufactures had plunged them into bankruptcy.

I will go further, though this is a proposition which I did not care to discuss because it is not pertinent. All of this was framed with a view of simplifying the accounts of the Treasury. Even Secretary Foster, in the very hearing which I have before me, the hearing that held not every separate account of what he called "the gold redemption fund." He declared that it belonged to the general fund of the Treasury, and another Secretary of the Treasury who followed him declared that of Congress did not provide the money to meet general appropriations he would use that gold fund for current expenses, thus sustaining Secretary Foster's position.

Mr. ALLISON. Will the Senator from Texas permit me to interrupt him a moment?

Mr. BAILEY. I will.

Mr. ALLISON. That fund was always kept in the Treasury after 1875, until by a specific act of Congress in 1900 it was set apart. It never was regarded as a trust fund in fact or segregated in any way from the general fund of the Treasury until 1900.

Mr. BAILEY. But the law which authorized the Secretary of the Treasury to sell those bonds authorized him to sell them for a specific purpose, and every Secretary of the Treasury ought to have respected the will of Congress and have reserved that gold fund against that purpose; and so they did. Secretary Foster was the first one who construed otherwise. Senator Sherman declared in a debate in this body that it was a trust fund. It was raised during his incumbency of the Treasury office.

Mr. ALLISON. Undoubtedly.

Mr. BAILEY. And he declared that it was a trust fund.

Mr. ALLISON. If the Senator will permit me to complete, the law of 1882 provided that these bonds might be sold whenever the trust fund fell below $[illegible]. The law of 1875, which was the foundation of this fund, provided that the Secretary of the Treasury might sell bonds to maintain it without reference to any limitation, and Mr. Cleveland——

Mr. BAILEY. To maintain what?

Mr. ALLISON. To maintain the redemption fund.

Mr. BAILEY. It was a fund for the redemption of greenbacks.

Mr. ALLISON. Undoubtedly, and that fund never fell below $100,000,000 during the Administration of President Harrison or during any Administration prior to the Administration of President Cleveland, when it at one time was reduced to $41,000,000, notwithstanding Mr. Cleveland was selling bonds all the time for its replenishment, and while replenishing that fund he took the money derived therefrom to pay deficiencies which rose from month to month in the revenues as compared with the expenditures.

Mr. BAILEY. I will say to the Senator from Iowa that I reprobated the practice, and that I introduced into the House of Representatives a resolution declaring that the Secretary of the Treasury had no authority to apply that fund to any purpose except the redemption of United States notes, and the Judiciary Committee of the House of Representatives unanimously reported the resolution.

But Mr. President, I must not be diverted into a discussion of those ancient fiscal policies. What I was contending was that there were no abundant revenues under the McKinley law, and in proof of it I read a statement from the Secretary of the Treasury, that if he had the management of it he would insist upon an increase of $50,000,000 every year.

I then said to the Senator from Ohio that in addition to the abundant revenues which he claims the McKinley law supplied they had been compelled to use a trust fund, which had been converted into a general asset of the Treasury, that they did so; and that they barely escaped a deficit after using it, as is proved by the records of the Government. That was all, and no Senator can contend to the contrary. That they did have the benefit of that fund is true. That it was a trust fund, as I understand it, because it was a fund placed in the Treasury for a special purpose, is also true.

Mr. President, there is only one more question that I desire to detain the Senate upon, and that is the remarkable explanation which the Senator from Ohio [Mr. FORAKER] offered in reply to the question of the Senator from Colorado [Mr. PATTERSON]. Very pertinently the Senator from Colorado demanded to know, if this beneficent prosperity was still enveloping us like a cloud and was still everywhere in superabundance, how it was and why it was that the wages of American laborers were being reduced; and he instanced the reduction in the textile enterprises of New England, in the great steel industry, and in the coal mines.

The Senator from Ohio, with a readiness which excited admiration in his friends, was prompt with the explanation that the reduction of wages in the textile factories was caused by the high price of cotton. Of course the increased price of raw material always calls either for a reduction in the cost of manufacture or an increase in the selling price, but the Senator from Ohio stated below that it always came to increase the selling price rather than to reduce the wages of the men who work in those factories.

How often has it been asserted here, and asserted truthfully, too, that the wages of labor is the last element in a community to yield to any changed condition. That is a phenomenon of trade; and I venture to say that the Senator from Ohio has asserted it a hundred times. When that great finance committee was before the country for discussion, how often and how tirelessly was it said we would affect the price of everything before we could affect the wages of labor; with a "cheap dollar," as they described the dollar we proposed, they claimed we would immediately increase the cost of living, but that a corresponding increase is a long and painful process before we increase the wages of labor to a corresponding point.

That was the most difficult argument we were called upon to answer, and it perhaps convinced as many votes as any one argument advanced in that debate. Yet today, when it suits another convenience, the distinguished Senator from Ohio proceeds with alacrity that the wages of labor can rise or fall in a night. No, Mr. President, if the reduction in wages in the textile factories has come, it has come through other agencies, doubtless reenforced by the recent unprecedented rise in the price of raw cotton.

But if we accept the Senator's explanation for that, how will he explain the reduction in the wages of the steel workers? Outside of cotton and wool, outside of wheat and meat products, steel is the great basic industry of this land. Except what our appetites and comfort require in the way of food and clothing, our civilization could better dispense with any other commodity than steel. Let the Senator from Ohio explain to the thousands of steel workers whose wages have been reduced the cause of such reduction. Is it from an increase in the price of the raw material? Oh, no, Mr. President.

Raw material, so far from advancing to furnish a justification for reducing wages, has itself fallen in price. Is it that the steel makers in that gigantic corporation of steel have larger dividends? That their greed would demand them I have no doubt, but their business prudence forbade that, and instead of attempting to increase their dividends they have actually passed the dividend on their common stock. Three years ago the preferred stock of that great steel corporation fetched almost a hundred dollars in the open market, and the common stock fetched half as much.

The wages of the workmen had been advanced; the raw material itself returned a better price to those who owned it or produced it, and yet in the midst of this wonderful and astounding prosperity the great plants, instead of selling at higher dividends of late have fallen much lower in price; the dividends on the great manufacturing plants have been compelled to forego large profits, and the wages of the steel workers have been reduced. Who will volunteer an explanation of it?

Ah, Mr. President, the same conditions exist now that existed in 1893. The enormous demand for steel has been largely satisfied and there is a dearth of orders—precisely the same condition that culminated in the great Homestead strike in 1892. When Senators talk about the wonderful prosperity of the Harrison Administration they forget that the hard times, for which Cleveland suffered the odium, began under Harrison and ended under Cleveland. In the summer of 1892, long before even the most sagacious knew the issue of the Presidential battle, this land was filled with the mutterings of discontented labor.

The bankruptcy of manufacturers and the idleness of factories were chronicled daily. When the great steel works at Homestead attempted to reduce the wages of its men, there ensued a struggle, memorable in the industrial annals of this Republic, so conspicuous and so important that Congress appointed a committee to investigate it. All that was done by either party had made its nomination and before the verdict of the people at the polls could be foreseen.

Mr. HOPKINS. Will the Senator from Texas allow me?

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Illinois?

Mr. BAILEY. Certainly.

Mr. HOPKINS. My remembrance is that the Homestead strike

was commenced by mechanics, those with the lowest wages receiving $6.20 per day and the highest wages ranging from $16 to $17 per day.

Mr. BAILEY. That is a question as to the merits.

Mr. HOPKINS. My remembrance is that the committee that was appointed by the House of Representatives to investigate that strike individually made that report.

Mr. BAILEY. Mr. President, I am not considering the justice of that quarrel. I am simply reciting the historical fact that the quarrel occurred long before the second election of President Cleveland and occurred under the Administration of a Republican, whose character and intellect is not surpassed to-day by any man of any party. I pay that tribute willingly to the memory of Benjamin Harrison.

One word more. I said that the bad times began under Harrison and ended under Cleveland. Go and examine the record, and you will find that the advances in prices, accompanied by a corresponding improvement in the times, began before the election in 1896. That fact is impressed upon my memory indelibly, because on one occasion a Democrat, who was more enthusiastic than intelligent, began to complain to me that the gamblers had formed a pool to put up the price of wheat for the western farmer, and that they were going to defeat us in Illinois and Indiana and Iowa and through the wheat-growing States by increasing the price of wheat before the election.

Doubtless I would have recalled the conditions even without that circumstance; and when a distinguished gentleman on the other side asserted that bad times were initiated with Democratic success and ended with the Democratic Administration, I verified by the records my recollection that the rise in the price of wheat and other farm products began before the election in 1896. Even the dullest advocate on either side perfectly recognizes that it has been abundant crops and better prices that have blessed the land with this unparalleled prosperity.

Let me ask our Republican friends, who ascribe all good things to themselves and impute all evil things to us, if they believe a Republican law in this country can raise the price of wheat? Not an intelligent man on the other side will say so; and all of them, I will say, are intelligent. They might so argue for the purpose of making less intelligent men believe it, but not one of them will dare say that a law of the American Congress can put up the price of wheat, because the price of wheat is regulated in the markets of the world according to the supply of it throughout the world as compared with the demand for it throughout the world.

No Republican Senator—I had almost said that no Republican orator, but I will not venture to say that, because I will not be so rash as to limit the extravagance of speech in which the average Republican orator indulges—but no Republican Senator will declare that a Republican law can make more wheat to the acre than a Democratic law or bring a better price for wheat when made.

The Senator from Iowa, with all his popularity and well-deserved strength among the people of his State, would not dare to face them and tell them that the better prices which they received for their wheat and the better crops of wheat which they made contributed nothing to the prosperity of that State. Not one man from an agricultural community will say it; and yet the prosperity of our industrial communities depends upon the prosperity of our agricultural communities.

Unless the farmers make good crops and realize good prices for them, the manufacturers and the merchants have no customers; but when the farmers make better crops and get better prices, the merchant's store is crowded with farmers and the factory office is crowded with the merchants. It all rests at last, in the industrial as in the physical world, upon the soil.

The prosperity of this country depends upon the industry and intelligence of the men who cultivate the soil, and it is an affront to our common sense, sir, for any party in this country to assume the credit for the prosperous condition which now exists and which, I pray God, will continue without abatement and without interruption under all administrations of every party.

The PRESIDENT pro tempore. The question before the Senate is on the question of order.

Mr. PATTERSON. Mr. President, I feel quite unwilling to allow this controversy to close without giving my views upon the questions that have been discussed by Senators on both sides.

Mr. HALE. Will the Senator give way that I may make a motion to adjourn?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Maine?

Mr. PATTERSON. For what purpose?

Mr. HALE. Does the Senator desire to go on to-night, or will he give way that I may make a motion to adjourn?

Mr. PATTERSON. I yield for that purpose.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. Browning, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (H. R. 4344) for the relief of Vincenzo Gerardi, of Washington, D. C.;

A bill (H. R. 8686) to amend section 895 of the Code of Law for the District of Columbia;

A bill (H. R. 8688) to transfer jurisdiction of reservation No. 82, in the city of Washington, D. C.; and

A bill (H. R. 10241) to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes.

HOUSE BILL REFERRED.

The bill (H. R. 8889) to amend an act entitled "An act to authorize the construction of a bridge across the Monongahela River, in the State of Pennsylvania, by the Eastern Railroad Company," was read twice by its title, and referred to the Committee on Commerce.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business. It will be a brief session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened, and (at 5 o'clock and 43 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 5, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 4, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday was read and approved.

BRIDGE ACROSS RED RIVER OF THE NORTH.

Mr. SPALDING. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9[illegible]) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak., which I will send to the desk and ask to have read.

The Clerk read the bill at length.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The question was taken; and the bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. SPALDING, a motion to reconsider the last vote was laid on the table.

MARY J. MANKIN.

Mr. GRAFF. Mr. Speaker, I offer the following privileged resolution with committee amendments, which I will send to the desk and ask to have read.

The Clerk read as follows:

House resolution No. 154.

Resolved, That the Clerk of the House is hereby authorized and directed to pay out of the contingent fund of the House messenger's fees, $[illegible], to Mary J. Mankin, widow of William H. Mankin, late a messenger of the House, under the direction of the Sergeant-at-Arms of the House, including and reimbursing such expenses as he may have incurred and shall not be allowed him to defray the expenses of the last illness and burial of said William H. Mankin.

The following amendments were read:

In lines 4 and 5 strike out the words "an employee" and insert in lieu thereof the words "a laborer in the employ."

In line 9 strike out the words "last illness and."

Mr. GRAFF. Mr. Speaker, this resolution conforms to the usual form adopted in such cases by the House. I move the adoption of the amendments.

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman if it has been customary to make this appropriation for employees under the Superintendent of the Capitol.

Mr. GRAFF. I understand that it has been.

Mr. PAYNE. Is the gentleman sure that there is any precedent for that?

Mr. GRAFF. I was told so by the members of the committee who have been members of the Committee on Appropriations before I became a member myself. The form of the resolution was investigated, and a change was made in the present resolution so as to make it conform to the others.

Mr. PAYNE. The form of the resolution is all right, if we have been in the habit of doing this thing.

Mr. GRAFF. I understand that we have been.

Mr. PAYNE. It seems to me that we ought not to do it. I

wish the gentleman would consent to have this matter deferred until he ascertains whether that is so or not.

Mr. GRAFF. I have no objection to that, and I will ask that the resolution be passed without prejudice.

The SPEAKER. Without objection, the resolution will lie over. There was no objection.

ASSISTANT CLERK, COMMITTEE ON DISTRICT OF COLUMBIA.

Mr. GRAFF. Mr. Speaker, I offer the following privileged House resolution, No. 148, which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved, That the chairman of the Committee on the District of Columbia be and he is hereby authorized to appoint an assistant clerk to said committee for the session of the Fifty-eighth Congress, to be paid out of the contingent fund of the House of Representatives, at the rate of $6 per day.

The SPEAKER. The question is on agreeing to the resolution. The resolution was agreed to.

AMENDMENTS TO PENSION BILLS.

The SPEAKER laid before the House bills of the following titles, returned from the Senate with amendments: and thereupon the amendments were read, and, on motion of Mr. SULLOWAY, nonconcurred in, and a conference with the Senate asked; and the Speaker in each case announced the appointment of Mr. GIBSON, Mr. MIERS of Indiana, and Mr. CALDERHEAD as conferees on the part of the House:

A bill (H. R. 468) granting an increase of pension to Henry Christy;

A bill (H. R. 892) granting an increase of pension to Abram H. Hunt;

A bill (H. R. 958) granting an increase of pension to Alfred H. Rogers;

A bill (H. R. 3776) granting an increase of pension to Alfred I. Judy.

A bill (H. R. 3903) granting an increase of pension to George C. Sherman;

A bill (H. R. 5176) granting an increase of pension to Alonzo Dutch; and

A bill (H. R. 6022) granting an increase of pension to George W. Travis.

JAMES M. DICKEY.

The SPEAKER also laid before the House, with an amendment of the Senate, the bill (H. R. 6321) granting an increase of pension to James M. Dickey.

The amendment was read, as follows:

In line 6 strike out "thirty" and insert "twenty-four."

Mr. SULLOWAY. I move that the House concur in this amendment.

The motion was agreed to.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

The SPEAKER also laid before the House, with a message from the Senate, the following concurrent resolution of the Senate:

Resolved by the Senate, the House of Representatives concurring, That there be printed and bound of the proceedings in Congress upon the unveiling of the statues of Charles Carroll of Carrollton and John Hanson, presented by the State of Maryland, 50,000 copies, of which 10,000 shall be for the use of the Senate and 40,000 for the use of the House of Representatives, the remaining 10,000 copies shall be for the use of the Senator and Representatives in Congress from the State of Maryland.

The Senate committee on Printing to be informed of the cost of the copy prepared for the Public Printer who shall procure suitable copper-process plates to be bound with these memorials.

The message from the Senate announced that the amendments of the House to strike out, in line 7, the word "five" and insert "three;" and to strike out, in line 8, the word "ten" and insert "twelve," had been disagreed to by the Senate, and a conference thereon requested.

Mr. CHARLES B. LANDIS. I move that the House insist on its amendments and agree to the conference asked by the Senate.

The motion was agreed to.

The SPEAKER announced as conferees on the part of the House Mr. CHARLES B. LANDIS, Mr. PERKINS, and Mr. TATE.

SESSIONS OF THE COMMITTEE ON LABOR.

Mr. GARDNER of New Jersey, by unanimous consent, submitted the following resolution; which was read, considered, and agreed to:

Resolved, That the Committee on Labor be authorized to have printed and bound whatever papers and documents in connection with subjects under consideration by the committee may be necessary to the transaction of its business.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT. I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the diplomatic and consular appropriation bill; and, pending that motion, I ask the gentleman from Arkansas [Mr. DINSMORE] whether we can not reach an agreement as to the time during which the general debate shall continue. How long does the gentleman desire on his side?

Mr. DINSMORE. We should like to have two hours further on our side.

Mr. HITT. That would take us pretty near to the usual hour of adjournment. Can not the gentlemen on that side content themselves with an hour and a half?

Mr. DINSMORE. I can not agree to that, in view of promises I have made to gentlemen whom I am trying to take care of. I have figured the matter down pretty closely, and we can not do with less than the amount of time I have named.

Mr. HITT. Then I ask unanimous consent, Mr. Speaker, that general debate in the Committee of the Whole be closed at the end of four hours, two hours on each side, the gentleman from Arkansas [Mr. DINSMORE] controlling the time on his side, while I control the two hours or less that we may occupy.

The SPEAKER. The gentleman from Illinois [Mr. HITT] asks unanimous consent that the general debate on this bill in the Committee of the Whole close in four hours, to be equally divided between the two sides, the time on one side to be controlled by the gentleman from Illinois and on the other by the gentleman from Arkansas. Is there objection?

There was no objection.

The motion of Mr. HITT was then agreed to: and accordingly the House resolved itself into the Committee of the Whole House on the state of the Union (Mr. LACEY in the chair) and resumed the consideration of the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

Mr. HITT. I yield thirty minutes to the gentleman from Pennsylvania [Mr. MORRELL.].

Mr. MORRELL. Mr. Chairman, I regret that the subject-matter which will be the basis of my remarks will not be of such a character as will probably evoke the same lively interest which was manifested in the House during the debate of yesterday. However, it is a subject which is of deep importance to my constituents in my district, who are almost as much divided on this subject as the residents of Indiana and Kentucky, separated by that silver line so eloquently described by the gentleman from Mississippi, are divided on the question at issue between them.

What I propose to call to the attention of the House this morning is the subject of across-sea transportation between the United States and the Philippine Islands. There are several bills which have been introduced, both in the House and in the Senate, on this subject. Some of these bills treat of the transportation of Government supplies to the Philippines; some treat of the transportation of all freight from the United States to the Philippines; some give exclusive advantage to vessels of the United States; others do not give exclusive advantage, but all of the bills do give advantage to the shipping interests.

On the 11th of December I had the honor to introduce a bill providing that all Government supplies of any and every description, to any and all of the outlying possessions of the United States, should be transported exclusively in vessels of the United States, provided that the rate charged for such transportation shall not be more than 10 per cent in excess of the lowest rate that can be secured by competitive bids by all vessels regardless of nationality.

On December 18 last I introduced another bill applying to the general freight and passenger traffic to and from the Philippine Islands. It provides for a rebate of 15 per cent of existing duties on all goods transported to the United States in vessels of the United States, and that on all goods carrying no duty or a duty of 10 per cent or less ad valorem there shall be levied a discriminating duty of 10 per cent, if such goods are not carried in vessels of the United States, and that all vessels of foreign nationality carrying passengers shall be subject to a tax of 10 per cent upon all of the passenger fares.

Undoubtedly, Mr. Chairman, it is devoutly to be hoped and wished that, if not possible at the present moment, in the near future all freight, whether for Government purposes or for private parties, and all passengers shall be carried exclusively in vessels flying the American flag; but I very much doubt whether that is possible at the present time. Just how much special aid we should give to American vessels engaged or wishing to engage in the Philippine trade is a question of difficult adjustment. It is a question involving at once the concession properly due to the American merchant marine, the rights of other American shippers affected, and the protection of the Government, and the general rights of American producers of products that go to the Philippines, and American consumers of products that come from the Philippines. And, also, we must not neglect the interests of the Filipinos themselves.

There is a bill under discussion in both branches of Congress, and being much discussed in the public prints, which provides that all transportation by sea of Government supplies shall be in Ameri-

can vessels. This bill allows no discrimination on the part of Government officials. Its enactment as presented would make it impossible to carry any Government supplies from any port anywhere in the world to any other port in a vessel other than one of the United States. For instance, under its provisions, a sack of flour, a barrel of oil, or a ton of coal could not be carried from one island of the Philippines to another if there was no American vessel at hand to carry it. That this provision goes too far I feel sure that the good sense of the committee to which this bill has been referred will so determine.

From the main provision of the bill, allowing no discretion to Government officers in charge, allowing no competition by any foreign vessels, opening as it easily does the way to combinations between American vessel owners engaged in this trade, there is danger of much embarrassment and much inconvenience to the Government, and of large increase in the appropriations which would be necessary for the transportation of Government supplies.

Now, Mr. Chairman, I shall, as far as possible, in support of the bills that I introduced and in support of my contention, refer the House to the arguments and the reports of those who are better qualified to judge with regard to this matter than myself. I would suggest that those most capable of passing judgment upon this question would be the officers who have the relations of the Philippines with the United States in charge. The Secretary of War who has just retired, one of the ablest and most efficient executive officers that this Government has ever had, an official whose devotion to the highest good of the nation, to his flag and to his party can not be questioned, has spoken with great positiveness upon this issue. His statements have come with the earnestness of a valedictory upon his retirement from public life. In a report dated January 14, 1904, and published as Senate Document No. 94, Secretary Root says:

The great bulk of freight shipped by the War Department to the Philippines goes upon the transports owned by the United States. The remainder goes chiefly in foreign vessels, because the vessels of foreign lines are found to be more adapted to the needs of American commerce. Every opportunity has been given to American vessels to compete and the standing instructions of the Department are to prefer American vessels wherever there is such substantial equality as to prices as to make it reasonable to do so.

I [illegible] the adoption of the wisdom of a provision which shall make it impossible to do the business through the unique vessels of American origin. I think, however, that there is a great danger that the passage of this bill in its present form may, upon a strict construction, be so interpreted as to exclude American vessels from the American coast to the Philippines, so that a mere requirement that no property shall be carried by American vessels only would put the Government entirely at the mercy of a very few individuals who would charge any price they wished. The only alternative to the practice just indicated would be to require the Government to send its business to New York to Manila, instead of sending the freight by rail to the Pacific coast and thence by ship to Manila.

Later, Brigadier-General Ludlow, representing the Quartermaster-General's report of January 23, that the average cost of transporting all classes of freight from New York to Manila during the calendar year 1903 has been $11.91 per ton; that the average cost of transporting all classes of freight from New York to Manila during the year 1902 has been $12.50 per ton; that the average cost of transporting all classes of freight from New York to San Francisco during the last fiscal year has been $5.30 per ton; that it costs as much to get freight from New York to the Pacific coast as it now costs to get it from New York to Manila. Under these circumstances, if we were confined absolutely to American bottoms, as the bill proposes, we would have to waive competition from the government of not less than three times as much as we now pay for the cheapest transportation.

I think the same result can be accomplished and this danger avoided by changing the form of the act so that it will authorize a preference to American vessels, providing the charge made does not exceed the prices bid by the owners of foreign vessels under similar circumstances.

A bill providing for such a preference in freight and passengers on the Pacific Ocean was introduced in the House at the last session of the Fifty-second Congress (H. R. 7486). It was favorably reported by the House Committee on Merchant Marine and Fisheries (Report No. 2389). It has the warm support of this Department, and was defeated on the floor of the House upon the ground stated that it would amount to a kind of a ship subsidy. (See CONGRESSIONAL RECORD, Fifty-second Congress, 2d session, pages 1[illegible]).

I [illegible] I have the Director of Insular Bureau prepare a copy of that bill and [illegible] the proposed [illegible] so as to make it conform to the recommended object of giving the Government business in such a way as to encourage American shipping. I should be in favor of increasing the preference to, say, 25 or 30 per cent.

It is needless to add that the detailed compilation which follows from the Quartermaster-General in the same document amply sustains the Secretary's conclusions. The bill of the last Congress to which the Secretary refers was H. R. 14441, and authorized the acceptance of the lowest and most suitable bid offered by American-built ships for the transportation of Government supplies across the Pacific Ocean to and from the Philippines, "*Provided*, That such bid does not exceed by 10 per cent the lowest bid offered for transporting such supplies in foreign-built ships."

This bill, which was reported to the last House and was unfortunately defeated, it will be observed is in substance the same as the bill introduced by me upon the same subject at this session. Following the suggestion of the able Secretary of War, I might be willing, and I take it that this House might be willing, to increase somewhat the advantage to American vessels. I can not believe that this House will seriously consider the sweeping measure proposed which is destructive of all competition and would leave the Government, as Secretary Root says, "entirely at the mercy of a very few individuals who could charge any price they wished."

The danger of this privilege without limit is further emphasized by a second letter from the Secretary of War to the President pro tempore of the Senate. This letter was not printed as a document, but was given out at the War Department and printed in the New York Journal of Commerce of January 28. It is as follows:

[Secretary Root's second letter to Senator FRYE.]

I am sorry you were dissatisfied with my letter about the bill limiting the transportation of Government stores to American vessels. I very much desire that business should be done by American vessels, and I have been for several years trying in various ways to get Congress authorized to pay for our own ships to foreign ships. It has seemed to me that the simplest and best way was to give our ships a preference. Two years ago I tried to get authority to give them a preference of 10 per cent, and the bill was beaten in the House. I said in my letter to you that I would be in favor of increasing the percentage to 25 or 30 per cent. I would be perfectly willing to see you go further than that and extend the limit of the preference to 50 per cent (20 per cent if necessary) but I do not think that there ought to be an absolute prohibition imposed upon the officers of the Government when it is not imposed upon any of the rest of the business community.

I have no objection to the business of the Government being subjected, in common with the business of the organized trades generally, to the operation of a general policy such as embodied in the navigation laws regarding our coast wise trade. Such laws, wisely, I think, make all American business tributary to American shipping, and the result is, naturally and necessarily, to induce an adequate supply of shipping to do the business. But a statute which forces Government business, separate and apart from the business of the community at large, to American shipping, under a hard and fast rule which prohibits to the managers of the Government business the same facilities and opportunities which are afforded to the rest of the community, will not tend to attract American shipping and tend them to engage in the business of which the Government bought forms a small part. There is not enough Government business to justify any such expectation. The result of such a special provision would therefore naturally be either that the Government must pay whatever the ocean American vessel chooses to ask (most unfortunate for us with transports on the Atlantic at great loss or most serious of all in the way of the Pacific imposing upon the material going from the Atlantic coast to the very heavy railway charges across the continent. The result of such provisions, leaving the hands of the Government officers, is not merely to cause great expense in specific cases, but it is to discourage the officers and lead them to feel that it is useless to try to conduct business economically.

While I think that the best way to accomplish what the American shipowners and shippers desire, and what I desire along with them and with you, is to authorize the preference stated in terms of a percentage, I do not mean to say that this is the only way. I think you could accomplish substantially the same thing by the present bill by adding at the end of section 2 a clause something like the following:

"That any head of a Department may suspend the operation of section 1 in regard to any particular contract for the transportation of such articles whenever, after due public advertisement, no bids for the transportation of the articles specified therein in a vessel of the United States shall have been received at rates which shall be deemed to be reasonable in view of the policy of this Government to promote the employment of vessels of the United States for public purposes."

Section 2 as it now stands apparently contemplates the general suspension of section 1 under circumstances of special exigency such as to justify appeal to the President for the protection of the interests of the Government. I should think it would hardly justify going to the President in matters of detail, such as are constantly arising in letting contracts for transportation of comparatively small quantities of stores.

It strikes me, Mr. Chairman, that if the Secretary of War, an officer as able as he is an officer who has had the regulation of all that concerns the Philippine Islands during his administration, is willing to make a concession of that kind rather than have this bill passed in its present form, I feel that it is worthy of the closest consideration by the House. Strange as it may seem, the Secretary of War is not alone, or rather has not been alone, in his desire to prevent the enactment of this legislation.

The honorable Secretary of the Navy in a personal letter to the President of the Senate, which is published in Senate Report 182, says:

During the last fiscal year there were 3,800 tons of stores other than coal shipped to foreign ports on the following ships: English bottoms, 2,179 tons; German bottoms, 1,[illegible] tons; American bottoms, [illegible] tons; French bottoms, 7[illegible] tons. These shipments were made on the ocean lines of transportation and lines and regular steamship lines of navy vessels. During the same period the following shipments of coal to foreign ports for naval use were made.

	Tons
To Cavite—	
English bottoms	[illegible]
German bottoms	[illegible]
To Yokohama—English bottoms	17,[illegible]

The transportation of all materials for the use of the Navy is governed by the provisions of section 3621, Revised Statutes. As the bids for transportation by foreign vessels are always lower than those for transportation by American vessels, by law the Department is required to accept the former. I do not think we should support ourselves in American bottoms, and should welcome any legislation which would enable this Department to do so.

Observe, Mr. Chairman, that the facts here stated are in line with the facts stated by the Secretary of War, and that the favorable recommendation which concludes this letter is but an expression of personal opinion and desire, which, if further expanded, would doubtless be hedged in by conditions which would prevent the evil feared by the Secretary of War.

The records of the Navy Department, from all I can gather, are full of facts and of protests against positive direction in the shipment of supplies which would leave no discretion to the Department. In the report of the Bureau of Equipment for 1898, page 270, I find these words:

The Department was still in desperate straits for transportation of coal, and the only alternative was to purchase steamers, arm and man them with

the naval forces. There were but few vessels in this country available for the transportation of men and supplies for operations in [illegible]. We found there were men who well fitted to command the officers and generally commanded and served [illegible].

It is sad to believe, Mr. Chairman, that American citizens will take advantage of their Government in [illegible], or when they have the opportunity. Patriotism is a common virtue, but self-interest is more potent far in the every-day doings of men. The poet thinks but a good compromise upon the characters of men when he said:

> [illegible]
> [illegible]
> Who [illegible] law,
> But [illegible] weak,
> Are to a few restricted,
> [illegible]
> If [illegible]
> It is rarely right and just!

The coastwise laws of course apply to trade between Atlantic and Pacific seaboards. The report of the Bureau of Equipment for 1899, on page 41, says:

> It is necessary, under the law, that all merchandise from the Atlantic coast to San Francisco [illegible] transported in American bottoms, the passage being considered equally [illegible] in coastwise and the foreign trade so far as the [illegible] particular [illegible]. American ships are [illegible] from freight rates. So far as the [illegible] is concerned, there is not a single [illegible] steamer sailing under the American flag. The freight [illegible] American [illegible] from the Atlantic coast to San Francisco [illegible] are quoted as [illegible] and if you shipped from England and discharged either at Mare Island yard or in San Francisco Bay.

Again, in 1900, the Bureau of Equipment stated in its report, on page 29:

> Owing to the great scarcity of freight steamers at present, it is extremely difficult [illegible] to export [illegible] Hawaiian Islands and to Porto Rico.

Treating the same subject in 1901, the report of the Bureau of Equipment states on page 41:

> At present, owing to the scarcity of American freight vessels, the best economical [illegible] Cardiff coal can be laid down at Mare Island, duty paid, [illegible] less than American coal [illegible] on the Atlantic coast, although the latter at tide water costs about [illegible] per ton [illegible].

On page 50 of the report of the same Department for 1902 are these words:

> The freights on coal from the Atlantic and the Pacific ports remained at a high figure. [illegible] coal and [illegible] shipped at San Francisco, duty paid, at [illegible] from the Atlantic coast. But few American vessels are offered for coal freights.

Is it not rather sad that in the effort to help our shipping we have been driven to England to buy our coal? The general cargo freight rate from New York to San Francisco is about $12 a ton, while the Government Departments are chartering foreign vessels for the Philippines at less than $6 a ton.

Rear-Admiral G. A. Converse, the present Chief of the Bureau of Equipment, took part in a hearing a few days ago before the House Committee on Naval Affairs. In the course of his remarks he expressed a laudable desire to see American freights carried in American ships, but he took strong grounds against a measure which would unconditionally force this transportation in American bottoms. In the course of that hearing he said—page 234:

> [illegible] to see American coal carried by American ships. I [illegible] the American ships are [illegible] the Navy Department. I [illegible] the Navy [illegible] for bringing up the American merchant marine. [illegible] that the Bureau of Equipment [illegible] the transportation [illegible] American ships. It is my opinion [illegible] be a bonus provided for [illegible] American [illegible] American bottoms [illegible] be limited by a certain percentage.

I had the honor of advising with the Secretary of War or the Chief of the Bureau of Equipment before [illegible] and I am therefore doubly pleased that their [illegible] by the experience of their respective Departments, so fully justifies a legislation such as I have proposed.

The economical administration of the affairs of the Government, Mr. Chairman, is one of the highest duties and rests upon us. A duty no less high is in holding the scales of justice equally balanced between different private interests so that the common good of all may be best preserved. All that has been quoted and all that can be said in favor of placing some definite limit upon the advantage accorded American shipping in connection with the transportation of Government supplies certainly applies in an equal degree to the broader question of general transportation of all shipments, including the transportation of passengers, between the United States and the Philippines. The measure on this question which now seems to have the right of way in official and private and newspaper discussion provides, without qualification and without restriction, that all such shipments shall be in American vessels. In other words, it extends at one stroke the coastwise laws clear across the Pacific to the Philippine Islands. When the coastwise laws were framed, the term "coastwise" meant "along the coasts of this country." It is a tremendous stretch of legislative construction that would apply these laws automatically to possessions on the other side of the world. The bill which I presented and which I outlined in the beginning of my remarks allows fair discrimination in this trade in favor of the American merchant marine. I do not say that this bill perfectly meets the situation, but I hope that in calling it to the attention of the House and of the able and impartial committee which will pass upon the different measures proposed my suggestions may be considered.

In the act of March 8, 1902, "temporarily to provide revenue for the Philippine Islands," a clause was inserted providing that until July 1, 1904, the coastwise laws of the United States should not apply to the traffic between the United States and the Philippine Islands or to the internal trade of the Philippines. This clause was inserted by the Senate and agreed to in conference and accepted by the House as a part of the general bill and without the knowledge on the part of, perhaps, nine-tenths of the Members of the House that such a clause was in the bill. Indeed, we thought that this was a bridge that we would cross when we got to it. There was no discussion in the House to let us know that we had anticipated the bridge. This clause has since led to much discussion as to whether its provisions would apply automatically on July 1, 1904, or whether additional affirmative legislation is necessary to make it apply. There is room for much argument on both sides of the question, but the affirmative legislation proposed indicates a prevailing view as to its necessity. It is commonly admitted that to apply the coastwise laws on and after July 1 next to the Philippine interisland trade would practically destroy that trade owing to the lack of American vessels to conduct it. Therefore, in the legislation proposed this interisland trade is excepted from the application of the coastwise laws; and, at the same time, all doubt as to the application of these laws between the Philippines and the United States is removed by specific provision that they shall apply.

Whether they shall apply unconditionally, without regard to the cost involved and without reference to whether there are American vessels available to do the business—whether their application shall be hedged in by some such conditions as I have had the honor to propose, or whether their application shall be postponed for a fixed number of years in order to allow time for a sufficiency of American vessels to be built for the trade—these are the phases of the question that will soon claim solution. Their unconditional application is now to the fore in the public attention as a standpoint all fears with the proposition to unconditionally limit the transportation of Government supplies to American vessels.

On this question also we are fortunate in having much public official data. The Commissioner of Navigation, in his report for 1903, says, on page 44:

> [illegible] no "vessels of the United States," in the statutory sense, in the [illegible]

He says further, on the same page:

> [illegible]

It is well known that there is no more ardent friend to American shipping than the Commissioner of Navigation. He goes on to [illegible] the steamers that might be available for this trade and then states that "American steamers, however, will neither [illegible] the trade between Pacific coast ports and the Philippines if the rates are satisfactory." Further, on page 45, he says:

> [illegible] Hawaii and Porto Rico.

This statement is most timely. The questions of an open-door policy in the Orient, of relieving the Philippines as far as possible from restrictions in their trade, of promoting the trade with the Philippines for their good as well as for our own, should certainly make us hesitate before adopting a measure that, in all its relations, would be most harmful. That the restrictions involved in the proposed legislation would fall hardest upon the Filipinos and upon the American consumers of Philippine products is too evident for discussion. On this phase of the question the last report of the Bureau of Insular Affairs, on page 36, says:

> The application of the provisions of the United States statutes restricting to vessels of the United States both the coastwise trade of the islands as well

as that carried on between them and the United States after July 1, 1904, is a matter of serious moment to the Philippines.

The report goes on to show that, exclusive of supplies carried by the army transport service, 97 per cent of the Philippine exports to the United States during the fiscal year 1903, amounting to nearly $14,000,000, were carried in foreign vessels, and that approximately 90 per cent of the importations into the Philippines from the United States, amounting to something over $[illegible], were carried in foreign vessels.

The report further shows that insular freight from New York to Manila is being sent at the approximate sliding-scale rate of $5.90 per ton (p. 38). The report also states that in the proposals and contracts with all foreign vessels this clause is inserted:

> It is further expressly agreed that, if during the period covered by this [illegible] more is offered for any company to forward [illegible] to Manila by American bottoms the insular government reserves the right to avail itself of such offer.

This is a concession to American vessels which every patriotic American should applaud; but the statement of it is followed with the words, "Not a ton of this freight was carried in an American bottom." The report goes on to say (p. 39):

> The passenger steamers from San Francisco to the Orient have been [illegible] the past year. Late [illegible] that the few [illegible] on ships at [illegible] will be [illegible] after June 1, 1904, the service between Manila and the United States Pacific ports, and that much inconvenience will result [illegible] otherwise avoided.

The imports from the Philippines to the United States consist chiefly of hemp, and by far the greater part of this is landed at Atlantic ports. The exports from the United States to the Philippines consist mainly of flour, canned meats, clothing, and other compact cargoes, and are shipped almost wholly from Pacific ports. There are now no American steamers from Atlantic ports in the Philippine trade. The legislation proposed would force the hemp importations to come by the Pacific coast, and the life that would be left in the hemp business, so far as the eastern manufacturers are concerned, after the increase in ocean freights would in all probability be entirely crushed out by the transcontinental freight charges. The business between the United States and the Philippines both ways is now being conducted nearly altogether by foreign tramps. The Philippines only constitute one of many ports all round the world at which they call, and freight from the Philippines forms a very small proportion of the traffic that they handle. By taking it in connection with various other traffic from various other ports they are enabled to handle it at a minimum cost, a cost which could not be expected to be met by American regular liners. It is both necessary and right, therefore, to give American vessels an advantage in this trade; but it would be most unwise and most unjust to other interests concerned to give American vessels an absolute monopoly of this trade, regardless of what it would cost. To quote from Mr. Augustus P. Loring, president of the Plymouth Cordage Company:

> The imports from the Philippines to the United States, being chiefly hemp, [illegible] amount in money to $13,868,659, while the exports from the Philippines, being flour, canned meats, clothing, and hardware, or compact cargoes, amount in money to [illegible] port of Bureau of Insular Affairs, p. 36), and so are not sufficient to supply a board of the vessels with return cargoes; and, moreover, the exports are almost wholly from the Pacific ports, so that there are practically no return cargoes on the Atlantic ports.
>
> [illegible] the vessel discharging hemp in the Atlantic port takes a cargo for South America or some European port, thence perhaps to Australia or China, [illegible] reach the Philippines and be available for hemp.
>
> [illegible] from America, but coal from America is far from [illegible] the Pacific Coast, both of which are among the largest [illegible] report of Bureau of Insular Affairs, pp. 8, 9), that bring vessels to [illegible]. Sailing vessels discharging at Honolulu or of Hawaiian or other [illegible] can be [illegible] for a westward cargo of hemp.
>
> In view of these facts, it is obvious why no line of steamers to bring hemp has been established, and why, under normal conditions, such a line never will be established.
>
> It is equally obvious that there is no American shipping adapted or available for this trade.
>
> [illegible] list of vessels supposed to be available, all except five are [illegible] regularly to other points and not available for trade between the Atlantic ports and the Philippine Islands. Also the five steamers [illegible] are now engaged in the eastern trade but are engaged in other businesses to abandon which and take up the Philippine trade would [illegible] the government, as stated in the report of the Commissioner of Navigation.
>
> The act of March 8, 1902, provides that "all articles the growth or [illegible] of the Philippine Islands, admitted into the ports of the United States free of duty under the provisions of this act and coming directly from [illegible] to the United States for use and consumption thereon, shall be [illegible] be exempt from all export duties imposed in the Philippine Islands." Under the operation of project Manila hemp brought directly from the United States and there consumed receives a rebate equal to the export duty levied in the Philippines, and amounting to 35 cents per hundred pounds.
>
> The object of this rebate was to give the American farmer his binder twine cheaper and the American shipowner cheaper rope; but besides accomplishing [illegible] result, in the face of a very strong market for raw material, the rebate worked a second and scarcely less important result, stated in answer to the report of the Bureau of Insular Affairs, but more clearly stated by the Secretary of War in his annual report for the year 1903, pages 48 and 49:
>
> "The effect of the legislation regulating the commercial relations between the United States and the Philippines has been to transfer the principal market for the raw material for our cordage industry from England to the United States. The total exports of hemp from the Philippines for the past five years have been as follows:

1899	[illegible]
1900	11,398,949
1901	14,493,110
1902	15,841,366
1903	21,701,075

During the same years the hemp exports to the United States have been:

1899	$[illegible],492,274
1901	[illegible],646,141
1902	[illegible]
1903	[illegible]

At the same time the importations of hemp into the United States from other countries have decreased as follows:

1899	[illegible]
1900	[illegible]
1901	[illegible]
1902	[illegible]
1903	[illegible]

That is to say, while the cordage and binding-twine industry of the United States, which is so essential to American agriculture, paid a profit to European countries on about half of its raw material before this legislation, it now obtains substantially all of its raw material directly from the country of its origin without the payment of any immediate profit.

This shifting of the market is also shown by the relative exports to England and the United States in the years 1901 and 1902. In 1901 England took 65 per cent and America 26 per cent of the hemp exported. In 1902 England took only 26 per cent and America 58 per cent.

Practically all the hemp imported into America has been brought to the Atlantic ports.

The reason for this is obvious. The great bulk of the cordage business is on the eastern seacoast.

The Twelfth Census of the United States, Volume VII, pages 156, 157, 168, and 169, shows that there are 105 companies in the United States in the manufacture of twine and cordage having $29,[illegible],470 of capital, turning out a product of $37,849,651 annually, employing 436 salaried officers at $946,[illegible] and 15,971 employees at wages of $4,113,112 annually. Mills in the South and Middle West using no manila hemp, but cotton, flax, and jute solely, are included in this list, but there is no means of separating them in the official figures, so the whole list must be used.

Seventy-five of these companies, doing 75 per cent of the business, are on the Atlantic seashore. Two doing an absolutely insignificant business are on the Pacific coast, and practically all the rest are in the Middle West and more conveniently served from the Atlantic ports than by the way of the Pacific, the haul overland from the Pacific being twice as long as from the Atlantic and more difficult, being across the Rocky Mountains and over tracks congested by traffic, while on account of the weight of traffic being from the West to the East there is always a good chance to send freight westward from the Atlantic, as there is never enough to fill all the cars going west.

I have said that the restriction on this trade would bear heavily upon the Filipinos. This has been forcibly emphasized in a special report but recently received at the War Department from W. Morgan Shuster, collector of customs for the Philippine Islands. In discussing this very question Mr. Shuster says on page 17 of his report:

> No course should be adopted which will place any additional burden in the way of [illegible] Philippine [illegible] Philippines [illegible] Philippine ports is [illegible] Philippine trade.

This officer, closest in charge, emphasizes the words quoted by putting them in italics. In further explanation of the importance of this question to the Philippine Islands, he says:

> At the present time the greater part of the freight traffic between the Philippines and New York is carried on in foreign bottoms. So far as indications [illegible] foreign [illegible] carrying [illegible] and manufactured articles [illegible] rate [illegible] would [illegible] over the present natural freight. [illegible] upon the already [illegible] of these islands, [illegible] would be the most [illegible] on every standpoint. * * * It is therefore recommended that the present laws, so far as they prevent foreign bottoms to trade between these islands and the mainland [illegible] be not enforced for a period of at least five years [illegible] and that positive legislation to that effect be had by Congress at an early date.

These late official reports from the Philippine Islands and the War Department have come out since these bills were reported to the upper branch of Congress. So great was the objection to the general Philippine shipping bill urged from many quarters that a special hearing upon that measure (S. 2259) was given by the distinguished Senate Committee on the Philippines. It was a sort of post-mortem hearing in that the leaders of that great committee had already made up their minds and were determined not to change their opinions. At this hearing these honorable

gentlemen ranged themselves most emphatically on the side of the advocates of the bill and showed unmistakable and unchangeable hostility to those who saw fit to protest. The testimony of the remonstrants at that hearing—except where leave to print was granted—begins and ends with grass-roots testimony. That testimony makes them appear rather like witnesses in rebuttal against the State at a murder trial than like business men who came "a round unvarnished tale to deliver" upon the effects of the proposed legislation.

The remonstrants at that hearing, consisting largely of the eastern cordage manufacturers—announced their willingness to give an advance of 10 or even 20 per cent on present rates of freight to have such freight carried in American bottoms. This spirit of practical willingness to encourage the flag of their country is worthy of all commendation. They represented that the enactment of this law, which would give the steamship lines in the general trade the enormous advantages to which Secretary Root so strongly objected as applying in the Government trade, would likely close up the cordage mills of the East, throw thousands of men out of employment, destroy many thousands of dollars invested in useful enterprises, and greatly raise the price to the consumers of binder twine and every other product of the cordage mills—that is, farmers, reapers, and stackers.

As I have said, there are large cordage factories in my district; there are shipyards and shipping enterprises all around me; I have personal and political friends among them all. I would give all of them a fair chance.

In view of the languishing condition of the American merchant marine I would gladly give small national concessions—even to raising the percentage to 25 or 50 per cent—to that industry if it would not too ingeniously affect other industries or the general public. Such concessions I have intended to propose in the two bills which I introduced. If further encouragement be necessary, it should be extended on the Atlantic in the trade to South America, in the trade to Africa, in the general trade with the Orient; but certainly it should not all come as a forced concession from the Philippine Islands—the American producers of exports to the Philippines, the American consumers of imports from the Philippines, and the American manufacturers of Philippine raw materials.

A bill by Mr. FRYE (S. 22[illegible]) to remove the measurement of vessels of the United States for patent purposes.

Be it enacted, etc., That vessels of the United States and registers, shall be [illegible] transportation by sea of coal produced in Europe or supplied [illegible] pursuant to law, for the period [illegible] shall not be required to produce the registers [illegible] any vessel owned by any Department of the Government.

SEC. 2. That the President of the United States may from time to time [illegible] section 1 of this act whenever, in the judgment of [illegible] or for the protection of the interests of the Government [illegible] may seem to him desirable.

SEC. 3. That the Secretaries of War and the Secretary of the Navy are hereby [illegible] for the purposes of this act.

SEC. 4. That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 5. That this act shall take effect one month after its passage.

A bill by Mr. FRYE (S. 22[illegible]) to repeal coasting laws between parts of the United States and parts or places in the Philippine Archipelago, and for other purposes.

Be it enacted, etc., That on and after July 1, 1904, no foreign vessel shall be [illegible] under penalty of forfeiture [illegible] United States and parts or places in the Philippine Archipelago, or for any part of the voyage thereof to or from the United States. Not this section shall prevent a foreign vessel [illegible] vessel between two ports of the United States and [illegible] place in the Philippine Archipelago [illegible] that imported in such vessel [illegible] shall be transported as for other port [illegible] shall be carried between a port or place [illegible] United States and a port or place in the Philippine Archipelago.

SEC. 2. That on and after July 1, 1904, no foreign vessel shall transport passengers between parts of the United States and parts or places in the Philippine Archipelago, either directly or by way of a foreign port, under a penalty of $200 for each passenger so transported.

SEC. 3. That sections 1 and 2 of this act shall not apply to the transportation of merchandise or passengers between parts or places in the Philippine Archipelago. Until Congress shall provide [illegible] as vessels of the United States of vessels owned in the Philippine Archipelago, the government of the Philippine Islands is hereby authorized and empowered from time to time and enforce regulations governing the transportation of merchandise and passengers between parts or places in the Philippine Archipelago.

SEC. 4. That sections 1 and 2 of this act shall not apply to the voyage of a vessel between a port of the United States and a port or place in the Philippine Archipelago begun before July 1, 1904.

SEC. 5. That sections 1 and 2 of this act shall not apply to vessels owned by any department of the Government.

SEC. 6. That so much of section 4 of the act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," as reads "Provided, however, That after July 1, 1904, the provisions of law restricting to vessels of the United States the transportation of passengers and merchandise directly or indirectly from one port of the United States to another port of the United States shall not be applicable to foreign vessels engaged in trade between the Philippine Archipelago and the United States, or between ports in the Philippine Archipelago," is hereby repealed. This section shall take effect on July 1, 1904.

SEC. 7. That this act shall not be construed to impair or affect any privilege guaranteed to Spanish ships and merchandise by the treaty of peace between the United States and Spain signed at the city of Paris on December 10, 1898, and ratified April 11, 1899.

SEC. 8. That the Secretary of Commerce and Labor shall, from time to time, issue regulations for the enforcement of this act, except as otherwise provided in section 3.

A bill by Mr. MORRELL (H. R. 7[illegible]) to provide for the transportation of Government supplies in United States vessels.

Be it enacted, etc., That the transportation by sea of United States Government supplies of any kind, country produce, or any article of commerce [illegible] shall be effected [illegible] in vessels of the United States [illegible] That the rates charged for such transportation by any United States vessel shall not exceed rates in per centum in excess of the rates that shall be charged for such transportation under contract bids by responsible carriers [illegible].

SEC. 2. That all acts and parts of acts conflicting or inconsistent with the terms of this act are hereby repealed.

SEC. 3. That this act shall take effect one month after its passage.

A bill by Mr. MORRELL (H. R. 8320) to promote the merchant marine of the United States.

Be it enacted, etc., That on and after the 1st day of July, 1904, there shall be [illegible] which [illegible] Philippine Archipelago or [illegible] Philippine Archipelago [illegible] United States in vessels not of the United States [illegible] Congress [illegible] shall be allowed a rebate of 15 per cent of the duties required by the act approved [illegible].

SEC. 2. That a discriminating duty of [illegible] shall be levied, collected, and paid on any goods, wares, and merchandise [illegible] by [illegible] United States [illegible] and [illegible] shall be [illegible] the United States [illegible] Philippine Archipelago to the United States in vessels of the United States.

SEC. 3. That all vessels of foreign [illegible] engaged in the transportation of passengers between ports of the United States and ports or places in the Philippine Archipelago or between ports of the Philippine Archipelago and ports of the United States [illegible] tax equivalent to [illegible] of the passenger fares [illegible] for the carriage of such passengers on such vessels. For this purpose [illegible] passengers on such vessels shall be deemed [illegible] United States [illegible] shall be liable for the tonnage or [illegible] such vessel [illegible] United States or the Philippine Archipelago [illegible] United States [illegible] Philippine Archipelago [illegible] United States [illegible] Philippine Archipelago [illegible] United States [illegible]

Repeating again a portion of what my friend from Connecticut [Mr. HILL] said:

Now, what do they—

Referring to the Democratic members of the Ways and Means Committee—

represent on the industrial system of this country? He—

Referring to Mr. WILLIAMS of Mississippi—

represents 1,423 votes cast at the last election.

Now, Mr. Chairman, I had supposed that each member of the Ways and Means Committee represented the same number of people, for I supposed that each member represented all the people of this country, but it seems that the gentleman from Connecticut thinks differently, and I confess it really begins to look as if that were the prevailing opinion. I take it that the gentleman's idea is that each member just represents the people in his own district; and on that basis I have looked up the record, with the following result, which I commend to my friend.

The committee is composed of seventeen members—eleven Republicans and six Democrats. Taking the first six Republicans on the committee and comparing the number of people in their districts with the six Democratic members, which I think is a fair test, we have the following result:

Ways and Means Committee.

Members	Number of people in district.	Total.
REPUBLICANS.		
Mr. Payne, of New York	[illegible]	
Mr. Dalzell, of Pennsylvania	[illegible]	
Mr. Grosvenor, of Ohio	[illegible]	
Mr. Tawney, of Minnesota	[illegible]	
Mr. McCall, of Massachusetts	[illegible]	
Mr. Babcock, of Wisconsin	180,750	
Total		1,168,872
DEMOCRATS.		
Mr. Williams, of Mississippi	[illegible]	
Mr. Richardson, of Tennessee	[illegible]	
Mr. Swanson, of Virginia	[illegible]	
Mr. McClellan, of New York	[illegible]	
Mr. Cooper, of Texas	[illegible]	
Mr. Clark, of Missouri	197,370	
Total		1,171,752
Balance in favor of Democratic Members		2,880

Mr. CHARLES B. LANDIS. Will the gentleman yield for a question?

Mr. HAMLIN. I am busy right now.

Mr. CHARLES B. LANDIS. I was just going to ask if the gentleman would give the votes cast in those districts by the Democrats.

Mr. HAMLIN. I had presumed, Mr. Chairman, that all the people in the country were entitled to the benefit of the law, notwithstanding they may have neglected to vote.

So there can be nothing in the gentleman's contention that the Democratic members do not represent entire districts.

In that same connection there was another remarkable statement made by the gentleman from Connecticut [Mr. HILL] that I desire to notice again. It was this:

There are more manufactured products in my district than are represented by any of the Democratic membership of the Ways and Means.

Another way, I take it, of saying, in making up the personnel of the Ways and Means Committee the committee that has to do with the tariff—those Members ought to be selected and chosen only who have in their districts the largest amount of manufactured products. I presume that is what he means, but let us see. Let us see if he is not in error in that respect. Let us see if there are more manufactured products in his district than are represented by the whole Democratic membership of the Ways and Means Committee. I see by the Twelfth Census Report that the total value of manufactured products in the gentleman's district, but not the whole State of Connecticut, in 1900 was $352,824,106.

Now, the State of Missouri is represented on that committee by my worthy colleague, Mr. CLARK, and we out in our State do not pretend to be a manufacturing State. We are feeding the world and engage in manufacturing only as a side line, and yet the total value of our manufactured products in 1900 amounted to $385,492,784, or $32,668,678 more than the gentleman's whole State. According to my friend's own logic, I presume my colleague ought to sit a little nearer the head of the table than my friend from Connecticut.

But let us carry that a little further. Let us see what the other Democrats on the committee represent:

Democratic Members.	Total value of manufactured products in district, 1900.
Mr. Williams of Mississippi	[illegible]
Mr. Richardson of Tennessee	[illegible]
Mr. Swanson of Virginia	[illegible]
Mr. McClellan of New York	2,[illegible]
Mr. Cooper of Texas	[illegible]
Mr. Clark of Missouri	[illegible]
Total	2,974,420,655

But, inasmuch as there are two gentlemen on that committee from the State of New York, I will divide that State's products equally between them, and still we have the Democrats of the committee representing the magnificent sum of $1,636,557,205, as against $352,824,106 by the gentleman, giving him the credit State of Connecticut.

Mr. WM. ALDEN SMITH. That is under protection, is it not?

Mr. HAMLIN. Yes; it is under the same general law of protection, I will say. But at the same time, I say the gentleman from Connecticut is in error when he says that he represents on that committee more manufactured products than the whole Democratic membership of that committee combined.

Mr. BURLESON. It is not under protection, but in spite of it.

Mr. BARTHOLDT. Will my colleague permit a question?

Mr. HAMLIN. I would very gladly yield to the gentleman, but my time is limited, Mr. Chairman, and I think I shall have to decline to yield at this time. When I have finished, then I will be glad, if I have any time, to answer the gentleman.

Mr. BARTHOLDT. Just one short question.

The CHAIRMAN. The gentleman declines to yield.

Mr. HAMLIN. But, Mr. Chairman, what I want to impress upon the gentleman and this House is that his entire basis of reasoning is radically wrong. He fails to realize, I think, that the real wealth of this country lies west of the Allegheny Mountains; that it is the man on the farm who toils as he sings and sings as he toils that produces the wealth of this country; and I would for a moment, and that, too, without any idea of taunt, I assure my good friend, like to have him go with me up to the crest of the mountains just west of us and feast his eyes again, as doubtless he has done, on the land of Canaan as it stretches out in all its beauty and grandeur across the Ohio and Mississippi valleys, across the prairies and to the Rockies.

I would then take him down through the State of blue grass, fast horses, and hospitable people; let him sample, if he will, her principal product. Thence across the splendid State of Illinois—[illegible] the West from all nations—including in the splendid [illegible] State of Missouri, where he will see evidences of material prosperity wherever she has so lavishly poured out of her inexhaustible wealth of all things necessary to make that State an imperial kingdom; see her magnificent rivers, fertile valleys, beautiful plains, and classic hills—hills made necessary in order to cover up the mineral wealth that is piled like "Ossa upon Pelion;" a State where every man's a king and every woman a queen. [Applause.]

And if I could induce him to leave that State I would put him astride a jack rabbit or a cyclone and hurry him across the plains of Kansas into Colorado—the Eldorado of the West—and let him breathe deeply of that invigorating, health-giving ozone of the mountains, and while there he would be amazed to see why the metallic money of our country had so expanded in the last seven years as to be able to meet the demands and needs of our people. Then we would resume our journey over the classic [illegible] to the beautiful City of Portland, where, in [illegible] the grandeur, opulence and commerce of the [illegible] and enterprise and genius of our people in the great and [illegible] Northwest. [Applause.] And after seeing all [illegible] I would take him back to the Atlantic [illegible] I would be willing to let a gentleman from Mississippi sit at the head of the Ways and Means Committee to be swayed by his political associates and help to form the tariff policies of this country.

No, Mr. Chairman, we on this side of the Chamber are not hostile to the honorable business industries of this country. We would not have a tariff for a single purpose or under the output of a single factory, but we do want and demand fair treatment. The people of this country have participated in this unjust discriminating policy, this inequitable tariff policy of the Republican party for years and years, and now when we see the same protected industries that come whining and begging around the Capitol for more protection every time that Congress meets selling their goods to those very people against whom we have been protecting them at lower prices than they will sell them to us at home, we naturally grow indignant and feel that we ought to withdraw from them that protection to at least a revenue basis, and to that extent put them on an equality with the balance of our people.

I want the consumers of this country, especially the farmers, to understand this fact: That it is no longer a disputed fact that the consumer does pay the tax imposed by a high protective tariff.

This is conceded by the gentleman from New York [Mr. PAYNE], who is the recognized leader on the Republican side of the House, for in a public speech on this floor on November 16 last, in discussing the Cuban reciprocity, he said:

And so it is we not the rate of duty higher on sugar than was absolutely necessary, because we wanted to encourage the production of sugar in the United States, which need sugar in our business.

Here, Mr. Chairman, we have the frank admission from the leader that the people who use sugar, and that means the rich and the poor, the low and the high, pay this tariff tax. And again on November 29, 1897, he makes this further frank and open admission that the Democrats have always been correct in their statement that the consumer pays the tax when he says:

It [illegible] I commend to the consideration of the gentleman from Missouri [illegible] that the consumer pays it. No argument such as this can be made otherwise.

Mr. Chairman, he is the first intelligent Republican I ever heard admit it, but I commend him for it, but it seems to me it leaves him without excuse if he continues to defend a high tariff.

Now, Mr. Chairman, the Republican leader makes these damaging admissions and yet coolly notifies this House and the American people that they will not attempt to lighten their burdens, for on November 27 last, among other things, he said:

Shall we revise the tariff? Well, the Republican party is a little too wise to try to revise the tariff and thereby give relief to the people on the eve of a Presidential election.

Here, Mr. Chairman, we have it in a nutshell. He admits that the consumer pays the tax, but says the Republican party is too wise to try to revise the tariff and thereby give relief to the people on the eve of a Presidential election. But why does he say that? It can not be that he is afraid the people will not approve of a revision of the tariff, for they would be the beneficiaries; then it must be that he fears the disapproval of the monopolies and trusts of this country, from which his party gets its campaign fund with which to corrupt and disgrace the American people.

I want to ask my friends on the other side of this House this question: How can you satisfy your consciences and justify your conduct before the American people in defending a tariff policy which takes millions out of the pockets of the consumers each year, under the pretense of protecting home industries against foreign competition, when these same industries are voluntarily [illegible] competing with the prices of foreign-made goods in the open markets of the world? You can not deny they are doing this. The American Economist, the official organ of the American Tariff League, devoted to the protection of American industries, in its issue of January 22, 1904, says:

Another objection which has considerable weight with the public is that [illegible] are selling their products abroad at lower prices than they charge here, and that this is grossly unfair to the American consumer. This charge I cannot deny.

The writer gives as an excuse therefor that these manufacturers make more goods each year than they can sell at home, and in order to get rid of their surplus they ship them to Europe and [illegible] and sell them there for less money than they do in the United States. I apprehend, Mr. Chairman, that this will not be a satisfactory answer to the American people.

First, If it is true that these manufacturers have a surplus each year which they desire to sell at a reduced price in order to get rid of it, why do they not give the American people who have protected them the benefit of this reduction in price?

Second, No intelligent man can believe that they sell this surplus product at a loss in foreign markets, because if they did they would not be foolish enough to go on manufacturing a surplus year after year and year after year for the mere purpose of selling it at a loss in the foreign markets. That they do not do [illegible] their surplus products abroad, but that the export trade is a part of their business as much as domestic trade is shown by following statement taken from the American Industries of date February 1, 1904:

SHORTER HOURS MEAN LESS FOREIGN BUSINESS.

EDITOR AMERICAN INDUSTRIES: In relation to export manufactured goods to Europe [illegible] Russia, Germany and Sweden where labor costs are much less than here have commenced manufacturing quite extensively our lines of business, so that we have to make extensive low prices to hold our trade against the competition of Europe and if we were compelled to grant shorter hours the cost of production would be increased that export business would practically be cut off. We think this question of increased cost occurring from shorter hours should have most careful consideration, as the enactment of an eight-hour law would be ruinous to the export part of our business and, we believe, would affect equally domestic orders in other lines.

MIDDLESEX.

BOSTON, *January 19.*

Third. Then if they can sell their products in foreign markets, after paying freight charges, at about 25 per cent less than they will sell them to our people at home and still make a profit, why can they not compete in the home markets, where they have no freight to pay?

Mr. Chairman, in my opinion high protection for protection's sake can not be defended at the bar of American intelligence. But the trouble now is that a big part of the money unjustly taken from the American people by reason of this inequitable protective-tariff policy is used in propagating their pernicious doctrines throughout the country in season and out of season. In order that the people of this country may get a merciful rest, at least, of the activity of these "helpless" industries, I insert here a part of the report of the secretary of the American Protective Tariff League in its nineteenth annual meeting, held in the city of New York on January 21, 1904.

FIRST VOTERS.

[illegible] Mr. T. N. [illegible] of our board of management, [illegible] which took form in the [illegible] Nos. 66 and No. 67, with a [illegible] number. [illegible] the most important [illegible] the [illegible] to almost an unexpected extent if the "cards are anywhere dealt" [illegible] many thousands of young voters, all of whom have received our standard documents as fast as the names and addresses have been received, and very [illegible] the most genuine appreciation of any package ever [illegible] to be sent the interest in the same has grown steadily from the time it [illegible].

The year has the personal endorsement, among others, of Hon. M. A. HANNA, United States Senator, Hon. J. H. GALLINGER, United States Senator, Hon. J. F. WARNER, United States Senator, Hon. F. E. BOURNE, United States Senator, Hon. J. T. MCCLEARY, Member of Congress, Hon. W. F. PARSONS, Member of Congress, Hon. H. R. COWGILL, Member of Congress, Hon. WM. ALDEN SMITH, Member of Congress.

COLLEGE WORK.

The best backbone of a large proportion of our publications are based on free trade. The [illegible] of our college associations with free trade literature. It has been our policy for several years to furnish a list of all members of all [illegible] in the country and to send them our standard [illegible]. We have just completed the mailing of the following documents to all [illegible]:

No. 62, American Tariffs from Plymouth Rock to McKinley and Dingley, by Hon. J. H. GALLINGER, United States Senator, of New Hampshire.

No. 65, Shall the Republic Do Its Own Work, by Hon. JOHN P. JONES, of Nevada.

No. 75, Prosperity Is the Issue, by Hon. J. H. GALLINGER, United States Senator, of New Hampshire.

[illegible] the new document, No. 45, Why First Voters Should Be Protectionists, is ready for circulation, it will also be sent to all college writers.

OUR PRESS SERVICE.

Our [illegible] press and newspaper service has been fully maintained throughout the year, and our standing no campaign was in progress.

[illegible] newspapers, as a whole, [illegible] more [illegible].

[illegible] of our [illegible] papers, all of which receive the [illegible] of the [illegible] through which the [illegible] matter can be distributed to local papers.

Third. Direct service of our publications to local newspapers. The list of [illegible] with, as of January 15, 1904, distributed by States, is as follows:

Alabama	21	Nebraska	158
Arizona	24	Nevada	10
Arkansas	51	New Hampshire	26
California	164	New Jersey	103
Colorado	78	New Mexico	11
Connecticut	58	New York	8[illegible]
Delaware	12	North Carolina	24
District of Columbia	12	North Dakota	151
Florida	24	Ohio	296
Georgia	[illegible]	Oklahoma	36
Idaho	[illegible]	Oregon	100
Illinois	[illegible]	Pennsylvania	464
Indiana	[illegible]	Rhode Island	23
Indian Territory	[illegible]	South Carolina	11
Iowa	[illegible]	South Dakota	124
Kansas	[illegible]	Tennessee	49
Kentucky	[illegible]	Texas	63
Louisiana	[illegible]	Utah	35
Maine	[illegible]	Vermont	36
Maryland	[illegible]	Virginia	39
Massachusetts	[illegible]	Washington	1[illegible]
Michigan	[illegible]	West Virginia	84
Minnesota	254	Wisconsin	182
Mississippi	[illegible]	Wyoming	29
Missouri	[illegible]		
		Total	5,422

It will be observed from this report that these defenders of the protective theory have invaded our schools and are seeking to fasten upon our Government perpetually this inequitable and unjust policy by enlisting the young men—"first voters"—of the country in their behalf.

The astonishing fact also appears from this report that they have subsidized 5,422 newspapers—manufacturing plants—plants where the thoughts, policies, and largely the habits of the people are manufactured, in their efforts to write protection to private enterprise in the very fundamental law of our land. I appeal to

the American people that it is high time to recognize that fundamental principle that is the basis of all just government, "Equal rights to all and special privileges to none."

Now, Mr. Chairman, it has become a part of the routine proceedings of this House to hear gentlemen on the other side rise up, automatically, I presume, each day and declare that he is in favor of a protective tariff because it protects the laboring men of this country.

It is just such hypocritical cant as this that "maketh the heart sick," and I do not believe they are going to deceive the laboring man much longer.

Mr. HAMLIN. If you are in favor of protecting the laboring man, why do you not give that protection directly and immediately to him? Why try to pass it around through the manufacturers and risk their dividing the benefits they derive from it with the laboring man? You give us a trust-breeding tariff which raises the cost of living of the laboring man, and you know that the manufacturer to whom you have given this protection will not raise the wages of the laboring man one cent more than he is forced to do, largely by the labor organization of this country. If you want to protect the laboring man, why do you not amend your immigration laws so as to protect him from the pauper labor of Europe, against which you pretend to be so anxious to protect him? [No, my friends, if you really want to protect the laboring man, produce government by injunction, give him reasonable hours, promote the importation of cheap labor into the country, or else throw off the mask and confess that you care only for the protection of the manufacturing industries of the country, and all other people and classes may fight their battles through life as best they may.

Mr. CHAIRMAN. I am not here as the special champion of any class of people, but I am here to raise my voice in protest against any further continuance of class legislation in the interest of the industrial organizations of this country, now that they have already, under the legal advantages you have given them, grown rich, powerful, arrogant, and defiant, while labor has submitted, endured, and suffered patiently, until now it is making demands of us, many of which demands are just and reasonable. Ought we not, therefore, to equalize these benefits and give to the laborers of this country that consideration which is due them as citizens of this great Republic? While we are bestowing these showers of blessings may we not let some droppings fall on them? Oh, if we could all but fully realize the measure of our responsibility to our fellow-man and rise to the full stature of statesmanship and in legislation know no section or pursuit, we would then approach that ideal of statesmanship that would do honor to the flag we Americans love and all other nations of this earth are compelled to respect. [Applause.]

Mr. BARTHOLDT. Mr. Chairman, I agree with the description of the beauties of Missouri given by the gentleman. Those beauties can fortunately not be spoiled or destroyed by the party in power there, but when he says that we in Missouri have prospered in spite of you, and by you—meaning the Republican laws and policy, the Republican Administration and this Congress, I have to disagree with him and ask him this question: Does my friend seriously contend that Missouri is exempt from the operation of the beneficent laws passed by the Republican party on the question of tariff and finance, and does he think that the wonderful growth of the industries in Missouri which he has himself described would have been possible without such laws?

Mr. HAMLIN. Mr. Chairman, I will gladly answer that question. I have said that Missouri, along with other States, has enjoyed the benefits of the national legislation, if there are any benefits, but, it being an agricultural State, I contend that there are no perceptible benefits arising from legislative enactments, such as the gentleman refers to. And when I say that we have attained to the conditions which we have in spite of the Republican party and Republican legislation, I have reference to the fact that the principal Republican newspapers in that State, the mouthpieces of that party, have continually for the last twenty-five or thirty years maligned the State, the people, and everybody connected with it. [Applause on the Democratic side].

Mr. CAMPBELL. Mr. Chairman, before the gentleman from Missouri sits down I want to make just one observation.

Mr. HAMLIN. The gentleman may proceed for a question.

Mr. CAMPBELL. I have no objection to everything the gentleman claims for Missouri, but what I want to do is to enter my protest against the limited time that the gentleman from Missouri gave to the gentleman from Connecticut in Kansas in taking him across this country upon that magnificent trip. While taking him through Missouri he took time to show him the beauties there, and I have no objection to that; but when he took him to the Kansas line and put him on the back of a jack rabbit or upon the crest of a cyclone and hurried him into Colorado, I protest. [Laughter.] Why, if the gentleman from Connecticut had been permitted to observe the splendid things we have in Kansas, he would have been so enamored of it all that he would have given up his home in Connecticut and remained in Kansas. [Laughter.]

Mr. HAMLIN. Well, Mr. Chairman, the only reason I didn't make any longer stop in Kansas was that it is so like Connecticut politically that I thought it wouldn't be anything new to the gentleman from Connecticut. [Laughter.]

Mr. HITT. Mr. Chairman, I now yield to the gentleman from New York [Mr. BAKER].

Mr. BAKER. Mr. Chairman, a few days ago, in discussing the political conditions that prevail in Cincinnati, I made some remarks to the effect that in that city, governed by George B. Cox, that impeachable gentleman who has been so highly extolled three times upon this floor during the last few weeks, that in that city and under his administration—because he is the real mayor despite all the laudation on this floor of Mr. Fleischmann—that there were sixty-four men registered from one room in which sixty-four men could not stand erect.

It appears that I have overstated the case, and as I have no desire to place the matter in any other light than is warranted by the facts, because we are always told when these charges are made that it is an attack upon the fair fame of Cincinnati. You never must say anything about corruption; you never must say anything about wrong; you never must say anything about misgovernment; you must not discuss the question of illegal or fraudulent registration, because if you do the fair fame of that city has been attacked.

It appears from the statement that I hold in my hand that so far from sixty-four men being registered from 13 Gano alley, as I then said, there were forty-five men registered on the first registration day in last October. Investigation reveals the fact that 13 Gano alley consists of two rooms, one 14 feet square and the other somewhat smaller. The only pieces of furniture in these two rooms were two chairs without any backs and an old cannon stove. So that even under the correction of the statement made here it is probable it was true when I said it was not possible for sixty-four men to stand erect in that room.

Now, Mr. Chairman, I have no desire to take up the time of the House. It is of no interest. I am sure, to my Republican friends, for they will ignore it; but I shall insert as a part of my remarks a letter from Mr. Benton S. Oppenheimer, of that city, a statement by him about the illegal registering in Cincinnati and the great difficulty that has been placed in the way of the men who attempted to purge the registration lists by the boards of election in Cincinnati, composed of Republicans and so-called Democrats:

CINCINNATI, OHIO, *January 25, 1904.*

Hon. ROBERT BAKER,
House of Representatives, Washington, D. C.

MY DEAR MR. BAKER: At the request of Mr. Daniel Kiefer, of this city, I beg leave to submit herewith, as a brief, a few of the more flagrant instances of illegal registration in this city, as proved from our municipal police and election records in the contests of April and November, 1903. Our principal contests were fought chiefly in the second, third, and fourth wards, which are the most populous and densely populated wards, and because more difficult, and ineffective as we became better known and organized, we were defeated.

From the Second Ward, including Brown, in precinct E of the Eighth Ward, Sixth Ward, Mohawk, Ward, 300 men registered had expired. The same contest showed many men from poor, poor, so poor, and a large number of Germans, Italians, Jews, and not any name found in the city directory, were found in the first registration. On the first registration day and November registration we challenged from this ward, but in as much as it was known and proved that we were keeping close watch, it was a disappointment to our professional challengers.

From Dalton's restaurant, a one-story building about 20 by 40 feet, containing 3 or 4 eating rooms, and kept by a man named Dalton, who is the proprietor, and his family supposed to reside at the rear of South and Vine, about 300 were registered. Only 40 of these men appeared in the city directory. On the day before the contest we passed the place and saw three men standing in front of the house. Two had "mustaches" and looked like Italians. One had a paper in his pocket, an indication of the fact that the process of colonization had begun.

From 23 West Fifth street (the National Lodging House) 34 men registered. Only 5 names thereon appeared in the city directory; 29 were unknown at that place, and some times, when a ballot was cast was that of a man who had died six months before.

From 9 Longworth street (the Workingman's Hotel) 78 men registered. Only 12 of these names appeared in the city directory; 14 were unknown at the place.

From 62 Ludlow alley 27 registered, of whom 5 were not found, and from 61 Ludlow alley, a cellar, not a room, 26, of which a few only were known. [illegible] 19 registered, of whom 5 were not found.

From 73 East Sixth street 11 registered, of whom 9 were unknown, and from 80 West Sixth street 31 registered, of whom 9 were unknown.

From 36 West Sixth street, the Enterprise Hotel, 33 registered. Only 15 names appeared in the city directory and 18 were unknown at the address given.

From the Grand saloon, located on Longworth street—otherwise known as [illegible] 2 men registered. The only one of these who actually resided there was the proprietor, who occupied a room on the first floor. There was absolutely no other sleeping apartment of any description in the building, and the other names given were those of men who merely frequented the place.

From 13 Gano alley 45 men registered on the first registration day last October. Investigation revealed the fact that 13 Gano alley consists of 2 rooms, one about 14 feet square, the other somewhat smaller. The only pieces of furniture in this place were 2 chairs without backs and an old

cannon stove. I myself saw several men register from this place and receive money for such registration from the recognized Republican leader of that ward, who is also a member of council. The established price for each registration is 2 cents and for each vote is $1.

From the strength of the above information a petition was prepared by several representative citizens of our community and presented to the board of elections asking for an investigation of the conditions stated and for the issuance of warrants for the arrest of all manifestos. In most instances we gave the names of those men in our petition who were reported unknown at the addresses given. The board of elections turned this letter over to the local police department for investigation. The police took the original registration lists and visited many of the names which we had not stated in our petition. [illegible] Of course we had been ready to admit the correctness of those names and if was, therefore, no surprise when the police reported that our complaint was entirely without foundation. This was the same reason for the board of elections and further investigation was dropped. [illegible] reported several cases of illegal registration [illegible] warrants were issued.

Last April we saw great waste for the arrest of two men, Andrew Hoult and W. Taylor, and [illegible] registration. One of these men had been [illegible] in all the wards, with a number of thirty persons in [illegible] for the express purpose of registering. Hoult [illegible] for penitentiary twenty days. The contention was [illegible] Taylor, who had been [illegible] of the offence, these cases were [illegible] the jury, [illegible] the prosecuting attorney [illegible] that unless the jury would be tired out the men would probably escape and [illegible] to the grand jury. They were [illegible] sentenced to a term of years [illegible] years' imprisonment in the penitentiary, the [illegible] prosecuting attorney's statement [illegible] registration.

Immediately after the contest in April and November we caused the arrest of the Wagner family, Germans, for illegal registration. The registration from 336 Longworth street was signed by the father. The father stated that [illegible] had been legal voters and were [illegible] made the registration to procure a man. Young Gerhardt [illegible] and [illegible] the witness gave testimony that he did not live in a house at 336 Longworth street. Inspector of Elections showed that [illegible] was a [illegible] registration. Four witnesses were subpoenaed for the State. Two did not appear on the date set for hearing, and the [illegible] witnesses gave their testimony in [illegible] Nos. 3 and 4 Hoult and Taylor. Judge Gorman, of the Criminal Court, refused to grant to the State even one continuance in each of the cases. After hearing the above testimony Judge Lloyd [illegible] and sustained the prosecutor's dismissal of the complaint and a warrant was immediately issued for the arrest of our opponents on the charge of perjury.

In such a manner as this has our board of elections [illegible] and the [illegible] registration and assisted in the prosecution of illegal voters. As I have suggested, the task of doing this work has been [illegible] five. Many instances other than those above given could be [illegible] but time is too short to enumerate the extent of the corruption, but as in our city I hope soon to [illegible] the cause of the corruption, and as I am sure that we can hope at present to eradicate them.

Very respectfully, yours,

BENTON S. OPPENHEIMER.

I also insert two speeches delivered by the gentleman from Cincinnati [Mr. GOEBEL], one on the 12th of October, 1897, and the other on May 29, 1899, in which in as scathing language as any man could use he denounced George B. Cox, then, as now, the boss of the Republican city of Cincinnati.

[From the Citizens' Bulletin, January 23, 1904.]

CONGRESSMAN BARNAR P. GOEBEL—HIS EVOLUTION TO COXISM.

CHAPTER I.—*His address before the independent Republican mass meeting, October 12, 1897.*

[Enquirer, October 13, 1897, p. 5.]

We meet to-day in convention as Republicans to devise ways and means for the coming election to rid honesty and county of the corrupt combination, one that has long feasted on our body politic under the disguise of nonpartisans and Democrats.

AS CITIZENS, NOT AS PARTY MEN.

In denouncing this corrupt combination I violate no duty or fealty to my party, and you and I can render it no greater service than to expose, denounce, and destroy this octopus.

We believe in the principles and doctrines of the Republican party, and we shall permit no man to question our loyalty to that party.

We are met as citizens of a great city and county, interested in its welfare and prosperity. In our action to-day there shall be no politics. Good government can only exist when you have honest men to administer its laws. In this city and county this corrupt combination had for its sole motive and object public plunder.

It has destroyed the value of our property and driven business from the city by excessive taxation. It has burdened the homes of the poor with oppressive assessments in the interest of granite, asphalt, and brick combinations, of which it is a member. The officials of that combination have stolen the public funds. Immense sums of individuals and corporations has been levied to increase its wealth. This wealth has been vulgarly dissipated in the faces of the people from whom it was stolen, and the power which this combination gained has been used to debauch and degrade the public service.

Public officers are the slaves of the boss. By the abuse of legislation enormous jobs have been authorized and valuable franchises to local corporations have been bestowed without adequate return to the people.

This is the condition that confronts us to-day. What is our duty? There is but one course open to us, namely, to expose and see that every guilty official is punished, to elect honest men to office, and to protect the good name and fame of our city.

In that way, and in that way only, you will give a better tone to the public service.

THE COMMITTEE OF TWELVE.

I am not here to decry the appointment of the committee of twelve.

It is apparent, at least to the machine, that such a committee is essential. I believe there are men on that committee honest and sincere in the objects and purposes for which they believed they were appointed.

If this committee of twelve, in whose favor the king has abdicated and now supposed to have full control of the party machine and its complete organization, will join us in the continuance of investigations of official corruption, and to expose the methods of the boss, assist in placing honest men in office and dishonest men in the penitentiary, I shall heartily cooperate with that committee, but, with all respect to some of that committee, I believe the king is still on his throne.

It is not natural to suppose that this corrupt combination will place in the hands of this committee the evidence for its destruction, that it will consent to further investigations, that it will release its hold on public officers to the end that every member may serve a term in prison or be driven from the city. Let me say to you that it will be a sufficient to destroy them. Therefore there must be no [illegible] on our part to this consummation. It must be absolutely and completely destroyed.

A subpoenaed at the time means a suspect [illegible] our efforts at local reform and a combination of the power of this corrupt organization.

In the action of to-day of no party [illegible] the election of a United States Senator drives our gathering and read as from the [illegible] purposes for which we have assembled.

There certainly can be no party questions involved in seeking to destroy a corruption combination and to [illegible] I have [illegible] that there was politics in stealing and I fail to read in the platforms of our party [illegible] that government [illegible] upon this [illegible] and it will certainly pursue [illegible] HANNA [illegible] of my party. I am [illegible]

It is essential to the success and continuation of this corrupt organization [illegible] public enemy that has so long [illegible] the destiny of our good city.

CHAPTER II.—*His address before the Independent Republican convention May 29, 1899.*

[Enquirer, May 30, 1899.]

It was 8.20 when HERMAN GOEBEL called the meeting at Pike's Opera House last night to order. At that time every [illegible] were open and [illegible] chairs in the balcony were taken. Democrats were sitting in the rear of the seats on the first floor. As Judge GOEBEL phenomenon he was [illegible] approached, and then with [illegible]

I believe, said Judge GOEBEL, that it is a [illegible] for Republicans to meet in an orderly manner and express their views on the party management. You have heard the worst of the loose [illegible] members of the Republican party who have been [illegible] vicious. I say that it is an insult to every honest Republican who has been [illegible] to be characterized by the bosses as a gambler and a rag chewer. The call for this meeting was signed by fifty of the representative Republicans of this city, and when they signed that petition they meant it as a protest to the boss who the question is [illegible] Republicans as moulders [illegible] and rag chewers. [illegible] the Republican party on the fact that there are in Hamilton County this number of Republicans who dare to be in opposition to bossism.

[From Cincinnati Post.]

CHAPTER III.—*Interesting history.*

The Eshelby fusion ticket was elected in the fall of 1897, including a county commissioner and his partners assumed [illegible] that [illegible] to be swamped [illegible] to save the money of [illegible] employees. Cox complained that the commissioner Will Gieder chosen [illegible] HERMAN P. GOEBEL. In fact, it was stated to [illegible] that GOEBEL convinced him. Overtures were at once made to GOEBEL. Will, up to that time had only a passing interest in the Cox organization. GOEBEL had long cherished a desire for a seat in Congress but never could get Cox support. The deal was made that GOEBEL was to swing his influence to the support of the Republican ticket in the court house. Who were the Cox men. GOEBEL offered the [illegible] and the Cox men kept their places. In return Cox was to nominate GOEBEL for Congress. He did so, but not for three years as other influences kept J. H. Brumwell there. But Brumwell was finally retired in favor of GOEBEL.

[FROM CONGRESSIONAL RECORD.]

CHAPTER IV.—*His address in the House of Representatives, January 15, 1904.*

The other day, in the absence of my colleague, Mr. [illegible] as well as myself, the gentleman from New York [Mr. BAKER] indulged in certain remarks relative to the city of Cincinnati. In his remarks he ventured a foreign to the matters under consideration at the time, he by inference and innuendo does criticised the municipal administration of that city and some of its citizens.

I should have paid no attention to the remarks of the gentleman from New York if he had not made, in connection therewith, an attack upon our city and some of its citizens.

I want to say to him that Cincinnati to-day is one of the best-governed cities of the United States. At its head we have an honest, fearless, capable Republican mayor, reelected last spring by 15,000 majority, defeating the strongest man the Democratic party ever nominated, M. E. Ingalls.

We have bipartisan boards, upon them are men of the highest integrity and character, who control the election polices and fire departments. All the elective offices are filled by Republicans. Today Cincinnati is governed by the Republicans, whose administration has been approved and indorsed by increased majorities at every election. At the head of the organization stands Mr. George B. Cox, whom the gentleman from New York has seen fit to attack. He needs no defense at my hands. His acts and deeds are of a public character; they stand out in bold relief. It is sufficient for me to say that the party trusts him and that he has time and time again led it to victory. [Applause.]

GEORGE B. COX, PROPRIETOR OF CINCINNATI.

I also wish to incorporate in my remarks part of an article which appeared in Frank Leslie's Monthly, written by a gentleman, Gustav J. Karger, who is well known here as a correspondent of one of the Cincinnati papers, in which he describes in very lucid language the power of this private gentleman, George B. Cox, who rules the city of Cincinnati. For illustration: He asked him a question on one occasion as to what reason he ascribed his success. He replied: "I use my own judgment as to the class of candidates most acceptable to the people."

George B. Cox thus asserts that he determines who shall be candidates upon the Republican ticket in the city of Cincinnati.

An Ohio Republican convention is held, and among the candidates for attorney general placed in the field was Harry M. Daugherty.

"Mr. Cox," I asked, "how many votes are you going to give Daugherty?"

"Not any," he replied in his gruff but not unkindly voice.

I protested mildly. I told him that Daugherty and I were friends; that I wanted him to have one vote at least.

George Kolker, now appraiser of customs in Cincinnati, another delegate, had overheard the conversation. "That's my fix exactly, George," he said. One rearranged the figures on his pad.

"I'll give him eight votes," he decided a moment later.

Without consulting any of the members, without consulting any of the men who had seats in that convention from Cincinnati, he gave eight votes to Daugherty. This governor of the city of Cincinnati to these assembled gentlemen said, "I will give him eight votes."

Nor is this all. A gentleman, Mr. Bellamy Storer, was once a Member of this House. He desired to be renominated by the Republican party and Mr. Cox's statement as to this is also given. He was asked this question: "Why did you turn out Mr. Bellamy Storer?" "Bellamy Storer served two terms," says Mr. Cox. "After his first campaign he gave me no credit whatever for his nomination."

Then he gives some details unnecessary to repeat. He then says Mr. Storer came to him and explained, and he told Storer, "No matter what differences there are between you and me, it is the custom to give a Congressman a second term and I shall not depart from that custom."

Mr. George B. Cox continues:

[illegible] to preside over the State convention. [illegible] Cincinnati on [illegible] him. We talked over the question of the renomination of Mr. Bellamy Storer, [illegible] Cincinnati and I said that [illegible] Congress [illegible] the contest. We parted [illegible] to give him my decision [illegible] meantime some of his friends appeared [illegible] was a strong [illegible] Bellamy Storer [illegible] I said, "Well, I will give him eight votes." [illegible]

I then called on Charlie P. Taft and asked him [illegible] The fact day he was nominated by acclamation instead of Mr. Storer.

Such is the power of George Barnesdale Cox, Cincinnati's uncrowned king.

Mr. FULLER. Mr. Chairman, it is with considerable trepidation and some misgivings that I arise at this time to submit a few remarks in answer to those of the gentleman from Missouri [Mr. HAMLIN] who has just taken his seat. I had not expected to inflict any of my political views upon this committee of the House of Representatives, and I have no prepared speech or carefully studied words with which to entertain or amuse the Members; but I can not find it in my heart to let pass the questions propounded by the learned gentleman from the State of Missouri without in my feeble way endeavoring as best I can to give him the answer of at least one Republican who speaks for himself alone, without assuming to commit the party to which he belongs or any other member thereof.

The gentleman closed his very able and carefully prepared remarks with what always touches a responsive chord in my heart, a contemplation of the flag of this Union, which, as he says, and says truly, "we all love, and which all other nations of the earth are bound to respect."

Yes, under the administration of the affairs of this country by the Republican party all sections of the country, North, South, East, and West are united in the ties of a common patriotism, and are as one in love, loyalty, and respect for the glorious Stars and Stripes that floats over eighty millions of free and loyal and happy and prosperous people.

But this all-[illegible] pronounced by the gentleman upon the flag does not, to my mind, harmonize [illegible] with the opening statements of his address this afternoon as to the record and history of the great Republican party under which that flag has been raised to the mastheads, besides which it now floats in the breezes of the world recognized among all the nations of the earth as the emblem of the greatest Republic ever born into the family of nations, and under which this nation has attained to its position as a leader among the great powers of the earth. [Applause on the Republican side.] The gentleman seems to believe that we are "proud of the record made by the Republican party. Why, my dear learned friend, [illegible] proud of such a record? I want to answer for myself and for my party for one at least, yes; we are proud of the record made by the Republican party, and we shall continue to be proud of it as long as life shall last, and our children and their children will continue to "point with pride" to that record as long as patriotism, loyalty, and love of humanity shall command the admiration of men. [Applause on the Republican side.]

The gentleman asks if we are proud of the record made by the Republican party on the subject of the question of [illegible] my Democratic friends, is not that question settled now? But if the gentleman really wants to ask that question and really wants an answer to it, I say, yes, we are proud of the record made by the Republican party upon that question and during those years. But for the record made by the Republican party in those years, and upon all the questions which those years brought, the history of our country's greatness and glory could never have been written.

I do not think he seriously meant to ask that question, because I believe that the Democratic party of to-day is as proud of the fact that the life of this nation was preserved and that the doctrine of secession was forever throttled as any Republican upon this floor. The name of the immortal Lincoln, first Republican President of this nation, and of the other Republican leaders of those days is as sacred to-day among Democrats as among Republicans, and the record of the Republican party in those days is a common heritage, and I venture to say that even my friend from Missouri is proud of the record of the Republican party in those days. Indeed, why should he not be?

Again, the gentleman from Missouri asks if we are proud of the record made by the Republican party in 1896 and in 1900 upon the question of the gold standard and in opposition to the Chicago and Kansas City platforms, which declared in favor of the free and unlimited coinage of silver at the ratio of 16 to 1 without the consent of any other nation. And again, for myself, I answer: Yes; we are proud of the record made by the Republican party upon that question and in those years. We are proud of the fact that by Republican votes, or at least by the votes of those who stood with the Republican party for financial honesty, the Democratic dogma of the free and unlimited coinage of silver has been, as was stated by the Democratic leader of the House the other day, "relegated to the rear." I fear the Democratic party, while Mr. Bryan lives, may have some trouble in keeping it to the rear; but you may trust the Republican party upon that as upon all other great national issues, and we shall take additional pride in seeing to it that it shall be kept at the rear.

Some men of all parties now concede that the Republican party was right upon the issue forced upon the country in those years by the Democratic party, under the leadership, or misleadership of Mr. Bryan. What does the gentleman from Missouri [Mr. HAMLIN] mean when he asks if we are proud of the record made in those years? Why should we not be proud when the policy of the Republican party in those years crystallized into law, has given us, as even all Democrats must admit, such a period of real and lasting prosperity as neither this nor any other country ever before experienced in the history of the world? Yes, I thank the gentleman from Missouri [Mr. HAMLIN], we are proud of the record, and we wouldn't erase a page, a word, or a syllable of it.

Mr. DINSMORE. Mr. Chairman, I would like to ask the gentleman if there is any special significance in the fact that he omits to refer to that part of the speech of the gentleman from Missouri [Mr. HAMLIN] wherein he asks the Republican party if they were proud of their position on the question of bimetallism in 1892?

Mr. FULLER. There is no significance. I am proud of the record made by the Republican party from the time of its birth, in 1854, down to this time.

Mr. DINSMORE. Then the gentleman has no special comments to make on that year.

Mr. FULLER. I will make such comments as I desire to make. I will say that at that time the question of the free and unlimited coinage of silver at the divine ratio of 16 to 1 was not an issue. The Republican party was in power at that time of the circulation of gold and silver upon the party that up to that time had been instituted, but we recognized facts, and we recognize more and more as the conditions of this country change, that the great Republican party had been carrying this country forward to the enjoyment of a degree of prosperity that it has attained, I must confess, as they arise, and that is what we have done.

The Republican party never stands still; it is always advancing. It is progressive; it is the party of progress, and we have given to this country a currency based upon the gold standard, where every dollar the laboring man receives for his pay has gold in it, and where every dollar in gold, a currency that is good the world over and that makes business stirring and does much to insure the stability and continuance of the prosperity that you upon that side have admitted and talked about during the past week.

Mr. DINSMORE. Mr. Chairman, I would like to ask the gentleman a further question.

The CHAIRMAN. Does the gentleman yield?

Mr. FULLER. I yield for a question with pleasure.

Mr. DINSMORE. I should be glad to hear the gentleman in this connection answer whether the Republican party meant in the platform of 1896 when it denounced the Democratic party for [illegible] the Democratic party for [illegible] the Government.

Mr. FULLER. I have but a few moments' time, Mr. Chairman, and I do not propose to be taken entirely away from the subject I was discussing. I simply wish to answer the gentleman from Missouri [Mr. HAMLIN] in the statements he has made, when he finds fault with the record of the Republican party that has brought about the conditions of prosperity that exist throughout the length and breadth of this land, and of which he should be as proud as we to-day.

We are proud of the record of that party. We are proud of the

record of the Republican party under the leadership of the great Republicans of the past, from Abraham Lincoln and Ulysses S. Grant down to Garfield and Blaine and McKinley and Roosevelt. We are proud of the record made under their leadership, and we are proud of the record of that party as it is being made to-day. And, my friends upon the other side, let me tell you this: You can never win the confidence of the people of this country by simply finding fault with everything that has been done by the Republican party, nor by saying that the country is prosperous in spite of the fact that the Republican party is in power, for "spite" never made any country prosperous. You admit the prosperity, and you only "deplore" the fact that it comes, as it always does come, when the Republican party is in control of the affairs of this Government.

My Democratic friends, you should take your prosperity with better grace and quit "deploring" so much. Is it not barely possible, from the circumstantial evidence at least, that Republican principles and Republican legislation do have something to do with the country's prosperity? Do you really and honestly think you could run this Government better than we do? Do you think you could increase the prosperity of the country, or even keep it up to its present standard? The trouble is you never did do it, and you have offered the people gold bricks and silver bricks so often that they have rather lost confidence in your promises. Your dire predictions of what would happen if the Republicans were successful in 1896 and in 1900 have not panned out just as you said, and is it any wonder that the people are loath to risk their prosperity that has come with Republican administration of affairs simply because you keep up your eternal and never-ending "condemning, deploring, and viewing with alarm"?

I want to tell my Democratic friends that it is no child's play to carry on this Government in such manner as to secure the prosperity and happiness and well-being of all the people. That is what the Republican party is trying to do, and we recognize the fact that it is a big job and requires the best energies and the best thought and the greatest wisdom to be found in the entire membership of the party. The Republican party has, in my judgment, conducted the affairs of this Government wisely and well. Its policies, enacted into law, have made the country great and rich and powerful. Agriculture has prospered, manufactures have prospered, the merchants and artisans of the country have prospered, and the laboring man has prospered beyond the fondest dreams of the laboring men of any other country in the world.

You ask if we are proud of the record of the Republican party? Yes; I thank God every day of my life—and so, my Democratic friends, ought you—that He committed the destinies of this nation into the hands of the Republican party. [Applause.] And yet, notwithstanding all this, you Democrats over there talk once in a while as though you really and honestly believed that you could run this Government better than we Republicans do. That, to my mind, is an absurd idea. Why, it is all we can do some of the time to run it properly and keep things straight. What in the world would you do? I am afraid if you had the chance to run it you would get another letter in the word "run" and it would spell "r-u-i-n," because in my day that is about what we have had whenever the Democratic party had its way and undertook to do things.

As long as the Democrats have nothing to do but to find fault with the Republicans, to kick and "deplore" and "view with alarm," the country can get along with them, and very likely, in the good providence of God, they may serve some useful purpose, but the idea of entrusting the affairs of a Lincoln, a Grant, a Garfield, a McKinley, or a Roosevelt to any Democrat of the present day—well, no, I think the people will prefer to be excused. Certainly we don't want and you don't want a free-silver Bryanite in the White House, and the people don't want and will never consent to put a free-silver there.

And in my humble judgment the people of this country will never trust the Democratic party with the control of this Government again until they are able to give some guaranty of their good faith, when they can say to the people that they are safer on the subject of the Government in your hands than the Republican party has done it. You admit, all sections of the country are prosperous, but unwilling to give credit where credit is due. You say it is in spite of the fact that the Republican party is in control of the Government and responsible for such control. That is a sort of special pleading that does not seem to me to constitute an argument. You might as well say that the country is prosperous in spite of the fact that God rules.

Mr. REEDER. Mr. Chairman, I would like to ask the gentleman if he has ever observed that the country was not able to show prosperity in spite of a Democratic Administration?

Mr. FULLER. Mr. Chairman, I have observed that in the great district which I represent, and which is one of the greatest agricultural and also one of the greatest manufacturing districts in the West—the great factories of that district, Mr. Chairman, during Democratic times, when Cleveland was President and the Democratic party controlled both branches of Congress, were closed or running at half time and with half force. Hundreds and thousands of men in that district were out of employment and could find no work to do; but when Mr. McKinley was elected in 1896, when the Republican party again came into power, when the odious Wilson bill was repealed and the Dingley bill became the law of this land, once more the doctrine of protection was declared as the doctrine under which this Government should be conducted, those factories opened up, the smoke started again from the chimneys that had been smokeless before, the people again went to work, and during the days since 1896 and since 1897, when Mr. McKinley was inaugurated as President, a period of prosperity started and has continued since in that district and in that State and throughout this country such as the world has never known before in the history of this or any other country.

My earliest recollections were of another Democratic period, when James Buchanan was President of the United States, but I have no recollection that in those days we had very much prosperity "in spite of a Democratic Administration." In fact, my recollection and my reading of history both tell me that during that period of free trade or low tariffs, when the doctrine of protection had been relegated to the rear, in "spite" of all that, prosperity was not in evidence to any considerable extent. Listen a moment to what so good a Democratic authority as James Buchanan himself had to say upon that subject. In his message to Congress, December 8, 1857, he used this language:

The earth has yielded her fruits abundantly and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and up till within a brief period our manufacturing, mineral, and other financial enterprises have largely participated of the general prosperity. We have possessed all the comforts of life which in rich abundance and yet not withstanding all these advantages our condition in the monetary interests is at the present moment in a deplorable condition. In the midst of unexampled plenty in all the productions of each nature and all the elements of material wealth, we find our manufactories suspended, our public works impeded, our private enterprises of different kinds paralyzed, and thousands of useful laborers thrown out of employment and reduced to want.

Those were the good old Democratic times, and such were the conditions that existed in spite of such fact.

Comparing Republican times of to-day with any period of Democratic ascendency of which I have any knowledge, I say again, Yes, we are proud of the record of the Republican party. [Applause on the Republican side.]

I said I spoke only for myself, but on second thought I think I can safely go further and speak for some others as well. The Republicans of my district are this day and this hour assembled in convention at Ottawa, Ill. I think I may safely say that they will make it plain that they, too, are proud of the record of the Republican party. I am sure they will not "deplore" nor "condemn" nor "regret" nor "view with alarm." I am also just as sure that they will "approve," "indorse," and "commend" the Administration of President Roosevelt, and will elect two delegates to the Republican national convention who will need no instructions, but who, nevertheless, will be instructed to vote for the nomination of the present occupant of the White House as the Republican candidate for President in this year of grace 1904. Indeed, I should not be at all surprised if the Republicans there assembled were to even go so far as to "point with pride" to the entire record of the Republican party for nearly half a century.

My friends, you all know what our platform will be. The record of the Republican party is its platform all the time, and the only platform it needs. To be sure, the party never stands still, but always progresses. Each time it adds something, because its old promises have been fulfilled; it has done the things it promised to do, and if it continues to be the progressive party of the country it must find new things to do for the benefit of the American people. The Democratic party is the party of the past. For instance it must go back to the days of Jefferson and Jackson. The Republican party is the party of the present and the future. It is the party which does things. The time it is going to dig the Panama Canal, and the people know that when the Republican party says it is going to dig the canal the canal will be dug.

Now, what issues will the Democratic party present? No man knows. What will it advocate? No man knows. What will be its platform? No man knows. What would it do if in an evil moment the people of this country intrusted it again with control of the Government? God does not know. But I do not believe the people of this country are in the mood to take any such desperate chances as to intrust the Democratic party with control of the Government. They like prosperity too well, and they well know that this prosperity came with the advent of the Republican party to power. It came with the passage of the Dingley bill and it came as the handmaiden of the doctrine of protection.

That prosperity is admitted by our Democratic friends, and all they can do is to say that it is in spite of the fact that the Republican party is in power rather than in consequence of Republican

policies. I insist, Mr. Chairman, that it is very largely in consequence of and due to Republican policies that have been carried out in the law of this land. And I tell you, Mr. Chairman, the day is far distant when the people of this country will again consent to an era of free trade or "tariff for revenue only."

I say for one that we are proud of this doctrine of protection; we adhere to it, not in the interest of manufacturers alone, but of all classes as well; not in the interest of the East alone, but in the interest of the West and of the South as well—in the interest of all our people and of all parts and all sections of this country, and more especially in the interest of the laboring man, who, under that policy of protection, finds work at remunerative wages, at such wages as are not known in any other country under the shining sun.

I believe in a policy that will not only give to the laboring man work, but will give him good wages and enable him to educate his family, to own his home, and to stand as an equal among American citizens.

Mr. BENNY. Will the gentleman allow me a question?

Mr. FULLER. Yes sir, if I have time.

Mr. BENNY. I would like to know what the gentleman means by a "remunerative wage."

Mr. FULLER. I mean such a wage as will make the laboring man a man who can stand up with the rest of us and believe in his own equality. I believe in such a wage as will permit the laboring man, as it does in my district, to educate his children, to own his own little home, and to live as an American citizen should live. Under the Democratic doctrine of free trade that was not the case in this country. It is the case to-day; and in answer to the gentleman from Missouri I say we are proud of the record made by the Republican party, and we propose to continue that record and that policy in the future.

Mr. VAN DUZER. Will the gentleman allow me a question?

Mr. FULLER. I will.

Mr. VAN DUZER. You speak of the high wages of the workingman under the tariff. Is it not a fact that the high wages, if you speak of them as "high wages," are due more to the organization of labor into unions than any direct benefit of the tariff?

Mr. FULLER. I believe the high rate of wages of the laboringman in this country is due to the fact that under protective tariff laws the factories of this country are enabled to run and to give employment to all men who desire employment. I believe that when you have a policy of free trade or a revenue tariff only and the factories are compelled to close and the laboring man is without work that then in the surplus of labor you can hire men at anything that will permit them to live. Labor unions never increased wages when there was no work to be had.

Mr. VAN DUZER. Then, why is it that under the high-tariff system existing at the present time the wages of the men in the silk mills and in the steel factories are being reduced? Why is it that throughout New England, where you have protection as the policy of the Republican party, wages to-day are on a decline, and the workingman is receiving less than he did two or three or four years ago?

Mr. FULLER. Oh, I can answer that without any trouble whatever. [The price of wheat is not always the same; sometimes it goes up and sometimes it goes down. The law of supply and demand to a great extent governs these things. Wages may be high to-day, and next year or next month they may be lower. They are higher now than they ever were in Democratic times. Wages will not always be on the same high plane that they were last year or the year before. But wages are to-day higher upon the average, very much higher, than in any other country in this world to-day, and that I believe is due to the fact that the Republican party is in power, that a Republican tariff law is upon the statute books of the United States, and that the doctrine of protection prevails. Certain it is that the present scale of wages was unknown in this country even during any Democratic Administration.

Mr. VAN DUZER. I do not want to cut into the gentleman's time. If I am taking too much of his time, I will refrain from the questions which I wished to ask, or I shall be glad to see his time extended.

Mr. FULLER. I suggest to the gentleman that he can make his speech after I get through.

Mr. HITT. The gentleman from Illinois [Mr. FULLER] has already consumed his time.

Mr. FULLER. The gentleman from Nevada [Mr. VAN DUZER] can go on after I finish, as I am reminded that my time has already expired.

Mr. HITT (to Mr. VAN DUZER). The gentleman from Arkansas [Mr. DINSMORE] will always give you time.

Mr. FULLER. I will not yield any further, but will bring my remarks to a close.

One thing that I wish to say to my Democratic friends over there before I sit down is this: You can never in this country make any capital by taking the side of a foreign country against your own.

I have discovered that you find fault every time anything is done by the Republican party or by the Administration in matters between foreign governments and this Government. I am an American as you are Americans. I believe in my own country. I am with and for my own country as against all the world. I was about to say that I am for my country right or wrong, but that is not quite what I mean. What I do mean is this: I want my country to be right all the time: I generally think it is right, and then I give it my cheerful and earnest support. But if I should get an idea once in a while, as some seem to think all the time, that my own country, in some controversy with a foreign country like Spain or Great Britain or Colombia, is wrong—so very wrong that I can not support its policy—then I will at least give my own country the benefit of the doubt, and consider that it is just possible that I may be deceived or take the wrong view myself, and those in authority may be right and I may possibly be wrong, and if I can't take the side of my own country, I will at least not take sides against it, and will not give aid or comfort to the enemies of my country.

For myself I believe the policy of this Government in the Panama matter was right. I believe President Roosevelt was right in recognizing the independence of Panama, and I think even my Democratic friends over there would have "deplored" if he had followed any other course. My doctrine is: Stand by the Administration; stand by your own country against the world. Yes, my friend from Missouri, we are proud of the record. It is a record that will shine with added luster as the years go by. For ages it will illuminate the pages of the world's history.

Like you, sir, I close these few rambling remarks with a reference to the flag you say you love. I believe you when you say you love that flag, but remember the flag floats higher to-day than it did before the great McKinley was elected in 1896. It is more respected by the nations of the earth than it was before that time; it is better known, better loved, more respected than it ever was before, because of the fact that the Republican party has been and is in control of the affairs of this Government.

I, like the gentleman from Missouri, love that flag; I believe it is the most beautiful flag that floats, and it stands for more than any other flag of any other nation upon earth. It is the emblem of this great, free land that is to-day the greatest agricultural nation on the face of the earth, the greatest manufacturing nation, and the nation that leads in civilization and progress all the other nations of the earth.

Mr. Chairman—

> There are many flags in many lands,
> [illegible]
> But there is no flag, however grand,
> Like our own red, white, and blue.

And I am for that flag and for my country forever against the world. [Applause.]

Mr. DINSMORE. I yield twenty minutes to the gentleman from New York [Mr. SHOBER].

Mr. SHOBER. Mr. Chairman, my excuse for being on my feet at this time is to be found in a statement, made to me a few days ago by gentlemen who are in a position to know, that unless I did have something to say about this time that excellent volume of statistics and congressional or statory jubilee[?] by this House, known as the CONGRESSIONAL RECORD, would not be complete. Of course, rather than see the RECORD injured by my failure to contribute, I am here for the purpose of making a few remarks to the gentlemen on the other side of the Chamber. [Applause.]

Last week we had under consideration a bill which some of us perhaps may remember with sorrow when we recall the untimely fate that overtook the paragraphs referring to mileage, and the hope that some may have entertained that the Chamber at the other end of this Capitol might perhaps revive it again and blow the breath of life into this dead corpse seems to have been disappointed. There is to be no mileage after all, so that we must over these few paragraphs drop the sympathetic tear and whisper the sympathetic words "hic jacet."

But I want to say here that in my opinion the defeat of those paragraphs was brought about very largely, if not altogether, by the excellent speech of the gentleman from New Jersey [Mr. PARKER], who went "one step further" and laid it down as an "irrefutable, indisputable, and not to be denied fact that when we come to Congress we are here until we go home." [Applause and laughter.]

During the general debate on that bill known as the "urgent deficiency bill," sometimes called the "emergency appropriation bill," many excellent speeches were made on both sides of the House.

From the speeches made on the other side of the Chamber I observe, first, that the Republican party seems to be in urgent

case. The Republicans seem to be in an emergency. I gather this from the fact that the gentleman from Minnesota [Mr. BEDE] most cordially and in a very pleasant way—doing his best to disguise the urgent case of his party—invited us to disband and come over there and make it a unanimous Presidential campaign this fall.

I should like to remark to the gentleman from Minnesota that we on this side of the Chamber do not find it quite so easy to forsake the faith of our fathers and to surrender our inborn convictions as he seems to have done. [Applause on the Democratic side.] And I also wish to add this, that it is a dangerous thing he has undertaken, because it is quite likely that if the Democratic party should conclude to accept his invitation and go over there, we might absorb the Republican party, aye, swallow it whole, hook, line, and sinker, and, sitting down on that side of the Chamber, legislate for the welfare of this country, for the good of our fellow-men—the greatest good for the greatest number—quite as easily on that side of the Chamber as on this.

He also made a remark during the course of his speech in which he said that he had heard that in New York City, a part of which I have the honor to represent, Democratic Congressmen were sometimes appointed. Well, I have heard that sometimes Republican Congressmen were elected for life, and there are instances on this floor—honored instances, I am glad to say—of that fact; but surely it is not any more astonishing that a good Democrat should be chosen without any great contest in a Democratic stronghold than that a good Republican should be chosen without any great contest in a Republican stronghold. And if New York City is Democratic, and it is the stronghold of Democracy in these great United States, it is not so astonishing that there should be only one lone Republican—an excellent friend of mine, by the way—to sit on that side of the Chamber from the city of New York.

There is another reason why it seems to me that the party represented by the gentleman over there finds itself in an urgent case—because they are at such pains to rush to the defense of the Chief Executive of this nation, an accidental Executive, by the way. Let but the least breath of criticism be blown in his direction and they are up in arms in the endeavor to protect him from the least assault. Now, he is either a good Executive or he is not. His administration of affairs must be satisfactory or it is not. If the former, neither he nor his Administration needs any defense, and the gentlemen are but wasting their time.

But I suspect that the present Administration of the nation's affairs is not altogether satisfactory to the gentlemen on that side of the Chamber. Certain it is that they are trembling at what may be the popular verdict and seek to avert impending disaster by the use of subtle argument and matchless eloquence in bolstering up a losing cause.

As has been well said, the present occupant of the White House is a man whom "everybody is for and whom nobody wants." Some of them will cry, "Hurrah for Roosevelt!" with the reservation on the side that "Mr. HANNA is a very strong man." Some of them will yell, "Hurrah for Roosevelt!" and assert as a positive fact that in the Presidential contest he can beat Tom Johnson. Their evident anxiety over the proposition and the fact that the campaign must be led, as it has to be, by the accidental occupant of the White House, shows that they are nervous, extremely nervous, so far as the outcome of this campaign is concerned.

Another evidence of the great trepidation of our friends is found in their frantic cries of "Prosperity!" They are everlastingly asserting and proving that the country is prosperous. They have filled the RECORD with figures and facts showing that the balance of trade with foreign countries is in our favor and that we are enjoying unprecedented good fortune. We know it. The fact is self-evident. The country is prosperous. But I assert, and it has been proven here by more eloquent lips than mine, that our prosperity is, after all, a one-sided prosperity; that while some few have been taking unto themselves riches in fabulous amounts the many have but added to their poverty or are still in the same old rut, scarcely rising above the conditions that prevailed ten, twelve, or fifteen years ago.

It has been proven here beyond dispute that while the wages of this country increased 12 per cent, the cost of living for those who earn the wages has been increased three times that amount, or in the neighborhood of 39 per cent. Therefore it is a manifest fact that the prosperity is not so certain, is not so widespread, and is not so perfect as idealists would like to have it or as gentlemen on that side of the Chamber would like to have it, if all the truth were admitted.

The gentleman from Illinois [Mr. BOUTELL] was at great pains to read to the Members on this side of the Chamber extracts from papers published in the Southern States and in Missouri, showing the marvelous prosperity of that blessed land in the South, as if gentlemen on this side of the Chamber did not read the papers published in their own districts, and as if it was not a conceded fact that the South is prosperous and needs not the hysterical efforts on the part of gentlemen on the other side of the Chamber to acquaint us with it.

But I say again that, prosperous though we be, North, South, East, and West, it is a one-sided prosperity.

Through the operation of certain iniquitous laws this great shower of gold has been heaped up in the laps of the favored few while the many go hungry. The coffers of the favored rich are filled to overflowing while the cupboards of the many are bare. Is it not true? With all this wealth flowing in upon us, has the little fellow in trade received any of it? Is the little storekeeper at the country crossroads, or even up in Harlem, in the city of New York, any better off than he was ten years ago? I tell you he has all he can do to pay his ever-increasing rent and make both ends meet.

Is the artisan and the mechanic in better circumstances to-day than he was before the tide of trade turned in our favor and the yellow, golden stream of wealth began to flow? Go ask him and learn, ye who prate so much about our wondrous prosperity.

Suppose our per capita wealth is greater than ever before. Does that prove anything, if all the wealth is controlled by a mere handful of men? What does per capita wealth amount to, anyhow? I read yesterday that the per capita wealth of the Osage Indians is $10,000—think of it! $10,000 for each brave, squaw, and papoose in the whole tribe. But it does not follow that we would like to change places with them.

No, gentlemen, our prosperity is not quite the kind of prosperity that means sound, vigorous health for the body politic. I believe you would like to make it so, and the efforts you have made on the floor of this House to make it appear so is proof positive that you are in sore straits on the eve of a Presidential campaign.

As a matter of fact, I don't think you know exactly what to do, so you "stand pat" and do nothing. Some of you talk loud at times about the grasping power of the trusts and their greed; but you do nothing.

A representative of your party has introduced in the other Chamber of this Congress a bill which most of you will support, that not only clips the claws of any law that might curb or regulate the trusts, but absolutely paralyzes its arm and disarms it of all power, making it practically a dead issue. Some of you came forward with the assertion that the Foraker bill was an Administration measure, and just as many hastened to say, "God forbid!"

You see you really "don't know where you are at."

Most of you are perpetually and continually raising the dust of dead and gone issues in the frantic effort to befog the minds of the people on the present situation of affairs. You not only try to do this, but you actually want to write the platform for our party and even nominate, if you can, our candidate. But, much as we love you, we will not let you do it.

There is only one thing left for you to do. Just so soon as the conventions have met you will do as they have done before. You will raise the cry of "Wolf! Wolf!" as you did in 1896 and 1900, and expect the same thing to happen. But I warn you that your fate will be like that of the boy in the fable. On one or two occasions he brought the workmen from their labor in the fields to protect him. The cry of "Wolf!" succeeded twice, but on the third occasion they did not come, and the wolf devoured him. And as I say to you, I prophesy that you gentlemen on that side of the Chamber are all ready to do the same thing over again as was done in 1896 and 1900, and by intimidation and false statements and threats endeavor to secure the laboring vote of this country. And I prophesy that the labor vote will not heed your cry, and the Democratic party will devour you.

The next thing I observed from the speeches made on that side of the Chamber on the emergency appropriation bill was that the Republicans propose to appropriate things. They have appropriated all the patriotism, all the virtue, all the honor which has ever existed in this country.

Was it the preservation of the Union? The Republican party saved it, and the Republican party alone. There were no Democrats, forsooth, under the Stars and Stripes at Fredericksburg, at Shiloh, in the Wilderness, or on the march to the sea.

And so strong is this appropriating habit that a few months ago the Republican President, in an address at Antietam, forgot to mention the hero of that battlefield because he was a Democrat. It was like playing Hamlet with Hamlet left out.

And by the same token there were none but Republicans at the battle of San Juan Hill, where Spaniards were shot in the back while running away, or in the naval fight off Santiago de Cuba. And this is fully borne out by Republican action after the war with Spain.

So that according to this theory everything belongs to the Republican party. They have appropriated all things in the heavens above, in the earth beneath, and in the waters under the earth; and in their frantic endeavor to be sure not to leave anything out

they have gone further and have appropriated things heretofore unknown. They remind me of the old dominick hen I once heard of. "And keep up such a cackling and a scratching that the good old lady told her boy to go out and see if he could not find some eggs and put them under that hen to keep her quiet. The boy went out to get the eggs and as he could not get hen eggs enough he selected a few goose eggs and put them with the others until he had a tremendous nest of eggs. Then he brought the old hen and put her on the nest. She squatted and spread her feathers and stretched her legs and did her best, but could not cover them. When the old hen came out she said: "Why, John, what do you mean by putting all these eggs under me? Don't you know that there are, when you know she can't hatch them?" "Well," said John, "I knew that she couldn't hatch 'em, but I just wanted to see that old hen stretch herself." The Republican party has taken so much more than it is in the government that straining comes in sight. It has a nest on the eggs there and is the barnyard master.

And all the eggs that generally the Republicans have some I don't [illegible] [illegible] warm and hatched and brought out chickens and pass out to the country [illegible] prosperity. They will stand back and say: "That is ours; the Republican party did that." If in the wheat belt [illegible] States and have [illegible] to make the crop of wheat good [illegible] they will still stand back and say: "The wheat crop is a portion of the assets of the Republican party."

Should the nations of the earth be at war with each other and the price of wheat and of corn and of [illegible] and of large income away up the [illegible] increasing our exports in these products [illegible] the Republican party with unblushing effrontery will shout from the house tops, "Behold how good and joyful a thing it is, brethren, to dwell under the rule of the Republican party!"

And there is the boll weevil. I confess I don't exactly know what the boll weevil is. I don't know whether it crawls on its belly or flies in the air or stalks on four feet, wearing horns and emitting smoke and flame from its fiery nostrils. But whatever kind of "critter" it is, I am told it destroys the growing cotton.

Now, let this creature get in his fine work in the southland, and the cotton crop is reduced hundreds of thousands of bales. What happens? Cotton goes up in price, obedient to the law of supply and demand. It reached as high as 16 cents, and may go higher. That means good times and rejoicings for the cotton planter, but the Republican party smiles serenely as the prices go up and prosperity sweeps over the South, and says, "You see what we Republicans are; what a wonderful party is ours; be thankful and rejoice that you have us."

Or, again, 10 men of daring and bravery, through hardships incredible and unknown, shall pierce the extreme North west, carving their way through ice and snow, and almost with bare hands squeeze from the frozen earth and from the [illegible] the wealth that has come to this country within the last six or seven years, the Republican party says: "We told you we would increase the volume of money; we said that we would give you more tangible money, and we did it—we, the Republican party."

So it goes through the whole gamut, and if, however, there happens to be a storm somewhere and a flood breaks loose causing great hardship and distress, I doubt not they would say this is the work of Providence, or perhaps of the Democratic party. But I want to tell you that you must be logical about it all in order to have the people of this country really stand behind you and believe you. A southern gentleman of the old school had a servant by the name of Sambo. He was very fond of telling what he could do in the forest with his gun and on the streams with his rod. His fish stories were immense and his hunting stories most beautiful to hear, and to back them up he always called upon Sambo, who invariably said, "Yes, sah; dat's so."

On one occasion he was telling some friends how he shot a deer. The head of the deer was hanging over the door of his dining room. He said: "I shot that deer in a most peculiar way. He was just on the other side of a stream and began to run up the path away from me. I had a good trusty rifle and took careful aim and fired. Strange to narrate, the bullet caught him in the left hind foot and knocked the left ear and he dropped in his tracks." "Why," said his friends, "impossible. How could a bullet shoot a deer in the foot and the ear at the same time?" "Ask Sambo here; he will tell you." Sambo said: "Well, gen'men, I tell you dat's a fact. Massier got a dead bead on dat 'ar deer and just as the deer stepped to scratch his ear with his foot, and so de bullet hit 'em both." When the friends were gone, Sambo turned to his master and said: "Look yere, boss, next time you want me to tell you any more deer stories for God's sake get your pints a little closer together." [Laughter.]

The next time you Republicans are appropriating things be logical about it, get your points together, and do not leave out anything, because there are many things you have not yet appropriated, but which you must. You must have all that is coming to you, no more and no less.

For instance, I have not heard anybody over there appropriate the fact or boast of the fact that there is scandal in the Post-Office Department. Now, that belongs to you. You must take that also. It does not stand to reason that robbery, theft, extortion, wrongdoing and all the rest of it can go on in the Post-Office Department or in any other Department without negligence at least, culpable negligence, on the part of those who are in charge of those matters. The chiefs themselves, of divisions, even to the head of bureaus himself is responsible for the crimes of his subordinates in office. If a man is serving in a bank and should pilfer and steal, he is punished if they can get him. But the onus of [illegible] upon those who [illegible] it was to see that theft and robbery was not possible that careful investigation should be made in order to prevent it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHOBER. I would ask the gentleman from Arkansas if I may have just two or three minutes more.

Mr. DINSMORE. What is it the gentleman desires?

Mr. SHOBER. That I be given two or three minutes more.

Mr. DINSMORE. I could not give the gentleman more than two minutes.

Mr. SHOBER. Two minutes will suffice. Because in connection with this matter not only will the Post-Office scandals have to be shouldered by you, but the public-land frauds as well. Then the growing power of the trusts is yours to answer for, and all the troubles that arose out of the coal strike and the evils thereof, had to [illegible] in spite of the fact that a Member of this House had [illegible] proof positive of an illegal conspiracy and combine on the part of those who claimed that they were doing this by divine right and the authority of God himself.

You must stand for the wrongs and the failures of those whom you place in power, and I will close my remarks by calling the attention of the House to the last report of the Attorney-General. For the prosecution of the trusts and for the gambling and for their punishment when found doing any illegal business, the sum of $500,000 was appropriated to pay the expenses of prosecution and placed at the disposal of the Attorney-General. What was done? I read from the report of the Attorney-General as follows:

By the appropriation act of February [illegible] and prosecutions under the various [illegible]

[illegible]

[illegible]

[illegible]

He deliberately asks that this $500,000 appropriated for the purpose of prosecuting the trusts [illegible] available to do what? To enforce the laws of the United States generally and those relating to the public lands and the postal crimes and offenses against the revenue laws.

Oh, justice! Is it possible that the United States Attorney-General, with all the officials under him at his beck and call, is unable to run down a few thieves in the Post-Office and a brace or so of rascals who had to do with the public-land frauds without invoking the aid of Congress.

What is the Department of Justice for? Why is an enormous appropriation made every year for its support? Is it not to see that the laws are enforced, that offenders against the laws are punished, and that justice is meted out in full measure?

Is it possible that the Attorney-General can not do his duty and hale rascals to justice with all the vast machinery at his command without falling back upon an appropriation made for a specific purpose?

That purpose was the prosecution of the trusts. Did he do it? Did he proceed against the coal barons, or is he going to do so?

Proof, documentary proof, of an illegal combine and conspiracy between them was laid before the Attorney-General by a Member of this House, and let us see what he did with the $500,000 special appropriation given to him for the purpose.

In his table of expenditures we find the following:

Enforcement of antitrust laws, 1903 and 1904.	
Appropriation warrant	$500,000.00
Payments during fiscal year	17,000.00
Balance July 1, 1903	483,000.00

That is all, and nothing more. Not a single solitary other reference to the trusts in a report covering several hundred pages. And the Attorney-General wants to use $483,000 of the people's money to run a few postal thieves and land grabbers to earth. It is a pitiful confession of weakness and incompetence.

And so, reverting to the cordial invitation of the gentleman from Minnesota, we Democrats, after reviewing the situation, must respectfully but firmly decline to go over there and help you Republicans hold up the pillars of your tottering temple.

Mr. DINSMORE. I now yield five minutes to the gentleman from Nevada [Mr. VAN DUZER].

Mr. VAN DUZER. Mr. Chairman, a few moments ago I asked the gentleman from Illinois [illegible] question relating to labor unions and high wages, and the colloquy was interrupted by objections. I now desire, in a brief statement, to reply to the gentleman from Illinois and to take up the discussion of the question which I refer to.

I asked the gentleman in reference to the statement he made in regard to wages, if it was not a fact that high wages throughout the country was due to the efforts of organized labor and the organization of labor unions to resist a lowering wage scale. The gentleman answered that labor and wages, like other commodities, wheat, cotton, etc., were regulated by the law of supply and demand. If the gentleman concedes that wages are regulated by supply and demand, he at once must abandon his theory that the tariff keeps up wages. How can the gentleman contend that a high protective tariff regulates wages if wages are regulated by the law of supply and demand?

The labor question, to my mind, is one of the most serious problems confronting thoughtful men, and yet it receives little recognition in this House. A great deal is claimed for labor, but little accomplished for labor. We hear continually references as to what the Republican party has done for labor. My contention is that labor has done more for herself through her unions than the Republican party has ever accomplished for her.

Labor can not win any substantial advance under Republican Administrations, whose continual obligation is to support high protection and predatory wealth. Labor has more to fear from the colonial policy of the Republican party than from any other condition to-day. The American laboring man, around whom the Republican party insists the mantle of high protection has been thrown, is in danger to-day from this very question. What is to become of the laboring man when the Republican party opens up Porto Rico, Cuba, and the Philippines to sugar, tobacco, and the manufacturing interests where cheap labor from China, Japan, and the Filipino may compete with American labor? The contract laws do not apply, nor do pauper laws nor immigration laws shut out cheap labor in our colonial possessions.

To-day the large trust interests are taking steps to import Chinese labor into Cuba and Porto Rico. To-day the Japanese—the little brown man, with all his strength, skill, and intuition—is competing with American labor because these possessions, given favorable tariff concessions from our Government, do not have laws restricting cheap labor, contract labor, or convict labor.

The contentions of the Republicans that high wages are synonymous with high protection can not be borne out by actual economic conditions, because wages are kept up by the intelligent cooperation of labor unions. If you should destroy organized labor and abolish labor unions the scale of wages would fall 50 per cent in six months. Labor has been able to oppose her intelligence to falling prices, and her righteous fight against long hours and low wages has resulted in eight-hour laws and higher wages.

Prosperity is the gift of God—the result of a generous nature, not of the Republican party. High wages and short hours are the result of two centuries of struggles of organized labor against organized greed. Labor asks only that what she is entitled to, and she has kept up the wage scale by her own efforts.

Trusts are the creatures of Republican legislation. To-day the very classes who have received the most benefit from Republican legislation are the combinations striving most desperately to destroy organized labor.

To-day the manufacturers' associations are raising money, organizing a sentiment, and directing a crusade against labor unions because they realize that organized labor can successfully resist a depreciating wage scale and a lengthening labor day. If they can break down organized labor they know they can regulate the wage system, and no tariff on earth can keep wages up if once labor is at the mercy of predatory wealth. Labor is confronted with a fight for her life, and her only hope lies in maintaining the power and integrity of her unions.

Another question which the gentleman took occasion to talk about, and it is a favorite theme of the Republican party, is that we have good times during Republican Administrations and hard times and disaster when the Democratic party is in power. He spoke about the hard times of 1893. I want to call his attention to the fact that between 1888 and 1892 the Republican party had control of this Government, that there was on the statute books a Republican tariff law and a Republican finance law in the early part of 1893, and at the time of the panic, early in 1893, which was one of the most serious panics we have had in the country, and concerning which the Republicans point with pride as the result of Democratic power, those laws were in force.

I want to call the attention of the gentleman to some facts of history. The Democratic party came into power as a result of the dissatisfaction, unrest, and hard times of the Harrison Administration. Harrison's Secretary of Treasury was already beginning to negotiate a bond issue when the party was swept from power. The condition confronting the people of this country was the result of the Harrison Administration. The Democratic party met a Republican panic. Panics leave scars upon prosperity. In 1896 McKinley was elected. The "full dinner pail" was the slogan. McKinley had not been in power six months when hard times and signs of a panic again became apparent.

The hard times of 1893 would have been repeated in 1897, succeeding the defeat of Bryan, if the extraordinary gold discoveries of the Klondike had not increased our money supply, and the Spanish-American war and the Boer war had not created a demand for our products. Eighteen hundred and ninety-six and 1897 were dark days on the Pacific coast, and the shadows of a panic were only dissipated by the discovery of gold in the Klondike, which poured her golden treasure into the commerce of the Pacific coast.

Then I ask the gentleman from Illinois [Mr. FULLER] why it is that he ascribes to the Democratic party the hard times of 1893, when it is a fact of history that the Republican party was in power four years just prior, and if hard times occurred during Democratic Administrations and good times during Republican Administrations, as the gentleman claims, how are the Republicans going to explain that fact? The gentleman also said that in 1896 we had good times in this country, the most prosperous we ever had; but the gentleman from Illinois has failed to designate a single particular where any legislation enacted by the Republican party has ever contributed to good times in this country.

It is a notorious fact that after William McKinley took his seat for the first six months there were more failures, according to Dun and Bradstreet, than had occurred for years. It is another notorious fact that the Republican party was against a crisis in her history had it not been for the unforeseen developments which brought about the Spanish-American war.

The Spanish-American war and the great output of gold from the Klondike were the two conditions which contributed to prosperity in this country, and there was not a single legislative act upon the statute books of the country put there by the Republican party which contributed in any respect or degree to our prosperity.

Our quantitative theory of money was demonstrated to be correct because of the large supply of gold which came from Alaska and by the good times which spread abroad in this country as a result of more money being put into circulation by the Spanish-American war. And I want to say that it was the minority party in Congress that brought about and forced the Spanish-American war against the resisting policy of the Republican party at that time, which was averse to going into a war. [Applause.]

We hear a great deal from the floor of this House about high wages. We hear a great deal in this House about prosperity. But the gentleman from Illinois made the candid admission that high wages are due usually to the law of supply and demand. We have had within the past six months the closing down of the silk mills, the closing down of factories in New England.

We have had notices a wholesale reduction in the force of men employed at mills and factories in New England, but wages have been reduced and the cost of living increased.

Last summer there was a panic in New York. Wall street was stricken. The city of Pittsburg was on the verge of a panic. There was a financial tightening. Money was high, business at a standstill, and had it not been for a large wheat crop and high-priced cotton—had it not been for the American farmer—the panic of 1893 would have been a sumptuous banquet as compared to the distress of 1903. [Applause.]

It was the farmer and not the Republican party who saved the country last year. [Applause.] The argument so long indulged in of Republican prosperity and Democratic adversity is fast becoming a boomerang upon the Republican party.

I wish to make the statement at this time and right here that as far as high wages are concerned the tariff has had less influence upon wages than the efforts of organized labor. And in handling this great issue between labor and capital—between the man who struggles to accumulate enough to live upon and the man who accumulates to enjoy the sensuality of luxury—tact, wisdom, and patriotism must be called into the exercise of their highest power in order to adjust this problem in the interest of humanity.

I have listened to tariff discussions; I have listened to Panama

word pictures. I have listened to partisanship run riot, but I have yet to hear a labor discussion upon the floor of this House. The two parties here are contending over tariff schedules, over fine questions of international law, and yet it is going to be the two million and a half labor votes of organized labor who shall name the next President of the United States. While statesmen and politicians are casting about for candidates and platforms let me suggest that the storm center of the fight next fall will be in Illinois, Indiana, and New Jersey, where there is a large labor vote, and in Montana, Utah, and Colorado, where recently military authority has been used to suppress the labor unions. The labor unions have been forced to go into politics, and the ranks of organized labor is daily growing, and the next President of the United States will be the man who champions the cause of a government by the people instead of a government by the privileged classes. [Applause.]

Maintain living wages, lower the cost of living daily increasing through Republican legislation, curb the trusts, build the Panama Canal, develop internal resources, give the Philippines to the Filipinos, and build up and protect a government whose purpose is to create an artisan instead of a soldier. [Applause.]

It is not tariff schedules we need, but more work, high wages, and reasonable hours. It is the shutting out of coolie labor, the passing of an eight-hour Government law, and the abolition of convict labor which need serious attention. The American workingman wants to rest secure in his home, and if in the exercise of his inalienable rights he should run counter to the domination of predatory wealth he does not want to be incarcerated like a petty thief, and hence the question of government by injunction is of vital importance to him.

You can never deceive organized labor by tariff schedules. She will never rest the hope of high wages on a trust tariff. Believing in the old adage that "God helps those who help themselves," the American workingman will go on organizing labor unions, placing his hope of high wages in his intelligent efforts in the labor union rather than in the specious promises of tariff statesmen who are feeding the giant trust, the greatest enemy organized labor ever had. Labor opposes her intelligence to falling prices, and wages are maintained, while other commodities, unable to resist, fluctuate at the will of commerce. [Applause.]

Mr. DINSMORE. Mr. Chairman, I yield twenty minutes to the gentleman from Minnesota [Mr. LIND].

Mr. LIND. Mr. Chairman, I have so recently expressed my views on the general question of our Canadian relations that I shall not take any additional time on this occasion, except to say this, that I wish the committee to understand that in my persistent—for it may seem so to you—advocacy of better trade relations I am not prompted by any local or personal considerations. It would undoubtedly be very desirable for the people of our State, the millers of my city, the laboring men, and the railroads to handle the crops of Canada to the north of us and to participate in the development and exploitation of that great country. But for those local reasons alone I would not advocate it for a moment unless I were firmly convinced that it is for the benefit of and vital to the future and permanent interests of the whole nation.

There are men on this floor, and I hope many of them, who will live to see 150,000,000 English-speaking people on the North American continent. Think of it! One hundred and fifty millions of people speaking the same language, reading the same literature upon this great North American continent! Bearing this possibility in mind, is it not a vital question, is it not a question that appeals to every patriotic American, that appeals to every economic consideration, that this great mass of homogeneous, ethnically and historically connected peoples shall cooperate and work together hand in hand in amity, brotherly rivalry, and American energy to develop this great continent for a greater America?

I want to say to you that I would infinitely rather see a greater America on this continent than a greater Britain in any portion of it. [Applause on the Democratic side.] That is the question involved. [Are we to continue a policy of nagging and belittling a people relatively just as great and just as good as we are? It is poor policy, it is not the part of wisdom; and I want to say, my fellow-Members, it is not Republicanism in the State of Minnesota. And it is to demonstrate that fact that I rise on this occasion rather than to address myself to the great question at length. My colleague from our State [Mr. VOLSTEAD], who occupied your time on yesterday, commented very severely on the utterances of what he termed the leading Republican paper in our State, the St. Paul Dispatch.

He had the floor. The editorial writer of that paper did not have the floor, and I propose to give it to him for a few minutes. I have always endeavored to treat that paper and especially its editor justly, and I now send to the Clerk's desk to be read the editorial that was commented upon by my colleague yesterday.

The Clerk read as follows:

"PLAYING HORSE."

JOHN LIND made a speech in the House. He made a very clever argument for reciprocity in potatoes and wild animals in particular. This shows that his humorous side predominates over his reciprocity side. I wish all the Republicans could get it. For prosperity unprecedented is not Democratic doctrine as the dispatch has shown, but it is Republican to be sure, and by jingo, too. A very important effect of the reciprocity policy would be to Republicanize the West again. It is said that it was owing to the policy of the Minnesota Republican delegation in opposing any modification of our trade relations with the Dominion. It is surprising Mr. VOLSTEAD should be so misinformed as to think he is doing the farmers of Minnesota any good by such a course. When Cyrus Davis came home he reported to us "that a majority of Congress would vote against every the farmers and sweep away our tariffs if they were taken up." Mr. Davis very soon learned his mistake. If Mr. VOLSTEAD's purpose is as stated, he has his reward in his bosom. A little more serious statement is that the Senators will come for consideration.

It was a sweet contretemps if the fact that a former Republican, now passing as a Democrat, with aspirations to prove Minnesota Republicans have always been in favor of reciprocity, so that a Senatorial combination back in the eighties could not get a quorum here footed but one man opposed, should make him or some Republican Representative and two Senators turn tail and run away from their party. We must say that it would be rather a mistake to Mr. LIND's aspirations and strength as a Democrat if their opponents that would very soon surprise Minnesota Republicans. It is said he is placing his fortunes with a congressman and Senator who are in a minority and who are that which is displeasant to the Republicans. Minnesota can not afford to have her interests represented in this way, with a matter of such material importance, nor will she, and it remains to show do.

The Dispatch that foresaw—as this paper does—saw that it would be justified by the expression of Minnesota Senators "to being deprived of the benefits that flow to them from the general action on wheat." We really wondered if there is a farmer in the State Northwest who does not know that no benefit of 5 cents a bushel benefits him but decreasing competition. We wonder far more if Mr. VOLSTEAD or any other Democrat in the House or Senate believes it. These men know better. We know that implies that they think their farmers worse than ignorant and dreamy stupid.

When Senator LODGE made that statement and he believed in good faith—he was promptly informed that Manitoba wheat came into the United States and paid 5 cents duty, and that Minnesota paid the duty on every bushel, and 90 per cent of the duty refunded to the miller. Since then the tariff has been increased to 7 per cent.

The 1 per cent of the Treasury duty retained by the Government is 24 mills, one-fourth of an ounce of silver, and yet the protection of Wheat Farmers by the tariff. That is the measure of the benefits. They are getting from it. Repeatedly the millers have been in Washington seeking relief from the law or Treasury ruling that imposes a proportional share of the duty on the bran and shorts imported from milling Canadian wheat to be used in our mills. To the surprise of the millers it was stated that the farmers of Minnesota and the farmers of the substantial northern grain-growing States feed at lower prices. We know if any Senator or Representative was there to make the display of ignorance, or worse, would appreciate it in a goodly word form.

Mr. LIND. I will now ask the Clerk to read the comments of the Minneapolis Journal, the leading Republican paper of our State, on the article just read. This was published February 1.

The Clerk read as follows:

The Journal [illegible] that some members of the Minnesota delegation in Congress are [illegible] in the Republican papers. [illegible] reported to be a month [illegible] Congressman [illegible] is for it. In view of the position taken by Mr. LIND's colleague has been [illegible] we should think that [illegible] would be [illegible] the Democrats [illegible] the Minnesota delegation [illegible] guard of protection in Minnesota.

It was the easy going habit we have fallen into of not holding our Congressmen to a [illegible]

The Journal has [illegible] to Mr. LIND's [illegible] as this paper [illegible] Canada. It is a [illegible] Canadian reciprocity.

Mr. LIND. Now, Mr. Chairman, for the benefit of the genial Chairman of this Committee of the Whole [Mr. LACEY], who took occasion on the floor to criticise in a very kindly spirit what I said upon this subject some time ago, I desire to have read a portion of the recent message delivered by the governor of the great State of Iowa, and this will be of additional interest to members of the committee for the reason that it was uttered under the sanction of the governor's oath of office and in obedience to the requirements of the constitution of the State of Iowa that he should give his people sound advice.

The Clerk read as follows:

[illegible]

der will be completely destroyed unless we treat with our neighbors upon a fair reciprocal basis.

The farmers of Iowa have lost something in the foreclosure of the opportunity to feed the men who are operating the plants to which I have referred, and they will lose more when Canada raises the barrier so that England, France and Germany will supply the material for the wonderful development going on there. Iowa is just entering and which we are so well prepared to supply. It has been said that in order to obtain these changes it will be necessary for us to admit certain articles of Canadian agricultural production, or some of them. I believe this to be partially true, but let me ask the farmers of Iowa whether they think they would lose in the exchange. Would you rather lose the market which would be created by our vast imports into Canada or would you rather be in a position to buy the things which you produce? I meet people every day who are struggling with farms in Minnesota, Dakota, Nebraska, Kansas, and Missouri you would never be able to discover the influence of Canada in corn, oats, barley, hay, cattle, horses, hogs, butter and eggs.

I go further. We can make treaties with Central and South America, with France, Germany, Spain and Italy, that will immensely increase our exports of manufactures to those countries so that for every man deprived of employment here we can put two to work here. You ought to have a chance to feed these added mouths, and why not give it to your own? Simply because of the inertia which has prevented the produce that is now going to the great producing and feeding centers of the United States from planting itself within the tariff walls of Canada.

Are laws 2 and your markets abroad. In England there is still the open door, but how long will that remain open? There is now a strong party in your house and it may be a very short time before the door will be closed, or at least be left ajar. Do you not think you ought to be alert and make some provision, if you can, for a mass key as the best supporting its seekers?

In France you are under some discrimination or discrimination which could be removed immediately without any substantial injury to a manufacturer in the United States.

Germany is passing a harder for you all the while, and yet we rest supine in watching with apparent satisfaction the gradual exclusion of the Iowa farmer from the markets of the German Empire.

I might go on and show that we are injured at every turn, but it would serve no useful purpose. If what I have said will induce the men who till the soil, who raise the cattle, horses, hogs, and lambs, and produce the cheese, butter, and eggs of Iowa, I am mistaken in their intelligence and have overrated their [illegible]

[illegible] the cries of the commercial conflict raging throughout the world I hear the voice of destiny saying to the men of agriculture as Roderick Dhu said to James Fitz James:

"For this is Coilantogle ford
And thou must keep thee with thy sword."

Mr. LIND. That is good doctrine. I do not think that I could improve upon it. It is in hearty accord with the sentiments of my colleagues on this side of the House. The editorials read state the facts, except possibly in the little bit of egotism contained in the first editorial, which may be pardonable considering the source.

The editor of the Dispatch says that reciprocity is preeminently and at all times Republican doctrine. Inasmuch as he evidently desires to see, seek, and promulgate the truth on this subject, I would commend the editor to the reading of that magnificent state paper of Thomas Jefferson, in which he formulated, not only for that day, but for all times and all conditions, the theory of reciprocity between nations.

I would also like to commend to his consideration the fact that the only genuine, lasting, efficient reciprocity treaty that this country ever had was inaugurated and promulgated under a Democratic President and when the Democratic party was in power—long before my day. [Applause on the Democratic side.]

Mr. Chairman, I do not care to occupy further time. I yield back whatever time I may have remaining.

Mr. DINSMORE. Mr. Chairman, there are no other speakers on this side.

Mr. HITT. Mr. Chairman, I ask that the Clerk proceed with the reading of the bill by paragraphs for amendment and discussion under the five-minute rule.

The Clerk proceeded to read the bill, and the reading was concluded without any amendment being offered.

Mr. HITT. The consideration of the bill in Committee of the Whole being now finished, I move that the committee rise and report the bill favorably to the House without amendment.

The motion was agreed to.

The committee accordingly rose; and Mr. PAYNE having taken the chair as Speaker pro tempore, Mr. LACEY reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill H. R. 11287, the diplomatic and consular appropriation bill, had directed him to report the same back with the recommendation that it pass without amendment.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HITT, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH, from the Committee on Agriculture, reported a bill (H. R. 11876) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. WILLIAMS of Mississippi. I want to reserve all points of order on this bill.

Mr. WADSWORTH. I desire to give notice that I will ask the consideration of the bill immediately after the reading of the Journal to-morrow.

DEVILS LAKE INDIANS, NORTH DAKOTA.

Mr. MARSHALL. Mr. Speaker, I call up for present consideration the special order which was fixed to follow the disposition of the diplomatic and consular appropriation bill.

The SPEAKER. The gentleman from North Dakota [Mr. MARSHALL] calls up as the special order a bill the title of which will be read.

The Clerk read as follows:

A bill (H. R. 11286) to modify and amend an agreement with the Devils Lake Indians in North Dakota.

The SPEAKER. The Clerk will report the bill.

The bill was read, as follows:

Whereas James McLaughlin, United States Indian inspector, did, on the 2d day of November, A. D. 1901, make and conclude an agreement with the male adult Indians of the Devils Lake Reservation in the State of North Dakota, which said agreement is in words and figures as follows:

This agreement made and entered into this day of November, 1901, by and between James McLaughlin, United States Indian inspector, on the part of the United States and the Sissetan, Wahpeton and Cut Head bands of the Sioux tribe of Indians belonging on the Devils Lake Reservation in the State of North Dakota, witnesseth:

ARTICLE I. The said Indians belonging on the Devils Lake Indian Reservation, N. Dak., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Devils Lake Indian Reservation now remaining unallotted, including the tracts and islands known as the Fort Totten Military Reserve, situated within the boundaries of the said Devils Lake Indian Reservation, and being a part thereof, except 640 acres required for agency purposes, twenty-one hundred acres reserved and allotted, but to which allotments have not yet been made, and sixty acres allotted to be made by the United States under the provisions of the general allotment act of February 8, 1887, as amended February 28, 1891.

ART. II. In consideration of the said ceded, relinquished, and conveyed by Article I of this agreement, and in full compensation and payment of said Indians of Devils Lake Reservation, N. Dak., arising or growing out of the erroneous survey of the western boundary of said reservation in 1895, whereby about [illegible] acres were wrongly ceded therefrom, and in the interpretation of their treaty of the boundary point of Fort Totten, Grant and Dakota, including the payment to the said bands of the whole amount of the consideration, the United States agrees to and agrees to pay to said Indians, in the form of annuities, prior and the sum of $[illegible]

ART. III. It is agreed that of the sum said to be paid to said Indians as stipulated in Article II of this agreement, the same shall be paid in cash, per capita, share and share alike, to each man, woman and child belonging on the said Devils Lake Reservation, [illegible] the provisions of this agreement and the recognition of the said sum of $[illegible] annuities, since [illegible], per capita, in the general appropriation of annuities, the first of which shall be paid in the month of June [illegible] the second payment of annuities and in the month of June of each year the number of the succeeding nine years covering the period of the said ten annual payments.

ART. IV. It is understood that nothing in this agreement shall be construed to impair the rights of the Devils Lake Reservation, N. Dak., of any members of which tribe are entitled to share in the United States of America, not inconsistent with the provisions of this agreement.

ART. V. This agreement shall take effect and be in force when signed by United States Indian inspector James McLaughlin, and by a majority of the male adult Indians hereto, and when accepted and ratified by the Congress of the United States.

In witness whereof, the said James McLaughlin, United States Indian inspector, on the part of the United States, and the undersigned members belonging to the Devils Lake Reservation, N. Dak., on the part of said bands and signers of the Devils Lake Agency, Fort Totten, N. Dak., this 2d day of November, A. D. 1901.

JAMES MCLAUGHLIN,
United States Indian Inspector.

No.	Names.	Marks.	Age.
1	Tiwomaste	x	81
2	Matecatka	x	[illegible]
3	Ignatius Court		33
	And 213 other Indian signatures.)		

We, the undersigned, [illegible] that the foregoing agreement was duly explained to the persons whose names appear on the Devils Lake Reservation, N. Dak., and that the agreement was duly executed and signed by said Indians.

CHARLES WHITE,
IGNATIUS COURT,
Interpreters.

DEVILS LAKE AGENCY, N. DAK., *November 7, 1901.*

We, the undersigned, do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian inspector, and the Indians of the Devils Lake Reservation, N. Dak., to the foregoing agreement.

F. BARNES, Clerk.
IGNATIUS COURT,
Interpreter, Fort Totten, N. Dak.

DEVILS LAKE AGENCY, N. DAK., *November 7, 1901.*

I certify that the [illegible] Indians, over 21 years of age, belonging to the Devils Lake Reservation, N. Dak., is 206, of which 176 have signed the foregoing agreement.

F. O. GETCHELL,
United States Indian Agent.

DEVILS LAKE AGENCY, N. DAK., *November 7, 1901.*

Therefore,

Be it enacted, etc., That said agreement be, and the same is hereby, modified, amended, and revised as follows:

SECTION 1. The said Indians belonging on the Devils Lake Indian Reservation, N. Dak., for the consideration hereinafter named, do hereby cede,

[illegible] grant and convey to the United States all their claim, right, title and interest [illegible]

[illegible]

[illegible] lands; and the remainder of the [illegible] shall be paid to the [illegible] of June of the year following the first payment and [illegible] each year thereafter until the [illegible] have been discharged.

[illegible] That nothing in this agreement shall be construed [illegible] of any benefits to which [illegible] agreement be in [illegible] accepted and ratified [illegible] the same is hereby accepted, ratified, and confirmed [illegible]

[illegible] Indian Affairs shall make [illegible] treaty of February 10, 1891, and of the act of February 8, 1887, as amended February 8, 1891.

SEC. 4. That the lands ceded to the United States under this agreement [illegible] reserved by the President as [illegible] the General Allotment Act, approved February 8, 1887, and the acts amendatory thereof and supplemental thereto, and [illegible] States [illegible] President which the Secretary of the Interior may prescribe [illegible] laws now or hereafter in force [illegible] lands [illegible] payments [illegible] in addition to the land covered by their respective allotments [illegible] payments [illegible] homestead entry [illegible] Provided, That the homestead entry [illegible] after having been entered [illegible] entry man a good honest [illegible] per acre [illegible] of [illegible] man fails to make such payments [illegible] region in addition to the land covered by their respective allotments [illegible] payments [illegible] homestead entry [illegible] settlement and entry [illegible] Provided, That the rights of [illegible] shall have been discharged.

SEC. 5. That it is understood that nothing in this agreement shall be construed [illegible] of any benefits to which [illegible] agreement be in [illegible] accepted and ratified [illegible] the same is hereby accepted, ratified, and confirmed as herein amended.

SEC. 6. That the lands ceded to the United States under this agreement [illegible] Affairs shall make [illegible] to be made as provided in the act of February 10, 1891, and of the act of February 8, 1887, as amended February 8, 1891.

SEC. 7. That the lands ceded to the United States under this agreement [illegible] reserved by the President as [illegible] the General Allotment Act, approved February 8, 1887, and the acts amendatory thereof and supplemental thereto, and [illegible] States [illegible] President which the Secretary of the Interior may prescribe [illegible] laws now or hereafter in force [illegible] lands [illegible] payments [illegible] in addition to the land covered by their respective allotments [illegible] payments [illegible] homestead entry [illegible] settlement and entry [illegible] Provided, That the rights of [illegible] shall have been discharged.

SEC. 8. That sections [illegible] of the lands herein ceded to the United States [illegible] shall be [illegible] for entry but shall be reserved for the use of the common schools and paid for by the United States at $2.25 per acre, and the same are hereby granted to the State of North Dakota for such purposes, and in case any of said sections or parts thereof of the land in the Devils Lake Indian Reservation or land within a contiguous boundary [illegible] tion are lost to said State of North Dakota by reason of [illegible] any Indian or Indians now holding the same, or other cause, the [illegible] of said State, with the approval of the Secretary of the Interior, is hereby authorized to select other lands not occupied in the townships wherein said lands are lost, provided sufficient lands are to be had in the said townships, otherwise the selections to be made elsewhere within the ceded tract, which shall be paid for by the United States as provided in article 2 of the treaty as herein amended, in quantity equal to the loss, and such selections shall be made prior to the opening of such lands to settlement.

SEC. 9. That the proceeds [illegible] of said lands [illegible] the United States and [illegible] ation only, as provided [illegible] out of any money in the [illegible]

[illegible] contained shall in any manner [illegible] of the land herein [illegible] and purchasers [illegible]

The [illegible] amendment, recommended by the Committee on Indian Affairs, was read.

[illegible] "park," strike out the words "more particularly the [illegible] Indians."

Mr. MARSHALL. Mr. Speaker, by this bill it is proposed to [illegible] and agreed to agreement with the Devils Lake [illegible] Reservation, which belongs to [illegible]

The [illegible] 640 acres, of which, when [illegible] acres will be taken by the [illegible] up for settlement.

The bill has been considered very carefully by the committee, and has been [illegible] unanimously from the committee, and has the approval of the Department. Furthermore, its provisions are similar to those of the Rosebud bill, which passed this House a few days ago, the [illegible] bill contained [illegible] as was embraced in the Rosebud bill.

I do not care to go into any detailed explanation of this matter, as I believe the House has a fairly good understanding of the provisions of the bill at this time, having just considered the other similar bill.

I reserve the balance of my time.

Mr. MONDELL and Mr. ROBINSON of Indiana rose.

The SPEAKER. Does the gentleman yield.

Mr. MARSHALL. I yield [illegible] from Wyoming.

Mr. MONDELL. Mr. Speaker, I am heartily in favor of this legislation, and believe that it is [illegible] that it is for the benefit of the people in the [illegible] and in the interest of the Indians. I wish, however, to propose an amendment, which I have sent to the Clerk's desk.

The SPEAKER. The Clerk will read it for information.

The Clerk read as follows:

[illegible] out the words "forfeited and held for cancellation" and insert the word [illegible]

Mr. MONDELL. I offer this amendment Mr. Speaker, because I think it makes the language of the [illegible] the bill clearer than it is at the present time. In offering this amendment I use the language that is used in the [illegible] land law in cases where [illegible] Indians [illegible] and this land [illegible] has been passed upon by the Department, and with regard to the meaning of which there can be no question. [illegible] canceled. I trust that the gentleman in charge of the bill will accept the amendment.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent that the amendment proposed by the gentleman from Wyoming be accepted. I believe it is a good amendment.

Mr. SMITH of Kentucky. Mr. Speaker, I was diverted at the time the gentleman was making his statement. Do I understand the gentleman from Wyoming to say that this amendment is similar to the language of other bills of a similar character heretofore passed?

Mr. MONDELL. It is the language used in the only bill we have passed [illegible] in which forfeits the entry and prior payments. It seemed to me that there was some question with regard to the language as used in the bill and that it would be wise to use the language that has been used in cases similar to this, and with regard to which there can be no question.

Mr. SMITH of Kentucky. If that is the purpose of the amendment, I am in favor of it.

Mr. MONDELL. The purpose of the amendment is to make the meaning clear.

The SPEAKER. The gentleman from North Dakota asks unanimous consent that the amendment submitted by the gentleman from Wyoming be agreed to. Is there objection?

Mr. UNDERWOOD. Mr. Speaker, when amendments can be voted on, I think it is an unusual course to ask the House to agree

to them by unanimous consent. The gentleman can offer his amendment to the bill. I have no desire to object to the amendment, but I [illegible] it is presented.

The SPEAKER. [illegible] The question is on agreeing to the amendment.

The [illegible] was agreed to.

Mr. ROBINSON of Indiana. Mr. Speaker, I desire to propound an [illegible]

Mr. MARSHALL. I yield to the gentleman from Indiana for a question.

Mr. ROBINSON of Indiana. It is with reference to the appropriation [illegible] for the Government to purchase [illegible] I believe that is the amount.

Mr. MARSHALL. Yes.

Mr. ROBINSON of Indiana. May I ask the gentleman what has been the course in cases similar to this heretofore with reference to the Government purchasing these lands, and at what [illegible] were sold to entrymen?

Mr. MARSHALL. I will say in answering the gentleman's question, that I am well understand that under the [illegible] by which North Dakota was admitted into the Union provision was made whereby sections 16 and 36 were donated by the United States to the State for school purposes. Further provision was made that in the case of Indian reservations [illegible] could be opened [illegible] reservations were opened.

Now, then, the gentleman asks what the usual procedure has been. I will say that in three instances that I have in my mind which occurred in South Dakota, which State has identically the same provision in her enabling act as North Dakota—in fact, they [illegible] and 36 were given to the State of South Dakota, and the remainder was opened to settlement under the homestead law. In the case of the Big Sioux the price was $1.25 an acre. In the case of the Yankton Reservation the same thing occurred, and the price was $3.75 an acre; and in the case of the Sioux Reservation the same thing happened, and the price was $1.25 per acre.

Mr. ROBINSON of Indiana. Now, in this case what would the entryman pay per acre for the land that he secured?

Mr. MARSHALL. In the case of the Big Sioux Reservation the entryman originally was to have paid $1.25 per acre for the first three years; after that 75 cents per acre, and after that 50 cents; and then the free homestead law was extended; so that in the end they did not pay at all.

Mr. ROBINSON of Indiana. The acts have provided different prices for payment by the entryman. Now, the Committee in this [illegible] required to be an [illegible]

Mr. MARSHALL. In the [illegible] not sell for any more money at least [illegible] sum greater than the [illegible] In the second place, it would be [illegible] who [illegible] to take these [illegible] and above the original price [illegible] to the Indians in order to [illegible]

Mr. ROBINSON. [illegible] United States is [illegible] that ex[illegible] Treasury is not [illegible] these lands.

Mr. MARSHALL. [illegible] money goes to the Indians. [illegible] lands and [illegible] took to collect the [illegible]

We have [illegible] United States does not [illegible] donates them to the States. In other words, the United States has gotten rid of seven-eighteenths of the obligation that has been incurred in bills prior to the time that the Rosebud bill came up here.

Mr. Speaker, I ask for the previous question on the bill and amendment to its passage.

The SPEAKER. The gentleman from South Dakota moves the previous question on the bill and amendment to its final passage.

The previous question was ordered.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. MARSHALL, a motion to reconsider the vote by which the bill was passed was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. [illegible]

To Mr. BROWNLOW, for long days, on account of important business.

CENSUS.

Mr. CRUMPACKER. Mr. Speaker, I offer the following privileged report from the Committee on the Census.

The SPEAKER. The gentleman from Indiana makes the following privileged report, which the Clerk will read.

The Clerk read as follows:

[illegible] That the Director of the Census [illegible] under the provisions [illegible]

[illegible] March 4, 1903, and [illegible] Provided, That [illegible] Director of the Census [illegible] Provided further, That [illegible] Provided further, That [illegible] Provided further, That

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to discharge the Committee of the Whole House from the consideration of the following bill, the title of which the Clerk will report, and that the same may be considered in the House.

The Clerk read as follows:

A bill (H. R. [illegible]) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land.

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, I do not understand the request by the Speaker. What is the request?

The SPEAKER. The request is to discharge the Committee of the Whole House on the state of the Union from the consideration of this bill and to consider it in the House as in Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will read the bill.

The Clerk read as follows:

[illegible]

The amendment recommended by the committee was read, as follows:

Strike out all after the word "fortifications," in line 15, page 2.

Mr. DALZELL. Mr. Speaker, reserving the right to object, I should like to ask the gentleman to make some explanation of this matter. What committee reports it?

Mr. TIRRELL. The Committee on Military Affairs reports it unanimously. Mr. Speaker, in the years 1891 and 1892, to add to the fortifications of Boston Harbor, the United States Government purchased a certain tract of land in the town of Winthrop, Mass., which is really a part of the city itself, although under a different municipal government, being located about a mile and a half from the State capital of Massachusetts. This land was purchased and the fortifications were erected. It became necessary, however, to also take a right of way which had been acquired in fee and by prescription by a large number of persons who owned land in the rear.

This right of way ran directly through the center of the land which had been taken, and there was no way, unless another right of way was laid out in the rear of this land, by which these owning property and having rights of way across it could have access from their land to the public highway. So in the adjustment of this matter it was agreed between the Government of the United States and those who had these rights of way that if they released the same to the Government of the United States as a consideration therefor there should be laid out in the rear of the land taken a right of way which should be perpetually given for the use of those who had been deprived of the right of way which they had previously acquired.

That right of way, 25 feet in width, is not necessary for fortification purposes, and is not used by the Government of the United States. It is fenced off now in accordance with the agreement then made; has been used by the people to whom it was intended to be given since that time; but there has been no act of the Government in pursuance of that agreement by which the people have any assurance as yet that they may not be deprived of it. This matter was thoroughly considered by our Government. There was a specific report made by the Assistant Secretary of War, in which he sets forth this agreement, and in which he recommends that this right of way shall be given.

Now, the only change made, and that is a change in opposition to the recommendation of the Secretary of War, is to strike out the appropriation, so that the Government will be put to no expense whatever for this tract of land ceded. It will be in accordance with the original agreement and an act of justice and equity, and on reading the report setting forth all the details specifically, to which I have only in a brief way adverted, there is not a gentleman in this House who would not be satisfied with this bill.

Mr. SMITH of Kentucky. When was this agreement made?

Mr. TIRRELL. In 1891 or 1892.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was considered, and agreed to.

The bill was ordered to be engrossed and read a third time; and it was read the third time, and passed.

On motion of Mr. TIRRELL, a motion to reconsider the last vote was laid on the table.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 1319. An act authorizing Robert A. Chapman, of Alabama, his associates and assigns, to use the waters of the Coosa River, in Alabama, for the purpose of generating electricity—to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 10421. An act to provide for the removal of snow and ice from the sidewalks of the District of Columbia, and for other purposes.

H. R. 8868. An act to amend section 895 of the Code of Law for the District of Columbia;

H. R. 8888. An act to transfer jurisdiction of reservation No. 82, in the city of Washington, D. C.; and

H. R. 4344. An act for the relief of Vincenzo Gerardi, of Washington, D. C.

TRANSCRIPT OF RECORDS TO INDIVIDUALS.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5511) to authorize registers and receivers of United States land offices to furnish transcripts of their records to individuals.

The Clerk read the bill, as follows:

Be it enacted, etc., That registers and receivers of United States land offices shall, in addition to the fees now allowed by law, be entitled to charge and receive for making transcripts of the records in their offices for individuals, the sum of [illegible] per hundred words for such transcripts, and for the transcripts thus prepared when duly certified by them [illegible] as evidence in the courts of the United States and the Territories thereof with the same force and effect as the original records.

The following amendment, recommended by the committee, was read:

In line 10, after the word "thereof," insert the following: "and before all officials authorized to receive evidence."

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, reserving the right to object, I would like to have some explanation of this measure.

Mr. MARTIN. Mr. Speaker, under the law at the present time the Commissioner of the General Land Office has full authority to make certified copies of the records in the General Land Office, but there is no law authorizing registers and receivers of the local land offices in the various districts throughout the country to make like transcripts and certifications of the official records in their offices. A great many official records in the local land offices never reach the General Land Office, and many of them are important affecting the title of real estate throughout the country.

At present the only way of getting the official records from those offices is to induce the register voluntarily to take certain books of record to the court that may be in session. Sometimes it is a hundred miles distant in a different judicial district. This measure has been suggested by people familiar with the practice, and the necessity for it has often arisen throughout the various land districts. It is a bill prepared in the Department and was introduced by me after conference with the Commissioner of the General Land Office. I can see no possible objection to it. The purpose is plain, and it is to meet a real necessity.

Mr. SMITH of Kentucky. I would like to ask the gentleman what committee considered the bill.

Mr. MARTIN. The Committee on Public Lands.

Mr. SMITH of Kentucky. Was it a unanimous report?

Mr. MARTIN. A unanimous report.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The amendment was considered and agreed to.

The bill as amended was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. MARTIN, a motion to reconsider the last vote was laid on the table.

ADJOURNMENT.

Mr. GROSVENOR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Commissioner of Internal Revenue submitting an estimate of appropriation for settlement of claims of certain employees of the Government—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, submitting, with a favorable recommendation, an estimate of appropriation for the construction of a customs office building at Port Eads, La.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Acting Secretary of State, transmitting a memorial of the Wales Island Packing Company praying for relief from damage resulting from the establishment of the Alaskan boundary line—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DAVIS of Minnesota, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 5067) to prevent the fraudulent sale of merchandise, reported the same with amendment, accompanied by a report (No. 738); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. LOUDENSLAGER, from the the Committee on Pensions, to which was referred the bill of the Senate (S. 1451) granting an increase of pension to Eleanor H. Hord, reported the same without amendment, accompanied by a report (No. 706); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899, reported the same without amendment, accompanied by a report (No. 707); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2217) granting an increase of pension to Henry C. Riggs, reported the same without amendment, accompanied by a report (No. 708); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2965) granting an increase of pension to John Herzinger, reported the same without amendment, accompanied by a report (No. 709); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 70) granting an increase of pension to John G. Brown, reported the same without amendment, accompanied by a report (No. 710); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2596) granting a pension to Frances S. Hopkins, reported the same with amendment, accompanied by a report (No. 711); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1597) granting a pension to Rosa D. Mayhew, reported the same without amendment, accompanied by a report (No. 712); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2769) granting an increase of pension to William E. Armstrong reported the same with amendment, accompanied by a report (No. 713); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8237) granting a pension to Lucius E. Polk, reported the same with amendment, accompanied by a report (No. 714); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5382) granting an increase of pension to Levi Vassar, reported the same without amendment, accompanied by a report (No. 715); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5045) granting an increase of pension to Albert S. Elmore, reported the same with amendment, accompanied by a report (No. 716); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9398) granting a pension to John Lindsey, reported the same without amendment, accompanied by a report (No. 717); which said bill and report were referred to the Private Calendar.

Mr. AMES, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10967) granting a pension to Marceline P. Hamilton, reported the same without amendment, accompanied by a report (No. 718); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11052) granting an increase of pension to Mary Eaton Livingston, reported the same with amendment, accompanied by a report (No. 719); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9739) granting a pension to Lizzie M. Worster, reported the same with amendment, accompanied by a report (No. 720); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8984) granting an increase of pension to John I. Rundeberg, reported the same with amendment, accompanied by a report (No. 721); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8924) granting a pension to Georgia A. Whitehead, reported the same with amendment, accompanied by a report (No. 722); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10378) for the relief of Sarah J. Shell, reported the same with amendment, accompanied by a report (No. 723); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4589) granting a pension to H. H. Barrett, reported the same with amendment, accompanied by a report (No. 724); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims to which was referred the bill of the House (H. R. 1497) authorizing the Secretary of the Treasury to defray the expenses of contestant in the contest entitled "Koonce against Grady," reported the same without amendment, accompanied by a report (No. 725); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 6590) granting an increase of pension to Harriet L. Potter—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8001) granting a pension to Timothy Fox—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11612) granting an increase of pension to G. H. Abney—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. JENKINS: A bill (H. R. 11815) to limit the time within which prosecutions may be instituted against officers, agents, or employees of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 11816) to amend section 1044 of the Revised Statutes of the United States—to the Committee on the Judiciary.

Also, a bill (H. R. 11817) providing for the appointment of a Solicitor for the Post-Office Department and abolishing the office of Assistant Attorney-General for the Post-Office Department—to the Committee on the Judiciary.

By Mr. HEPBURN: A bill (H. R. 11818) to promote the efficiency of the Revenue-Cutter Service—to the Committee on Interstate and Foreign Commerce.

By Mr. WADSWORTH: A bill (H. R. 11819) requiring certain places of business in the District of Columbia to be closed on Sunday—to the Committee on the District of Columbia.

By Mr. HITCHCOCK: A bill (H. R. 11820) to provide for macadamizing Fort Crook military boulevard from Fort Crook, Nebr., to the city limits of South Omaha, Nebr., and appropriating money therefor—to the Committee on Military Affairs.

By Mr. HUMPHREY of Washington: A bill (H. R. 11821) for the establishing of military and postal roads in the district of Alaska—to the Committee on Military Affairs.

By Mr. SOUTHARD: A bill (H. R. 11822) providing for leave of absence to certain employees of the Government—to the Committee on Naval Affairs.

By Mr. SAMUEL W. SMITH: A bill (H. R. 11823) to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures—to the Committee on the Census.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 11824) to amend the internal-revenue laws so as to provide for publicity of its records—to the Committee on Ways and Means.

By Mr. WADSWORTH, from the Committee on Agriculture: A bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905—to the Union Calendar.

By Mr. MARTIN: A resolution (H. Res. 203) requesting the Secretary of Commerce and Labor to investigate the causes of the low prices of beef cattle in the United States since July 1, 1903—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Wisconsin: A bill (H. R. 11826) granting an increase of pension to Joseph Dean—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11827) granting an increase of pension to Daniel Smith—to the Committee on Invalid Pensions.

By Mr. BEDE: A bill (H. R. 11828) granting a pension to Mary E. Witten—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11829) granting an increase of pension to Milton H. Waynes—to the Committee on Invalid Pensions.

By Mr. BOWERS: A bill (H. R. 11830) granting an increase of pension to Henry Hatch—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 11831) granting a pension to Samuel Weiler—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 11832) for the relief of Fred Simpson—to the Committee on Claims.

By Mr. DANIELS: A bill (H. R. 11833) granting a pension to Jennie Lakeman Johnston—to the Committee on Invalid Pensions.

By Mr. DARRAGH: A bill (H. R. 11834) granting an increase of pension to Ephraim A. Hard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11835) granting an increase of pension to Charles B. Williams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11836) granting an increase of pension to Comfort M. Slawson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11837) granting an increase of pension to William A. De Hart—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 11838) granting an increase of pension to William H. Mann—to the Committee on Pensions.

By Mr. DOVENER: A bill (H. R. 11839) granting an increase of pension to Sarah J. Pugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11840) granting a pension to Isaac Brock—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 11841) referring to the Court of Claims for adjudication and determination the claims of the widow and family of Marcus P. Norton and the heirs at law of others—to the Committee on Claims.

By Mr. FLACK: A bill (H. R. 11842) granting an increase of pension to Robert Taylor—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 11843) granting an increase of pension to William Hall—to the Committee on Invalid Pensions.

By Mr. GILLETT of California: A bill (H. R. 11844) granting an increase of pension to W. A. Custer—to the Committee on Invalid Pensions.

By Mr. GRAFF: A bill (H. R. 11845) granting an increase of pension to David C. McVicker—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11846) granting an increase of pension to David Kinsey—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 11847) granting an increase of pension to James B. Croly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11848) granting an increase of pension to Hanley B. Closson—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 11849) for the relief of Perry A. Kinkin—to the Committee on Military Affairs.

By Mr. HUGHES of West Virginia: A bill (H. R. 11850) for the relief of Thomas McCallister—to the Committee on War Claims.

By Mr. KEHOE: A bill (H. R. 11851) granting an increase of pension to James McCue—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11852) granting a pension to M. B. Thompson—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 11853) granting an increase of pension to Henry C. Keyser—to the Committee on Pensions.

By Mr. LOVERING: A bill (H. R. 11854) granting a pension to Georgiana M. Trow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11855) granting an increase of pension to John Cross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11856) granting an increase of pension to Nahum A. Gurney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11857) granting an increase of pension to John J. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11858) granting an increase of pension to Henry Arey—to the Committee on Pensions.

Also, a bill (H. R. 11859) granting an increase of pension to Deborah H. Bliss—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 11860) granting a pension to Ely L. Jones—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11861) granting a pension to Emeline S. Gosline Havner—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 11862) granting a pension to James E. Howard—to the Committee on Pensions.

Also, a bill (H. R. 11863) for the relief of John Thomas Power—to the Committee on Naval Affairs.

By Mr. PEARRE: A bill (H. R. 11864) granting an increase of pension to William A. Stone—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 11865) for the relief of H. S. Stevens—to the Committee on War Claims.

By Mr. PORTER: A bill (H. R. 11866) removing the charge of desertion against the name of Cereah Schnepf—to the Committee on Military Affairs.

Also, a bill (H. R. 11867) granting a pension to Josephine Herbert—to the Committee on Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 11868) granting an increase of pension to Joseph S. Shepmoes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11869) granting a pension to Lawrence Maguire—to the Committee on Pensions.

By Mr. RYAN: A bill (H. R. 11870) to correct the military record of Isaac Wilson—to the Committee on Military Affairs.

By Mr. SHERMAN: A bill (H. R. 11871) for the relief of Isaac A. Hopper & Son—to the Committee on Claims.

By Mr. SHULL: A bill (H. R. 11872) granting a pension to Howard S. Gardner—to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 11873) for the relief of estate of William Williams—to the Committee on War Claims.

By Mr. SPALDING: A bill (H. R. 11874) for the relief of Arthur W. Kelley, of Jamestown, N. Dak.—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 11875) for the relief of John L. Hadley—to the Committee on Military Affairs.

By Mr. VREELAND: A bill (H. R. 11876) granting an increase of pension to George W. Barber—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 11877) granting an increase of pension to Minnie C. Wilkins—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Vicksburg Cotton Exchange, relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS of Pennsylvania: Resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS of Wisconsin: Papers to accompany bill H. R. 10172, granting a pension to Catharine A. Leonard—to the Committee on Invalid Pensions.

Also, resolutions of Frank H. Potter Post, No. 229, of Cambridge; George H. Irwin Post, No. 25, of Lodi; O. D. Pease Post, No. 94, of Watertown; Badgers Post, No. 122, of Friendship; John H. Williams Post, No. 4, of Berlin; W. J. Kershaw Post, No. 188, of Reedsville; Rousseau Post, No. 14, of Portage, and Harry Randall Post No. 202, of Dartford, all in the State of Wisconsin, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: Petition of A. B. Beach and others, of Buffalo, N. Y., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of New York Board of Trade and Transportation, relative to harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, resolution of the Buffalo Lumber Exchange, of Buffalo, N. Y., relative to increasing powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of Old German Society of Buffalo, N. Y., in opposition to the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Church of the Covenant, of Buffalo, N. Y., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of Glenwood Baptist Church, Jefferson Street Church of Christ, United Brethren Church, and Church of the Covenant, all of Buffalo, N. Y., in favor of the Gallinger-Humphreys bill—to the Committee on Ways and Means.

Also, petitions of Church of the Covenant, United Brethren Church, Jefferson Street Church of Christ, and Glenwood Baptist Church, all of Buffalo, N. Y., in favor of Penrose bill to prevent use of mails by turf investment, etc.—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Jefferson Street Church of Christ, Glenwood Baptist Church, United Brethren Church, and Church of the Covenant, all of Buffalo, N. Y., against sale of liquor in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Jefferson Street Church of Christ, of Buffalo, N. Y., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of Collins Center Club, Collins Center, N. Y., in favor of the Latimer good-roads bill—to the Committee on Agriculture.

Also, petitions of Baptist Preachers' Meeting and of the Methodist Preachers' Meeting, both of Buffalo, N. Y., relative to the closing of the Lewis and Clark Exposition on Sunday—to the Select Committee on Industrial Arts and Expositions.

Also, resolution of William Weeks Lodge, No. 7, Brotherhood of Railroad Trainmen, of Buffalo, N. Y., favoring bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, resolution of Cigar Makers' Union, No. 2, of Buffalo, N. Y., in favor of bill H. R. 6—to the Committee on Ways and Means.

Also, resolution of Manufacturers' Association of New York, relative to improvement of harbor channels of Brooklyn water front—to the Committee on Rivers and Harbors.

Also, resolution of Lake Seamen's Union, Buffalo, N. Y., in opposition to bill S. 2463—to the Committee on Interstate and Foreign Commerce.

Also, resolution of New York Produce Exchange, relative to improving Harlem (Bronx) Kills—to the Committee on Rivers and Harbors.

Also, resolution of New York Produce Exchange, relative to inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, petitions of United Brethren Church, of Glenwood Baptist Church, of Linus Seely and 16 others, of physicians and professional men, and of W. H. Scrafter and 18 others, all of Buffalo, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BEDE: Papers to accompany bill to pension Mary E. Whitten—to the Committee on Invalid Pensions.

Also, paper to accompany bill to increase pension of Milton H. Waynes—to the Committee on Invalid Pensions.

By Mr. BURNETT: Papers to accompany claim of George McKelvey—to the Committee on War Claims.

By Mr. CALDWELL: Letter from Bishop George F. Seymour, of Springfield, Ill., relative to the publication of postal rates on matters relating to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Bunker Hill, Ill., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. DARRAGH: Papers to accompany bill H. R. 9724, granting an increase of pension to William O. Lee—to the Committee on Invalid Pensions.

By Mr. DAYTON: Petition of J. H. Berry and 14 others, of Keyser, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DOUGLAS: Petition of Theodore L. De Vinne and others, of New York, against an anti-injunction bill—to the Committee on the Judiciary.

Also, petition of Theodore L. De Vinne and others, of New York, against an eight-hour law—to the Committee on Labor.

By Mr. DOVENER (by request): Petition of C. B. Sewright and 32 others, of Amos, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also (by request), petition of T. B. Cox and 28 others, of Sherrard, W. Va., in favor of the Brownlow bill—to the Committee on Agriculture.

Also, papers to accompany bill to pension Sarah J. Pugh—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of John Flynn Post, No. 77, Grand Army of the Republic, of La Crosse, Wis., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

By Mr. FULLER: Papers to accompany bill for the relief of Moses M. Longley—to the Committee on Military Affairs.

By Mr. GAINES of West Virginia: Petition of A. J. Carper and 39 others, of Grand View, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of William T. Lawrey and 41 others of Springdale, W. Va., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. GOLDFOGLE: Resolutions of the senate of the State of New York, favoring the passage of the bill for the improvement of public roads—to the Committee on Agriculture.

By Mr. HAMLIN: Papers to accompany bill granting pension to David Kinsey—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Petition of citizens of Seymour, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JOHNSON: Papers to accompany bill H. R. 11701, for the relief of John R. Swisher—to the Committee on War Claims.

Also, papers to accompany bill H. R. 11702, for the relief of James Y. Pitts—to the Committee on War Claims.

Also, papers to accompany bill H. R. 11703, for the relief of Richard Henderson—to the Committee on War Claims.

Also, papers to accompany bill H. R. 11704, for the relief of Farley C. Sims—to the Committee on War Claims.

Also, papers to accompany bill H. R. 11705, for relief of A. Y. Thompson—to the Committee on War Claims.

Also, papers to accompany bill H. R. 11706, for the relief of Capt. Charles A. Parkison—to the Committee on War Claims.

By Mr. KLINE: Resolution of New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. LOVELAND: Petition of the Oklahoma Commercial Club, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of Rev. R. L. Adams, of Indianola, Iowa, and Rev. W. A. Longnecker, Deep River, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES B. LANDIS: Papers to accompany House bill for the relief of William H. W. Krebs—to the Committee on Military Affairs.

By Mr. LINDSAY: Resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York State assembly, in favor of the enactment of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York State senate, in favor of the enactment of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. LLOYD: Petition of Dr. S. Kennerly and 18 others, and Thomas J. Stephenson and 14 others, of Hannibal, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of Reuben Woodman and 23 others, and I. F. Conover and 50 others, of Woodstown, N. J., and vicinity, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MORRELL: Resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Board of Trade and Transportation, relative to the harbor of refuge, Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

By Mr. PORTER: Resolution of New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, resolution of the National Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 11791, for the relief of Reuben N. Spohn—to the Committee on Claims.

By Mr. PEARRE: Papers to accompany claim of J. Henry Cramer—to the Committee on War Claims.

By Mr. ROBINSON of Arkansas: Petition of 90 citizens of Stuttgart, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Petition of D. T. Miller, of Topeka, Ind., in opposition to a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolutions of New York State senate, favoring the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolutions of the New York legislature, and petition of Thomas B. Quinn, Andrew Beasley, and 13 other citizens and business men of Buffalo, N. Y., in favor of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: Papers to accompany bill H. R. 11423, to pension Evelyn S. Beardslee—to the Committee on Pensions.

By Mr. SHIRAS: Resolution of Colonel J. B. Clark Post, No. 162, Grand Army of the Republic, of Allegheny, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SHOBER: Papers to accompany bill for the relief of Isaac A. Hepner & Son—to the Committee on Claims.

By Mr. SMITH of Illinois: Petition of retail merchants of Murphysboro, Ill., protesting against the enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of business men of the West, against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WM. ALDEN SMITH: Resolution of M. W. Dresser Post, No. 100, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SNOOK: Resolution of the Eighteenth Annual Reunion of Licking County, Ohio, favoring the admission to Soldiers' Homes of the wives of soldiers living therein—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: Petition of business men of Bridgeport, Tex., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of W. McDonald and 31 others, of Canadian, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Mount Pleasant Cumberland Presbyterian Church and Sunday School, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Resolutions of the New York senate, in favor of House bill 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Board of Trade, for extension of national navigation laws to Philippine commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the New York senate, in favor of Federal aid in road building—to the Committee on Agriculture.

By Mr. SULLOWAY: Petitions of the Free Baptist Church, of 250 members, of Dover, N. H., and Summer C. Harne and 8 others, of Somersworth, N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULZER: Resolutions of wholesale dry-goods dealers, in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the National Board of Trade, favoring extension of national navigation laws to Philippine commerce—to the Committee on Interstate and Foreign Commerce.

Also, protest of the New York Kerosene Oil Engine Company, against bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the New York Board of Trade and Transportation, relative to destroying derelicts on the Atlantic Ocean—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of New York legislature, favoring the passage of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of New York State senate, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. THAYER: Petition of M. R. Burrage, Abner Pond, W. A. Wood, and 29 others, of Spencer, Mass., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of H. H. Legge Post, No. 25, Grand Army of the Republic, of Uxbridge, Mass., and of Union Veteran's Union, Department of Massachusetts, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolution of A. B. R. Sprague Post, No. 24, Grand Army of the Republic, of Grafton, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of Rev. O. P. Schleichen and 33 others, of Erie, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WADSWORTH: Petition of the Methodist Episcopal Church and Sunday School of North Ridge and Dickersonville, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WALLACE: Petition of A. J. Anderson and 46 others, of Hope, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Magnolia, Ark., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of business men of the West, against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNOCK: Resolution of Livingston Post, No. 425, Grand Army of the Republic, Department of Ohio, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WYNN: Petition of the Second Presbyterian Church of San Jose, Cal., in favor of the Lewis and Clark exposition—to the Select Committee on Industrial Arts and Expositions.

SENATE.

FRIDAY, *February 5, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. DOLLIVER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

SCHOONER VARIETY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Variety*, Micah Dyer, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 1909) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land;

A bill (H. R. 3578) to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington

County, to a point in Rostraver Township, Westmoreland County;

A bill (H. R. 5511) to authorize registers and receivers of the United States land offices to furnish transcripts of their records to individuals;

A bill (H. R. 9319) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.;

A bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect; and

A bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Maennerchor of Oklahoma, Okla.; of the German Singing Society of Cumberland, R. I.; of the German Fraeundschaftsbund, of Charleston, S. C.; of Hohenzoller Lodge, No. 652, of Barre, Vt.; of the Turn Verein of Wheeling, W. Va.; of the Concordia Society, of New Britain, Conn.; of Allemania Lodge, No. 13, of Denver, Colo.; of the Eintracht Verein, of Sacramento, Cal.; of the Turn Verein of Manning, and of the German Sick Society of Stockton, in the State of Iowa; of the Thusneld Rebekah Lodge, No. 43, of Chicago; of the German Benevolent Society of Ottawa, and of the Dramatic Society of Peoria, all in the State of Illinois; of the Rheinpfalzer Benevolent Society, of Louisville, Ky.; of the Schwabien Benefit Society, of Detroit, and of the Schwabien Verein of Jackson, in the State of Michigan; of the German Veteran Society of St. Paul; of the St. Joseph's Benevolent Society, of Stillwater, of the Badischer Unterstützungs Verein, of St. Paul; of the Turn Verein of St. Paul; of Concordia Lodge, No. 5, of St. Paul, and of Garfield Lodge, No. 22, of South Stillwater, all in the State of Minnesota; of Germania Lodge, No. 7, of St. Louis; of the Carondelet Germania Turn Verein, of Louis, and of the Schwaebischer Saengerbund, of St. Louis, all in the State of Missouri; of the Harmonia Singing Club, of Boston, Mass.; of the Osteholzer Turn Verein, of New York City; of the Stoteler Club, of Brooklyn, and of the Eintracht Singing Society, of Albany, all in the State of New York; of Harmonie Lodge, No. 13, of Cleveland; of the Logan Unterstützungs Verein, of Cincinnati; of the Rheinpfalzer Turn Verein, of Cincinnati; of the German Benevolent Society of Toledo; of the Deutscher Brueder Unterstützungs Turn Verein No. 1, of Cincinnati, and of the Deutscher Saengerbund, of Cleveland, all in the State of Ohio; of the Liederkranz of Pottsville; of the Unterstützung Verein of Philadelphia; of the German Maennerchor of Portage, and of the German Workingmen's Mutual Benefit Association, of Braddock, all in the State of Pennsylvania; of Progress Lodge, No. 99, of Milwaukee; of Schiller Lodge, No. 68, of Sheboygan; of Robert Blum Lodge, No. 4, of Milwaukee, and of the Eichenkranz Singing Society, of Milwaukee, all in the State of Wisconsin; of the National Society of Elizabeth; of the Aurora Singing Society, of New Brunswick; of the Wurttemberger Beneficial Association, of Trenton; of the Germania Bakers' Singing Society, of Paterson; of the Chambersburg Liederkranz Singing Society, of Trenton; of the Independent Schuetzen Corps, of Hoboken; of the Turn Verein of Paterson; of the Unterstützung Verein of Paterson, and of the Schuetzen Corps of Hoboken, all in the State of New Jersey, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PLATT of New York. I present a memorial of the legislature of New York, relative to an appropriation for the improvement of the highways of the country. I ask that the memorial be printed in the RECORD, and referred to the Committee on Agriculture and Forestry.

There being no objection, the memorial was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, *in Senate:*

ALBANY, *January 25, 1904.*

Whereas Hon. W. P. BROWNLOW, a Representative in Congress from Tennessee, has introduced in the House of Representatives a bill providing for an appropriation by the Federal Government of $60,000,000, to be distributed among the States of the Union according to their population for Federal expenditure in road building; and

Whereas should such a bill become a law, the State of New York will receive as its share $6,000,000; and

Whereas there is great need for improving the highways of this State:

Therefore, be it resolved, That the senate of the State of New York, believing in the principle of national, state, county, and town cooperation in the construction of much-needed waterways, harbors for the benefit of the agricultural and for the benefit of the consumers of our agricultural products, and also believing in the great proposition that there should be a system of public improvements for the purpose of improving the internal wealth and commerce of the nation, is of equal importance to the spending of money on rivers and harbors, heartily endorse the provisions of the Brownlow bill and desire its passage; and

Further be it resolved, That we ask our Senators and Representatives in Congress to use all honorable efforts in passing this bill in order to secure for the State of New York the benefits of national aid in road construction; and

Be it further resolved, That a copy of this resolution be sent to Hon. JAMES W. WADSWORTH, Chairman of the Agricultural Committee, and each of the Senators and Congressmen from this State.

By order of the senate.

J. S. WHIPPLE, *Clerk.*

Mr. PLATT of New York. I present a memorial of the legislature of New York relative to the enactment of legislation to promote the efficiency of the Life-Saving Service. I ask that the memorial be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the memorial was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

STATE OF NEW YORK, *in Senate:*

ALBANY, *January 27, 1904.*

Whereas a bill has been introduced in the House of Representatives of the Fifty-eighth Congress of the United States, No. 827, entitled "A bill to promote the efficiency of the Life-Saving Service," which bill is designed to make provision for those connected with this important branch of the government service, which service is constantly attended with peril, hardship, and self-sacrifice in devotion to the protection of life and commerce, numerous instances of heroic service to the cause of humanity being matters of daily record; and

Whereas, owing to lack of legislation making provision for those who may be incapacitated, owing to incidents of the service, accident, exposure, or years of service, no provision is now made for the protection of those whose duties are attended with great hazard to life and health. Therefore, be it

Resolved, If the assembly concur, that the Representatives in Congress from the State of New York be and hereby are requested to use their efforts in promoting the progress of said bill, or some measure which, in their judgment, may do more justice to the class of men designed to be benefited, and assist in its enactment into law, and that copies of these resolutions be transmitted to the Senators and Congressmen from the State of New York and to the Committee on Inter-State and Foreign Commerce, to which committee the bill has been referred.

By order of the senate.

J. S. WHIPPLE, *Clerk.*

Concurred in by order of the assembly.

A. E. BAXTER, *Clerk.*

Mr. FAIRBANKS presented a memorial of the Sparks Department Store, of Summitville, Ind., and the memorial of A. W. Eiler & Bros. and sundry other citizens of Evansville, Ind., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Christian Endeavor Society of the Presbyterian Church of Rockville, of the congregation of the United Presbyterian Church of Leroy, and of Mrs. Rosa B. Gebhart and sundry other citizens of Indiana, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Supreme Tribe of Ben Hur, of Crawfordsville, Ind., praying for the passage of the so-called post-check currency bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Joseph R. Gordon Post, No. 281, Department of Indiana, Grand Army of the Republic, of Indianapolis, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of D. B. Bowers, of Nails; of La Due & Carmer, of Auburn, and of John W. Neumann & Co., of Indianapolis, all in the State of Indiana, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the congregation of the Methodist Episcopal Church of Fortville, Ind., and the petition of W. C. Cartwright, of Portland, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. MILLARD presented a petition of the Woman's Christian Temperance Union of Aurora, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Navy League of the United States of San Francisco, Cal., praying for the enactment of legislation providing a homogeneous fleet of war vessels of all needed classes and of the most modern approved type; which was referred to the Committee on Naval Affairs.

He also presented a petition of sundry citizens of Ontario, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DRYDEN presented petitions of sundry citizens of Clinton, of the Woman's Christian Temperance Union of Boonton, of the congregation of the Reformed Church of Boonton, of the congregation of the Methodist Episcopal Church of Boonton, and of the

congregation of the Presbyterian Church of Boonton, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DOLLIVER presented a memorial of sundry citizens of Ottumawa, Iowa, remonstrating against the ratification of the Isle of Pines treaty; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Commercial Club of Oskaloosa, Iowa, remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Askley, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of A. C. Taylor Post, No. 165, Department of Iowa, Grand Army of the Republic, of Algona, Iowa, and a petition of Scriver Post, No. 177, Department of Iowa, Grand Army of the Republic, of Bentonsport, Iowa, praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

Mr. CULLOM presented a memorial of sundry citizens of Joliet, Ill., remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Old Veteran McKinley Club, of Chicago, Ill., praying for the enactment of legislation granting a pension of $75 per month to all veterans of the war of the rebellion upon whom Congress has bestowed a medal of honor; which was referred to the Committee on Pensions.

He also presented a petition of J. M. Smith Post, No. 720, Department of Illinois, Grand Army of the Republic, of Mount Morris, Ill., and a petition of T. A. Apperson Post, No. 202, Department of Illinois, Grand Army of the Republic, of Neoga, Ill., praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

He also presented sundry petitions of the Retail Merchants' Association, of Moline, Ill., praying for the enactment of legislation to regulate the manufacture and sale of food products; which were referred to the Committee on Manufactures.

He also presented a petition of W. M. Hobbs Lodge, No. 4, Brotherhood of Railroad Trainmen, of Chicago, Ill., and a petition of Decatur Lodge, No. 444, Brotherhood of Railroad Trainmen, of Decatur, Ill., praying for the passage of the so-called anti-injunction bill and also the employers' liability bill; which were referred to the Committee on the Judiciary.

Mr. TELLER presented petitions of Butler Post, No. 91, of Pueblo; of Joe Hooker Post, No. 16, of Monte Vista, of Post No. 6; of Post No. 31; of Post No. 109; of Washington Post, No. 85, and of Post No. 18, all of the Department of Colorado and Wyoming, Grand Army of the Republic, in the State of Colorado, praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Pueblo Parliamentary Club, of Pueblo, of sundry citizens of Longmont, and of the Woman's Christian Temperance Union of Platteville, all in the State of Colorado, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 2849) granting an increase of pension to Mark R. Jones; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 4126) granting an increase of pension and back pay to P. Q. Healey, alias John Quinn; which were referred to the Committee on Pensions.

Mr. ELKINS presented a petition of the Mothers' Club of Fairmont, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Laurel Hill Post, No. 10, Department of West Virginia, Grand Army of the Republic, of West Virginia, and a petition of Hazen Post, No. 66, Department of West Virginia, Grand Army of the Republic, of West Virginia, praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Board of Trade of Cairo, Ill.; of the Chamber of Commerce of Spokane, Wash.; of the Pasteurized Good Roads Association, of Marquette County, Wis., and of the Cotton Exchange of Savannah, Ga., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Everett, Wash., praying that an appropriation be made for the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of sundry citzens of Custer, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HOAR presented a petition of the Druggists' Association of Boston, Mass., praying for the enactment of legislation providing for the ratification of a permanent treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented petitions of Charles D. Sanford Post, No. 79, of North Adams; of General Wadsworth Post, No. 63, of Natick; of Reynolds Post, No. 58, of Weymouth; of General J. G. Foster Post, No. 163, of South Framingham; of William H. Smart Post, No. 30, of Cambridge; of George A. Austin Post, No. 70, of Millbury; of Parker Post, No. 123, of Athol; of John A. Hawes Post, No. 159, of East Boston; of Major-General H. G. Berry Post, No. 40, of Malden; of Phil H. Sheridan Post, No. 34, of Salem; of Charles C. Smith Post, No. 183, of South Hadley Falls; of A. C. Monroe Post, No. 212, of East Bridgewater; of Colonel C. R. Mudge Post, No. 114, of Merrimac; of E. B. Piper Post, No. 157, of Walpole; of Fletcher Webster Post, No. 13, of Brockton; of George W. Perry Post, No. 31, of Scituate; of Major Howe Post, No. 47, of Haverhill; of George E. Sayles Post, No. 126, of Adams, and of Ozro Miller Post, No. 93, of Shelburne Falls, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. NELSON presented a petition of the Board of Trade of St. Paul, Minn., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Men's Club of the First Methodist Episcopal Church of St. Paul, Minn., praying for the enactment of legislation to prevent nullification of State liquor laws and no-license ordinances by so-called "original package" and other "interstate commerce" tricks; which was referred to the Committee on the Judiciary.

Mr. PLATT of Connecticut presented a petition of sundry citizens of Thompsonville, Conn., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

Mr. BEVERIDGE presented a memorial of sundry citizens of Vincennes, Ind., remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Cigar Makers' Local Union, No. 89, American Federation of Labor, of Vincennes, Ind., praying for the enactment of legislation to amend section 3394 of the Revised Statutes of the United States, relating to tobacco; which was referred to the Committee on Finance.

Mr. GAMBLE presented a petition of the South Dakota Anti-Saloon League, of Mitchell, S. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of Rev. George H. Reed, of Concord, of the congregation of the Curtis Memorial Free Baptist Church, of Concord, of the congregation of the Congregational Church of Winchester, and of the congregation of the Universalist Church of Concord, all in the State of New Hampshire, and of Noyes Brothers & Butler, of St. Paul, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the petition of Henry Barden, chaplain, Grand Army of the Republic, of Portland, Oreg., praying for the enactment of a service pension law; which was referred to the Committee on Pensions.

DELAWARE INDIAN LANDS.

Mr. PENROSE. I present for my colleague [Mr. QUAY] the memorial of Richard C. Adams, representing the Delaware Indians, concerning the Dawes Commission and its action in connection with the making of the Delaware segregation, etc. I move that the memorial be printed as a document in connection with Senate Document No. 38, Fifty-eighth Congress, second session, and that it be referred to the Committee on Indian Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. 3138) to restore to the public domain a portion of the Gila River Indian Reservation, in the Territory of Arizona, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. PENROSE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 665) for the relief of John F. Finney, reported it without amendment, and submitted a report thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to whom was referred the amendment submitted by himself on the 13th instant, authorizing the Chippewa Indians in the State of Minnesota to dispose of the timber on their respective allotments, reported it with an amendment, submitted a report thereon, and moved that it be referred to the Committee on Indian Affairs and printed; which was agreed to.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 4100) to acquire certain ground for a Government reservation, asked to be discharged from its further consideration, and that it be referred to the Committee on the District of Columbia; which was agreed to.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom was referred the bill (S. 3556) relating to proofs under the homestead laws, and to confirm such proofs in certain cases when made outside of the land district within which the land is situated, reported it with amendments, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. 3204) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER. I am directed by the Committee on the District of Columbia, to whom was referred the bill (H. R. 7024) to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes, to report it without amendment, and to submit a report thereon.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. GALLINGER. I move that the bill (S. 2136) authorizing the Commissioners of the District of Columbia to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes, being Order of Business No. 190 on the Calendar, be indefinitely postponed, and that the House bill just reported by me be given its place on the Calendar.

The motion was agreed to.

FORT GRISWOLD, CONN.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3880) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of War to deliver, if the same can be done without detriment to the Government, to the commissioners appointed by the governor of the State of Connecticut for the care and preservation of the Fort Griswold tract for the purpose of a public park, as provided for in the act of Congress approved June 6, 1902 (vol. 32, pt. 1, Stat. L., p. 396), four barnette carriages for 8-inch Rodman gun, front pintle, and one barbette carriage for 24-pounder rifle, front pintle.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

POST-OFFICE DEPARTMENT INVESTIGATION.

Mr. MITCHELL, from the Committee on Post-Offices and Post-Roads, to whom was referred the resolution submitted by Mr. GORMAN December 19, 1903, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Postmaster General be and he is hereby instructed to send to the Senate the report upon the investigation of the inspection in the Post-Office Department by Assistant Postmaster General Bristow, together with the report of Messrs. Holmes, Cotton and Charles J. Bonaparte, appointed for the purpose of investigating the charges made by S. W. Tulloch, formerly auditor of the Wyoming Territory post office.

VISIT OF PORTO RICAN TEACHERS.

Mr. FORAKER. I am directed by the Committee on Pacific Islands and Porto Rico to report back favorably without amendment the joint resolution (H. J. Res. 79) for the transportation of Porto Rican teachers to the United States and return, and I ask that it may be read and now considered.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It authorizes the Secretary of War during the year 1904, at such time as requested by the governor of the island of Porto Rico, to transport from the island of Porto Rico to the United States and to return from the United States to Porto Rico, on one of the vessels engaged in the transport service of the United States, not to exceed 600 of the Porto Rican teachers in the public schools of that island, and in addition thereto not to exceed 25 necessary attendants, such teachers and attendants to be selected by the commissioner of education of the island, for the purpose of attending the various summer schools of the universities, colleges, and other institutions of learning in the United States during the year. But a subsistence charge of $1 per day for each day on such vessel shall be collected from each of such persons so transported; and the Government of the United States shall not be liable for, and shall not defray, the expenses of the teachers and attendants, or of any such of them, incurred while in the United States.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS AND JOINT RESOLUTIONS INTRODUCED.

Mr. FOSTER of Louisiana introduced a bill (S. 4125) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MITCHELL introduced a bill (S. 4126) granting an increase of pension and back pay to P. Q. Healy, alias John Quinn; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM. I introduce a bill, with an accompanying statement, to which I ask the attention of the committee to which the bill shall be referred. I confess I hardly know where the bill ought to be referred. I am inclined to think that it ought to go to the Committee on Public Lands, and I will make that motion.

The bill (S. 4127) for the preservation of aboriginal monuments, ruins, and other antiquities, and for other purposes was read twice by its title.

The PRESIDENT pro tempore. The bill should go, in the opinion of the Chair, either to the Committee on Public Lands or to the Committee on the Library.

Mr. CULLOM. I debated that question myself. It occurs to me that the Committee on the Library would hardly have jurisdiction of the question.

The PRESIDENT pro tempore. The bill will be referred, then, with the accompanying paper, to the Committee on Public Lands.

Mr. CULLOM introduced a bill (S. 4128) granting an increase of pension to Peter Kaufman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4129) granting an increase of pension to William Markman; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 4130) to amend sections 1288, 1293, and 1294 of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends or Quakers; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. PLATT of New York introduced a bill (S. 4131) for the relief of Martha E. Conklin; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4132) granting an increase of pension to Addison L. Scott; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. 4133) for the relief of Stephen Crotty; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS introduced a bill (S. 4134) granting to the city and county of San Francisco for watersupply purposes the use of certain lands in a forest reservation in the State of California; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MILLARD introduced a bill (S. 4135) granting an increase of pension to Jane Francis; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 4136) for the relief of Elizabeth M. Earle, administratrix of the estate of J. B. Earle, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4137) granting an increase of pension to George W. Hutchison;

A bill (S. 4138) granting a pension to Julia A. Johnson (with an accompanying paper);

A bill (S. 4139) granting a pension to John D. Henderson; and

A bill (S. 4140) granting an increase of pension to John M. Postlethwait.

Mr. McCUMBER introduced a bill (S. 4141) granting an increase of pension to Samuel A. Dickey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 4142) granting to the Davenport Water Power Company rights to construct and maintain wing dam, canal, and power station in the Mississippi River, in Scott County, Iowa; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4143) granting an increase of pension to Rufus B. Tucker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DUBOIS introduced a bill (S. 4144) for the relief of John L. Smithmeyer and Paul J. Pelz; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 4145) to quiet certain land titles in the State of Louisiana; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4146) for the relief of the heirs of Joseph L. Bernard, deceased;

A bill (S. 4147) for the relief of the heirs of Mary C. Stirling and Ruffin G. Stirling, both deceased, and S. C. Stirling, H. R. Stirling, and J. Anna Stirling, administratrix of W. R. Stirling, deceased; and

A bill (S. 4148) for the relief of the State National Bank of New Orleans, formerly Louisiana State Bank.

Mr. MARTIN introduced a bill (S. 4149) for the relief of Samuel S. Dennis; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4150) for the relief of George H. Mellen, deceased; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 4151) granting an increase of pension to Thomas J. Spencer; which was read twice by its title, and referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4152) granting an honorable discharge to John Kinchlow; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 4153) to promote the efficiency of the Revenue Cutter Service; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4154) granting an increase of pension to Charles Lewis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4155) for the extension of S street, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4156) for the establishment of public convenience stations and bath houses; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. LONG introduced a bill (S. 4157) granting a pension to Elizabeth Barnes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 4158) granting an increase of pension to John C. Rassbach; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4159) granting an increase of pension to George W. Gray; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 4160) providing for a naval training station on Put in Bay Island, in Lake Erie; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4161) providing for the expenditure of money hitherto appropriated for the improvement and maintenance of Ashtabula Harbor, Ohio; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PETTUS introduced a joint resolution (S. R. 44) as to the provisions of "An act for the relief of certain settlers on the public lands, and to provide for the payment of certain fees, purchase money, and commission paid on void entries of public lands," approved June 16, 1880; which was read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. OVERMAN submitted an amendment proposing to appropriate $10,000 to cover costs, expenses, etc., incident to the prosecution of the suit of the United States *v.* D. L. Boyd et al., now pending in the circuit court for the western district of North Carolina, for the purpose of determining the rights of about 600 or more persons who claim to be members of the Eastern band of Cherokee Indians and entitled to share in the distribution of the funds and in the enjoyment of the lands belonging to said band of Indians, and providing for a complete census roll of said band of Indians and of the Cherokee Indians residing east of the Mississippi River, etc., intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. LODGE submitted an amendment providing that in readjusting the salaries and all wages of postmasters of the first, second, and third class no increase in salaries or allowances shall be made unless the mailing receipts of the office shall substantially balance or equal the receipts of the office from the sale of stamps, stamped envelopes, or stamped paper, intended to be proposed by him to the post-office appropriation bill; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

Mr. PROCTOR submitted an amendment proposing to increase the salary of the consul at Moscow, Russia, from $2,000 to $2,500 per annum, intended to be proposed by him to the diplomatic and consular appropriation bill; which was referred to the Committee on Foreign Relations, and ordered to be printed.

Mr. NELSON submitted an amendment proposing to appropriate $8,524.10 to pay the owners of the Norwegian steamer *Ragnar* for damages arising from the collision between said steamer and the United States army transport *Sumner* in the Yangtze River, China, on March 18, 1902, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

JAMES C. WHITTEN—WITHDRAWAL OF PAPERS.

On motion of Mr. FORAKER, it was

Ordered, That papers be permitted to be withdrawn from the files of the Senate by the chairman of the Committee on Military Affairs, in connection with the bill (S. 5581, 57th Cong., 1st sess.) for the relief of James C. Whitten, there having been no adverse report thereon made.

REPORT OF ISTHMIAN CANAL COMMISSION.

Mr. MORGAN. I submit the following order, and ask for its immediate adoption. There is only a single copy of part 2 in the document room.

The order was agreed to, as follows:

Ordered, That the final report of the Isthmian Canal Commission, parts 1 and 2, made to the President, S. Doc. 401, 58th Cong., 2d sess., be reprinted, with the indexes thereto, and bound in cloth, for the use of the Senate.

NEBRASKA SENATORIAL INVESTIGATION.

Mr. HOAR submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the expenses to be incurred by the special committee appointed to investigate the report in the Nebraska and the Kansas contested seats, not to exceed $[illegible] in the aggregate, be paid out of the contingent fund of the Senate upon vouchers signed by the chairman of said committee.

URGENT DEFICIENCY APPROPRIATION BILL.

The PRESIDENT pro tempore. The morning business is closed.

Mr. HALE. I ask that the urgent deficiency appropriation bill be proceeded with.

The Senate resumed the consideration of the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

Mr. PATTERSON rose.

Mr. HALE. Before the Senator from Colorado goes on, will he let me put in two or three nominal amendments to meet estimates that have come in? It will not take any time.

Mr. PATTERSON. Certainly.

Mr. HALE. On page 33 of the bill, at the end of line 19, I move to insert:

To pay the audited account of Alonzo P. Turner for paid transportation, services, etc., as inspector of Oregon and Washington volunteers in 1855 and 1856, as per certificate No. 40,779, pp. 85.

The amendment was agreed to.

Mr. HALE. On page 50, after line 20, I move to insert:

For expenses of hearings held by order of the Commissioner of the General Land Office to determine whether alleged fraudulent entries are of that character or have been made in compliance with law, $5,000, or so much thereof as may be necessary.

The amendment was agreed to.

Mr. HALE. On page 4, in line 15, I move to amend the committee amendment already adopted by striking out "six" and inserting "eight," so as to read:

For expenses, not salaries, of inspection of consulates, to be expended under the direction of the Department of State, $8,000.

The PRESIDENT pro tempore. The Chair calls to the attention of the Senator from Maine [Mr. HALE] that, in the last case, the former agreement to the amendment of the committee should be reconsidered and then let the amendment be amended as suggested. It would be entered in the Journal in that way.

Mr. HALE. Very well; let that course be adopted.

The PRESIDENT pro tempore. The vote by which the amendment was agreed to will be reconsidered, there being no objection.

The question is on agreeing to the amendment now submitted by the Senator from Maine to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Maine [Mr. HALE] to page 26, lines 7, 8, and 9, the amendment of the committee, inserting "$100 and" in the appropriation for heating apparatus for public buildings. The RECORD does not show that the amendment has been agreed to.

Mr. HALE. That should be agreed to.

The PRESIDENT pro tempore. The amendment will be agreed to.

Mr. HALE. I supposed it had been agreed to.

The PRESIDENT pro tempore. It is now agreed to.

Mr. PATTERSON. Mr. President, when I took the floor yesterday afternoon just before adjournment it was with the intention of occupying it a very short time, and the mere fact of adjournment has not changed my purpose. There were some matters referred to by Senators upon both sides to which I do not give my full assent, and as they relate to matters of history I think it quite well enough that the record should be kept clean in so far as the correct statement of causes and results will tend to do so.

It would be quite disrespectful to the particular item in the appropriation bill under discussion and the point of order if I were to omit all reference to them, and while I will say something about them, but very little of my time will be occupied in that way.

I am in pretty strong sympathy with the point of order taken by the Senator from Texas [Mr. BAILEY], and also with the proposition that legislation of this character is of very doubtful propriety. Many objections may be presented, many substantial objections, but in view of the fact that nearly all the nations of the world are participating in the exposition that is to occur this year in St. Louis, I think that, whatever our objections may be to this particular legislation, we may follow in the lead of the President in justifying a treaty about which he evidently feared questions might be raised, and that was justly open to the most serious constitutional objections, and that embraces a pretty clear disregard of treaty obligations, by the proposition that he presented, namely, that we are in this instance the mandatories of collective civilization. It is a ground that will cover a multitude of objections to any kind of legislation that may be more than local in its character, and in this case I propose to salve my convictions in voting for the exposition appropriation by the claim that, in view of the interests that are involved and the number of foreign nations who are intending to participate, the Congress is the mandatory of collective civilization, and therefore substantial objections to the appropriation should be put aside.

But, very properly, Mr. President, the discussion yesterday took a wider range, and immediately upon the fact being suggested by the Senator from Massachusetts [Mr. LODGE] that we had a Treasury and revenues that would not permit anything but the most rigid economy in the matter of expenditures by reason of the possibility of a deficiency, the question of financial policy was put in issue, and might be properly discussed.

The proposition of prosperity received a great deal of attention. The Senator from Ohio [Mr. FORAKER] gave a very glowing picture of the prosperity of the country under Republican Administrations and the want of prosperity whenever a Democratic Administration took the reins of government.

I was impressed with this possibility, that all departments of industry were prosperous, in the opinion of the Senator from Ohio, except the trusts and syndicate industries, and that he desired to even up prosperity by introducing an amendment to the antitrust law which would give to the trusts and syndicates benefits that they could not now acquire, and remove from their front menaces with which they are constantly confronted.

I was struck with a peculiarity of the debate on both sides. It seemed to proceed upon the theory that whether we were in prosperous times or in bad times the condition, whatever it was, was properly traceable to the tariff schedules: that if the country was exceedingly prosperous then it was a Republican Administration that brought it about, and if the times were less prosperous, then it was by reason of the advent of a Democratic Administration or by a proposition in some Democratic platform to reform to a greater or a less degree the tariff laws of the country.

Mr. President, I believe we all concede that we have had good times, prosperous times, both in Democratic and in Republican Administrations. I think that it is conceded that from 1880 until 1890 the country enjoyed an unusual degree of prosperity, a period that embraced one full Democratic Administration and a Republican Administration and a part of a second one.

I refer to that for the purpose of suggesting what I have many times maintained: This proposition of prosperity is not so much a question of tariff schedules as it is of other causes quite far removed from tariff schedules. I do not believe that Providence does everything to bring about prosperity. I have no hesitation in admitting that bad laws and good laws have a great deal to do with the business condition of the country, with wages, with profits, with the quality of maintenance that the masses of the country acquire, and those laws may be tariff laws or they may be financial or other laws.

Nor do I believe that the amount of the balance that may happen to be in the Treasury this year or last year or next year is a sure indicia of business conditions. Nor is it so much a question of balance of trade or of exports and imports. Good times or bad times may exist with the balance of trade against us or in our favor, and either one or the other condition may exist with a surplus in the Treasury or a depleted one.

The condition of the Treasury depends too much, Mr. President, upon what may be mere accidental causes or unusual or extraordinary conditions for that to be a certain indicia of the real condition of the country.

That we did have unexampled prosperity from 1880 until well on to 1892 is borne out not only by the individual experiences of the elder people of the country, but by those who have written upon the subject, and I only take time to quote upon this subject from the History of American Coinage, written by Mr. David K. Watson, a stanch Republican of Ohio and a monometallist of the most approved type, who, writing upon the question of financial legislation, makes this statement with reference to the state of the country during the eleven or twelve years that I have called attention to:

It is said by the friends of free coinage that the effect of not coining silver has been to depress prices and cause hard times. Is this statement true? It is true that after 1882 prices generally declined and business depression prevailed throughout the United States; but it is also true that from 1880 to 1892 this country enjoyed its most prosperous period. Land brought good prices during those years, and in many cases almost doubled in value; farm products sold well; labor commanded higher wages than ever before in this country, and an idle man was a scarcity.

Then again:

The prosperity of the United States from 1880 to 1892 can not be denied. Mr. Mulhall, the most distinguished living statistician, has recently published a book entitled "The Balance Sheet of the World." In speaking of the United States he says:

"It would be impossible to find in history a parallel to the progress of the United States in the last ten years. Every day that the sun rises upon the American people it sees the addition of two and a half millions of dollars to the accumulation of wealth in the Republic, just one-third of the daily accumulation of all mankind outside of the United States."

Mr. President, Mr. Cleveland was elected in 1884. In 1888 he was renominated and defeated, and in 1892 he was again renominated and reelected. The Chicago convention which gave him his last nomination had in mind the degree of prosperity that existed under his first Administration, and after it was announced that he had received the necessary two-thirds vote the convention

broke out into a refrain, the exact words of which I have not got, but it was to the effect of—

Grover, Grover,
We'll give four years more in clover.

During Mr. Cleveland's Administration, from 1884 until 1888, the country was as prosperous as it had ever been. Those four years formed a part of the twelve years that all agree in declaring to have been the most prosperous period in the history of the country.

Mr. Cleveland gave to the United States during his first term a Democratic Administration. True, Mr. President, he had made apparent his hostility to bimetallism, but it did not take form except in utterances. No law was enacted that interfered with the then existing condition of the finances.

When Democrats, however, undertake to suggest that Mr. Cleveland's second Administration, commencing with March 4, 1893, was a period of prosperity, either unusual or relative, or at all, they are doing violence to the experience of the country and to the history as that history has been written. I will not undertake just now to state what was the cause of the panic and the depression and the bankruptcies that fell upon the country. I will simply call attention to a few historical facts, and perhaps a proper conclusion may be drawn from them.

In 1891 we recall the failure of Baring Brothers. A shiver ran through the commercial and the financial world. A great banking institution that had existed for generations, with branches in all the great capitals of the world, suffered a complete collapse, and from the moment of the announcement of that failure prosperity commenced to wane. The banks commenced to withdraw their loans. They refused new loans unless in exceptional cases.

The reason was not one of tariff or of tariff schedules. It was because the financial world was troubled. It did not know how far the causes of the Baring Brothers failure might reach, and, as upon all such occasions, the men who controlled the money commenced to gather it in and refused to allow it to go out. The result of it was a diminution of the building and other industries of all the great cities—slow at first, but gathering speed as time progressed.

Then came the election of Mr. Cleveland. Following his election by orders in council the Indian mints were closed to the coinage of silver, and in August an extra session of Congress convened under proclamation of the President for the purpose of undoing the coinage laws and inaugurating the system that has existed since.

Mr. President, there are many here who recollect the conflict on the floor of the Senate and the House, commencing, I think, upon the 8th of August and not ending until the early part of November. We then witnessed the power of an Administration determined to control the votes of so-called representatives of the people both here and in another part of the Capitol.

I have never questioned but that President Cleveland received his election as the result of an understanding that should he be elected he would pursue the course he took and use all the power, all the tremendous power and influence of the White House, to strike from the statute books of the country what is known as the purchasing clause of the Sherman law.

Mr. President, during the second of Mr. Cleveland's terms this country did not have a Democratic President. Had Mr. Cleveland made known, even by insinuation, during the campaign that his first public act would be to use the powers of the great office for which he was a candidate to stop the purchase and coinage of silver, not all the money bags of Wall street, not all the banking syndicates of the country, could have saved him from the defeat he would have deserved. When he called the extra session of Congress and put it to the Senate and House that the silver purchasing clause of the Sherman law should be repealed, we had the spectacle of a Democratic President championing a Republican measure, and by reason of the championship of that Republican measure bringing his own party into deserved odium and making certain its defeat at the ensuing election.

I was here, Mr. President, as a spectator during several months of that controversy. I did not know what influences were brought to bear, either here or elsewhere; but all of us saw the result of the influences in the falling away of Democratic Senators and Representatives from the support of what I have always maintained was the money of the Constitution and the money of the people. With what result? Mr. President, of course the balance of trade went against us; of course our exports decreased. Who will forget the business condition of the country commencing with the early spring of 1893, immediately following the closing of the mints of India and the enactment of a Republican financial measure under the championship of a so-called Democratic President?

Mr. President, that was the forerunner of the Coxey army. There was hardly a great city of this country that was without a company or regiment or a brigade of starving and workless men camped within its borders and, to prevent worse things, forcing contributions to keep them from starving. Thousands of them made their way to this capital. They camped outside of the city or in its immediate neighborhood. It was an era of gloom, of suffering. Upon behalf of not one but during the four years of President Cleveland's Administration. I recall that the mills of New England were closed down.

Men went out upon the strike by thousands and tens of thousands because they received notice that their wages must be reduced. The lumber camps of the West for more than a year had the locks upon them; their hearts were unused; men with large investments, many of them, were pauperized, and tens of thousands of starving miners were turned out on the highways and by ways without means of subsistence, except that which they could get from the generous communities of the country to which they made their way.

Mr. President, while I was here during the extra session of 1893 I recollect a conversation at the Shoreham Hotel with a leading New England Republican. I protested against the course of his party and their aid-de-camp, the President. I called his attention to the condition of industry in his own locality, and suggested to him that it was the logical and necessary result of the policy that was being pursued.

He was an ardent advocate of the repeal of the silver-purchasing clause. "Why," he said, "Mr. PATTERSON, you are mistaken; the manufacturers of this country have come to the conclusion that, in connection with the repeal of the silver-purchasing clause, there must be a readjustment of the industries of the country, and the owners of the mills can better treat for lower wages with men who are anxious to work than they can with those who are remuneratively employed in their mills." So, Mr. President, Mr. Cleveland's Administration was four years of gloom.

Mr. ALDRICH. Will the Senator allow me to interrupt him for a moment?

Mr. PATTERSON. Certainly.

Mr. ALDRICH. I infer from the Senator's remarks that he would not look with great favor upon the possibility of a third Administration of Mr. Cleveland. I trust in this supposition I do the Senator no injustice.

Mr. PATTERSON. I certainly would not look with great favor, or with any favor, upon another Administration of Mr. Cleveland. As the Senator from Texas [Mr. BAILEY] said, he is hardly any longer in existence, hardly to be accounted with. But I feel a good deal as the Senator from Massachusetts [Mr. HOAR] said he felt, in his memoirs, in treating of a celebrated public character, that the time will never come when it will not be just and right to hold him up to the American people as an example of what a man who is false to his party and false to his country may accomplish, and I want to say to the Senator from Rhode Island [Mr. ALDRICH] that if there is any man to whom he and his friends should feel under lasting obligations it is to ex-President Cleveland, for he carried out the policy they advocated, and that, in my opinion, no Republican President would have attempted, notwithstanding it was a Republican measure. He made certain the election of Mr. McKinley, and made possible the retention of the Republican party in power ever since. The Democratic party since 1893 has been paying for the sins of a so-called Democratic President by reason of his carrying into effect a distinctively Republican measure.

When I am told that silver was a menace to the country I point to what Mr. Watson says. I point to the history of the country, that from 1850 until 1893 it was enjoying a state of unexampled prosperity; and I conclude the necessity did not arise to interfere with it, except by the misconception of conditions by one high in authority, or by reason of carrying into effect some preelection understanding between himself and the great money power of the country.

Mr. President, the prosperity the country has been enjoying is a little peculiar, quite peculiar. It has been unexampled prosperity for the rich and somewhat circumscribed prosperity for the poor. To be sure we have had unexampled crops, natural has smiled upon the country and upon the husbandman; but with a great many exceptions. That whereas before 1893 we had comparatively few millionaires, the country is now graced not only with multimillionaires, but with billionaires, with hundreds of multimillionaires who before the era of great speculation set in were possessed of but ordinary wealth.

With the advent of the Republican party we have had the era of trusts, and with the era of trusts we have had an era of tremendous strikes; we have had unexampled combinations of capital and unexampled combinations of labor. The one necessarily led to the other. It became a question of self-defense, and the labor of the country undertook as best it could to meet the

crushing and grinding power that was being organized under the new industrial plan known as the "trust system," beneath which it was inevitable that they would be ground to powder unless they presented a compact, solid organization to confront it.

Mr. President, many things that President Roosevelt has done I admire. I know of no braver act that any President has ever done than when he confronted the railroad presidents upon the one hand and the representatives of the working miners upon the other and said to the railroad combinations, "You must meet with these men and reach a settlement."

I admired Mr. Roosevelt when he instituted the suit against the railroad merger, and when he instituted one other suit, I believe, against the meat trust; but the performance, Mr. President, has fallen far short of the original promise. I call the attention of the Senate to the fact that, wherever the President has done in the way of attacking the trust evil, he has never even suggested to any of the legal representatives of the Government that the criminal clause of the trust law should be enforced.

The merger case was prosecuted, and prosecuted vigorously, and is now awaiting ultimate decision by the Supreme Court of the United States. But, Mr. President, there is the beginning and the ending of the efforts of this Administration to grapple with the trusts and to make them subject to the old law of honest competition and the welfare of the people.

I am inclined to think that the President of the United States, when he entered upon the performance of the duties of his office, made necessary by the greatest crime of the centuries, meant well to the people and meant well to the law. Early in his Administration he seemed to notify the great trusts that, so far as he was concerned, he would use all the powers of his office to subject them to the dignity and the power and the majesty of the law, driving out of existence that which the law denounced and which the common sense and the humanity of the country said was a menace to a free government's existence. But it looks, Mr. President, as though the President has ever since been doing penance for his rash act. With 300 trusts and over, either securing a complete monopoly of the industries in which they are engaged or approaching to monopolies as rapidly as it is possible for them to reach it, he has contented himself with two or three civil prosecutions, ignoring altogether the one single clause in the antitrust law that is a terror to the trusts, and that the Senator from Ohio [Mr. FORAKER] is now seeking to have repealed.

They deal with these things a little differently in some countries. Great Britain is not much of a trust country. They have large corporate interests there, and they have some great aggregations of capital engaged in the different industries; but, Mr. President, only a week ago last Tuesday, under instructions of an English judge in London, one of the great trust promoters was convicted and sentenced to seven years in an English prison—Mr. J. Whitaker Wright—for offenses on all fours with the offenses of Schwab, Max Pam, and Morgan in their efforts at monopolizing great branches of industry. He swindled the English people, the lords and the commons, and there was an English judge of sufficient virtue, and an English law of sufficient virility to take him by the throat and hold him at the bar of justice while a jury of twelve men were passing upon the merits of his case. With his conviction he "shuffled off this mortal coil;" he took poison and died within an hour. There would not be many tears shed, Mr. President, if some of the great lights of the financial world, who find a home in the United States and operate from the great commercial centers, should seek the same ending and find it from the same cause.

Mr. President, take the billion-dollar steel trust. Its victims are numbered by the thousands. The shipbuilding trust is as palpable a swindle as was ever put upon the country; and yet we find that its promoters and those who profited by it, who have had their bank accounts swelled with the stealings they took from thousands of the American people, yet have unassailed by the law, the only punishment they receive being the curses of their victims and the execrations of every honest and law-abiding man and woman.

What this country needs more than anything else is a President who is not dependent upon the great money power of the country for his election, and will not make promises, under cover or otherwise, for the purpose of receiving the support of the bankers, the great commercial speculators, and the promoters of trusts; a President who will feel that it is as much of a crime to rob the people of some million in the way of watered stock as it is to rob some poor man of his purse or to steal a horse from the barn of some farmer.

Mr. President, so far as I am concerned I am as pronounced a bimetallist as any man in the United States. I live in the greatest silver-producing State in the country. I realized that the free coinage of silver would not only bring prosperity to the farmers and the workingmen as well as the business men of the country, but that it would bring additional prosperity to the people whom I in part represent. I realize, Mr. President, that the immensely increased production of gold has to a great degree filled the gap that was made when the coinage of silver was practically suspended. It is proof, to my mind, of the truth of the quantitative theory of money. I realize also that by one means or another the people of the country have been induced to pronounce against—I will not say bimetallism, but against the free coinage of silver at the old time ratio. Even the people of Colorado realize that the proposition of 16 to 1 has for the time been decided against them, but it does not follow that by reason of that belief they will throw themselves unreservedly into the arms of either the bank syndicates or the creators of trusts or those who are spending their lives in organizing monopolies, in order that they may secure the money with which to conduct an aggressive campaign.

I am glad, Mr. President, with my views upon the money question, that there is yet a man in the West with power and virtue and influence enough to make himself felt, and to utter a protest against whatever tendency there may be now, or in the future, to surrender the party, of which I am honored in calling myself a member, to those who go from one side of the political lecter to the other as their interests—their own interests, not the interests of the country—may incline them.

Mr. President, I regard the Democratic convention of 1896 as a magnificent protest against the cruelty and encroachment of the money power. As a result of the Administration of Mr. Cleveland many of the Southern Senators commenced to doubt their ability to maintain their seats in this Chamber and the continued supremacy of the Democratic party in their States. I recollect exceedingly well, as the result of Mr. Cleveland's Republican Administration, Democratic ascendancy was almost lost in Alabama, in Arkansas, in Georgia, and in South Carolina.

In South Carolina, to maintain possession of that State, under the lead of TILLMAN and others the Democrats were compelled to organize the Democratic party along Populistic lines. The Democratic campaign of 1896 was a magnificent protest. Tell me it has not resulted in good! If Mr. Cleveland had been renominated in 1896, or if any Democrat representing the Cleveland theory of Democratic politics had been nominated, instead of receiving more than 7,000,000 Democratic votes in the United States the Democratic candidate would not have received one-half of them, and a number of Southern States would have gone against the Democratic nominee. The Democratic party would pretty nearly have gone out of business if it had not been for the platform of 1896 and the magnificent leadership that that convention gave to the common people of the country.

No one recognizes more than I do that measures can not and may not always be kept at the front. No one realizes more than I do that the verdict of the American people, when it has been freely spoken and unquestionably given, should be respected; and whatever measure I have advocated—distinguishing measures from principles—whenever the people of the country have finally declared against a measure, I care not whether it is for the free coinage of silver at whatever ratio, or for any other measure, then the party is worse than insane that insures defeat by continuing to advocate the measure that is against the declared convictions of the country.

It is not wise, Mr. President, nor is it productive of results for any party to destroy its usefulness in behalf of great measures constantly arising by standing for measures and insisting upon the enactment of laws when the people have clearly permanently taken an adverse position against them. Without reference to how other men may be guided, I will be guided in my future political course, so far as measures are concerned, by the recognition of that proposition in all of its fulness.

There is a wide difference between measures and principles. It is for that reason that the Democratic party, through evil report and good report, through disaster and through success, has after the sober second thought of the American people made itself felt, stands to-day undismayed as a national political organization, ready to meet its political antagonist with reasonably strong hopes of success; with a conviction that success will come if the party remains true to the principles upon which it was founded, that all men are created equal, that all governments derive their just powers from the consent of the governed; standing in business for the open door of opportunity to the young and the old, to the rich and the poor; standing opposed through good and evil report to the new system that prevents competition, the business principle upon which the world has grown and prospered, and from the existence of which this country became the greatest commercial power upon the face of the globe, and standing opposed to the trust principle, that places monopoly in the hands of the individual and compels the many to be the slaves of the few.

Within the past few months, Mr. President, I have heard men upon this side and upon the other deprecate the growth of social-

ism. The policy of the Republican party is the provocation of socialism. The multiplication of trusts, the increase of their power, the placing of the monopoly of all the great industries in the hands of the few is a sure step, if it shall succeed, to an effort upon the part of those who oppose private monopoly to put the monopoly in the hands of the Government. If the monopoly is held by individuals or combinations, it means that their private greed and individual interests will determine prices and production and distribution. If the Government shall control the implements of production, at least the people of the country will have a voice and an influence in the matter of the creation and distribution of the wealth labor creates.

So far as I am concerned, I feel with those who oppose socialism, that it is the greatest evil with which the country could be inflicted. I am pained at its growth and realize that its growth will continue until the provocation to the growth shall be eliminated from our industrial system. For that reason, if for no other, it is my supreme conviction that the strongest laws which the country can enact and all the great powers of the Government should be placed at the disposal of the executive arm for the purpose of throttling the trust system, putting it out of commission, that competition, either great or small, between the small industries or great industries may once more have full sway; that the young and the old, the weak and the strong, may realize that the field of commercial conquest is open to them, and that they shall not be compelled, during their short term of life, either to get within the magic circle of the few trust magnates, which it is almost impossible to do, or content themselves with being the mere hired hands of the great combinations of capital.

Mr. President, so far as the prosperity of the present day is concerned I think we may say it is on the ebb. Business has its ebb and its flow; it has its high tide and its low tide; and I am inclined to think that the prosperity of the country is now on the ebb. To what extent the tide may lower I do not know, but we do realize that there are plainly heard mutterings of discontent on the part of the employers in the West and in the East. In the mills of textile fabrics, the woolen mills, in coal mines, in the steel mills, and in those devoted to every other industry we find the announcements being made that wages must be lowered; and the process of lowering wages is going on.

I clipped from yesterday's Post an Associated Press dispatch of the meeting of the coal operators and miners at Indianapolis, and I found that the matter of difference was that the mine operators or owners were insisting upon a 12 per cent decrea e in wages and the miners were insisting that the wages were little enough. This is a statement of the differences between them:

> There was great excitement among the delegates when it was seen that the moment for a declaration of a disagreement had arrived. The miners had demanded the present wage scale as their ultimatum, and the operators asserted that nothing less than the 1902 scale, which is equivalent to a 12 per cent reduction in wages, it is claimed, would satisfy them.

These are the grounds given by the operators for the lowering of the wages: That the wages have already been lowered in other mining localities, and therefore, if they would operate at a profit, they must also have lower wages. This same Associated Press dispatch states the claims of the two sides as follows:

> They use the statement that the H. C. Frick Coal and Coke Company operating in the Connellsville field, in Pennsylvania, the Jamison Coal and Coke Company, of Greensburg, Pa., the Meyersdale district operators, and the Pocahontas Coal Company, in West Virginia, have all reduced wages in the last month, and they insist that they must have a lower mining rate with which to meet this competition.
>
> The grounds upon which the miners take their stand is that the competition of the operators in the central competitive field and those outside is not as keen as the operators would have them believe. The miners say that at least in Ohio and Pennsylvania, their men have not steady work, and that all over the central competitive field the cost of living is such as to ensure that they can not accept a cut in wages and maintain a fair standard of living.

So we find that as the net results of the year 1903, the year that is just behind us, business stagnation is commencing, the wages of the workmen are being cut, involving more than seventy-five or a hundred thousand in the mills of New England, and the cut is not confined to the cotton mills, for it extends to the woolen mills and to the paper mills. Wages are being cut, or there is a threat that they will be, by the steel trust. Notices are given by the railroads that their operating expenses must be reduced, including as their managers declare, a cut in wages; and here are 117,000 bituminous coal miners on the verge of a strike because of the insistence on a reduction of 12 per cent in their wages, while they assert the cost of living has not diminished in the least.

Yesterday's Post was rather instructive. There was another Associated Press dispatch which illustrates the extent to which the robbery of the trusts has gone, and that the thief has even entered the ranks of those who, if they do not assist them, at least apologize for them, and that they have been pretty heavily mulcted in losses. I find by an Associated Press dispatch of Wednesday that in New York—

> Governor Odell and other up-State Republican leaders, who were induced to invest large sums in the bonds of the United States Shipbuilding Company, have decided to begin a fight against Charles M. Schwab, Max Pam, and others connected with the concern.

It continues:

> One of the shipbuilding victims was Reuben L. Fox, of the Republican State committee. Mr. Fox is one of Mr. Lauderbach's clients. He got caught for $10,000 of the shipbuilding bonds. Governor Odell paid over $100,000 in real cash for $200,000 of the bonds.

Mr. President, while all this is going on the machinery of the criminal law is idle. Either there is no law to reach these mammoth swindles and the law is confined in its operations to the miniature get-rich-quick concerns, or else the power of money, the great money combinations, are able to paralyze not only the law, but the arms of those whose sworn duty it is to execute the law.

Taking it all in all I am inclined to think that the Senator from Ohio [Mr. FORAKER] should remodel his beautifully painted picture of yesterday. At least with his master hand he should limn in the picture the trusts when they receive the additional prosperity his bill is intended to give to them. I think it would be better for the cause of truth if he would paint prosperity in its truer light, showing that while the farmer is prosperous it is not because of the tariff schedules, but because of bright skies, bountiful showers, and propitious seasons, and the demands both at home and abroad, he being the agency through which this demand is supplied.

As to the prosperity that has fallen to others of the masses, there has been an increase in wages, but there has also been an increase in the cost of living. Few of the mere laborers and mechanics of the country have reached the point—even during the past few years—when ninety days' idleness would not make them a charge upon the community in which they live. The real beneficiaries of the so-called prosperity, Mr. President, are the millionaires and the multimillionaires, the speculators, those who are able to float—with the aid of the wind that is injected into them—these great industrial bubbles, and by speculating them upon the markets tranfer the money of the masses into their own pockets.

I trust, Mr. President, the Democratic party will nominate a candidate for the Presidency, whoever he may be, who will not be tainted with a suspicion of an alliance with combinations of that character. I stand for the protection of the rich as well as the poor. Honest capital should be just as sacred, whether it be in large sums or in small sums, under a Democratic Administration as under a Republican Administration; but these abnormalities of capital consolidated for the purpose of dishonestly transferring the earnings of honest toil to their own bank accounts should be taught, both by laws upon the statute books and to be enacted, that a great thief is no more to be respected than a little thief, and any swindle, whether it is by floating a ship-building trust or a steel trust, will be visited by the arm of the criminal law as surely and as speedily as a swindle that consists in selling a brass ring for a gold one or a piece of cut glass for a diamond of the purest water.

The PRESIDENT pro tempore. The question is, Is the pending amendment in order? which question has been submitted to the Senate. Senators in favor of sustaining the point of order will say "aye." [Putting the question.] By the sound, the "noes" have it. The "noes" have it, and the point of order is overruled by the Senate. The question is on agreeing to the amendment.

Mr. BAILEY. Mr. President, I accept this vote, of course, as indicating that the Senate favors the amendment. It is understood by every Senator that the vote was decisive of that question, and I shall not delay the Senate any longer.

I do, however, desire to repeat what I have said before, that if this is a proper object for the use of governmental funds, they ought to be applied as they are applied in other instances of governmental work. It ought to be a direct appropriation and not a loan. The fact that the committee has made it a loan rather than a direct appropriation strongly suggests to my mind that the committee was not entirely satisfied that it was altogether a suitable project for the expenditure of the public money. If it is the duty of this Government to aid these expositions and to see that they are made successful, then the Government ought to give that aid, as it does in all of its other expenditures, by direct appropriation. I should very much prefer, if compelled to vote for either proposition, to vote for a direct application of the money as we do to other useful public works.

However, the debate indicates, of course, that the Senate is determined to extend the aid in this way, and I do, as I can only do, protest against it.

Mr. TELLER. Mr. President, I am in favor of assisting the St. Louis Exposition to get in condition to make a reasonable and proper showing, partly because it is an American exposition and

partly because we have so connected ourselves with it that it seems to me it would be somewhat discreditable to let it fail.

I agree thoroughly with the Senator from Texas that if this is—and I think it is—a proper occasion for an appropriation of public money, it ought to be not as a loan, but as a gift. While I am not averse to seeing the Government reimbursed—as it may be, I suppose, as a stockholder in this concern—I should infinitely prefer to see the $4,600,000 made a donation than to have a precedent established that this Government has become a loaner of money. I am a member of the committee which reported this amendment. I expressed, very briefly, such an opinion in the committee. I do not now wish to be considered as interfering with or in any way delaying this appropriation, except to enter my protest against the method in which it will be made.

The PRESIDENT pro tempore. The question is on concurring in the amendment reported from the Committee of the Whole.

The amendment was concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. TELLER. Mr. President, I have listened to the political debate which has been going on. I am somewhat averse to the discussion of political affairs on an appropriation bill, and for that reason only did I refrain from replying to some of the erroneous statements made on the other side of the Chamber. I wish to say that I shall take the opportunity some day, when a bill less important than an appropriation bill is up, to show that the disturbed financial condition of the country under Mr. Cleveland's Administration did not arise from any tariff legislation by the party then in power, but that the trouble had commenced before he was elected, as can be shown by the revenues of the Government. But I will not attempt to do that this morning.

NATURALIZATION OF PORTO RICANS.

Mr. SPOONER. Some days ago I entered a motion to reconsider the vote by which the Senate passed the bill (S. 2345) to make applicable the provisions of the United States naturalization law to Porto Rico, and for other purposes. I have looked into the bill. I had no objections to it so far as it applied to Porto Rico, but I had some doubts about extending it elsewhere. I have looked carefully into it and had a conference with the Secretary of War about it, and I have no objection to it. I therefore ask leave to withdraw the motion which I then entered.

The PRESIDENT pro tempore. The Senator from Wisconsin withdraws his motion to reconsider the vote by which the bill was passed, and the bill stands passed.

BUILDING FOR DEPARTMENT OF STATE, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar under Rule VIII. The Secretary will state the first bill on the Calendar.

The bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor was announced as the first bill in order on the Calendar.

Mr. FAIRBANKS. Mr. President——

Mr. HALE. Let me suggest, although perhaps the Senator from Indiana was going to make the same suggestion, as he and I have conferred about it, that this is a bill which will lead to strong opposition and very considerable debate, which it can not have under Rule VIII, and if it goes over under Rule IX, as it will on an objection, some time we can agree when it shall come up and have the matter brought before the Senate, so that there can be full debate, consideration, and amendments matured for it.

Mr. FAIRBANKS. Mr. President, I realize fully that one objection carries the bill over. The Senator's suggestion is not quite so definite as I wish he were able to make it.

This, Mr. President, is a matter of very great importance. Our failure to provide suitable buildings for the proper accommodation of the business of the Government in Washington is an absolute shame. There is no great business organization in the country, there is scarcely a municipality or a State, that does not provide relatively more ample accommodations for the public business than we do for the transaction of the business of the Government in the national capital. Of course the question will lead to discussion, but unless we begin the debate we will never reach a conclusion. A bill similar to the one upon the Calendar was presented last session and went over upon the Senator's objection.

The committee is not wedded to any particular measure. If there is any better proposition than the one it has presented, it is quite willing to accept that. What it wants is to secure some additional accommodations for the three great Departments—State, Justice, and Commerce and Labor—and speedily. It is impossible to exaggerate the necessity of doing so. It is in the interest of the public service, and we should not delay unduly. Unless action is had at an early date, it is perfectly obvious to the Senator that the bill must fail at the present session of Congress. I appeal to him to enable us to expedite this matter as much as possible. We want the Senator and those who may share in his view to be heard to the fullest extent possible, but we do wish they would permit us to take up the bill at some early date.

Mr. HALE. Mr. President, I am not going into the reasons why this great project will be thoroughly resisted in every way, because it is now in the way of doing the business of considering unobjected cases, in which many members of the Senate have an interest. The rule provides that a single objection carries it to the Calendar under Rule IX. That Calendar, like any other business, is subject to the action of the Senate in being taken up and considered.

All I want is that this measure shall take the course that everything else has under Rule IX. I can not agree to any time when it shall be taken up, because I am not in favor of expediting it, but I am in favor now of getting it out of the way, so that we may go on and consider, under the suggestion made the other day by the Senator from New Hampshire [Mr. GALLINGER], the unobjected cases, and thereby relieve Senators from the necessity of continually getting up and asking unanimous consent. So my objection simply carries it to the Calendar under Rule IX, and it must take its course there.

Mr. FAIRBANKS. I am quite aware of the effect of the objection of the Senator, as I said before.

Mr. HALE. I can not agree now on any time, and, in fact, that would be improper in regard to a measure of this kind when so many other great public matters are before the Senate.

Mr. FAIRBANKS. I simply desire to make an appeal to the Senator to see if he will not consult his convenience a little later and enable us to agree on some time for taking it up.

Mr. HALE. I think quite likely that that may be done, but I do not wish to bind myself in a promise. Let the bill go to the Calendar under Rule IX, and then let us proceed with the Calendar.

The PRESIDENT pro tempore. The bill goes to the Calendar under Rule IX.

FISH HATCHERY IN OREGON.

The bill (S. 1607) granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, on page 2, line 1, before the word "years," to strike out "two" and insert "five;" so as to make the bill read:

> *Be it enacted, etc.*, That the following-described premises, to wit: The southeast quarter of section 19, the northwest quarter of the southwest quarter of section 20, and the southwest quarter of the northeast quarter of section 30 all in township 2 south, of range 41 east, of the Willamette meridian, in the State of Oregon, be, and the same are hereby granted to the State of Oregon for the use of said State in maintaining and operating thereon a fish hatchery: *Provided*, That in case said State of Oregon shall at any time for a period of five years fail to maintain and operate a fish hatchery on said premises, or on some part thereof, then the grant herein before made of said premises to said State shall terminate, and said premises and the whole thereof, shall revert to the United States: *Provided further*, That the Secretary of the Interior is hereby authorized and empowered to ascertain and determine whether or not such hatchery is being maintained and operated on said premises, and if he shall at any time determine that, for a period of two years subsequent to the passage of this act, the State of Oregon has failed to maintain and operate a fish hatchery on said premises, he shall make and enter an order of record in his Department to that effect, and directing the restoration of said premises and the whole thereof, to the public domain, and such order shall be final and conclusive, and thereupon said premises shall be restored to the public domain and freed from the operation of the grant aforesaid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF DARIUS B. RANDALL.

The bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians was considered as in Committee of the Whole. It proposes to pay $2,400 to the heirs of Darius B. Randall, deceased, for certain improvements situated on the Nez Percé Indian Reservation relinquished by said deceased to the United States for the use of the Nez Percé tribe of Indians.

Mr. COCKRELL. Let the report of the committee be read. It is a very short one.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. DUBOIS, from the Committee on Indian Affairs, January 7, 1904, which report is as follows:

> The Committee on Indian Affairs, to whom was referred the bill (S. 1537) to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians, having considered the same, beg to report as follows:
>
> The amount to be paid to the heirs of Mr. Randall was recommended to be

paid by the Commissioner of Indian Affairs many years ago, but for various reasons the money was not appropriated. A full statement of the case is contained in a communication transmitted to the committee by the Secretary of the Interior.

The committee concur in the recommendation made by the Secretary of the Interior and recommend the passage of the bill.

The communications from the Secretary of the Interior and the Commissioner of Indian Affairs are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, June 26, 1902.

SIR: I have the honor to acknowledge the receipt, by your reference of the 5th instant, of S. 3822, "A bill to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the New Perce Indians."

In response thereto I transmit herewith a copy of a report of the 21st instant from the Commissioner of Indian Affairs, to whom the bill was referred for report, by which it will be seen that the Commissioner concurs in the recommendation of the Department that the bill be amended by striking out the sum of $3,161 and inserting in lieu thereof $1,500, with interest thereon at 6 per cent per annum from August 4, 1873, until paid.

I concur in the recommendation made by the Commissioner of Indian Affairs, and recommend the passage of the bill when so amended.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 21, 1902.

SIR: This office is in receipt, by Department reference for report, of S. 3822, a bill to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians, and referred to this Department with a request for a report thereon by Hon. WILLIAM M. STEWART, chairman of the Senate Committee on Indian Affairs.

The bill appropriates $3,161, out of any money in the Treasury not otherwise appropriated, to pay to the heirs of Darius B. Randall, deceased, the amount found to be due said Darius B. Randall for improvements relinquished to the United States for the use of the Nez Perce Indians.

Under date of January 8, 1879, this office made report upon a communication from the Senate Committee on Indian Affairs, inclosing a copy of Senate bill 861, to provide for the payment of Darius B. Randall, administrator of Jonathan B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians in such form as the Commissioner may deem proper.

I am convinced that justice and good faith require the payment of compensation to the claimants for the improvements of Mr. Randall. I am of the opinion that the amount should be determined by Messrs. Shanks and Monteith, special commissioners to the Nez Perces.

He therefore recommended the passage of the bill when amended by striking out the sum of $3,161 and inserting in lieu thereof $1,500, with interest thereon at 6 per cent per annum from August 4, 1873, until paid.

It is not found that the Senate committee made any report on this bill, but on January 3, 1879, a report was made on a similar bill in the House of Representatives (H. R. Report No. 7, Forty-fifth Congress, third session, which recommended the passage of the bill, with an amendment reducing the amount to $2,500, that sum to be deducted from the last of twenty annual payments to be paid the Nez Perce Indians under the treaty adverse of the treaty of June 9, 1863, United States, 882.

The twenty annual payments under said treaty have long since been paid. As the amount fixed in the present bill is less than the amount recommended in office report of January 8, 1879, with the interest thereon recommended to be paid, this office recommends the passage of the bill.

A copy of said office report of January 8, 1879, is inclosed herewith.

Very respectfully, your obedient servant,

A. C. TONNER, *Acting Commissioner.*

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR, OFFICE OF INDIAN AFFAIRS,
Washington, January 8, 1879.

SIR: I have the honor to submit herewith, for your consideration, a copy of a communication, dated the 3d instant, addressed to this office by Hon. W. H. ALLISON, chairman of the Senate Committee on Indian Affairs, inclosing a copy of Senate bill No. 861, to provide for the payment of Darius B. Brown, administrator of the estate of Jonathan B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Perce Indians; requesting a report of a written assignment of said claim, a copy of the Senate report of August 4, 1873, on the same subject, and a letter from this office dated February 18, 1873, to Hon. J. W. Nesmith.

Superior Allison requests the opinion of the Department upon the propriety of the passage of said bill, whether any, and if any, what compensation should be paid for such improvements.

I have the honor to report as follows:

The original claim of the heirs of Jonathan Dick with the Nez Percé Indians was a very proper one, arising from their acceptance of a mere verbal promise and encouragement upon the possession of the claimant of a tract of land, a portion of which, if I recollect aright, was in cultivation and necessarily possessed some value to the establishment and occupancy of the tract to rend with the claim for subsistence, upon a promise, and encouragement to be prosecuted by the Commissioner of Indian Affairs, with the approbation of the Secretary of the Interior.

Numerous reports and documents are said to have been presented under 1874, on the first of January, of which year taxes now in force were approved by the Secretary.

Under the foregoing treaty provisions and in pursuance of permission from Indian agents, Mr. Randall went upon said reservation, established a home, and cultivated the same as his. Twelve Mile House was the Florence road, and made valuable improvements in connection therewith.

In 1873 Hons. J. P. C. Shanks, T. W. Bennett and H. W. Reed were appointed a special commission to examine into the claims and wants of the Nez Perce Indians and in their report dated June 1 of that year recommended among other things the removal of white settlers from their reservation.

Subsequently Messrs. Shanks, Bennett, and Agent Monteith called upon Randall and requested him to execute the paragraph appearing from that time forward in the report for his compensation. A long talk followed, in which he strongly urged, argued, persuaded, and finally induced Randall to sign the paper, which was presented, and Randall signed the same, and on the 4th of August, 1873, giving the written assignment and taking the receipt therefore as stated.

It seems to have been agreed at such interview and when the improvements of Mr. Randall were turned over to said agent that the value thereof was $2,161 and that this sum should be the measure of the compensation allowed therefor. Agent Monteith reports, however, under date of November 25, 1874, that after said interview and delivery of possession he and Mr. Shanks, having their former estimate was too high, reduced it to $1,500, which sum it was agreed that the latter should report for payment. I am unable to find, however, any report from Mr. Shanks in relation thereto upon the files of this office.

In a report to this office from Agent Monteith, dated August 4, 1873, he inclosed a statement of Randall's improvements, in which their value was given at $1,500, but whether this sum was the agent's own estimate does not clearly appear.

On the 30th of January, 1875, this office made a report to the Department recommending the allowance of compensation for said improvements and submitting a draft in duplicate of a bill for that purpose, the original accompanying said letter of transmittal. Such draft or bill drawn January 22, 1875, is on file herewith, addressed to the Honorable Secretary of the Senate and Speaker of the House of Representatives, but this office is not advised of any action having been taken in Congress in the premises.

Superior Allison requests the opinion of the Department upon the propriety of the passage of said bill, whether any, and if any, what compensation should be paid for such improvements.

I am convinced that justice and good faith require the payment of compensation to the claimants for the improvements of Mr. Randall. I am of the opinion that the amount should be determined by Messrs. Shanks and Monteith, special commissioners to the Nez Perces.

I have therefore the honor to recommend the passage of said bill when amended as follows:

In line 8 strike out "$3,161" and insert in lieu thereof "$1,500, with interest thereon at 6 per cent per annum from August 4, 1873, until paid."

Very respectfully, your obedient servant,

E. A. HAYT, *Commissioner.*

The SECRETARY OF THE INTERIOR.

Mr. COCKRELL. I do not ask for the reading of the letters. They merely show that the Secretary of the Interior and the Commissioner of Indian Affairs are in favor of the bill.

Mr. PLATT of Connecticut. I think the Senate has passed a similar bill two or three times already.

Mr. COCKRELL. I think so; if not, it ought to have done so.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

IMMIGRANT STATION BUILDINGS AT SAN FRANCISCO.

The bill (S. 1378) to provide for the erection of buildings for an immigrant station at the port of San Francisco, Cal., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to cause to be constructed on lands now belonging to the United States at the port of San Francisco, Cal., the buildings necessary for an immigrant station, at a cost not exceeding $[illegible].

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DETENTION OF SEAMEN'S CLOTHING.

The bill (S. 3148) to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes," was considered as in Committee of the Whole. It proposes to amend so much of the act approved February 18, 1895, as reads "shall be liable to a penalty of not exceeding $500," so as to read "shall be deemed guilty of a misdemeanor, and shall be imprisoned not more than six months or fined not more than $500, or both."

Mr. PLATT of Connecticut. Is the report in that case long?

Mr. COCKRELL. No; it is a short report.

Mr. PLATT of Connecticut. I should like to hear it read.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the following report, submitted by Mr. ALGER, from the Committee on Commerce, January 7, 1904:

The committee on Commerce, to whom the subject-matter was referred, report the bill (S. 3148) to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes," approved August 19, 1890, and for other purposes, and recommend that it do pass.

The committee recommend as a substitute for S. 3148 which was referred to this committee, and of which it embodies the essential features, a bill (S. 2815) to amend the act approved February 18, 1895, entitled "An act to amend the laws relative to shipping commissioners, seamen, and for the protection and relief of American seamen, and for other purposes," and recommend that the substitute be substituted for the bill and that as so amended the bill do pass.

The purpose of the bill is to prevent a large class of the seamen employed on American vessels from being robbed of their clothing, and to make the offense punishable not a misdemeanor, and a warrant, and not bail. The Department favors the purpose of the bill.

The bill referred, however, repeats entire the act of February 18, 1895, in order to make the amendment intelligible. The substitute does not however, affect various particulars has been modified by more legislation, particularly by the seamen's act of December 21, 1898.

To repeat the act of February 18, 1895, entire without regard to subsequent legislation, might raise questions foreign to the purpose of Senate bill 3148. The Department submits, accordingly, a substitute for Senate bill 3148,

covering only the specific purpose proposed and involving no other matters, and recommends its passage.

Respectfully,

GEO. B. CORTELYOU,
Secretary.

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce, United States Senate.

DEPARTMENT OF JUSTICE,
Washington, D. C., November 28, 1903.

SIR: I beg to inclose herewith, for the information of your committee, a copy of a letter dated the 25th instant, from the United States attorney for the eastern district of New York, suggesting an amendment of the law so as to [illegible] a witness, together with a copy of a bill which he has drafted for that purpose.

Respectfully,

W. A. DAY,
Acting Attorney-General.

Hon. GEORGE F. HOAR,
Chairman Committee on the Judiciary, United States Senate.

BROOKLYN, N. Y., *November 17, 1903.*

SIR: I respectfully [illegible] having trouble with the boarding-house keepers who [illegible] February 18, 1895, provided, among other things, "that [illegible] any witness shall be exempt from arrest under any civil process, except in the trial of any cause or proceeding [illegible] by the witness shall be [illegible] $50."

It has been the practice of this office for years to have such boarding-house keepers arrested, when he or she refused such statutory [illegible] and subpoena [illegible] Recently, however, I presented some cases to a [illegible] in the eastern district of New York, and took it to be [illegible] Commissioner Brewster and applied for a warrant. He claimed to be [illegible] after examining the law, that a warrant could not issue as the law provides for a witness fee [illegible] and not for a trial. I then took the matter to Judge Thomas [illegible] and he concurred in the law [illegible] and issued an order for a warrant and for a criminal action.

[illegible] witness fee has been demanded, and I [illegible] the boarding-house keeper. The result [illegible] and the action will be here for years without being [illegible] because we will not be able to get the witnesses to try it.

I [illegible] amendment to the statutes so as to make such person [illegible] guilty of a misdemeanor, and I am [illegible] a copy of a bill to that effect.

I am, sir, yours, with great respect,

WM. J. YOUNG, *United States Attorney.*

The ATTORNEY-GENERAL,
Washington, D. C.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LIFE-SAVING STATION AT TILLAMOOK BAY, OREGON.

The bill (S. 2698) to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to establish a life-saving station at or near the entrance to Tillamook Bay, on the coast of Oregon, at such point as the General Superintendent of the Life-Saving Service may recommend.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEPUTY COLLECTORS OF CUSTOMS AT TACOMA AND SEATTLE.

The bill (S. 2815) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith, was considered as in Committee of the Whole. It provides that the annual salaries to be paid to the deputy collectors of customs of each of the United States subports, Tacoma and Seattle, in the State of Washington, shall be determined and fixed by the Secretary of the Treasury, who may raise and lower the same at his discretion as the business of the ports shall warrant; such salaries, however, not to exceed the sum of $2,500 each per annum.

Mr. COCKRELL. Let the report be read in that case.

Mr. SPOONER. I should like to ask the Senator from Washington [Mr. FOSTER] if a similar bill did not pass the Senate at the last session of the last Congress?

Mr. FOSTER of Washington. Yes; it passed the Senate at a former session, but it did not pass the House.

Mr. SPOONER. Is it the same bill?

Mr. FOSTER of Washington. It is the same bill.

Mr. SPOONER. There is no change in it?

Mr. FOSTER of Washington. None.

Mr. COCKRELL. Let the report be read; it will take only a minute; it is short.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the following report, submitted by Mr. FOSTER of Washington, from the Committee on Commerce, January 7, 1904:

The Committee on Commerce, to whom was referred the bill (S. 2815) authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith, having considered the same, report it back with a recommendation that it pass without amendment.

The bill has the approval of the Treasury Department, as will appear by the following letter:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, December 21, 1903.

SIR: Replying to a letter from the clerk of the Committee on Commerce, dated the 19th instant, inclosing copy of S. 2815, authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, I have the honor to advise you that the passage of said bill will meet with my approval.

Respectfully,

L. M. SHAW, *Secretary.*

The CHAIRMAN COMMITTEE ON COMMERCE,
United States Senate.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Commerce:

A bill (H. R. 9[illegible]) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak.; and

A bill (H. R. [illegible]) to authorize the Monongahela Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver Township, Westmoreland County.

The bill (H. R. 1[illegible]) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land, was read twice by its title, and referred to the Committee on Military Affairs.

A bill (H. R. 5611) to authorize registers and receivers of United States land offices to furnish transcripts of their records to individuals was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 11[illegible]) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, was read twice by its title, and referred to the Committee on Appropriations.

REPORT ON AGRICULTURAL EXPERIMENT STATIONS.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate and House of Representatives:

I transmit herewith the annual report of the Office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, which includes a [illegible] the work of the agricultural colleges and experiment stations in the United States for the fiscal year ended June 30, last, in accordance with the act relating to agricultural colleges and experiment stations and the act of March 3, 1887, establishing the Department of Agriculture.

The attention of the Congress is called to the request of the Secretary of Agriculture that 5,000 copies of the report be printed for the use of the Department of Agriculture, and that provision be made to print such a report annually.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 5, 1904.*

The PRESIDENT pro tempore. The Chair is in a little doubt as to the reference of the message to the Committee on Agriculture and Forestry. It transmits the request of the Secretary of Agriculture that 5,000 copies shall be printed for the Agricultural Department in addition to the usual number to be printed.

Mr. COCKRELL. I move that the message of the President and the accompanying papers be printed as a Senate document, and that the matter be referred to the Committee on Printing to determine about the extra copies. It is just the same as if it was an annual report of the Secretary of Agriculture that is sent here. It would be ordered printed and the usual number of copies would be printed, and then extra copies could be ordered afterwards.

The PRESIDENT pro tempore. The Senator from Missouri moves that the message and the accompanying papers be printed as a Senate document, and then referred to the Committee on Printing.

Mr. COCKRELL. Then refer it with the request for extra copies to the Committee on Printing.

Mr. TELLER. I have diligently listened, but I am unable to know what is going on. I should like to know what the message is and what the documents are. We can not hear back here.

The PRESIDENT pro tempore. The President has sent to the Senate the report of all the experiment stations in the United States.

Mr. SPOONER. Agricultural experiment stations?

The PRESIDENT pro tempore. Agricultural experiment stations.

Mr. COCKRELL. The annual report.

Mr. SPOONER. Ought not the message and report to go to the Committee on Agriculture and Forestry?

The PRESIDENT pro tempore. The Senator from Missouri moves that the whole matter be printed as a Senate document and referred to the Committee on Printing.

Mr. COCKRELL. That is the usual custom.

The PRESIDENT pro tempore. The Senator from Missouri moves a reference to the Committee on Printing, because the

President at the same time states that the Secretary of Agriculture desires to have 5,000 copies printed for the use of the Agricultural Department.

Mr. COCKRELL. That will go to the Committee on Printing.

Mr. CULLOM. That part of it.

Mr. COCKRELL. The request for 5,000 copies.

Mr. TELLER. Will not the message go to the Committee on Agriculture and Forestry?

Mr. COCKRELL. It is just the same as if the Secretary of Agriculture had sent in his annual report. This is the annual report of the Office of Experiment Stations. We simply receive it, and an order is made to print it, and under that order the usual number of copies, 1,700, are printed.

Mr. SPOONER. That leaves it in a condition ready to have extra copies printed.

Mr. COCKRELL. After that we pass a resolution providing how many copies shall be printed for distribution. This is just the same case. The Secretary of Agriculture asks that 5,000 copies be printed for his use. The Senate has no authority by a separate resolution to order 5,000 copies, as it will cost over $500 to print it, and we refer that part of the message to the Committee on Printing to consider the propriety of printing that number.

Mr. TELLER. It seems to me that it ought to go to the Committee on Agriculture and Forestry and not to the Committee on Printing. The message, so far as that suggestion is concerned, ought to go to the committee that will have the Agricultural appropriation bill before it. I do not mean that all the bundle of papers on the desk of the presiding officer shall go there. I think the motion of the Senator from Missouri as to those is all right, but it seems to me that the message itself should go to the Committee on Agriculture and Forestry, that they may, when they bring in the agricultural appropriation bill, provide for it. That is the proper place to provide for it, it appears to me.

Mr. COCKRELL. No, the printing is always done separately. It is rare that on a regular appropriation bill any provision is ever made for printing a document. They are brought before the Senate on the report of the Committee on Printing, and the Senate orders the publication. There is a general fund for the payment of the printing. I think we would be more apt to get extra copies by letting it go to the Committee on Printing, as is usual in all such cases.

Mr. TELLER. I understand that the message goes to both Houses. Does it not?

Mr. COCKRELL. Not necessarily so. This message would not go to both Houses.

Mr. TELLER. Not necessarily, but I should say that might be the case.

Mr. COCKRELL. I should think not. The annual report is sometimes sent to the Senate and sometimes to the House. Only one body orders it printed as a document, under the general rule.

Mr. TELLER. What I am anxious about is that the Secretary of Agriculture shall have this printing done, if he wants it done. That is about all I care in regard to the matter.

Mr. COCKRELL. I think to let it go to the Committee on Printing would be a safer way to get it.

Mr. TILLMAN. It seems to me that if this report, which on its face would purport to be the results achieved in a scientific way by the experiments made at the various experiment stations which are conducted under Government patronage, involves or embraces anything that is valuable, and I have no doubt it is valuable or it would not come here, and the reports of experiment stations are always valuable to farmers, it ought to be printed in some kind of a permanent shape. To have it printed as an ordinary document, as a pamphlet, means its speedy destruction, and is practically a waste of public money.

If we have not any general law which provides for the publication of this report, like we have for the Yearbook of the Department of Agriculture, it does look to me as though it is time there should be some provision of law under which such material as this shall be printed. It is the result of the scientific corps who are employed all over the United States at the various State experiment stations and who have been engaged in obtaining this information. It seems to me that this data, these facts, these experiments, should be put in a permanent shape, and that there should be a provision of law which would enable it to be done without this kind of a proceeding every year.

I suggest, as a farmer knowing something of the value of those experiments, that this message, with the accompanying papers, be referred to the Committee on Agriculture and Forestry, to determine what shall be done with it in the way of publication and what the form of that publication shall be. We all know the immense demand for the Yearbook of the Agricultural Department. I could very readily dispose of, and our farmers would be glad to get, 20,000 copies. My quota is some six or seven hundred copies, I think——

Mr. COCKRELL. Eleven hundred.

Mr. TILLMAN. And the entire State gets only some three or four thousand all told.

Now, this is equally as valuable and in some respects it is a more valuable document than the Yearbook, and I make a motion that these papers be sent to the Committee on Agriculture and Forestry.

Mr. COCKRELL. I hope the Senator will not prevent the publication of this document in the usual way, and just precisely as the Agricultural Report is printed. This is taking the exact course every public document that is printed for distribution takes.

Mr. TILLMAN. Is the Yearbook printed in this way?

Mr. COCKRELL. The Yearbook takes just the same course. We have 1,700 copies of the Yearbook printed.

Mr. TILLMAN. And then we have some 300,000 copies printed?

Mr. COCKRELL. We then pass a separate resolution authorizing the printing of a certain number of extra copies, so many for the Senate and so many for the House.

Mr. GALLINGER. That is right.

Mr. TILLMAN. What I am after is enough copies. The trouble is to get enough of these reports printed. The Department of Agriculture asks for 5,000. Will Senators have none?

Mr. SPOONER. That question is not involved in the motion to print as a Senate document.

Mr. COCKRELL. What I moved was the usual, ordinary, orderly way of printing a public document. We order it printed. Seventeen hundred copies of all of them—of our bills and our reports and everything of the kind—are printed, and they are distributed to different places.

Mr. CULLOM. Under the law.

Mr. TILLMAN. But they are in pamphlet form. They are not bound in cloth.

Mr. SPOONER. That is a separate proposition.

Mr. COCKRELL. I have stated that they are distributed all around to the different offices. Some go to the heads of Departments; they go to the committees and all that in an unbound form. They are not bound.

Mr. CULLOM. They have paper backs.

Mr. TILLMAN. Simply in pamphlet form.

Mr. COCKRELL. Yes, in pamphlet form. When that has been done Congress authorizes the publication of additional volumes to be bound or not to be bound, just as the resolution authorizing them may direct.

Mr. TILLMAN. Who will determine how many copies shall be printed—the Committee on Agriculture?

Mr. COCKRELL. The Committee on Printing; that is the committee which reports back here on the question.

Mr. BATE. And after the report is made the Senate may amend it and order as many copies as it chooses.

Mr. COCKRELL. When the report comes here the Senate can double, or quadruple, or quintuple the number. What I propose is simply what has been done ten thousand times here by the Senate in an orderly way.

Mr. TILLMAN. I do not to make my friend's hair stand up any straighter, and I shall have to subside.

Mr. BATE. It seems to me that the whole object can be accomplished by sending the message to the Committee on Agriculture and Forestry. They would report back here and ask the Senate to authorize the printing. All that can be done by sending it to the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. What is the exact proposition of the Senator from Missouri?

Mr. COCKRELL. To print the usual number in the usual way, and then a resolution to print 5,000 copies for the Secretary of Agriculture to go to the Committee on Printing, and when the Committee on Printing reports a resolution to print 5,000 copies for the Secretary of Agriculture, if the committee does not amend it so as to provide for printing some additional copies, I shall move that additional copies shall be printed both for the Senate and House.

The PRESIDENT pro tempore. Shall the papers, after they have been printed as a Senate document, go to the Committee on Printing?

Mr. COCKRELL. Only on the request of the Secretary of Agriculture. They go to the Public Printer and are printed just like any other documents that are sent there.

The PRESIDENT pro tempore. Then the message of the President will go, of course, to the Committee on Printing.

Mr. COCKRELL. The message will go to the Committee on Printing, because the President makes a request for the printing of 5,000 extra copies, and we can not order that printing without the report of the committee.

The PRESIDENT pro tempore. If there be no objection, the order made is that the message of the President shall be referred to the Committee on Printing, and that the message and the papers accompanying the message shall be printed as a Senate document.

Mr. COCKRELL. That is right.

The PRESIDENT pro tempore. And that the maps and the illustrations shall also be printed?

Mr. COCKRELL. Oh, yes; they all go together.

The PRESIDENT pro tempore. That order is made.

The resolution referred to the Committee on Printing was reduced to writing, as follows:

[illegible] That 5,000 extra copies of the Annual Report of the Office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, be printed for the use of the Department of Agriculture.

LINUS S. LUDINGTON.

Mr. BURNHAM. I ask unanimous consent to call up the bill (S. 3738) granting an increase of pension to Linus S. Ludington.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Artillery," to insert "Heavy;" in line 8, after the word "Veteran," to strike out "Volunteer;" and in line 10, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

[illegible] That the Secretary of the Interior be and he is hereby, [illegible] pension roll the name of Linus S. Ludington, late of [illegible] Heavy Artillery, and [illegible] Congress, Special Index on Veteran Reserves [illegible] pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RELATIONS WITH COLOMBIA.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. Senate resolution 82, by Mr. BACON, favoring the negotiation by the President of a treaty with the Republic of Colombia to satisfactorily adjust and determine all differences between the United States and Colombia growing out of the recent revolution in Panama, etc.

Mr. MALLORY. The several serious questions, Mr. President, which have arisen out of our recent negotiations with Colombia and the more recent insurrection on the Isthmus of Panama have been discussed in the press of the country, in the other body of Congress, and in this body very effectually, and much to the enlightenment of the public. I scarcely think that anything I can say will change the opinion of anyone who has given close attention to the debate and has informed himself of the facts connected with the subject.

But I conceive it to be my duty, inasmuch as in my capacity as a member of this body I will be called upon to ultimately act on this subject, to give a brief narrative of the facts, to state my conclusion on those facts, and present the decision which I have reached thereon as to the action which I shall take regarding it.

Mr. President, when this Senate adjourned last March the most important of its acts accomplished was the ratification on the 17th of that month of the convention commonly known as the "Hay-Herran treaty," whereby for divers considerations the Republic of Colombia granted to the United States the right to construct, operate, and control a ship canal across Colombian territory in the Department of Panama, to connect the waters of the Atlantic and Pacific oceans.

Enough has been said on this floor of the monumental and epoch-making character of the undertaking to which this Government was committed by that treaty to render unnecessary further reference to those considerations. It suffices to say that its ratification was accepted by the great majority of the people of this country as the beginning of the realization of a deeply cherished national hope that had been long deferred, and as the first practical step toward a consummation that would unfetter the trade and commerce of the world, open an indispensable avenue of communication between our Atlantic and Pacific coasts, and give us a strategic advantage of inestimable value should we unhappily ever become involved in war with one or more of the world's great powers.

It was generally understood in this country at that time, and correctly so, I believe, that the negotiations which led up to the formulation of that convention were sought for and initiated by Colombia, that her propositions with slight modifications were accepted by our Department of State, and that in ratifying it without amendment this Senate assented to concessions to Colombia in some particulars that strained to the limit the bounds of prudence and a just appreciation of the interests of the United States.

I think I can, without impropriety, express the belief, Mr. President, that the conviction that Colombia in initiating negotiations and making her proposals was sincerely desirous of speedily effecting a treaty which would be just and honorable to both nations, and that our unqualified acceptance of terms far less favorable to the United States than we could wish would secure its prompt ratification by the Colombian Congress, had a most potent influence in shaping opinion in this country and in securing almost unanimously favorable action by this body on that series of exceptionally important propositions.

The treaty so ratified was duly submitted to the Colombian Congress, which assembled at Bogota on June 20, 1903, and President Marroquin, by whose solicitation our Department of State was induced to listen to Colombia's overtures, delivered a message in which he perfunctorily expressed the opinion that it was the interest of Colombia that a canal should be constructed by the United States through her territory, but congratulated himself that the immense responsibility of coming to a decision in this particular case fell not on him, but on the Colombian Congress.

In brief, after having been the prime factor in persuading the United States to commit herself to a preference for the Panama route and to terms that we were led by him to believe were acceptable to Colombia, the Chief Executive of that State coolly remitted the whole matter to a Congress that was utterly ignorant of or indifferent to the transcendent importance of the subject. If he made any serious effort to induce that Congress to treat the matter in a manner and spirit worthy a question of such dignity and of such importance to the world in general and to the United States in particular, he failed most signally to make any record of it, and we are justified in believing that he was unwilling to do so.

Yet, Mr. President, despite this remarkable conduct on the part of her Executive, it was not unreasonable to expect that, through the legislative branch of her Government, Colombia would manifest a more courteous if not a more amicable disposition toward the United States. The facts that I have recited must have been known to the members of that Congress; they could not have been ignorant of the deep concern with which the people of this country would view any essential modification of the provisions of the treaty, nor of the very natural resentment that would be aroused in the United States should it appear that in her previous negotiations with us Colombia's action had been insincere and inspired by a purpose to deceive.

To say, Mr. President, that the treaty was deliberated, on or that it received any serious consideration while awaiting action by the Colombian Congress would be a misuse of terms.

It was made to serve from time to time as a pretext for more or less lurid oratorical outbursts, by which the political enemies and supporters of Marroquin exploited their opinions of that patriot, but that it was discussed with any intention of evolving a practical conclusion, of contributing to the realization of the great beneficent international undertaking for which the treaty was framed, is incontestably disproved by authentic evidence in our possession.

With an utter disregard of the gravity of their action—and I use the expression advisedly, Mr. President—the Colombian Senate unanimously rejected the treaty in its entirety on the 12th of last August. Subsequently a committee of three senators was appointed to devise and formulate a project or scheme for a treaty which would be acceptable to Colombia, and on August 29 that committee reported the result of its labors.

The most significant features of that project were the requirement that the New Panama Canal Company, which, by article 1 of the Hay-Herran treaty was authorized to sell and transfer its rights, privileges, properties, concessions, etc., to the United States without paying the Colombian Government anything for that permission, should pay therefor on making the transfer 50,000,000 francs, and, secondly, that the government building the canal should pay to Colombia upon exchange of ratifications of the treaty $20,000,000 in American gold, which was a raise of ten million on what Colombia's plenipotentiary had stipulated for in article 25 of the treaty.

The treaty provided that beginning nine years after its ratification the United States would pay to Colombia, in addition to the $10,000,000, $250,000 annually during the life of the treaty. The committee's scheme provided for an annual payment of $150,000 in gold up to 1967, inclusive, and $100,000 thereafter, with the privilege of renewing the concessions every one hundred years on increasing the annual payment 25 per cent.

It also provided for mixed tribunals for the canal zone, and made pretty much the same provisions for the preservation of peace and order and for neutrality and sovereignty as were contained in the treaty, but the duty of looking after public sanitation was reserved to Colombia. So far as the constitutional question on which was based Colombia's alleged unwillingness to surrender any sovereign right on the Isthmus was concerned, there seems to be but little difference between the provisions of the treaty and the propositions of that committee.

It would appear, therefore, that the proposed increase of pe-

cuniary profit to Colombia embodied in the committee's scheme was efficacious in disposing of objections based on constitutional grounds.

This project or scheme was referred to another committee, which, on October 14, reported at length thereon and recommended that it be indefinitely postponed.

In its report that committee presented various arguments in support of its conclusion and submitted for consideration certain new points, which are chiefly noteworthy as revealing the committee's ignorance of or indifference to the serious character of the problem confronting it, and its purpose to "hold up" the great undertaking with the view of possibly forfeiting the property and rights of the New Panama Canal Company and compelling the United States to purchase from Colombia that property and those rights. Those new points are set forth in Senate Document No. 51, Fifty-eighth Congress, second session, page 84, and are in the following language:

> The Herran-Hay treaty has ceased to exist, both because of its unanimous rejection by the Senate and because the time for the exchange of its ratifications, the 22d of September, has already expired, without any extension having been provided or asked for. Consequently the state of the case is the same that it was before the conclusion of the treaty. The first condition therein established was the possession granted to the new company to date for its rights. The Senate having refused to permit this transaction, the company has remained under obligations to fulfil its part and the Colombian Government is still under obligations to respect all its provisions and to cause them to be respected.
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> How can it be asked that Congress shall enact a law of authorizations to negotiate with a foreign government when the rights and privileges of the New Panama Canal Company are still in force?
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> The treaty concluded April 4, 1893, which amended those of March 25, 1878, and December 10, 1880, granted to the New Panama Canal Company an extension of ten years—that is to say, until December 31, 1904. Consequently, even without a new extension, the company will be in the full enjoyment of its rights and privileges until October of the ensuing year. The Colombian other consideration: The legislative decree No. 22 of last year granted the company a new extension of six years, which begins to be reckoned next year and will end October 31, 1910.
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> One point now remains to be examined, which has so often been discussed by the press, a point which, now that the matter is under discussion, should be defined.
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> Is the extension granted by that legislative decree valid or not? In the first case—that is to say, if it is considered valid—seven years must elapse before the extension expires, and therefore any law concerning authorizations, preparatory, as three sessions might still be held which would be able to examine the matter and to legislate concerning it with better data and at a time when the present Congress has; and if the extension is not valid, the question changes entirely, and the basis of discussion will be quite different.
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> By the 31st of October of next year—that is to say, when the next Congress shall have met in ordinary session—the extension will have expired and every privilege with it. In that case "the Republic will become the possessor and owner, without any need of a previous judicial decision and without any ownership, of the canal itself and of the adjuncts that belong to it, according to the contracts of 1878 and 1890."
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> When that time arrives, the Republic, without any investment, will be able to contract, and will be in more clear, more definite, and more advantageous possession, both legally and materially. The authorizations which would then be given by the next Congress would be very different from those that can be given by the present one.
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> It is seen, therefore, that it is the duty of Congress to decide, as a previous question that can not be shirked, concerning the validity of the extension granted in 1893. We venture nothing on the subject, and we respect, as always, the decision of Congress in so delicate a matter. Supposing that it does not ratify said extension, it is well to observe now that it would be necessary to include in the budget the appropriation that would be necessary to repay to the company the sum of 5,000,000 francs with interest.

Mr. President, by article 1 of the Hay-Herran treaty Colombia, through her plenipotentiary, expressed a willingness to permit the New Panama Canal Company to transfer to the United States its rights, privileges, properties, concessions, etc., without paying Colombia one cent for that permission; by the scheme proposed by the committee, which reported on August 29, it appeared that the wisdom of the Colombian Senate, as embodied in a select committee, found that 50,000,000 francs would be a fair compensation to Colombia for granting that permission, provided the United States would also pay to Colombia $20,000,000 in American gold; while the last committee, which for divers reasons recommended the indefinite postponement of this scheme, advised a campaign of masterly inactivity, whereby at the end of a year Colombia would possibly become the owner of the canal and its adjuncts, and presumably be in a position to sell the same to the United States for at least $40,000,000—the $10,000,000 we were to pay to the New Panama Canal Company for its rights, property, concessions, etc., and the ten millions we were to pay Colombia under article 25 of the Hay-Herran treaty.

Whether this can be regarded as the high-water mark of the cupidity of Colombia's representative statesmen and the limit of their capacity to drag a great international transaction down to the moral level of a gipsy horse trade we will never know, because President Marroquin, whose enemies have never charged him with a want of perspicacity, dissolved the session of Congress on October 31, before the project of August 29 could be brought to a vote or the report of October 14 had come up for discussion.

This was the lame and impotent conclusion of our effort to secure an isthmian canal by atreaty with Colombia. The hope had been inspired by Colombia; she had led us to believe that if we would abandon the Nicaragua project she would gladly assent to the essential provisions of the convention which her plenipotentiary had signed, only to demonstrate, at last, that she was actuated by no higher motive than to wring from us the last dollar which our eager wish to secure that canal and the resources of our Treasury would enable her to extort.

Mr. President, I do not doubt the right of a sovereign state to amend or reject a treaty, even when its material provisions are the results of her own suggestions; but I affirm that in such a case her grounds of nonconcurrence must be fair and reasonable, and she can not disclose an insincere or unworthy motive for her action without giving a just cause of offense to the other high contracting party.

That I am not singular in ascribing such insincerity and unworthiness of motive to Colombia may be gathered from the utterance of Señor Caro, a prominent Colombian senator, who, in addressing the Colombian Senate on this subject, is reported by Minister Beaupré to have said:

> That the minister for foreign affairs had the honor of the American minister read to the Senate [illegible] that in that event it was his duty to inform the minister of the grounds, reasons, or things upon which the Senate based its belief that the Senate disapproved the treaty and was determined to reject it, and that the Government, through Senator Marroquin, then present, submitted a resolution declaring that the action of the Senate was in accordance with the desire of the Government; that the Senate had been influenced to reject the treaty by a report of a committee and at the threatening attitude assumed by the United States.
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> [illegible] known to the Government of the United States, and [illegible] presented.
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> [illegible] the Senate [illegible] the treaty [illegible] and the Senate was unanimously of opinion that the time for the exchange of the ratifications had long since passed. The Senate was of the opinion that the Government of the United States was trying to force the ratification of the treaty by the threatening attitude it had assumed, and was trying to force the Senate into a position of being the party to the rejection of the treaty, and thus avoid the responsibility of the rejection. The Senate was not willing to be placed in this position, and was determined to reject the treaty on its own grounds, and not be forced into a position where it would be compelled to reject it because of the action of the United States. The Senate was not willing to be forced into a position where it would be compelled to reject the treaty because of the action of the United States, and was determined to reject it on its own grounds, and not be forced into a position where it would be compelled to reject it because of the action of the United States. The Senate was not willing to be placed in this position, and was determined to reject the treaty

rial—facts that should, in my judgment, determine my action as a Senator regarding this treaty.

The details and intrinsic merits of the treaty itself can be dealt with only in executive sessions of this body; but it is urged with much vigor and eloquence, first, that the conduct of the executive branch of our Government in dealing with Colombia and Panama is quite incapable of defense or justification, and, secondly, that one who disapproves or condemns the Executive's action in any particular in that connection can not favor the ratification of the treaty without ipso facto condoning a flagrant international wrong.

To sustain the first of these propositions it is argued that certain occurrences, both in Panama and in this country, precedent to and practically coincident with the uprising in Panama, demonstrate beyond a reasonable doubt that some official or officials of the United States in position of high responsibility, through some unknown medium, incited the Panama leaders to revolt against Colombia by intimating, suggesting, or otherwise communicating to them the favorable course of action which the Executive of the United States would pursue in case of an uprising on the Isthmus.

It will be admitted that there were circumstances which gave a strong coloring and plausibility to this contention, but we are relieved of any occasion to speculate concerning them by the positive and unqualified denial of the President, made in his message to Congress on the 4th of last month. That denial is comprehensive and complete, and, so far as I am concerned, disposes of the charge definitely and conclusively.

In support of the same proposition it is also urged that the Executive violated the act of Congress commonly styled the "Spooner Act," in that when the Colombian Senate rejected the Hay-Herran treaty he did not, as required by that law, abandon the Panama route and proceed to negotiate with Nicaragua and Costa Rica for the right of way via San Juan River and Lake Nicaragua.

My understanding of the object and terms of the Spooner Act compels me to differ with those who hold this opinion.

While with the light we now have on the motives of the Colombian Executive and Congress it seems that they were not disposed at an early day to make any compact with us under which we would be able to secure a satisfactory title to the property of the New Panama Canal Company and perpetual control of a canal zone across the Isthmus on reasonable terms, still their action was not conclusive of Colombia's purpose to adhere to a policy so antagonistic to her own interest, and Congress had expressly permitted the President to keep the matter open with the Government of Colombia until a reasonable time for securing the desired rights had elapsed.

The Colombian Congress did not drop the matter with the rejection of the treaty on August 12. While they had thrown its propositions overboard with as little compunction or hesitation as if those propositions had been an orphaned litter of blind puppies, they had not abandoned consideration of the great subject to which they related, and at the time of their dissolution that Congress had before them a series of counter propositions, which were undoubtedly intended for the consideration of the United States. Can it be justly said, in view of the magnitude of the subject and the circumstances attending the negotiations with Colombia, that when the Colombian Congress adjourned the Panama route was effectually and finally barred against us, and that any further effort to secure what this Government deemed the most desirable route would involve an unreasonable consumption of time? In my judgment, Mr. President, this can not be done; and if it can not, this point of criticism of the Executive is not well taken.

The point has also been dwelt on by some of those who criticise the action of the President as being contrary to the requirements of the Spooner Act in that he had no right to treat with any other sovereignty than Colombia for the Panama Canal concession, because the Spooner Act required him to secure the right of way across the Isthmus from the Republic of Colombia. To my mind, Mr. President, this contention subordinates the spirit and object of the Spooner Act to its letter, and is contrary to the plainest rules of statutory construction.

The territory over which we desired to secure control was as distinct and well defined as a city lot or block. The purpose to which we desired to put it—viz, a canal route across the Isthmus of Panama—was the only purpose for which we could use it, and it was quite immaterial from what owner or sovereignty we were to obtain it. To obtain the concession for that route was of the essence; to obtain it from Colombia was simply incidental. I do not think, Mr. President, that this point can be successfully maintained, and I shall dismiss it with this brief reference.

It is further urged that the Executive in recognizing the existence of a government in Panama, through the action of our consul-general, Mr. Ehrman, on the 7th of November, only four days after the outbreak of the revolution, violated a plain canon of international law, because it is a principle of law governing the recognition of all governments, and particularly those that have seceded or withdrawn from political connection with existing states, that they should not be recognized until they have established a stable government and have manifested ability to maintain their independence.

The same is said with equal force concerning the action of the President in receiving Mr. Bunau-Varilla on the 13th of November as envoy extraordinary and minister plenipotentiary of the Republic of Panama and accepting the credential tendered by him.

Under our Constitution the President is vested with authority and discretion to receive ambassadors and other public ministers. It is for him to determine whether or not he shall by receiving such a diplomatic official commit the United States to a recognition of the sovereignty and independence of the state sending the envoy.

I am quite certain that there are considerations connected with this case which would have deterred most of our Executives from taking this important and conclusive step when it was taken, and I myself believe that the President was guilty of error in acting as precipitately as he did.

But, Mr. President, in my judgment the principal wrong involved in that error was suffered by the United States, for by it a precedent has been set which is alike menacing to our peaceful relations with foreign nations and to the peace and [illegible] well-deserved reputation for an exalted sense of right and justice.

I differ with those, Mr. President, who affirm with much emphasis of assertion that had it not been for the interference of the armed forces of the United States with the freedom of movement of the Colombian troops the revolution would have been speedily crushed. Our action may have prevented a conflict and bloodshed, which I hold, however, to be no excuse for that action under the then existing conditions; but I am free to say that it is not clear to me that it could have been crushed by Colombia, even if the United States had kept her Navy and marines out of sight of the Panama coast. The revolutionists had gained absolute control of the city of Panama, and with the Colombian troops there, who had joined the revolutionists, had at their command a force largely superior to that which General Tobal landed at Colon on the morning of the 3d of November. The people of Panama had every reason to wish for separation from the Colombian Republic, and it stands to reason that they were practically unanimous in favor of independence and autonomy. Their territory was separated from the rest of Colombia by about 300 miles of as rugged mountain wilderness as can be found on this hemisphere. On the east and south this barrier rendered them practically safe from invasion. On the west and north they had a friendly republic from which no present hostility was to be apprehended. Colombia herself was absolutely bankrupt financially, and politically was torn to pieces by perennial contests between irreconcilable factional leaders. Panama could be approached only by water, and the Colombian navy was so feeble and moribund as to be incapable of performing any more warlike duty than the transportation of such few troops as their limited space would permit. We certainly would not have permitted them to bombard either Panama or Colon.

Panama would have had the sympathy of the people of the United States, and of all people who view with approval the efforts of the downtrodden and oppressed to strike off their political shackles, and I doubt not would have been able to procure all the financial and material aid that was necessary to enable her to make a vigorous defense of her territory. If these considerations are of weight it would not seem that the alleged disparity of strength between Panama and Colombia, based on their very unequal populations, was so great as to make the effort of Panama to maintain herself against the attack of Colombia as hopeless as has been contended for.

Again, Mr. President, while the principle of international law that I have referred to is undisputed, it is also an accepted doctrine that a state, when called on to recognize the sovereignty of a new-born state, is justified in shaping her action according to what she believes to be her best interests. Conceding that the requirements for recognition have been complied with, it does not follow that the state from which a recognition is sought is bound to recognize unless she sees that it is to her interest so to do.

In other words, it may be said that while a new-born state should not be recognized as sovereign and independent until she has placed herself in the position required by the law of nations, the fact that she is in such position does not impose on another state any obligation to recognize her at any particular time. Whether the recognition shall be prompt or long deferred is a matter entirely in the discretion of the recognizing state. On this principle our Government has acted in numerous instances in dealing with the question of recognizing new states.

To recognize as independent a state that has seceded from another state before the former has established a government or demonstrated her ability to maintain her independence, is an act of hostility to the latter state, and may justly be assigned as a cause of war against the recognizing state. To do so after a government has been established and ability to maintain it against the enemy has been demonstrated, is not inconsistent with the obligations of neutrality and can not be a just cause of war.

While, as I have indicated, it is my opinion that there was reason to believe that Panama could successfully resist the assaults that Colombia might have made on her, it is a fact that as to this there was and still is a wide difference of opinion, and she certainly, at the time of her recognition by our Government, had not shown or attempted to show what she could do in that regard.

It was purely a matter of conjecture, and will ever remain as remote from an accomplished fact. Neither was the other requirement of law for Panama's recognition an existing fact. She was not a republic, either in form or in substance, and her government was a committee, composed of a very limited number of men who had grasped the sovereignty of the state provisionally and with the avowed purpose of ultimately, at some other time, organizing such a government as is recognized by civilization. In recognizing the so-called Republic of Panama, under these circumstances, the President undoubtedly furnished Colombia with a just cause for a declaration of war against us.

This, Mr. President, was a step which I am quite sure can not be justified under that provision of our Constitution which vests in the Executive the right and power to recognize a sovereign state. The true interpretation of that clause of our Constitution would, I think, impose on the Executive the duty of ascertaining beyond any question whether his act of recognition could be justly construed as an act of hostility by any nation that had reason to object to such recognition, and if he found that his action could be so construed then it would be his duty to defer recognition, at least until he could have an opportunity of consulting that branch of our Government to which the Constitution confides the grave responsibility of declaring war.

There may be, undoubtedly, some exigencies in which the Executive has to perform some act that will probably lead to war; but such exigencies are rare, and it is very clear that the framers of the Constitution in vesting in the President the right to receive ambassadors and other public ministers did not contemplate that the power so conferred should ever be used as a substitute for a declaration of war.

To my mind, however, Mr. President, the feature connected with this incident of the Panama revolution that is most objectionable and indefensible is found in the fact that, try to defend it as we may, the Colombian Government in a time of peace, when her relations with us, though perhaps not cordial, were certainly not hostile, was prevented by our Government from attempting to assert her undeniable right to suppress disorder within her own territory, and that it is a fact that the peaceful organization of the Panama Government was probably due to our interposition.

When, in addition to this consideration, it is borne in mind that we were most solicitous to secure a right of way for a ship canal across the Isthmus of Panama, and that by our precipitate recognition of the independence of Panama we made a long stride toward the realization of that desire, it would seem to a disinterested and impartial judgment that the United States had abandoned her time-honored traditions and had recklessly subordinated the preservation of her high repute among the nations of the earth to the sordid purpose of material profit.

But, Mr. President, while it may be admitted that in the matter of recognition of the Republic of Panama something may be said, if not in justification, at least in palliation of that unprecedented step, and that some of the criticisms evoked by it have been extremely harsh and bitter, the remaining point to which those who have criticised the Executive's action have earnestly called attention is to my mind much more serious and much more difficult to defend.

In a former part of my remarks I called attention to dispatches sent by our Acting Secretary of the Navy on November 2, 1903, to the United States cruiser *Nashville* at Colon, the *Boston* at San Juan del Sur, the *Marblehead* at Acapulco, and the *Dixie* at Kingston, Jamaica. It will be observed that the dispatch directed to the commanding officer of the *Nashville* and the others were of similar import, ordered him to "prevent the landing of any armed force with hostile intent, either Government or insurgent, either at Colon, Porto Bello, or other point," adding that a Government force was reported approaching the Isthmus in vessels and that their landing should be prevented if in the judgment of that officer such landing would precipitate a conflict.

This dispatch was sent and reached its destination before a single hostile arm was raised against the sovereignty of Colombia on the Isthmus of Panama. We were at peace with Colombia, with her diplomatic representative at our capital, and our minister residing at Bogota. We had only a short time previously emphasized our recognition of the sovereignty of Colombia over the Department of Panama by undertaking to gain the consent of Colombia to the construction by us of a canal across the Isthmus.

Under the law of nations these orders to our naval commanders were in flagrant violation of the sovereign rights of Colombia and can not be successfully defended or justified, unless it can be shown beyond question that Colombia had yielded up to the United States the right possessed by every sovereign state to suppress disorder and unlawful violence within her own territory. Clearly, if we had no treaty right with Colombia empowering us to interpose between her and her prospective domestic lawbreakers, these orders commanded our officers to commit an act of war against Colombia.

It will also be observed that subsequently, after the uprising had occurred at Panama, our naval officer in command at the Isthmus landed marines for the purpose of preventing Colombian troops who were on their way to Panama from being transported to that city. The officer in command of the Colombian troops was informed by the commander of the *Nashville* that he would not be allowed to proceed to Panama, and a conflict and probable bloodshed were averted only because the Colombian commander desisted from any forcible effort to carry out his purpose.

This conduct on our part is, of course, also unjustifiable under the law of nations, and can not be supported unless it can be shown that Colombia by treaty or concession gave the United States the right to take this action.

I have listened, Mr. President, to some of the arguments in justification of the Executive in the matter to which I am now referring, and I have read with due care and attention the arguments furnished us by the President himself in his annual message and in that of January 4, but I have failed to hear or discover anything in those arguments approximating to a justification of that action.

Article 35 of our treaty of "peace, amity, navigation, and commerce" of 1846 with New Granada, to the rights and obligations granted and imposed by which Colombia succeeded, contained reciprocal stipulations on the part of the contracting parties which may be briefly summarized as follows:

The Government of New Granada guaranteed to the Government of the United States that the right of way or transit across the Isthmus of Panama, upon any mode of communication then existing or thereafter constructed, should be open and free to the Government and citizens of the United States and for the transportation of any articles of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States. * * * And the Government of the United States, in order to secure to themselves the tranquil and constant enjoyment of the advantages mentioned and as an especial compensation for said advantages and other favors acquired by the treaty, guaranteed, positively and efficaciously, by that stipulation the perfect neutrality of the Isthmus of Panama, with the view that free transit from one to the other sea should not be interrupted or embarrassed in any future time while the treaty should exist; and in consequence, the United States also guaranteed in the same manner, to wit, positively and efficaciously, the right of sovereignty and property which New Granada then had and possessed over the said territory, to wit, the entire Isthmus of Panama.

The construction put upon this guaranty of neutrality by all of our Secretaries of State who have had occasion to refer to it in their State Papers has confined the obligation on the part of the United States to the preservation of the neutrality of the Isthmus against any warlike acts on the part of any foreign nation.

It has on more than one occasion been declared by such authority that the duty imposed on the United States by that stipulation did not require us to interfere in the domestic broils of New Granada or Colombia. It has been contended by some of our publicists, and with some show of reason, I think, that under that guaranty the United States had the right, in case Colombia was unable to suppress disorder in Panama whereby the open and free transit across the Isthmus was obstructed, to interpose with such force as was necessary to remove such obstruction and preserve uninterrupted and unembarrassed transit by restoring the supremacy of legitimate authority.

This would be consistent with the expressed purpose of our guaranty of neutrality and with the purpose of Colombia in conceding to us free transit without interruption or embarrassment. Undoubtedly, under that clause of the treaty, we had the right when requested by her to give our aid to Colombia in suppressing disorder or insurrection on the Isthmus, whereby free and open transit was likely to be interrupted, but we were under no obligation to do so, and that right is very different from the right to prevent Colombia from taking proper steps to suppress an insurrection against her authority.

The fact that the parties to the treaty thought proper to insert after the guaranty of neutrality the further guaranty of the

right of sovereignty and property of New Granada on the Isthmus disclosed their intent to exclude the idea of any release of her sovereign rights over the territory other than that which was necessary to enable the United States to comply with her guaranty of neutrality. Had there been no clause in the treaty guaranteeing the sovereignty of New Granada, the fact that she yielded any more of her sovereignty than was necessary, in order to enable the United States to perform her duty as a guarantor of neutrality, could not be inferred or gathered by implication from anything in the treaty.

Sovereignty, Mr. President, has been defined more or less tersely by different authorities on international law. From some of them I quote the following. It is—

The supreme power by which any state is governed. (Wheaton's Elements, etc., p. 115.)

The supreme, absolute, uncontrollable power by which any state is governed. (Bouvier.)

The political authority, whether vested in a single individual or a number of individuals, to order and direct what is to be done by each individual in relation to the end and the object of the state. (Halleck.)

The union and exercise of all human power possessed in a state; it is a combination of all power; it is the power to do everything in a state without accountability; to make laws, to execute and apply them, to impose and collect taxes and levy contribution, to make war or peace, to form treaties of alliance or commerce with foreign nations and the like. (Story.)

Vattel, book 1, section 4, defines a sovereign state to be:

Any nation or people, whatever may be the form of its internal constitution, which governs itself independent of foreign powers.

This supreme, absolute, and uncontrollable power is necessary and essential for the self-preservation of a state, and is never yielded or surrendered, even in a minor degree, except for most compelling reasons. If relinquished to any considerable extent it necessarily means the destruction of the state's independence, which is the very life and soul of the nation.

Of the absolute and undeniable rights of states says Wheaton:

One of the most essential and important, and that which lies at the foundation of all the rest, is the right of self-preservation. It is not only a right with respect to the other states, but a duty with respect to its own members, and the most solemn and important which the state owes to them.

And Chancellor Kent tells us that—

The right of self-preservation of a nation, as well as of an individual, is paramount to all other considerations.

There is no right of sovereignty more essential and fundamental than that which empowers it to suppress and punish violation of its laws. Without it a state can not preserve its existence, and the surrender of it necessarily means the destruction of the state. Therefore every implication is against the intent of a state to give up this fundamental right, and it can only be conceded when it is done in positive, unequivocal, and express terms.

Therefore I claim, Mr. President, that had the United States not guaranteed the sovereignty of Colombia over the Department of Panama by article 35 of the treaty of 1846, it could not have been inferred, in view of the subject-matter of that treaty, the situation of the parties thereto, and the circumstances connected with its negotiation and execution, that it was the intent of either of the high contracting parties that Colombia should relinquish, in the slightest degree, her sovereign right to suppress rebellion against her authority, or lawlessness of any kind, in that territory.

Neither can that be inferred from any expressions contained in article 35, because it is in no sense inconsistent with any of the provisions of that article that Colombia should retain a right so necessary to the preservation of her sovereignty. But, Mr. President, by a distinct and substantive clause in article 35 the United States guaranteed to the Republic of New Granada and its successors, positively and efficaciously, the rights of sovereignty and property which New Granada had in that territory.

In view of these considerations, can it be consistently argued that in preventing the Government of Colombia from transporting troops from one point to another in her territory of Panama, merely on the suspicion that this might result in an interruption of transit across the Isthmus and in prohibiting her, after it was ascertained that an uprising had begun in the city of Panama against her authority, from landing troops within 50 miles of the line of transit, which troops were necessary to quell resistance to her lawful authority, we did not in so doing violate our guaranty of Colombia's sovereignty over that territory?

That our Executive and Department of State regarded it the duty of Colombia not merely to protect the persons and property of citizens of the United States in Panama, but also to keep the isthmian transit free in accordance with Colombia's obligations under the treaty of 1846, is apparently admitted by the communication of our vice-consul-general at Panama under instructions from our Department of State to the committee of the provisional government under date of November 7, 1903. In that communication our representative used the following language:

I have to inform you that the provisional government will be held responsible for the protection of persons and property of citizens of United States, as well as to keep the isthmian transit free, in accordance with obligations of existing treaties relative to the isthmian territory.

If the obligation to keep the isthmian transit free was imposed on the new-born Government of Panama because of its having succeeded to the rights and duties of Colombia under the treaty of 1846, the query naturally arises, How could our Government consistently have denied to Colombia only a few days before the right and duty, under the same treaty, to comply with the same obligation?

If Colombia could not be permitted to take necessary steps to prevent a mere possible interference with free and open transit across the Isthmus, how could it be logically or justly required of Panama to do that very thing under identically the same treaty with Colombia?

I confess, Mr. President, that I am at a loss to understand how the conflicting attitudes of our Executive in this matter can be reconciled. I regret to say that the argument of the President embodied in his message of January 4 does nothing to relieve this point of the embarrassment in which it is involved, though it does much to show that any obligations of ours or rights of Colombia under article 35 of the treaty of 1846 were not embarrassing him.

He tells us, among other things, that it was his intention to consult Congress as to whether, under the conditions occasioned by the rejection of the Hay-Herran treaty and the adjournment of the Colombian Congress without further action, it would not be proper to announce that the canal was to be dug forthwith, that we would give the terms we offered and no others, and that if such terms were not agreed to we would enter into an arrangement with Panama direct, or take whatever steps were needful in order to begin the enterprise.

It is fair to infer that such a course commended itself to him as worthy of deliberate consideration, and if such is the fact it brings out in startling relief the President's unique conception of our international rights and furnishes a key to much that is connected with this whole subject that is otherwise quite inexplicable. The proposition which the President contemplated submitting to Congress was, in plain English, to tell Colombia that if she would not concede to us all that we sought from her in her territory on the Isthmus we would, in the face of our treaty with her, in defiance of her rights under the law of nations, ignore her sovereignty over the Isthmus, deal with Panama direct, and take what other steps we thought necessary to occupy and use her territory.

In view of his subsequent summary disregard of Colombia's rights in the premises, the only surprising feature of this declaration by the President is the statement that he contemplated consulting Congress about the matter.

The fifth paragraph of article 35 of the treaty of 1846 is in the following language:

Fifth. If, unfortunately, any of the articles contained in this treaty should be violated or infringed in any way whatever, it is expressly stipulated that neither of the two contracting parties shall ordain or authorize any acts of reprisal, nor shall declare war against the other on complaints of injuries or damages, until the said party considering itself offended shall have laid before the other a statement of such injuries or damages, verified by competent proofs, demanding justice and satisfaction, and the same shall have been refused, in violation of the laws and of international right.

If, as the President evidently seems to think, Colombia in rejecting the Hay-Herran treaty violated or infringed on any of our just rights under article 35 of the treaty of 1846, the duty imposed on him by the provisions of that paragraph, which I have just quoted, of laying before the Colombian Government a statement of the injury complained of and demanding justice and satisfaction therefor, was as obligatory as any other requirement of that treaty and should have been complied with.

There are other points bearing on this subdivision of the question to which I might refer, and which probably are as worthy of consideration as any that I have here developed, but I have already consumed more time than I intended when I first entered on this subject, and I shall content myself with observing that in my judgment, for the reasons I have given, the action of the Executive in preventing the Colombian Government from landing her troops on her own territory, in a time of peace, and in preventing the Colombian authorities from attempting to suppress an insurrection against the law and authority of that State was a gross violation of international law and of our treaty then existing with Colombia.

Mr. President, the next and last question which presents itself for consideration in connection with this subject is whether, disapproving as I do most unreservedly and emphatically the Executive's action in the two particulars last discussed, I can favor the ratification of a treaty with Panama providing for the construction of an isthmian canal across the territory of that State without condoning the wrong which I have disapproved.

The question is one of serious importance and involves the assumption of a responsibility of the weightiest character. It would have been an easy matter if I could by any conscientious course of reasoning have brought myself to believe that the Executive's action in all the particulars I have referred to was free from reproach. It would have been easier and, perhaps, more politic in me, viewing the important questions involved as I do, to have remained silent and to have cast my vote in the way in which I believe a great majority of the people whom I, in part, represent on this floor would have me to vote.

By so doing I might have avoided some of the criticism which the more pronounced course that I am pursuing naturally invites. But, Mr. President, I am quite satisfied that I can favor the ratification of the pending treaty or any other treaty with the Government of Panama, if in their details they meet with my approval, and at the same time logically retain my right to disapprove of the action of the Executive in its dealings with Colombia.

Article II, section 3, of the Constitution vests in the President the right and power to recognize new states by receiving ambassadors and other public ministers. It is a power exclusively in the President, and the occasion for its exercise and the conditions under which it is to be exercised are left exclusively, and necessarily so, in the sound discretion of that officer.

It is a power that should not be used improvidently or with an improper motive, because when exercised affirmatively it fixes a status of the state recognized and of this Government, with relation to each other, imposing and conferring duties and rights on them, respectively, that can not thereafter be logically or rightfully denied or contested by either Government.

When the Executive of this Government has once fixed that status, the question of the correctness, justice, or wisdom of his action in so doing is no longer a practical question, so far as the action of the other two coordinate departments of our Government is concerned. The individual members of our highest judicial tribunal may, as individuals, disapprove or condemn the Executive's action in such a case, but in their judicial capacity, as a coordinate branch of the Government, they are bound to accept and recognize as a conclusive fact the status which has been fixed by the authority in whom the Constitution has confided the exclusive right and duty to perform the act by which that status is fixed. This principle is so well established by numerous decisions of that tribunal that it may be said to be a part of the fundamental law of the land.

The reasoning that applies in the case of the judiciary, Mr. President, is equally as forcible when we come to consider the position or attitude which the legislative department of our Government, or the Senate when acting alone in its executive capacity, under the treaty-making power, should take when confronted with an instance of recognition of a new state by the Executive, under circumstances which Congress or the Senate regards as unjustifiable.

A discretion to act or not act vested exclusively in one of our coordinate branches of Government can not be controlled by either of the other branches, and when once exercised can not be ignored or denied by either without infringing on or usurping the exclusive right or duty of the branch that has been vested with the discretion.

An act of Congress that has been constitutionally passed over his veto is binding on the President, though he may regard it as inspired by unpatriotic motives and as grossly unjust.

The income-tax decision is regarded by many of us as absolutely wrong, but the Senate in its legislative capacity can not deny that it is the law to-day. For this reason it would be wrong, if not revolutionary, in my judgment, Mr. President, for Congress to refuse to provide compensation for a minister who, having been nominated by the President and confirmed by the Senate, had under that authority undertaken to represent this Government at the capital of a state, solely because a majority in Congress believed the state in question had been unwisely, improvidently, or in any way unjustifiably recognized by the President.

The remedy or redress in such a case lies not with Congress nor with the judiciary.

It is possible that if the gravity of the Executive's abuse of discretion, in such a case as I am considering, were to present itself to a majority of Congress as of sufficient enormity, it might be practicable under the constitutional provision for impeachment to take such action as would at least exert a deterrent influence in the future; but the only certain, efficacious, conclusive, and practicable redress lies with the people of this country, who vested the Executive with that function of their sovereignty which he abused, and who by their suffrages can constitutionally express their approval or disapproval of his conduct.

Congress undoubtedly, in such a case, if it deemed proper, and the Senate alone, as in the instance of the pending treaty, might, in order to emphasize its disapproval of the Executive's action in recognizing Panama, ignore the existence of that State, and refuse to take any Congressional or Senatorial action regarding such an entity as the Republic of Panama; but I hold, Mr. President, that such a course could not be justified on any constitutional ground, and that it would lead us only into a bewildering and endless labyrinth of inconsistencies and anomalies. What Congress or either of the Houses thereof ought not to do, the individual members of those Houses ought not to desire them to do.

Since Panama has become a sovereign State, she has probably in that character and by reason of her geographical position and the recognition of her sovereignty by our Executive succeeded the Republic of Colombia in the enjoyment of the rights granted, and has incurred the obligations imposed by article 35 of our treaty of 1846 with New Granada. By that treaty the Government of the United States is obligated to preserve the neutrality of the Isthmus of Panama, which includes the entire territory of the Republic of Panama, against all foreign assailants.

It is also probably obligated to preserve the sovereignty and property rights of the Republic of Panama in the territory of Panama. By the status which was given to the Republic of Panama immediately on its recognition as a state by the Government of the United States, the Republic of Colombia assumed, so far as this Government is concerned, a different relation to Panama from that which had formerly existed, and became a nation foreign to Panama.

The conclusion, therefore, follows that should Colombia undertake to invade the territory of Panama, and Panama be unable to effectively resist such invasion, the United States, under our treaty of 1846 with New Granada, would probably be bound to use such of our military and naval force as would be necessary to expel the Colombian troops from the territory of Panama. This necessarily would mean war with Colombia, a condition which may possibly exist at an early day, and, as patriotic citizens and legislators of the United States, all of us would feel obligated to vote the necessary supplies and take all legislative action required to carry that war to a successful conclusion by protecting and maintaining the integrity of Panama as a state.

Should this Senate, therefore, reject the pending treaty for the reason assigned, we might very possibly be placed in the attitude of authorizing the expenditure of the blood and treasure of our people in order to maintain a state legally if not justly recognized by our Government, the sovereignty of which our Government is obligated by a treaty to defend, yet with which we Senators are unwilling to treat. I trust that we will escape the embarrassment of such a situation.

The Republic of Panama will doubtless exist as an independent state for many years, unless the Government of the United States shall conclude to benevolently assimilate her. Conceding that this Senate should reject the pending treaty, because by not so doing it would condone the unjustifiable action of the Executive, and next year, or the year thereafter, or at some time in the not remote future, the same or a similarly favorable treaty with the Republic of Panama, covering the same subject, were presented to us for ratification, what would then be our attitude concerning the propriety of ratification?

If there is any moral delinquency involved in ratifying it now, would a mere lapse of time serve to condone that delinquency and make what is wrong now right and just then? If not so, Mr. President, it will be impossible for anyone who now believes that he can not vote for the ratification of the treaty without condoning the much-discussed action of the President to ever look with favor on a proposition for a canal across the Isthmus of Panama so long as the Republic of Panama exists.

It is possible, Mr. President, that when the pending treaty comes to be carefully considered and analyzed there may be reasons developed why it should be amended, or even rejected; but, viewing our function and constitutional limitations as I do, I fail to see any sufficient reason why a member of this body who disapproves and condemns the President's action as I do—emphatically and unqualifiedly—should, for that reason alone, feel it his duty to antagonize the treaty.

Such action might be construed as a rebuke to the President, but, in my judgment, it would be a rebuke administered in a method and manner which we are not authorized to employ. I know of nothing more tangible or practical that it would accomplish than to remit to an indefinite future and to the mutabilities, contingencies and uncertainties of the years to come the realization of a superlatively desired object of the people of the United States in general and of my own constituency in particular.

Such a step, involving an overwhelming disappointment to many millions of our citizens, and the probable destruction of any reasonable hope for an isthmian canal during our generation, should not be taken lightly nor for any but the strongest and most convincing reasons. The fact that the President has erred most seriously, as I affirm, in performing a constitutional duty imposed on him, and on him alone, is not, in my judgment, such a reason.

Mr. HEYBURN. Mr. President, it had not been my intention to take any part in the discussion of the Panama question. I have felt that it was in able hands, and that the committee hav-

ing charge of the matter primarily would present every phase and feature of it. Practically everything that could be said in regard to this question has been, from some standpoint, discussed. But we each have our differing views as to the effect and the force of the various matters involved in the Panama question.

I do not feel called upon to apologize for any act or thing that has been done by the Republican Administration in dealing with this question. No apology is necessary, because no act of the Administration has been beyond the scope of its powers and without the scope of wisdom.

The question of the recognition of the Government of Panama is a settled and determined question; it is not open for further consideration to the end of modifying or changing the act; it is not within the power of this body to do so, and were it within its power, I am satisfied that it would not meet with the approval of the majority of this body that any change should be made in any act that has been done by the Administration. The question stands to-day upon the wisdom of the negotiations that have taken place between this Government and the Government of Panama. Anything back of or behind the hour of the recognition of that Government is merely a question of inquiring into matters that can not in any way affect the action of the Senate; and in the discussion of this question as lawyers or the consideration of it as a court we do not need to go behind that day.

It may, however, be interesting that we should for a moment consider the circumstances that led up to the situation which confronts us to-day. We gather wisdom for dealing with the present question from a consideration of the conditions and circumstances out of which it grew.

The proposition to dig a canal across the Isthmus of Panama is practically as old as is the history of that country. I have no doubt the aborigines, handling the prows of their canoes against those banks, sought to find some way to cross from ocean to ocean, and since the days of the Spanish navigators who discovered this ligament binding together the two continents upon this hemisphere, the question has never been quiet. During the Administration when the affairs of state were in the hands of John Quincy Adams, steps were taken to secure the construction of such a canal.

Those efforts were not relaxed until in 1843 the Government of New Granada sent its representatives to the strong governments of the earth to see if it could not enter into some arrangement with them that would result in the construction and operation of this canal. To England, to France, to Germany, and to the United States their representatives went. That action resulted, so far as we are concerned, in the making of the treaty of 1846, which gave us a right of way and a right to participate in the enjoyment of any other rights across the Isthmus. Whatever right passed, whatever is within the purview of the term "right of way," came to us by virtue of that treaty. We paid for those rights; we entered into a solemn obligation with the Government of New Granada that we would perform certain things in consideration of the rights which they had conceded to us.

At that time, of course, it could not have been contemplated that there would be a canal as we understand it to-day, because the world had not then advanced to that point; the means of crossing the Isthmus were not up to the broad and splendid scale of the possibilities of to-day; but that was the foundation that ultimately led to the commencement of the project of digging the canal.

The treaty with reference to the right of way with those Governments contemplated that the enterprise should be a private one assisted by a government. At that time it was not contemplated that any government would undertake this as a national project, but only that they would give their encouragement and assistance to the persons or the corporations who might be willing to enter upon it.

We obtained by virtue of the treaty of 1846 this right of way, and in order to understand just what was contemplated we must look to the instructions that were given by the Government of New Granada to its representatives who went out for the purpose of securing this contract at the hands of other governments. We find a translation of them in Senate document No. 17, on page 28:

> Mr. Mosquera is authorized, first, to conclude a treaty with the Governments of Great Britain, France, the United States, Holland, and Spain, or with one or more of them, in order that the said Governments may charge themselves with the enterprise of opening a canal of large dimensions across the Isthmus of Panama.

That was in 1843, three years before the consummation of the treaty which emanated from those instructions and that effort. So, in interpreting the treaty of 1846, we have to resort to the familiar rule of taking into consideration the things which led up to it, the intent of the parties who made the contract, and we find their intent expressed in the instructions given to their minister who ultimately negotiated that treaty.

That treaty was not negotiated with Colombia. Senators have spoken of it as a treaty with Colombia, and of Colombia's rights under the treaty. That treaty, so far as the Isthmus of Panama was concerned, was one in which the guaranty of sovereignty and of neutrality ran with the land to which it was applied—to Panama. Panama was one of the states or provinces which by compact constituted a larger government at that time. She was recognized as such and spoken of as such by Mr. Polk in the message with which he transmitted the treaty to the Senate. It was the Province of Panama.

New Granada, being the center of power that governed Panama and the other provinces that constituted the Government of New Granada, speaking for this province and for the things that peculiarly belonged to it, to wit, the Isthmus of Panama and the right to cross it, entered into a treaty with the United States that the United States should guarantee the neutrality and the sovereignty of Panama. The language confines that guaranty to Panama. They did not undertake to guarantee the neutrality or sovereignty of New Granada, but only that of Panama. So long as Panama was a part of the Government of New Granada, of course no question could arise as to the local application of this treaty, but just as soon as Panama ceased to be a part of the Government of New Granada, then the question did arise as to the application of this provision in the treaty that guaranteed the neutrality and the sovereignty.

I maintain, Mr. President, that our guaranty in the treaty of 1846 does not extend, nor did it ever extend, beyond the geographical limits of Panama; and in whatever hands we find the Government of Panama, there is where the obligation of the treaty attaches. It did not attach to Bogota or to any other portion of what then constituted the Government of New Granada, but attached to Panama, and from the hour that we recognized Panama as a sovereign Government, it did not become us, nor was it necessary for us to consider the rights or the will of any other government than that of Panama. If we guaranteed the neutrality and the sovereignty in Panama, then after the recognition of Panama we could go there and we could prevent the troops of any other country on earth from landing there, because our obligation attached to that political geographical government, and no other.

If that is true, all the criticism as to the protest and the rights to be given to Colombia, as represented by its Government at Bogota, falls to the ground and the President was entirely within the scope of his power; he was within the letter and the spirit of the law that governed him when he dealt solely and alone with Panama as a separate government. I do not care, Mr. President, if that Government had not been organized an hour. More than one of the great governments of the earth has come into power in an hour, and the power has been sustained through centuries. The process of revolution is not a growing process. It is one that turns with the hand of time—quick, conclusive, just as though it had come up through the process of a constitutional convention and ratification by the people.

The Government of Panama is recognized by all the great powers of the earth. In what position would we stand to-day if we were to attempt in any measure to discredit its sovereignty or its existence? With whom else could we deal for any rights that related to the Isthmus of Panama to-day but with the Government of Panama? Would a treaty with Colombia give us any right without discrediting not only our act in recognizing the Government of Panama, but the act of every other government that has recognized it? We are certainly not in a position to make any admission here by implication that would discredit our act. No; we must recognize the fact, first, that Panama is the sovereign, and the only sovereign, power with which to deal, and we must measure the acts of the Administration as they are applicable to that sovereignty and not as they are applicable to the sovereignty of Colombia.

Colombia is said to have inherited the rights of New Granada. Perhaps she did. The fact is, as history tells us, that she seized them without conscience and without right; and it ill becomes a Government that has acted as Colombia has acted in connection with this matter and with this treaty to attempt to draw fine lines and split hairs on questions of international law and international morals.

The Government of Colombia lost its sovereignty over Panama by reason of its own perfidy, and it stands to-day a political outcast among the nations of the earth, having discredited its own representatives in their contracts with this Government.

As has been illustrated and pictured here through the dispatches and records which have been read in connection with the speeches of other Senators, Colombia has been guilty of acts of connivance that would discredit either an individual or a nation in any civilized portion of the globe.

Colombia recognized officially the existence of the Republic of Panama on the 6th day of November. It had existed then—and I care not whether it had a constitution or whether or not its government had been formed—it existed at least from the 4th day of November. It had been in existence three days at the time that Colombia recognized its existence.

This is what the Colombian Government, speaking through its official, says in regard to it on the 7th day of November, 1903, as we have it from our representative there:

Mr. Beaupré to Mr. Hay.

[Telegram.]

UNITED STATES LEGATION,
Bogota, November 7, 1903.
(Received 7.30 p. m. November 10.)

> November 7, 2 p. m. General Reyes leaves next Monday for Panama invested with full powers. He has telegraphed chiefs of the insurrection that his mission is in the interests of Isthmus. He wishes answer from you before leaving to the inquiry in my telegram of yesterday and wishes to know if the American commander will be ordered to cooperate with him and with new Panama Government to arrange peace and approval of the canal treaty, which will be accepted on condition that the integrity of Colombia be preserved. He has telegraphed President of Mexico to ask the Government of the United States and all the countries represented at the Pan-American conference to aid Colombia to preserve her integrity. The question of the approval of the treaty mentioned in my telegram of yesterday will be arranged in Panama.

He had gone from Bogota to Panama for the purpose of arranging it or trying to arrange it with this new Republic, the existence of which he acknowledged. He further says:

> He asks that before taking definite action you will await his arrival there, and that the Government of the United States in the meantime preserve the neutrality and transit of the Isthmus and do not recognize the new Government. Great excitement here. Martial law has been declared in the Cauca and Panama. Answer.
>
> BEAUPRÉ.

That was the view taken of it at Bogota. They recognized that a new republic had come into existence. They were fearful that the United States Government would enter into such arrangements as would recognize that new Government of Panama, and their fears were well founded.

If that is a true and correct summing up of the situation, it seems to me that all of the discussion that has taken place—and I say it without disrespect to any gentleman who has discussed the question—of hair-splitting distinctions as to the hour and minute in which this thing and that might be done has been needless. That is a matter which rests entirely in the discretion of the President of the United States, a coordinate branch of the Government, and over whom in that respect we have no power of review. It seems to me that it is a profitless thing to engage in a debate here as to what he might or might not do when we have no power, even though he erred, of correcting him. We can only sit here as carping critics of the acts of a coordinate branch of the Government. Suppose we differed with him as to the wisdom of an act, his wisdom is placed above ours by the Constitution of the United States, and it does not make any difference what the ninety men in this body may think of it.

Mr. President, that is about all I desire to say as to that phase of the question. The building of the canal that is to cross the Isthmus of Panama commences at a port on the Atlantic and extends to one on the Pacific. Every step between those ports is a part of the construction and maintenance of that canal; and it is a question of vast importance to us. We must protect it. We must first construct it. It is admitted on all sides that it will be constructed and that we will construct it. After it is constructed we must maintain it in times of peace and in times of war. We must, in the exercise of the statesmanship vested in us as a legislative body, anticipate the conditions that may and that most surely will arise in connection with that matter.

Across the mouth of the Caribbean Sea there is a chain of islands extending from the coast of South America to the coast of our Atlantic seaboard, owned and controlled by the strongest nation of the earth. There are Bermuda, the Bahamas, and Jamaica, and half of that chain of islands extending from Porto Rico to South America, owned by England, controlled absolutely by her, constituting picket posts in the ocean at our very door. These islands in the sea are but the picket posts of the nations that occupy the continents, and it behooves us at this time to consider our relations to this great enterprise from this standpoint, too.

We have one lone little island, the island of Porto Rico, about halfway between the port of New York and that of Panama, and this island is about the only picket post that we have upon this great frontier of the future commerce of our nation in time of peace and of our Navy in time of war.

If I may digress from the line of the discussion of the Panama question so far as to refer to a resolution which I had the privilege of offering in this body, which proposed that the proper steps should be taken by the appropriate Department of this Government for the acquisition of the island of Santo Domingo, it will accord with the general line of the suggestions that I am making.

Santo Domingo is the nearest piece of land in the ocean to-day to the Panama Canal that can, under any conditions, be obtained, or the control of which can be obtained by the United States Government. It is right at the doorway of the canal. We lost Cuba. We should not have lost it, in my judgment; but we lost Cuba. Whatever its future relations with this Government may be I know not, and the future will have to take care of that question; but next beyond it lies this great island of Santo Domingo.

It seemed to be taken for granted, when the suggestion of acquiring that island was made, that it was more expansion; that it was more imperialism; that it was an effort to reach out and get new people and new territory. I had no such intention in offering the resolution. It was merely that this country might secure there, midway between our ports and this canal, a foothold that would enable us in times of war to protect not only the canal, but to protect our other little possession of Porto Rico, lying alongside of it.

Every ship that goes from the Atlantic seaboard through this canal must pass right through a little narrow channel between the island of Cuba and the island of Santo Domingo, so narrow that modern guns could cross it twice in their range. It was in view of those conditions that that suggestion was presented for the consideration of this body, and it is a part of the scheme and plan of building this interoceanic canal that we look to it at this time, not as a part of the measures under consideration by the Senate, but that it should be borne in mind as something we have got to take up and settle.

Aside from the commercial advantages—and I would not urge them; they are known; it is not a new question, but aside from the commercial advantages of its ownership—the dominion and control over that island is necessary to the security of the investment that we are about to make in the construction of the Panama Canal, and I commend it to the careful attention of the Senate at this time.

Mr. President, as has been often and appropriately suggested, the question as to the terms of this treaty or the character of it is not a question for discussion at this time or in this place; but the questions that led up to the negotiating of this treaty are a proper subject for consideration, and I believe that it has been of great benefit, not only to the enterprise of building this interoceanic canal, but of great benefit to the people of the country that they are advised by the very able discussion of this question which has taken place in this body of all the phases and features of the negotiation made by the Administration, which resulted in submitting the treaty to the Senate.

I feel that the question can be left with perfect safety in the hands in which the law has rested it; that the execution of this arrangement, if it shall be made and after it is made, may be left with safety to the conservative wisdom of the administration that will have charge of the execution of that, as of all other laws that we make.

Mr. STEWART. Mr. President, the allusion of the Senator from Idaho [Mr. HEYBURN] to Santo Domingo reminds me of a memorable struggle I witnessed in this Chamber during the first term of President Grant. With the approbation of officers of the Army and the Navy, who had just come out of the war, and on their recommendation, President Grant favored the acquisition of Santo Domingo. Delegates came here. Negotiations for a treaty were begun; but before making the treaty the President took the advice of prominent Senators. I will not designate who they were except to say that they were members of the Committee on Foreign Relations.

The treaty was negotiated. It was approved seemingly by everybody, but dissatisfaction with the Executive on the part of a few restless spirits in this body led to a discussion more bitter and more acrimonious than the discussion we have had on this occasion. Every conceivable evil motive was attributed to President Grant in his negotiation to acquire Santo Domingo.

The island would have cost us nothing; it was offered to us. The treaty was negotiated, and it was a fair one, but it was beaten by two or three votes—I do not remember exactly how many. It failed, however, to get the necessary two-thirds, although it came very near being ratified.

I do not suppose that there is anybody in the United States now, or has been since that time, who has not regretted that that treaty was rejected. It was done on account of the acrimonious feeling of opposition to President Grant by those who did not like him. He had not given them the appointments to office they wanted; he had not recognized them; he had not flattered some of them as they thought they ought to be flattered; he had not bowed down to some of them as they supposed they ought to be bowed down to. It was a mere personal fight on General Grant that lost Santo Domingo to the United States; and it was a sad fight for the United States.

Without implying that anybody here could be influenced by any such motives, I do not think great questions ought to be decided in such a manner. I should hate to see questions in which the Government is interested, in which the honor of the United States is concerned, decided on political grounds, particularly on spiteful grounds against the Executive. Even though we do not

like the Executive, we ought not to criticise and oppose acts in which the honor of the country is involved, and the opposition to the acquisition of Santo Domingo was one of those disgraceful acts committed here—not intentionally so, but growing out of passion, heat, and trivial matters which ought not to enter into the consideration of such a great question. It belittled the men connected with it, and when the history of these times is written those men will not shine as they otherwise might.

But I shall not debate the details of that controversy. I do not wish to rake up the past; I am willing that it shall now rest. I simply want to repeat that that proposition was defeated by an acrimonious personal controversy against President Grant, in which the parties making war on him were all wrong. We lost Santo Domingo, which we ought to have had, as it is the chain of defense, as was properly stated by the Senator from Idaho. I hope and believe that none of that feeling will enter into this question when we come to vote on the pending treaty. I believe every Senator here will vote on this treaty according to his judgment as to the result to be accomplished. The saying of a few things against the President will amount to nothing. That is all very well; but I believe in the final action we shall rise higher than Senators did at the time they rejected the Santo Domingo treaty. I am glad to see my Democratic friends recognizing the fact that the accomplishment of the great object which the United States wants to accomplish is paramount to any criticism that can be made of any administration.

DISTRICT COURT FOR OREGON.

Mr. MITCHELL. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 3117) to expedite business in the district court of the United States for the district of Oregon. It is a short bill, reported unanimously by the Committee on the Judiciary.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that in case of the absence of the United States district judge for the district of Oregon from that district, or of his disability, a circuit judge of the United States of the circuit to which the district belongs may hold the district court and perform the duties of the district judge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-three minutes spent in executive session the doors were reopened, and (at 4 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, February 8, 1904, at 12 o'clock meridian.

NOMINATION.

Executive nomination received by the Senate February 5, 1904.

PENSION AGENT.

Andrew T. Wood, of Mount Sterling, Ky., to be pension agent at Louisville, Ky., vice Daniel R. Collier, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 5, 1904.

SECRETARY OF LEGATION.

William W. Russell, of Maryland, now secretary of the legation at Caracas, Venezuela, to be secretary of the legation of the United States at Panama, Panama.

PROMOTION IN THE NAVY.

Chaplain William T. Helms to have the rank of commander in the Navy from the 1st day of October, 1903.

POSTMASTERS.

CALIFORNIA.

Leonard S. Calkins to be postmaster at Nevada City, in the county of Nevada and State of California.

MISSISSIPPI.

Henry C. Majure to be postmaster at Newton, in the county of Newton and State of Mississippi.

NORTH CAROLINA.

Franklin A. Barkley to be postmaster at Lincolnton, in the county of Lincoln and State of North Carolina.

William J. McDaniel to be postmaster at Rutherfordton, in the county of Rutherford and State of North Carolina.

Robert S. Templeton to be postmaster at Mooresville, in the county of Iredell and State of North Carolina.

NEW JERSEY.

James W. Danser to be postmaster at Freehold, in the county of Monmouth and State of New Jersey.

NEW YORK.

Eugene P. Strong to be postmaster at Bay Shore, in the county of Suffolk and State of New York.

VERMONT.

John Metcalf to be postmaster at Fair Haven, in the county of Rutland and State of Vermont.

TREATY WITH HAITI.

The injunction of secrecy was removed February 5, 1904, from a naturalization treaty between the United States and the Republic of Haiti, signed at Washington on March 22, 1902.

The injunction of secrecy was removed February 5, 1904, from a treaty between the United States and Haiti, signed February 28, 1903, extending the time within which may be effected the exchange of ratifications of the treaty of naturalization between the two countries, signed March 22, 1902.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 5, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905. Pending that motion, Mr. Speaker, I would like to know if I can agree with the gentleman on the other side as to the length of general debate. How many hours does the gentleman from Virginia [Mr. LAMB] desire?

Mr. LAMB. I should think two hours on a side would be sufficient.

Mr. WADSWORTH. Suppose we agree on three hours. I have had no requests for time on this side. I think three hours are ample. I shall not take any time myself. Let us say not to exceed three hours in all.

Mr. LAMB. We would like to have two hours on this side.

Mr. WADSWORTH. Very well, not to exceed four hours, two of which will be under the control of the gentleman from Virginia.

Mr. LAMB. Very well.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that general debate may be limited to four hours.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate may be closed in four hours. Is there objection?

There was no objection.

The SPEAKER. The question now is on the motion of the gentleman from New York that the House resolve itself into the Committee of the Whole House for the consideration of the agricultural appropriation bill.

The question was taken, and the motion agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 11825, the agricultural appropriation bill, with Mr. POWERS of Maine in the chair.

Mr. WADSWORTH. Mr. Chairman, I shall detain the committee but a few minutes in explaining a few of the salient points of the bill, the increases in salaries, etc. By reference to the report the committee will see that the bill of last year carried a total of $5,478,160, and this year it carries $5,711,240, an increase of $233,080. In making this comparison I paid no attention to the emergency sums for the foot-and-mouth disease and the cotton-boll weevil, which were carried last year in the regular appropriation bill, and the cotton-boll weevil in the deficiency bill this year. The committee will also notice, on the bottom of the first page of the report, that the increase from 1897 to 1903 is from $3,182,902 to $5,711,240, an increase of almost $2,000,000 in seven years. On the following page (page 2) the committee will see the increases by bureaus, and will notice that all along the line the increases have been generous and sufficient to keep the Department in what I call progressive motion.

There are but two increases in the statutory salaries, and these are not made permanent. Five hundred dollars has been added to the salary of the Chief of the Bureau of Animal Industry, and $500 to the salary of the Chief of the Division of Entomology, but these increases are in the nature of additional compensation only

while the offices are held by the present incumbents. The precedent for that was established some years ago in the case of the First Assistant of the Interior Department. There have been no other increases of salaries. There have been some new places provided for on the statutory rolls, which, as we read the bill under the five-minute rule, I will explain.

Mr. PAYNE. Mr. Chairman, I would like to ask my colleague what salaries these gentlemen get now.

Mr. BURLESON. The Chief of the Division of Entomology gets $2,750.

Mr. WADSWORTH. The Chief of the Bureau of Animal Industry gets $4,500, and the Chief of the Division of Entomology gets $3,750.

Mr. PAYNE. As I understand, the increase in each case is $500.

Mr. WADSWORTH. Yes, sir; but this increase is to apply only to the present incumbents.

Mr. PAYNE. Are these gentlemen young and in good health?

Mr. WADSWORTH. They are in good, vigorous health. I hope both of them may last a good many years.

Mr. RICHARDSON of Alabama. What is the ground of this increase of salary in the Bureau of Chemistry to $39,500? Has it any relation to the pure-food bill?

Mr. WADSWORTH. Yes; it is to enable the Secretary of Agriculture to further carry on investigations into adulterated products from abroad; also, to continue the cane-sirup investigations in Georgia, in addition to the general work of the Chemistry Bureau which it has been pursuing for years.

Mr. RICHARDSON of Alabama. Then the legislation in the pure-food bill does have some connection with this?

Mr. WADSWORTH. Oh, yes. That clause in the pure-food bill covering imports from foreign countries is taken bodily from the agricultural appropriation bill, word for word.

Mr. RICHARDSON of Alabama. And is it a fact in this connection that it will be necessary to employ additional chemical assistants?

Mr. WADSWORTH. Yes; we have provided for that. We have given an additional sum of money.

Now, Mr. Chairman, if there are any further questions to be asked, I will endeavor to answer them. If not, I will yield to the gentleman from Virginia [Mr. LAMB], reserving the balance of my time.

Mr. LAMB. I yield twenty minutes to the gentleman from Texas [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Chairman, I desire very briefly to address myself to a feature of the agricultural appropriation bill which has been reported by the able chairman of the Agricultural Committee for present consideration.

During the first session of the present Congress I introduced a resolution which had for its principal object the restoration of the original purpose of the Government distribution of seeds. The original aim of the seed distribution, Mr. Chairman, was undoubtedly laudable. The end in view was the ascertainment of the capacity of the soil. It was the desire of the Government to extend material assistance to the producing masses by enabling them to determine the utmost capabilities of the land which gave them nourishment and life.

In order to show the original purpose of the Government seed distribution, I desire to read that section of the law creating the Agricultural Department in 1862 and to show the purpose which inspired the lawmakers of the country in the inauguration of this custom. Section 527 of the Revised Statutes of 1878 reads as follows:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country or such as can be made more profitable by frequent changes from one part of our country to another.

Now, it is a matter of common knowledge that the distribution of seeds by the Department of Agriculture has departed from this useful and admirable intention. In order to support this statement, I send to the Clerk's desk the report of the Secretary of Agriculture and call attention to that paragraph which deals with the seed distribution. I ask the attention of the House to the language of the Secretary in comparison with the language of the original law, in order to show how completely the present distribution of seeds has departed from the original intention. I ask the Clerk to read.

The Clerk read as follows:

With regard to the securing and distributing of miscellaneous garden and flower seed, the fact remains that this work does not accomplish the ends for which the law was originally framed. There are collected, put up, and distributed now, on Congressional orders, nearly 40,000,000 packets of miscellaneous vegetable and flower seeds each year. These seeds are the best that can be obtained in the market, but from the fact that large numbers of packets are wanted, the seed obtained can be of standard sorts only, such as are to be found everywhere for sale in the open market. As there is no practical object to be gained in distributing this kind of seed, it seems very desirable that some change be made. To this end it would seem wise to limit our work entirely to the securing and distributing of seeds, plants, etc., of new and rare sorts. There is still much to be done in the way of securing seeds, plants, etc., of this kind from abroad, but still more to be accomplished in careful investigations of our own possibilities in this direction. There are many valuable plants scattered all over this country which are still little known outside of their respective localities. These should be collected, tested, and distributed. There are also great possibilities of improving agricultural industries by distributing specially bred seeds and plants.

Mr. SHEPPARD. Now, Mr. Chairman, the report of the Secretary of Agriculture reveals a condition which demands immediate remedy. The Government of the United States has entered the open markets of the country for the purchase of nearly 40,000,000 packets of standard seeds. These seeds are of the commonest varieties. They are distributed at enormous expense throughout the country, regardless of the character of the soil, the nature of the climate, and the occupation of the inhabitants. They subserve no scientific purpose. They add nothing to the existing knowledge of the soil. When we are told by the Secretary that vast benefit may be accomplished through the distribution of new and specialized seeds and plants of native and of foreign origin, it seems almost a crime against the agricultural interests of the country that the useless and wasteful system of the present should be permitted to continue.

I shall dismiss with the contempt it deserves the intimation that the present system is a valuable campaign adjunct and that the seeds are sown that they may flower into myriads of votes. Such an intimation is a reflection on the integrity of Congressmen and the intelligence of their constituencies. I resent the insinuation that any Member of the House owes his seat to the seed method now in operation.

The American people understand and condemn this practice. Not a farmer is deceived by this pretended kindness. When the regular distribution is made there are no other places in the United States where these packages of seed—these Government chromos in pink and blue—are objects of greater merriment and keener ridicule than the rural post-offices around which the people gather to receive the annual dispensation of free garden seed. When the American Congress shall recognize the fact that there is as much intelligence among the people, as much ability to discover fraud, as within these storied walls, then the standard of American statesmanship will have been intimately palitted.

The system is erroneous in principle. It is violative of the proper functions of government; it involves a dangerous philosophy. There is no greater reason for the dissemination of standard seed, bought in the open markets and incapable of developing the possibilities of the soil, than for the gratuitous distribution of any other commodity of ordinary purchase and sale. I desire at this point to present a letter from a constituent which illuminates this proposition:

DEAR SIR: I wish you would send me the seed and other things which I mention below: One peck of some good early corn; bushel of cotton seed, and some good sorghum seed, and a black suit of clothes—coat 38 in size, and pants 33 34—and anything else you are going to send me. I am in need of all these things, and they will be gladly received.

[Laughter.]

Now, this gentleman had as complete a right to expect from the United States a suit of clothes, "or anything else," as he expresses it, as the seeds of standard kind. [Applause.]

It is almost universally admitted that the present custom should be changed. It can be made of unlimited value to the American farmer. It has degenerated into a miserable farce, obnoxious alike to Congress and to the people. Let us end it now. If the immense sums now expended for the mere donation of common seed to a favored few could be utilized in the manner so emphatically indicated and so justly desired by the Secretary of Agriculture, the American farmer and the American nation would profit inconceivably. It is a shameful condition of affairs that the agricultural masses, for whom fewer appropriations are made than for any other element of our citizenship, and who contribute most largely to the support of the Government, should be made the profitless beneficiaries of such empty and unpardonable legislation.

With no desire to occupy the rôle of an iconoclast or the attitude of a reformer, I shall offer an amendment at the proper time to the present bill, embodying the change which justice commends and which the Department of Agriculture will indorse. I trust that the amendment will be adopted. For if the current custom of indiscriminate distribution shall indefinitely continue, if this Congressional comedy shall drift into a continuous performance, we shall ultimately be driven to the mournful admission that we are not statesmen, but seedsmen; and it will be in order for some distinguished seedsman, some sainted hero of a score of memorable distributions, some legislative knight upon whose shield is blazoned a radish in its glory or a turnip in repose, to rise in his place with becoming gravity and move, Mr. Chairman, that the American eagle be taken from the mace and supplanted by a package of vegetable seed as the supreme emblem of the genius, the character, and the principal occupation of American statesmanship. [Laughter and applause.]

The following poem taken from a weekly newspaper in my district will indicate the trend of public sentiment on this question:

THE CONGRESSIONAL GARDEN SEEDS.

The time is at hand when I trustfully look
(How my mind on the prospect feeds)
When the mail comes in for a package or two
Of Congressional garden seeds.

'Tis strange how our "Member" my name recollects,
How he knows my desires and my needs
'Twould glad him to notice my joy when I get
My Congressional garden seeds.

There's lettuce and onions that tardily sprout,
And "punkins" of several breeds,
And "pa'nips"—I'd scorn 'em except for the fact
They're Congressional garden seeds.

The soil I dig deep, I plant 'em with care,
Perspiration from every pore bleeds,
Then I "shoo" out the hens lest they bring up too soon
My Congressional garden seeds.

Each day to my garden with zeal I repair
And struggle with clods and with weeds,
Till a few straggling sprouts show the germinant strength
Of Congressional garden seeds.

All summer I labor and patiently wait,
Fighting slugs, borers, bugs, centipedes;
And I prune, and I water, I spray the weak shoots
Of Congressional garden seeds.

Though I sing as I gaze at my blistered hands
And my back for a short respite pleads,
Yet for "souvenirs" vainly I look; then I cuss
The Congressional garden seeds.

—*Arnold C. Davis in Mount Pleasant (Tex.) Eagle.*

[Laughter and applause.]

Mr. CANDLER. I will ask the gentleman if he will not please insert with his remarks the amendment which he proposes to offer in order that we may be advised as to what the provisions of it will be?

Mr. SHEPPARD. Yes; I shall be pleased to do so if we do not reach the matter to-day.

I want to say that this amendment will improve the present distribution of seeds; that it will carry out the original purpose of the law, and that it will provide for the distribution of new, uncommon, and untried seeds, for their special breeding, and for the better development of the agricultural possibilities of the country.

Mr. CANDLER. The gentleman does not wish to be understood, then, as opposing the distribution of seeds to the people?

Mr. SHEPPARD. I am opposed to certain features of the present system.

Mr. CANDLER. You simply want to change the system. You still want the people to have the seeds.

Mr. SHEPPARD. You have stated my position correctly.

Mr. LAMB. I yield thirty minutes to the gentleman from California [Mr. BELL].

Mr. BELL of California. Mr. Chairman, I expect to devote the time that has been assigned to me for debate on this bill to the discussion of an amendment which I intend to propose to the bill at the proper time. I shall direct all my remarks to matters that are really germane to this bill. I believe that every Member of this House recognizes the importance of this measure. I believe that every Member of this House is ready to admit that agriculture is the foundation and the strength of the Republic, and that there is no department of this Government with which we should deal with so much generosity as the Department of Agriculture. In suggesting an amendment to this bill, I do not intend thereby to cast any reflection upon the honorable committee that has had this measure under consideration; but I believe that I have personal knowledge of facts and circumstances which, if they had been fully presented to the committee, would have resulted in the change that I now seek to make.

Mr. Chairman, it is my intention to offer an amendment to this bill, upon page 18 thereof, in line 17, inserting the words "forty-seven thousand" instead of "forty thousand dollars" for the purpose of carrying on the pomological investigation of the Department of Agriculture; and further providing that the sum of $10,000, instead of $3,000, as now provided by the bill, may be used by the Department for the purpose of cooperating with the experiment station of California in the eradication of the disease of the grape known as the "Anaheim disease."

I do not want to place myself in the position of advocating only the interests of my State, the State of California, for I believe that this is a subject that interests every State in this Union in which fruit is grown or in which the grape is cultivated. While it is true that in California we raise more grapes and make more wine than all of the other States of this Union combined, yet it is a subject that will appeal to every Member upon the floor of this House.

Now, what do we want to do? The Department of Agriculture two years ago went into the State of California and established experimental vineyards for the purpose of discovering some practicable method of dealing with the phylloxera and Anaheim disease, which have wrought untold ruin and untold suffering upon the people of my State. In that State they have established but two vineyards. They have done splendid work, but that is not enough. The United States viticulturist in the employment of the Department of Agriculture has recently visited California and spent several months in the study of this question, and has made preliminary arrangements for the establishment of seven more experimental stations in that State in order that the great problem might be properly and amply dealt with.

Now, the Department of Agriculture comes to you and says that this is a necessary work, that this work should be carried on in the interest not only of the people of that great State, but in the interest of the entire country. There is no reason why this House should be at all penurious or overeconomical in allowing the Department to carry on this work.

Now, gentlemen, a great many of you do not represent vineyard districts, but I presume that every man on this floor knows something about the wine industry; but I want to tell you that you do not realize the importance of the wine industry of the State of California. The value of the vineyards in that State to-day is estimated at $88,000,000. There is to-day $100,000,000 invested in the business in that State. In 1885 a disease took a deadly hold on the vineyards of that State, known as the "phylloxera," and if you gentlemen had lived in that State as I do, if you had witnessed the ruin and destruction that was wrought by that dread disease, you would have no hesitation in giving the money that we now ask for. Now, in the county of Napa, where I have made my home for twenty years, the vineyards were simply wiped out. Those people who had all they possessed destroyed before they could hardly realize it, those men who had built comfortable homes upon lands that they owned, simply became tenants of the banks who were compelled to foreclose their liens. In the counties of Napa and Sonoma, where some six or eight million gallons of wine had been produced annually, the vineyards were simply swept out of existence, and these men who had gone there and built up their little vineyards, hoping in a few years to get their reward, were suddenly left penniless.

Now, the phylloxera was finally met by resistant vines, although there were ten years when that country was reduced almost to poverty in every vineyard section of the State. But no sooner had they planted their resistant stock when another disease came upon the vineyards of California, starting in the southern part of that State, and known as the "Anaheim disease." You gentlemen come in here with tales about the boll weevil and you appeal to us for help, and I am heartily glad that you got what you wanted, but I submit that the boll weevil in the cotton of the South was no worse than the phylloxera and the Anaheim disease in the State of California; and if this great Government of ours can come to your relief, if it can say we will reach out and help you, we will give you a quarter of a million dollars to deal with this great destroyer that is attacking your fields, are you going to say that this State of mine, when it comes to you and asks merely for the sum of $7,000, shall not receive the aid that has been given freely and generously to other great industries?

You do not know anything about California. I wish I could take you to that State and show you what we have. Why, the report of the United States viticulturist states there is an area in California that is peculiarly adapted to the cultivation of the grape larger than the entire area of France, and yet in the Republic of France they are to-day producing 1,500,000,000 gallons of wine each year, whereas in the State of California we are producing but 23,000,000 gallons.

Now, if you desire to build up that great Commonwealth, if you desire to build up agriculture in the Far West, if you want to give the vineyards of California a fair chance to thrive and to flourish and to grow, if you want that State to become the peer of sunny France, that leads to-day in the production of wine, I say you can well afford to grant these people the few dollars that they now ask.

Go out into the West! Ask yourself as you look out upon the great fertile prairies that have surrendered to the genius of man and have been converted to the good and welfare of this great people—go out into my own State, into all these great Commonwealths that have been carved from that mighty West, and I ask you what has made them great? What has placed it in the power of the farmers west of the Mississippi to pay off their mortgages and deposit their earnings and profits in the local banks and even loan to Wall street? It is agriculture, successful agriculture, good crops.

Do you people in the East think you would prosper as you now prosper: do you think that this country would be as wealthy in the East if it were not for the great domain that lies beyond the father of waters, where its fields have made it what it is? Now, I say that my State, where we stand first in the production of grapes, when we come to you and tell you that these things are

needed, when we ask for but a small sum, when the Secretary of Agriculture, who has given attention to these facts, who has investigated the cost of carrying on this work, when this Department tells you that this sum is necessary to carry on this work successfully, why is it that it can not be given to us? The Secretary placed his estimate with the committee at $47,000 for carrying on all the pomological investigations, including every kind of fruit, including all viticultural interests, and that estimate has been cut down to $10,000. I have no complaint to lodge against the committe, but I think they were not aware of what they were doing to my State when they refused to give the Secretary of Agriculture the money that is absolutely necessary to carry on this work.

As I have already said, the two stations we have there already are doing good work; everybody recognizes that fact. This United States viticulturist has paved the way for seven more. Are you going to say that his work shall be for naught? Are you going to say that we must put this off for one year? I say not. Give them the paltry sum they ask; let there be in the State of California nine experiment stations. The two largest are only 10 acres each and the other seven will average 3 or 4 acres, and it is only with these experimental vineyards that these diseases can be properly dealt with. You know that private enterprise will not take hold of this subject. You have already had experience with that; you know that men as individuals, private citizens, will not take up a great public work like that; it requires governmental aid.

The work of the United States is done in conjunction with the work of the State of California. They are laboring together, helping each other, cooperating in a matter of State and national interest. Now, gentlemen, when the time comes, I want to offer this amendment, and I hope the Committee on Agriculture will not object to it. It is a small matter indeed, but it is necessary. The Department thinks it is necessary, our people think it is necessary, and why should it not be granted? We are going along trying to solve this great problem. As I say, if I could but fasten on your minds the losses that have been sustained by the vineyards of California I believe you would unanimously grant all we desire.

Mr. BURLESON. May I ask the gentleman a question?

Mr. BELL of California. Certainly.

Mr. BURLESON. Is it not a fact that a complete remedy for phylloxera has been discovered in France?

Mr. BELL of California. Yes; and we have been planting resistant vines and endeavoring to graft onto the resistant stocks and thus get rid of the phylloxera.

Mr. BURLESON. The amount carried in this bill was partly intended for the experiments about which the gentleman from California has been talking, and what the committee refused was the amount for the experimental shipments in fruit and investigations affecting the fruit trade here and abroad. Such experiments are now being conducted by the fruit growers in the East on their own account and much more satisfactorily than the Government can make them.

Mr. BELL of California. That is partially true. The Secretary of Agriculture asked for $5,000 for the purpose of making his investigation of the Anaheim disease in the State of California. You have reduced him to $3,000. I say if you can not give us the $7,000, give us the $5,000.

Mr. BURLESON. Is it not a fact that the amount asked for experimenting with the disease has partly been allowed, but the amount that was asked for the purpose of investigating with reference to shipments of fruit and investigations of market conditions affecting the fruit trade here and abroad which are now being carried on by large dealers of fruit on their own account in the East and New England States has been refused?

Mr. BELL of California. I think the gentleman is slightly mistaken. I have looked at the estimates of the Department. I wish to settle it now, because the Secretary has asked for $5,000 and you have allowed him $3,000.

Mr. BURLESON. He asked for an allowance of $10,000, and they have allowed him an increase of $3,000. As a matter of fact, as I understand it—I may be mistaken—the allowance has been given him for conducting all the experiments relating to the diseases of grape vines in California of which you have spoken. The amount denied him was for the purpose of conducting investigations and experiments with reference to the shipment of fruit, these investigations and experiments being conducted now by the shippers of fruit in New York and New England on their own account. They say that the experiments by the Agricultural Department have been of no particular benefit to them on this particular line. For these reasons the committee refused the increase asked for this purpose.

Mr. BELL of California. Will the gentleman read the estimate of the Secretary of Agriculture for dealing with the Anaheim disease? I have just come from the committee room, and I found that it was $5,000. I have talked with Mr. George Hussman, and he says that the work can not be done for less than $10,000.

Mr. BURLESON. How long have the scientists of the Agricultural Department been investigating the disease of the grape-vine referred to by the gentleman?

Mr. BELL of California. For the last two years.

Mr. BURLESON. If that is so, the amount carried in the bill last year provides for the investigations and experiments the gentleman desires. His desires can be met out of the lump sum even without any increase. I mean out of the $37,000 carried in the bill last year.

Mr. BELL of California. Is it not a fact that the Department of Agriculture estimated $5,000 for these experiments this year?

Mr. BURLESON. That may be; but for the experiments and investigation last year money was appropriated and is carried in the $37,000, and in addition to that sum we now give $3,000.

Mr. BELL of California. I have my information from the United States viticulturist, and I talked with Doctor Galloway this morning and found he had asked for $5,000 for the purpose of carrying on these investigations. The committee gave him the discretion to expend $3,000. He may have taken into consideration that he had some moneys that he could use, which, added to the $5,000, would be sufficient; but he has put his estimate into your committee at $5,000.

Mr. BURLESON. I think I am safe in assuring the gentleman that there will be no curtailment of these experiments.

Mr. BELL of California. I know that the United States viticulturist believes that the work can not be conducted for less than $10,000. However, as to that point I am perfectly willing to take the estimate of the Department of Agriculture.

Now, I have just one word more to say, and that is this: I say that for the treatment of this one disease, this anaheim disease, we should receive at least the amount that the Secretary of Agriculture has estimated. I am willing to rely upon the estimate that is in the hands of the committee. That amount is $5,000, as I read it this morning, and we should certainly have that amount to deal with this question; but in asking for the entire $7,000 additional I say we are not asking for anything unfair or unjust; that our industry warrants it. California never yet has come on her knees to the United States Congress and asked for large appropriations. She does not propose to, but if you protect an industry in one section of the country I believe that you should grant some measure of protection to an industry that is almost as important, at least as important to the people of that State as other industries are to other sections of this Union. I think that the bill should be amended, and at the proper time I shall offer that amendment.

Mr. LAMB. Mr. Chairman, I yield twenty minutes to the gentleman from Michigan [Mr. LUCKING].

Mr. LUCKING. Mr. Chairman and gentlemen of the committee, if I can have your intelligent ear for about five or six minutes on a purely business proposition connected with this bill, I shall consider it a very great favor indeed. The Agricultural Department is now engaged in manufacturing and giving away in unlimited quantities to all who may ask for it a certain preparation known as "blackleg vaccine," which is used for the purpose of curing or preventing the disease known as the "blackleg" among animals. In my district, in the city of Detroit, Mich., is located a house which has expended about $[illegible] in getting ready to manufacture and put upon the market this preparation. There are other establishments of the same kind throughout the United States. This house is known as Parke, Davis & Co., and its preparations are sold all over the world. It is the largest house engaged in the manufacture of pharmaceutical products of this kind in the world. It employs 275 traveling salesmen, and employs in its plant over 2,000 people.

The Agricultural Department is now manufacturing this blackleg vaccine and giving it away, as I say, in unlimited quantities to any person who may apply for it. Thousands of doses are given away to single individuals, firms, and corporations. Now, it is not my purpose to ask that this business be stopped entirely, but I am going to offer an amendment to this bill limiting the number of doses that shall be given away to any one person, firm, or corporation to 100. The abuse of this is so great as to destroy entirely the business of this concern which has prepared itself at great expense to do the business. The abuse is principally in the far Western States, where the wealthy ranchmen, who are well able to pay for this vaccine to private individuals who are engaged in the business, get from this Bureau all of this vaccine that they choose to ask for. Now, I submit that it is not right that the Government should engage in this business and destroy private enterprise in that direction, and that there is no more justice in the Department manufacturing and giving away in unlimited quantities this product than there would be to do the

same thing with quinine or smallpox vaccine, boots and shoes, or anything else, for that matter. The business was started in the beginning in the Bureau on the idea that it was experimental.

Mr. BURLESON. Right on that point, will the gentleman yield for a moment?

Mr. LUCKING. Yes.

Mr. BURLESON. Is it not a fact that the issuance of this blackleg vaccine by the Department is upon the idea that there is a chance to stamp out blackleg altogether, and that then there will be no necessity for Parke, Davis & Co. or any other firm manufacturing it, or the Government either? If the gentleman will permit, he is instead more of his time. I would like to read an extract from the statement of the Secretary made before the Agricultural Committee while they were considering this bill.

Mr. LUCKING. Very well.

Mr. BURLESON. Secretary Wilson says:

[illegible] difficulty in [illegible] and a half [illegible] we send it [illegible] theory that if we can prevent [illegible] it will disappear.

Is that same connection he says that blackleg vaccine is made in the laboratories of the Bureau of Animal Industry, which would be maintained anyway, and that, too, at a trifling cost.

Mr. LUCKING. I understand. That is the claim of the Bureau and I was going to state what their claim was when the gentleman interrupted me. I understand that the claim can not be supported. They have made the same claim for years past, and it is my information that blackleg is a disease which ramifies and which will continue from time to time, the same as smallpox or any other disease, and that there is no justification for the position which the Bureau takes in that direction. I submit that it is not fair to private enterprise and that it is not within the legitimate functions of government. In this connection I desire to have read from the Clerk's desk an editorial from the Oil, Paint, and Drug Reporter of the United States, which I am informed is the leading journal in that line. I ask the attention of the committee to that, and at the proper time I shall move to make the amendment suggested.

Mr. BURLESON. Before the gentleman takes his seat I should like to finish the reading of this statement of the Secretary of Agriculture.

Mr. LUCKING. The gentleman will undoubtedly have all the time he wants for any remarks on this bill.

Mr. BURLESON. I want to read this statement now in connection with the gentleman's remarks, so that the whole matter may be thoroughly understood by the House.

Mr. LUCKING. All right.

Mr. BURLESON. Secretary Wilson further says:

We are pushing this work with the theory that if we can prevent blackleg [illegible] disease.

It is the same with rabies. If you muzzle every dog in the District of Columbia and allow no other dog to come in rabies will not come in. You [illegible] not contract. The love for the pup is stronger than the love for man, woman, or child in the district of Columbia and does can not be muzzled here. That is the theory on which we are trying to experiment with blackleg and we are succeeding. The day should come when there will not be a particle of blackleg in the United States.

Mr. BURLESON. As I understand it, Mr. Secretary, these laboratories are maintained by the Bureau of Animal Industry and its manufacture costs a mere trifle.

Secretary WILSON. Yes. Of course we are interfering with the trade, and if we destroy blackleg in cattle we will destroy their trade in blackleg serum altogether. The economic question is whether we should maintain business for the benefit of these manufacturers.

I hope for these reasons, so well stated by the Secretary of Agriculture, that the gentleman will not insist on his amendment.

Mr. LUCKING. That has been the contention of the Bureau for several years past. They could make the same statement, "our theory is so and so," with reference to smallpox or any other disease which springs up from time to time. The question is simply whether we shall maintain that kind of business in a Government bureau. It does not seem to me that it is proper.

Mr. HAY. May I ask the gentleman a question?

Mr. LUCKING. Yes, sir.

Mr. HAY. The gentleman, I believe, represents the city of Detroit?

Mr. LUCKING. Yes, sir; my district is wholly in that city.

Mr. HAY. Then let me ask the gentleman how much has been spent by the Government at the city of Detroit for rivers and harbors within the last ten years.

Mr. LUCKING. I do not know that anything has been spent inside the city limits of Detroit.

Mr. HAY. I mean, of course, for the benefit of that city.

Mr. LUCKING. For the waterways of the Great Lakes I can not tell how much has been spent—perhaps the gentleman can—a great many thousands, no doubt—perhaps millions—for the benefit of commerce which is the wonder of the world and the special pride of all Americans to-day.

Mr. STEPHENS of Texas. Is not the cattle industry the pride of all Americans? Is not the beef industry of the United States its chief industry?

Mr. LUCKING. It is one of them.

Mr. STEPHENS of Texas. Then it is entitled to as much protection as any other industry.

Mr. LUCKING. Within reasonable limits we have not any objection. We think the quantity of this article distributed by the Department should not exceed 100 doses to any one person, firm, or corporation. We believe that an abuse has grown up in the Department in connection with this matter.

I ask the Clerk to read what I have sent to the desk.

The Clerk read as follows:

GOVERNMENT MANUFACTURE OF SERUMS.

The annual report of the Chief of the Bureau of Animal Industry of the Department of Agriculture contains [illegible] the issues which lead to the conviction that the Department officials were not sincere in their original announcement that the manufacture and distribution of vaccines and serums would be [illegible] remedial agents and that the business [illegible] would be left to private establishments. It appears that instead of the production and distribution by government manufacturing plants the Bureau of Animal Industry has steadily increased the manufacture and free distribution of these products.

In 1892 the Government factory produced and distributed over [illegible] doses of blackleg vaccine, which during the past fiscal year the amount was increased to over [illegible] shown that not only many women and children had been supplied with Government vaccine, although amply able to pay for the commercial product, but that ranchers, [illegible] establishments and many veterinary surgeons had been obtaining this Government product free of cost and sold to cattle owners. The Chief of the Bureau naively remarks that the demand for the preventive remedy continues to increase and consequently he asks for an increase in the appropriation for the Government manufacture and free distribution of this product. In other words, the Government is asked to do business as a competitor in order to enable the Bureau of Animal Industry to increase its connection with legitimate manufacturers and supply the government to a larger number of cattle owners and to make many consumers and veterinarians to prepare for harvest in seeking the product when the Government factory ceases to exist.

This is a case of competition the legitimate manufacturers can not contend against, and it can receive the most emphatic condemnation of the lawmakers at Washington. The Government has demonstrated the value of these products by production and should now leave the manufacture and sale to those who operate purely commercial laboratories as commercial enterprises. It appears to us that the Government should refrain from competition with private enterprise in the manufacture of the serums, vaccines, and [illegible] as the various private laboratories are able to supply all requirements and at prices to those requiring them which are neither excessive nor burdensome.

The assertion that the production at the public expense and free distribution of the serums and these products is beneficial to these consumers does not hold good, and as we have before shown, these supplies are diverted from their legitimate purpose and the needy are not benefited. As well might the Government engage in the manufacture of quinine or, in fact, almost any commodity in demand. Department officers should be made responsible to Congress increasing the appropriation by giving the legislators full information of the working of the Government serum factory and the abuse of the concessions granted, as well as of the unfair competition with legitimate manufacturers, who are taxed to support this unjust competition.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. CURRIER having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4122. An act to direct the Director of the Census to cooperate with the Secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes; and

S. 3916. An act to amend section 2939 of the Revised Statutes, relating to compensation of collectors of customs.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 79. Joint resolution for the transportation of Porto Rican teachers to the United States and return.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

Mr. LAMB. I yield fifteen minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Chairman, I had not expected to submit any remarks at this time in reference to the bill under consideration, and there would be no necessity for doing so but for the speech of the gentleman from Texas [Mr. SHEPPARD], to whom we listened a moment ago in reference to the seed distribution which is yearly made by the Agricultural Department. Somehow or other I feel that whenever anybody strikes a blow at the distribution of the seeds which go to the farmers and laboring men of this country and to the people generally something should be said in reply to any suggestion proposing to reduce this distribution.

The gentleman suggested that the amendment which he proposes to offer would change the system; but he added that he did not desire to be understood as saying that he was opposed to the distribution of valuable, rare, and uncommon seeds to the people, but that he was opposed to the distribution of standard seeds, like the bulk of those which are distributed under the present system.

I am glad that the gentleman expressed himself as favorable to

the distribution of some seed and that he would not favor the discontinuance of seed entirely. If there is any system which will advance this distribution in any way and increase rather than decrease the quantity of seed, I as a friend to the seed distribution would not oppose it, but I would want to be absolutely sure that it did not curtail the distribution now being made under the present law by present methods.

The farmers of this country get less than any other class of people from the Government in return for the expenditures which they are required to make. While we are making very large appropriations for all the other Departments of the Government—and I am opposed to no necessary expenditure to any Department which is for the good of the country or for the advancement of its interests or welfare—yet, while we make these large appropriations for the other Departments of the National Government—very large in proportion to the appropriations made for the Agricultural Department—it seems to me that instead of talking about cutting off the few benefits that the farmers receive at the hands of the Government through this most beneficent Department, we should enlarge the operations of that Department; and instead of reducing the distribution of seeds to the people, I would rather favor seeing it enlarged to such an extent that the requests which come up from all over the country might be readily met by the representatives of the people here on this floor.

The gentleman read a letter which he had received from a constituent of his, in which the writer asked him to send not only some seeds, but also said that he wanted a suit of clothes and one thing or another—I do not at this time remember all the items. Now, while the gentleman read that letter from some constituent who thought the Government was prepared not only to furnish seeds to the people, but was willing and anxious, through its Representatives—of whom there are none more obliging than the gentleman himself—to furnish them with clothes, he did not read to us a single letter or request which he had received from the honest, patriotic farmers of this country, asking in earnestness and seriously that he should send them the seeds to which they are entitled and which they desire to use for the experiments contemplated and intended by the Agricultural Department.

Why, Mr. Chairman, only a moment ago I put my hand in my pocket and found eight or ten letters which I received only this morning. Among them are four requests for seeds, and I dare say the gentleman has received something of the same kind this morning in his mail; if he has not, he will get such letters before the day is passed, and I venture to say he is not only receiving such requests to-day, but almost every day. The people of his district, like the people of other districts, are asking for seed provided for in the last appropriation, an appropriation just like this appropriation.

Here is one I have just received:

ABERDEEN, MISS., *February 3, 1904.*

Hon. E. S. CANDLER, Jr., *Washington, D. C.*

DEAR SIR: Please send me some garden seeds.

A simple request, it is true, but one that is entitled to consideration at my hands and at the hands of the Government of the United States.

Here is another one:

FOLLY, LEE COUNTY, MISS., *February 3, 1904.*

Please send me some garden seeds. I will appreciate it very much if you will also send me a package of flower seeds.

He not only wants the benefits to be derived from the garden seeds, but wants the flower seeds to beautify his home and make it more attractive for the good wife who presides therein.

Here is another one:

STURGIS, MISS., *February 3, 1904.*

Please send me some cotton seed, and I will appreciate it also if you will send me a package of garden seeds.

Here is another one:

VERONA, MISS., *February 3, 1904.*

Please send me some flower seed.

A modest request from a most excellent lady. God bless the ladies! They are God's noblest, sweetest, and best gift to man, and I am always delighted to hear from them and to comply with their requests when possible. [Applause.]

I simply read these four, which I find in this small package of letters that I received only a moment ago, to demonstrate the fact that the people of this country want these seeds sent to them, and when we send them we are but responding to the popular demand on the part of the people throughout the United States of America, for I dare say practically every Member of Congress receives similar requests. And if there is any class of people in this country to whose request we ought to respond and to whom we ought always to be glad to listen, it is the farmers who till the soil and who bring about the balance of trade in this country in our favor as against the world. [Applause.]

Mr. BARTLETT. Seventy-one per cent of the foreign export trade of this country in the past year consisted of farm products.

Mr. HILL of Mississippi. Does not this bill provide that the Secretary of Agriculture shall distribute seeds which are fit for the climate and locality in which they are to be planted? And does he not have that requirement in view in making the distribution?

Mr. CANDLER. It does; and it provides that the Agricultural Department shall provide fit and suitable seed for the different sections and localities of the country and distribute exactly the character of seeds which I understand the gentleman from Texas proposes to provide for in his amendment as well as the varieties now being distributed, which he calls standard seed and which he desires to discontinue and stop.

The bill says:

For the purchase, preparation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants.

And further provides—

That the Secretary of Agriculture shall, in the [illegible] testing and distribution of such seeds, and the best seeds he can procure, purchase or process [illegible] such as shall be suitable for the respective purposes to which the same are to be appropriated and in which same are to be disseminated, and such seeds shall include a variety of vegetable and flower seeds suitable for planting and distribution in the various sections of the United States.

I thank my colleague, Mr. HILL, for that suggestion. And there is no better way, so far as that is concerned, for testing the fitness of the different varieties of seeds for the soil of this country throughout the length and breadth of it than by making an actual test with the seeds themselves by putting them into the soil. You may theorize about it, you may have your ideas, and you may come to your conclusions, but when the seed is planted and you have an actual opportunity to see the product with your own eyes and to enjoy the fruits that result from it, you no longer have to theorize, but you have a real test. Then you can see absolutely and beyond question the benefits to be derived from it and the soil that is suitable to the seed that you have planted therein.

Now, as I stated a moment ago, if there are any people in the United States of America to whom we ought to listen, it is the farmers of this broad land, and I suppose that if I had asked the gentleman from Texas [Mr. SHEPPARD] the question when he was upon the floor—and if I am not correct he can correct me—how many seeds he had sent out to his district, I would not be surprised if he had responded that he sent out his quota allowed to him under the general distribution, and that in addition thereto he went out and in order to supply the requests from his people he secured by his persuasive powers—which are great—all he could of our very kind friends from the cities who had any to spare, and then possibly applied to the Secretary of Agriculture to get an additional amount to send to his constituents.

Mr. SHEPPARD. I will say to the gentleman that I have not used all these methods.

Mr. CANDLER. Well, I have; and it has given me great pleasure to send to my constituents my full quota under the general distribution, and to secure an additional amount, so as to supply promptly the personal requests which have come to me since my quota went out.

Mr. BURLESON. Is that an answer to the proposition of the gentleman from Texas that this practice ought to be abolished?

Mr. CANDLER. Yes; for it shows that the people want these seed—and in my judgment they ought to have them—and therefore I contend that the practice ought not to be abolished.

Mr. SHEPPARD. I admire the persistence of the distinguished gentleman from Mississippi——

Mr. CANDLER. I did not understand the remark of the gentleman.

Mr. SHEPPARD. I admire the spirit and the purpose of the argument of the distinguished gentleman from Mississippi, and it in no way conflicts with the argument which I have made.

Mr. CANDLER. Is that an answer to my suggestion that the people want the seed sent out and that the distribution each year of seed as heretofore should not be discontinued or abolished?

Mr. SHEPPARD. When I first came to Congress I used almost every possible method of getting as many seeds as I could, and it seemed to me that that was the principal occupation of a new Member.

Mr. CANDLER. That is one of his occupations. You have not lost your ardor in that respect, have you?

Mr. SHEPPARD. No, indeed, but it was through that experience that I began to see the defects of the present system.

Mr. CANDLER. Have you not had numbers and numbers of personal requests for seeds after you have sent out all that you had?

Mr. SHEPPARD. Yes, quite a number; and now I will ask you if you ever received a request from any constituent of yours for articles of clothing or anything of the kind?

Mr. CANDLER. Oh, yes; I received a letter from one gentleman requesting a hat for himself [laughter] and also one for his wife—a man in Mississippi never forgets his wife [great laughter];

but the fact that your constituent asked for some clothes and mine asked for two hats is no reason to abolish the seed distribution or to change the system now in practice.

Now, then, Mr. Chairman, proceeding a little further, because I had just remarked that if there was any class of people in the United States to whom we should listen it was the farmer. Why? Because we find from the report of the Secretary of Agriculture that but for the farmers of the United States during the past year the balance of trade would have been against us and that we are indebted for our progress in the markets of foreign countries absolutely to the farmers of the United States of America. You talk to me about protection that is given to the manufacturers and the protection that is given to the various industries throughout the United States; they have never been able to protect us against the foreign powers or to keep the balance of trade in our favor.

Mr. HAMLIN. Is it not true that the farmers of this country, who have kept the balance of trade in favor of this Government, have been given less appropriations than any other Department of the Government?

Mr. CANDLER. It is true. The appropriation is about $100,000,000 for the War Department, and I dare say that the appropriations for the Navy Department will be about the same, making, practically, $200,000,000 for the implements of warfare in a time of peace, and this appropriation is between five and six millions of dollars for the Agricultural Department, the Department of the people who are pursuing their honest labor and toiling to make a living by the sweat of their brows on the farms throughout America.

Mr. SIMS. Does the gentleman know how much money has been expended for seeds during the time that they have been distributed by the Department?

Mr. CANDLER. No, sir; I do not.

Mr. SIMS. Will it altogether exceed the appropriations for the St. Louis fair?

Mr. CANDLER. It might not. I have not had an occasion or the opportunity to investigate that question.

Mr. SIMS. And they are coming here to borrow $4,600,000 more.

Mr. CANDLER. Oh, yes; I understand they want to borrow that amount for a short time. The money is now loaned to national banks, where it is being used for their interest, and it would be withdrawn from the national banks if the loan is made and loaned to the fair and be put into circulation in the South, where the people would derive some benefit from it; and then in a few months it will be returned from the treasury of the fair to the Treasury of the United States, after being accumulated by the fair from the patronage of the world. And hence the money, or a large portion of it, will be left in the South—and that will do us no harm.

I am advised by the gentleman from Virginia [Mr. HAY] that the appropriation for the Navy Department will be about $95,000,000 for this year, and hence, as I said a moment ago, the appropriations for the War Department and the Navy Department—for these two Departments—will be, in round numbers, $200,000,000 to provide implements of war in a time of peace, and for the peaceful tillers of the soil of the United States of America we only appropriate, in round numbers, about $6,000,000. One hundred and ninety-four million dollars less is given for the benefit of the farmers who till the soil; and I assert, without fear of contradiction, that there is no appropriation that is made to any department of the Government that is as valuable to the Government, as useful in the development of our foreign trade and in sustaining our prosperity as the appropriation to the Agricultural Department. [Loud and prolonged applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LAMB. I yield ten minutes more to the gentleman from Mississippi.

Mr. CANDLER. I sincerely thank my amiable friend from Virginia for his kindness. He can always be depended on to stand by the farmers. Now, I want to call attention to this appropriation for the distribution of the seed. It is, "$290,000, of which amount not more than $48,000 shall be expended for labor in the city of Washington, D. C., and $40,000 to collect and purchase valuable seeds, plants, etc., from foreign countries for experimental tests to be carried on in cooperation with the agricultural experiment stations, and not less than $202,000 shall be allowed for Congressional distribution;" hence the net appropriation for Congressional distribution of seed by Members of Congress is only $202,000.

Mr. BOWIE. Only two-thirds of that.

Mr. WADSWORTH. Two hundred and two thousand dollars is for the purchase of seed. Forty-eight thousand can be used for labor, and $40,000 for purchase of seeds from foreign countries. The gentleman from Mississippi stated the matter correctly.

Mr. CANDLER. I thank the gentleman from New York. Forty-eight thousand for labor and $40,000 for foreign seed is taken out of the $290,000, leaving $202,000 for Congressional distribution, and two-thirds of the seed purchased with that amount goes to the Representatives and Senators to be distributed among the people, and one-third is retained by the Secretary for distribution to be made by him. I am glad, however, to bear testimony to the fact that the distinguished Secretary of Agriculture, who is a farmer himself, is always very accommodating—at least I have found him so—and is always greatly interested in the welfare of the farmers and the development of agriculture in every part of this magnificent country, and hence is always ready to aid Members of Congress in responding to the personal requests of their constituents by supplying them with additional seed, as far as it is possible for him to do so out of the one-third of the seed which is reserved to be distributed by him.

Now, then, I want to call attention to this point in reference to the balance of trade, which has been kept in favor of this country by the farmers. I have the facts and figures, which are contained in a statement made by the Secretary of Agriculture, in which it is shown that we owe absolutely to the farmers the fact that the balance of trade to-day is in our favor.

I read from the last annual report of the Secretary of Agriculture:

> The immense exports from the farms of the country lead to an examination of the so-called "balance of trade." This examination reveals what seems to have escaped the attention of the public, and that is that the favorable balance of trade, everything included, is due to the still more favorable balance of trade in the products of the farm.
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> During the thirteen years 1891-1903 the average annual excess of domestic exports over imports amounted to $256,000,000, and during the same time the annual average in favor of farm products was $397,000,000, from which it is apparent that there was an average annual adverse balance of trade in products other than those of the farm amounting to $92,000,000, which the farmers offset and had left $255,000,000 to the credit of themselves and the country.
>
> Taking the business of 1903, the comparison is much more favorable to the farmers than during the previous thirteen years, since the value of domestic exports over imports was $256,000,000, the entire trade being included, while the excess for farm products was $422,000,000, which was sufficient not only to offset the unfavorable balance of trade of $56,000,000 in products other than those of the farm, but to leave, as above stated, the enormous favorable balance of $256,000,000.
>
> During the last fourteen years there was a balance of trade in favor of farm products, without excepting any year, that amounted to $4,806,000,000. Against this was an adverse balance of trade in products other than those of the farm of $865,000,000, and the farmers practically canceled this immense obligation, but had enough left to place $3,940,000,000 to the credit of the nation when the books of international exchange were balanced.
>
> These figures tersely express the immense national reserve-sustaining power of the farmers of the country under present quantities of production. It is the farmers who have paid the foreign bondholders.

To recapitulate, but for the farmers last year there would have been a balance of trade against us of $56,000,000, but the farmers canceled that and left $367,000,000 to our credit. But for the farmers in the past fourteen years there would have been the enormous sum of $865,000,000 against us, but the farmers met that, settled it, and left the marvelous and almost incomprehensible sum of $3,940,000,000 to the credit of America. The crowning glory of this country is her wonderful agriculture and the amazing results it has accomplished. [Applause.]

It is the farmers who have paid our foreign bondholders and saved this country from peddling out its securities in the markets of the world and changed it from a debtor nation to a creditor nation, and if that be true, and it is a statement that can not be doubted or questioned, am I not correct when I say we owe more to the farmers of America than to any other class of people in all this country, and that instead of abolishing or curtailing the few things that they do receive at the hands of the National Government we ought to enlarge them and give them better opportunities and better benefits and greater favors, if possible, than we have ever given them in the past? [Applause.] Let us give them more seed, aid them in building "good roads," extend rural delivery of the mails as rapidly as possible, build the canal, do everything in our power to build up the agricultural interests of the country and to make the life of the farmer comfortable, profitable, and happy, and thereby render the greatest service possible to all of our constituents, because when you build up the farming interests of the country you build up every other interest in the country. The gentleman from Texas [Mr. SHEPPARD] says if we continue this system we will be known as "seedsmen" rather than "statesmen;" and I may be called a "seedsman" rather than a "statesman" because I stand here and advocate the distribution of seed to the people, and especially to the farmers; but you may call me what you please, and name me what you may, as long as I stay here, so help me God, I will raise my voice in the farmer's interest and contend for those things which I believe to be for his good, and thereby help him if I can, and by helping him benefit all the people, because to him we owe more in the past, and we are going to owe more in the future, than we owe to any other class of our citizenship. [Great applause.]

It is the farmer who in time of peace brings the balance of trade

to our shores, and it is the farmer who in time of war stands ready to go to the front and bare his breast to defend the country that he loves. It is the farmer's wife who kisses her bright-faced boy good-bye and faces the loneliness, difficulties, and dangers of isolated country life and tells him to go and remain so long as his services are necessary in the defense of his country and for the good of his people. It is she who under like circumstances gives her husband to the same cause, and whether it be in success or in adversities, whether it be in time of peace or in war, whether it be in prosperity or in great financial crises, it is the farmer to whom we must turn at last for relief, and, thank God, we have never turned to him unless he came to our rescue and furnished the relief which was required. [Applause.]

I applaud the sentiment and the truth expressed by John Trotwood Moore in his work entitled "A Summer's Hymnal," wherein, in substance, he says: The farmer's life is a loyal and patriotic life, sustained by a faithful hand, that has grasped so often the burden of duty and carried it so unselfishly. It is a hard hand, it is true, but it is faithful and honest, and in its rough grip more gentleness dwells, more truth and honor lay, than in many another of softer parts and finer turn. It may be rough, like the roots of the oak, twisted and hardened, gnarled and knotted, in the primal fight for life with the elements of nature. But unbeautiful as it is, it has borne its full burden in the fight of civilization and the battle of the world. It may be misshapen and its joints large from strain and toil, and the veins may run through it like channels of a stream deep cut, and it may be curved in like the turn of a plow handle and deep set like the grip of an ax helve, and deep set and scarred.

But if to-day there comes an upheaval of the earth in the fusion of rock and matter, and this hand, of all earth's civilization, alone leaves its imprint there to be read eons of ages hence by beings of enlightenment and light in the museums of a higher civilization, well may it stand embedded in some kindred block of stone, not to point to the name and lineage of some prehistoric race, but through all the ages of time it would stand as the "Track of duty," the "Emblem of patriotism" in "the Man age of earth." [Prolonged applause.]

Mr. WADSWORTH. Mr. Chairman, I now yield ten minutes to the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. Mr. Chairman, this would seem to be a proper time to call the attention of the House to a slight error in the last annual report of the Commissioner of Internal Revenue. This report is a very able and interesting one, as are all the reports that have been made by the present Commissioner, and the error to which I allude is one so slight that ordinarily it would not be worthy of mention, but it has been used for purposes so serious that I deem it best to call the attention of the House to it, and through the House the attention of the country.

On page 158 of this report appears a table entitled "Receipts under the oleomargarine law during the fiscal year ending June 30, 1903." In that table appears this item: "Collections on oleomargarine imported from foreign countries, $3,171.16." At the rate of the internal-revenue tax of 15 cents a pound, this would be an internal-revenue tax upon over 21,000 pounds of imported oleomargarine.

On page 160 the Commissioner continues his figures for the months of July, August, and September of the current fiscal year, and in this table appears the item of $2,708.65 internal-revenue tax collected on imported oleomargarine, at the rate of 15 cents a pound. This would indicate an importation of over 19,000 pounds.

When I came to read this report these figures attracted my attention, figures which show that there were over 40,000 pounds of oleomargarine imported into the port of Chicago during three months, June to August, inclusive, 1903. On imported oleomargarine there is an internal-revenue tax of 15 cents a pound, and on imported oleomargarine there is a customs tax of 6 cents a pound. This would make a total tax of 21 cents a pound on 40,000 pounds of oleomargarine imported and withdrawn from consumption in Chicago in three months.

As I say, these figures seemed so astonishing to me that I made some inquiries, especially to find where this oleomargarine came from, because I happen to know that Chicago is the place where they make the best, the purest, and the sweetest oleomargarine that is turned out anywhere in the world. It is a product which is now considered by all skillful cooks superior to any kind of dairy butter for most forms of cooking and, I may add further, Mr. Chairman, a product for use on the table superior to nine-tenths of the so-called dairy butter. So I was astonished to find that 40,000 pounds of imported oleomargarine came into Chicago in ninety days, and I naturally wondered where it came from.

I made some inquiries at the Bureau of Statistics, but could get no information, as they had no such statistics. The Customs Bureau in the Treasury Department could throw no light on the subject. When the Commissioner of Internal Revenue took the matter up he found that these items were the result of a simple mistake, as appears from a letter which he sent to me under the date of January 19, 1904, which I will read. It is as follows:

> TREASURY DEPARTMENT,
> OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
> Washington, January 19, 1904.
>
> Hon. H. S. BOUTELL,
> *House of Representatives, Washington, D. C.*
>
> SIR: In regard to your inquiry relative to imported oleomargarine received in the first district of Illinois, as shown by the Commissioner's Annual Report for the fiscal year ended June 30, 1903, pages 158 and 160, you are advised that a letter has this day been received from Collector Hurley, of Chicago, stating that he made no collections on account of imported oleomargarine during the months of June and August, 1903, that during the month of June he collected $[illegible] and during the month of August $[illegible] on account of oleomargarine taxed at the rate of one-fourth cent per pound. That his report on Form 27 was erroneous, and that the items which should have appeared opposite abstract 20 were dropped one line to abstract 26, which made the collections from oleomargarine at one-fourth cent per pound appear under oleomargarine imported from foreign countries at 15 cents per pound.
>
> Therefore it is clearly shown that no oleomargarine imported from foreign countries was received in the first district of Illinois during the last fiscal year, or during the months of July, August, and September of the present fiscal year.
>
> Respectfully,
> J. W. YERKES, *Commissioner.*

So that this whole story of 40,000 pounds of oleomargarine imported, on which a combined internal-revenue and customs tax of 21 cents a pound was paid, has simply no foundation in truth in it, and was the result of a mere clerical error made by some subordinate who filled out the blank. It would seem hardly worth while to take up the time of the House to call attention to this matter if it had not been made the basis of some very serious representations, both in the press and elsewhere. Of course the two conclusions at once drawn from the fact that such importations took place were these: First, that the present oleomargarine law was a revenue measure, and I think it would astonish the most ardent friends and supporters of this unjust and discriminating law to have it referred to as a revenue measure.

In the second place, this large importation on which had been paid the internal revenue and customs tax would tend to show that the oleomargarine industry must be an industry in which there is a hidden, secret, and enormous profit to warrant the importation of this article and the payment of a tax of 21 cents a pound on it in addition to the transportation and the cost of manufacture. And so these quotations have been used throughout the country as tending to support these two statements.

But the most serious feature of it all was that in the supplemental brief filed by the Government in the pending cases in the Supreme Court to test the constitutionality of the oleomargarine law. On page 24 of the brief these erroneous figures from this report of the Internal Revenue Commissioner were given to the court with these erroneous deductions that naturally were made therefrom that the law was a revenue law and that the oleomargarine industry was enormously profitable.

I may say, Mr. Chairman, that I took occasion to at once call the attention of the Department of Justice to the fact that there was no truth whatever in the items as given in the report, and the Solicitor-General of course at once called the attention of the court to the error which had been contained in their brief.

Mr. RICHARDSON of Alabama. Is it not the truth that the effect of the oleomargarine bill, as passed here by Congress, has been to suppress the industry of oleomargarine to the benefit of the dairy industry?

Mr. BOUTELL. Why, certainly; that was the only object of the bill.

Mr. RICHARDSON of Alabama. That was the intention of the bill?

Mr. BOUTELL. Yes.

Mr. RICHARDSON of Alabama. Using the taxing power to aid one industry to the destruction of another?

Mr. BOUTELL. Yes.

Mr. PERKINS. Has that been the result of the bill?

Mr. BOUTELL. Yes. Almost every oleomargarine factory in this country has been on its last legs for some months, and if this case in the Supreme Court is decided against the manufacturers, it will destroy the industry. I think they have suffered long enough without having to run up against such a mistake as this, used in such a serious way.

[Here the hammer fell.]

Mr. ADAMS of Wisconsin. Will the gentleman permit me to ask him a question?

Mr. BOUTELL. Certainly; if I have the time, I should be glad to have the gentleman ask me anything he wishes.

Mr. LAMB. I will yield the time to the gentleman.

Mr. ADAMS of Wisconsin. The gentleman states that the oleomargarine factories of this country are on their last legs.

Mr. BOUTELL. I understand they are in very serious condition.

Mr. ADAMS of Wisconsin. Is the gentleman aware of the fact that the total oleomargarine production for last year was 72,000,000 pounds?

Mr. BOUTELL. Yes, but that was very much below what it was the year before, I think 50 per cent less than it was two years ago.

Mr. BURLESON. In other words, this pernicious law has accomplished the object it was intended to accomplish?

Mr. BOUTELL. Yes; absolutely.

Mr. BUTLER of Pennsylvania. What was the production of oleomargarine last year?

Mr. BOUTELL. I could not give the exact figures.

Mr. BUTLER of Pennsylvania. How much above 72,000,000 pounds?

Mr. ADAMS of Wisconsin. It was 125,000,000 pounds.

Mr. BUTLER of Pennsylvania. Does the gentleman consider an industry on its last legs when it manufactures 70,000,000 pounds a year?

Mr. BOUTELL. Yes, considering the number of factories and the fact that they made 125,000,000 of pounds the year before.

Mr. BUTLER of Pennsylvania. Well, its legs will be long enough to carry it a good while yet, I think.

Mr. BOUTELL. Not if the present unjust law remains in force.

Mr. WADSWORTH. Does the gentleman from Virginia [Mr. LAMB] want to use any more time? If not, I will move that the general debate be closed and that we now take up the reading of the bill by sections under the five-minute rule.

Mr. BARTLETT. Mr. Chairman, before that is done, I would like to ask the gentleman from New York a question. I would like to know if there is any provision made in this bill which will permit the Secretary of Agriculture to pay for the services rendered by crop reporters in the different States for sending in their reports?

Mr. WADSWORTH. They are not paid in money. They are paid in the way of documents and bulletins and horse books—things of that sort. I presume the gentleman refers to the crop reporters?

Mr. BARTLETT. Yes: I mean the crop reporters.

Mr. WADSWORTH. I understand there is no complaint made by them nor is there any demand on their part that they shall receive anything. It is a voluntary work, and the Government pays them the compliment of sending them documents and bulletins and farm publications generally.

Mr. BARTLETT. I know that the Government up to this time has not been paying them, but I want to know if this bill contains any provision looking to a change in that regard?

Mr. WADSWORTH. It does not.

Mr. BARTLETT. The bill does not do it, and an effort to amend the bill in that respect of course would be enacting new legislation.

Mr. WADSWORTH. It would be subject to the point of order.

Mr. BARTLETT. And the gentleman stands ready to make such a point of order?

Mr. WADSWORTH. I should have to make it.

Mr. BARTLETT. That is all I desire to know about.

Mr. LAMB. Mr. Chairman, I yield twenty minutes to the gentleman from Virginia [Mr. MAYNARD].

Mr. MAYNARD. Mr. Chairman, I desire to call attention to the provisions of this bill embraced under the Bureau of Statistics and Salaries on page 42. The report says that this item has been increased $15,100. I suppose there is no objection on the part of any Member of this House to this provision, but representing, as I do, one of the greatest trucking sections in the United States, I feel it incumbent upon me to call the attention of the Members of the House to this item, so that it may be thoroughly understood and every Member may know the purpose of the increase and the necessity that exists and the claims these crops have for recognition and help by the General Government. The farmer engaged in growing truck produces wealth for the country and is entitled to the same consideration given growers of other important crops.

We are all familiar with the interest the Government takes in the statistical division of the Agricultural Department with reference to crop reports, frost conditions, and acreage, with references to cotton, wheat, and other important crops raised in the United States. Mr. Chairman, there has been no report upon the subject of tobacco, rice, or trucking crops which are grown in nearly all of the States of the Union. I desire to submit for the consideration of the House a few statistics in relation to the trucking industry that I have gathered from the Agricultural Department through the courtesy of Doctor Corbett.

The trucking industry in the United States is so diverse in its nature, covers such a wide range of crops and climatic conditions that even those engaged in the industry have no a[illegible] conception of its extent and importance. The reports of the last census, however, offer figures which enable us to present in a brief and concise form an idea of the magnitude of the industry. We are accustomed to look upon the trucking industry as a very small factor in the general agriculture of the country, but compared with the great staples corn, cotton, wheat, oats, orchard fruits, etc., the products of the truck farms take an important position. There are in the United States 5,739,657 farms, which produce crops valued at $2,910,138,663, of which amount each of the crops listed contributes the amount set opposite it in the table.

Crop.	Acres.	Value.	Value per acre.
Corn	94,916,911	$888,238,296	$8.73
Hay and forage	61,991,166	484,266,848	7.85
Cotton	24,275,101	[illegible]	15.27
Wheat	52,588,574	[illegible]	7.03
Vegetables	5,753,191	242,[illegible]	42.09
Oats	25,538,698	217,088,584	7.35
Average		131,433,517	
Truck (alone)		118,255,243	57.35
Orchard fruits		88,751,840	
Tobacco	1,101,483	56,966,033	51.74
Small fruits		23,030,577	
Rye	2,051,292	12,290,540	5.98
Subtropical fruits		8,549,863	

From the foregoing table it will be noted that vegetable crops hold the fifth position in rank among the great sustaining crops of the country. The trucking industry, which is a purely commercial subdivision of this vegetable industry, ranks eighth among the great wealth-producing crops. With the exception of the aggregate value of all fruit crops, the truck industry stands next in value to the cereals and is $34,000,000 more than the value of the orchard fruits of the country. This industry returns more than twice as much to the nation as the tobacco industry and about fourteen times as much as the subtropical fruits of the country. The reason that the truck business has never been considered one of the important factors in the agriculture of the country is the comparatively small area which it covers in any particular locality. There are in all only 5,753,191 acres devoted to this industry, and for that reason it has not figured largely in the general farm operations of the country, some of which, like corn, cover 94,916,911 acres.

The character of the industry, however, is indicated by the value of the crop per acre. The average value for corn is $8.73, and for cotton $15.27, while for truck it is $57.35, almost four times as much as for cotton and seven times as much as for corn. This explains the rank of the industry and indicates its intensive character. In comparing these figures it must be borne in mind that they represent the average for all sections of the country, all grades of producers, and the whole range of trucking crops. If special crops were to be selected and the returns of the most successful grower made the basis for comparison the difference between the cereals and truck crops would appear still more striking. In many instances corn is made to yield as much as $60 to $70 per acre, while truck crops may be made to return as high as $800 to $1,000 per acre. Such returns, however, are only obtained under the best of conditions, with intelligent management, both as regards cultivation and marketing.

For purposes of comparison the general averages will be most satisfactory, as they do not represent extreme conditions, but results which can be attained by any skillful and painstaking grower. The figures presented under the head of "truck" by no means represent the commercial standing of the industry. The census reports the total vegetable industry as having a value of $242,[illegible]. Of this, truck is allowed $118,255,243, the market garden $[illegible], the family garden $46,477,087, or a total of $2[illegible], leaving $10,038,470 as the value of the vegetable crops used by the canneries of the country, which is undoubtedly very close to the true value of the product. Taking, then, the aggregate value of the truck, the market garden, and the cannery crops, we find the wealth production in the growth of vegetables to be $[illegible]. This makes no account of the $46,477,087 worth of vegetables grown in family gardens.

If the corn, hay, and other cereal crops were to be measured by the actual amount put upon the markets and sold for cash, I do say the rating of the crops would be still more materially changed, with the result that the vegetable crop would stand much higher than at present.

As before stated, vegetable crops are staple crops; the products are perishable, but at the same time are necessities. It is therefore impossible for any one section to monopolize the production of all or, in fact, any one of these crops. The maps here presented not only indicate the wide distribution of these crops but emphasize the magnitude and importance of the local production of these crops about the great centers of consumption. This is again emphasized by the fact that the States with the largest consuming capacity are also the greatest producers. There were in 1899 twelve States each of which reported over 175,000 acres devoted to vegetable growing, New York State alone growing over 542,000 acres, while Minnesota, with many adverse conditions, devoted 177,188 acres to the industry. Eleven States derived over $7,500,000 each from the industry.

New York	$35,766,480
Pennsylvania	15,892,904
[illegible]	12,354,407
[illegible]	10,[illegible]
Michigan	11,[illegible]
[illegible]	9,[illegible]
Mississippi	8,[illegible]
New Jersey	8,[illegible]
[illegible]	8,[illegible]
[illegible]	7,[illegible]
[illegible]	7,[illegible]
Iowa	7,588,856

With this vast country interested in this wealth-producing crop, I believe it will strike every Member of this House as fitting that this industry should receive at the hands of the General Government the same aid that the production of cereals, cotton, and other crops receives at the hands of the Agricultural Department. For that reason I have offered these few statistics so that Members may be able to appreciate the necessity and claims that these industries, and the trucking industry especially, have for reports of the character now furnished with reference to the other crops of the country. [Applause.]

Mr. WADSWORTH. I now yield to the gentleman from Connecticut [Mr. HENRY] such time as he may desire to occupy.

Mr. HENRY of Connecticut. Mr. Chairman, this general debate upon the agricultural appropriation bill offers a convenient opportunity for remarks explanatory of the operation and effect of the oleomargarine law.

It is now over two years since the Committee on Agriculture reported the so-called "antioleo bill," which, after a long debate and most vigorous opposition in both branches of Congress, became a law May 9, 1902, becoming operative July 1, 1902. Obviously sufficient time has elapsed to fairly indicate the effect of legislation regarded by many as too drastic. The prophecies of failure and disaster uttered upon this floor during the week's discussion which preceded the passage of the bill will be long remembered.

It was alleged that a great industry would be ruined and the manufacture of oleomargarine made unprofitable; whereas results have proven that while the production of a fraudulent article, intended to be clandestinely sold as counterfeit dairy butter, has been curtailed, yet the manufacture of a more legitimate product, usually honestly sold without deception, is still continued.

It was claimed that oleomargarine colored in imitation of yellow butter, if taxed 10 cents per pound, could not be profitably manufactured; yet the last report of the Commissioner of Internal Revenue shows that over 5,000,000 pounds of colored oleomargarine, subject to this high tax, was manufactured and sold during the first fiscal year after the law became operative.

It was said that uncolored oleomargarine could not be sold except in very limited quantities, but the Bureau reports indicate that nearly 70,000,000 pounds were sold in American markets during the last fiscal year, paying a tax of only one-fourth cent per pound, in place of the 2-cent tax formerly levied, and incidentally benefiting consumers to the extent of at least the difference of 1¾ cents per pound.

Representatives of live-stock associations and of oleo manufacturers asserted that the price of oleo oil would be largely reduced, to the great and permanent injury of the stock-growing interests of the West; whereas the highest prices ever quoted for oleo oil have been obtained since the enactment of the oleomargarine law.

Gentlemen from the cotton-growing States were alarmed for the cotton-seed oil industry, believing that the consumption of that oil would be diminished, with a consequent reduction in price. But events have shown that cotton-seed oil is used in increasing quantities and at higher prices, its larger use as a slight coloring ingredient being deemed desirable by oleo manufacturers. In fact, almost every contention made by the manufacturers of oleomargarine has been demonstrated to be false or groundless, while the expectations and claims of the advocates of the existing and previous legislation have been realized and justified by well ascertained results. So that it can now be truthfully said that, after a trial of over a year and a half, despite the efforts of unscrupulous enemies, the anti-oleo law meets the hopes of its friends and merits the approval of all consumers of dairy products, as well as of the great dairy interests of the country.

Under the provisions of section 4 of this act the sale of adulterated butter is effectually prohibited. The manufacture of process or renovated butter is regulated, and the 54,686,651 pounds of this none too desirable article of food sold during the last fiscal year was branded and marketed under the supervision of the Bureau of Internal Revenue.

The report of the Commissioner of Internal Revenue for 1902, the last year the old law was in force, shows that 126,316,427 pounds of oleomargarine were manufactured during the fiscal year ending July 1, 1902. This, together with 732,237 pounds on hand July 1, 1901, made a total production of 127,048,664 pounds. Of this quantity 3,469,199 pounds were exported, leaving 123,869,465 pounds for domestic consumption.

The Commissioner's report for 1903 shows that 5,710,407 pounds of colored oleomargarine, subject to a tax of 10 cents per pound, were manufactured during the fiscal year ending July 1, 1903, together with 67,573,689 pounds of uncolored, paying a tax of one-fourth cent per pound. Of this quantity 3,486,692 pounds were exported, leaving 69,797,404 pounds for domestic consumption, or 54,072,061 pounds less than in the preceding year.

That the production of oleomargarine is gradually decreasing is indicated by the further fact that during the months of July, August, September, October, and November of the present fiscal year there were manufactured 1,425,310 pounds of colored oleomargarine, together with 20,474,748 pounds of uncolored, making a total production for these five months of 21,900,058 pounds, while the quantity produced in the corresponding months of 1903, the first five months after the law became operative, was 1,374,920 pounds of colored and 25,627,197 pounds of uncolored, making a total production of 26,903,117 pounds, or 5,002,059 pounds more than during the first five months of the present fiscal year. The quantity manufactured during the corresponding months in 1901, under the old law and paying a tax of 2 cents per pound, was [illegible],304 pounds, or more than double the present current production.

The licenses issued under the old law in 1902 were: Manufacturers, 35; wholesale dealers, 193; retail dealers, 10,821. The licenses issued in 1903 under the new law were: Manufacturers, 31; wholesale dealers, 398; retail dealers, 26,157, indicating a wider distribution, if not more legitimate sales.

The revenue collected during the last year of the old law was $2,944,472.46; the amount collected during the first year of the new law, including the tax upon renovated butter, was $888,181.68, a sum sufficient to defray the cost of Government supervision—all that the friends and framers of the law anticipated or intended.

These statistics are most satisfactory from a dairyman's point of view, inasmuch as presumably this decrease of over 60,000,000 pounds in the production of oleomargarine since the law became operative, in July, 1902, gave place to and made possible the sale of an equal quantity of dairy or creamery butter.

With these facts before us, it may be fairly claimed that the farmers and dairymen of the country have not only been able to market an increased quantity of butter, but have also obtained slightly higher prices, and withal the consuming public have been protected from imposition and have received the article purchased.

Mr. WADSWORTH. Mr. Chairman, I understand from the gentleman from Virginia [Mr. LAMB] that there are no other gentlemen on his side who desire to address the committee; and as I have no further applications for time, I move that we now proceed to the consideration of the bill under the five-minute rule.

The CHAIRMAN. If there be no objection, the Clerk will proceed with the reading of the bill by paragraphs for amendment and debate under the five-minute rule.

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

General expenses, Bureau of Animal Industry: For carrying out the provisions of the act approved May 29, 1884, establishing the Bureau of Animal Industry, and the act approved August 30, 1890, providing for an inspection of meats and animals, and the provisions of the act approved March 3, 1891, providing for the inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate and foreign commerce, and for other purposes, and to prescribe rules and regulations for the safe transportation and humane treatment of export cattle from the United States to foreign countries, and the amendatory act approved March 2, 1895, providing for the inspection of tare cotton bags, and the carcasses and products thereof which are the subjects of interstate and foreign commerce, and for other purposes, and also the provisions of the act approved February 2, 1903, to enable the Secretary of Agriculture to manufacture and to suppress and prevent the spread of contagious and infectious diseases of live stock, and for other purposes; [illegible] to the same inspection as other animals [illegible] That the Secretary of Agriculture may, in his discretion, when the requirement of a certificate with beef and other products which are subject to inspection that does not require such inspection, [illegible] and the Secretary of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient in such manner as he may think best, in the collection of information concerning live stock, dairy, and other animal products, and to prevent the spread of pleuro-pneumonia, [illegible] sheep scab, glanders or farcy, hog cholera, and other diseases of animals, and for this purpose to employ as many persons in the city of Washington or elsewhere as he may deem necessary, and to expend any part of the sum in the purchase and destruction of diseased or exposed

animals and the quarantine of the same whenever in his judgment it is essential to prevent the spread of pleuro-pneumonia, tuberculosis, or other diseases of animals from one state to another; for improving and maintaining the Bureau experiment station at Bethesda, Md.; to establish, improve, and maintain quarantine stations, and to provide proper shelter and equipment for the care of neat cattle, domestic and other animals imported at such points as may be deemed necessary; for printing and publishing such reports relating to animal industry as he may direct; and the Secretary of Agriculture may use so much of this sum as he deems necessary for promoting the extension and development of foreign markets for dairy and other farm products of the United States, and for suitable transportation of the same; and such products may be bought in open market and disposed of at the discretion of the Secretary of Agriculture, and he is authorized to apply the moneys received from the sales of such products toward the establishment and reputation of such experimental exports; and the Secretary is hereby authorized to rent a suitable building in the District of Columbia at an annual rental of not exceeding $2,000; he may use as a laboratory for the Bureau of Animal Industry, and the employees of the Bureau of Animal Industry outside of the city of Washington now located in the directorate of the Secretary of Agriculture, without additional expense to the Government, be granted leave of absence not to exceed ten days at any one year; the Secretary of Agriculture may compile the proceedings of the meat of Meat Act, as amended March 3, 1903, for the inspection of live cattle and products thereof, to provide dairy products intended for exportation to any foreign country, and may apply under rules and regulations to be prescribed by him, the proceedings of said act for inspection and certification appropriate for manufacturing the products and quality of such products, and may cause the same to be marked, stamped or labeled as to show that they are such as may be sold in the markets of foreign countries to which they may be exported; and not exceeding two thousand five hundred and twenty-six dollars of the appropriation for the Bureau of Animal Industry shall be used for the purchase of one office and laboratory purposes not to exceed $100, for gas and coke for laboratory, for telegraph and telephone service, for the employment of investigators, special and special agents, clerks, assistants, and student scientific aids at an annual salary of $840 each, and other labor in conducting experiments in the city of Washington and elsewhere, and in obtaining, organizing, preparing and disseminating the result of such experiments; subscriptions to and purchase of horticultural periodicals for use in the division; and the preparation, manufacture, and publication of reports; to investigate and publish reports upon the native plants and plant diseases of the tropical territory of the United States, and to investigate, report upon, and introduce other plants possessing to be valuable for the tropical territory of the United States, such plants also horticultural and agricultural information when deemed to be useful information for the work of agricultural experiment stations and schools; to procure superior varieties of cereals grown in the United States or suitable for introduction, in order to standardize the meaning of varieties as a basis for the experimental work of the state experiment stations, and as an assistance to commercial grading, and to investigate, in cooperation with the Bureau of Chemistry, the cause of deterioration of export grain, particularly in ocean transit, and devise means of preventing losses from those causes, etc.

Mr. LUCKING. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

After the word "another" in line 7, page 12, insert the following words:

"Provided, That the Department or Bureau shall not give away to any one person, firm, or corporation more than 100 doses of blackleg vaccine in any one year."

Mr. WADSWORTH. Mr. Chairman, I shall have to raise the point of order against that that it is entirely new legislation.

The CHAIRMAN. The Chair is of the opinion that there are many things in this whole paragraph that might be subject to a point of order, but where they are allowed to remain in the bill by unanimous consent, the Chair thinks an amendment like that offered by the gentleman, to perfect the legislation, is not subject to the point of order.

Mr. WADSWORTH. Then I will listen to what the gentleman from Michigan has to say.

Mr. LUCKING. Mr. Chairman, I desire to add but a very few words to what I said this morning relative to the matter of this amendment.

In the first place, I desire the members of the committee to note that it is not proposed to suppress or completely put an end to the manufacture and distribution of blackleg vaccine. The amendment is simply to correct what everybody to whom I have talked privately admits to be a gross abuse, namely, the giving away of this vaccine in unlimited quantities to people who can very well afford to buy it from private sources, and to limit and prevent the destruction of private enterprise, and to stop the Government in a paternal enterprise, which is certainly wrong in principle and without any real benefit.

The point made by the gentleman from Texas [Mr. BURLESON] this morning was that this is being used experimentally with the idea of destroying blackleg entirely in this country. That argument has been used for upward of thirteen years, according to the authority that was read from the desk this morning. And a further abuse exists to this extent that it is given away so freely and with so little inquiry and with so little regard to justice that many individuals are engaged in getting it from the Bureau and reselling it to small farmers throughout certain of the States. This is stated upon what appears to be unquestionable authority, and it is not denied in the Bureau that it is given away in unlimited quantities to anybody who chooses to ask for it. Now, this amendment is simply for the purpose of limiting the number of doses to be given to any one person, firm, or corporation in one year to 100 doses, and it does seem to me that if any rancher or other farmer is so wealthy as to own so many animals that he requires more than that number in any one year he ought to be willing to pay something for it.

I submit further that this pretense of doing it in the hope of stamping out the disease is contradicted and overturned by the experience of the last fifteen years. It is wrong in principle for the Government to interfere with private enterprise, and I hope the amendment will be adopted.

Mr. LAMB. Mr. Speaker, this matter was gone over carefully by the committee, as every other item in it was, and upon the very point that has been discussed here by our friend from Michigan [Mr. LUCKING] we interrogated the Secretary of Agriculture. I should like to have the Clerk read his answers to two questions, asked by the gentleman from Texas [Mr. BURLESON] and myself.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Mr. LAMB. That leads me to make a new inquiry of you, Mr. Secretary. I have received letters saying the Government is making serum to destroy blackleg, and trying to interfere with private enterprise. I would like to hear from you on that.

Secretary WILSON. Blackleg is a disease that affects young animals, mostly calves; sometimes yearlings, and, very rarely, 2-year-olds. The people had great difficulty in getting serum that was powerful enough to treat it. We make it here for probably a tenth of a cent a dose; and we send out, say, a million and a half doses a year, free to the people, and the result is that wherever we send it blackleg is disappearing. We are pushing this work with the theory that if we can [illegible] it will [illegible].

It is the same with rabies. If you muzzle every dog in the District of Columbia, and allow no other dog to come in, rabies will not come in. You cannot do that. The love for the pup is stronger than the love for man, woman, or child in the District of Columbia, and that is [illegible] here. That is the theory on which we are trying to go in regard to blackleg, and we are succeeding. The days [illegible] when there will not be a [illegible] in the United States.

Mr. BURLESON. As I understand it, Mr. Secretary, these laboratories are maintained by the Bureau of Animal Industry and its manufacture costs a mere trifle.

Secretary WILSON. Yes. Of course we are interfering with the trade, and it was doubtful for a long time how [illegible] whether we should maintain the thing for the benefit of these manufacturers.

Mr. LAMB. Now, Mr. Chairman, that goes to the root of this matter. The Government is stamping out blackleg just as it did the foot and mouth disease, and the committee will see at once that the private business of these gentlemen referred to by the gentleman from Michigan will not be necessary after the Government has succeeded in stamping out this disease.

Mr. LUCKING. May I ask the gentleman a question?

Mr. LAMB. Yes.

Mr. LUCKING. Was not the same argument made thirteen years ago in this House, that you were stamping it out?

Mr. LAMB. I think so. Experience since then has shown that we are stamping it out, and there is the evidence given by the Secretary of Agriculture himself.

Mr. LUCKING. They might say the same thing about smallpox or anything else that they chose to experiment with.

Mr. MONDELL. Mr. Chairman, I hope the amendment offered by the gentleman from Michigan will not prevail. I do not believe that the number of doses of vaccine given to any one individual should be limited, at least the limit should not be as low as suggested by the gentleman from Michigan. The Secretary of Agriculture very clearly pointed out that the object of the Department in the distribution of this vaccine is to stamp out blackleg; and during the time that this Government has been distributing this vaccine blackleg has very largely diminished and is being gradually stamped out. The stock raisers of my State that I come in contact with, and with whom I correspond in regard to this matter, tell me that the vaccine furnished by private firms can not be depended upon; that, as a matter of fact, the Government vaccine is a specific; that on the other hand the vaccine that they obtain from the local merchants, either by reason of fault in its manufacture or by reason of the fact that it has become stale in the hands of local merchants, very often is of no value whatever, whereas the blackleg vaccine furnished by the Government is always fresh and in every case efficacious. During the time that this vaccine has been furnished by the Government, at least so far as my region is concerned, blackleg has decreased by at least one-half, indicating that, as a matter of fact, the disease is being rapidly stamped out.

Now, the gentleman from Michigan suggests that by reason of this distribution stock raisers, or those pretending to be stock raisers, who apply for the vaccine are using it as an article of merchandise. I want to call the attention of the gentleman and the House to the fact that the vaccine is never furnished except on an application indorsed by a Member of Congress or a Senator, and if the Member indorsing that application will take the pains to satisfy himself, as he should, as to the character of the applicant, there can be no question but what the vaccine will be properly and legitimately used. It has been my practice whenever an application has reached me to assure myself beyond doubt or question as to the character of the applicant and as to the fact of his being the owner of a sufficient number of cattle to require the number of doses he asks for.

Mr. BOWIE. Is it not true that the cost of a dose of this vaccine to the Government is about one-tenth of 1 cent, and that these private manufacturers sell an inferior quality at 50 cents a dose? At any rate a very much larger amount?

Mr. MONDELL. I think that in our country it is sold for 15 cents a dose in small quantities, and 10 to 12 cents a dose in large quantities.

Mr. BOWIE. It is about a hundred times as much.

Mr. MONDELL. The objection is not so much to the price, objectionable as that is, as to the quality of the vaccine obtained from private manufacturers.

Mr. BURLESON. If the gentleman will permit me, is it not a

fact that the drug stores and other places where the vaccine is kept for sale, if they fail to sell out the stock on hand in this year, carry the stock over to next year, and sell it to the stock raisers, and in consequence of that fact they do not get verile vaccine matter?

Mr. MONDELL. I think that is unquestionably true, and probably that is the reason why the vaccine obtained in the localities or in the local stores is often absolutely worthless.

Mr. BROOKS. Mr. Chairman and gentlemen, I very much hope that this amendment will not prevail. I speak for a large section, where the stock-growing interests are large and where the number of people having small stock interests is large. I want to say that in my experience I have had very many requests for the vaccine to which the gentleman from Michigan alludes, and it is true that an application to the Department for this vaccine must bear the indorsement of a Congressman, so that I think I am fairly well informed as to the sources from which the requests come in my section, and thus far the largest single requests I have had has been for fifty doses of blackleg vaccine. I know also that these requests have come in a large majority of instances from people I have personally known to be not the large stockmen or from men who were seeking to get any undue advantage, but from the smaller stock growers and smaller ranchmen. To them this favor from the Government's bounty, while insignificant in cost, is a very important thing. Many of them are somewhat remote from sources of supply, and that which they can obtain locally is often, from no fault of the original manufacturers, inert and valueless.

To obtain easily, quickly, and without expense a reliable supply has been of great assistance to the very ones who most need it. I know that it is very much desired and appreciated when received, and I feel that if the bill were to be amended it should be in the direction of making the distribution of vaccine more, rather than less, general.

I understand also that a further reason for which the Agricultural Department desires to continue this distribution as it has hitherto carried it on is that it is important on account of the protection thereby afforded to interstate commerce to eradicate the disease or to bring it where the Department can control it. The shipping of cattle from one section to another has made the existence of blackleg on the ranges a very serious menace to the stock growers of the whole country.

The interests which are protected from this danger by the distribution of vaccine certainly have a right to demand further consideration, and to check the work now, before its results have been fully accomplished, would be shortsighted in the extreme. As to the statement that vaccine obtained from the Government is sold for private gain, I can not think that this is the case to any considerable extent. Everything in my own experience is to the contrary, and it seems as though this must be a mistake. It seems to me that it is very important, therefore, for these and many other reasons, that this distribution should continue. I hope that the amendment will not prevail.

Mr. LUCKING. Mr. Chairman, if it is not out of order I would like a minute or so to make some comment. Now, the gentleman, I think from Wyoming, suggested that the limitation placed in the proposed amendment was too small, that 100 doses was below what it ought to be, and I would ask him, if he seriously entertains the proposition of the amendment at all, what he would consider a proper limitation?

Mr. MONDELL. Personally, I do not think there should be any limit.

Mr. LUCKING. Very well; then I will not ask anything further. Now, Mr. Chairman, with reference to the quality of the vaccine prepared and sold by private manufacturing institutions of the country, I desire to say that the one house which I mentioned this morning, Parke, Davis & Co., send their preparations all over the civilized world; that no house on this continent stands higher or is more careful in the preparation of its products.

Its products are used all through the Government institutions in very many of its departments, and I wish to protest vigorously against the proposition that the article which is manufactured by the Government is any better than that manufactured by Parke, Davis & Co., and I would like to ask if any gentleman connected with the Agricultural Department has ventured to say that anything of the kind was true or could be true. Furthermore, the departments now are under Government supervision which manufacture privately the blackleg vaccine.

Mr. MONDELL. Will the gentleman yield to me for a moment? I have no desire to criticise unjustly the product of any manufacturing company in the Union, and if the gentleman listened to what I have said, he will recollect that I have stated——

Mr. LUCKING. There were others who stated that, not yourself.

Mr. MONDELL (continuing). That either by reason of fault in manufacturing or by reason of deterioration of the quality of the goods by long storage they certainly did not produce as good results as the Government vaccine.

Mr. LUCKING. Well, now, Mr. Chairman, that suggests the further fact for the consideration of the members of this committee that the United States Government is actually engaged in manufacturing this stuff just as it is ordered from day to day and giving any amount of it to anybody who may choose to ask for it, and it has done that for many years. Now, thirteen years ago, according to the statistics furnished, they were putting forth nearly as much of this as now. It has increased, I think, about 250,000 doses in the last thirteen years, and I submit for the Government to engage in the business after so many years, when it started the business purely as an experiment, and we understood it was an experiment to see what could be done, that it is an enterprise which ought not any longer to continue in the way it is now being conducted. That is all I desire to say.

The question was taken, and the amendment was not agreed to.

The Clerk read as follows:

Bacteriological investigations and experiments: Investigations relating to medicinal preparations, serums and other medicinal products, vaccines and toxins, the production of serums, traveling expenses, and express and freight charges, for all necessary office fixtures, the purchase of paper and all other necessary supplies, instruments and apparatus, for fuel and necessary repairs of a laboratory for office and laboratory purposes not to exceed $100, for gas and coke for laboratory, for telegraph and telephone service, for the employment of investigators, special and special agents, clerks, assistants, and student scientific aids at an annual salary of $840 each, and other labor in conducting experiments in the city of Washington and elsewhere, and in obtaining, organizing, preparing and disseminating the result of such experiments; subscriptions to and purchase of horticultural periodicals for use in the division; and the preparation, manufacture, and publication of reports; to investigate and publish reports upon the native plants and plant diseases of the tropical territory of the United States, and to investigate, report upon, and introduce other plants possessing to be valuable for the tropical territory of the United States, such plants also horticultural and agricultural information when deemed to be useful information for the work of agricultural experiment stations and schools; to procure superior varieties of cereals grown in the United States or suitable for introduction, in order to standardize the meaning of varieties as a basis for the experimental work of the state experiment stations, and as an assistance to commercial grading, and to investigate, in cooperation with the Bureau of Chemistry, the cause of deterioration of export grain, particularly in ocean transit, and devise means of preventing losses from those causes, etc.

Mr. HAUGEN. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Iowa offers an amendment which the Clerk will report.

The Clerk read as follows:

Insert on page 20, in line 4, after the word "dollars," the following:

"The Secretary of Agriculture is hereby directed to obtain in the open market samples of seeds of grass, clover, or alfalfa, test the same, and if any such seeds are found to be adulterated or misbranded, or any seeds of Canada blue grass or Poa compressa, shall be offered for sale under any other name than Canada blue grass or Poa compressa, to publish the results of the tests together with the names of the persons by whom the seeds were offered for sale."

Mr. HAUGEN. Mr. Chairman, I offer this amendment. It has the approval of the Agricultural Department. It is to protect the purchasers of seeds against the adulteration and misbranding of seeds and to give the Secretary of Agriculture the authority to purchase samples of seeds and test the same and, if found to be adulterated or misbranded, to publish the results of the tests together with the names of persons offering such seed for sale. I will state, also, that this amendment has been carefully considered by the Committee on Agriculture and is authorized by the committee.

Mr. COWHERD. I would like to ask the gentleman a question. I could not catch from the reading at the Clerk's desk exactly what the amendment was. I understand there is a provision which calls for the publication of the names of parties who sold the seed. What is the purpose?

Mr. HAUGEN. That is, after the seed has been found to be adulterated or misbranded.

Mr. COWHERD. Is it intended to get samples of all seeds from everybody engaged in the business in the United States?

Mr. HAUGEN. Oh, no.

Mr. WADSWORTH. When the Department thinks it is necessary.

Mr. HAUGEN. When it is deemed necessary by the Department.

Mr. BURLESON. I will state to the gentleman from Missouri that it is intended to put the public upon notice of who sells these adulterated seeds.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Arlington experimental farm: To enable the Secretary of Agriculture to continue the necessary improvements to establish and maintain a general experimental farm and agricultural station upon the Arlington estate, in the state of Virginia, including employment of labor in the city of Washington or elsewhere, and for all necessary fixtures, supplies, material, apparatus, and other expenses, in accordance with the provisions of the act of Congress approved April 18, 1900, entitled "An act to set apart a portion of the Arlington

estate for experimental agricultural purposes, and to place said portion under the jurisdiction of the Secretary of Agriculture and his successors in office, which act shall be construed to confer upon the Secretary of Agriculture and his successors jurisdiction over so much of the Government land in Alexandria County, Va., known as the Arlington estate, as lies east of the public road leading from the Aqueduct Bridge to Alexandria, Va., commonly called the Georgetown and Alexandria road, and between said road and the Potomac River, containing about 400 acres, with the exception, however, of a strip of land as follows: Commencing at the point where the Georgetown and Alexandria road enters the Arlington estate on the north side, thence along said road 625 yards, thence in a line perpendicular to said road to the Chesapeake and Ohio Canal, thence along said canal to the north line of the reservation. So, so ordered.

Mr. RIXEY. Mr. Chairman, I offer the following amendment. The Clerk read as follows:

On page 23, line 8, strike out the word "fifteen" and insert the word "twenty-five" so that it will read "$25,000."

Mr. RIXEY. Mr. Chairman, this experimental farm at Arlington is the only experimental farm in the United States that belongs to the Government. It was taken from the War Department in 1900 and turned over to the Agricultural Department for the purpose of an experimental station. It contains from 300 to 400 acres, and the Agricultural Committee of this House is starving it to death. The act under which it was turned over to the Secretary of Agriculture provides:

That the declared purpose of this act is to set apart said tract of land as a general experimental farm in its broadest sense, where all that pertains to agriculture in its several and different branches, including animal industry and horticulture, may be fostered and encouraged, and the practice and science of farming in the United States advanced, promoted, and practically illustrated.

When this property was turned over to the Agricultural Department it presented the appearance which you can imagine it would after forty years of neglect. At one time the Arlington estate was among the most beautiful in Virginia, but it was confiscated in 1861-1865, and from the time it went into the hands of the Government this portion of it, the low ground of the Arlington estate, remained without any cultivation, tillage, or care for forty years. For that length of time it had been an eyesore to that portion of the State of Virginia and to this city. In 1900 it was turned over to the Agricultural Department and the Secretary was instructed to make it an experimental station, so as to be an example for agriculture in the several States of this Union. At that time the land was traversed by deep gullies, overgrown with underbrush and with not a building or a fence upon it. With the small appropriation of $15,000 the Secretary has gradually gotten the land into condition to proceed with experiments as contemplated by the law of April 18, 1900, but for two years he has appealed in vain to Congress to give him an additional appropriation.

In his last annual report he takes four or five pages of the report urging the importance of a liberal appropriation for this experimental station, and his concluding words are as follows:

The more specialized character of work which each year becomes necessary in the management of the Arlington farm demands a greater expenditure per acre under cultivation as new and urgent problems are continually presented for solution; and in order that the work now in progress may be completed and that a few of the many new difficulties presented may each year be brought under consideration, it is respectfully recommended that at least $25,000 be set aside for use at the Arlington farm.

Mr. Chairman, there is now an appropriation by the General Government for aid to the experimental stations in the several States. This is known as the "Hatch fund," and provides for the appropriation of $15,000 to each of the several States for experimental stations. These stations are under the control of the States and not of the Federal Government. The State of New York supplements the $15,000 which this Government gives for experimental purposes with $100,000, and the State of Illinois supplements the $15,000 by an appropriation of $70,000, and yet this committee expects the Department of Agriculture to make the Arlington Experiment Station, which is larger than either and the only one owned by the Government, to be properly conducted and developed upon an expenditure of $15,000.

Mr. PAYNE. Will the gentleman state how much the State of Virginia supplements this appropriation?

Mr. RIXEY. Virginia is not expected to supplement it, but if you will turn it over to the State of Virginia we will duplicate the amount.

Mr. PAYNE. In other words, you will give $15,000?

Mr. RIXEY. This land is owned entirely by the United States Government and is controlled by the Government. It was bought by the Government, and the State of Virginia has no jurisdiction over it, because it has surrendered its jurisdiction. Why should you expect the State of Virginia to supplement the Government appropriation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOWIE. I ask that the gentleman have five minutes more.

The CHAIRMAN. The gentleman from Texas asks that the gentleman from Virginia have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. RIXEY. Mr. Chairman, I will not take the whole five minutes. I only want a minute or two. Mr. Chairman, speaking for myself, I have been disappointed in the results at the Arlington farm. I had supposed that Congress would have been liberal in its appropriations and have enabled the Secretary to go on with the developments on the lines contemplated in the act of Congress giving him jurisdiction. He says he wants to conduct experiments in agriculture as they are conducted in the States. He wants to show to the States what can be accomplished in agriculture. He is well informed and equipped for the development of the national experimental farm, but he is unable to put up the buildings or to make the experiments unless this appropriation is increased.

I submit that what the Secretary asks for is less than he ought to have. Instead of $100,000 which New York gives to its experimental stations, this Government only gives fifteen thousand to the only experimental station that it owns. I submit that the amendment ought to be adopted, and that the committee should hereafter deal with this great experimental station in a spirit commensurate with the importance and dignity of the agricultural interests—the greatest industry of our country.

Mr. HEPBURN. Mr. Chairman, I would like to ask the chairman of the committee if in his judgment a mistake has not been made in attempting to establish this experimental farm on the Arlington estate. The Arlington estate was intended, I think, for two purposes originally, neither of them an agricultural purpose, and now, for the uses of the military, they are seeking to secure additional very high-priced land in order that there may be room for the military maneuvers that ought to occur at that place. Has there not been a mistake made in taking the three or four hundred acres that lie down in the flats, admirably adapted for military maneuvers, and attempting to establish this farm at that place? I think so; and I for one would be unwilling that there should be any permanent improvements that will be destroyed when the estate is returned to the real uses for which it was purchased and to which it ought to be dedicated.

Every foot of that land is needed now for the maneuvers of the troops that from time to time will be there and that perhaps ought to be there at all times, and we ought to use that which we have and not pay, as is contemplated by certain real estate firms in this city, five hundred, a thousand, or two thousand dollars an acre for additional land in order to make needed room for military maneuvers.

Mr. WADSWORTH. Mr. Chairman, the Committee on Agriculture, I may state, has always been opposed to the establishment of a Government experimental farm. They take the ground that the experiment station in each State and Territory, to which the National Government contributes $15,000 annually, is sufficient.

In other words, that an experiment made here on the shores of the Potomac would be of no account in the State of Pennsylvania or the State of New York. Therefore, as an experimental farm it has never been popular, I may say, with the Committee on Agriculture.

Mr. HEPBURN. Will the gentleman allow me to say, for fear of being misunderstood, that I do not want to make any criticism upon the policy of the establishment of this national experimental station. I believe in it; I think it ought to be done. I do not agree with the committee on that matter. But I do believe that we have made a mistake in locating it here upon the high-priced lands so near the capital.

Mr. WADSWORTH. In considering this question, Mr. Chairman, the committee simply decided to put this experimental station on all fours with all the other experimental stations of the country. The United States Government gives $15,000 a year to the experimental stations located in each State and Territory. We have simply treated this United States experimental station exactly as we have treated those in the several States. This station can not be built up, I admit, in one year with $15,000; but I disagree with the gentleman from Virginia [Mr. RIXEY]. I think great work has been done there already under previous appropriations and the work will continue, and in ten years, with $150,000 expended there, you will have a magnificent experimental station. And let me say further to the gentleman from Virginia that Virginia is very fortunate in having two stations that the Government gives $15,000 each to.

There is the State experimental station, and then there is this experimental station. Now, the mere matter of $10,000 does not amount to very much, but we simply put it on the same ground as we put all the other stations, and, as I say, in ten or fifteen years that station will be a magnificent station with an annual appropriation of $15,000.

Mr. RIXEY. Does not the State of New York supplement the

$15,000 which the Government gives by an appropriation of over a hundred thousand dollars?

Mr. WADSWORTH. That is very true. Why does not Virginia do the same?

Mr. RIXEY. Virginia has nothing to do with this station. The policy of establishing it was decided by Congress. Four years ago Congress decided to establish this station and turned it over to the Agricultural Department. In reply to the gentleman from Iowa [Mr. HEPBURN] I desire simply to state that the Secretary of War reported that he had no use for this portion of the Arlington estate—about 300 acres of land; that the tract contained altogether about twelve hundred, and that the remainder was all that was needed for the military reservation and the national cemetery, and he would be very glad to have the river low grounds transferred to the Secretary of Agriculture. The Military Committee of the House unanimously reported the bill, and it became a law.

I know of no effort on the part of real estate men, as charged by the gentleman from Iowa, to foist upon the Government tracts of land adjacent to this capital for military purposes. So far as I know, this Government has now at the military reservation at Arlington more land than it has any use for. The 400 acres of river bottom land are admirably adapted to experimental purposes. It has been turned over to the Secretary of Agriculture for that purpose, and it seems to me to be the worst kind of economy to say that you will not increase the small appropriation which it now has. If it were put on the same footing as New York, you would give it over $100,000. The Secretary of Agriculture is, in my judgment, the most conservative member of the Government in submitting his estimates to Congress, and the Committee on Agriculture is the only committee that I know of that does in any way keep down the expenditures of its Department.

Mr. WADSWORTH. Well, the gentleman does not blame us for it, does he?

Mr. RIXEY. Oh, I do not blame the committee, but I think there is such a thing as false economy, and in this particular there is false economy, because you simply give the Secretary enough to keep the experimental farm open, without funds, however, for proper development. Why this economy in agriculture and wasteful extravagance in other Departments?

Mr. WADSWORTH. I deny utterly that statement of the gentleman. A few days ago I passed a day with Professor Galloway, of the Department, in making an inspection of what has been done on this farm. Great improvements have been made there. Fifteen thousand dollars will make still greater improvements, and $15,000 appropriated next year will continue the work. Rome was not built in a day, and we can not make that experimental station in a day.

Mr. RIXEY. Rome was not built in a day, and if Romulus and Remus had been members of the Agricultural Committee, it never would have been begun. [Laughter.]

Mr. WADSWORTH. That is a matter of ancient history that I will not discuss with the gentleman from Virginia.

The question being taken on the amendment of Mr. RIXEY, it was rejected.

The Clerk read as follows:

Purchase and distribution of valuable seeds: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings and plants; for rent of buildings, not to exceed $[illegible] for the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere; all necessary office fixtures and [illegible] purchase and distribution of the same, and to be expended under the [illegible] of the Secretary of Agriculture; and the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants as the best he can obtain at public or private sale, and such seeds and plants so purchased as may be in excess of the needs of the public service in any locality may be distributed in such manner as may be prescribed by the Secretary of Agriculture, preference being given to those persons who have made application for the same, and who have not received seeds, bulbs, shrubs, vines, cuttings, and plants from the Department of Agriculture during the current year; and the Secretary of Agriculture shall report, as provided in this act, the place, quantity, and price of seeds purchased, and the date of purchase; but nothing in this paragraph shall be construed to prevent the Secretary of Agriculture from sending seeds to those who apply for the same.

And the amount herein appropriated shall not be diverted or used for any other purpose but for the purchase, propagation, and distribution of valuable seeds, bulbs, shrubs, vines, cuttings, and plants: *Provided*, however, That upon each envelope or wrapper containing packages of seeds the contents thereof shall be plainly marked, and the Secretary shall not distribute to any postmaster, Representative or Delegate any seeds so far in excess of the needs of any locality as to prevent the proper supply of such seeds to the people of such locality, but shall distribute the same so that every Member, Delegate, and Resident Commissioner may have a supply, as near as may be, of the seeds asked for by the people of his district or Territory: *Provided further*, That no part of the money herein appropriated shall be used for distribution in the city of Washington, within the territory west of the Rocky Mountains, or in any other place where the cost of the seeds so distributed shall exceed the cost of the same when purchased in the open market at the place of their use: *Provided further*, That $2,000 of the sum herein appropriated, or so much thereof as the Secretary of Agriculture shall deem proper, may be used in the purchase, propagation, testing, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries for experiments with reference to their introduction into this country; and the seeds, bulbs, trees, shrubs, vines, cuttings, and plants thus secured, purchased, tested, and propagated shall not be included in general distribution, but shall be used for experimental tests to be carried on with the cooperation of the agricultural experiment stations.

Mr. SHEPPARD. Mr. Chairman, I desire to make a point of order upon that portion of the paragraph just read, beginning at line 10, page 24, and ending with line 24, page 26. I make this point of order on the ground that the provision embraced within the lines I have specified is a change of existing law and an absolute and mandatory limitation upon the discretion of the Secretary of Agriculture vested in him by the law. May I be heard for a few moments on this point?

The CHAIRMAN. Certainly; the Chair will gladly hear the gentleman on the point of order.

Mr. SHEPPARD. Mr. Chairman, the original law on this subject is found in the Revised Statutes of 1878, section 527, which reads as follows:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and valuable to the country or such as can be made more profitable by frequent changes from one part of the country to another.

Under that provision of law the distribution of seeds is placed within the discretion of the Secretary of Agriculture.

I now desire to read from the Constitution, Manual, and Digest, page 347, the following annotation:

It has been generally held that provisions giving a new construction of law or limiting the discretion which has been exercised by officers charged with the duties of administration are changes of law within the meaning of the rule.

Now, as I understand the matter, certain limitations upon the discretion of an administrative officer are not subject to this point of order, but those limitations apply to the administrative functions of the officer, and they must not be so mandatory as to be equivalent to a direct and substantive enactment of law.

Now, under this paragraph, after the appropriation is provided for as required and authorized by law, the bill proceeds to direct the exact manner in which the Secretary of Agriculture shall conduct the distribution of seeds. Nothing is left to that discretion which has been vested in him by the solemn terms of the law. The paragraph of the bill reads, in part, as follows:

And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, in the purchase, testing, and distribution of such valuable seeds, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, etc.

It will be seen that the language is directly mandatory. The provision proceeds further to state that the distribution shall be made through Congressmen; that blanks shall be furnished by the Public Printer, such as are now furnished as document slips, with the names of Members, Senators, and Delegates printed thereon—a clause for which there is no possible authority in the statutory law, a clause for which there is no possible authorization. And the other clauses of the bill are subject to the same objection and the same criticism.

The bill, proceeding, provides a certain time of the year within which the seeds allotted to certain Senators and Representatives must be distributed. In other words, the bill proceeds, under the guise of an appropriation, to prescribe a new and substantive law—a method by which the Secretary of Agriculture is commanded to proceed with this distribution, allowing nothing to that discretion which is given him by the statute.

I ask for the ruling of the Chair upon this proposition, and afterwards I may desire to offer an amendment to the section.

Mr. WADSWORTH. I do not care to say anything upon the point of order.

The CHAIRMAN. The question raised by the gentleman from Texas [Mr. SHEPPARD] presents some difficulties. The Chair is inclined to construe the bill somewhat as if it read in a little different manner—as if it read thus:

"And the Secretary of Agriculture is hereby directed to expend the said sum, as nearly as practicable, only on the following conditions: For the purpose of testing and distribution," etc.

And while admitting that you can not place a limitation upon

the discretion of the Secretary where the law gives him a right to exercise it, yet construing this paragraph not as a limitation upon his discretion, but rather an addition, and a limitation upon which the appropriation is granted, I shall not sustain the point of order to the whole section, yet there is one provision in the section that the Chair holds to be clearly subject to the point of order. That is that part of the section commencing with the word "such," in line 2, and ending with the word "direct," in line 7, page 25:

Such franks to be furnished by the Public Printer as is now done for document slips with the names of Senators, Members, and Delegates printed thereon, and the words "United States Department of Agriculture, Congressional seed distribution," or such other phraseology as the Secretary may direct.

It seems to the Chair that this is new legislation, and that it is legislation on an appropriation bill, directing what the printing department shall do, and as the Chair understands the rules of the House, that portion of the section being subject to the point of order, it vitiates the whole section. Therefore the Chair sustains the point of order made by the gentleman from Texas.

Mr. WADSWORTH rose and was recognized, and yielded to Mr. SCOTT.

Mr. SCOTT. Mr Chairman, I should like to ask the gentleman from Texas a question.

Mr. SHEPPARD. I understand the point of order has been sustained.

Mr. SCOTT. I desire unanimous consent to say a few words. I should like to direct a suggestion to the gentleman from Texas [Mr. SHEPPARD] if he will listen to it. I understand, of course, that his object in raising this point of order is to strike out the whole section, and under the ruling of the Chair that will be done unless the lines which the Chair has just called attention to are stricken out. The gentleman from Texas will readily understand that it will be very easy to submit this paragraph again, eliminating the objectionable lines, so that the purpose of his objection will be defeated; and it will not only be defeated, but the Members of this House will be deprived of the very great benefit conferred upon them in the matter of convenience by the lines stricken out. I wanted to ask the gentleman from Texas, in view of this fact, if he would not be willing to withdraw his point of order, so that these words, by means of which a great convenience is afforded to Members of this House and of the Senate, may still remain in the bill.

Mr. SHEPPARD. Mr. Chairman, proceeding by the same unanimous consent which has been given to the gentleman, I desire to say that the object of my entire contention has been to call attention to the irregular, impracticable, and useless manner in which the seed distribution is conducted at present. The object of my argument has never been to secure the entire abolition of the seed distribution which is provided in the law of 1862, establishing the Department of Agriculture; but my object has been simply to improve it and to place it in such a condition that it will be a true test, and will tend to the thorough development of the soil of the country, in accordance with the original intention. After withdrawing the point of order on the statement made by the gentleman from Kansas [Mr. SCOTT] I shall offer an amendment embodying my ideas, and I trust that they will receive some consideration. My purpose was simply to fix the attention of the House upon the condition of affairs with reference to the seed distribution. Having attained that object, I withdraw the point of order.

Mr. LIND. Mr. Chairman, I renew the point of order. If the Chairman entertains the suggestion of the gentleman from Texas that he can withdraw the point of order after it has been discussed and ruled upon, I certainly——

The CHAIRMAN. The Chair will not entertain the suggestion that the point of order can be withdrawn after it has been ruled upon.

Mr. LIND. That it can?

The CHAIRMAN. It can not be withdrawn after the ruling of the Chair.

Mr. SCOTT. Could it be withdrawn by unanimous consent?

The CHAIRMAN. The Chair will say to the gentleman from Kansas that he thinks the better way would be to ask unanimous consent to offer the whole section as an amendment.

Mr. SCOTT. Then, Mr. Chairman——

Mr. WADSWORTH. Mr. Chairman, the whole section having gone out under the point of order, I have the right to offer a substitute, have I not?

The CHAIRMAN. The gentleman has the right to offer a new section, and he has the right to offer the whole section by unanimous consent.

Mr. WADSWORTH. The entire section?

The CHAIRMAN. By unanimous consent is the only way, the Chair thinks, in which the gentleman could offer the whole section again after it has been struck out.

Mr. LIND. Mr. Chairman, I would like to be heard for just one minute, so as to define my position.

The CHAIRMAN. The Chair would state to the gentleman from Minnesota there is nothing before the committee.

Mr. LIND. I know there is not. I ask unanimous consent to make a statement, for not to exceed two minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may be permitted to speak for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LIND. Mr. Chairman, I want to say for the benefit of the chairman of this committee that I shall feel it my duty to object to unanimous consent for any proposition that involves the continuance of the present miserable, demoralizing habit of sending out seed that has no special value. [Applause.] Now, in every legislative and administrative position that I have filled I have gone as far as any other man to vote and work for the furtherance of every legitimate interest of agriculture, and have been a consistent, active supporter of the agricultural college of our State, and I doubt whether there is a better one in the United States. There may be those as good, but none better. It is doing splendid work. If one-half of the money that is wasted by our delegation from Minnesota in this work of sending out oftentimes worthless seeds were turned into the treasury of our agricultural college, we would be doing twentyfold more good for agriculture than comes from this system.

I think it is time for the membership of this House to rise to the dignity of meeting this question, as well as all other questions, on its merits. Let us take the $200,000 that we fritter away in this manner and distribute it pro rata among the agricultural colleges of this land, and the benefits to agriculture would be tenfold—aye, a hundredfold—greater.

The original scheme of the law was for the Agricultural Department—at that time we did not have good stations in the several States—to secure and send out new, rare, and valuable foreign seed for experimental purposes. This was legitimate and proper; but now it would be immitely better to supply such seed to the various agricultural colleges than to have them distributed by Members of Congress. This is not the kind of work that we were elected to do. I am willing to do anything for my constituents, but I do not want to waste their money. I am sending out my quota of seed faithfully. It does not affect seed distribution for this session, but I say we ought to do the right thing, and cut it off for the future. Let us have one year of respite and relief, Mr. Chairman——

The CHAIRMAN. The time of the gentleman has expired.

Mr. LIND. I ask unanimous consent that I may have a minute more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may have one minute more. Is there objection? [After a pause.] The Chair hears none.

Mr. LIND. I say, Mr. Chairman, let the country have one year's respite, one session's respite from this work, and the membership of this House will enjoy it quite as much as our constituents. Then, if we want to go back to this miserable practice, let us reinstate it. Now we have the opportunity, without requiring individuals to go on record, to do the right thing. Let us embrace and improve this opportunity. That is all I have to say.

Mr. ROBINSON of Indiana. Mr. Chairman——

The CHAIRMAN. There is nothing before the committee. The gentleman from Minnesota was speaking by unanimous consent.

Mr. ROBINSON of Indiana. I ask unanimous consent that I may have five minutes.

Mr. FOSTER of Vermont. I object. I want to get something before the House.

Mr. WADSWORTH. Mr. Chairman, I now offer a substitute for the paragraph stricken out on the point of order.

The CHAIRMAN. The Clerk will read.

Mr. WADSWORTH. I will save time by stating to the House that on page 24, after line 9, I have reinstated that paragraph in detail with the exception of the lines at the top of page 25 commencing with the words "such franks to be furnished by the Public Printer" and ending on line 7 with the word "direct," in conformity to the ruling of the Chair.

Mr. CANDLER. Why does not the gentleman from New York read those words?

Mr. LIND. I object.

The CHAIRMAN. The gentleman has a right to offer the amendment.

Mr. LIND. I make the point of order against the amendment.

Mr. BURLESON. Will the gentleman read the words that are to be stricken out?

Mr. WADSWORTH. These are the words, commencing on line 2, page 25:

Such franks to be furnished by the Public Printer as is now done for document slips with the names of Senators, Members, and Delegates printed

thereon, and the words "United States Department of Agriculture, Congressional seed distribution," or such other phraseology as the Secretary may direct.

The CHAIRMAN. The Chair understands the gentleman from New York to ask unanimous consent that the reading of the amendment be dispensed with.

Mr. WADSWORTH. Now I offer this as an amendment.

The CHAIRMAN. The Clerk will report the amendment in the nature of a substitute.

Mr. LIND. And on the amendment I make the point of order.

The Clerk proceeded to read the section.

Mr. BOWIE. I see no use in reading it. I ask unanimous consent that we dispense with the reading, it having been read once.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the reading of the substitute or amendment be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BAKER. Mr. Chairman, I would like to know whether the amendment offered by the chairman of the committee is identical with the bill as reported.

The CHAIRMAN. No; it is not.

Mr. BOWIE. It strikes out the part subject to the point of order.

The CHAIRMAN. If identical, it would have required unanimous consent to offer it.

Mr. LIND. Mr. Chairman, I still reserve the point of order against the amendment offered as being different from existing law on the subject, and on that point I wish to be heard very briefly.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LIND. The existing law on this subject is found in section 527 of the Revised Statutes. Has the Chair the Revised Statutes, section 527?

The CHAIRMAN. The Chair has read it.

Mr. LIND. The Chair will observe that it reads this way:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country.

It shall be confined to such seeds as are rare and uncommon to the country, and this committee has no power to make an appropriation for a wholesale purchase of any sort or kind of seeds. If the chairman of the committee will offer an amendment of a reasonable amount to be expended in conformity with the section of the statute just read, I shall not object.

Mr. DE ARMOND. Mr. Chairman, it doubtless would be in accord with the spirit of the old law and would be very much better for all concerned if the seeds, plants, bulbs, cuttings, vines, etc., to be distributed were essentially of rare and valuable qualities and largely for the purpose of experimentation and introduction. I take it that under the provision of this bill as it stood and under the law as the law is the Secretary of Agriculture could invest the sum appropriated in securing those rare, valuable, and new things for distribution as the law provides. I take it that this provision as it stood in the first place, or as offered now as an amendment by the chairman of the Committee on Agriculture, does not require that the Secretary buy ordinary, cheap, or worthless seeds.

Whatever may be said theoretically about these things, and whether or not abuses may have sprung up, it is also true that many people in the country like to get packages of these seeds and put a value upon them higher, perhaps, than we do here in the House; and when we are dealing with the matter theoretically they deal with it practically. A good many of these seeds they find to be valuable—at least, they conclude they are valuable, and in the use of them by these people they prove so. A great many good varieties of seeds are introduced into neighborhoods where they are well adapted to the needs of the county, and, where once introduced, the seeds remain and are used year after year and perhaps generation after generation.

I believe while there may have been abuses in this matter, better judgment and more care may be exercised in it, and that the reform which knocks out entirely the appropriation is a reform on paper and in theory rather than a real reform, and that it appeals more to our own aesthetic notions than to the views and experiences of our constituents. I believe that if this amendment is to be restored it ought to be restored with the part stricken out in it. I do not know what objection there can be, if the seeds are to be distributed at all, to authorizing the Secretary of Agriculture, at the instance of a Member, to have blank slips prepared, with the Member's frank printed upon them and the name also of his State, if he chooses.

It is a convenience in distribution, and the cost of it is very trivial, and the objection to it is one I can not see. So, if this amendment, as offered by the chairman of the Committee on Agriculture, is to be considered before the House with a view of restoring to the bill part of the matter ruled out, I shall offer an amendment to the amendment to restore to it the other part stricken out.

Mr. LIND. If you will let me make a statement I will withdraw the point of order on that if the Chair holds that.

Mr. BOWIE. We want to get——

Mr. DE ARMOND. Now, I desire, Mr. Chairman, if it be in order, to submit an amendment to the amendment offered by the gentleman from New York, the chairman of the Committee on Agriculture, to restore to the bill this provision which has just been stricken out.

The CHAIRMAN. The Chair desires to state to the gentleman from Missouri that there is a point of order raised against the amendment presented by the gentleman from New York and the Chair thinks another amendment will not be in order until that point of order is decided.

Mr. DE ARMOND. I understood that point would be withdrawn, pending the offering of this amendment. I may be wrong about that.

The CHAIRMAN. The Chair will rule upon the point of order now, if nothing further——

Mr. DE ARMOND. Mr. Chairman, let me suggest this as to the amendment against which the point of order is made, that, subject to the point of order, if the gentleman will reserve the point of order, I would like to offer an amendment to the amendment, and let the committee consider that if it will.

Mr. LIND. I will say to the Chair that if the Chair should hold that the amendment offered by the chairman of the committee is in order, then I shall withdraw the point of order as to the other portion. If we are to retain this, I want to retain the whole machinery of the bill.

Mr. SHEPPARD. That, Mr. Chairman, was my position exactly in withdrawing the point of order.

The CHAIRMAN. As the Chair stated at first, this is a somewhat difficult question to decide, but in the opinion of the Chair the point of order raised by the gentleman from Minnesota against this amendment is not well taken, as a careful reading of the whole section of the statute will show. The Chair will read for the instruction of the House the whole of the section of the statute of which the gentleman from Minnesota read only a part. It is as follows:

SEC. 527. The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon to the country, or such as can be made more profitable by frequent changes from one part of our own country to another; and the purchase or propagation and distribution of trees, plants, shrubs, vines, and cuttings shall be confined to such as are adapted to general cultivation and to promote the general interests of horticulture and agriculture throughout the United States.

So the committee will see that the statute is somewhat broader than that part of it which was read by the gentleman from Minnesota. Now, the provisions here in the proposed amendment, the Chair thinks, are not necessarily in conflict with the statute when all of it is considered and its scope and purpose considered. The amendment reads:

And the Secretary of Agriculture is hereby directed to expend the said sum annually as practicable in the purchase, testing, and distribution of such valuable seed, bulbs, shrubs, vines, cuttings, and plants, the best he can obtain at public or private sale, and such as shall be suitable for the respective localities to which the same are to be apportioned.

The Chair does not think there is anything in that portion of the amendment which I have read which necessarily changes the original statute, or is it a change of existing law; and the Chair therefore overrules the point of order.

Mr. LIND. Then, Mr. Chairman, I withdraw my point of order as to the whole section. If necessary, I will ask unanimous consent that I may withdraw the point of order.

Mr. WADSWORTH. Mr. Chairman, if the House will adopt my amendment, I will ask unanimous consent that the paragraph mentioned by the gentleman from Missouri be reinserted.

Mr. DE ARMOND. I think the better way, Mr. Chairman, to get at that is to offer it as an amendment.

Mr. WADSWORTH. That is immaterial.

Mr. DE ARMOND. If you attempt to do it by unanimous consent it can be defeated by one Member. I offer it as an amendment, to insert in the amendment offered by the gentleman from New York that part of the original paragraph that was eliminated from it.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 25, line 2, insert "such franks to be furnished by the Public Printer as is now done for document slips, with the names of Senators, Members, and Delegates printed thereon, and the words, 'United States Department of Agriculture, Congressional Seed Distribution,' or such other phraseology as the Secretary may direct."

The CHAIRMAN. The question is on the adoption of the amendment to the amendment.

Mr. SHAFROTH. Mr. Chairman, I disagree very much with the gentleman from Minnesota [Mr. LIND] and also with the gentleman from Texas [Mr. SHEPPARD] relative to the benefit of Government seed distribution. These gentlemen have overlooked, it

seems to me, the important element in the distribution of seeds, which is provided for in this section, and that is the transplanting of seeds from one portion of this great country to another. Any person who studies agriculture knows that the transplanting of ordinary seeds from one portion of the country to another, subjecting them to the various influences of climate and soil, is of great benefit and value to agriculture.

Mr. SHEPPARD. My amendment provides for that.

Mr. SHAFROTH. Yes; but it seems to me that the distribution of seeds, as the Government has been doing it, is of great value and should be continued. I want to state an experience that we have had in Colorado in the transplantation of ordinary seed. We grow in Colorado a melon called the Rocky Ford cantaloupe. It was produced by planting the ordinary seed in a different soil and under different conditions and subject to the influence of irrigation. These seeds produced the finest cantaloupes in the world. They are shipped to the New York market and even to the London market. That transplantation was not only of benefit to the people in Colorado, but also to every state that has grown melons, because these seeds go back to the original place and there a superior melon is produced therefrom to that which was originally grown and from which the seed came. Do gentlemen say that that is not in the interest of the development of agriculture?

There have been other developments along the same lines. When we recognize that the 500 varieties of apples all originally came from the common crab apple, we must acknowledge that the transplanting of common seeds from one part of the world to another is of great value. When we take into consideration that the many varieties of peaches all came from one plant, a bitter plant that was supposed to be poisonous, we find what development is possible from transplantation and cultivation.

Within the last ten or fifteen years we have found great results from the transplanting of seed from one portion of the country with reference to sugar beets.

The quantity of saccharine matter contained in sugar beets has been doubled in the last fifteen years, and why? Because this ordinary seed has been transplanted from one portion of the country to another, development has taken place through cultivation under different climates and soils, and that very seed transplanted back to the original place from which it came has produced much sweeter beets; so that now the quantity of saccharine matter contained in sugar beets is double that which it was fifteen years ago. Is not that of advantage to agriculture? Is not that of immense benefit to the people of this country?

It may be said that this did not occur through Government distribution, but some of it evidently did. The Secretary of Agriculture has been very active in encouraging the transplantation and cultivation in different soils and climates of sugar-beet seed. It has produced great results, and I have no doubt that a large portion of it is due to the fact that it came through Government distribution. But, Mr. Chairman, it seems to me that what these gentlemen are complaining of is not even well founded from their standpoint. The farmers are not ridiculing the distribution of Government seeds. Every Member of Congress receives requests for them. I have never yet received one that indicated ridicule, and I doubt very much whether any Member of Congress has.

The people appreciate the distribution of the seeds, and they are continually reciting in letters to me that they have gotten good results; often, even, that they have preserved the seed grown therefrom, and that they have distributed the same among their neighbors. Is it possible that there is no benefit to agriculture in this? Mr. Chairman, it seems to me that from any standpoint, from the standpoint that we are giving a benefit to the farmer even if it would not produce development in cultivation, is wise, as the farmer does not get a fair distribution of the taxes that he is compelled to pay; and when we take into consideration the other fact that the transplanting and cultivation of these common seeds in various portions of the country produces wonderful development and wonderful benefit to agriculture, it seems to me no one ought to oppose the amendment that is offered. [Applause.]

Mr. ROBINSON of Indiana. Mr. Chairman, yielding to every other Member of the House his views upon this subject of seed distribution, I commend the spirit that seeks to guard against fraud and peculation in this branch of the service. I am not unmindful that our good Secretary of Agriculture was imposed upon to the extent of many thousands of dollars by seed sharks and looters whose scales were found wanting and who foisted on us and on our constituents false weights and bad seeds. But he seeks to secure good and rare seeds for distribution, and he went after the malefactors in true typical American-farmer fashion and exposed the swindle and made them disgorge. I stand up for the American farmer and want to strengthen the arm of and bear witness to the integrity of our Secretary of Agriculture, Mr. James Wilson, who seeks to bring to its highest efficiency this system, which within moderate and reasonable bounds is to be commended. In this I think I only state the sentiment of our membership in the House.

This is not the first instance where there has been presented on this floor, nor throughout the country, an objection to the distribution of seeds. I remember a few years ago the metropolitan newspapers of the country took up the subject and by a system of promotion, encouraged and advanced by the seed houses and sellers, Congress was assailed by a flood of articles and by anonymous circulars and postal cards by professional promoters in large cities, who never went out in the country long enough to breathe its honest air, and we were asked in a form indicating that some proud housewife had requested to send her a package of hairpins or a card of buttons under our system of paternalism. In the same form somebody else would ask for rakes and spades and shovels, all unsigned, and the fruit of these hypocritical sentiment promoters.

Others went so far as to ask us for scoop shovels and road scrapers and threshing machines and traction engines and all manner of farm implements; but at that time they were not thinking of from two to four hundred million to be spent in the isthmian canal for the commerce and shipping interests, a hundred million annually for Army, and a like sum for Navy, and the innumerable millions in all manner of undertakings; they could only see the comparatively few thousands for the encouragement of agriculture. This was the range of their vision and the range of their patriotism; this was the policy of the seed houses of the country who desired to sell to our farmer constituents and did not want the Secretary of Agriculture to advance and promote the farm industry by sending rare seeds to the various sections of the country.

At that time we had a Member who industriously wrote letters to the newspapers, and, prompted somewhat by the fact that he had large seed-selling interests in his district, his letters were molded to invite opposition to seed distribution. He received answers, and studiously throwing out those which did not agree with his notions he saved those to the contrary, and when he made the motion to strike out the seed distribution and argued it elaborately he asked to insert the sea of newspaper statements in his remarks, which was granted; but the House stood for it then by an almost unanimous vote, and that speech and those newspaper articles died away in the echoes and have never appeared to plague him in the agricultural State he represented.

For years this appropriation remained in the agricultural appropriation bill without question. It is producing its benefits throughout the country; we will go far if we heed the advice or the promotion of the various seed-industry interests and deny to the farmer the advantage of securing about the only thing he ever gets.

It is true that the boll-weevil appropriation of some thousands of dollars was for the farmer, and the appropriation to eradicate the foot-and-mouth disease, nearly $900,000, was for the farmer, but at the same time it was for the consumers as well. Literature is in the same line, but outside of these appropriations, if you come to consider over it in your leisure, you will find that this is about all the American farmer gets out of the paternalism of the Government, while hundreds of millions go into other channels.

Under the rules I shall ask for a division when we come to a vote upon this proposition to see how Congress stands, and that we may then give notice to the country and to those masquerading under the hypocritical pretense of patriotism when they only selfishly look to sell more seed, and thus they may find out whether or not we are decisively in favor of it or against it. [Applause.]

Mr. LIND. Mr. Chairman, I move to strike out the last word. I shall not pursue this any further. I notice that my colleagues want the seeds, and it is well that they should have them; but I want to call attention to one thing that may set our farmer constituents to thinking.

Last year you appropriated $270,000 for seeds; and I read from the Secretary's report that out of that $270,000 $42,000 in round numbers went for expenses, $48,000 went to the Brown Bag Milling Company, $1,600 for the purchase of bags, $16,000 for miscellaneous expenses. Now, when you tell your farmer constituents that you are considering their welfare, and add by way of postscript that for every 5 cents' worth of seeds that you send home it costs the Government, including transportation, something like 20 cents, they may not think that the investment is so very patriotic.

I want to say to my friend from Colorado [Mr. SHAFROTH] that if this point of order had been sustained I should immediately, or whenever we reached the section, have offered an amendment providing that the $290,000 which it was the design of the committee to devote to this purpose should be added to the appropriation for the agricultural colleges throughout the land. I did not propose to take a cent from the farmer; but I wanted to place the money where it would do the country and the great agricultural interests the most good.

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Missouri [Mr. DE ARMOND].

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is now upon the amendment in the shape of the paragraph as amended upon the motion of the gentleman from New York.

Mr. SHEPPARD. I rise to a parliamentary inquiry. Would not an amendment be now in order?

The CHAIRMAN. The Chair apprehends that the gentleman can offer an amendment after this vote.

Mr. SHEPPARD. I desire to amend the pending paragraph, and I understand that after it has been perfected the amendment will not be in order. Consequently I presume this is the time to submit my amendment.

The CHAIRMAN. An amendment to the pending amendment is in order.

Mr. BOWIE. I want to reserve all points of order on this amendment.

Mr. SHEPPARD. My amendment—which I desire to read myself, because I think I can make it more intelligible—proposes to add, after the words "United States," in line 19, page 24, the following:

Provided, That the purchase and distribution of seeds and plants by the Department of Agriculture shall be confined to such seeds as are rare, uncommon, and unobtainable in this country, or such as have or have been unknown in this country, or such as may be or have been improved by special breeding or such seeds and plants as may be improved by transplantation from one part of the country to another.

Now, Mr. Chairman, on that amendment——

Mr. BOWIE. I wish to make a point of order on the gentleman's amendment.

The CHAIRMAN. Will the gentleman from Texas please send his amendment to the desk, so it may be read for the information of the committee?

Mr. BOWIE. I have not the slightest objection to the gentleman discussing his amendment, provided the point of order is not waived. Mr. Chairman, I simply want the point of order reserved in such a way that it will not be lost. If the gentleman from Texas can proceed to discuss his proposition without the point of order being waived, I have no objection.

The CHAIRMAN. The point of order having been reserved by the gentleman from Alabama [Mr. BOWIE], the gentleman from Texas is at liberty to proceed to discuss his amendment after it has been read.

Mr. SHEPPARD. Am I in order now for a few words of explanation?

The CHAIRMAN. The amendment of the gentleman from Texas will be read.

The amendment of Mr. SHEPPARD, as already read by him, was read by the Clerk.

Mr. SHEPPARD. Now, Mr. Chairman, I do not deny, nor have I ever denied——

Mr. HEPBURN. Mr. Chairman, I ask for the regular order.

The CHAIRMAN. The regular order is the point of order raised by the gentleman from Alabama [Mr. BOWIE] against this amendment.

Mr. SHEPPARD. I take it that I have the right to speak on the amendment.

Mr. SMITH of Kentucky. I understand that the gentleman from Alabama reserved the point of order; he did not actually make it.

Mr. BOWIE. I will give the gentleman unanimous consent, as far as I am concerned.

Mr. SHEPPARD. I regret very much that I have encountered the objection of the distinguished gentleman from Iowa. Am I in order, Mr. Chairman?

The CHAIRMAN. The gentleman is in order to discuss the point of order.

Mr. SHEPPARD. I have not denied the advantage of the Government distribution of seeds. My entire object has been to restore the original purpose of the distribution, the purpose which inspired the lawmakers of the country in the institution of the custom. My amendment follows almost absolutely the language of the organic law which creates the Department of Agriculture.

The gentleman has spoken of the advantages of transplantation. I do not deny them, and in that sense the present system, perhaps, is advantageous; but the fundamental vice of the present system lies in the fact that the Government of the United States enters into the open markets of the country as an ordinary purchaser of standard seeds of common character, whose qualities are already known and thoroughly established throughout the country. Consequently they contribute nothing to the scientific knowledge of the country. There can be absolutely no useful purpose subserved beyond the mere temporary sensation of pleasure which some few men may feel on receiving a communication from the Government.

Mr. THAYER. Mr. Chairman, I should like to ask the gentleman a question, if he is willing.

Mr. SHEPPARD. Certainly.

Mr. THAYER. I should like to know what seeds, bulbs, shrubs, vines, etc., that are now distributed would be excluded if the gentleman's amendment prevailed.

Mr. SHEPPARD. Well, we will say navy beans, for example.

Mr. THAYER. If they are grown in Texas and are replanted in Massachusetts, would you not have a right to do that under the statute as it is now?

Mr. SHEPPARD. If they can be improved by the transplantation.

Mr. THAYER. Who is to be the judge before you transplant them?

Mr. SHEPPARD. The Secretary of Agriculture, as he is the judge now.

Mr. THAYER. Then would he exclude them?

Mr. SHEPPARD. Let me read the original language of the law, in order to make my position plain. This is the creative law with reference to this seed distribution:

The purchase and distribution of seeds by the Department of Agriculture shall be confined to such seeds as are rare and uncommon in the country or such as can be made profitable by frequent changes from one part of our own country to another.

My amendment follows also the recommendations of the distinguished Secretary of Agriculture in his last report. Now, the Secretary of Agriculture himself states that the present seed distribution has departed absolutely from the original purpose, that it no longer subserves a scientific end. My object is simply to provide for the distribution of useful seeds, a distribution which will subserve a useful end.

The CHAIRMAN. Is the gentleman from Texas speaking to the point of order or to the merits of his proposition?

Mr. SHEPPARD. Mr. Chairman, I understood that my amendment was in order.

The CHAIRMAN. It has not yet been ruled upon.

Mr. SHEPPARD. I understood that the point of order was reserved.

The CHAIRMAN. The gentleman from Iowa [Mr. HEPBURN] asked for the regular order, which is the discussion of the point of order made by the gentleman from Alabama [Mr. BOWIE].

Mr. SHEPPARD. I will continue on the point of order and shall take up but very few minutes of the time of the House. I have not stood for the abolition of the distribution of seeds. It is provided for in the organic law, and if properly conducted it is of immense benefit to the agricultural masses of the country. But it is an insult to the agricultural masses to send to them at their expense seeds which play absolutely no part in determining the capabilities of the soil.

The CHAIRMAN. The gentleman is not discussing the point of order, and a demand has been made for the regular order.

Mr. SHEPPARD. Very well, Mr. Chairman, my views are before the House; but as I wish my remarks to be symmetrical and connected, I should like by unanimous consent to be allowed to conclude now.

Mr. SHAFROTH. Mr. Chairman, I ask unanimous consent that the gentleman be allowed five minutes.

Mr. WADSWORTH. I suggest to the gentleman that he obtain unanimous consent to extend his remarks in the RECORD.

Mr. SHEPPARD. I appreciate the implied compliment of the distinguished gentleman from New York.

Mr. SHAFROTH. I ask unanimous consent that the gentleman be allowed three minutes in which to conclude his remarks.

The CHAIRMAN. The gentleman from Colorado asks unanimous consent that the gentleman from Texas be allowed three minutes. Is there objection?

Mr. WADSWORTH. I ask for the regular order.

The CHAIRMAN. The regular order is demanded. The Chair is ready to rule upon this amendment. If the Chair has made no mistake, it is a verbatim copy of the law as it now exists. That being the case, it has been held that while it is unnecessary, and perhaps almost not good form, yet it is not strictly subject to a point of order. It is simply reenacting a portion of the United States Statutes.

Mr. WADSWORTH. Now I ask for a vote upon the amendment of the gentleman from Texas.

Mr. SHEPPARD. One or two words in further explanation of my amendment, which is now in order.

Mr. WADSWORTH. If the gentleman will pardon me——

Mr. SHEPPARD. Have I the permission of the gentleman to proceed?

Mr. WADSWORTH. How much time does the gentleman want? I move that all debate on this amendment and amendments thereto be closed in five minutes.

The CHAIRMAN. The gentleman from New York moves that

all debate on the amendment and amendments thereto be closed in five minutes.

The question was taken; and the Chairman announced that the noes appeared to have it.

Several MEMBERS. Division!

The committee divided; and there were—ayes 92, noes 32.

So the motion was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Texas.

Mr. SHEPPARD. Mr. Chairman. I do not desire to occupy the time of the House very much further. I think that my position has been made plain. My idea is to improve and not to destroy the seed distribution, to restore its original character, to give it a scientific direction; in other words, to be fair with the American people. I have heard the statement here that this is perhaps the only thing that the farmer receives from the Government. If it is, it is certainly a humiliating condition that the only thing which the farmer receives from the Government is of so little practical benefit. I am sure that this amendment of mine puts into effect no revolutionary change. It meets the desires of the gentleman from Colorado; it meets the argument of every gentleman who has risen upon this subject.

Mr. BOWIE. Will the gentleman allow me to ask him a question?

Mr. SHEPPARD. Certainly.

Mr. BOWIE. I want to know how much benefit the gentleman's amendment will be to the law, if it is already the law, and the fact that it is the law is the reason why the amendment is ruled to be in order.

Mr. SHEPPARD. I understand that the appropriation bill, being subject to the point of order, which I, in a spirit of fairness that has not been reciprocated on the other side, withdrew, is an absolute outrage upon the original purpose of the distribution. This amendment will enable the appropriation to be of greater use to our constituents, and will enable Members to send to them seeds and plants which will determine the possibilities of the soil.

This was the original purpose of the seed distribution, a purpose which, although it may not be adopted to-day, will in the tide of the years be finally restored by Congress. There were three votes in the Committee on Agriculture against the present system. I congratulate the committee upon that fact, and while this amendment may be defeated now, the fact that the Government is going into the open market and buying indiscriminate amounts of standard seeds may lead to scandal. Already an investigation has been placed on foot by the gentleman from New York [Mr. FITZGERALD], but in some way it has been smothered. The object of my amendment is that this distribution may be placed on a scientific basis, in the hope that it may be so arranged that it will result in real value to the people. In that spirit I have offered this amendment.

Mr. CANDLER. Mr. Chairman——

Mr. WADSWORTH. What time is left?

The CHAIRMAN. The time has all expired. [Laughter.]

Mr. CANDLER. I was watching the clock, and I thought there were two minutes left.

Mr. GROSVENOR and others. Regular order!

Mr. CANDLER. We ought not to take two minutes away from the farmer. [Laughter and cries of "Vote!"]

Mr. ADAMS of Wisconsin. Mr. Chairman, I desire to make an inquiry in reference to this motion or this amendment. I make the parliamentary inquiry as to whether the amendment is drawn in such a form that it is a substitute or whether it is simply an insertion in the substitute?

Mr. PAYNE. It is an insertion.

The CHAIRMAN. It is the insertion, as an amendment to the amendment of the gentleman from New York, of a section of the Revised Statutes. The question is on the amendment offered by the gentleman from Texas to the amendment offered by the gentleman from New York.

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from New York, as amended.

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. ROBINSON of Indiana. I call for a division.

The committee divided; and there were—ayes 122, noes 3.

So the amendment as amended was agreed to.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HEPBURN having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House of Representatives was requested:

H. R. 10568. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 3800. An act donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold.

AGRICULTURAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

General expenses, Bureau of Forestry: To enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, forest reserves, forest fires, and lumbering, to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions, including the erection of the necessary buildings; to collect and distribute valuable economic forest-tree seeds and plants; for the employment of local and special agents, clerks, assistants, and other labor required in practical forestry and in conducting experiments and investigations in the city of Washington and elsewhere, and for collating, digesting, reporting, illustrating, and printing the results of such experiments and investigations; for the purchase of all necessary supplies, apparatus, and office fixtures; for freight and express charges, and traveling and other necessary expenses, $[illegible], of which sum not to exceed $15,000 may be used for rent. And the employees of the Bureau of Forestry outside of the city of Washington may, in the discretion of the Secretary of Agriculture, without additional expense to the Government, be granted leaves of absence not to exceed fifteen days in any one year.

Mr. HEMENWAY. Mr. Chairman, on page 28, in line 14, after the word "buildings," I desire to offer the following amendment:

Provided, That the cost of any building erected shall not exceed $500.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 28, in line 14, after the word "buildings," insert "*Provided*, That the cost of any building erected shall not exceed $500."

Mr. WADSWORTH. I accept the amendment, Mr. Chairman.

The question was taken and the amendment was agreed to.

The Clerk read as follows:

General expenses of entomological investigations: Promotion of economic entomology; investigating the history and habits of insects injurious and beneficial to agriculture, horticulture, and arboriculture; ascertaining the most means of destroying these latter and the former; including an investigation into the ravages of the codling moth and of the cotton-boll weevil and boll worm, with a view of ascertaining the best methods of their extermination; investigations in agriculture investigations of the damage to forests and forest trees by insects; purchase of chemicals, insecticide apparatus, and other necessary supplies, and instruments required in conducting such experiments and investigations; for the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere and in collating, digesting, reporting, and illustrating the results of such experiments; freight and express charges, and necessary traveling expenses; rent of building for office fixtures and supplies, telegraph and telephone services, gas and electric current, preparing, illustrating and publishing the results of the work of the bureau, $[illegible], of which sum [illegible] may be used for rent, of which amount not to exceed $10,000 may, in the discretion of the Secretary of Agriculture, be expended for silk investigations.

Mr. STEPHENS of Texas. Mr. Chairman, I have an amendment to offer on that paragraph. In line 2, after the word "insects," I offer this amendment:

Investigation of the loco plant to find a means for its destruction.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 27, in line 2, after the word "insects," insert "investigation of the loco plant to find a means for its destruction."

Mr. WADSWORTH. Mr. Chairman, that would come under the Bureau of Plant Industry and not under the Bureau of Entomology.

Mr. STEPHENS of Texas. I find just ahead of that, "Investigations of the damage to forests and forest trees by insects." But if you say it comes under that head, I will wait and offer the amendment then. The loco plant, I may state, is a poisonous plant which is very destructive to horses and cattle, and it is spreading very rapidly in the cattle-growing regions of the United States, and has caused the loss of hundreds of thousands of dollars to the cattle raisers and also to the raisers of horses.

Mr. WADSWORTH. I would say to the gentleman from Texas that is already provided for on page 18, in line 23, under the head of "Botanical investigations and experiments: Investigations relating to medicinal, poisonous, fiber, and other economic plants, seeds, and weeds." Loco is a poisonous plant and comes under that class, and the Department is probably making investigations along that line.

Mr. STEPHENS of Texas. If the gentleman thinks it is sufficient——

Mr. WADSWORTH. I do.

Mr. STEPHENS of Texas. I will withdraw the amendment.

The Clerk read as follows:

General expenses, Bureau of Statistics: Collecting domestic and foreign agricultural statistics, compiling, writing, and illustrating statistical matter for monthly, annual, and special reports; special investigations and compilations;

subscription to, and purchase of, statistical and newspaper publications containing data for permanent comparative records; maps and charts; stationery, office supplies, banks, blank books, circulars, paper, envelopes, postal cards, postage stamps, office fixtures, telegraph and telephone services, freight and express charges, including employment of labor in the city of Washington and elsewhere, and necessary traveling expenses: *Provided*, That the monthly crop reports issued on the 2d and 10th days of each month shall embrace statements of the conditions of the crops by States in the United States, with such explanations, comparisons, and information as may be useful for interpreting the above matter, and that it shall be submitted to and officially approved by the Secretary of Agriculture before being issued or published, $[illegible], of which not more than $50,000 shall be expended for salaries in the city of Washington, D. C.

Investigations concerning the feasibility of extending the demands of foreign markets for the agricultural products of the United States, and to secure such as far as may be a change in the methods of supplying farm products to foreign countries; employment of local and special agents, clerks, assistants, and other labor required in making investigations in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such investigations; traveling expenses, and freight and express charges; telephone and telegraph services; and all necessary office fixtures and supplies, $[illegible].

Total for Bureau of Statistics, $187,760.

Mr. BARTLETT. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by adding in line 11, page 43, at the end of said line, the following: "To pay observers who make statistical reports to the Bureau of Statistics of the condition of crops, and which are used in making up the monthly crop reports herein provided, $100,000, or so much thereof as is necessary."

Mr. WADSWORTH. Mr. Chairman, I will have to raise the point of order on that. It is new legislation and increases expenditures.

Mr. BARTLETT. Do I understand the gentleman from New York—I did not hear him—makes the point of order?

Mr. WADSWORTH. I make the point of order that it is new legislation and increases expenditures.

Mr. BARTLETT. Well, Mr. Chairman, I am willing to confess that the point of order occurs to me to be good, but I was in hopes that the gentleman would not make it, at least yet——

Mr. WADSWORTH. I think the gentlemen are sufficiently rewarded with the public documents they received. There has been no complaint from them or any call for money.

Mr. BARTLETT. Mr. Chairman, I do not desire to violate any rule by speaking to the amendment while the point of order is up, but if the gentleman will permit me to say, while he reserves the point of order——

Mr. WADSWORTH. I will do that.

Mr. BARTLETT. I will not detain the House but a moment. This amendment, which I frankly confess is subject to the point of order, was made for the purpose of paying the gentlemen who are observers, who furnish the data for the Secretary of Agriculture upon which he bases his monthly report.

Mr. SCOTT. Will the gentleman permit a question?

Mr. BARTLETT. Yes.

Mr. SCOTT. Does the gentleman know the Secretary of Agriculture prefers not to have these men paid; that he made a statement before the committee that he would rather not pay them even if the money was appropriated?

Mr. BARTLETT. I did not know that, nor does that alter my view about it, with all due regard to the Secretary of Agriculture, for whom I have a very great respect and personal regard. I know this, that I have letters from one of those very competent gentlemen in my district, in which he stated that the Secretary had written him that he thought they ought to be paid and that effort would be made on this bill to provide for such payment. That is all I know about that. Now, the gentleman is correct when he states that the Secretary of Agriculture made that statement before the committee, but I am also correct in making the statement I have referred to as to what one of these gentlemen engaged in this business told me. I have a letter from him.

Mr. SCOTT. I will simply say that the Secretary stated to the committee that he thought he got better service on account of the fact that the services rendered were wholly voluntary; that the men who rendered it had pride in it and gave it better attention than if they were paid for it, and it eliminated also the idea of political patronage, so that the observers who served the Department in this respect were men of better grade than were likely to be obtained if it was a matter of salary.

Mr. BARTLETT. I do not think so, Mr. Chairman. These reports made by the voluntary observers are the most important basis upon which the Secretary issues upon the 2d and 10th of each month the report of the condition of the crops. Now, every one knows that so far as certain staple crops are concerned the reports of the Secretary of Agriculture on the 2d and 10th of each month have a most important bearing on the prices that these products bring in the market, and these reports ought to be as good as can be obtained. I do not believe that the Secretary of Agriculture is correct in his statement that you can get better or more efficient services from anybody who does it free, without any compensation at all, than you can get by obtaining competent men who are paid something for the trouble they are put to in making these reports.

Now, Mr. Chairman, that is all I desire to say. I know it is subject to a point of order, but it seems to me that those who perform the services of such great benefit to the whole country ought to be compensated for it.

The CHAIRMAN. The gentleman himself admits that it is subject to a point of order, and the Chair sustains the point of order.

The Clerk read as follows:

And the Secretary of Agriculture is hereby authorized to employ such assistants, clerks, and other persons as he may deem necessary, in the city of Washington and elsewhere, and to incur such other expenses for office fixtures and supplies, stationery, traveling, freight and express charges, illustration of the Experiment Station Record, bulletins, and reports, as he may find essential in carrying out the objects of the above acts, and the sums apportioned to the several States shall be paid quarterly in advance; and the Secretary of Agriculture is hereby authorized to furnish to such institutions or individuals as may care to buy them copies of the card index of agricultural literature prepared by the Office of Experiment Stations and charge for the same a price covering the additional expense involved in the preparation of these copies, and he is hereby authorized to apply the moneys received toward the expense of the preparation of the index, and the Secretary of Agriculture is hereby authorized to expend $5,000 of which sum to establish and maintain agricultural experiment stations in the Territories of Alaska, Hawaii, and Porto Rico, including the erection of buildings, the printing in Hawaii and Porto Rico), illustration, and distribution of reports and bulletins: *Provided*, That not more than $5,000 shall be expended for the maintenance of such stations in any one of said Territories, and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment stations in Alaska, Hawaii, and Porto Rico, and to apply the moneys received from the sale of such products to the maintenance of said stations; in all, $810,000: *Provided*, That $5,000 of the sum shall be used by the Secretary of Agriculture to investigate and report upon the organization and progress of farmer's institutes in the several States and Territories, and upon similar organizations in foreign countries, with special suggestions of plans and methods for making such organizations more effective for the dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice.

Total for agricultural experiment stations, $810,000.

Mr. ADAMS of Wisconsin. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend agricultural experiment station paragraph by striking out the words "eight hundred and ten thousand," in line 16, page 46, and inserting in lieu thereof the words "one million and fifty-five thousand," and by inserting after the word "dollars," in the sixteenth line of said paragraph, the words "and from the sum hereby appropriated for the maintenance of agricultural experiment stations in accordance with said acts $240,000 shall be paid to each State and Territory entitled to the benefits of said acts."

Also amend by striking out the words "eight hundred and ten thousand" in the thirteenth and fourteenth lines, page 48, of same paragraph, and inserting the words "one million and fifty-five thousand."

Mr. WADSWORTH. Mr. Chairman, I reserve the point of order.

Mr. ADAMS of Wisconsin. Mr. Chairman, this amendment simply adds $5,000 to the appropriation which each agricultural State experimental station now receives under the act of 1887. The act of 1887 was introduced by Mr. Hatch, of Missouri, for the purpose of establishing, through the aid of the Federal Government, agricultural experiment stations in the different States.

The total appropriation under that act by this amendment would only add $240,000 to the appropriation provided in this bill, and I have asked for the passage of this amendment because the stations need the money; and I ask for it because they have done a work in the development of agricultural knowledge in making that knowledge specific, in making it valuable, in spreading it among the farmers of this country, which warrants a generous consideration on the part of the Federal Government.

The agricultural experiment stations have done more than any other one influence in the United States to bring the business of farming out of mists and fog and superstition and to put it in the realm of absolute ascertained fact. Any number of instances can be given of the specific things which these experimental stations have done. They have made a record which has been rich in value to the agriculture of the United States.

Take the one experimental station in Wisconsin and one single instance of the work which Professor Babcock did when he devised and worked out the Babcock test. Up to that time there had been no measure of the commercial value of milk, no simple way in which you could tell what milk was worth. A farmer who carried to the factory 100 pounds of milk containing 3 pounds of butter fat got as much money as the farmer who carried 100 pounds of milk that contained 5 pounds of butter fat and which was worth nearly twice as much. Mr. Babcock devised a simple test which any farmer can use, which can be used in any creamery or factory, and that test has gone all over the civilized world. It is used in Finland; it is used in England; it is used in France; it is used in Madagascar; it is used in South Africa; it is used everywhere where cows are milked to determine the value of that milk product.

Now, I want to say to you that the dairy product of the United

States amounts to $500,000,000 every year, and it has been materially benefited by the introduction of this simple process. Mr. Babcock was urged by his friends, when he made that discovery, to withdraw from the Wisconsin University, to put this into use for his own benefit, and patent the process. If he had done so, he would have become a millionaire beyond any question. But he said, "I was employed by the Federal Government to work for the farmers of this country, and they are entitled to the fruit of my labor unhampered by the cost of a patent." This one discovery has been worth more to the dairy interests of the United States than it costs to run the National Government for six months.

Not only that, but look at what we have done with cheese up there. The Wisconsin experimental station has been studying the question of curing cheese and has found out that you can send your cheese direct to the cold storage, without the intervention of any curing room, and cure it and make the finest cheese that can be produced. These are practical things. Not only that, but in every State in this Union is this same work being carried on. In Texas they are working on the development of best breeds of cattle and in food. Upon Minnesota they are developing new varieties of wheat. In New York they are bringing out new ideas respecting the cultivation of orchards.

In Minnesota, again, they are studying the question as to the nutritive value of food, and in all the experimental stations of the United States they are studying those practical questions which lie right at the base of farm life. And I want to say to you, gentlemen, it seems to me that when we come in here and ask for a little addition of $240,000 to this appropriation for this work which is so definite and so specific and so productive of great practical results we can hardly afford to deny the request, because we have the money. We saved it for the people of this country when we turned back our mileage account. That alone is sufficient. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. WADSWORTH. Mr. Chairman, I ask unanimous consent that the gentleman may be allowed to proceed for five minutes more.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the gentleman from Wisconsin may be permitted to proceed for five minutes more. Is there objection?

There was no objection.

Mr. ADAMS of Wisconsin. Mr. Chairman, let me call the attention of gentlemen here who may think they are economical in opposing an appropriation like this to the fact that you appropriate millions of dollars to establish a Department of Commerce and Labor, without which this Government was run very well for a hundred years. I am glad you did it; I am for it. You passed an appropriation bill giving $136,000,000 to the pensioners of the wars of this country, and you did well. You go head over heels into the Panama Canal scheme, almost without a division, which means a certain expenditure of $200,000,000 and a probable expenditure of $500,000,000, and I am with you.

You do some other things. You provide for the building of a battle ship which costs $4,000,000, and which will rust upon the waters unless somebody gets foolish, and I think you do well. You give $5,000,000 to the St. Louis Exposition, where the industries and genius of America will be exhibited, and I think you do well; but when we come in here and ask for only $240,000 to add to the appropriation for these little experimental stations that are working out practical problems that lie around the lives of 9,000,000 men who toil on the farms of this country, it seems to me we are not asking too much.

I do not want to whoop it up for the farmer. I do not want to dazzle you with a lot of statistics, but this thing I do want to say about the farmers of this country: There are a lot of them, and you never hear of a lot of farmers engaged in rioting. They are the defenders of law. You never hear of a lot of farmers organizing a trust to harm anybody; and in the conflicts which are to come in this country and are certain to come between the power of capital and the power of labor the American farmer will be the man who is going to do the country the most good, because he represents not only the interests of labor but the interests of capital as well.

You are going to need him, and he will be there to stand for the dignity of American law, for the rights of property, and the rights of the men who toil; and so when in Congress you can do something like this which is definite, which does not take very much money, for Heaven's sake do it, because the American farmer and our agricultural interests deserve it. [Applause.]

Mr. WADSWORTH. Mr. Chairman, I regret very much after hearing the gentleman's eloquent speech to still feel compelled to raise the point of order that the proposed amendment changes existing law.

The CHAIRMAN. As the Chair understands the amendment it changes the law on the statute books to-day, which gives $20,000 each to agricultural colleges. That is clearly a change of existing law, and the point of order is sustained.

The Clerk read as follows:

Public road inquiries: To enable the Secretary of Agriculture to make investigations, to the extension of road management throughout the United States, to make investigations in regard to the best methods of road making materials in the several states, to conduct experiments for the improvement of roads, and special reports upon road making and other road problems in the city of Washington and elsewhere, for collecting, digesting, presenting, and illustrating information in regard to roads and road making, and for purchase of books, periodicals, and other publications, for purchase, exchange, and repairs of road making implements and machinery, and for necessary office furniture and expenses, including rent, telegrams and telephones, personal service, traveling and other necessary expenses, and to enable him to assist the agricultural colleges and experiment stations in disseminating information on this subject, $60,000.

Mr. HEPBURN. I wish to ask the gentleman in charge of the bill [Mr. WADSWORTH] whether this sum of $35,000 is the amount asked for by the Department?

Mr. WADSWORTH. No; the Secretary asked for $60,000. We gave $30,000 to the Bureau of Chemistry. If the gentleman will turn back to that ——

Mr. HEPBURN. Well, that is understood, then?

Mr. WADSWORTH. The total appropriation here for good roads amounts to $45,000.

Mr. HEPBURN. Would you object to having this appropriation increased to $55,000?

Mr. WADSWORTH. I would seriously, because I think good and efficient work is being done under the present appropriation.

Mr. HEPBURN. I move to amend by striking out $35,000 and inserting $55,000. I make this motion because I know there is scarcely any subject that is receiving more attention throughout the country at large just now than this subject of good roads. I think there is less known perhaps about the making of good roads, in some parts of the country at least, than almost any other subject. The Department is doing good work, but would do very much better work if it had larger means at its disposal for this purpose.

Mr. BOWIE. Does the gentleman from Iowa [Mr. HEPBURN] understand that this is really an increase of $10,000 net for this service, because the $10,000 which has heretofore been used for chemical work has been transferred to another division, so that the appropriation here is net, making a real increase of $10,000?

Mr. HEPBURN. I understood that to be the statement of the chairman of the committee [Mr. WADSWORTH], that this was practically an increase.

Mr. BOWIE. Yes; practically an increase of $10,000.

Mr. HEPBURN. I do not care to take up the time of the committee, but I do think this is a matter of importance, and I hope the Committee of the Whole will sustain my amendment.

Mr. WADSWORTH. I will only say to the gentleman that the Committee on Agriculture took this matter into very careful consideration, and the increase practically granted is $10,000. I take it that nobody on the floor of this House is ready yet to have the United States Government go into localities in the several States and build roads. All that the United States ought properly to do is to disseminate information in regard to the building of roads, and perhaps with the aid of the localities to furnish an object lesson in road making. That is as far as the United States Government ought to go. Thirty-five thousand dollars, which, as already stated, is practically an increase of $10,000, is, in the judgment of the committee, an ample appropriation for this work.

Mr. TAWNEY. Will the gentleman permit a question?

Mr. WADSWORTH. I will.

Mr. TAWNEY. The gentleman from Iowa [Mr. HEPBURN] has stated what every Member of the House knows—that there is a very strong pressure for legislation upon the subject of good roads—and the gentleman from New York himself has expressed the fear that this pressure might become so strong as to increase very materially the appropriations along that line.

Mr. WADSWORTH. When did I express that fear?

Mr. TAWNEY. A moment ago. Do you not think it a fact that if we expend a little more money in the matter of investigation such as the Agricultural Department is now making, it will tend to satisfy the Department to a very great extent?

Mr. WADSWORTH. I do not think so.

Mr. TAWNEY. And do you not think that if in the judgment of the Secretary of Agriculture it is necessary that a certain amount should be appropriated, it ought to be done?

Mr. WADSWORTH. Not necessarily, no. The committee and the Secretary of Agriculture have many honest differences of opinion as to the amount of money that can be judiciously expended within the fiscal year.

It must be remembered that this appropriation has been going on for a series of years, and will go on probably for a good many years after we are all dead. The question for this Committee of the Whole to meet here and now is how much money can be judiciously expended in the coming fiscal year.

Mr. TAWNEY. Is it not a fact that information on this subject is being disseminated more largely than it was?

Mr. WADSWORTH. I think that a certain sentiment is being "worked up" on this subject. Many of the letters I get show evidence of being worked up by some influence here.

Mr. HAUGEN. Is it not understood that the additional appropriation asked for here is for the purpose of building these sample roads; and is not the appropriation we now make sufficient to carry on the work that is now being carried on by the Department?

Mr. HEPBURN. So far as I am concerned, I have no direct information as to how the Secretary would expend this money. But he has said that he could judiciously and properly spend $60,000 in making this inquiry with the machinery that he now has. I think, with due deference to the committee, that I would rather have his opinion as to what amount it is proper to expend in making the inquiry than the opinion of gentlemen who are not nearly so conversant with the possibilities.

Mr. WADSWORTH. If that is true, I will say to the gentleman from Iowa that there is no use in having any committees.

Mr. HEPBURN. Oh, yes, there is. This is no reflection upon the committee.

Mr. WADSWORTH. If the judgment of a Cabinet officer is better than that of any committee of this House, then there is no need of any committee.

Mr. HEPBURN. I think the gentleman is supersensitive about it.

Mr. WADSWORTH. Let me say to the gentleman that since 1895–96 that investigation, which commenced with an appropriation of $10,000, has received increasing appropriations until it is now practically $45,000 in seven years. With the work they have done and are doing, and the work they will continue to do, I think every demand of the country will be met by this appropriation.

Mr. HEPBURN. Mr. Chairman, this is not a very large addition. The Secretary has said that he can properly use it. I believe that the great majority of the gentlemen in this committee have confidence in what he says. We think, however, that this will be properly expended, and therefore it is that I insist upon my amendment. I also insist that there is no reflection upon the committee, and that to agree to this amendment would not be tantamount to declaring that the great Committee of Agriculture is not important, that it does not accomplish great good, and that the country would not seriously suffer if anything should happen to it or to its efficiency.

I am not attacking the committee; I am simply saying that there is another person in the country with larger information, with better opportunities to know what he can judiciously do, than any one of them or all of them, who has disagreed with them, and I for one coincide with his opinion rather perhaps than with that more learned and astute opinion of the gentleman from New York.

Mr. WADSWORTH. One moment. I wish to call attention to the note in the estimate on the paragraph for road experiments. One of the things sought by getting the larger appropriation is "object lessons in road building," "the purchase of machinery," and going absolutely into the road-building business. Now, the committee objected to that and struck out that language, and simply confined it to disseminating knowledge in regard to road building.

Mr. HEPBURN. Yes; but you are unwilling that they should acquire this knowledge. This appropriation perhaps will enable them to secure that information that everybody wants.

Mr. HAUGEN. Mr. Chairman, just a word. I wish to say in reply to the gentleman from Iowa [Mr. HEPBURN] that the Committee on Agriculture have the utmost confidence in the Secretary of Agriculture. This committee have labored for more than a month, in sessions from 10 o'clock in the morning until 6 in the evening. We have given extensive hearings. Here is a volume of 451 pages.

All of these matters have been carefully considered, and after listening to the Secretary and the gentleman in charge of this division, Mr. Dodge, the committee concluded that the $35,000 was all that could be judiciously expended at this time. Now, if it is a proposition here to build these roads, as has been suggested, is the gentleman from Iowa now ready to build roads in Iowa at an expense of three hundred or four hundred million dollars? If that is the policy, then let us increase the appropriation.

Mr. HEPBURN. Mr. Chairman, there is no similarity between the proposition that I have made and this inane proposition of expending three or four hundred million dollars in building roads. I do not want anything of that kind. I have not advocated it. What I want is the information, properly acquired, and then disseminated throughout the country that will enable localities to build their own roads. I have not been an advocate of road building by the Federal Government.

I have never said anything of that kind here or elsewhere, but I do think that there can be no wiser expenditure of money than the expenditure of this additional $20,000 in securing the information upon this subject that is wanted in all parts of the country.

Mr. HAUGEN. My understanding is that if the total amount asked for is allowed a portion of that money will be used for the building of these expensive roads and the purchase of machinery. The committee did not deem it advisable to go into the building of these expensive roads at this time.

Mr. WADSWORTH. Let me say one word. In addition to that appropriation there are from $4,000 to $5,000 expended for printing the good-roads bulletins, so that you must add that to the cost of the good-roads bureau.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. HEPBURN].

The question was taken; and upon a division there were—ayes 40, noes 48.

Accordingly the amendment was rejected.

The Clerk resumed and completed the reading of the bill.

Mr. WADSWORTH. Mr. Chairman, I ask unanimous consent to turn back to page 18, and in line 17 to insert the word "five" instead of the word "three;" so that it shall read:

Forty thousand dollars, $5,000 of which sum may, in the discretion of the Secretary, be expended in cooperation with the Department station of the State of California for studying the nature of Anaheim and other disease of vines, and for ascertaining the best means for protecting vineyards against their ravages.

I do this at the earnest request of the gentleman from California [Mr. BELL] and other gentlemen of that delegation, who claim that this disease, Anaheim, is a serious threat to their industry. It does not increase the total appropriation, but simply makes $5,000 available for this investigation instead of three thousand.

The CHAIRMAN. Is there objection to the request of the gentleman from New York? [After a pause.] The Chair hears none. The question is on the amendment offered by the gentleman from New York.

The question was taken; and the amendment was agreed to.

Mr. WADSWORTH. Now, Mr. Chairman, I move that the committee rise and report the bill, with the amendments, to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. POWERS of Maine, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11825 and had directed him to report the same back with amendments, with the recommendation that the amendments be adopted, and that the bill as amended do pass.

Mr. WADSWORTH. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any of the amendments? If not, they will be submitted in gross.

The amendments were agreed to in gross.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. WADSWORTH, a motion to reconsider the vote by which the bill was passed was laid on the table.

AGRICULTURAL EXPERIMENT STATIONS.

The SPEAKER laid before the House the following message from the President of the United States; which was read, referred to the Committee on Printing, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith the Annual Report of the office of Experiment Stations, prepared under the direction of the Secretary of Agriculture, which includes a report on the work and expenditures of the agricultural experiment stations in the United States for the fiscal year ended June 30, 1903, in accordance with the act making appropriations for the Department of Agriculture for the said fiscal year.

The attention of the Congress is called to the request of the Secretary of Agriculture that 1,000 copies of the report be printed for the use of the Department of Agriculture, and that provision be made to print such a report annually.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 5, 1904.*

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following joint resolution:

H. J. Res. 98. Joint resolution to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia.

ENROLLED BILLS SIGNED.

Mr. WACHTER also, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title: when the Speaker signed the same.

H. R. 6331. An act granting an increase of pension to James N. Dickey.

The SPEAKER announced his signature to enrolled bill of the following title:

S. 707. An act to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3916. An act to amend section 2699 of the Revised Statutes, relating to compensation of collectors of customs—to the Committee on Ways and Means.

S. 4122. An act to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes—to the Committee on the Census.

S. 3800. An act donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold—to the Committee on Military Affairs.

WITHDRAWAL OF PAPERS FROM FILES.

Mr. KENNEDY obtained unanimous consent to withdraw from the files, without leaving copies thereof, the papers in the case of Henry Weimit, Fifty-seventh Congress, no adverse report having been made thereon.

ADJOURNMENT OVER UNTIL MONDAY.

Mr. PAYNE. Mr. Speaker, I move that when the House adjourn to-day it adjourn to meet on Monday next.

The question was taken, and the motion was agreed to.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly (at 5 o'clock and 15 minutes p. m.) the House adjourned until Monday next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of James Keizer, administrator of estate of James Glover, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Variety*, Micah Dyer, master—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Waccamaw River, North Carolina and South Carolina—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DE ARMOND, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 8681) to detach the county of Linn, in the State of Missouri, from the western and attach it to the eastern judicial district of said State, reported the same with amendment, accompanied by a report (No. 730); which said bill and report were referred to the House Calendar.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11812) relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated, reported the same without amendment, accompanied by a report (No. 731); which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 8160) to declare a portion of the Minnesota River, in the State of Minnesota, not navigable, and authorizing the construction of bridges thereon, reported the same with amendment, accompanied by a report (No. 732); which said bill and report were referred to the House Calendar.

Mr. CRUMPACKER, from the Committee on the Census, to which was referred the bill of the House (H. R. 11823) to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures, reported the same without amendment, accompanied by a report (No. 733); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMSON, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 462) to construct and place a light-ship off the outer bar of Brunswick, Ga., reported the same with amendment, accompanied by a report (No. 734); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HERMANN, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, reported the same with amendment, accompanied by a report (No. 735); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LORIMER (by request): A bill (H. R. 11878) in relation to national mortgage banks—to the Committee on Banking and Currency.

By Mr. TAWNEY: A bill (H. R. 11879) to provide for the consolidation and reorganization of customs collection districts—to the Committee on Ways and Means.

By Mr. BARTLETT: A bill (H. R. 11880) to provide for the recutting of the great seal of the United States from the original model—to the Committee on the Judiciary.

By Mr. FULLER: A bill (H. R. 11881) granting pensions to soldiers and sailors who served in the war of the rebellion, and to the widows of such soldiers and sailors—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 11882) to provide public convenience stations in the city of Washington, D. C.—to the Committee on the District of Columbia.

By Mr. RIDER: A bill (H. R. 11883) to provide for free lectures to the people in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SOUTHARD: A bill (H. R. 11884) providing naval training station on Put in Bay Island, in Lake Erie—to the Committee on Naval Affairs.

Also, a bill (H. R. 11885) to amend section 914 of the Revised Statutes of the United States, relating to practice in the circuit and district courts—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: A bill (H. R. 11886) for the erection of a public building at Faribault, Minn.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 11887) to provide for the investigation of infectious diseases of domestic animals prevalent in the State of Minnesota and adjoining States—to the Committee on Agriculture.

By Mr. HEARST: A bill (H. R. 11888) to empower United States attorneys, without the direction of the Attorney-General, to enforce the act to protect trade and commerce against unlawful restraints and monopolies, and for other purposes—to the Committee on the Judiciary.

By Mr. FLOOD: A bill (H. R. 11889) for the relief of the tobacco growers—to the Committee on Ways and Means.

By Mr. WANGER: A bill (H. R. 11890) granting pensions to certain soldiers and sailors who served in the war of the rebellion, and their widows—to the Committee on Invalid Pensions.

By Mr. ALLEN (by request): A bill (H. R. 11953) to establish a public park on Columbia Heights and to make a new street on its western boundary—to the Committee on the District of Columbia.

By Mr. AIKEN: A bill (H. R. 11954) to establish in the Department of Agriculture a bureau to be known as the Bureau of Public Highways, and to provide for national aid in the improvement of the public roads—to the Committee on Agriculture.

By Mr. GIBSON: A bill (H. R. 11955) for the erection of a public building at Harriman, Tenn.—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A resolution (H. Res. 204) asking the Secretary of the Interior to furnish certain information relating to Indian affairs in the Indian Territory to the House of Representatives—to the Committee on Indian Affairs.

By Mr. STEVENS of Minnesota: A resolution (H. Res. 205) authorizing the purchase of 40 copies of the Compiled Statutes of the United States for 1901, with the Supplement for 1903—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BATES: A bill (H. R. 11891) granting an increase of pension to James L. Hart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11892) granting a pension to Clinton G. Ames—to the Committee on Invalid Pensions.

By Mr. BENNY: A bill (H. R. 11893) for the relief of George W. Spencer—to the Committee on Military Affairs.

By Mr. BRADLEY: A bill (H. R. 11894) granting an increase of pension to Jeremiah Sheldon—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 11895) for the relief of the First Baptist Church of Mansfield, La.—to the Committee on War Claims.

By Mr. BUCKMAN: A bill (H. R. 11896) granting an increase of pension to Giles A. Woolsey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11897) granting an increase of pension to Samuel H. Hamilton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11898) granting a pension to Bailey D. Judkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11899) granting a pension to May L. Whitney—to the Committee on Invalid Pensions.

By Mr. BRUNDIDGE: A bill (H. R. 11900) for the relief of Shadrack H. Wren, of Izard County, Ark.—to the Committee on War Claims.

By Mr. DANIELS: A bill (H. R. 11901) for the appropriation of water from the Colorado River for irrigation purposes—to the Committee on Irrigation of Arid Lands.

By Mr. GUDGER: A bill (H. R. 11902) for relief of Mrs. Mary Gaddy—to the Committee on Claims.

By Mr. HEDGE: A bill (H. R. 11903) granting a pension to Bertha C. Hoffmeister—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 11904) granting an increase of pension to Benjamin Hayden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11905) granting a pension to Rebecca Butler—to the Committee on Invalid Pensions.

By Mr. HENRY of Texas: A bill (H. R. 11906) granting a pension to Margaret Jones—to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 11907) granting an honorable discharge to Thomas B. Hanoum—to the Committee on Military Affairs.

Also, a bill (H. R. 11908) for the relief of the legal representatives of G. B. Stimpson—to the Committee on Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 11909) granting a pension to Charles H. McCleary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11910) granting an increase of pension to Florian Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11911) granting an increase of pension to John F. Zeller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11912) granting an increase of pension to Henry Balskey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11913) granting an increase of pension to Erwin M. Bergstresser, now Erwin M. Harley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11914) granting an increase of pension to Charles F. Keyerleber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11915) granting an increase of pension to Patrick Conners—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11916) granting an increase of pension to Alfred Williamson—to the Committee on Invalid Pensions.

By Mr. KENNEDY: A bill (H. R. 11917) granting a pension to Henry Law—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11918) granting an increase of pension to Henry Older—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11919) granting an increase of pension to William F. Tarbet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11920) granting an increase of pension to Joseph P. Beals—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11921) granting an increase of pension to Alfred Snowberger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11922) granting an increase of pension to George Fetterman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11923) granting an increase of pension to George J. Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11924) granting an increase of pension to Andrew J. Lane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11925) granting an increase of pension to Ludwig Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11926) granting an increase of pension to Andrew Kinkade—to the Committee on Invalid Pensions.

By Mr. KLINE: A bill (H. R. 11927) granting a pension to Paul Smith—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 11928) for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York—to the Committee on Claims.

By Mr. LANNING: A bill (H. R. 11929) granting an increase of pension to William Antes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11930) granting an increase of pension to Virginia Hart Clark—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 11931) granting an increase of pension to B. W. Burnham—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 11932) granting a pension to Hannah Small Wiggin—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 11933) for the relief of Samuel W. Evans—to the Committee on Naval Affairs.

Also, a bill (H. R. 11934) for the relief of the legal representatives of the late firm of Lapene & Ferré—to the Committee on War Claims.

By Mr. MONDELL: A bill (H. R. 11935) granting an increase of pension to John Watson—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 11936) granting an increase of pension to John L. St. Clair—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: A bill (H. R. 11937) granting an increase of pension to Daniel Spurrier—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: A bill (H. R. 11938) for the relief of Thomas J. Estes—to the Committee on Military Affairs.

Also, a bill (H. R. 11939) granting an increase of pension to C. C. Fisher—to the Committee on Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 11940) granting a pension to Mathias Hilden—to the Committee on Invalid Pensions.

By Mr. SHAFROTH: A bill (H. R. 11941) granting an increase of pension to John H. Burrowes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11942) granting a pension to William J. F. Barcus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11943) granting a pension to Mary J. Chenoweth—to the Committee on Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 11944) for the relief of John W. McCrath—to the Committee on Claims.

By Mr. THOMAS of Iowa: A bill (H. R. 11945) granting an increase of pension to John Westfall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11946) granting an increase of pension to Henry P. Swartz—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 11947) to reimburse certain persons who expended moneys and furnished services and supplies in repelling invasions and suppressing Indian hostilities within the territorial limits of the present State of Nevada—to the Committee on Claims.

Also, a bill (H. R. 11948) granting a pension to Charles F. J. Stein—to the Committee on Pensions.

By Mr. WACHTER: A bill (H. R. 11949) granting a pension to Katesbury R. Warrington—to the Committee on Invalid Pensions.

By Mr. WATSON: A bill (H. R. 11950) for the relief of William E. Murray—to the Committee on Claims.

By Mr. GIBSON: A bill (H. R. 11951) granting an increase of pension to Henry N. McLane—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 11952) for the relief of Noah L. Cochen—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of Apperson Post, No. 202, Grand Army of the Republic, of Neoga, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ADAMSON: Resolution of Lodge No. 649, Brotherhood of Railway Trainmen, of Columbus, Ga., indorsing the Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Resolution of St. Louis Merchants' Exchange, in favor of increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Cramer Dry Plate Company, of St. Louis, in favor of a reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, petition of Pacific Lodge, No. 64, Brotherhood of Rail-

road Trainmen, in favor of bills H. R. 89 and 7041—to the Committee on the Judiciary.

By Mr. BARTLETT: Memorial and resolution of the general committee of the Daughters of the American Revolution, for the restoring of the Great Seal of the United States from the original model—to the Committee on the Judiciary.

By Mr. BASSETT: Resolution of the New York State assembly, relative to a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. BEALL of Texas: Petition of Rev. R. S. Selle and others, of Dallas, Tex., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BENNY: Paper to accompany bill to correct military record of George W. Spencer—to the Committee on Military Affairs.

By Mr. BRUNDIDGE: Protest of business men of Swifton, Ark., against the passage of the parcels post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. F. Smith and 35 others, J. B. Hammier, M. D., and 45 others, and Prof. W. A. Cunningham and 40 others, of Searcy, Ark., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers to accompany claim of Shadrach H. Wren—to the Committee on War Claims.

By Mr. BURKETT: Resolutions of organized agriculture and several agricultural societies of Nebraska, indorsing bill H. R. 8678, relative to experiment stations—to the Committee on Agriculture.

By Mr. BURNETT: Petition of V. M. Brindley and 61 other voters of Cedarville, Ala., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania: Resolution of Elizabeth Temple Post, No. 148, and John Brown Post, No. 194, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CALDERHEAD: Resolution of John Buford Post, No. 89, Grand Army of the Republic, Everett, Wash., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. CALDWELL: Resolutions of Decatur Lodge, No. 414, Brotherhood of Railroad Trainmen, of Decatur, Ill., in favor of the passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, petition of business men of Edinburg, Ill., and of Nokomis, Ill., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CANDLER: Petition of Rev. James H. Felts and 587 others, of Corinth, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CRUMPACKER: Petition of the First Presbyterian Church, William H. Wilson, pastor, of Michigan City, Ind., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of Susan H. Evans and others, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: Resolution of Michael Cook Post, No. 128, Grand Army of the Republic, Faribault, Minn., in favor of service-pension bill—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of the Central Federation of Labor, of Troy, N. Y., in favor of bill H. R. 6—to the Committee on Ways and Means.

By Mr. DUNWELL: Resolution of G. K. Warren Post, No. 286, Grand Army of the Republic, of Brooklyn, N. Y., and of memorial and executive committee, representing 31 posts in Brooklyn, N. Y., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of the New York State assembly, relative to the promotion of efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. GAINES of West Virginia: Petition of Theodore Alvord, State superintendent, and others, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of Massachusetts: Resolutions of Charles Sumner Post, No. 101, of Groveland; A. W. Bartlett Post, No. 49, of Newburyport; Preston Post, No. 118, of Beverly Farms; John H. Chipman Post, No. 89, of Beverly; Colonel C. R. Mudge Post, No. 114, of Merrimac; Major How Post, No. 47, of Haverhill, and Phil A. Sheridan Post, No. 34, of Salem, all in Massachusetts, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of W. W. Howe, to accompany bill H. R. 1439, for refund of taxes illegally paid—to the Committee on Claims.

Also, petition of Samuel Wymond Cooperage Company, of Aurora, Ind., against passage of bill to limit the word "conspiracy," and for other purposes—to the Committee on the Judiciary.

Also, petition of the Bush Milling Company, of Seymour, Ind., for the passage of bill H. R. 6273, to prevent the discrimination in freight between localities and commodities—to the Committee on Interstate and Foreign Commerce.

By Mr. GROSVENOR: Petitions of H. H. Stine and 14 others and G. W. Walker, jr., and 15 others, of Rosedale, Ohio, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Methodist Episcopal Church officials and 21 other voters of Athens, Ohio, urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY: Petition of W. W. Woodson and 94 others, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Petition of S. Samson and 70 other voters of Van Wert, Iowa, urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HERMANN: Petition of citizens of Oregon, against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of the mayor of Woodburn, Oreg., for increasing pay of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HINSHAW: Petition of pastors of churches for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Resolutions of Polo Post, No. 84, of Polo, Ill., and J. M. Smith Post, No. 720, of Mount Morris, Ill., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOGG: Petitions of Rev. B. E. Hart and 32 others, of Canyon City, Colo.; Rev. J. B. Cook, representing a church membership of 550, and William L. Perry and 60 others, of Cedaredge, Colo., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petitions of Rev. Alfred Wagg and 43 others, of Red Bank, N. J.; Rev. J. H. White and 8 others, of Asbury Park, N. J., and Thomas W. Leonard and 33 others, of Atlantic Highlands, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Resolutions of Henry W. Slocum Post, No. 55, of New Jersey, and James B. McPherson Post, No. 52, of Hackensack, N. J., Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of B. J. Morgan and 16 others; William McConnell and 14 others, of Stanhope, N. J., and James Wiley and 43 others, of Patterson, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JACKSON of Ohio: Papers to accompany bill to increase pension of Florian Smith—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of Charles H. McCleary—to the Committee on Invalid Pensions.

By Mr. KEHOE: Petition of sundry farmers of Bourbon County, Ky., indorsing bill H. R. 9669, relative to the adulteration of blue grass, orchard grass, and clover seed—to the Committee on Agriculture.

By Mr. LANNING (by request): Petition of General Assembly of Presbyterian Church in the United States, relative to issuance of tax receipts by the Federal Government in prohibitory States, etc.—to the Committee on the Judiciary.

By Mr. LAWRENCE: Petition of Rev. J. W. Stephan and 29 others, of Greenfield, Mass., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: Petition of B. H. Davis and 24 others, of New Sharon, Me.; Rev. H. S. Trueman and 43 others, of Kingfield, Me.; C. N. Blanchard and 39 others, of Wilton, Me.; George C. Burington and 29 others, of Farmington, Me., and F. L. Porter and 11 others, of Eustis, Me., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIVERNASH: Resolutions of the Manufacturers and Producers' Association of California, favoring the Lodge bill relating to reorganization of consular service of the United States—to the Committee on Foreign Affairs.

Also, resolutions of the board of directors of the Manufacturers and Producers' Association of California, favoring legislation for revival of American merchant marine in the foreign carrying trade—to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the board of supervisors of city and county of San Francisco to the President and Congress of the United States, in relation to Tuolumne River and Lake Eleanor rights of way—to the Committee on Rivers and Harbors.

Also, resolutions of the board of directors of the Manufacturers and Producers' Association of California, favoring the adoption of the metric system of weights and measures—to the Committee on Coinage, Weights, and Measures.

By Mr. LOUDENSLAGER: Petitions of Samuel A. Bacon and 18 others, of Haddonfield; Rev. William G. Robinson and 9 others, of Newfield; J. C. Snelbaker and 21 others, of Woodstown and vicinity, and George L. Van Alen and 16 others, of Blackwood, all in New Jersey, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of E. Watts, R. Horne, and J. D. Ross, trustees of the Methodist Episcopal Church, and 9 others, of Leonard, N. Dak., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of J. W. Bliss and 22 others, of Lakota, N. Dak.; Will. H. Carliter and 67 others, of Griggs County, N. Dak., and Ezra Rose Camp and 35 others, of St. Thomas, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Mr. MEYER of Louisiana: Memorial to accompany bill for relief of Samuel W. Evans—to the Committee on Military Affairs.

Also, resolutions of Oscar Orillion Post, No. 14, Grand Army of the Republic, of Louisiana, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. OVERSTREET: Papers to accompany bill to increase pension of Dennis Spurrier—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petitions of Jesse P. Knapp and 38 other voters of the towns of Barrington and Starkey, N. Y., and W. H. Laraby and 8 other voters of Starkey, N. Y., urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of New York City, relating to the transportation of merchandise between the United States and the Philippine Islands—to the Committee on the Merchant Marine and Fisheries.

By Mr. PORTER: Papers to accompany bill H. R. 11866, to correct the military record of Cereach Schnepf—to the Committee on Military Affairs.

By Mr. RIXEY: Petition of George Roberts, M. D., and 30 others of Lincoln, Va., and vicinity, and of W. T. Davis and 32 others, of Purcellville, Va., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Resolutions of Major-General H. G. Berry Post, No. 40, of Malden, Mass., and J. P. Gould Post, No. 75, of Stoneham, Mass., Grand Army of the Republic, and Union Veterans' Union of Chelsea, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of Samuel Houk, of Bingen, Ind., relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. SHACKLEFORD: Papers to accompany bill H. R. 7609—to the Committee on the Public Lands.

By Mr. SHULL: Paper to accompany bill H. R. 11872, granting a pension to Howard S. Gardner—to the Committee on Pensions.

By Mr. SNOOK: Resolutions of Salem Evangelical Sunday School, of Defiance County, Ohio, protesting against a repeal of the anti-option law—to the Committee on Military Affairs.

By Mr. STERRY: Petition and papers from the National Society of the Daughters of the American Revolution, praying for a specific appropriation for the cutting of the reverse face of the Great Seal, and that it be placed in the custody of the Department of State for such purposes as may be appropriate—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Resolution of the New York State assembly, relative to the promotion of efficiency in the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Live Stock Breeders' Association of Minnesota, relative to investigation and study of infectious diseases among domestic animals—to the Committee on Agriculture.

Also, resolution of Michael Cook Post, No. 128, Grand Army of the Republic, of Faribault, Minn., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Rev. S. Phoenix and others, of Stillwater, Minn., against sale of liquor in Government buildings, etc.—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of citizens of Washington County, Minn., relative to compensation of rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the St. Paul Board of Trade, relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS of Iowa: Petition of 12 voters of Salix, 25 voters of Cherokee, 49 voters of Dickens, 29 voters of Ida Grove, 54 voters of Irwood, 19 voters of Hinton, 17 voters of Seney, 35 voters of Doon, and Society of Friends of Oskaloosa, all of Iowa, and 12 citizens of Croftonville, Cal., praying for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of McDowell Post, No. 391, of Early; General Bell Post, No. 332, of Kingsley; Hartley Post, No. 451, of Hartley; Winget Post, No. 226, of Winget; Kenyon Post, No. 339, of Kenyon; Mathew Gray Post, No. 93, of Ida Grove; Hanscom Post, No. 97, of Hanscom; James Miller Post, No. 503, of Marathon; Launty Post, No. 215, of Ireton; Wallar Post, No. 223, of Milford; William D. Price Post, No. 392, of Schaller; Custer Post, No. 25, of Cherokee; Stephen A. Hurlburt Post, No. 82, of Alta; Annett Post, No. 124, of Annett; General Hancock Post, No. 22, of Sioux City, and Peter Vanorman Post, No. 512, all in Iowa, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of Rev. N. E. Dennis and 23 others, of Seneca, Mich., and E. W. Ryan and 56 others, of Detroit, Mich., for the passage of the Hepburn-Dylliver bill—to the Committee on the Judiciary.

By Mr. WACHTER: Petition of the American Towing and Lightering Company, of Baltimore, against passage of bill S. 3887, relative to inspection of seagoing barges—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Merchants and Manufacturers' Association of Baltimore, in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Resolutions of Captain H. Clay Beatty Post, No. 73, Grand Army of the Republic, of Bristol, Pa., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: Petitions of S. G. Cooper, F. H. Ray, and others, of Canton, Madison County, Miss., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WYNN: Papers to accompany bill H. R. 8322, granting an increase of pension to Capt. R. H. McIlroy—to the Committee on Invalid Pensions.

Also, memorial of board of supervisors of the city and county of San Francisco, relative to Tuolumne River and Lake Eleanor reservoir rights of way—to the Committee on Rivers and Harbors.

SENATE.

MONDAY, *February 8, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

POST-OFFICE DEPARTMENT INVESTIGATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of the 5th instant, the full report of the honorable Fourth Assistant Postmaster-General, dated October 24, 1903, together with other letters, reports, and communications bearing upon the investigation of the irregularities in the Post-Office Department by Assistant Postmaster-General Bristow, etc.; which, with the accompanying papers, was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Active*, Samuel Pote, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Apollo*, John Range, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 5th instant approved and signed the act (S. 2795) to amend an act entitled "An act for the regulation of the practice of dentistry in the District of Columbia, and for the protection of the people from empiricism in relation thereto," approved June 6, 1892.

The message also announced that the President of the United States had on the 6th instant approved and signed the act (S. 5[illegible]) providing for an additional officer in the district of Chicago, in the collection district of Indiana and Illinois.

PETITIONS AND MEMORIALS.

Mr. DUBOIS presented a petition of sundry citizens of Tacoma, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a memorial of sundry citizens of Joliet, Ill., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Retail Merchants' Association of Moline, Ill., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a petition of sundry citizens of Sumner, Ill., and petition of sundry citizens of Monmouth, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented a petition of the board of trustees of the New Hampshire College of Agriculture and the Mechanic Arts, Durham, N. H., praying for the enactment of legislation to increase the Federal aid to agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Christian Temperance Union of Hinsdale, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the extension of Eighth street NW., in that city; which was referred to the Committee on the District of Columbia.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the opening, extension, and widening or straightening of alleys in the District of Columbia; which was referred to the Committee on the District of Columbia.

He also presented a petition of the New England Shoe and Leather Association, of Boston, Mass., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of the New England Shoe and Leather Association, of Boston, Mass., remonstrating against the enactment of legislation for the suppression of lottery traffic by insurance companies; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the New England Shoe and Leather Association, of Boston, Mass., praying for the enactment of legislation to reorganize the consular service of the United States; which was referred to the Committee on Foreign Relations.

Mr. HOPKINS presented petitions of Post No. 20, of Aurora; of Colman Post, No. 508, of Mount Vernon; of Post No. 84, of Polo; of Joe Hanna Post, No. 117, of Pekin, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Murphysboro, Rockford, Lily Lake, Jacksonville, and Joliet, all in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Aermotor Company, of Chicago; of the Board of Trade of Cairo; of the Board of Trade of Chicago, and of the Board of Trade of Quincy, all in the State of Illinois, praying for the reorganization of the consular service; which were referred to the Committee on Foreign Relations.

He also presented petitions of the Woman's Christian Temperance Union of Aledo, of the United Commercial Travelers' Association of Chicago, of the Baptist Association of Middle Creek, of the congregation of the Swedish Lutheran Church of Aledo, and of the Woman's Christian Temperance Union of Sandwich, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUARLES presented a memorial of the Board of Trade and the Manufacturers and Jobbers' Union of La Crosse, Wis., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Good Roads Association of Peshtigo, Wis., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Wisconsin Rest Day Association, of Milwaukee, Wis., praying for the enactment of legislation to provide for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Select Committee on Industrial Expositions.

He also presented a petition of the board of regents of the University of Wisconsin, Madison, Wis., praying for the enactment of legislation to increase the Federal aid to agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of District Lodge No. 22, Independent Order of Good Templars, of Waupaca, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Whitewater, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. ANKENY presented a petition of John Buford Post, No. 89, Department of Washington, Grand Army of the Republic, of Everett, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of western Washington; of the congregation of the Methodist Episcopal Church of Vancouver, and of the University Place Baptist Church, of Seattle, all in the State of Washington, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the petition of Rev. J. W. Kerns and 51 other citizens of Burlington, Wash., and the petition of J. C. Laurence and 97 other citizens of Prescott, Wash., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of the National Live Stock Association, praying for the enactment of legislation providing for the transfer of the administration of forest reserves to the Department of Agriculture; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the National Live Stock Association, praying for the enactment of legislation giving to the Interstate Commerce Commission authority to determine what rates and practices for transportation of freights shall be established when those complained of are found, after a full hearing of all interests concerned, to be unjust and unreasonable; which was referred to the Committee on Interstate Commerce.

He also introduced a petition of the National Live Stock Association, praying that an appropriation be made to provide for the carrying forward of the investigation of poisonous plants upon the ranges, and the remedies or antidotes for such poisons, by the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the National Live Stock Association, praying that the Special Land Commission appointed by the President shall be given ample time and opportunity to study the varied conditions of difficult localities, and that the people of each locality be given opportunity to be heard, and, finally, that no hasty action be taken upon the Commission's report until the people have had time and opportunity to consider any plan recommended in its application to local conditions, and that if any action is finally taken whereby any part of the public ranges is placed under governmental control the administration of such may be placed under the control of the Department of Agriculture; which was referred to the Committee on Public Lands.

He also presented a petition of the National Live Stock Association, praying for the enactment of legislation providing for a classified census of live stock; which was referred to the Committee on the Census.

He also presented a petition of the National Live Stock Association, praying for an investigation of the so-called "lieu land laws," and to make such modifications thereto as will effectually prevent abuses of same and consequent damage to settlers and the country; which was referred to the Committee on Public Lands.

Mr. MILLARD presented a petition of D. S. Crawford Post, No. 197, Department of Nebraska, Grand Army of the Republic, of Westpoint, Nebr. praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. ALGER presented a petition of Henry C. Beebe Post, No. 228, Department of Michigan, Grand Army of the Republic, of

Michigan, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. HOAR presented petitions of F. P. H. Rogers Post, No. 22, of Waltham; of George H. Thomas Post, No. 131, of [illegible] of Clara Barton Post, No. 65, of Warren; of [illegible] Post, No. 4, of Charlestown; of Allen Post, No. 67, of [illegible] of C. L. Hastings Post, No. 54, of Berlin; of U. S. Grant Post, No. 4, of Melrose; of E. M. Stanton Post, No. 147, of Amherst; of Ladd and Whitney Post, No. 185, of Lowell; of [illegible] Post, No. 45, of Gloucester; of D. G. Farragut Post, No. 116, of Gardner; of W. L. Baker Post, No. 86, of North [illegible] of W. B. Greene Post, No. 100, of Methuen; of Henry [illegible] Post, No. 201, of Cottage City; of Lyon Post, No. [illegible] of Myron E. Stowell Post, No. 84, of [illegible] E. Taft Post, No. 162, of Turner's Falls; of Theodore Winthrop Post, No. 35, of Chelsea; of Edwin E. Day Post, No. 174, of Greenfield, and of W. W. Rockwell Post, No. 195, of Pittsfield, all of [illegible] Union [illegible] Union, in the State of M[illegible] for the [illegible] of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Norwood, Mass., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Amherst Village Improvement Association of Amherst, Mass., praying for the passage of the so-called Calaveras big-tree bill; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of sundry citizens of Norwood, Mass., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Massachusetts Agricultural College A[illegible] praying that an appropriation be made by the Federal Government for the agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Taunton Board of Trade, of Taunton, Mass., praying for the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

Mr. DRYDEN presented a memorial of the Backus Water Motor Company, of Newark, N. J., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Christian Endeavor Society of the Calvary Presbyterian Church, of Riverton, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah, which was referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented a memorial of the Heilman Machine Works, of Indianapolis, Ind., remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Board of Trade of Indianapolis, Ind., remonstrating against the enactment of legislation [illegible] which was referred to the Committee on [illegible] and Forestry.

He also presented a memorial of sundry citizens of Mount Vernon, Ind., [illegible] memorial of the [illegible] Association, remonstrating against the passage of the so-called [illegible] were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Texas Retail Grocers' Association, United Commercial Travelers, of Texas, [illegible] adoption of an amendment to the bankruptcy law of the present bankruptcy law; which was referred to the Committee on the Judiciary.

Mr. KITTREDGE presented a petition of the Men's Association of [illegible] Committee on Post-Offices and Post-Roads.

Mr. GAMBLE presented the petition of Rev. Ernest L. True, of Valley Springs, S. Dak., and the petition of Rev. Charles O. Walker, of Langford, S. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the memorial of F. M. White and 26 other citizens of Hudson, S. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of George W. Foster and 14 other citizens of Yankton, of James M. Hobbs and 14 other citizens of Yankton, and of Hiram A. Post and 42 other citizens of Watertown, all in the State of South Dakota, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. HALE presented a petition of the Central Labor Union of Portland, Me., [illegible] violence; which was referred to the Committee on [illegible].

Mr. DEPEW presented the affidavit of Jane [illegible] widow of John O'Dwyer, late captain of Company E, [illegible] and [illegible] Fifth Regiment New York State Militia, [illegible] praying [illegible] which was referred to the Committee on Military Affairs.

He also presented petitions of sundry citizens of Sherman; of the congregation of the [illegible] of the [illegible] and [illegible] of the Reformed Dutch Church of Dunkirk, and [illegible] New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the New York Board of Trade and Transportation of New York City, praying that an appropriation be made for the improvement of Bronx Kills and the Harlem River at that place; which was referred to the Committee on Commerce.

He also presented petitions of Luther M. Wheeler Post, No. 92, of Saratoga Springs; of A[illegible] Post, No. 40, of Oxford; of General John B. Murray Post, No. 537, of Phelps; of Cary W. Miner Post, No. 634, of Georgetown; of J. Broadbrook Post, No. 188, of Dexter; of J. B. Bu[illegible] Post, No. 111, of Pulaski; of Post No. 449, of York; of G. D. Bailey Post, No. 200, of Lowville; of Armstrong Post, No. 104, of Rhinebeck; of Sawyer Post, No. 333, of Wantagh; of Abel Smith-First Long Island Post, No. 435, of [illegible] of John McKee Post, No. 309, of Cambridge; of S. F. Battle Post, No. 183, of Cuba; of John P. Buckley Post, No. 633, of Belleville; of General Lyon Post, No. 266, of Middletown; of Harry Lee Post, No. 21, of Brooklyn; of Joe Gould Post, No. 145, of Phoenix; of Chismore Post, No. 110, of Ilion; of Wilson Dean Post, No. 416, of [illegible]; of Admiral Farragut Post, No. 25, of Albany; of H. H. Beecher Post, No. 582, of New York; of Colonel William A. Jackson Post, No. 301, of Middletown; of John M. Hutchinson Post, No. 243, of Pavilion; of Somers Post, No. 457, of Cicero; of John A. Logan Post, No. 477, of [illegible], all of the Department of New York, Grand Army of the Republic, and of the [illegible] of the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the Woman's Home and Foreign Missionary Society of the Second Presbyterian Church of Saratoga; of the Woman's Home and Foreign Missionary Society of Rochester; of the Woman's Home and Foreign Missionary Society of the First Presbyterian Church of Cleveskill; of the congregations of the Baptist, Congregational, and Methodist Episcopal churches of [illegible] of Sodus and New York City; of the Woman's Home Missionary Society of [illegible] of the [illegible] of the West Avenue Methodist [illegible] of the congregation of the Reformed Church of Williamson; of the congregation of the First Methodist Episcopal Church of Oneida; of the Woman's Christian [illegible] of New York City; of the congregation of the [illegible] of the congregation of the Dutch Reformed Church of Troy; of sundry citizens of Amsterdam and Brooklyn; of the Woman's Home Missionary Society of Cortland; of the Woman's Christian Temperance Union of Cuba; of the congregation of the Swedish [illegible] of Jamestown; of the Woman's Christian Temperance Union of [illegible] of the congregation of the [illegible] Baptist Church, of Rochester; of the Woman's Missionary [illegible] of Rochester; of the Woman's Home and Foreign Missionary Society of Lockport; of the congregation of the First Congregational Church of Jamestown; [illegible] Presbyterian Church; [illegible] Union of Rye; [illegible] and New Lebanon; of the congregation of the Presbyterian Church of Hudson; of the Woman's Christian Temperance Union of Lagrange; of sundry citizens of Billings and Morris; of the congregation of the Methodist Episcopal Church of Deposit; of sundry citizens of Syracuse and Rochester, and of the congregation of the Second

Presbyterian Church of Saratoga Springs, all in the State of New York, praying that [illegible] Rhode Island, a Senator from that State of [illegible] to the Committee on Pensions and Education.

Mr. [illegible] presented a petition of [illegible] of Manchester, N. H., and a petition of the Women's Christian Temperance Union of Bayou La Batre, Ala., [illegible] to the Committee on [illegible].

He also presented a petition of the Board of Trade of Taunton, Mass., [illegible] to the Committee on [illegible].

He also presented petitions of sundry citizens of Illinois, praying for the passage of a bill for the relief of postmasters, postal clerks, and letter carriers, which were referred to the Committee on Claims.

He also presented a petition of the Central Labor Union of Portland, Me., [illegible] to modify the present immigration law, which was referred to the Committee on [illegible].

He also presented a petition of the National Live Stock Association of Denver, Colo., praying for the passage of a bill [illegible] to the [illegible] of Agriculture, which was referred to the Committee on Agriculture, Forestry, and the Protection of Game.

He also presented a petition of the Merchants Exchange and Board of Trade of Portland, Me., praying that an appropriation be made for completing the harbor of refuge at Point Judith, Rhode Island; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Portland, Me., and a petition of the Master Mariners' Association of Gloucester, Mass., praying for the establishment of a station to promote the efficiency of the Life-Saving Service, which were referred to the Committee on Commerce.

INTERNATIONAL REFORM BUREAU.

Mr. GALLINGER. I present certain papers relating to the work of the International Reform Bureau of the District of Columbia. I move that the papers be printed as a document.

The motion was agreed to.

GOLD DEPOSITS OF WICHITA MOUNTAINS.

Mr. COCKRELL. I present a paper, being a report by H. Foster Bain on the [illegible] of the Wichita Mountains. I move that the paper be printed as a document.

The motion was agreed to.

[illegible]

Mr. HALE. I am directed by the Committee on Appropriations, to which was referred the [illegible] H. R. 11887) making appropriations for the [illegible] service for the fiscal year ending June 30, 1905, to report it with amendments, and I submit a report thereon. I shall ask the Senate to take up the bill [illegible] after the [illegible].

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7355) granting an increase of pension to Henry Barrett;

A bill (H. R. 1156) granting an increase of pension to John [illegible];

A bill (H. R. 6588) granting an increase of pension to James H. [illegible];

A bill (H. R. 5199) granting an increase of pension to Emma M. [illegible]; and

A bill (H. R. 5[illegible]) granting a pension to [illegible].

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (H. R. 9683) granting an increase of pension to James H. Hargis;

A bill (H. R. 2923) granting an increase of pension to John G. Fairchild; and

A bill (H. R. 2920) granting an increase of pension to Daniel W. [illegible]; and

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with a recommendation that the same be postponed indefinitely:

A bill (H. R. 7[illegible]) granting an increase of pension to William W. [illegible]; and

A bill (S. 5[illegible]) granting a pension to Edward A. Poag.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. [illegible]) to regulate the practice of dentistry in the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. [illegible], from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. [illegible]) granting an increase of pension to [illegible] Lewis; and

A bill (H. R. 7732) granting an increase of pension to Mary C[illegible].

Mr. [illegible], from the Committee on Pensions, to whom was referred the bill (S. [illegible]) granting an increase of pension to [illegible], reported it with an amendment, and submitted a report thereon.

Mr. [illegible], from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 819) granting an increase of pension to John B. Glover; and

A bill (S. 2563) granting an increase of pension to Elizabeth M. Banta.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3397) granting an increase of pension to George B. Cressy;

A bill (H. R. 8058) granting an increase of pension to William M. Underhill; and

A bill (H. R. [illegible]) granting an increase of pension to Thomas Joyce.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4141) granting an increase of pension to Samuel A. Dickey;

A bill (S. 1554) granting an increase of pension to John D. Pickard;

A bill (H. R. 138) granting an increase of pension to Henry Hale;

A bill (H. R. 4578) granting a pension to Catharine M. McClanahan.

A bill (H. R. 6091) granting an increase of pension to John W. Brown;

A bill (H. R. 7447) granting an increase of pension to William Bailey;

A bill (H. R. 5699) granting an increase of pension to James P. Johnson;

A bill (H. R. 7095) granting an increase of pension to Harrison H. Hakes; and

A bill (H. R. 610) granting an increase of pension to Samuel Alexander.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom was referred the bill (S. 3481) granting an increase of pension to J. E. Harrison, reported it with amendments, and submitted a report thereon.

Mr. [illegible] (for Mr. TALIAFERRO), from the same committee, to whom was referred the bill (H. R. 7594) granting an increase of pension to Charles H. Miller, reported it without amendment, and submitted a report thereon.

He also, (for Mr. BURTON), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. [illegible]) granting an increase of pension to William S. Burch;

A bill (H. R. 2477) granting an increase of pension to Frank J. McLaughlin; and

A bill (H. R. 6705) granting an increase of pension to Edwin A. Forman.

Mr. McCUMBER, for Mr. [illegible], from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (H. R. [illegible]) granting an increase of pension to Charles S. Bellows;

A bill (H. R. 6036) granting an increase of pension to John Shafer;

A bill (H. R. 8717) granting an increase of pension to Henry Edwards;

A bill (H. R. 7682) granting an increase of pension to William H. Howard;

A bill (H. R. 6701) granting an increase of pension to John A. Reeds;

A bill (H. R. 1487) granting an increase of pension to Dexter T. Drake; and

A bill (H. R. 1294) granting an increase of pension to William McBrien.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, submitted adverse reports thereon, which were agreed to, and the bills were postponed indefinitely:

A bill (S. 5[illegible]) granting an increase of pension to David B. Wood; and

A bill (S. 3[illegible]) granting an increase of pension to Martha A. Hughes.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4091) granting an increase of pension to Nathan M. Gove;

A bill (S. 4090) granting an increase of pension to Charlotte J. Folsom;

A bill (S. 4052) granting a pension to Alice K. Seligson;

A bill (H. R. 1497) granting an increase of pension to Dana Cook;

A bill (H. R. 3299) granting a pension to Medie M. Flanders;

A bill (H. R. 4987) granting an increase of pension to Emily Conklin;

A bill (H. R. 7439) granting an increase of pension to Helen M. Bates;

A bill (H. R. 3298) granting a pension to Mary E. Pennock; and

A bill (H. R. 3407) granting an increase of pension to Frank Lewis.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 562) granting an increase of pension to Emeline F. Emmons;

A bill (S. 3950) granting an increase of pension to Edward Blaisdell; and

A bill (S. 354) granting an increase of pension to Clara B. Griswold.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3893) granting an increase of pension to John L. Rogers;

A bill (S. 3085) granting an increase of pension to Alexander Lane;

A bill (S. 3488) granting an increase of pension to Charles E. McIntire;

A bill (S. 3534) granting an increase of pension to John S. Parker; and

A bill (H. R. 865) granting an increase of pension to Charles C. Chase.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5609) granting an increase of pension to Benjamin F. Grigsby; and

A bill (H. R. 5471) granting an increase of pension to A. Marion Gamble.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (H. R. 3037) granting a pension to William Bieber, submitted an adverse report thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1591) granting an increase of pension to James Hahn;

A bill (S. 2179) granting an increase of pension to Thomas Harkison; and

A bill (S. 268) granting an increase of pension to Annie B. Johnson.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3053) granting an increase of pension to Emma E. S. Wright;

A bill (S. 2959) granting an increase of pension to Ada Johnson;

A bill (H. R. 6089) granting an increase of pension to Emma L. Nagle; and

A bill (H. R. 4251) granting an increase of pension to Joseph Hinkle.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5634) granting an increase of pension to Robert L. Miles;

A bill (H. R. 7757) granting an increase of pension to Cyrus Davidheiser;

A bill (H. R. 681) granting an increase of pension to Ella P. Kersteter;

A bill (H. R. 8207) granting an increase of pension to Charles Johnson;

A bill (H. R. 3367) granting an increase of pension to George W. Kerby;

A bill (H. R. 4325) granting an increase of pension to John A. Sills;

A bill (H. R. 6085) granting a pension to Anna M. Maier; and

A bill (H. R. 5972) granting an increase of pension to Edward A. Willour.

Mr. BARD, from the Committee on Indian Affairs, to whom was referred the bill (S. 3182) to pay certain Choctaw [illegible] warrants held by James M. Shackelford, reported it with an amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Territories, to whom was referred the bill (S. 3728) to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of paupers and dependents in the district of Alaska, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Military Affairs, to whom were referred the following bills, reported them each severally without amendment, and submitted reports thereon:

A bill (S. 4054) for the relief of Richard King; and

A bill (S. 4079) for the relief of James [illegible].

Mr. WARREN. I am directed by the Committee on Claims, to whom was referred the bill (S. 1268) for the relief of James Denton, to submit an adverse report thereon and to move its indefinite postponement, as the subject-matter is covered by Senate bill [illegible].

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 1616) granting an increase of pension to Michael Donovan; and

A bill (S. 1944) granting an increase of pension to John S. Stanger.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3887) granting an increase of pension to Charles J. Clark; and

A bill (H. R. 6426) granting an increase of pension to David Z. Beidler.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson;

A bill (H. R. 2427) granting a pension to Cynthia Thomas;

A bill (H. R. 5472) granting a pension to Mariah Kuechler;

A bill (H. R. 937) granting an increase of pension to Mark A. Shelton;

A bill (H. R. 5588) granting a pension to Jane Elizabeth Bullock;

A bill (H. R. 7072) granting a pension to Mary McCall;

A bill (H. R. 703) granting an increase of pension to Robert P. Baker; and

A bill (H. R. 3665) granting an increase of pension to Henry C. Jones.

Mr. BALL, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3902) granting a pension to George F. Smith;

A bill (S. 2662) granting an increase of pension to John H. Carrow;

A bill (S. 3812) granting an increase of pension to Charles Wheatland; and

A bill (H. R. 6025) granting an increase of pension to John Hoenig.

Mr. BALL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8342) granting an increase of pension to Horace E. Davis;

A bill (H. R. 7756) granting an increase of pension to Charles Schroder;

A bill (H. R. 8920) granting a pension to Harriet A. Tucker;

A bill (H. R. [illegible]) granting a pension to [illegible];

A bill (H. R. 5611) granting a pension to Juliette Westbrook;

A bill (H. R. 6562) granting an increase of pension to [illegible] A. Thompson;

A bill (H. R. 8187) granting an increase of pension to George Jeffrey;

A bill (H. R. 3647) granting an increase of pension to Charles M. Everett;

A bill (H. R. 9815) granting an increase of pension to Hester E. [illegible]

A bill (H. R. 4887) granting an increase of pension to George [illegible]

A bill (H. R. [illegible]) granting a pension to [illegible] L. [illegible]

A bill (H. R. [illegible]) granting an increase of pension to Charles [illegible]

A bill (H. R. 3616) granting an increase of pension to James W. [illegible]

Mr. BALL, from the Committee on [illegible], reported the following bills, which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. [illegible]) granting an increase of pension to [illegible] H. [illegible]

A bill (H. R. [illegible]) granting an increase of pension to Martha [illegible]

Mr. [illegible] Post-[illegible] which was referred to the [illegible] of the House of Representatives, [illegible]

Mr. [illegible] to the Committee on [illegible] and ordered to be printed.

RHODE ISLAND STATE BUILDING AT ST. LOUIS.

Mr. COCKRELL. I offer the order which I send to the desk, and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The order will be read.

The Secretary read as follows:

Ordered, That there be printed [illegible] the State building of Rhode Island, be published in the [illegible] the report of the St. Louis Fair Commission, authorized by Senate concurrent resolution No. 20.

Mr. COCKRELL. The document referred to in the order has already been ordered printed. The illustration of the Rhode Island building was not ready when the document was authorized to be printed. Rhode Island is the only State that has been left out.

The order was [illegible] red by unanimous consent, and agreed to.

EXPOSITION AT PORTLAND, OREG.

Mr. MITCHELL. Mr. President, I desire to give notice that on the day following the conclusion of the Panama treaty I shall ask the Senate to proceed to the consideration of Senate bill 276, in aid of the Lewis and Clark Exposition at Portland, Oreg., providing it does not at that time interfere with the appropriation bills, and at any other time when business does not seem to be particularly pressing, requiring the immediate consideration of the Senate.

HENRY CHRISTY.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives [illegible] to the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to Henry Christy, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendment and agree to the request of the House for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

ABRAM H. HUNT.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to Abram H. Hunt, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendment and agree to the request of the House for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

ALBERT H. [illegible].

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives [illegible] the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to Albert H. [illegible], and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendment and agree to the request of the House for a conference.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

ALFRED I. JUDY.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives [illegible] the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to Alfred I. Judy, and requesting a conference on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I make the same motion in regard to this bill.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

GEORGE C. SHERMAN.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives [illegible] the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to George C. Sherman, and requesting a conference with the Senate on the disagreeing votes of the two Houses.

Mr. McCUMBER. I make the same motion in reference to this case.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

ALONZO DUTCH.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 5176) granting an increase of pension to Alonzo Dutch, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I make a like motion in regard to this bill.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

GEORGE W. TRAVIS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to George W. Travis, and requesting a conference on the disagreeing votes of the two Houses.

Mr. McCUMBER. I make a like motion in reference to this bill.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO were appointed.

ISTHMIAN CANAL ROUTES.

The PRESIDENT pro tempore. The Senator from Alabama [Mr. MORGAN] on Wednesday last asked for the printing of a certain isthmian canal document, and it was ordered. The document in question, I find contains maps and illustrations. The Congressional Printing Office will not print them unless the order in relation to the printing of maps and illustrations shall be modified. The Chair will modify the order by adding "with the illustrations and maps" and "together with the message of the President of January 20, 1904." Is there objection? The Chair hears none, and the order is so amended.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905; in which it requests the concurrence of the Senate.

The message also announced that the House insists upon its amendment to the bill (S. 200) granting an increase of pension to Austin Almy, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. SPERRY, Mr. PATTISON of Pennsylvania, and Mr. RICHARDSON of Alabama managers on the part of the House at the conference.

The message also announced that the House insists upon its amendment to the bill (S. 1760) granting a pension to Ann A. [illegible], disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon; and appoints Mr. SPERRY, Mr. PATTISON of Pennsylvania, and Mr. RICHARDSON of Alabama managers on the part of the House.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. [illegible]) granting a pension to James M. Dickey, and it was thereupon signed by the President pro tempore.

RELATIONS WITH COLOMBIA.

Mr. HOPKINS. I ask unanimous consent that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois? The Chair hears none. Unanimous consent is asked that the unfinished business be laid before the Senate. Is there objection? The Chair hears none. The unfinished business will be stated.

The SECRETARY. Senate resolution 82, by Mr. BACON, favoring the ratification by the President of a treaty with the Republic of Colombia to [illegible] all controversies between the United States and Colombia growing out of the recent revolution in Panama, etc.

Mr. HOPKINS. Mr. President, it was not my purpose originally to submit any remarks on the question of the ratification or rejection of the treaty now pending in the Senate between the Republic of Panama and the United States. The speeches, however, of the Senators who propose to vote against the treaty and their criticism of the attitude of our Government toward Colombia have constrained me in justification of my vote to give some of the reasons which influence me to vote for the ratification of the treaty.

It is unnecessary at this stage of the discussion to speak of the importance to the great interests of the United States of a canal uniting the waters of the Atlantic with those of the Pacific. This is conceded by everybody.

But while Senators profess to favor the construction of an isthmian canal, they vehemently oppose the treaty which grants the right to the United States to construct such a canal across the Isthmus of Panama, not upon the ground that the provisions of that treaty are not all that any patriotic American citizen could ask for, but that the manner of its procurement has been such that, as self-respecting Senators, they can not approve it. They have felt it incumbent upon them to denounce the President and Secretary Hay and to insist that the President has violated not only the Constitution of our country, but international law as well, in the recognition of the Republic of Panama and in the negotiation of the treaty which is now pending in the Senate.

Mr. President, I dissent in toto from the conclusions that have been reached on both of these propositions. I insist that our Government in all of its negotiations with the Republic of Colombia, and now with that of Panama, has not only followed the provisions of the Constitution of the United States, but kept well within the principles of international law. The executive branch of our Government is charged with our foreign relations, and to the President, under our Constitution, is the authority given to recognize the independence of Panama or to refuse such recognition as his judgment shall determine. In doing this he assumes the responsibility. That responsibility is not shared by members of this Senate. He is not beholden to the members of this Senate for his acts in thus recognizing the Republic of Panama. Fortunately, for the best interests of the Republic, his action does not depend upon the vote of Senators in either ratifying or rejecting this treaty. The people of the United States are the ones to whom he must go to account for his stewardship and the ones to whom he must appeal for a justification and approval of his acts.

That he, in recognizing the Republic of Panama, has only exercised the rights and privileges of his office is fully confirmed by repeated decisions of the Supreme Court of the United States. I call to the attention of Senators the following language of Mr. Justice McLean, speaking for the Supreme Court of the United States in the case of Williams v. The Suffolk Insurance Company, 3 Peters, page 420. In speaking of this identical points, the learned justice said:

And can there be any doubt that when the executive branch of the Government, which has the exclusive power of communication, shall in its corresponding [illegible] tory on the people and Government of the Union.

And in the case now pending it is not material to inquire, so far as Senators are concerned, whether the President be right or wrong. [illegible] Senators who [illegible] correct that, if it be a wrong, in our national election next November. If he be right, as I firmly believe him to be, they will approve and applaud his action by reelecting him to the [illegible] Senators.

The recognition of the Republic of Panama is his, not [illegible] in this Senate, as it is upon the Supreme Court [illegible] of this country. It is entirely separate and distinct from the treaty which is now pending in the Senate. That treaty may be ratified or it may be rejected by the Senate, but the fact will remain that the Republic of Panama is recognized by the Government of the United States, and that fact can not be disturbed by any action of this body.

The adoption of the treaty makes the construction of an isthmian canal an accomplished fact. How does the adoption of this treaty leave us? Panama is no longer a part of Colombian territory. It is an independent nation, recognized by all of the great nations in both the Eastern and Western Hemispheres. Whatever rights we had under the treaty of 1846 [illegible] with New Granada in 1846 now rest upon this new Republic. No law, national or international, would justify our Government in aiding Colombia to destroy this new Republic. Colombia, then, can give us no [illegible] in the construction of an isthmian canal. We must deal with the Republic of Panama on that subject in the future unless we wish to [illegible] Panama. The rejection of the treaty would [illegible] country that we do not care to enter into such relations with her and that we have abandoned our rights and claims to a free transit across the Isthmus by way of a canal such as is proposed in the pending treaty. This Senate is the [illegible] that we must face if this treaty be defeated, and it is a question that the Senators from the several States must meet and settle with their constituents in our national election next November.

Mr. President, some of the honorable Senators who oppose this treaty say the President was too precipitate in recognizing the Republic of Panama and have entered into an elaborate system of mathematical calculations to show how closely the action of our Government followed upon the heels of the uprising in Panama. If the recognition of the Republic of Panama were one of the questions that this body had to pass upon, these suggestions from the honorable Senators might have some weight, but from every standpoint that the consideration of the treaty can be viewed it is of no moment whether the Republic of Panama was recognized by the President as an independent sovereign power three days or three years after the declaration of independence had been made by the people of that long-oppressed province.

As I have already shown, the President, in recognizing the Republic of Panama, merely exercised the power that is lodged in him by the Constitution of the United States. He alone is the judge as to the proper time to make recognition. Senators proclaimed in stentorian tones in this Hall that international law has been violated by this recognition. What principle of international law has been violated by this recognition? What authors on the subject of international law define the exact time when one government must or must not recognize the existence of another state? What decision of the Supreme Court of the United States has clearly defined the exact moment at which it is proper for the President to act? I affirm, Mr. President, that international law does not prescribe the exact time when one government in the exercise of its sovereign rights may recognize the existence of a new power or an independent government. That question is always left to the discretion of the recognizing power. In some instances it may be months or years if you please, and in others it may be practically coexistent with the declaration of independence of the new power.

If the President had violated any principle of international law in recognizing the Republic of Panama, those who would have been first heard to complain would have been our commercial and industrial rivals, the nations who are competitors with us for trade in the Orient. Have any of the great commercial nations of the world filed any protest against the early action taken by the United States in the recognition of this new Republic? I affirm, Mr. President, not one. On the contrary, I hold in my hand, and will insert in my remarks, a list of the governments which have recognized the Republic of Panama, and the dates of such recognition.

List of governments which have recognized the independence of Panama—the [illegible]

United States	November 13, 1903.
[illegible]	[illegible]
[illegible]	[illegible]
Hungary	[illegible]
[illegible]	[illegible]
Russia	[illegible]
[illegible] and Norway	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Great Britain	December 23, 1903.
Italy	December 24, 1903.
Japan	[illegible]
Costa Rica	December 30, 1903.
[illegible]	[illegible]
[illegible]	January 13, 1904.
Netherlands	January 19, 1904.

I find that within less than sixty-five days from the date of the declaration of independence on the part of the Republic of Panama twenty governments have recognized the independence of this little Republic. And in this list I find such countries as Great Britain, Germany, France, and Russia. France recognized the Republic within three days after the time that the [illegible] recognized; Germany within seventeen days; Great Britain within forty-one days, and Italy within forty-one days. Nicaragua, Costa Rica, Peru, Guatemala, and the Republic of Cuba, in the Western Hemisphere, have recognized the Republic of Panama. [illegible] which it is possible to make of the [illegible] Senators who are opposed to the ratification of the treaty between the two Republics [illegible] President has violated [illegible] law by the manner in which he has recognized the Republic of Panama. It is [illegible] that this Government should wait until a test had been made as to whether the Republic of Panama could sustain herself against the Republic of Colombia, and, if so, [illegible] unanimous of feeling that [illegible] of Panama as to the importance of the construction of the isthmian canal across the territory of Panama.

Mr. President, if the people and the governments of these various countries which I have here named approve the action of

the United States in recognizing the Republic of Panama and negotiating this treaty for the construction of a canal, why should any American citizen object? Certainly there is nothing in the history of our relations with Colombia or the dealings of her people with the United States that entitles them to any greater consideration than has been shown by our Government during all the relations from the time of the ratification of the Hay-Herran treaty to this present moment. This has already been shown by Senators who have addressed themselves to the subject, and I shall on Friday, Mr. President, before I close, to give some of the reasons why the people of the Province of Panama declared their independence of the Colombian Republic, and why early action was taken by the United States in recognizing the new Republic and negotiating the treaty for the construction of an interoceanic canal as provided for in the treaty now before us.

The revolution which resulted in the separation of the American continents from the British crown was precipitated by a minority of the colonists. During the whole period of the American Revolution there was a very considerable minority in each colony that opposed the separation of the colonies from England and sympathized with the success of the British arms. If we can believe approved histories, the civil war was precipitated by a minority of the people in the several States that formed the Southern Confederacy. As the war progressed the feeling of State patriotism influenced the minority, and they showed a majority of patriotism and patriotism and bravery from their standpoint that gave the advantage to the South.

The establishment of the Republic of Panama, however, Mr. President, was a movement made with the approval not only of the leaders of that young Republic, but of all classes of citizens throughout the Province. Notwithstanding the history of Panama has been long in contention, having been the scene of many battles, revolutions, pronunciamentos, and all the horrors incident to Spanish-American civil wars, yet the consummation of these hopes for all of the good people of the world have thereby realized of more than forty years of agitation of the subject, and of bloodshed. The revolutions which have been attempted by Colombians who are interested in keeping the Isthmus of Panama in subjection have caused the people of Panama great losses of blood and treasure, and they have suffered much at the hands of their countrymen, but without just cause they have received scant sympathy from the United States.

The representatives of the honorable Senators who have been so frequently urging the claims of the Government of Colombia have asserted that the Province of Panama is as much a sovereign and independent country as were the States of Virginia and Maryland, or Massachusetts, or any of the other New England States. Mr. President, [illegible] to be more conspicuous between the Government of Panama and the Government at Bogota than there is between Virginia and the two Republics of Colombia. The Government at Bogota has never, in a disinterested spirit, the interests of the people of Panama and has never represented that province that is contemplated in the history of a civilized government. No such government has ruled with more absolute power the people under its dominion than the Government at Bogota controlled the affairs of the people of Panama. The revenues that have been derived from Panama have been used for the benefit of Bogota and the states in which they were especially interested. No roads have been constructed, no schools have been established, no public improvements made that would advance the interests of the Province of Panama. The people of her people by greater consideration in the administration of the affairs have been neglected and her rights trampled upon.

Had it not been for the intervening power of the United States Panama would long before this have gained her independence. It has gained, however, Mr. President, that which the people of Panama declared their independence last November, that interests in which being an independent Republic protected not only with the interests of our Government, but with the interests of all other civilized nations. And it is this fact and not the fact that the United States had recognized the Republic of Panama that has caused all the great commercial and industrial nations of the world to so promptly recognize the independence of the Republic of Panama.

While the United States will undoubtedly be more greatly benefited by the construction of this canal across the Isthmus of Panama than any other nation, it is true that all nations will be benefited, some in a greater degree than others; but the benefit of such a great waterway uniting the waters of the Atlantic with those of the Pacific Oceans is of paramount importance to all civilized governments. The attitude of Colombia since the negotiation of the Hay-Herran treaty has been such as to not only arouse the resentments of the friends throughout the civilized world of this proposed canal, but to forfeit the good opinion of all fair-dealing nations.

During the progress of the debate on this question a number of Senators have adverted with a good deal of severity on the conduct of the President in having the *Nashville* at Colon and other war vessels and marines at Panama and Colon for the protection of American interests and to maintain a free route across the Isthmus. They have insinuated rather plain [illegible] that our Government, through its President and its Cabinet officers, connived at the uprising of Panama and are responsible for the breaking away of that province from the Colombian Government. I have said Mr. President, that I have made no direct charge to this effect. No [illegible] would well do that in view of the statement made by the President on that point, which I desire to [illegible] In his message sent to the Senate January 4, in speaking upon this national point, he said:

[illegible]

Our honored Secretary of State, Mr. Hay, in his response to [illegible] January 4 [illegible]

One would suppose, Mr. President, that after these declarations made by the President and the Secretary of State, that we should [illegible] and facts connected with the whole history of the revolution in Colombia which in any manner [illegible]

I, for one, Mr. President, am willing to meet that issue, if issue it has to be made, with my fellow citizens of this country. Whatever may be charged against our President, it never can be [illegible] and [illegible] of his conclusions. Had our Government [illegible] connived with the revolutionists to secure a separation of Panama and [illegible] Colombia, President Roosevelt would have the courage to state that and justify his action on the ground.

Had the Colombian Government ratified the Hay-Herran treaty [illegible] which assembled on the [illegible] but what the treaty would have been ratified by that Congress.

The people, however, Mr. President, [illegible] the treaty was negotiated the President of that Republic and those of them who are in control with him in Colombia believed that a better bargain could be made with the Government of the United States, and that an additional ten millions could be secured from the New Panama Canal Company. And instead of pursuing a fair and open-handed manner, they sought by dark and devious ways to defeat the treaty and to compel the United States to give them more money than was stipulated in the Hay-Herran treaty. As early as the 15th of April, 1903, our minister at Bogota, Mr. Beaupré, in a communication to our Government, said that it was impossible to predict when the people would be as to the ratification or rejection of the treaty, yet he was certain of one thing, and that was that if the Government wished that the treaty be ratified it would be done.

And again, on the 4th of May, 1903, Mr. Beaupré, in a communication to our Secretary of State, said:

[illegible] money can be obtained, and that the United States can be obligated to guar-

antee the sovereignty of the Colombian ports outside the Department of Panama against the division or separation by [illegible] This one great determining point, however, is the fact that the price can be greatly augmented.

And again, on the 16th of June, 1903, Mr. Beaupré, in communication with Mr. Hay, said:

Mr. Marcini, local agent of the Panama Canal Company, has informed me [illegible] pay to Colombia about $10,000,000 ratification could be secured.

And again, on the 20th of June, 1903, the day that the National Congress met in extra session, Mr. Beaupré, in a communication to Mr. Hay, said:

As I have [illegible] ted, there is a full and ample majority of the [illegible] and such legislation as [illegible]

Seven days later Mr. Beaupré sent a telegram to Secretary Hay, in which he said:

Friends of the Government have control in Congress. I believe any legislation [illegible]

In a confidential telegram of July 12, 1903, from Mr. Beaupré to Mr. Hay, he uses this language:

[illegible] the treaty can [illegible] and says that the treaty can be ratified at [illegible]

And again, on the 5th of September, 1903, Mr. Beaupré, in a communication to Secretary Hay, said:

[illegible] I set forth in my No. 6 of April 15, 1903, that there [illegible] concessions [illegible] States [illegible] but apparently not the one under consideration in its [illegible]

I have read enough here, Mr. President, to show that if the act[illegible] Mr. Marroquin and his advisers had desired to have [illegible] in Bogota there would have been no trouble whatever in securing such ratification.

In the correspondence between our Secretary of State and Gen[illegible] relating to the recognition of the Republic of Panama, [illegible] fact that the Government, after negotiating this treaty with the United States, made no effort whatever to have the treaty ratified, but on the contrary connived with the enemies of the treaty for the purpose of rejecting it and securing concessions that would give to Colombia a [illegible] was specified in the treaty itself.

[illegible] those communications from our mu[illegible] clearly that Colombia was not [illegible] with the United States in negotiation of the [illegible] and not act in [illegible] ng it to the Congress of Colombia.

But, Mr. President, what conclusively shows that President Marroquin and those with whom he was [illegible] that [illegible] the Government at Bogota could have [illegible] Hay-Herran treaty as to have rejected it is [illegible] the declaration of independence on the part of the people of Panama [illegible] the independence of [illegible] Government that if the [illegible] Colombian sov[illegible] and by virtue of vested constitutional authority, when public order is disturbed, would approve by decree the ratification of the canal treaty [illegible], or, if the United States would prefer, would call [illegible] Congress, with new and friendly [illegible] May and approve the treaty.

Think of it for a moment! Like a [illegible] every device known to force the Government of the United States to pay a larger sum of money to the Colombian Government than [illegible] the Hay-Herran treaty, after it became an apparent [illegible] a, this Govern[illegible] it would [illegible] in crushing the aspirations of liberty of the people of Panama and assist the Government in reestablishing its authority over that country everything that is asked for in the Hay-Herran treaty should be granted us.

That offer of itself was enough to destroy any confidence that the people of the civilized world might have in the Government at Bogota as it was administered at the time this treaty was rejected, and to show, not only to the United States, but to the other countries which have recognized the independence of Panama, that those who are in control of the affairs there are a set of freebooters, who have endeavored to sandbag the United States out of a few million dollars of money. After having been thwarted in that, they deliberately made to this Government a proposition as cowardly and dishonorable as an apprehended thief ever made to his jailer to secure an escape. No language, Mr. President, is strong enough to condemn the attitude of the Government at Bogota in its relations with all of the interests connected with the construction of the Isthmian canal. The treatment of France and the Panama Canal Company has been in keeping with their conduct and negotiations with the United States. As I have said, they conducted their negotiations upon a plan which is certainly lost in that of the blackleg and swindler.

The Hay-Herran treaty were exceedingly favorable to the Colombian Government. The United States went beyond what it ought to have gone in the payment of money and in guaranteeing rights and privileges to the Colombian Government; and, like a person without character, the moment it secured the concessions [illegible] the Hay-Herran treaty it attack by every species of [illegible] to put our Government in a position where it would be compelled to yield further concessions. It was while this treaty was pending before the Congress at Bogota that the first mutter[illegible] of a revolution in Panama were heard. The revolution, Mr. President, did not spring up in a day, as has been insinuated by some Senators who have addressed themselves to this subject. The feeling of discontent among the people of Panama was well known to the officials at Bogota, and during the progress of the debate on the Hay-Herran treaty in the Congress it was stated by representatives from Panama that if the treaty were rejected Panama would rebel and declare her independence.

It was pointed out clearly, not only to the governing forces of that Government, but to the various members of that Congress, that the people of Panama, prepared upon the ratification of the treaty and the construction of an interoceanic canal across her territory. And leading representatives stated in open Congress that if the treaty were rejected Panama would secede from the Colombian Republic. Colombia was warned as early as August, and September that any meddling with the people of Panama in refusing to approve and adopt the Hay-Herran treaty, would result in open rebellion in that territory. This information was received by our Government through our minister and through other sources, as is shown by the message of the President, and through the public press of the times. Every well informed man, not only in the United States, but throughout the civilized world, who was at all interested in the construction of an interoceanic canal, knew that Panama would secede from the Colombian Government and set up a republic of her own if there was a disposition on the part of the Colombian Government to reject and refuse the treaty for the construction of a canal as provided for in the Hay-Herran treaty.

The action of our Government was in keeping with that information. Under the treaty of 1846 we were guaranteed a free transit across the Isthmus. The President well knew that if the [illegible] of the people of Panama were provoked [illegible] the people, as I have already said, were ripe to support any declaration of independence upon the part of their leaders, that Colon and Panama and the line of the railroad would be the first points of collision between the Colombian Government and the people of Panama. It was his duty as the representative of our Government to take every precaution to protect our rights under the treaty of 1846 and to preserve the lives and property of our citizens in those cities and on the line of the railroad. Instead of being subjected to criticism for the precautions with which he sent our cruisers to Colon and other ports, he is entitled to the greatest praise. To my mind, Mr. President, nothing that has occurred in the entire Administration reflects greater credit upon the patriotism and the promptness with which he took the necessary means to protect American interests when Panama had in fact declared her independence.

Mr. President, when we come to the last analysis on this whole subject, the President is contemplated in carrying out the wishes of the great majority of the people of the United States. He is commended for promptly responding to a received during American conflicts in protecting American interests on the Isthmus, in recognizing the new Republic which was established in Panama, and promptly negotiating a treaty which, if ratified, has secured to the United States the construction of this great canal, which has been the dream of navigators for our last two years, an enterprise that will be the crowning glory of the nineteenth century.

Mr. President, Theodore Roosevelt needs no defense at my hands. His administration of the affairs of our great Republic has been such as to endear him to the people of all sections of our common country, but to stamp him as one of the greatest men of this generation. He is a typical American. His every aspiration is for the greatness and the glory of his country and the well-being of the people. Carping critics may jeer at him; calumniators may revile him; but, Mr. President, they can not destroy him. It is the time of greatness to be reviled and denounced. Our President will survive all this as other great men of the past have survived the calumnies and slanders that have been hurled at them during their lives.

President Lincoln has been frequently referred to in this debate by Democratic Senators as a model President and an observer of the law, and one who strictly adhered to his constitutional authority. The junior Senator from Colorado [Mr. PATTERSON], in the very able speech that he made here a few days ago, in comparing Lincoln and Seward with President Roosevelt and Secretary Hay, said:

> It seems to me that the President and his Secretary might well be disturbed by the shades of Lincoln and Seward. They have [illegible] the honest and statesmanlike [illegible] in the face of [illegible] their ambitious ends.

What ambitious ends have our President and Secretary of State other than the good of our [illegible] The recognition of the Republic of Panama and the negotiation of the treaty known as the Hay-Varilla treaty are for the interests of our common country, not to enhance the power or dignity of either of these great men. There was a time, Mr. President, when Mr. Lincoln was thought to be as bad a man as the junior Senator from Colorado now seems to think President Roosevelt. There was a time during his life when he occupied that great office of President when Democratic Senators and Representatives denounced him as a usurper and as a violator of the Constitution, and indulged in language that makes the criticism of President Roosevelt of to-day seem tame indeed.

I have had occasion, since I have discovered that the Democrats of to-day are very much in love with the Administration of President Lincoln, to examine and see how the Democrats of a little over a generation ago, who were dealing with him as the present Democratic Senators are dealing with President Roosevelt, felt and acted and spoke concerning him. I desire, Mr. President, to call to the attention of the Senate a few of the choice expressions that were indulged in from time to time by leaders of the Democratic party of a generation ago toward Mr. Lincoln.

Daniel Voorhees, of Indiana, in the Thirty-seventh Congress, third session, said on February 18, 1863:

> It would be a natural supposition, if of course he [illegible] that he was going to prove that [illegible] by reason of the [illegible] of affairs which he was [illegible] to the government of the Revolution. [illegible] of patronage, wealth, and favor the Departments of the Administration [illegible] their ambitious ends.

Again he said, in the Thirty-seventh Congress, third session, as shown upon page 1040 of the Globe:

> But whatever [illegible] not one single provision of the Constitution [illegible] with in the treatment of [illegible] arrested by Government officers.
>
> In [illegible] American citizens have been arrested for [illegible] entered.
>
> [illegible]
>
> [illegible] they have been deprived of liberty without [illegible]
>
> [illegible] they have been held to answer infamous [illegible] right to a speedy [illegible] out of the State [illegible] in ignorance of the [illegible] institution they have not been confronted with the witnesses against them.
>
> And to add [illegible] if the Constitution they have been [illegible] up as models, their virtues [illegible] in complimentary language, and [illegible] placed high on the list of [illegible]
>
> [illegible] now known to the Constitution and the laws have been [illegible] by unlawful force and [illegible] secure for him the [illegible] which they have made of their high offices to the overthrow of the Constitution.

This language is lurid enough, I feel sure, if it were hurled at President Roosevelt, to satisfy the most extreme Democrat who professes to believe that he is violating our Constitution and is trampling upon the rights of law.

During the Thirty-eighth Congress, first session (pt. 4 of the Globe, p. 95 of Appendix), Senator Powell, of Kentucky, said of Mr. Lincoln:

> Sir, I would that this vacillating, dissembling, weak, and I fear wicked and corrupt, man in the White House had been infused with the wisdom, virtue, and patriotism that actuated the soul and prompted the actions of the great Washington in our revolutionary struggle.

Senator Davis, of Kentucky, on January 5, 1864, offered resolutions containing the following:

> The people of the loyal States are resolved into two great parties, the de-[illegible] and the conservatives. The first consists of Abraham Lincoln, his [illegible] of all men who are for [illegible] party [illegible] and power.

Senator Davis, of Kentucky, on January 13, 1864 (Globe, p. 179, 1st sess. 38th Cong.), referred to President Lincoln as a "sovereign at the other end of the Avenue."

Mr. Ancona, House of Representatives, February 28, 1863 (37th Cong., 3d sess., p. 162, appendix to Globe):

> It is useless to dwell upon the past folly, blunders, corruptions, and maladministrations of the Government, with the war perverted now to an utterly [illegible] to its superior, the white.

And Senator Breckinridge, of Kentucky, in the Thirty-seventh Congress, first session, page 138 of the Globe, said of Mr. Lincoln:

> But it may be well, Mr. President, to inquire how the President of the United States assumed powers and delegated by the Constitution or the laws I speak not now, sir, of the many acts of the President not enumerated in the [illegible] I think the acts here enumerated were usurpations on the part of the Executive of the United States, and that so far from a [illegible] Magistrate of the country should be rebuked by the vote of both Houses of Congress.

Of late years our Democratic friends refer to General Grant not only as one of the most distinguished military generals of this age, but speak of his Administration in eulogistic manner and bemoan the decadence which has come over the Republican party since the days when he was President and over the Republican leaders who control the affairs of our party. To show to you, Mr. President, that these statements differ from what the Democrats of a generation ago said of President Grant, I desire to call to the attention of the Senate what Representative Bowen, of Virginia, said in the Forty-third Congress, in the second session (p. 35, Appendix to RECORD):

> False to his former action and unmindful of the fact that, by the connivance of Federal power, the existing government in the State of Arkansas [illegible] Baxter government, turns now upon his offspring, like Saturn upon his children, to destroy it.

Also, to what Representative Leach, of North Carolina, said, as shown on page 192, Appendix to RECORD, Forty-third Congress, second session:

> [illegible]

Also, to the speech of Senator Stevenson, of Kentucky, in the Forty-third Congress, second session, as shown on page 134, Appendix to RECORD:

> Thus usurpation triumphs. What a lesson! What a result! What a sad page in the history of a free republic! [illegible] an American President [illegible] Army of the United States to uphold the subversion of a State [illegible]

It must be apparent, Mr. President, I think to all of us, that with our Democratic brothers only dead Republicans are good Republicans. During the life of Mr. Lincoln he was more reviled by [illegible] than he. In [illegible] with the [illegible] of Mr. Lincoln and General Grant [illegible] far been [illegible] against Presidents [illegible] a gentle [illegible] compared with a Kansas [illegible]

But for [illegible] light, and [illegible] Republicans had to the American people [illegible] no [illegible] up as models, their virtues [illegible] in complimentary language, and [illegible] placed high on the list of [illegible]

A generation from now, Mr. President, will Theodore Roosevelt be placed in the great galaxy of Republican leaders and statesmen, and the Democratic [illegible] days in the future will refer to him in the same [illegible] now used when any of our good friends on this side of the Chamber refer to the "Great Emancipator" or the "[illegible] Soldier."

It is not my purpose, Mr. President, to [illegible] by reference to the many collateral questions that could be urged in defense of the attitude of our Government both toward Colombia and the new Republic of Panama.

I am for this treaty because I believe that it is in the interest of civilization that in negotiating it the [illegible] have been violated and none of our [illegible] have been violated. And I believe still further, Mr. President, that when the candid historian comes to write of this period he will place this act of

President Roosevelt as one of the crowning glories of his Administration.

Mr. CLAY. Mr. President, I shall not contend that, under the general rules of international law regulating the conduct of nations in dealing with each other, we can justify our treatment of Colombia. Applying the general rules of international law to our conduct in recognizing the independence of Panama, we acted with undue haste, and, evidently, with a view of taking advantage of the revolution of Panama against Colombia to advance our commercial interests. If we had not desired the land on which we wished to construct an isthmian canal, we would not have recognized the independence of Panama. Under the general rules of international law, regulating the conduct of nations, so long as a sovereign has a reasonable hope of maintaining his authority over his insurgents, the acknowledgment of the independence of such insurgents would clearly be an international wrong.

It can not be denied—it can not be successfully disputed—that the acknowledgment of the independence of a new nation, when such a nation has forcibly separated itself from another of which it had formed an integral part, is an act of great delicacy and responsibility. It has been the policy of our fathers to avoid all interference in disputes which relate to the internal government of other nations. The general rule of international law would require that we should wait until the new nation had achieved its independence and is fully capable of maintaining that independence. Clearly, no government asserting independence and sovereignty ought to be recognized by the United States until independence has actually been accomplished.

The new nation must have in operation a civil government capable of performing the duties and fulfilling the obligations of an independent power, and that government must have the approval of a majority of the people subject to its regulations. The nation so recognized should not only have accomplished its independence, but the new nation must have the power in itself to maintain its independence before the world, and against all opposition, and discharge the duties of nationality. Applying these rules, I admit, I freely confess, that we can not justify our conduct in recognizing the independence of Panama on the third day after the revolution began.

The revolution began on the 3d of November, and we recognized the independence of Panama on the 6th of November, before independence had been accomplished, before any government had been organized, and in all probability before the Colombian Government knew the revolution had taken place. Stopping here, I would feel it my duty to vote against the ratification of a treaty with Panama. There are, however, special facts and circumstances connected with this transaction that will take it out of the general rules of international law, and to some extent justify our conduct in dealing with both Colombia and Panama. This case must be tried by every fact and circumstance connected with it; and the history of our relations heretofore with Colombia, together with her conduct and treatment of our Government, must be thoroughly understood in order to reach a just and righteous conclusion as to the merits of the controversy between Colombia and our Government. I propose to consider this controversy from three different standpoints.

First, our treaty rights with Colombia; second, Colombia's conduct in rejecting the Hay-Herran treaty; third, the importance, not only to our commerce, but to the commerce of the world, necessarily involved in the construction of an isthmian canal. These propositions I will consider in their order, and each proposition will demonstrate to thoughtful men that our Government was not bound by the general rules of international law in recognizing the independence of Panama. In 1846 our Government entered into a solemn treaty with New Granada; Colombia succeeded to the New Granadian Government, and that treaty sets forth fully the duties and obligations we owed to Colombia, as well as the duties and obligations Colombia undertook to discharge to us.

The treaty is lengthy, but only the thirty-fifth article of that treaty deals with the issue now before the Senate. It is necessary to understand that feature of the treaty in order to present the rights and privileges accorded to our Government from Colombia. That article provides that citizens, vessels, and merchandise of the United States shall enjoy in the ports of Colombia all the exemptions, privileges, and immunities concerning commerce and navigation which are now, or may hereafter be, enjoyed by Colombian citizens, their vessels, and merchandise; and that this equality of favor shall be made to extend to the passengers, correspondents, and merchandise of the United States in their transit across the said territory, from one sea to the other. This feature of the treaty was intended to place our citizens on an equal footing with the citizens of Colombia in transporting passengers and merchandise across the Isthmus.

This treaty was not further, and Colombia guaranteed to the United States that the right of way or transit across the Isthmus of Panama, upon any modes of communication that may now exist or that may be hereafter constructed, shall be open and free to the Government and citizens of the United States, and for the transportation of any article of produce, manufactures, or merchandise of lawful commerce belonging to the citizens of the United States. This feature of the treaty went still further and provided that the citizens of the United States shall not be liable to any import duties whatever in transporting their merchandise from sea to sea.

Colombia also guaranteed in this treaty that the transit across the Isthmus leading from Panama to Colon should always be kept open; that at no time should the passage leading from one ocean to the other be stopped by war or any other means. Colombia clearly guaranteed to us that for all the world the route leading across the Isthmus from ocean to ocean should never be obstructed in any way whatever. She recognized, and so did we, that the civilized world was deeply and vitally interested in keeping this passage open for travel, and the treaty clearly contemplated that, so long as it lasted, Colombia should neither obstruct this passage by insurrection, revolution, civil or foreign wars.

In return for the benefits which we were to receive by virtue of this treaty, our Government guaranteed positively and efficaciously to Colombia the perfect neutrality of the entire Isthmus, and the neutrality was guaranteed on our part with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence, the United States guaranteed the rights of sovereignty and property which Colombia has and possesses over said territory. This treaty clearly contemplated that some time in the future a canal would be built across the Isthmus, connecting the two oceans, and, in the event such a canal was constructed, it was to be kept open and not in any way to be obstructed.

What does the treaty mean? How is it to be construed? What is a reasonable construction? Colombia entered into a solemn obligation to keep the transit free and unobstructed. Nothing would excuse Colombia from violating this feature of the treaty. If she failed to do so, clearly we would have the right to go there and force Colombia to perform her part of this contract.

Now, inasmuch as Colombia obligated herself by a solemn treaty, can she in any way obstruct, hinder, embarrass, or delay the passage across the Isthmus? To state the case more plainly: If Panama seceded and resolved to separate from the mother country, and organized an independent government, and Colombia resolved at the same time to subdue the revolution and to force Panama to return to the Colombian Government and submit to its sovereignty, what would this mean? Colombia would at once enter into war with Panama. Panama would resist, and then the Isthmus would become the theater of war.

If such civil war interfered with travel and commerce across the Isthmus, under our treaty, in my judgment, we would have the undoubted right to say to Colombia: You dedicated this Isthmus to peace, you are under a solemn promise to keep open and free to transit the route across the Isthmus leading from ocean to ocean, and you shall not violate that solemn treaty. It was clearly contemplated by the terms of the treaty that passage across the Isthmus should not be obstructed by any means whatever.

It was intended, so long as this treaty lasted, that this transit should always be free and open, and that no war, either foreign or domestic, should ever at any time interfere with such transit. We would have no right, however, to interfere with the internal quarrels existing between Colombia and Panama, unless such quarrels were likely to interfere with travel and commerce from ocean to ocean across the Isthmus.

If we sent our war ships there simply to keep the transit open and protect the lives and property of American citizens in the event of a revolution, then we did not violate the treaty of 1846. If we sent our warships there to encourage a revolution, to aid in bringing about a revolution, with the hope of establishing an independent government for Panama, to give to us a commercial advantage, then our conduct is inexcusable and indefensible. In this treaty we guaranteed the neutrality of the Isthmus, as well as the rights of sovereignty and property which Colombia has and possesses over said territory.

The [illegible] of the treaty have been contended by able lawyers to mean that by guaranteeing the sovereignty of Colombia we undertook to defend her territory against foreign war and that when Panama seceded it was our duty to help Colombia put down the revolution. I do not believe that this is the proper construction to be placed on the treaty. When we guaranteed the sovereignty of Colombia over her territory, we undertook to prevent any foreign power from in any way interfering with her sovereignty or depriving her of any portion of her territory.

If Germany, France, England, or any other foreign power had made war on Colombia so as to interfere with her territory or sovereignty, then it would become our duty to defend the sover-

[illegible] against foreign aggression. I do not believe that [illegible] us to defend Colombia against internal quarrels or civil war among her own people. Under the treaty we would have no right to interfere in any way with civil war carried on in Colombia except should war interfered with transit across the Isthmus of Panama. When Panama and Colombia engaged in war it was our duty to keep [illegible] which civil war was [illegible] in some way to interfere with travel and commerce passing from one ocean to the other.

I repeat, if the President had sent our warships to Colon and Panama for the purpose of protecting the lives and property of American citizens and keeping open the transit across the Isthmus, and for no other purpose, then our Government would [illegible] in what would. It was contended we had the right to land troops and a revolution which had in fact broken out, with the [illegible] would be about a peaceful revolution in the [illegible] Panama [illegible] apprehensible [illegible] would be justified in preventing [illegible] such war would likely [illegible] the lives of the railroad employees and Colombian troops in Panama. We [illegible] the entire Isthmus. It has been contended by some that the Isthmus was going to become the theater of war, either foreign or civil. I may be in a [illegible].

If this be the proper construction, then we grounded the [illegible] on a mere [illegible] and should be sure that no preventive action, or foreign war, had taken place on any part of the Isthmus. During such a [illegible] Colombia surrendered the right to defend her own territory and territory as far as the Isthmus of Panama is concerned. Such construction would [illegible] the policy of Colombia [illegible] in Panama. I can hardly think that such a construction was intended when the treaty was made. I do not believe [illegible] the right to defend [illegible] Colombia obligated herself to do so to keep this transit open, so that all the world might cross the Isthmus, then she neglected to conduct her affairs in such a way as not to [illegible] any trouble in the future across this passage, leading from the Atlantic to the Pacific Ocean. Now, Colombia was to keep this transit free and open, and neglected.

We would have no right to use our Army and Navy to keep it open, unless Colombia failed to do so. When she failed to carry out this obligation, then having her treaty obligations, we could resort to war if necessary to enforce our treaty rights. I believe this to be a proper construction on the treaty of 1846. I have carefully believed that if the evidence was conclusive that our Government was in complicity with the revolutionary movement in Panama, then I could not vote for the ratification of this treaty. This would be such a wrong as we could not condone; it would not be an error of judgment, but an unconscionable act.

If anything connected with this Government had any part in [illegible] or encouraging the revolution in Panama, then such action on our part would be dishonorable and should be [illegible] by Congress. We would be guilty of a grave wrong. We should reap no benefits from such a dishonorable transaction. The presumption is in favor of the integrity of our Government, and every doubt should be resolved in favor of our honor. In the absence of positive and indisputable proof to the contrary, we must accept as true the statement from the executive branch of the Government.

The President in his second message tells us that he was connected with this Government had any part in the revolution except such as was accessible to any person of ordinary intelligence who read the newspapers and kept up a general acquaintance with public affairs. He says that by unanimous action of the people, without the firing of a shot, the province of Panama declared themselves an independent republic. When I read the correspondence between the Department of State, the Department of the Navy, and the United States consul-general at Panama, and the cablegrams sent to those in charge of our warships, I was dissatisfied with the action of our Government, and this correspondence unexplained left the action of our Government in an unfavorable light, clearly indicating that we had aggravated, aided, and encouraged the revolution in Panama. Why do I say so?

This revolution never occurred until the night of November 2, 1903, and at 3 o'clock in the afternoon before it occurred the State Department wired to Colon: "Uprising in Isthmus reported. Keep Department promptly and fully informed." Signed, "Loomis, acting." Our consul promptly cabled back that no uprising had then occurred. Reported will be in the night. He afterwards cabled that the uprising occurred at 6 o'clock that night.

On the same day the State Department cabled to our war ship *Nashville*: "In the interest of peace, make every effort to prevent government troops from proceeding to Panama. The transit on the Isthmus must be kept open and order maintained." Signed "Loomis, Acting." I am sure that we had no right to prevent the government troops of Colombia from passing from Colon to Panama unless such troops were about to engage in a war that would endanger the lives and property of American citizens or in some way obstruct transit across the Isthmus.

If the Colombian troops went to Panama on a peaceful mission, or to keep open the passage across the Isthmus, or even to suppress a rebellion there, provided such troops did not interfere with the passage across the Isthmus, then we had no right to interfere with them. On November 2, 1903, the Navy Department cabled the *Nashville*, "Maintain free and uninterrupted transit. If interruption threatened by armed force, occupy the line of railroad. Prevent landing of any armed force with hostile intent, either at Colon, Porto Bello, or other points. Government force reported approaching the Isthmus in vessels. Prevent their landing, if this in your judgment would precipitate a conflict."

About the same time we ordered three of our war ships to make every effort to keep the Colombian troops from proceeding from Colon to Panama. The Navy Department sent numerous cablegrams before the revolution occurred to those in charge of our war ships to proceed to Panama and Colon for the purpose of preventing Colombian troops from proceeding from Colon to Panama, by [illegible] those in charge of our war ships to keep the transit of the Isthmus open. These cablegrams were sent on November 2, before the revolution occurred, and before it had been heard of in Panama and Colombia.

This correspondence naturally leads me to the conclusion that my own country had sought to bring about the revolution, and had aided and encouraged our war ships therein to accomplish it and aid it in every possible way. Since I have entered public life I have been a most earnest and consistent advocate of an isthmian canal. But I have always desired that the great waterway should be built with clean hands and with the consent of any of the South or Central American republics. History teaches us that friendly international relations [illegible] country. We certainly ought to have the friendship of the countries where this canal is to be located.

I have not been willing to countenance any mode of dishonesty that might have been practiced to secure the construction of this great waterway. Standing [illegible] by the State Department [illegible] I should have voted against the treaty. The President in his second message tells us that our Government had been informed [illegible] would take place in the event that Colombia rejected the Hay-Herran treaty.

Panama had given out that she would secede in the event that the treaty was rejected. Mr. Parsons tells us that Panama had [illegible] and that he had every assurance that a revolution would occur if the treaty was rejected. He knew that it was a possibility, but that it was not until toward the end of November, 1903, that it appeared to be a probability. He explains why our war ships were here in Panama when the revolution occurred. It was expected Americans would land and keep open the transit in the event of a revolution. Nevertheless we had to anticipate the revolution we would encounter and that we had an abundance of caution he sent our war ships to keep open the transit.

I repeat, if the President had reason to fear that a revolution would follow the rejection of the Hay-Herran treaty, that Panama would secede and that Colombia would send troops to put down the revolution, and that the war between Panama and Colombia would endanger the property and lives of American citizens and obstruct or block the transit from sea to sea, then he would be justified in sending our war ships, both to protect the lives and property of American citizens and to keep open the transit across the Isthmus.

When our war ships arrived at Panama and Colon we had no right to interfere with a country between Panama and Colombia, unless it was apparent that such interference was necessary to protect the lives and property of American citizens, or to keep open the transit across the Isthmus, in accordance with the terms of the treaty of 1846. I recognize that the situation in Panama, by virtue of the treaty of 1846, was different from any other place on the earth. We had a solemn and binding contract with Colombia to keep the transit open across the Isthmus; we know that Colombia had often called upon our Government to aid her in keeping this passageway open and safe.

When our war ships landed troops at Colon they had a right to prevent the armed forces of Colombia from obstructing the open free course of commerce in the pathway across the Isthmus. We could only do so when Colombia failed to keep it open or was proceeding to block it by civil war. Our right to interfere in the domestic quarrels of Colombia was limited to protecting the lives and property of American citizens and to keeping open the transit across the Isthmus.

The treaty would not give us the right to interfere with Colombian troops landed on the Isthmus unless these troops threatened

the lives and property of American citizens or in some way attempted to interfere with transit across the Isthmus.

I refer to these facts to give my view of the treaty of 1846. It is not necessary for me to express myself as to whether or not we went beyond the power granted us by the treaty of 1846, as I should cast my vote in favor of the ratification of the treaty upon [illegible] much more satisfactory to me than I could possibly reach on this theory of the issue. On this theory of the case [illegible] in the controversy, I hardly think I would vote for the treaty.

It is [illegible] that we understand, not only the treaty of 1846, but [illegible] of the Colombian Government for the last [illegible] years [illegible] and thoroughly, which was [illegible] Canal, in order to understand why our Government recognized the independence of Panama in violation of the general rules of international law.

I listened with a great deal of pleasure to the speech of the distinguished senior Senator from Alabama [illegible] the last session of Congress against the ratification of the Hay-Herran treaty, contending that Colombia was in a state of civil war, and that she had no responsible constitutional government capable of discharging the functions of government, and that she was without [illegible] authority to negotiate a valid treaty with us for the right of way on which to construct this canal. History [illegible] of Colombia teaches us that his statements were absolutely correct.

In order to secure the right of way by way of the Panama route, on which to construct this canal, we have been forced to deal with such governments as we found in possession of the territory where the canal was to be located. We know that internecine strife has been raging in the Republic of Colombia for a number of years. The study of Colombia shows the existence of two distinct and hostile tendencies at war since the early days of national [illegible]. These two parties have been called the Liberal and Conservative parties. The [illegible] are so great that the transition of power from one to the other necessitates resort to violence.

The constitution of 1886 abolishes the federal form of government and centralizes all power in the President; he can suspend the constitution and take property and the liberty of the citizens [illegible] unlimited power. The Liberals have contended most zealously against these wrongs, and, being unable to redress them, took up arms as the only means of redress. It was a struggle of life and death, as has well been said between [illegible] modern progress. Well did the senior Senator from Alabama say that revolution was the normal condition in Colombia. Well did he say that we would have to deal with an irresponsible government to procure the necessary territory on which to construct this great waterway.

So far as regularity and constitutionality is concerned, the new government in Panama will compare favorably with the existing government in Colombia. [illegible] when the Hay-Herran treaty was submitted to Colombia for ratification it was understood that the terms of the treaty were satisfactory to Colombia. It was proclaimed on the floor of the Senate and through the public press that Colombia secured every consideration [illegible] the treaty. We gave her the [illegible] Panama. We could have secured the right of way from Costa Rica and Nicaragua for a much less sum. We had acted most liberally to the pecuniary demands of Colombia. It was certainly greatly to the commercial and financial interest of her people to put in operation this waterway.

We know that the canal was demanded by the unanimous voice of the people of Panama, where it was to be located. Undoubtedly Colombia rejected this treaty because she thought we would give a chance to force us to pay to her an exorbitant and unreasonable sum of money for the right of way through such territory on which to [illegible] that we were [illegible] to pay for the right of way, and that she would extort from us wrongfully [illegible] to her coffers. I do not contend that this would authorize us to take by force any part of her territory on which to build a canal, but it might be a reason why we should take advantage of a situation arising under [illegible] would own the territory we so much desired and necessary to be used for the commerce of the world.

I have always contended that there was nothing of greater importance than the construction of an interoceanic canal. Such a canal is not only essential to our commercial development, but of great importance to our national defense. The establishment of speedy communication between the Atlantic and Pacific oceans should be delayed no longer. The party in power could have provided for the construction of such a waterway long ago. The failure to do so can in no wise be charged to our side of the chamber. We have always contended that the United States should construct this waterway at the earliest practicable day. The civilized world is deeply and vitally interested in the success of this enterprise.

During the session of the Fifty-first Congress I set forth with [illegible] the benefits that would accrue by reason of the construction of the canal. I repeat them as applicable to this occasion. I said:

> We know that [illegible] commercial center of the [illegible] when built and completed, will furnish for ages ample water-[illegible] rity for the fleets of all nations that may pass through it.

[illegible] said to me a few days ago that it had always been [illegible] a very important element. If one city or nation has a shorter route and

[illegible] n to-morrow [illegible]

[illegible] would be 15,000 miles, and the distance from New [illegible]

[illegible] I find a paper [illegible] and [illegible] the distance from New York to the same points by the same route, which I will read.

The distinguished Senator tells us that the distance from [illegible] to Manila by the Nicaraguan Canal route, which the Senator contrasts with New York [illegible] Liverpool [illegible] present route, to the several ports mentioned was largely in favor of the Nicaraguan route.

These statements of the Senator are in direct [illegible] contrary to the information which I have received from the Department of Commerce and Labor. I have received a table from the Department showing the distances from Liverpool via the Nicaraguan Canal to the same points, and also the distances from New York to the same points by the same route, which I will read.

Distance from Liverpool via Nicaraguan Canal to—

	Miles.
Honolulu	9,945
Manila	11,[illegible]
San Francisco	11,[illegible]
[illegible]	12,[illegible]
[illegible]	12,197
[illegible]	12,733
[illegible]	11,423
[illegible]	13,[illegible]
[illegible]	12,611
[illegible]	14,[illegible]
[illegible]	7,365
[illegible]	14,[illegible]
Singapore	15,171
Total distance	163,948

Now, to show the comparison, we will take the same table furnished by the ex-Senator, giving the distances from New York via the Nicaraguan Canal route to—

	Miles.
Manila	[illegible]
San Francisco	[illegible]
[illegible]	10,[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Auckland	[illegible]
Honolulu	[illegible]
[illegible]	9,863
Valparaiso	[illegible]
Honolulu	6,447
Kobe	[illegible]
Singapore	12,[illegible]
Trenton	11,891
Total distance	128,224

These figures show a difference of [illegible] per cent in favor of New York in the Nicaraguan Canal route, while the distance from New York to the same points by the present route, to the several ports mentioned was largely in favor of Liverpool.

These statements of the Senator are in direct [illegible] contrary to the information which I have received from the Department of Commerce and Labor. I have received a table from the Department showing the distances from Liverpool via the Nicaraguan Canal to the same points, and also the distances from New York to the same points by the same route, which I will read.

[illegible] Senator tells us that the distance from [illegible] to Manila by the Nicaraguan Canal route, which the Senator contrasts with New York [illegible] Liverpool [illegible] present route, to the several ports mentioned was largely in favor of New York. That is not the case. I have received a table from the Department showing the distances from Liverpool via the Nicaraguan Canal to the same points, and also the distances from New York to the same points by the same route, which I will read.

[illegible] Senator, which I regard as [illegible] I have

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San Francisco	11,[illegible]
[illegible]	12,[illegible]
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[illegible]	14,[illegible]
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[illegible]	10,[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
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Honolulu	[illegible]
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These statements of the Senator are in direct [illegible] contrary to the information which I have received from the Department of Commerce and Labor

[illegible] We desire above all things the formative consideration of [illegible] necessary to the end where this money is to be expended. We should not hesitate to use the good times and [illegible] of our Government to adjust in a fraternal way the [illegible] between Panama and Colombia, and to bring about [illegible] and honorably adjusted [illegible] Panama. [illegible] Colombia has been [illegible] and [illegible] Let every dispute be [illegible] and let the treatment of Colombia, so far as [illegible] be just and generous.

I know that it is [illegible] to Panama to Colombia. This I do not expect. We ought to be [illegible] a very reasonable [illegible] What a blessing it would be if [illegible] would [illegible] and can be [illegible] day. I had hoped to [illegible] Panama may amicably and [illegible]

This side of the Chamber has sought diligently to ascertain the [illegible] Government to [illegible] our own country. If [illegible] from the character of [illegible] in the Panama revolution. We have thought that this course was [illegible] by the facts and [illegible]

The party has been discussed [illegible] fearlessly in the interests of humanity [illegible] and grave responsibility. We have contended with [illegible] that [illegible] should be made to adjust amicably all [illegible] between Panama and Colombia, and that if any [illegible] on our part every reparation [illegible]

The [illegible] Mr. BACON [illegible] The amendment [illegible] on this side of the Chamber. Let us hope that this movement may be brought to a speedy and [illegible] termination. Such a [illegible] will have [illegible] and right-[illegible] people. [illegible] joy and [illegible] such a [illegible] important controversy.

HOUSE BILL R[illegible]

The bill (H. R. 12[illegible]) [illegible] for the Department of Agriculture [illegible] title, and referred to the Committee on Agriculture and Forestry.

ELEVENTH DISTRICT LIGHT-HOUSE AND BUOY TENDER.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. [illegible]) to provide for the construction of a light-house and [illegible] Eleventh District.

There being no objection, the Senate, as in Committee of the Whole, [illegible]

Mr. [illegible] I would like to know what the bill is.

Mr. NELSON. It is for the construction of a light-house and [illegible] which is recommended for the Eleventh District.

[illegible] reported from the Commerce with amendments, on page 1, line 7, after the word "[illegible]," to insert "[illegible]"; in line 9, after the word "[illegible]," to insert "[illegible]"; in line 10, after the word "[illegible]," to insert "[illegible]"; and in line 11, after the word "[illegible]," to insert "[illegible]," so as to make the bill read:

"[illegible] That there shall be constructed by the Secretary of [illegible] not otherwise appropriated.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SURVEYOR OF CUSTOMS AT OMAHA, NEBR.

Mr. MILLARD. I ask unanimous consent for the present consideration of the bill (S. 1419) to fix the salary of the collector of customs at Omaha, Nebr.

Mr. [illegible] I shall not make any objection to the consideration of this bill, but I do [illegible] I think it should come from the Committee on Finance.

[illegible] up.

[illegible] in line 3, [illegible] "tor" and insert "[illegible]or:" and in line 5, after the word "dollars," to insert "in a month" [illegible]

[illegible] Omaha, Nebr., shall be [illegible] annual salary of $3000 in [illegible]

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to fix the salary of the surveyor of customs at Omaha, Nebr."

ARMY CHAPLAINS.

Mr. SCOTT. I should like to ask unanimous consent for the [illegible] (S. 2[illegible]) to provide for the [illegible] Army, [illegible] from Chaplains.

Mr. [illegible]. Mr. President, I have not any control over the [illegible] Senate, but I think the best thing for us to do is to [illegible] ferred to by the [illegible] I hope we shall [illegible] in regular order I consider it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia for the present consideration of the bill?

Mr. GALLINGER. [illegible] Mr. TELLER [illegible] Chairman, I was about to make the same suggestion. I [illegible] I shall not object to the [illegible] the bill [illegible] from West Virginia desires to have considered, [illegible] opposed of I shall ask for the regular order.

Mr. ALLISON. Let [illegible] be read.

The PRESIDENT pro tempore. The bill will be read for information, subject [illegible]

The [illegible] read [illegible]

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. ALLISON. I should be glad to have the Senator from West Virginia explain why the latter sections of the bill have [illegible] law respecting chaplains as to those who [illegible]

Mr. [illegible] Mr. President, [illegible] that of [illegible] officers, yet they are [illegible] with [illegible] major, though not the rank. It [illegible] allowances of a major, but they are [illegible]

The bill [illegible] Committee [illegible]

Mr. TELLER. I ask the Senator from West Virginia how [illegible] in the Army?

Mr. [illegible] I can not answer that question. Perhaps [illegible] to answer it.

Mr. COCKRELL. There is one to each regiment.

Mr. TELLER. [illegible]

Mr. COCKRELL. There are about forty-five, I think.

Mr. GALLINGER. Forty-four or forty-five.

Mr. SCOTT. [illegible]

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with amendments, in section 1, page 1, line 7, after the word "regimental," to strike out "(or post);" in line 12, before the word "number," to insert "total;" and after the word "number" to insert "in the service so;" so as to make the section read:

That hereafter the President may, from time to time, select from among the [illegible] of the Army any chaplains having not less than [illegible] years' service, who may have been recommended as worthy of special consideration for [illegible] by the regimental and [illegible] commanders with whom they have served, and chaplains so selected may, with the advice and consent of the Senate, be appointed chaplains with the rank, pay, and allowances of major: Provided, that [illegible] shall have the pay, rank, and allowances of major.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MANNER OF IMPORTATIONS.

The PRESIDENT pro tempore. The regular order having been demanded, the first bill on the Calendar will be stated.

The bill (S. 2810) to amend section 3095 of the Revised Statutes of the United States was announced as first in order; and the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend section 3095 of the Revised Statutes so as to read as follows:

So [illegible] in the [illegible] and west [illegible] or in [illegible] Mexico [illegible] the United States from any foreign port in any other manner than [illegible] in any other manner.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 3095 of the Revised Statutes of the United States, relating to manner of importation."

EMPLOYMENT OF UNITED STATES VESSELS.

The bill (S. 2263) to require the employment of vessels of the United States for public purposes was announced as next in order.

The PRESIDENT pro tempore. That bill may be passed over, if the Senate please, without objection.

SECESSION OF PANAMA.

The resolution submitted by Mr. MORGAN December 18, 1903, declaring the proposition that neither the President nor the President and the Senate, as the treaty-making power of the United States, has the lawful power to wage or declare war against any foreign power without the consent of Congress, when such country is at peace with the United States, etc., was announced as next in order.

Mr. GALLINGER. Let that resolution go over, Mr. President.

The PRESIDENT pro tempore. The resolution will go over without prejudice, if there be no objection.

HEIGHT OF BUILDINGS IN THE DISTRICT.

The bill (H. R. 7023) to regulate the height of buildings in the District of Columbia, was considered as in Committee of the Whole. It proposes to amend section 1 of an act entitled "An act to regulate the height of buildings in the District of Columbia," approved March 1, 1899, by inserting after the word "hotel," in the fourth line thereof, the words "or as a hospital or dormitory;" so that said section will read as follows:

That from and after the date of the approval of this act no [illegible] or addition of a building intended to be used or occupied as a [illegible] or as an apartment house or [illegible] or as a hospital or dormitory in the District of Columbia shall be erected to a height of more than [illegible] feet to a height exceeding [illegible] feet above the sidewalk, the measurement to be made as hereinafter prescribed.

Mr. TELLER. I should like to inquire of the Senator who has the bill in charge, in case persons should desire to erect a hotel here on one of the corners where there is a large open space, whether they would be limited as to the height of the building they would be permitted to construct, or whether there is some way by which they might secure permission to erect a fireproof building higher than the prescribed limit?

Mr. GALLINGER. I think the law does limit them as to the height, but it varies, of course, because of the different widths of the streets. Buildings are permitted to be erected higher on the wide streets than on the narrow streets. The only change this bill makes in the existing law is to require hospitals and dormitories to be made fireproof. The bill has no reference whatever to the height of buildings.

Mr. TELLER. The bill does not propose to make any change in that regard?

Mr. GALLINGER. It does not change the law on that subject.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. SPOONER. I want to ask the Senator from New Hampshire if the bill we have just passed relates to fire escapes in the District of Columbia?

Mr. GALLINGER. It does not. I will say to the Senator it simply provides that dormitories and hospitals shall be constructed of fireproof material, as is required under existing law in certain other structures. It is a question, of course, whether there is any such thing as a fireproof building; but the intention of the Commissioners and of the Committee on the District of Columbia is to make hospitals and dormitories as safe in that regard as any other kind of building possibly can be in the District of Columbia.

Mr. SPOONER. I suppose there is a law in force in the District of Columbia in regard to fireproof buildings?

Mr. GALLINGER. There is such a law. I will say to the Senator that during the past few weeks the entire city has practically been covered by the fire officials in making examinations of buildings, including the churches of the city and the schoolhouses. The intention is to provide the most adequate facilities for escape from buildings in the District of Columbia in the event of fire.

This is not a new thing, I will say, Mr. President. During the time that my lamented predecessor, the late Senator McMillan, was the head of the Committee on the District of Columbia, in conjunction with him we took up that question, and we made the theaters of the District of Columbia so safe that the recent inspection has failed to discover any lack in that regard. That inspection is now being extended to the schoolhouses, the churches, and other places where people congregate. I think there is probably no city so well provided for a panic or a fire as is the city of Washington at the present time.

Mr. SPOONER. Whilst I am not an expert in the fire-escape business, I have observed that in many of the fire escapes the ladders come down from story to story in front of the windows instead of coming down the blank spaces between the windows. That looks to me like a very poor fire escape, because, if a fire breaks out, it will break out through the windows and render the fire escape absolutely of no avail whatever.

Mr. GALLINGER. Of course the escape has to be through the window.

Mr. SPOONER. Of course.

Mr. GALLINGER. That is the starting point; but the fire escapes might be diverted from that particular point.

Mr. SPOONER. It seems to me that the fire escapes might be so constructed as to go down the blank space on the wall instead of having to go down from story to story in front of the windows.

Mr. GALLINGER. I think that is a very valuable suggestion.

Mr. SPOONER. I commend it to my friend.

Mr. GALLINGER. And I will commend it to the Commissioners of the District of Columbia.

Mr. GALLINGER subsequently said: It will be remembered, Mr. President, that the Senator from Maine [Mr. HALE] some time ago offered a resolution directing the Commissioners of the District of Columbia to make an investigation of the theaters and other places of entertainment in reference to their safety. The Commissioners, under date of January 23, have made report on that resolution, and I should like to insert it in the RECORD in connection with my remarks on House bill 7023, which passed a [illegible] ago.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from New Hampshire? The Chair hears none.

The report referred to is as follows:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
Washington, January 23, 1904.

SENATOR: The Commissioners of the District of Columbia have the honor to make the following report on Senate resolution passed January 5, 1904, as follows:

"Resolved, That the Commissioners of the District of Columbia are directed to make, as soon as practicable, a full examination into the conditions of theaters and places of public entertainment in the District of Columbia, in order to see if such theaters and public places are maintained and conducted in accordance with the statutes and regulations of the District of Columbia, and whether or not any such theaters or places of entertainment are going on without proper license. The Inspectors Commissioners will make report upon and investigation to the Senate."

A preliminary report is submitted in reference to theaters, and examinations are now being made of the public halls used for entertainments from time to time, but not regularly. A further report on these halls will be submitted as soon as practicable.

There are seven theaters in the city, the Lafayette, the National, Chase's, the Columbia, the Academy of Music, Kernan's Lyceum, and the Empire.

The authority of the Commissioners to control the issuance of licenses and to prescribe regulations for the construction and alteration of the theaters

was given by act of Congress approved February [illegible] 1902. An amendatory act approved March [illegible] 1902, required the certificate of the inspector of boilers that the theater equipped with law and regulations [illegible] be issued. By theater approved July 1, [illegible] Congress enacted that the certificate of the chief officer of the fire department [illegible] in addition to that of the inspector of buildings.

In accordance with the first named act there [illegible] and placed a set of rules and regulations. These were intended [illegible] or remodeled theaters, and as far as possible [illegible] that the certificate required has been given on a year before the licenses have been issued.

In November 1902 at the time of the issuing of licenses, there were refused to three of the theaters—namely, Chase's, the Lafayette and the Academy of Music—because the inspector of buildings and the chief officer of the fire department decided that these theaters were [illegible] in which certain changes should be made. The managers of these theaters were given notice and time granted to make the changes [illegible] defects in fire [illegible]. After a personal inspection [illegible] that these improvements, which very [illegible] were not of such a nature as [illegible] the management [illegible] of danger and hardship it would [illegible] theaters while the work was being done. The [illegible] these theaters at the due expiration of law.

More than two years ago the chief engineer of the fire department and the fire marshal were directed to make special examinations of theaters and fire department houses, and report back, with a view of [illegible] was needed for protection of the public against fire. The [illegible] indicated a dangerous condition of affairs, especially in the electrical wiring and apparatus. The electrical engineer was directed to make a special examination, which revealed very serious conditions.

The inspector of buildings, the chief engineer of the fire department and the electrical engineer were directed to operate [illegible] the dangerous conditions, whether such conditions were [illegible] by the strict construction of the law or not. This investigation revealed [illegible] forbidding the situation. The electric wiring and apparatus were defective, [illegible] an insufficient number of [illegible] tions brought [illegible] against inflammable material, [illegible] were found heated and [illegible]; fire fighting apparatus were [illegible] and were not located in dangerous places; the ventilation in the [illegible] and there were not enough exits, and those, having to carry fire all over the theater, were [illegible]. One theater had a proscenium arch of nonfire-resisting material, and its fire escapes were in [illegible].

By direction of the Commissioners, and in most cases with the cooperation of the theater managers, the reformation of these organizations. The dangerous conditions were immediately remedied, [illegible] improvements required were immediately begun, and there remains now to be done only a portion of what was required in the case of the three theaters whose licenses have been withheld.

A constant and rigid inspection has been maintained through the building department, the fire department, and the electrical department. The building department sees that the regulations as to construction are carried out with respect to exit doors, escapes, aisles, stairways, walls and [illegible]. Old constructions are made as safe as possible, and that the new [illegible] of fireresisting material throughout. The electrical engineer and his assistants have brought the electric wiring and permanent apparatus of the theaters to an excellent condition and they inspect them regularly, [illegible] every Monday they inspect the electric apparatus brought by the company that is to play in the theater during the week and confiscate such apparatus as is dangerous. The chief engineer of the fire department and the fire marshal inspect every theater frequently, and a member of the fire department is on the stage during every performance to see that the regulations are complied with and to do fireman's duty in case of fire.

While many of these improvements were made before the act of 1902, that act, which requires the chief officer of the fire department as well as the inspector of buildings to certify as to the compliance of theaters with the requirements of law and regulations, has been very helpful.

These inspections have been carried on at a considerable disadvantage, because the different departments responsible for them have not had an increase in their force for the purpose. An increase of the inspecting force for the purpose of maintaining and extending this work is desirable and also [illegible] legislation that will extend the authority of the Commissioners in this matter. The bill (S. 3) giving the Commissioners a larger power to regulate electric wiring in the District of Columbia, and providing additional inspectors for such work, would be, if enacted, of value in this respect. A similar bill has been recommended by the Commissioners for several years.

In obedience to the resolution of the Senate the Commissioners made a personal inspection of all the theaters in the city. Certain minor changes were recommended by them which the managers agreed to make, but it was found that the theaters were carrying out the regulations with the exceptions above mentioned, which, however, are being remedied.

The examination showed that the exits are all lighted with red lights on a circuit independent of the stage and plainly marked with the word "Exit," all exits open outward and are easily opened; that all the theaters have either a proscenium arch of solid brick or other fire-resisting material between the stage and the auditorium, excepting one of those whose license has been withheld, which is under contract to put in such fire-resisting material immediately. All the theaters have genuine asbestos curtains. They have been all tested by subjecting them to a hot fire and found absolutely fireproof. All the theaters have skylights of the prescribed dimensions, self-opening, and held by a rope to be loosened by a designated employee or by the burning of the rope. All lighting on the [illegible] proper. The switchboards and the wiring are in proper condition. The [illegible] of the theaters are in accordance with the regulations. The perforated pipes or automatic sprinklers above the stage, and the fire hose, extinguishers and other appliances for fighting fire, are in apparent good order.

The managers of the theaters, in accordance with the [illegible] detail a man for fire-protection service under orders of the fire department and who is required to have no other duties during performances.

The police department sees that all doors are unlocked, exit lights lit, and the rules observed.

There are several points to which attention is invited. There are only two theaters in the city namely, the Lafayette and the Columbia, which have been built or altered since the adoption of the regulations of 1902, and which are thoroughly fireproof. The other theaters are not fireproof, but have an arch of brick or other fire-resisting material between the stage and the auditorium, with one exception noted above, which will have this fire-resisting material within a short time. As a result, the [illegible] assumed that should a fire take place on the stage, with the [illegible] the asbestos curtain, and the automatically opening skylights [illegible] fired to that part of the theater sufficiently long to enable the spectators to leave the theater in a quiet and orderly manner. This, with the enforcement of the regulations about aisles, fire escapes, stairways, lighted exits and fire appliances, is considered a reasonably safe condition in the theaters.

The perforated pipes or automatic sprinklers will be of greater value when there is greater water pressure as there will be when the new mains are in [illegible] as now [illegible] and [illegible] are being [illegible] of water [illegible] and [illegible] and [illegible] to [illegible] the [illegible] and [illegible] the [illegible] the [illegible] the

taken on reasonable notice to the opposite party and duly authenticated, may be received as evidence before such court in cases not capital."

The object of this statute is stated in Winthrop's Military Law to be not merely to [illegible] when depositions shall be admissible, but to entitle parties to the depositions of witnesses when their personal testimony shall be [illegible] without the need of a delay or expense as other persons to the court, [illegible] tained. The provision for the government of the Navy contains [illegible] provision. It frequently happens in the naval service that a [illegible] must expose behalf the life or liberty of an officer is [illegible] and [illegible] trying of a naval court by the trial of the accused. In that [illegible] witnesses may have been ordered to other duty or to foreign stations at a great distance from the place where the court is being held. It is often a great [illegible] that the witnesses [illegible] the expense of travel, in order that they may be present at the trial. Article 91 of the Articles of War provides that—

"Where it shall appear to any military court that the best interest of justice will be served by taking the testimony of any witness by deposition, the testimony of such witness may be taken upon oral interrogatories and written cross-interrogatories, in the presence of the accused, and recorded by the recorder of such court, in the presence of the accused, and authenticated by the signature of the recorder, and may be read in evidence before any military court in cases not capital, or in any case arising under the articles of war where the witness is dead or out of the military service of the United States, or is absent from the place of trial when it appears that his attendance cannot be procured without great expense or serious loss of time, or when it appears that the witness is unable to attend by reason of sickness or other cause, and such testimony may be received when it appears to be competent, material, and not cumulative, and when it appears that the witness is not a member of the accused's regiment, company, or other military command, and when it appears that the witness is not the accuser, or a witness to the charge, or an officer who will be the prosecutor of the case, or a member of the court martial before which the case is to be tried, and when it appears that the witness is not the commanding officer of the regiment, company, or other military command of which the accused is a member, or of which the officer who will be the prosecutor of the case is such commanding officer, and when it appears that such testimony would be of material value in administering justice in the naval service."

"DEPOSITIONS.

"From the report for 1895:

"'DEPOSITIONS.

"'As a rule, the witnesses whose depositions are required before naval courts-martial are persons in the naval service. Such witnesses are [illegible] orders at all times, and have, as a general thing, no permanent [illegible] but are trial-starred from one station or vessel to another [illegible] requires. For years a complaint has been made that [illegible] may be transferred or [illegible] separated, as the exigencies of the service demand. In [illegible] it has frequently happened that during the trial of a [illegible] charges between the commission of an offense and the trial of the person accused, witnesses important to the prosecution or defense are [illegible] transportation. The peculiarity of the naval service requires [illegible] criteria, under proper restrictions, far more important than in the military service, where the witnesses are for the most part permanently taken from the permanent population of the community in which the offense is committed.

"'Based upon consideration of these peculiar conditions are [illegible]. The Department hesitates to order the trial of an officer in cases where the accused is at some navy yard or station in the United States where witnesses whose testimony should be had at the trial are found to be on their way to Asiatic China, or the South Atlantic station. If convened, the court would, under such circumstances, be unable properly to determine the case brought before it. On the other hand, if the trial be deferred until the witnesses return, unnecessary hardship is imposed upon the person accused who may be [illegible] and witnesses widely separated are brought together especially for the purposes of the trial, serious inconvenience to the service, loss of time and expense is entailed. It is true that by the exercise of promptness and judgment in ordering courts and by keeping important witnesses within reach these evils can be in some measure avoided, but cases arise in which they can not be done, and experience has in the opinion [illegible] that legislation on this subject is desirable. I am confirmed in this view by the fact that a correspondence arising from the same [illegible] doubtless to a less degree, in the Army. Congress has authorized the use of depositions in that branch of the service. Article 91 of the Articles of War provides that—

"'The depositions of witnesses residing beyond the limits of the State, Territory, or district in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.'

"While carefully weighing and reflecting upon the question as to the use of the depositions in criminal cases under ordinary circumstances, I am nevertheless satisfied that the enactment, with reference to the Navy, of a clause similar to that above quoted and which is in force with regard to the Army, would prove to the administration of justice and tend to correct serious evils now existing. It being proposed, of course, that it is by no means proposed or suggested that the examination of witnesses in open court be done away with, but that the admission of depositions be authorized only in cases where a personal attendance is not practicable."

"From the report for 1896:

"'DEPOSITIONS.

"'The power to convene naval general courts-martial is by law vested in the President, the Secretary of the Navy, or the commander in chief of a fleet or squadron, and it is an almost exclusively practiced fact that the commander of a fleet or squadron in the waters of the United States shall convene such court without obtaining permission from the President. I find the commander in chief of any person in the naval service of an offense grave enough to warrant trial by general court-martial, the matter just first made the subject of official report to the commander in chief of the squadron or to the Secretary of the Navy, as the case may be, the circumstances under which the offense was committed are then carefully considered, and such investigation entered upon as may be necessary, and finally, if the case is deemed sufficiently serious, charges and specifications are formulated and a court convened. In practice a considerable time elapses, as a rule, between the commission of an offense and the convening of a court of the person accused, inasmuch as protracted correspondence is often necessary in order to satisfy the convening authority as to whether or not a court should be ordered. In the meantime witnesses having knowledge of facts important to the prosecution or defense may through exigencies of the service be widely scattered, and in such cases it is frequently very difficult and occasions great inconvenience and expense to obtain the attendance of witnesses without whose presence in court the interests of the accused or those of the service will materially suffer.

"'The facts necessary to establish before a naval court-martial the guilt or innocence of the accused usually rest within the knowledge of officers and men in the Navy, a peculiar class of witnesses, having as a rule no fixed or permanent station and liable to be ordered to remote duty at any moment. And there is no question but that when given by deposition undoubtedly no more [illegible] than when given in person. [illegible] the Articles of War [illegible]

"'The depositions of witnesses residing beyond the limits of the State, Territory, or district in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.

"'While carefully weighing and reflecting upon the question as to the use of the depositions in criminal cases under ordinary circumstances, I am nevertheless satisfied that the enactment, with reference to the Navy, of a clause similar to that above quoted and which is in force with regard to the Army, would prove to the administration of justice and tend to correct serious evils now existing. It being proposed, of course, that it is by no means proposed or suggested that the examination of witnesses in open court be done away with, but that the admission of depositions be authorized only in cases where a personal attendance is not practicable.'

From the report for 1897:

"'DEPOSITIONS.

"'Article 91 of the Articles of War reads as follows:

"'The [illegible] Territory, [illegible] authenticated, may [illegible]

[illegible] has for many years past authorized the use [illegible] of depositions [illegible] provided that—

"'The depositions of witnesses stationed or residing at such a distance [illegible] may be put in evidence before such court in [illegible]

From the report for 1898:

"'DEPOSITIONS.

"'A further matter which [illegible] the Navy Department [illegible] the Articles of War [illegible] provided that—

"'The depositions of witnesses residing beyond the limits of the State, Territory, or district in which any military court may be ordered to sit, if taken on reasonable notice to the opposite party and duly authenticated, may be read in evidence before such court in cases not capital.

"'While carefully weighing and reflecting upon the question as to the use of the depositions in criminal cases under ordinary circumstances, I am nevertheless satisfied that the enactment, with reference to the Navy, of a clause similar to that above quoted and which is in force with regard to the Army, would prove to the administration of justice and tend to correct serious evils now existing. It being proposed, of course, that it is by no means proposed or suggested that the examination of witnesses in open court be done away with, but that the admission of depositions be authorized only in cases where a personal attendance is not practicable.'

"From the report for 1899:

"'DEPOSITIONS.

"'In consequence of the peculiar duty on which the officers and men of the Navy are engaged, necessitating their frequent transfer from one station to another and their assignment to duty in different parts of the world from time to time, as the needs of the service require, it very frequently happens that they can not be present before naval courts-martial and courts of inquiry to give testimony with respect to matters lying within their knowledge.

"'It is provided by the Navy Regulations that certain preliminary investigations and reports be made in all cases where doubt exists as to whether or not a court-martial should be convened for the trial of an accused person, and pending these proceedings officers whose testimony is desired, either on behalf of the prosecution or the defense, may be sent to distant stations. If the testimony of such officers is essential, they must be ordered to appear before the court at whatever expense and loss of time the necessary travel may occasion, or the trial must be abandoned. Such embarrassments, which frequently arise, could of course be prevented by the enactment of a properly guarded provision authorizing the use of depositions before naval courts-martial. Congress has heretofore had before it a draft of a measure introduced by a member of the Naval Committee of the House, which provided that—

"'The depositions of witnesses stationed or residing at such a distance from the place at which a naval court is ordered to sit, or who are under orders and about to go to such a station that it is not practicable to secure their personal attendance without incurring great expense or serious loss of time, if taken on reasonable notice to the opposite party and duly authenticated, may be put in evidence before such court in cases not capital."

"It is believed that the use of depositions in proper cases would tend to reduce the expenses attending court-martial on the one hand, and on the other to the protection of material rights in prosecuting the ends of justice, during the trial of the prosecution or the defense, as the case may be, evidence which, owing to the absence of authority for their use, be discovered with whenever it happens that witnesses are so far away or under such duty that it is [illegible] proper to order them to appear before the court.

"'It is proper to add that under the provisions of article 91 of the Articles of War depositions have long been in use before courts-martial in the Army.'

"From the report for 1900:

"'DEPOSITIONS.

"'The matter of the use of depositions before naval courts-martial and [illegible] for many years past [illegible] recommendations mentioned in the reports of this office for previous years [illegible] of the service in this respect are disadvantaged by the lack of a law permitting the practice referred to, which commends itself from every point of view, and is similar to that in vogue in the Army. Congress has [illegible] had before it, in the Senate and in the House, drafts of a measure [illegible] guarded and efficient provisions covering this matter. Attention is invited to the bill, No. [illegible], introduced in the Senate during the last session and reported favorably from the Committee on Naval Affairs, Report No. [illegible]

"From the report for 1901:

"'DEPOSITIONS.

"'The matter of the past few years and the experience had since the last annual report of this bureau has emphasized the importance and the growing necessity of a law permitting the use of depositions before naval courts-martial. The practice referred to, which commends itself from every point of view and is now in vogue in the Army. The [illegible] as each year renewed that this matter receive the favorable attention of the Congress.'

"From the report for 1902:

"'DEPOSITIONS.

"'A measure providing for the use of depositions before naval courts-martial [illegible] Navy, at [illegible] of a bill to authorize the use of depositions before naval courts-martial [illegible] *Be it enacted* [illegible] of America [illegible] or [illegible] change. [illegible] report [illegible] of preventing a [illegible] and [illegible] it [illegible] during the period of the trial of a court for the trial of an officer [illegible] are frequently detached and [illegible] the testimony of witnesses residing on [illegible] the place at which the court is ordered to sit, or who are under orders and about to go to such a station that it is not practicable to secure their personal attendance without incurring great expense or serious loss of time, if taken on reasonable notice to the opposite party and duly authenticated, may be put in evidence before such court in cases not capital.'

Mr. PETTUS. I ask that the bill may be passed over for the present without prejudice. I desire to examine the question whether you can use depositions in a criminal case like this.

Mr. HALE entered the Chamber.

Mr. LODGE. The chairman of the Committee on Naval Affairs is now present.

The PRESIDENT pro tempore. The Senator from Maine is now present.

Mr. HALE. Is there any objection to the bill, Mr. President?

The PRESIDENT pro tempore. The report has been read. The Senator from Alabama says he wishes to look into the propriety or legality of using depositions in criminal cases.

Mr. HALE. These are quasi criminal cases; that is, they are examinations ordered by the Navy Department. Almost in all cases they are for trivial offenses, and it is sometimes almost impossible to get the testimony of parties who are five hundred or a thousand miles away.

I should agree with the Senator that there ought to be no encroachment on the general principle of criminal law that the accused should be confronted with the witnesses. But the Senator sees as well as I do what the situation here is. It is not like a criminal court.

Mr. TELLER. Let the bill go over anyway.

Mr. HALE. If the Senator from Alabama wants the bill to go over, in order that he may examine it further, I have no objection.

Mr. TELLER. Let it go over.

Mr. PETTUS. I merely desire to examine the question. My inclination is to believe that you can not use a deposition in a criminal case without the consent of the accused.

Mr. HALE. You can not, undoubtedly. The bill may go over, and then the Senator and I will confer about it.

The PRESIDENT pro tempore. The bill will go over without prejudice.

Mr. HALE. Without prejudice.

REMOVAL OF DERELICTS.

The bill (S. 2641) to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States, and for the construction of a suitable vessel, to be used for such purpose by the Navy Department, was considered as in Committee of the Whole. It authorizes the President to have constructed, at a cost of not exceeding $300,000, one twin-screw vessel, of about 1,000 tons displacement, to be especially fitted for and adapted to service at sea in bad weather, for the purpose of blowing up, or otherwise destroying or of towing into port, wrecks and derelicts or other floating dangers to ocean navigation in the steamship lanes from the North Atlantic coast of the United States to or beyond the eastern limit of the Georges Bank.

Mr. HALE. I will take the suggestion of the Chair. Has a similar bill to this, reported by the Committee on Commerce, already been passed?

The PRESIDENT pro tempore. A bill similar to this, not, however, leaving the vessel within the jurisdiction of the Navy, but putting it under the Department of Commerce and Labor, and providing for a smaller vessel, to cost $200,000, I believe, was passed.

Mr. HALE. Let this bill be passed, and then we can see which bill is the proper one.

Mr. FAIRBANKS. Does it not amount practically to a duplication?

Mr. HALE. No; this bill provides that the vessel shall be under the Navy, while the other bill provided for another Department furnishing a ship or building it purposely for this service.

Mr. FAIRBANKS. But they are to accomplish the same purpose.

Mr. HALE. They are to accomplish the same purpose.

The PRESIDENT pro tempore. Well, hardly. Will the junior Senator from Maine be allowed to say just a word?

Mr. HALE. I hope so.

The PRESIDENT pro tempore. The vessel provided for in the bill passed the other day was for the southern coast from Hatteras down, where there is greater necessity for it than anywhere else. The one provided for here is for use off the coast east.

Mr. HALE. It is general. I think the bill certainly ought to be passed.

Mr. LODGE. It is for use on the ocean lanes.

Mr. MITCHELL. Is there any limit in this bill?

Mr. HALE. It is general in its terms.

Mr. MITCHELL. The reason I make the inquiry is this: A bill was here last session of Congress having for its purpose the prevention of floating logs by rafts on the Pacific Ocean along the Oregon and Washington coasts. I want to know if this bill would affect that matter.

Mr. HALE. No; it does not affect that at all. It is made applicable to the waters of the United States, wherever these derelicts are, which are very dangerous.

Mr. MITCHELL. A raft might be called, in a sense, a derelict.

Mr. HALE. It would not, technically.

Mr. MITCHELL. Technically it would not mean that.

Mr. HALE. No; a derelict is a half-sunken ship.

Mr. MITCHELL. The reason I interfere is, as I have just stated, I am opposed to legislation that will prevent the transfer of timber or logs by rafts on the waters of the Pacific Ocean.

Mr. HALE. I am inclined to think, although I did not listen to the reading of the bill, that it applies to the lanes off the Atlantic and is not confined to the Southern Atlantic. I think the language of the bill is that way. Will the Secretary read the provision which designates the waters upon which the vessel shall operate?

The Secretary read as follows:

Said vessel to be attached to the Navy Department and to be operated for the above named purpose in the steamship lanes from the North Atlantic coast of the United States to or beyond the eastern limit of the Georges Bank.

Mr. HALE. It would not apply to the Pacific at all.

Mr. MITCHELL. It would not apply to the Pacific at all.

Mr. MALLORY. I did not exactly catch what the Senator from Maine said in reference to the bill which passed the Senate

some time ago, having been reported favorably by the Committee on Commerce, but I understand the junior Senator from Maine to say that this bill applied to dredges in southern waters—on the Atlantic. While that may be so, my recollection of the bill is that it made no provision for any particular location in which the vessel should act.

Mr. HALE. Let me suggest to the Senator that if this bill passes there is a little difference in order that all waters of the Atlantic may be covered, and I think which bill shall be pressed in the other House.

Mr. MALLORY. I do not wish the Senator from Maine to misunderstand me [illegible] this amendment.

Mr. HALE. No.

Mr. MALLORY. In fact, I am in favor of two vessels, and I said so in committee. But the other bill provides that the vessel shall be under the control and management of the Department of Commerce and Labor, and this bill provides for a vessel to be under the control and management of the Navy Department. The purpose and object of these vessels are the same in each case; that is, to dredge harbors. Only this one contemplates to be the home of the vessel Atlantic ships, while the other does not confine it to any particular [illegible] It was my opinion at least that it is my recollection, that she would be used particularly to dredge harbors found along the Gulf stream.

The point to which I wish to call attention is that I should like to see two vessels. I think two vessels are necessary for this purpose; but if we are going to have two vessels, it seems to me it would be well to put them under the same management and control rather than to have one under the Navy Department and one under the Department of Labor and Commerce. That point, if I may be permitted to say so, was considered in the Committee on Commerce, and after considerable discussion we thought it better to put the vessel under the Department of Labor and Commerce.

Mr. HALE. Let this bill pass, and then it can be decided under which Department the vessel shall be placed. It is not important where.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURTS-MARTIAL AT REMOTE NAVAL STATIONS.

The bill (S. 3110) to provide for the convening of general courts-martial at remote naval stations was considered as in Committee of the Whole. It provides that the commandant of any naval station beyond the continental limits of the United States may, by express authority of the President, be empowered to convene general courts-martial in the usual manner and [illegible]

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEOPOLD HERBERT SCHWERIN.

Mr. DRYDEN. I should like to call up the bill (S. [illegible]) to authorize the appointment of Acting Assistant Surgeon Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy.

Mr. LODGE. Let us continue with the Calendar.

Mr. TELLER. I shall have to object to the request of the Senator from New Jersey. I think we ought to go on with the Calendar.

The PRESIDENT pro tempore. Objection is made. The Secretary will state the next case on the Calendar.

KALORAMA AVENUE.

The bill (S. 127) authorizing the opening of Kalorama avenue was announced as the next business in order on the Calendar, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill had been reported from the Committee on the District of Columbia with an amendment, on page 2, section 1, line 3, to strike out all of the bill after the word "ground" and to insert in lieu thereof the following:

"SEC. 2. That of the amount found to be due and awarded as damages for and in respect of the land condemned for the extension of Kalorama avenue, as hereinbefore provided, such amount thereof shall be assessed, by the jury hereinbefore provided, as benefits, and to the extent of such benefits assessed upon the parcels of land on each side of said avenue as shall be benefited by the extension of said avenue, and upon such other parcels or parcels of land which will be benefited by the extension of said avenue as said jury may find, such parcels or parcels of land will be benefited, and to the extent of such benefits assessed against said pieces or parcels of land, respectively, and upon the respective street railways, the said jury shall severally report the amount so assessed against said parcels of land and said street railways as aforesaid: *Provided*, That if the aggregate amount of the benefits to be assessed, as determined by said jury, shall be less than one-half of the amount of the damages awarded for and in respect of the land condemned, the Commissioners of the District of Columbia may, in their discretion, reject the award and assessment of said jury, and all proceedings hereunder shall be null and void.

"SEC. 3. That proceedings to condemn land for said avenue, as provided for herein, shall be under the provisions of sections 1, 2, 5, 6, 7, 8, and 9 of the act of Congress approved June 6, 1888, entitled 'An act for the extension of Columbia road east of Thirteenth street, and for other purposes,' except that the amount of money awarded and adjudged to be payable for lands taken [illegible] out of any money in the United States Treasury [illegible]

"SEC. 4. That when the general commissioners herein provided for shall have ascertained the amount of the benefits to be assessed against the parcels of land and street railways, as herein provided, they shall report the same to the Department of Justice, and any such assessment shall be a lien upon the property assessed, and any such assessment shall be [illegible] as before the order or judgment condemning the land taken or awarding damages.

"SEC. 5. That the sum of $300 is hereby appropriated to provide the necessary funds for the [illegible] not otherwise appropriated."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALLEN V. REED.

The bill (S. 2540) authorizing the appointment of Allen V. Reed, now a captain on the retired list of the Navy, as a rear-admiral on the retired list of the Navy, was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to have some explanation of the bill.

Mr. LODGE. Let it go over without prejudice.

Mr. COCKRELL. Inasmuch as the appointment is to date from 1898.

Mr. HALE. Let the bill go over without prejudice.

The PRESIDENT pro tempore. The bill will go over without prejudice.

Mr. GALLINGER. I will say to the Senator from Missouri that when it comes up again I will be glad to make a full explanation of the reasons why the Naval Committee have reported the bill. A similar bill has twice before been reported, and it passed the Senate at the last session of Congress.

Mr. COCKRELL. I would like to know as to why the commission is to date back.

Mr. GALLINGER. I would rather not undertake the explanation to-day, not being in good health.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

JOSEPH B. SARGENT.

The bill (S. 251) for the relief of Joseph B. Sargent was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to pay to Joseph B. Sargent $583.67, the same being the value of property belonging to him and illegally seized, and for money improperly and unlawfully collected from him as alleged duties and penalties by United States officials at the port of Tampico, Tex.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RICARDO IGLESIAS.

The bill (S. 2845) to authorize the appointment of Ricardo Iglesias as a midshipman in the United States Navy was considered as in Committee of the Whole. It authorizes the President of the United States to appoint Ricardo Iglesias, a graduate of the Naval Academy in the class of 1904, a midshipman in the Navy of the United States, to take rank at the foot of that class, provided he becomes a citizen of the United States.

Mr. BACON. I should like to ask the Senator in charge of the bill whether it is intended by the bill that this midshipman shall take precedence in rank of all classes subsequent to 1904.

Mr. PERKINS. It is not. I will say that Ricardo Iglesias was appointed by joint resolution of Congress in 1899 as a cadet at the Naval Academy. He comes from one of the first families and one of the leading families of Costa Rica. He is indorsed personally to me by the American minister. He was graduated with honors at the Naval Academy at Annapolis. He is recommended by the Superintendent of the Academy, by the Secretary of the Navy, and the Department for this appointment upon the condition that he becomes an American citizen. If this bill shall become a law, he will then take his place at the foot of the list, the same as other cadets graduated at the same time.

Mr. BACON. I understand that.

Mr. PERKINS. He is a bright young man.

Mr. BACON. If the Senator will pardon me, I inquired because I did not know whether there had been any midshipmen appointed subsequent to the graduation of that class. If there

has been none, then of course he will not take precedence of any one previously appointed.

Mr. PERKINS. None has been appointed since.

Mr. BACON. That is the only purpose of my inquiry.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CEMETERY LAND AT CENTRAL CITY, COLO.

The bill (S. 703) setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows, of Central City, Colo., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, to strike out the first paragraph and insert:

That the Secretary of the Interior be, and is hereby, authorized to set apart [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

RESURVEY OF LANDS IN COLORADO.

The bill (S. 2382) providing for the resurvey of certain townships in Garfield and Rio Blanco counties, in the State of Colorado, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF M STREET.

The bill (S. 1635) for the extension of M street east of Bladensburg road, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 3, on page 3, line 5, after the word "act," to insert:

"And provided further, That said commission, when fully organized under the provisions of this act, may, in its discretion, reject the award and assessment of said jury and all proceedings hereunder shall be null and void."

So as to read:

"SEC. 3. That the provisions of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 11 of public act [illegible] approved June 6, 1888, entitled 'An act for the extension of Columbia road east of Thirteenth street, and for other purposes,' except that in said assessment the amount of said award not in excess of said [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXPOSITION AT PORTLAND, OREG.

The bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for said purposes, was next in order on the Calendar.

Mr. GALLINGER. Let the next bill go over.

Mr. CULLOM. I am inclined to move—

Mr. MITCHELL. What suggestion was made about the next bill on the Calendar?

Mr. GALLINGER. I suggested that it might go over for the day.

Mr. MITCHELL. I hope the Senator will withdraw his objection.

Mr. GALLINGER. I have no objection to taking it up, but I do not think the Senate will be likely to pass it to-day.

Mr. CULLOM. If it is going to be discussed—

Mr. TELLER (to Mr. MITCHELL). Let it go over.

Mr. MITCHELL. Let it go over. I shall insist, however, when we take up the Calendar again that we shall proceed with the consideration of this bill.

Mr. PLATT of Connecticut. The Senator from Oregon gave notice this morning that he would call it up on the conclusion of the Panama treaty.

Mr. CULLOM. I wish to move an executive session.

Mr. BLACKBURN. I shall have to object, unless we are to go on and consider down the Calendar.

Mr. CULLOM. The Senator from New Jersey [Mr. DRYDEN] has been trying for a good while to have a bill considered.

Mr. BLACKBURN. I am in charge of a bill which is in front of us, and if we are to go on any further with bills upon the Calendar, I think it would be better to pursue the regular order.

Mr. CULLOM. Will the Senator state what the bill is?

Mr. BLACKBURN. It is Order of Business 293, Senate bill 1553, the second bill ahead.

Mr. CULLOM. So far as the bill in behalf of Liliuokalani is concerned—

Mr. BLACKBURN. That is the bill.

Mr. CULLOM. I am sure there will be discussion about that measure.

Mr. BLACKBURN. If so, let us have it.

Mr. CULLOM. We do not want to have it to-day.

Mr. GALLINGER. I wish to withdraw my request that Senate bill 276 shall go over. I did not suppose that the Senator from Oregon wished to press that bill to-day, but as I certainly shall not oppose the bill I do not wish to interpose any objection.

Mr. MITCHELL. I thank the Senator from New Hampshire. I do not wish to proceed with it if there is any disposition to have any extended debate, of course, but I do not think there will be much debate. The bill may be read, and then we can ascertain the sense of the Senate. I ask that the bill be read for information.

The Secretary read the bill; and it was considered as in Committee of the Whole.

The bill was reported from the Select Committee on Industrial Expositions with amendments.

The first amendment was, in section 4, line 13, before the word "appointed," to strike out the words "a like number" and insert "one."

Mr. PLATT of Connecticut. What is the nature of that amendment?

The PRESIDING OFFICER (Mr. PERKINS in the chair). The amendment will be again read.

Mr. PLATT of Connecticut. But we do not get any right idea of the amendment the way it is stated.

Mr. GALLINGER. Let it be read as amended.

The PRESIDING OFFICER. It will be read as amended.

The Secretary read as follows:

That said commission, when fully organized under the provisions of this act, may, in its discretion, reject the award and assessment of said jury and all proceedings hereunder shall be null and void.

"SEC. 2. That the provisions of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, and 11 of public act [illegible] approved June 6, 1888, entitled 'An act for the extension of Columbia road east of Thirteenth street, and for other purposes,' except that in said assessment the amount of said award not in excess of said [illegible]

The PRESIDING OFFICER. The amendment will be agreed to, if there be no objection. The Chair hears none, and it is agreed to.

Mr. BAILEY. Mr. President—

Mr. MITCHELL. There are two or three other amendments to be acted on.

Mr. BAILEY. It makes little difference at what point in the course of this proceeding I interpose my objection. I have never seen one of these propositions that a majority of the House, when I was there, or a majority of the Senate, now that I am here, have really believed ought to pass and yet I have never seen one of them defeated in either House. It is practically certain that this measure is going to pass. Our successors, perhaps, will be celebrating the acquisition of the Philippines and their successors will probably be celebrating the acquisition of Panama, and they will find other lesser historical events to celebrate.

When they have celebrated everything they can find in the history of mankind for which celebration they will probably begin over to celebrate each one of them for a second and a third time, until I venture to say that in less than twenty years there will be serious propositions presented to Congress for the Federal Government to bear national expenses in certain great cities of this country; and although nobody will believe that it ought to be done a majority will vote to do it.

This, Mr. President, may seem rather an ungracious criticism, but it implies that while we do not always vote for what we consider right in the abstract we are persuaded by peculiar and exceptional circumstances to vote for what, though wrong as a general proposition, is right in the particular case.

I have been difficult at times to resist the persuasion of my friend from Oregon. I am as susceptible to those influences as anybody else, and have no pride in thinking myself exempt from the appeals that control other men in matters of this kind. But I am so sensitive that this is wrong that I must oppose it. I am so certain, however, that my opposition is fruitless that I shall simply content myself with voting against it without further consuming the time of the Senate.

The PRESIDING OFFICER. The Secretary will state the next amendment proposed by the committee.

The SECRETARY. On page 4, section 4, line 18, after the word "States," to strike out "said two" and insert "one;" in line 19 after the word "and," to strike out "a like number" and insert "one to be appointed; on page 5, line 2, after the word "shall," to strike out "appoint" and insert "select;" in the same line, before the word "member," to strike out "seventh" and insert "fifth;" in line 3, before the word "member," to strike out "seventh" and insert "fifth;" and in line 5, after the words "Secretary of the Treasury," to insert "and in case of failure to agree on such fifth member, then such member shall be selected and appointed by the Secretary of the Treasury;" so as to make the section read:

SEC. 4. That said commission, when fully organized under the provisions of this act, shall appoint [illegible] in connection with one appointed by the Lewis and Clark Exposition and American Pacific Exposition to be a corporation under the laws of the State of Oregon, and having its office and principal place of business in said State, one to be chosen from the executive committee of said corporation and one to be appointed from the Lewis and Clark Centennial and Pacific Exposition Commission of the State of Oregon, to constitute a board of arbitration, to which shall be referred all questions arising between said national commission and said company concerning the allotment, management, or general supervision of said exposition, that may be referred to the board, and in case of the failure of said board of arbitration to agree upon any such question, it shall be referred to a board of arbitration [illegible] Secretary of the Treasury, and in case of failure to agree, said board shall [illegible] fifth member so agreed upon to be then appointed by the Secretary of the Treasury, and in case of failure to agree, said fifth member shall be selected and appointed by the Secretary of the Treasury; and the decision of said board shall be final in all matters presented to it for consideration and determination.

The amendment was agreed to.

The next amendment was, on page 8, section 13, line 22, after the words "Executive Departments," to insert "the Library of Congress;" on page 9, line 16, after the words "Executive Departments," to insert "the Librarian of Congress;" in line 22, after the word "named," to insert "and detailed;" and in line 23, after the words "Executive Departments," to insert "one by the Librarian of Congress;" so as to read:

SEC. 13. That the commission [illegible] of the United States, from the Executive Departments, the Library of Congress, the Smithsonian Institution, the Naval Museum, the United States Commission of Fish and Fisheries, such as are required [illegible] Department and with the executive branch of the Government in [illegible] the commission as a war power, having to bear upon the [illegible] of the United States and their independence, the name of the people and the [illegible] American Independence [illegible] to make an exhibit illustrating the progress and international relations of the American Republics [illegible] it the United States Government [illegible] of such exhibit and to secure a comprehensive [illegible] and to secure a congressional appropriation [illegible] National Museum shall be detailed [illegible] Department Board shall be detailed [illegible] of the Commission [illegible] provided to be charged with the selection, purchase, [illegible] of such exhibits, making arrangements, [illegible] and sales according [illegible] and provisions of law governing [illegible] and contracts as the heads of the several Executive Departments, the Librarian of Congress, one by the secretary of the Smithsonian Institution, the Commissioner of Fish and Fisheries, etc.

The amendment was agreed to.

The next amendment was, on page 16, section 19, line 18, before the word "States," to strike out "the" and insert "several;" in the same line after the word "States," to strike out "and Territories;" in line 20, before the word "signified," to strike out "officially;" in line 21, before the word "said," to insert "promising;" on page 17, line 1, after the word "exposition," to strike out "to pay" and insert "its having payment of;" in line 8, after the word "buildings," to strike out "and the making and care of its own exhibits at said exposition;" and in line 13, after the word "said," to strike out "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair" and insert "National Commission;" so as to make the section read:

SEC. 19. That whenever the State of Oregon has appropriated [illegible] as aid in holding said exposition and the Lewis and Clark Centennial and American Pacific Exposition [illegible] with an additional [illegible] tion, aggregating $[illegible] in Congress assembled, that the President of the United States be, and he is hereby, authorized to invite the co-operation of the States of the United States and foreign countries [illegible] to participate in said exposition, and that there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $[illegible] in addition to the sums heretofore appropriated by this act to aid in carrying forward said exposition, including payment of the salaries of the members and secretary of the commission herein and hereinafter mentioned, and such other necessary expenses as may be incurred by said Commission in the discharge of its duties in connection with said exposition, and to discharge all such other obligations incurred by the Government on account of said exposition, except for the erection of its own buildings, and except the sum appropriated for the erection of the Lewis and Clark Memorial Building, and to provide the contingent expenses thereof as hereinafter authorized. That the money hereby appropriated shall be disbursed under the direction of the said National Commission, under rules and regulations to be prescribed by the Secretary of the Treasury, and upon vouchers to be approved by such National Commission, acting by and through its president and secretary.

The amendment was agreed to.

The next amendment was, on page 18, section 20, line 5, after the word "exhibits," to insert "the expense thereof to be paid out of the money hereinbefore appropriated;" so as to make the section read:

SEC. 20. That it is hereby made the express duty of said national commission to provide a fair and complete exhibit at said exposition of the natural resources, industries, manufactures and products of the Pacific States, under the supervision of the Secretary of Alaska, the Hawaiian Islands, the Philippine Islands, and the general government, and to appropriate the moneys of the Islands, Congress, and to that end the President of the United States is hereby authorized to designate and assign such commissioners, officers of the Army or Navy, or other persons in the United States service, and such other persons as he may deem necessary, and to fix their compensation, the expense thereof to be paid out of the moneys herein appropriated.

The amendment was agreed to.

The next amendment was, on page 21, after line 17, to insert as a new section the following:

SEC. 27. That no machinery shall be operated on said exposition grounds on a Sunday for the purpose of the exposition, and no exhibit shall be open on a Sunday for the purpose of the exposition; and the directors of the exposition shall so contract with the concessionaires of the exposition as to carry into effect the provisions of this section, and no concession shall be let or permit granted for any business that shall violate the provisions of this section, or for the holding of devotional exercises and sacred concerts on the grounds on Sunday.

Mr. PLATT of Connecticut. I move to amend the amendment by inserting in lieu of it what I send to the desk; and on that amendment I shall ask for the yeas and nays.

The PRESIDING OFFICER. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. In lieu of the amendment proposed by the committee as section 27 it is proposed to insert the following:

SEC. 27. That no part of any money appropriated by this act or any other act of any and all appropriations [illegible] shall be used for the payment of any and all expenses [illegible] of the exposition, and it shall be the duty of the Secretary of the Treasury to keep the gates closed on Sundays during the entire period of the exposition.

Mr. FULTON. Mr. President, I hope the amendment proposed as a substitute for the amendment reported by the committee will not be adopted. I call the attention of the Senate to the amendment reported by the committee, which reads as follows:

SEC. 27. That no [illegible] shall be operated on said exposition grounds on a Sunday for the purpose of the exposition, and no exhibit shall be open on a Sunday for the purpose of the exposition; and the directors of the exposition shall so contract with the concessionaires of the exposition as to carry into effect the provisions of this section, and no concession shall be let or permit granted for any business that shall violate the provisions of this section, or for the holding of devotional exercises and sacred concerts on the grounds on Sundays.

The amendment offered by the Senator from Connecticut reads:

That no part of any money appropriated by this act or any other act of any and all appropriations [illegible] shall be used for the payment of any and all expenses [illegible] of the exposition, and it shall be the duty of the Secretary of the Treasury to keep the gates closed on Sundays during the entire period of the exposition.

Let me explain our position, Mr. President. You will observe that the committee amendment requires all the machinery to be closed down and all places of amusement to be closed. It prohibits religious exercises and sacred concerts being held within the exposition on Sundays.

This question has been discussed very widely in the city of Portland and throughout the State of Oregon. I was about to say that almost unanimously the people favor the amendment reported by the committee. There are some who are opposed to it, and favor the proposition suggested by the Senator from Connecticut [Mr. PLATT]—a few of the churches; but the churches and religious organizations are divided on the proposition. Quite a number of the leading church societies are strongly in favor of the proposition reported by the committee.

Mr. BAILEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Texas?

Mr. FULTON. Certainly.

Mr. BAILEY. I can not quite understand why this Congress shall prescribe that anybody anywhere shall conduct religious exercises. I presume that there are a number of churches in Portland, Oregon. I am not [illegible] that from anything I have ever seen in that country [laughter], but I presume there are, and I presume that both the inhabitants of that city and the visitors there can easily attend their churches, and no doubt they will do so.

I am only am opposed to the amendment of the Senator from Connecticut [Mr. PLATT], which proposes to close the gates of this exposition against people who must work six days in the week and would like to take their wives and children and go into that exposition on the seventh day, but I am opposed to inserting into a law of Congress any requirement that anybody shall be compelled to hold religious exercises of any kind.

Mr. LODGE. Is that in the original bill?

Mr. BAILEY. No; but it is in the amendment of the committee.

Mr. MITCHELL. I think the provision the Senator refers to should be stricken out.

Mr. BAILEY. I hope it will be.

Mr. FULTON. We have no objection to that, so far as we are concerned.

Mr. BAILEY. I believe as devoutly as anybody in churches;

I believe in the propriety of religious exercises; but I do not believe they ought to be held under the requirements of Congress.

Mr. FULTON. Mr. President, we have no objection to that portion of the bill being eliminated if, in the judgment of the Senate, it is deemed wise that that should be done. But I do not think it is required that any particular denomination shall hold devotional exercises at the exposition. It is simply required that the management shall provide that sacred concerts and devotional exercises shall be held; that is, that the opportunity to do so shall be extended to persons who desire to hold them.

I, however, agree with the Senator from Texas [Mr. BAILEY] that there is no particular reason why this should be required at all. Neither is there any particular reason, in my judgment, why the gates of the exposition should be closed on Sundays or why any portion of the exposition should be closed down, for there are many people who could not attend on any other day. The great body of the laboring people can not attend such places on any other day of the week than Sunday.

There are various good reasons, I think, why certain places of amusement should be closed on that day, because to keep them open would be very objectionable to the great body of the people. I think the places of amusement should be closed; but beyond that I do not think any requirement should be inserted in the bill. I agree with the Senator from Texas as to that.

Mr. BAILEY. I think that places of amusement and the places where people exhibit their wares as a matter of business ought to be closed.

Mr. FULTON. Yes.

Mr. MITCHELL. I will move, on line 24, page 21, section 27, in the new section reported by the committee, to strike out the words "devotional exercises and."

Mr. LODGE. Let it all be stricken out.

Mr. BLACKBURN. Yes; let it all go out.

Mr. PLATT of Connecticut. Mr. President, if I can get the floor on my amendment, I should like to make some remarks.

Mr. MITCHELL. I propose to amend the amendment of the committee by striking out in line 24, on page 21, the words I have stated, "devotional exercises and;" so as to read:

Provision shall be made by those in charge of the exposition grounds for the holding of sacred concerts on the grounds on Sundays.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on the amendment, in the nature of a substitute, submitted by the Senator from Connecticut [Mr. PLATT] to the amendment of the committee as amended.

Mr. PLATT of Connecticut. Mr. President, this matter has come up unexpectedly, and so I have not had time to examine the law which provided for the Chicago Exposition and the law which provided for the Louisiana Purchase Exposition; but I desire to say—and I wish that I may have the attention of the Senate—that in the law which provided for the Chicago Exposition a clause similar to that which has been proposed by the committee for the partial closing of this exposition on Sundays was enacted. It was provided that the machinery should not be in operation—I think, perhaps, almost word for word the provision which has been recommended by the committee—but when it came to the St. Louis Exposition, substantially the amendment which I have proposed was offered and was enacted and made a part of that bill. It reads as follows:

That as a condition precedent to the payment of this appropriation the directors shall contract to close the gates to visitors on Sundays during the whole duration of the fair.

As to the Chicago Exposition it was provided:

That the Government exhibits at the World's Columbian Exposition shall not be open to the public on Sundays.

This matter was thoroughly and fully discussed in the Senate, Mr. President, at the time we passed the bill for the St. Louis Exposition; and, if I am not mistaken, an amendment similar to that which I have now offered was passed upon a yea-and-nay vote by a very large majority.

Mr. BAILEY. If the Senator from Connecticut will allow me, I do not venture to challenge the Senator's memory, but I have an idea that that provision was forced in the bill in the House of Representatives and that it was in the bill when it came to the Senate. I am not, however, entirely sure of that.

Mr. PLATT of Connecticut. I think, Mr. President, that the amendment was offered by my colleague [Mr. HAWLEY]. It was supported by him in a speech, and also by Senator Colquitt, of Georgia. That is my recollection about it.

Mr. COCKRELL. That was the Chicago Exposition. Senator Colquitt was not here when the St. Louis proposition came up.

Mr. PLATT of Connecticut. Perhaps I am mistaken about that; but, however that may be, Congress provided in the St. Louis Exposition bill that the gates should not be opened on Sundays, and I think Congress ought not to recede from that proposition.

I do not propose to discuss this matter at length. There is something to be said on both sides of the question; but I think that Congress, once having taken that stand, ought not to recede from it, and I desire to have the yeas and nays upon my amendment.

Mr. BAILEY. I am disposed to sermonize on this question, using the particular phase of it which now presents itself as a text. One Senator wants Congress to enact a Sunday-closing law in a State of the Union, and another Senator proposes that we shall have a sacred concert under the auspices and command of the Federal Congress.

Independently of an exposition, no Senator would suggest for a moment that a request or resolution of the Federal Congress proposing either would receive the slightest consideration. But our jurisdiction once attaching by this, as I believe, wrongful application, or, I will say, this unwise application of the public money, then we proceed to provide for religious ceremonies, the observance of the Sabbath, and a number of other things wholly foreign to the province of the Federal Government.

I myself believe that we could safely leave it to the State of Oregon to say whether the exposition shall be opened or closed on Sundays. If they are entitled to this help from the Federal Congress, then it comes with bad grace that the General Government shall take them by the throat and compel them to comply with our requirements, rather than leave them to comply with the requirements of the State that created the corporation which is to hold this exposition.

I do not know just how religiously inclined they are in Oregon, but I take it that the Senator from Connecticut and the Senator from Texas, if we are fortunate enough to visit the exposition, could manage to get along during our brief stay there under any system which it pleases the people of Oregon to live under all the while.

It looks to me as though the very history of this provision, as traced by the Senator from Connecticut, serves to warn us. We first began at Chicago, providing that there should be no exhibits on Sunday. That matter might have safely been left to the State of Illinois, but Congress in its wisdom took it under its own control.

Mr. LODGE. That provision had reference to the United States Government's exhibits.

Mr. BAILEY. I think it means more than that.

Mr. LODGE. No; I think only the Government exhibits were to be closed.

Mr. BAILEY. Well, so much the worse for that, and so much the stronger my objection now. We proceed along this line for ten years. Then comes the St. Louis appropriation, and then the Congress not only says there shall be no Government exhibits open to inspection on Sundays, but that the gates shall be closed. Then we reach Portland, in Oregon, in this good year of our Lord 1904, we are confronted with a proposition to require religious exercises and sacred concerts. Thus the matter grows apace, and these local communities, in order to get Federal aid in the shape of money, are submitting their local affairs to the control of the General Government.

So far as I am concerned, I do not think the religious people of this country are looking to Congress to protect their religion. Their religion has grown and spread its blessed teachings all over this land without the aid of the laws of Congress and without even the aid of the legislatures of the several states. The religious sentiment of this country makes no such demand as this upon the American Congress. It does not require—indeed, it will not sanction—a law of Congress that assumes that the people of these communities can not be trusted to spend their Sabbath days in the proper observance of their religious duties.

If you make the fakirs close up their establishments and the merchants and manufacturers discontinue their efforts to sell their wares or even to advertise them—with that much done, then it is a kind of innocent recreation, and I should no more vote to compel them to close the gates upon the toiling population of the city where this exposition is to be held than I would vote to close the gates of the Zoo Park in the city of Washington.

But I presume my views on this question are as obsolete as my views on the appropriation. I presume that these expositions will go on as they have done, still increasing the control of the Federal Government, derived solely and purely through its financial aid. It is not generous, to say the least, to contribute something toward the assistance of this enterprise and then to compel it to submit its control in this regard to the laws of Congress.

Mr. MITCHELL. In order to meet the objection of the Senator from Texas [Mr. BAILEY], and I think his objection is well taken, I move another amendment to the amendment proposed by the committee. Commencing with the words "provision shall," in line 22, page 21, section 27, I move to strike out the remainder of the section in the following words:

Provision shall be made by those in charge of the exposition grounds for the holding of sacred concerts on the grounds on Sundays.

Mr STEWART. Mr. President, I hope the amendment of the Senator from Oregon [Mr. MITCHELL] will prevail, and I presume it will. And I should like to remark here that I think it inappropriate for Congress to enact any legislation in regard to the religious observance of the Sabbath or any other matters pertaining to religion.

It was the most fortunate condition that ever occurred on earth that in the formation of our Constitution religious freedom was ordained. The people of the different colonies came here as believers in the creeds of various denominations. They were very rational in their views and it was many years before the residents of some of the colonies could even visit the others.

When, finally, the conflict came with Great Britain, the colonies united for the purpose of general defense, and after they had succeeded in the Revolution it was found necessary, in order to preserve the Government, that they should form a Constitution. But so jealous were they of their particular creeds—for there were different creeds in each of the colonies—that they left out any reference to creed in the Constitution and provided that each individual might worship God according to the dictates of his own conscience.

I believe that idea has done more for liberty, for religion, for progress and for civilization than any other provision of the Constitution or any other proposition that was ever made in this or any other country.

In traveling through Europe last year and some years before I met people there alluding to our country and the blessing of the principle that here prevails, that all people may worship God according to the dictates of their own conscience.

I am utterly opposed to assuming any jurisdiction over the consciences of men or regulating their religious principles by the General Government, because our position on that question has permeated the entire world; it is world-wide; it is going on revolutionizing the bad practices of tyranny everywhere, and the people of the whole world long for that blessing we so happily enjoy. All interference in the matter of religion having been removed from the province of the General Government by common consent in forming the Constitution, I agree with the Senator from Texas [Mr. BAILEY], and I am old fashioned enough to wish to have all laws on to Sunday observing or religion left out of the bill, and let the States and local communities regulate such matters as they may see proper.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Oregon [Mr. MITCHELL] to the committee amendment.

The amendment to the amendment was agreed to.

Mr. PLATT of Connecticut. How does the text read now?

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

SEC. 6. That no machinery shall be operated on said exposition grounds on a Sunday for any purpose whatever, and no exhibits shall be opened on the grounds of the exposition grounds, and no fees collected on every Sunday during the period that said exposition shall be held.

The PRESIDENT pro tempore. The question now is on the amendment offered by the Senator from Connecticut [Mr. PLATT] as a substitute for the amendment of the committee as amended.

Mr. PLATT of Connecticut. The amendment of the Senator from Oregon [Mr. MITCHELL] having been made, of course there is no objection to that I can see to going further and adopting the amendment which I have proposed. I do not know how many the exposition is going to do on Sunday if no money is to be received and if no placards announcing it are to be allowed.

If it is intended in good faith to live up to that, then I can not see that there is not a occasion for objecting to the amendment which I propose.

Mr. FULLER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Connecticut yield to the Senator from Oregon?

Mr. PLATT of Connecticut. Certainly.

Mr. FULLER. If the Senator from Connecticut will allow me, I will make this suggestion. There is the same objection to closing it on only, even under the present conditions, that there would be to closing any park. Everything is to be seen. The walks are there, the buildings are there, the grounds are there, and there is very much of the display to be seen, practically just as it would be in the case of a city park. The same argument, I suppose, that would require the grounds under these conditions to be closed would require every city park and every museum to be closed on Sunday.

Mr. PLATT of Connecticut. Mr. President, the Constitution recognizes Sunday as a day of rest in that it provides that ten days shall be excluded from the ten days in which the President may hold a bill before signing, and I think when we are called upon to appropriate large sums of money to aid these expositions, we may very well provide that the universal sentiment that one day in seven shall be observed as a day of rest shall be observed with reference to that institution.

Mr. President, the suggestion which has been made that the amendment reported leaves it simply a park has very little significance to my mind. If you will add to it that no admission fee shall be charged on Sunday you might perhaps say that it made the exposition like a city park, but I imagine that that is not the purpose of the amendment or of the managers. If the gates are open and an admission charged we all know that there will be in that inclosure something besides a mere park to be looked at. That, Mr. President, I submit, is begging the question, or to use a very homely but appropriate and significant phrase, it is whipping the devil around a stump.

I do not wish to debate this matter at great length. I was mistaken in supposing that it was the amendment of my colleague [Mr. HAWLEY] which was adopted in the case of the St. Louis Exposition. It was, I believe, the amendment of the Senator from Colorado [Mr. TELLER]. I recall a speech made by Mr. Dingley in the House of Representatives on the occasion of the consideration of the measure relating to the World's Columbian Exposition at Chicago. He said:

> There are in the first place [illegible] at any step that will lead to converting [illegible] allowed me I can only indicate [illegible] one day in [illegible] tion of millions, the Divine injunc- [illegible] sary and inexcusable outrage.

Mr. President, I could [illegible] so well [illegible] made.

If the gates are to be open and an admission fee charged, it is [illegible] that the exposition will not go on. There is no half-[illegible] in which the people think they get the [illegible]

As I said before, the Senate and the Congress have once adopted [illegible] and nays on that [illegible]

Mr. BAILEY. Mr. President, I am [illegible] willing to let the Senator from Connecticut [illegible] any vote that tends [illegible] I do not believe there is a [illegible] that [illegible] after the observance [illegible] a [illegible]

But the Senator from Connecticut [illegible] that the Federal Government has anything to do with the observance of the Sabbath day in any State of the Union. And my objection is that here is a proposition for the General Government to seize the opportunity presented by the aid which it is asked to extend, to project itself into a State and control its purely local regulation.

The Senator from Connecticut does not abhor murder more than I do, and yet I would not agree to incorporate in this bill a provision that the State of Oregon must give a legal or other juror a [illegible] for passing on cases of felonious homicide on those grounds. The Senator from Connecticut does not believe in the Sabbath day more than I do, and yet I would no more ingraft upon this bill a provision that the exposition company shall contract against violating the Sabbath than I would vote to ingraft upon this bill a provision that it must contract to [illegible] murder.

[illegible] of and beyond Federal jurisdiction [illegible]

There is no doubt that the [illegible] can attach to its gift or its [illegible] and then it [illegible] Union [illegible] a local or [illegible] regulation.

The Senator from Connecticut deserves my thanks for characterizing this whole proposition as one of amusement or entertainment [illegible] Senators with that characterization of it in their minds [illegible] then I can readily see that they would not [illegible] Federal Government [illegible] the business of furnishing amusement and entertainment to the people of the States, it is small wonder that the Federal Government attempts at the same time to control the local and purely [illegible] of these States.

Mr. PLATT of Connecticut. Mr. President, the suggestion of the Senator from Texas [Mr. BAILEY] that the United States should not attempt to control the matter of Sunday opening of an exposition or exposition in a State—in this case the State of Oregon—would be very sound if he had not answered his own contention in this: When the Government is called upon to appropriate so much money and really make it a Government exposition—it is not the State of Oregon exposition—we certainly have the right and ought to attach to the grant such provisions as the Congress thinks ought to be observed in relation to the exposition, whether it be Sunday closing or anything else.

There are various other matters in here upon which we insist on the ground that we are contributing so much money to this exposition. It is to be, as I said, a Government exposition. It can not live without this Government aid. The corporation which has been incorporated in Oregon can not carry it through to a successful termination without a large appropriation of money. And so they come here to us and ask us, really and in fact, to constitute a Government exposition when the States of Oregon. That is it exactly and nothing more. If we are going to do that—and I think it is about time that we stopped doing it, because if we do not there is no end to this matter—we have a right to impose conditions.

I remember when the St. Louis Exposition bill was passed that Senator [illegible] he would not vote for another appropriation of Government money for such an exposition. And yet we are doing it, and, as the Senator from Texas says, we shall continue to do it.

As the Senator from Massachusetts [Mr. LODGE] says, it has been a question of industrial promotion. Was not that what [illegible]

Mr. LODGE. I said it was an industry.

Mr. PLATT of Connecticut. An industry. I will amend it a little by saying that it is a matter of industrial and [illegible] who has been [illegible] States and [illegible] the exposition.

[illegible] Government is asked [illegible] I see in another morning [illegible]

Mr. MITCHELL. The amendment from Connecticut is entirely [illegible] It is very [illegible] here in the bill is [illegible] a [illegible]

Mr. PLATT of Connecticut. I [illegible] to be amended.

Mr. [illegible] later on, to strike out the sixteenth section of the bill if we can have permission.

That section provided that $[illegible] of the proposed appropriation should be utilized for the purpose of erecting a Lewis and Clark memorial building, which it was thought by a good many people did not belong to a bill of this character. I myself do not think it does. I never favored that proposition, and propose as soon as I can get the floor properly to move to strike out the sixteenth section, which treats of this subject. That will reduce the amount.

Mr. GALLINGER. Does that leave the Government appropriation a million and a half?

Mr. MITCHELL. One million seven hundred and seventy-five thousand dollars.

Mr. PLATT of Connecticut. I was passing on in saying that in section [illegible] is $[illegible]. I thought I had a right to suppose that that was the amount we were asked to appropriate. It was in the bill, and no amendment, as I understood, had been proposed to take out any portion of it.

I had not proceeded the $[illegible] When St. Louis came here, I well remember the Senator from St. Louis knew how much the people of St. Louis and the corporation raised before they asked the Government to appropriate $[illegible]

Mr. GALLINGER. Five million dollars by the citizens of St. Louis and $[illegible] by the city of St. Louis.

Mr. PLATT of Connecticut. That was $10,000,000.

Mr. GALLINGER. That was $[illegible], every dollar of which had to be expended before the corporation, the Louisiana Purchase Exposition Company, had a right to one solitary penny of the five millions we appropriated.

Mr. PLATT of Connecticut. There was raised, then, from private and municipal or State sources for the St. Louis Exposition $[illegible] upon which they came here and I asked us to appropriate the $[illegible]

Now, this bill says that the exposition people have raised $[illegible] already and $400,000—that is $900,000—and they hope to raise $[illegible] more, and they ask us to appropriate now, as in the case of the Louisiana Purchase Exposition, one half of what has thus been raised and nearly twice as much. That is, they have raised a million. If they get the $[illegible] which they hope to get—and there is no certainty they will ever get it—and they ask the Government to appropriate $1,775,000.

I submit that never before has there been such an appropriation asked of Congress. In the cases of Buffalo and South Carolina and New Orleans, according to my recollection, the Government appropriation did not exceed the amount which it was shown had been raised by private subscription and by appropriations by the States or cities. I do not know whether the $1,775,000 included that the Government is to pay to the contractors [illegible] and for all the expenses of its own exhibit.

Mr. MITCHELL. It includes the pay of the commissioners and everything. The pay of the commissioners under the bill is to be deducted from any appropriation made.

Mr. PLATT of Connecticut. If that be so, we have then simply the proposition that the private corporation and the public corporations having a million dollars come here and ask us to appropriate $[illegible] and we know perfectly well that this is not the last of it. The experience through which we have just passed with regard to the loan of $1,000,000 to the St. Louis Exposition may well remind us that this is not the course of the matter.

The amount appropriated by the Government in connection with the amount raised by citizens and appropriated by the city of Portland or the State of Oregon, as the case may be, is such that it shows that we make this a Government exposition, and to my mind the Government has a perfect right to appropriate [illegible] in the Government [illegible] in the [illegible]

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Connecticut for the consideration of the committee, on which the yeas and nays have been ordered.

The yeas and nays were ordered.

Mr. ALLISON. I ask that the substitute may be stated.

The PRESIDENT pro tempore. The substitute will again be read.

The SECRETARY. In place of the amendment reported by the committee it is proposed to substitute the following:

[illegible] of the [illegible]

Mr. GALLINGER. Mr. President, simply a word. I do not know how it may be in other sections of the country, but I will say that the churches of New England desire this exposition to be closed on the Sabbath day; and, in my opinion, if the gates are not closed on that day it makes very little difference what goes in

this bill of a prohibitive nature. The exposition will be practically wide open and it will be an affront to the religious sentiment of this country. For that reason I shall vote for the substitute.

The PRESIDENT pro tempore. The question is on agreeing to the substitute offered by the Senator from Connecticut for the amendment of the Committee.

The Secretary proceeded to call the roll, and Mr. ALGER responded to his name.

Mr. BACON. Will the Chair please state what is the precise question?

The PRESIDENT pro tempore. It is on the substitute offered by the Senator from Connecticut, closing the exposition on Sunday.

Mr. CULBERSON. Let the substitute be read.

Mr. LODGE. It has just been read.

The PRESIDENT pro tempore. The substitute will again be read.

The Secretary again read the substitute.

Mr. BACON. Mr. President, I desire information, if you please. Is it an addition to the committee amendment or a substitute for the amendment?

Mr. LODGE. Mr. President, I make the point of order.

The PRESIDENT pro tempore. The Senator from Massachusetts raises the point of order that a Senator has answered to his name. The roll call will be proceeded with.

Mr. BACON. I am entitled to ask for information at any time.

The Secretary resumed the calling of the roll.

Mr. MALLORY (when his name was called). I am paired with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. BERRY]. If he were present, I should vote "nay." I do not know how he would vote, and so I withhold my vote.

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. He is not present, and I withhold my vote.

Mr. SCOTT (when his name was called). I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. I am not advised as to how he would vote, and therefore I will withhold my vote.

Mr. MALLORY (when Mr. TALIAFERRO'S name was called). My colleague [Mr. TALIAFERRO] is unavoidably detained from the Senate.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I do not know how he would vote. If I were at liberty to vote, I should vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MONEY]. If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. CLARK of Wyoming (after having voted in the negative). I voted in the absence of my general pair, the junior Senator from Missouri [Mr. STONE]. As he is still absent, I withdraw my vote.

Mr. KITTREDGE. I have a general pair with the junior Senator from Colorado [Mr. PATTERSON]. Not knowing how he would vote if he were present, I withhold my vote.

Mr. WARREN. It has been suggested that we should transfer pairs so that the Senator from Mississippi [Mr. MONEY] stand paired on this question with the Senator from Maryland [Mr. MCCOMAS], thus liberating the Senator from Kentucky [Mr. BLACKBURN] and myself, so that we may vote.

Mr. BLACKBURN. That is right.

Mr. WARREN. I vote "nay."

Mr. BLACKBURN (after having voted in the negative). Then I will have my vote stand. It is already recorded.

Mr. LATIMER. I have a general pair with the junior Senator from Illinois [Mr. HOPKINS]. I do not see him present in the Chamber, and therefore withhold my vote.

Mr. DRYDEN. I should like to announce that my colleague [Mr. KEAN] is absent from the city.

Mr. MALLORY. I transfer my pair with the Senator from Vermont [Mr. PROCTOR] to the Senator from Florida [Mr. TALIAFERRO]. The Senator from West Virginia [Mr. SCOTT] is paired with my colleague [Mr. TALIAFERRO], and this transfer will allow us to vote, if that is agreeable to the Senator from West Virginia.

Mr. SCOTT. Entirely so.

Mr. MALLORY. I vote "nay."

Mr. SCOTT. I vote "yea."

Mr. NELSON. I transfer my pair with the senior Senator from Arkansas [Mr. BERRY] to the junior Senator from New York [Mr. DEPEW], who I understand is not paired, and I vote "nay."

Mr. GALLINGER. Does the Senator know how he would vote?

Mr. NELSON. If I am correctly informed, he is not paired. He is not here. Neither Senator is here.

Mr. PERKINS. I will transfer my pair with the junior Senator from North Carolina [Mr. OVERMAN] to the senior Senator from Connecticut [Mr. HAWLEY], and vote. I vote "yea."

The result was announced—yeas 29, nays 17, as follows:

YEAS—29.

Allee,	Culberson,	Foster, La.	Platt, Conn.
Allison,	[illegible]	Frye,	Quarles,
Bard,	Dolliver,	Gallinger,	Scott,
Bate,	Dryden,	Gamble,	Spooner,
Burnham,	[illegible]	Gibson,	Teller.
Carmack,	[illegible]	[illegible]	
[illegible]	Fairbanks,	[illegible]	
Cockrell,	[illegible]	Perkins.	

NAYS—17.

Alger,	Foster, Wash.	Martin,	Stewart,
[illegible]	[illegible]	Mitchell,	Warren.
[illegible]	[illegible]	Nelson,	
Blackburn,	[illegible]	Newlands,	
Clay,	[illegible]	Simmons,	

NOT VOTING—44.

Aldrich,	[illegible]	[illegible]	[illegible]
Ankeny,	Dietrich,	[illegible]	[illegible]
Bacon,	[illegible]	Latimer,	Pettus,
Berry,	[illegible]	McComas,	Platt, N. Y.
Beveridge,	Hale,	[illegible]	Proctor.
[illegible]	Hanna,	[illegible]	Quay.
[illegible]	Hansbrough,	[illegible]	[illegible]
Clark, Mont.	Hawley,	Millard,	Stone.
Clark, Wyo.	Hoar,	Money,	[illegible]ro,
Clarke, Ark.	Hopkins,	Morgan,	[illegible]
Daniel,	[illegible]	Overman,	[illegible]

So the amendment proposed by Mr. PLATT of Connecticut was agreed to.

Mr. MITCHELL. I offer one more amendment. I move to strike out the sixteenth section of the bill. It is the section providing for a memorial building. Striking out the section does not in any manner disarrange the bill, but it eliminates from the bill all relation to the memorial building.

The PRESIDENT pro tempore. Does the Senator from Oregon move to strike out the entire section?

Mr. MITCHELL. The entire section—section 16, on pages 12, 13, 14, and 15 of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MITCHELL].

The amendment was agreed to.

Mr. NELSON. On page 3, line 14, I move to strike out "seven," before the word "commissioners," and insert "three."

Mr. MITCHELL. That is, reducing the number of commissioners to three?

Mr. NELSON. Yes, sir.

Mr. MITCHELL. I have no objection to that amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 2, on page 3, line 14, before the word "commissioners," strike out "seven" and insert "three."

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Minnesota [Mr. NELSON].

The amendment was agreed to.

The PRESIDENT pro tempore. If there be no further amendment——

Mr. ALLISON. The amendment suggested by the Senator from Minnesota I think will suggest also an amendment to section 4 of the bill. I do not know that the amendment is essential, but I should like to say one word respecting section 4.

Section 4 seems to provide for a board of arbitration which shall be created for the purpose of settling differences between the United States commission and the Oregon corporation or exposition company.

Section 4 provides:

That said Commission, when fully organized under [illegible] this act, [illegible] appointed by the President [illegible] and certain Federal officers [illegible] business at Portland, [illegible] United States [illegible] Louisiana Purchase Exposition [illegible] National Commission and said company [illegible] agreement of general supervision over said exposition [illegible] Secretary of the Treasury, and in case of vacancy [illegible] such member shall be selected [illegible] by the Secretary of the Treasury.

Under the amendment proposed by the Senator from Minnesota there will be three commissioners, and I understand there are five members of this board of arbitration provided for. It seems to me that this section 4 is not a very important section. There can be but very little to arbitrate between the local exposition company and the Commission appointed by the United States.

Mr. STEWART. What are they to arbitrate?

Mr. ALLISON. They are to arbitrate all differences "arising between said National Commission and said company concerning the administration, management, or general supervision of said exposition." That is the matter that is left to this board of arbitration.

My attention was not called until a few moments ago to this bill and to this nonpartisan commission; and, by the way, it would be rather difficult to have it appointed, it seems to me.

Mr. HOAR. What is meant by a nonpartisan commission?

Mr. ALLISON. I refer the Senator from Massachusetts to the Senator from Oregon. I do not quite understand it myself—

[illegible] nonpartisan commission * * * shall be appointed * * * by the [illegible]

Then the third section provides for the duties of this commission:

The [illegible] to be called [illegible] the United [illegible] of Portland [illegible] * * * [illegible] hereafter, appoint such [illegible] as may be deemed expedient.

I do not know how many committees they can get out of three commissioners, though I am in perfect sympathy with the Senator from Minnesota as to the number of the members of the commission.

Mr. MITCHELL. If the Senator will allow me a moment, there are really but three commissioners to be appointed now, and in view of certain amendments which relate to the bill there is no necessity for that section at all.

Section 4 of the bill as originally drafted with that section provided that the money appropriated by Congress should be disbursed by the local company, but that has all been changed so that the disbursement of money is absolutely and wholly under the control of the National Commission, which has now been reduced by the amendment of the Senator from Minnesota to three members. I do not see anything to arbitrate particularly, and therefore I move to strike out that section. Is that satisfactory to the Senator from Iowa?

Mr. ALLISON. I do not know whether it is or not. As I read the bill, and I read it only hastily, I do not see anything the Government Commission has to do except to have general supervision over the exposition.

Mr. PLATT of Connecticut. And to make a report.

Mr. ALLISON. We passed a similar bill for the St. Louis Exposition, and we provided for the appointment of nine commissioners there. We provided, as is provided here, that the commissioners should be immediately appointed and should receive their compensation beginning with their appointment and continuing six months after the close of the exposition.

It was required—as this bill, I think, requires—that they should have general supervision of the exposition.

Mr. MITCHELL. I call the attention of the Senator to this clause in the nineteenth section, on the seventeenth page, as follows:

That the money hereby appropriated shall be disbursed under the direction of the said National Commission, under rules and regulations to be prescribed by the Secretary of the Treasury, and upon vouchers to be approved by such National Commission, acting by and through its president and secretary.

Mr. ALLISON. Yes: I had observed in reading the bill hastily that it did provide for the disbursement by seven persons. Now, the disbursement is to be made under the direction of three persons. I do not see anywhere a provision here that the commissioners shall give bond for the faithful performance of their duties or that they will have any particular duties except that of disbursement.

Mr. HOAR. Section 7.

Mr. PLATT of Connecticut. They are to accept a site.

Mr. ALLISON. I will take section 6, to which the Senator called my attention. Section 6 leaves all the important questions——

Mr. HOAR. No; I did not mean to call the Senator's attention to section 6, but to the seventh section.

Mr. ALLISON. I am now on section 6. Section 6 provides:

That the [illegible] of said commissioners, [illegible] exhibits, plan and [illegible] for the construction and the [illegible] of permanent [illegible] shall be done and [illegible] Iowa and the Universal and American Pacific Exposition [illegible]

Now, the criticism I make on section 6 is that although we have a national commission that is to disburse these funds this National Commission has no power to indicate the scope and extent of the exposition or to state how much money shall be expended in the construction of buildings or the various expenses necessary in opening up and in the preparation of the exposition.

Mr. HOAR. Just read the first line of section 7.

Mr. ALLISON. All right. It provides:

That after the plans for said exposition shall be prepared by said company and approved by said commission——

Mr. HOAR. "Approved."

Mr. ALLISON. Very well; they have the right of approval—the rules and regulations of said commission concerning rates for exhibits and admission [illegible] of the exhibitors, or of the persons [illegible] said company.

Mr. PLATT of Connecticut. By the corporation.

Mr. ALLISON. Undoubtedly. That, of course, to some extent gives the commission power; they have the power of approval, but the scope of the exposition is to be determined by the local corporation.

I do not wish to interfere too much with the plans of the people who are organizing this exposition, but what I fear is that we will be placed in precisely the same situation we are now as regards the St. Louis Exposition, namely, that they will prepare a plan and scope for the exposition which will require us hereafter to make expenditures either by way of appropriation or by way of loan to the exposition.

So it seems to me, taking these sections as I have read them hastily, and the general scope of the bill, it is not sufficiently guarded to protect the Government of the United States.

Mr. PLATT of Connecticut. May I call the Senator's attention to one matter?

Mr. ALLISON. Certainly.

Mr. PLATT of Connecticut. I do not see that these commissioners are to receive any salary.

Mr. MITCHELL. Four thousand dollars.

Mr. SPOONER. That is never omitted.

Mr. ALLISON. They are to receive $4,000, which is to be taken out of the money which we appropriate.

Mr. PLATT of Connecticut. In what section is it provided?

Mr. ALLISON. That is very clearly provided for on page 16.

Mr. PLATT of Connecticut. I thought it was very strange if it was omitted.

Mr. ALLISON. Section 17 reads:

That the [illegible] by the President under this act shall [illegible] be paid by the Secretary of the Treasury and deducted from [illegible] said exposition.

Mr. PLATT of Connecticut. I had not observed that. I thought they were to be paid merely their expenses.

Mr. ALLISON. They are to be paid a salary and their expenses, and all that is to be deducted from the amount appropriated in this bill.

The same provision was practically in the act for the Louisiana Purchase Exposition. The Secretary of the Treasury, under that provision, deducted $245,000 from the general appropriation made by Congress for the St. Louis Exposition, and he will deduct, of course, from this appropriation enough to pay these commissioners, who are to be three now instead of seven.

Mr. MITCHELL. Twelve thousand dollars.

Mr. ALLISON. Twelve thousand dollars a year from now until December, or whatever the month is, in 1906.

Mr. MITCHELL. After they are appointed.

Mr. ALLISON. After they are appointed, and they are to be appointed and must enter upon their duties thirty days after the passage of this act.

Mr. President, I have not had the opportunity to look into this bill very closely, but I believe that it ought to be a little more carefully and fully guarded as respects the interest of the United States, and as respects the safeguards which should be thrown around the expenditure of this money.

The bill does not disclose all that the Government will be called upon to pay. We have provided here for a reasonably elaborate governmental exhibit, which will cost at least $500,000 upon any plan that can be devised on the scope proposed in the bill.

Two hundred and fifty thousand dollars is already appropriated, as I understand it, for the Government building and an elaborate scheme of boards to be composed of members of the different Executive Departments. We have provided for Government exhibits to be transferred from Washington to Portland, Oreg., put in place there, and afterwards returned; which will certainly cost $250,000 more unless it is done with greater economy than is being practiced at St. Louis and was practiced in reference to the Government exhibits at Buffalo.

This bill may be all right, and I make these criticisms with a great deal of hesitation, because I assume it has been carefully considered by the committee having it in charge.

Mr. SPOONER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. ALLISON. I do.

Mr. SPOONER. The Senator has had a great deal of experience in drawing these bills——

Mr. ALLISON. No, I have not. I have had a good deal of experience in providing for appropriations upon bills drawn by others, or providing appropriations on the ground that the law required it to be done.

Mr. SPOONER. I should like to inquire of the Senator from

Iowa just what has the best ruling is as to the true construction of the word "nonpartisan," in section 2, where it is provided:

"That a nonpartisan commission is hereby established, consisting of twenty members, [illegible] as the President, [illegible] etc.

Mr. ALLISON. The Senator from Massachusetts made that same inquiry of me.

Mr. SPOONER. [illegible] to any party?

Mr. ALLISON. I suppose it means that they should not belong to any party.

Mr. HOAR. Many things [illegible]

Mr. SPOONER. [illegible] of people who hate the Democratic party and do not like the Republican party, who [illegible]

Mr. MITCHELL. Mr. President, I suppose it is very good to joke about [illegible]

Mr. SPOONER. What is meant by the word "nonpartisan," I would like to know.

Mr. MITCHELL. I suppose what the promoters or writers of the bill [illegible] I were President of the United States [illegible] appoint two men from the Republican party and two from the Democratic party.

Mr. SPOONER. What kind of a Democrat?

Mr. MITCHELL. Well, a good [illegible]

Mr. SPOONER. Ordinarily where commissions consisting of three members are appointed the presumption is that not more than two members of such commission shall belong to the same political party.

Mr. ALLISON. I observe several provisions in the bill which look to me as though they ought to be more carefully guarded. For instance, the provision respecting the importation of exhibits and the transfer of them from St. Louis to Portland, Oreg. The bill may be properly and sufficiently guarded in that respect, but I should want to have it the committee has not already obtained it, the opinion of experts from the Treasury Department on that subject. After the bill shall have been passed and become a law all appropriations, of course, must be made in accordance with its terms.

I see also that the Postmaster-General is authorized and directed to grant to the National Commission and to the local commission the franking privilege, which is to continue under the act of June [illegible]

Mr. GALLINGER. Was a similar provision contained in former exposition bills?

Mr. ALLISON. I am not sure, but I do not remember having objected to such a provision in any of those bills. The privilege is given to these commissions, and I do not think it has been given to similar commissions in former bills.

Mr. HOAR. I should like to inquire of the Senator from Iowa if that franking privilege would not, under the meaning of that section, be very much more extensive than that which is granted to any official of the United States Government. Our franking privilege is limited to official communications with the various departments of the Government, etc., but this is absolute and unlimited.

Mr. ALLISON. That is an excellent suggestion of the Senator from Massachusetts. It shows that we should look more carefully. It seems to me that the various provisions of this bill. I think the bill should be amended, perhaps, to provide that the franking privilege should not apply to official printing or communications appertaining thereto by the exposition.

There would be a very large amount of printing under which would be passed through the franking privilege. I hardly think we ought to grant such an extensive franking privilege as is proposed here.

Mr. MITCHELL. That can be corrected by providing that it shall only apply to official business.

Mr. ALLISON. Unfortunately; but I should greatly prefer to have [illegible] a little more carefully before we pass on it.

Mr. GALLINGER. Before the bill is acted upon, I wish to call the attention of the Senator from Oregon to the words on page 7, section 7, line 15, in relation to the moneys heretofore appropriated by Congress. Those words were changed in section 16, amounting to $250,000, and they were stricken out, I think.

Mr. MITCHELL. Let the word "sums" be stricken out and the word "sum" inserted.

Mr. GALLINGER. Should not the words "in addition to the sum herein appropriated for the purpose" to go out entirely? Were not those sums all in one sum?

Mr. MITCHELL. No; $250,000 was in a former section. The word "sums" should be amended by making it singular.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 16, section 19, line 25, before the word "hereinbefore," it is proposed to strike out the word "sums" and insert "sum."

The amendment was agreed to.

Mr. MITCHELL. I move to amend on page 3, section 2, line 13, before the word "commission," by striking out "nonpartisan;" and line 14, after the word "commissioners," by inserting "not more than two of whom shall belong to the same political party."

The PRESIDENT pro tempore. The question is on the amendment.

Mr. NELSON. I want to be heard for a moment, Mr. President.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. NELSON. One vice, to my mind, in the bill relating to the St. Louis Exposition, was the provision establishing a nonpartisan commission composed of nine members. The bill providing for that commission gave them a salary of $5,000 a year each, $3,000 for a secretary, and $10,000 for expenses, amounting in the aggregate to $58,000 a year. I presume that commission has cost the Government, to come out of the appropriation for the St. Louis Exposition, over $60,000 a year, and it will be three years this next spring, during which time the members of that ornamental commission will have had their salary.

The real work and management of the exposition has been done by the corporation of which Governor Francis is the head. The Government commissioners have now for nearly three years drawn $5,000 salary apiece, $3,000 for their secretary, $10,000 for the expenses of the Commission, and, in addition, their traveling expenses. I do not know what those expenses may be, but I imagine that that Commission has cost the Government at least $80,000 a year. By next spring it will amount to $150,000, and they will probably linger another year and get another year's salary.

While, Mr. President, I am willing to vote aid for these expositions, for I think on the whole they are good, I do not believe we ought to fasten an ornamental commission on this exposition. I would be glad in this instance to have this bill recommitted and to have all the provisions in respect to an ornamental commission eliminated from it, because the real work, as I have said and as the Senator from Iowa has well stated, is done by the corporation in charge of it in Oregon. They are the managers and have to bear the burden of the work. Why should we encumber the exposition with an ornamental commission and have the expenses of that commission deducted from the appropriation? I would much prefer to take the amount of the salary and expenses of an ornamental commission and add it to the appropriation for the benefit of the exposition.

Mr. President, I repeat that I should be glad to see this bill recommitted and to have all the provisions in relation to so-called nonpartisan Commissions entirely eliminated. I think it was a vice in the bill relating to the St. Louis Exposition. We know how that furnished a lot of places for Congressmen, and I do not want this bill to afford the same kind of opening for them.

Mr. MITCHELL. I will say, if the Senator will allow me, that the vice, if it was a vice, in the St. Louis bill was in the fact that we did not give the Commission power to control the expenditure of the funds. This bill not only creates a commission, but gives it control of every dollar of the fund proposed to be appropriated. The Senator talks about an ornamental commission. We do not propose to have an ornamental commission. I wonder what purpose would be served by passing the bill.

Mr. NELSON. I would pass it in that form, with the real charge of the exposition, the corporation that manages it and performs it. Then the money that is required and the ornamental commission would be used for the purposes of the exposition. As it now is, all those Government commissioners will have to do will be to go around, look wise, draw their salaries, and say how the money shall be expended.

Mr. MITCHELL. It seems to me that if the nation is going to make a contribution to aid of this enterprise it ought to control the money that is appropriated for the purpose, and the control should be in the general Government of the nation.

Mr. ALLISON. Then leave it to the Secretary of the Treasury.

I will venture another suggestion to the Senator from Oregon, and that is that this commission shall cease to exist on June 30, 1906.

Mr. MITCHELL. I think there is no objection to that; and I will move that amendment.

Mr. ALLISON. The amendment is, on page 8, line 7, after the word "the," to strike out "31st day of December" and insert "[illegible]th day of June."

I [illegible] if the Senator from Oregon [Mr. MITCHELL] would [illegible] now, in view of what the Senator from Maine [illegible] said, exactly the power of this national [illegible] for in this bill.

The PRESIDENT pro tempore. The amendment on page 8 has not yet been agreed to. The amendment will be stated.

The SECRETARY. On page 8, section 11, line 7, after the word "the," it is proposed to strike out "31st day of December" and insert "[illegible] of June."

The amendment was agreed to.

Mr. ALLISON. Now, I should like the Senator from Oregon to give me the information I just requested in regard to the power [illegible]

Mr. MITCHELL. In the first place, in section 7 it is provided that after the plans for said exposition shall be prepared by said company they shall be approved by the said Commission. That is clear.

Mr. ALLISON. That is in section 7?

Mr. MITCHELL. Section 7. All of the plans in regard to this exposition are to be approved by the National Commission [illegible]

The [illegible] bill provides that all the money appropriated [illegible] shall be disbursed under [illegible]

Mr. ALLISON. What [illegible]

Mr. MITCHELL. I [illegible] just at this moment.

Mr. HOAR. They [illegible] approve or [illegible]

Mr. MITCHELL. Referring to approve is to disapprove, I take it.

Mr. ALLISON. The [illegible]

That the [illegible] of exhibits, plan [illegible] and examiners for [illegible]

All these things—

[illegible] Lewis and Clark Centennial and [illegible]

The PRESIDENT pro tempore. The amendment offered to section 2 has not yet been agreed to. The amendment will be stated.

The SECRETARY. On page [illegible] n 2, line 13, before the word "commission," it is proposed to strike out "nonpartisan;" and [illegible] not more than two of [illegible] political party.

The amendment was agreed to.

Mr. GALLINGER. Now, Mr. President, to perfect the text of the bill, if the Senator will turn to section 25 he will want to change the amount of the appropriation there made of $2,125,000. It should be, I think, $1,775,000.

Mr. MITCHELL. It should be $1,775,000.

Mr. GALLINGER. I move that amendment, Mr. President.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 21, section 25, lines 1 and 2, it is proposed to strike out "two million one hundred and twenty-five," and insert "[illegible] seven hundred and seventy-five;" so as to make the section read:

[illegible] of $1,775,000 in all shall take [illegible] upon the passage of this act.

The amendment was agreed to.

Mr. PLATT of Connecticut. I move to strike out the twenty-[illegible]

Mr. MITCHELL. Is the Senator from Connecticut willing to amend that section so as to [illegible] the franking privilege to official communications?

Mr. PLATT of Connecticut. It ought to be amended a good deal more than that. If the bill is going to be recommitted to [illegible]

Mr. MITCHELL. I hope it will not be recommitted to the [illegible]

Mr. PLATT of Connecticut. Then it ought to be amended more than it can be by a [illegible] I think. In the first place, [illegible] General [illegible] the franking privilege [illegible] and may grant to the Commission, [illegible]—I will read the section. [illegible]

[illegible] the Postmaster General of the United States be, and he is [illegible] may [illegible] and the Secretary of the Lewis and Clark [illegible]

[illegible] of the States of Oregon the franking privilege by [illegible] December [illegible] Secretary, director-general, and superintendent aforesaid.

Mr. HOAR. Will the Senator, in order to complete his statement, permit me to observe that the franking privilege is to be enjoyed not only by this commission, but by the corporation.

Mr. PLATT of Connecticut. Exactly; and I think that if we are going to give the officers of this corporation the franking privilege it ought to be very carefully guarded, and Congress itself ought to give it to them, and not authorize the Postmaster-General to do so.

Mr. MITCHELL. Let the section go out. I move to strike out section 26.

The amendment was agreed to.

Mr. ALLISON. On page 17, section 19, line 12, it is provided:

That the money hereby appropriated shall be disbursed under the direction of the said national commission, under rules and regulations to be prescribed by the Secretary of the Treasury—

I see a practical difficulty under this provision. The corporation, the State of Oregon, the city of Portland, etc., have contributed to this fund $900,000, and the Government contributes $1,775,000. That must be in some way a common fund for the erection of the exposition buildings. I should think a safer provision would be "that the money hereby appropriated shall be expended by and under the direction of the said national commission, under rules and regulations to be prescribed by the Secretary of the Treasury." The language now employed would seem to indicate that the commission can only disburse the money upon vouchers approved by them.

Therefore, under this provision as it now stands, they have no control over the expenditures until the voucher period shall have arrived. They can only approve the vouchers.

Mr. FULTON. Then the Senator wishes to strike out the word "disbursed" and to insert "expended."

Mr. ALLISON. "Expended and disbursed," or some words that will give the national commission the power to supervise the expenditures as they are made from day to day, and not simply the power to approve or disapprove the vouchers as they are presented to them.

Mr. MITCHELL. I submit to the Senator from Iowa if the provision as it stands does not do that very thing. It reads:

That the money hereby appropriated shall be disbursed under the direction of the said national commission, under rules and regulations to be prescribed by the Secretary of the Treasury—

That they may do before there are any vouchers—

and upon vouchers to be approved by such national commission, acting by and through its president and secretary.

Mr. ALLISON. Very well. Then the Senator will not object to inserting, after the words "shall be," in line 13, the words "expended by and."

Mr. MITCHELL. Not at all. There is no objection to that.

Mr. ALLISON. So that it will be read "shall be expended by and disbursed under the direction of."

Mr. MITCHELL. Very well. That is more specific.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The amendment will be stated.

The SECRETARY. On page 17, section 19, line 13, after the words "shall be," it is proposed to insert "expended by and;" so as to read:

That the money hereby appropriated shall be expended by and disbursed under the direction of the said national commission, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The preamble was agreed to.

On motion of Mr. MITCHELL, the title was amended so as to read: "A bill to provide for the celebration at Portland, Oreg., of the one hundredth anniversary of the exploration of the Oregon country by Captains Meriwether Lewis and William Clark in the years 1804, 1805, and 1806, and for other purposes."

Mr. MITCHELL. I ask that the sections now be renumbered.

The PRESIDING OFFICER. The sections will be renumbered so as to run consecutively.

BUILDING FOR THE DEPARTMENT OF STATE, ETC.

Mr. FAIRBANKS. I desire to give notice that after the close of remarks with respect to Colombia and Panama to-morrow, I will move that the Senate proceed to the consideration of the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor, provided it does not interfere with the consideration of any appropriation bill.

RELATIONS WITH COLOMBIA.

Mr. BACON. Mr. President, with the permission of the Senate, I desire to offer an amendment, in the nature of a modification, to Senate resolution No. 82, which was submitted by me. I will state that the modification I offer is one which strikes out all of the resolution after the word "Colombia," in the sixth line, and in lieu thereof inserts the words which I send to the desk.

The PRESIDING OFFICER. The Senator from Georgia, as the author of the resolution, has the right to modify it.

Mr. BACON. I ask that it may be read as it will read when modified.

The PRESIDING OFFICER. The Secretary will read the resolution as modified by the Senator from Georgia.

The SECRETARY. As modified the resolution reads as follows:

Resolved, That the President be respectfully informed that the Senate [illegible] of the Senate [illegible] of the Senate [illegible] of the Senate [illegible] of the United States.

The PRESIDING OFFICER. The resolution as modified will be restated.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 9, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 8, 1904.*

The House met at 12 o'clock m.

Prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D., as follows:

O Lord God, our Heavenly Father, we bless Thee for the indissoluble ties which bind Thy children together into one great family, so that when one member suffers the whole body suffers with it. Our hearts touched for the stricken people of the flame-swept city of Baltimore, we pray that the tangible aid and heartfelt sympathy which will be poured out upon them may encourage them to build their homes and business interests anew, that they may go forward even to greater success.

Hear us, we beseech Thee, O God, in the name of Jesus Christ our Lord. Amen.

The Journal of Friday's proceedings was read and approved.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I desire to ask unanimous consent that the Senate amendments to the urgent deficiency bill be nonconcurred in and that the House ask for a conference.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. The gentleman from Indiana asks unanimous consent that the urgent deficiency bill be taken from the Speaker's table, and the Senate amendments disagreed to, and the House ask for a conference.

Mr. BARTLETT. Mr. Speaker, I desire to say that I will not delay the consideration of this bill, but I shall not consent to the amendments being disagreed to and its being sent to conference. I shall insist, under Rule XXIII, that these amendments, the subjects-matter of which for the first time have been considered by the House, shall be considered in the House as in Committee of the Whole.

Mr. TAWNEY. Mr. Speaker, if the gentleman will withhold his objection just for one moment——

Mr. BARTLETT. Yes, sir.

Mr. HEMENWAY. I suggest that by this action the House disagrees to every one of these amendments, and there will be ample opportunity as far as one amendment is concerned—that relating to the St. Louis Exposition—for the House to discuss and vote upon it. The conference committee would in no event agree to that amendment without full discussion on the part of the House and a vote upon it by the House.

Mr. BARTLETT. Mr. Speaker, I withhold the objection in order that the gentleman from Minnesota may——

Mr. HEPBURN. Mr. Speaker, I desire to make objection to this motion by the gentleman from Indiana that the amendment carrying $4,000,000 may be considered in the Committee of the Whole.

Mr. BARTLETT. That is the purpose of my objection, I will state to the gentleman.

Mr. TAWNEY. Mr. Speaker, I was about to suggest to the gentleman from Georgia that perhaps his objection would be met if the gentleman from Indiana would simply modify his request and ask that the House nonconcur in all the Senate amendments except amendment No. 10, and reserve that amendment and ask unanimous consent that that amendment be considered in the House as in Committee of the Whole. That certainly would insure every opportunity for consideration of this amendment and also give opportunity for amendment to the amendment.

Mr. PAYNE. Mr. Speaker——

Mr. TAWNEY. I have the floor, Mr. Speaker, and I will also state to the House that in any event the committee having jurisdiction of the subject-matter of this amendment proposes to intend to propose an amendment to the Senate amendment. There is no disposition to ask for a concurrence in the amendment as it passed. If opportunity is given for consideration, in the House as in Committee of the Whole, of this amendment, which the Committee on Industrial Arts and Expositions has instructed me to present, every opportunity for consideration will be given on that amendment if the gentleman from Indiana will so modify his request as to reserve Senate amendment No. 10 and ask that that amendment be considered in the House as in Committee of the Whole.

Mr. HEPBURN. Mr. Speaker, I would feel it my duty to interpose the same objection on that. I do not want it to be considered, where the gag of the previous question can be operated, until after there is fair opportunity for discussing the matter.

Mr. TAWNEY. I will say, Mr. Speaker, the gentleman, I do not think, will have any reason to complain of there not being ample time for debate.

Mr. HEPBURN. There is no reason why this should not take the ordinary course. It is a very important matter. The rule provides for it, and probably there is no proposition that will come from the Senate this session where this rule ought to be invoked more than on this one.

Mr. BARTLETT. Mr. Speaker, I yield to the gentleman——

Mr. HEMENWAY. I have not yielded the floor to anyone.

The SPEAKER. If this bill takes its course under the rule, it will have to go first to the Committee on Appropriations. Now, the Chair suggests to the gentleman from Indiana, if he so desires and asks unanimous consent, that the bill be referred to the Committee of the Whole House on the state of the Union. That would dispense with the necessity of its going to the Committee on Appropriations and being reported back. If there is objection, it would have to go to the Committee on Appropriations first.

Mr. HEMENWAY. Mr. Speaker, there is no desire on my part to prevent a full and free discussion as to these amendments. I understand that under the rule, if objection is made, this report would have to go to the Committee on Appropriations and be reported back. I am very sure it would be reported back with the recommendation that the House disagree to all the Senate amendments. So I see no reason why we should go through that form, but go into Committee of the Whole at once. I therefore, Mr. Speaker, ask unanimous consent that the bill be referred to the Committee of the Whole House on the state of the Union at once for discussion.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the bill be taken from the Speaker's table and be referred to the Committee of the Whole House on the state of the Union.

Mr. HEPBURN. Mr. Speaker, I want the reference to be so made that this particular amendment shall have separate consideration, and I make the parliamentary inquiry whether, under this request, it can have that separate consideration.

The SPEAKER. In reply to the parliamentary inquiry by the gentleman from Iowa, the Chair will say that the bill under consideration in the Committee of the Whole House on the state of the Union would be precisely as appropriation bills are considered, paragraph by paragraph, as to the Senate amendments.

Mr. HEMENWAY. Before the Chair puts that request, I want to add this: That all the other amendments be disagreed to.

Mr. BURKETT. Mr. Speaker, I want to reserve an objection there before the matter passes over.

The SPEAKER. The gentleman from Indiana has the floor. To whom does he yield?

Mr. HEMENWAY. I will yield to the gentleman from Georgia.

Mr. BARTLETT. I want to have this matter considered——

Mr. TAWNEY. Let the other amendments be nonconcurred in.

Mr. BARTLETT. Mr. Speaker, I arose and was recognized by the Chair, and withheld my objection in order that the gentleman from Minnesota might be heard. The gentleman from Indiana, as I understood, yielded the floor, and the Chair recognized me to make a statement. I have not yet had that opportunity.

The SPEAKER. The Chair may have done so, but the Chair did not undertake to take the gentleman from Indiana from the floor and give new recognition to the gentleman from Georgia. But there can be no trouble about it. The gentleman from Indiana, I have no doubt, is naturally desirous to yield to any gentleman.

Mr. HEMENWAY. Certainly; and I yield to the gentleman from Georgia to ask a question.

Mr. BARTLETT. I do not want to ask any questions. I am desirous of making a statement.

Mr. HEMENWAY. How much time does the gentleman desire?

Mr. BARTLETT. A few minutes.

Mr. HEMENWAY. I yield to the gentleman five minutes.

Mr. BURKETT. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman from Indiana yields to the gentleman from Georgia five minutes, pending which the gentleman from Nebraska desires to make a parliamentary inquiry.

Mr. BURKETT. I desire to ask if the matter now pending is by unanimous consent?

The SPEAKER. The gentleman from Indiana asked unanimous consent that the bill may be taken from the Speaker's table and referred to the Committee of the Whole House on the State of the Union.

Mr. BURKETT. If an objection is interposed, the matter must go to the Committee on Appropriations?

The SPEAKER. Undoubtedly.

Mr. BURKETT. I object.

The SPEAKER. Objection is made by the gentleman from Nebraska, and the bill is referred to the Committee on Appropriations.

PROSECUTIONS UNDER SHERMAN ANTITRUST LAW.

Mr. JENKINS. Mr. Speaker, by direction of the Committee on the Judiciary, I make the following privileged report on House resolution No. 194.

The Clerk read the resolution, as follows:

House resolution No. 194.

Resolved, That the Attorney-General of the United States is hereby requested to send to this House copies of his annual report showing responses of the dates when the various suits were instituted, which were reported by him in his annual report to the House of date January 13, 1904, in response to the resolution passed by this House on the same day, 1904, covering [illegible] among other things as to how many and what kind of legal proceedings have been instituted by him or under his direction, under the provisions of what is known as the Sherman anti-trust law, and the law approved February 4, 1887, and as amended by the act approved March 3, 1891, and amendatory thereof, and supplemental thereto; and, in order to facilitate information in so far as same can not be given in said annual report of January 13, 1904, as to the places where such suits are pending and as to whether or not he has filed in any of such cases a complaint [illegible] such cases are of general public importance as to give them precedence over other business, and if he has filed such complaint, the name of said cases and cases he has filed it in, giving the date or dates of filing.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the resolution was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 2, 1904:

H. R. 7849. An act to authorize the county of Poinsett, in the State of Arkansas, to construct a bridge across the St. Charles River at or near the town of Marked Tree, in said county and State; and

H. R. 9292. An act in relation to business streets in the District of Columbia.

On February 3, 1904:

H. R. 196. An act granting a pension to Grace E. Carson;

H. R. 227. An act granting a pension to Margaret Cotter;

H. R. 616. An act granting an increase of pension to Sarah Chrysler;

H. R. 661. An act granting an increase of pension to Elizabeth E. Meekly;

H. R. 722. An act granting an increase of pension to Zachariah B. Stuart;

H. R. 864. An act granting an increase of pension to Albert Moulton;

H. R. 895. An act granting an increase of pension to Margaret M. Walker;

H. R. 907. An act granting an increase of pension to De Witt C. Parker, alias Clinton J. Parker;

H. R. 930. An act granting an increase of pension to Thomas M. Parkison;

H. R. 942. An act granting an increase of pension to James F. Hardy;

H. R. 957. An act granting an increase of pension to Alonzo Carpenter;

H. R. 990. An act granting an increase of pension to Harrison W. Fox;

H. R. 1184. An act granting an increase of pension to William F. Longenhagen;

H. R. 1288. An act granting an increase of pension to Jason Stevens;

H. R. 1517. An act granting an increase of pension to George W. Hutchison;

H. R. 1856. An act granting an increase of pension to Alexander H. Covert;

H. R. 1908. An act granting an increase of pension to Harvey D. Barr;

H. R. 2042. An act granting an increase of pension to Alvin B. Hubbard;

H. R. 2108. An act granting an increase of pension to Henry D. Wright;

H. R. 2139. An act granting an increase of pension to James W. Kight;

H. R. 2155. An act granting an increase of pension to Charles W. Bechstedt;

H. R. 2188. An act granting an increase of pension to Richard L. Cook;

H. R. 2424. An act granting a pension to Emma Butler;

H. R. 2435. An act granting a pension to Reuben Vermillion;

H. R. 2472. An act granting an increase of pension to David F. Lewis;

H. R. 2616. An act granting an increase of pension to Joseph K. Welt;

H. R. 2690. An act granting an increase of pension to Thomas Kelly;

H. R. 2991. An act granting an increase of pension to Lydia A. Topping;

H. R. 3000. An act granting an increase of pension to William C. Best;

H. R. 3001. An act granting an increase of pension to Alpheus Converse;

H. R. 3013. An act granting an increase of pension to John A. Mavity;

H. R. 3472. An act granting an increase of pension to Marcus E. Amsden;

H. R. 3743. An act granting an increase of pension to Charles E. Foley;

H. R. 3778. An act granting an increase of pension to Juliaetta Rowling;

H. R. 3821. An act granting an increase of pension to Hannah Padgett, now Riley;

H. R. 4115. An act granting an increase of pension to Joseph S. Young;

H. R. 4200. An act granting an increase of pension to Milton H. Sweet;

H. R. 4319. An act granting an increase of pension to John Sexton;

H. R. 4726. An act granting an increase of pension to Samuel B. Brightman;

H. R. 4916. An act granting an increase of pension to Allen M. Pierce;

H. R. 4935. An act granting an increase of pension to Edward T. Miller;

H. R. 5005. An act granting an increase of pension to Worthington S. Lock;

H. R. 5177. An act granting an increase of pension to William H. Clark;

H. R. 5197. An act granting an increase of pension to William C. Brown;

H. R. 5246. An act granting an increase of pension to Sebastian B. Elliott;

H. R. 5464. An act granting an increase of pension to Francis M. Northern;

H. R. 5521. An act granting an increase of pension to Charles S. Clark;

H. R. 5559. An act granting an increase of pension to Josephine C. Chase;

H. R. 5719. An act granting an increase of pension to Forbes Homiston;

H. R. 5841. An act granting an increase of pension to Abram Wilson;

H. R. 6004. An act granting an increase of pension to William C. Lyon;

H. R. 6441. An act granting an increase of pension to Peter Fillion;

H. R. 6619. An act granting an increase of pension to Benjamin R. Little;

H. R. 6830. An act granting an increase of pension to Charles E. Likes;

H. R. 6932. An act granting an increase of pension to Harvey R. King;

H. R. 6975. An act granting an increase of pension to George W. Lawson;

H. R. 7002. An act granting an increase of pension to James S. Reardeb;

H. R. 7370. An act granting an increase of pension to Andrew Ivory;

H. R. 7666. An act granting an increase of pension to Laura F. Hine;

H. R. 5010. An act granting a pension to Mary F. Hamilton; and

H. R. 5043. An act granting a pension to William H. Harrison.

On February 5, 1904:

H. J. Res. 98. Joint resolution to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia.

FRAUD IN REFERENCE TO INDIAN LANDS.

Mr. JENKINS. Mr. Speaker, the Committee on the Judiciary, to whom was referred the House resolution [illegible] report back in lieu thereof a substitute, and recommend the adoption of the substitute, which I will send to the desk and ask to have read.

The Clerk read the substitute, as follows:

Resolved, etc. That the Attorney-General of the United States is requested, in so far as in his judgment it is not incompatible with the interests of the public service and will not prejudice any investigations or prosecutions now pending, to send to the House of Representatives, for the information of the House, a full report made by any special examiner or examiners sent by the Department of Justice in the years 1903 or 1904 to the Indian Territory to investigate the charges of corruption made by S. M. Brosius, agent of the Indian Rights Association, or any other person against officers, United States courts, and others in that Territory, in relation to the conduct of such officers in leasing Indian lands and property rights, and also how many and what were the names of such examiners, and what was the length of time each of them was so engaged; and also to send to the Department any report by other officers, if so asked by the House, for its information; also send to this House a copy of the instructions given to the examiner or examiners who made such investigation, also a statement of all contracts or other business which are now or have been pending in the Department of Justice, or any other Department, in which any of the corporations known as Tiger, Dunn, Leonard, and Frost, or any other corporation, firm, or individuals, are interested, and whether or not such officers were or are members of such companies or are now in the employ of the Government.

The SPEAKER. The question is on agreeing to the substitute resolution.

The question was taken; and the substitute resolution was agreed to.

On motion of Mr. JENKINS, a motion to reconsider the last vote was laid on the table.

ANN A. DEVORE.

The SPEAKER laid before the House the bill (S. 1760) granting a pension to Ann A. Devore, with a House amendment disagreed to.

The amendment was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House insist on its amendment and agree to the conference asked for by the Senate.

The SPEAKER. The question is on the motion of the gentleman from New Jersey, that the House insist on its amendment and agree to the conference asked for by the Senate.

The motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama.

AUSTIN ALMY.

The SPEAKER laid before the House the bill (S. 200) granting an increase of pension to Austin Almy, with a House amendment disagreed to.

The amendment was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House insist on its amendment and agree to the conference asked for by the Senate.

The question was taken, and the motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama.

SALE OF RED LAKE INDIAN RESERVATION.

Mr. STEENERSON. Mr. Speaker, I ask unanimous consent that the bill (S. 1960) authorizing a sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, be taken from the Union Calendar and considered in the House as in the Committee of the Whole House, and that the same be made a special continuing order.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that the bill S. 1960 to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, be taken from the Union Calendar and considered in the House as in the Committee of the Whole House, under the following conditions: That the same be a special continuing order, not to interfere with revenue or appropriation bills or other privileged matters. Is there objection?

Mr. PAYNE. Mr. Speaker, I would like to know what the bill is about before I give my consent.

Mr. TAWNEY. Mr. Speaker, I would state for the information of the gentleman from New York that it is a bill similar to the one considered by the House a few days ago on the request of the gentleman from South Dakota [Mr. MARSHALL].

Mr. PAYNE. I would like to ask the gentleman from Minnesota [Mr. STEENERSON] if this bill has been reported.

Mr. TAWNEY. I will state that it has been favorably reported by the Committee on Indian Affairs.

Mr. PAYNE. Is this bill a bill similar to those that were passed in regard to North and South Dakota lands?

Mr. STEENERSON. It is similar to the bill passed in regard to the Rosebud and Devils Lake reservations with this exception, that all of the land is sold and none of it is given to the State of Minnesota, inasmuch as the Supreme Court has disposed of that question.

Mr. PAYNE. There is no appropriation in the bill?

Mr. STEENERSON. No; there is no appropriation in the bill.

Mr. PAYNE. All the money received from the sale of the land goes to the Indians?

Mr. STEENERSON. It all goes to the Indians; the United States acts simply as trustee for the sale of the land and pays the money over to the Indians.

The SPEAKER. Is there objection to making this order, as requested?

Mr. PAYNE. When is the bill to be considered? Does this order take effect at once?

The SPEAKER. Oh, yes; it is to be a special continuing order. Is there objection? The Chair hears none.

BRIDGES OVER THE MINNESOTA RIVER.

Mr. DAVIS of Minnesota. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The bill (H. R. 8501) to declare a portion of the Minnesota River in the State of Minnesota not navigable and authorizing the construction of bridges thereon was read with the following amendment:

Strike out all after the enacting clause and insert the following:

"That navigable waters of the United States within the State of Minnesota shall be construed and [illegible] to be those only which are navigable in their natural condition [illegible] the purpose of navigation on streams which are navigable in their natural condition [illegible] the State of Minnesota, and not westward from [illegible] of Minnesota, and not westward from the city of [illegible] Minnesota, and not westward from the city of [illegible] Minnesota.

"SEC. 2. That said bridges and accessory works, when built and constructed [illegible] according to the terms and limitations thereof, shall be [illegible] shall be recognized and known as post roads upon which the mails of the United States may be carried, and the use thereof for the transportation of the mails, and property of the United States, shall be free forever; and said bridges and accessory works shall be subject to the right of Congress to prescribe from time to time the rates of toll to be charged upon persons and property passing over the same, and to regulate from time to time the tolls and charges for such transportation, and to regulate from time to time by appropriate legislation the management of said bridges.

"SEC. 3. That the United States shall have the right of way for such postal telegraph and telephone lines across said bridges as the Government may construct or permit.

"SEC. 4. That Congress reserves the right to alter, amend, or repeal this act in whole or in part.

"A bill to declare a portion of the Minnesota River not a navigable stream and authorize the construction of bridges across the Minnesota River in the State of Minnesota."

Mr. PAYNE. I should like to know from what committee this bill is reported.

Mr. DAVIS of Minnesota. From the Committee on Interstate and Foreign Commerce.

Mr. PAYNE. They have prepared this substitute?

Mr. DAVIS of Minnesota. Well, I prepared it at their suggestion.

Mr. PAYNE. It has met their approval?

Mr. DAVIS of Minnesota. It has.

Mr. PAYNE. I should like to know whether it has met the approval of the War Department?

Mr. DAVIS of Minnesota. It has, in its present form. The Secretary of War objected to the original form, but suggested this form, and the bill has been amended to comply with his suggestion.

Mr. PAYNE. Then this form is in accordance with the suggestion of the War Department?

Mr. DAVIS of Minnesota. It is.

There being no objection, the House proceeded to the consideration of the bill.

The amendment, in the form of a substitute, reported by the Committee on Interstate and Foreign Commerce was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

The SPEAKER. In the absence of objection, the amendment proposed by the committee to the title will be agreed to.

There was no objection.

On motion of Mr. DAVIS of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

SENATE AMENDMENTS TO URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I report back from the Committee on Appropriations the amendments of the Senate to the bill (H. R. 10954) making appropriations to supply urgent deficiences in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The SPEAKER. The bill with the amendments will, without objection, be referred to the Committee of the Whole House on the state of the Union.

Mr. HEMENWAY. I move that the House now resolve itself into the Committee of the Whole for the consideration of this bill.

Mr. ROBINSON of Indiana. I rise to a parliamentary inquiry—whether it is necessary now to reserve points of order.

Mr. HEMENWAY. No points of order can be made against Senate amendments.

Mr. ROBINSON of Indiana. I should like to inquire whether this bill as it comes from the Senate provides for the testing of coal at the St. Louis Exposition by machinery offered to the Government for nothing.

Mr. HEMENWAY. I understand that there is an amendment on the bill carrying $30,000 for the testing of coal. That amendment, of course, will be subject to discussion when the bill is under consideration in the Committee of the Whole.

The SPEAKER. The gentleman from Indiana [Mr. HEMENWAY] moves that the House resolve itself into the Committee of the Whole for the consideration of this bill with the amendments.

Mr. WILLIAMS of Mississippi. Before that motion is put, allow me an inquiry. I suppose if the motion be carried there will be opportunity to vote separately upon each of the Senate amendments.

The SPEAKER. The matter will be considered in the Committee of the Whole, under the rules of that committee, just as any other bill in a like position.

Mr. WILLIAMS of Mississippi. Before we go into the Committee of the Whole, I should like to have some arrangement made in regard to the control of the time.

Mr. HEMENWAY. I ask unanimous consent that the time be controlled by the gentleman from Georgia [Mr. LIVINGSTON] and myself. In making this request I will state that as there is an item—I suppose the main item to be discussed—providing an appropriation for the St. Louis World's Fair, the time, I presume, will be equally divided between those who are opposed to that proposition and those who are in favor of it.

Mr. PAYNE. Allow me to ask whether either of these two gentlemen is opposed to that amendment?

Mr. HEMENWAY. The gentlemen in charge would divide the time equally between those opposed to the proposition and those favoring it. It is well to have the time under the control of a member.

Mr. PAYNE. I think it would be better for us to go into the Committee of the Whole under the ordinary rules. I object to the arrangement proposed.

The motion of Mr. HEMENWAY was agreed to; and accordingly the House resolved itself into the Committee of the Whole on the state of the Union, Mr. CURRIER in the chair, for the consideration of the urgent deficiency bill with the amendments of the Senate.

Mr. HEMENWAY. I ask that the Clerk report the first amendment of the Senate.

The Clerk read as follows:

Insert the following:

"For expenses incurred and to be incurred by the President in cooperating through the Interstate Commerce Commission with the commissioners of Missouri, Illinois, Indiana, and other States in the purpose set forth in the proclamation of the President of the United States and accompanying papers transmitted to Congress December 9, 1903, and approved in Senate document No. 2, Fifty-second Congress, first session, [illegible] and the commission appointed for this purpose shall terminate July 1, 1904."

Mr. HEMENWAY. Mr. Chairman, I move to nonconcur in that amendment.

The CHAIRMAN. The gentleman from Indiana moves that the committee recommend to nonconcur in the amendment just read. The question is on the motion of the gentleman from Indiana.

Mr. PAYNE. Mr. Chairman, I understand the motion is on nonconcurrence——

The CHAIRMAN. That is the motion.

Mr. PAYNE. I want to take the floor in opposition. I will yield such time to the gentleman from Indiana as he desires.

Mr. HEMENWAY. I will yield to the gentleman from New York.

Mr. PAYNE. I do not see how the gentleman can hold the floor when the Chair was proceeding to put the question.

Mr. HEMENWAY. I hold the floor by reason of the fact that I am recognized by the Chair and have asked for a vote upon this amendment.

Mr. PAYNE and Mr. HEPBURN. Wait a moment.

Mr. HEMENWAY. If there is to be a discussion, I will discuss it first.

Mr. HEPBURN. Mr. Chairman, a parliamentary inquiry.

Mr. PAYNE. I understood the gentleman from Indiana to make a motion to nonconcur in all the Senate amendments.

Mr. HEMENWAY. Oh, no.

Mr. PAYNE. And the Chair proceeded to put that motion.

Mr. HEMENWAY. Oh, no. If the gentleman will permit me——

Mr. PAYNE. Wait a moment. I am asking the Chair, is not that correct that the Chair commenced to put the motion——

The CHAIRMAN. Yes.

Mr. PAYNE. When I rose to ask for debate. Now, of course, if the gentleman from Indiana wishes to debate this first, that is all right, but the opposition to this four million six hundred thousand——

Mr. HEMENWAY. The gentleman from New York seems to have lost track of what is going on and of the question before the House.

Mr. PAYNE. I understood all of the Senate amendments were included in the motion.

Mr. HEMENWAY. If the gentleman will give attention——

Mr. PAYNE. Before that is done, I submit that general debate on this proposition is in order.

Mr. HEMENWAY. Why, if the Chair pleases——

The CHAIRMAN. The Chair thinks general debate is in order, and will recognize the gentleman from Indiana [Mr. HEMENWAY].

Mr. HEMENWAY. Now, I simply want to state that as to these amendments not affecting the St. Louis World's Fair we seek to nonconcur. I should like to have the attention of the gentleman from New York, so that he may understand what is proposed by the committee.

When it comes to the amendment in regard to the St. Louis World's Fair, I hope the committee will have ample time to discuss it. I do not care whether it is one, two, or three hours, or whatever time is necessary; but as to the general Senate amendments upon this bill, I simply seek to get them in conference as promptly as possible, and not waste time all through this bill discussing a matter which ought to be discussed all at one time.

Mr. PAYNE. If the gentleman will allow me a suggestion——

Mr. HEMENWAY. Yes.

Mr. PAYNE. It seems to me that if we have general debate upon this bill and upon the amendments, it may result that nobody will object to disagreeing to the Senate amendment except this particular one. After the general debate is concluded we may be able then to nonconcur in all the Senate amendments save this single amendment, and then to take a separate vote upon that. It seems to me it would be better to go on with the general debate. I am as anxious as the gentleman to get through with this bill to-day.

Mr. HEMENWAY. We must proceed in order. An amendment has been read by the Clerk. I have moved to nonconcur in that amendment.

Mr. PAYNE. The Chair has held that general debate is in order.

Mr. HEMENWAY. That amendment is numbered 1, and under the rule we have five minutes' debate on each side. As far as I am concerned, I have expressed all of the argument I desire to make upon the first amendment.

Mr. HEPBURN. Mr. Chairman, I think the gentleman is mistaken in the observation he has just made. I think the situation is just this: The Speaker held, in response to a question, that this bill, when reported back, would stand before the committee like any other appropriation bill, would stand upon the same ground, and had Members would have the same rights. Now, if this were an appropriation bill, the first order would be the reading of the bill in extenso and then general debate.

Mr. PAYNE. May I suggest right there that the reading of the bill has never been dispensed with?

Mr. HEPBURN. I was about to say that the reading has not been dispensed with. The Clerk began to read. I suppose under that rule, and having read the first section, the gentleman from Indiana immediately rose.

Mr. HEMENWAY. Oh, well, will the gentleman permit now——

Mr. HEPBURN. I think we did not understand that the bill was being read by paragraphs.

Mr. HEMENWAY. If the gentleman would prefer to enter into the discussion of the amendments in regard to the St. Louis Exposition now, in place of waiting until we get to that subject,

I have no objection: but I was proceeding upon the theory that we would dispose of the formal amendments first, and after they are disposed of take up the St. Louis amendment. Upon that amendment I hope the committee will have all the time that it wants. If the committee wants to take a week to discuss that subject, I do not care.

Mr. HEPBURN. If the gentleman will permit me, I suggest that if we pursue that course, then when you reach amendment No. 10 any man may object under the manner in which we are reading the bill now, and the debate would be limited to five minutes on a side.

Mr. HEMENWAY. That can not be, because I have not asked to dispense with the first reading of the bill, because I do not want to cut off general discussion. For that sole purpose I do not ask to dispense with the first reading of the bill; but by proceeding and disposing of the formal amendments, then I will ask that this amendment be passed until we get through with the balance of the amendments, and then we can go back and bring that before the House.

Mr. HEPBURN. There will be no disposition to interfere with the gentleman at all if we can be assured that when we come to amendment No. 10 there will be ample time for discussion of that amendment.

Mr. HEMENWAY. I will say to the gentleman there has been no request to dispense with the first reading of the bill. We can not limit discussion in the committee. We would have to go to the House to do it. I hope to dispose of the formal amendments first, and then take up this amendment last and discuss it.

Mr. TAWNEY. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TAWNEY. The House is now in Committee of the Whole House on the state of the Union considering not the bill, but certain Senate amendments to an appropriation bill. The inquiry which I desire to make is whether the same rule applies in the Committee of the Whole with regard to the first reading of the amendments or the same rule as to general debate applies in the Committee of the Whole when you are considering Senate amendments as would apply if we were considering an original appropriation bill.

The CHAIRMAN. The Chair rules that the bill has not to be read, but that each amendment has to be read, and that there may be general debate on each amendment. If the amendment contains more than one paragraph, it may be considered under the five-minute rule, by paragraph. The Chair will recognize the gentleman from Indiana.

Mr. HEMENWAY. If there is no further discussion, I ask for a vote on the motion to nonconcur.

The CHAIRMAN. The gentleman from Indiana moves that the House nonconcur in the first Senate amendment.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 2: In lines 24 and 25 strike out "$2,000" and insert "$2,500."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 3: Insert on page 3, line 1:

"For the purchase of two horses for the official use of the Department of State, $300."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 4: On page 3, line 22, strike out "fifteen" and insert "twenty-five."

Mr. HEMENWAY. Mr. Chairman, it seems to me to be a waste of time to go through the bill reading these separate amendments. I understand there are but two amendments that the committee desires to discuss. One is amendment No. 10 and the other is an amendment providing for the analysis of coal at the St. Louis Exposition. I ask unanimous consent, Mr. Chairman, that the committee nonconcur as to all the other amendments, and that their reading be dispensed with, unless there is some other amendment some gentleman desires to discuss.

Mr. WILLIAMS of Mississippi. Not being acquainted with the character of the amendments, I think it would be better to read them just as they come in, so that the House may understand them.

The CHAIRMAN. Objection is made.

Mr. HEMENWAY. Then, Mr. Chairman, I move that the committee nonconcur in the amendment just read.

The motion was agreed to.

The Clerk read as follows:

On page 4, line 13, insert "for expenses, not salaries, of inspection of consulates, to be expended under the direction of the Department of State, $8,000."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk read as follows:

On page 5, line 5, after the word "annum," insert "Consul at Dalny, Manchuria, at the rate of $5,000 per annum."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk read as follows:

On page 5, lines 6, 7, and 8, strike out "(7) $9,111.27" and insert "$4,569.60."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk read as follows:

On page 5, after line 17, insert:

"For postage required to prepay matter addressed to Postal Union countries, and for postage for the Treasury Department, for the fiscal year 1905, $[illegible]."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk read as follows:

On page 8, after line 10, insert:

"Office of the Treasurer: For the following additional employees for the [illegible] work of [illegible] per annum each: one laborer, and one foreman [illegible] per annum; in all, $6,025."

Mr. HEMENWAY. I move that the committee nonconcur.

The motion was agreed to.

The Clerk proceeded to read amendment on page 8, after line 18:

Louisiana Purchase Exposition—

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that that be passed over until the bill is read.

The CHAIRMAN. The gentleman from Indiana asks that this amendment be passed over without prejudice until the reading of the other amendments is completed. Is there objection?

Mr. MADDOX. What is that?

Mr. HEMENWAY. I ask that this be passed over until the balance of the amendments have been disposed of.

The CHAIRMAN. The Chair hears no objection, and it is so ordered.

The Clerk read as follows:

On page 9, after line 13, insert:

"Paris exposition: The following [illegible] of the deficiency appropriation [illegible] work [illegible] Paris [illegible] and the appropriation made available from the end of said fiscal year 1905 to September 30, 1906."

Mr. HEMENWAY. Mr. Chairman, I move that the committee nonconcur in the amendment.

The motion was agreed to.

The CHAIRMAN. The Chair will call the attention of the committee to the fact that in the printed bill it appears that the amendments are numbered, and hereafter the Clerk will report the amendments by numbers and not by page.

The Clerk read as follows:

Amendment No. 12: Reimbursement to the Independent Line Steamers of [illegible] Steamers of [illegible] have [illegible] due to a collision [illegible] in the night of [illegible] $[illegible]."

Mr. HEMENWAY. I move that the committee nonconcur.

Mr. PAYNE. Mr. Chairman, I understand there is only one other amendment that any gentleman desires to have discussed besides this amendment, No. 10, and I would suggest if that gentleman will name his amendment perhaps we can nonconcur in all the others except those two, amendment No. 10 and the amendment the gentleman desires to have discussed.

Mr. WILLIAMS of Mississippi. If the gentleman will excuse me, the gentleman from Indiana made that request a while ago. There are amendments in here of which none of us have heard and of which we know nothing as to their character. Here is one: "To pay the balance due to the Independent Line Steamers, of Tampa, Fla." etc. We have not heard anything about that, and we would like to have some explanation in regard to some of these amendments.

Mr. HEMENWAY. I am asking to nonconcur in them. Of course the gentleman will understand these are Senate amendments that the House seeks to disagree to. I do not know why the Senate put it on, and I have no way of ascertaining until it goes into conference. The gentleman is asking the very question I should ask: why this item is on here I would want to know. As it is now I do not know, it being a Senate amendment.

Mr. WILLIAMS of Mississippi. I understand that, but it is very possible there might be other amendments which upon explanation the House would want to concur in.

Mr. HEMENWAY. If there are, the House will have opportunity later on to pass upon them.

Mr. WILLIAMS of Mississippi. I know that——

Mr. HEMENWAY. And all I seek to do, in asking unanimous consent to nonconcur in all the Senate amendments except those the House desires now to discuss, is, of course, that the committee on conference will take up these amendments with the Senate and ask the reason why they have inserted them in this bill.

Mr. WILLIAMS of Mississippi. Now, I find here on page 20:

To pay the balance due to the Independent Line Steamers, of Tampa, Fla., [illegible] against the United States [illegible] steamer [illegible] in Tampa Bay, Florida, on the night of November 18, 1901, $720.

Mr. HEMENWAY. That item was before the Committee on Appropriations of the House, and we refused to appropriate for it. It went to the Senate and the Senate put the amendment on. Of course there the judgment of the two committees at least disagreed. The Committee on Appropriations of the House turned the item down, the Committee on Appropriations of the Senate put it in, and so the question will come up in conference whether or not the item will be agreed to.

Mr. WILLIAMS of Mississippi. I just read that because that is one of the matters, for instance, that we would like to have some information upon.

Mr. HEMENWAY. All the way through the bill run these different items, which, of course, the House committee can not give information about because they have not the information.

Mr. WILLIAMS of Mississippi. Now, upon that matter you could give information, because you had it before your committee.

Mr. HEMENWAY. Of course if the gentleman prefers it, the different amendments will be reported.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment No. 13: In line 23 strike out "eight" and insert "twelve;" so as to read [illegible]

"Treasury building, Washington, D. C., special repairs: For enlarging the present [illegible] work [illegible] Paris [illegible] incident to this work; and for all materials and labor required in the execution of the work, $12,000."

Mr. HEMENWAY. I move to nonconcur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 14: Baltimore, Md., custom house: That the Secretary of the Treasury be, and he is hereby, authorized [illegible] and the appropriation made available from the end of said fiscal year 1905 to September 30, 1906, shall be increased.

Mr. HEMENWAY. I move that the House nonconcur.

The motion was agreed to.

The Clerk read as follows:

Amendment No. 15: Greensboro, N. C., rent of buildings: For rental of temporary quarters and expenses incident thereto, $2,500.

Mr. HEMENWAY. I move that the committee recommend that the amendment be not concurred in.

Mr. KLUTTZ. Mr. Chairman, in the temporary absence from the Hall on committee business, of my colleague [Mr. WILLIAM W. KITCHIN], who immediately represents the Greensboro district, I want to say I hope the chairman of the committee will not press the motion to nonconcur.

Mr. HEMENWAY. I will say to the gentleman that there are many of these amendments to which we formally nonconcur to which we may concur in conference, but it is always safer to nonconcur and take them all in conference.

Mr. KLUTTZ. I just want to take this occasion—I shall not insist upon the matter—to say here I think this appropriation is absolutely necessary. The Government building at Greensboro, N. C., is now undergoing, or is shortly to undergo, repairs and enlargement. The post-office, internal-revenue office, and district and circuit courts are necessarily compelled to have temporary quarters, and provision should be made for it, and I hope the committee of conference will agree to it.

Mr. HEMENWAY. Mr. Chairman, I think this is an item that came to the Senate after the bill passed the House, and probably has merit, but it is safer to nonconcur.

Mr. KLUTTZ. Would it not be as well to concur in the amendment now?

Mr. HEMENWAY. I think not, because the House is not informed in regard to it. We have not the recommendation of the Department; that has gone to the Senate, and it is always safer to nonconcur in the amendments. Of course there are many amendments, and I doubt not that this is one of them, where the necessity was shown for them after the bill passed the House. I move, Mr. Chairman, that we nonconcur in this amendment.

Mr. KLUTTZ. I shall not further insist now, as I feel confident the conferees of the House will consent to this item remaining in the bill.

The question was taken, and the motion was agreed to.

The Clerk read the next amendment, as follows:

Los Angeles, Cal., post-office and court house: For additional amount for enlarging the public building site belonging to the United States, as provided by section 17 of the act approved June 6, 1902, $19,700; but the limit of total cost of site and building shall not be exceeded.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend that the House nonconcur in this amendment.

Mr. McLACHLAN. Mr. Chairman, I hope that the gentleman from Indiana will not insist on his motion in regard to this item. It is a very important item, and, as the Committee of the Whole will observe, we do not increase the limit of cost as to the building and site. The facts are that $175,000 was appropriated for this additional site in Los Angeles. A suit for condemnation was brought. Just before this session the jury reported in that case, bringing in a verdict in excess of the limit of the cost of the proposed site of $19,700. The measure of damages was fixed at the time of the beginning of that suit, something like a year ago.

If this fails now, another suit must be brought, and I desire to say that the value of this property has increased enormously, and it will cost the Government from $50,000 to $100,000 more to secure the same property which has been condemned and for which this $19,700 is now provided.

The Department of Justice believes that by securing this additional sum of $19,700 at this time it can then go into court, pay the full award of the jury in the condemnation suit already tried, and take the property, and thereby save to this Government from $50,000 to $100,000. The Secretary of the Treasury wrote a special letter in regard to this matter, urging that this item be included in this bill, and I therefore urge that this amendment will be concurred in by the House.

Mr. HEMENWAY. Mr. Chairman, this item, like many others of this class, belongs to the Committee on Public Buildings and Grounds. It has no place upon an appropriation bill. It seeks to increase the limit made in the passage of a bill for the erection of public building at Los Angeles, Cal. If the Committee on Appropriations is to deal with these questions, then there will be hundreds of such cases to come before that committee. Our committee has no jurisdiction of that business. We are not informed as to the merits of these different items. They belong to another committee, and I hope the House will nonconcur in this amendment.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I hope also that the House will nonconcur in amendments of this character. This brings up a class of legislation at a time when the House has no time to consider it—when the question can not be looked into deliberately. It carries the jurisdiction of these questions to the wrong committee. And that is not all; it still further encourages a very vicious trend of public legislation; that is, for the Senate to put all manner of legislation upon House appropriation bills. I think the more the House restricts and limits that the better for the cause of economy and the better for the cause of good government generally. I do not know but this is a highly meritorious appropriation, but there is no way now for this committee to find out, nor will there be after the conference report for that matter, and it seems to me that legislation of this sort put upon a general appropriation bill ought to be, as a rule, defeated.

The CHAIRMAN. The gentleman from Indiana moves that the committee recommend nonconcurrence in this amendment.

The question was considered; and the motion was agreed to.

The Clerk read as follows:

Heating apparatus for public buildings: For heating, hoisting, and ventilating apparatus, $25,000.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

Vaults, safes, and locks for public buildings: For vaults, safes, and locks, and repairs to the same for all public buildings under the control of the Treasury Department, [illegible] of the District of Columbia in making reports and [illegible] work done.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

GOVERNMENT IN THE TERRITORIES.

Legislative expenses, Territory of New Mexico: For stenographer and typewriter in secretary's office, $720.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

Mr. HEMENWAY. Now, Mr. Chairman, amendments numbered 21, 22, 23, 24, 25, and 26 relate to the District of Columbia. I ask unanimous consent that the committee recommend nonconcurrence in all these amendments.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the committee recommend nonconcurrence in amendments 20, 21, 22, 23, 24, 25, and 26. Is there objection?

[After a pause.] The Chair hears none.

The Clerk read as follows:

[illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

[illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

For the purchase of supplies and equipments for use in the construction, maintenance, and repair of [illegible] lines to Alaska, $5,000.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

Mr. HEMENWAY. Mr. Chairman, amendments numbered 30, 31, 32, and 33 relate to military affairs in the Military Academy. I ask unanimous consent that the committee recommend nonconcurrence in all these amendments.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the committee recommend nonconcurrence in amendments numbered 30, 31, 32, and 33. Is there objection?

There was no objection.

The Clerk read as follows:

Naval station, Cavite, P. I.: For extension of construction and repair power shop, $2,500.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

For repairs of Interior Department and Patent Office buildings and of the old Post-Office Department building, [illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

For repairs and improvements to steam fire-engine house and Senate and House stables and for repairs to and paving of floors and courtyards of same, $750.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

Mr. HEMENWAY. Mr. Chairman, amendments numbered 37, 38, and 39 relate to the Government Hospital for the Insane. I ask unanimous consent that the committee recommend nonconcurrence in all these amendments.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the committee recommend nonconcurrence in the amendments numbered 37, 38, and 39. Is there objection?

There was no objection.

The Clerk read as follows:

[illegible] Institution for the Deaf and Dumb: For the support of the institution [illegible] and illustrative apparatus, and for general repairs and improvements, [illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

Howard University: For urgent repairs and improvements to provide against the production of smoke and damage by fire to the buildings of the university, as recommended by the Board of Audit of Buildings for the District of Columbia, $[illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

Surveying boundaries of Yellowstone National Park: For surveying the northern and western boundaries of the Yellowstone National Park, [illegible] to pay a deficiency existing in the appropriation for this purpose for the fiscal year ended June 30, 1902, $[illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

To pay the salary due Franklin Moses as register of the land office at St. Michael, Alaska, from May 31, to July 7, $[illegible]

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

The Clerk read as follows:

For [illegible] by order of the Commissioner of the General Land Office [illegible] with law, $[illegible], or so much thereof as may be necessary.

Mr. MONDELL. Mr. Chairman, I move that the committee recommend concurrence in this amendment. I want to say in regard to this amendment that the appropriations which have been carried for the purposes provided for in this amendment have amounted to about $10,000 a year for a great many years; that since the last annual appropriation was made Congress passed a law under which registers and receivers of the land offices are authorized to summon witnesses before them in land cases. This necessarily has resulted in a considerably increased expenditure. The officers of the Land Office were not aware of this increased expenditure, however, at the time when they made up their estimates for this bill for presentation to the committee, owing to the fact that at the beginning of the fiscal year it has been their custom to divide the appropriation among the land offices to be used if needed, and about the middle of the fiscal year to call upon the officers to return the sum unexpended.

Very much to their surprise, when they called upon the land offices a few days ago to return or report upon the unexpended balance they found that owing to the passage of the law under which the Government can now summon witnesses a largely increased expenditure had been incurred, and there were no moneys to be returned. There is no doubt that this amendment should be [illegible] concurred in, but I am of the opinion that the committee of conference should have all of these items to pass on. That being my view of the matter, I withdraw my motion.

The CHAIRMAN. Without objection, the motion of the gentleman from Wyoming will be withdrawn.

There was no objection.

Mr. HEMENWAY. Mr. Chairman, I move that the committee recommend nonconcurrence.

The motion was agreed to.

Amendment No. 45 was read, as follows:

In the appropriation, on page 51, "for continuation of the investigation of the mineral resources of Alaska," strike out "50" and insert "100," so as to read, $[illegible]

Mr. HEMENWAY. I move that the committee recommend nonconcurrence in this amendment.

The motion was agreed to.

Amendment No. 46 was read, as follows:

For completing the report of the mineral resources of the United States [illegible] a roster of all the mines of the United States, past and present, $[illegible]

Mr. HEMENWAY. I move that the committee recommend nonconcurrence.

Mr. ROBINSON of Indiana. Unless there is some reason why the gentleman thinks that course ought to be pursued, I submit that as this provision is so intimately connected with the provision immediately following it might be reserved for the action of the House. I submit that suggestion.

Mr. HEMENWAY. It has nothing to do with the next item.

Mr. ROBINSON of Indiana. But it is in the line of the next proposition.

The CHAIRMAN. The gentleman from Indiana moves that the House recommend nonconcurrence in this amendment.

The motion was agreed to.

Mr. HEMENWAY. I ask unanimous consent that amendment No. 47 be passed without prejudice.

There was no objection.

Mr. HEMENWAY. Amendments 48 and 49 relate to the Fish Commission. I ask unanimous consent that the committee recommend nonconcurrence.

There was no objection, and it was ordered accordingly.

Mr. HEMENWAY. Amendments Nos. 50 and 51 relate to the Department of Justice. I ask unanimous consent that the committee recommend nonconcurrence.

There being no objection, it was ordered accordingly.

Mr. HEMENWAY. I ask unanimous consent that the committee recommend nonconcurrence in amendment No. 52.

There being no objection, it was ordered accordingly.

The Clerk proceeded to read amendment No. 53, when

Mr. HEMENWAY said: Mr. Chairman, amendments Nos. 53, 54, 55, and 56 are short amendments relating to the Post-Office Department. I ask unanimous consent that the committee recommend nonconcurrence in all these amendments.

There being no objection, it was ordered accordingly.

Mr. HEMENWAY. Amendments Nos. 57 and 58 relate to the Agricultural Department. I ask unanimous consent that the committee recommend nonconcurrence.

Mr. WILLIAMS of Mississippi. I want to move that the committee recommend concurrence—a motion which I believe takes precedence.

Mr. HEMENWAY. Those items are taken care of in another bill.

Mr. WILLIAMS of Mississippi. That explanation is satisfactory. I withdraw my motion.

There being no objection, the request of Mr. HEMENWAY that the committee recommend nonconcurrence in amendments Nos. 57 and 58 was agreed to.

Amendment No. 59 was read, as follows:

To pay [illegible] due him [illegible] the Congressional Library, [illegible] from [illegible] by joint resolution of March 3, [illegible]

Mr. HEMENWAY. I move that the committee recommend nonconcurrence in this amendment.

The motion was agreed to.

Amendment No. 60, increasing the appropriation for printing and binding for the Department of the Interior from $42,000 to $[illegible], was read.

Mr. HEMENWAY. I move that the committee recommend nonconcurrence in this amendment.

The motion was agreed to.

Mr. HEMENWAY. Amendments numbered 61, 62, 63, 64, 65, 66, 67, and 68 relate to the contingent fund of the Senate. I ask unanimous consent that the committee recommend nonconcurrence in all these amendments.

The motion was agreed to.

Mr. HEMENWAY. I ask unanimous consent that the House nonconcur in amendment numbered 69.

There being no objection, it was ordered accordingly.

Amendment No. 70 was read, as follows:

For [illegible] in Cuba one interpreter and translator at a compensation of $[illegible] per month.

Mr. HEMENWAY. I move that the committee recommend nonconcurrence in this amendment.

The motion was agreed to.

Mr. HEMENWAY. I ask unanimous consent that the committee recommend nonconcurrence in amendments numbered 71, 72, and 73.

There being no objection, it was ordered accordingly.

Amendment No. 74 was read, as follows:

To pay the audited account of Alonzo P. Turner for pay, transportation, [illegible] Chicago and Washington, [illegible] as per certificate No. 46,740, $46.85.

Mr. HEMENWAY. I move that the committee recommend nonconcurrence in this amendment.

There being no objection, it was ordered accordingly.

Mr. HEMENWAY. Mr. Chairman, it is probably best to dispose of amendment 47—a short amendment—before we go on to the proposition in regard to the World's Fair. I ask unanimous consent that we go back to amendment 47.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the committee now take up amendment No. 47.

Mr. HEMENWAY. And I move that the House recommend nonconcurrence in that amendment.

The CHAIRMAN. The gentleman asks unanimous consent that the committee now take up amendment No. 47. Is there objection?

There was no objection.

Amendment No. 47 is as follows:

[illegible] the Government.

The CHAIRMAN. The gentleman from Indiana moves that the committee recommend [illegible] in the amendment.

Mr. HEMENWAY. I yield to the gentleman from Indiana [Mr. ROBINSON] five minutes' time.

Mr. ROBINSON of Indiana. Mr. Chairman, the proposition embodied in the amendment of the Senate, No. 47, is for the analyzing of coal to determine the heating properties of it by having machinery valued at three or four hundred thousand dollars furnished free to the Government, the tests to be made at the St. Louis Exposition, the products of the various coal mines of the United States being furnished to the Geological Survey for the purpose of making the tests, and providing a new appropriation of $30,000.

This proposition embodies several others with which it is well for the Members of the House to be familiar at the start. If tests are to be made by the United States Government of the quality of coal for the coal operators of the country who now have the facilities for the making of these tests, and whose province and duty it is to make their own tests of the coal from their own mines, we should note this new departure of the Government. If pursued, we shall have the pharmacists of the country asking us to test particular drugs; we shall have the inventor of a patent nostrum medicine asking Congress with equal right to put a governmental O. K. on that nostrum or drug.

The distillers of the country will feel that they have a right to come to Congress asking the Agricultural Department or some other branch of the Government to test for them a particular brand of Old Crow whisky or any other brand of rye or corn whisky. In other words, the Government, when it is asked to make a test of this coal product of the country, is asked to make a departure in governmental province. The coal product is produced by companies that have the money to make their own tests. They are amply able and capable, and they can combine in a trust, if they wish to do so, for the purpose of making tests of their respective coals.

This proposition involves more, as is shown by the St. Louis proposition that comes to us now again, and it was involved in the Buffalo proposition and the Charleston proposition, both of which came back asking appropriations that they expressly promised not to ask. If for two years you divert $30,000 from the Treasury to make these tests, with the $100,000 worth of machinery furnished free to you, you will find these gentlemen coming here at the end of that time asking you to pure hase that machinery. Thus it is true you magnify the great Geological Survey branch of the Government, you create new officers and new salaries, but do you ever expect to abolish them hereafter? Vain hope it is, but at the same time you fasten a precedent that will enable all people with all manner of products to come and ask like aid of the Government and a like certificate to their particular products.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman from Indiana permit an interruption?

Mr. ROBINSON of Indiana. Certainly.

Mr. WILLIAMS of Mississippi. If the gentleman from Indiana will read the latter part of this amendment he will see that it is expressly provided that all testing machinery and all coal and lignite to be tested shall be contributed without charge to the Government.

Mr. ROBINSON of Indiana. That is true, that the amendment so provides.

Mr. WILLIAMS of Mississippi. Now, if the gentleman will read the amendment again he will see that the real purpose of it is to provide $30,000, which would pay the expenses and salaries of the United States employees engaged in the testing.

Mr. ROBINSON of Indiana. Yes.

Mr. WILLIAMS of Mississippi. As I understand, that is all the Federal Government is asked to do.

Mr. ROBINSON of Indiana. That is right—$30,000 a year.

Mr. WILLIAMS of Mississippi. Now, I understand that the reason why the Geological Survey asks that this be done now is because at the St. Louis Exposition there can be assembled fair samples of all the coal and all the lignite in the entire country.

Mr. ROBINSON of Indiana. Yes.

Mr. WILLIAMS of Mississippi. The companies not to select the samples, but the Geological Survey men to select their own samples, which are to be donated by the companies and to be sent at the expense of the companies to St. Louis.

Mr. ROBINSON of Indiana. The samples for the tests are to be donated.

Mr. WILLIAMS of Mississippi. The Geological Survey men go to the mines, select their own samples, and then the companies give them the coal and the companies pay the expense of getting the samples to St. Louis. There they will be tested, with the machinery furnished, under the same climatic conditions as to all of them, so that the comparison of samples and the tests can be perfectly fair.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. ROBINSON of Indiana. I will ask the gentleman to extend to me five minutes more.

Mr. HEMENWAY. I yield to the gentleman five minutes more.

Mr. ROBINSON of Indiana. Now, that is true, Mr. Chairman. The Geological Survey asks $30,000 for the inaugurating of a system of testing coal, and we shall use the machinery owned by the coal-mine owners to do this testing.

I warn gentlemen when you find Greeks coming to you bearing figs in their hands. If we give them an appropriation of $30,000 for two years you will find them asking you to make this bureau permanent and continue this force and buy this machinery, just as we find to-day there is an appropriation by an amendment of the Senate asking us to appropriate $8,600,000 to the St. Louis Exposition, when they pledged us solemnly that they would not again

come to the House for an appropriation when we gave them before the $5,000,000.

Mr. WILLIAMS of Mississippi. Can I rely on the gentleman's indulgence for one moment's interruption?

Mr. ROBINSON of Indiana. Certainly.

Mr. WILLIAMS of Mississippi. This very same character of work is being done now by the Geological Survey, except instead of having to have the men at one place today they are doing it all over the country and are sending men to all the mines.

Mr. ROBINSON of Indiana. And sending men to exploit new mines and new territory, not taking the entire product of established mines, and then testing the samples; but not to any considerable extent has the Government entered even this exploring for new mines and new mine territory.

Mr. WILLIAMS of Mississippi. Not to any considerable extent, but doing that very work, and the only reason they are not doing it to a considerable extent is because they have not the same machinery and the same climatic conditions at all the mines, so that the tests can not be made under similar conditions, and thus secure efficient work.

Mr. ROBINSON of Indiana. But not to the extent of wanting an appropriation in this way. Let me ask the gentleman if the mines have not already the men and the appliances to make these tests, and if they are not doing it, showing the value of the coal, and showing the value of their own property?

Mr. WILLIAMS of Mississippi. It is made by the mines, by each mine operating, and therefore the mine will furnish the very best sample that can be furnished by their own mine, and the coal which furnishes the test of the company is an untrue, or at least unfair, test.

Mr. ROBINSON of Indiana. How would the gentleman differentiate between the Government making tests of coal property and making tests of a particular drug or a particular brand of whisky by the National Government? Why should not these private parties engaged in this business have their own tests made or have the tests made under the State jurisdiction?

Mr. WILLIAMS of Mississippi. Whisky is not a geological deposit.

Mr. ROBINSON of Indiana. Oh, no; but how would you differentiate as to the other aspects of the case? When you enter that field there will be no stopping it, and before two years there will be an attempt made for an increase in this work, just the same as there was for the Buffalo and Charleston expositions. There will be an effort made to make this a permanent bureau; and this you will have encouraged by your laws, giving this recognition of it and making precedents in the laws. If it is the policy of the Government to go into the State field and to go into the private industrial field, among men who are able to make trusts, to increase the price of the cost of their products, people who are able to pay for the tests of the samples of their own coal—if you do this you are going to enter upon that field, dangerous to my mind and not justified.

Mr. SHERLEY. I would like to ask the gentleman this question, if he will yield to me.

Mr. ROBINSON of Indiana. Certainly.

Mr. SHERLEY. The gentleman refers to the ability of the coal miners in different parts of the country to have their coal tested at their own expense.

Mr. ROBINSON of Indiana. I mean the coal operators and the owners of mines.

Mr. SHERLEY. Is it not possible, under this provision, for any man owning coal lands which have not been developed, and who is uninformed as to the quality of the coal, to have a test made that, if satisfactory, might enable him to place his coal lands on the market—one who otherwise could not bear the expense of private tests, and is not the Government test the only really valuable one?

Mr. ROBINSON of Indiana. But if you give them this beneficiary and paternalism the gentleman well knows that in the administration of affairs these people with large interests will all go there and be preferred and get their coal tested, and it is for the purpose of having this made for people who are amply able to make the test for themselves.

Mr. SHERLEY. The gentleman does not think it would be right and proper for them to do this.

Mr. STEPHENS of Texas. Will the gentleman from Indiana permit me to ask him a question?

Mr. ROBINSON of Indiana. Certainly.

Mr. STEPHENS of Texas. I will ask the gentleman if this is not done to prevent monopoly and if it is not done for the purpose of ascertaining whether or not coal briquettes may be made merchantable by the employment of lignite coal? I understand that in almost every State there is lignite coal which is almost valueless at present. If that can be manufactured into briquettes and can come into competition with bituminous and anthracite coal it would furnish a cheap fuel to the nation and prevent monopoly.

Mr. ROBINSON of Indiana. I understand, then, the gentleman agrees with me except as to briquettes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEMENWAY. Mr. Chairman, I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Chairman, I think that this work is of very considerable importance to the people of this country. I think it very well that the people should have some reliable analysis coming from some authoritative and impartial source, and the gentleman from Indiana is mistaken in thinking that this is a new thing. So far as the character of the work is concerned it has been going on already, and the very object of this amendment is that we may be able to carry it further with less expense than it has hitherto been costing, because it follows absolutely, of course, that there will be less expense when all the coals are upon one ground and tested with one sort of machinery at the same time rather than sending the men around all over the country, paying their traveling expenses while going from mine to mine, in order to do the work that is proposed to be done.

Mr. OLMSTED. If I understood the gentleman from Mississippi, he stated a moment ago that the United States Geological Department already has men engaged in this service in various parts of the country, but that it can be done more economically at St. Louis and to greater advantage. Then why not call in those men from the other parts of the country and let them do it at St. Louis under salaries which they are now receiving and without this additional expense?

Mr. WILLIAMS of Mississippi. Mr. Chairman, it would cost an additional expense for these men to be sent out to the fields—to the mines. This $30,000 is supposed to carry all the expense of sending them to St. Louis, and if they were sent to all the various mines and did identically the same work it would possibly cost $200,000. Now, I take it for granted——

Mr. ROBINSON of Indiana. Mr. Chairman——

Mr. WILLIAMS of Mississippi. Wait a minute. I take it for granted the executive chief, whoever he is, will, wherever men can be spared, from the nonnecessity of doing work in the field, send those men thus spared from the work elsewhere to St. Louis, but they are to be paid certain expenses even at St. Louis, although those expenses are less than the expenses that would have been incurred if they had been sent to the mines themselves.

Mr. ROBINSON of Indiana. But, Mr. Chairman, I suggest to the gentleman an infinitesimal amount of work so far is done as is clearly shown in this short sentence, "while isolated partial tests of coal have been made in America, no such comprehensive series of tests, etc".

Mr. WILLIAMS of Mississippi. That is very true. Now, Mr. Chairman, I have no fear of this becoming "permanent," because I have no fear the St. Louis Exposition will become "permanent." There is some very important work to be done in this connection. They are trying to make experiments with lignite, for example, putting it into briquettes to furnish a cheap fuel for the people as a substitute for the higher-priced bituminous and anthracite coal. They think with the machinery at St. Louis they can try that experiment to an issue, whether in a successful or a nonsuccessful manner I do not know.

Mr. TAWNEY. Will the gentleman from Mississippi permit? Is the gentleman from Mississippi aware of the fact that tests are now being made commercially all over the West or the Northwest with respect to the subject of lignite?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. TAWNEY. The only difficulty in the way of the successful manufacture of briquettes from lignite is the fact that no one has yet discovered a binder that will make the briquettes of sufficient solidity or hardness so that they will stand shipment.

Mr. WILLIAMS of Mississippi. That is just what the Geological Survey proposes to do.

Mr. TAWNEY. Now, it is the fact that our people interested in the development of this industry have had all the experience of the German Government or the German people in the manufacture of briquettes, and in Germany briquettes are manufactured without any binder at all.

Mr. WILLIAMS of Mississippi. Not lignite. Those are peat briquettes.

Mr. TAWNEY. Well, peat briquettes and lignite briquettes.

Mr. WILLIAMS of Mississippi. I did not know they were manufacturing them of lignite without a binder.

Mr. TAWNEY. They are manufacturing them on a very large scale.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. HEMENWAY. Does the gentleman desire additional time?

Mr. WILLIAMS of Mississippi. Yes, sir.

Mr. HEMENWAY. Then I yield to the gentleman such time as he desires.

Mr. WILLIAMS of Mississippi. I was aware of what the gentleman from Minnesota——

Mr. TAWNEY. Just one word, as the gentleman's time has been extended. Two prominent gentlemen in Minneapolis about a year or so ago took with them a mechanical engineer to Germany, and they spent some six or eight months over in Germany investigating this very thing. The gentleman said to me that he thought they could make briquettes successfully if they could get the German machinery, but that the duty on the machinery was so high it would be impossible to do it, and so they are going to undertake, and have undertaken, to make plans and specifications for the machinery here in the United States. They are now being prepared for the building, first, of the machines to manufacture the briquettes from lignite, and then for making them without any binder at all.

I do not see any necessity, as this is being done by private parties, for this appropriation. I think all the investigation the Government could make is being now made by those to whom I have alluded and by others who I know are very largely interested in the development of this country.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the Geological Survey does not agree with the gentleman in the last utterance. The machinery will be at St. Louis, the lignite will be there, the various binding materials proposed will be there, and they wish to illustrate as an object lesson to the entire people, if they can, how to manufacture these briquettes, a substitute for the more expensive fuel. Now, Mr. Chairman, I move that the House concur in the Senate amendment 47.

Mr. HEMENWAY. Mr. Chairman, of course the motion of the gentleman from Mississippi has precedence over a motion to nonconcur, but after this matter has been discussed we would like to have the House pass upon the merits of the case, because we shall feel that the conferees of the House are bound by the action of the House. As to our informal nonconcurrence here in other amendments, where there has been no discussion, naturally the conferees will not feel bound; but where the matter has been discussed and the House has passed upon it the conferees will feel bound to carry out their instructions. Therefore I hope the committee, in voting for this, will understand that they are passing upon the merits of it.

Mr. UNDERWOOD. Mr. Chairman, I did not intend to discuss this amendment, but since the gentleman from Indiana has made the announcement that the conferees will feel bound by it I feel it my duty to say a few words in favor of the adoption of the amendment. We are engaged in the United States in mining domestic coal, and we have to some extent developed a foreign coal trade. We are supplying ships from foreign ports with coal. The coal trade of Pennsylvania, West Virginia, and Alabama is attempting to get into the South American market in competition with European coal fields. We have a great many different varieties of coal in this country, from anthracite down to soft bituminous coal and lignite. Our coals are not known like the European coals. Outside of a very few coals in this country, one or two in Pennsylvania and a few in West Virginia, we have no coal that is so well known in the world to-day that you might denominate as a standard coal in the markets of the world. Now, when you are dealing with a foreign country and foreign ships you must have some standard, so that you can know what they are, how much fixed carbon there is in the coal, how much volatile matter there is, so that the captains of the ships may, in order to safely land that coal aboard their ships, determine whether there is any danger of explosion or setting their ships on fire by reason of the volatile matter contained in the coal. Therefore I think it is wise for the best interests of the country that this amendment should be adopted.

The foreign coals in all the great countries have had numerous tests. The foreign competitors in the coal trade have had their coal tested, and they are standard coals known to the shippers and known to the consumers, and when we go into the market with a new coal we have got to have something that can stand behind it. It will be of great benefit to us in the foreign markets to have the United States Government apply a test to the various coals of this country on which we can rely and which we can give to the foreign purchaser and the foreign shipper, showing exactly what he is buying from an official test by the United States Government. For that reason I think it is wise that we should adopt this amendment. I think that the expenditure is the least that we can make to have the test properly made, and as the chairman of the committee has announced that the conferees will feel bound by this vote in conference, I hope the House will adopt the proposition.

Mr. ROBINSON of Indiana. Does not the gentleman know that we have standard tables containing all these things that are credited throughout the world as much as are the tables of life insurance companies?

Mr. UNDERWOOD. There is no standard test of coal to-day that is satisfactory. The naval board has a test by which they are buying certain coal.

Mr. ROBINSON of Indiana. The business interests have tables, and so do the coal operators.

Mr. UNDERWOOD. Only business concerns; and one tests coal by one method and one by another process, so that they are not standard.

Mr. ROBINSON of Indiana. They have gone into standard tables.

Mr. UNDERWOOD. There are no standard tables on this question that are official.

Mr. ROBINSON of Indiana. They are not by the United States, I know.

Mr. UNDERWOOD. Where are these tables, by whom are they made, and how do they become standard?

Mr. ROBINSON of Indiana. Any man knows who is dealing in coal that there are tables giving the heating qualities, the amount of carbon, etc.

Mr. UNDERWOOD. Of course there are standard tables showing what ought to be in a standard coal, but where are the officials of this Government that publish a standard statement showing what are standard coals?

Mr. ROBINSON of Indiana. Why, there are those tables, I say.

Mr. UNDERWOOD. Name them.

Mr. ROBINSON of Indiana. Oh, I am not an expert on the matter, but I have referred to those tables and experts have told me about them. I will give the gentleman the statements about it.

Roper is a standard authority, and Haswell and Hawkins. Our Government has its Bureau of Standards furnishing authority, and the Navy Department for years has not been in darkness but has the light, as we all have, of its expert tests of coal, and another authority is Chief Engineer Isherwood. The books and tables are all available. Babcock, Wilcox & Co., of New York and London, under the head of steam, its generation and use, in their book of 1897, give us the "Table of American coal," as follows:

State.	Kind of coal.	Per cent of ash.	Theoretical value. In heat units.	Theoretical value. Pounds of water evaporated.
Pennsylvania	Anthracite	3.49	14,199	14.70
Do	do	6.73	13,595	14.02
Do	do	2.90	14,221	14.72
Do	Coke	15.02	13,143	13.60
Do	Cambria bituminous	6.50	13,898	13.84
Do	Connellsville	10.70	13,155	13.62
Do	Sewanoga	5.00	14,021	14.51
Do	Youghiogheny	5.00	14,205	14.70
Do	Brown	9.50	12,324	12.75
Kentucky	Cannel	2.75	14,391	14.89
Do	Cannel	2.00	15,198	16.76
Do	do	14.80	13,360	13.84
Do	Lignite	7.00	9,326	9.65
Illinois	Bureau County	5.20	13,025	13.48
Do	Mercer County	5.50	13,123	13.58
Do	Montauk	5.50	12,450	13.10
Indiana	Block	2.50	13,588	14.38
Do	Coking	5.00	14,146	14.64
Do	Cannel	6.00	13,607	13.56
Maryland	Cumberland	13.88	12,276	12.65
Arkansas	Lignite	5.00	9,215	9.54
Colorado	do	9.25	13,592	14.06
Do	do	4.50	13,406	14.55
Texas	do	4.50	12,362	13.41
Washington	do	3.40	11,551	11.86
Pennsylvania	Petroleum		20,746	21.47

Mr. SHERLEY. Mr. Chairman, I do not desire to make any lengthy statement in regard to this matter after what has been said, but in so far as my State has a coal area greater than that of the State of Pennsylvania and much of it undeveloped, and that the trouble in developing some of that area has been due to the fact that the public at large has not had accurate information as to the value of these coals, I am very desirous of seeing the House concur in the Senate amendment. The gentleman from Indiana [Mr. ROBINSON] made his objection on the basis that the large coal-mine operators had ample money to have all the tests made that were necessary. He overlooked the fact that under this provision a man who has virgin coal lands and has not the capital sufficient to have a test made, nor the machinery, and the place where a test can be made, would have a place where he could have the test made, the accuracy of which will be accepted by the world at large.

Mr. LIVINGSTON. And without expense to him.

Mr. SHERLEY. And without expense to him, other than the transportation of his coal to St. Louis. Not only is that true, but, as has been said by the gentleman from Alabama [Mr. UNDERWOOD], there is this situation existing to-day. Take a sample of

coal to any man whom you desire to interest in the development of coal lands and tell him that what you have is a coking coal, and he immediately wants to know what proof there is of that fact. He is not willing to accept a private analysis, and you are brought up immediately with the statement that unless you have some proof to show that this coal is of the coking quality equal to the Connellsville coal, which makes a standard coke, you have exceedingly great difficulty in getting him interested at all.

Now, the Connellsville coke is an old established coke, but there is coal in my State superior to the Connellsville coal which today is undeveloped because there has been no method by which its value could be brought to the attention of people desiring to investlin and develop coal lands; and for the paltry sum that is carried in this appropriation to forego the opportunity that this presents to exploit the coal areas of America seems to me to be carrying economy to an absurd point. I hope the House will vote in favor of concurring in the Senate amendment.

Mr. STEPHENS of Texas. Mr. Chairman, I hope the House will concur in this Senate amendment. In my own State, a few years ago, the State legislature, at considerable expense, sent its State geologists to Germany for the purpose of endeavoring to ascertain whether or not semi-bituminous or lignite coal, found in abundance in Texas, could be manufactured advantageously into coal briquettes. In that State, and I suppose the same is true of many other States, there is quite a large territory underlain with lignite and semibituminous coals, which at present can not be used because it air-slacks and becomes coal dust. As I understand the proposition stated in this Senate amendment, the German manufacturers of briquette machinery propose to bring their machinery to St. Louis, so that any locality in the United States having this quality of coal—which coal is now valueless and useless—can ship a carload or more of it to St. Louis and have it tested in this German-made briquette machinery, and it can there be ascertained whether or not, by the purchase of such machinery, the locality shipping the coal can put in a plant of its own, so as to manufacture its coal into briquettes successfully at the mines. Therefore I hope that this amendment will be concurred in. No appropriation, in my judgment, would better subserve the interests of the entire people of the United States.

Mr. WILLIAMS of Mississippi. This is not an expenditure; this is an investment.

Mr. STEPHENS of Texas. Certainly, and an excellent investment, and, in my judgment, no better investment could be made by the people of the United States.

Mr. SPALDING. Mr. Chairman, in some of the States of the Northwest the surface is underlain by very large deposits of lignite. Now, this lignite is not of uniform quality, and it is sought to determine to what extent it can be used profitably for household purposes, for manufacturing, and for the purpose of raising water to irrigate arid lands. While some of it in certain localities can be profitably used, it still remains to be determined to what depth one must go to get the best quality, such as can be used most profitably in all these lines.

Now, these Northwestern States lie midway between the anthracite fields of the East, the bituminous fields of the Central West, and the coal fields of the further West, and coal transport brings a higher price—the cost of all kinds is greater than in almost any other part of the country. And the bulk of this lignite is so great as it is found in its natural condition that the freightage on it is excessive—that is to say, it can not be carried beyond certain narrow lines to be sold at a price which will enable the people to use it to advantage. So that while the anthracite coal may have certain standards, and while the bituminous coal may have certain standards, as has been suggested here, there is great necessity for experimental efforts with the lignite obtained in these fields to determine to what extent and within what radius it can be profitably used.

And, further, there is a great necessity for experiment on this lignite to determine whether or not it can be profitably put into the form of briquettes so as to make its use more diversified and more extensive. It is of great importance to the people of the Middle West, so to speak, that these experiments should be made, and the experiments will be beneficial to the whole country. I trust that my amendment may be adopted.

Mr. HEMENWAY. I ask for a vote.

The CHAIRMAN. The question is on the motion of the gentleman from Mississippi [Mr. WILLIAMS] that the committee recommend concurrence in amendment No. 47.

The motion was agreed to.

Mr. HEMENWAY. Mr. Chairman, for fear that we may have overlooked some one amendment in this bill I ask unanimous consent that any amendment which has been overlooked be nonconcurred in. I exclude, of course, from this request the amendment in regard to the St. Louis fair.

Mr. OLMSTED. What amendment does the gentleman suspect may have been overlooked?

Mr. HEMENWAY. In running over this bill we may have passed some total which needed correction, or something of that kind.

The CHAIRMAN. The Chair will inform the gentleman from Indiana that he is assured by the Clerk that no amendment has been overlooked.

Mr. HEMENWAY. If the Clerk is very sure of that—if all the totals are correct—of course it is all right.

The CHAIRMAN. The Chair, when he makes his report to the House, will so report.

Mr. HEMENWAY. Then, Mr. Chairman, there is only one amendment now pending, I believe—amendment No. 10. I ask that that amendment be reported.

Amendment No. 10 was read, as follows:

[illegible] Exposition. For the purpose of further aiding in the payment of the obligations of the Louisiana Purchase Exposition Company, [illegible] Louisiana Purchase Exposition at the city of St. Louis, [illegible] and Agricultural Building, and [illegible] said company, [illegible] Secretary of the Treasury, [illegible] Louisiana Purchase Exposition Company, [illegible] United States [illegible] Louisiana Purchase Exposition Company [illegible] Secretary of the Treasury [illegible] United States [illegible] Louisiana Purchase Exposition Company [illegible] Secretary of the Treasury

tween 19 and 20 per cent was paid to the stockholders of the Chicago Exposition. This is shown in their final report.

Mr. HEPBURN. Was any of it paid to the Government?

Mr. TAWNEY. No; and no provision of the law making the appropriation required the repayment to the Government of a dollar of the appropriation.

Mr. HEPBURN. Was there even any possibility of making any return to the Government?

Mr. TAWNEY. If the Government had provided in the original appropriation for the Chicago Exposition, as the Fifty-sixth Congress provided for the original appropriation for the Louisiana Exposition, namely, that the Government should receive one-third of the net receipts, the Government would have received the same percentage that the stockholders received.

Mr. HEPBURN. How much would that have been?

Mr. TAWNEY. I can not tell the gentleman. Between 19 and 20 per cent.

Mr. HEPBURN. The Government would have received, under that reduced percentage, about 13 to 14 per cent.

Mr. TAWNEY. If the Government had participated in the final distribution it would have materially reduced the per cent received by the stockholders. That is very manifest.

Now, this amendment makes this an indebtedness. If gentlemen will read the amendment carefully they will see it is hedged about in every possible way for the protection of the Government and to insure the return of this money. It makes it an indebtedness against the exposition company, and to the extent of the gross receipts of the exposition company it makes the Government of the United States a preferred creditor and secures the repayment of the money by making it a lien upon the gross receipts. This is done both by the act and by the contract which the company must execute before they can get a dollar of this money.

Mr. PAYNE. Did the Chicago Exposition borrow money for which bonds were issued upon the gate receipts?

Mr. TAWNEY. I understand Chicago borrowed money for which bonds were issued.

Mr. PAYNE. To the amount of $5,000,000?

Mr. TAWNEY. I understand it was $5,000,000, but I will not be positive.

Mr. PAYNE. And they borrowed from banks and private individuals?

Mr. TAWNEY. Yes; in 1892.

Mr. BARTHOLDT. And that was paid back?

Mr. TAWNEY. And that was paid back.

Mr. BURKETT. Mr. Chairman——

Mr. TAWNEY. I yield to the gentleman from Nebraska.

Mr. BURKETT. As I understand, the gentleman is speaking of this being a good loan. Suppose the receipts did not pay the running expenses and leave this 40 or 60 per cent (I do not know the exact amount, 40 per cent, I understand), what would then be the result? Suppose 60 per cent is given for the management and 40 per cent for the Government loan; I think those were the figures.

Mr. TAWNEY. Yes, sir.

Mr. BURKETT. Suppose that 60 per cent left does not run the fair; then how is the Government going to get its money?

Mr. TAWNEY. If the 60 per cent does not run the fair, 40 per cent will not enable the exposition company to pay [illegible] every two weeks, and the Secretary of the Treasury will have to go in and take possession of the total receipts.

Mr. PAYNE. And run the fair?

Mr. TAWNEY. No, sir; simply collect the receipts.

Mr. BURKETT. What I am trying to get at is, What are you going to do with that fair? You say it is sure to come back. This is going to be an expensive proposition; there is to be more ground than in the Chicago Exposition; there are to be more exhibits, and it is to be larger in a great many respects, all of which means greater expense, and it is going to be more extensive than the Chicago Exposition. Now, suppose the expenses are larger than you anticipate and it will take more than the margin you have left to the exposition management, what is the Government going to do when we take out this 40 per cent? Congress will not be in session then, and they can not come to Congress and ask for more money, as they have done in the past. What are you going to do in that contingency?

Mr. TAWNEY. That is a matter that will address itself to the exposition management. I will respectfully state to the gentleman from Nebraska. It is easy for gentlemen to suppose conditions that will render this exposition an absolute failure, none of which are probable. You can suppose conditions even that will render it such a failure as to be a disgrace to the United States after having invited the nations of the world here to participate in commemorating this great event, but I want to say this to the gentleman from Nebraska, that there are only two conditions, in my judgment, in view of the present prosperous conditions of the country as compared with 1893, there are only two possible conditions—they are not probable, neither of them—that will render it impossible for the Government to get back this money, and that would be a pestilence or a conflagration wiping out the gate receipts and all other receipts entirely, or a failure on the part of the Secretary of the Treasury to enforce the provisions of this law. These are the only conditions.

Mr. BURKETT. Has there been any other exhibition in our experience that has had 40 per cent profits to turn over to anybody?

Mr. TAWNEY. Yes; the Chicago Exposition had more than that. The Chicago Exposition paid all of its indebtedness.

Mr. BURKETT. According to the gentleman's figures, as I gathered them here, that was not 40 per cent by about 4½ per cent. All they saved out of it was only about 36 per cent, and that is the best return that is on record.

Mr. TAWNEY. I do not know to what the gentleman refers at all.

Mr. BURKETT. I got the figures from the report somewhere that all the indebtedness and all they paid back to the stockholders only made about 35½ per cent of the total receipts. Therefore it cost more than 60 per cent altogether to manage, and that is the best return on record. It cost more than 60 per cent to run the exposition.

Mr. TAWNEY. I beg the gentleman's pardon; the gentleman is including the cost of construction.

Mr. BURKETT. This four million and a half that they are asking for is cost of construction.

Mr. TAWNEY. The gentleman includes in his estimate the cost of construction, and we have already paid fifteen millions for that.

Mr. BURKETT. Is not this for cost of construction?

Mr. TAWNEY. A part of it.

Mr. BURKETT. Now, you are going to pay the running expenses of the exposition and anything more that it may cost to construct it, and pay this back, and you expect to do it with 40 per cent of the profits. I say there is not a fair that ever occurred that paid 40 per cent over and above the cost of construction.

Mr. TAWNEY. Is it not a fact that the Omaha Exposition paid every dollar of its indebtedness and paid 92 per cent back to the stockholders of the amount they had advanced?

Mr. BURKETT. What was the gentleman's question?

Mr. TAWNEY. I ask the gentleman if the Omaha Exposition did not pay out of its receipts the cost of construction, operating expenses, and then pay back to the stockholders 92 per cent of the total amount they contributed?

Mr. BURKETT. Yes; I made that exception when I started out, or I intended to if I did not. But the Government only gave $[illegible] to the Omaha Exposition, and the State of Nebraska put in $100,000. It was a little affair, it was not expensive, it was right in the center of the continent, and was exceptionally and liberally patronized. It was the only one that ever paid to that extent.

Mr. TAWNEY. Let me give the gentleman another example. The first international exposition ever held in the United States, in 1876, when Congress appropriated $1,500,000 as a loan without taking a dollar of security; every dollar of that money was paid back by the Centennial Exposition after all the debts and expenses were paid by the exposition company.

Mr. BURKETT. Was that 40 per cent of it?

Mr. TAWNEY. I don't know whether it was 40 per cent or 60 per cent. I know that after all the indebtedness was paid this money was to be returned, and every dollar of it was returned.

Mr. HEPBURN. I would like to ask the gentleman a question.

Mr. TAWNEY. One moment, till I yield to the gentleman on my left who has been seeking to interrupt me for some time. I will yield to the gentleman from Texas.

Mr. RANDELL of Texas. I want to ask the gentleman if it is not a fact that the Chicago Exposition borrowed $5,000,000 and pledged the gate receipts therefor.

Mr. TAWNEY. Yes; it borrowed that amount in 1892, as I am informed.

Mr. RANDELL of Texas. Why can not the St. Louis company do that without appealing to Congress?

Mr. TAWNEY. That is just what the St. Louis people are trying to do. I will endeavor to answer the gentleman further later on, after I have yielded to the gentleman from Iowa.

Mr. HEPBURN. How much has the Government up to this time advanced to the exposition?

Mr. TAWNEY. We appropriated $5,000,000 by the act of March 3, 1901.

Mr. HEPBURN. To be returned?

Mr. TAWNEY. No.

Mr. HEPBURN. What were the terms of that grant?

Mr. TAWNEY. I will state. Section 19 of the act of March 3, 1901, is the section that appropriated the $5,000,000, and for the

information of the committee I will read the condition upon which that appropriation was made. The gentleman from Iowa and others will recollect that in the first session of the Fifty-sixth Congress, Congress enacted a law stating that when St. Louis or the exposition management had raised to the satisfaction of the Secretary of the Treasury the sum of $10,000,000, that then the Government would appropriate $5,000,000 to aid in building and carrying on the exposition.

In the second session of the Fifty-sixth Congress, which convened in December, 1900, the people from St. Louis came on here with a certificate to the effect that they had raised this sum of $10,000,000. The city of St. Louis voted $5,000,000, and the citizens of St. Louis and other parts of the Louisiana purchase territory had contributed five millions more. The mayor and the city officials certified to these facts. But that was not sufficient for the Secretary of the Treasury. He wanted to know whether the contributions were valid, whether the parties making them were able to fulfill and carry out the contribution contracts, and therefore he had the gentleman in charge of the subtreasury and the United States district attorney in St. Louis go over all the evidence, both as to the legality of the action of the city council and as to the validity of these contracts and as to the financial responsibility of the men who had subscribed to this fund. He then certified to the Fifty-sixth Congress, and that is the reason for the language with which this section begins:

SEC. 19. That whenever the Secretary of the Treasury has certified under date of January 1, 1903, that the Louisiana Purchase Exposition Company has [illegible] and carrying forward said exposition at the city of St. Louis, Mo., in the year 1903, to commemorate the acquisition of the territory of the Louisiana territory; there is hereby appropriated out of any money in the Treasury not otherwise appropriated the sum of $5,000,000 to aid in carrying forward said exposition, to be paid to the said Louisiana Purchase Exposition Company, or its assigns, upon the warrant of the Secretary of the Treasury, in accordance with such expenses as may be certified by the president of said company, or its assigns, to be the result of such expenditures, or upon the certificate of the president of said company, or its own buildings and the making of improvements on the grounds and exposition.

That the money hereby appropriated shall be expended under the direction of the said Louisiana Purchase Exposition Company under rules and regulations to be prescribed by the Secretary of the Treasury and upon vouchers to be approved by him: Provided, That except for the payment of the salaries and expenses of the National Commission, in part or full, and appropriated, shall be paid upon more than upon the amount of $5,000,000 shall be made, or liability incurred, or any part of said expenditure to the satisfaction of the Secretary of the Treasury, [illegible] expenses by the Government on account of said exposition, including the salaries and expenses of the National Commission, and all other expenses incurred in carrying out the provisions of this act, shall be limited to and paid out of the appropriation of $5,000,000 herein provided for such purpose.

Now, under that provision the expense of the National Commission was paid. The salaries of nine National Commissioners were paid out of this appropriation of $5,000,000, as well as the salary of the secretary of the Commission. Then there is a provision allowing $10,000 annually for contingent expenses, for office rent, and for other incidental expenses connected with the business of the National Commission. All of that has come out. The life of the Commission extends, I think, from March, 1901, to the 1st of July, 1905. The nine commissioners are paid each at the rate of $5,000 a year, and the gentleman can estimate about how much will be necessary to expend for that item out of the $5,000,000, none of which goes to the construction of the exposition or to its opening or to its operation.

If my memory serves me right, these amounts aggregate in the neighborhood of $249,000 or $250,000. That comes out of that $5,000,000 appropriation. In addition to that the governor-general of the Philippines, now Mr. Secretary of War Taft, when he was here in 1901, proposed to the Louisiana Purchase Exposition Company that if they would pay out of their treasury $100,000 the Philippine government would appropriate $500,000 to defray the expense of that magnificent Philippine exhibit, which will excel, perhaps, any other exhibit in the exposition. Subsequent to that came the rinderpest and the plague. Governor Taft then notified the exposition company that they could not raise the $500,000 and asked the company for a further contribution from its treasury of $100,000, and the Louisiana Purchase Exposition Company appropriated that additional sum, making in all $200,000, which goes to help make the Philippine exhibit. Of that there has been taken out now, I think, $164,000, and that which remains must come out of the $5,000,000 appropriation.

In addition to that, the Fifty-seventh Congress authorized the payment of $250,000 of this $5,000,000 in souvenir gold coins of $1 each. On one side was the head of McKinley and on the side of another set of these coins is the head of Jefferson. That $250,000 in gold coin has been turned over to the exposition management. At that time there were no gold dollar coins to be had anywhere, and it was the judgment of everybody that that coin would sell readily for not less than $8. The price was fixed at $8, and they have not been able up to the present time to dispose of more than $14,000 of them at that price, but having entered into a contract with those that did purchase at $8 each that they would sell for no less, they are not disposing of them for any less, and can not do so. That $236,000 is available as collateral, but that is all they are worth at the present time, unless they want to pay them out for labor or on contracts.

As a matter of fact, it will be seen that for the purpose of constructing the exposition and opening the same the exposition company has received about $4,250,000. Now, the Government expressly excepted, in the act making the original appropriation, the expense of building its own building and of making its own exhibit, and in the Fifty-seventh Congress we appropriated money for the erection of the building and for the purpose of defraying the expense of the Government exhibit. In addition to that we also appropriated $40,000 for an Indian exhibit. We appropriated $50,000 to aid the Territory of Alaska in making its exhibit. We appropriated $25,000 to aid the people of the Indian Territory in making their exhibit. So that the total amount or total cost of the Government building and the Government exhibit, including these appropriations for Territories, amounts, if my memory serves me right, to a sum between $1,400,000 and $1,500,000. That will answer the question of the gentleman from Iowa [Mr. HEPBURN].

Mr. PAYNE. That is in addition to the $5,000,000?

Mr. TAWNEY. Certainly.

Mr. HEPBURN. I understand the gentleman to say that there was no pledge, no obligation for the return of this $5,000,000 or any part of it. Was it not always discussed here as a loan, and did not every advocate of that appropriation speak of it in that way?

Mr. TAWNEY. I will read the section——

Mr. HEPBURN. I ask the gentleman. He was here at the time and is absolutely familiar with the circumstances.

Mr. TAWNEY. This is the condition, to be exact, upon which the appropriation was made, and the gentleman can call it a loan or he can call it an absolute appropriation. This is the condition upon which the appropriation was made—viz, that if there was one dollar of net receipts, the Government of the United States would get 33⅓ per cent of that dollar, the city of St. Louis would get 33⅓ per cent, and the contributors to the $5,000,000 fund would get the other 33⅓ per cent. Section 20 provides that there shall be repaid into the Treasury of the United States the same proportionate amount of the dollar given by the United States as shall be repaid to either the Louisiana Purchase Exposition Company or the city of St. Louis, provided that this section shall not be taken or construed to give the United States a right to share in the proceeds of said exposition beyond the actual amount appropriated to aid in carrying forward said exposition.

Mr. DALZELL. Let me ask the gentleman a question. Was it not also expressly understood at that time that that $5,000,000 gift of the Government to the exposition was all that the Government was to be called upon to give? Was not that expressly stated on this floor?

Mr. TAWNEY. It was—not in that language.

Mr. DALZELL. In substance, was not the pledge made on the floor of the House that if that sum of $5,000,000 was given to the exposition the Government would never be called upon to contribute another dollar; and was there not a provision put in the law excluding the idea that the United States should ever be called upon to contribute anything more?

Mr. TAWNEY. I do not know of any such provision in the act.

Mr. DALZELL. Well, I will call the gentleman's attention to the language, if he will allow me, in order to avoid any trouble on this subject, for we all recollect that Congress has had some considerable experience in this industry that has grown up in the United States—of having expositions. We recollect how we had to pay out $500,000 to pay the debts of the Buffalo Exposition upon the ground——

Mr. TAWNEY. What is the gentleman's question? [Laughter.]

Mr. DALZELL. All right. I want to call the gentleman's attention to this provision in the act:

That nothing in this act shall be so construed as to create any liability of the United States——

Mr. TAWNEY. I was coming to that.

Mr. DALZELL (continuing to read):

direct or indirect, for any debt or obligation incurred, nor for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in settlement or liquidation of any debts or obligations created by said Commission.

Mr. TAWNEY. I am glad that the gentleman has called my attention——

Mr. DALZELL. I will ask the gentleman now, just for the purpose of getting his views on the subject, whether or not he does not consider this application now made to Congress for this additional aid to be a violation of the pledge made on the floor of the House and in the act itself?

Mr. TAWNEY. I will say to the gentleman that I do not; and I do not think the gentleman himself, good lawyer as he is, would make any claim of that kind. He knows this is not an application for an additional appropriation but merely for the use of a certain amount of money on condition that it be repaid and upon security that will insure its return.

Mr. McCLEARY of Minnesota. If my colleague will allow me a moment, I should like to ask him whether it is not estimated that the 40 per cent here referred to will yield something like six and a half million dollars——

Mr. TAWNEY. Over eight million.

Mr. McCLEARY of Minnesota. While this loan amounts to only four and one-half million.

Mr. TAWNEY. I will say in answer to my colleague that the estimate given to the committee—and I think the reasonableness of it will appeal to any man who reads the hearings before our committee—was that 40 per cent will amount to not less than $8,000,000. Calculated on the basis of the gross receipts at the city of Chicago it would be over six million.

Mr. McCLEARY of Minnesota. And your judgment is that the attendance at St. Louis, by reason of its climatic conditions, will be more uniform and steady, and therefore larger throughout the period of the exposition?

Mr. TAWNEY. That is the judgment of the committee, and there is another reason, too, for that judgment in addition to the reason stated by my colleague—the fact that there will be no cold spring or cold fall at St. Louis and that the exposition will continue until December 1. If you draw a circle around the city of St. Louis, 500 miles in diameter, you will find that you have a much larger population, almost three times, certainly twice as large a population as if you should draw a similar circle around the city of Chicago, because to the north of Chicago you have nothing but water or waste. The city of St. Louis has in the territory surrounding it a much larger population than the city of Chicago in a corresponding expanse of territory. In addition to that there is the enormous increase in population in the Southwestern States and Territories since 1893.

More than that, in 1893 the Southern States did not participate to any great extent in the Chicago Exposition, and their people did not attend to any great extent because of the hard times then prevailing. To-day that section of our country—happily for all of us and for them—is in a more prosperous condition than it has been for a great many years, if not ever before. So that there is every reason to believe that the attendance at St. Louis will be much greater than it was at Chicago.

Mr. McCLEARY of Minnesota. So that it would not require 40 per cent? The thing that the committee and the House are concerned in is the certainty of the return of this money. Now, referring to the experience in Chicago, I understand my colleague to assert—and of course since he asserts it it must be so—that Chicago was able not only to pay $5,000,000 of a loan—a larger amount than this loan—but to return to the contributors 10 per cent of their contributions. Now, the query is, If Chicago with her attendance was able to pay $5,000,000 of a loan and 10 per cent of the contributions, why will not this company be able to pay four and one-half million dollars, since there is no further obligation to be paid by the stockholders?

Mr. TAWNEY. I think, Mr. Chairman, that anyone who will take the trouble to go through the hearings and study the proposition as to the population and attendance will agree that the Government is secure, and I am sure there is not a man on the committee who has studied this subject who is not satisfied that the security is ample to insure the repayment of this money. The objections made to the proposition are objections on constitutional, not other, grounds.

Mr. FINLEY. Will the gentleman state what the present indebtedness of the exposition company is, and how it is secured?

Mr. TAWNEY. I can not state the amount of the present indebtedness of the company. Of course they have outstanding contracts on the buildings that are not quite completed, and buildings that have been completed but have not been accepted. It is estimated, however, by Governor Francis, who is at the head of the exposition, and by Mr. Thompson, who is the treasurer and chairman of the executive committee, that this $4,000,000 will pay all of the cost of completing the exposition and the expense incident to the opening of the same and operating it until the gate receipts are ample for that purpose.

Mr. FINLEY. How is the indebtedness secured?

Mr. TAWNEY. The outstanding indebtedness of the company is not secured at all. There is no lien of any kind on any of the property, and I am authorized to repeat what the chairman of the exposition company said to the Senate committee. When they spoke about giving a lien upon the buildings, the reply was that they would be perfectly willing to do it provided in case of default the Government would pay for removing the buildings. Under its contract with the city of St. Louis that has donated the use of the beautiful Forest Park of that city the exposition company must pay for the removal or must remove the buildings.

Mr. FINLEY. I understand that the gate receipts are not mortgaged or liened at all.

Mr. TAWNEY. Not at all. Not only that, if the gentleman will pardon me, but this amendment provides that before a dollar of the money is paid to the exposition company that company must enter into a written contract with the Government of the United States not only recognizing this loan by an express lien which can be filed there and which will meet the requirements of the local law, but they must also stipulate in that contract, under such penalties, that they will not appropriate or use or divert the receipts or encumber them in any way, by mortgage or otherwise, so as to interfere in any way with the right of the Government to receive the same in payment of its loan.

Mr. FINLEY. Then I believe you held to the proposition that the security is ample?

Mr. TAWNEY. As I said before, I think the security is ample. There are only two conditions that might happen that would interfere. One would be the destruction of the exposition so that there will be no receipts or a failure on the part of the Secretary of the Treasury to enforce the law.

Mr. FINLEY. I think the gentleman said something a moment ago in reference to the gate receipts at Chicago. Now, no loan was ever made by Congress to the Chicago Exposition on the basis of gate receipts, I believe.

Mr. TAWNEY. No; there was a direct appropriation in aid of that exposition.

Mr. FINLEY. I understand the gentleman estimates that the gate receipts will approximate something like $20,000,000. Am I correct?

Mr. TAWNEY. Yes; the total receipts.

Mr. FINLEY. Now, would not the security be ample, so that the exposition company could go to a trust company or bank and make the loan of money?

Mr. TAWNEY. I think if the gentleman will take the trouble to look through these hearings, he will realize we were in a far better, on account of financial conditions in certain quarters, for the Government to use $4,000,000 of the $158,000,000 now in the banks, yielding the Government almost no income whatever, for the purpose of completing and opening this exposition which it has authorized—that it is better to take that $4,000,000 out of the surplus and apply it to this purpose and use it for three months and put it back into the Treasury than it would be to jeopardize the business interests of any of the commercial or great business centers of the country from which this money must otherwise be drawn.

Mr. FINLEY. Even on that proposition can not the Secretary of the Treasury designate the banks in St. Louis, and deposit money there to the amount of $4,000,000 without Congress making this loan?

Mr. TAWNEY. I presume he could, but it might subject him to criticism on the ground that he was discriminating in favor of those banks as against others. The gentleman is aware, I suppose, that the Secretary of the Treasury has made a call on all the banks for this proposed loan and the amount to meet the Panama Canal payments.

Mr. FINLEY. I am aware of that.

Mr. TAWNEY. And among others he has made a call on the banks of St. Louis to the extent of three million.

Mr. FINLEY. Has he not funds with which he can continue to make these deposits?

Mr. TAWNEY. I do not know whether there is sufficient surplus to enable the loaning of public money to national banks without interest, which method of loaning the public money is approved by some people who seem very much opposed to loaning the amount necessary to insure the success of the greatest exposition the world will ever see—one, too, it has authorized and invited the world to participate in making a grand success.

Mr. FINLEY. In all cases where loans are made on national bonds and ample security, United States bonds?

Mr. TAWNEY. Yes, sir.

Mr. FINLEY. I merely wanted to get the gentleman's opinion on this point.

Mr. TAWNEY. In the opinion of the committee the security for the return of this money is ample.

Mr. PAYNE. Has the gentleman any better reason for not requiring the company to borrow the money from people who are in the business of loaning money?

Mr. TAWNEY. I would like to discuss the matter in full. I was simply answering the gentleman's question. I do not think that any statement that I could make would be satisfactory to the gentleman from New York in relation to this particular subject. Nor do I think the gentleman would think it reasonable or a businesslike arrangement.

Mr. PAYNE. It would be satisfactory if a businesslike reason.

Mr. TAWNEY. I started out to discuss the proposition, and my time has all been taken up by answering questions in regard to the amendment the Senate amendment.

Mr. BUTLER of Pennsylvania. Will the gentleman allow me to ask him a question?

Mr. TAWNEY. Certainly.

Mr. BUTLER of Pennsylvania. For some information. Of course, there will be some debts against this concern. Is not that true?

Mr. TAWNEY. Yes, sir.

Mr. BUTLER of Pennsylvania. Can the gentleman tell me to what extent?

Mr. TAWNEY. No, sir. I answered that a moment ago. I can not say to what extent there are obligations. I do not know that there are any due and payable. I can not answer the gentleman.

Mr. BUTLER of Pennsylvania. Please tell me what legal process or resort can be had by which these debts already existing can be postponed and the rights of the Government subordinated or precluded by reason of this act of Congress. Are the receipts of this concern pledged for the debts at this time?

Mr. TAWNEY. In answer to the gentleman, I will say that the object of this loan is to pay those obligations, and under the terms of this amendment it is the duty of the Secretary of the Treasury to see that the money is applied to the purpose for which it is appropriated. That will wipe out any indebtedness for construction or for labor and material.

Mr. BUTLER of Pennsylvania. Has it got as much as $4,600,000 indebtedness at this time?

Mr. TAWNEY. No, sir; it has not.

Mr. BUTLER of Pennsylvania. Then, why do you want $4,600,000?

Mr. TAWNEY. The exposition is not completed, and there is yet ninety days in which the necessary remaining construction must be completed.

Mr. BUTLER of Pennsylvania. Do you mean to say that at that time there is no [illegible]

Mr. TAWNEY. The gentlemen in charge of the exposition have told the chairman of the Senate committee and have told the House committee that $4,500,000 would be sufficient to complete the exposition and would meet the obligations. So that the Congress of the United States might be satisfied that there was ample security of getting the money back, and in order to insure the application of the money to the purposes for which it is appropriated, the Secretary of the Treasury is given jurisdiction over the disbursements of this money, so that there is no possible ground for fear of the Government losing by reason of any existing contract at this time or any contract that may exist in the future, because before the money is paid a lien is filed upon the gross receipts of the exposition company.

Mr. LAWRENCE. I would like to ask the gentleman a question.

Mr. TAWNEY. I yield to the gentleman.

Mr. LAWRENCE. Has any effort been made to secure this money from banking institutions, and have they not been able to get it on account of the lack of security?

Mr. TAWNEY. I am not able to answer the question.

Mr. LAWRENCE. The hearings before your committee do not disclose that?

Mr. BARTLETT. I have here the hearings on that question.

Mr. TAWNEY. The gentleman asked if that application had been made for the loan elsewhere.

Mr. BARTLETT. Well, I have the answer to that. Mr. Thompson, the secretary, says that they never contemplated any other way of raising the money except by pledging their receipts, and Mr. Francis said that they had not considered any other way than applying to the Government.

Mr. TAWNEY. Well, the gentleman from Massachusetts will understand very well that to come to Congress for legislation of this character and admit that application for a loan had been made elsewhere and refused would be a very good reason why Congress should not make it, if private institutions were not willing to make it.

Now, Mr. Chairman, just one word in conclusion. I will say that under the terms of this amendment we now propose I want this committee to keep these facts in mind: First, the appropriation is made. Second, to insure the application of the money appropriated to the purpose for which it is appropriated the Secretary of the Treasury is given jurisdiction over the disbursements of the money. Third, it is declared to be a lien on the gross receipts of the exposition, which at Chicago aggregated more than $16,000,000. Fourth, before any of this money can be paid the exposition company must execute an instrument in writing securing to the Government of the United States a lien and a guaranty that it will under no condition encumber this security so as to interfere with the right of the Government to enforce the lien for the collection of the debt. Then it is provided that this money shall be repaid at the Treasury of the United States, beginning on the 15th day of June, by filing a detailed statement of the gross receipts and make a payment of 40 per cent of those gross receipts to apply on this loan. On the 1st of July the same is to be done, and on the 15th of July not less than $500,000 must be paid, whether 40 per cent of the gate receipts aggregate that amount or not, and thereafter on the 1st and 15th of every month until the 1st of November not less than $500,000, when the full amount of the loan will be paid.

Now, if the exposition company makes default in the application of any of this money, or applies it to any purpose for which it is not appropriated, that would constitute a default, declared by this act, and it would authorize the Secretary of the Treasury to take possession of the gates and collect the total receipts and apply them to the payment of this indebtedness. On the other hand, if they make default at any time in the repayment of this money, the Secretary is authorized, and it is made his duty, to do the same thing. Then, in addition and as a double security, so that there can be no legal question about the exposition company having agreed to this, we make it a condition precedent that they shall agree to it, and in accepting this money they are to be held and construed to have agreed to all the conditions upon which the appropriation is made, and all the conditions upon which it is to be returned to the Treasury of the United States.

Now, this proposition to celebrate the one hundredth anniversary of the purchase of the territory of Louisiana did not originate in the city of St. Louis. At a convention held in that city in 1899, attended by representative men appointed by the governors of the several States carved out of the Louisiana territory, it was decided to commemorate that event, the first and greatest international event in the history of the United States, by holding an exposition, and the city of St. Louis, being the metropolis of that great territory, was designated as the place. The people of St. Louis and the people inhabiting the territory of the Louisiana purchase have not started out on this proposition with any idea of commercial advantage or commercial profit—none whatsoever.

They were actuated by a sense of duty, of patriotic duty, to the forefathers of this country, through whose sagacity and wisdom it became possible for the Government of the United States to acquire and possess this territory. This making it also possible for the Government of the United States to become in less than one hundred years from the date of that purchase the greatest people and one of the greatest governments on the face of the globe. I think, Mr. Chairman, that the committee should not consider this matter from the commercial standpoint in any sense.

We owe to ourselves the duty of making this exposition a splendid success. We owe it because under the authority of Congress, and by its express direction, the President of the United States—President McKinley—has invited the nations of the world to participate in commemorating the acquisition of the territory of Louisiana. They have accepted that invitation, and as an evidence of the commanding respect of our nation among the nations of the world let me say that every foreign government exhibiting at St. Louis has demanded more space both for its buildings and its exhibits than was demanded at Chicago.

The foreign governments occupy 40 per cent more space at St. Louis to-day than they occupied at Chicago. There are ten more foreign governments exhibiting here than exhibited at Chicago. There are ten more States exhibiting there than exhibited at Chicago. Every State in the Union except two is participating in this exhibition, and almost all of them have erected magnificent State buildings. This increased foreign participation and increased State participation in this exposition has caused the cost of the exposition far beyond the amount originally estimated as being necessary to complete and open the exposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SHERMAN. Mr. Chairman, I ask unanimous consent that the gentleman may have five or ten minutes to complete his remarks.

Mr. TAWNEY. The gentlemen of the committee will understand that I have been interrupted all the time.

The CHAIRMAN. The gentleman from New York asks that unanimous consent be given to the gentleman from Minnesota to have ten minutes more time. Is there objection? [After a pause.] The Chair hears none.

Mr. TAWNEY. Mr. Chairman, as a result of these applications for increased space on the part of foreign governments that are now here upon our invitation and as our guests for the purpose of taking part in the celebration of this great international event—as a result, I say——

Mr. BUTLER of Pennsylvania. We didn't think it would be so expensive when we invited them.

Mr. TAWNEY. That was a matter that Congress should have considered before extending the invitation. When you extend an invitation to a man to dine with you, you do not stop to measure the expense after he has accepted the invitation, do you?

As a result of this increased demand for space the exposition company was obliged to build three additional exhibition palaces beyond the number originally contemplated. They started out with the idea that if they could equal Chicago they would be doing well, and estimated the cost of reproducing an exhibition like that of Chicago, and estimated that it would exceed $15,000,000. To-day they have 120 acres under roof for exhibition purposes. At Chicago they had 86 acres. To-day, at St. Louis, they have inclosed in the exhibition grounds 1,200 acres. At Chicago they had 650 acres.

This space was demanded, and it was necessary to provide for it in order to supply the governments from different parts of the world we had invited to participate in this exposition with the amount of exhibit space which they required.

Now, they also had to sewer these extended grounds. Why, gentlemen, I have a statement here showing that almost $3,000,000 have been expended on these grounds, and you can not see where a dollar of it has gone. It is all underground, placed there for sewerage, water pipes to insure to the people attending this exposition the necessary sanitary and fire protection. An insurance agent said to me only last week that they had provided the best fire protection any exposition has ever had in the history of the world.

Now, as a result of this increased cost they are here not asking for an appropriation, but simply asking for the use of $4,600,000 for a period of about ninety days. The average length of time would be about ninety days. They ask for it on security that, in the judgment of the Senate and in the judgment of the House committee that considered it, is ample to insure the repayment of every dollar of the money we are asked to advance, and it is proposed to give it to them under conditions that will compel the return of every dollar of it, if there are any gate receipts at all or if the gate receipts equal $4,600,000.

The Centennial Exposition had $1,500,000 given to them as a loan, and, after paying all the indebtedness, every dollar of that $1,500,000 was returned to the Treasurer of the United States. I feel absolutely confident that this exposition in every respect will exceed any exposition that the world has ever seen or ever will. I believe that the attendance at this exposition will be far greater than that at Chicago and, inasmuch as we have provided in this amendment for the absolute return, and to prevent any misappropriation of these funds except the repayment of the loan, that the Government of the United States will have every dollar of this $4,600,000 in its Treasury before the Fifty-eighth Congress convenes next December. [Applause.]

Mr. BARTHOLDT. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARTHOLDT. What is the parliamentary situation at this time?

The CHAIRMAN. A motion was made by the gentleman from Minnesota to amend the Senate amendment, and that will be followed by a motion to concur.

Mr. BARTHOLDT. The motion to concur is pending?

The CHAIRMAN. The motion to amend is pending, and that will be followed by a motion to concur in the Senate amendment with that amendment.

Mr. BARTHOLDT. No time limit has been fixed for debate?

The CHAIRMAN. No time limit has been fixed for debate.

Mr. UNDERWOOD. Mr. Chairman, as far as the amendment to this paragraph of the bill offered by the gentleman from Minnesota is concerned, I believe it improves the text of the bill and shall vote for his amendment. But after the paragraph is amended I intend to vote against the whole proposition. I am unable to find any sufficient reason why the Government of the United States should go into the business of loaning its money to a private corporation. I have heard many distinguished gentlemen on the floor of this House, and, if I am not mistaken, the distinguished gentleman from Minnesota [Mr. TAWNEY] himself, abuse the Populist party for their idea of going into partnership with the United States Government.

Mr. COCHRAN. Will the gentleman yield to me for a question?

Mr. UNDERWOOD. Certainly.

Mr. COCHRAN. I would like to ask the gentleman if he thinks this is a private corporation?

Mr. UNDERWOOD. I consider it a private corporation, although it is indulging in an enterprise that is of interest to all the people in the United States.

Mr. COCHRAN. It is not in any sense a private enterprise.

Mr. UNDERWOOD. No more than a bank or a railroad company is a private enterprise if engaged in the business of the country.

Mr. COCHRAN. Did the gentleman ever hear of a railroad or a bank that was doing business in which all the people are interested?

Mr. UNDERWOOD. I imagine a railroad is more or less of interest to every man, woman, and child in the United States to some extent.

Mr. COCHRAN. To what extent?

Mr. UNDERWOOD. To the extent that it carries the mail of these people and delivers their letters; but I do not care to go into that subject.

Mr. COCHRAN. Does the gentleman think that by going into it deep enough he could make it appear that there is any private interest to be served?

Mr. UNDERWOOD. Well, I do not know about that. I understand there is a private corporation organized and that there has been stock subscribed. I do not understand that the company was organized for the purpose of making profits, but if there are any profits made after debts are paid I take it that the stockholders who subscribe their money will reap those profits.

Mr. COCHRAN. One further question. Is it not customary in many States for the public to provide and pay the necessary expenses, including sometimes deficits, to keep up State fair associations?

Mr. UNDERWOOD. Well, possibly the public does, but it does it out of the public property.

Mr. COCHRAN. Does not the public do that out of funds raised by taxation?

Mr. UNDERWOOD. Well, I do not recall any institution——

Mr. COCHRAN. I will ask the gentleman if the State of Alabama has not made such appropriations?

Mr. UNDERWOOD. I was going to state to the gentleman that I do not recall any instance where the State of Alabama has done so. It may have done so in times past that I know not of, but of my own knowledge I know of no such thing.

Mr. COCHRAN. Does the gentleman think there is very much difference in the aspect of this as a national enterprise and a State fair association as a State enterprise?

Mr. UNDERWOOD. I can not say that I do.

Mr. COCHRAN. Is a State fair association a private enterprise?

Mr. UNDERWOOD. When it is organized by private corporations for private gain it is.

Mr. COCHRAN. And the gentleman says he does not think the St. Louis Exposition was organized for private gains.

Mr. UNDERWOOD. I do not imagine it was; but it is organized on that basis.

Mr. COCHRAN. Then the only thing the gentleman says about this is that the incorporators of the World's Fair Association incorporated under the laws as a private corporation?

Mr. UNDERWOOD. Unquestionably, and if they make a profit the profits will go into their private pockets.

Mr. COCHRAN. Can the gentleman suggest any other way in which these great public enterprises could be carried on?

Mr. UNDERWOOD. I have no desire to do that. I will leave that to my friend from Missouri.

Mr. COCHRAN. Well, I think the gentleman ought to leave it to somebody.

Mr. UNDERWOOD. I have not contended that this corporation was organized as a private corporation to serve a private purpose; but it is a private corporation. I say that when the Government of the United States attempts to go into partnership with or to lend its money to a private corporation I draw no distinction between that proposition and the proposition that was made by the farmers of this country some ten or twelve years ago, in which they advocated that the Government of the United States should lend its money to them on their wheat and their corn and their bales of cotton as collateral security.

I have heard distinguished gentlemen on that side of the floor and on this inveigh against that proposition, and challenge its constitutionality, challenge the governmental power to do such a thing; but here, when we come to a corporation in which a vast number of the people of the United States are interested, from the point of public interest or in a pecuniary way, they seem to lose sight and thought of that proposition entirely.

Mr. COCHRAN. Mr. Chairman, I would like to inquire if the gentleman regards this as an unconstitutional measure?

Mr. UNDERWOOD. Yes; I will say candidly that from my point of view I do not think the Government of the United States has the power to use money collected by taxation for the purpose of making a loan to anybody.

Mr. COCHRAN. Has the Government of the United States power to become a stockholder in a corporation?

Mr. UNDERWOOD. No; I do not think it has. That is my personal opinion.

Mr. COCHRAN. Does the gentleman regard the United States as interested to the extent of the $5,000,000 in this property of the exposition as it now stands?

Mr. UNDERWOOD. I understand that the United States Government has given to this exposition $5,000,000.

Mr. COCHRAN. Does the gentleman not also understand that in the event that any portion of the liability, including that $5,000,000, is paid, it should be paid back——

Mr. UNDERWOOD. No; I do not understand that the Government of the United States shall ever participate in the profits to any extent in the world. The gentleman may be better informed on that proposition than I am, but I understand that out of the profits the Government may get back its money, but it will never participate in any profits of the concern. I can not see the distinction between these two cases—that is, between the case of lending the people of my district money on the pig iron that is stacked in the yards, lending to a railroad company governmental money to complete the building of a railroad, and lending this exposition money of the Government to carry on this exposition.

Therefore I think it improper—for myself, at least—to vote for this paragraph. But aside from that, on the question whether the Government of the United States is secure or not, I take issue with the gentleman from Minnesota. I notice that in the Senate hearings the president of this company was distinctly asked how many people lived within a hundred miles of the city of Chicago. He [illegible] at St. Louis would [illegible] the question, although he was asked it more than once. He said, [illegible] after [illegible] a direct reply, that if you would draw a circle around Chicago having a radius of 500 miles and a similar circle with a radius of 500 miles around St. Louis, you would find a great many more people in the circle which included St. Louis than in [illegible]

In the same way you might take some little interior town and draw a circle around it with a radius of 1,000 miles, and you would find more people within the radius of that circle than you would in a similar circle around the city of New York, because in one case your thousand-mile circle would extend into the Atlantic Ocean.

We know as a matter of fact that these expositions are kept up and paid for to a great extent by the people who live in the towns or cities within which the exposition is held or who live within a radius of 100 miles of such town; that from the people living beyond [illegible]

Now, sir, we find that the [illegible] at the Chicago Exposition were only about $1[illegible] gate receipts. What has [illegible] security for the loan it is proposed the Government shall make? [illegible] gate receipts of this exposition.

Mr. TAWNEY. And the co[illegible]

Mr. UNDERWOOD. By the gentleman's amendment, provided it [illegible]

Mr. ROBERTSON of Louisiana. No; by the Senate amendment.

Mr. TAWNEY. The Government is to have a lien on the gate receipts, from all paid adm[illegible] and Buffalo [illegible]

Mr. UNDERWOOD. As I u[illegible] then, the Government of the United States is pledged 40 per cent of the gate receipts to pay back [illegible] money. Now, the total gate receipts [illegible] Chicago Exposition down to its close an[illegible] You propose to allow this exposition to run for over two [illegible] April until June—before you take one dollar of the [illegible] gate receipts.

Mr. TAWNEY. Oh, the [illegible] must be fair. The exposition is not to be opened until the last day of April or the 1st of May, so that the period which the gentleman speaks of as two months would only be four weeks.

Mr. UNDERWOOD. Well, I understood the exposition was to be opened in April; I did not get the [illegible]

Mr. COWHERD. The gentleman will remember that the St. Louis fair is to run longer than the Chicago Exposition did. It is to continue a month longer.

Mr. UNDERWOOD. What I understand is that not the entire gate receipts, but 40 per cent of the gate receipts, are to be paid, beginning on the 1st of June [illegible] proposition on the 15th of June. You throw out the month of May entirely—you say that on this basis the Gov[illegible] will [illegible] for its loan. Now, you assume [illegible] pose to [illegible]

Mr. TAWNEY. I hope the gentleman intends to be fair in his discussion [illegible]

Mr. UNDERWOOD. I am trying to be [illegible]

Mr. TAWNEY. Then I hope the gentleman will state the facts. If [illegible] sion receipts as we [illegible] ceipts will amount [illegible] and if the gate receipts are $11[illegible]000,000 you have [illegible] more to add to that. The total receipts at Chicago were between $16,000,000 and $17,000,000.

Mr. UNDERWOOD. I have not had an opportunity to study the gentleman's amendment as carefully as I could wish. It provides, as I understand, that the Government shall take charge of the receipts and take out a certain portion and repay its loan. Now, is there anything in this proposition that will allow the Government to take all these concession receipts; and [illegible] what security is there that the Government will be repaid?

Mr. TAWNEY. The language of the amendment is clear and explicit. The Government, in the first place, has a lien by this act and by this contract on the gross gate receipts and on the gross [illegible]

Mr. UNDERWOOD. I re[illegible] that.

Mr. TAWNEY. Now, [illegible] the basis of the receipts at Chicago—assuming that the receipts at St. Louis are to be no greater than [illegible] gross receipts from these two [illegible]

Mr. UNDERWOOD. Y[illegible]

Mr. TAWNEY. No. I [illegible] at the gross receipts at Chi[illegible] Now, if [illegible] at Chicago, the G[illegible] ity for the repayment of its loan 40 per co[illegible]

Mr. UNDERWOOD. In other words, $6,800,000.

Mr. TAWNEY. Yes, sir.

Mr. UNDERWOOD. Six million eight hundred thousand dol[illegible] nt on some 22,000,000 people passing through the [illegible]

Mr. TAWNEY. Let me call the attention of the gentleman to another fact in connection with this proposition. In the event the default is made in the payment of this money at any one of the [illegible] ury sh[illegible] and the [illegible] ich the Gov[illegible] a lien.

Mr. U[illegible]OOD. I was [illegible]at, and that was one of the things [illegible]

Mr. BARTHOLDT. If the gentleman will permit me, I have the paragraph here.

Mr. U[illegible]WOOD. I have already discovered it. I will say [illegible]

Mr. BARTHOLDT. The gentleman spe[illegible]

Mr. TAWNEY. The gentleman from Ala[illegible]mitted that he is mistaken.

Mr. UNDERWOOD. I und[illegible]

Mr. BARTHOLDT. It says the gross receipts. The Secretary of the Treasury shall take possession of the gross receipts from all sources in case of defa[illegible] payment.

Mr. UNDERWOOD. I am coming to what the gentleman has just referred to—that the Government of the United States provided there is default in the payment of $500,000 at [illegible] until [illegible] may take charge of the gate receipts. [illegible] mean? He takes charge of all the [illegible] provided there is default. Now, if the [illegible] ing out and paying so much [illegible] and the S[illegible] exposition company, because if he does not pa[illegible] may use material that is necessary to run it [illegible] for the balloon ascensions, he will not get [illegible] and there will not be any money. In other words, he [illegible] under [illegible] the Government [illegible]

Mr. COCHRAN. We [illegible] part of it that he [illegible]

Mr. UNDERWOOD. I said that there is a provision in this bill—

That if at any time after said exposition company has received the amount [illegible]

Mr. COCHRAN. Does that make the Government in any sense a [illegible] f the exposition, except to take possession [illegible]

Mr. U[illegible]WOOD. I just [illegible] if he [illegible] pay the [illegible] to [illegible]

Mr. COCHRAN. I [illegible] we would go into partn[illegible] show. But did you say that the exposition w[illegible]

Mr. UNDERWOOD. Begging the gentleman's pardon, I said that some time ago. I said that this provision would cause the Government to appear as a debtor, to take charge of the exposition and run it in order to get its money back.

Mr. ROBINSON of Indiana. And then what would happen to it when the people knew that it had been levied on?

Mr. UNDERWOOD. That is all I desire to say now about this matter, and I desire to yield the balance of my time to the gentleman from Georgia [Mr. BARTLETT].

The CHAIRMAN. The gentleman from Georgia [Mr. BARTLETT] is recognized for [illegible] minutes.

Mr. BARTLETT. Mr. Chairman, I do not know that I caught exactly the statement made by the gentleman from Minnesota [Mr. TAWNEY], the chairman of the committee on Industrial Arts and Expositions, but I believe, if I do not say so, that the members of that committee, all in favor of this Senate amendment.

Mr. TAWNEY. On no [illegible] understood me. I [illegible]

Mr. BARTLETT. I was informed the gentleman said that.

Mr. TAWNEY. [illegible]

Mr. BARTLETT. [illegible] not the gentleman, but found it [illegible] d.

Mr. TAWNEY. [illegible] of every member [illegible] to it [illegible] upon other grounds [illegible] uld be amply sufficient. That is what I [illegible]

Mr. BARTLETT. [illegible] that [illegible] n.

Mr. TAWNEY. [illegible] know the attitude of the gentleman from G[illegible].

Mr. BARTLETT. Mr. Chairman, I am not in favor of this p[illegible] and can not vote for it, no matter how ample I may think [illegible] security given is to protect the G[illegible] can I even [illegible] the p[illegible] Lou[illegible] tra[illegible] different from my friend, the gentleman from Minnesota [Mr. TAWNEY]. Mr. Ch[illegible] on. I [illegible] June [illegible] d as against the propo[illegible] its inception [illegible] nt to aid this exposition by giving it $5,000,000. I have not changed my views on this sub[illegible] pending the money of the people in aiding these expositions or s[illegible]

When the Government makes its own exhibit and erects the b[illegible] for such purposes, that is as much [illegible] could be asked. I [illegible] very well, being the [illegible] r, as I am [illegible] n Industrial Arts and [illegible] n and one [illegible] n, come [illegible] t Sec[illegible] d in [illegible] what is known as [illegible] y was passed [illegible] ngress enacted that law.

I am [illegible] But I know full well that it was [illegible] tion of [illegible] n given to [illegible] Missouri would pay $[illegible] m the Government Treasury and that they would not follow the example of other expositions [illegible] to Congress [illegible] ld be [illegible] her people and the $[illegible] Government was asked to contribute, they would be amply able to inaugurate and carry to a successful end the great enterprise that was then being undertaken.

The act of Congress of March 4, [illegible] to provide for h[illegible] this exposition in the [illegible] section provided as follows:

That nothing in this act contained shall be [illegible] liability of the United States [illegible] or obligations created by said Co[illegible] any debts or

Doubtless this section was placed in the bill at the instance of the friends of the measure [illegible] in its passage. Surely this should [illegible] these gentlemen, who are now urging this Congress to extend "pecuniary assistance" to this exposition company. In good faith and conscience they should not now be heard to urge its violation.

This company who are here asking for this loan of the people's money for the purpose of carrying on the enterprise of a private corporation have made no effort to borrow money from the banks or any other source. They came to Congress in the first instance, relying doubtless on the fact that the United States Treasury is full, and upon the belief that this Congress in this age of alleged progress and extravagant expenditure of the public money will be more liberal and extravagant than any of the preceding Congresses.

In confirmation of this I read from page 25 of the hearing before the Committee on Industrial Arts and Expositions, on February 1, 1904.

[illegible] member of that committee, asked Governor F[illegible]

[illegible] approval, what are you going [illegible] are going to borrow that money from private parties, I sup[illegible]

Mr. Fr[illegible]

[illegible] ates won't shut[illegible]

And Mr. Houser, a member of the committee from St. Louis p[illegible] to urge the committee to favor this proposition, said:

If it takes all our fortunes, the gates will not close.

And Mr. Thompson, a leading and well-known banker and financier of St. L[illegible] stated before that committee the following, to be found on pa[illegible]

[illegible] tos feel safe in saying that the original sub[illegible] nt and the city. Everybody [illegible]

So that if this proposed contract with the Government is ample [illegible] that this exposition [illegible] ccress these gentlemen should be able [illegible] w this money from the banks, who are legitimately in the business of lending money. They should not be permitted to borrow it from the Government of the United States for it [illegible]

[illegible] kind of legislation is [illegible] sand should not be upheld. The original proposition to aid [illegible] ling and contributing $5,000,000 thereto was put by the Senate upon an appropriation bill, as this one has been, passed the Senate through "Senatorial courtesy," and it was brought here and [illegible] House on a rule on a conference report, had on an amendment to the sundry civil appropriation bill in June, 1900.

Mr. BARTHOLDT. Will the gentleman permit a question?

Mr. BARTLETT. Yes.

Mr. BARTHOLDT. Does my friend intend to convey the idea that St. Louis has not made good her word in raising $10,000,000?

Mr. BARTLETT. No; and nobody who understands the English language could understand that I intended to convey any such idea. I did not state it, nor insinuate it, because Gov. Francis, in the h[illegible] Saturday, [illegible] g that it had been done, and it could not [illegible] done unless the Secretary of the Treasury had violated the solemn provisions of the act under which the exposition is being held, because that act required [illegible] fied from evidence that every dollar of the [illegible] by the people of St. Louis and [illegible] the Treasury should pay out any of the $[illegible] to this exposition; and I am sure the Secretary of the Treasury will comply with the law and that he has [illegible] law.

Mr. BARTHOLDT. He has.

Mr. BARTLETT. Now, Mr. Chairman, this proposition is that the Government shall loan money to this exposition company, which is a private corporation incorporated and organized under the laws of Missouri. It is the Louisiana Purchase Exposition

Company. It has all the powers and all the attributes and all the liabilities of a private corporation. It can sue and be sued; it can incur and collect debts. It is a private undertaking aided by the Government at the request and solicitation of the corporation.

It will not do to say that because the Government in 1900 authorized the grant of and did give $5,000,000 to aid it in carrying on its business that the Government became liable as a partner and has now to contribute additional money that it might be inaugurated and successfully carried on. The act referred to distinctly negatives any liability of the United States for the acts of the corporation. These gentlemen came to Congress in 1900 and urged the passage of the measure under which they proceeded, as the hearings before our committee will show, and they came from various States and from Missouri, urging us to grant them this money upon the condition contained in this bill of March 3, 1901, urging us to aid them; and now, after we have given them the money and they want more, they come back and say you must grant us relief because you authorized this whole exposition; because you invited the nations of the world at our request you must pay more money.

This argument used by my friend the gentleman from Minnesota [Mr. TAWNEY] was not used by [illegible] of this exposition, for w[illegible] should aid them further because the United States [illegible] foreign nations to participate, said (page 33 of the hearings):

[illegible] is I understand it, this invitation of the General [illegible]

[illegible] ANCIS. That is so.

But I repeat, Mr. Chairman, that I am not in favor of this character [illegible] in recent years has time [illegible] appropriation bills, in violation of its own rules; in violation of the rules of this House, legislation of this character as "riders" on such bills. Why, we know the whole P[illegible] government bill was passed as a rider on the army bill in 1[illegible] s very id[illegible] sition to inaugurate and start the [illegible] n, civil [illegible] it, originated in the Senate, by an amendment or a rider to the sundry civil bill, in June, 1900.

If important legislation is thus to be enacted the power and influence of the popular branch of the legislative branch of the Government is seriously curtailed and virtually destroyed, and the Senate will become the supreme legislative power. If, as is contended by some Senators, the Senate can, without reference to the House, affect the revenues of the Government by treaties, and can also pass [illegible] sort of [illegible] king it as a rider to necessary [illegible] ation [illegible] submits, the power and inf[illegible] I do not and shall not a[illegible]

That bill had been referred to a committee appointed by the House to specially consider it. The gentlemen who were advocating it had been before the [illegible] e, and had urged the committee to report a [illegible] not report a [illegible] a bill without any recommendation whatever, and because they then were [illegible] would not [illegible]

Mr. LIVINGSTON. Is [illegible] an not mistaken when he says they came before the Ap[illegible] s Committee that made up the deficiency bill and had a [illegible] and we refused——

Mr. BARTLETT. I did n[illegible] e Appropriations Committee. If I said so I did not intend [illegible]

Mr. LIVINGSTON. One other question.

Mr. BARTLETT. I do not believe my colleague would refuse the appropriation of this money at any time.

Mr. LIVINGSTON. We had no hearing and did not pass upon it. I simply desire to correct the [illegible]

Mr. BARTLETT. I do not desire to put my friend and colleague in any position that he ought not to occupy. I meant to say, and I repeat, that these gentlemen came before a committee to whom this bill, the act of March 3, [illegible] had been referred, in this House, the Committee on I[illegible] over which the gentleman from Minnesota [Mr. TA[illegible] sides and of which I happen to have been an humble member since its organization.

They came before that committee with all the influence, with all the eloquence, with all the power they could exert, and they [illegible] be done, they went to the Senate and by means of the exercise of Senatorial courtesy, that alone exists in the United States Senate, the Senator from Missouri put it upon the sundry civil appropriation bill, and that is how this legislation originated, for the Government to place its credit and its faith and promise to pay them the $5,000,000 in the first instance.

Mr. BURLESON. Mr. Chairman, the gentleman is recognized as a lawyer of ability, and I would [illegible] to [illegible] query: Aside from the question of policy of the General Government going into the exp[illegible] does the gentleman believe that there is warrant under the Constitution of the United States for the General Government to make this loan to a private corporation?

Mr. BARTLETT. I do not know any express restraint placed upon the power of the C[illegible] away the money of the people if they can find enough men in Congress to vote it away. There are certain powers given to Congress providing what they shall appropr[illegible] navies and post-offices and post-roads and the maintenance of the General Gov[illegible]

There is not in the Constitution of the United States any restraining power that says that the Congress can not appropriate money to these expositions, or for such like purposes. I wish th[illegible] it would even then restrain a good [illegible] so. I do not [illegible] United [illegible] in the way of [illegible] to this as[illegible] n, if Co[illegible] sees fit to do [illegible]

Mr. BURLESON. R[illegible] that point, what power has Congress [illegible] make any appr[illegible] n except for governmental purpo[illegible]

Mr. BARTLETT. I do not think it ought to have the power.

Mr. BURLESON. Has it any such power?

Mr. BARTLETT. It ought not to have it. The gentleman has asked me what the provisions of the Constitution are in [illegible] I do not know of any that prohibit it. [illegible] g an inference to be d[illegible] of the Constitution. There is [illegible] which prohibits them from making appr[illegible]

Mr. BURLESON. Th[illegible] knows of no provi[illegible] t his finger upon the provision of [illegible]

Mr. BARTLETT. I can not; nobody can; but there are a great many things for which money is expended not authorized expressly by the Constitution. I take it for granted that this Government was authorized to collect revenues by taxation of the people and [illegible] ws. I take it for granted, so far as I am con[illegible] that is my political faith, that the Government of the United States, when it has n[illegible] to have or taxes are too l[illegible] rate of taxation or return th[illegible] the people whence it came.

W[illegible] ON. I am in thorough accord with the gentleman.

Mr. BARTLETT. But as you asked me as a lawyer, I am under[illegible] to give you my opinion as a lawyer.

Mr. BART[illegible] T. M[illegible]

The CHAIRMAN. Does the gentleman yield to the gentleman from M[illegible]

Mr. BARTLETT. Just for a question.

Mr. BARTHOLDT. Can my [illegible] t his finger to the provision in the Constitution of th[illegible] the country which would author[illegible] to go into the open markets for the pur[illegible] Government bonds at a higher premium [illegible] pose of the money [illegible]

Mr. BARTLETT. W[illegible] Chairman, I am [illegible] ing to undertake to say whether some S[illegible] y have [illegible] I [illegible] to borrow money and issue bonds; and the [illegible] right that every other creditor has to go into the market and [illegible] the bonds before they become due, like I have, if my [illegible] r [illegible] to it, and the question is not at all nec[illegible] anything to a lawyer's mind, in [illegible] t [illegible] ussion.

Mr. BARTHOLDT. But it is done for the purpose of relieving the money stringency, and here is an opportunity to do the same thing to the extent of four million dollars and a half.

Mr. BARTLETT. What [illegible] Why, Mr. Chairman, I have here a statement of the banks in New York, pu[illegible] and [illegible] s the statement of the Secretary of the Treasury, which shows that the banks are so far from being without money that they have $21,000,000 and over above

their surplus reserve, showing that they have more money on deposit, more money in their vaults, than they ever had before in many years.

I have here an account where the Pennsylvania Railroad on Friday last made arrangements to borrow [illegible] for improvements for the railroad, and I have not heard of a jar or ripple in Wall street so far as money is concerned, unless it happened this morning. The rate of interest has not gone up; there has been no demand on the Secretary of the Treasury to supply a contemplated deficiency of $50,000,000. Why, Mr. Chairman, have we arrived at the stage in this great country of prosperity that the national banks, with [illegible] the reserve in the New York banks, and that business is [illegible] what becomes of the talk about more money than you can use and of the assertion that the vaults of the banks are full to overflowing, if we can not borrow that small amount of money?

Mr. BAKER. [illegible]

Mr. BARTLETT. I would rather not be interrupted just now, but I will yield to the gentleman for a question.

Mr. BAKER. [illegible] Government will it [illegible]

Mr. BARTLETT. There is an A B C of finance which does not [illegible]

Now, Mr. Chairman, [illegible] I have this proposition I want to state that the amendment offered by the gentleman from Minnesota is far better, in my judgment, than the amendment [illegible] from the Senate. The [illegible] question, it is [illegible]. If [illegible] this loan. Under the amendment offered by the gentleman from Minnesota it provides that the Government shall get [illegible] per cent, but, at any [illegible] carefully drawn, more so than the Senate amendment, for the expenditure [illegible] required to repay the amount loaned whether it [illegible] to do so or not.

But I do not believe, Mr. Chairman, [illegible] the Government [illegible] creditors of this Exposition and the Government, the lien hereby provided for will not [illegible] to give the Government [illegible] in the [illegible] money. I say that [illegible] and that is what this is a mere gamble [illegible] "A man can not give that which he has not." [illegible] of the law.

It will not do to say that [illegible] mortgage [illegible] on the [illegible] road are subject [illegible] of which the [illegible] next year's clipped wool; as [illegible] of next year's crop of apples. But [illegible] in not [illegible] of apples a crop of a [illegible] the apples [illegible] of which the [illegible] the wool growing.

I read now from Jones on Chattel Mortgages, section 140, as follows, to sustain my statement:

> One may make a valid mortgage of a thing to which he has a [illegible]
>
> [illegible] there hath it neither actually nor potentially.

[illegible]

The [illegible] may [illegible] that but when these gentlemen [illegible] in the [illegible] of the United States [illegible] in the [illegible] of the United States [illegible] Court of the United States will control. Therefore I must dissent from my distinguished friend when he says that all of us are agreed that this lien would be sufficient. I do not agree to that. I dis-

[illegible] but I made the suggestion, as is shown in the copy of the hearings which I hold in my hand, to Governor Francis, and asked him whether that had occurred to him. I made the suggestion in the committee room when we were considering the proposition and I have given it some consideration. I will read from the decision of the Supreme Court as to be found in 64 United States Supreme Court Reports, in the case of Pennock v. Coe, wherein the court says:

> It may at once, therefore, be admitted, whenever a party undertakes by [illegible]

I will follow that up by a [illegible] from another case, as follows:

> It [illegible]
>
> [illegible]

I have here a half dozen or more cases upon that subject and [illegible] ions from the law writers upon the subject, and I make bold to say here that if ever a contest comes between the United States Government and other creditors as to the validity of this lien, it is shall be made in pursuance of this act, that the lien will be declared to be a nullity, because the exposition company has not got the [illegible] and can not tell what they will be. It [illegible] on the property [illegible] which the lien is given. What the receipts will be are men[illegible] of the future, dependent upon every sort of [illegible]. Whether these receipts shall [illegible] ten million or twenty million [illegible] now.

If we [illegible] pass this [illegible] to-day and it be approved to-morrow, and if the Secretary of the Treasury shall decide that there is now no lien on the gate receipts—and there can be none under the law—then when he accepts, as he is directed to do, and the [illegible] and he lends the money, and when the [illegible] progress, if it shall progress, to the time when [illegible] per cent of the $5,000,000 is not paid and the Government takes charge of these receipts, both gate and concession, and there shall come a contest between the Government and the [illegible] ion, it will be found that the Government must stand upon the same plane as an ordinary creditor, having no more

right in the courts of the country than these gentlemen had in these decisions I have quoted who had mortgages on the after-acquired income of the debtor.

Whenever the United States Government abandons its function of government to engage in the business of lending money and to become a competitor with private individuals in the money market, in the banking business, it steps down at the same time upon the same plane with the other money lenders and creditors of the country. We have seen that illustrated in this country no [illegible] last year, when vessels which were being built [illegible] were taken charge of by the courts, and the question in the contest was as to whether the Government had a right superior to that of other creditors. So that this lien, in my judgment, is worth no more than the lien on a simple contract undertaking of this exposition to pay the money of the Government back in the event they are called upon to do so.

Now, [illegible] I presented my view to this commi[illegible] of this lien. In my judgment it is not worth the paper upon which the amendment is written, so far as other creditors are concerned, and if such a contest arises it will be as between the Government and the other creditors [illegible]

Mr. [illegible] Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. BARTLETT. Yes.

Mr. ROBB. I desire to ask this question: In this case the law itself creating the lien is to be distinguished as between that and a contract between ordinary individuals, is it not?

Mr. BARTLETT. Why?

Mr. ROBB. Because the law itself authorizes the lien. The law makes it a lien if we pass this amendment.

Mr. BARTLETT. That is the only reason that it could be a lien, and that is the only [illegible] to the view that I have suggested.

Mr. ROBB. I have reference to the case from which the gentleman cited. Those were cases of undertaking to create a lien under a general law existing at the time, but here we have a law making a specific transaction a lien.

Mr. BARTLETT. Under the common law and, so far as I know, under the laws of all the different States, unless where specified exceptions have been made authorizing a man, for instance, to give a lien upon crops, planted or to be grown, or something of that kind, you can not make a lien upon property that is not in existence.

Now, [illegible] in a case where the law expressly provides for a lien of this kind, would not the court sustain it? My point is that in [illegible] this provision, we would authorize just this kind of a lien—would create a lien by the passage of this law.

Mr. BARTLETT. I do not think that is the fact. And I am frank to say to my friend that the suggestion he has made presented itself to my mind when I was determining whether this lien would be valid. The language of this proposed law does not create a lien; it simply says that the exposition company shall execute a lien, [illegible] But the [illegible] of the United States has [illegible] power to pass such an [illegible] tion upon any [illegible] in other words, you can not [illegible] a provision of this [illegible] in the form of special legislation applying in only one case.

In the case of Ellis v. The Railway Company, 165 U. S., as I [illegible] $10 [illegible] to [illegible] of the stock destroyed in suits [illegible] the Court said that such a law was [illegible] and void, because it [illegible] that the [illegible] companies and they alone in the whole [illegible] would be [illegible] fees. It [illegible] in the [illegible] of common right and of the common law, and was therefore void.

I therefore dispute the gentleman's position, because I undertake to say that any attempt [illegible] in derogation of the common law and of common right, any proposed law which [illegible] from having the money of his [illegible] to the payment of [illegible] in a court of equity or a court of law. You can not establish a preference in this way in favor of some creditors against others. In this way I undertake to dispose of the [illegible] of my friend from Missouri, and I think the court must sustain me in my position.

Mr. Chairman, we have spent a great deal of money upon expositions of this character. I have here and will place in the RECORD a statement of the contributions by the Government to these expositions from 1876 down to the present time, not including the present proposition.

Aid or loans to expositions and [illegible]

Centennial [illegible] United States	[illegible]
[illegible]	[illegible]
New [illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Atlanta [illegible]	[illegible]
Nashville [illegible] Exposition and Government [illegible]	[illegible]
[illegible]	13,000.00
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Pan-American Exposition, Buffalo, N. Y.	[illegible]
Total	5,[illegible]
Appropriations for World's Columbian Exposition	5,[illegible]
Total	11,[illegible]
Appropriations for the World's Columbian [illegible]	
Government [illegible]	
Act [illegible]	$[illegible]
Act [illegible]	[illegible]
Expenses World's Columbian Commission:	
Act April 25, 1890	[illegible]
Act [illegible]	[illegible]
Act August 5, 1892	[illegible]
Act March 3, 1893	[illegible]
	[illegible]
Board of [illegible] Managers, World's Columbian Commission:	
Act [illegible]	88,000.00
Act [illegible]	[illegible]
Act [illegible]	[illegible]
	[illegible]
Expenses Government board of control, World's Columbian Exposition:	
Act March [illegible]	200.00
Act August [illegible]	[illegible]
Act March 3, 1893	[illegible]
	[illegible]
World's Congress, World's Columbian Exposition, act March 3, 1891	2,500.00
Admission of foreign goods, World's Columbian Exposition:	
Act April 25, 1890	[illegible]
Act March 3, 1891	[illegible]
	[illegible]
Aid to [illegible] Columbian Exposition, Columbian half dollar, [illegible]	2,500,000.00
Less on [illegible] of Columbian half dollar, act August 5, 1892	[illegible]
Management [illegible] Exposition, acts August [illegible]	103,000.00
Management [illegible] World's Columbian Exposition, act February [illegible]	20,000.00
	123,000.00
Distribution of [illegible] diplomas, resolution of March 13, 1893	15,000.00
Expenses [illegible] World's Columbian [illegible]	519,880.90
Re[illegible] Bureau of Engraving and [illegible]	880.00
[illegible] for participation in [illegible]	2,500.00
Special [illegible] report, World's [illegible] Exposition:	
Act August [illegible]	3,500.00
Act [illegible]	[illegible]
[illegible] R. Davis, director-general of World's [illegible]	18,036.10
Re[illegible] World's Columbian [illegible]	1,098.35
Pa[illegible] World's Columbian [illegible]	6,517.67
Pa[illegible] World's Columbian [illegible]	500.00
Total	[illegible]

Mr. TAWNEY. The gentleman ought to add to those the amount that Georgia got.

Mr. BARTLETT. I have that here, and it is added in the statement I made. In reply to the gentleman's suggestion I will say that Georgia did not get a dollar out of the Government. And if I had been a Member of the House at the time that appropriation was made I should have voted against any proposition to give or loan money to that exposition in 1895. So long as my [illegible] me the right to represent them on this floor I will continue to maintain the position that the Government has nothing to do with this kind of expenses.

The Atlanta Exposition got $200,000. For what? For Government exhibits and a Government building—not another [illegible] and that was for an exposition in the great city of Atlanta, the greatest and most progressive city in one of the greatest States of the Union, if not the greatest. That appropriation did a great deal of good. The Government has contributed to other expositions over $11,000,000, and if this bill passes the sum will reach

$22,000,000 so spent since 1876. It contributed $1,500,000 to the Centennial exposition in 1876——

Mr. HERMANN. Does not the gentleman from Georgia believe that that one exposition at Atlanta, Ga., conferred ten thousand times more benefit upon the people than the amount of money expended?

Mr. BARTLETT. Yes; I do.

Referring to the Cotton States and International Exposition, held in Atlanta, Ga., in 1895, that exposition did not receive one dollar of gratuity or aid from the Government. The Government simply put up its building and made a Government exhibit at a cost of $200,000. No city of that size had ever before undertaken so vast an enterprise which succeeded so magnificently. To use the language of a distinguished scholar and historian, Prof. E. Benjamin Andrews,

Atlanta was the only city of its size in the world which had ever before undertaken [illegible] Mr. Winter Davis [illegible] Atlanta [illegible] American exposition seemed [illegible] the World's Columbian at Chicago.

Never once did they call upon the Government, but the management [illegible] with a public spirit and enterprise which shamed [illegible] wealth, who predicted [illegible] of [illegible] heard of their appealing to the Government for a loan.

Mr. HERMANN. Then it was a good investment.

Mr. BARTLETT. It was a good investment for the people of Georgia, and [illegible] we would have [illegible] with the [illegible] results.

Now, as to the appropriation for Charleston, S. C., I voted against it.

Mr. WM. ALDEN SMITH. The gentleman must not forget the [illegible] in Oregon [illegible] Exposition.

Mr. BARTLETT. I will come to that bridge when I come to it. I repeat, Mr. Chairman, as the suggestion is made by my colleague, that Congress did not [illegible] Government not ask a dollar as a loan or gratuity before or after the exposition.

What did you do at Omaha? You gave Omaha $200,000 for an exhibit, nothing more.

What did you do at Philadelphia? When this country desired to [illegible] the centennial of the Declaration of Independence and the birth of this Republic at the place where [illegible] many [illegible] you only loaned that exposition $1,500,000 and Philadelphia paid back every dollar of it. You contributed $3,000,000 [illegible] Government [illegible] exhibit at that great exposition, and that is all you gave to the place where you celebrate the birth of the independence of this our people. You contributed $375,000, and you advanced $1,500,000 afterwards to aid her, and she paid back every dollar of it, for which Philadelphia and her people are entitled to great credit.

What have you done for St. Louis? You have given that exposition $5,000,000 in cash, which is now expended, except about $255,000. Provision has been made to expend nearly $1,000,000 for the Government exhibit——

Mr. WM. ALDEN SMITH. If the gentleman was sure we should get this money back he would favor the Government loaning it to them, would he not?

Mr. BARTLETT. I would not.

Mr. WM. ALDEN SMITH. I thought the gentleman approved what had been done.

Mr. BARTLETT. The gentleman misunderstood me, or I did not make myself understood.

Mr. WM. ALDEN SMITH. I thought the gentleman approved what had been done at Philadelphia.

Mr. BARTLETT. I do not approve of lending money for that. I said that the Congress in its utmost liberality, in the desire to celebrate the greatest event that ever occurred on this continent and probably the greatest event that ever occurred in the history of the world, at the place where was born and where grew up the life of the greatest people on the face of the earth, that gave to the world its best, best hope for liberty and the preservation of constitutional republican government—Congress, in its liberality, expended $375,000.

Now, when you propose to celebrate another event—great, it is true, in the history of this country—you have already given them $1,000,000, and in addition to that you propose to go into the business of making the Government a lender of money upon a security which, in my judgment, is not valid as between this Government and other creditors of this exposition. Where are you to stop?

Some years ago there arose in this country what was known as the "Farmers' Alliance" movement. Times were hard in 1890. I believe that was under a Republican Administration, although I do not desire to say anything in reference to hard times just now at any time under any Administration. In 1890, when all the products of the farm were low in price, the farmers in my country and the farmers in all the great West formed what was known as the "Farmers' Alliance," and my good friend and colleague from Georgia [Mr. LIVINGSTON] was one of the leaders of them.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BARTLETT. I ask about ten minutes more.

The CHAIRMAN. The gentleman asks unanimous consent for ten minutes more.

Mr. PAYNE. Mr. Chairman, of course I do not like to object to the time of the gentleman being extended, but I have heard it rumored that an effort to cut off this debate would be made in a few minutes.

Mr. BARTLETT. Not by me.

Mr. PAYNE. If there is to be such an effort I should like to have some one on this side of the House heard in opposition to this proposition.

The CHAIRMAN. The Chair has not heard of any such thing.

Mr. BARTLETT. I want to state to the gentleman that I am upon the [illegible] of which my friend from Minnesota [Mr. TAWNEY] is a member.

Mr. TAWNEY. I ask, Mr. Chairman, that the time of the gentleman from Georgia be extended ten minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Georgia be extended ten minutes. Is there objection?

[illegible]

Mr. BARTLETT. Now, Mr. Chairman, I jokingly referred to my good friend and colleague [Mr. LIVINGSTON]. I want to say that we are glad he was a member of that alliance. He did the people of Georgia and the Democratic party of Georgia a great service [illegible] of the Democratic party and we are proud of it [illegible] while he was a Populist [illegible] man he continued to be, as he now is, a strong, rank Democrat.

They formed an association and they were anxious to have the Government loan them money [illegible] They proposed to have [illegible] much to put the cotton to secure the Government. It would have been as secure as any loan could have been made. Cotton is always a staple. There never has been a [illegible] one-half of the market price.

Mr. WM. ALDEN SMITH. [illegible]

Mr. BARTLETT. If such a scheme was on foot to-day the Government could afford to loan $50 a bale upon every bale of cotton raised in the South, but those of us who were opposed to that sort of governmental policy went before our people and [illegible] as being one of paternalism and socialism and as close to one of the true functions and powers of government.

And while the farmers of Georgia were hard pressed for money, while they had to toil day in and day out, and many of them saw their property go to the auction block to pay their debts, yet when the proposition came up before them at the [illegible] to the great [illegible] by their brethren, true to the teachings of the founders of the Republic and of the party to which they belonged—the "subsidy" plan and the politicans who upheld it, this unhallowed growth, from wrong policies of government, fell beneath the ballots of the sturdy yeomanry of Georgia and the South.

To-day we have not the farmer with his horny hand, his skin sunburned and brown, asking the Government to loan him money. Thank God in his Providence, He has prospered the farmer, and his surplus profits swells the Treasury to-day with the excess of exports over imports, until to-day you are here proposing to you ever were in your life, because the farmer has made the greatest production of crops and is more prosperous than at any time in our history. Upon his sturdy shoulders he has carried us to prosperity unbounded.

But we have the farmers (?) of St. Louis, gentlemen, who are engaged in this exposition, asking us to make a loan of the people's money, without interest, to carry on the exposition they have undertaken.

For one, Mr. Chairman, I do not believe the Government was organized or intended to become a loaner of money to the people to carry on their private business. I do not believe that we are here to keep a pawnshop, in which to loan money upon any kind of security. If so, I suggest that we should take down the emblem of this Government that adorns yon mace of the sergeant-at-arms and supplant it with the "three balls pendant," the sign of a pawnbroker and money lender.

Therefore, so far as I am concerned, I shall vote against this proposition as I voted against the proposition in its inception to contribute $5,000,000 to it.

Before I take my seat I desire to call attention to what the distinguished chairman of this Committee on Appropriations [Mr. HEMENWAY] said, opening his remarks upon this very identical bill:

Mr. Chairman, before coming to the provisions of the bill which I have [illegible] the Treasury of the United States [illegible] as was the case [illegible] Washington.

[illegible] public in Members of this Congress in [illegible] I [illegible] the appropriations of this Congress [illegible] House [illegible] estimated expenses of the Government for the ensuing fiscal year.

Then he goes on and gives his statement and proceeds further:

There [illegible] reasonable economy, and [illegible] not [illegible] but to strike from these [illegible] and from [illegible] recommended to this House every expenditure item. We [illegible] within the revenues.

Then later on he told you what should be done in coming to the assistance of the Treasury, that it might not show a deficit of $42,000,000. Yet, regardless of this, you are here to take out of the vaults of the Treasury—poured in there from the taxation of its people—$1,000,000 to aid in an exposition to which you have already contributed nearly $6,000,000.

I take it for granted when the gentleman made this statement with reference to the Treasury when he reported this bill that the statement was correct, and when he made it it was not to alarm you and alarm the country, but he told you you had neared the danger line.

If you vote this appropriation, when the time comes you will be called upon to give it instead of their paying it back. Such has been the history of such expositions; but whether it succeeds, as I hope it will do—I hope it will be the greatest exposition that the world ever saw—whether it succeeds or is a failure, they will ask you for this money, will insist it should not be repaid.

For one I call upon those who believe as I do, that the people's money should be spent for governmental purposes, to vote against this appropriation, and [illegible] the distinguished chairman of the Committee on Appropriations of this House. I call upon you from that side not to walk beyond the danger line, down over the precipice and into the abyss of a deficit, and leave the Treasury where it must be replenished by the issuance of bonds in times of peace.

The people have had enough of that. The policy or the party that brings such a necessity upon them will receive, as it is entitled to receive, the condemnation of the American people. [Applause on the Democratic side.]

Mr. TAWNEY. Mr. Chairman, I do not know whether or not it is possible to conclude the general debate on the amendment to-day; but I ask that general debate be closed at 5 o'clock.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that all general debate on the amendment be closed at 5 o'clock. Is there objection?

Mr. BURKETT. I object, Mr. Chairman.

The CHAIRMAN. Objection is made. The Chair will recognize a member of the Committee on Appropriations favoring the bill at this time, if there is any such gentleman who desires recognition.

Mr. BARTLETT. Mr. Chairman, I ask that I may be permitted to add some data in addition to the statement that I have made in connection with my remarks.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The Chair recognizes the gentleman from Nebraska.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. BUTLER of Pennsylvania having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3117. An act to expedite business in the district court of the United States for the district of Oregon;

S. 3738. An act granting an increase of pension to Linus S. Ludington;

S. 2345. An act to amend the provisions of the naturalization laws of the United States, and for other purposes;

S. 2815. An act authorizing the Secretary of the Treasury to fix the salaries of the deputy collectors of customs at the subports of Tacoma and Seattle, in the State of Washington, and repealing all laws inconsistent therewith;

S. 2498. An act to establish a life-saving station at or near the entrance to Tillamook Bay, Oregon;

S. 3118. An act to amend the act approved February 18, 1895, entitled "An act to amend an act entitled 'An act to amend the laws relative to shipping commissioners,' approved August 19, 1890, and for other purposes;"

S. 1278. An act to provide for the erection of buildings for an immigrant station at the port of San Francisco, Cal.;

S. 1597. An act to provide for the payment to the heirs of Darius B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians; and

S. 1607. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 958) granting an increase of pension to Alfred H. Rogers, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 892) granting an increase of pension to Abram H. Hunt, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. [illegible]) granting an increase of pension to Henry Christy, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. [illegible]) granting an increase of pension to George W. Travis, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 5165) granting an increase of pension to Alonzo Dutch, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. [illegible]) granting an increase of pension to George C. Sherman, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 3776) granting an increase of pension to Alfred J. Judy, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. TALIAFERRO as the conferees on the part of the Senate.

AMENDMENTS OF THE SENATE TO URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

Mr. BURKETT. Mr. Chairman, I yield to the gentleman from Iowa such time as he may desire.

Mr. HEPBURN. Mr. Chairman, this proposition is a very simple one. It is a bold, bald, naked proposition for the Government of the United States to loan to a corporation, without interest, upon questionable security, $1,000,000. That is the proposition. It comes to us from the other end of the Capitol. It comes to us on an appropriation bill, in violation of the rules of that body, and in violation of the rules of this House.

It comes to us in the same questionable form that the original proposition did that the gentleman from Texas was a gift—a proposition that we did not understand four years ago—a gift of six and one-quarter million dollars to this institution. It comes in the same objectionable way—in violation of the rules of that body, in violation of the rules of this.

Mr. TAWNEY. Will the gentleman pardon me——

Mr. HEPBURN. It is part of the gentleman's proposition for this Government to invest more than $11,000,000 in this great exposition at St. Louis——

Mr. TAWNEY. I do not know whether the gentleman refers to myself when he speaks of this coming or the statement having

been made that $5,000,000 was a gift. I certainly made no statement of that kind. I said an appropriation was made on the terms of this section, which says the Government of the United States is to receive one third of the receipts, and I would now, if the gentleman will pardon me, correct another statement. The original bill authorizing the exposition passed the House of Representatives making a $5,000,000 appropriation for the purpose of aiding and completing that exposition. It passed the House in the form of a bill as a separate proposition, and then went to the Senate where it was amended by putting on that last clause proposition, and it was passed, too, by a two thirds vote of this House, not on an agreed proposition.

Mr. DALZELL. That bill was not passed in this House until, after a previous session of Congress, an amendment was put on the sundry civil appropriation bill, upon motion.

Mr. TAWNEY. I beg the gentleman's pardon, the amendment did not appropriate $5,000,000; it pledged $5,000,000.

Mr. DALZELL. Pledged it in the event of their raising $10,000,000.

Mr. PAYNE. That is what the gentleman from Iowa stated.

Mr. HEPBURN. Mr. Chairman, I am substantially correct in the statement I have made, and I will state why. Mr. Chairman, it is not my purpose to throw any obstacle in the way of the magnificent spectacle we are to have in the city of St. Louis during this year. With the general purpose had in view by the gentlemen who have the matter in charge I have the highest sympathy.

I believe that every ten or fifteen years this Government could well afford to expend a few million dollars in the educational purposes that come through these great international expositions. I also think that there is no occasion to impeach the good faith or management of the gentlemen who have this matter in charge heretofore. I suppose of all that they have done I can approve of a great deal. Some of the things which constitute the Composition which I endorse is contained in the gentleman who made the opening address in favor of the proposition. He seems to feel that a great deal is due to the city of himself and others that these gentlemen are permitted to draw six per cent a year in compensation for the commercial enterprise they furnish to the great enterprise. Longfellow I think has expressed it. I wish I could express it as he has the greatest thing the world has ever known; but I want the gentlemen who are to be the beneficiaries hereafter to furnish this money. I want them to be sure that commercial of them the city from which we get the first of Lake Michigan water raised the $5,000,000 that was needed after all other resources had been exhausted, and so I want the city of St. Louis to contribute their share in that respect. It is pleasing the labor and contributions to come here and talk about the commercial enterprise they furnish to the great enterprise. Longfellow I wish this could. I wish it

Mr. HEMENWAY. In view of the statement made by the gentleman from Minnesota, I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CURTIS, Chairman of the Committee of the Whole, reported that the Committee of the Whole House on the state of the Union had had under consideration the amendments of the Senate to the urgent deficiency bill and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 2000. An act to amend the provisions of the naturalization laws of the United States, and for other purposes—to the Committee on Immigration and Naturalization.

S. 1238. An act to provide for the erection of buildings for an immigrant station at the port of San Francisco, Cal.—to the Committee on Public Buildings and Grounds.

S. 1537. An act to provide for the payment to the heirs of Lucas B. Randall, deceased, for certain improvements relinquished to the United States for the use of the Nez Percé Indians—to the Committee on Claims.

S. 1667. An act granting to the State of Oregon certain lands to be used by it for the purpose of constructing and operating thereon a fish hatchery—to the Committee on the Public Lands.

S. 2806. An act to extend a [illegible] street or near the entrance to Tacoma, Pierce County, Oregon—to the Committee on Interstate and Foreign Commerce.

S. 2815. An act authorizing the Secretary of the Treasury to [illegible] the salaries of the deputy [illegible] at the [illegible] Treasury Building in the District of Columbia, and repealing all laws inconsistent therewith—to the Committee on Ways and Means.

S. 3317. An act to [illegible] the business in the Department of the United States for the district of Oregon—to the Committee on the Judiciary.

S. 3[illegible]. An act granting an increase of pension to Linus S. Ludington—to the Committee on Invalid Pensions.

COLUMBIA INSTITUTION FOR THE DEAF AND DUMB.

The SPEAKER announced the appointment of members of the Columbia Institution for the Deaf and Dumb: Mr. FOWLER of New Jersey and Mr. SIMS.

ADJOURNMENT.

And then, on motion of Mr. HEMENWAY (at 4 o'clock and [illegible] minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a copy of a communication from the Chief of Ordnance, a report of tests of iron and steel and other metals—to the Committee on Manufactures, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Active*, Samuel Pote, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Apollo*, Jean Ring, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of John A. Chandler, administrator, estate of Garrett S. Chandler, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Anne C. Livingston against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Joseph T. Blanton, administrator of estate of Benjamin Blanton, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Puyallup and other waterways of the harbor of Tacoma—to the Committee on Rivers and Harbors, and ordered to be printed with illustrations.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 2009) for the relief of the estate of Sven J. Johnson, reported the same without amendment, accompanied by a report (No. 736); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 1058) for the relief of Kirby Thomas, reported the same without amendment, accompanied by a report (No. 737); which said bill and report were referred to the Private Calendar.

Mr. TRIMBLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 7585) for the relief of Jacob Sargent, late deputy collector, seventh Kentucky district, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. 7718) for the relief of the estate of Artemus E. Gibson, reported the same without amendment, accompanied by a report (No. 739); which said bill and report were referred to the Private Calendar.

Mr. BEALL of Texas, from the Committee on Claims, to which was referred the bill of the House (H. R. 8256) directing the issue of a check in lieu of a lost check drawn by Thomas J. Homs, disbursing clerk, in favor of Crane & Co., of Dalton, Mass., reported the same without amendment, accompanied by a report (No. 740); which said bill and report were referred to the Private Calendar.

Mr. McNARY, from the Committee on Claims, to which was referred the bill of the House (H. R. 693.) for the relief of the heirs of Elizabeth Cushing, reported the same with amendment, accompanied by a report (No. 741); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. [illegible]) for the relief of the estate of Mary Keating, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) for the relief of Louis D. Hattenstein, deceased, reported the same with amendment, accompanied by a report (No. 743); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the Senate (S. 250) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa., reported the same without amendment, accompanied by a report (No. 744); which said bill and report were referred to the Private Calendar.

Mr. SPIGHT, from the Committee on War Claims, to which was referred the bill of the House (H. R. 10585) for the relief of the vestry of Christ Episcopal Church, of Holly Springs, Miss., reported the same with amendment, accompanied by a report (No. 745); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2917) granting an increase of pension to Elijah Farr, reported the same without amendment, accompanied by a report (No. 748); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 167) granting an increase of pension to J. Hudson Kibbe, reported the same without amendment, accompanied by a report (No. 749); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Ella B. Green, reported the same without amendment, accompanied by a report (No. 750); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 232) granting an increase of pension to Joseph Roberts, reported the same without amendment, accompanied by a report (No. 751); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3166) granting an increase of pension to Levi B. Lewis, reported the same without amendment, accompanied by a report (No. 752); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2577) granting an increase of pension to

Albert Marshall, reported the same without amendment, accompanied by a report (No. 753); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2712) granting an increase of pension to Harriet Billings, reported the same without amendment, accompanied by a report (No. 754); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 782) granting a pension to Mary D. Duval, reported the same without amendment, accompanied by a report (No. 755); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2797) granting an increase of pension to Edward A. Cotting, reported the same without amendment, accompanied by a report (No. 756); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2440) granting an increase of pension to George Olsen, reported the same without amendment, accompanied by a report (No. 757); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1799) granting an increase of pension to Charles E. Decker, reported the same without amendment, accompanied by a report (No. 758); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1330) granting an increase of pension to John Adamson, reported the same without amendment, accompanied by a report (No. 759); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 880) granting an increase of pension to Catherine A. Brown, reported the same without amendment, accompanied by a report (No. 760); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 38) granting an increase of pension to Miriam R. Adams, reported the same without amendment, accompanied by a report (No. 761); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 142) granting an increase of pension to Henry W. Nichols, reported the same without amendment, accompanied by a report (No. 762); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1[illegible]) granting an increase of pension to Edwin H. Wheeler, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 795) granting a pension to Mary H. Allen, reported the same without amendment, accompanied by a report (No. 764); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2061) granting an increase of pension to William H. Barlow, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2068) granting an increase of pension to Julia A. Roberts, reported the same without amendment, accompanied by a report (No. 766); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1912) granting an increase of pension to Joseph W. Booker, reported the same without amendment, accompanied by a report (No. 767); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2236) granting an increase of pension to James Reed, reported the same without amendment, accompanied by a report (No. 768); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2245) granting an increase of pension to Daniel Fritz, reported the same without amendment, accompanied by a report (No. 769); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2250) granting an increase of pension to Anna Pritchard, reported the same without amendment, accompanied by a report (No. 770); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2[illegible]) granting an increase of pension to Charles Cummings, reported the same without amendment, accompanied by a report (No. 771); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1241) granting an increase of pension to Hamlet F. Roberts, reported the same without amendment, accompanied by a report (No. 772); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1242) granting an increase of pension to Thomas Davis, reported the same without amendment, accompanied by a report (No. 773); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2374) granting an increase of pension to Alonzo Moses, reported the same without amendment, accompanied by a report (No. 774); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2230) granting an increase of pension to Matilda C. Lothrop, reported the same without amendment, accompanied by a report (No. 775); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1954), granting an increase of pension to Benton D. Bitner, reported the same without amendment, accompanied by a report (No. 776); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1956) granting an increase of pension to Seth H. Craig, reported the same without amendment, accompanied by a report (No. 777); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2093) granting an increase of pension to Victoria M. Steele, reported the same without amendment, accompanied by a report (No. 778); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall, reported the same without amendment, accompanied by a report (No. 779); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1356) granting a pension to Robert Kelly, reported the same without amendment, accompanied by a report (No. 780); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1802) granting an increase of pension to Isaac M. Couch, reported the same without amendment, accompanied by a report (No. 781); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1[illegible]) granting an increase of pension to Mary T. Strickland, reported the same without amendment, accompanied by a report (No. 782); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2540) granting an increase of pension to Charles W. Jellison, reported the same without amendment, accompanied by a report (No. 783); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2576) granting an increase of pension to James Redshaw, reported the same without amendment, accompanied by a report (No. 784); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2668) granting an increase of pension to Alpheus Fawcett, reported the same without amendment, accompanied by a report (No. 785); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2947) granting an increase of pension to Thomas Bratton, reported the same without amendment, accompanied by a report (No. 786); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2642) granting an increase of pension to Leonard G. Freeman, reported the same

without amendment, accompanied by a report (No. 787); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1358), granting an increase of pension to William W. Lackey, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills the following titles, which were thereupon referred as follows:

A bill (H. R. [illegible]) granting an increase of pension to John Hendricks—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10914) for the relief of the Third Presbyterian Church of New Orleans, La.—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. McCARTHY: A bill (H. R. 11956) to provide for the purchase of a site and the erection of a public building thereon in the city of West Point, State of Nebraska—to the Committee on Public Buildings and Grounds.

By Mr. NORRIS: A bill (H. R. 11957) amending section 1791 of the Revised Statutes of the United States—to the Committee on the Judiciary.

By Mr. FINLEY: A bill (H. R. 11958) providing for the erection of a monument at Kings Mountain battle ground, commemorative of General Campbell, Colonel Shelby, and others who participated in said battle on October 7, A. D. 1780—to the Committee on the Library.

By Mr. WELLS: A bill (H. R. 11959) providing for the erection of a monument at Kings Mountain battle ground, commemorative of Generals Campbell, McDowell, Colonel Shelby, and others who participated in the battle of Kings Mountain on the 7th day of October, A. D. 1780—to the Committee on the Library.

By Mr. JENKINS: A bill (H. R. 11960) providing for the appointment of additional judges in the District of Columbia and to establish a court of appeals therein, and for other purposes—to the Committee on the Judiciary.

By Mr. KALANIANAOLE: A bill (H. R. 11961) to provide an American register for the steam lighter [illegible]—to the Committee on the Merchant Marine and Fisheries.

By Mr. BAKER (by request): A bill (H. R. 11962) to regulate interstate commerce by compulsion—to the Committee on Interstate and Foreign Commerce.

By Mr. STEPHENS of Texas: A bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory—to the Committee on Indian Affairs.

By Mr. SHERMAN: A bill (H. R. 11964) to promote the safety of employees and travelers upon railroads, and persons living or doing business in the vicinity thereof, by prohibiting common carriers engaged in interstate commerce from transporting gunpowder and other high explosive compounds over their lines, except under certain conditions, and so forth—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: A bill (H. R. 11965) to divide Washington into two judicial districts—to the Committee on the Judiciary.

By Mr. HERMANN: A bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect—to the Committee on Indian Affairs.

By Mr. BABCOCK: A bill (H. R. 11967) to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. ALLEN: A bill (H. R. 11968) to incorporate the Washington Sanitary Housing Company—to the Committee on the District of Columbia.

By Mr. EMERICH: A bill (H. R. 11969) making appropriation for the relief of the city of Baltimore, Md.—to the Committee on Appropriations.

By Mr. WILLIAMSON: A bill (H. R. 11970) to expedite business in the district court of the United States for the district of Oregon—to the Committee on the Judiciary.

By Mr. ALLEN: A bill (H. R. 11971) providing for the construction or purchase of a steam vessel for service at Portland, Me.—to the Committee on Interstate and Foreign Commerce.

By Mr. LAMON: A bill (H. R. 11972) to amend the Charter of the Power Company, of [illegible], to [illegible] the Missouri River—to the Committee on Interstate and Foreign Commerce.

By Mr. LAMB: A bill (H. R. 11973) to amend the Revised Statutes [illegible] the Post-Office and Post-Roads.

By Mr. HARDWICK: A joint resolution (H. J. Res. [illegible]) declaring the policy of the Government of the United States in reference to the Philippine Islands—to the Committee on Insular Affairs.

By Mr. SITT: A joint resolution (H. J. Res. [illegible]) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers—to the Committee on Foreign Affairs.

By Mr. BENNAY (of Connecticut): A joint resolution (H. J. Res. [illegible]) providing for printing and binding the report of the chief of the Bureau of Equipment, Navy Department, of Agriculture—to the Committee on Printing.

By Mr. PATTERSON of Tennessee: A joint resolution (H. J. Res. 104) for relief of the enrolled militia of Memphis and western district of Tennessee—to the Committee on War Claims.

By Mr. JENKINS: A resolution (H. Res. 207) instructing the Clerk of the House of Representatives to purchase, for the use of the Committee on the Judiciary, the Federal Cases—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BADGER: A bill (H. R. 11974) granting an increase of pension to Melissa V. Morris—to the Committee on Invalid Pensions.

By Mr. BARTLETT: A bill (H. R. 11975) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. 11976) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. 11977) granting an increase of pension to Thomas [illegible]—to the Committee on Invalid Pensions.

By Mr. BURKS: A bill (H. R. [illegible]) for the relief of William H. [illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of [illegible]—to the Committee on Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of heirs of Mannie [illegible]—to the Committee on War Claims.

By Mr. [illegible]: A bill (H. R. [illegible]) for the relief of the heirs of [illegible]—to the Committee on War Claims.

Also, a bill (H. R. [illegible]) for the relief of the heirs or legal representatives of James B. Hassett, deceased—to the Committee on War Claims.

Also, a bill (H. R. 11983) for the relief of the heirs of Bettie T. Moore—to the Committee on War Claims.

Also, a bill (H. R. 11984) granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) for the relief of [illegible] F. Hall—to the Committee on Invalid Pensions.

By Mr. CURRIER: A bill (H. R. 11986) granting an increase of pension to Allen H. George—to the Committee on Invalid Pensions.

Mr. CUSHMAN: A bill (H. R. 11987) for the relief of the Lower band of Chinook Indians of the State of Washington, and the [illegible] Band of Cathlamet Indians of the same State—to the Committee on Indian Affairs.

By Mr. BUCKLIN: A bill (H. R. 11988) [illegible] military record of R[illegible] F. Mc[illegible]—to the Committee on [illegible] Affairs.

Also, a bill (H. R. 11989) granting a pension to Emma C. Dougal—to the Committee on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. [illegible]) for the payment to Henry B. Davis [illegible] due him for surveying public lands—to the Committee on Claims.

By Mr. DWIGHT: A bill (H. R. 11991) granting an increase of pension to Henry E. Phelps—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 11992) granting an increase of pension to Elbert Parker—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 11993) granting an increase of pension to William H. Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11994) granting an increase of pension to Joseph D. Walker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11995) granting a pension to C. W. Gist—to the Committee on Invalid Pensions.

Also, a bill (H. R. 11996) granting a pension to Matilda J. Sweaney—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) [illegible] the military record of Thomas Sawyers—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 11998) granting a pension to Anna L. Mills—to the Committee on Invalid Pensions.

By Mr. HITT: A bill (H. R. 11999) granting an increase of pension to William Vincent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12000) granting an increase of pension to Jonathan Danghenbaugh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12001) for the relief of William Vincent—to the Committee on Military Affairs.

By Mr. JACKSON of Maryland: A bill (H. R. 12002) for the relief of Robert E. Thomas, administrator de bonis non cum testamento annexo of [illegible] Thomas, deceased, and James George James—to the Committee on Claims.

By Mr. KLINE: A bill (H. R. 12003) granting an increase of pension to John H. Eisenhard—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 12004) granting an increase of pension to A. G. Shaff—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 12005) for the relief of the estate of Samuel Kirby, deceased—to the Committee on Claims.

By Mr. CHARLES B. LANDIS: A bill (H. R. [illegible]) granting an increase of pension to Amelia Coster—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 12007) granting an increase of pension to Henry R. K. Lockman—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 12008) to permit Herman Lunden to make homestead entry—to the Committee on the Public Lands.

By Mr. LUCKING: A bill (H. R. 12009) to reimburse $837.52 to Col. Phillip Kirschner—to the Committee on Claims.

Also, a bill (H. R. 12010) granting a pension to William T. Wiley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12011) granting a pension to Florence J. Winters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12012) granting a pension to Peter Schmelzer—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 12013) granting an increase of pension to David H. Smith—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 12014) for the relief of Mrs. Margaret Thompson—to the Committee on Claims.

By Mr. MUDD: A bill (H. R. 12015) granting a pension to Laura J. Gladmon—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 12016) granting a pension to Andrew Anderson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12017) for the relief of Peter Coyle—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 12018) for the relief of [illegible] H. Forsythe, executor of the estate of W[illegible]—to the Committee on Claims.

Also, a bill (H. R. 12019) for the relief of Edward Kershner—to the Committee on Naval Affairs.

By Mr. POWERS of Massachusetts: A bill (H. R. [illegible]) granting a pension to Henrietta E. Rice—to the Committee on Pensions.

By Mr. SLEMP: A bill (H. R. 12021) granting a pension to Mary E. Steinmeller—to the Committee on Invalid Pensions.

By Mr. SMALL: A bill (H. R. 12022) for the relief of Hannah B. Sabiston—to the Committee on Claims.

Also, a bill (H. R. 12023) granting a pension to Margaret Pendergast—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: A bill (H. R. 12024) granting an increase of pension to Elizabeth Brand—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12025) for the relief of Joseph Schrembs—to the Committee on [illegible].

Also, a bill (H. R. 12026) authorizing the P[illegible] Ambrose C. C. Williams-Foote a lieutenant in the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 12027) granting a pension to Mary A. H. Harty—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 12028) granting a pension to Tenora Merrill Flake—to the Committee on Pensions.

Also, a bill (H. R. 12029) for the relief of Jane Reynolds—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) for the relief of William Postell—to the Committee on Military Affairs.

Also, a bill (H. R. 12031) for the relief of Mary E. Baird—to the Committee on Pensions.

Also, a bill (H. R. 12032) granting an increase of pension to Frances J. Childers—to the Committee on Pensions.

Also, a bill (H. R. 12033) for the relief of Albert Hope—to the Committee on War Claims.

Also, a bill (H. R. 12034) for the relief of the heirs of Alfred Hightower, for supplies taken by United States Army in 1864—to the Committee on War Claims.

Also, a bill (H. R. 12035) for the relief of George W. Hansard—to the Committee on War Claims.

By Mr. WEEMS: A bill (H. R. [illegible]) granting an increase of pension to Jacob Wetzel—to the Committee on Invalid Pensions.

By Mr. WILSON of Arizona: A bill (H. R. 12037) [illegible] an increase of pension to Annie E. Shipp—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 12038) granting a pension to Eliza Peel—to the Committee on Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 12039) granting an increase of pension to Beal Pickett—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of D. N. Johnson and 29 others, of [illegible], Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the Pasteur Vaccine Company, of Chicago, Ill., protesting against the furnishing of blackleg virus by the Bureau of Animal Industry—to the Committee on Agriculture.

[illegible]

Also, memorial of the S. B. M[illegible] concerns [illegible] in shipping [illegible] Bureau of Animal Industry—to the Committee on [illegible].

Also, memorial of the National Live Stock Association, praying that the control of the [illegible] forest reserves be transferred to the Department of Agriculture—to the Committee on the Public Lands.

Also, memorial of the Farmers' Social and Economic Union of [illegible] to prevent undue profit taking by corporations engaged in meat products—to the Committee on the Judiciary.

By Mr. ALEXANDER: Resolution of the board of aldermen of Buffalo, N. Y., in favor of bill to promote the efficiency of the Diplomatic and Consular Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of East Buffalo Lodge, No. 417, Brotherhood of Railroad Trainmen, in favor of bills H. R. 89 and 7044—to the Committee on the Judiciary.

By Mr. BIRDSALL: Petition of citizens of Woodbine, Iowa, in favor of [illegible] the Post-Office and Post-Roads.

Also, petition of S. W. Klans and others, of Delaware County, Iowa, in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

[illegible] and 60 others, of Goldfield, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Resolution of Kansas State Society of Labor and Industry, favoring investigation [illegible] districts in Colorado now under martial law—to the Committee on Labor.

Also, resolution of National Board of Trade, favoring application [illegible] laws to Philippine commerce—to the Committee on Interstate and Foreign Commerce.

[illegible] of E. D. Baker Post, No. 40, Grand Army of the Republic, Irwin, Kans., in favor of Curtis pension bill—to the Committee on Invalid Pensions.

By Mr. BOWIE: Memorial of citizens and [illegible] of [illegible] post—to the Committee on the Post-Office and Post-Roads.

By Mr. BROWN of Wisconsin: Resolution of Brotherhood Lodge, No. 265, Independent Order of Odd Fellows, in favor of the [illegible] Judiciary.

[illegible] Nebr., in opposition to bill H. R. 89—to the Committee on the Judiciary.

[illegible] Committee.

By Mr. BURLESON: Petition of the Woman's Christian Temperance Union of Fort Worth, Tex., against a statehood bill that

will unite the last of the Indian's territory to Oklahoma—to the Committee on the Territories.

By Mr. CALDERHEAD: Petition of business men of Barnes, Kans., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Thomas Post, No. [illegible] Grand Army of the Republic, Department of Vermont, Kans., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of Wamego [illegible] and 19 others, of Scandia, Kans., favoring the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CANDLER: Papers to accompany claim of William Hargrave—to the Committee on War Claims.

Also, papers to accompany claim of Daniel Lewallen—to the Committee on War Claims.

By Mr. CURRIER: Petition of the Woman's Christian Temperance Union, [illegible] N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DANIELS: Statement to accompany bill H. R. 11901, relative to irrigation—to the Committee on Irrigation of Arid Lands.

Also, papers to [illegible] bill H. R. [illegible] Lieutenant Whitney, [illegible] Navy.

By Mr. DAYTON: [illegible] petition, praying [illegible] Committee on War Claims.

By Mr. DEVERE: Resolution of the New York Chamber of Commerce, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. [illegible] bill H. R. 966, granting an increase of pension to Stephen Dickerson—to the Committee on Invalid Pensions.

Also, resolutions of Manufacturers and Jobbers' Union and the Board of Trade of Chicago, Ill., in opposition to the Grammers-Morris [illegible] bill—to the Committee on Ways and Means.

By Mr. FITZGERALD: Petition of the New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolutions of the [illegible] Board of Trade, in favor of the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

By Mr. FLACK: Petition of residents of Saranac Lake, N. Y., in favor of the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. GILLETT: Paper to accompany claim of William D. Hoyt—to the Committee on War Claims.

By Mr. GILLIES: Petition of [illegible] of Lancaster, Ky., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GRAFFENRIED: Petition of the Indiana Anti-Saloon League for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Indiana Bankers' Association, for the passage of bill H. R. [illegible] bill—to the Committee on Banking and Currency.

Also, papers to accompany bill H. R. 11666, granting an increase of pension to Joshua D. Griffith—to the Committee on Invalid Pensions.

Also, petition of citizens of San Jacinto, Ind., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GROSVENOR: Papers to accompany bill H. R. 9244, granting a pension to Enoch Yowles—to the Committee on Invalid Pensions.

Also, papers to accompany bill [illegible] pension to Mrs. James [illegible].

Also, petition of E. B. Grant, of Salisbury, N. C., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HAMILTON: Petition of merchants of St. Joseph, Mo., [illegible] the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HAMLIN: Petition of [illegible] Howard County, Mo., asking the passage of the good-roads bill—to the Committee on Agriculture.

Also, papers to accompany claim of David Kinser, for pension; also, [illegible] Mary Ida J. Sweaney—to the Committee on Invalid Pensions.

Also, petition of E. D. Ashley and 52 others, of Cavespring, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEMENWAY: Petition of Michael J. Jacob and other citizens of Indiana, [illegible] passage of the Hemenway service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Colonel William Jones Post, No. 100, and Hackleman Post, No. 64, Grand Army of the Republic, Department of Indiana, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Petition of J. C. Privett and 52 others, of Greensburg, Iowa; also Henry Thomson and 77 voters, of Greensburg, Iowa, praying for passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HERMANN: Memorial from Commercial Club of Walla Walla, Wash., for retention of garrison at Walla Walla—to the Committee on Military Affairs.

Also, petition of Linn County (Oreg.) Business Council for [illegible] to rural free-delivery carriers—to the Committee on Post-Offices and Post-Roads.

Also, memorial of Chamber of Commerce of Portland, Oreg., against reimposing duty on coal—to the Committee on Ways and Means.

Also, [illegible] No. 1, Grand Army of the Republic, [illegible] only statues of those who were [illegible] in the Statuary Hall [illegible] in the Library.

By Mr. HINSHAW: Petition of C. W. Wood and 76 other voters of [illegible], Nebr., urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: [illegible] 10 other voters of Winslow, Ill., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HOWELL of New Jersey: Petition of citizens of Arrowsmith [illegible], Frank, N. J., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUFF: Memorial [illegible] of the Board of Supervisors of the county of San Francisco, in relation to the Hetch Hetchy and Lake Eleanor reservoir rights of way—to the Committee on Rivers and Harbors.

Also, resolutions of J. C. Kuhn Post, No. 539, Department of Pennsylvania, Grand Army of the Republic, favoring enactment of service-pension legislation—to the Committee on Invalid Pensions.

Also, petition of West Newton Ministerial Association, favoring the enactment of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JAMES: Petition of R. L. Spencer and others, of Calloway, Ky., in favor of bill H. R. 3574, for the [illegible] of tobacco growers in the United States—to the Committee on Ways and Means.

By Mr. KLINE: Petition of F. K. Miller and 12 others, of Reading, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Resolutions of the United Commercial Travelers of America, New York Council, No. 114, favoring the [illegible] section 64 of the bankruptcy act—to the [illegible].

Also, resolutions of the Chamber of Commerce of New York, in reference to the construction of a breakwater and harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. LITTLEFIELD: Letter of C. F. Brown, of Pulpit Harbor, Me., and others, relative to bill H. R. 7933—to the Committee on the Merchant Marine and Fisheries.

Also, petition of residents of North Haven, Me., relative to the destruction of dogfish—to the Committee on the Merchant Marine and Fisheries.

Mr. LOUDENSLAGER: Petitions of John Baker and 24 others, and of Job T. Griscom and 32 others, of Hancocks Bridge, N. J., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAHON: Resolution of George Simpson Post, No. [illegible], Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Mr. MEYER of Louisiana: Petition of property holders and [illegible] upon M street NW., Di[illegible] residence street to be surrendered for the [illegible] railroad—to the Committee on the District of Columbia.

By Mr. MUDD: Paper to accompany claim of Bertram Lewis, or Lewis—to the Committee on War Claims.

By Mr. NEEDHAM: Resolution of the Convention of Fruit Growers of California, relative to a parcels-post bill and a post-check currency—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Stanislaus Board of Trade, of Modesto, Cal., relative to granting to San Francisco [illegible] in Hetch Hetchy, Lake Eleanor, or elsewhere upon Tuolumne River, etc.—to the Committee on Rivers and Harbors.

By Mr. PAGE: Petitions of M. L. Mathews, M. D., and 187 others, of East Bend, N. C., and B. Cole and 50 others, of Sanford Township, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Indiana: Papers to accompany bill H. R. 11182, granting an increase of pension to William J. Murray—to the Committee on Invalid Pensions.

By Mr. ROBERTS: Resolution of U. S. Grant Post, No. 4, of Melrose, Mass., and Theodore Winthrop Post, No. 35, of Chelsea, Mass., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Resolution of New York Chamber of Commerce, relative to the harbor of refuge at Point Judith, Rhode Island—to the Committee on Rivers and Harbors.

Also, resolution of the Merchants' Association of New York, relative to the repeal of the desert-land act—to the Committee on the Public Lands.

Also, memorial of the National Grange, Patrons of Husbandry, relative to good-roads bill, etc.—to the Committee on Agriculture.

Also, petition of the New York Board of Trade and Transportation, relative to the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the National Board of Trade, approving the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York State senate, relative to the promotion of the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, [illegible] of the Brooklyn [illegible].

Also, resolution of the New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. SHERMAN: Papers to accompany bill H. R. 11423, granting a pension to Evelyn S. Bearustee—to the Committee on Pensions.

By Mr. WM. ALDEN SMITH: Resolution of the American Association of Masters and Pilots of Steam Vessels, Detroit Harbor No. 47, relative to a breakwater at Rogers City, Mich.—to the Committee on Rivers and Harbors.

Also, resolution of the Shipmasters' Association, Detroit, Mich., relative to a harbor of refuge at Rogers City, Mich.—to the Committee on Rivers and Harbors.

Also, resolution of Michigan Woman's Temperance Union, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STEENERSON: Petition of St. Paul Yacht Club, relative to bill extending navigation laws—to the Committee on Interstate and Foreign Commerce.

By Mr. SULLIVAN of New York: Memorial of the board of [illegible] relative to Tuolumne River and Lake Eleanor reservoir rights of way—to the Committee on Rivers and Harbors.

Also, resolution of New York Board of Trade and Transportation, in relation to the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: Resolution of the Chamber of Commerce, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, petition of Union ex-prisoners of war, urging the passage of bill H. R. 9343, relative to pension—to the Committee on Invalid Pensions.

Also, resolution of United Commercial Travelers of America, New York Council, No. 114, relative to an amendment to the bankruptcy act—to the Committee on the Judiciary.

By Mr. TATE: Paper to accompany bill granting an increase of pension to Frances J. Childers; also, paper to accompany bill granting an increase of pension to Mary E. Baird—to the Committee on Invalid Pensions.

By Mr. THAYER: Resolution of Massachusetts Agricultural College Alumni Club, in favor of increased appropriations for State experiment stations—to the Committee on Agriculture.

Also, resolutions of George H. Thomas Post, No. 131, of Leicester, Mass., and George A. Custer Post, No. 70, of Millbury, Mass., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: Papers to accompany bill H. R. 1900, granting an increase of pension to Samuel Visnow—to the Committee on Invalid Pensions.

Also, protest of citizens of the Eleventh Congressional District of Iowa against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. VREELAND: Petitions of 35 citizens of Portville, N. Y., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WEEMS: Papers to accompany bill H. R. 8121, for the relief of Russell A. McKinley—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. 9289, granting a pension to Theodore T. Bruce—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Resolutions of Carmi Post, No. 296, and Winfield Ingraham Post, No. 288, Grand Army of the Republic, Department of Illinois, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Resolutions of Post No. 33; Watkins Post, No. 68, and Stevens Post, No. 69, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

TUESDAY, *February 9, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

OFFICE OF THE TREASURER OF THE UNITED STATES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Treasurer of the United States requesting the insertion of an amendment to the legislative, executive, and judicial appropriation bill relating to the force of messenger service, so as to provide for nine expert counters in lieu of nine clerks, at $900 each, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

ACCEPTANCE OF DECORATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of State, requesting that certain United States officials be permitted to receive decorations of the Grand Officer of the Legion of Honor conferred upon them by the French Government; which was referred to the Committee on Foreign Relations, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed a bill (H. R. 8160) to authorize the construction of bridges across a portion of the Minnesota River in the State of Minnesota, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of Concordia Lodge, No. 5, of Cleveland; of Aurora Lodge, No. 259, of Cleveland; of Standhaft Union, No. 5, of Cleveland; of Schiller Lodge, of Massillon; of the Liederkranz of Cincinnati; of the West Cincinnati Turn Verein, of Cincinnati; of the Unterstützungs Verein of Cincinnati; of the German Teachers' Relief Association, of Cincinnati, and of the German Veterans' Association, of Springfield, all in the State of Ohio; of the F. J. R[illegible] Hunting and Fishing Club, of Pittsburg; of the Germania L[illegible] of Pittsburg; of the Southwart Arbeiter [illegible] and of the St. Peter's Ritter Verein, of Philadelphia, all in the State of Pennsylvania; of the Swiss National Society He[illegible] of Denver, Colo.; of the Vater John Lodge, No. 301, of New Britain, Conn.; of the Plattdeutsche Gilde, No. 16, of Michigan City, and of the Young Men's German Organization of Richmond, all in the State of Indiana; of the Maennerchor of Davenport, and of the German Mechanics' Aid Society, of Muscatine, all in the State of Iowa; of the Liederkranz of Louisville, Ky.; of German Lodge of the Order of Columbian Knights, of Elgin, and of the Plattdeutsche Gilde Teutonia, No. 61, of Chicago, all in the State of Illinois; of the Turn Verein of New York City; of the German [illegible] Association, of Binghamton; of the [illegible] Verein, of New York City; of the Ostener Club, of New York City; of the Allemania Association, of New York City, and of the Kreis Zevener Pl[illegible] of New York City, all in the State of New York; of [illegible] No. 1, of Tiffin, and of Steuben Lodge, No. 65, of Toledo, and of the Lodge [illegible], all in the State of Wisconsin; of the Beethoven Verein, of Milwaukee, and of Lodge No. 54, of Milwaukee, in the State of Wisconsin; of the Rutersville Lodge, of Rutersville, Tex.; of the General German Aid Society, of Portland, Oreg.; of the Hessen-Darmstadter Verein, of Philadelphia, and of the Lancaster Verein, of Lancaster, all in the State of Pennsylvania; of the German Workingmen's Society, of Petoskey, Mich.; of Germania Lodge, No. 14, of Easthampton, and of the Turn Verein of Boston, in the State of Massachusetts; of the German Society of New Orleans, La.; of the Sociale Saengerchor, of St. Louis; of the Plattdeutscher Ve-

rein of St. Joseph; of Concordia Turn Verein, of St. Louis; of the St. Louis and Phoenixager Verein, of Kansas City; [illegible] Lodge, No. [illegible], of Kansas City, and of [illegible] Maennerchor, of St. Louis, all in the state of Missouri, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the congregation of the [illegible] Church of New London, N. H., praying for the enactment of legislation [illegible] to the sale of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented the petition of Charles W. Hayes, of Dover, N. H., and a petition of the board of sinking-fund commissioners, of Portsmouth, N. H., praying for the enactment of legislation providing for the [illegible] which were referred to the Committee on Public Lands.

Mr. [illegible] presented a petition of sundry citizens of Monroe and [illegible], W. Va., praying for the enactment of legislation [illegible] country [illegible] which was referred to the Committee on Agriculture, Forestry, and Forestry.

He also presented a petition of Camp [illegible], Department of West Virginia, Grand Army of the Republic, of [illegible], W. Va., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. [illegible] presented a petition of the West Virginia Conference [illegible] Church, South, of Huntington, W. Va., [illegible] on the Judiciary.

Mr. CARTER presented the petition of C. J. Anderson and 11 other citizens of Hot Springs, S. Dak., veterans of the civil war, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. KEAN. I [illegible] a concurrent resolution of the [illegible] for the construction [illegible] ty of Cape May, [illegible] printed in the RECORD [illegible] Commerce [illegible] as follows:

STATE OF NEW JERSEY,

[illegible] the senate and general assembly [illegible] Harbor [illegible] sary in order to make it accessible for vessels of con[illegible] which mailed to each of our Senatorial [illegible]

Mr. KEAN presented a petition of the board of [illegible] all; which was referred to the Committee on Commerce, [illegible]

He also presented a petition of the Union County Trades Council, of Roselle Park, N. J., praying for the adoption of certain amendments to the immigration law; which was referred to the Committee on Immigration.

He also presented a petition of sundry soldiers and sailors of the civil war, of Camden, N. J., praying for the passage of the so-called prisoner-of-war bill; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Methodist Episcopal Church of Summit, N. J., and a petition of the congregation of the Presbyterian Church of Summit, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of General A. E. Ames Post, No. 26, Department of New Jersey, Grand Army of the Republic, of Mount Holly, N. J., and a petition of U. S. Grant Post, No. 117, Department of New Jersey, Grand Army of the Republic, of New Jersey, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. DUBOIS presented a petition of the Tsoenimeenn Club, of Lewiston, Idaho, praying for an investigation of the charges made against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. McENERY presented an affidavit to accompany the bill (S. 3817) for the relief of the estates of W. R. Brown and Mrs. Elmyra Brown, deceased; which was referred to the Committee on [illegible].

He also presented a paper to accompany the bill (S. 3815) for the relief of the estate of Jacob Israel, deceased; which was referred to the Committee on [illegible].

He also presented sundry papers to accompany the bill (S. 4028) for the relief of J. M. C. Knight; which were referred to the Committee on Claims.

Mr. HOAR presented petitions of James H. Sargent Post, No. 130, of West Medway; of Dunham Post, No. 2, of South Boston; of Paul Revere Post, No. 88, of Quincy; of Justin Dimick Post, No. 124, of East Bridgewater; of E. S. Clark Post, No. 115, of Massachusetts; of Edwin Humphrey Post, No. 104, of Hingham, Massachusetts; of [illegible] Post, No. [illegible] for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of the United States, [illegible] the Baptist churches, [illegible] and 550,000 members of the African M. E. Church, [illegible] praying for the enactment of legislation [illegible] and infirm colored people; which was referred to the Committee on Military Affairs.

He also presented petitions of Lodge No. 183, of Cambria; of Butternut Lodge, No. [illegible], of Lodge No. [illegible], order of Good Templars, in the state of [illegible] praying for the enactment of legislation [illegible] transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Board of Trade of Philadelphia, Pa., praying for the enactment of legislation [illegible] United States [illegible] Philippines to vessels of [illegible] which was referred to the Committee on the [illegible].

Mr. BARROWS presented a petition of sundry ministers of Gaylord, Mich., and a petition of sundry citizens of Imlay City, Mich., praying for an investigation of the charges made against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BATE [illegible] the bill (S. [illegible]) [illegible] County, Tenn. [illegible] Roberts [illegible] to wit, Jo[illegible] Annie M. Gledhill, Ida [illegible] L. Stansifer; which was referred to [illegible].

[illegible] of the [illegible] and [illegible] Post, No. [illegible], Vt., and a petition of J. H. Bosworth Post, No. 53, Department of Vermont, Grand Army of the Republic, of Fair [illegible] service-pension law; which was referred to the Committee on Pensions.

Mr. PENROSE [illegible] Board of Trade of Philadelphia, Pa., praying for the enactment of legislation con-

fining the trade between the United States and the Philippines exclusively to vessels of American registry; which was referred to the Committee on the Philippines.

He also presented a petition of the Ministerium of Altoona, Pa., [illegible] Centennial Exposition; which was referred to the Committee on [illegible].

He also presented a petition of the Board of Trade of Philadelphia, Pa., [illegible] Panama Canal treaty; which was referred to the Committee on Foreign Relations.

Mr. [illegible] presented a petition of citizens of Kansas, [illegible] of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. McCOMAS presented the petition of Calder Little and [illegible] Joiners, of Columbus, Ohio, and a petition of the [illegible] Liquors; which was referred to the Committee on the Judiciary.

Mr. PATTERSON presented the petition of [illegible] District Conventions [illegible] District; which was referred to the Committee on [illegible].

He also presented a petition of Local Union No. 4, Carpenters and Joiners, of Columbus, Ohio, and a petition of the [illegible] Sanitary No. 2, of Victor, Colo., praying for the enactment of legislation [illegible] in Colorado; which were referred to the Committee on the Judiciary.

Mr. [illegible] presented a memorial of sundry property holders and residents of Tenth Street NW., of Washington, D. C., remonstrating against the enactment of legislation providing for the [illegible] Washington; which was referred to the Committee on District of Columbia.

He also presented a petition of the congregation of the Alnutt Memorial Methodist Protestant Church, of Baltimore, Md., and a petition of the congregation of the [illegible] Church, of Baltimore, Md., praying for the enactment of legislation providing for the closing on Sunday of the Louisiana Purchase and Clark Centennial Exposition; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Middletown, Kennedyville, and Baltimore; of the congregation of the West-[illegible] Presbyterian Church, of Georgetown; of the congregation of [illegible] Church, of Washington; of the Woman's [illegible] Temperance Union of [illegible], and of the State of Maryland, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom was referred the bill (S. 3720) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. [illegible], Mo., to lower said bridge and to shorten the draw spans [illegible], reported it with out amendment, and submitted a report [illegible].

He also, from the [illegible] to whom was referred the [illegible] "An act to authorize the construction of a bridge across the [illegible] River in the [illegible] Eastern Railroad Company," reported it without amendment.

He also, from the [illegible] committee, to whom was referred the bill (H. R. 3578) to authorize the [illegible] River, Pennsylvania, from a point in the [illegible] of North Carolina, [illegible] amendment.

He also, from the [illegible] committee, to whom was referred the bill (H. R. 9319) providing for the construction of a bridge across the Red River of the North at Fargo, N. Dak., reported it without amendment.

Mr. [illegible], from the Committee on Claims, to whom was referred the bill (S. 4117) to pay the Board of Commissioners of the District of Columbia from April 27, 1898, asked to be discharged from its further consideration, and that it be referred to the Committee on the District of Columbia; which was agreed to.

BILLS INTRODUCED.

Mr. FULTON introduced a bill (S. 4240) granting a pension to [illegible] R. Stanley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON (for Mr. CLAPP) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4241) granting an increase of pension to Robert Carney;

A bill (S. 4242) granting an increase of pension to Andrew Fisher; and

A bill (S. 4243) granting an increase of pension to John Burns.

Mr. GALLINGER introduced a bill (S. 4244) to incorporate the Washington Sanitary Housing Company; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4245) to fix fees and costs in the probate court of the District of Columbia and to provide for the compilation and publication of the same, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on the District of Columbia.

Mr. LATTIMER introduced a bill (S. 4246) granting an increase of pension to [illegible]; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BLACKBURN introduced a bill (S. 4247) granting an increase of pension to John H. Lemon; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BORAH introduced a bill (S. 4248) to establish a fish-hatching and [illegible] station in the State of Idaho; which was read twice by its title, and referred to the Committee on Fisheries.

He also introduced a bill (S. 4249) granting an increase of pension to Mary [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BLACK introduced a bill (S. 4250) to appropriate the sum of $50,000 to the Cape Cod Pilgrims' Memorial Association, to be [illegible] at Provincetown, Mass., a suitable memorial of the landing of the Pilgrims; which was read twice by its title, and referred to the Committee on the Library.

Mr. PENROSE introduced a bill (S. 4251) to establish a board entitled "The Naval Academy Advisory Board;" which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4252) granting an increase of pension to Eli Sherrey;

A bill (S. 4253) granting a pension to Michael Duffy (with an accompanying paper); and

A bill (S. 4254) granting an increase of pension to William H. [illegible].

Mr. BATE introduced a bill (S. 4255) for the relief of the heirs of Jacob Towns; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCOMAS introduced a bill (S. 4256) amending the statutes relating to [illegible] medical and dental practitioners [illegible] by postmasters, licensing persons covering methods and devices for treating human diseases, ailments, and disabilities; which was read twice by its title, and referred to the Committee on Patents.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4257) granting an increase of pension to Jessie S. Ha[illegible];

A bill (S. 4258) granting an increase of pension to Susan N. Kinkead (with an accompanying paper); and

A bill [illegible] granting a pension to [illegible] Barr.

Mr. [illegible] introduced a bill (S. [illegible]) for the relief of [illegible] C. [illegible]; which was read twice by its title, and referred to the Committee on [illegible].

Mr. BLACKBURN introduced a bill (S. 4261) for the relief of Mary E. [illegible] and [illegible] B. Duncan; which was read twice by its title, and referred to the Committee on Claims, the accompanying papers referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. [illegible]) for the relief of the legal representatives of Henry W. Freedley; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. [illegible]) granting an increase of pension to [illegible]; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. [illegible]) relating to the Court of Claims [illegible] for damages to a [illegible] United States [illegible] officers; which was read twice by its title, and referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. [illegible] submitted an amendment; proposing to appropriate [illegible] to pay the graves of deceased colored soldiers who served in the late civil war, as

found due by the accounting officers of the Treasury and repaid into the Treasury by the Commissioner of the Freedmen's Bureau, to be used in the district of Columbia a memorial national home for aged and infirm colored people and to maintain the inmates of the same, intended to be proposed by him to the army appropriation bill, which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CLARKE submitted an amendment proposing to increase the appropriation for agricultural experiment stations from $[illegible] to $[illegible], and providing that from such sum $20,000 shall be paid to each State and Territory entitled to such bounties under the act approved March 2, 1887, and acts supplementary thereto, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

HOUSE BILL REFERRED.

The bill (H. R. 8160) to authorize the construction of bridges across a portion of the Mississippi River in the State of Minnesota was read twice by its title, and referred to the Committee on Commerce.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HALE. I ask that the diplomatic and consular appropriation bill be laid before the Senate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. [illegible]) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, [illegible], which had been reported from the Committee on Appropriations, with amendments.

Mr. HALE. I ask that the formal reading of the bill be dispensed with, and that the amendments of the committee be acted upon as they are reached.

The PRESIDENT pro tempore. The Senator from Maine asks that the formal reading be dispensed with, and that the bill be open for amendment at a point that the committee amendments first receive consideration. Is there objection? The Chair hears none, and that order is made.

The Secretary proceeded to read the bill.

FORT SHERMAN ABANDONED MILITARY RESERVE.

Mr. DUBOIS. I ask what became of the joint resolution I introduced [illegible] and which went over [illegible]?

The PRESIDENT pro tempore. The joint resolution is on the table [illegible] of course to the call of the calendar.

Mr. DUBOIS. If the Senator from Maine will indulge me just a moment. I would [illegible] it.

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Idaho?

Mr. HALE. An appropriation bill is now being considered. I can not yield for morning business, and I wish Senators in that respect would [illegible].

Mr. DUBOIS. I will say to the Senator from Maine that I did yesterday [illegible] over until to-day, when I would submit some remarks upon it. I do not care to submit any remarks and will dispose of it in a moment, if the Senator will just allow it to be presented to the Senate.

Mr. HALE. There is so much debate going on upon this side of the chamber—

The PRESIDENT pro tempore. The Senate will please be in order.

Mr. HALE. That I can not hear the Senator from Idaho.

Mr. DUBOIS. I will state to the Senator from Maine that on yesterday I had offered a joint resolution [illegible] that it might lie on the table and that today I would [illegible] it. It is not [illegible] to dispose of the joint resolution in [illegible]. It is important to me. It will take but a moment, if the Senator from Maine will allow me to call it up.

Mr. HALE. Very well.

The joint resolution (S. R. [illegible]) to [illegible] Fort Sherman abandoned military reserve in Idaho was read the second time, and its consideration was postponed.

Mr. DUBOIS. I move that the joint resolution be indefinitely postponed.

The motion was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. [illegible]) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

The Secretary continued the reading of the bill. The first amendment of the Committee on Appropriations was, on page 2, line [illegible], before the word "thousand," to strike out "six" and insert "seven;" so as to make the clause read:

Enjoy extra allowance as a minister plenipotentiary to Roumania, Servia, and Greece, and diplomatic agent in Bulgaria, $7,000.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of ambassadors and ministers," on page 3, line 16, to increase the appropriation of chargés d'affaires and interim and diplomatic officers abroad from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 3, line 17, to increase the total appropriation for salaries of ambassadors and ministers from $409,500 to $413,500.

The amendment was agreed to.

The next amendment was, under the subhead "Salaries of secretaries of embassies and legations," on page 5, line 6, after the word "Belgium," to insert "Denmark, Portugal;" and in line 9, before the word "dollars," to strike out "nine thousand" and insert "twelve thousand six hundred;" so as to make the clause read:

Secretaries of legations to Belgium, Denmark, Portugal, the Netherlands and Luxemburg, Turkey, Spain, and Brazil, at $1,800 each, $12,600.

The amendment was agreed to.

The next amendment was, on page 6, line 11, to increase the total appropriation for salaries of secretaries of embassies and legations from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 9, after line 5, to insert:

LEGATION BUILDINGS AT SEOUL, KOREA.

For the erection of new buildings for legation purposes at Seoul, Korea, on ground owned by the United States, $9,000.

The amendment was agreed to.

The next amendment was, on page 13, after line 20, to insert:

COLLECTION OF CONSULAR AND OTHER COMMERCIAL REPORTS.

For the cost of cablegrams in transmitting commercial reports to report upon [illegible] to be paid upon certificate of the Secretary of State, $[illegible].

The amendment was agreed to.

The next amendment was, in Schedule B, under the subhead "Consuls-General," on page 14, line 25, after the word "Hamburg," to insert "Lourenço Marquez;" on page 15, line 1, before the word "and," to insert "Tientsin;" and in line 2, before the word "thousand," to strike out "seventeen" and insert "twenty-four;" so as to make the clause read:

Antwerp, Halifax, Hamburg, Lourenço Marquez, Singapore, Tientsin, and Zurich, $24,000.

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the words "Ayres," to insert "Chefoo;" in line 4, after the word "Frankfort," to insert "Fuchau;" in the same line, after the word "Guayaquil," to insert "Hankow;" and in line 6, before the word "thousand," to strike out "thirty-six" and insert "forty-five;" so as to make the clause read:

Aix-la-Chapelle, Cindad Juarez, Cindad Porfirio Diaz, Halifax, Lucerne, Malaga, Malmedy, Marseilles, Matamoras, Mazatlan, Monterey, Nantes, Nuevo Laredo, Panama, Paso del Norte, Piedras Negras, Progreso, Rome, Rotterdam, Saint Gall, and Nogales, Sonora, $[illegible].

The amendment was agreed to.

The next amendment was, on page 15, line 15, to increase the total appropriation for consuls-general from $[illegible] to $171,000.

The amendment was agreed to.

The next amendment was, under the subhead "Consuls," in class 2, on page 16, after line 4, to strike out:

Tientsin, China.

The amendment was agreed to.

The next amendment was, in class 3, on page 16, after line 15, to strike out:

Chefoo, China.

The amendment was agreed to.

The next amendment was, on page 16, after line 16, to insert:

Chungking, China.

The amendment was agreed to.

The next amendment was, on page 16, after line 19, to strike out:

Fuchau, China.

The amendment was agreed to.

The next amendment was, on page 16, after line 22, to strike out:

Hankau, China.

The amendment was agreed to.

The next amendment was, on page 16, after line 23, to insert:

Hangchow, China.

The amendment was agreed to.

The next amendment was, on page 17, after line 9, to insert:

Odessa, Russia.

The amendment was agreed to.

The next amendment was, in class 4, on page 18, after line 6, to insert:

Ciudad Porfirio Diaz, Mexico.

The amendment was agreed to.

The next amendment was, on page 18, after line 12, to strike out:

Lourenço Marquez, Africa.

The amendment was agreed to.

The next amendment was, on page 18, after line 14, to strike out:

Odessa, Russia.

The amendment was agreed to.

The next amendment was, in Class V, on page 19, after line 15, to insert:

Budapest, Austria-Hungary.

The amendment was agreed to.

The next amendment was, on page 19, after line 20, to strike out:

Ciudad Porfirio Diaz, Mexico.

The amendment was agreed to.

The next amendment was, in Class VI, on page 22, after line 20, to strike out:

Budapest, Austria-Hungary.

The amendment was agreed to.

The next amendment was, on page 23, after line 23, to insert:

Monterey, Nuevo Leon, Mexico.

The amendment was agreed to.

The next amendment was, on page 24, after line 5, to insert:

Port au Prince, Haiti.

The amendment was agreed to.

The next amendment was, on page 24, after line 12, to insert:

Rouen, France.

The amendment was agreed to.

The next amendment was, on page 25, after line 4, to insert:

Turks Island, West India.

The amendment was agreed to.

The next amendment was, in Schedule C, Class VII, on page 25, after line 18, to strike out:

Rouen, France.

The amendment was agreed to.

The next amendment was, on page 25, line 23, to reduce the total appropriation for salaries of consuls from $482,500 to $480,[illegible].

The amendment was agreed to.

The next amendment was, under the subhead "Allowances for clerk hire at United States consulates," on page 27, after line 2, to insert:

Monterey, $1,400.

The amendment was agreed to.

The next amendment was, on page 27, line 7, after the word "Messina," to strike out "Monterey;" and in line 8, before the word "dollars," to strike out "eight hundred;" so as to make the clause read:

Beirut, Buenos Ayres, Cape Town, Colon, Dawson City, Dresden, Dundee, Guayaquil, Kingston, Chemulpo, Lattakia, Mamelfa, Malaga, Malmedy, Marseilles, Matamoras, Mazatlan, Monterey, Nantes, Nuevo Laredo, Panama, Paso del Norte, Piedras Negras, Progreso, Rome, Rotterdam, Saint Gall, and Nogales, Sonora, $[illegible] each, [illegible].

The amendment was agreed to.

The next amendment was, on page 27, line 24, to increase the appropriation for clerk hire at United States consulates at Aix-la-Chapelle, Ciudad Juarez, Ciudad Porfirio Diaz, Halifax, and Lucerne, at $640 each, from $2,600 to $3,200.

The amendment was agreed to.

The next amendment was, on page 28, line 1, before the word "Cairo," to insert "Batna," and in line 5, before the word "dollars," to strike out "eight thousand four hundred" and insert "nine thousand;" so as to make the clause read:

Bahia, Cairo, Cologne, Constantinople, Huddersfield, Mainz, Munich, Newcastle-on-Tyne, Nottingham, Odessa, Para, Pernambuco, Solingen, Tampico, and Zurich, at $900 each, $9,900.

The amendment was agreed to.

The next amendment was, on page 28, line 11, to increase the total appropriation for clerk hire at United States consulates from $95,500 to $96,[illegible].

The amendment was agreed to.

The next amendment was, on page 28, line 17, before the word "thousand," to strike out "forty" and insert "twenty-five;" so as to make the clause read:

A messenger for dispatches at consulates, to be appointed under the direction of the diplomatic and consular officers of the United States, and upon certificate of the President that a messenger is needed at any one of such consulates, at a rate of compensation not exceeding $[illegible] per annum, $[illegible] for the fiscal year ending June 30, 1905: Provided, That the total sum expended in one fiscal year shall not exceed the amount appropriated.

The amendment was agreed to.

The next amendment was, on page 28, after line 19, to insert:

For thirty clerks, who shall be American citizens and shall receive not more than $1,200 a year in any one case, to enable the Secretary of State to provide clerical services at a number of the principal consulates where most needed, $36,000.

The amendment was agreed to.

The reading of the bill was concluded.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

Mr. BACON. Has the Secretary read the entire bill?

The PRESIDENT pro tempore. The entire bill.

The bill was read the third time, and passed.

RELATIONS WITH COLOMBIA.

Mr. OVERMAN. I ask unanimous consent that the Chair may lay before the Senate the Bacon resolution, in order that I may submit a few remarks.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the resolution known as the "Bacon resolution" shall now be laid before the Senate.

Mr. BACON. I understand that the resolution called up by the Senator from North Carolina is the unfinished business.

The PRESIDENT pro tempore. It is the unfinished business, but it would not have come up until 2 o'clock unless the Senator had asked unanimous consent that it might be taken up now.

Mr. BACON. I had not noticed the hour.

There being no objection, the Senate resumed the consideration of the resolution submitted by Mr. BACON on the 12th ultimo, as modified by him yesterday, as follows:

Resolved, That the President be respectfully informed that the Senate [illegible] advise the negotiation, with a view to the establishment of a treaty [illegible] to the end that there may be protection [illegible] and [illegible] between the United States and the Republic of Colombia [illegible] the construction of a canal across the Isthmus of Panama, including the acquisition of the property and franchises of the Panama Canal Company [illegible] the canal [illegible] and the government of the Republic of Colombia [illegible] the construction of the canal.

Mr. OVERMAN. Mr. President, this long debate upon the pending resolutions in regard to the treaty with Panama is about to close. Being a new Senator, I have preferred to adhere to the traditions of the Senate and remain silent for a while at least. I do not now rise for the purpose of making a speech, but to make a plain statement of my position.

I have preferred to vote with my colleague, who at the very outset announced his purpose to vote for the treaty, and I have hoped, having always been a strong advocate of a canal, and knowing that a very large number if not a majority of my people and probably the people of the country desire the treaty ratified, that I could get the consent of my conscience to support it. I have heard the debate, have for myself investigated every phase of the controversy, have familiarized myself with all the facts and circumstances surrounding the revolution in Panama, and its recognition by this Government as an independent Republic, with a view, if possible, to vote for the treaty, and at the same time not violate my duty as a Senator, representing not only the great State of North Carolina but representing my country as well.

But, Mr. President, there has been all the time standing before me an insurmountable barrier which has prevented my coming to this conclusion.

Here is a solemn treaty—the treaty of 1846—entered into between this country and New Granada—now Colombia—a solemn covenant, sealed, signed, and delivered, ratified, interchanged, and filed in the archives of each Government for its future conduct, the one to the other, for all time unless modified or repealed. It is called a treaty of "peace, amity, navigation and commerce." For the purpose of my statement I will read only a summary of the thirty-fifth article, which is as follows:

The Government of New Granada guaranteed to the Government of the United States that the right of way across the Isthmus of Panama, upon any modes of conveyance that may now exist or may be established at any time hereafter, shall be free and open to the citizens of the United States, and for the transportation of any merchandise belonging to the citizens of the United States. And the Government of the United States in return undertakes to guarantee the neutrality of the aforementioned isthmus, with the view that the traffic of persons and property may not be interrupted in said territory, and also guarantees the sovereignty and property of said territory, by which New Granada was then and there possessed over the said territory, to wit, the entire Isthmus of Panama.

Therefore, Mr. President, we not only guaranteed the perfect neutrality of the Isthmus of Panama, but the United States in the most positive terms guaranteed the rights of sovereignty and property which Colombia had and possessed in the said territory, the entire Isthmus of Panama.

It is contended that the guaranty of sovereignty means only [illegible] nations, and not [illegible] Why, Mr. President, I ask, why [illegible] nation [illegible] as I have read, [illegible] nations. Mr. Seward, Lincoln's great Secretary of State, said:

[illegible]

Again, Secretary Seward wrote to our minister at Bogota on April 30, 1866, as follows:

[illegible]

Again, during Mr. Cleveland's Administration, Mr. Bayard, his Secretary of State, said:

[illegible]

Then, Mr. President, the Monroe doctrine and the [illegible] clause were sufficient to guarantee sovereignty as [illegible] nations as to transit across the Isthmus. [illegible] treaty, in addition to the mere treaty clause, the guaranty of the sovereignty of Colombia over the entire Isthmus. [illegible] as against foreign nations, but that we would guarantee her sovereignty [illegible] protecting the transit across the Isthmus, but, in my judgment, it does mean and clearly means that this country will not [illegible] to prevent Colombia herself from suppressing a revolution [illegible] her attempting to maintain or to regain her sovereignty over the Isthmus in case of secession. Guaranteeing [illegible] much more than simple neutralization [illegible] depended on." The Constitution guarantees to each State a republican form of government, and [illegible] State authorities to call upon the whole Army and Navy of the country to uphold it, if requested by the State.

Now, after the fashion of [illegible] Mr. President, but the right of property is guaranteed, the right of owning land, a certain land ought to have over the Isthmus; that is, supreme government control.

What is sovereignty, Mr. President? The law has [illegible] that it is a combination of all power, the power to do anything and everything in a State without interference, the right of a nation to govern itself free from interference of any foreign power, which includes the right to suppress revolution and to protect domestic tranquillity of its territory. Then, if this [illegible] have equally and [illegible] guaranteed to Colombia all governmental rights over the Isthmus, including the right to suppress her revolutionists, and to advance her troops upon the territory of her territory, without fear of interference on the part of the Government.

If France or any other power had stepped in to prevent Colombia from asserting her rights and suppressing insurrection, our duty then would have been plain to stay the hand of such interference, even without any such express guaranty.

Colombia to-day, poor, weak and helpless, a cripple and disarmed, is prevented from asserting her sovereignty over the Isthmus of Panama, was prevented from suppressing a rebellion, prevented from regaining her lost territory by this great and powerful country with which she had entered into such friendly relations and solemn compact. No one, I take it, will deny that but for the presence of our war vessels and our hasty recognition of the new Republic the revolution would have been suppressed by Colombia in a few days. She is to-day forbidden to land her troops for the purpose of asserting her control and regaining her sovereignty over the Isthmus, because the President in his message says:

[illegible]

Why, Mr. President, I ask, why [illegible] Panama? If the President would [illegible] Panama. Rather [illegible] ices would have been [illegible] purpose. If Colombia had her troops [illegible] unted to an [illegible] her troops anywhere upon [illegible] not, I am [illegible] bia's hands, and, weak as she is [illegible] of asserting her rights or of re[illegible]

[illegible] of Panama has been [illegible] lution did not occur until the night of N[illegible] was clearly an act of war. It is very certain that [illegible] were taken against a nation of equal dignity as ours [illegible]

[illegible] in his message says, on page 6, that Secretary Hay warned Colombia [illegible] would follow [illegible] country, she certainly had the right [illegible] for the Hay-Herran treaty, [illegible] had re[illegible] but I deny that [illegible] our subsequent [illegible]

I want to say here that the President is my President, and I [illegible] When right I defend him; [illegible] he should not be [illegible] "The [illegible] wrong;" [illegible] very much [illegible] justly so, but ex[illegible] er [illegible]nt.

The President admits his irritation in his message when he says [illegible]

[illegible]

On November 3, the day after the order was [illegible] war [illegible] the landing of troops within 50 miles of Panama.

DEPARTMENT OF JUSTICE,
[illegible]

[illegible] on Isthmus reported. Keep Department promptly and fully in[illegible]

LOOMIS.

Mr. Ehrman to Mr. Hay.

[illegible] m.)

No uprising yet. Reported will be in the night.

On the night of N[illegible] with our war vessels [illegible] a few [illegible] a junta, a [illegible] and on November [illegible] public is recognized as a free and in[illegible] in the history of the world was over and done [illegible] recognizing a new state under such [illegible] itself or maintain its independence. The President himself says:

I have [illegible] nor do I wish to [illegible] that a new state should not be recognized [illegible] present till it has shown its ability to maintain its independence.

But he says also that this rule is subject to exceptions and a [illegible] in the present case was justifiable. The rule he cites, Mr. President, is a good one; to make the exception is authorized

by no precedent that I have ever seen or heard of. We recognize a republic without a constitution, without laws, without a navy, without an army, without anything but a junta composed of three men—a newborn republic set up and recognized in the space of three days. How different, Mr. President, was the action of Andrew Jackson when Texas had seceded. Texas had a government and an army and was knocking for admission into the Union. Hear what Jackson says:

[illegible]

It is, Mr. President, to the best interest of "collective civiliza[illegible] to violate a solemn treaty of [illegible] nor to violate a plain rule which [illegible] of the world. Rather is it to the interest of "collective civilization" that the same good faith, the same respect [illegible] which [illegible] should have [illegible] and [illegible] the same moral principles which they have had for the government of their [illegible] among nations. I fear [illegible] Mr. President, [illegible] in the eyes of the world. [illegible] in the eyes of the world. I [illegible] and [illegible] we have always enjoyed with the South [illegible] somewhat impaired.

But [illegible] a canal only. The canal would [illegible] Panama or at Nicaragua [illegible] Colombia. The [illegible] of the canal. Senators who for years have [illegible] for it, have pleaded for it, have [illegible] it, are now most strongly opposed to this treaty. With me, as it is with every [illegible], it is a question which rises far above [illegible] Believing, as I do, that [illegible] is to [illegible] to violate a well [illegible] of international law, to violate that great moral [illegible] "Might does not make right;" and believing, Mr. President, that I am best serving my country in so doing, I shall vote against the treaty.

An accomplished fact it is, but, assuming to myself no superior virtue or wisdom, accomplished, in my judgment, in wrong, I can not condone it.

Mr. CARMACK. Mr. President, I have received several peti[illegible] of the pending treaty with Panama. Many of those [illegible] are my personal and political friends, and to them and [illegible] nations they represent I have the [illegible] respect; yet I [illegible] believe they could have the respect for me that I have for them, with my understanding of the situation, I should cast a vote in accordance with their views and against my own convictions. It is because of my very high regard for them, and by way of a reply to their requests, that I now undertake to restate, in as [illegible] and comprehensive form as I may, the reasons which control my action.

I have sympathized with the feelings of men who in their zeal for [illegible] I believe to be a hasty and imperfect view [illegible] opinion. These gentlemen have been led to believe that the ratification of this treaty and the construction of an isthmian canal are bound inseparably together. I have never held to [illegible] the fate of the canal [illegible] So far as I [illegible] I should not vote [illegible] Congress upon the subject. So long as there remains upon the statute books a law which provides for the construction of a canal [illegible] any point of view, for me to vote [illegible] of any treaty.

The strength of the President's position is in the fear of the people that he will not permit them to have a canal at all unless they accept it upon such terms and conditions as he may choose to prescribe. I beg to say that this is a groundless fear. I can assure my anxious friends that [illegible] full force and effect the provision of the Spooner law requires the President, upon failure to obtain the canal at Panama, to go to Nicaragua. I have never regarded seriously the threat that the President would continue, out of pure perversity, to disobey that law.

Much as he loves to have his own way, he loves much more to be President of the United States. With a mandatory law before him, and the responsibility for the failure or success of the canal upon him, he would proceed at once to the construction of the canal by the Nicaragua route. He could only escape doing so by withdrawing his intermeddling hand from Panama, permitting that State to adjust its troubles with the mother country, and then negotiating a new treaty with Colombia. In either event it would save the canal and the nation's honor. He knows but little of the gentleman in the White House who supposes that he would dare to face a Presidential campaign with a record of having defeated the canal by violating the law. And so, I repeat it, the question of delaying or obstructing the canal is not, rather never was, involved in the present aspect of the question.

Mr. President, I heartily join in the tribute paid by the Senator from Wisconsin [Mr. SPOONER] to the distinguished Senator from Alabama [Mr. MORGAN]. I agree with him that, by whatever name the canal shall be constructed, the Senator from Alabama will be known in history as the father of the great enterprise. It seems a little strange to me that he and those who follow his lead should be counseled to answer the charge of trying to defeat or postpone the great work to which he has given the most persistent efforts of his life and the most powerful years of his life. I suppose there are few persons who will believe that the Senator from Alabama is insincere and the charge has been raised toward making a political capital of his great effort.

It has been charged that we are trying to force the Administration to a route where a canal is impossible of construction. This opinion is largely due to an amazing statement from Mr. Loomis, of the State Department, that the great engineers of this country had decided that the Nicaragua route was the one practicable. Many people who had not given study to the matter did not believe that a man in Mr. Loomis's position would make a statement so palpably false and unfounded as I assert this to be. Let me [illegible] I [illegible] in favor of Panama out of respect for the [illegible] who selected that route.

I did not [illegible] know that De Lesseps himself preferred the Nicaragua route and had sent his [illegible] to Panama. While my [illegible] for Nicaragua [illegible] as I have [illegible] I have been willing always to take any [illegible] people [illegible] ined, without measuring [illegible] relative advantages. I should not now have [illegible] to say on this matter if the unusual [illegible] of the Panama route had not been [illegible] to justify the President's course and to discredit the [illegible] of those who oppose him.

I beg to call attention to the fact that the ablest and most effective champions of an Isthmian canal have all along been in favor of the Nicaragua route. Only [illegible] was changed very easily by some men, at least, who were not suspected of any [illegible] for a canal anywhere.

[illegible] composed of the greatest engineers in the country, or in the world, have reported again and again in favor of the Nicaragua route. The [illegible] from Colonel Mr. [illegible] has called attention to the fact that at a meeting of the world's great engineers, held in [illegible] and [illegible] engineers assembled [illegible] in favor of Nicaragua. Our [illegible] Commission [illegible] that route and [illegible] recommendation only after [illegible] had [illegible] the power of its [illegible] admitting the practicability of the Nicaragua route, [illegible] it was no trifling [illegible] which the Commission gave to the other. Furthermore, [illegible] as a pecuniary exact measure of the extent of the preference. It advised this Government to pay not more than [illegible] for [illegible] and property of the Panama Canal Company and to make the Nicaragua route if [illegible] than that should be demanded. That would have made a [illegible] in favor of Panama. In other words, the Commission discussed the Panama route only upon the condition that it was [illegible] less than the other. Except for the matter of cost the Nicaragua route was preferred. I have had [illegible] Commission's own [illegible] of the [illegible] and [illegible] of the [illegible] route [illegible] better from a commercial point of view. I will call attention to just one statement on page 6 of that report:

[illegible]

The Commission also shows that the canal can be more quickly completed by at least two years by the Nicaragua than by the Panama route.

It shows furthermore that sailing vessels will be at a great

disadvantage by the Panama route, and, while the effort is made to meet this by the statement that sailing vessels are being displaced by steamships, I believe the fact to be the other way.

I believe the statistics show that sailing vessels are largely increasing in number and will play a greater part in the transportation of products in the future than they have in the past. Men who have been to Panama and Colon have expressed to me their surprise at the vast number of sailing vessels they saw in those ports. Because of the dead calms that prevail in the regions of the Panama route these sailing vessels must continue to go round the Horn or be towed through the canal and out to sea at heavy expense.

The report further shows that health conditions are far more favorable at Nicaragua than at Panama, because of the cool and steady breezes along the former route and the dead and deadly calms along the latter. This is an element of the greatest importance in computing the cost and the difficulties of construction. It cost a man for every cross tie to build the Panama Railroad and he Lesseps's interests perished by the thousand. Contractors who built a railroad through the swamps of Nicaragua declare that the deaths from disease were not greater than would have been likely to occur in any other country. These unhealthful conditions will add immensely to the cost and the difficulties of constructing the Panama canal and will greatly retard the completion of the work.

Certain persons have imagined, or have pretended to believe, that my course in this matter has been inspired by partisan prejudice or antagonism to this Administration. Mr. President, my antagonism to this Administration had its origin and owes its continuance to just such acts as I have condemned in this business. I have been consistent in my opposition to everything that savors of imperialism or tyranny, and my views have never been colored by my feelings toward the Administration in power.

The Hawaiian infamy had several things in common with this Panama coup. An American minister engaged in a conspiracy to overthrow the very government to which he was accredited and with which we professed to be at peace, and American marines were landed on a false pretext to aid that conspiracy. No man was more bitterly opposed to the general course and policy of Mr. Cleveland's Administration than I was, and yet when he raised his hand against this infamy I publicly approved and applauded his act, because it was directed against a deed of perfidy and shame and in behalf of the nation's honor.

Mr. President, the experience of my own people in other days has impressed upon me the danger of permitting abuses of executive power. We may say that those days have past, and yet we know that because of conditions peculiar to the South we are subject to a more or less public feeling in other parts of the country. We have seen this very President single a Southern postoffice in violation of the law, as his own Postmaster General had construed it, thus depriving all the people of an important community of postoffice facilities because of the alleged acts of a few. We know that this act of the President was vociferously applauded by a large proportion of the press and people of the Northern States, and we know that such an act would have been impossible and that no man would have approved it, if the President had been dealing with a Northern instead of a Southern community.

We have seen the fugitive governor of a prominent Southern State received with honor, and given an enthusiastic reception by the governor of a Northern State, and the President holds that governor up to the world as a traitor, champion and defender of the laws. Indeed it was published at the time in the newspapers, and, so far as I know, never denied, that the President personally wished the governor of New York, offered a safe asylum to this fugitive criminal.

We knew that such a thing would have been impossible if the man involved had been a Southern Democrat.

We hear such startling doctrines now as we of the South are afraid to say that we will exercise the rights of self-government in the way we have always understood it. Proposed state parts of the country, constituting a vast majority, have as yet scarcely ventured to say, and do say, that they will not oppose to which it only touches us and does not affect them. Whatever others may do or say the people of the South must cling to the Constitution and the law as their only refuge and hope of protection.

The present occupant of the White House, more than any man that ever sat there, needs to be restrained within the strict limits of the Constitution. He needs to be taught that he is not the Government and that his will is not the law.

A man who has not hesitated publicly to proclaim in the bitterest and most contemptuous language his scorn for the Congress of the United States when its acts have not accorded with his views is not likely to withhold his hand out of respect for the constitutional rights of the people, or their chosen representatives. I consider it of the greatest importance that some memorable and effective protest be made against the President's conduct. I trust there is no need to contemplate the probability of the present Executive being elected to the office he happens to hold; but that event would have a much graver significance if he should enter upon another term feeling that his lawless acts were approved, and his lawless tendencies encouraged by a vote of this Senate and of the American people.

Mr. President, others honestly take a different view, but I can not rid myself of the belief that in voting to ratify or reject the pending treaty I vote to approve or condemn the President's course. The issue, then, as it seems to me, is simply as to the rightfulness and the lawfulness of his conduct.

A great deal of irrelevant matter has been poured into this debate. We have had much talk of "mandates of civilization" and of "international eminent domain." I am not altogether displeased with the use of such expressions. The enunciations of tyranny testify a respect for freedom, just as the mask of the hypocrite testifies a respect for law. But these expressions, sir, while they lend the spirit of the Administration, have no meaning or relevancy in this debate. The state or facts which the Administration itself assumes as necessary to justify these new rules of national conduct are nowhere to be found in the transaction. There is no such law as that of "international eminent domain," and if there were there are no facts in this case to which it could be applied.

The real question lies within a narrow compass. The acts of the Administration are known. Many of the main facts have been officially communicated, and the law under which the President was acting is so plainly written that no man can misunderstand it. I have charged and undertake to prove that the President's conduct was in violation—

First. Of a fundamental principle of international law.

Second. Of the Constitution of the United States.

Third. Of the obligations of a solemn treaty.

Fourth. Of the very statute under which he was acting and from which he derived his authority to act.

I assert, first, that in the recognition of Panama he violated a fundamental principle of international law.

Let me say here that international law is not to be treated as many seem to do. It is recognized in our Constitution, and the Supreme Court has again and again declared that international law is a part of the law of the land. [illegible] to this case as being of the highest importance [illegible] to hold the honor and security of this nation. President Monroe [illegible] a treaty [illegible] the protection of this nation. Such is the law.

President Roosevelt recognized Panama as a sovereign state, as large as the state of Louisiana, a country [illegible] by the United States, [illegible] by the people, but was [illegible] I have heretofore given. These alleged insurgents had not fought a single battle against the parent country; they had neither army, nor navy, nor [illegible], nor courts, nor legislature, nor laws, nor any property except the money they had stolen, nor any form of government.

Unless the President can [illegible] exception to the rule he has violated one of the most fundamental principles of international law.

This he attempts to do. He admits the validity of the [illegible] rule that a new state should not be recognized as independent [illegible] "This rule," he admits, "is derived from the principle of nonintervention * * * but like the principle from which it is derived, it is subject to exceptions and there are, in any [illegible] permit was [illegible], in the present instance." He admits, [illegible] that it was a "departure" from the law.

The President makes a very clear statement of the principle upon which he acted. The duty to refrain from premature recognition is properly deduced from the general rule of nonintervention, and the exceptions found in recognition in such a case is properly deduced from the general rule of intervention. This is a correct statement of the principle, because recognition, where the insurgent side is found to be entitled to be an insurrection, is [illegible] unfriendly act and a species of intervention. In this case there was not only recognition, but actual intervention.

The right of intervention exists only in extreme and exceptional cases. It is, in plain words, simply the right of self-defense. The authorities lay down the principle that no nation can interfere with another in the exercise of its sovereign powers "unless such interference is authorized by some special compact or by such

a clear case of necessity as immediately affects its own independence, freedom, and security."

There is no compact in this case. The President does make a weak claim, unsupported by argument, of a right under the treaty of 1846, but neither he nor any of his champions have indicated a single line of that treaty from which such an extraordinary right can be derived.

Grants made by a sovereign power must be strictly construed in favor of the grantor, and none of its sovereign rights or powers can be surrendered by implication. The President's friends in this Chamber have frankly abandoned that claim. The right of intervention, then, rests solely upon the plea of a clear case of "necessity" affecting the "independence, freedom, and security" of this country. The President himself places it upon this ground, or, as he phrases it, upon the ground of "our national interests and safety."

Upon the truth of this claim his act must be tried. Let us assume that a canal across the Isthmus is absolutely necessary to "our national interests and safety." But that does not mean a canal at Panama any more than it means a canal at Nicaragua. The law under which the President was acting declared that our "national interests and safety" would be amply safeguarded by a canal on either route. So long as there was a way—an easy and honorable way—to obtain a canal without violating this great principle of international law there was no "necessity" that could justify the President's "departure."

In this case the very law under which the President was acting provided such a way by directing him to go to Nicaragua upon his failure at Panama. There was no "necessity," and, therefore, no excuse, for a violation of this principle of international law.

I have charged that the President violated the Constitution of the United States. The Constitution gives Congress the exclusive right to declare war. The President is not authorized to levy war upon a country with which we are at peace without the authority of Congress. I charge that the President violated the Constitution in that he committed acts of war against the friendly Republic of Colombia.

He sent warships to Panama, then a part of Colombia, in expectation of an insurrectionary movement which had not then occurred, and he ordered them to resist with force the landing of Colombian troops sent there to prevent this expected insurrection. An order to commit an act of war is itself a declaration of war.

After the insurrectionary movement began Colombian troops sent there to subdue it, were kept from landing by the superior military forces of the United States. The Senator from Ohio [Mr FORAKER] says that our action was intended to "prevent war." Secretary Hay says that Colombian troops were excluded from the Isthmus "to prevent civil war."

This was not to prevent a state of war, for that existed from the moment the standard of insurrection was raised; it was simply to prevent the Republic of Colombia from using her forces against the insurgents. The Senator from Massachusetts [Mr. LODGE] frankly confesses that the insurrection owed its success to this action of the President of the United States. Thus we have the admission from the Administration and its spokesmen that the dismemberment of Colombia was not brought about through the acts of its own insurgent citizens, but through the armed interference of this Government.

Every nation has an inherent right to defend its own sovereignty over its own territory, and when the nation let is not beside the exercise of that sovereignty it is a [illegible] act of war. To deny that it is such is to speak the language of folly and to deny the plain meaning of words. The fact that the nation thus treated submits, out of sheer helplessness, to the wrong does not in the least change the character of the act.

Unless the President can find some express authority for resisting by military force the exercise of Colombia's sovereignty over her own territory, he has committed an act of war without authority from Congress and has violated the Constitution.

The only pretense of justification is that this country had a right, under the treaty of 1846, to protect the freedom of the transit across the Isthmus, and that by virtue of that right the President might exercise any power he thought proper, even to the exclusion of the most ordinary and necessary acts of sovereignty on the part of Colombia.

Even if that treaty did give this country the right to protect the freedom of transit, it would be stretching it very far to use that power to the extent of supporting an insurrection. But if it shall appear that not only did this country not possess any such [illegible] right to protect the transit, but that by the very terms of the treaty the right to defend the transit belonged to Colombia and not to us, then the President's armed resistance to the exercise of that right was not only a violation of the Constitution, but a violation of the treaty itself.

The language of the treaty is that "the government of New Grenada (now Colombia) guarantees to the Government of the United States that the right of way, etc., shall be open and free to the Government and citizens of the United States."

This language speaks for itself, and on the very face of it imports an engagement by Colombia to itself protect the freedom of the transit. This treaty has been construed again and again by our Presidents and Secretaries of State, and has been twice officially interpreted by other treaties.

In 1873 Secretary Fish said:

> [illegible] Although such protecting was of late officially given by the [illegible] Atlantic Ocean, it appears [illegible] with the consent and at the instance of the local authorities. It is, however, recognized as the [illegible] duty of local authorities to protect the transit against attacks from local insurgents. The discharge of this duty will be insisted upon.

Secretary Bayard stated our interpretation of the treaty as follows:

> On several occasions the Government of the United States, at the instance and in aid with the consent of Colombia, has [illegible] troops and marines to the Isthmus of Panama to preserve [illegible] and property along the transit from injuries which the Government of Colombia might at the time be unable to prevent. But, in taking such steps, this Government has [illegible] the sovereignty and jurisdiction of Colombia on the premises, and has never acknowledged, nor, on the contrary, has expressly disclaimed, the duty of protecting the transit against domestic disturbance.

President Cleveland spoke of our having sent troops there at a time of local disturbance, but said that it was "in aid of the sovereignty of Colombia" and that the act was "highly appreciated" by that Government.

Thus it plainly appears that where we have undertaken to protect the transit it has been with the consent of Colombia and on her behalf and always with the recognition of Colombia's right and duty to herself protect the transit, and a disclaimer of any obligation upon our part to do so.

In the treaty of 1857, which was for the adjustment of claims for loss suffered by American citizens through the failure of the Colombian authorities to properly protect the transit, the following language is used:

> [illegible] citizens of the United States upon the Government of New Grenada, [illegible] Panama on the [illegible] and property [illegible] and order along the transit route.

Colombia has the "privilege and obligation to preserve peace and order along the transit route." We compelled her in the treaty of 1857 to expressly acknowledge it and to pay damages. Did the President recognize any such "privilege" on the part of Colombia "to preserve peace and order along the transit" when he refused to allow Colombian troops to be landed on the very ground that there *might be* a disturbance of peace and order along the transit route?

I now desire to call special attention to a clause in the Panama Canal treaty which was retained by this Senate, the very treaty whose rejection by Colombia was the cause of all this trouble.

ARTICLE XXIII.

> It it should become necessary at any time to employ armed forces for the [illegible] retire.

I shall not refer to the debates [illegible] session when that treaty was [illegible] the history of the clause I have quoted. The purpose behind the clause was more important a thousand times than the possession of the Panama Railroad. The effect of any property rights [illegible] to it and the opportunities and temptations to conflict such property would be vastly greater. We expect Uncle Sam to be [illegible] with the commerce of the world. It is to be the means of quickly transferring our war ships and military forces from one coast to the other, instead of having them go to the Isthmus journey around the Horn, as the Oregon did. Yet this Government was expressly denied the right to employ its military forces for the protection of land rights except with the consent of Colombia, because the exercise of such a power would be in derogation of Colombia's sovereign rights and would be a power which she could not grant under her constitution.

Many of us, as Senators know, felt that this article did not give us sufficient power for the protection of the canal. We felt that we ought to have a right to land our forces there for its safety and protection, and to keep them there as long as we thought proper without asking the consent of Colombia. How were we assured? The answer was that this would be a grant of sovereignty which Colombia, under her constitution, had no right to make. The moment we could possibly ask was a treaty right to act without the consent of Colombia in case of a sudden emergency, but with the express understanding that our forces should be withdrawn as soon as the Colombian forces should arrive.

This, I say, was the very moment that we felt we had a right to ask, because it was the very moment that Colombia had a right to grant. In that case, when Colombian forces and arms were scattered and in land crossed from one ocean to the other, we could rightfully ask, and all that Colombia could have fairly given, was the right to use the minority possessed by her troops and, being to her the equal friend of Colombia with our armed forces and being to her the equal friend of Colombia with our armed forces and being to her the equal friend of Colombia with our armed forces and

Colombia would be such an attack as we were bound under the treaty of 1846 to resist. There may have been several independent movements, which finally coalesced, against Colombia, but there is strong reason to believe that the insurrection was promoted by a French corporation and a syndicate of French stock gamblers; that it was supported by their money and their intrigues.

By our treaty with Colombia, to say nothing of the Monroe doctrine, we were bound to resist such foreign aggression. Instead of that, the Navy of the United States was joined with French money and French intrigue to promote the interests of a French corporation by disrupting an American republic, and the chief of these foreign conspirators, a citizen of France, an agent of this French corporation, receives the office of highest dignity and greatest influence in the government of a so-called American Republic which he helped to create for the purposes of his corporation.

Bunau-Varilla, now minister from the State of Panama, but a citizen of France, was one of the earliest and most active supporters of this conspiracy against the integrity of Colombia. This much we know. This man was connected with the old Panama Canal Company, and the official records of his own country, including the report of the minister of justice, show that he was one of the worst of the crew whose thieving operations bankrupted that concern, brought the gray hairs of De Lesseps in shame and sorrow to the grave, and covered the French Government itself with odium and disgrace. I shall not cumber the record with quotations from official French records, but they are as I have said.

These extracts have already been published in the newspapers, and their authenticity, so far as I know, is undenied. I presume that no man here will deny their authenticity. This man is also connected with the new company, a penniless concern, organized simply to sell the wreckage and debris of the old company to the United States for as many millions as it could get and, incidentally, to gamble in its own stocks. This concern was to get $40,000,000 by the ratification of the treaty with Colombia, and not a dollar if that treaty should fail. As the time fixed by law for the ratification of the treaty began to approach, with every prospect of its being defeated, the stocks of this company rapidly declined. Then it was that Bunau-Varilla left France and came to the United States.

He at once entered into relations with certain disaffected persons in Panama to bring about an insurrection in that province. The charge is made in a reputable newspaper that Bunau-Varilla agreed to furnish money, and did furnish money, through his stock jobbing French associate to promote this insurrection by the bribery of Colombian officers and soldiers. The very amounts of money sent by him to the conspirators in Panama are given, the very dates on which it was sent are mentioned, and the names of the banking firms and corporations through which it was paid.

And this is not all nor the worst. Bunau-Varilla engaged with these conspirators to bring the Government of the United States to the support of their conspiracy. This statement is not based upon rumors nor the anonymous reports of a yellow newspaper. It is based upon the admissions of the conspirators themselves and upon the authority of a gentleman of the highest character and standing, Mr. Merrill A. Teague, a staff correspondent of leading Republican newspapers. His statements have been published broadcast in the very organs of this Administration, and no man has denied them.

A courier bearing this Senate can have the witnesses before it and it can have the very originals of the telegraphic communications in which Bunau-Varilla assured his associates in Panama that they could proceed with their insurrection in perfect confidence that he would redeem his promise to have the war ships of the United States on hand to support them.

Mr. President, I am willing to treat it as simply an unfortunate coincidence that every statement made by Bunau-Varilla as to the future action of this Government, the movements of its war vessels and the part which they would play in an insurrectionary movement if one should occur was verified by the event, that every promise made by this French adventurer in behalf of the United States was fulfilled to the very letter.

But there are some facts which I can not ignore. I can not ignore the fact that this man is still an acceptable representative of a foreign country to this Administration. We know how quickly De Lome was compelled to get out of this country for an inadvertent reference to President McKinley. We know how the British ambassador was sent packing by Mr. Cleveland for merely expressing a private opinion as to the merits of a Presidential contest. This man Bunau-Varilla holds his position here as a reward for his own claim that he had seduced this Administration into a foul and secret conspiracy against a Government with which it was then conducting friendly negotiations. I have a right to ask why it is that this characterless adventurer, whose representations, if false, are the foulest slander upon the honor and integrity of this Government, continues to be persona grata with this Administration.

It is vain to heap denunciations upon American Senators for calling attention to facts and asking for explanations so long as this base intriguer and defamer of the Government's honor is received as a diplomat and a gentleman in the city of Washington. The President declares that his Administration had no complicity in the Panama insurrection. Bunau-Varilla assumed the right to declare the plans and purposes of the Administration, and he represented it as playing the leading part in that conspiracy. I am ready to take the President's word, but to do so I must believe that Bunau-Varilla is one of the basest slanderers that ever lived or died. I am quite willing to believe that, but I want to know why he is still permitted to hold a diplomatic position here and why when he calls at the White House the President of the United States is "delighted" to see him.

Mr. President, there are some facts which, for the time being, may be more or less obscured by party passion, but which will not read well in history. One of these facts is that the treaty which we have under consideration was not made between the United States and the Government of Panama, but between the United States and the French Panama Canal Company. The regularly appointed treaty commissioners from the Government of Panama were on their way and within an hour's ride of the city of Washington when Mr. Hay and Bunau-Varilla hastily concluded and signed that treaty. While Bunau-Varilla was acting as minister of the new Government of Panama, as a reward for his alleged influence with this Administration, his sole object was to serve the interests of his French corporation.

Mr. Hay seemed anxious that no citizen or resident of Panama should have any lot or part in framing that treaty, and so he and the agent of a French corporation, between them, proceeded to fix it up without any regard whatever for the people or the Government of Panama. When the treaty went back, the junta, which represented the only thing in the way of a government in the new State, were in a most distressing plight.

If they declined to ratify the treaty, the President and Bunau Varilla, whom they considered all-powerful with the Administration at Washington, might withdraw their support from the new Government, and as a result, the Government of Colombia would have quietly resumed its sovereignty over the Isthmus and would have hanged every man of them within forty-eight hours. To save their necks they ratified the treaty—the treaty between the Administration and the French Panama Canal Company. Some amendments to that treaty, as we know, were intended by the Administration here, but they have been abandoned, because it is said that it does not do that the newly constituted Government of Panama should have it under consideration. The treaty is not very satisfactory to the people of Panama; but it was never intended to be satisfactory to anybody except the Administration and the French Panama Canal Company, between whom its terms were arranged.

Mr. President, this Senate will ratify that treaty and the President will no doubt rejoice in his triumph over justice, honor and the law. But I do not know the temper of the American people if the sober second thought of which the Senator from Wisconsin spoke the other day, does not intervene to save the honor of the nation in the last resort. When that time comes the words of the Senator from Wisconsin will come to my lips. The people of the United States will come to see, if they do not now, that a nation's strength is in its honor and that only in a righteous cause is a nation, while sin is a reproach to any people. History will compare the action of President Roosevelt in this matter with that of his illustrious predecessor.

Mr. President, a few days ago, upon an occasion that will be ever fragrant in my memory, at the home of my distinguished friend the Senator from New Jersey [Mr. DRYDEN], I had the pleasure of listening to a very long and learned speech on the Panama Canal by the Senator from Indiana [Mr. FAIRBANKS]. I heard him tell of the laborious efforts made by President McKinley to remove the obstacle of the Clayton-Bulwer treaty with Great Britain. That treaty for fifty years had barred the pathway of commerce and civilization across the Isthmus. Leading Republican statesmen, like Secretaries Blaine, Frelinghuysen, and others, had declared that that treaty was obsolete, and that Great Britain herself had violated it again and again.

Yet the Senator from Indiana told us of how long and patiently President McKinley had labored to secure the present abrogation of that treaty, in order that no suspicion of dishonor might attach to the construction of the canal. Let me say, Mr. President, we shall get small honor for our punctiliousness in dealing with a majority power when it is so swiftly followed by an act of national aggression, of violation of international law and treaty rights in dealing with a puny nation. Great Britain for fifty years barred the pathway across the entire Isthmus with a dead and violated treaty—a treaty she herself had violated and de-

stroyed. Colombia acted strictly within her rights when she rejected our treaty and left us free to construct a canal as we ourselves had provided in our own law.

Who will believe us if we say that we endured British insolence from a keen sense of national honor, where the canal itself was at stake, and trampled upon the plain rights of Columbia from a sense of justice where only the arbitrary will of one man was concerned? When history comes to judge of our action in this matter it will not discriminate between McKinley and Roosevelt, but judge us as a nation.

We are frequently told, Mr. President, that the act has been done, that it can not be undone, and that it is vain to protest against it. We have heard this argument before. I believe there are not now half a dozen Senators on either side of the Chamber who do not in their hearts regret that this country took upon itself our Philippine possessions, which have cost so many hundred million dollars, and which are not and never will be worth one single cent to the United States. I believe there are few if any Senators here who do not agree with the opinion once expressed by the Senator from Wisconsin [Mr. SPOONER] that our Philippine possessions would prove a source of military weakness and danger to the United States; that they would be of no commercial advantage, but a vast burden upon the industrial resources of the country.

Yet we were told that the act had been done and that it could not be undone. And so we continued to squander money by the hundred millions and to destroy human lives by the hundred thousand and to make the land a desert of death and famine. We are met now with the same argument, which seems to me most singularly contradictory in its very terms. We must do this thing because it has been already done.

Such an argument in its consequences can not be confined to any particular case. It means that every violation of the Constitution, the law, and the nation's honor that may be perpetrated in the future must be permitted to stand simply because it has been done.

I believe that the greatest thing that could be done for the national honor, for the rights of the people, and for lawful government would be to defeat the whole of this nefarious business and compel the President to respect and obey the law.

There are people who say that while the President's act was unlawful the means were justified by the end. I trust that no Christian Protestant who asserts this doctrine of doing evil that good may come will ever refer to it hereafter as "Jesuitical." What were the means, and what was the end? The means were a violation of international, constitutional, statute, and treaty law, joining with French adventurers to disrupt an American republic, and sowing the seeds of fear and hatred among all the countries to the south of us.

These were the means. What was the end? Not to secure a canal, but to secure a particular route favored by the Republican party and by the President for reasons of their own; to secure a route most favored by the continental railroads and least advantageous to the people, and to put securities into the hands of a corporation, French corporation, and I know not how many million dollars' worth of stock among the friends of the Republican party.

Mr. President, I have not argued this question from a partisan point of view. In so far as I have considered the relations of the Democratic party to this question, it has been only with a desire that it should maintain its honest and true position as the party of constitutional government. It is necessary to the country, it is necessary to the Democratic party, that it do so. Those who love justice and law and righteousness in government are too well satisfied with the Republican party to leave it for a party which can never free itself entirely from the restraints of conservative traditions and which, in spite of itself, must still keep some remnants of a political conscience.

A party which has the audacity of its wickedness will always prevail over a party which has not even the courage of its convictions. The Democratic party can not succeed—it can not even live—by imitating the vices of its adversary. It has no future, it has no hope, except as the unfailing champion of those great principles that gave it life.

So long as men love truth and justice and the doctrines upon which our forefathers founded this Republic there will be a necessity for a party through which they can speak and act; and if love of righteousness and respect for law are to perish, God forbid that the Democratic party should survive!

I ask permission to print as an appendix to my remarks some letters of Mr. Merrill A. Teague, to which I referred in the course of my speech.

The PRESIDENT pro tempore. The Senator from Tennessee asks that certain letters to which he referred in his speech may be printed as an appendix. Is there objection? The Chair hears none, and that order is made.

APPENDIX.

[Baltimore American, December 10, 1903.]

IN PANAMA, THE NEW REPUBLIC—AMERICAN'S STAFF CORRESPONDENT ON THE ISTHMUS—MR. TEAGUE'S FIRST LETTER—BEGINNING OF A GRAPHIC STORY OF THE REVOLUTION—TWO WEEKS THAT PRECEDED ABOUT SECESSION FROM COLOMBIA AND GAVE THE UNITED STATES THE RIGHT TO BUILD A CANAL ACROSS THE ISTHMUS—MONEY WAS THE CAUSE OF THE REVOLUTIONISTS, AND THEIR FAITH IN THIS GOVERNMENT MADE THEM CONFIDENT OF SUCCESS—ALL WANT THE CANAL BUILT.

[By Merrill A. Teague, staff correspondent of the American.]

PANAMA, R. P., December 7.

The Republic of Panama stands to-day with one foot upon the wreck of Colombian misadministration, oppression and perfidy, and the other upon the corpse of French efforts to cut a commercial waterway through the narrow isthmian strip, while both of its arms are extended in hope and supplication toward the United States.

In this strange and strained attitude the Republic is not more to be envied than it is to be pitied. Born of a revolution effected without bloodshed, it faces prospects more remote than were ever before hesitant heavy other nations within twenty-three days of its birth. In fact few governments, even among those whose maturity is of the ages, are more fortunately situated than is this the baby among nations. Straight ahead of Panama, with realization of them all guaranteed by the protectorate which the United States has assumed, lies the certainty of a plethoric treasury, freedom from debt, reasonable taxes, absolute security in independence, a prevailing peace and the unlimited development of her resources through the early and inevitable development of the country's natural resources. These are advantages very few nations have ever enjoyed, but over against them must be placed the catalogue of disadvantages and deterrents—a catalogue which excites the keenest pity.

Panama is to-day a land of indecision, hesitation, and chaos. In all the Republic a woman comprising an area about equal to that of the State of Delaware there is not one man, native Panamanian, who has ever demonstrated the possession of qualities of that order required of one who would successfully lead a people to the accomplishment of a great purpose. Of able businessmen, astute politicians, adventurers and schemers in general there are more than any country requires, but of statesmen, diplomats and other real leaders there are positively none at all. The very men who brought the Republic into existence and who are speaking now of the native or guiding element among them—are novices in everything pertaining to the science of government. These men are now in charge. If the Government, which in theory is the servant of the people, is to be carried on in accordance with their ideas, or of the sincerity of their purpose, they are working hard in advance to do the work they have undertaken in the way desired to be done according to the situation which confronts them. The result is that upon every hand the inquiring visitor encounters optimism, doubt, and incompetency where there should be, if the enterprise or movement is to be carried to a full fruition, intemperate, determined and fixed activity.

Careful investigation shows that there is more or less reason for this condition. Two causes lead in the pay envelope enterprise. They have become active since being without any definite personal purpose. It was considered good form and a distinction to have the United States recognize the Republic and one by one the ministers accredited at Washington came. Had Colombia been left alone, twenty-five years of the end of November would have been upon them. That is, Panama would have been in the same way as Colombia, talking about the independence of Panama. The news came to us that the Panamanians were had authentically supposed were a sovereignty and a nation ready to have recognized because of any cause for war, independence. Had not, accompanied by the Panama in the transcontinental commission. It is true that a missing link report is drawn by the commission, and cause for war was of consequence and consequence, but that was subsequent to, or, rather, for and for purposes of political [illegible], hence it is a statement of independence preceding grievances.

MONEY WAS THEIR MOTIVE.

The motive underlying the creation of the Republic was consequently some extent, perhaps, more sordid than sentimental. The people of Panama knew no better than do any other people the conditions existing in the world across the Isthmus, passed by that transcontinental railroad, and the [illegible] in the new Republic, improvement in the new Government. They realized that [illegible] and experienced the original [illegible] [illegible] with them. They were [illegible] of [illegible] for their purposes they found the United States ready to [illegible] with them. The idea of forming a Republic then and there [illegible] [illegible] [illegible] and more apparent. The [illegible] of the opportunity for independence having in such form as Panama [illegible] [illegible] [illegible]

able upon every hand. The weakness of the present Government, its lack of purpose and indecision, are, therefore, excusable in a measure.

[illegible] revolutionists know that they have to deal with a good sized company of conspirators [illegible] Attorney and they feel [illegible] confident. All they hope for is that they can keep things going as they now are until after the canal treaty is signed, [illegible] of the treaty. That [illegible] of ratification accomplished. The [illegible] on the isthmus, and [illegible] treaty which must perforce be adopted [illegible] the United States. [illegible] Panama [illegible] of the [illegible] government [illegible] United States.

It matters not what arrangements may be made at Washington or what [illegible] may be proposed to the people of Panama [illegible] acknowledge [illegible] and encouraged, discouraged and by [illegible] government and protect as stated to the revolutionists. There is a [illegible] belief that it was the [illegible] revolution [illegible] that they would not have [illegible] the United States [illegible] that they would [illegible] the United States [illegible] the United States [illegible] the United States

harangue the crowd which would gather, and it was expected that by day-[illegible] was to be a festival of excitement, when it was planned to [illegible] the municipal plaza and, with the people thoroughly [illegible]

[illegible] Mellendez, however, to upset all of the plans of the conspirators. [illegible] Mellendez had long threats was no longer any secession for [illegible] Panama. [illegible] Colombian troops were at Colon. The point was to be at [illegible] Panama. [illegible] Colombian troops [illegible] Panama. [illegible] Colombian troops [illegible] Panama. [illegible] Colombian troops

[Baltimore American, December 28, 1903.]

[illegible]

[By Special A. Pearce, staff [illegible]

[illegible]

THE COLOMBIAN FEDERATION

[illegible]

PEOPLE HAD NO VOICE IN IT.

[illegible]

WERE NOT IN THE SECRET.

[illegible]

DONE BY A MINORITY.

The little band of secessionists let the [illegible] of the city council of Panama [illegible] ignorance of the fact that they were no longer subjects of Colombia [illegible]

HOW IT WAS [illegible] compromise the existing [illegible] of treeless upland are [illegible]

the junta by the city council of Panama [illegible] proclaim the [illegible] public [illegible] for his [illegible] to support the [illegible] authority.

A REACTION IS CERTAIN

[illegible] and [illegible] nominal rents from the natives and

[illegible] are turning these people out of their premises in the expectation that within a few days there will be such an influx of Americans as to send rents [illegible] Speculation of every sort is rife, based upon this belief, and [illegible] The canal [illegible] To Panamanians, this Saw [illegible] in the end of French extravagance and [illegible] that "the canal is coming" means fluid taxes and [illegible] and hardly pestered [illegible] the instrument of actual operations [illegible]

[illegible] Admiral Walker (Col. William Murray [illegible] other Americans now here is to be [illegible]

[illegible]

CHURCH AND STATE.

[illegible] should support the church. The Liberals opposed this, and the sentiment [illegible] assuredly provoke problems [illegible]

Already there are rumors of [illegible] the junta by the city council of Panama a few days ago [illegible] the people for the first [illegible] beginning to mutter, and an American party [illegible] people. Until that is done the Republic of Panama can hardly [illegible] ment be quietly established upon the consent and free participation of the people. Until that is done the Republic of Panama will [illegible] ally, secure only in the fact that the [illegible] that that Government will not permit the same to be destroyed, either by invasion from without or by disturbances within.

Mr. FULTON. Mr. President, I had not contemplated participating in this discussion until within the last few days. I do not purpose going widely into the discussion even now; but sitting here, as I have been doing, listening to the various arguments that have been advanced on each side of the questions in issue, a clearer conception of the vast importance of the work in which we are here engaged has come to me. We are here to-day engaged in preparing the way for the greatest enterprise the world has ever known, both in its magnitude and in the beneficial results that must come from it to mankind.

The completion, Mr. President, of this great work means the connection of two oceans, furnishing a highway for the ships and the navies of all nations throughout all the ages of the future. Nations will rise and fall, empires will flourish and decay, but this great work, once accomplished, will endure forever, and I confess that I have been unable to suppress a desire to go on record as one who was willing to contribute his mite to do what was in his power to advance this great work.

I do not expect to be able, Mr. President, to contribute anything in the way of argument or suggestion to what has been said. I shall content myself in briefly outlining my views without attempting to go into detail.

I have no hesitancy, I have found no difficulty, in indorsing the position the Administration has taken on this question in giving to it my full and complete indorsement for every step it has taken, for every attitude it has assumed. But I contend that under the Constitution Congress has not the power to inquire into the circumstances or the conditions under which a coordinate branch of the Government shall exercise the powers granted to it under the Constitution.

The Constitution has divided the governmental powers among three distinct and independent branches. To the Congress it has given the legislative power, to the President it has given the executive power, and to the Supreme Court the judicial power; or, in other words, in the language of the Constitution, all judicial power is vested in one Supreme Court and in such inferior courts as Congress may establish, while all the executive power is vested in the President.

Now, I shall not undertake to go into an argument to sustain the proposition that the President is empowered by the Constitution to recognize the independence of new states. That proposition has been argued so clearly, so fully, and so convincingly and unanswerably by the distinguished Senator from Maine [Mr. HALE], as set forth in Executive Document No. 56, of the Fifty-fourth Congress, second session, that I do not believe anything can be added to it. I know very well that I can add nothing to it, and I shall not attempt to do so.

But assuming, Mr. President, the correctness of the position taken there, and which I believe unquestionably is correct, that the power to recognize a new foreign state is vested by the Constitution in the President, it follows conclusively that he is the sole judge of the circumstances under which that power shall be exercised. If he is the sole judge, then, of the circumstances under which that power shall be exercised, we have no right or authority to go behind the finding he makes, and must necessarily make, that the conditions justify the act when he performs the act. No more right have we to inquire into the question by what authority, upon what evidence, or by what right he exercised such power in a given case than we have to inquire upon what testimony and upon what evidence the Supreme Court of the United States have arrived at a certain conclusion in a given cause.

Suppose, Mr. President, that an action were instituted in the name of the United States to condemn a certain tract of land for the public use, and the court should determine in that action that A was the owner of a certain interest in that land, and then it became our duty to make an appropriation to pay for that interest, and B should come here and say, "No: A was not the owner of that land; he had no title or right to it; the title was in me; the evidence upon which the court so found was false, and the court violated the law in coming to the conclusion it reached." Will it be said that we could listen to the statement of B in that regard? Will it be said that we could properly go behind the opinion of the Supreme Court and endeavor to ascertain upon what facts and upon what evidence they reached the conclusion they announced?

To put another case, Mr. President, suppose a bill shall pass though this body by a majority of one vote. Suppose prior to that time there had been a contest here as to whether or not a certain person is entitled to a seat in this body, and under that provision of the Constitution which says that each House of Congress is the sole judge of the elections, the returns, and the qualifications of their members, we determine that that party is entitled to a seat here, and he joins in voting for that bill. The President is required to either approve or disapprove all measures that pass the Congress, and the bill is sent to him.

Will it be said that he is authorized, under the law and the Constitution, to send here and inquire upon what evidence and under what circumstances we permit that man to occupy a seat in this Chamber? If the President may not do that, by what right do we pretend to criticise or condemn his action in arriving at any conclusion that he shall reach in the exercise of his powers under the Constitution, or rather, that when he, moving within his constitutional sphere, having taken a certain action, having reached a certain conclusion, by what right do we question the correctness of that conclusion? But, Mr. President, I do not deem it necessary to defend the action of the President on constitutional grounds. I have no hesitancy in saying that, in my judgment, he was warranted by the facts, warranted by the circumstances in doing exactly as he did.

What are the facts and what were the circumstances? We had a treaty with the Republic of New Granada entered into in 1846. By the terms of that treaty we are required, among other things, to guarantee to New Granada sovereignty over the Isthmus of Panama. It was never contemplated by either party to that treaty that this Government in making that guaranty was required to protect the Republic of New Granada against uprisings of her own people. That is clearly shown in the correspondence in the very early years and life of that treaty. In support of that assertion I wish to read a statement that I think has not yet been read in the course of this discussion. I read from a letter of Mr. Pombo to Mr. Seward, May 29, 1861.

Mr. Pombo was the chargé d'affaires ad interim of the Granadian Confederacy. In this communication he relates to Mr. Seward certain conditions that he says are prevailing on the Isthmus. He goes on to show that the revolutionists have taken charge of the situation there, and states that he thinks it is important that the Government of the United States in its own interest should send troops to the Isthmus, but he says—and that is what I wish to read:

> The undersigned does not mean to insinuate that the United States should interfere in the political contest which is carried on in New Granada, but, as the two Governments have become allied in what has reference to the security of the transit across the Isthmus of Panama, in virtue of the mutual guaranties, stipulated for in the thirty-fifth article of the treaty of 1846, still extant, and, as doubtless the transit is threatened with a complete stoppage of all traffic, the undersigned believes that the time has arrived when the Government of his excellency ought to cooperate with that of the Granadian Confederacy to prevent the necessity of closing the interoceanic route.

What I particularly call attention to in that statement of this representative of New Granada is that—

The undersigned does not mean to insinuate that the United States should interfere in the political contest which is carried on in New Granada.

Later on, however, another minister of New Granada applied to Mr. Seward and asked him to send troops to the Isthmus of Panama to suppress the revolution. Mr. Seward, answering that application, under date of May 9, 1865, said:

Mr. Seward to Mr. Burton.

No. 194.] DEPARTMENT OF STATE, Washington, November 9, 1865.

SIR: The question which has recently arisen under the treaty with the State of New Granada, as to the sovereignty of your Government, in connection with a requisition of the President of the United States of troops, in order to protect the Isthmus of Panama from invasion by a foreign power, and thereby secure the free transit across the Isthmus, which is guaranteed to the citizens of the United States by the treaty between the two Governments, has been considered by this Department with a solicitude which its importance and its difficulty have inspired. It appears that neither the letter nor the spirit of the treaty contemplates the employment of the military forces of the United States in the sovereignty of the Isthmus against a foreign power, when that sovereignty has been invaded by such a foreign power. It could not have been contemplated that we should become a party to any civil war in that country by defending the Isthmus against its enemies.

Mr. President, the two extracts which I have read show that such was the view of both Governments at that time. If that be true, then it must have been contemplated that if by force of a revolution by the people of Panama an independent government should be established on the Isthmus the United States would in the nature and in the reason of things extend recognition to that new government. I say that this must have been contemplated by the parties who entered into the treaty. Just exactly that thing came to pass. In the course of time a revolution did occur. But I might say that that was not anything new on the Isthmus.

Mr. FAIRBANKS. That was a normal condition.

Mr. FULTON. That was a normal condition, as the Senator from Indiana suggests. Indeed from the time of the entering into and the execution of this treaty the history of the people of Panama, and, indeed, of the entire Republic of Colombia, is but a chronicle of one revolution following quickly on the heels of another. Finally, however, a revolution occurred down there which was joined in by practically all of the people. Without dissent, so far as I have been able to discover, on the part of any particular portion of the people of Panama, a government was established and the revolution was complete.

I will admit, Mr. President, that if there had been any large proportion of the inhabitants of Panama in opposition to that Government, and if there had been any serious contention there as to whether or not the Government had been established, or as to whether or not the people resident there had given their allegiance to that Government, then there might be ground upon which to criticise the action of the President in recognizing the independence of that people. But when the people of Panama with one voice rose up and indorsed that Government, gave their allegiance to it, I ask on what authority and by what right could the President refuse to recognize them as a free and independent state? Some say: "Oh, well, there was not any need of being in a hurry about it; why should we have acted so hastily?" Let me say, in answer to that, that in the first place it is the duty of the President, under the Constitution, to determine when and under what circumstances he will exercise his constitutional prerogative.

But I undertake to say, in view of all the history and of all our relations with the people of Colombia and the Government of the Republic of Colombia, no one can fairly criticise the President if he was in somewhat of a hurry. I do not say that he was, but I say that he would have been justified in being in something of a hurry to change the conditions down there and enter into relations with the new Government.

During all the time that we have sustained relations with the people constituting the Government of the Republic of Colombia there has been constant turmoil, strife, and revolution, which has been a constant source of annoyance and irritation to the Government of the United States.

Senators, I think, will almost universally, and probably unanimously, indorse the proposition that when the Government of the United States lent its aid to the people of Cuba, secured for them their independence, and drove Spain away from the shores of the Western Hemisphere, it did right. That, I think, will be pretty generally conceded.

Why did we do right? Why were we authorized and justified in taking that step? We are told that we were justified in taking that step because of the fact that the government of Cuba, as conducted under Spanish rule, was a continuous source of disturbance, annoyance, and irritation to our people, and that, as a matter of self-protection, this Government was justified in taking the step that she did take in regard to Cuba.

I say, then, for a greater reason we would have been justified in going down there and assisting the State of Panama in securing its independence; we would have been perfectly justified in doing so upon the same doctrine and upon the same ground that we were justified, or that we justified ourselves and were justified by the entire civilized world, in extending aid to Cuba. For more than half a century the people of Panama had been struggling for their independence, struggling just as desperately as was Cuba struggling for hers; struggling against a tyranny and oppression that was just as cruel as that under which Cuba struggled and against which she fought. But the Government of the United States has at no time extended them aid.

For years the people of Panama had themselves been divided to a great extent, but finally, in the last revolution, they were entirely united, and being united, they formed their present Government.

What was the duty of the President under those circumstances but to extend to them the recognition that is due to an independent state when it has the support of all the people throughout the country over which it pretends to exercise authority? It is clearly his duty to recognize existing conditions. That is what the President did, and that is all he did.

I do not know, and I do not pretend to say, whether or not the people of Panama are made of that character of material, that sort of fiber, which, given more healthy environment and purer atmosphere in which to live and thrive, will develop a higher regard for public and private virtue in the future than they have manifested in the past.

I say I do not know what the truth is in that regard; but if such be the case, then surely it is a most fortunate thing for them and for every person who shall have anything to do with them that they have severed absolutely and finally their relations with the Republic of Colombia, for I have no confidence that any good can come out of the people of Colombia. It is a nation composed largely of highwaymen and bandits if we may judge them by their history. Having a certain enthusiasm for the name of liberty, they have no conception of what constitutes liberty, or what the attributes of liberty are. As I have said, their whole history is a history of revolution, a history of wrongs and outrages perpetrated by the dominant party on the minority.

Nor is it true that the people of Colombia in this turbulent spirit that they have shown throughout their history are simply evidencing the unrest of a primitive people struggling up through the darkness of ignorance and savagery to the light of civilization. If that were true, we would have some patience with them and some confidence that ultimately they might arrive at a state of equilibrium. But it is not true. The real truth is, and their whole history demonstrates it, that this unrest and turbulence which has characterized them throughout all the years they have had a so-called government is but the native diabolism of a race of instinctive bandits.

Their territory was one of the first sections of the Western Hemisphere occupied by a European people. True, it was for some centuries under the baneful and corrupting influence of a Spanish colonial government, but for over eighty years it has been an independent state. Yet its history during that period is but a history of revolutions, of cruel and devastating civil wars, in which no principle higher than the right of the ins to plunder the outs seems ever to have been at stake.

As indicative of the character of the people and their government at the present time, I wish to read only one of a vast number of like instances reported by our minister at Bogota in 1902 before any question had arisen about this treaty:

I wish to cite a case that recently came under my personal observation: On the 3d instant Mr. Albert B. Dod, a citizen of the United States, was in Bogota on some business, intending to leave early the following morning. His two riding mules, with saddles, bridles, saddlebags, waterproofs, etc., he left at the stable of a foreigner named Turner. Mr. Dod took noon breakfast with friends and returned about an hour later to look after the animals, but upon reaching the premises the animals, etc., had been taken by armed men, who had put a bayonet at the door of the property, forcing its owner to the rear, and then had mounted and rode off. It was impossible to trace the property that day, as Mr. Dod was forced to go to a saddler and buy another outfit, which, although substantially no better than the one taken, cost him about 5,000 pesos.

Aside from the inconvenience and vexation of such a seizure, Mr. Dod is certain to be a large financial loser, for the government monopoly, should it be arbitrarily fix the value of the seized property. From now the good citizen of this country, I do not believe that he can get more than half price for his property, and even that only after months of perseverance and worry. I am quite of the opinion that such a claim should go through the diplomatic channel.

There are dozens of stores in Bogota selling saddles, and hundreds of saddles for sale at a fair price. Therefore whence comes the urgent, immediate, and imperative emergency that would justify the forcible expropriation of Mr. Dod's property, particularly under the system of arbitrarily fixing the value of such property? It is much cheaper to get it in this way, and the day of payment is indefinitely postponed; but I can not believe it consistent with the guarantees of public treaties nor the law of nations.

And he continues commenting on the case. I do not care to read it further. I simply read it to show the character of the government that was conducted by Colombia. I submit that a government that has no higher regard for the rights of the individual and for the obligations that are imposed by common honesty is not a government out of which any good can come; it is

not a government that it becomes the United States of America to encourage.

Now, what was the treatment by the Colombian Government of the people of Panama? I do not intend to take the time to read it, but I wish to call the attention of the Senate to an article that I have taken from the Morning Oregonian, under date of December 8, 1903, written by a special correspondent from the Isthmus of Panama.

This correspondent goes on to detail the treatment that was meted out to the people of Panama by the Government of Colombia. Taxation was the only purpose for which the people of Panama were used. The only purpose for which they were employed was to pay the expenses of the Government at Bogota. The Panama Railroad, by the terms of the agreement under which it was constructed, was supposed to pay $250,000 a year, and did pay that amount. Twenty-five thousand dollars of that money was required under the agreement to go to the treasurer of Panama, and not one dollar of that money ever found its way into the treasury of the State of Panama; every dollar of it was taken to Bogota. Taxes were collected, yet not one dollar of them was paid into the treasury of Panama or expended for its benefit; and when taxes were not sufficient, when the amount required by the Government at Bogota could not be raised by the ordinary methods of taxation, they had another method of getting money. I call attention to that.

In the article in the Morning Oregonian to which I have referred the correspondent says:

Some twenty-five or thirty prominent conservatives of Panama gathered at Governor Alban's residence one morning in answer to an invitation to breakfast was in gathering.

Then the correspondent goes on to say that after they had been invited there, and after they had assembled there, they were notified that the grounds were surrounded by soldiers, that the Government was in need of something like $100,000, and they were required to raise it, and they did raise it because of the grounds being surrounded. That argument was unanswerable. I shall not take the time to read a description of all of the abuses that are set forth in this article, but I ask permission to attach the article as an appendix to my remarks.

The PRESIDENT pro tempore. In the absence of objection, it is so ordered.

Mr. FULTON. Mr. President, I do not think the President of the United States requires any defense at my hands because of the position he has assumed in our relations with the Republics of Panama and Colombia. He certainly does not require any defense from me, and if he were wanting a defender he would not call upon me. Yet, as I have said before, I have no apologies to offer for any position he has taken or for any attitude he has assumed in our relations with those Republics.

Many severe criticisms have been passed on the President during the course of this discussion. We heard a very severe castigation administered to him to-day by the very able and eloquent Senator who preceded me in the discussion [Mr. CARMACK]; but, Mr. President, whatever may be the political future of the present occupant of the White House, whether he shall be called again by the people of this nation to preside as their Chief Executive, he will go down into history as one of the greatest, one of the purest, and one of the most patriotic men that has ever occupied the high office of President of the United States. He will have many great achievements to his credit; but, in my judgment, the one upon which his fame—his enduring fame—will rest more than upon all others will be the high, patriotic duty he performed and the service he rendered this nation in assuring to it and to the civilized world the construction of a canal across the Isthmus of Panama.

Mr. President, during this discussion a number of Senators on the other side, and I do not know but most of them, have spoken in kindly, even eulogistic, words of the lamented McKinley. I listened to those words of kindness spoken of him with the greatest interest and pleasure, because they were spoken of one whom I have ever honored, reverenced, and loved. But I could not help remembering that it had not always been so. Roosevelt is the tyrant, the Napoleon of to-day, but it was only a few short months ago when McKinley was denounced in one breath as a weak, wilting, and pliant tool of designing men, and in another breath as a wicked tyrant, who was engaged in the business of oppressing a weak, an unfortunate, and a defenseless people.

But, sir, all those things have passed away. McKinley has gone to his last account; the smoke and dust of partisan strife have cleared away, and through a clearer atmosphere and with a clearer vision it is seen that McKinley, instead of having been a tyrant, was a great, noble, heroic soul, and that the people, whom it was charged he was oppressing, are to-day, under the policies inaugurated by him, enjoying a higher prosperity and greater tranquillity, public and private, than they ever painted or pictured for themselves in their wildest dreams.

I do not speak of this in any spirit of unkindness, Mr. President, but I can not but think, nor can I refrain from expressing the thought, how pleasing to him it would have been if, when surrounded by all these perplexing questions, when weighed down by the terrible sense of responsibility that these questions imposed, some of these beautiful sayings and kind expressions in his behalf might then have been uttered.

Mr. President, I sat here the other day and listened to a great speech by a great Senator on the other side of the Chamber, a gentleman to whom I always listen with interest and usually with profit, but on that day he gave utterance to a sentiment that I could wish he had found to utter. I would not refer to it were it not for the fact that I have heard the same statement made here and elsewhere a number of times. In referring to the present President and the probability of his nomination to the Presidency this year he spoke of him as the man whom everybody is for and whom nobody wants. Does the Senator mean to tell us that all sincerity has gone out of the land and departed from the people? What means this universal voice that is going up from the Republican hosts all over the land? Do they not mean what they say, and do they not say what they mean?

The other day away out on the shores of the Pacific sea in the State of Oregon the legislature was called in extraordinary session, and the very first day they met, as if actuated by one common impulse, the Republican members of both houses met in joint assembly and unanimously adopted a resolution indorsing the Administration of Theodore Roosevelt and demanding that he be nominated to lead the Republican party in 1904. Do you suppose that those men did not mean what they said or that they did not say what they meant?

The other day there was in this city an assembly of the leading editors of representative Republican newspapers of the United States—strong men, independent men, the men who do more than all others toward molding and making public sentiment in this country. They resolved in favor of Theodore Roosevelt for President the next time. Did they not mean what they said? Did they not say what they meant? What is meant by this statement that everybody is for him and nobody wants him when men of that character and organizations of that character tell the world that he is their choice for the Presidency?

Let me tell you, sir, if you have any doubt about whom the people are for or who their choice is, go down and ask the laboring men of this or any other city. Go ask the hewers of wood and the drawers of water whom they are in favor of, and they will tell you, and the name they will give you is Roosevelt. Go down in the anthracite coal regions and ask the men who labor there whom they favor. They will tell you, and the name they will give you is Roosevelt. Go down among the dwellers in the tenement houses of the great cities of this country and ask them—they who were threatened only a few short months ago with indescribable suffering because of a shortage in the fuel supply.

Ask them who it was that came to their relief, who had the courage to bring the contending forces together, and to see that justice was dealt out to both sides and the country was saved the cruelty and suffering that would have been upon it but for that action. Ask them who did it, and ask them whom they are for and whom they want to see elected to the presidency. They will tell you, and the name will be Roosevelt. And if you are still in doubt, wait until the evening of the 8th day of November next, until there are counted the ballots that will rain into ballot boxes all day long with the name of Roosevelt electors on them, and when that sweet task has been accomplished your doubt will vanish as the mist before the rising sun, because there is going to be the greatest majority, in my judgment, given to Theodore Roosevelt in November, 1904, that was ever given any man in all the history of this country.

APPENDIX.

[From the Morning Oregonian, Saturday, December 19, 1903.]

HOW MANY TIMES PANAMA WAS EVER FREED BY COLOMBIA NO ONE WAS READY—PANAMA STEAMS BROKE THE CAMEL'S BACK—SEVERAL WELL PLANNED LIBERALS FELL WITH HIGH HAND THEY WERE USED TO—AN ARMY RAISED BY FORCE—QUEER WAY IN WHICH GENERAL ALBAN LOOKED TO THE COLONY AT A BANQUET TENDERED HIS FORTY—ALL OPPONENTS—FEATURES OF THE SECESSION.

The proposition of the Hay-Herran canal treaty was the straw that broke the camel's back.

Scarcely more than out of every one hundred approve all that has been done toward establishing independence.

The mission of Colombia was to take everything from and give nothing to Panama.

In the last extremity, General Alban, leader of the Liberals, extorted money from the conservatives.

The Panamaian army was largely made by force.

Recruiting parties, without compassion, drafted every male above 10 years of age into the service. No excuses availed to secure their release. They were either shackled or their hands bound behind their backs.

[Letter No. 2, by Merrill A. Teague, staff correspondent of the Oregonian.]

PANAMA, R. P., *December 8.*

Before proceeding to a more detailed elucidation of the genesis and nature of the Republic of Panama, with which the United States is destined to have

relations of the most intimate character, it may be well to explain in detail the circumstances which the Republic considers its creation.

Unlike Latin-American republics, the history of Panama is the history of [illegible] violence. The people, who are fairly well educated, are dominated by the spirit of [illegible]. They [illegible] the [illegible] of their gun [illegible] which assumes the form of [illegible] and [illegible] fleeting and [illegible] of [illegible] than they do of their material welfare or material advancement. This applies, of course, to the majority.

In the minority is the better class men of wealth and substance, of sound ideas and strict [illegible] way commercially. [illegible] ment may be. If the Government [illegible] pressed, they are the ones [illegible] to pay the expenses. [illegible] therefore, for the sake of their [illegible] by recourse to [illegible] personal sacrifices for the sake of that which will benefit all classes.

OWES ITS EXISTENCE TO THEM.

It is to [illegible] Panama owes its existence. The [illegible] Liberals [illegible] Republic was defeated. These were the [illegible] the political parentage of the [illegible] prior to the revolution, had a [illegible] representative [illegible] Wealth. The [illegible] the wrongs and agitations of the Government of [illegible] supported by the Government at Bogota [illegible] sanity to overthrow the Conservatives and free themselves from the yoke of oppression which had been [illegible].

During the revolution which only terminated when the United States [illegible] Panama was [illegible] after the native battle of Panama day [illegible] was shot and [illegible] the Liberals [illegible] the [illegible] state of [illegible] was never so severely [illegible] that political [illegible] law of [illegible] and habeas corpus of the Liberals [illegible] the writ of habeas corpus and all other processes for the legal and judicial protection of life and property were suspended, either by decrees issued by the Government at Bogota or by decree of the governor of the Department of Panama.

HOW ALBAN RAISED THE MONEY.

The Government was almost, if not entirely, bankrupt, and in order to raise money levied freely upon the people. These levies were made through the departmental administration. [illegible] known there being a worthless paper currency, which [illegible] and accepted in this Department was used [illegible] Government [illegible] methods adopted for levying upon the people for money to carry [illegible] persons intended to suppressing the revolution were [illegible] and treasonable imprisonment. Outside of Panama it is generally [illegible] that this money was raised by "voluntary subscription." Here where [illegible] facts are known the term "voluntary subscription" is [illegible] rage, [illegible] powder, and other representative means, in which [illegible] as a salutary virtue.

One incident, the most notable among the many that are generally known and definitely authenticated, will serve to illustrate the [illegible] these "voluntary subscriptions" becomes. The revolution had been [illegible] trusted for years, and the Liberals having been so thoroughly drained of money that their resources were almost entirely exhausted. Governor Alban [illegible] reached a point where it was necessary for him to raise immediately a large sum of money.

Up to that time the whole expense of the revolution, on both sides, had been borne by the Liberals, who were its instigators and promoters, and who, by the "voluntary subscription" process, had been compelled to defray the expenses of suppressing that movement for which they were [illegible] responsible. In his last extremity, however, Governor Alban had [illegible] the resources of the Conservatives, the hour having arrived when they could no longer escape extortion. The incident can best be related in the words of a Conservative who was one of the sufferers.

LED UP IN ADROIT WAY TO CLIMAX.

"Some twenty-five or thirty prominent Conservatives of Panama gathered at Governor Alban's residence one morning in answer to an invitation to breakfast with the governor," said this former Conservative in relating the incident to your correspondent. "Breakfast was served in an elaborate fashion. The conversation was general, the revolution being tacitly discussed in a desultory way until coffee and cigarettes were served. At that point Governor Alban entered upon an elaborate statement of the condition on the Isthmus. He detailed the progress of the revolution, pressed as one and all for the staunch manner in which we had supported the Government, and finally admitted he was exceedingly hard pressed for money, deserving after an elaborate explanation that he was compelled to raise a very large sum of money immediately. Entering then upon a circumstantial account of how he had drained the Liberals until they could no longer assist the Government, he led up in an adroit way to the climax, which was reached when he drew a paper from his pocket and remarked:

"'Now, senores, I must have this money, and I am compelled, much to my regret, to ask you to assist me in raising it. I have here a subscription list, which recites that the amounts you will put down opposite your names are given voluntarily. To show that I have no desire to act unfairly I have headed this list with my own subscription for $[illegible], and I trust you will not let me entertain you in tendering the Government generous support. Personally, I may say that you are all under arrest. The house is surrounded by soldiers. None of you can escape.'

"And smiling suavely and bowing gracefully, the governor moved toward the exit, saying as he withdrew:

"'With your permission, I will retire for one hour. At the end of that time I shall return, and during my absence I trust that you will arrange this voluntary subscription among yourselves with a spirit of such generosity that my imperative demands can all be satisfied without annoyance.'"

AN ARMY MADE BY FORCE.

The sequel to the story is involved in no mystery. The company of Conservatives was helpless. They raged and fumed; but Alban was not a man to be trifled with, and when at the end of the hour he returned, the "voluntary subscription" had been [illegible] [illegible] the [illegible] of raising money to defend themselves against the Government [illegible] Alban promised to let them go if they would [illegible] the Government [illegible] Thereupon they were released to go home, but they were the men of means and influence in Panama [illegible] known. A few hours of [illegible] dragooned by Alban into the [illegible] for service. His [illegible] into the bush, away from the [illegible] forces, and without compunction sent [illegible] above 10 years of age with whom they [illegible]

[illegible] whether negroes or Colombians, whether Liberals or [illegible] out or not, [illegible] way [illegible] and their homes behind [illegible] at their [illegible] [illegible] Government [illegible] Colombian [illegible] Panama [illegible] Government [illegible] Panama [illegible] Government [illegible] Panama [illegible] Government

NEW YORK.

Charles O. Sprague to be postmaster at Prince Bay, in the county of Richmond and State of New York. Office became Presidential January 1, 1904.

NORTH CAROLINA.

William H. Holt to be postmaster at Graham, in the county of Alamance and State of North Carolina, in place of William H. Holt. Incumbent's commission expired February 5, 1904.

NORTH DAKOTA.

Edmund K. Cavileer to be postmaster at Pembina, in the county of Pembina and State of North Dakota, in place of Edmund K. Cavileer. Incumbent's commission expires February 19, 1904.

Emil O. Ellison to be postmaster at La Moure, in the county of La Moure and State of North Dakota, in place of Emil O. Ellison. Incumbent's commission expires February 24, 1904.

Arthur H. Johnson to be postmaster at Drayton, in the county of Pembina and State of North Dakota, in place of Arthur H. Johnson. Incumbent's commission expires February 19, 1904.

WASHINGTON.

Hugh Eldridge to be postmaster at Bellingham, late Whatcom, in the county of Whatcom and State of Washington, in place of Hugh Eldridge. To change name of office.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 9, 1904.

SURVEYOR OF CUSTOMS.

Frederick A. Kuntzsch, of New York, to be surveyor of customs for the port of Syracuse, in the State of New York.

APPRAISER OF MERCHANDISE.

Fred W. Edwards, of Pennsylvania, to be appraiser of merchandise in the district of Pittsburg, in the State of Pennsylvania.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

P. A. Surg. Henry D. Geddings, of Alabama, to be a surgeon in the Public Health and Marine-Hospital Service of the United States, to rank as such from November 28, 1903.

PROMOTIONS IN THE NAVY.

Lieut. Commander Isaac S. K. Reeves to be a commander in the Navy from the 27th day of December, 1903.

Lieut. Commander Alben C. Hodgson to be a commander in the Navy from the 27th day of December, 1903.

Commander James D. Adams to be a captain in the Navy from the 31st day of December, 1903.

Lieut. (Junior Grade) Charles T. Owens to be a lieutenant in the Navy from the 1st day of January, 1904.

To be lieutenants (junior grade) in the Navy from the 28th day of January, 1904:

Edward B. Fenner.
Richard D. White.
Paul B. Duncan.
Edward C. Kalbfus.
James W. L. Clement, jr.
Clark H. Woodward.
Cyrus W. Cole.
William R. Sayles, jr.
Farmer Morgan.
Samuel B. Thomas.
Alfred W. Johnson.

Asst. Surg. Roland B. Williams to be a passed assistant surgeon in the Navy from the 17th day of November, 1903.

POSTMASTERS.

COLORADO.

Michael J. Guerin to be postmaster at Salida, in the county of Chaffee and State of Colorado.

CONNECTICUT.

R. Clifford Tyler to be postmaster at Chester, in the county of Middlesex and State of Connecticut.

DELAWARE.

John K. Chambers to be postmaster at Newark, in the county of Newcastle and State of Delaware.

ILLINOIS.

James F. Crawford to be postmaster at Warsaw, in the county of Hancock and State of Illinois.

MASSACHUSETTS.

Addie H. Scudder to be postmaster at Cohasset, in the county of Norfolk and State of Massachusetts.

MICHIGAN.

Volney W. Olds to be postmaster at Hartford, in the county of Van Buren and State of Michigan.

MINNESOTA.

Simon J. McKenzie to be postmaster at Adrian, in the county of Nobles and State of Minnesota.

MISSOURI.

George B. Wade to be postmaster at Jasper, in the county of Jasper and State of Missouri.

NEW MEXICO.

Edward Quinn to be postmaster at Gallup, in the county of McKinley and Territory of New Mexico.

PENNSYLVANIA.

Robert H. Sloan to be postmaster at Clairton, in the county of Allegheny and State of Pennsylvania.

TENNESSEE.

Leander W. Dutro to be postmaster at Memphis, in the county of Shelby and State of Tennessee.

Edmund D. Hughes to be postmaster at Mountpleasant, in the county of Maury and State of Tennessee.

TEXAS.

Clinton J. Farrell to be postmaster at Vernon, in the county of Wilbarger and State of Texas.

WASHINGTON.

Grant C. Angle to be postmaster at Shelton, in the county of Mason and State of Washington.

William R. Baker to be postmaster at Colville, in the county of Stevens and State of Washington.

Judson J. Merriman to be postmaster at Lind, in the county of Adams and State of Washington.

James W. O'Connell to be postmaster at Republic, in the county of Ferry and State of Washington.

John F. Spangle to be postmaster at Cheney, in the county of Spokane and State of Washington.

George Vetter to be postmaster at Sunnyside, in the county of Yakima and State of Washington.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 9, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3330. An act to provide for the construction of a light-house and buoy tender for the inspector of the eleventh light-house district:

S. 1419. An act to fix the salary of the collector of customs at Omaha, Nebr.:

S. 2124. An act to recognize and promote the efficiency of army chaplains;

S. 2816. An act to amend section 3095 of the Revised Statutes of the United States:

S. 2621. An act for the widening of V street NW.;

S. 1636. An act for the opening of R street NE. to Twenty-eighth street and of Twenty-eighth street NE. from R street to M street:

S. R. 6. Joint resolution to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota*:

S. 2641. An act to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States and for the construction of a suitable vessel to be used for such purpose by the Navy Department:

S. 3110. An act to provide for the convening of general courts-martial at remote naval stations;

S. 127. An act authorizing the joining of Kalorama avenue;

S. 351. An act for the relief of Joseph B. Sargent:

S. 2845. An act to authorize the appointment of Ricardo Iglesias as a midshipman in the United States Navy:

S. 2382. An act providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado:

S. 1635. An act for the extension of M street east of Bladensburg road, and for other purposes:

S. 276. An act to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark in the year 1804, 1805, and 1806, and for other purposes:

S. 703. An act setting apart a tract of land to be used as a

cemetery by the Independent Order of Odd Fellows of Central City, Colo.; and

S. 2794. An act to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,'" approved May 13, 1892.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 7024. An act to name streets, avenues, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes; and

H. R. 7023. An act to regulate the height of buildings in the District of Columbia.

A further message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 11287. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

SENATE BILLS AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3330. An act to provide for the construction of a light-house and buoy tender for the inspector of the eleventh light-house district—to the Committee on Interstate and Foreign Commerce.

S. 1419. An act to fix the salary of the collector of customs of Omaha, Nebr.—to the Committee on Ways and Means.

S. 2124. An act to recognize and promote the efficiency of army chaplains—to the Committee on Military Affairs.

S. 2816. An act to amend section 3095 of the Revised Statutes of the United States—to the Committee on Ways and Means.

S. 2794. An act to amend an act entitled "An act to amend an act entitled 'An act relating to tax sales and taxes in the District of Columbia,'" approved May 13, 1892—to the Committee on the District of Columbia.

S. 2621. An act for the widening of V street NW.—to the Committee on the District of Columbia.

S. 1636. An act for the opening of R street NE. from R street to M street—to the Committee on the District of Columbia.

S. R. 6. Joint resolution to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota*—to the Committee on Naval Affairs.

S. 2641. An act to provide for the removal of floating dangers to navigation in certain steamship lanes off the Atlantic coast of the United States, and for the construction of a suitable vessel to be used for such purpose by the Navy Department—to the Committee on Interstate and Foreign Commerce.

S. 3110. An act to provide for the convening of general courts-martial at remote naval stations—to the Committee on Naval Affairs.

S. 127. An act authorizing the joining of Kalorama avenue—to the Committee on the District of Columbia.

S. 351. An act for the relief of Joseph B. Sargent—to the Committee on Claims.

S. 2845. An act to authorize the appointment of Ricardo Iglesias as a midshipman in the United States Navy—to the Committee on Naval Affairs.

S. 703. An act setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows of Central City, Colo.—to the Committee on the Public Lands.

S. 2382. An act providing for the resurvey of townships in Routt and Rio Blanco counties, in the State of Colorado—to the Committee on the Public Lands.

S. 1635. An act for the extension of M street east of Bladensburg road, and for other purposes—to the Committee on the District of Columbia.

S. 276. An act to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark in the years 1804, 1805, and 1806, and for other purposes—to the Committee on Industrial Arts and Expositions.

ENROLLED JOINT RESOLUTION SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled joint resolution of the following title; when the Speaker signed the same:

H. J. Res. 79. Joint resolution for the transportation of Porto Rican teachers to the United States and return.

CONTESTED-ELECTION CASE—CONNELL VS. HOWELL.

Mr. DRISCOLL. Mr. Speaker, by direction of the Committee on Elections No. 3, and in pursuance of a notice given last week, I now call up for present consideration the contested-election case of William Connell *v.* George Howell, from the Tenth Congressional district of Pennsylvania.

The SPEAKER. The Clerk will report the resolutions.

The Clerk read as follows:

House resolution No. 195.

Resolved, That Hon. George Howell was not elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania.

Resolved, That Hon. William Connell was duly elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania, and is entitled to a seat therein.

Mr. McLAIN. Mr. Speaker——

Mr. DRISCOLL. I yield to the gentleman from Mississippi.

Mr. McLAIN. Mr. Speaker, I desire to offer the following resolutions as a substitute.

The SPEAKER. The Clerk will report the same.

The Clerk read as follows:

Resolved, That William Connell was not elected a Member of the Fifty-eighth Congress from the Tenth Congressional district of Pennsylvania, and is not entitled to a seat therein.

Resolved, That George Howell was elected a Member of the Fifty-eighth Congress from the Tenth Congressional district of Pennsylvania, and is entitled to a seat therein.

Mr. DRISCOLL. Mr. Speaker, I wish to state here that the majority and minority of this committee have agreed between themselves that the debate on this question shall commence now and continue until to-morrow at 3 o'clock, and that then the previous question shall be considered as ordered on the resolutions offered by the committee and on the substitute, and I ask unanimous consent that that order be now made.

The SPEAKER. The gentleman from New York asks unanimous consent that debate continue upon these resolutions and the substitute until to-morrow at 3 o'clock, and that the previous question be ordered at that time on the resolutions and the substitute.

Mr. McLAIN. Mr. Speaker, I should like to ask the gentleman if the time is to be equally divided?

Mr. DRISCOLL. The time to be equally divided and to be controlled by the gentleman from Mississippi on his side and by myself on this side.

The SPEAKER. Is there objection?

There was no objection.

Mr. DRISCOLL. Mr. Speaker, before entering upon the discussion of this case on the merits it may not be inappropriate to refer briefly to the magnitude of the task involved in the examination of the record and in the preparation of the report to the House. This contest is from the Tenth Congressional district of the State of Pennsylvania, which is composed of the single and entire county of Lackawanna, located in the northeastern part of the State. The election was held on the 4th day of November, 1902. Thereafter, and within the time allowed by law, the returns from that district were canvassed and counted by the board empowered with that duty, and as the result of that canvass Hon. George Howell, the contestee, was declared to have received 13,000 votes, and in like manner Hon. William Connell, the contestant, was declared to have received 13,139 votes, and in pursuance of said count and canvass Hon. George Howell received a certificate of election by a plurality of 461 votes.

The contestant, feeling aggrieved and that he actually received a plurality of the legal votes cast, concluded to contest the election with his adversary, and within the time allowed by law filed a notice of contest, consisting of eleven counts or general charges, setting forth with much particularity and definiteness the facts and allegations on which he proposed to prosecute his case. These allegations are contained in the record and briefly stated in the report of your committee, and would not be repeated here except to give the House some idea of the substance of contestant's claim and the grounds on which he contends that he and not the contestee was duly elected.

The contestant claims in this case that many votes were cast in said election for Member of Congress by men who were not registered and who did not make legal proof of their right to vote at said election; by men who were not of the age of 21 years on the date of said election; by men who were not citizens of the United States on the date of said election; by men who had failed to pay their taxes in conformity with the requirements of law, and by men who were not residents of the election districts in which they voted.

It also charges that there were fraudulent registrations, fraudulent voting on the basis of the same; violations of the law by judges, inspectors, and clerks of election districts; substitutions, duplications, personations; that intimidation was resorted to, moral and physical; that force, threats, and violence were used; that fraud was practiced by the election officers and other friends of the contestee, with their connivance and procurement, to such an extent as to vitiate the returns in several districts and that in those districts the law and the duty of the election officers were openly and flagrantly violated, and that the election returns were so tainted and permeated with fraud practiced by the election officers and political friends of the contestee as to vitiate the

returns from these districts and render them absolutely null and void. No question was raised by the contestee's counsel but what the evidence introduced was competent and material under the notice of contest. Neither is any question raised in the view of the minority presented to this House.

In due time the contestee filed an answer to the notice of contest, which contains a general denial of all the material facts and allegations set forth in the notice of contest and several charges of battery and corruption on the part of the contestant and his friends, and other explanations and allegations on which it is claimed the contestee was elected. And it may be stated at the outset that none of the charges of battery and corruption alleged in contestee's answer are sustained by the evidence. None were claimed to have been established on the argument before this committee, and no claim to that effect is made in the views of the minority. It appears that early in the hearings this part of the contestee's case was abandoned.

On this notice of contest and answer, which are the pleadings in this case, the parties proceeded to take the evidence. About 6,500 witnesses were sworn on the part of the contestant, and about 300 witnesses on the part of the contestee. Their evidence, with the exhibits, is contained in these nine books of fair dimensions, and also in these four volumes of fine printed matter, consisting of 3,824 pages. In due time the contestant filed and served a brief consisting of 456 pages, setting forth definitely the names of the men who it is claimed were illegal voters and who cast their votes for the contestee, with the evidence in each case relied on to sustain that contention. It also contains extracts of evidence of quite a large amount which it is claimed is particularly pertinent to the questions involved.

The contestee filed a brief of 101 pages, setting forth his views of the law and the facts and the reasons why, in his judgment, he should retain his seat. Thereafter the contestant filed and served a brief in reply, consisting of 84 pages. The counsel on both sides were given all the time they desired in the argument before the committee, which lasted for a whole week, the time being about equally divided. Additional typewritten briefs were served on the committee. The examination of this evidence and these exhibits and the consideration of these briefs and the authorities therein cited was the task submitted to this committee. We have given them much time and study and careful deliberation, considering the amount of evidence and number of questions involved.

We felt that it would be impossible for the Members of this House to examine the record and the briefs in this case, and we have therefore honestly striven to divest ourselves of all partisan spirit and party consideration, to the end that we may present a fair and just report and conclusion, based only on the merits of this case and on the evidence as contained in the record. A seat in this House is a distinguished honor and of much concern to the individual, but of more importance is it to the several districts in this country that they be represented only by men who are fairly and honestly elected.

BOROUGH OF DUNMORE.

Contestant vigorously attacked the returns from the first and second districts of the First Ward, the second district of the Second Ward, the third district of the Third Ward, and the first district of the Sixth Ward, all of the borough of Dunmore, for fraud, and for the reason that after the contest was commenced and when contestant was endeavoring to impound the ballots that they might be preserved for inspection, the ballots from these districts were so mutilated by being water-soaked as to be undecipherable. It was claimed that this was done in the interest of the contestee, for the purpose of covering and concealing fraud perpetrated by the election officers.

Your committee finds that the destruction of those ballots, under the circumstances proved by the evidence, is not free from suspicion, but it does not find sufficient evidence to establish fraud on the part of the election officers or to charge responsibility with persons responsible for the destruction of the ballots. It therefore declined to interfere with the returns from these several districts.

Contestant also attacked the returns from the Second and Third wards of Winton and the first district of the borough of Old Forge on the ground that because of gross and palpable fraud the truth could not be obtained from the returns, and that no reliance should be placed upon them. Much evidence is contained in the record pertinent to these questions, and a large part of the time of the respective counsel in their argument was devoted to the consideration of these election districts. And your committee has taken them up and reported its conclusions with reference to them in the order in which they were considered by the respective counsel.

In its report your committee quoted several sections of the statutes of Pennsylvania composing the election law, and cites several cases from the supreme court of that State construing these statutes. Counsel for the contestee on the argument did not seriously question the law or the construction of it by the courts of Pennsylvania, as claimed by contestant's counsel. I take the liberty of quoting a few of these sections for the purpose of showing distinctly wherein they were grossly violated by the election officers and others with their consent:

CONSTITUTIONAL QUALIFICATIONS.

Every male citizen 21 years of age, possessing the following qualifications, shall be entitled to vote at all elections:

I. He shall have been a citizen of the United States at least one month.

II. He shall have resided in the State one year (or if, having previously been a qualified elector or native-born citizen of the State, he shall have removed therefrom and returned, then six months) immediately preceding the election.

III. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

IV. If 22 years of age or upward he shall have paid, within two years, a State or county tax, which shall have been assessed at least two months, and paid at least one month before the election. (Art. VIII, sec. 1, Constitution, January 1, 1874.)

All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State. (Art. VIII, sec. 7, Constitution, January 1, 1874.)

ELECTION LAWS OF THE STATE OF PENNSYLVANIA.

For the purpose of making the original annual assessment and registration of voters, each of the election districts of this Commonwealth constitutes for the duty of each of the assessors who are required to perform any of the duties pertaining to the holding of elections and the registration of voters in such district, and each of the citizens of this commonwealth to vote in the district in which he shall reside, and for the purpose of holding elections and registration of voters in such district, a separate election district, and the assessor thereof shall be a resident of such district, and shall be elected by the qualified electors of such district, and shall hold his office for the term of three years, and until his successor is duly elected and qualified, and shall have his place of residence in such district, and shall be a person who can read and write the English language, and who is a citizen of the United States, and who shall be assessed with and pay a State and county tax within said district, and who shall be a person of good character and of approved integrity, and who shall be able to read and write, and who shall be a person who understands the duties of his office, and who shall be a person who will faithfully execute the same to the best of his ability, and who shall be a person who will not be biased in the performance of his official duties by the political complexion of any election district, and who shall be a person who will not be biased by any consideration other than the merits of the case before him, and who shall be a person who will not be biased by the wishes or influence of any political party or association, or by the political complexion of any election district, and who shall be a person who will not be biased by the political complexion of his own election district, and who shall be a person who will not be biased by the political complexion of any election district, and who shall be a person who will not be biased by the political complexion of any election district, and who shall be a person who will not be biased by the political complexion of any

No man is a legal voter unless his name appears on this book a qualified legal voter, and so far as we know they have not been in the country three months or they might have been brought across the border that morning. They were simply voted. Their names were not on the list. They were not required to make affidavits to qualify them to vote. The laws were grossly violated by these election officers by taking all these votes and requiring no affidavit and——

Mr. BENNY. Was there anything in the case to show the election board knew these fifty men to be bona fide residents there who had voted at some other election?

Mr. DRISCOLL. There is nothing in the record to show that they knew or cared to know. There was a strong claim was not to take any vote from a man unless his name was on the list as a voter, and when they took these votes from these fifty or eighty men whose names were not on the list as voters they violated the express and the law every time.

Mr. BENNY. Was there anything to indicate anywhere in that case how these fifty men voted—whether for Connell or for Howell?

Mr. DRISCOLL. Well, that will come up by and by.

In addition to that, in Winton both the Second and Third wards are populated largely by foreigners, by Slavs, Huns, Poles, and Italians, and that was the season of the great strike in the anthracite mines, and these people were largely miners or laborers, and they were hanging around all the time. The strike had been on, and there was very much moving out from one region to another to get work somewhere else, and it appeared that from 50 to 70 votes were cast in the names of men who had formerly lived in that district and who were out of the district on the day of election. In other words, there were from fifty to seventy personations, substitutions of voters in place of dead men, and all sorts of fraudulent and illegal votes.

Now, I will admit that the election officers might be fooled a few times, but I do not see how, if they were vigilant and honest and reasonably competent, they could be fooled so many times; and when they deliberately violated their obligation, violated the oath and the law in receiving from 50 to 80 votes from men whose names were not on the list, and who gave no affidavits showing their legal right to vote, we have the right to say they were intentionally crooked in receiving those 60 or 70 votes in the names of men who were not in that election district on that day.

Mr. THAYER. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. DRISCOLL. Yes, certainly.

Mr. THAYER. As a matter of information, I understand that the county officers make out a voting list alphabetically which is given to the officers at the polling precinct.

Mr. DRISCOLL. Yes, sir; a registry list.

Mr. THAYER. I also understand, suppose the man's name was omitted by the assessor as he went on, his name will not appear on the voting list.

Mr. DRISCOLL. That is right.

Mr. THAYER. Then if that man appears at the polling place with some witness with him who knew he was there a proper length of time, and his name should have been on the list——

Mr. DRISCOLL. Yes, sir.

Mr. THAYER. He can make affidavit and would be entitled to vote?

Mr. DRISCOLL. Yes.

Mr. THAYER. Is that name then written on the voting list in addition to the printed list?

Mr. DRISCOLL. No; I will tell you. They have what they call a registry list that is sent by the county commissioners to the election officers on or before the morning of the election. The names of the people are supposed to be on that list in alphabetical order. When the voting commences the clerk writes down "John Smith," "James Jones," according as they come in and vote, and that is called the voting list, and the man to whom it is directed come in on election day and show by affidavit that he was a qualified and legal voter of that district, and he would be entitled to vote, and the election officers would be required to receive his vote.

Mr. THAYER. I understood that much; but what I want to know is whether it was the intent on the election officers to write his name down on the voting list that was originally to be used by them?

Mr. DRISCOLL. No; they should write it down on the voting list after he has voted, but not on the registry list.

Mr. THAYER. But his name would appear on some list, would it not?

Mr. DRISCOLL. Yes.

Mr. THAYER. Now, has the committee investigated to see whether, in the borough of Winton, for instance, the names were on the original list?

Mr. DRISCOLL. As I said a minute ago, I anticipated the question the gentleman has asked me by saying that the people moved out of this district in droves during the time of the strike and had not moved back, and because they had not moved back there were other men brought in and substituted for them and voted in their places.

Mr. THAYER. Is it not a fact that this is made known to your mind simply because a few men went out around there in that neighborhood and were unable to find the men whose names were on the voting list as living there? Isn't it a fact that it is mere hearsay of fathers and brothers and——

Mr. DRISCOLL. Mr. Speaker, I object to the gentleman making a speech in my time.

Mr. THAYER. I am asking a question.

Mr. DRISCOLL. I will answer that question by and by.

Mr. THAYER. Will you answer the question now?

Mr. LITTLEFIELD. May I ask the gentleman a question?

Mr. DRISCOLL. Yes.

Mr. LITTLEFIELD. Does the law require the affidavit of which you speak to be filed with the county clerk?

Mr. DRISCOLL. It requires it to be filed with the prothonotary with the election returns.

Now, in addition to what I say, the election officers did that which was unlawful. In the Second Ward of Winton they added about fifty names not to the polling list, but to the registry list which was sent them by the county commissioners. They had no business to interfere with the registry list, except to consult it and see that the men who came forward were qualified voters, but they did, against the law and against their duty, add fifty names to an unofficial list in order to that list.

Mr. THAYER. Mr. Speaker——

The SPEAKER. Does the gentleman from New York yield to the gentleman from Massachusetts?

Mr. DRISCOLL. I do not yield, Mr. Speaker, because the gentleman wants to make a speech instead of asking questions.

Now, gentlemen, we come to the borough of Winton, Third Ward, which is also attacked by the contestant for fraud. In this district the contestant's counsel claim there were 80 votes received by men whose names were not on the registry list, and in proof of whose right to vote no affidavits were filed. Now, there is no question about this. Mr. Ballantine, in the presence of Mr. Howell, in the hearing before the committee, admitted that 58 of these were correct, and Mr. James Conry, a Democratic judge of election of that district, said that no affidavits were taken and filed in that district.

Now, it appears, therefore, that so far as that duty was concerned the election officers did not attempt to discharge it at all. They let everybody go up, apparently, who wanted to, and vote, and when their names were not on the list they did not require affidavits of the right to vote, as required by law.

Mr. LAWRENCE. I would like to ask the gentleman a question.

Mr. DRISCOLL. Very well.

Mr. LAWRENCE. I would like to ask if in any of these cases that you have already cited where there was alleged illegal voting there was any protest made by any of the election officers.

Mr. DRISCOLL. It does not appear that any protest was made at any time.

Mr. LAWRENCE. Am I correct that there were both minority and majority inspectors present?

Mr. DRISCOLL. I will tell you about that in a minute. In addition to this, 22 votes were received in the names of men who were not there, and 15 votes were shown to have been cast by men whose names did not appear on the voting list as returned by the election officers. Now, as I said before, when a man declares his intention to be naturalized, if not naturalized, the election assessor places before his name on his book the letters "D. I.," and that means that the man has declared his intention to be naturalized.

Now, if these letters are here opposite the man's name on this list it is a warning to the election officers that he can not vote without an affidavit. It should put them on guard. Yet they let about seventy of these men vote without any affidavits showing that they had gotten out their second papers or that they were legally qualified to vote.

Mr. THAYER. When these officers were called, were any of them asked questions as to whether any person coming there had an affidavit or not?

Mr. DRISCOLL. I do not quite understand the question.

Mr. THAYER. Was there a single officer asked the question whether any person coming there had made an affidavit?

Mr. DRISCOLL. Why, certainly.

Mr. THAYER. I do not find any such thing in the record.

Mr. DRISCOLL. Why, Mr. James Conry, the Democratic judge of election in the third district of Winton, swore that there were no affidavits taken at all.

Mr. THAYER. Did he not swear that there were none on file? Will the gentleman say that he swore none were taken?

Mr. DRISCOLL. Yes: that is what he said, as I understand it, that no affidavits were taken.

Mr. THAYER. I think the gentleman is mistaken.

Mr. DRISCOLL. Well, I will not claim that I may not be mistaken in my recollection of what this record of several thousand pages shows. I will not claim that I may not be mistaken about anything, but that is my recollection of it, and I am giving it as I honestly believe it to be.

Mr. JOHNSON. Mr. Speaker, Mr. Conry did make that statement, that no affidavits were taken, because nobody was allowed to vote who was not registered. Therefore no affidavits were needed.

Mr. DRISCOLL. Then, Mr. Speaker, I wish to call the attention of the gentleman from Massachusetts [Mr. THAYER] and the Members of the House to the fact that I was correct in making the statement which I made, that Mr. Conry swore on the stand that no affidavits were taken from anybody in the Third Ward of Winton, and the gentleman from South Carolina [Mr. JOHNSON] corroborates what I say.

Mr. SHULL. Mr. Speaker, I wish to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. DRISCOLL. Yes.

Mr. SHULL. Does the gentleman say that the laws of Pennsylvania prescribe that a voter behind whose name appears the letters "D. I." or "I. N." is required to make an affidavit before he is permitted to vote?

Mr. DRISCOLL. Yes.

Mr. CASSEL. Unless the voter presents his certificate.

Mr. DRISCOLL. Yes: they must qualify themselves by affidavit and by their certificate of naturalization in addition if required. In other words, when the name is taken down in the spring he is not a legally qualified voter. He may become a legally qualified voter between that time and the election time in November. If so, he must show he has qualified himself by affidavit.

Mr. SHULL. I simply desire to ask the gentleman this question, as to whether the laws of Pennsylvania prescribe that he must make an affidavit before he is permitted to vote?

Mr. DRISCOLL. Yes.

Mr. THAYER. Mr. Speaker, may I interrupt the gentleman once more?

The SPEAKER. Does the gentleman yield to the gentleman from Massachusetts?

Mr. DRISCOLL. Yes.

Mr. THAYER. I get my information from the report of the majority, page 7, in which it states as follows:

COMMONWEALTH OF PENNSYLVANIA, *County of Lackawanna, ss:*

I, John S. Cummings, prothonotary of said county of Lackawanna in said Commonwealth——

Mr. DRISCOLL. Mr. Speaker, I object to any further reading of that in my time.

Mr. PALMER. That is a forged certificate.

Mr. DRISCOLL. That is not in this district.

Mr. THAYER. I did not say anything about any particular district.

Mr. DRISCOLL. I am talking about the third district.

Mr. THAYER. The gentleman is talking about something that I am not talking about. I want to set the gentleman right.

Mr. DRISCOLL. The gentleman from Massachusetts is talking about something that I am not talking about, and I insist upon having the floor.

Mr. THAYER. But I wish to correct the gentleman.

Mr. DRISCOLL. Mr. Speaker, I object to any more interruption from the gentleman from Massachusetts [Mr. THAYER].

Mr. THAYER. The gentleman objects to being corrected on his own report.

Mr. RANDELL of Texas. Will the gentleman yield?

The SPEAKER. Does the gentleman from New York yield to the gentleman from Texas?

Mr. DRISCOLL. I do.

Mr. RANDELL of Texas. In order to understand the position, and that the House may understand it, I wish to know if I am correct in my understanding the gentlemen from New York [Mr. DRISCOLL] to say that where a voter's name is on the list with the letters "D. I.," showing he had declared his intention of becoming a citizen, he has to make an affidavit before he is qualified to vote, in order to vote legally?

Mr. DRISCOLL. Why, certainly; yes, he has.

Mr. RANDELL of Texas. I think the gentleman will find that the law is that he does not have to make an affidavit.

Mr. DRISCOLL. He will have to show his naturalization papers.

Mr. RANDELL of Texas. Then it is only those whose names are not on the list. If the name is on the list and the man will show his proper papers, he will be entitled to vote, and when the election officer certifies that he did vote the presumption is that he had complied with the law.

Mr. DRISCOLL. I am not sure, but if he obtained and showed his second papers that might qualify him without anything further.

Mr. PALMER. It does not.

Mr. DRISCOLL. I think he must do something further. He must qualify himself by showing that he has paid the State and county tax as required by statute.

Mr. PALMER. And that he has resided in the district.

Mr. DRISCOLL. Yes; that he had resided in the district a certain length of time. If the man has simply declared his intention he may be entitled to vote, but before he can do so he must be taxed as a voter and he must show that he has paid his tax.

Mr. RANDELL of Texas. I do not wish to take up the gentleman's time, but it may save time for me to say that our position is that the man stands in the same attitude with any other whose name is on the list. An examination of the statute will show that the assessor makes no difference as to whether the man has declared his intention or has become a citizen, provided his name is on the list.

Mr. DRISCOLL. Mr. Speaker, I must now decline to yield any further, because I wish to retain a part of my time until to-morrow, and I have taken up more time in opening this case than I intended to do.

I wish now to state a few things which were done or permitted to be done by the election officers in the Third Ward of Winton, to show how they conducted matters. For instance, Marian Dominick (p. 977) swears that he is an Italian, not naturalized; that he met Henry Lawlor, an election officer and friend of the contestee, and he says that Lawlor called him and asked him to come in and vote; he said he couldn't vote, and Lawlor said, "Go in anyway;" that he went in and voted, and Lawlor marked his ballot.

Paul Marriot (p. 1001) says that he is an Italian, not a voter, and was called by the big Lally boy (a friend of the contestee) and the following conversation occurred:

He asked me on the street I stood on the street and he said: "Come in and vote." I said: "I don't vote, I get my citizen papers." I not a citizen yet. And he said: "That is all right, everybody votes this year." And he said: "Go in and vote." And I voted because he told me to. I had no paper.

Pesan Bastania (pp. 1016, 1017) swears that he is an Italian, not naturalized and not qualified to vote. But five or six people pulled him into the booth and said: "Go on; go on." And he went in and voted.

Louis Neri (p. 1024) says that he is an Italian, not naturalized, paid no taxes, but he was hanging around the polls and voted. He gives evidence as follows:

Q. Who took you in to vote?—A. Nobody. Why, I was going for a growler of beer, and a fellow met me on the street and he said, "Did you vote?" and I said, "No;" and he said, "Go on in there and vote;" and I went in there, and he marked the card for me and gave it to me, and he said, "Put it in there;" and I put it in.

Gentlemen who will follow me will show that this is only a sample of what was done by wholesale in that district and permitted by these election officers.

But now, gentlemen, who got the benefit of these illegal votes? Was it Mr. Connell or was it Mr. Howell? Why, sir, Mr. Connell's name was on the "ballot-reform" ticket and also on the straight Republican ticket. Mr. Howell's name was on the anti machine ticket. Mr. Howell received 155 votes on the anti machine column; Mr. Connell, 24 votes on the "ballot-reform" column, but not one vote on the Republican column—not one.

Now, if those election officers—inspectors, clerks, judges, watchers—were there as Republicans, they did not vote the Republican ticket; and if they did not vote the Republican ticket it is fair to say that they were not very strenuous in the protection of Republican interests.

Mr. JOHNSON. I should like to know whether it is not the fact that Mr. Connell got more votes at that precinct than Mr. McKinley?

Mr. DRISCOLL. I do not know as to that. It was claimed on the hearing that Mr. McKinley got so many votes; it was also claimed that at the next election, when the law was enforced, a Republican was elected in that district. Those facts are not in the record, as I understand, and are not material or admissible in this hearing.

Mr. CASSEL. My colleague will allow me to say that the "ballot-reform" ticket was a full Democratic ticket with the exception of Mr. Connell's name; consequently all the votes cast at that election were cast for the Democratic candidates for county officers and governor, and all the other officers with the exception of Mr. Connell and one candidate for judge. I repeat that the "ballot-reform" ticket was a full Democratic ticket with the exception of Mr. Connell's name.

Mr. LITTLEFIELD. I should like to inquire of the chairman of the committee whether the committee agree to the assertion I

am about to read from the views of the minority, page 2. I know nothing about the matter myself; I am simply asking the chairman to explain the facts as they exist. I read from the minority report:

In this particular case, however, even if there were as many illegal votes as the majority allege, some of them should be deducted from the contestee, he would still have a majority.

Do the committee agree that that states the matter correctly?

Mr. DRISCOLL and others. No.

Mr. LITTLEFIELD. Will the gentleman then explain that matter?

Mr. DRISCOLL. I can not do so now, because I want to go on with the point I am discussing, but that will be explained later.

I want to say that in this district there were no people representing the Republican party. The bars were thrown down; the friends of Mr. Howell went out and drummed up from the highways and byways the fellows who were working the "growlers," and everybody else, naturalized or not; they rounded them up and corralled them, and ran them in and voted them. Mr. Howell got the benefit, I claim, of such conduct on the part of these officers; and no reliance can be placed on the return. It is permeated through and through with fraud and ought to be thrown out. No dependence can be placed on the action of the judges who permitted such performances.

OLD FORGE, FIRST DISTRICT.

The performances on the part of the election officers in this district capped the climax for carelessness, crookedness, and defiance of the law and their sworn obligations. Contestant's counsel claimed on the argument that there were 158 votes cast by persons whose names did not appear on the registry list and from whom no affidavits were taken in proof of their right to vote. Those names are set forth in their brief. The counsel of the contestee in his presence admitted 90, and the contestee himself is an attorney of record of the State of Pennsylvania. And such an admission as that ought to be of some weight with the Members of this House.

Mr. JOHNSON. Does not the gentleman know that Mr. Green, one of the counsel in the case, emphatically denied that statement?

Mr. DRISCOLL. I do not think he was the leading counsel, and I do not think the gentleman from South Carolina will say he was the leading counsel.

Mr. JOHNSON. Did he dispute that evidence?

Mr. DRISCOLL. He did afterwards. He disputed almost everything that was stated by his associate and the opposing counsel, and I do not think he understood the case very well himself, and I think the gentleman from South Carolina will agree with me in this regard.

A registry list, alphabetically arranged, was on the table in the presence of those officers. When a man came in to vote it was their duty to look at the list, and if that man's name was not there to require an affidavit in proof of his right to vote. Yet it is claimed that that duty was violated 158 times, and so of such violations are admitted. The certificate of the prothonotary of Lackawanna County established the fact that no affidavits were taken, showing that the election officers paid no attention to the elementary requirements of the law on their part. The following is a copy of that certificate:

COMMONWEALTH OF PENNSYLVANIA,
County of Lackawanna, ss:

I, John F. Cummings, prothonotary of said county of Lackawanna, in said Commonwealth, do hereby certify that among the papers of my office filed in the said county of Lackawanna the 4th day of November, A. D. 1902, being papers put upon file in my office pursuant to law, I do find that no affidavit of any voter was filed from the first district of Old Forge borough, in said county, which affidavits are kept on file in the said office of said county of Lackawanna, and that no affidavit of any voter was filed from said district.

In witness whereof I have hereunto set my hand and affixed the seal of said court of common pleas of the said county of Lackawanna at the city of Scranton, in the said county, this 12th day of January, A. D. 1904.

JOHN F. CUMMINGS,
Prothonotary of Lackawanna County.

In the views of the minority, a copy of this certificate is inserted in their remarks on the Second Ward of Winton by mistake. It is claimed that this certificate means nothing, yet it states distinctly that—

One affidavit only was filed from the first district of Old Forge borough, in said county, which affidavit is kept in custody of officers taken by the election officers, and that no affidavit of any voter was filed from said district.

If several affidavits were filed, how could he truthfully state that there was only one? If he certified to a copy of all the returns from that district it would show only one affidavit, namely, the oath of the election officers. Our opponents speak of presumptions, etc., and suggest that if the certificate states that no affidavits are on file now it does not establish the fact that they never have been on file. In answer we say it is a fair presumption that the prothonotary properly performs his duty in protecting the files in his office. And if no affidavits of voters are contained in the returns from that district it is a fair presumption that no such affidavits were filed by the election officers.

Mr. YOUNG. Will the gentleman permit a question?

Mr. DRISCOLL. Yes.

Mr. YOUNG. Whose duty was it to file these affidavits with the prothonotary—the election board?

Mr. DRISCOLL. The election boards—the election officers.

Mr. JOHNSON. In reference to the certificate which purports to show that, there is no evidence on file as to the time it was made.

Mr. DRISCOLL. I wish you would argue that in your own time.

Mr. JOHNSON. I just simply wished to ask that as a question.

Mr. DRISCOLL. I wish you would argue that in your own time.

Again, when the contestant proved that 158 men had voted from whom no affidavits were taken, it was incumbent on the contestee or his counsel, when their turn came, to show if they could that the election officers attempted to discharge their duty by taking and filing some affidavits. This they failed to do, and the conclusion is therefore justified that no affidavits were taken. But that is not all.

According to the evidence about ten persons voted at that election in that district whose names did not appear on the voting list as returned by the election officers, and about eight persons were permitted to vote opposite whose names the letters "D. I." appeared on the registry list without filing affidavits, in conformity with the law, in proof of their right to vote. In this district a very large majority of the people are of foreign birth. Many of them are Poles. Frank Conowsky was a Pole, a Republican, and a ward leader among his people. The Pennsylvania law provides for watchers at elections. It says:

On the petition of five or more citizens of any election district, setting forth the fact that the appointment of watchers on behalf of the election in said district, it shall be the duty of the court of common pleas of the proper county, all the law judges of the said court being absent, to appoint two judicious, competent persons, residents of the said district, belonging to different political parties, overseers of election to supervise the proceedings of said election officers thereof, and to make report of the manner as they may be required by the court. (Act January 30, 1874, sec. 4, P. L., 30.)

Each party which has held its primary meeting, caucus, convention, or board shall, to the proper officer a certificate of nomination, and each group of citizens which has sent to the proper officer a nomination paper as provided in sections 2 and 3 of this act shall, in like manner, have power to appoint three electors and two watchers in each voting place within said district, to the exclusion of all persons shall be allowed to remain in the room during the counting of the ballots, unless such person shall be provided with a certificate from the county commissioners stating the cause that excuses the absence of two persons who have appointed such, or shall be the parents or guardians of children under the age of ten years, or be prevented by reason of sickness, and no person or persons shall be permitted to enter such room or be within the same during such time, except the watchers and officers of election, who shall be required to display their certificates when requested to do so. (Act of June 30, 1893, sec. 28, P. L., 439.)

Frank Conowsky was a regularly appointed watcher and had his certificate. During the early part of the day he was permitted to go inside the rail, mark ballots for those who were incompetent, and assist in the election. But during the day one Mr. Bonner, an attorney and friend of the contestee, called him and asked him who he represented. He said the Republican party. Bonner told him that unless he supported the Democratic party and Howell he would expose Conowsky's friend, Frank Appel. Conowsky refused, saying he was a Republican and would stand by the party. After that he was refused further admission in the booth and prevented from marking other ballots for his friends, although they continued to demand his assistance.

Mr. JOHNSON. Will the gentleman yield?

Mr. DRISCOLL. Yes.

Mr. JOHNSON. Does my friend mean to tell this House that because some man out on the election ground approaches a voter and asks him to vote for a certain candidate and he refuses to do it, and then this man conveys a threat to expose one of his friends who does not vote that way, that that amounts to intimidation?

Mr. DRISCOLL. I mean to say this——

Mr. JOHNSON. And do you not find as a fact that Frank Conowsky did vote for William Connell? Is not that one of the ultimate facts put down by you?

Mr. DRISCOLL. Why, I do not question that.

Mr. JOHNSON. Then he did not intimidate him.

Mr. DRISCOLL. The gentleman can refer to that in his own time. The point I am making is that he was met by Mr. Bonner, he was asked to support Howell, he was told if he did not support Howell that his friend Appell would be exposed; that he refused to support Howell and said he would stand by the Republican party. Thereafter the election officers, who were all Democrats, threw him out, and would not let him mark any more tickets for his friends, showing that Bonner conveyed that knowledge to the election officers and they acted upon it. That is the point I am making.

Now, you can raise the screen and see how things were done in that first district of Old Forge. The judge of election was an

elderly gentleman named Michael McGowan. The inspector duly chosen was a fellow named Tooley. Mr. McGowan was informed the night before election that Tooley could not act as inspector the next day, so the next morning Michael McGowan and P. F. Coyne, a Democrat, put their heads together and concluded there was nobody there that they could take who was satisfactory, and they sent for Michael Cafferty, who was some distance away. Michael Cafferty came. He was not on the registry list, he was not a qualified voter, yet they allowed him to vote without an affidavit showing his right to vote, as required by law. What next? John McGowan was a son of Michael McGowan, and he was a constable.

McAndrew, a devoted friend of the contestee, was deputy constable. McKenna, another friend of the contestee, was chief of police. There was no row or trouble in that district, and yet all these people—Tooley, Coyne, McKenna, McCafferty, Michael McEwen, John McGowan, and McAndrew—were all there bulldozing those Pollacks, shutting them out, not allowing Conowsky to mark the ballots for his friends, and acting in violation of every provision of the election law. They were strong partisans. McGowan said, I believe, he was a Howellite, first, last, and all the time. The bars were thrown down. They did everything in their power to direct the voters their way and let every Howell vote in without obstruction.

I simply say that that vote, the return of these election officers, does not import verity; that it is entitled to no credit; it should be thrown out. The ballot can not be purged, because you do not know where to commence or determine what is honest and right and what is dishonest and illegal, and therefore the only possible and reasonable thing is to throw out the whole poll.

Mr. BENNY. Will the gentleman allow me to ask him a question?

The SPEAKER. Does the gentleman yield?

Mr. DRISCOLL. I have got pretty nearly through, and I would rather not yield.

The SPEAKER. The gentleman declines to yield.

Mr. DRISCOLL. We have cited in our report many authorities on this question, and I have cited some in my remarks here, and I will ask to have extended in the RECORD some more authorities on the same proposition. There is an abundance of authority showing it is the duty of the committee, and it is the duty of the House, where such gross frauds are perpetrated as were shown by the evidence here and where the whole returns are permeated and tainted with fraud, to throw them out and let the several parties prove their votes aliunde.

In 1864, in the contested-election case of Knox *v.* Blair, Thirty-eighth Congress, Mr. Henry L. Dawes, who submitted the majority and prevailing report in a contested-election case where the question of fraud was involved, said:

When the result in any precinct has been shown to be "so tainted with fraud that the truth can not be deducible therefrom," then it should never be permitted to form a part of the canvass. The precedents, as well as the evident requirements of truth, not only sanction, but call for the rejection of the entire poll when stamped with the characteristics here shown. (1 Bart., 596.)

The same rule substantially was followed in Finley *v.* Walls (44th Cong., Smith, 389), where the committee reported (p. 714, Rowell's Digest) that—

The law is that where fraud is proved to have been committed by the officers of an election in conducting the election no reliance can be placed upon any of their acts, and their return must be rejected as wholly unreliable. The party claiming under the election must prove the actual vote in some other way.

In Van Wyck *v.* Green (41st Cong., 2 Bart., 641) the report of the committee contains the following paragraph:

While the committee should be slow to throw out the whole vote of a ward or district, nevertheless, if the facts and circumstances show that the officers of the registry and election knowingly produced frauds, and violated the election laws, and permitted illegal voting, and the polls can't be purged, the whole vote should be thrown out.

To the same effect are the reports and decisions by the House in the case of Wise *v.* Young, Fifty-fifth Congress; Murray *v.* Elliott, Fifty-fourth Congress; Robinson *v.* Harrison, Fifty-fourth Congress, and many other cases which may be cited.

In Noyes *v.* Rockwell (52d Cong., Rowell's Digest, 476) the report of that part of the committee which was sustained by the House contains the following statement:

Let it be remembered that fraud can rarely, if ever, be proved by direct evidence and that the rule is whenever a sufficient number of independent circumstances which point to its existence are clearly established a prima facie case of its existence is made, and if this is not met by explanation or contradiction it becomes conclusive.

This rule is generally followed in contested-election cases and in courts.

Mr. FINLEY. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. DRISCOLL. I will be through in a minute.

The SPEAKER. The gentleman declines to yield.

Mr. DRISCOLL. Now, according to the report of this committee, if you find that these three districts should be thrown out, and I believe you will, that will leave Mr. Howell a plurality of only 8.

If that is true, neither my friend from South Carolina [Mr. JOHNSON], my friend from Texas [Mr. RANDELL], nor my friend from Mississippi [Mr. McLAIN] will claim that Mr. Howell was elected, because they will not question——

The SPEAKER. The time of the gentleman has expired.

Mr. HOWELL of Pennsylvania. Will the gentleman yield to a question? I understand the gentleman from New York——

The SPEAKER. The Chair, in conformity to the usual custom, has notified the gentleman that his hour has expired.

Mr. DRISCOLL. I will not speak any longer, because I want a few minutes to-morrow.

Mr. HOWELL of Pennsylvania. Will the gentleman allow me to ask him a question?

Mr. DRISCOLL. If it is charged to your time.

Mr. HOWELL of Pennsylvania. I mean that it shall be charged to my time. I understand you to say that the registry books that you have been calling attention to were in the hands of the election officers. Did you not say that, and do you not desire to have the House believe that those registration books have been in the hands of the election officers?

Mr. DRISCOLL. There is——

Mr. HOWELL of Pennsylvania. Say yes or no.

Mr. DRISCOLL. I will not say yes or no. I will say what I please, if you please.

Mr. HOWELL of Pennsylvania. I have asked you the direct question.

Mr. DRISCOLL. I am not on the witness stand. These are supposed to be certified copies of books which were in the hands of the election officers. With reference to the Third Ward of Winton, the list is not alphabetically arranged. I meant to state that in my remarks, but forgot it. Now, with reference to that, I am not sure whether that is a certified copy of the registry list or a certified copy of the assessor's list which got in here by mistake. At any rate, it is not alphabetically arranged. However, that does not excuse the election officers for not examining the list and allowing any person to vote except those who appeared on it as qualified voters.

Mr. HOWELL of Pennsylvania. You stated in the majority report that that book was once in the hands of the election officers. You can determine the truth of this statement in your own time, and if the county commissioners of Lackawanna County say that that book there was ever in the hands of the election officers I will move to seat the contestant.

Mr. DRISCOLL. Where do we say that in our report?

Mr. HOWELL of Pennsylvania. On page 6.

Mr. DRISCOLL. What part?

Mr. HOWELL of Pennsylvania. On the top.

A large number of names were added to the registry list of this ward by the election officers, in violation of the law and their duty.

Mr. DRISCOLL. I did not say to this book. I said this book is a copy, and would show they were added to the list and that they had no business——

Mr. HOWELL of Pennsylvania. I simply want to understand the gentleman, if he insists that that book was in the hands of the election officers.

Mr. DRISCOLL. I said they were added to the registration list.

Mr. HOWELL of Pennsylvania. By whom?

Mr. DRISCOLL. By the election officers.

Mr. HOWELL of Pennsylvania. Well, it must have been in the hands of the election officers, then.

Mr. DRISCOLL. Either this or the original, I think, must have been.

Mr. McLAIN. Mr. Speaker, I now yield sixty minutes to my colleague, Mr. JOHNSON.

Mr. JOHNSON. An investigation of election contests in this House reveals the fact that it was fifty years after the Government was organized before there was ever any intimation or suggestion that an election case was influenced either in the discussion or in the decision by political bias. I approached the investigation of this case absolutely without personal feeling, absolutely without political bias, determined as far as lay in my power to find the truth. After long, painstaking investigation I am here to tell you the truth as I understand it. What you may do is of no consequence to me except that I want you to do right. In criticising the report of the majority, I want it distinctly understood that I do not impugn their motive or their honesty. I can differ from a man without doubting either his integrity or his good sense. My criticism will be based upon what I believe to be sound principles of law. I have known most excellent judges for whom I had the highest respect to render decisions that were reversed upon almost every material point.

I want, before I take up this case in detail, to say that it is a dangerous doctrine, it is a damnable doctrine to throw out entire

precincts in an election. You may find that where partisan zeal has [illegible] it has been done, but I challenge you to show where courts of law have thrown out entire precincts. The law which is laid down in the books, the law which is most commended itself as a just system of procedure is that if it is possible to purge a ballot-box of illegal votes it shall be done. I do not stand for fraud; I care not whether it is in precincts or in the private works of life. In this case there is absolutely no reason for saying that fraud was shown to such an extent as to justify throwing out entire precincts. Every illegal ballot can be ascertained. The committee has set forth with great particularity the name of every voter that he claims had an illegal ballot. He has referred to the ballot-boxes from which he knows that contestees.

There is nothing in the way of the committee. There is nothing in the way of you, if you choose to take up these names one by one and determine the facts, precisely as to whether the alleged vote was illegal, and if it was illegal, and the testimony shows for whom it was cast, and if from the testimony who received it. If the testimony fails to show for whom it was cast, then adopt the settled rule of law that says that illegal votes, in the absence of testimony showing how they were cast, shall be deducted from the candidates in proportion to their legal votes. I want in my remarks to be more explicit. Citations from authorities in regard to this are upon this point. I shall not weary your patience by reading it here, but you can read it to-morrow morning if you see fit.

In [illegible] Contested Election Cases, page 64, it was held that—

"[illegible] votes which if cast for contestee would have not his majority, the legal votes should be deducted to ascertain to show that they were not cast for him, but remains with contestee."

And [illegible] in same case.

"[illegible] the doctrine of declaring an uncertain election void, as stated by the minority, this majority [illegible] that more votes were cast than were cast for the sitting Member or that it is impossible to ascertain how they were cast, and that impossibility is as actual [illegible] as if they were cast, and that the impossibility is as actual [illegible] and not an impossibility arising wholly from the absence of evidence that could have been taken. [illegible] having the burden cast not by his own neglect create the impossibility."

In Le Moyne v. Farwell, (44th Cong., Digest of Election Cases, p. 711) it was stated:

"[illegible] where fraud is shown to exist the poll shall not be rejected unless it [illegible] to prevent of the fraud. It being shown that very many illegal votes were polled with the fraudulent connivance of the judges of election and there being definite proof that at least 252 of the votes shown to have been cast for contestee were illegal votes, and improperly cast, the committee deducted these 252 votes from the total of contestee."

And in the same further said:

"[illegible] of an entire poll is the very last resort, and it must never be [illegible] where there is any rational means by which the illegal votes can be ascertained."

In Tadlor v. Reading (41st Cong., Digest of Election Cases, p. 711) it was held that—

"[illegible] to be eliminated, if possible, without rejecting the returns."

"Where contestee proved that more votes were cast for him than were returned for him, and there were circumstances indicating fraud, the committee preferred not to reject the polls, but corrected the vote according to the proof."

In Burch v. Van Horn (40th Cong., Digest of Election Cases, p. 215) it is stated:

"As in this case the law furnished contestant with the name of every rejected voter and the candidate for whom he offered to vote, it would have been very easy for him to have proved the facts alleged by particular and specific evidence if they were true and under such circumstances the production of indefinite and inconclusive evidence indicated inability to produce any other."

"The committee consider also that in order to unseat a Member of this House who has the regular certificate of election, and who [illegible] has received a majority of several hundred votes of the votes received and counted, they should be able to point out where votes were received that ought to have been rejected, that it would not do for the committee or for the House to say that some of the votes received votes, all of whose antecedents are unknown, they are satisfied that enough were illegal voters and ought to have been rejected to give the contestant a majority."

In Mr. [illegible] v. Pennington (51st Cong., Digest of Election Cases, p. 712) it is held that:

"Votes which are tainted with fraud can not be made the foundation of the title to a seat in the House. The result should be purged of the fraud, if possible, and if not, they should be thrown out when no other alternative remains but to give effect to the fraud or to reject the poll."

In the New Jersey case, as reported in the Digest of Contested-Election Cases page 721 it is held that the burden of proof is on the contestant, even to the proof of a negative. It holds that "the distinction between the controversy at the polls and that before the committee is manifest. At the polls the voter is a party. When the polls are closed and an election made the right of the party elected is complete. He is seated in the Congress and votes to his admission to his seat there is no known principle by which he can be ousted except upon the affirmative proof of a defect in his title.

"A proper course to oust him must accomplish it by proving a case. The difficulties in the path can form no possible reason why the contestee should unseat him himself. The rules of reason requires that he should fully make out his case even though it involve the proof of a negative."

In Brandegee v. Haralson (44th Cong., Digest of Election Cases, p. [illegible]) it is stated that:

"The burden of proof is always upon the contestant or the party attacking the official returns. The presumption is that the officers charged by law with the duty of ascertaining and declaring the result have discharged that duty faithfully."

In Greene v. Myers (42d Cong., Digest of Contested Election Cases, p. 662) it is held that "the burden is upon the party attacking the legality of a vote to prove that the person whose vote is in question, voted, that the vote was for the competitor, and that the voter was lacking in some legal qualification."

In Butler v. Lehman (37th Cong., Digest of Contested Election Cases, p. 652) it is declared that:

"A proposition involving charge of crime must be established beyond a reasonable doubt."

"When a contestant makes a charge of incorrectness of returns, which involves a Member in the charge of crime against the election officers, he would in strict law be required to establish the charge by the same degree of proof required in a criminal case."

In Graves v. Cooper (40th Cong., Digest of Election Cases, p. 712) it is held that:

"Where it was proved that returns and poll books had been altered so as to allow unauthorized votes [illegible] the votes thus [illegible] were stricken out."

In Abbott v. Frost (44th Cong., Digest of Election Cases, p. 712) it is held that:

"Where it was charged that a large number of persons whose names were [illegible] on the check list as voting did not vote, and [illegible] the [illegible] names were the same as those marked on the list and that they had not voted, and it was proved that a large number of persons marked [illegible] in the ward, [illegible] the number of the [illegible] and that none of them were [illegible] to be assessed or pay a tax, [illegible] as a compromise, to deduct 105 from the contestee's vote, the majority [illegible] that the charges of fraud were sustained, the [illegible] that they were not sustained."

In [illegible] (44th Cong., Digest of Election Cases, p. 720) the following [illegible] is held:

"It is the duty of the committee to approach as nearly as possible the [illegible] and to [illegible] the testimony [illegible] by the committee that regulate the [illegible] of a court of justice."

In [illegible] v. [illegible] (44th Cong., Digest of Contested Election Cases, p. 721) it is declared:

"The primary object in all such cases is, if possible, to ascertain who was the people's choice at the election in question."

In Wallace v. McKinley (45th Cong., Digest of Election Cases, p. 722) it is stated that:

"It is not sufficient to defeat the illegality of a vote, but conviction of its illegality should be reached to the exclusion of all reasonable doubt."

In Hurd v. Romeis (48th Cong., Digest of Election Cases, p. 727) it is held that—

"In the absence of proof as to how illegal votes were cast, they should either be allowed to stand or deducted from all the contestees pro rata."

In [illegible] v. [illegible] (48th Cong., Digest of Contested Election Cases, p. 727) it is stated that—

"Where more than half the votes cast in a precinct were illegal, but from the evidence it was possible to tell the largest number that could have been legally cast for whom they were cast, the committee rejected these votes and counted the rest."

In Barnes v. Adams (41st Cong., Digest of Election Cases, p. 727) it is held that—

"The rule is well settled that the whole vote of a precinct should not be thrown out on account of illegal votes having been cast, if it be practicable to ascertain the number of illegal votes, and the person for whom cast, in order to reject them and leave the legal votes to be counted. Legal votes are not to be thrown out in order to get rid of illegal votes unless necessity requires it, as the only means of preventing the consummation of a fraud upon the part of [illegible]."

In Barnes v. Adams (41st Cong., Digest of Contested Election Cases, p. 723) it is stated that:

"Where it was certain that illegal votes were cast, but definite proof was not made as to their number, the committee said: The presumption is always in favor of the correctness of a poll when has been admitted by the proper officers, and taking into account the [illegible] in Kentucky are viva voce, and since the record shows that even passed votes, it would not, we think, be too much to require contestee to prove the want of residence of such persons as he claims illegally voted for contestee."

Now, Mr. Speaker, the majority of the committee have found that fraud was so gross, so palpable, that the election returns are absolutely without verity, and they have therefore thrown out three precincts entirely. Even after that was done the contestee still had a majority of 8 votes. They then resorted to an effort to establish legal votes at the rejected precincts for the contestant by testimony aliunde. They find as a fact, and want you to vote as a fact, that there were 32 legal voters at those precincts who voted for the contestant. A little later I want to call attention to the testimony upon which that finding is based. Twenty-nine of the 32 alleged legal votes are proved by one man.

If you are in search of truth. I ask you as lawyers to read that man's testimony and his cross-examination.

Mr. DRISCOLL. Will the gentleman yield to me for a question?

Mr. JOHNSON. Certainly.

Mr. DRISCOLL. Does it make any difference particularly as to the proof of the aliunde vote either for Connell or against Howell above 10. For instance, if these three districts are thrown out, that leaves Howell a plurality. One illegal vote was shown to have been cast for Connell, and therefore 10 votes either taken away from Howell's claim or added to Connell's claim will seat Connell. Isn't that so?

Mr. JOHNSON. Yes.

Mr. DRISCOLL. Then what difference does it make about the 32 votes?

Mr. JOHNSON. Your committee, acting in a judicial capacity, bring in a report to this House which you expect this House to adopt as a judicial decision, and your committee have found that there were 32, and I want the House to examine that testimony upon which that finding is based. It is as good to prove 32 as it is to prove 8, but it does not prove either 8 or 32.

Now, gentlemen, looking around this Chamber reminds me of a story that I read of a lawyer. He was employed in a very important case involving a large sum of money. He studied the case very thoroughly; he traveled several hundred miles to the

court of appeals in order to argue the case for his client. When he rose to address the court some of the judges were reading their morning papers, some of them were writing notes, and all of them seemed to be utterly indifferent. The lawyer stopped, and the chief justice said, "Proceed." The lawyer said, "Your honors, I have given a great deal of attention to this case; I have traveled several hundred miles to argue it: I think I can say with becoming modesty that I know more about this case than your honors on the bench. But if your honors on the bench will honor me with your attention until I shall have concluded my remarks, I have no doubt but that your honors will know more about this case than I do." [Laughter.] It is useless to add that he had their attention thereafter.

Now, gentlemen, the majority of the committee recommends that the Second Ward of Winton Borough be thrown out entirely because the election officers were guilty of such gross, palpable fraud that absolutely no verity can be given to their returns. They give as their reasons: First, because the election managers, in violation of the law and in violation of their duty, added a large number of names to the registry list; second, that the election officers allowed a large number of men to vote without filing affidavits whose names were not on the registration list; third, that the election officers allowed fifty men to vote in the names of men who were not present and who did not vote; fourth, that there were substitutions and repetitions.

Now, let me call your attention to the evidence, if you want to decide this case as judges. The record in this case does not reveal the names of these election officers. Just stop and think of it! The record does not show who the election officers were at that precinct. The testimony does not show that a single man who voted at that precinct or a single man who was present that day has gone on the stand and testified to one single utterance, to one single action of these men. Is that not a remarkable statement? That you are called upon to throw out a precinct when even the names of the men who conducted the election do not appear in the evidence.

Mr. DRISCOLL. It was contended that the election officers were guilty of fraud and lawlessness. Why did not the contestee call them to apologize or explain if they could? They were his friends.

Mr. JOHNSON. But you have not shown who they were. The testimony does not show who they were. The testimony does not show the name of a single manager of the election in the Second Ward of Winton. It does not show whether they were Democrats, Republicans, or ballot-reform men. There is not a word of testimony as to whose friends they were. Nobody has come upon the stand and said that these men did anything that was improper. No man has said that they gave utterance to any expression that indicated partiality, fraud, or anything else. Nobody has said anything about them or who they were. They were not attacked in the evidence, and there was nothing for them to explain. The majority of this committee has asked you to find, as a fact, that these men were guilty of such fraud that you can not believe their returns. The committee do this on inferences drawn from poll books and registry lists, suggested for the first time by argument of counsel. Do you believe it? Not as politicians, but as lawyers, do you believe it?

Mr. PALMER. Does not the gentleman believe that if the election officers had been square and honest the contestee would have called them and taken their testimony when, at least, a prima facie case had been made out?

Mr. JOHNSON. There is no prima facie case here.

Mr. PALMER. Yes; because they received votes and put the names on the registry list without taking any affidavit.

Mr. JOHNSON. I presume the gentleman is a lawyer; I think I have seen him on the Judiciary Committee.

Mr. PALMER. An alleged lawyer. [Laughter.]

Mr. JOHNSON. I want to say this, that the man who attacks an election assumes the burden of proof, and he can not stop short of proving his case. I deny, as a proposition of law, that any party in a court of justice who has assumed the burden of proof can shift the burden upon the opposite party to show that his alleged facts are not true if he merely raises a suspicion and does not prove his allegations.

Mr. PALMER. If the defendant comes into court and confesses that a part of the plaintiff's claim is true, then the plaintiff is not called upon to prove that, is he?

Mr. JOHNSON. Why, no.

Mr. PALMER. Very well; in this case the contestee confessed that 50 of these votes——

Mr. JOHNSON. He did not do anything of the kind.

Mr. PALMER. Excuse me; he did.

Mr. JOHNSON. He did not.

Mr. PALMER. He confessed that 50 of these votes that were received in the Second Ward of Winton were received from voters not on the registration list.

Mr. JOHNSON. He did not confess anything of the kind.

Mr. PALMER. Well, the poll list and the registration list compared show it, and that is in testimony in this case.

Mr. JOHNSON. Very well: that is a matter of argument.

Mr. DRISCOLL. What does the gentleman mean by saying that the contestee did not admit that there were 50 votes received by men whose names are not on the registration list? Was not that admitted in the committee by Mr. Ballentine in the presence of Mr. Howell?

Mr. JOHNSON. No; it was not. Mr. Howell was not present. Mr. Howell's mother had died and he had gone to Pennsylvania.

Mr. DRISCOLL. Does the gentleman admit that Mr. Ballentine represented [illegible]?

Mr. JOHNSON. Yes.

Mr. DRISCOLL. And that Mr. Ballentine was the principal attorney throughout the whole case, from beginning to end, and knew more about the case than anyone else.

Mr. JOHNSON. He admitted that there were 50 illegal votes, not that fifty new-registered men voted. A vote might be illegal for reasons unknown to the managers.

Mr. DRISCOLL. Does not the gentleman believe that he knew more about the case than Mr. Green or anybody else?

Mr. JOHNSON. No; he did not know as much about it as I do.

Mr. DRISCOLL. Does the gentleman not think that he knew more about it than Mr. Green?

Mr. JOHNSON. I don't know anything about that. I have examined the records carefully. Now, on that point, you are all lawyers. I admit that a lawyer can bind his client by an admission in a pleading. I admit that a lawyer can bind his client by an admission in writing entered upon the minutes of the court. That is all right; but to tell me that when a lawyer is arguing a case before a judge, if he misstates the facts and the record shows that he misstates the facts, the judge is bound to decide the case by what the lawyer said and not by what the record shows, is a new sort of justice to me. That is the way it happened. In the argument of the case this lawyer did say that there were 50 illegal votes at that precinct, but that does not bind anybody. The record says otherwise. We are trying the case on the record.

Mr. WEBB. Did he say they were fraudulently given?

Mr. JOHNSON. No; he did not.

Mr. PALMER. On page 18 of the contestee's brief I find this statement. He is speaking about the Second Ward of Winton Borough:

> An examination of the list of voters who voted at this election and a comparison with the registration list showed that 50 persons voted who were not registered. Therefore no affidavits were taken by the election officers.

Mr. JOHNSON. Yes.

Mr. PALMER. That is the reason that the lawyer gave for admitting the fact that no affidavits were taken, because nobody voted there who was not on the registration list.

Mr. JOHNSON. I have not very much more time, and I do not want to get off on side issues. I want to argue this case. The majority of the committee quote that as an admission of counsel that no affidavits were taken. Why, gentlemen, if you are going to quote that for anything, quote it for all it is worth. He makes two affirmative declarations. One is that no affidavits were taken and the other is that nobody voted who was not on the registry list. If you are going to take his statement about one, take it about the other.

Mr. PALMER. The comparison of the list shows that is not true.

Mr. JOHNSON. Now then, I want to show the House something. Here is a copy of a registration book, certified here by the county commissioners of Lackawanna County. A majority of the committee in this case have found as a fact that the election officers in the Second Ward of Winton were corrupt, were fraudulent in their conduct in that they have added the names of fifty men to that registration list in violation of the law and in violation of their duty.

Why, gentlemen, that is a serious charge. I undertake to say there is not any more proof of that fact than there is that the honorable Speaker who presides over this House assassinated William McKinley.

It is hard to argue things when there is absolutely no evidence on which to base them. There is that book [exhibiting book]: the names are alphabetically arranged, but at the end of the book there are about fifty names that are not alphabetically arranged. The county commissioners of Lackawanna County certify that this is a correct copy of the registration made up in that county in May, 1902. Have they certified to a lie? Is their certificate proof? If it is, then this list of voters was made up in May, 1902, and not on the election day. Yet the majority of the committee find as a fact, and they want you to so vote, that these men were guilty of fraud and corruption because they added fifty names to that book. Are you going to do it?

Now, I want to go a step further.

Mr. YOUNG. May I ask the gentleman a question?

Mr. JOHNSON. Certainly.

Mr. YOUNG. Waiving for a moment the question of any illegal votes in this borough, is there anything in the evidence tending to show that the returns of the election officers are anything but a true statement of the votes actually cast, whether legal or not?

Mr. JOHNSON. Nobody questioned the returns until the lawyers did it in the argument and the committee did it in their report. No one has testified that the men did not count the votes openly and publicly and fairly.

Now, let me get back to this book and go one step further, my friends. I want to call your attention to the fact that the county commissioners of Lackawanna County say that that is a certified list of the registration as made up in May, 1902. If it was made up in May, 1902, and these names were put at the back of it, who did it? Certainly not the election officers. But more than that—now listen—the election officers at that precinct never had this book in their possession, and they never had in their possession the book from which this is copied. Then how in the name of common sense and common reason are you going to say that these men acted like rascals and were guilty of fraud?

Ward and the election officers have? The election officers, under the law of Pennsylvania, had a certified copy that was made from the registration list. That copy that the election officers had is not introduced in evidence. Let me be understood—the county commissioners made for the election officers in the Second Ward of Winton a certified copy of the registration list. When managers got through with the election, do you know what they did with that certified copy? They did not send it back to the office of the county commissioners, where this book comes from; they put it in the ballot box. That is where it is. That is where it has been ever since the night of the 4th of November, 1902. And the ballot boxes are in the possession of the contestant, and he did not open them. He had them impounded. He gave notice that he was going to open them, yet they have not been opened to this day.

Now, gentlemen, how are you going to find that these election officers allowed anybody to vote whose name was not on the list that they had unless you have in evidence what they did have? You must either have before you the registration list that they went by or you must at least have a copy of that list.

Now, then, that list being in the hands of the contestant, or, rather, it being in the custody of the court on his motion, and as he has not introduced it, although he said he would, are you going to find that these managers of election allowed people to vote whose names were not on the list that you have never seen?

Mr. DRISCOLL. Why does the gentleman say that that book is in the possession of the contestant? Is it not in the hands of the court officers, and was not one of them selected by the contestant and the other by the contestee?

Mr. JOHNSON. I do not know anything about that.

Mr. DRISCOLL. Is not that true?

Mr. JOHNSON. Yes: they are in the possession of the court. They were impounded by the contestant, and he gave notice that he was going to open those boxes. He has not done it, and the contestee was before our committee begging with tears in his eyes that these boxes be opened, and your committee refused that request, and the contestant objected to it.

Mr. DRISCOLL. Did you not vote on that proposition against letting in that evidence?

Mr. JOHNSON. No: I did not.

Mr. DRISCOLL. Did you not vote with us that they should not be received?

Mr. JOHNSON. I voted that we should not count those ballots—certainly I did. But I never objected, I do not object now, to the boxes being opened and these lists produced. This feature of the case was not mentioned.

Mr. DRISCOLL. Is it not true that they are in the possession of the court, and that one party has as much right to them as the other?

Mr. JOHNSON. But the contestant gave notice that he was going to open them; he had them impounded.

Mr. DRISCOLL. I do not know when that notice was given.

Mr. JOHNSON. The record shows it, anyway.

You in this House are asked to find as a matter of fact that the election officers allowed fifty men to vote whose names were not on the registration list, and you have not produced before this House the list that the registration officers had or a copy made from it. If you want to find that they allowed fifty men to vote whose names were not on that list, that is your affair. The answer to that may be that the election managers had a certified copy from the office of the county commissioners, and this being a certified copy from the same source it may be claimed that the two papers are alike. Let me ask you this: Is it not as fair and as much in reason to assume that some clerk in the county commissioners' office, in consideration of $5, added names to that list that ought not to be there, as it is to assume that five sworn officers have violated their oaths of office? You can take whichever horn of the dilemma you please.

Then, again, they say that fifty men were allowed to vote in the names of men who were registered, but who were not themselves present and did not vote. There are two kinds of testimony to prove this. Listen. They hired a man to go out through the precinct, not some man who was familiar with the people there, but they hired a man, and the testimony shows it, and he went out, and if he found the voter he reported the fact that he had found the man, and that the man did not vote at the Second Ward of Winton, for he told him so. Do you catch that idea? This man who went out to hunt up testimony found John Smith and John Jones and thirty or forty other men, and he came back before the commissioners and swore that these men did not vote at Winton on the 4th day of November, 1902, because he had seen them; had talked to them, and they had told him that they did not vote there. Now, as lawyers, are you going to find, as a fact, upon incompetent testimony like that that these men were guilty of fraud and violated their oaths of office? If you want to find it, it is all right.

Mr. KLUTTZ. Were any of these fifty men examined?

Mr. JOHNSON. Not one of them.

Mr. KLUTTZ. They were all supposed to be right there?

Mr. JOHNSON. He said he found them and talked with them, and found out from them that they did not vote.

Mr. KLUTTZ. And yet they were not called?

Mr. JOHNSON. Not one of them.

Mr. LITTLEFIELD. Did they make up in that way the 200 that they contend were illegally cast—these men you are speaking of?

Mr. JOHNSON. The testimony as to how they voted was that way, but I will say to the gentleman from Maine that here is the point: The committee have found that the election officers at the Second Ward of Winton were guilty of fraud, in that they allowed fifty men to vote in the names of registered voters who were not present and did not vote. In other words, you might be a registered voter and somebody voted in your name. That is what the majority say happened, and they prove it by sending a man out into the precinct, and he found a great number of these men. He says he talked with them. He came back before the commissioner, and his testimony is: "I found John Smith, and I found John Jones; I found Peter Smalls, and they did not vote in this ward on the 4th day of November, 1902, because they told me so." They did not produce the voters to prove that they did not vote, but they produced this one man, who went all over the ward and testified for everybody.

Mr. LITTLEFIELD. Do you mean to say that is all the evidence the committee have to sustain that proposition?

Mr. JOHNSON. That is the evidence upon which one class is based, and there is one other. Now, this fellow went out and inquired——

Mr. LITTLEFIELD. What is the other?

Mr. JOHNSON. Let me explain it. He went out and inquired in the district. He says he did. He comes back and he says: "I could not find Mr. Littlefield; I could not find Mr. William Jones; I could not find Mr. John Johnson, but from the best information I could get after making thorough inquiry I am satisfied that they were not here on the 4th of last November."

Mr. YOUNG. How long after the election was that investigation made?

Mr. JOHNSON. That was in February, 1903, I think. Now, gentlemen, that is the kind of testimony upon which the finding is based that fifty men voted in the names of other men.

Mr. LITTLEFIELD. Do you mean to say that is all the evidence the committee have?

Mr. JOHNSON. That is all the evidence there is as to forty-six of them. I am going to tell you about the other four.

Mr. DRISCOLL. Supposing John Smith was a registered voter and on election day some man voted in place of John Smith. The contestant wants to show that John Smith was not there on election day, and that somebody else was voted in his place.

Mr. JOHNSON. Yes.

Mr. DRISCOLL. He sends out that man to investigate. He investigates thoroughly, and comes back and says that John Smith was not in the ward at that time. Now, of course that is not all of the evidence that might be introduced, but you could take every householder in that district and have their evidence and prove it by every man that John Smith was not living at his house, and he would have to prove it. That would be satisfactory, but they have only taken the proof of this man who has investigated it.

If they found that John Smith was there, was it not the duty of the other side to show by some one man he was there on election day?

Mr. JOHNSON. I have already said that you are trying to shift the burden of proof by bringing in incompetent testimony.

Mr. DRISCOLL. You ask an impossibility.

Mr. JOHNSON. Now, gentlemen, hear this: A man goes out into the ward and comes back and tells the court, "From the best information that I can get this man was not there." It is hearsay evidence; how far removed the Lord only knows; I do not. He may have gone to James Smith's wife and she told him that her husband told her that John Jones told him that his wife told him that her mother told her that her daughter-in-law told her that her son did not vote on that day. That is the kind of testimony it is. If this House wants to accept it and act on it and find upon that sort of evidence that these men did not vote, but that somebody voted in their names and the managers of election acted fraudulently, then you have the right to do it.

Mr. KLUTTZ. Was there any evidence who hired him?

Mr. JOHNSON. The testimony is that he was hired to hunt that matter up.

Mr. KLUTTZ. Was there any evidence of illegal voting?

Mr. JOHNSON. I do not know of any. When you come to examine this kind of thing——

Mr. LITTLEFIELD. You do not claim that it was improper to hire him to do this?

Mr. JOHNSON. I do not say that the man was not properly hired to go out and hunt information. I do say his conclusions are not competent evidence. He should have brought his informants to tell what they knew. They rely on a hired man's conclusions. He knows nothing. They do not prove it by the man's mother, his brother, or somebody who knows of his own knowledge that some man moved out of the ward the week before the election.

Mr. KENNEDY. I just want to ask the gentleman why the minority of the committee found the facts of the majority were correct as to this dead man. There was nobody to confirm that statement.

Mr. JOHNSON. The man testified that the fellow was dead, and that he went to the funeral. That is the very best of evidence.

Mr. KENNEDY. There is no testimony that he saw the man in the coffin.

Mr. JOHNSON. The witness said the man's father said that he was dead, and "I went to the funeral." I consider that competent evidence. [Laughter.]

You see when I strike legal testimony I recognize it.

Now, for instance, four men whose names appeared in that precinct as having voted appear on the stand as witnesses and say that they did not vote. Now, as to these, nobody contradicts their evidence. Why were the others who, it is alleged, did not vote called as witnesses? In many precincts in my district the election officers know every man who votes at that precinct; they know his wife and how many children he has, how old they are, how much land he has, how many horses and what color they are. I say that in country precincts like that, if the election officers were to allow three men to vote whose names are not on the list or allow somebody else to vote in their names, I would say that it was fraud. But what are the facts here? This election took place in a mining district, where nearly every man that voted was a miner; where it is matter of common knowledge, and the record in this case shows it, that the men who employed these miners do not know their names—they know them by numbers. Now, these men came rushing out of the mines, for the testimony is that they voted after the day's work was done. They came out from the bowels of the earth, covered with soot and coal dust, having earned their bread by the sweat of their faces that day, and they marched up to the polls, called out their names, and when the name was found on the registry list they voted. Are you going to hold that because four men of that class, four men who are not known by the men for whom they labor from day to day, should be so well known to the election officers that they can not be imposed upon?

Then there is one other question that I want to refer to. There is not any legal evidence here that any nonregistered man voted who did not make affidavit as the law requires.

The law of Pennsylvania provides that if a man applies to vote and his name is not on the registration list he shall not be allowed to vote unless he makes affidavit setting forth certain facts. We are bound to assume the election officers did their duty, and that if anybody applied to vote and his name was not on the list the managers required him to give an affidavit. How did they find the facts in this case that the election officers did not do it? They do not find it from any evidence in that regard. Nobody said anything about it. Although the contestant called 6,500 witnesses, nobody testified that election officers did not take affidavits; nobody testified that men were allowed to vote whose names were not on the list that the election officers had. During the argument of the case, when the contestant's counsel argued with all the force that was in him that these election precincts were fraudulent because there were names on the poll list which were not on the registration list and that no affidavits were taken from nonregistered voters, he discovered that he had failed to prove that the affidavits were not taken. Then what happened? After the case was argued he went back to the State of Pennsylvania, and on the 12th day of January, 1904, he procured from the prothonotary of that county a certificate to the effect that he had looked and he could not find any affidavits there.

Mr. DRISCOLL. That applies to Old Forge.

Mr. JOHNSON. There were two, were there not?

Mr. DRISCOLL. No, sir.

Mr. JOHNSON. Then, you have got nothing as to Ward 2 of Winton. Now, gentlemen, an officer who has custody of papers can certify copies thereof. What is the reason of the rule? These are public papers; they are in a public place for public uses, and it is not proper that they should be carried all over the country; and the law has wisely provided that they shall have a place of deposit, that they shall be in the care of a custodian, and when they are needed that custodian under his oath of office can furnish certified copies.

One can not prove by the clerk of a court on a mere certificate that there is no judgment against a given man in a certain county. He can not say that there was a defective paper there and in his judgment it was not a judgment. He must certify the paper. He can not certify that there is no paper. Then let us go a step further. He certifies that these affidavits are not in his office. Suppose we admit that his statement of a fact in this form establishes that fact. Presumptions do not go backwards. You may prove that a man is crazy to-day. That is absolutely no evidence that he was crazy ten years ago, and you could not upon that evidence upset a will executed ten years ago or one year ago.

Mr. LITTLEFIELD. But the certificate recites they were not filed.

Mr. JOHNSON. He goes further than offering a certificate that it is not there: he makes himself a witness to say they were never there, and ought to have been sworn and examined and cross-examined just like any other witness.

Mr. YOUNG. May I interrupt the gentleman for a question?

Mr. JOHNSON. Yes, sir.

Mr. YOUNG. The gentleman from New York says that it was the duty of the election officers to file with the prothonotary these affidavits.

Mr. JOHNSON. It is.

Mr. YOUNG. Is there any evidence that the election officers filed with the prothonotary all the affidavits they got?

Mr. JOHNSON. I have tried as scrupulously as is in the power of mortal man to consider this case on the evidence, not on arguments of counsel; but I will say it was admitted on both sides that election officers frequently dumped these affidavits in the ballot box. I do not know whether they did or not.

Mr. DRISCOLL. I think Mr. Ballentine claimed; I do not believe Mr. Holgate admitted it.

Mr. JOHNSON. Mr. Holgate admitted it, and I will make you recollect it. You remember when Mr. Green came and argued the fact there were no fraudulent votes Mr. Holgate jumped up and said: "If you will take back the admission Ballentine made yesterday, I will take mine back." He pleaded the baby act. But I do not care anything about it. I say that if you were to admit that that certificate was competent as testimony, and if you were to admit these affidavits are not on file there now—and even that they never were on file—it is not any presumption that the election officers did not take them. They may have taken them and neglected to file them.

Mr. LITTLEFIELD. It was their duty to file them, and the presumption is that they discharged that duty.

Mr. JOHNSON. The presumption of law is that they filed them in the clerk's office. The neglect to file them would be irregularity, but the neglect to take them would be a crime. If you are going to presume anything against a man, you must presume an irregularity rather than a crime.

Mr. PALMER. The law is that they must file them——

Mr. JOHNSON. I say they must go to the prothonotary's office.

Mr. PALMER. Whose duty is it to send them there?

Mr. JOHNSON. It is the duty of the election officers.

Mr. PALMER. And the presumption is that they did their duty.

Mr. JOHNSON. You say that they did not do their duty, and that they acted so fraudulently that you can not believe anything they say.

Now, then, I want to go on. The majority of the committee say that because the election officers allowed men whose names had "D. I." opposite them to vote without taking affidavits that they are guilty of fraud. I want to call your attention to the law.

The law of Pennsylvania does not require a man whose declaration of intention is indicated opposite his name on the list to give an affidavit. The law says that when a man applies to vote whose name is not on the registry list he shall make an affidavit. The man whose name is on the list with "D. I." opposite is not in that class of voters who must make an affidavit in order to vote. He is on the list.

Now, then, what does it mean? The assessor shall put on the list the names of men who have filed their declaration of intention to become citizens and who intend to carry out that declaration before the next election. That is all that these letters mean. If a man comes up to the booth to vote and his name is on the list with "D. I." opposite, and he produces his naturalization certificate and shows the election officers that he has fulfilled his intention, upon that naturalization paper he can vote and no affidavit is required. Now, I do not see any lawyer from Pennsylvania denying this.

Mr. PALMER. I think the gentleman is right about that. We are like you—when we see that a thing is right, we admit it.

Mr. KLUTTZ. Speak louder.

Mr. JOHNSON. The gentleman says that the proposition is true: that if a man has "D. I." opposite his name and goes up to vote, if he has in the meanwhile become naturalized and produces his naturalization papers, then he does not have to make an affidavit. Yet the majority of this committee have found that the election officers were guilty of fraud because they allowed men with these letters opposite their names to vote. They call particular attention to the number at each of the three precincts thrown out, and infer fraud. If you want to accept that sort of an inference, you can do it. This action of the election officers, instead of being fraudulent, was legal.

Mr. WEBB. But does not the majority report state the reverse of your proposition?

Mr. JOHNSON. Yes; they say that election officers were guilty of fraud in not taking affidavits from men whose names appeared on the registry list with "D. I." against them. I have just shown that such action of the officers was not only not fraudulent, it was legal.

Mr. WEBB. They state that he must have been sworn even though his name was on the registry book.

Mr. JOHNSON. Now, Mr. Speaker, that disposes of all the ground upon which the Second Ward of Winton is thrown out. Let me repeat briefly. The election officers' names do not appear on the record, and we do not know whether they are Democrats or Republicans. We do not know anything they did except from the returns. Nobody has testified that they did anything improper, and this fraud is found by the majority of the committee by inferences from these records which I have commented upon in your presence. Now, if you see fit to find as matter of fact that these election officers, whose names are not identified, whose politics you do not know, about whom nobody has said one word, violated their oaths of office, then you can do it.

The testimony as to all three of the precincts is practically the same. I would be glad, if time permitted, to take up every statement of the majority separately and discuss it, but I can not. After they have thrown out these precincts entirely the contestee still has a plurality. If all the alleged illegal votes at these three precints were deducted from contestee, it would leave him a comfortable majority.

Mr. WEEMS. I would like to ask the gentleman whether it is a fact that if the committee had undertaken to purge the vote by deducting from the contestee's vote the maximum claim made by the contestant himself before the committee as to the number of illegal votes, then which of these two men would be elected?

Mr. JOHNSON. I do not quite understand.

Mr. WEEMS. Suppose the committee had thrown out in these three precincts all the illegal votes——

Mr. JOHNSON. And had deducted them from the contestee's vote, had deducted every vote that the contestant alleged was illegal, then the contestee would still be elected to this House.

Mr. PALMER. The gentleman does not mean that, does he? There were 2,092 illegal votes, and the gentleman doesn't mean that if all these had been deducted from the contestee's vote he would still be elected?

Mr. JOHNSON. I say that if you take all of the illegal votes that the contestant claims in these three precincts and deduct them from the contestee he would still be elected. Now, gentlemen, I want to say——

Mr. FOSTER of Vermont. One moment. I think, Mr. Speaker, it is important to know whether the other side concedes that fact.

Mr. PALMER. Oh, not at all.

Mr. FOSTER of Vermont. Do you concede it?

Mr. PALMER. Not for a second.

Mr. DRISCOLL. No; we do not concede it.

Mr. LITTLEFIELD. The report does not discuss that in detail.

Mr. FOSTER of Vermont. The gentleman stood up as though he did concede it.

Mr. PALMER. Does standing up concede anything?

Mr. FOSTER of Vermont. The gentleman's words indicated it.

Mr. JOHNSON. Mr. Speaker, I must hurry on.

Mr. LITTLEFIELD. Let me ask the gentleman this question: Suppose the question in controversy in the three wards was as to whom certain votes were cast for and if deducted from the contestee's vote would still leave him elected, and suppose if those votes were added to the contestant's vote the result would be changed then you would have an element of doubt. What would the gentleman say to that situation? If it is true that the votes in doubt are uncertain as to whom they were thrown for, so that you don't know whether they all ought to be taken from the contestee or whether or not they all ought to be added to the contestant, there is an element of doubt and of uncertainty. What does the gentleman say to that condition?

Mr. JOHNSON. I know of no law for adding illegal votes to anyone's vote.

Mr. LITTLEFIELD. Suppose there are 100 votes thrown as to which there is a doubt for whom they are thrown, and you don't know whether they are thrown for the contestee or the contestant, so that by deducting from the contestee you might not reach the correct result, because the truth might show that they should have been added to the other man.

Mr. JOHNSON. If a man is an illegal voter and put a ballot in the box for Howell, there is no reason why it should be added to Connell.

Mr. LITTLEFIELD. If you deduct from the contestee you might not reach the right result.

Mr. JOHNSON. I don't think you would. I think you ought to apportion the votes among them, according to their respective legal vote.

Mr. LITTLEFIELD. But that is an arbitrary rule.

Mr. RANDELL of Texas. Let me suggest that if they are not illegal votes they ought not to be deducted from anyone, and if they are illegal they ought not to be counted for anybody.

Mr. JOHNSON. After throwing out these three precincts upon the kind of testimony I have tried to explain, they find by evidence aliunde that 32 votes were cast for the contestant. I am not going to comment on that testimony, but I hope every lawyer in this House will read it. That is the strongest argument that I can make against it, asking you to read it; and if you want to believe it, then in God's name accept it.

Mr. LITTLEFIELD. But we can not read it. It is too much.

Mr. JOHNSON. Oh, no; there is only one witness. I am not asking you to read all the evidence in the record, but we have set out in the minority report every single word of testimony to show upon what the majority find that contestant received 32 legal votes. They prove 29 of the 32 by one witness, so that you would not have to read but one man's testimony, and it is in the minority report.

Mr. LITTLEFIELD. Does the gentleman mean that the majority claim there were 200 votes that should be deducted?

Mr. PALMER. Oh, that is another thing.

Mr. JOHNSON. That is another thing, and I am coming to that now. The majority, after throwing out these three precincts and giving Mr. Howell nothing there, give the contestant 32 votes there, and 29 of those votes are found to have been cast for the contestant by one man's testimony.

Mr. LITTLEFIELD. That is, in the three precincts.

Mr. WEBB. Does the gentleman mean to say that the majority finds and holds that these three precincts were so tainted with fraud that they are cast aside entirely?

Mr. JOHNSON. Yes.

Mr. WEBB. And yet go back over these same three precincts which they have thrown out for fraud and pick out 32 votes and count them for the contestant?

Mr. JOHNSON. Yes; that is what they have done. Now, a good deal has been heard about affidavits here to-day. The laws of Pennsylvania provide that if a man goes to the polls to vote and his name is not on the registry list he can not vote unless he makes an affidavit to certain facts prescribed by law. These affidavits are printed. They are furnished to the election managers, printed forms, with blanks to be filled out. It happened that in this election there were 420 of these affidavits upon which men swore in their votes defective, and because they were defective some of these blanks were not filled out. The votes that were cast upon defective affidavits were illegal.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. McLAIN. Mr. Speaker, I will yield the gentleman ten minutes more.

Mr. JOHNSON. The majority of the committee find, because of these blanks, that 418 of those men cast illegal votes. Listen.

Suppose there was an election law in Pennsylvania providing that if the poll clerk should spell anybody's name wrong the vote of that man should be declared illegal and deducted from the vote of the candidate for whom it had been cast. Suppose, further, that in holding an election in a Congressional district the poll clerks accidentally spelled wrong the names of 418 men, and you were called upon as a judge in your district to decide the question how those 418 men voted, do you not think it would paralyze the conscience of any man to come before your court and claim that every one of the 418 men whose names the poll clerks had misspelled voted for the same candidate? Those alleged illegal votes came from 94 different precincts in that Congressional district, and contestant claims that every one of these accidental illegal votes were cast for contestee.

Mr. DRISCOLL. Will the gentleman allow me a question?

Mr. JOHNSON. Yes; but I hope the gentleman will remember that I have only ten minutes.

Mr. DRISCOLL. Does the gentleman mean to say that we found any such thing as that?

Mr. JOHNSON. I have not said that you did.

Mr. DRISCOLL. Then what are you talking about?

Mr. JOHNSON. The contestant claimed that every one of those 418 votes was cast for the contestee, and he brought some sort of testimony for the purpose of establishing that conclusion. He had 6,500 witnesses. I have no doubt that they could have sworn the horns off a billy goat. [Laughter.] Some of them were evidently willing to do it. He found men who could undertake to saddle every one of the 418 illegal votes on the contestee. If I had five minutes more, I would like to show the kind of testimony by which that contention was sought to be supported. A fellow was furnished a list of names of men who had voted and whose affidavits were illegal.

He went out over the district, into one precinct and another—half a dozen or a dozen of them—and then he came back and testified that from the best investigation that he could make this or that man was a Democrat and voted for Howell. That is the kind of evidence upon which they want you to say that all these illegal votes were cast for contestee.

Four hundred and eighteen men to whom no moral turpitude is attached, their votes being pronounced illegal by reason of the merest accident of an official failing to fill out a blank in an affidavit, are all alleged to have voted for one candidate. The defective affidavits came from ninety-four election precincts, some of which were carried by contestant and others by contestee. Don't you know that those illegal votes were cast for the two candidates just about in the same proportion as they received legal votes?

Here is a sample of the testimony (Record, p. 1208):

By Mr. Holgate:

Q. You have, then, either personal knowledge or you have made inquiry as to the politics or the persons for whom these parties voted, have you?—A. Yes, sir.

Q. And satisfied yourself—A. Yes, sir; perfectly.

Q. Based upon each of them—A. Yes, sir.

Q. Papers shown witness.

Q. You have been employed, have you, in gathering information in regard to the politics of those men whose names appeared in these affidavits, as to how they voted, have you?—A. Yes, sir.

Q. Between Second and Third streets in the second district of the Second Ward of Carbondale, are those affidavits found in the county?—A. Yes, sir.

Q. Did you make inquiry in relation to William Beakeys—A. Yes, sir.

Q. What did you ascertain in reference to his politics?

Mr. BAYLOR. Counsel for the contestee objects to the question as incompetent, immaterial, and irrelevant, and not the proper way to prove the politics of a voter.

By Mr. Holgate:

Q. What did you ascertain with reference to his politics?—A. Democrat.

Q. What did you ascertain with reference to the politics of Edward J. Hosie, of the same ward and district?

Mr. BAYLOR. Counsel for the contestee object to the question as incompetent, immaterial, and irrelevant, and not the proper way to prove the politics of a voter.

The WITNESS. Democrat.

By Mr. Holgate:

Q. What did you ascertain with reference to the politics of Henry Herbert, of the same ward and district?

Mr. BAYLOR. Counsel for the contestee object to the question as incompetent, immaterial, and irrelevant, and not the proper way to prove the politics of a voter.

The WITNESS. Democrat.

This one witness's testimony covers several pages just like the above. There are pages and pages of the same sort of evidence all through the record. I give below a sample of the cross-examination of this witness, on page 1210. He is swift enough in giving his conclusions. He said, himself, that he had satisfied himself perfectly. What did it take to satisfy him? On the cross-examination he refused to answer every question that tended to bring out what facts he knew to base his conclusions on.

By Mr. Baylor:

Q. Now, you know William Haley, do you?—A. Yes, sir.

Q. And you have said he was a Democrat?—A. Yes, sir.

Q. Did you have any talk with him on election day?—A. I refuse to answer.

Q. Did he have any talk since with you about how he voted and whom he voted for?—A. I refuse to answer.

Q. E. J. Hosie?—A. Democrat.

Q. Did you have any talk with him as to how he voted, or for whom he voted, or whom he supported on election day?

Mr. HOLGATE. The question is objected to as not cross-examination, and incompetent.

The WITNESS. I refuse to answer.

By Mr. Baylor:

Q. Were you there when he voted that day?

Mr. HOLGATE. We make the same objection, that it is not cross-examination.

The WITNESS. I refuse to answer.

By Mr. Baylor:

Q. Did you challenge his vote?

Mr. HOLGATE (to the witness). You need not answer as to anything that happened on election day.

The WITNESS. I refuse to answer.

By Mr. Baylor:

Q. Henry Herbert, in the Second district of the Second Ward, did you have any conversation with him on election day?—A. I refuse to answer.

Q. Did you have any conversation with him since as to how he voted, or for whom he voted on that day?—A. I refuse to answer the question.

Q. Were you there when he voted that day?—A. I refuse to answer.

Q. Did you challenge his vote?—A. I refuse to answer.

Q. P. E. Hosie?—A. Democrat.

Q. Did you see him and have any conversation with him as to how he voted or for whom he voted on that day?—A. I refuse to answer.

Mr. HOLGATE. You may say that you decline to answer these questions on the advice of counsel.

By Mr. Baylor:

Q. Joseph Colbert?—A. You have not got that right.

Mr. HOLGATE. I desire to enter another general objection to the whole of this cross-examination, and ask that it be stricken out for the reason that it is incompetent, and not cross-examination of any matter inquired of in chief.

By Mr. Baylor:

Q. Joseph Colbert; did you see him around the polls on election day?—A. I refuse to answer the question on advice of counsel.

Q. Did you have any conversation with him there that day?—A. I refuse to answer the question on advice of counsel.

Q. Now, did you have any conversation with him since as to how he voted for the office of Congressman at the last election?—A. I refuse to answer the question on advice of counsel.

Q. Did you have any conversation with him that day as to how he voted?—A. I refuse to answer on advice of counsel.

Q. Were you there when he voted?—A. I refuse to answer on advice of counsel.

Q. And did you challenge his vote?—A. I refuse to answer on advice of counsel.

Q. Thomas S. Roche; did you have a talk with him there on election day?—A. I refuse to answer the question on advice of counsel.

Q. Did you see him there that day?—A. I refuse to answer the question on advice of counsel.

Q. Have you had any conversation with him since as to how he voted?—A. I refuse to answer the question on advice of counsel.

Q. Did you have any conversation with him that day as to how he voted or for whom?—A. I refuse to answer the question on advice of counsel.

Mr. DRISCOLL. Does the gentleman say the committee found that 200 of these 418 men voted for Howell?

Mr. JOHNSON. Yes, you did.

Mr. DRISCOLL. That is a mistake. We found simply that 200 out of 2,001 illegal votes were cast for Mr. Howell. That is our finding in our report; that is the finding as stated in my remarks. Two hundred out of 2,001—a very modest finding on the evidence.

Mr. JOHNSON. Gentlemen, it is worse than I thought it was. Here they say that there is evidence that there were 2,000 illegal votes cast in the district. They say that they find as a matter of fact that 200 of these votes were cast for Mr. Howell, and they deduct that many from his vote. They find as a matter of fact that only one such vote was cast for the contestant.

Now, gentlemen, I will tell you the law on that subject, if you want to decide this question as lawyers and judges.

Mr. GILBERT. What is the testimony as to how many of those illegal-votes were cast for Mr. Howell and how many for Mr. Connell?

Mr. JOHNSON. I have just told you. Out of 2,001 votes they claim that 200 were voted for contestee, and this is the way the proceedings were conducted: A fellow went out into the district—into a dozen precincts we will say; he came back and swore that he had investigated the matter, and from the best investigation he had been able to give the particular voters that he named were Democrats or were men who had voted for Mr. Howell. That is the testimony.

Mr. YOUNG. Is it not true that Mr. Connell had the Democratic nomination also—was running on the straight Democratic ticket?

Mr. JOHNSON. If I have the time, I suppose I may as well tell how that matter stands. They undertake to charge against Mr. Howell illegal votes upon no other testimony than the bare statement of a particular man that the voter was a Democrat. The record shows that the Democratic convention in Pennsylvania split; one faction nominated the contestant and the other faction nominated the contestee.

Did you know that? They had a lawsuit down at Harrisburg, Pa., to determine which was the legal Democratic nominee, and the contestant was the plaintiff in that suit, who went into Court

as a plaintiff to have his name placed on the Democratic official ticket. The court decided that neither had been regularly certified to the secretary of state. The consequence was that nobody ran on the Democratic ticket. Mr. Connell ran on the Republican ticket and on the ballot-reform ticket, whatever that may mean. Mr. Howell ran on the antimachine ticket, whatever that may mean. Now, in view of the fact that the Democrats were divided, a Connell faction and a Howell faction, how are you going to stand here as lawyers and tell me that because a man testified that another was a Democrat, therefore he voted for Howell? You ought to go further and show that he was a Howell Democrat, or what brand of Democracy he belonged to. You know, unfortunately, we have got several brands. [Laughter.]

Now, gentlemen, let me finish the legal proposition I wanted to submit. They say that something like 2,000 illegal votes were cast in that district. Why didn't they sift the thing to the bottom and find out how they were cast; and in the absence of testimony showing for which man they were cast, why didn't they take them off both of the candidates according to their legal votes in the respective districts?

This illustration is used in the minority report: Suppose that a man was elected to Congress by a majority of 1 vote; and suppose there was a contest over the election and the contestant demanded that the votes should be recounted. Suppose that you open the ballot boxes and proceed to count the votes, and when you have counted 3 boxes out of 162 you find a mistake in favor of the contestant of 2 votes, and thereby put him 1 vote ahead of the contestee. Would you stop then and there?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. McLAIN. I yield five minutes more to the gentleman.

Mr. JOHNSON. Would you stop then and there in the counting of those votes and seat the contestant? Do you think that would be fair? Do you think that would be judicial? You are not counting the votes for his special benefit, you are counting them to find out the truth. Well, now, here are certain alleged illegal votes. The committee find that enough of them voted for Howell, when they subtract that number from his votes, to elect the other man. Why do they not go through with the whole thing, sift those illegal votes, find out from the testimony, if they can, for whom they were cast? If the testimony shows for whom they were cast, take them from that man. If the evidence fails to show for whom they were cast, then divide them among the candidates under the rules of law.

Now, gentlemen, I have not said one-tenth of what I ought to say.

Mr. GILBERT. What would have been the result if you had thrown out the whole precinct?

Mr. JOHNSON. If we divided them among the candidates, of course the contestee would have been elected.

Mr. GILBERT. I mean the whole vote of that precinct.

Mr. JOHNSON. There were 94 precincts, and the Lord knows what the result would have been. I do not. In some of them the contestant beat the contestee three to one. In some of them the contestee beat the contestant three to one, but their vote was about equal in all these precincts where these alleged illegal votes were cast, barring the three precincts that they have thrown out.

Mr. GILBERT. I understand the precedents of the House to be that when there is so much fraud that you can not separate the legal from the illegal votes, sometimes the House has thrown out the whole precinct and sometimes it has undertaken to eliminate the fraudulent from the legal votes.

Mr. JOHNSON. When the House acts judicially, it endeavors to purge the ballot box of illegal votes. Whenever it acts in a partisan way, it throws out the precinct.

Mr. GILBERT. What I want to get at is, under the proof, can you eliminate the fraudulent votes from the legal votes?

Mr. JOHNSON. There is no trouble in the world about it. Every man whose vote is alleged to be illegal is published, and the evidence upon which they expect to prove that his vote is illegal is referred to.

Mr. GILBERT. And the party affiliations?

Mr. JOHNSON. Now, gentlemen, I have no personal feeling and no political feeling in this case. I want the House to do what is right, and that is all. There were a great many things in the record that a man might have referred to, but I preferred to make an honest legal argument. Do you know why the contestee was elected? That election took place in a district where 80 per cent of the voters were miners.

Mr. YOUNG. And on a strike.

Mr. JOHNSON. It took place just after the greatest strike in modern times. You know something of the feeling that existed. The testimony shows that the contestant was a coal operator. The men who elected the Congressman from that district were coal miners. Are you surprised at the way they cast their votes?

If you want to throw out three precincts because of fraud, if you want to say that election officers have been guilty of fraud because they allowed men to vote who are unknown to their own employers, whose names no Member of this House can either spell or pronounce, who frequently and generally have an American name and a foreign name, who may be registered in their foreign name and the poll clerk wrote down their American name, all in the absence of the list the officers were provided with, to do it.

I have no more idea how those names are pronounced than my 4-year-old boy. Possibly if we knew how the name is pronounced we could look at the poll list and find the name as the clerk spelled it. Now, take this case, consider it on incompetent hearsay evidence, if you will; find fraud on such insufficient testimony, if you want to; throw out precincts and seat a man that the people did not elect, and unseat the man they did elect. Do that if you want to; it is nothing to me. But if you do, do not stand upon this floor hereafter and tell us how much you admire the virtue and intelligence of the laboring men of this country. Do not go back to your districts and exhaust all the adjectives in the dictionary to find beautiful words to tell the laboring men how you love them, but just go to your laboring men and say: "We kicked the man out of Congress that your fellow-laborers elected up in the Tenth district of Pennsylvania." [Loud applause on the Democratic side.]

Mr. DRISCOLL. I now yield to the gentleman from Iowa.

Mr. JOHNSON. Mr. Speaker, there were a few quotations of law and a few extracts from the testimony that I intended to read to the House, but for lack of time I did not do that. I would like to have the permission of the House to incorporate them in my remarks.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. DRISCOLL. Mr. Speaker, I ask the same privilege.

The SPEAKER pro tempore. The gentleman from New York asks the same privilege. [After a pause.] The Chair hears no objection.

Mr. BIRDSALL. Mr. Speaker, the questions involved in this case should be determined upon principles of equity and good conscience uninfluenced by political considerations or any consideration whatever save to do equal and exact justice between the parties. We have in the pending case a printed record of nearly 4,000 pages, a record encumbered by much testimony of an incompetent character, out of all which it has been a laborious task for the committee to whom the duty was assigned to sift the chaff and ascertain the truth. Realizing that it is impossible for every Member of this House to go through the record, and that many must rely upon the integrity as well as the judgment of the individual members of the committee, any statement made should bear the imprint of truth and be verified by the record. I have endeavored to give this case a careful examination and judicial consideration, and have joined in the report of the majority not only because I believe it will receive the support of this House, but because it meets my conscientious approbation and approval. Upon the intelligent voter and the purity of the ballot rests the security of government. A republic without intelligence, and that of a high order, is a paradox and an impossibility. Under our system, with the elective franchise so freely extended, the constantly threatening danger is the ballot in the hands of ignorance, supplemented by fraud and corruption at the ballot box. It behooves us, therefore, to put the stamp of our disapproval upon every act which tends to debauch the elector or defile the election.

A careful review of the election laws of the State of Pennsylvania and the decisions of its courts thereunder serve to show that, by reason of its complex population engaged in operating its mines and embraced within the many populous cities which it contains, strenuous efforts have been made to protect the citizen in his right to vote and the State against frauds at the ballot box. Yet this case illustrates how weak and impotent are the laws enacted in the face of careless action or designing fraud upon the part of the officers chosen to execute them.

To fully understand and justly weigh the merits of this case it is important to understand the election laws of the Commonwealth of Pennsylvania. The organic law, or constitution, fixes the following qualifications for suffrage:

ARTICLE VIII, SECTION 1, CONSTITUTION 1874.

Every male citizen 21 years of age possessing the following qualifications shall be entitled to vote at all elections:

First. He shall have been a citizen of the United States at least one month.

Second. He shall have resided in the State one year (or, if having previously been a qualified voter or native-born citizen of the State, he shall have removed therefrom and returned) six months immediately preceding the election.

Third. He shall have resided in the election district where he shall offer to vote at least two months immediately preceding the election.

Fourth. If 22 years of age or upwards, he shall have paid, within two years, a State or county tax, which shall have been assessed at least two months and paid at least one month before the election.

ARTICLE VIII, SECTION 7, CONSTITUTION 1874.

All laws regulating the holding of elections by the citizens or for the registration of electors shall be uniform throughout the State.

Article VIII, section 4, of the constitution of the Commonwealth of Pennsylvania, of 1874, provided that every ballot should be numbered in the order in which it was received, and the numbers recorded by the election officers on the list of voters opposite the name of the elector who presented the ballot. It also provided that any elector might write his name upon the ticket or cause the same to be written thereon and attested by a citizen of the district.

This last provision of the constitution was stricken out in 1901 by an amendment to the constitution as follows:

AMENDMENT.

Strike out section 4 of Article VIII and insert in place thereof as follows: "SEC. 4. All elections by the citizens shall be by ballot or by such other method as shall be provided by law: *Provided*, That secrecy in voting be preserved."

The election laws of the State of Pennsylvania, act of May 29, 1891, provided that for the purpose of making the original annual assessment and registration of voters in each of the election districts of this Commonwealth it shall be the duty of each of the assessors who are required to perform any of the duties incident to the holding of elections and the registration of voters in the different election districts of this Commonwealth to visit in person each and every dwelling house in his district on the first Monday in May and the first Monday in December of each year, or as soon thereafter as may be possible and practicable, and to make a list, in a book prepared for that purpose by the county commissioners, of all qualified electors that he shall find upon careful and diligent inquiry to be bona fide residents of his district.

By the act of May 16, 1895, it is made the duty of the assessor to make a copy of said original list, and on or prior to the fourth Monday of May and on or prior to the second Monday in December in each year to place a copy on the door of or on the house where the election of the respective district is required to be held and retain the original list in his possession for the inspection, free of charge, of any person resident in the said election district who shall desire to see the same, and it is also made the duty of said assessor to assess from time to time, on the personal application of anyone claiming the right to vote, the name of such claimant, and mark opposite the name "C. V.," and immediately assess him, noting, as in all other cases, his occupation, residence, the date of his assessment, whether a boarder or housekeeper; if a boarder, with whom he boards, and whether naturalized or designing to be, marking in all cases opposite the name the letter "N.," "D.," or "I. N.," as the case may be.

By section 3 of the act of May 16, 1895, it is further provided that after the assessments have been completed, and on the sixty-first day before the third Tuesday of February and on the sixty-first day before the Tuesday next following the first Monday of November of each year, the assessor shall, on the following day, make a return to the county commissioners of the "original registry list" thus revised and completed and two exact copies thereof, and the county commissioners shall thereupon proceed to make out a complete list in alphabetical order of all persons so returned as taxables in said election district and to furnish the same, together with the necessary election blanks, to the officers of the election district on or before 7 o'clock in the morning of election; and no man shall be permitted to vote at the election on that day whose name is not on said list unless he shall make proof of his right to vote as hereinbefore required.

The qualifications required to be shown and the steps necessary to be taken by those who are not on the register list are contained in section 10 of the act of January 30, 1874, and are as follows:

On the day of election any person whose name shall not appear on the registry of voters, and who claims the right to vote at said election, shall produce at least one qualified voter of the district as a witness to the residence of the claimant in the district in which he claims to be a voter, for the period of at least two months immediately preceding said election, which he shall be sworn or affirmed, and subscribe a written or partly written and partly printed affidavit to the facts stated by him, which affidavit shall define clearly where the residence of the person so claiming to be a voter, and in addition, the person so claiming the right to vote shall also be required to subscribe a written or partly written and partly printed affidavit, stating, to the best of his knowledge and belief, when and where he was born; that he has been a citizen of the United States one month, and of this Commonwealth of Pennsylvania; that he has resided in the Commonwealth one year, or if formerly a qualified elector or a native-born citizen thereof, and has removed therefrom and returned; that he has resided therein six months immediately preceding said election; that he has resided in the district in which he claims to be a voter for a period at least two months immediately preceding said election; that he has not moved in the district for the purpose of voting therein; that he has, if 22 years of age, or upwards, paid a State or county tax within two years, which was assessed at least two months, and paid at least one month before the election; the said affidavit shall also state when and where the tax claimed to be paid by the affiant was assessed, and when, and where, and to whom paid; and the tax receipt therefor shall be produced for examination, unless he shall state in his affidavit that it has been lost or destroyed, or that he never received any.

These affidavits, under the same section, must be preserved by the election board, and at the close of the election inclosed with the list of voters, tally list, and other papers required by law to be filed by the return judge with the prothonotary, and shall remain on file therewith, in the prothonotary's office, subject to examination as other election papers are.

It will be observed that under the act of May 28, 1891, and the act of May 16, 1895, the registry lists are completed by the assessors and delivered to the county commissioners on the sixty-first day preceding election. These are denominated the "Original registry lists," and the county commissioners thereupon proceed to make out in alphabetical order a complete list of all persons returned as taxables in said election districts and furnish the same on or before 7 o'clock in the morning of election to the election officers, and it is expressly declared that no man shall be permitted to vote at the election on that day whose name is not on said lists unless he shall make proof of his right to vote as hereinbefore required.

Prior to July, 1897, a local statute of the Commonwealth of the State of Pennsylvania provided that in the county of Lackawanna collection of taxes might be made by any collector by leaving the amount or a statement thereof with the employer of a citizen, and such employer could deduct the same from the wages due such person, and it constituted a good payment of the tax for all purposes.

On July 15, 1897, the following act was passed:

PAYMENT OF TAX.

SECTION 1. That from and after the passage of this act it shall be unlawful for any person or persons to pay or cause to be paid any occupation or poll tax assessed against any elector, except on written and signed order of such elector authorizing such payments to be made, which written and signed order must be presented at least thirty days prior to the date at which such elector desires to vote.

SEC. 2. That it shall be unlawful for any officer, clerk, or other person authorized to collect taxes and receipt therefor, to receive payment of or receipt for any occupation or poll tax assessed for State or county purposes, from any person other than the elector, except upon his written and signed order authorizing such payments to be made.

SEC. 3. It shall be unlawful for any person to vote or attempt to vote at any election upon a tax receipt obtained in violation of this act.

This act, it will be seen, provides that it shall be unlawful for any officer to receive payment of or receipt for any occupation or poll tax assessed for State or county purposes from any person other than the elector except upon his written or signed order authorizing such payments to be made, and further provides that it shall be unlawful for any person to vote or attempt to vote upon a tax receipt obtained in violation of this act.

Before entering upon their duties, the election officers, inspectors, and judges are required to take an oath which provides, in substance, that they will not receive any ticket or vote from any person other than such as they firmly believe to be, according to the provisions of the Constitution and the laws of the Commonwealth, entitled to vote at such election without requiring such evidence of the right to vote as is directed by law; that they will use their best endeavors to prevent any fraud, deceit, or abuse in carrying on the same by citizens qualified to vote, or others, and in all things truly, impartially, and faithfully perform their duties respecting the same to the best of their judgment and abilities.

By section 16 of the act of June 10, 1893, of the Commonwealth of Pennsylvania, the county commissioners provide for each election district at every election therein two copies of the assessor's lists of voters, one copy to be called the "Ballot check list," for the inspectors in charge of the ballots, and the other copy to be called the "Voting check list," to be used in marking the names of those who have voted.

By section 19 of the same act it is provided that no persons other than the election officers and voters admitted as hereinafter provided shall be permitted within the guard rail, except peace officers by authority of the said election officers for the purpose of keeping order and enforcing the law.

Section 21 of the same act prescribes the manner in which the vote takes place, and is quite material in the consideration of this case. It is as follows:

SEC. 21. Any person desiring to vote shall give his name and residence to one of the election officers in charge of the ballot, who shall thereupon announce the same in a loud and distinct tone of voice, and if such name is found upon the ballot check list by the inspector or clerks in charge thereof, he shall likewise repeat the said name, and the voters shall be allowed to enter the space inclosed by the guard rail, unless his right to vote is challenged. No person whose name is not on the said list, or whose right to vote shall be challenged by a qualified citizen, shall be admitted within the said guard rail until he has established his right to a vote in the manner now provided by law, and his name, if not on the check lists, shall then be added to both lists.

By section 23 of the same act it is provided that no voter, not an election officer, shall be allowed to reenter the inclosed space after he has once left it, except to give help as hereinafter described. Each voter's name shall be checked on the voting check list by the officer having charge thereof as soon as he has cast his vote in the manner now provided by law. The same section also provides that each political party shall be allowed to appoint three electors to act as watchers in each voting place, one of whom shall be allowed to remain in the room outside of the inclosed space. The same section also provides that until the polls are

closed no person shall be allowed in the room outside of the inclosed space except these watchers, voters not exceeding ten at any one time who are waiting their turn to prepare their ballots, and peace officers when necessary for the preservation of the peace.

Under the constitutional provisions above set forth no person above 22 years of age can vote unless he shall have paid, within two years, a State or county tax, which shall have been assessed at least two months and paid at least one month before election.

By the act of May 16, 1895, provisions are made for the registry of his name upon proof of his qualifications as a citizen and taxpayer, and when so entered upon the list he is prima facie entitled to vote, and the voting list made therefrom, in the absence of a challenge, is conclusive upon the election officers of his right so to do. In the absence of his name upon the voting list he is required by the same act to make proof of his right to vote, and such statute expressly provides that no man shall be permitted to vote unless such proof is made. To establish his right to vote independent of the voting list, if his name does not appear thereon, he is required by the act of January 30, 1874, above set out, to produce at least one qualified voter in the district as a witness to his residence in the district in which he claims to be a voter for the period of at least two months immediately preceding said election, which witness is required to be sworn or affirmed and subscribe to a written or partly written and partly printed affidavit to the facts stated by him, and which affidavit must clearly define where the residence is of the person so claiming to be a voter. In addition, the person claiming to be a voter shall also make and subscribe to a written or partly written and partly printed affidavit stating, among other things, where he was born, etc.

These provisions of the statute of Pennsylvania are mandatory, and have been so held by the supreme court of the State of Pennsylvania. In McDonough's case (165 Pennsylvania Statutes) it was held that—

> The vote of an elector not upon the registered list can not be received without the form of proof required by the act. Such vote is illegal when tendered and can not be shown to be a legal one on the subsequent investigation concerning the election of the person returned, and this construction in no way infringes the constitutional rights of the voter.
>
> The object of the affidavit is to prevent fraudulent voting and for this purpose it furnishes the foundation for indictment for perjury if false. The affidavit must therefore be sufficiently specific to show upon its face, without reference to any other fact or circumstance, that the voter has the right which he claims, and must be sufficiently specific to found thereon an indictment for perjury, if the allegations were wilfully false.

This construction is affirmed and expressly approved by the supreme court of Pennsylvania in Cusick's case, reported in 130 Pennsylvania Statutes, 459, which case also holds that the affidavit must be specific as to residence, taxes, and citizenship, and that a general affidavit averring the qualifications in the language of the Constitution is insufficient.

An examination of the evidence shows that at least 350 of the affidavits filed by persons required to make proof of their right to vote independent of the registry list were defective, but the evidence to my mind only satisfactorily shows that 11 of the persons so voting voted for the contestee, George Howell. Likewise, an examination of the evidence discloses that many persons who voted were disqualified for the nonpayment of taxes, but the evidence as for whom the ballots were cast is unsatisfactory in many cases, under the strict rules adopted by the committee for the determination of that question. In many cases, however, the evidence is clear and satisfactory.

The election returns for the first district of Old Forge, second and third precincts of Winton borough are, in my judgment, rightly rejected.

It is not the policy of the law to throw too many obstacles in the way of investigating the correctness and bona fides of election returns. The true policy to maintain and perpetuate the vote by the ballot is found in jealously guarding its purity, in placing no fine-drawn metaphysical obstructions in the way of testing election returns charged as false and fraudulent, and insuring to the people by a jealous, vigilant, and determined investigation of election frauds that there is a saving spirit in the public tribunals charged with such investigation, ready to do them justice if their suffrages have been tampered with by fraud or misapprehended through error, and it is in the spirit of this rule that questions respecting evidence in contested-election cases should be solved. (Reed v. Kneass, 2 Pars. 584, Bright's Election Cases, 366.)

While a mere irregularity which does not affect the result will not vitiate the returns, yet when the provisions of the law have been entirely disregarded by the officers and their conduct has been such as to render their returns utterly unworthy of credit, the return must be rejected. In such case the return proves nothing. (McCrary on Elections, sec. 511; Bright's Election Cases, 493; McKenzie v. Buxton, Forty-second Congress; Smith v. Shelly, 2 Ells., 18; Lowe v. Wheeler, 2 Ells., 61; Finley v. Walls, Smith, 367.)

It does not follow that the legal voter is thereby disfranchised, as his vote may be proved by evidence aliende, and when so proved may be counted. (See cases above cited.)

The general rule is that when the return is set aside both parties must prove their vote by other evidence, the court proceeding without reference to what appears upon the face of the returns. (McCrary on Elections, sec. 505, fourth edition.)

Returns may be impeached by evidence of persons that they voted for a particular person at the polls to show that more votes were cast for him than were counted and by evidence that unauthorized persons participated in the election or count. They are also [illegible] when fraud is shown in the reception of illegal votes, and the poll can not be purged or when the evidence for any reason discloses that they can not be safely relied upon. (Reed v. Kneass, 2 Pars. 584; Bright's Election Cases, 366; Reed v. Delaney, 2 Bart., 823; Bell v. Snyder Smith, 247; McCrary on Elections, sec. 491, 4th edition.)

Tested by these rules and principles in the light of the evidence in this case, the conclusion seems inevitable that the returns from this district should be rejected as unworthy of credit. We have seen how the voting list furnished the judges of elections is carefully prepared by the county commissioners.

The composition of the board of elections will also be noted. Two judges and two inspectors are supposed to stand guard and protect the purity of the election. On the Saturday or Monday preceding election two copies of the assessor's lists of voters are delivered to the judges of elections, one copy, called the "ballot check list," for the inspectors in charge of the ballot; the other copy, called the "voting check list," to be used in marking the names of those who have voted. Any person desiring to vote must give his name and residence to one of the election officers in charge of the ballots, who must thereupon announce the same in a loud and distinct tone of voice; and if such name is found upon the ballot check list by inspectors in charge thereof, he shall likewise repeat said name and the voter shall be allowed to enter the space inclosed by the guard rail, unless his right to vote is challenged. No person whose name is not on said list or whose right to vote is challenged shall be admitted within the guard rail until he has established his right to vote. Until the polls are closed no person is allowed in the room outside of the closed space, excepting the watchers, voters not exceeding ten at any one time who are waiting their turn to prepare their ballots, and peace officers when necessary for the preservation of the peace.

I desire also in this connection to call particular attention to section 32 of the act of June 10, 1893, which act, after defining the duties of the election officers and the particular manner in which the election shall be carried on, provides:

> Any public officer, upon whom the duty is imposed by this act, who shall negligently or willfully fail to perform such duties, or who shall negligently perform it in such a way as to hinder the objects of this act, or who shall negligently or willfully violate any of the provisions thereof, shall be guilty of a misdemeanor, and upon conviction shall be sentenced to be fined not exceeding $1,000, or to undergo imprisonment for not more than one year, or both, at the discretion of the court.

It will be observed that vigilant care is enjoined as a positive duty and a negligent performance, though not willful, of such duty is punishable under the statute. The purpose of the act would fail if it were otherwise. Negligence in the performance of public duty is not ordinarily a crime, but it becomes such in reality when frauds are thereby permitted upon the elective franchise; hence to enforce the duty strictly upon the election officers negligence in the performance of such duty is equally condemned with a willful violation. I assume that the term "negligence" as used in this statute means a failure to exercise that degree of care in the observance of the requirements of the law as an ordinarily prudent man would exercise under like or similar conditions and circumstances.

I desire especially to call the attention of the House to some of the testimony bearing upon the conduct of the election officers in the districts in question and to the manner in which such elections were conducted:

Dominick Russ, on page 974 of the record, testified in substance as follows: That he lived in Clark street, in the Third Ward of Winton; that he was born in Italy; that he has no citizen's paper, and never had any; that he was a laborer in the Delph mines; that at about 1 or 2 o'clock in the afternoon of November 4, 1902, one John Elly came to his house and asked him if he could vote him. He told him he had no paper and had no right to vote, and Elly replied that that made no difference; that Elly then took him over to the saloon, where they had a glass of beer, and then to the polls; that he took him into the election room, past the officers; that he knew each one of the election officers personally, but could not tell their names; that Elly went into the booth with him and marked his ballot; that he did not know how he voted; that he went and voted because Elly asked him to go and told him he could vote even if he was not a citizen; that he made no affidavit and signed no paper that day.

Testimony of Marian Dominick, on pages 977 and 978 of the record:

Marian Dominick, called and sworn for contestant.

Direct examination by Mr. Holgate:

Q. Your name is Marian Dominick?—A. Marian Dominick.
Q. Where do you live?
[illegible]
Q. You live in the Third Ward of Winton?—A. In Jessup.
Q. That is in the Third Ward of Winton, is it?—A. Yes, sir.
Q. And you were at the last election in November, do you?—A. Yes, sir.
Q. Have you got a citizen's paper?—A. No.
Q. Never had any?—A. No.
Q. Never applied for one, did you?—A. No, sir.
Q. You remember last election day?—A. Yes, sir.
Q. Where did you vote?—A. In Jessup, sir.
Q. Now, what time did you leave your work that day?—A. Maybe 4 o'clock.
Q. Did you go home after your work at 4 o'clock?—A. About 3 o'clock.
Q. Do you know Henry Lawler up there, the tax collector?—A. Yes, sir.
Q. Did you see him on that day?—A. Yes, sir; he was there, and he called me.
Q. Now, what did he say to you?—A. He asked me in to vote, and I told him I [illegible] and he said "Go in anyway," and I went in and I voted.
Q. Did you go into the room by yourself when you went to vote?—A. He was at the door [illegible] me in there.
Q. Did he go in with you?—A. Yes, sir.
Q. You were in the election board that day?—A. Yes, sir.
Q. Did you see Lawler in the room—went right into the room with you, did he?—A. Yes, sir; [illegible]
Q. Did you notice what he did?—A. Henry gave me a ballot.
Q. Did you see it was given to you?—A. Yes, sir.
Q. Now, what did your boss Henry and you went into that little room together?—A. Yes, sir.
Q. Who filled in the ballot on that ballot?—A. Himself.
Q. Who did?—A. Lawler.
Q. Did he ask you how you wanted to vote—Lawler?—A. He did not tell me anything.
Q. And then he marked the ballot, did he?—A. Yes, sir.
Q. Did you see any man voting for that day?—A. No; I don't know.
Q. Did Lawler [illegible] for that day?—A. No, sir.
Q. Did he say anything about that?—A. Yes; he told me for the Socialist Labor.
Q. Did you see Benni Betti there that day?—A. Yes, sir.
Q. And did you hear any other Italians round the polls that day?—A. Yes, sir; I [illegible]
Q. Were there many of them there when you saw them?—A. Yes; there was [illegible] the polls and outside.
Q. Was Mr. Lawler and Mr. Elly talking to them?—A. Yes, sir.
Q. Did you see any others taken into the voting place the same way that you was by Mr. Lawler or Mr. Elly?—A. No, sir.
Q. Any others that were in there while you were there?—A. Yes, sir; there was some of them.
Q. Did you see the men there whose names appear on this list?
[illegible]
Q. Rassillo Bordetti?—A. No, sir.
Q. Dominick Bresci?—A. No, sir; why, there was too many; I could not remember who they were there.
Q. [illegible]—A. No, sir.
Q. [illegible]—A. No, sir; I don't know him.
Q. [illegible]—A. Yes, sir.
Q. [illegible]—A. No.
Q. [illegible] until?—A. I don't know this man.
Q. [illegible]—A. No.
Q. [illegible]—A. Yes, sir.
Q. [illegible]—A. Yes, sir.
Q. [illegible] Nardi?—A. No, sir.
Q. [illegible]—A. No.
Q. [illegible] Bardi, sr?—A. Yes, sir.
Q. Celeste Partionara?—A. No; I don't know him.
Q. Crime Partionara?—A. No.
Q. John Dominick?—A. I know the first names, but I don't know their last names.
Q. That is all.

Cross-examination by Mr. Howell:

Q. You say you got home from work about 4 o'clock—3 or 4 o'clock. What time did you get home from work; about what time?—A. Over about 3 o'clock.
Q. [illegible] come to your house when you got home?—A. No, sir; I was at the house.
Q. [illegible] come there to the house after you?—A. No.
Q. Now, what time did you go down to the booth?—A. Between 4 and half-past 4.
Q. Why did you go down to the booth?—A. For the reason that there was lots of people there that day, and I thought I would go over there and see what [illegible]
Q. Who was the first man that you met down there?—A. There was Benni Betti, and there was lots of them there.
Q. Who was the first man you met Lawler, the tax collector?—A. They were outside [illegible]
Q. You did see Lawler there, did you?—A. Why, he asked me to go to vote; I [illegible] that I could not vote, and he took me in there.
Q. Did he push you in there?—A. Why, he passed me along in and vote, and I told him that I could not vote, and he said "Go in," and I went, and told him something to the clerk, and he asked me what my name was, and then [illegible]
Q. Did you mark the ballot in the booth?—A. No, sir.
Q. You said that Mr. Lawler wanted you to vote the Socialist Labor candidate. Did you tell Lawler how to mark that ballot?—A. Why, I did not [illegible] a thing, because I did not know how to read and write. He told me that he marked for the Labor Socialist.
Q. Are you a Labor Socialist?
Mr. HOLGATE. Objected to; not cross-examination.

By Mr. Howell:

Q. How many Italians are there in that election district?—A. Many of them.
Q. About how many?—A. Over 50; I can't exactly tell you the number; there is quite a number. There is quite a number; I don't know exactly the number.

Alfonso Grandonetti testified, on pages 994 and 995 of the record, as follows:

Alfonso Grandonetti, called and sworn for contestant.

Direct examination by Mr. Holgate:

Q. Do you live in the Third Ward of Winton?—A. Yes, sir.
Q. That is in Jessup?—A. Yes, sir.
Q. You were born in Italy, were you?—A. Yes, sir.
Q. How old are you?—A. About [illegible]
Q. Have you got a citizen paper?—A. No.
Q. Never had any?—A. No.
Q. You voted at the election held last fall for the office of Congressman, did you?—A. Yes, sir.
Q. Under what name?—A. I don't know; I never voted myself, another [illegible] voted.
Q. What was the name they called you when you went there?—A. Jimmy Grand.
Q. That is the name they gave you down there?—A. Yes, sir.
Q. And you say another man marked your ballot?—A. Yes, sir; another [illegible]
Q. You voted for the office of Congressman?—A. No.
Q. You [illegible] you went [illegible]—A. Yes, sir.
Q. [illegible]—A. Yes, sir.
Q. Pulled you in there, did he?—A. Yes, sir.
Q. That is all.

Cross-examination by Mr. Howell:

Q. Who pulled you in there?—A. Follow by the name of Danty.
Q. Do Mr. Holgate.) Danty (Chiccilla)?—A. Yes, sir.
Q. [illegible] Mr. Howell.) What time of day did you vote?—A. Oh, about 9 o'clock, [illegible]
Q. In the [illegible]—A. Yes, sir.
Q. Were there many in these then?—A. At that time the majority of them were Italians.
Q. Were there many in the booth when you voted?—A. Yes, sir.
Q. Why did you go down to the polls?—A. They call me.
Q. Did you go down there to vote?—A. Yes, sir.
Q. You went down there to vote?—A. Yes, sir; Danty called me to come and vote, and I went to vote.
[illegible]

[illegible] 15 minutes postmeridian, the taking of depositions on the part of the contestant is continued to 1 o'clock and 15 minutes post meridian.

Now, 1.15 o'clock p. m., the taking of depositions on the part of the contestant is continued, pursuant to adjournment.

Paul Marriot, pages 1000 and 1001 of the record, testified as follows:

Paul Marriot, called and sworn for contestant.

Direct examination by Mr. Holgate:

Q. Where do you live?—A. In Jessup.
Q. That is the Third Ward of Winton?—A. Yes, sir.
Q. On what street or road do you live?—A. Well, I don't know the street.
Q. Not road?—A. Yes, sir.
Q. Don't you know the name of it?—A. Oh, the Moosic Mountain road.
Q. Who is your nearest neighbor there?—A. Oh, Figgins's house.
Q. That is not a hotel or saloon?—A. No.
Q. Isn't there a hotel or a saloon near you?—A. Yes; I know there Mara[illegible] is a saloon.
Q. How long have you lived there?—A. Oh, I live—I go just in the first of the [illegible]
Q. Where did you live last November?—A. Oh, last November I lived just a couple of months.
Q. [illegible]
Q. How long have you lived in Winton?—A. Up here?
Q. Yes.—A. Oh, I [illegible]
Q. Where was you before?—A. In Jessup.
Q. How old are you?—A. Twenty-three years.
Q. How long have you been in this country?—A. Eight years.
Q. Show me your citizen's paper?—A. No, I don't [illegible]
Q. No paper?—A. No, sir.
Q. Never had any?—A. No; I never got before.
Q. You read and write English?—A. No.
Q. Have you got a tax receipt?—A. No; I paid two times ago; I lost receipt now.
Q. You have not paid any taxes in two years, have you?—A. I think one year.
Q. Do you know what kind of a tax?—A. It was, I think, school tax; I don't know.
Q. School tax?—A. I don't know. I think it was: I ain't sure.
Q. Can you read and write English?—A. No; I can't.
Q. Did you mark your own ballot last fall?—A. No; I marked; another man for me.
Q. Was there another man marked it for you?—A. Yes, sir.
Q. Who was the man?—A. Oh, Lally's boy, the big one; I don't know his name; he brought me to vote; he bring me.
Q. Did he come for you?—A. Yes, sir.
Q. Coming to your house?—A. He asked me on the street; I stood on the street and he said, "Come in and vote."
Q. What did you say to him?—A. I said, "I can't vote. I got no citizen papers; I not a citizen myself;" and he said, "That is all right, everybody votes this year," and he said, "Go in and vote." And I voted because he told me to. I had no paper.
Q. This was Mr. Lally told you that?—A. Yes, sir; big boy.
Q. What Lally? [illegible] now?—A. He butcher before.
Q. And where does he live?—A. Oh, he lives in just that street where I live myself.
Q. And did he keep a butcher shop?—A. No, not now; over in the mountains.
Q. Do you know what his politics is?—A. No.
Q. Was he a Democrat or a Republican?—A. I don't know, I don't know, I don't know; he marked it himself; I did not know.
Q. What was he himself?—A. I don't know.
Q. And he asked you in there, did he?—A. Yes, sir.
Q. And you told him that you never voted there, did you?—A. Yes, sir.
Q. And you told him that you did not vote because you had no paper?—A. Yes, sir.
Q. And that you could not vote?—A. Yes, sir.
Q. And he said, "Go on, it makes no difference?"—A. Yes; he told me that.
Q. And you and he went into the polling place together?—A. Yes, sir.
Q. And you got a ticket; you got a ballot, did you?—A. Yes, sir.
Q. From the officers?—A. Yes, sir.

Q. And you did not say anything to the officers, did you?—A. I don't know.
Q. Did you say anything to them?—A. No; I did not.
Q. And you and Lally went into that little room?—A. Yes, sir; into the little booth together, and he marked it and gave it to me and I took it out.
Q. He marked it himself?—A. Yes, sir.
Q. And you did not tell him you wanted to have it marked?—A. No.
Q. And you did not care how he marked it?—A. Sure, I didn't care; sure.
Q. And you simply went in there and voted because he wanted you to do it?—A. Yes, sir.
Q. That is all?—A. Yes, sir.
Q. And that is the only reason?—A. Yes, sir; he says to me, "Mike, you go in there," and I go sure.
Q. And do you know how he marked it?—A. Well, I don't know.
Q. Did he put more than one cross on it?—A. He marked a couple of marks; made a couple of marks.
Q. And that is all that you know about it?—A. Yes, sir; that is all.
Q. That is all.

Cross-examination by Mr. Howell:

Q. That is all.

Joseph Hiznay, called and sworn for contestant.

Louis Passancis, on page 1014 of the record, testified as follows:

Louis Passancis, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live, Louis?—A. Jessup.
Q. In Jessup?—A. Yes, sir.
Q. Do you know what ward in Winton Borough that is in?—A. It is right up here—it is Jessup.
Q. Do you know where you voted when you voted?—A. Yes, sir.
Q. Where did you vote—what house?—A. Tom Reddington's hotel.
Q. That is in the Third Ward, isn't it?—A. Yes, sir.
Q. Where were you born?—A. In Italy.
Q. When?—A. I don't know.
Q. How old are you now?—A. Twenty-four.
Q. When were you 24; or when will you be 24?—A. Was 24 the month of July.
Q. Month of last July?—A. Yes, sir.
Q. In last July, in the month of July, you were 24 years of age—in July, 1902?—A. Yes, sir.
Q. When did you come to this country?—A. Six years.
Q. You are and have been six years in this country?—A. Yes, sir.
Q. When will it be six years?—A. Six years last July.
Q. Six years last July you came to this country?—A. Yes, sir.
Q. Where did you land?—A. New York.
Q. Then you came to Jessup?—A. Yes, sir.
Q. Came right here to Jessup?—A. Yes, sir.
Q. Have you got your naturalization paper here with you?—A. No.
Q. Were you ever naturalized?—A. No.
Q. Never naturalized?—A. No.
Q. Did you ever pay taxes?—A. Yes, sir.
Q. And did you vote last fall for the office of Congressman at the election held on the 4th of November, 1902?—A. I don't remember for whom I voted.
Q. Did you vote at the election at Tom Reddington's hotel last fall?—A. Yes, sir.
Q. For the whole ticket?—A. All of them voted, and I voted, too.
Q. What do you mean by saying all of them voted?—A. They were saying that all could vote, and I went and voted.
Q. Who told you that they all could vote?—A. Why nobody said anything to me; but I seen everybody went to vote, and so I went and voted.
Q. Were you challenged?—A. No, sir.
Q. That is all.
No cross-examination.

Zugo Threbrese, on page 1014 of the record, testified as follows:

Zugo Threbrese, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live, Zugo?—A. Jessup.
(Interpreted.)
Q. Where were you born?—A. Italy.
Q. When have you been here?—A. [illegible]
Q. Did you vote for the office of Congressman at the election held last fall, on the 4th day of November, 1902?—A. Yes, sir.
Q. Where did you vote?—A. Jessup.
Q. Where?—A. Tom Reddington's.
Q. The polls were held there. When did you come to the United States?—A. Two years ago.
Q. Have you a naturalization paper?—A. No.
Q. And you voted, did you?—A. Yes, sir.
Q. Ever pay any taxes?—A. Yes, sir; why, I paid taxes, but I have not got any receipts.
Q. That is all.
No cross-examination.

Tony Belli, on page 1015 of the record, testified as follows:

Tony Belli, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live, Tony?—A. In Jessup.
Q. You said [illegible] not too good.
Q. Where were you born—in Italy?—A. In Italy.
Q. When?—A. I don't know.
Q. When did you come to this country?—A. 1893.
Q. Did you vote at the election held on the 4th day of November, 1902, for the office of Congressman?—A. Yes, sir.
Q. What polling place or ward was it, if you know?—A. Same place.
Q. Same place the others voted?—A. Yes, sir.
Q. At Mr. Reddington's hotel?—A. Yes, sir.
Q. Have you got any citizen's papers?—A. No.
Q. Never had any?—A. No.
Q. Did you ever pay any taxes?—A. All the time.
Q. How long have you been in Jessup?—A. Nine years.
Q. You voted for the office of Congressman at the election held last fall, on the 4th day of November, did you?—A. Yes, sir.
Q. That is all.
No cross-examination.

John Sylvester, on page 1015 of the record, testified as follows:

John Sylvester, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live?—A. Jessup.
Q. Where were you born?—A. Italy.
Q. When: how old are you?—A. 1884.
Q. When did you come to this country?—A. Eight years ago.
Q. Did you vote for the office of Congressman at the election last fall, held on the 4th day of November, 1902?—A. Yes, sir.
Q. Where did you vote?—A. Tom Reddington's.
Q. Up in Jessup?—A. Yes, sir.
Q. When did you come to the United States?—A. That is eight years.
Q. Have you got a certificate of naturalization?—A. I have half a paper.
Q. And you have not got a second paper?—A. No; not yet.
Q. And did you ever pay any taxes up there?—A. Yes, sir.
Q. That is all.

Cross-examination by Mr. Howell:

Q. What do you mean by "half a paper?"—A. The first paper.
Q. Have you got it?—A. Yes, sir.
Q. Let me see it.
(Witness produces paper.)
Mr. GILROY. The witness produces a certificate of a declaration to become a citizen, declared before J. B. Thomas, clerk, on the 3d day of October, A. D. 1896, and certified for record the same date.
Mr. HOWELL. It is a declaration of intention to become a citizen. That is all.

Pesan Bastania, on page 1016 of the record, testified as follows:

Pesan Bastania, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live?—A. Yes, sir; in Jessup.
Q. In what ward?—A. Tom Reddington's.
Q. You voted at Tom Reddington's, did you?—A. Yes, sir.
Q. Did you vote at Tom Reddington's on November 4, 1902, for the office of Congressman?—A. Yes, sir.
Q. Where were you born, and how old are you?—A. 1870, April.
Q. In Italy?—A. Italy.
Q. When did you come to the United States?—A. Seven years ago.
Q. How long have you been in Jessup?—A. All seven years.
Q. All of the seven years?—A. All of the time.
Q. Have you got a naturalization paper?—A. No, sir.
Q. Did you ever get one?—A. No, sir.
Q. And you voted up there with the rest of the boys?—A. Yes, sir; but I was in the street, and seven or eight of them grabbed hold of me, and took me in to vote.
Q. You did not want to vote?—A. No.
Q. Did you mark your own ballot?—A. No.
Q. Who marked it?—A. The barber.
Q. The barber and the tax collector?—A. I don't know what is his name.
Q. He is the barber, is he?—A. Yes, sir.
Q. And he is tax collector, too?—A. Yes, sir.
Q. Did he tell you you had a right to vote?—A. He told everybody they could vote.
Q. Did he tell you you had a good right, and draw you in?—A. Yes, sir.
Q. Did he ask the men who were sitting there on the board whether he could mark your ballot for you or not?—A. Yes, sir.
Q. That is all.

Cross-examination by Mr. Howell:

Q. Who was it pulled you into the booth?—A. There was five or six told me, "Go on, go on;" and I went in.
Q. (By Mr. GILROY.) Was Lawler one of them—the barber?—A. The barber pulled me.
Mr. GILROY. That will do.
Mr. HOWELL. That is all.

John Bunomi, on page 1019 of the record, testified as follows:

John Bunomi, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live?—A. Jessup.
Q. Was you in Jessup?—A. Yes, sir.
Q. How [illegible] old.
Q. [illegible] day of November, 1902, for [illegible]
Q. [illegible]
Q. [illegible] Reddington's.
Q. [illegible] Ward of Winton, isn't it?—A. I don't know.
Q. [illegible] Ward. When did you come to this country?—A. Seven years.
Q. Seven years in this country?—A. Yes, sir.
Q. [illegible] papers?—A. No, sir; I have taxes here.
Q. [illegible] a naturalization paper?—A. No, sir.
Q. [illegible] a naturalization paper?—A. No, sir.
Q. That is all.
No cross-examination.

Mrego Fidat, on pages 1020 and 1021, testified as follows:

Mrego Fidat, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live, Mrego?—A. Jessup.
Q. Where were you born?—A. In Italy.
Q. How old?—A. [illegible]
Q. Did you vote for the office of Congressman at the election held on the 4th day of November, 1902?—A. Yes, sir.
Q. Where did you vote?—A. Jessup.
Q. Third Ward?—A. Yes.
Q. Tom Reddington's?—A. Yes.
Q. Have you got a naturalization paper?—A. No, sir.
Q. How long have you been in Jessup?—A. Three years.
Q. Who marked your ballot?—A. I don't know what is his name.
Q. Did you mark your own ballot or mark your own ticket?—A. Lawler.
Q. Lawler marked it for you, did he?—A. Yes, sir.
Q. Was that the barber?—A. I don't know anybody up there.
Q. That is all.
No cross-examination.

Dante Pretho, on page 1021 of the record, testified as follows:

Dante Pretho, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live?—A. Jessup.
Q. That is the Third Ward of Winton?—A. Yes, sir.
Q. Where were you born?—A. Italy.
Q. When? How old are you?—A. Thirty-seven.
Q. When did you come to this country; how many years ago?—A. Eighteen months.
Q. Eighteen months in this country. Did you vote for the office of Congressman at the election held on the 4th of November, 1902?—A. Yes, sir.

Q. You did vote?—A. Yes, sir.
Q. Have you papers, citizen papers?—A. No.
Q. Who took you to vote?—A. They took me in there.
Q. Who took you in there?—A. I live right near there.
Q. You live right near there. Some English fellow took you in there?—A. Yes, sir.
Q. Who was it?—A. I don't know.
Q. Don't you know how? Did he mark your ballot for you?—A. Fellow took me in there and marked my ticket and I don't know what he did.
Q. You did not ask any of the board to have this fellow go in there with you?—A. No.
Q. You were not challenged? Nobody challenged your vote—stopped you from voting?—A. No.

Frank Caprai, on page 1022 of the record, testified as follows:

Frank Caprai, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live?—A. Jessup.
Q. You live in Jessup?—A. Yes, sir.
Q. How long have you lived over in Jessup?—A. Fifteen months.
Q. Where did you live before that?—A. No before.
Q. When did you come over from Italy?—A. Fifteen months.
Q. Fifteen months over from Italy?—A. Yes, sir.
Q. You were born in Italy?—A. Yes, sir.
Q. And you are living now in the Third Ward of Winton, up there in Jessup?—A. Yes, sir.
Q. Did you vote at the election held up there on the 4th day of November, 1902, last November, for the office of Congressman?—A. Yes, sir.
Q. You did vote?—A. Yes, sir.
Q. Where did you vote?—A. At Tom Reddington's; yes, sir.
Q. Have you got naturalization papers?—A. No.
Q. How old are you?—Twenty-five.
Q. Who marked your ballot?—A. Yes, sir.
Q. Who did?—A. Myself.
Q. Marked it yourself?—A. Marked it myself.
Q. That is all.
No cross-examination.

Louis Neri, on page 1024 of the record, testified as follows:

Louis Neri, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live?—A. Jessup.
Q. How long have you lived up there, Louis?—A. About eight years.
Q. How long have you been in this country?—A. Eight years.
Q. When were you born, and how old are you?—A. I was born in Italy; 33 years.
Q. Did you vote at the election held on the 4th of November for the office of Congressman, up at Tom Reddington's there?—A. Yes, sir.
Q. Have you any naturalization papers with you?—A. No; one taxes there.
Q. Have you got a paper from the court, a return [illegible] paper?—A. No.
Q. Who took you in to vote?—A. Nobody. Why, I was going for a growler of beer, and a fellow met me on the street and he said, "Did you vote?" and I said "No," and he said, "Go on in there and vote;" and I went in there, and he marked the card for me and gave it to me, and he said, "Put it in there," and I put it in.
Q. Did you go in the little booth to vote?—A. Yes, sir.
Q. You was in there?—A. Yes, sir; I don't know; he marked my ticket.
Q. Somebody handed you a paper, and you just put it into the box?—A. Yes, sir.
Q. That is all.
No cross-examination.

Michael Colleran, on page 1070 of the record, testified as follows:

Michael Colleran, called and sworn for contestant.

Direct examination by Mr. Holgate.

Q. Your name is Colleran?—A. Yes, sir.
Q. You live in the Second Ward of the borough of Winton?—A. Yes, sir.
Q. What street or road do you live on?—A. Dunpriant road.
Q. Is there any cross-street near your house?—A. One.
Q. What is the name of it?—A. I don't know.
Q. Is there a saloon or hotel near you?—A. No.
Q. Any house of church?—A. No.
Q. Any breaker?—A. No.
Q. Who is your nearest neighbor?—A. George Koto.
Q. How long have you lived there?—A. Well, I have lived up in that ward about two years.
Q. How long have you lived in that district?—A. About the same.
Q. Where was you born?—A. Ireland.
Q. How old are you?—A. About 30.
Q. Is your father alive?—A. No, sir.
Q. Dead?—A. Yes, sir.
Q. When did he die?—A. I was about 6 years old.
Q. Was he in the country when he came here—when you came here?—A. No, sir.
Q. Was he ever in this country?—A. No, sir.
Q. Let me see your citizen papers?—A. I haven't got any.
Q. You voted at the election held on the 4th of last November for the office of Congressman?—A. Yes, sir.
Q. That is all.

Cross-examination by Mr. Howell:

Q. I understood you to say that you came to this country with your father?—A. No.
Q. Where was you born?—A. Ireland.
Q. You have your father's papers?—A. No, sir.

Angelo Groscelli, on page 1028 of the record, testified as follows:

Angelo Groscelli, called and sworn for contestant.

Direct examination by Mr. Gilroy:

Q. Where do you live, Angelo?—A. Jessup.
Q. Is that in the Third Ward of Winton?—A. Yes, sir.
Q. Born in Italy, were you?—A. Yes, sir.
Q. When were you born there? How old are you?—A. Who—me?
Q. Yes.—A. Nineteen years old.
Q. When will you be 20 years old?—A. No.
Q. Not yet?—A. No.
Q. At your next birthday you will be 20 years old?—A. Yes, sir.
Q. Did you vote at the election held on the 4th of November, 1902, for the office of Congressman?—A. Yes, sir.
Q. Where did you vote?—A. I don't know; some place.
Q. Did you vote?—A. Yes, sir.
Q. At Tom Reddington's?—A. Yes, sir.
Q. And that is the Third Ward of Winton?—A. Yes, sir.
Q. Who asked you to vote?—A. Americans.
Q. Who was he?—A. Why, I was going down the road; fellow called me over to go in, vote, and I don't know him.
Q. Did you ever see him before?—A. No, sir.
Q. You never saw him before?—A. No.
Q. And you never paid any taxes, of course?—A. No.
Q. Did you vote yourself?—A. Yes, sir.
Q. Marked your ballot yourself?—A. Yes, sir. They showed me where to vote, to make the mark, and I went inside and voted.
Q. Who showed you?—A. Some fellow.
Q. How many times did you mark your ballot?—A. Once.
Q. Only once, up at the top?—A. Yes, sir.
Q. Do you remember where it was, about what corner it was?—A. I don't know, of course.
Q. About the middle of the sheet?—A. Why, he told me to mark here, and that is where I marked.
Q. Do you remember where that place was? Was it about the middle of the sheet?—A. The second.
Q. Are you sure it was the second?—A. I ain't not sure.
Q. You are sure that it was not the first?—A. No; it was not the first.
Q. That is all.
No cross-examination.

The testimony of these witnesses, of which many like cases can be found in the record, served to show the gross carelessness and negligent manner in which the election was conducted by the officers in charge. In this connection, also, I wish to call attention to that portion of the statute of Pennsylvania requiring that the ballot boxes containing the ballots, after they are counted and deposited therein, shall be securely locked, taped, and sealed, with the names of the judges written thereon in such manner that no one can tamper with the boxes without leaving evidence thereof; that the boxes when so sealed must be deposited with the nearest justice of the peace, and upon this point James Conroy, one of the judges, testifies, on page 1095 of the record, that there were no strips of tape put over the boxes in his election district; that there were no seals in any way; that the boxes were simply locked. This testimony is also confirmed by the testimony of P. W. Stokes, one of the commissioners, who was afterwards appointed to collect and impound the ballots by the United States district judge of Pennsylvania (found on p. 1135 of the record). He testifies that the ballot boxes in the wards in controversy were not locked and sealed as required in the statute.

The manner in which the election was conducted in the Third Ward of Winton Borough is also shown by the testimony of James Conry, found on pages 1091, 1092, 1093, 1094, and 1095 of the record. He testifies, on page 1095, that no affidavits were made or filed with the election board that day; on page 1093, that but one challenge was made; that he saw Italians going in and coming out, but that when the overseers would not pay any attention to it he did not.

In considering the manner in which the election was conducted the statutes relating to the right of assistance should also be noted. It provides that if any voter declares to the election officers that by reason of any disability he desires assistance in the preparation of his ballot he shall be permitted by the judge of the election to select a qualified voter in the election district to aid him in the preparation of his ballot, such preparation being made in a voting compartment. The purpose of this law is clearly apparent, namely, to enable the honest voter, whom from physical disability, or otherwise, needs assistance to secure it in preparing his ballot. He must so declare his need to the election officers. It should not be made the means whereby unscrupulous men are permitted to enter the booth and see that the purchased vote is rightly delivered.

The testimony hereinbefore quoted shows that illegal voters, without any declaration whatever to the judges, were accompanied by adherents of contestee into the voting booths, and in truth did the voting for the foreigner who was indifferent as for whom he voted.

In the face of the positive injunctions of the law as to the care in the exercise of their duty, how, in the light of this testimony, can we conclude that an honest election was held? How could the election officers on this record defend themselves from the charge of negligently performing their duties; and if they can not, it is folly to urge that conduct which subjects them to the penalty of the law does not amount to such fraud as will vitiate their returns?

Mr. THAYER. Will the gentleman yield to me?

Mr. BIRDSALL. I yield to the gentleman.

Mr. THAYER. I want to ask the gentleman, who has just quoted from the Pennsylvania statute, if you find that it directs that when a person finds that he is not on the register list and makes affidavit of his right to vote, the law directs that the officer shall place those affidavits with the voting list and return them to the county seat—wherever they go? Is not that simply directory; and if the officers should fail to do that, should you then permit the voter an opportunity to vote, and after voting, deprive him of his vote?

Mr. BIRDSALL. This provision, I will say in reply to the gentleman, has been held by the supreme court of Pennsylvania to

be absolutely mandatory. There is no escape from the conclusion of the authorities which I cite.

The evidence, to my mind, establishes such gross negligence and a willful violation of the law as to render their acts and returns unworthy of belief in any tribunal worthy to investigate them. It is difficult, indeed, to find a single provision of the law that was not violated in some one of the districts in question. A few of these violations may be noted, as clearly shown by the evidence already alluded to and elsewhere found in the record, namely:

The reception of known illegal votes;
The appointment of a disqualified inspector;
The denial of the right of assistance;
The permission to assign any voters to the booths and mark their ballots when no assistance was demanded;
The acceptance of votes from nonregistered persons who made no affidavits;
The reception of votes on defective affidavits;
The presence of peace officers in the voting places;
The rejection of Republican watchers;
The failure to seal the ballot boxes as required by law;
The failure to deposit them as required by law; and
The electioneering of one of the inspectors.

If such gross violations of the law as are shown in this case are permitted to stand and meet with our approval, then we may as well desist in all efforts to enact laws for the protection of the ballot. No man can with honesty be the beneficiary of such frauds. Let us set a higher standard for the conduct of election officers and keep as pure as possible the fountain of authority in this Government.

Mr. LITTLEFIELD. As I understand it, the committee relied on both propositions?

Mr. BIRDSALL. The committee relied on all these points, and I desire to say that the gentleman who preceded me is entirely mistaken in saying that the majority of the committee rely on the character of the testimony that he refers to, and which is set out in the minority report in determining the fact that an illegal vote was cast. A stronger rule was adopted by the majority of the committee than met with my approval. I think there is sufficient evidence in this record to establish the fact that between 1,500 and 1,600 of these illegal votes were cast for Mr. Howell. [Applause on the Republican side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BIRDSALL. Mr. Speaker, I ask leave to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. McLAIN. Mr. Speaker, I yield twenty minutes to the gentleman from Iowa [Mr. WADE].

Mr. WADE. Mr. Speaker, of course what I shall have to say in the brief time that has been allotted to me must be very general in its character. No lawyer can examine the record in this case without feeling the utter helplessness of grasping the situation that is presented there in that district, the consideration of which is before this House. In the record here we have the testimony of some 7,000 witnesses and briefs and arguments of several hundred pages. It is not necessary for me to say that I make no pretense of having read all of the evidence in this case, but I have read sufficient of the evidence in this case to convince me that from the time that this contestee, this young lawyer, just starting out in life, became an aspirant for this office that he has been subjected to a series of outrages which are seldom equaled in electoral contests in this country.

He was subjected to an outrage when the nomination which he sought was stolen from him; he was subjected to an outrage in the character of campaign which he had to meet; and if perchance the report of the majority of this committee should be sustained by the gentlemen of this House, I say that that would be a grave imposition upon his legal rights and upon the rights of the people who elected him to this office.

Now, at the outset, to make a few general observations, it is all right to set up an ideal condition which we would like to see exist at every polling place, but this can not be realized, for we all know that there is scarcely a precinct in the United States in which illegal votes are not cast at every election.

Election laws are strict. They should be strict, and in the weakness of humanity and the absence of information upon these laws mistakes will occur and in the heat of campaigns wrongs will be done by the overzealous friends of candidates, so we must not try to measure up to the ideal of a condition which would be desirable if it were practicable. Now, I do not see what there is to be expected here in the nature of partisan feeling. I have not been in this House long enough, perhaps, to understand these things. I realize that times come when a party upon whom the responsibility for enacting legislation rests is short of a good working majority. I realize that those times come and that in such times partisan action takes the place of judicial determination.

It has occurred in Democratic Congresses and in Republican Congresses; but in this House, with the majority which the other side now possesses, I can not for a moment consider that this question shall be determined upon any partisan basis. And then, Mr. Speaker, when we turn to the platform upon which Mr. Connell was nominated in the alleged Democratic convention, we find that, it seems to me, to appeal to the gentlemen upon the other side of this House. I am going to read portions of this platform.

We congratulate the democracy of Lackawanna County upon the [illegible] of the contest in this and [illegible] nothing efforts manifest the baleful fruit they intended, and for this purpose we ask the cooperation of all fair-minded citizens in the county of Lackawanna.

I know if a Republican in my State should ever accept a nomination upon a platform of that kind he would soon be put out of circulation.

Now, Mr. Speaker, there is another thing we should take into consideration in this matter, and that is the result of this election. This man—Mr. Howell—was forced to go upon a ticket of his own because of the difficulties originating in this alleged Democratic convention, the details of which can not be gone into in this short time.

Mr. LITTLEFIELD. Was not Connell subject to the same embarrassment?

Mr. WADE. No; he had the Republican nomination also.

Mr. LITTLEFIELD. But before that convention he had that embarrassment.

Mr. WADE. Of course Connell was nominated by this "rump" convention, as it was called, but this is the result: At that election every Democrat upon the ticket was elected, the governor receiving in that district some 5,000 majority, and the other gentleman upon the same ticket with Mr. Howell, I believe the judge of the orphans' court, received a majority of some sixteen hundred votes, and those figures throw a vast flood of light upon the proposition I want to submit to this House. I am not going to go through the testimony in detail or attempt to discuss the problems with which the members of the committee are necessarily more familiar than I am; but I am going to present a proposition here which appeals to me as a lawyer as establishing not only that Mr. Howell is not illegally elected, but that many of the votes, hundreds of the votes, thousands of the votes, received by Mr. Connell were illegal votes.

Now, let us look at this thing. What is the report of this committee? The report of this committee is that there are three precincts which have been thrown out. There is not any lawyer who can justify that result, and I have not time to refer to the authorities; there is not any lawyer who can justify that action until it reaches a point where you can not find a respectable number of legal votes in a precinct, and this has been repeatedly held by this House in Congressional contests. The next thing that was done was to take 32 of these votes from these precincts which had been eliminated and give them to the contestant.

I do not deny the legal proposition that where you throw out precincts the contestant may by competent proof establish the fact that there were legal votes there to which he is entitled; but I say there is no lawyer who can read the testimony upon this point from which this committee extracts 32 votes or squeezes 32 votes—I say there is no lawyer who can read it and agree with the proposition. I want to submit to you lawyers and you business men what you think of this sort of evidence:

James T. Flynn, sworn:

Q. Do you know Mike Higman?—A. Yes, sir.
Q. Whom did he support last fall?—A. Mr. Connell.
Q. And John F. Loftus, you are acquainted with him?—A. Yes, sir.
Q. Whom did he support?—A. Connell.
Q. John R. Evans?—A. Yes, sir; he was postmaster; he was a Connell man; he is dead.
Q. John Grosh?—A. I don't know him.

I will not go further because that offers a fair sample of much of the evidence in this case to show the fact that certain illegal votes were cast for Howell. Is there any lawyer here that would contemplate for a moment that sort of evidence as being admissible in a court of justice from a justice of the peace to the Supreme Court? But they have not only taken these 32 votes, for that leaves only a margin of 8 to work upon, which they knew could not be sustained under that evidence. There were in that district 2,002 illegal votes cast.

Mr. DRISCOLL. May I ask the gentleman a question?

Mr. WADE. Certainly.

Mr. DRISCOLL. Has the gentleman read the evidence?

Mr. WADE. I stated at the beginning that I had not read all the evidence.

Mr. DRISCOLL. Has the gentleman read our report?

Mr. WADE. Yes; I have it in my hand.

Mr. DRISCOLL. Does the gentleman know how the vote would stand if all three districts were thrown out?

Mr. WADE. As I understand the report, Connell would have a plurality of 8.

Mr. DRISCOLL. Connell would have 24.

Mr. WADE. Now; let me ask if the gentleman from New York has read all the evidence?

Mr. DRISCOLL. No, I do not claim that I have. [Laughter on the Democratic side.] But I have read some of it.

Mr. WADE. I want to say, Mr. Speaker, that I shall be very glad if any gentleman will call my attention to any misstatement, because I am liable to be mistaken in regard to these figures. I want to adhere to the facts as presented by the report.

Now, there were 2,002 illegal votes cast in this district. What is the situation? We have a contest here in which one man has 24 majority and a vote of which there are 2,002 illegal votes cast. What happens in a case of that kind? Legally, what is the rule? Why, the general rule is in courts that these illegal ballots shall be taken from each side proportionately. Isn't that right? But in bodies that have the power to order a new election this rule is not followed. Where it affects the result of the whole election it is declared void, and the parties are subjected to a new election. Is not that the rule? I will refer, as an authority for that proposition, to the contested-election case in 1 Ellsworth, pages 93 and 94, and also to McCrary on Elections, section 496. McCrary says:

This is probably the safest rule that can be adopted in a court of justice, where there is no power to order a new election and where great injury would result from declaring the office vacant, but it is manifest that it may sometimes work a great hardship, inasmuch as the truth might be, if it could be shown, that all the illegal votes were on one side, which it is scarcely to be presumed that they would ever be, and divided between the candidates in exact proportion to their whole vote. But the rule when in the supposed case we know illegal votes were cast, would deprive them all from the majority candidate in much more unnecessary and dangerous. Of the two evils the least should be chosen. We see note, however, how important it is that it should, if possible, be made to appear, either by direct or circumstantial evidence, for whom each illegal vote was cast.

In a legislative body having power to order a new election, and in any other tribunal having the same power, it will doubtless generally be regarded as safer and more conducive to the ends of justice to order such new election than to reach a result by the application of the rule above stated.

This rule is sustained by the action of this House. But now I am passing beyond that proposition. I say that the most that could be done would be to declare the seat vacant. But it ought not to be declared vacant, because here are over 1,800 illegal votes, and they say there is no evidence for whom they were cast. I want to show you from the record in this case that there are sufficient facts and circumstances to indicate to any reasonable man that they were cast for Connell. I want to say it in as brief a way as I can. We lawyers understand that fraud is hard to prove. It must be proven by facts and circumstances, and sometimes the facts and circumstances must be very slight.

You will find here at the beginning of the first volume of the evidence—and it is about the same all the way through—a sample of what I want to call the attention of the gentleman to. After this contest was commenced—there were six or seven thousand witnesses to be examined—the contestant goes out there and, as I am informed and the record shows, starts in to take testimony in three or four places, inquiring into the validity of these votes. Now, let us see the nature and character of this testimony. I read from the first page of the first volume of the evidence of William R. Davis. He was asked where he lived, etc., and says he is a single man; and is asked how long he lived in Lackawanna County, and says he lived there twenty-two years. He is asked if he paid any taxes, and he said, "No;" and therefore he was disqualified from voting:

Q. Did you vote at the last election, held on the 6th day of November, 1902?—A. No, sir.
Q. You are positive about that?—A. Yes.

Then, coming down to the next witness:

Q. Have you any tax receipts?—A. I have, but lost them.
Q. Did you vote at the last election?—A. I did; yes, sir.

Just as soon as the witness said that he voted at the last election—and that is pursued here through hundreds of pages—the counsel examining the witness stops and does not pursue his legal right to ask that witness for whom he voted.

Now, we all know that in the ordinary course of events this did not disqualify this witness from objecting to the question on any ground except that it might incriminate him—a privilege which he might waive—and every lawyer knows that if contestant did not feel there was danger in asking him who he voted for, he would do so. Nay, more, if he were not convinced that the answer would be that he voted for his client, the lawyer would have asked him. But it even goes further than that. I have examined page after page and witness after witness, and they are all of the same character all the way through. In every witness's testimony, as soon as that question was answered, as though he were examined by a diagram and a square and compass, the examination is chopped right off.

[Here the hammer fell.]

Mr. McLAIN. Mr. Speaker, I yield the gentleman five minutes more.

Mr. WADE. Now I will make the point without further examining the testimony. There is in the record, following it further, instance after instance where counsel for Mr. Howell asks the witness for whom he voted and where counsel for Mr. Connell objected to the question, and not only objected, but told the witness that he did not have to answer the question. Not only that, but told the commissioner that he must tell the witness not to answer. Not only that, but the commissioner undertakes to rule upon evidence and tell the witness not to answer. What does that indicate?

Why, it indicates—the rule which is well recognized in these cases and in all cases—that where a man seeks to suppress the evidence, where a man destroys a paper, where a man refuses to call to the stand and examine a witness who is within his reach, the presumption obtains that that witness, if examined, or that question if asked, would be against him. That rule is applied in every court of the United States, and I wish to close now by showing that it has been applied by this House in the 1 Ellsworth, at page 122, in election contest of Finley v. Bisbee.

Contestee shows by proof that 54 foreign-born persons voted without complying with section 3, Article IV, of the Constitution. Fifty-three of these witnesses say that they voted for contestant, four others that they voted the whole Democratic ticket. Seventeen others are called and testify that they voted without producing the necessary certificates. They were asked to indicate for whom they voted for Congress and were told by the contestee's counsel they were not required by law to disclose that fact, and thereupon they refused to answer for whom they voted. We are of opinion, their votes being illegal, they were bound to answer and refusing to disclose at the suggestion of contestee's counsel is very strong presumptive evidence that they voted for contestant.

So in a case reported in Mobley before this House—a contested-election case—the same rule is laid down.

Gentlemen, if you will examine fifty pages of this evidence and observe the guarded care with which the contestant avoids opening the door for the admission of the fact as to whom these illegal votes were cast for, you will reach a state of mind which would force you, if you were upon the bench deciding the question, to say that the presumption is that these men voted for this man, because otherwise they would have been asked how they voted or the evidence would have been permitted to be introduced when an answer was sought to that question. Yet there are now more than 1,800 of these witnesses summoned by the contestant who are in that situation. Eighteen hundred illegal votes; yet the counsel who examined those witnesses did not dare to ask them the question!

Mr. COOPER of Pennsylvania. Will the gentleman permit me to ask him a question?

Mr. WADE. Yes, sir.

Mr. COOPER of Pennsylvania. Will the gentleman state the date of that decision that he has just been quoting—the decision of the court of Pennsylvania?

Mr. WADE. It is not from a Pennsylvania court, but is a report of a committee of this House on a contested-election case.

Mr. COOPER of Pennsylvania. Then I will ask the gentleman whether he is aware that an act of 1895, known as the "ballot law of Pennsylvania," prohibits the voter from disclosing how he voted and makes it an indictable crime for him to do so?

Mr. WADE. But it has not been held——

Mr. COOPER of Pennsylvania. I ask the gentleman whether he is aware of that act of 1895, in force when that election was held, making it a crime for the voter to disclose for whom he voted?

Mr. JOHNSON. That applies to a legal voter; not to an illegal voter.

Mr. WADE. I could read from authorities, if I had the time——

Mr. COOPER of Pennsylvania. My question was as to whether the gentleman knew of the statute of Pennsylvania to which I referred.

Mr. WADE. I know there is some such statute of the State of Pennsylvania, but there is not any statute, to my knowledge, which prevents an inquiry from a man who has shown he is not a legal voter, but is a violator of the law.

Mr. Speaker, I appeal to the fairness and the justice of the gentlemen upon the other side in behalf of this young man who has been forced into this unequal contest. Did time permit I would like to discuss these questions further, but I have said enough. It seems to me to indicate that the claims of the contestant are based upon illegal votes, and that it would be rank injustice to seat him as a Member of this House.

Did time permit I would like to go into the evidence showing the manner in which Connell secured his votes, and it is a chapter

in the evidence which should condemn the course of this contestant before this House or before any other tribunal.

Mr. DRISCOLL. I should like to ask the gentleman a question, if he will yield.

The SPEAKER pro tempore (Mr. BOUTELL). The time of the gentleman has again expired.

Mr. WADE. I ask unanimous consent to extend my remarks in the RECORD.

There was no objection.

Mr. DRISCOLL. I yield to the gentleman from New York [Mr. STERLING] thirty minutes.

Mr. STERLING. Mr. Speaker, it seems to me that this discussion ought to be confined to the questions that are made in this record. The remarks made by the gentleman from Iowa have not been based to any extent upon the record that was before this committee and is now before this House. I can not understand what the platform which the gentleman read has to do with the question that this House has to decide.

In this great mass of testimony there are but two questions of importance—but two questions that need be considered by any Member who is called to vote on the issues that are here made. This discussion ought not to go beyond those questions, because what is said outside of the record simply misleads instead of giving information of the real issues.

One question, and the important one, it seems to me, in this case—the one that practically determines whether the contestant or the contestee is entitled to this seat—is involved in the testimony contained in the record with reference to the First and Second wards of Winton borough and the first district of Old Forge. In those three precincts the contestee received a majority of the votes as they were returned—a majority of 453. It is charged by the contestant that these returns are so tainted with fraud, that the misconduct of the officers of those precincts was so reckless and so lawless, that these returns should be thrown out, and the entire vote, unless there be votes proven aliunde for one of the parties or the other, should be rejected.

The law of Pennsylvania under which these officers acted—the statute taken in connection with the construction of the statute by the highest court in that Commonwealth—is to the effect that these officers shall take an oath—and these officers did take an oath—that they would not receive and would not consent that any other person should receive any ballot except from a person who under the constitution and the statutes was entitled to vote at that election; that is to say, the officers of that election said on their oath that they knew the law of Pennsylvania and that they would obey the law.

And we have a right to assume that they knew it, and gentlemen can not say on the floor of this House that these men might have been mistaken; that they might have misconstrued the law; that perhaps they did not know their duty. They said on their oaths that they did know their duty under the law, and they were bound under the law to perform it.

The statute of Pennsylvania says that no man shall be entitled to vote at any election in that State unless his name is on the list of registration or unless he makes an affidavit proving his qualifications as a voter. And it is no hardship. The man whose name is on the list of registration is bound to make the same proof, and if a voter neglects to get his name on the list of registration is it a hardship on him to require of him, when he presents himself at the voting place, the same proof as was required of every man whose name was put upon the list of registration?

Did they do this? I say that this record shows that in the Second Ward of Winton there were 80 ballots cast at that election by men whose names were not upon the list of registration. In the Third Ward of Winton there were eighty-three names—eighty-three persons who cast ballots at that election whose names were not upon the list of registration. At the first district of Old Forge, out of a vote of 418, there were 158 men who voted whose names were not on the list of registration, and in not one of these precincts—where over 800 ballots were cast, where more than 300 persons voted whose names were not on the list of registration—was there a single voter who made an affidavit that he was a qualified voter at that election. Now, how is it possible for these officers of election to say they did not know the law when they swore that they would consent to receive no ballot except that of a voter who was qualified under the constitution and the laws of the State to cast his vote at that election? They had the registration list before them.

The law said that when a man presented himself at the polling place and offered to vote the officers of election should refer to the list of registration and see if his name was on that list, and if it was not on that list they must refuse to accept his ballot. Then, if he called to make an affidavit, if he cared to prove that he was a legal voter, he could make an affidavit, and then vote. Yet these officers in more than 300 instances, in almost one half of all the votes that were cast at those polling places, failed to perform their sworn duty under the statutes and the constitution of the State.

In the Second Ward of Winton more than one-third of the men who voted were not on the list of registration and did not make an affidavit. In the Second Ward of Winton almost one-half of the voters were not on the list of registration. In the first district of Old Forge more than one-third of all the votes that were cast were cast by men whose names were not on the list of registration, and not a single affidavit was filed. Why, what evidence is necessary? Is it necessary to prove that these men knew the law, when they said on their oaths that they knew it and that they would follow it? They say, "Why did not the contestant produce these officials of election on the witness stand to testify whether or not they violated the law?"

I say to you, gentlemen representing the contestee in this case, why did you not produce them in court? Why did you not bring them into court and prove by them that they did follow the law? We could not compel them to testify if, as we say or as the contestant says, they violated the law; but if, as you say, they followed the law, you could have compelled them to testify. So I say to you that it is too late in this proceeding—the time has gone by when you can say that the officers of this election were not called. The record, which was the best evidence in any court and the best evidence in any committee, showed for itself that these names were not on the list of registration, that they made no affidavits, and this record shows that these men did vote.

Now, if this ballot is tainted, if there are a large number of illegal votes, what should be done? The gentleman from South Carolina said the law is that this ballot must be purged. He said that the law required that the illegal votes be sifted out, so as not to deprive any lawful voter of the right to cast his ballot. Well, that is the law; and the courts say and committees have said that where a ballot is so tainted with fraud that it is impossible to find out the truth, to discover who voted legally and who voted illegally, then the entire poll must be thrown out. But whose duty is it, in case the legal votes can be determined, in case it may be discovered who voted rightfully and who voted wrongfully—whose duty is it to purge the ballot and give to the citizen that voted rightfully and under the law his right of franchise? It is a serious proposition, but the law does not impose upon this House or this committee that heard this case the burden of purging the ballot.

When the contestant alleges the ballot is tainted with fraud, and when he has proven his allegation as set forth in his notice of contest in this case, then he can rest, if he cares to, and the burden shifts, where? The burden shifts to the contestant to prove the votes that were cast legally for him and to the contestee to prove the legal votes that were cast for him.

Now, we are not in the dark on this proposition. We have abundance of law as to the question where the burden of proof rests in that case. I want to read some citations which I have gathered here on this question, which seem to me to entirely answer the controversy made by the gentlemen representing the contestee as to whether or not this ballot could have been purged, and whose duty it was to purge it.

In the contested-election case of Washburn *v.* Vorhees, reported in 2 Bartlett, page 590, is the following:

> If fraud is clearly shown to exist to such an extent as to satisfy the mind that the returns do not show the truth, and no evidence is furnished by either party to the contest from which the truth may be deduced, then no alternative is left but to reject such returns.

The record is made in this case. These parties, both of them, have had their day to take their testimony. The statute of Pennsylvania prescribes that the contestant shall have forty days to put in his testimony and the contestee shall have forty days to put in his testimony, and I say to you that the record is that the contestee in this case devoted but eleven of his forty days to the taking of testimony. He had abundance of time: he had the power of the law right there in that district where the election was held. He had commissioners provided by the statutes of the United States before whom this testimony could be had, before whom it could be taken; and if he wanted to purge the poll and prove for himself, for his benefit, the legal votes cast for him in these three precincts, then I say he was bound to do it, and he can not complain now. He is estopped from coming before this House or the committee that has heard this case and arguing the ballots ought to be purged. Again, in the case of Finley *v.* Wall, reported in Smith, page 839, it is said:

> Where returns are cast out for fraud, the party claiming under the election—

And the contestee in this case is claiming a majority of 453 in these precincts in this election—

> The party claiming under the election must prove the actual vote in some way.

Again, it is said in Clayton *v.* Breckinridge, reported in Rowell, page 691:

> When returns are impeached, they can not be received for any purpose, but such votes as are proved aliunde can be counted. Each party can only be credited with such votes at the box in question as he may show by other evidence.

Again, in another case, this language is used:

> When returns are shown to be false the respective parties are thrown back on such evidence as it may be in their power to produce touching the votes cast. Votes thus proved must be counted, those not proven must be disregarded.

The books are full of decisions along that line. Any suggestion that may come from any gentleman speaking for the contestee to the effect that the committee should have prorated the illegal votes between the contestee and the contestant according to the total number of the votes that each received, or the proposition that all these illegal votes should have been counted against the contestee in this case, is purely a fiction. I say there is no law anywhere, at least so far as I have been able to find, that authorizes any such proceeding in disposing of the illegal votes. Now, I submit to any gentleman here, Why ought we to charge up all these illegal votes against the contestee? We do not know whether all of them were cast for the contestee or not. Why should we charge any of them against the contestant? We do not know whether any of them were cast for him or not, except as the record shows by aliunde proof. But suppose there were no other fact. Suppose that there were frauds and a number of illegal votes were proven. What right have you to charge an illegal vote against any man or against either of them unless the record discloses for whom the illegal vote was cast?

You can not do it. It is purely a fiction, and it is an arbitrary proposition that has no foundation in the law and no foundation in reason. The law, so far as I have been able to find—and I think it is the law everywhere in this country—is that where a ballot is tainted with fraud, where it is corrupt, where misconduct and illegality on the part of officers of the election show that illegal votes were cast, it is the duty of the tribunal passing upon that contested case to cast out the entire ballot and say to the parties, as the law says to them: Now, if you care to, you can prove for yourself, you can prove for your own benefit, any illegal votes which were cast for you.

Mr. LITTLEFIELD. You mean any lawful votes.

Mr. STERLING. I mean any lawful votes that were cast for you. Now, the contestant did undertake to prove by aliunde evidence some legal votes cast for him. There is considerable testimony in this case here by the contestant to the fact that a large number of persons in these precincts, voting legally, had cast their ballots for him, and the committee determined that there were at least 32 of them proven to the satisfaction of the committee. Did the contestee avail himself of the privilege under that provision of law? Did he call a single witness to prove his legal votes in those precincts? If he did not, and the record shows that he did not, then I say that it is too late; he is estopped now from complaining of the fact that the ballot was not purged entirely.

Mr. LITTLEFIELD. Was any request made to give him opportunity to do that?

Mr. STERLING. By himself?

Mr. LITTLEFIELD. Yes, or on his part.

Mr. KENNEDY. He had forty days and only used thirty-one hours for taking testimony.

Mr. LITTLEFIELD. Did not make any effort?

Mr. LANNING. May I interrupt to ask the question as to what evidence there is in the case to support——

Mr. RANDELL of Texas. Mr. Speaker, we can not hear what is going on over there——

Mr. LITTLEFIELD. That is, by what kind of evidence the 32 votes were supported?

Mr. STERLING. I will consider that now.

Mr. KENNEDY. The testimony in some cases was the testimony of the man who marked the ballot of the legal voter.

Mr. RANDELL of Texas. Mr. Speaker, we would like to know what is going on on that side of the House; nobody can hear except two or three on that side.

The SPEAKER. The point of order is well taken and gentlemen interrogating the speaker will kindly address the Chair.

Mr. STERLING. The question arises what kind of testimony is competent to prove how a vote was cast. Where the ballot is secret, the ballot does not disclose the fact. What is the next best evidence? The party who casts the vote, and in that regard I desire to call attention particularly to the statement made by the gentleman from Iowa, that in the pages of this record it appears that when the contestee had asked witnesses as to how they had voted the contestant interposed an objection and stated and instructed the witness that he need not answer. We are not complaining of that. The gentleman representing the contestee is complaining of the character of the evidence, and I desire to call his attention now to the testimony of the very witness from which he read. Mr. Flynn, who testified that some of these persons who voted legally in these precincts had voted for Mr. Connell, and that same witness was asked by the attorney for the contestant for whom he voted, what his politics were, and the contestee objected and instructed that witness that he need not answer.

Mr. LITTLEFIELD. So the objections were mutual?

Mr. STERLING. Yes, sir. Both the contestee and contestant seem to have tried this case on the theory that a voter was not permitted and could not be required to testify as to how he voted, and the pages of this record are full of objections made by counsel for contestee when contestant sought to prove by a witness as to how he voted. I say the record is full of objections and instructions from their mouths to the witnesses to the effect that they were not required to——

Mr. LITTLEFIELD. Make that statement.

Mr. STERLING (continuing). Make that statement as to how they voted. So he is estopped now from complaining that the evidence in this case as to how these men voted did not come from the mouths of the voters themselves. He told these witnesses that they need not disclose that fact, and witness after witness took advantage of the instruction and this information as to what their rights were under the law and refused to tell under the instructions of counsel for the contestee as to how he voted.

Mr. JOHNSON. Mr. Speaker, may I ask the gentleman a question?

The SPEAKER. Does the gentleman from Illinois yield to the gentleman from South Carolina?

Mr. STERLING. Certainly.

Mr. JOHNSON. Is it not a fact that the record shows that the contestee's counsel, wherever the question was asked how the witness voted, said to the witness that he need not answer the question; that it was his privilege to refuse?

Mr. STERLING. That is what I have said the record shows.

Mr. JOHNSON. And is it not a fact that the contestant's counsel instructed the witness not to answer? In other words, he did not stop by telling him it was his right to keep secret how he voted, but he told him not to tell.

Mr. STERLING. That is not the record. I do not pretend to say what the counsel for the contestant or the counsel for the contestee said in each instance all through this record, but I say that the objections and reasons for the objections and the instructions to the witnesses and the reasons they gave for giving the witnesses instructions were substantially the same on both sides through all the pages of this record. This is the point I desire to make: You having tried this case on the theory that the voters themselves could not be required to disclose how they voted, you can not complain now that that kind of evidence is not before this committee and before this House. The Lord knows that we would have been glad to have had it; but you have placed yourselves in that position, and why now should you complain?

Now, in reply to the question of the gentleman, I want to call your attention to the testimony of the witness read by the gentleman from Iowa. It is convenient here now to call attention to the position taken by the counsel for the contestee on that very question by this very witness. I am quoting from the testimony of Flynn. The counsel for the contestant asked what was his politics—that is, the witness's politics. He asked, "Do you know James Flynn?" That is the witness himself. He said, "Yes." He was asked, "What is your politics?" The witness answers, "Mine?" And the question is, "Yes; yours." Mr. Ballentine, attorney for the contestee, says, "You don't have to answer that question if you don't want to." I am reading on page 26 of the views of the minority, a little above the middle of the page. That is the witness that the gentleman from Iowa read from on that same page.

The gentleman from Iowa also said this is the character of his testimony, and he read as follows: "Patrick J. Walsh; do you know him?" "Yes." "Was he supporting Connell?" "Yes." Now, that is not all the evidence of James Flynn. The evidence farther down on the same page, on cross-examination of Flynn, is, "Are you attempting to tell whom these men voted for?" And the witness says, "Yes; the men told me so."

Now, the question is whether or not the declaration made by the voters themselves is competent to prove how they voted. If the ballot does not disclose the facts, if the witness himself is not allowed to testify, where are you going for proof as to how this or that man voted in any election? Is it impossible to purge the ballot for the reason that these two classes of evidence are barred under the law? The next best evidence, and the only evidence that is left for any party in a case of this kind, is to prove what? Why, to prove what the voter said, prove his declarations, prove what political party he belongs to.

Mr. YOUNG. Will the gentleman yield for a question?

Mr. STERLING. Certainly.

Mr. YOUNG. When the witness from his own testimony has shown that he was not a legal voter, does not his privilege of secrecy cease, he being no longer a voter?

Mr. KENNEDY. He has the privilege of not being compelled to furnish evidence to convict himself.

Mr. STERLING. There is one reason why a legal voter is not bound to disclose how he voted, and that is the fact that it is a secret ballot, and the law expressly says that he does not have to tell that fact. But when the man is an illegal voter there are two reasons why he does not have to tell how he cast his ballot. The first one is that the law provides that no man, whether an illegal or a legal voter, has to tell how he voted, and the other one is, being an illegal voter, having committed a crime, he does not have to testify for the reason that he does not have to criminate himself.

Permit me to read from some very well-considered cases the rule as to the admissibility of declarations of the voter as to how he voted. In Vallandigham *v.* Campbell (1 Bartlett, 231) the Hon. L. Q. C. Lamar in an opinion says:

> The American cases have, indeed, been mainly directed to the question of preserving the secrecy of voters. As so this latter, and [illegible] prior cases, the point was expressly and deliberately decided in the grand New Jersey case in 1840, namely known as the Bergen Seat case, [illegible] [illegible] partisan case, and because of the great anxiety and [illegible] men who compose it [illegible] declarations of voters [illegible] by the legislature of Maryland in 1858 [illegible] and courts having special [illegible] jurisdictions.
>
> As to a number of [illegible] it appears that the testimony had equally been [illegible] not be permitted. But it is not necessary in this case to [illegible] beyond question of a [illegible] to answer. It was held in one of the cases [illegible] in many of the same decisions, by the Supreme Court [illegible] settlement of cases where the [illegible] of the election officers [illegible] in evidence, no doubt on [illegible] and [illegible] the rule adopted in Maryland, in 1858, and the statutory enactment of the 1 Statutes, has expressed [illegible] which [illegible] compelled to answer we need not be called. (6 Peters' Reports, 384, 387.)

In the case of Delano *v.* Morgan the committee held as follows:

> As both parties claim that a large number of persons not qualified electors voted, at the election in question, it is necessary to determine what [illegible] taken to show for which candidate such votes were cast. For which a [illegible] is given, by the laws of Ohio, is a secret proceeding known as the Australian [illegible] and he is never compelled to disclose how he voted. [illegible] often has been decided by committees of Congress.
>
> The usual practical party a voter belonged, whose partisan he had been, whose friends assisted him the night [illegible] voting, the time when he hastily [illegible] in making up the account. In this action there are [illegible] as well as positive. The same rule obtained in the contested election [illegible] New Jersey, reported in 1840 and known as the Bergen case, [illegible] Vallandigham *v.* Campbell, decided in 1858. See the [illegible] cases, pp. 29 and 56. If it is not to be inferred from this kind of evidence for whom an illegal vote was cast, it can not exist at all, [illegible] is given, by the laws of Ohio, is a secret proceeding known as the Australian [illegible] and he is never compelled to disclose how he voted. [illegible] cast, the majority have [illegible] from the number of votes cast, which [illegible] it was cast and deduct it from his count. (Delano *v.* Morgan, 2 Bartlett, 101.)

Text writers on the law of contested elections have adopted the same rule. Paine says:

> When the secret ballot is used, it is ordinarily more difficult to show for whom an illegal vote was cast than to prove its illegality. Resort must be had to the proper admissions or declarations of the voter, if any, or to the circumstances under which the vote was [illegible] given, and to the conformity of the voters could be produced [illegible] to and upon the question of a contest under the laws of Pennsylvania, as also, in dispute has been in Pennsylvania in regard to one or [illegible] of the counties of that State, which were [illegible] of the election officers, [illegible] of the voter himself. [illegible] courts of appeals of the State of New York in 1861 [illegible] the disqualification was proved by the voter himself. But [illegible] from which [illegible] the voter [illegible] It is to be observed that the question now under consideration [illegible] New York case, [illegible] the decision of the supreme court of Massachusetts [illegible] certain extent this may be so, but the weight of authority and the practice is to allow it in contests of this nature.

The SPEAKER pro tempore (Mr. BOUTELL). The time of the gentleman has expired.

Mr. DRISCOLL. I yield to the gentleman five minutes more.

Mr. STERLING. On that point let me say further that there is a broad distinction to be made between testimony coming from a witness who has cast a legal ballot and one who has cast an illegal ballot. I say in the case of the man that has cast an illegal ballot it is very questionable whether under the law, if he has cast it illegally, wilfully, whether he can be permitted to testify or not, or whether his evidence is competent, and let me tell you the reason, and there is authority for it in cases which have been before this House time and time again. The illegal voter knows that the election has passed and that his ballot has been impeached, and he knows that if he tells the truth, if he testifies for whom that ballot was cast, then it will be taken away from the man for whom he voted.

But if he testified falsely about it, if he testifies that he voted for the other man, then his illegal ballot will not only be counted for his friend in the contest, but one will be taken away from the other party, thus giving to the illegal voter, if his testimony as to how he has voted is made competent, the power, in effect, to cast two illegal ballots at the same election. This is a strong inducement to the corrupt voter to testify falsely with impunity and without fear of the consequences of perjury for the reason that the actual fact is known only to himself.

Now, there is just one other matter to which I desire to refer, and that is this: There are, according to the admissions of counsel for the contestee in this case, more than 1,000 illegal votes outside of these three precincts. More than 1,100, it is charged by the contestant, voted illegally for the reason that they had not paid their taxes under the statute, as is required, before election, and the counsel for the contestee admitted that there were about [illegible] of them; and I say that of the 428 votes that were cast in illegal ballots, counsel for contestee admitted that at least [illegible] of them were illegal, and thus it is with the 500 illegal ballots in the three wards I have named where they are tainted with fraud, and with more than 1,000 illegal ballots elsewhere in the district, we have more than 1,500 illegal ballots in that district.

Something has been said by the gentleman speaking for the contestee to the effect that there was a presumption in this case that had to be overcome by the contestant, and that presumption was that the certificate of election imported verity in this case. I say that where the contestee obtained only 461 plurality by the returns, and where the contestant has proceeded and proven beyond question, beyond doubt, that more than 1,500 of the ballots cast are illegal, that presumption is destroyed and overcome, and there is no further burden on him to overcome a presumption that the election certificate imports a verity. On the contrary, the proof in this case made by the contestant in this regard does not only overcome that presumption, but it proves absolutely and beyond a doubt that this election certificate does not import a verity.

What is a presumption? This is not a conclusive presumption. It is not a presumption that requires proof beyond a reasonable doubt to overcome it. It is a mere naked presumption, which says to the contestant: You must take the first step in this proceeding. The scales are now balanced, and you must proceed by competent evidence to turn the scale, even in the estimation of a juror, and if you have done that, you have made out a prima facie case.

It will not do—and I want to impress that fact upon the gentlemen on this side of this Hall—for them to turn to one page and say: "Here is the evidence that shows how John Smith or William Jones voted." This record of 1,030 pages is full of that. Some of it is here with reference to how John Smith voted; some of it is over there, and some of it in another volume. There were 6,500 witnesses called by this contestant to make out his case, and instead of gentlemen complaining, as they do in their minority report, that he exercised too much energy, that he showed too much interest in the matter, he ought to be given credit for doing what he could to bring the facts before this committee and before this House as to the truth which we all seek in this matter.

My time has almost expired, and I desire to say in conclusion that in my judgment we owe it not only to this contestant—for it involves broader rights than the rights of a single individual, it involves the rights of the whole people and of the purity of the ballot, it involves the very foundation stones of popular government and institutions; and so I say we owe it not only to this contestant but to the whole people that we denounce every act that violates the purity of the ballot and that we nullify every result that flows from such violation. Of all laws the election laws should be the purest and the most sacred in enactment. A poll is sacred, inasmuch as it expresses the will of the people. There is no sanctity thrown around a poll vitiated by fraud, and there is no sanctity around the poll of these three precincts. [Applause on the Republican side.]

Mr. McLAIN. I yield ten minutes to the gentleman from Pennsylvania [Mr. SHULL].

Mr. SHULL. Mr. Speaker, I take it that as a part of the history of this case the fact that William Connell received the nomination of the Democratic ramp convention as a candidate for Congress is important. When it is true that the courts of Pennsylvania decided that this nomination was illegal, so that he was not allowed to be in the Democratic column as a candidate, it is important in this case, for the reason that the majority of the committee in arriving at their conclusion desire this House to arrive at the same conclusion—namely, that in the rejected election districts the Democrats had a majority of the officers, and if they were dishonest in the course or in any way perpetrated fraud they did it in the interest of the contestee.

I desire to say that the contestee in this case made this fight without any party organization back of him. It is true that he received the nomination of the Democratic convention, but through some irregularity his nomination was rejected by the court and he was relegated to the necessity of taking out a nomination under the head of "Antimachine."

I recite this for the reason that I think it important in the consideration of the subject from that standpoint; and I think it just as important that it should appear as a part of the history of this case that the contestant, for the purpose of electing himself to this body, was willing to ride any horse, so it was a winning one; or perchance he was so enamored of the company of Robert E. Pattison, a man who is better hated by the stalwart Republicans of the State of Pennsylvania than any man living in that State, that he desired to keep company with him.

While the course of my remarks will of necessity be somewhat irregular, I desire to call the attention of the House to several statements that have been made by gentlemen upon the other side; and the first of these is the one relative to illegal voters.

Under the law of Pennsylvania, as construed by its supreme court time and time again, it has been decided that while the ballot in that State is a secret one it is secret for the protection only of the legal voter, and that when a voter is proven to have voted illegally—so proven by his own evidence—he can be compelled to testify for whom he voted, or by other evidence, for he stands incriminated without testifying for whom he voted. If that is good law—if that is the law of the Commonwealth of Pennsylvania—then that was the primary evidence to be introduced by the contestant in every instance, preparatory to proving how the man voted. If from some cause perchance the illegal voter could not be reached, then by showing that fact upon the record they would be permitted to introduce secondary evidence, provided the secondary evidence was of a proper character. But in taking this evidence no such course was pursued, nor was it attempted to be pursued.

Before paying some little attention to the majority report I refer to another thing which is a part of the history of this case and appears as a part of the record in the evidence as brought to the House, and that is the conduct of a commission that was appointed to take the testimony in this contest. Under the laws of the State of Pennsylvania, and, I presume under the laws of every Commonwealth of this country—a commission appointed by a court is simply a conduit, a medium to bring evidence to the court, the same as a master in chancery. If that is true, if that is good law, then it was the duty of this commission in every instance to take down what was offered before them, not to rule upon the evidence, not to rule what was competent and what was incompetent. Their proper function was to take down the questions, the objections, if any, of the attorneys, and the answers to the questions; and the ruling on it would be made later by the judicial body.

To the election laws as quoted by the majority I take no exception beyond the fact that the law of 1895 relative to county commissioners and assessors is not properly quoted in their report. It is not the law of 1895, but it is a clause of a law quoted or recited for amendment.

In 1895, after the constitutional amendment doing away with the numbering of the ballots, the necessity of an assessor producing to the county commissioners, in addition to the original entry list, two lists was wiped out. The same is true of the two lists which were required under the older act to be issued by the commissioners and by them given to the election board prior to the opening of the poll. Under the old law when two lists were issued one was styled by the election officers a ballot check list; the other was styled a voters' check list. At the time of the closing of the polls the voters' check list was sealed, with the mutilated ballots, the unused ballots, the affidavits of the election officers, the affidavits of the voters, the election returns, the tally sheets; and these were forwarded to the prothonotary of the court in any county as the custodian of those papers.

The other list was by the election officers sealed up in the ballot box with the other papers required by law, including the ballots. Why this should be quoted, that there should be two lists, I can not conceive, except for the purpose of misleading the House and misleading this committee into supposing that there were a number of lists, copies of the original registry lists, and therefore making it appear plausible for an ingenious and not overscrupulous attorney to bluff upon this committee and upon the House a certified copy of an original entry list that never was and never could have been in the possession of an election officer—for the purpose of what? For the purpose of proving that the election officers had committed fraud through and by an instrument that the law presumes they never saw. The list that went into the hands of the election officers—a copy of the original registry list—was by them sealed up, or presumed to have been sealed up, in the ballot box.

If there were any persons voting whose names were not on the original registry lists as produced to them in alphabetical order, those names would appear at the bottom of their list. If so, then it would become necessary on the part of the election officers to have taken such affidavit as is prescribed by the statutes of the State and return them with the other papers to the prothonotary of the court.

The committee in fairness should have quoted the election law relative to overseers, which permits—

> On petition of five voters of any given district the appointment by the court of overseers for such district may be requested. That the said overseers so appointed shall have the qualifications of an election officer, shall be present from the time of opening the poll until the closing thereof, be present at the counting of the ballots and sign with the election officers the returns of the district for which he may be appointed.

The SPEAKER pro tempore. The time of the gentleman from Pennsylvania has expired.

Mr. SHULL. I should like to have five minutes more.

Mr. McLAIN. Mr. Speaker, I yield to the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes more.

Mr. SHULL. The election law of Pennsylvania requires that the election officers of any given district shall place the alphabetical registry list sent to them by the commissioners, after counting the vote, in the ballot box with the ballots and other papers prescribed by law. Such being the case, it must be evident to any unbiased man that without opening the ballot box in any given election district it would be a physical impossibility to show by documentary evidence whether or not any names of any persons had been added thereto by any election officer unless he be endowed by the Creator with a fluoroscopic eye or a radioactive optic.

With these original registry lists wiped out of existence it must be apparent from what appears on the record itself and the law applicable thereto that the committee is relegated to a decision of this case upon a mass of testimony covering about 500 pages, which, if the most liberal construction of the laws of evidence was applied to it, could be reduced to ten pages. I contend, Mr. Speaker, that the ruling of the commission made every particle of the evidence that was taken by them purely ex parte where the right of cross-examination was denied, and therefore that it could not and should not be used in this case if any pretense of law is to apply. This same remark applies to two affidavits that were taken and that are spread on this record, one of which purports to be a certified copy from the prothonotary of Lackawanna County that there are now no affidavits filed in his office with the other election papers of the district of first and second Winton and first Old Forge.

This evidence is practically worthless for the reason that it proves nothing. Those affidavits might not be there to-day, but is this conclusive evidence to prove fraud or irregularity on the part of election officers, in that those affidavits were not filed at the time prescribed by law? If this be accepted as evidence, why anyone in any court would be able to prove or disprove anything.

Further than that, I desire to say that this part of the election law of Pennsylvania is not mandatory. It is simply directory, and the failure of an election officer to comply with this law does not in any way invalidate the election of any given district.

THE THIRD WARD OF WINTON.

The committee in their report state:

> Notwithstanding the plain, simple, and explicit statement in the statute which provides that no person shall be permitted to vote at the election on that day without exhibiting such receipt (or unless he shall make proof of his right to vote as provided by law), and notwithstanding the oaths of said election officers, and further, that permitted in this ward a large number of persons to vote whose names were not on the registry list without affidavits in proof of their right to vote as required by law.

The only evidence offered that would be admitted by any court of justice in support of any irregularity at this poll is that of Gabrille Kelli, who swears that he did not vote. His name is on the original registry list and is also on the voting list. And Mike Cholish, who swears he did not vote, and his name is on the original registry list and also on the polling list.

The fact developed in these two cases shows clearly that they were instances of personations; in other words, that some other persons voted under the names of each of these two men. While personations might under certain conditions be conclusive evidence of fraud on the part of election officers, yet no one could so infer in an election district composed largely of Slavs, Huns, Lithuanians, and Italians, people of different ethnological stock, of different blends, and characterized by marked lingual differences, gathered in colonies by themselves, and known to their employers and the natives generally only by number or by names indicative of some personal appearance or characteristic.

No unbiased man would state that the personations practiced on an election board of a district composed of this sort of inhabitants could even by inference be accused of fraud or negligence.

The only other instance which it is attempted by testimony that comes anyway near to the dignity of evidence is that of Tom (John) Sevak, or Tom (John) Seval, or Tom (John) Sowal, who seems to be the same man, assessed under the name of Thomas Sowal, who swears that his name is Sevak, and that he had in this district a brother by the name of George Sevak, who is registered also as George Sowal, indicating simply that there is a difference in the spelling of the name, and nothing more.

John Conry, the only election officer in this district who was sworn, testifies that there were no affidavits of voters taken by the election board of that district for the reason that no one voted who was not on the registry list. The contestant seems to have impressed upon the majority of the committee that where a person is marked "D. I." and "I. N." on the registry lists in the hands of the election officers that this is notice to the election officers that this man is not a legal voter and must make affidavit before his vote is received. This is positively not the law of Pennsylvania. Under the law of Pennsylvania, if a man who is so marked on the registry list offers to vote, he must present his naturalization paper, and after doing this he is in the same position as any other registered voter without any letters or words following his name.

The contestant calls a witness by the name of Beni Betti, who swears that there was a conspiracy between him and a man by the name of Lawler to vote men who were not legal voters, and that he and Lawler gathered the men, and that a man by the name of John Lally voted them. They also called Lawler to prove the same thing, and he denied the statement of Beni Betti. It is shown that John Lally was a Republican. The contestant did not call Lally to substantiate or deny the statement of the apparently subsidized Beni Betti, so that the contestant proves and disproves his own allegation, and how much credence can be given the uncorroborated evidence of a self-confessed criminal in the face of the majority of the election board being Democratic, the coconspirator a Democrat, and the ballot marker a Republican, and in the presence of a Republican overseer appointed by the court? And how can that in any way indicate that these foreigners were rounded up and corralled by the friends of the contestee, taken in, and voted by the connivance of the election officers? The respective votes of the contestant and the contestee did not vary materially from the proportionate vote cast at the preceding general election. That the election machinery was apparently in the hands of Mr. Howell's friends seems a piece of witnesin in that the contestant had back of him the Republican party, the ballot reformers, and a part of the Democratic party, and the contestee no party organization, and the balance of this paragraph only intensifies the humor.

THE SECOND WARD OF WINTON.

The evidence of Wallace Barber and Frank Lawcoski is that they did not vote. Their names are on the polling list and, therefore, are evidence of personations. A professional witness, who swears en bloc to the residence and politics of many persons, swears that Thomas Wright and John Mackey, whose names are on the original registry list and on the voting list, are both dead. If this is true it makes the total personations in this district four, and the character of the voters or electors in this district or ward are the same as in the Third Ward and, therefore, should not be construed as indicating fraud on the part of the election officers. Thomas Moore, Thomas O'Conner, and Richard Hasley swear that they voted. They were not registered and made no affidavit, being the only three witnesses to show ignorance, incompetency, or neglicence in the discharge by the election officers of their duty, and I submit whether the casting of this number of illegal votes would warrant the throwing out or rejecting the vote of the whole ward, and thus punish the legal electors of this district for the violation of the election laws by the election officers by the receipt of these votes. Do the precedents of this body warrant so drastic a measure where it is possible to purge and to strike out the illegal or fraudulent votes?

The principle underlying all the decisions of the supreme court of the State of Pennsylvania on contest cases is that the ballot should be purged of illegal or fraudulent votes where it is possible. The disfranchisement of a large body of men who are not only entitled to the elective franchise but who exercise that right in complete conformity of law would be simply monstrous. If this were the rule it would be possible for wicked and designing men to disfranchise thousands of honest voters. Such construction of law will never prevail. The terms of the law must be subordinated to its spirit and purpose.

OLD FORGE, FIRST DISTRICT.

In this district there is no evidence of any violation of the election laws of the Commonwealth of Pennsylvania. The contestant offers as evidence a certificate of John F. Cummings, a prothonotary of Lackawanna County, a document which would not be received as evidence in any court or before any judicial body for the reason that it is ex parte; further, it is not an affidavit relative to a record, neither is it an affidavit to a file as contemplated by law for the reason that under the election laws of the Commonwealth of Pennsylvania the prothonotaries of the courts of each county are simply the custodians of the election returns of his county. If it were admitted as evidence it proves nothing, for the reason that it simply states what is now in his possession as prothonotary, not what was in his possession at the time the returns from that ward came into his possession.

There is no evidence that anyone voted whose name did not appear on the voting list as returned and the alphabetical registry list that is in the ballot box. Neither is there any evidence of duplicates or substitutions. It is true, however, that persons voted opposite whose name the letters "D. I." and "I. N." appeared on the registry list without filing affidavits, for the reason that the law does not require any affidavit to be filed. The election board in this district sent for one Michael Cafferty to fill a vacancy of inspector. He was not registered. He voted, but there is no evidence that he did not make an affidavit required by law. There is no evidence that any peace officer or any other officer at this election polled with friends of the contestee, or that threats were used.

It is true that a Republican watcher by the name of Karnoski was forcibly ejected, and it is also true that if the election officers, of themselves or by means of peace officers, had not ejected this man they would have been derelict in their duty, for the reason that it was proven that this man was violating the election laws of the State by electioneering for the contestant: the law being that all persons are prohibited from electioneering within any election room or within 60 feet thereof.

It is also true that there was another Republican watcher present at this poll all day, and it is also true that there was also present a Republican overseer, who, under the law, was compelled to remain at that poll from the time of its opening until the vote was counted, the ballot box sealed, and the return countersigned by himself. There is no evidence that the right of challenge was denied one man, one man swearing that he challenged one vote. The judge of the election swears that the vote challenged at that poll was not received.

The only evidence that voters were denied the right to make their own selections of persons to assist them in marking their ballots is that this professional ballot marker, Karnoski, after being ejected for violation of the law, was allowed to mark no more ballots, and there is not a scintilla of evidence that any ballots were marked contrary to the desire or instruction of voters, and I submit whether there is anything relative to the conducting of the election at this poll that would justify the statement that the election in the district was conducted in a high-handed manner and without regard to the provisions of the laws of the State. The contest as presented to the House is a parody on justice—comedy that is about to be elevated to the dignity of a tragedy. [Applause on the Democratic side.]

Mr. McLAIN. Mr. Speaker, I would like to inquire how much time we have consumed?

The SPEAKER pro tempore (Mr. BOUTELL). On the Republican side there have been one hundred and forty minutes used, and on the other side one hundred and twenty-four minutes.

Mr. McLAIN. Mr. Speaker, I yield fifteen minutes to the gentleman from Massachusetts [Mr. THAYER].

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. THAYER] is recognized for fifteen minutes.

Mr. THAYER. Mr. Speaker, I think I bring to the consideration of this majority resolution for unseating the contestee as open and unbiased a mind as there is in this House; but I should be false to myself and false to my constituents did I not enter my protest against the passage of this majority resolution.

It appears that the contestee was elected by 461 votes in Lackawanna County to a seat in this House from the Tenth district of Pennsylvania. The purpose of this resolution now is to seek to eject him from the House and to reinstate our good friend Mr. Connell, who was defeated by 461 majority at the last election, and this is undertaken on the ground of fraud, practiced by Mr. Howell and his friends.

Now, Mr. Speaker, let us go back to the beginning of the campaign and ferret out the fraud, if there is any, participated in by anybody and everybody participating in this election. We can not go over all the evidence, over 4,000 pages, of the finest print we often see, in giving the evidence that was taken in this contested-election case, seven-tenths of it in my opinion having no relevancy to the case whatever. But I would like to set up a few milestones along the route, in order that we can take our bearings and see "where we are at."

It has been claimed that this man should be unseated because of fraud in polling the vote for the contestee. Let us see what

parties up in Pennsylvania were most accountable for fraud happening that day. Well, it seems there was a Democratic convention in the county of Lackawanna on the 23d day of September last. From the reports which I have heard of the elections up in Pennsylvania the last few years I had come to believe that there were no Democrats tolerated up there, and I was astonished to learn not only that there are any Democrats up there but that one county is strongly Democratic, and I hope in the time yet to come, and not very far distant, that the little leaven nurtured up in the northwest portion of Pennsylvania may leaven the whole lump.

The Democracy in that sturdy little county met in convention with 192 delegates, and it seems that in some unexplainable way and by some unspeakable means there were 32 delegates in this convention that had been tarred by the Connell stick. They came into the convention and undertook to run it on the principle that the tail could wag the dog. The scheme didn't work. They were spulched and onsted. The immortal thirty-two, those stalwart patriots who would not stoop to fraud and connivance, withdrew from the convention and set up a rump convention and nominated, as they had been requested to, Mr. Connell, one of the most prominent leaders of the Republican ring in that ring-governed Republican State—an excellent gentleman withal, but a violent Democratic hater from start to finish.

Think of it, Mr. Speaker, these 32 veneered Democrats sneaking into a Democratic convention and failing to capture the convention, then setting up a rump convention, and then nominating the Republican nominee, and he, too, one of the rankest of rank Republicans in that ring-ruled Republican State of Pennsylvania. The other 160 delegates remained in their convention and nominated Mr. Howell. About when, Mr. Speaker, did the fraud business begin up in that district, and who were the conspicuous actors?

It seems that there were some technical irregularities found in the proceedings of these two conventions. It does not appear in this mass of printed evidence, so far as I have followed it, just what the irregularities were; but in some way each of these nominations was thrown out by those who are empowered with authority to make up the ticket. I do not know what sort of Democratic representatives they were who went out. It's a new breed, and we have none of them up our way.

But these bolters and hirelings had succeeded at least in one thing. They had deprived the Democratic voters of Lackawanna County of the right to have the name "Democratic candidate" on their ticket, because, as I understand the law of Pennsylvania, when a party fails for any cause to make a regular nomination in convention, and a candidate is nominated on nomination papers, he is not permitted to take any part of the party name to which he belongs. And so in this case Mr. Howell could not have his name in any way connected with the word "Democrat." It could not be "Independent Democrat," "Citizens Democrat," "Popular Democrat," "Regular Democrat," or in any way whatever connect his name with the word "Democrat."

So Mr. Howell ran under the title "Antimachine," and it was a very appropriate title if he could not run under the name of his own party, for he was running, in spite of all their efforts, against "the machine," which the Connell men had attempted to use against him. So you see, Mr. Speaker, that the Democratic party was in at the very threshold of this campaign by those who deprecate and despise fraud and intrigue.

I do not accuse Mr. Connell of this despicable conduct I have shown, for personally I have a great respect for Mr. Connell, but unfortunately he has to share the obloquy of his scheming political manager. I have sat in this House with Mr. Connell for several years, and our relations have always been the most kindly and pleasant; and I know but little of Mr. Howell: was never introduced to him until this morning. I am standing here contending for what appears most clearly to be the right in this matter: and I would rather be right even than that Mr. Howell should be continued in his seat here.

Now, let us see whether the ballot boxes have been stuffed by Democrats or not. I can not go into all the details of this matter, for I am very much limited in my time, but Mr. Pattison, Democratic candidate for governor, the old war horse of the Democratic party in Pennsylvania, received in Lackawanna County a majority of 5,000 votes. Let me give it exactly, so that there may be no mistake. Robert E. Pattison received 5,625 majority of votes in this identically same Congressional district in which Mr. Howell received a majority of 461.

Mr. George Guthrie received a majority of 3,890 as the Democratic candidate for lieutenant-governor; James Nolan, Democratic candidate for secretary of internal affairs, received a majority of 2,287; M. F. Sando, antimachine candidate for orphans' court judge of Lackawanna County, received 1,837 plurality, while poor Howell received the least of all, only 461 majority. This much-heralded "fraud machine" seems to be much out of gear when it is put in operation to roll up majorities for Mr. Howell. But, my friends, let us see how the good people of Lackawanna County looked upon this much-vaunted "fraud" claim in the election of 1902.

My friends, the judge of probate and secretary of internal affairs, elected at the same time by the Democrats of Lackawanna, have taken their seats and are now serenely holding office, although they received far larger majorities than did Mr. Howell. Nobody has questioned their election. No one has gone howling "Fraud!" through the county. Everybody apparently is perfectly satisfied, particularly in large measure because they know that, fortunately or unfortunately, the county is safely Democratic. But for reasons best known, as I believe, to the politics of Pennsylvania, politics of a kind that do not and can not flourish elsewhere on earth, it has seemed necessary and highly essential to put Mr. Connell back in a seat in this body, and it must be done, law or no law, conscience or no conscience.

Now, Mr. Speaker, suppose we go a little further and find out something more about this fraud we have heard so much about. The gang started in first, as I told you, to nominate their Republican candidate through Democratic channels by an attempt to steal and control the regular Democratic convention; and they failed in that, but they did succeed in keeping the name "Democrat" off the Democratic ticket, and compelled Mr. Howell to run without his party's name.

Let us see now about frauds. It seems, in referring to the testimony of one Mr. John Early, taken before the committee, that those in Mr. Connell's interest wanted to influence Mr. Early to take the Democratic vote in his mining district over to Mr. Connell; and while I have not time to read all this choice evidence of these highly moral and fraud-despising managers of Mr. Connell's campaign, let me read some of the choice bits of the conversation that took place between Mr. Early and Mr. Grimes, who, by the way, seems at one time to have been warden in the county jail, and if he is not very careful he will swop places with some of those jail birds he had under his care, and instead of being warden he will be behind the bars himself. Mr Michael Grimes, once warden of the county jail, came to Mr. Early by appointment, and this is the conversation they had:

"Your name is John Early?" I said, "Yes, sir." He said, "You are president of the Gussey Grove Local?" I said, "Yes, sir." He said, "You told me your name is John Early, how are you?" I said, "Yes, sir." He said, "We will give you $1,000 in clear money—you don't have to pay a cent yourself for any expenses—to work for William Connell," he says, "and we will also pay your traveling expenses, and you can name every man in Dunmore who will work for William Connell." He says, "Remember this thousand dollars is your money all the expenses will be paid," he says. "What do you think of that?" I said, "That's all right." He says, "You can get the money if you make a deal before;" he says, "This money dollars will be paid to you before you undertake to do any work in the whatever, that money will be paid down to you."

I have not time in the few minutes left me to read more. Suffice it to say that the reported evidence in this case shows that one of Mr. Connell's managers sought to bribe Mr. Early, who was an officer in one of the labor organizations, with an offer of $1,000 to work for Mr. Connell's election; but that is not all. They have some Italians over there, squads of them, that nobody knows the names of, and they go by numbers, and it seems that some friend of Mr. Connell came in there and went to a high muck-a-muck in the Italian crowd and offered him $160 if he could get his company to vote for Mr. Connell and work for him. This is the testimony:

Q. Do you mean this $160 was paid to the men who are members of that society—do you know Luigo Marosh well?—A. Yes; about seven years.

Q. Do you live in the same district as he does?—A. Yes, sir.

Q. How many votes were there for Mr. Connell in the club?—A. Luigo Marosh wanted to get all the votes for Western Connell.

Q. How many were there who wanted to vote for Mr. Connell?—A. Nobody except that Luigo Marosh.

That is the way this grand old Republican party and its heelers, and so on—I can not stop to read it all—started out to detect fraud. And they come to this House and ask us to find that the officers, made up of Democrats and Republicans, are all a pack of frauds, because they permitted some Poles, Armenians, Italians, and what not to vote when they did not, and nobody else, know their names, or could pronounce them if they did know them. Everywhere they went by numbers rather than by names. Now, Mr. Speaker, I have not time to go into this as I wish, but I want to say to this House now, that even if you throw out in these three parishes, two in Winton and one in Old Forge, every vote that the contestant claims was procured by fraud, and every vote that was not legally cast and accounted for as cast for Mr. Howell, then you will throw out only 321 votes.

I am not here to assent to or deny that they should not be counted for Mr. Howell, and I have not the time to go through with the evidence sufficiently to satisfy myself on that question, but I wish the House to note that I am now quoting from the majority report, the Republican report, on page 6, and here it ap-

pears and is stated in direct terms that the contestant's counsel claimed, so says the report, "that in the Third Ward of Winton 80 votes were received from persons whose names were not on the registry list, and from whom no affidavits were required in [illegible] to vote as required by law."

In the Second Ward there were [illegible] votes [illegible] counsel claimed that [illegible] votes were illegal. There were [illegible] votes [illegible] voters or [illegible] votes were cast for Mr. Howell, of which [illegible] votes were cast for Mr. Howell. [illegible] votes [illegible] throw out all the votes of [illegible] wards, and that [illegible] result.

It would seem to me [illegible] exact justice in the premises [illegible] votes were cast and all those were [illegible] votes were [illegible] Mr. Howell's [illegible] ones.

The committee in their report recommend that we wipe out all the votes in these three Democratic wards and then go over the rest of the votes and take [illegible] votes more or less of about 2,000 that the contestant alleges, but does not prove, were improperly cast, and we will then have reduced the majority of Mr. Howell to nothing and give a majority for Mr. Connell.

In these wards they do not claim that they have obtained the number of votes fraudulently cast for Mr. Howell, but guess at it when they say, as they do in their report, that "at least there are two fraudulent votes which should be thrown out."

I say to any fair-minded man on this side of the House, is it anything more than fair and just, if the claimant goes before the committee and he claims that only 231 votes in these three wards were wrongfully polled, that we should say, Democrats and the other voters in these wards whom we know that there are only 231 illegal votes claimed to have been polled for Mr. Howell, Why, is it not better to say that you will only throw out the 231 claimed by the contestant to have been fraudulently cast and leave the rest as an honest vote? If you do this, my friends, Mr. Howell will have a majority. And now let us consider how they get the votes [illegible] from Mr. Howell. The committee seeks to get rid of those three wards and then the other Democratic and over La Salle county and say if they can not scrape up a little majority for Mr. Connell, and this is the method of proving that [illegible] votes were illegally polled or improperly voted. They say they found on the list [illegible] the name of "A," and they scratch out numerous votes the neighborhood where "A" is supposed to live.

That member goes to whomever he sees fit for information, and gets it. Perhaps it is a friend or neighbor or some [illegible], and they tell him that the man was not here on election day, that he was [illegible] "I would say, that when the witness [illegible] A was not [illegible] vote, and that when he did [illegible] votes, and that when he swore that A the man would [illegible] Lake [illegible] But this [illegible] in the neighborhood, and then he comes [illegible] Mr. Howell. Mr. Connell [illegible] "Were you [illegible] Mr. HOWELL [illegible] Mr. CONNELL [illegible]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. THAYER. I have not had that [illegible] started. If he [illegible] demands the time I should like to continue a little while longer.

Mr. McLAIN. I have no more time now at my disposal.

Mr. DRISCOLL. Mr. Speaker, now much time has been occupied on each side?

The SPEAKER pro tempore. One hundred and thirty-nine minutes by the minority and one hundred and forty minutes by the majority.

Mr. McLAIN. We ask the other side to use some of their time now.

Mr. DRISCOLL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 18 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 1 of Rule XXIV, the following executive communications were presented to the House and severally referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of J. B. [illegible], administrator of estate of M. [illegible], against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for the Western Branch of the National Home for Disabled Volunteer Soldiers—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for superintendent's lodge, national cemetery, Fort Leavenworth, Kansas—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8435) to amend [illegible] of March 11, 1902 relating to homesteads, reported the same with amendment, accompanied by a report (No. [illegible]), which said bill and report were referred to the House Calendar.

Mr. BROWN of Wisconsin, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, reported the same with amendment, accompanied by a report (No. 889); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BLAKE, from the Committee on Indian Affairs, to which were referred the bill of the House (H. R. [illegible]) to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. [illegible], from the Committee on Military Affairs, to which was referred the bill of the House (H. R. [illegible]) to authorize the Secretary of War to accept from the [illegible] of Missouri [illegible] Fort Massacre, Missouri, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MAHON, from the Committee on War Claims, to which was referred the bill of the Senate (S. 352) for the relief of the

representatives of M. F. Merritt, deceased, reported the same without amendment, accompanied by a report (No. 790); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10991) granting an increase of pension to Frances C. McFarland, reported the same with amendment, accompanied by a report (No. 791); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to John H. Reed, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11310) granting a pension to John W. Swisher, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11076) granting an increase of pension to Elvira Miller, reported the same with amendment, accompanied by a report (No. 794); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10994) granting an increase of pension to Alderson T. Keen, reported the same with amendment, accompanied by a report (No. 795); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible] W. Harlan, reported the same with amendment, accompanied by a report (No. 796); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Edward M. Tappen, reported the same with amendment, accompanied by a report (No. 797); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Thomas Jefferson Campton, reported the same with amendment, accompanied by a report (No. 798); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1111[illegible]) granting an increase of pension to Silas G. Soules, reported the same with amendment, accompanied by a report (No. 799); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1131[illegible]) granting an increase of pension to Mary [illegible], reported the same with amendment, accompanied by a report (No. 800); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9753) granting an increase of pension to Sarah J. Loomis, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13[illegible]) granting an increase of pension to Mary W. [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to [illegible] Montgomery, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to George E. [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Agnes Shearer, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7248) granting a pension to R. H. Cooke, reported the same with amendment, accompanied by a report (No. 807); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8272) granting an increase of pension to Stephen Elliott, reported the same with amendment, accompanied by a report (No. 808); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11413) granting an increase of pension to Jasper F. Morton, reported the same with amendment, accompanied by a report (No. 810); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9035) granting an increase of pension to Joseph Branen, reported the same with amendment, accompanied by a report (No. 811); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8825) granting an increase of pension to John Weaver, reported the same without amendment, accompanied by a report (No. 812); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8835) granting an increase of pension to Charles H. Jackson, reported the same with amendment, accompanied by a report (No. 813); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6814) granting an increase of pension to Edward W. Miller, reported the same with amendment, accompanied by a report (No. 814); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9[illegible]) granting a pension to Alice W. Clarke, reported the same with amendment, accompanied by a report (No. 815); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8[illegible]) granting an increase of pension to Henry L. Beach, reported the same with amendment, accompanied by a report (No. 816); which said bill and report were referred to the Private Calendar.

Mr. LINDSAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8[illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. 817); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9127) granting a pension to Moses Sullivan, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4864) granting an increase of pension to C. E. Mink, reported the same with amendment, accompanied by a report (No. 819); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5999) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4198) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 515[illegible]) granting an increase of pension to John J. Tompkins, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4680) granting an increase of pension to T. S. Collins, reported the same with amendment, accompanied by a report (No. 823); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4872) granting

an increase of pension to Albert W. Bradbury, reported the same without amendment, accompanied by a report (No. 824); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4449) granting an increase of pension to William Brown, reported the same with amendment, accompanied by a report (No. 825); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2991) granting a pension to Nora J. Glahn, reported the same with amendment, accompanied by a report (No. 826); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Abram B. Stone, reported the same with amendment, accompanied by a report (No. 827); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1339) granting an increase of pension to Joseph Smith, reported the same with amendment, accompanied by a report (No. 828); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 720) granting an increase of pension to Frank L. Gray, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2692) granting an increase of pension to Elwood Fisher, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2192) granting an increase of pension to William O. Smith, reported the same with amendment, accompanied by a report (No. 831); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2976) granting a pension to Enoch J. Evans, reported the same with amendment, accompanied by a report (No. 832); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2947) granting an increase of pension to William F. Thompson, reported the same with amendment, accompanied by a report (No. 833); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2995) granting a pension to Mary Korth, reported the same with amendment, accompanied by a report (No. 834); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 936) granting an increase of pension to William Millian, reported the same without amendment, accompanied by a report (No. 835); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4192) granting an increase of pension to Frederick A. Slocum, reported the same with amendment, accompanied by a report (No. 836); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4719) granting an increase of pension to Joseph F. Carter, reported the same with amendment, accompanied by a report (No. 837); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6335) granting an increase of pension to James A. Barnes, reported the same with amendment, accompanied by a report (No. 838); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3936) granting an increase of pension to Isaac Frazier, reported the same with amendment, accompanied by a report (No. 839); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4605) granting an increase of pension to William Herlinger, reported the same with amendment, accompanied by a report (No. 840); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5750) granting a pension to William Cassidy, reported the same with amendment, accompanied by a report (No. 841); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5380) granting a pension to Celia C. Owen, reported the same with amendment, accompanied by a report (No. 842); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10748) granting an increase of pension to Kate Ridgeway, reported the same with amendment, accompanied by a report (No. 843); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5342) granting a pension to James E. Smith, reported the same with amendment, accompanied by a report (No. 844); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1119[illegible]) granting an increase of pension to Frank S. Nickerson, reported the same with amendment, accompanied by a report (No. 845); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Wilfred C. McCardell, reported the same with amendment, accompanied by a report (No. 846); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9980) granting an increase of pension to Edwin A. Haradon, reported the same with amendment, accompanied by a report (No. 847); which said bill and report were referred to the Private Caelndar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4151) granting a pension to John W. Foland, reported the same with amendment, accompanied by a report (No. 848); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10850) granting an increase of pension to Adaline L. Powers, reported the same with amendment, accompanied by a report (No. 849); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8970) granting an increase of pension to Charles B. Hart, reported the same without amendment, accompanied by a report (No. 8[illegible]0); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10194) granting an increase of pension to Marion Long, reported the same without amendment, accompanied by a report (No. 851); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7436) granting an increase of pension to James Smith, reported the same with amendment, accompanied by a report (No. 852); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10700) granting a pension to Ella D. Madden, reported the same with amendment, accompanied by a report (No. 853); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9125) granting an increase of pension to William S. King, reported the same with amendment, accompanied by a report (No. 854); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6602) granting an increase of pension to B. F. Hackett, reported the same with amendment, accompanied by a report (No. 855); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7659) granting a pension to Emma M. Elliott, reported the same with amendment, accompanied by a report (No. 856); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8991) granting an increase of pension to William E. Mattison, reported the same with amendment, accompanied by a report (No. 857); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8966) granting an increase of pension to James M. Fink, reported the same with amendment, accompanied by a report (No. 858); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9061) granting a pension to Henrietta A. Buell, reported the same with amendment, accompanied by a report (No. 859); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8811) granting an increase of pension to James Dougherty, reported the same with amendment, accompanied by a report (No. 860); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8284) granting an increase of pension to Samuel G. Woods, reported the same without amendment, accompanied by a report (No. 861); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7066) granting a pension to Elizabeth B. Constant, reported the same with amendment, accompanied by a report (No. 862); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7096) granting an increase of pension to Eva A. Burgess, reported the same without amendment, accompanied by a report (No. 863); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6618) granting an increase of pension to Henry C. Coffin, reported the same with amendment, accompanied by a report (No. 864); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2930) granting an increase of pension to L. M. Greene, reported the same with amendment, accompanied by a report (No. 865); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2573) granting an increase of pension to William G. Cronkite, reported the same with amendment, accompanied by a report (No. 866); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2116) to increase the pension of Richard C. Ivory, reported the same with amendment, accompanied by a report (No. 867); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1566) granting an increase of pension to Ellis T. Peirce, reported the same with amendment, accompanied by a report (No. 868); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1485) granting an increase of pension to Franklin Ferguson, reported the same with amendment, accompanied by a report (No. 869); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1563) granting a pension to Orv Warriner, reported the same with amendment, accompanied by a report (No. 870); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 941) granting an increase of pension to William D. Taylor, reported the same with amendment, accompanied by a report (No. 871); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1314) granting a pension to Denison L. Brown, reported the same with amendment, accompanied by a report (No. 872); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 846) granting an increase of pension to Catharine W. Collins, reported the same without amendment, accompanied by a report (No. 873); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2215) granting a pension to Sallie H. Hoffecker, reported the same without amendment, accompanied by a report (No. 874); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2441) granting an increase of pension to Frank Lee, reported the same without amendment, accompanied by a report (No. 875); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2558) granting an increase of pension to Sallie H. Eincaid, reported the same without amendment, accompanied by a report (No. 876); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2557) granting a pension to Johnaken L. Mynatt, reported the same without amendment, accompanied by a report (No. 877); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2889) granting an increase of pension to John Beaird, reported the same without amendment, accompanied by a report (No. 878); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 962) granting an increase of pension to Jennet Thoits, reported the same without amendment, accompanied by a report (No. 879); which said bill and report were referred to the Private Calendar.

Mr. STEVENS of Minnesota, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 4405) to correct the military record of Carl W. Albrecht, reported the same without amendment, accompanied by a report (No. 880); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1330) granting a pension to Jerry S. Fish, reported the same with amendment, accompanied by a report (No. 881); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2561) granting an increase of pension to Mathias S. Friend, reported the same without amendment, accompanied by a report (No. 882); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2844) granting a pension to Jane Patte son, reported the same without amendment, accompanied by a report (No. 883); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1532) granting an increase of pension to Electa Allen, reported the same without amendment, accompanied by a report (No. 884); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2924) granting an increase of pension to Samuel E. Cormany, reported the same without amendment, accompanied by a report (No. 885); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2103) granting an increase of pension to John L. McVey, reported the same without amendment, accompanied by a report (No. 886); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1937) granting an increase of pension to Samuel Richards, reported the same without amendment, accompanied by a report (No. 887); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 1525) appropriating payment for services to be rendered in securing just trials for laboring men in the Navy—Committee on Claims discharged, and referred to the Committee on Naval Affairs.

A bill (H. R. 14838) granting an increase of pension to William H. Mann—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HOGG: A bill (H. R. 12040) to provide for the purchase of a site and the erection of a public building thereon at Grand Junction, Colo.—to the Committee on Public Buildings and Grounds.

By Mr. HOUSTON: A bill (H. R. 12041) to modify and simplify the pension laws of the United States—to the Committee on Invalid Pensions.

By Mr. FRENCH: A bill (H. R. 12042) to protect the rights of women citizens of the United States to register and vote for Members of the House of Representatives—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, a bill (H. R. 12043) to provide for an examination to determine the feasibility of reclaiming the overflowed lands of the Kootenai River in northern Idaho and Montana—to the Committee on the Public Lands.

By Mr. YOUNG: A bill (H. R. 12044) to authorize the establishment of a life-saving station at or near Eagle Harbor, Keweenaw Point, Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. HUNTER: A bill (H. R. 12138) making appropriation to provide current literature for reading and recreation rooms at army posts—to the Committee on Military Affairs.

By Mr. WM. ALDEN SMITH: A joint resolution (H. J. Res. 105) providing for the erection of a monument in Arlington Cemetery to the memory of Charles Vernon Gridley, late captain, United States Navy—to the Committee on the Library.

Also, a resolution (H. Res. 28) providing for certain clerical employment by the Committee on Rules—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 12045) granting a pension to John H. Stevens—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 12046) for the relief of John Coulliard—to the Committee on Claims.

By Mr. BARTLETT: A bill (H. R. 12047) granting a pension to Mary S. Platt—to the Committee on Pensions.

By Mr. BATES: A bill (H. R. 12048) granting an increase of pension to Maria Leuckart—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 12049) granting an increase of pension to Andrew J. Molder—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12050) granting an increase of pension to David R. Luttrell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12051) granting a pension to William R. Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12052) granting a pension to Walter P. Mitchell—to the Committee on Invalid Pensions.

By Mr. BROWN of Pennsylvania: A bill (H. R. 12053) granting an increase of pension to James Large—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12054) granting a pension to Daniel W. Radebaugh—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 12055) granting an increase of pension to Henry S. Stowell—to the Committee on Pensions.

By Mr. CAMPBELL: A bill (H. R. 12056) granting an increase of pension to Kerzia Cherry—to the Committee on Pensions.

By Mr. CLARK: A bill (H. R. 12057) granting an increase of pension to John M. C. Rentfro—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 12058) granting an increase of pension to John W. Dickey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12059) granting an increase of pension to Michael Cover—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12060) granting an increase of pension to William P. Forster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12061) granting a pension to Rachel Feargal—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 12062) granting a pension to Edward H. Bennett—to the Committee on Invalid Pensions.

By Mr. DANIELS: A bill (H. R. 12063) granting an increase of pension to George S. Myers—to the Committee on Invalid Pensions.

By Mr. DICK: A bill (H. R. 12064) granting an increase of pension to Amos L. Hood—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12065) granting an increase of pension to Esther Crane—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12066) granting an increase of pension to Edrick J. Frary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12067) granting an increase of pension to John R. Wolfe—to the Committee on Invalid Pensions.

By Mr. DINSMORE: A bill (H. R. 12068) for the relief of the estate of Jesse Hollingshead, deceased, late of Benton County, Ark.—to the Committee on War Claims.

By Mr. DRESSER: A bill (H. R. 12069) granting an increase of pension to Joseph Eckley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12070) for the relief of Clayton S. Gardner—to the Committee on Claims.

Also, a bill (H. R. 12071) for the relief of Clayton S. Gardner—to the Committee on Claims.

By Mr. GAINES of West Virginia: A bill (H. R. 12072) for the relief of J. D. Coleman—to the Committee on War Claims.

By Mr. GILLET of New York: A bill (H. R. 12073) granting an increase of pension to Eliza J. Gardner—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 12074) granting an increase of pension to Francis Goake—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 12075) granting an increase of pension to Loren S. Axtell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12076) granting an increase of pension to Matthew Stewart—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12077) granting an increase of pension and restoration of pension to Nelson Jenks—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 12078) granting an increase of pension to James H. Robinson—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 12079) granting a pension to Mary G. Mew—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 12080) granting an increase of pension to James A. Zabriskie—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12081) granting an increase of pension to Joseph B. Leatherman—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 12082) granting an increase of pension to Adline Petara—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12083) granting an increase of pension to William A. Aultman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12084) granting an increase of pension to John Hartley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12085) granting an increase of pension to Rudolph Burkhart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12086) granting a pension to William Hudson—to the Committee on Pensions.

By Mr. HOGG: A bill (H. R. 12087) granting an increase of pension to George S. Woods—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 12088) granting an increase of pension to James M. Watts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12089) granting an increase of pension to William H. Dooley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12090) granting an increase of pension to William R. Clark—to the Committee on Invalid Pensions.

By Mr. LANNING: A bill (H. R. 12091) for the relief of Second Lieut. Gouverneur V. Packer, Twenty-fourth United States Infantry—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 12092) correcting the military record of Jesse L. Meeks—to the Committee on Military Affairs.

By Mr. MOON of Pennsylvania: A bill (H. R. 12093) granting an increase of pension to Sarah A. McMurtrie—to the Committee on Pensions.

By Mr. MURDOCK: A bill (H. R. 12094) granting an increase of pension to James T. McKinstry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12095) granting an increase of pension to Henry Benfer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12096) granting an increase of pension to August Siederman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12097) granting an increase of pension to Royal C. Johnson—to the Committee on Invalid Pensions.

By Mr. MCCREARY of Pennsylvania: A bill (H. R. 12098) to correct the military record of James McMillan—to the Committee on Military Affairs.

By Mr. PAYNE: A bill (H. R. 12099) granting an increase of pension to Edwin M. Slayton—to the Committee on Invalid Pensions.

By Mr. PIERCE: A bill (H. R. 12100) for the relief of the trustees of the Cumberland Presbyterian Church and Manse, Lodge of Rockerfield, Gibson County, Tenn.—to the Committee on War Claims.

By Mr. POWERS of Massachusetts: A bill (H. R. 12101) to correct the military record of Henry Rockwood—to the Committee on Military Affairs.

By Mr. REID: A bill (H. R. 12102) granting a pension to Lavall C. Obarr—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12103) to correct the military record of Harry

Miller and grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. RICHARDSON of Alabama: A bill (H. R. 12104) for the relief of La Grange College—to the Committee on War Claims.

By Mr. ROBINSON of Arkansas: A bill (H. R. 12105) granting an increase of pension to James A. Lowe—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 12106) granting an increase of pension to Stephen Rogers—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 12107) to refund to the Greenbrier Distillery Company taxes paid on whisky destroyed—to the Committee on Claims.

Also, a bill (H. R. 12108) for the relief of Mary Douglas Griffith—to the Committee on Claims.

Also, a bill (H. R. 12109) granting a pension to Charles F. Williams—to the Committee on Pensions.

By Mr. SIBLEY: A bill (H. R. 12110) authorizing the Commissioner of Patents to extend the patent issued to William Richards for extracting oil from oil wells and oil-bearing rock, and tubes therefor—to the Committee on Patents.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12111) granting a pension to Mary Fitz Gibbons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12112) for the relief of Alonzo Vangordon—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 12113) granting an increase of pension to Walter Eckel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12114) granting an increase of pension to Henry De Groff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12115) granting an increase of pension to Henry Hahn—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: A bill (H. R. 12116) for the relief of Civil Engineer P. C. Asserson, retired—to the Committee on Naval Affairs.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 12117) for the relief of the heirs of William Pitcher and Axel Hayford, and Samuel Otis and George B. Fergusson—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 12118) for the relief of Warren W. Keen—to the Committee on Claims.

By Mr. TAYLOR: A bill (H. R. 12119) for the relief of Hannah J. Jones, executrix of Emanuel Jones, deceased, a British subject—to the Committee on Foreign Affairs.

By Mr. WATSON: A bill (H. R. 12120) granting an increase of pension to David C. Benjamin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12121) granting an increase of pension to Aurelian B. Armington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12122) granting an increase of pension to George W. Guire—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12123) granting an increase of pension to Alexander Renn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12124) granting an increase of pension to Thomas J. Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12125) granting an increase of pension to Henry Bachman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12126) granting an increase of pension to William Ewin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12127) granting an increase of pension to Asa A. Farmer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12128) granting an increase of pension to David Morgan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12129) granting an increase of pension to John L. Cooper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12130) to remove the charge of desertion from the record of Michael Fitzgerald—to the Committee on Military Affairs.

Also, a bill (H. R. 12131) granting an increase of pension to Edward R. Chapman—to the Committee on Pensions.

By Mr. BURTON: A bill (H. R. 12132) granting a pension to Mary L. McClure—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 12133) granting an increase of pension to James Johnson—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 12134) granting an increase of pension to Albert Haideman—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 12135) granting an increase of pension to William Rummel—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12136) granting an increase of pension to Maria S. Benson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12137) for the relief of Emeline E. Musgrave—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of the Philadelphia Board of Trade, asking for favorable action upon bills S. 2259 and 2263—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Antlers Republican Club, protesting against the removal of the United States district court from Antlers, Ind. T., to Hugo, Ind. T.—to the Committee on the Judiciary.

By Mr. ACHESON: Resolution of Philadelphia Board of Trade, relative to continuing the trade between the United States and the Philippines to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of James Noble Post, No. 348, Grand Army of the Republic, West Alexander, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Resolution of Philadelphia Board of Trade, relative to continuing the trade between the United States and the Philippines to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the National Board of Trade, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. ALLEN: Paper to accompany claim of John Coulliard—to the Committee on Claims.

By Mr. BARTLETT: Petition of C. B. Holleman and 18 other voters; W. H. Hatcher and 21 other voters; W. H. Reynolds and 29 other voters; La Mar, Taylor & Riley Drug Company and 70 voters, and E. A. Middlebrooks and 80 other voters, protesting against the passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BASSETT: Petition of New York Board of Trade and Transportation, against increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BENTON: Papers to accompany bill granting increase of pension to David R. Luttrell—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Walter P. Mitchell—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting pension to William R. Collins—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to Andrew J. Molder—to the Committee on Invalid Pensions.

By Mr. BURKE: Petition of L. G. Borst and 48 others, of Brookings, S. Dak., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Papers to accompany bill granting increase of pension to Henry S. Stowell—to the Committee on Pensions.

Also, petition of the Woman's Christian Temperance Union and 37 others, of Fairfield, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Charles L. Stevens Post, No. 76, Grand Army of the Republic, Department of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: Petition of Rev. Henry C. Sperbeck and 12 others, of West Grove, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Edwin P. Seilew and 61 others, of Darby-boro, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Avondale Woman's Christian Temperance Union, of Avondale, Pa., against sale of liquors in soldiers' Homes and Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CALDERHEAD: Petitions of C. A. Tripp and 35 others, of Herington; E. A. Tripp and 49 others, of Herington; J. F. Clark and 39 others, of Tescott; Robert L. Kepperling and 71 others, of Junction City, and Robert L. Kepperling and 68 others, of Junction City, all in Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the board of regents of the Kansas State Agricultural College, in favor of bill H. R. [illegible] appropriations for experiment stations—to the Committee on Agriculture.

Also, resolution of James B. McPherson Post, No. 87, Grand Army of the Republic, Department of Kansas, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of John Pope Post, Grand Army of the Republic, and the Woman's Relief Corps, in favor of the Hepburn-Dolliver service-pension bill—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Petition of producers and oil operators of the Third Congressional district of Kansas, favoring the passage of bill H. R. 9636—to the Committee on Indian Affairs.

Also, petition of 200 members of the First Christian Church of Chanute, Kans., in favor of the passage of the Hepburn bill, H. R. 4072; also petition of H. Cox and 29 others, of Lowell, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of James B. McPherson Post, No. 87, Grand Army of the Republic, of Kansas, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of the board of regents of the Kansas State Agricultural College, for additional appropriations for agricultural experiment stations—to the Committee on Agriculture.

By Mr. CASSINGHAM: Papers to accompany bill H. R. 11058, granting a pension to Mary Apple—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 6332, granting a pension to Rachel Davis—to the Committee on Invalid Pensions.

By Mr. CLARK (by request): Petition of T. J. Terril and others, of Bowling Green, Ky., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Lincoln County, Mo., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. COOPER of Pennsylvania: Resolution of George D. Bayard Post, No. 178, of Belle Vernon, Fayette County, Grand Army of the Republic, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. DANIELS: Papers to accompany bill granting a pension to George S. Myers—to the Committee on Invalid Pensions.

Also, resolutions of Pomona Board of Trade, favoring the improvement of the inner harbor at San Pedro, Cal.—to the Committee on Rivers and Harbors.

By Mr. DINSMORE: Paper to accompany bill to increase pension of Samuel H. Johnson—to the Committee on Invalid Pensions.

Also, paper to accompany claim of the estate of Jesse Hollingshead—to the Committee on War Claims.

Also, petition of A. J. White and 89 others, of Springdale, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DRAPER: Resolution of the Philadelphia Board of Trade, in favor of bills S. 2259 and 2263, relative to confining the trade between the United States and the Philippines to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

By Mr. DRESSER: Paper to accompany claim of Clayton S. Gardner—to the Committee on Claims.

Also, petition of Clayton S. Gardner, of Howard, Pa., asking for reimbursement for moneys expended by him for medicines and medical attendance while on a furlough—to the Committee on War Claims.

By Mr. ESCH: Resolution of the Board of Trade of La Crosse, Wis., relative to closing the custom-house at La Crosse, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. FITZGERALD: Resolution of New York Council, No. 114, United Commercial Travelers of America, in favor of amending the bankruptcy law—to the Committee on the Judiciary.

Also, resolution of the Chamber of Commerce of New York, relative to completing the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Board of Trade, relative to confining trade between United States and the Philippines to American registry vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. FULLER: Resolutions of Philadelphia Board of Trade, in relation to Philippine commerce—to the Committee on Insular Affairs.

By Mr. GRANGER: Petition of H. W. Watjen and 36 other voters, of Warren; E. S. Vaughn and 4 other voters, of Warren; W. S. McAdam and 24 other voters, of Providence; Benjamin Greene and 19 other voters, of Portsmouth; J. B. Mott and 35 other voters, of Block Island, and Charles Peckham and 44 other voters, of Middletown, all in Rhode Island, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GREENE: Petition of C. A. Davis and other shipbuilders, favoring such legislation as shall deny American registry to any foreign-built vessels—to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMILTON: Resolution of Henry M. Liddle Post, No. 131, Department of Michigan, Grand Army of the Republic, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Petition of Virgil Walker and 11 others of Brighton, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HASKINS: Resolution of the Sixth Corps, No. 112; Ellsworth Post, No. 25, and U. S. Grant Post, No. 96, Grand Army of the Republic, Department of Vermont, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Hooker Post, No. 5; Woodbury Post, No. 63, and O. O. Howard Post, No. 38, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Petition of James M. Wilson and 19 other voters, of Oelwein, Fayette County, State of Iowa, in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of George W. S. Dodge Post, No. 132, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Ossian, Iowa, against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HEDGE: Resolutions of George H. Emerson Post, No. 268, and Ed Hamlin Post, No. 112, Grand Army of the Republic, Department of Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Clay Woman's Christian Temperance Union and 16 others, of Clay; Carl Stiefel and 12 others, of Henry County; C. E. Hamilton and 15 others, J. M. Hooley and 14 others, of Henry County, and W. G. Wilson and 70 others, of Mount Pleasant, all in Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Resolution of the Chamber of Commerce of New Haven, in favor of harbor of refuge at Hortons Point—to the Committee on Rivers and Harbors.

By Mr. HILDEBRANT: Papers to accompany bill H. R. 1471, granting an increase of pension to Hill C. Crawford; papers to accompany bill granting an increase of pension to John Hartley; papers to accompany bill H. R. 6007, granting a pension to James H. Berryman, and papers to accompany bill granting an increase of pension to Adline Petard—to the Committee on Invalid Pensions.

By Mr. HINSHAW: Resolutions of organized agriculture and other agricultural societies of Nebraska, in favor of bill H. R. 8678—to the Committee on Agriculture.

By Mr. HOGG: Petition of M. E. Hanks and 37 others, of Salida, Colo., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUFF: Resolution of Philadelphia Board of Trade, relative to the extension of the navigation laws—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: Paper to accompany bill granting a pension to Walter F. Horner—to the Committee on Pensions.

By Mr. KELIHER: Resolutions of New England Shoe and Leather Association, relative to charges in the consular service—to the Committee on Foreign Affairs.

Also, resolutions of New England Shoe and Leather Association, for legislation relative to freight rates—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Massachusetts Agricultural College Alumni Club, favoring additional appropriations for State experiment stations—to the Committee on Agriculture.

Also, resolutions of the National Association of Agricultural Implement and Vehicle Manufacturers, relative to forestry and irrigation—to the Committee on Irrigation of Arid Lands.

Also, resolutions of the National Association of Agricultural and Implement and Vehicle Manufacturers, favoring the policy of reciprocity—to the Committee on Ways and Means.

Also, resolution of the Rochester Chamber of Commerce, in the interest of more adequate waterways in the State of New York—to the Committee on Railways and Canals.

Also, resolutions of the Massachusetts legislature, relative to Government control or ownership of anthracite mines—to the Committee on Mines and Mining.

Also, resolutions of the Massachusetts legislature, recommending a stated international congress to deliberate on questions of common interest to the nations—to the Committee on the Judiciary.

Also, resolutions of the Boston Associated Board of Trade, recommending continuance of the rebate of the duty on coal—to the Committee on Ways and Means.

Also, resolutions of the Philadelphia city council, for a deeper channel in Delaware River and Bay and in the harbor of Philadelphia—to the Committee on Rivers and Harbors.

Also, resolution of the Boston Metal Trades Association, opposing the anti-injunction bill now before Congress—to the Committee on the Judiciary.

Also, resolution of the Boston Metal Trades Association, opposing so-called eight-hour legislation—to the Committee on Labor.

Also, resolution of John A. Andrews Post, No. 15, Grand Army of the Republic, of Boston; Union Veterans' Union, of Chelsea; Edwin W. Rand, Company L, First Massachusetts Heavy Artillery, Abraham Lincoln Post, No. 4, Grand Army of the Republic, of Charlestown, and Charles Russell Lowell Post, No. 7, Grand Army of the Republic, of Boston, all in Massachusetts, favoring a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the National German-American Alliance, recommending legislation in the interests of immigration—to the Committee on Immigration and Naturalization.

Also resolutions of the National Business League, of Chicago, Ill., recommending legislation providing for the enlargement of the United States Navy—to the Committee on Naval Affairs.

Also, resolution of the city council of Salem, Mass., indorsing the McCall bill for the suspension of navigation laws for the purpose of facilitating the transportation of coal—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Board of Trade of Gloucester, Mass., indorsing proposed legislation to provide for pensions for members of the Life-Saving Service and for their widows and minor children—to the Committee on Pensions.

Also, resolution of the Atlantic Coast Marine Firemen's Union, protesting against the McCall bill providing for coastwise trade for ninety days for foreign tramp vessels—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Boston Lodge, No. 80, I. O. S. B., of Boston; Star Lodge, No. 303, O. B. A.; Pride of Massachusetts Lodge, No. 181, of Boston, and B'nai Jacob Lodge, No. 89, I. O. A. I., of Boston, protesting against methods and practice of immigration officers in deportation cases of Jewish immigrants—to the Committee on Foreign Affairs.

By Mr. KETCHAM: Petition of Albert I. Akin, secretary of Patterson (N. Y.) Grange, No. 939, and 70 members, favoring passage of Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of D. T. Slater and 38 others, of Windham, Greene County, N. Y., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KLINE: Resolution of Samuel Kress Post, No. 284, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Philadelphia Board of Trade, relative to confining the trade between the United States and the Philippines to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

By Mr. LACEY: Petition of citizens of Ottumwa, Iowa, protesting against enactment of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of H. A. Towne and 38 other voters, of Whiting, Monona County, Iowa, and of J. A. Hahn and 41 other voters, of Colfax, Iowa, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: Memorial of Lamb Transportation Company and 33 other firms, individuals, and corporations engaged in the shipping business, protesting against admission of foreign-built ships to American registry—to the Committee on the Merchant Marine and Fisheries.

By Mr. LOUDENSLAGER: Resolution of the legislature of the State of New Jersey, in favor of the improvement of the harbor adjacent to the city of Cape May, N. J.—to the Committee on Rivers and Harbors.

By Mr. McMORRAN: Petition of Theodore Blake, mayor of Lapeer, Mich., and 46 other voters of that city; also petition of C. M. Campbell and 20 other voters of the same city, urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of James Ferguson and 13 other voters, of Grandin, Cass County, N. Dak.; C. D. Locklin and 31 other voters, of Rolette County, N. Dak., and J. Woolsey and 31 other voters, of Wahpeton, N. Dak., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of F. B. Smith and 25 other voters, of Leal, Barnes County, N. Dak., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. METCALF: Petitions of Walter W. Bradley and 27 others, W. Clyde Smith and 28 others, and of C. J. Hill and 35 others, of Berkeley, Cal., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MURDOCK: Petition of W. H. Barr and 45 others, of Ransom, Kans., and of George R. Blake and 79 others, of St. John, Kans., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of James B. McPherson Post, No. 87, Grand Army of the Republic, of McPherson, Kans., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. PORTER: Resolution of the Philadelphia Board of Trade, relative to confining the trade between the United States and the Philippines to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

By Mr. POWERS of Massachusetts: Resolutions of E. B. Piper Post, No. 157, of Walpole; J. Orsen Fiske Post, No. 105; Reynolds Post, No. 58, of Weymouth; Galen Orr Post, No. 181, of Needham; Moses Ellis Post, No. 117; E. P. Carpenter Post, No. 91, of Foxboro; Major E. F. Fletcher Post, No. 22; P. G. Wymeur Post, No. 6, of Hollister; Prentiss M. Whiting Post, No. 192, and James H. Sargent Post, No. 130, Grand Army of the Republic, Department of Massachusetts, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RANDELL of Texas: Petition of pastors of Christian, Methodist, Baptist, and Cumberland Presbyterian churches, and 70 other voters, of Mineral Wells, Tex., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. REEDER: Petition of ex-soldiers of the civil war, 1861–1865, in favor of the Curtis service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of James B. McPherson Post, No. 87, Grand Army of the Republic, Department of Kansas, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RIDER: Resolution of the senate of New York State, favoring the bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolution of United States Commercial Travelers of America, New York Council, No. 114, favoring an amendment to the bankruptcy bill—to the Committee on the Judiciary.

Also, resolution of Philadelphia Board of Trade, relating to trade between United States and Philippine Islands—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the board of supervisors of the city and county of San Francisco, Cal., in relation to Tuolumne River and Lake Eleanor reservoir rights of way—to the Committee on Rivers and Harbors.

By Mr. ROBERTS: Petition of Everett L. Lewis and 15 others, of Lynn, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Chelsea Board of Trade, in favor of arbitration treaties between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolution of General Lander Post, No. 5, Grand Army of the Republic, of Lynn, Mass., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Arkansas: Petition to accompany bill granting a pension to W. J. Murray—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petitions of George Warenp, of Huntertown, Ind., and Ed. F. Koenemann & Co., of Hoagland, Ind., favoring the passage of the Cooper Interstate Commerce Commission bill (H. R. 6273)—to the Committee on Interstate and Foreign Commerce.

By Mr. RODEY: Resolution of the Mesilla Valley Farmers' Institute, in favor of bill (H. R. 8678)—to the Committee on Agriculture.

By Mr. SHAFROTH: Petition of the Woman's Christian Temperance Union and 47 others, of Fort Lupton, Colo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SIBLEY: Papers relating to a certain patent granted William Richards—to the Committee on Patents.

Also, resolution of Captain George Stow Post, No. 274, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: Petition of citizens of Benton, Ill., in favor of bills granting a pension of $30 per month to Martin H. Ozment, Isaac N. Wilhite, and George W. Williams—to the Committee on Invalid Pensions.

Also, resolution of the Farmers' Social and Economic Union of Illinois, relative to the price of live stock—to the Committee on Ways and Means.

By Mr. SMITH of Michigan: Petition of 85 members of the Haven Methodist Episcopal Church, of Wayne, Mich., and of C. E. Pearce and 33 others, of Oak Grove, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: Petition of Adam F. Andrews and 60 other voters, of Fenton, Mich., for the passage of the Hepburn Dolliver bill—to the Committee on the Judiciary.

By Mr. WM. ALDEN SMITH: Resolution of Custer Post, No. 5, Department of Michigan, Grand Army of the Republic, favoring a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: Petition of Rev. D. H. Smith and 70 other voters, of Mineral Wells, Tex., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SPERRY: Resolution of the Chamber of Commerce of New Haven, Conn., favoring the construction of a breakwater at harbor of refuge at Hortons Point—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of New Haven, Conn., relative to arbitration treaties between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. STEENERSON: Petition of the Minnesota State Court, Catholic Order of Foresters, in favor of the acceptance of the statue of Father James Marquette—to the Committee on the Library.

By Mr. STERLING: Petition of merchants of Washburn, Ill., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SULZER: Resolutions of the Philadelphia Board of Trade, favoring speedy action on bills S. 2[illegible] and [illegible], also, report of the committee on railway transportation of the New York Board of Trade and Transportation, in relation to the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

By Mr. WATSON: Paper to accompany bill H. R. 11950, for the relief of William E. Murray—to the Committee on Claims.

By Mr. WEEMS: Papers to accompany bill H. R. 12[illegible], granting an increase of pension to Jacob Witzel—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Papers to accompany bill granting a pension to Susan Wyvangh—to the Committee on Invalid Pensions.

Also, papers to accompany claim of Lola Qualls for pension—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Alexander Rosin—to the Committee on Invalid Pensions.

By Mr. WYNN: Resolution of the Board of Trade of Pomona, Cal., relative to the improvement of inner harbor—to the Committee on Rivers and Harbors.

SENATE.

WEDNESDAY, *February 10, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FAIRBANKS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

DELOS K. LONEWOLF.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Acting Commissioner of Indian Affairs calling attention to the claim of Delos K. Lonewolf, a Kiowa Indian, for the value of certain improvements owned by him and situated upon the lands formerly occupied by him, but now included within the limits of the lands reserved for the Kiowa Agency, Oklahoma; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

LEGATION BUILDINGS AT PEKING, CHINA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of State submitting an estimate of appropriation to complete the new buildings for the United States legation at Peking, China, and for the purposes of securing a suitable supply of water, $50,000; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

ENROLLED BILL SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the enrolled joint resolution (H. J. Res. [illegible]) for the transportation of Porto Rican teachers to the United States and return; and it was thereupon signed by the President pro tempore.

CREDENTIALS.

Mr. McCOMAS presented the credentials of Isidor Rayner, chosen by the legislature of the State of Maryland a Senator from that State for the term beginning March 4, 1905; which were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the Woman's Christian Temperance Union of Albion, N. Y., praying for an investigation of the charges made and filed against Hon. Reed Smoot, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented memorials of Greenleaf Maynard Lodge, No. 71, of Waterbury, Conn.; of the Liederkranz Maennerchor, of Evansville, Ind.; of the Turn Verein of Peoria, of the German Aid Society of Decatur, of the Turngemeinde of Rock Island; of the Helvetia Sharpshooters' Society, of Highland, of the German Workingmen's Benevolent Society, of Joliet, and of Zeckum's Lodge, No. 306, of Chicago, all in the State of Illinois, of the Mozart Maennerchor Gesang Club, of Lawrence; of the Fidelia Musical and Educational Corporation, of Boston, and of the German-American Singing Society, of Boston, all in the State of Massachusetts; of Schiller Hive, No. 6742, of Port Huron, and of Schiller Lodge, No. 43, of Jackson, all in the State of Michigan; of the Bowling Club of St. Paul; of the West Side Turn Verein, of St. Paul, and of the Turn Verein of St. Paul, all in the State of Minnesota; of the Baden Saengerbund, of St. Louis; of the Harugari Saengerbund, of St. Louis, and of the South St. Louis Bundeschor, of St. Louis, all in the State of Missouri; of the Schiller Lodge, of Manchester, N. H.; of the German Pioneer Verein, of Newark, and of the Gottfried Krueger Association, of Newark, in the State of New Jersey; of the German-American Relief Association, of Olean; of Savonia Lodge, No. 270, of Rochester; of the Schwaetzen Bund, of New York City, and of Lodge No. 481, of Utica, all in the State of New York; of the Junger Maennerchor, of Cincinnati; of the Schwaben Benefit Association, of Toledo, and of the German Benefical Union, of Dayton, all in the State of Ohio; of the Lookatong Shooting Club, of Covington, and of the German Aid Society of Newport, in the State of Kentucky; of the Beethoven Maennerchor, of East Pittsburg, Pa.; of the German Veteran Society, of Tacoma, Wash.; of the Germania Aid Society, of La Crosse, and of the Wetzel Club, of Milwaukee, all in the state of Wisconsin, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PLATT of New York presented a petition of the board of aldermen of New York City, praying for the enactment of legislation providing for the erection of two additional post-office buildings in that city; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of John A. Logan Post, No. 477, of Stapleton, of Sandow Post, No. 457, of Cicero; of F. E. Kiker Post, No. 62, of New York City; and of Alexander Hamilton Post, No. 182, of New York City, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Baptist Church of Montour Falls, of the Woman's Christian Temperance Union of Montour Falls, of sundry citizens of Montour Falls and Melrose, of the congregation of the Methodist Episcopal Church of Gainesville, and of the congregation of the Methodist Episcopal Church of West Chazy, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Patchogue, of the congregation of the Second Presbyterian Church of Saratoga Springs, of the Woman's Home and Foreign Missionary Society of the Second Presbyterian Church of Saratoga Springs, of the Woman's Christian Temperance Union of Richford, of the Young Woman's Industrial Club of Saratoga Springs, and of sundry citizens of Suffolk County, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the Larkin Soap Company, of Buffalo; of the Business Men's Association of Schenectady; of the Watson Wagon Company, of Canastota; of Ellwood Wilson, of Saranac Lake; of B. F. Cohen & Co., of Buffalo; of sundry citizens of Saranac Lake, and of John Kelly, of Rochester, all in the State of New York, praying for the passage of the so-called "Brownlow good-roads bill;" which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Chamber of Commerce of the State of New York, praying for the enactment of legislation providing for an extension until the year 1909 of the law restricting to vessels of the United States the transportation of passengers and freight from one port to another, not to be applicable to foreign vessels engaged in trade between the Philippines and the United States; which was referred to the Committee on the Philippines.

Mr. FAIRBANKS presented a petition of the Antisaloon League of Fort Wayne, Ind., and a petition of the Indiana State Antisaloon League, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented a petition of sundry citizens of Washington, praying for the enactment of legislation providing for the construction and maintenance of good roads throughout the country; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of John Buford Post, No. 89, Department of Washington, Grand Army of the Republic, of Everett, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. CULLOM presented the memorial of A. R. Barnes and 10 other citizens of Chicago, Ill., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented the petition of W. J. Davidson and 57 other citizens of Decatur, Ill., praying for the enactment of legislation

to prohibit the sale of intoxicating liquors in Soldiers' Homes; which was referred to the Committee on Military Affairs.

Mr. LONG (for Mr. BURTON) presented a petition of Chanute Post, No. 129, Department of Kansas, Grand Army of the Republic, of Chanute, Kans., and a petition of McPherson Post, No. 87, Department of Kansas, Grand Army of the Republic, of McPherson, Kans., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also (for Mr. BURTON) presented a petition of sundry citizens of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also (for Mr. BURTON) presented a petition of the Kansas State Society of Labor and Industry, praying for the enactment of legislation to investigate the labor conditions in Colorado; which was referred to the Committee on the Judiciary.

He also (for Mr. BURTON) presented a petition of the Board of Regents of the Kansas State Agricultural College, praying for the enactment of legislation to increase the Federal aid to agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also (for Mr. BURTON) presented a memorial of sundry citizens of Salina, Kans., remonstrating against the enactment of legislation restricting or abridging the right of suffrage to citizens of Oklahoma Territory, etc.; which was referred to the Committee on Territories.

Mr. HALE presented a petition of the Board of Trade of Portland, Me., praying for the enactment of legislation providing for the completion of the work at the harbor of refuge, Point Judith, R. I.; which was referred to the Committee on Commerce.

He also presented a petition of the National Board of Trade, praying for the enactment of legislation creating an American system of naval reserves; which was referred to the Committee on Naval Affairs.

He also presented a petition of the New England Psychological Society, of Worcester, Mass., praying for the establishment of a Government laboratory at Washington for the study of the abnormal classes; which was referred to the Committee on Education and Labor.

Mr. HOAR presented the petition of Alfred I. Noble, secretary of the New England Psychological Society, of Worcester, Mass., praying for the enactment of legislation providing for the establishment of a laboratory at Washington, D. C., for the study of abnormal classes; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Lisbon, Iowa, and a petition of sundry citizens of Troy, Ohio, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He presented a petition of Puritan Lodge, No. 621, Brotherhood of Railroad Trainmen, of Boston, Mass., praying for the passage of the so-called Grosvenor anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented petitions of Charles H. Stevens Post, No. 53, of Leominster; of Ward Post, No. 90, of Danvers; of Captain Horace Niles Post, No. 110, of Randolph; of Sergeant Plunkett Post, No. 184, of Ashburnham; of George S. Boutwell Post, No. 48, of Ayer; of Gilman C. Parker Post, No. 153, of Winchindon; of H. S. Greenleaf Post, No. 20, of Colrain; of Charles Beck Post, No. 56, of Cambridge; of C. C. Phillips Post, No. 14, of Hopkinton; of Frazer A. Stearns Post, No. 37, of Spencer, and of D. Willard Robinson Post, No. 12, of Naswell, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LODGE presented a petition of the Young Men's Club of the Boston Highlands Methodist Episcopal Church, of Dorchester, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry shipowners, shipbuilders, and shipmasters of the United States interested in the American merchant marine, praying for the enactment of legislation to prohibit American registry to any foreign-built vessel except prizes of war or vessels forfeited for violation of the laws of the United States; which was referred to the Committee on Commerce.

He also presented petitions of Burbank Post, No. 32, of Woburn; of Reynolds Post, No. 88, of Weymouth; of W. H. Smart Post, No. 30, of Cambridge; of P. G. Wyman Post, No. 6, of Holliston; of George A. Custer Post, No. 70, of Millbury; of McPherson Post, No. 73, of Abington; of W. R. Rodman Post, No. 1, of New Bedford; of George D. Wells Post, No. 28, of West Boylston; of R. R. Clark Post, No. 167, of J. P. Gould Post, No. 75, of Stoneham; of John A. Andrews Post, No. 15, of Boston; of Francis Washburn Post, No. 92, of Brighton; of Preston Post, No. 188, of Beverly Farms; of William H. Bartlett Post, No. 3, of Taunton; of Charles Russel Lowell Post, No. 7, of Boston; of Maj. E. F. Fletcher Post, No. 22, of E. P. Carpenter Post, No. 91, of Roxboro; of John H. Chipman Post, No. 89, of Beverly; of Major-General H. G. Berry Post, No. 40, of Malden; of Major Howe Post, No. 47, of Haverhill; of Parker Post, No. 138, of Athol, of G. E. Sayles Post, No. 126, of Adams; of John A. Brawes Post, No. 179, of East Boston; of Fletcher Webster Post, No. 14, of Hopkinton; of Geo. Miller Post, No. 93, of Shelburne Falls; of Colonel C. R. Mudge Post, No. 114, of Merrimac; of A. C. Monroe Post, No. 212, of East Bridgewater; of C. C. Smith Post, No. [illegible], of Hadley Falls; of Phil H. Sheridan Post, No. 31, of Salem; of J. H. Sargent Post, No. 130, of West Medway; of H. S. Greenleaf Post, No. 20, of Colrain; of C. C. Phillips Post, No. 14, of Hopkinton; of F. A. Stearns Post, No. 37, of Spencer; of Boston Post, No. 200, of Boston; of Charles Beck Post, No. 56, of Cambridge; of Paul Revere Post, No. 88, of Quincy; of E. S. Clark Post, No. 145, of John Rogers Post, No. 140, of Mansfield; of Edwin Humphrey Post, No. 168, of Hingham; of Justin Dimick Post, No. 124, of East Bridgewater; of Dahlgren Post, No. 2; of E. M. Staunton Post, No. 147, of Amherst; of Thomas A. Parker Post, No. 195, of Pepperell; of Clara Barton Post, No. 65, of Warren; of George H. Thomas Post, No. [illegible], of Leicester; of J. Orson Fiske Post, No. 105; of F. P. H. Rogers Post, No. 27, of Waltham; of Capt. C. S. Hastings Post, No. 54, of Berlin; of U. S. Grant Post, No. 4, of Melrose; of Allen Post, No. 67, of Manchester; of Abraham Lincoln Post, No. 11, of Charlestown; of Ladd and Whitney Post, No. 185, of Lowell; of John A. Rawlins Post, No. 43, of Marlboro; of Colonel Allen Post, No. 45, of Gloucester; of E. P. Wallace Post, No. 122, of Amesbury; of W. W. Rockwell Post, No. 125, of Pittsfield; of Henry Clay Wade Post, No. 201, of Cottage City; of Col. W. B. Greene Post, No. 100, of Methuen; of William L. Baker Post, No. 86, of Northampton; of D. G. Farragut Post, No. 116, of Gardner; of General Lander Post, No. 5, of Lynn; of E. Day Post, No. 174, of Greenfield; of Lyon Post, No. 41, of Westfield; of Manton E. Tait Post, No. 162, of Turners Falls; of Myron E. Stowell Post, No. 84, of South Deerfield; of Theodore Winthrop Post, No. 35, of Chelsea; of George W. Perry Post, No. 131, of Sunapee; of General J. G. Foster Post, No. 163, of South Framingham; of E. B. Piper Post, No. 157, of Walpole; of Ezra Batchelder Post, No. 51, of North Brookfield; of Robert A. Bell Post, No. 164, of Boston; of Francis Gould Post, No. 36, of Arlington; of Collingwood Post, No. 76, of Plymouth; of Moses Ellis Post, No. 117, of Medfield; of John A. Logan Post, No. 186, of Cambridge; of Richard Borden Post, No. 146, of Fall River; of A. W. Bartlett Post, No. 49, of Newburyport; of Colonel Prescott Post, No. 18, of Ashland; of Old Concord Post, No. 180, of Concord; of Charles Sumner Post, No. 101, of Greenfield; of A. B. R. Sprague Post, No. 24, of Grafton; of William B. Eaton Post, No. 199, of Revere; of E. K. Wilson Post, No. 116, of Springfield; of Nathaniel Lyon Post, No. 61, of Webster; of Reno Post, No. 9, of Hudson; of Charles D. Sanford Post, No. 79, of North Adams; of R. A. Peirce Post, No. 190, of New Bedford; of H. H. Legge Post, No. 25, of Uxbridge; of Otis W. Wallace Post, No. 106, of Rockport; of Prentiss M. Whitney Post, No. 192; of E. G. Griggs Post, No. 97, of Belchertown, and of General Wadsworth Post, No. 63, of Natick, of the Department of Massachusetts, Grand Army of the Republic, and of the Twenty-seventh Massachusetts Regiment, Union Veteran Union, all in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. PROCTOR presented a petition of the New England Psychological Society, of Worcester, Mass., praying for the establishment of a laboratory at Washington, D. C., under the Federal Government, for the study of the abnormal classes; which was referred to the Committee on the Judiciary.

Mr. HEYBURN presented a petition of the Chamber of Commerce of Genesee, Idaho, praying for the enactment of legislation providing for the construction and maintenance of good roads throughout the country; which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of the East Washington Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing for the widening by the District of the right of way on Pennsylvania avenue east and its opening up to the District line; which was referred to the Committee on the District of Columbia.

He also presented petitions of Cold River Grange, No. 19, of Acworth; of Sunapee Lake Grange, of Newbury; of the Tryon Grange, of Troy; of Sugar River Grange, of Charlestown, and of Grange No. 276, of Hillsboro County, all of the Order of Patrons of Husbandry, in the State of New Hampshire, praying for the enactment of legislation providing for the purchase of a national forest reserve in the White Mountains of that State; which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. COCKRELL. I present the affidavit of Dr. Charles E. Houser, of Lafayette County, Mo., and the affidavit of A. D. Tan-

yer, of Johnson County, Mo. I move that the affidavits be referred to the Committee on Pensions to accompany the bill (S. 103) granting an increase of pension to A. D. Tanyer.

The motion was agreed to.

Mr. FRYE presented a memorial of sundry citizens of Phoenix, Ariz., remonstrating against the admission of New Mexico and Arizona into the Union as one State; which was referred to the Committee on Territories.

He also presented a petition of the New England Psychological Society, of Worcester, Mass., praying for the establishment of a laboratory at Washington, D. C., for the study of the abnormal classes; which was referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Claims, to whom was referred the bill (S. 2052) for the relief of Samuel S. Weaver, reported it without amendment, and submitted a report thereon.

Mr. GAMBLE, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 2939) regulating the settlement of the accounts between the United States and the several States relative to the disposition of the public lands, and for other purposes; and

A bill (S. 701) to validate certain certificates of soldiers' additional homestead right.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 2667) for the relief of the estate of R. W. Bullock, deceased, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Louisiana, from the Committee on Claims, to whom was referred the bill (S. 2467) for the relief of the Citizens' Bank of Louisiana, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom was referred the bill (S. 3780) authorizing the Yankton, Norfolk and Southwestern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri river at or near the city of Yankton, S. Dak., reported it with amendments, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 4084) for the relief of Caroline Lochboehler, of the District of Columbia, asked to be discharged from its further consideration, and that it be referred to the Committee on the District of Columbia; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1646) for the relief of Mary A. Coulson, executrix of Sewell Coulson, deceased, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2876) for the relief of Sarah E. Jenkins, reported it with amendments, and submitted a report thereon.

REPORT OF ISTHMIAN CANAL COMMISSION.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 43) to provide for the printing of 3,500 copies of the report of the Isthmian Canal Commission, to report it favorably with an amendment, and I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The amendment of the Committee on Printing was, after the word "Commission," in line 4, to insert "with illustrations," so as to make the joint resolution read:

Resolved, etc., That there be printed 3,500 copies of the report of the Isthmian Canal Commission, with illustrations, of which 1,000 shall be for the use of the Senate, 2,500 for the House of Representatives, and 500 for the Isthmian Canal Commission.

The amendment was agreed to.

Mr. COCKRELL. I move, in line 4, after the word "report," to add "and appendixes."

Mr. PLATT of New York. That amendment is entirely satisfactory.

The amendment was agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. COCKRELL. I move that the title of the resolution be changed. There is no necessity to have a joint resolution for this purpose. A concurrent resolution is just as good. I do not know that there is much difference in them, but I move that "joint" be stricken out and "concurrent" inserted. We will try it anyway.

The PRESIDENT pro tempore. Then the several votes by which the joint resolution was ordered to be engrossed and finally passed will be reconsidered and the resolution will be amended, making it a concurrent instead of a joint resolution.

Mr. HOAR. Let the title be read.

The SECRETARY. Concurrent resolution to provide for the printing of 3,500 copies of the report of the Isthmian Canal Commission.

The PRESIDENT pro tempore. Will the Senate agree to the concurrent resolution?

The concurrent resolution was agreed to.

COURT OF CLAIMS DIGEST.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (S. R. 41) to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice and the statutes relating to that court, to report it favorably without amendment, and I ask for its present consideration. A similar resolution has been passed through the Senate in two Congresses, and I ask that the joint resolution be put on its passage.

The Secretary read the joint resolution, as follows:

Resolved by the Senate, etc., That there be printed a digest of the decisions of the Court of Claims, including the statutes relating to and the rules of practice of that court, prepared by Chapman W. Maupin, that there be printed 2,000 copies for the use of the Treasury Department, 1,000 copies for the use of the Attorney-General, 500 copies for the use of the War Department, 500 copies for the use of the Navy Department, 1,000 copies for the use of the Senate, 2,000 copies for the use of the House of Representatives, and 1,000 copies for public sale, the whole edition to be bound in sheep binding, to be printed under the editorial supervision of Chapman W. Maupin, the preparation and editing of said digest by him to be paid for out of any money in the Treasury not otherwise appropriated, at a price not to exceed the sum of $5,000, which sum is hereby appropriated in full payment for said work, except the cost of printing and binding the same, and shall not be payable until said work shall have been printed; nor shall any money be paid out on account of said work until the Court of Claims, or some member thereof, shall certify that the work, as completed, is satisfactory to that court.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. HOAR. I should like to inquire of the chairman of the Committee on Printing whether the provision that the book is to be bound in sheep excludes the one copy bound in red morocco which Senators always get of all documents?

Mr. PLATT of New York. I suppose it does, unless it is so specified in the joint resolution.

Mr. HOAR. I wish that that might be reserved in the joint resolution.

Mr. PLATT of New York. Will the Senator move an amendment?

Mr. HOAR. Yes.

Mr. COCKRELL. I do not think that a resolution of this kind will interfere with the general provision. I have not so understood it at any time.

Mr. HOAR. The sheep binding is exceedingly perishable. It rots.

Mr. COCKRELL. It is a nuisance.

Mr. HOAR. It rots under the operation of gas. There is a deposit in a gas-lighted room which makes the leather of sheep and calf binding very perishable after a few years. I believe investigations which have been made show that the most permanent binding, as well as one of the cheapest forms of binding, and the most permanent color, as well as one of the cheapest forms of color, is the red Turkey morocco, of which we get one bound volume each.

This digest of decisions of the Court of Claims is likely to be a book of permanent value. I should like that the one copy which goes to Senators should be bound in morocco, and I therefore desire to put into the joint resolution a proviso:

Provided, That this shall not be construed to prevent the furnishing of one copy bound in red morocco to every member of the Senate and House.

Or something of that sort.

Mr. PLATT of New York. I accept that amendment.

Mr. WARREN. It is my understanding that a Senator has the right to have one copy of any bound document that comes to him rebound, no matter how it may be bound. The proposition here to bind in sheep is, as I understand it, simply to take care of the books in usual law-book binding rather than to have them in paper, as public documents usually are, and it is not to interfere with the usual rule of the Senate.

Mr. HOAR. If the Senator thinks it does not, I will not trouble the Senate with the amendment.

Mr. WARREN. Perhaps the Senator knows better than I do about it, but they have always rebound a volume for me when I asked that it be done.

Mr. HOAR. The chairman of the Committee on Printing said he had understood that the joint resolution would exclude our getting a copy bound in morocco unless there was an exception made in the joint resolution. I defer to his opinion on this subject.

Mr. PLATT of New York. It is well enough to put it in the amendment.

Mr. WARREN. There is no objection to it.

Mr. COCKRELL. I should like to ask about the cost of binding in sheep. I think it is the worst possible binding we could have. I would rather have it in cloth than in sheep. Cloth will last a little while, and sheep will not. It seems to me that any kind of binding would be preferable to sheep.

Mr. PLATT of New York. Will the Senator from Missouri move an amendment?

Mr. COCKRELL. I am not sufficiently acquainted with the cost of the different kinds of binding to designate which is preferable, but I am certain that some kinds of binding are as cheap as sheep, if not cheaper, and much better.

Mr. WARREN. I wish to ask the Senator from Missouri if it would not be a good plan to amend the joint resolution by eliminating all reference to binding and leave it with the Committee on Printing to designate in what way the volumes shall be bound.

Mr. HOAR. I suppose the sheep binding is the ordinary law-book binding, the binding of all the books for the law library.

Mr. C. CKRELL. I know it is.

Mr. WARREN. The only intention of the joint resolution is to have the digest prepared and bound in the way that other law books are finished.

Mr. HALE. The Senator from Massachusetts has just made a suggestion which lodged in my mind, that almost all bound documents are bound in sheep. Almost all law books, text-books, reports of State courts, and the reports of the Federal courts are in sheep binding. If anyone goes into a great law library what meet him are rows upon rows in sheep, and so with the books of lawyers in their own libraries. I suppose it has been considered a safe kind of binding. It is not as agreeable in appearance as other binding, but it has served its purpose for a great many years.

What I wanted to ask the Senator in charge of the joint resolution besides is, what does the digest cover?

Mr. PLATT of New York. Let the title be read again.

Mr. HALE. Let the first part of the joint resolution be read.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

That there be printed a digest of the decisions of the Court of Claims, including the statutes relating to and the rules of practice of that court.

Mr. HALE. Now, here is a valuable court, which has been rendering decisions for more than thirty years.

Mr. COCKRELL. For over forty years.

Mr. HALE. Does the Senator know that there is not to-day a digest of the reports of the Court of Claims?

Mr. PLATT of New York. I will ask the Senator from Wyoming [Mr. WARREN] who introduced the joint resolution as to that.

Mr. HALE. I wish the Senator would explain it. I can hardly see how otherwise the decisions of that court could have been of any use to the public or to the profession. Every lawyer and every man with any experience in any kind of literature knows that any work is practically good for nothing unless it has a good digest.

Mr. ALLISON. And an index.

Mr. HALE. And an index besides. It is the case with every law book and every important series of law reports. I know in my own State we provide every few years for a good digest, bringing the reports up to the time when we provide for it, and in ten years we provide for another digest, and the volumes are all thoroughly indexed besides.

I wish the Senator who fathers this proposition would tell us what there is to-day existing, and whether this is a crying need, or whether it is a work which has been compiled by some one who wants to get paid for it. We have a great deal of that sort of business before the Senate constantly. Somebody or other in a vacation, usually some one who is drawing pay from the Government, who is a salaried employee or official, sets to work to get up a compilation, a digest, a statement of appropriations; and we are very liberal and very generous about it and let it go. We spend thousands upon thousands and tens of thousands of dollars every year on just such matters.

Now, this particular matter is all as unknown to me as if it were in the blackest of darkness. I do not know if anything of that kind obtains; but I wish the Senator would tell us, first, what is the situation of these reports as to the present digest, who it is who is to make this digest, whether he is connected with the Government in any way or connected with the court, and whether he is a lawyer; for one who is not a good lawyer can not make a digest. A man who is not a good lawyer can not make a digest any more than a farm hand can build a cottage. It is a faculty that must be matured and sharpened by knowledge of the law. I wish the Senator from Wyoming would explain just what are the circumstances surrounding this matter.

Mr. WARREN. Mr. President, I will state to the Senator from Maine that I am not as familiar at this hour with the matter as at a former day. I can only say that it was carefully looked up by the Committee on Claims in the last Congress. There is no digest covering the ground that this publication proposes to cover, and the court is now using the typewritten copy of a portion of this work, which has been prepared by Mr. Maupin, a lawyer.

The Court of Claims is, I understand, making some use of a partial digest, or a portion of this proposed digest, which is at present in a typewritten form, and of course there is only one copy or at most two or three copies. The court has recommended that it be printed, desiring it for its own use and for others who have to consult decisions of the Court of Claims.

I depended at the time, of course, and so did the committee, quite largely upon the recommendation of the court, and I have not that or the other papers at hand at the present moment. As far as I am concerned, I am perfectly willing that the joint resolution shall lie over for a day, so that we may look up the matter further.

Mr. HALE. I do not want to interfere with what may be a valuable thing; but I think the Senate ought to know upon what ground the court recommended this publication, who it is who has made or is making the digest, whether he is an employee of the court or is a clerk, and what is the basis. Perhaps the Senator from New York had better let the joint resolution go over, and then the Senator from Wyoming will furnish us with the authority of the court.

Mr. PLATT of New York. That course will be entirely satisfactory.

Mr. HALE. Let it go over, Mr. President.

The PRESIDENT pro tempore. The joint resolution goes to the Calendar.

Mr. WARREN. I do not thus understand it that the proposition is to take it to the Calendar, but it is that it shall go over and come up to-morrow.

Mr. HALE. Let the Senator from New York withdraw his report and then he can make it to-morrow morning.

Mr. PLATT of New York. I will withdraw the report.

The PRESIDENT pro tempore. The Senator from New York asks leave to withdraw the report. The Chair hears no objection, and the report is withdrawn.

NEBRASKA SENATORIAL INVESTIGATION.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HOAR on the 5th instant, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the expenses to be incurred by the special committee appointed to investigate and report to the Senate all the facts connected with the appointment of Joseph Fisher as postmaster at Hastings, Nebr., and the seating of the holding based at this time of a postmaster in that city, and particularly to investigate and report as to the action of Charles H. Dietrich, a Senator from Nebraska, in connection with such appointment and seating, be paid from the contingent fund of the Senate upon vouchers signed by the chairman of said committee.

COMPILATION OF TREATIES IN FORCE.

Mr. CULLOM. From the Committee on Foreign Relations I report a resolution which I ask may be considered at this time.

The resolution was read, as follows:

Resolved, That a revised edition of the Compilation of Treaties in Force be prepared under the direction of the Committee on Foreign Relations and that there be inserted in said revised edition all treaties proclaimed and in force at the end of the present session, and that there shall be printed 1,500 copies of said revised edition, 1,000 for the use of the House of Representatives and 500 for the use of the Senate.

The PRESIDENT pro tempore. Did the Senator from Illinois intend this as a Senate resolution only?

Mr. CULLOM. I suppose it is not necessary to make it a concurrent resolution.

The PRESIDENT pro tempore. It provides for the printing of a certain number of copies for the use of the House as well as the Senate.

Mr. CULLOM. It would have to be a joint resolution, I suppose, in that case.

Mr. COCKRELL. Or a concurrent resolution.

The PRESIDENT pro tempore. Or a concurrent resolution. The Chair thinks that it should be referred to the Committee on Printing.

Mr. CULLOM. I ask that it be referred to the Committee on Printing.

Mr. BACON. I suggest that before the reference is made it be converted into a concurrent resolution.

Mr. CULLOM. I am not inclined to do that, because of the difficulty in getting action upon it in that form. I ask that the resolution be referred to the Committee on Printing.

Mr. BACON. The publication ought to be confined to the use of the Senate if it is to remain a simple Senate resolution.

The PRESIDENT pro tempore. The resolution will be referred to the Committee on Printing.

PRINTING OF REPORT ON ALASKA.

Mr. PATTERSON. I am directed by the Committee on Territories to ask unanimous consent to have printed as a Senate docu-

ment the Report of the Operations of the United States Revenue Steamer *Nunivak* on the Yukon River Station, Alaska, 1899 and 1901.

I will state to the Senate that it is a very important work. It gives a vast amount of valuable information concerning the interior of Alaska of which the Senate and the House should be in possession. About 300 copies were printed for the use of the Treasury Department, but the edition is exhausted. We desire to have a record in a Senate document for the sake of the plates. The plates, of course, are in the possession of the printing department.

The PRESIDENT pro tempore. The Senator from Colorado asks that the Report of the Operations of the United States Revenue Steamer Nunivak may be printed as a Senate document. Is there objection? The chair hears none, and the order is made. Are there illustrations?

Mr. PATTERSON. Thousands.

The PRESIDENT pro tempore. Then the printing should include maps and illustrations.

Mr. PATTERSON. That is the desire of the committee.

There being no objection, the order was reduced to writing, and agreed to, as follows:

Ordered, That the Report of the Operations of the United States Revenue Steamer Nunivak on the Yukon River Station, Alaska, 1899 and 1901, be printed with the maps and illustrations, be printed as a document.

BILLS INTRODUCED.

Mr. LODGE introduced a bill (S. 4265) for the relief of Fred McDonald; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4266) for the relief of Charles M. Pepper; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4267) to grade the consular service; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. CULLOM introduced a bill (S. 4268) granting a pension to Edward Pinney; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FAIRBANKS introduced a bill (S. 4269) for the relief of William E. Murray; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4270) revising and amending the laws in force in the Indian Territory relating to the organization and jurisdiction of the United States court, the establishment of a court of appeals, and putting in force in said Territory certain laws of the United States and of the State of Arkansas; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. SCOTT introduced a bill (S. 4271) granting an increase of pension to Mell Moore; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 4272) granting a pension to Hannah Rarke; which was read twice by its title, and referred to the Committee on Pensions.

He also by request introduced a bill (S. 4273) granting an increase of pension to Frazee A. Campbell; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 4274) granting an increase of pension to Richard H. Black; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4275) granting a pension to Nancy Nawson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4276) for the relief of the estate of Charles L. Perkins; which was read twice by its title, and referred to the Committee on Claims.

Mr. ANKENY introduced a bill (S. 4277) for the relief of John M. Hall; which was read twice by its title, and referred to the Committee on Claims.

Mr. DEPEW introduced a bill (S. 4278) to provide for the erection of a public building at Lancaster, N. Y.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 4279) for the relief of George Sewell, chief engineer, United States Navy, retired; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. WARREN introduced a bill (S. 4280) providing for medals of honor; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. HOAR introduced a bill (S. 4281) granting a pension to Francis Fisher; which was read twice by its title, and referred to the Committee on Pensions.

He also (for Mr. BURTON) introduced a bill (S. 4282) for the relief of Frederick M. George; which was read twice by its title, and referred to the Committee on Military Affairs.

He also (for Mr. BURTON) introduced a bill (S. 4283) for the improvement of that portion of Oakwood Cemetery, at Parsons, Kans., which is owned by Antietam Post, No. 64, Grand Army of the Republic; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 4284) granting an increase of pension to Rebecca Hankins; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of Rebecca Hankins, 84 years old, legal widow of Nimrod Hankins, private of Capt. [illegible] company of Tennessee militia, together with the affidavit of Dr. H. J. Blackburn, a member of Congress, certificate of Dr. A. W. Parker, letter of W. T. Baird, indorsed by Hon. [illegible], and testimony of Mrs. Mary Chase. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4285) granting an increase of pension to John H. Shands; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of John H. Shands, 83 years old, together with the affidavits of Dr. N. E. Kelly and A. S. Harrison, and a petition of citizens. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. McCREARY introduced a bill (S. 4286) granting an increase of pension to Charles M. Carey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4287) granting a pension to J. W. Poor; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SIMMONS introduced a bill (S. 4288) for the relief of Andrew H. Plemmons; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4289) granting an increase of pension to William Finn; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4290) for the relief of the Seamen's Friend Society, of Wilmington, N. C.;

A bill (S. 4291) for the relief of the trustees of the Diocese of East Carolina;

A bill (S. 4292) for the relief of the estate of Rayford Brewington, deceased;

A bill (S. 4293) for the relief of the heirs of Cicero M. Davis;

A bill (S. 4294) for the relief of the heirs of C. H. Foy;

A bill (S. 4295) for the relief of C. G. Perkins;

A bill (S. 4296) for the relief of the widow of R. D. Hay;

A bill (S. 4297) for the relief of James W. Adams and of the estate of Solomon N. Adams;

A bill (S. 4298) for the relief of John I. Rowland;

A bill (S. 4299) for the relief of the estate of Samuel T. Carrow, deceased;

A bill (S. 4300) for the relief of John Wilson;

A bill (S. 4301) for the relief of Sidney T. Dupuy and George R. Dupuy, the only surviving heirs of George R. Dupuy, deceased;

A bill (S. [illegible]) for the relief of [illegible] W. [illegible];

A bill (S. [illegible]) for the relief of the estate of William C. Lewis;

A bill (S. 4304) for the relief of the heirs and distributees of H. W. Harrison; and

A bill (S. [illegible]) for the relief of John Pickard Mason.

Mr. HOAR introduced a bill (S. [illegible]) for the payment of witnesses in the United States courts; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. McENERY introduced a bill (S. [illegible]) for the relief of Alexander D. Pratt; which was read twice by its title, and referred to the Committee on Claims.

Mr. LAMMACK introduced a bill (S. [illegible]) granting an increase of pension to Mary E. Pillow; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. [illegible]) for the relief of Charles E. Anderson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4310) for the relief of the estate of Hugh Davis, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 4311) to amend section 1044 of the Revised Statutes; which was read twice by its title, and referred to the Committee on the Judiciary.

AMENDMENTS TO BILLS.

Mr. PROCTOR submitted an amendment proposing to appropriate $70,000 for the purchase of current literature for army

posts, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. PLATT of New York submitted an amendment proposing to appropriate $[illegible] for the acquisition of a site for a post-office building in the city of New York, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. ANKENY submitted an amendment intended to be proposed by him to the bill (H. R. 1[illegible]) to amend the provisions of the act of June 27, 1902, entitled "An act to extend the provisions, limitations, and benefits of an act entitled 'An act granting pensions to the surviving officers and soldiers of the Indian wars of 1832 to 1842, inclusive, and to the widows of deceased officers and soldiers who served in the same wars, approved May 1, 1902'"; which was referred to the Committee on Pensions, and ordered to be printed.

Mr. HOAR submitted an amendment proposing to appropriate $5,000 to pay Robert Brent Mosher for his [illegible] report, title, and illustrations to be printed in the proceedings and papers of the book entitled "Expansive Representative Government, 1789-1902," intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Printing, and ordered to be printed.

Mr. FAIRBANKS submitted an amendment proposing to appropriate $[illegible] or so much thereof as may be necessary, for the acquisition of square No. 324 in the city of Washington, D. C., as a site for an addition to the post-office building, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. KEAN submitted an amendment proposing to appropriate $20,000 to pay Capt. Ormond M. Lissak, Ordnance Department, United States Army, as a reward for certain labor devices now in use for the Frankford Arsenal, Philadelphia, Pa., intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

WILMINGTON (DEL.) HARBOR IMPROVEMENT.

Mr. BALL submitted the following concurrent resolution; which was referred to the Committee on Commerce:

Resolved by the Senate, the House of Representatives concurring, That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the Wilmington Harbor, Delaware, connecting rivers and branches and tributary waterways, with the view to their improvement and to insure the permanency of the channel in the Delaware River to the depth of at least 21 feet.

LONG ISLAND (NEW YORK) IMPROVEMENT.

Mr. DEPEW submitted the following concurrent resolution; which was referred to the Committee on Commerce:

Resolved by the Senate, the House of Representatives concurring, That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of improving Huntington Harbor, Long Island, New York, so as to meet the requirements of commerce.

RELATIONS WITH COLOMBIA.

Mr. McCUMBER. I ask unanimous consent that the unfinished business be now laid before the Senate.

There being no objection, the Senate resumed the consideration of the resolution submitted by Mr. ELKINS on the 12th ultimo, as modified by him on the 8th instant, as follows:

Resolved, That the President be respectfully advised that the Senate favors [illegible] the independence of Panama and the establishment of a government by the people of the Isthmus of Panama [illegible] the operation of the Colombian people in the construction of the canal on the Isthmus.

Mr. McCUMBER. Mr. President, at the commencement of this discussion but two general points were considered by the Senate. The first was the attitude of the President of the United States in carrying out the provisions of the Spooner law. The second was the attitude of the President and the Administration in reference to affairs connected with the Panama insurrection.

Since that time the debate has broadened out to such an extent that it has taken into consideration many other things than those two cardinal propositions; and it might not be inappropriate to converge this argument back to the original two propositions, the only propositions that, it seems to me, are worthy of consideration at this time.

It seems to me, Mr. President, in the discussion so far, that too little stress has been laid upon the duty which was imposed upon the President of the United States under the Spooner Act to secure right of way across the Isthmus of Panama. That duty was imposed upon him as the agent of the United States. I am well aware that there was an alternative provision in that law that the President, if he was unable to secure the requisite concession from the Colombian Government, should then proceed to enter into negotiations for the Nicaraguan route. But I do not believe, Mr. President, that there were many Senators who voted for that provision with the understanding or expectation that it would [illegible] it was considered rather as a kind of diplomatic hint to the Colombian Government that the Government was not entirely at the mercy; and I believe it was so considered by nearly every Senator upon this floor.

The language of the provision of the Spooner statute seems to have gone upon the assumption that if the Colombian Government, in the first instance, should have proposed our overtures for a proper treaty, it was then the duty of the President of the United States, without any further effort, without any further consultation, to proceed immediately thereafter to the consummation of a canal across the Isthmus of Panama and proceed at once to negotiate proposed agreements with the Governments of Nicaragua and Costa Rica for a canal by the Nicaraguan route.

This, Mr. President, was not the spirit of that law. A duty was imposed upon the President of the United States, a duty which, if he could not be had expected to do, if the diplomatic powers of that Government to secure for the United States the particular route which the Congress of the United States had adopted in our law they desired.

Mr. President, the whole question of the attitude and action of the President and the several departments of the Government in reference to the treaty for a canal across the Isthmus of Panama, in reference to the failure to induce the President to enter into negotiations for the Nicaragua route in the event of his failure to secure the treaty or concession from Colombia, and of his duty in reference to the Panama revolution, when shorn of all verbiage, reduces itself to two simple propositions:

First. Has there been any time since the 28th day of June, 1902, the date of the Spooner law, up to the present time when the President of the United States could have properly abandoned his efforts to secure a treaty for the construction of the canal across the Isthmus of Panama and to have proceeded to enter into negotiations for the Nicaragua route?

Second. Has the President of the United States by any act since the threatened uprising in Panama up to the present time failed to follow the precepts of international law, to follow the precedents of American policy in reference to the South American Republics, or has he in any manner taken any step in reference to the revolutionary movement not dictated by sound judgment, by international justice, or by his patriotic duty to the American people?

Mr. President, all that has been done so far by the Administration has been given to the Senate and House of Representatives. Every act, every order, every direction given by the President of the United States or by any officers of the Administration has been laid before the Senate, and the President, in a special note to this House, has declared absolutely that this Government has not taken any step or done any act to indicate a revolution in Panama, nor has it taken any side whatever in the controversy. The President of the United States having made this statement, I do not believe that there is a Senator upon this floor who will question its absolute verity. I believe all will concede that that proposition is absolutely true.

This proposition, therefore, from this Government, the proposition that the President of the United States or the Administration is responsible in any manner whatever for the uprising on the Isthmus of Panama, or for any acts which have been done in connection with the revolutionary movement,

This question of the Administration in reference to this matter has not been determined by a single act or determination, but by a series of acts and determinations covering a period from the time the story was first imposed upon him by the Spooner Act up to the present time. And every act, every order, every [illegible] given by the Administration could be [illegible] in support of the proposition I have [illegible]. And I would ask any Senator to look into the history of the whole transaction, where it happens the story of the Panama revolution, and see if he can find any act which the Administration performed which could be construed into a violation of the law of nations in reference to the right of way across the Isthmus of Panama for a canal.

The matter intrusted to him was one of no small concern. It was one of the most colossal undertakings ever imposed upon or ever intrusted to a nation or its ruler. It had never been done, so far as the history of the world, or at least of the nineteenth century in a measure beyond conjecture. It was to change and gamble into new channels the commerce of the whole world; it was, therefore, to affect all the peoples and nations of the world, and it was to affect them for all time; it was to affect our national defense beyond any and all acts that had ever been passed: it was to connect the two great oceans, to connect our Atlantic and our Pacific coast lines, which to-day are separated by

about 9,000 miles of sea around the entire South American continent. It was a matter which would involve the expenditure of probably half a billion dollars before the canal would be complete and ready for the world's traffic.

The American people had spoken, Mr. President, for that particular route; they had spoken not in unmeaning terms of their choice. There were grave and potent national reasons for this particular route, reasons that affect the security of the canal itself and the safety of vessels passing through it. Why this route was regarded as preeminently the proper one was considered fully on this floor. Those reasons were discussed by Members of Congress and by the press of the country. They were reasons which had the controlling power to change previous opinions as to location. Chief among those reasons was, first, a canal that could in time be made a sea-level canal, and, second, a canal that could be traversed in the shortest possible time by our war vessels. When the President of the United States acted upon the trust committed to him, he knew these conditions, he knew the importance of this particular location, and he knew that he was expected to secure the route selected by the American Congress. We said to him, "Secure the Panama route as our coast line." That was what he set about doing, and so long as any reasonable hope was held out to him it would have been a recreant act on his part to have turned to the alternative provided in the law. Considering his acts in the light of that duty, I want to know at what period of time or on the occurrence of what event or act by the Colombian Congress he could have turned his attention to Nicaragua without inviting the criticism and even the condemnation of the people whose interest he was to subserve?

Let us take up in their order just a few of the leading incidents in the history of diplomatic efforts to carry out the provisions of the Spooner Act, remembering, Mr. President, that communication between this country and its representative at Bogota had been a matter of almost daily correspondence.

Acting upon the authority contained in this act, the President secured from the Bogota Government the proposed treaty which this Government was to acquiesce in. The treaty was submitted. It was hampered by many conditions obnoxious to the country, but these conditions were not allowed to weigh as against the necessity of this particular route. In other words, we were willing to accept them rather than to have more favorable conditions attached to a less favorable location. This treaty was finally accepted by the American people and returned for the concurrence of the Colombian legislature. What has taken place since that time is fresh in the mind of every public man, and yet it seems to me that it will not be amiss at this time to recall a few of the most important acts, orders, and correspondence which passed between the executive branches of our Government and our representatives at Bogota and Panama. I have selected a number of them which I shall read, so as to show their continuity and the continued hope which was held out to the President that there was no necessity at any time to abandon this enterprise.

On the 9th day of July Mr. Beaupré sent the following message to Secretary Hay:

[Confidential.]

——— has requested me to wire to you he does not think the treaty can be ratified without two amendments. The article 1, eliminating payment ten millions by the canal company for the right to transfer to article 3, the paying payment to fifteen millions, and says that treaty can be ratified at once with these amendments. He asks your views on the matter.

On the 18th day of July Secretary Hay responded to this request, as follows:

Hay to Beaupré.

JULY 13.

Neither of the proposed amendments mentioned in your telegram received to-day would stand any chance of acceptance by the Senate of the United States. Any amendment whatever, or any unnecessary delay in the ratification of the treaty would greatly impede its consummation.

Certainly at this time the President could not have abandoned the enterprise for a canal across the Isthmus of Panama.

On the 12th of August Mr. Beaupré sent the following message:

Beaupré to Hay.

AUGUST 12. (Received 15th.)

The treaty was rejected by the Senate to-day in its entirety. Confidential. Do not accept this as final. There is still some hope. Wait for further advices.

Certainly this would have been an inopportune moment for the President of the United States to have abandoned his efforts to secure a canal across the Isthmus of Panama.

Again, on August 12, the following messages were sent:

Beaupré to Hay.

AUGUST 12. (Received 22d.)

The most important speech made was that of General Ospina. It was to the effect that while doubting canal he could not give his vote for the ratification of the treaty because the terms were contrary to the provisions of the constitution. He inquired that to bring negotiations to a conclusion the constitution should be modified so as to allow negotiations to be brought to a successful issue without prejudice to the honor of the country. * * * He intimated that the congress should be immediately dismissed by a decree for the purpose of modifying the constitution. Upon that a new law will be passed authorizing the executive without further recourse to Congress to conclude a canal treaty with the United States.

Beaupré to Hay.

AUGUST 12.

——— called to inform me that this day's action of Congress was in accordance with plans perfected by the Government and influential senators and citizens in the belief that the treaty could not be passed without amendments, but within a very short time such a reaction public sentiment can be created as will enable the President to present the treaty and secure its passage without amendments.

Here, Mr. President, was the hope again held out to the American people that the particular route which we had selected could be secured.

Passing now to August 15, we have another message from Mr. Beaupré to Mr. Hay:

Beaupré to Hay.

AUGUST 15.

I have the honor to report that the most intensely critical period for the canal treaty seems to have passed; that now there be some hope for a satisfactory conclusion. Since the rejection of the treaty on the 12th instant there has been an almost hysterical manifestation of alarm and uncertainty in the press and in private circles. * * * When first the news came there were just no end to expressions showing that because of a failure to ratify the Hay-Herran treaty relations with the United States would be endangered. Among the apprehensions imagined by the public are the loss of prestige as an independent State, the loss of a canal, and overhead that there was a general feeling of regret.

When action was taken on the 12th instant no one in authority believed that it would stand.

Conferences upon chairman of the new committee stated to a friend of mine yesterday that the main objection to the treaty rested upon lawful and constitutional grounds; that the treaty was not unpatriotic, but contrary to the laws of present law of Congress. That the constitutional difficulty, in the opinion of those on the Isthmus, of Congress would be passed. The Isthmian Society with some twenty influential citizens attended to confer the principal senators of the two parties.

There is the solution, however, and the one most generally talked of as being likely to be adopted is to frame a law authorizing the President to conclude and finish the negotiations for a canal without further recourse to Congress.

Beaupré to Hay.

AUGUST 17. (Received 25th.)

The President informs me that Congress will pass law authorizing him to continue and finish negotiations for canal, but what conditions will be specified he can not state at the present moment.

Twelve days later, on the 29th of August, Mr. Beaupré sent the following message to Secretary Hay:

Hay to Beaupré.

AUGUST 29.

The President is hurried by the Isthmian canal societies, organized against the Spooner act. He is endeavoring to secure a modification of that act to negotiate a satisfactory treaty with Colombia. When in his judgment the reasonable time has expired and he has not been able to secure satisfactory arrangements as to the Panama route he will then proceed to carry into effect the intention of the statute. Meantime the President will enter into no engagement restraining his freedom of action under the statute.

Up to this time, Mr. President, there was no interim in which the President of the United States could have said that the time was now opportune for him to reject further consideration of a treaty for an isthmian canal across the Isthmus of Panama.

On September 5 Mr. Beaupré sent the following message to Secretary Hay:

Beaupré to Hay.

SEPTEMBER 5. (Received 11th.)

Have received telegram 28th. The committee have reported a law which approves the rejection of the treaty and authorizes the President to conclude treaties with Panama for canal.

Then follows requirements for annual payment of $250,000, transfer of property to Colombia in 1967, canal company permitted to transfer on payment to Colombia of ten millions.

Lease of zone for one hundred years, not including Panama or Colon; annual rental $250,000 until 1967. Lease renewable every hundred years, on payment of 25 per cent increase. Colombia to receive from contracting government twenty millions on ratification of treaty.

On the 11th of September the following message passed between them:

Beaupré to Hay.

SEPTEMBER 11.

I have the honor to report that events of interest have taken place in connection with the appointment of Senator Obaldia to the post of governor of the Department of Panama. Senator Obaldia's separatist tendencies are well known, and he is reported to have said that should a decreed treaty pass the Department of Panama would declare its independence and would be right in doing so.

This was the first intimation, Mr. President, we had of the probability that there would be a revolution at that time, and yet no word of encouragement passed from the executive department, the Department of State simply attempting right along to secure this coveted treaty for the Panama Canal.

On the 30th of September Mr. Beaupré sent to Secretary Hay the following message:

Beaupré to Hay.

SEPTEMBER 30.

Senator Reyes said that by simply rejecting this proposed law and adjourning no further legislation due to government would be passed fully to negotiate without restriction such terms as could be considered and would be honorable and just to the contracting parties. He felt confident that this plan would be accepted by the Senate and confirmed by the Chamber of Representatives.

If the Senate takes this step, and there seems to be a reasonable probability that it will, the canal matter will stand just as it did the day after its rejection on August 12, or, in fact, as it did before the treaty was signed in Washington on January 22, 1903.

Passing now to the 17th of October, Mr. Beaupré sent the following message to Secretary Hay:

Beaupré to Hay.

OCTOBER 17. (Received 19.)

Have received information confidentially that there was a meeting of the cabinet yesterday to discuss the question of renewing canal negotiations with the United States so that the new government of Congress will be informed by the President of a special effort to Washington for that purpose. The Presidential message dissolving Congress will be delivered probably before the 25th instant.

When we had been notified by the Colombian Government that, notwithstanding the rejection of this treaty, they would immediately send a special envoy to Washington for the purpose of renewing negotiations, I submit that the President of the United States, under the duty imposed upon him by the Spooner Act, could not, without being recreant to that duty, have at that time refused to consider further overtures on the part of the Colombian Government.

Beaupré to Hay.

OCTOBER 21.

I have the honor to inform you that there is no disguising the alarm existing as to the possible attitude of the Government of the United States against the feeling of dissatisfaction in the country existing in the Department of Panama find expression in overt acts. The alarm took the form of a heated debate in the Senate yesterday, when the Government was again attacked for the appointment of Senator Obaldia as governor of Panama. The report from the minister for foreign affairs was rather significant. He read an extract from the treaty of 1846, in which the United States guaranteed Colombian sovereignty on the Isthmus, and assured the Senate that in case of an insurrection in the Department of Panama the United States would be bound to support the Government. * * *

The situation is disturbing, and now a further delay is quite apparently for the purpose of awaiting the action of President Roosevelt in his message to the special session of our Congress, which is to meet, it is understood, soon on the 9th proximo, and the attitude of that Congress upon receiving the President's message.

Beaupré to Hay.

OCTOBER 23. (Received 24th.)

The report of the commission not yet discussed. It appears to me the Congress is playing a waiting game, evidently with the object of ascertaining the attitude of the President of the United States in message to the extra session of Congress and of that body. It is said that Congress will not adjourn until the 14th proximo. The minister of foreign affairs gives me assurance intimation that at the next meeting the cabinet will entertain the idea of opening a treaty proposal to send an envoy extraordinary and minister plenipotentiary and also a commission of three prominent men to Washington to renew negotiations.

Beaupré to Hay.

OCTOBER 31. (Received November 6.)

Congress adjourned to-day. No action has been taken upon the last report concerning the canal. Therefore nothing more than the vote of August 12 rejecting the treaty was done. The people here have great anxiety over conflicting report of secession movements in the Cauca and Panama.

Come down now to the 1st day of November, 1903. It will be recalled that this was ten days after the call for the extra session of Congress. At this time the following message from Mr. Beaupré to Secretary Hay was received:

Beaupré to Hay.

NOVEMBER 1. (Received November 8.)

With regard to canal (Government) states that Colombian chargé d'affaires has been instructed to inform the Government of the United States that the Colombian Government would consider new negotiations, which it is believed would be accepted by the next session of Congress. Therefore, if the Government of the United States still desires to open a canal, which it is presumed that it does, as neither by act nor word has it shown other intention, it is to be hoped that the great work will be carried out in the end through Colombian territory.

Considering, Mr. President, that at this time the special session of Congress had already been called, and at this time the Colombian Government itself, for reasons which it may have considered valid, still desired further consideration, I want to ask any Senator if he can conscientiously say that, under the Spooner Act, the President of the United States could even at this time have abandoned his efforts and rejected the overtures on the part of the Colombian Government to carry that law into effect?

On the 6th day of November Mr. Beaupré sent to Secretary Hay the following message:

Beaupré to Hay.

NOVEMBER 6. (Received 8th.)

Knowing that the revolution has already commenced in Panama, ——— state that if requested by the United States will land troops to preserve the Government sovereignty and the transit, if requested by the Colombian chargé d'affaires, this Government will proclaim martial law, and by virtue of vested constitutional authority when public order is restored, will approve by decree the ratification of the canal treaty as signed; or, if the Government of the United States prefers, will call extra session of Congress with new and friendly members next May to approve the treaty.

As to interpretation of our duty as to Colombian sovereignty, see letter, Seward to Barton, Document No. 51, page 95, as follows:

I read this message at this time, Mr. President, because I shall comment upon it a little further on in my address.

I wish now to consider for a few moments some of the messages which passed between the Department of State and our representatives at Colon and at Panama. We have now reached a point up to November 4, 1903. This is a message from Acting Secretary Loomis to Mr. Ehrman:

Loomis to Ehrman.

NOVEMBER 4.

Communicate with commander of gunboat, Bogota, and state plainly that this Government, being responsible for maintaining peace and keeping transit open across the Isthmus, desires him to refrain from wantonly shooting the city. Would have a naval force on the ground for that purpose. The President has ordered the Nashville to Panama on the instant.

Is there anything in this early message, Mr. President, to indicate the intention upon the part of the Government of the United States or the Administration in any way to prevent the Colombian Government from putting down the attempted rebellion in Panama? It is simply a declaration that we shall protect the transit under our treaty. Mr. Ehrman, on the 5th day of November, sends back the following message:

Ehrman to Hay.

NOVEMBER 5.

Colombian troops reembarked per Royal Mail for Cartagena. Bogota supposed at Buenaventura. Quiet prevails

On the 8th day of November there was not, I believe, a single Colombian soldier upon the Isthmus of Panama. On that day the following message was sent from Mr. Ehrman to Secretary Hay:

Ehrman to Hay.

NOVEMBER 6.

The situation is peaceful. Isthmian movement has obtained so far success. Colon and adjacent provinces have officially joined independence. Not any Colombian soldiers known on isthmus south at present. Pagella escorted to parade Panama. Dunas Varela has been appointed confidential agent of the Republic of Panama at Washington.

What message up to this time, up to the very time in which there was not a single Colombian soldier left upon the Isthmus of Panama, would lead any man to believe that it was the intention of this Government to interfere in the conflict between the Province of Panama and the Colombian Government?

On the 6th day of November we have the following message from Secretary Hay to Mr. Ehrman:

Hay to Ehrman.

NOVEMBER 6.

The people of Panama have by apparently unanimous movement dissolved their political connection with the Republic of Colombia and resumed their independence. When you are satisfied that a de facto government, republican in form and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it as the responsible government of the territory and look to it for all questions to protect the persons and property of the citizens of the United States and to keep open the common transit in accordance with the obligations of existing treaties governing the relation of the United States to that territory.

There is the first message that was sent at the time it is stated we acknowledged the independence of Panama. Is there anything in that instruction which is contrary to the precepts of international law? Secretary Hay says:

When you are satisfied that a de facto government, republican in form and without substantial opposition from its own people, has been established in the State of Panama, you will enter into relations with it.

Is that not in accordance with international law? Is not that the rule which is followed by every great nation in the world? What else could the Secretary of State have done at that time? There was no attempt at interference, there was nothing to signify that our representative should be hasty, but that he should wait until there was an absolute government there and no substantial opposition to it anywhere. That condition prevailed, Mr. President, when we acknowledged the independence of Panama.

Let us consider the conditions at the other end of the route across the Isthmus:

Malmros to Hay.

NOVEMBER 3.

Revolution imminent. Government forces on the Isthmus about 500 men. Their officers promised transport immediately. Department, Panama, 441, are well established with strong fortifications. Colombian vessel *Cartagena* arrived, without troops, expected early to-day with new commander in chief. Force expected until November 10. Today's arrival is not favorable to stop revolution.

Malmros to Hay.

NOVEMBER 3.

Troops from vessel *Cartagena* have disembarked; are encamping on Panama dock, awaiting orders to proceed to Panama from commander in chief, who went there this morning. No message for *Nashville* received.

On the 4th day of November, from the same city, we have the following:

Malmros to Hay.

NOVEMBER 4.

Revolutionary committee of six in Panama at 6 p. m. took charge of revolutionary movement. General Tobar and five officers taken prisoners. Panama in possession of commune with consent of entire population. This fact appears not known as yet to conservatives in Colon. Panama committee expect to have 1,500 armed men by this time.

On the next day we find the following message from Malmros to Hay:

Malmros to Hay.

NOVEMBER 5.

All Colombian soldiers at Colon now, 7 p. m., going on board Royal Mail steamer returning to Cartagena. Vessel supposed to be *Dixie* in sight.

I will quote but one more of these messages, and this is from the Navy Department, sent on the 3d day of November to the *Nashville*, at Colon:

NAVY DEPARTMENT, *November 3.*

NASHVILLE, *Colon:*

In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

DARLING, *Acting.*

Mr. President, on the 6th day of November there was not a single Colombian soldier on the Isthmus of Panama; there was not a single Colombian soldier, so far as we know, on his way at that time; every one had surrendered to the Panama authorities, and there was no opposition to the revolution anywhere upon the Isthmus. The people rose as one man and supported the revolution. They set up a government of their own. What could the Government of the United States have done but to recognize it as a de facto government? What other government was there that could have been recognized to protect our interests and to preserve our treaty rights at that place?

The President knew, Mr. President, as every one then knew, that of the treaty was repudiated by the Colombian Government the Province of Panama would probably revolt and set up an independent government, and would then offer us the right of way across the Isthmus.

Now, if that is true, and all the records show that it is true, is it not another very strong reason why the President should have awaited the probable outcome of this proposed and intended revolution? Is it not a reason why he should defer opening negotiations with Nicaragua, bearing in mind at all times that it was his first, his primary duty to secure this canal, if it could be secured, not necessarily from the parties that then constituted the Colombian Government, but to any party or any government that could give us the right of way or represent the territory across which the canal was proposed to be built?

Very extensive comment has been made here, Mr. President, upon the proposition that the Government of Colombia was in duty bound to carry troops across the Isthmus of Panama. I can not agree with that proposition. I take the position that under the treaty of 1846 we not only had the right to guarantee the neutrality of any means or method of crossing the Isthmus of Panama, but at that time we had in connection with it an implied grant that upon reasonable considerations we might build a canal across the Isthmus.

I wish to call attention to just one portion of the treaty of 1846 with New Granada. Under article 35 we find the following:

The citizens of New Granada guarantee to the citizens of the United States, their persons and property, in the territories of New Granada, the same protection and security enjoyed by the citizens of New Granada, and the United States guarantee to the citizens of New Granada, in the territories of the United States, the same security for their persons and property, and the same protection for their rights, whether they shall reside in the territories of the United States or shall be dwelling in any part of the world with which New Granada may be at war, to the extent that it may be in the power of the United States to afford the same by the employment of their military and naval forces, or by any other means they may deem proper to adopt, whenever the navigation of the river Magdalena, or any other road or path across the isthmus which may be used by the citizens of New Granada, may be obstructed by any military force or by any other cause, so that the citizens of New Granada may pass with their property from one sea to the other.

There is clearly implied in this a grant of a right of way across the Isthmus for the purpose of passing over it. It may not be as clear as might possibly be expected, but inasmuch as we may say there is a latent ambiguity in it, then we have a right to go to the surrounding circumstances to determine what was the real meaning of the parties to the contract at those conferences. That is shown up in the message of the President of the United States of February 15, 1847, to Congress. In that message he discusses the very treaty he makes:

It will be perceived by the above extract of a dispatch from New Granada that the Government of that country is willing to grant us the right of way across the Isthmus of Panama, and that the people of Panama would probably revolt if New Granada should refuse to ratify the treaty of the Government of New Granada upon this point. We could then hardly expect to obtain the sovereignty of this portion of her territory and her sovereignty over the isthmus.

What is the construction that is expressed by the President of the United States? It is simply that the construction of this grant, and the intention of the contracting parties, was that the citizens of Colombia as a sovereign, or any foreign country, Colombia upon her part undertook to give us the right of way on this zone, but in addition thereto they gave us the implied right to construct a canal across the Isthmus.

Again, the President states:

In entering into the treaty, propositions proceeded from the first negotiator that the Government of New Granada would not only grant us the right of way across the Isthmus of Panama, but would guarantee the sovereignty of that portion of her territory. Such a guarantee, if obtained, would have been of great value to the United States, as it would have given us a foothold upon the Isthmus which would have enabled us speedily to have opened a ship canal across it, if we should have found it to be practicable, and afterwards to have maintained and protected it by our own power, without any danger of interruption from the government of New Granada. Such a guarantee would have been of great value to the United States, as it would have given us a foothold upon the Isthmus which would enable us speedily to open a ship canal across it, if we should find it to be practicable, and afterwards to maintain and protect

she considered that she was unable to do it herself. You have to admit either that the Government of Colombia was not able to put down this rebellion or else that she is not a Government entitled to the respect of any civilized government in the world.

It has even been contended upon this floor that under this treaty the United States was bound to protect or maintain the sovereignty of Colombia over the Isthmus of Panama. I can not believe that any attorney will seriously contend for that proposition. In other words, if that proposition were to be accepted, in addition to what has been said against it upon the floor—and I shall not repeat those arguments—the United States would be authorized under that treaty to revoke or make a new constitution for the Colombian States, containing provisions which it may time far had refused to incorporate as a part of their constitution. The constitution, as I understand, under which Panama became a State of the Colombian Government called at one time the "United States of Colombia," gave that State and every other State absolute authority to withdraw from the Union whenever they saw fit.

Therefore, if we took the initiative to hold Panama and make her continue a province of the Colombian Government, we would be violating the very constitution under which she was an integral part of that Government.

But it is claimed that the Panama Government could not stand for a moment except it had the moral support of the Government of the United States. Mr. President, she is entitled to our moral support, and if that is all that is necessary for her to make a stand I believe she has such a strong moral support throughout the entire United States that no power of Colombia could ever bring back that Province and make it a part of the Colombian Government.

It is said also that it could not exist unless it was backed by the armies and the Government of the United States. The facts do not justify this conclusion. Estimating the amount of money, as shown in some of the records here, that it required to effect the surrender of 400 Colombian soldiers and their officers to the insurgents, I would say that if they could raise $150,000 they could hold out indefinitely against the whole Colombian Government.

Now, Mr. President, I have reviewed to some extent the conditions which led up to the insurrection; I have referred to all the conditions and messages which bore upon the duty of the President under the Spooner Act, and I have failed entirely to find a point at which the President could have abandoned his efforts to secure the canal without absolutely avoiding the spirit as well as the absolute letter of that law. And I fail to see, Mr. President, after looking over all the correspondence, wherein the Administration could have done otherwise than it did in reference to the Panama revolution.

So we are brought face to face with a simple proposition: Will we carry out the wishes of the American people for a PANAMA Canal? There is no excuse which can possibly be urged in any manner that will meet this plain proposition. We are not going, and no other country in the world is ever going, to put Panama back into the Colombian jurisdiction and make her a part of that territory. So we have before us the proposition of a splendid treaty that has been secured a hundredfold better than anything we have ever had before. Now, what excuse can we give to the American people for not accepting this proposition so favorable to the Government, and one which this Government has been trying to secure for many long years?

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 9th instant approved and signed the act (S. 707) to amend an act entitled "An act providing the terms and places of holding the courts of the United States in the district of Minnesota, and for other purposes," approved April 26, 1890.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and twenty-five minutes spent in executive session the doors were reopened.

SERENUS KILBOURNE.

The bill (H. R. 8748) for the relief of Serenus Kilbourne was considered as in Committee of the Whole. It provides that Serenus Kilbourne, of Battery L, First United States Artillery, shall be held not to have deserted on July 31, 1865, but shall be held to have been discharged as of that date, and that the Secretary of War is authorized to issue to him an honorable discharge in accordance therewith.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. PAUL.

The bill (S. 1834) granting an increase of pension to John W. Paul was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Paul, late of Company H, Twenty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ASHLEY C. RIGGS.

The bill (S. 2122) granting a pension to Ashley C. Riggs was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ashley C. Riggs, late of Company [illegible], Iowa Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. DAY.

The bill (H. R. 1316) granting an increase of pension to George W. Day was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Day, late of Company I, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. DOLLIVER. Mr. President, my impression is that this is a case in which the reduction ought not to be made.

Mr. McCUMBER. Shall the report be read?

Mr. DOLLIVER. I should like to have the report read. I have sent for it.

Mr. McCUMBER. I ask the Secretary to read the report.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. McCUMBER on the 1st instant, as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 1316) granting an increase of pension to George W. Day, have examined the same and report:

The report of the Committee on Invalid Pensions of the House of Representatives [illegible] and the passage of the bill is recommended, amended, however, by striking out the word "forty" in line 8 and inserting in lieu thereof the word "thirty," it being the policy of your committee [illegible] that rate to any soldier pensioned under [illegible] of June 27, 1890.

The [illegible] is as follows:

George W. Day, now 60 years of age, served as a private in Company I, Twelfth Wisconsin Infantry, from November 3, 1861, to July 16, 1865, when honorably discharged.

"He was captured at Rome, Ga., June 3, 1864, and reported at Benton Barracks, Mo., April 26, 1865, having been paroled, and was under treatment in January, 1862, for rubeola.

"His claim to pension under the general law, filed in April, 1874, and based upon chronic diarrhœa alleged to have been contracted while a prisoner of war, was allowed in 1887 at $8 per month from [illegible] and increased to $12 per month November 26, 1890, upon the ground that the disability had increased to a degree of [illegible] and proved to exist a certificate of medical examination of that date failing to reveal the presence of chronic diarrhœa in any degree of severity.

"Claims for pension under the general law on account of this disability were rejected, the last one in May, 1888, upon the ground that a pensionable disability from chronic diarrhœa had not existed since the soldier was discharged from the service, and a claim for scurvy and results was disallowed, the last was also rejected at the same time upon the ground that a disability from these causes had not existed since the filing of the claim.

"He is now pensioned under the act of June 27, 1890, at $12 per month for total inability to earn a support by manual labor by reason of rheumatism and paralysis.

"The soldier never filed a claim for pension under the general law on account of rheumatism, but stated in his claim under the act of June 27, 1890, that he contracted such rheumatism while in Cahaba Prison, Alabama, in March, 1865, owing to exposure by lying in the water, the Alabama River having overflowed, as shown by other and good testimony in the Pension Bureau as to [illegible] for the rheumatism and paralysis.

"An examiner of the Government's staff in the Pension Bureau, sets forth that [illegible] shown prior to enlistment, frost-bitten, [illegible] diarrhœa, and rheumatism, that he had been supposed to be rheumatic ever since a disease contracted in the Rebel prisons, that he had for three months prior to December, 1892, been so bad off with rheumatism and confined to his bed for three months, and being able to move about on crutches at best, and had some one with him as an attendant all the time. That he is now, in December, 1892, unable to move around except by the use of crutches, has no power in his limbs, and is unable to undress himself or attend to calls of nature without assistance.

"There has also been filed the testimony of two comrades, who alleged that they were in Cahaba Prison with the beneficiary, who testified that upon his release from said prison the beneficiary was suffering from rheumatism and scurvy; and the evidence of neighbors and acquaintances that he had been suffering with rheumatism for years and also with scurvy; that since July, 1892, he had been suffering with that disability and paralysis, and had been helpless and confined to his bed; and medical testimony as to treatment for paralysis since July 23, 1892.

"The last medical examination in the case, made on March 4, 1903, upon which the beneficiary was granted a pension of $12 per month under the act of June 27, 1890, describes his physical condition as follows:

"'There is some swelling at the joint of the right knee. Has paralysis, the result of acute multiple neuritis. The affection is present in both hands; the loss of power accompanied by rigidity of the fingers with flexion of middle and ring finger, which are bent in upon palm. The grasp is feeble in both hands, and there is commencing atrophy of the small muscles. Buttons his clothes with difficulty and very slowly. Is about on crutches. There is impairment of coordination. The onset of the attack was gradual and accompanied by pain and helplessness.'

"Pension Bureau papers show that the beneficiary has no means of support aside from his pension except his homestead, worth about $1,200 and encumbered by $750.

"Medical and other testimony filed with your committee shows that the beneficiary is suffering from excessive paralysis affecting both lower and upper extremities; that his hands are so drawn out of shape from the effects of this disease that he is unable to dress or undress without assistance.

"A letter of the adjutant of the George H. Thomas Post, No. 23, Grand Army of the Republic, of Iowa, addressed to the Member who introduced this bill, and also filed with your committee, sets forth that the beneficiary's physical condition is of such a nature to justify Congressional relief; that although the post is opposed to private pension legislation, such legislation, however, was a necessity in his case, it being one of exceptional merit.

"In view of the testimony filed tending to show that the soldier contracted rheumatism while a prisoner of war, and taking into consideration that he requires the aid of a second person, that he rendered faithful service for nearly four years, and is destitute, an increase of his pension to $40 per month is justified.

"The passage of the bill is therefore recommended."

Mr. McCUMBER. I desire to say to the Senator from Iowa that in granting pensions where the soldier is totally disabled from performing any labor, is wholly unable to do anything himself and is in destitute circumstances, $30 is the maximum allowed by the Senate Committee on Pensions. That amount is only increased when the disability of the soldier is such that he requires the constant or nearly constant attendance of a third person to take care of him, and then an amount beyond the $30 is allowed sufficient to pay a reasonable compensation for the care that is given him.

In this case the record discloses simply that he has paralysis; that he gets around on crutches; that he needs some assistance in buttoning his clothes in dressing. The record does not disclose, as I read it, that he requires any further a-sistance. And following the rule which is applied in all cases, it seemed to your committee that we could not take this one case out of the general rule without doing injustice to many others who are similarly situated.

I hope the Senator from Iowa will see his way clear to coincide with this salutary rule on the part of the Senate committee.

Mr. DOLLIVER. Mr. President, I think the rule stated is a very salutary one, but in this case I am informed by resolutions of the Grand Army post that the situation of the claimant is that of entire helplessness; that his condition is one of total paralysis or practically so, and, in my opinion, he should come within the exception which has been so well stated by the Senator from North Dakota.

The medical examination of 1903, about a year ago, distinctly states that the onset of this attack of paralysis was gradual, accompanied by pain and helplessness. I am informed that the condition of the claimant now is one of total helplessness. It is a case which appeals very strongly to my sympathy, and I should think it would come within the exception.

Mr. McCUMBER. I suggest, if it be agreeable to the Senator from Iowa, that if he has further evidence in this case than that which was presented to the committee, as we adopted simply the House report as to the conditions, we pass the bill over at the present time, and I shall be very glad to consider any further testimony which may be adduced.

Mr. DOLLIVER. That is entirely satisfactory to me.

The PRESIDENT pro tempore. The bill will be passed over.

GEORGE W. WETHERELL.

The bill (S. 737) granting a pension to George W. Wetherell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Wetherell, late of Company G, Fourth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to George W. Wetherell."

DAN H. WALLACE.

The bill (S. 3362) granting an increase of pension to Daniel H. Wallace was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of" where it occurs the first time, to strike out the name "Daniel" and insert "Dan;" in line 7, after the word "Infantry," to insert "war with Spain;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dan H. Wallace, late of Company H, First Regiment North Dakota Volunteer Infantry, war with Spain, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Dan H. Wallace."

MARY S. CLARK.

The bill (S. 935) granting a pension to Mary S. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "first" and insert "second;" in line 8, after the word "pay," to strike out "him" and insert "her;" and in line 9, before the word "dollars," to strike out "seventeen" and insert "fifteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary S. Clark, widow of William H. Clark, late second lieutenant Company G, Eighth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $15 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANKLIN MOORE.

The bill (H. R. 5367) granting an increase of pension to Franklin Moore was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin Moore, late major, Second Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

JONATHAN J. SMITH.

The bill (H. R. 8376) granting an increase of pension to Jonathan J. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jonathan J. Smith, late of Company F, Sixty-fifth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS SPRINGER.

The bill (H. R. 6342) granting an increase of pension to Thomas Springer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Springer, late of Company H, One hundred and fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS ADELSPERGER.

The bill (H. R. 165) granting an increase of pension to Thomas Adelsperger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Adelsperger, late first lieutenant and adjutant, Eighty-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. BLANCHARD.

The bill (H. R. 1906) granting an increase of pension to George W. Blanchard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Blanchard, late of Company G, Second Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH HARDY.

The bill (H. R. 3272) granting an increase of pension to Elizabeth Hardy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Hardy, widow of David L. Hardy, late captain Company M, First Regiment Colorado Volunteer Cavalry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADOLPH HEISER.

The bill (H. R. 5718) granting an increase of pension to Adolph Heiser was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adolph Heiser, late of Company F, Thirty-seventh Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMETT COLE.

The bill (H. R. 198) granting an increase of pension to Emmett Cole was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emmett Cole, late of Company F, Eighth Regiment Michigan Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES ANDERSON.

The bill (H. R. 2040) granting a pension to James Anderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Anderson, late of Company C, One hundred and thirteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment, without any deduction or rebate on account of former alleged overpayments or erroneous payments of pension.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE WINTZ.

The bill (H. R. 2553) granting an increase of pension to George Wintz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Wintz, late of Company B, One hundred and Eighteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of $34 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY WURTZ.

The bill (H. R. 4323) granting an increase of pension to Mary Wurtz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Wurtz, widow of Peter Wurtz, late of Company A, One hundred and twentieth Regiment Indiana Volunteer Infantry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HAMILTON E. BURRITT.

The bill (H. R. 4276) granting an increase of pension to Hamilton E. Burritt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hamilton E. Burritt, late of Company I, Fifth Regiment Minnesota Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES F. EMERY.

The bill (H. R. 812) granting an increase of pension to Charles F. Emery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles F. Emery, late captain and assistant quartermaster, United States Volunteers, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL LANDY.

The bill (H. R. 195) granting a pension to Michael Landy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Michael Landy, late landsman, United States Navy, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN S. SINES.

The bill (H. R. 660) granting an increase of pension to John S. Sines was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Sines, late of Company B, Fifth Regiment United States Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID P. M'DONALD.

The bill (H. R. 4759) granting an increase of pension to David P. McDonald was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David P. McDonald, late of Company B, Sixth Regiment Kansas Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. HIBBERT.

The bill (H. R. 4915) granting an increase of pension to James W. Hibbert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Hibbert, late of Company I, Fifty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANSON HEFFRON.

The bill (H. R. 6028) granting an increase of pension to Anson Heffron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anson Heffron, late of Company A, Twenty-fourth Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDGAR CHAPMAN.

The bill (H. R. 689) granting an increase of pension to Edgar Chapman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edgar Chapman, late of Company K, First Regiment Minnesota Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES P. WALLACE.

The bill (H. R. 6442) granting an increase of pension to James P. Wallace was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James P. Wallace, late of Company G, Forty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET A. COOK.

The bill (H. R. 1883) granting a pension to Harriet A. Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet A. Cook, helpless and dependent daughter of Edward Cook, late of Company E, Thirty-third Regiment Wisconsin Volunteer Infantry, and to pay her a pension of $12 per month.

Mr. McCUMBER. I have just received information by letter from the Representative who introduced this bill, stating that the widow has remarried since the bill was reported, and hence she would not be entitled to a pension either under the rules of the Senate or under the general law. I therefore move that the bill be indefinitely postponed.

The motion was agreed to.

JOSEPH H. COOPER.

The bill (H. R. 6947) granting an increase of pension to Joseph H. Cooper was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Cooper, late of Company I, Twenty-second Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATILDA LAFFERTY.

The bill (H. R. 8728) granting a pension to Matilda Lafferty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matilda Lafferty, widow of Edward Lafferty, late captain Company E, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHEW WOODWORTH.

The bill (S. 1796) granting an increase of pension to Matthew Woodworth was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Matthew Woodworth, late of Company H, One hundred and forty-seventh Regiment New York Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN M. MORGAN.

The bill (S. 1803) granting an increase of pension to John M. Morgan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Morgan, late of Company I, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSHUA HARLAN.

The bill (H. R. 5865) granting an increase of pension to Joshua Harlan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joshua Harlan, late of Company A, One hundred and twenty-second Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN WATT.

The bill (H. R. 2809) granting an increase of pension to John Watt, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Watt, late of Company H, Eleventh Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

WILLIAM J. SHEPARD.

The bill (H. R. 4526) granting an increase of pension to William J. Shepard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. Shepard, late of Company D, Fifty-second Regiment Pennsylvania Volunteer Militia (Bucktails), and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES W. BLACK.

The bill (H. R. 1483) granting an increase of pension to James W. Black was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Black, late of Company H, First Regiment Ohio Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. HART.

The bill (H. R. 3411) granting an increase of pension to William J. Hart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Hart, late first lieutenant Company G, Tenth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALPHEUS D. BROWN.

The bill (H. R. 6061) granting an increase of pension to Alpheus D. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alpheus D. Brown, late of Company D, Eleventh Regiment Illinois Volunteer Infantry, and Company G, Twenty-third Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID WARENTZ.

The bill (H. R. 5883) granting an increase of pension to David Warentz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David Warentz, late of Company B, Seventy-ninth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SWEPSTON B. W. STEPHENS.

The bill (S. 3480) granting an increase of pension to Swepston B. W. Stephens was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Swepston B. W. Stephens, late of Captain Wrighton Stephens's company, First Regiment Florida Mounted Volunteers, Seminole Indian war, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MANLUFF W. REYNOLDS.

The bill (S. 3415) granting an increase of pension to Manluff W. Reynolds was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Manluff W. Reynolds, late of Company E, Sixth Regiment, and Company G, Eleventh Regiment, New Jersey Volun-

teer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADOLPHUS N. PACETTY.

The bill (S. 2822) granting a pension to Adolphus N. Pacetty was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adolphus N. Pacetty, late captain, Pacetty's boat company, Florida Volunteers, Seminole Indian war, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADALINE SHAW LOVEJOY.

The bill (H. R. 5534) granting an increase of pension to Adaline Shaw Lovejoy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adaline Shaw Lovejoy, widow of John B. Lovejoy, late of Capt. John Jones's company, Georgia Volunteers, Cherokee Indian war, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LOUIZA PHILLIPS.

The bill (H. R. 2822) granting an increase of pension to Louiza Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Louiza Phillips, widow of William C. Phillips, late of Captain Boston's company, Alabama Volunteers, Creek Indian war, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES F. WHEELER.

The bill (H. R. 4946) granting a pension to James F. Wheeler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James F. Wheeler, late of Company K, First Regiment Texas Volunteer Rifles, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN O. RICE.

The bill (H. R. 7799) granting an increase of pension to John O. Rice was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John O. Rice, late of Company I, Third Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW BLACK.

The bill (H. R. 7798) granting an increase of pension to Andrew Black was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew Black, late of the U. S. S. *Pittsburg*, United States Navy, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MINERVA J. BURTON.

The bill (H. R. 219) granting a pension to Minerva J. Burton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Minerva J. Burton, widow of Thomas Burton, late of Company L, Fifth Regiment Tennessee Volunteer Infantry, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOLLIE J. MITCHELL.

The bill (H. R. 249) granting an increase of pension to Mollie J. Mitchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mollie J. Mitchell, widow of Richard P. Mitchell, late surgeon, First Regiment Tennessee Volunteer Light Artillery, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALEB ARNETT.

The bill (H. R. 4136) granting an increase of pension to Caleb Arnett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caleb Arnett, late of Company C, Eleventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JAMES W. HOUSER.

The bill (S. 2359) to correct the military record of James W. Houser, was considered as in Committee of the Whole. It authorizes the Secretary of War to remove the charge of desertion from the military record of James W. Houser, late of Company E, Twelfth United States Infantry, and to grant him an honorable discharge from the military service of the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL ROLLINS.

The bill (S. 1272) granting an increase of pension to Samuel Rollins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Rollins, late of Company F, one hundred and sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NAOMI GREEN.

The bill (S. 2490) granting a pension to Naomi Green was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions of the pension laws, the name of Naomi Green, [illegible] of Horace S. Green, late of Company B, [illegible] Michigan Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRIET H. HOWLETT.

The bill (S. 2278) granting an increase of pension to Harriet H. Howlett was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "seventeen" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet H. Howlett, widow of Robert Howlett, late of Company B, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY A. HUGHES.

The bill (S. 1892) granting an increase of pension to Mary A. Hughes was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Hughes, widow of Thomas F. Hughes, late captain, Sixteenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HARRY HALLER.

The bill (H. R. 6582) granting an increase of pension to Harry Haller was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harry Haller, late of Company H, Tenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MINNIE GUSLER.

The bill (H. R. 4045) granting a pension to Minnie Gusler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "Ohio," to insert "Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Minnie Gusler, helpless and dependent child of George Gusler, late of Company F, One hundred and sixty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN HAWKER.

The bill (H. R. 3521) granting an increase of pension to John Hawker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hawker, late chaplain Twenty-ninth Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT E. POGUE.

The bill (H. R. 3172) granting an increase of pension to Robert E. Pogue was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert E. Pogue, late second lieutenant Company C, Second Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM P. CONNER.

The bill (H. R. 6020) granting an increase of pension to William P. Conner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Conner, late of Company G, Third Regiment Kentucky Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ERI SUMMY.

The bill (H. R. 561) granting an increase of pension to Eri Summy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eri Summy, late of the First Battery Wisconsin Volunteer Light Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THERESA B. NASH.

The bill (H. R. 4625) granting a pension to Theresa B. Nash was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theresa B. Nash, widow of Warren C. Nash, late of Companies E and D, Nineteenth Regiment United States Infantry, and to pay her a pension of $8 per month, such pension to cease upon proof that the soldier is still living.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REBECCA A. MATHIAS.

The bill (H. R. 7515) granting a pension to Rebecca A. Mathias was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rebecca A. Mathias, widow of John C. Mathias, late captain Company A, Sixty-fifth Regiment Ohio Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE M'DONALD.

The bill (H. R. 2201) granting an increase of pension to George McDonald was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George McDonald, late of Company A, First Regiment Ohio Volunteer Heavy Artillery, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JABEZ PERKINS.

The bill (H. R. 7374) granting an increase of pension to Jabez Perkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jabez Perkins, late surgeon, United States Volunteers, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE B. DAVIS.

The bill (H. R. 6005) granting an increase of pension to George B. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Davis, late of Company F, Sixtieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZA S. SMITH.

The bill (H. R. 8123) granting a pension to Eliza S. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza S. Smith, widow of Samuel B. Smith, late captain Company K, Ninety-third Regiment Ohio Volunteer Infantry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY WILFONG.

The bill (S. 1280) granting an increase of pension to Henry Wilfong was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "seventy-two" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Wilfong, late of Company F, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JERNINGHAM BOONE.

The bill (S. 3527) granting an increase of pension to Jerningham Boone was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jerningham Boone, late surgeon, Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY V. CARSON.

The bill (S. 3267) granting an increase of pension to Mary V. Carson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary V. Carson, widow of John T. Carson, late of Company F, Third Regiment Potomac Home Brigade, Maryland Vol-

unteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. WILLIAMS.

The bill (S. 2043) granting an increase of pension to Andrew J. Williams was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Williams, late of Company D, Eighth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN A. CHAMBERLAIN.

The bill (S. 2569) granting an increase of pension to John A. Chamberlain was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Chamberlain, late of Company G, Fourth Regiment Maryland Volunteer Infantry, and Company K, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUISA LYON.

The bill (S. 2888) granting a pension to Louisa Lyon was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "assistant," to insert "first;" and in line 8, before the word "and," to insert "Mississippi Marine Brigade United States Volunteers;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louisa Lyon, widow of Samuel Lyon, late first assistant engineer ram T. D. Horner, Mississippi Marine Brigade United States Volunteers, and pay her a pension at the rate of $12 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BLANCHE L. CHUNN.

The bill (S. 1642) granting an increase of pension to Blanche L. Chunn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "late," to strike out "commander," and in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Blanche L. Chunn, widow of Frederick Chunn, late assistant paymaster, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MALLIE GWYNN.

The bill (H. R. 2019) granting a pension to Mary Gwynn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the name "Gwynn," to strike out "Mary" and insert "Mallie;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mallie Gwynn, widow of Jonathan Gwynn, late of Light Battery Mississippi Marine Brigade, and pay her a pension at the rate of $8 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Mallie Gwynn."

WILHELMINA MILLER.

The bill (H. R. 134) granting a pension to Wilhelmina Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wilhelmina Miller, widow of Erhardt Miller, late of artillery company, Sixty-fifth Regiment New York Volunteer Militia, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM P. HEREFORD.

The bill (H. R. 5617) granting an increase of pension to William P. Hereford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Hereford, late of Company A, Second Regiment United States Dragoons, Florida Indian war, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHILIP SNOW.

The bill (H. R. 5818) granting an increase of pension to Philip Snow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Philip Snow, late of Company F, Eleventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES P. CLARKE.

The bill (H. R. 3345) granting an increase of pension to Charles P. Clarke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles P. Clarke, late captain Company F, Ninety-ninth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM T. FILLER.

The bill (H. R. 5720) granting an increase of pension to William T. Filler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William T. Filler, late of Company E, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE B. ABBOTT.

The bill (S. 3839) granting an increase of pension to George B. Abbott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George B. Abbott, late of Company B, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. GALLINGER. Mr. President, I hope that the amendment will be disagreed to. This is a soldier who is almost totally blind, as well as having other disabilities of a very serious nature. A medical examination rated him at $42 per month. The report of the committee says:

Evidence of his physicians and neighbors shows that he is almost totally blind, and his general condition such that he is wholly incapacitated for manual labor or for earning a support.

[illegible] and is now [illegible] and in need of relief. He has an invalid wife to support and [illegible] his pension. It is very probable that his blindness is due [illegible] military service and your committee are of opinion that his claim is a worthy one for action by Congress.

If it could have been completely established that his blindness was due to his military service he would be receiving $72 per month. That was impossible to establish, but there are such equities in this case, Mr. President, that it seems to me the bill ought not to be amended. I have noticed that we passed several bills of a somewhat similar nature to-day at $20 per month—some of them House bills—and in one or two cases the soldier was pensioned under the act of June 27, 1890, so that he did not have to prove any disability of service origin.

I know of this man, Mr. President: I know that he is in an extremely bad condition, and I trust the chairman of the committee will agree to have the amendment disagreed to.

Mr. McCUMBER. Inasmuch as I have not had an opportunity to look the matter over carefully, I ask the Senator to allow the amendment to be agreed to at the present time, and I will consider the matter.

Mr. GALLINGER. I prefer that it may be acted on now one way or the other.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MARY LUCETTA ARNOLD.

The bill (S. 360) granting an increase of pension to Mary Lucetta Arnold was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Lucetta Arnold, widow of Isaac Arnold, late lieutenant-colonel, One hundred and [illegible] United States Army, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THERON T. LAMPHERE.

The bill (S. 1530) granting an increase of pension to Theron T. Lamphere was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theron T. Lamphere, late of Company E, English Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGIE S. BARBOUR.

The bill (H. R. 9029) granting a pension to Georgie S. Barbour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Georgie S. Barbour, widow of Thomas S. Barbour, late of the ram *Dick Fulton*, Mississippi Marine Brigade, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY S. M'ALISTER.

The bill (H. R. 734) granting an increase of pension to Henry S. McAlister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry S. McAlister, late of Company A, Sixth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES K. BLYE.

The bill (H. R. 727) granting an increase of pension to James K. Blye was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James K. Blye, late of Company A, Eleventh and Sixth Regiments New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY D. TOWSLEY.

The bill (H. R. 2111) granting an increase of pension to Henry D. Towsley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry D. Towsley, late of First Independent Battery Vermont Volunteer Light Artillery, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GUSTUS S. REMICK.

The bill (H. R. 8729) granting an increase of pension to Gustus S. Remick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gustus S. Remick, late of the First Battery Vermont Volunteer Light Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. CRAIGUE.

The bill (H. R. 3337) granting an increase of pension to Mary A. Craigue was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Craigue, widow of William W. Craigue, late of Company D, Seventeenth Regiment Maine Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PATRICK CANNON.

The bill (H. R. 1859) granting an increase of pension to Patrick Cannon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Patrick Cannon, late of Company H, Fifth Regiment United States Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIETT B. RILEY.

The bill (H. R. 1855) granting a pension to Harriett B. Riley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriett B. Riley, widow of William E. Riley, late captain Company K, First Regiment Connecticut Volunteer Cavalry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE GARDNER.

The bill (H. R. 2016) granting an increase of pension to George Gardner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Gardner, late of Company A, Second Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DUDLEY R. W. WILLIAMS.

The bill (H. R. 2932) granting a pension to Dudley R. W. Williams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dudley R. W. Williams, late of Captain Parker's company, Iowa Mounted Volunteers, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY HUFF.

The bill (H. R. 6352) granting a pension to Mary Huff was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, after the word "dollars," to strike out "each;" and in line 9, after the word "account," to insert "of each;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Huff, widow of George W. Huff, late of the Eighteenth Battery United States Field Artillery, and pay her a pension at the rate of $12 per month, and $8 per month additional on account of each of the minor children of the said George W. Huff until they reach the age of 16 years.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARY E. MELDRUM.

The bill (H. R. 4457) granting an increase of pension to Mary E. Meldrum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Meldrum, widow of Albert R. Meldrum, late first lieutenant Companies I and E, Fifth Regiment New York Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. LAWTON.

The bill (H. R. 754) granting a pension to John M. Lawton was considered as in Committee of the Whole. It proposes to place on

the pension roll the name of John M. Lawton, late of Company C, Third Regiment United States Volunteer Engineers, war with Spain, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THERESA NEBRICH.

The bill (H. R. 6994) granting an increase of pension to Theresa Nebrich was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Theresa Nebrich, widow of Henry Nebrich, late musician, Twenty-first Regiment New York Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH A. JONES.

The bill (H. R. 2912) granting an increase of pension to Elizabeth A. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth A. Jones, widow of James H. Jones, late of Captain Urquhart's company, Georgia Volunteers Creek Indian war, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCIS S. HOWARD.

The bill (H. R. 2916) granting an increase of pension to Francis S. Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis S. Howard, late of Capt. John Loyal's independent company, Georgia Mounted Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS C. POND.

The bill (H. R. 4629) granting an increase of pension to Thomas C. Pond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas C. Pond, late of Company B, First Provisional Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $12 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM TURNER.

The bill (S. 3656) granting an increase of pension to William Turner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Turner, late of Company K, Second Regiment Missouri Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM CONOVER.

The bill (S. 2966) granting a pension to William Conover was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Conover, late of Company B, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CARLOTTA E. HOOPER.

The bill (S. 2221) granting a pension to Carlotta E. Hooper was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "of," to strike out the letter "C." and insert the name "Calvin;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Carlotta E. Hooper, widow of Calvin L. Hooper, late captain, United States Revenue-Cutter Service, and pay her a pension at the rate of $30 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY DORITY.

The bill (S. 2929) granting a pension to Henry Dority was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Dority, late Nineteenth unassigned company, Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VINCENT DE FRIETAS.

The bill (S. 294) granting a pension to Vincent de Frietas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Vincent de Frietas, late officers' steward, U. S. S. *Vincennes*, United States Navy, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SARAH E. WHEELER.

The bill (H. R. 5299) granting an increase of pension to Sarah E. Wheeler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah E. Wheeler, widow of Elijah H. Wheeler, late of Company G, Forty-third Regiment Massachusetts Volunteer Infantry, Company G, Thirty-seventh Regiment, and first lieutenant Company I, Thirty-sixth Regiment United States Colored Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving, and $2 per month additional on account of each of the minor children of said Elijah H. Wheeler until they reach the age of 16 years.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARVIN NASH.

The bill (H. R. 5531) granting an increase of pension to Marvin Nash was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marvin Nash, late of Company G, First Regiment Michigan Volunteer Mechanics and Engineers, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABRAHAM C. NULL.

The bill (H. R. 6071) granting an increase of pension to Abraham C. Null was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham C. Null, late of Company G, One hundred and fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIA LINDHORST.

The bill (H. R. 5528) granting a pension to Maria Lindhorst was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maria Lindhorst, widow of George H. Lindhorst, late of Company I, Third Regiment United States Reserve Corps, Missouri Volunteer Infantry, and to pay her a pension of $8 per month, such pension to cease upon proof that the soldier is still living.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. PRATT.

The bill (H. R. 3435) granting an increase of pension to John M. Pratt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Pratt, late of Company N, Second Regiment Missouri Mounted Volunteer Infantry, war with Mexico, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES R. HAUPTLY.

The bill (H. R. 5555) granting an increase of pension to James R. Hauptly was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James R. Hauptly, late of Company C, One hundred and seventeenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

RICHARD WILKS.

The bill (S. 3470) granting an increase of pension to Richard Wilks was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "Company," to strike out the words "Captain Jones's;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard Wilks, late of Company K, Second Regiment Missouri Volunteers, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY F. PENTZER.

The bill (S. 3405) granting an increase of pension to Mary F. Pentzer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "Patrick H. Pentzer," to strike out "Captain;" and in line 7, before the word "Company," to strike out "of" and insert "captain;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary F. Pentzer, widow of Patrick H. Pentzer, late captain Company C, Ninety-seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HENRY P. HOWARD.

The bill (S. 3413) granting a pension to Henry P. Howard was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry P. Howard, late musician, Second Regiment, United States Army, war with Mexico, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID C. COLEMAN.

The bill (S. 2863) granting an increase of pension to David C. Coleman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David C. Coleman, late captain, Company K, First Regiment Indiana Volunteers, war with Mexico, and lieutenant-colonel Eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES R. COLLINS.

The bill (S. 2200) granting an increase of pension to Charles R. Collins was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles R. Collins, late of Company B, Tenth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE F. HARTER.

The bill (S. 1257) to remove the charge of desertion from the military record of George F. Harter was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to add at the end of the bill the following proviso:

Provided, That no pay, bounty, or allowance, or other emolument shall accrue by virtue of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion from the military record of George F. Harter, late private of Company D, Seventeenth Regiment Indiana Volunteer Infantry, and to issue to said Harter an honorable discharge from said service, to be dated October 8, 1862: *Provided*, That no pay, bounty, or allowance, or other emolument shall accrue by virtue of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. POSEY.

The bill (S. 2817) to remove the charge of desertion against George W. Posey was considered as in Committee of the Whole. It authorizes the Secretary of War to remove the charge of desertion against George W. Posey, late a private in Company A, Twentieth Wisconsin Infantry Volunteers, and also a private in Company B, Thirty-fifth Wisconsin Infantry Volunteers, and to issue to him an honorable discharge.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY BARRETT.

The bill (H. R. 7355) granting an increase of pension to Henry Barrett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Barrett, late of Company I, Fifty-third Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN PANGRATZ.

The bill (H. R. 1156) granting an increase of pension to John Pangratz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Pangratz, late of Company E, Sixteenth Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. CUMMINGS.

The bill (H. R. 6588) granting an increase of pension to James H. Cummings was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James H. Cummings, late of Company B, Eleventh Regiment Michigan Volunteer Cavalry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA M. JOHNSON.

The bill (H. R. 5199) granting an increase of pension to Emma M. Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma M. Johnson, widow of Arthur M. Johnson, late of Company E, First Regiment Ohio Volunteer Light Artillery, and to pay her a pension of $20 per month in lieu of that she is now receiving; but in the event of the death of Tracy M. Johnson, helpless and dependent child of said Arthur M. Johnson, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA H. HIGLEY.

The bill (H. R. 529) granting a pension to Emma H. Higley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma H. Higley, widow of Alonzo Higley, late of the Tenth Regiment Ohio Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. HARGIS.

The bill (H. R. 9588) granting an increase of pension to James H. Hargis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOHN G. FAIRCHILD.

The bill (H. R. 2923) granting an increase of pension to John G. Fairchild was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DANIEL W. HUFFMAN.

The bill (H. R. 2020) granting an increase of pension to Daniel W. Huffman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEWIS LEWIS.

The bill (S. [illegible]) granting an increase of pension to Lewis Lewis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lewis Lewis, late of Company D, Sixth Regiment United States Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY CHENOWITH.

The bill (H. R. 7792) granting an increase of pension to Mary Chenowith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Chenowith, dependent mother of William M. Chenowith, late of Company A, Thirteenth Regiment Missouri Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM PITTENGER.

The bill (H. R. 2[illegible]) granting an increase of pension to William Pittenger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-five" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company C, Second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE B. CHRISTY.

The bill (S. 3397) granting an increase of pension to George B. Christy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "forty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM M. UNDERHILL.

The bill (H. R. 8058) granting an increase of pension to William M. Underhill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

THOMAS JOYCE.

The bill (H. R. 8850) granting an increase of pension to Thomas Joyce was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "B" and insert "D;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SAMUEL A. DICKEY.

The bill (S. 4141) granting an increase of pension to Samuel A. Dickey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel A. Dickey, late of Company A, First Regiment California Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN D. PICKARD.

The bill (S. 1554) granting an increase of pension to John D. Pickard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John D. Pickard, late of Company D, Seventh Regiment Iowa Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY HALE.

The bill (H. R. 138) granting an increase of pension to Henry Hale was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Hale, late of Company D, Twenty-fifth Regiment Michigan Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CATHARINE M. M'CLANAHAN.

The bill (H. R. 4578) granting a pension to Catharine M. McClanahan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine M. McClanahan, widow of John W. McClanahan, late colonel Fifty-third Regiment Illinois Volunteer Infantry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. BROWN.

The bill (H. R. 6091) granting an increase of pension to John W. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Brown, late of Company A, Second Regiment Illinois Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM BAILEY.

The bill (H. R. 7447) granting an increase of pension to William Bailey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Bailey, late of Company B, Eighth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES P. JOHNSON.

The bill (H. R. 5699) granting an increase of pension to James P. Johnson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James P. Johnson, late of Company C, Twenty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRISON H. HAKES.

The bill (H. R. 7095) granting an increase of pension to Harrison H. Hakes, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harrison H. Hakes, late first lieutenant Company B, Eighth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL ALEXANDER.

The bill (H. R. 610) granting an increase of pension to Samuel Alexander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel Alexander, late of Company H, Twenty-fifth Regiment Indiana Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES E. HARRISON.

The bill (S. 3481) granting an increase of pension to J. E. Harrison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James E. Harrison, late of Company [illegible], Twenty-fifth Regiment Indiana Volunteers, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James E. Harrison."

CHARLES H. MILLER.

The bill (H. R. 7594) granting an increase of pension to Charles H. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Miller, late of Company K, Fourth Regiment West Virginia Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM S. BURCH.

The bill (S. 2649) granting an increase of pension to William S. Burch was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible], Twenty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWIN A. FORMAN.

The bill (H. R. 6705) granting an increase of pension to Edwin A. Forman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company A, Twenty-second Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

FRANK J. M'LAUGHLIN.

The bill (H. R. 2[illegible]) granting an increase of pension to Frank J. McLaughlin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company I, Forty-second Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CHARLES S. BELLOWS.

The bill (H. R. 6082) granting an increase of pension to Charles S. Bellows was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles S. Bellows,

late of Company A, One hundred and sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SHAFER.

The bill (H. R. 6036) granting an increase of pension to John Shafer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Shafer, late of Company H, One hundred and twenty-first Regiment Ohio Volunteer Infantry, and Fortieth Company, Second Battalion, Veteran Reserve Corps, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY EDWARDS.

The bill (H. R. 8717) granting an increase of pension to Henry Edwards was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Edwards, late of Company E, Eighteenth Regiment, and Company D, Thirteenth Regiment, Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. HOWARD.

The bill (H. R. 7682) granting an increase of pension to William H. Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Howard, late of Company K, Fourth Regiment Iowa Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN A. REEDS.

The bill (H. R. 6701) granting an increase of pension to John A. Reeds was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John A. Reeds, late of Company H, Twelfth Regiment Kansas Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DEXTER T. DRAKE.

The bill (H. R. 1487) granting an increase of pension to Dexter T. Drake was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dexter T. Drake, late first lieutenant Company G, Tenth Regiment, and Company H, Second Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM M'BRIEN.

The bill (H. R. 1294) granting an increase of pension to William McBrien was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William McBrien, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NATHAN M. GOVE.

The bill (S. 4091) granting an increase of pension to Nathan M. Gove was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nathan M. Gove, late musician, Third Regiment New Hampshire Volunteer Infantry, and Second Brigade, Tenth Army Corps, United States Volunteers, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CHARLOTTE J. FOLSOM.

The bill (S. 4090) granting an increase of pension to Charlotte J. Folsom was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charlotte J. Folsom, widow of Asa Folsom, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ALICE K. SELIGSON.

The bill (S. 4052) granting a pension to Alice K. Seligson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice K. Seligson, widow of Herman A. Seligson, late lieutenant-colonel Ninth Regiment Vermont Volunteer Infantry, and to pay her a pension of $30 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DANA COOK.

The bill (H. R. 1497) granting an increase of pension to Dana Cook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Dana Cook, late of Company D, Sixth Regiment Vermont Volunteer Infantry, and One hundred and seventy-first Company, Second Battalion, Veteran Reserve Corps, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MEDIE M. FLANDERS.

The bill (H. R. 3999) granting a pension to Medie M. Flanders was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Medie M. Flanders, widow of Charles C. Flanders, late of Company G, First Regiment New Hampshire Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMILY CONKLIN.

The bill (H. R. 4937) granting an increase of pension to Emily Conklin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emily Conklin, widow of James L. Conklin, late of Company A, Fifth Regiment Connecticut Volunteer Infantry, and to pay her a pension of $24 per month in lieu of that she is now receiving: *Provided, however*, That in the event of the death of the helpless child, Cora B. Conklin, on whose account the pension of Emily Conklin is increased, the pension of said Emily Conklin shall continue only at the rate of $12 per month from and after the date of death of said helpless child.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HELEN M. BATES.

The bill (H. R. 7439) granting an increase of pension to Helen M. Bates was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helen M. Bates, widow of George E. Bates, late of Company G, Thirteenth Regiment Massachusetts Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY E. PENNOCK.

The bill (H. R. 3298) granting a pension to Mary E. Pennock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Pennock, widow of Cyrus Pennock, late of Company B, Sixteenth Regiment Kansas Volunteer Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK LEWIS.

The bill (H. R. 3407) granting an increase of pension to Frank Lewis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank Lewis, late of Company A, First Regiment Maine Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMELINE F. EMMONS.

The bill (S. 562) granting an increase of pension to Emeline F. Emmons was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Company," to strike out "of;" and in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emeline F. Emmons, widow of George W. Emmons, intermediate Company F, Third Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLARA B. GRISWOLD.

The bill (S. 354) granting an increase of pension to Clara B. Griswold was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "captain," to insert "Company L;" and in line 8, after the word "of," to strike out "seventeen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] her a pension at the rate of $12 per month in lieu of [illegible]

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EDWARD BLAISDELL.

The bill (S. 3950) granting an increase of pension to Edward Blaisdell was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Company," to strike out "of" and insert "second lieutenant;" and in line 8, before the word "dollars," to insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] a pension at the rate of $24 per month in lieu of that he is now [illegible]

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN L. ROGERS.

The bill (S. 3893) granting an increase of pension to John L. Rogers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

[illegible] Secretary [illegible] and he [illegible] to the provisions and limitations of the pension laws, the name of John L. Rogers, late of Company G, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALEXANDER LANE.

The bill (S. 3085) granting an increase of pension to Alexander Lane was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the [illegible] subject to the provisions [illegible] pany F, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES E. M'INTIRE.

The bill (S. 3488) granting an increase of pension to Charles E. McIntire was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and subject to the provisions and limitations of the pension laws, the name of Charles E. McIntire, late of Company [illegible] New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading; read the third time, and passed.

JOHN S. PARKER.

The bill (S. 3534) granting an increase of pension to John S. Parker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Parker, [illegible] Company [illegible] Massachusetts Volunteer Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES C. CHASE.

The bill (H. R. 865) granting an increase of pension to Charles C. Chase was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "Company," to strike out the letter "G" and insert the letter "L;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] pany L, Second Regiment New York [illegible] and pay him a pension at the rate of $24 per month in lieu of that he is now [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BENJAMIN F. GRIGSBY.

The bill (H. R. 5609) granting an increase of pension to Benjamin F. Grigsby was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Grigsby, late of Company I, Second Regiment Tennessee Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

A. MARION GAMBLE.

The bill (H. R. 5471) granting an increase of pension to A. Marion Gamble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of A. Marion Gamble, late major Sixth Regiment Tennessee Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES HAHN.

The bill (S. 1591) granting an increase of pension to James Hahn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "sergeant and;" in the same line, before the word "Company," to strike out "of;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] lieutenant Company B, Forty-seventh Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS HARKISON.

The bill (S. 2759) granting an increase of pension to Thomas Harkison was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "First," to insert "Regiment;" and in line 8, after the word "month," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Harkison, late of Company G, First Regiment Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANNIE B. JOHNSON.

The bill (S. 258) granting an increase of pension to Annie B. Johnson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the name "George," to strike out "Lieutenant-Colonel;" in line 7, before the word "Twenty-ninth," to insert "late lieutenant-colonel;" and in line 9, before the word "dollars," to strike out "thirty" and insert "fifteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie B. Johnson, widow of George Johnson, late lieutenant-colonel Twenty-ninth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA E. S. WRIGHT.

The bill (S. 3053) granting an increase of pension to Emma E. S. Wright was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma E. S. Wright, widow of Edward E. S. Wright, late of Company F, N. Wright's battalion Louisiana Native Guards, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADA JOHNSON.

The bill (S. 2959) granting an increase of pension to Ada Johnson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ada Johnson, widow of Lewis Johnson, late musician, Company G, United States Volunteers, and pay her a pension at the rate of $8 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMMA L. NAGLE.

The bill (H. R. 6459) granting an increase of pension to Emma L. Nagle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Company," to strike out the letter "C" and insert the letter "D;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma L. Nagle, widow of Frederick Nagle, late Corporal Company D, First Regiment Potomac Home Brigade Maryland Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JOSEPH HINKLE.

The bill (H. R. 4251) granting an increase of pension to Joseph Hinkle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Hinkle, late corporal Company D, Second Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $8 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ANNA M. MAIER.

The bill (H. R. 6085) granting a pension to Anna M. Maier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna M. Maier, widow of Markus Maier, late of Company A, Ninth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD A. WILBUR.

The bill (H. R. 5972) granting an increase of pension to Edward A. Wilbur was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward A. Wilbur, late of Company I, Fiftieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MICHAEL DONOVAN.

The bill (S. 1616) granting an increase of pension to Michael Donovan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Infantry," to insert "and Company F, Thirtieth Regiment United States Infantry;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Donovan, late of Company E, Twenty-first Regiment Pennsylvania Volunteer Infantry, and Company F, Thirtieth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN S. STANGER.

The bill (S. 1944) granting an increase of pension to John S. Stanger was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Company," to strike out "of;" and in line 9, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Stanger, late sergeant Company B, One hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES J. CLARK.

The bill (S. 3887) granting an increase of pension to Charles J. Clark was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles J. Clark, late captain-lieutenant-colonel Twenty-third Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID Z. BEIDLER.

The bill (H. R. 6426) granting an increase of pension to David Z. Beidler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out the word "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David Z. Beidler, late of Company D, Ninth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

SAMUEL R. WASSON.

The bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel R. Wasson, late of Company G, First Regiment Ohio Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYNTHIA THOMAS.

The bill (H. R. 2427) granting a pension to Cynthia Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cynthia Thomas, widow of Charles Thomas, alias John Young, late of Company D, Eighth Regiment United States Infantry, Florida Indian war, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARIAH KUECHLER.

The bill (H. R. 5372) granting a pension to Mariah Kuechler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mariah Kuechler, late nurse, Medical Department, United States Volunteers, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARK A. SHELTON.

The bill (H. R. 937) granting an increase of pension to Mark A. Shelton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mark A. Shelton, late of Company A, Second Battalion Missouri State Militia Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JANE ELIZABETH BULLOCK.

The bill (H. R. 5538) granting a pension to Jane Elizabeth Bullock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane Elizabeth Bullock, widow of Charles W. Bulleck, late of Captain Goodloe's company, Second Regiment Texas Mounted Volunteers, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY M'CALL.

The bill (H. R. 7072) granting a pension to Mary McCall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary McCall, widow of John McCall, late of Company K, First Regiment Tennessee Volunteer Cavalry, war with Mexico, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT P. BAKER.

The bill (H. R. 703) granting an increase of pension to Robert P. Baker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert P. Baker, late of Captain Dagley's company, Texas Mounted Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. JONES.

The bill (H. R. 3665) granting an increase of pension to Henry C. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. Jones, late of Company A, Forty-ninth Regiment Missouri Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE F. SMITH.

The bill (S. 3902) granting a pension to George F. Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Regiment," to insert "and Company F, Seventh Regiment;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George F. Smith, late of Company H, Sixth Regiment, and Company F, Seventh Regiment, Delaware Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN H. CARROW.

The bill (S. 2662) granting an increase of pension to John H. Carrow was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Carrow, late second lieutenant Company D, First Battalion Delaware Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES WHEATLAND.

The bill (S. 3812) granting an increase of pension to Charles Wheatland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-five" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Wheatland, late corporal Company D, Fifty-eighth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN HERZOG.

The bill (H. R. 6025) granting an increase of pension to John Herzog was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Herzog, late corporal Company F, Twenty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HORACE E. DAVIS.

The bill (H. R. 8242) granting an increase of pension to Horace E. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horace E. Davis, late of Company G, Second Regiment New York Volunteer Mounted Rifles, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES SCHRODER.

The bill (H. R. 7756) granting an increase of pension to Charles Schroder was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Schroder, late of Company C, One hundred and [illegible] Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET A. TUCKER.

The bill (H. R. 8920) granting a pension to Harriet A. Tucker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet A. Tucker, widow of William E. Tucker, late of Company K, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN HOLZER.

The bill (H. R. 6547) granting a pension to John Holzer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Holzer, late of Company H, First Regiment Delaware Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JULIETTE WESTBROOK.

The bill (H. R. 5811) granting a pension to Juliette Westbrook was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Juliette Westbrook, dependent stepmother of Martin Westbrook, late of Company K, One hundred and eleventh Regiment New York Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES A. THOMPSON.

The bill (H. R. 6562) granting an increase of pension to Frances A. Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frances A. Thompson, widow of John W. Thompson, late acting ensign, United States Navy, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE JEFFREY.

The bill (H. R. 8187) granting an increase of pension to George Jeffrey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Jeffrey, late of Company A, Fifth Regiment New York Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES M. EVERETT.

The bill (H. R. 3617) granting an increase of pension to Charles M. Everett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles M. Everett, late of Company E, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HESTER E. MOONEY.

The bill (H. R. 3815) granting an increase of pension to Hester E. Mooney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hester E. Mooney, widow of James J. Mooney, late lieutenant-colonel Forty-second Regiment New York Volunteer Infantry, and to pay her a pension of $30 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE N. THORPE.

The bill (H. R. 4887) granting an increase of pension to George N. Thorpe was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George N. Thorpe, late of Company F, Twenty-first Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARNEY L. BROOKINS.

The bill (H. R. 4365) granting a pension to Barney L. Brookins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Barney L. Brookins, late of Company D, Fifty-eighth Regiment New York Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES WIGERT.

The bill (H. R. 6023) granting an increase of pension to Charles Wigert was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles Wigert, late of Company E, One hundred and twenty-ninth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES W. DAVIS.

The bill (H. R. 3616) granting an increase of pension to James W. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James W. Davis, late of Company F, [illegible] Regiment [illegible] Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADJOURNMENT.

Mr. PETTUS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Thursday, February 11, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 10, 1904.

COLLECTOR OF CUSTOMS.

Herbert Morissey, of Massachusetts, to be collector of customs for the district of Plymouth, in the State of Massachusetts. (Reappointment.)

PROMOTIONS IN THE NAVY.

Lieut. Commander Alexander Sharp, jr., to be a commander in the Navy from the 4th day of February, 1904 (subject to examinations required by law), vice Commander James K. Cogswell, promoted.

Ensign Roe W. Vincent to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, upon the completion of three years' service in his present grade.

POSTMASTERS.

MAINE.

George L. Thompson to be postmaster at Brunswick, in the county of Cumberland and State of Maine, in place of Charles E. Townsend. Incumbent's commission expired February 2, 1904.

MICHIGAN.

Walter W. Harrington to be postmaster at Northbranch, in the county of Lapeer and State of Michigan, in place of Walter W. Harrington. Incumbent's commission expires March 31, 1904.

MINNESOTA.

Ole C. Enge to be postmaster at Elmore, in the county of Faribault and State of Minnesota, in place of Ole C. Enge. Incumbent's commission expired January 17, 1904.

MONTANA.

Walter Alderson to be postmaster at Red Lodge, in the county of Carbon and State of Montana, in place of Walter Alderson. Incumbent's commission expired January 23, 1904.

NEBRASKA.

James L. L. Hasselbrook to be postmaster at Oxford, in the county of Furnas and State of Nebraska, in place of James L. L. Hasselbrook. Incumbent's commission expired January 23, 1904.

NEW JERSEY.

Edward Burroughs to be postmaster at Metuchen, in the county of Middlesex and State of New Jersey, in place of Edward Burroughs. Incumbent's commission expires February 24, 1904.

NEW YORK.

Winfield S. Spencer to be postmaster at New Rochelle, in the county of Westchester and State of New York, in place of Charles [illegible].

Myron A. Wheeler to be postmaster at Churchville, in the county of Monroe and State of New York. Office became Presidential January 1, 1904.

Henry F. Zimmerlin to be postmaster at Lyons, in the county of Wayne and State of New York, in place of George L. Carver. Incumbent's commission expired December 13, 1903.

TEXAS.

John Harvey to be postmaster at Meridian, in the county of [illegible] and State of Texas, in place of John Harvey. Incumbent's commission expired February 2, 1904.

W. L. Higginbotham to be postmaster at Howe, in the county of Grayson and State of Texas. Office became Presidential October 1, 1903.

Wesley C. Pendleton to be postmaster at Mount Vernon, in the county of Franklin and State of Texas. Office became Presidential January 1, 1904.

Rudolph L. Reuser to be postmaster at Runge, in the county of Karnes and State of Texas. Office became Presidential October 1, 1903.

Robert A. Rolling to be postmaster at Merkel, in the county of Taylor and State of Texas. Office became Presidential January 1, 1904.

VIRGINIA.

Charles E. Welch to be postmaster at Phœbus, in the county of Elizabeth City and State of Virginia, in place of Charles E. Welch. Incumbent's commission expires February 24, 1904.

WASHINGTON.

George W. Edgerton to be postmaster at Puyallup, in the county of [illegible] and State of Washington, in place of Charles E. Hallenbeck, removed.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 10, 1904.

NAVAL OFFICER OF CUSTOMS.

Thomas N. Jamieson, of Illinois, to be naval officer of customs in the district of Chicago, in the State of Illinois.

PENSION AGENT.

Andrew T. Wood, of Mount Sterling, Ky., to be pension agent at Louisville, Ky.

POSTMASTER.

MARYLAND.

Walton C. Orrell to be postmaster at Centerville, in the county of Queen Anne and State of Maryland.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 10, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY NOBLE COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CONTESTED-ELECTION CASE—CONNELL VS. HOWELL.

Mr. DRISCOLL. Mr. Speaker, I move that the House now take up the election case of Connell against Howell, and I will yield to the gentleman from Pennsylvania [Mr. CASSEL].

Mr. McLAIN. Mr. Speaker, I would like to inquire how the time stands?

The SPEAKER. The time so far has been evenly divided with the exception of one minute.

Mr. McLAIN. How much time is remaining?

The SPEAKER. Two hours and fifty-five minutes, to be equally divided to-day.

Mr. DRISCOLL. I now yield to the gentleman from Pennsylvania [Mr. CASSEL] such time as he may desire.

Mr. CASSEL. Mr. Speaker, the contested-election case of Connell versus Howell is one which has been given very careful consideration by Election Committee No. 2, and the results of that investigation have been very fully given to this House by the chairman of the committee.

I want to say, however, that in my judgment this is a case in which both contestant and contestee are thoroughly honest and upright men, and I do not think that anyone in the investigation has accused the contestee of being a party to any irregularities that may have occurred at the time of his election, and he has been very fair and manly in his statements in reference to the case, stating frankly and openly that unless he was given a fair and honest majority of all votes cast at the election he did not wish to retain his seat.

It was with this idea in my mind that I went into the investigation with the other members of the committee, with the results as stated in our report, although personally I would have favored a report showing a larger majority for Mr. Connell, as I am convinced that under the laws of the State of Pennsylvania there were many illegal votes cast that should have been deducted from the votes reported for Mr. Howell.

The results have been brought about by the very strong partisan feelings on the part of many of the election boards who held this election. The laws of Pennsylvania have been made to insure an honest election and a strictly secret ballot. As a member of the Pennsylvania legislature I have helped to pass a number of these laws, and it has been and is the aim of that State to protect its elections and to have honest returns.

The qualifications of a voter in Pennsylvania are: Residence, a small tax, and American citizenship. Our residence clause states that a man must live within the State one year, and must have been registered in the district at least sixty days before the election, at which time a poll tax is levied against him. If he is a single man this poll tax is 50 cents, and if a married man the poll tax is 25 cents. By the payment of this amount of tax a man is entitled to vote for a period of two years, but the tax must be paid thirty days before the election at which he intends to vote. This tax had become a source through which votes could be purchased by the heads of certain organizations buying up these poll taxes, and in this way keeping a man from his vote unless he voted with the organization holding these tax receipts. In order to overcome this the legislature of Pennsylvania passed a law which reads as follows:

PAYMENT OF TAX.

SECTION 1. That from and after the passage of this act it shall be unlawful for any person or persons to pay or cause to be paid any compulsory or poll tax assessed against any elector, except on written and signed order of such elector and no such payments to be made, which written and signed order must be presented at least thirty days prior to the date at which such elector has to vote.

SEC. 2. That it shall be unlawful for any officer, clerk, or other person authorized to collect taxes and receipt therefor to receive payment of or receipt for any compulsory or poll tax assessed for State or county purposes from any person other than the elector, except upon the written and signed order aforesaid, giving such person the right to do so.

SEC. 3. It shall be unlawful for any person to vote or attempt to vote at any election upon a tax receipt obtained in violation of this act. (Act of 16th July, 1895, P. L., 356.)

There is no question but what thousands of votes were cast in Lackawanna County in the election of November 4, 1902, the voters of which were not entitled to a vote because this tax was not paid. If the legislature of Pennsylvania had the right to make a qualification of this kind, then these votes were illegal and should be excluded from the returns.

The law of our State also gives citizens the privilege of voting in case their names are left off the registration list, provided they can prove at the polls that they are entitled to a vote. In this district there were between 400 and 500 affidavits filed which were

defective. Some of them were not even signed by the voter, others were filled up partially, but many blanks were left unfilled, and consequently I think all these votes should be deducted from the results.

The testimony has been taken of competent witnesses which goes to prove that a large number of these votes were cast for Mr. Howell, and, being illegal, should be deducted from the vote given to him in the returns.

One of the greatest wrongs, however, in the whole proceeding was the voting of a great many unnaturalized foreigners. Pennsylvania has been one of the greatest States in the Union for receiving into its borders people from all the nations on the face of the earth. It has been its pleasure to make many of the best citizens of our country out of these foreign-born people; but our State is very jealous of its citizenship, and I think that the Congress of the United States should throw around the naturalization law still greater restrictions. To be an American citizen is one of the greatest honors which a man can have, and for us to give this citizenship to foreign-born people without character, education, or principle, and who have no knowledge of the laws of our country, who have no interest in the broad ideas of liberty which have been established in the minds of our own children, is a great mistake, and our own people will soon lose the great honor which they have for their citizenship if we continue to lower the standard of this citizenship as we have in the past.

There were many of this class of men who voted at the election in Lackawanna County in November, 1902, who had not even taken out their declaration of becoming citizens. They had no papers of any kind to show citizenship, and yet the election officers, partisans and all belonging to one party, in many cases allowed them to vote, and in some instances sent for them to come and vote, knowing they were not entitled to the privilege.

Mr. Speaker, in the argument made yesterday by the gentleman from Massachusetts [Mr. THAYER] in reference to the majority given at the election in November, 1902, for Mr. Pattison, candidate for governor, and comparing it with the majority given for Mr. Howell, he asked the question why the difference in votes.

This question, in my mind, is a very simple one, and has been explained in the testimony given to us in the report. The Democrats of Lackawanna County are very much like the Democrats throughout the rest of the United States. They are united on local issues, but divided on national issues and platforms.

It has been shown to us here very plainly that a large proportion of the Democrats of Lackawanna County in convention nominated Mr. Connell as their candidate for Congress. It has also been shown that the minority, a part of the Democratic party, withdrew from that convention and nominated Mr. Howell for the same office. This matter was taken before the State courts at Harrisburg, and in their rulings both names were removed from the ballot. Consequently Mr. Howell was placed in nomination by nomination papers, and Mr. Connell was placed in nomination by the Republican party and also by nomination papers. The Democratic party was divided on this issue and, while they were united in their support for governor of Pennsylvania, it divided their vote when it came to ballot for a Member of Congress.

Consequently it explains to us very plainly why the difference in votes was occasioned. There was a great deal of talk here yesterday in reference to the throwing out of the three wards—one in Old Forge and two in Winton. I want to say that there are five wards in the borough of Dunmore that, according to the testimony, should have been rejected and thrown out of this count. Mr. Howell's majority in these five wards was 164 votes. His majority in the three wards which were thrown out was 458 votes, so that without putting into the record any votes except from these eight districts Mr. Connell's majority would have been 135 votes. But there has been given to us in the record, fully and plainly, the testimony, as has been stated here, of 6,500 witnesses. Many of these have not been pertinent to the issue, but the witnesses that have been pertinent to the issue have been named in the brief presented by the contestant.

He has named the parties, he has referred to their testimony by page, and to their politics by page as well, and this House has before it in this report a full and complete statement of each of these illegal voters and, as near as possible, as to how each voted. We find in this that there were 388 disqualified for the reason that they did not make legal proof sufficient to warrant them in voting. There were 373 votes cast of nonnaturalized persons. Every one of these men appeared upon the witness stand and stated that they were not naturalized, and that they had voted for Congressman on this day in November, 1902. There were 875 who voted who testified themselves that they had not paid a tax within two years, the limit of time which is required to pay a tax in the State of Pennsylvania. This is their own testimony, not that of hearsay.

Mr. BENNY. Did these 379 witnesses the gentleman speaks of testify for whom they voted on that day?

Mr. CASSEL. The majority of them did not.

Mr. BENNY. Were they asked the question?

Mr. CASSEL. They were not. As was stated here yesterday, both counsel for the contestee and the contestant stated that it was not necessary for them to answer that question, but their politics was proven plainly by the associations which they kept, by the people who brought them there and voted them, by the people who marked their tickets, by the people who urged them to come down to vote, and who stated openly for whom they were voting and working on that day.

Mr. BENNY. Do I understand that the gentleman has deducted these 379 from Mr. Howell's total count?

Mr. CASSEL. We have not in the report of the majority, but in the statement that I wish to make before I close I will state that I have deducted 379 votes, in order to prove what I believe should have been Mr. Connell's majority, amounting to 2,394, instead of 223 as shown by the majority report. There were 151 votes proven of nonresidents; there were 172 voters who had received illegal assistance; there were 92 people whose names are on the register list as having voted, but who swore themselves that they were not present on that day and did not vote at that election. These make in all 1,707 votes outside of the illegal affidavits of persons who are reported as having voted on that day and whose votes were illegal. The matter of the admission of these votes of course has been left to that part of the committee composed of lawyers. My ideas of the results of this election are as follows:

According to the official returns, Mr. Connell received 13,139 votes. Mr. Howell received 13,600 votes. The Second and Third wards of Winton, the first district of Old Forge, and the five wards of Dunmore should be thrown out. This would deduct from Mr. Connell's vote 488 votes and from Mr. Howell's vote 1,105, which would leave Mr. Connell a total of 12,651 and Mr. Howell a total of 12,495. But to this must be added the 32 votes which have been proven for Mr. Connell, which would make his vote 12,683; and from Mr. Howell's vote we must deduct these illegal votes which have been proven by good testimony, as I believe, 2,206, leaving him a total of 10,289. This would give a majority of 2,394 for Mr. Connell. I believe these figures to be as nearly correct as they can be had from this great mass of testimony which has been brought before our committee, and I think that Mr. Connell's majority is not only what has been stated by the majority report, but it should be a great many more, as I have shown.

I might go further into an explanation of the election laws of the State of Pennsylvania. They are simple, and yet supposed to be entirely fair. The judge and inspectors of election are elected by the people. We have one judge and two inspectors, who are chosen in February of each year, and each voter can vote for but one inspector, thus generally giving the minority one inspector. These inspectors each then appoint a clerk, and the board consists of these five men.

There appears to be a misunderstanding in reference to the registration book in the hands of the election officers on the day of election. The law is very plain when it says that the county commissioners shall make up a check list from the registration book, and this shall be placed in the hands of the inspectors of election, and they shall mark opposite the names of the voters when the ballots are cast by them. The original registration book is not placed in the hands of the officers. Any names not found in these check lists in the hands of the inspectors, or any names under which any disqualifications are marked, of course, are not entitled to a vote unless affidavits are filed showing they are citizens and residents of the district.

As I have said before, the trouble in the districts in question appears to have been due to the fact that the officers in these districts were apparently strong partisans, and determined to bring about results without reference to justice or law. [Applause.]

Mr. McLAIN. Mr. Speaker, I yield fifteen minutes to the gentleman from Pennsylvania [Mr. SHIRAS].

Mr. SHIRAS. Mr. Speaker, I have examined the majority and minority reports in this case. I have also looked over the evidence that was considered material, and I consulted at a considerable length of time with the majority of the members that compose the Republican majority in this committee. Notwithstanding the consideration given to the report of the majority, I find I am unable to agree in the recommendations made by my party colleagues. In the first place, permit me to say that I do not question for an instant the sincerity of the gentlemen who compose the majority of this committee. Anyone who listened to the remarks of the gentleman from Iowa [Mr. BIRDSALL] and the chairman of this committee, the gentleman from New York [Mr. DRISCOLL], must be impressed with the fact that these men believe they are right.

They are also to be credited with the fact that they had to deal with one of the most difficult cases in point of extent of testimony and number of witnesses of any case that has been presented here for years.

Now, I do not question their sincerity; and, under ordinary circumstances, I take it, it is the duty of Members of this House to follow the suggestions and recommendations made by the majority of the committee that has examined a case of this kind. While, therefore, I do not question the sincerity of my fellow-[illegible] the majority report, neither do I question [illegible] up to a certain point. When you come to [illegible] down to a certain point, it will be found they were [illegible] but when they become [illegible] disregard to the law that [illegible] kind.

In a few [illegible] I shall refer briefly to the question of alinude evidence; but [illegible] that point I want to say to my Republican [illegible] that this [illegible] case from the [illegible] of the majority. There are [illegible] witnesses and [illegible] and hundreds thousands and tens of [illegible] dollars were spent in preparing this issue for this [illegible]. And what was the result? The majority find a [illegible] votes in favor of the contestant out of a total [illegible] that district. They have taken the [illegible] and there had been a [illegible] of 112 votes in that district Mr. Connell—the contestant—would have been defeated.

Now, gentlemen, you must remember that while that is conceded by the majority of the committee representing the side of the House, the Democrats do not concede that the result was so close. You must take the situation as it existed there; and there are equities in the case that seem to me to throw a great deal of light on the situation. In the first place, we are told that we ought to follow the majority of the committee because of the great volume of testimony taken. Now, gentlemen, let me tell you those are wooden guns piled up there. If you have listened to the debate up to the present time you must have been satisfied of the fact that the case rests upon a very few pages of testimony and several very simple propositions of law.

The testimony relied upon here is substantially quoted in the minority report. If any Member will take the two reports and go off quietly by himself for an hour and analyze this case, he will come to a conclusion without the necessity of looking into the testimony further; or if he has listened to the debate of yesterday, he must in the same way have reached a conclusion as to how he should vote.

Now, the idea of any Republican here trying to hide behind that mass of testimony, and saying, "I am unable to delve into all the depths of this case and come to a conclusion, and I can satisfy my conscience by following the lead of this committee," is, it seems to me, fallacious. Some gentlemen on this side undertake to throw the responsibility on the committee in that way. They say: "I believe the members of the committee to be honest, conscientious men. They have gone through this mass of testimony, and we can not do better, under the circumstances, than follow their conclusion."

On that point I wish your attention. The determination of this case does not require the consideration of the testimony to any great extent. The testimony upon which the issue here turns has been repeatedly read and referred to on both sides of the House.

Mr. DRISCOLL. Does the gentleman mean to say that all the material evidence has been read?

Mr. SHIRAS. All the material evidence, the evidence that you [illegible] has been [illegible], in character analyzed and presented to the House.

Mr. DRISCOLL. We could not do that in a week.

Mr. SHIRAS. When you come to consider the questions of law involved here, if you are permitted to give due weight to those questions, nine-tenths of this testimony must be ruled out absolutely.

Mr. CASSEL. Has the gentleman read the briefs of the contestant and [illegible]?

Mr. SHIRAS. I have read the report very carefully [illegible] and have consulted with [illegible] the majority of the committee except Mr. DRISCOLL, whom I tried to see several times. I say the report—

Mr. CASSEL. I am speaking of the briefs which set forth the case as presented by the [illegible].

Mr. SHIRAS. As I have already [illegible] I have not attempted to read all the testimony in the case, because I have taken the words of the majority as well as the minority of this committee that the material evidence has been presented.

I think it can be shown that the great mass of this testimony must be ruled out, not only because it comes under the head of alinude proof, but because this alinude evidence can not be applied owing to the failure to connect it up with the votes thrown out; and when you come to consider the matter, therefore, it will be found that four or five thousand pages of this testimony can not properly be considered.

Now, let us look at another feature of this case. The Tenth district of Pennsylvania is not what [illegible]. The Democratic [illegible] of a contest arrived it became [illegible] and before the [illegible] in every Republican [illegible] knew anything about the state of the case in that district knew that there was very little question that the Democratic candidate would carry that district, although ordinarily a Republican district.

Consequently the Democrats knowing this, and knowing that they had [illegible] chance, there was every reason in the world why they should put forward a representative Democrat to lead them in the battle which they knew they come to them in that district when [illegible] were [illegible].

Mr. GILBERT. What were the changed conditions that led people to think it would be Democratic?

Mr. SHIRAS. There was a series of labor strikes growing out of the coal business there, and Mr. Connell was one of the leading coal operators, and it was natural under those conditions to expect reprisals.

The county of Lackawanna gave the Democratic candidate for [illegible] between five and six thousand majority. Now, the Democrats thought that this was coming, saw their duty, and they therefore [illegible] to nominate a Democratic candidate, because in that ordinarily Republican district they expected to elect their candidate.

Now, what happened? The land friends of the contestant went into a Democratic convention, captured it, and, with a very small minority of the convention against it, got the Democratic nomination. Although he is coming here to-day charging fraud against the Democracy, he received and filed a Democratic certificate of nomination in Lackawanna County. Mr. Howell, who had the majority of the convention, also received a Democratic nomination, and that was filed in Susquehanna County. A contest arose, and the courts of Pennsylvania decided that the nomination given to Mr. Connell was illegal and threw him off the Democratic ticket.

Mr. SWANSON. Do you mean he claimed to be the Democratic nominee?

Mr. SHIRAS. Yes.

Mr. GILBERT. What proportion of that convention voted for Mr. Connell?

Mr. OLMSTED. Will my colleague permit a question?

Mr. SHIRAS. Yes.

Mr. GILBERT. What proportion of the Democrats in that convention—

Mr. SHIRAS. I have yielded to my colleague, Mr. OLMSTED.

Mr. OLMSTED. I understood you to find fault with the Democratic convention for nominating or attempting to nominate a Republican.

Mr. GILBERT. As a Democrat.

Mr. SHIRAS. I say Mr. Connell went to a Democratic convention and was nominated.

Mr. OLMSTED. Let me ask my colleague if he himself was not nominated by a Democratic organization?

Mr. SHIRAS. Yes, and the three other Republican Congressmen in Allegheny County also received Citizens' nominations. Mr. DALZELL himself received a Citizens' nomination, although he did not receive a Democratic nomination.

Mr. OLMSTED. Did you receive Democratic support and vote you checked in that way against the regular Republican nominee? Is not that the fact?

Mr. SHIRAS. That is not the fact, sir, as stated. I ran as an [illegible] Republican, and, as is often the case, received several party nominations.

Mr. KITCHIN. The Democrats did not vote for you, did they?

Mr. OLMSTED. A good many of them did. [Laughter.]

Mr. SHIRAS. As this inquiry is becoming a little personal, perhaps I had better answer it by the political situation in Allegheny County. We have not any Democratic party in Allegheny County practically, for the Democrats joined in the fight for good government, so there are two Republican parties there. If the Democrats had run a Democratic candidate in my district against two Republicans, he would not receive probably more than 4,000 votes out of the [illegible] votes cast.

Mr. CONNELL. How will I carry it, you believe?

Mr. SHIRAS. When the votes were taken there I had 14,000 votes; the other Republican had about 11,000 votes, so there was but a very small difference between the two, but the vote that was cast there for me represented the unprejudiced, independent-thinking vote in my district. I think I got practically every fair-minded, untrammeled Republican vote in that district in that particular contest. [Laughter.] I will tell you why I think so.

Mr. OLMSTED. Then there are 14,500 trammeled Republicans in that district? [Laughter.]

Mr. SHIRAS. No; but there are thousands of officeholders in that district, Federal, State, and county [laughter], and two or three thousand relatives. Now, I got few of those votes.

Mr. CASSEL. What was the majority in that district?

Mr. SHIRAS. The majority in that district was 18.

Mr. CASSEL. What has become of the parties that nominated you at that time? Have not they gone back into the Republican party?

Mr. SHIRAS. I am not going back into the pedigree of Allegheny County politics. No one can understand them, and I can not expect the gentleman to understand them.

Mr. GILBERT. There is no contest about your seat.

Mr. SHIRAS. The gentleman refers to the 18 majority as apparently indicating that I did not represent the Republicans in my district, intimating that if I did I would have had a larger majority.

Mr. OLMSTED. No; I think it simply shows that you have become one the 6,000 officeholders. [Laughter.]

Mr. SHIRAS. You look at it from a different point of view. Now let me tell you gentlemen about that district. My Republican opponent ran on the "organization" Republican ticket, on the same ticket as Governor Pennypacker, on the so-called "straight Republican ticket." Governor Pennypacker carried the Twenty-ninth Congressional district by 20,000 majority, and my Republican opponent was not elected. Did the Democrats do that? My opponent ran 20,000 votes behind the Republican State ticket in this Congressional district. Could he have been more badly defeated?

Mr. KENNEDY. The same thing occurred over in Lackawanna, did it not?

Mr. SHIRAS. I am being diverted from what I was saying.

Mr. GILBERT. Now will the gentleman answer my question? What proportion of the Democrats in the convention in this Congressional district were in favor of the nomination of Mr. Connell as the Democratic nominee?

Mr. THAYER. Thirty-two out of 192.

Mr. SHIRAS. Now, gentlemen, you do not want to hear me on what the Democrats of Allegheny County could, would, or should have done, or my political pedigree, but it is simply a question of fact, "Who was elected;" and you can not see who has been elected, for the Committee on Elections have so limited the inquiry that not over fifteen of the witnesses whose testimony was taken is material to this issue.

Mr. SIBLEY. Let me call your attention——

Mr. SHIRAS. Let me give the reason, because I do not want to make a statement and then have to analyze it before I go on. I started to say that the result of this Democratic convention was that not only was Mr. Connell's nomination thrown off the Democratic ticket, but Mr. Howell, the admitted Democrat, who positively was a Democrat and whom the Democrats knew had a chance of election, was also thrown off the Democratic ticket.

The SPEAKER. The time of the gentleman has expired.

Mr. McLAIN. I will yield the gentleman ten minutes more if he desires it.

Mr. SHIRAS. The controversy that arose in this Democratic convention, in which the contestant desired to carry off the prize, is not material, or ought not to be, except for one phase. Everyone here who is candid will admit that if Mr. Howell had been before his district on the straight Democratic ticket, it would have given him four to five thousand Democratic majority, and he would have certainly gotten it but for the extraordinary and peculiar methods of procedure of that Democratic convention.

Therefore I say, gentlemen, the question in this controversy is as to the alleged Democratic convention, with a Republican candidate, and an actual Democratic candidate. I take it that all Republican Members here who are in favor of fair play well know that Mr. Howell got 461 majority, instead of the 4,000 or 5,000 he ordinarily would have had. It is difficult for this committee to show that all these votes were intentionally fraudulent. I take the position that in the consideration of this case there is no doubt that the committee has failed to fully understand the subsequent effect of this Democratic convention when figuring upon the majority that Howell would have had.

Mr. CASSEL. Do you mean to say that the committee, which has given two weeks' continuous work in going over this evidence and testimony, four weeks almost, commencing at 10 o'clock in the morning and continuing until 5 o'clock, and giving through their report their conclusions that they have arrived at, that they do not know more of it than you, when you say that you have not been able even to read it?

Mr. SHIRAS. I have been trying to get to the very proposition, because the bulk, perhaps, of this testimony, showing what you did, is what has led up to my general proposition, viz, whether you have established the fact of Mr. Connell being entitled to a seat under this evidence. Now, what do you do? You find 461 plurality in favor of the Democratic candidate, and you change that to 223 in favor of the contestant. How do you do that? Up to a certain point the committee did not go astray. It showed, I think, good judgment when it took up the case of these three precincts, which they charged to have been, on their face, full of fraud. To take these up and with careful judgment proceed to determine how they would get at the fraud and what effect the fraud had on the general result.

But they did not treat it fairly. In the first place, they found 50 illegal votes of persons who had not paid their taxes, 50 illegal votes of persons who had not registered, and those, to some extent, were technically illegal votes, but instead of taking those votes out of Old Forge and the Second and Third wards of Winton, and even charging all against Mr. Howell, what did they do? They threw out the entire 797 votes, though Mr. Howell had 454 majority.

Mr. McLAIN. May the gentleman allow me to interrupt him for a moment just to say I will allow him as much time as he wants and he can proceed as he desires.

Mr. SHIRAS. Now, that, gentlemen, is the starting point of this case. Here are districts that cast 797 votes that gave Mr. Howell 625 votes and 172 to the contestant, and an admission that part of these were technically illegal ballots and not fraudulent in the worst sense. They threw out those 797 votes, and they do not show in the evidence taken in Old Forge and in the Second and Third wards of Winton that any single one—mark me—that a single one of those fraudulent votes had been cast for Mr. Howell, but, on the contrary, the only evidence of illegal votes cast was that they were cast for the contestant. Is that not correct, I ask the gentleman from New York?

Mr. SWANSON. You mean that there was no fraud on the ballot box?

Mr. SHIRAS. I say in the proof they did not attempt to prove any of those illegal votes had been cast for Mr. Howell.

Mr. SWANSON. They were simply people who voted not being properly registered.

Mr. SHIRAS. There may have been false impersonations, there may have been cases of extreme frauds, but I am not defending that; I am analyzing how they got at the question of the separate fraudulent votes or assumed illegal votes——

Mr. GILBERT. They cast that vote to Mr. Howell without any proof——

Mr. SHIRAS. They found nothing, in my judgment, which should lead to the throwing out of the entire precincts. The result of that was that Mr. Howell still had 8 majority and then they went back and by aliunde proof—here is the dangerous point in their process, by aliunde proof—they found that 32 of those 797 votes had been cast for Mr. Connell. Now, what was the result, gentlemen, of that finding? It was this: Here were three precincts with 797 votes and with the large majority of 454 for Mr. Howell which were absolutely thrown out. They destroyed this entire vote, yet found Mr. Howell elected by 8 majority. They then go back and go over the embers, you might say, of the destroyed votes and find 32 for Mr. Connell, and turn that Democratic district, which gave 454 majority for Mr. Howell, over to Mr. Connell by a unanimous vote—32 for Connell, nothing for Howell. It seems incredible.

Mr. SWANSON. Which gave that majority?

Mr. SHIRAS. Yes.

Mr. DRISCOLL. Will the gentleman yield for a question?

Mr. SHIRAS. Certainly.

Mr. DRISCOLL. Is not that the ordinary practice, that when a district or poll is thrown out for fraud, to go back and prove votes cast for both parties by evidence aliunde? Was that not done in the Fifty-fifth Congress in the case of Wise *v.* Young and in many other cases?

Mr. SHIRAS. I do not think it was ever done under conditions as they existed in this case.

Mr. DRISCOLL. No two conditions in elections are exactly alike, but where we throw out votes of certain districts because of fraud, the practice for both parties is to go back and prove the votes cast for their candidates aliunde.

Mr. SHIRAS. Now, I want to ask a question in return. Is it not a fact that those three districts cast 797 votes, which gave Mr. Howell a majority of 454 votes, and by throwing out those precincts it still left a majority of 8, and that the action of the committee in finding those 32 votes put the result in favor of Mr. Connell?

Mr. DRISCOLL. Why, yes, but —— [Applause on the Democratic side.] Oh, there is nothing to cheer about this; we are dealing in facts here. We stated it yesterday ourselves, and it is not necessary for a Mugwump from Pennsylvania to state it over again. I simply say, is it not the invariable rule? Did not Mr. Howell have the same chance to go back and prove his votes in

those districts? Did he not have the same opportunity to prove them if he wanted to?

Mr. SHIRAS. Now, gentlemen, I am trying to talk about the equities in this case.

Mr. NORRIS. May I ask the gentleman a question?

Mr. SHIRAS. Certainly.

Mr. NORRIS. In your judgment, was the committee justified in throwing out the three precincts? Do you agree with them in that?

Mr. SHIRAS. I do not agree with them on that point. I do not criticise them very harshly, but I do not agree with them. What I think they ought to have done is, having found about 125 irregular votes, some technically irregular and some absolutely fraudulent, they should have deducted those votes, even if they deducted them all from Howell. That would have been bad enough, but to throw them all out was unfair, in my judgment.

Mr. CASSEL. In the report of the Second Ward of Winton, 184 votes were cast for Howell and 178 votes were declared and proved fraudulent.

Mr. SHIRAS. Who found them fraudulent?

Mr. CASSEL. They were shown to be fraudulent by the evidence.

Mr. SHIRAS. Now, we find the case stands in this way. That when they took the disputed districts this great number of votes, amounting to nearly 800, were thrown out of the three precincts, making a unanimous vote for Connell of 32 to nothing. That, if sustained, would elect Connell by 24 majority. Now, that does not look like much of a plurality to come into the House here with, with thousands of pages of testimony at an expense of thousands of dollars showing only a plurality of 24. Well, what does the committee do? They had a taste of "aliundeism," and they then did what, to my mind, is the one illegal proposition that bars out most of this testimony. The testimony was taken showing that 1,700 illegal votes were cast: yes, upward of 2,000. If I am incorrect I wish the chairman would correct me——

Mr. DRISCOLL. Two thousand and two.

Mr. SHIRAS. Two thousand and two; and when the committee came to consider these votes they were of the opinion that there were a number of fraudulent votes, and under aliunde proof they attempted to show that a great number had been cast for Mr. Howell, and thousands and thousands of pages of testimony were taken upon that branch of the case. I do not say it was wrong to take the testimony upon that point, but I say that when the committee came to make the report they really barred out the testimony and have prevented its consideration by the House. They found, I repeat, that there were 1,700 illegal votes; and what did they do? They file a report in which they say that "at least 200 votes"—that is the language of the report—"at least 200" of these votes were cast for Howell.

When they came to make the report, you find that in round numbers they deduct 200 from Howell. Let me show you what that means. Upon an investigation of the attitude of the members of the committee we find that they can not tell who the various parties were, what their names were, or where they were located. Is this not most extraordinary? In my mind it is the turning point in this case. Not only we as Republicans can not know, but the opposition are powerless to pass upon the two questions that arise in each of these 200 cases: Was the vote illegal, and was it cast for Mr. Howell? It is the introduction of this bad precedent that arouses in the main my opposition.

Thus, having agreed that there were 1,700 illegal votes, and believing that "at least 200" of them were cast for Mr. Howell, they promptly charge them up and take from his count 200 votes that are not identified by name or voting precinct.

Mr. KENNEDY. Why, they were passed upon by the majority of the committee.

Mr. SHIRAS. I would like to ask the gentleman a question. Does the gentleman mean to say that his committee passed upon these 200 votes and has got them entered on the record, in the minutes, as 200 voters from certain precincts? And by a vote of the committee determined that they were illegal?

Mr. KENNEDY. The committee passed upon 200. In my judgment there are a thousand.

Mr. SHIRAS. Now, I want to ask the gentleman how he passed on those 200. Where are they? What are their names? Why does the committee not have them in its report?

Mr. KENNEDY. I did not draw the report.

Mr. RANDELL of Texas. The committee did not pass on the 200.

Mr. SHIRAS. I am not saying there were not 200 illegal votes there. I am not saying that they ought not to be deducted, if you can prove them, but I say you have to do it in a legal way. Let me say to the members of the majority of this committee that when they had a vote that they wanted to deduct from Mr. Howell's count, one of the gentlemen should have said, "Mr. Chairman, I move you that the vote of John Smith, illegal by false registration or nonpayment of taxes, which vote the evidence shows has been cast for Mr. Howell, shall be deducted from his count." That should have been put to a vote of the entire committee, and if the committee affirmatively by its majority struck that out, the Republicans and Democrats voting upon it, then that vote should have been taken from the count of Mr. Howell.

But what have you done? You have simply come to the conclusion—all of you, as individuals—that there were "at least 200" illegal votes out of 1,700 that were cast for Mr. Howell, and you have deducted them without identifying them by the name of the voter or voting precinct, a thing I never heard of, even in the "solid South." Now, unless the members of this committee can deny what I say here—that they have taken 200 votes that they can not identify—it seems to me that it shows the dangerous character of the aliunde evidence, and it is upon that that this gentleman [pointing] relies for obtaining his seat.

Mr. CASSEL. Mr. Speaker, let me answer that just here. First, the members of the minority say that these questions were not discussed by the majority who signed this report. The majority report was signed by the majority members of this committee, and it was not submitted to the minority. We passed a resolution by vote of the committee stating that we thought that Mr. Connell was entitled to his seat. The majority then prepared this report and signed it.

Mr. SHIRAS. Let me ask the gentleman a question——

Mr. JOHNSON. Mr. Speaker, will the gentleman let me make a statement right here? I do not want to take any of his time.

Mr. SHIRAS. I will yield to the gentleman.

Mr. JOHNSON. The majority of the committee furnished the minority of the committee the names of the thirty-two voters whose testimony was established by aliunde evidence. We are able to examine them and see for ourselves whether there is anything upon which to base it. They do not furnish us any of the list of the 200 men that they say illegally voted for Mr. Howell, and we can not examine that, and the House can not.

Mr. DRISCOLL. Mr. Speaker, I would like to ask right here the gentleman from South Carolina a question. Is it true that the majority furnished the minority those thirty-two names? Is it not true that I asked one member to furnish the names that he had examined to the rest of us, and also to the members of the minority?

Mr. JOHNSON. May I make another statement?

Mr. SHIRAS. Mr. Speaker, I have not yielded to the gentleman from New York [Mr. DRISCOLL].

Mr. JOHNSON. May I answer the gentleman's question?

The SPEAKER. Does the gentleman yield?

Mr. SHIRAS. Yes; I will yield to the gentleman from South Carolina.

Mr. JOHNSON. The majority of the committee divided up this work. That is the reason they do not know any more about it. One man examined one part of the record and another man another. I examined all of it. That is the difference. [Laughter.] One member of the committee who made up the list of the 32 aliunde votes handed that list to the ranking member of the minority of the committee, and the majority of the committee adopted his work.

Mr. FOSTER of Illinois. Let me ask this question, Is there any evidence in the record showing that the 200 votes thus thrown out were cast for Mr. Howell?

Mr. JOHNSON. We do not know whose votes those 200 were; the names are not given.

Mr. SHIRAS. Now, I should like to make this reply to the gentleman from Pennsylvania [Mr. CASSEL]. He having admitted that he and his five colleagues on the committee passed upon these 200 votes; suppose that on the question of charging up those votes for Mr. Howell or taking them away from him there had been a division among those six members of the committee: suppose the vote had been 4 to 2, then, if the Democratic members had come in and voted on that question, that vote would not have been thrown out.

In other words, there was only a majority of a majority voting upon that question of striking out these votes. The result is that the committee itself does not know what these 200 votes represent. They could not agree and have not agreed on that point. Those votes are simply floating in the air, without name or habitation. No one can identify those voters. No member of the committee or anyone else can do so.

Mr. CASSEL. I believe that I speak truthfully when I say that at least four of the six members of the majority of the committee, after having gone over the testimony in the case name by name and man by man, comparing the testimony on the one side and on the other, were in favor of putting into this report anywhere from 500 to 1,000 of those people.

Mr. SHIRAS. It would not have been any worse if you had done so.

Mr. CASSELL. We were satisfied, and supposed the majority of the committee would be.

Mr. SHIRAS. I am simply asking for fair play in this matter. I say that unless you show whose votes those 200 were, they ought not to be thrown out. It seems to me this is only ordinary fair play.

Mr. DRISCOLL. Will the gentleman allow me to ask one more question? That is all?

Mr. SHIRAS. Certainly.

Mr. DRISCOLL. If those three districts—the Second and Third wards of Winton and the first precinct of Old Forge—are thrown out, how does that leave the vote?

Mr. SHIRAS. I believe the vote 8 in favor of Mr. Howell.

Mr. DRISCOLL. Now, is it not true that Mr. Howell did not try to prove affirmatively any of the votes cast for him or any of the illegal votes alleged to have been cast for Mr. Connell? That is true, is it not?

Mr. SHIRAS. I will make a practical answer to that question in this way. It was important perhaps, for Mr. Howell to prove by affirmative testimony the illegal votes, and it would have cost him $500 to do it. The right of proceeding on the other side cost the contestant probably $500. Such a contest of "attrition" would be very farcical, and the prize would go to the biggest purse.

Mr. DRISCOLL. If you have read the evidence, have you any doubt in your mind that we would say, in Old Forge, because that precinct would be sufficient, were there any votes cast for Mr. Howell? Have you any doubt of that?

Mr. SHIRAS. I did not quite catch the purport of the gentleman's question.

Mr. DRISCOLL. Is there not aliunde evidence sufficient to show that at least 10 of these illegal votes were cast for Mr. Howell?

Mr. SHIRAS. I do not think so, upon the evidence.

Mr. DRISCOLL. Have you examined it?

Mr. SHIRAS. I have examined the testimony on which the gentlemen of the contestant rely.

Mr. DRISCOLL. You have not read it fully; you have not read the whole of it.

Mr. SHIRAS. But you have not identified the voters. That is the reason I say that this evidence should have been barred out.

Mr. FOSTER of Illinois. Has the gentleman any doubt that at least 10 of those votes were cast for Mr. Howell?

Mr. SHIRAS. Not the least.

Now, I want to call attention to another point. In these disputed districts only 37 votes have been proved for Mr. Connell, whose 137 are contested. Were the rest of the votes returned for Mr. Connell legal or illegal? I think this question is determined, it seems to me, you have not proved anything. The danger that arises in a case of this kind is clearly shown in respect to these 200 votes.

Now, Mr. Speaker, I have taken more time than I expected. This is simply a question of asking for fair play. I believe it right to delegate our consciences in a case like this to the committee and ask them to determine the whole question of law and of fact. I have no hesitation in appealing to the candid judgment of the senior Member, the chairman of the Committee on Commercial Relations, member to the State of Pennsylvania, and I appeal to him as a gentleman of fairness and justice to unseat Mr. Howell. [Loud applause.]

Mr. DRISCOLL. I now yield to the gentleman from Ohio [Mr. KENNEDY] for forty minutes.

Mr. KENNEDY. Mr. Speaker, in rising to discuss the question in this contested election case, I consider myself fortunate that I am surrounded by men trained in the law, who know generally the elementary rules of law. I shall, therefore, use none of my time in attempting to supplement the very able presentation of the law on behalf of the people by my colleagues who have argued and presented it before this House.

I shall confine myself exclusively to the facts involved and incidentally to such principles of law as arise in this discussion.

The gentleman from South Carolina [Mr. JOHNSON] made a statement here that if all the illegal votes which were found to have been cast in these three disputed wards were taken from Mr. Howell he would still be elected. This I dispute, and I wish to call the attention of the House to a computation which I have prepared from the finding of the majority of the committee along the line suggested by the gentleman from South Carolina [Mr. JOHNSON].

I want to say right here in this connection that in the hearing before our committee, which was protracted, lasting an entire week, certain admissions were made, and I want to call the attention of the House to the circumstances under which those admissions were made.

When the argument opened we stood in the presence of this record a little appalled at the amount of work that the committee thought was before it, and when Mr. Ballentine, representing the contestee, arose to talk I inquired of him whether or not certain admissions could not be agreed upon by counsel, so as to shorten the labor of the committee, calling his attention directly to the claim of the contestant to the great number of votes in the two wards cast by men whose names were not on the registration list. That was at the beginning of the hearing, and he said that the figures presented by the attorney for the contestant were inaccurate in this regard.

I forget what the exact figures were with reference to the Second Ward of Winton, but it was something like 63 votes that the contestant claimed had been cast in this ward, the names of those who cast them not appearing upon the registry list. Mr. Ballentine said that there were 30 in that ward, that the balance of the names on that list were not names that did not appear on the registry list, but that they were misspelled.

Now I want to call the attention of the House to what substitutions meant under all the circumstances of this case. The way in which this election was conducted in these three precincts—and the method was the same throughout—that which may be legitimate in those five precincts was true. They [illegible] were allowed to vote. The evidence is abundant and uncontradicted on this subject. Men came in during the early part of that day, and their names were written down on the poll book, whatever name a man gave being put down.

In Old Forge, the first two persons of the man who voted on that day were names that did not appear upon the registry list. Every in the day they started in that way, but as the day progressed it occurred to some one in that conspiracy that that was not a quick manner of doing this thing.

Toward the close of the day the method had changed. In place of writing new names that did not appear upon the registry list upon the poll books they picked out names on the registry list, and they had the voter vote in lieu of some man who was dead or some one who had moved out of that district. These facts are established by the record. There is no room for question. In stating the manner of voting in these precincts I have first the names appearing on the registry list. It seems to be a great heavy case that the election officers and those acting with them put in at least one man vote in lieu of a man who was not then present, but the man himself coming in and voting afterwards under the same name. Proof is abundant in this record of the witnesses who testified that they voted but once, whose names appeared twice. Mr. Hagner, the attorney for contestant, put in this kind of names a great number of names of men whose names appeared in that way.

Now, the argument arose early, and it was fiercely contested [illegible] contestee was [illegible] the presumptive effect of these two different kinds of illegal votes. The contention upon one side was that where a man's name did not appear at all upon the registry list there was an evidence of fraud that could not be explained—that it demonstrated corruption and fraud. Upon the other side it was said that where a man simply came in and substituted or voted as a substitute for some one whose name was upon the registry list, while the vote would be illegal just the same—there was no contention about that and no denial of it—yet there was a contention that it did not tend to show corruption upon the part of the election officers themselves, and that was the issue that we had to meet in the argument. I want Members to remember that. So they separated these illegal votes into two classes, and Mr. Ballentine at the opening of that argument, in the way I have just described, made this admission, and he made it with [illegible] and asserting to it. He admitted that in Winton there were 50 votes, there were fifty men who voted without [illegible] the registry lists. In the third Ward there were 80 votes and 80 illegal votes.

The argument progressed for an entire week, and as it was [illegible] for contestant having demonstrated to the minds of the entire committee, I believe, that these have exceed [illegible] fact, coming in there and putting in a ballot in place of a man who was on the registry list, when the law of Pennsylvania made it a crime for the officers of election to receive that vote, he also admitted, under those circumstances, that there were no substitutes made. Now, when it occurred to Mr. Green's mind that that admission was so important, so controlling as this admission was, the arrangement of those officers at the very last moment, in the second instance, he undertook to withdraw that admission. The proceeding had been concluded and the argument had been made, the entire argument, the question had been fought out, those illegal votes were counted twice in the case and that the majority sought to make further admissions. There were 135 illegal votes in the Second Ward, 80 illegal votes in the third ward of Winton. There was a list of names, the names are all given, and that admission was made. It was argued before the committee. The names were before the committee. They are not set forth in our report.

There were some eighty-three names on the list, Mr. Ballentine contending that the balance of the names, thirty-three, on that list were substitutions that had been, by mistake, carried into and put into the wrong class in the brief of the contestant. They were substitutions, duplications, and illegal votes for various reasons. Minors voted there; men that were not naturalized; men who had not paid their taxes.

In all the report of our committee found that there were 135 illegal votes in the Second Ward of Winton.

Now, lest this may be denied, I want to read the finding of the committee upon that subject:

> The contestant's counsel claimed in the argument that there were 83 such votes, and their names are set forth in his brief. Contestee's counsel, in his presence, admitted 50.

This is on page 5. Then turning to the next page:

> In the neighborhood of 50 votes were received in the names of men who were present and did not vote. Votes were received in the names of dead men. Several duplications were received. A large number of names were added to the registry list of this ward by the election officers in violation of the law and their duty. The illegal votes received amounted to much more than a majority of the votes cast and counted.

The exact number that the committee agreed upon as that number was 85 in this class, aside from the 50. Then we come to Winton Third Ward. Illegal votes in that ward, 80; and the contestee's counsel in his presence admitted 53; substitutions, 22; and substitutions of another class, 15—making 90 illegal votes in that precinct. This is taken from the report of the committee. In the first district of the Old Forge, illegal votes, not registered, 20 names, not written on poll books, with 20 or more Italians, voted in the names of other persons, 120 or 121, making in all 346 illegal votes in these three precincts, which the gentleman asserted could be deducted from the count of Mr. Howell and he would still be elected. Take the illegal vote of these precincts, 346, together with 200 illegal votes that we found outside of these districts to have been cast for Howell from Howell's vote and Mr. Connell would be elected by 74 votes. This is based upon the theory that you can purge the returns of these election districts.

Mr. JOHNSON. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. KENNEDY. I yield to the gentleman.

Mr. JOHNSON. I presume the gentleman is referring to what I said?

Mr. KENNEDY. I am.

Mr. JOHNSON. I said this: That if you were to deduct from the contestee every alleged illegal vote at these three precincts he would still be elected.

Mr. KENNEDY. But we took into consideration the other votes.

Mr. JOHNSON. If you throw out all the votes entirely, he is still elected. You have got to go outside of these precincts to get your 200 illegal votes in order to elect the contestant.

Mr. DRISCOLL. You do not mean that. If you really mean that, we will take you at your word.

Mr. JOHNSON. I always stand by my word.

Mr. KENNEDY. I decline to yield further.

Mr. JOHNSON. I merely wanted to correct the gentleman from Ohio.

Mr. KENNEDY. Now, let us go for a moment into the question of purging these returns. I am delighted with my friend from South Carolina: while he was upon the floor of this House he exclaimed with energy and force, "Why not purge these returns?" The majority of the committee say that these returns must be purged. The circumstances in this case are such and so peculiar that these returns must be purged. Let us, then, come to the question of in what way these returns can be purged and the true situation out there in Lackawanna County.

Why, the evidence in this record shows clearly that those three districts were like a deserted village at that time. There had been an exodus from these districts just a short time prior. Men had gone away; houses were empty. This conspiracy of election officers captured the polls, and they voted more votes by far than all the people who were there, Italians and everybody else.

Mr. JOHNSON. Will the gentleman allow me to ask a question? I know he has not very much time, but has the gentleman from Ohio taken the trouble to examine the registry list and poll list to ascertain what percentage of the registered vote was polled at those precincts?

Mr. KENNEDY. I have not figured the percentages.

Mr. JOHNSON. I venture to say in not one of the three precincts thrown out was 75 per cent of the registered vote polled, and in one of the three precincts not 50 per cent.

Mr. KENNEDY. I agree with the gentleman; that is correct. The legal voters of those precincts, a great number of people there had moved out of the district, had gone to other coal banks or somewhere else to work. The places were almost deserted when these election officers started in to hold this election. I am sorry for them on account of their absolute lack of good sense and judgment in resorting to the frauds that they adopted and the methods they followed.

They could have effected their object without having the returns show a single vote cast that was not registered. They could have put in all the illegal votes they wanted to put in by adopting the methods they did adopt later in the day, by having men vote as substitutes for men whose names were upon the registry lists. As the sun went down on that day the method changed, and the proof in this record shows it. The Italians came there in the evening and they voted under other names; they voted in the names of people whose names were upon that registry list. That is significant, and I want to call the attention of the House to the impossibility of that transaction except the election officers themselves acted in collusion with them. How did an Italian know what name to give? He had to have recourse to the registry list in the hands of election officers, and as the sun went down on that day they began to vote as substitutes for dead men, substitutes for men who were away in other counties, and the proof upon this is as clear as Holy Writ.

Now I want to reproduce some of the suggestions that came before our committee as to the absolute impossibility of a man voting whose name was not upon the registry list of those precincts. The law required and the judge of election took a solemn oath that he would not permit such men to vote unless they made the affidavit required by law. Those judges were furnished upon that morning with blank affidavits for that purpose. They could not have been ignorant of their duty under the law. Men began to come in there. The first two who came in did not have their names upon the registry list, and that was in Old Forge. All day long, or during the day, at least one-fourth of the voters of those three precincts voted in that way, and in the three precincts not one single affidavit was exacted of them. What does that mean? I would like to hear anyone attempt to explain such conduct upon the part of public officers having the purity of the ballot in charge upon any theory except that of actual fraud.

Mr. FOSTER of Illinois. Will the gentleman allow me a question?

Mr. KENNEDY. I would if I could hear it.

Mr. FOSTER of Illinois. Does the record show for whom those votes were cast?

Mr. KENNEDY. It does not show for whom they were cast.

Mr. FOSTER of Illinois. Therefore the committee have concluded they were cast for Mr. Howell; is not that the conclusion of the committee?

Mr. KENNEDY. They have not so concluded. We have concluded, sir, that there was no honest election in those districts. We have concluded, further than that, that there is no way of purging that return so as to make a finding that is based upon anything but conjecture and that the parties should be relegated to the other rule and prove aliunde the vote they received. Now, it is contended that some other sort of purging of these returns can be resorted to or could be resorted to in this case. I have no quarrel with the rule suggested, that appears as quoted in the minority report, and announced by my predecessor, Mr. Taylor, in this House, one for whose ability and learning in the law I have the profoundest respect.

It says that this rule shall not be resorted to except in cases where we are compelled to resort to it, and I contend that this is such a case. Now, we have here in these three election districts the election boards, and the proof is clear upon that subject, the election officers themselves going outside of the booth inviting Italians to come in and vote, and when told that they were not naturalized, saying, "It makes no difference; everybody votes;" and everybody did vote. The Republican watcher in Old Forge, a man who had been appointed and had gone to that polling place to see that fairness and justice was done, was excluded from the polling place.

He was a Pole, well acquainted with a large number of Poles living in that district. They came there and asked the judge that Mr. Conowski might be permitted to mark their ballots. The law of Pennsylvania provides that every voter shall have that privilege. The judge of election himself said: "Conowski can not come in; there are others here." There was a large party of Poles on that occasion that came to that polling place and wanted to vote and wanted Conowski to mark their ballots. He had a certificate issued by the proper authority authorizing him to go into the polling place for that purpose. The law of the land provided that he could go there and had as much right in being there as the judge of elections himself.

Mr. JOHNSON. May I ask the gentleman a question?

Mr. KENNEDY. Certainly.

Mr. JOHNSON. Does not the law of Pennsylvania provide that each political party shall have three watchers at the polls, and only one of the three can be inside of the guard rail?

Mr. KENNEDY. The gentleman has stated the law of Penn-

[illegible] correctly with one exception. I do not think the word "only" is there.

Mr. JOHNSON. "One only;" I will get the law.

Mr. KENNEDY. I do not care about that. Mr. Conowski was called out of that election booth. He had been permitted to be in there half a day, and he was called out by an active Howell partisan and urged to work for Howell. He said he wouldn't do it. When he went back to go in he could not get into the polling place, and he did not get to vote at that time.

I do not care, Mr. Speaker, whether this man had a right in the election or not; he was a watcher for the Republican party or not. He had that right as a man selected by those who were marking their ballots. He was there with twenty, or some such number, of Poles, and they wanted him, Frank Conowski, to mark their ballots. They testify in the record that they went in and begged the judge to let him mark their ballots. He said: "There are officers here that can mark your ballots." They testified that they had a fortnight before and they were aware, the whole Polish vote, a that portion of it belonging to vote on that occasion. How can we tell how many there were, or who they intended to vote for, so as to give credit to the candidate and have their votes counted? How can we, when the constituted officers, this year, in a legal way, under law, and under the law, whether that vote is received or not, he has an absolute right to prove it absolute and have it counted.

Now, Mr. Speaker, we have that majority going on in that way all day long until the day closed. Then when the day's work is done these commissioners get together for a common purpose, and nobody can read this in the record and be in doubt of that. They came together for a common purpose, they sit down and they write out their returns with their hands dirty and dripping with fraud, and we are asked to say verity that return purports. We of the North—we reared up there where it is a fad, say, where it is a crime that leaves a man dishonest to have the ballot—to prove that their returns should prove a thing, and the law supports us in that. All rights are abundant. What can we possibly spend the [illegible] of a set of conspirators like these?

Mr. JOHNSON. Will the gentleman yield for a question?

Mr. KENNEDY. Yes.

Mr. JOHNSON. Has the committee any information or evidence to show that the same relief that darkened Old Forge was in the Democratic contention sense to give the Democratic majority to Mr. Connell? Did not Mr. Connell get the other majority that you call a conspiracy in the board of election?

Mr. KENNEDY. I do not know what majority he got in the Democratic convention. The committee did not go into the question to any great extent for you to say that it was important to the case before the committee. We did get from the president of one of these election boards, Mr. Lally, that Mr. Connell was elected in the record where that was. Mr. Conowski was called out, he was threatened, and when he refused to turn over he was [illegible] and then, Great God, my friends, the power of this election shows it. In a precinct that cast two hundred and twenty-four votes, Mr. Connell did not get one in the Republican ticket.

Mr. HOWELL of Pennsylvania. Mr. Speaker, the gentleman has asserted with positiveness and strength that Frank Conowski, the Pole, was forbidden to be present in the election booth. Now, I want to ask the gentleman this question: Does not Michael McGowan, the judge of election, say to you, in language too plain to be misunderstood, that he was put out because he was electioneering in the booth, and does not the testimony of the chief officer there tell you that he was electioneering in the booth; and I will ask the gentleman further if he proposes to stand up here and justify a violation of the law of Pennsylvania, which does not allow electioneering within 60 feet of the booth? [Applause on the Democratic side.]

Mr. KENNEDY. Mr. Speaker, I decline to yield further. This is a great [illegible] of my time——

Mr. GROSVENOR. But, Mr. Speaker, I would ask the gentleman whether the record does show that.

Mr. KENNEDY. I will state that I think Mr. McGowan undertook to make that apology for his conduct. [Laughter on the Democratic side.] He did not attempt to apologize or explain his refusal to allow watchers or men there to mark the ballots for citizens. He was not called for that purpose. He did not attempt to make an apology for it, and the proof in this record shows not only what I have recited, but it shows that when men asked Republicans in the voting place to mark their ballots he had the peace officers immediately order those men out, refusing to permit them to mark the ballots.

Mr. JOHNSON. Will the gentleman permit me to correct him? I understood the gentleman to say that at this precinct where Conowski was put out Mr. Connell did not receive a single vote on the Republican ticket.

Mr. KENNEDY. Well, I think I was mistaken in that regard, Mr. Speaker.

Mr. JOHNSON. I want to call the gentleman's attention to the fact——

Mr. KENNEDY. If I remember, it was at Old Forge where he was put out.

Mr. JOHNSON. It was at Old Forge, and Mr. Connell received 117 votes at that precinct.

Mr. KENNEDY. Yes; and 117 votes were nowhere like the number of illegal votes cast in the precinct.

Mr. JOHNSON. So that not quite all the illegal votes were cast for him.

Mr. KENNEDY. Mr. Speaker, how can we purge these returns? What court in [illegible] would undertake any thing approaching purging returns taken and handed in from the vocation of the laws of their country? If we are correct in our conclusion that there was conspiracy among these election officers, then would you have us take your word for it that Mr. Connell in that precinct of Winton did not get one vote? Why, if they would [illegible] all day long receiving every fourth man that presented himself, knowing that the vote was illegal, putting it in contrary to their solemn oaths, which they did——

Mr. RANDELL of Texas. Mr. Speaker, will the gentleman yield an interruption?

The SPEAKER. Does the gentleman yield?

Mr. KENNEDY. Mr. Speaker, I can not permit interruptions. I have so little time, and I have so much to say. Now, they did do that thing, and they did it knowingly. Why, they could not help but know it. Under all these circumstances they are [illegible] in the performance of their act, but when the [illegible] completed and as a part of it, they sit down and they make this return, which gentlemen stand and beg before this House to be regarded as a sacred thing, because, forsooth, officers of the law [illegible]. I say that if [illegible] that of perjury [illegible] any fact upon a proposition as important as that. Why, they were workers and partisans in political voting, they were [illegible] and [illegible] and designing that in the officers themselves—telling them and [illegible] the story that everybody was voting. Now——

Mr. RANDELL of Texas. Mr. Speaker, I will ask the gentleman to yield for a question.

The SPEAKER. Does the gentleman yield?

Mr. KENNEDY. I do.

Mr. RANDELL of Texas. Will the gentleman name one single [illegible] any improper act on the part of any [illegible] in those three precincts—[illegible]?

Mr. KENNEDY. Mr. Lally was an election officer in Old Forge, was he not? And there is testimony of at least four or five. When I say long [illegible] there. I think the gentleman will [illegible] with Italian names.

Mr. RANDELL of Texas. I [illegible] the gentleman to prove the [illegible] fact that any of these [illegible] fact that there is not any evidence whatever to support the statement of the gentleman, no testimony whatever from any witness?

Mr. KENNEDY. I assert that that fact was established to my entire satisfaction, and I do not think I reached the conclusion on account of any prejudice.

Mr. RANDELL of Texas. But it is not in the record.

Mr. KENNEDY. Now, Mr. Speaker, I want to go for a moment to the other questions in this case. We were confronted in a large number of elections. [illegible] as we believed, on the law and facts in those three districts of Winton and Old Forge, as we were [illegible] to pass.

Mr. RANDELL of Texas. Will the gentleman yield a moment?

Mr. KENNEDY. I can not consent to yield further.

Coming to this mass of evidence, which is [illegible] a great haystack, we have the issue whether our report is to be sustained, and I stand here to affirm that no man can give a reason why it should not be. No man upon the other side of the House has suggested any method by which that return down there could be purged. Who knows how many substitutions there were? We found in some precincts as high as a hundred proven to the entire satisfaction of our committee. But who can say that we found half of them?

Now, believing that the report of this committee ought to be and will be followed by this House, we go into that great mass of testimony to determine whether or not a large number of illegal voters cast their votes for Congress Howell.

Right here I want to recur to the subject of admissions. In the hearings the matter came up as to whether or not the attorneys for the contestee claimed there was any proof in this great record showing that any of these illegal voters cast their votes for Mr. Connell. He said they had not gone into that question. They had offered no evidence to prove the votes of illegal voters.

[Here the hammer fell.]

Mr. DRISCOLL. I yield five minutes more to the gentleman.

Mr. KENNEDY. Mr. Holgate said there was one case of that

kind, the evidence of which was disclosed while the testimony was being taken.

Now, when we approached that testimony, it was as if this House had submitted to this committee the question of whether or not in that great haystack there were rats to a greater number than eight or nine. We went out and hunted and hunted, and we found 200 rats. We saw them. The committee all saw them. There were many more than I discovered; there were evidences all around of more rats. It seemed unreasonable to go through, clear through, that entire stack, straw by straw, when we had already found so many illegal votes that were cast for Mr. Howell.

Mr. RANDELL of Texas. Will the gentleman please name one of those votes?

Mr. KENNEDY. Yes, sir; I should be glad to name 200, if I had the time.

Mr. RANDELL of Texas. Then please give us a list of those 200 names. If you can give it now, why could you not give it before?

Mr. KENNEDY. Mr. Speaker, allow me to say in reference to the evidence of this character that I think the minority of the committee in their report have selected perhaps the most abortive evidence in this entire record—in their report a most unsatisfactory record upon evidence as the majority did base their on its their finding.

Mr. LITTLEFIELD. Hearsay evidence?

Mr. KENNEDY. Yes, sir; evidence that was incompetent, and they set it forth here as an example.

Mr. RANDELL of Texas. Is it set forth there as all the evidence on the subject?

Mr. KENNEDY. I believe you say it is all the evidence.

Now, Mr. Speaker, I turn to page 2177 and I read from the testimony of Mathew McLean:

Direct examination by Mr. Gilroy:

Q. Where do you live? A. I live in Lackawanna County.
Q. Where do you live? A. I lived in Mayfield.
Q. What [illegible]? A. Yes, sir.
Q. How long prior to November 4, 1902? A. I wasn't there in November; I moved down here shortly before the election; I think I moved down a day or two before the election.
Q. What do you mean by moved down? A. Yes.
Q. You moved your family down here the day before the election? A. Yes, sir.
Q. What day did you move down? A. I don't remember.
Q. Do you remember the day you moved down or what day of the week it was? A. I don't know.

He was an illegal voter, not having resided in the precinct. Besides he had paid no taxes.

Mr. JOHNSON. How did he vote?

Mr. KENNEDY. I am coming to that.

I read further from the evidence of this same witness:

Cross-examination by Mr. Howell:

Q. When did your father come to this country? A. I think it was in the year 1888.
Q. How old were you when your father came to this country? A. I was just [illegible] years.

I read further:

Q. Have you any objection to saying who you voted for for Representative in Congress for the Tenth Congressional district, at the election held November 4, 1902? A. I voted for Mr. Howell.

I now read from the testimony of Clark Kilpatrick on page 2196:

Direct examination by Mr. Gilroy:

Q. Where do you live? A. [illegible].
Q. In what district? A. I think it is in the First Ward.
Q. Where were you born? A. Born in Roxbury, Delaware County, N. Y.
Q. [illegible]
Q. [illegible] for the office of Representative in Congress from the [illegible] Congressional district of Pennsylvania, in [illegible] of May [illegible]? A. Yes, sir.
Q. How long have you been a resident of Pennsylvania? A. The last time I have been here I have been here about a year and six months.
Q. [illegible]? A. Yes, sir.
Q. That is [illegible]? A. Yes, sir.
Q. You came here when? A. I came here—I think it was somewhere around the [illegible], 1901.
Q. [illegible]? A. From Hancock, Delaware County, N. Y.; [illegible] Yes, sir.
Q. [illegible] Ward of Mayfield? A. Yes, sir.
Q. [illegible] November, 1901, up until the 4th of November, 1902? A. Yes, sir.
Q. [illegible] tax receipts? A. No, sir.
Q. [illegible] marking your ballot? A. I did not.
Q. [illegible]? A. I did not.
Q. [illegible]? A. No, sir.
Q. Have you any objection to telling us for whom you voted for Congress? [illegible] Howell. [illegible] question.
Q. [illegible] Congress? A. I voted for Mr. Howell; I am not ashamed of how I voted.

Mr. DRISCOLL. I yield to the gentleman four minutes more.

Mr. LITTLEFIELD. Do I understand the gentleman that he has [illegible] that?

Mr. KENNEDY. [illegible] as well-established as that, and not one syllable of that evidence is referred to in this report of the minority.

Mr. PAYNE. And they say that is all the evidence there is on the subject.

Mr. KENNEDY. They say that is all the evidence there is.

Mr. GROSVENOR. That is one of the greatest games of bluff that I have ever seen attempted in an election case.

Mr. RANDELL of Texas. We say that is all the evidence with reference to those three wards.

Mr. JOHNSON. You have read from the testimony of two men who say they voted for Howell.

Mr. KENNEDY. Yes.

Mr. JOHNSON. Are there a dozen men in the whole record who tell for whom they voted, as these two men did?

Mr. BIRDSALL. We have got forty or fifty here.

Mr. KENNEDY. Now, I refer to page 2188, to the testimony of Edwin Hicks:

Edwin Hicks, called and sworn.

Direct examination by Mr. Gilroy:

Q. Where do you live? A. Mayfield.
Q. What ward? A. The First Ward.
Q. Where were you born? A. America.
Q. What [illegible]? A. [illegible].
Q. How long have you been? A. 1880.
Q. What day and month? A. [illegible] of January.
Q. How old were you on November 4, 1902? A. [illegible] for 23.
Q. You were of age? A. Yes, sir.
Q. How long have you lived in Pennsylvania? A. Seventeen years.
Q. How long have you lived in the election district of the First Ward of Mayfield? A. One year and three months.
Q. How long had you resided there prior to November 4, 1902? A. Eight or nine months.
Q. Had you been there continuously for those nine months? A. Yes, sir.
Q. When did you go to Mayfield, the First Ward? A. The 29th of October.
Q. What year? A. 1901.
Q. That is when you went to Mayfield? A. Yes, sir.
Q. You have been there lately, in the First Ward? A. Yes.
Q. You were a resident there over a year before the election? A. Yes, sir.
Q. Have you a State or county tax receipt? A. No, sir.
Q. [illegible] A. [illegible] years—going on 23 years—at the time of this election? A. Yes, sir.
Q. [illegible] A. No, sir.
Q. On November 4, 1902, in the First Ward of the borough of Mayfield, for the office of Representative in Congress for the Tenth Congressional district of Pennsylvania? A. I do, sir.
Q. [illegible] for Mr. Howell? A. Yes, sir.

Cross-examination by Mr. Howell:

Q. Were you of the age of 21 years November 4, 1902? A. Yes, sir.
Q. Were you under 22 years of age at that time? A. No, sir; I was over.
Q. Have you paid a State or county tax? A. No, sir.

In the very able and eloquent address of the gentleman from South Carolina [Mr. JOHNSON] he impliedly asserted that the laboring men, the great order of Mine Workers of America, were responsible for the frauds in these three contested districts, saying:

> If you throw out these precincts do not stand on this floor hereafter and tell us how much you admire the virtue and intelligence of the laboring men of this country. Do not go back to your thesaurus and exhaust the adjectives in the dictionary to find beautiful words to tell the laboring men how much you love them.

The active conspirators whom the evidence discloses to have been responsible for the corruption and fraud in these election districts were not the laboring men. The proof discloses that they were justices of the peace, constables, tax collectors, and politicians. The laboring men were defrauded, deprived of their votes through their machinations and their wickedness. I have no fear that the great body of laboring men will not approve, and fully approve, of the action of the majority of this committee. I represent one of the greatest laboring districts in this nation. There are many of the United Mine Workers of America as well as all of the other great labor organizations in this country there, and I want to say here that no order of men has ever existed that prize higher nor more sacredly the right of an untrammeled and pure ballot than do they. The right of suffrage is the brightest jewel in the crown of their citizenship. Whatever corruption, fraud, or crime menaces the purity of the ballot, we can trust their hands and strike with the absolute assurance of their entire approval.

In conclusion, I desire to present herewith the following table of votes cast, counted, and canvassed for the Hon. George Howell, which, in my opinion, are satisfactorily and sufficiently proven to have been cast for him, and which, under the testimony in this case, are illegal and should not have been counted:

Second Ward, Jackson City, Pa.—Isaac Dawe, Samuel Lane, Michael Swingle, [illegible]

Fifth Ward, Carbondale, Pa.—Thomas O'Neill, John Dugan, and [illegible].

Second Ward, Blakely, Pa.—Evan Griffiths, Dan. Jones, and Anthony [illegible].

Third Ward, Blakely, Pa.—Conney Bergheiser, L. S. Grovenor, Charley [illegible].

Third Ward, Simpson, Pa.—Charles Hanlin, James J. Dixon, John Richards, [illegible], George Reed, Evan John, and [illegible].

Second Ward, Olyphant, Pa.—[illegible] Trotter, Charles Reynolds, Thomas Trotter, Herman Kaufer, and Robert Trotter.

Fifth Ward, first district, Scranton, Pa.—[illegible] Jackson, John J. Hart, Patrick McDade, John Reilly, August Seamon, Otto Swikert, John Marquith,

Frank McGinty, Patrick J. Cawley, James Vanstor, John A. Hughes, George Kane, William Raymond, and David S. Williams.

Fourth ward, second district, Scranton, Pa.—James B. Woodward.

First Ward, Mayfield, Pa.—Samuel Conner, Matthew McGuire, James A. Evans, Edward Hines, John Reeves, David Evans, James Francis, Patrick Kane, Patrick Flynn, Thomas Padden, William Jenkins, David Jenkins, John Wasley, William Jessup, and William McGarvey.

First district, First Ward, Archbald, Pa.—Michael Gaughan and Bernard Loftus.

Second district, First Ward, Archbald, Pa.—Kazimer Zreger.

Second Ward, Archbald, Pa.—James Mahon.

Third Ward, Archbald, Pa.—Martin Noon, John Smith, and Rocko Wellboss.

Fourth Ward, third district, Scranton, Pa.—Allan Crumpton, Patrick Brown, Robert E. Dodd, Fred M. Decker, T. W. Evans, M. Jones, Oliver Simon Hopkins, Elliott Hopkins, Christian Hess, Lawrence James, John L. James, Frank Jennings, Daniel E. Lewis, Frank McGinty, Francis Moran, and John Schlosser.

Fourth Ward, fourth district, Scranton, Pa.—Joseph B. Gaynor, G. P. Heister, Arch Miller, and Richard Phillips.

Fifth Ward, sixth district, Scranton, Pa.—Harry J. Burland, William H. Davis, Edward Davis, Tony Fasolo, Michael Fox, L. E. Green, David Jenkins, John Kearney, John McAndrew, F. C. Pearce, H. E. Pearce, William J. Davis, William Davis, David Davis, Lewis Williams, and D. J. Williams.

First Ward, Mayfield, Pa.—Fred Stephens, Martin Mannion, Patrick Gallagher, George Martin, Harry Burke, David Williams, Thomas Davis, Frank Williams, Charles Morris, William Shaner, Richard Lewis, Patrick Lynott, Harry Crossin, Daniel Kress, Edwin Pugh, John David, William P. Davis, Charles Speck, William E. David, Robert Reeder, James Cole, Thomas Crossin, Michael Grady, George Hoffman, Thomas Hart, Bernard Cosgrove, James Edmunds, Barney Cosgrove, John Gallagher, M. G. McNerney, Thomas Davis, James Quinn, John McGarvey, Patrick Lawler, Alex Kunes, Patrick Conaghan, Cake Demostra, Nicholas Fraczka, Bartley Golea, James Holleran, Stephen Harjeak, Patrick Lawler, and Thomas Scott.

Third Ward, Mayfield, Pa.—Timothy Brady, John R. Grady, Thomas Green, James Meehan, Michael Lally, John F. Farrell, Peter Solomon, Patrick Ruddy, Michael Barrett, John J. Ruddy, and Harry Bowden.

Fourth district, fifth Ward, Scranton, Pa.—Alfred Cappel, Benjamin Evans, Thomas James, David E. Morgan, John Mulkearn, J. C. Pearce, Sanford Phillips, Henry Schrenk, David H. Thomas, and John Wright.

First district, sixth Ward, Scranton, Pa.—Michael D. Cain, James Conway, John Devine, James Gilmartin, John Klopinoski, John R. McLean, Patrick Reap, and Michael Walsh.

Second district, fifth Ward, Scranton, Pa.—William A. Geiger, David J. Lewis, George H. Lentz, and John McNew.

Third district, fifth Ward, Scranton, Pa.—Patrick H. Buckley, Patrick Conley, John Devers, A. J. Driscoll, William H. Davis, Henry Davis, Patrick J. Hughes, Martin Jordan, Joseph Kazer, Owilym Maddox, William Mattaway, Robert Moran, Frank Novak, Charles Stagg, Michael Walsh, and Adam Wertkowsh.

First Ward, Jackson City, Pa.—Robert S. Reed, Luke Hall, John Reilly, William McConnell, Jerry Geary, jr., Patrick Logan, George Miller, Charles Pickering, John Hall, Benjamin Jones, Anthony Uder, William Jones, sr., Joe Buckrod, Pat Cavanaugh, Steve Freke, Brian Fallon, James Cook, William J. Foy, John Geary, Pat Dougherty, Anthony Dougherty, and Thomas Peach.

Mr. McLAIN. I yield to the gentleman from New Jersey [Mr. LANNING].

Mr. LANNING. Mr. Speaker, it does not seem to me that this case presents for our consideration any question of difficulty. It is true I have not read the 4,000 pages of testimony. It is also true that I have not read the so-called "brief" of the counsel for the contestant of 400 pages, or the so-called "brief" of the counsel for the contestee of 100 pages; but I have read and reread with care the majority and minority reports.

This case was referred by the House to a committee who have given their time and thought to it and have come to us with majority and minority reports.

The reasonable way for us to handle it—indeed, the only way we may do so, is by considering these reports, for it is practically impossible for us to read the testimony or even for us to give careful consideration to the printed briefs.

Now, I will ask the gentlemen of the House to turn to page 11 of the majority report and follow me as I refer to a few figures, which figures are conceded in the minority report. It appears that Mr. Connell, according to the returns, had 13,159 votes, and that after deducting from them the returns of the three disputed districts he had remaining 12,967 votes, and that Mr. Howell had, according to the sworn returns from the Congressional district, 13,600 votes, and that after deducting from them the returns of the three disputed districts he had 12,975 votes. After deducting, then, the returns from these three disputed districts, Mr. Howell had a majority of 8 votes.

Now, Mr. Speaker, from the information that I gather from the majority report, and especially from the minority report, my mind leans to the conclusion that the majority of the committee are right in their decision that the returns from these three disputed districts are so vitiated by fraud that they are utterly unreliable and should be rejected. But I do not reach the same conclusion that they do with respect to the residue of their work. After having made these deductions they add to the remaining votes for Mr. Connell 32 which they say were proven by evidence aliunde the returns to have been cast for Mr. Connell.

Now, it is of importance for us to know what kind of evidence they had before them to support these 32 votes, and if we turn to page 25 of the minority report we will find a list of the names of thirty-two men whom it is said cast these 32 votes, and, following the list, the testimony upon which the addition of these 32 votes is said to be justified. Now, I call attention to the character of this testimony, beginning on page 26, the testimony of James T. Flynn.

If you have that report in your hands and follow the names on page 25, you will see that they are taken up in that order.

Q. And Mr. Watts was also supporting Mr. Connell for Congress, was he?—A. Yes, sir.
Q. Patrick J. Walsh, do you know him?—A. Yes, sir.
Q. Was he supporting Mr. Connell?—A. Yes, sir.
Q. Do you know Daniel Dyer up there also?—A. Yes, sir.
Q. Was he supporting Mr. Connell in the last campaign?—A. He was.
Q. Do you know John Powell?—A. Yes, sir.
Q. Was he supporting Mr. Connell in the last campaign?—A. Yes, sir.
Q. Do you know John Watts?—A. Yes, sir.
Q. Was he supporting Mr. Connell in the last campaign?—A. He was.
Q. Do you know John Macker?—A. Well, Macker—I don't know that gentleman.

And so I might go through the entire list of thirty-two names, and you will find that that is the character of the testimony which it is said here by the majority of the committee justifies them in adding 32 votes to the number of votes cast for Mr. Connell.

Mr. DRISCOLL. Will the gentleman allow me to ask him a question?

Mr. LANNING. If I have made an erroneous statement, I will yield.

Mr. DRISCOLL. Not that you meant to——

Mr. LANNING. If you think I have. If you think I have made an erroneous statement you may ask me a question.

Mr. DRISCOLL. I do not put it on the ground that you have made an erroneous statement.

Mr. LANNING. Then I must decline to yield.

Mr. DRISCOLL. I will say it myself by and by.

Mr. LANNING. I think that will be better.

Now, it will be observed that the testimony extracted from this witness was that these other thirty-two men were at the polls in these three districts supporting Mr. Connell on election day in 1902. Was that testimony from which we may justly infer that these thirty-two men voted for Mr. Connell? That is the inference the majority of the committee will have us draw.

They say, or at least it has been said on the floor by some one or more, that the statute of Pennsylvania is of such a character that it makes it a crime for any man to disclose for whom he has voted, and that therefore they can not call these voters themselves and compel them to tell for whom they had voted. Mr. Speaker, whether the statute of Pennsylvania when properly construed does prevent the court from compelling a witness in any proper case to tell for whom he voted——

Mr. JOHNSON. I do not like to take the gentleman's time, but will you allow me to state that the statute of Pennsylvania——

Mr. LANNING. That can be done afterwards. I am going to concede that we are told the statute is of such a character.

Mr. JOHNSON. Let me explain that it is not.

Mr. LANNING. Very well.

Mr. JOHNSON. The statute of Pennsylvania is to prevent bribery and keep men from showing the ticket while voting, not ——

Mr. LANNING. I doubt whether the statute of Pennsylvania could have the construction that has been given to it here, but conceding that it could, then I doubt whether, when the Congress of the United States is engaged in its constitutional right and high prerogative of investigating the question as to which of two contestants is entitled to membership here, any State can set limits to that investigation, and therefore it seems to me that these voters might have been called and compelled to tell for whom they voted; but conceding that that may be an erroneous position, an unsound position to assume, still, when the majority of the committee tells us that thirty-two men voted for Mr. Connell, we have the right to ask of them that they prove it by testimony of a character that will be admitted under the ordinary rules of evidence, and the character of the testimony is that which I have read to you. Now, was that testimony intended to be proof as to how these men voted? What did the counsel who asked these questions that I have read to you think of it? On the top of page 33 of the minority report you will find out. On cross-examination of this same Flynn the question was:

Q. About what time of day Charles Woods voted?

Mr. DOUGHERTY. We object to that as not cross-examination. The list of witnesses [illegible] for the contestee [illegible] for the cross-examination. [illegible]

Mr. LANNING. [illegible] Mr. Chairman, [illegible] that he has asked if these men voted. Whether [illegible] he has given whether these men voted at two [illegible]

Mr. DOUGHERTY. No, sir; he was not asked if they voted; I asked no such question about their voting. Whom they were supporting; I spoke of supporting, not voting; that might include their voting, but I spoke of supporting.

Now, my point is this, that if the direct evidence of this witness, Flynn, is to be taken as proof tending to show that these thirty-two men voted for Connell, then it was perfectly legitimate cross-examination to ask him what he knew about these thirty-two men voting for Mr. Connell, and I will ask if there is any lawyer in this House who will dispute that proposition? Now, it seems to me that the evidence concerning the addition of the

32 votes is not satisfactory and that the majority of the committee have erred in adding the 32 votes to the number that were left to Mr. Connell after rejecting the returns from these three disputed districts.

Neither can I agree with the majority of the committee in their conclusion that 200 votes should be deducted from what remained to Mr. Howell after rejecting the returns from the three disputed districts.

The majority of the committee find that, outside of the three disputed districts, 2,002 illegal votes were received. Of these 2,002 votes, the majority find that 200 votes were shown to have been cast for Mr. Howell, and therefore they deduct these latter votes from the 12,975 votes remaining to him after rejecting the returns from the three disputed districts, leaving to him but 12,775 votes.

But we are not given the name of a single one of the 200 persons in whose names these votes were cast, nor have we from the majority of the committee any statement of the character of the evidence upon which they have concluded that these 200 votes were cast for Mr. Howell, except that, in their opinion, it was "competent and sufficient" evidence. The minority of the committee say, [illegible]

We are neither able ourselves to examine the evidence upon which their finding—

That is, the finding of the majority—

is based nor can we invite the attention of the House to it.

Now, in the face of such a record and sitting as judges to hear and decide this case, to accept the naked statement of the conclusion of the majority of the committee and adopt it as our judgment, without information as to who cast these votes, or as to where they were cast, or as to why they are alleged to be illegal—

I can not agree that it appears with sufficient clearness that we ought to deduct the 200 votes from those returned in favor of Mr. Howell.

Mr. Speaker, I have already stated that I am disposed to think that the [illegible] that the returns for the three disputed districts, being the Second and Third wards of the borough of Winton and the first district of Old Forge, should be rejected on the ground that they are so vitiated by fraud as to make them unworthy of credence. But I can not agree that the 32 votes which the majority of the committee added to Mr. Connell's return should be so added, or that the 200 votes which they deducted from Mr. Howell's returns should be so deducted.

My conclusion, therefore, is that, upon the facts as they are presented to us by the majority and [illegible] we should find that Mr. Howell [illegible] votes, and that Mr. Howell is entitled to retain his seat as a Member of this House.

Mr. STERLING. Mr. Speaker, I ask unanimous consent to extend my remarks of yesterday in the RECORD.

[illegible] asks unanimous consent [illegible] Is there objection? [After a pause.] The Chair hears none and it is so ordered.

Mr. McLAIN. I desire to ask the gentleman on the other side if [illegible] consume any of [illegible]

Mr. LANNING. If the [illegible] How I [illegible] used up a little more time than we [illegible]

Mr. McLAIN. Mr. Speaker, how much time has this side remaining?

The SPEAKER. The gentleman has thirty-six minutes remaining.

Mr. McLAIN. Mr. Speaker, from my observation of the results of contest [illegible] cases since I have been a Member of the House, I [illegible] that the cases on which the [illegible] party [illegible] according to the views [illegible] by his party associates upon the committee. It [illegible] I would have been [illegible] this case [illegible] any remarks from me had it not been [illegible] to assign me a place upon the [illegible] this matter. Under these circumstances, I [illegible] the liberty of the expression of my views. In doing this we claim that the minority report should be sustained, and we feel absolutely confident that we are armed with the law and evidence in support of that position. So strongly do we believe in the justness of our cause that we have some hopes of securing at least a few votes from the dominant party.

In presenting my views it will be my aim to do so in a fair and impartial manner, freed from bias and prejudice, certainly from any unkind or offensive remarks toward anyone. I shall say nothing that is not warranted by the evidence, but of such things as are supported by the testimony I shall speak plainly. It is presumed that this House will sit here as a jury to hear the arguments presented by each side, and then decide it upon the law and facts. But, Mr. Speaker, here comes the trouble. Each Member will content himself by following the report of that part of the committee which is of the same political faith to which he bears allegiance. This is the general rule. Of course some few have heretofore acted otherwise, and possibly in this case there may be some to so act.

Mr. Speaker, I have listened with some degree of interest to the very able arguments presented by those in the interest of the contestant, Mr. William Connell. From their standpoint he and the people of the Tenth Congressional district of the State of Pennsylvania have been cheated, defrauded, and robbed. Mr. Connell is represented to you as a man clean of hand, clean of heart, and clean of purpose, and is by right your Congressman. From this it might appear that I intend to make an assault upon him. I have no attack to make upon the personal character of the gentleman. Be it said to his credit that he has forced and cut his way to financial success through many trials and difficulties, springing from the humble calling of a common laborer in the mines of his county to that of a millionaire many times over. It is manifest that the school in which he started life was a school of trial—the very best school from which great men are made. But, Mr. Speaker, with all this glorious and magnificent record behind him, I do take issue with the assertion so confidently made that the people of the Tenth Congressional district of the State of Pennsylvania have been robbed, cheated, and defrauded out of their votes. Mr. Speaker, there is another side to this question, which I will now proceed to present in a logical, impassionate, and succinct manner. By way of parenthesis, I will say right here that Mr. Howell and his supporters have been persistently, and I might say inhumanly, persecuted by Mr. Connell from the very inception of this campaign.

Contestee has been compelled to fight his way inch by inch, step by step, to his seat in this House, and Mr. Connell, his rich and powerful enemy, has been the lion in his path, not only as the nominee of his party, but he actively, aggressively, and without warrant invaded the Democratic convention when it nominated Mr. Howell as its standard bearer and rent it asunder by means and causes which I will not dwell on now; but I am happy to say, Mr. Speaker, that Mr. Howell, by the aid of his loyal and true friends, has defeated his rich and powerful enemy at every turn so far, and we sincerely hope that he will defeat him again before this House on this occasion.

Before going any further on this line let me call the attention of the House to the condition surrounding this Congressional fight. It has an interesting history. The scenes enacted during the coal [illegible] from the [illegible] day of May to the [illegible] day of October, [illegible], preceding this election in November of that year are stirring. At the risk of being tedious I will briefly relate them. It throws a flood of light upon this case and will materially aid, in my judgment, the House in a correct solution of same. The Tenth Congressional district of Pennsylvania is located in the heart of the anthracite region and consists of one county, Lackawanna. Scranton is its chief city, being a city of about 150 [illegible].

Mr. Speaker, it is a known fact that this was one of the hottest strikes that has touched this continent, commencing May 12, 1902, and lasting until October 16 following. This strike was ordered by the United Mine Workers of America. I am not here to discuss this strike. Its history is familiar to all. In [illegible] a brief he says, in substance, that the Tenth Congressional district of Pennsylvania is located in the heart of the anthracite region. In that section labor is completely and thoroughly organized. The United Mine Workers of America is the dominant controlling [illegible] and its subordinate bodies or "locals," as they are designated, have their abiding places in more than 60 per cent of the territory of Lackawanna County. Its orders are unhesitatingly obeyed. In the late spring of 1902 all the men engaged in and about the several coal-mining operations in the county of Lackawanna were ordered by the executive board of the organization at once to cease work. The struggle was between employer and employee in the first instance, but it finally broadened out to a contest between capital and labor, and in the last analysis every man who was in any manner interested as owner or operator in the mining or transportation of anthracite fell within the ban of the "locals" associated with the United Mine Workers of America.

Many of these locals issued orders amounting to a blacklisting of men financially interested in the anthracite industry of this region, and in some instances positive orders were given that no man so interested or concerned should be supported for any political office by any member of the particular "local" giving the order, regardless of the individual's preference.

Hon. William Connell, the contestant, was largely interested as owner and operator in the coal-producing business of this entire section, and the force of this conspiracy was principally directed

against his candidacy for Member of the House of Representatives in the Fifty-eighth Congress of the United States from the Tenth Congressional District of the State of Pennsylvania.

Under these stirring times so graphically said by contestant in his brief this campaign was waged. On the 6th day of July of that year the Republicans duly nominated William Connell by a primary election as its "standard bearer."

The Democratic convention of this district assembled on the 16th of September, 1902, to nominate a candidate for Congress, orphans' court judge, and county commissioner and a mine inspector. Now, gentlemen of the House, here is where Mr. Connell and his followers, which included all the mine owners and sympathizers, got in some of their fine work. When the convention assembled, a desperate and determined effort was made to nominate the same for the Republican nominee, Mr. Connell, for Congress, and thereby get his name upon the regular Democratic ticket. You now begin to see that the fight between the employer and the employee, or, at this stage, it might be more appropriate to say between capital and labor, was intense and fierce.

Party allegiance was forgotten in a great measure, but be it said to the credit of the Democratic party, this plan failed of its purpose. Those delegates who entered into this conspiracy were in the minority, and as soon as they discovered they were defeated in their plans they bolted the convention and held one at another place, and proceeded to nominate William Connell and at once filed a certificate of his nomination with the secretary of the Commonwealth. The delegates remaining with the regular convention nominated Hon. George Howell for Congress, nominated candidates for orphans' court judge, county commissioner, and mine inspector. I am reliably informed that the original convention was composed of 192 delegates, and only 32 bolted, leaving 160 participating in the regular convention. Certificates of the nominations made by them were filed with the secretary of the Commonwealth. The validity of the nomination of George Howell, was contested by William Connell and his followers in the courts of that county, and both certificates filed in the secretary of the Commonwealth were declared by that tribunal invalid and the nomination of both the Democratic candidates for Congress and the Democratic candidate for orphans' court judge were stricken from the regular Democratic ticket, and this ticket was made up with a blank where the names of these candidates for these offices should have been.

In the meantime William Howell and his followers, anticipating this result, had gotten up nomination papers for him and the orphans' court judge to run for Congress and this judgeship respectively. The [illegible] The reason that this was done was from the fact that under the laws of the State of Pennsylvania no ticket can be put in the field by nominating papers using singly or in combination a name which possesses one minority in the field. The result of this situation was that the regular Democratic ticket voted in the county of Luzerne was under the direction of the "Antimachine party" ticket, and every candidate upon it received a majority of the votes cast, and they were duly declared elected.

Mr. Connell at this stage of the proceedings began to hunt around for excuses for his defeat. He challenged the correctness of the vote in many of the precincts in the Congressional district. He charged illegal voting, fraud, and corruption from start to finish, but signally failed to show it, though he has taken the testimony of many witnesses—6,500 in all—touching the allegation of fraud, but failed against each of those voting places thus challenged. He has failed because the fraud does not exist. As we have shown, the contestant and the contestee were candidates for Congress in this district, the contestant being the Republican candidate and the contestee the Democratic candidate. Mr. Howell, the contestee, was elected by a clear majority of 641, evidenced by the official returns. Upon these returns a certificate of election was issued him, by virtue of which he holds his seat in this House. Mr. Connell, the contestant, alleges that at this general election the contestee was not duly elected to Congress from this district, but claims that he received the majority of the legal votes cast at said election, and that he is entitled to the seat in this Congress as Representative from the said district. The official returns give Howell 13,600 and Connell 13,139, thus showing 26,739 votes returned for both.

We, with perfect confidence, assert that these returns are practically true and correct. Mr. Connell denies this and says that they are false, fraudulent, and not entitled to credit. We think we are now prepared to defend them against this unwarranted attack.

Now, Mr. Speaker, it is a well-known rule of law that when fraud is charged the burden is always upon the contestant to show both fraud and injury to himself in the conduct of the election and count of the vote, and that he must also show that he received the greatest number of legal votes. Unless he can show that he has received a majority of the legal votes cast he can not complain of irregularity or fraud unless he can affirmatively show that he was thereby damaged. Mr. Paine, in his work on The Law of Elections, in section 762, states tersely and completely the law which he says:

The burden of proof is always upon the party attacking the official returns. The presumption is that the officers charged with the duty of ascertaining and declaring the results have performed that duty faithfully. [illegible]

Mr. Speaker, the decisions in this [illegible] all concur that—

[illegible] an expression of [illegible] sion of statutory observance [illegible] tion will not vitiate it. [illegible] of [illegible] mar will is ascertained, the design of the law is complete and accomplished.

Keeping these principles of the law before us, we will apply them to the facts of the case as we unfold them in the line of our argument.

He has made sweeping charges against the officers of the Tenth Congressional District. Contestant has spread page after page of testimony into the record, making the longest record, so I am informed, ever filed in a contested election in this House. But they have not shown that he received a majority of the votes. They have shown much actual fraud. It is true some irregularities in the conduct of the election have been shown, some votes have been received, some for one cause, some for another. But, Mr. Speaker, as I have stated, mere irregularities, which concern the form of conducting an election, will not vitiate it unless it be shown that legal votes have been rejected or illegal votes received and that, because of one or the other or both, the result does not conform to the will of the voters.

He has failed to show that, and appeals to you to throw out certain precincts entirely and other precincts partially, but he has failed to make out his case by submitting competent material and legal evidence. The majority of the committee before whom this case was referred have narrowed the issue down to three boxes, the Second and Third wards of Winton and the first district of Old Forge. These three boxes, the majority of the committee contend, should be thrown out and the 33 votes cast at these boxes should be counted for Mr. Connell on proof alinude. The returns in these three boxes are as follows:

	Connell.	Howell.
Old Forge, first district	113	28
Winton, Second Ward	31	182
Winton, Third Ward	31	155
Total	164	625

Giving Howell 461 majority.

If these three boxes are thrown out, this still leaves the Hon. George Howell's majority. They have not quite got rid of him. What is their next step? They attempt to prove alinude that the 33 votes in these three boxes they are attempting to throw out voted for Connell, thereby giving the majority to Mr. Connell by about 12 votes. Let us address ourselves to these two propositions. Shall these three boxes be thrown out? If so, have they proved alinude that 33 votes were cast in them for Mr. Connell?

It might be well to state right here that the summary of the findings of the majority of the committee were as follows, to wit:

[illegible] board in the Tenth Congressional district of Pennsylvania, these candidates received votes as follows:	
William Connell	13,139
The official returns from the Second and Third wards of Winton and the first district of Old Forge are as follows:	
Winton, Second Ward, Connell	31
Winton, Third Ward, Connell	31
Old Forge, first district, Connell	113
	175
	12,964
Votes proven alinude to have been cast for Connell in the Second and Third wards of Winton and the district of Old Forge, and which should not be counted in the count	32
	12,996
Deduct illegal vote	1
Connell's total legal vote	12,995

George Howell	13,600
The official returns from the Second and Third wards of Winton and the first district of Old Forge are as follows:	
Winton, Second Ward, Howell	182
Winton, Third Ward, Howell	155
Old Forge, first district, Howell	288
	625
	12,975
Deduct from Howell's count on account of illegal votes proven alinude to have been cast for him, as above set forth	200
Howell's total legal vote	12,775
Connell's total legal vote	12,995
Howell's total legal vote	12,775
Connell's plurality	220

It therefore follows that William Connell was duly elected Representative in Congress from the Tenth Congressional district of the State of Pennsylvania.

Such are the findings of the majority of the committee. They find that such gross and palpable fraud was connived at and practiced by the election officers at the precincts of first district of Old Forge, Second and Third wards of Winton, as to deprive the returns of any verity whatever, and they accordingly recommend that the entire returns at these three precincts named should be cast out. We, the minority, in our report, which I had the honor to submit to this House, say, in substance, that we are unable to discover any testimony that shows or tends to show fraud on the part of the election officers. In another part of my remarks I will call attention to the facts and endeavor to show that the inferences and conclusions of the majority are not warranted. Assuming, for the purpose of discussion only, that there were as many illegal votes as the majority allege at the precincts cast out entirely by them, we insist that the method adopted was harsh and unjust. The true rule, in consonance with common sense and common justice, and sustained by the weight of authority, is that the polls should be purged of illegal votes if it can possibly be done. Mr. Taylor, of Ohio, who took high rank in the House both on account of his ability as a lawyer and his fairness as a man, in the case of Taylor *v.* Miner, said:

[illegible] a proposition to strike out an entire return, if of [illegible] was decided on any other than party lines. A principle [illegible] thus abused is not a principle to be invoked except where the exigencies of the case absolutely demand it.

The supreme court of Pennsylvania in Chadwick *v.* Melvin (Brightley's Election Case, 551) states the doctrine very strongly "that there is nothing which will justify the striking out of an entire division but an inability to decipher the returns or a showing that not a single legal vote was polled, or that no election was legally held."

In Le Moyne *v.* Farwell, Forty-fourth Congress, Digest of Election Cases, page 711, it was stated:

That where fraud is shown to exist the poll shall not be rejected unless it is impossible to purge it of the fraud. It being shown that very many votes had been illegally cast, [illegible] numbered ballots in the box to have been cast by persons who were [illegible] and fraudulently cast, the committee deducted these 202 votes from the vote of contestee.

And on page 728 it further said:

The exclusion of an entire poll is the very last resort, and it must never be done where there is any rational means by which the illegal votes can be eliminated.

In the New Jersey case, as reported in the Digest of Contested Election Cases, page 651, it is held that the burden of proof is on the contestant, even to the proof of a negative. It holds that—

[illegible] proof of a defect in [illegible] by proving a negative [illegible] why the committee should meet him halfway. The rule of reason requires that he should fully make out his case, even though it involve the proof of a negative.

In Bromberg *v.* Haralson, Forty-fourth Congress, Digest of Contested Election Cases, page 652, it is stated that—

The burden of proof is on the contestant or the party attacking the official returns. [illegible] faithfully.

In Cessna *v.* Myers, Forty-second Congress, Digest of Contested Election Cases, page 652, it is held that—

The burden is upon the party attacking the legality of a vote to prove that the person whose vote is in question voted, that the vote was for the contester, and that the voter was lacking in some legal qualification.

In Butler *v.* Lehman, Thirty-seventh Congress, Digest of Contested Election Cases, page 652, it is declared that—

All allegations involving charge of crime must be established beyond a reasonable doubt.

When a contestant makes a charge of [illegible] of returns, which involves a direct charge of crime against the election officers, he would in strict law be required to establish the charge by the same degree of proof required in a criminal case.

In Taylor *v.* Reading, Forty-first Congress, it was held that—

Fraud to be eliminated if possible without sweeping the returns.

Where contestant proved that many votes were cast for him that were not returned in bulk, and there were [illegible] the committee refused not to reject the polls, but corrected the vote according to the proof.

In Atkinson *v.* Pendleton, Fifty-first Congress, it is held that—

Returns which are tainted with fraud cannot be made the foundation of the title to a seat in the House. The results should be purged of the fraud if practicable and the poll set aside only, if it can not be purged of the fraud or to correct the fraud or to correct the returns.

In Barnes *v.* Adams, Forty-first Congress (Digest of Election Cases, p. 727), it is held that—

The rule is well settled that the whole vote of a precinct should not be thrown out on account of illegal votes, but if it be impossible to ascertain the proportion of legal votes and the proportion of illegal votes to reject them and [illegible] to be [illegible] the only means of preventing the consummation of a fraud upon the ballot box.

All the above authorities hold that the entire vote should not be thrown out except in very extreme cases.

In the matter of purging the poll, McCrary, on page 225, section 300, lays down three rules when the evidence fails to establish how the illegal votes were cast: First, declare the election void; second, divide the illegal votes among the candidates in proportion to the whole vote of each: third, deduct the illegal votes from the candidate having the highest vote. The third proposition is so drastic, harsh, and unjust that we apprehend few men would, acting judicially, invoke it. In this particular case, however, even if there were as many illegal votes as the majority allege, and all of them should be deducted from the contestee, he would still have a majority. We insist that the three polls complained of should be purged by deducting the illegal votes from each candidate as received them if the evidence establishes how they were cast. In the absence of proof as to what candidate received the illegal votes, then we submit that they should be divided between the two candidates in proportion to the whole vote each received.

No difficulty is in the way of this plain, simple, legal method of disposing of the illegal votes. The names of the alleged illegal votes are given. The grounds upon which the votes are claimed to be illegal are printed in the record. It is said that an effort was made to show that the illegal votes were cast for the contestee. There was nothing to hinder the committee from passing upon every one upon every alleged illegal vote. If they were satisfied that the vote was illegal, they could then examine the testimony as to who received it. If the evidence established this fact, the proper deduction followed necessarily. If the evidence failed to show who got the benefit of the illegal vote, it should have been divided between the candidates under the rule laid down by McCrary on Elections.

Now, Mr. Speaker, the facts of this case have been so ably discussed by the gentlemen who have preceded me in this argument that I deem it unnecessary to dwell at any length upon them.

Permit me to call your attention to Winton Borough, Second Ward. This is one of the boxes they seek to throw out. The official returns at this ward give George Howell 182 and William Connell 31. The majority of the committee give as their reason for throwing out this ward, first, that the election officers permitted 50 men to vote whose names were not on the registry without taking the affidavits required by the laws of Pennsylvania; second, that in the neighborhood of 50 votes were received in the names of men who were not present and did not vote; third, that a large number of names were added to the registry list by the election officers in violation of the laws and in violation of their duty; fourth, that there were several duplicates and votes received in the names of dead men.

Now, let us examine these findings in their order. The majority of the committee insist that the reception of so large a number of illegal votes from nonregistered persons who filed no affidavits can be accounted for on no other grounds than that of gross and palpable fraud, connived at, encouraged, and participated in by the managers of the election. Of the vast number of [illegible] connected with the holding of the election of this box not one of them was called to the stand in the case, and no witness has testified to any act or utterance of said election managers.

Then the only ground for rejecting the precinct is the unwarranted inference that such a large number of illegal votes could not have been cast without fraud. There is no competent testimony in the record to show that anyone voted who was not en-

titled to do so. It is true that the counsel for contestant argued [illegible] that there were many names on the poll list that could not be found upon the registration list, and he further charged that no affidavits were required of the nonregistered voters. We [illegible] with [illegible] that there is no legal proof in the record that the managers of the election failed to take affidavit, as the law required, from all persons who applied to vote and who were not registered. Now, some days after the argument had closed, the counsel for contestant filed with the committee a certificate, which is as follows:

COMMONWEALTH OF PENNSYLVANIA, *County of Lackawanna:*

I, John F. [illegible] in said County [illegible] election [illegible] Lackawanna County [illegible] and have affixed the seal of [illegible] County of Lackawanna, at the city of Scranton, in the said county, this [illegible] day of January, A. D. 1904.

JOHN F. CUMMINGS,
Prothonotary of Lackawanna County.

It must be manifest to anyone that this certificate is not competent evidence. This certificate is to the effect that he affiants of nonregistered voters are on file in the office of the prothonotary. I take it that it is a well-established rule of law that an officer having custody of official papers can make certified copies thereof which are competent evidence, but he can not certify that a paper does not exist. He is under the law authorized to certify to records, but not to the nonexistence of records. If the fact that a paper is not in his office is sought to be proved, he should be sworn, examined, and cross-examined like any other witness. The election officers may have taken the affidavits as the law required and by carelessness, accident, or otherwise failed to file them. The law of Pennsylvania requires that after the election officers shall have taken the affidavits of nonregistered voters and canvassed the votes and announced the result they shall make out triplicate returns and shall then place said affidavits in an envelope along with the list of voters, a tally sheet, and their oaths as election officers and deliver them to one of their number, designated as a return judge, and that he, not the board, shall deliver the same to the prothonotary's office, subject to examination as other election papers are.

It occurs to us that the contestee is not required to prove that these affidavits were actually delivered to the prothonotary by the return judge, for the manifest reason that the contestant has the burden of proving that the affidavits were not taken, and the fact that he has shown or attempted to show by the above certificate that they were not filed in the prothonotary's office does not establish the fact that they were not taken. In support of this position I respectfully refer to section 762 of Paterson Election, where Cartwright v. Yocum is cited, and where the doctrine is stated in the following language, to wit:

The failure of the officers of election to return to the prothonotary's office the affidavits of nonregistered voters does not raise the presumption that they neglected to require such affidavits.

If we are correct in this view of the law there is not one word of testimony that the election managers allowed fifty persons or any other number to vote without affidavits. If contestant really desired to establish this one fact beyond all controversy it was in his power to do so, but he has seen proper to pass by the best evidence which was accessible to him, and he has [illegible] with the introduction of evidence of a technical character, and of an entirely [illegible] character in support of his position.

Now, Mr. Speaker, we come to the Third Ward of Winton. The official returns of this ward give George Howell 155 and William Connell 24. The votes received by the majority for the [illegible] box are of the same nature as those in the Second Ward of Winton. The [illegible] elections at this precinct [illegible] that no votes were cast at that box by persons who were not registered, and therefore, for that reason, no affidavits were taken. It is claimed by the contestant that some votes in this box in the names of men who were absent, and that some votes were cast by persons who were not registered upon the poll list. In support of these allegations contestant has introduced F. A. Snyder, Beni Betti, and Dennis [illegible] Clarkson as witnesses. In my judgment they absolutely failed to sustain these allegations. Their testimony upon its face is unbelievably [illegible]. I have not the time to quote it to the House. You will find it printed in full in the report of the minority in this case, which now lies upon the desk of each Member. I ask the Members to read this testimony, and I feel sure that if they will do so they will not vote any more seats in it whatever.

But I must pass on to Old Forge district. At this box George Howell received 288 votes and William Connell received 117. The majority of the committee asked that this box be thrown out because [illegible] were present, apparently assisting the election officers, who were friends of the contestee; threats were used; a Republican watcher was forcibly ejected; the right of challenge was denied; voters were denied the right to make their own selections of persons to assist them in marking their ballots, and ballots were marked contrary to instruction of voters, and the election generally in this district was conducted in a high-handed manner and without regard to the provisions of law and the sworn obligations of the election officers." Now, Mr. Speaker, these are sweeping charges, but they have not been proved. The one man above all who should know whether these allegations are true or false was old man Michael McGowan, who was the judge of the election at this box. This old gentleman is 73 years of age, and he says: "The election was the most peaceable and orderly election ever held at Old Forge." The only man who raises any complaint whatever is Frank Conowsky. If anyone will carefully read the testimony in this case, he will be thoroughly convinced that Conowsky was properly ejected.

Then there is another witness that throws a flood of light upon this point. I allude to Lewis Williams, the Republican overseer, who, by the way, appointed Frank Conowsky as the Republican watcher. Lewis Williams was present in an official capacity to see that no wrong was done the Republican party, and in his sworn testimony he does not say one word about "the unlawful and high-handed action of the managers." The chief witness for the contestant was Frank Conowsky, and if one will read his testimony carefully I am sure it will impress him as being very unsatisfactory. As the facts connected with this box have been so ably presented by other speakers and they are so fully set out in the report of the minority, I will not consume any further time on this point. I will now pass to the discussion of the aliunde votes. After throwing out these three boxes by the majority of the committee it still leaves George Howell with a majority. In order to overcome this they have resorted to aliunde evidence to ascertain what legal votes were given the contestant. They are of the opinion that the following men have been shown by competent evidence to have voted for Connell:

Winton district.—[illegible] Dyer, [illegible] and Thomas.

Old Forge, first district.—Frank Conowsky.

Now, Mr. Speaker, one witness, James F. Flynn, is called to support this allegation. It is him that they rely upon for proof of all these aliunde votes except 3. If any Member will take the time to read his testimony, which will be found printed in full in the minority report, he will say that his testimony is wholly incompetent, unreliable, for reasons apparent upon its face.

Mr. Speaker, the record in this case shows that the contestant has shown great interest in the prosecution of this case. He has had [illegible] and professional by contestant and only one by contestee. The evidence alone fills four large volumes, [illegible] 3,824 pages of fine printed matter. Along this line I wish to call the attention of the House to the fact that, in their effort to throw out the First and Second wards of Winton and Precinct of Old Forge they have not called one of the election officers in any of these boxes to testify in this case.

At that election there were nine tickets—two Republican, Democratic, Prohibition, Socialist, Citizens, Labor, Union. Under the law [illegible] overseers, two Republicans, two Democrats, two Prohibitionists, and one Socialist. In addition to these there were eighty-one in all. They had two overseers to each polling place, [illegible] at each box, and the two Republican overseers at each box make twenty-seven at these boxes, and the three boxes would make eighty-one in all. They had two overseers to each polling place, [illegible] all these parties. This leaves [illegible] these boxes, and I say to this House that the contestant in all his zeal in making out his case has not called a single one of these overseers save Frank Conowsky. Now, I ask you in all candor, why did he not do that, when the contestee had called the Republican overseers and had hired the wind and school teachers in Lackawanna County to testify? He hired men to go out and write up this testimony, and not one of these parties has he introduced yet. Now, Mr. Speaker, I am trespassing on the time of other gentlemen, but I wish to say that I was some what concerned, when we began this case, but I now feel more hopeful. I have [illegible] beginning to believe that if this man can be turned out upon this testimony, there is not a man in this House whose majority is 1,000 or less but what could be deprived of his seat, especially if his contestant is backed up by such a man as William Connell, with his witnesses and ten lawyers to hunt up the testimony.

There is another thing I want to allude to. There has been a good deal said about illegal registry. Mr. Speaker, under the law the county commissioners make out two copies of the original registry and send them to the officers of each voting place. These

are made out in alphabetical order. Each inspector takes one, and when a man comes up to vote his name is called out and the other marks "voted." When a man comes up who is not registered by reason of any cause he makes the proper affidavit. Then what is done? When he qualifies his name is written on this registry list. It is written on the only list they have there. I want to ask the other side how do they know that the parties were not registered when these very registry lists were impounded by the contestant himself and are now in the courts? We have never seen them. If they had produced them, perhaps scores of these parties they say were not registered might be found upon the registry. I will ask the chairman where are they? If he does not answer, I can. They are to-day in the ballot boxes. Where are the ballot boxes? They are to-day in the courts. Now, you can see at a glance that if anyone qualified on the day of election his name should be on that list. What do they do? The contestant goes to the original registry in the commissioners' office and compares it with the poll list, and every man that he finds not on that original list he says is an illegal voter.

We claim that if the registry lists that the officers had were before us perhaps it would show that every man that they claim was not qualified is upon that list. [Applause.] Now, Mr. Speaker, I make that as a challenge.

Mr. DRISCOLL. Will the gentleman yield for a question?

Mr. McLAIN. Yes.

Mr. DRISCOLL. Is it not true that Mr. Balentine brought a lot of the original lists, and is it not true that we said that if you wanted to bring certified lists in they could bring them in and put them in evidence?

Mr. McLAIN. Yes.

Mr. DRISCOLL. Why didn't you bring them in?

Mr. McLAIN. He, contestee, stood before the committee from the time it opened, begging that the ballot boxes be produced and brought in before the committee.

Mr. DRISCOLL. Did not the gentleman vote against producing the ballot boxes?

Mr. McLAIN.- I voted against bringing the votes for the purpose of counting them.

Mr. DRISCOLL. Did you not vote against producing the ballot boxes?

Mr. McLAIN. There was some question of that kind. I admit it. On reflection, I did so vote in the committee. I will say right here that I was like the balance of the committee at the start—did not understand the situation thoroughly. If I had known as much about the case then as I know to-day I do not believe you could have got a majority report from the committee in favor of contestant. I will confess that I did not understand the case thoroughly at that time, but since I have investigated it, I say to this House that the registry lists are to-day in that ballot box. [Applause on the Democratic side.]

Mr. Speaker, it has cropped out in this case that Mr. Connell is a multimillionaire. The other day I clipped the following from one of the leading daily papers of this city:

William Connell was born in Nova Scotia, and began life in the Pennsylvania [illegible] down in the bowels of the earth with the [illegible] Scranton. [illegible] wealth is variously estimated between ten and twenty-five millions of dollars.

I take it that the above history of Mr. Connell is substantially correct. I do not allude to it for the purpose of arousing prejudice, but to throw light on what I am about to say. Mr. Howell is a very poor man. He is charged with [illegible] in the [illegible] and [illegible] earnings. I am told he was superintendent of [illegible] before he came to Congress. This campaign was waged during the great coal strike, and Lackawanna County was the scene of this great disturbance. The miners were opposed to Connell, [illegible] he had been a [illegible] operator. If [illegible] Pattison, while Connell had the [illegible] was declared, [illegible] had [illegible] William Connell, 139.

The result of the election shows, further, that [illegible] on the [illegible] Democratic. The Democratic candidate for governor was [illegible] George Crater; for lieutenant-governor, [illegible] John Noland, secretary of internal affairs, 3,287, and M. F. Sandow, orphans' court judge, 1,837. This shows beyond question that the Democrats swept the county of Lackawanna by a large majority. Mr. Howell, candidate for Congress, received the smallest plurality of any of the candidates—461.

Mr. Howell got the certificate of election. Evidently Mr. Connell's ambition was crushed. He took his case to the election commissioners and lost. He next summoned to his aid nine able lawyers residing in his district. Then the contest began. Fraud and corruption were freely charged to Howell and his followers by Connell. Here comes in the humorous part of the whole affair. Connell with his millions! Howell without a dollar! With these facts before you let the fair and impartial mind judge who was better equipped to act wrong. It does occur to me that Connell is asking his party friends in the House to do for him what his constituents had refused to do—to give him a seat in this House. [Loud applause on the Democratic side.]

Mr. WILLIAMS of Mississippi. Mr. Speaker, I would ask the gentleman in charge of the time on the other side if he has more than one speaker upon his list. If so, he ought to produce him now. He has a right to the close, but not to close with two speeches.

Mr. McLAIN. Will the gentleman upon the other side answer that question?

Mr. DRISCOLL. Mr. Speaker, we have only thirty minutes left, and I would say that if the gentleman on the other side has more than one speaker he ought to have one of them speak now.

Mr. WILLIAMS of Mississippi. If the gentleman will pardon me, he is entitled to the close, but he is not entitled to two closes. Therefore he ought to consume some of the time now.

Mr. DRISCOLL. Very well; I will yield fifteen minutes to the gentleman from Pennsylvania [Mr. PALMER].

Mr. PALMER. Mr. Speaker, there is one very interesting development in this matter, and that is the development of a conscience on the other side of the House. It is the first time in three years that I have had the honor to sit in this body when any such thing has been apparent. All who have spoken have assured us that conscience was their only guide and mentor in the matter.

Mr. BURLESON. There is no manifestation of one upon the Republican side, however. [Laughter.]

Mr. PALMER. The trouble with this case is that the Republican conscience has become a little too active. I hope this manifestation will continue. There certainly was none of it in the Butler case in the last session of the Fifty-seventh Congress, which presented the most outrageous conglomeration of frauds that were ever perpetrated on the ballot box. There was not a single gentleman on the other side of the aisle whose conscience was stimulated to vote against seating a man in whose behalf every offense that could possibly be conceived against the election laws, including ballot-box stuffing, false personation, forgery, perjury, personal violence, everything short of murder had been perpetrated. I said I hope this manifestation of conscience will continue, so that if in the inscrutable purposes of a divine Providence it should ever seem to be necessary to furnish this country with another administration in which these gentlemen have a majority, it is to be hoped, I say, that conscience will still be active when they have a majority on these committees and when they have the power to seat and unseat Members. I have waited three years for an opportunity to witness this manifestation.

"Prophets and kings desired it long, but died without the sight."

What we are all after in this case is the truth. I agree that all are equally conscientious and all equally desirous of arriving at the exact truth of this controversy. It was submitted by the House to a committee consisting of nine Members. The testimony has convinced six of these nine Members that Mr. Connell is entitled to this seat and that Mr. Howell ought to be unseated. The testimony has equally satisfied three of the nine Members that there is no evidence whatever in the case, not one spark or [illegible] evidence, that would justify the House in unseating the sitting Member. The fact that this decision is on party lines is no consequence. It may be conceded that all of these gentlemen are equally intelligent, that they are equally able, and that they are equally conscientious. So that the question comes back, What is the truth? Are the six members right and are the three right, or are the six right and are the three wrong?

Let us look at it from a common-sense standpoint for a minute or two and in the light of human experience. It is admitted that the best evidence of the facts upon which the majority conclusion was reached has not been produced. The real question is not whether the best evidence has been produced, but the question is whether the evidence is such as, uncontradicted, ought to satisfy a reasonable man under the circumstances, taking everything into consideration, that the facts exist. Consider that little ward of Winton borough, where the majority of the committee find that 100 fraudulent votes were cast. The contestee say fifty men voted in that ward who were not on the registry, who filed no affidavits. Under the decision of the highest court of the State of Pennsylvania those votes were illegal and void, and no outside testimony could ever make them good. What is the evidence on which the majority of this committee find that conclusion? First, it was perfectly easy to satisfy themselves that these

voters were not on the registry list by comparing the poll list with the registry.

Mr. JOHNSON. But that they have not done.

Mr. PALMER. That they did do. It is said that this registry list which was used by the election officers on that occasion is in the ballot box. Well, let it be granted that it was.

Mr. JOHNSON. Does not the gentleman think, as a lawyer and as a citizen of Pennsylvania, that they are?

Mr. PALMER. Why, certainly it is in the ballot box; but the original from which that registry list was made is in the commissioner's office in the city of Scranton, and there was not the slightest trouble in comparing that poll list with the registry and with ascertaining the fact, at least, that there were fifty men who voted at that election who were not registered on that list.

I [illegible] that the affidavits that the law prescribes they were illegal voters. Did they file the affidavits? It was the duty of the [illegible] to present these affidavits, if they were filed, to the prothonotary of the court and put them on file there. They did not go into the ballot boxes, but they go to the prothonotary. The prothonotary certified that no such affidavits were ever filed there.

Mr. JOHNSON. Will the gentleman allow me to correct him?

Mr. PALMER. No; I will not, just now.

Mr. JOHNSON. I know my friend does not want to make a mistake; he is too good a man for that.

Mr. PALMER. I will admit that I am a good man. [Laughter.]

Mr. JOHNSON. The certificate to which the gentleman refers related only to Old Forge; there is no evidence as to Winton—none in the world.

Mr. PALMER. If that certificate pertains only to Old Forge, then is there other evidence that there were no affidavits filed at the Second Ward of Winton?

Mr. JOHNSON. None in the world.

Mr. PALMER. I will tell you what evidence there was. There was the evidence of Mr. Howell's lawyer, who stood up before this committee and admitted that no affidavits were filed in that ward. The evidence that the counsel of the contestee put into his printed brief on page 18 is that there were no affidavits filed in that ward. He says there were no affidavits filed in that ward because there were no voters who voted who were not registered.

From the beginning of this case until the end there has never been a denial on the part of anybody that there were fifty men who voted in that ward on that day who were not registered. It is not until this case comes to be argued here in this House that this fact is denied. They are now making that claim in the face of their own admissions in their printed brief and in their argument before the committee.

Mr. Speaker, if it were true that the fifty men who voted and who were claimed to be nonregistered did in fact file affidavits, would not the contestee in this case have been swift to call the election officers to prove it? Could he not have proved in just one minute by calling the judge of the election or the clerk of the election, or any inspector of the election, that no man voted on that occasion who was not on the registry for whom an affidavit was not taken? Could he not have explained that these affidavits were transmitted to the prothonotary, and were lost on the road or eaten up by mice or abstracted by the enemy.

Sometimes the facts which are not proven speak as conclusively and as forcibly as facts which are proven; and when from the beginning it was contended that these fifty nonregistered voters voted without affidavits, and when the contestee failed to attempt to establish the fact that affidavits were filed, that seems to me to be at least some evidence on which the majority of the committee could base their finding.

The committee finds that there were fifty men who were returned as having voted in that precinct who were not there at all. I suppose the best evidence in proof of this fact would have been to summon the men themselves if they could be found on the face of the earth, to bring them before a commissioner and take their testimony that they were not present and did not vote. That was not the course pursued. A man was sent out who was not a stranger—a man who was a tax collector and assessor in that little borough of Winton, who knew every man, woman, dog, and cat in the place. They sent him out with a list in his hand of fifty men who were returned as having voted there, but who did not in fact vote, as it was alleged. He was sent out to ascertain facts, and he came back and reported that A had moved away, that B was in some other country, that C had died, etc. Nobody contradicted his testimony or doubted his veracity. It may not have been the highest or best form of evidence; but in the absence of any contradictory proof which Mr. Howell could have made, if any such existed, it was enough to satisfy a reasonable man of the fact.

If the testimony satisfied the majority of the committee, then they had a right to make that finding. Granted that the best evidence was not produced. Is there a man here who doubts for a single moment that it is a fact that the fifty men whose votes were returned as having been cast on that occasion were not there and that they had moved away from that place and did not vote at that election.

It was found in that ward of Winton borough that more than a majority of all the votes cast were illegal votes; that this return in which Mr. Howell had [illegible] was a false return—a return which instead of [illegible] was intended, that no reliance could be put upon it. What is to be done with this return? Under the [illegible] of law it must be rejected. What has been done? There was no [illegible] of purging that poll. How could you purge that poll? The provision for a recount had [illegible] by a constitutional amendment abolishing the numbered [illegible]

The only way that the poll could be purged would be to [illegible] every voter who voted there to state for whom he voted. The ballot in Pennsylvania is secret, and no man can [illegible] tell how he voted. Of course if a man [illegible] himself on the ground that he is not bound to criminate [illegible] by testifying that he voted at all or for whom he voted. [illegible] he is not bound to tell anybody for whom he voted. Therefore the proposition that the poll could be purged, that it could be determined [illegible] many illegal votes were cast and for whom was since [illegible] The other rule of law that applies to such a case is that [illegible] shall be rejected when it does not import truth or is tainted with fraud, and then each party shall have an opportunity to prove how many legal votes [illegible] opportunity Mr. Connell embraced, and he was able to prove that in those two wards of Winton and in the Old Forge precinct at least thirty-one persons who were legal voters cast their ballots for him.

Again, it was said that this was not established by the best evidence. It is not a question whether it was proved by the best evidence, but the question is whether any man here doubts the fact that these thirty-one Republicans who had been supporting Mr. Connell and who declared afterwards that they had voted for him—is there a doubt that they did so vote? Is there a doubt that those 31 votes ought to have been given to him? The question is whether the fact exists, and whether in the absence of any contradiction the evidence is such as to justify a belief in the mind of a reasonable man.

[Here the hammer fell.]

Mr. McLAIN. Mr. Speaker, it was the intention of my colleague [Mr. RANDELL of Texas], who is on the committee, to occupy the House to-day, but he, like myself, has not the time. I now yield the balance of the time to the contestee [Mr. HOWELL].

The SPEAKER. The gentleman has thirty minutes, which he yields to the gentleman from Pennsylvania [Mr. Howell].

Mr. HOWELL of Pennsylvania. Mr. Speaker, the Hon. William Connell was renominated by the Republican party of Lackawanna County, which is the Tenth Congressional district of Pennsylvania, some time in July, 1902. The certificate of nomination was regularly filed with the secretary of the Commonwealth, at Harrisburg.

The Democratic party held its convention in Scranton, some time in September—September 16, I believe—1902, and at that convention, as usual, there were some Connell Democrats—some Connell conspirators. After we had elected a permanent chairman, after George Howell had been nominated for Congress, after Judge Sando had been nominated for the orphans' court, thirty-five of those conspirators bolted the convention, went to Melvin's Hall, and there organized a rump convention, which nominated the Hon. William Connell upon a Democratic ticket and a Democratic platform diametrically opposed to the Republican platform indorsed by the Republicans in July, 1902.

Judge WADE has read that platform for you, and I will not repeat it, for my time is short; but we want to call your attention to this fact: Mr. Connell was not only pleased with the action of that rump convention—he was not only pleased with that Democratic platform, but he publicly indorsed both by filing his certificate of nomination with the secretary of the Commonwealth of Pennsylvania. Further, he was bold enough not only to file his certificate of nomination as a Democratic candidate, but he petitioned and prayed the Dauphin County court to declare my certificate invalid and to erase my name from the Democratic column.

After a trial lasting many days, after the examination of carloads of witnesses sent on by the contestant from Scranton to Harrisburg, that court decided that my certificate was invalid, and also his.

Knocked out of the Democratic column, robbed of a nomination, George Howell went home, filed 3,000 signatures, took them to Harrisburg, and got his name in a column known as the "anti-machine column." George Howell had but two weeks to conduct his campaign, but when the vote was counted, canvassed, and recounted, a plurality of 461 votes declared not only the success of George Howell as an independent candidate for Congress, but it expressed the disapproval of a man who wanted to be both Republican and Democrat. [Applause on the Democratic side.] For George Howell carried the Republican strongholds of Lackawanna County.

Mr. CONNELL (the contestant). Where?

Mr. HOWELL of Pennsylvania. I carried the west side by 792 votes.

Mr. CONNELL. That is Democratic.

Mr. HOWELL of Pennsylvania. The Republican city of Scranton is not a Democratic stronghold. The west side is a Republican stronghold, and I carried it, and the returns will show it.

Mr. CONNELL. The gentleman is mistaken.

Mr. HOWELL of Pennsylvania. I want my time. I simply tell you the fact that I carried the Republican strongholds of Lackawanna County, which is the west side of the city of Scranton.

Mr. CONNELL. That is not so.

Several MEMBERS. Order! Order!

Mr. McLAIN. I submit to the Chair whether the gentleman, Mr. Connell, who is not a Member of the House, as I take it, has a right to interrupt the gentleman?

The SPEAKER. The contestant can only address the House by its permission, which has not been given.

Mr. CONNELL. Have I not that right?

The SPEAKER. The gentleman from Pennsylvania will proceed without interruption. He declines to yield. [Applause on the Democratic side.]

Mr. HOWELL of Pennsylvania. The Republicans of Lackawanna County are loyal to the Republican party and loyal to Republican principles. They believe, however, in the existence of two great parties and the right of representation. They would not destroy the Democratic party, because they know that the Republican party has been made stronger and better by its opposition. Had Mr. Connell not attempted to run as a Democratic candidate; had he relied upon his individual strength and party prestige, I tell you frankly and freely I believe he would be occupying a seat on the other side of the House to-day, honored and respected for his allegiance and loyalty to the Republican party and Republican principles.

If a lawyer goes into court and asks damages for injury to his client and it can be shown that his client is guilty of contributory negligence, the case is thrown out. The contestant in this case is guilty not only of contributory negligence by accepting a Democratic nomination, but he is guilty of violating a fundamental law which gives to every party in every State the right of representation on the ballot. The monuments at Yorktown, Bennington, Saratoga, and Bunker Hill stand for the right of representation in all its varied forms. God forbid the day when all men think alike and one party dominates the land. I have no desire to consume time of the House or digress from the main issues in this contest, but the people of Lackawanna County have been roundely charged with gross and flagrant violations of election laws, illegal voting, fraud, bribery, and corruption, and I deem it my duty and high privilege on this occasion to say a word in their behalf.

Reading the notice of contest, you would be led to believe that Lackawanna County, the home of the miner and the heart of the anthracite region, is a district where men have no regard for law, where public virtue is dead, and where anarchy is king. Lackawanna County, Mr. Speaker, is not a seething pile of political corruption, as the contestant would have you believe. This district has a reputation to be envied, and I will prove this statement, not by appealing to the imagination, but by the [illegible], and [illegible] by the contestant himself, who [illegible] that gave him his great [illegible] and people who raised him to his present proud political eminence.

In that notice of contest contestant alleges that 13,584 men voted for [illegible] in the Tenth district where they had the specified time required by law; that illegal ballots were marked by my friends and fraudulently cast by my agents; that 13,000 men voted for George Howell who had not paid their taxes, and, last but not least, that [illegible] George Howell whose name did not appear in the Democratic column, he alleges that 21,243 ballots marked in the circle at the head of the Democratic column were counted for George Howell. These statements or allegations are so wild, rash, reckless, and erratic that no rational mind can conceive them to be true. If they are true, there was not a legal vote cast for George Howell out of 13,000.

There may be some element of truth in each and every allegation made by the contestant, and if there is, I desire that it be carefully weighed by the House; but his boldest allegation, one that imputes gross fraud, contains not a single grain of truth. Contestant sets forth as his strongest allegation that 21,243 ballots marked with the circle at the head of the Democratic column were counted for George Howell. Now, Mr. Speaker, what is the testimony? What are the facts? On November 5, the morning after the election, one named Decker lodged information with the court of Lackawanna County to the effect that the election board in the second district, Third Ward, of Scranton, counted ballots with a cross in the Democratic circle for George Howell. The court immediately ordered the board to appear. They were examined, and it was found that the board had counted 7 votes for George Howell. The court immediately ordered 7 votes deducted from George Howell's total vote in the district. Were any other ballots similarly marked and counted for George Howell? In the testimony of 6,500 witnesses you can't find one.

These facts and figures may form no part of the majority report, but they have been sent broadcast over this land, an insult to the people of Lackawanna County, giving them a reputation for lawlessness which they do not deserve. The contestant in this case has been the foremost man and political leader in Lackawanna County for twelve long years. The political methods devised by him were the methods accepted by all lieutenants; his power was so supreme the political machine never moved except when oiled and guided by his deft and cunning hand, and I tell you now that, if such a corrupt condition existed in Lackawanna County as he would have you believe, it is high time the political leadership of the county was changed and the contestant, William Connell, held responsible for his stewardship as a political boss in that county for the last twelve years.

Expecting a retort from friends of the contestant to the effect that contestee made some bold allegations, too, which were not proven—not sustained by the evidence—permit me to read some of those allegations and tell you why they were not proven, why they were not sustained.

We alleged the following:

"Fourth. That one John Gibbons, an agent and employee of yours, the contestant, gave to Charles H. Schadt, high sheriff of Lackawanna County and a Democratic party leader in said Congressional district, the sum of $2,500 for the purpose, as specifically stated by said Gibbons to Schadt, of procuring election officers in said Congressional district to make false returns, by which more votes than cast for you, the contestant, were to be counted, returned, and canvassed for you.

"Fifth. That said John Gibbons, agent as aforesaid of you, the contestant, being the indorser on a note for $1,000 given by John J. Fahey, the chairman of the convention called by the Democratic party in this district to nominate a candidate for Congress, offered the said John J. Fahey that he would take up said note for said Fahey and relieve him from any liability thereon provided that he, the said Fahey, would use his influence as chairman of said convention to have it indorse the candidacy of yourself for Congress in this district.

"Sixth. That one James S. McAnulty, one of your agents, gave to Wade M. Finn a check for the sum of $150 for the purpose of bribing voters to vote for you in the Congressional district at said election.

"Seventh. That said James S. McAnulty, as well as others acting as your agents, disbursed many other large sums of money to other persons for the purpose of bribing voters to vote for you in said election."

Of those designated in the allegations just read, we put upon the witness stand one John J. Fahey, who was chairman of the Democratic convention. His testimony, to say the least, is very interesting. He testifies on page 3108 that John Gibbons, a Connell Democrat, would take care of his note of $1,000 if he, Fahey, would play fair at the convention. I may not be familiar with human nature, I may not know the true code of political ethics, but as I understand human nature and the political world, men at conventions offer money, not as an inducement to play fair, but to play crooked.

John Early's testimony, read by the gentleman from Massachusetts [Mr. THAYER], is found on page 3081 and stands uncontradicted.

The allegations made by Wade M. Finn, Charles H. Schadt, and James McAnulty were not sustained because they disobeyed the subpœna issued by the commissioner of the contestee. But what did we do when they failed to respond to this subpœna? We went before the United States commissioner and had them arrested; but what was the result? As soon as the commissioner had placed two of them under bail, United States District Attorney McCarrell was sent for, and at the hearing of Wade M. Finn he declared that the subpœna issued was defective, because the locus

or place for hearing was not sufficiently and specifically designated. The subpœna reads as follows:

[Copy of subpœna. William Connell, contestant, v. George Howell, contestee. In rehearing before commissioner sur contested election of Representative in Congress.]

To Charles H. Schadt, of the Sixteenth Ward of Scranton, greeting:

You are hereby notified and commanded that, laying aside all, and all manner of business, you be and appear in your own proper person, and there with your naturalization certificate, or your father's naturalization certificate, and passport for State and county taxes paid between November 4, 1901, and October 4, 1902, before W. W. Baylor, notary public, a commissioner duly appointed, at court house, court room No. 2, on Thursday, the 13th day of February, 1903, at 9 o'clock in the forenoon, then and there to give evidence touching the number of the contested election of Hon. George Howell to a seat in the House of Representatives in the Fifty-eighth Congress of the United States, wherein Hon. William Connell is the contestant and Hon. George Howell is the contestee, on behalf of the contestee.

Hereof fail not under penalty prescribed by law.

Witness my hand and seal, at Scranton, Lackawanna County, Pa., the 13th day of February, A. D. 1903.

[SEAL.] W. W. BAYLOR,
Commissioner and Notary Public.

[Seal of W. W. Baylor, commissioner and notary public.]
My commission expires January 19, 1907.
A true and attested copy.

R. E. FENTON.

Scranton is on the subpœna twice; there is but one county seat in the Tenth Congressional district, one court room No. 2, and every man subpœnaed was an old resident of Scranton. Charles H. Schadt had been high sheriff and Wade M. Finn a member of the council for many years, yet our learned United States district attorney saw fit to rely upon the technicality and ordered those in custody discharged. I may be wrong from a legal standpoint, but I think that the refusal of these witnesses to testify in obedience to the subpœna issued should be taken as an admission that they were possessed of information and had knowledge of facts which would prove the allegations of the contestee.

Again, Mr. Speaker, let us examine some of the agencies that cooperated to defeat the contestant. Mr. Connell conspired not only to defeat himself by accepting a Democratic nomination, but the times, the environment, the economic conditions of the county, worked against him. Let me read from the contestant's brief:

The Tenth Congressional district of the Commonwealth of Pennsylvania is located in the heart of the anthracite region. In that section labor is completely and thoroughly organized. The United Mine Workers of America is the dominant controlling force there, and its subordinate lodges or "locals," as they are designated, in their abiding place embrace ninety-nine per cent of the territory of Lackawanna County. It is an "imperium in imperio," and its orders are unquestioningly obeyed.

Hon. William Connell, the contestant, was largely interested, as owner and operator, in the coal producing business of this entire district, and the force of this company was practically directed against his candidacy for Member of the House of Representatives in the Fifty-eighth Congress of the United States from the Tenth Congressional district of the state of Pennsylvania.

All this I freely and frankly admit. In the Tenth Congressional district labor was completely and thoroughly organized. The lodges or locals had their abiding places in more than 60 per cent of the territory of Lackawanna County; and now, sir, I ask you, if this be all true, and you assert it, why was my election an unnatural result, for as the miner votes in Lackawanna County so goes the election. [Applause on the Democratic side.]

Again, looking at natural conditions and natural results, what do the returns indicate? Every candidate upon the antimachine ticket, upon which I ran, received a majority of the vote cast in the county and was duly declared elected. Robert E. Pattison, the Democratic candidate for governor, received a plurality of 5,000; George Guthrie, Democratic candidate for lieutenant governor, 3,800; James Nolan, candidate for secretary of internal affairs, 3,187, and M. F. Sando, candidate for orphans' county judge of Lackawanna County, running under exactly the same conditions as George Howell ran, got a majority of 1,837. Facing these facts, who will say that Howell's election was a surprise or an unexpected result when the Democrats swept the county?

Again permit me to eradicate a false impression. The contestant in his brief seeks to convey the impression that at the time of the election there was great excitement in the county, that lawlessness prevailed, that a strike was in progress, and that soldiers were on guard to suppress violence and disorder. Such was not the condition in Lackawanna County on election day. At the time of the election the strike was over, the military forces had been withdrawn, men had returned to work satisfied that the mine Commission appointed by President Roosevelt would deal fairly with them. The election in all respects was the most orderly and legally conducted election ever held in the county. Not a single arrest or charge was made on election day, immediately before or after. There is not one scintilla of evidence in the testimony of 6,500 witnesses that shows one act of violence or intimidation at any of the 163 polling places in the county of Lackawanna.

Having recited the history of the case, let us now examine the majority report. That report asks you first to throw out the Second Ward of Winton because votes were recorded in the names of men who were not present on election day and did not vote. Now, gentlemen, what is the testimony? One M. J. Gaughan, a paid professional searcher and collector of testimony, whose home was not in Winton, but in Olyphant, who gathered his information three months after the election, who was not in or near the polls in Winton borough on election day, goes upon the stand and testifies from second-hand hearsay evidence that forty or fifty men were not present at the polls on election day and did not vote. If such testimony can be introduced and relied upon, no man's seat in this House is secure for a single day. Again, this witness, M. J. Gaughan, in my judgment is utterly unworthy of belief. Any man who goes upon the witness stand and testifies that he knows personally every man in Winton borough, a mining district of 3,000 inhabitants, composed principally of Poles, Slavs, Huns, and Italians, shifting and moving constantly, is either an ignorant man or a deliberate perjurer. [Applause on the Democratic side.] Employers of long experience in this district and throughout Pennsylvania find it so difficult to remember the names and faces of the foreign miner and laborer that surnames and Christian names are practically unknown and unheard. The Poles, Slavs, Huns, and Italians go by number, not by name. Those of you who live in farming communities with a settled population may be inclined to believe that Gaughan knew personally 3,000 men in Winton borough, but those of you who reside in mining districts know that his statement is absolutely false.

Further, the majority report declares that votes were received by the election officers in the names of dead men. How many such votes were received in the names of dead men? Only two, Thomas Wright and John Mackey. Thomas Wright's name is on the registry list and voting list, but Gaughan, this paid professional searcher, tells you upon information received from Wright's father that he, Thomas Wright, died in Pittsburg September 20, 1902. You may believe Gaughan if you are so disposed, but I will accept the written registry book, the written voting list, and that fair presumption of law that sworn officers did their duty—nothing to the contrary appearing in this record—rather than accept the testimony of this man Gaughan, with a wonderful memory, a wonderful nose for scenting the trail of lost men, a wonderful ear for gossip, secondhand information.

Regarding John Mackey, the other dead man, I have good reasons for believing that he was alive on election day and that he voted. A witness called by contestant says that he was killed November 15, 1901; but is he not mistaken? The assessor by law is compelled to make a house-to-house canvass in May of each year, and write in his registry book a full and complete list of all the voters in his district. The assessor, John Loftus, made such a canvass in May, 1902; and what do we find? Do we find the name of John Mackey recorded by the assessor? Yes, sir. Recorded by him in a house-to-house canvass made seven months after Mackey is said to be dead. Now, Mr. Speaker, are you going to ignore, set aside, this written record made by an officer under oath, at a time when there was no party feeling or party politics in the air, when this contest was not dreamed of, and accept the oral testimony of a witness at a time when party feeling ran high, when this contest had engendered political strife and political hatred? I believe not. When you look at this record there is but one conclusion—John Mackey was alive on election day and voted.

Again, it is alleged that many votes were cast by men whose names could not be found on the registry list in this ward. Similar allegations are made for the Third Ward of Winton and the first district of Old Forge, and as these districts are composed principally of Poles, Slavs, Hungarians, and Italians one answer will suffice for all. In Pennsylvania, it is true, names on the voting list should correspond with names on the registry list, but to make them correspond under existing conditions in these districts is an impossibility. I hold in my hand a list of the names from the Second Ward of Winton, copied from contestant's brief, and I assert, without fear of successful contradiction, that there are not two men in this intelligent body that can pronounce or spell them correctly: Theodore Gruzdioloonicz, James Elneges, John Michaels, Joseph Batnicak, Joseph Iratt, John Saveon, Vasil Juzinoc, Vasil Ladmrak, Vasil Ladmirjak, Andrew Grusalanick, Joe Yutseo, Vasil Zuynioc, Korse Jubiancy, Jacob Magarin, Silvertie Marsala, Duherij Michalay, John Francke, Steve Reviljack, Joe Maslar, Frank Laskovskie, Mack Annlkoski, Michael Hanaha, Michael Horiahra, Anthony Sekovic, Valentine Rugrec, Andrew Senick, Steve Waslar, Martin Makala, John Senko, Peter Gaszar, Hric Pavander, Mich Oaph, Jacob Lustick, Andrew Dalosh, Andrew Malnar, John Novack, Mich Harksum, Joe Skovina, George Pedracki, Steve Korach, John Varhalak, Joseph Marshler, Paul Kackosh, George Kackosh, John Kovalisky, Charles Savicky, Theodore Grusdlovick, John Pliska, John Olorin, Thomas Davitt, Paul Michaulic, John Marck.

I will go farther and say that you can not find five professors in Yale, Harvard, or Princeton that can spell and write these names correctly when correctly pronounced to them. Is it not [illegible] to expect miners, unskilled and untrained, without the rudiments of an education, to spell these names correctly, to make the voting list correspond to the registry list. Further, is it not cruel, unjust, and harsh to accuse these hard-working people of fraud when neither you nor I could perform the task imposed or placed upon them by the law?

I pass now to the Third Ward of Winton. The star witness for the contestant, and the chief witness upon whom he relies to establish irregularities committed by election officers, is one Benni Betti. It is alleged that Benni Betti and H. V. Lawlor, the tax collector, with the assistance of one named Lally, voted twenty unnaturalized Italians in the Third Ward of Winton. If Benni Betti is reliable, if his testimony is trustworthy, it certainly is against us; but who is Benni Betti, and who is he? Are you going to believe him? Are you going to believe a man who could not qualify as a voter, one who could not produce his certificate of naturalization or his tax receipts, a man who sold his honor, his manhood, and his highest American privilege for a glass of beer and 25 cents? [Applause on the Democratic side.] Are you going to believe the sworn officers of this election board of Americans guilty of fraud on the testimony of this unwashed dago, this unnaturalized subject who said that all these Italians voted and still not one of their names appear upon the voting list? (Reply [illegible], p. 48.)

Again, Mr. Speaker, does H. V. Lawlor, their own witness, corroborate Benni Betti? No, sir. Lawlor denies in toto every statement made by Benni Betti. When James Conry, judge of the election, and their own witness, was asked about Lawlor voting these Italians in a bunch, he said Lawlor voted some that day, but he always asked permission and never asked in a bunch. But, Mr. Speaker, suppose the statements found in the majority report are true; that Benni Betti and H. V. Lawlor did corral these Italians and turn them over to John Lally, and, further, that he marked all their ballots, pray tell me what right have you to believe or even suspect, these Italians having been turned over to John Lally, that their ballots were marked for the contestee? John Lally is a loyal Republican, ever has been, and was a faithful Republican inspector at the polls that day. Do you doubt his politics? James Conry, their own witness, testifies on page 1011 that he never saw John Lally at a Democratic caucus or a Democratic [illegible]; and Peter Lawlor, one of their own witnesses, testifies on page [illegible] that John Lally is a Republican. The Republicans of that district were not working for the Democratic party that day. The contestant received [illegible] in the Second and Third wards of Winton than did President McKinley. [illegible] McKinley a total vote in the Second and Third wards of Winton was 59; the contestant's 55, and any Republican who gets more votes than William McKinley in a Democratic district ought not to cry "Fraud."

Before leaving the Third Ward of Winton let me call your attention to the third paragraph on page 6 of the majority report. It read as follows:

Where the letters "D. I." appear opposite a name [illegible] they [illegible] men without the requisite [illegible]

They would have you believe that where the letters "D. I." appear opposite a name on the registry list made in May by the assessor in May and he is [illegible] is frequently the case—he isn't [illegible] when he votes. The [illegible] certificate to the election [illegible] to go behind a certificate of naturalization [illegible] and auxiliary proof. (1 Brewster, p. 4; 2 Brewster, 158.)

Again, the registered voter who is challenged need not subscribe to an affidavit. If registered and challenged for [illegible] of tax he can, by taking an oath orally, qualify himself and vote. [illegible] Dist. Reports, p. 595.)

The statements found in this majority report concerning affidavits are certainly a revelation to those familiar with the practice of the election laws in Pennsylvania. A man marked "D. I." on the registry list can vote in November if naturalized in June and he produces his certificate of naturalization to the election officers. Again, the registered voter is not compelled to take and subscribe to the affidavit when he is challenged. On the contrary, proof on his part may be made by parol. (Eighth Penn. Dist. Reports, p. 595.)

OLD FORGE.

The election officers of Old Forge were so ably defended by the gentleman from South Carolina [Mr. JOHNSON] that I shall simply call attention briefly to one fact regarding this district.

The gentleman from Iowa [Mr. BIRDSALL] stated very great particularly yesterday the misdeeds and misconduct of the election officers of Old Forge. He stated [illegible] this election board violated every election law [illegible] committed great fraud, but I [illegible] you of anything. Every booth on election day was guarded by two overseers, whose plain duty it is to care [illegible] of the board, and if things are not conducted [illegible] law and spirit of the law such violations should be reported immediately to the court. And yet the clerk of this in November, 1902, not a single overseer in Old Forge and Second and Third wards of Winton, reported a single irregularity.

Is it not fair to presume that these overseers [illegible] their duty, and if there had been any irregularities they would have reported to the court? The fact [illegible] Mr. Speaker, no man in Old Forge ever dreamed of any irregularity on the part of the officers until this contest was instituted and Mr. Baring with his detectives got to work in Old Forge. To hold this election board of Old Forge guilty of fraud is to put a premium on political corruption, [illegible] and commend the debauchery of the ballot. If there was anything done at Old Forge on election day that was not square, why, pray tell me, didn't Mr. Mason or Mr. Judge, the two Republican members of that board, protest? Why didn't Mr. Williams, the Republican watcher who was in the booth all day, why didn't he protest or say something about this irregularity before this contest began?

Mr. Speaker, before this House can throw out the Second Ward and Third Ward of Winton and the first district of Old Forge, this House must accept as competent testimony the evidence gathered by that paid professional searcher, M. J. Gaughan, who gathered his evidence three months after the election.

2. This House must believe Benni Betti, who sold his vote for a glass of beer and 25 cents.

3. This House must give more weight to the testimony of Frank Conowsky, a political paymaster, than they do to the testimony of Michael McGowan, judge of election, and the peace officer and the constable, both sworn officers of the law.

4. This House must believe that a man can not vote in November, though naturalized in June, if the letters "D. I." appear opposite his name in the assessor's registry book made by him in May.

5. You must believe that the registry books introduced here by the contestant have been in the hands of the election officers.

6. You must believe that the miner, untrained and uneducated, can make the voting list correspond to the registry list when 99 per cent of the names in these districts are names of Huns, Slavs, Poles, and Italians.

Now, Mr. Speaker, let me discuss another matter aside from the three districts asked to be thrown out. If you and I go into court to try a case as lawyers, and you offer in evidence a document or instrument of any kind, I certainly have the right to examine that document or instrument. What was done in this case? [illegible] testimony the contestant, by an order of the United States district court, impounded all the ballot boxes or their contents. After hearing testimony for some time in the Second and Third wards of Winton, Mr. Holgate, counsel for contestant, offered in evidence the ballot boxes of the Second and Third wards of Winton and said that these ballot boxes would be opened at a certain time. Mr. Holgate never fulfilled that promise, and when we requested the committee to make him stand by his offer and bring the boxes here they denied our request. These boxes contained the only registry list used by the officers on election day; these boxes contained positive evidence of the fraud alleged by the contestant; these boxes contain the evidence of his election or mine—yet he fears to bring them in and face the contents, but skulks behind a Republican majority and refuses to face his own evidence offered in this case. "Thus does conscience make cowards of us all."

I will be charitable. I may not understand why this House refuses to open the boxes, but I do know that where a plaintiff suppresses evidence in court his suppression is a confession of guilt.

There are other questions, Mr. Speaker, involved in this case; but why should I weary the House? Can I hope for a judicial determination of this case? Can I hope that some Republican has asked the question, Is my party master or servant? I recognize the fact that there are two kinds of party allegiance. One is a rigid, unyielding determination to obey party leaders. It is such allegiance as a subject owes to his king, and a man who believes in this kind of allegiance is a liegeman of the party, contented to sing in a quiet undertone, "It is not for me to reason why, but do or die."

On the other hand, the second kind of allegiance stands for independence and an independence that is a notice and a warning to party and party leaders to do no wrong or be condemned. It is a loyalty or party spirit subservient to reason, guided and controlled by conscience.

Stranger as I am in this House, I know not which kind of allegiance is in your heart—whether you believe in the citizen who holds his party to a strict accountability or believe in the man who is led by his party to a strict accountability. Speaking for myself, I am the slave of no party creed. I believe that the man who is true to himself can not be false to his party, his country, or his God.

Now, gentlemen, my time has about expired and I must yield. If you believe that George Howell, who never sought this Democratic nomination, who never paid a man for a vote; who never spent one dollar for campaign purposes; who spent seventeen years of his life [illegible] as a schoolmaster; who ran at a time when the Democrats swept the county—if you believe he was not honestly elected, vote for the contestant, William Connell. On the other hand, if you believe that William Connell, the foremost political leader in Lackawanna County, the man who had his right hand on the Republican machine and his left hand on the Democratic machine, who wanted to play the double game of Republican and Democrat—if you believe that he was not honestly elected, vote for the contestee, George Howell. [Great applause on the Democratic side.]

The SPEAKER. The time of the minority has expired, and the gentleman from New York [Mr. DRISCOLL] is recognized for fifteen minutes.

Mr. DRISCOLL. Mr. Speaker, I heartily congratulate the Members of this House at the approaching close of this debate and contest. I congratulate the minority, both the minority and majority there of, and I really feel like congratulating myself first, because working through these large volumes is a good deal like drudgery, and the task is not a pleasant one. If a man does not agree with his party sometimes, he is criticised, and if he believes his party is right he is honestly and fairly elected, and stands up for his views, then other people may say that he is biased and influenced by partisanship rather than by the merits. Now, our friends on the other side, the gentleman from Massachusetts [Mr. TAYNER] and the gentleman from South Carolina [Mr. JOHNSON], said they came into this case and commenced the examination of the evidence with minds unbiased and open.

I do not question their sincerity for a minute, but let me state our mutual record and experience, that you may see whether they or we can be said to have undertaken this case with minds free from prejudice, bias, or partisanship. The same three gentlemen who opposed the minority views in this case were in the Fifty-seventh Congress. They were all on this same Committee on Elections. There were several cases before this committee, and in every case we decided in favor of the Democrat. Mr. Jack, of Pennsylvania, then on this committee, wrote a report in favor of a Democrat in one case where the election was hotly contested, and all these Democratic members concurred, and the report was unanimous.

In another contested case I wrote the report in favor of the Democrat, and these same three gentlemen heartily concurred in that. We were all harmonious in the last Congress. When we met this year I supposed and hoped that we would agree again, but when a majority of this committee agreed on a report in favor of a Republican, they promptly disagreed, and I begin to think they are good natured and honest only when we find in favor of a Democrat.

My sympathies are with the laboring man and with the poor fellow who is making an uphill struggle, and therefore when the committee commenced work on this case my sympathies were with Mr. Howell. By disposition I am inclined to favor the under dog in a fight.

But I sat in this case judicially; I examined this record, and I spent a month on it, and I came to the conclusion that I could not find for him without bending over backward. I admit that the gentlemen on the other side, Mr. TAYNER has proved superficially and find subjects for criticism. I admit that there is a great deal of evidence here which is incompetent—some of it in answer to leading questions, some of it hearsay, some of it conclusions instead of facts. There is much that is incompetent, but there is much of it that is material and competent and establishes the conclusions which we find. I admit, further, that you gentlemen may go into this record and out of the 6,500 witnesses called by the contestant criticise many of them.

You can make fun of their evidence and can find excuses to air your views on election cases if you wish, but if you examine this record as thoroughly as we have you will find that, while there is a lot of poor evidence, there is also a lot of honest, substantial, reliable evidence, on which we predicate this report which we present to you. The gentleman from Pennsylvania [Mr. SHIRAS] says he was never in the committee room; he never saw the record; he never examined the briefs; he simply read the two reports, and he comes to the conclusion that we made a mistake. But he seemed to agree with the report except as to the proof of votes by aliunde evidence.

The contestee seemed to think he was making progress on this side of the Chamber, and yielded time also to the gentleman from New Jersey [Mr. LANNING], who claimed his mind was open when he examined this case. He is inclined to side with our opponents, but says that our report is correct in its conclusion that the two wards of Winton and the first district of Old Forge should be thrown out for fraud.

Now, I want the gentleman from New Jersey [Mr. LANNING] to listen to what I say. I will ask him if he considered we were correct in that conclusion?

Mr. LANNING. Yes.

Mr. DRISCOLL. In the throwing out of those three districts and that your mind was open and unbiased?

Mr. LANNING. Yes.

Mr. DRISCOLL. And willing to find in favor of Mr. Howell if the evidence justified it. Now, if we were justified in throwing out those three districts that would leave Mr. Howell only 8 majority. Everybody agrees to that.

Now, we claim we have proved by aliunde evidence in those three districts 32 votes for Mr. Connell. We claim at least 200 votes out of the 2,002 illegal votes were shown by competent evidence aliunde to have been cast for Mr. Howell. I wish to call the attention of the gentleman from South Carolina [Mr. JOHNSON] to what I say. The gentleman from New Jersey [Mr. LANNING] says that we were correct in throwing out those three districts. I will ask the gentleman from South Carolina if he agrees with him?

Mr. JOHNSON. No; I do not.

Mr. DRISCOLL. Very well; all right. Mr. LANNING says that the only question in his mind is that we have not proved [illegible] votes to overcome the plurality of 8 for Mr. Howell, if those three districts are thrown out. Does the gentleman stand up here as a man and say that we have not by evidence satisfactory to him overcome that plurality of 8? Does the gentleman say so as a man and as a lawyer?

Mr. JOHNSON. I do not think you have proven 6 votes by competent evidence.

Mr. DRISCOLL. Did you not in the committee room admit that 8 were proven?

Mr. JOHNSON. I do not remember that I did. I will say that whenever in reading over the testimony it appeared that the witness had voted, I said, "The fact is so."

Mr. DRISCOLL. And were there not about thirteen of those cases where you said, "The fact is so?"

Mr. JOHNSON. I do not remember how many.

Mr. DRISCOLL. Do you deny that [illegible] thirteen?

Mr. JOHNSON. I do not believe that there [illegible]

Mr. DRISCOLL. Now, one word in conclusion. Judge BIRD[illegible], who addressed the House yesterday on this question—who [illegible] on the bench and is a well-[illegible] lawyer—said that about fourteen or fifteen hundred of those 2,000 illegal ballots were cast for Mr. Howell. And another g[illegible] NEDY], who has spoken this morning, has said that [illegible] 1,000 of those votes were cast for Mr. Howell. I suppose I was one of the conservative members of that committee. I did not go as high in my calculations as some of the rest; but I had no doubt that [illegible] votes were cast for Mr. Howell.

Mr. JOHNSON rose.

Mr. DRISCOLL. I can not yield further for interruption.

Mr. JOHNSON. Why have you not given us the names of those 200, so that we could examine the testimony on the spot?

Mr. DRISCOLL. That was not necessary when you showed that only 10 illegal votes were required to overcome the apparent plurality for Mr. Howell after those three precincts were thrown out. Nobody questioned this in the committee. It was unnecessary to set out the names with the pages of the evidence.

One thing more. You gentlemen from South Carolina and you gentlemen from other Southern States, where you have "the grandfather clause" in your constitutions——

Mr. JOHNSON. We have not.

Mr. DRISCOLL. Well, you will have if you are not stopped. But let me tell you that the patience of the American people is about exhausted. The time is coming when you will have to take off your hats and bow to the majesty of the Federal Constitution. You will have to reduce your representation in this House or obey the supreme law of the land.

Mr. BARTLETT and several other Members. We do obey it.

Mr FINLEY. We have no "grandfather clause" in the constitution of South Carolina.

Mr. DRISCOLL. I will not be interrupted any more.

Mr. FINLEY. You certainly misstate the fact.

Mr. BARTLETT. May I interrupt the gentleman a moment?

Mr. DRISCOLL. No; I have only a minute more.

Mr. RANDELL of Texas. Is not the gentleman ashamed to appeal——

Mr. DRISCOLL. I will not be interrupted.

The SPEAKER. The gentleman declines to be interrupted.

Mr. DRISCOLL. Yes; I decline to be interrupted.

You people have your constitutions; you have your election laws. They are very strict, and you enforce them. You think that we ought to recognize your constitutions and your laws within your several States. I say to you to be consistent you should uphold the laws of Pennsylvania, and according to those laws and the facts in this case George Howell was not elected and William Connell was. [Applause on the Republican side.] One word more. Pennsylvania does not enact laws for the purpose of shutting out at her elections any Pole or Slav or Italian, if he is a qualified voter. You do pass your laws to shut out voters.

Some of you gentlemen yesterday spoke about the labor vote. We are not afraid of the labor vote in our districts. The people who cast that vote are honest, sensible people. They want to vote once and only once, and our laws provide for that, and you need not be afraid of the labor vote. They are disfranchised now anyway under your constitutions and your laws.

Mr. RANDELL of Texas. That statement is not the fact so far as Texas is concerned.

Mr. DRISCOLL. My time is up; I simply want to say to you gentlemen across the aisle if you want to be consistent, if you want to do to us as you would have us do to you, stand by the law of Pennsylvania; maintain the dignity and majesty of that law and enforce it, so that no man shall vote more than once; so that foreigners, as soon as they land here, shall not be allowed to be "run in" and voted where the bars are let down. Protect the ballot box, protect the citizenship, and you will be serving your country better than by listening to appeals here for sympathy in behalf of George Howell. I believe that in this case you ought to stand up and support us in this vote.

Mr. JOHNSON. The gentleman has one minute; I wish he would let me interrupt him.

Mr. DRISCOLL. Well, go on; take your minute.

Mr. JOHNSON. I want to say this——

The SPEAKER. Does the gentleman from New York [Mr. DRISCOLL] yield?

Mr. DRISCOLL. No, I do not yield. I ask for a vote now.

The SPEAKER. The gentleman declines to yield.

Mr. DRISCOLL. I ask for a vote.

Mr. JOHNSON. There is no doubt about the law of the State of Pennsylvania.

Mr. WILLIAMS of Mississippi. Now, will the gentleman——

Mr. DRISCOLL. Mr. Speaker. I ask for a vote.

The SPEAKER. The gentleman from New York has two minutes remaining.

Mr. WILLIAMS of Mississippi. In that two minutes will the gentleman pardon one question?

Mr. DRISCOLL. I ask for a vote now, Mr. Speaker.

The SPEAKER. If there be no objection, the previous question will be considered as ordered and the question taken.

Mr. WILLIAMS of Mississippi. This is a question so easy to answer ——

The SPEAKER. The Chair hears no objection.

Mr. JOHNSON. I have been governed by the law of Pennsylvania——

The SPEAKER. The debate is over. Gentlemen will please be seated. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the word "*Resolved*" and insert:

"That W[illegible] a Member of the Fifty-[illegible] Congress from the [illegible] district of Pennsylvania, and is entitled to a seat therein.

"Resolved, That George Howell was elected a Member of the Fifty-eighth Congress from the Tenth Congressional district of Pennsylvania, and is entitled to a seat therein.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. The question is on the amendment.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Is it admissible to call for a division of the two resolutions?

The SPEAKER. Not as the Chair understands it, on the amendment. It will have to be voted upon as a whole.

The question was taken on the amendment; and the Speaker announced that the noes appeared to have it.

Mr. WILLIAMS of Mississippi. Let us have a division.

Pending the division,

Mr. PAYNE. Let us have the yeas and nays.

The yeas and nays were ordered.

The question was taken on agreeing to the amendment; and there were—yeas 150, nays 161, answered "present" 5, not voting 67, as follows:

YEAS—150.

Adamson,	Fitzpatrick,	Lester,	Shafroth,
Aiken,	Floyd,	Lever,	Sheppard,
Badger,	Foster, Ill.	Lind,	Sherley,
Baker,	Garner,	Lindsay,	Shiras,
[illegible]ead,	Gilbert,	Little,	Shober,
[illegible],	Gillespie,	Livernash,	Shull,
[illegible]	[illegible]	Livingston,	Sims
[illegible] Tex.	Goldfogle,	Lloyd,	Slayden,
[illegible]	Goulden,	McAndrews,	Small,
[illegible],	Granger,	McDermott,	Smith, Tex.
[illegible],	Gregg,	McLain,	Snook,
[illegible],	Griffith,	McNary,	Southall,
[illegible],	Griggs,	[illegible],	Spight,
[illegible],	Gudger,	[illegible],	Stephens, Tex.
[illegible],	Hamlin,	Maynard,	Sullivan, Mass.
[illegible]ard,	Hardwick,	Moore, La.	Sullivan, N. Y.
[illegible]ge,	Harrison,	Moon, Tenn.	Sulzer,
[illegible],	Hay,	Padgett,	Swanson,
[illegible]son,	Hearst,	[illegible],	Talbott,
Butler, Mo.	Henry, Tex.	[illegible]son, N. C.	Tate,
Byrd,	Hill, Miss.	[illegible]y,	Thayer,
Caldwell,	Hitchcock,	[illegible],	Thomas, N. C.
[illegible],	Hopkins,	Rainey,	Thompson,
[illegible]nham,	Houston,	[illegible], Tex.	Trimble,
[illegible],	Hughes, N. J.	[illegible], La.	Underwood,
[illegible],	Humphreys, Miss.	[illegible], L.	Van Dozer,
[illegible],	Hunt,	[illegible]son, Ala.	Wade,
[illegible], Tex.	Johnson,	[illegible]dson, Tenn.	Wanger,
Cowherd,	Jones, Va.	Rider,	Wanser,
Crowley,	Kolliker,	[illegible],	Weeks,
Davey, La.	Kitchin, Claude	Riney,	Wood,
De Armond,	Kitchin, Wm. W.	Robb,	Woods, Ala.
[illegible],	Kline,	Robertson, La.	Wright, Ill.
[illegible],	Klutz,	Robinson, Ark.	Williams, Miss.
[illegible]berry,	Lamar, Fla.	[illegible], Ind.	Wilson, N. Y.
Emerich,	Lamb,	Russell,	Wynn,
Field,	Lanning,	[illegible],	Zenor.
Finley,	Legare,	Scarborough,	
		Scudder,	

NAYS—161.

Acheson,	Douglas,	Ketcham,	Porter,
[illegible], Pa.	Downer,	Kinkaid,	Powers, Me.
[illegible], Wis.	Draper,	Knapp,	Powers, Mass.
Allen,	Dresser,	Knopf,	Reeder,
Ames,	Driscoll,	Lacey,	Roberts,
Babcock,	Dunwell,	[illegible],	Rodenberg,
Bartholdt,	Dwight,	Lowden, Chas. B.	Scott,
Bates,	Esch,	Lawrence,	Sperman,
[illegible]ham,	Fleck,	[illegible],	[illegible],
[illegible],	Fordney,	[illegible],	[illegible],
[illegible],	Foss,	Longworth,	[illegible], Ill.
[illegible],	Fowler,	Lorimer,	[illegible], Iowa
[illegible],	French,	Loud,	[illegible], Samuel W.
Brick,	Fuller,	Loudenslager,	[illegible], Wm. Alden
Brooks,	[illegible], Mass.	[illegible],	[illegible], Pa.
Brown, Pa.	[illegible],	[illegible],	[illegible],
Brown, Wis.	[illegible], N. Y.	[illegible], Pa.	[illegible],
[illegible],	[illegible], Ind.	[illegible],	[illegible],
[illegible],	[illegible], Mass.	McMorran,	[illegible],
Burke,	Goebel,	[illegible],	[illegible],
Burkett,	Graff,	Marsh,	[illegible], Minn.
Burleigh,	Greene,	Marshall,	[illegible],
Burton,	Grosvenor,	Martin,	[illegible],
Butler, Pa.	[illegible],	Metcalf,	Thomas, Iowa
Campbell,	[illegible],	Moon, Pa.	[illegible],
Cassel,	[illegible],	Morgan,	Van Voorhis,
Conner,	Hemenway,	Morrell,	Volstead,
Cooper, Pa.	Henry, Conn.	[illegible],	Vreeland,
Cooper, Wis.	Hepburn,	Murdock,	Wadsworth,
Cousins,	Hermann,	Newlands,	[illegible],
Crumpacker,	Hinshaw,	Nevin,	Warnock,
Currier,	Hogg,	Norris,	[illegible],
Curtis,	[illegible],	Olmsted,	Wiley, N. J.
Cushman,	[illegible], N. J.	Otis,	[illegible],
Dalzell,	[illegible], Utah	Otjen,	[illegible], Ill.
Daniels,	Huff,	Overstreet,	[illegible],
Darragh,	Humphrey, Wash.	Palmer,	[illegible],
Davis, Minn.	[illegible],	Patterson, Pa.	The Speaker.
Deemer,	[illegible],	Payne,	
[illegible],	Jones, Wash.	Pearre,	
[illegible],	Kennedy,	Perkins,	
Dixon,			

ANSWERED "PRESENT"—5.

Foster, Vt.	Jenkins,	Lucking,	Taylor.
Howard,			

NOT VOTING—67.

Alexander,	Gaines, W. Va.	Landis, Frederick	Rucker,
Bede,	[illegible],	Lewis,	[illegible],
Beidler,	Gardner, Mich.	Littauer,	[illegible],
Bonfoil,	[illegible], N. J.	McCall,	[illegible], Ky.
Bowersock,	[illegible],	McCleary, Minn.	[illegible], N. Y.
Burnett,	[illegible],	Mahoney,	[illegible],
Calderhead,	Hildebrant,	Mann,	[illegible],
Capron,	Hill, Conn.	Miers, Ind.	[illegible],
Croft,	Hitt,	Miller,	[illegible],
Cromer,	Howell, Pa.	Minor,	[illegible],
Davidson,	Hughes, W. Va.	Mondell,	[illegible],
Davis, Fla.	Hull,	Parker,	Vandiver,
Dayton,	Hunter,	Patterson, Tenn.	Wachter,
Denny,	James,	Pierce,	Wanger,
Evans,	Kahn,	Pou,	Watson,
Fitzgerald,	Kyle,	Prince,	Young.
Gaines, Tenn.	Lamar, Mo.	Rhea,	

So the amendment was rejected.

The Clerk announced the following pairs:

Until further notice:

Mr. TOWNSEND with Mr. LUCKING.

Mr. WACHTER with Mr. DENNY.
Mr. McCLEARY of Minnesota with Mr. [illegible].
Mr. SMITH of New York with Mr. [illegible] of Tennessee.
Mr. [illegible] of West Virginia with Mr. KUNKEL.
Mr. CRAMER with Mr. [illegible].
Mr. FOSTER of Louisiana with Mr. [illegible].
Mr. WATSON with Mr. [illegible].
Mr. ALEXANDER with Mr. SHERMAN.
Mr. LITTAUER with Mr. RUPPERT.
Mr. KYLE with Mr. [illegible].
Mr. [illegible] with Mr. [illegible].
Mr. [illegible] with Mr. [illegible].
Mr. DAVIDSON with Mr. [illegible].
Mr. SOUTHWICK with Mr. [illegible].
Mr. [illegible] of [illegible] with Mr. GAINES of Tennessee.
Mr. HAMILTON with Mr. LAMAR of Missouri.
[illegible]
Mr. [illegible] of Vermont with Mr. POU.
[illegible]
Mr. [illegible] with Mr. RHEA.
[illegible]
Mr. [illegible] of West Virginia with Mr. SMITH of Kentucky.
[illegible]
Mr. DAYTON with Mr. LEWIS of [illegible].
Mr. HOOT with Mr. DAVIS of [illegible].
Mr. JENKINS with Mr. [illegible].
Mr. GARDNER of Massachusetts with Mr. TAYLOR.
Mr. CATCHINGS with Mr. VANDIVER.
Mr. MANN with Mr. JAMES.
Mr. BRUCE with Mr. GOOCH.
On last vote:
Mr. [illegible] with Mr. BURNETT.
Mr. [illegible] with Mr. RUCKER.

Mr. DRISCOLL. Mr. Speaker, I ask for a recapitulation of the votes.

The SPEAKER. The gentleman from New York asks for a recapitulation of the votes.

Mr. DRISCOLL. I withdraw that request.

The SPEAKER. The gentleman withdraws his request. Call the roll.

The name of the Speaker was called, and he voted "nay."

The result of the vote was then announced as above recorded.

The SPEAKER. The question now recurs on the resolutions proposed by the committee, which the Clerk will report.

The Clerk read as follows:

Resolved, That Hon. Charles Howell was not elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania.

Resolved, That Hon. William Connell was duly elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania, and is entitled to a seat therein.

Mr. WILLIAMS of Mississippi. Mr. Speaker, as the resolutions contain two separate propositions, I ask for a division of the question.

The SPEAKER. The gentleman from Mississippi demands a division. The question will then be upon the first resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Hon. Charles Howell was not elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania.

Mr. GROSVENOR. I make the point of order that we have already voted upon that proposition.

Mr. WILLIAMS of Mississippi. I ask for the yeas and nays on the proposition.

The SPEAKER. The amendment offered by the minority covered both propositions. The amendment was not agreed to, and the question now recurs on the resolutions as reported by the majority. Being two propositions, the gentleman from Mississippi demands a division. It seems to the Chair that he is entitled to a division, and the question is upon the first proposition, which the Clerk will again report.

The Clerk read as follows:

Resolved, That Hon. Charles Howell was not elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania.

The SPEAKER. The gentleman from Mississippi demands the yeas and nays.

Mr. WILLIAMS of Mississippi. Upon second thought, I will not call for the yeas and nays upon that proposition.

Mr. PAYNE. Upon second thought, I will call for the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 160, nays 148, answered "present" 5, not voting 70, as follows:

YEAS—160.

Acheson,	Douglas,	[illegible],	Pearre,
Adams, Pa.	[illegible],	Kennedy,	Perkins,
Adams, Wis.	Dovener,	Kinkaid,	Porter,
Allen,	[illegible],	Knox,	[illegible]
[illegible]	[illegible],	[illegible],	[illegible]
[illegible]	[illegible],	Lafean,	[illegible]
Bartholdt,	Low [illegible],	Landis, Chas. B.	[illegible]berg,
Bates,	Esch,	[illegible]	[illegible]
Birdsall,	Flack,	[illegible]	[illegible]man,
[illegible]	Fordney,	[illegible]	[illegible]
[illegible]	Foss,	Littlefield,	[illegible]
[illegible]	[illegible]	Longworth,	[illegible]
Brick,	[illegible] Mass.	Lorimer,	[illegible]
Brooks,	[illegible]	Loud,	[illegible]
Brown, Pa.	[illegible]	Loudenslager,	[illegible] W.
Brown, Wis.	[illegible] N. Y.	[illegible]	[illegible]
[illegible]	[illegible] Cal.	[illegible] Pa.	[illegible]
[illegible]	[illegible] Mass.	McLachlan,	[illegible]
Burkett,	[illegible]	McCreary,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Marsh,	[illegible]
[illegible]	[illegible]	Marshall,	[illegible] Minn.
[illegible]	[illegible]	Martin,	[illegible]
[illegible]	[illegible]	Metcalf,	[illegible]
Cassel,	[illegible]	Moon, Pa.	[illegible] Iowa
[illegible]	[illegible]	Morgan,	[illegible]
[illegible] Pa.	[illegible]	Morrell,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Needham,	[illegible]
[illegible]	[illegible]	Nevin,	[illegible]
[illegible]	[illegible]	Norris,	[illegible]
[illegible]	[illegible] N. J.	Olmsted,	[illegible] N. J.
[illegible]	Howell, Utah	[illegible]	[illegible]
[illegible]	Huff,	Otjen,	[illegible]
[illegible]	Humphrey, Wash.	Overstreet,	[illegible] Ill.
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible] Ohio	Patterson, Pa.	[illegible]
[illegible]	Jones, Wash.	Payne,	The Speaker.

NAYS—148.

Adamson,	Finley,	Lanning,	[illegible]
Aiken,	Fitzgerald,	Lassiter,	[illegible]
Badger,	[illegible] Ill.	Lester,	[illegible]
[illegible]	[illegible]	Lever,	[illegible]
[illegible]	[illegible]	LilES,	[illegible]
Barrett,	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Little,	Shafer,
[illegible] Tex.	[illegible]	Livernash,	Shall.
[illegible]	[illegible]	Livingston,	[illegible]
[illegible]	[illegible]	Lloyd,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	McNary,	[illegible] Tex.
[illegible]	[illegible]	Mann,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible] Tex.
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Padgett,	[illegible] N. Y.
[illegible]	[illegible]	Page,	[illegible]
[illegible] Mo.	[illegible]	[illegible]	[illegible]
[illegible]	[illegible] Tex.	[illegible] N. C.	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Pujo,	[illegible] N. C.
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible] N. J.	[illegible] Tex.	[illegible]
[illegible]	Humphreys, Miss.	[illegible] La.	[illegible]
[illegible]	Hunt,	[illegible]son, Ala.	[illegible]
[illegible]	Johnson,	[illegible]rdson, Tenn.	[illegible]
[illegible]	[illegible] Va.	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	Kitchin, Claude	[illegible]	[illegible]
[illegible]	Kitchin, Wm. W.	R. Robertson, La.	[illegible]
[illegible]	Klinc,	Robinson, Ark.	[illegible] Ill.
[illegible]	Klutz,	Robinson, Ind.	[illegible] Miss.
[illegible]	Lamar, Fla.	Russell,	[illegible] N. Y.
[illegible]	Lamb,	Ryan,	[illegible]
[illegible]	[illegible]	[illegible]	Wynn.

ANSWERED "PRESENT"—5.

Foster, Vt.	Jenkins,	Taylor,	Watson.
Howard,			

NOT VOTING—70.

[illegible]ander,	Gaines, W. Va.	[illegible]	[illegible]
[illegible]	Garber,	Littauer,	[illegible]
[illegible]	Gardner, Mich.	[illegible]	[illegible]rd,
[illegible]	Gardner, N. J.	McCleary, Minn.	[illegible]
[illegible]	Gooch,	[illegible]tt,	[illegible] N. Y.
[illegible]ck,	Hamilton,	[illegible]y, Minn.	[illegible]
[illegible]	Hildebrant,	[illegible]	[illegible]ck,
[illegible]	Hill, Conn.	[illegible]	[illegible]an,
[illegible], Wis.	Hitt,	[illegible]	[illegible]
[illegible]	Howell, Pa.	Miers, Ind.	[illegible]
[illegible]	Hughes, W. Va.	Miller,	[illegible]nd,
[illegible]	Hull,	[illegible]	[illegible]
[illegible] Fla.	Hunter,	[illegible]	[illegible]
[illegible]	James,	[illegible], Tenn.	[illegible],
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	Kyle,	[illegible]	[illegible]
[illegible]	Lamar, Mo.	Prince,	[illegible]
[illegible], Tenn.	Landis, Frederick	Rhea,	

So the resolution was rejected.

The SPEAKER. The Clerk will call my name.

The name of the Speaker was called, and he voted "yea."

The result of the vote was then announced as above recorded.

The SPEAKER. The question now is on the second resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, That Hon. William Connell was duly elected a Representative in the Fifty-eighth Congress from the Tenth district of the State of Pennsylvania, and is entitled to a seat therein.

Mr. WILLIAMS of Mississippi. Mr. Speaker, in order to save time, I will ask for the yeas and nays on that vote.

The yeas and nays were ordered.

So the question was taken: and there were—yeas 159, nays 148, answered "present" 4, not voting 72, as follows:

YEAS—159.

Acheson,	Douglas,	Kennedy,	Pearre,
Adams, Pa.	Dovener,	Kinkaid,	Perkins,
Adams, Wis.	Draper,	Knox,	Porter,
Allen,	Dresser,	Lacey,	Powers, Me.
Ames,	Driscoll,	Knopf,	Powers, Mass.
[illegible]	Dinwell,	Lacey,	Reeder,
Bartholdt,	Dwight,	Lafean,	Roberts.
Bates,	Esch,	Landis, Chas. B.	Rodenberg,
Birdsall,	Flack,	Lawrence,	Scott.
Bishop,	Fordney,	Lilley,	Sherman,
[illegible]	Foss,	Littlefield,	Sibley,
Brandegee,	Fowler,	Longworth,	Slemp,
Brick,	French,	Lorimer,	Smith, Ill.
Brooks,	Fuller.	Lent.	Smith, Iowa
Brown, Pa.	Gardner, Mass.	Loudenslager,	Smith, Samuel W.
Brown, Wis.	Gibson,	Lovering,	Smith, Wm. Alden
Brownlow,	Gillet, N. Y.	McCreary,	Smith, Pa.
Buckman,	Gillett, Cal.	McCreary, Pa.	Spalding,
[illegible]	Gillett, Mass.	McLachlan,	Sperry.
[illegible],	Goebel,	McMorran,	Stevenson,
[illegible]	Graff,	Mahon,	Sterling.
[illegible]	Greene,	Marsh.	Stevens, Minn.
[illegible] Pa.	Grosvenor,	Marshall,	Sulloway,
[illegible]	Haskins,	Martin,	Tawney,
Campbell,	Haugen,	Metcalf,	Thomas, Iowa
Cassel,	Hedge,	Moon, Pa.	Tirrell.
[illegible]	Henenway,	Morgan,	Van Voorhis,
[illegible] Pa.	Henry, Conn.	Morrell,	Volstead,
[illegible]	Hepburn,	Mudd.	Vreeland,
Crumpacker,	Hermann,	Murdock,	Wadsworth,
Currier,	Hinshaw,	Needham,	Wanger,
[illegible]	[illegible]	Nevin,	Warnock,
Cushman,	Holliday,	Norris,	Weems,
[illegible]	Howell, N. J.	Olmsted,	Wiley, N. J.
Daniels,	Howell, Utah	Otjen,	Williamson,
Darragh,	Huff,	Otjen,	Wilson, Ill.
[illegible] Minn.	Humphrey, Wash.	Overstreet,	Woodward,
[illegible]	Jackson, Md.	Palmer,	Wright,
Dick,	Jackson, Ohio	Patterson, Pa.	The Speaker.
Dixon,	Jones, Wash.	Payne,	

NAYS—148.

Adamson,	Finley,	Lanning,	Russell,
Aiken,	Fitzgerald,	Lassiter,	Ryan.
Badger,	Flood,	Lester,	Scarborough,
Baker	Foster, Ill.	Lever,	Scudder,
Bankhead,	Garner,	Lewis,	Shafroth,
Bartlett,	Gilbert,	Lindsay,	Sheppard,
[illegible]	Gillespie,	Little,	Shelley,
[illegible] Tex.	Glass,	Livernash,	Shiras,
Bell, Cal.	Goldfogle,	Livingston,	Sheber,
Benny,	Goulden,	Lloyd,	Shull,
Benton,	Granger,	Macdonald,	Sims.
Beshers,	Gregg,	McDermott,	Slayden,
[illegible]	Griffith,	McLean,	Small.
[illegible]	Griggs,	McNary,	Smith, Tex.
[illegible]	Gudger,	Maguire,	Snook.
[illegible]	Hamlin,	Mondell,	Southall,
[illegible]	Hardwick,	Moss,	Spight,
[illegible]	Harrison,	Meyer, La.	Stephens, Tex.
Burleson,	Hay,	Moon, Tenn.	Sullivan, Mass.
Butler, Mo.	Hearst,	Padgett,	Sullivan, N. Y.
Byrd,	Henry, Tex.	Page,	Sulzer,
[illegible]	Hill, Miss.	[illegible]	Swanson,
[illegible]	[illegible]	Patterson, N. C.	Tate.
Cunningham,	Hopkins,	Pinckney,	Thayer,
[illegible]	Houston,	Pujo,	Thomas, N. C.
Clayton,	Hughes, N. J.	Rainey,	Thompson,
[illegible] Tex.	Humphreys, Miss.	[illegible] Tex.	Trimble.
[illegible]	Hunt,	Ransdell, La.	Underwood,
[illegible]	Johnson,	Reid,	Van Duzer,
[illegible]	Jones, Va.	Richardson, Ala.	Watts.
[illegible] La.	Keliher,	Richardson, Tenn.	Wallace,
[illegible]	Kitchin, Claude	Rider,	Webb.
[illegible]	Kitchin, Wm. W.	Rixey,	Weeks.
[illegible]	Kline,	Robb,	Wiley, Ala.
Dougherty,	Klutz,	Robertson, La.	Williams, Ill.
Emerich,	Lamar, Fla.	Robinson, Ark.	Williams, Miss.
Field,	Lamb.	Robinson, Ind.	Wynn.

ANSWERED "PRESENT"—4.

Howard,	Jenkins,	Taylor,	Watson.

NOT VOTING—72.

Alexander,	Gaines, Tenn.	Landis, Frederick	Ruppert.
Bede,	Gaines, W. Va.	Lewis.	Shackleford,
Beidler,	Garber.	Littauer,	Smith, Ky.
[illegible]	Gardner, Mich.	[illegible]	[illegible], N. Y.
[illegible]	Gardner, N. J.	McCleary,	[illegible]
[illegible]ck,	Gooch.	McCleary, Minn.	Southard,
[illegible]	Hamilton,	Madison,	Southwick,
Capron	Hildebrant,	Mann,	[illegible]an,
Cooper, Wis.	Hill, Conn.	Miers, Ind.	[illegible],
Croft.	Hitt.	Miller,	Stanley,
Cromer,	Howell, Pa.	Minor,	Talbott,
Davidson,	Hughes, W. Va.	Mondell.	Townsend,
[illegible] Fla.	Hull.	[illegible], Tenn.	Vandiver,
[illegible]	Hunter,	Pearce,	Wachter,
Denny,	James.	Pou.	Warner.
Evans,	Kehoe,	Prince,	Wilson, N. Y.
Fitzgerald,	Kyle,	Rhea,	Young,
Foster, Vt.	Lamar, Mo.	Rucker,	Zenor.

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. EVANS with Mr. TALBOTT.

Mr. MILLER with Mr. WILSON of New York.

The result of the vote was announced as above recorded.

SWEARING IN OF A MEMBER-ELECT.

William Connell, a Representative-elect from the Tenth Congressional district of Pennsylvania, appeared before the bar of the House and took the oath prescribed by law.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message, in writing, from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House that the President had approved and signed bills of the following titles:

On February 8, 1904:

H. R. 8686. An act to amend section 1895 of the Code of Law for the District of Columbia.

On February 9, 1904:

H. R. 4344. An act for the relief of Vincenzo Gerardi, of Washington, D. C.

On February 10, 1904:

H. R. 8688. An act to transfer jurisdiction of reservation No. 32, in the city of Washington, D. C.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill, and I ask, Mr. Speaker, before putting that motion, unanimous consent that all debate on the item now pending be closed at 2 o'clock to-morrow.

The SPEAKER. The gentleman from Indiana asks unanimous consent that all debate upon item No. 10 be closed to-morrow at 2 o'clock. Is there objection?

Mr. TAWNEY. Mr. Speaker, I ask the gentleman from Indiana, or rather call his attention to the fact that the matter pending is the amendment to the Senate amendment which I offered, and the request, I think, should be that all debate on the Senate amendment and amendments thereto be closed at 2 o'clock.

The SPEAKER. The gentleman qualifies his request, and the Chair understands he asks unanimous consent that all debate on the amendment and amendments to the amendment be closed to-morrow at 2 o'clock.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARTLETT. I want to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. I desire to know whether the gentleman from Indiana means, if that request is granted, to limit all debate—general debate and debate under the five-minute rule—in the Committee of the Whole on the state of the Union when it considers this proposition? The committee has proceeded thus far as though we were having general debate. We have not had any debate up to this time under the five-minute rule.

The SPEAKER. The Chair understands that the request is that all debate shall close at 2 o'clock.

Mr. HEMENWAY. If the gentleman will permit me, I have made inquiries of parties who are interested as to the time that would be necessary. Some of those in opposition to the item thought that an hour would be sufficient, and others thought two hours would be sufficient. So I ask unanimous consent that we might have two hours and forty-five minutes.

Mr. BARTLETT. I have no objection to that.

Mr. UNDERWOOD. Mr. Speaker, I would like to know what division of time is proposed.

Mr. HEMENWAY. I should say the time should be equally divided between those in favor of the item and those in opposition.

Mr. UNDERWOOD. Then, Mr. Speaker, I ask that the leader on this side, Mr. WILLIAMS, may control half of the time and the chairman of the committee the other half.

Mr. WILLIAMS of Mississippi. Oh, no; let the gentleman from Georgia control it.

Mr. UNDERWOOD. I ask, then, that one-half of the time be controlled by the chairman of the committee and the other half by the gentleman from Georgia [Mr. BARTLETT], who is opposed to the item.

Mr. HEMENWAY. As far as I am concerned, if I should control the time, I should simply turn it over to the parties interested on the one side and the other of this amendment, so that the time will be equally divided between those who oppose and those who favor the amendment.

Mr. BURKETT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BURKETT. When we closed the consideration of this on Monday evening I had the floor and there was some time remaining to my credit.

The SPEAKER. The gentleman had twenty-six minutes remaining.

Mr. BURKETT. If this proposition is accepted, will I be entitled to that time?

The SPEAKER. The Chair is of opinion that unanimous consent referred to would cut the gentleman off unless he gets a new recognition. Is there objection?

Mr. PAYNE. One moment, Mr. Speaker. I hope the gentleman from Alabama will not insist on his request. This is not a matter that is divided by party lines. Those who are opposed to the proposition have taken most of the time on that side of the House.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I was going to suggest that it is quite probable there would be no difficulty in the way of an agreement, but I think it is important that the time will be equally divided between those in favor of the item and those opposed to it.

Mr. PAYNE. I think with that proposition there would be no objection.

Mr. TAWNEY. If the gentleman from Georgia is to control the time in opposition because of his being a ranking minority member of the committee and I am in favor of it, I think the chairman ought to control the other half.

Mr. PAYNE. Suppose we leave that out and simply divide the time.

Mr. UNDERWOOD. But who shall determine which gentleman is to have time?

Mr. CLAYTON. Mr. Speaker, I demand the regular order.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into Committee of the Whole House on the state of the Union.

Mr. WILLIAMS of Mississippi. Mr. Speaker, before that question is put, I would like to get an agreement, for I think we can get one.

The SPEAKER. The regular order has been demanded.

Mr. CLAYTON. With the assurance of the leader on this side, Mr. WILLIAMS of Mississippi, that we can probably get an agreement, Mr. Speaker, which the leader on the other side, Mr. PAYNE, was not able to do, I will withdraw my request for the regular order.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I ask unanimous consent that the time for closing the debate upon the amendment and the amendments to the amendment be fixed at 2 o'clock to-morrow, and that the time be controlled by the Chair, the Chair to divide the time equally between those in favor and those opposed to the pending amendment.

The SPEAKER. Is there objection to the request made by the gentleman from Mississippi? [After a pause.] The Chair hears none, and it is so ordered.

The motion of Mr. HEMENWAY was then agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. CURRIER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

Mr. TAWNEY. Mr. Chairman, I yield——

The CHAIRMAN. The Chair does not understand that the gentleman from Minnesota controls the time.

Mr. TAWNEY. That is true, Mr. Chairman, but I want to state that before that agreement was made, when it was proposed that the gentleman from Iowa and I would control the time, the gentleman from Missouri [Mr. COWHERD] asked for the first recognition.

The CHAIRMAN. The Chair will recognize the gentleman from Missouri. How much time has the gentleman want?

Mr. COWHERD. I do not know, Mr. Chairman. I suppose I am recognized for an hour.

Mr. SHERMAN. Mr. Chairman, I rise to a parliamentary inquiry. Under the agreement that was entered into just before we went into the committee, the division of the time was left with the Chair. Is it not possible for the Chair, under that agreement, to apportion out the time as that leader sees fit and not give one full hour to any particular individual who is recognized?

Mr. COWHERD. Mr. Chairman, I will say that I did not intend to occupy one hour.

Mr. SHERMAN. I did not suppose the gentleman did, but I would like to get this thing settled.

The CHAIRMAN. The Chair thinks he has that right. Of course the friends of the proposition are entitled to recognition now, and such time as the gentleman from Missouri [Mr. COWHERD] consumes will be taken from their time.

Mr. SHERMAN. I understood that, Mr. Chairman. I do not wish to curtail the gentleman at all, only I wanted it understood as to whether or not the Chair held that any gentleman who was recognized was recognized for an hour. If so, there could be only two gentlemen speak.

The CHAIRMAN. The Chair does not hold that way, and in the future will limit the time.

Mr. COWHERD. Mr. Chairman, I would be glad to make an arrangement right now, if any gentleman on the other side wishes to talk, to divide the time we will consume this evening.

Mr. CLARK. Mr. Chairman, I will make a proposition myself. Let us take fifteen minutes as a clip on each side. That is perfectly fair, it seems to me. [Applause and laughter.] The gentleman from Missouri [Mr. COWHERD] wants more than that. He already has the floor. But after that time let it be divided so that each side will have fifteen minutes as a clip, and either side may use or not use it.

The CHAIRMAN. The Chair has recognized the gentleman from Missouri, and with the consent of the gentleman from Missouri he would be glad to make that arrangement.

Mr. COWHERD. I am perfectly willing. I suppose that would have to be by unanimous consent.

The CHAIRMAN. The gentleman from Missouri is recognized for fifteen minutes.

Mr. COWHERD. Mr. Chairman, this proposition has already been debated at some considerable length, and I hope I shall not be offended by the suggestion that I will be crowded by the opposition. If I rightly understand them, two arguments only are urged against the proposition, that the [illegible] is unconstitutional, and, second, that St. Louis having already been the recipient of national favors should bear this burden herself. I [illegible] gentlemen who have raised the constitutional question that it seems to me very strange that it has not been raised in the United States [illegible] Long ago the question was raised that matter was [illegible] of the United States [illegible] it, and by an overwhelming majority Congress decided that it was constitutional, and that decision has stood [illegible] and it has been repeated over and over again by the action of Congress.

If there was any question as to the constitutionality of this measure, I want to submit to the [illegible] the serious consequences of all [illegible] being vitiated. [illegible] n, you would pass a [illegible] proved by the [illegible] of the land. Forty-th[illegible] the forty-[illegible] this floor, that they believe in the constitutionality of this appropriation, and they likewise believe it [illegible] so I say to the gentlemen who question the constitutionality of this [illegible] and that should be sufficient [illegible]

It seems to me, [illegible] it is barred by limitations [illegible] must fade both [illegible] is overridden by the will of the people of the United States [illegible] Then, what remains [illegible] propriation? I take it, Mr. [illegible] of all, the one that appeals [illegible] speech, whether [illegible] appealing for this and what was [illegible] portion of it? His contention was that [illegible] for more money admittedly [illegible] subject. But we have [illegible] money needed to carry this national [illegible]

Let us look at the facts and see on what this argument is [illegible] The gentleman said first that the evidence shows that $1,000,000 has been spent there (as the chairman of the Committee on Industrial Arts and Expositions said) "under the ground;" therefore the gentleman from Iowa assumed that it was for a sewerage system and a permanent improvement. Mark you, gentlemen, that exposition is to be held upon a portion of the great Forest

Park, of St. Louis, a park of 1,350 acres of ground, and when this park was turned over to the exposition company it was compelled to give a bond, a personal bond signed by the directors of that company. [illegible] when they will remove the improvements and restore the park to its original condition for the purposes for which it was intended to be used.

Suppose, you had $1,000,000 spent on sewerage there. I appeal to you whether it is not within the knowledge of any boy in any village of the United States that you could not place a park that you would purchase for $1,000,000 or even one-tenth of that amount in a sewerage system for Forest Park and call it a permanent improvement? What do you want with a sewerage system in a forest park? As a matter of fact, these gentlemen have got to [illegible] that the gentleman from Iowa says [illegible] to the city of St. Louis.

This $1,000,000 was not spent for sewerage. A small portion went for that; a considerable portion was spent in laying the conduits for the electricity to light the great buildings, because [illegible] over all the grounds, dazzling the eyes of the millions of people from all over the world who will come there. Are the conduits, carrying these innumerable wires, to be any permanent improvement to a forest park? Can you use those millions of lights when those exposition buildings are razed and the land turned back to the purpose for which it was originally intended—a park for the city? Those temporary buildings had to be equipped with a costly system of water pipes to protect them from fire. When the buildings are razed will those standing pipes be a permanent improvement for a forest park in the city of St. Louis?

A large sum has been spent in paving, laying out avenues and courts, and building walks. When these buildings are torn down those roadways and streets must be dug up; the material in them must be carted off the place must be refilled, and the greensward must grow there to cover the scars that the demolition of these buildings will have left. Is that a permanent improvement for the city of St. Louis? Yet that was the great argument of the great debater of this House—the argument on which we are asked to vote this loan. I admit that the Fine Arts Building will be a permanent structure—not for the advantage of St. Louis, but because they had to put up a fireproof structure in order to get the owners of those priceless treasures of art to lend them for exposition purposes.

Now, the only other buildings that are at all permanent in their nature were put on the Washington University grounds—put there because by building four institutions they got the use of them for three years, with 20 acres of land, more cheaply than they could have erected the nine buildings of a temporary character.

So, as a matter of fact, the gentleman's contention of $5,000,000 spent in permanent improvements for the city of St. Louis dwindles to one art building—and that building had to be a fireproof structure in order to secure for that exposition the art treasures of the world.

I shall not follow the gentleman in his tirade against the city because of the increased price of labor. I heard the gentleman from Iowa and the gentleman from Illinois [illegible] a few days ago that the price of labor had increased all over the land, and because the St. Louis company had to meet that condition, as people engaged in building have had to meet it everywhere, he finds a reason to vote against this measure.

The fact is that this exposition company had to do its work within a specific time. If the cost of labor was raised somewhat by the fact that in that locality there was a great demand to be met within a short time, then labor did no more than the cotton growers of the South are doing today; no more than the wheat growers of the West and the cattle raisers of Texas will do next year when they go in foreign competition in reases the demand for their commodities.

The exposition company simply met a serious situation as fairly as they could in the spirit in which reasonable men would meet it anywhere, and they got the best terms possible for the smallest concession.

But it is said St. Louis has already profited by the expenditure of this money and must profit immensely in the future.

The city of St. Louis has appropriated $10,000,000—$5,000,000 from the city, $5,000,000 raised by its citizens. The city of St. Louis in addition to that has expended out of the funds of its citizens, drawn largely from its banks, $10,000,000 more in improvements in the city and improvements on the streets to get ready to act in fitting manner as the hostess of the nation to visitors from all the world.

I want to say here that no man who has ever studied the history of international expositions would ever ask that one of them be brought to his city with the idea that there was going to be an immediate commercial profit as distinguished from that which the advertisement might bring in the future. The great expositions have not been paying ventures to the cities that have held them, with possibly few exceptions. Paris is peculiarly situated. Paris is the one visiting point of all Europe and every tourist and every traveler who goes to the Continent or crosses the ocean goes to Paris, whether there is an exposition there or not. Therefore some of the Paris expositions have been successful. Yet even there some have not been successful as purely paying enterprises. I think every man in this House who is a resident of the city of Chicago will bear me out in the statement that the great world's fair of 1893 was not a successful commercial enterprise for the city of Chicago. I have been told it was years before she recovered from the burden which it imposed. These great expositions are beneficial commercial enterprises for the nation in which they are held, but for the city that bears the brunt of the burden in preparing for them; for the city that spends, as St. Louis does, $10,000,000 out of its own pocket to make ready for it; for the city that suffers, as every great city has suffered, from a building boom that follows [illegible] the community and leaves its capital lying idle for the four or five years succeeding the exposition for that city an exposition is as likely to prove a commercial disaster as a commercial success.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COWHERD. I will ask that I have about three minutes more. I thought I had until a quarter to 5.

The CLERK. Mr. Chairman, I excepted Mr. COWHERD especially from the fifteen minutes arrangement.

The CHAIRMAN. The Chair did not understand.

Mr. CLARK. I ask that the gentleman have ten minutes, to be taken out of our time.

Mr. COWHERD. Five minutes is all I care for.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. COWHERD. Mr. Chairman, while I believe there is no question of the constitutional right to make appropriations for a national exposition, I do not believe we ought to appropriate for any exposition except one national in character.

I would be willing to see adopted a policy under which we would have in this country a great national exposition every fifteen or twenty years, to be held in some one of the great cities of the country large enough to accommodate the crowds that gather on such occasions, and I would be willing to commit the Government to the policy of appropriating any reasonable sum for the purpose of fostering that exposition upon the condition that the city where it was to be held should raise double the amount appropriated by the Government, as has been done in the city of St. Louis. I do not believe, however, that any exposition local in its character or less than international in its scope is entitled to receive any consideration at the hands of Congress. Holding to this belief, I am not startled nor terrified when gentlemen talk of the magnitude of this appropriation. As I have said, it is in my opinion only those expositions of sufficient magnitude to demand a large appropriation that are entitled to our consideration.

The St. Louis Exposition is to be the greatest the world has ever seen, and that you may appreciate this fact, let me call your attention to some statistics I have gathered regarding former expositions that were considered of world-wide importance at the time when they were held.

I believe it is conceded that the first world's fair, in the proper sense of the term, was the one held in London in 1851, organized by Prince Albert, Queen Victoria's royal consort. And in my humble judgment that great man did nothing in the course of his consecrating career that more entitled him to be held in the memory and affection of his people than the work he did in connection with that great exposition. It brought the nations of the earth nearer together and turned the steps of the English people toward those paths of peace in which his royal wife toiled for so many years to lead them.

The exposition was held in the Crystal Palace, erected for that purpose, which cost but $965,000 and occupied less than 8 acres of land. The Paris exposition of 1855 cost $5,000,000. London held a world's fair again in 1862, which covered 24 acres of ground and cost two million three hundred thousand. Paris in 1867 covered with its exposition buildings 45 acres of ground, with about 70 acres more used for agricultural and floral purposes. Vienna in 1873 occupied in total area of ground within its exposition fence 086 acres. The cost of the buildings was $7,850,000.

The Centennial, held at Philadelphia in 1876, inclosed within its fence 285 acres of ground. The cost I can not give accurately, but suppose it was about $4,000,000, because that was the amount contributed by the State and city, including the million and a half borrowed from the Government.

The Paris Exposition of 1889 occupied 173 acres of ground, with a total cost of $8,300,000. The Chicago Exposition of 1893 held under roof a space of 86 acres and inclosed within its fence 690 acres, with a total cost when it was opened of about $22,000,000.

At St. Louis this year there will be under roof 128 acres of ground, while the exposition grounds proper will cover 1,240 acres, about twice the area of the Chicago and as much as the Chicago, Paris, and Buffalo expositions combined.

From these figures one may derive some idea of the magnitude of the task that St. Louis has undertaken on behalf of the people of the United States. I do not agree with the gentlemen who contend that this is a waste of money. I believe that a great exposition, holding within itself an epitome of the highest industries of the people of the earth, bringing together the best products of hand and mind from all the nations of the earth to contend in friendly rivalry for the prizes offered, presenting to its visitors in the concrete the story of the world's progress and civilization—such an exposition I believe is the greatest education that the mind of man has yet conceived for the benefit of humanity. The country still feels the impetus that was given alike to our science and commerce by the great fair held in Chicago ten years ago. There is not a country village in all the land where architecture was not improved or encouraged and love of learning stimulated by that great exposition. I believe, too, that these expositions are a benefit not only commercially and from an educational standpoint, but that they promote comity among the nations of the earth and bring us nearer to that peace of which the angels sang above the manger at Bethlehem.

I believe that every dollar of this loan will be honestly accounted for and returned. I believe it is better, in the present condition of the money market, to take the money from the idle accumulation in the vault of the Treasury than to draw it from the active channels of trade. And I believe that every man who votes for this measure now, so that we may fittingly celebrate the centennial of the Louisiana purchase, the second greatest epoch in the history of the nation, will have the approval of his constituents to-day and their earnest congratulation when they view, this summer at St. Louis, that wondrous city, the fairest vision that was ever conceived by the mind of magician or wrought by the hand of artist from senseless stone and plaster into a thing of life and beauty. [Loud applause.]

Mr. HARRISON. Mr. Chairman, I had not intended to be drawn into this debate upon the proposed loan of $4,000,000 to the St. Louis Exposition, and I have asked for only five minutes on the question. I have no intention of making an extended speech on the subject, but as a member of the Committee on Industrial Arts and Expositions I have thought it only proper to make two points in answer to the speech made by the chairman of our committee, the gentleman from Minnesota [Mr. TAWNEY]. I would like to say in the first place that I yield to no man upon this floor in my admiration for this exposition company and for the magnificent work they are attempting. I hope with all my heart that this great exposition will be the success that its friends anticipate. But at the same time I can not allow the opportunity to pass to correct an impression of the gentleman from Minnesota, as stated in his speech, that all the members of our committee, even those who are opposed to the bill, are satisfied as to the security offered.

Now, Mr. Chairman, the management of this exposition company have come here to us and offered what they consider a business proposition. Under these circumstances is it fair so to appeal to the House of Representatives as to stir up sentiment. We are appealed to as business men and not as sentimentalists. From that point of view I for one, as a member of this committee, am not satisfied that the United States will under all circumstances get back the $4,000,000 that we are now asked to lend this exposition company. To be sure, if the exposition is a success the Government will get this money back; if the exposition is a failure, we will not only fail to get our money back, but we will probably have the same gentleman come here and ask us to make up the deficiency. In that sense we are invited to speculate.

Mr. Chairman, my objection is based also upon another ground. I am unable to see any warrant for calling this loan constitutional. The gentleman from Missouri [Mr. COWHERD], who spoke last has referred to the constitutionality of this proposed loan as being based upon the action of almost all of the various State legislatures in appropriating funds of their respective States for State exhibitions at the exposition in St. Louis. That is not at all relevant to the question of the constitutionality of a proposition to have the United States lend money to the exposition company. We can not be convinced of that, nor do I know of any precedents which will warrant any such action on our part.

The United States has under the Constitution the right to gather this money by taxation and to appropriate it for any and every governmental purpose; but nowhere do I find any authority for the loan of this money to any corporation for any purpose.

Now, the gentleman from Minnesota has cited as a precedent for action on our part the action of the Congress of the United States in appropriating money as a pro forma loan to the Centennial Exposition in 1876. I say, gentlemen, much as I respect his judgment, that I do not consider that appropriation a loan. If you will allow me, I shall read a few words from the act appropriating the money for the Centennial Exposition. The act says:

> That the sum of $1,500,000, to complete the centennial buildings and other preparations, be, and the same is hereby appropriated out of any moneys in the United States Treasury not otherwise appropriated * * * *Provided*, That in the distribution of any moneys that may remain in the treasury of the centennial board of finance after the payment of its debts * * * the appropriation herein made shall be paid in full into the Treasury of the United States, before any dividend or percentage of the profits shall be paid to the holders of said stock.

Mr. Chairman, this seems to me to have placed the United States at that time, not in the position of a creditor, but of a preferred stockholder. In that sense they were practically upon the same footing as we are in our original appropriation of $5,000,000 to the St. Louis exposition. This entitles us to share in one-third of the profits there and then after the payment of all debts of the exposition company. The appropriation for the Centennial Exposition entitled the United States to be paid back their money after the payment of all debts and before the common stockholders, so to speak, received any dividend on their stock. In other words, I consider that this first appropriation was not a loan such as can now be cited as a precedent, but was distinctly an appropriation out and out, with the provision that under certain conditions the money should revert back to the United States. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Massachusetts [Mr. GILLETT] is recognized for ten minutes.

Mr. GILLETT of Massachusetts. Mr. Chairman, we all agree with the enthusiastic feelings of the gentleman from Missouri [Mr. COWHERD] about the success of this fair. Nobody, whatever their views about this loan, has any question or any difference about that. I am sure, too, that every Member of this side of the House enjoyed the novel constitutional argument of the gentleman from Missouri, and I am sure we will be in the future very apt to refer to it and commend it to his associates.

But it seems to me that the argument which is made in favor of this appropriation is a severe indictment of the gentlemen who are managing this fair. We are told that they need this $4,000,000 in order to open the fair successfully. We are told all the nations of the world have been invited to come here, and if we do not give this money we will be disgraced, because the fair can not be properly opened. If that is so, Mr. Chairman, if the gentlemen who are managing this exposition have been so improvident, so reckless, so shortsighted; if they, knowing what money they had, knowing what work they had to do, knowing its scope, having the duty of calculating its probable growth and shaping their resources accordingly, have expended all their funds and exhausted all their credit before they are able to even open the fair, then I think they have been reckless and improvident, and if the nations of the world and the monarchs who have been invited should come here and find no fair, it is not the Congress of the United States or the people of the United States who will in the first instance be disgraced, but it is the management of this fair.

Mr. TAWNEY. Will the gentleman permit an interruption right there?

Mr. GILLETT of Massachusetts. Certainly.

Mr. TAWNEY. It was expressly stated both on the floor——

Mr. GILLETT of Massachusetts. I only yielded for a question, as I have only ten minutes.

Mr. TAWNEY. Does the gentleman know that the plan originally contemplated involved an expenditure of only $[illegible], the amount which they had, and that additional expenditure is the result of increased space demanded by foreign nations and by States which had not contemplated and could not be contemplated at the time the expenditures started?

Mr. GILLETT of Massachusetts. Mr. Chairman, that does not affect the argument at all.

Mr. TAWNEY. It affects the question of extravagance, however.

Mr. GILLETT of Massachusetts. These gentlemen knew all the time what they had to do. They knew what appropriations were coming in, and if they did not have money enough, and could not see how to get money enough to meet them they ought to have limited them. It was their duty to make their resources and their expenditures balance. They were not given indefinite authority to contract for anything they wished, and they had no business to enter into obligations unless they had some means of meeting them. They would not do it in their own business affairs, and any man who enters into an obligation and does not have some idea how he is going to meet it except by applying for charity, as they are doing here, is wholly lacking in business judgment.

Mr. SCUDDER. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. GILLETT of Massachusetts. I can not yield.

But, Mr. Chairman, I do not believe at all that these gentlemen are so improvident, so reckless as the advocates for this appropriation would have us think. I do not believe this argument which is made in their favor is genuine. I know the gentlemen, many of them, and I have a great respect and admiration for them. I believe that this fair has thus far been managed with remarkable ability, energy, and enterprise. I believe the gentlemen who are managing it are farsighted; I believe that those nine gentlemen representing the United States are not simply ornamental, although they are certainly that; I believe they are useful, and I believe that this management has not gone recklessly on and expended all their money and exhausted all their credit so that they can not open this fair unless the United States Treasury is opened to them. I believe they know, if they do not get this money from us, where they can get it. I notice that a gentleman said on the floor of the House that they had made no requests elsewhere for this money.

Mr. Chairman, I believe that is a mistake. I believe these gentlemen have business foresight, and I believe before they would be left entirely without funds to open this fair they would provide some avenue where they could replenish their exchequer in case the United States Congress does not grant them what they want. If this bill is really the only resource to prevent bankruptcy, if they say they have no other method of getting this money, if they have gone forward and spent all their money and exhausted all their credit without knowing where they are going to get enough to open the fair respectably, if they have come to the end of their resources and are really butting their heads against the wall of bankruptcy, I say this amendment ought to have on it a condition that they should resign and that business men of foresight should have the expenditure of this four million and a half dollars who would cut their garment according to their cloth. But I do not believe that any such condition exists. I believe they can get this money elsewhere, and they know where they can get it. I believe, and I know, that they are men of sagacity and ability, and that they have not come here because this is their only refuge from insolvency. They can borrow it as Chicago did, but of course they come first to the United States Congress. I do not blame them. Everybody does the same. We are easy. They want to get the money without paying interest. They want to get the money without any obligation, so that in a case of conflagration or pestilence they or their friends are not the losers. But it is not a fair business proposition. I think we ought to stand by what we have already done.

And I must confess, Mr. Chairman, that it excites my indignation the way men come and get one appropriation from Congress on the express statement that that is all they will ask, and then come again before a great while and because we have given some make that very fact the ground for demanding more. I think we ought to stop it. There seems to be something connected with all these exhibitions that rather demoralizes us. I do not know of any cases in my Congressional career where votes have been cast so much from personal feeling and so little because of the merits of the proposition as on these fairs. It seems to me that there has been more rounding up of Members, not upon the merits of the question, but from friendship and good-fellowship, in these matters than any other. I think it ought to stop. It is hard for us to have colleagues come right to us and press us to vote for their bill and refuse it. And yet the danger of it is that it involves not simply the bill that we pass, but it carries behind it a whole train of other bills.

It demoralizes our sentiments; it gets us in the habit of voting for questions not on their merits, not because they are right, but because there is a lobby right on the floor of Members constantly besieging and begging us to vote. Moreover, it leads not only to bad votes, but we know that other votes depend upon it, and that men vote for one measure not because they approve it, but because somebody has voted for their measure. I read recently, and I presume you all have, that a Member of Congress said he believed that the law was unconstitutional, and he thought it was illegal, but that he should vote for it because he voted for the bill for his own State, which he thought was also unconstitutional and illegal, and got his "steal," and therefore he felt, as a matter of reciprocity, that he must vote for succeeding "steals."

That was expressed in rather more frank and brutal language than we often hear, but we all know that trouble pervades all these measures. Now, I think in this case, when we all know what was said at the beginning, that they would make no further request, it is audacious for them to come and ask for more; it is unbusinesslike, and we are setting an exceedingly bad precedent. Whether you get the money back again or not nobody knows; but I do not think we ought to give the aid asked, because I believe the energetic and sagacious men who are running this fair know where they can get the money and that they ought to keep their faith and borrow it as a business transaction and stand by their original proposition to be satisfied with the first generous appropriation.

Mr. HEMENWAY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. CURRIER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10954, the urgent deficiency bill, and had come to no resolution thereon.

CARRIAGES AND HORSES MAINTAINED BY DEPARTMENT OF STATE.

The SPEAKER laid before the House the following message from the President of the United States; which was ordered printed and referred to the Committee on Expenditures in the State Department:

To the House of Representatives:

I transmit herewith the response of the Secretary of State to the resolution adopted by the House of Representatives on January 25, 1904, calling for information in regard to carriages, horses, etc., maintained at Government expense by the Department of State.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 9, 1904.*

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. CLAYTON, indefinitely, on account of being a member of the subcommittee taking testimony in Florida in the impeachment proceedings against United States Judge Swayne.

To Mr. PATTERSON of Tennessee, indefinitely, on account of illness in his family.

To Mr. ALLEN of Maine, for four days, on account of important business.

To Mr. CUSHMAN, for five days, on account of important business.

CHANGE OF REFERENCE.

By unanimous consent, reference of the Senate joint resolution No. 37, providing for the distribution to be printed of the annual and special reports of the Librarian of Congress, was changed from the Committee on the Library to the Committee on Printing.

ADJOURNMENT.

Then, on motion of Mr. HEMENWAY (at 5 o'clock and 4 minutes p. m.), the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Interior, transmitting, with accompanying papers, a communication from the Acting Commissioner of Indian Affairs, proposing legislation relating to the claim of Lone Wolf—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. TAWNEY, from the Select Committee on Industrial Arts and Expositions, to which was referred the bill of the House (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," reported the same without amendment, accompanied by a report (No. 894); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. DIXON, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 6787) to confirm and validate patents to certain lands situated in the Bitter Root Valley, State of Montana, above and south of the Lo Lo Fork of the Bitter Root River, reported the same without amendment, accompanied by a report (No. 895); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 121) granting additional lands adjacent to its site to the University of Montana, reported the same with amendment, accompanied by a report (No. 896); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 719) granting an increase of pension to John H. Wiley, reported the same with amendment, accompanied by a report (No. 892); which said bill and report were referred to the Private Calendar.

Mr. GOLDFOGLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 10688) for the relief of Johann A. Killian, reported the same with amendment, accompanied by a report (No. 894); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11345) granting a pension to Joseph H. Hnie, reported the same with amendment, accompanied by a report (No. 897); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11021) granting an increase of pension to Joseph Weems, reported the same without amendment, accompanied by a report (No. 898); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8849) to pension James S. Lauderdale, reported the same with amendment, accompanied by a report (No. 899); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5849) granting an increase of pension to Catharine R. Brown, reported the same with amendment, accompanied by a report (No. 900); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 877[illegible]) granting a pension to Walter P. Hunter, reported the same with amendment, accompanied by a report (No. 901); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Bartlett S. Hayward, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 8922) granting a pension to Martha R. [illegible], reported the same with amendment, accompanied by a report (No. 903); which said bill and report were referred to the Private Calendar.

Mr. BURTON, from the Committee on Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Angelina [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RIXEY (by request): A bill (H. R. 12139) providing for a [illegible] for the District of Columbia—to the Committee on the District of Columbia.

By Mr. DAYTON: A bill (H. R. [illegible]) to increase the efficiency of the Army of the United States, and for other purposes—to the Committee on Military Affairs.

By Mr. RIXEY (by request): A bill (H. R. 12141) to protect ancient ruins on the public domain—to the Committee on the Public Lands.

Also, a bill (H. R. 12142) to amend an act entitled "An act to establish circuit courts of appeals and define and regulate in certain cases the jurisdiction of the courts of the United States, and for other purposes," approved March 3, 1891—to the Committee on the Judiciary.

By Mr. PATTERSON of Tennessee: A bill (H. R. 12143) to abrogate the treaty of August 20, 1899, concluded and exchanged between John C. Bates, brigadier-general, United States Volunteers, and the Sultan of the Sulu Archipelago—to the Committee on Insular Affairs.

By Mr. JONES of Virginia: A bill (H. R. 12144) to establish a light and fog signal station at Round Point, Potomac River, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 12145) to establish a lighted beacon at the mouth of Pungoteague Creek, Chesapeake Bay, Virginia—to the Committee on Interstate and Foreign Commerce.

Also, a bill (H. R. 12146) to establish a light on the shoal off Cherry Point, Piankatank River, Virginia—to the Committee on Interstate and Foreign Commerce.

By Mr. KLUTTZ: A bill (H. R. 12147) to amend chapter 749, second session Fifty-seventh Congress, approved February 23, 1903, being "An act to establish United States courts at Wilkesboro, N. C."—to the Committee on the Judiciary.

By Mr. FOWLER: A bill (H. R. 12148) to provide for the verification of papers by national banking associations—to the Committee on Banking and Currency.

By Mr. WILSON of New York: A bill (H. R. 12149) to establish a national military park at Fort Reno, District of Columbia, and for other purposes—to the Committee on Military Affairs.

By Mr. DARRAGH: A bill (H. R. 12150) to establish storm-warning stations at St. James, Beaver Island, Lake Michigan—to the Committee on Interstate and Foreign Commerce.

By Mr. COCHRAN: A bill (H. R. 12151) appropriating $80,000 for the improvement of the Missouri River at St. Joseph, Mo.—to the Committee on Rivers and Harbors.

By Mr. LOUDENSLAGER: A bill (H. R. 12152) relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane—to the Committee on Pensions.

By Mr. FULLER: A bill (H. R. 12153) granting pensions in certain cases to widows of soldiers and sailors who served in the Union Army or Navy during the war of the rebellion—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12154) granting a pension to soldiers and sailors in certain cases, and so forth—to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Wisconsin: A bill (H. R. 12155) granting a pension to Nancy Hill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12156) granting an increase of pension to Nina Holvenstot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12157) granting an increase of pension to Asher D. Bice—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: A bill (H. R. 12158) granting an increase of pension to L. L. Smith—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 12159) granting an increase of pension to R. M. Nesbitt—to the Committee on Invalid Pensions.

By Mr. BOWIE: A bill (H. R. 12160) for the relief of the legal representatives of Henry Fulenwider, deceased—to the Committee on Claims.

By Mr. COCHRAN: A bill (H. R. 12161) for the relief of John F. Tyler—to the Committee on Military Affairs.

Also, a bill (H. R. 12162) granting a pension to Mary B. Root—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12163) granting an increase of pension to Joseph Rea—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12164) granting an increase of pension to Joseph Davis—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 12165) granting a pension to Sarah A. Gillham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12166) granting a pension to Isaac M. Ashford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12167) granting a pension to Elizabeth Burton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12168) granting a pension to Emaranda Somerville—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12169) granting an increase of pension to C. McCord—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12170) granting an increase of pension to Joseph H. Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12171) granting an increase of pension to John Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12172) granting an increase of pension to John L. Parrott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12173) granting an increase of pension to Thomas J. Mahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12174) granting an increase of pension to John Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12175) granting an increase of pension to William H. Rupert—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12176) granting an increase of pension to Henry V. Stewart—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12177) granting an increase of pension to Isaac W. Waters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12178) granting an increase of pension to John H. Allison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12179) granting an increase of pension to Joseph H. Whitehead—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12180) granting a pension to Reuben R. Ballinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12181) granting a pension to Sarah A. Tanquary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12182) granting a pension to Martha C. Wilderman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12183) granting an increase of pension to William T. Bright—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 12184) granting a pension to John Cornish—to the Committee on Pensions.

By Mr. FIELD: A bill (H. R. 12185) for the relief of the estate of Joseph Brugere, deceased, late of Orleans Parish, La.—to the Committee on War Claims.

By Mr. GROSVENOR: A bill (H. R. 12186) granting an increase of pension to Charles W. Timms—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 12187) granting a pension to Jersey A. Meuser—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 12188) granting an increase of pension to John M. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12189) granting a pension to T. J. Treadway—to the Committee on Invalid Pensions.

By Mr. HOUSTON: A bill (H. R. 12190) granting a pension to Clarine J. Brinton—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 12191) granting an increase of pension to Henry D. Filkins—to the Committee on Invalid Pensions.

By Mr. KLUTTZ: A bill (H. R. 12192) granting an honorable discharge to Calloway Harton—to the Committee on Military Affairs.

By Mr. LANNING: A bill (H. R. 12193) granting an increase of pension to Clementine Pullen—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 12194) granting an increase of pension to Nathaniel Warren—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: A bill (H. R. 12195) granting an increase of pension to David A. Edwards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12196) referring to the Court of Claims a certain claim for demurrage and for damages to a schooner by acts of certain United States naval officers—to the Committee on Claims.

By Mr. MARSH: A bill (H. R. 12197) granting an increase of pension to Daniel M. Candor—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: A bill (H. R. 12198) for the relief of the State National Bank of New Orleans, formerly Louisiana State Bank—to the Committee on Claims.

By Mr. MUDD: A bill (H. R. 12199) granting an increase of pension to James Bramble—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 12200) for the relief of Francis C. Renner and W. A. Renner, executors of Isaac Renner, deceased—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 12201) granting an increase of pension to James Burroughs—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 12202) granting an increase of pension to John Baughman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12203) granting a pension to Samantha A. Nelson—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 12204) for the relief of veterans of the Confederacy—to the Committee on Military Affairs.

By Mr. ROBINSON of Arkansas: A bill (H. R. 12205) to authorize Centennial Lodge and Ozark Lodge, Knights of Pythias, to erect and maintain a sanitarium and bath house on the Government reservation at the city of Hot Springs, Ark.—to the Committee on the Public Lands.

By Mr. SHAFROTH: A bill (H. R. 12206) for the relief of George B. Hughes—to the Committee on Claims.

By Mr. SMITH of New York: A bill (H. R. 12207) granting an increase of pension to Lewis C. Briggs—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 12208) granting a pension to Marceny Goodell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12209) granting a pension to Sarah C. Choate—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 12210) granting an increase of pension to James C. Town—to the Committee on Invalid Pensions.

By Mr. WARNOCK: A bill (H. R. 12211) granting an increase of pension to Joseph G. Reid—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12212) granting a pension to John M. Dowell—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 12213) for the relief of the estate of George M. Coker, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12214) for the relief of Martha S. Carmichael—to the Committee on War Claims.

By Mr. CONNER: A bill (H. R. 12215) granting an increase of pension to Peder Knudson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12216) for the relief of Nancy Jane Stevens—to the Committee on Claims.

Also, a bill (H. R. 12217) granting an increase of pension to Ira K. Eaton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12218) granting an increase of pension to David S. Porter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12219) granting an increase of pension to Charles H. Smith—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Admiral Farragut Post, No. 602, Grand Army of the Republic, of Chicago, Ill., praying for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of citizens of Phoenix, Ariz., protesting against legislation for uniting the Territories of Arizona and New Mexico—to the Committee on the Territories.

Also, petition of B. R. Burton and 89 other voters of Hoopeston, Ill., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ADAMS of Pennsylvania: Petition of the National Board of Trade, of Cleveland, Ohio, favoring passage of bill H. R. 8460—to the Committee on the Public Lands.

Also, resolution of the National Board of Trade, relating to prepaid postage on third-class matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of the National Board of Trade, for the passage of the post-check bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of the National Board of Trade, protesting against the anticoupon law—to the Committee on Ways and Means.

Also, petition of the National Board of Trade, asking for change in laws in storage in bond—to the Committee on Ways and Means.

Also, petition of the National Board of Trade, relating to currency—to the Committee on Banking and Currency.

Also, petition of the National Board of Trade, relating to trade-mark rights—to the Committee on Patents.

By Mr. AIKEN: Petition of John A. Harris, of Abbeville, S. C., favoring the passage of bill H. R. 9050, for a drawback on certain imported materials—to the Committee on Ways and Means.

By Mr. ALEXANDER: Petition of Licensed Tugmen's Association, No. 4, Buffalo, N. Y., opposing building of dredges by the Government—to the Committee on Rivers and Harbors.

Also, resolution of Miscellaneous Trades Section, United Trades and Labor Council, of Erie County, Buffalo, N. Y., in favor of the anticoupon bill—to the Committee on Ways and Means.

By Mr. BABCOCK: Papers to accompany bill H. R. 11452, granting pension to Ann Jones—to the Committee on Invalid Pensions.

By Mr. BENTON: Petition of D. E. Snider and 34 others, of Alba, Mo.; Rev. E. Simpson and 58 others, of Sarcoxie, Mo.; A. V. Calhoun and 44 others, of Verona, Mo.; Joel H. Hood and 31 others, of Jasper County, Mo., and J. S. Wilson and 21 others, of Madison, Mo., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Petition of business men of Redfield, Kans., protesting against passage of the parcels-post bill; also, petition of business men of Wellsville, Kans., favoring 1-cent letter postage and in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the board of regents of the Kansas State Agricultural College, urging increased appropriation for Kansas experiment station—to the Committee on Appropriations.

By Mr. BRICK: Petition of E. F. McNabb and 38 other mem-

bers of the Grand Army of the Republic, of Anten. Ind., favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

Also, petition of C. W. Scott and 72 other members of the Grand Army of the Republic, asking increase of pension to James C. Wattleworth—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: Papers to accompany bill H. R. 11609, granting an increase of pension to George Schermerhorn; also papers to accompany bill H. R. 11896, granting an increase of pension to Giles A. Woolsey; also papers to accompany bill H. R. 11604, granting a pension to Annie M. Emmerson—to the Committee on Invalid Pensions.

By Mr. BURKETT: Petition of A. H. Thompson and 17 others, Rev. R. C. Lemon and 57 others, and T. W. Smith and 33 others, all of University Place, Nebr., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of J. S. W. Dean, of Nebraska City, Nebr., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania: Petition of the Oxford Preparative Meeting of Friends, of Oxford, Pa., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAPRON: Petitions of Nathaniel [illegible] and [illegible] others, of Providence; William Richardson and 47 others, of [illegible]; Gideon T. Collins and 25 others, of Westerly, and Narragansett Baptist Church, all in Rhode Island, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CASSEL: Resolutions of John Hipple Post, No. 353, of Bainbridge, Pa.; Lieutenant William H. [illegible] Post, No. [illegible], of Marietta, Pa.; Captain George H. Hess Post, No. 571, of [illegible] Harbor, Pa.; John M. [illegible] Post, No. [illegible]; Post No. 47, of Mount Joy, Pa.; Admiral Reynolds Post, No. [illegible], of Lancaster, Pa., and Captain J. N. Neff Post, No. 406, of [illegible]sburg, Pa., Grand Army of the Republic, all in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CROWLEY: Papers to accompany bill to increase pension of Henry V. Stewart—to the Committee on Invalid Pensions.

Also, papers to accompany bill for an increase of pension of William H. Rupert—to the Committee on Invalid Pensions.

Also, affidavits to accompany bill to pension [illegible] ville—to the Committee on Invalid Pensions.

Also, affidavits to accompany bill to pension Elizabeth Burdett—to the Committee on Invalid Pensions.

By Mr. DALZELL: Resolutions of Philadelphia Board of Trade, as to legislation extending coastwise trade to the Philippine Islands—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Pittsburg Post, No. 206, Grand Army of the Republic, Department of Pennsylvania, for a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Post No. [illegible], Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Shakespeare Club, Connellsville, Pa., in favor of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DARRAGH: Resolution of McPherson Post, No. 18, Grand Army of the Republic, of Missouri, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting pension of [illegible] to Lafayette F. Hall—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting pension of [illegible] to [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting pension to Alfred M. Mack—to the Committee on Invalid Pensions.

By Mr. DAVEY of Louisiana: Papers to accompany claim for relief of Joseph Brugere, of Orleans Parish, La.—to the Committee on Claims.

By Mr. DE ARMOND (by request): Petition of W. R. Wilson and 30 other members of the Grand Army of the Republic, of Foster, Mo., favoring the passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. DEEMER: Resolutions of N. G. Brown Post, of Blossburg, Pa., urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of P. S. Vanderzer and other voters of Rens, N. Y., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of the National Board of Trade, urging repeal of timber and stone act, desert-land act, and the commutation clause of the homestead act—to the Committee on Agriculture.

By Mr. DWIGHT: Petition of the Ancient Order of Hibernians, Broome County, N. Y., favoring the passage of a bill for the erection of a monument to the late Commodore Barry, United States Navy—to the Committee on the Library.

Also, petition of citizens of Taylor, Cortland County, N. Y., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ESCH: Petition of National Board of Trade of Cleveland, Ohio, favoring passage of bill H. R. 8460—to the Committee on the Public Lands.

By Mr. FOSS: Petition in support of bill H. R. 11402, granting an increase of pension to Agnes B. Hesler—to the Committee on Invalid Pensions.

By Mr. FOWLER: Resolutions of Union County (N. J.) Trades Council, protesting against the exclusion and deportation of an alien on account of his opinions—to the Committee on Immigration and Naturalization.

Also, petitions of Isaac H. Blanchard and others, of Orange, N. J., in opposition to the anti-injunction bill and the eight-hour bill—to the Committee on the Judiciary.

Also, petition of the Village Improvement Association of Cranford, N. J., in support of the pure-food bill—to the Committee on Agriculture.

Also, resolution of New Jersey State Council, St. Patrick's Alliance of America, in favor of a monument to Commodore John Barry—to the Committee on the Library.

Also, petition of the Methodist Episcopal Church and 32 others, of Succasunna, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of John G. Tolmie Post, No. 50; Ulric Dahlgren Post, No. 35, of Elizabeth; Judson Kirkpatrick Post, No. 64; H. T. A. Torbert Post, No. 24, of Morristown; Winfield Scott Post, No. 75, of Plainfield, and John F. Reynolds Post, No. 66, of Washington, all in New Jersey, Grand Army of the Republic, favoring the passage of a service-pensioned bill—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of the National Board of Trade of Cleveland, Ohio, favoring the extension of national navigation laws to the Philippines—to the Committee on Insular Affairs.

Also, petition of the Rockford [illegible] of Post No. [illegible], of Rockford; Post No. 67, of Manchester; Post No. 45, of Gloucester; Post No. 122, of Amesbury, and Post No. 90, of Danvers, [illegible] service-pension bill—[illegible] Pensions.

Also, petition of Rev. A. J. Marsh and 30 other voters, of Lynn, Mass., and Rev. Owen E. Hardy and 19 other voters, of West Peabody, Mass., in favor of the Dolliver-Hepburn bill—to the [illegible].

By Mr. GILLESPIE: Petition of J. M. C[illegible] [illegible] Trade, asking [illegible] used for advertising purposes—to the Committee on Military Affairs.

By Mr. GRAFF: Resolutions of Colonel Nodine Post, No. 140, of Champaign; Cyrus Hall Post, No. 188, of Shelbyville; Lowry Post, No. 137, of Clinton; Chillicothe Post, No. 146, of Chillicothe; [illegible] Post, No. [illegible], of [illegible]; A. C. Harding Post, No. [illegible], of [illegible]; T. S. Bowers Post, No. 125, of Mount Carmel; Thomas Layton Post, No. 121, of Lewiston; R. B. Hayes Post, No. 120, of Plano; Joe Hanna Post, No. 117, of Pekin; Forrest Post, No. 114, of Forrest; Wesley [illegible] Post, No. [illegible], of [illegible]; Lincoln Post, No. 106, of Duquoin; Monroe Post, No. 100, of [illegible]; [illegible] A. Davis Post, No. 98, of Freeport; McLain Post, No. 78, of [illegible]town; George Spaulding Post, No. 60, of Geneva; Abingdon Post, No. 58, of Abingdon; W. H. L. Wallace Post, No. 55, of Centralia; John Brown Post, No. [illegible], of [illegible]; [illegible] 49, of Elgin; Batavia Post, No. 48, of Batavia; [illegible] No. 28, of Clinton; [illegible] Post, No. 25, of Watseka; John Wood Post, No. 96, of Quincy; Randolph Post, No. 93, of [illegible]; Eli Bawyer Post, No. 92, of Olney; Yates Post, No. 8, of [illegible]ham; General George Crook Post, No. 81, of Kirkwood; Scott Post, No. 70, of Gibson; Joe Hooker Post, No. 69, of Canton; [illegible] Post, No. 68, of Streator; Colonel John Bryner Post, No. [illegible], of Peoria; G. L. Nevins Post, No. 1, of Rockford; Aaron Weider Post, No. 75, of Fairbury, and George H. Thomas Post, No. 5, of Chicago, all in Illinois, Grand Army of the Republic, urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Papers to accompany bill for relief of Elymas F. Wilkens—to the Committee on Invalid Pensions.

Also, petition of O. E. Faulkner and 10 other voters, of Aurora,

Ind., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GROSVENOR: Affidavit of Charles W. Timms, to accompany bill for an increase of pension—to the Committee on Invalid Pensions.

Also, resolution of the Ohio General Assembly, favoring bill for locating a naval training station at Put in Bay (South Bass) Island, Lake Erie—to the Committee on Naval Affairs.

Also, resolution of the National Board of Trade, favoring legislation extending the national navigation laws—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the National Board of Trade, favoring special commission regarding merchant marine and shipping—to the Committee on the Merchant Marine and Fisheries.

By Mr. HAMLIN: Certificate of Doctor Tucker and affidavit of L. B. Cole and others, in support of pension claim of Mary E. Smith—to the Committee on Invalid Pensions.

By Mr. HASKINS: Resolutions of George H. Phelps Post, No. 114; C. B. Lawton Post, No. 44; George C. Randall Post, No. 82, and Henry F. Freeman Post, No. 98, Grand Army of the Republic, Department of Vermont, urging passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAY: Petition of C. W. Trussell and 33 other voters, of Opequon, Va., for passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEMENWAY: Petition of J. R. Jones and 3 other voters, of Bethel, Ind.; W. H. Paterson and 50 other voters, of Princeton, Ind.; R. H. Toole and 69 other voters, of Smith Township, Ind., and Rev. Charles Tinsley and 16 other voters, of Evansville, Ind., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Resolution of the New Haven Chamber of Commerce, relative to international arbitration—to the Committee on Foreign Affairs.

By Mr. HERMANN: Petition of the Chamber of Commerce of Astoria, Oreg., for the improvement of the Columbia River—to the Committee on Rivers and Harbors.

Also, petition of the director-general of the Lewis and Clark Exposition, that the exposition be kept open on Sundays—to the Select Committee on Industrial Arts and Expositions.

By Mr. HOGG: Resolutions of Sedgwick Post, Grand Army of the Republic, of Durango, Colo., favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Pueblo Central Woman's Christian Temperance Union, of Pueblo, Colo., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUNTER: Petition of E. S. Gooch and 400 other voters, of Pulask County, Ky., urging passage of Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of W. L. Brochman and 12 others, of Glens Fork, Ky., urging passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. KLUTTZ (by request): Papers to accompany bill for relief of Calloway Harton—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of Mrs. William Gerry Slade and 338 others, for the passage of a law prohibiting the exportation of prehistoric objects and the preservation of the same—to the Committee on the Public Lands.

By Mr. LINDSAY: Resolution of the Philadelphia Board of Trade, favoring the passage of bills S. 2259 and 2263, confining the trade between the United States and the Philippines exclusively to vessels of American registry—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the National Board of Trade of Philadelphia, favoring passage of bill S. 932—to the Committee on the Public Lands.

By Mr. LITTLEFIELD: Resolution of the Philadelphia Board of Trade, urging passage of bills S. 2259 and 2263, confining the trade between the United States and the Philippines to vessels of American registry—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Citizens' Alliance of Denver, Colo., urging legislation to prevent boycotting and picketing—to the Committee on the Judiciary.

Also, petition of Rev. I. A. Flint and 49 other voters, of Warren, Me., and W. R. Walter and 14 other voters, of North Waldoboro, Me., for passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of Rev. E. A. Miller and 17 other voters, of Alloway; R. B. Stephenson and 12 other voters, of Haddonfield; Rev. William G. Mayer and 38 other voters, of Pennis Grove, and W. L. Long, M. D., and 20 other voters, of Haddonfield, all in New Jersey, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McNARY: Petition of Ralph J. Haughton and 18 other voters, of Weymouth, Mass., urging passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McMORRAN: Petition of 185 members of Haven Methodist Episcopal Church, of Detroit, Mich., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of L. D. Coe and 75 other voters, of Romeo, Mich., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MADDOX: Papers to accompany claim of William L. Strain, of Gordon County, Ga.; papers to accompany claim of Simeon Stevens, of Gordon County, Ga., and papers to accompany claim of Edward Sebastian, of Gordon County, Ga.—to the Committee on Claims.

By Mr. MARTIN: Petition of Bruce McVay and 17 other voters, of Highmore, S. Dak., and A. Robinson and 20 other voters, of Highmore, S. Dak., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PORTER: Resolutions of the National Board of Trade, relating to the timber and stone act, the desert-land act, and the commutation clause of the homestead act—to the Committee on Agriculture.

By Mr. POWERS: Paper to accompany bill granting an increase of pension to James Burroughs—to the Committee on Invalid Pensions.

Mr. RICHARDSON of Alabama: Paper to accompany bill H. R. 10929, for the relief of heirs of George O. Ragland, deceased, of Madison County, Ala.—to the Committee on War Claims.

Also, papers to accompany bill H. R. 4072, favoring Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIDER: Resolution of the National Board of Trade of Cleveland, Ohio, favoring passage of bill H. R. 8460, providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture—to the Committee on the Public Lands.

Also, resolution of the Chamber of Commerce of the State of New York, favoring passage of bill for breakwater and harbor of refuge at Point Judith—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of the State of New York, in favor of speedy legislation to increase the post-office facilities in the city of New York—to the Committee on the Post-Office and Post-Roads.

By Mr. ROBINSON of Indiana: Petition of Hagerty Brothers, of Scott, Ind., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Clugston, Miller & Co. and 12 citizens of South Whitley, Ind., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolutions of the Philadelphia Board of Trade, for passage of bills S. 2259 and 2263, confining trade between the United States and the Philippines to vessels of American registry—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the board of aldermen of Buffalo, N. Y., favoring bill to promote the efficiency of the Life-saving Service—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the New York Board of Trade, opposing the Quarles-Cooper bill to enlarge the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the National Board of Trade, favoring the extending of the United States navigation laws to the Philippines—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL W. SMITH: Petition of A. Roedel and 29 other voters, of Milford, Mich., urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition for relief of Marceny Goodell—to the Committee on Invalid Pensions.

Also, petition of Charles T. Foster Post, No. 42, Grand Army of the Republic, Lansing, Mich., urging passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petitions of Woman's Christian Temperance Union and other societies and of J. F. Page and 30 others, of Esopus, N. Y., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STERLING: Petition of Samuel Walker Post, No. 205, Grand Army of the Republic, of Mount Pulaski, Ill., for a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Petition of Chicago District, Minnesota Conference, Evangelical Lutheran Augustana, Synod of North America, for the passage of Hepburn bill to restrict sale of liquor in original packages—to the Committee on the Judiciary.

Also, petition of Minnesota State Court, Catholic Order of Foresters, for acceptance of the statue of Father Marquette—to the Committee on the Library.

Also, resolutions of the Commercial Club of St. Paul, Minn., in

favor of improvements on the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolutions of patrons of rural free delivery of Washington County, Minn., for increase in salary of rural mail carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLIVAN of Massachusetts: Papers to accompany bill H. R. 11194, for the relief of Frank S. Nickerson—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 11262, for the relief of John Hegarty—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 11192, for increase of pension to William Seymour Alden—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 11193, for the relief of William F. Griffin—to the Committee on Invalid Pensions.

By Mr. TALBOTT: Petition of Franklin Street Methodist Episcopal Church and 45 voters of Baltimore, Md., and W. S. Edwards and 13 other voters of Baltimore, Md., for passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. TATE: Papers to accompany bill H. R. 6738, for increase of pension—to the Committee on Pensions.

By Mr. TAWNEY: Resolution of Upper Mississippi Improvement Association, for the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, papers to accompany bill for an increase of pension to James C. Town—to the Committee on Invalid Pensions.

By Mr. TIRRELL: Petition of Samuel B. Cooper and 60 others, in support of a bill to still further regulate interstate commerce relating to transportation of liquors—to the Committee on the Judiciary.

Also, petition of Albert T. Noble, for the establishment of a laboratory at Washington for study of the abnormal classes—to the Committee on the District of Columbia.

By Mr. WADSWORTH: Petition of J. J. Turton and 42 other voters of Perry, N. Y., and Methodist, Baptist, and Presbyterian churches of Geneseo, N. Y., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WEAD: Petition and papers for the relief of Joseph H. Huffman—to the Committee on Claims.

By Mr. WILSON: Resolution of United Commercial Travelers of America, favoring an amendment to the bankruptcy act—to the Committee on the Judiciary.

By Mr. WRIGHT: Resolutions of Philander Billings Post, No. 392; Roberts Post, No. 437, and Jacob Maynard Post, No. 377, Grand Army of the Republic, Department of Pennsylvania, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *February 11, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Maria*, Thomas Gardner, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Nancy*, William Ward, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Lucy*, Matthias Rider, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented the petition of George W. Sherman and sundry other citizens of South Bristol, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of Charles T. Page, of Concord, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DRYDEN. I present a concurrent resolution of the legislature of New Jersey, in favor of an appropriation for the improvement of the harbor adjacent to Cape May, in that State, which I ask be referred to the Committee on Commerce.

The PRESIDENT pro tempore. Does the Senator from New Jersey desire to have it printed in the RECORD?

Mr. DRYDEN. It has already been printed in the RECORD, having been presented by my colleague.

The PRESIDENT pro tempore. Then it is not necessary. It will be referred to the Committee on Commerce.

Mr. DRYDEN presented a petition of the State board of agriculture of Trenton, N. J., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented petitions of sundry citizens of Glenwood, of the Christian Endeavor Society of Hancocks Bridge, of the Christian Endeavor Society of the Baptist Church of Clinton, and of the congregation of the First Presbyterian Church of Bordentown, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Board of Trade of Jersey City, N. J., praying for the enactment of legislation providing for the destruction of derelicts, and also providing for the ratification of an Anglo-American treaty of arbitration and conciliation for the settlement of all questions between the United States and Great Britain; which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Orange, East Orange, Arlington, and Elizabeth, all in the State of New Jersey, remonstrating against the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Orange, Arlington, East Orange, and Elizabeth, all in the State of New Jersey, remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Union County Council, of Elizabeth, N. J., praying for the adoption of certain amendments to the present immigration laws; which was referred to the Committee on Immigration.

He also presented a petition of sundry soldiers and sailors of the civil war, residents of Camden, N. J., praying for the passage of the so-called prisoner-of-war bill; which was referred to the Committee on Pensions.

Mr. BURNHAM presented a petition of the Woman's Christian Temperance Union of Lempster, N. H., and a petition of the Woman's Christian Temperance Union of [illegible], N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FULTON presented a petition of sundry citizens of Cleone, Oreg., praying that the rural free-delivery letter carriers be granted a salary of $850 per annum based upon a graded scale; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. HOPKINS presented a petition of the Manufacturers' Association of Chicago, Ill., praying that the Commissioner of Indian Affairs issue an order directing that the opening of bids for the next annual purchase of clothing be held in that city; which was referred to the Committee on Indian Affairs.

Mr. HOAR presented petitions of Samuel F. Woods Post, No. 179, of Barre; of Needham Post, No. 39, of Lawrence; of O. H. P. Sargent Post, No. 252, of Essex; of Everett Peabody Post, No. 108, of Georgetown, and of Ezra Batcheller Post, No. 51, of North Brookfield, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the congregation of the Methodist Episcopal Church of Union Mills, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of sundry citizens of Moline, Ill., praying for the passage of the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a memorial of sundry citizens of Chicago, Ill., remonstrating against the passage of the so-called eight-hour

bill; which was referred to the Committee on Education and Labor.

He also presented petitions of McLeansboro Post, No. 483, of McLeansboro; of Culver Post, No. 512, of White Hall, and of Bowen Post, No. 17, of Wilmington, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Centralia, Ill., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Ladies' Missionary Society of the Presbyterian Church of Brighton, Ill., and a petition of the congregations of the Methodist Episcopal, Presbyterian, and German Methodist Episcopal churches of Brighton, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. MITCHELL presented a petition of sundry citizens of Cleone, Oreg., praying that the rural free-delivery letter carriers be granted a maximum salary of $850 per annum, based on a graded scale; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Board of Trade of San Francisco, Cal., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. PLATT of Connecticut presented the memorial of Theodore Bodenwein, of New London, Conn., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of the International Arbitration Committee of New Haven, Conn., and a petition of the Chamber of Commerce of New Haven, Conn., praying for the enactment of legislation providing for the submission to The Hague of all questions of dispute between the United States and Great Britain; which were referred to the Committee on Foreign Relations.

CALAVERAS GROVES OF BIG TREES.

Mr. PLATT of Connecticut. I have a letter from Prof. William R. Dudley, of the Leland Stanford University, of California, relating to the Calaveras groves of big trees in California. It presents some new facts relating to them and is extremely interesting. I move the letter be printed as a Senate document and referred to the Committee on Forest Reservations and the Protection of Game.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. PLATT of New York, from the Committee on Printing, to whom was referred the amendment submitted by Mr. HOAR on the 10th instant proposing to appropriate $5,000 to pay Robert Brent Mosher for the exclusive right, title, and interest in and to the copyright and plates of the book entitled "Executive Register of the United States, 1789-1902," intended to be proposed to the sundry civil appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. SMOOT, from the Committee on Claims, to whom was referred the bill (S. 2939) to reimburse George W. Young, postmaster at Wanship, Utah, for loss of postage stamps, reported adversely thereon; and the bill was postponed indefinitely.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 1425) for the relief of Eleonora G. Goldsborough, reported it with an amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3981) for the erection of an additional suitable building, cistern, oil house, and other necessary improvements at the New Dungeness light-house, in the State of Washington.

A bill (S. 3982) making an additional appropriation for the Battery Point post light, in the State of Washington; and

A bill (S. 3983) providing for additional employees' quarters at the Robinson Point post light station, State of Washington.

Mr. GALLINGER, from the Committee on Commerce, to whom was referred the bill (S. 3932) to establish a light and fog signal at or near Black Ledge, New London Harbor, entrance to New London Harbor, Long Island Sound, Connecticut, reported it without amendment, and submitted a report thereon.

Mr. GAMBLE. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 3779) to ratify and amend an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation and provision to carry the same into effect, to report adversely thereon, and recommend that the bill be postponed indefinitely, a House bill for this purpose having been reported favorably by the same committee.

The bill was postponed indefinitely.

Mr. GAMBLE, from the Committee on Indian Affairs, to whom was referred the bill (S. 2112) authorizing the Indian allottees in the Puyallup Indian Reservation, State of Washington, to alienate allotted lands, confirming title to allotted lands sold since March 3, 1903, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 4007) to authorize an increase in the appropriation for a dwelling for assistant keepers at Point Bonita, California, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4004) to establish at Cape Mendocino, California, quarters for the light keeper;

A bill (S. 4005) to establish a fog signal on one of the jetties at the entrance to the harbor at Humboldt Bay, California; and

A bill (S. 4006) to authorize the construction of quarters for light-house keepers at Point Conception, California.

Mr. DIETRICH, from the Committee on Public Lands, to whom was referred the bill (S. 2284) for the relief of John T. Wertz and Walter H. Shupe, reported it without amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (S. 4003) to establish a fog signal at Quarry Point, Angel Island, Bay of San Francisco, California, reported it with an amendment, and submitted a report thereon.

Mr. FAIRBANKS, from the Committee on Foreign Relations, to whom the subject was referred, reported a joint resolution (S. R. 43) authorizing the President to extend an invitation to the International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington; which was read twice by its title.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 174) for the relief of Mary C. Mayers, reported it with an amendment, and submitted a report thereon.

Mr. NELSON, from the Committee on Territories, to whom was referred the bill (S. 3836) to provide an additional district judge for the district of Alaska, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. PETTUS, from the Committee on Military Affairs, to whom was referred the bill (S. 4164) to amend section 1209 of the Revised Statutes, reported it with amendments.

OUACHITA RIVER BRIDGE.

Mr. ELKINS. I am directed by the Committee on Commerce, to whom was referred the bill (S. 4125) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bride across Ouachita River, in the State of Louisiana, at a point between Ouachita city and Bayou Loutre, to report it favorably with amendments, and I submit a written report. I ask for its present consideration.

The Secretary read the bill.

Mr. ELKINS. I ask that the letter of the Secretary of War embodied in the report be read. It recommends the passage of the bill as proposed to be amended.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The first amendment of the Committee on Commerce was, in section 1, page 1, line 8, to strike out "acceptable;" in the same line, after the word "to," to insert "be;" in line 9, before the word "approved," to strike out "and;" in the same line, after the word "War," to strike out "and in accordance with such location and plans as may be approved by the Secretary of War;" and on page 2, line 4, after the word "trains," to strike out the word "and;" so as to read:

That the Little Rock and Monroe Railway Company, a corporation existing [illegible] company, or its successors and assigns, and approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 9, to strike out the word "the," before "riprapping;" and in line 11 to strike out "also that," before "piers;" so as to make the section read:

SEC. 3. That all piers shall be built as nearly as may be parallel with the current of the river at that stage of water when it is most important for navigation, and the bridge itself shall be built as nearly as may be at right angles thereto; and riprapping or other protection for intended bridge sites which will lessen the required waterway shall not be permitted, and piers which will produce cross-currents or have tendency to navigation shall not be constructed; and if, after construction, any piers or accessory works are found to produce the above mentioned effects, or if any riprapping or other protection prohibited by this section is found to exist, the nuisance shall be abated or corrected under the direction of the Secretary of War at the expense of the company or persons owning, controlling, or operating said bridge.

The amendment was agreed to.

The next amendment was, in section 5, page 4, line 1, to strike out "any" and insert "the" before "corporation;" in line 20 to strike out "that," before "said;" and in line 23, after the word "Board," to strike out "for the security of navigation;" so as to make the section read:

SEC. 5. That the corporation, company, or persons owning, controlling, or operating the bridge built under the provisions of this act shall keep and maintain at all times as accessory works to such bridge such fences, guard fences, and similar devices as may be necessary to prevent at all times a permanent channel for a single outer channel above and below the bridge site and for the guiding of rafts, steamboats, and other craft safely under or through said bridge; and if at any time after the construction of the bridge and its accessory works the application to draw openings, or to the passage of rafts and bridge are found to be inadequate for the navigation of said Rivers, or any of them, or if at any time after the construction of the bridge and its accessory works the Secretary of War may upon the recommendation of the Chief of Engineers, United States Army, or the representative of any company, or persons owning, controlling, or operating said bridge be of the opinion that the draw openings, and other devices as aforesaid, shall be increased, or that the channel shall be further protected by such additional sheer booms, chains, and other devices as may be necessary to divert the current from the piers, shall, upon his own motion, or upon the application of any interested party, give notice to the owners of said bridge, and after a hearing of the parties interested, shall make such order as he may deem necessary for the protection of said channel, and the expense of such additional sheer booms, chains, and other devices shall be borne and paid by said company or persons owning, controlling, or operating said bridge, and the said company or persons shall, moreover, at their own expense, fasten, place, or replace such lights and other signals in and on said bridge as may be required by the Lighthouse Board.

The amendment was agreed to.

The next amendment was, in section 6, page 5, line 6, after the word "location," to strike out "for;" in line 7, after the word "river," to strike out "and;" and in line 8, after the word "water," to strike out all of the section down to and including the word "floats" in line 17 and insert "the force and direction of the currents;" so as to read:

SEC. 6. That the bridge authorized to be constructed by this act shall be located and built under and subject to such regulations for the security of navigation on said river as the Secretary of War shall prescribe, and if, because of that object, such modification shall subsist for his examination a design and drawing of the bridge, piers, approaches, and accessory works, and a map of the location, giving for a space of 1 mile above and 1 mile below the proposed bridge the topography of the banks of the river, the shore lines at high and low water, the force and direction of the currents.

The amendment was agreed to.

The next amendment was, in section 6, page 5, line 18, to strike out the words "shall give;" and after the word "such," in the same line, to insert "further;" so as to read:

The maps shall also show the location of other bridges in the vicinity and such further information as the Secretary of War may require for a thorough understanding by inspection of the proposed work. No bridge shall be placed in any navigable water until the location and plans thereof are approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, in section 9, page 7, line 14, to strike out "said" before "postal;" so as to make the section read:

SEC. 9. That the bridge herein provided for and the approaches for this act and all parts thereof shall be a post route, and the mails of the United States, and persons and property in the service of the United States, and the property of said company, shall be forever free from all tolls or other charges for passing over said bridge.

The amendment was agreed to.

The next amendment was, in section 10, page 7, line 16, after the word "unless," to insert "actual construction of;" after "shall be," in line 17, to insert "commenced within one year and;" and in line 18, to strike out "of effect" before "hereof;" so as to make the section read:

SEC. 10. That this act shall be null and void unless actual construction of said bridge shall be commenced within one year from the passage hereof, and unless said construction of said bridge shall be completed within three years from the passage hereof, provided, however, that the Secretary of War may, upon proof satisfactory to him, extend the time for completion of said bridge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COMPILATION OF TREATIES IN FORCE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the resolution submitted yesterday by the Senator from Illinois [Mr. CULLOM], to report it favorably without amendment, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the resolution, as follows:

Resolved, That a revised edition of The Compilation of Treaties in Force be prepared under the direction of the Committee on Foreign Relations, and that there be printed in said revised edition all treaties proclaimed and in force at the end of the present Session, and that there shall be printed 1,000 copies of said revised edition, 1,000 for the use of the House of Representatives and 500 for the use of the Senate.

Mr. CULLOM. That is now a Senate resolution?

Mr. PLATT of New York. It is a Senate resolution.

The PRESIDENT pro tempore. It is rather a peculiar resolution. It appears to be a Senate resolution, and it provides for printing 1,000 copies for the House of Representatives.

Mr. CULLOM. I think, if the Senator from New York will allow me to make a suggestion, that the provision for printing a certain number of copies for the House of Representatives had better be dropped out.

Mr. PLATT of New York. I am entirely satisfied to have it dropped out.

Mr. COCKRELL. I suggest that evidently the printing will cost over $500. The Senate has no right to order the publication of a work costing over that sum, and it should be made a concurrent resolution.

Mr. CULLOM. I do not want the delay of a concurrent resolution or the uncertainty of its passage. I think, if the provision in reference to printing copies for the House is dropped out, it will be unnecessary to make it anything except a Senate resolution.

Mr. COCKRELL. Can 500 copies be printed for $500?

Mr. CULLOM. I have no doubt that it can.

Mr. COCKRELL. I doubt it very seriously.

Mr. PLATT of New York. It can be printed for less than $500.

Mr. GALLINGER. Most of the matter is in plates now.

Mr. CULLOM. I suggest that the resolution be amended by striking out the portion which provides for printing for the House.

Mr. PLATT of New York. I accept the amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In lines 6 and 7 strike out the words "one thousand for the use of the House of Representatives and."

Mr. GALLINGER. And strike out "fifteen hundred" and substitute "five hundred."

The PRESIDENT pro tempore. The resolution as modified will be read.

The Secretary read as follows:

Resolved, That a revised edition of "The Compilation of Treaties in Force" be prepared under the direction of the Committee on Foreign Relations, and that there be printed in said revised edition all treaties proclaimed and in force at the end of the present Session, and that there shall be printed 500 copies of said revised edition for the use of the Senate.

Mr. CULLOM. That will do.

The PRESIDENT pro tempore. The question is on agreeing to the resolution as modified.

The resolution as modified was agreed to.

SHIP CANAL ACROSS FLORIDA.

Mr. MALLORY. I am directed by the Committee on Commerce, to whom was referred the bill (S. 2808) to authorize the Secretary of War to cause a survey or surveys to be made to determine the practicability and cost of a tidewater ship canal across the State of Florida, to report it adversely, and to report in lieu thereof a concurrent resolution, for which I ask present consideration.

The Senate, by unanimous consent, proceeded to consider the concurrent resolution, which was read, as follows:

Resolved, by the Senate (the House of Representatives concurring therein), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of a ship canal across the State of Florida, along such route, and with such dimensions, as may be deemed necessary by the Secretary of War, with a view to determining the practicability and cost of a tidewater ship canal across the State of Florida, between the Atlantic Ocean and the Gulf of Mexico, along such route, with such dimensions as may be deemed necessary by the Secretary of War, and the Secretary of War is hereby authorized and directed to report to Congress at the beginning of the next session of Congress the results of such survey, together with his opinion as to the practicability and cost of such canal, and the estimated time required for its construction, and the estimated capacity for the business and commerce of the country through which said canal may pass, and the Secretary of War is hereby further directed to report fully to Congress a plan of such survey, and the probable cost of such survey or surveys, if such survey or surveys have been completed.

That the sum of $25,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to defray the cost of such survey or surveys.

Mr. COCKRELL. Is it a Senate resolution?

The PRESIDENT pro tempore. It is a concurrent resolution, but it contains an appropriation, and of course it can not be a concurrent resolution. Does the Senator from Florida desire to have it changed to a joint resolution?

Mr. MALLORY. Yes, sir; I ask that that change be made.

The PRESIDENT pro tempore. It will be changed to a joint resolution.

The joint resolution (S. R. 47) to authorize the Secretary of War to cause a survey or surveys to be made to determine the practicability and cost of a tide-water ship canal across the State of Florida was read twice, and considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT pro tempore. Senate bill 2808 will be postponed indefinitely.

WILMINGTON (DEL.) HARBOR IMPROVEMENT.

Mr. GALLINGER, from the Committee on Commerce, to whom was referred the concurrent resolution submitted yesterday by Mr. BALL, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the Christiana River, with a view to determining the practicability and cost of deepening the channel in the Christiana River to the depth of at least 21 feet.

BRUNSWICK (GA.) HARBOR IMPROVEMENT.

Mr. CLAY. I am directed by the Committee on Commerce, to whom was referred the bill (S. 3924) for survey and estimate of cost of deepening Brunswick (Ga.) inner harbor and outer bar, to report it adversely; and in lieu thereof I report a concurrent resolution, which I ask may be adopted.

The concurrent resolution was considered by unanimous consent, and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring therein), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the inner harbor of Brunswick, Ga., and the bar across the outer harbor of Brunswick, Ga., with a view to determining the practicability and cost of improving the channel of said inner harbor to a depth of 30 feet, and of said outer harbor, through said outer bar, to the depths of the following depths, upon bars, 30 feet, 28 feet, 26 feet, and 24 feet; that is to say, the Secretary of War is directed to furnish a separate estimate of the cost of obtaining each of said depths; and the Secretary of War is hereby further directed to report whether or not in his opinion it is advisable, if these increased depths, or any one or more of them, shall be obtained, that the present channel across said outer bar should be straightened.

The PRESIDENT pro tempore. Senate bill 3924 will be postponed indefinitely.

BILLS INTRODUCED.

Mr. BALL introduced a bill (S. 4312) to correct the military record of W. H. Cleaden; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4313) to correct the military record of Ezekiel Stewart; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. COCKRELL introduced a bill (S. 4314) to pay Joseph Hunter certain arrearages of pension; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present a copy of the military record of Dr. Joseph Hunter, of Clinton, Mo., late of Company F, One hundred and twenty-sixth Regiment Illinois Volunteers; also a copy of private act No. 716, granting a pension to Joseph Hunter, M. D., and Senate report No. 2068, Fiftieth Congress, first session. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. DRYDEN introduced a bill (S. 4315) for the relief of George B. Hughes; which was read twice by its title, and referred to the Committee on Claims.

Mr. PLATT of Connecticut introduced a bill (S. 4316) providing for the appointment of additional judges in the Indian Territory, and to establish a court of appeals therein, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Judiciary.

He also introduced a bill (S. 4317) granting an increase of pension to Sarah L. Augur; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DIETRICH introduced a bill (S. 4318) granting an increase of pension to Augustus E. Orbeton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ELKINS introduced a bill (S. 4319) to promote the safety of employees and travelers upon railroads, and persons living or doing business in the vicinity thereof, by prohibiting common carriers engaged in interstate commerce from transporting gunpowder and other high explosive compounds over their lines, except under certain conditions, and so forth; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. BURNHAM introduced a bill (S. 4320) granting a pension to Melvina R. Chesley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TELLER introduced a bill (S. 4321) for a public building for the United States Geological Survey at Washington, D. C.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SIMMONS introduced a bill (S. 4322) making an appropriation for the purchase from Forsyth County of a site and building for a post-office and other Government offices in Winston-Salem, N. C., and to authorize the sale of the present post-office site in Winston-Salem in Forsyth County; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. SCOTT introduced a bill (S. 4323) granting a pension to Daniel Perdew; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. KEARNS introduced a bill (S. 4324) granting an increase of pension to James Veitch; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4325) granting an increase of pension to William Q. Anderson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 4326) for the relief of certain enlisted men of the Navy; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. CULLOM introduced a bill (S. 4327) placing Hugh T. Reed on the retired list with rank of captain; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4328) granting a pension to Nathan Barnes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 4329) granting an increase of pension to Mary E. Nesmith; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 4330) to complete the Jefferson memorial object-lesson road; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. HANSBROUGH introduced a bill (S. 4331) granting an increase of pension to Lydia A. Patch; which was read twice by its title, and referred to the Committee on Pensions.

ADMISSION OF NEW MEXICO.

Mr. MITCHELL submitted an amendment intended to be proposed by him to the bill (S. 378) to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States; which was referred to the Committee on Territories, and ordered to be printed.

PRINTING FOR DISTRICT OF COLUMBIA COMMITTEE.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the District of Columbia be, and is hereby, authorized to have printed and bound such manuscript and documents for the use of said committee as may be deemed necessary in connection with subjects considered or to be considered by the said committee.

COMPILATION OF NAVAL APPROPRIATION ACTS, ETC.

Mr. HALE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be printed and bound in cloth 300 copies of Senate [illegible] second session, for the use of the Committee on Naval Affairs [illegible].

LOUISIANA PURCHASE EXPOSITION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Select Committee on Industrial Expositions, and ordered to be printed:

To the Congress:

[illegible] Secretary of State covering a statement [illegible] Louisiana Purchase Exposition [illegible] etc., approved March 3, 1903.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 11, 1904*.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After four hours and ten minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had dis-

agreed to certain amendments of the Senate to the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; agrees to the amendment of the Senate numbered 47 to the bill, and agrees to the amendment numbered 10 with an amendment; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HEMENWAY, Mr. VAN VOORHIS, and Mr. LIVINGSTON managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 7022) to amend an act to regulate the height of buildings in the District of Columbia; and

A bill (H. R. 7024) to name streets, alleys, highways, and reservations in that part of the District of Columbia outside of the city of Washington, and for other purposes.

THE PANAMA CANAL.

Mr. MORGAN. I desire to give notice that to-morrow morning, after the routine morning business, I shall address the Senate on the resolutions relating to the Panama Canal.

URGENT DEFICIENCY APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ALLISON. I move that the Senate insist upon its amendments to the bill, that it disagree to the amendment of the House of Representatives to Senate amendment numbered 10, and that it agree to the conference asked for by the House on the disagreeing votes of the two Houses.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. ALLISON, and Mr. TELLER were appointed.

Mr. PETTUS. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 12, 1904, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 11, 1904.

PROMOTIONS IN THE NAVY.

Assistant Naval Constructors Henry Williams and Henry T. Wright to be assistant naval constructors in the Navy, with the rank of lieutenant, from the 1st day of January, 1904.

Lieut. Robert B. [illegible] to be a lieutenant-commander in the Navy from the [illegible] day of [illegible].

Lieut. (Junior Grade) [illegible] to be a lieutenant in the Navy from the 31st day of [illegible].

To be lieutenants.

Irwin F. Landis.
Wilbur G. Briggs.
Fletcher L. Sheffield.
Henry C. Dinger.

To be lieutenants (junior grade).

Lloyd S. [illegible].
Adolphus H. Watson.
Chauncey Shackford.
Charles B. [illegible].
Zachariah H. Madison.

SURVEYORS OF CUSTOMS.

William Vincent, of Illinois, to be surveyor of customs for the port of Chicago, in the State of Illinois.

John M. Linihan, of Iowa, to be surveyor of customs for the port of Dubuque, in the State of Iowa.

POSTMASTERS.

MINNESOTA.

Jesse A. Maxwell to be postmaster at Fulda, in the county of Murray and State of Minnesota.

NEW YORK.

Charles O. Sprague to be postmaster at Prince Bay, in the county of Richmond and State of New York.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 11, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

NAVAL APPROPRIATION BILL.

Mr. FOSS, by direction of the Committee on Naval Affairs, reported the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, which was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Indiana. Mr. Speaker, I reserve all points of order.

CHANGE OF REFERENCE.

By unanimous consent, reference of the bill (S. 2345) to make applicable the provisions of the naturalization laws of the United States to Porto Rico, and for other purposes, was changed from the Committee on Immigration and Naturalization to the Committee on Insular Affairs.

LEAVE TO PRINT.

Mr. SHULL. Mr. Speaker, I ask unanimous consent that Mr. George Howell be permitted to extend his remarks in the RECORD. That request was made yesterday, but I think the Speaker did not understand it.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent that Mr. Howell be granted the privilege of extending his remarks in the RECORD. Is there objection?

There was no objection.

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

Mr. TAWNEY. Mr. Speaker, pending that motion, I desire to say that there are a great many gentlemen on this side of the House who would like to speak for a few moments in favor of this proposition. It will be impossible for them to do so unless the time can be extended. I have been requested to ask unanimous consent that the time for taking the vote be fixed at 2.30 instead of at 2 o'clock, and that the time be divided equally between the two sides, and I make that request at this time.

The SPEAKER. The gentleman from Minnesota, pending the motion of the gentleman from Indiana, asks unanimous consent that the time for debate be extended until 2.30 p. m., the time to be divided equally between those in favor and those opposed to the amendments under discussion. Is there objection?

Mr. HEPBURN. Mr. Speaker, I am advised that there are several gentlemen who expect to be absent from the House shortly after 3 o'clock. I therefore object.

The SPEAKER. The gentleman from Iowa objects. The question now is on the motion of the gentleman from Indiana, that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill.

The question was taken; and the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the urgent deficiency bill, with Mr. CURRIER in the chair.

The CHAIRMAN. The gentleman from Indiana [Mr. CRUMPACKER] is recognized for eight minutes.

Mr. CRUMPACKER. Mr. Chairman, I believe that Congress ought to adopt a different policy from that heretofore pursued in relation to the question of expositions. It seems to me that the proper policy for Congress to pursue is to make one exposition a national affair about once in each generation, and to withhold appropriations from the public fund for all expositions that are essentially local in their character. Too much money has been wasted in appropriations to aid local expositions. They are too frequent to have a national interest, and Federal aid ought to be withheld from them excepting, perhaps, a sufficient amount to make a proper Federal exhibit. The Federal Government ought to pursue the same policy toward them as is pursued by the several States, aside from the one in which they are held. But the Louisiana Purchase Exposition is essentially a national enterprise.

It is not local beyond the element of habitation. Of course all expositions must be located somewhere; but that enterprise has been nationalized by action of Congress by making the appropriation of $5,000,000 in the first instance and by the creation of a commission to act as an advisory board in respect to the installation and management of the institution.

The question of the constitutionality of the proposed legislation has been raised during this discussion. I do not believe, Mr. Chairman, that there is anything at all in that question. If Congress had the power in the first instance to appropriate $5,000,000 toward promoting the enterprise, it has the power now to appropriate $4,600,000 to promote the same end. The only distinction between the two appropriations is that the present one is not a donation and adequate provision is made for the return of the money to the public Treasury, and I respectfully submit that that element does not make it unconstitutional.

The power to appropriate—the power to donate, if you please—carries with it the power to make a loan; and I repeat, this has come to be a national enterprise.

Mr. LITTLEFIELD. Does the gentleman think that the first appropriation for this object makes the second one constitutional?

Mr. CRUMPACKER. I am not discussing the relative constitutionality of these appropriations. They are in line with appropriations that have been made by every Congress for perhaps the last fifty years. It is not a constitutional function of the Federal Government to bestow benefactions or to administer charities; yet it is a frequent thing for Congress to vote money out of the Federal Treasury for such objects. It is not in line with appropriations carrying out express constitutional functions of the Federal Government, but Congress has unlimited discretion in determining what objects are proper for the expenditure of public money.

Mr. Chairman, it was originally contemplated that this enterprise could be made a complete success with the sum of $15,000,000. But during the process of its construction and development it has become evident that it will require a greater amount of money.

Such has been the demand for space and privileges that it has expanded and developed into a much larger affair than its promoters originally dreamed would be possible. The question now before the House is, Shall the undertaking be made a splendid, complete success? There is no doubt that it will be a creditable affair, even if the Federal Government refuses to appropriate or to loan a single additional dollar to the undertaking. But can the people of this country, who all have a pride in this great institution, afford to permit only a partial or moderate success? There will be collected at this exposition the best intellect, the best enterprise, the most splendid genius of the civilized world; and the prestige of this great country will in some respects be measured by the display that will be made at this mighty gathering.

The gentleman from Iowa [Mr. HEPBURN] criticised the proposition on the ground that this is a local affair. He said that the people of St. Louis ought to bear this additional expense, ought to be required to provide the necessary funds. What have the people of St. Louis already done? They have put into the enterprise $10,000,000, aside from the expenditure of almost an equal amount in putting their municipal household in order that they may creditably receive the people of the United States and the representatives of the arts and industries from all parts of the civilized world. They have expended $10,000,000 directly, and that amounts, according to the census of 1900, to $16 for every man, woman, and child within that city; it amounts to about $75 for every man 21 years of age or upward within that city.

The Federal Government, whose enterprise this is, has already appropriated $5,000,000. That amounts to 6¼ cents per capita of all the people in the country; and if we loan this additional $4,600,000, our constituents will have to expend less than 12½ cents per capita by reason of this appropriation, while St. Louis has already put into the enterprise, an essentially national enterprise, $16 per capita from her own citizens.

Mr. Chairman, I have examined the amendment with a good deal of care; and I have no doubt that it provides a valid, legal lien in favor of the Federal Government upon the gross receipts of the exposition; and under the operation of the amendment, when adopted, it will be the imperative duty of the Secretary of the Treasury, in the event that the managers of the enterprise fail to make the payments provided for, to insist upon a supervision of the collection of the gate receipts and the application of the money toward the payment of this loan.

Even if this were an absolute gift, if I regarded it as necessary for the complete success of this great undertaking, I should vote for it. But I believe this appropriation to be only a loan; and I have no doubt that every single dollar of it will be paid—that adequate security has already been provided, so that the loan is amply and abundantly safeguarded.

The question, Mr. Chairman, is: Shall the Federal Government add this mere pittance to the burdens of the people of the country in order to make a complete success of this enterprise, or shall we remit the question to the city of St. Louis, whose people have already been taxed so heavily to promote this common undertaking?

[Here the hammer fell.]

The CHAIRMAN. The gentleman from Missouri [Mr. BARTHOLDT] is recognized for two minutes.

Mr. BARTHOLDT. Mr. Chairman, in the brief time allotted to me it is impossible to meet the various objections which have been raised to the pending proposition or to do simple justice to its real merits. Therefore, I shall not stop to inquire into the constitutional objections which have found expression on this floor, nor shall I attempt to answer those who heartily find fault with the efforts of the friends of the amendment to secure votes for its adoption. Nor will I even occupy my time with those who are busily engaged to defeat it because of personal grievances and disappointments. I merely want to call attention to the inconsistency of all these wise critics who, while fondling the child and admiring its beauty and praising its parents, are about to clutch its throat and strangle it to death.

Certain it is, Mr. Chairman, that we shall not have attained to the height of national development and civilization of which we are wont to boast until expenditures for a universal exposition to be held on American soil will be regarded just as legitimate under our Constitution and laws as the expenditures for armies and navies and for war purposes. Fortunately, and to the credit and glory of our institutions and of the framers of the Constitution, be it said that there is nothing in that great charter which could be so construed as to prohibit a function such as we here ask the Government to exercise.

We have no national university. We have no national theater. We do not endow any institution of learning except West Point and Annapolis, where the picked youth of the land are being trained and drilled in the arts of war. What, I ask, are we doing as a Congress, a Government, and a nation for the arts of peace? What are we doing to prevent war? What are we doing for the cause of international arbitration? What are we doing to encourage the sciences, the arts, and the industries? What are we doing to stimulate, by peaceful rivalry of our Commonwealths and by comparisons with other nations, the latent forces of American genius? Nothing, except it be by Uncle Sam extending his aid to and thus lightening the burdens, the responsibilities, and the sacrifices of those who are engaged in organizing and inaugurating for the benefit of the whole country that gigantic undertaking, the world's fair of 1904. This, if any constituent should ask the question, is the real justification for our affirmative vote on the original appropriation as well as on this temporary loan.

It has been suggested on this floor by no less a person than the distinguished gentleman from Iowa, Mr. HEPBURN—and never has his eloquence been made to serve a more uncharitable cause—that the city of St. Louis assume the additional burden. No one who is at all familiar with the sacrifices already made by that city will seriously advance such a proposition. Shall I recount them? We first raised $5,000,000 by individual subscription. Have you a realizing sense of the enormity of this task? If in your communities and cities you have ever attempted to raise, for any charitable or public purpose, an amount equivalent to a contribution of $8 from every man, woman, and child, then you know, and not until then, what it means to collect $100,000 fifty times over. But that is not all, Mr. Chairman. The municipality then taxed the property of its citizens to the extent of $5,000,000 more, and in addition to that more than ten millions have been invested by our citizens in street improvements, new hotels, and other enterprises in connection with the fair.

This makes a grand total, raised in one single American city, of over $20,000,000, or $32 to each head of the population. Is there an example in history of public spirit, civic pride, and patriotism to equal this? And, gentlemen, this does not exhaust the sacrifices made by my city upon the altar of the nation. She has given up her largest and most beautiful park, which in area is second only to Fairmount Park in Philadelphia, for this great national purpose. A forest was cut down which can not be replaced in an hundred years. Superb trees, whose mighty crowns looked down as mute but approving witnesses upon the very beginnings of our national life, upon the transfer of Louisiana Territory and upon the first log houses which marked the site where the great metropolis of the Mississippi Valley now stands, were cut down to make room for the execution of the nation's mandate. All the money in the Treasury could not repay our citizens for the loss of this beautiful forest and for what they have thus freely given to the country and the world. And can you estimate in dollars and cents the sum total of energy and time which the unpaid high officials of the exposition company and the hundred prominent citizens of St. Louis who compose the board of directors have expended for years to make the fair a success, their only compensation being the thought that they were engaged in an effort which would redound to the credit and glory of their country? Instead of criticism and censure, these gentlemen, it seems to me, deserve the highest approbation.

We are no beggars. When, a few years ago, in the district

which I have the honor to represent, nearly 8,000 homes were partially or wholly destroyed by a cyclone causing a calamity as great as the appalling loss of property at Baltimore, we did not hold out our hands either to the nation or to individuals, but declined all outside aid and helped ourselves. This example of local pride demonstrates to the satisfaction, I hope, of every fair-minded man on this floor that if it was in our power we would surely help ourselves in this instance. And if Congress, after due deliberation, should refuse to aid us, though the Government itself is known to be a partner in the concern, could anyone name a private banker that would?

Fifty-four foreign governments are participants in the fair with exhibits and structures and an expenditure of over $[illegible]. The representatives of all nations, races, and creeds are now getting ready to comply with the invitation extended to them by the President of the United States upon the authority of the Congress. What if to-day the news were flashed across the oceans that the American Congress has refused even a temporary advance to make possible the completion of the exposition and the opening of the doors at the specified time? Would it exonerate the American Government and people in the eyes of the civilized world, even if all the criticism you hear upon the exposition management were deserved and just? God forbid such a disgrace and humiliation!

All these reasons, Mr. Chairman, which impel me, as the representative of a St. Louis constituency, to vote for this amendment, appeal with equal force to the representative of every other constituency, because, let us repeat it again and again, it is not a St. Louis or a Missouri fair. It belongs as much to Maine and California, to Texas and Michigan, as it does to my city and State. It is an exposition authorized by and carried on under the auspices of the Government of the United States, and its success is consequently the concern of every American citizen. And who has profited from it so far? Why, over 90 per cent of the timber required for the nineteen great exhibit palaces and the countless other structures have been furnished by the Southern States; twenty Commonwealths are interested in the building contracts, and nearly the whole Union has contributed material, labor, and experts for the great undertaking.

Mr. Chairman, we have gloried in the evidences of a reunited country when the Spanish war broke out, but the great work of peace organized at St. Louis will demonstrate more emphatically and more beautifully the idea of one common country and a union indissoluble and inseparable, because all sections and elements of our population have a common interest in it, and all are contributing the results of their best endeavors in every field of human activity.

We marvel at the magnificent structures of ancient Greece and Rome, and in beholding their ruins to-day we are bound to reverently acknowledge the public spirit which was the inspiring motive of their construction. Let the United States in 1904 give evidence to the world that the same public spirit actuates the people of this Republic; that it is born of and a necessary corollary of our free institutions, and do not let this House by its vote to-day veto the proposition that this lesson, this message to the world, shall be the crowning glory of the universal exposition of 1904. [Applause.]

The CHAIRMAN. The gentleman from Nebraska [Mr. HINSHAW] is recognized for five minutes.

Mr. HINSHAW. Mr. Chairman, I am opposed to this appropriation for several reasons. One reason is that the last Congress has already appropriated something like $6,000,000 in aid of this project, which is certainly ample, and the exposition should have kept within the bounds of that appropriation. I am opposed to it further because this appropriation, if made, in my judgment, will not be a loan, but will be a gift, and before this session expires, or at the next session, this Commission will come back here and ask for a further appropriation for deficiencies.

I would suggest that instead of spending this money in this manner it should be appropriated for more useful purposes. I know how well the chairman of the Committee on Appropriations [Mr. HEMENWAY] and the other members of his committee have sought to hold down the appropriations in this Congress. They have made a splendid effort in that direction. I know how well the gentleman from Indiana [Mr. OVERSTREET], chairman of the Post-Office Committee, has attempted to hold in proper check the appropriations through his committee.

I know the wonderful onslaught that has been made upon the Post-Office Committee for necessary appropriations in the line of rural free delivery, and I want to say to you that it is of more importance that this Congress should do something toward properly compensating the 20,000 rural carriers of this country, who are not adequately paid, than it is to give this money to the exposition at St. Louis. The amount proposed to be expended here would pay our 20,000 carriers $125 per year additional to what they now receive. They are the most poorly paid men in the service of the United States. This appropriation would give them almost a sufficient amount for two years to come in the way of additional pay, which they so sorely need all over this country. Nothing projected by the American Congress has so come home to the hearts of the people of this country as the rural carrier service. It is a more beneficent thing, it is a greater thing for education, than the St. Louis exposition. Nor do I believe that the St. Louis exposition will be crippled in any manner by the failure of this Congress to make this appropriation.

As the gentleman from Indiana has said, it will be a creditable showing in any event. It has received money enough. There are other purposes for which this money could be more beneficently used. There have been introduced into this Congress a large number of bills for the purpose of giving service pensions to the soldiers of this Republic. I know how well the Speaker of this House has sought to curtail appropriations. I think he is doing a splendid service in that regard, but there is a great demand all over this country for additional appropriations for soldiers of this Republic who have not been adequately cared for by the Pension Bureau of this great Government, and I would say to you that it would be a better thing if this four and one-half million dollars should be given to the soldiers of the nation who so bravely served in the war of the rebellion than to give it for this purpose.

We shall soon be called upon to appropriate $10,000,000 to pay the Panama Republic the money going to that Republic for the Panama Canal. The sum of $40,000,000 more will be paid to the French company to extinguish their title to this property. I say this money would better be applied to the partial payment of this $50,000,000 than for this purpose.

It seems to me that this money is needed in a thousand ways, in far more urgent matters than for the expansion of this already large appropriation. I can not support this measure because I believe the money would be improvidently expended. [Applause.]

[Here the hammer fell.]

Mr. BURKETT. Mr. Chairman, in the short time that I shall take I shall not discuss the constitutional phase of this question. I will say, however, in reference to this, that if it is not unconstitutional it ought to be unconstitutional. I want to say in the beginning that there is no one here, I take it, disposed in any way to cripple the St. Louis Exposition. There is no one but wants it to go on and be the great success that it promises and that we hope it will be; and if anyone will read the hearings before the committee in reference to this exposition he will find that it is going on whether this appropriation is made or not.

The question sifts itself simply down to this proposition: Are we going to loan them money without interest from the Government Treasury, or are they to go somewhere else, into the money markets, and borrow $4,600,000, the same as Buffalo did, the same as Chicago did, and the same as all the other expositions have done?

The exposition is not in peril, as the officers themselves say. The question is only, Where shall they get the money they now need, of the Government or of private parties? They can not come to us and say they can not do this, for they have told us how much more ground they have, and how many more of exhibits they will have, and how much greater the exposition is going to be in every particular than any heretofore. Take the case of the other expositions. Chicago borrowed $5,000,000 in 1893, and certainly the conditions are better for borrowing money now than they were then. Buffalo borrowed $2,000,000 with which carry out their exposition.

Now, Mr. Chairman, I want to ask this question of every Member on this floor who has received a telegram to-day—and all these telegrams have been one way, of course—and let me say this proposition has seemed to have behind it not only a most gigantic lobby, but also a very energetic one. From all sections of the country paid telegrams have been sent in here telling us how to vote on this proposition. Now, the question is: Have you heard from all the people of your district who are interested in the proposition of where the money from our Federal Treasury is going to? I have here their estimation of the population of the United States at 84,000,000 of people, as given by the president of the exposition in his remarks before the committee. There are 84,000,000 people that are going to pay this $4,600,000 we are asked to appropriate. According to their estimation only one in eighteen of all the total population of the United States is going to attend this exposition. That is their estimate, made under conditions that favored their making it as large as possible. They estimate that 5,000,000 people will attend this exposition that 84,000,000 people will pay for.

Now, the question comes, Whose money are we using, and who are we using it for? Is it not our duty to consider the 84,000,000 people interested in this question who pay the taxes that make up this stupendous fund, rather than the few who are interested in St. Louis?

Now, I took up the statistics in reference to the different expo-

sitions that have been held in this country, and I want to call the attention of the committee to them, for the figures are significant. They show the enormity of this proposition, for to all the other expositions we have ever held in this country the Congress has appropriated $10,650,937—for all of them put together! This St. Louis Exposition has already had given to it by Congress $6,483,000. This, together with the $4,600,000 now asked for, will make a total of $11,083,000 for this one exposition! Compare now, if you will. All other expositions heretofore have had altogether $10,650,937. St. Louis, if this bill goes through, will have $11,083,000. I want to show the stupendous amount of nerve it requires, or perhaps gall, for a community to come in here, after having been so liberally treated as the people of St. Louis have been by Congress, and ask us further to put up an additional $4,600,000.

I can not quite accept all that has been said with reference to the frugality and economy in the conduct of matters down there. As brought out by the gentleman from Iowa, $5,000,000 of the expenditures already made goes for permanent improvements, benefiting the people of St. Louis. On looking over the report of the United States Commission I found out some more things that they had spent money for that, perhaps, may be interesting and that has resulted to the benefit of that city alone. They say that the whole world is anxious to come here to St. Louis to celebrate this great event. They speak of it as a great patriotic duty that St. Louis has had imposed upon her of caring for this exposition. They tell of the sacrifices that St. Louis has made for the benefit of the world and mankind and that all men and all nations and all States are interested. Let me tell you just how interested they are. Let me tell you of that anxiety from their own statement.

They have taken nation after nation and State after State by the very throat, as it were, and dragged them into the proposition from the beginning. No such gigantic scheme of promotion has ever been undertaken, it may be said to their credit as promoters of this fair. They began by calling the governors of various States together, as has been stated, and from that time to this the cost of exploitation has been an enormous one. Five hundred and forty-eight thousand four hundred and seventy-eight dollars and twenty-three cents so far has been paid out for the exploitation of this St. Louis Exposition. They have been lobbying the world in the interest of this exposition and it has cost that amount. Do not lay the responsibility on the world or on the States or the National Government. It originated in St. Louis, and it has taken three years and more than half a million dollars to get the rest of the world interested. Last spring $219,608.82 was spent in the dedication of these exposition grounds out there. Does the committee disclose what right they had to spend the money appropriated for the exposition for dedicatory exercises that resulted only in bringing crowds to St. Louis and thus redounding to her benefit? Sir, it was not given for such things as entertainments and bringing people to St. Louis. Two hundred and nineteen thousand dollars and over of the money which we appropriated went for the dedication of the grounds last spring.

In this same report of the Commission I find that they paid out as a preliminary expense $34,314.28. They paid out in one sum, as shown in this report, for entertainment of guests $18,312.62; for other ceremonies they have paid out $14,137.68, making a total in exploitation, dedications, entertainments, and miscellaneous ceremonies there of $834,851.63. And now they come in here with empty pockets, with an impoverished treasury. I should think their treasury would be empty. And now, after that enormous and preposterous expenditure, they ask this Congress to appropriate out of the people's money $4,600,000 to carry on that same sort of régime and that same class of expenditures.

I want to say to you, as has been suggested, that there are public buildings required in this country that we are unable to build. I remember that there are four post-offices in this country that have been brought to our attention where the people are walking from the first floor to the fourth floor and the fifth floor because we have thought we did not have money enough to build elevators to take the people up. I remember the condition of the post-office at Los Angeles, and we know the condition over in New York City. We know the demands the rural free-delivery carriers are presenting to us, and I have hoped their bill could be passed and their salaries raised as they ask, but we are met with the proposition and we had it told to us so eloquently when this bill was first taken up by the chairman of the Appropriation Committee that we must be economical in this session of Congress or we would have a deficiency in the Treasury confronting us.

I ask you, how are you going to meet your people when you go home? How will you meet the patrons of rural free delivery and others interested in the extension of that splendid service? What will you say to the rural carriers if their salaries are not made adequate and just? We are informed that it has been decreed that no river and harbor appropriations will be made this session because the watchword is economy. The people of the West are anxious that a couple of hundred thousand dollars or more be expended to take snags out of the Missouri River and to protect its banks, in order that we might have a great waterway from the Dakotas down by St. Louis to the Gulf of Mexico and out to the sea in that way, and also that millions of dollars of property may be saved from being washed away. We are met with the proposition that the Government has not sufficient funds, and it can not undertake to open that great interstate highway because we must be economical.

Mr. THAYER. Mr. Chairman——

Mr. BURKETT. I can not yield; my time is so limited. There is another exposition to occur out across the continent, in the western portion of this country, and we will be met with the same proposition when it comes in the House. How are you going to excuse yourselves to your people when you can not get an appropriation for more than a Government building and an exhibit for your exposition out there when you have appropriated $11,000,000 and over of the money of the Treasury in this country for this exposition in St. Louis? Yet, sir, in my judgment, if this appropriation goes through the Lewis and Clark Exposition will be cut off with very little appropriation. I say it is too big; it is too large; it is preposterous to ask the representatives of the people to pay out this money in the face of all that confronts us.

Only this morning I received a letter, as I presume many of you have received similar ones, calling my attention to the fact that the experiment stations at the agricultural colleges of the various States of the Union were asking for a little more money in order that they might broaden their experiments in agriculture, so as to be of more benefit to the farmers, and yet we are told all along the line, in the agricultural bill, in all the appropriation bills that have come in, that we must cut down all these expenses, that we must limit these expenditures to the minimum. Why? Because we will have a deficiency in the Treasury, as the chairman of the Appropriations Committee said.

We have been taught this economy by the great leaders of the House; we have been taught to be careful and conservative in our disposition of the public funds. I say it is a wrong time now to change front. It is a question that is bound to come home to every one of us. It is your welfare, and the people's welfare. This four and one-half millions would build a public building in every Congressional district in this country. We want one in my district, and almost every one of your districts needs one and ought to have it, and yet we have heard that we can not have a public-building bill, because we must be economical, and yet at the same time we are asked to vote to appropriate more than $11,000,000 for one place, one locality. Gentlemen, it is too large; it is too much to ask of us. Congress has already been liberal beyond measure. Let St. Louis put her shoulder to the wheel and take care of the remainder.

Mr. Chairman, I yield the rest of my time to the gentleman from Pennsylvania [Mr. BUTLER].

Mr. BUTLER of Pennsylvania. Mr. Chairman, I am much obliged to the gentleman from Nebraska for this opportunity. For the past eight years it has been said to us by men in whom we have confidence in this House that we are the trustees of the people's money. There is not a court in the United States that would not be impeached if it authorized a trustee to make a loan of the money in his hands belonging to another upon such security as is offered by this bill. It is admitted by the chairman of this commission that this money can not be borrowed except security is offered, unless it is borrowed from the United States. The admission is made by him in his printed statement that unless this Government takes this risk and loans money upon which no security is offered it can not be borrowed unless private security is given.

This Government has been induced to go into the show business at St. Louis. There are three parties to the agreement: St. Louis is one, the Government of the United States is another, and a corporation is a third. And yet the city of St. Louis and this corporation have the effrontery to ask this Government to loan all this money upon no security whatever. I submit to the people who advocate this loan that it is but fair toward our Government, and toward our Treasury, and toward the interests we have obligated ourselves to keep, that each one should loan one-third of the money; that if we have an interest equal to one-third the Government should not be called upon to loan more than one-third of the money necessary to pay present indebtedness and discharge that of the future.

Furthermore, Mr. Chairman, the figures show that four million and a half dollars will not pay the expenses incurred and yet to be incurred to enable this great exposition to open without debt or liability. Forty millions of dollars will be the expenditure. The different appropriations made by all parties and institutions interested amount to but $33,000,000. If the appropriation asked for here should pass, there will yet remain unpaid $2,400,000 when the gates of this show open. Where is the balance to come from? The question has not been answered; and, furthermore, the information

has been refused by the chairman of this exposition corporation. The chairman of the St. Louis exposition has neglected to submit to this Congress the information what the expenses amount to and to whom disbursements have been made. Nevertheless [illegible] Mr. Chairman, who would make a [illegible] any such penalty as that offered here.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired. The gentleman from Iowa [Mr. SMITH] is recognized for ten minutes.

Mr. SMITH of Iowa. Mr. Chairman, three objections have been made to the Senate amendment with reference to the St. Louis Exposition. First, that it authorizes a loan and that the Government has no legal right to make a loan; second, that the security is inadequate; third, that there are no sufficient reasons for making the loan. It is indeed strange that at this late day it should be asserted that the Government of the United States has no legal authority to make a loan. In the first Administration under the Constitution the Government entered upon a policy of loaning money to banks and specifically to the United States Bank. A few years rolled away, and after elaborate arguments upon the constitutional questions involved, this Government loaned $28,000,000 to the States of this Union. After the establishment of the present system of national banks, the Government of the United States entered upon a policy of loaning money to those banks, and today has $[illegible] loaned to them.

At the time of the construction of the transcontinental railways the Government loaned to those railways the bonds of the United States. Surely if it can loan bonds it can loan money.

Mr. HARRISON. May I ask the gentleman a question?

Mr. SMITH of Iowa. In view of the brief time I have, I do not wish to be interrupted now. After I get through, if there is any time remaining, I will be happy to answer questions.

In 1876, when the first international exposition was given in this country, the entire aid furnished to Philadelphia was a loan, and nothing but a loan. This Government has proceeded upon the policy of making loans for various purposes, from the Administration of George Washington until this hour. [Applause.] It is therefore a strange doctrine to hear preached now that there is no power in the Government of the United States to make loans.

I admit that I have not sufficiently fine reasoning faculties to be able to understand the proposition that this Government can advance money to expositions to be kept forever, but has not the constitutional power to advance money to expositions to be returned. The distinction in a constitutional sense is too refined for me to comprehend.

I turn, then, to the question. Is this loan reasonably safe? I want to call attention in that connection to some of the figures with reference to the Chicago Exposition. I have here a telegram from the auditor of the Chicago Exposition, from which it appears that the receipts from that exposition, exclusive of the after-exposition admissions and of wine-rooms, were $14,125,643. That the entire expense of carrying on the exposition, from the day it opened until it closed, was $3,471,000, leaving net receipts of $10,[illegible] for distribution to pay the debts of the corporation and dividends to the stockholders of the corporation.

By reason of that fact the Chicago Exposition succeeded in paying a bonded and floating indebtedness upon it at the day it was opened of $9,208,358. It has paid $[illegible] in dividends to its stockholders. It has paid $1,000,000 in clearing the grounds and in after-exposition expenses, and it has $[illegible] still in the treasury and undistributed. This exposition as planned at St Louis will in every respect exceed in magnitude the Chicago Exposition. The Chicago Exposition was up to that time the most wonderful in the history of the world, but the Chicago Exposition had under roof 85 acres of ground, while the St. Louis Exposition has under roof 128 acres of ground, or 50 per cent more than the exposition at the city of Chicago. The grounds at Chicago were 650 acres; the grounds at St. Louis are 1,240 acres.

It thus appears that even should there be a tremendous falling off in receipts this exposition would be abundantly able to pay this money back to the Government. The Chicago Exposition opened, as I have stated, with more than $9,[illegible] of indebtedness. This exposition, far greater in magnitude, will open with only $4,600,000 of indebtedness. The Chicago Exposition paid all of its indebtedness and had a large amount to pay in dividends upon its stock. How can it be conceived that this exposition, so much greater than the Chicago Exposition, will fall so much below it in receipts as not to be able to pay $4,600,000 of indebtedness, less than half the indebtedness of the Chicago Exposition and more than 50 per cent a greater exposition? But that is not all.

The Chicago Exposition was held in the year of the panic. This exposition is about to be held in highly prosperous times, and by reason of the high price of cotton in that great region tributary to this great exposition the people to the south of it are more prosperous than they have ever been in their history. Is it to be believed that with increased prosperity everywhere, and a much greater prosperity to the south, [illegible] per cent greater in magnitude and in some respects a [illegible] per cent greater, will [illegible] But if these [illegible] from the receipts of Chicago, and if the [illegible] as large as Chicago [illegible] of this in- [illegible] convene in next December. As expenses [illegible] ice, it is inconceivable that [illegible] be a [illegible] as in receipts without a [illegible] payment.

It takes twice as many gate keepers to let a million people pass through as it does to let half a million pass through, and the expenses necessarily fall off as the crowd falls off. So that it is safe to say that if this exposition had half the attendance of Chicago it would still pay back every cent of this money to the Government of the United States before Congress convenes next winter. It seems to me that this is an answer to the suggestion made upon the floor the other day that perhaps the [illegible] the receipts [illegible] company would not be sufficient to pay the running expenses of the institution. At Chicago the running expenses were less than 25 per cent of the receipts, and more than 7[illegible] per cent of the receipts were left for the payment of debts and of dividends.

Now, I want to pass from that question to the question of the permanent improvements in the city of St. Louis. It seems to me that the arguments that have been made on that subject are unintentionally unfair. In the first place, it is claimed that great buildings have been erected for the Washington University. Washington University had purchased 110 acres of land, now part of the grounds of this exposition, nearly ten years ago. It had erected upon this land magnificent granite buildings, worth nearly a million of dollars. These grounds were necessary in the exposition grounds, and these buildings could be used in connection with the exposition. The exposition management therefore made a contract by which they leased that property which had cost about a million and a half, exclusive of interest, for $750,000 for three years, upon the stipulation that the whole $[illegible] was to be put into the erection upon these grounds of buildings, and the grading of the grounds to make them suitable for exposition purposes. And that these buildings were also to be used by the exposition management.

Thus the exposition management, for a rental of $250,000 a year, rented property worth more than $2,000,000 that was of as much use to this exposition as if the buildings had been constructed by it. This was a highly profitable enterprise for the exposition management.

Now I turn for a moment to the question of the $2,000,000 alleged to have been expended for permanent improvements for the benefit of the city of St. Louis. There is not any $4,000,000; the amount of underground improvements is $2,497,000. Let me [illegible] some of the items which are embraced in this sum of $[illegible]:

Fire protection, 50 miles of pipe, $550,000.

Domestic water supply, 60 miles of pipe, $220,000.

Little or none of that can be of any value in a forest park.

Gas pipe, 25 miles, $[illegible].

Substantially none of that can be of any permanent value in a forest park.

Plumbing, $250,000.

Water and roadways, 75 miles, 20 feet wide, $400,000.

Of what use to a park can walks arranged with reference to the location of these buildings be as a permanent improvement to the city of St. Louis?

Fences, entrances, ticket booths, $80,000.

Grading [illegible] cubic yards, to adapt this park to the situation of these buildings $[illegible].

These are the "permanent" accretions to the city of St. Louis from the expenditure of the alleged $2,000,000.

But it is also asserted that a million and a quarter of dollars has been put into a permanent art hall. I want to say that this hall is of brick, and it is absolutely indispensable in order to obtain there the art treasures proposed to be exhibited. And it does not appear that its cost of [illegible] would exceed Memorial Hall which will embellish Fairmount Park in the city of Philadelphia.

Nothing whatever has been expended in permanent improvements except what was absolutely and essentially for the purpose of making it an exposition; and but a trifling portion of these improvements can be of any permanent value to the people of the city of St. Louis. So much for this charge that the city of St. Louis has obtained $5,000,000 for local purposes out of this exposition.

I say this loan is a safe one. Then why should we make it? We should make it because the city of St. Louis has only half as much banking capital as the city of Chicago had at the time of the Chicago exposition and only a fourth as much of bank deposits. This city, without the bank assets that the city of Chicago had at the

time of its exposition, has succeeded in financing this institution until it is ready to open, within $4,600,000, while the people of Chicago were compelled to open their exposition with $9,200,000 of indebtedness. The people of St. Louis have done wonders. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa [Mr. SMITH] has expired. The Chair recognizes the gentleman from Alabama [Mr. RICHARDSON] for five minutes.

Mr. RICHARDSON of Alabama. Mr. Chairman, in the short time allowed me I shall connne my remarks to the proposition so earnestly contended for on this floor that the Government ought to take money out of the Treasury and loan it to the Louisiana Purchase Exposition. This proposition is simply to loan $4,600,000 to a corporation, to be repaid within a certain time. Now, if it were conceded, Mr. Chairman—which I do not—that there is constitutional warrant and authority for the Government to do this, yet I would contend in opposing this proposition that it is absolutely unfair and unjust and [illegible], from a business standpoint, to vote the money of the people away in this manner, and based on such security as is offered. This proposition, presented as it is with a pledge or security for the repayment of the money, should be treated as a business matter, subject to business rules.

Is it possible that any man or any institution in this country familiar with business matters who has money to loan as a safe and reliable investment would risk his money in such a loan as this? It appears that this exposition has by mismanagement, misgovernment, and bad business principles and unparalleled extravagance rushed on into bankruptcy. Can such an institution as that come fairly and justly under such conditions and appeal to business men to loan money to put it upon its feet? What guaranty have we that this money will be paid back? If we [illegible] the past, it is but a slim one. What I ask, is the financial condition to-day of the Louisiana Purchase Exposition? Let me call attention to the evidence of the director-general of this institution before the Committee on Industrial Arts and Expositions. Here is what he says on page 34 of the hearings before that committee:

Mr. FRANCIS. Gentlemen, a great amount of this money that we are asking has already been earned and is due upon contracts. There will be over [illegible] I had $125,000 in vouchers when I left that I could not pay because we did not have the money. We had about $250,000 left, but we had to reserve that to [illegible] time. [illegible] will continue to keep the exposition, and we can not do it on any less.

Mr. Chairman, here is a great industrial exposition that this Government has helped that comes and admits through its director-general that its expenditures have been, it seems to me, in many respects reckless, and that after the expenditure of $15,000,000, if the Government does not come forward and advance four and a half millions more in addition to the $7,000,000 already advanced by the Government, this exposition will hardly be able to throw open its gates. The argument is that because the Government has advanced heretofore $5,000,000, now the duty devolves on Congress to put up $4,600,000 more to save the enterprise from a failure. Why not apply that argument and reasoning to the stockholders of the Louisiana Purchase Exposition and the municipality of St. Louis, who jointly have subscribed $10,000,000 to the exposition? The stockholders and the city of St. Louis are each to receive one-third of the net profits after all expenses are paid. Why come to Congress as a business matter and ask Congress to put up enough money to protect the interest of the other joint stockholders? That is the direct question and a practical one.

Mr. Chairman, on such a proposition as this we are acting here in the nature of a fiduciary capacity, and there is not a court in any State in this Union that would not hold responsible in damages an agent acting in a fiduciary capacity who would loan money under these conditions, and make him actionable in damages. It would be declared that the agent had loaned the money of his principal in a reckless manner and without due care. Mr. Chairman, there are other matters I should like to refer to. I heard yesterday with profound amazement the distinguished gentleman from Missouri [Mr. COWHERD] say that this proposition was constitutional, and being constitutional that this money ought not to be loaned by the Government to any institution save a large and great one that was expending a great deal of money.

I have great respect for the ability of the gentleman from Missouri, but I would be glad, indeed, if he would be so kind as to refer me to any section or paragraph or word in the Constitution that warrants such a use of the public money as is here proposed.

I find that section 8 of the Constitution says:

The Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States, but all duties, imposts, and excises shall be uniform throughout the United States.

Again, the Constitution says the Congress shall have power "to borrow money on the credit of the United States."

It can not be that the distinguished gentleman from Missouri believed that this proposed loan was authorized under the "general welfare" clause of the above section, because he said, as I recall his language, that the money should not be loaned by the Government to anything but these large, expensive, and glittering expositions. It is true that the people who get up the county and State fairs and expositions bear the burden of the taxes that contribute the money as a loan to carry on these splendid expositions, but the Constitution discriminated against your county and State fairs and no money can be loaned you by the Government, but it must all go to Louisiana Purchase Exposition and expositions of like nature.

Mr. Chairman, I do not believe that the Government ought ever to occupy the position of a lender of its money to any individual or corporation or to any enterprise, local or national. I believe this to be a fundamental principle of our Constitution. I with hesitancy concede that conditions might arise that would excuse or justify a donation by Congress, when some great calamity has befallen the people or where some great enterprise of general benefit to the people claims such a donation. Congress already has complied with this condition in an appropriation of $5,000,000 to the Louisiana Purchase Exposition; but this proposition is to ask Congress to make a straight-out loan.

I do not, Mr. Chairman, propose to say one word that would be harmful to the success of the St. Louis Exposition, but it behooves us to meet the situation as it is presented to us fairly and boldly, discuss it as we would were we as individuals approached as a business matter for the loan of money. That is the way to test this loan proposition fairly. I have already pointed out to the committee that to-day the Louisiana Purchase Exposition Company is behind on its contracts to the enormous amount of $2,000,000, and that this amount will be used out of the loan now sought from the Government to restore the financial credit and standing of the exposition company. That is the condition to-day.

We are earnestly assured if we make this loan, with these discouraging conditions staring us in the face, that every dollar of the money the Government loans will be paid back according to the stipulated agreement and conditions provided in amendment "10," made by the Senate on the urgent deficiency bill of the House. We are to be paid out of the gross receipts of the exposition company.

Governor Francis, the director-general, makes his estimate that there will be 30,000,000 paid admissions at 50 cents each. The concessions, he says, will amount to $6,000,000, making a grand total of $21,000,000. How does he arrive at these estimates? It is an easy matter when a man wants to borrow money to make an estimate of profits, and I say, after reading the evidence given by Governor Francis before the committee, if his judgment and business estimates are as bad in the matter of gate receipts as it has been in the mistaken judgment and estimates that he has made in the past as to the costs of the exposition, that there will be nothing in the way of receipts to reimburse the Government for its loan of $4,600,000.

I call the committee's attention to the spectacular basis upon which the estimate of receipts is made up:

He bases this estimate upon the population of the tributary country. The [illegible] of the Chicago Exposition was [illegible] in [illegible] population. In round numbers, we have [illegible] in the population. Two years ago we could not [illegible] there is a [illegible] And that is [illegible] and yet we have [illegible] [illegible] population, it does not [illegible] the population of the United States.

[illegible] know how the population [illegible] A population of [illegible] in a country [illegible] to the Lower [illegible] from west from [illegible] Mississippi Valley, a population [illegible] of the country.

We take a fair [illegible] we think it very [illegible] to estimate that of the population [illegible] States [illegible] would come [illegible] an average of five [illegible] the Mississippi River and all of the territory immediately contiguous to St. Louis.

If [illegible], if 4,000,000 people out of 20,000,000 people enter the exposition [illegible] average of five [illegible] would be 20,000,000 [illegible] people. Now, taking the population from the [illegible] population, we have [illegible] that takes in the Atlantic seaboard; that takes in the country west of the Rocky Mountains; that takes in the country as far west as Indiana. In that [illegible] Rocky Mountains. We think a very [illegible] estimate is that [illegible] of these people will attend the fair and, coming a longer distance, [illegible] stay longer than the people who come a shorter distance, and will attend more than [illegible] we say, seven times. If so, that will add 7,000,000 people to our 20,000,000 people, making 27,000,000 people.

Now, we estimate that there will be 100,000 visitors from foreign countries. That includes the entire Orient and all the European countries and includes Mexico and Canada, which have close and direct rail connection with St. Louis, that includes all of Central and South America. Our information is to the effect that they are making preparations in those countries to visit the exposition in large numbers, and we have the same reports from Europe, namely, that large numbers are coming from there and other parts of the world as well. If 100,000 come that distance, we think it is safe to estimate

that they will go on an average of twenty times each. That will make 2,000,000 more in addition, making a total of 22,000,000 people. At 50 cents each that would be $11,000,000.

I ask, in all sincerity, Is not all this chimerical, mere talk? The director-general seems to forget in his lurid and extravagant calculations that the people of the United States have become somewhat wearied and tired of expositions, because when you see one you see generally what all others have.

This ought to be a large factor in his estimate. Would any man of business judgment risk his money on such conjectural estimates? Why, Mr. Chairman, bad weather or the war between Japan and Russia could easily upset and undo the entire estimate, and then, as a matter of course, the company would come back to Congress and ask to be discharged from its contract to repay the Government. That is the usual road all such matters travel.

Mr. Chairman, there is another view that I have of this matter outside of the constitutional objection and the business matter, and that is this: It is well understood that the spirit of economy is predominating in this Congress, so much so that it has already been announced that there would be no river and harbor bill, no public buildings bill, made up during this present Congress.

I would myself infinitely prefer to see this large sum of $4,600,000 appropriated by the Government to the improvement of our rivers and harbors and to building Government buildings for the use of the people as post-office buildings and court-houses than to see it loaned to the St. Louis exposition.

Why, Mr. Chairman, if the sum that is to be loaned by the Government was used in building a good, comfortable post-office building at county seats, say at a cost of $20,000 or $40,000 each, how many people of our country would be made happy by having a good, comfortable post-office building? They would far exceed in numbers the magnificent estimates made by Governor Francis on the full admissions.

The people all over the country are aroused about the matter of Government aid for the improvement of their public roads. I am an earnest advocate of this aid being given by the Government, safeguarded in the proper way. But the objection comes up already that it is unconstitutional to help the people improve their public roads with money from the common Treasury. Suppose, Mr. Chairman, that this $4,600,000 that we are asked to loan to this exposition—with scarcely a ray of hope of its repayment—should be used in the improvement of the public roads in four of the States of the Union. What a transformation it would make. What a happy, prosperous, and contented people we would find when this amount of money had been spent on their public roads. They would hold up their hands and call their Government blessed.

So it is if this amount were placed on the internal waterways of some of the States it would increase the commercial traffic and prosperity of the people bordering on these waterways a hundred fold. I do not, Mr. Chairman, refer to these matters in a complaining or carping spirit, but the demand is justly coming up from all sections of the country, north, south, east, and west, that some at least of the immense revenues of the country must be used at home and for the commercial benefit of the interests of the masses of our people. These matters it behooves the Congress to heed.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. DALZELL] is recognized for five minutes.

Mr. DALZELL. Mr. Chairman, I assume that no one will dispute the probable grandeur of the St. Louis Exposition and that there is no American who will not be proud of the success of that exposition. But this is not a question that is to be settled to-day by reference to fountains, pictures, rhetoric, and all that sort of thing. It is a plain, practical, business question, and as representatives of plain, practical, business people we ought to deal with it as such.

What is the question? The St. Louis Exposition Society is a private corporation of the State of Missouri. It is engaged in a great work. It has been recognized as a national work. Congress has given to the aid of that private corporation in this national work $5,000,000, and given it upon the pledge made on this floor that if the $5,000,000 were given the United States would not be called upon to give anything more. I set that aside, however. I set aside the question of the constitutionality of the loan, and I come down to the plain, practical, business question. Can you justify to your constituents the loaning of $4,600,000 to this private corporation out of the Treasury of the United States, in view of the obligations now resting upon that Treasury?

Let us look at it a moment. This money is to come out of the Treasury of the United States. There are certain prior claims upon that Treasury. Can these prior claims be satisfied and this $4,600,000 be safely loaned? That is the question. Let me quote to you from the chairman of the Committee on Appropriations. This is his statement as to the condition of the Treasury:

In view of different statements made by Members of this Congress in which legislation is suggested upon the ground that we have a large surplus in the Treasury, I think it my duty to call the attention of the House and of the country to a real problem that we are called upon to solve. It is this: Here are the estimated expenses of the Government for the ensuing fiscal year $[illegible]

The total estimates submitted at the beginning of this session for ordinary expenses, exclusive of $36,500,000 required to meet the sinking fund, amount to $[illegible]

Supplemental estimates, more than ten millions in the nature of supplemental estimates have come to the Committee on Appropriations by the Speaker of the House. Those that have been heard from [illegible] and will follow that [illegible] Congress before the second [illegible] will swell that sum at least $5,000,000. The ordinary cost made in the Government estimates for [illegible] work on rivers and harbors which will be [illegible] but be estimated if the committee [illegible] are met, amounts to $4,000,000. Adding these sums to the original estimates [illegible]

Receipts from customs and internal revenue by the Treasury for the fiscal year beginning July 1 next are $[illegible] 72. Estimates in excess of the previous fiscal revenues, $22,[illegible]

Then the chairman further goes on to say:

The present net cash balance in the Treasury amounts to $224,000,000. This [illegible] to be immediately [illegible] by permanent laws [illegible] of the Treasury [illegible] $[illegible] for the Navy, $[illegible] for rivers and harbors, $37,000,000; for public buildings, $17,000,000; [illegible]

[illegible] fixed by appropriations already made [illegible] that antedated the beginning of Mr. McKinley's administration.

[illegible] authorized by the last Congress [illegible]

For increase of the Navy	$82,718,059.00
For rivers and harbors	36,628,964.89
For public buildings	17,161,609.34
Total	136,509,233.23

The estimates of appropriations required to be made at this session on account of the foregoing are:

For increase of the Navy	$23,000,000.00
For rivers and harbors (engineers' estimates)	[illegible]
For public buildings	[illegible]
Total	[illegible]

There should be no legislation passed reducing revenues, and the [illegible] from [illegible] We must keep within the revenues.

That is to say, taking into account the estimates for the running of the Government, for the ordinary conduct of its affairs from day to day, at the end of this fiscal year there will be a deficit in the Treasury of $42,000,000.

Now, we have many things conceded to be necessary that we can not appropriate for because of the condition of the Treasury and the demand for economy.

For instance, you go up here to the War Department to have an interview relating to your official business with an officer of that Department, and you are told that he is to be found down on Pennsylvania avenue somewhere in the second story of a rented building. Why is he not provided with an office? Because we must exercise economy. And that is only one instance, of which there are many. To cite another: There is, in my district, according to the report of the engineer in charge, a public work that, unless immediate appropriation be made for its repair, will collapse and destroy the entire navigation of a river. I can not get an appropriation for it. Why? Because we can not afford a river and harbor bill.

There are demands of many kinds, believed by those making them to be legitimate demands, that no response can be made to because we must exercise economy.

In that we all acquiesce. But how shall we satisfy our constituents when we further acquiesce in withholding appropriations from their legitimate projects and in giving $4,600,000 to St. Louis for its exposition?

Oh, but, it is said, this is a loan. I venture to say that no man familiar with our dealings with expositions in the past believes in his heart that any cent of this money will ever be repaid. The next thing that we will be called upon to do will be to release our claim.

I am opposed to this measure as extravagant and unjustifiable.

The CHAIRMAN. The gentleman from Illinois [Mr. RODENBERG] is recognized for ten minutes.

Mr. RODENBERG. Mr. Chairman, I can not refrain from expressing my surprise and also my regret at the peculiar character of some of the objections that have been urged against the adoption of this amendment. I do not agree with the gentleman from Pennsylvania [Mr. DALZELL] that the only question involved in this proposition is merely one of dollars and cents. The question that presents itself to us is this: Shall we, the representatives of the people, confronted as we are with an honest and straightforward presentation of the unavoidable difficulties that have been encountered in carrying through this great national enterprise—shall we refuse to do our duty by the people and the people's exposition simply to preserve a reputation for questionable and

wholly indefensible economy in legislation? Shall we for the first time in our history do violence to that magnificent spirit of national liberality which has always characterized the American people in order to maintain the delusion that parsimony is an attribute of statesmanship?

I believe in economy. I believe in protecting the Treasury of the United States against all unwarranted and unjustifiable expenditures. I have no sympathy, however, and but little patience, with that peculiar brand of inconsistent and contradictory economy which so often manifests itself in this House, and which earnestly and pathetically advocates an appropriation for some purely local and wholly unimportant purpose, and in the same breath denies fair and proper treatment to some great national enterprise in whose success every public-spirited citizen of the United States has an intense personal interest.

Mr. Chairman, the Louisiana Purchase Exposition is not a sectional undertaking. It does not belong, as some seem to think, to the city of St. Louis. Its glories are not confined to the narrow limits of the State of Missouri. Its influence reaches far beyond the boundaries of that splendid domain which to-day stands as an enduring monument to the constructive genius and statesmanship of Thomas Jefferson. It is your exposition; it is my exposition; it is an American exposition; it is a universal exposition; it will be an epitome of American thought, American genius, American advancement, and American civilization.

I believe that President Francis and the gentlemen associated with him, who are charged with responsibility for the successful inauguration and completion of this gigantic enterprise, are engaged in a great and patriotic work. Instead of censure we should give them praise; instead of abuse they should receive encouragement; instead of meeting with objections in this Chamber they should receive our cordial support and e[illegible] cooperation. I know and you know that they are not working for personal glory or aggrandizement. Theirs is altogether a labor of love. They are performing patriotic and laborious service for you and for me and for every American citizen.

Mr. Chairman, the surprising statement has been made in this debate that the citizens of St. Louis have not discharged their full duty toward this exposition; that they have been derelict in the loyalty of their support of this great project. It has been argued that the city itself will enjoy such special and extraordinary advantages by reason of the holding of this exposition within its corporate limits that the people there should be compelled to pay out of their already depleted finances the sum necessary to complete this great undertaking.

Mr. Chairman, I deny the accuracy of that statement and characterize it as an unfair, an unjust, and an ungenerous reflection on the public spirit [illegible] Valley. St. Louis has done her full duty. She has been weighed in the balance of civic and national pride and not found wanting.

Does any gentleman believe for a moment that the $10,000,000 donated to the fair [illegible] If all that the city of St. Louis has invested in that enterprise? Do you count for naught the disinterested and devoted services of 100 of her most distinguished and progressive citizens? Do you intend to refuse to give her credit for the millions upon millions of dollars invested in additional railroad and street car facilities, in new hotels, restaurants, and [illegible] in order to feed and house the visitors to the fair? Do you remember Buffalo? Do you recall the experience of Chicago? Do you remember the miles upon miles of stately buildings that remained vacant for years after the Columbian Exposition closed its doors?

Mr. Chairman, you may speak of the special and extraordinary advantages that accrue to a city in which an international exposition is held, but the fact remains that the dreary record of special and extraordinary advantages of the Columbian fair, so far as the city of Chicago was concerned, will be found in the foreclosure proceedings in the chancery courts of Cook County. I have heard it estimated by conservative business men of Chicago, and I have no doubt the statement will be borne out by the representatives of that wonderful city in this Chamber, that the financial loss occasioned by that fair was not less than $20,000,000 in excess of her voluntary donations. But Chicago's loss was the nation's gain. A new impetus was given to our export trade. Our foreign commerce was expanded, and to-day the people of the United States realize that the investment was a profitable one for them as a whole.

You ask why does not the management borrow these $4,600,000 in the city of St. Louis. I answer by saying that the drain on the financial resources of the city has been exceptionally severe. The per capita cost of this exposition to the people of St. Louis already approximates $30 for every man, woman, and child. I maintain that it is not right, it is not fair, to ask her to assume this additional and tremendous burden at this time. I do not believe that we should insist on taxing the generosity of her citizenship to the point of absolute injustice and imposition. The world can not but admire the pluck and patriotic determination of any city that will cheerfully undertake an international contract of this magnitude.

The distinguished gentleman from Iowa [Mr. HEPBURN], for the brilliancy of whose intellect and eloquence of speech I have a more sincere admiration than for that of any other gentleman in this Chamber, in his speech last Monday also directed the attention of the House to an item of $5,000,000 which he says has been invested in permanent improvements to be used for all time to come by the city of St. Louis. I want to emphasize the statement of the gentleman from Missouri [Mr. COWHERD] that three-fifths of that amount, or $3,000,000, have been expended in grading the grounds, digging sewers and water courses, filling up depressions, laying pipes and mains, and inaugurating a perfect and complete system of sanitation. While these improvements may be regarded as permanent in their nature, I would like to know of what practical value they will be to St. Louis after the great fair is numbered with the historical events of the past? Forest Park, in which this exposition is located, marks the extreme western limits of the city. It is far removed from the center of population, and the site is hardly available for any permanent public purpose.

If the value of this kind of investment to future generations can be computed in dollars and cents, then I would like to know what were the lasting benefits that accrued to the city of Chicago by reason of her compulsory investment in this same character of permanent improvements in Jackson Park?

There is an item of $1,250,000 for a permanent art building. In justification of that item I want to say that the great artists of the world, as well as the owners of famous and invaluable works of art, declined to exhibit their priceless paintings and rare sculpture unless such exhibition could be made in a building of architectural beauty and absolutely fireproof in every way. The action of the management in complying with this reasonable request is certainly worthy of commendation. The play of Hamlet without the melancholy prince would be even more interesting than a universal exposition in which the progress of art was not a distinctive feature.

The other item of $750,000, which has been paid to Washington University, can not properly be classed as a permanent improvement. Washington University is not a State university. It is an endowed educational institution, and one of the best in the western country. The money paid to the university is in the nature of rental for three years' use of the commodious granite buildings for the offices of the World's Fair management. And I maintain that if the management had been compelled to construct its own administration buildings, supply the heating and lighting apparatus, pay the insurance and repairs, etc., it would have cost far in excess of $750,000.

So that after all the single item of $1,250,000 remains as an available permanent improvement to remind the citizens of St. Louis and of the country the glories of an exposition, in the last year of which there were spent approximately $[illegible]

Mr. Chairman, we are fond of boasting of the wonderful development of our material resources and the large increase in our material wealth. I have been riveted to my seat for hours by the inspiring eloquence of the gentleman from Iowa when speaking of our wonderful industrial and commercial progress. We claim to-day, and justly so, not only commercial supremacy but also preeminence among the nations of the earth in the field of art, literature, invention, and scientific research. But when we are called upon to present to the world and to civilization the practical evidence of our remarkable achievements, there are those among us who object, and when we analyze their objections we find that they may be summed up in the question, Does it pay? Looking at it from this standpoint, from the commercial standpoint, I say: Yes, it will pay the nation as a whole. It will prove a profitable investment for the United States. It will bring financial returns to the country at large a hundred fold.

The great Columbian Exposition at Chicago, in which the civilized nations participated, gave to them the first practical demonstration of the superiority of the product of the American mine, the American farm, and the American workshop. It was there that the Englishman first learned of the superior construction and durability of our locomotives. It was there that the Russian first conceived the idea of inaugurating an American electric railway system in his own far-away country. It was there that the Frenchman learned to use our silks and drink our wines. It was there that the people of every country under the sun first became impressed with the importance and the necessity of entering into closer trade relations with the United States. Let us continue this glorious system of education which has proved of such incalculable advantage to us in the past. Ten years have passed since the Chicago fair. Let us show the world what a decade of real, live American progress means.

You are not asked to vote an additional appropriation for this exposition. You are simply asked for a loan of $4,600,000 to com-

plete this enterprise under restrictions which amply secure the Government against the possibility of a loss. I believe as firmly as I believe anything that every dollar of that loan will be repaid into the Treasury of the United States.

Gentlemen, the eyes of the world are upon us to-day. We have invited all nations to participate in this universal exposition. Our invitation has been accepted. It was extended not at the instance of the exposition management, as the gentleman from Iowa [Mr. HEPBURN] seems to think, but at the instance of the enlightened public sentiment of the American people, at the instance of that commendable spirit of comity, of courtesy, and good will that prevails among all friendly powers. By our own act, on the 1st day of next May we will become the proud host of the civilized world. As for me, I am in favor of extending a royal welcome to our guests and preparing for them a feast that will be commensurate with the dignity, the greatness, the wealth, and the grandeur of the American Republic. [Loud applause.]

Mr. RODENBERG. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none. The gentleman from Massachusetts [Mr. LAWRENCE] is recognized.

Mr. LAWRENCE. Mr. Chairman, it seems to me that the Government has gone to the very limit in appropriating money for exposition purposes. I am opposed to any further appropriations for the St. Louis Exposition, and I am equally opposed to any so-called loan. If we are to aid that exposition still further, I think we should do so by a gift and not deceive ourselves or anyone else by calling it a loan. It is a grave question whether we, the guardians of the people's money, have any right to make an appropriation of this character for a purpose which is not a governmental purpose. But I realize that the Government is committed to the policy. Other expositions are on the way, and Congress will undoubtedly continue to make appropriations for them until the end of time.

There is, however, every reason why such appropriations should be most carefully considered and made with due regard for economy. When the initial appropriation of $5,000,000 for the St. Louis Exposition was made it was a most generous one; it was all that could be asked or expected. We clearly understood that no more would be asked for. I think there can be no doubt that the managers of the exposition so understood it themselves. Consequently they come now before Congress asking, not for an appropriation, but for a loan. It would have been more businesslike and shown more convincing evidence of good faith if the managers had made some effort to secure this money in the usual way from banking institutions. The evidence given before the Committee on Industrial Arts and Expositions shows that no such attempt was ever made.

That fact at least raises a suspicion that the security is not good or that there is no expectation of the debt ever being paid. Personally I can not believe that there is any chance of its payment. I admire the optimism of some of the friends of this exposition. I firmly believe that it will, in a general way, be a great success. I certainly hope so; but, Mr. Chairman, expositions are not a financial success, and it will be a perfect marvel if this one proves to be such. There will certainly be some hard-luck story which the managers can tell as a reason why they were unable to pay this debt, why the exposition was not a financial success, and why it is necessary for Congress to make a still further appropriation to make up a deficit.

We are told that our navy is likely to become a deficit, and that it is necessary to practice economy in governmental expenditures. The Panama Canal, it is estimated, will cost [illegible]. As a matter of fact, it is likely to cost very much more. The expense of maintaining and constructing our Navy is an enormous one, and it is now said by those in a position to know that we need not expect to realize any naval appropriation bill which will carry as small an appropriation as [illegible]. A [illegible] bill is on the way, which, if passed by Congress, will add about $[illegible] more to our annual expenditures.

Surely some one should call a halt, and economy is, in fact, being observed in certain directions. There is to be no general river and harbor bill at this session of Congress, in spite of the fact that in various sections of our country there is a most urgent demand for appropriations in behalf of needed improvements in aid of our growing commerce. There is to be no public-building bill, in spite of the fact that in various parts of the country buildings are absolutely needed for the proper transaction of the public business. The Members of this House have unanimously, with a heroism rarely equaled and never surpassed, declined to accept the mileage to which they were legally entitled. Let the good work go on. If the rule of economy is to be applied—and I believe it should—it should certainly be applied to the proposition now before the House. Let us save this $4,600,000 for purposes which are demanded in the interests of the people. I hope the Members of the House will emphatically refuse to make this appropriation. To my mind it is an extravagant, unwarranted, and unjustifiable use of the people's money. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message in writing from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries.

SENATE AMENDMENT TO URGENT DEFICIENCY APPROPRIATION BILL.

The committee resumed its session.

The CHAIRMAN. The gentleman from New York [Mr. SHERMAN] is recognized for ten minutes.

Mr. SHERMAN. Mr. Chairman, I favor concurrence in the Senate amendment with the amendment offered by the gentleman from Minnesota, chairman of the Committee on Industrial Arts and Expositions. I take it, Mr. Chairman, that no one seriously contends that the Constitution prohibits our passing this provision. My fervid and eloquent friend from Nebraska [Mr. BURKETT] says that if the Constitution does not prohibit it, it ought to do so. Recognizing, as he must at that time have noted, the absence of my lovable and learned friend from Georgia [Mr. BARTLETT], the custodian of the Constitution, and he, the gentleman from Nebraska, acting as custodian of the Treasury, I was surprised that he did not at the time ask unanimous consent that the Constitution be amended.

Mr. BARTLETT. Mr. Chairman, will the gentleman yield to me?

Mr. SHERMAN. My time is brief, and I do not wish to be interrupted.

Mr. BARTLETT. The gentleman has referred to me, and I think it is but fair that he should let me interrupt him.

Mr. SHERMAN. Oh, very well; I will yield to the lovable gentleman.

Mr. BARTLETT. The gentleman has misunderstood everything I said if he believes that I took the position that Congress was prohibited by the Constitution from making this appropriation. I never said so, and if the gentleman had given attention to my speech he would know that I declined to say so.

Mr. SHERMAN. I am very glad to know that the gentleman thinks that we have the right to make the appropriation, although he does not think it proper. The gentleman from Iowa [Mr. HEPBURN] insists that the amendment here is in violation of the rules of the Senate. I am surprised that that statement should be made on the floor at this time. That statement can frequently be made about appropriations that come into this House from the Senate, but in this instance the point of order was raised against the amendment in the Senate, and the presiding officer held that the amendment was in order.

I think the proposition before us is, Is there any obligation on the part of the Government to make this appropriation? Is it reasonable that we should make it? Is there reasonable probability that the loan will be returned?

As to the obligation of the Government, it seems to me that after we had passed the first bill, which committed this Government to the expenditure of $5,000,000—a proposition which had the support of the gentleman from Iowa, but had my opposition in the beginning—after we had passed that, then I believe we were obligated, in all reason and all fairness, to do all things that we could to see this exposition through to a finish. I ought not to be surprised at the position of the gentleman from Iowa in having advocated embarking on this proposition and then abandoning it, because I noticed the other day in the public press that he made the assertion that he never yet had embarked in any business enterprise whatever which yielded one cent of profit, saving the purchase of a cow for $50, which his wife sold for $70. [Laughter.]

I believe, Mr. Chairman, that the Government is under a moral obligation to loan its credit to the St. Louis Exposition because of the original declaration of Congress. I believe that the obligation of the St. Louis exposition is all we need and require to insure the return of this money. I speak of the obligation separate from the loan which is proposed upon the gate receipts. The obligation, sir, is the obligation of a great corporation with great assets, and even were the loan not created, I believe the obligation would be sufficient to insure the return to the Treasury of the money now advanced. The experience of all expositions held in the country—all great expositions and some small ones—warrants the belief that the amount of receipts at St. Louis will be vastly in excess of the amount required to repay every cent that the Government now is asked to advance in aid of this exposition.

The gentleman from Nebraska [Mr. BURKETT] suggests, Mr. Chairman, that the exposition will be seen by only one of every

sixteen of the citizens of this country, and therefore he concludes that it will be of benefit to only one-sixteenth of the population of the Government. That is a very narrow view to take. The exposition will be of benefit not merely to the few who go to St. Louis, not merely to the citizens there, but to every citizen in this country. Expositions always are. Let me read to you the words McKinley uttered at Buffalo while the death messenger was waiting outside his door:

> Expositions are the timekeepers of progress; they record the world's advancement; they stimulate the energy, enterprise, and intellect of the people and quicken human genius; they go into the home; they broaden and brighten the daily life of the people; they open mighty storehouses of information to the student. Every exhibition, great or small, has helped to some onward step. Comparison of ideas is always educational, and as such instructs the brain and hand of man.

Mr. Chairman, believing as I do that this Government is morally obligated to see this exposition through to a finish; believing as I do that every cent advanced by this provision will be returned to the Treasury of the United States; believing as I do that this grand exposition will be of lasting benefit, not only to the St. Louis people and to the people of Missouri alone, but to all the citizens in this country, I earnestly advocate the concurrence in the amendment of the Senate.

Now, the balance of my time I desire to yield to the gentleman from Massachusetts [Mr. LOVERING].

Mr. LITTLEFIELD. May I ask the gentleman a question?

Mr. SHERMAN. I have already yielded my time to the gentleman from Massachusetts.

Mr. LOVERING. Mr. Chairman, I am in favor of concurring in the Senate amendment because I believe that, as amended by the House, every dollar of the loan which it carries will be returned to the United States Treasury before the close of the exposition.

I am in favor of this amendment because I believe that the people of this country will be paid many times more than the mere amount of the loan and many times more than the entire cost of the exposition in the benefits that will come to them.

Great expositions mark great epochs in our history. They mark the great onward progress in civilization, science, mechanics, art, architecture, and the welfare of the people. Take, for instance, the exposition of 1876, in Philadelphia. There were many features of that exposition, either one of which was an ample warrant for its being held, and either one of which has conferred benefits upon the people worth many times the whole cost of the exposition.

I will cite but one or two features—domestic architecture. A great step forward in domestic architecture of the country dates from this time. The English Government built on the grounds of the exposition a model domestic home, which was the inspiration of all architects who have since contrived and designed attractive, beautiful, comfortable, and inexpensive houses. It was a model of harmony in its lines and proportions, and it has been many thousand times reproduced in principle if not exactly on the same plans.

Since that time homes tastefully decorated and well furnished have been possible for people of small means.

Another great feature in the exposition of 1876 was a revelation in sanitation. The knowledge diffused throughout the country at that time was, and has ever since been, of incalculable value to the people of our country. In this one department alone the people were benefited to an extent many times more than the entire cost of the exposition.

I could refer to many other features which are hardly of less value than those I have named. I believe that every exposition that has been held in our country, whether it has been financially successful or not, has benefited the whole people far beyond any extent that is measured by the cost.

So far from their being extravagancies or luxuries with only a local value, I believe that they are economic necessities, and to do them justice we should deal with them not with a niggardly but a bountiful hand.

[Here the hammer fell.]

The CHAIRMAN. The gentleman from Ohio [Mr. GROSVENOR] is recognized for five minutes.

Mr. GROSVENOR. Mr. Chairman, I had hoped that I might find myself in a position to vote for this measure. My hope was fallacious. I have listened very attentively to the arguments made here to-day. I was very forcibly struck by the argument of the gentleman from New York [Mr. SHERMAN], who closed his remarks a few moments ago, when he said that the Constitution of the United States did not prohibit this loan. The burden of showing the propriety of this loan is upon the other side of this question, and it is the first time that I have ever heard a lawyer argue that that which is not prohibited in the Constitution is granted to the Congress as a power. I do not care whether Congress has the power or not. There is no grant in the Constitution, no word of the Constitution that justifies the position of the gentleman from New York.

The gentleman from Iowa [Mr. SMITH] points out a great number of loans and gifts that the Government has given to the people. We gave, for instance, to the suffering people of South Carolina, and we have given to a great many charitable objects. There is no provision of the Constitution justifying that. I admit all of that. But here comes a very different sort of question, a question to which I am going to refer in but one direction. The gentleman from Iowa [Mr. SMITH] says that this is a grand money-making scheme, and he demonstrates by those figures which he read to the House that there is an abundance of money. If it is so easy to figure out an enormous profit, I suggest that it would be well enough to let some of those gentlemen interested in the work and who pledged themselves that they would not come here and ask for any more money take hold of that very profitable and very promising scheme and loan the money. Then comes the gentleman from Illinois, and he says that they are poor—the representative of the local interests out there at East St. Louis—and he describes them as in a condition of practical bankruptcy.

Now, which are we to believe? Are we to loan this money to these people because they are rich and independent, or are we to loan it to them because they are poor and bankrupt? Let me point out a suggestion in regard to this security. The Government of the United States is entitled under the former gift to one-third of the net profits, to be paid back to the United States. Now, these gentlemen come very kindly forward and say this: "It is very true that we pledged you one-third of the profits and we promised that the five millions should be the last dollar we would ever ask for; still we want you to give us four and a half millions more, and if we make any money we will pay one-third of it to you out of your own money." That is the proposition exactly, and no man can state it differently. They propose to take the money that they have promised to pay on the five million dollar loan and pay it back to us on the four and a half million dollar loan.

Suppose that they undertake to carry this out. Let us see where we may land. The United States is already entitled to the net one-third profits. The corporation out there, or each of its stockholders, holds an indefeasible right to every dollar that is earned by that corporation. These gentlemen come here unauthorized, so far as I can see, and, without any act of the corporation, pledge the entire gate receipts to the extent of four million and a half dollars, ousting all those men who have put up their money from any participation in the proceeds of the gate receipts. Suppose there is a default made and the Secretary of the Treasury, making an unheard-of proposition, goes out there and undertakes to sequestrate the gate receipts, undertakes by some process to seize the gate receipts. How long do you think it would be until the whole concern would be placed in the hands of a receiver under the control of the United States court to settle the rights of all the people who have put their money into that concern? What right has this corporation or its agent to come here and pledge the receipts that belong to the men who have contributed their money? The whole thing is unfortunate, and I shall not vote for it.

[Here the hammer fell.]

Mr. FIELD. Mr. Chairman, I admit that great advantages will result to the State of Texas, which I in part have the honor to represent, from the St. Louis Exposition. I know and appreciate the intimate and extensive commercial relations of my State with this great and enterprising city, and while, from a business standpoint, I would be justifiable in rejecting this proposition to loan to a private corporation $4,600,000 on the precarious security offered, yet so strong is my inclination to aid in this great enterprise that notwithstanding this objection I might support the amendment if I were not sincerely convinced that Congress has no right, under the Constitution, to make any such loan of money. I belong to the old school of Democracy and believe in a strict construction of the Constitution, and while some Democrats now assert that for ten years past we have recognized the constitutional right of Congress to make donations of this kind, however strong my inclination might be I have never been able to find any warrant in the Constitution for Congress to loan the money of the people to any individual or corporation for any purpose whatsoever.

During this discussion I was humiliated, as a Democrat, when the gentleman from Iowa [Mr. HEPBURN], a leader of his party and a Republican of Republicans, from the vantage ground he occupied, pointed out to Members on this side of the Chamber the well-known position of the Democratic party on such questions and tauntingly charged them with inconsistency.

Mr. Chairman, but a few years ago the question of the right of the Government to loan money to the people on security was discussed in every schoolhouse in the South and the West. At that time the price of farm products was so depressed as to no longer

return to the potent farmer the cost of production, and in their dire distress a large number of this most worthy class of our citizens turned to the Government for relief, asking that the Government, from its overflowing Treasury, make them temporary loans on their farm products, a character of security much better than that now offered.

The Democratic party, true to its principles, opposed this policy, and on account of the apparent reasonableness of the demand were unable to satisfactorily answer its opponents until it intrenched itself behind the Constitution and insisted—and rightly, too—that Congress had no right under the Constitution to loan the money in the Treasury, and in this impregnable position Democrats were able to overcome all opposition.

The same principle is involved in the amendment offered; and it seems to me if we support it, we stultify ourselves and contradict our past Democratic record, for I repeat that we have no constitutional right to take from the Treasury the money of the people and loan it to an individual or corporation on any kind of security. It would be a departure from the strict construction of the Constitution, as given to it by our fathers, and break down the defense behind which our party has stood during its lifelong struggle for ascendancy in the administration of the Government. [Loud applause.]

The CHAIRMAN. The gentleman from New York [Mr. PAYNE] is now recognized for fifteen minutes.

Mr. PAYNE. Mr. Chairman, the growth of "the show business" or "the show industry," to borrow a common phrase, in the United States has been marvelous. In 1876 we celebrated the greatest event in our history, the birth of the nation, by an exposition at Philadelphia. Then no one interested in it thought of coming to Congress and asking for an appropriation of $5,000,000 or for a million and a half; but they begged Congress to loan them a million and a half of dollars, to be paid out of the profits of the undertaking; and that money was paid, I believe, at the end of litigation in which one of the Members of the House figured at that time.

Next came the exposition at Chicago—that wonderful exposition—the largest and grandest ever undertaken in the world up to that time. Chicago received an appropriation from the General Government; and then the people interested in that exposition went to work to complete the enterprise. On the threshold of the opening they found themselves, as St. Louis finds herself to-day, lacking $5,000,000—yes, lacking $9,000,000, as it appeared then, in order to open the gates. What did they do? They did just what every business corporation should do. They borrowed the money themselves. They went to private individuals, they went to bankers; they pledged their gate receipts. But they borrowed $5,000,000 and went on with their exposition. And this five million was afterwards repaid.

The next exposition of importance was that at Buffalo. And I want to speak of Buffalo, because if I do not somebody else will. I see that my friend from Indiana is now taking notes. They started in for the Pan-American Exposition; they raised their money; they built their buildings; they prepared to open. They borrowed in the first place, I think, $[illegible], pledging their gate receipts for that amount. They did not come to the Congress of the United States. They went to individuals and to bankers in a little city half the size of St. Louis and borrowed their $2,000,000 on their gate receipts. They then came down here to Washington to ask Congress to loan them $500,000, and they went home again, hardly daring to bring the proposition before the Congress of the United States, because they were met with such a cold shoulder. And then they put up $500,000 more and mortgaged their gate receipts again for the second $500,000. They went to work and carried out their exposition.

Of course, we remember the pall that fell over the exposition. McKinley was assassinated there, and the gate receipts did not increase as they had everywhere else, and the exposition association was left with a large debt upon them. They owed $[illegible] to small contractors and mechanics, and they came here and asked Congress to appropriate that $[illegible]. That was not all their indebtedness. I [illegible] who put the second $500,000 on the gate receipts never got a dollar. The men who put up the first $500,000 got $[illegible]. There were other and large contractors over and above the $[illegible] that never got a dollar. No man who subscribed for the stock ever got a dollar in return. They gained their loss. We gave them the first one appropriation, and I voted for that appropriation. I can not say that I did it cheerfully, because it was the most reluctant vote that I ever gave in my life; but I did it to pay up the loss that they owed to bankers and to small contractors.

Now, I come along the St. Louis Exposition. Gentlemen come here and say that we are responsible for that show. Why? The gentleman from Minnesota attempted to show that the nation had invited it upon St. Louis, that eighteen governors met there, and it was their sentiment that the show should be held and that St. Louis should be the spot. If I remember correctly, the governor of Missouri invited the eighteen governors to come there, and the governor of Missouri was asked to invite them by the prominent citizens of the city of St. Louis for the purpose of booming the show at the very outset. Forced upon St. Louis! Why, they wanted it.

Mr. THAYER rose.

The CHAIRMAN. Does the gentleman yield?

Mr. PAYNE. No, I can not yield. I have not time.

The CHAIRMAN. The gentleman declines to yield.

Mr. PAYNE. They wanted to get the exposition. Now, are they going to get anything back for the money they have expended? The gentleman from Iowa on my right [Mr. HEPBURN] figured out $[illegible] in permanent improvements. The other gentleman from Iowa on my left [Mr. SMITH] thought there was not over $1,000,000 in permanent improvements that they were getting back. How, then, will they get their money back? Why, I was talking with a Representative from the city of Buffalo only yesterday and he said although these Buffalo men lost every dollar that they put into the exposition they got the money back, some of them from the increased rents during the year of the exposition came in one way and some in another, and the city of Buffalo had over twenty new factories established within the next year, attracted there because the people were present at the exposition at Buffalo.

Oh, it is not altogether a losing operation. It is said we are bound to vote this money because we recognized the enterprise and, because we passed the act by which the exposition was inaugurated. Well, we did pass it, and we put these words into it:

That nothing in this act shall be so construed as to create any liability of the United States or any guaranty by the United States for any claim for aid or pecuniary assistance from Congress or the Treasury of the United States in support or liquidation of any debt or obligation created by said Commission.

They say we are bound to help them because we passed that act, when it was nominated in the very bond itself that we should not be called upon for a dollar in the way of liability for expenses.

Mr. HEPBURN. Read the thirteenth section. It is a great deal stronger.

Mr. PAYNE. The thirteenth section says:

That the United States shall not in any manner nor under any circumstances be liable for any of the acts, debts, proceedings, or representations of the said Louisiana Purchase Exposition Company, its officers, agents, employees, or any of them, or for the salary, emoluments, labor, or wages of said officers, agents, servants, or employees, or any of them.

Mr. BARTLETT. Read the twenty-fourth section.

Mr. PAYNE. I can not read the whole act. These limitations are all through the act. Yet we are asked to appropriate this money because, they say, we are responsible in some way.

Mr. Francis says that we are not responsible for the increased expenses unless it be that when they sent their agents abroad the ambassadors and the consular agents did what they could for them.

So we are not responsible for this money. Why did they not get it from private sources?

Mr. BUTLER of Pennsylvania. Because they say they can not get it.

Mr. PAYNE. Not that they can not get it, for they have not tried to get it.

Mr. BUTLER of Pennsylvania. They say they can not borrow it unless they give security.

Mr. PAYNE. They have never made any effort to borrow it.

Mr. LITTLEFIELD. There is nothing to show that they have.

Mr. PAYNE. No; they have conferred among themselves about it, and they have concluded that if we do not give them the money they will raise it.

Mr. BUTLER of Pennsylvania. And will have to give security.

Mr. PAYNE. They will have to raise it. They may have to give personal security.

Mr. BUTLER of Pennsylvania. They say they will.

Mr. PAYNE. But the gates will open all the same, though Congress does not loan them a dollar. It shows that they know they can get the money at the city of St. Louis, but the interest is too [illegible]. Well, if they can get the money at home, why is it because the bankers of St. Louis have not yet gone into the pawnbroker business of taking pledges of gate receipts for four million and a half of money.

[illegible] they can get it. The show will go on if we do not appropriate this money. Why do they ask for the money? Gentlemen [illegible] say: "We are asking for a loan for which we propose to give ample and ample security"—that if we do accept this proposition the Government will incur no risk whatever. "We ask only for a loan, and we think we are offering a security here that is not only ample, but on which any of us would lend if we had the money to lend."

Why, if the security is undoubted, and considered so in St. Louis, they know where they can get the money on undoubted security. Why do they not do as Chicago did? Why do they not do as Buffalo did, pledging her gate receipts to go on with her

exposition? Why do they come here? Oh, Mr. Francis says they think it is for the interest of the people of the United States and of the Government to put this money into circulation. It is deposited now in the national banks, and deposited on the security of bonds of the United States, and he thinks it is for the interest of the people to put that money into circulation. Why, does he not know that money is deposited in the banks for the very purpose of putting it into circulation among the people by the banks loaning it out? It goes out among the people, and it is circulating now and has been circulating ever since it was put in the banks. He fails to show any good reason why the Government of the United States should loan that money to him. Why should we give up our good security, the gilt-edge bonds of the United States, for even the "good security" he has—the gate receipts of this exposition?

Mr. Chairman, I confess I can not understand the figures presented by this commission. Why, they do not say that this $4,500,000 will find the gates open free of debt. They fail to show anywhere that when the gates are open the institution will be out of debt, and every man knows that it can not be out of debt.

Mr. BUTLER of Pennsylvania. It is $3,000,000 in debt now.

Mr. PAYNE. The Chicago Exposition cost $22,000,000 up to the time of the opening of the gates. This will cost $2,000,000 more than Chicago for labor. They boast here that their roofs cover 50 per cent more acreage than they had in Chicago. They boast that they have doubled the number of acres, including the parks, that they had in Chicago. They have built roads, they have built bridges and walks, and they have built reservoirs, and they have covered up $5,000,000 in these grounds.

In every way it should cost more than it did at Chicago. Twenty-two millions and $2,000,000 for labor, $24,000,000; 50 per cent more of roofing over buildings—$30,000,000 to open this exposition. They are very careful not to get down to the facts and figures and show just what they have expended and what they have got to do in the future. When they get this open and the show running, then there are other expenses they are looking into to see how they can provide for them. A million dollars for the entertainment of foreign jurors. They are considering the question now as to whether they can pay these jurors or not.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PAYNE. I ask leave to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent for leave to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. HEMENWAY. Mr. Chairman, the gentlemen who have argued this question are all begging the question, commencing with my distinguished friend from Pennsylvania.

The gentleman from Nebraska said that the free rural delivery carriers could not have their salaries increased and a pension bill could not pass; another gentleman says that public-building bills can not pass, and the gentleman from New York gets up and states that Chicago mortgaged her gate receipts for $5,000,000. Every cent of it was paid and $9,000,000 was paid, and $1,068,000 was paid to the stockholders afterwards, and there is $500,000 in the treasury.

Then gentlemen—the gentleman from Pennsylvania, Mr. DALZELL, the gentleman from Nebraska, Mr. BURKETT, the gentleman from Nebraska, Mr. HINSHAW, and others—who stand here and argue if this appropriation passes there can be no public-building bill, there can be no increased salaries for rural free-delivery carriers, there can be no other appropriation are begging the question. They are not meeting it fairly. The only question is, Will this money be paid back and ought the Government under the circumstances loan it to this world's fair exposition? Now, where are we? The Government is a one-third stockholder in this transaction. We are the owners of one-third of the stock, the city of St. Louis is the owner of one-third of the stock, and the citizens of the city of St. Louis are the owners of the other one-third of the stock.

In other words, there is $15,000,000 invested—$5,000,000 by the Government, $5,000,000 by the city of St. Louis, and $5,000,000 by the citizens of the city of St. Louis. They thought this money was sufficient to build the buildings necessary and open the gates of this world's fair; but what happened? Why, Germany came along and demanded more space than anyone ever dreamed they would demand, as well as Italy and France. Germany, Belgium, and Japan recently threatened to withdraw their exhibits unless they were given more space. What could the man in charge of this exposition do—either give them more space and give to the country the greatest exposition the world has ever known or say they would not do it.

Now, the gentlemen opposing this loan are quarreling with the city of St. Louis. I am sorry they can not broaden out and see that this is a great national exposition. That magnificent city is the metropolis of the Mississippi Valley, with Indiana, Illinois, Missouri, Iowa, Kansas, and the Southern States surrounding her. They are wasting their time quarreling at this great city. They can not get beyond the bark and get to the heart of this proposition and realize that fifty-three foreign countries are to be represented at the world's fair; that the eyes of the whole world are upon the United States, and a failure of the exposition means a failure of this country, and the success of the exposition means the success of the United States; and every schoolboy who visits the fair, if it is a success, will be proud of the fact that he lives in the United States and that we gave to the world such an exposition. [Applause.]

Let us get away from this little quarrel about St. Louis. Let us get away from this litfle quarrel whether some one man or other out at St. Louis is going to make a dollar. Let us look at it as we ought to look at it—from the standpoint of a great country never satisfied with giving the world as good an exposition as any country ever did. The people of the United States are not satisfied with that kind of an exposition. We are only satisfied when we can give them the greatest exposition that has ever been known to the history of the world. Now, what has happened? Demands for space have come, demands that this thing be broadened out along every line——

Mr. HEPBURN. Mr. Chairman——

Mr. HEMENWAY. I can not be interrupted, because I have only a few minutes. Forty-two States are exhibiting there, ten more than ever exhibited before at any exposition. Fifty-three foreign countries are to have exhibits at St. Louis. Are the fifty-three foreign countries invited to the United States? Are they there to please St. Louis or did they come here to exhibit in an international exposition at the invitation of the Government of the United States? They are not looking to St. Louis to make this exposition a success, but these fifty-three foreign nations are looking to the United States to make it a success; and I want to say to you that in Congress this very day we ought to give these people the power to make it the greatest success ever known in the world in the way of an exposition, and it does not cost us a dollar to do it. Why, there is absolutely no doubt on earth but what every single cent of this money will be paid back. Why? The provision in this bill is that 40 per cent of the gross receipts of the exposition shall be paid upon this debt, and if on July 15 the payments do not amount to $500,000 then they are to take enough money out of the money they have received to pay the $500,000.

Then on the 1st day of August they are to pay $500,000 more, on the 15th of August $500,000 more, and continuing to pay $500,000 every fifteen days until the debt is paid. Some one says: "What if they do not pay?" Then if they do not pay it becomes the duty of the Secretary of the Treasury of the United States to take charge of the exposition, take charge of its gates, and take charge of its receipts; take every dollar that is necessary to pay this loan. In view of the fact that at Chicago over $14,000,000 of money was taken in from May 1 to November 1, in view of the fact that the expenses of conducting that exposition from May 1 to November 1 was only three and a half million dollars, it stands to reason that the United States will get back every dollar of this money.

Then when you say that you can not have a public-building bill, you can not have that or you can not have this if you vote this money out of the Treasury, you are begging the question, because you know that every dollar of this money will come back into the Treasury. The passing of this item will not stop for one second any appropriation that ought to be passed by this House. I have heard gentlemen say, "Why, HEMENWAY, do you stand for this when you have been all the time advocating economy?" Yes; I have advocated economy, but I will not go so far upon that line that I forget my country. [Applause.] I will not go so far that I will forget the foreign countries that are here, who have been invited here and depend upon us to make the exposition a success. We invited them here and we are going to take care of them, and I sincerely hope that Congress will grant this loan of $4,600,000.

Yes; gentlemen say it is a little matter, but when it was coming to some of the great Eastern States some of the gentlemen so vigorous to-day were not quite so vigorous then.

Mr. PAYNE. Where were you at that time?

Mr. HEMENWAY. I was against the $500,000 for Buffalo, and I will vote against giving this exposition one dollar of money, but I will not vote against loaning the money in view of the fact that it is absolutely certain that it will come back again to the Treasury of the United States. [Applause.]

The CHAIRMAN. The time fixed for closing debate has arrived. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken and the amendment was agreed to.

Mr. TAWNEY. Mr. Chairman, I move that the committee recommend concurrence in Senate amendment No. 10 as amended.

The question was taken; and on a division (demanded by Mr. UNDERWOOD) there were 137 ayes and 87 noes.

Mr. BARTLETT. Tellers, Mr. Chairman.

Tellers were ordered; and the Chair appointed Mr. TAWNEY and Mr. BARTLETT as tellers.

The question was again taken; and the tellers reported 161 ayes and 90 noes.

Mr. HEMENWAY. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that Senate amendment No. 47 be concurred in; that Senate amendment No. 10 be concurred in as amended, and that all other amendments be nonconcurred in.

Mr. HEPBURN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. HEPBURN. Does this motion include a separate vote on amendment No. 10?

Mr. HEMENWAY. No.

The CHAIRMAN. The Chair will state that that is a matter for the House.

The motion of Mr. HEMENWAY was then agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. CHANDLER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10244, with Senate amendments thereto, and had directed him to report that the committee recommend a concurrence in Senate amendment No. 47, concurrence with an amendment in Senate amendment No. 10, and nonconcurrence in all the other amendments.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. HEPBURN. I demand a separate vote on amendment No. 10.

Mr. BARTLETT. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BARTLETT. I rise for the purpose of demanding a separate vote on Senate amendment No. 10 as amended.

The SPEAKER. The first question is on the recommendation of the committee to concur in Senate amendment No. 47.

The question was taken, and Senate amendment No. 47 was concurred in.

The SPEAKER. The question now is on nonconcurrence in all other amendments except amendment No. 10.

The question was taken, and all other amendments except Senate amendment No. 10 were nonconcurred in.

The SPEAKER. The question now is on concurring in Senate amendment No. 10 as amended.

Mr. BARTLETT. Upon that question, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 106, answered "present" 8, not voting 96, as follows:

YEAS—172.

Adams, Wis.	Dunwell,	Lind,	Rodenberg,
[illegible]	[illegible]	Lindsay,	Ryan,
[illegible]	[illegible]	Littauer,	[illegible]
[illegible]	[illegible]	Little,	Scudder,
Bartholdt,	[illegible]	[illegible]	Shackleford,
Bell, Colo.	Fordney,	Lloyd,	[illegible]
Benny,	Foss,	[illegible]	Stephens, Tex.
Benton,	Foster, Ill.	Lorimer,	Sullivan, Mass.
Berkshell,	[illegible]	[illegible]	Tate,
Bowie,	[illegible]	Loudenslager,	Thomas, Iowa.
[illegible]	[illegible] N. Y.	[illegible]	Thomas, N. C.
[illegible]	[illegible]	McAndrews,	Tirrell.
[illegible]	[illegible]	[illegible] Ill.	Underwood,
Brownlow,	[illegible]	[illegible] Iowa	[illegible]
Brundidge,	[illegible]	McNary,	Wade,
[illegible]	[illegible]	Mason,	Wiley, Ala.
[illegible]	[illegible]	Marsh,	Williams, Miss.
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	Martin,	Wyman.
[illegible]	[illegible]	Maynard,	[illegible]
[illegible]	[illegible]	Merrill,	[illegible]
[illegible]	[illegible]	Meyer, La.	[illegible]
[illegible]	[illegible]	[illegible] Pa.	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible] Wis.	[illegible]	Mudd,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible] Utah	[illegible]	[illegible]
[illegible]	[illegible] N. J.	[illegible]	[illegible]
[illegible]	[illegible] Wash.	Patterson, Pa.	[illegible]
[illegible]	[illegible] Mass.	[illegible]	[illegible]
[illegible]	[illegible]	[illegible] Me.	[illegible]
[illegible]	[illegible]	[illegible] Mass.	[illegible]
[illegible]	[illegible] Md.	Pugsley,	[illegible]
[illegible]	[illegible] Ohio	Rainey,	[illegible]
[illegible]	[illegible] Wash.	Ransdell, La.	[illegible]
[illegible]	[illegible]	Reeder,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible] N. J.
[illegible]	[illegible]	Rixey,	[illegible] Ill.
[illegible]	[illegible] Fla.	Robb,	[illegible]
[illegible]	[illegible] Chas. B.	Robertson, La.	[illegible]
[illegible]	[illegible]	Robinson, Ark.	Young.

NAYS—106.

Acheson,	Bowers,	Harrison,	Conner,
[illegible] Pa.	Brandegee,	[illegible]	Cooper, Pa.
Aiken,	Brantley,	[illegible] Pa.	Cooper, Tex.
[illegible]	Brown, Wis.	Hyde,	Dalzell,
Bassett,	Burgess,	Campbell,	Field,
Beall, Tex.	Burkett,	Cassingham,	Finley,
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]

S. 3053. An act granting an increase of pension to Emma E. S. Wright;
S. 2959. An act granting an increase of pension to Ada Johnson;
S. 1616. An act granting an increase of pension to Michael Donovan;
S. 1944. An act granting an increase of pension to John S. Stenger;
S. 3857. An act granting an increase of pension to Charles J. Clark;
S. 3903. An act granting a pension to George F. Smith;
S. 2662. An act granting an increase of pension to John H. Carrow; and
S. 3812. An act granting an increase of pension to Charles Wheatland.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 5367. An act granting an increase of pension to Franklin Moore;
H. R. 8376. An act granting an increase of pension to Jonathan J. Smith;
H. R. 5865. An act granting an increase of pension to Joshua Harlan;
H. R. 2809. An act granting an increase of pension to John Watt;
H. R. 4526. An act granting an increase of pension to William J. Shepard;
H. R. 4436. An act granting an increase of pension to Caleb Arnett;
H. R. 6582. An act granting an increase of pension to Harry Haller;
H. R. 4045. An act granting a pension to Minnie Gusler;
H. R. 12019. An act granting a pension to Mary Gwynn;
H. R. 16352. An act granting a pension to Mary Hall;
H. R. 15555. An act granting an increase of pension to James R. Hauptly;
H. R. 9583. An act granting an increase of pension to James H. Harges;
H. R. 12923. An act granting an increase of pension to John G. Fairchild;
H. R. 2920. An act granting an increase of pension to Daniel W. Huffman;
H. R. 3032. An act granting an increase of pension to William Pittenger;
H. R. 8058. An act granting an increase of pension to William M. Underhill;
H. R. 8850. An act granting an increase of pension to Thomas Joyce;
H. R. 6705. An act granting an increase of pension to Edwin A. Forman;
H. R. 2477. An act granting an increase of pension to Frank J. McLaughlin;
H. R. 865. An act granting an increase of pension to Charles C. Chase;
H. R. 6089. An act granting an increase of pension to Emma L. Nagle;
H. R. 4251. An act granting an increase of pension to Joseph Hinkle;
H. R. 6426. An act granting an increase of pension to David Z. Beidler;
H. R. 6025. An act granting an increase of pension to John Herzog; and

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 3616. An act granting an increase of pension to James W. Davis;
H. R. 6023. An act granting an increase of pension to Charles Wigert;
H. R. 4365. An act granting a pension to Barney L. Brookins;
H. R. 4887. An act granting an increase of pension to George N. Thorpe;
H. R. 3815. An act granting an increase of pension to Hester E. Mooney;
H. R. 3617. An act granting an increase of pension to Charles M. Everett;
H. R. 8187. An act granting an increase of pension to George Jeffrey;
H. R. 6562. An act granting an increase of pension to Frances A. Thompson;
H. R. 5611. An act granting a pension to Juliette Westbrook;
H. R. 6547. An act granting a pension to John Holzer;
H. R. 8920. An act granting a pension to Harriet A. Tucker;
H. R. 7756. An act granting an increase of pension to Charles Schroder;
H. R. 8342. An act granting an increase of pension to Horace E. Davis;
H. R. 3665. An act granting an increase of pension to Henry C. Jones;
H. R. 703. An act granting an increase of pension to Robert P. Baker;
H. R. 7072. An act granting a pension to Mary McCall;
H. R. 5538. An act granting a pension to Jane Elizabeth Bullock;
H. R. 937. An act granting an increase of pension to Mark A. Shelton;
H. R. 5372. An act granting a pension to Mariah Knechler;
H. R. 2427. An act granting a pension to Cynthia Thomas;
H. R. 4031. An act granting an increase of pension to Samuel R. Wasson;
H. R. 5972. An act granting an increase of pension to Edward A. Willber;
H. R. 6085. An act granting a pension to Anna M. Maier;
H. R. 4325. An act granting an increase of pension to John A. Sills;
H. R. 3[illegible]67. An act granting an increase of pension to George W. Kerby;
H. R. 8207. An act granting an increase of pension to Charles Johnson;
H. R. 681. An act granting an increase of pension to Ella P. Kerstetter;
H. R. 7757. An act granting an increase of pension to Cyrus Davidheiser;
H. R. 5634. An act granting an increase of pension to Robert L. Miles;
H. R. 5471. An act granting an increase of pension to A. Marion Gamble;
H. R. 5609. An act granting an increase of pension to Benjamin F. Grigsby;
H. R. 3407. An act granting an increase of pension to Frank Lewis;
H. R. 3298. An act granting a pension to Mary E. Pennock;
H. R. 7439. An act granting an increase of pension to Helen M. Bates;
H. R. 4937. An act granting an increase of pension to Emily Conklin;
H. R. 3299. An act granting a pension to Modie M. Flanders;
H. R. 1497. An act granting an increase of pension to Dana Cook;
H. R. 1294. An act granting an increase of pension to William McBrien;
H. R. 1487. An act granting an increase of pension to Dexter T. Drake;
H. R. 6701. An act granting an increase of pension to John A. Reeds;
H. R. 7692. An act granting an increase of pension to William H. Howard;
H. R. 8517. An act granting an increase of pension to Henry Edwards;
H. R. 6036. An act granting an increase of pension to John Shafer;
H. R. 6032. An act granting an increase of pension to Charles S. Bellows;
H. R. 7594. An act granting an increase of pension to Charles H. Miller;
H. R. 610. An act granting an increase of pension to Samuel Alexander;
H. R. 7095. An act granting an increase of pension to Harrison H. Hakes;
H. R. 5699. An act granting an increase of pension to James P. Johnson;
H. R. 7447. An act granting an increase of pension to William Bailey;
H. R. 6091. An act granting an increase of pension to John W. Brown;
H. R. 4578. An act granting an increase of pension to Catherine M. McClanahan;
H. R. 138. An act granting an increase of pension to Henry Hale;
H. R. 7732. An act granting an increase of pension to Mary Chenowith;
H. R. 529. An act granting a pension to Emma H. Higley;
H. R. 5199. An act granting an increase of pension to Emma M. Johnson;
H. R. 6588. An act granting an increase of pension to James H. Cummings;
H. R. 1156. An act granting an increase of pension to John Pangratz;
H. R. 7355. An act granting an increase of pension to Henry Barrett;
H. R. 3435. An act granting an increase of pension to John M. Pratt;
H. R. 5528. An act granting a pension to Maria Lindhorst;

H. R. 6071. An act granting an increase of pension to Abraham C. Null;
H. R. 5531. An act granting an increase of pension to Marvin Nash;
H. R. 5299. An act granting an increase of pension to Sarah E. Wheeler;
H. R. 4929. An act granting an increase of pension to Thomas C. Pond;
H. R. 2916. An act granting an increase of pension to Francis S. Howard;
H. R. 2912. An act granting an increase of pension to Elizabeth A. Jones;
H. R. 6994. An act granting an increase of pension to Theresa Nebrich;
H. R. 754. An act granting a pension to John M. Lawton;
H. R. 4457. An act granting an increase of pension to Mary E. Meldrum;
H. R. 2932. An act granting a pension to Dudley R. W. Williams;
H. R. 2016. An act granting an increase of pension to George Gardner;
H. R. 1855. An act granting a pension to Harriett B. Riley;
H. R. 1859. An act granting increase of pension to Patrick Cannon;
H. R. 3337. An act granting an increase of pension to Mary A. Craigue;
H. R. 8729. An act granting an increase of pension to Gustus S. Remick;
H. R. 2111. An act granting an increase of pension to Henry D. Towsley;
H. R. 727. An act granting an increase of pension to James K. Blye;
H. R. 734. An act granting an increase of pension to Henry S. McAllister;
H. R. 9029. An act granting a pension to George S. Barbour;
H. R. 5720. An act granting an increase of pension to William T. Filler;
H. R. 3345. An act granting an increase of pension to Charles P. Clarke;
H. R. 5318. An act granting an increase of pension to Philip Snow;
H. R. 5617. An act granting an increase of pension to William P. Hereford;
H. R. 134. An act granting a pension to Wilhelmina Miller;
H. R. 8123. An act granting a pension to Eliza S. Smith;
H. R. 6005. An act granting an increase of pension to George B. Davis;
H. R. 7374. An act granting an increase of pension to Jabez Perkins;
H. R. 2201. An act granting an increase of pension to George M[illegible];
H. R. 7515. An act granting a pension to Rebecca A. Mathias;
H. R. 4625. An act granting a pension to Theresa B. Nash;
H. R. 561. An act granting an increase of pension to Eri Summy;
H. R. 6020. An act granting an increase of pension to William P. [illegible];
H. R. 3172. An act granting an increase of pension to Robert E. Pogue;
H. R. 3531. An act granting an increase of pension to John Hawker;
H. R. 249. An act granting an increase of pension to Mollie J. Mitchell;
H. R. 219. An act granting an increase of pension to Minerva J. Burton;
H. R. 7798. An act granting an increase of pension to Andrew Black;
H. R. 7799. An act granting an increase of pension to John O. Rice;
H. R. 4946. An act granting a pension to James F. Wheeler;
H. R. 2822. An act granting an increase of pension to Louiza Phillips;
H. R. 5534. An act granting an increase of pension to Adaline Shaw Lovejoy;
H. R. 5883. An act granting an increase of pension to David Warentz;
H. R. 6061. An act granting an increase of pension to Alpheus D. Brown;
H. R. 3411. An act granting an increase of pension to William J. Hart;
H. R. 1483. An act granting an increase of pension to James W. Black;
H. R. 8728. An act granting a pension to Matilda Lafferty;
H. R. 6947. An act granting an increase of pension to Joseph H. Cooper;
H. R. 6442. An act granting an increase of pension to James P. Wallace;
H. R. 689. An act granting an increase of pension to Edgar Chapman;
H. R. 6028. An act granting an increase of pension to Anson Heffron;
H. R. 4915. An act granting an increase of pension to James W. Hibbert;
H. R. 4759. An act granting an increase of pension to David P. McDonald;
H. R. 660. An act granting an increase of pension to John S. Sines;
H. R. 195. An act granting a pension to Michael Landy;
H. R. 812. An act granting an increase of pension to Charles F. Emery;
H. R. 4276. An act granting an increase of pension to Hamilton E. Burritt;
H. R. 4323. An act granting an increase of pension to May Wurtz;
H. R. 2553. An act granting an increase of pension to George Wintz;
H. R. 2040. An act granting a pension to James Anderson;
H. R. 198. An act granting an increase of pension to Emmett Cole;
H. R. 5718. An act granting an increase of pension to Adolph Heiser;
H. R. 3272. An act granting an increase of pension to Elizabeth Hardy;
H. R. 1906. An act granting an increase of pension to George W. Blanchard;
H. R. 165. An act granting an increase of pension to Thomas Adelsperger;
H. R. 6342. An act granting an increase of pension to Thomas Springer; and
H. R. 8748. An act for the relief of Serenus Killmaster.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 42.

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the Superior harbor, Douglas county, Wisconsin, and harbors in Wisconsin and Michigan, lying on Lake Superior, and to report the results of such survey to the Congress at the next session thereof.

Senate concurrent resolution 43.

Resolved by the Senate (the House of Representatives concurring). That there be printed [illegible] copies of the report and appendices of the Lockmaster Canal [illegible], with illustrations, of which [illegible] copies are for the use of the Senate, [illegible] for the use of the House of Representatives, and 500 for the Lockmaster Canal Commission.

Senate concurrent resolution No. 43.

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, directed to cause a survey to be made of the harbor of Jacksonville, on the east side of the Lower Harbor of Chesapeake Bay, and to furnish the results in estimates showing the cost of such improvements as may be needed to accommodate the commerce of said port, and excluding from the work [illegible] any such improvement that may be found to be of local character, and of a character that does not seem to be of interest to the navigation of the country at large; that is to say, the Secretary of War is directed to furnish a separate estimate of the cost of obtaining a channel at each of said depths; and the Secretary of War is hereby further directed to report whether or not it is practicable, if [illegible] of said channels, [illegible] of them shall be obtained, that the present channel across Long Island Bar may be abandoned.

CROW INDIANS OF MONTANA.

Mr. DIXON. Mr. Speaker, I ask unanimous consent that after the disposition of the special order the bill (H. R. 1[illegible]) to ratify and amend an agreement with the Crow Indians of Montana be made the special order, not to interfere with revenue or appropriation bills or bills on the Private Calendar or with any business that is privileged under the rules, and that the bill be considered in the House.

The CLERK having restated the request of Mr. DIXON, there was no objection; and it was ordered accordingly.

GOVERNMENT OF TERRITORY OF HAWAII.

Mr. POWERS of Maine. I ask unanimous consent for the present consideration of House bill No. 7274.

The title of the bill was read, as follows:

A bill (H. R. 7274) to amend section 76 of an act entitled "An act to provide a government for the Territory of Hawaii."

Mr. WILLIAMS of Mississippi. Reserving the right to object, I ask that the bill be read in full.

The bill was read, as follows:

Be it enacted, etc., That section 76 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, be and the same is hereby amended to read as follows:

"SEC. 76. That there shall be a superintendent of public instruction, who shall have the powers and perform the duties conferred upon and required of the superintendent of public instruction by the laws of Hawaii as amended by the act, and subject to modification by the legislature.

"It shall be the duty of the United States Commissioner of Labor to collect, assort, arrange, and present in reports in 1905, and every five years

thereafter, statistical details relating to all departments of labor in the Territory of Hawaii, especially in relation to the commercial, industrial, social, educational, land, agricultural conditions of the laboring classes, and to all such other subjects as Congress may by law direct. The said Commissioner is especially charged to ascertain the highest, lowest, and average number of employees engaged in the various occupations in the Territory, to be classified as to sex, hours of labor, and conditions of employment, and to report the same to Congress."

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. ROBINSON of Indiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

EXTENSION OF SPEECHES ON ST. LOUIS EXPOSITION.

Mr. TAWNEY. I ask unanimous consent that the Members of the House who have addressed the Committee of the Whole on the subject of the Louisiana Purchase Exposition be allowed the privilege of extending their remarks in the RECORD.

There being no objection, leave was granted accordingly.

ADMINISTRATION OF LAND LAWS.

Mr. MARSHALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read the bill, as follows:

A bill (H. R. 1659) relating to certain [illegible] statements, entries, and final proofs under the homestead and other land laws, and to amend the acts in certain cases when made outside of the land district within which the land is situated.

Be it enacted, etc. That whenever it shall appear to the Commissioner of the General Land Office that any entryman has heretofore made proof in any case, if any has been made, alleging in mitigation of any apparent default in the period of residence, cultivation, or final proof under the homestead or other land laws, and that there was no intent on the part of the entryman, and that there are no adverse claimants to the land contested in the entry, and that the order requiring the proof was issued in the ordinary course of business, and that such proof was in fact made within the land district in which the land applied for is situated, as prescribed by the act of March 11, 1902, and that the entry or proof should be antedated—

SEC. 2. That this act shall be in force from and after its passage and approval.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I should like to have an explanation of the bill, reserving the right to object.

Mr. MARSHALL. Mr. Speaker, this bill simply provides for legalizing entries and proofs under our land law, where the same were made erroneously outside of the land district in which the land lies.

Prior to 1902 there was a law providing that an entryman desiring to make entry or desiring to make proof might go to the nearest county seat, even though it were outside of the land district in which the land lies. In 1902 a law was passed which required proofs to be made within the land district. Partially through the negligence of the Land Department at Washington, the registers and receivers were not notified in a manner or their attention was not called to this change of the law in a manner sufficiently strong to make them change their rules and regulations. As a result, a large number of entries and proofs were permitted by the local land offices to be made under the old law. This bill simply legalizes that particular feature of the entries and proofs, and it is approved by the Department.

Mr. ROBINSON of Indiana. Mr. Speaker, I should like to ask the gentleman if he has any word from the Secretary of the Interior upon this subject?

Mr. MARSHALL. Yes; the matter has been submitted to the Secretary of the Interior and the Commissioner of the General Land Office and is approved heartily by both of them.

Mr. TAWNEY. Is the bill reported favorably by the committee?

Mr. MARSHALL. Unanimously reported by the committee.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. MARSHALL, a motion to reconsider the last vote was laid on the table.

FIFTH JUDICIAL CIRCUIT.

Mr. WILEY of Alabama. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9658) to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903.

The SPEAKER. The gentleman from Alabama asks unanimous consent to consider the following bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama, approved January 30, 1903, be, and the same is hereby, amended by striking out the concluding words of said section, to wit, "on the first Monday in October in each year," and inserting in lieu thereof the words "on the third Monday in October in each year."

The amendment recommended by the Committee on the Judiciary was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ORDER OF BUSINESS.

Mr. STEENERSON. Mr. Speaker, I call up the bill (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation.

The SPEAKER. That is a continuing order. It can be called up at any time.

Mr. STEENERSON. Well, I call it up.

The SPEAKER. The Chair will suggest to the gentleman that there are one or two other matters that the Chair would be glad to lay before the House.

Mr. STEENERSON. All right.

CERTAIN LANDS IN MINNESOTA.

Mr. VOLSTEAD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 1558) to grant to the State of Minnesota certain vacant lands in said State for forestry purposes.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to discharge the Committee of the Whole House on the state of the Union from further consideration of the bill and to consider the same in the House at the present time. The Clerk will report the bill.

The bill was read, as follows:

Be it enacted, etc. That the northwest quarter of the northwest quarter and the southwest quarter of the northwest quarter (80 acres, more or less) of section [illegible], township [illegible] north, range [illegible] west, fourth principal meridian, in Minnesota, be, and the same hereby is, reserved for forestry purposes, and the Secretary of Agriculture is authorized to cause the same to be examined and such portion thereof as may be found to be of a character suitable for the production of timber to be set apart as a forest reserve, subject to all laws applicable to the forest reserves of Minnesota, but shall not be subject to entry under the land laws of the United States: Provided, That the State of Minnesota for forestry purposes shall have a preference right of purchase of said land at the price and in the manner and subject to the conditions and limitations prescribed by the act of June 4, 1897, and amendatory acts, but such preference right of purchase shall not prejudice any right to entry or sale of said land that may have been acquired by any other party previous to its passage.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I shall have to object.

The SPEAKER. The gentleman from Mississippi objects.

Mr. TAWNEY. I suggest to the gentleman that he withhold his objection pending a statement.

Mr. WILLIAMS of Mississippi. I will reserve the objection while the gentleman makes his statement; but this bill establishes a precedent.

Mr. VOLSTEAD. I will make this explanation: John S. Pillsbury, late governor of the State of Minnesota, donated to the State something over a thousand acres of land. It was cut-over timber land that is almost entirely worthless. The State has been engaged for some time in the work of reforesting that particular tract of land. It may be called a park or a forest reserve, as you please. This particular tract of about 80 acres which it is sought to obtain for the State comes right up against the land belonging to the State and joins it on three sides. The land has practically no value except for the purpose for which we desire to use it—that is, to use it in connection with the other as a forest reserve.

The State is now about to enter upon it, if it can secure it upon the plan proposed, and cultivate timber on this particular tract. It seems to me, in view of the fact that we are giving land for park purposes and for other similar purposes, that this is a proper grant, and it certainly would be doing nobody any harm. This piece of land is away out from any city; it is not suitable for agricultural purposes; it is cut-over timber land. It certainly can not be worth more than two or three dollars an acre. Only a few years ago it would not have been worth 25 cents an acre. For the purpose sought it may have a value; and it seems to me that as this bill has been recommended by the Committee on Public Lands of the Senate, recommended by the committee of the House, and there is no objection, so far as I understand, from any of the Departments, though it has been submitted to them, it is proper that the bill pass.

Mr. GAINES of Tennessee. What is it used for now?

Mr. VOLSTEAD. It is not used for anything.

Mr. LACEY. Will the gentleman yield to me now for a moment?

Mr. VOLSTEAD. I yield to the gentleman from Iowa.

Mr. LACEY. Mr. Speaker, I would state that the area of cut-over land in Minnesota is very large. The method of reforesting it involves a considerable expense by way of experiment. The State can better make those experiments than anybody. This is a small area of land immediately adjoining a tract owned by the State, and is a good object lesson for them to experiment upon, so that outsiders, private individuals, may get the benefit of their experiments.

Mr. WILLIAMS of Mississippi. Will the gentleman from Iowa allow me to ask him this question: If we establish the precedent

of granting the States public lands for forestry purposes, has the gentleman any idea of where it is going to stop?

Mr. LACEY. Well, of course, each one of these propositions must rest upon its own bottom. This is a very small tract. Does my friend remember the area?

Mr. STEVENS of Minnesota. Eighty acres.

Mr. LACEY. Eighty acres. It is adjacent to another tract of land belonging to the State. The State tract is not quite adequate for a fair experiment, and therefore the request is made to add this additional public land, which of course might be taken up by a homesteader or by anybody or in any other way by private individuals, but it is the purpose here to give it to the State to experiment upon.

Mr. WILLIAMS of Mississippi. I think, from my standpoint, this would be setting up a bad precedent, and I should be compelled to object.

The SPEAKER. The gentleman from Mississippi objects.

DEVELOPMENT OF THE MERCHANT MARINE.

The SPEAKER. The gentleman from Ohio [Mr. GROSVENOR].

Mr. GROSVENOR. I move that the House do now adjourn.

The SPEAKER. The gentleman can make that motion if he desires, but the Chair recognized the gentleman, as he supposed, in accordance with a previous request for asking unanimous consent touching an order.

Mr. GROSVENOR. I am ready to do that. I was misled by a gentleman suggesting the motion to adjourn. I did not understand the Chair. I ask unanimous consent, Mr. Speaker, that immediately after the reading of the Journal on Saturday, one week from the coming Saturday, the 20th day of the month, be set apart for the consideration of House bill 7056; that the same shall be a continuing order, not to take the place of appropriation bills or contested-election cases or other privileged matters, until Tuesday of the following week, and then, after six hours' debate on a side, a vote shall be taken upon the bill.

The SPEAKER. The gentleman from Ohio asks unanimous consent that on February 20 next House bill 7056 be made a special order and continue as a special order until the following Tuesday—not to interfere with appropriation revenue, or other privileged bills—and then, after six hours' discussion on a side, the vote to be taken. The Clerk will report the bill by title.

Mr. WILLIAMS of Mississippi. I do not see the senior member of the minority of that committee in his seat, but I am informed, as I catch it, that is the arrangement which he told me had been entered into.

Mr. GROSVENOR. I have described it exactly as we agreed.

Mr. WILLIAMS of Mississippi. That is as I understand the arrangement that had been agreed to.

The Clerk read as follows:

A bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes.

The SPEAKER. Is there objection?

Mr. DE ARMOND. Mr. Speaker, I object.

The SPEAKER. The gentleman from Missouri objects.

FIELD OPERATIONS OF THE BUREAU OF SOILS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the following joint resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 41) providing for a change in the method of printing the report on field operations of the Bureau of Soils, Department of Agriculture.

Resolved, etc., That in addition to the number of copies of the report on field operations of the Bureau of Soils, Department of Agriculture, provided for by joint resolution No. 5, Fifty-fourth Congress, approved February 9, 1897, which report hereafter to be prepared shall in other and all respects be printed, as soon as the manuscript can be prepared, with the necessary maps and illustrations to accompany it, a report of each survey completed in the form of advance sheets, of which 500 copies shall be for the use of each Senator from the State, 2,000 copies for the use of each Representative for the Congressional district or districts in which the survey is made, and 1,000 copies for the use of the Department of Agriculture.

The SPEAKER. Is there objection?

Mr. CASSEL. I object.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman from Pennsylvania to withdraw his objection until I can make a statement. From a remark the gentleman from Pennsylvania made, I gather that he objects to the immediate consideration of this report because of the expense incident to the publication.

I will say in this connection that this amendment to the resolution now in force reduces the expense of this annual publication about 25 per cent and enables the Agricultural Department to distribute the maps and the data gathered more promptly, and makes the work more effective, and an objection will not only greatly impair the work as originally designed, but it will result in the present public resolution standing, which will carry with it an expenditure of about 25 per cent more than this amendment proposes.

The SPEAKER. Is there objection?

Mr. GAINES of Tennessee. Mr. Speaker, will the gentleman from Indiana allow me to make a statement? If so, I think I can show the gentleman from Pennsylvania [Mr. CASSEL] why this resolution ought to pass.

Mr. CHARLES B. LANDIS. Just a moment. I want to say in this connection, Mr. Speaker, this is a work which has been carried on by the Agricultural Department for several years, the result being an analysis of the soils in various parts of the country, and as the law now stands the result of these analyses has not been announced to the localities interested for probably a year to eighteen months after the examination and the analysis have taken place, and this amendment provides that as soon as the report is made and the analyses received the maps shall be prepared and the distribution made with special reference to the State and Congressional district where the work is performed.

Mr. PAYNE. Mr. Speaker, I would like to ask the gentleman a question, and that is, if the report of the committee shows the cost of this? I could not hear all the gentleman said.

Mr. CHARLES B. LANDIS. The cost of this under the public resolution as now done is annually in the neighborhood of $67,000. We believe the work when done, as proposed in this amendment, will reduce the cost about 25 per cent.

Mr. PAYNE. I am glad to get the gentleman's statement, and I want to suggest right here, in former Congresses it has been the custom of the Committee on Printing to report the probable cost when they report a bill for printing, or a resolution; and I will say to the gentleman I hope he will include that in the future, so as to be able to give the House that information.

Mr. CHARLES B. LANDIS. I understand that has always been done when a report originated. This work has been going on from year to year, and the annual expenditure has been in the neighborhood of $67,000. The usual and formal estimate can not well be furnished on reports not yet in manuscript.

Mr. GAINES of Tennessee. I want to state, Mr. Speaker, to the gentleman who objected to this matter, that these are the facts: The Secretary of Agriculture, Mr. Wilson, has in his Department what is known as a "Bureau of Soil Survey." His soils experts, say, will come to your district and go to other districts, and they intend to go over all the Congressional districts throughout the United States in the course of time and examine the soil, and reports are made, put upon paper, and sent in to the Secretary of Agriculture, where the work is completed and made ready to print, but, unless they are all sent in at one time, and it is impracticable and impossible to do so, the Secretary of Agriculture can not publish the books containing these reports until they are filed with him.

Now, he desires to have these reports published as they are completed here in his Department, so that they can be sent out in leaflet form to the farmers in the Congressional districts where the work has been done and sent out in a few days or weeks after it is filed in his office. Sometimes he has to wait to do so twelve months, until all the reports come in. Now, in my own district I am laboring under this very trouble. The report from Davidson County has been completed for some time, and the farmers out there are writing for it now. I asked him to give me a copy of it, but he could not do that. If this resolution is passed, that would be printed and all the other surveys would be printed that are now lying completed in his office which can not be published until this great book of reports is sent in and it is ready to be published.

Mr. CHARLES B. LANDIS. And in the meantime the local interest in the analyses has died out.

Mr. GAINES of Tennessee. Exactly, and you send a report—this annual book—to Davidson County, for instance, of a survey made up in Maine, and they do not need that at all, and vice versa; but if the pamphlet is sent of Davidson County the farmers need and want it, and want it to-day, and this measure would give it to them, and so in all the surveys made.

Mr. BURLESON. Mr. Speaker, I desire to submit for the consideration of the gentleman from Pennsylvania this suggestion: This matter was carefully considered by the Committee on Agriculture, and a subcommittee was appointed by that committee to bring the subject dealt with in this resolution to the attention of the Committee on Printing and to urge its adoption in the interest of economy.

Mr. CHARLES B. LANDIS. And effectiveness.

Mr. BURLESON. The Committee on Agriculture unanimously indorsed this resolution, after giving same careful consideration, and I hope the gentleman will withdraw his objection.

Mr. CASSEL. Mr. Speaker, I objected to the proposition because I objected to this amount of money being spent for this service and distributed throughout the United States, because I did not believe that it amounted to anything or was of any advan-

tage to the farmer, but if this resolution is going to reduce expenses and save the Government any money, I will withdraw my objection. But I want to say if by any means I can cut out this part of the agricultural work I shall certainly join with anyone else in doing it, because I believe it is merely money being spent in this way unnecessarily and without result, but under the circumstances I will withdraw my objection at the present time.

The SPEAKER. The gentleman withdraws his objection.

Mr. MAHON. Mr. Speaker, I renew it.

The SPEAKER. Objection is made, and the Chair recognizes the gentleman from Minnesota [Mr. STEENERSON] to call up a special order.

RED LAKE INDIAN RESERVATION, STATE OF MINNESOTA.

Mr. STEENERSON. Mr. Speaker, I now call up the bill (S. 4490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, which was made a special order. I ask for the reading of the amendment, in the nature of a substitute, to the Senate bill.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Whereas James McLaughlin, United States Indian inspector, did, on the 10th day of March, A. D. 1902, make and conclude an agreement with the adult male Indians of the Red Lake Reservation, in the State of Minnesota; which said agreement is in words and figures as follows:

"This agreement made and entered into this 10th day of March, 1902, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Red Lake and Pembina bands of Chippewa Indians belonging on the Red Lake Reservation in the State of Minnesota, witnesseth:

"ARTICLE I. The said Indians belonging on the Red Lake Indian Reservation, Minn., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Red Lake Indian Reservation within the boundaries of Red Lake County, Minn., as said county is now planned, defined and organized, the tract hereby ceded being more particularly described as embracing all that part of the said Red Lake Indian Reservation lying west of the range line between ranges 38 and 39 west of the fifth principal meridian, the tract of land hereby ceded approximating 240,000 acres, and also hereby agree that all of said Indians now residing on the tract hereby ceded shall remove to the diminished reservation within six months after the ratification of this agreement, and shall be paid not exceeding $5 for each person by the Indians of said Red Lake Reservation out of the first payment received by them from the proceeds of this cession, said $5, or so much thereof as may be necessary, to be paid equitably to those who, in proper cases, shall show to the satisfaction of their respective improvements, which payment by said Red Lake Indians shall be in full for all improvements which they may abandon, and also for the removal within the diminished reservation of their dead from where they are now buried on the tract hereby ceded.

"ART. II. In consideration of the land ceded by the Indians as stipulated in Article I of this agreement, the United States agrees to pay to said Indians, in the manner hereinafter provided, the sum of $1,000,000.

"ART. III. It is understood that of the amount so to be paid to said Indians as stipulated by Article II of this agreement, the sum of $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation, and the remainder of the said $1,000,000, the first of which payments is to be paid in the month of October of the year following that in which the ratification of this agreement takes place, shall be expended in the following thirteen years, covering the period of said Indians' guardianship.

"ART. IV. It is further agreed that the said Indians belonging on said Red Lake Indian Reservation, Minn., shall possess the same rights and privileges in the disposition of their lands in severalty, and the proceeds thereof, as are accorded the Indians belonging on the White Earth Reservation, in Minnesota, under the provisions of the act of Congress approved January 14, 1889, and the amendatory acts of Congress relating thereto, and the proceeds of the sale of the timber on said lands shall be disposed of in the same manner as provided in said acts of Congress, and the proceeds of said lands shall be apportioned as equitably as possible among the said Indians.

"ART. V. It is understood that of the amount so to be paid to said Indians as stipulated by Article II of this agreement, the sum of $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation, Minn., and the remainder of said $1,000,000, or so much thereof as may be necessary, to be used in the following manner, to wit: [illegible] for a period of ten years, the first of which payments is to be made in the month of October of the year following that in which the ratification of this agreement takes place, and the balance, if any, to be used in the manner provided in Article III of this agreement.

"ART. VI. This agreement shall take effect and be in force when accepted and ratified by the Congress of the United States.

"In witness whereof the said James McLaughlin, United States Indian inspector, and the undersigned Indians, have hereunto set their hands and seals at Red Lake Indian Agency, Minn., this 10th day of March, A. D. 1902.

"JAMES MCLAUGHLIN,
United States Indian Inspector.

No.	Name.		Mark.	Age.	
1	Kaw bay no din	Chief.	x	67	(Seal.)
2	Maya ko ko ney ay	do	x	70	(Seal.)
3	Pay ma ko wed	do	x	[illegible]	(Seal.)
4	Ne ay ton up	do	x	[illegible]	(Seal.)
5	Ah mah ah ko ning	do	x	[illegible]	(Seal.)
6	I ban je gun a ake	do	x	[illegible]	(Seal.)
7	Kay bay gah bow	do	x	55	(Seal.)

And 193 other male adult Indians."

We, the undersigned, do hereby certify that the foregoing agreement was fully explained to the Indians named therein before the signing thereof, and that the agreement was duly executed and signed by said Indians.

[illegible] NOW,
[illegible] BENSON,
[illegible] WAVIDE,
Interpreters.

RED LAKE AGENCY, MINN., *March 12, 1902.*

We, the undersigned, do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian inspector, and the 220 Indians of the Red Lake Reservation, Minn., to the foregoing agreement.

DANIEL SULLIVAN,
Overseer in charge of Subagency.
FRANK H. KRAUS,
Mayor of Thief River Falls, Minn.
B. L. FAIRBANKS,
White Earth Agency, Minn.

RED LAKE AGENCY, MINN., *March 12, 1902.*

I hereby certify that the total number of male adult Indians over 18 years of age belonging on the Red Lake Reservation is 334, of whom 220 have signed the foregoing agreement.

G. L. SCOTT,
Major, Tenth Cavalry, Acting Indian Agent.

LEECH LAKE AGENCY, MINN., *March 17, 1902.*

And

Whereas it is deemed for the best interests of the said Indians that said agreement be amended and modified as hereinafter [illegible]

Be it enacted, etc., ARTICLE I. That the Indians belonging on the Red Lake Indian Reservation, Minn., for the consideration hereinafter mentioned, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Red Lake Indian Reservation within the boundaries of Red Lake County, Minn., as said county is now planned, defined and organized, the tract hereby ceded being more particularly described as embracing all that part of the said Red Lake Indian Reservation lying west of the range line between ranges 38 and 39 west of the fifth principal meridian, the tract of land hereby ceded approximating 240,000 acres, and also hereby agree that all of said Indians now residing on the tract hereby ceded shall remove to the diminished reservation within six months after the ratification of this agreement, and shall be paid not exceeding $5 for each person by the Indians of said Red Lake Reservation out of the first payment received by them from the proceeds of this cession, said $5, or so much thereof as may be necessary, to be paid equitably to those who, in proper cases, shall show to the satisfaction of their respective improvements, which payment by said Red Lake Indians shall be in full for all improvements which they may abandon, and also for the removal within the diminished reservation of their dead from where they are now buried on the tract hereby ceded.

ART. II. In consideration of the land ceded by the Indians as stipulated in Article I of this agreement the United States agrees to pay to said Indians, in the manner hereinafter provided, the sum of $1,000,000.

ART. III. It is understood that of the amount so to be paid to said Indians as stipulated by Article II of this agreement the sum of $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation, Minn., and the remainder of said $1,000,000, or so much thereof as may be necessary, to be used in the following manner, to wit: [illegible] for a period of ten years, the first of which payments is to be made in the month of October of the year following that in which the ratification of this agreement takes place, and the balance, if any, to be used in the manner provided in Article III of this agreement.

ART. IV. It is further agreed that the said Indians belonging on the said Red Lake Indian Reservation, Minn., shall possess the same rights and privileges in the disposition of their lands in severalty, and the proceeds thereof, as are accorded the Indians belonging on the White Earth Reservation, in Minnesota, under the provisions of the act of Congress approved January 14, 1889, and the amendatory acts of Congress relating thereto, and the proceeds of the sale of the timber on said lands shall be disposed of in the same manner as provided in said acts of Congress, and the proceeds of said lands shall be apportioned as equitably as possible among the said Indians.

ART. V. It is understood that nothing in this agreement shall be construed to deprive the said Indians belonging on the Red Lake Indian Reservation of any benefits to which they are entitled under existing treaties or agreements, but it is hereby understood that the provisions of this agreement and of all other agreements that the United States may enter into with said Indians shall be construed so as to deprive said Indians of no rights or privileges which they may enjoy under existing treaties or agreements with the United States, and nothing herein contained shall be construed as a release of any claim which said Indians may have against the United States.

ART. VI. This agreement shall take effect and be in force when accepted and ratified by the Congress of the United States.

Be it further enacted, That the said agreement be, and the same is hereby, accepted and ratified [illegible]

[illegible] the Secretary of the Interior is hereby vested with full power and authority to make such rules and regulations as to the time of notice, manner of sale, and other matters incident to the carrying out of the provisions of this act as he may deem necessary, and with authority to continue making sale of said lands until all of said lands shall have been sold.

[illegible] price to be paid for the land, the entryman shall pay the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is $1.25 per acre.

SEC. 4. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land hereby described, or to guarantee to find a purchaser for any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received, as herein provided.

SEC. 5. That this act shall take effect and be in force from and after its passage.

Mr. STEENERSON. Mr. Speaker, I desire to make a brief statement concerning this bill. The agreement set out in the bill was negotiated—under authority of law passed in 1901—by the Secretary of the Interior, or through an Indian inspector, with these Indians. This agreement was made in March, 1902, and provided that the Indians should cede this tract of land, consisting of 256,126.28 acres, to the United States, in consideration of which the United States should pay them $1,000,000, or approximately $3.90 an acre.

The Secretary of the Interior transmitted this agreement to the last Congress and recommended that it be ratified and carried out, but for reasons well known, although the Senate passed a bill, the House of Representatives failed to do so on the ground that they did not desire to appropriate money for the purchase of Indian lands. It therefore became necessary in this case, as in the case of the Rosebud Indians of South Dakota and the Devils Lake Indians of North Dakota, to modify the agreement so that the land should be sold by the United States and the proceeds turned over to the Indians.

This modification has been made in a manner similar to that of the Rosebud and the Devils Lake reservations, which the House has already passed upon.

The bill under immediate consideration is a Senate bill, and the provisions constituting the amendment were all considered by the Committee on Indian Affairs, and provides for this change, so that the land shall be sold. Instead of the United States being a purchaser, it simply acts as trustee and sells the land subject to the homestead laws.

It takes no money out of the Treasury. These appropriations that are made are to be taken out of the proceeds that are derived from the sale. This land, I will say, is all agricultural land, so reported, and although there are a few marshy places it will undoubtedly bring a great deal more to the Indians when sold as provided for in this bill than it would if the United States had paid $1,000,000.

Mr. PAYNE. There is no school land set apart in this bill, and so no appropriation is made.

Mr. STEENERSON. No. No preparation was made for school lands for this reason: In the case of State of Minnesota against Hitchcock the United States Supreme Court held that Minnesota was entitled to indemnity land, and it has selected the indemnity land outside.

Mr. PAYNE. All right; let us pass the bill.

Mr. STEPHENS of Texas. Mr. Speaker, this bill came from the Committee on Indian Affairs upon a unanimous report, and is in accord with the policy recently adopted to open up all Indian lands where a treaty has been properly made. The treaty in this case has been properly made, and the bill as drawn has no objectionable features.

be offered for sale at not less than $4 per acre (and lands remaining unsold after such sale shall be subject to private entry and sale at said price), without any conditions whatever except the payment of the purchase price: *And provided further*, That wherever the boundary line of said reservation runs diagonally so as to divide any Government subdivision of a section, and the owner of that portion of such subdivision now being outside of the reservation becomes the purchaser of that portion of such subdivision lying within the reservation, residence and improvements upon either portions of such subdivision as provided by the homestead law shall constitute a compliance as to all such Government subdivisions.

All of the Indians residing upon the tract above described shall remove therefrom to the diminished reservation within six months after the passage of this act; and there is hereby appropriated from the proceeds of said sale the sum of $20,000, or so much thereof as may be necessary, to be paid to those thus removing their improvements to their respective improvements which payment to the said Red Lake Indians shall be in full for all improvements which they will abandon, and also for the expense of removal within the diminished reservation of their dead from where they are now buried on the tract above described, and the expense of making allotments.

The proceeds of said lands as realized from time to time shall be paid into the United States Treasury to the credit of the Indians belonging on said reservation. Of the amount realized from the sale of said lands a sum not exceeding $[illegible] shall be paid in cash, per capita share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation within ninety days after the first sale herein provided for and the remainder of the proceeds of the sale of said lands shall be paid in cash, per capita, in fifteen annual installments, the first installment to be paid in the month of October of the year following that in which the payment of the $20,000 is made, and no proceeds realized after the expiration of said fifteen years shall be apportioned in the manner among said Indians and paid to them on the last day of October in each year.

[illegible] Secretary of the Interior is hereby vested with full power and authority to make such rules and regulations as to the time of notice, manner of sale, and other matters incident to the carrying out of the provisions of this act as he may deem necessary, and with authority to continue making sale of said lands until all of said lands shall have been sold.

[illegible] price to be paid for the land, the entryman shall pay the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is $1.25 per acre.

SEC. 4. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land hereby described, or to guarantee to find a purchaser for any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received, as herein provided.

SEC. 5. That this act shall take effect and be in force from and after its passage.

The SPEAKER. The question is on agreeing to the amendment in the nature of a substitute.

The question was taken; and the amendment was agreed to.

The amendment in the nature of a preamble was agreed to.

The bill was ordered to be read a third time; was read the third time, and passed.

On motion of Mr. STEENERSON, a motion to reconsider the last vote was laid on the table.

FIFTH JUDICIAL DISTRICT.

Mr. WILEY of Alabama. Mr. Speaker, earlier in the day I asked unanimous consent for the present consideration of the bill (H. R. 9648) regulating the holding of terms of court in the fifth judicial circuit. I now find that that bill passed at an earlier day of the session. I therefore ask unanimous consent to vacate all proceedings touching that bill at this time.

The SPEAKER. The gentleman from Alabama asks unanimous consent to vacate all proceedings had earlier in the day touching the bill (H. R. 9648) to amend the first section of an act providing that the circuit court of appeals for the fifth judicial circuit of the United States shall hold at least one term of said court annually in the city of Montgomery, in the State of Alabama. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

FIELD OPERATIONS OF THE BUREAU OF SOILS.

Mr. CHARLES B. LANDIS. Mr. Speaker, the objection to the present consideration of the House joint resolution No. 41, providing for a change in the method of printing the report on field operations of the Bureau of Soils, Department of Agriculture, has been withdrawn, and I renew my request for unanimous consent.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The resolution was ordered to be engrossed and read a third time, read the third time, and passed.

REPORTS OF LIBRARIAN OF CONGRESS.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution No. 37, providing for the editions to be printed of the annual and special reports of the Librarian of Congress, which I will send to the desk and ask to have read, with an amendment thereto.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the following Senate joint resolution, which the Clerk will report.

The Clerk read as follows:

Strike out all between the word "cloth," in line 6, and the word "five," in line 9; so that the resolution as amended will read as follows:

"*Resolved, etc.*, That of the annual or special reports of the Librarian of Congress hereafter submitted to Congress, but including the report for 1903, there be printed and bound in cloth such copies for the use of the Library of Congress."

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I will ask the gentleman the expense of this.

Mr. CHARLES B. LANDIS. The annual expense of this publication is $2,326.35.

The SPEAKER. The Chair hears no objection. The question is on agreeing to the amendment.

The question was taken; and the amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution as amended.

The question was taken; and the resolution was ordered to be read a third time, read the third time, and passed.

Mr. CHARLES B. LANDIS. Mr. Speaker, I ask unanimous consent for the present consideration of the Senate joint resolution No. 28.

Mr. DIXON. Mr. Speaker, I object. I call for the regular order.

The SPEAKER. The gentleman from Montana calls for the regular order.

AGREEMENT WITH INDIANS OF CROW RESERVATION.

Mr. DIXON. Mr. Speaker, I call up the bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect, and in that connection ask unanimous consent that the reading of the whereases of the bill be omitted and that it be read by the Clerk, commencing on line 1, page 10.

The SPEAKER. The gentleman from Montana asks unanimous consent that the Clerk omit the reading of the whereases of the bill and read only that portion of the bill indicated. Is there objection?

There was no objection.

The bill is as follows:

Whereas Benjamin F. Barge, James H. McNeely, and Charles G. Hoyt, acting for and on behalf the United States, did, on the 14th day of August,

A. D. 1899, make and conclude an agreement with the Indians of the Crow Reservation, in Montana, which said agreement is in words and figures as follows:

Whereas Benjamin F. Barge, James H. McNeely, and Charles G. Hoyt, being duly appointed as commissioners on behalf of the United States by the Secretary of the Interior under and by virtue of an act of Congress approved June 10, 1896 (29 U. S. Stat. L., p. 321), entitled "An act making appropriations for current and contingent expenses of the Indian Bureau of the Interior Department, and fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes," and by said act being authorized to negotiate with the Crow Indians, in the State of Montana, for the cession of a portion of their reservation; and whereas the Indians residing on and having rights upon the said Crow Indian Reservation, in the State of Montana, are willing to dispose of a portion of their surplus lands:

Now, therefore, this agreement made and entered into by and between the aforesaid commissioners on behalf of the United States of America and the headmen and a majority of the male adults residing upon and having rights on the Crow Indian Reservation in the State of Montana, witnesseth:

ARTICLE I. That the said Indians of the Crow Reservation do hereby cede, grant, and relinquish to the United States all right, title, and interest which they may have to the lands embraced within and bounded by the following described lines: Beginning at the northeast corner of the said Crow Indian Reservation; thence running due south on a point lying due east of the northeast corner of the Fort Custer Military Reservation; thence running due west to the northwest corner of said Fort Custer Military Reservation; thence due south to the southwest corner of said Fort Custer Military Reservation; thence due west to the intersection of the line between sections 10 and 11, township 2 south, range 23 east, of the principal meridian of Montana; thence due north to the intersection of the Montana base line; thence due west to the intersection of the western boundary of the Crow Indian Reservation; thence in a northeasterly direction, following the present boundary of said reservation, to point of beginning.

ART. II. That in consideration of the land ceded, granted, and relinquished as aforesaid, the United States stipulates and agrees to pay to and expend for the Indians of the said reservation $1,150,000, in the following manner, to wit:

Ninety thousand dollars, or so much thereof as may be necessary, shall be expended under the direction of the Secretary of the Interior in the extension and completion, including the necessary laterals, of the system of irrigation now being constructed on said reservation.

Ten thousand dollars shall be expended, under the direction of the Secretary of the Interior, in the building, extension, or completion of individual Indian ditches: *Provided*, That none of the above sum shall be expended without the knowledge and consent of the Indian agent.

One hundred thousand dollars shall be placed in the Treasury of the United States to the credit of the Crow Indians as a trust fund, the same to remain in the Treasury for fifteen years, and shall draw interest at the rate of 4 per cent per annum, said interest to be expended by the Secretary of the Interior in maintaining and managing said irrigation system.

Provided further, That at the expiration of the fifteen years above mentioned such disposition shall be made of said fund as the Indians, with the consent of the Secretary of the Interior, may determine.

Two hundred and forty thousand dollars shall be expended, under the direction of the Secretary of the Interior, in the purchase of 2-year-old breeding heifers, the same to be placed upon the Crow Indian Reservation, and added to the present herd now owned in common by the Crow tribe of Indians.

Additional amounts may be expended for cattle from time to time at the request of the Indians, under the direction of the Secretary of the Interior:

Provided further, That during the year 1902 and annually thereafter at least three in common by the Crow tribe of Indians shall be divided equally between said Indians, share and share alike to every man, woman, and child having rights upon the Crow Reservation.

Fifteen thousand dollars shall be spent in the purchase of jackasses or stallions, either or both, in the discretion of the Secretary of the Interior, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

Forty thousand dollars shall be expended under the direction of the Secretary of the Interior in the purchase of 2-year-old ewes, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

Forty thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in fencing the Crow Reservation with said fence to be built of six strands of galvanized barbed wire, the posts to be either cedar posts not less than 4 inches in diameter at the small end, or iron posts set 16 feet apart with three braces between each two posts, said fence to be well built and properly braced and anchored.

One hundred thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in the erection, purchase, and repair of such school buildings as he may deem necessary.

Ten thousand dollars shall be expended by the Secretary of the Interior in the erection and furnishing of a hospital at the agency for the benefit of the Crow Indians.

Fifty thousand dollars shall be placed in the Treasury of the United States to the credit of the Crow tribe of Indians as a trust fund, and shall bear interest at the rate of 4 per cent per annum, said interest to be used under direction of the Secretary of the Interior, to cover necessary expenses of maintaining said hospital.

Fifty thousand dollars shall be deposited in the Treasury of the United States to the credit of the Crow tribe of Indians, the same to be expended for their benefit from time to time by the Secretary of the Interior, in such manner as he may direct.

Three thousand dollars, or as much thereof as may be necessary, is hereby appropriated and set aside to pay the expenses of ten Crow Indians, two interpreters, and the agent to visit Washington at such time as permission is granted from the Secretary of the Interior.

The balance of the principal sum due the Crow Indians under this agreement shall be placed in the Treasury of the United States to their credit as a trust fund and shall bear interest at the rate of 4 per cent per annum; said interest to be added annually to the principal and an annual annuity payment of $ per capita shall be paid, in cash, to every man, woman, and child having rights upon the reservation; said annuity to be paid semi-annually in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

Provided further, That $200,000 of the last-named sum may be expended in the further purchase of cattle or sheep should a majority of the Indians so decide and the same be approved by the Secretary of the Interior.

Provided further, That when each object for which a specific appropriation has been made in this agreement shall have been fully carried out and completed then the balance remaining of said appropriation may be expended for the benefit of the Crow tribe or placed to their credit in such manner as the Secretary of the Interior may determine.

It is further agreed that in the construction of ditches, dams, canals, and fences that no contract shall be awarded nor employment given to other than Crow Indians, or whites intermarried with them, except that any Indian employed in construction may hire white men to work for him if he so desires.

Provided further, That nothing herein contained shall be construed to prevent the employment of such engineers or other skilled employees or to prevent the employment of white labor where it is impracticable for the Crows to perform the same.

None of the money due to the said Indians under this agreement shall be subject to the payment of any claims, judgments, [or] demands against said Indians for damages or depredations claimed to have been committed prior to the signing of this agreement.

ART. III. All lands upon that portion of the reservation hereby granted, ceded, and relinquished which have, prior to the date of this agreement, been allotted in severalty to Indians of the Crow tribe shall be reserved for said allotted Indians, or where any Indians have homes on such lands they shall not be removed therefrom without their consent, and these not allotted may receive allotments on the lands they now occupy. But in case any prefer to move they may select land elsewhere on that portion of said reservation not hereby ceded, granted, or relinquished and not occupied by prior settlers, and should they decide not to move their improvements then the same may be sold for their benefit, said sale to be approved by the Secretary of the Interior, and the cash proceeds shall be paid to the Indian or Indians whose improvements shall be so sold.

ART. IV. That for the purpose of segregating the ceded lands from the diminished reservation the new boundary lines described in Article I of this agreement shall, when necessary, be properly surveyed and permanently marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

ART. V. The water from streams on that portion of the reservation now sold, which is necessary for irrigating on land actually cultivated and in use, shall be reserved for the Indians now using the same so long as said Indians remain where they now live.

ART. VI. It is further agreed that a statement of all expenditures under the various provisions of this agreement shall be sent to the agent of the Crow Indians twice a year, or at such times as the Secretary of the Interior may direct, showing the amounts expended and the balance remaining on hand in each of the several funds.

ART. VII. The existing provisions of all former treaties with the Crow tribe of Indians not inconsistent with the provisions of this agreement, are hereby continued in force and effect, and all provisions thereof inconsistent herewith are hereby repealed.

ART. VIII. This agreement shall take effect and be in force when signed by the commissioners and a majority of the male Indians of the Crow tribe over 18 years of age, and ratified by the Congress of the United States, and should any article in the agreement fail of confirmation by Congress, then the whole shall be null and void.

Signed on the part of the United States Government by the commissioners aforesaid and by the following Indians of the Crow tribe having rights on the Crow Reservation in the State of Montana.

CROW AGENCY, MONT., *August 15, 1899*.

CHARLES G. HOYT, *Commissioner*.
JAMES H. MCNEELY, *Commissioner*.
BENJAMIN F. BARGE, *Commissioner*.
PRETTY (x mark) EAGLE.
PLENTY COOS.
Two (x mark) LEGGINS.
(And 535 others.)

Witness:
FRED. E. MILLER.

I hereby certify that I was chosen by the Indians to act as interpreter during the [illegible] held to discuss the foregoing agreement; that I truly interpreted for the commissioners and for the Indians and that they thoroughly understand the entire matter.

CARL LEIDER, *Interpreter*.

Witness:
O. N. CROTENBERG.

We hereby certify that we were present at the councils held to discuss the foregoing agreement; that we understand the agreement and that the provisions of said agreement were explained to the Indians and that they understood the entire matter.

FRANK SHANE.
W. M. LEIGHTON.
GEORGE H. PEASE.

Witness:
H. J. SHORE.
F. G. MATTOON.

CROW AGENCY, MONT., *August 21, 1899*.

Crow Agency, Mont., August 21, 1899.

I hereby certify that 317 Indians [illegible] 18 years old residing on or [illegible] upon the Crow Indian Reservation in the State of Montana.

J. E. EDWARDS,
United States Indian Agent.

And

Whereas the Indians of said Crow Reservation, represented to the number of [illegible] the agreement signed, as aforesaid, by an instrument executed by them on the 27th day of April, A. D. 1901, in words and figures as follows:

CROW AGENCY, MONT., *April 27, 1901*.

We, the undersigned members of the Crow tribe of Indians, having [illegible] sent and agree to the amendment of the agreement with the United States [illegible] May 14, 1899, by the addition of the following [illegible]: The right to take out water through the Crow Reservation [illegible] prior rights of the Indians [illegible] the right to construct, maintain, and operate canals, ditches, and reservoirs and to use the said ditches and canals for the purpose of conducting water through any portion of the Crow Reservation [illegible] upon such terms and conditions and requirements as may be prescribed by the Secretary of the Interior.

RICHARD WALLACE.
TWO (x mark) LEGGINS.
MOUNTAIN EAGLE.
(And 523 more Indian signatures.)

We certify on honor that we were present and witnessed the signing of the above amendment by the adult male members of the Crow tribe of Indians, as recorded from 1 to [illegible].

F. G. MATTOON.
FRED E. MILLER.

I certify on honor that I interpreted the above amendment to the agreement representing the proposed agreement to the Indians, and that they fully understood the conditions of the same, and that I witnessed the signing of same by the adult male members of the Crow tribe of Indians, numbered from 1 to 523.

T. LAFORGE, *Interpreter*.

I certify on honor that the Indians whose names are attached to the above list, numbered from 1 to 526, are all adult male members of the Crow tribe of

Indians, and that each one is entitled to and does receive an equal portion of the benefits of the Crow tribe of Indians, and are entitled to signify their wishes in the premises [illegible] I further certify that 23 Indians constituting a majority of the adult male Crow Indians having rights on the Crow Indian Reservation in the State of Montana.

J. E. EDWARDS,
United States Indian Agent.

Therefore,

[illegible] said agreement be, and the same is hereby, modified [illegible]

[illegible]

[illegible] south to [illegible] thence due [illegible] of the [illegible] Montana [illegible] Following the present boundary of said [illegible] of the land ceded, granted, relinquished, [illegible] marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

[illegible] water from streams on that portion of the reservation now sold, which is necessary for irrigating on land actually cultivated and in use, shall be reserved for the Indians now using the same so long as said Indians remain where they now live.

[illegible] statement of all expenditures under the various provisions of this agreement shall be sent to the agent of the Crow Indians twice a year, or at such times as the Secretary of the Interior may direct, showing the amounts expended and the balance remaining on hand in each of the several funds.

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[illegible] shall be placed in the Treasury of the United States to their credit as a trust fund, the same to remain in the Treasury for fifteen years, and shall draw interest at the rate of 4 per cent per annum, said interest to be expended by the Secretary of the Interior in maintaining and managing said irrigation system.

[illegible] Two hundred and forty thousand dollars shall be expended, under the direction of the Secretary of the Interior, in the purchase of 2-year-old breeding heifers, the same to be placed upon the Crow Indian Reservation, and added to the present herd now owned in common by the Crow tribe of Indians.

[illegible] Fifteen thousand dollars shall be spent in the purchase of jackasses or stallions, either or both, in the discretion of the Secretary of the Interior, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

[illegible] Forty thousand dollars shall be expended under the direction of the Secretary of the Interior in the purchase of 2-year-old ewes, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

[illegible] Forty thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in fencing the Crow Reservation with said fence to be built of six strands of galvanized barbed wire, the posts to be either cedar posts not less than 4 inches in diameter at the small end, or iron posts set 16 feet apart with three braces between each two posts, said fence to be well built and properly braced and anchored.

[illegible] One hundred thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in the erection, purchase, and repair of such school buildings as he may deem necessary.

[illegible] Ten thousand dollars shall be expended by the Secretary of the Interior in the erection and furnishing of a hospital at the agency for the benefit of the Crow Indians.

[illegible] Fifty thousand dollars shall be placed in the Treasury of the United States to the credit of the Crow tribe of Indians as a trust fund, and shall bear interest at the rate of 4 per cent per annum, said interest to be used, under direction of the Secretary of the Interior, to cover necessary expenses of maintaining said hospital.

[illegible] Fifty thousand dollars shall be deposited in the Treasury of the United States to the credit of the Crow tribe of Indians, the same to be expended for their benefit from time to time by the Secretary of the Interior, in such manner as he may direct.

[illegible] Three thousand dollars, or as much thereof as may be necessary, is hereby appropriated and set aside to pay the expenses of ten Crow Indians, two interpreters, and the agent to visit Washington at such time as permission is granted from the Secretary of the Interior.

[illegible] The balance of the principal sum due the Crow Indians under this agreement shall be placed in the Treasury of the United States to their credit as a trust fund and shall bear interest at the rate of 4 per cent per annum; said interest to be added annually to the principal and an annual annuity payment of $ per capita shall be paid, in cash, to every man, woman, and child having rights upon the reservation; said annuity to be paid semi-annually in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

[illegible] *Provided further*. That $200,000 of the last-named sum may be expended in the further purchase of cattle or sheep should a majority of the Indians so decide and the same be approved by the Secretary of the Interior.

[illegible] *Provided further*, That when each object for which a specific appropriation has been made in this agreement shall have been fully carried out and completed then the balance remaining of said appropriation may be expended for the benefit of the Crow tribe or placed to their credit in such manner as the Secretary of the Interior may determine.

[illegible] It is further agreed that in the construction of ditches, dams, canals, and fences that no contract shall be awarded nor employment given to other than Crow Indians, or whites intermarried with them, except that any Indian employed in construction may hire white men to work for him if he so desires.

[illegible] *Provided further*, That nothing herein contained shall be construed to prevent the employment of such engineers or other skilled employees or to prevent the employment of white labor where it is impracticable for the Crows to perform the same.

[illegible] None of the money due to the said Indians under this agreement shall be subject to the payment of any claims, judgments, [or] demands against said Indians for damages or depredations claimed to have been committed prior to the signing of this agreement. And the various expenditures and payments required to be made under the provisions of this article shall be made as the funds therefor are available as herein provided, and shall be prorated, apportioned and made in such proportions and amounts as in the opinion of the Secretary of the Interior the needs and requirements of the Indians and their best interests shall warrant and demand.

"ART. III. All lands upon that portion of the reservation hereby granted, ceded, and relinquished which have, prior to the date of this agreement, been allotted in severalty to Indians of the Crow tribe shall be reserved for said Indians, or where any Indians have homes on such lands they shall not be removed therefrom without their consent, and those not allotted may receive allotments on the lands they now occupy. But in case any prefer to move they may select land elsewhere on that portion of said reservation not hereby ceded, granted, or relinquished and not occupied by prior settlers, and should they decide not to move their improvements then the same may be sold for their benefit, said sale to be approved by the Secretary of the Interior, and the cash proceeds shall be paid to the Indian or Indians whose improvements shall be so sold.

"ART. IV. That for the purpose of segregating the ceded lands from the diminished reservation the new boundary lines described in Article I of this agreement shall, when necessary, be properly surveyed and permanently marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

"ART. V. The water from streams on that portion of the reservation now sold, which is necessary for irrigating on land actually cultivated and in use, shall be reserved for the Indians now using the same so long as said Indians remain where they now live.

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[illegible] Signed on the part of the United States Government by the commissioners aforesaid and by the following Indians of the Crow tribe having rights on the Crow Reservation in the State of Montana.

[illegible] *August 15, 1899*.

CHARLES G. HOYT, *Commissioner*.
JAMES H. MCNEELY, *Commissioner*.
BENJAMIN F. BARGE, *Commissioner*.
PRETTY (x mark) EAGLE.
PLENTY COOS.
Two (x mark) LEGGINS.
(And 535 others.)

Witness:
FRED. E. MILLER.

I hereby certify that I was chosen by the Indians to act as interpreter during the [illegible] held to discuss the foregoing agreement; that I truly interpreted for the commissioners and for the Indians and that they thoroughly understand the entire matter.

CARL LEIDER, *Interpreter*.

Witness:
O. N. CROTENBERG.

We hereby certify that we were present at the councils held to discuss the foregoing agreement; that we understand the agreement and that the provisions of said agreement were explained to the Indians and that they understood the entire matter.

FRANK SHANE.
W. M. LEIGHTON.
GEORGE H. PEASE.

Witness:
H. J. SHORE.
F. G. MATTOON.

CROW AGENCY, MONT., *August 21, 1899*.

Crow Agency, Mont., August 21, 1899.

I hereby certify that 317 Indians [illegible] 18 years old residing on or [illegible] upon the Crow Indian Reservation in the State of Montana.

J. E. EDWARDS,
United States Indian Agent.

And

Whereas the Indians of said Crow Reservation, represented to the number of [illegible] the agreement signed, as aforesaid, by an instrument executed by them on the 27th day of April, A. D. 1901, in words and figures as follows:

CROW AGENCY, MONT., *April 27, 1901*.

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RICHARD WALLACE.
TWO (x mark) LEGGINS.
MOUNTAIN EAGLE.
(And 523 more Indian signatures.)

We certify on honor that we were present and witnessed the signing of the above amendment by the adult male members of the Crow tribe of Indians, as recorded from 1 to [illegible].

F. G. MATTOON.
FRED E. MILLER.

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I certify on honor that the Indians whose names are attached to the above list, numbered from 1 to 526, are all adult male members of the Crow tribe of Indians, and that each one is entitled to and does receive an equal portion of the benefits of the Crow tribe of Indians, and are entitled to signify their wishes in the premises [illegible] I further certify that 23 Indians constituting a majority of the adult male Crow Indians having rights on the Crow Indian Reservation in the State of Montana.

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Therefore,

[illegible] said agreement be, and the same is hereby, modified [illegible]

[illegible]

[illegible] south to [illegible] thence due [illegible] of the [illegible] Following the present boundary of said [illegible] of the land ceded, granted, relinquished, [illegible] marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

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[illegible] Two hundred and forty thousand dollars shall be expended, under the direction of the Secretary of the Interior, in the purchase of 2-year-old breeding heifers, the same to be placed upon the Crow Indian Reservation, and added to the present herd now owned in common by the Crow tribe of Indians.

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PRETTY (x mark) EAGLE.
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Witness:
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(And 523 more Indian signatures.)

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I certify on honor that I interpreted the above amendment to the agreement representing the proposed agreement to the Indians, and that they fully understood the conditions of the same, and that I witnessed the signing of same by the adult male members of the Crow tribe of Indians, numbered from 1 to 523.

T. LAFORGE, *Interpreter*.

I certify on honor that the Indians whose names are attached to the above list, numbered from 1 to 526, are all adult male members of the Crow tribe of Indians, and that each one is entitled to and does receive an equal portion of the benefits of the Crow tribe of Indians, and are entitled to signify their wishes in the premises [illegible] I further certify that 23 Indians constituting a majority of the adult male Crow Indians having rights on the Crow Indian Reservation in the State of Montana.

J. E. EDWARDS,
United States Indian Agent.

Therefore,

[illegible] said agreement be, and the same is hereby, modified [illegible]

[illegible]

[illegible] south to [illegible] thence due [illegible] of the [illegible] Following the present boundary of said [illegible] of the land ceded, granted, relinquished, [illegible] marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

[illegible] water from streams on that portion of the reservation now sold, which is necessary for irrigating on land actually cultivated and in use, shall be reserved for the Indians now using the same so long as said Indians remain where they now live.

[illegible] statement of all expenditures under the various provisions of this agreement shall be sent to the agent of the Crow Indians twice a year, or at such times as the Secretary of the Interior may direct, showing the amounts expended and the balance remaining on hand in each of the several funds.

[illegible] provisions of all former treaties with the Crow tribe of Indians not inconsistent with the provisions of this agreement, are hereby continued in force and effect, and all provisions thereof inconsistent herewith are hereby repealed.

[illegible] shall be placed in the Treasury of the United States to their credit as a trust fund, the same to remain in the Treasury for fifteen years, and shall draw interest at the rate of 4 per cent per annum, said interest to be expended by the Secretary of the Interior in maintaining and managing said irrigation system.

[illegible] Two hundred and forty thousand dollars shall be expended, under the direction of the Secretary of the Interior, in the purchase of 2-year-old breeding heifers, the same to be placed upon the Crow Indian Reservation, and added to the present herd now owned in common by the Crow tribe of Indians.

[illegible] Fifteen thousand dollars shall be spent in the purchase of jackasses or stallions, either or both, in the discretion of the Secretary of the Interior, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

[illegible] Forty thousand dollars shall be expended under the direction of the Secretary of the Interior in the purchase of 2-year-old ewes, the same to be placed upon the Crow Reservation for the benefit of the Crow Indians.

[illegible] Forty thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in fencing the Crow Reservation with said fence to be built of six strands of galvanized barbed wire, the posts to be either cedar posts not less than 4 inches in diameter at the small end, or iron posts set 16 feet apart with three braces between each two posts, said fence to be well built and properly braced and anchored.

[illegible] One hundred thousand dollars, or as much thereof as may be necessary, shall be expended by the Secretary of the Interior in the erection, purchase, and repair of such school buildings as he may deem necessary.

[illegible] Ten thousand dollars shall be expended by the Secretary of the Interior in the erection and furnishing of a hospital at the agency for the benefit of the Crow Indians.

[illegible] Fifty thousand dollars shall be placed in the Treasury of the United States to the credit of the Crow tribe of Indians as a trust fund, and shall bear interest at the rate of 4 per cent per annum, said interest to be used, under direction of the Secretary of the Interior, to cover necessary expenses of maintaining said hospital.

[illegible] Fifty thousand dollars shall be deposited in the Treasury of the United States to the credit of the Crow tribe of Indians, the same to be expended for their benefit from time to time by the Secretary of the Interior, in such manner as he may direct.

[illegible] Three thousand dollars, or as much thereof as may be necessary, is hereby appropriated and set aside to pay the expenses of ten Crow Indians, two interpreters, and the agent to visit Washington at such time as permission is granted from the Secretary of the Interior.

[illegible] The balance of the principal sum due the Crow Indians under this agreement shall be placed in the Treasury of the United States to their credit as a trust fund and shall bear interest at the rate of 4 per cent per annum; said interest to be added annually to the principal and an annual annuity payment of $ per capita shall be paid, in cash, to every man, woman, and child having rights upon the reservation; said annuity to be paid semi-annually in accordance with such rules and regulations as the Secretary of the Interior may prescribe.

[illegible] *Provided further*, That $200,000 of the last-named sum may be expended in the further purchase of cattle or sheep should a majority of the Indians so decide and the same be approved by the Secretary of the Interior.

[illegible] *Provided further*, That when each object for which a specific appropriation has been made in this agreement shall have been fully carried out and completed then the balance remaining of said appropriation may be expended for the benefit of the Crow tribe or placed to their credit in such manner as the Secretary of the Interior may determine.

[illegible] It is further agreed that in the construction of ditches, dams, canals, and fences that no contract shall be awarded nor employment given to other than Crow Indians, or whites intermarried with them, except that any Indian employed in construction may hire white men to work for him if he so desires.

[illegible] *Provided further*, That nothing herein contained shall be construed to prevent the employment of such engineers or other skilled employees or to prevent the employment of white labor where it is impracticable for the Crows to perform the same.

[illegible] None of the money due to the said Indians under this agreement shall be subject to the payment of any claims, judgments, [or] demands against said Indians for damages or depredations claimed to have been committed prior to the signing of this agreement. And the various expenditures and payments required to be made under the provisions of this article shall be made as the funds therefor are available as herein provided, and shall be prorated, apportioned and made in such proportions and amounts as in the opinion of the Secretary of the Interior the needs and requirements of the Indians and their best interests shall warrant and demand.

"ART. III. All lands upon that portion of the reservation hereby granted, ceded, and relinquished which have, prior to the date of this agreement, been allotted in severalty to Indians of the Crow tribe shall be reserved for said Indians, or where any Indians have homes on such lands they shall not be removed therefrom without their consent, and those not allotted may receive allotments on the lands they now occupy. But in case any prefer to move they may select land elsewhere on that portion of said reservation not hereby ceded, granted, or relinquished and not occupied by prior settlers, and should they decide not to move their improvements then the same may be sold for their benefit, said sale to be approved by the Secretary of the Interior, and the cash proceeds shall be paid to the Indian or Indians whose improvements shall be so sold.

"ART. IV. That for the purpose of segregating the ceded lands from the diminished reservation the new boundary lines described in Article I of this agreement shall, when necessary, be properly surveyed and permanently marked in a plain and substantial manner by prominent and durable monuments, the cost of said survey to be paid by the United States.

"ART. V. The water from streams on that portion of the reservation now sold, which is necessary for irrigating on land actually cultivated and in use, shall be reserved for the Indians now using the same so long as said Indians remain where they now live.

"ART. VI. It is further agreed that a statement of all expenditures under the various provisions of this agreement shall be sent to the agent of the Crow Indians twice a year, or at such times as the Secretary of the Interior may direct, showing the amounts expended and the balance remaining on hand in each of the several funds.

"ART. VII. The existing provisions of all former treaties with the Crow tribe of Indians not inconsistent with the provisions of this agreement, are hereby continued in force and effect, and all provisions thereof inconsistent herewith are hereby repealed.

"ART. VIII. This agreement shall take effect and be in force when signed by the commissioners and a majority of the male Indians of the Crow tribe over 18 years of age, and ratified by the Congress of the United States, and should any article in the agreement fail of confirmation by Congress, then the whole shall be null and void.

[illegible] Signed on the part of the United States Government by the commissioners aforesaid and by the following Indians of the Crow tribe having rights on the Crow Reservation in the State of Montana.

[illegible] *August 15, 1899*.

CHARLES G. HOYT, *Commissioner*.
JAMES H. MCNEELY, *Commissioner*.
BENJAMIN F. BARGE, *Commissioner

No lands in sections 16 and 36 now occupied, as set forth in article 3 of the agreement herein ratified, shall be reserved for school purposes, but the State of Montana shall be entitled to indemnity for any lands so occupied; and the governor of said State, with the approval of the Secretary of the Interior, is hereby authorized in the tract herein ceded to locate other lands not occupied, which shall be paid for by the United States, as herein provided, in quantity equal to the loss, and such selection shall be made prior to the opening of such lands to settlement.

SEC. 7. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary, to pay, at the rate $1.25 per acre, for the lands granted to the State of Montana as provided in section 3 of this act.

SEC. 8. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, except sections 16 and 36 or the equivalent in each township, or to dispose of said land except as provided herein, or to guarantee to find purchasers for said lands; any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received, as herein provided.

The SPEAKER. The question is on agreeing to the preamble.

The question was taken; and the preamble was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. DIXON, a motion to reconsider the last vote was laid on the table.

CENSUS OF MANUFACTURES.

Mr. CRUMPACKER. Mr. Speaker, I ask unanimous consent to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill (H. R. 11823) to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking a census of manufactures, and to take the same up in the House for present consideration.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

Be it enacted, etc., That the Director of the Census is hereby authorized and empowered to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures and shall equitably share the expenses thereof, the results of which may be accepted by the United States as its census of manufactures for that State for the year 1905: *Provided*, That the expenditures incident to this cooperation shall not exceed $20,000, such expenditures to be paid from the fund appropriated for the expenses of the field work of the census for the fiscal year ending June 30, 1905. And the Director of the Census may, in his discretion, cooperate with the officials of other States which take a like census in so far as it may aid in the collection of statistics of manufactures required by existing law.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, read the third time, and passed.

On motion of Mr. CRUMPACKER, a motion to reconsider the last vote was laid on the table.

UNITED STATES COURT AT MARIETTA, IND. T.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 19) establishing a United States court at Marietta, Ind. T., which I will send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That in addition to the places now provided by law for holding courts in the southern judicial district of Indian Territory, court shall be held in the town of Marietta, and all laws regulating the holding of courts in the Indian Territory shall be applicable to the said court hereby created in the said town of Marietta.

SEC. 2. That the territory described in this section shall be known as recording district No. 28.

"Beginning at a point where range line between ranges 2 and 3 west reaches Red River, being the corner of district No. 26, thence down Red River with all its meanderings to the range line between ranges 3 and 4 east, being corner of district No. 27, thence north on said range line to township line between Nos. 5 and 6 south, thence west on said township line to where it intersects township line between townships 2 and 3 west, same being east line of district No. 26; thence southerly and westerly along said Red River." The place of recording in such district shall be at the town of Marietta, and the provisions of the act of Congress, approved February 19, 1903, shall apply to this district where applicable.

SEC. 3. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and, being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote by which the bill was passed was laid on the table.

TERMS OF COURT, NORTHERN DISTRICT, WEST VIRGINIA.

Mr. DAYTON. I ask unanimous consent for the present consideration of the bill (S. 1935) providing for the holding of an additional term of court in the northern district of West Virginia at Martinsburg, W. Va.

The bill was read, as follows:

Be it enacted, etc., That in addition to the courts heretofore held in the northern district for the State of West Virginia, there shall be held an additional term of court at Martinsburg, W. Va., on the second Tuesday in May in each year.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to a third reading, read the third time, and passed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DEEMER, for four days, on account of important business.

To Mr. BURTON, for two days, on account of important business.

ADJOURNMENT.

And then, on motion of Mr. PAYNE (at 4 o'clock and 10 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Attorney-General, submitting a reply to the inquiry of the House in relation to charges against United States court officials in the Indian Territory—to the Committee on the Judiciary, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Lucy*, Matthias Rider, master—to the Committee on Claims, and ordered to be printed.

A letter from the assissant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Maria*, Thomas Gardner, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Nancy*, William Ward, master—to the Committee on Claims, and ordered to be printed.

A letter from the Acting Attorney-General, submitting a reply to the inquiry of the House as to the institution of various suits under the so-called Sherman antitrust law—to the Committee on the Judiciary, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for shooting galleries and ranges—to the Committee on Military Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands, reported the same with amendment, accompanied by a report (No. 906); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ESCH, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 3800) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold, reported the same without amendment, accompanied by a report (No. 907); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEPHENS of Texas, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 23) in relation to pharmacy in the Indian Territory, reported the same with amendment, accompanied by a report (No. 908); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory, reported the same without amendment, accompanied by a report (No. 909); which said bill and report were referred to the House Calendar.

Mr. CHARLES B. LANDIS, from the Committee on Printing, to which was referred the joint resolution of the Senate (S. R. 28) authorizing the printing of additional copies of Agricultural Bulletin No. 124, being a report on irrigation in Utah, reported the same without amendment, accompanied by a report (No. 910); which said joint resolution and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 7094) granting a pension to Herbert Mueller—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8620) granting an increase of pension to Celia M. Viven—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FOSS, from the Committee on Naval Affairs: A bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. [illegible]: A bill (H. R. 12221) to provide for the payment of medical expenses of sick officers and enlisted men of the Army while absent from duty with leave or on furlough—to the Committee on Military Affairs.

By Mr. LITTLEFIELD: A bill (H. R. 12222) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes—to the Committee on the Merchant Marine and Fisheries.

By Mr. SNOOK: A bill (H. R. 12223) to provide for the erection of a monument to Gen. Anthony Wayne, at Defiance, Ohio—to the Committee on the Library.

By Mr. MINOR: A bill (H. R. 12224) to amend section 4 of chapter 29 of the act amendatory of Revised Statutes, 4417, approved December 21, 1898—to the Committee on the Merchant Marine and Fisheries.

By Mr. PAYNE: A bill (H. R. 12225) to amend sections 2959, 2960, 2962, and 2975 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. BOWERS: A bill (H. R. 12226) to amend chapter 182, volume 28, of the Statutes at Large of the United States, so as to relieve homestead entrymen on naval reserve lands in Mississippi and Alabama from the payment of greater prices for said lands than in other cases—to the Committee on the Public Lands.

By Mr. RIXEY: A bill (H. R. 12227) to increase the limit of cost of the erection of an addition to the public building at Alexandria, Va.—to the Committee on Public Buildings and Grounds.

By Mr. STEVENS of Minnesota: A bill (H. R. 12228) to provide for the distribution of the Federal Cases in the United States courts—to the Committee on the Judiciary.

Also, a bill (H. R. 12229) to provide for the distribution of the reports of the United States circuit court of appeals and of the circuit and district courts—to the Committee on the Judiciary.

By Mr. LIVERNASH: A bill (H. R. 12230) to prohibit the employment aboard vessels holding American register of Chinese persons not entitled to admission to the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. [illegible]: A bill (H. R. 12231) for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation, in the State of Montana, and the sale and disposal of surplus lands after allotment—to the Committee on Indian Affairs.

By Mr. DAVEY of Louisiana: A bill (H. R. 12232) for the relief of the nurses who served in the Spanish-American war—to the Committee on Pensions.

Also, a bill (H. R. 12233) to authorize the location of a Branch Home for Volunteer Soldiers and Sailors in either of the States of Louisiana or Mississippi, and for other purposes—to the Committee on Military Affairs.

By Mr. BURKE: A bill (H. R. 12234) relative to fees and commissions on final entry or commutation of homestead entries—to the Committee on Public Lands.

By Mr. JONES of Washington: A bill (H. R. 12235) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes—to the Committee on Indian Affairs.

By Mr. [illegible] of Mississippi: A bill (H. R. 12236) to amend a survey of the Big Sunflower River, Mississippi, with the view to constructing locks and dams therein—to the Committee on Rivers and Harbors.

By Mr. [illegible]: A bill (H. R. 12237) to provide for the appointment, duties, compensation, and inspection of accounts of commissaries in Alaska, and for other purposes—to the Committee on the Judiciary.

By Mr. BOWELL of Utah: A bill (H. R. 12238) to annex a portion of Arizona Territory to the State of Utah—to the Committee on the Territories.

By Mr. McCALL: A bill (H. R. 12239) for the erection of a public building at Woburn, Mass.—to the Committee on Public Buildings and Grounds.

By Mr. MAYNARD: A concurrent resolution (H. C. Res. 41) directing the Secretary of War to cause an examination and survey to be made of the channel of the southern branch of the Elizabeth River between the Norfolk Navy-Yard and Gilmerton, Va.—to the Committee on Rivers and Harbors.

Also, a concurrent resolution (H. C. Res. 42) directing the Secretary of War to cause an examination and survey to be made of the channel of the eastern branch of the Elizabeth River at Norfolk, Va.—to the Committee on Rivers and Harbors.

By Mr. RIDER: A resolution (H. Res. 209) instructing the Committee on Agriculture to inquire into errors, etc., in the administration and execution of existing laws affecting the Department of Agriculture, particularly the Bureau of Chemistry—to the Committee on Rules.

By Mr. PEARRE: A resolution (H. Res. 210) referring H. R. 11551 to the Court of Claims—to the Committee on War Claims.

By Mr. ESCH: A resolution (H. Res. 211) directing the Interstate Commerce Commission to send copies of all petitions, briefs, arguments and testimony to the House relative to relieving common carriers by railroad from, or extending the time in which they shall comply with, any of the provisions of the safety appliance acts of March 2, 1893, and March 2, 1900; also copies of all orders made by the Commission with respect to said acts—to the Committee on Interstate and Foreign Commerce.

By Mr. GROSVENOR: A resolution (H. Res. 212) for the consideration of H. R. 7056—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTLETT: A bill (H. R. 12240) granting a pension to Stewart Harden—to the Committee on Pensions.

By Mr. BENTON: A bill (H. R. 12241) for the relief of M. J. Conley, heir of Harmon Conley, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12242) for the relief of Paschal Henshaw—to the Committee on War Claims.

Also, a bill (H. R. 12243) granting an increase of pension to John S. Mosier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12244) granting an increase of pension to Henry H. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12245) granting an increase of pension to William Lathrop—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12246) granting an increase of pension to Joseph C. Grissom—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 12247) granting an increase of pension to Laura S. Picking—to the Committee on Invalid Pensions.

By Mr. DAVIS of Minnesota: A bill (H. R. 12248) granting an increase of pension to Hezekiah Bruce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12249) granting a pension to Jesse S. Bean—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 12250) granting a pension to Sampson Snyder—to the Committee on Invalid Pensions.

By Mr. [illegible]: A bill (H. R. 12251) granting a pension to Christopher H. Pearce—to the Committee on Invalid Pensions.

By Mr. FULLER: A bill (H. R. 12252) granting an increase of pension to James [illegible], alias James Baker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12253) granting an increase of pension to Margaret [illegible]—to the Committee on Invalid Pensions.

By Mr. GILLETTE: A bill (H. R. 12254) granting an increase of pension to Matthew R. Bevan—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 12255) granting an increase of pension to Benjamin F. Gudgell—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 12256) granting a pension to Ella Q. Parish—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12257) granting a pension to Greenville R. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12258) granting a pension to M. P. M. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12259) correcting the record of Harison Pack and granting him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 12260) correcting the record of D. B. Porter and granting him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 12261) correcting the record of J. H. Porter and granting him a pension—to the Committee on Military Affairs.

Also, a bill (H. R. 12262) granting an increase of pension to Mary H. Atkinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12263) granting an increase of pension to John W. Puckett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12264) granting an increase of pension to James Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12265) for the relief of Dillard Martin—to the Committee on Claims.

Also, a bill (H. R. 12266) for the relief of Dillard Martin—to the Committee on Claims.

Also, a bill (H. R. 12267) for the relief of J. C. Creed—to the Committee on Claims.

By Mr. HOWELL of Utah: A bill (H. R. 12268) granting a pension to Jane K. Carpenter—to the Committee on Invalid Pensions.

By Mr. JONES of Washington: A bill (H. R. 12269) for the relief of John M. Hill—to the Committee on Claims.

By Mr. KLUTTZ: A bill (H. R. 12270) for the relief of Mrs. Nancy Gregg—to the Committee on Claims.

Also, a bill (H. R. 12271) for the relief of William Lewis Bryan—to the Committee on Claims.

Also, a bill (H. R. 12272) to correct the military record of Shadrack F. Brown—to the Committee on Military Affairs.

By Mr. LACEY: A bill (H. R. 12273) granting authority to the President, in his discretion, to restore certain midshipmen of the naval service—to the Committee on Naval Affairs.

By Mr. MANN: A bill (H. R. 12274) granting an increase of pension to Fenton Tinsley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12275) granting an increase of pension to David T. Corbin—to the Committee on Invalid Pensions.

By Mr. MINOR: A bill (H. R. 12276) granting an increase of pension to Isaac W. Acker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12277) granting an increase of pension to James A. Rapp—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 12278) granting an increase of pension to Thomas J. Young—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 12279) to correct the military record of Wilbur C. Stephens—to the Committee on Military Affairs.

By Mr. OLMSTED: A bill (H. R. 12280) granting a pension to John Culp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12281) granting an increase of pension to Lewis C. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12282) granting a pension to Annetta Vale—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 12283) for the relief of Sampson Kinnea—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A bill (H. R. 12284) for the relief of John Stinson—to the Committee on Claims.

Also, a bill (H. R. 12285) for the relief of A. J. Stinson—to the Committee on Claims.

Also, a bill (H. R. 12286) granting a pension to Rebecca Martin—to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 12287) for the relief of the estate of James Hendrix—to the Committee on War Claims.

Also, a bill (H. R. 12288) for the relief of Jesse J. Clemmons—to the Committee on Military Affairs.

Also, a bill (H. R. 12289) for the relief of the estate of Richard L. Hendrix, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12290) for the relief of the estate of Mrs. Cloa Giles—to the Committee on War Claims.

Also, a bill (H. R. 12291) for the relief of the estate of Jesse Giles—to the Committee on War Claims.

Also, a bill (H. R. 12292) for the relief of Mrs. Sarah M. King—to the Committee on War Claims.

By Mr. SMALL: A bill (H. R. 12293) for the relief of George A. Russell, administrator of Stephen Chadwick, deceased—to the Committee on War Claims.

By Mr. SOUTHWICK: A bill (H. R. 12294) granting an increase of pension to Rose MacFarlane—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 12295) for the relief of the county of White Pine, State of Nevada—to the Committee on Indian Affairs.

Also, a bill (H. R. 12296) for the relief of the estate of L. J. Harris, deceased—to the Committee on Indian Affairs.

Also, a bill (H. R. 12297) granting a pension to James P. Hurst—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 12298) for the relief of Joseph H. Huffman—to the Committee on Claims.

By Mr. WILEY of Alabama: A bill (H. R. 12299) for the relief of A. L. Hall—to the Committee on Claims.

Also, a bill (H. R. 12300) for the relief of A. L. Hall—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12301) to remove the charge of desertion from the military record of D. L. d'Elysee, alias Leopold Böhm—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of the general assembly of Ohio, in favor of the establishment of a naval training station at Put in Bay, Ohio—to the Committee on Naval Affairs.

Also, resolution of the Board of Trade of San Francisco, protesting against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. ACHESON: Resolution of Starkweather Post, No. 60, Grand Army of the Republic, Monongahela, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: Petition of Frank Sibley and 2 others, of Buffalo, N. Y., against the eight-hour bill—to the Committee on Labor.

Also, petition of Frank Sibley and 2 others, of Buffalo, N. Y., against the anticonspiracy and anti-injunction bills—to the Committee on the Judiciary.

Also, resolution of Local Union No. 6, United Clothing Cutters and Trimmers, of Buffalo, N. Y., in favor of bill H. R. 6—to the Committee on Ways and Means.

By Mr. BENNY: Resolution of Zabuskie Post, No. 38, Grand Army of the Republic, Department of New Jersey, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of G. Van Houton Post, No. 3, and General Sherman Post, No. 100, Grand Army of the Republic, Department of New Jersey, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. BENTON: Petition of Rev. R. Sims and 56 others, of Mount Vernon, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers to accompany bill granting an increase of pension to Henry H. Martin—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of Paschal Henshaw—to the Committee on War Claims.

Also, papers to accompany bill granting increase of pension to William Lapher—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Joseph C. Grissom—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to John S. Mosier—to the Committee on Invalid Pensions.

Also, papers to accompany bill for the relief of M. J. Conley, heir of Harmon Conley, deceased—to the Committee on War Claims.

By Mr. BIRDSALL: Resolution of G. E. Boynton Lodge, No. 138, Brotherhood of Railroad Trainmen, of Eagle Grove, Iowa, in favor of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, petition of David Beatty, sr., and others, of Cascade, Iowa, in favor of a good-roads law—to the Committee on Agriculture.

Also, resolution of O. S. Fowler Post, No. 346, Grand Army of the Republic, of Lamont, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of James Dalton, mayor, and 65 others, of Jessup, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Resolution of National Board of Trade of Cleveland, Ohio, favoring the repeal of desert-land act—to the Committee on the Public Lands.

Also, resolution of James G. McPherson Post, No. 87, Grand Army of the Republic, of McPherson, Kans., in favor of passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of J. E. Jewett, M. D., and 16 other voters, of Moran, Kans., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Philadelphia Board of Trade, favoring passage of bills S. 2259 and 2263, confining trade between the Philippines and the United States to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

By Mr. BRICK: Petition of a Grand Army of the Republic post, Department of Indiana, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BROOKS: Petition of citizens and residents of Colorado, relative to amending the immigration laws—to the Committee on Immigration and Naturalization.

Also, petition of merchants and business men of Colorado Springs, Colo., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Mrs. McGlashan and 44 other voters, of Fountain, Colo., and Mrs. M. E. Hanks and 46 other voters, of Salida, Colo., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BROWN of Wisconsin: Resolution of State board of agriculture of Wisconsin, favoring passage of bill H. R. 8678,

providing for increase of funds for agricultural experiments—to the Committee on Agriculture.

By Mr. CALDERHEAD: Petition of residents of the Fifth Congressional district of Kansas, against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Woman's Christian Temperance Union and other societies of Frankfort, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COUSINS: Petition of citizens of Cedar Rapids, Iowa, opposing the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Grand Army of the Republic post at Soldiers' Home, Marshalltown, Iowa, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Grand Army of the Republic post at Tipton, Iowa, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of G. W. Bailor and 14 other voters, of Rhodes, Iowa, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of W. S. Hall and 40 others, of Vinton, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DANIELS: Paper to accompany bill granting increase of pension to David Campbell—to the Committee on Invalid Pension.

Also, petition of Guyton Fisher and 22 others, of San Bernardino, Cal.; Rev. W. G. Conley and 25 others, of Redlands, Cal., and Rev. R. L. Bruce and 34 others, of San Bernardino, Cal., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: Papers to accompany bill H. R. 2992, granting pension to Solomon B. Umphrey—to the Committee on Invalid Pensions.

Also, resolution of Lytle Post, No. 59, Grand Army of the Republic, of Brownstone, Minn., favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of A. J. Grover and 10 other voters of Goodhome, Minn., favoring increase of salaries of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DOUGLAS: Petition of James R. Thomas and others, opposing anti-injunction bill—to the Committee on the Judiciary.

Also, petition of James R. Thomas and others, opposing eight-hour bill—to the Committee on Labor.

By Mr. DRESSER: Papers to accompany bill H. R. 7702, granting an increase of pension to Jackson Gearhart—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolution of the Wisconsin State board of agriculture, in favor of bill H. R. 8678—to the Committee on Agriculture.

Also, resolution of Howard F. Pruyn Post, No. 168, of Dorchester, Wis., and William McKinley Post, No. 15, of Wisconsin, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of F. W. Hatch and 20 others, of Eau Claire, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FULLER: Papers to accompany bill granting an increase of pension to James Baremore, alias James Baker—to the Committee on Invalid Pensions.

Also, resolution of the National Board of Trade, relative to the repeal of the desert-land act—to the Committee on the Public Lands.

Also, resolution of T. S. Terry Post, No. 463, Grand Army of the Republic, of Shabbona, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Resolution of Monona Post, No. 495, of Monona; J. J. Stillman Post, No. 194, of Waukon; Tom Howard Post, No. 101; Abernethy Post, No. 48, of West Union, and Reynolds Post, No. 47, of Maynard, Iowa, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAY: Papers to accompany claim of James H. Bitzer—to the Committee on War Claims.

By Mr. HEDGE: Petition of the First Congregational Church of Danville, Iowa, relative to the sale of intoxicating liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the First Congregational Church of Danville, Iowa, relative to the nullification of State liquor laws—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Resolution of the legislature of New Jersey, urging improvement of Cape May Harbor—to the Committee on Rivers and Harbors.

Also, petition of Rev. E. C. Hancock and 55 other voters, of Ocean Grove, N. J., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KALANIANAOLE: Resolution of the Honolulu Chamber of Commerce, favoring the Lodge bill to reorganize the consular service of the United States—to the Committee on Foreign Affairs.

Also, resolution of the Honolulu Chamber of Commerce, favoring Federal aid to the Lewis and Clark Exposition to be held at Portland, Oreg.—to the Select Committee on Industrial Arts and Expositions.

By Mr. LILLEY: Resolution of the Chamber of Commerce of New Haven, Conn., indorsing a national arbitration conference—to the Committee on Foreign Affairs.

By Mr. LINDSAY: Petition of McLoughlin Brothers, publishers, of Brooklyn, N. Y., against eight-hour law and anti-injunction bill—to the Committee on Labor.

By Mr. LIVERNASH: Petition of Mrs. Sarah Clay Bennett, chairman of the Federal suffrage committee of the National American Women Suffrage Association, of Richmond, Ky., favoring extension of franchise to women—to the Committee on the Judiciary.

Also, petition of the Chamber of Commerce of the city of Sacramento, Cal., favoring the enactment of a law to provide for the location and establishment of an additional district court at Sacramento, Cal.—to the Committee on the Judiciary.

Also, resolution of the Board of Trade of San Francisco, opposing the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Humboldt Chamber of Commerce, favoring appropriations of Federal funds in aid of the Lewis and Clark Exposition to be held in the city of Portland, Oreg.—to the Select Committee on Industrial Arts and Expositions.

By Mr. McMORRAN: Petition of P. Epes and 42 other voters, of Maple Valley, Mich., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAHON: Resolution of Lieutenant Arnold Lobach Post, No. 297, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MANN: Papers to accompany bill H. R. 11086, granting a pension to Charles W. Crary—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 11087, granting a pension to John Eckerman—to the Committee on Invalid Pensions.

Also, resolutions of L. H. Drury Post, No. 467, of Grand Crossing; G. W. Spencer Post, No. 489, of Riverdale; A. E. Burnside Post, No. 109, of South Chicago, and J. B. Wyman Post, No. 521, of Pullman, Ill., Grand Army of the Republic, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Chicago, Ill., opposing the passage of the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of merchants of Chicago, Ill., opposing the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. NEEDHAM: Resolution of the Board of Trade of San Bernardina, Cal., against statehood of Arizona and New Mexico—to the Committee on the Territories.

By Mr. OLMSTED: Petition of the First Methodist Episcopal Church of Steelton, Pa., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

By Mr. OTIS: Petition of citizens of Yonkers, N. Y., favoring passage of the McCumber anticanteen law and opposing the sale of liquor in Soldiers' Homes and all other Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. OTJEN: Petition of A. G. Wright and other citizens of Milwaukee, Wis., against an eight-hour bill—to the Committee on Labor.

Also, petition of citizens of Milwaukee, Wis., against an anti-injunction bill—to the Committee on the Judiciary.

By Mr. PEARRE: Papers to accompany bill H. R. 6983, relating to the claim of Susanna Fleming—to the Committee on Claims.

By Mr. RAINEY: Resolution of Culver Post, No. 512, Grand Army of the Republic, of Whitehall, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of John C. Bridgewater, of Bridgewater, Ill., opposing the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. REEDER: Petition of citizens of Osborne County, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIDER: Petition of the New York Board of Trade and Transportation, relative to the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Indiana: Petition of J. Harvey Knauer

and 4 others, of Germania, Ind., and W. J. [illegible] and 4 others, of [illegible] Center, Ind., against parcels post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolution of the National Board of Trade, relative to the repeal of the desert-land act—to the Committee on the Public Lands.

Also, resolutions of the New York Chamber of Commerce, relative to a harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolutions of Licensed Tugmen's Protective Association of the Great Lakes, against the practice of the Government in building dredges—to the Committee on Rivers and Harbors.

By Mr. SHERMAN: Papers to accompany bill H. R. [illegible], granting a pension to Miranda Berkheat—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 7500, granting a pension to Mary E. Springer—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting an increase of pension to Emily Cather—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: Petition of citizens of Benton, Ill., against a parcels post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLIVAN of New York: Resolution of the Southern Lumber Manufacturers' Association, relative to the metric system—to the Committee on Coinage, Weights, and Measures.

Also, petition of the American Maritime League, relative to the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the New York Chamber of Commerce, relative to the completion of the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the Philadelphia Board of Trade, relative to continuing the trade between United States and the Philippines to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the National Board of Trade, relative to the repeal of the desert-land act, etc.—to the Committee on the Public Lands.

Also, resolution of the United Commercial Travelers of America, Council No. 114, relative to amending the bankruptcy bill—to the Committee on the Judiciary.

By Mr. THAYER: Resolution of Frazier A. Hearns Post, No. 37, Grand Army of the Republic, of Spencer, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: Petition of R. W. Williams and 12 other voters, of Reno, Nev., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WEBB: Paper to accompany claim of Joseph H. Huffman—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: Paper to accompany bill to correct military record of D. L. d'Elyzee, alias Leopold Delam—to the Committee on Military Affairs.

SENATE.

FRIDAY, *February 12, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

WASHINGTON, ALEXANDRIA AND MOUNT VERNON RAILWAY COMPANY.

The PRESIDENT pro tempore laid before the Senate the annual report of the Washington, Alexandria and Mount Vernon Railway Company for the year ended December 31, 1903; which was referred to the Committee on the District of Columbia, and ordered to be printed.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *John*, David Lufkin, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Lucy*, Henry Brightman, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the bill (S. [illegible]) providing for the holding of an additional term of court in the northern district of West Virginia at Martinsburg, W. Va.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 19) establishing a United States court in Muskogee, Ind. T.;

A bill (H. R. 7274) to amend section 76 of an act entitled "An act to provide a government for the Territory of Oklahoma";

A bill (H. R. 11676) [illegible] and approved June 10, 1896, [illegible] the Indians of the Crow Reservation in Montana, and for other appropriations to carry the same into effect;

A bill (H. R. 11812) [illegible] homestead, timber-culture, desert-land, mineral-land, and other entries, and [illegible] land laws, and to [illegible] outside of the land district [illegible] and

A bill (H. R. 11823) to authorize the Secretary of the Interior to [illegible] with the governor of the State of Oklahoma and with officials of other [illegible] in the management of penitentiaries.

The message also informed the Senate that the House had passed with amendments the following bills and joint resolutions, in which it requested the concurrence of the Senate:

A bill (S. [illegible]) to authorize a [illegible] of what is known as the "Red Lake Reservation," in the State of Minnesota; and

A joint resolution (S. R. 37) providing for the extra copies to be printed of the annual and special reports of the Department of Charities and Corrections.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The PRESIDENT pro tempore. The Chair appoints the Senator from Idaho [Mr. HEYBURN] to read Washington's Farewell Address on the 22d day of February.

CREDENTIALS.

Mr. MARTIN presented the credentials of JOHN WARWICK DANIEL, chosen by the legislature of the State of Virginia a Senator from that State for the term commencing March 4, 1905; which were read and ordered to be filed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a joint resolution of the legislature of Ohio, praying Congress to locate the proposed naval training station on the Great Lakes on Put in Bay (South Bass Island), Lake Erie; which was referred to the Committee on Naval Affairs, and ordered to be printed in the RECORD, as follows:

[illegible]

Whereas the attention of the [illegible] assembly of Ohio has been called to [illegible] naval training station at some point on the Great Lakes; and

Whereas the members of this [illegible], having in mind the general [illegible] Secretary [illegible] proposed naval training station at Put in Bay, South Bass Island, Lake Erie, [illegible] Put in Bay [illegible] Congress [illegible] the [illegible] of the State of Ohio [illegible] said island.

[illegible] Ohio transmit [illegible] the Representatives of Ohio therein.

GEORGE T. THOMAS,
Speaker of the House of Representatives.
[illegible] CHAMBERLAIN,
President pro tempore of the Senate.

Adopted February 5, 1904.

UNITED STATES OF AMERICA, *Ohio, Office of the Secretary of State:*

I, Lewis C. Laylin, secretary of state of the state of Ohio, do hereby certify that the foregoing is an exemplified copy, carefully compared by me with the original rolls now on file in this office and in my official custody as secretary of state as required by the laws of the state of Ohio, of a resolution adopted by the general assembly of the State of Ohio on the 5th day of February, A. D. 1904.

In testimony whereof I have hereunto subscribed my name and affixed my official seal at Columbus the 9th day of February, A. D. 1904.

[SEAL.] LEWIS C. LAYLIN,
Secretary of State.

The PRESIDENT pro tempore presented memorials of Lodge No. 8967, of Ameckeville, Tex.; of Germania Lodge, No. 6, of

Milwaukee, and of the Turners' Mutual Benefit Association, of Milwaukee, in the State of Wisconsin; of the Fair Hill Baker Unterstützungs Verein, of Philadelphia, Pa.; of Humboldt Lodge, No. 197, of Easthampton, Mass.; of the Ramelle Club, of Davenport, Iowa; of the Deutscher Landwehr Verein, of Trenton, N. J.; of the Gambrinus Beneficial Association, of Lucas County; of Capital City Lodge, No. 86, of Columbus, and of the United Singers of Cincinnati, all in the State of Ohio, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of Local Union No. 1343, United Mine Workers of America, of Acme, W. Va., praying for the passage of the so-called anti-injunction and eight-hour bills; which was referred to the Committee on the Judiciary.

Mr. CULLOM. I present a series of resolutions adopted by the Commercial Club of Chicago, Ill., which is a very large and strong organization, favoring the submission of all questions in dispute between the United States and Great Britain to The Hague. I move that the resolutions be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. HOAR presented petitions of J. W. Lawton Post, No. 85, of Ware; of Washburn Post, No. 175, of Lancaster, and Willard C. Kinsley Post, No. 139, of Somerville, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. MCCUMBER presented a petition of sundry citizens of Oberon, N. Dak., praying for the opening up to settlement of the Devil's Lake Indian Reservation; which was referred to the Committee on Indian Affairs.

Mr. FOSTER of Washington presented a petition of the congregation of the First Presbyterian Church of Bellingham, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Local Union No. 325, Cigar Makers' International Union of America, of Spokane, Wash., praying for the passage of the so-called anticoupon present-giving bill; which was referred to the Committee on Finance.

He also presented a petition of J. M. Corse Post, No. 98, Department of Washington, Grand Army of the Republic, of Colville, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. MILLARD presented a petition of 106 citizens of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. ALGER presented a petition of the Farmers' Institute, of Grand Traverse County, Mich., praying for the enactment of legislation establishing a Bureau of Public Roads under the control of the Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregation of the Presbyterian Church of Big Rapids, of sundry citizens of Big Rapids, and of the Missionary Society of Big Rapids, all in the State of Michigan, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented a petition of sundry citizens of Salina, Kans., praying for the enactment of legislation providing for the admission of the Territory of Oklahoma into the Union as a State, with a provision against the restriction of suffrage; which was referred to the Committee on Territories.

He also presented a petition of the Board of Regents of the Kansas State Agricultural College, Manhattan, Kans., praying for the enactment of legislation providing Federal aid in support of State agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the Woman's Christian Temperance Union of Frankfort, and of sundry citizens of Lewis, Rice County, and Osborne County, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Philomath Club, of Dodge City; of the congregations of the Presbyterian, Methodist Episcopal, and Christian churches of Caldwell, and of sundry citizens of Dodge City, all in the State of Kansas, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of Mulvane Post, No. 203, of Mulvane; of Harper Post, No. 251, of Harper; of McPherson Post, No. 87, of McPherson, and of Chanute Post, No. 129, of Chanute, all of the Department of Kansas, Grand Army of the Republic, in the State of Kansas, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the State Bank of Commerce, of Marion, and of the Watson Mill Company, of Wichita, in the State of Kansas, and of McLaughlin & Farrar, of Pawhuska, Okla. T., praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of Concordia Council, No. 36, United Commercial Travelers, of Salina, Kans., praying for the adoption of an amendment to the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented a petition of the Kansas State Society of Labor and Industry, of Topeka, Kans., praying for the enactment of legislation providing for an investigation of the labor troubles in Colorado; which was referred to the Committee on the Judiciary.

He also presented sundry papers to accompany the bill (S. 4281) granting a pension to Frankie Fisher; which were referred to the Committee on Pensions.

Mr. BARD presented sundry papers to accompany the bill (S. 1337) for the relief of Sarah McClay, administratrix of Robert McClay, deceased; which were referred to the Committee on Claims.

Mr. NELSON presented a petition of the Columbian Club, of Minneapolis, Minn., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Scranton Post, No. 33, Department of Minnesota, Grand Army of the Republic, of Fergus Falls, Minn., and a petition of Michael Cook Post, No. 123, Department of Minnesota, Grand Army of the Republic, of Faribault, Minn., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Merriam Park Presbyterian Church, of St. Paul; of the congregation of the Cook Street Methodist Episcopal Church, of St. Paul, and of sundry citizens of St. Paul, all in the State of Minnesota, praying for the enactment of legislation to prevent the nullification of State liquor laws; which were referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of the congregation of the Fourth Baptist Church of Providence, R. I., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of the Horticultural Society of Newport; of Pomona Grange, No. 2, Patrons of Husbandry, of Hope Valley; and of Valley Grange, No. 7, Patrons of Husbandry, of Hope Valley, all in the State of Rhode Island, praying for the enactment of legislation providing Federal aid in support of State agricultural experiment stations; which were referred to the Committee on Agriculture and Forestry.

Mr. ALLISON presented petitions of O. S. Fowler Post, No. 346, of Lamont; of Henry Dillon Post, No. 150, of Emmetsburg, and of Southerland Post, No. 171, of Wauconma, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, and of Farragut Post, No. 602, Department of Illinois, Grand Army of the Republic, of Chicago, Ill., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of G. E. Boynton Lodge, No. 138, Brotherhood of Railroad Trainmen, of Eaglegrove, Iowa, praying for the enactment of the so-called Grosvenor anti-injunction conspiracy bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Congregational Church of Danville, Iowa, praying for the enactment of legislation to prevent nullification of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Anita, Iowa, and a memorial of sundry citizens of Remsen, Iowa, remonstrating against the passage of the so-called "parcels-post bill;" which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregation of the Congregational Church of Danville, Iowa, praying for the enactment of legislation to prohibit the sale of intoxicating liquors in all Government buildings; which was referred to the Committee on Public Buildings and Grounds.

Mr. SPOONER presented a petition of H. M. Brown Post, No. 146, Department of Wisconsin, Grand Army of the Republic, of Columbus, Wis., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the regents of the University of Madison, Wis., praying for the enactment of legislation providing Federal aid in support of State agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Maude M. Sanders and Agnes H. Knudson, of Racine, Wis., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Manufacturers and Jobbers' Union of La Crosse, Wis., and a memorial of the Board of Trade of La Crosse, Wis., remonstrating against the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Wisconsin State Board of Agriculture, of Madison, Wis., praying for the enactment of legislation providing Federal aid in support of state agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Waukesha Council, No. 237, United Commercial Travelers, of Waukesha, Wis., remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of Waukesha Council, No. 237, United Commercial Travelers, of Waukesha, Wis., praying for the adoption of certain amendments to the present bankruptcy law; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Union Church of Waupun, of Anchor Lodge, No. 64, Independent Order of Good Templars, of Spencer; of Auburn Lodge, No. 128, Independent Order of Good Templars, of Auburn; of the congregation of the Union Valley Methodist Episcopal Church, of Union Mills; of Diamond Lodge, No. 182, Independent Order of Good Templars, of Cambria, and of Butternut Lodge, No. 295, Independent Order of Good Templars, of Butternut, all in the State of Wisconsin, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of William Forbes Cooley, of Littleton, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DUBOIS presented a petition of Carrol A. Foskett Post, No. 2, Department of Idaho, Grand Army of the Republic, of Sandpoint, Idaho, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry settlers of the Indian Pasture Reserve No. 3, of Oklahoma, praying for the opening of certain lands to settlement and allowing homes to be made thereon; which was referred to the Committee on Public Lands.

Mr. HEYBURN presented a petition of M. Kinney Post, No. 30, Department of Idaho, Grand Army of the Republic, of Idaho, and a petition of George H. Thomas Post, No. 1, Department of Idaho, Grand Army of the Republic, of Idaho, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. SIMMONS presented sundry papers to accompany the bill (S. 2743) for the relief of the heirs of Nancy Burfield, deceased; which were referred to the Committee on Claims.

COURT OF CLAIMS DIGEST.

Mr. PLATT of New York. From the Committee on Printing I renew my report of the joint resolution (S. R. 41) to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice of and the statutes relating to that court. It is the joint resolution which was reported by the Senator from Wyoming [Mr. WARREN] and which I reported the day before yesterday, when, after discussion, I withdrew the report. I ask unanimous consent for its present consideration.

There being no objection, the report, as in Committee of the Whole, proceeded to consider the joint resolution.

Mr. WARREN. Mr. President, when the joint resolution was brought before the Senate a few days ago, the senior Senator from Maine [Mr. HALE] made quite a very pertinent inquiry, and as it had been nearly two years since I had closely examined the matter I suggested that it might go over. I should like now to answer the inquiries then made.

The Senator from Maine stated, what we all acknowledge to be the correct view of the case, that the man who prepares a digest should be a lawyer; that he should be a good lawyer, and preferably one who has had some experience in such work.

He also suggested an inquiry as to whether or not the man who prepared this work was, during the time of its preparation, in the employ of the Government. I will state that the digest was prepared by Mr. Chapman W. Maupin, a lawyer, who is at present law clerk in the Office of the Solicitor of the Treasury. He was appointed a clerk on the temporary roll in the Treasury Department in 1896, and commenced this digest work about that time. Later on, by a clause in an appropriation act, I believe, the position of law clerk in the solicitor's office was provided for, and Mr. Maupin was appointed to fill the position.

Prior to his employment by the Government, Mr. Maupin practiced law in the District of Columbia. While so practicing he prepared the digest, which I have in my hand, of the decisions and reports of the courts of the District of Columbia, covering a period from 1790 to 1893. This digest was prepared and submitted to the Bar Association of the District, and after making use of the typewritten copy for about a year it was accepted by that association, the expenses assumed, and its publication provided for, the association paying Mr. Maupin in some 100 copies of the work as I understand, bound in sheep.

I do not see the Senator from Virginia [Mr. DANIEL] in his seat at the present moment, but I notice that in his work, "Daniel on Negotiable Instruments," he was assisted by Mr. Maupin, and that the valuable work done by him is properly acknowledged in the preface to the fourth edition, as follows:

> In the collection and digest of cases for the notes I have been greatly assisted by my friend, Mr. Chapman W. Maupin, of the Washington City bar, to whom I render my acknowledgments.

I observe also that Mr. Maupin is the author of a legal work entitled, "Maupin on Marketable Title to Real Estate," etc., the book which I now exhibit.

His present work—the digest in question—is recommended by the Court of Claims through its chief justice. It is recommended by the Solicitor of the Treasury Department, by the Comptroller of the Treasury Department, by the Attorney-General, and others, and I have here some letters which came in this morning's mail, unsolicited by me, brought out probably through parties having read the remarks made the other day in the Senate respecting the joint resolution. These letters are all complimentary of the work and of Mr. Maupin, its author. I submit three of them, as follows:

COURT OF CLAIMS CHAMBERS,
Washington, February 11, 1904.

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims.

SIR: I have read in the CONGRESSIONAL RECORD of yesterday the remarks in the Senate relating to the proposed issue of the Court of Claims Digest, prepared by Mr. Chapman W. Maupin.

I am informed that the Government Printing Office has recently printed for the Department of Justice a work of this character, which I understand to be had for a small sum, and I know the grounds upon which we have advocated the publication of this digest.

The work referred to is a compilation from and from the manuscript of Mr. Maupin, and has been approved by the Attorney-General and by the Comptroller of the Treasury. I understand the Court of Claims proposed to publish a complete set of the decisions of the Court of Claims, now numbering 38 volumes.

CHARLES C. NOTT,
Chief Justice.

OFFICE OF THE SOLICITOR OF THE TREASURY,
Washington, D. C., February 11, 1904.

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate.

DEAR SIR: Mr. Maupin, who prepared the Digest of Claims Decisions, the publication of which is proposed by the joint resolution now before the Senate, is a law clerk in this office, and has been for some time past engaged upon the work of preparing the Digest.

I have had occasion to examine the work from time to time, and have found it to be a very useful compilation, and I have no hesitation in recommending its publication.

Very respectfully,

MAURICE D. O'CONNELL,
Solicitor of the Treasury.

WASHINGTON, D. C., *February 11, 1904.*

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate, Washington, D. C.

DEAR SENATOR: I have read the proposed joint resolution providing for the printing of a digest of the decisions of the Court of Claims, and I am very much in favor of the passage of the resolution if there is not already a digest of the decisions of the Court of Claims in print.

I have had occasion to use the manuscript digest referred to in the resolution, and I find it very useful in my work. I understand that the Court of Claims proposed to publish a digest of its decisions when the work was completed by Mr. Maupin, and I have been informed that the Government Printing Office has recently printed for the Department of Justice a digest of the decisions of the Court of Claims, which I have not seen, but which I understand to be a useful work.

If the facts in relation to these publications may be of some assistance to you in the matter, I am

Very truly, yours,

GEORGE A. KING.

This work was commenced contemporaneously with Mr. Maupin's employment by the Government, and was done during evenings, holidays, on leave, and at odd times. There are here now in my hand, which have been borrowed from the Court of Claims, represents a part of the completed typewritten work. This typewritten work is now being used continually by the Court of Claims. The balance of the work brings the manuscript digest up to date, or nearly so, and is in loose, typewritten sheets, additional to the books which I exhibit.

Mr. HALE. That does not represent the form in which the digest is to be published?

Mr. WARREN. Not at all; it is the manuscript.

Mr. HALE. But it is the manuscript, typewritten copy?

Mr. WARREN. Yes.

I wish to answer further in relation to the inquiry made by the Senator from Maine, which I considered a proper one to have been made and one that should be answered.

The question was asked, "What is the present condition as to digest of the Court of Claims?" The thirty-eighth volume of reports, to June, 1903, has just been published. The only digest in existence is the small book which I have here in hand, and which covers the first thirty-seven volumes. The digest which we propose to publish covers all the work done—the decisions from the establishment of the court up to this date. It includes the entire thirty-eight volumes.

Judge Nott, in his letter already submitted, speaks of former letters written me which have in some way gone astray. Since I can not just now find them I will submit in their place four letters written to Mr. Maupin, one to Representative Gaines, chairman of the House Committee on Claims, and inclosing a copy of letters to me.

I will not read these letters now unless the Senator from Maine desires it. I shall be glad to have them go into the RECORD as a part of my remarks.

The PRESIDENT pro tempore. The Chair hears no objection. The letters referred to are as follows:

[Letter from Chief Justice Nott.]

COURT OF CLAIMS CHAMBERS,
Washington, February 8, 1904.

CHAPMAN W. MAUPIN, Esq.,
Solicitor of the Treasury, Washington, D. C.

SIR: I have given your Digest of the Court of Claims Reports, in typewritten form, a hasty examination, and in so far as I am able to judge from that examination, the work is well and carefully done, and I know from long experience of the want of a digest of the decisions of the Court of Claims, that it will be a useful work to the Treasury.

I have not had time to make a comparison of the manuscript with the decisions of the Court of Claims, but I have no doubt it will prove an invaluable work to those who are interested, and particularly to a large extent by the decisions of the Court of Claims.

I have noticed that blank leaves and pages have been left in the book, and that some cases have been omitted to be inserted by the subsequent decisions of the Court of Claims, which should be inserted under their proper headings and indexes.

Yours, truly,

R. J. TRACEWELL,
Comptroller.

[illegible] the digest named in the resolution [illegible] Washington, D. C., [illegible] 1904.

MR. CHAPMAN W. MAUPIN,
Washington, D. C.

DEAR SIR: I have examined your Digest of the Court of Claims Reports [illegible] work, and find it to be a very useful compilation. I have no doubt it will be found to be a great saving of time and money to the Government, and will greatly facilitate the efficiency of the service in the examination and settlement of claims.

Yours, very truly,

W. E. ANDREWS, *Auditor.*

COURT OF CLAIMS,
Washington, D. C., [illegible] 1904.

DEAR SIR: In the [illegible] I had written the compilation of the Digest of Claims Decisions, I had intended to furnish the court with a typewritten copy, which I have [illegible]

Very respectfully,

C. C. NOTT.

UNITED STATES SENATE,
Washington, February 16, 1903.

MR. CHAPMAN W. MAUPIN,
Office of the Solicitor of the Treasury, Washington, D. C.

DEAR SIR: Yours of the 14th received. The Senate has [illegible] Committee on Claims, [illegible] which [illegible] and will be delivered next session. The Senate Committee on Printing [illegible] are on file in the office of the Committee on Claims, and they will be submitted to the House Committee.

Yours, very truly,

A. H. HOWE, *Clerk.*

[Letter from Attorney-General.]

DEPARTMENT OF JUSTICE,
Washington, D. C., March 20, 1903.

Hon. JOSEPH V. GRAFF,
Chairman Committee on Claims, House of Representatives.

SIR: I have recently had submitted to my consideration the manuscript of a proposed digest of the decisions of the Court of Claims covering thirty-five volumes of reports of that court, the thirty-eighth volume having recently been published. The manuscript was accompanied, together with all the decisions of the Supreme Court of the United States and the Court of Claims, with a letter addressed to the chairman of the committee on Claims of the Senate from Hon. C. C. Nott, chief justice of the Court of Claims, with enclosure a duplicated typewritten copy of a letter of the Comptroller of the Treasury, Hon. R. J. Tracewell, and a letter from Mr. George A. King, the librarian of the Department of Justice, addressed to Mr. Chapman W. Maupin, the author of the digest.

In all of these communications the digest is very highly commended and the work of its preparation strongly set forth. The digest has also been examined by the Assistant Attorney-General with a view to ascertaining the character of the work and in the opinion that its publication will prove of great value to the officers of the Government.

I have the honor to inclose herewith, as you are fully aware, and I [illegible] a joint resolution providing for the printing of the [illegible]

Very respectfully,

P. C. KNOX, *Attorney-General.*

[Copy of letter from Chief Justice Nott.]

COURT OF CLAIMS CHAMBERS,
Washington, January 21, 1902.

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate.

SIR: In 1876 I prepared a digest of the Court of Claims decisions, embracing [illegible] the decisions of the Supreme Court in claims cases, and with its consent. I send a copy of that [illegible] covering everything relating to the jurisdiction of Claims against the Government and the statutes relating to the jurisdiction of the court. It was found to be a very useful book not only by the bar, but also by the members and employees of the Government, indeed [illegible] the Government, and even by members of Congress. Since the publication of the digest the court has [illegible] Mr. Chapman W. Maupin, who [illegible] a digest of the Decisions of the Supreme Court of the United States, specially prepared a digest on claims to my digest, which I have examined, and I hereby give my approval of the work. The digest covers the decisions of the Court of Claims and of the Supreme Court relating to claims against the United States. With Mr. Maupin's consent, we have had a typewritten copy made for the use of the court.

I am now informed that the Comptroller of the Treasury has recommended a publication by Congress for the use of the accounting and disbursing officers of the Government. So far as the work has come under my notice, the fact that some of them have been on the bench since 1885, and their familiarity with their decisions enables them to get along, with more or less inconvenience, without the publication of such a digest; but it certainly will be of very great value to the bar, and especially to lawyers who do not reside in the city of Washington, and have neither the facilities nor the time for finding out what has been decided in regard to the rights and claims of the Government.

Very respectfully,

C. C. NOTT.

[Copy of letter sent by Comptroller to Senate Committee on Claims.]

TREASURY DEPARTMENT,
OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, June 2, 1902.

Hon. FRANCIS E. WARREN,
Chairman of the Senate Committee on Claims.

SIR: I have examined the Digest of the Decisions of the Court of Claims, prepared by Mr. Chapman W. Maupin, of this city.

Such a digest seems needed, particularly by the accounting officers of the Treasury Department and by all officers of the Government charged with

the duty of making public contracts. I will require ten copies for this division of the Treasury Department.

I am satisfied that Mr Maupin's work has been thoroughly and accurately done, and would recommend that it be printed under the authority of Congress.

Very respectfully, ROBERT J. TRACEWELL,
Comptroller of the Treasury.

I am sending to the desk a memorandum of the action taken in the Senate during the last Congress. The memorandum was as follows:

DIGEST OF COURT OF CLAIMS DECISIONS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution [illegible] with "two thousand five hundred" [illegible] and by unanimous consent the Senate [illegible] the whole section to be bound in sheep, and a digest to be printed under the editorial supervision of Chapman W. Maupin, in the preparation and editing of said digest by him to be paid for out of the money appropriated in full payment for said work, at a price not to exceed [illegible] $[illegible] which sum is hereby appropriated in full payment for said work, and binding the same, and shall not be paid for the work shall have been printed, nor shall any money be paid on account of said work until the Court of Claims, or some member thereof, shall certify that the work, as [illegible] satisfactorily to that court.

[illegible] agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WARREN. As to the matter of binding, I assume that a work of this value should be well bound. I have for a great many years—in fact, all my life—seen law books bound in sheep or calf. I can scarcely go into a law library or a lawyer's office where I do not see shelves filled with books bound in that form. My idea in proposing in the joint resolution that the digest should be bound in calf or sheep was that it might not take the usual course of being bound in paper or without binding [illegible] document [illegible] I assumed that Senators who desire to have a more [illegible] would [illegible] and privilege which now exists [illegible] documents.

Now, I have no choice as to the binding, and in those who use law books more than I do, and who believe this work should have a better binding than that proposed, will offer some amendment, I shall not oppose it.

I think that this work ought to be printed, and I think the amount of [illegible] is but small compensation to the man who has compiled it, and has spent six years in its preparation, and who will, under the joint resolution, be required to edit, proof read, and oversee the work until it is completed. I think the work should not be delayed, as it is now, to provide more copies for the court only.

As the Senator from Maine will understand, the Committee on Claims has constant use for the decisions of the Court of Claims, and a digest is of great value, and it seems to me it is also of great value to many committees and to the several Departments of the Government.

The letters submitted set forth that it is important not only to the courts, but to the various Departments.

Mr. HALE. Mr. President, I think the Senator from Wyoming has made out a good case. He has shown that while we have been publishing the reports of the Court of Claims from year to year, there is no [illegible] that there is hardly an old lawyer [illegible] of law knows that [illegible] without good digests. I think the Senator has [illegible] that proposition.

I think, also, he has shown that this compilation has been undertaken by a competent person—a lawyer who has had private practice and has had service in the Departments of a legal and importing kind, and has done the work well.

I believe the Senator has shown that the cost is not unreasonable. With the joint resolution as it is, the digest being bound, as all law reports are, in sheep, I can see no force in the point raised by the Senator from Massachusetts. Mr. President, I need to be taught a good many things, and have the [illegible] two copies bound in morocco. With the joint resolution [illegible] for good binding [illegible] with all other law reports, I shall make no further objection to it.

Mr. ALLISON. Mr. President, I am not quite sure that the joint resolution provides for the full compensation of the author and editor of the book. I think that is a little indistinct as provided for in the joint resolution.

Mr. HALE. Let that part be read and let us see.

The PRESIDENT pro tempore. The entire joint resolution will be read.

The Secretary read the joint resolution, as follows:

Resolved, etc., That there be printed a digest of the decisions of the Court of Claims, including the opinions, rulings, and the reasons of judgment, that cannot be prepared by Chapman W. Maupin, that there be printed [illegible] copies for the use of the Treasury Department, [illegible] copies for the use of the Attorney-General, [illegible] copies for the use of the War Department, [illegible] copies for the use of the Navy Department, [illegible] copies for the use of the Department of Justice, [illegible] copies for the use of the Senate, and 1,000 copies for the use of the Court of Claims, or some member thereof, shall certify that the work, as [illegible] satisfactorily to that court.

[illegible] agreed to.

The joint resolution was reported to the Senate as amended, and the amendments were concurred in.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. WARREN. As to the matter of binding. I assume that a work of this value should be well bound. I have for a great many years—in fact, all my life—seen law books bound in sheep or calf. I can scarcely go into a law library or a lawyer's office where I do not see shelves filled with books bound in that form. My idea in proposing in the joint resolution that the digest should be bound in calf or sheep was that it might not take the usual course of being bound in paper or without binding [illegible] document [illegible] I assumed that Senators who desire to have a more [illegible] would [illegible] and privilege which now exists [illegible] documents.

Now, I have no choice as to the binding, and in those who use law books more than I do, and who believe this work should have a better binding than that proposed, will offer some amendment, I shall not oppose it.

I think that this work ought to be printed, and I think the amount of [illegible] is but small compensation to the man who has compiled it, and has spent six years in its preparation, and who will, under the joint resolution, be required to edit, proof read, and oversee the work until it is completed. I think the work should not be delayed, as it is now, to provide more copies for the court only.

As the Senator from Maine will understand, the Committee on Claims has constant use for the decisions of the Court of Claims, and a digest is of great value, and it seems to me it is also of great value to many committees and to the several Departments of the Government.

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I think, also, he has shown that this compilation has been undertaken by a competent person—a lawyer who has had private practice and has had service in the Departments of a legal and importing kind, and has done the work well.

I believe the Senator has shown that the cost is not unreasonable. With the joint resolution as it is, the digest being bound, as all law reports are, in sheep, I can see no force in the point raised by the Senator from Massachusetts. Mr. President, I need to be taught a good many things, and have the [illegible] two copies bound in morocco. With the joint resolution [illegible] for good binding [illegible] with all other law reports, I shall make no further objection to it.

Mr. ALLISON. Mr. President, I am not quite sure that the joint resolution provides for the full compensation of the author and editor of the book. I think that is a little indistinct as provided for in the joint resolution.

Mr. HALE. Let that part be read and let us see.

I have prepared myself, but sometimes bills have been sent to me from the Department and elsewhere and I have introduced them without correcting the title. I do not think the Senator is in fault more than any one else.

Mr. WARREN. I understood that, but I wanted to show to the Senator the true situation. I introduced my bill among the first days of February. Yesterday was the 11th day of February. I call the attention of the Senator now to a bill which the senior Senator from Massachusetts introduced on the 11th day of February, the title of which is "A bill to amend section 1044 of the Revised Statutes," and that is all there is to its title.

Mr. HOAR. If the Senator will pardon me, I will say what is not in the bill [illegible] a very [illegible] in this matter. I am perfectly [illegible] bill [illegible] Senate [illegible] Committee on Judiciary. When my clerk receives them he puts them into the desk with bills to be introduced, and I introduce them and send them up in a bundle of bills [illegible] looking at them myself at all. That is [illegible] I do not [illegible] and that is any excuse. It is not like Adam saying that the woman did it. It is my fault not to have looked at the bill myself.

Mr. WARREN. Mr. President —

The PRESIDENT pro tempore. This little incident is out of order [illegible]

Mr. WARREN. Yes, I know; but I ask unanimous consent for a [illegible], because I think this is an important matter. I have introduced a bill that was sent to me from the War Department in the manner in which it came to me, and the Senator on the following day or several days following, may have introduced one that came to him from the Department of Justice in the same way. But the Senator, on the very day following an act of that kind, undertook to effect a reform, and did, I believe, a good service to the Senate in exposing a wrong practice. I take it he did not blame me—and the Senator says that he did not—though I was the author of the bill, or I introduced it, and I do not blame him for doing the very same thing at about the very same time; but as the matter is up I want to say that his suggestion was a most excellent one, and I only instance his fault as well as my own—to show how prevalent it is in the practice.

In my opinion the Senator is right. Every bill should state in its title the purpose of the bill, in addition to stating the section of the statute it proposes to amend.

The PRESIDENT pro tempore. Reports of committees are in order.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 2492) to secure [illegible] dairy products for the District of Columbia, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6289) to provide for the abolishment of [illegible] in the District of Columbia by the Commissioners of said District, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (S. 810) to authorize the detail of George F. Ormsby in the interest of commerce, reported it without amendment, and submitted a report thereon.

Mr. LONG, from the Committee on Indian Affairs, to whom was referred the bill (S. 3205) authorizing the Secretary of the Interior to acquire the title to lands within certain Indian reservations, reported it without amendment, and submitted a report thereon.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (H. R. 6845) for the relief of the State of Iowa, reported it without amendment.

He also, from the Committee on Military Affairs, to whom was referred the bill (S. 4280) providing for medals of honor, reported it with amendments, and submitted a report thereon.

He also (for Mr. PETTUS) submitted a report to accompany the bill (S. 4164) to amend section 1209 of the Revised Statutes, heretofore reported.

BILLS INTRODUCED.

Mr. HEYBURN introduced a bill (S. 4332) granting an increase of pension to Durbin L. Badley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4333) granting an increase of pension to Orlando J. Ralph; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 4334) for the relief of the administrator of the estate of Gotlob Groezinger; which was read twice by its title, and referred to the Committee on Finance.

Mr. HOAR introduced a bill (S. 4335) to amend the act entitled "An act to determine the jurisdiction of the circuit courts of the United States, to regulate the removal of causes from the State courts, and for other purposes," approved March 3, 1875, and the acts additional thereto; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. WETMORE introduced a bill (S. [illegible]) for the relief of Capt. E. St. John Greble and other officers and enlisted men of the United States Army; which was read twice by its title, and referred to the Committee on Claims.

Mr. DIETRICH introduced a bill (S. 4337) granting an increase of pension to William H. Hess; which was read twice by its title, and referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. 4338) for the relief of James C. Linder; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4339) granting an increase of pension to Lorenzo D. Parsons; which was read twice by its title, and referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. 4340) granting an increase of pension to Rose MacFarlane; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DUBOIS introduced a bill (S. [illegible]) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FULTON introduced a bill (S. 4342) granting a pension to John O'Brien; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. [illegible]) for the relief of Patton T. [illegible]; which was read twice by its title, and referred to the Committee on [illegible] Claims.

Mr. ALLISON introduced a bill (S. 4344) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. [illegible] introduced a bill (S. 4345) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY [illegible] a bill (S. [illegible]) to allow physicians who [illegible] in any State of the United States [illegible] without examination, on payment of [illegible] a certificate of good moral character from the [illegible] board of the State in which they practiced; which was read twice by its title, and referred to the Committee on [illegible].

Mr. BATTELLE introduced a bill (S. 4347) to provide for the [illegible] of a [illegible] and [illegible] of a public building thereon at Grand Junction, Colo.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. [illegible] introduced a bill (S. 4348) granting a pension to John E. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4349) granting an increase of pension to James [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WARREN introduced a bill (S. 4350) authorizing the President to appoint Ambrose C. G. Williams-Foote a [illegible] in the United States Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. OVERMAN introduced a bill (S. 4351) to provide for the enlargement of the [illegible] court building at Asheville, N. C.; [illegible] court room, post-office, clerk's office, and internal-revenue office; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. GAMBLE introduced a bill (S. 4352) relative to fees and commissions on land entry or commutation of homestead entries; which was read twice by its title, and referred to the Committee on Public Lands.

SACRAMENTO RIVER IMPROVEMENT.

Mr. PERKINS. I introduce a joint resolution, and ask for its present consideration.

The joint resolution (S. R. 49) to provide for the expenditure of funds heretofore appropriated for the improvement of the Sacramento River was read the first time by its title and the second time at length, as follows:

Resolved, etc., That the unexpended balance of appropriations made in the river and harbor act of March 3, 1899, and the sundry civil act of June 6, 1900, for improving Sacramento River, California, from the city of Sacramento to the mouth, may, in the discretion of the Secretary of War, be applied to the improvement of the said river anywhere between its mouth and the head of navigation.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENTS TO BILLS.

Mr. ALGER submitted an amendment proposing to appropriate $[illegible] to pay Maj. William H. Arthur, Medical Department, United States Army, for money lost through errors in comprehensive list of [illegible], United States Cavalry, referred to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. GORMAN submitted an amendment proposing to increase the salary of the chief engineer, Lighthouse Service, from $[illegible] to $[illegible] per annum, intended to be proposed by him to the legislative, executive and judicial appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. PETTUS submitted an amendment intended to be proposed by him to the [illegible] bill; which was referred to the Committee on Claims, and ordered to be printed.

CLOCK IN SENATE CHAMBER.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

[illegible]

AMERICAN INSTITUTE AT PARIS, FRANCE.

On motion of Mr. FRYE, it was

[illegible]

PURCHASE FROM NEW PANAMA CANAL COMPANY.

Mr. MORGAN. Mr. President, I desire, in pursuance of the notice I gave yesterday, to call up Senate resolution 57, for the purpose of [illegible] upon the Attorney-General to report whether he has made, or is making, an inquiry into the validity of a purchase from the New Panama Canal Company of any property rights, etc., that were granted by the Republic of Colombia to N. E. Wyse, etc.

The PRESIDENT pro tempore. The Chair hopes that the Senate will be in order. The Senator from Alabama is troubled as to his [illegible], and the Senate ought to be heard.

Mr. CARMACK. The Senator from Alabama requests that I may be permitted to read his speech for him.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. MORGAN. [illegible] was read by Mr. CARMACK, as follows:

Mr. MORGAN. Mr. President, much weight is given to the untoward and painful condition in which the country is placed by the question of the President, or, more properly, his information, as to the location of the isthmian canal at Panama in existing his plain and express obligations of law, with the assertion that his actions are always honestly patriotic and his motives are an open book to be read of all men.

If open and defiant disregard of law can be thus justified, I would, for one, add my tribute of intelligent praise for a rash act done for a worthy cause, if the act was, indeed, unselfish and if the cause was worthy of the espousal of an American President.

The President, when he was first placed in reach of the power to influence the location of an isthmian canal, resolved that it should be constructed at Panama. Whether this resolve was wise or merely heroic, it was fixed and admitted of no opposition. It was his opinion, and I leave to him the task, in history and in our future experience, to justify it at his own risk, and am glad that I will not share with him any of its responsibilities.

If I had time to array against his conclusions the solemn judgment of multitudes of able and honest men who have devoted many years, at great public and private expense, to the demonstration of the fallacies of his convictions, no such array of witnesses has ever appeared on such an occasion to contest a fatal delusion.

In governmental actions, carefully based upon explorations and official surveys of the two routes by men of the highest scientific ability, four Presidents—Grant, Arthur, Harrison, and McKinley—have decided against him on occasions and under circumstances of grave deliberation and have recorded their convictions in conclusive executive action.

Among these he stands alone and defiant, doubtless, to his profound satisfaction.

Among the Secretaries of State not one of any party gives support in his written opinion to the President's attitude, unless the present Secretary may do so. I would not inflict upon him the misfortune of saying that he does.

Every report of every committee in Congress, of which there are many, is adverse to the choice of the President for the Panama route. Among these reports are those of great and wise statesmen, such as Edmunds, Evarts, Brown, and Sherman. Every commission, of which there have been five, that has examined or surveyed canal lines in Central America has reported adversely to the choice of the President, and the Senate and House of Representatives, in four different Congresses, have voted against the President's choice, in favor of the Nicaragua route, by such majorities as no great question ever commanded in successive and [illegible] votes.

The Isthmian Canal Commission chosen by President McKinley, upon whose preliminary report he [illegible] with Nicaragua and Costa Rica [illegible] agreements, reported twice in favor of the Nicaragua route and have twice stated under oath the facts upon which these reports were based.

Their final report was made to Congress in November, 1901, to the present Executive, who made no recommendation to Congress as the statute expressly required him to do. The [illegible] passed the House in the [illegible] Congress, after earnest discussion and in defiance of the Clayton-Bulwer treaty, by the vote of the entire body with the exception of 26 votes.

President McKinley [illegible] December 1, 1900, [illegible] Nicaragua that granted to us all that the Hepburn bill proposed to acquire.

The second Hepburn bill passed the House of Representatives in the Fifty-seventh Congress with only 8 votes in the negative, was sent to the Senate, reported back to the Senate with the votes of three absent Republican Senators in the affirmative.

Up to that time, and up to the beginning of the extra session of Congress in November last, there had never been any known effort at party [illegible] of the Nicaragua route.

No political power was then great enough to make a political question of an isthmian canal.

When the second Hepburn bill passed the House of Representatives, after full discussion, in [illegible] no great measure had ever received from Congress or the people such demonstrative and united support in all the history of the country.

After that the President waited two years before he made known to Congress his preference for the Panama route and his determination that a canal should be constructed there and that no canal should be opened on the Nicaragua route.

In his annual message to Congress in December, 1903, the President gave the first official statement of his views and determination as to the location and construction of an isthmian canal at Panama. In that message [illegible] no information [illegible] to Congress with a view to its action [illegible].

He merely announced his determination [illegible] by the consent of the Senate to a certain state of facts that he had created, in part contrary to law, by his will and exertion as the President pro tempore of the United States and as the Commander-in-Chief of the Army and Navy and as [illegible] the head of the Government [illegible] power to create facts, conditions, estoppels, and [illegible] are conclusive on Congress and the people and are beyond their power to question or [illegible].

In an explanatory message, a few days later, he stated by estoppel that it had been his purpose to locate the canal at Panama to [illegible] on the subject; but later he concluded [illegible] he had [illegible] assurance. The [illegible] reign of absolutism [illegible] founded in a republic.

The frank avowal to Congress of his purpose to enforce his will as the absolute ruler of the [illegible] beyond the American idea of [illegible] power and [illegible].

No American looking the history of [illegible] and especially the office of President of the United States [illegible] of constitutional purposes, thus avowed, [illegible] would make the King of Great Britain his crown if not his head.

The apparent innocence and [illegible] of the declaration would never screen him among a people whose previous [illegible] would remind them of the danger to the country of a ruler who openly violates the law.

In their consciousness of liberty secured by law they are too content to suspect that more than the [illegible] play of campaign politics is meant by such heroic [illegible].

It is the self-reliance of a self-governing people that, alone,

saves them from the rudest shock and the angry expression of resentment at such official announcements.

Yet this message is applauded by the President's political associates on the floor of the Senate as the brave announcement of a man whose political course is animated with the courage of a brave heart that is an open book that all men may read.

On the facts of this case as they are shown by the record I must deny that the conduct of the President in this matter has been that of a true knight who wears his heart on his sleeve.

If the followers of a Republican President are willing to march in the procession of [illegible], with [illegible] heads and [illegible] he is supposed to control the next [illegible] the Presidency, they need not expect a free people to follow them for the sake of party harmony. Being Americans, they are in harmony with the Constitution and the laws, not with those who openly disobey them and contemptuously spurn them.

[illegible] was occupied by the President in the development of his [illegible] to overrule and break down all that had been done by his predecessor, Mr. McKinley, and by Congress and the engineers, the canal commissions, and the people in the location of the canal on the [illegible] location at Panama, in the positive disregard of the [illegible].

These plans and purposes were as fixed in his mind in January, 1902, as he has declared them to be in January, 1904, at which date he made his first official declaration and his first intimation of his purpose and of the [illegible] development of his plan.

His plan was not completed until November 3, 1903. From that date he rushed it into execution by assuming powers in violation of the Constitution, the law of nations, [illegible] statute laws of neutrality of the United States, and by violating the express mandate of the Spooner law.

That law was enacted for the purpose of locating and beginning the construction of an isthmian canal without further legislation, and it located the canal either on the Panama or the Nicaragua route. It was so understood. It was so accepted on all sides, and its provisions were adequate to that purpose in every particular.

There is no obscurity or flaw in that act, and the President has found no loophole in its provisions that he can [illegible] or excuse for his direct and open violation of its provisions. Even the mooted question of his discretion as to a "[illegible]" for [illegible] with Nicaragua [illegible] a reasonable time for a [illegible] by treaty with Colombia is disposed of in his [illegible] message of December, 1903, in which he says:

[illegible] turned out, the question of a reasonable time did not enter into [illegible] at all.

Matters turned out as he had determined they should turn out, and not as that law contemplated, but in utter repugnance to the Spooner law. There was not a man in Congress or elsewhere who [illegible] that the conditions of the Spooner law for the location of the canal at Panama, with the consent of Colombia, could be complied with by locating it there against the consent of Colombia.

It is an affront to common sense and a breach of faith so to pervert the Spooner law.

The accomplishment of his purpose would wait on nothing, and the President pushed it with force and arms until he had so involved his political party and the Senate and the country in it until extreme embarrassment [illegible] every possible effort to escape from the toils he had thrown around us.

I will refer to some of the leading steps taken during this two years' campaign of the President to show that the President has [illegible] and even his motives, follow his lead [illegible] at gains, if successful, or else the destruction of any isthmian canal, the [illegible] of reverence, should they dare to refuse to follow him or should [illegible] that the President, like other officials and citizens, shall be required to obey the law.

I will be brief in the enumeration of these facts, as they have been to some extent discussed in the general debate on the Hay-Varilla treaty.

I will state the facts that show the several steps taken by the President toward the completion of his purpose to locate and construct a canal at Panama in their chronological order, without discussing the reasons for their existence, none of which have been stated or explained by him or by anyone who has spoken for him.

We are left to draw our conclusions without the aid of any explanations.

The second Hepburn bill had been before the House of Representatives for several days, under a rule that required a final vote on the 13th of January, 1902. On that day it passed the House by a practically unanimous vote, and was sent to the Senate.

M. Edouard Lampré, secretary of the New Panama Canal Company, had been sent by it from Paris, and was en route to Washington when the following [illegible] to M. Beauvé, who was a member of the French embassy at Washington:

PARIS, *January 4, 1902—8.55 a. m.*

BEAUVÉ, *Washington:*

Inform Admiral Walker immediately, and without awaiting Lampré's arrival, that the company declares itself ready to transfer [illegible] in conformity with the terms and [illegible]

BÉ,
President of the Board.

Other cablegrams followed, beginning with that to Admiral Walker on the 9th of January—the day of the passage of the Hepburn bill in the House, as follows:

PARIS, *January 9, 1902—4.07 p. m.*

Admiral WALKER,
[illegible]

The New Panama Canal Company declares that it is ready to accept for the totality, without [illegible] of its property and rights on the terms the [illegible]

BÉ,
President of the Board.

PARIS, *January 11, 1902—4.17 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
Corcoran Building, Washington:

Offer of sale of all our property applies also to all maps and archives in Paris.

BÉ,
President of the Board.

PARIS, *January 15, 1902—9.45 p. m.*

Admiral WALKER,
President Isthmian Canal Commission,
[illegible]

[illegible] and, under reciprocal [illegible] by the [illegible]

BÉ,
President of the Board.

The action of the President on that proposition is only known through the following statement of Admiral Walker, dated January 16, 1902:

DEPARTMENT OF STATE, ISTHMIAN CANAL COMMISSION,
Washington, D. C., January 16, 1902.

The PRESIDENT OF THE UNITED STATES.

[illegible] rights, property, and [illegible] work to the United [illegible]

[illegible] of the New Panama Canal Company held on [illegible] a proposition to [illegible] a meeting of the [illegible] in Paris on the 4th of January [illegible] [illegible] and explanatory documents [illegible] a few days [illegible]

This document purports to be a report of the Isthmian Canal Commission, that was [illegible] in November, 1901, when it made its final report to the President.

That paper professed to be the unanimous report of the Isthmian Canal Commission, but [illegible] Prof. Lewis M. Haupt, one of the commissioners, that was entered on the minutes, as follows:

He [Professor Haupt] still believed that the Nicaragua route was the best [illegible] and signing the report, with the understanding that this [illegible] of his reasons be entered upon the minutes.

The President's intervention in the preparation of the report is shown in the following extract:

[illegible] your oral direction, the president of the Commission conferred with M. Edouard Lampre, secretary general of the New Panama Canal Company.

That company was thus taken into the confidence of the President in the settlement of a project for overturning the will of the people, expressed in the votes of their representatives in Congress, and he was the only person invited to the counsels of the Isthmian Canal Commission.

The haste of this proceeding is shown by the following extract from that report:

Hon. Admiral Walker also received several cablegrams from Mr. Maurice Bunau-Varilla, president of the Republic of Panama, and several conferences and communications have been exchanged at a [illegible] the Commission and the Panamans.

The first cablegram was sent to Paris on the 4th of January, and it stated that the company was ready to consider the Colombian project [illegible] of March, 1902. As it was [illegible] that the proposal [illegible] be [illegible] and that [illegible] Canal Company [illegible] for its due consideration and the [illegible] results in Paris.

A complete [illegible] and explanatory documents, duly certified, containing a further [illegible] than [illegible] in the cablegram, but by [illegible] arrived [illegible] to the [illegible] President of Paris, who has [illegible] to [illegible] Washington.

The report of the Commission was sent to Congress in a message of the President dated January 20, 1902.

The next act of the President is shown by the letter of the Secretary of State to Mr. Concha, minister from Colombia, as follows:

DEPARTMENT OF STATE,
Washington, April 21, 1902.

SIR: I have the honor [illegible] cation dated the [illegible] fing a proposal [illegible] treaty between the [illegible] America respecting the [illegible] protection of an interoceanic canal across the Isthmus of Panama.

I am directed by the President to inform you that I shall be ready to sign with you the proposed convention on the basis [illegible]

Since the Congress of the United States shall have authorized the President [illegible] and

Since the last offer of this Government shall have decided upon the question of the title to the New Panama Canal Company's stable to give to all the properties and rights mentioned in it a new beginning to a canal across the Isthmus and connect the two oceans.

Accept, sir, the renewed assurances of my highest consideration.

JOHN HAY.

Señor Don JOSÉ VICENTE CONCHA, etc.

In the papers accompanying this letter is the letter from Cromwell, acting as general counsel for the New Panama Canal Company, to the Secretary of State, which Mr. Concha styles "an expository communication," approved by him. It is a strange sandwich in diplomatic correspondence, but it sets forth the New Panama Canal Company, not as an intruder or interloper in our highest and most important relations with Colombia, but as a recognized negotiator and as the next friend of Colombia.

The part of the "expository communication" that places the canal company in the lead and control of the national [illegible] contracting powers and makes their treaty engagements to depend on the consent of that company for their operative [illegible] is thus stated in article I of the concluded negotiation:

ARTICLE I.

The Government of Colombia authorizes the New Panama Canal Company to [illegible] its rights, privileges, proper[illegible] as well as the Panama Railroad and all the shares or part [illegible] of the company, with the exception of the [illegible] which shall revert to the Republic of Colombia.

It is understood that Colombia reserves all its rights to the special shares in the capital of the New Panama Canal Company, in accordance with Article IV of the contract of December [illegible], which shall be paid their full nominal value at least.

The Panama Canal Company and the United States as owner of the enterprise shall be free from the restrictions imposed by the railroad concession, excepting as to the payments to sinking by the railroad company of the outstanding bonds issued by said railroad company.

I will read Mr. Cromwell's "expository communication" as proof of the President's knowledge of all the fair promises, [illegible], and prognostications of Cromwell and Concha, and of himself as well, as to the outcome of the joint work of Cromwell, representing the canal company and Colombia as a chosen medium of honest fraternity, and of Concha, as the accredited minister of Colombia, and of Hay, the instructed Secretary of the President.

It will remind us of "the happy days we went gypsying" with Colombia, and it is a pleasant preface to the later days when the President went to war for Marroquin, against the Liberals, to keep him on his legs until he could negotiate the Hay-Herran treaty and procure its ratification.

The ornate glorification of the "expository" over his victim, the Nicaragua route, is the only point he had gained until a new opportunity for professional success was found in the treaty before the Senate, when he betrayed his noble and beloved Colombia and ran off with Panama, her truant daughter.

Hear Cromwell on Colombia:

[The New Willard, Washington, D. C., Sullivan & Cromwell, 49 and 51 Wall street.]

NEW YORK, March 31, 1902.

Hon. JOHN HAY,
Secretary of State, Washington, D. C.

SIR: In connection with the presentation by Señor José Vicente Concha, minister plenipotentiary and envoy extraordinary from the Republic of Colombia, of a proposal [illegible] for a treaty between the United States and Colombia, for carrying into effect the concession granted by the Colombian Congress to the New Panama Canal Company, and for the purchase of the Panama Canal property, and of the Panama railroad, we have been requested by our client, the New Panama Canal Company, to submit for your consideration certain suggestions which we have received from our associates in the performance of the contract referred to, and which we have thought it our duty to present to you.

Colombia [illegible] the United States by the territory, and will facilitate [illegible] the work.

[illegible] Colombia, and a [illegible] nations together in [illegible] the great work which now, happily, the United States may consummate.

While the minister of Colombia was in Washington for more than a year [illegible] carefully and attentively [illegible] that anything could be definitely [illegible] since then, and then only, was a definite proposal of sale made by the canal company. Immediately thereupon, however, the Government of Colombia, requiring the services of its then minister in other important [illegible] minister of war, Señor Concha, as minister plenipotentiary and envoy extraordinary, to come at once from Bogota to Washington, charged with its broad views and ample instructions to confer with the [illegible] authorities of the United States, and, after exchange of information [illegible] convention.

Minister Concha has devoted himself, since his arrival a few weeks ago, [illegible] to the task, and is prepared to reach a conclusion with the executive officers of the Government.

He is fully empowered to negotiate and sign a treaty, subject only to the ratification of the Colombian Congress, as in like cases with all nations.

But [illegible] is in the dark as to the precise desires and needs of the United States upon the subject, and Minister Concha can not, of course, anticipate in the first statement and the reasonable requirements of this Government.

He wishes, however, to manifest in the most hearty manner the desire of his Government to facilitate the purposes of the United States, and this disposition is manifested by the comprehensive convention which he has this day submitted to you, but not as an ultimatum.

The establishment of a canal convention involves, as you are so well aware, besides the utilization of a canal zone for the construction, operation, maintenance, control, and protection of a canal, railroad, and auxiliary works, as

well as a grant renewable perpetually and a consent to the sale by the New Panama Canal Company, one of which Colombia concedes in the convention and [illegible] grave questions relating to judicial [illegible] of criminals, sanitary and police [illegible] of Panama and Colombia [illegible] regard to the vested interests upon the [illegible] of the United States from all forms of taxes, port [illegible]

[illegible] there are subjects which only may be [illegible] in person, and are impossible of [illegible] congress.

[illegible] facts that a canal convention in respect of the [illegible] which do not [illegible] by man and [illegible] to income to the nation.

[illegible] Panama route covers a zone which has been the pathway [illegible] for four hundred years [illegible] people, with a [illegible] which [illegible] property, [illegible] vessels, [illegible] the [illegible]

[illegible] of value in civilizing influences, in means of [illegible] funds for improvement and development, as well as in [illegible] years, of all which the United States may [illegible]

[illegible] for the canal company or myself to [illegible] any views [illegible] upon any of the provisions of the proposed treaty, and our reserve in that regard will be [illegible] However, I beg to refer, by special request of the minister, to Article XXV of his proposed treaty, and which article relates to the pecuniary terms.

[illegible] is prepared to discuss, [illegible] and decide upon the precise [illegible] which may be reasonable for the United States to pay and for [illegible] to ask, but as the subject is in the hands of Congress, and it seems [illegible] at the moment to secure a definite expression of the views of the United States upon the subject, [illegible] as good faith and reasonableness [illegible] the security shall be such as shall be mutually may be agreed upon between the nations, as long in such agreement, such fair and reasonable amount as may be determined by a high commission [illegible] over by the president of the International Peace Tribunal of The Hague, the remaining members being nominated in equal number by the [illegible]

[illegible] would only be fixed once in a hundred years. The national [illegible] payable and you [illegible] by any difference or delay respecting the assortment [illegible] security.

The United States is only required to pay such sum as it may agree upon [illegible] States does not wish to be less than that.

I have the honor to be, Mr. Secretary, your obedient servant,

WM. NELSON CROMWELL,
General Counsel New Panama Canal Company.

This must be delightful reading to the President.

In the letter of May 15, 1903, that inclosed the papers I have just commented upon, Mr. Hay informed a [illegible] with Nicaragua and made a statement as to a negotiation with Costa Rica for canal concessions that followed and completed the McKinley agreements of 1900.

The Senate is fully informed by a letter of Mr. Hay in its possession that the negotiations with Costa Rica and Nicaragua were perfectly satisfactory to the Government.

The chief point of comparison between these negotiations of Costa Rica and Nicaragua and the Hay-Concha agreement is that the cost of the concessions was the same between [illegible] routes. Colombia agreed to sell her concessions for $7,000,000, and Nicaragua agreed to sell hers for $6,000,000, and Costa Rica agreed to sell hers for $1,000,000, making the cost the same on both routes for the concessions.

This official information, coming from the President, settled all inquiry and suggestion as to [illegible] in favor of Colombia in the Hay-Herran treaty. [illegible] were presented to Congress as a solemn assurance that [illegible] was bound to accept $7,000,000 in payment for her concessions.

The Spooner bill [illegible] France, [illegible] $3,000,000 to the [illegible] the President [illegible] Congress that Colombia had agreed to take for her [illegible]

I can state, in [illegible] that the Spooner [illegible] could not have [illegible] this concession of [illegible] treaty is only attributable to his fixed purpose to have the canal located at Panama, cost what it might in money or in war, or in disobedience of law.

[illegible] programme of compulsion this fatal determination is disclosed, which, in its financial features and in its subordination to the New Panama Canal Company, [illegible] is repeated in article 22 of the treaty now before the [illegible]

I will further establish the deliberate nature of this [illegible] showing the [illegible] quin's war with the Liberals in Panama in 1901 and 1902, which he aided Marroquin to defeat them, and in the present war with Marroquin in Panama, in which he is aiding the Liberals to dismember Colombia. In both cases the canal at Panama was the real object of his intervention with the armed forces of the United States.

In 1902 he intervened to sustain Marroquin, to enable and to induce him to negotiate the Hay-Herran treaty and to secure its ratification. In the war of 1903–4 in Panama the President assisted the Liberals to destroy Marroquin's power and that of his Government because the Congress of Colombia refused to ratify the Hay-Herran treaty.

I will not further discuss the action of the President in respect of the military situation in Panama as it is at this time. That matter has been fully discussed upon facts, all of which are not as yet known to the country.

Every day, however, new statements are made by the incautious and supercilious persons who were concerned in creating our strange attitude in Panama that bring dissatisfaction to the country. In the coming campaign for the Presidency an inviting field will be opened to the spellbinders on both sides that I heartily wish could be occupied by the truth, established by undeniable records.

It is the truth and the holy character of simple justice that requires me to resort to the records to sustain the statements I have just made as to the attitude of the President in these two wars in Panama, and to show that it is and has been his fixed determination to locate and construct a canal at Panama that has controlled his action, first, for Marroquin and his position as President of Colombia, and then against him and the integrity of the Republic of Colombia.

His change of attitude is separated only by the lapse of a single year—from November, 1902, to November, 1903.

In 1898, late in the year, an outbreak of civil war occurred in Colombia as the immediate result of the rejection by the Congress of Colombia of a bargain with the New Panama Canal Company for an extension of the the Wyse canal concession of 1878 from the 31st of October, 1904, until the [illegible] of October, 1910.

I need not go over the facts I have so often shown, that no one has controverted, to establish the truth of the proposition that the rejection of this offer, with its inducement of $1,000,000 French gold, was the immediate cause of the outbreak of revolt in many departments of Colombia. I respectfully challenge any Senator to show any other cause for that war. And, if that was the cause of it, I may with equal confidence warn any honest man against its approval by his vote in the Senate on the ratification of this treaty.

It was, of course, expected that the tide of war would reach Panama, and to provide against interference with our treaty obligations to protect the transit across the Isthmus it was our duty to stand ready to afford that protection.

As early as January, 1900, President McKinley had the *Scorpion* at Cartagena, Colombia, on the lookout for the advent of the war in Panama. The first report was from Lieutenant-Commander Sargent, on the 17th of January, which I will read:

U. S. S. SCORPION,
Cartagena, Republic of Colombia, January 17, 1900.

[illegible] Dominguez, and that all quiet [illegible] on the river [illegible] peared.

[illegible] a force of 3,000 men, under General Velez, moved [illegible] that portion of the country and [illegible] is to show that the Government [illegible]

I am, sir, very respectfully,

N. SARGENT,
Lieutenant-Commander, U. S. Navy, [illegible]

THE SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

After [illegible] reports dated June 3, 7, and 10 show that there was no [illegible] of the transit at Panama, though [illegible] had [illegible] between the [illegible]

[illegible] September 15, 23, [illegible] Panama are given as [illegible] at Colon and understood by our [illegible]

On October 1, 1901, Commander McCrea reports as follows:

U. S. S. MACHIAS,
Colon, Colombia, October 1, 1901.

SIR: I have to report the result of my efforts to get at the exact political situation here and along the railway as a northern [illegible] and regret only [illegible] news [illegible]

I find that there is a strong undercurrent of discontent, which is grow-

ing desperate and resentful among the poorer classes. Times are hard, and the Government is blamed by all the citizens. Prominent or declared Liberals are punished by imprisonment. As evidence of this, the prisons are kept full [illegible] and in Panama.

[illegible] by the Government troops near Panama are [illegible] the [illegible] guards [illegible] increased in number, amounting now to twenty men on each passenger train.

4. The steamer *Sunrise* reports all quiet at Boca del Toro also that the [illegible] from the United States [illegible] troops were returned [illegible] with the consent of the [illegible] Commander Sargent, without the least resistance [illegible].

5. The [illegible] the health of the ship's company is being [illegible] and [illegible] the precautions variously practiced in Panama, we have taken all precautions to avoid them by moving well out into the harbor and [illegible].

6. The commander of the *Suchet* has requested others north to account of his movements [illegible].

7. Altogether, there is little of value to report, either of alarming or pacific nature.

8. We are making a survey of the waters and land surrounding this anchorage [illegible] which will be sent, when completed, through Captain Perry of the Hydrographic Department.

Very respectfully, [illegible]

Lieut. Commander, United States Navy, Commanding.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

On October 7 Captain Perry reports as follows:

No. 1689.] U. S. S. IOWA,
Panama, Colombia, October 7, 1901.

SIR: Since my last report another week has passed without any military or [illegible] the [illegible] along the line of the Panama railroad [illegible] to their homes.

And Captain McCrea reports as follows, on October 12:

U. S. S. MACHIAS,
Colon, Colombia, October 12, 1901.

SIR: 1. There are no material changes in the condition of affairs here in Colon. The rumors of "wars and rumors of war" at various points all over the Republic of Colombia.

2. [illegible] I learn that the Liberal leader, [illegible] the Isthmus, due to their having been [illegible] for the week. [illegible] where he has plenty of arms and ammunition for [illegible] the city limits. [illegible] General Alban is [illegible] the city limits [illegible] Alban is building stone barricades on the [illegible] of Matarea toward [illegible].

[illegible]

4. I [illegible] to report that we have no sick and that [illegible] the health of the ship's company is good. [illegible] to report [illegible] to the United States [illegible] it could not be done [illegible].

Very respectfully, your obedient servant,

HENRY McCREA,
Lieutenant Commander, United States Navy, Commanding.

The SECRETARY OF THE NAVY,
Navy Department, Washington, D. C.

These reports continue in the same peaceful tenor until November 3, when the insurgents took possession of Colon without fighting. They remained until November 21, when they surrendered to United States forces, laid down their arms, and were paroled.

On April 28, 1902, Captain Rodgers reports:

2. The situation here now would seem to indicate that there is no immediate probability of an outbreak between the government and the Liberals. The governmental forces in the Isthmus number 3,000 [illegible] number the Liberal force, in the vicinity that it would seem to justify the opinion expressed above.

[illegible] Panama has expressed himself [illegible] I took occasion to be [illegible] the Government [illegible] the Isthmus [illegible] these waters.

On September 10 Commander Potter telegraphs the Secretary of the Navy, as follows:

PANAMA, *September 10, 1902.*

SECRETARY NAVY, *Washington:*

Two thousand men surrounded by revolutionists at Agua Dulce, Colombia. Revolutionists reported [illegible] Panama, [illegible].

POTTER.

What I have quoted from the report of the Secretary of the Navy shows that the government troops in Panama had not materially decreased the treasure on the Isthmus, and that Colombia had not been prevented from the use of the railroad for military purposes until a total stoppage on the line of the road had occurred. And from the prohibition of the use of the road was the same to both parties until the battle of Agua Dulce resulted in the very important victory for the Liberals on the 30th of August, 1902.

The danger of the overthrow of Marroquin in Panama by this great victory suddenly changed the attitude of the President toward the insurgents, and he gave to Marroquin every advantage over Herrera.

To establish this and to prove the fact that it was to secure the negotiation and ratification of the Hay-Herran treaty, as the particular purpose of the active interference of the President in support of Marroquin, I will now make further quotations from the report of the Secretary of the Navy.

When the civil war reached Panama, Marroquin was guarding the isthmian transit and using it to send troops and munitions of war back and forth on the Panama Railroad.

Since January, 1900, the United States had war vessels on both coasts of the Isthmus looking after the interests of law citizens, but had [illegible] to protect the transit until November 21, 1901, when the governor of Panama sent the following note to our consul-general at Panama, which, with the replies thereto, I now read:

PANAMA, *November 21, 1901.*

CONSUL-GENERAL OF THE UNITED STATES:

[illegible] Liberals along line inclined to protect [illegible] Colon, and not to sell without my authority.

PERRY.

[illegible] were received [illegible] Colon and [illegible] and other places, including [illegible] battles occurred at different places, distant from the [illegible] decided [illegible] to the Liberals under Herrera.

[illegible] Dulce by Herrera occupied the month of [illegible] to our naval officers [illegible] move toward David and [illegible] at Agua Dulce for two [illegible]

On the 11th of August Captain Potter reports:

[illegible]

On the 18th of August Captain Potter informs the Government that—

PANAMA, *August 21, 1902.*

SECRETARY OF NAVY, *Washington:*

Bayano, with 300 men, was [illegible] by revolutionists on July 30.

POTTER.

[illegible] 1, 1902, Commander Potter informs the Secretary of the Navy that—

[illegible] reenforcements by way of Colon and [illegible]

On [illegible] September, 1902, Commander Potter states, in a dispatch [illegible] surrendered to the revolutionists [illegible] to be advancing on Panama.

[illegible] unfavorable to the Government of Colombia reached Washington, the following dispatches were sent out to our war vessels:

PANAMA, *September 1, 1902.*

SECRETARY OF THE NAVY:

[illegible] near railroad line; situation serious; transit across Isthmus still open.

POTTER.

PANAMA, *September 10, 1902.*

[illegible] at Agua Dulce, Colombia.

POTTER.

On November 21 and 22, 1901, Captain Perry sent the following dispatches to the Secretary of the Navy:

PANAMA, *November 21, 1901.*

SECRETARY OF THE NAVY, *Washington:*

[illegible] further interference. Colon in possession of Liberals, and quiet.

PERRY.

PANAMA, *November 21, 1901.*

SECRETARY OF THE NAVY, *Washington:*

[illegible] of his inability to [illegible]

PERRY.

PANAMA, *November 22, 1901.*

SECRETARY OF THE NAVY, *Washington:*

[illegible] Liberals along line inclined to protect [illegible] Colon, and not to sell without my authority.

PERRY.

[illegible] were received [illegible] Colon and [illegible] and other places, including [illegible] battles occurred at different places, distant from the [illegible] decided [illegible] to the Liberals under Herrera.

[illegible] Dulce by Herrera occupied the month of [illegible] to our naval officers [illegible] move toward David and [illegible] at Agua Dulce for two [illegible]

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[illegible]

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SECRETARY OF NAVY, *Washington:*

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PANAMA, *September 1, 1902.*

SECRETARY OF THE NAVY:

[illegible] near railroad line; situation serious; transit across Isthmus still open.

POTTER.

PANAMA, *September 10, 1902.*

[illegible] at Agua Dulce, Colombia.

POTTER.

WASHINGTON, *September 4, 1902.*

McCREA,
Machias, Navy-Yard, Boston, Mass. (Commandant):

Proceed Washington without delay.

MOODY.

WASHINGTON, *September 11, 1902.*

POTTER, *Ranger, Panama:*

Report by telegraph situation, especially condition transit across Isthmus. [illegible]

PANAMA, *September 11, 1902.*

SECRETARY NAVY, *Washington:*

[illegible] of land belonging to Canal Company [illegible] not [illegible]

POTTER.

WASHINGTON, *September 11, 1902.*

McLEAN, *Cincinnati, Cape Haitien:*

Proceed Colon immediately.

MOODY.

SEPTEMBER 11, 1902.

RANGER, *Panama:*

[illegible] ordered to proceed to the Isthmus; the [illegible]

MOODY.

SEPTEMBER 12, 1902.

RANGER, *Panama:*

[illegible] free transit [illegible] and free to Government [illegible] provisions of [illegible] be permitted [illegible]

MOODY.

WASHINGTON, *September 11, 1902.*

CASEY, *Wilson:*

Send [illegible] if *Boston* is not ready.

MOODY.

Panama, September 12, 1902.

[illegible] Navy, [illegible]

[illegible] or revolutionists in the event of landing force for [illegible]

POTTER.

WASHINGTON, *September 12, 1902.*

[illegible]

MOODY.

[illegible] of the [illegible] at Agua Dulce was to cause our [illegible] I have just [illegible] Panama under [illegible] the Government [illegible] are a false view, the [illegible] and its final [illegible] to [illegible]

[illegible] pondence leaves no doubt on the subject:

NAVY DEPARTMENT,
Washington, September 15, 1902.

SIR: [illegible] herewith a copy of a letter from the Secretary [illegible] to restore [illegible] the effort to establish peace [illegible]

W. H. MOODY, *Secretary.*

The COMMANDING OFFICER,
U. S. S. [illegible]

Then the canal [illegible] for our [illegible] of Panama [illegible] it [illegible] Panama [illegible] until [illegible] Panama [illegible] Panama railroad [illegible] Panama railway to Panama.

DEPARTMENT OF STATE,
Washington, September 16, 1902.

[illegible] to inform you that his Government [illegible] revolutionists to accept terms [illegible] other-

wise inevitable heavy loss of life. Minister for foreign affairs added: "Not only is the question of humanity involved, but so long as the war lasts Congress will not be convened, and therefore the continuance of war will delay submission of the canal matter to the Congress."

Minister for foreign affairs emphasized this last point as being well to present to your consideration.

HART.

Upon the receipt of this telegram I communicated with the President, saying to him that in view of the urgency of the situation on the Isthmus, the isolation of the United States legation at Bogota, which seemed to make communication by the minister doubtful, if not impractical, and the absence from Panama on leave of the consul general, Mr Gudger, it might be proper to consider whether the commander of the U. S. S. *Cincinnati* now at Colon, should be advised of this request of the minister for foreign affairs of Colombia and instructed to use his good offices in the suggested sense.

I have received from the President a telegram approving of my suggestion as to instructing such a message to the commander of the *Cincinnati*.

The precedents in which our naval commanders have lent their good offices to bring about peace in Central America during the past years will serve to guide Commander McLean in the execution of such instruction as you may deem proper to give him in this regard.

The cooperation of the United States consul at Colon will be cheerfully given to Commander McLean, and I shall be pleased to telegraph to the consul in that sense if you desire.

I have the honor to be, sir, your obedient servant,

ALVEY A. ADEE, *Acting Secretary.*

The SECRETARY OF THE NAVY.

U. S. S. CINCINNATI,
Colon, Colombia, September 20, 1902.

SIR: I acknowledge the receipt this date of the following cablegram:

CINCINNATI, *Colon:*

United States guarantee perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. United States of Colombia guarantee right of way or transit across Isthmus open and free to Government and citizens of United States and their property.

Any transportation of troops which might contravene these propositions of the treaty should not be sanctioned by you, nor use of rails be permitted which might convert the line of transit into theater of hostility. Transportation of Government troops not in violation of treaty and which will not endanger transit or provoke hostilities may not be unfavorable. The Department must rely on your judgment to decide such questions, as the conditions may change from day to day. Consult Department freely when in doubt.

MOODY.

Very repectfully,

T. C. MCLEAN.

That the way was carefully opened to Marroquin to save himself and his Government from the loss of the Department of Panama to the Liberals, under Herrera, by the action of the President is, if possible, still more clearly shown in the following dispatches, which give the full right of way to Marroquin to handle his forces and munitions of war over the Panama Railroad:

Mr. Hart to Mr. Hay.

LEGATION OF THE UNITED STATES,
Bogota, October 6, 1902.

The President invited me to a conference this afternoon for the purpose of showing me a telegram in which governor of Panama complains that the American admiral forbids the passage of Colombian troops and munitions of war over railroad.

The President desires me to impress upon you that unless railroad company be allowed to comply with article 19 of contract with Colombian Government it will be impossible to deal successfully with the revolution in the Department of Panama, and asks that you instruct American commander to permit railroad company to comply with contract.

HART.

The Secretary of the Navy to the Secretary of State.

NAVY DEPARTMENT,
Washington, October 6, 1902.

SIR: I have the honor to quote below, for your information, the translation of a cipher telegram received to-day from Rear-Admiral Casey, at Panama, Colombia:

PANAMA, *October 5, 1902.*

SECRETARY OF THE NAVY, *Washington:*

Governor Salazar returned my call yesterday and strongly protested against any restriction of Colombian Government use of road as an invasion of sovereign and treaty rights, and requested transportation of consignment arms and ammunition, Colon to Panama, received by steamer and loaded on cars before my order prohibiting such transportation.

I have received a letter from General Herrera, insurgent, protesting against transportation troops and contraband of war. Claims rights of belligerents, saying that he may be compelled to enforce them, and after October 12 threatens to disturb free and uninterrupted transit if Colombian Government allowed to transport contraband of war. Gen Herrera declares to us! Ammunition can be transported safely by accompanying road; if so, have ever, another battalion marines necessary. Situation otherwise unchanged. No uneasiness whatever.

CASEY.

I have the honor to be, sir, your obedient servant,

WILLIAM H. MOODY, *Secretary.*

Admiral Casey took command of all the forces at Panama and soon got into trouble with Marroquin's Government by his impartial effort to observe neutrality between the belligerents. His orders were in strict keeping with his duty under our laws and our treaty obligations, but that did not meet the requirements of the occasion.

Casey was allowed his discretion in doubtful cases under the following dispatch, but he did not know that the Hay-Herran negotiation was to control him in military operations in Panama:

[Translation.—Confidential.]

SEPTEMBER 20, 1902.

CINCINNATI, *Colon (via Bermuda):*

United States guarantee perfect neutrality of Isthmus and that a free transit from sea to sea be not interrupted or embarrassed. United States of Colombia guarantee right of way or transit across Isthmus open and free to Government and citizens of United States and their property.

Any transportation of troops which might contravene these provisions of treaty should not be sanctioned by you, nor use of rails be permitted which might convert the line of transit into theater of hostility. Transportation of Government troops not in violation of treaty and which will not endanger transit or provoke hostilities may not be unfavorable. The Department must rely on your judgment to decide such questions as the conditions may change from day to day. Consult the Department freely when in doubt.

MOODY.

Casey changed his regulations in obedience to orders, and Perdemo forced the victorious Liberals to the wall.

The following correspondence shows how these changes were understood at Panama:

PANAMA, *October 11, 1902.*

DEAR ADMIRAL: I am transmitting herewith a memorandum which I received from a reliable person who has just arrived on the German steamer in Colon.

Yours, very truly,

FELIX EHRMAN.

Rear-Admiral SILAS CASEY,
United States Flagship Wisconsin, Bay of Panama.

MEMORANDUM.

On board the German steamer arrived at Colon this morning from the Colombian ports came a private person, who gave the following information:

A battle was fought at the Corozal, Department of Magdalena, and the revolutionists under the command of Gen. Castillo were defeated.

Gen. Rafael Uribe Uribe did not wait in Tocaimo, Department of Magdalena, for the Government forces operating on him, but retreated at their proximity.

Four thousand men from the Government are persecuting Castillo's disbanded people and Uribe's small army.

The interior of the Republic is quiet; the Magdalena River is now perfectly free.

Six thousand men from the Government army are coming down the river. General Perdomo is in Barranquilla and will sail for Colon on board of the Government gunboat *Cartagena*, with his staff.

[Clipped from the Panama Star and Herald, October 12, 1902.]

CASEY DIRECTED TO BE LESS STRICT.

WASHINGTON, *October 10.*

Acting on the mild protest received from the Colombian Government and to avoid any appearance of taking sides with the revolution on the Isthmus, Acting Secretary Darling, of the Navy, to-day directed Casey, at Panama, to use moderate methods as far as possible in preserving the transit on the Panama Railroad.

BOGOTA DISPLEASED AT HIS ORDERS.

Casey's recent order that no combatants be transported on the railroad caused great dissatisfaction at Bogota, and United States Minister Hart was informed that Casey's thought that Casey's order prevented Colombia's efforts through the revolution.

Secretaries Hay and Darling conferred with regard to the question this morning.

DECLINED FOR FEAR OF ENDANGERING TRANSIT.

The United States has several times declared its neutrality to the revolution. Casey's course of action has the sanction of the Department. He declined to transport the Government troops because he feared that their presence aboard the trains would provoke an attack by the revolutionists.

It was decided to-day that it would be better not to have the declination to transport Government troops stand as a rule, and Casey was so informed by a dispatch from the Navy Department. He was advised to transport the Colombian Government troops, unless he feels that to do so would convert the line of transit into a theater of hostilities.

The third, fifth, eleventh, and twelfth paragraphs of the report of Admiral Casey of October 20 show how we crushed Herrera for the purpose of sustaining Marroquin, as follows:

3. General Perdomo, of the Colombian Government, said to be clothed with ministerial powers, arrived at Colon on the 6th.

I had previously [illegible] Governor Wilson, senior officer present there, to extend to the General, on arrival, transport [illegible] if he desire to visit Panama. The offer was accepted, and the General, with a numerous staff, came over in the afternoon [illegible] by a company of marines. On the afternoon of the 15th, accompanied by my personal staff and our [illegible] general, Mr. Felix Ehrman, I called and was most cordially received by him.

5. A great deal of sickness prevails among the Colombian troops, especially at Colon, where the death rate [illegible] from ten to twelve a day. It is less than at Panama. The disease seems to be mostly dysentery, with some yellow fever.

11. Judging from conditions now existing and from information I am able to obtain, there seems little prospect of a speedy termination of this strife. Panama and Colon are practically besieged; troops at neither place dare go beyond their entrenchments.

I firmly believe if our men were removed from shore the insurgents would be in Panama in forty-eight hours. I think the Government, therefore, is very willing that they should remain, making occasional mild objections, which really it does not mean shall be taken seriously.

12. Great things were expected on Perdomo's arrival; but as he came attended only by numerous generals, of which there were apparently already a surfeit in the city, I fail to see how he can accomplish much.

On the return of the victorious Liberals from Agua Dulce fighting occurred on the railroad between Matachin and Colon.

As the trains would pass the battle was suspended. A party of Liberals occupied Colon without any disturbance of the people.

The French and American naval commanders agreed that they must be removed from Colon, and after conferring with General de la Rosa, their commander, and a display of force, he surrendered to General Alban, commanding Marroquin's forces.

This was the first party that surrendered under the policy adopted by our Government, and I will read Captain Perry's account of it:

14. Soon afterwards a meeting of the commanding naval officers who were to assume control of the city of Colon was held on board of the *Marietta*. A copy of the agreement is inclosed herewith.

15. It having been agreed that 30 men would be sufficient to control the city during the interim, I stated that the United States was prepared to supply that number. The French commander expressed a desire to land for the protection of the French concession in Colon a sufficient number for that purpose.

I offered to give him the number required from my command, but as he [illegible] I [illegible] would [illegible] being there, I promptly [illegible] that. A part of the agreement was that it was our opinion that the [illegible] would be [illegible] on the morning of Saturday, November 8, 1902, being less than twenty-four hours.

[illegible] de la Rosa, having expressed a wish that he, with his brother, be [illegible] a copy of which is herewith inclosed [illegible] on that subject.

17. The [illegible] November 8, the day of the surrender, passed quietly and peacefully. The troops landed [illegible] arrangements made by the commanders [illegible] A battalion of marines arrived from Panama at 10 a. m., [illegible] Immediately upon our landing, the Colombian troops were drawn up [illegible] and opposite 12, the United States marines [illegible] United States force of about [illegible] At 11 o'clock a. m. [illegible] of Panama from [illegible] by H. M. S. *Tribune* and [illegible] control of the [illegible]

[illegible] dinner and to be ready in case of need during the three hours interim.

On the 3d of November, 1902, General Herrera addressed the following note to Admiral Casey:

BOBRI, *November 3, 1903.*

SIR: I wish to thank you very much for the [illegible] Panama Bay.

I am, your obedient servant,

B. HERRERA.

SILAS CASEY,
Commander in Chief Pacific Station.

The victorious Liberal general was [illegible] by the landing of our marines to prevent his [illegible] Panama, in which Admiral Casey twice admitted in his dispatches that they would have been successful, and by his turning over the railroad to General Perdomo for the transportation of his troops between Colon and Panama, the victory was [illegible]

Herrera's pathetic letter of November 2, 1902, in which he prefers "the peace and tranquillity of Colombia" to the success of his army is a reproach to the United States, the deep sting of which was not fully felt until the 3d of November, 1903.

We destroyed the Liberal army in Panama in November, 1902, to keep Marroquin in power until the Hay-Herran treaty could be ratified, and [illegible] that we destroyed Marroquin and Colombia on the 3d of November, 1903, for the purpose of getting a canal concession on the Isthmus.

The capitulation of Herrera was signed on the 21st of November, 1902, and the ratification of the Hay-Herran treaty was provided for in article 7.

This record, reported in messages of the President of the United States, fixes an indelible sentence of inconsistency and wrong upon the country that in both wars in Panama, the one of 1902 and the other in 1903, we took sides first with the Jesuits against the Liberals and then with the Liberals against the Jesuits, and that our change of attitude was alone due to the determination of our President that our great national work should be done at Panama and nowhere else, is a violation of the express mandate of the Spooner law.

If the use of our war resources in supporting Colombia, led by Marroquin, in November, 1902, was justifiable, there can be no justification in using them against Colombia, led by Marroquin, in November, 1903.

The surrender of Herrera was made under a capitulation with General Perdomo on the 21st of November, 1902, the seventh and eighth articles of which are as follows:

ARTICLE 7. In accordance with the desire of the Government and the nation, as soon as peace under is restored an effort of government [illegible] will be issued, regarding the finances for Congress, in respect to which the Government engages itself to use all its authority [illegible] legality, as was promised by the vice-president in the [illegible] in a memorial signed by various Liberals of Bogota the 14th of April this present year. The [illegible] Congress will be submitted for consideration the following [illegible] of high national interests:

(a) The negotiations relating to the Panama Canal.

(b) The reforms presented to the Congress in 1898, by the vice-president of the Republic.

(c) The reformation of the monetary system of the country, in which paper money serves as a base, making the rentals to the Republic from contract on the canal inalienable.

ARTICLE 8. The recognition of the Government's authority by the members of the united armies of Cauca and Panama and by all forces or people that desire to receive this treaty.

In a report of November 3 by Admiral Casey to the Secretary of the Navy, he had inclosed the following account of the coming of General Perdomo to Panama and its connection with the canal negotiations:

[General news letter. (By mail.)]

THE ISTHMIAN SITUATION—GENERAL PERDOMO'S IMPORTANT MISSION—POWERFUL ARMY COMING THAT WILL CLEAR RAILROAD LINES OF GUERRILLA BANDS—AMERICAN FORCES CAN THEN BE RELIEVED FROM SHORE DUTY.

COLON, *October 30, 1902.*

New York, October 30, 1902. A dispatch dated Panama, October 17, gives the following [illegible] of the situation on the Isthmus:

General Perdomo [illegible] is said here that he had [illegible] supreme commander of the Colombian forces in the [illegible]

General Perdomo has taken an active part in the [illegible] affairs of Colombia within the last thirty years, [illegible] the last [illegible] in the [illegible] of Panama and [illegible]

[illegible] Department of Panama, where General Herrera [illegible] Department [illegible] the population is dense. Players travel through the country and [illegible]

I have been [illegible] with the American forces on the Isthmus. At [illegible] visited me and was very kind and amiable. [illegible] a guard of [illegible] was put under [illegible] Acting superintendent Prescott of the railroad offered me his [illegible]

As a [illegible] in conversation with the American forces I have absolutely [illegible] that any [illegible] between [illegible] and the American [illegible] I [illegible] United States [illegible] transit across the Isthmus.

I [illegible] have been [illegible] and will then clear the railroad lines of [illegible] bands, where [illegible] nations be [illegible] and the United States [illegible] that he will be able to relieve the American forces doing shore duty on the Isthmus.

I am a great friend of the United States, and I admire that country. I [illegible] American [illegible] to make [illegible] a meeting [illegible] American [illegible] Isthmian [illegible] and also presented [illegible] in San Francisco, and also presented [illegible] Department and [illegible] the same [illegible] Department [illegible] $1,000 in gold [illegible] men here, but [illegible] are required."

The eleventh paragraph of the report of Admiral Casey of October 13 to the Secretary of the Navy uncovers the whole situation, as follows:

11. I inclose a clipping from the Panama Star and Herald of October 12, 1902. In this connection I take occasion to inform the Department that I have refrained, as far as possible, from in any way embarrassing the officials of the Colombian Government, except so far as is absolutely necessary in my [illegible] and [illegible] the line of transit from being converted into a theater of hostilities.

I shall [illegible] as the conditions may change from day to day, and when in doubt I will consult the Department. Further in this connection I have to inform the Department that I have been unable to learn of any [illegible] on the part of the Government to crush the revolution [illegible] since my arrival at Panama.

[illegible] that if it were not for the restraining influence of our naval forces in Panama Bay there would be an easy victim to the [illegible] and gunboats of the insurgents.

Very respectfully,

SILAS CASEY,
Rear-Admiral, U. S. Navy,
Commander in Chief, U. S. Naval Force, Pacific Station.

The SECRETARY OF THE NAVY.

Admiral Casey proceeded to open negotiations for the capitulation of Herrera's army as soon as the further prosecution of the Liberal war with Marroquin was rendered impossible. He begun by sending Herrera the following note:

U. S. FLAGSHIP WISCONSIN,
Panama, Colombia, October 9, 1902.

SIR: 1. I have the honor to inform you that I have been authorized by my Government to offer my friendly services to the leaders of the contending [illegible] with a view to bringing about a friendly [illegible] to the end that [illegible] may put an end to the strife and [illegible] peace and tranquillity in this Isthmus.

2. In pursuance [illegible] upon Governor Salazar on the [illegible] general, Mr. Felix [illegible] and transmitted my proposition, which the governor accepted [illegible] and requested [illegible] to make a friendly [illegible] and the restoration of peace.

3. I have the honor and pleasure to offer you my good offices in arranging for a friendly meeting and discussion with Governor Salazar, if your desire, and would be happy to have you meet on board my flagship [illegible] of Panama.

4. If this be satisfactory to you and the Government I have the honor to submit it [illegible] in any way be useful in promoting the restoration of peace and tranquillity in your country.

I have the honor to remain, yours, very cordially,

SILAS CASEY,
Rear-Admiral, U. S. Navy,
Commander in Chief U. S. Naval Force, Pacific Station.

Gen BENJAMIN HERRERA,
Chief of Revolutionary Forces, District of Panama.

And the following order to Casey closes the door against all denial of the purpose of the entire campaign:

OCTOBER 29, 1902.

CASEY, *Wisconsin, Panama:*

While approving your attitude, the Department wishes to impress upon you that the relations of the United States with Colombia are much strained. You must adopt measures as conciliatory as is consistent with dignity United States, overlooking matter of minor importance. Negotiations for ship canal are at present at a standstill on account of a feeling of irritation on part of Colombian representative.

DARLING.

This completed the mission of the naval forces of the United States, so suddenly concentrated at Panama in August and September, 1902, and secured Marroquin in his supremacy in Colombia.

Nowhere can conceal from himself the fact that Marroquin appealed to the President of the United States for aid in suppressing the Liberals in Colombia, who had revolted nearly three years before on account of the extension of the Wyse concessions from 1904 to 1910, and that the President, in order to get the Hay-Herran treaty ratified, had actively aided Marroquin to overthrow Herrera and his victorious army.

The circle is complete, and within it are two years of our history and four years of the history of Colombia that have no parallel in grievous wrongs and audacious violations of law.

At the beginning and at the end, which the Senate is about to confirm, the New Panama Canal Company, backed by France, has been the real cause of all this indescribable sacrifice of human life, property, and national honor that now involves us in a sea of trouble, with worse to come.

This circle of history, from January, 1902, to January, 1904, while it was being enacted by the President in the secret councils of his high office, into which the American people never pry with curious or suspecting inquiry, was a sealed book to everybody until it was opened in his annual message to Congress in December, 1903.

It was an astonishment to the whole world, especially in the announcement that the President had determined to openly disobey the Spooner law in order to fulfill his preordained purpose to open a canal at Panama, or else that no canal would be constructed.

It is not surprising, in view of all that has occurred, that his lawless resolution alarmed some of our southern people, but it is surprising that they run to cover, under the shelter of the Presidential guns, rather than find it in a faithful reliance upon the Constitution and the laws, guarded by the abiding good faith and virtue of the American people.

The temptation of a supposed good bargain with the New Panama Canal Company drew him to the Panama route, which they had long since abandoned under the provisions of the Wyse concession, and from that hour he surrendered the policy and the powers of the United States to the guidance of that company.

It had inflicted civil war upon Colombia to compel that Republic to extend the Wyse concession from 1904 to 1910.

When that war reached Panama, and Herrera, the general of the Liberal army, had won the day and was ready to drive out Marroquin's army, the President moved in with our war ships and saved Marroquin.

There was trouble with Concha, as there had been with Silva, in closing the negotiation of a treaty with Colombia, and Marroquin made that the pretext for demanding our intervention in aid of his war in Panama, and it was granted.

Concha refused to sign the Hay-Herran treaty after it was agreed upon, because his conscience would not permit him to disobey the constitution and laws of Colombia, and he was recalled, but continued in office as minister to the United States, leaving Herran in charge of the legation as chargé d'affaires. He was instructed to sign the treaty, and did so.

Bunau-Varilla claims the credit of this diplomatic strategy. I hope that he alone is entitled to that distinction.

The treaty failed of ratification by the Congress of Colombia, and all our work in keeping Marroquin in office was lost.

Yet the canal transit was secured under the protection of the Marroquin Government, but the treaty went by the board and the proposed canal concessions with it, and the $40,000,000 for the New Panama Canal Company disappeared behind a clouded horizon.

France was called in to assist in restoring its power in Panama and came to the rescue.

All of a sudden we discovered that the exercise of sovereignty by the Marroquin Government was a threat against the security of the transit. We forgot how we had aided Marroquin in protecting the transit in 1903, while we thereby secured him in office as President of Colombia, and we suddenly turned upon his troops, sent to Panama to preserve the sovereignty of Colombia and the enforcement of its laws, and expelled them under the assumption that their appearance on that part of the Isthmus would endanger the transit.

All this confusion and repugnance as to the attitude of our Government toward Colombia and Panama and toward the security of the transit and the sovereignty of Colombia came from the determination of the President to locate the canal at Panama in despite of the Spooner law.

In every stage of the proceeding the New Panama Canal Company led, if it did not dictate, the policy of the President, and Bunau-Varilla and Cromwell were in at the death.

Mr. MORGAN. Mr. President, I ask that the resolution may remain on the table, without prejudice, subject to call.

The PRESIDENT pro tempore. The Senator from Alabama ask that the resolution may lie on the table without prejudice, subject to his call. Is there objection? The Chair hear none, and that order is made.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After ten minutes spent in executive session the doors were reopened.

ADJOURNMENT TO MONDAY.

Mr. CULLOM. I move that when the Senate adjourns to-day it be to meet on Monday next.

The motion was agreed to.

HOUSE BILLS REFERRED.

The bill (H. R. 7274) to amend section 76 of an act entitled "An act to provide a government for the Territory of Hawaii," was read twice by its title, and referred to the Committee on Pacific Islands and Porto Rico.

The bill (H. R. 19) establishing a United States court at Marietta, Ind. T., was read twice by its title, and referred to the Committee on the Judiciary.

The bill (H. R. 11676) to ratify and amend an agreement with the Indians of the Crow Reservation, in Montana, and making appropriations to carry the same into effect, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 11812) relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated, was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 11823) to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufacturers was read twice by its title, and referred to the Committee on the Census.

REPORTS OF THE LIBRARIAN OF CONGRESS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 37) providing for the editions to be printed of the annual and special reports of the Librarian of Congress; which was referred to the Committee on the Library.

RED LAKE RESERVATION IN MINNESOTA.

The PRESIDENT pro tempore. The Chair lays before the Senate the amendment of the House of Representatives to the bill (S. 1490) to authorize the sale of a part of what is known as the Red Lake Reservation, in the State of Minnesota. The amendment will be read.

The Secretary read the amendment, which was to strike out all after the enacting clause of the bill and insert:

That said agreement be, and the same is hereby, modified and amended so as to read as follows:

"ARTICLE I. The said Indians belonging on the Red Lake Indian Reservation, Minn., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Red Lake Indian Reservation lying west of the range line between ranges 36 and 37 west of the fifth principal meridian, containing [illegible] acres, and also hereby agree that all of said Indians now residing on the tract hereby ceded shall remove to the diminished reservation within sixty days after the ratification of this agreement, and shall be paid and receive the sum of $[illegible] in cash by the Indians of said Red Lake Reservation out of the first payment received by them from the proceeds of the cession, said sum, or so much thereof as may be necessary, to be paid equitably to those Indians removing in proportion to the value of their respective improvements, which payment by said Red Lake Indians shall be in full for all improvements which they will abandon, and also for the removal within the diminished reservation of their dead from where they now are buried on the tract hereby ceded.

"ART. II. In consideration of the land ceded, relinquished, and conveyed by Article I of this agreement the United States agrees and undertakes to pay to said Indians in the manner hereinafter provided the sum of $[illegible].

"ART. III. It is understood that of the amount to be paid to said Indians, as contemplated by Article II of this agreement, the sum of $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation, the first payment to be made within twenty days after the ratification of this agreement, and the remainder of the said sum of $[illegible] shall be paid in cash, per capita, in fifteen annual installments, the first of which installments shall be paid in the month of October of the year following that in which the payment of the money herein provided for is made, as provided in this agreement, and in the month of October of each year thereafter of the succeeding fourteen years, covering the period of said fifteen annual installments.

"ART. IV. It is further agreed that the said Indians belonging on said Red Lake Indian Reservation, Minn., shall possess their diminished reservation independent of all other bands of the Chippewa tribe of Indians and shall be entitled to allotments thereon of 160 acres each, of either agricultural or pine land, the different classes of land to be apportioned as equitably as possible among the allottees.

"ART. V. It is understood that nothing in this agreement shall be construed to deprive the said Indians belonging on the Red Lake Indian Reservation, Minn., of any benefits to which they are entitled under existing treaties or agreements not inconsistent with the provisions of this agreement. It is the intention of this agreement that the United States shall act as trustee for said Indians to dispose of said land and to expend and pay over the proceeds as received from the sale thereof only as received, as herein provided.

"ART. VI. This agreement shall take effect and be in force when accepted and ratified by the Congress of the United States."

SEC. 2. That said agreement be, and the same is hereby, accepted and ratified as herein amended.

SEC. 3. That the Secretary of the Interior is hereby authorized and directed to sell, subject to the homestead laws of the United States, under such rules and regulations as he may prescribe, in tracts not to exceed 80 acres to an individual, all that part of the Red Lake Reservation, in the State of Minnesota, lying westerly of the range line between ranges 36 and 37 west of the fifth principal meridian, containing [illegible] acres. And the said lands shall be sold for not less than $4 per acre, and shall be sold upon the following terms: One-fifth of the purchase price to be paid at the time the bid is made, and the balance of the purchase price of said land to be paid in five equal installments, due in one, two, three, four, and five years from date of sale, respectively, payment to be made to the receiver of the United States land office for the district in which said land may be situated. And in case any purchaser fails to make such annual payments promptly when due, or within sixty days thereafter, all rights in and to the land covered by his or her purchase shall at once cease, and any payments made shall thereupon be forfeited, and the Secretary of the Interior shall thereupon declare such forfeiture by restoring said land for sale.

And no patent shall issue to the purchaser until the purchaser shall have paid the purchase price and in all respects complied with the terms and provisions of the homestead laws of the United States: *Provided*, That such purchaser shall have the right of commutation as provided by section [illegible] of the Revised Statutes of the United States, by paying for the land at the price for which it sold, receiving credit for payments previously made: *Provided further*, That no purchaser shall make the final proof and commute to the homestead law within six years from the date of sale, that it was who have declared their intention to become citizens of the United States may become purchasers under this act, but before making final proof and receiving title must take out their full naturalization papers, and that persons who may have heretofore exhausted their rights under the homestead law may be purchasers under this act: *Provided Further*, That after the first sale hereunder shall be closed, the lands remaining unsold shall be subject to sale at entry at the price of $4 per acre by qualified purchasers, subject to the same rules and conditions as herein prescribed as to lands sold at said first sale: *Provided, further*, That all lands heretofore [illegible] within a period of five years from the date of the first sale hereunder, shall be offered for sale at not less than $4 per acre, and lands remaining unsold after such sale shall be subject to private entry and sale at said price), [illegible] as to divide any Government subdivision [illegible] that portion of such subdivision now being outside of the reservation [illegible] the purchaser of that portion of such subdivision lying within the reservation, residence and improvements upon either portions of such subdivision shall be deemed by the homestead law shall constitute a compliance [illegible] such Government subdivisions.

[illegible] of the Indians residing upon the tract above described shall remove to the diminished reservation within six months after the passage [illegible] and there is hereby appropriated from the proceeds of said sale [illegible] or so much thereof as may be necessary, to be paid to those removing in proportion to their respective improvements, which payment to the said Red Lake Indians shall be in full for all improvements which they will abandon, and also for the expense of removal within the diminished reservation of their dead from where they are now buried on the tract hereby ceded and the expenses incident to a removal.

[illegible] of said lands hereunder shall be taken shall be paid into the Treasury of the United States to the credit of the Indians belonging on said reservation. Of the amount realized from the sale of said lands a sum not exceeding $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation within ninety days after the first sale herein provided for, and the remainder of the proceeds of the sale of said lands shall be paid in cash, per capita, in fifteen annual installments, the first installment to be paid in the month of October of the year following that in which the payment of the money herein provided for is made, and in the month of October of each year thereafter of the succeeding fifteen years, covering the period of said fifteen annual installments, and shall be apportioned in like manner among said Indians and paid to them on the 1st day of October in each year.

The Secretary of the Interior is hereby vested with full power and authority to make such rules and regulations as to the time of notice, manner of sale, and other matters incident to the carrying out of the provisions of this act as he may deem necessary, and with authority to continue making entries upon all of said lands shall have been sold.

In addition to the price to be paid for the land the entryman shall pay the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is $1.25 per acre.

SEC. 4. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, or to guarantee to said purchasers for said lands or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received as herein provided.

SEC. 5. That this act shall take effect and be in force from and after its passage.

The House of Representatives further amended the bill by prefixing thereto the following preamble:

Whereas James McLaughlin, United States Indian inspector, did, on the 10th day of March, A. D. 1902, make and conclude an agreement with the adult male Indians of the Red Lake Reservation, in the State of Minnesota, which said agreement is in words and figures as follows:

"This agreement made and entered into this 10th day of March, 1902, by and between James McLaughlin, United States Indian inspector, on the part of the United States, and the Red Lake and Pembina bands of Chippewa Indians belonging on the Red Lake Reservation in the State of Minnesota, witnesseth:

"ARTICLE I. The said Indians belonging on the Red Lake Indian Reserva-

"ART. IV. It is further agreed that the said Indians belonging on the said Red Lake Indian Reservation, Minn., shall possess their diminished reservation independent of all other bands of the Chippewa tribe of Indians and shall be entitled to allotments thereon of 160 acres each, of either agricultural or pine land, the different classes of land to be apportioned as equitably as possible among the allottees.

"ART. V. It is understood that nothing in this agreement shall be construed to deprive the said Indians belonging on the Red Lake Indian Reservation, Minn., of any benefits to which they are entitled under existing treaties or agreements not inconsistent with the provisions of this agreement. It is the intention of this agreement that the United States shall act as trustee for said Indians to dispose of said land and to expend and pay over the proceeds as received from the sale thereof only as received, as herein provided.

"ART. VI. This agreement shall take effect and be in force when accepted and ratified by the Congress of the United States."

SEC. 2. That said agreement be, and the same is hereby, accepted and ratified as herein amended.

SEC. 3. That the Secretary of the Interior is hereby authorized and directed to sell, subject to the homestead laws of the United States, under such rules and regulations as he may prescribe, in tracts not to exceed 80 acres to an individual, all that part of the Red Lake Reservation, in the State of Minnesota, lying westerly of the range line between ranges 36 and 37 west of the fifth principal meridian, containing [illegible] acres. And the said lands shall be sold for not less than $4 per acre, and shall be sold upon the following terms: One-fifth of the purchase price to be paid at the time the bid is made, and the balance of the purchase price of said land to be paid in five equal installments, due in one, two, three, four, and five years from date of sale, respectively, payment to be made to the receiver of the United States land office for the district in which said land may be situated. And in case any purchaser fails to make such annual payments promptly when due, or within sixty days thereafter, all rights in and to the land covered by his or her purchase shall at once cease, and any payments made shall thereupon be forfeited, and the Secretary of the Interior shall thereupon declare such forfeiture by restoring said land for sale.

And no patent shall issue to the purchaser until the purchaser shall have paid the purchase price and in all respects complied with the terms and provisions of the homestead laws of the United States: *Provided*, That such purchaser shall have the right of commutation as provided by section [illegible] of the Revised Statutes of the United States, by paying for the land at the price for which it sold, receiving credit for payments previously made: *Provided further*, That no purchaser shall make the final proof and commute to the homestead law within six years from the date of sale, that it was who have declared their intention to become citizens of the United States may become purchasers under this act, but before making final proof and receiving title must take out their full naturalization papers, and that persons who may have heretofore exhausted their rights under the homestead law may be purchasers under this act: *Provided Further*, That after the first sale hereunder shall be closed, the lands remaining unsold shall be subject to sale at entry at the price of $4 per acre by qualified purchasers, subject to the same rules and conditions as herein prescribed as to lands sold at said first sale: *Provided, further*, That all lands heretofore [illegible] within a period of five years from the date of the first sale hereunder, shall be offered for sale at not less than $4 per acre, and lands remaining unsold after such sale shall be subject to private entry and sale at said price), [illegible] as to divide any Government subdivision [illegible] that portion of such subdivision now being outside of the reservation [illegible] the purchaser of that portion of such subdivision lying within the reservation, residence and improvements upon either portions of such subdivision shall be deemed by the homestead law shall constitute a compliance [illegible] such Government subdivisions.

[illegible] of the Indians residing upon the tract above described shall remove to the diminished reservation within six months after the passage [illegible] and there is hereby appropriated from the proceeds of said sale [illegible] or so much thereof as may be necessary, to be paid to those removing in proportion to their respective improvements, which payment to the said Red Lake Indians shall be in full for all improvements which they will abandon, and also for the expense of removal within the diminished reservation of their dead from where they are now buried on the tract hereby ceded and the expenses incident to a removal.

[illegible] of said lands hereunder shall be taken shall be paid into the Treasury of the United States to the credit of the Indians belonging on said reservation. Of the amount realized from the sale of said lands a sum not exceeding $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation within ninety days after the first sale herein provided for, and the remainder of the proceeds of the sale of said lands shall be paid in cash, per capita, in fifteen annual installments, the first installment to be paid in the month of October of the year following that in which the payment of the money herein provided for is made, and in the month of October of each year thereafter of the succeeding fifteen years, covering the period of said fifteen annual installments, and shall be apportioned in like manner among said Indians and paid to them on the 1st day of October in each year.

The Secretary of the Interior is hereby vested with full power and authority to make such rules and regulations as to the time of notice, manner of sale, and other matters incident to the carrying out of the provisions of this act as he may deem necessary, and with authority to continue making entries upon all of said lands shall have been sold.

In addition to the price to be paid for the land the entryman shall pay the same fees and commissions at the time of commutation or final entry as now provided by law where the price of the land is $1.25 per acre.

SEC. 4. That nothing in this act contained shall in any manner bind the United States to purchase any portion of the land herein described, or to guarantee to said purchasers for said lands or any portion thereof, it being the intention of this act that the United States shall act as trustee for said Indians to dispose of said lands and to expend and pay over the proceeds received from the sale thereof only as received as herein provided.

SEC. 5. That this act shall take effect and be in force from and after its passage.

Mr. NELSON. I move that the Senate concur in the amendment of the House of Representatives.

Mr. KEAN. May I inquire of the Senator whether this is the same bill that appears on the Calendar as No. 635 in the Order of Business, which was reported by the Senator from South Dakota [Mr. GAMBLE]?

Mr. NELSON. No. This bill relates to the Red Lake Reservation, in the State of Minnesota; and it meets with the approval of the Committee on Indian Affairs.

The PRESIDENT pro tempore. The question is on the motion

tion, Minn., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their claim, right, title, and interest in and to all that part of the Red Lake Indian Reservation situate within the boundaries of Red Lake County, Minn., as said county is at present defined and organized, the tract hereby ceded being more particularly described as embracing all that part of the said Red Lake Indian Reservation lying west of the range line between ranges 36 and 37 west of the fifth principal meridian, the tract of land hereby ceded approximating [illegible] acres, and also hereby agree that all of said Indians now residing on the tract hereby ceded shall remove to the diminished reservation within six months after the ratification of this agreement, and shall be paid and receive the sum of $[illegible] in cash by the Indians of said Red Lake Reservation out of the first payment received by them from the proceeds of the cession, said sum, or so much thereof as may be necessary, to be paid equitably to those Indians removing in proportion to the value of their respective improvements, which payment by said Red Lake Indians shall be in full for all improvements which they will abandon, and also for the removal within the diminished reservation of their dead from where they are now buried on the tract hereby ceded.

"ART. II. In consideration of the land ceded, relinquished, and conveyed by Article I of this agreement the United States agrees and undertakes to pay to said Indians in the manner hereinafter provided the sum of $[illegible].

"ART. III. It is understood that of the amount to be paid to said Indians, as contemplated by Article II of this agreement, the sum of $[illegible] shall be paid in cash, per capita, share and share alike, to each man, woman, and child belonging on said Red Lake Indian Reservation, the first payment to be made within twenty days after the ratification of this agreement, and the remainder of the said sum of $[illegible] shall be paid in cash, per capita, in fifteen annual installments, the first of which installments shall be paid in the month of October of the year following that in which the payment of the money herein provided for is made, as provided in this agreement, and in the month of October of each year thereafter of the succeeding fourteen years, covering the period of said fifteen annual installments.

"ART. IV. It is further agreed that the said Indians belonging on said Red Lake Indian Reservation, Minn., shall possess their diminished reservation independent of all other bands of the Chippewa tribe of Indians and shall be entitled to allotments thereon of 160 acres each, of either agricultural or pine land, the different class of land to be apportioned as equitably as possible among the allottees.

"ART. V. It is understood that nothing in this agreement shall be construed to deprive the said Indians belonging on the Red Lake Indian Reservation, Minn., of any benefits to which they are entitled under existing treaties for agreements not inconsistent with the provisions of this agreement.

"ART. VI. This agreement shall take effect and be in force when signed by United States Indian Inspector James McLaughlin and by a majority of the male adult Indians, parties hereto, and when accepted and ratified by the Congress of the United States.

"In witness whereof the said James McLaughlin, United States Indian inspector, on the part of the United States, and the male adult Indians belonging on the Red Lake Indian Reservation, Minn., have hereunto set their hands and seals at Red Lake Indian Agency, Minn., this 10th day of March, A. D. 1902.

"JAMES MCLAUGHLIN. [SEAL.]
"*United States Indian Inspector.*

No.	Name.		Mark.	Age.	
1	Kay bay no din	Chief	x	67	(Seal.)
2	Mays ko ko noy ay	do	x	79	(Seal.)
3	Pay she ko shig	do	x	85	(Seal.)
4	Nay ay tow up	do	x	54	(Seal.)
5	Ak mun e ay ke zhig	do	x	76	(Seal.)
6	I con je gwon abe	do	x	63	(Seal.)
7	Kay bay gah bow	do	x	85	(Seal.)

And 213 other male adult Indians."

We, the undersigned, hereby certify that the foregoing agreement was fully explained by us in open council to the Indians of the Red Lake Reservation, Minn., that it was fully understood by them before signing, and that the agreement was duly executed and signed by said Indians.

JOS. C. ROY,
C. W. MORRISON,
PETER GRAVES,
Interpreters.

RED LAKE AGENCY, MINN., *March 12, 1902.*

We, the undersigned, do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian inspector, and the 220 Indians of the Red Lake Reservation, Minn., to the foregoing agreement.

DANIEL SULLIVAN,
Operator in charge of Subagency.
FRANK H. KRATKA,
Mayor of Thief River Falls, Minn.
B. L. FAIRBANKS,
White Earth Agency, Minn.

RED LAKE AGENCY, MINN., *March 12, 1902.*

I hereby certify that the total number of male adult Indians, over 18 years of age, belonging on the Red Lake Reservation, is 334, of whom 220 have signed the foregoing agreement.

G. L. SCOTT,
Major Tenth Cavalry, Acting Indian Agent.

LEECH LAKE AGENCY, MINN., *March 17, 1902.*

And—

Whereas it is deemed for the best interests of the said Indians that said agreement be amended and modified as hereafter provided: Therefore,

of the Senator from Minnesota [Mr. NELSON] that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

The preamble was concurred in.

CONSIDERATION OF THE CALENDAR.

Mr. GALLINGER. I hope we may now go to the Calendar, Mr. President.

The PRESIDENT pro tempore. The Secretary will state the first bill on the Calendar.

JAMES F. M'INDOE.

The bill (S. 1501) for the relief of James F. McIndoe was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to pay to James F. McIndoe, captain, Corps of Engineers, late first lieutenant, Corps of Engineers, United States Army, $1,142.70, that being the value of his personal effects destroyed by fire on the 15th of February, 1901, through the destruction by fire of the engineer quarters at Fort Hancock, N. J., as determined by a board of survey which met by order of Major-General Brooke at Fort Hancock, N. J., on the 15th of March, 1901.

Mr. PLATT of Connecticut. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. FULTON on the 14th ultimo.

Mr. PLATT of Connecticut. I do not care to have the report read further, but I should like to have it all printed in the RECORD.

The PRESIDENT pro tempore. It will be printed in the RECORD.

The report is as follows:

The Committee on Claims, to whom was referred the bill (S. 1501) for the relief of James F. McIndoe, [illegible] leave to report as follows:

[illegible] purpose of this bill is to reimburse James F. McIndoe, captain, Corps of Engineers, in the sum of $1,142.70, being the value of his personal effects destroyed by fire on the 15th day of February, 1901, through the destruction by fire of the engineer quarters at Fort Hancock, N. J., as shown and appears by a board of survey which met by order of Major-General Brooke at Fort Hancock, N. J., on the 15th day of March, 1901.

A bill similar to this was introduced in the first session Fifty-seventh Congress [illegible], was favorably reported by the Committee [illegible] and passed the Senate.

[illegible] on this case shows that while Captain McIndoe was serving [illegible] United States in charge of fortification work at Fort [illegible] February [illegible] was ordered to the Philippines. He [illegible] make application for the same was [illegible] in the hope that the fire originated from a defect in the chimney of the house. The fire became very heavy, and, according to the testimony of the witnesses, it [illegible] after the fire was discovered access to the second floor was impossible.

[illegible] every possible effort was made to save the building and property [illegible] belonging to the efforts [illegible] property of his own was [illegible] The testimony presented by the claimant [illegible] by a statement of [illegible] who was in the employ of the United States at the time and who was [illegible] the fire and a [illegible] from the building of a wardrobe [illegible] and contained McIndoe's uniforms [illegible] property [illegible] the property of other [illegible] the property of the United States [illegible] the property belonging to the United States [illegible] the property belonging to the United States [illegible] the property belonging to

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from New Jersey?

Mr. PLATT of Connecticut. That is the report of a committee which went to the Hawaiian Islands.

Mr. MITCHELL. Yes, sir——

Mr. PLATT of Connecticut. It is not a report on this bill?

Mr. MITCHELL. And it has been indorsed by the full committee.

Mr. BLACKBURN. The full committee.

Mr. MITCHELL. The Committee on Pacific Islands and Porto Rico.

Mr. PLATT of Connecticut. But it is not a report made by the committee on this bill.

Mr. MITCHELL. No.

Mr. KEAN. I see that we are proceeding with the Calendar under Rule VIII, and I suppose an objection will carry this bill over.

The PRESIDENT pro tempore. No; the Senate is not proceeding under Rule VIII. It applies up to 2 o'clock, and not after 2 o'clock.

Mr. BLACKBURN. I suggest to the Senator from New Jersey——

Mr. KEAN. I merely asked the question.

Mr. BLACKBURN. I was going to suggest to the Senator from New Jersey that I would hardly be disposed to yield the floor to have that objection made.

Mr. KEAN. We have sent and tried to get copies of the report, and the clerks have been unable to get them.

Mr. BLACKBURN. The report was made by a subcommittee that was sent to the Hawaiian Islands. The subcommittee treated of this matter very elaborately and fully in the report which it made to the full committee. The full committee indorsed it and unanimously recommended the passage of this bill.

The point the Senator from Wisconsin is inquiring about now is as to the additional ground for the basing of an equity as to the extent of the property owned by this Queen in fee as in contradistinction to the holding that she had as sovereign of what is known as the "Crown lands."

Mr. SPOONER. Yes.

Mr. BLACKBURN. Now, that, I believe, is treated of in the report in the hands of the Senator from Oregon.

Mr. MITCHELL. Will the Senator from Kentucky allow me?

Mr. BLACKBURN. Certainly.

Mr. MITCHELL. I do not understand that any lands that the Queen held in fee were ever appropriated by the United States.

Mr. SPOONER. They could not be.

Mr. MITCHELL. They could not be and were not. What is in the mind of the Senator who has charge of the bill is the fact that a great amount of her personal property, which was her individual property, was taken.

Mr. SPOONER. Taken by whom?

Mr. MITCHELL. Taken——

Mr. BLACKBURN. By the Republic of Hawaii?

Mr. MITCHELL. Taken by the Republic of Hawaii and appropriated.

Mr. BLACKBURN. Now, further answering the Senator from Wisconsin——

Mr. MITCHELL. Will the Senator from Kentucky allow me at this point?

Mr. BLACKBURN. Yes.

Mr. MITCHELL. I wish to read, if the Senator will allow me for a moment, the conclusions reached by the committee after discussing at some length the whole situation: the nature of her claims; the nature of these Crown lands, so called, and the amount of rentals paid in from year to year. The committee concluded thus:

> First. That the legal and equitable title to all the lands hereinbefore referred to as "Crown lands" is in the United States, and has been since the date of annexation.
>
> Second. That legal title to these lands never vested personally in the former Queen Liliuokalani, but was held by her as sovereign in trust for herself as a sovereign and her successors on the throne.
>
> Third. From the date she ascended the throne to the date of her dethronement Queen Liliuokalani was entitled, as her individual separate estate, with the right to use and dispose of it as she pleased, to the entire rents accruing from these "Crown lands."

That was her personal property. If there had been no change in government in the islands; if she was still living as she is and had not been dethroned, she would to-day be entitled, as her individual separate property, to dispose of it as she might see proper—to give it away or use it in any shape, manner, or form, to the entire rentals of these Crown lands.

> Fourth. That by the dethronement of the Queen and the establishment of a provisional government in its stead, which was recognized not only by the people of Hawaii, including the ex-Queen, but by all the civilized nations of the globe, all legal claim of the late Queen to any of these Crown lands or to any future revenues arising therefrom was, under the well understood principles of international law, at once and forever cut off; and
>
> Fifth. Whatever allowance is made to the ex-Queen by the Government of the United States can not and must not be based upon any legal right upon her part or be in recognition of any legal claim on her part on account of loss of her sovereignty or Crown lands, but must rest solely upon considerations of national grace, public and private justice, political policy, and fair, equitable dealing upon the part of a great and powerful nation—principles always recognized in the great unerring forum of the individual and national conscience.
>
> * * * * * * *
>
> Your committee further finds, from an examination of the records of the late Republic and the existing Territorial government, that the total amount of revenues and income from lands received by the Government since the date of the queen's overthrow, January 17, 1893, to September 1, 1902, was $[illegible], or an average per annum for a period of nine years and six months of $[illegible], which have since the date of the overthrow been taken and used by the respective governments which succeeded the monarchy, namely, the provisional government, the Republic, and latterly now the Territorial government.

That is the case, Mr. President, as I understand it.

Mr. STEWART. Does the United States get the money now?

Mr. MITCHELL. The United States is receiving the money now.

Mr. SPOONER. If the ex-Queen is entitled to a moiety, why give her a lump sum?

Mr. MITCHELL. There is no suggestion in the report, from beginning to end, that she should have a moiety or any other sum as a matter of absolute right, but on the principle of national grace and fair play, under all the circumstances, between a great and powerful nation and those people, it is suggested that it would be good policy on the part of this Government, to say nothing else, to make her recompense of some kind, of some amount, not necessarily to be gauged by the amount of rentals received.

I will state that the committee, on visiting the islands, was forced into this inquiry very much against its will; but, as the report shows, the petition was presented at length on the Queen's part and a demand was made on the committee that we investigate the facts and make such report as we might think proper under the circumstances. We did. We inquired into the sentiment of the people there, and we found one thing that very agreeably surprised me, Mr. President. Before I visited those islands and heard the testimony of all sorts I had been led to believe from what had been uttered in the Senate some years ago and what I had seen in the papers that this lady was not entitled to any consideration from anybody. Commencing with Governor Dole, who was born there, witness after witness was called upon the stand and sworn, all classes and parties being heard—parties who represented the monarchy, parties who represented those who had pulled down the monarchy—and without a solitary dissenting voice they all testified to the high character of that woman.

Mr. HEYBURN. Mr. President——

Mr. MITCHELL. One moment.

They testified not only to her high character, but to her many good qualities as a woman, a literary woman, a charitable woman, as a woman whose character and reputation had never been assailed by those who knew her, but only by those who did not know her. And furthermore they gave it as their opinion, without a dissenting voice, that nothing could go so far to harmonize matters in that new part of our country as to do something in the way of a contribution to the Queen, not based on any legal or equitable claim, if you please.

Mr. SPOONER. Why do you not put it in that way?

Mr. MITCHELL. That is the way we do put it. That is the way the report puts it. It was found that nothing would go so far to harmonize matters and quiet matters in those islands. Now I would hear the Senator from Idaho.

Mr. HEYBURN. I should like to ask the Senator by what process——

Mr. MITCHELL. I will state to the Senator that I am speaking in the time of the Senator from Kentucky.

Mr. BLACKBURN. I am entirely willing that the Senator should go on.

Mr. HEYBURN. I should like to know by what process the title to the lands that were the personal property of the Queen passed from her.

Mr. SPOONER. There were none.

Mr. HEYBURN. And to whom did they pass?

Mr. BLACKBURN. This Government had nothing to do with any loss that the Queen sustained in the matter of any property belonging to herself in fee. This Government had nothing to do. It is assumed by the committee in its report, with the conversion of the rentals from the Crown lands, even to the provisional government and the Republic of Hawaii.

But, answering first the question submitted by the Senator from Wisconsin, I would say that it is not exactly the case that he described, that so often unfortunately occurs where people are brought down from affluence to want. In this case the poverty which overtook this dethroned monarch was not the result of any fault of hers. It was as the result of a political revolution.

Now, admitting for the sake of the argument that this Government had nothing to do with bringing about that condition of affairs; admitting for the sake of the argument that this Govern-

ment had no collusion with or knowledge of the intention and purposes that resulted in the dethronement of this Queen, still the fact remains that this Government did become the recipient of that very overthrow of government to the extent of the rentals of these lands from the date of the annexation of the Hawaiian Islands until now.

Mr. HEYBURN. Will the Senator permit me to ask him a question at that point which seems pertinent?

Mr. BLACKBURN. Yes.

Mr. HEYBURN. The Crown lands do not appeal to me at all as the basis of any sympathy or the foundation for making an appropriation.

Mr. BLACKBURN. Then I am afraid we can not reach the Senator's sympathy at all.

Mr. HEYBURN. But I understood the Senator to say that there were, in addition to those Crown lands, certain lands the fee of which was in the Queen.

Mr. BLACKBURN. No; I did not say lands. I said property and estate that this woman had in her own right.

Mr. CLAY. Will the Senator let me ask him a question?

Mr. HEYBURN. I understood the Senator to say "lands."

Mr. BLACKBURN. No; I did not say "lands."

Mr. HEYBURN. Then I should like to ask if the Senator can give us any information as to the character of that estate and to whom it passed when it passed from her?

Mr. BLACKBURN. The Senator from Oregon [Mr. MITCHELL] has already answered that question and told you that the property passed into the lands of the provisional government.

Mr. SPOONER. The personalty?

Mr. BLACKBURN. Yes; the personalty that she had in her own right.

Mr. HEYBURN. Do I understand that the only personal estate that she had and that she lost was the rental of the Crown lands?

Mr. BLACKBURN. No; by no means.

Mr. CLAY. I will ask the Senator if it is not true that she sets forth in her petition (and that petition is copied in the report which has just been read by the senior Senator from Oregon), that she has lost these Crown lands, and that she has lost the rent of them, and is it not true that she bases her entire claim for equity on the ground that she lost the rent of those lands, and that she does not make any claim that she lost any property which she had?

Mr. BLACKBURN. No; that is not true.

Mr. CLAY. I have the petition here before me, I will state to the Senator, and I have just read it.

Mr. BLACKBURN. I have the brief filed by her counsel in my hand. That is not true. Upon the contrary, it is expressly set up, not as a basis upon which to predicate a legal demand against the Government, but as a matter properly to be considered, that all of the property, of the estate, of the personalty, of which she was possessed, independent of her right of sovereignty, passed from her possession and was taken forcible possession of by the Government that succeeded the crown government.

Mr. CLAY. Did our Government get any of it?

Mr. BLACKBURN. If our Government did not, our Government's ward did. The provisional government was the one that succeeded the monarchy. The Republic of Hawaii succeeded the provisional government. Then came the process of annexation of the Hawaiian Islands to this Government, and from the day of the dethronement of this woman either the provisional government or the Republic of Hawaii or the Government of the United States has been the recipient, in the order named, of a rental of, in round numbers, $90,000 a year, of which this woman was deprived.

The Senator from Georgia states the case correctly. She does say that her rents from the Crown lands were cut off. She does say that whatever estate she had aside from and independent of the Crown lands was taken from her. Both statements are true. Both statements are here to-day without contradiction.

Now, she comes, not in her own right nor in her own person, but she comes before the Senate through a committee of this body and asks that this sum of money shall be given to her: and that committee, speaking for her, frankly concedes that there is no legal claim upon which she can rest.

It is needless to go into the broader question as to whether there is an equitable claim. The Senator from Wisconsin thinks there is not. That question may be determined by what construction you put upon the term equity. If equity means a claim that reaches to an honest conscience, then it seems to me, as it seemed to this committee, that this woman has an equitable claim.

It is not really binding the cases the Senator from Wisconsin seemed to suppose—cases of misfortune where poverty comes to those who have been inured to luxury. This is a stronger case. Not only did this poverty come to this woman without fault of her own, but, waiving the question as to whether it was brought about by the action of the Federal Government, it must be admitted that our Government has become the beneficiary of her misfortunes to the extent of several times over the amount that it is proposed by this bill to donate to her.

Now, I have but one more thing to say, and that I have already said. There is no ground here upon which to base a legal claim. There is no ground here upon which an action could be brought against a government, even if the government would waive its sovereignty and admit itself liable to be sued. There is no ground here upon which a bill could be predicated in a court of equity. That is all conceded. It is frankly admitted that the only proposition submitted to the Senate to determine is as to whether in good conscience and fair dealing this bill should not pass.

Mr. SPOONER. Mr. President, it is a little difficult, because somewhat unctuous, perhaps, for one to argue against a proposition so persuasively presented as this is by the Senator from Kentucky. He is a sympathetic man, and I think most of us are sympathetic men. I have listened to all he has had to say, and all the Senator from Oregon [Mr. MITCHELL] has had to say, and I can not for the life of me see from their statement upon what conceivable basis this appropriation can be justified.

We are not appropriating our own money. We are the conservators of the money belonging to the United States, raised by taxation in one form and another. We go to the limit sometimes in appropriations out of sympathy. There is a proposition to appropriate $200,000 out of the Treasury to Liliuokalani, the dethroned Queen of the Hawaiians.

It certainly is not enough to warrant this appropriation that she is a woman of good character—that, as far as I am concerned, goes without saying—or that she is a woman of literary taste and ability. We have many a woman in this country of fine literary taste and ability struggling from day to day to live, even. But the Government can not appropriate money to aid them on any such ground as that, although kind-hearted people who are affluent might well enough help, and they many times do; and sometimes help is withheld where it might be easily given.

It is not pretended that her loss of the Crown lands affords any legal or equitable basis. I ask my friend from Oregon——

Mr. MITCHELL. I have already stated that it furnishes no basis for either a legal or an equitable claim that may be enforced in the courts.

Mr. SPOONER. Oh, Mr. President!

Mr. MITCHELL. At the same time the Senator knows there is a court of conscience. There is a court of fair play, as between nations, between countries, between governments, that has no place and is not recognized in a court. The Senator is lawyer enough (because he is one of the best lawyers if not the very best in the United States) to know that.

Mr. SPOONER. I hope I am lawyer enough to see that the observations of the Senator form not even a shadow of a foundation for this appropriation. He admits, as he must admit, that there is no legal claim and that there is no equitable claim which could be enforced.

Mr. MITCHELL. In a court.

Mr. SPOONER. In a court.

Mr. MITCHELL. I admit it.

Mr. SPOONER. I yield as quickly to an appeal to conscience, and so does the Senator, and so do the Senate, and so does the country, as any man or body of men in this world. Where is the appeal to conscience on what the Senator states in this case? Nothing, Mr. President; absolutely nothing. Why not? Liliuokalani was the sovereign of the Hawaiians. She was dethroned as sovereigns all through the history of the world have been dethroned—not by us. The Senator does not claim that we were the cause of her dethronement. If the Senator urged that and asked us to do penance by this appropriation for a governmental wrong, there would be something to debate. But they dispute that. They are careful to file a caveat as to that.

Now, what is there left? On the ruins of the monarchy was erected the Republic of Hawaii, which by operation of law became the successor of the monarchy in the ownership, and therefore in the right to the usufruct of the Crown lands. The Republic of Hawaii existed as a government, taking to herself the rental and possession of this land, for four years or more, until by agreement or compact between the United States and the Republic of Hawaii that Republic committed suicide and became merged with the United States, the property of the United States.

I can readily believe that the men who dethroned her out there and her followers surround these kind-hearted members of the Senate and have an appreciation of this kind to Liliuokalani. Perhaps they who dethroned her feel that they wronged her and would be glad to have some other purse than theirs open to reparation for their wrong. But the Senators do not urge that.

We took Hawaii, Mr. President. I voted against it. I think it would have been better for Hawaii had she not been acquired by the United States, and I think our purposes would have been subserved quite as well by fortifying and improving Pearl Harbor, which we owned. But that has gone by.

What was our agreement with Hawaii? Did she come to us

without cost? Did we take her to govern her and protect her and safeguard her people for all time without burden? There is an inherent burden in such an ownership.

But we did more than that. We assumed, in the joint resolution by which we acquired Hawaii, the public indebtedness of Hawaii of every description, with a simple proviso that it should not exceed $4,000,000. I have no doubt it reached that maximum. Has the Senator information about that?

Mr. MITCHELL. It was more.

Mr. SPOONER. I remember after that we passed some laws which added largely to the expenditures. The United States therefore did not simply embrace the Republic of Hawaii and hold it in its embrace. It bought the territory, took the debt, and is expending large sums of money, I take it, as is true as to other territory, in administering from the national standpoint their affairs.

Now, Mr. President, there is not a shadow of foundation for this claim so far as the Crown lands are concerned, nothing that would appeal to the court, nothing that can appeal to the conscience of a trustee who is called upon to pay out other people's money.

Mr. MITCHELL. The Senate thought differently once, because it passed this precise bill in the last Congress.

Mr. SPOONER. I opposed it.

Mr. MITCHELL. You are consistent.

Mr. SPOONER. I know I am consistent. It does not follow because the Senate passes bills that they ought to be passed.

Mr. MITCHELL. And it does not follow because the Senator opposes bills that they ought not to pass.

Mr. SPOONER. No. Notwithstanding my opposition to this bill, it passed, and perhaps it will pass now, but it will not pass with my vote.

Mr. PLATT of Connecticut. Not this bill passed.

Mr. SPOONER. I do not know about this particular bill.

Mr. KEAN. It was an appropriation of $200,000 made in an appropriation bill.

Mr. MITCHELL. The amount was the same.

Mr. SPOONER. Now, therefore, out of the Crown lands what is left? This shadowy claim for personal property which passed from the empire or monarchy to the Republic. What was it for which we are to pay $200,000? After a rather vigorous cross-examination I have elicited from the Senator from Oregon, who must know the fact, that it was furniture. We can replace that furniture, I presume, by an expenditure very much short of $200,000.

Mr. PLATT of Connecticut. Will the Senator from Wisconsin permit me?

Mr. SPOONER. Certainly.

Mr. PLATT of Connecticut. I can not find in the petition which was presented by the ex-Queen to this committee that she makes any mention of having lost any furniture.

Mr. MITCHELL. I wish to state, if the Senator from Wisconsin will allow me, that there is really no claim of that character presented. The Senator is right. There is nothing in her petition of that kind. It came into the case in the way of some testimony and in the way of briefs of parties. I never took a particle of stock in it so far as that is concerned.

Mr. PLATT of Connecticut. I can not find in the report which the subcommittee made to the full committee that they placed any stress upon that.

Mr. MITCHELL. I wish to state, as one member of the committee, that, in my judgment, if there is not some kind of claim on the part of this woman growing out of the Crown lands—that is, out of the proceeds of the Crown lands—then I do not think she has any claim at all, and she ought not to have a cent. That is my opinion and has been from the first in regard to this matter. But I do think, and I have always thought since I have investigated it, that there is a claim here, not a legal claim, not an equitable one that could be enforced in a court, but one which as between this great nation and the former sovereign of Hawaii ought to have consideration.

Mr. SPOONER. Mr. President, there is not.

Mr. MITCHELL. The Senator understands what I mean. He did from the first, but would not admit it.

Mr. SPOONER. I only understand what the Senator means by what the Senator says.

Mr. MITCHELL. I have said the same thing all the time.

Mr. SPOONER. I understand the Senator to say that there is no claim here, in his judgment, either legal or equitable.

Mr. MITCHELL. The Senator did not put in the qualification. I did not state the proposition as he has stated it.

Mr. SPOONER. No; I am going to state the balance of it. The thing is as unsubstantial

As a painted ship
Upon a painted ocean.

That is all there is to it.

Now, what international question is there here, Mr. President? Hawaii is not a nation. There is no international relation between the United States and Hawaii. The Republic of Hawaii, the independent Republic of Hawaii, is dead. She agreed to annex her territory, and died in the operation.

When the Senator talks about international questions, there is nothing on earth except the claim of Liliuokalani that she was once a monarch and is a monarch no longer; that she had once a large income from Crown lands and is no longer entitled to an income from Crown lands, and that in process of time for $4,000,000, and vastly more, this Republic has acquired Hawaii, and therefore we ought to pay her $200,000.

Mr. OVERMAN. May I ask the Senator a question?

Mr. SPOONER. Certainly.

Mr. OVERMAN. I do not exactly understand the status of the Crown lands, and I should like to have the Senator inform me. Was the title in the hands of the Queen or in the monarchy?

Mr. SPOONER. The title was in the Government. It was in the Queen and her successers on the throne. The fee was not in the individual. It was passed by succession.

Mr. OVERMAN. It was public land.

Mr. SPOONER. Public land, which passed by succession. When the monarchy was destroyed and the new government erected in its place it became of course the owner of what had been the Crown lands. That is all there is to it.

Mr. WARREN. The Queen had the income.

Mr. SPOONER. Of course the income was for her special benefit. She was entitled to the income, but after she ceased to be entitled to the income, when her sovereignty, by virtue of which alone she was entitled to any benefit from those lands, was destroyed, that ended it, so far as she was concerned, as much as if she had died.

Now, others may vote, and will vote, upon this proposition as they choose. I can not vote for it.

Mr. PLATT of Connecticut. Mr. President, the amendment which I proposed was more for the purpose of bringing the character of this claim distinctly before the Senate than because I cared whether those words remained in the bill or not. Here is a bill which proposes to pay Liliuokalani, formerly Queen of the Kingdom of Hawaii, "in full satisfaction and discharge of all claim, legal and equitable, $200,000." I moved to strike out the words "in full satisfaction and discharge of all claim, legal and equitable." I am now told by those who favor the bill that it is admitted that this ex-Queen has no claim, legal or equitable, and yet they report a bill here which proposes to pay her $200,000 in discharge of all her claim, legal and equitable, against the Government of the United States.

It being admitted that she has no claim, legal or equitable, the words ought to go out, at any rate, and if anything is to be paid, it ought to be a mere naked gratuity.

Mr. KEAN. A gift.

Mr. PLATT of Connecticut. A gift; and that is the ground upon which I find the subcommittee put it. I have had time to look over their report to the full committee hastily, and they say what I shall read. I think the Senator from Oregon read it. They say:

> Fifth. Whatever allowance is made to the ex-Queen by the Government of the United States can not and should not be based upon any legal right upon her part or be in recognition of any legal claim on her part on account of loss of her sovereignty of [illegible] years, but must rest upon considerations of national grace, public and private justice, political policy, and fair, equitable dealing upon the part of a great and powerful nation, principles always recognized in the great unerring forum of the individual and national conscience.

So that we come to this: Is there any reason why, upon "considerations of national grace, public and private justice, political policy, and fair, equitable dealing," we should pass this little bill of $200,000 for this ex-Queen? It seems to me, Mr. President, that even upon this ground this bill can not be sustained. I think the committee ought not to have inserted those words, "national grace." What is national grace? I do not see that that has anything to do with the matter.

"Public and private justice." It is admitted that there is no payment to be made here on the ground of either public or private justice.

"Political policy." What is there of political policy which should lead this Government to make this appropriation?

"Fair, equitable dealing upon the part of a great and powerful nation." It has been admitted in the discussion here that there is no equitable claim and no legal claim. What the committee ought to have said, if they wanted to put it upon the exact ground on which they are putting it here, is "on account of our sympathy for the ex-Queen."

Mr. BLACKBURN. Will the Senator allow me to ask him a question?

Mr. PLATT of Connecticut. Yes.

Mr. BLACKBURN. Suppose the Senator's amendment were agreed to and the phraseology he suggests were employed, would he then support the bill?

Mr. PLATT of Connecticut. No, Mr. President; I think I would not.

Mr. BLACKBURN. I thought not.

Mr. PLATT of Connecticut. Not because I claim to have less sympathy than other Senators, but because I do not think that is a good ground on which to vote away the Government money. As the Senator from Wisconsin [Mr. SPOONER] well said, it is hard to oppose claims which appeal to the sympathies of Senators, but I think we ought to do it. I do not think we can establish the principle here, whenever any person comes to us with an appeal which reaches our sympathies, that we are to donate to them the public money.

With regard to the matter of pensions, if we were simply to grant pensions according to our sympathies, there would be no end of the amount of money this Government would pay out. It would bankrupt the Government. We do not collect money enough year by year to pay to the old soldiers and their widows in this country the amount which our sympathies would call upon us to pay them. We must have rules about all these matters, and it would be establishing a very bad precedent to pay out the Government money simply upon the ground of sympathy.

Mr. HEYBURN. Mr. President, it seems to me that this bill might be denominated "A bill to provide for the payment of five years' salary in arrears to the ex-Queen of Hawaii." She was not the Queen of Hawaii when we took the steps which resulted in our acquiring that country. Her income is said to have been about $40,000 a year, derived from the public lands, or Crown lands, as they were termed. When we dealt with the Government which then was in control of Hawaii, there were no Crown lands belonging to this ex-Queen. They had passed to the Government with which we dealt, and by virtue of the public resolution approved July 7, 1898, they passed to us.

The inquiry which I made of the Senator who represented this measure when it first came up to-day was for the purpose of determining whether there was a claim on her part for anything at all beyond or outside of the public lands.

Had there been any lands the fee of which rested in the Queen, then they would not have been affected by anything which has resulted from the transfer of sovereignty, because the title to private lands was not affected by that transfer. It remained just where it was before. I desired to obtain the information as to whether or not there were any such lands, and then to follow it with the inquiry as to why we should be making provision here to indemnify the ex-Queen for the loss of lands when she had not lost them. If she owned any property in Hawaii she owns it now, unless she has voluntarily parted with it.

I have before me the instrument by which sovereignty or title to the Crown lands, as they are termed, passed to the United States; and it does not propose to pass title to the United States out of any person to any private lands.

It seems to me that a payment of this kind is a tacit admission that the Government did something for which it should make indemnity; it carries that sentiment with it. We did not deal with this deposed Queen at all in acquiring sovereignty over those lands. We dealt with a recognized government, which passed to us what it had; and this Queen passed to us nothing that she had. It is the flimsiest kind of a claim to assert that she lost the income from those lands. She never had the income except by virtue of her sovereignty. We did not recognize her sovereignty; we did not deal with her on the strength of her sovereignty; and, consequently, we owe her nothing either in law or in equity.

If you are going to make a present of $200,000 to this deposed Queen, say so candidly, and let the bill read in that way, that this sum of money shall be paid to her because of the high character she bears and the high esteem in which we hold her, and be candid with the people; but to vote away $200,000 under an implied, tacit admission that we have done some wrong to the person to whom we vote it does not meet with my approval, and shall not receive my vote.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Connecticut [Mr. PLATT] will be stated.

The SECRETARY. In line 5, after the word "Hawaii," it is proposed to strike out "in full satisfaction and discharge of all claim, legal and equitable."

The amendment was agreed to.

The PRESIDENT pro tempore. The amendment reported by the Committee on Pacific Islands and Porto Rico will now be stated.

The SECRETARY. In line 6, before the word "hundred," the committee propose to fill the blank by inserting the word "two;" so as to make the bill read:

> That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Liliuokalani, formerly Queen of the Kingdom of Hawaii, $200,000.

The PRESIDENT pro tempore. The question is on the amendment.

The amendment was rejected.

Mr. MALLORY. I should like to inquire whether the rejection of that amendment does not leave a blank in the bill?

The PRESIDENT pro tempore. It does leave a blank.

Mr. MALLORY. The blank ought to be filled. I suggest as an amendment that the word "hundred" be stricken out and "one hundred and fifty" be inserted in lieu thereof; so as to read "one hundred and fifty thousand dollars."

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Florida [Mr. MALLORY]. [Putting the question.] The noes appear to have it.

Mr. MALLORY. I think I shall have to ask for a division on that, Mr. President.

Mr. GALLINGER. I will ask for the yeas and nays on the amendment. We may as well have the yeas and nays on it.

The yeas and nays were ordered.

Mr. McCREARY. I ask that the amendment may be again stated, Mr. President.

The PRESIDENT pro tempore. The amendment will be again stated.

The SECRETARY. In line 6, before the word "thousand," it is proposed to strike out "hundred" and insert "one hundred and fifty."

Mr. SPOONER. Is it in order, Mr. President, to move to recommit the bill?

The PRESIDENT pro tempore. It is.

Mr. SPOONER. Then I move that the bill be recommitted to the committee from which it came.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Wisconsin to recommit the bill to the Committee on Pacific Islands and Porto Rico.

Mr. MITCHELL. On that motion I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CULBERSON (when his name was called). I am paired with the junior Senator from Wisconsin [Mr. QUARLES]. Not knowing how he would vote if present, I withhold my vote.

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN]. I do not see him in the Chamber, and so I will withhold my vote.

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. As I do not see him in the Chamber and I do not know how he would vote if present, I withhold my vote.

Mr. McCREARY (when his name was called). I have a general pair with the junior Senator from Ohio [Mr. HANNA]. I do not know how he would vote if present. If I were at liberty to vote, I should vote "nay."

Mr. MILLARD (when his name was called). I have a general pair with the junior Senator from Arkansas [Mr. CLARKE]. I do not see him in his seat, and therefore I will withhold my vote.

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. BERRY], and therefore withhold my vote.

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I think I recall the circumstance that heretofore he took strong ground one way or the other on this matter; but, however that may be, I do not feel at liberty to vote, and will withhold my vote.

The roll call was concluded.

Mr. ALLISON. I inquire if the senior Senator from Missouri [Mr. COCKRELL] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. ALLISON. I am paired with that Senator, and therefore will refrain from voting.

Mr. CLAY (after having voted in the negative). I inquire if the junior Senator from Massachusetts [Mr. LODGE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CLAY. I have a general pair with the junior Senator from Massachusetts, and therefore I will withdraw my vote.

Mr. BLACKBURN (after having voted in the negative). I desire to ask if the senior Senator from Maryland [Mr. McCOMAS] has voted?

The PRESIDENT pro tempore. The Chair is informed he has not.

Mr. BLACKBURN. I have a general pair with the senior Senator from Maryland. I do not know how he would vote if he were here, and so I will withdraw my vote.

Mr. NELSON. The senior Senator from Maryland is here in the Chamber.

Mr. BLACKBURN. Then I will let my vote stand.

Mr. NELSON. I find I was mistaken in my statement. I meant the junior Senator from Maryland [Mr. GORMAN].

Mr. BLACKBURN. I understand that no quorum has voted.

The result was announced—yeas 16, nays 19, as follows:

YEAS—16.

Bard,	Hansbrough,	Kittredge,	Platt, Conn.
Burnham,	Heyburn,	Latimer,	Proctor,
Frye,	Hopkins,	Long,	Smoot,
Gallinger,	Kean,	Overman,	Spooner.

NAYS—19.

Bacon,	Dubois,	McCumber,	Stewart,
Bate,	Foster, La.	Mallory,	Stone,
Blackburn,	Fulton,	Mitchell,	Teller,
Carmack,	Gorman,	Patterson,	Wetmore.
Clark, Wyo.	Hoar,	Perkins,	

NOT VOTING—55.

Aldrich,	Clay,	Gamble,	Morgan,
Alger,	Cockrell,	Gibson,	Nelson,
Allen,	Culberson,	Hale,	Newlands,
Allison,	Cullom,	Hanna,	Pettigrew,
Ankeny,	Daniel,	Hawley,	Pettus,
Bailey,	Depew,	Kearns,	Platt, N. Y.
Ball,	Dietrich,	Lodge,	Quarles,
Berry,	Dolliver,	McComas,	Quay,
Beveridge,	Dunnell,	McCreary,	Scott,
Burrows,	Dryden,	McEnery,	Simmons,
Burton,	Elkins,	McLaurin,	Taliaferro,
Clapp,	Fairbanks,	Martin,	Tillman,
Clark, Mont.	Foraker,	Millard,	Warren.
Clarke, Ark.	Foster, Wash.	Money,	

The PRESIDENT pro tempore. The absence of a quorum being disclosed, the Secretary will call the roll.

Mr. KEAN. I move that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock p. m.) the Senate adjourned until Monday, February 15, 1904, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 12, 1904.

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

P. A. Surg. Charles P. Wertenbaker, of Virginia, to be a surgeon in the Public Health and Marine-Hospital Service of the United States.

COLLECTOR OF CUSTOMS.

Herbert Morissey, of Massachusetts, to be collector of customs for the district of Plymouth, in the State of Massachusetts.

POSTMASTERS.

MAINE.

Isaac Dyer to be postmaster at Skowhegan, in the county of Somerset and State of Maine.

George L. Thompson to be postmaster at Brunswick, in the county of Cumberland and State of Maine.

TEXAS.

John Harvey to be postmaster at Meridian, in the county of Bosque and State of Texas.

W. L. Higginbotham to be postmaster at Howe, in the county of Grayson and State of Texas.

Wesley C. Parchman to be postmaster at Mount Vernon, in the county of Franklin and State of Texas.

Rudolph L. Reuser to be postmaster at Runge, in the county of Karnes and State of Texas.

Robert A. Rollins to be postmaster at Merkel, in the county of Taylor and State of Texas.

VIRGINIA.

Charles E. Welch to be postmaster at Phœbus, in the county of Elizabeth City and State of Virginia.

WASHINGTON.

Hugh Eldridge to be postmaster at Bellingham, late Whatcom, in the county of Whatcom and State of Washington.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 12, 1904.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

O Thou who hast ever been our refuge and our strength, our inspiration, and our guide through all the vicissitudes of the past, we bless Thee for our Republic, now known and honored in all the earth, and we most fervently pray that it may continue a potent factor in the civilizing influences of the world; we thank Thee for the illustrious souls whose names gild the pages of our history and whose deeds will live in the hearts of men. We are minded to-day of one of the foremost in our nation's annals, "who, great in his goodness and good in his greatness," bore the sorrows of his people, East, West, North, and South, through four years of civil strife and died a martyr to his convictions. "Peace to his ashes and repose to his soul." His was the suffering; ours but a humble tribute to his memory. Help us so to live that men will rise up and call us blessed; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

PERSONAL EXPLANATION.

Mr. GAINES of Tennessee. Mr. Speaker, I desire, with the consent of the House, to make a statement about my vote yesterday. I voted against the St. Louis Exposition loan, intending to withdraw that vote in the event that the gentleman from Connecticut [Mr. HILL] was not present and voting. At the time I should have withdrawn my vote my attention was diverted to another matter until too late to do so. A few moments after the House adjourned I received a telegram from Mr. HILL stating, what I had supposed to be the fact, that he was opposed, like myself, to that proposition, and that I could vote as I pleased.

ADJOURNMENT TILL MONDAY.

Mr. PAYNE. I move that when the House adjourns to-day it adjourn to meet on Monday next.

The motion was agreed to.

FUNERAL EXPENSES, ETC., OF WILLIAM H. MANKIN.

Mr. GRAFF. I desire to report back with amendments from the Committee on Accounts a privileged resolution.

The resolution No. 154 was read, as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to pay out of the contingent fund of the House miscellaneous items, 1903, to Mary J. Mankin, widow of William H. Mankin, late an employee of the House under the direction of the Superintendent of the Capitol Building and Grounds, a sum equal to six months' pay of said employee, and an additional sum not to exceed $200 to defray the expenses of the last illness and burial of said William H. Mankin.

The following amendments, reported by the Committee on Accounts, were read:

In lines 4 and 5 strike out the words "an employee" and insert "a laborer in the employ."

In line 9 strike out the words "last illness and."

Mr. GRAFF. Mr. Speaker, I wish to say by way of explanation that when I reported this resolution in the House a few days ago, an inquiry was made by the gentleman from New York [Mr. PAYNE] as to whether this man had been an employee of the Architect of the Capitol or had been on the regular House roll. At that time I was not in possession of the facts, and the matter was passed over until I could ascertain them. I have now ascertained that he was on the regular House roll, so that his case comes clearly within the custom which has been adopted by the House in regard to these matters. I move the adoption of the resolution with the amendments.

Mr. STEPHENS of Texas. Allow me to inquire whether there are any precedents for this appropriation?

Mr. GRAFF. Oh, yes; a long line.

Mr. BARTLETT. As I understand, Mr. Speaker, this is a report from the Committee on Accounts with reference to the burial expenses and six months' pay of an employee of the House.

Mr. GRAFF. Yes, sir. The only question about the matter was as to whether he had been on the regular House roll or not.

Mr. BARTLETT. He was, I understand.

Mr. GRAFF. Yes, sir.

The question being taken on the amendments reported by the committee, they were agreed to; and the resolution as amended was adopted.

CRIMINAL CASES IN THE INDIAN TERRITORY.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory.

The SPEAKER. The gentleman from Arkansas asks unanimous consent for the present consideration of a bill which the Clerk will read.

The bill was read, as follows:

Be it enacted, etc., That upon appeals in all criminal cases from inferior courts to the United States district courts, and from the district courts to the court of appeals, in the Indian Territory, the defendants shall be admitted to bail pending the final determination of the cases upon appeal except in capital cases. The amount of bail shall be fixed by the court trying the case or by one of the judges of the court of appeals, and taken and approved by the marshal of the district in which the prosecution is pending. Such bond shall be conditioned for the appearance of the defendant at all times when required in the prosecution of said appeal, and that he will surrender himself in execution of the final judgment thereon.

SEC. 2. That the provisions of this act shall apply to all cases now pending upon appeal in the courts of the Indian Territory.

The following amendments, recommended by the Committee on the Judiciary, were read:

In line 8, after the word "fixed," insert the words "and the bond shall be approved."

In line 10, after the word "appeals," strike out "and taken and approved by the marshal of the district in which the prosecution is pending."

The SPEAKER. Is there objection?

Mr. SULZER. Mr. Speaker, I should like to hear an explanation regarding this bill from the gentleman from Arkansas [Mr. LITTLE].

Mr. PAYNE. Reserving the right to object, I wish to ask the gentleman from Arkansas a question. I notice the amendment strikes out the words "providing for the approval of the bond by the marshal" and inserts the words "and the bond shall be approved." I wish to ask the gentleman who will approve the bond?

Mr. LITTLE. The judge who tries the case in the trial court.

Mr. PAYNE. The amendment does not show that, and I wanted to get at the fact.

Mr. LITTLE. It so appears in the bill as amended.

The SPEAKER. Is there objection?

There was no objection.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. LITTLE, a motion to reconsider the last vote was laid on the table.

GRANDE RONDE RESERVATION, OREG.

Mr. HERMANN. Mr. Speaker, I ask unanimous consent that the bill (H. R. 11966) providing for the ratification of an agreement with the Indians of the Grande Ronde Reservation, in the State of Oregon, be taken from the Union Calendar and considered in the House as in Committee of the Whole, and that the same be made a special order, not to interfere with revenue or appropriation bills or other privileged matters.

The SPEAKER. The gentleman from Oregon makes a request which the Clerk will report.

The Clerk read as follows:

That the bill (H. R. 11966) providing for the ratification of an agreement with the Indians of the Grande Ronde Reservation, in the State of Oregon, be taken from the Union Calendar and considered in the House as in Committee of the Whole, and that the same be made a special order, not to interfere with revenue or appropriation bills or other privileged matters.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I should like to ask the gentleman from Oregon whether this bill contains the same provisions that the other bills contained that have passed the House in reference to Indian lands?

Mr. HERMANN. It is substantially the same as those which have recently passed, except that it does not appropriate any money whatever. It provides for the sale of the lands and the obtaining of the money due the Indians from the proceeds of the land.

Mr. PAYNE. How much land is involved?

Mr. HERMANN. About 28,000 acres—a small tract of land. The bill is unanimously reported from the Committee on Indian Affairs.

The SPEAKER. Is there objection?

There was no objection.

PENSIONS.

And then, on motion of Mr. SULLOWAY, the House resolved itself into the Committee of the Whole for the consideration of bills on the Private Calendar under the rule, with Mr. HEDGE in the chair.

JOHN THOMPSON.

The next business on the Private Calendar was the bill (H. R. 4674) granting an increase of pension to John Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Thompson, late private of Company I, One hundred and sixth Illinois Infantry, and pay him a pension of $36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "private."
In line 7, before the word "Illinois," insert the word "Regiment."
In same line, before the word "Infantry," insert the word "Volunteer."
In same line, after the word "pension," insert the words "at the rate."
In line 8 strike out the word "six."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE HAYDEN.

The next business on the Private Calendar was the bill (H. R. 3909) granting an increase of pension to George Hayden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Hayden, late of Company D, Tenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert the words "and Company B, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MELINDA H. CHAPMAN.

The next business on the Private Calendar was the bill (S. 2643) granting an increase of pension to Melinda H. Chapman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Melinda H. Chapman, widow of Adolphus J. Chapman, late of Company C, Second Regiment Iowa Volunteer Infantry, and first lieutenant and adjutant Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES H. SACKETT.

The next business on the Private Calendar was the bill (H. R. 9273) granting an increase of pension to James H. Sackett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James H. Sackett, late of Company I, Forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James H. Sackett, late of Company I, Forty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DELIA B. STUART.

The next business on the Private Calendar was the bill (S. 2858) granting an increase of pension to Delia B. Stuart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Delia B. Stuart, widow of John Stuart, late of Battery H, Second Regiment United States Artillery, and Company A, Twelfth Regiment United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY H. HOUGHTON.

The next business on the Private Calendar was the bill (S. 1689) granting an increase of pension to Henry H. Houghton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry H. Houghton, late of Company H, Second Regiment United States Volunteer Sharpshooters, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HIRAM B. COZINE.

The next business on the Private Calendar was the bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram B. Cozine, late of Company E, Sixth Regiment New York Cavalry Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers."
In same line, before the word "Cavalry," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FREDERICK BELLMAN.

The next business on the Private Calendar was the bill (S. 1688) granting an increase of pension to Frederick Bellman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Bellman, late of Company E, Fifty-fifth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANNIE DORFNER.

The next business on the Private Calendar was the bill (H. R. 5610) granting a pension to Annie Dorfner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Annie Dorfner, widow of Jacob Dorfner, late of Company D, Fifty-first Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM W. MISNER.

The next business on the Private Calendar was the bill (S. 2392) granting an increase of pension to William W. Misner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Misner, late of Company F, First Regiment Michigan Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARGARET H. BOOTH.

The next business on the Private Calendar was the bill (H. R. 9633) granting a pension to Margaret Hutcheson Booth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret H. Booth, widow of [illegible] A. Booth, Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Hutcheson" and insert in lieu thereof the letter "H."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "[illegible]."

Amend the title so as to read: "A bill granting a pension to Margaret H. Booth."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABBIE E. WEBSTER.

The next business on the Private Calendar was the bill (H. R. 4[illegible]) granting a pension to Abbie E. Webster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abbie E. Webster, widow of Byron G. Webster, late of Captain Barker's Dragoons, Illinois State Militia, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "[illegible]."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCES GRAY.

The next business on the Private Calendar was the bill (S. 265) granting an increase of pension to Frances Gray.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Gray, widow of [illegible] A. Fuller, Fourth Regiment New York Volunteer Infantry, Spanish-American War, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ABNER B. EDSON.

The next business on the Private Calendar was the bill (S. 2509) granting an increase of pension to Abner B. Edson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abner B. Edson, late second lieutenant Company C, Bigony third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS WILLIAMS.

The next business on the Private Calendar was the bill (S. 2126) granting an increase of pension to Thomas Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Williams, alias Thomas W. Lennox, late of Company B, Thirteenth Regiment New York Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES W. HOFFMAN.

The next business on the Private Calendar was the bill (H. R. 3910) granting an increase of pension to Charles W. Hoffman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. Hoffman, late of Company [illegible], Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE A. SEEBOLD.

The next business on the Private Calendar was the bill (S. 2128) granting an increase of pension to George A. Seebold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George A. Seebold, late of Company F, Eighty-fourth Regiment Veteran Reserve Corps, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DAVID T. TOWLES.

The next business on the Private Calendar was the bill (H. R. 1851) granting an increase of pension to David T. Towles.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David T. Towles, late captain Company [illegible], Second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the word "captain."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty-six."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CASWELL P. FORD.

The next business on the Private Calendar was the bill (H. R. 8718) granting a pension to Caswell P. Ford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caswell P. Ford, late of Company [illegible], Fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of the."

In line 9 after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Caswell P. Ford."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMBROSE W. SEVERANCE.

The next business on the Private Calendar was the bill (S. 1911) granting an increase of pension to Ambrose W. Severance.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ambrose W. Severance, late of Company [illegible], Second Battalion, Seventeenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMMA M'FARLAND.

The next business on the Private Calendar was the bill (S. 2548) granting an increase of pension to Emma McFarland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma McFarland, widow of Edmund McFarland, late of United States ship Supply, United States Navy,

and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ISABELLA PHELPS.

The next business on the Private Calendar was the bill (H. R. 4624) granting a pension to Isabella Phelps.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isabella Phelps, widow of William Henry Phelps, late of Company G, First Regiment Michigan Infantry, and pay her a pension at the rate of $12 per month on and after the passage of this act.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Henry" and insert in lieu thereof the letter "H."

In same line, before the word "Infantry," insert the word "Volunteer."

In line 8 strike out the words "on and after," and all of line 9.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA M. PIERCE.

The next business on the Private Calendar was the bill (H. R. 4679) granting an increase of pension to Martha M. Pierce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha M. Pierce, widow of Walbur F. Pierce, late captain of Company K, Eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "of."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY VON KUSSEROW.

The next business on the Private Calendar was the bill (S. 980) granting an increase of pension to Mary Von Kusserow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Von Kusserow, widow of Charles Von Kusserow, late captain Company D, Third Regiment New York Independent Battery, and lieutenant-colonel Second Regiment United States Veteran Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH G. THOMAS.

The next business on the Private Calendar was the bill (H. R. 4190) granting an increase of pension to Joseph G. Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph G. Thomas, late of Company [illegible], Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HARRIET S. PACKARD.

The next business on the Private Calendar was the bill (H. R. 2470) granting an increase of pension to Harriet S. Packard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet S. Packard, widow of Jasper Packard, late a captain of Company B, Forty-sixth Regiment of Indiana Volunteer Infantry, and subsequently captain of the one hundred and twenty-eighth Regiment of Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "a."

In line 7, before the word "Company," strike out the word "of."

In lines 7 and 8 strike out the words "of Indiana Volunteer Infantry."

In line 8 strike out the word "subsequently."

In same line strike out the words "of the."

In line 9 strike out the word "of."

In line 10 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EBENEZER WING.

The next business on the Private Calendar was the bill (S. 2496) granting an increase of pension to Ebenezer Wing.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ebenezer Wing, late of Company D, [illegible] Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DAVID M. KANOUSE.

The next business on the Private Calendar was the bill (S. 2689) granting an increase of pension to David M. Kanouse.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David M. Kanouse, late of Company F, Thirty-sixth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FREEMAN YORK.

The next business on the Private Calendar was the bill (H. R. 910) granting an increase of pension to Freeman York.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Freeman York, late of Company I, Nineteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HIRAM PARKER.

The next business on the Private Calendar was the bill (H. R. 5598) granting a pension to Hiram Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram Parker, late of Company —, — Regiment Iowa Volunteer Infantry, three months' men, and pay him a pension at the rate of $12 per month.

Mr. SULLOWAY. Mr. Chairman, I move that the committee recommend that this bill be laid on the table.

The motion was agreed to.

EMILY CHAPMAN.

The next business on the Private Calendar was the bill (H. R. 5368) granting an increase of pension to Emily Chapman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emily Chapman, widow of M. V. Chapman, late of Company G, Third West Virginia Cavalry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "M." and insert in lieu thereof the word "Martin."

In line 7, after the word "Third," insert the word "Regiment."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

In line 9, after the word "receiving," insert the words

"*Provided*, That in the event of the death of Mary M. Chapman, blind and dependent child of said Martin V. Chapman, the additional pension herein granted shall continue and be paid to her."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH ADAMS.

The next business on the Private Calendar was the bill (H. R. 8370) granting an increase of pension to Joseph Addams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Addams, late of Company [illegible], Seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Addams" and insert in lieu thereof the word "Adams."

In line 7 strike out the word "Veteran" and insert in lieu thereof the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Joseph Adams."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE PENNINGTON.

The next business on the Private Calendar was the bill (S. 1428) granting an increase of pension to George Pennington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FINLEY T. JOHNSON.

The next business on the Private Calendar was the bill (S. 594) granting an increase of pension to Finley T. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] Company D, [illegible] Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. HORN.

The next business on the Private Calendar was the bill (S. 598) granting an increase of pension to William H. Horn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Horn, late [illegible] Company D, [illegible] Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MICHAEL O'BRIEN.

The next business on the Private Calendar was the bill (H. R. 6[illegible]) granting a pension to Michael O'Brian.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] New Jersey Volunteers, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "O'Brian" and insert in lieu thereof the words [illegible]

In [illegible] the word "Volunteers" and insert in lieu thereof the [illegible] "Volunteer Infantry."

In line [illegible] the word "twelve" and insert in lieu thereof the word "eight."

Amend the title so as to read: "A bill granting a pension to Michael O'Brien, alias Michael Clifford."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN CONNORS.

The next business on the Private Calendar was the bill (H. R. 9[illegible]) granting an increase of pension to John Connors.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Regiment Vermont Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 before the word "United," insert the word "the."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY AUSTIN.

The next business on the Private Calendar was the bill (H. R. 9683) granting a pension to Henry Austin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] tery [illegible] Volunteer Light Artillery, and pay him a pension at the rate of [illegible]

The bill was ordered to be laid aside with a favorable recommendation.

PATRICK J. CONWAY.

The next business on the Private Calendar was the bill (S. 2298) granting a pension to Patrick J. Conway.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

RICHARD A. KENDALL.

The next business on the Private Calendar was the bill (S. 2222) granting an increase of pension to Richard A. Kendall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] Company B, Twenty-[illegible] Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FREDERICK HALLING.

The next business on the Private Calendar was the bill (H. R. 9610) granting an increase of pension to Frederick Halling.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Halling, late private [illegible] Company A, One hundred and twenty-first New York Volunteer Infantry, and pay him a pension at the rate of $30 a month in lieu of that he is now receiving, the same to be paid to him under the rules of the Pension Bureau as to mode and time of payment.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

In line 7, before the words "New York," insert the word "Regiment."

In [illegible] the words "and Third Company, Second [illegible]

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "thirty."

In same line, after the word "dollars," strike out the word "a" and insert in lieu thereof the word "per."

In line 9 strike out the words "the same to be paid to him under" and all of [illegible]

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM S. CAMPBELL.

The next business on the Private Calendar was the bill (H. R. 9426) granting an increase of pension to William S. Campbell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] him a pension at the rate of $24 per month in lieu of that he [illegible]

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "private" and insert in lieu thereof the word [illegible]

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LYDIA M. HILL.

The next business on the Private Calendar was the bill (H. R. 9[illegible]) granting a pension to Lydia M. Hill.

The bill was read, as follows:

[illegible] and he is hereby, [illegible] Infantry, and pay [illegible]

The bill was ordered to be laid aside with a favorable recommendation.

PETER MINKLER.

The next business on the Private Calendar was the bill (H. R. 7418) granting an increase of pension to Peter Minkler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Second," insert the word "Regiment."

In line 7 strike out the word "Regiment."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES LA FOREST.

The next business was the bill (H. R. 8079) granting an increase of pension to Charles H. La Forest.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "H."

In line 7 strike out the word "State."

In line [illegible] the word "thirty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Charles La Forest."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTIN RENTHLER.

The next business was the bill (H. R. 9376) granting an increase of pension to Martin Renthler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, [illegible] Company G, Forty-fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Renthler" and insert in lieu thereof the word "Renthler."

In line 9 strike the word "fifty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Martin Renthler."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4125. An act to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre; and

S. R. 47. Joint resolution to authorize the Secretary of War to cause a survey or surveys to be made to determine the practicability and cost of a tide-water ship canal across the State of Florida.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes, disagreed to by the House of Representatives, had disagreed to the amendment of the House to the amendment of the Senate numbered 10, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HALE, Mr. ALLISON, and Mr. TELLER as the conferees on the part of the Senate.

ERWIN R. COLE.

The committee resumed its session.

The next business was the bill (S. 891) granting an increase of pension to Erwin R. Cole.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] the name of Erwin R. Cole, late of Company A, Forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEWIS D. FROGGE.

The next business was the bill (S. 897) granting an increase of pension to Lewis D. Frogge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis D. Fogge, late captain Company D, Twelfth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALBERT W. JONES.

The next business was the bill (H. R. 6909) granting an increase of pension to Albert W. Jones.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] of the pension laws, the name of Albert W. Jones, late [illegible] Company B, Seventieth Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Lieutenant," insert the word "second."

In same line after the word "Lieutenant," strike out the word "of."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES M. HEMPHILL.

The next business was the bill (H. R. 8203) granting a pension to James M. Hemphill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word [illegible]

In same line after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James M. Hemphill."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ZACHARIAH T. BRYANT.

The next business was the bill (H. R. 6881) to pension Zachariah T. Bryant.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "five" and insert in lieu thereof the word "four."

Amend the title so as to read: "A bill granting an increase of pension to Zachariah T. Bryant."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM C. DAVIS.

The next business was the bill (H. R. 8992) granting an increase of pension to William C. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, [illegible] subject to the provisions [illegible] the name of William C. Davis, late of Company B, Twenty-first Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PATRICK JUDGE.

The next business was the bill (S. 1947) granting an increase of pension to Patrick Judge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, [illegible] to the provisions [illegible] Company F, Third Regiment United States Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SARAH J. BELLAMY.

The next business was the bill (S. 2612) granting a pension to Sarah J. Bellamy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll subject to the provisions [illegible] and limitations of the pension laws, the name of Sarah J. Delaney, dependent mother of Charles T. Delaney, late second lieutenant Company K, Twenty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

JACOB LAIRD.

The next business on the Private Calendar was the bill (H. R. 9024) granting an increase of pension to Jacob Laird.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM R. M'CULLOUGH.

The next business on the Private Calendar was the bill (H. R. 7296) granting an increase of pension to W. R. McCullough.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of W. R. McCullough, late of Company I, [illegible] Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "W." and insert in lieu thereof the word "William."

In the same line strike out the letter "I" and insert in lieu thereof the letter "F."

In line 8, after the word "pension," insert the words "at the rate."

Amend the title so as to read: "A bill granting an increase of pension to William R. McCullough."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LORENZO D. ELMER.

The next business on the Private Calendar was the bill (H. R. 6869) granting an increase of pension to Lorenzo D. Elmer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lorenzo D. Elmer, late of Company F, Sixth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELLEN A. HARMON.

The next business on the Private Calendar was the bill (H. R. 7052) granting a pension to Ellen A. Harmon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen A. Harmon, widow of George W. Harmon, late of Company M, Second Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of $17 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventeen" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SUSAN FENNO.

The next business on the Private Calendar was the bill (S. 1953) granting a pension to Susan Fenno.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan Fenno, widow of Amos B. Fenno, late of Company D, Twenty-sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month, such pension to cease upon proof that the soldier is living.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM C. M'CORMICK.

The next business on the Private Calendar was the bill (H. R. 5693) granting an increase of pension to William C. McCormick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William C. McCormick, late of Company A, One hundred and thirty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8, before the word "and," insert the words "and Company C, Thirteenth Regiment Pennsylvania Volunteer Cavalry."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN TIDD.

The next business on the Private Calendar was the bill (H. R. 9064) granting an increase of pension to Edwin Tidd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin Tidd, late of Company C, First Regiment Wisconsin Volunteer Heavy Artillery, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WASHINGTON J. DUTCHER.

The next business on the Private Calendar was the bill (H. R. 7444) granting a pension to Washington Dutcher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] Company A, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Dutcher," insert the letter "J."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Washington J. Dutcher."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN GANGWISCH.

The next business on the Private Calendar was the bill (H. R. 8231) granting an increase of pension to John Gangwisch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Gangwisch, late of Company C, Fifth Regiment Illinois Cavalry Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HOWARD M'GUIRE.

The next business on the Private Calendar was the bill (H. R. 7737) granting an increase of pension to Howard McGuire.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Howard McGuire, late of Company A, Seventh Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Haward" and insert in lieu thereof the word "Howard."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Howard McGuire."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALBERT T. SEVERANCE.

The next business on the Private Calendar was the bill (S. 2544) granting an increase of pension to Albert T. Severance.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert T. Severance, late of Company H, Sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ISIDORE F. CHAMBERLAIN.

The next business on the Private Calendar was the bill (H. R. 7982) granting a pension to Isadore F. Chamberlain.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isadore F. Chamberlain, late of Company [illegible] Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Isadore" and insert in lieu thereof the word "Isidore."

In same line, before the word "Company," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty-two."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM N. HALL.

The next business on the Private Calendar was the bill (H. R. 7805) granting an increase of pension to William N. Hall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William N. Hall, late captain Company H, Seventh New York Volunteer Infantry, and pay him a pension at the rate of $8 a month in lieu of that he is now receiving, the same to be paid to him under the rules of the Pension Bureau as to mode and time of payment.

The amendments recommended by the committee were read, as follows:

In line 7, before the words "New York," insert the word "Regiment."

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "ten."

In same line strike out the word "a" and insert in lieu thereof the word "per."

In line 9 strike out the words "the same to be paid to him under the rules of," and all of line 10.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALBERT P. JACKSON.

The next business on the Private Calendar was the bill (H. R. 7988) granting an increase of pension to Albert P. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert P. Jackson, late of Company [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH HATFIELD.

The next business on the Private Calendar was the bill (H. R. 8[illegible]) granting a pension to Elizabeth Hatfield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company A, [illegible] Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Company," strike out the word "of" and insert in [illegible]

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

In same line, after the word "month," insert the words "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN F. M'GRAW.

The next business on the Private Calendar was the bill (H. R. 8733) granting an increase of pension to Benjamin F. McGraw.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. McGraw, late captain Company A, First Regiment Troops of Color, Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "conditions" and insert in lieu thereof the word "provisions."

In line 6, before the word "captain," insert the word "late."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLEN F. LYNCH.

The next business on the Private Calendar was the bill (H. R. 7063) granting a pension to Ellen F. Lynch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellen F. Lynch, widow of John Lynch, late of Company I, One hundred and sixty-fourth Regiment New York Volunteer Infantry, and United States Navy, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "second lieutenant."

In line 8, before the word "United," insert the words "of the United States ships Tennessee and Marion."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA C. KUHN.

The next business on the Private Calendar was the bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha C. Kuhn, widow of H. H. Kuhn, late sergeant of Company A, Tenth Regiment Pennsylvania Reserve Corps, first lieutenant Twenty-third Regiment Veteran Reserve Corps, United States Troops, and second lieutenant, Forty-second Regiment, United States Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the first letter "H." and insert in lieu thereof the word "Henry."

In same line strike out the words "late sergeant of," and all of lines 7, 8, and 9, and the words "States Infantry," in line 10, and insert in lieu thereof the words "late second lieutenant Company B, Eighth Regiment United States Veteran Reserve Corps."

In line 10 strike out the word "thirty" and insert in lieu thereof the word "twenty."

In line 11 strike out the word "five."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. ERWIN.

The next business on the Private Calendar was the bill (H. R. 5140) granting an increase of pension to John W. Erwin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Erwin, late of Company [illegible] Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM MERCER.

The next business on the Private Calendar was the bill (H. R. 4119) granting an increase of pension to William Mercer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Volunteer," insert the word "Pennsylvania."

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM R. BURTON.

The next business on the Private Calendar was the bill (H. R. 4460) granting a pension to William R. Burton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll subject to the conditions and [illegible] of the pension laws, the name of William R. Burton, late a

member of Company D, Sixtieth Regiment Illinois Volunteer Infantry, and Company H, Thirteenth Regiment Illinois Volunteer Cavalry, and pay him a pension of $30 per month in lieu of the one he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "conditions" and insert in lieu thereof the word "provisions."

In line 6 strike out the words "a member."

In lines 9 and 7 strike out the words "and Company H, Thirteenth Regiment Illinois Volunteer Cavalry."

In line 8 after the word "pension," insert the words "at the rate."

In same line strike out the words "the one" and insert in lieu thereof the word "that."

Amend the title so as to read: "A bill granting an increase of pension to William R. Burton."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN GEORGE.

The next business on the Private Calendar was the bill (H. R. 6[illegible]) granting an increase of pension to Benjamin George.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible], late of Company F, First Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BENJAMIN F. BARRETT.

The next business on the Private Calendar was the bill (H. R. 3670) granting an increase of pension to Benjamin F. Barrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Barrett, late of Company I, Third Regiment Missouri State Militia Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 5 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. AN[illegible]N.

The next business on the Private Calendar was the bill (H. R. 5[illegible]) granting an [illegible] of pension to William H. Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] late of Company [illegible] and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NICHOLAS SCHWEMLER.

The next business on the Private Calendar was the bill (H. R. 4[illegible]) granting an [illegible] of pension to N[illegible]r.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] late of [illegible] and pay him a pension of $30 per month in lieu of the pension said Schwemler is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] late of Company [illegible] Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM SIMMONS.

The next business on the Private Calendar was the bill (H. R. 5888) granting an increase of pension to William Simmons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Simmons, late of Company A, Fifty-second Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. VICKERS.

The next business on the Private Calendar was the bill (H. R. 3027) granting an increase of pension to William H. Vickers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Vickers, late of Company I, Nineteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM L. WHEELER.

The next business on the Private Calendar was the bill (H. R. 4642) granting an increase of pension to William L. Wheeler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William L. Wheeler, late of Company D, Twenty-sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN T. COLLINS.

The next business on the Private Calendar was the bill (H. R. 4702) granting an increase of pension to John T. Collins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John T. Collins, late of Company B, Seventieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

J. F. SLADE.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting an [illegible] to J. F. Slade.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. F. Slade, late of Company [illegible] and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "J." and insert in lieu thereof the word "[illegible]."

In line 8 strike out the word "forty" and insert in lieu thereof the word "[illegible]."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH ULSHAFFER.

The next business on the Private Calendar was the bill (H. R. 5066) granting a pension to S[illegible] Ulshaffer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah Ulshaffer, widow of [illegible] late of Company [illegible] Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "late."

In line 7 strike out the word "Bankes" and insert in lieu thereof the word "Banks."

In same line, before the word "Pennsylvania," insert the word "Regiment."

In line [illegible] after the word "Cavalry" insert the word "Volunteer."

In same line after the word "pension" insert the words "at the rate."

In same line strike out the word "a" and insert in lieu thereof the word "per."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELI LACHMAN.

The next business on the Private Calendar was the bill (H. R. 789) granting an increase of pension to Eli Lachman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli Lachman, late of Company A, One hundred and seventy-ninth Regiment Pennsylvania Volunteer Infantry, and Third Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "A" and insert in lieu thereof the letter "F."

In same line strike out the words "One hundred and," and all of line 7.

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CYRUS B. DOPP.

The next business on the Private Calendar was the bill (H. R. 1287) granting an increase of pension to Cyrus B. Dopp.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cyrus B. Dopp, late of Company G, Nineteenth Michigan Volunteer Infantry, and pay him a pension at the rate of $30 a month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "fifty" and insert in lieu thereof the word "forty."

In line 8 strike out the word "a" and insert in lieu thereof the word "per."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LORISTON W. ADKINS.

The next business on the Private Calendar was the bill (H. R. 9778) granting a pension to Lauriston W. Adkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lauriston W. Adkins, late of Company B, One hundred and twenty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Lauriston" and insert in lieu thereof the word "Loriston."

In line 7 strike out the word "Kentucky" and insert in lieu thereof the words "New York."

Amend the title so as to read: "A bill granting an increase of pension to Loriston W. Adkins."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MAGGIE E. FITZPATRICK.

The next business on the Private Calendar was the bill (H. R. 9835) to pension Maggie E. Fitzpatrick.

The bill was read, as follows:

Be it enacted, etc., That a pension of $12 per month be granted to Maggie Fitzpatrick, widow of John Fitzpatrick, deceased, who was a private in Company E, Eleventh Regiment Kentucky Cavalry, the same being rejected by the Department on technical grounds.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Maggie Fitzpatrick, widow of John Fitzpatrick, late of Company E, Eleventh Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month."

Amend the title so as to read: "A bill granting a pension to Maggie Fitzpatrick."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALFRED J. WEST.

The next business on the Private Calendar was the bill (H. R. 10708) granting an increase of pension to Alfred J. West.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred J. West, late a member of Company B, Thirty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $35 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a member."

In line 8 strike out the word "thirty-five" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NICHOLAS REINHART.

The next business on the Private Calendar was the bill (H. R. 783) granting an increase of pension to Nicholas Reinhart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nicholas Reinhart, late of Company E, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. STEFFEY.

The next business on the Private Calendar was the bill (H. R. 2572) granting an increase of pension to George W. Steffey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Steffey, late of Company F, One hundred and forty-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS P. MARSHALL.

The next business on the Private Calendar was the bill (H. R. 9421) granting an increase of pension to Thomas P. Marshall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas P. Marshall, of Chattanooga, Tenn., late major Thirteenth Regiment Iowa Veteran Volunteer Infantry, war of 1861 to 1865, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Chattanooga, Tenn., late major" and insert in lieu thereof the words "late captain Company H."

In line 7 strike out the word "Veteran."

In same line strike out the word "war."

Strike out line 8.

In line 9 strike out the word "sixty-five."

In same line strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANK M. SPEARS.

The next business on the Private Calendar was the bill (H. R. 9695) granting an increase of pension to Frank M. Spears.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank M. Spears, late of Company C, [illegible] Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA MULLINS.

The next business on the Private Calendar was the bill (H. R. 10192) granting a pension to Martha Mullins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha Mullins, widow of Joab Mullins, late of Company F, Eighth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

HIRAM FLINT.

The next business on the Private Calendar was the bill (H. R. 8092) granting an increase of pension to Hiram Flint.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] Company A, Twenty-first Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $6 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY JOANNA ADAMS.

The next business on the Private Calendar was the bill (S. 2416) granting an increase of pension to Mary Joanna Adams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Joanna Adams, widow of John D. Adams, late of Company [illegible] Infantry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving: *Provided*, That in the event of the death of said Mary Joanna Adams, the pension herein granted shall cease and determine.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES DISBROW.

The next business on the Private Calendar was the bill (S. 895) granting an increase of pension to Charles Disbrow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Disbrow, late of Company A, Twenty-first Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GREEN B. YAWN.

The next business on the Private Calendar was the bill (S. 486) granting a pension to Green B. Yawn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Green B. Yawn, late of Company [illegible], Second Regiment Alabama Volunteer Infantry, and pay him a pension at the rate of $12 per month.

Mr. LOUDENSLAGER. Mr. Chairman, I move the following committee amendments, which I send to the desk and ask to have read.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

In line 5 strike out the words "of Graceville, Fla."

In line 7, after the word "Infantry," insert the words "war with Spain."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES GRAHAM.

The next business on the Private Calendar was the bill (S. 2559) granting a pension to James Graham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Graham, late of Company C, First Regiment [illegible] Volunteer Infantry, war with Spain, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JESSE J. FINLEY.

The next business on the Private Calendar was the bill (S. 2809) granting an increase of pension to Jesse J. Finley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse J. Finley, late of Company [illegible], Second Regiment [illegible] Volunteers, Spanish-American war, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARIT JOHNSON.

The next business on the Private Calendar was the bill (S. 2418) granting a pension to Marit Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marit Johnson, dependent mother of John E. Johnson, late of Company G, Twenty-fourth Regiment Minnesota Volunteer Infantry, war with Spain, and pay her a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM EDGAR.

The next business on the Private Calendar was the bill (H. R. 9999) granting an increase of pension to William Edgar.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Edgar, late of Company [illegible], Second Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HERMAN LEMMERMAN.

The next business was the bill (H. R. 8185) granting a pension to Herman Lemmerman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Herman Lemmerman, late of U. S. S. Dixie, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Lemmerman," insert "late;" and in the same line strike out "late of."

In line 7 strike out "[illegible]" and insert in lieu thereof the word "Navy."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SHADRACH D. BARDIN.

The next business was the bill (H. R. 8648) granting a pension to Shadrach D. Bardin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Shadrach D. Bardin, late of Company [illegible], Mounted Volunteers, and pay him a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

ANNA WATERS.

The next business was the bill (H. R. 8173) granting an increase of pension to Anna Waters.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Waters, widow of [illegible], late of Company [illegible], and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES G. CORR.

The next business was the bill (H. R. 6951) granting an increase of pension to Charles G. Corr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles G. Corr, late of Company [illegible], and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "fifty" and insert "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DE WITT C. FOLSOM.

The next business was the bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of De Witt C. Folsom, late of Company D, Fourth Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he now receiving.

The amendment recommended by the committee was read, as follows:

Strike out "thirty" in line 8 and insert "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM H. MOUNT.

The next business was the bill (H. R. 5030) granting a pension to William H. Mount.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Mount, late of Company F, Two hundred and second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In lines 7 and 8 strike out "and pay him a pension at the rate of $30 per month" and insert in lieu thereof "war with Spain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENNETT PUTNAM.

The next business was the bill (H. R. 5879) granting an increase of pension to Bennett Putnam.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Bennett Putnam, late of Company [illegible], Second Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out "thirty" in line 8 and insert in lieu thereof "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DANIEL NAGLE, JR.

The next business was the bill (H. R. 3402) granting an increase of pension to Daniel Nagle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Nagle, late of Company B, First Regiment Pennsylvania Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change the claimant's name in the title and the body of the bill so as to read "Daniel Nagle, jr."

In line 8 strike out "fifty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM J. JACKSON.

The next business was the bill (H. R. 4750) to place W. I. Jackson on the pension roll.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to place on the pension roll of the United States Army the name of W. I. Jackson, who enlisted as a private in the Mexican war on the 23d day of May, 1848, serving in the United States Rangers, Texas troops, and was honorably discharged at Newport Barracks, State of Kentucky, on the 16th day of July, 1848, subject to the rules and regulations of the pension laws.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "authorized," insert "and directed."

Strike out all in the bill after words "pension roll," in line 4 and substitute therefor the following: "subject to the provisions and limitations of the pension laws, the name of William J. Jackson, late an unassigned recruit, United States Army, war with Mexico, and pay him a pension at the rate of $12 per month."

Change the title so as to read: "A bill granting a pension to William J. Jackson."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARAB E. POWELL.

The next business was the bill (H. R. 1005) granting a pension to Marat E. Powell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marat E. Powell, widow of Col. W. H. Powell, Ninth Regiment United States Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Change the spelling of claimant's Christian name where it appears in the title and the body of the bill to "Marab."

In line 6, after the words "widow of," strike out "Colonel W." and insert "William."

In the same line, after "William H. Powell," insert "late colonel."

In line 8 strike out "fifty" and insert "twenty" and add to the end of the bill the words "in lieu of that she is now receiving."

Change the title so as to read "Granting an increase of pension to Marab E. Powell."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CAROLINE S. WINN.

The next business on the Private Calendar was the bill (H. R. 880) granting a pension to Caroline S. Winn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline S. Winn, widow of Lewis H. Winn, late of Captain [illegible]'s company, Creek Volunteers (Creek war), and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Second," and in lines 7 and 8 strike out "(Creek war)" and insert in lieu thereof "Creek Indian war."

In line 8 strike out "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANN M. DRIGGARS.

The next business on the Private Calendar was the bill (H. R. 877) granting a pension to Ann M. Driggars.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann M. Driggars, widow of Lewis T. Driggars, late of Captain [illegible]'s company, Creek Volunteers, in the Mexican war, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "in the Mexican" and insert "Creek Indian."

In line 8 strike out "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MRS. MARY TATE.

The next business on the Private Calendar was the bill (H. R. 10741) for the relief of Mrs. Mary Tate, of De Soto County, Miss.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Pensions be, and he is hereby, directed to place on the pension roll the name of Mrs. Mary Tate, of De Soto County, Miss., and pay her a pension of $[illegible] per month as the widow of Payton Tate, deceased, late of De Soto County, Miss., who at the time of his death on the [illegible] day of [illegible], 1901, was receiving a pension as a private in Company L, Third Regiment United States Colored Volunteer Heavy Artillery, she having been denied a pension on account of alleged irregularities in her marriage to said Payton Tate.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Tate, widow of Payton Tate, late of Company L, Third Regiment United States Colored Volunteer Heavy Artillery, and pay her a pension at the rate of $[illegible] per month."

Amend the title so as to read: "A bill granting a pension to Mary Tate."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARION ARNOLD.

The next business on the Private Calendar was the bill (H. R. 10682) granting an increase of pension to Marion Arnold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marion Arnold, late of Battery H, First Regiment Ohio Volunteer Light Artillery, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Battery" and insert in lieu thereof the word "Company."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH LONGBERRY.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting an increase of pension to Joseph Longberry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of [illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES G. SAIMS.

The next business on the Private Calendar was the bill (H. R. 10068) granting a pension to James G. Soims.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Volunteers Infantry, and pay him a pension at the rate of [illegible] per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Soims" and insert in lieu thereof the word "Saims."

In same line strike out the words "of Company —" and insert in lieu thereof the words "in Company [illegible]."

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Volunteers."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James G. Saims."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM ELLIS.

The next business on the Private Calendar was the bill (H. R. 9[illegible]) granting an increase of pension to William Ellis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Thirty-second Regiments" and insert in lieu [illegible]

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

VIRGINIA BOYD.

The next business on the Private Calendar was the bill (H. R. 9921) granting a pension to Virginia Boyd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Board of Appeals [illegible] and after the passage of this act.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions of the pension laws, the name of Virginia Boyd, widow of [illegible] Company A, Fourth Regiment [illegible] Columbia Volunteer Infantry, and pay her a pension at the rate of [illegible] per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADA L. CARPENTER.

The next business on the Private Calendar was the bill (H. R. 9790) granting a pension to Ada L. Carpenter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ada L. Carpenter, widow of John H. Carpenter, late captain of Company L, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "captain," strike out the word "of."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANCIS ROY.

The next business on the Private Calendar was the bill (S. 191) granting an increase of pension to Francis Roy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Vermont Volunteers [illegible] pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY FRAZIER.

The next business on the Private Calendar was the bill (H. R. 9710) granting an increase of pension to Henry Frazier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JULIUS KRAG.

The next business on the Private Calendar was the bill (H. R. 4631) granting an increase of pension to Julius Kraig.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Kraig" and insert in lieu thereof the word "Krag."

In line 7, before the word "Heavy," insert the word "Volunteer."

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES B. COMBS.

The next business on the Private Calendar was the bill (H. R. 5749) granting a pension to James B. Combs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] at the rate of $32 per month.

The bill was ordered to be laid aside with a favorable recommendation.

PHILLIP DUTTENHAVER.

The next business on the Private Calendar was the bill (H. R. 3011) granting an increase of pension to Philip Duttenhaver.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "of," strike out "Philip" and insert the word "Phillip;" in lines 6 and 7 insert the words "Fifteenth Regiment, and Company L;" in lines 8 and 9 strike out "fifty" and insert "twenty-four."

Mr. CRUMPACKER. Mr. Chairman, as the question is on the amendments, I desire to move to strike out the word "twenty-four," in line 9, and insert in lieu thereof the word "thirty."

The Clerk read as follows:

In line 9 strike out "twenty-four" and insert "thirty."

Mr. CRUMPACKER. I am sorry that the chairman of the committee is not in his seat.

Mr. GIBSON. Mr. Chairman——

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana to the committee amendment.

Mr. CRUMPACKER. Mr. Chairman, I desire to submit a few observations upon this amendment. I regret very much to attempt to change the rate that the Committee on Invalid Pensions has recommended. I appreciate as much as any Member of this House the care and patience that this committee has employed and does employ in going through the great mass of special legislation referred to it, and I am thoroughly in sympathy with the general policy of the committee that the rates established by special legislation shall not be exorbitant. But in this case I think, Mr. Chairman, the circumstances are such that the rate ought to be fixed at $30 a month at least. The bill originally provided for a special pension of $50 a month. The committee have reported an amendment reducing the rate from $50 to $24.

Phillip Duttenhaver is totally disabled. The evidence in the case shows that during his military service he had intermittent and malarial fever. His system became completely saturated with malaria. It poisoned his system so that he was in a hospital a number of times during his service. After he was discharged from the service, on the 18th of September, 1865, within two months after that time, the evidence shows that a sore appeared on his right knee, and that sore continued to increase gradually, and to grow worse and worse, until it finally disabled him absolutely. He was a farmer, and after his discharge from the service, with his system poisoned with malaria in the manner that I have described, he made no complaint, but went upon the farm and hoped that in the course of time he would overcome the disabilities he incurred in the military service. He employed no physician; he applied for no pension. In 1884 his condition became so bad that he did apply for a pension under the old law. That application was rejected because he was unable to prove continuous disability from malarial poisoning from September, 1865, until the year 1880. The excuse he offered for not furnishing the required evidence was his own sworn statement that after his discharge he thought he would get well, and he had made no complaint, but went on in the even tenor of his way, taking care of himself and his family as best he could until his condition became so bad that he had to apply to a physician for medical assistance.

His claim for original pension was rejected. After the law of 1890 was enacted he made application and was given a pension under that law, but his leg gradually grew worse, and in the year 1903 he was compelled to have it amputated above the knee. He is a poor man. He owns, the evidence shows, a little cottage in the town of Kentland, worth not exceeding $1,200, which is mortgaged for $900, and his wife is living. He is 60 years of age. The committee in its report said that there is no doubt that while the evidence in the case does not justify the Commissioner of Pensions in granting him a pension under the original law, under the rules in force in the Pension Office, there is no doubt his military service is responsible for the disability which he has to-day, and if that be true he ought to have $65 a month, but I only asked originally $50, and this motion asks simply that this committee give him the rate of $30 a month.

Now, I desire to say to the chairman of the Committee on Invalid Pensions I believe that the rate of $50 a month is a very small rate for this disability, and the report of his committee shows that the condition of Duttenhaver is the result of his military service. He needs the pension. I know Mr. Duttenhaver personally, and I have known him for a number of years, and I know him to be an upright, respectable citizen, but absolutely helpless, with a wife to support and his home mortgaged for substantially all it is worth, and the rate of $24 a month is not sufficient to take care of him and his wife during the balance of his days. I ask the committee now to adopt the amendment that I propose fixing the rate at $30, which I think is a very small rate for such a disability.

Mr. HOLLIDAY. Mr. Chairman, I have no disposition to antagonize the increase asked for by the gentleman, but I think it is due to the committee that our position in this matter should be explained. It has been the uniform custom of the committee, Mr. Chairman, not to increase the pension of a soldier who has been pensioned under the act of 1890 more than double the pension he is now receiving unless he is totally blind or so greatly incapacitated as to require the constant aid and attendance of another. We have undertaken to treat this soldier exactly as we have treated all other cases coming before the committee. This man is evidently in a very bad fix. The committee sympathizes with him, but if the gentleman will take occasion to read the report you will observe that his first application for a pension was made in 1884, twenty years after the war, and in it there was no reference to an injury to his leg, for which he is now claiming a pension.

Twenty years after the war that injury had not sufficiently developed as to make it worth his while to claim a pension on account of it, but his claim for pension was entirely upon other grounds. Afterward, his leg was amputated, and he was paid a pension of $12 a month. One of the Senate rules is that they will not increase the pension of a soldier pensioned under the act of 1890 more than double the rate that he is now receiving, except where the cause of his injuries can be traced to army service. Now, it seems to me, Mr. Chairman, that it would be drawing very liberally upon our imagination to connect this disability with his army service in consideration of the fact that twenty years after the war, when he first made application, he made no reference to the injury to his leg, but later on, I will admit, there is some evidence connecting the disability with the army service. The report says:

> In December, 1903, the soldier alleged that for several years prior to May 20, 1903, when his right leg was amputated, the sore on the leg steadily increased and undermined his general health to such an extent that in the spring of 1903 it was decided to amputate the leg; and he last medical examination of the soldier, made August 19, 1903, shows amputation of the right leg at the upper third of the limb, and also found him to be suffering from stomach trouble and enlarged spleen.

As I stated at the beginning, I am perfectly willing the committee should raise this pension, and the only objection I have to it is that it may establish a dangerous precedent. The committee is constantly being importuned by Members to go beyond the limits they have fixed for the increase of these pensions, and if we establish a precedent there is no telling what will result from it.

Mr. CRUMPACKER. Just a word in reply, Mr. Chairman. I do not want to ask anything that is not within reason or that is not in keeping with the policy of the Committee on Invalid Pensions in fixing these rates, but I think, according to the facts set forth in this report, he will admit on reflection that this is an exception to the rule. He refers to the fact that in the application of 1880 there was no mention made of the disability to the leg. At that time it had not developed, and it was of such a slight character that it did not give him any trouble. It took twenty-four years for it to develop, so that it was necessary to amputate the leg, and to practically undermine his health. Now, the policy of the committee, as I understand it, is to double the pension of the law of 1890, unless, as the gentleman says, the disabilities are the result of army service. Let me read from the report:

> In view of the soldier's serious physical condition and the fact that the malarial poisoning shown since 1880 was undoubtedly a result of the malarial poisoning of service origin for which he was treated in July, August, and September, 1864, an increase of his pension from $12 to $24 per month seems proper.

So, according to the gentleman's own statement of the facts, it does not come within the ordinary rule. The committee finds that these disabilities, Mr. Chairman, are the result of his military service, for we find it so stated in the report. The committee reports the disabilities as the result of malarial poison incurred in July and August, 1864, and if the Commissioner of Pensions had found that fact, this soldier would be drawing to-day $65 a month. Now, we ask less than one-half of what the general law would give Mr. Duttenhaver.

Mr. MIERS of Indiana. Mr. Chairman, I am not sure but that the gentleman from Indiana may be right, and in order that we may determine eventually whether he is right or not, I move to recommit this bill to the Committee on Invalid Pensions, so that it may have an opportunity to determine the facts in the case.

Mr. CRUMPACKER. I do not like to have the bill recommitted. This citizen, this ex-soldier, is a poor man, getting only $12 a month, and even an increase of $12 would be a great boon to him.

Mr. MIERS of Indiana. Well, the gentleman has now the opportunity to get an increase of $12, but if he is not satisfied with that increase of $12 he ought to go to the committee. He did not go to the committee with any further proof, and I submit that he ought to go to the committee for further consideration or the committee ought to be sustained.

Mr. CRUMPACKER. Well, I would rather have the case go back to the committee. I believe when the committee comes to investigate this case again it will fix the rate at $30 a month.

Mr. MIERS of Indiana. All right.

Mr. CRUMPACKER. I would rather have it recommitted to the committee than to have it go through at $24 a month.

Mr. SULLOWAY. I want to suggest to the gentleman that he may find some difficulty in getting it through the Senate for over $24. Under the Senate rule that is the amount and the amount at which we have fixed it.

Mr. CRUMPACKER. I will take the risk of getting it through the Senate.

The CHAIRMAN. The question is on the motion of the gentleman from Indiana to recommit the bill to the Committee on Invalid Pensions.

The question was taken; and the motion was agreed to.

WILLIAM F. BENEFIEL.

The next business on the Private Calendar was the bill (H. R. 807) granting an increase of pension to William F. Benefiel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Benedict, late of unassigned company, First Regiment Indiana Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 8, before the word "unassigned," strike out the word "of."

In same line strike out the word "company."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWARD O'MALLEY.

The next business on the Private Calendar was the bill (H. R. 8868) granting an increase of pension to Edward O'Malley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward O'Malley, late of Company E, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY A. GRAVES.

The next business on the Private Calendar was the bill (H. R. 7221) granting an increase of pension to Mary A. Graves.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, the name of Mary A. Graves, widow of Dennis Graves, late of Company H, Second Maryland Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Graves, widow of Dennis Graves, late of Company H, Second Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

PRUDENTIA L. D. NUGENT.

The next business on the Private Calendar was the bill (H. R. 4910) granting a pension to Prudentia L. D. Nugent.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Prudentia L. D. Nugent, widow of Brevet Brig. Gen. Robert Nugent, late colonel of the Sixty-ninth Regiment New York State Volunteers, honorably retired, major of the Twenty-fourth United States Infantry, and pay her a pension at the rate of $100 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of Prudentia L. D. Nugent, widow of Robert Nugent, late colonel Sixty-ninth Regiment New York Volunteer Infantry, and brevet brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Prudentia L. D. Nugent."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RACHEL LARGE.

The next business on the Private Calendar was the bill (H. R. 7311) granting a pension to Thomas Large.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Large, helpless and dependent son of William Large, late of Company H, Eighth Regiment Tennessee Cavalry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Rache. Large, widow of William Large, late of Company H, Eighth Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Thomas Large, helpless and dependent son of said William Large, the additional pension herein granted shall cease and determine."

Amend the title so as to read: "A bill granting an increase of pension to Rachel Large."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ENOS D. HOGE.

The next business on the Private Calendar was the bill (H. R. 7410) granting an increase of pension to Enos D. Hoge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enos D. Hoge, first lieutenant, late of Company H, One hundred and tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Hoge," insert the word "late."

In the same line, before the word "Company," strike out the words "late of."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AMANDA SKINNER.

The next business on the Private Calendar was the bill (H. R. 4540) granting a pension to Amanda Skinner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amanda Skinner, widow of John Skinner, late a private in Company C, First Florida Volunteers, civil war, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private."

In line 7 strike out the word "in" and insert in lieu thereof the word "of."

In same line, after the word "First," insert the word "Regiment."

In same line strike out the words "Volunteers, civil war," and insert in lieu thereof the words "Volunteer Cavalry."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID B. WOOD.

The next business on the Private Calendar was the bill (H. R. 4318) granting a pension to David B. Wood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David B. Wood, late of Company, One hundred and [illegible] Company, Indiana Legion, and pay him a pension at the rate of $12 per month.

The bill was ordered to be laid aside with a favorable recommendation.

CLINTON M. CASEY.

The next business on the Private Calendar was the bill (H. R. 8769) granting an increase of pension to Clinton M. Casey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clinton M. Casey, late of Company D, Twenty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABRAHAM W. COCHRAN.

The next business on the Private Calendar was the bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abraham W. Cochran, late of Company B, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS MORGAN.

The next business on the Private Calendar was the bill (H. R. 4943) granting an increase of pension to Thomas Morgan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Morgan, late captain of Company K, Seventy-fourth Regiment Indiana Volunteer Infantry, war of the rebellion, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Morgan, late lieutenant-colonel Seventy-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. WALLS.

The next business on the Private Calendar was the bill (H. R. 11287) granting an increase of pension to George W. Walls.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Walls, late of Company F, Twenty-sixth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FLORENCE R. RUSSELL.

The next business on the Private Calendar was the bill (H. R. 10267) granting a pension to Florence R. Russell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, the name of Florence R. Russell, widow of Daniel A. Russell, late captain of Company E, Fourth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Florence R. Russell, widow of Daniel A. Russell, late major One hundred and eighty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $12 per month."

Mr. SNOOK. Mr. Chairman, by authority of the committee, I move to amend the committee amendment by striking out "twelve," in line 14, and inserting "twenty."

The amendment to the amendment was agreed to.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ABRAM CLAYPOOL.

The next business was the bill (H. R. 9791) granting a pension to Abram Claypool.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram Claypool, late of Company D, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HORACE E. WOOD.

The next business was the bill (H. R. 10640) granting an increase of pension to Horace E. Wood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horace E. Wood, late of Company H, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MOSES HURLBUT.

The next business was the bill (H. R. 10794) granting an increase of pension to Moses Hurlbut.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Moses Hurlbut, late of Company G, One hundred and thirty-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARGARET E. KELLER.

The next business was the bill (H. R. 10268) granting a pension to Margret E. Keller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Margret E. Keller, widow of Augustus R. Keller, late captain and assistant quartermaster, United States Volunteers, and pay her a pension at the rate of $— per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll and subject to the provisions and limitations of the pension laws, the name of Margret E. Keller, widow of Augustus R. Keller, late captain and assistant quartermaster, United States Volunteers, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Margaret E. Keller."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDSON H. CRAWFORD.

The next business was the bill (H. R. 10904) granting a pension to Edson H. Crawford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edson H. Crawford, late of Company [illegible], [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert the words "and Company L, Seventh Regiment United States Volunteer Cavalry."

In same line, strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Edson H. Crawford."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANDREW BARR.

The next business was the bill (H. R. 859) granting an increase of pension to Andrew Barr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Andrew Barr, late private Company E, Eleventh Pennsylvania Cavalry, and pay him a pension of $30 a month from and after the passage of this act. He is now on pension roll at $24 per month, under certificate No. 389383, general order, for injury to left leg, resulting in varicose veins and ulcers.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Barr, late of Company E, Eleventh Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES ALLEN.

The next business was the bill (H. R. 1801) granting a pension to James Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll of the United States the name of James Allen of Elizabethtown, Ky., late a private in Capt. Irvin Miller's company of Kentucky Volunteer Infantry, at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Allen, late of Captain Miller's company, Kentucky State Militia, and pay him a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JASPER RICHEY.

The next business was the bill (H. R. 1179) granting an increase of pension to Jasper Richey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jasper Richey, late of Company K, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL M'CLURE.

The next business was the bill (H. R. 1352) for the relief of Samuel McClure.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Samuel McClure, of Mount Vernon, Ky., late a private in Company B, Twelfth Regiment Kentucky Volunteer Infantry, in the war for the suppression of the rebellion, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "roll," insert the words "subject to the provisions and limitations of the pension laws."

In lines 5 and 6 strike out the words "of Mount Vernon, Ky., late a private in" and insert in lieu thereof the words "late of."

In line 7 strike out the words "in the war for the suppression of the rebellion."

In line 8 strike out the word "sixteen" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Samuel McClure."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS E. M'INTIRE.

The next business was the bill (H. R. 1317) granting a pension to Thomas E. McIntire.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas E. McIntire, late of Company E, Seventieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Thomas E. McIntire."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BENJAMIN PITMAN.

The next business on the Private Calendar was the bill (H. R. 8836) granting a pension to Benjamin Pitman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Pitman, late of Company C, Eighth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Company C, Eighth Regiment," and insert in lieu thereof the words "second lieutenant Twenty-seventh Unattached Company."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Benjamin Pitman."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

IRA B. WAMBAUGH.

The next business on the Private Calendar was the bill (H. R. 8379) granting an increase of pension to J. B. Wambaugh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of I. B. Wambaugh, late of Company B, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "I." and insert in lieu thereof the word "Ira."

In same line strike out the word "of" and insert in lieu thereof the word "captain."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Ira B. Wambaugh."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNIE P. ERVING.

The next business on the Private Calendar was the bill (H. R. 8343) granting a pension to Annie P. Erving.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie P. Erving, army nurse, and pay her a pension at the rate of $25 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "army nurse" and insert in lieu thereof the words "formerly Cilla Zerbe, late nurse, Medical Department, United States Volunteers."

In line 7 strike out the word "twenty-five" and insert in lieu thereof the word "twelve."

Amend the title so as to read: "A bill granting a pension to Annie P. Erving, formerly Cilla Zerbe."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DAVID W. WILLIAMSON.

The next business on the Private Calendar was the bill (H. R. 7999) granting an increase of pension to David W. Williamson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David W. Williamson, late of Company A, Thirtieth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES G. ANDREWS.

The next business on the Private Calendar was the bill (H. R. 7314) granting an increase of pension to James G. Andrews.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James G. Andrews, late of Company C, Seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EMMA CROSIER.

The next business on the Private Calendar was the bill (H. R. 7712) granting a pension to Emma Crosier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma Crosier, widow of William H. H. Crosier, late of Company G, One hundred and forty-ninth Regiment New York Volunteer Infantry, civil war, and pay her a pension at the rate of $8 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the words "civil war."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CAROLINE HURLEY.

The next business on the Private Calendar was the bill (H. R. 7559) granting a pension to Caroline Hurley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Caroline Hurley, widow of Milton Hurley, late private in Company F, Thirteenth Regiment Kentucky Heavy Artillery, during war of rebellion, and to pay to her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caroline Hurley, widow of Milton Hurley, late of Company F, Thirteenth Regiment United States Colored Heavy Artillery, and pay her a pension at the rate of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES H. WESTON.

The next business on the Private Calendar was the bill (H. R. 6911) granting a pension to James H. Weston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of James H. Weston, late of Company F, Third Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James H. Weston."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROSA GLASS.

The next business on the Private Calendar was the bill (H. R. 6817) granting a pension to Rosa Glass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa Glass, daughter of Peter Glass, late of Company I, First New York Regiment Light Artillery, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "daughter," insert the words "helpless and dependent."

In line 7, after the word "First," insert the word "Regiment."

In same line strike out the word "Regiment" and insert in lieu thereof the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES E. LARKIN.

The next business on the Private Calendar was the bill (S. 2542) granting an increase of pension to James E. Larkin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Larkin, late lieutenant-colonel Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELEANOR H. HORD.

The next business on the Private Calendar was the bill (S. 1451) granting an increase of pension to Eleanor H. Hord.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eleanor H. Hord, widow of William H. Hord, late medical director, United States Navy, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FLORA STANTON KALK.

The next business on the Private Calendar was the bill (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899.

The bill was read, as follows:

Be it enacted, etc., That the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899, be, and the same is hereby, amended so as to read as follows: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Flora Stanton Kalk, widow of First Lieut. Frank Green Kalk, late of the Fifth United States Infantry, and pay her a pension at the rate of $16 per month, and $2 per month additional on account of each of the minor children of said Frank Green Kalk until they reach the age of 16 years."

The bill was ordered to be laid aside with a favorable recommendation.

HENRY C. RIGGS.

The next business on the Private Calendar was the bill (S. 2217) granting an increase of pension to Henry C. Riggs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry C. Riggs, late of Company A, First Regiment Missouri Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $10 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN HERZINGER.

The next business on the Private Calendar was the bill (S. 2965) granting an increase of pension to John Herzinger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Herzinger, late of Company I, Third Regiment Missouri Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN G. BROWN.

The next business on the Private Calendar was the bill (S. 70) granting an increase of pension to John G. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John G. Brown, late of Company G, First Regiment Virginia Volunteers, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCES S. HOPKINS.

The next business on the Private Calendar was the bill (S. 2596) granting a pension to Frances S. Hopkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances S. Hopkins, widow of Charles F. Hopkins, late midshipman United States ship Saratoga, United States Navy, war with Mexico, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "twelve" and insert the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROSA D. MAYHEW.

The next business on the Private Calendar was the bill (S. 1597) granting a pension to Rosa D. Mayhew.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rosa D. Mayhew, widow of William B. Mayhew, late machinist, first class, United States Navy, and pay her a pension at the rate of $8 per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM E. ARMSTRONG.

The next business on the Private Calendar was the bill (H. R. 2769) granting an increase of pension to William E. Armstrong.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William E. Armstrong, late of Company M, Second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert "war with Spain."

In line 8 strike out "seventy-two" and insert "fifty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LUCIUS E. POLK.

The next business on the Private Calendar was the bill (H. R. 8227) granting a pension to Lucius E. Polk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucius E. Polk, late captain Company D, Forty-third Regiment United States Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Infantry," insert "war with Spain."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LEVI VASSAR.

The next business on the Private Calendar was the bill (H. R. 5532) granting an increase of pension to Levi Vassar.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi Vassar, late of Company H, Third Regiment Missouri Mounted Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALBERT S. ELMORE.

The next business on the Private Calendar was the bill (H. R. 5045) granting an increase of pension to Albert S. Elmore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert S. Elmore, late of Capt. Rush Elmore's company, Fifth Louisiana Volunteers, Col. Bayley Payton, war with Mexico, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Fifth," insert "Regiment," and in the same line strike out "Col. Bayley Payton."

In line 8 strike out "fifty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN LINDSEY.

The next business on the Private Calendar was the bill (H. R. 9398) granting a pension to John Lindsey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Lindsey, late of Fourth Company, United States Coast Artillery.

The bill was ordered to be laid aside with a favorable recommendation.

MARCELINE P. HAMILTON.

The next business on the Private Calendar was the bill (H. R. 10968) granting a pension to Marceline P. Hamilton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marceline P. Hamilton, widow of William H. Hamilton, late captain Company F, Third Regiment Connecticut Volunteer Infantry, war with Spain, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

MARY EATON LIVINGSTON.

The next business on the Private Calendar was the bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Eaton Livingston, widow of Colonel La Rhett L. Livingston, late of Third Regiment United States Artillery, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out "Colonel."

In line 7 strike out "of" and insert "lieutenant-colonel."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LIZZIE M. WORSTER.

The next business on the Private Calendar was the bill (H. R. 9739) granting a pension to Lizzie M. Worster.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lizzie M. Worster, widow of Isaac H. Worster, late of Company H, Sixteenth Regiment United States Infantry, and pay her a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "thirty" and insert "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN I. RUNDBERG.

The next business on the Private Calendar was the bill (H. R. 8984) granting an increase of pension to John I. Rundeberg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Irgen Rundeberg, late of Company —, —— Regiment —— Volunteer Infantry, Mexican war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change the spelling of claimant's surname, where it appears in the title and body of the bill, to "Rundberg."

Fill in the blank space in line 6 with "G, Second" and the blank space in line 7 with "Mississippi."

In line 7 change "Mexican war" to "war with Mexico."

In line 6 change the Christian name "Irish" to the initial "I."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGIA A. WHITEHEAD.

The next business on the Private Calendar was the bill (H. R. 8924) granting a pension to Georgia A. Whitehead.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Georgia A. Whitehead, widow of Calvin Whitehead, late a soldier in the Mexican war, and pay her a pension at the rate of $8 per month.

The amendment recommended by the committee was read, as follows:

In line 7 strike out "a soldier in the Mexican war" and insert "of Steele's detachment, Second Regiment Mississippi Volunteers, war with Mexico."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH J. SHELL.

The next business on the Private Calendar was the bill (H. R. 10378) for the relief of Sarah J. Shell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Shell, widow of Henry B. Shell, late of Capt. James P. Upshur's company, First Virginia Volunteers, in the war with Mexico, and pay her a pension at the rate of $16 per month in lieu of $8 per month which she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after "First," insert "Regiment."

In lines 7 and 8 strike out "in the."

In line 9 strike out "sixteen" and insert "twelve."

In lines 9 and 10 strike out "eight dollars per month which" and insert "that."

Amend the title so as to read: "A bill granting an increase of pension to Sarah J. Snell."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY H. BARRETT.

The next business on the Private Calendar was the bill (H. R. 45899) granting a pension to H. H. Barrett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, the name of H. H. Barrett, Company E, Ninth Oregon Mounted Volunteer Cavalry, Indian wars, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 4, after the words "pension roll," insert "subject to the provisions and limitations of the pension laws."

In line 5, after the word "Barrett," insert "late of Capt. R. L. Williams's," in the same line strike out "E," and after the word "Ninth" insert "Regiment."

In lines 5 and 6 strike out "Volunteer Cavalry, Indian wars," and insert "Militia Volunteers, Oregon Indian war."

In line 7 strike out "[illegible]" and insert "[illegible]."

Change claimant's name in the title and the body of the bill so as to read "Henry H. Barrett."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIJAH FARR.

The next business on the Private Calendar was the bill (S. 2517) granting an increase of pension to Elijah Farr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elijah Farr, late of Company D, First Regiment, and Company B, Twelfth Regiment, Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

J. HUDSON KIBBE.

The next business on the Private Calendar was the bill (S. 167) granting an increase of pension to J. Hudson Kibbe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of J. Hudson Kibbe, late of Company C, Fourteenth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELLA B. GREEN.

The next business on the Private Calendar was the bill (S. 2543) granting an increase of pension to Ella B. Green.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Ella B. Green, widow of Charles L. Green, late of Company B, Fourteenth Regiment, and Company A, Eighteenth Regiment, New Hampshire Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOSEPH ROBERTS.

The next business on the Private Calendar was the bill (S. 2527) granting an increase of pension to Joseph Roberts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Roberts, late of Company C, Seventh Regiment Vermont Volunteer Infantry, and Company C, Fourth Regiment United States Veteran Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEVI B. LEWIS.

The next business on the Private Calendar was the bill (S. 3166) granting an increase of pension to Levi B. Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi B. Lewis, late of Company C, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALBERT MARSHALL.

The next business on the Private Calendar was the bill (S. 2577) granting an increase of pension to Albert Marshall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Marshall, late of Company G, Fifteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HARRIET BILLINGS.

The next business on the Private Calendar was the bill (S. 2712) granting an increase of pension to Harriet Billings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet Billings, widow of Henry Billings, late of Company [illegible], Fourteenth Regiment Indiana Volunteer Infantry, and First Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $17 per month in lieu of that she now is receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY D. DUVAL.

The next business on the Private Calendar was the bill (S. 782) granting a pension to Mary D. Duval.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary D. Duval, widow of Isaac H. Duval, late brigadier-general, United States Volunteers, and pay her a pension at the rate of $30 per month.

The bill was ordered to be laid aside with a favorable recommendation.

EDWARD A. COTTING.

The next business on the Private Calendar was the bill (S. 2797) granting an increase of pension to Edward A. Cotting.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward A. Cotting, late of Company B, First Regiment New Hampshire Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

GEORGE OLSEN.

The next business on the Private Calendar was the bill (S. 2440) granting an increase of pension to George Olsen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Olsen, late of Company E, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $10 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES E. DECKER.

The next business on the Private Calendar was the bill (S. 1799) granting an increase of pension to Charles E. Decker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. Decker, late first-class fireman, United States steamship North Carolina, United States Navy, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN ADAMSON.

The next business on the Private Calendar was the bill (S. 1239) granting an increase of pension to John Adamson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Adamson, late of Company C, Fifth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CATHERINE A. BROWN.

The next business on the Private Calendar was the bill (S. 889) granting an increase of pension to Catherine A. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine A. Brown, widow of Thomas Brown, late of Company A, Twenty-eighth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MIRIAM R. ADAMS.

The next business on the Private Calendar was the bill (S. 38) granting an increase of pension to Miriam R. Adams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Miriam R. Adams, widow of Jason M. Adams, late captain Company I, First Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HENRY W. NICHOLS.

The next business on the Private Calendar was the bill (S. 142) granting an increase of pension to Henry W. Nichols.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry W. Nichols, late of Company K, one hundred and thirty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

EDWIN H. WHEELER.

The next business on the Private Calendar was the bill (S. 189) granting an increase of pension to Edwin H. Wheeler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin H. Wheeler, late of Company B, Fourth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY H. ALLEN.

The next business on the Private Calender was the bill (S. 797) granting a pension to Mary H. Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Catherine [illegible] widow of Thomas A. Vaughan, late of Company B, Second Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM H. BARLOW.

The next business on the Private Calendar was the bill (S. 2061) granting an increase of pension to William H. Barlow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Barlow, late of Company G, One hundred and fifty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JULIA A. ROBERTS.

The next business on the Private Calendar was the bill (S. 2068) granting an increase of pension to Julia A. Roberts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Julia A. Roberts, widow of Eugene F. Roberts, late captain Company A, Eighty-second Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOSEPH W. BOOKER.

The next business on the Private Calendar was the bill (S. 1912) granting an increase of pension to Joseph W. Booker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph W. Booker, late of Company H, Twenty-second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES REED.

The next business on the Private Calendar was the bill (S. 2236) granting an increase of pension to James Reed.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Reed, late of Company G, One hundred and forty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

DANIEL FRITZ.

The next business on the Private Calendar was the bill (S. 2245) granting an increase of pension to Daniel Fritz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Fritz, late of Company K, [illegible] Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MATILDA C. LOTHROP.

The next business was the bill (S. 2230) granting an increase of pension to Matilda C. Lothrop.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Matilda C. Lothrop, widow of John R. Lothrop, late of Company B, Fortieth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES CUMMINGS.

The next business was the bill (S. 2373) granting an increase of pension to Charles Cummings.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Cummings, late of Company G, [illegible] Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

HAMLET F. ROBERTS.

The next business was the bill (S. 1241) granting an increase of pension to Hamlet F. Roberts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hamlet F. Roberts, late second lieutenant Company G, Twenty-first Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS DAVIS.

The next business was the bill (S. 1242) granting an increase of pension to Thomas Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Davis, late of Company C, Twenty-ninth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALONZO MOSES.

The next business was the bill (S. 2374) granting an increase of pension to Alonzo Moses.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo Moses, late of Company H, Seventeenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ANNA PRITCHARD.

The next business was the bill (S. 2250) granting an increase of pension to Anna Pritchard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna Pritchard, widow of Levi Pritchard, late major Twelfth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

BENTON D. BITNER.

The next business was the bill (S. 1954) granting an increase of pension to Benton D. Bitner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benton D. Bitner, late [illegible] Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SETH H. CRAIG.

The next business was the bill (S. 1956) granting an increase of pension to Seth H. Craig.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Seth H. Craig, late second lieutenant Company [illegible] Regiment Missouri Volunteer Infantry, and pay him a pension, at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

VICTORIA M. STEELE.

The next business was the bill (S. 2093) granting an increase of pension to Victoria M. Steele.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Victoria M. Steele, widow of [illegible] Seventeenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALLEN W. HALL.

The next business was the bill (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Allen W. Hall, late of Company D, Fortieth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ROBERT KELLY.

The next business was the bill (S. 1356) granting a pension to Robert Kelly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert Kelly, late of Company [illegible] Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

ISAAC M. COUCH.

The next business on the Private Calendar was the bill (S. 1802) granting an increase of pension to Isaac M. Couch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Isaac M. Couch, late of Company E, Forty-fourth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARY T. STRICKLAND.

The next business on the Private Calendar was the bill (S. 136) granting an increase of pension to Mary T. Strickland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary T. Strickland, widow of [illegible] Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES W. JELLISON.

The next business on the Private Calendar was the bill (S. 2549) granting an increase of pension to Charles W. Jellison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] Company [illegible] Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES REDSHAW.

The next business on the Private Calendar was the bill (S. 2576) granting an increase of pension to James Redshaw.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Redshaw, late [illegible] Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ALPHEUS FAWCETT.

The next business on the Private Calendar was the bill (S. 2668) granting an increase of pension to Alpheus Fawcett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alpheus Fawcett, late [illegible] Company G, Eighty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS BRATTON.

The next business on the Private Calendar was the bill (S. 2947) granting an increase of pension to Thomas Bratton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Bratton, late [illegible] Company H, Sixth Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEONARD G. FREEMAN.

The next business on the Private Calendar was the bill (S. 2642) granting an increase of pension to Leonard G. Freeman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leonard G. Freeman, late [illegible] Company [illegible] Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM W. LACKEY.

The next business on the Private Calendar was the bill (S. 1358) granting an increase of pension to William W. Lackey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Lackey, late of Nield's Independent Battery, Delaware Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FRANCES C. M'FARLAND.

The next business on the Private Calendar was the bill (H. R. 10901) granting an increase of pension to Frances C. McFarland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances C. McFarland, widow of William McFarland, late of Company B, Eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving, as long as the helpless son, James McFarland, shall live, then as his death, and Frances C. [illegible] shall cease to be [illegible] pension roll, at the rate of $[illegible] per month, and in the event of the death of said Frances C. McFarland, leaving her said helpless son, James McFarland, then the Secretary of the Interior be, and is hereby, authorized and directed to place the pension roll, subject to the provisions and limitations of the pension laws, the name of said James McFarland and pay him a pension at the rate of $[illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the words "as long as" and all of lines 10, 11, 12, 13, 14, and 15, and all of lines 1, 2, 3, and 4 on page 2, and insert in lieu thereof the following:

"Provided, That in the event of the death of James McFarland, helpless and dependent child of said William McFarland, the additional pension herein granted shall cease and determine upon proof of such death, and in the event of the death of Frances C. McFarland the pension herein granted to James McFarland shall be placed on the pension roll, subject to the provisions and limitations of the pension laws at the rate of $12 from and after the date of death of said Frances C. McFarland."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN H. REED.

The next business on the Private Calendar was the bill (H. R. 1023) granting an increase of pension to John H. Reed.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Reed, late of Company G, First Alabama Cavalry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert "in" in lieu thereof the word "[illegible]."

In same line, before the word "Cavalry," insert the word "Volunteers."

In line 7 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. SWISHER.

The next business on the Private Calendar was the bill (H. R. 11310) granting a pension to John W. Swisher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Volunteer Infantry, and pay him a [illegible] at the rate of [illegible] per month.

The amendments recommended by the committee were read, as follows:

In line [illegible] strike out the word "[illegible]" and insert in lieu thereof the word "[illegible]."

In line [illegible] after the word "month," insert the words "in lieu of that he is now [illegible]."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELVIRA MILLER.

The next business on the Private Calendar was the bill (H. R. 11076) granting an increase of pension to Elvira Miller.

The bill was read, as follows:

[illegible] That the Secretary of the Interior be, and he is hereby, [illegible] provisions [illegible] Company [illegible] Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month [illegible] Land [illegible] Company [illegible].

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALDERSON T. KEEN.

The next business on the Private Calendar was the bill (H. R. 10694) granting an increase of pension to Alderson T. Keen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alderson T. Keen, late major of the First [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "major of the" and insert in lieu thereof the words "first lieutenant and captain Company I."

In line 7 strike out the word "infantry" and insert in lieu thereof the word "Cavalry."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE W. HARLAN.

The next business on the Private Calendar was the bill (H. R. 9903) granting an increase of pension to George W. Harlan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Harlan, late of Independent Battery E, Pennsylvania Volunteer Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Artillery," insert the word "Light."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWARD M. TAPPEN.

The next business on the Private Calendar was the bill (H. R. 11556) granting an increase of pension to Edward M. Tappen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward M. Tappen, late of Company C, Fifth Regiment New York Volunteer Infantry, Duryea Zouaves, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the words "Duryea Zouaves."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THOMAS J. CAMPTON.

The next business on the Private Calendar was the bill (H. R. 10046) granting an increase of pension to Thomas Jefferson Campton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Jefferson Campton, late of Company H, Twelfth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Jefferson" and insert in lieu thereof the letter "J."

In the same line strike out the letter "H" and insert in lieu thereof the letter "K."

Amend the title so as to read: "A bill granting an increase of pension to Thomas J. Campton."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SILAS SOULES.

The next business on the Private Calendar was the bill (H. R. 1113) granting an increase of pension to Silas G. Soules.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Silas G. Soules, late of Company A, Twelfth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "G."

Amend the title so as to read: "A bill granting an increase of pension to Silas Soules."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY C. ARNOLD.

The next business on the Private Calendar was the bill (H. R. 11319) granting an increase of pension to Mary C. Arnold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Arnold, widow of the late Maj. William E. Arnold, of the Fortieth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "the late Major."

In line 7 strike out the words "of the" and insert in lieu thereof the words "late first lieutenant Company F."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SARAH J. LOOMIS.

The next business on the Private Calendar was the bill (H. R. 9753) granting an increase of pension to Sarah J. Loomis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Loomis, widow of Charles G. Loomis, late of Company C, Twenty-first Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "twelve" and insert in lieu thereof the word "twenty."

In line 9, after the word "receiving," insert the words "*Provided*, That in the event of the death of Austin J. Loomis, helpless and dependent child of said Charles G. Loomis, the additional pension herein granted shall cease and determine."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MATTHEW S. PRIEST.

The next business on the Private Calendar was the bill (H. R. 11343) granting an increase of pension to Matthew S. Priest.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Matthew S. Priest, late of Company G, Thirtieth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM E. M'DOWELL.

The next business on the Private Calendar was the bill (H. R. 10180) granting an increase of pension to William E. McDowell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William E. McDowell, late of Company G, First Regiment Arkansas Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

LEVI REMICK.

The next business on the Private Calendar was the bill (H. R. 6703) granting an increase of pension to Levi Remick.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Levi Remick, late of Company I, Fifteenth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

GEORGE B. FAIRHEAD.

The next business on the Private Calendar was the bill (H. R. 8410) granting an increase of pension to George B. Fairhead.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George B. Fairhead, late of Company D, One hundred and seventieth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

AGNES SHEARER.

The next business on the Private Calendar was the bill (H. R. 10648) granting an increase of pension to Agnes Shearer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Agnes Shearer, widow of

John Shearer, late of Company I, Seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "sixteen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ROBERT H. COOKE.

The next business on the Private Calendar was the bill (H. R. 7248) granting a pension to R. H. Cooke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of R. H. Cooke, late acting assistant surgeon, Quartermaster's Department, United States Army, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8, and insert in lieu thereof the following: "of [illegible] H. Cooke, late acting assistant surgeon, United States Army, and pay him a pension at the rate of $30 per month."

Amend the title so as to read: "A bill granting a pension to Robert H. Cooke."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

STEPHEN ELLIOTT.

The next business on the Private Calendar was the bill (H. R. 8372) granting an increase of pension to Stephen Elliott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stephen Elliott, late [illegible] Company [illegible] Battery, Eighteenth United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, after the word "Eighteenth," insert the word "Regiment."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ENOCH STAHLER.

The next business on the Private Calendar was the bill (H. R. 9256) granting an increase of pension to Enoch Stahler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Enoch Stahler, late first lieutenant Company [illegible], First Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of."

In same line strike out the letter "C" and insert in lieu thereof the letter "A."

In line 8 strike out the words "one hundred" and insert in lieu thereof the word "fifty-five."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JASPER F. MORTON.

The next business on the Private Calendar was the bill (H. R. 11413) granting an increase of pension to Jasper F. Morton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jasper F. Morton, late of Company F, Twenty-first Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line [illegible] before the word "Company," strike out the word "of" and insert in lieu thereof the word "of."

In line [illegible] strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH BRANEN.

The next business on the Private Calendar was the bill (H. R. 9035) granting an increase of pension to Joseph Branen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Joseph Branen, late of Company A, Sixth Regiment Indiana Volunteers, now of Jerome Junction, Ariz., and that he receive a pension of $25 per month in lieu of that which he now receives.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Branen, late of Company A, Sixth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN WEAVER.

The next business on the Private Calendar was the bill (H. R. 8925) granting an increase of pension to John Weaver.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Weaver, late of Company H, Thirty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

CHARLES H. JACKSON.

The next business on the Private Calendar was the bill (H. R. 8835) granting an increase of pension to Charles H. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, subject to the rules and regulations of the pension laws, to place the name of Charles H. Jackson, late of Company E, Fifth Battery New Jersey Volunteer Light Artillery, on the pension roll and pay him a pension of $[illegible] a month, the same to be in lieu of the pension he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles H. Jackson, late of Company E, New Jersey Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWARD W. MILLER.

The next business on the Private Calendar was the bill (H. R. 6814) granting an increase of pension to Edward W. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward W. Miller, late of Company [illegible], One hundred and fifteenth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Company," insert the letter "K."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALICE W. CLARKE.

The next business on the Private Calendar was the bill (H. R. 9037) granting a pension to Alice W. Clarke.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice W. Clarke, widow of Wright E. Clarke, alias Montgomery F. Martin, late private Company I, Twenty-fifth Regiment Indiana Volunteer Infantry, at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Wright E. Clarke, alias."

In line 7 after the word "Montgomery," insert the words "subsequently known as Wright E. Clarke."

In same line strike out the words "private of Company I" and insert in lieu thereof the words "hospital steward."

In lines 8 and 9 strike out the words "at the rate of $12 per month" and insert in lieu thereof the words "and pay her a pension at the rate of $6 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY L. BEACH.

The next business on the Private Calendar was the bill (H. R. 8998) granting an increase of pension to Henry L. Beach.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry L. Beach, late of Company M, First Regiment Heavy Artillery Wisconsin Volunteers, and pay him a pension at the rate of $36 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "Heavy Artillery Wisconsin Volunteers" and insert in lieu thereof the words "Wisconsin Volunteer Heavy Artillery."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FREDERICK RATZEL.

The next business on the Private Calendar was the bill (H. R. 6816) granting an increase of pension to Frederick Ratzel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Ratzel, late of Company G, First Missouri Regiment Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "First," insert the word "Regiment."

In lines 6 and 7 strike out the word "Regiment."

In line 7, before the word "Light," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MOSES SCHUMAN.

The next business on the Private Calendar was the bill (H. R. 9127) granting a pension to Moses Schuman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Moses Schuman, late of Company H, Sixth Regiment National Guard, State of New York Volunteer Infantry, and pay him a pension at the rate of $100 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "National Guard, State of."

In same line, after the words "New York," insert the words "National Guard."

In line 8 strike out the words "one hundred" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

C. E. MINK.

The next business on the Private Calendar was the bill (H. R. 4964) granting an increase of pension to C. E. Mink.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of C. E. Mink, late captain, First New York Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, and 8 and insert in lieu thereof the following: "of Charles E. Mink, Independent Company B, First Regiment New York Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Amend the title so as to read: "A bill granting an increase of pension to Charles E. Mink."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANN JENNETT WHITNEY.

The next business on the Private Calendar was the bill (H. R. 5999) granting an increase of pension to Ann J. Whitney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ann J. Whitney, widow of Lemuel W. Whitney, late corporal, Company M, Second Regiment Maine Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "J," and insert in lieu thereof the word "Jennett."

In line 7 strike out the words "of the."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Ann Jennett Whitney."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN LAKE.

The next business on the Private Calendar was the bill (H. R. 4198) granting an increase of pension to Edwin Lake.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin Lake, late of Company D, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN J. TOMPKINS.

The next business on the Private Calendar was the bill (H. R. 5155) granting an increase of pension to John J. Tompkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John J. Tompkins, late of Company E, Sixth United States Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Company" and insert in lieu thereof the word "Troop."

In same line, after the word "Sixth," insert the word "Regiment."

In line 7 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

THADDEUS S. COLLINS.

The next business on the Private Calendar was the bill (H. R. 4630) granting an increase of pension to T. S. Collins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of T. S. Collins, late of Company D, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "T." and insert in lieu thereof the word "Thaddeus."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to Thaddeus S. Collins."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALBERT W. BRADBURY.

The next business on the Private Calendar was the bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert W. Bradbury, late of First Battery, Maine Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

WILLIAM BROWN.

The next business on the Private Calendar was the bill (H. R. 4449) granting an increase of pension to William Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Brown, late of Company F, Thirteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NORA J. GLAHN.

The next business on the Private Calendar was the bill (H. R. 2091) granting a pension to Nora J. Glahn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Nora J. Glahn, widow of Henry Glahn, late lieutenant, Company A, Twenty-fourth Regiment Rhode Island Volunteer Infantry, Second Regiment Rhode Island Volunteer Heavy Artillery, on the pension roll of the United States of America at the rate of $17 per month, subject to the rules and limitations of the pension laws.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and

directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nora J. Glahn, widow of Henry Glahn, late first lieutenant, Company A, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Nora J. Glahn."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADDISON B. STONE.

The next business on the Private Calendar was the bill (H. R. 2204) granting an increase of pension to Addison B. Stone.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Addison B. Stone, late of Company E, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH P. SCOTT.

The next business on the Private Calendar was the bill (H. R. 1339) granting an increase of pension to Joseph Scott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Scott, late captain, Second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Scott," insert the letter "P."

In same line, after the word "late," insert the words "first lieutenant and battalion."

In line 7 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Joseph P. Scott."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANK L. GRAY.

The next business on the Private Calendar was the bill (H. R. 720) granting an increase of pension to Frank L. Gray.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank L. Gray, late of Company L, Sixth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELWOOD FINLEY.

The next business on the Private Calendar was the bill (H. R. 2692) granting an increase of pension to Elwood Finley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elwood Finley, late of Company E, Second Regiment Iowa Infantry Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the words "Infantry Volunteers" and insert in lieu thereof the words "Volunteer Cavalry."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM O. SMITH.

The next business on the Private Calendar was the bill (H. R. 2192) granting an increase of pension to William O. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William O. Smith, private, late of Company D, Second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private."

In line 8 strike out the word "twenty" and insert the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ENOCH J. EVANS.

The next business on the Private Calendar was the bill (H. R. 2976) granting a pension to Enoch J. Evans.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Enoch J. Evans, late a musician of Company H of the First West Virginia Infantry Volunteers and Company F of the Second West Virginia Infantry Volunteers, on the pension roll at the rate of $15 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions of the pension laws, the name of Enoch J. Evans, late of Company H, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Enoch J. Evans."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM F. THOMPSON.

The next business on the Private Calendar was the bill (H. R. 2947) granting an increase of pension to William F. Thompson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Thompson, late of Company K, Forty-eighth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY KORTH.

The next business was the bill (H. R. 2995) granting a pension to Mary Korth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Korth, widow of Frederick Korth, late teamster in the quartermaster's service during the Indian war in Minnesota in the year 1862, and pay her a pension at the rate of $20 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 7, 8, and 9 and insert in lieu thereof the following: "United States service, who was permanently disabled by gunshot wounds received at the hands of hostile Sioux Indians at the Lower Sioux Agency during the Sioux outbreak of 1862 in Minnesota, and pay her a pension at the rate of $[illegible] per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM MILLIAN.

The next business was the bill (H. R. 936) granting an increase of pension to William Millian.

The bill was read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Millian, late of Company B, Fourth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

FREDERICK A. SLOCUM.

The next business was the bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick A. Slocum, late of Company B, Seventh Regiment Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 8, before the word "Volunteer," insert the word "Massachusetts."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH F. CARTER.

The next business was the bill (H. R. 4719) granting an increase of pension to Joseph F. Carter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] the name of Capt. Joseph F. Carter, late [illegible] Company B, Third Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "Captain."
In the same line after the word "late," insert the word "captain."
In line 6 strike out the word "company," strike out the word "of."
In line 7 strike out the word "Battalion" and insert in lieu thereof the word "Company."
In line 8 strike out the word "Veteran."
In line 9 strike out the word "forty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES A. BARNES.

The next business was the bill (H. R. 6935) granting an increase of pension to James A. Barnes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] the name of James A. Barnes, [illegible] Company [illegible] New York Volunteers, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ISAAC FRAZIER.

The next business was the bill (H. R. 3936) granting an increase of pension to Isaac Frazier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] the name of Isaac Frazier, late of Company [illegible] Regiment Iowa Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Infantry," insert the word "Volunteer."
In same line strike out the word "fifty" and insert in lieu thereof the word "[illegible]."
In line 8 after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM HERLINGER.

The next business was the bill (H. R. 4695) granting an increase of pension to William Herlinger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] the name of William Herlinger, late of Company [illegible] Missouri Volunteers, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Missouri," insert the words "State Militia."
In line 8 strike out the word "forty" and insert in lieu thereof the word "three."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM CASSIDY.

The next business was the bill (H. R. 5750) granting a pension to William Cassidy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Cassidy, late of Company B, Eighth Regiment United States Infantry, and pay him a pension at the rate of $6 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "H" and insert in lieu thereof the letter "I."
In same line strike out the word "Eighth" and insert in lieu thereof the word "[illegible]."
In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."
In same line after the word "month," insert the words "in lieu of that he is now receiving."
Amend the title so as to read: "A bill granting an increase of pension to William Cassidy."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CELIA C. OWEN.

The next business was the bill (H. R. 5580) granting a pension to Celia C. Owen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll the name of Celia C. [illegible] late of Company [illegible] Missouri Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] Missouri Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

KATE RIDGWAY.

The next business was the bill (H. R. 10748) granting an increase of pension to Kate Ridgway.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] the name of Kate Ridgway, widow of John W. Ridgway, late of Company [illegible] Infantry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "Kate," strike out the word "Ridgway" and insert in lieu thereof the word "[illegible]."
In line 6 strike out the word "J. W. Ridgway" and insert in lieu thereof the word "[illegible]."
In line 7, before the word "Infantry," insert the word "first."
In line 8 after the word "Company," insert the words "Company E."
In line 9 strike out the word "twenty-five" and insert in lieu thereof the word "[illegible]."
Amend the title so as to read: "A bill granting an increase of pension to [illegible]."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JANE E. SUTFIN.

The next business on the Private Calendar was the bill (H. R. [illegible]) granting a pension to Jane E. Sutfin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll the name of Jane E. Sutfin, [illegible] late of Company D, One hundred and ninety-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "twelve" and insert in lieu thereof the word "[illegible]."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANK S. NICKERSON.

The next business on the Private Calendar was the bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and directed to place on the pension roll, subject to the provisions [illegible] the name of Frank S. Nickerson, late of Company [illegible] Regiment [illegible] Volunteer Infantry, and pay him a pension at the rate of $10 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Army" and insert in lieu thereof the word "[illegible]."
In line [illegible] and 8 strike out the words "one hundred" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILFRED C. M'CARDELL.

The next business on the Private Calendar was the bill (H. R. 4826) granting an increase of pension to Wilfred C. McCardell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilfred C. McCardell, late of Company I, First Maryland Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "First," insert the word "Regiment."
In line 7, before the word "Cavalry," insert the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EDWIN A. HARADON.

The next business on the Private Calendar was the bill (H. R. 9980) granting an increase of pension to Edwin A. Haradon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edwin A. Haradon, late of Company C, Eighty-sixth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "fourteen."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOHN W. FOLAND.

The next business on the Private Calendar was the bill (H. R. 4151) granting a pension to John W. Foland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Foland, late of Company E, Thirty-fourth Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Thirty-fourth," insert the word "Regiment."
In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."
Amend the title so as to read: "A bill granting an increase of pension to John W. Foland."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ADALINE L. POWERS.

The next business on the Private Calendar was the bill (H. R. 10850) granting an increase of pension to Adaline L. Powers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adaline L. Powers, widow of John M. Powers, late of Companies F and I, Fourteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "widow," strike out the word "Powers" and insert in lieu thereof the word "Power."
In same line, before the word "late," strike out the word "Powers" and insert in lieu thereof the word "Power."
Amend the title so as to read: "A bill granting an increase of pension to Adaline L. Power."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CHARLES B. HART.

The next business on the Private Calendar was the bill (H. R. 8970) granting an increase of pension to Charles B. Hart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles B. Hart, late of Company G, Fifth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

MARION LONG.

The next business on the Private Calendar was the bill (H. R. 10194) granting an increase of pension to Marion Long.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marion Long, late of Company B, Fiftieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES SMITH.

The next business on the Private Calendar was the bill (H. R. 7436) granting an increase of pension to James Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Smith, late of Company F, Third Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the letter "F" and insert in lieu thereof the letter "E."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLA D. MADDEN.

The next business on the Private Calendar was the bill (H. R. 10700) granting a pension to Ella D. Madden.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ella D. Madden, [illegible] and dependent daughter of Joseph P. Madden, late captain Company B, Tenth Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Madden," strike out the letter "B" and insert in lieu thereof the letter "E."
In same line strike out the word "captain" and insert in lieu thereof the words "first lieutenant."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM S. KING.

The next business on the Private Calendar was the bill (H. R. 9125) granting an increase of pension to William S. King.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. King, late of Company I, unassigned recruits, captain Company B, One hundred and seventy-[illegible] Indiana Volunteer Infantry; captain Company H, One hundred and [illegible] Indiana Volunteer Infantry; captain Company A, One hundred [illegible] Indiana Volunteer Infantry, and acting major One hundred and [illegible] Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, 9, 10, 11, 12, and 13 and insert in lieu thereof the following: "of William S. King, late captain Company A, One hundred and ninety-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

B. F. HACKETT.

The next business on the Private Calendar was the bill (H. R. 6602) granting an increase of pension to B. F. Hackett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of B. F. Hackett, late of Company F, Twelfth Regiment of Vermont Volunteer Infantry, and pay him a pension of $50 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Hackett, late of Company F, Twelfth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EMMA M. ELLIOTT.

The next business on the Private Calendar was the bill (H. R. 7659) granting a pension to Emma M. Elliott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma M. Elliott, widow of David B. Elliott, late captain Company D, Seventy-ninth Regiment Illinois Infantry Volunteers, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "in."
In same line, before the word "Infantry," insert the word "Volunteer."

In line 8 strike out the word "Volunteers."

In same line strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM E. MATTISON.

The next business on the Private Calendar was the bill (H. R. 8911) granting an increase of pension to William E. Mattison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William E. Mattison, late a surgeon in the Third Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "a surgeon in the" and insert in lieu thereof the words "assistant surgeon."

In line 9 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES M. FINK.

The next business on the Private Calendar was the bill (H. R. 8946) granting an increase of pension to James M. Fink.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Fink, late of Company H, One hundred and twenty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

NETTIE A. BUELL.

The next business on the Private Calendar was the bill (H. R. 9061) granting a pension to Henrietta A. Buell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henrietta A. Buell, widow of Bennett N. Buell, late of Company I, One hundred and fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9, and insert in lieu thereof the following: "of Nettie A. Buell, helpless and dependent daughter of Bennett H. Buell, late of Company I, One hundred and fifty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $8 per month."

Amend the title so as to read: "A bill granting a pension to Nettie A. Buell."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JAMES DOUGHERTY.

The next business on the Private Calendar was the bill (H. R. 8811) granting an increase of pension to James Dougherty.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Dougherty, late of Company B, One hundred and seventh Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Regiment," insert the words "and Company D, Forty-eighth Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

SAMUEL G. WOODS.

The next business on the Private Calendar was the bill (H. R. 8284) granting an increase of pension to Samuel G. Woods.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel G. Woods, late of Company I, [illegible] Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELIZABETH B. CONSTANT.

The next business on the Private Calendar was the bill (H. R. 7066) granting a pension to Elizabeth B. Constant.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth B. Constant, widow of James M. Constant, late captain [illegible] Regiment Louisiana Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendment recommended by the committee was read, as follows:

In lines 8 and 9 strike out the word "twenty-four" and insert the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EVA A. BURGESS.

The next business on the Private Calendar was the bill (H. R. 7096) granting an increase of pension to Eva A. Burgess.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eva A. Burgess, widow of [illegible] Regiment [illegible] Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill as amended was ordered to be laid aside with a favorable recommendation.

HENRY C. COFFIN.

The next business on the Private Calendar was the bill (H. R. 6618) granting an increase of pension to Henry C. Coffin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry C. Coffin, late of Company H, Ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

LAFAYETTE M. GREENE.

The next business on the Private Calendar was the bill (H. R. 2930) granting an increase of pension to L. M. Greene.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension at the rate of $30 a month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "L." and insert in lieu thereof the word "Lafayette."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "sixteen."

In same line strike out the word "a" and insert in lieu thereof the word per.

Amend the title so as to read: "A bill granting an increase of pension to Lafayette M. Greene."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM G. CRONKITE.

The next business on the Private Calendar was the bill (H. R. 2573) granting an increase of pension to William G. Cronkite.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Berdan's."

In same line before the word "Sharpshooters," insert the word "Volunteer."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

RICHARD C. IVORY.

The next business on the Private Calendar was the bill (H. R. 2116) granting an increase of pension to Richard C. Ivory.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Richard C. Ivory, late first lieutenant Company G, Twenty-second Regiment New Jersey Volunteers, and Company B, Two hundred and seventh Regiment Pennsylvania Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "New Jersey Volunteers."

In line 8 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "[illegible]."

[illegible] so as to read "A bill granting an increase of pension to Richard C. Ivory."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELLIS T. PEIRCE.

The next business on the Private Calendar was the bill (H. R. 1566) granting an increase of pension to Ellis T. Peirce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension laws, the name of Ellis T. Peirce, late of Company L, [illegible] Battery Pennsylvania Light Artillery, and a captain in Company [illegible], Thirty-ninth Regiment Missouri Infantry Volunteers, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following: "That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellis T. Peirce, late of Company C, Thirty-ninth Regiment Missouri Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FRANKLIN FERGUSON.

The next business on the Private Calendar was the bill (H. R. 1485) granting an increase of pension to Franklin Ferguson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Indian" and insert in lieu thereof the word "[illegible]."

In same line, before the word "Cavalry," insert the word "Volunteer."

In same line strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ORY WARRINER.

The next business on the Private Calendar was the bill (H. R. 1563) granting a pension to Ory Warriner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pany G, [illegible] Volunteer Infantry, and pay him a pension of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Company G, Eighty-seventh," and all of lines 7 and 8, and insert in lieu thereof the following: "the United States ships Cara Dolsen, Chickasaw, and Red Rover, and pay him a pension at the rate of $[illegible] per month."

Amend the title so as to read: "A bill granting an increase of pension to Ory Warriner."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WILLIAM D. TAYLOR.

The next business on the Private Calendar was the bill (H. R. 941) granting an increase of pension to William D. Taylor.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William D. Taylor, late captain Company E, One hundred and twenty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "captain of Company E" and insert in lieu thereof the words "second lieutenant Company F."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

DENISON L. BROWN.

The next business on the Private Calendar was the bill (H. R. 1314) granting a pension to Denison L. Brown.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension laws, the name of Denison L. Brown, late of Company H, Twenty-first Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CATHARINE W. COLLINS.

The next business on the Private Calendar was the bill (S. 846) granting an increase of pension to Catharine W. Collins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension laws, the name of Catharine W. Collins, widow of William O. Collins, late lieutenant-colonel Sixth and Eleventh Regiments Ohio Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SALLIE H. HOFFECKER.

The next business on the Private Calendar was the bill (S. 2215) granting a pension to Sallie H. Hoffecker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension laws, the name of Sallie H. Hoffecker, widow of Joseph V. Hoffecker, late captain Company A, Second Regiment Delaware Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The bill was ordered to be laid aside with a favorable recommendation.

FRANK LEE.

The next business on the Private Calendar was the bill (S. 2441) [illegible] an increase of pension to Frank Lee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SALLIE H. KINCAID.

The next business on the Private Calendar was the bill (S. 2558) [illegible] an increase of pension to Sallie H. Kincaid.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension roll, subject to the provisions [illegible] Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said Henry H. Kincaid until he becomes the age of 16 years.

The bill was ordered to be laid aside with a favorable recommendation.

JOHNIKEN L. MYNATT.

The next business on the Private Calendar was the bill (S. 2557) granting a pension to Johniken L. Mynatt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] provisions [illegible] Johniken L. Mynatt, late of Company [illegible] S. Wheeler's Battalion, Tennessee Cavalry of Vast Tennessee, and pay him a pension at the rate of $20 per month.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN BEAIRD.

The next business on the Private Calendar was the bill (S. 2889) granting an increase of pension to John Beaird.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Beaird, late of Company F, Fourteenth Regiment Kansas Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JENNET THOITS.

The next business on the Private Calendar was the bill (S. 962) granting an increase of pension to Jennet Thoits.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jennet Thoits, widow of Oren Thoits, late of Company I, Tenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JERRY S. FISH.

The next business on the Private Calendar was the bill (S. 1330) granting a pension to Jerry S. Fish.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Jerry S. Fish, of Cameron, Marshall County, W. Va., son of Nathan S. Fish, deceased, late first lieutenant of Company B, Twelfth Regiment West Virginia Infantry, subject to the provisions and limitations of the pension laws, and allow him a pension of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jerry S. Fish, helpless and dependent son of Nathan S. Fish, late first lieutenant Company B, Twelfth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MATHIAS S. FRIEND.

The next business on the Private Calendar was the bill (S. 2561) granting an increase of pension to Mathias S. Friend.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mathias S. Friend, late of Company K, Seventy-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

ELECTA ALLEN.

The next business on the Private Calendar was the bill (S. 1532) granting an increase of pension to Electa Allen.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Electa Allen, widow of David R. Allen, late of Company C, Twelfth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JANE PATTERSON.

The next business on the Private Calendar was the bill (S. 2841) granting a pension to Jane Patterson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane Patterson, widow of Samuel R. Patterson, late first lieutenant Company E, one hundred and thirty-fourth Regiment Pennsylvania Volunteer Infantry, and captain Company E, fifty-sixth Regiment Pennsylvania Volunteer Emergency Militia Infantry, and pay her a pension at the rate of $17 per month.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL E. CORMANY.

The next business on the Private Calendar was the bill (S. 2924) granting an increase of pension to Samuel E. Cormany.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel E. Cormany, late first lieutenant and adjutant, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN L. M'VEY.

The next business on the Private Calendar was the bill (S. 2103) granting an increase of pension to John L. McVey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. McVey, late first lieutenant Company A, Seventh Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

SAMUEL RICHARDS.

The next business on the Private Calendar was the bill (S. 1937) granting an increase of pension to Samuel Richards.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Richards, late of Company A, Fourteenth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JOHN H. WILLEY.

The next business on the Private Calendar was the bill (H. R. 719) granting an increase of pension to John H. Willey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Willey, late of Company B, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "sixty."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH H. HUIE.

The next business on the Private Calendar was the bill (H. R. 11345) granting a pension to Joseph H. Huie.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph H. Huie, late of Company [illegible], Fifth Regiment United States Volunteer Infantry, war with Spain, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five" and insert the word "eight."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

JOSEPH WEEMS.

The next business on the Private Calendar was the bill (H. R. 11021) granting an increase of pension to Joseph Weems.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph Weems, late private Company A, First Regiment Tennessee Infantry, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to be laid aside with a favorable recommendation.

JAMES S. LAUDERDALE.

The next business on the Private Calendar was the bill (H. R. 8849) granting a pension to James S. Lauderdale.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of James S. Lauderdale, late corporal, Company [illegible], in the Company [illegible] of the Mississippi Volunteers, called into the service of the United States under the requisition of Major Gaines, on the 28th of June, 1836, and to pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "roll," insert "subject to the provisions and limitations of the pension laws."

Strike out all after the word "Lauderdale," in line 5, and insert "late corporal, Company [illegible], Mississippi Volunteers, Seminole Indian disturbances, and pay him a pension at the rate of $8 per month."

Amend the title so as to read: "A bill granting a pension to James S. Lauderdale."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

WALTER F. HORNER.

The next business on the Private Calendar was the bill (H. R. 8771) granting a pension to Walter F. Horner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Walter F. Horner, late of Company F, Fourteenth United States Volunteers, and pay him a pension at the rate of $40 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after "Fourteenth," insert "Regiment."

In line 7 strike out "Volunteers" and insert "Infantry."

Strike out of lines 7 and 8 the words "and pay him a pension at the rate of $40 per month."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

BARTLETT S. HAGGARD.

The next business on the Private Calendar was the bill (H. R. 9581) granting an increase of pension to Bartlett S. Haggard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pensions laws, the name of Bartlett S. Haggard, late private in John S. Williams's independent company, Kentucky Volunteers, war with Mexico, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "late private in John S." and substitute therefor "late of [illegible]."

In line 8 strike out "thirty" and insert "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARTHA E. NOLEN.

The next business on the Private Calendar was the bill (H. R. 8922) granting a pension to Martha E. Nolen.

The bill was read, as follows:

"Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] Nolen, widow of [illegible], late private in the Creek Indian war of 1836, and pay her a pension at the rate of $[illegible] per month."

The amendment recommended by the committee was read, as follows:

In lines 6 and 7 strike out "a soldier in the Creek Indian war of 1836" and insert in lieu thereof "of Captain Gibbons's company, Alabama Volunteers, Creek Indian war."

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ANNIE G. NORWOOD.

The next business on the Private Calendar was the bill (H. R. 7368) granting a pension to Annie G. Norwood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie G. Norwood, widow of [illegible], late captain and bvt. Maj. [illegible] Norwood, [illegible] United States Army, and pay her a pension at the rate of $[illegible] per month.

The amendments recommended by the committee were read, as follows:

In lines 6 and 7 strike out "the late Captain and Brevet Major."

In line 7 strike out "of" and insert in lieu thereof "Captain."

In the same line, after "Second," insert "Regiment."

In line 8 strike out "thirty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

Mr. SULLOWAY. Mr. Chairman. I move that the committee rise and report to the House its action on the sundry bills which have been under consideration.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HEDGE, Chairman of the Committee of the Whole House, reported that the Committee of the Whole, having had under consideration sundry bills on the Private Calendar, had directed him to report House bill No. 3011 and House bill No. 5598 with the recommendation that they be recommitted to the Committee on Invalid Pensions, and that he had further been directed to report back sundry bills, some with amendment and some without, and to recommend that these various bills be passed in the House with or without amendment, as respectively reported from the Committee of the Whole House.

COMMISSION ON SHIPPING LEGISLATION.

Mr. GROSVENOR. I ask unanimous consent as stated on the paper which I send to the Clerk.

The Clerk read as follows:

I ask unanimous consent that on Saturday, February 20, 1904, immediately after the reading and approval of the Journal, the House shall resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering House bill No. 7666, a bill to create a "commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes," and that said order shall continue until twelve hours of debate upon the said bill shall be had, the supporters of the bill to consume six hours and the opponents six hours, and when such debate shall close the bill shall be reported back to the House with any amendments that may be proposed by the Committee of the Whole House, and thereupon the previous question shall be considered as ordered on the final passage. This order not to displace special orders or appropriation bills.

The SPEAKER. Is there objection?

Mr. SHACKLEFORD. For the present I object.

Mr. GROSVENOR. One moment. I hope the gentleman——

Mr. SHACKLEFORD. The gentlemen who made objection yesterday to this proposition are not now present. I have no knowledge of the matter myself and do not care particularly about it; but under the circumstances I want it to be held open.

Mr. SPIGHT. Mr. Speaker——

Mr. SHACKLEFORD. The gentleman from Mississippi [Mr. WILLIAMS] and the gentleman from Missouri [Mr. DE ARMOND], both of whom objected, are now absent.

Mr. SPIGHT. I am authorized to say for the gentleman from Mississippi and also for the gentleman from Missouri that the objection made yesterday has been withdrawn.

Mr. SHACKLEFORD. Then, in view of that statement, I withdraw my objection.

Mr. HARDWICK. My colleague from Georgia [Mr. BARTLETT] also objected. I renew the objection because he is absent.

The SPEAKER. The gentleman from Georgia objects.

Mr. GROSVENOR. I withdraw the request. A resolution to this effect is before the Committee on Rules.

ORDER OF BUSINESS.

Mr. RANSDELL of Louisiana. Mr. Speaker, I ask unanimous consent that Senate bill No. 4125 be taken from the table for present consideration.

The SPEAKER. The Chair suggests to the gentleman that it will require unanimous consent.

Mr. RANSDELL of Louisiana. I ask unanimous consent.

The SPEAKER. It seems to the Chair that, before submitting this request for unanimous consent, it would be best to dispose of the pending business reported from the Committee of the Whole House. The Chair will recognize the gentleman later.

Mr. RANSDELL of Louisiana. All right.

PHILLIP DUTTENHAVER.

The SPEAKER laid before the House the bill (H. R. 3011) granting an increase of pension to Phillip Duttenhaver, this bill having been reported from the Committee of the Whole House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

Mr. MIERS of Indiana. Mr. Speaker, there has been a consultation between the gentleman who introduced this bill and the [illegible], and it is desired both by the gentleman and by the committee that the recommendation to recommit be voted down.

The SPEAKER. The question is, Shall this bill be recommitted in accordance with the recommendation of the Committee of the Whole House?

The question was decided in the negative.

Mr. MIERS of Indiana. I move that the amendment of the committee to this bill be amended by striking out "twenty-four" and inserting "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HIRAM PARKER.

The SPEAKER also laid before the House the bill (H. R. 5598) granting a pension to Hiram Parker, this bill having been reported from the Committee of the Whole House with the recommendation that it be recommitted to the Committee on Invalid Pensions.

The SPEAKER. Shall the recommendations of the Committee of the Whole House to recommit this bill be agreed to?

The question was decided in the affirmative; and the bill was accordingly recommitted.

The SPEAKER. The Chair desires the attention of the House for a moment. A large number of bills have been reported from the Committee of the Whole House with the recommendations that they do pass. Gentlemen are aware that the Committee of the Whole House has had these bills under consideration for some hours. Is there a desire upon the part of any Member that any one of these bills should be considered separately? The Chair propounds that inquiry with a view to submitting to the House a request for unanimous consent to let these respective bills be considered as engrossed, ordered to a third reading, read a third time, and passed upon the reading of the numbers by the Clerk. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the numbers of the bills.

The SPEAKER. Without objection, the bills, the numbers of which have been read, reported from the committee, recommend-

ing amendments to the respective bills, will be considered, the amendments to the bills will be considered as agreed to, the bills as amended will be considered as ordered to be engrossed and read a third time, read the third time, and passed. The Chair will ask if there is any objection, or if there is any designation of any bill that it is desired to have considered separately? [After a pause.] The Chair hears no objection, and it is so ordered.

House bills of the following titles, reported from the Committee of the Whole House with amendments, were considered, the amendments agreed to, the bills as amended ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 4674. A bill granting an increase of pension to John Thompson;
H. R. 3909. A bill granting an increase of pension to George Hayden;
H. R. 9273. A bill granting an increase of pension to James H. Sackett;
H. R. 7719. A bill granting an increase of pension to Hiram B. Cozine;
H. R. 5610. A bill granting a pension to Annie Dorfner;
H. R. 9633. A bill granting a pension to Margaret Hutchison Booth (title amended);
H. R. 4892. A bill granting a pension to Abbie E. Webster;
H. R. 3910. A bill granting an increase of pension to Charles W. Hoffman;
H. R. 1851. A bill granting an increase of pension to David T. Towles;
H. R. 8712. A bill granting a pension to Caswell P. Ford (title amended);
H. R. 4624. A bill granting a pension to Isabella Phelps;
H. R. 4679. A bill granting an increase of pension to Martha M. Pierce;
H. R. 4180. A bill granting an increase of pension to Joseph G. Thomas;
H. R. 2470. A bill granting an increase of pension to Harriet S. Packard;
H. R. 5568. A bill granting an increase of pension to Emily Chapman;
H. R. 3320. A bill granting an increase of pension to Joseph Addams (title amended);
H. R. 614. A bill granting a pension to Michael O'Brian (title amended);
H. R. 9060. A bill granting an increase of pension to John Connors;
H. R. 9610. A bill granting an increase of pension to Frederick Halling;
H. R. 9426. A bill granting an increase of pension to William S. Campbell;
H. R. 7418. A bill granting an increase of pension to Peter Minkler;
H. R. 8929. A bill granting an increase of pension to Charles H. La Forest (title amended);
H. R. 9376. A bill granting an increase of pension to Martin Reuthler (title amended);
H. R. 6499. A bill granting an increase of pension to Albert W. Jones;
H. R. 8203. A bill granting a pension to James M. Hemphill (title amended);
H. R. 6881. A bill granting a pension to Zachariah T. Bryant (title amended);
H. R. 8992. A bill granting an increase of pension to William C. Davis;
H. R. 9024. A bill granting an increase of pension to Jacob Laird;
H. R. 7236. A bill granting an increase of pension to W. R. McCullough (title amended);
H. R. 5[illegible]2. A bill granting a pension to Ellen A. Harman;
H. R. 5603. A bill granting an increase of pension to William C. McCormick;
H. R. 9064. A bill granting an increase of pension to Edwin Tidd;
H. R. 7444. A bill granting a pension to Washington Dutcher (title amended);
H. R. 7737. A bill granting an increase of pension to Howard McGuire (title amended);
H. R. 7992. A bill granting a pension to Isadore F. Chamberlain (title amended);
H. R. 7805. A bill granting an increase of pension to William N. Hall;
H. R. 7083. A bill granting an increase of pension to Albert P. Jackson;
H. R. 8124. A bill granting a pension to Elizabeth Hatfield (title amended);
H. R. 8733. A bill granting an increase of pension to Benjamin F. McGraw;
H. R. 7063. A bill granting a pension to Ellen F. Lynch;
H. R. 4179. A bill granting an increase of pension to Martha C. Kuhn;
H. R. 4119. A bill granting an increase of pension to William Mercer;
H. R. 4466. A bill granting a pension to William R. Burton (title amended);
H. R. 3670. A bill granting an increase of pension to Benjamin F. Barrett;
H. R. 5479. A bill granting an increase of pension to William H. Anderson;
H. R. 4391. A bill granting an increase of pension to Nicholas Schwemler;
H. R. 5868. A bill granting an increase of pension to William Simmons;
H. R. 4702. A bill granting an increase of pension to John T. Collins;
H. R. 4314. A bill granting an increase of pension to J. F. Slade (title amended);
H. R. 5006. A bill granting a pension to Sarah Ulshafer;
H. R. 789. A bill granting an increase of pension to Eli Lachman;
H. R. 1287. A bill granting an increase of pension to Cyrus B. Dopp;
H. R. 9778. A bill granting a pension to Lauriston W. Adkins (title amended);
H. R. 9835. A bill granting a pension to Maggie E. Fitzpatrick (title amended);
H. R. 10706. A bill granting an increase of pension to Alfred J. West;
H. R. 783. A bill granting an increase of pension to Nicholas Reinhart;
H. R. 2572. A bill granting an increase of pension to George W. Stiffey;
H. R. 9421. A bill granting an increase of pension to Thomas P. Marshall;
H. R. 9695. A bill granting an increase of pension to Frank M. Spears;
H. R. 8022. A bill granting an increase of pension to Hiram Flint;
H. R. 8185. A bill granting a pension to Herman Timmerman;
H. R. 6951. A bill granting an increase of pension to Charles G. Corr;
H. R. 7680. A bill granting an increase of pension to De Witt C. Folsom;
H. R. 5030. A bill granting a pension to William H. Mount;
H. R. 5879. A bill granting an increase of pension to Bennett Putnam;
H. R. 3402. A bill granting an increase of pension to Daniel Nagle (title amended);
H. R. 4750. A bill to place W. I. Jackson on the pension roll (title amended);
H. R. 1005. A bill granting a pension to Marat E. Powell (title amended);
H. R. 880. A bill granting a pension to Caroline S. Winn;
H. R. 877. A bill granting a pension to Ann M. Driggars;
H. R. 10741. A bill for the relief of Mrs. Mary Tate, of De Soto County, Miss. (title amended);
H. R. 10682. A bill granting an increase of pension to Marion Arnold;
H. R. 10580. A bill granting an increase of pension to Joseph Longberry;
H. R. 10068. A bill granting a pension to James G. Soims (title amended);
H. R. 9988. A bill granting an increase of pension to William Elins;
H. R. 9921. A bill granting a pension to Virginia Boyd;
H. R. 9790. A bill granting a pension to Ada L. Carpenter;
H. R. 9710. A bill granting an increase of pension to Henry Frazier;
H. R. 4631. A bill granting an increase of pension to Julius Kraig (title amended);
H. R. 807. A bill granting an increase of pension to William F. Benefiel;
H. R. 8863. A bill granting an increase of pension to Edward O'Malley;
H. R. 7291. A bill granting an increase of pension to John Ryan;
H. R. 6977. A bill granting an increase of pension to Mary A. Graves;
H. R. 4910. A bill granting a pension to Prudentia L. D. Nugent (title amended);
H. R. 7311. A bill granting a pension to Thomas Large (title amended);
H. R. 7410. A bill granting an increase of pension to Enos D. Hoge;
H. R. 4540. A bill granting a pension to Amanda Skinner;
H. R. 3769. A bill granting an increase of pension to Clinton M. Casey;

H. R. 4943. A bill granting an increase of pension to Thomas Morgan;
H. R. 10267. A bill granting a pension to Florence R. Russell;
H. R. 9791. A bill granting a pension to Abram Claypool;
H. R. 10268. A bill granting a pension to Margret E. Keller (title amended);
H. R. 10904. A bill granting a pension to Edson H. Crawford (title amended);
H. R. 859. A bill granting an increase of pension to Andrew Barr;
H. R. 1801. A bill granting a pension to James Allen;
H. R. 1352. A bill for the relief of Samuel McClure (title amended);
H. R. 1317. A bill granting a pension to Thomas E. McIntire (title amended);
H. R. 8836. A bill granting a pension to Benjamin Pitman (title amended);
H. R. 8379. A bill granting an increase of pension to I. B. Wambaugh (titled amended);
H. R. 8343. A bill granting a pension to Annie P. Erving (title amended);
H. R. 7712. A bill granting a pension to Emma Cresier;
H. R. 7559. A bill granting a pension to Caroline Hurley;
H. R. 6911. A bill granting a pension to James H. Weston (title amended);
H. R. 6847. A bill granting a pension to Rosa Glass;
H. R. 2769. A bill granting an increase of pension to William E. Armstrong;
H. R. 8237. A bill granting a pension to Lucius E. Polk;
H. R. 5045. A bill granting an increase of pension to Albert S. Elmore;
H. R. 11052. A bill granting an increase of pension to Mary Eaton Livingston;
H. R. 9739. A bill granting a pension to Lizzie M. Worster;
H. R. 8964. A bill granting an increase of pension to John I. Rundeberg (title amended);
H. R. 8924. A bill granting a pension to Georgia A. Whitehead;
H. R. 10378. A bill for the relief of Sarah J. Shell (title amended);
H. R. 4589. A bill granting a pension to H. H. Barrett (title amended);
H. R. 10991. A bill granting an increase of pension to Frances C. McFarlan;
H. R. 1623. A bill granting an increase of pension to John H. Reed;
H. R. 11310. A bill granting a pension to John W. Swisher (title amended);
H. R. 11076. A bill granting an increase of pension to Elvira Miller;
H. R. 10694. A bill granting an increase of pension to Alderson T. Keen;
H. R. 9903. A bill granting an increase of pension to George W. Harlan;
H. R. 11556. A bill granting an increase of pension to Edward M. Tappen;
H. R. 10046. A bill granting an increase of pension to Thomas J. Campton (title amended);
H. R. 11113. A bill granting an increase of pension to Silas G. Soules (title amended);
H. R. 11319. A bill granting an increase of pension to Mary C. Arnold;
H. R. 9753. A bill granting an increase of pension to Sarah J. Loomis;
H. R. 11343. A bill granting an increase of pension to Matthew S. Priest;
H. R. 6703. A bill granting an increase of pension to Levi Remick;
H. R. 8410. A bill granting an increase of pension to George B. Fairhead;
H. R. 10648. A bill granting an increase of pension to Agnes Shearer;
H. R. 7248. A bill granting a pension to R. H. Cooke (title amended);
H. R. 8272. A bill granting an increase of pension to Stephen Elliott;
H. R. 9256. A bill granting an increase of pension to Enoch Stabler;
H. R. 11413. A bill granting an increase of pension to Jasper F. Morton;
H. R. 9035. A bill granting an increase of pension to Joseph Branen;
H. R. 8835. A bill granting an increase of pension to Charles H. Jackson;
H. R. 6814. A bill granting an increase of pension to Edward W. Miller;
H. R. 9037. A bill granting a pension to Alice W. Clarke;
H. R. 8998. A bill granting an increase of pension to Henry L. Beach;
H. R. 6816. A bill granting an increase of pension to Frederick Ratzel;
H. R. 9127. A bill granting a pension to Moses Schuman;
H. R. 4964. A bill granting an increase of pension to C. E. Mink (title amended);
H. R. 5999. A bill granting an increase of pension to Ann J. Whitney (title amended);
H. R. 5155. A bill granting an increase of pension to John J. Tompkins;
H. R. 4630. A bill granting an increase of pension to T. S. Collins (title amended);
H. R. 4449. A bill granting an increase of pension to William Brown;
H. R. 2001. A bill granting a pension to Nora J. Glahn (title amended);
H. R. 2204. A bill granting an increase of pension to Addison B. Stone;
H. R. 1339. A bill granting an increase of pension to Joseph Scott (title amended);
H. R. 2692. A bill granting an increase of pension to Elwood Finley;
H. R. 2192. A bill granting an increase of pension to William O. Smith;
H. R. 2976. A bill granting a pension to Enoch J. Evans (title amended);
H. R. 2347. A bill granting an increase of pension to William F. Thompson;
H. R. 2995. A bill granting a pension to Mary Korth;
H. R. 4192. A bill granting an increase of pension to Frederick A. Slocum;
H. R. 4719. A bill granting an increase of pension to Joseph F. Carter;
H. R. 6335. A bill granting an increase of pension to James A. Barnes;
H. R. 3936. A bill granting an increase of pension to Isaac Frazier;
H. R. 4605. A bill granting an increase of pension to William Herlinger;
H. R. 5750. A bill granting a pension to William Cassidy (title amended);
H. R. 5580. A bill granting a pension to Celia C. Owen;
H. R. 10748. A bill granting an increase of pension to Kate Ridgeway;
H. R. 5542. A bill granting a pension to Jane E. Sutfin;
H. R. 11194. A bill granting an increase of pension to Frank S. Nickerson;
H. R. 4826. A bill granting an increase of pension to Wilfred C. McCardell;
H. R. 9980. A bill granting an increase of pension to Edwin A. Haradon;
H. R. 4151. A bill granting a pension to John W. Foland (title amended);
H. R. 10850. A bill granting an increase of pension to Adaline L. Powers (title amended);
H. R. 7486. A bill granting an increase of pension to James Smith;
H. R. 10700. A bill granting a pension to Ella D. Madden;
H. R. 9125. A bill granting an increase of pension to William S. King;
H. R. 6602. A bill granting an increase of pension to B. F. Hackett (title amended);
H. R. 7659. A bill granting a pension to Emma M. Elliott (title amended);
H. R. 8991. A bill granting an increase of pension to William E. Mattison;
H. R. 8966. A bill granting an increase of pension to James M. Fink;
H. R. 9061. A bill granting a pension to Henrietta A. Buell (title amended);
H. R. 8811. A bill granting an increase of pension to James Dougherty;
H. R. 7066. A bill granting a pension to Elizabeth B. Constant;
H. R. 6618. A bill granting an increase of pension to Henry C. Coffin;
H. R. 2930. A bill granting an increase of pension to L. M. Greene (title amended);
H. R. 2573. A bill granting an increase of pension to William G. Cronkite;
H. R. 2116. A bill granting an increase of pension to Richard C. Ivory (title amended);
H. R. 1566. A bill granting an increase of pension to Ellis T. Peirce;
H. R. 1485. A bill granting an increase of pension to Franklin Ferguson;

H. R. 1563. A bill granting a pension to Ory Warriner (title amended;

H. R. 941. A bill granting an increase of pension to William D. Taylor;

H. R. 1314. A bill granting a pension to Denison L. Brown;

H. R. 719. A bill granting an increase of pension to John H. Willey;

H. R. 11345. A bill granting a pension to Joseph H. Huie;

H. R. 8849. A bill granting a pension to James S. Lauderdale (title amended);

H. R. 5949. A bill granting an increase of pension to Catharine R. Brown;

H. R. 8771. A bill granting a pension to Walter F. Horner;

H. R. 9587. A bill granting an increase of pension to Bartlett S. Haggart;

H. R. [illegible]. A bill granting a pension to Martha E. Nolen; and

H. R. [illegible]. A bill granting a pension to Annie G. Norwood.

The SPEAKER. The Clerk will now report the House bills without amendment by number.

The Clerk read the numbers of the bills.

The SPEAKER. Without objection, the several bills without amendment reported from the Committee of the Whole House, and their passage recommended, will be considered as ordered to be engrossed, read a third time, and passed. [After a pause.] The Chair hears no objection.

House bills of the following titles, favorably reported from the Committee of the Whole House without amendment, were considered, ordered to be engrossed and read a third time, read the third time, and passed:

H. R. 910. A bill granting an increase of pension to Freeman York;

H. R. 9683. A bill granting a pension to Henry Austin;

H. R. 7289. A bill granting a pension to Lydia M. Hill;

H. R. 6869. A bill granting an increase of pension to Lorenzo D. Elmer;

H. R. 8231. A bill granting an increase of pension to John Gangwisch;

H. R. 5149. A bill granting an increase of pension to John W. Erwin;

H. R. 6038. A bill granting an increase of pension to Benjamin George;

H. R. 4612. A bill granting an increase of pension to William L. Wheeler;

H. R. 3027. A bill granting an increase of pension to William H. Vickers;

H. R. 10192. A bill granting a pension to Martha Mullins;

H. R. 9994. A bill granting an increase of pension to William Edgar;

H. R. 8648. A bill granting a pension to Shadrach D. Bardin;

H. R. 8173. A bill granting an increase of pension to Anna Waters;

H. R. 5749. A bill granting a pension to James B. Combs;

H. R. 4318. A bill granting a pension to [illegible];

H. R. 6455. A bill granting an increase of pension to Abraham W. Cochran;

H. R. 11227. A bill granting an increase of pension to George W. Walls;

H. R. 10640. A bill granting an increase of pension to Horace E. Wood;

H. R. 10794. A bill granting an increase of pension to Moses Hurlbut;

H. R. 1179. A bill granting an increase of pension to Jasper Richey;

H. R. 7999. A bill granting an increase of pension to David W. Williamson;

H. R. 7814. A bill granting an increase of pension to James G. Andrews;

H. R. 5532. A bill granting an increase of pension to Levi Vassar;

H. R. 9398. A bill granting a pension to John Lindsy;

H. R. 10968. A bill granting a pension to Mareeline P. Hamilton;

H. R. 10180. A bill granting an increase of pension to William E. Mcdowell;

H. R. 8925. A bill granting an increase of pension to John Weaver;

H. R. 4198. A bill granting an increase of pension to Edwin Lane;

H. R. 720. A bill granting an increase of pension to Frank L. Gray;

H. R. 4372. A bill granting an increase of pension to Albert W. Bradbury;

H. R. 936. A bill granting an increase of pension to William Millian;

H. R. 8070. A bill granting an increase of pension to Charles B. Hart;

H. R. 10194. A bill granting an increase of pension to Marion Long;

H. R. 8284. A bill granting an increase of pension to Samuel G. Woods;

H. R. 7096. A bill granting an increase of pension to Eva A. Burgess; and

H. R. 11021. A bill granting an increase of pension to Joseph Weemes.

The SPEAKER. The Clerk will report the Senate bills with amendments.

The Clerk read the numbers of the bills.

The SPEAKER. These bills, respectively, have been reported from the Committee of the Whole House with the recommendation that the same be amended. Without objection, the amendments will be agreed to as to each bill, and the bills considered as read a third time and passed.

Mr. FINLEY. Mr. Speaker, reserving the right to object, I make this statement that I do not think this course of procedure is proper in a legislative body, and for that reason I insist that the bills take the regular course.

The SPEAKER. The objection is perfectly proper, and this method of procedure can only be had by unanimous consent. The Chair has been very careful to inform the House fully of the proposition as to these bills, respectively and collectively, and it is quite in the power of any Member to object or to demand consideration of any one or more bills. Objection is made, and the Clerk will report the first bill.

GREEN B. YAWN.

The next business was the bill (S. 486) granting a pension to Green B. Yawn, reported from the Committee of the Whole with an amendment.

The SPEAKER. The question is on the amendment. Does the gentleman desire the amendment read?

Mr. FINLEY. No; I do not.

The SPEAKER. The Chair does not know what the amendment is.

Mr. BENTON. Let the Chair have it read for his own satisfaction.

Mr. FINLEY. It ought to be read.

The SPEAKER. The gentleman demands the reading of the amendment.

The amendment was read, considered, and agreed to.

The bill as amended was ordered to a third reading, read a third time, and passed.

JESSE J. FINLEY.

The next business was the bill (S. [illegible]) granting an increase of pension to Jesse J. Finley, reported from the Committee of the Whole with an amendment.

The amendment was read, considered, and agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

FRANCES S. HOPKINS.

The next business was the bill (S. 2596) granting a pension to Frances S. Hopkins, reported from the Committee of the Whole with an amendment.

The SPEAKER. In the absence of a demand for the reading of the amendment, the question will be upon agreeing thereto.

The [illegible] agreed to.

The bill as amended was ordered to a third reading, read the third time, and passed.

JERRY S. FISH.

The next business was the bill (S. 13[illegible]) granting a pension to Jerry S. Fish, reported from the Committee of the Whole with an amendment.

[illegible] by the committee was agreed to. [illegible] a third reading; and it was accordingly read the third time, and passed.

SENATE BILLS PASSED.

Mr. ROBINSON of Indiana. Mr. Speaker, I make the same request for unanimous consent that was made before and objected to by the gentleman from South Carolina. I make this request as to [illegible] by the Committee of the Whole to the House without amendment.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the various Senate bills reported from the Committee of the Whole House without amendment be considered as severally acted upon, and the recommendation that they be ordered to a third reading, read a third time, and passed.

Mr. ROBINSON of Indiana. Pending that, I want to inquire if those include any bills that have just come over and have not been considered in the usual way in the House?

The SPEAKER. Oh, no. Is there objection? [After a pause.] The Chair hears no objection, and it is so ordered.

Senate bills of the following titles, favorably reported from the Committee of the Whole without amendment, were severally considered, ordered to a third reading, read the third time, and passed:

S. 2643. An act granting an increase of pension to Melinda H. Chapman;

S. 2858. An act granting an increase of pension to Delia B. Stuart;

S. 1689. An act granting an increase of pension to Henry H. Houghton;

S. 1688. An act granting an increase of pension to Frederick Bellman;

S. 2392. An act granting an increase of pension to William W. Misner;

S. 265. An act granting an increase of pension to Frances Gray;

S. 2509. An act granting an increase of pension to Abner B. Edson;

S. 2126. An act granting an increase of pension to Thomas Williams, alias Thomas W. Lennox;

S. 2128. An act granting an increase of pension to George A. Seebold;

S. 1911. An act granting an increase of pension to Ambrose W. Severance;

S. 2548. An act granting an increase of pension to Emma McFarland;

S. 980. An act granting an increase of pension to Mary Von Kusserow;

S. 2496. An act granting an increase of pension to Ebenezer Wing;

S. 2689. An act granting an increase of pension to David M. Kanouse;

S. 1428. An act granting an increase of pension to George Pennington;

S. 594. An act granting an increase of pension to Finley T. Johnson;

S. 593. An act granting an increase of pension to William H. Horn;

S. 2298. An act granting a pension to Patrick J. Conway;

S. 2222. An act granting an increase of pension to Richard A. Kendall;

S. 891. An act granting an increase of pension to Erwin R. Cole;

S. 897. An act granting an increase of pension to Lewis D. Frogge;

S. 1947. An act granting an increase of pension to Patrick Judge;

S. 2612. An act granting a pension to Sarah J. Bellamy;

S. 1953. An act granting a pension to Susan Fenno;

S. 2544. An act granting an increase of pension to Albert T. Severance;

S. 2416. An act granting an increase of pension to Mary Joanna Adams;

S. 895. An act granting an increase of pension to Charles Disbrow;

S. 2559. An act granting a pension to James Graham;

S. 2418. An act granting a pension to Marit Johnson;

S. 191. An act granting an increase of pension to Francis Roy;

S. 2542. An act granting an increase of pension to James E. Larkin;

S. 1451. An act granting an increase of pension to Eleanor H. Hord;

S. 3400. An act to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899;

S. 2217. An act granting an increase of pension to Henry C. Riggs;

S. 2965. An act granting an increase of pension to John Herzinger;

S. 70. An act granting an increase of pension to John G. Brown;

S. 1597. An act granting a pension to Rosa D. Mayhew;

S. 2517. An act granting an increase of pension to Elijah Farr;

S. 167. An act granting an increase of pension to J. Hudson Kibbe;

S. 2543. An act granting an increase of pension to Ella B. Green;

S. 2527. An act granting an increase of pension to Joseph Roberts;

S. 3166. An act granting an increase of pension to Levi B. Lewis;

S. 2577. An act granting an increase of pension to Albert Marshall;

S. 2712. An act granting an increase of pension to Harriet Billings;

S. 782. An act granting a pension to Mary D. Duval;

S. 2797. An act granting an increase of pension to Edward A. Cotting;

S. 2440. An act granting an increase of pension to George Olsen;

S. 1799. An act granting an increase of pension to Charles E. Decker;

S. 1239. An act granting an increase of pension to John Adamson;

S. 889. An act granting an increase of pension to Catherine A. Brown;

S. 38. An act granting an increase of pension to Miriam R. Adams;

S. 142. An act granting an increase of pension to Henry W. Nichols;

S. 189. An act granting an increase of pension to Edwin H. Wheeler;

S. 797. An act granting a pension to Mary H. Allen;

S. 2061. An act granting an increase of pension to William H. Barlow;

S. 2068. An act granting an increase of pension to Julia A. Roberts;

S. 1912. An act granting an increase of pension to Joseph W. Booker;

S. 2236. An act granting an increase of pension to James Reed;

S. 2245. An act granting an increase of pension to Daniel Fritz;

S. 2250. An act granting an increase of pension to Anna Pritchard;

S. 2373. An act granting an increase of pension to Charles Cummings;

S. 1241. An act granting an increase of pension to Hamlet F. Roberts;

S. 1242. An act granting an increase of pension to Thomas Davis;

S. 2374. An act granting an increase of pension to Alonzo Moses;

S. 2230. An act granting an increase of pension to Matilda C. Lothrop;

S. 1954. An act granting an increase of pension to Benton D. Bitner;

S. 1956. An act granting an increase of pension to Seth H. Craig;

S. 2093. An act granting an increase of pension to Victoria M. Steele;

S. 880. An act granting an increase of pension to Allen W. (alias Albert) Hall;

S. 1356. An act granting a pension to Robert Kelly;

S. 1802. An act granting an increase of pension to Isaac M. Couch;

S. 136. An act granting an increase of pension to Mary T. Strickland;

S. 2549. An act granting an increase of pension to Charles W. Jellison;

S. 2576. An act granting an increase of pension to James Redshaw;

S. 2668. An act granting an increase of pension to Alpheus Fawcett;

S. 2947. An act granting an increase of pension to Thomas Britton;

S. 2642. An act granting an increase of pension to Leonard G. Freeman;

S. 1358. An act granting an increase of pension to William W. Lackey;

S. 846. An act granting an increase of pension to Catharine W. Collins;

S. 2215. An act granting a pension to Sallie H. Hoffecker;

S. 2441. An act granting an increase of pension to Frank Lee;

S. 2558. An act granting an increase of pension to Sallie H. Kincaid;

S. 2557. An act granting a pension to Johniken L. Mynatt;

S. 2889. An act granting an increase of pension to John Beaird;

S. 962. An act granting an increase of pension to Jennet Thoits;

S. 2561. An act granting an increase of pension to Mathias S. Friend;

S. 2841. An act granting a pension to Jane Patterson;

S. 1532. An act granting an increase of pension to Electa Allen;

S. 2924. An act granting an increase of pension to Samuel E. Cormany;

S. 2103. An act granting an increase of pension to John L. McVey; and

S. 1937. An act granting an increase of pension to Samuel Richards.

On motion of Mr. GIBSON, a motion to reconsider the votes by which the several bills were passed was laid on the table.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3415. An act granting an increase of pension to Manluff W. Reynolds—to the Committee on Invalid Pensions.

S. 2332. An act granting a pension to Adolphus N. Pacetty—to the Committee on Pensions.

S. 2359. An act to correct the military record of James W. Houser—to the Committee on Military Affairs.

S. 1272. An act granting an increase of pension to Samuel Rollins—to the Committee on Invalid Pensions.

S. 2940. An act granting a pension to Naomi Green—to the Committee on Invalid Pensions.

S. 2278. An act granting an increase of pension to Harriet H. Howlett—to the Committee on Invalid Pensions.

S. 1222. An act granting an increase of pension to Mary A. Hughes—to the Committee on Invalid Pensions.

S. 1[illegible]. An act granting an increase of pension to Henry Wilfong—to the Committee on Invalid Pensions.

S. 2527. An act granting an increase of pension to Jerningham D[illegible]—to the Committee on Invalid Pensions.

S. 2[illegible]. An act granting an increase of pension to Mary V. Carson—to the Committee on Invalid Pensions.

S. 2949. An act granting an increase of pension to Andrew J. Williams—to the Committee on Invalid Pensions.

S. [illegible]. An act granting an increase of pension to John A. Chamberlain—to the Committee on Invalid Pensions.

S. 2568. An act granting a pension to Louisa Lyon—to the Committee on Invalid Pensions.

S. 3839. An act granting an increase of pension to George B. Abbott—to the Committee on Invalid Pensions.

S. 1530. An act granting an increase of pension to Theron T. Lamphere—to the Committee on Invalid Pensions.

S. 3656. An act granting an increase of pension to William Turner—to the Committee on Pensions.

S. 2946. An act granting a pension to William Conover—to the Committee on Invalid Pensions.

S. 2221. An act granting a pension to Carlotta E. Hooper—to the Committee on Interstate and Foreign Commerce.

S. 2[illegible]. An act granting a pension to Henry Dority—to the Committee on Invalid Pensions.

S. 3470. An act granting an increase of pension to Richard Willes—to the Committee on Pensions.

S. 3465. An act granting an increase of pension to Mary F. Parker—to the Committee on Invalid Pensions.

S. 3413. An act granting a pension to Henry P. Howard—to the Committee on Pensions.

S. 2[illegible]3. An act granting an increase of pension to David C. Coleman—to the Committee on Invalid Pensions.

S. 2[illegible]. An act granting an increase of pension to Charles R. Collins—to the Committee on Invalid Pensions.

S. 1257. An act to remove the charge of desertion from the military record of George F. Harter—to the Committee on Invalid Pensions.

S. 2[illegible]7. An act to remove the charge of desertion against George W. Posey—to the Committee on Invalid Pensions.

S. 2915. An act granting an increase of pension to Lewis Lewis—to the Committee on Invalid Pensions.

S. 819. An act granting an increase of pension to John B. Glover—to the Committee on Invalid Pensions.

S. 2563. An act granting an increase of pension to Elizabeth M. Banta—to the Committee on Invalid Pensions.

S. 3297. An act granting an increase of pension to George B. Christy—to the Committee on Invalid Pensions.

S. 4141. An act granting an increase of pension to Samuel A. Dickey—to the Committee on Invalid Pensions.

S. 1554. An act granting an increase of pension to John D. Pickard—to the Committee on Invalid Pensions.

S. 2181. An act granting an increase of pension to J. E. Harrison—to the Committee on Pensions.

S. 3649. An act granting an increase of pension to William S. Burch—to the Committee on Invalid Pensions.

S. 4001. An act granting an increase of pension to Nathan M. Gove—to the Committee on Invalid Pensions.

S. 4030. An act granting an increase of pension to Charlotte J. Folsom—to the Committee on Invalid Pensions.

S. 4052. An act granting a pension to Alice K. Seligson—to the Committee on Invalid Pensions.

S. 562. An act granting an increase of pension to Emeline F. [illegible]—to the Committee on Invalid Pensions.

S. [illegible]. An act granting an increase of pension to Clara B. Griswold—to the Committee on Invalid Pensions.

S. [illegible]. An act granting an increase of pension to Edward Blaisdell—to the Committee on Invalid Pensions.

S. 3898. An act granting an increase of pension to John L. Rogers—to the Committee on Invalid Pensions.

S. [illegible]5. An act granting an increase of pension to Alexander Lane—to the Committee on Invalid Pensions.

S. 3488. An act granting an increase of pension to Charles E. M[illegible]—to the Committee on Invalid Pensions.

S. 2564. An act granting an increase of pension to John S. Parker—to the Committee on Invalid Pensions.

S. 2[illegible]1. An act granting an increase of pension to James Hahn—to the Committee on Invalid Pensions.

S. 2179. An act granting an increase of pension to Thomas Harkness—to the Committee on Invalid Pensions.

S. 268. An act granting an increase of pension to Annie B. Johnson—to the Committee on Invalid Pensions.

S. 1616. An act granting an increase of pension to Michael Donovan—to the Committee on Invalid Pensions.

S. 1944. An act granting an increase of pension to John S. Stanger—to the Committee on Invalid Pensions.

S. 3887. An act granting an increase of pension to Charles J. Clark—to the Committee on Invalid Pensions.

S. 3902. An act granting a pension to George F. Smith—to the Committee on Invalid Pensions.

S. 2662. An act granting an increase of pension to John H. Carrow—to the Committee on Invalid Pensions.

S. 3842. An act granting an increase of pension to Charles Wheatland—to the Committee on Invalid Pensions.

S. 1894. An act granting an increase of pension to John W. Paul—to the Committee on Invalid Pensions.

S. 2122. An act granting a pension to Ashley C. Riggs—to the Committee on Pensions.

S. 727. An act granting a pension to George W. Wetherell—to the Committee on Invalid Pensions.

S. 3903. An act granting an increase of pension to Daniel H. Wallace—to the Committee on Pensions.

S. 935. An act granting a pension to Mary S. Clark—to the Committee on Invalid Pensions.

S. 1796. An act granting an increase of pension to Matthew Woodworth—to the Committee on Invalid Pensions.

S. 1808. An act granting an increase of pension to John M. Morgan—to the Committee on Invalid Pensions.

S. 3480. An act granting an increase of pension to Swepston B. W. Stephens—to the Committee on Pensions.

S. R. 47. Joint resolution to authorize the Secretary of War to cause a survey or surveys to be made to determine the practicability and cost of tide-water ship canal across the State of Florida—to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 42:

Resolved by the Senate (the House of Representatives concurring), That the [illegible] Secretary of War be and he is hereby [illegible] to be made [illegible] Wine Riverse, with [illegible] depth of at least 21 feet—

to the Committee on Rivers and Harbors.

Senate concurrent resolution No. 40:

Resolved by the Senate (the House of Representatives concurring), That there be printed [illegible] of which 3,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 500 for the Isthmian Canal Commission—

to the Committee on Printing.

Senate concurrent resolution No. 43:

Resolved by the Senate (the House of Representatives concurring), That the [illegible] be straightened—

to the Committee on Rivers and Harbors.

[illegible] ACROSS OUACHITA RIVER, [illegible] BAYOU LOUTRE, LOUISIANA.

The SPEAKER. The Chair has [illegible] following Senate bill on the Speaker's table.

The Clerk read as follows:

A bill [illegible] Little Rock and Monroe Railway Company to [illegible] of Bayou [illegible] of Louisiana [illegible]

The bill was read at length.

The SPEAKER. The Chair will ask the [illegible] by [illegible] siana, is there a similar bill to this on the Calendar [illegible]

Mr. RANSDELL of Louisiana. Yes, sir; the House committee reported that bill favorably co-day. I was going to move that the House bill lie on the table and ask unanimous consent for the immediate consideration of the Senate bill.

The SPEAKER. The Chair thinks that this bill would come up as a matter of right.

Mr. PAYNE. I could not understand whether the gentleman said that a House bill identical with this had been reported by the House [illegible]

Mr. RANSDELL of Louisiana. Yes, sir; it was reported today—identical in terms with this bill.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

The SPEAKER. Without objection, the similar House bill will lie on the table.

There was no objection.

On motion of Mr. RANSDELL of Louisiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

FORT HALL INDIAN RESERVATION.

Mr. FRENCH. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the state of the Union be

discharged from the further consideration of the bill (S. 2323), and that the bill be considered by the House at this time.

The SPEAKER. The gentleman from Idaho asks unanimous consent that the Committee of the Whole House on the state of the Union be discharged from the consideration of the following bill, and that the same be considered by the House at this time.

The Clerk read as follows:

A bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation

Be it enacted, etc., That [illegible] of the former Fort Hall Indian Reservation [illegible] the boundary [illegible] the town of [illegible] on and after July 1, 1902, in accordance with the provisions of the act of Congress [illegible] and Stat. [illegible] and [illegible] in [illegible] Lot 4, section 3, and [illegible] the northwest quarter of the [illegible] and the [illegible] tracts upon which such improvements are situated.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. FRENCH, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTRUCTION OF WING DAM BY KEOKUK AND HAMILTON WATER POWER COMPANY, IN HANCOCK COUNTY, ILL.

Mr. HEDGE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 9640.

The Clerk read as follows:

A bill (H. R. 9640) to amend an act granting to the Keokuk and Hamilton Water Power Company right to construct and maintain a dam, and so forth, approved February 8, 1901.

Be it enacted, etc., That the act granting to the Keokuk and Hamilton Water Power Company [illegible] power [illegible] Mississippi River, in Hancock County, Ill., approved February 8, 1901, be amended as follows: In section 2, line [illegible] strike out the word "three" and insert the word "four" in [illegible] strike out the word "six" and insert the word "seven" in [illegible]

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to ask the gentleman what effect the amendment has upon the bill?

Mr. HEDGE. It extends the time for one year. It has the approval of the Secretary of War.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. HEDGE, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

And accordingly (at 3 o'clock and 9 minutes p. m.) the House adjourned until Monday next.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Otter Tail Lake and River and Red Lake and Red Lake River, Minnesota, and Big Stone Lake and Lake Traverse, Minnesota and South Dakota—to the Committee on Rivers and Harbors, and ordered to be printed, with illustration.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to [illegible] Nancy, Henry Brigham, master—to the Committee on Claims, and ordered to be printed.

A letter from the treasurer of the Washington, Alexandria and Mount Vernon Railway, submitting a statement of the receipts and disbursements for the year ended December 31, 1903, and a list of the stockholders—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of L. D. Moneymaker, administrator of estate of Charles Drennan, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *John*, David Lufkin, master—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 11050) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre, reported the same with amendment, accompanied by a report (No. 913); which said bill and report were referred to the House Calendar.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 3953) to amend an act to amend an act to construct a bridge across the Missouri River at a point between Kansas City and Sibley, in Jackson County, reported the same with amendment, accompanied by a report (No. 914); which said bill and report were referred to the House Calendar.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10794) to authorize the St. Joseph and Grand Island Railway Company in the reconstruction of the bridge near St. Joseph, Mo., to lower said bridge and to shorten the draw spans thereof, reported the same without amendment, accompanied by a report (No. 915); which said bill and report were referred to the House Calendar.

Mr. SHAFROTH, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 9777) granting to the city of Port Angeles, State of Washington, for park purposes, certain portions of the Government reserve in said city, reported the same with amendment, accompanied by a report (No. 916); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 2875) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn., reported the same without amendment, accompanied by a report (No. 917); which said bill and report were referred to the House Calendar.

Mr. COWHERD, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 8690) to amend the law relating to taxation in the District of Columbia, reported the same with amendment, accompanied by a report (No. 919); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on War Claims was discharged from the consideration of the bill (H. R. 7806) for the relief of Alice M. Stafford, administratrix of the estate of Capt. Stephen R. Stafford, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. DANIELS: A bill (H. R. 12302) to provide for acquiring title to certain patented lands in the Sequoia and General Grant national parks, in the State of California—to the Committee on the Public Lands.

By Mr. GOULDEN: A bill (H. R. 12303) to amend the Code of Law for the District of Columbia regarding corporations—to the Committee on [illegible] of Columbia.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 12304) to authorize the sale of certain lands of the Mississippi River at Longwood, Miss.—to the Committee on Levees and Improvements of the Mississippi River.

By Mr. McGUIRE: A bill (H. R. [illegible]) referring to the Court of Claims certain claims of the Absentee Shawnee Indians against the United States, and for other purposes—to the Committee on Indian Affairs.

By Mr. THOMAS of Iowa: A bill (H. R. 12306) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein—to the Committee on the Judiciary.

By Mr. GAINES of Tennessee: A bill (H. R. 12307) to further provide for the redemption of mutilated United States paper currency and to maintain the cleanliness of the circulation—to the Committee on Banking and Currency.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 12308) to amend an act entitled "An act to provide revenue for the Government and to encourage the industries of the United States," approved July 24, 1897, as to import duties on hides, harness, leather, boots, and shoes—to the Committee on Ways and Means.

By Mr. BELL of California: A bill (H. R. 12309) amending section 1 of an act to provide aid to State and Territorial Homes, and so forth, approved August 27, 1888—to the Committee on Military Affairs.

By Mr. BROOKS: A bill (H. R. 12310) to establish a new land district and new land office in the State of Colorado—to the Committee on the Public Lands.

By Mr. HUNTER: A bill (H. R. 12311) authorizing the construction of a road from the Mill Springs National Cemetery, in Pulaski County, Ky., to the town of Somerset, in said county—to the Committee on Military Affairs.

By Mr. NORRIS: A bill (H. R. 12312) providing for the holding of Federal court at Grand Island, Nebr.—to the Committee on the Judiciary.

By Mr. BASSETT: A bill (H. R. 12313) for a survey of the waters of New York Harbor opposite Bay Ridge—to the Committee on Rivers and Harbors.

By Mr. STEPHENS of Texas: A bill (H. R. 12314) to remove restrictions on the sale of certain lands in the Creek Nation, and for other purposes—to the Committee on Indian Affairs.

By Mr. ACHESON: A bill (H. R. 12315) to amend section 3893 of the Revised Statutes—to the Committee on the Post-Office and Post-Roads.

By Mr. BRANTLEY: A bill (H. R. 12316) for survey and estimate of cost of improving the Three-mile Cut on inside water route between Darien and Brunswick, Ga.—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 12317) authorizing the erection of a courthouse and post-office building at Valdosta, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. MONDELL: A bill (H. R. 12318) for a public building for the United States Geological Survey at Washington, D. C.—to the Committee on Public Buildings and Grounds.

By Mr. LIND: A bill (H. R. 12319) to provide for the purchase of a site and the erection of a public building thereon at Minneapolis, in the State of Minnesota—to the Committee on Public Buildings and Grounds.

By Mr. WILEY of Alabama: A joint resolution (H. J. Res. 107) as to the provisions of "An act for the relief of certain settlers on the public lands, and to provide for the payment of certain fees, purchase money, and commission paid on void entries of public lands," approved June 16, 1880—to the Committee on the Judiciary.

By Mr. BELL of California: A joint resolution (H. J. Res. 108) directing the Secretary of War to make survey and estimate for straightening Napa River, in the State of California—to the Committee on Rivers and Harbors.

Also, a joint resolution (H. J. Res. 109) directing the Secretary of War to cause a preliminary examination to be made of San Rafael Inlet, in the State of California—to the Committee on Rivers and Harbors.

By Mr. SLAYDEN: A concurrent resolution (H. C. Res. 43) to print 10,000 copies of an article entitled "A few general directions with regard to destroying mosquitoes, particularly the yellow-fever mosquito," by W. C. Gorgas, colonel, Medical Corps, United States Army—to the Committee on Printing.

By Mr. FOSS: A resolution (H. Res. 233), that it shall be in order to consider, in the bill No. 12220, making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, legislation providing for the consolidation, in the discretion of the Secretary of the Navy, of the light, heat, and power plants in any or all of the navy-yards and stations, and for the establishment of a naval training station on the Great Lakes. And it shall be in order to have a separate vote in the House, if the same be demanded, upon each of the foregoing subjects.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 12320) granting an increase of pension to Carrie M. Hickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12321) to correct the military record of John Bolling—to the Committee on Military Affairs.

By Mr. BOWIE (by request): A bill (H. R. 12322) for the relief of John A. Harbour—to the Committee on Pensions.

By Mr. BUCKMAN: A bill (H. R. 12323) granting an increase of pension to Josiah Wood—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 12324) granting an increase of pension to Sarah J. Dickens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12325) granting an increase of pension to Thomas Snell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12326) granting an increase of pension to Matthew Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12327) granting an increase of pension to George B. Albro—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 12328) for the relief of St. John's Episcopal Church, at Winnsboro, S. C.—to the Committee on War Claims.

By Mr. FITZPATRICK: A bill (H. R. 12329) for the relief of the legal representatives of John Anthony, deceased—to the Committee on War Claims.

By Mr. FOWLER: A bill (H. R. 12330) granting an increase of pension to Laura M. Gillmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12331) granting a pension to George Hull—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 12332) granting an increase of pension to William A. Eagleson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12333) granting an increase of pension to Cutler D. Sanborn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12334) granting an increase of pension to Melissa S. Lee—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 12335) granting a pension to Lydia E. Nichol—to the Committee on Invalid Pensions.

By Mr. HILL of Mississippi: A bill (H. R. 12336) for the relief of the estate of Solomon Smith, deceased, late of Franklin County, Ala.—to the Committee on War Claims.

By Mr. HOLLIDAY: A bill (H. R. 12337) for the relief of John T. H. Gibbons—to the Committee on War Claims.

By Mr. HOPKINS: A bill (H. R. 12338) granting a pension to James S. Walters—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 12339) granting pension to certain battalions of Kentucky State Militia—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12340) granting a pension to George J. Hurt—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12341) for the relief of John Stilts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12342) for the relief of Lawrence H. Rousseau—to the Committee on Invalid Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 12343) granting a pension to Adolph Reuthner—to the Committee on Pensions.

By Mr. JONES of Washington: A bill (H. R. 12344) to correct the military record of Aron P. Oliver—to the Committee on Military Affairs.

By Mr. KLUTTZ: A bill (H. R. 12345) for the relief of Spencer Byrd—to the Committee on Claims.

By Mr. LAMB: A bill (H. R. 12346) to correct the military record of William J. Barcroft—to the Committee on Military Affairs.

By Mr. LAWRENCE: A bill (H. R. 12347) granting an increase of pension to Marshall Johnson—to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 12348) granting an increase of pension to John Pickering—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12349) granting an increase of pension to Thomas D. Horner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12350) granting a pension to Abbie A. Calvert—to the Committee on Invalid Pensions.

By Mr. LORIMER: A bill (H. R. 12351) granting a pension to Frank B. Hazleton—to the Committee on Invalid Pensions.

By Mr. MACON: A bill (H. R. 12352) granting an increase of pension to William H. Cooper—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 12353) granting a pension to Lewis Barber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12354) granting an increase of pension to William Pryor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12355) for the relief of Frances T. Mee, of Bradley County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12356) for the relief of Wilson Cendra—to the Committee on War Claims.

Also, a bill (H. R. 12357) for the relief of Lou Hicks, administratrix of the estate of Thomas Hicks, deceased—to the Committee on War Claims.

By Mr. McCARTHY: A bill (H. R. 12358) granting an increase of pension to Andrew Jackson—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 12359) granting an increase of pension to Samuel Emerick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12360) granting an increase of pension to Henry V. Brown—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12361) granting an increase of pension to John W. Torrence—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12362) to enable Jennie Arnold, a Caddo Indian, to sell certain land for an addition to the town site of Fort Cobb, Okla.—to the Committee on Indian Affairs.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 12363) granting an increase of pension to Charles H. Barnard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12364) granting an increase of pension to Hugh M. Stevenson—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 12365) for the relief of Marshall B. Gallion—to the Committee on Military Affairs.

By Mr. TATE: A bill (H. R. 12366) for the relief of Jeptha B. Harrington—to the Committee on Pensions.

Also, a bill (H. R. 12367) granting a pension to Talitha C. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12368) for the relief of John T. Fitzgerald—to the Committee on Military Affairs.

Also, a bill (H. R. 12369) granting a pension to John T. Fitzgerald—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12370) granting an increase of pension to Lucius C. Fletcher—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa: A bill (H. R. 12371) granting an increase of pension to Tempest Meyer—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 12372) granting an increase of pension to Lucinda Hill—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12373) granting an increase of pension to John Sayers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12374) granting a pension to Adam Young—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12375) granting a pension to George W. Piland, alias George W. Willis—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and read as follows:

By Mr. ALEXANDER: Petition of Buffalo Launch Club, against Grosvenor bill, amending navigation laws—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Cataract Lodge, No. 639, Brotherhood of Railroad Trainmen, of Niagara Falls, N. Y., favoring passage of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, petitions of R. J. White and 32 others, of Buffalo, N. Y.; and William P. Hillings and 25 others, of Erie County, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BAKER: Petition of the Gas Engine and Power Company and Charles L. Seabury & Co., opposing bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the New York Kerosene Oil Engine Company, opposing bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Rural Letter Carriers' Association of the State of New York, favoring additional compensation for rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Outdoor Art League of Pasadena, Cal., favoring Gillett bill for purchase of big trees of Calaveras, Cal.—to the Committee on the Public Lands.

Also, petition of T. B. Pratt, of Brooklyn, N. Y., favoring Government purchase of the big trees of Calaveras, Cal.—to the Committee on the Public Lands.

Also, resolution of the board of trustees of the Sanitary District of Chicago, favoring construction of waterway to connect the Great Lakes with the Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of Upper Mississippi River Improvement and Levee Drainage Association, favoring construction of a waterway to connect the Great Lakes with the Mississippi River—to the Committee on Rivers and Harbors.

Also, resolutions of Cushing Post, No. 231; Abel Smith Post, Long Island Post, No. 425; G. K. Warren Post, No. 266, and the executive committee, Grand Army of the Republic, of Brooklyn, N. Y., favoring increase of pensions to civil war veterans—to the Committee on Invalid Pensions.

Also, resolution of the United Commercial Travelers of America, favoring Badger amendment to section 64 of the bankruptcy act—to the Committee on the Judiciary.

Also, petition of John Kissel & Son, of Brooklyn, N. Y., favoring reduction of internal-revenue tax—to the Committee on Ways and Means.

Also, petition of Thomas Fitch, of Los Angeles, Cal., favoring rebate of duty on sulphate of ammonia—to the Committee on Ways and Means.

Also, petition of New York State Pharmaceutical Association, favoring reduction of tax on alcohol—to the Committee on Ways and Means.

Also, petition of wholesalers of New York City, opposing parcels post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Prof. D. Cady, of Yale University, favoring passage of a bill to regulate corporations—to the Committee on Interstate and Foreign Commerce.

Also, petition of William C. Wachsalz, of New York, favoring bill H. R. 87, relative to civil service employees—to the Committee on Reform in the Civil Service.

Also petition of the American Trading Company, of New York City, favoring passage of Lodge bill, relative to consular service—to the Committee on Foreign Affairs.

Also, petition of National Fraternal Congress, opposing bill S. 1261, regulating fire insurance companies—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the New York legislature, favoring passage of bill to promote efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of New York State Grange, Patrons of Husbandry, and New York State legislature, favoring Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Albert A. Pope, of New York City, favoring Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of the Rochester Chamber of Commerce, favoring deep ship canal in New York State—to the Committee on Rivers and Harbors.

Also, resolutions of the Manufacturers' Association of New York, favoring New York Harbor improvements—to the Committee on Rivers and Harbors.

Also, resolutions of the New York Board of Trade and Transportation and the Chamber of Commerce of New York, favoring breakwater at Point Judith—to the Committee on Rivers and Harbors.

Also, petition of the New York Board of Trade and Transportation, as to need of legislation to benefit American shipping in the foreign trade—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Pendleton Brothers, of New York City, in the matter of aid to American shipping—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Commercial Club of Topeka, as to the need of legislation to benefit American shipping engaged in foreign trade—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the China and Japan Trading Company, favoring bill H. R. 9050 to encourage export trade—to the Committee on Ways and Means.

Also, petition of the Denver Chamber of Commerce, as to need of legislation to benefit American shipping engaged in the foreign trade—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the National Board of Trade, favoring extending the national navigation laws to the Philippine Islands—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Philadelphia Board of Trade, favoring purchasing carrying trade between the United States and the Philippine Islands to vessels of American registry—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Employing Bookbinders' Association, opposing bills H. R. 89 and 8136—to the Committee on the Judiciary.

Also, petition of Richey, Brown & Donald, of New York City, against bills H. R. 89, 1234, 4063, and 8136—to the Committee on the Judiciary.

Also, petition of King, McLean & James, of New York City, against bills H. R. 89, 1234, 4063, and 8136—to the Committee on the Judiciary.

Also, resolution of the National German-American Alliance, in favor of the appointment of a commission on immigration—to the Committee on Immigration and Naturalization.

Also, resolution of the Grain Dealers' National Association, relative to inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Grain Dealers' National Association, relative to increasing the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Board of Trade and Transportation, relative to the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Paint Grinders' Association of the United States, relative to increasing power of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Merchants' Association of New York,

relative to irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of the National Board of Trade, relative to irrigation of arid lands—to the Committee on Irrigation of Arid Lands.

Also, resolution of the Philadelphia Maritime Exchange, relative to arbitration treaties between United States and Great Britain—to the Committee on Foreign Affairs.

Also, petition of the American Society for the Prevention of Cruelty to Animals, against bill H. R. 3573—to the Committee on the Judiciary.

Also, resolution of the Manufacturers' Association of New York, relative to repeal of national bankruptcy act—to the Committee on the Judiciary.

Also, resolution of the New York Produce Exchange, relative to the inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Produce Exchange, favoring the deepening of the Harlem (Bronx) Kills—to the Committee on Rivers and Harbors.

Also, petition of the Sunday School Editors and Publishers' Association, against increase of postal rates on Sunday school periodicals—to the Committee on the Post-Office and Post-Roads.

By Mr. BASSETT: Resolution of the New York State assembly, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. BOWERSOCK: Petition of the Methodist Episcopal Church and 20 others, of Lawrence, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Southern Lumber Manufacturers' Association, against adoption of the metric system—to the Committee on Coinage, Weights, and Measures.

By Mr. BOWIE (by request): Paper to accompany claim of John A. Harbour—to the Committee on Claims.

Also, resolution of Alabama State Horticultural Society, relative to increasing the appropriation for experiment stations—to the Committee on Agriculture.

By Mr. BRADLEY: Petition of J. F. De Lacey and 49 others, of Eastman, Ga., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDWELL: Resolution of A. J. Weber Post, No. 421, Grand Army of the Republic, of Pawnee, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Petition of William Aoch and 42 other merchants and voters of the Third Congressional district of Kansas, opposing the passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of F. W. Schenck and members of Christian Church at Moline, Kans., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAPRON: Papers to accompany bill granting an increase of pension to Mathew Curran—to the Committee on Invalid Pensions.

Also, petition of the New England Grain Dealers' Association, against passage of bill S. 199—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill granting an increase of pension to Sarah J. Dickens—to the Committee on Invalid Pensions.

By Mr. DARRAGH: Petition of James J. McLaughlin and 29 other citizens of Elk Rapids, Mich., in favor of bill H. R. 4073—to the Committee on the Judiciary.

By Mr. DE ARMOND: Petition of residents of Missouri, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of New Jersey: Resolutions of A. L. Robeson Post, No. 42, of Bridgeton; General A. E. Shiras Post, No. 26, of Mount Holly, and D. A. Russell Post, No. 63, of Hammonton, N. J., Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Resolution of J. H. Andrus Post, No. 288, Grand Army of the Republic, of Lacota, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of Marcellus, Mich., against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HASKINS: Petition of Woman's Christian Temperance Union of Enosburg Falls, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of A. E. Burnside Post, No. 6, Grand Army of the Republic, Department of Vermont, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Petition of citizens of Decorah, Iowa, favoring a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of Victor L. Duryee and 30 others, Charles Brebner and 30 others, D. I. Coon and 34 others, W. S. Ralph and 14 others, Rev. J. P. Martin and 13 others, and Christian Mission and 184 others, all of Osage, Mitchell County, Iowa, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Kendallville, Iowa, protesting against the passage of the parcel-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HEPBURN: Petition of S. E. Robinson and 84 others, of Clearfield, Iowa, and James P. Young and 92 others, of Coin, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HERMANN: Petition of citizens of Cleone, Oreg., favoring increased compensation for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HILL of Mississippi: Papers to accompany House bill for the relief of the estate of Solomon Smith, deceased—to the Committee on War Claims.

By Mr. HUFF: Resolution of the National Board of Trade, urging repeal of timber and stone act—to the Committee on Agriculture.

Also, resolution of Captain S. S. Marchand Post, No. 190, Grand Army of the Republic, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. KLUTTZ: Paper to accompany claim of Spencer Byrd—to the Committee on Claims.

By Mr. LACEY: Petition of J. P. Gilhousen and others, of Whatcheer, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of Dunlap & Co. Hat Manufacturing Company, of Brooklyn, N. Y., in favor of bill H. R. 9303, relative to amending the internal-revenue laws, etc.—to the Committee on Ways and Means.

Also, resolution of the New York State assembly, in favor of the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of the Malt Diastase Company, of Brooklyn, N. Y., in favor of the passage of bill H. R. 3303, amending the internal-revenue laws—to the Committee on Ways and Means.

By Mr. McLAIN: Petition of Theodore D. Bratton, of Battle Hill; C. C. Pierce, of Jackson; Charles L. Hoffman, of Natchez, and J. R. Countiss and 4 others, of Holly Springs, Miss., favoring passage of bill relative to the efficiency of army chaplains—to the Committee on Military Affairs.

Also, petition of John Paul and 86 other voters of Gloster, Miss., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MACON: Papers to accompany House bill granting increase of pension to William H. Cooper—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: Petition of William Ferd and others, of Washington, Ind., in favor of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MOON of Tennessee: Papers to accompany House bill for the relief of Francis T. Mee—to the Committee on War Claims.

Also, papers to accompany claim of Miss Lou Hicks, administratrix—to the Committee on War Claims.

Also, papers to accompany claim of Wilson Condra—to the Committee on War Claims.

Also, papers to accompany House bill granting an increase of pension to William Pryor—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Lewis Barber—to the Committee on Invalid Pensions.

By Mr. MAYNARD: Petition of the Norfolk Creosoting Company and other manufacturing companies, in favor of deepening the channel of the Southern Branch of Elizabeth River, Norfolk County, Va.—to the Committee on Rivers and Harbors.

By Mr. PAYNE: Resolution of a convention of patrons of rural delivery of Jerusalem Township, county of Yates, N. Y., relative to salary of rural-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. RIDER: Resolution of the New York State assembly, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. ROBINSON of Indiana: Petition of J. W. Evans and 7 other citizens of Lagrange, Ind., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolution of the New York State assembly, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SCUDDER: Petition of citizens of Suffolk County, State of New York, asking for Sunday closing of Lewis and Clark Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, petition of citizens of Queens County, N. Y., favoring passage of law prohibiting the exportation of prehistoric objects and for their preservation—to the Committee on the Public Lands.

By Mr. SIBLEY: Resolutions of Ralph Clapp Post, No. 569; Eliza Thompson Post, No. 417; Clarksville Post, No. 557, and Baker Post, No. 615, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. STEENERSON: Resolution of Live Stock, Swine, and Sheep Breeders' Association, relative to investigating infectious diseases among domestic animals—to the Committee on Agriculture.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 696, granting a pension to C. A. Brighton—to the Committee on Invalid Pensions.

By Mr. STEVENS of Minnesota: Resolution of the Minneapolis cigar makers, in favor of bill H. R. 6—to the Committee on Ways and Means.

Also, petition of the Merriam Park Presbyterian Church, of St. Paul, Minn., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of Cook Street Methodist Episcopal Church, of St. Paul, Minn., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of S. C. Leigh and others, of St. Paul, Minn., relative to the nullification of State liquor laws—to the Committee on the Judiciary.

By Mr. SULLIVAN of New York: Petition of Mrs. Sarah Clay Bennett, relative to the extension of franchise to women—to the Committee on the Judiciary.

By Mr. SULZER: Resolution of the New York State assembly, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. TATE: Papers to accompany bill granting a pension to Talitha C. Parker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Jephtha B. Harrington—to the Committee on Claims.

By Mr. THOMAS of Iowa: Resolution of the Builders' Exchange of St. Paul, Minn., against anti-injunction bill—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: Petition praying reference of claim of Franklin Foy and other claims to Court of Claims—to the Committee on War Claims.

By Mr. TIRRELL: Paper to accompany bill H. R. 11575, granting a pension to Abel N. Button—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: Resolution of Macedonia Post, No. 469, Grand Army of the Republic, of Macedonia, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to John Sayers—to the Committee on Invalid Pensions.

Also, papers to accompany claim of James E. Johnston—to the Committee on War Claims.

SENATE.

MONDAY, *February 15, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Friday last, when, on request of Mr. HALE, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. HOAR. Are we to have no routine morning business transacted?

Mr. LODGE. Yes; afterwards.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Illinois.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills:

A bill (S. 38) granting an increase of pension to Miriam R. Adams;

A bill (S. 70) granting an increase of pension to John G. Brown;

A bill (S. 136) granting an increase of pension to Mary T. Strickland;

A bill (S. 142) granting an increase of pension to Henry W. Nichols;

A bill (S. 167) granting an increase of pension to J. Hudson Kibbe;

A bill (S. 189) granting an increase of pension to Edwin H. Wheeler;

A bill (S. 191) granting an increase of pension to Francis Roy;

A bill (S. 265) granting an increase of pension to Frances Gray;

A bill (S. 593) granting an increase of pension to William H. Horn;

A bill (S. 594) granting an increase of pension to Finley T. Johnson;

A bill (S. 782) granting a pension to Mary D. Duval;

A bill (S. 797) granting a pension to Mary H. Allen;

A bill (S. 846) granting an increase of pension to Catharine W. Collins;

A bill (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall;

A bill (S. 889) granting an increase of pension to Catherine A. Brown;

A bill (S. 891) granting an increase of pension to Erwin R. Cole;

A bill (S. 895) granting an increase of pension to Charles Disbrow;

A bill (S. 897) granting an increase of pension to Lewis D. Frogge;

A bill (S. 962) granting an increase of pension to Jennet Thoits;

A bill (S. 980) granting an increase of pension to Mary Von Kusserow;

A bill (S. 1239) granting an increase of pension to John Adamson;

A bill (S. 1241) granting an increase of pension to Hamlet F. Roberts;

A bill (S. 1242) granting an increase of pension to Thomas Davis;

A bill (S. 1356) granting a pension to Robert Kelly;

A bill (S. 1358) granting an increase of pension to William W. Lackey;

A bill (S. 1428) granting an increase of pension to George Pennington;

A bill (S. 1451) granting an increase of pension to Eleanor H. Hord;

A bill (S. 1532) granting an increase of pension to Electa Allen;

A bill (S. 1597) granting a pension to Rosa D. Mayhew;

A bill (S. 1688) granting an increase of pension to Frederick Bellman;

A bill (S. 1689) granting an increase of pension to Henry H. Houghton;

A bill (S. 1799) granting an increase of pension to Charles E. Decker;

A bill (S. 1802) granting an increase of pension to Isaac M. Couch;

A bill (S. 1941) granting an increase of pension to Ambrose W. Severance;

A bill (S. 1912) granting an increase of pension to Joseph W. Booker;

A bill (S. 1937) granting an increase of pension to Samuel Richards;

A bill (S. 1947) granting an increase of pension to Patrick Judge;

A bill (S. 1953) granting a pension to Susan Fenno;

A bill (S. 1954) granting an increase of pension to Benton D. Bitner;

A bill (S. 1956) granting an increase of pension to Seth H. Craig;

A bill (S. 2031) granting an increase of pension to William H. Barlow;

A bill (S. 2068) granting an increase of pension to Julia A. Roberts;

A bill (S. 2093) granting an increase of pension to Victoria M. Steele;

A bill (S. 2103) granting an increase of pension to John L. McVey;

A bill (S. 2126) granting an increase of pension to Thomas Williams, alias Thomas W. Lennox;

A bill (S. 2128) granting an increase of pension to George A. Seebold;

A bill (S. 2215) granting a pension to Sallie H. Hoffecker;

A bill (S. 2217) granting an increase of pension to Henry C. Riggs;

A bill (S. 2222) granting an increase of pension to Richard A. Kendall;

A bill (S. 2230) granting an increase of pension to Matilda C. Lothrop;

A bill (S. 2236) granting an increase of pension to James Reed;

A bill (S. 2245) granting an increase of pension to Daniel Fritz;

A bill (S. 2250) granting an increase of pension to Anna Pritchard;

A bill (S. 2398) granting a pension to Patrick J. Conway;
A bill (S. 2403) relating to ceded lands on the Fort Hall Indian Reservation;
A bill (S. 2473) granting an increase of pension to Charles Cummings;
A bill (S. 2474) granting an increase of pension to Alonzo Moses;
A bill (S. 2492) granting an increase of pension to William W. Minier;
A bill (S. 2416) granting an increase of pension to Mary Joanna Allen;
A bill (S. 2418) granting a pension to Marit Johnson;
A bill (S. 2440) granting an increase of pension to George Olsen;
A bill (S. 2441) granting an increase of pension to Frank Lee;
A bill (S. 2495) granting an increase of pension to Ebenezer Wing;
A bill (S. 2509) granting an increase of pension to Abner B. Edson;
A bill (S. 2517) granting an increase of pension to Elijah Farr;
A bill (S. 2537) granting an increase of pension to Joseph Roberts;
A bill (S. 2542) granting an increase of pension to James E. Larkin;
A bill (S. 2543) granting an increase of pension to Ella B. Green;
A bill (S. 2544) granting an increase of pension to Albert T. Severance;
A bill (S. 2548) granting an increase of pension to Emma McFarland;
A bill (S. 2549) granting an increase of pension to Charles W. Johnson;
A bill (S. 2557) granting a pension to Johniken L. Mynatt;
A bill (S. 2558) granting an increase of pension to Sallie H. Kincaid;
A bill (S. 2559) granting a pension to James Graham;
A bill (S. 2561) granting an increase of pension to Mathias S. Friend;
A bill (S. 2576) granting an increase of pension to James Redshow;
A bill (S. 2577) granting an increase of pension to Albert Marshall;
A bill (S. 2642) granting a pension to Sarah J. Bellamy;
A bill (S. 2642) granting an increase of pension to Leonard G. Freeman;
A bill (S. 2643) granting an increase of pension to Melinda H. Chapman;
A bill (S. 2668) granting an increase of pension to Alpheus Fawcett;
A bill (S. 2689) granting an increase of pension to David M. Kanouse;
A bill (S. 2712) granting an increase of pension to Harriet Billings;
A bill (S. 2797) granting an increase of pension to Edward A. Cotting;
A bill (S. 2841) granting a pension to Jane Patterson;
A bill (S. 2858) granting an increase of pension to Delia B. Stuart;
A bill (S. 2889) granting an increase of pension to John Beaird;
A bill (S. 2924) granting an increase of pension to Samuel E. Cormany;
A bill (S. 2947) granting an increase of pension to Thomas Bratton;
A bill (S. 2965) granting an increase of pension to John Herzinger;
A bill (S. 3166) granting an increase of pension to Levi B. Lewis;
A bill (S. 3400) to amend the act entitled "An act granting a pension to Flora Spencer Kirk," approved February [illegible];
A bill (S. 4205) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Lemon.

The message also announced that the House had passed with amendments the following bills in which it requested the concurrence of the Senate:

A bill (S. 4[illegible]) granting a pension to Green B. Yawn;
A bill (S. 1[illegible]) granting a pension to Jerry S. Fish;
A bill (S. 2790) granting a pension to Frances S. Hopkins; and
A bill (S. 2[illegible]) granting an increase of pension to Jesse J. Finley.

The message further announced that the House had passed the following bills and joint resolution: in which it requested the concurrence of the Senate:

A bill (H. R. 614) granting a pension to Michael O'Brien, alias Michael Clifford;
A bill (H. R. 719) granting an increase of pension to John H. Willey;
A bill (H. R. 720) granting an increase of pension to Frank L. Gray;
A bill (H. R. 768) granting an increase of pension to Nicholas Reinhart;
A bill (H. R. 789) granting an increase of pension to Eli Lachman;
A bill (H. R. 807) granting an increase of pension to William F. Randel;
A bill (H. R. 859) granting an increase of pension to Andrew Barr;
A bill (H. R. 877) granting a pension to Ann M. Driggars;
A bill (H. R. 880) granting a pension to Caroline S. Wing;
A bill (H. R. 910) granting an increase of pension to Freeman Yorck;
A bill (H. R. 936) granting an increase of pension to William Millian;
A bill (H. R. 941) granting an increase of pension to William D. Taylor;
A bill (H. R. 1005) granting an increase of pension to Marat E. Powell;
A bill (H. R. 1179) granting an increase of pension to Jasper Richey;
A bill (H. R. 1287) granting an increase of pension to Cyrus B. Dopp;
A bill (H. R. 1314) granting a pension to Denison L. Brown;
A bill (H. R. 1317) granting an increase of pension to Thomas E. McIntire;
A bill (H. R. 1339) granting an increase of pension to Joseph P. Scott;
A bill (H. R. 1352) granting an increase of pension to Samuel McClure;
A bill (H. R. 1485) granting an increase of pension to Franklin Ferguson;
A bill (H. R. 1563) granting an increase of pension to Ory Warriner;
A bill (H. R. 1566) granting an increase of pension to Ellis T. Peirce;
A bill (H. R. 1623) granting an increase of pension to John H. Reed;
A bill (H. R. 1801) granting a pension to James Allen;
A bill (H. R. 1851) granting an increase of pension to David T. Towles;
A bill (H. R. 2001) granting an increase of pension to Nora J. Gates;
A bill (H. R. 2116) granting an increase of pension to Richard C. Ivens;
A bill (H. R. 2192) granting an increase of pension to William O. Smith;
A bill (H. R. 2204) granting an increase of pension to Addison B. Stone;
A bill (H. R. 2470) granting an increase of pension to Harriet S. Packard;
A bill (H. R. 2572) granting an increase of pension to George W. Steffey;
A bill (H. R. 2573) granting an increase of pension to William G. Cronkite;
A bill (H. R. 2692) granting an increase of pension to Elwood Finley;
A bill (H. R. 2769) granting an increase of pension to William E. Armstrong;
A bill (H. R. 2930) granting an increase of pension to Lafayette M. Greene;
A bill (H. R. 2947) granting an increase of pension to William F. Thompson;
A bill (H. R. 2976) granting an increase of pension to Enoch J. Evans;
A bill (H. R. 2995) granting a pension to Mary Korth;
A bill (H. R. [illegible]) granting an increase of pension to Phillip Duttenhaver;
A bill (H. R. 3027) granting an increase of pension to William H. Vickers;
A bill (H. R. 3370) granting an increase of pension to Joseph Adams;
A bill (H. R. 3402) granting an increase of pension to Daniel Nagle, jr.;
A bill (H. R. 3670) granting an increase of pension to Benjamin F. Barrett;
A bill (H. R. 3769) granting an increase of pension to Clinton M. Casey;
A bill (H. R. 3909) granting an increase of pension to George Hayden;
A bill (H. R. 3910) granting an increase of pension to Charles W. Hoffman;
A bill (H. R. 3936) granting an increase of pension to Isaac Frazier;
A bill (H. R. 4119) granting an increase of pension to William Mercer;
A bill (H. R. 4151) granting an increase of pension to John W. Foland;

A bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn;
A bill (H. R. 4180) granting an increase of pension to Joseph G. Thomas;
A bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum;
A bill (H. R. 4198) granting an increase of pension to Edwin Lake;
A bill (H. R. 4312) granting an increase of pension to John F. Slade;
A bill (H. R. 4318) granting a pension to David B. Wood;
A bill (H. R. 4336) granting an increase of pension to Wilfred C. McCardell;
A bill (H. R. 4391) granting an increase of pension to Nicholas Schwemler;
A bill (H. R. 4392) granting a pension to Abbie E. Webster;
A bill (H. R. 4449) granting an increase of pension to William Brown;
A bill (H. R. 4466) granting an increase of pension to William R. Burton;
A bill (H. R. 4540) granting a pension to Amanda Skinner;
A bill (H. R. 4589) granting a pension to Henry H. Barrett;
A bill (H. R. 4605) granting an increase of pension to William Herlinger;
A bill (H. R. 4634) granting a pension to Isabella Phelps;
A bill (H. R. 4630) granting an increase of pension to Thaddeus S. Collins;
A bill (H. R. 4631) granting an increase of pension to Julius Krag;
A bill (H. R. 4642) granting an increase of pension to William L. Wheeler;
A bill (H. R. 4674) granting an increase of pension to John Thompson;
A bill (H. R. 4679) granting an increase of pension to Martha M. Pierce;
A bill (H. R. 4702) granting an increase of pension to John T. Collins;
A bill (H. R. 4719) granting an increase of pension to Joseph F. Carter;
A bill (H. R. 4750) granting a pension to W. I. Jackson;
A bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury;
A bill (H. R. 4910) granting an increase of pension to Prudentia L. D. Nugent;
A bill (H. R. 4943) granting an increase of pension to Thomas Morgan;
A bill (H. R. 4964) granting an increase of pension to Charles E. Mink;
A bill (H. R. 5006) granting a pension to Sarah Ulshafer;
A bill (H. R. 5030) granting a pension to William H. Mount;
A bill (H. R. 5045) granting an increase of pension to Albert S. Elmore;
A bill (H. R. 5149) granting an increase of pension to John W. Erwin;
A bill (H. R. 5155) granting an increase of pension to John J. Tompkins;
A bill (H. R. 5342) granting a pension to Jane E. Sutfin;
A bill (H. R. 5479) granting an increase of pension to William H. Anderson;
A bill (H. R. 5532) granting an increase of pension to Levi Vassar;
A bill (H. R. 5568) granting an increase of pension to Emily Chapman;
A bill (H. R. 5580) granting a pension to Celia C. Owen;
A bill (H. R. 5603) granting an increase of pension to William C. McCormick;
A bill (H. R. 5610) granting a pension to Annie Dorfner;
A bill (H. R. 5749) granting a pension to James B. Combs;
A bill (H. R. 5750) granting an increase of pension to William Cassidy;
A bill (H. R. 5849) granting an increase of pension to Catharine R. Brown;
A bill (H. R. 5868) granting an increase of pension to William Simmons;
A bill (H. R. 5879) granting an increase of pension to Bennett Putnam;
A bill (H. R. 5999) granting an increase of pension to Ann Jennette Whitney;
A bill (H. R. 6038) granting an increase of pension to Benjamin George;
A bill (H. R. 6385) granting an increase of pension to James A. Barnes;
A bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran;
A bill (H. R. 6602) granting an increase of pension to Benjamin F. Hackett;
A bill (H. R. 6618) granting an increase of pension to Henry C. Coffin;
A bill (H. R. 6703) granting an increase of pension to Levi Remick;
A bill (H. R. 6814) granting an increase of pension to Edward W. Miller;
A bill (H. R. 6816) granting an increase of pension to Frederick Ratzel;
A bill (H. R. 6817) granting a pension to Rosa Glass;
A bill (H. R. 6869) granting an increase of pension to Lorenzo D. Elmer;
A bill (H. R. 6881) granting an increase of pension to Zachariah T. Bryant;
A bill (H. R. 6911) granting an increase of pension to James H. Weston;
A bill (H. R. 6951) granting an increase of pension to Charles G. Corr;
A bill (H. R. 6977) granting an increase of pension to Mary A. Graves;
A bill (H. R. 6999) granting an increase of pension to Albert W. Jones;
A bill (H. R. 7063) granting a pension to Ellen F. Lynch;
A bill (H. R. 7066) granting a pension to Elizabeth B. Constant;
A bill (H. R. 7083) granting an increase of pension to Albert P. Jackson;
A bill (H. R. 7096) granting an increase of pension to Eva A. Burgess;
A bill (H. R. 7221) granting an increase of pension to John Ryan;
A bill (H. R. 7236) granting an increase of pension to William R. McCullough;
A bill (H. R. 7239) granting a pension to Lydia M. Hill;
A bill (H. R. 7248) granting a pension to Robert H. Cooke;
A bill (H. R. 7311) granting an increase of pension to Rachel Large;
A bill (H. R. 7368) granting a pension to Annie G. Norwood;
A bill (H. R. 7382) granting a pension to Ellen A. Harmon;
A bill (H. R. 7410) granting an increase of pension to Enos D. Hoge;
A bill (H. R. 7418) granting an increase of pension to Peter Minkler;
A bill (H. R. 7436) granting an increase of pension to James Smith;
A bill (H. R. 7444) granting an increase of pension to Washington J. Dutcher;
A bill (H. R. 7559) granting a pension to Caroline Hurley;
A bill (H. R. 7659) granting an increase of pension to Emma M. Elliott;
A bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom;
A bill (H. R. 7712) granting a pension to Emma Crosier;
A bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine;
A bill (H. R. 7737) granting an increase of pension to Howard McGuire;
A bill (H. R. 7805) granting an increase of pension to William N. Hall;
A bill (H. R. 7814) granting an increase of pension to James G. Andrews;
A bill (H. R. 7992) granting an increase of pension to Isadore F. Chamberlain;
A bill (H. R. 7993) granting an increase of pension to David W. Williamson;
A bill (H. R. 8022) granting an increase of pension to Hiram Flint;
A bill (H. R. 8079) granting an increase of pension to Charles La Forest;
A bill (H. R. 8124) granting an increase of pension to Elizabeth Hatfield;
A bill (H. R. 8173) granting an increase of pension to Anna Waters;
A bill (H. R. 8185) granting a pension to Herman Lemmerman;
A bill (H. R. 8203) granting an increase of pension to James M. Hemphill;
A bill (H. R. 8227) granting a pension to Lucius E. Polk;
A bill (H. R. 8231) granting an increase of pension to John Gangwisch;
A bill (H. R. 8272) granting an increase of pension to Stephen Elliott;
A bill (H. R. 8284) granting an increase of pension to Samuel G. Woods;
A bill (H. R. 8343) granting a pension to Annie P. Erving, formerly Cilla Zerbe;
A bill (H. R. 8379) granting an increase of pension to Ira B. Wambaugh;
A bill (H. R. 8410) granting an increase of pension to George B. Fairhead;
A bill (H. R. 8648) granting a pension to Shadrach D. Bardin;
A bill (H. R. 8718) granting an increase of pension to Caswell P. Ford;

A bill (H. R. 8733) granting an increase of pension to Benjamin F. M[illegible]:
A bill (H. R. 8771) granting a pension to Walter F. Horner;
A bill (H. R. 8811) granting an increase of pension to James Dougherty;
A bill (H. R. 8835) granting an increase of pension to Charles H. J[illegible]:
A bill (H. R. 8836) granting an increase of pension to Benjamin P[illegible]:
A bill (H. R. [illegible]) granting a pension to James S. Lauderdale;
A bill (H. R. [illegible]) granting an increase of pension to Edward O'M[illegible]:
A bill (H. R. [illegible]) granting a pension to Martha E. Nolen;
A bill (H. R. [illegible]) granting a pension to Georgia A. Whitelaw;
A bill (H. R. 8925) granting an increase of pension to John W[illegible]:
A bill (H. R. 8966) granting an increase of pension to James M. Fink;
A bill (H. R. 8970) granting an increase of pension to Charles B. Hart;
A bill (H. R. 8981) granting an increase of pension to John I. Run[illegible]:
A bill (H. R. 8991) granting an increase of pension to William E. Mattis[illegible]:
A bill (H. R. 8992) granting an increase of pension to William C. Davis;
A bill (H. R. 8998) granting an increase of pension to Henry L. Beach;
A bill (H. R. 9024) granting an increase of pension to Jacob L[illegible]:
A bill (H. R. 9035) granting an increase of pension to Joseph Ba[illegible]:
A bill (H. R. [illegible]) granting a pension to Alex W. Charles;
A bill (H. R. [illegible]) granting an increase of pension to [illegible] Conners;
A bill (H. R. 9061) granting a pen[illegible] N[illegible] Y[illegible];
A bill (H. R. 9064) granting an increase of pension to Edwin Tidd;
A bill (H. R. 9125) granting an increase of pension to William S. L[illegible]:
A bill (H. R. 9127) granting a [illegible]:
A bill (H. R. 9256) granting an [illegible] Enoch Sta[illegible]:
A bill (H. R. 9273) granting an increase of pension to James H. Sa[illegible]:
A bill (H. R. 9376) granting an increase of pension to Martin R[illegible]:
A bill (H. R. 9398) granting a pension to John Lindsey;
A bill (H. R. 9421) granting an increase of pension to Thomas P. M[illegible]:
A bill (H. R. 9426) granting an increase of pension to William S. [illegible]:
A bill (H. R. 9587) granting an increase of pension to Bartlett S. H[illegible]:
A bill (H. R. 9610) granting an increase of pension to Frederick H[illegible]:
A bill (H. R. 9623) granting a pension to Margaret H. Booth;
A bill (H. R. 9640) to amend an act granting to the Keokuk and [illegible] Water Power Company right to construct and maintain [illegible] 1901;
A bill (H. R. [illegible]) granting an increase of pension to Frank M. Sp[illegible]:
A bill (H. R. 9710) granting an increase of pension to Henry Fr[illegible] M. Wheeler;
A bill (H. R. 9739) gr[illegible] J.
A bill (H. R. 9753) granting an increase of pension to [illegible] Looms;
A bill (H. R. 9778) granting an increase of pension to Lauriston W. Adkins;
A bill (H. R. 9790) granting a pension to Ada L. Carpenter;
A bill (H. R. 9791) granting a pension to Abram Chappel;
A bill (H. R. 9885) granting a pension to Maggie Fitzpatrick;
A bill (H. R. 9909) granting an increase of pension to George W. [illegible]:
A bill (H. R. [illegible]) granting a pension to Virginia Bell;
A bill (H. R. [illegible]) granting an increase of pension to [illegible]win A. Harsh;
A bill (H. R. 9988) granting an increase of pension to William Ellis;
A bill (H. R. 9999) granting an increase of pension to William Edgar;
A bill (H. R. 10046) granting an increase of pension to Thomas J. C[illegible]:
A bill (H. R. 10069) granting a pension to James G. Sains;
A bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory;
A bill (H. R. 10180) granting an increase of pension to William E. McDowell;
A bill (H. R. 10192) granting a pension to Martha Mullins;
A bill (H. R. 10194) granting an increase of pension to Marion Long;
A bill (H. R. 10267) granting a pension to Florence R. Russell;
A bill (H. R. 10268) granting an increase of pension to Margret E. Keller;
A bill (H. R. 10378) granting an increase of pension to Sarah J. Shell;
A bill (H. R. 10580) granting an increase of pension to Joseph Longberry;
A bill (H. R. 10640) granting an increase of pension to Horace E. Wood;
A bill (H. R. 10648) granting an increase of pension to Agnes Sh[illegible]:
A bill (H. R. 10682) granting an increase of pension to Marion Arnold;
A bill (H. R. 10694) granting an increase of pension to Alderson T. Keen;
A bill (H. R. 10700) granting a pension to Ella D. M[illegible]:
A bill (H. R. 10706) granting an increase of pension to [illegible] J. West;
A bill (H. R. 10741) granting a pension to Mary T[illegible]:
A bill (H. R. 10748) granting an increase of pension to Kate Ri[illegible]way;
A bill (H. R. 10794) granting an increase of pension to Moses Hurlbut;
A bill (H. R. 10850) granting an increase of pension to Adaline L. Power;
A bill (H. R. 10904) granting an increase of pension to Edson H. [illegible];
A bill (H. R. [illegible]) granting a pension to Mary Jane P. Hu[illegible];
A bill (H. R. [illegible]) granting an increase of pension to [illegible] C. McFarland;
A bill (H. R. 11021) granting an increase of pension to Joseph Weaver;
A bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston;
A bill (H. R. 11076) granting an increase of pension to Elvira Miller;
A bill (H. R. 11113) granting an increase of pension to Silas Soules;
A bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson;
A bill (H. R. [illegible]) granting an increase of pension to George W. Walls;
A bill (H. R. 11310) granting an increase of pension to John W. Swisher;
A bill (H. R. 11319) granting an increase of pension to Mary C. Arnold;
A bill (H. R. 11343) granting an increase of pension to Matthew S. Priest;
A bill (H. R. 11345) granting a pension to Joseph H. Huic;
A bill (H. R. 11413) granting an increase of pension to Jasper F. Morton;
A bill (H. R. 11556) granting an increase of pension to Edward M. Tappen; and
A joint resolution (H. J. Res. 106) amending public resolution No. 8, Fifty-sixth Congress, second session, approved [illegible] for the printing [illegible] of the Report on Field Operations of the Division of Soils, Department of Agriculture.

The foregoing pension bills were subsequently read twice by their titles, and referred to the Committee on Pensions.

REPORT ON KANSAS CITY (MO.) IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate a communication [illegible] in response to a resolution of the 8th instant, the reports of the board for river improvement and harbor limits at Kansas City, Mo.; which, on motion of Mr. [illegible] ordered to be on the table, and [illegible].

FRENCH SPOLIATION CLAIMS.

The PRESIDENT p[illegible] fact and of law filed under the act of [illegible] 1885, in the French spoliation claims set out in the findings by the court [illegible] John [illegible] referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of

fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Redress*, John Crozier, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Nathaniel*, David Young, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Nancy*, Thomas Haddaway, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Leonard*, Samuel C. Hills, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Venus*, Benjamin Hutchings, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Eliza*, Daniel Seymour, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop *Cato*, William Wyman, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

REPORTS OF LIBRARIAN OF CONGRESS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. R. 87) providing for the editions to be printed of the annual and special reports of the Librarian of Congress, which was, in line 6, to strike out all after the word "cloth" down to and including the word "and" in line 9.

Mr. PLATT of New York. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. COCKRELL presented a petition of McCullough Post, No. 44, Department of Missouri, Grand Army of the Republic, of Milan, Mo., to accompany the bill (S. 3458) granting pensions to certain soldiers and sailors who served in the war of the rebellion and their widows; which was referred to the Committee on Pensions.

He also presented a petition of Colonel Jacob Smith Post, No. 72, Department of Missouri, Grand Army of the Republic, of Trenton, Mo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of St. Charles County, Mo., remonstrating against the enactment of legislation imposing a tax on pure and compound wines; which was referred to the Committee on Finance.

He also presented the petition of A. J. McFarland, of Kansas City, Mo., and the petition of S. R. Crockett, of South McAlester, Ind. T., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. MITCHELL presented sundry papers to accompany the bill (S. 4374) granting a pension to Mary Lansing Catlin; which were referred to the Committee on Pensions.

Mr. PROCTOR presented a petition of the Woman's Christian Temperance Union of Enosburg Falls, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented memorials of sundry citizens of Chicago, Peoria, and Evanston, all in the State of Illinois, remonstrating against the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Peoria and Evanston, in the State of Illinois, remonstrating against the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the Congregational Church of Chicago, Ill., and a petition of the congregation of the Christian Church of Chicago, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Presbyterian Church of East St. Louis, Ill., praying for the investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of L. H. Drury Post, No. 467, of Chicago; of Wilcox Post, No. 668, of Chicago; of Highland Post, No. 499, of Highland; of F. L. Rhoads Post, No. 586, of New Haven; of Marion Post, No. 319, of Marion, and of Samuel Walker Post, No. 205, of Mount Pulaski, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented memorials of sundry citizens of Joliet, Ill., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Progressive Lodge, No. 440, of Rockford; of Lodge No. 121, of East St. Louis, and of Lodge No. 213, of Batavia, all of the International Association of Machinists, in the State of Illinois, praying that an appropriation be made to increase the capacity of the Naval Gun Factory at the Washington Navy-Yard, Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Chicago Historical Society, of Chicago, Ill., praying for the enactment of legislation providing for the preservation and use of the U. S. frigate *Constitution*; which was referred to the Committee on Naval Affairs.

Mr. LODGE presented a petition of 109 citizens of Springfield, Mass., praying that an appropriation be made for the support of the Columbia Polytechnic Institute for the District of Columbia; which was referred to the Committee on Appropriations.

Mr. BURROWS presented a petition of Local Union No. 24, Cigar Makers' International Union, of Muskegon, Mich., and a petition of Local Union No. 230, Cigar Makers' International Union, of Alpena, Mich., praying for the enactment of legislation to amend section 3394 of the Revised Statutes, relating to tobacco; which were referred to the Committee on Finance.

He also presented a petition of sundry citizens of Elk Rapids, Mich., and a petition of sundry citizens of Grand Rapids, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Ladies of the Maccabees, of Port Huron, Mich., praying for the passage of the so-called post-check bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of sundry citizens of Marshall, Mich., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Board of Trade of South Haven, Mich., and a petition of the Business Men's Club, of Plymouth, Mich., praying for the passage of the so-called Brownlow good roads bill; which were referred to the Committee on Agriculture and Forestry.

Mr. PLATT of New York presented petitions of sundry citizens of New York City, Brooklyn, and Poughkeepsie, all in the State of New York, and of sundry citizens of Providence, R. I., praying for the enactment of legislation granting pensions to Indians who are not in actual possession of lands in Northern California; which were referred to the Committee on Indian Affairs.

He also presented petitions of the congregation of the Grace Methodist Episcopal Church, of Hounsfield; of the congregation of the Presbyterian Church of Sackets Harbor; of the congregation of the First Baptist Church of Oswego, and of F. L. Wood and 39 other citizens of West Winfield, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of J. F. Tapley Company of New

York; of Carroll & Leonard, of Albany; of the Harder Manufacturing Company, of Cobleskill; of the Business Men's Association of Newburgh; of the Barnett Phelps Frame and Molding Company, of Farmingdale; of the Babcock & Shannon Company, of Albany; of the Paragon Plaster Company, of Syracuse, and of the Penfield Milling Company, of Delhi, all in the State of New York, remonstrating against the enactment of legislation to amend the anti-trust laws, which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented the petition of J. H. Inglerman and 18 other veterans of Chamberlain, S. Dak., veterans of the civil war, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented the petition of G. W. Frostenson and 7 other citizens of Volga, S. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SCOTT presented a petition of Lodge No. 104, International Association of Machinists, of Huntington, W. Va., praying that an appropriation of $1,000,000 be made to increase the capacity of the naval gun factory at the Washington Navy-Yard, Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented sundry papers to accompany the bill (S. 765) for the relief of Christine M. Core, Elsa Core Tabler, and Jane F. Martin, sole heirs of Andrew S. Core, deceased; which were referred to the Committee on Claims.

Mr. PATTEN of Washington presented sundry papers to accompany the bill (S. 3620) for the relief of Robert Fraser; which were referred to the Committee on Claims.

He also presented sundry papers to accompany the bill (S. 2521) to detach certain counties from the United States judicial district of Washington and to create a new judicial district, to be called the southern district of Washington; which were referred to the Committee on the Judiciary.

Mr. MILLARD presented a petition of the Commercial Club, of Fremont, Nebr., praying for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a memorial of 29 citizens of Omaha, Nebr., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of sundry citizens of St. Paul, Nebr., praying for the enactment of legislation prohibiting the closing on Sunday of the Lewis and Clark Centennial Exposition; which was ordered to lie on the table.

He also presented petitions of A. H. Thompson and 17 other citizens of University Place, of Rev. L. C. Lemon and 35 other citizens of University Place, of J. Forbes and 28 other citizens of University Place, and of C. E. Newell and 25 other citizens of University Place, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOPKINS presented petitions of Post No. 269, of Clay City, of Abraham Lincoln Post, No. 91, of Chicago; of Miller Post, No. 458, of Hampshire; of Marion Post, No. 319, of Marion; of A. W. Webster Post, No. 421, of Fairview; of T. S. Terry Post, No. 463, of Shabbona; of Culver Post, No. 312, of Whitehall; of Wilcox Post, No. 668, of Chicago, and of L. H. Drury Post, No. 467, of Chicago, all in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Addison, River Forest, Chicago, Rockford, Stockton, Rochelle, Port Byron, Moline, and Polo, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Paris, Belvidere, De Kalb, Toledo, New Athens, Kankakee, Marshall, Danville, Chatsworth, Waukegan, Bement, Kansas, and Casey, all in the State of Illinois, praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

He also presented memorials of sundry citizens of Streator and Peoria, in the State of Illinois, remonstrating against the passage of the so-called pure-food bill; which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Joliet and Centralia, in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HANSBROUGH presented a petition of sundry citizens of Starkweather, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. GALLINGER presented the petition of Rev. W. H. Getchell, of Lakeport, N. H., and the petition of B. Frank Leeds, of Groton, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Laconia, N. H., praying for the enactment of legislation to prohibit the use of internal-revenue tax-receipt stamps in relation to prohibit dealers unless the applicant presents a license from his by liquor dealers unless the applicant presents a license from his State, and which was referred to the Committee on Finance.

He also presented a petition of the Columbia Heights Citizens' Association, of Washington, D. C., praying for the enactment of legislation providing a permanent and [illegible] system of [illegible] current District finances; which was referred to the Committee on the District of Columbia.

Mr. HOAR presented a petition of the Drysalters Club of New England, praying for the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented petitions of George C. Strong Post, No. 166, of East Hampton; of Timothy Ingraham Post, No. 121, of Hyde Park; of Huntington Fraternal Post, No. 102, of Milton; of A. St. John Chandler Post, No. 22, of Stoughton; of Major George L. Stearns Post, No. 149, of Charlestown; of Theo. Parkman Post, No. 204, of Centerville; of Union Post, No. 50, of Peabody; of Franklin Post, No. 60, of Franklin, and of Frederick Hecker Post, No. 21, of Boston, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of Fox River District, No. 23, Independent Order of Good Templars, of Black Creek; of Bee Hive Lodge, No. 271, Independent Order of Good Templars, of Black Creek; of the Methodist Episcopal Sunday School of Black Creek; of Evening Star Lodge, No. [illegible], Independent Order of Good Templars, of Parkville; of Lodge No. [illegible], of Oshkosh; of Cascade Lodge, of River Falls, and of Maple Hill Lodge, No. [illegible], of Wood County, all of the Independent Order of Good Templars, in the State of Wisconsin; of the Christian Endeavor Union of Chicago, Ill., and of the Dorchester Highlands Methodist Episcopal Church, of Boston, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WARREN presented a petition of Chester Post, No. 1, Department of Wyoming, Grand Army of the Republic, of Lander, Wyo., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 4[illegible]) for the relief of the estate of Hugh Davis, deceased, of Fayette County, Tenn.; the bill (S. 3746) for the relief of the Salem Baptist Church, of Clarke County, Va.; the bill (S. [illegible]) for the relief of D. Froneberger Lumber Company and as surviving partner of the firm of D. & C. Froneberger, of Knox County, Tenn.; the bill (S. 3818) for the relief of the estate of Lucy J. Boyle, deceased, of West Feliciana Parish, La.; the bill (S. 3826) for the relief of James Goodwin, of East Baton Rouge Parish, La.; the bill (S. 4822) for the relief of Joseph M. [illegible], of Avoyelles Parish, La.; the bill (S. 3819) for the relief of the estate of Raphael [illegible], deceased, of Iberia Parish, La., and the bill (S. [illegible]) for the relief of the heirs of George O. Ragland, deceased, of Madison County, Ala.; which were referred to the Committee on Claims.

Mr. MONEY presented a petition of the Pastors' Association of Tupelo, Miss., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was ordered to lie on the table.

Mr. FRYE presented a petition of Charles Keizer Post, No. 125, Department of Maine, Grand Army of the Republic, of Waldoboro, Me., and a petition of the Department of the Potomac, Grand Army of the Republic, of Washington, D. C., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented resolutions adopted by the legislature of Massachusetts, in favor of legislation providing for retired list and pensions in the Life-Saving Service; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Commonwealth of Massachusetts, in the year 1904. Resolves in support of a bill pending in the Congress of the United States relating to a retired list and pensions in the Life-Saving Service.

Whereas there is pending in Congress a bill to provide a retired list for the Life-Saving Service, which provides for a retirement [illegible] officers and enlisted men, of the Life-Saving Service, and for a pension [illegible] widows and orphan children; and

Whereas this bill has been recommended by the Secretary of the Treasury, and has for its object the just, well earned reward of faithful and meritorious service: Therefore, be it

Resolved, That the general court favors the above-mentioned bill, and requests the Senators and Representatives in Congress from Massachusetts to vote for the measure.

Resolved, That a copy of these resolutions be sent to each Member of Congress from the Commonwealth of Massachusetts.

House of REPRESENTATIVES, *February 8, 1904*.

Adopted. Sent up for concurrence.

JAMES W. KIMBALL, *Clerk*.

SENATE, *February 8, 1904*.

Adopted in concurrence.

HENRY D. COOLIDGE, *Clerk*.

A true copy.

JAMES W. KIMBALL,
Clerk of the House of Representatives.

AMERICAN ANTI-SALOON LEAGUE.

Mr. GALLINGER. I present the report of the legislative department of the American Anti-Saloon League for the year 1903. I ask that it may be printed as a document.

The report was ordered to be printed as a document.

[illegible] RESERVED INDIAN RESERVATION, S. DAK.

Mr. GALLINGER. I [illegible] S. M. [illegible] bill 10148, relating to the [illegible] Indian [illegible] in regard to the Rosebud [illegible] attention of the [illegible]

The motion was agreed to.

URGENT [illegible] APPROPRIATION BILL.

Mr. HALE submitted the following [illegible]

[illegible] amendments numbered 2, 4, 12, 14, 16, 17, 1[illegible]

[illegible] 2, 53, 54, 59, 61, 62, 63, 64, 65, 66, 67, o[illegible]

[illegible] amendment of the [illegible]

[illegible] ent to the amendment of the [illegible]

[illegible] and insert in lieu thereof the word "or;" and the [illegible]

[illegible]

EUGENE HALE,
W. B. ALLISON,
[illegible] *Senate*.

J. A. [illegible],
H. C. VON [illegible],
L. F. LIVE[illegible],
Managers on the part of the House.

The report was agreed to.

REPORTS OF COMMITTEES.

[illegible] Mr. [illegible] from the Committee on Appropriations, to which was referred the joint resolution (H. R. [illegible]) making appropriations for the fiscal year [illegible] and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. [illegible]. I give notice that I [illegible] to-morrow [illegible] a resolution immediately after the [illegible]

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the joint resolution (S. R. [illegible]) to provide for the [illegible] Lincoln [illegible] Park, reported it without amendment, and submitted a report thereon.

Mr. [illegible], from the Committee on Forest Reservations and [illegible], to whom was referred the bill (S. 342) for the [illegible] Mount Rainier National Park, in the State of Washington, reported it with an amendment, and submitted a report thereon.

Mr. BARD, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 11128) to modify and amend an agreement with the Indians of the Devils Lake Reservation, in North Dakota, to accept and ratify the same as amended, and making appropriation and provision to carry the same into effect, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 387) to ratify an agreement with the Indians of the Devils Lake Reservation, in North Dakota, and making appropriation to carry the same into effect, reported adversely thereon, and the bill was indefinitely postponed.

Mr. HANSBROUGH, from the Committee on the Library, to whom was referred the joint resolution (S. R. 12) for the erection of a monument to the memory of Dorothea Lynde Dix, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3244) to incorporate the American Academy in Rome, reported it with amendments, and submitted a report thereon.

Mr. SCOTT, from the Committee on Mines and Mining, to whom was referred the bill (S. 2711) to establish mining experiment stations, found in the development of the mineral resources of the United States and for other purposes, reported it with amendments, and submitted a report thereon.

COURT OF CLAIMS DIGEST.

Mr. PLATT of New York. On behalf of the Committee on Printing I call up the joint resolution (S. R. 41) to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice of and the statutes relating to the Court.

The PRESIDENT pro tempore. The joint resolution is in Committee of the Whole. The amendments will be stated.

Mr. PLATT of New York. The Senate [illegible] the amendments to the joint resolution which [illegible]

The PRESIDENT pro tempore. The amendments will be stated [illegible]

[illegible] 1, line 3, after the word "printed" [illegible]

[illegible] strike out all after the word [illegible]

[illegible] of the United States.

[illegible]

Mr. [illegible]CKRELL. Now let the joint resolution be read as [illegible]

The PRESIDENT pro tempore. The joint resolution as [illegible] was read.

[illegible] read as follows:

[illegible]

[illegible] was reported to the Senate as amended, [illegible]

[illegible] be engrossed for a third [illegible]

CENSUS OF MANUFACTURES.

Mr. QUARLES. I ask [illegible] the Commissioner of the Census [illegible] Senate [illegible] the other day by the Senate [illegible] with the State of Michigan in its census, and the House having passed its own bill we think the better way, perhaps, is to pass that bill. I ask for the present consideration of the bill.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. QUARLES. I move that the bill (S. 4122) to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and

for other purposes, be recalled from the House of Representatives, so that it may be indefinitely postponed.

The motion was agreed to.

BILLS INTRODUCED.

Mr. BLACKBURN introduced a bill (S. 4352) granting an increase of pension to Edward M. McCook; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4353) for the relief of the estate of Evan Cook, deceased; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 4355) for the relief of the Methodist Church of Kosiuth, Miss.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. MARTIN introduced a bill (S. 4356) for the relief of Lieut. James M. Pickrell, United States Navy, retired; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4357) for the relief of the heirs of William Samuel [illegible];

A bill (S. 4358) for the relief of Jacob Falwell;

A bill (S. 4359) for the relief of the heirs at law of Capt. John Lewis; and

A bill (S. 4360) for the relief of Robert M. Wilkinson, administrator of the estate of Samuel [illegible].

Mr. STEWART introduced a bill (S. 4361) to authorize the platting and sale of certain lands in the Fort Peck Indian Reservation, in Montana; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. GALLINGER introduced a bill (S. 4362) granting an increase of pension to Sarah A. McMurtrie; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LODGE introduced a bill (S. [illegible]) granting an increase of pension to [illegible]; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 4364) granting an increase of pension to Joshua M. [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. [illegible]) granting a pension to Louisa A. King; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. [illegible]) granting a pension to Tenora Merrill Baker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SMOOT introduced a bill (S. 4367) to establish a fish-hatching and fish station in the State of Utah; which was read twice by its title, and referred to the Committee on Fisheries.

Mr. BEVERIDGE introduced a bill (S. [illegible]) providing for the survey and subjugation of a portion of the Crow Indian Reservation in Idaho; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. [illegible]) granting a pension to Hannah M. Lambertson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4370) granting an increase of pension to George A. Francis; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 4371) granting a pension to Alison Clifton; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Alison Clifton, [illegible] of Dr. C. H. Fulbright, Joseph McMahan, Col. John P. M. Mahan, Thomas Hunt, and Hooker Gentry, and also certificate of disability. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. McENERY introduced a bill (S. 4372) for the relief of H. Gildes Morgan and other claimants of Cat Island, in the Gulf of Mexico; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 4373) for the relief of the estate of William R. Wainwright; which was read twice by its title, and referred to the Committee on Claims.

Mr. MITCHELL, introduced a bill (S. 4374) granting a pension to Mary Lansing Cutler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce;" which was read twice by its title, and referred to the Committee on Commerce.

Mr. CULLOM (by request) introduced a bill (S. 4376) raising the rank of Lieut. Col. Joel T. Kirkman, on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. SIMMONS (for Mr. OVERMAN) introduced a bill (S. 4377) granting an increase of pension to Jane L. Fagg; which was read twice by its title, and referred to the Committee on Pensions.

SHIPPING REGULATIONS WITH PHILIPPINE ARCHIPELAGO.

Mr. CARMACK. I submit sundry amendments to Senate bill 2259, and I call the attention of the Senator from Massachusetts [Mr. LODGE] to the proposed amendments. I ask that they may be read.

The amendments were read, as follows:

Amendments intended to be proposed by Mr. CARMACK to the bill S. [illegible] to regulate the coasting trade between ports in the United States, [illegible] or places in the Philippine Archipelago, and for other purposes.

In section 1, line 3, strike out the word "four" and insert the word "nine."

In section 2, line 8, strike out the word "four" and insert the word "nine."

In section 2, line 9, after the word "[illegible]" insert the following: "[illegible]" and to add the following [illegible] shall begin with the beginning of line [illegible]

[illegible]

[illegible] the word "four" and insert the word "nine." [illegible] y, as sections 4, 5, and 6.

That the following section be added at the end of the bill:

"[illegible] reflected upon the [illegible] of laws.

The PRESIDENT pro tempore. What reference does the Senator from Tennessee desire to have made?

Mr. CARMACK. Let the amendments lie on the table. The bill has already been reported.

The PRESIDENT pro tempore. The amendments will lie on the table.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. HOAR submitted an amendment providing for competitive examinations, under the direction of the Secretary of the Navy, to select candidates for the Naval Academy whenever any Senator or Representative entitled to designate a cadet for the Academy may make known his desire to have such an examination; [illegible] proposed by him to the naval appropriation bill, which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. BURROWS submitted an amendment proposing to increase the salary of the captain of the watch, Weather Bureau, from $1,000 to $1,200, intended to be proposed by him to the agricultural appropriation bill, which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had [illegible] to the amendments of the Senate to the bill (H. R. [illegible]) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. HITT, Mr. ADAMS of Pennsylvania, and Mr. DINSMORE managers at the conference on the part of the House.

MISSISSIPPI RIVER DAM.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (H. R. 9308) permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota.

Mr. GALLINGER. I will not object to this bill, but after it has been disposed of I shall ask that the Calendar be proceeded with.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. [illegible]) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. HALE. I move that the Senate insist on its amendments disagreed to by the House of Representatives and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. HALE, Mr. CULLOM, and Mr. TILLMAN were appointed.

PAYMENT TO EX-QUEEN LILIUOKALANI.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders under Rule VIII. The Secretary will state the first case on the Calendar.

The bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii, was announced as first in order.

Mr. PLATT of Connecticut. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, it goes over.

EUCLID PLACE AND ERIE STREET.

The bill (S. 2134) to connect Euclid place with Erie street was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ADULTERATION OF FOODS, ETC.

The bill (S. 198) for preventing the adulteration, misbranding, and imitation of foods, beverages, candies, drugs, and condiments in the District of Columbia and the Territories, and for other purposes, was announced as next in order.

Mr. KEAN. What bill is that?

Mr. GALLINGER. The pure-food bill.

Mr. KEAN. Let that bill go over, Mr. President.

The PRESIDENT pro tempore. The bill will go over without prejudice.

Mr. HEYBURN. I should like to have the bill read at length, and then let it go over without losing its place.

The PRESIDENT pro tempore. Objection having been made the bill has gone over, retaining its place.

Mr. HEYBURN. Very well.

DISTRICT OF COLUMBIA HIGHWAY SYSTEM.

The joint resolution (S. R. 5) to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893, was considered as in Committee of the Whole. It provides that all the powers given to the Commissioners and others under the act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893, shall apply to and be capable of being exercised upon and through Beatty and Hawkins's addition to Georgetown, where it may be necessary to construct streets in parts of the District lying outside of cities, or to connect any street in the city with streets in the District of Columbia.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DISTRICT WATER MAINS AND SERVICE SEWERS.

The bill (S. 2878) authorizing the laying of water mains and service sewers in the District of Columbia, the levying [illegible] and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments, on page 3, in section 3, line [illegible], before the word "provided," to strike out "her [illegible]" and insert "herein;" on page 4, line 8, after the word "age," to insert "either a member of his family or in his employ;" in line 12, after the word "writing," to insert "under oath;" in line 17, after the word "age," to insert "as aforesaid;" and in line 19, before the word "successive," to strike out "two" and insert "three;" so as to make the section read:

[illegible]

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VERMONT AVENUE EXTENSION.

The bill (S. 2324) for the extension of Vermont avenue from Florida avenue to Howard University was considered as in Committee of the Whole.

Mr. COCKRELL. I should like to inquire about what is to be the cost of this proposed extension of Vermont avenue and whether there are many buildings that will have to be removed?

Mr. GALLINGER. The Senator from Idaho [Mr. DUBOIS] who reported the bill is perhaps more familiar with this matter than other Senators. I call his attention to the fact that the Senator from Missouri [Mr. COCKRELL] has asked if there are many buildings to be removed in consequence of this extension.

Mr. DUBOIS. I will say to the Senator from Missouri that there are a number of old negro shanties or shacks, but there are no buildings of any account at all to be removed in the event of the passage of this bill. It will be a very great improvement to have the buildings on the line of the proposed extension taken out of the way. The Senator from Florida [Mr. MALLORY] and I made a personal investigation of the matter, went over the whole ground; and I will say that, in our judgment, this is a very desirable improvement to be made.

Mr. GALLINGER. I will say to the Senator from Missouri that one-half the cost of this extension—and I personally made an inspection, and the improvement is a very necessary one—is to be borne by the abutting property owners, and that the aggregate cost to the District of Columbia and to the Government will be about $68,000.

Mr. COCKRELL. I understand the Committee on the District of Columbia adheres to the rule about taking into consideration the benefits to be derived in making compensation for property taken.

Mr. GALLINGER. We do absolutely in all cases.

The PRESIDENT pro tempore. The amendments reported by the Committee on the District of Columbia will be stated.

The [illegible] was, on page 2, line 8, after the word "provided," to strike out "such" and insert "an;" and in line 9, after the word "amount," to insert "not less than one-half;" so as to read:

[illegible]

The amendment was agreed to.

The [illegible] was, in line 24, page 2, after the word "grounds," to insert:

[illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE F. SCHILD.

The bill (S. 905) for the relief of George F. Schild was announced as next in order.

Mr. LODGE. Let that go over, Mr. President.

The PRESIDENT pro tempore. The bill goes over.

READJUSTMENT OF ARMY OFFICERS' ACCOUNTS.

The bill (S. 1274) to authorize the readjustment of accounts of army officers in certain cases, and for other purposes, was announced as next in order.

Mr. LODGE. Mr. President, I think that bill had better go over.

Mr. PLATT of Connecticut. If Senators will consider before that bill goes over, I wish to suggest that there ought to be some

information with regard to the amount which the bill calls for. I hope that it comes over, when it again comes up some information will be furnished to the Senate of the amount which would be required under the bill.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

G. W. RATLEFF.

The bill (S. 3137) for the relief of G. W. Ratleff was announced as next in order.

Mr. ALDRICH. Let that bill go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

HENRY O. BASSETT.

The bill (S. [illegible]) for the relief of Henry O. Bassett, heir of Openo [illegible] was announced as next in order.

Mr. [illegible] Mr. President?

The PRESIDENT pro tempore. There is.

Mr. ALDRICH. I ask that the bill go over. Mr. President

The PRESIDENT pro tempore. The bill will go over.

A. M. SHORT.

The bill (S. 3199) for the relief of A. M. Short was considered as in Committee of the Whole. It directs the Secretary of the Treasury to pay to A. M. Short, of Sumpter, Minn., [illegible].

Mr. COCKRELL. Let the report be read in that case, Mr. President.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. CLAPP January 20, 1904, as follows:

[illegible]

MEMORANDUM.

[illegible] out of the [illegible] A. M. Short [illegible] the [illegible] Commissioner, and John M. Lenihan, [illegible] Commission, but only by appropriation, for which purpose this bill is introduced.

STEAMBOAT-INSPECTION SERVICE,
OFFICE OF SUPERVISING INSPECTOR, FIFTH DISTRICT,
[illegible] 11, 1903.

DEAR SIR: I am in receipt of your [illegible] obtaining a remission [illegible] the matter the [illegible] I have to [illegible] Mr. John M. [illegible] be pleased to [illegible] take the matter up with one of the [illegible] in this way, I have the honor to remain,

Very [illegible] JOHN D. SLOANE.

Hon. E. W. DURANT, *Stillwater, Minn.*

OFFICE OF THE SURVEYOR OF [illegible],
Port of Dubuque, Iowa, [illegible]

SIR: I have the honor to report [illegible] John D. Sloane, supervising [illegible] and high wind prevailing between September 30 and [illegible] through bad weather from arriving at [illegible] the Mississippi River [illegible] that the property, viz, $500, be remitted.

JOHN M. LENIHAN, *Surveyor.*

The SECRETARY OF THE TREASURY, [illegible], D. C.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DARWIN S. HALL.

The bill (S. 721) for the relief of Darwin S. Hall was considered as in Committee of the Whole. It proposes to relieve Darwin S. Hall from the obligation to refund the sum of $111, being the difference claimed to be due from him in his account as [illegible] sioner, Chippewa Commission, in Minnesota, and special disbursing agent from October 10, 1897, to July 31, 1900.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JEAN LOUIS LEGARE.

The bill (S. 735) for the relief of Jean Louis Legare, of the Do[illegible] was [illegible] read the first time.

Mr. ALLISON and Mr. ALDRICH. Let the report be read.

The PRESIDENT pro tempore. The report will be read.

The Secretary proceeded to read the report submitted by Mr. CLAPP on the 20th ultimo.

Mr. HOAR. I suggest that the rest of the report be printed in the RECORD without being read.

The PRESIDING OFFICER (Mr. PERKINS in the chair). It is suggested that the further reading of the report be dispensed with. Is there objection?

Mr. HOAR. Let the whole report be printed in the RECORD.

The [illegible] in the RECORD.

[illegible] The Chair hears none.

The report is [illegible]

[illegible] the following as the report accompanying the bill in the [illegible]

[Senate Report No. 634, Fifty-seventh Congress, [illegible] session.]

[illegible] S. 1475, for the [illegible] leave to submit [illegible] 412," and, as [illegible]

[illegible] and were afraid to come back to the [illegible]

[illegible] Sitting [illegible] $650.00
[illegible] 512.00
[illegible] 1,621.00
[illegible] 6,400.00
(3) Tr[illegible] 128.00
[illegible] 6.00
[illegible] 32.00
(4) Pr[illegible] 980.00
(5) 18[illegible] 225.00
[illegible] and Sitting Bull and 144.00
[illegible] 15.00
[illegible] 2.00
(8) 1881, July 11. One [illegible]

(9) 1881, July 11. To one lodge	$2.00
(10) 1882, April 12. Board and clothing for one Indian, nine months, at $[illegible]	360.00
(11) 1882, April 20. One year's services	3,000.00
(12) 1882, April 22. One year's [illegible]	[illegible]
(13) Use of [illegible]	54.00
Total amount claimed	13,412.00

[illegible] the Indians to return to the United States [illegible] Fort Buford [illegible] April 20, 1881 [illegible] Fort Buford. [illegible] Court of Claims [illegible] water.

[illegible] there for a [illegible] and ex[illegible] ated by the officers of the Army is shown by the [illegible]

[Copy telegram.]

FORT BUFORD, DAK. T., *May 29, 1881.*

I have considered it best to retain Mathey's troop, as sending it away would [illegible] ed, two families to a [illegible] who has been in his last two [illegible] in, but now out[illegible] in. With this in [illegible] Mathey's troop, as I presume all that come in [illegible] the [illegible] and willingly, to all appearance. I sent with them Allison and [illegible] in about two weeks [illegible] has so far fed them on the way. Can not he be reimbursed in some way?

D. H. BROTHERTON,
Major, Seventh Infantry, Commanding.

Gen. A. H. TERRY,
Commanding Department of Dakota, St. Paul, Minn.

[Telegram.]

HEADQUARTERS DEPARTMENT OF DAKOTA,
Fort Snelling, Minn., June 6, 1881.

COMMANDING OFFICER, *Fort Buford:*

[illegible] has no funds applicable or available for [illegible] Indians into Fort Buford to surrender and [illegible] them on route.

BARR, [illegible]

Mr. [illegible] was [illegible] a man of [illegible] had [illegible] Fort Buford. [illegible] Court of Claims [illegible] water.

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The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES M. WILLBUR.

The bill (S. 1327) [illegible] the Secretary of the Treasury to [illegible] settle the [illegible] M. Willbur [illegible] United States and to pay said Willbur such sum of money as he may be justly and equitably entitled to, was considered as in Committee of the Whole. It authorizes the Secretary of the Treasury to [illegible] between [illegible] M. Willbur [illegible] in weight of [illegible] and [illegible] the superficial measurement of illuminating tiling, frames, and supports thereof, placed by Willbur in, on, or around the New York City post-office and court-house building beyond what he was required to furnish by his contract with the United States.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

he had rendered the United States in returning Sitting Bull and his band, and [illegible] what [illegible] In almost every respect, he is the most honest man I ever met. I do not think he is capable of doing a dishonest act.

In the judgment of your committee, payment of the amount claimed by Legare should be made without [illegible] and it will be far from an [illegible] if the services of [illegible] and those patriotic [illegible] who [illegible] necessary in those troubles [illegible] had remained in Canada, making [illegible] Indians. We therefore recommend that the bill do pass [illegible] $8,000.

The bill had been reported from the Committee on Claims with an amendment, in line 5, after the word "Treasury," to strike out the words "not otherwise appropriated;" so as to make the bill read:

Be it enacted, etc., That the sum of $13,412.00 and the same is hereby ap[illegible] of the Treasury is hereby authorized and directed to make payment of the same.

The amendment was agreed to.

Mr. COCKRELL. The amendment recommended by the committee in the report does not appear in the bill, and I move to strike out "$13,412" and insert "$8,000," the amount they recommend.

The PRESIDING OFFICER. The Senator from Missouri offers an amendment, which will be stated.

The SECRETARY. In line 8, before the word "dollars," strike out "thirteen thousand four hundred and twelve" and insert "eight thousand."

The amendment was agreed to.

Mr. SPOONER. Who reported the bill?

Mr. GALLINGER. The Senator from Minnesota [Mr. CLAPP].

Mr. WARREN. The Senator from Minnesota [Mr. CLAPP]. He is not here.

The PRESIDING OFFICER. The junior Senator from Minnesota reported the bill.

Mr. PLATT of Connecticut. Mr. President, this bill has been before the Committee on Indian Affairs two or three times. I had some prejudice against it when it first came before the committee, but I have investigated it and I am satisfied that this man actually furnished these supplies at the request of an army officer for the purpose of getting Sitting Bull back into the United States. I gave up my opposition to it some time ago. I think it is better than a good many of the claims that we are passing.

Mr. COCKRELL. The case was also in the Court of Claims, where it was held, as a matter of course, that this army officer had no legal, technical right to make a contract that would bind the Government. But all the facts were set forth in the Court of Claims, and I am just like the Senator from Connecticut. I had very decided prejudices against it until I examined it, when I came to the conclusion that it is an equitable claim; that it ought to be paid; and I think it is a great mistake that it was not paid at the time.

Mr. SPOONER. When the Senator from Connecticut and the Senator from Missouri unite in saying that, I make no objection to the bill.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. SPOONER. I should like to inquire of the Senator from Connecticut why, if this is a correct bill, he is content that the amount shall be cut in two?

Mr. PLATT of Connecticut. I do not know what it ought to be.

Mr. COCKRELL. I did not understand the query of the Senator from Wisconsin.

Mr. SPOONER. If the Senators are satisfied that this amount—$13,412—was expended in good faith, why should it be cut in two?

Mr. COCKRELL. That was [illegible] and both committees which have passed upon it, after examining the case and having all of the [illegible] Court of Claims, have held that $8,000 [illegible] has [illegible] reported all the time. A si[illegible]

SOUTHERN RAILWAY LIGHTER NO. 10.

The bill (S. [illegible]) to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc., was considered as in Committee of the Whole. It proposes that the claims of the owners of the lighter known as "Southern Railway Lighter No. 10," and cargoes, freight, and personal effects thereon, alleged to have been sunk, lost, or greatly damaged by collision with the United States army transport *Shawnee*, in the harbor of Norfolk, Va., on or about the 17th day of March, 1899, be referred to the Court of Claims, with jurisdiction and authority to hear and determine the same to judgment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

ESTATE OF BRIG. GEN. WAGER SWAYNE.

The bill (S. 2579) for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands, was considered as in Committee of the Whole.

Mr. COCKRELL. Let the report in the case be read.

The Secretary read the report submitted by Mr. WARREN on the [illegible] bill, as follows:

[illegible] for the relief of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands, having carefully considered the same, [illegible] report it back to the Senate and recommend its passage without amendment.

The claim does not involve the payment of any money to General Swayne, [illegible] with the amount, $[illegible], stated as a charge against him on the books of the Treasury Department.

The Department has recently received the receipts of Swayne as well as [illegible] from the following letter signed by F. E. Beitman, Auditor for the War Department:

TREASURY DEPARTMENT,
[illegible]

SIR: I have the honor to transmit herewith the letters of Messrs. Benjamin F. Wade, [illegible] relative to the claim of the estate of Brig. Gen. Wager Swayne, [illegible] and have to report as follows:

[illegible] Swayne was assigned to Mississippi. Also to organize a branch of the Freedmen's Bureau in Texas, Swayne and A[illegible] were made for the purpose of [illegible] strongly in New Orleans, the Captain Armstrong seized the Government [illegible] with a view to purchase [illegible] Swayne [illegible] B. W. Norris, a [illegible] Swayne [illegible] August 6, 1866, which is no doubt the day it was originally prepared [illegible]

[illegible] Swayne [illegible] Norris [illegible] Swayne [illegible] Norris [illegible] Swayne [illegible] Norris [

pair with the senior Senator from Texas [Mr. CULBERSON]. I do not know how he would vote. If he were here, I should vote "yea."

Mr. SIMMONS (when his name was called). I have a general pair with the junior Senator from Minnesota [Mr. CLAPP], which I transfer to the Senator from South Carolina [Mr. LATIMER]. I vote "nay."

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I do not see him present. So I will have to withhold my vote.

The roll call was concluded.

Mr. GIBSON. I am paired with the Senator from Utah [Mr. KEARNS].

Mr. BAILEY. I am paired with the Senator from West Virginia [Mr. ELKINS]. As he is not present, I withhold my vote.

Mr. PERKINS (after having voted in the negative). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. I understand that if he were present he would vote "nay." Therefore I will permit my vote to stand.

Mr. GAMBLE. I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. The junior Senator from Kentucky [Mr. MCCREARY] has a general pair with the junior Senator from Ohio [Mr. HANNA]. The pairs have been transferred so that the junior Senator from Ohio [Mr. HANNA] will stand paired with the junior Senator from Nevada [Mr. NEWLANDS], permitting the junior Senator from Kentucky and myself to vote. I therefore vote "yea."

Mr. MCCREARY. I vote "nay."

Mr. MILLARD (after having voted in the affirmative). I have a general pair with the Senator from Arkansas [Mr. CLARKE], and therefore I withdraw my vote.

Mr. CLARK of Wyoming. I ask if the junior Senator from Missouri [Mr. STONE] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. CLARK of Wyoming. I have a general pair with that Senator, and withhold my vote. If I were at liberty to vote, I should vote "nay."

Mr. BACON (after having voted in the negative). By request of the senior Senator from Rhode Island [Mr. ALDRICH] I will consent to pair with the junior Senator from Rhode Island [Mr. WETMORE], and I withdraw my vote.

Mr. CLARK of Wyoming. I am informed that if the junior Senator from Missouri [Mr. STONE] were present he would vote "nay." I therefore take the liberty of voting. I vote "nay."

Mr. DANIEL (after having voted in the negative). I wish to state that I have a pair with the Senator from North Dakota [Mr. HANSBROUGH]. I voted, thinking that he would come in, but I have no information as to how he would vote. I do not know whether there is any question of politics about the motion.

Mr. ALDRICH. I do not know how the Senator from North Dakota would vote.

Mr. HOAR. There is no politics in it.

Mr. DANIEL. I will let my vote stand.

Mr. MILLARD. I will transfer my pair with the junior Senator from Arkansas [Mr. CLARKE] to the Senator from Delaware [Mr. ALLEE] and vote "yea."

Mr. SIMMONS. I will transfer my pair with the junior Senator from Minnesota [Mr. CLAPP] to the junior Senator from South Carolina [Mr. LATIMER], so that the junior Senator from Minnesota will stand paired with the junior Senator from South Carolina. I vote "nay."

The result was announced—yeas 23, nays 27, as follows:

YEAS—23.

[illegible]	Dillingham,	Heyburn,	Platt, Conn.
[illegible]	Dolliver,	Hopkins,	Proctor,
[illegible]	Dryden,	Kean,	Smoot,
[illegible]	Frye,	Lodge,	Spooner,
[illegible]	Gallinger,	Long,	Warren.
[illegible]	Gamble,	Millard,	

NAYS—27.

[illegible]	Daniel,	McComas,	Perkins,
[illegible]	Dubois,	McCreary,	Pettus,
[illegible]	Foraker,	Mallory,	Platt, N. Y.
[illegible]	Foster, Wash.	Martin,	Simmons,
[illegible]	Fulton,	Mitchell,	Stewart,
[illegible]	Gorman,	Money,	Teller
Clark, Wyo.	Hear,	Patterson,	
Clay,			

NOT VOTING—40.

Allee,	Cockrell,	Hansbrough,	Newlands,
[illegible]	Culberson,	Hawley,	Overman,
[illegible]	Depew,	Kearns,	Penrose,
Bailey,	Dietrich,	Kittredge,	Quarles,
[illegible]	Elkins,	Latimer,	Quay,
[illegible]	Fairbanks,	McCumber,	Scott,
[illegible]	Foster, La.	McEnery,	Stone,
[illegible]	Gibson,	McLaurin,	Taliaferro,
Carter,	Hanna,	Morgan,	Tillman,
Clark, Mont.	Hale,	Nelson,	Wetmore.
Clarke, Ark.	Hawley,	Nesbitt,	

So the Senate refused to recommit the bill.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from Florida [Mr. MALLORY], which will be stated.

The SECRETARY. In line 6, before the word "thousand," it is proposed to strike out "hundred" and insert "one hundred and fifty;" so as to make the bill read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Liliuokalani, formerly Queen of the Kingdom of Hawaii, $150,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, and was read the third time.

Mr. SPOONER. Mr. President, I ask for the yeas and nays on the passage of the bill.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. GIBSON (when his name was called). I have a general pair with the senior Senator from Utah [Mr. KEARNS], and therefore withhold my vote.

Mr. MCENERY (when his name was called). I have a general pair with the Senator from New York [Mr. DEPEW], and therefore withhold my vote.

Mr. NELSON (when his name was called). I have a pair with the senior Senator from Arkansas [Mr. BERRY], and withhold my vote on that account.

Mr. SIMMONS (when his name was called). I have a general pair with the Senator from Minnesota [Mr. CLAPP], but I transfer that pair to the Senator from South Carolina [Mr. LATIMER], and vote. I vote "yea."

The roll call was concluded.

Mr. ALLISON. I have a general pair with the Senator from Missouri [Mr. COCKRELL], and therefore refrain from voting. If he were present, I should vote "nay."

Mr. BACON. I again announce my pair with the junior Senator from Rhode Island [Mr. WETMORE].

The result was announced—yeas 26, nays 26, as follows:

YEAS—26.

[illegible]	Dubois,	McEnery,	Pettus,
[illegible]	Foraker,	[illegible]	Platt, N. Y.
[illegible]	Foster, Wash.	[illegible]	Simmons,
[illegible]	[illegible]	[illegible]	Stewart,
[illegible] Wyo.	[illegible]	[illegible]	Teller.
[illegible]	Hale,	Patterson,	
Daniel,	Hear,	[illegible]	

NAYS—26.

Aldrich,	Dillingham,	Heyburn,	Proctor,
[illegible]	[illegible]	Hopkins,	Smoot.
[illegible]	Dryden,	Kean,	Spooner,
Bard	Frye,	Lodge,	Tillman,
[illegible]	Gallinger,	[illegible]	Warren.
[illegible]	[illegible]	[illegible]	
[illegible]	Hansbrough,	[illegible]	

NOT VOTING—38.

[illegible]	Culberson,	Kearns,	Overman,
[illegible]	Depew,	Kittredge,	Penrose,
[illegible]	Dietrich,	Latimer,	Quarles,
[illegible]	[illegible]	McComas,	Quay,
[illegible]	Fairbanks,	McCumber,	Scott,
[illegible]dge,	Foster, La.	McEnery,	Stone,
[illegible]	Gibson,	McLaurin,	Taliaferro,
[illegible]	Hanna,	Morgan,	Wetmore.
[illegible] Mont.	Hawley,	Nelson,	
Clarke, Ark.		Nesbitt,	

The PRESIDENT pro tempore. The bill fails to pass.

CONSIDERATION OF CALENDAR UNDER RULE VIII.

Mr. ALDRICH. Let the next bill on the Calendar be stated, Mr. President.

The PRESIDENT pro tempore. The next bill on the Calendar will be stated.

Mr. PLATT of Connecticut. Mr. President, when we went to the Calendar, I asked unanimous consent that we might proceed under Rule VIII. Objection was made because of the bill which has just been disposed of. I will venture to again ask that we proceed with the Calendar under Rule VIII for this afternoon.

The PRESIDENT pro tempore. The Senator from Connecticut asks that the consideration of bills on the Calendar be under Rule VIII. Is there objection?

Mr. MALLORY. What is the request, Mr. President?

The PRESIDENT pro tempore. The Senator from Connecticut asks that the further consideration of bills on the Calendar be proceeded with under Rule VIII.

Mr. MALLORY. What is that rule, Mr. President?

The PRESIDENT pro tempore. Bills considered under Rule VIII are open to objection, and the rule also limits debate on bills to five minutes on the part of each Senator. Is there objection to the request of the Senator from Connecticut? The Chair hears none, and that order will be made.

GOVERNMENT PRINTING OFFICE EMPLOYEES.

The bill (S. 2665) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government was considered as in Committee of the Whole.

The bill was reported from the Committee on Printing with an amendment, to strike out all after the enacting clause and insert:

That from and after the date of the passage of this act the thirty days' annual leave of absence with pay now allowed by law once every one year to employees of the Government Printing Office shall be allowed to employees of the Government Printing Office who are paid [illegible] compensation. That the existing laws shall be construed so as to [illegible] employees of the Government Printing Office who are paid [illegible] compensation.

Mr. BAILEY. I should like to inquire if that amendment does not change the wording of the bill without making the slightest change in the effect of the bill?

Mr. ALLISON. Let the bill be again read.

Mr. BAILEY. I should like to have the bill explained by whomsoever is in charge of it.

Mr. PLATT of New York. I will say that the amendment which has been reported by the Committee on Printing was suggested by the Public Printer.

Mr. BAILEY. I desire to say that I can see no objection to allowing these Government employees the same privileges that are allowed to other Government employees, but, as I heard the amendment read, it simply changes the wording of the original bill without changing the effect of it. I should like to know, if there is any change in the effect of the bill, what it is.

Mr. GALLINGER. The Public Printer. I will say to the Senator from Texas, according to the report made by the committee, says:

It would facilitate the keeping of individual accounts in the office if a proviso should be added as follows:

Then is given the proviso which appears in the bill. I confess that I do not myself understand it.

Mr. SPOONER. What is the proviso?

Mr. GALLINGER. It is as follows:

Provided, That the existing laws relating to the granting of annual leave to employees who are paid [illegible] compensation in the Executive Departments of the Government shall be construed so as to [illegible] employees of the Government Printing Office who are paid [illegible] compensation.

The point the Public Printer makes is that it will facilitate the keeping of individual accounts in the office to have that proviso in the bill.

Mr. BAILEY. I suppose the Public Printer understands that, but I [illegible] as we are to pass upon it I should like to understand it, too.

Mr. ALLISON. I should like to have the bill again read, so that we may understand it.

The PRESIDENT pro tempore. The original bill or the substitute?

Mr. ALLISON. I should like to have both read.

The Secretary read the original bill and the amendment reported by the Committee on Printing.

Mr. ALLISON. Mr. President, I have an impression that in the Executive Departments, unless the law has been changed, Sundays and legal holidays are excluded. Both the amendment and the original bill provide that persons employed in the Public Printing Office shall be allowed thirty days' leave of absence, excluding Sundays and legal holidays in the computation of leave. In the Executive Departments thirty days' leave is allowed, and then an additional thirty days on account of sickness, with full pay. I suppose the effect of the bill now under consideration is to place employees of the Government Printing Office in substantially the same position as those in the Executive Departments.

Mr. CULLOM. It seems to me that this bill is not thoroughly understood. I think it ought to go over so that we may examine it and ascertain exactly what its effect will be, as nobody now seems to know.

The PRESIDENT pro tempore. The Senator from Illinois objects to the further consideration of the bill.

Mr. CULLOM. I hope the bill will go over without prejudice.

The PRESIDENT pro tempore. The bill will go over without prejudice.

MISBRANDING OF SALMON FISH.

The bill (S. 220) prohibiting the introduction into any State or Territory or the District of Columbia, from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country, any misbranded salmon fish prepared or intended for use as an article of food was announced as next in order.

Mr. BAILEY. I do not see the Senator who introduced this bill in his seat, and it looks to me as if the bill involves rather an important question—too important to be disposed of under our present procedure.

Mr. FULTON. If the Senator will permit me, I propose, as soon as the opportunity offers, to present an amendment inserting the word "knowingly."

Mr. BAILEY. Mr. President, it looks to me as if this bill might properly wait until we have before us on our Calendar the proposed bill.

I dislike to object to the consideration of any bill, and I do not know that I am going to object to this one, but it occurs to me that it is not the kind of a bill that ought to be considered in this brief, less than deliberative way under this rule. This bill goes to the very power of the Government over and protection of the people of the various States against commercial frauds, and I hope the Senator will at least let it go over until some of us can look into it. It may turn out on examination to be free from the objections which now occur to me.

Mr. FULTON. I should like to call the Senator's attention to the fact that this bill came up one week before and was discussed at some considerable length. The Senator from Connecticut [Mr. PLATT] pointed out some objections which he thought were proper to urge against the bill, namely, that the word "knowingly" should be inserted at several places in the bill, so that one could not be punished for disposing of or shipping misbranded salmon unless he did so knowingly.

Mr. BAILEY. That, of course, was a sound criticism, if the Federal Government is going to undertake this policy, but every State in the Union is entirely competent to protect its people against deception in articles of food and drink and against deleterious articles of food and drink. It occurs to me that this bill raises something of the question we had here under the oleomargarine bill, and the next State that wants to protect any of its industries might want a bill passed to label its products in the right way or in the wrong way if Congress should choose to do so.

Mr. FULTON. I will call the Senator's attention to the fact that this bill does not require the fish to be labeled at all. It simply provides that if they shall be labeled, they shall be honestly labeled, that there shall be no false statement on the label. It only applies to fish that are intended for interstate commerce. I want to say, if the Senator will permit me, that while of course he has the right to object, I hope he will not do so, for I am very anxious to get this bill before the Senate and have it passed on one way or the other.

Mr. BAILEY. I am trying my best to avoid the necessity of objecting by inducing the proponent of the bill to let it go over. I think it entirely proper that everybody should be honest, trade-people as well as everybody else, and I think if they brand their products, they ought to brand it honestly; but, according to my amount and obsolete view of these matters, I think the States ought to control them. If the Federal Government is to enter upon the policy of seeing that everybody marks and brands his products correctly, I am unable to see where it will end; and, ungracious as it may seem, I am going to ask that this bill go over. I am not willing to see a bill of this character disposed of in this way.

The PRESIDENT pro tempore. The Senator from Texas objects, and the bill will go over.

PIPE LINES IN INDIAN TERRITORY.

The bill (S. 2302) to amend section 3 of the act entitled "An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1897, and for other purposes," was announced as next in order.

Mr. STEWART. That bill had better go over. I think we passed one on the same subject the other morning.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

WATERWORKS AND BOND ELECTION OF GEARY, OKLA.

The bill (S. 3658) ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks and bond election held by the city of Geary, in said Territory, was announced as next in order.

Mr. BAILEY. Let that bill go over.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

FINES AND PARDONS IN THE DISTRICT OF COLUMBIA.

The bill (S. 2299) to authorize the Commissioners of the District of Columbia to remit fines and grant pardons was announced as next in order.

The Secretary read the bill.

Mr. HALE. I wish the Senator who reported the bill or the chairman of the committee would state to the Senate what precedents there are for a bill of this kind that proposes to vest in the Commissioners of the District of Columbia the pardoning power, the power to remit penalties, to release from imprisonment, which I have never known to be exercised by anybody in the District, which is in Federal jurisdiction, not a State. I would be very

glad to have the chairman of the committee or somebody else explain to us on what basis the pardoning power is to be lodged with the Commissioners.

Mr. GALLINGER. Mr. President, the Senator from Florida [Mr. MALLORY] had this bill in charge and reported it. I observe that he has reported a substitute which was prepared by Attorney-General Knox. I will say frankly that when this bill first came to my attention, as a layman I thought it was rather an extraordinary bill, and for that reason I referred it to a member of the committee whom I knew to be a good lawyer, and I know that the Senator from Florida did give it very careful consideration. He is not in his seat at the present time, and I think the bill had better go over until he is present.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

MONONGAHELA RIVER BRIDGE AT RIVESVILLE, W. VA.

The bill (S. 3430) to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments.

The first amendment was, in section 2, page 2, line 17, after the word "purposes," to insert "and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies."

The amendment was agreed to.

The next amendment was, in section 2, page 3, line 8, after the word "said," to strike out "bridges" and insert "bridge."

The amendment was agreed to.

The next amendment was, in section 3, page 3, line 23, after the word "subject," to strike out "Such map shall be accompanied by another, drawn on the scale of 1 inch to 200 feet, giving for a space of one-half mile above the proposed site and a quarter of a mile below, an accurate representation of the bottom of the river by contour lines 2 feet apart, determined by accurate soundings;" on page 4, line 4, before the word "said," to insert "the construction of;" in line 5, before the word "until," to strike out "constructed" and insert "commenced;" so as to make the section read:

SEC. 3. That the bridge authorized to be constructed under this act shall be built and located under and subject to such regulations for the security of navigation of said river as the Secretary of War shall prescribe, and to secure that object the said company shall submit to the Secretary of War, for his examination and approval, designs and drawings of the said bridge and a map of the location of the same, giving the topography of the banks of the river, the shore line at high and low water, and the [illegible] of the current at different stages, the location of any other bridge or bridges within one mile thereof, and such further information as may be required by a satisfactory understanding of the subject and the construction of said bridge shall not be commenced until the plan and location is approved by the Secretary of War.

The amendment was agreed to.

The next amendment was, to insert at the end of section 4 the following:

Furthermore, if the construction of the said bridge is not commenced within one year and completed within three years from the date of approval of this act, the rights and privileges hereby granted shall cease and be determined.

The amendment was agreed to.

The bill was reported the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROCEEDS OF PUBLIC-LAND SALES IN CALIFORNIA.

The bill (S. 904) granting to the State of California 5 per cent of the net proceeds of the cash sales of public lands in said State was announced as the next business in order on the Calendar.

Mr. CLAY. Mr. President——

Mr. TILLMAN. Let the bill go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

Mr. PERKINS. We are considering the Calendar under Rule IX, are we not?

The PRESIDENT pro tempore. Under Rule VIII.

Mr. HALE. Under Rule VIII—unobjected cases.

The PRESIDENT pro tempore. Under Rule VIII, by unanimous consent.

COLVILLE RESERVATION, STATE OF WASHINGTON.

The bill (S. 345) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes, was announced as the next business in order on the Calendar.

Mr. ALDRICH. Let the bill go over, Mr. President.

Mr. FOSTER of Washington. I hope the Senator from Rhode Island will withdraw his objection.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

AGREEMENT WITH KLAMATH INDIANS.

The bill (S. 2226) to ratify an agreement with the Indians of the Klamath Indian Reservation, in Oregon, and making appropriations to carry the same into effect, was announced as the next business in order on the Calendar.

Mr. ALDRICH. I suggest that the bill had better go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

TURTLE MOUNTAIN AND CHIPPEWA INDIANS.

The bill (S. 196) to ratify and confirm an agreement with the Turtle Mountain and Chippewa Indians in the State of North Dakota, and to make appropriations for carrying the same into effect, was announced as the next business in order on the Calendar.

Mr. HANSBROUGH. My colleague [Mr. MCCUMBER], who reported the bill, is absent, and I think it had better go over until he is present.

The PRESIDENT pro tempore. The bill will go over without prejudice.

QUARANTINE STATION, SAN DIEGO, CAL.

The bill (S. 3607) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes, was considered as in Committee of the Whole. It proposes to appropriate $200,000 for the purpose of removing the quarantine station at San Diego, Cal., to a new site, and the erection thereon of buildings, wharves, and other improvements.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEGAL REPRESENTATIVES OF A. G. BOONE.

The bill (S. 677) for the relief of the legal representatives of A. G. Boone was announced as the next business in order on the Calendar.

Mr. PLATT of Connecticut. I do not think we can dispose of the bill at this time.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

CAROLINE MURTAGH.

The bill (S. 1779) for the relief of Caroline Murtagh, widow of the late William J. Murtagh, formerly proprietor of the National Republican, of Washington, D. C., was announced as the next business in order on the Calendar.

Mr. GALLINGER. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

JEWETT W. ADAMS.

The bill (S. 176) for the relief of Jewett W. Adams was considered as in Committee of the Whole. It proposes to pay to Jewett W. Adams, superintendent of the United States mint at Carson City, Nev., the sum of $301 for money paid out by him during the months of July and August, 1894, to T. R. Hofer and L. L. Elrod for necessary services rendered by them in the mint at Carson City, Nev.

Mr. STEWART. Mr. Adams paid for clerical services out of the laborers' fund, but the Comptroller said it could not be legally paid out of that fund. There was not enough in the other fund, so he paid it out of his own pocket. There is no doubt about its having been paid for services.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

W. R. AUSTIN & CO.

The bill (S. 1941) for the relief of W. R. Austin & Co. was announced as the next business in order on the Calendar.

Mr. GALLINGER. I do not find any report in this case. I should at least like an explanation of it.

Several SENATORS. Let the bill go over.

Mr. GALLINGER. Yes; let it go over.

The PRESIDENT pro tempore. Objection being made, the bill will go over.

GROVES OF SEQUOIA GIGANTEA.

The bill (S. 2223) providing a means of acquiring title to two groves of Sequoia gigantea in the State of California, with a view to making national parks thereof, was announced as the next business in order on the Calendar.

Mr. BARD. Mr. President, having been notified that the Senator from Minnesota desires to participate in the discussion of this bill, I ask that it may go over without prejudice.

Mr. KEAN. Let us consider it.

Mr. BARD. I withdraw the suggestion.

Mr. BAILEY. In order to save it for the Senator from Minnesota, I will ask that the bill go over.

The PRESIDENT pro tempore. The bill will go over.

USE OF RESERVOIR SITES.

The bill (S. 579) to regulate the use by the public of reservoir sites located upon the public lands of the United States was considered as in Committee of the Whole.

Mr. GALLINGER. If this is the bill I think it is—if it increases the length of time that cattle are to be kept in cars while being transported——

Mr. GAMBLE. That is not the bill. This simply regulates the use by the public of reservoir sites located upon the public lands of the United States.

Mr. GALLINGER. My attention was diverted for the moment.

Mr. ALDRICH. Let the report be read.

Mr. HALE. Is it a long report?

Mr. GAMBLE. No; it is a short report.

Mr. GALLINGER. I have no objection to the bill if it is not the one I thought it was.

Mr. ALDRICH. Let the report be read.

The Secretary read the report submitted by Mr. GAMBLE on the 27th ultimo, as follows:

[illegible] Congress providing for the location [illegible] lands of the United States, containing, [illegible] legislation numerous reservoir sites have been located [illegible]

[illegible] was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BRIG OLIVE FRANCES.

The bill (S. 483) for the relief of the owners and officers of the brig *Olive Frances* and others on board said brig was [illegible] as in Committee of the Whole. It proposes that the [illegible] owners and officers of the brig *Olive Frances*, of Machias[illegible], Me., and others on board the brig, for damages [illegible] tained by reason of collision of the U. S. [illegible] the brig, on July 30, 1866, shall be referred for examination and adjudication to the district court of the United States [illegible] the district of Maine.

Mr. ALLISON. There is no provision for an appeal.

Mr. PLATT of C[illegible]

Mr. HALE. There is a general provision of law. There is no question about that.

Mr. ALLISON. If that is the case I shall not object.

Mr. PLATT of Connecticut. The Senator will find it in section 3, line 13.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE BUSINESS.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 3 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 16, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 15, 1904.

PROMOTIONS IN THE ARMY.

Signal Corps.

First Lieut. Henry S. Hathaway, Signal Corps, to be captain, December 30, 1903, vice Ives, deceased.

Infantry Arm.

Capt. Charles W. Penrose, Twenty-eighth Infantry, to be major, October 15, 1903, vice [illegible], Fourteenth Infantry, resigned.

Capt. Daniel L. Howell, Seventh Infantry, to be major, November 24, 1903, vice Newton, Sixteenth Infantry, deceased.

Capt. John Stafford, Eighth Infantry, to be major, November 28, 1903, vice Wood, Twentieth Infantry, detailed as inspector-general.

First Lieut. Joseph L. Gilbreth, Fourteenth Infantry, to be captain, October 15, 1903, vice Penrose, Twenty-eighth Infantry, promoted.

First Lieut. Charles F. Humphrey, jr., Third Infantry, to be captain, November 21, 1903, vice Sigworth, Ninth Infantry, detailed as paymaster.

First Lieut. Willey Howell, Fourth Infantry, to be captain, November 24, 1903, vice Howell, Seventh Infantry, promoted.

First Lieut. Benjamin J. [illegible], Seventh Infantry, to be captain, November 28, 1903, vice Stafford, Eighth Infantry, promoted.

Second Lieut. Arthur H. Freshwater, Twenty-eighth Infantry, to be first lieutenant, September 28, 1903, vice Hannay, Twenty-second Infantry, promoted.

Second Lieut. Joseph C. Wilson, Sixth Infantry, to be first lieutenant, October 9, 1903, vice Wygant, Third Infantry, promoted.

Second Lieut. Morris M. Keck, Twelfth Infantry, to be first lieutenant, October 10, 1903, vice Graham, Nineteenth Infantry, promoted.

Second Lieut. Answell E. Loitsch, Fifth Infantry, to be first lieutenant, October 15, 1903, vice Gilbreth, Fourteenth Infantry, promoted.

Second Lieut. William Korst, Seventh Infantry, to be first lieutenant, October 23, 1903, vice Bright, Second Infantry, resigned.

Second Lieut. Joseph C. Kay, Eleventh Infantry, to be first lieutenant, November 16, 1903, vice Robbins, Fifteenth Infantry, retired from active service.

Second Lieut. Walter C. Jones, Eleventh Infantry, to be first lieutenant, November 21, 1903, vice Humphrey, Third Infantry, promoted.

Second Lieut. Charles Abel, Fourteenth Infantry, to be first lieutenant, November 24, 1903, vice [illegible], Fourth Infantry, promoted.

POSTMASTERS.

CALIFORNIA.

George Brown to be postmaster at Corona, in the county of Riverside and State of California, in place of Herbert C. Foster, resigned.

CONNECTICUT.

Alfred E. Goddard to be postmaster at Essex, in the county of Middlesex and State of Connecticut, in place of Alfred E. Goddard. Incumbent's commission expires February 19, 1904.

ILLINOIS.

M. S. Brown to be postmaster at Brighton, in the county of Macoupin and State of Illinois. Office became Presidential July 1, [illegible].

LOUISIANA.

R. Blanchard to be postmaster at Whitecastle, in the parish of Iberville and State of Louisiana, in place of William F. Himel, jr. Incumbent's co[illegible]

Fabius A. Fisk to be [illegible] county of St. Joseph and State of Michigan, in place of Henry C. Whitmer. Incumbent's commission expired January 23, 1904.

Charles E. Ramsey to be [illegible] Lake, in the county of Antrim and State of Michigan, in place of Milton W. Newkirk, removed.

MINNESOTA.

Fred N. Corey to be postmaster at Elk River, in the county of Sherburne and State of Minnesota, in place of Fred N. Corey. Incumbent's commission expired January 17, 1904.

NEBRASKA.

David S. Beynon to be postmaster at Burwell, in the county of Garfield and State of Nebraska. Office became Presidential January 1, 1904.

NEW YORK.

Seth Allen to be postmaster at Dannemora, in the county of Clinton and State of New York. Office became Presidential October 1, 1903.

OHIO.

William M. Evans to be postmaster at Hubbard, in the county of Trumbull and State of Ohio. Office became Presidential January 1, 1904.

CONFIRMATIONS.

Executive nomination [illegible] by the Senate February 15, 1904.

POSTMASTERS.

COLORADO.

Robert E. Hagans to be postmaster at New Windsor, in the county of [illegible].

ILLINOIS.

[illegible] to be postmaster at Stockton, in the county of [illegible].

MARYLAND.

[illegible] to be postmaster at Rising Sun, in the county of [illegible].

MONTANA.

Walter A[illegible] to be postmaster at Red Lodge, in the county of Carbon and State of Montana.

NORTH CAROLINA.

William H. Holt to be postmaster at Graham, in the county of Alamance and State of North Carolina.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 15, 1904.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

O Thou who art supremely wise and good, life-giving, life-sustaining Potentate, in whom all our longings, hopes, and aspirations are centered, be graciously near, we beseech Thee, to the statesman and patriot whose [illegible] Speaker him, we beseech Thee, to his family, his friends, and his countrymen, that yet a little longer his genial presence, his wise counsel, and efficient service may be [illegible]. O Lord, and answer us in accordance with Thy will and good pleasure, in the name of Jesus Christ, our Lord. Amen.

The Journal of Friday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed a bill and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 1501. An act for the relief of James F. McIndoe; and

S. R. 49. Joint resolution to provide for the expenditure of funds heretofore appropriated for the improvement of the Sacramento River.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. 1[illegible]) [illegible] of a portion of what is known as the Red Lake Indian Reservation in the State of Minnesota.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to the appropriate committees as indicated below:

S. 1501. An act for the relief of James F. McIndoe—to the Committee on Claims.

S. R. 49. Joint resolution to provide for the expenditure of funds heretofore appropriated for the improvement of Sacramento River—to the Committee on Rivers and Harbors.

CONTESTED-ELECTION CASE—BONYNGE V. SHAFROTH.

Mr. SHAFROTH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. SHAFROTH. It relates to the right of a Member to a seat in this House.

The SPEAKER. The gentleman will proceed.

Mr. SHAFROTH. Mr. Speaker, in the contested-election case of Robert W. Bonynge against John F. Shafroth it was stipulated and agreed by counsel and [illegible] that the ballots cast at that election in the twenty-nine contested precincts should be brought before the Committee on Elections of this House and opened for the first time in the presence of its members. The ballots were those cast at the general election in 1902 for State officers and Representative in Congress. The object was that the original [illegible] should be seen by the committee. The ballots were shipped to the Clerk of the House of Representatives at the joint expense of contestant and contestee.

At the first meeting of the committee for the hearing of this [illegible] was appointed to ascertain how many illegal ballots were contained therein. It was agreed that in order to facilitate their [illegible] should be secret. The subcommittee opened [illegible] one week to examine them, asked the House for authority to employ an expert [illegible] examining the ballots, and on Thursday last made his report to the committee. [illegible] that each of the [illegible] the bal[illegible]

After that the case was to be set for argument before the committee.

On Thursday afternoon I commenced examining the ballots, and [illegible] day. I [illegible] as [illegible], yet my [illegible] not true, and [illegible] in the district.

The fact was a bitter disappointment to me, but nevertheless true.

[illegible] rtunity to ascertain [illegible] in those pr[illegible] election has convinced me that it is impossible to [illegible] as I have stated and the number of pr[illegible] to law Mr. Bonynge is entitled to [illegible] have an h[illegible]n. My law partner, with [illegible] a citizens' committee composed of be[illegible] rats who desired a fair [illegible] ver, Colo. [illegible] favor of pure politics, and when the test is [illegible] at which I was voted for as one of the [illegible] k my duty or change [illegible] to the [illegible] House that the sitting Member [illegible] in the [illegible] and particularly the chairman, Mr. [illegible], and the [illegible] SULLIVAN. [illegible] r in which they proceeded to investigate [illegible] tion which I made as to the investigation [illegible].

I wish also to say that I [illegible] Mr. Bonynge in the record that I was not a party [illegible] connected with any of the frauds or [illegible] [illegible] that I fully [illegible] as a Member in the greatest [illegible] globe. Wishing you all a hap[illegible] future, I will say good bye. [Loud general applause.]

Mr. Speaker, I will ask the chairman of the committee, if he is ready, to present the usual resolution in a case of this kind.

Mr. OLMSTED. Mr. Speaker, I had risen for a different purpose. As chairman of the committee which has had this case in charge, it seems to me proper and becoming to say a few words.

The SPEAKER. The gentleman proceeds by unanimous consent. Is there objection? [After a pause.] The Chair hears none.

Mr. OLMSTED. When this case came before our committee it was at once apparent that it would depend largely upon the result of the examination of several thousand sealed ballots concerning which the contestant made certain allegations of irregularity. The contestee, Mr. SHAFROTH, at once stated that he did not believe that the ballots would disclose such a state of affairs, but that if they did he should decline the seat and at once acknowledge the fact. Thereupon the investigation of the ballots proceeded, as he has stated, by a subcommittee and by the handwriting expert employed under authority conferred by the House.

The reports of the subcommittee and of the expert were received by the full committee and, by resolution, submitted for one week to Mr. SHAFROTH for examination and comparison by himself and his counsel. He had not consumed the time allotted for his examination of them, and no member of the committee, I think, was aware that he was about to make the statement he has just made until just before the House assembled this morning, when he mentioned his intention to me. I think it is due to him to say that there was not in the notice of contest nor in the entire record any charge whatever in any way reflecting upon his honor or his propriety of conduct throughout the campaign. Indeed, the contestant expressly admitted before the committee that he had no allegation whatever to make against Mr. SHAFROTH, but that he believed his conduct to have been entirely proper and fair. I can only add, therefore, that there is nothing in the record in this case reflecting in the slightest degree upon the personal character or conduct of Mr. SHAFROTH. [Applause.]

On the other hand, it appears that the irregularity, while it carried his vote along with it, was not made for his special benefit; that the irregular action was not made with any special reference to him, but his vote was simply an incident, because his name was upon the ballots. I desire, Mr. Speaker, to say that his retirement from this body, like his entire course during his membership, is in entire accord with the gentleman's high sense of honor, with which all present who know him or have come in contact with him, officially or otherwise, know him to entertain at all times and to be governed by. [Applause.] The Elections Committee has had no official knowledge of the action of Mr. SHAFROTH this morning, and I do not feel at liberty to introduce any resolution without the action of the committee in that behalf. I will ask unanimous consent that Mr. Bonynge be now sworn in as a Member of this House.

Mr. PAYNE. Mr. Speaker, I do not think that that would be proper without a resolution from the committee.

Mr. SHAFROTH. Mr. Speaker, I think the gentleman can ask unanimous consent to pass the resolution. It is perfectly proper to do that.

Mr. TALBOTT. Mr. Speaker, I ask unanimous consent to make a statement in connection with this case.

The SPEAKER. The gentleman from Maryland asks unanimous consent to make a statement. Is there objection?

There was no objection.

Mr. TALBOTT. Mr. Speaker, I wish to add to the statement of the chairman of the Committee on Elections No. 2 that [illegible] this fact, speaking as the leading member of the minority on that committee, that Mr. SHAFROTH took no other position with us than the manly one that unless he was fairly elected he would not occupy the seat. [Applause.]

Mr. HOGG. Mr. Speaker, I ask unanimous consent to make a statement in connection with this case.

The SPEAKER. The gentleman from Colorado asks unanimous consent to make a statement. Is there objection?

There was no objection.

Mr. HOGG. Mr. Speaker, as a member of the delegation from Colorado I wish simply to say this, that the act performed to-day by Mr. SHAFROTH is not a surprise to us who have known him for years. The high character he has attained here he has always borne in the State of Colorado, and, as representing the opposite party from him from that State, I want to say that there is no one in the State of Colorado who knows Mr. SHAFROTH but knows that he is absolutely honest. [Applause.]

GRANDE RONDE INDIAN RESERVATION, OREG.

Mr. HERMANN. Mr. Speaker, I call up the bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, for its consideration under the special order.

The SPEAKER. The gentleman from Oregon calls up the special order on the bill H. R. 11966, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect.

Whereas James McLaughlin, United States Indian Inspector, acting in behalf of the United States, did on the [illegible] day of June, 1901, enter into an agreement with the Indians residing on the Grande Ronde Reservation, in the State of Oregon, which said agreement is as follows:

This agreement made and entered into this [illegible] day of June, 1901, by and between James McLaughlin, United States Indian Inspector, on the part of the United States, and the Willamette [illegible] of Indians belonging on the Grande Ronde Reservation in the State of Oregon, witnesseth:

ARTICLE I. The said Indians belonging on the Grande Ronde Reservation, Oreg., for the consideration hereinafter named, do hereby [illegible], grant, and convey to the United States all their right, title, and interest in and to all that part of the Grande Ronde Reservation [illegible] located on the date of the agreement, excepting the 640 acres [illegible] for Government uses at the time their allotments in severalty were made, the land herein ceded and relinquished approximating [illegible] acres.

ART. II. In consideration of the lands ceded, relinquished, and conveyed by Article I of this agreement, the United States of America agrees to pay to the said Indians the sum of $[illegible] per [illegible], commencing one year from and after the date of the ratification of this agreement, and to continue as long as they reside on the said Grande Ronde Reservation, as follows, to wit: To adults of [illegible] years of age, [illegible] and twenty days from and after the date of the ratification of this agreement, and to children as they arrive at the age of 18 years; and that the payments shall be postponed to such time as the proceeds of the sale of the lands herein ceded shall draw interest at the rate of 5 per cent per annum, which interest shall be paid to the parents or guardians of such minors who have not received any allotments of land, or be used for the benefit of the Indians, pursuant to the discretion of the Secretary of the Interior, and under such regulations as he may prescribe.

ART. IV. It is understood that nothing in this agreement shall be construed to deprive the said Indians of the Grande Ronde Reservation of any benefits to which they may be entitled under existing treaties, not inconsistent with the provisions of this agreement.

ART. V. This agreement shall take effect and be in force when signed by James McLaughlin, United States Indian Inspector, and be [illegible] by the majority of the male adult Indians participating herein, and when approved by the Secretary of the Interior, and proclaimed and ratified by the Congress of the United States.

In witness whereof the said James McLaughlin, United States Indian Inspector, on the part of the United States, and the undersigned chiefs, headmen, and Indians of the Willamette tribes and other Indians belonging on the Grande Ronde Reservation, Oreg., have hereunto set their hands and seals at Grande Ronde Agency, Oreg., this 27th day of June, A. D. 1901.

JAMES MCLAUGHLIN,
United States Indian Inspector.
(John Warren and 50 others.)

I, the undersigned, do hereby certify that the foregoing agreement has been [illegible] United States and the Indians of the Grande Ronde Reservation, Oreg., [illegible] explained by me to said Indians, and that it was fully understood by them before signing.

JOHN WARREN, *Interpreter.*

GRANDE RONDE AGENCY, OREG., *June 27, 1901.*

We the undersigned do hereby certify that we witnessed the signatures of James McLaughlin, United States Indian Inspector, [illegible] of the male adult Indians of the Grande Ronde Reservation, Oreg., to the foregoing agreement.

MAURICE E. PEAIRS, *Industrial Teacher.*
LUTHER PARKER, *Teacher.*

GRANDE RONDE AGENCY, OREG., *June 27, 1901.*

I certify that the total number of male adult Indians over 18 years of age belonging on the Grande Ronde Reservation, Oreg., is [illegible], of whom 60 have signed the foregoing agreement.

ANDREW KERSHAW,
Superintendent and Special Indian Agent.

DEPARTMENT OF THE INTERIOR,
December 20, 1901.

Approved.

E. A. HITCHCOCK, *Secretary.*

Therefore,

Be it enacted, etc. That the said agreement be, and the same is hereby, accepted, ratified, and confirmed, and the [illegible] as follows:

ARTICLE I. The said Indians belonging on the Grande Ronde Reservation, Oreg., for the consideration hereinafter named, do hereby cede, surrender, grant, and convey to the United States all their right, title, and interest in and to all that part of the Grande Ronde Reservation [illegible] located on the date of the agreement, excepting the 640 acres [illegible] for Government uses at the time their allotments in severalty were made, the land herein ceded and relinquished approximating [illegible] acres.

ART. II. In consideration of the lands ceded, relinquished, and conveyed by Article I of this agreement, the United States of America agrees to pay to the said Indians the sum of $[illegible] per [illegible], commencing one year from and after the date of the ratification of this agreement, and to continue as long as they reside on the said Grande Ronde Reservation, as follows, to wit: To adults of [illegible] years of age, [illegible] and twenty days from and after the date of the ratification of this agreement, and to children as they arrive at the age of 18 years; and that the payments shall be postponed to such time as the proceeds of the sale of the lands herein ceded shall draw interest at the rate of 5 per cent per annum, which interest shall be paid to the parents or guardians of such minors who have not received any allotments of land, or be used for the benefit of the Indians, pursuant to the discretion of the Secretary of the Interior, and under such regulations as he may prescribe.

ART. III. It is understood and agreed that the 640 acres of land reserved for Government purposes referred to in Article I of this agreement shall, when no longer required by the United States for educational or other purposes in the interests of said Indians, be restored to the public domain and be subject to disposal under the provisions of the United States laws for the disposal of lands in said tract, and that the proceeds of the sale of said lands shall be paid to the Treasury of the United States to the credit of said Indians, and shall draw interest at the rate of 5 per cent per annum, which interest shall be paid to the parents or guardians of such minors who have not received any allotments of land, or be used for the benefit of the Indians pursuant to the discretion of the Secretary of the Interior, and under such regulations as he may prescribe.

ART. IV. It is understood that nothing in this agreement shall be construed to deprive the said Indians of the Grande Ronde Reservation of any benefits

[illegible] be entitled under existing treaties not inconsistent with [illegible] take effect and be in force when accepted and [illegible] ing the provisions of this act into ef- [illegible] of the United States. [illegible] Provided, That [illegible] lands in conform- [illegible] United States, and [illegible] as provided.

The SPEAKER. The question is first on agreeing to the preamble.

The preamble was taken; and the preamble was agreed to.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was taken; and the bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CONTESTED-ELECTION CASE OF BONYNGE V. SHAFROTH.

Mr. OLMSTED. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the desk and ask to have read.

The Clerk read as follows:

[illegible] Shafroth was not duly elected and is not entitled to a seat in this House.

[illegible] W. Bonynge was duly elected and is entitled to a seat in this House.

The SPEAKER. In the opinion of the Chair, the resolution is privileged. The question is on the resolution.

The question was taken, and the resolution was agreed to.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, that I may move to nonconcur in the Senate amendments thereto and ask for a conference.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table the diplomatic and consular appropriation bill. Is there objection?

There was no objection.

Mr. HITT. Mr. Speaker, I move to nonconcur in the Senate amendments and ask for a conference.

The SPEAKER. The question is on the motion of the gentleman from Illinois to nonconcur in the Senate amendments and ask for a conference.

The motion was taken, and the motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. HITT of Illinois, Mr. ADAMS of Pennsylvania, and Mr. DINSMORE of Arkansas.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 12 o'clock and 40 minutes p. m.) the House adjourned until to-morrow at 12 o'clock.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination of Delaware Bay Harbor of Refuge, Delaware—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of [illegible] of fact and law in the French [illegible] sloop *Cato*, William Wyman, [illegible] and ordered to be printed.

A letter from the [illegible] of the Court of Claims, transmitting a copy of the [illegible] brig *Eliza*, Daniel Seymour, [illegible] and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] of fact and law in the French [illegible] master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] of fact and law in the French spoliation claim [illegible] way, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] of fact and law in the French [illegible] to the schooner *Redress*, John G[illegible], [illegible] the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] of fact and law in the French spoliation claim [illegible] to the brig *Nathaniel*, David Young, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] of fact and law in the French [illegible] schooner *Polly*, John Pe[illegible], [illegible] the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following [illegible] were reported to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. [illegible], from the Committee on Claims, to which was [illegible] report (No. [illegible]), which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Claims, to which was referred the bill [illegible] of Mary P. Gilmore, reported the same with [illegible] by a report (No. 921); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Claims, to which was referred the bill of the House (H. R. [illegible]) [illegible] drawn [illegible] and Machine [illegible] Company of Pi[illegible] 922); which said bill [illegible]

Mr. CLARK of Missouri, from the Committee on Claims, to which was referred the bill of the House (H. R. 7190) for the relief of the Bank of North Wilk[illegible], reported the same with [illegible] by a report (No. 923); which said bill [illegible]

Mr. [illegible], from the Committee on Claims, to which was referred the bill of the House (H. R. 3334) for the relief of the Columbia Brewing Company, of S[illegible], Pa., reported the same with amendment, accompanied by a report [illegible]; which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 11928) for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York, reported [illegible] report (No. 925); which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the House (H. R. 2193) for the relief David Tweed, reported the same with amendment, accompanied [illegible] report (No. [illegible]), which said bill and report were referred to the Private Calendar.

Mr. GOLDFOGLE, from the Committee on Claims, to which

was referred the bill of the House (H. R. 9457) for the relief of Alexander S. Rosenthal, reported the same without amendment, accompanied by a report (No. 927); which said bill and report were referred to the Private Calendar.

Mr. LIND, from the Committee on Claims, to which was referred the bill of the House (H. R. 9981) for the relief of Darwin S. Hall, reported the same without amendment, accompanied by a report (No. [illegible]), which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. [illegible]) authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $[illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LIND, from the Committee on Claims, to which was referred the bill of the Senate (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $[illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible] H, from the Committee on Claims, to which was referred the bill of the Senate (S. [illegible]) for the relief of N. F. Palmer, Jr., & Co., reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 199) for the relief of John H. McLaughlin, reported the same with amendment, accompanied by a report (No. 932); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 9834) granting an increase of pension to Elizabeth McL. Haughey, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MAYNARD: A bill (H. R. 12376) to provide for celebrating the first permanent settlement of English-speaking people by holding an international exposition of arts, industries, manufactures, and the products of the soil, mines, forests, and the sea, in the vicinity of Jamestown, and on and near the waters of Hampton Roads, in the State of Virginia, and to authorize an appropriation [illegible]—to the Select Committee on Industrial Arts and Expositions.

By Mr. MIERS of Indiana: A bill (H. R. 12377) in amendment of sections 2 and 3 of an act entitled "An act granting pensions to soldiers and sailors who are incapacitated for the performance of manual labor, and providing for pensions to widows, minor children, and dependent parents"—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 12378) to make certain the mileage to be charged to and collected from parties other than the United States—to the Committee on the Judiciary.

By Mr. BISHOP: A bill (H. R. 12379) to provide a temporary home for ex-volunteer Union soldiers and sailors in the District of Columbia—to the Committee on Military Affairs.

By Mr. JACKSON of Ohio: A bill (H. R. 12380) to construct and complete jetties and piers, and to dredge channel and harbor to a depth of 21 feet, at Huron Harbor, Ohio—to the Committee on Rivers and Harbors.

By Mr. SLEMP: A bill (H. R. 12381) for the establishment, control, operation, and maintenance of a sanitarium [illegible] volunteer soldiers at New Hope, White Sulphur Springs, in the State of Virginia—to the Committee on Military Affairs.

By Mr. CURTIS (by request): A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes—to the Committee on Indian Affairs.

Mr. STEPHENS of Texas: A bill (H. R. 12383) establishing a United States court and recording district at Duncan, Ind. T., and conforming other districts therewith—to the Committee on the Judiciary.

Also, a bill (H. R. 12384) granting a right of way to the Texas, Mountain Park and Northwestern Railroad, and for other purposes—to the Committee on Indian Affairs.

By Mr. WEBB: A bill (H. R. 12385) appropriating $50,000 for a textile and agricultural exhibit by the Government of the United States at Cape Town, South Africa, during the months of December, 1904, and January, 1905—to the Select Committee on Industrial Arts and Expositions.

By Mr. BOWERS: A bill (H. R. 12386) to authorize W. Denny & Co. to bridge Dog River, in the State of Mississippi—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS: Memorial of the legislature of Massachusetts, favoring a bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 12387) granting an increase of pension to Henry Wimer—to the Committee on Invalid Pensions.

By Mr. BISHOP: A bill (H. R. 12388) granting an increase of pension to Adam Shiria—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12389) granting an increase of pension to Napoleon Paulus—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 12390) for the relief of Reuben R. Sea—to the Committee on Military Affairs.

By Mr. CRUMPACKER: A bill (H. R. 12391) granting an increase of pension to Hiram A. Towle—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 12392) granting a pension to John Riley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12393) for the relief of John W. Magann—to the Committee on Claims.

Also, a bill (H. R. 12394) for the relief of Stephen Murphy—to the Committee on Military Affairs.

Also, a bill (H. R. 12395) for the relief of H. J. Tisdale—to the Committee on Military Affairs.

Also, a bill (H. R. 12396) granting an increase of pension to James Mecham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12397) granting an increase of pension to Alfred Chill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12398) granting an increase of pension to Samuel N. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12399) granting an increase of pension to James Slater—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 12400) granting a pension to Ellen Cain—to the Committee on Pensions.

By Mr. GAINES of West Virginia: A bill (H. R. 12401) granting a pension to Henry J. Hefner—to the Committee on Invalid Pensions.

By Mr. GILLET of New York: A bill (H. R. 12402) granting a pension to Orson Burlingame—to the Committee on Invalid Pensions.

By Mr. GRANGER: A bill (H. R. 12403) granting a pension to John Aldrich—to the Committee on Pensions.

Also, a bill (H. R. 12404) granting an honorable discharge to William H. H. Thompson, late acting master's mate, United States Navy—to the Committee on Naval Affairs.

By Mr. GRIFFITH: A bill (H. R. 12405) granting an increase of pension to Hiram N. Humphrey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12406) granting an increase of pension to William H. Buchanan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12407) granting a pension to Josephine Dumont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12408) to correct the military record of Lewis Gannon—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 12409) granting a pension to Celina M. Bass—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12410) granting an increase of pension to Anson R. Hodgkins—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 12411) granting an increase of pension to Joseph D. Walser—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 12412) granting an increase of pension to Josiah D. Fye—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 12413) granting an increase of pension to Timothy Haley—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 12414) granting an increase of pension to John S. Crosser—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 12415) granting an increase of pension to Reuben W. Patterson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12416) granting an increase of pension to Charles C. Duncan—to the Committee on Invalid Pensions.

By Mr. LUCKING: A bill (H. R. 12417) granting a pension to Hiram Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12418) to reimburse $337.52 to the administratrix of estate of Col. Philip Kirschner—to the Committee on Claims.

By Mr. MIERS of Indiana: A bill (H. R. 12419) granting an increase of pension to Luke Reynolds—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12420) granting an increase of pension to Harvey Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12421) granting a pension to Hugh Alexander—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12422) granting a pension to Abigal Tharp—to the Committee on Pensions.

Also, a bill (H. R. 12423) granting a pension to Y. E. Alexander—to the Committee on Pensions.

By Mr. SHERMAN: A bill (H. R. 12424) for the relief of William Gardner—to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 12425) for the relief of the legal representatives of Jennings H. Courts, deceased—to the Committee on War Claims.

By Mr. SPALDING: A bill (H. R. 12426) to permit the appointment of Frank L. Anders as second lieutenant in the United States Army—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 12427) for the relief of Homer H. Flanagan, late a private in Company K, First Mississippi Volunteer Infantry, Spanish-American war—to the Committee on War Claims.

By Mr. STEPHENS of Texas (by request): A bill (H. R. 12428) granting an increase of pension to Andrew L. Hook—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 12429) granting an increase of pension to Westley McCleary—to the Committee on Pensions.

Also, a bill (H. R. 12430) for the relief of Kate Kearney Henry, widow and administratrix of James L. Henry, deceased—to the Committee on Claims.

Also, a bill (H. R. 12431) for the relief of Catherine C. McGowan, widow and administratrix of Michael A. McGowan, deceased—to the Committee on Claims.

By Mr. WADSWORTH: A bill (H. R. 12432) granting an increase of pension to George Thayer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12433) granting an increase of pension to Wallace E. Hughson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12434) granting an increase of pension to Rebecca McKinney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12435) granting an increase of pension to Charles A. Phillips—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12436) granting a pension to Ida E. Nerber—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 12437) granting an increase of pension to William H. Crites—to the Committee on Invalid Pensions.

By Mr. WRIGHT: A bill (H. R. 12438) granting an increase of pension to William Fetzer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12439) granting a pension to Lydia Gavitt—to the Committee on Invalid Pensions.

By Mr. YOUNG: A bill (H. R. 12440) granting an increase of pension to Edward M. Shepard—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Department of the Potomac, Grand Army of the Republic, favoring the passage of service-pension bill—to the Committee on Invalid Pensions.

Also, memorial of the Massachusetts legislature, favoring legislation to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS of Pennsylvania: Resolution of board of directors of the Philadelphia Bourse, favoring the conclusion of treaties with other nations referring international questions to the court of arbitration at The Hague—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolution of Licensed Tugmen's Protective Association of Buffalo, N Y., opposing building of dredges by the Government—to the Committee on Naval Affairs.

Also, petition of the Gilbert S. Graves Bible Class, of Buffalo, N. Y., opposing passage of so-called original-package bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Papers to accompany bill H. R. 2005, granting increase of pension to Alexander J. Hood—to the Committee on Invalid Pensions.

Also, resolution of members of Methodist Episcopal Church of Union Mills, Wis., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of Young People's Society of Christian Endeavor of the Second Presbyterian Church of Lincoln, Nebr., favoring the passage of a bill to prevent nullification of State liquor laws and no-license ordinances—to the Committee on the Judiciary.

Also, petition of Young People's Society of Christian Endeavor of the Second Presbyterian Church of Lincoln, Nebr., asking for the abolishing of the canteen in Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, petition of Young People's Society of Christian Endeavor of Lincoln, Nebr., favoring passage of McCumber bill prohibiting the sale of liquor on Government premises—to the Committee on Alcoholic Liquor Traffic.

Also, petition of F. W. Rodenbrock and 51 other voters of Nebraska City, Nebr., favoring passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CURTIS: Resolution of the Building Trades Employers' Association of Topeka, Kans., against bill H. R. 11060—to the Committee on the Judiciary.

Also, petitions of citizens of Topeka and Ozawkie, Kans., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Victor Post, No. 293, of Fort Dodge; Johnson Post, No. 336, of Atchison; Jesse Nelson Post, No. 62, of Tecumseh, and Blue Post, No. 250, of Topeka, Kans., Grand Army of the Republic, and Union soldiers and sailors who served in war of 1861-1865, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Mrs. M. D. Ellis and 46 other voters of Pardee, Kans., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DALZELL: Papers to accompany bill H. R. 6558, for increase of pension for Robert H. Long—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolution of Maritime Association of the Port of New York, favoring the completion of breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. ESCH: Petition of E. R. Johnson and 15 other voters of the Seventh district of Wisconsin, opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Independent Order of Good Templars of Withee, Wis., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the National Association of Rural Carriers, F. H. Cunningham, of South Omaha, Nebr., president, in the interest of rural letter carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. GAINES of West Virginia: Petition of trustees of the Methodist Episcopal Church of Webster, W. Va., asking that claim of $720, under act of July 4, 1864, be referred to the Court of Claims for a finding of facts, as provided by act of Congress approved March 3, 1883, known as the Bowman Act—to the Committee on War Claims.

Also, petition of W. H. Raidin and 38 other voters of Mount Hope; H. E. Williams, of Duo, and L. S. Lee and 74 other voters of Jefferson district, all in West Virginia, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRIFFITH: Papers to accompany House bill for increase of pension for H. Buchanan—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension of Hiram N. Humphrey—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension to Eli Duvall—to the Committee on Invalid Pensions.

By Mr. HAMLIN: Petition of F. A. Mossin and 100 other voters, of Howard County, Mo., favoring passage of bill H. R. 4508, the Brownlow bill—to the Committee on Agriculture.

Also, affidavits to accompany claim of Atheil A. McAlister and J. T. Butler—to the Committee on War Claims.

By Mr. HAMILTON: Petition of Harlon Briggs Post, No. 80, Grand Army of the Republic, of Hopkins Station, Mich., favoring the service-pension bill—to the Committee on Invalid Pensions.

By Mr. HASKINS: Resolution of Johnson Post, No. 23, Grand Army of the Republic, Department of Vermont, favoring the service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Chamberlain Post, No. 1, Grand Army of the Republic, Department of Vermont, favoring the service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Petition of citizens of Russell, Iowa, favoring passage of bill H. R. 4072, the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Resolution of H. C. Haskins, H. L. Wehenkel, and H. Frendenburg, patrons of rural free-delivery route No. 1, of Madison, Nebr., favoring increased pay for rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. LACEY: Petition of George T. Jackson and 10 others, of Montezuma, Iowa, opposing passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LINDSAY: Resolution of Dry Goods Reporter, of Chicago, Ill., opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the National German-American Alliance, of Philadelphia, Pa., opposing the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Maritime Association of the Port of New York, favoring completion of harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. LITTLEFIELD: Petition of W. S. Coleman and 55 other voters of Lisbon, Me., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Petition of S. N. Slinkaid, teacher, and pupils of public schools of Linton, Ind., to have monument erected at Lundys Lane, Ind., for American soldiers buried there—to the Committee on the Library.

Also, papers to accompany House bill to grant pension to Hugh Alexander—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension of Eli B. Holmes—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension of Harvey Miller—to the Committee on Invalid Pensions.

Also, petition of C. S. Sherwood and 26 other voters of Linton, Ind., opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. PATTERSON of Pennsylvania: Papers to accompany House bill granting increase of pension to Hugh M. Stevenson—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for increase of pension to Charles H. Barnard—to the Committee on Invalid Pensions.

By Mr. PAYNE: Papers to accompany bill H. R. 12098, for increase of pension to Edwin M. Slayton—to the Committee on Invalid Pensions.

By Mr. RAINEY: Petition of John C. Morse and 52 other merchants of Illinois, opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RIDER: Resolution of the Maritime Exchange of the Port of New York, favoring completion of work on breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. ROBERTS: Resolution of General E. W. Hinks Post, No. 95, Grand Army of the Republic, of Sawyer, Mass., favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: Petition of R. C. Ocker and 10 citizens of Lagrange, Ind., opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. RYAN: Resolution of the Maritime Association of the Port of New York, favoring completion of breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. SIBLEY: Resolution of Robert Kinnear Post, No. 632, Grand Army of the Republic, of Youngsville, Pa., favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 1767, granting a pension to Elizabeth Morris—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1750, granting pension to Columbus B. Allen—to the Committee on Invalid Pensions.

By Mr. SPALDING: Protest of citizens of Morton County, N. Dak., opposing the division of the Bismarck land district—to the Committee on the Public Lands.

By Mr. SPIGHT: Paper to accompany claim of Homer H. Flanagan—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Petition of J. M. Hatcher & Co. and 20 other merchants of Lewisville, Tex., opposing parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, memorial from citizens of Gainesville, Tex., favoring passage of good-roads bill—to the Committee on Agriculture.

By Mr. SULLOWAY: Papers to accompany bill H. R. 9834, for increase of pension of Elizabeth M. L. Haughey—to the Committee on Pensions.

By Mr. TALBOTT (by request): Petition of Rev. J. E. Nicholson and 19 other voters of Finksburg, Md., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. THAYER: Petition of Oliver R. Cook and 30 voters of Worcester, Mass., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

TUESDAY, *February 16, 1904.*

THE PRAYER.

The Chaplain, Rev. EDWARD EVERETT HALE, offered the following prayer:

"For we know that if our earthly house of this tabernacle were dissolved, we have a building of God, an house not made with hands, eternal in the heavens."

"Behold, I shew you a mystery," he writes. "I make plain to you that that has been a mystery.

"We shall not all sleep, but we shall all be changed, in a moment, in the twinkling of an eye, * * * for this corruptible must put on incorruption, and this mortal must put on immortality."

Father, these who have known him best, these who have loved him, they come to Thee to ask Thy strength for weakness, for light in darkness, and that Thou wilt interpret unto them the lessons of life and death. All of us, Father, who knew him to love him and to honor him, we are altogether, with those nearest to him in his home, in the sorrows of this hour.

Come near to us as only our Father can come near to us. Show us what it is to be the immortal children of an eternal God. Train us to new service and larger service when we go from world to world or from life to life, to be with Thee in this infinite heaven of Thine.

Father, we pray for this nation, that she may always have counselors from the midst of her, men who know her people and who know the world and are willing to join with one heart and with one voice that this may be the kingdom of Thy love. Be with us in our sorrows as Thou hast been in our joys. We ask it in Christ Jesus.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory, forever. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ALDRICH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

DEATH OF SENATOR HANNA.

Mr. FORAKER. Mr. President, I have a painful duty to perform. It is that of making formal announcement of the death of my late colleague, Hon. MARCUS A. HANNA. He departed this life in this city, at the Arlington Hotel, where he has been residing during this session of the Senate, at the hour of 6.40 p. m. yesterday, surrounded by his family and immediate friends.

This was not unexpected at the time when it occurred. For months past it has been evident to all who were associated with him that he was in failing health.

He was urgently and repeatedly advised to desist from his labors and make a special effort to resist his maladies, but his strong will power, his vital nature, and his habits were such that he disregarded all such suggestions and continued at his post until about three weeks ago, when he was prostrated by typhoid fever.

His friends then became justly alarmed. That alarm spread throughout the country, and in response to unusual manifestations of public sympathy his physicians bulletined his condition daily and finally almost hourly.

As the days passed hope failed, until all recognized that the "inevitable hour" was approaching.

Thus it was that the end did not come as a surprise, but the regret it has occasioned appears to be more profound and universal on that account.

His bereaved family have been the recipients of messages and telegrams of grief and condolence from all sections and from all classes.

He is mourned by all his countrymen—by his political associates not alone because he was their great organizing leader who represented their party, but also and more especially because he had gained their affections and respect as their leader and as a favorite; by his political opponents because they are generous and magnanimous enough to experience sorrow when a brave foe falls, though he be of the opposition, and because they recognized in him a bold and large-hearted man, who commanded their respect and excited their admiration.

Here in the Senate, where he was so long a distinguished member, he was best known and most appreciated.

It is unnecessary to speak in this presence of the great loss his

death has occasioned to his party, his State, and the nation. All know it better than any language can express it.

Mr. President, this is not the time for extended eulogy. Later, I shall ask the Senate to set apart a day when all his colleagues can join with me in paying fitting tribute to his life, character, and public services.

For the present I content myself with offering the resolutions I send to the desk, for which I ask present consideration.

The PRESIDENT pro tempore. The Senator from Ohio submits resolutions, which the Secretary will read to the Senate.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. MARCUS A. HANNA, late a Senator from the State of Ohio.

Resolved, That a committee of twenty-five Senators, of whom the President pro tempore shall be one, be appointed by the presiding officer to take order for superintending the funeral of Mr. HANNA, which shall take place in the Senate Chamber on the ... day, February 17, instant, and that the Senate will attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington for burial, in charge of the Sergeant at Arms, attended by the committee, who shall have full power to carry these resolutions into effect, and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate.

Resolved, That the Secretary communicate these proceedings to the House of Representatives and invite the House of Representatives to attend the funeral in the Senate Chamber and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States, and the members of his Cabinet, the Chief Justice and associate justices of the Supreme Court of the United States, the diplomatic corps, the Secretary of State, the Admiral of the Navy and the Lieutenant-General of the Army to attend the funeral in the Senate Chamber.

The PRESIDENT pro tempore. The question is on agreeing to the resolutions submitted by the Senator from Ohio.

The resolutions were unanimously agreed to.

The PRESIDENT pro tempore appointed as the committee under the second resolution Mr. FORAKER, Mr. ALLISON, Mr. ALDRICH, Mr. HALE, Mr. PLATT of Connecticut, Mr. SPOONER, Mr. PERKINS, Mr. WETMORE, Mr. HANSBROUGH, Mr. WARREN, Mr. FAIRBANKS, Mr. DEPEW, Mr. KEAN, Mr. SCOTT, Mr. BEVERIDGE, Mr. ALGER, Mr. KITTREDGE, Mr. GORMAN, Mr. COCKRELL, Mr. TELLER, Mr. BACON, Mr. MARTIN, Mr. BLACKBURN, and Mr. MCENERY.

Mr. FORAKER. Mr. President, I move, as a further mark of respect to the deceased, that the Senate adjourn.

The motion was unanimously agreed to; and (at 12 o'clock and 12 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 17, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 16, 1904.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Our Father who art in heaven, we come to Thee bowed in sorrow and in grief because a great and useful man, a faithful servant of the people, has been taken from us. Yet we come with perfect faith and confidence in Thee as a wise, just, and merciful Ruler, who doeth all things for the good of Thy children.

Help us, we beseech Thee, to learn the lesson Thou wouldst teach in the life and death of this man, that we may be faithful to our calling and gain the confidence and esteem of our fellow-men.

Be very near to the bereaved wife, the mourning family, and to those who were near and dear to him by the ties of friendship. Comfort them by the blessed hope of the life to come in Jesus Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10954) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 3594. An act to authorize the resubdivision of lots or blocks in the District of Columbia;

H. R. 11823. An act to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures; and

H. R. 9308. An act permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, disagreed to by the House of Representatives, had agreed to the conference asked by the House of Representatives, and had appointed Mr. HALE, Mr. CULLOM, and Mr. TELLER as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the joint resolution (S. R. 37) providing for the editions to be printed for the annual and special reports of the Librarian of Congress.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 3445) to amend the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 660. An act granting an increase of pension to John S. Sines;

H. R. 5720. An act granting an increase of pension to William T. Filler;

H. R. 703. An act granting an increase of pension to Robert P. Baker;

H. R. 7732. An act granting an increase of pension to Mary Chenowith;

H. R. 1488. An act granting an increase of pension to James W. Black;

H. R. 7439. An act granting an increase of pension to Helen M. Bates;

H. R. 198. An act granting an increase of pension to Emmett Cole;

H. R. 6947. An act granting an increase of pension to Joseph H. Cooper;

H. R. 7798. An act granting an increase of pension to Andrew Black;

H. R. 6028. An act granting an increase of pension to Anson Herron;

H. R. 4325. An act granting an increase of pension to John A. Sills;

H. R. 812. An act granting an increase of pension to Charles F. Emery;

H. R. 6032. An act granting an increase of pension to Charles S. Bellows;

H. R. 937. An act granting an increase of pension to Mark A. Shelton;

H. R. 7682. An act granting an increase of pension to William H. Howard;

H. R. 1156. An act granting an increase of pension to John Panzau;

H. R. 6036. An act granting an increase of pension to John Shafer;

H. R. 5609. An act granting an increase of pension to Benjamin F. Grigsby;

H. R. 734. An act granting an increase of pension to Henry S. McAlister;

H. R. 8729. An act granting an increase of pension to Gustus S. Remick;

H. R. 727. An act granting an increase of pension to James K. Rice;

H. R. 3867. An act granting an increase of pension to Emily Coughlin;

H. R. 5872. An act granting a pension to Mariah Knoblauch;

H. R. 1497. An act granting an increase of pension to Dana Cook;

H. R. 4578. An act granting a pension to Catharine M. McClanahan;

H. R. 138. An act granting an increase of pension to Henry Hale;

H. R. 7355. An act granting an increase of pension to Henry Barrett;

H. R. 1855. An act granting a pension to Harriett B. Riley;

H. R. 1294. An act granting an increase of pension to William McBrien;

H. R. 6562. An act granting an increase of pension to Frances A. Thompson;

H. R. 165. An act granting an increase of pension to Thomas Adelsperger;

H. R. 1487. An act granting an increase of pension to Dexter T. Drake;

H. R. 5534. An act granting an increase of pension to Adaline Shaw Lovejoy;

H. R. 6994. An act granting an increase of pension to Theresa Nebrich;

H. R. 8187. An act granting an increase of pension to George Jeffrey;

H. R. 8123. An act granting a pension to Eliza S. Smith;

H. R. 219. An act granting a pension to Minerva J. Burton;

H. R. 7095. An act granting an increase of pension to Harrison H. Hakes;

H. R. 8717. An act granting an increase of pension to Henry Edwards;

H. R. 8342. An act granting an increase of pension to Horace E. Davis;

H. R. 8207. An act granting an increase of pension to Charles Johnson;

H. R. 5299. An act granting an increase of pension to Sarah E. Wheeler;

H. R. 2553. An act granting an increase of pension to George Wintz;

H. R. 4887. An act granting an increase of pension to George N. Thorpe;

H. R. 4629. An act granting an increase of pension to Thomas C. Pond;

H. R. 4276. An act granting an increase of pension to Hamilton E. Burritt;

H. R. 2822. An act granting an increase of pension to Louiza Phillips;

H. R. 3521. An act granting an increase of pension to John Hawker;

H. R. 7374. An act granting an increase of pension to Jabez Perkins;

H. R. 134. An act granting a pension to Willelmina Miller;

H. R. 6620. An act granting an increase of pension to William P. Conner;

H. R. 3272. An act granting an increase of pension to Elizabeth Hardy;

H. R. 6547. An act granting a pension to John Holzer;

H. R. 3172. An act granting an increase of pension to Robert E. Pogue;

H. R. 195. An act granting a pension to Michael Landy;

H. R. 2040. An act granting a pension to James Anderson;

H. R. 7447. An act granting an increase of pension to William Bailey;

H. R. 754. An act granting a pension to John M. Lawton;

H. R. 5634. An act granting an increase of pension to Robert L. Miles;

H. R. 4946. An act granting a pension to James F. Wheeler;

H. R. 7756. An act granting an increase of pension to Charles Schroder;

H. R. 7072. An act granting a pension to Mary McCall;

H. R. 6701. An act granting an increase of pension to John A. Reeds;

H. R. 9029. An act granting a pension to Georgie S. Barbour;

H. R. 8929. An act granting a pension to Harriet A. Tucker;

H. R. 5199. An act granting an increase of pension to Emma M. Johnson;

H. R. 5517. An act granting an increase of pension to William P. Hereford;

H. R. 7594. An act granting an increase of pension to Charles H. Miller;

H. R. 5818. An act granting an increase of pension to Philip Snow;

H. R. 4759. An act granting an increase of pension to David P. McDonald;

H. R. 5672. An act granting an increase of pension to Edward A. Wilbur;

H. R. 3337. An act granting an increase of pension to Mary A. Craigue;

H. R. 5528. An act granting a pension to Maria Lindhorst;

H. R. 4031. An act granting an increase of pension to Samuel R. Wasson;

H. R. 4915. An act granting an increase of pension to James W. Hibbert;

H. R. 6061. An act granting an increase of pension to Alpheus D. Brown;

H. R. 6588. An act granting an increase of pension to James H. Cummings;

H. R. 7757. An act granting an increase of pension to Cyrus Davidheiser;

H. R. 5599. An act granting an increase of pension to James P. Johnson;

H. R. 6091. An act granting an increase of pension to John W. Brown;

H. R. 6023. An act granting an increase of pension to Charles Wigert;

H. R. 6342. An act granting an increase of pension to Thomas Springer;

H. R. 7799. An act granting an increase of pension to John O. Rice;

H. R. 2932. An act granting a pension to Dudley R. W. Williams;

H. R. 3298. An act granting a pension to Mary E. Pennock;

H. R. 689. An act granting an increase of pension to Edgar Chapman;

H. R. 3665. An act granting an increase of pension to Henry C. Jones;

H. R. 2012. An act granting an increase of pension to Elizabeth A. Jones;

H. R. 2111. An act granting an increase of pension to Henry D. Towsley;

H. R. 3411. An act granting an increase of pension to William J. Hart;

H. R. 1859. An act granting an increase of pension to Patrick Cannon;

H. R. 3345. An act granting an increase of pension to Charles P. Clarke;

H. R. 561. An act granting an increase of pension to Eri Summy;

H. R. 2916. An act granting an increase of pension to Francis S. Howard;

H. R. 1906. An act granting an increase of pension to George W. Blanchard;

H. R. 610. An act granting an increase of pension to Samuel Alexander;

H. R. 5531. An act granting an increase of pension to Marvin Nash;

H. R. 2427. An act granting a pension to Cynthia Thomas;

H. R. 4625. An act granting a pension to Theresa B. Nash;

H. R. 249. An act granting an increase of pension to Mollie J. Mitchell;

H. R. 7515. An act granting a pension to Rebecca A. Mathias;

H. R. 2201. An act granting an increase of pension to George McDonald;

H. R. 8728. An act granting a pension to Matilda Lafferty;

H. R. 4323. An act granting an increase of pension to Mary Wurtz;

H. R. 2016. An act granting an increase of pension to George Gardner;

H. R. 4265. An act granting a pension to Barney L. Brookins;

H. R. 8748. An act for the relief of Serenus Kilbourne;

H. R. 681. An act granting an increase of pension to Ella P. Kersteter;

H. R. 6005. An act granting an increase of pension to George B. Davis;

H. R. 3815. An act granting an increase of pension to Hester E. Mooney;

H. R. 4457. An act granting an increase of pension to Mary E. Meldrum;

H. R. 3617. An act granting an increase of pension to Charles M. Everett;

H. R. 5471. An act granting an increase of pension to A. Marion Gamble;

H. R. 3407. An act granting an increase of pension to Frank Lewis;

H. R. 6071. An act granting an increase of pension to Abraham C. Null;

H. R. 529. An act granting a pension to Emma H. Higley;

H. R. 6442. An act granting an increase of pension to James P. Wallace;

H. R. 3435. An act granting an increase of pension to John M. Pratt;

H. R. 3299. An act granting a pension to Medie M. Flanders;

H. R. 3367. An act granting an increase of pension to George W. Kerby; and

H. R. 3616. An act granting an increase of pension to James W. Davis.

FORTIFICATIONS APPROPRIATION BILL.

Mr. LITTAUER, from the Committee on Appropriations, reported the bill (H. R. 12436) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. All points of order will be reserved.

SWEARING IN OF A MEMBER.

Mr. HOGG. Mr. Speaker, Mr. Bonynge, of the First district of Colorado, is present and desires to take the oath of office.

Mr. Bonynge appeared at the bar of the House, and was duly qualified by taking the oath of office required by law.

CONFERENCE REPORT ON URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I desire to present the conference report on the urgent deficiency bill.

The SPEAKER. The gentleman from Indiana presents a conference report on the urgent deficiency bill, which the Clerk will read.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent to dispense with the reading of the report, and that the statement of the House conferees be read in place of the report.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the reading of the conference report may be dispensed with, and that the statement be read. Is there objection? [After a pause.] The Chair hears none.

The statement of the House conferees was read, as follows:

[illegible]

On amendment numbered 2: Appropriates two thousand dollars as proposed by the Senate, instead of three thousand five hundred dollars as proposed by the House, for contingent expenses for the International Boundary Commission.

On amendment numbered 3: Appropriates five hundred dollars as proposed by the Senate for the purchase of two horses for the Department of State.

On amendments numbered 4, 5, 6 and 7, relating to foreign intercourse: [illegible] as proposed by the Senate instead of [illegible] as proposed by the House, for expenses of the Commission to the Paris Exposition, as proposed by the Senate.

On amendment numbered 8: Appropriates [illegible] dollars and twenty-five cents for foreign postage for the Treasury Department, as proposed by the House.

On amendment numbered 9: Appropriates six thousand and twenty-five dollars, as proposed by the Senate, instead of [illegible] employees in the office of the Director of the Mint, as proposed by the House, for the fiscal year, [illegible] for the fiscal year, [illegible] numbered 10: [illegible] position: Inserts in the bill the substitute proposed by the Senate.

[illegible] available until September 30, 1903, [illegible] States Commission to the Paris Exposition, as proposed by the Senate.

[illegible] Senate, for [illegible] to the Interior Department, as proposed by the Senate.

On amendment numbered 14: Appropriates twelve thousand dollars, as proposed by the Senate, instead of one hundred and twenty thousand dollars, as proposed by the House, for changing the working room of the Office of the Supervising Architect, as proposed by the Senate.

On amendment numbered 15: Striks out the appropriation proposed by the Senate for the maintenance and condemnation of additional ground for the Botanical Garden, as proposed by the House.

On amendment numbered 16: Appropriates two thousand five hundred dollars, as proposed by the Senate, for rental of temporary quarters at Greensboro, N. C., as proposed by the Senate.

On amendment numbered 17: Strikes out the appropriation of [illegible] dollars, as proposed by the Senate, for purchase of [illegible] as proposed by the House.

On amendment numbered 18: Appropriates [illegible] dollars, as proposed by the Senate, for heating, hoisting, and ventilating apparatus, as proposed by the House.

On amendment numbered 19: Appropriates fifteen thousand dollars, as proposed by the Senate, for [illegible] hundred dollars, as proposed by the House, for [illegible] Makes appropriations as follows: [illegible]

On amendments numbered 20, 21, 22, 23, 24, 25, and 26, relating to the Navy: Makes appropriations as follows: [illegible] Appropriates two hundred dollars for the purchase of one hundred copies of the Report of the Naval Institute, as proposed by the Senate, instead of [illegible] hundred dollars, as proposed by the House, for [illegible] engine house, and five hundred dollars for [illegible] Appropriates [illegible] settlement of accounts of George W. [illegible] paymaster in the Army, not exceeding six hundred [illegible] as proposed by the Senate, instead of [illegible] as proposed by the House, for the payment of three [illegible] as proposed by the Senate, instead of six thousand [illegible] as proposed by the House, for [illegible] as proposed by the Senate, instead of [illegible] as proposed by the House, for [illegible] Appropriates two hundred and [illegible] dollars, as proposed by the Senate, for road from Springfield, Mo., to the national cemetery.

On amendments numbered 31, 32, and 33, relating to the Military Academy: Appropriates, as proposed by the Senate, one hundred and [illegible] hundred dollars, as proposed by the House, for [illegible] Appropriates two thousand eight hundred dollars, as proposed by the Senate, for the naval station at Cavite, Philippine Islands.

On amendment numbered 35: Appropriates three thousand dollars, as proposed by the Senate, for repairs of the Interior Department and Pension buildings.

On amendment numbered 36: Appropriates seven hundred and fifty dollars, as proposed by the Senate, for repairs and improvements to steam fire engine houses and Senate and House stables.

On amendments numbered 37, 38, and 39, relating to the Government Hospital for the Insane: Appropriates two thousand five hundred dollars, as proposed by the Senate, instead of four thousand dollars, as proposed by the House, for the Hospital extension. Also appropriates, as proposed by the Senate, seven thousand nine hundred and sixty dollars for a locomotive and two thousand four hundred and fifty dollars for rubber treads for iron stairs.

On amendment numbered 40: Appropriates one thousand five hundred dollars, as proposed by the Senate, for the Columbia Institution for the Deaf and Dumb.

On amendment numbered 41: Appropriates two thousand dollars, as proposed by the Senate, for Howard University.

On amendment numbered 42: Appropriates six hundred and forty dollars and forty cents, as proposed by the Senate, for surveying boundaries of Yellowstone Park.

On amendment numbered 43: Appropriates one hundred and fifty-two dollars, as proposed by the Senate, for salary due a regent of the Smithsonian Institution.

On amendment numbered 44: Appropriates five thousand dollars, as proposed by the Senate, instead of [illegible] thousand dollars, instead of seven thousand dollars, as proposed by the House, and one hundred thousand dollars, as proposed by the Senate, for investigating the mineral resources of Alaska.

On amendment numbered 46: Appropriates ten thousand dollars, as proposed by the Senate, for [illegible] dollars for repairs and improvements at the Government Hospital for the Insane, as proposed by the House.

On amendment numbered 47: Appropriates [illegible] dollars, as proposed by the Senate, instead of [illegible] dollars, as proposed by the House, for [illegible] and dollars for rent, [illegible] and said [illegible] as proposed by the Senate.

On amendments numbered 57 and 58: Strikes out the appropriations proposed by the Senate for the Bureau of Chemistry under the Department of Agriculture.

On amendment numbered 59: Appropriates three thousand dollars, as proposed by the Senate, for repairing a bridge across Rock Creek, District of Columbia, as proposed by the House.

On amendment numbered 60: Appropriates forty-two thousand dollars, as proposed by the Senate, instead of fifty-nine thousand dollars, as proposed by the House, for [illegible] propriates, as proposed by the Senate, for [illegible] dollars, as proposed by the House.

On amendment numbered 61: Appropriates [illegible] National Museum, as proposed by the Senate, instead of [illegible] as proposed by the House.

On amendment numbered 62: Appropriates [illegible] hundred and [illegible] as proposed by the Senate, instead of [illegible] as proposed by the House.

On amendment numbered 63: Appropriates [illegible] as proposed by the Senate, instead of [illegible] as proposed by the House.

On amendment numbered 64: Strikes out the appropriation of forty-six dollars and [illegible] to pay an audited claim, as proposed by the Senate.

On amendment numbered 65: Appropriates [illegible] $11,39, being an increase [illegible] as proposed by the Senate.

On amendment numbered 66: Appropriates [illegible] that the [illegible] as proposed by the Senate.

J. A. HEMENWAY,
H. C. VAN VOORHIS,
Managers on the part of the House.

Mr. HEMENWAY. Mr. Speaker, under the rules of the House all conference reports should be printed and lie over one day before consideration. In view of the fact that the amendments of the Senate were considered in the Committee of the Whole House on the status of the Union before the bill went to conference, in view of the fact that the House will probably transact no further business until the day after to-morrow, I respectfully, and in view of the further fact that items upon this bill are very necessary to the proper conduct of the public service, I ask unanimous consent that this report be considered now.

Mr. WILLIAMS of Massachusetts. Mr. Speaker, in view of the circumstances surrounding the bill and past discussion of the differences between the two Houses, in view, also, of the peculiar circumstances surrounding the day itself, I shall not object to the request for unanimous consent; but I give notice now, before adjournment, that hereafter, in connection with all appropriation bills, objection will be made to any request for unanimous consent of this character, and the demand made that the rule be complied with.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The question is on agreeing to the conference report.

The question was taken; and the conference report was agreed to.

On motion of Mr. HEMENWAY, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

JEREMIAH O'BRIEN.

Mr. WILEY of Alabama. Mr. Speaker, at an earlier day in the session I submitted some remarks upon the life and character of Jeremiah O'Brien, an Irish-American patriot and hero of the Revolutionary war, in advocacy of a bill to erect a monument to his memory in the nation's capital. I find that the address as

published in the RECORD contained some historical inaccuracies. I have revised and corrected the same; and I now ask unanimous consent to print them in the RECORD in lieu of the original speech.

The SPEAKER. The gentleman from Alabama asks unanimous consent to print revised remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The remarks are as follows:

URGENT DEFICIENCY APPROPRIATION BILL.

Mr. WILEY of Alabama. Mr. Chairman, at an early day of the present session I had the honor to introduce into this House a bill (H. R. 10429) for the erection of a monument, in the city of Washington, to the memory of Jeremiah O'Brien, upon which shall be inscribed the words:

Erected to the memory of
The heroic Irish-American,
Jeremiah O'Brien,
Who attacked and captured
In the first sea fight of
The Revolutionary war
The British schooner *Margaretta*.

Commodore John Barry has justly been characterized as the father of the American Navy. I am pleased to be advised that a similar bill has already been introduced in this House, authorizing the erection of a monument, at our beautiful national capital, to keep fresh in our remembrances the illustrious services he rendered his country, both in peace and in war, and to make luminous and glorious the growth and development of the American Navy, in the rapid march of the most marvelous century that ever chronicled the brilliant achievements of the human race.

But while we are rendering a just tribute to the man whose genius and brains created our Navy, let us not forget to do honor to another patriot, Jeremiah O'Brien, who fought the first naval battle in our struggle for independence from the British Crown, nor fail to perpetuate the virtues and the valor of the brave, free, and independent men who, under his leadership, did a deed so grand and enduring as to win the admiration of the civilized world. History does not record the name of a hero who has excelled in dauntless courage and in unconquerable patriotism the immortal Irish-American sailor of whom I speak.

These intrepid men from sawmill and shipyard have glorified our nation's flag and ornamented the brightest page of the annals in which are inscribed the brilliant events that have transpired during the past one hundred years in this "Union of our fathers and sires." The white angel of peace has descended upon the village of Machias, in the State of Maine, and now abides within her gates. But not so in the memorable month of June, 1775. Then the tocsin of war was heard on her streets and excitement ran high in every household. A wondrous change has come over the spirits of her inhabitants and hangs above the face of the mighty waters. The sweet flowers of hope and faith are climbing and blooming over the ruined and deserted cannon which once belched forth the fires of carnage and death during the war in which the colonies engaged with the mother country.

Popular conceptions are inaccurate and misleading. The story of the men of Machias is necessarily traditional. One hundred and twenty-nine years ago the first sea battle of the Revolutionary war was fought. Away in the distant regions of antiquity, so remote that the event is scarce remembered in the chronicles of men, it is not to be marveled at that different and conflicting versions of this remarkable encounter should appear from time to time. One of the most interesting and romantic accounts has been rendered by Lieut. Edward Wilson Very, late of the United States Navy.

The story, as told by him, runs substantially like this:

The news of the battle of Lexington reached Machias early one Sunday morning. It was the 10th of June, 1775, and just then there was an armed Government schooner in front of the town waiting to convoy a couple of lumber-loaded sloops to Halifax.

The young men of the village, fired by the story of the deeds of their kinsmen, gathered and plotted to lend their mite to the cause; but what could be done? The guns of the schooner covered the town; there were other guns in the little old blockhouse, and there were a few muskets; but the authorities were Tories, and all the gunpowder was locked fast in the magazine beyond their reach. There was powder in Jonesboro, 10 miles away; but no man dared go to get it for fear of being missed.

And so it happened that Mary Chandler, a young girl of 17, slipped quietly from the meetinghouse during the sermon, walked over the rough trail to Jonesboro, and that night carried on her shoulders 25 pounds of powder back through the woods to Machias.

This blockading craft was His Majesty's schooner *Margaretta*, manned with a crew recruited from the hardy seafarers of Nova Scotia, and full of the brawn and muscle and grit which had contributed so essentially to make true the boast "Britannia rules the waves."

When the shadows of evening came down upon both land and sea the commander of the *Margaretta*, as a precautionary measure, and in order to guard against a possible covert attack at night, moved the schooner down the river to the bay a few miles away, where he thought he would be in a safe position to hold the rebellious village in his relentless grip; but no sooner was he out of sight than Jeremiah O'Brien, himself a lumberman, a gentleman of judgment and discretion, of cool nerve and indomitable will, "born to command," organized at once for offensive warfare.

His force consisted of thirty-five picked men, selected from among the shipbuilders and sailors of Machias. Full of mettle and ardor, young in years, keen of eye, strong of limb, and compact of body; brave and generous, every soul of them, with the health of salt air in their cheeks and the love of country in their hearts; "disdaining fortune," buoyant in hope, and proud in their own self-esteem; each a veritable Hotspur, putting on the "dauntless spirit of resolution," impatient of wrong and weary of oppression; daring to do all that mortal man could do to redress their grievances, this Spartan band, under the skillful generalship of the gallant O'Brien, rushed, as it were, from the very summit of the mount of defiance and quickly seized and unloaded one of the lumber-laden sloops and equipped her for battle, arming her with the old guns from the blockhouse, and stowing away in her hull the powder which Mary Chandler had brought to them through the mazes of a thick forest.

Sailing into the bay as the rays of the early morning light gilded the eastern sky, "dire was the clang" as the two crafts ranged alongside one another and exchanged dreadful shots. Soon the schooner's foresail rattled to the deck and all was over with her, for, closing in upon her and holding her fast, Jeremiah O'Brien, at the head of his thirty-five "Down Easters," boarded and captured her.

Another traditional but doubtless the more nearly correct version of this naval engagement is substantially as follows: After the news of the battle of Lexington reached Machias the townspeople erected a liberty pole, and the fact having been communicated to the British authorities, the sloop *Margaretta*, under the command of Lieutenant Moore, of the English navy, was directed to proceed from Boston to Machias to investigate the matter.

On the arrival of the *Margaretta* her commanding officer notified the town officials that the pole must come down or he would open fire on the settlement.

A hurried caucus of the leading citizens was held, without apparently reaching any satisfactory conclusion.

The fact, however, as developed later, was that the meeting had determined to keep the pole intact. This led to the expedition which resulted in the capture of the *Margaretta*. It was contemplated to use two vessels, one of which was the lumber sloop *Unity*, belonging to a Tory merchant named Jones; and with this object in view it was seized by the Americans at the wharf at Machias, was manned by about forty young republican sympathizers from the village, commanded by Jeremiah O'Brien, and alone participated in the battle. The other vessel which it was proposed to utilize was the *Falmouth Packet*, commanded by Benjamin Foster, but this craft on the way down the bay went aground. Both the *Unity* and the *Falmouth Packet* were sloops proper—that is to say, vessels with one mast each, and were, respectively, of about 80 tons burden. The crew of the *Unity* consisted of 35 men, and she had on board "20 fowling pieces, with 3 rounds of powder and ball; 13 hay forks, a number of axes, a small bag of bread, a few pieces of pork, and a barrel of water; the last thing being mounted was a wall piece on the bitts of the windlass." The *Margaretta* was known as a "sloop of war," but was in reality a schooner, with four 6-pounders, twenty 1-pound swivels fired from the rail, 2 wall pieces, 40 muskets, boarding pikes and axes, 2 boxes of hand grenades, with an ample supply of powder and ball. She was manned by two commissioned officers, with 38 petty officers and men, and was of about 100 tons burden.

The father, Dennis O'Brien, insisted upon going with the expedition, but was persuaded not to do so on account of his age. Joseph, the younger brother, was forbidden to go because he was too young, and Jeremiah locked him up in a corn house or wood shed to keep him safe until the sloop had gotten off and was underway. Joseph, however, in some manner secured his release and became a stowaway on the *Unity* until she was well down the bay, and when he appeared on deck it was too late to put him ashore; so that all the six brothers, Jeremiah, Gideon, John, William, Dennis, and Joseph, were on the *Unity* during the engagement. The *Unity* made a direct course for the *Margaretta*, and, after a fierce fight lasting some twenty minutes, captured her, and Jeremiah pulled down the flag. Lieutenant Moore, of the *Margaretta*, was killed on deck during the action. With him were five killed or mortally wounded and ten disabled, while of the Americans two were killed and four wounded. The report

of this affair was made to the Congress of Massachusetts Bay on June 14, 1775, by the committee of Machias, and on June 26, 1775, Congress passed resolutions of thanks to Jeremiah O'Brien and Benjamin Foster for their action, and declared that—

> Said sloops, their appurtenances and cargoes, remain in the tender hands of said Captains O'Brien and Foster and the men under their command for them to use and improve as they shall think most for their account and the public advantage until further order of this or some future Congress or House of Representatives.

The sword of Lieutenant Moore is held to this day by an O'Brien descendant as a precious family heirloom.

The *Margaretta* was subsequently, in 1776, refitted and renamed *The Hare*. Capt. Jeremiah O'Brien commanded and used her as a privateer until she was chased by a British man-of-war and ran on the flats near Jonesport, on the Maine coast, where she was set on fire and burned to the water's edge. The *Unity* was fitted out as a cruiser and the armament of the *Margaretta* being transferred to her, it was decided to change her name to *Machias Liberty*. Jeremiah O'Brien was placed in command of her by the Machias committee of safety. In July, 1775, Jeremiah, in the *Machias Liberty*, and Captain Foster, in a schooner from East Machias, captured the *Diligent*, a 10-gun sloop, with 50 men, and Foster seized the *Tapnaquish*, a sloop accompanying the *Diligent*. Jeremiah afterwards took captive several British vessels at St. Johns, New Brunswick. O'Brien and Benjamin Foster were ordered to make a formal report of the capture of these ships to General Washington at Cambridge, which they accordingly did; and from there they went to Watertown, where the Provincial Congress was in session, which body in their presence passed a resolution of thanks to them for these valuable prizes. At this time Jeremiah was appointed "captain of the marine of Massachusetts Colony" and given command of both the *Machias Liberty* and schooner *Diligent*. The *Machias Liberty*, with a crew of 40 men, became the flagship of the flying squadron. William O'Brien, a younger brother, was his first lieutenant. The armament of the *Machias Liberty* was 5 guns and 10 swivels. John Lambert was appointed to the personal command of the *Diligent*, and John O'Brien, another brother of Jeremiah, was made first lieutenant of that vessel.

This squadron of 2 vessels cruised along the coast from about August, 1775, until September, 1776. The pay of a captain in those days was £4 per month, but was subsequently increased to £8. Both ships were put out of commission in October, 1776, and their officers and crews were discharged. In August, 1777, Jeremiah O'Brien was commissioned by the State of Massachusetts as commander of the privateer *Resolution*, and soon afterwards captured the *Scarborough*, of 4 guns and 2 swivels. He subsequently commanded the privateers *Cyrus* and *Little Vincent*, each mounting 10 guns and 15 men, as well as the *Tiger*, a schooner with 6 guns and 15 men. In the early part of 1778 he returned to Machias, where he was appointed captain of the Ranging Company, a formation organized for the purpose of protecting the inhabitants against Indian raids. In 1780 John and Joseph O'Brien built at Newburyport a privateer named the *Hannibal*, of 20 guns, carrying 24 guns and 130 men. Her first cruise was made under command of John O'Brien, and when he returned to Newburyport it was upon his petition that the council of state of Massachusetts appointed his brother Jeremiah, on September 8, 1780, to the command of the *Hannibal* as her captain.

Jeremiah having been captured in the *Hannibal* by two British frigates off New York Harbor was taken to New York City, then in the occupation of the British, and placed upon the British prison ship *Jersey* in Wallabout Bay, where the Brooklyn Navy-Yard is now located. After being kept there for six months he was transferred to England and imprisoned at Plymouth in the Mill prison for longer than a year. Escaping, he crossed the English Channel in a small boat and reached the shores of France in safety, whence he came back to Machias, where he continued to live until the day of his death. In 1811 he was appointed collector of customs for the district of Machias, retaining the office until 1815. In 1814, during the war of 1812, then 70 years of age, he endeavored to raise a troop with which to oppose the advance of the British, but met with little success. His house was searched by the British soldiers, but beyond that he was not molested. He died September 15, 1818, 74 years old, and was laid to rest in the O'Brien burial ground at Machias.

Full of years and with honors "crowding thick upon him," at the end of a useful career, with a rainbow of glory spanning the rich flush of autumn's gold, the dread summons came to him. He died with the approval of a good conscience. The nation has embalmed the memory of his many excellencies with a holy sorrow and a sweet tenderness.

The history of the O'Brien family, as nearly as I can ascertain from the records and from the recollections of the eldest male descendant now living, is about as follows:

Morris O'Brien came from Ireland (presumably Dublin) in 1740, and settled in Kittery, Me. There he married the widow of an English officer whose surname I can not ascertain, though her Christian name was Mary. Six sons were born in America, of whom Jeremiah was the eldest, being born in 1744. I have already given the names of the other sons—Gideon, John, William, Dennis, and Joseph. I am advised that as early as 1765 the entire family was located in Machias, Me., where the father and older brothers were the proprietors of two sawmills, being engaged generally in the lumber business. Jeremiah remained a bachelor his whole life long. While he was not the creator he was the organizer of the American Navy and the precursor of that great race of sea kings, admirals of renown and other officers of high rank, who have held proud dominion upon the mighty waterways of the world.

Whether the episode of Mary Chandler leaving the church on Sunday morning during divine service and walking through the woods to Jonesboro in search of powder be truth or fiction, her name will be forever associated with the expedition, if for no other reason and in no other way, through her marriage with Nathaniel Wilson, who was one of the participants in the clash of arms between the *Unity* and *Margaretta*. He was a liberty-loving, law-abiding man, one of the trusted lieutenants of Captain O'Brien. He rendered hard and faithful service to the new Republic during the colonial war in patrolling the Massachusetts coast.

When hostilities ceased, when peace was declared and the Union was established, guaranteeing to every citizen the protection of life, liberty, and property, and the pursuit of happiness, he returned to the village of Machias to find Mary Chandler awaiting his coming. She was then 25 years old, a strong, industrious, economical, intelligent, and winsome woman. She filled the full measure of Solomon's description of a prudent wife: "She openeth her mouth with wisdom, and in her tongue is the law of kindness. She looketh well to the ways of her household, and eateth not the bread of idleness." She had buckled on the bright armor of her knight when he had gone forth to battle years before, and because she had braced it firmly his honor and manhood had not failed him in danger and strife. To him her voice was strange, low, mystic music stealing his soul away. It was peculiarly meet, therefore, that he should have wooed and won her. "the pensive maid beneath the silvan shade."

Their marriage was a happy consummation of a long courtship replete with loyalty, devotion, love, faith, and hope.

As John Halifax, Gentleman, said of Ursula, he did not want a saint, but a helpmeet; not an angel, but, better still, a woman, to walk with him in his daily life, to comfort him, to strengthen him, and to make him "pure and good."

Their first child was named Margaretta; and I am told that an old stone in the village graveyard bears an inscription, "Sacred to the memory of Margaretta Wilson, infant daughter of Nathaniel and Mary Chandler Wilson."

Here, again, we seem to have another verification of the old saying, "Truth is stranger than fiction." It is from the sun the shadow falls, and the moment we see the shade we are certain of the light.

Making proper allowances for excusable anachronisms, as well as inaccuracies as to dates and details, the undeniable fact nevertheless remains that in the year of our Lord 1775 Jeremiah O'Brien, in the first naval engagement of the Revolution, captured the *Margaretta*. Thus we perceive that this insignificant little sloop was the babe which has grown into the full proportions of the white fleet of our superb Navy. The splendid courage which O'Brien and his men, true and tried, exhibited on this memorable occasion gave our Navy, strange to relate, its first start. It is now the magnificent arm of the greatest Government the world ever saw—a navy power, invincible upon all the navigable waters of the globe, engaged everywhere and at all times in the laudable endeavor to protect our citizens at home and abroad, to conserve the public peace, to defend popular rights and preserve constitutional liberty.

There is something that irresistibly touches our noblest sensibilities in the heroism of duty fearlessly performed—a heroism which is willing to sacrifice self in a righteous cause, even though the atonement can not make it victorious. In this instance success crowned the efforts of our hero, Jeremiah O'Brien. He counted it a crime "no tear could ere efface, to purchase safety with compliance base." He was

> In his heroic manhood noble,
> In his simplicity sublime.

In him was truth and nobleness—man's fidelity with woman's tenderness. He was tried in the furnace and proved true. He was "weighed in the balances" and not found wanting. He has been pronounced "sterling by the general consent of mankind."

He had dignity of mind and rectitude of principle, assisted by unpretending good sense under all conditions and environments of life.

If there be one country upon the map of nations which can challenge our sympathy more than all the rest that country is Ireland, the home of Emmet and Curran, of Phillips and Connell, of Burke and Grattan, of Dillon and Parnell—patriots all—who with heart and hand, and tongue and pen, "struggled for kindred and the right." The cypress wreath encircled their country's brow, and the funeral dirge was to them a familiar sound. The national lyre was tuneless. Its chords were broken. "A land without ruins is a land without memories."

The Israelites, exiled to foreign shores, driven under the galling yoke and banished into cheerless captivity, hung their musical instruments upon the willow trees and refused to sing, saying: "How can we sing the Lord's songs in a strange land?" So, too, the sons and daughters of Erin, clad in habiliments of woe, sat down in sorrow and sadness beside their desolate hearthstones and wept in agony and despair, while gaunt-eyed famine stalked abroad in that picturesque and fertile land and "grinned horribly a ghastly smile" at the dismal ruin wrought. This distressing condition inspired the poet to pen those burning words which will go thrilling adown the ages:

> The harp that once through Tara's halls
> The soul of music shed
> Now hangs in mute[illegible] on Tara's walls
> As if that soul were fled.

This fair "Emerald Isle," rising from the bosom of her own beautiful waters, staggering under a governmental policy which brought poverty and gloom to her people, was for many long and dreary years neither cheered by the songs of her native bards nor enthused by the eloquence of her impassioned orators. The blighting hand of English tyranny had laid her low, stripped her of her verdure, and she stood forth like a lone waste in a flowery land. An unprofitable toiler, a veritable "hewer of wood and drawer of water" on his own soil, the Irishman, under every sun and in every clime, outside his own country, whenever and wherever the door of hope and opportunity has not been closed against him, has demonstrated a genius for work and a patience in the conquest of details, a loyalty to principle, a devotion to truth and love of country which have forged him to the very forefront in every profession and vocation in life.

In the eloquent words of another, "As the light from countless but unseen stars illumines the heavens and forms the beautiful Milky Way, so the deeds of the children of the Irish race have made resplendent the pages of the history of every country in the world save their own;" but, thank God, the daybreak of the sun of freedom from oppression—the roseate dawn of liberty of thought, of speech, and of religious and political action for downtrodden humanity—is beginning to appear in the east and to flood with light of gold the earth and sea and skies.

Jeremiah O'Brien, although American born, was a full-blooded, typical Irishman.

The Irish-American citizen, what shall we say of him? Loyal to the "old flag" and [illegible] country, true to his friends, generous to a fault, [illegible] position, liberal in his views, and [illegible] as to [illegible] grounds for self-governing citizenship, but frequently sets us an example of industry, economy, and [illegible], the influence of which is felt as a potential factor in the [illegible] nce, thrift, and law-abiding [illegible] communities in which he dwells.

[illegible] year to year out of a national fund raised by common taxation to protect and beautify the graves of those who died in defense of the Union. We make liberal appropriations in order to mark by some enduring structure the particular spots where Federal soldiers and sailors fought and fell for their country's sake.

We are wont to erect monuments to those whose careers have illustrated courage, fortitude, patriotism, self-sacrifice, and fidelity to principle: to those who have become renowned in the public service; to those who have been benefactors to the human race; to those whose endeavors in the arts and sciences, letters and learning have exalted them among the nations of the earth. We have built magnificent cemeteries at Vicksburg, Chattanooga, Gettysburg, Nashville, Murfreesboro, Culpeper Court House, Manassas, Arlington, Winchester, and on a score of other fields. These silent cities of the dead are surrounded by costly stone fences, adorned with trees and parks, and everywhere or [illegible] with headstones of marble or shafts of granite to mark the green graves of those who "died on the perilous edge of battle."

Washington is a city of monuments; and it is meet that these memorials should arrest our gaze in every park and common, on every street, along every highway, and in every public ground of the nation's capital. Father Ryan expressed words as sweet as celestial fruits or the breath of flowers from Paradise when he penned these radiant lines:

> Yes, give me the land of the wreck and the tomb;
> There's grandeur in graves, there's glory in gloom;
> For out of the gloom future brightness is born,
> As after the night looms the sunrise of morn.

But it may be asked why a Representative from "way down South in Dixie" should feel such an interest in a New England patriot as to be prompted to introduce a measure in this Chamber looking to the erection of a monument to his memory. The answer is easy.

Descended from ancestors who were with Washington at Valley Forge, I am fascinated by any literature which tends to illustrate the arduous struggles and [illegible] experienced by our forefathers in their contest for freedom. "Stand by the old landmarks" is a biblical injunction. Some "quaint and curious volume of forgotten lore," as Edgar Allan Poe expresses it, possesses for me the peculiar charm of a faded face looking down from an old picture on the wall of an ancient art gallery. Although the dimming mists of time have gathered about the achievements of the valorous men who participated in that colonial warfare, my heart thrills with patriotic emotion as at the recital of deeds worthy of the poet's pen, the minstrel's lay, the painter's brush, or the sculptor's chisel. Jeremiah O'Brien was essentially a product of New England and lived in a section far remote from Alabama. It, perhaps, would have been more appropriate for a Representative from an eastern district to have introduced the bill; but, in my opinion, patriotism obliterates all sectional lines, and the intrepidity our hero never failed to manifest, and which shrank not from the most appalling dangers, has become the general heritage of the American Republic. By the introduction of this bill I but proclaim the common loyalty and devotion of the southern people to the old flag and to "a Union that none can sever." The "war of the roses," the white and red, is ended forever.

In no country has race or sectional enmity ever been more distinctly marked than in England, and in no country has that enmity been more completely effaced. The Saxons and Normans, for more than one and a half centuries openly hostile, at length mingled into a perfect political and national harmony. The two peoples, at last, [illegible] that they had similar interests and common aspirations. They drew near in friendship and gave as a pledge of their lasting reconciliation the great charter, won by their united efforts and framed for their mutual benefit.

The interests of the North and South are identical. National legislation enacted by Congress affects both sections alike. We have one Constitution and obey the same laws. Yielding each to the other reciprocal dues, it has resulted under the indefinable guidance and ordinances of God that we are now everywhere blessed with peace and plenty, happiness and prosperity. The only real liberator is Truth, and she makes none free save those who strive to break their own fetters.

Heroism derives its splendor from the motive which prompts men to display courage and fortitude. "Know ye the truth; for the truth shall make ye free." The Bible tells us it shall come out of the earth and extend even unto the clouds. It is "mighty and must prevail." It is "the pillar of cloud by day and of fire by night." It speaks out like the clear whistle of the stout boatman above the howlings of the storm and the tempest. It is the basis of all good government, and without it human society can never perform its rightful mission.

The [illegible] between the two sections is over. Our [illegible] have long been furled, our swords into pruning hooks. The North and the South alike will hold their dead in tender memory forever.

The South is proud of the men who wore the gray, charging up the frowning heights of Lookout Mountain, on the banks of the Potomac, in the gloom of the Wilderness, on the fiery trail from Dalton to Atlanta, on the rolling Rappahannock, on the red fields of Georgia, and in the valleys of Virginia and Tennessee. The North very justly feels a like pride in the valor of the men who wore the blue. On every battle plain, from the mountains to the sea, the sacrifices made during the war have been consecrated to preserve the Union to all posterity. The heroes Grant, Sherman, Sheridan, Meade, Thomas, Stuart and Hancock, on both sides generals of unblemished character, belong to no section, but belong to the country. Long "may immortal names that were not born to die," and their fame is the common heritage of us all.

The surviving veterans of the South returned to their homes to begin anew the battle of life. They understood the situation, and accepted it in good faith; and manfully as they were in war, they were grander and more glorious still in the busy pursuits of peace. We are loyal citizens of the nation. From the past we have derived wisdom and drawn inspiration. By the Constitution, as it now is, we intend to stand. Let that book of the organic law be read by the people never too often, as the volume of the laws of Moses was brought forth and explained to the children of Israel in Jerusalem near the shrines of their ancient altars.

The adversities of the South have stirred her manhood, stimulated her energies, and prepared her to work out for herself and posterity a far greater and more fruitful career than she ever at-

tained when the tide of her fortune ran at its flood. Her stricken fields have ripened once more and her gardens are sending out the fragrance of their flowers. "The violets still bloom in the depths of her valleys," while the stars sit, each upon his ruby throne, and watch with sleepless eye a golden land of beauty and sunshine, from which even in the disruption of southern institutions the old romance has never departed.

We are bonded together, as never before, in the common bonds of union, loyalty, fraternal love, and civil liberty. Divisional lines have been obliterated. After a third of a century of peace and prosperity we are all kneeling side by side at the altar of a reunited faith. We have but one flag in the skies. The melodious tunes of Dixie and Yankee Doodle have blended together into one harmonious and inspiring national air.

The dagger of Spain was unsheathed. Innocence, helpless age, and infirmity were falling beneath its perfidious blows. In the midst of the fires of the *Maine* the heavens cried aloud for vengeance. The men and the sons of the men who had faced each other under two flags in battle's stern array now felt the elbow touch, fighting as brothers under "the Stars and Stripes" to free Cuba, the "gem of the Antilles," from the barbarity of a merciless despotism. Wearing the same uniform, whether on land or sea, Lawton and Wheeler, Dewey and Schley, Barney and Capron, now living and dead, under the folds of "Old Glory" fought for God and humanity. They have emblazoned their names upon the loftiest entablatures in the temple of fame. They will live forever in song and story, and add luster to the glory of the nation which gave them birth.

Sic itur ad astra—this is the path to the stars—is an ancient motto attached to the armorial bearings of the Canongate.

Let us build the monument this bill provides for as an eloquent tribute to a chivalric life. "A land without memories is a land without history." Let its towering shaft "pierce the stormy cloud and rear its lofty head to heaven," to tell coming generations of the dauntless character of this hero of Machipo; to save from unmerited oblivion a knightly soldier's name and fame, and to keep the corroding touch of time from dimming the lustrous blade of his stainless sword. "Let the shamrock be entwined with the laurels of the Revolution; and truth and justice guiding the pen of history, inscribe on the tablets of America's remembrance eternal gratitude to Irishmen." I repeat, let us build this monument. It will commemorate the glory achieved by American valor and do honor to one whose illustrious deeds will "to ears and tongues be theme and hearing ever."

REMOVAL OF QUARANTINE STATION AT SAN DIEGO, CAL.

By unanimous consent, change was made in the reference of the bill (H. R. 10432) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes, from the Committee on Naval Affairs to the Committee on Interstate and Foreign Commerce.

RECESS.

Mr. GROSVENOR. Mr. Speaker, I move that the House take a recess for twenty minutes.

The motion was agreed to; and accordingly (at 12 o'clock and 20 minutes p. m.) the House was declared in recess.

The recess having expired, the House was called to order at 12.40 p. m. by the Speaker.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. MORRELL, for three days, on account of important business.

To Mr. BONYNGE, for four days, on account of important business.

To Mr. SMALL, indefinitely, on account of sickness in his family.

To Mr. TAYLOR, indefinitely, on account of sickness in his family.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate has heard with profound sorrow of the death of the Hon. MARCUS A. HANNA, late a Senator from the State of Ohio.

Resolved, That a committee of twenty-five Senators, of whom the President pro tempore shall be one, be appointed by the presiding officer of the Senate to take proper measures for the funeral of Mr. HANNA, which shall take place in the Senate Chamber at 12 o'clock meridian on Wednesday, February 16, instant, and that the Senate will attend the same.

Resolved, That as a further mark of respect his remains be removed from Washington to Cleveland, Ohio, for burial in accordance with the arrangements attended by the committee, who shall have full power to make all proper regulations in connection therewith, and that the necessary expenses in connection therewith be paid out of the contingent fund of the Senate.

Resolved, That the Secretary communicate these proceedings to the House of Representatives and invite the House of Representatives to attend the funeral in the Senate Chamber, and to appoint a committee to act with the committee of the Senate.

Resolved, That invitations be extended to the President of the United States and the members of his Cabinet, the Chief Justice and associate justices of the Supreme Court of the United States, the diplomatic corps (through the Secretary of State), the Admiral of the Navy, and the Lieutenant-General of the Army to attend the funeral in the Senate Chamber.

And that in compliance with the foregoing the presiding officer had appointed as said committee Mr. FRYE, Mr. FORAKER, Mr. ALLISON, Mr. ALDRICH, Mr. HALE, Mr. PLATT of Connecticut, Mr. SPOONER, Mr. PERKINS, Mr. WETMORE, Mr. HANSBROUGH, Mr. WARREN, Mr. FAIRBANKS, Mr. DEPEW, Mr. KEAN, Mr. SCOTT, Mr. BEVERIDGE, Mr. ALGER, Mr. KITTREDGE, Mr. GORMAN, Mr. COCKRELL, Mr. TELLER, Mr. BACON, Mr. MARTIN, Mr. BLACKBURN, and Mr. MCENERY.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent that when the House adjourn to-day it adjourn to meet at 11.45 a. m. to-morrow.

The SPEAKER. The gentleman from Ohio asks unanimous consent that when the House adjourn to-day it adjourn to meet at 11.45 a. m. to-morrow. Is there objection? [After a pause.] The Chair hears none.

DEATH OF HON. MARCUS A. HANNA.

Mr. GROSVENOR. Mr. Speaker, I offer the following resolutions, and ask their immediate consideration.

The SPEAKER. The Clerk will report the same.

The Clerk read as follows:

Resolved, That the House of Representatives has heard with profound sorrow of the death of the Hon. MARCUS A. HANNA, a Senator of the United States from the State of Ohio.

Resolved, That the House of Representatives accepts the invitation of the Senate to attend the funeral services of the late Hon. MARCUS A. HANNA, to be held in the Senate Chamber this day at 12 o'clock meridian, and that the Speaker of the House appoint a committee of twenty-five Members to act with the committee of the Senate to make the necessary arrangements and accompany the remains to the place of burial.

Resolved, That as a further mark of respect the House do now adjourn.

The resolutions were unanimously agreed to.

The SPEAKER announced the following committee: Mr. GROSVENOR, Mr. VAN VOORHIS, Mr. BURTON, Mr. SOUTHARD, Mr. DICK, Mr. MORGAN, Mr. BEIDLER, Mr. CASSINGHAM, Mr. HILDEBRANT, Mr. KYLE, Mr. NEVIN, Mr. SNOOK, Mr. WARNOCK, Mr. BADGER, Mr. GABBER, Mr. GOEBEL, Mr. JACKSON of Ohio, Mr. KENNEDY, Mr. LONGWORTH, Mr. WEEMS, Mr. HEMENWAY, Mr. BARTLETT, Mr. LUCKING, Mr. WILEY of Alabama, Mr. DALZELL, Mr. WATSON, Mr. BURKE, Mr. CURRIER, Mr. SHERMAN, Mr. RODENBERG, Mr. MCCLEARY of Minnesota, and Mr. CALDERHEAD.

Accordingly, in compliance with the order previously made, the House (at 12 o'clock and 54 minutes p. m.) adjourned until to-morrow at 11 o'clock and 45 minutes a. m.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10179) granting an increase of pension to William H. Bell, reported the same without amendment, accompanied by a report (No. 933); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9789) granting an increase of pension to Charles M. Morrison, reported the same with amendment, accompanied by a report (No. 934); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10171) granting an increase of pension to Josiah H. Tyack, reported the same with amendment, accompanied by a report (No. 935; which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11649) granting an increase of pension to Malinda A. Myers, reported the same with amendment, accompanied by a report (No. 936); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11074) granting a pension to Merritt R. Simpson, reported the same with amendment, accompanied by a report (No. 937); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10399) granting an increase of pension to Francis Marshal, reported the same with amendment, accompanied by a report (No. 938); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11175) granting an increase of pension to Isaac S. Drummond, reported the

same with amendment, accompanied by a report (No. 939); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9990) granting a pension to John Bateman, reported the same with amendment, accompanied by a report (No. 940); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7754) granting an increase of pension to Jeremiah Myers, reported the same with amendment, accompanied by a report (No. 941); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7778) granting a pension to Frank H. Clark, reported the same with amendment, accompanied by a report (No. 942); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7308) granting an increase of pension to Lucius E. Moore, reported the same with amendment, accompanied by a report (No. 943); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9117) granting a pension to George T. [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BELLAMY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6523) granting an increase of pension to S. R. Pollard, reported the same with amendment, accompanied by a report (No. 945); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7500) granting a pension to Mary E. Springer, reported the same with amendment, accompanied by a report (No. 946); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8789) granting an increase of pension to George K. Knowlton, reported the same with amendment, accompanied by a report (No. 947); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11655) granting an increase of pension to James Lynch, reported the same with amendment, accompanied by a report (No. 948); which said bill and report were referred to the Private Calendar.

Mr. BELLAMY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6563) granting an increase of pension to John Barringer, reported the same with amendment, accompanied by a report (No. 949); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1176) granting an increase of pension to Capt. George W. Kimble, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 133) granting a pension to Harriet Snyder, reported the same with amendment, accompanied by a report (No. 951); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 133) granting an increase of pension to Capt. James W. Smith, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 2767) granting an increase of pension to John E. Neary, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1575) granting an increase of pension to Henry F. Davis, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 691) granting an increase of pension to Rebecca C. Shacklock, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7501) granting an increase of pension to Emily Catlin, reported the same with amendment, accompanied by a report (No. 956); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Henry J. Mosier, reported the same with amendment, accompanied by a report (No. 957); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5693) granting an increase of pension to Joel M. Street, reported the same with amendment, accompanied by a report (No. 958); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Calvin Carter, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Charles V. Bailey, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. [illegible]) granting a pension to William E. Parker, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Thomas C. Freeman, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11558) granting an increase of pension to James B. Luckey, reported the same with amendment, accompanied by a report (No. 963); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 980[illegible]) granting an increase of pension to Hugh S. Smith, reported the same with amendment, accompanied by a report (No. 964); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

[illegible] were discharged from the [illegible] and were referred as follows:

A bill (H. R. 11939) granting an increase of pension to C. C. Fisher—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. ——) for the relief of Hannah J. Jones, executrix of Emanuel Jones, deceased, a British subject—Committee on Foreign Affairs discharged, and referred to the Committee on War [illegible].

A bill (H. R. 10432) making appropriations for the removal of the quarantine station of San Diego, Cal., and to acquire a new site, and for other purposes—Committee on Naval Affairs discharged, and referred to the Committee on Interstate and Foreign Commerce.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. STEPHENS of Texas: A bill (H. R. 12441) to pay clerks and deputy clerks in the Indian Territory the deficit in their salaries—to the Committee on Indian Affairs.

By Mr. HOGG: A bill (H. R. 12442) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as amended April 1, 1896, and March 2, 1903—to the Committee on Interstate and Foreign Commerce.

By Mr. BANKHEAD: A bill (H. R. 12443) to amend section 6 of an act entitled "An act to establish a uniform system of bankruptcy throughout the United States," approved February 5, 1903—to the Committee on the Judiciary.

By Mr. JAMES: A bill (H. R. 12444) to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River near Gilbertsville, Ky.—to the Committee on Interstate and Foreign Commerce.

By Mr. THOMPSON: A bill (H. R. 12445) to amend section 13 of an act entitled "An act to reorganize and increase the efficiency of the personnel of the Navy and Marine Corps of the United States"—to the Committee on Naval Affairs.

By Mr. LITTAUER, from the Committee on Appropriations: A bill (H. R. 12446) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes—to the Union Calendar.

By Mr. HITT: A bill (H. R. 12447) for the preservation of aboriginal monuments, ruins, and other antiquities, and for other purposes—to the Committee on the Public Lands.

By Mr. LORIMER: A joint resolution (H. J. Res. 110) relative to improvements in the Chicago River—to the Committee on Rivers and Harbors.

By Mr. BABCOCK: A joint resolution (H. J. Res. 111) to establish spaces in the city of Washington for farmers and others selling produce of their own raising—to the Committee on the District of Columbia.

By Mr. HOUSTON: A concurrent resolution (H. C. Res. 44) directing the Secretary of War to cause to be made a survey of Wilmington Harbor, Delaware—to the Committee on Rivers and Harbors.

By Mr. LOUD: A resolution (H. Res. 215) to permit Herman Lindon to make a homestead entry—to the Committee on the Public Lands.

By Mr. ALLEN: A resolution (H. Res. 216) to print 2,000 copies, for use of House document room, of "Laws relating to corporations in the District of Columbia," extract from Code of Law and other laws for the District of Columbia, with an index of the same—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BADGER: A bill (H. R. 12448) granting an increase of pension to Washington G. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12449) granting an increase of pension to George Beyl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12450) granting a pension to H. T. Perry—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 12451) granting a pension to Joseph A. [illegible]—to the Committee on Pensions.

By Mr. CRUMPACKER: A bill (H. R. 12452) granting an increase of pension to John A. McNerney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12453) granting an increase of pension to [illegible] Wright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12454) granting a pension to William S. Foulks—to the Committee on Invalid Pensions.

By Mr. DENNY: A bill (H. R. 12455) for the relief of the Chesapeake Bank, of Baltimore, Md.—to the Committee on Claims.

By Mr. DRESSER: A bill (H. R. 12456) granting an increase of pension to Marshall Cox—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 12457) granting an increase of pension to Nannie J. McGurkin—to the Committee on Invalid Pensions.

By Mr. FLACK: A bill (H. R. 12458) granting a pension to Delia A. B. Fay—to the Committee on Pensions.

By Mr. GRAFF: A bill (H. R. 12459) granting a pension to Mary Eggleston—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12460) granting a pension to Annie M. [illegible]—to the Committee on Pensions.

By Mr. HEPBURN: A bill (H. R. 12461) granting an increase of pension to Milton Graham—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 12462) granting an increase of pension to Marion Gunter—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 12463) granting an increase of pension to William P. Jackson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12464) granting an increase of pension to John M. Bismagem—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12465) granting an increase of pension to James H. Scott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12466) granting an increase of pension to Henry C. Stuart—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: A bill (H. R. 12467) for the relief of the heirs of Jenkins & Havens—to the Committee on Claims.

Also, a bill (H. R. 12468) for the relief of Lydia T. Hadlock, administratrix of E. C. Hadlock, deceased, of Vermont—to the Committee on War Claims.

By Mr. HILL of Mississippi: A bill (H. R. 12469) for the relief of W. F. Lockhart—to the Committee on War Claims.

Also, a bill (H. R. 12470) for the relief of W. F. Lockhart—to the Committee on War Claims.

Also, a bill (H. R. 12471) granting a pension to Adolph Le Maitre—to the Committee on Pensions.

By Mr. HITT: A bill (H. R. 12472) granting permission to Capt. B. H. McCalla and other officers to accept decorations or presents from foreign governments—to the Committee on Foreign Affairs.

By Mr. JAMES: A bill (H. R. 12473) for the benefit of the Christian Church of Cadiz, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 12474) granting a pension to George Preston Reeves—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12475) granting a pension to Christian Lederer—to the Committee on Pensions.

Also, a bill (H. R. 12476) granting a pension to John N. Peters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12477) granting a pension to M. B. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12478) granting a pension to Elza Ball—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12479) granting an increase of pension to Lucretia Cartmell—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 12480) granting an increase of pension to Henry J. Arnold—to the Committee on Invalid Pensions.

By Mr. LACEY: A bill (H. R. 12481) granting an increase of pension to David Galbraith—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 12482) to reimburse Lieut. Benjamin F. Wickham for sums withheld from him upon discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 12483) granting a pension to Harry E. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12484) granting a pension to Cornelia Haag—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12485) granting an increase of pension to Martin Talbot—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12486) granting an increase of pension to Andrew Deming—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 12487) granting a pension to Caroline Rhodes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12488) granting an increase of pension to George H. Coddington—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 12489) to authorize the United States Commissioner of Fish and Fisheries to convey certain land to Joseph S. Fay, jr., Sarah B. Fay, and Henry H. Fay—to the Committee on the Merchant Marine and Fisheries.

By Mr. MAHON: A bill (H. R. 12490) granting an increase of pension to John A. Speck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12491) granting a pension to Peter Scott—to the Committee on Invalid Pensions.

By Mr. MCLEAN of Louisiana: A bill (H. R. 12492) for the relief of the estate of J. M. C. Knight—to the Committee on War Claims.

Also, a bill (H. R. 12493) for the relief of Louis J. Souer, collector of internal revenue for the collection district of Louisiana—to the Committee on Claims.

By Mr. SHULL: A bill (H. R. 12494) granting an increase of pension to Joseph Nell—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 12495) to correct the military record of William Vickory—to the Committee on Military Affairs.

Also, a bill (H. R. 12496) granting an increase of pension to Thomas Evans—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12497) granting a pension to Ellen Murphy—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: A bill (H. R. 12498) granting an increase of pension to Sarah N. Maddox—to the Committee on Pensions.

By Mr. STANLEY: A bill (H. R. 12499) for the relief of Mrs. Mary B. Bransford, of Hopkinsville, Christian County, Ky.—to the Committee on Pensions.

By Mr. TAWNEY: A bill (H. R. 12500) for the relief of Edward J. Kruger—to the Committee on Pensions.

Also, a bill (H. R. 12501) for the relief of Harry S. Gillrup—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12502) granting a pension to Burton Walters—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12503) granting a pension to Joseph Thacker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12504) granting an increase of pension to Juliett Field—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BANKHEAD: Papers to accompany bill H. R. 7879, for the relief of Mrs. Ann E. Sanders—to the Committee on Invalid Pensions.

By Mr. BURKE: Petitions of Ed Van Ruschen and 22 other voters of Beadle County, S. Dak., and Daniel Shinike and 6 other voters of Parkston, S. Dak., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of D. Shearer and 62 other voters of Parkston, S. Dak., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of Lumbard Post, No. 57, Grand Army of the Republic, of North Loup, Nebr., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, memorial and resolution of patrons of rural free-delivery route No. 1, of Madison, Nebr., favoring increased pay for rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CAMPBELL: Papers to accompany House bill granting a pension to J. A. Cox—to the Committee on Pensions.

By Mr. COOPER of Wisconsin: Petition of Simon E. Bopp, of New Munster, Wis., favoring passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CROWLEY: Papers to accompany House bill for an increase of pension to Philip Weger—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for an increase of pension to Lewis Monjar—to the Committee on Invalid Pensions.

By Mr. CURRIER: Resolution of Pike Station Grange, New Hampshire, favoring increased salaries for rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DANIELS: Petition of citizens of San Luis Obispo County, Cal., favoring Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Santa Ana Chamber of Commerce, favoring the passage of Brownlow good-roads bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of George W. Stewart, in support of bill to acquire patented lands in Sequoia National Park, California—to the Committee on the Public Lands.

Also, petition of residents of Inyo, Cal., asking aid to construct trail to Mount Whitney—to the Committee on Military Affairs.

Also, papers to accompany House bill to correct the military record of David Campbell—to the Committee on Military Affairs.

By Mr. DENNY: Petition of John Nicholson and 32 other voters of California, favoring the granting of land in severalty to the Indians of northern California—to the Committee on Indian Affairs.

By Mr. DRESSER: Paper to accompany House bill to pension Marshall Cox—to the Committee on Invalid Pensions.

By Mr. FIELD (by request): Petitions of C. L. Henry and 26 other voters, T. S. Minter and 41 other voters, and J. D. West and 43 other voters of Bryan, Tex., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FINLEY: Papers to accompany bill H. R. 12328, for the relief of St. Joseph's Episcopal Church—to the Committee on War Claims.

By Mr. HARDWICK: Papers in support of bill H. R. 6598—to the Committee on Claims.

By Mr. HERMANN: Resolution of the city council of Astoria, Oreg., asking Government aid for post-office building and customhouse—to the Committee on Appropriations.

By Mr. HILDEBRANT: Joint resolution of the legislature of Ohio, asking Congress to locate naval training station at Put in Bay, Ohio—to the Committee on Naval Affairs.

Also, papers to be filed with bill H. R. 11411, granting a pension to Mary Johnson—to the Committee on Invalid Pensions.

By Mr. HILL of Connecticut: Resolution of the Chamber of Commerce of New Haven, Conn., concerning the construction of a breakwater at Hortons Point, Long Island Sound—to the Committee on Rivers and Harbors.

Also, resolution of the Chamber of Commerce of New Haven, Conn., concerning international arbitration—to the Committee on Foreign Affairs.

By Mr. HILL of Mississippi: Petition of W. F. Lockhart, asking for one month's extra pay—to the Committee on War Claims.

By Mr. HINSHAW: Petition of Lumbard Post, No. 57, Grand Army of the Republic, North Loup, Nebr., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HITT: Petition of Charles A. Davis and others, of Sterling, Ill., favoring improvement of upper Snake River above Lewiston, Idaho—to the Committee on Rivers and Harbors.

Also, petition of citizens of Galena, Ill., favoring improvement of upper Mississippi River—to the Committee on Rivers and Harbors.

Also, petition of Alvin Countryman and H. D. Hebert, of Rochelle, Ill., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of John S. Martin and 20 residents of Rochelle, Ill., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of C. L. Dewey, of Rockford, Ill., favoring passage of annual appropriation bill—to the Committee on Naval Affairs.

Also, resolutions of Rev. F. W. Nogarene, pastor of the Methodist Episcopal Church; Leonard L. Mann, pastor of the Baptist Church, and John S. Martin, pastor of the Presbyterian Church, Rochelle, Ill., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Mrs. Ella F. Lazier and 26 other ladies of Rochelle, Ill., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Resolution of the senate and general assembly of New Jersey, favoring harbor of safety at Cape May, N. J.—to the Committee on Rivers and Harbors.

By Mr. HUMPHREY of Washington: Petition of J. B. Sutton and 56 other voters of Tacoma, Wash., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WILLIAM W. KITCHIN: Petition of J. R. Coble and 36 other voters of Snow Camp, N. C., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KNAPP: Resolution of Pulaski Grange, No. 730, of Pulaski, N. Y., favoring passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. LITTLEFIELD: Petition of Charles Keizer Post, No. 135, Grand Army of the Republic, of Waldoboro, Me., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Rev. James A. Morlen and 11 others, of Dresden, Me., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LLOYD: Petition of the merchants of Palmyra, Mo., opposing the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Powersville, Mo., favoring increase of pension to George H. Coddington—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: Petitions of Charles H. Davis and 30 other voters of Woodstown, N. J.; Frank D. Evans and 7 other voters of Fittsgrove, N. J.; W. H. Sithers and 58 other voters and Thomas Selfredge and 18 other voters of Woodbury, N. J.; Stephen E. Carhart and 36 other voters of Port Monmouth, N. J., and Rev. B. C. Lippencott and 94 other voters of Blackwood N. J., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MCCALL: Petition of Appalachian Club of Massachusetts, favoring legislation to preserve the big trees of California—to the Committee on the Public Lands.

Also, resolution of Commonwealth of Massachusetts, favoring the passage of bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON: Papers to accompany House bill for the relief of John A. Speck—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Peter Scott—to the Committee on Pensions.

Also, resolution of King Post, No. 365, Grand Army of the Republic, at McConnellsburg, Pa., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MEYER of Louisiana: Papers to accompany claim of L. J. Souer, collector of internal revenue, district of Louisiana—to the Committee on Claims.

By Mr. PORTER: Petition of S. W. Gamble, of the State Woman's Christian Temperance Union of Oregon and Washington, favoring Sunday closing of Lewis and Clark Exposition—to the Select Committee on Industrial Arts and Expositions.

By Mr. REEDER: Petition of Methodist Episcopal Church and Sunday School and United Brethren of Ioma, Kans.—to the Committee on the Judiciary.

By Mr. ROBERTS: Resolution of the Massachusetts legislature, favoring bill H. R. 827, to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Indiana: Petition of Frank R. Gay and others, of Angola, Ind., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SHERLEY: Papers to accompany bill H. R. 11102 for the relief of Christina Vetter—to the Committee on Invalid Pensions.

By Mr. SHULL: Papers to accompany House bill for the relief of Marshall Howell—to the Committee on Invalid Pensions.

By Mr. SMITH of Texas: Petition of L. B. Shook and others, of Abilene, Tex., favoring passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. STEENERSON: Memorial and resolution of patrons of rural delivery of Bygland, Minn., favoring increase of salaries for rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. SULLOWAY: Petition of J. E. Everingham and 9 other voters of Dover, N. H.—to the Committee on the Judiciary.

By Mr. TAWNEY: Papers to accompany claim of Edward J. Kinegar, of Waseca, Minn.—to the Committee on Invalid Pensions.

Also, papers to accompany claim of Harry S. Gillrup—to the Committee on War Claims.

By Mr. VREELAND: Petition of Rev. Charles H. Harrington and 200 members of the First Baptist Church of Andover, N. Y., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of W. J. Ford and 39 other voters of Jamestown, N. Y., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WALLACE: Petition of citizens of Okolona, Ark., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WELSSE: Resolutions adopted by the Merchants and Manufacturers' Association of Milwaukee, Wis., favoring the reorganizing of the consular service—to the Committee on Foreign Affairs.

Also, resolutions of the board of regents of the University of Wisconsin and of agricultural boards convention at Madison, Wis., favoring increased appropriations for agricultural experiment stations—to the Committee on Agriculture.

Also, resolutions of John Frank Post, No. 230, of Horicon; E. A. Brown Post, No. 140, of Fond du Lac; George M. West Post, No. 165, of Hartford, and Abner O. Heald Post, No. 192, of Cascade, Grand Army of the Republic, of Wisconsin, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of the Chamber of Commerce of Chicago, of Milwaukee, Wis., favoring the granting of certain powers to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Merchants and Manufacturers' Association of Milwaukee, Wis., favoring the proposed system of postal check currency now before Congress—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Wisconsin Industrial and Mercantile Association, favoring the establishment of a naval training station on the shores of Lake Michigan, in the State of Wisconsin—to the Committee on Naval Affairs.

By Mr. WILLIAMS of Illinois: Papers to accompany House bill for the relief of Joseph Parker—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Burton Waters—to the Committee on Invalid Pensions.

Also, papers to accompany House bill for the relief of Lulu J. Qualls—to the Committee on Invalid Pensions.

Also, petition of citizens of Mount Carmel, Ill., favoring parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany claim of Juliette Field—to the Committee on Pensions.

Also, resolutions of F. L. Rhoads Post, No. 586; Marion Post, No. 319, and Clay City Post, No. 209, Grand Army of the Republic, Department of Illinois, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Petition of Harvey S. Rice Post, No. 620, Grand Army of the Republic, of Harrisburg, Pa., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

WEDNESDAY, *February 17, 1904.*

FUNERAL OF SENATOR HANNA.

The casket containing the body of the dead Senator was brought into the Senate Chamber, accompanied by the committees of arrangements of the two Houses.

The PRESIDENT pro tempore called the Senate to order at 12 o'clock m.

The Members of the House of Representatives, preceded by the Sergeant-at-Arms and the Clerk and by the Speaker, entered the Senate Chamber. The Speaker was escorted to a seat on the left of the President pro tempore, the Sergeant-at-Arms and Clerk were assigned to seats at the Secretary's desk, and the Members of the House were given the seats on the floor provided for them. They were soon followed by the ambassadors of and ministers from foreign countries, the Chief Justice and associate justices of the Supreme Court, and the Admiral of the Navy and the Lieutenant-General of the Army, who occupied the seats assigned them. The President of the United States and his Cabinet ministers and the family of the deceased Senator entered the Chamber and were shown to the seats reserved for them.

The PRESIDENT pro tempore said: Senators, you have solemnly and lovingly delineated this day to an observance of appropriate funeral ceremonies over MARCUS A. HANNA, late a distinguished member of this body, and all business will be suspended to that end. We will unite in prayer with the Chaplain of the National House of Representatives.

Rev. HENRY N. COUDEN, D. D., Chaplain of the House of Representatives, offered the following prayer:

With bowed heads and sorrowing hearts, O God, our Heavenly Father, we meet here in the solemn presence of the dead to pay our tribute of respect to a strong, brave, honest, manly man, tender and affectionate in his family, warm in his friendships, broad in his conceptions, strong in his convictions, a patriot, a statesman, a leader among the leaders of our nation. He lived well, wrought well, and died mourned by a nation, than which no greater tribute could be offered. These floral offerings so abundant, from the high, the lowly, the rich, the poor, speak more eloquently than words of his warm and unselfish devotion to duty.

We thank Thee for his life and deeds. May his example be an inspiration to the young men of our nation, and his deeds be a cherished memory to us all.

Illumine our minds with the light of immortality and comfort all our hearts with the blessed thought that he still lives and that we shall join him in realms of eternal peace. Comfort, as Thou alone canst comfort, the bereaved wife and family, and bring us all in Thine own good time to Thee, through Jesus Christ our Lord. Amen.

The Chaplain of the Senate, Rev. EDWARD EVERETT HALE, said:

Those who knew him best loved him most, and those who knew him least loved him much.

It has been impossible to us who are almost strangers to him in person to live through these anxious days through which we have been passing without feeling that here was a token of affection as well as of admiration and respect. Whether the child that cried when he told you that Mr. HANNA was not so strong, or the statesmen, who are used to the greatest questions in the management of this world, everybody spoke with this feeling of affection, as if this were a near friend to whom he was paying tribute.

And this nation to-day is paying its tribute to his affection, to his love, to that energy which springs from affection and love, as it could not if these were mere tricks of political adroitness, if this were only selfishness of a man thinking of himself first and last. It is a tribute to one who forgot himself in his care for others, eager to lift up those who had fallen down, and determined that the right thing should be done. If he were the man to do it, he would do it, with no thought of himself, but with thoughts of his countrymen and of the world.

I met some years ago a distinguished missionary from the other side of the world, from one of those nations whose religions were coming into fashion here over half a century ago. He said those of the people among whom he had lived that "they loved the Lord their God with all their mind and with all their heart perhaps, but they did not love Him with all their strength."

I have had that contrast running in my mind all this week. For here is a man who did his duty with all his heart and with all his strength, never thinking of himself, not eager to see what it was to be to him or what it would be to this or that man, but bearing his brother's burden, eager to see this go forward, determined it shall go forward—acting with that energy which comes from love alone, which comes from the heart, which comes with every man's thought of God and of his fellowmen, and keeps from pausing and nobody besides.

It is not the energy of a Napoleon trying to do what will put him forward, which is the gray color of calamity in human life. It is the energy of Love, of one who has found out what faith and hope and love are, and who dedicates himself to the Eternities.

I can not but hope that this highest range of human life may open to these young men who are growing up now, that they may follow in his footsteps, in his resolve to live, not with that poor, selfish energy, bred from selfish reason, bred from human motives, bred from memory, where if a man dies he dies out as Napoleon or any other calamity dies out. If he lives by the eternities, no, no.

Among the promises of the Israelites one of the noblest prophets says of the glorious future which is to come to the world, "Their nobles shall be of themselves, and their governor shall proceed from the midst of them." Enthusiasm, indeed, that might arouse among those oppressed Israelites who heard your governors are not to be after-bred Levites, coming down from the centuries be-

fore them. No more incompetent striplings on the throne born from an incompetent father who came from an incompetent grandfather in some line of centuries through all the miserable stages, "bad by degrees, but miserably worse." Your ruler shall come from the midst of them. Your rulers shall proceed from yourselves.

It is no wonder that our Revolutionary leaders caught up that verse. Cooper preached a sermon from that text in 1780, which Franklin translated into French and into German and scattered broadcast through Europe, the first "campaign document" of the newborn Republic, the lesson of republicanism, the lesson of democracy. It announced to man that theory of government, "the government of the people, for the people, and by the people."

You see it is radical; it goes to the complete distinction between the old system and the new. The old theory was of the Cæsars taking care of the Cæsars, or an army taking care of an army and legislating for an army, or, as they say they do on the other side of the world, the grammarians taking care of the grammarians. But when "we, the people," are at the helm, why, "we, the people," take care of "us, the people," of the whole and not of a class or an order. Here is a government "for the people and by the people," and in Mr. HANNA you have a man of the people who really believes in such democracy or the purpose of any republic. If you want Benjamin Franklin, take Benjamin Franklin, though it be from a tallow chandler's shop. If you want Abraham Lincoln, you shall have Abraham Lincoln. In that comes the system for which he had consecrated himself, to which he was allied, and in which he was looking forward, working heartily through all his career.

I remember in the canvass eight years ago a distinguished leader of enterprise met with one of the campaign speakers of the summer and said to him, "Tell me, who is this Cleveland man—this man who seems to have the reins in his hands?" And the accomplished gentleman whom he addressed said: "This Cleveland man is a man who is going to elevate politics to the level of those men of business who are men of honor." I wonder if either of them remembers the conversation now. That described Mr. HANNA then. That is the duty of the statesman of to-day—of the manager, if you please to call him so, of to-day—that he shall elevate the duty of the day to the standard of the men of honor who are engaged in business.

It is for a people that you are caring, not for a class. Government means that the post-office shall be well administered, that the sanitary conditions of the people shall be well administered, that what they drink shall be pure, that what they eat shall not be poison for them. It is the people who have sent you to this work, and it is as you love the people or as you love yourself alone that you are going to succeed or that you are going to fail.

This man was one of the people. He loved the people. What he did he did for his love of the people, and he knew—because he was one of them, because he had succeeded in business—he knew what are the eternities. He knew that a round bolt would not fit a square hole in the side of a steamship. Truth. He knew that iron was to be drawn by this law or by that law and that it must be welded by law and well done.

The man of business honor knows that his word must be as good as his bond, and unless I do the duty God has given me with an eager love of those around me, "Ah, woe is me!"

When men tell us, as those men do who know, that this man could mediate between the men who provide the tools and the workmen who handle them; this man had at once, as no other man had, the confidence of capital and labor, you understand what worked that miracle. You can work it yourself.

Honor! Truth! Love! And as the man of business, if he be a man of honor, has found that high law which centuries have found is the only law—as he applies that in the business of the nation he wins for the eternities faith, hope, and love. These three abide.

"Let us praise famous men. Let us look back now to the fathers." These are the words written nearly two thousand years ago.

The Chaplain of the Senate read appropriate passages from the Old and the New Testament, at the conclusion of which he said:

Let us pray. Father of Life, he is with Thee. He sees as he is seen. He knows as he is known. But we wait a little longer. We need not pray for him. He prays for us in the glad certainties of the larger life, and we go and come, remembering him and looking forward to our meeting with him in Thy time.

Father, may every memory of him quicken us to a larger life, and every thought of the future show us how we are to meet all these dear ones who have gone before, how we are to see as we are seen and to know as we are known.

We ask Thy blessing upon those so near to him in the home, where they will not hear his whisper nor see his face. And we are all brothers and sisters in the house of death. We ask it each for all and all for each, that we may bear each other's burdens, even as we have not done until now; that we may be strong in each other's strength; that we may walk, Father, with Thee; that every day we may hear Thy whisper and go and come in Thy perfect love.

Grant us more of faith in Thee, that we may see Thee who art invisible; that we may hear Thee in the whispers of Thy love, speaking to us in our own lives; that Thou wilt inspirit us with Thine own Holy Spirit; that we may enter into that service which is perfect freedom; that we may do the duty every day which Thou doth command, and that never more we may feel alone, but always may know our Father is with us.

Give us more of hope, that we may look forward as immortals do look forward; that we may live as immortals live; that we may enter into Thy work indeed, because Thou hast given it to us to do; that we may partake of Thy nature and live in heaven to-day, to-morrow, and in the days that are to come; that we may speak with Thy word; that we may think with Thy thought; that we may love with Thy love, and be glad with Thy joy. Give us more of hope.

And for this, Father, that we may bear one another's burdens; that we may remember the lessons of such a life as his; that we may forget ourselves while we live for others; that we may go about doing good as He, Thy well-beloved Son, in the homes of the sick and the poor and the weak as in the homes of the rich and the powerful and the strong. Knit together in love, may we bear each other's burdens, and so fulfill the whole law of Christ.

Reverently, humbly, and with the tears of the nation we bear his body and lay it in the ground, earth to earth, dust to dust, ashes to ashes. But he is with God ever. He is changed in a moment, in the twinkling of an eye. He is in the larger life.

Father, we pray that we may learn the lessons of that life as we go and come here; that we may go about the work that Thou hast given us to do to-day and to-morrow, and that we may be ready at any moment to hear the whisper coming to us that we may enter into the joy of our Lord.

This is our prayer. Hear us, answer us, and bless us as Thine own children, in Christ Jesus. Amen.

The hymn "Nearer, My God, to Thee" was sung by the quartette of the Gridiron Club, composed of Mr. Herndon Morsell, Mr. J. Henry Kaiser, Mr. Alexander Mosher, and Mr. John H. Nolan.

The PRESIDENT pro tempore said: We commit the body of our beloved Senator now to the two committees of the Houses of Congress and to the officers of the Senate, to be conveyed to his late home in Ohio and to his final resting place. May God sanctify his life and death to us, who love him well.

The benediction was pronounced by the Chaplain of the Senate.

The invited guests having retired from the Senate Chamber,

Mr. LODGE. Mr. President, I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 1 o'clock p. m.) the Senate adjourned until to-morrow, Thursday, February 18, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 17, 1904.*

The House met at 11.45 a. m., and was called to order by the Speaker.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

We thank Thee, our Heavenly Father who art in heaven, for those finer and more delicate qualities of the soul which lift us above the sordid in life in times of calamity or great sorrow and make the whole world akin. Sanctify the solemn services of this day to our good, and help us to remember that we must work while it is yet day, for the night cometh when no man can labor.

Hear us and so watch over us and guide us that our work may be acceptable unto Thee, through Christ our Lord. Amen.

The Journal of yesterday's proceedings was read and approved.

RETURN OF A BILL.

The SPEAKER laid before the House the following request from the Senate; which by unanimous consent was agreed to:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill S. 4128, to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes.

OBSEQUIES OF THE LATE SENATOR HANNA.

In accordance with the invitation of the Senate and the order adopted by the House on yesterday, the Members and officers of the House proceeded in a body to the Senate Chamber to attend the funeral services of the late Hon. MARCUS A. HANNA.

At the conclusion of the services the Members returned to the Hall of Representatives.

Mr. PAYNE. Mr. Speaker, as a further mark of respect to the deceased Senator, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 1 o'clock and 3 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Navy, submitting a detailed statement of expenditures under the appropriations for the Navy Department—to the Committee on Expenditures in the Navy Department, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of T. S. Gallaway, administrator of estate of Margaret E. Rawlings, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for publication of report on Philippine insurrection—to the Committee on Appropriations, and ordered to be printed.

A letter from the secretary of the American National Red Cross, transmitting the report for the year ended December 31, 1903—to the Committee on Foreign Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12050) granting an increase of pension to David R. Luttrell, reported the same without amendment, accompanied by a report (No. 966); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12053) granting an increase of pension to James Large, reported the same with amendment, accompanied by a report (No. 967); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11894) granting an increase of pension to Jeremiah Sheldon, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11575) granting a pension to Abel N. Button, reported the same with amendment, accompanied by a report (No. 969); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10792) granting an increase of pension to Frederic Lockley, reported the same with amendment, accompanied by a report (No. 970); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9801) granting a pension to Jane McNeil, reported the same without amendment, accompanied by a report (No. 971); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9979) granting an increase of pension to Ezra Nichols, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8742) granting an increase of pension to Jason Robinson, reported the same with amendment, accompanied by a report (No. 973); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8050) granting an increase of pension to John I. Lose, reported the same with amendment, accompanied by a report (No. 974); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7698) granting an increase of pension to Benjamin Mockabee, reported the same with amendment, accompanied by a report (No. 975); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7664) granting an increase of pension to George P. Malloch, reported the same with amendment, accompanied by a report (No. 976); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7394) granting an increase of pension to Amelia Hutchins, reported the same with amendment, accompanied by a report (No. 977); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6880) granting an increase of pension to Charles T. Preston, reported the same with amendment, accompanied by a report (No. 978); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6589) granting a pension to Jacob Mock, reported the same with amendment, accompanied by a report (No. 979); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6416) for the relief of Anna S. Dunn, reported the same with amendment, accompanied by a report (No. 980); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5395) granting a pension to Mattie Aten, reported the same with amendment, accompanied by a report (No. 981); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6249) granting an increase of pension to Frederick J. Fairbrass, reported the same with amendment, accompanied by a report (No. 982); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5700) granting a pension to Christopher C. Richards, reported the same with amendment, accompanied by a report (No. 983); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5296) granting an increase of pension to H. M. Price, reported the same with amendment, accompanied by a report (No. 984); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6271) granting a pension to Catharine Wonderly, reported the same with amendment, accompanied by a report (No. 985); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5373) granting an increase of pension to Moses M. Pitts, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3288) granting an increase of pension to N. L. Meands, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2589) granting a pension to Susanna Cameron, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2557) granting an increase of pension to [illegible] Carr, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2189) granting an increase of pension to Henry Spindler, reported the same with amendment, accompanied by a report (No. 991); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1882) granting an increase of pension to James Durkee, reported the same without amendment, accompanied by a report (No. 992); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1515) granting a pension to Lucy Warren, reported the same with amendment,

accompanied by a report (No. 993); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1285) granting an increase of pension to Adam Gosage, reported the same with amendment, accompanied by a report (No. 994); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 967) granting an increase of pension to Nicholas Gruber, reported the same without amendment, accompanied by a report (No. 995); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 194) granting a pension to Mary J. Bradley, reported the same with amendment, accompanied by a report (No. 996); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. SLEMP: A bill (H. R. 12505) to provide for the improvement of Clinch River, in Virginia—to the Committee on Rivers and Harbors.

By Mr. SOUTHARD: A bill (H. R. 12506) to amend section 45 of an act entitled "An act to reduce the revenue and equalize duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

Also, a bill (H. R. 12507) to amend section 14 of an act entitled "An act to increase the limit of cost of certain public buildings," and so forth, passed March 3, 1903—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. [illegible]) to establish a branch home for the wives, widows, and mothers of deceased soldiers, sailors, and marines—to the Committee on Military Affairs.

By Mr. SLEMP: A bill (H. R. 12508) to provide for the improvement of Powell River, in Virginia—to the Committee on Rivers and Harbors.

By Mr. McLACHLAN: A bill (H. R. 12510) providing for rights of way in and through public lands, reservations, and certain national parks and for other purposes—to the Committee on the Public Lands.

By Mr. LACEY: A bill (H. R. 12511) to increase rate of pension paid for gunshot wounds, and for other purposes—to the Committee on Invalid Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. CONNER: A bill (H. R. 12512) granting a pension to Asa Wren—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 12513) granting an increase of pension to William L. Alley—to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 12514) granting a pension to William A. Olmsted—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: A bill (H. R. 12515) granting a pension to Antoinette A. Acken—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 12516) granting an increase of pension to Robert H. Collier—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12517) for the relief of William A. Downey—to the Committee on Military Affairs.

By Mr. LINDSAY: A bill (H. R. 12518) for the relief of Frank S. Taft—to the Committee on Military Affairs.

By Mr. McLACHLAN: A bill (H. R. 12519) granting an increase of pension to Charles Clark—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12520) granting an increase of pension to Franklin Blades—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12521) granting an increase of pension to Frances E. Kent—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12522) granting an honorable discharge to Thomas Ross—to the Committee on Military Affairs.

By Mr. RIXEY: A bill (H. R. 12523) for the relief of the trustees of Liberty Church, Dranesville, Va.—to the Committee on War Claims.

By Mr. SOUTHARD: A bill (H. R. 12524) granting an increase of pension to John Harley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12525) for the relief of Mary Higgins, widow of Michael J. Higgins—to the Committee on Claims.

By Mr. WACHTER: A bill (H. R. 12526) granting an increase of pension to Henry Ford—to the Committee on Invalid Pensions.

By Mr. WEBB: A bill (H. R. 12527) granting an increase of pension to Jane Allen—to the Committee on Pensions.

Also, a bill (H. R. 12528) granting an increase of pension to Stephen M. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12529) granting a pension to Sarah Greene—to the Committee on Pensions.

Also, a bill (H. R. 12530) for the relief of Joseph H. Huffman—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BABCOCK: Petitions of J. E. Doan and 81 other voters of Fennimore, Wis.; J. W. Alcock and 23 other voters of Clifton, Wis.; George Ketnor and 14 other voters of Bloomington, Wis., and H. G. Brown and 23 other voters of Millville, Wis., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Petition of Jewell Post, No. 2, Grand Army of the Republic, of Plainville, Kans., favoring passage of service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Building Trades Employers' Association of Topeka, Kans., opposing passage of the anti-injunction bill—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of Mrs. A. Rust, president of the Woman's Christian Temperance Union of Frankfort, Kans., and Rev. C. E. Holcomb, pastor of the Methodist Episcopal Church of Frankfort, Kans., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petition of citizens of Dunbarton, Wis., opposing passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. COUSINS: Petition of citizens of the Fifth Congressional district of Iowa, opposing passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Lisbon, Iowa, and of Lars Peterson and 74 other voters of Legrand, Iowa, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. EMERICH: Memorial of Pasteur Vaccine Company, Limited, of Chicago, protesting against government distribution of blackleg vaccine—to the Committee on Agriculture.

Also, memorial of Chicago Historical Society, favoring preservation of the U. S. frigate *Constitution*—to the Committee on Naval Affairs.

Also, memorial of Illinois Society, Sons of the Revolution, favoring restriction of immigration—to the Committee on Immigration and Naturalization.

Also, memorial of F. J. Gurney, of Chicago, favoring the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the Builders' Club of Chicago and of the Sullivan Machinery Company, of Chicago, protesting against the anti-injunction and anti-bankruptcy bills—to the Committee on the Judiciary.

Also, memorial of the Chicago Yacht Club, protesting against bill for licensing engineers of small craft—to the Committee on the Merchant Marine and Fisheries.

Also, letter of Tri-City Reciprocity League, of Moline, Ill., Rock Island, Ill., and Davenport, Iowa, favoring reciprocity—to the Committee on Ways and Means.

Also, memorials of the Grocers and Butchers' Association of Chicago, and of Hubbard, Spencer, Bartlett & Co., of Chicago, and protests of merchants of Chicago against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, memorial of Abraham Lincoln Post, No. 91, Grand Army of the Republic, of Chicago, Ill., favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

Also, letter of Andrew A. Lopez, of New York, favoring Brownlow good-conduct bill—to the Committee on Agriculture.

Also, resolution of the United Commercial Travelers of America, favoring amendment to bankruptcy act—to the Committee on the Judiciary.

By Mr. HASKINS: Resolutions of G. W. Quinby Post, No. 76, Grand Army of the Republic, Department of Vermont, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. HEDGE: Petitions of Ellwood Haworth and 18 other voters of Varna, Iowa, and Arthur Jones and 24 other voters of Pleasant Plain, Iowa, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petitions of pastors of churches in Hartford, Conn., and voters of Meriden and Waterbury, Conn.,

favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of pastors of churches of Manchester, Conn., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAUGEN: Resolution of citizens of Cherokee, Iowa, opposing passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HUMPHREY of Washington: Petition of R. E. Dunlap and 5 other voters of Seattle, Wash., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KEHOE: Petition of W. C. Hunsaker and 22 other voters of Grayson, Ky., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LACEY: Petition of Shelledy Post, No. 84, Grand Army of the Republic, of Monroe, Iowa, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolution of Church & Dwight Company, of New York City, favoring passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. PAYNE: Petition of Rev. Harvey King and 12 other voters of Manchester, N. Y., favoring passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIXEY: Papers to accompany claim of John H. Hurst, for church property at Dranesville, Va.—to the Committee on War Claims.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 693, granting a pension to S. C. Roe—to the Committee on Invalid Pensions.

By Mr. SULLOWAY: Petitions of George E. Hall and 4 other voters, Rev. D. E. Cunningham and 21 other voters, and members of Woman's Christian Temperance Union of Dover; Granville F. Grand and 21 other voters of Rochester; Congregational Church organization and D. C. Knowles and 14 other voters of Tilton; Sullivan C. Kimball and 11 other voters of Rockingham, and J. H. Bliss and 18 other voters of Wolfeboro, all in New Hampshire, favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SOUTHARD: Resolutions of A. J. Sykes Post, No. 355, of Chicago, Ohio, and R. H. Caldwell Post, No. 439, of Elmore, Ohio, Grand Army of the Republic, favoring passage of service-pension bill—to the Committee on Invalid Pensions.

By Mr. THAYER: Petition of the Master Builders' Association of Worcester, Mass., opposing the passage of the eight-hour bill—to the Committee on Labor.

By Mr. VREELAND: Resolutions of William O. Stevens Post, No. [illegible], of Dunkirk; Sawyer Post, No. [illegible], of Westfield; Howell Post, No. 390, of Delevan; B. Frank Maxson Post, No. [illegible], of Alfred; Union Post, No. 407, of Findley Lake; W. T. Wiley Post, No. 655, of Otto; Seaman Post, No. 481, of Andover; Henry Van Erman Post, No. 232, of Ellicottville, and S. T. Bartle Post, No. 183, of Cuba, Grand Army of the Republic, all in New York, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petition of B. McKinney and 22 other voters of Burnsville, W. Va., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

THURSDAY, *February 18, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The PRESIDENT pro tempore. If there be no objection, the Journal of the proceedings of Thursday last will be approved.

The Chair hears no objection, and it is approved.

The Secretary proceeded to read the Journal of the proceedings of yesterday, when, on motion of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

EXTENSION OF TIME FOR MOTIONS TO RECONSIDER.

Mr. HOAR. Mr. President, I rise to ask unanimous consent.

The PRESIDENT pro tempore. The Senator from Massachusetts.

Mr. HOAR. I ask unanimous consent that any motion to reconsider which would have been in order last Tuesday shall be considered in order if it be made on or before next Monday. The rule requires that such motions shall be made within two days of actual session. I suppose no Senator will care to raise a question of the strict meaning of that rule, and therefore I have asked for that unanimous consent agreement.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the right to enter a motion to reconsider may be extended to Monday next.

Mr. HOAR. Yes; from last Tuesday.

The PRESIDENT pro tempore. From last Tuesday to Monday next. Is there objection? The Chair hears none, and that order is made.

AMERICAN NATIONAL RED CROSS SOCIETY.

The PRESIDENT pro tempore laid before the Senate the annual report of the American National Red Cross Society for the year ended December 31, 1903; which was referred to the Committee on Foreign Relations, and ordered to be printed.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of William B. Mann *v.* The United States; which was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of N. H. Farquhar *v.* The United States; which was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, returned to the Senate in compliance with its request the bill (S. 4122) to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10954) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The message further announced that the House had passed a bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation in the State of Oregon, and to make an appropriation to carry the same into effect; in which it requested the concurrence of the Senate.

The message also transmitted to the Senate the resolutions of the House of Representatives on the death of Hon. MARCUS A. HANNA, late a Senator from the State of Ohio.

The message further announced that the House agreed to the resolutions of the Senate to the memorial addresses on the life, character, and public services of the late Senator from the State of Ohio.

Mr. GROSVENOR, Mr. VAN VOORHIS, Mr. BURTON, Mr. [illegible], Mr. DICK, Mr. MORGAN, Mr. [illegible], Mr. CASSINGHAM, Mr. HILDEBRANT, Mr. KYLE, Mr. NEVIN, Mr. [illegible], Mr. BADGER, Mr. GARBER, Mr. GOEBEL, Mr. JACKSON of Ohio, Mr. KENNEDY, Mr. LONGWORTH, Mr. WEEMS, Mr. [illegible], Mr. BARTLETT, Mr. LUCKING, Mr. W[illegible], Mr. WATSON, Mr. BURKE, Mr. CR[illegible]MAN, Mr. R[illegible]BERG, Mr. McCLEARY of M[illegible] committee on the part of the [illegible] arrangements.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were subsequently signed by the President pro tempore:

A bill (H. R. 134) granting a pension to Wilhelmina Miller;

A bill (H. R. 138) granting an increase of pension to Henry Hale;

A bill (H. R. 165) granting an increase of pension to Thomas Adelsperger;

A bill (H. R. 195) granting a pension to Michael Landy;

A bill (H. R. 198) granting an increase of pension to Emmett Cole;

A bill (H. R. 219) granting a pension to Minerva J. Burton;

A bill (H. R. 249) granting an increase of pension to Mollie J. Mitchell;

A bill (H. R. 529) granting a pension to Emma H. Higley;

A bill (H. R. 561) granting an increase of pension to Eri Summy;

A bill (H. R. 610) granting an increase of pension to Samuel Alexander;

A bill (H. R. 660) granting an increase of pension to John S. Sines;

A bill (H. R. 681) granting an increase of pension to Ella P. Kempster;

A bill (H. R. 689) granting an increase of pension to Edgar Chapman;

A bill (H. R. 703) granting an increase of pension to Robert P. Baker;

A bill (H. R. 727) granting an increase of pension to James K. Blye;

A bill (H. R. 734) granting an increase of pension to Henry S. McAlister;

A bill (H. R. 754) granting a pension to John M. Lawton;

A bill (H. R. 812) granting an increase of pension to Charles F. Emery;

A bill (H. R. 937) granting an increase of pension to Mark A. Shelton;

A bill (H. R. 1156) granting an increase of pension to John Pangratz;

A bill (H. R. 1294) granting an increase of pension to William McBrien;

A bill (H. R. 1483) granting an increase of pension to James W. Black;

A bill (H. R. 1487) granting an increase of pension to Dexter T. Drake;

A bill (H. R. 1497) granting an increase of pension to Dana Cook;

A bill (H. R. 1855) granting a pension to Harriett B. Riley;

A bill (H. R. 18[illegible]) granting an increase of pension to Patrick Cannon;

A bill (H. R. 1906) granting an increase of pension to George W. Blanchard;

A bill (H. R. 2016) granting an increase of pension to George Gardner;

A bill (H. R. 2040) granting a pension to James Anderson;

A bill (H. R. 2111) granting an increase of pension to Henry D. Towsley;

A bill (H. R. 2201) granting an increase of pension to George M[illegible];

A bill (H. R. 2427) granting a pension to Cynthia T[illegible];

A bill (H. R. 2553) granting an increase of pension to George Winze;

A bill (H. R. 2822) granting an increase of pension to Louiza Phillips;

A bill (H. R. 2912) granting an increase of pension to Elizabeth A. Jones;

A bill (H. R. 2916) granting an increase of pension to Francis S. Howard;

A bill (H. R. 2932) granting a pension to Dudley R. W. Wil[illegible];

A bill (H. R. 3172) granting an increase of pension to Robert E. Pe[illegible];

A bill (H. R. 3272) granting an increase of pension to Elizabeth Hardy;

A bill (H. R. 3298) granting a pension to Mary E. Pennock;

A bill (H. R. 3299) granting a pension to Mede M. Flanders;

A bill (H. R. 3337) granting an increase of pension to Mary A. Craigue;

A bill (H. R. 3345) granting an increase of pension to Charles P. Clarke;

A bill (H. R. 3367) granting an increase of pension to George W. Kerby;

A bill (H. R. 3407) granting an increase of pension to Frank Lewis;

A bill (H. R. 3411) granting an increase of pension to William J. Hart;

A bill (H. R. 3435) granting an increase of pension to John M. Pratt;

A bill (H. R. 3521) granting an increase of pension to John Hawker;

A bill (H. R. 3616) granting an increase of pension to James W. Davis;

A bill (H. R. 3617) granting an increase of pension to Charles M. [illegible];

A bill (H. R. 3665) granting an increase of pension to Henry C. Jones;

A bill (H. R. 3815) granting an increase of pension to Hester E. Mooney;

A bill (H. R. 4031) granting an increase of pension to Samuel R. Wasson;

A bill (H. R. 4276) granting an increase of pension to Hamilton E. Burritt;

A bill (H. R. 4323) granting an increase of pension to Mary W[illegible];

A bill (H. R. 4325) granting an increase of pension to John A. Sills;

A bill (H. R. 4[illegible]) granting a pension to Emma L. D[illegible];

A bill (H. R. 4457) granting an increase of pension to Mary [illegible] Meldrum;

A bill (H. R. 4578) granting a pension to Catharine M. McClanahan;

A bill (H. R. 4625) granting a pension to Theresa B. Nash;

A bill (H. R. 4629) granting an increase of pension to Thomas C. Pond;

A bill (H. R. 4759) granting an increase of pension David P. M[illegible];

A bill (H. R. 4887) granting an increase of pension to George N. Thorpe;

A bill (H. R. 4915) granting an increase of pension to James W. Hibbert;

A bill (H. R. 4937) granting an increase of pension to Emily Conklin;

A bill (H. R. 4946) granting a pension to James F. Wheeler;

A bill (H. R. 5199) granting an increase of pension to Emma M. Johnson;

A bill (H. R. 5299) granting an increase of pension to Sarah E. Wheeler;

A bill (H. R. 5372) granting a pension to Mariah Kuechler;

A bill (H. R. 5471) granting an increase of pension to A. Marion Gamble;

A bill (H. R. 5528) granting a pension to Maria Lindhorst;

A bill (H. R. 5531) granting an increase of pension to Marvin Nash;

A bill (H. R. 5534) granting an increase of pension to Adaline Shaw Lovejoy;

A bill (H. R. 5538) granting a pension to Jane Elizabeth Bullock;

A bill (H. R. 5609) granting an increase of pension to Benjamin F. Grigsby;

A bill (H. R. 5617) granting an increase of pension to William P. Hereford;

A bill (H. R. 5634) granting an increase of pension to Robert L. M[illegible];

A bill (H. R. 5699) granting an increase of pension to James P. Johnson;

A bill (H. R. 5718) granting an increase of pension to Adolph Heiser;

A bill (H. R. 5720) granting an increase of pension to William T. Filler;

A bill (H. R. 5818) granting an increase of pension to Philip Snow;

A bill (H. R. 5883) granting an increase of pension to David Warentz;

A bill (H. R. 5972) granting an increase of pension to Edward A. Wilson;

A bill (H. R. 6005) granting an increase of pension to George B. [illegible];

A bill (H. R. 6020) granting an increase of pension to William P. Conner;

A bill (H. R. 6023) granting an increase of pension to Charles Wigert;

A bill (H. R. 6028) granting an increase of pension to Anson Heffron;

[illegible] H. R. 6032) granting an increase of pension to Charles S. [illegible];

A bill (H. R. 6036) granting an increase of pension to John Slafer;

A bill (H. R. 6061) granting an increase of pension to Alpheus D [illegible];

[illegible] H. R. 6071) granting an increase of pension to Abraham C. [illegible];

[illegible] H. R. 60[illegible] a pension to Anna M. Maier;

[illegible] H. R. 6[illegible] increase of pension to John W. [illegible];

[illegible] H. R. 6342) granting an increase of pension to Thomas [illegible];

[illegible] H. R. 6442) granting an increase of pension to James P. W[illegible];

[illegible] Hooper;

[illegible] to Frances A [illegible];

[illegible] R. 6588) granting an increase of pension to James H. Cummings;

A bill (H. R. 6701) granting an increase of pension to John A. [illegible];

[illegible] (H. R. 6947) granting an increase of pension to Joseph H. [illegible];

[illegible] H. R. 6994) granting an increase of pension to Theresa N [illegible];

[illegible] H. R. 7072) granting a pension to Mary McCall;

[illegible] H. R. 7095) granting an increase of pension to Harrison H [illegible];

A bill (H. R. 7355) granting an increase of pension to Henry [illegible];

[illegible] H. R. 7374) granting an increase of pension to Jabez P [illegible];

[illegible] H. R. 7439) granting an increase of pension to Helen M. Bates;

A bill (H. R. 7447) granting an increase of pension to William Bailey;

A bill (H. R. 7515) granting a pension to Rebecca A. Mathias;

A bill (H. R. 7594) granting an increase of pension to Charles H. Miller;

A bill (H. R. 7682) granting an increase of pension to William H. Howard;

A bill (H. R. 7732) granting an increase of pension to Mary Chenowith;

A bill (H. R. 7756) granting an increase of pension to Charles Schrader:

A bill (H. R. 7757) granting an increase of pension to Cyrus Lay Dawson:

A bill (H. R. 7798) granting an increase of pension to Andrew Black:

A bill (H. R. 7799) granting an increase of pension to John O. Rice:

A bill (H. R. 8123) granting a pension to Eliza S. Smith:

A bill (H. R. [illegible]) granting an increase of pension to George Jeffrey:

A bill (H. R. 8207) granting an increase of pension to Charles Johnson:

A bill (H. R. 8342) granting an increase of pension to Horace E. Davis:

A bill (H. R. 8717) granting an increase of pension to Henry Edwards:

A bill (H. R. 8728) granting a pension to Matilda Lafferty:

A bill (H. R. 8729) granting an increase of pension to Gustus S. Reed:

A bill (H. R. 8748) for the relief of Serenus Kilbourne:

A bill (H. R. [illegible]) granting a pension to Harriet A. Tucker:

A bill (H. R. [illegible]) granting a pension to Georgie S. Barbour; and

A bill (H. R. 12054) making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of sundry citizens of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah, and also praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of East Fairfield, Vt., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented memorials of the Singing Society of Meriden, Conn.; of the Verein Bayern, Columbia Section, No. 1, of Washington, and of the Amalgamated Meat Cutters and Butcher Workmen, of Washington, in the District of Columbia; of Schiller Council, No. 23, of Chicago; of Court Eintracht, No. 980, of Chicago; of the Concordia Singing Society, of Peoria; of the Deutscher Militar Verein, of Elgin, and of Humboldt Council, of Chicago, all in the State of Illinois; of Lessing Lodge, of Davenport, Iowa; of the Liederkranz of Lansing, and of the German Workingmen's Society, of Kalamazoo, all in the State of Michigan; of the German-American Association, of Kansas City, and of the Schweizer Maennerchor, of St. Louis, in the State of Missouri; of Lodge No. 629, of Omaha, Nebr.; of Humboldt Lodge, No. 137, of Newark; of the Swiss Sick Benefit Society, of Elizabeth; of the Teutonia Benevolent Society, of Newark, all in the State of New Jersey; of the German Hospital Association, of Albany; of the Norddeutscher Verein of New York; of the Sixty-Six Turn Verein, of New York City; of the Plattdeutscher Verein of New York City; of the Magener Club, of New York City; of the Cuxhavener Club, of New York City; of the Friedmann Employees' Benefit Society, of Brooklyn, and of the Menslazer Verein, of New York City, all in the State of New York; of the Gesang Section der Freundgemeinde of Milwaukee; of the Fritz Reuter Club, of Milwaukee; of the Gesellschaft of Milwaukee; of the Zither Verein of Milwaukee; of the Male Chorus of the Sons of Hermann, of Milwaukee; of Barbarossa Lodge, No. 27, of Milwaukee; of George Washington Lodge, No. 40, of Milwaukee; of Alhambra Lodge, No. 43, of Milwaukee; of Freie Gemeinde of Milwaukee; of Jacob J. Vollrath Aid Society, of Sheboygan, and of Humboldt Lodge, No. 16, of Milwaukee, all in the State of Wisconsin; of the Deutscher Bund, of Cleveland; of the Norddeutscher Sängerbund Gesellschaft, of Cincinnati; of the Turn Verein, of Cincinnati, and of the German-Austrian Benevolent Society, of Columbus, all in the State of Ohio; of the German-Austrian Sick and Benefit Association, of Pittsburg; of the German Association, of Pittsburg, and of the German Military Society, of Allegheny, all in the State of Pennsylvania; of the Turn Verein, of Seattle; of the Plattdeutscher Verein, of Tacoma, and of the Deutsche Eiche Lodge, No. 4, of Seattle, all in the State of Washington; of Hermann Lodge, No. 15, of Providence, R. I., and of Kaiser Friedrich Lodge, No. 48, of Freyburg, Tex., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PLATT of New York presented memorials of Richey, Browne & Donald, of Brooklyn; of C. A. Van Deusen, of Hudson; of the Hall Cereal Company, of Dansville, and of the Hermon L. Kent Paper Company, of Westfield, all in the State of New York, remonstrating against the enactment of legislation to amend the present antitrust laws; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Henwelton, Madison County, Plattekill, Newburg, Watertown, Saratoga County, Wheatland, Stanfordville, Ogden, Frankfort, Wellsville, Ogdensburg, Elmira, Orwell, and Port Jefferson; of the congregation of the First Baptist Church of Holland; of the congregation of the Presbyterian Church of Valatie; of the Woman's Christian Temperance Union of Plymouth; of the congregation of the Methodist Episcopal Church of Manchester; of the Woman's Christian Temperance Union of Phelps; of the congregation of the Congregational Church of Ogden; of the congregation of the Baptist Church of Livingston County, and of the Woman's Christian Temperance Union of Plattekill, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Morris Run Coal Mining Company, of Corning; of the Beech Creek Coal and Coke Company, of Corning; of Calvin V. Adams, of New York City; of the Hill Brothers' Company, of New York City; of G. T. Bonnell, of New York City, and of Church & Dwight Company, of New York City, all in the State of New York, and of J. N. Summerbell, of New Haven, Conn., praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

Mr. KEAN presented a petition of sundry citizens of Washington, N. J., praying for the enactment of legislation to regulate the immigration of aliens into the United States; which was referred to the Committee on Immigration.

He also presented a petition of Cigar Makers' Local Union, No. 230, American Federation of Labor, of Millville, N. J., praying for the passage of the so-called anticoupon present bill; which was referred to the Committee on Finance.

He also presented a petition of the Board of Trade of Newark, N. J., remonstrating against the enactment of legislation to change the existing system of weights and measures or the compulsory adoption of the metric system in the United States; which was referred to the Select Committee on Standards, Weights, and Measures.

He also presented a petition of the Board of Trade of Jersey City, N. J., praying for the enactment of legislation providing for the destruction of derelicts, and also for the ratification of a treaty of arbitration between the United States and Great Britain; which was ordered to lie on the table.

He also presented a petition of the Board of Agriculture of Bergen County, N. J., and a petition of sundry citizens of Cranbury, N. J., praying for the passage of the so-called Brownlow good-roads bill; which were referred to the Committee on Agriculture and Forestry.

He also presented the petition of Jane Moore Faircloth, of Jersey City, N. J., praying that she be granted a pension; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Rutherford, Lambertville, and Plainfield, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Colonel R. C. Johnson Post, No. 69, Department of New Jersey, Grand Army of the Republic, of New Jersey, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the New Jersey State Convention of the Socialist Alliance of America, of Elizabeth, N. J., praying for the enactment of legislation providing for the erection of a monument to the memory of Commodore John Barry, United States Navy; which was referred to the Committee on the Library.

He also presented a memorial of sundry citizens of Orange, East Orange, and Elizabeth, all in the State of New Jersey, remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a memorial of the Hypothetic of Trenton, N. J., and a memorial of sundry citizens of Orange, East Orange, and Elizabeth, all in the State of New Jersey, remonstrating against the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Trinity Methodist Episcopal Church, of Trenton; of the congregation of the Baptist Church of Flemington; of the Grand View Grange, Patrons of Husbandry, of Flemington, and of sundry citizens of Camden, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LONG presented the petition of J. C. Lacroix, of Hiawatha, Kans., and a petition of Muddy Creek Grange, No. 1437, Patrons of Husbandry, of Meriden, Kans., praying that an appropriation be made for the construction and maintenance of highways throughout the country; which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregations of the Baptist and Methodist Episcopal churches and of the Woman's Christian Temperance Union of Walnut, and of sundry citizens of Sterling, Abilene, Herington, Rock Creek, Moran, Elk Falls, Burlingame, Tescott, Newton, and Varek, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BARD presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the erection of a monument to the late Commodore John D. Sloat, United States Navy; which was referred to the Committee on the Library.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for providing for the improvement of the Presidio Military Reservation; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the construction of a road from Rampart to Glen Gulch, Alaska; which was referred to the Committee on Territories.

He also presented a petition of Phelps Squadron, No. 12, United States Veteran Navy, of San Francisco, Cal., praying for the enactment of legislation to equalize the rank and pay of certain officers of the United States Navy; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to amend the law relating to the salmon fisheries of Alaska; which was referred to the Committee on Fisheries.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the restoration of the 4 per cent allowance on naval construction work in the Pacific coast for the National Government; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the creation of a commission to investigate the expediency of establishing public rifle ranges throughout the United States; which was referred to the Committee on Military Affairs.

Mr. FOSTER of Washington presented a petition of the Chamber of Commerce of Spokane, Wash., praying for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a memorial of the Chamber of Commerce of Spokane, Wash., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Chamber of Commerce of Spokane, Wash., praying that an appropriation be made for the construction of a wagon road from Rampart to Glen Gulch, Alaska; which was referred to the Committee on Territories.

He also presented a memorial of the Chamber of Commerce and Board of Trade of Tacoma, Wash., remonstrating against the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Nipsic Lodge, No. 282, International Association of Machinists, of Bremerton, Wash., praying that an appropriation of $2,000,000 be made to increase the capacity of the naval gun factory at the Washington Navy-Yard, Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of Spokane, Wash., praying that an appropriation be made for the removal of obstructions to navigation from the Pend Oreille River between Albani Falls, Idaho, and the Metaline mining district, Washington; which was referred to the Committee on Commerce.

Mr. NELSON presented a memorial of District Council, United Brotherhood of Carpenters and Joiners, of Minneapolis, Minn., remonstrating against the employment of soldiers to do the work of civilian mechanics in the construction and repair of buildings on Government reservations; which was referred to the Committee on Military Affairs.

He also presented a petition of the congregation of the Free Methodist Church of St. Paul, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Norwegian-Danish Methodist Episcopal Church, of St. Paul; of the congregation of the Norwegian-Danish Baptist Church, of St. Paul; of the congregation of the King street Methodist Episcopal Church, of St. Paul; of the congregation of the Swedish Baptist Church, of St. Paul; of the congregation of the Pacific Congregational Church, of St. Paul; of the congregation of the Grace Methodist Episcopal Church, of St. Paul; of the Union Young People's and Temperance societies, of St. Paul, and of the congregation of the Arlington Hills Presbyterian Church, of St. Paul, all in the State of Minnesota, praying for the enactment of legislation to prevent the nullification of State liquor laws; which were referred to the Committee on the Judiciary.

Mr. ANKENY presented a petition of the congregation of the Christian Church of Bellingham, Wash., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of J. M. Corse Post, No. 98, Department of Washington and Alaska, Grand Army of the Republic, in the State of Washington, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. GALLINGER presented a petition of Grange No. 231, Patrons of Husbandry, of Pike Station, N. H., and a petition of Grange No. 230, Patrons of Husbandry, of Plymouth, N. H., praying for the enactment of legislation to increase the salaries of rural free-delivery mail carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Grange No. 135, Patrons of Husbandry, of Jaffrey, N. H., praying for the passage of the so-called Brownlow good-roads bill; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregation of the Congregational Church of Epping County; of the Woman's Christian Temperance Union of Sullivan County; of the congregation of the Methodist Episcopal Church of Rindge; of Lodge No. 36, Independent Order of Good Templars, of Rochester; of the congregation of the Methodist Episcopal Church of Dover; of the congregation of the People's Christian Church of Laconia, and of sundry citizens of Ossipee, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a memorial of the Brightwood Park Citizens' Association, of the District of Columbia, remonstrating against the enactment of legislation to relieve the late auditor of the District of Columbia and the sureties on his official bond of their liability to the people of the District; which was referred to the Committee on the District of Columbia.

Mr. ALGER presented a petition of sundry citizens of Saline, Mich., praying for the enactment of legislation to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Memorial Presbyterian Church, of Detroit, Mich., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HOPKINS presented a petition of the Commercial Club of Chicago, Ill., praying for the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented petitions of sundry citizens of Rock Island, Galesburg, Lasalle, and Chicago, all in the State of Illinois, praying for the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Rock Island, Galesburg, Lasalle, Freeport, Peoria, Duquoin, and Chicago, all in the State of Illinois, praying for the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the Woman's Literary Club of Ohio, and of sundry citizens of Cutler, in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented the memorial of J. S. Ford, Johnson & Co., of Michigan City, Ind., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented the petition of Daniel Stewart & Co., of Indianapolis, Ind., praying for the adoption of certain amendments to the so-called pure-food bill; which was referred to the Committee on Manufactures.

He also presented a memorial of the Manufacturers' Association of Evansville, Ind., remonstrating against the passage of the

so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Retail Merchants' Association of Linton, Ind., remonstrating against the passage of the so-called parcels post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Magic City Lodge, No. 35, International Association of Machinists, of Muncie, Ind., praying that an appropriation be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented a petition of the A. Kiefer Drug Company, of Indianapolis, Ind., praying for the enactment of legislation providing for the protection of trade marks used for commerce between the several States; which was referred to the Committee on Finance.

Mr. PERKINS presented a petition of the Chamber of Commerce, San Francisco, Cal., praying for the establishment of a station on the coast of California for the investigation of problems connected with the marine fishery interests of that State; which was referred to the Committee on Fisheries.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the enactment of legislation to amend the law relating to salmon fisheries in Alaska; which was referred to the Committee on Fisheries.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.; which was referred to the Committee on the Library.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the erection of buildings for an immigrant station at the port of San Francisco, Cal.; which was referred to the Committee on Commerce.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the improvement of the Presidio Military Reservation, at San Francisco, Cal.; which was referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying that an appropriation be made for the construction of a road from Rampart to Glen Gulch, Alaska; which was referred to the Committee on Territories.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the restoration of the 4 per cent allowance on naval construction work on the Pacific Coast for the National Government; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Chamber of Commerce of San Francisco, Cal., praying for the appointment of a commission to investigate the expediency of establishing rifle ranges throughout the United States; which was referred to the Committee on Military Affairs.

He also presented a memorial of the Chamber of Commerce of San Francisco, Cal., remonstrating against the removal of the naval training station from San Francisco Bay; which was referred to the Committee on Naval Affairs.

Mr. HOAR presented a petition of the Woman's Club of Amherst, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Woman's Club of Amherst, Mass., praying for the enactment of legislation granting lands in severalty to the Indians of northern Canada who are believed to be in possession of land; which was referred to the Committee on Indian Affairs.

He also presented the petition of Le Roy Foote, formerly of Company I, Second Regiment, United States Infantry (regulars), praying for the enactment of legislation granting relief to the survivors of the Mexican war and the widows of those deceased; which was referred to the Committee on Pensions.

He also presented a memorial of the Worcester Typothetæ, of Worcester, Mass., and a memorial of sundry citizens of Worcester, Mass., remonstrating against the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of Veteran Post, No. 194, of Reading; of General Sedgwick Post, No. 17, of Orange; of Thomas G. Stevenson Post, No. 26, of Roxbury; of James A. Perkins Post, No. 150, of Massachusetts; of George H. Maintein Post, No. 133, of Plainville; of Hartruff Post, No. 74, of Rockland; of James C. Freeman Post, No. 55, of Provincetown; of Francis Gould Post, No. 26, of Arlington; of E. B. Nye Post, No. 203, of Bourne; of H. V. Sinetta Post, No. 140, of Athol, and of George K. Bird Post, No. 199, of Norwood, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of the Worcester Typothetæ, of Worcester, Mass., and a memorial of sundry citizens of Worcester, Mass., and a memorial of sundry citizens of Worcester, Mass., remonstrating against the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Mount Hope Baptist Church, of Lynn, Mass., and of the Woman's Congregational Club, of Lynn, Mass., and of the Western Conference of Friends of Alaska, praying for the enactment of legislation providing for the protection of game in Alaska, which were referred to the Committee on the Judiciary.

He also presented a petition of Baptist churches representing 2,000,000 members, of African Methodist Episcopal churches representing 750,000 members, and of African Methodist Episcopal Zion churches representing [illegible] members, all in the United States, praying that an appropriation be made for the construction and maintenance of a memorial auditorium; which was referred to the Committee on Military Affairs.

Mr. HOAR. I present resolutions adopted by the legislature of Massachusetts in favor of legislation providing for a revised list and pensions in the Life-Saving Service, which I ask may be read, and referred to the Committee on Commerce.

There being no objection, the resolutions were read, and referred to the Committee on Commerce, as follows:

Commonwealth of Massachusetts, [illegible] Resolved by the Senate and House of Representatives [illegible] requested to [illegible] the officers of the [illegible] Whereas there is pending in Congress a bill [illegible] recommended by the Secretary of the Treasury, and [illegible] well-earned reward of faithful and meritorious [illegible] and re- [illegible] to [illegible]

Resolved, That a copy of these resolutions be sent to each Member of Congress from the Commonwealth.

[illegible] STATIVES, *February 8, 1904.*

Adopted. Sent up for concurrence.

JAMES W. KIMBALL, *Clerk.*

SENATE, *February 8, 1904.*

Adopted in concurrence.

HENRY D. COOLIDGE, *Clerk.*

A true copy.
Attest:

JAMES W. KIMBALL,
Clerk of the House of Representatives.

Mr. McENERY presented resolutions of Joseph A. Mower Post, No. 1; of Cyrus Hamlin Post, No. 3; of Abraham Lincoln Post, No. 4; of John H. Crowder Post, No. 12; of Ellsworth Post, No. 15; of R. B. Elliott Post, No. 17; of R. G. Shaw Post, No. 18; of M. R. Delaney Post, No. 20; of Parson Brownlow Post, No. 23; of [illegible] Post, No. 27; of [illegible] Post, No. 41; of Lake [illegible] Post, No. 43; of Ebenezer Post, No. 44; of [illegible] Beck Post, No. 46; of G. H. Thomas Post, No. 49; of Henry Wilson Post, No. 48; of B. F. Butler Post, No. 51; of U. S. Grant Post, No. 52; of A. J. Smith Post, No. 55; of Albert D. Shaw Post, No. 56; of Rodney Post, No. 57; of General Garfield Post, No. 58; of Colonel Drew Post, No. 59, and of Lincoln Post, No. 60, all of the Department of Louisiana, Grand Army of the Republic, in the State of Louisiana, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CULLOM presented petitions of E. M. Pike and other citizens of Chenoa, of C. V. Ewing and other citizens of Lacon, of Rev. H. M. Ahlemann and other citizens of Lacon, and of M. P. Berry and other citizens of Carriage, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Ladies of the Congregational Church of Aylesworth, and of the Congregational Church of Aylesworth, and of the Woman's Missionary Society of Aylesworth, and of the congregation of the First Presbyterian Church of Aledo, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. CLAPP presented a petition of sundry citizens of Bygland, Minn., praying for the enactment of legislation providing for an increase in the salaries of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. BLACKBURN presented a petition of the West End Woman's Christian Temperance Union, of Louisville, Ky., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. BURNHAM presented petitions of Fred. E. George and 36 other citizens, of Hudson, N. H.; of Ray. James Thompson and 7 other citizens, of Ashland, N. H., and of the Woman's Christian Temperance Union, of Lipping, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of Pike Station Grange, No. 291, Patrons of Husbandry, of Pike Station, N. H., and a petition of Plymouth Grange, No. 239, Patrons of Husbandry, of Plymouth, N. H., praying for the enactment of legislation providing for the payment of higher salaries to rural letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Grange No. 185, Patrons of Husbandry, of Ashland, N. H., praying for the enactment of legislation providing for the construction and maintenance of good roads throughout the country; which was referred to the Committee on Agriculture and Forestry.

Mr. SIMMONS presented a petition of the congregation of the First Baptist Church of Elizabeth City, N. C., and the petition of P. S. Shipp and 50 other citizens of Elizabeth City, N. C., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FRYE presented a memorial of Local Division No. 2, Ancient Order of Hibernians, of Portland, Me., remonstrating against the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES.

Mr. STEWART, from the Committee on Claims, to whom was referred the bill (S. 3952) for the relief of James E. Simpson, jr., Alfred H. Simpson, and Willie E. Simpson, surviving copartners of the firm of J. E. Simpson & Co., reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 33) for the relief of James E. Simpson, jr., Alfred H. Simpson, and Willie E. Simpson, surviving copartners of the firm of J. E. Simpson & Co., reported adversely thereon, and the bill was postponed indefinitely.

Mr. KEAN, from the Committee on Claims, to whom was referred the bill (S. [illegible]) for the relief of the legal representatives of Alvin M. Ryerson, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 2823) for the relief of Emily M. Hoge, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 4096) for the relief of Louis J. Souer, collector of internal revenue for the collection district of Louisiana, reported it with an amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Commerce, to whom was referred the bill (S. 4161) providing for the expenditure of money hitherto appropriated for the improvement and maintenance of Ashtabula Harbor, Ohio, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom the subject was referred, submitted a report, accompanied by a bill (S. 4378) authorizing the issue of obsolete ordnance and ordnance stores for use of State and Territorial educational institutions; which was read twice by its title.

Mr. CLAY, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 942) to reimburse S. R. Green, postmaster at Oregon City, Oreg., for moneys lost by burglary, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 398) for the relief of James A. Carroll, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3380) to amend section 3893 of the Revised Statutes, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 559) for the relief of the legal representatives of George W. Soule, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 1543) for the relief of the estate of George W. Saulpaw, reported it with an amendment, and submitted a report thereon.

Mr. SMOOT, from the Committee on Claims, to whom was referred the bill (S. 2749) for the relief of Henry Bash, reported it without amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Commerce, to whom was referred the bill (S. [illegible]) to establish a light-house and fog-signal station at the entrance to Bellingham Bay, State of Washington, reported it without amendment, and submitted a report thereon.

Mr. BLACKBURN, from the Committee on Military Affairs, to whom was referred the bill (S. [illegible]) to remove the charge of desertion from the name of Frederick W. Jackson, reported it without amendment, and submitted a report thereon.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 4375) to amend section [illegible] of an act approved [illegible] 21, 1898, entitled "An act to amend the laws relating to navigation, for the protection of such seamen, and to promote commerce," reported it without amendment, and submitted a report thereon.

HEARINGS BEFORE COMMITTEE ON MANUFACTURES.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HEYBURN on the 3d instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

[illegible] Senate.

WALES ISLAND PACKING COMPANY.

Mr. KEAN. I am directed by the Committee on Claims, to whom was referred the joint resolution (S. R. 49) directing inquiry into the claim of the Wales Island Packing Company, to report it favorably without amendment, and I submit a report thereon. I ask for its present consideration. I call the attention of the Senator from Massachusetts [Mr. LODGE] to it.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Department of Commerce and Labor to inquire into the effect the decision of the Alaskan boundary tribunal has had on the Wales Island Packing Company, and if it be found that the company under such decision is unable, as claimed, to continue its business as formerly conducted, or has otherwise suffered damage thereby, to report to Congress the amount of damages, if any, suffered by that company.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. KEAN. I ask that the report which accompanies the joint resolution be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

The [illegible] to which was referred the joint resolution (S. R. 49) [illegible] examination of the matter [illegible] President of the Senate, your committee attach hereto and make part of [illegible] the Secretary of State, and a letter from the Secretary of Commerce and Labor.

MEMORIAL OF THE WALES ISLAND PACKING COMPANY.

DEPARTMENT OF STATE,
Washington, [illegible] 1904.

SIR: I have the honor to transmit herewith a memorial of the Wales Island Packing Company [illegible] action as in the [illegible] letter has been addressed to the Speaker of the House of Representatives.

I have the honor to be, sir, your obedient servant,

FRANCIS B. LOOMIS,
Acting Secretary.

Hon. WM. P. FRYE,
President pro tempore United States Senate.

Memorial.

The SECRETARY OF STATE,
Washington, D. C.

SIR: The memorial of the Wales Island Packing Company respectfully calls attention to the effect of the decision of the Alaskan boundary tribunal

[illegible] the affairs of this company, and requests that such steps may be taken [illegible]

[illegible] organized under the [illegible]

[illegible] department, under the authority of Congress, [illegible]

[illegible] any at the [illegible]

[illegible] of [illegible]

[illegible] guarantees utility to [illegible]

[illegible] do to this cannery in the log of the [illegible]

[illegible] nient ports for the night, the *Perry* [illegible]

[illegible] to [illegible]

[illegible] ro- [illegible]

[illegible] ny [illegible]

[illegible] advantage on account of the [illegible]

[illegible] available for canneries established [illegible]

[illegible] nent and business profitably as a going concern to any Canadian [illegible]

[illegible] be unable to continue its business or dispose of [illegible]

[illegible] water's edge, leaving no space [illegible]

[illegible] appropriate way for such relief as may be proper under the circ[illegible]

And your memorialist will ever pray, etc.

THE WALKER ISLAND PACKING COMPANY,
By H. L. CAMMANN, *President*.

JANUARY 27, 1904.

[illegible] ment and [illegible] as to the [illegible] of the [illegible] Alaska to permit [illegible] the [illegible] factory [illegible] of the company for the [illegible] purposes were [illegible]

[illegible] on this plant in the year 1902 [illegible] to the [illegible] the interests of the [illegible] year [illegible] was 2,000 cases. [illegible] capacity in the [illegible] a view to its [illegible] a [illegible] of its fisheries a regular annual output up to its full capacity was [illegible]

[illegible] of the character and validity of the title acquired by the company [illegible] Alaska [illegible] the mainland to the westward of Walker Island and joining the [illegible] the [illegible] of Canada, and with it the establishments and interests of the Walker Island Packing Company.

DEPARTMENT OF STATE,
Washington, [illegible] 18, 1904.

The Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate.

SIR: [illegible] which is printed as House Document No. 510, Fifty-eighth Congress, second [illegible]

session, appears to the Department to possess elements of equity entitling the case to a careful investigation and report, which is all that the resolution contemplates.

I have the honor to be, sir, your obedient servant,

JOHN HAY.

DEPARTMENT OF COMMERCE AND LABOR,
OFFICE OF THE SECRETARY,
Washington, February 15, 1904.

DEAR SIR: I beg to acknowledge the receipt of your communication of the [illegible] S. R. 4, for the relief of the [illegible] and requesting that all papers or copies of [illegible] relating to this claim be forwarded for the use of your committee, with the Department's opinion as to the merits of [illegible]

[illegible] papers relating to the claim covered by the resolution have been found in this Department, and as the Department has no [illegible] in the matter [illegible] as to the merits of [illegible] regarding the facts. If your committee desires the Department will be pleased to make such inquiry.

Very truly, yours,

GEO. B. CORTELYOU, *Secretary*.

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate.

KEOKUK AND HAMILTON WATER POWER COMPANY.

Mr. ELKINS. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 9640) to amend an act granting to the Keokuk and Hamilton Water Power Company the right to construct and maintain a dam, etc., approved February 8, 1901, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPORT OF COMMISSIONER OF PATENTS.

Mr. KITTREDGE. On behalf of the Committee on Patents I ask that that committee be discharged from the further consideration of the report of the Commissioner of Patents for the calendar year 1903, as the existing law covers the case.

The PRESIDENT pro tempore. The Chair hears no objection, and the committee will be discharged. What disposition does the Senate desire shall be made of it?

Mr. KITTREDGE. Let it lie on the table.

The PRESIDENT pro tempore. It will lie on the table. An order to print the report has already been made.

G. W. RATLEFF.

On motion of Mr. WARREN, it was

Ordered, That the bill (S. 312) for the relief of G. W. Ratleff, being Order of Business 80 on the Calendar, be recommitted to the Committee on Claims.

BILLS INTRODUCED.

Mr. [illegible] introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4379) granting an increase of pension to Mattie J. Phillips;

A bill (S. 4380) granting a pension to Mary J. Wolfe (with accompanying papers);

A bill (S. 4381) granting a pension to Mary P. Wilson (with accompanying papers);

A bill (S. 4382) granting an increase of pension to John B. Harvey (with an accompanying paper);

A bill (S. 4383) granting a pension to Mary E. Penn; and

A bill (S. 4384) granting a pension to Mary Frances Smith.

Mr. CULLOM (by request) introduced a bill (S. 4385) to incorporate the Mississippi Valley Interstate Commerce Association, and for other purposes; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 4386) [illegible] of patent No. 422666 to Robert Morrow Tull and Thomas Benham Tull for the period of seven years from the 4th day of March, 1907; which was read twice by its title, and referred to the Committee on Patents.

Mr. BLACKBURN introduced a bill (S. 4387) to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River near Gilbertsville, Ky.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. COCKRELL introduced a bill (S. 4388) granting an increase of pension to John C. Cahill; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4389) for the relief of the county of Marion, in the State of Missouri; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, I present the affidavits of Rufus E. Anderson and Samuel J. Feaster. I move that the bill and accompanying affidavits be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4390) for the relief of the estate of Edward N. Peyton, deceased; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, I present the petition of Mrs. Julia B. Benge, O. W. Peyton, H. E. Peyton, and Mary E. Williams, and the affidavits of William F. Pulliam and E. L. Tuggle. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4391) for the relief of the estate of John M. Armstrong, deceased; which was read twice by its title.

Mr. COCKRELL. To accompany the bill, I present the petition of Mary M. Buckner and the affidavits of William F. Pulliam and Jesse Chilton. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. TILLMAN introduced a bill (S. 4392) granting an increase of pension to Samuel Hyatt; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALGER introduced a bill (S. 4393) granting an increase of pension to Cora A. Baker; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. ANKENY introduced a bill (S. 4394) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. BURNHAM introduced a bill (S. 4395) granting an increase of pension to Thomas H. Walker; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 4396) granting an increase of pension to Charles Herrick; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. DREW introduced a bill (S. 4397) to provide for free lectures to the people in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4398) granting an increase of pension to Agnes Shearer (with an accompanying paper);

A bill (S. 4399) granting an increase of pension to Charles La Forest (with an accompanying paper); and

A bill (S. 4400) granting an increase of pension to Edward M. Tappen (with an accompanying paper).

Mr. NELSON introduced a bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced a bill (S. 4402) permitting the building of a railway bridge across the Red Lake River at the city of Thief River Falls, in the county of Red Lake and State of Minnesota; which was read twice by its title, and referred to the Committee on Commerce.

Mr. TILLMAN introduced a bill (S. 4403) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as amended April 1, 1896, and March 2, 1899; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 4404) granting an increase of pension to James Wilkins, alias James Earlie; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 4405) granting an increase of pension to Emma Thurston; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4406) granting a pension to Susan Davidson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. LONG introduced a bill (S. 4407) granting an increase of pension to Joshua Clayton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HOPKINS introduced a bill (S. 4408) granting an increase of pension to Robert N. Patton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4409) to extend the jurisdiction of

the Court of Claims; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 4410) to carry into effect the findings of the Court of Claims in the matter of the claim of David H. Hilderbrand; which was read twice by its title, and referred to the Committee on Claims.

Mr. BATE introduced a bill (S. 4411) for the relief of the trustees of the Presbyterian Church of Smyrna, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4412) granting a pension to Marat E. Powell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEYBURN introduced a bill (S. 4413) to authorize the location of coal lands upon unsurveyed public lands in the district of Alaska, and for the survey, entry, and patenting of the same; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. CLAPP introduced a bill (S. 4414) granting a pension to Frances E. Truesdell; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SIMMONS introduced a bill (S. 4415) to correct the military record of Shadrack F. Brown; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 4416) for the establishment of aids to navigation for lighting Ambrose channel, New York Harbor, New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also introduced a bill (S. 4417) granting an increase of pension to Charlemagne H. Warren; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER (by request) introduced a bill (S. 4418) to regulate the hours of service and compensation of attendants and nurses at the Government Hospital for the Insane, in the District of Columbia; which was read twice by its title, and referred to the Committee on Appropriations.

He also introduced a bill (S. 4419) in relation to contracts with the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4420) authorizing the Commissioners of the District of Columbia to make regulations respecting the public hay scales, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GORMAN submitted an amendment proposing to appropriate $10,000 for continuing the grading of Pennsylvania avenue east from Branch avenue to the District line, as estimated for and recommended by the Commissioners of the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. NELSON submitted an amendment proposing to appropriate $250,000 for the construction, under the direction of the Secretary of War, of a military wagon road from Valdez by the most practical route to Fort Egbert, or Eagle, on the Yukon River, in the District of Alaska, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Territories, and ordered to be printed.

PAYMENT TO EX-QUEEN LILIUOKALANI.

Mr. TILLMAN. I wish to give notice that at some time I shall move to reconsider the vote by which the bill (S. 1553) for payment to Liliuokalani, formerly Queen of the Kingdom of Hawaii, was defeated. I voted "nay," but the friends of the bill have rather importuned me on the ground that snap judgment was taken, and I feel disposed to let the Senate pass on the measure again.

Mr. GALLINGER. What does the Senator mean by "snap judgment?"

Mr. TILLMAN. What I mean is that the friends of the bill think they had votes enough in the Senate to pass the measure if all had been here, but some of them were absent. I shall vote as I did before, but I want to give the Senate an opportunity to vote again, and I shall make a motion to reconsider.

Mr. STEWART. Enter it now.

Mr. TILLMAN. I will enter the motion now.

The PRESIDENT pro tempore. The Senator from South Carolina enters a motion to reconsider the vote by which Senate bill 1553 failed of passage. The motion is in order under the unanimous consent given to-day.

REPUBLIC OF PANAMA.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

The resolution was read, as follows:

Resolved, That the President is requested, if not incompatible with the public interests, to send to the Senate such information as is in possession of the Government of the United States as to the present state of organization of the Government of the Republic of Panama.

And a copy of the constitution of said Republic, or such information as to the provisions thereof as may have been received by him.

And that he will inform the Senate as to any evidence, or other proceeding of the constitutional convention recently in session at Panama, relating to the Hay-Varilla treaty now pending in the Senate.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

Mr. CULLOM. I heard only the last words of the resolution, so that I am unable to know just what it is.

The PRESIDENT pro tempore. It will be again read.

The Secretary again read the resolution.

Mr. CULLOM. I do not see any objection to the information, Mr. President.

The PRESIDENT pro tempore. The Chair did not hear the Senator.

Mr. CULLOM. I have no objection to the resolution.

The resolution was considered by unanimous consent, and agreed to.

CENSUS OF MANUFACTURES.

The PRESIDENT pro tempore laid before the Senate the bill (S. 4122) to direct the Director of the Census to cooperate with the secretary of state of the State of Michigan in taking the census of manufactures, and for other purposes, returned from the House of Representatives in compliance with the request of the Senate; when, on motion of Mr. QUARLES, the bill was indefinitely postponed.

HOUSE BILL REFERRED.

The bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, was read twice by its title, and referred to the Committee on Indian Affairs.

SANITARY DAIRY PRODUCTS.

The PRESIDENT pro tempore. The morning business is closed, and the Chair lays before the Senate the Calendar under Rule VIII.

Mr. CULLOM. I think the Senator from Wisconsin [Mr. SPOONER] desires to address the Senate this morning. He has stepped out of the Chamber for a moment. I do not think it is worth while to take up the Calendar until we see certainly whether he desires to speak.

Mr. STEWART. I think we might pass one bill before he gets back.

Mr. CULLOM. We might try it.

Mr. STEWART. I ask unanimous consent to call up the bill (S. 2402) to secure sanitary dairy products for the District of Columbia. I do not think it will take any time.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent for the present consideration of a bill which will be read to the Senate for information.

Mr. STEWART. Let the substitute be read. The Committee on the District of Columbia report to strike out all after the enacting clause.

The PRESIDENT pro tempore. The proposed substitute will be read.

The Secretary proceeded to read the amendment of the Committee on the District of Columbia, which was to strike out all after the enacting clause and insert a substitute.

Mr. CULLOM. Mr. President——

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. GALLINGER. Let it be read first.

Mr. CULLOM. It is very patent that there will be objection to this bill, and it will take a long time to consider it. I hope it will go over.

Mr. STEWART. I hope the Senator will not insist that the bill shall go over.

Mr. CULLOM. I think it ought to go over.

Mr. STEWART. Every day you are killing children when you do. There is no inspection of milk whatever here. Why not let the bill be passed? Nobody will object to it.

Mr. CULLOM. They do object to it.

Mr. STEWART. They will?

Mr. CULLOM. I think they will, as far as I am able to learn. I think the bill ought to be very carefully considered by the Senate.

Mr. STEWART. It ought to be carefully considered, and it ought to be considered at once.

Mr. CULLOM. No more important measure can come before the Senate of a local character than a bill on this subject. I think it will take more time than we can give it to-day, and I hope the Senator from Nevada will let the bill go over.

Mr. STEWART. I shall have to move, then, that the Senate proceed to the consideration of the bill.

Mr. CULLOM. I wish to state, as I said in the first place, that the Senator from Wisconsin [Mr. SPOONER], who goes away this evening, is prepared to speak to-day, and unless he does speak to-day the prospect is that he will not have another opportunity.

The PRESIDENT pro tempore. Objection being made, the bill goes over.

Mr. GALLINGER. I appeal to the Senator from Illinois, inasmuch as the bill has been mostly read through, that the reading be completed.

Mr. CULLOM. I have no objection to the reading being completed.

Mr. BAILEY. I suggest that we leave it exactly as it is, and after the Senator from Wisconsin has finished his speech, if the Senate desires, it can [illegible] that day.

Mr. STEWART. [illegible] that.

Mr. BAILEY. I just make that suggestion.

Mr. STEWART. There is no objection to that.

Mr. GALLINGER. All right.

Mr. COCKRELL. I do not think that all of the bill has been read, and I shall there[illegible] that it shall be read when it comes up again. I do not think it was all read.

Mr. CULLOM. It was not all read.

The PRESIDENT pro tempore. Only about one-half of the substitute was read.

Mr. COCKRELL. That is what I thought.

RELATIONS WITH COLOMBIA—PANAMA CANAL.

Mr. CULLOM. I ask that the resolution which has been before the Senate pertaining to our relations with Colombia be laid before the Senate.

There being no objection, the Senate resumed the consideration of the resolution submitted by Mr. BACON on the 12th ultimo, as modified by him on the 8th instant, as follows:

Resolved, That the President be respectfully advised that the Senate fa[illegible] [illegible] the Government of the Republic of Colombia, [illegible] the [illegible] of the Colombian people in the [illegible] of the isthmus of Panama.

Mr. SPOONER. Mr. President, I take the floor under great embarrassment for more reasons than one. The shadow of death still rests upon this Chamber, and no Senator can banish the consciousness that a very powerful and kindly personality has passed forever from our midst. Every Senator, whether he will or not, will find himself looking for a face which he can not see and listening for a voice which he can not hear. I know that I have no heart for speech, and I know that my colleagues here have no heart for listening.

Moreover, Mr. President, I know that nothing which can be said upon this great subject will change any Senator's conclusion as to his duty. Nevertheless I feel constrained to present to the Senate some observations upon the general subject.

I am grateful, as I think the people of the whole country are, that we are not divided upon party lines either in the discussion or the decision of this matter, so momentous in its importance to the country for all time. The debate has been a very [illegible] one. It has been not without bitterness. It could not have been expected [illegible] it could be eliminated.

Some very bitter imputations have been cast upon the President. He has been charged with violating the plain provisions of a law of Congress. He has been charged with usurping the power which is vested by the Constitution in Congress alone to declare war, and he has been charged with violating the established principles of international law. These would be serious charges if they were grounded in truth, which in my opinion they are not.

Bitterness in debate, Mr. President, toward a President counts for little. There has been no President since the formation of the Government who was exempt from it. It was more virulent in the early days of the Republic than it is in modern times. President Lincoln, [illegible] by all men and [illegible] that he [illegible] of the [illegible] men who ever ruled, I can remember, was [illegible] attacked as a usurper, as a despotic violator of the Constitution, and as a murderer. President McKinley, considerate of every human being, and of whom I think it may be justly said that no [illegible] thought an unkind thought or did an unkind act, was not exempt from it. He has passed away, and all criticism of him has passed away. We find no Senator to-day in this Chamber, where we listened to attacks upon him, aye, even to imputations upon his honor, who would give ear for a moment to those suggestions, or who would even criticise him in his policy, except in the kindliest way.

These things are evanescent, Mr. President. History takes no note of them, except to give occasion for wonder that they ever were said. I believe that, taken all in all, the people of the United States feel that the President, in what has been done and for which he has been so bitterly criticised, interpreted their will, safeguarded their interests; and all, of course, in an honorable way.

RECENT HISTORY OF CANAL LEGISLATION.

Now, Mr. President, I wish to put in the RECORD very briefly a reference to the legislative history upon this subject, not ancient, but modern. There is in certain observations which have been made on the other side some occasion for it.

In 1895 the distinguished Senator from Alabama [Mr. MORGAN] introduced a bill which accepted the proposition made by the Maritime Canal Company to cancel all of its outstanding obligations, and to conform to certain requirements indicated in the bill. The bill was intended to provide for the construction of the Nicaragua Canal. The capital stock of that corporation was to be increased to $100,000,000, as I remember it.

Mr. MORGAN. Limited to that.

Mr. SPOONER. Limited to $100,000,000, $70,000,000 of which was to become the property of the United States, which was to control the board of directors of the company. The company was authorized to issue $[illegible] of bonds, which were to be guaranteed by the United States, and with the proceeds the work of constructing the canal was to proceed.

That bill passed the Senate on the 21st of January, 1899. I was opposed to the bill as introduced for several reasons; one, because, Mr. President, it seemed to me very clearly to violate the Clayton-Bulwer treaty and also the canal concession by placing the control of the concession in a foreign government. I thought that the abrogation which the Clayton-Bulwer treaty constituted to the construction of the canal ought, in the interest of international amity and upon every possible theory, to be removed by negotiation, as it ultimately was, and not by the harsh method of legislative abrogation.

Another thing, Mr. President. Under that bill the Government was not providing for further concessions from Nicaragua and Costa Rica. It was simply stepping into the shoes, if I may use that phrase, of the Maritime Canal Company and investing its money under the concession held by that company, which had not long to run, and which had, so far as the Government of Nicaragua could do it, been already forfeited, the forfeiture to take effect upon the expiration of a few years, by a grant of a similar concession to another company then to take effect.

Another thing, Mr. President, if these reasons had been eliminated, which led me to oppose that bill was that under the Nicaragua concession after a period of ninety-nine years, to be followed by another period of ninety-nine years, the canal property—all of it—would become the sole property of these Governments.

Mr. MORGAN. Has the Senator the bill before him?

Mr. SPOONER. No, sir.

Mr. MORGAN. I think the Senator is mistaken.

Mr. SPOONER. I am not. The bill did not refer to that; but the Senator will not dispute that there was a time limitation in the concession granted by Nicaragua and Costa Rica to the Maritime Canal Company, first, a period of ninety-nine years, and then a [illegible] period, at a certain rate, of ninety-nine years, and I was [illegible]——

Mr. MORGAN rose.

Mr. SPOONER. Does the Senator dispute that?

Mr. MORGAN. I do not remember quite distinctly about that; but the bill contained no such provision.

Mr. SPOONER. Oh, no.

Mr. MORGAN. Is the bill to which the Senator refers the one which passed the Senate by a vote of 48 to 6?

Mr. SPOONER. It passed by a large vote.

Mr. MORGAN. If the Senator will permit me, while I am up I will remark that that was predicated upon the principle of the Frelinghuysen-Zavala treaty.

Mr. SPOONER. The bill was largely debated. Mr. President, [illegible] the Government could have been able to obtain later nobody could know, but under the provisions of that bill, had it become a law, without amendment, in the respects I have suggested, the Government would have invested $[illegible] in the construction of a canal which in a hundred and ninety-eight years would have belonged to Nicaragua and Costa Rica. I was not willing, for one, to vote for that proposition.

Mr. MORGAN. Did the Senator vote against the bill?

Mr. SPOONER. I voted for the bill after the adoption of an amendment to which I will call attention.

Mr. MORGAN. There was a minority of but six against it.

Mr. SPOONER. Yes; I think the minority was six—a very small minority. I would not have voted for the bill without the amendment of the objections to which I have adverted, as I looked upon it as a proposition to invest a hundred million dollars of Government money upon a foundation as flimsy

as a fog bank. I also felt that the plainest principles of prudence required that the Government should not be tied down to negotiation for a concession to the Governments of Nicaragua and Costa Rica, thereby subjecting the Government to the alternative of unjust exactions or of another failure to construct the canal. In order to remove the objections, which I sincerely urged, and which I thought then and think now were substantial, I offered an amendment, to stand as section 12, as follows:

That if the President is unable to agree with the Governments of Nicaragua and Costa Rica upon [illegible] the United States [illegible] and perpetuity for such a canal [illegible] the President [illegible] the consent of the rightful owners [illegible] Nicaragua and Costa Rica [illegible] the President is authorized to negotiate for a [illegible] of the canal [illegible] treaty stipulations [illegible] with the construction, ownership, and perpetual control of any such canal.

This amendment was accepted by the distinguished Senator from Alabama as of substance and wisdom. Thus amended, and also amended in some other particulars on the motion of other Senators, I voted for the bill, which passed the Senate. That bill was reported back from the House Committee on Interoceanic Canals and Foreign Commerce on February 13, 1900, by substitute which was substantially what has become known as the Hepburn bill.

During the third session of the Fifty-fifth Congress Mr. HEPBURN introduced a bill to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans. It was never reported from the committee.

On the 2d of May, 1900, the House of Representatives passed the Hepburn bill, to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans by the Nicaraguan route. That bill was reported back by the Senate Committee on Interoceanic Canals May 14, 1900, and died. It provided practically for fortifying the canal, as I think should be provided and as now can be provided by which [illegible] the canal may be constructed. It died then. Mr. President, because we were in the midst of negotiations with Great Britain to remove the Clayton-Bulwer treaty.

At that time we had amended the Hay Pauncefote treaty and Great Britain was considering the question whether to agree or not with the amendments. It was pretty generally thought in the Senate, and I thought then and still think with good reason, that it would be an act of international indecency while those negotiations, initiated at our request, were pending, to pass an act the effect of which would be to abrogate the Clayton-Bulwer treaty.

In 1899, Mr. President, there was incorporated in the river and harbor bill—I think introduced by the Senator from Alabama and referred to the Committee on Commerce—a provision which was substantially the Hepburn bill for the construction of the Nicaragua Canal, as it passed the Senate. The House [illegible] differed in it and the bill went into conference. The provision with the other provisions which had been [illegible] agreed to. The distinguished Senator from Maine who was chairman of the deliberations of this body (Mr. FRYE), with the assistance of the conference committee on the part of the Senate, and Mr. BURTON, I think, was chairman of the conference committee on the part of the House. Out of that conference came Mr. Frye's Isthmian Canal Commission act, the pertinent portion of which is as follows:

CANAL COMMISSION ACT.

SEC. 1. That the President of the United States of America be, and he is hereby, authorized to appoint a board to be known as the Isthmian Canal Commission, to be composed of three civil engineers and two officers of the Army and two officers of the Navy, whose duties shall be to make such surveys and examinations as may be deemed by the President necessary to determine the most practicable route for a canal across the Isthmus of Panama, and to report the same to the President, with such maps and plans and such estimates of the cost of such canal as they may deem proper, and also to report the best means of acquiring the rights, franchises, and property of the New Panama Canal Company and the Panama Canal Company, and ascertain and report the price at which the same can be purchased, and all other information which they may deem of value to the President in the matter of the construction of such canal. The President is also authorized to open negotiations with the Governments of Nicaragua and Costa Rica and with Colombia and with such other powers as may be deemed desirable, in the interest of commerce and civilization, to secure the right to construct, control, and protect such canal, and to report to Congress at the beginning of its next session such treaties or conventions as may be entered into for the construction, ownership, and perpetual control of any such canal.

This amendment was accepted by the distinguished Senator from Alabama as of substance and wisdom. Thus amended, and also amended in some other particulars on the motion of other Senators, I voted for the bill, which passed the Senate. That bill was reported back from the House Committee on Interoceanic Canals and Foreign Commerce on February 13, 1900, by substitute which was substantially what has become known as the Hepburn bill.

During the third session of the Fifty-fifth Congress Mr. HEPBURN introduced a bill to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans. It was never reported from the committee.

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That was the duty laid, Mr. President, by Congress upon the President, and $1,000,000 were appropriated to defray the expense of the investigation, the result of which the President was to report to Congress.

Under this act President McKinley appointed a Commission of nine, the personnel being as follows: Admiral Walker, chairman; Samuel Pasco, ex Senator; Mr. George S. Morison, civil engineer; Lieutenant-Colonel Ernst, Corps of Engineers, United States Army; Louis M. Haupt, civil engineer; Alfred Noble, civil engineer; Col. Peter C. Hains, Corps of Engineers, United States Army; William H. Burr, civil engineer, and Prof. Emory R. Johnson. This commission was chosen with great care, and its members were once referred to here by the distinguished Senator from Alabama as "the pick of the country." I have never heard that [illegible] questioned as to ability or as to integrity. Some of the most eminent engineers of the United States were charged with the duty of investigating the *different routes* and of reporting to Congress as to which the public interest required to be adopted.

REPORTS OF CANAL COMMISSION.

The Commission spent over two years in the work and made "a preliminary report" and what is called a "final report," bearing date November 16, 1901. Both reports were unanimous. They [illegible] advantages in the Nicaragua route; certain [illegible] pointed out the fact, which [illegible] knew, that the Government of the United States was [illegible] to negotiate with Colombia, [illegible] for a concession to secure the construction of the Panama Canal, [illegible] held concessions by a French company, a [illegible] of which [illegible] millions of dollars had been expended, a vast amount of work had been performed, and the life of which had some years to run, disabling the Republic of Colombia from entering into any negotiations with reference to the Panama route unless the concessions and property of the New Panama Canal Company should be first acquired with Colombia's consent. That Commission reported that the New Panama Canal Company demanded, as I remember it, $109,000,000 for its property [illegible] concessions, which the Commission estimated to be worth $[illegible] and no more. They were not willing that the Government of the United States should be "held up" in this way by the French company, and [illegible] in favor of this extortionate demand and [illegible] in favor of the Nicaragua Canal as the more *feasible* of the two routes.

[illegible] while this unanimous report, qualified as it was, both preliminary and final, was standing that on January 9, 1902, the [illegible] passed, with, I think, only two negative votes [illegible] to the Senate.

Mr. President, while that bill was pending in the Senate and on [illegible] 1902 the French company reduced its offer [illegible] actual value, made [illegible] of the President to consider the changed [illegible] report, which was unanimous, and [illegible] to Congress January 20, 1902, in [illegible] *the adoption of the Panama route.*

Mr. MORGAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Alabama?

Mr. SPOONER. Yes.

Mr. MORGAN. I think I should have to ask the Senator to read [illegible] as to the Commission [illegible]. Mr. Haupt put in the record of the proceedings [illegible] mission a dissent to which I have called the attention [illegible] of the Senator from Wisconsin heretofore. I [illegible] that.

Mr. SPOONER. Mr. President, I regret somewhat that the [illegible] to a fact which I had not at all [illegible] in the slightest degree the statement [illegible] me to [illegible] every member of that Commission [illegible] Mr. Haupt.

Mr. MORGAN. But it did not contain Mr. Haupt's dissent.

Mr. SPOONER. Mr. Haupt did not put his dissent upon it. [illegible] report.

Mr. MORGAN. Mr. President——

Mr. SPOONER. I will get to that, if the Senator will permit me.

Mr. MORGAN. Allow me to say just this: Mr. Haupt swore that he did before the Committee on Interoceanic Canals. His testimony is in the report, where every Senator can see it.

CONGRESSIONAL RECORD:

CONTAINING

THE PROCEEDINGS AND DEBATES

OF THE

FIFTY-EIGHTH CONGRESS, SECOND SESSION.

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CONGRESSIONAL RECORD,

FIFTY-EIGHTH CONGRESS, SECOND SESSION.

Mr. SPOONER. Mr. President, I am not disputing at all that Mr. Haupt, after having signed this report which came to the Senate as the unanimous action of that Commission, had transcribed into the minutes of the Commission his dissent.

Mr. MORGAN. No. As a matter of fact, I say that he signed his dissent at the time he signed the report.

Mr. SPOONER. Certainly, but he did not make it on the paper which was to be given to the world and which was to be acted upon by Congress. I never knew that Mr. Haupt had not signed unqualifiedly that report until, during the debate on the canal bill, the Senator from Alabama called my attention to Mr. Haupt's dissent on the minutes of the Commission, which were not transmitted to Congress.

Mr. MORGAN. But that is not Mr. Haupt's fault. He did all he could to protect himself.

Mr. SPOONER. Mr. President, I dislike extremely to comment—and I will not with anything like severity—upon the act of one not here to defend himself; but I am bound to say that it was the plain, manly duty of Mr. Haupt, who had been placed upon that Commission, to give to Congress the benefit of his honest judgment, to have refrained from signing that report if his convictions as an engineer were against it. I do not look upon it as altogether worthy of the position which he held for him to have signed that report, making it to appear as a unanimous report, to be followed later by a declaration on the minutes of the Commission that he did not believe in the report.

Mr. MORGAN. It was not later; it was at the same time.

Mr. SPOONER. It was not later that he had placed upon the minutes of the Commission his dissent, but it was later that we knew of his dissent.

However, that is a matter for Mr. Haupt to settle with himself. He says that he was informed that certain political considerations would defeat a canal altogether unless that report was unanimous, and, although he did not believe at all in the Panama route—no language could be stronger than he has used—he signed the report. I do not know where he became advised of political exigencies or schemes which would defeat the canal; but I do know that he had been trusted with the discharge of a great duty to the people of the United States, and that the straightforward, manly method of discharging it would have been for him to have entered upon that report his dissent from it. But I care nothing for that.

Mr. PATTERSON. Will the Senator from Wisconsin permit a question?

The PRESIDING OFFICER (Mr. PETTUS in the chair). Does the Senator from Wisconsin yield to the Senator from Colorado?

Mr. SPOONER. Yes, sir.

Mr. PATTERSON. Do I understand the Senator from Wisconsin to say that the failure to give publicity to Mr. Haupt's protest was Mr. Haupt's fault?

Mr. SPOONER. Oh, no.

Mr. PATTERSON. Very well. Then why should the Senator censure Mr. Haupt if at the time he signed with the rest of the Commission the approval of the Panama route he gave his reasons for so signing and at the same time put upon record the objections he had to the Panama route? If the fault is elsewhere, then certainly Mr. Haupt is not subject to the criticism the Senator from Wisconsin is making upon him.

Mr. SPOONER. I do not care anything about that. The fault was in signing a report that he did not believe in. That was the fault. And that is so obvious that I will not spend any time on it.

Mr. PATTERSON. Mr. Haupt gave his reasons for signing the report, and at the same time he put upon record his objections to the Panama Canal. That was a fair, frank, manly way of doing it. Good and sufficient reasons for signing the report operated upon his mind, and he stated those reasons to the public; and I imagine that if the objections that he put upon record were not given to the public in connection with his signature of the report, somebody is to blame other than Mr. Haupt, because certainly he desired, as a man of honor, that the public should be familiar with what was in his mind and that which gave color to his act. Now, whether it is the fault of the friends of the Panama Canal or somebody else's fault I do not know, but certainly it is not traceable to Mr. Haupt.

Mr. SPOONER. I am only stating a fact. I think the Senator from Colorado, had he been on the Commission and disagreed entirely with the report, would have entered on the report his dissent. I may be mistaken.

Mr. PATTERSON. I do not understand that Mr. Haupt disagreed altogether with his colleagues on the Commission. As I understand Mr. Haupt's protest, he had grave doubts with reference to some of the features of construction in connection with the Panama route. Several matters that were simply experimental, that had not been solved with sufficient definiteness to satisfy him as an engineer, existed in connection with the Panama route. He was willing, as I understand his protest, by reason of the danger that no canal at all might be constructed, to forego his fears, when he signed the report to make it unanimous, and at the same time he put his fears and his beliefs upon record.

Mr. SPOONER. Mr. President, the last sentence in this report, transmitted by the Commission to the President to be laid before the Congress, as required by law, signed by Admiral Walker, Samuel Pasco, Alfred Noble, George S. Morison, Peter C. Hains, William H. Burr, O. H. Ernst, *Lewis M. Haupt*, and Emory R. Johnson, is this:

> [illegible]

Using the language of the Canal Commission act—

for an isthmian canal, to be "under the control, management, and ownership of the United States," is that known as the Panama route.

Mr. CULLOM. Who signed that report?

Mr. SPOONER. It is signed by every member of the Commission.

Mr. President, it is a fact which seems to be, but ought not to be, forgotten by some Senators, who refer with so much earnestness to the passage by the House with only 2 negative votes of the bill for the Nicaragua Canal, and to the passage by the Senate as an amendment to it of the alternative bill, by which a canal by the Panama route was preferred and that by the Nicaragua route made secondary, *that between the passage of the bill by the House and the passage of the canal bill by the Senate there had been transmitted to Congress the report of the Canal Commission, signed by all of its members, based upon an entirely changed situation, by which report a canal by the Panama route was recommended.*

I have supposed that if the Canal Commission in the first instance had reported in this way for the Panama Canal, its recommendation would have been followed by the House, as I have never had any doubt that if the Canal Commission had not upon the receipt of the French company's offer changed its report so as to recommend the Panama route the Senate would with great unanimity have passed the House bill providing for a canal by the Nicaragua route.

I felt—I suppose the same thing is true of my colleagues with whom I voted to sustain the report—that I, a layman, utterly unskilled in engineering science, unfamiliar, of necessity, with the details surrounding the question, could not place my judgment against the unanimous report of this great expert Commission, which with almost limitless funds at its disposition had made so exhaustive an examination of the whole question.

As it was, Mr. President, this Commission had reported alternatively. It had reported that the Nicaragua route was a practicable route. It had reported that the Panama route was a practicable route, and if the title to the property of the New Panama Canal Company could be acquired for $40,000,000 and the necessary concessions from Colombia could be obtained, the public interest of the United States required that the canal should be constructed on that route.

THEORY AND PURPOSE OF THE CANAL ACT OF JUNE, 1902.

It was in that situation that I drafted the canal act, or the portion of it which I offered as an amendment to the Hepburn bill. It was drawn to meet the alternative presented by the Commission. It was drawn with the main purpose of *putting on the statute books legislation under which, without further legislation or delay, a canal would be constructed by one of the two routes.* That was the governing purpose of the amendment.

Mr. MORGAN. Will the Senator from Wisconsin allow me to ask him a question?

Mr. SPOONER. Certainly.

Mr. MORGAN. Does he not think that that bill, which we call the Spooner law——

Mr. SPOONER. I never call it that.

Mr. MORGAN. I know you do not. I do, because I think it is an honor to the man who drew it. Does he not think that that bill contained every provision necessary to build a canal on either of the alternative routes?

Mr. SPOONER. It was so intended.

Mr. MORGAN. Does he not think the bill——

Mr. SPOONER. I do.

Mr. MORGAN. Was admirably adapted for that purpose?

Mr. SPOONER. It was so intended.

Mr. MORGAN. Yes.

Mr. SPOONER. It was not intended to leave to the Executive the selection of a route. The Senator, early in the observations which I had the honor then to submit in support of the amendment which I had offered, put to me that question, and I was glad of it, for it had been misrepresented in the newspapers. I told him that the bill was so drawn as to exclude from Executive

option the route; that I did not think it was a proper duty and responsibility to devolve upon the President. I have not at all changed my mind.

I provided, first, that if the President could obtain for $40,000 a satisfactory title to the property of the New Panama Canal Company, of every name and nature, on the Isthmus, and also some in Paris, with the concessions, and could obtain by treaty the requisite concessions from the Republic of Colombia, some of the requirements of which were indicated in the act, the treaty being ratified the canal should be constructed at Panama. But if within a reasonable time he could not obtain the Panama property with a good title thereto and the requisite concessions from Colombia—for both had to be obtained before any act could be performed in relation to the Panama Canal—he was to go to Nicaragua.

The President has not exercised or attempted to exercise the right to select a canal route. That was done by Congress, and that could not, in the instances which are cited upon the President, be forgotten. We put upon him the burden of carrying out, if possible, the selection which we had made.

I never have uttered a word here in debate against the practicability of the Nicaragua Canal, except so far as was involved in attempting to show briefly the grounds upon which the Panama Canal should be preferred. But the point which I wish to make is that Congress chose the Panama route on full debate and upon report of the Commission as the route which would best subserve the interest of the United States.

POINTS OF SUPERIORITY OF PANAMA ROUTE.

Now, Mr. President, I want very briefly to refer to some of the reasons why I think the Panama route commended itself to a majority of the Senate rather than the Nicaragua route. I take this from the minority report, largely based, so far as I have been able to discover, upon the reports of the Commission. I want to put in the RECORD the grounds for that conclusion:

It is 167 miles shorter than the Nicaragua from sea to sea, being 49.09 miles by Panama as against 216.9 by Nicaragua.

It has always seemed to me too plain for debate that a practical route through which ships could go from sunrise to sunset must in the nature of things be preferable to one which would require two days and one night for transit.

2. It has less curvature, both in degrees and miles, being but 22.85 miles of curvature as against 40.9 on the Nicaragua; and but 571 degrees for Panama as against 2,339 degrees for Nicaragua.

That is a great deal.

3. The actual time of transit is less by one hour and [illegible] of Panama [illegible] Nicaragua—that is, of one day of twenty-four as against [illegible].

They add:

For the canal must be navigated by day [illegible] extent, however, experienced by [illegible] Nicaragua [illegible]

4. The locks are fewer in number, being but [illegible] on Panama to [illegible] on the Nicaragua.

5. The harbors are better, those at the terminii of the Panama being good [illegible] the world, while at the terminii of the Nicaragua [illegible]

6. The [illegible] track is in condition, having been [illegible] for four years [illegible] in Nicaragua [illegible]

7. [illegible] Panama [illegible] Nicaragua [illegible]

8. The annual cost of maintenance and operation of the Panama Canal would be less than [illegible] Nicaragua.

9. The Panama route is [illegible] and therefore free from the dangers and difficulties of the Nicaragua [illegible] and increased on the part of the Panama Canal.

10. The [illegible] risks of construction [illegible]

I will not read the remainder. There are only a few sentences as to cost.

These considerations all seemed to me, as they seemed to the Commission and to a majority of the Senate, to be entitled to great weight. There was another thing about it, Mr. President, which—I have said it before, but I shall repeat it, I hope for the last time—that great world's highway between Europe and the Pacific Ocean should be made a sea-level canal, while the Nicaragua Canal could not be a sea-level canal.

Mr. MORGAN. Does the Senator refer to the report of the Commission?

Mr. SPOONER. Yes, sir.

Mr. MORGAN. The Commission reported against that view, and so did the French commission.

Mr. SPOONER. I am a little surprised to hear the Senator from Alabama say that——

Mr. MORGAN. It is the record.

Mr. SPOONER. My friend from Alabama, for whom he knows I have the profoundest respect, interrupted me with that statement when the canal act was under discussion, asserting then just what he asserts now and what he asserted the other day in one of his speeches on this subject. Rather brusquely, I see to my regret, I denied the Senator's assertion, although I find I apologized to him for the manner of my speech in that regard. But I asked the Senator then, as I ask him now, to turn to page 88 of the report of the Commission, as I turn now to page 88 of the report of the Commission, and this is what they say:

[illegible]

What a magnificent canal that would be!

[illegible] a repudiation of the practicability of a sea-level canal at Panama.

Mr. MORGAN. Its feasibility, if the Senator will permit me.

Mr. SPOONER. It is only a question of money. Because of the vast expense of it, and the number of years—twenty years—which would be required to construct it, for present purposes the Commission reported against a sea-level canal and for a lock canal; but I will have more to say about that as I go along.

[illegible] This Commission [illegible] so great that a canal with a summit level reached by locks [illegible]

But, Mr. President, when it is remembered that this is the greatest work in the history of the world; that it is to be constructed for all time; that it is to meet not only the commercial demands and provide for the safety of 80,000,000 people, but the [illegible] to come, and from the standpoint of national life is not [illegible], when it will be obviously necessary that it should be [illegible] for the commerce of the world, and [illegible] of the world, what [illegible] money to do with it? What has the question [illegible] it? Is it worth anything in a work like this, [illegible] as a lock canal, that in truth it can be made, as the whole [illegible] lock, except a [illegible] at the I[illegible] no dam to be blown up or washed out—a [illegible] war ships can quickly steam; one more [illegible] repair?

I suppose if we could [illegible] a sea-level canal connecting the Atlantic and the Pacific at Panama to be built in ten or in twelve years, that would cost [illegible], no Senator in this Chamber would [illegible]

Mr. MORGAN. Now, Mr. President, I [illegible] I must ask per[illegible]

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Alabama?

Mr. SPOONER. Certainly.

Mr. MORGAN. I would not vote for anything of the kind. The [illegible] sometimes twice a day. It is [illegible] that one out of the canal, to [illegible] lock in the Panama canal.

Mr. SPOONER. [illegible] I have always [illegible] most [illegible] in questions relating to canal construction, both [illegible] I have [illegible] Panama, but not at Nicaragua.

[illegible] with a [illegible] duty, than in [illegible]

Mr. MORGAN. The Senator does himself and me more than [illegible] for I do not [illegible] know anything about it except [illegible] from the most eminent engineers in the world; [illegible] so.

Now, as I said, as I [illegible] I will [illegible] Mr. [illegible] after he had signed this recommendation of the Panama Canal, in which he shows the utter impossibility of making a sea-level Canal would be permanent at Panama [illegible] at all to cost or with any reference to commercial advantages. In this article, which he submitted for the consideration of his brethren, and the debate and discussion of it just before he died, he demon-

strates the impossibility or impracticability, within any reasonable cost at all, even of cutting the canal at sea level at Panama.

Mr. SPOONER. I have not seen that article by Mr. Morison.

Mr. MORGAN. I have them and will produce them to-morrow.

Mr. SPOONER. I inquired about it of some one who read it, and I was told that Mr. Morison had doubts as to whether the Bohio dam can be constructed upon the plan which the Commission had considered.

Mr. MORGAN. That is not what I am referring to. I refer to a sea-level canal at Panama.

Mr. SPOONER. I will read from Mr. Morison in a moment. I prefer to await the article which the Senator promises to hand me.

Mr. SIMMONS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from North Carolina?

Mr. SPOONER. Yes, sir.

Mr. SIMMONS. I desire to ask the Senator from Wisconsin a question. The Senator has stated that it would require three days for a ship to pass through the Nicaragua Canal. He stated that it would require only one day for a ship to pass through the Panama Canal. That I understand to be the fact. Now, it is also a fact that the entrance to the Panama route is several hundred miles down the coast from either ocean farther than the entrance to the Nicaragua route.

I wish to ask the Senator a question, not for my own benefit, but because I find there is some confusion as to the fact, especially in my State. If a ship should start from some port upon the Atlantic seaboard, destined for some port upon the Pacific seaboard, would it require longer for that ship to accomplish its journey by the Panama route than by the Nicaragua route?

Mr. SPOONER. Taking into account steamships?

Mr. SIMMONS. Taking into account the fact that it takes three times as long to pass through one as the other, and that the Panama route is several hundred miles farther down the coast than the Nicaragua route.

Mr. SPOONER. The testimony is almost overwhelming that, taking into account the difference in time which would be required to go through the Nicaragua Canal and that required to pass through the Panama Canal, in the time for the voyage there would be little if any appreciable difference.

If the Senator will turn to the great speech of our dead Senator from Ohio [Mr. HANNA]—one of the most exhaustive and illuminating speeches ever contributed to a public debate in the Senate—he will find abundant evidence to sustain what I simply state in answer to his question.

Mr. SIMMONS. I understood and remember that the late Senator Hanna did discuss that matter and make it perfectly clear; but I desired a statement from the Senator because, as I said, there is some confusion among citizens of my own State as to the length of time required for a ship to make the trip between Atlantic and Pacific ports by the Nicaragua and Panama routes.

Mr. SPOONER. The great Senator from Ohio brought to the investigation of this subject his power of concentration, which was wonderful, his great business judgment, which within my knowledge has not been excelled, and an industry which, employed in the public interest, was absolutely unflagging and tireless, and his speech will forever be an infinite credit to himself and a great honor to the Commonwealth which loved him and which he ably represented in this body.

But I ask the attention of the Senate to what I find in Mr. Hanna's speech upon the question whether the Panama Canal can be made a sea-level canal, and also as to whether the Nicaragua Canal can be made a sea-level canal, although I have never heard it asserted that that is a possibility.

Senator Hanna put this question:

Is it practicable to make the Panama Canal a sea-level canal?

Answer of Admiral Walker. I believe it to be practicable to make the Panama Canal a sea-level canal.

The same question was put to ex-Senator Pasco, who replied:

I do not claim to speak with authority upon engineering [illegible], but I have long been interested in questions relating to canal construction, both before and since my connection with the Commission, and have given them [illegible] study. My opinion is that a sea-level canal can be constructed at Panama, but not at Nicaragua.

The same question was put to Mr. Noble, concededly one of the ablest engineers in the country. His answer was:

It is practicable to make the Panama Canal a sea-level route either before or after opening navigation through it, while a sea-level canal is practically impossible by the Nicaragua route.

I stop to call attention to that answer, Mr. President, because it is supported by the testimony of others, that we may make of this canal a lock canal, use it as a lock canal, and while using it as a lock canal can transform it into a sea-level canal. Is it worth nothing in the long reach of time that the canal which we build first as a lock canal our people, when public safety or public interest commercially demands it, can transform into a sea-level canal? The question answers itself. Whatever predilection a man may have for this route or that, that question answers itself.

The question was put to Mr. Morison, who replied:

Yes. In my judgment the actual expenditure required to make the Panama Canal a sea-level canal would be less than the expenditure required to construct the Nicaragua Canal as a lock canal. [illegible] building the Panama Canal now as a sea-level canal is the time [illegible] from twenty to twenty-five years, which would be required for its construction.

Twenty-five years! a long, long time in the life of a man; not an hour or a minute in the life of a nation.

Colonel Hains, also one of the ablest engineers of the Army, a man of large experience, answers the question:

It is practicable to make the Panama Canal a sea-level canal.

Professor Burr, also a great engineer, said:

It is entirely practicable to make the canal on the Panama route a sea-level canal.

Lieutenant-Colonel Ernst, likewise justly distinguished, answered the question by saying, "It is."

Senator Hanna's question No. 4 was this:

Can this be done after construction as a lock canal?

To which Admiral Walker replied:

I believe that a sea-level canal can be made after the construction of a lock canal.

Ex-Senator Pasco gave the same opinion, but he is a lawyer; and while he has studied the subject much more than I have, I would not be willing to base legislative action on his judgment alone, although I greatly respect him.

Mr. Noble said:

It is practicable to make the Panama Canal a sea-level route either before or after opening navigation through it.

Mr. Morison said:

It can be made a sea-level while in use as a lock canal, but at a considerable increase of cost.

Colonel Hains said:

This can be done after construction as a lock canal, but in my opinion it never will be, because the disadvantage of locks is not sufficient to pay the cost of [illegible] with them.

Professor Burr said:

It is also my judgment that it is practicable and feasible to make the canal on the Panama [illegible] canal, which [illegible] the [illegible] of [illegible] constructed at first as a lock canal. This can be done by any one of several plans, one of which at least would [illegible] the stations of the plan for a lock canal to the ultimate change to a sea-level canal.

That is, they would build the canal as a lock canal with reference to afterwards transforming it, in the years to come, into a sea-level canal.

Another plan would not require that adaptation. The first of the preceding plans of procedure would involve an the easiest first cost of the lock canal with less expenditure in the ultimate change to a sea-level canal, while the second plan of procedure would be [illegible] greater than the first cost of the lock canal, but a greater final cost in changing to the sea-level canal.

I will not read all the answers to the questions which were put as to whether the Nicaragua Canal could ever be transformed into a lock canal. The answers are uniformly in the negative.

Mr. MORGAN. A sea-level canal?

Mr. SPOONER. A sea-level canal. I think I have never heard it claimed that it can be made a sea-level canal.

Mr. MORGAN. No.

Mr. SPOONER. I do not know how it was with other Senators, but I had a feeling myself that if we left two-fifths completed a short canal at Panama and had recourse to Nicaragua, so much greater in length—an American canal, built by the United States, controlled by the United States, fortified by the United States, the guarantor of the neutrality of which being solely the United States—somehow the world would see to it that that short canal is completed and made a world canal, and that we ought not to leave it, in the interest of our safety, lest some day in a national exigency our *Oregon* could not go through our canal while our enemy's *Oregon* could go through the world's short canal.

Upon exhaustive debate, after this report by the Canal Commission in favor of the Panama route, the Senate passed the alternative bill, which was intended to be explicit. No one here has said it is not explicit. It has been said elsewhere. It has not been accurately or truthfully said anywhere.

Mr. President, I will put in the RECORD, with the permission of the Senate, the vote for and against the substitute, in order that my friend the junior Senator from Colorado [Mr. PATTERSON] may see who constituted what he offensively termed the "Panama cabal."

The result was announced—yeas 42, nays 34, as follows:

YEAS—42.

Aldrich,	Dryden,	Jones, Ark.	Pritchard,
Allison,	Dubois,	Jones, Nev.	Proctor,
Bate,	Fairbanks,	Kean,	Quarles,
Beveridge,	Foster, Wash.	Kittredge,	Scott,
Burnham,	Frye,	Lodge,	Spooner,
Burrows,	Gallinger,	McComas,	Teller,
Burton,	Gamble,	McCumber,	Warren,
Clark, Wyo.	Hale,	McEnery,	Wellington,
Cullom,	Hanna,	McLaurin,	Wetmore.
Dehoe,	Hansbrough,	Nixon,	
Dietrich,	Hoar,	Millard,	
		Platt, Conn.	

NAYS—34.

Bacon,	Cockrell,	Mallory,	Platt, N. Y.
Bailey,	Culberson,	Martin,	Quay.
Bate,	Daniel,	McEnery,	Simmons,
Berry,	Dubois,	Morgan,	Stewart,
Blackburn,	Foster, La.	Nelson,	Taliaferro,
Caffery,	Harris,	Patterson,	Turner,
Clay,	Hawley,	Pettus,	Vest.
Clark, Mont.	Heitfeld,	Perkins,	
Clay,	McLaurin, Miss.	Pettus,	

NOT VOTING—12.

Jones,	Pasco,	McComas,	Rawlins,
Lindsay,	Gibson,	McLaurin, S. C.	Simon,
Deliver,	Kearns,	Money,	Tillman.

So Mr. SPOONER's amendment was agreed to.

PROTOCOLS WITH NICARAGUA AND COSTA RICA.

Mr. President, now a word about the protocols to which the distinguished Senator from Alabama has so often and with so much [illegible] alluded—the protocols which were signed by the Secretary of State and the ministers of Nicaragua and Costa Rica, although not particularly pertinent to any point I wish to make. I want to preserve, when this Congress adjourns, in full force and vigor the alternative proposition of the canal act. The Senator from Alabama treats the protocols as binding compacts between the United States and Costa Rica and Nicaragua, and he has indicated very clearly the opinion that because the President did not turn, when, on August 12, the Hay-Herran treaty was rejected by Colombia, to Nicaragua and Costa Rica a wrong had been perpetrated upon those Governments. I do not understand these protocols—and I will refer to them for other purposes—to constitute any compact between this Government and those Governments.

They were never sent to the Senate by the President. They found their way into this Chamber through the Senator from Alabama having been transmitted to him by the Secretary of State for his information.

Mr. MORGAN. And for the purpose of being laid before the Senate.

Mr. SPOONER. Very likely; but they were never sent to the Congress. That is a new way to transmit for the action of Congress recommendations of the President. But suppose they had been sent here by the President; they have never been acted upon by Congress except contingently in the Nicaragua clause of the canal act. The Senator vainly sought, as he will remember, to secure the passage of an act by which he thought they would constitute a compact on the part of the United States.

Mr. MORGAN. What act does the Senator refer to?

Mr. SPOONER. My recollection is that the Senator sought along toward the close of the session to have the protocols accepted and adopted by resolution.

Mr. MORGAN. I do not.

Mr. SPOONER. If I am mistaken——

Mr. MORGAN. I think so.

Mr. SPOONER. I do not think I am, but I defer, of course, to the Senator's recollection. Now, this is the protocol:

It is agreed between the two Governments

I do not know whether the other Governments ever acted upon it or not.

Mr. MORGAN. Yes; if the Senator will allow me, at the time and in identical terms, between the Governments of Costa Rica and Nicaragua and the United States. They were separate papers, but the terms were identical.

Mr. SPOONER. How did they act upon them?

Mr. MORGAN. Separately, each of them.

Mr. SPOONER. Legislatively?

Mr. MORGAN. No; between the President and Mr. Hay and the ministers of Costa Rica and Nicaragua.

Mr. SPOONER. Well, Mr. President, I do not—

Mr. MORGAN. They were signed, sealed, and interchanged.

Mr. SPOONER. That will not do.

Mr. MORGAN. The fact is so.

Mr. SPOONER. I do not dispute the fact, but I have not understood that the Secretary of State can make a compact with another Government which binds this Government. I have drawn a distinction between an exercise of the treaty-making power and a legislative compact between this Government and another Government, and certainly no treaty or agreement binding upon this Government can be made by the Secretary of State alone.

Mr. MORGAN. I have heretofore referred to the historical fact—I suppose the Senator merely omitted to notice it—that all of our great transactions in China were by protocol, and that in those we carried an invading army into Pekin; we put our army under the command of a foreign general; we entered not only into military operations, but we levied a fine upon China which amounted to $35,000,000, if I remember aright, and we are collecting that money now. And not only were those protocols the only authority we had, but they were never sent to the Senate except through the report of the Commission sitting upon those affairs, authorized by Congress, I believe. There were some of the most important events in American history that we are now standing upon as settled facts for which there is no showing in the world but a protocol signed by Mr. Hay or by our minister in China and the other four or five European powers that were concerned in it, I suppose that was authority enough.

Mr. SPOONER. Well, Mr. President, I am learning something all the while, and I know of no one who needs more to learn. But I had not supposed before that we required any protocol to warrant us in protecting with cannon and troops the flag of the United States which floated over the American legation in China.

Mr. MORGAN. The Senator cannot impute that to me. I mentioned it as one of the incidents. How about the levying of a fine upon China of $35,000,000? How about requiring China to execute her princes? How about protecting the missionaries and requiring indemnity to be paid to them? How about arranging so that China should settle upon the basis of her tariff law under the protocols?

Of course I know what we can produce our people in any country in the world under the standard of the United States. The statutes have made provision by which we can do that whenever we are assaulted in any part of the world. The President need not come to Congress for authority to do it. But the President, if he does not find it in his powers, must come here for authority to levy a fine of $35,000,000 on China or to cut the heads of Chinese princes off or to put our general in China under the command of a foreign general. Matters of that kind I should think of sufficient importance to require them to be laid before the Senate if it is necessary. It appears not to have been necessary.

Mr. SPOONER. There were things which are current matters in a business sense, which it never occurred to me should take the form of more than an ordinary administrative [illegible] not be laid before the Senate at all. I suppose if American citizens are despoiled in any country, and this covers all the Senator indicates, the President can negotiate for payment, and the amount being agreed upon it can be made without entering into any treaty or compact.

But I am talking now about the protocol, which is alleged to bind the United States and Costa Rica as to a matter of ownership and transfer of territory.

It is agreed between the two Governments that when the President of the United States is authorized by law to acquire [illegible] Nicaragua [illegible] Britain, on the Pacific Ocean, they mutually engage—

What—

to enter into negotiations with each other to settle the plan and the agreement, in detail, found necessary to accomplish the construction, and to provide for the subsequently joint control of the proposed canal.

They agree, when the President is authorized to build a canal at Nicaragua, to *negotiate* an agreement under which it may be built. It is nothing which gives us any property right. It is nothing which I think is binding upon either Nicaragua or Costa Rica, although I have not the slightest doubt they would enter into an adequate treaty when the time comes, if a canal is built, or they would charge more for it, probably, if there were no competitor.

But how would this be enforced?

Mr. MORGAN. If the Senator would read a little further he will see.

Mr. SPOONER. It contemplates—

As an inducement to such arrangement, it is further agreed that the United States will guarantee the neutrality of the canal when completed, and the free use of it to the vessels of the Government with which this Government may be at war, on the same terms as to the vessels of the United States and Nicaragua.

Mr. MORGAN. Now, if the Senator will allow me one second——

Mr. SPOONER. Certainly.

Mr. MORGAN. The language is, "it is forthwith agreed"—that means immediately—as to what the terms shall be; and the language [illegible] contained in the Dubosc treaty, which was then pending upon the Senate—denied simply by the Senate. It shows exactly what the rights were. It is a perfectly completed contract, forthwith to take effect.

Mr. SPOONER. This is an agreement, as I read it, that when the President is authorized to construct a canal along the line indicated and defined generally in this paper, they will enter into an agreement under which we may do it. What sort of control they would give us is not here, and how much they would charge is not indicated; nothing is indicated.

Mr. MORGAN. The control is indicated in the recitals of the Hay-Pauncefote treaty, in which it is said the control shall be exclusive and perpetual.

Mr. SPOONER. Well, Mr. President, this is all I wanted to say when I began.

Mr. MORGAN. I should not interpose, but I do not wish a man of the distinction and ability of the Senator from Wisconsin to commit himself against the rights of the United States merely in the heat of debate, because those rights stand here yet, and we are not going to break them down by anything we do, even by the ratification of this treaty.

Mr. SPOONER. No.

Mr. MORGAN. We are going to preserve them, and I think we shall find that we can build two canals cheaper than we can build a [illegible] canal, and one of them will be built at Nicaragua.

Mr. SPOONER. That may be, but, Mr. President, I have not the remotest doubt that never will anything be done under these protocols. I have an abiding faith—it is not open to dispute or doubt—that Nicaragua and Costa Rica, when the time comes, will be delighted to enter into negotiations with us for a satisfactory treaty.

Mr. MORGAN. I doubt if they will be delighted, but I know they [illegible].

Mr. SPOONER. How would you enforce it?

Mr. MORGAN. I would enforce it in the same way as every other compact between governments is enforced.

Mr. SPOONER. What guns?

Mr. MORGAN. Well, we can enforce it as easily as we can build a republic down upon the Isthmus by guns without the firing of [illegible].

Mr. SPOONER. We shall get to that; the Senator anticipates.

But this is true, whatever construction the Senator may place upon this—and I do not wish to spend more time upon it—the President is contingently authorized in the canal act to build a canal at Nicaragua, and if that time shall come—and I believe we shall have two canals some day—then the conditions precedent named in this protocol—if it is of any force, which I do not believe—will have been performed.

THE PRESIDENT HAS OBEYED IN SPIRIT AND LETTER THE CANAL ACT—"REASONABLE TIME."

Mr. President, I have said all I wish to say about these two routes. I have said all I wish to say about this canal act, except one thing. It has been argued here with some bitterness and vitriolic rhetoric that the President violated this act in not turning to Nicaragua after the rejection of the Hay-Herran treaty. There is not, in my judgment, the slightest shadow of foundation for that contention in the act itself. The words "reasonable time"—and he was given a reasonable time—are words of different definition in different cases. What is a "reasonable time" in one set of circumstances is not "a reasonable time" in another set of circumstances. As the Supreme Court of the United States says:

What constitutes "reasonable time" in a particular case must be arrived at [illegible] which affect that question, etc. [illegible] Journal, 225-229, 1884; 27 [illegible] Wallace, [illegible].

Congress, using this phrase "reasonable time" in this connection, knew that the President was obliged to carry on a negotiation with a Government whose relations with us had made it absolutely certain that it was a Government difficult to negotiate with. This act contemplated not only the negotiation of a treaty, but the ratification of a treaty; and, so far as the Senate is concerned, it doubtless contemplated the fact that the debate on the treaty would be as long as any Senator in this body might desire it to be.

It is impossible to spell out of this language any limitation of time, except that limitation which sensible men, wise men, looking at all the circumstances, would say was adequate to accomplish an object which the Congress had declared the public interests required should be accomplished.

When it is shown that until the 31st day of October last—eight days before the meeting of this Congress in extraordinary session—there was not only pending in the Colombian Congress a bill to authorize the President of that Republic to enter into new negotiations on certain lines with the United States, but that a cablegram from our minister notified this Government that a new envoy would be sent to negotiate a treaty, it became perfectly apparent, Mr. President, that the President has acted entirely within the language as well as within the spirit of the law.

It was for him to determine—primarily, at least—what was or what was not "a reasonable time." So long as the Colombian Congress was in session there remained for it upon this subject a *locus penitentiæ*. The President could not have abandoned precipitately this preferential route—so established by act of Congress—without violating the law. I believe if he had abandoned it, if he had turned away from Panama, if, when the Hay-Herran treaty was rejected, he had gone to Nicaragua, there would have been found Senators in this Chamber—in the bitterness which sometimes comes upon us—who would have reprehended the President for his "strenuous" haste in turning his back upon a route solemnly declared by Congress to be the one which this Government's interests required should be selected.

SENATE PASSED ON QUESTION OF REASONABLE TIME.

But some of our friends on the other side, in their animadversions upon the President, obviously and strangely forget some things which occurred in the Senate when the canal bill was pending, bearing upon this question. Senators opposed to the adoption of the provisions relating to the Panama route objected to the words, "reasonable time," and sought to eliminate them. They presented the question, and it was passed upon by the Senate, on the day the bill passed this body. This did not, it is true, make it clearer than I think it is now, because the law makes it clear and common sense makes it clear, having regard to the momentous character of the transaction and the difficulties and delays which of necessity would beset it. But it happens that the Senator from Florida [Mr. MALLORY] offered an amendment to section 4 providing for the Nicaragua route alternatively, which, if adopted, would have eliminated the words "reasonable time," the amendment being as follows:

On page 4, line 11, after the words "Section 4," it is proposed to strike out [illegible] including the word "terms," in line 16, and to insert in lieu thereof the following:

"That should the President be unable within six months after the approval of this act to obtain for the United States on reasonable terms a satisfactory title to the property of the New Panama Canal Company and such control of and jurisdiction over the necessary territory of the Republic of Colombia mentioned in sections 1 and 2 of this act, including the right to perpetually maintain and operate the Panama Railroad—"

I moved to lay that amendment on the table. It would have been tantamount to commanding the President to do something, at the same time putting it in the power of any Senator in this Chamber to defeat it by prolonging discussion of the treaty beyond the six months' limit. The vote upon the amendment was as follows:

YEAS—44.

Aldrich,	Dryden,	Hoar,	Perkins,
Allison,	[illegible] anks,	Jones, Ark.	Platt, Conn.
[illegible]	[illegible] ver,	Jones, Nev.	Platt, N. Y.
Beveridge,	[illegible] rcher, Wash.	Kean,	Proctor,
Burrows,	[illegible]	Kittredge,	Quarles,
Burton,	[illegible] nger,	Lodge,	Scott,
[illegible]	[illegible]	McComas,	Spooner,
Clark, Wyo.	[illegible]	Mitchell,	Stephenson,
Cullom,	[illegible] n,	Morgan,	Taliaferro,
Dubois,	[illegible] ough,	Mason,	Warington,
Dietrich,	Hawley,	Millard,	Wetmore.

NAYS—31.

Bacon,	Clay,	McLaurin, Miss.	Platt, N. Y.
Bailey,	Cockrell,	[illegible]	Quay,
Bate,	Culberson,	[illegible]	Simon,
Berry,	[illegible]	Mitchell,	Stewart,
Blackburn,	[illegible]	Morgan,	Taliaferro,
[illegible]	[illegible] La.	Nelson,	[illegible]
Clapp,	[illegible]	Patterson,	Vest.
Clark, Mont.	[illegible] l,	Pettus,	

The Senator from Florida then reoffered his amendment, with a limitation of *twelve months* instead of six, which amendment was rejected by the following vote:

YEAS—35.

Bacon,	Clay,	Heitfeld,	Pettus,
[illegible]	Cockrell,	McLaurin, Miss.	Platt, N. Y.
[illegible]	Culberson,	[illegible]	Quay.
Bate,	Daniel,	[illegible]	[illegible] ns,
Berry,	Dietrich,	Mitchell,	[illegible]
[illegible] en,	[illegible]	[illegible]	[illegible] ro,
[illegible]	[illegible] La.	[illegible]	[illegible] r,
Clapp,	Harris,	Patterson,	Vest.
Clark, Mont.	Hawley,	Perkins,	

NAYS—29.

Aldrich,	Foster, Wash.	Kean,	Pritchard,
Allison,	[illegible]	Kittredge,	Proctor,
[illegible]	[illegible] er,	Lodge,	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
Clark, Wyo.	[illegible]	[illegible]	[illegible] r,
[illegible]	[illegible]	[illegible]	[illegible]
Dubois,	[illegible] ough,	Mason,	[illegible]
Dryden,	[illegible]	Millard,	[illegible] n,
Fairbanks,	[illegible] Ark.	[illegible]	Wetmore.
Foraker,	Jones, Nev.	Platt, Conn.	

The Senator from Florida then offered the same amendment, with the exception that the time was made [illegible] months, and this amendment was rejected without a call of the yeas and nays. This shows that the Senate did not regard eighteen months as a "reasonable time," that it was unwilling to limit the President in the great work of investigating the canal title and for the negotiation of a treaty with Colombia for the necessary concession, and the ratification thereof by the Congress of Colombia and the Senate of the United States, to eighteen months; that its purpose was to place no time limit upon him in carrying out the will of Congress, except that involved in the elastic words "reasonable time."

So far as the matter of time is concerned, the Senators who

voted for a limitation of eighteen months are utterly estopped from consistently charging the President with violation of the act of Congress by transcending the limit of reasonable time, for it has happened that within the *eighteen months* for which they voted the President has negotiated and sent to this body the treaty which on the 23d instant we are to act upon, obtaining from the Republic of Panama, the successor in sovereignty of the Republic of Colombia, requisite and generous concessions to enable the United States to build the canal at Panama.

Mr. MORGAN. May I inquire of the Senator what explanation he gives of the statement in the President's message that, under the surrounding circumstances, the question of "reasonable time" did not enter into the case?

Mr. SPOONER. I have not the language of the President in mind, but I suppose the President meant what I think unprejudiced men generally think, that, having reference to our past transactions with the Government with which we had to deal and with which we had had large experience in negotiation, considering the distance between this capital and Bogota, and the thousand other elements entering into it, no man could claim that the question of "reasonable time" had ever arisen with this Government for consideration even, and in that I agree with him.

Congress put this mandate as to a preferential route upon the President. In making every effort to acquire that route he was obeying the command of Congress.

Senators may say that Congress ought not to have passed the act; that it ought not to have preferred the Panama route. That is a matter about which men may differ; but having passed it, I can not for the life of me see upon what basis that is kind or broad or just any man can accuse the President of having violated this act for not having gone precipitately to Nicaragua.

Mr. MORGAN. If the Senator will allow me a moment——

Mr. SPOONER. Certainly.

Mr. MORGAN. I have accused the President of the United States with willfully and openly violating this act. I believe it. I therefore fall under the denunciation of the Senator——

Mr. SPOONER. I did not mean to denounce anyone.

Mr. MORGAN. I will say, not the denunciation, but the criticism of the Senator from Wisconsin.

Mr. President, I voted for that act. I did it in good faith. I did it expecting that every part of it would be executed when the time came to execute it, and I have felt very deeply aggrieved, as one of the Senators of this body, in having faith broken with me, that when the President had the opportunity to do so he refused to do it, and said that the question of time did not enter into consideration at all. That only aggravated what I considered to be an unwarranted breach of faith on the part of the President of the United States.

Mr. SPOONER. I think the Senator from Alabama voted with his colleagues in favor of the proposition to strike out the words "reasonable time" and I insert "eighteen months."

Mr. MORGAN. I presume I did. I wanted to put some limit upon this matter, particularly as the President was not expected, as the Senator has admitted to-day, to make a selection of these routes.

Mr. SPOONER. Certainly not.

Mr. MORGAN. That selection was made by Congress——

Mr. SPOONER. Yes.

Mr. MORGAN. And made alternatively. The Senator has said to-day that the President had not anything to do with the selection of the route. I wanted, therefore, that the time should be limited in order that, having submitted this matter to Congress for determination, he might be compelled, according to the judgment of Congress, to act upon the subject within a limited date. I did not suggest the proposition. I voted for it, however, preferring that course to leaving the discretion entirely at the option of the President, who now says that the question of reasonable time did not enter into the case.

Mr. SPOONER. He had not reached the point where the question of "reasonable time" could enter into the case.

I did not intend to animadvert in any harsh way upon any Senator here; and if, in the heat of discussion, I did so I withdraw it; but I can not see how the Senator from Alabama or any other Senator finds warrant for attack upon the President when he has carried out fully the mandate of Congress *within a time to which the Senator voted to limit him.*

Mr. MORGAN. But he did not act in obedience to the act at all. He acted contrary to it.

Mr. SPOONER. Well, I do not know what there is in the act that he disobeyed.

Mr. MORGAN. There is no war with Panama; there is no independence——

Mr. SPOONER. That is another thing.

Mr. MORGAN. There is no independent republic down there or anything of the sort. It is a simple question of going on and disposing of the negotiations.

Mr. SPOONER. That is another thing. That has nothing to do with the question of whether the President violated the canal act or not.

Mr. MORGAN. I think it has.

Mr. SPOONER. That has to do with the question whether he violated the Constitution and international law.

Mr. MORGAN. I wish to say that if there ever was a way of complying with that canal act it was in the mind of the honorable Senator from Wisconsin when he prepared it.

Mr. SPOONER. Of course I had no thought when the canal bill was prepared that this situation would confront the United States. None of us had, I suppose. The President had not; but it came.

Mr. PLATT of Connecticut. In any event the President would have been expected to obtain the Panama route.

Mr. SPOONER. Yes; as the Senator from Connecticut suggests, if we had anticipated it I suppose it would have been expected that the President would use every honorable and lawful effort to obtain the Panama route, if not from Colombia from the Republic of Panama.

But what I have been discussing, Mr. President, is simply the question of whether it has been just or in any degree fair, taking the act itself and the history of it upon that particular phase of the case, to make this charge against the President. It is so utterly baseless and without foundation that it should have and will have no more weight in public estimation than the snowflake which falls upon one's coat sleeve.

HAY-HERRAN TREATY AND TREATMENT IT RECEIVED AT BOGOTA.

The Hay-Herran treaty was negotiated with Colombia. That was in obedience to the mandate of the act. It took a long while to negotiate it. I think Secretary Hay would be willing to say that never, in all his splendid career as a diplomat, has he encountered a negotiation so irritating, such a tax upon his patience, and so full of variableness, with demands upon demands, always increasing. The best he could obtain he secured.

I do not think there was a man on either side of the Chamber who liked that treaty. I did not conceive it possible that Colombia could object to it; but I want to say now, Mr. President, that I think no government ever was more shabbily treated than was this Government by the manner in which that treaty was handled at Bogota.

Colombia sought that treaty. Colombia twice had lodged a protest against our going to Nicaragua because of the immense superiority of the Panama route, and because of the detriment it would be to the interests of Colombia.

In 1902 Colombia, in the treaty with Herrera, a man who had fought valiantly during three years for reforms in government and for civil liberty, agreed to take up and submit promptly to the Colombian Congress the canal negotiation—this treaty signed, not by President Marroquin, but signed by his command by Doctor Herran, a very able lawyer. What happened the moment the treaty reached Bogota?

Before the Colombian Congress had been convened to consider the treaty the Government issued notice, December 24, 1902, to the New Panama Canal Company in Paris, asking them, both on behalf of the New Panama Canal Company and of the Panama Railroad Company, to appoint an agent at that capital—

[illegible]

Adding:

It will not be superfluous to inform you, in order that you may so notify the Panama Railroad Company—

The same language was addressed to the canal company—

if you think fit, that the Government will not in any way oppose and, on the contrary, will second and support the granting of the permission for [illegible] *by virtue of the concession for the construction of the Panama Railroad*—

Also canal—

up to date on which it passes to the new concern.

Secretary Hay justly resented this, because, while the treaty would not be binding on that country any more than on ours until ratified, upon the exchange of ratifications it relates back to the time of its signing; and it is settled in international law that pending the signing of a treaty and its ratification or rejection nothing shall be done by either government in violation of its terms as a tentative agreement. If Senators will think for a moment they will see that such an understanding is a necessity to treaty negotiation and obligation.

By the very first article of the Hay-Herran treaty Colombia assented to the transfer to this Government of the canal and railroad concessions. Those concessions, with the property which had been acquired under them, were what we were to buy and

pay $40,000,000 for from the New Panama Canal Company, and Colombia had insisted upon incorporating in the treaty a provision that she should be paid at least par for her shares in the capital of the New Panama Canal Company, no obligation under the provision, however, to be imposed upon or assumed by the United States. This meant a payment to her by the canal company for her consent to the transfer of at least 5,000,000 francs.

I remember the Senator from Alabama inveighed somewhat bitterly against the attitude in which that clause placed this Government. It was unusual. The Senator from Alabama was not the only Senator here to whom it was not a welcome provision in that treaty. It was regretted, and justly regretted, by all that any corporation could intervene between this country and another in a great negotiation. But the Congress knew that when the act passed; the Commission had reported fully upon that; every Senator knew that preliminary to any work on the Isthmus, no matter what grants Colombia might be willing to make, was the elimination by purchase by the United States, with the assent of Colombia, of the canal concessions and the railway company stock, with the property which had been acquired under them.

Why was that put there? No one else was to get par for stock. Colombia had originally exacted this stock for an extension of time. She had the power, and the time was expiring, to forfeit the franchise and take to herself the entire property. Of course it would be a piece of national robbery and shame; but the company issued 5,000,000 francs of stock, and it was nominated in this treaty that it should be taken up at least at par. Although it was not said who was to do it, it was said that we were not to do it.

What did that mean? It meant that Colombia could refuse to ratify the treaty or could refuse to exchange the ratification with us without offense to us until after the canal company or its representatives had taken up at par that stock.

But think of a treaty, signed by the diplomatic representatrive of both countries, the first part of which assented to the transfer to the United States of the canal concessions and property, the railway concession and property, with a provision as to payment for the redemption of stock at par, and the moment, aye, I think before, it reached Bogota the papers show, those companies were summoned to provide a representative who would enter into an agreement with Colombia cancelling *these concessions which were to be conveyed to us upon such conditions as Colombia might prescribe!* And Senators say we have no cause of complaint against Colombia, because the treaty was not ratified. I am not talking about that. I am speaking of the act of a [illegible] which negotiated the treaty. It was a gross act of *bad* faith.

Mr. MORGAN. Marroquin.

Mr. SPOONER. Marroquin. Secretary Hay, with proper indignation, resented it for this Government in these words:

[illegible] concessions to the United States is a matter of agreement between the two [illegible]

Mr. MORGAN. If the Senator will allow me, that was [illegible] the Congress of Colombia, to whom we referred the treaty for ratification, could not agree with Marroquin about the terms.

Mr. SPOONER. The Congress at that time had not been assembled.

Mr. MORGAN. What time does the Senator refer to?

Mr. SPOONER. I am talking about an early day after the treaty got down there. It was before the session of Congress.

Mr. MORGAN. Congress stood on the ground definitely and distinctly that Marroquin did not have the constitutional power to make the agreements, and proposed to amend the constitution so that he would have the power.

Mr. SPOONER. But that was after the Congress met. On December 24, 1902, this notice was given. Whether Congress had been elected at that time, I do not know. It did not meet for some months.

Then, before Congress assembled, the minister of finance, General Fernandez, issued a circular, by direction of the President of Colombia, saying that "the Government has no *preconceived wishes for or against the measure*" and inviting public discussion of it. Who ever heard of such a thing before—negotiating a treaty with the Government of the United States, a treaty which was to enrich, not only in money but in development, a portion of Colombia, and before the Congress assembles the President who negotiated it notifies the country, practically, that he does not care whether it is ratified or rejected? It would require a government without much sense of dignity not to consider it an unfriendly thing.

Mr. MORGAN. That is what I thought about it when I opposed the Hay-Herran treaty.

Mr. SPOONER. Yes; I know the Senator thought about everything that any human being could think about, and therefore the Senator thought about that.

Mr. MORGAN. It all came around right.

Mr. SPOONER. The only authority they cite in the report of the Senate committee down there justifying the rejection of the treaty on constitutional grounds is the distinguished Senator from Alabama.

Mr. MORGAN. That is not the first case where a certain individual has been accused of quoting Scripture.

Mr. SPOONER. That was not a statement that the Senator made in the Senate. It was an interview. It only shows how careful we who are in the Senate ought to be about our observations in public concerning international matters which are pending.

Mr. MORGAN. Still it does seem, if the Senator will allow me to suggest it merely, that there was some occasion for having an agent of the company to provide for that million dollars which we said we did not owe, but which should be paid. Somebody had to pay it, and if the Panama Canal Company had to pay it, their agent ought to be on hand to provide the money, it seems to me, to save the United States from having it to pay.

Mr. SPOONER. If that is what happened, what the Senator says would be supremely wise. But that is not what happened. It is one thing to have an agent there to pay the million dollars and another thing, before action on the treaty, to call agents there to enter into an arrangement to cancel the very concessions which were to be transferred, with the consent of Colombia, to the United States. It is one thing to secure the payment of the million dollars and another thing to attempt, as a condition of the ratification of the treaty, to exact from the owners of the concession and property ten or fifteen million dollars. I think I am safe in saying that no treaty sought by a Government ever before received such treatment as this did by the Government of Colombia, which had sought it. Marroquin refused even to so far commend the treaty as to *sign* it before it was sent to Congress.

Mr. MORGAN. I always thought it was a very ungracious and very ungrateful act on the part of Marroquin, particularly as the President of the United States had just within a few months before used the Navy of the United States to hold him in power. I always thought it was a very ungrateful thing on his part.

Mr. SPOONER. I will get to that after a little. The Senator speaks "words of truth and soberness." The President of the United States did use the Navy and the marines—that was the effect of it——

Mr. MORGAN. To keep him in power.

Mr. SPOONER. To keep him in power; that is, to sustain the existing government. For fifty years the presence of our war ships and the intervention, ten or twelve times, of our blue jackets has maintained the sovereignty of Colombia and barred the door of hope for liberty, almost of life, against the people of Panama.

Mr. MORGAN. It was claimed to be done under a treaty, you know.

Mr. SPOONER. I will get to that.

THEIR ALLEGED GROUNDS OF REJECTION MERE PRETEXTS.

I am not going at length into this, but I want to put into the RECORD some quotations from the dispatches. The Bogota Congress was in session four or five months, and never considered that treaty *five days*. They rejected it incontinently. They rejected it practically without debate. They rejected it upon pretexts so flimsy as to constitute nothing but a sham—the pretext that it violated their constitution; that they had no power to *alienate territory.*

The power to alienate territory is laid down in all the international law books to be an inherent element and almost a test of sovereignty; and to say that a government, a sovereign power, not bound by restrictions to other countries, has not the power to grant by treaty a servitude for a great public work is the sheerest and baldest nonsense.

Mr. MORGAN. Unless it is prohibited from doing it by the constitution.

Mr. SPOONER. It was not prohibited by the constitution from doing it. There is a provision in the constitution concerning the power of the President to contract away "national property" without previous authorization. If he could do it with *previous*

authorization, and he had contracted it away *without previous authorization*, the legislative body could make it *valid by ratifying it*. But there is a separate provision in their constitution, entirely distinct, containing provisions as to *international negotiations* and compacts. It confers upon the President the same power that our Constitution confers upon our President to conduct foreign relations and to negotiate treaties, which are to be ratified by the Congress. Under that clause it was perfectly constitutional.

Mr. President, no ground can be found, and I have heard none suggested, upon which can be predicated a contention that Colombia was not absolutely free, had she so desired, to grant this *easement*. And the insincerity of it all is found in the two cablegram offers *after trouble came in Panama*, that if the United States would resume the old rôle of aiding to fasten the manacles of slavery and tyranny upon the people of Panama *they would give us the treaty just as it had been signed*. Marroquin would proclaim martial law, and under authority of the constitution, by decree, ratify the treaty.

So, Mr. President, and I do not mean to speak too harshly of any government. I am only discussing the situation as it is, we have had from the beginning trouble with Colombia. I will show it as I go along. I wish to hurry through this branch. And the other point upon which they found so much delicacy was that the treaty provided for a court to be created by the United States, under authority of the treaty, to sit in the canal strip and decide cases between citizens of the United States and between citizens of country other than Colombia and citizens of the United States. They alleged it to be an invasion of their sovereignty. We had expressly recognized the sovereignty of Colombia. Every line in the treaty, some of them going almost too far for our own self-respect, safeguarded the sovereignty of Colombia.

But if there is anything settled by our Supreme Court, settled in the international law books *all over the world*, it is that it is entirely competent to agree by treaty for judicial tribunals established by one of the treaty-making powers within the boundary of another to execute there between its citizens its laws.

The treaty-making power vested in our Government extends to all proper subjects of negotiation with foreign governments. [illegible] of the former or present governments of Europe [illegible] for the exercise of judicial authority in other [illegible] pointed tribunals. [illegible] Mr. [illegible] times generally [illegible] as have been made [illegible] for the [illegible] questions as they [illegible] between [illegible] ments, and the laws and regulations which they may [illegible] there.

My friend the Senator from Colorado [Mr. TELLER] will see in a moment that that might be called a concession of sovereignty. The treaty left the enforcement of the criminal laws for other tribunals, not to the tribunal provided for by the treaty.

They raised the price, some demanding $15,000,000 from the United States and $10,000,000 from the canal company, and Lorenzo Marquez, now a senator and the son of the President, insisted upon a total of $35,000,000. After they had rejected the treaty on August 12 the committee to which the subject had been referred introduced a bill ratifying the disapproval and prescribing the terms upon which the Government was authorized to negotiate with governments and private parties for an interoceanic canal (S. Doc. No. 51, 2d sess. 58th Cong.), in which they provided that Colombia would permit the New Panama Canal Company to transfer its rights and engagements to any other government, provided the said company fulfills certain conditions, as follows:

First. When the transfer is made, the payment to Colombia of [illegible] francs, surrender of [illegible] public land, Colombia herself to grant a zone 10 miles wide for the sole end of constructing, maintaining, and operating a canal, etc., the duration of this right to be for one hundred years, renewable at option of concessioner for equal periods, with an annual rental of $150,000 gold up to the year 1967, and $400,000 from 1968 and thereafter for periods of equal duration, provided the concessioner agrees "to increase in the proportion of 25 to 100 above the maximum basis of the preceding period the annual rental sum," and in addition "an initial compensation for the granting of the right," etc., "the contracting government shall pay to Colombia as a minimum the sum of $20,000,000 in American gold upon the ratifications of the treaty."

ULTIMATE PURPOSE OF DELAYS AND REJECTION.

But the ultimate and real strategy of the Colombian Congress is indicated by the following quotation from Minister Beaupré's letter of September 30, 1903, to Mr. Hay:

It is said, and generally believed in this city, that there is a project on foot [illegible] entered into by the Colombian Government [illegible] It is [illegible] the Government [illegible] with the United States to succeed [illegible] but the $10,000,000 offered the company.

And this scheme found its way into a formal report on the bill to authorize the President to negotiate a new treaty. We could not have been a party, of course, to such a scheme of robbery. I desire to call the attention of the Senate to this report, and then I will be through with this branch of the subject. This record is a [illegible]

The Hay-Herran treaty has ceased to exist, both because of its unanimous [illegible] state of the case is the same [illegible] the [illegible]

This is it:

[illegible] April 4, [illegible] March 28, 1903, [illegible] New Granada [illegible] is [illegible] the [illegible] to be examined, which has so often been discussed [illegible] a point which, now that the matter is under discussion, should [illegible]

[illegible] *or not!*

They had had for some years the million dollars paid for it.

In the first case—that is to say, if it is considered valid—seven years must [illegible] *and every privilege with it.* In that [illegible]

Now they quote from the concession—

"*the Republic will become the possessor and owner, without any need of a previous judicial decision and without any indemnity of the canal that shall have been constructed.*

"*When that time arrives the Republic* [illegible] *to contract*—

"The Republic, without any impediment, will be able to contract [illegible]"—

and will be in more clear, more definite, and more advantageous position both *legally* and *materially*. The authorizations which would then be given [illegible] be very different from those that can be given [illegible] re, that [illegible] as a precious [illegible] not be [illegible] the extension [illegible] it [illegible] to [illegible] sum of $[illegible] francs with interest.

Out of the $40,000,000 or the $50,000,000, which—having become the owner of the whole property by forfeiture and declaration of the invalidity of the extension Colombia expected to take—she would pay back to the company the $[illegible]

Mr. TELLER. Had there been any other extension?

Mr. SPOONER. There had been extensions, but they had all been paid for and all had been made by the legislature except this one made by the President while the constitution was suspended during revolution.

It is no wonder—and Senators ought not to forget this—that Premier Delcasse, speaking upon the subject in France—and France knows, as every government is bound to know, what transpires in the different nations affecting its international interests or affecting the interests of its subjects or its citizens—said that they could not tolerate that proposed action. It could not be accepted.

By the way, I observe, going over these papers, notwithstanding the power of the United States, notwithstanding our guaranty under the treaty of 1846, that on more than one of the many occasions when there has been trouble on that Isthmus—revolution there against the tyranny of Colombia—and our war ships were there to look after the interests of our people and the lives of our people, *French war ships have been there, too.* On one of the last occasions the *Suchet* and the *Protet*, two French war ships, were there. They were not far away when the trouble came, and one of their officers requested of our commanding officer permission to

land his marines to protect the men at work on the *canal owned by the French company*. Our officer declined, and he was informed by the French officer that if he were not permitted to go ashore for that purpose fault would be found with him by his Government, and our commander permitted him to do so.

And it is not the first time, either, that the French have landed men there to look after French interests. With this record of proposed spoliation, with the whole history of Colombia's treatment of this canal and of the concession—the proposition to forfeit it, to invalidate the extension, to cut off the French ownership and take it to Colombia as if she had created it—you may find fault with Mr. Loomis for saying it; you may ask the Senate to reject the treaty to rebuke what you deem an indiscretion in a sub-Secretary of State, but I have no doubt that if on the 12th day of August the President had abandoned the Isthmus of Panama and had gone to Nicaragua, had kept our ships away from there, there *would have been ships at Colon and at Panama, and they would not have been our ships.*

Mr. MORGAN. What would they have done?

Mr. SPOONER. They would have looked after the interests of Frenchmen on that Isthmus. Every government worthy of the name looks after the interests of its people anywhere in the world when threatened with outrage. We could not permit France or any other government to take our place on that Isthmus.

Mr. MORGAN. That is what they did when they made that compact with Panama.

Mr. SPOONER. What who did?

Mr. MORGAN. France.

Mr. SPOONER. What compact?

Mr. MORGAN. Delcasse.

Mr. SPOONER. Oh, Mr. President, what France did was just what any other government would do. She deferred recognition until adequately assured that the new government would do justice and keep faith as to French interests on the Isthmus. That is only an assurance. It is an assurance which France believed would be kept. But notwithstanding our guaranty of sovereignty and neutrality there, France has a right, if we fail, to protect the interests of her people. What would have been said about the President of the United States if he had negotiated a treaty with Nicaragua in hot haste, with that impulsive speed which is imputed to him here so glibly, which he did not happen to possess? There would have been a French fleet down there looking after French interests, and the President would have been denounced here for his sacrifice of American interests.

TREATY OF 1846, ARTICLE 35.

At last I come to article 35 of the treaty of 1846. I do not look upon it exactly as some of the Senators do. Article 35 was greatly desired by New Granada. The minister of the United States objected very strongly to the insertion of article 35 in a treaty of commerce and amity. He says:

With these hasty observations I refer you to the "exposition of motives" presented by Mr. Mallarino, the secretary of state, in answer *to my objection to* [illegible] *this guest*[illegible]y.

I turn for a moment to the exposition of Mr. Mallarino, who was the foreign minister. It is a very interesting [illegible] this obligation. It contains one sentence that has been [illegible] ignored, perhaps compulsorily ignored, as to "a subsequent and complementary convention in which the transit of the oceanic passage should be arranged and its permanent neutrality strengthened." It has come at last. He speaks of the [illegible] Great Britain, how she is attempting to [illegible] the [illegible] Orinoco, how she is gradually enlarging and strengthening her hold upon different portions of South America, how she is corralling, if I may use that word, commercial spots here and there, which threaten the permanent interest of the United States, which, in this minister's judgment, bode no good in the long run to the South American republics.

And continues—

From these facts and general considerations may be inferred the urgent necessity in which the United States are—

That is urged from New Granada—

of [illegible] their many interests, and even their material strength, between [illegible] and [illegible] of Europe and particularly of United States. [illegible] to [illegible] and [illegible] in the [illegible] the United States, [illegible] the Americas [illegible] the United States [illegible] the [illegible] to be freely exercised in a free manner [illegible] for the transit of these very favorite objects, which [illegible] made with equal advantage and security [illegible] of those [illegible] for the convenience of and commerce are [illegible] by [illegible] and special treaties the guaranty of territorial possession, to be given by the United States *ought to be* [illegible] *tally introduced in treaties of commerce, as a part of and subordinate to them.*

Afraid to do it singly, afraid to put it in a treaty the sole object of which it should be, he felt that their interest and ours required that it should be in a treaty, as I have read it, full of provisions about amity and commerce and reciprocity—

but this should be done so that at the same time that the freedom of the seas should be assured, the nations of Europe should be compelled to abandon [illegible] America [illegible] that equal [illegible] that [illegible] should [illegible] the [illegible] at the [illegible] the wants of a participation in the franchises that the United States would thus secure.

[illegible] *by stipulating, in favor of the* [illegible] *a compensation* [illegible] *that* [illegible] in treaty this guaranty of [illegible] would only refer to the province of the Isthmus [illegible] their [illegible] extremity unto the boundary of Costa Rica.

Then he adds:

When a treaty containing such a stipulation shall exist between New Granada and the United States and it would be [illegible] by a [illegible] conditions, the British [illegible]

That is the key which unlocks the whole purpose which led to article 35.

Now, Mr. President, I wish to refer for a moment to this article.

Mr. CULLOM. Article 35?

Mr. SPOONER. Article 35—to our rights under it and to our duties under it. I want to show, if I can, that the argument made on the other side in opposition to this treaty, so far as it is based on article 35, places the United States in a position of having guaranteed the neutrality of the Isthmus, the rights of sovereignty and property of New Granada, later Colombia, on the Isthmus, without our acquiring in exchange for it any right whatever, and worse, perhaps losing the right that all nations without treaty may exercise, of protecting their citizens or subjects in a country which can not or will not protect them.

Senators can not read out of article 35 everything that is essential to the United States and leave in it everything that was put there for Colombia or New Granada as compensation for a grant.

First. For the better understanding of the preceding articles, it is and has been stipulated between the high contracting parties that the citizens, [illegible] of New Granada [illegible] and free to the *Government*—

To [illegible] States, and for the transportation of any articles [illegible] merchandise of lawful commerce belonging to [illegible]

This is a grant of the right of way or transit, not simply to our commerce, not simply to our citizens, but to the *Government of the United States* and the commerce of its citizens—

[illegible] the citizens of [illegible] or *canal*—

Some one said the other day that a canal was not mentioned in Article XXXV—

[illegible] New Granada, or by the authority of [illegible] and co[illegible] the [illegible]

I omit some language that is not pertinent to my discussion.

And, in order to secure to themselves—

That is ourselves—

the *tranquil and constant enjoyment of these advantages*, and as an especial *compensation for the said advantages*—

That refers to the right of way or transit, because they say—

and for the favors they have acquired by the fourth, fifth, and sixth articles of this treaty, the United States guarantee positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the before-mentioned Isthmus—

Mr. TELLER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield?

Mr. SPOONER. Yes.

Mr. TELLER. If the Senator will look at the third and fourth he will see that there are some other privileges granted besides that.

Mr. SPOONER. I know that.

Mr. TELLER. I think that refers to the admission of our goods into Colombia, not to transit.

Mr. SPOONER. But if they had referred to that they would have put the numbers in here, just as they put in fourth, fifth, and sixth. No man can read this and believe for a moment that this momentous contract on the part of the United States, which involved, when the contingency arose, war to protect that Isthmus, to maintain its neutrality against foreign governments, the expenditure of millions of dollars by the United States, and the spilling of the blood of our soldiers and sailors, was placed in this Article XXXV for nothing. It is very significant that in his elaborate "exposition of motives" Mr. Malaret confines his argument entirely to article 35, and makes no mention of the commercial phases of the treaty except as a pretext or cover for article 35.

Mr. TELLER. Mr. President, if the Senator will allow me——

Mr. SPOONER. I was not answering the Senator.

Mr. TELLER. Allow me to say——

Mr. SPOONER. I did not intend——

Mr. TELLER. I said there were other considerations beside the transit.

Mr. SPOONER. I was not controverting what the Senator said. I hope the Senator will do me the favor, because I turn to him in rather an earnest manner sometimes—I can not help it—not to suppose that I am controverting something he said or challenging him to controvert something I said. I do not mean that.

And in order to secure to themselves the benefits and [illegible] of these advantages and for the same [illegible] fifth and sixth articles of the treaty, the United States [illegible] and exclusively to New Granada by the present stipulation the perpetual neutrality of the before-mentioned Isthmus—

That is the whole Isthmus. It is closer bed here in the beginning of the article, extending from the southernmost boundary to the boundary of Costa Rica. It is not simply the railroad transit or the canal zone—

with the view—

Here is speaking language. Here is expressed the object of the great contract upon our part, which may mean at any time untold expense and vast cost in life—

with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this treaty exists; and in consequence—

Of course it was a consequence—

the United States also guarantees in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

OUR RIGHTS AND OBLIGATIONS UNDER ARTICLE 35, TREATY 1846.

Now, Mr. President, what did we get by that grant, and what were we to do in consideration of it? We [illegible] by the Government and our people as well [illegible] a right of passage for the Government and the commerce of [illegible] by any railroad, highway, or canal as could be placed in [illegible] instrument.

Some one has said that it is a secondary obligation. I think not. If I guarantee my own property that is the secondary the Senator guarantees my neighbor, that is secondary. The primary liability is on me; the secondary liability is on him.

Where there is a [illegible] are two elements. The first is a grant. It [illegible] A grant of what? A grant of [illegible] the Isthmus, as it has stood. [illegible] to the grant? It is like the individual [illegible] tween man and man in a sense. It is the sovereign grantor's pledge to make good the grant and to [illegible] no other government to make good [illegible] of way for which we were to pay war, millions, and blood for her protection.

Mr. TELLER. Mr. President, I should like to say to the Senator that I have not heard anyone dispute the proposition he has just laid down, that we had the right of transit, and that Colombia had bound herself to protect it.

Mr. SPOONER. That has been challenged. The Senator did not challenge it.

Mr. TELLER. I did not challenge it, certainly.

Mr. SPOONER. And he will not challenge it. But this proposition has been laid down, that assuming the grant and the sovereign guaranty to make it and keep it good, we had no right under this treaty to make it good in any event ourselves except on the request of Colombia.

Mr. TELLER. May I state what I think?

Mr. SPOONER. I am willing. I have no right to refuse the Senator when he wishes to interrupt me, because I interrupted him so much the other day.

Mr. TELLER. The Senator is aware that I do not wish to interrupt him unduly. I took some time in the presentation of this case, and I do not like to be misunderstood on it because the Senator thinks somebody else took some other view.

Mr. SPOONER. No; I do not doubt the Senator's position.

Mr. TELLER. I think we had the right of transit across that Isthmus by virtue of this treaty, a right that will last just as long as the treaty lasts. If the French company had built the Panama Canal, which they contracted with Colombia to build, and if we had built the Nicaragua Canal, as we attempted to do at one time, and the two routes had been open, and the Government of the United States saw fit and wanted to use the Panama route, or if our citizens did, Colombia's guaranty would have lasted, even if we had built another canal.

So I think our right under this French canal company was just as great as it would have been if we had built it, except that we would not have got a profit perhaps. I mean the right of transit would have been the same. I did not know that anyone seriously contended that that was not the fact. I certainly did not.

Mr. SPOONER. I have not understood that the Senator did contend anything contrary to what I am contending.

Mr. TELLER. No; I can not say that I did on that proposition.

Mr. SPOONER. But it has been suggested more than once that we can only maintain ourselves in that right of way and freedom of transit on the request of Colombia.

Mr. TELLER. I should like to say again that I was one of those who contended that it was the first duty of Colombia to carry out her guaranty, but if Colombia failed to do that, it presents a very different question as to what we might do then.

Now, I should like to suppose this case. Suppose we built a canal on the Nicaragua route and the French people had a canal on the Panama route. I still contend that Colombia could not shut us out because we had another way of getting across the Isthmus; and if she did, what our relations would be and what our rights would be would be an entirely different question, which I do not think it is now worth while to go into.

Does the Senator wish to finish to-night?

Mr. SPOONER. I am mortified to have gone on so long. I am willing, if it is the desire of the Senate, to continue for a while longer.

Mr. CULLOM. I am inclined to think that the Senator would hardly desire to speak to-morrow——

Mr. SPOONER. No; I do not.

Mr. CULLOM. And that we should adjourn until Saturday morning.

Mr. SPOONER. I think the Senate ought not to be in session to-morrow.

Mr. CULLOM. Unless it may be in session for a [illegible]

Mr. SPOONER. [illegible] generally.

Mr. CULLOM. Not very long. I am glad the Senator from Maryland [Mr. GORMAN] has come into the Chamber. The Senator from Wisconsin [illegible] Monday and Tuesday [illegible] I to vote on Tuesday, I am inclined to think that we ought to adjourn until Saturday morning. I think we had better meet on Saturday at noon so that the Senator's speech may be concluded [illegible] or who then desires to be heard [illegible]

Mr. TELLER. I suppose it is not intended to have anything more than a formal session to-morrow.

Mr. CULLOM. I do not think we ought to sit to-morrow.

Mr. TELLER. I think it is a pretty [illegible] not sit to-morrow.

Mr. GORMAN. I think we should [illegible] morrow.

Mr. CULLOM. It seems to me we [illegible] morrow and sit on Saturday on account [illegible] from to-day until Monday.

Mr. SPOONER. Mr. President, I was ready to speak some days ago, but was prevented from doing so [illegible] however, go on and finish this afternoon if it is desired.

Mr. CULLOM. I think the Senator had better not attempt to do that.

Mr. SPOONER. I will do it if it is desired by Senators on the other side, because I do not want to occupy time.

Mr. GORMAN. I trust the Senator from Wisconsin [Mr. SPOONER] will adopt the suggestion of the Senator from Illinois [Mr. CULLOM] that we adjourn until Saturday.

Mr. CULLOM. If the Senator from Wisconsin will yield to me, I will move that when the Senate adjourn to-day it be to meet on Saturday next.

Mr. SPOONER. Very well.

ADJOURNMENT TO SATURDAY.

Mr. CULLOM. I now move that when the Senate adjourns to-day it be to meet on Saturday next.

The PRESIDING OFFICER (Mr. KEAN in the chair). The question is on the motion of the Senator from Illinois that when the Senate adjourns to-day it adjourn to meet on Saturday next.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned until Saturday, February 20, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 18, 1904.

CONSULS TRANSFERRED.

William Ross Davis, of Ohio, now consul at Alexandretta, Turkey, to be consul of the United States at Martinique, West Indies, vice John F. Jewell, nominated to be consul at Alexandretta.

John F. Jewell, of Illinois, now consul at Martinique, West Indies, to be consul of the United States at Alexandretta, Turkey, vice William Ross Davis, nominated to be consul at Martinique.

MEMBER OF PHILIPPINE COMMISSION.

W. Cameron Forbes, of Massachusetts, to be a member of the Philippine Commission and to be secretary of the department of commerce and police in the government of the Philippine Islands, to succeed as member of the Commission William H. Taft, appointed Secretary of War, and to succeed as secretary of the department of commerce and police Luke E. Wright, appointed civil governor.

PROMOTIONS IN THE NAVY.

Commander James K. Cogswell to be a captain in the Navy from the 4th day of February, 1904, vice Capt. Charles C. Cornwell, deceased.

Commander William H. Everett to be a captain in the Navy from the 4th day of February, 1904, vice Capt. Caspar F. Goodrich, promoted.

Ensign James B. Gilmer to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in his present grade.

Elijah H. Cope, a citizen of Tennessee, to be an assistant paymaster in the Navy from the 13th day of February, 1904, to fill a vacancy existing in that grade on that date.

POSTMASTERS.

ALASKA.

Gustav Spongberg to be postmaster at Valdez, Alaska. Office became Presidential January 1, 1904.

ILLINOIS.

William T. Thorp to be postmaster at Litchfield, in the county of Montgomery and State of Illinois, in place of William T. Thorp. Incumbent's commission expired December 13, 1903.

INDIANA.

Edwin S. Gilbert to be postmaster at Indiana Harbor, in the county of Lake and State of Indiana. Office became Presidential January 1, 1904.

James E. Zook to be postmaster at Lima, in the county of Lagrange and State of Indiana. Office became Presidential January 1, 1904.

INDIAN TERRITORY.

William Noble to be postmaster at South McAlester, in the Choctaw Nation, Ind. T., in place of William Noble. Incumbent's commission expires March 6, 1904.

KENTUCKY.

Charles G. Robinson to be postmaster at Earlington, in the county of Hopkins and State of Kentucky, in place of Charles G. Robinson. Incumbent's commission expires February 19, 1904.

MINNESOTA.

John Atz to be postmaster at Hancock, in the county of Stevens and State of Minnesota. Office became Presidential January 1, 1904.

MISSOURI.

Benjamin C. Klusmeier to be postmaster at Lagrange, in the county of Lewis and State of Missouri, in place of Benjamin Klusmeier. Incumbent's commission expired December 15, 1903.

NEW JERSEY.

Charles F. Hopkins to be postmaster at Boonton, in the county of Morris and State of New Jersey, in place of Charles F. Hopkins. Incumbent's commission expires February 19, 1904.

Andrew Mercer to be postmaster at Lodi, in the county of Bergen and State of New Jersey. Office became Presidential January 1, 1904.

NORTH CAROLINA.

Roy C. Flanagan to be postmaster at Greenville, in the county of Pitt and State of North Carolina, in place of James J. Perkins. Incumbent's commission expires February 19, 1904.

J. Sanford Patterson to be postmaster at Spray, in the county of Rockingham and State of North Carolina. Office became Presidential July 1, 1902.

UTAH.

Stephen W. Ross to be postmaster at Lehi, late Lehi City, in the county of Utah and State of Utah, in place of Stephen W. Ross. To change name of office.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 18, 1904.

MARSHAL.

George K. Pritchard, of North Carolina, to be United States marshal for the central district of Indian Territory.

POSTMASTERS.

INDIANA.

John G. Lowry to be postmaster at Montezuma, in the county of Parke and State of Indiana.

LOUISIANA.

Albert H. Bassett to be postmaster at Kentwood, in the parish of Tangipahoa and State of Louisiana.

Levi P. Carter to be postmaster at Bunkie, in the parish of Avoyelles and State of Louisiana.

Joseph R. Domingeaux to be postmaster at Lafayette, in the parish of Lafayette and State of Louisiana.

Ernest A. Dupont to be postmaster at Houma, in the parish of Terrebonne and State of Louisiana.

Edward E. Fitzgerald to be postmaster at Minden, in the parish of Webster and State of Louisiana.

John W. Miller to be postmaster at Alexandria, in the parish of Rapides and State of Louisiana.

Rufus Morgan to be postmaster at New Roads, in the parish of Pointe Coupee and State of Louisiana.

S. F. Steere to be postmaster at Shreveport, in the parish of Caddo and State of Louisiana.

Jessie B. Wells to be postmaster at Leesville, in the parish of Vernon and State of Louisiana.

MISSISSIPPI.

Irene F. Elliott to be postmaster at Okolona, in the county of Chickasaw and State of Mississippi.

Thomas F. Logan to be postmaster at Friar Point, in the county of Coahoma and State of Mississippi.

John R. Matthews to be postmaster at Wesson, in the county of Copiah and State of Mississippi.

Wade H. Phyfer to be postmaster at New Albany, in the county of Union and State of Mississippi.

Thomas Richardson to be postmaster at Port Gibson, in the county of Claiborne and State of Mississippi.

NEBRASKA.

James L. Lashbrook to be postmaster at Oxford, in the county of Furnas and State of Nebraska.

NORTH DAKOTA.

Edmund K. Cavileer to be postmaster at Pembina, in the county of Pembina and State of North Dakota.

Emil O. Ellison to be postmaster at La Moure, in the county of La Moure and State of North Dakota.

Arthur H. Johnson to be postmaster at Drayton, in the county of Pembina and State of North Dakota.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 18, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following titles; when the Speaker signed the same:

H. R. 10954. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3400. An act to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899;

S. 2947. An act granting an increase of pension to Thomas Button;

S. 2924. An act granting an increase of pension to Samuel E. Cormany;

S. 3166. An act granting an increase of pension to Levi B. Lewis;

S. 2889. An act granting an increase of pension to John Beaird;

S. 2858. An act granting an increase of pension to Delia B. Stuart;

S. 2841. An act granting a pension to Jane Patterson;
S. 2797. An act granting an increase of pension to Edward A. Cutting;
S. 2712. An act granting an increase of pension to Harriet Billings;
S. 2689. An act granting an increase of pension to David M. Kanouse;
S. 2668. An act granting an increase of pension to Alpheus Fawcett;
S. 2250. An act granting an increase of pension to Anna Pritchard;
S. 2245. An act granting an increase of pension to Daniel Fritz;
S. 2236. An act granting an increase of pension to James Reed;
S. 2230. An act granting an increase of pension to Matilda C. Lothrop;
S. 2222. An act granting an increase of pension to Richard A. Kendall;
S. 2217. An act granting an increase of pension to Henry C. [illegible];
S. 2215. An act granting a pension to Sallie H. Hoffecker;
S. 2189. An act granting an increase of pension to George A. Seebold;
S. 2186. An act granting an increase of pension to Thomas Williams, alias Thomas W. Lennox;
S. 2103. An act granting an increase of pension to John L. McVey;
S. [illegible]. An act granting an increase of pension to Julia A. Roberts;
S. 2098. An act granting an increase of pension to Victoria M. Steele;
S. [illegible]. An act granting an increase of pension to William H. Harlow;
S. 1947. An act granting an increase of pension to Patrick Judge;
S. 1956. An act granting an increase of pension to Seth H. Craig;
S. 1954. An act granting an increase of pension to Benton D. Bitner;
S. 1953. An act granting a pension to Susan Fenno;
S. 1937. An act granting an increase of pension to Samuel Richards;
S. [illegible]. An act granting an increase of pension to Joseph W. Becket;
S. [illegible]. An act granting an increase of pension to Ambrose W. Severance;
S. [illegible]. An act granting an increase of pension Charles E. Decker;
S. 1892. An act granting an increase of pension to Isaac M. Couch;
S. 1889. An act granting an increase of pension to Henry H. [illegible];
S. [illegible]. An act granting an increase of pension to Frederick B. [illegible];
S. [illegible]. An act granting a pension to Rosa D. Mayhew;
S. 1534. An act granting an increase of pension to Electa Allen;
S. 1451. An act granting an increase of pension to Eleanor H. Hord;
S. 1428. An act granting an increase of pension to George Pennington;
S. 1359. An act granting an increase of pension to William W. Lackey;
S. [illegible]. An act granting a pension to Robert Kelley;
S. 1243. An act [illegible] pension to [illegible];
S. [illegible]. An act granting an increase of pension to [illegible] F. [illegible];
S. 1239. An act granting an increase of pension to John Adamson;
S. 962. An act granting an increase of pension to Jennet Thoits;
S. 897. An act granting an increase of pension to Lewis D. Fragge;
S. 895. An act granting an increase of pension to Charles Disbrow;
S. 891. An act granting an increase of pension to Erwin R. Cole;
S. 889. An act granting an increase of pension to Catherine A. Brown;
S. 2965. An act granting an increase of pension to John Herzinger;
S. 2648. An act granting an increase of pension to Malinda H. Chapman;
S. 2577. An act granting an increase of pension to Albert Marshall;
S. 2576. An act granting an increase of pension to James Redshaw;
S. 2643. An act granting an increase of pension to Leonard G. Freeman;
S. 2613. An act granting a pension to Sarah J. Bellamy;
S. 2561. An act granting an increase of pension to Mathias S. Friend;
S. 2559. An act granting a pension to James Graham;
S. 2558. An act granting an increase of pension to Sallie H. Kincaid;
S. 2557. An act granting a pension to [illegible] L. M[illegible];
S. 2549. An act granting an increase of pension to Charles W. Jellison;
S. 2548. An act granting an increase of pension to Emma McFarland;
S. 2544. An act granting an increase of pension to Albert T. Severance;
S. 2543. An act granting an increase of pension to Ella B. Green;
S. 2542. An act granting an increase of pension to James E. Larkin;
S. 2527. An act granting an increase of pension to Joseph Roberts;
S. 2517. An act granting an increase of pension to Elijah Farr;
S. 2509. An act granting an increase of pension to Abner B. Edson;
S. 2496. An act granting an increase of pension to Ebenezer Wing;
S. 2441. An act granting an increase of pension to Frank Lee;
S. 2440. An act granting an increase of pension to George Olsen;
S. 2418. An act granting a pension to Mary J. Johnson;
S. 2416. An act granting an increase of pension to Mary Joanna Adams;
S. 2392. An act granting an increase of pension to William W. Mismer;
S. 2373. An act granting an increase of pension to Charles Cummings;
S. [illegible]. An act granting an increase of pension to [illegible] M[illegible];
S. [illegible]. An act granting a pension to [illegible] J. Conway;
S. 846. An act granting an increase of pension to Catharine W. Collins;
S. 880. An act granting an increase of pension to Allen W. (alias Albert) Hall;
S. 797. An act granting a pension to Mary H. Allen;
S. 782. An act granting a pension to Mary D. Duval;
S. 594. An act granting an increase of pension to Finley T. Johnson;
S. 593. An act granting an increase of pension to William H. Horn;
S. 265. An act granting an increase of pension to Frances Gray;
S. 191. An act granting an increase of pension to Francis Roy;
S. 189. An act granting an increase of pension to Edwin H. Wheeler;
S. 167. An act granting an increase of pension to J. Hudson Kibbe;
S. 142. An act granting an increase of pension to Henry W. Nichols;
S. 136. An act granting an increase of pension to Mary T. Strickland;
S. 980. An act granting an increase of pension to Mary von Kusserow;
S. 70. An act granting an increase of pension to John G. Brown; and
S. 38. An act granting an increase of pension to Miriam R. Adams.

FORTIFICATIONS APPROPRIATION BILL.

Mr. LITTAUER. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12446) making appropriations for fortifications, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. SHERMAN in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House bill 12446, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 12446) making appropriations for fortifications and other works of defense and for the armament thereof, for the construction of buildings and machine shops, and for other purposes.

Mr. LITTAUER. Mr. Chairman, I ask unanimous consent that the formal first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. LITTAUER. Mr. Chairman, in presenting the fortification bill to the committee, I desire, in the beginning, to call attention to the moderate expenditure proposed in comparison with the estimates submitted. The annual estimates submitted by

the Secretary of War amounted to $12,099,297; but, immediately on the assembling of Congress, additional estimate upon estimate was received, aggregating $9,178,999. A worse example of the abuse of the advisability of estimate I do not believe can be found in our national experience. The aggregate of these estimates is $21,278,296. Your committee have, after diligent investigation, reported to the House this bill, carrying appropriations of $7,005,[illegible] for engineering the coast defense work in the United States and $1,[illegible] for the beginning of the fortification of the harbors of our insular possessions and $955,000 for the newly adopted [illegible] of field and mountain gun to be issued to the army in the [illegible]. The able chairman of the Committee on Appropriations [illegible] deficiency bill called the attention of the House, in his forcible and efficient manner, to "where we are at" in the comparison of estimated expenditure with estimated income.

The impressive conclusion following his plain statement of facts and figures has been steadily borne in mind by your committee in framing this bill. Each item of expenditure has been thoroughly examined with the purpose of allowing everything that was necessary and eliminating everything that was superfluous.

An essential consideration in connection with this bill is the vast amount now being expended annually for national "insurance." The increasing expenditures of the Navy now amount to $100,000,000. Few of us believe and yet fewer desire that these [illegible] should [illegible]. We are expending for the Army, [illegible] establishment, a like sum; and yet the country seems satisfied with these vast expenditures; for the people look upon them as upon the expenditures for coast fortifications as [illegible] of our national insurance, guaranties of peace, [illegible] of our interests and our settled policies, and precaution against any eventuality.

Our investigations have led to an examination of the subject of coast defenses, based upon the conditions, methods, and means employed in the progress of this work to date and [illegible] as a further examination of uncompleted projects, with their estimated cost for battery placements, for armaments, and for the men who will be required to man the guns when the work is completed.

[illegible] about twenty years since the country realized that its coast defenses, the Navy at that time, were practically worthless, utterly inadequate to our needs, and required building up from the very bottom, for we had expended for coast fortifications between 1875 and 1886 but $540,750 annually. In 1887 and [illegible] appropriations were made, in view of the projects then under consideration. The fortification acts of 1888 and 1889 inaugurated a policy [illegible] recommendations of the Endicott board for the fortification of the twenty-seven chief harbors of our coast, and led to appropriations between 1889 and 1896, in eight appropriation acts, of $22,489,224, or an average of $2,811,153 annually.

This brought us up to the time of the war with Spain, with its accompanying, though utterly uncalled for, fear of attack along our [illegible] coast. Congress, in response, began greatly increased appropriations, and the eight fortification bills from 1897 to 1904 [illegible]; and, in addition, $8,074,898 was carried during [illegible] deficiency bills, and $12,[illegible],840 was allotted for coast fortifications out of $50,000,000 appropriated in March, 1898, for national defense.

We therefore have an aggregate expenditure during these eight years of $82,340,000, or an average each year of $10,292,000, in [illegible] the previous eight years, and [illegible] the fourteen years prior to those.

In addition to the sums carried in the fortification appropriation acts, the Quartermaster-General has already expended for [illegible] forts $9,806,849; and he estimates that to provide barracks for the number of men needed by the Chief of Artillery to man the guns already in place will require [illegible]. So that we have a total aggregate expenditure [illegible] in the United States, up to date, of [illegible], or a round sum of $90,000,000.

[illegible] as to the cost for the completion of the scheme of the Endicott board as originally laid down and as it has been proposed to include thirty-one harbors. During the fifteen years that have elapsed since the Endicott scheme was adopted great advance has taken place in ordnance and in ship construction. At that time the rapid-fire gun was in its infancy, and ships were built to carry guns of the largest caliber and with [illegible] heavy armor. The development of the rapid-fire guns and the increase in the resisting power of armor have brought about changes in ship construction and necessitated corresponding changes in coast fortifications. The tendency at this time is toward the installation of guns of more moderate caliber on disappearing gun carriages, with a large reenforcement of the rapid-fire armament. To complete this modified scheme the Chief of Engineers estimates that he will have to expend $27,000,[illegible] in addition to the $27,993,434 already expended for the installation of his work. The Chief of Ordnance estimates that for armament he will require $12,113,775 in addition to the $[illegible] already expended. The Quartermaster-General estimates $15,260,000 in addition to the $9,806,489 he has expended for barracks.

The Chief Signal Officer estimates a million and a half in addition to the half million he has so far expended on the new system of fire control. We therefore have an aggregate of estimates of $50,000,000 to complete the projected or approved works, in addition to the $90,000,000 already expended.

This brings us up to the consideration of the annual charge for repairs, for maintenance, for alterations, for keeping up to date the battery emplacements, the guns, the barracks and all other construction. The Secretary of War estimates that cost will be 5 per cent of the total cost of the completed plant, or $7,250,000 each year.

And now for the men who will have to man the guns. The chief of artillery stated to me the gross adversary confronted he will require an early date an additional force of 8,[illegible] men for the coast defenses in the United States alone; that when the work now approved and projected is completed his force must be increased by 15,003 men, or, in other words, that when the approved [illegible] in order [illegible] have a force of 4,[illegible] officers and 2,[illegible] men at an annual expense for pay, clothing, and subsistence of $[illegible], together with an artillery reserve of organized militia consisting of [illegible] officers and 27,102 men.

To sum up, when this coast-fortification plant in the United States shall have been completed, at a cost of $[illegible], it will require an annual charge of $18,000,000 to keep it up to date and to man the guns.

Mr. Chairman, these are formidable figures. They represent a heavy annual charge for coast defense insurance, and [illegible] "slow" and not rush this work of completion, being guided in their conclusion by the opinion of General Crozier, late Chief of Engineers, and now assistant Chief of Staff, that the twenty-five principal harbors of our coasts are now so fortified as to present an [illegible] and that, moreover, further [illegible] is [illegible] such defense that would make any naval commander hesitate to approach our harbors.

And again, General Rodgers, Chief of Artillery, lately retired, states that the condition of our coast defenses today has reached such a state of completion that the paramount necessity is to be able to use the guns to the best advantage, and that appropriation for [illegible] as to carry out this purpose should take precedence [illegible] of more guns. [illegible] of the guns [illegible]. We have provided plentifully and liberally in the bill for such apparatus, for searchlights, for range-finders, for the new system of fire control, which we are now informed will double the effective value of every gun in our coast defenses.

We have made liberal appropriations for ammunition, powder, and projectiles for practice of the troops, and we have believed that the delayed installation and completion of this work will permit of an adequate training of the officers and men of the artillery force who [illegible].

The problem of the fortifications of the harbors of our insular possessions has again been brought to our attention by the submission of estimates. Last year it was thought best to defer specific appropriation, but the recent requests of the Secretary of War and the Secretary of the Navy demanded consideration and could no longer be disregarded.

This appropriation should not arouse partisan consideration, for no matter what may be our opinion as to the permanent retention of these islands, whether or not we believe that at some day they will be given autonomous government, we all must agree that whatever the future may have in store for them a naval base will be retained at each of the principal islands, just as has been provided for in Cuba. Six harbors have been approved for defense, San Juan in Porto Rico, Pearl Harbor and Honolulu in the Hawaiian Islands, San Luis d'Apra in Guam, Manila and Subig Bay in the Philippines.

In case of war the permanent retention of these islands could not be continuously maintained against an enemy commanding the sea, but a temporary loss of sea power with the harbors fortified would prevent complete disaster, and it would seem to be the part of common prudence to prevent such complete disaster by providing fortifications. Without fixed fortifications a ship or squadron could enter any of these harbors and have at its mercy the city, just as we did at Manila.

Your committee have proposed an appropriation of $1,138,000 for the beginning of these insular fortifications, which, according to the estimates, will cost for the engineers' work alone $9,992,100, and in all probability a round $[illegible] for their completion.

I would ask the gentleman from Arkansas whether he wishes to take any time now?

Mr. ROBINSON of Indiana. Before the gentleman resumes his seat, I would like to have an explanation of an item of this bill.

The CHAIRMAN. Does the gentleman yield to the gentleman from Indiana?

Mr. LITTAUER. Certainly.

Mr. ROBINSON of Indiana. I see the gentleman reporting the bill from the committee having it in charge has carried in this bill, on page 9, the same general language, I understand, as has appeared in bills heretofore on the subject of the Board of Ordnance and Fortification an appropriation of $100,000 for purposes stated in the acts. I would like to ask the gentleman what was done with the $100,000 appropriated in the last bill.

Mr. LITTAUER. I would answer the gentleman by referring him to the report of the Board of Ordnance and Fortification, which gives the detail of a large amount of examinations of all sorts of projectiles and guns and such matters as generally come before this Board.

Mr. ROBINSON of Indiana. As the gentleman has not mentioned it, I will ask him specifically——

Mr. LITTAUER. You mean in regard to the air ship.

Mr. ROBINSON of Indiana. I was going to ask the gentleman how much of that $100,000 that the last bill carried was used in making the Langley air-ship experiment?

Mr. LITTAUER. I am advised that during the last two years $[illegible] each year was allotted for that purpose.

Mr. ROBINSON of Indiana. Will the gentleman be able to inform us how much was allowed for several years prior to those two years for the purpose of the Langley air-ship experiment?

Mr. LITTAUER. I have not any information on that point.

Mr. ROBINSON of Indiana. Is the gentleman informed how much of the $[illegible] was used in the payment of salaries?

Mr. LITTAUER. That matter was not gone into in our hearings.

Mr. ROBINSON of Indiana. The committee has made no inquiry upon that point?

Mr. LITTAUER. The committee has made inquiry upon the point, as it appears in the report of the hearing of the representatives of the Board of Ordnance and Fortifications. I will just read you what [illegible] in that regard.

Mr. ROBINSON of Indiana. If the information is not specific and the gentleman will state that specific information is contained in the report, I can avail myself of it there.

Mr. LITTAUER. Just [illegible]. That the Board of Ordnance and Fortifications believe that if an air ship could be invented such as was proposed by Mr. Langley it would be of great service in time of war. They therefore allowed for that purpose $[illegible] of the last two years.

Mr. ROBINSON of Indiana. Any sum prior to that time?

Mr. LITTAUER. We did not ask that question. I do not know whether there was now or not. We were informed that any number of similar purposes for aerial navigation have been presented to the Board of Ordnance and Fortification, and they made an allotment for [illegible] purpose.

Mr. ROBINSON of Indiana. Can the gentleman say whether any portion of that allotment was used for the payment of salaries?

Mr. LITTAUER. I am not able to tell.

Mr. ROBINSON of Indiana. Can the gentleman state as to whether any sum, in addition to the $[illegible] were given, came out of the private funds of the Smithsonian Institution for that purpose?

Mr. LITTAUER. Again I am [illegible] that did not come before the Subcommittee on Fortifications, and we have no information on that subject.

Mr. ROBINSON of Indiana. No information from the Bureau?

Mr. LITTAUER. No, sir.

Mr. ROBINSON of Indiana. May I ask the gentleman whether Mr. Samuel P. Langley draws a salary from [illegible]?

Mr. LITTAUER. I can not give you any information as to that. From what I know in a general manner of the allotment by the Board of Ordnance and Fortification a lump sum was given Mr. Langley to continue his experiments for the last two years in the way of endeavoring to achieve his purpose.

Mr. ROBINSON of Indiana. Can the gentleman say upon what salary list Mr. Langley appears in the Government service?

Mr. LITTAUER. I have not examined the Government salary list to find whether he drew any salary or not.

Mr. ROBINSON of Indiana. With reference to the $100,000 appropriated in this bill, in the same language as formerly, what information has the gentleman as to whether that appropriation, or any portion of it, is to be used for the further projection or experimentation of this device of the Langley air ship?

Mr. LITTAUER. That was a consideration taken up by the committee, and it was determined to place no limitations on this bill, for the committee felt that perhaps experiments even in air ships might in the future lead to some good result and provide some more efficient means of defense.

Mr. ROBINSON of Indiana. Is it the purpose of the gentleman or the committee reporting the bill, then, to continue appropriations for the Langley aerial experiments?

Mr. LITTAUER. The committee has never reported any appropriation for that purpose. The committee has sought to appropriate each year for many years past $100,000 to carry out the purposes for which the Board of Ordnance and Fortification was established, and every allotment must have the approval of the Secretary of War before it can be [illegible] available.

Mr. ROBINSON of Indiana. I assume from the gentleman's statement that Congress at no time has authorized any expenditure for the Langley air-ship experimentation except in the general language set out in this bill following the language of former bills?

Mr. LITTAUER. That is all as far as I am informed.

Mr. ROBINSON of Indiana. I ask the gentleman if it is the purpose of himself and the members of his committee to continue experiments for the Langley air ship by the appropriation made in this bill, and in connection with that if he would not think that a proviso to this $100,000 appropriation, designing to cut off further loss of money by experimentations in the line of the Langley air ship, should not be presented in the form of an amendment to the bill limiting the use to which the appropriation could be made?

Mr. LITTAUER. I think that amendment would be subject to the point of order. Moreover, I believe that Congress should have confidence in its board of experts, who of course are better advised than ourselves as regards such matters.

Mr. ROBINSON of Indiana. The gentleman then stands sanctioning the expenditure of money for the Langley air ship, as I understand?

Mr. LITTAUER. I believe it was expended with the best of intention. Unfortunately, I suppose for the time being it looks as though it was wasted.

Mr. ROBINSON of Indiana. Does the gentleman say it was wasted or not, and in his judgment would it not be well for us to expressly put a limitation in this act that no more money should be used for such experimentation?

Mr. LITTAUER. I am not prepared to give any opinion on that subject, nor does the report of the Board of Ordnance and Fortification state whether or not they mean to continue the further approval of the project.

Mr. SMITH of Kentucky. Mr. Chairman, before the gentleman takes his seat I would like to ask him a question.

The CHAIRMAN. Does the gentleman yield?

Mr. LITTAUER. Certainly.

Mr. SMITH of Kentucky. I understand from the gentleman's statement that this bill, if passed, commits us to a policy of permanently fortifying our insular possessions. Did I understand the gentleman correctly?

Mr. LITTAUER. This bill, if passed, would make a beginning in the fortification of the harbors of our island possessions. So far there has been no specific authorization for that purpose.

Mr. SMITH of Kentucky. How much does the bill carry for that purpose?

Mr. LITTAUER. One million one hundred and thirty-eight thousand dollars.

Mr. SMITH of Kentucky. How much does the gentleman say is the estimated cost of fortifying these insular possessions?

Mr. LITTAUER. The project covers six harbors, and the Chief of Engineers states that to carry out the approved projects, as far as the emplacement of the guns goes, will cost in the neighborhood of $10,000,000, and from that I infer that the total cost will probably amount to $20,000,000 or $25,000,000.

Mr. BRUNDIDGE. I would like to ask the gentleman from New York, before he takes his seat, what arrangement was made as to debate. I was not in the House at the time.

Mr. LITTAUER. There were no arrangements made as to general debate.

Mr. BRUNDIDGE. About what time does the gentleman think debate should continue before a vote should be taken on the bill?

The CHAIRMAN. Does the gentleman from New York reserve the balance of his time?

Mr. LITTAUER. I reserve the balance of my time. I will say to the gentleman that I trust debate will not extend more than

an hour on each side; in fact, if there is no desire to debate the bill further, I would ask that it be read by paragraphs.

Mr. BRUNDIDGE. Mr. Chairman, I have no disposition to interpose an objection or oppose any needful and necessary measure that has for its purpose the proper armament of our coast defenses or of this country. But in view of the testimony taken before the committee reporting this bill and which has been printed in the hearings upon the same, from all of which, without exception, it appears that we are better prepared now than ever before to successfully resist any attack that may be made upon the country from any source, our seacoast fortifications all being [illegible] and in view of the further fact that we are not [illegible] of a possible attack in the near future, it seems to me that there are some items in this bill that are extremely extravagant and subject to a just criticism and ought to be materially reduced before acted upon and passed by the House.

It is true the bill appropriates only $7,131,192, or about one-third of the amount estimated and called for by the War Department. The committee has done well so far in cutting it down to its present size, and yet, in my candid judgment, it is subject to still further [illegible] and good reason [illegible].

[illegible] appropriate, for instance, in the one item for the installation of fire control the sum of $500,000. This is an electrical [illegible] with the use of coast artillery and [illegible]. This item, it seems to me, is out of [illegible] a new and untried experiment [illegible] tested or investigated. There is not to-day in operation in the United States one single fire-control machine that has been installed in any fortification, and if they have ever been installed anywhere else we have no [illegible].

Mr. LITTAUER. Mr. Chairman, will the gentleman yield to me for a [illegible]?

Mr. BRUNDIDGE. Certainly.

Mr. LITTAUER. I would like to advise my colleague that since our hearings have [illegible] Chief Signal Officer has advised me that two of these systems have been installed, one at Pensacola and the other at Portland.

Mr. BRUNDIDGE. I am glad to know that they have at last gotten in two of them, but their rapid installation just at this time must have been hastened by the [illegible] of the appropriation of this half million dollars, for only last week it was positively stated that not one was in operation.

But, be that as it may, it makes no difference. I have stated that this was an untried experiment, and so it is. Abundant evidence of this fact will be found in the estimates of these [illegible] submitted with the first request for their purchase. The first estimate made for the fire-control system was that they would cost $2,100 apiece to install and put them in operation.

The next [illegible] before the committee was that it would [illegible] in operation, or an increased cost of [illegible]. I believe by both the [illegible] and its cost are but little understood.

[illegible] and I still think [illegible] sum to be appropriated by this House [illegible] we would [illegible] that it would be worthless when it is completed. At the proper time I shall offer an amendment to the bill reducing this appropriation, and sincerely hope for its [illegible].

[illegible] this bill for armament and land fortifications [illegible] for that purpose.

[illegible] ordinary [illegible] it would not be an extravagant [illegible] and for fortifying the forts of the country and [illegible] but when we consider [illegible] it is not needed. The testimony of General Story, of the United States Artillery, is to the effect that without the expenditure of another cent we already have all the armament and [illegible] commands [illegible] sity for this [illegible] at this time? No valid reason has yet been given for [illegible] will be given.

I am not [illegible] that General Story has asked for [illegible] more than he asked for, and his estimate does not include about 1,000 officers. In other words, we are given to understand that it will take 28,000 men to properly man the fortifications of this country and protect our cities during the [illegible] from possible bombardment.

Mr. Chairman, if we are to give the 28,000 men asked for by the War Department, [illegible] together with 1,000 officers, and then add to that the expense that will necessarily follow each year of providing for the installation of new guns and equipment, we will find ourselves, in the next six or seven years, expending for coast defense alone in this country $30,000,000 a year. Add to this the $10,000,000 estimated for our insular possessions, and we are almost face to face with the proposition that we are called upon to expend annually the enormous sum of $40,000,000 for the defense of our coast alone.

Mr. SMITH of Kentucky. Will the gentleman allow me a question?

Mr. BRUNDIDGE. With pleasure.

Mr. SMITH of Kentucky. I should like to know whether the committee has any information as to the cost per annum of each man employed in these fortifications?

Mr. BRUNDIDGE. Only in a general way. My information is that it now costs more than a thousand dollars per annum each. I think there is no question about it being as much as that.

Mr. SMITH of Kentucky. So that 20,000 men will cost annually about $[illegible]?

Mr. BRUNDIDGE. At least that sum; certainly not less.

Now, let me say that I would not take one dollar away from an appropriation that was necessary and needed to protect and defend this Government or any part of it, but Mr. Chairman, I believe that at present these large sums are needless. Yes, more than that, I believe that they are unjustly extravagant, and this House in justice to itself and in justice to the country ought to reduce them to a basis economical and just under conditions as they to-day exist.

Mr. RIXEY. Will my friend allow me a question?

Mr. BRUNDIDGE. Certainly.

Mr. RIXEY. I notice that this bill carries provision for the construction of seacoast batteries in the insular possessions. Can the gentleman tell us in which of those islands these batteries are to be placed?

Mr. BRUNDIDGE. No sir; I can not. The matter of their location is, as I understand it, left entirely with the War Department to say where such batteries are most needed, with the exception possibly of island Manila.

Mr. RIXEY. I should like to ask the gentleman further, whether his committee, the Committee on Appropriations, made any investigation as to where these batteries should be placed?

Mr. BRUNDIDGE. They did not, further than it was understood that the purpose was to fortify Manila and Subig Bay.

Mr. RIXEY. Let me ask the gentleman, what is supposed to be the ultimate cost of these coast defenses in the Philippine Islands?

Mr. BRUNDIDGE. I will simply say to the gentleman that [illegible] not even attempted to be estimated by any [illegible] committee. The estimate for the present year was for $10,000,000; but this, you will understand, was just the commencement.

Mr. RIXEY. To what extent would the sum of $10,000,000 furnish [illegible] for the Philippine Islands?

Mr. BRUNDIDGE. It would be impossible to say; but my understanding is that it would fortify Manila and Subig Bay only in the Philippines and Honolulu and Pearl Harbor in Hawaii.

But, Mr. Chairman, before this [illegible] I was discussing [illegible] we would save by [illegible] in this connection I desire to call attention to some other items of expense that are being paid in the Army and Navy. The army bill just passed carries [illegible] 000, and the naval bill will call for nearly [illegible].

Nor is this all—far from it. To complete the [illegible] which Congress has already provided for will take [illegible] and the bill now pending before this House calls for [illegible]. They will no doubt cost equally as much, to say nothing of the cost of equipment. I ask, in candor, why should we [illegible] at this [illegible] Why not wait until we have [illegible] more?

We are fast reaching that period in our [illegible] we will find our [illegible] as taxed, or more [illegible] as we would [illegible] in a financial sense. Such a condition is not [illegible] and ought to receive the [illegible].

I recognize the fact that for the past few years the spirit of militarism seems to be abroad in the land, and the clamor is for larger appropriations, but it is at times such as these that the most [illegible] and patriotic statesmanship should be behind the mask of patriotism, does its most effective and [illegible] work.

Against progressing further along these lines I desire to register a solemn protest, for this is not an untried experiment. Other governments have proceeded along the same paths until they found that every producer, in addition to providing support for himself and family, was obliged to support one soldier.

And if we shall continue to lay the heavy hand of taxation upon every industry and upon every producer to raise these large sums annually, and that too at a time when we are at peace with all the world, we may expect to hear—and ought to hear—the murmurings and complaints of a justly indignant people, demanding economy in governmental affairs. Other gentlemen may do as they please, but I can not give my support to these measures. [Loud applause.]

Mr. LITTAUER. I can answer that question. It is designed to fortify the harbor of Manila and the harbor of Subig Bay, and no other projects are now approved for the defense of the Philippine Islands.

Mr. RIXEY. Those are the only two points now approved? If it is important to fortify those two points, is it not equally important to fortify other points in the Philippine Islands?

Mr. LITTAUER. My personal opinion would be that it is not. One object of the appropriation is to protect the city of Manila, the most considerable city of the Philippine Islands, and the other is designed to fortify Subig Bay, where it is expected that a naval depot will be established.

Mr. RIXEY. Now, will the gentleman let me ask him whether the War Department has outlined what it expects in the Philippine Islands in the matter of defense?

Mr. LITTAUER. I can give you that with quite an amount of detail in connection with these two points. I have the approved scheme here. The projected emplacements are all matters of confidential information. I could show the gentleman, if he would care to examine it, a paper stating the exact number of guns meant to be emplaced at specific points about the harbor of Manila and the harbor of Subig Bay, the only ones selected in the Philippine Islands.

Mr. RIXEY. While, as a matter of fact, that detail may be, as you say, in the nature of confidential information, you can certainly give us what is estimated to be the ultimate cost.

Mr. LITTAUER. As far as the ultimate cost goes, I would state that at this time the engineers alone have made an estimate of the cost of their work in connection with the fortifications of these insular harbors. The artillery and Quartermaster-General have not yet made any specific estimates for their part of the work. If you would like to know the amount of the engineers' estimate for the Philippine Islands, I can give that.

Mr. RIXEY. You can not give us the total amount now?

Mr. LITTAUER. I can not give the total amount. It can only be inferred from what the engineers estimate.

Mr. WILLIAMS of Mississippi. About $10,000,000 was the amount recommended for this year for Subig Bay and Manila, was it not?

Mr. LITTAUER. Oh, no.

Mr. WILLIAMS of Mississippi. How much for those two places?

Mr. LITTAUER. The total recommendation for this year for the emplacement of mortars and batteries was $2,000,000. That was the estimate submitted.

Mr. WILLIAMS of Mississippi. At Subig Bay and Manila?

Mr. LITTAUER. No; for the entire six harbors of the insular possessions. There is no specific amount.

Mr. WILLIAMS of Mississippi. What six harbors?

Mr. LITTAUER. San Juan in Porto Rico, Pearl Harbor and Honolulu in Hawaii, San Luis d'Apra in Guam, and Manila and Subig Bay in the Philippines.

Mr. WILLIAMS of Mississippi. How much was the total recommended for this year for Guam and the Philippines?

Mr. LITTAUER. Specific recommendations are not made in the estimates for any particular purpose. We deal in lump sums in this bill, that are available until expended. The estimates call for $2,000,000 for the emplacement of batteries and mortars. Your committee allowed $[illegible].

Mr. WILLIAMS of Mississippi. I see there was a million dollars allowed here.

Mr. LITTAUER. Yes; but that consists of the cost of emplacement, which the engineers expend, the cost for guns, which the Ordnance Department expends, and ammunition for the guns.

Mr. WILLIAMS of Mississippi. What I should like to get at is, including all of these items, how much was estimated and how much is appropriated in the bill for the Philippines and Guam by themselves, leaving out Porto Rico and Hawaii.

Mr. LITTAUER. We have made no figures in that connection. If this appropriation should be allowed it would apply to the entire insular possessions.

Mr. WILLIAMS of Mississippi. They could put them all at any place.

Mr. LITTAUER. They could put them all at any one place, or do as they please. In fact your committee has believed that they have the right to employ whatever part they might desire of any of these regular appropriations for the fortification of the insular possessions, but no such use has so far been made of any of the appropriations, and consequently in this bill we desired to separate the amounts designed for insular protection from the rest of the bill, and if you will notice the way the bill is made up, as it is now presented to the House, it is entirely different from the submission of estimates, where the amounts for insular possessions were interlocked with the other work. We seek to keep the cost for insular fortification entirely separate from the cost of the completion of the Endicott scheme.

Mr. WILLIAMS of Mississippi. I agree with you, that if you are going to give general lump sums to seacoast fortifications, there is no use in making a distinct mention of any particular part of the United States under the same flag and possibly under the same Constitution; but as you have made the distinction, I would like to get an idea of the general lump sum that goes to the Philippines and to Guam, because nobody on your side has admitted that they were a part of the United States.

Mr. LITTAUER. On page 27 of the hearings before the committee the Chief of Engineers states the sum that would be required to carry out the projects for the fortifications of the various harbors. This is only for the engineer work.

Mr. WILLIAMS of Mississippi. I understand that.

Mr. LITTAUER. For San Juan, Porto Rico, $1,525,000; Honolulu and Pearl Harbors, Hawaii (including $526,100 for the acquisition of land), $3,324,100; San Luis d'Apra, Guam, $395,000; Manila, $3,651,000; Subig Bay, $997,000; a total of $9,992,100 for the engineer work in connection with these insular fortifications.

Mr. WILLIAMS of Mississippi. That is, for Subig Bay, Manila, and Guam, $5,043,000?

The CHAIRMAN. Has the gentleman from Arkansas surrendered the floor?

Mr. BRUNDIDGE. No, sir; I desire to reserve the balance of my time.

The CHAIRMAN. The gentleman from Arkansas reserves the balance of his time.

Mr. LITTAUER. Mr. Chairman, I yield an hour to the gentleman from Connecticut.

Mr. HILL of Connecticut. Mr. Chairman, I propose to take so much of the hour as is necessary to consider the subject of "What Democracy now stands for," and I should like to be permitted to proceed without interruption until I have finished the remarks which I have prepared, and then I will with pleasure answer any question that may be asked.

Mr. Chairman, it is not one of the pleasant features of Congressional life to be compelled to listen from day to day, as we have done for the past few weeks, to bitter denunciations of the Republican party and its policies, even though uttered by the gifted leader of a reformed and expectant Democracy.

It was not a delight to know upon the assurance of the gentleman from Mississippi [Mr. WILLIAMS], given "in all kindness," as he says, that the remarks of the gentleman from Indiana upon the Kentucky situation were "a disgrace to American civilization and to American politics."

It is a not a positive satisfaction to have it driven into our dull minds over and over again that a fiscal policy adopted by every civilized nation but one, and a very live subject of debate just now by that one, is "a system of robbery of the many for the hothousing of the few."

We are glad, however, to realize, even at this late day, that the teachings of Lincoln, McKinley, and Blaine have been ruinous to the nation's welfare, and that the wonderful development of this country, which a Salisbury and a Bismarck attributed to the Republican system of protection, has been hindered instead of helped by that policy.

And we rejoice to learn, even upon Democratic authority, that in some mysterious way unknown to His coworkers on this sublunary sphere God Himself, by His distinct interposition, has providentially saved us from the natural results of our own folly.

Richard Cobden said years ago that "if free trade was adopted by England the United States would dig, delve, and plow for them."

Joseph Chamberlain says now that "the Americans themselves have not so conceived their national destiny."

But Cobden spoke before steam had won its complete victories and when electricity was unknown. He prophesied when men were slaves and to work was a disgrace.

Chamberlain answers him in the blazing light of the twentieth century, when time and distance are blotted out, when oceans are mere dividing lines, and all nations touch elbows in their onward march, and labor is an equal partner in the enterprises of mankind.

It remains for the gentleman from Mississippi, himself the finished product of heredity and environment, to attempt to turn this nation back a century and again make it an exporter of

natural products only, "to dig, delve, and plow" for Europe. It is well for the country to know and to know clearly and definitely "what Democracy now stands for." But first let me say to him that when he talks of the men of Massachusetts and Connecticut coming before Congress "crawling upon their stomachs, with their tonges hanging out, licking up the dust" and begging for favors, he not only shows himself an injudicious party leader, but he forgets the history of his country.

Forgetful, because from 1639, when Connecticut gave to the world the first written constitution ever made, till now, not even omitting recent years, Connecticut men have bowed to none but God and will not in the future.

Injudicious, because the industrial center of this nation has long since left New England and is now in central Ohio, and 58 of his party followers in this House hail from Republican States, and their constituents, like mine, without regard to party, will resent his bitter words, and the constituents of those 58 Democrats in the last election cast 1,976,936 votes, or 189,817 more than were cast for the entire 120 Democratic Members from the Democratic States, that aggregate vote being 1,787,119.

Gentlemen of the minority, what does Democracy now stand for and on what issues will you make your fight for the control of this House in the next campaign?

Four years ago your national convention reaffirmed the Chicago platform of 1896 and reiterated its demand for the free coinage of silver at 16 to 1, and declared for the retirement of bank notes as fast as Government paper—or silver certificates—could be substituted for them. In either case, it meant fiat money.

Eighteen months ago the Democratic Congressional committee, through its secretary, Mr. Charles A. Edwards, authorized the statement that—

> The Democratic Congressional committee is standing squarely on the Kansas City platform [illegible] and it will [illegible] shall be held.

The Hon. JAMES M. GRIGGS, of Georgia, is chairman of that committee, and among its members are Messrs. ZENOR of Indiana, GOOCH of Kentucky, DENNY of Maryland, THAYER of Massachusetts, WILLIAMS of Mississippi, and RICHARDSON of Tennessee—all standing high in the party councils.

To-day the Representative from the Eighth district of Mississippi distinctly stating that he speaks only for himself—relegates the silver question to the rear, but still holds to the front the far more dangerous heresy of fiat Government paper in lieu of national bank note issues.

I commend to the gentleman the words of Grover Cleveland, just uttered:

> This is no time for cunning finesse nor for the use of words that conceal intentions or carry a double meaning. Obsolete issues and questions no longer challenging popular interest should be manfully abandoned.

Over against the gentleman from Mississippi I put William J. Bryan, with 6,358,133 Democratic votes for the Presidency behind him, and in view of his recent statement that—

> The Kansas City platform was sound in every plank, and the first act of the next Democratic convention should be to reaffirm it in its entirety—

we have a right to ask again, What does Democracy now stand for?

But there is another point on which we need enlightenment. A few days ago the gentleman from Mississippi, in a magazine article, said:

> There is also a tariff revision by piecemeal, which is a handmaiden of the other system. This is tariff revision by [illegible] this line can be conducted under the Dingley law, with nothing but the small [illegible] tariff.

Permit me to say that so far as the latter part of this statement is concerned I heartily agree with him, and I hope to see the time in the near future when every one of the treaties which were negotiated by the McKinley Administration, sent to the Senate with President McKinley's approval, and reported favorably by a Republican Senate Committee on Foreign Affairs, will become the law of the land.

I believe in reciprocity in competitive products as the full fruition of the protective system, but the conditions must be prescribed by those who would preserve the system and not by those who would destroy it.

But when I turn to the Democratic text-book, issued by the committee of which the gentleman from Mississippi is a member, I find under the heading, "The Reciprocity Humbug," on page 277, these statements:

> Reciprocity looks like free trade, but tastes like protection. In practice [illegible] protection. Free trade would open our markets to [illegible] country.
>
> Reciprocity gives nothing for the consumer and hunts foreign markets with a club.
>
> Reciprocity is based upon the [illegible] false theories as is protection and, like protection, is a sham and a humbug and to most people has been and will ever continue to be a delusion and a snare.

Reading these two declarations and putting the unauthorized statement of the individual against the official pronunciamento of the committee, I ask again, What does Democracy now stand for?

But there is one subject upon which the Democratic position, according to the chosen leader of the party in this House, is clear and explicit, and that is the tariff question.

I quote:

> As to the tariff, the Democratic party stands for the principle that protection is a system of taxation, under which it may happen that a few may be benefited by robbing the many, but that it can not benefit the nation as a whole. Its goal of Democratic tariff revision is tariff for revenue only. That general principle, that protection is robbery, [illegible] privileges, should never be forgotten; the goal ought not to be lost sight of.

There is no uncertainty about this; no attempt to evade the question.

It is like the man who uttered it—brave, courageous, strong. It leaves no chance for misunderstanding.

Tariffs are admitted to be necessary to meet the expenses of the Government, but in their imposition protection to American industry must be eliminated, not all at once, not fast enough to "destructively revolutionize existing conditions nor to destroy honest and nonmonopolistic enterprises," and, above all things, cautiously enough, so that the reformer "and those of his opinion may not be hurled out of place and deprived of the power of doing anything," but "the goal is never to be lost sight of."

Even the details of procedure are set forth by the familiar illustration of the destruction of the house in which we live, not rashly and recklessly by blowing it up with dynamite, but by first taking off the roof and so proceeding gradually to dismantling and removing it, while still continuing in its occupation.

Let me say to the gentleman from Mississippi that neither the manufacturers nor workingmen of Connecticut are ready for a lingering death by slow torture.

With the definite knowledge of the end sought under your control we would prefer to have the method of obtaining it short, sharp, and decisive.

We give you fair notice now that if the time should ever come that the reconstruction of our industrial system devolves upon those who would construct a tariff with all protection eliminated, it is better to have the dynamite applied at the start, for in our northern climate, when the roof is gone and the windows out and the walls taken down and the floors removed, there is nothing left but a foundation which serves no other purpose except as a monument to mark a hole in the ground, and a residence of that kind will not be satisfactory to our people.

We repudiate the charge of moral wrong in the protective system, and denounce it as a slander upon the integrity and intelligence of the civilized nations of the earth which have made it the fundamental feature of their fiscal policy.

We admit neither the superior honesty nor greater wisdom of the free trader, either individually or collectively, either theoretically or as a matter of fact.

We acknowledge that he is honestly seeking in his own way for the protection of the nonproducer by free trade in untaxed articles of consumption, but we claim that the producer of every class, from the tiller of the soil to the manufacturer of the highest product of human skill, far outnumbers him, and that not only the greatest good of the greatest number, but the highest good of all, demands that the home market shall be reserved to those who by their labor and toil and self-denial have made it what it is to-day—the envy of the world.

We understand as well as he that the planters of the South, with a hitherto world's monopoly of a single product, still desire and hope to have all other products bow down to it; but cotton is no longer king, and mankind has learned that those nations only are strong and great and rich where industries are diversified and all resources are developed to their fullest extent.

Free trade puts raw material, the product of unskilled labor, into the world's market across the seas at competitive prices, and takes in return the finished article, with transportation both ways added, and at noncompetitive prices fixed as a tribute to the highest mechanical skill.

Protection puts the factory beside the farm, the furnace over the mine, makes the producer and consumer one and the same person, and, avoiding all intermediary charges, gives to both the lowest cost and the highest profit possible.

Not as an absolute proof of this principle, for prices of commodities are governed by conditions, but as a singular coincidence, I submit a statement of articles of common use, seven of them being on the free list and twenty-one dutiable, with prices ranging from July, 1896, a year before the enactment of the Dingley tariff law, and down to January, 1904.

Items on free list.

	July, 1896.	July, 1901.	July, 1902.	July, 1903.	January, 1904.
Anthracite stove coal (f. o. b. New York) per ton	$3.831	$4.236	.....	$4.90	$4.75
Anthracite broken coal (f. o. b. New York) per ton	3.828	3.509	.....	4.55	5.00
Copper, ingots, bars, sheets, pigs, plates, etc. per lb.	.115	.17	[illegible].225	.1425	.125
Flax, dressed or undressed per lb.	.....	.10	.....	.....	.....
Jute, raw per lb.	.....	.02½	.....	.045	.045
Jute, manufactured, not woven, not cut, not made up, etc. per lb.	[illegible].5	1.[illegible]	1.22	1.50	1.55
Petroleum, crude, and all other than refined, for export per gal.	.069	.069	.074	.14	.15
Petroleum, refined (illuminating) per gal.	.04	.85	.77	.87	.93
Sawed boards per M.	.....	.....	.095	.0792	.0[illegible]
Lumber, rough do	.....	.....	.1425	.145	.145

Items on dutiable list.

	July, 1896.	July, 1901.	July, 1902.	July, 1903.	January, 1904.	Duty.
Alcohol (95 per cent) per gal.	$2.91	$2.43	$2.51	$2.48	$2.40	$2.25 per gal.
Brick per thousand	5.25	5.75	6.25	5.25	.....	25 p. c.
Bread, Boston crackers per lb.	.065	.08	.....	[illegible]	.07	20 p. c.
Cheese, all kinds per lb.	.065	.0625	.....	.08	.....	50 p. c. and up.
Cement, Portland per bbl	.85	1.00	.95	.90	.95	8c. per lb.
Coal, bituminous per ton	[illegible]	1.[illegible]	1.05	1.05	1.05	80 p. c.
Coke per ton	[illegible]	.[illegible]	.....	.08	.08	45 p. c.
Corn, shelled per bu.	1.[illegible]	.9[illegible]	.....	.....	.....	[illegible]
Wire nails per keg	2.[illegible]	2.10	2.05	2.05	2.10	[illegible]
Steel rails per lb.	2.[illegible]	2.[illegible]	2.05	2.20	1.95	3c. per lb.
Pipes, tobacco per gross	.....	.....	.....	.125	.125	[illegible]
Spool silk per lb.	[illegible]	[illegible]	.50	11.50	11.00	5c. per lb.
Silk, sewing do	.75	.75	[illegible]	.....	.....	30 p. c.
Silk, broché do	.10	.125	.125	.1375	.12	5c. per lb.
Tin, pig, bloc, Philadelphia per lb.	12.75	15.57	22.75	18.50	15.00	$1 per ton.
Rice per lb.	.0625	.0637	.0[illegible]	[illegible]	.04	[illegible]
Sugar, centrifugal do	.035	[illegible]	[illegible]	[illegible]	.0347	[illegible]
Sugar, granulated do	.046	.0521	.0475	.047	.0436	$1.95 per cwt.
Steel rails, Pittsburg per ton	28.00	28.00	28.00	28.00	28.00	$7.84 per ton.
Ashton salt per bush.	2.10	2.25	2.25	2.25	2.25	12c. per cwt.
Tin plate per cwt.	3.45	4.19	4.19	4.00	3.80	1½c. per lb.

Of the eleven items on the free list every one of them has greatly advanced in price since 1896, the average advance on all being [illegible] per cent.

Of the twenty-one items on the dutiable list twelve have advanced in price, [illegible] the same [illegible].

The average advance on the dutiable list is [illegible] per cent against 33.54 per cent on the free list.

The articles are all taken from the act of [illegible] page and numbers every article named therein as free and twenty-one dutiable articles.

The prices from 1896 to 1903 are as [illegible] given, and the 1903 and [illegible] are from the Bureau of Statistics.

I commend the study of these prices to our Democratic brethren.

But why waste the time of the House to argue for or even to justify a fiscal system which has become the settled policy of this great people?

The question is, "Does the ruling element in the Democratic party now stand for another attempt, [illegible] purpose of eliminating from it all protection and thus exposing this manufacturing home market of ours to the unrestricted competition of the world?"

Let me call the attention not only of the Members of the House, but of the industrious [illegible] as well, to a most remarkable condition of affairs here, as shown in the organization of the House of Representatives.

For the first time in our history the chosen leader of the Democratic minority has been invested with full power to name the minority members [illegible] and it is only fair and right that the people should know exactly how this power has been used.

Deeds speak louder than words, and when the minority ask the voters of the country to put the full responsibility of the Fifty-seventh Congress, with all its legislative powers, into their control, it is well that they should know what tender mercies will be shown to them and realize before it is too late the absolute folly of such a course.

What does such a grant of power mean?

In the Fifty-seventh Congress 25,005 bills were introduced and only 2,732 received the President's signature. What became of the other 22,273? Thrown into the waste-paper baskets in the committee rooms. Were they ever considered by the House or Senate in open session, on adverse reports, as is the custom in our State legislatures? So far as I can learn, not in a single case, except perhaps in the [illegible] of pension legislation.

As a matter of fact, [illegible] would be an impossibility, for if every minute of both sessions of the Fifty-seventh Congress had been used for that purpose, the time would not have been sufficient for the first reading. It follows, therefore, as a necessity, [illegible] power of selection [illegible] of legislation.

The committee [illegible] becomes, in fact, the legislative body, [illegible] a house [illegible] to recommit [illegible] body, and with rare exceptions this is the [illegible].

It is all important, therefore, not only that a majority of the membership of each committee should be of the dominant party, but that the views and votes of that majority should be in accord and harmony with the general policy of the party and the Administration, which is responsible to the country for legislation and good government.

Individual views and opinions are of no account unless they can be so impressed upon the minds of others as to secure the majority of the majority vote.

It follows, therefore, that all legislation must be the result of compromise even within the party itself.

[illegible] at our parliamentary system shows [illegible] party represents.

To put [illegible] her [illegible] party supremacy [illegible] would be [illegible] party sui[illegible].

In the light of the [illegible] acknowledged to be the [illegible] Union, I desire to call [illegible] to what the Ways and Means [illegible] revenue [illegible] that the policy of protection or free trade [illegible] red.

Mr. Chairman, I feel the more free to do this because a few days [illegible] myself [illegible] on the part of the distinguished gentleman from Missouri [Mr. HAMLIN]. He said:

Has it come to this, that a man's eligibility to membership on the great [illegible] it did [illegible] of own-[illegible] and [illegible]

[illegible] circumstances I might feel hurt by the distin-[illegible] n's criticism, but the sting is all taken away and [illegible] by which he attempts to show that the Dem[illegible] more population than a like number of Republicans [illegible] that the States of Mississippi, Louisiana, Virginia, Texas, Missouri, and [illegible] more products of manufacturing than the little [illegible]

He honors Connecticut too much. That subject was not referred to by me. What I did claim incidentally was that the manufactured products of the single district represented by me aggregated [illegible] of the [illegible] and I now supplement that statement with the census figures showing it to be not only in excess, but nearly double—the manufactured products from the Fourth district of Connecticut being $88,739,414, and [illegible] by Mr. WILLIAMS of Mississippi, Mr. ROBERTSON of Louisiana, Mr. SWANSON of Virginia, Mr. COOPER of Texas, and Mr. CLARK of Missouri, [illegible]

In the [illegible] made by the gentleman from Missouri [Mr. HAMLIN] that my "entire basis of reasoning is radically wrong," and in the interest of [illegible] accuracy, for the benefit of my own constituents I will put in the RECORD two [illegible] showing by States and districts [illegible] the Ways and Means [illegible] Republican [illegible] that the Re[illegible] were [illegible] by the chairman, the Hon. JOSEPH G. CANNON, and the Democratic members by the Hon. JOHN S. WILLIAMS, the leader of the minority, and that all of the figures are taken from the Twelfth Census and the Congressional Directory.

Statistical information concerning Ways and Means Committee, by States represented.

Membership.	State.	Population.	Rank of State in agriculture.	Per capita of agricultural products.	Total agricultural products.	Rank of State in manufacturing.	Per capita of manufactures.	Total manufactured products.
REPUBLICAN MEMBERS.								
Sereno E. Payne	New York	7,268,894	Fourth	$34	$245,270,000	First	$[illegible]	$[illegible]
John Dalzell	Pennsylvania	6,[illegible]	Fourth	33	2[illegible]	Second	[illegible]	[illegible]
C. H. Grosvenor	Ohio	4,[illegible]	Third	62	[illegible]	Fifth	[illegible]	[illegible]
Jas. R. Mann	Illinois	1,[illegible]	Twenty-second	93	161,[illegible]	Twentieth	[illegible]	[illegible]
E. W. Mo[illegible]	Massachusetts	2,[illegible]	Twenty-first	15	42,[illegible]	Fourth	[illegible]	[illegible]
J. W. Ba[illegible]	Indiana	2,[illegible]	Twelfth	70	157,[illegible]	Ninth	134	[illegible]
V. H. Metcalf	California	1,[illegible]	Twenty-fourth	80	131,[illegible]	Twelfth	204	[illegible]
E. J. Hill	Connecticut	[illegible]	Twenty-eighth	31	[illegible]	Third	[illegible]	[illegible]
H. C. Loudenslager	New Jersey	4,[illegible]	Second	72	[illegible]	First	261	[illegible]
J. E. Watson	Indiana	2,[illegible]	Ninth	81	[illegible]	Eighth	[illegible]	[illegible]
C. E. Curtis	Kansas	1,470,495	Seventh	144	[illegible]	Sixteenth	117	[illegible]
Total		35,[illegible]			1,[illegible]			[illegible]
DEMOCRATIC MEMBERS.								
John S. Williams	Mississippi	1,551,270	Eighteenth	[illegible]	[illegible]	Twenty-seventh	98	40,431,386
S. M. Robertson	Louisiana	1,381,625	Twenty-third	[illegible]	72,[illegible]	Twenty-second	88	121,181,088
C. A. Swanson	Virginia	1,854,184	Twenty-first	47	86,548,545	Twentieth	71	132,172,910
S. B. Cooper	Texas	3,048,710	Fifth	79	239,823,244	Twenty-third	59	[illegible]
Champ Clark	Missouri	[illegible]	Sixth	71	[illegible]	Seventh	124	[illegible]
G. B. McClellan	New York	7,268,894	Fourth	34	[illegible]	Fourth	266	2,[illegible]
Total		18,271,348			996,038,944			2,[illegible]
Republican average		[illegible]			[illegible]			853,[illegible]
Democratic average		3,03[illegible]			199,010,491			495,736,774

Statistical information concerning Ways and Means Committee, by districts represented.

Membership.	District.	Total vote [illegible]	Agricultural [illegible]	Manufactures [illegible]	Remarks.
REPUBLICAN MEMBERS.					
Sereno E. Payne	Thirty-first New York	40,303	$16,351,084	$24,898,250	
John Dalzell	Thirtieth Pennsylvania	2[illegible]	1,217,729	108,459,352	Products one-fourth of Alleghany County's total.
C. H. Grosvenor	[illegible]	43,067	11,097,368	11,212,600	
Jas. R. Mann	[illegible]	32,106	21,430,118	17,743,124	
S. W. Ma[illegible]	Massachusetts	26,197	a6,[illegible]	[illegible]	
J. W. Ba[illegible]	[illegible]	31,016	15,[illegible]	[illegible]	
V. H. Metcalf	[illegible]	31,031	10,[illegible]	[illegible]	
E. J. Hill	Connecticut	45,163	7,024,792	[illegible]	
H. C. Loudenslager	New Jersey	31,224	575,818	96,[illegible]	Products one-eleventh of Cook and Lake counties' total.
J. E. Watson	Sixth Indiana	44,705	17,632,215	18,479,366	
C. E. Curtis	First [illegible]	37,811	18,[illegible],582	20,[illegible],282	
Total		383,425	127,541,614	51[illegible]	
DEMOCRATIC MEMBERS.					
John S. Williams	Eighth Mississippi	1,433	10,999,165	5,565,[illegible]	
S. M. Robertson	[illegible]	2,797	10,896,234	[illegible]	
C. A. Swanson	[illegible]	6,[illegible]	7,596,442	[illegible]	
S. B. Cooper	[illegible]	19,067	9,123,057	1,[illegible]	
Champ Clark	Ninth Missouri	35,361	15,745,184	[illegible]	
G. B. McClellan	Twelfth New York	29,933	299,788	80,098,145	Products one-seventeenth of Greater New York's total.
Total		94,012	54,205,430	12[illegible]	
Republican average		34,857	11,[illegible]	47,086,644	
Democratic average		15,669	9,[illegible]	21,283,178	

a Town of Belmont not included.

b Total for Middlesex County.

I will not detain the House by reading the details of these tables, for I have no desire to make any personal comparisons.

What I am trying to do is to find out what the Democratic party now stands for on the tariff question, so far as any conclusion can be reached from their own appointments on the committee which has initial action on that subject.

The averages are, however, quite instructive.

The Republican average population by States is 3,232,392; the Democratic average population by States is 3,035,225.

The Republican average of agricultural products by States is $180,[illegible], the Democratic average of agricultural products by States is $[illegible],496,491.

The Republican average of manufacturing products by States is $85,209,841; the Democratic average of manufacturing products by States is $495,736,774.

The Republican average of votes cast in the districts in 1902 is 34,857; the Democratic average of votes cast in the districts in 1902 is 15,669.

The Republican average of agricultural products by districts is $11,594,692; the Democratic average of agricultural products by districts is $9,050,905.

The Republican average of manufacturing products by districts is $47,086,644; the Democratic average of manufacturing products by districts is $21,283,178.

But the real significance of this whole analysis is found, not in comparing the representation of Republicans and Democrats, but in a consideration of the Democratic membership itself. How is it constituted? Six men; five from the solid South and one from Tammany Hall.

I do not speak of this from any sectional feeling, for I have none.

Furthermore, from boyhood I have lived almost under the shadow of Tammany Hall, and the district which I represent has often felt its power; and toward the Representatives from the Southern States I have the kindest feelings, for they are gentlemen, all.

I know of but one people, one flag, and one country represented under the Dome of this Capitol and feel toward it all much as a gray-headed old brakeman in California must have felt when riding through the splendid paradise of the Santa Clara Valley. I jokingly asked him how much of it he owned. For a moment his eyes flashed, and then, with hand uplifted, in an earnest tone he answered: "Not a red of it, sir, but my Father owns it all."

I make this division—considering each as a political entity, to-

gether forming a political trust, a combination in restraint of protection, so to speak—and ask in all sincerity if it does not indicate in some degree "what Democracy now stands for?"

Cæsar divided all Gaul into three parts; but what shall I say of the division of committee appointments in this House between the solid South and Tammany Hall, with fifty-seven Democrats from Republican States left out in the cold?

Surely it could not be from lack of good material, for among these northern Democrats are found one Presidential candidate from New York City and another from Illinois, two ex-Speakers who have been strongly recommended for the Vice-Presidency, coming from Massachusetts and Indiana, the Chairman of the Ways and Means from the Empire State, in the past honored as speaker of its Legislature and as governor and old-time Member of Congress from Minnesota, and scores of others who would have made valuable additions to the wisdom and knowledge to the deliberations of this committee.

Is it not a fair question, in view of the fact that while fifty-seven northern Democratic districts are unrepresented on the committee, for two long months a vacancy has been kept open, possibly waiting for a new political deal to be born again to Tammany Hall, and the further fact that the great States of Tennessee and Alabama, with their marvelous production of iron and steel and coal, are left out of consideration, that the decision was made in the beginning that no man should be put on the skirmish line for the campaign of 1904 except those who believed, in the words of the gentleman from Mississippi, that "protectionism is wrong, morally wrong," and that "the ultimate goal of tariff for revenue only is never to be lost sight of?"

Though not bearing directly upon the subject I am discussing, and yet as a sort of a side light on the whole situation, let me call the attention of the House to the committee assignments of Democratic Members from Republican States as compared with the assignments of the Democratic Members from Democratic States, keeping in mind that there are 58 in one group and 120 in the other, or, as near as may be, a proportion of 1 to 2.

I take twenty-five of the active working committees of the House: Committee on Ways and Means, 1 out of 6; Committee on Appropriations, none out of 6; Committee on the Judiciary, none out of 6; Committee on Banking and Currency, 1 out of 6; Committee on Coinage, Weights and Measures, 2 out of 7; Committee on Interstate and Foreign Commerce, 1 out of 6; Committee on Rivers and Harbors, none out of 6; Committee on Merchant Marine and Fisheries, 3 out of 6; Committee on Agriculture, 1 out of 6; Committee on Foreign Affairs, 1 out of 6; Committee on Military Affairs, 2 out of 6; Committee on Naval Affairs, 1 out of 6; Committee on the Post-Office and Post-Roads, 1 out of 6; Committee on the Public Lands, 3 out of 6; Committee on Indian Affairs, 3 out of 6; Committee on the Territories, 2 out of 6; Committee on Insular Affairs, 2 out of 6; Committee on Public Buildings and Grounds, 1 out of 6; Committee on District of Columbia, 1 out of 6; Committee on Pensions, 1 out of 5; Committee on Claims, 3 out of 7; Committee on War Claims, 1 out of 5; Committee on the District of Columbia, 1 out of 6; Committee on the Census, 1 out of 5; Committee on Rules, none out of 2.

This analysis does not, however, particularly interest us in Connecticut, for under the present Democratic regime, and in view of "what Democracy now stands for," there would seem to be no doubt whatever but that Connecticut will give its electoral vote to Theodore Roosevelt, and a solid Republican delegation to the Fifty-fourth Congress, and decline again emphatically for the gold standard and the general policy of protection in any action which may be taken in tariff matters in the future.

It has been a source of some amusement to the members of the Connecticut delegation to hear from time to time in the House and to read in the daily press the forecasts of the next election, in which Connecticut has been put in the column of doubtful States.

From the organization of the Republican party in 1856, through five Presidential elections, her average Republican majority was 5,306.

In 1876, Tilden defeated Hayes by 2,901.

In 1880, Garfield defeated Hancock by 2,656.

In 1884 Cleveland defeated Blaine by 1,284, but lacked 2,893 of having a majority over all.

In 1888 Cleveland defeated Harrison by 336, but lacked 4,139 of a majority.

In 1892 Cleveland defeated Harrison by 5,[illegible] and had a majority over all of 195. This was the high-water mark for Democracy in Connecticut.

William H. Barnum, of Connecticut, as chairman of the national Democratic committee, was in command, and New York, New Jersey, and Connecticut was the battle ground of the contending forces.

The Wilson-Gorman tariff act became a law on August 27, 1894, and three months afterwards O. Vincent Coffin was chosen Republican governor by 17,688 plurality over Cady, Democrat, and 15,[illegible] majority over all. The only question under discussion in that campaign was the tariff, and "the perfidy and dishonor" brand was buried out of sight.

Two years later Democracy stood for free silver and a "perfidy and dishonor brand" of currency. With 461,387 depositors in our savings banks, equaling one-half of our population—men, women, and children included—and with an average deposit of $460 each, they would have none of it, and Democracy as an organization disappeared.

McKinley carried the State by 53,543 over Bryan and had a majority over all of 46,176.

From 1894 to 1902, inclusive, through two Presidential and three State elections the Republican pluralities have averaged 29,[illegible]47 and the majorities over all 21,312.

Connecticut can not be wheedled, cajoled, or coaxed into the approval of fiat money of any form or kind. Her people are ready to discuss protection on the broad ground of national welfare as shown by the Republican platform of 1902, but absolutely have no use for "the ultimate goal" in tariff reform with all protection eliminated, as now proposed by a reorganized but unrecognizable Democracy.

Let me read our declaration of faith in 1902:

We [illegible] of the [illegible] nomination for the Presidency by [illegible]

Mr. WILLIAMS of Mississippi. What is the gentleman quoting from?

Mr. HILL of Connecticut. From the Republican platform of the State of Connecticut, the last one that was made.

Mr. WILLIAMS of Mississippi. I just rose to say that you gentlemen have a Republican Congress now, and they have looked thus far in vain.

Mr. HILL of Connecticut. I can not yield.

We [illegible] for the surplus product of American fields and American mills.

Everything now indicates that that platform will be reaffirmed at the coming convention, and that a solid delegation will go to Chicago to help put Theodore Roosevelt in nomination for the Presidency, with full assurance that when election day comes Connecticut will roll up for him a majority far in excess of the average of the past ten years. No other result is possible, for the memories of hard times are too fresh and too vivid.

The soup houses, the relief committees, the idle mills, and all of the horrible experiences of that time are vivid realities to us still.

Mr. Chairman, two years ago I was in the city of Peking, China, and visited the scene of the wickedest crime in all history. Within the compound of the British legation, and protected by a brick and plaster wall perhaps 10 or 12 feet high and 2 feet thick, were huddled the legations of the civilized world—thirteen hundred men, women, and children—all of them in that city under treaty pledges of safety and protection. A few hundred feet away was the wall of the Forbidden City, 50 feet high and 60 feet thick, a fortress of stone. Behind that wall, and in perfect safety, the Boxer mob and Imperial troops had mounted two Krupp guns, and from their vantage point poured at point-blank range thousands of shot and shell down upon that devoted band. Their only weapon of defense was an old smoothbore blunderbuss, which they mounted on a platform at the corner of the compound wall nearest to the Boxer guns, and around it laid bags of earth, the sandbags made from the women's and children's clothing.

Through long and weary weeks the missionaries of the Cross and the representatives of the civilized powers of earth faced wounds, starvation, and disease until, as hope was almost gone, Adna R. Chaffee and the old Ninth Infantry, bearing the Stars and Stripes, came marching up Legation street and rescued them from death. When hostilities ceased, the English Government ordered Sir Claude MeDonald to restore the buildings and repair the wall. He did it except at this one spot, and that he left just as it was when the struggle ceased. The broken wall, the ruined breastwork, and marks of shot and shell, and beneath it all he painted in large letters these words: "Lest we forget."

Gentleman of the minority, in many a home in New England to-day are those who look back over wrecked fortunes and ruined lives, the result of the political folly of ten years ago, but across those lives and in those homes is written still, "Lest we forget," and knowing as we do that Democracy stands now for what it stood in 1894, we say to you in all sincerity that 1904 can bring to you no hope of victory in any New England State. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I feel a little tired this morning, but I expect I will have to make myself more so. I went down to the keeper of the restaurant the other day and I had a special sauce fixed up. I had some pepper and salt and paprika and olive oil all mixed and conveniently located. I had heard from so many sources that I was going to be eaten up so many times that I thought, in ordinary amiability, I ought to season the taste of me so I would not prove indigestible to the eater. I thought I had been fully devoured and masticated until to-day, but I find there must be some little fragments of me left to d[illegible] from the intellectual teeth of the [illegible] Connecticut. The gentleman from Nebraska [Mr. [illegible]] was first turned loose upon me with his earnestness and e[illegible] Mr. CHARLES [illegible] L[illegible] Minnesota [Mr. [illegible]] at the time that hurt somehow or other, else all these gentlemen would not have sharpened their lances, drawn their swords, and gotten ready for me.

The gentleman from Nebraska first came, with all his zeal and [illegible] and I found the main gravamen of his argument was [illegible] was solid, and he did not understand how that could be; not how so very few people voted down there in the general elections—a thing, by the way, not requiring a very large measure of [illegible] head, if a man would look at it [illegible] way. Now, by the way, about the complaint of [illegible] solid. I never hear that complaint made, Mr. [illegible] without being reminded of a story about old Bishop [illegible] of L[illegible] told at a banquet in New York once when he was [illegible] South was politically solid. He said in [illegible] Excuse me for being a Yankee for just a mo[illegible] you a question: Why are our ponds and lakes in the South in the winter time now and then solid?" "Why," the gentleman said, "from cold, of course." "Yes," replied the Bishop, "but what produced the cold if not the unpleasant and [illegible] So, my friends, congealing [illegible] from the No[illegible] have made their own conditions down there, and whenever you are ready to unmake them you will find there is no solid South. I notice that you never mention the solid negro South from 1865 to 1875, with its [illegible] and ignorance. You made it solid. It was [illegible] of the South who [illegible] the race issue. It was [illegible] negroes themselves, and you, through your men there, made them raise it.

But I do not want to discuss things which are past and gone. My quarrel with you, m[illegible] came my eloquent friend CHARLES LANDIS, of Indiana, as el[illegible] in [illegible] upon the [illegible] its free trade between the 45 States and [illegible] enjoys to-day. Recent spasmodically, that amount of free trade guarantees pros[illegible]

Now, I fear my friend L[illegible] fair when he came along to [illegible] and I asked him if he [illegible] and he said he did not have the [illegible] RD. I have never [illegible] convenient [illegible] ment.

I [illegible] the figures in the RECORD, including [illegible] the place that my friend LANDIS [illegible] with this [illegible] when they start where he left on the prices at [illegible] of the trusts. [illegible] again and have continued to rise ever since, with the [illegible] cant reduction of 25 cents and 5 cents during 1892 and 1893, respectively.

LANDIS stopped at 1889, $2.10 a keg.

Year.	[illegible] est.	[illegible] est.
1887	$1.47	$1.65
18[illegible]	1.60	1.20
1889	.89	[illegible]
1890	1.00	[illegible]
1891	1.20	[illegible]
1892	1.80	[illegible]
1893	1.30	[illegible]
1894	2.35	[illegible]
1895	2.35	[illegible]
1896	2.[illegible]	[illegible]
1897	2.[illegible]	[illegible]
1898	2.[illegible]	2.[illegible]

a Pool formed.

In 1893 the export price of wire nails was $1.80, the home price $2.70.

December 3, 1896, the Iron Age said:

[illegible] 8,000,000 kegs, although large quantity exported and [illegible]

Now, my friends, I do not want to undertake to answer these speeches in detail, but some few things in them struck me as cropping out between the lines, and being therefore well to make a note of. For example, my friend from Nebraska [Mr. BURKETT] said that "in 1894, if the kail would have come down South, cotton would not have sold at a good price *because there would not have been any money in the country to buy it with.*" In other words, according to the gentleman from Nebraska, the reason why cotton did not sell at a good price in 1894 was because there was not enough money in the country to purchase it with—because the purchasing power of money, which is the price of money, was too great; and yet, at the time when all this was occurring, in 1894 itself, you gentlemen told us on this side of the Chamber that the volume of money had nothing under the sun to do with it.

You told us at that time, when we were almost starving, with cotton and wheat and cattle below the price of production, that money had nothing in the world to do with the situation, and now the gentleman from Nebraska tells us that the reason why cotton could not rise in 1894 was because there was "not enough money" in the country. But let that go. If you have increased the volume of metallic money, you deserve the credit, and you shall receive it. If God and human invention increased it, give them the credit. It is a question of fact. "Render unto God the things that are God's, and to Cæsar the things that are Cæsar's." The gentleman from Nebraska [Mr. BURKETT] reminded me in one of his outbursts very much of the celebrated platform of Oily Gammon, the manager of Tittlebat Titmouse, in Ten Thousand a Year, wanted to send him to Parliament upon. That platform stated as a reason why Tittlebat Titmouse ought to be sent to Parliament [illegible] elected, he would introduce and procure the [illegible] "to give everybody everything." [illegible] liment the gentleman unwittingly paid to the De[illegible]

The [illegible]man said that the Democratic party has "a new paraphernalia every four years," and therefore we are an "new all" [illegible] Why, because we recognize changing conditions, [illegible] the Republican party has now and always—oh, I wish I could just sweep myself up and stay swept up for three minutes and say this just as he said it—[illegible] good to the greatest number of people [illegible] to the State and happiness to the [illegible] Go into the next campaign on that platform. If you [illegible] but specify how you propose to do it. [illegible] how to meet you and that the people may know [illegible]

[illegible] gentleman said that I had been [illegible] the discovery of gold in the United [illegible] the discovery of new mines or from [illegible] intractable ores. [illegible] very prosperity that a great part of our gold [illegible] our share of the world's in[illegible] countries. But [illegible] were. They were [illegible] which is pro[illegible] a tariff of 17 per cent.

[illegible] of the world and the development [illegible] a part of our gold, and we received from the sale of the [illegible] of the farmer of this country—corn, wheat, cotton, [illegible] from the ports of [illegible] nearly all the [illegible] States.

[illegible] gentleman, as a part of the "general all-round-protection" [illegible] "most towns a pound-[illegible] the markets of the world. He forgot to tell you that American engines are very highly protected in the American market. He forgot to tell you that the manufacturers of them have changed a great deal more to the American people [illegible]

[illegible] to tell you that a good present could be profitably [illegible] in the markets of the world in competition with the so-called pauper labor of the world, then one of two things must be true: Either the duty is useless even from a protectionist standpoint, and ought therefore to be abolished or reduced, or else it is useful only for one purpose, and that is to enable the manufacturer to extort from the home consumer more than the price which he is able to sell at to the foreign consumer yielding a profit. The gentleman forgot all that. [Applause on the Democratic side.]

Now, as well as I can remember, those three little things, none of which amounts to much, were the only things worth replying to in the speech of the gentleman from Nebraska.

Then my friend from Indiana [Mr. CHARLES B. LANDIS], eloquent, courteous, social, and all that, "came to the bat," and he said that "in 1892 there were more people owning their homes, their carpets, their pianos, and pictures, and getting good wages" than had ever been owning those things or getting those wages in the history of the United States.

Now, my friends, I want to go over that once more. That is absolutely incorrect as a matter of fact. There is not a man here from Kansas, Republican or Democrat; there is not a man from Nebraska or Oregon, Republican or Democrat; there is not a man here from the farming districts anywhere in the United States who does not know that in 1890 and 1891 and 1892 the condition of the farming classes with regard to home comforts and with regard to mortgage indebtedness was worse than it had been almost at any time in the history of the United States except at two periods prior to the war but would be nothing now. They were so bad that drowning men were catching at straws over that country. The subtreasury scheme was being advocated; State socialism of every sort was being advocated. The blame was laid upon the party in power, and the fusion of Populists and Democrats in some places, Populists by themselves in others, and Democrats by themselves in others swept the entire West like a whirlwind. They swept Oregon, Kansas, Nebraska, Iowa, and they swept nearly all of the country where the people mainly depended upon agricultural pursuits for a living.

Cotton was lower than it ever was except at two subsequent periods—once under Mr. Cleveland's Administration, when it was somewhat lower, a fraction of a cent, and once again when it reached its very lowest point, under Mr. McKinley's Administration, subsequently, in the year 1897.

Now, my friends, let us be fair with one another. I do not care whether the newspaper that quoted President Harrison as saying that he attributed his defeat to "the hard times" in the country quoted him correctly or not, *but the statement of the fact was correct*, and if it had come from the mouth of President Harrison it would have been true. It is none the less true if it did not come from his lips. And when the gentleman quotes a subsequent message from President Harrison saying that the country was, during that period, in the highest condition of prosperity that it ever had known, he only proves this, if he proves anything, that when Mr. Harrison made that statement in that message, in the spring of 1893, or I believe it was December, 1891, he made an inaccurate and an erroneous statement of facts. I do not attack President Harrison. The gentleman from Indiana has made the attack himself.

Now, I know the then condition of things. Why, Mississippi, rock ribbed in her Democracy; Alabama, rock ribbed and bourbon in her Democracy, were swept off their feet and almost carried by the Populists on the ground that "the two old parties were in partnership," both plutocratic, giving the people legislation in favor of the rich and against the farmer, that right legislation ought to be had, and that no relief for the farmer was possible except with a "third party." I do not care who makes the statement, or how high his office, that in 1892 the farming classes of Iowa, Kansas, Nebraska, Oregon, Washington, Mississippi, Alabama, Georgia, Louisiana, all that country were prosperous. I do not care who makes the statement, he simply has forgotten history, or else misstated it, that is all. Now, I believe the newspaper statement attributed to President Harrison, which I never saw denied at the time, and I do not believe the unfounded assertions in the message.

Now, my friends, one other thing. I have noticed it several times. One of the gentlemen—I think it was the gentleman from Indiana [Mr. CHARLES B. LANDIS]—tells you that immediately upon the election of Mr. McKinley times became better; that they began to grow better just as soon as the news of the election spread over the country; that "wheat went up." Well, wheat was worth forty-odd cents a bushel in the beginning of that campaign, and it went up to seventy *before* it ended; but if wheat had not been away down how could it have been such a flush of prosperity for it to have gone up to a point below what it is to-day? But the argument was based upon the idea that "wheat went up because McKinley was elected." I was at that time upon the stump in the State of Kentucky. I remember just when wheat started to go up, and I know and you know that *McKinley was elected because wheat went up*, and that wheat did *not* go up because McKinley was elected. It went up beforehand. What followed. The farmer began to get money with which to pay the shoemaker, and the butcher, and the grocer, and the dry-goods man. They in turn began to get money with which to order from the jobber, and he began to get money with which to order from the manufacturer, and then the manufacturer began to get money and get busy, and then "the wheels went 'round."

Prosperity always starts from the earth. There can be no such thing as permanent or long-seated depression in any community unless the farming classes are in a bad condition. There can be no such thing as a revival of industry unless the revival starts upon the farm.

Cotton did not go up quite as soon, because of what reason? Because people in an impoverished condition can do without cotton for a period to a large extent, while they can not do without wheat and without meat. They can "make the old coat do." They can't make the eaten biscuit or the already devoured steak do.

So that the wheat and the meat farmer began to get more money and the cotton farmer later began to get more money, and then more and more it flowed from them to the different classes. Now, one of the curious facts about this matter is that the very parts of this country which are now enjoying the highest and most prosperity are the parts of the country that a protective tariff neither does nor can help. Mississippi never in her history, excepting during a few halcyon days of the last decade, was in such a prosperous condition as she is to-day, and Mississippi raises her cotton in competition with the fellaheen of Egypt and the peasant labor of India. Everybody knows the reason of the prosperity among those people, and it is absolutely inexcusable to try to cover it up. It is 13-cent cotton and dollar wheat. Others are prosperous to a less degree, but still prosperous because these can buy.

Well, a gentleman had some few remarks to make about the "outrages" in elections down in Mississippi. Such a thing hasn't been heard of as a fact in Mississippi for twenty-five years. There were more men killed in one election in the district of Mr. LOUDENSLAGER of New Jersey than in all the South in all the political troubles of the last ten years.

Mr. OLMSTED. I understand the gentleman has corrected his statement.

Mr. WILLIAMS of Mississippi. I meant New Jersey. Of course I understand, however, that it was very largely affected by imported Pennsylvania neighbors. [Laughter on the Democratic side.]

Mr. OLMSTED. I desire to say that the gentleman's understanding in that is as deficient as it is on some other subjects.

Mr. WILLIAMS of Mississippi. I am glad that it is no more deficient. I am always glad to be reproved by the gentleman from Pennsylvania, especially when it is done in so courteous a way. [Laughter.]

Now, to speak of when the South's prosperity in industrial life began. Go back to 1870 and 1880 and you will find her more and more impoverished all the time up to 1875, when a great revolution took place in the South, and, by the way, no revolution of such stupendous magnitude and significance ever took place in any country with as little bloodshed and so much of gentleness as was shown when the white man of the South "came into his own again." Afterwards everything was peaceable and quiet. The people began to work instead of keeping armed all the time for a race fight that might come up at any moment. With the white man's sway came the sway of law and order and the disappearance of social and industrial anarchy inseparable from negro rule. The South began to grow rich by labor, as must all people if they grow rich at all.

The gentleman from Connecticut quoted a moment ago something from Rudyard Kipling's poem "Lest we forget." Can not you, all of you, remember the condition that we were in down in that country so long, and can not you understand that we are careful to-day "lest we forget" the dose that you gave us before and the dose that a great many of you frankly confess that you would give us to-day if you had the power?

My friends, it is a strong observation to make, and I make it not from any quasi-official standpoint, but I make it simply myself, and I say it is true that any man who can look all over that beautiful southland, now happy, now industrious where all its prosperity has come from its own labor, its own moderation, its own conservatism and its own patriotism of heart under great provocation and temptation, and after studying and understanding its condition, tell us that there ought to be unlimited, unrestricted, and unmodified manhood suffrage, is either a fool, because he does not understand the condition of affairs existing there after seeing them, or else he is as [illegible] a knave, because, understanding them, and knowing what would follow in the wake of his abstraction or hatred, he does not care. [Applause on the Democratic side.]

So much for that. Now, my friends, I will come to the remarks which I arose to make in answer to my friend from Connecticut [Mr. HILL].

Mr. HILL of Connecticut. If the gentleman will pardon me a suggestion, not a question, because I want to make a correction, and I know the gentleman kindly refrained from interrupting me. The gentleman does not want to be understood as referring to me——

Mr. WILLIAMS of Mississippi. I was not referring to the gentleman in that: of course not. His opinions on this subject are well known to me.

Mr. HILL of Connecticut. We have an intelligence qualification in Connecticut, and we believe that other people have the same right.

Mr. WILLIAMS of Mississippi. I was not referring to the gentleman nor personally to other gentlemen who have spoken to [illegible] I would make a personal application of [illegible] a man to be very wise and yet to be very [illegible] does not understand [illegible] g. Nor would I have the gentleman to think [illegible] of a protective tariff as a robbery that I [illegible] it was a robber.

[illegible] who would be as far, physically and morally, from robbing me as I would be from robbing them, but [illegible] the system is one of legalized robbery. That is the [illegible] that is the effect. It is not [illegible] the reason that is [illegible] the Government to do what the Government has no right to do—viz, build up or help one man's industry, one man's capital, or one man's labor by laying a tax upon the labor and the capital of all men.

Now, as to the statement of the gentleman from Connecticut about my [illegible] on this side to committee assignments. I feel like [illegible] that John Allen told in the Patterson-Chickasaw case: "Let us manage our little troubles to suit ourselves: don't you come a pickin' and a choosin' among our gals." [Laughter.] Now, Mr. Chairman, it is not my habit to defend myself from any onslaught that applies to nobody but me.

If there has been made any mistakes about assignment to committee places on this side, the Democratic party did not make them. Mr. S. W. WILLIAMS made them. The members are responsible for them, but they have always been broad enough to carry his own burdens without asking anybody else anywhere to bear them. [Applause.] If there has been any mistake it is not a mistake of the Democracy in any way. I am willing to be corrected [illegible] may be pointed. But the [illegible] very freely, however, upon the fact that Democrats from the North are not given broad important places to which he refers, and I may perhaps be excused from saying a few words upon that subject. First, to be ad nominem, what are the [illegible] in this House and mean the majority side in the committee assignments by the Republicans who hail from south of Mason and Dixon's line? [Laughter.] What are the [illegible] filled in this House by the Republicans who hail from [illegible] anywhere?

[illegible] Mines Committee it is a well known fact [illegible] and the [illegible], whom I placed upon that committee, I did not place [illegible] there. I had [illegible] because I had been put in this [illegible] whatever it is. All the minority [illegible] I am not [illegible] but I did not have a [illegible] for it [illegible] I went on the Mines Committee. I could not [illegible] years beforehand down in Tennessee [illegible] having been born down in Mississippi—in fact, if I could have helped it I more than doubt if I would. So I went on the committee. The gentleman from Missouri [Mr. [illegible]] is from the West, and everybody who knows his record in [illegible] he is reserved to go on that committee even if he had been from Washington, or Oregon, or Louisiana, or Florida, or [illegible] from the Philippines, provided only he has the status in this House which he has now and has for many years had. Now, the gentleman from Connecticut and [illegible] have better committee assignments on [illegible] because [illegible] of them [laughter], and another [illegible] because they stay here a longer time.

There are a great many northern constituencies that make a senseless business of letting Representatives stay two and four years and then turn them out. The gentleman knows as well as I do that if I had dared defy the solemn traditions of this body, even if I had wanted to do so, I would not have been in this quasi-official position forty-eight hours. But, as I stated a moment ago, I do not care to reply to things that are criticisms of me and not of the Democratic party. I am willing to "count myself as nothing" in order that the Democratic party may be "glorified."

Now, the gentleman says I want to go back to the position of having this country solely an exporter of natural products. Does the gentleman not know as well as I do that this country has never been an exporter solely of natural products? Does the gentleman not know as well as I do that even in colonial times Great Britain found it necessary to pass certain laws in order to prevent the American colonies from exporting manufactured goods, because they were already beginning to do so? Does the gentleman in his heart believe if there had never been a protective tariff upon the statute books of the United States, that when population became sufficiently dense and agriculture became sufficiently impossible there would not have been manufactures springing into existence?

I remember when cotton was selling at a high price people would sometimes come to me and say: "John, we must put up a cotton factory." I would say: "Why?" They would reply: "Because we must diversify our industries." "Why?" "To make money." "That is the answer I thought you would give," I would reply. "Now, let me tell you something. Just as soon as cotton growing becomes sufficiently impossible you will have plenty of cotton factories, but while you can make 10 or 12 or 15 per cent growing cotton as you can now, nobody is going to put money into a factory to make 6 or 8 per cent in the shape of a dividend."

Cotton went down to where the capitalist could not get 6 per cent, nor at a later period 4, nor, at a still later period, any per cent at all.

The farm laborer worked "on shares"—half and half—of the crop.

At the low price, his share, which constituted his wages, was so little that he could earn more as a factory hand than in the cotton field.

What was the result? Cotton factories all over the South. Why? Because in the evolution of industrial life the time had come for them, first, in the poorer upland country of north Georgia and the Carolinas, afterwards in the South generally.

Having come, they will remain in spite of high-priced cotton. Why? Because business and [illegible] are local capital and skilled labor is over them. These were developed along lines with which your poor little imaginable protective tariff has almost nothing to do. You may modify conditions, you may make them harder by government interference, harder to the man who would naturally have been prosperous anyhow, harder by putting his burden greater, by putting a taxation burden upon his shoulders, in order to make somebody else's business profitable or more profitable: you may in that way modify and change things to some extent, but it is as true as a page written in the book of fate that you can never create a great country with a [illegible] for the main part, no a agricultural people, and that people with a poor soil with a dense population have got to either leave the country or turn to manufacturing or seafaring or something else, and that any country, in the course of time, as it becomes more and more dense in population, as land becomes higher in price, harder to buy, or as food becomes more expensive, becomes more and more a manufacturing and less and less an agricultural country. Not absolutely, but relatively, of course.

This country became more and more manufacturing relatively, in the decade before the war, under the Walker "tariff for revenue only," and Mr. Blaine himself says that under that "tariff for revenue only" law had been passed, the country, its manufactures included, were highly prosperous, and that the Republicans themselves approved and approved.

Now, the gentleman from Connecticut did me an injustice which he did not mean to do. I did not refer the other day to the men of Massachusetts and Connecticut. If I did so inadvertently, I was talking about the boot and shoe people, and they happened to be located in those States. But, mind you, I did not mean to say that legislative robbery is general.

Why, I am sorry to say I do not know any part of this great domain where the average man, if he finds that he can get money out of the Government through a protective tariff, through a bounty, through a subsidy, or through a legal appropriation from his town council, county, or his State, won't take it and try to find some great "unselfish" or "humanitarian" reason to justify his taking it. Such is the extent to which commercialism has sapped our old-time independence. God forbid I should have meant that the people of Massachusetts or the people of Connecticut were innately and originally or naturally any more selfish than the people of Mississippi and Alabama. The gentleman from Connecticut seems to think it curious that the poorer portion of the country should be the very part of the country which is opposed to Republicanism and protection.

There is nothing curious in that. They are the parts of the country that have had their property and pursuits reduced in value by laws that have discriminated against them. They are the parts of the country that have been kept poor or whose progress and wealth have been hedged by Republican protectionist legislation. They are naturally anti-Republican and anti-protectionists. They are the parts of the country which raise the great staples for export which neither have been nor can be "protected." It is equally natural that the densely settled manufacturing centers, where there is a greater proportion of people who receive indirect or direct bounty from the Government, should be Republicans and protectionists, because their interest lies that way. It is also natural that the protest against protectionism should come from that part of the country which chiefly and most in-

tensely has been impoverished by protectionism, or has been handicapped in the race and kept from attaining a yet greater prosperity than they now enjoy.

Now a little, not much, in comment on what the gentleman said about "fiat" money. I never believed in "fiat" money. I do not believe in it now. If I had thought that anything I ever advocated was "fiat" money—and the gentleman from Connecticut tried to convince me once that silver was such money—I would have quit advocating it in very short order. But I want to propound a question to the gentleman and I want him to go to work on it during the balance of the session. I want him to tell me how it is that a greenback note issued by the Federal Government, having behind it the entire taxing power of the Federal Government, and all its credit, is any more "fiat" money than a national-bank note issued upon the faith of another obligation, an interest-bearing obligation, of the Federal Government. The national-bank note owes its value to the bond which is deposited in the United States Treasury, to protect its value from depreciation, and it owes its value to the credit of the Government. That bond is an interest-bearing obligation of the Federal Government and makes the note perfectly good. But is the note bottomed on it any better than any other note of the Federal Government, so far—I am not speaking from the standpoint of banking theories—but is it from the "fiat" money standpoint any less "fiat" money than the legal-tender noninterest-bearing obligation of the Government?

Mr. HILL of Connecticut. If the gentleman will permit me, I will answer him now; I do not think I need take the rest of the session to do so. One of the obligations that the gentleman speaks of is a promise to pay, secured by collateral, and not a legal tender; the other is a direct command of the Government that I shall accept such note as full legal tender in satisfaction of a debt.

Mr. WILLIAMS of Mississippi. Now, let us follow that up a little and see whether we can understand it. I wish I had a legal-tender note about me that I might produce it by way of illustration; but I very seldom have any money about me. [Laughter.] Virtually the legal-tender note does what? By it the Government of the United States promises to pay $10 to bearer——

Mr. HILL of Connecticut. And makes it a legal tender.

Mr. WILLIAMS of Mississippi. Yes, and makes it a legal tender. Now, the gentleman will not surely add that by making it a legal tender the Government deprives it of any of its value. Will the gentleman make that statement?

Mr. HILL of Connecticut. No; but I make the statement that I do not think it makes a great deal of difference as to the question of value.

Mr. WILLIAMS of Mississippi. I do not think so either.

Mr. HILL of Connecticut. But it makes a great deal of difference as to the justice of issuing such a note.

Mr. WILLIAMS of Mississippi. Now a word about this term "fiat money." Men love to roll this term under their tongues, and they do so often without knowing exactly what "fiat" means. "Fiat" in my mouth, wrongly translated into perhaps bad English, "faith" money. The obligation called "fiat currency" is, in popular apprehension, currency founded upon faith. Now, let us see. The Government issues a promissory note—virtually it says, "We, the Government, promise to pay $10 to bearer." This note does not bear any interest. It may be good or it may be bad, just like my note.

For a little while during the war this legal-tender note of the Government was bad, and when it was bad, by the way, the bonds of the Government were bad, too—they were below par at the same time.

Mr. HILL of Connecticut. I do not like to interrupt the gentleman, because I asked leave I should not be interrupted, but I do not like to see him start off on a wrong basis. I think, if he will go back to the meaning of "fiat," he will find that it does not mean "faith," but means "let it be;" it is in the nature of a command.

Mr. WILLIAMS of Mississippi. I am considering what the term really means in the popular apprehension, not its original meaning. What we mean in popular apprehension by the word "fiat" is that this money is in the nature of a promise, dependent upon faith as to whether it is good or bad. What John Allen said the old "Confed," under his blanket presented as a cure for all the ills of the Confederacy was that Jeff Davis should stamp on the back of every Confederate note, "This is legal tender, and, confound you, you have got to take it." This is fiat money, or would be if you really had to take it. [Laughter.]

Here is a note of the Government bearing no interest. It is issued by the same party that issues the bond. This note has behind it the same credit as has the bond. It has behind it the solvency, the taxing power, the taxable resources of the Federal Government. When is it good? Whenever the people believe it will be paid. When is it bad? Whenever the people get shaky in their faith as to whether it will be paid. The only difference between my note and the note of the Federal Government is that the Federal Government is richer and that the people have very much more faith in its ability to pay than they have in mine. But within a certain limit my promissory note is as good as the promissory note of the Government.

Now, then, the legal-tender note is as good as the solvency and credit of the Government—no better; no worse. Is the bond of the United States upon any different basis? It is also good when the people believe it is going to be met; it is bad when the people believe that it will not be paid, or when they doubt whether it will be paid. What is behind it? The solvency and resources of the Federal Government. Anything else? No. What is behind both? The limit up to which the people are thought to be willing to be taxed to pay them both. That is all. Yet gentlemen will come in here every day and speak of the greenbacks as "fiat," and of the national-bank note, one degree removed from the greenback—a nonlegal-tender note founded altogether upon an obligation no higher than its direct obligation of the Federal Government—as not "fiat."

I do not see for the life of me the difference in dignity, grade, or resource for redemption, and as the gentleman has not yet, to my impression, made the distinction, or shown that one is any better than the other, I am going to insist upon giving him the balance of the session to work it out and explain. [Laughter.]

Now, the gentleman quotes what I said in a magazine. Now, if the House will excuse me, you know even the Bible—a good book—even the authors of the Bible may be put in a very bad attitude now and then by reading just a part of what they say. So I am going to insert in the RECORD, because I do not want to take time to read it, what I did say upon that subject. All of it taken together will be self-explanatory and will answer what the gentleman said in that connection.

You will find it and much more answering the gentleman's question, "What does the Democracy now stand for?" in the February number of Everybody's Magazine.

The ultimate goal of Democratic striving is "tariff for revenue only," but in the striving toward that goal [illegible] protectionism [illegible] tariff "revenue" [illegible] import duties, dividing them, however, into three classes: First, necessaries of life and necessaries of industries; second, comforts; and, third, luxuries.

THE REFORMER MUST GO SLOW.

The general principle that [illegible] wrong—morally wrong—a process [illegible] At the same time [illegible] would not strike [illegible] revolutionary way—"root hog," as the [illegible] Protectionist [illegible] free trade was [illegible] duty [illegible] to the [illegible] tax cuts [illegible] might be [illegible] of the [illegible] sever to [illegible] This [illegible] I have [illegible] in [illegible] out would [illegible] might be [illegible] of the [illegible] their own act, and their punishment [illegible]

[illegible] tariff revision under a [illegible] no [illegible] and [illegible] Democratic [illegible] Democrat [illegible] Democrat [illegible] Democrat

lonial times, I would have made the same answer to all the questions.

A magnificent development, an intelligent people, working with equal opportunities in a fair field in an area of free trade [illegible] before excelled either in wealth or in magnitude, with [illegible] genius, with a fertile soil, a people who or whose ancestors have been called from all the world as the bravest and [illegible] and adventurous of all the world, and who, because brave, aggressive, and possessing initiative, moved out to new [illegible] leaving [illegible] and kindred behind them, such a people in such a land have naturally continued from the first settlement of this country to increase their exports *every* decade during the life of this Republic, and will continue to increase them until the Republic becomes decadent, in spite of your legal obstructions. [Applause.]

Mr. ADAMS of Pennsylvania. The gentleman does not go far enough, for he would state that the excess of exports since the passage of the McKinley bill is more than it has been in a hundred years previous in the history of our country.

Mr. WILLIAMS of Mississippi. That may be true, too, though I don't know it and doubt; but I dare say if the gentleman will live long enough he will find that exports four decades from now will be greater than have ever existed in any four decades——

Mr. ADAMS of Pennsylvania. Unless the Democratic party comes into power.

Mr. WILLIAMS of Mississippi. I can not stop for mutual debate of mere assertions. The truth is this country does increase its exports and it will continue to increase them, and [illegible] increase its exports still more if these people who [illegible] raise the goods for export—the raw cotton and wheat and corn and hay—were left still more untrammeled and still less taxed than they are to-day.

Mr. ADAMS of Pennsylvania. Mr. Chairman——

Mr. WILLIAMS of Massachusetts. The gentleman must excuse me, as I think I have been abundantly courteous. I have explained that I was using up the time of others. To go on reading from the Yale professor, Mr. Wells,

[illegible] over and above the p[illegible] obstructions [illegible] as [illegible] gifts.

HOW WE TRADE WITH SOUTH AMERICA.

In proof of this let us take one of the many illustrations that are avail- [illegible] communication with [illegible] a return cargo from China, were obliged to take freight of wool and copper [illegible] for Liverpool and transship it there at Boston, [illegible] where it is [illegible] ion of the duty on copper to a figure [illegible] in the copper industries with our manufactures of cotton, iron, [illegible] Instructing how the present tariff policy cripples the use of [illegible] TARIFF R[illegible] L TO THE [illegible] OPMENT OF [illegible] How is there? [illegible] 178 [illegible] asked him, "How far would this [illegible] No [illegible] South America exports to England and out of the United States. Can such a trade as this attain any magnitude? Can it warrant the subsidizing of any steamship company?

Now, my friend from Connecticut quotes the census to show how one district in Connecticut had more manufactures than all Mississippi, and he has practically stated the truth. The census, I believe, never misstates anything, but the gentleman has not stopped to explain how that came about. If Mississippi had been as rock ribbed, as infertile, as Connecticut; if her sons had found themselves unable to earn a living except by going into factories as factory hands, I expect Mississippi would have been besprinkled to-day with the factories which now exist in the State of the gentleman from Connecticut. It is a tribute to the American that wherever he has found the gift that God has given to him too small for prosperity he has wrung prosperity for himself anyhow out of his hard environment; and it is quite a tribute to the people of Connecticut and the people of a part of Massachusetts that they have manufactures and manufacturing wealth, and Mississippians ought to thank God that they have never been compelled to have them; and they will thank God also in time; when the time comes when they are compelled to have them and when it is advisable to have them they will have them, because they are blood of your blood and bone of your bone, and can do work equally brave, steady, and intelligent.

I call the attention of the House, however, to the fact that the comparison instituted by the gentleman from Connecticut between manufacturing wealth alone has the emphasis and the vice of redemonstrating the truth of the old adage that "the farmer is the forgotten man." Now, I am going to hazard a remark to-day which I expect the gentleman will pick a flaw with. I say that Mississippi is to-day in a much more prosperous condition than is Connecticut. I say that Mississippi, in a right sense, is more prosperous, her people are more prosperous than they are in the State of Connecticut. The aggregate wealth of Connecticut is ten times as much as that of Mississippi, I suppose; perhaps more. You have, I don't know how many millionaires, where Mississippi has not one. But the man does not live that ever saw a native Mississippian begging his bread. [Applause on the I[illegible] side.]

During the hard times of 1893, when the panic was on the country, there was not a time when a man in Mississippi could not get work. In other words, wealth is equally distributed in Mississippi. We have no millionaires, but we have no paupers either. We have no men gathering around about mill doors begging for work as if they were begging for bread. We have, also, mark you, no men, already fat with Federal legislative lard, gathering around the committee rooms in Washington begging the Government to prop them up because they can not by themselves stand up. I hazard the remark that, black and white, taken together, there is no section of Connecticut where the people are as uniformly and equally prosperous as they are in the State of Mississippi. In Mississippi none of them are very rich and there are none of them sufferingly poor, and that is a comfortable sort of condition to be in.

Now, I want to call attention to one other effect of your protective system. What has it resulted in? The gentleman forgets that in Mississippi we live under the same law which they do in Connecticut. If the protective tariff was sufficient to make you, as an aggregate, rich it would have made us, as an aggregate, rich like it did you. Also, if it was as much to the interest of the farmer as to that of the manufacturer and miner there would have been some millionaire farmers on the rich soil of Mississippi. This proves that it is a class question between capital—the protected versus the unprotected. What has been the effect on the country at large—socially and industrially? The effect has been to accentuate a natural movement that is going on everywhere of dragging from the country, from the farm and the purely agricultural pursuits, the population into the great cities into a [illegible] so that you have built up a [illegible] population concentrated in your great metropoles of Boston, New York, Chicago, and all the balance of them; and what sort of a thing have you there now? You are sitting on a volcano in every great city of this land.

The city would have grown in comparison with the country naturally, but you have accentuated it; you have hastened it, made it worse; you have made it by legislation more profitable to the farmer in the poor agricultural sections of this country to move into the city and become a factory hand by burdening farm life with taxes and putting a part of those taxes into the pockets of city people engaged in manufacturing. You draw daily more and more [illegible] poverty into these overcrowded and unhealthy centers. So, as I say, you are sitting, in your metropoles and factory towns, on a volcano, and their whole population, nearly, is divided into two great armed camps, potentially if not actually armed, with their hands ready to go at the throat each of the other—the camps of combined capital and combined labor—and neither one of them paying any more attention to the interest and welfare or the wishes of "the average fellow," the general public—constituting nine-tenths of the people—than if "the average fellow" or the general public did not exist.

You have accentuated the movement which has enabled these gigantic combinations of capital to be formed, and they have necessitated upon the other hand the formation of gigantic combinations of labor, and each one is thinking only of itself. Where is the conservatism of the future to save the Republic to come from? Do you imagine it is coming from the large cities? I tell you that the only place where American self-government has broken down has been in the large cities. The American has demonstrated that he is capable of self-government everywhere else. He is still on trial there. Whether the great city be Democratic or Republican, you are having the same trouble, and all of your great economists and all of your great publicists are working, working, working anxiously, strenuously, all the time to solve the municipal problems of this country—made so much harder by your policies. If you had not accentuated and hastened the urban evolution it would have come gradually and, like all natural evolution, found by slow process of natural selection a solution of confronting conditions and issues growing out of them.

That will be the test of your power for self-government in the long run. I do not believe with Macaulay that the next great army to break down our present civilization will come from the large cities. I do not so believe, because I believe that American common sense, American foresight—the genius of the English-speaking race—which has thus far met every new problem, after some delay and much suffering, will meet this, and that somehow or other there will be evolved—God only knows how; I can not see that far—some means whereby capital and labor may exist together under your present factory system—exist amicably without being in a state of constant and chronic warfare and almost implacable mutual hatred. And yet it is true that a lockout or a strike, lasting five or six days or two weeks at the utmost, would starve the largest city in America to-day. You have accentuated the evil conditions of city life; give the country and the farmer and the "average fellow" a chance. [Loud applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed bills and joint resolutions of the following titles; in which the concurrence of the House of Representatives was requested:

S. R. 41. Joint resolution to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice of and the statutes relating to that court;

S. 2124. An act to connect Euclid place with Erie street;

S. R. 5. Joint resolution to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893;

S. 2878. An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes;

S. 2824. An act for the extension of Vermont avenue from Florida avenue to Howard University;

S. 3199. An act for the relief of A. M. Short;

S. 721. An act for the relief of Darwin S. Hall;

S. 735. An act for the relief of Jean Louis Legare, of the Dominion of Canada;

S. 1327. An act authorizing the Secretary of the Treasury to adjust and settle the account of James M. Willbur with the United States, and to pay said Willbur such sum of money as he may be justly and equitably entitled to;

S. 994. An act to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc.;

S. 2579. An act for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands;

S. 1407. An act for the relief of John W. Gummo;

S. 2516. An act for the relief of the Nye & Schneider Company;

S. 114. An act to extend the provisions of the act of March 3, 1885, relative to officers and enlisted men of the United States Army;

S. 3424. An act to authorize the removal of structures from Indian allotments in Minnesota;

S. 582. An act to ratify an agreement with the Lower Brulé band of the Sioux tribe of Indians in South Dakota and making appropriations to carry the same into effect;

S. 3720. An act to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. Joseph, Mo., to lower said bridge and to shorten the draw span thereof;

S. 3430. An act to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of

West Virginia, to build a bridge across the Monongahela River, near the town of Rivesville, in the State of West Virginia;

S. 3007. An act making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes;

S. 176. An act for the relief of Jewett W. Adams;

S. 579. An act to regulate the use by the public of reservoir sites located upon the public lands of the United States;

S. 483. An act for the relief of the owners and officers of the brig *Orient* [illegible] and others on board said brig; and

S. 580. An act to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by act of February 26, 1895, relating to public lands.

The messages also announced that the Senate had passed without amendment bills of the following title:

H. R. 9613. An act to amend an act granting to the Keokuk and Hamilton Water-Power Company right to construct and maintain a dam, and so forth, approved February 8, 1901.

FORTIFICATIONS APPROPRIATION BILL.

The committee resumed its session.

Mr. LITTAUER. Mr. Chairman, I ask unanimous consent that general debate on this bill close at 4 o'clock.

Mr. WILLIAMS of Mississippi. I have been myself unwittingly the cause of being now compelled to ask a modification of the request for unanimous consent. Because my friend from Connecticut [Mr. HILL] "let into" me and I had to come to the front in my own defense, I have been the means of postponing the remarks of the gentleman who was to speak next on this side, and he wants an hour.

Mr. LITTAUER. This arrangement will give him an hour.

Mr. WILLIAMS of Mississippi. Very well, then; I will ask that Mr. WADE, of Iowa, be allowed an hour.

The CHAIRMAN. The gentleman from New York [Mr. LITTAUER] asks unanimous consent that general debate on this bill be closed at 4 o'clock this afternoon. Is there objection?

Mr. WILLIAMS of Mississippi. And that the gentleman from Iowa [Mr. WADE] have one hour. That is a part of the request.

The CHAIRMAN. The Chair hears no objection.

Mr. BRUNDIDGE. Mr. Chairman, I ask unanimous consent for the privilege of extending in the RECORD the remarks submitted by me on this bill.

There was no objection.

Mr. BRUNDIDGE. I now yield one hour to the gentleman from Iowa [Mr. WADE].

Mr. WADE. Mr. Chairman, I have pesented to-day a bill providing for reciprocal relations with the Dominion of Canada. I have not introduced this bill upon the assumption that it contains all of the details which may be necessary in order to carry out these relations which so many believe may be established, but I have presented it for the purpose of indicating to some extent the sentiment of the people of my State upon this great problem, and in the hope that some relief may come through this bill or some other. My apology for taking up this subject, which has been so well and so eloquently and so powerfully presented by the gentleman from Massachusetts [Mr. SULLIVAN] and the gentleman from Minnesota [Mr. LIND] and other gentlemen on this floor, is that the gentleman from Iowa [Mr. LACEY] a few days ago, in discussing this question, tried to leave the impression with this House that the farmers of Iowa are protectionists, "stand-patters," and opposed to the proposed reciprocal relations with Canada. Now, if this were true it would be an important consideration, because the farmers of Iowa are a very important part of this great country. I have so frequently referred to in the closing remarks of the last speaker [Mr. WILLIAMS of Mississippi] upon whom the country must some day rely for defense against natural legislation and protection against sentiments which are stirred by passion and which are not controlled by patriotism.

The people of my State—the farmers of my State—have the largest number of cultivated acres of any State in the Union. The farm products of that State exceed those of any other State in the Union, amounting in 1899 to $325,414,528. The live stock of Iowa exceeds that of any other State, amounting to $278,880,096, the next in order being Illinois, with $197,[illegible].

Now, I say if these people, representing these vast interests, were in favor of protection as it is now construed by the Administration, and by the party in control, it would be an important fact to be considered by this body in determining whether we should change the existing conditions or not. But I deny the assertion. I deny that the farmers of Iowa are in favor of protection as it is now construed. I deny that they are "stand-patters" or that they are willing to let existing conditions continue.

Now, Mr. Chairman, I am not going to enter into a general tariff discussion. I have listened with profit and pleasure to many speeches on this floor during this session of Congress, and those speeches have taken up every possible phase of this subject. I am not going to discuss the history of the Democratic party nor the history of the Republican party. The trouble is that both parties had better be a little careful perhaps about tracing back their ancestry. As sometimes happens to individuals engaged in a similar research, they may find somebody hanging on the family tree somewhere along the line.

Nor am I going to spend any time in discussing "the crime of 1873" or the election of 1896 or the nomination of 1904. Gentlemen on the other side have drawn for us vivid pictures of the awful conditions that existed in our country a few years ago. They have told us of the shadowy, gaunt forms that tramped their weary way to the soup houses; they have held up to our view the mountainous surplus that was in the Treasury of the United States when Mr. Cleveland was inducted into office and they have pointed out to us with fiendish glee the awful vacuum that was there the next day.

I am not going to talk about those things. I am not going to discuss history nor biography. I am simply going to talk upon the present situation as it now exists, with the two great parties here made up of men on both sides who I assume and believe to be earnest and conscientious in their convictions of duty. I am going to take these two parties standing here in 1904 facing a great future, because, after all, Mr. Chairman, it does not make so much difference whether the Republican party was right from the time it was brought into being down to the present day, if it is wrong to-day, then it is not entitled to the support of the people of this country. And after all, it does not make so much difference if the Democratic party was wrong from the beginning, if it is right to-day upon the great problems before the country, great problems which must be solved, then I say the Democratic party is entitled to the support of the American people.

We have heard wonderous tales of the prosperity which has been in evidence in this country for the past few years. Men have spoken in joy and thanksgiving, and have even opened their eyes in wonder and astonishment at the great growth and development and at the existence of prosperous times.

Now, Mr. Chairman, I realize that there has been some prosperity in this country. Strange as it may seem, startling as the fact may be, there has been some progress in this country; but I feel about that a good deal as a visitor from across the sea felt about Niagara Falls. In traveling around the country he visited this great natural wonder, and after being shown about by the guide, and after viewing it from every standpoint, he said to the guide, "Well, is that all there is of it?" "Why," the guide said, "I guess I have shown you all the points of interest." "Well," he said, "I don't see what they do he making so much noise about it for, people coming here from all over the country to see it." The guide, stirred by the apparent lack of appreciation of his visitor, said, "My God, sir, don't you see that magnificent body of water tumbling over that mighty precipice?" He said, "I do; but what the divil is there to hinder it from tumbling over?" [Laughter.]

And so I say, what is there in this country to hinder prosperity? It would be a mighty strange thing if the Falls of Niagara were going up hill, and it would be mighty strange if in this nation of ours, with all its wonderous natural advantages, with all its wonderous people, just in the morning of nationhood, just at the break of the morning, it would indeed be "prosperity gone" if we did not make some progress.

They tell us that the manufacturers of the East are prosperous. Why should they not be prosperous? Why should they not prosper when for years they have received at the hands of their government favorable legislation, which has enabled them to levy from the farmers of the West profits which the laws of nature, the laws of economics, the laws of supply and demand would never give them.

They tell us that the people of the West are prosperous. Why should they not be prosperous? They are a great people, made up of the best of all the best races in the world. They have a magnificent stretch of rich territory which is equaled nowhere else on earth. They are the pioneers who went out there a few years ago and turned that virgin prairie into a garden. They worked long hours, they lived cheaply, they economized in every way so that their children might have school advantages and social advantages which they themselves never possessed. Why should not a people like that be prosperous, regardless of any legislation on the part of any party?

They tell us that the South is prosperous, and the gentleman from Illinois [Mr. BOUTELL] spoke here the other day at great length, reading extracts from newspapers showing the wonderous development of the South. Why should not the South be prosperous? They are a people who a few years ago went down in a great war. Instead of homes they found desolation, and beside they found heaps of ashes. Instead of blooming fields they found a barren waste. But they made a firm determination to save something

from that ruin, and the mothers and sisters, who had prayed for them while they were out on the battlefield, made over their old gray uniforms into clothing for the children.

They turned their faces to the future, and they have not only established a great commercial empire, but they have done that which no other people in the world ever did before. They have taught their children to honor and love the flag that waved over the ranks of the enemy on many a battlefield in those dark days which brought desolation to them. [Applause on the Democratic side.] Why should not a people like that prosper? You may put on your commercial hands, you may place your tariff obstruction in the way of natural trade, but all of the most vicious legislation that could be conceived by the most adverse enemy of our commercial life could not keep a people of that kind in commercial bondage. [Applause on the Democratic side.]

Mr. Chairman, of course we have to admit that for many years the farmers of this country have been the mainstay behind the policy of protection, but I want to say that in these modern days there has been a mighty revolution of thought, there has been a mighty change of sentiment, and that this change of sentiment is making itself heard above the tumult and the cries for party harmony, and for adherence to the old policies of protection. They have got tired of this thing. The farmers of this country, we contend, never received any benefit from this great policy of protection. Everyone must concede that they were compelled by very force of the law to pay higher prices for the things they used. Wonder, let us assume, that a patriotic purpose might be entertained, that the great manufacturing interests of this country might be built up. How is it that for many years these men stood behind the policy of protection and marched to the polls at every election giving their voice in its support? Well, the gentleman from Illinois [Mr. BOUTELL] a few days ago entertained us with an eloquent dissertation upon the astrologers and the soothsayers and the idols which the Democratic party had in their midst, and which that party had worshiped.

Now, I am going to say something about the astrologers and soothsayers and idols, and something about suggestive therapeutics. How did these men come to support this policy? They were intelligent. Out in our State we have almost the lowest percentage of illiteracy there is in the United States, and it is not the same kind they have down in Kentucky either. A friend of mine, traveling in the State of Kentucky last year, spoke to an old farmer as he leaned on the fence, and asked him the question: "There is a great deal of illiteracy in this State, is there not?" The old man replied: "No; there used to be, but those darned deputy marshals have closed them all up." [Laughter.]

Now, in Iowa we have almost the least percentage of illiteracy of any State in the Union. How did it come about, then, that the people for years supported a policy which has been opposed to their interests? Well, these great teachers of the Republican party, these great leaders, would come down here to Washington and spend eight or ten months of the year here. They would hit the protection pipe from the beginning of that period to the close, and the "old men would see visions and the young men would dream dreams," and then they would come out among our farmers and tell them of the wonderful fruits of a protective policy; and the first principle that they taught was that the foreigner paid the tax, and that was naturally believed by a great many of our people for many years. I tried to make somebody on the other side of the Chamber believe that the other day when they were trying to get their mileage. But I could not convince them. The man who goes out now and talks about the foreigner paying the tax finds a very unappreciative audience.

The next principle they laid down was that the farmer received the benefits of protection because wheat and oats and corn were among the protected articles. Well, that worked very well for a while. But the people of our State and the people of the great Northwest have at last learned that great truth that so long as we are producing a surplus in these lines which must be sold abroad in competition with every nation on earth the matter of protection has very little to do with the price which they receive for their products. These men have been thinking, and they have become tired of existing conditions. They are worse than tired. They are as bad as the young man out in the western part of my State was who went to see his girl on Saturday night. The girl was very large, weighing about 180 pounds, and the young man was rather tired. In some way during the evening—on account of the scarcity of the furniture in the room, I suppose—the young lady was sitting on the young man's lap, and after this position had been maintained for about an hour she turned around and said, "John, aren't you tired?" He says, "No, I am not tired now. I was tired about an hour ago, but now I am numb." [Laughter.]

So the farmers of Iowa were tired four or five years ago listening to the tales—the fairy tales—about high tariffs protecting them and building up their business, but to-day they are becoming "numb," and they will not listen any longer. I am reminded of the tramp that went into a saloon and watched the liquors poured out to the patrons, and as he watched them served his thirst heightened, and he sang this old pathetic refrain: "Nobody knows how dry I am, how dry I am." And then, as he saw no evidence of appreciation of his situation, he said, "And nobody seems to give—a cent." [Laughter.] Now, the farmer of our State is to-day saying upon this subject, "Nobody knows how tired I am, how tired I am." And then as he looks down here at this present Congress, with its inactivity, with its determination not to yield to the demands of the people upon this question, he is repeating the sad refrain: "And nobody seems to give—a continental."

Mr. Chairman, these men are realizing a great truth, the great economic truth that to every country which is an agricultural and manufacturing country there comes a time when the surplus of agricultural products will be large and when the surplus of manufactured products must be sent abroad. Now, for many years the farmers of this country have been sending an immense surplus abroad, last year running up to nearly $900,000,000, not counting the other, perhaps, hundreds of millions which went into manufactured goods exported which were largely agricultural in value, such as cotton and flour. For the past two or three years there has been a surplus of our manufactured goods going out into the markets of the world. Now, when we reach that stage—when any country reaches the point where it has a surplus of manufactures and a surplus of agricultural products there is only one problem for that country, and that problem is: Markets, more markets.

That is the problem which the United States has to-day. "Markets, more markets," should be the commercial and the political war cry of the present hour.

We must face the problem, whether we will or not. It is upon us to-day, and it is not alone the problem of new markets, but we are suddenly called upon to make a fight to hold the markets which we now have. We have to face the problem as to whether next year or the year after the great markets which we have to-day will be closed against us, and whether the surplus of our farm products will rot in the granaries of our own country, because no one abroad will buy.

We have been the most favored nation in the world. We have been sending our surplus into the markets of the world, with scarcely any duty to pay, while we have been maintaining a high tariff wall upon the products of those countries which received our surplus. But other men are thinking as well as ourselves. Humanity is guided all over the world by about the same principles, and self-interest is the guiding star of action in most all cases, and the result of this has been that, so far as Germany is concerned, so far as France is concerned they have practically closed their markets to our farmers, and that our great purchaser for the past several years, and especially this year and last year, has been Great Britain. Why, it is startling to see the conditions which have prevailed and are now prevailing.

Last year of canned beef Germany took $108,000 worth, France $31,000 worth, and Great Britain four and one-half million dollars' worth. Of fresh beef Great Britain took $25,000,000 worth; Germany, France, Italy, Norway, Sweden, and all other countries except Great Britain took about $8,000 worth. Of bacon Great Britain last year took $16,000,000 worth; Germany and France took about $1,200,000 worth. The United Kingdom last year took nearly $19,000,000 worth of hams, while Germany took $[illegible] worth and France $10,000 worth. Of pork Great Britain took $5,000,000 worth and France and Germany less than half a million dollars' worth. Of flour Great Britain took $31,500,000 worth, Germany less than $3,000,000 worth, and France a little over $12,000 worth. And so on clear down the list.

Why, of all our exports last year Great Britain and her possessions took over $700,000,000, nearly two-thirds of our exports during the last fiscal year, and this was largely made up of farm products. And now men sit calmly down and witness this great nation, which has been our principal customer, undertaking a policy which will just as surely close those markets against us by placing a tariff upon our products and giving a preference to her colonies as that the sun will follow the darkness to-morrow morning. These men sit calmly by with a smile upon their lips, with a sneer at the efforts of Chamberlain, without ever considering what is going to happen to the farmers of this country five years from now if Chamberlain succeeds. Why, there is a standing threat among all the European nations to-day—a standing threat which has been developed because of our antagonistic attitude toward their productions—to close those markets against us. For instance, take cotton, which is the product of that great country to the south of us, which is going to bring wealth and prosperity to its people. In the consular report of January 25 we find an article from Consul-General Mason, of Berlin, in which he says:

Foremost among the economic movements in Europe, which may have a serious meaning for important interests in America, is the present simulta-

[illegible] of Great Britain, France and Germany to emancipate their textile industries from American control. The success of this movement [illegible] are obvious. [illegible] trade and have been brought into [illegible] the past season. This will be apparent from a brief consideration of the [illegible] raw cotton, of which 25,000 [illegible] United States. [illegible] Great Britain, Switzerland [illegible] from American [illegible] and [illegible] United States. [illegible] Germany [illegible] Great Britain [illegible] Germany

system." Believing—still believing. They have a wonderful faith. They possess a faith such as was described by one man, who said, "Faith is a virtue which enables a man to believe that which he knows is not true." That was the kind of faith they had at that time. [Applause.] This was signed, Mr. Chairman, not by Democrats, not by revolutionists, not by anarchists, but by every Republican officeholder in that county, by every judge of a court, by every banker of any prominence, by every wholesale man, and no Democrat nor a man whose Republicanism was ever suspected is found among them.

That was an expression of sentiment then, and the sentiment is strong enough this year to induce the governor of my State to say in his inaugural address:

[illegible]

Is not that new?

[illegible]

Then he discusses this matter of open markets with Canada, which I will not take the time to read, except a few words. He says:

[illegible]

It is obvious that the farmers' principal desire and paramount interest is [illegible]

[illegible]

Talk about idolatry, when the great power of this House is paralyzed now in the face of an [illegible] cause of its stanch adherence [illegible] and most conservative supporters of that doctrine in the past are beginning to repudiate. Let me now quote a few words from the leading Republican paper in Iowa, the Des Moines Register and Leader:

[illegible]

all should recognize that [illegible] warrant as a [illegible]

lican for the stand he has taken. Moreover, it is well to recognize that Governor [illegible] voices a sentiment that is held by a very large and very respectable element in the Republican party, an element that is bound to make itself heard and felt. This element will not be rash nor unreasonable, but it does not intend to be betrayed up. There can be harmony on a basis of mutual consideration and mutual respect.

Why, they are thinking out there—the people are thinking, and there are a lot of officers out there and politicians who are thinking, too. They are thinking like the fellow who sat on a doorstep at 2 o'clock a. m. one winter night, when a policeman came along. The policeman said: "What are you doing there?" The man replied: "I am just thinkin'." "Well," said the policeman, "get in or you will freeze to death. What are you thinking about?" "I was just thinkin' whether I would go in and get killed, or whether I would stay out here and freeze to death." [Laughter and applause.] They are thinking out there. They have realized out there the great truth expressed by a man in an asylum. A man was sent to an asylum and an inmate in there said: "What did you come here for?" He said: "They sent me here because I am a tariff reformer and I voted the Republican ticket." "Oh!" he said, "that is a shame. You should not be sent here. This is a place for the insane and you are nothing but a damn fool." [Great laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. WADE. I would like to have a few minutes more.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Iowa be extended for ten minutes.

The CHAIRMAN. The time for general debate has been limited to 4 o'clock. The gentleman from Mississippi asks unanimous consent to extend the time for general debate until ten minutes past 4 o'clock and that the gentleman from Iowa have that time. Is there objection? [After a pause.] The Chair hears none.

Mr. WADE. Some of the men in our State say these things are treason, but I want to call attention to the Republican platform adopted eight years ago, in which it is said:

[illegible]

All I have got to say is if the arm of reciprocity is not pulled out of the socket by this time, it is a mighty long arm, because [illegible] has got so far ahead that "sister reciprocity" can't see "brother protection" in the dim distance. A calamity! I ask what has been done to remedy this calamity? I ask the gentleman from Connecticut now, What does the Republican party stand for? And I ask this not in the sense he asks as to Democracy, but more [illegible] speaking in the sense which I ask it. What is the [illegible] Republican party is standing? What is it tied to? Why does it stand absolutely defiant of all this growing sentiment? Is it because a little modification of some tariff schedule would be an injury to the country, or is it because it would be an injury to the Republican party? Is it because it would actually bring an injury to some legitimate business interest, or is it because the giant trusts have issued their commands, which must be obeyed?

Men upon this floor have told us time and again of the awful terrors which stand in front of even a suggestion of Democratic [illegible]. They have told us time and again that if ever it became [illegible] that Democracy had a chance to win that at that moment [illegible] industry would be paralyzed, the doors of the factory would be closed, and a general scene of desolation would meet the eyes of the people. They have painted for us in eloquent words the [illegible] that appeared before their minds as they looked out upon the great sea of national life. They have told us that they could see there the boat of Democracy, the old ship of Democracy, rocking and tumbling upon the waves, its masts all swept off, its sides smashed in, going to pieces upon the rocks of political adversity.

[illegible] suggests to me the story of the old fellow down in Missouri who started for New Orleans with his carpetbag in one hand and his umbrella in the other. It was in the olden days, and he was going down to the steamboat to take a trip down the Mississippi. He [illegible] to the brow of the hill overlooking the landing, and as he looked down he heard the whistle blow and the bell ring, and there was the boat, which was going to take him on his journey, just pulling out in the Mississippi away from the landing. He hesitated for a moment. He [illegible] and said, "I will make it or die." He started down that hill at a speed which would make the recognition of the Panama Republic look like 30 cents. [Laughter.] As he got down to the little plank landing, the boat was out about 10 or 15 feet, and he gave one leap, landing on the deck, his umbrella going [illegible] way and his carpetbag the other. He struck a large, portly gentleman amidship, and went sprawling on the other side of the

vessel. He got up and, brushing the dust off, said, "When I say I will make it or die, I'll make it or die." The other fellow, who had been knocked down, got up, looked around, and said, "You damned fool, this boat is coming in." [Laughter.]

Why, you—gentlemen, the boat of Democracy is coming in. [Laughter.] She is coming in, her sails swelling full, and she is laden down, not with desolation, not with poverty, not with products to make soup houses, but laden down with good for the whole people; laden down with demands for honesty and integrity in the administration of governmental affairs; laden down with the assurance that the restrictions which are now placed upon American commerce by the legislation which we now have shall be swept away, not by some radical upheaval, not by some mighty stroke that will disturb business conditions, not by one of those efforts which would have no regard for the business interests of this country, but by careful, conscientious, honest effort to aid in the adjustment of our commercial relations in such a way as to bring to the producer of the farm products of this land something of a wider market and better prices; something that will bring more returns for the men who labor in the shop, that toil in the factories, by giving them a broader field for their products, because their labor and the demands for their labor must depend on the demand for the products of their hands; something that will bring to the manufacturers of this country not the promise of desolation and destruction of the business interests, but an honest effort to try and adjust business conditions so that their field of operation may be enlarged, so that they may get a fair return on their capital, so that their workmen will get a fair return for their labor, and so that the fields of the great Northwest, bearing their burdens of crops every year, may feed the mouths of the millions where they now feed the thousands.

And then those who man the great boat of Democracy are going to raise the question as to whether or not all of the toil, all of the industry, all of the effort, and the results of individual effort of this country must be subjected to the greed of the few men who, regardless of honesty and justice, crush out with mighty blows every industry which they can not control.

We are going to insist upon knowing whether on the one hand we must have an army of industrial pirates and on the other hand an army of industrial slaves.

Gentlemen, the ship of Democracy is coming in, and it will be tied up to the dock here about the 4th of March, 1905. There is no occasion for any man in any line of employment in this great land to feel that there is any danger to any legitimate enterprise. But I tell you that the flag that floats at its masthead is notice to all the rascals in high places, to all the rascals in low places, to all the men who seek to subject individual effort to their passion for greed that they had better be getting under cover, because they are not going to find any friends aboard. [Great applause on the Democratic side.]

The CHAIRMAN. General debate being now closed, the Clerk will proceed to read the bill by paragraphs for amendment and debate under the five-minute rule.

The Clerk read as follows:

FIRE-CONTROL INSTALLATIONS.

[illegible]

Mr. BRUNDIDGE. Mr. Chairman, I move to amend by striking out in line 13, page 8, the word "five" and inserting in lieu thereof the word "one," making the appropriation $500,000. This is the item appropriating $500,000 for fire-control installations. As I stated in my previous remarks, the apparatus contemplated by this provision has not been sufficiently tested. I believe the gentleman from New York stated that since the hearings before the committee that there are two of these arrangements now in full operation—only two in the United States—and it seems to me that $500,000 is a sufficient sum with which to conduct these further experiments. Therefore I have proposed this amendment and hope that the same may be adopted.

Mr. LITTAUER. Mr. Chairman, I trust that this amendment will not prevail. I believe that the expenditure here proposed is as important as any item in this bill. This system of fire control was not only invented and inaugurated by our own officers—its efficiency has been demonstrated by actual practice, and in consequence was adopted by the Board of Ordnance and Fortifications, who recommended its installation.

The Chief of Artillery states that—

It can safely be said that the money thus spent would more than double the value of every coast-defense gun.

Now, as to the experience we have had with this newly developed system, the Chief Signal Officer, in a letter dated February 17, 1904, states:

I have to report that the system approved July 30, 1903, has been installed at Fort Barrancas, Fla., and in the Portland artillery district, while the completed systems in the Narragansett and New London artillery districts lack only the apparatus needful for a change from the vertical to the horizontal system of range finding.

The letter then proceeds to give a reason why the estimates prepared by the Chief of Artillery do not conform to the estimates of cost made by the Chief Signal Officer for the installation at a single emplacement.

It appears that for four installations the cost will be $17,100, or $4,275 per emplacement. In other words, the proposed expenditure amounts to $17,100 to render doubly effective, in the opinion of our best experts, a battery of guns that has cost a quarter of a million of dollars. I trust that the amendment will not prevail.

The question being taken on agreeing to the amendment, there were—ayes 49, noes 53.

Mr. BRUNDIDGE. I call for tellers.

Tellers were ordered; and Mr. LITTAUER and Mr. BRUNDIDGE were appointed.

The committee again divided; and the tellers reported—ayes 76, noes 76.

So the amendment was rejected.

Mr. RANDELL of Texas. I move to amend by striking out "five" and inserting "two," in line 13, page 8, so as to make this appropriation $200,000 instead of $500,000.

The question being taken on agreeing to the amendment,

The CHAIRMAN said: The noes appear to have it.

Mr. JAMES. I call for tellers.

Tellers were ordered; and Mr. LITTAUER and Mr. RANDELL of Texas were appointed.

The committee again divided; and the tellers reported—ayes 79, noes 78.

The CHAIRMAN. The Chair votes in the negative. The ayes are 79, and the noes 79. So the amendment is not agreed to.

The Clerk read as follows:

FORTIFICATIONS IN INSULAR POSSESSIONS.

For construction of seacoast batteries in the insular possessions, $[illegible]; [illegible] of land needed as sites for the defenses of the Hawaiian Islands, $20,000.

Mr. SMITH of Kentucky. Mr. Chairman, I desire to move to strike out all of this bill beginning with line 15, page 8, down to and including line 8, page 9.

The CHAIRMAN. The vote would necessarily be taken on this section paragraph by paragraph, unless the Committee of the Whole should be willing to treat all as one proposition.

Mr. SMITH of Kentucky. I ask unanimous consent that the vote be taken on the one proposition to strike out this section, instead of on each paragraph.

The CHAIRMAN. Is there objection to this request? The Chair hears none. The Clerk will read the remaining paragraphs referred to in the proposition of the gentleman from Kentucky.

The Clerk read as follows:

For the purchase, manufacture, test, and issue, for the insular possessions, [illegible]

For the purchase, manufacture, test, and issue of rapid-fire guns for coast defense for the insular possessions, including [illegible] and the [illegible] for land fortifications [illegible]

Mr. SMITH of Kentucky. Mr. Chairman, I believe I will change the form of my motion and propose an amendment in this language:

"Provided, That none of the money herein appropriated shall be used to fortify the Philippine Islands."

I see that a part of the text of the bill has relation to Hawaii and Porto Rico. I do not wish to strike out anything in relation to those islands; but I do wish to limit the use of the money to those. Hence I offer an amendment in this language:

At the end of line 5 add: "*Provided*, That none of the money herein appropriated shall be used for the fortification of the Philippine Islands."

The CHAIRMAN. The Chair thinks that that limitation would apply to that paragraph only and not to the entire section.

Mr. SMITH of Kentucky. Then, Mr. Chairman, I will offer it as an independent clause:

That no money appropriated in this act shall be used in constructing fortifications in the Philippine Islands.

I move that amendment to the bill.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

Mr. MANN. Mr. Chairman, what has become of the items in the bill?

The CHAIRMAN. The items in the bill are passed.

Mr. MANN. There is no amendment as to those.

The CHAIRMAN. No amendment has been agreed to. The Clerk will report the amendment.

The Clerk read as follows:

[illegible] page 9, insert as an [illegible]

Mr. SMITH of Kentucky. Mr. Chairman, I [illegible] say that I [illegible] that at this time [illegible] to fortify or enter upon a system of fortifications in the Philippine Islands. As [illegible] I [illegible] to establish that system. At least, I think [illegible] by the party in control of the Administration [illegible] I have [illegible] Just what that means I am not prepared to say. [illegible] or not. [illegible] Supreme Court of the United States [illegible] about.

Looking at this subject—and it is a very serious and a very complicated one, gentlemen, it is the [illegible] for us to do to purchase [illegible] upon new [illegible] we know definitely what we are to do with them in the future.

Mr. LITTAUER. Mr. Chairman, the [illegible] at Manila and [illegible] any [illegible] We must [illegible] Unless we do so we can not maintain our Navy. I trust the amendment will be [illegible]

Mr. BOWIE. I want to ask the gentleman a question. The Philippine Islands [illegible] the revenues which are collected there [illegible]

Mr. LITTAUER. [illegible]

Mr. BOWIE. [illegible] not the Philippine [illegible] forty-five and Manila Bay and [illegible] they have [illegible]

Mr. LITTAUER. [illegible] ns is a matter [illegible] It is a [illegible] would seem [illegible] property [illegible]

Mr. BOWIE. [illegible]

Mr. LITTAUER. [illegible] out a different case.

Mr. LITTAUER. How about Porto Rico?

Mr. MANN. Is it not a fact that the insular government [illegible] to criticism on their part. [illegible] the Philippines [illegible] state government [illegible] to have [illegible]

Mr. LITTAUER. [illegible]

Mr. MANN. They can not do it.

Mr. LITTAUER. [illegible] part of their power or privilege.

Mr. WILLIAMS of Mississippi. Mr. Chairman [illegible]

The CHAIRMAN. [illegible] amendment is exhausted.

Mr. WILLIAMS of Mississippi. I move to strike out the last [illegible]

[illegible] New York has just pleaded by analogy the [illegible] that we have spent a great deal of money in the Philippine Islands for barracks and things of that sort. These expenses already made were necessary even in view of the fact that [illegible] there was to be temporary. This particular [illegible] if it should carry, amounts, in so far as the provision in the bill goes, to prejudging the great question as to whether the American people shall retain permanent possession of the Philippine Islands or not.

It is essentially an appropriation which would be vain and [illegible] in view of the intention of returning the Philippine Islands [illegible] This is a great question that has not [illegible] party in this country [illegible] or turn them loose. Here lately I [illegible] it was the policy, the R[illegible] to ma[illegible]

Now, I am [illegible] that [illegible] it is [illegible] they contain a po[illegible] no [illegible] a man [illegible] to [illegible] d [illegible] n [illegible] d [illegible] it will be necessary [illegible]

Mr. WILLIAMS of Mississippi. I do not know about that. I [illegible] a naval station [illegible] r von to say that [illegible] in [illegible] re [illegible] when [illegible] of [illegible] be [illegible] ports [illegible] n by naval attacks if an attack should take [illegible] at Subig Bay and Manila. [Applause on the Democratic side.]

Mr. SMITH of Iowa. Mr. [illegible] bill [illegible] our [illegible] or by the N[illegible] the s[illegible]

[illegible] ns or into Guam, or Porto Rico, or into any of the insular [illegible]

[illegible] of the Philippine Islands are more subject to attack [illegible] and all [illegible] rest of our people," we w[illegible] to criticism on their part. [illegible]

It is [illegible] these people, who are now [illegible] the same [illegible] they a[illegible] our laws [illegible] [illegible] them the same protection we are w[illegible] [Applause.] [illegible] day [illegible]

When the P[illegible] authority of the United States [illegible] authority upon them; but when they are obedient to our laws I am in favor of giving to them every protection that we give to

any other man in this country, and I protest against this proposition that we are to inject right into our laws that we will fortify Hawaii, and we will fortify Guam, and fortify Porto Rico, and we will fortify and defend our people here at home; but these children under our tutelage are to go unprotected against the aggression of foreign powers, and I hope the amendment will not be adopted. [Applause.]

Mr. WILLIAMS of Mississippi. Mr. Chairman——

The CHAIRMAN. Debate upon the amendment is exhausted.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I move to amend the former amendment by striking out the last two words.

The CHAIRMAN. The gentleman from Mississippi offers a substitute, to strike out the last two words.

Mr. WILLIAMS of Mississippi. Mr. Chairman, in the first place, these people are not obedient to our law, because you have refused to extend our laws to them. They are not obedient to any law, because you have refused to extend any law to them.

Mr. SMITH of Iowa. They are obedient to our laws that pertain to them.

Mr. WILLIAMS of Mississippi. Ah! Ah! They are obedient to a government of absolutism, armed with the largest discretionary powers of any colonial government under the sun to-day. The gentleman need not worry himself about the Filipinos being hurt when we decline to do something which looks like we were going to hold them in perpetual tutelage. They will rather be hurt at the reassertion of indefiniteness about our occupation and about our colonial sway. The gentleman says they are obedient to our laws and our Constitution. How can they be obedient to our Constitution when he himself says, or his party colleagues, that our Constitution does not apply to them?

Mr. SMITH of Iowa. We have never claimed that all our laws——

Mr. WILLIAMS of Mississippi. I understand, Mr. Chairman, the gentleman claims what King George claimed—that one law applies to men under the flag at home and another to men under the flag in the colonies. [Applause on the Democratic side.]

The British constitution did not apply to us, and he says that the American Constitution does not apply to them. Now, Mr. Chairman, I have another objection to this. Where is it going to stop? Is the gentleman aware of the fact that it will take less money to fortify the Philippines than it would to fortify continental America? Is he aware of the fact that the coast line of that immense archipelago, extending all the way up to the northern part of Luzon down to the southern point of Mindanao, will require more money to fortify than all the Pacific and Atlantic and Gulf coasts of the United States? Is he not perfectly aware of the fact that the fortification at Manila and Subig Bay is not a sufficient one, that it is absolutely insufficient and ineffectual as a fortification of the Philippine Islands?

Mr. SMITH of Iowa. The War Department says that it would take a third or less to fortify it than it would to fortify continental America.

Mr. WILLIAMS of Mississippi. Any man who has common sense who can look at a map knows better. Take those islands and all those islands [illegible] on [illegible] Some people say 600, some 400, but I believe there are twelve hundred in all.

Mr. HEMENWAY. Will the gentleman yield?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. HEMENWAY. How many of the harbors which the gentleman has mentioned can a war vessel get into?

Mr. WILLIAMS of Mississippi. That I do not know. If the gentleman will take——

Mr. HEMENWAY. That is the reason the gentleman does not know what he is discussing. There are only a few harbors which need a coast defense.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon, I may not have sufficient information, but I know more than that.

Mr. HEMENWAY. There are very few——

Mr. WILLIAMS of Mississippi. There is one below Iloilo somewhere—I do not know how to pronounce it—as well as one up by Luzon and one at Mindanao; so I happen to know more than the gentleman imagines, although I may know very little about it.

Mr. HEMENWAY. The gentleman has only mentioned two or three; why doesn't he mention more? The water is shallow on that coast.

Mr. WILLIAMS of Mississippi. I can not mention any more because of my insufficient information as an engineer as to the depth of the water on the coast of the Philippine Islands. I do know it is absolutely impossible to fortify that coast without great expense. The gentleman seems to think that the only points you have got to defend are the harbors that a man-of-war can get into. That is not the fact. Smaller ships can land men at other places.

Mr. HEMENWAY. Does the gentleman base his opposition to this item on the cost alone?

Mr. WILLIAMS of Mississippi. No; I do not. I base my opposition on the fact that I do not intend, if I can help it, that we shall hold the Philippine Islands. I do not intend to poison the citizen body of the United States with the infiltration of this alien, unfriendly, and unruly blood. [Applause on the Democratic side.] Nor do I propose that my children shall be cursed with the idea that one people of one community has a right to govern another community with the indefinite colonialism of absolute government.

Mr. PAYNE. Mr. Chairman, my friend from Mississippi is great on assertion, and he is still stronger in assertion when he has to contess that he does not have the facts on which the assertion is founded. He states that it will cost more to fortify the Philippine Islands than it would to fortify the whole coast of the United States. His attention is directed to the fact that the Board of Ordnance of the War Department, that has that particular thing under their supervision, states that it will cost but a fraction of the amount, and still my friend vociferates more loudly that, from his own knowledge of it, it will cost more.

Then he is asked how many harbors there are in the Philippine Islands. He doesn't know; he knows very little about it, he confesses that he knows nothing about the fortification of that seacoast. He does not even know whether it is necessary to fortify the ports that will admit of letting a boat come in, and still he [illegible] that it will cost more to fortify the Philippine [illegible] fortify the [illegible] of the United States.

Mr. WILLIAMS of Mississippi. Is not the coast of the Philippines longer than the coast of the United States?

Mr. PAYNE. Oh, that does not cut much of a figure. I have some confidence in the Ordnance Board.

Mr. WILLIAMS of Mississippi. Will the gentleman allow me a question?

Mr. PAYNE. My time is running, and I have only five minutes.

Mr. WILLIAMS of Mississippi. The gentleman will remember that I always permit an interruption, if possible.

Mr. PAYNE. Very well; I will yield for a short question.

Mr. WILLIAMS of Mississippi. I wanted to read the gentleman a question and an answer. It is a question that was asked Admiral Dewey, but I will not read it all. In the answer he says that if the Navy were out of the bay at Manila no army could stay there six weeks—they possibly might stay two months, and he also says that they could not be fortified anyhow.

Mr. PAYNE. Now, Mr. Chairman, I do not know what Admiral Dewey says, but I do know what the Ordnance Board says. It is their business to know whether coast fortifications will protect that harbor or not. They state upon their reputation that they will, and they recommend this appropriation. It has no bearing on the question whether we shall stay in the Philippine Islands or not, or whether in some future day, when they are educated up to it, we will give them a flag, autonomy, and a government and let them go free. If we ever do it, it is our duty, while under our care, while we are their guardians and they are our wards, to provide suitable fortifications in case they become a power that they may protect themselves so far as they are able.

[illegible] than that. We never will leave the Philippine Islands unless we have some naval station there, one or more. We might as well look this matter in the face, and, as I understand it, the Appropriation Committee is looking out for that. In case we leave the islands we shall still have a naval station, and we must provide a naval fortification. Now, if we are going to work, then this year will not be any too soon to provide a naval station in the East, in the Orient, which is now the theater of war. I say, Mr. Chairman, that this language ought to remain in the bill. This Board ought to be permitted to use this appropriation for the purpose of building fortifications in the Philippine Islands according to the design of the Board.

Mr. FITZGERALD. Does the gentleman believe that the appropriation for fortifications in the Philippine Islands should remain in the bill?

Mr. PAYNE. Certainly I do.

Mr. FITZGERALD. Let me inform the gentleman that there is no such appropriation in the bill.

Mr. PAYNE. There is an appropriation which it is acknowledged may be used for this purpose. This amendment provides that it shall not be so used. I suppose my colleague understands that.

Mr. FITZGERALD. If such an appropriation is necessary, why did not the committee report it in specific terms as they have done in other cases?

Mr. PAYNE. It might have been met with a point of order.

Mr. FITZGERALD. Oh, no.

Mr. PAYNE. If it were liable to a point of order, no doubt it would be raised.

Mr. LITTAUER. I will say in reply to the gentleman from New York [Mr. FITZGERALD] that this bill never carries any specific appropriation for particular objects of this character.

Mr. FITZGERALD. I call the attention of my colleague to this provision of the bill:

[illegible] needed as sites for the defenses of the Hawaiian [illegible]

Mr. PAYNE. That is a particular provision.

Mr. FITZGERALD. That is a specific provision for defenses in the Hawaiian Islands.

Mr. LITTAUER. But it does not specify any particular island.

The CHAIRMAN. The time for debate has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The CHAIRMAN. The question is now upon the amendment offered by the gentleman from Kentucky [Mr. SMITH].

Mr. SMITH of Kentucky. Mr. Chairman, I reckon we may as well have tellers.

The CHAIRMAN. The gentleman from Kentucky "reckons" we may as well have tellers. [Laughter.]

Tellers were ordered; and Mr. LITTAUER and Mr. SMITH of Kentucky were appointed.

The committee divided; and the tellers reported—ayes 80, noes 9.

So the amendment was rejected.

Mr. ROBINSON of Indiana. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 10, line 6, after the word "Government," in line 19, insert:

"Provided, [illegible] appropriation shall be expended in the construction or [illegible] aerodrome."

Mr. LITTAUER. I make a point of order against that amendment. The duties of the Board of Ordnance and Fortification are specified by existing law:

[illegible] the Board of Ordnance and Fortification shall have charge of whatever is for the [illegible] proper discharge of the [illegible] ber 22, 1888.

The duties of this board are thus provided for by statute.

The CHAIRMAN. The Chair begs to call the attention of the gentleman from New York to the fact that the Houses of Representatives [illegible] for every material purpose. It may appear [illegible] it does; and if now or hereafter any [illegible] upon the expenditure [illegible] the Chair. In the opinion of the Chair, the amendment of the gentleman from Indiana [Mr. ROBINSON] is properly in [illegible] upon this appropriation, and in the opinion of the Chair is in order. The Chair overrules the point of order.

Mr. ROBINSON of Indiana. Mr. Chairman, this amendment is proposed as a limitation on the use of the fund of [illegible] appropriated in this section to the Board of Ordnance and Fortification. It is aimed at the expenditures of money that has been going on, as the chairman of the subcommittee has told us, for two years at the rate of $25,000 per annum for experimentation in connection with the Langley air-ship venture. We are all familiar with the heated money in these experiments. The amount of the appropriations has at times been [illegible] and the result has been practically a [illegible] Another $75,000 should be embarked in the enterprise [illegible] the purpose of being sunk in that venture.

I have presented the amendment in this form, [illegible] only at the rate of $25,000 per year of the sum [illegible] further money in experimentation with the Langley air-ship. That is the only purpose of the amendment.

Mr. LITTAUER. Mr. Chairman, the Board of Ordnance and Fortification are a board of experienced [illegible] of the Army to give advice in the adoption of [illegible] war materials. In the last matter given [illegible] it was stated that Professor Langley [illegible] board of army and navy officers, who went over it very thoroughly, and were [illegible] of being successful. He had [illegible] and this board [illegible] to the Secretary of War, and that report was sent to the Board of Ordnance and Fortification, before which Professor Langley appeared. The allotment first of $[illegible] was made, [illegible] and subsequently in [illegible] was adopted. The experiment was [illegible]. The report goes on to state that—

The Professor [illegible] understanding [illegible]

The CHAIRMAN. The question is on agreeing to the amendment.

The question being taken on the amendment, on a division, demanded by Mr. ROBINSON of Indiana, there were—ayes 41, noes 70.

Accordingly the amendment was rejected.

Mr. ROBINSON of Indiana. Mr. Chairman, on line 6, page 10, I move to strike out the words "one hundred" and to insert the word "seventy-five."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 10, line 6, strike out "one hundred" and insert in lieu thereof "seventy-five."

The amendment was rejected.

The Clerk resumed and concluded the reading of the bill.

Mr. CUSHMAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend, on page 10, at the [illegible] thorite.

Mr. CUSHMAN. I do not feel at this late hour in the session, it being nearly our usual hour of adjournment, that I [illegible] ranted [illegible] tion. [illegible] two [illegible] which I have proposed.

This is not the first time that this matter has been before Congress for consideration. However, I dare say that the facts surrounding it have long since passed from the memory of [illegible] a few of the main points.

In the first place, Dr. Hiram P. Tuttle was a physician and surgeon [illegible] in Tacoma, in the State of Washington, from [illegible] of his death, which was, if I remember [illegible] 1901.

Doctor Tuttle was an unusually [illegible] and able man. He was a student to the day of his death. The Doctor had been for some [illegible] perfecting a powerful explosive [illegible] reports as "Tuttle [illegible] proved so extremely [illegible]

[illegible] the War [illegible] and as a [illegible] them in order to fairly present [illegible]

At [illegible] year [illegible] year a [illegible] rite." [illegible] shell. [illegible] and Tuttle [illegible] had been [illegible] the Government [illegible] by our Government with a view to the purchase of the same. The [illegible] and Tuttle [illegible] had been [illegible] the House placed in the fortifications bill for 1901 an appropriation to purchase both of these, the shell and the explosive, for $100,000.

This provision, which was passed by the House of Representatives in the year 1901, read as follows:

ISHAM SHELL AND TUTTLE "THORITE."

[illegible] Secretary of War to purchase the United States Letters Patent [illegible] and to pay the same through proper channels [illegible] Provided, That [illegible] War, and to his satisfaction, before any payment for the same shall be made, [illegible] application for patent covering said invention or [illegible] under the foregoing provisions of this act shall [illegible] in limited quantities abroad, which material shall be admitted free of duty.

The bill as thus amended was approved March 1, 1901, and became a law.

The first proviso which the Senate added to the bill made it necessary for the Secretary of War to recommend the purchase before the hundred thousand dollars could be expended in the purchase of the shell and the explosive.

The Secretary of War declined to make this recommendation; and his reasons for doing so will be shown by his letter, which I will read to you:

WAR DEPARTMENT, *Washington, April 15, 1902.*

DEAR SIR: In response to your inquiry in regard to the action taken under the clause of the fortifications act of March 1, 1901, regarding the purchase by the Government of Dr. Tuttle's invention, I have the honor to state that I did not think it would be for the best interests of the Government to purchase the invention at the price mentioned in the act. I asked the Board of Ordnance and Fortification to report to me as to whether the purchase would be for the best interests of the Government. The board advised against the purchase as to both. The board [illegible] of the invention [illegible] in the opinion of the board [illegible] the Government [illegible] and Fortification also adopted the following resolution:

"Ashorite is the safest and most effective high explosive that has been presented to and tested under the direction of this Board, it is the opinion of this Board that Doctor Tuttle is entitled to a reasonable compensation for his invention [illegible] following annotation [illegible] of March 1, 1901, [illegible] the United States [illegible]

[illegible] for compensation to Doctor Tuttle because [illegible] Secretary of War [illegible] would lead to a grant of reasonable compensation to Doctor Tuttle's heirs. The Board of Ordnance and Fortification [illegible] has [illegible] a further test of the Isham shell, and that recommendation has been approved.

Very respectfully,

ELIHU ROOT,
Secretary of War.

Hon. J. A. HEMENWAY, *House of Representatives.*

You will notice that the Secretary of War is most hearty in his recommendation that Doctor Tuttle should be compensated for his long and faithful labors in conjunction with many officers of the United States in seeking to develop a practical high explosive.

From the language of the letter of the Secretary of War I am justified in making the statement that the Secretary of War would have paid Doctor Tuttle this compensation himself had the legal authority been vested in him. As he did not have that authority, he makes the recommendation that this body, which does have the authority, make the payment of this compensation.

It is proper in this connection for me to remark that I brought up this same matter in the first session of the Fifty-second Congress, on the 19th of April, 1892 (see CONGRESSIONAL RECORD, p. 4457); I at that time offered an amendment to the fortification appropriation bill appropriating $50,000 for the purchase by the Government of "thorite," with the secret of the manufacture, and the exclusive right to manufacture and use the same.

That amendment which I offered at that time was adopted by the vote of this House. But after my amendment had been adopted by the House appropriating $50,000 to purchase this high explosive, and the bill, with my amendment, reached the other end of the Capitol the high explosive unfortunately exploded in the United States Senate [laughter]—at least I presume that is what happened, because when the bill came out of the Senate my amendment providing $50,000 for the purchase of the explosive was not in the bill.

Please bear in mind now that twice heretofore this House, by an affirmative vote, has passed a provision as a part of the fortification appropriation bill similar to this provision which I offer by amendment to-day.

The amendment which I have offered to-day is not for the purchase of this explosive, but to reimburse the heirs of the late Doctor Tuttle for his labors in connection with the invention and perfection of that explosive.

My reason for making this change was in order that my proposed amendment would be in perfect harmony with the recommendation of the Secretary of War. You will also observe that while this House on a similar provision once before voted $50,000, in my amendment offered to-day I only ask for one-half that sum, to wit, $25,000.

If the hour were not so late and this House had time to listen, I could detail at length the labors of the Doctor in the matter of the discovery and perfection of this explosive and its use by the Government. Gen. Nelson A. Miles, one of the great military men of our nation, pronounced it the best high explosive known to man. The Government ordered the Doctor to manufacture 5,000 pounds of this explosive, which was sent to and used in the Philippine Islands. The Doctor put in the best years of his life in the invention and perfection of this explosive. He was so busy working on it to make it a success that he did not think of securing his pay for it at that time, and while in the midst of that work he died. This bill having passed the House twice before—practically the same bill—once with the sum of $50,000, I think the House might well now give its assent by late action to reimburse the heirs of Doctor Tuttle in the sum of $25,000, as proposed by my amendment.

Mr. LITTAUER. Mr. Chairman, I reserved the point of order for the reason that the point of order would lie as to this amendment. I reserved it, also, because I did not feel as a member of the committee that I should take a position contrary to the recommendations of the Board of Ordnance and Fortification, who had recommended that a fair compensation be given to Doctor Tuttle. And again, the Secretary of War recommended that that compensation be given to his heirs. The Board of Ordnance and Fortification adopted this resolution:

As thorite is the safest and most effective high explosive that has been presented to and tested under the direction of this Board, it is the opinion of the Board that Doctor Tuttle is entitled to a reasonable compensation for his invention, and it is [illegible] of his compensation.

The Secretary of War, under date of April 15, 1902, says:

I approved the recommendation for compensation to Doctor Tuttle, because I felt [illegible] of the [illegible] of the [illegible] of the United States to whom they belonged.

Mr. LACEY. I would like to ask the gentleman a question. Is the amendment so drawn as to give the United States the benefit of this thorite for future use, or is it for compensation for work already done?

Mr. CUSHMAN. It is for compensation, and it follows what seems to be the recommendation of the War Department.

Mr. LITTAUER. I must add that I am convinced that the War Department does not care to use thorite, because it believes that at this time it has no value.

Mr. CUSHMAN. You will remember that the Secretary of War stated in his official letter:

I think that a just exercise of the powers which Congress possesses but which the Secretary of War does not possess, should lead to a grant of reasonable and even liberal compensation to Dr. Tuttle's heirs.

Mr. STEPHENS of Texas. Will the gentleman allow me to ask him a question?

Mr. CUSHMAN. Certainly.

Mr. STEPHENS of Texas. If this is a valuable invention, why can not it be paid for in the same manner that the work on the [illegible] was paid for? They claim that was an invention and Mr. Lorenzo has been paid out of the fund given to the Secretary of War. Now, the question was, can not this be paid for in the same way out of the same fund?

Mr. CUSHMAN. I think payment could be made from that fund, but I think the Secretary of War would not in his judgment feel justified in using that fund for this purpose. I certainly would be both pleased and satisfied if the Secretary of War should recognize this just claim out of any fund. You will remember I have [illegible] an item attached to the fortification appropriation bill, and passed by the House in 1901, providing for the payment for the high explosive "thorite," and also for the Isham shell. When that bill went from the House here to the Senate an additional clause was added by the Senate to that portion of the bill relating to the expenditure of the money thus appropriated in the discretion of the Secretary of War. The Secretary of War states in his letter, which I have heretofore read, the reasons why he did not feel warranted in using that discretion and making the purchase. I presume the same reasons would impel him to decline payment of this claim from this other fund.

The Secretary of War states in his letter that he believed the invention was a good one when it was first brought forward, and that Doctor Tuttle, the inventor, by his labors aided materially in perfecting the high explosive.

But, in the meantime, after "thorite" had been experimented with and used but before the Doctor had been paid therefor, other explosives had been brought forward, which, in the judgment of the War Department, were superior to "thorite." Therefore the Secretary of War did not feel warranted, at the date when this matter was presented to him, in recommending the purchase of "thorite," as other explosives were claimed to be superior; but, nevertheless, the Secretary of War did recognize that the labors of Doctor Tuttle in this particular field had in all probability aided in the discovery and perfection of these other explosives, and therefore, with manifest propriety, the Secretary in his official letter warmly recommends that Doctor Tuttle's heirs be compensated for his labor, and that is what my amendment is offered for.

Mr. PAYNE. Did I understand the gentleman to say that there were other inventors?

Mr. CUSHMAN. Doctor Tuttle was the sole inventor of this particular explosive, "thorite." There were other inventors who brought forward other explosives.

Mr. PERKINS. And they may also have claims.

Mr. CUSHMAN. That may be, but I do not know of any. My judgment is that others having claims anywhere near as just as this have been paid long ago.

Mr. PERKINS. Mr. Chairman, I feel that I must make the point of order, as this would open the door to a large number of claims.

Mr. STEPHENS of Texas. I will ask the gentleman if they have refused to pay this out of this fund because there were other inventors?

Mr. CUSHMAN. No, sir.

The CHAIRMAN. The gentleman from New York [Mr. PERKINS] made the point of order against the amendment, and the Chair sustains the point of order.

Mr. CUSHMAN. Mr. Chairman, I would like to be heard for a moment on the point of order.

The CHAIRMAN. The Chair declines to hear any gentleman on a point of order, but the statement is so palpably out of order.

Mr. CUSHMAN. I trust the Chairman will hear me for a moment. There is no one more jealous than I am with the proposition that a private claim is not ordinarily in order as an amendment to a general appropriation bill. I am not here to contend that proposition. But the original appropriation which was found in this bill in 1901 appropriated $100,000 for the purchase of these two explosives. That was a part of this bill in 1901. My amendment only seeks to apply to the payment of this claim a portion of that appropriation which was a part of this bill in 1901. Further than that, all appropriations that have ever been made for the purchase of types of explosives or engines of war have always been brought forward and paid for on this bill.

Therefore I think that a matter of this character relating to an explosive, and for compensation for labors performed in connection with the perfection of an explosive, is properly the subject of an amendment to this particular bill.

And I think there is added especial force to my argument in this particular when we consider that the original appropriation for the purchase of this explosive was a part of this fortification appropriation bill. And the amendment which I now offer seeks to utilize a portion of that same appropriation in payment of this claim, a claim relating to the very same subject. That is all I care to say.

The CHAIRMAN. It is perfectly clear to the Chair by no possible reasoning can this be made a part of the appropriation for carrying on this branch of the service during the fiscal year beginning the 1st of July next, and, therefore, the Chair is constrained to sustain the point of order.

Mr. LITTAUER. Mr. Chairman, I move that the committee do now rise and report the bill to the House with the recommendation that it do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SHERMAN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12446, the fortifications appropriation bill, and directed him to report the same back to the House with the recommendation that it do pass.

Mr. LITTAUER. Mr. Speaker, I move the previous question on the bill, with the recommendation that it do pass.

The question was taken, and the motion was agreed to.

The bill was ordered to be engrossed and read a third time; and accordingly was read the third time, and passed.

On motion of Mr. LITTAUER, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONSTITUTING UTICA, N. Y., A PORT OF DELIVERY.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the following bill. It is very brief.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of the following bill, which the Clerk will report.

The Clerk read, as follows:

A bill (H. R. 4654) constituting Utica, N. Y., a port of delivery.

Be it enacted, etc., That [illegible] State of New York, be [illegible] Oswego, N. Y., [illegible] extended to said port; and there shall be appointed a deputy collector of customs, to be nominated by the collector of customs at Oswego, N. Y.

Amend the title so as to read: "A bill constituting Utica, N. Y., a port of delivery, and for other purposes."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and accordingly was read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

The SPEAKER. Without objection, the title of the bill will be amended.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. R. 41. Joint resolution to provide for the printing of a digest of the decisions of the Court of Claims, together with the rules of practice of and the statutes relating to that court—to the Committee on Printing.

S. 2184. An act to connect Euclid place with Erie street—to the Committee on the District of Columbia.

S. R. 5. Joint resolution to enlarge the scope of an act entitled "An act to provide a permanent system of highways in that part of the District of Columbia lying outside of cities," approved March 2, 1893—to the Committee on the District of Columbia.

S. 2878. An act authorizing the laying of water mains and service sewers in the District of Columbia, the levying of assessments therefor, and for other purposes—to the Committee on the District of Columbia.

S. 2324. An act for the extension of Vermont avenue from Florida avenue to Howard University—to the Committee on the District of Columbia.

S. 3199. An act for the relief of A. M. Short—to the Committee on Claims.

S. 721. An act for the relief of Darwin S. Hall—to the Committee on Claims.

S. 735. An act for the relief of Jean Louis Legare, of the Dominion of Canada—to the Committee on Claims.

S. 1327. An act authorizing the Secretary of the Treasury to adjust and settle the account of James M. Wilbur with the United States, and to pay said Wilbur such sum of money as he may be justly and equitably entitled to—to the Committee on Claims.

S. 964. An act to grant jurisdiction and authority to the Court of Claims in the case of Southern Railway Lighter No. 10, her cargoes, etc.—to the Committee on Claims.

S. 2579. An act for the relief of the estate of Brig. Gen. Wager Swayne, in charge of the Bureau of Refugees, Freedmen, and Abandoned Lands—to the Committee on Claims.

S. 1407. An act for the relief of John W. Gummo—to the Committee on War Claims.

S. 2516. An act for the relief of the Nye & Schneider Company—to the Committee on Claims.

S. 114. An act to extend the provisions of the act of March 3, 1885, relative to officers and enlisted men of the United States Army—to the Committee on Military Affairs.

S. 3324. An act to authorize the removal of structures from Indian allotments in Minnesota—to the Committee on Indian Affairs.

S. 532. An act to ratify an agreement with the Lower Brulé band of the Sioux tribe of Indians in South Dakota and making appropriations to carry the same into effect—to the Committee on Indian Affairs.

S. [illegible] An act to authorize the Buckhannon and Northern Railway Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia—to the Committee on Interstate and Foreign Commerce.

S. 116. An act for the relief of Jewett W. Adams—to the Committee on Claims.

S. 579. An act to regulate the use by the public of reservation sites located upon the public lands of the United States—to the Committee on the Public Lands.

S. 483. An act for the relief of the owners and officers of the brig *Olive Frances* and others on board said brig—to the Committee on Claims.

S. 580. An act to extend the provisions of section 2455 of the Revised Statutes of the United States as amended by act of February [illegible], relating to public lands—to the Committee on the Public Lands.

ENROLLED BILL PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 10954. An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes.

HOMESTEADS.

Mr. LAMAR of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 8435.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8435) to amend the act of Congress of May 11, 1902, relating to homesteads.

Mr. PAYNE. Mr. Speaker, is this by unanimous consent?

The SPEAKER. Yes.

Mr. PAYNE. I think I may as well object now as at any other time. It seems to be an amendment of the Revised Statutes, and I think the House should have more time to consider it than to-morrow. I move that the House do now adjourn.

The SPEAKER. The gentleman from New York objects to the present consideration of the bill and moves that the House do now adjourn.

Mr. LAMAR of Missouri. It only changes existing law in one particular.

Mr. PAYNE. I think that the bill ought to be considered when we have more time than now. It is quite an intricate provision in the bill, and the House should have more time to consider it.

Mr. LAMAR of Missouri. I hope the gentleman will not object. There is only about one word where there is a change made in existing law, and it can be explained in a moment or two.

Mr. PAYNE. The gentleman can call it up some other day.

CHANGE OF REFERENCE.

The SPEAKER. Pending the motion to adjourn, the Chair lays before the House the following change of reference:

By unanimous consent, the Committee on Invalid Pensions was discharged from the further consideration of the bill (S. 1257) to remove the charge of desertion from the military record of [illegible] F. Harter, and it was referred to the Committee on Military Affairs.

The Committee on Invalid Pensions was also discharged from the further consideration of the bill (S. 2817) to remove the charge of desertion against George W. Posey; and it was referred to the Committee on Military Affairs.

ADJOURNMENT.

The motion to adjourn was agreed to; and accordingly (at 5 o'clock and 30 minutes) the House adjourned to meet to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Argalus B. Bratton against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2274) granting an increase of pension to Jane I. Long, reported the same with amendment, accompanied by a report (No. 997); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 822) granting an increase of pension to Marquis L. Stevens, reported the same without amendment, accompanied by a report (No. 998); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2237) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2028) granting an increase of pension to Joseph H. Kennedy, reported the same without amendment, accompanied by a report (No. 1000); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 312) granting an increase of pension to [illegible], reported the same without amendment, accompanied by a report (No. 1001); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2916) granting an increase of pension to Charles Reed, reported the same without amendment, accompanied by a report (No. 1002); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to William W. Jackson, reported the same with amendment, accompanied by a report (No. 1003); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to George M. Linch, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Wilbur F. [illegible], reported the same without amendment, accompanied by a report (No. 1005); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Mortimer [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to William W. [illegible], reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 288) granting an increase of pension to Homer D. Wells, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to George Rilea, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2955) granting an increase of pension to John Hogarth Lozier, reported the same without amendment, accompanied by a report (No. 1010); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to

which was referred the bill of the House (H. R. 9392) granting a pension to Margaret J. Robbins, reported the same with amendment, accompanied by a report (No. 1011); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 742) granting an increase of pension to George W. Darrah, reported the same with amendment, accompanied by a report (No. 1012); which said bill and report were referred to the Private Calendar.

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10516) for the relief of Edward J. Farrell, reported the same with amendment, accompanied by a report (No. 1013); which said bill and report were referred to the Private Calendar.

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 6984) for the relief of Kate R. Sharretts and Edward A. Sharretts, administrators of George E. W. Sharretts, reported the same with amendment, accompanied by a report (No. 1014); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 11178) for the relief of Miss Lelia G. Casey, reported the same with amendment, accompanied by a report (No. 1015); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 2010) for the relief of the heirs of John A. Dolan, reported the same without amendment, accompanied by a report (No. 1016); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 11337) for the relief of G. H. Dugan, reported the same without amendment, accompanied by a report (No. 1017); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 1089) for the relief of James A. Kaiser, reported the same without amendment, accompanied by a report (No. 1018); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. [illegible]) granting a pension to John Devine—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12322) for the relief of John A. Harbour—Committee on Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. [illegible]) for the relief of Jeptha B. Harrington—Committee on Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. [illegible]) granting an increase of pension to Westley McCleary—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. [illegible]) granting a pension to Christian Lederer—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12509) for the relief of Edward J. Krueger—Committee on Pensions discharged, and referred to the Committee on Claims.

A bill (H. R. 11616) granting a pension to August Beckerman—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. [illegible]) authorizing the issuance of patents to Amanda C. Hines, Maude A. Hines, and Harriet A. Hines for lands allotted to them in South Dakota—Committee on the Public Lands discharged, and referred to the Committee on Indian Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FITZGERALD: A bill (H. R. 12531) to amend an act entitled "An act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, and cannon balls in their respective Departments," approved May 22, 1896—to the Committee on Military Affairs.

By Mr. LAMAR of Missouri: A bill (H. R. 12532) providing for the erection of a public building at Lebanon, Mo.—to the Committee on Public Buildings and Grounds.

By Mr. VANDIVER: A bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across the St. Francis River—to the Committee on Interstate and Foreign Commerce.

By Mr. LIVERNASH: A bill (H. R. 12534) to prevent dangers to navigation from rafts on the Pacific Ocean—to the Committee on Interstate and Foreign Commerce.

By Mr. SHERMAN: A bill (H. R. 12535) for the establishment of aids to navigation for lighting Ambrose channel, New York Harbor—to the Committee on Interstate and Foreign Commerce.

By Mr. LOUDENSLAGER: A bill (H. R. 12536) to amend an act entitled "An act to amend section 4472 of the Revised Statutes so as to permit the transportation by steam vessels of gasoline and other products of petroleum when carried by motor vehicles commonly known as automobiles) when used as source of motive power"—to the Committee on Interstate and Foreign Commerce.

By Mr. HOLLIDAY: A bill (H. R. 12537) to authorize the Southern Railway Company to construct a railroad bridge across the Wabash River in Vigo County, Ind.—to the Committee on Interstate and Foreign Commerce.

By Mr. SULLIVAN of Massachusetts (by request): A bill (H. R. 12538) providing for certain changes in the pension laws relating to the time of paying pensions—to the Committee on Invalid Pensions.

By Mr. BABCOCK: A bill (H. R. 12539) in relation to contracts with the District of Columbia—to the Committee on the District of Columbia.

By Mr. WADE: A bill (H. R. 12540) to establish reciprocal free trade with Canada—to the Committee on Ways and Means.

By Mr. FRENCH: A bill (H. R. 12541) providing for the survey and subdivision of a portion of the Coeur d'Alene Indian Reservation—to the Committee on Indian Affairs.

By Mr. DICK: A bill (H. R. 12542) to further promote the efficiency of the militia, and for other purposes—to the Committee on Militia.

By Mr. MAYNARD: A bill (H. R. 12543) to provide for celebrating the first permanent settlement of English-speaking people by holding an international exhibition of arts, industries, manufactures, and products of the soil, mines, forests, and the sea, in the vicinity of Jamestown, and on and near the waters of Hampton Roads, in the State of Virginia, and to authorize an appropriation in aid thereof—to the Select Committee on Industrial Arts and Expositions.

By Mr. GIBSON: A bill (H. R. 12574) to increase pensions in certain cases—to the Committee on Invalid Pensions.

By Mr. STEENERSON: A bill (H. R. 12642) permitting the building of a bridge across the Red Lake River at the city of Thief River Falls, in the county of Red Lake and State of Minnesota—to the Committee on Interstate and Foreign Commerce.

By Mr. HILDEBRANT (by request): A bill (H. R. 12643) to fix fees and costs in the probate court of the District of Columbia and to provide for the collection and payment of the same, and for other purposes—to the Committee on the District of Columbia.

By Mr. BELL of California: A joint resolution (H. J. Res. [illegible]) directing the Secretary of War to make a preliminary examination of Petaluma Creek, in the State of California—to the Committee on Rivers and Harbors.

By Mr. BURTON: A resolution (H. Res. 218) authorizing the Rivers and Harbors Committee to employ an assistant clerk—to the Committee on Rivers and Harbors.

By Mr. PEARRE: A resolution (H. Res. 219) referring H. R. 12200 to the Court of Claims—to the Committee on War Claims.

Also, a resolution (H. Res. 220) to refer H. R. 12283 to the Court of Claims—to the Committee on War Claims.

By Mr. STEPHENS of Texas: A resolution (H. Res. 221) directing the Secretary of the Interior to make certain reports to the House of Representatives—to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 12544) granting an increase of pension to Edward Hayford—to the Committee on Invalid Pensions.

By Mr. AMES: A bill (H. R. 12545) for the relief of Charles M. Peirce—to the Committee on Claims.

Also, a bill (H. R. 12546) to correct the military record of Alonzo Vining—to the Committee on Military Affairs.

By Mr. BADGER: A bill (H. R. 12547) granting a pension to Ida Arthur—to the Committee on Invalid Pensions.

By Mr. BELL of Colorado: A bill (H. R. 12548) granting an increase of pension to James A. Hale—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12549) for the relief of the heirs of M. H. Wells, deceased, late of Yankee Hill, Butte County, State of California—to the Committee on Claims.

By Mr. BOUTELL: A bill (H. R. 12550) granting an increase of pension to Emma R. Lamb—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: A bill (H. R. 12551) granting an increase of pension to Stanley H. Polley—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: A bill (H. R. 12552) for the relief of Edwin S. Hall—to the Committee on Claims.

By Mr. BURLEIGH: A bill (H. R. 12553) granting an increase of pension to Amaziah Havey—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 12554) granting a pension to Unity McCann—to the Committee on Invalid Pensions.

By Mr. CAPRON: A bill (H. R. 12555) for the relief of Capt. E. St. John Greble and other officers and enlisted men of the United States Army—to the Committee on War Claims.

Also, a bill (H. R. 12556) granting an increase of pension to Walter Arnold—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12557) granting an increase of pension to George W. Gardiner—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 12558) granting an increase of pension to George Van Horn—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 12559) granting an increase of pension to Jane E. Fuller—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 12560) granting an increase of pension to Phillip Schnepp—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 12561) for the relief of Van Foreman—to the Committee on War Claims.

By Mr. DALZELL: A bill (H. R. 12562) granting an increase of pension to George Gibson—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 12563) granting an increase of pension to F. S. May—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 12564) granting an increase of pension to Florence Bacon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12565) granting an increase of pension to Alanson F. Worden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12566) for the relief of Ezra J. Baney—to the Committee on Claims.

Also, a bill (H. R. 12567) for the relief of James H. Nuss—to the Committee on Claims.

By Mr. DOVENER: A bill (H. R. 12568) referring to the Court of Claims the claim of the legal heirs of John Harper, deceased, to certain lands in the State of Virginia—to the Committee on Claims.

Also, a bill (H. R. 12569) granting an increase of pension to William L. Alley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12570) granting an increase of pension to Albert Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12571) for the relief of John Nay, of Shinnston, Harrison County, W. Va.—to the Committee on Pensions.

Also, a bill (H. R. 12572) granting a pension to John Sutton—to the Committee on Invalid Pensions.

By Mr. DRESSER: A bill (H. R. 12573) granting an increase of pension to John Klinger—to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 12575) granting an increase of pension to Joseph D. Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12576) granting an increase of pension to William M. Kitts—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12577) granting an increase of pension to James Graves—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12578) for the relief of William Spears—to the Committee on War Claims.

By Mr. GILBERT: A bill (H. R. 12579) for the relief of B. N. C. Allen—to the Committee on War Claims.

By Mr. GILLETT of Massachusetts: A bill (H. R. 12580) to correct the military record of Hiram A. Keith—to the Committee on Military Affairs.

By Mr. GRAFF: A bill (H. R. 12581) for the relief of the Pullman Company—to the Committee on Claims.

By Mr. GREGG: A bill (H. R. 12582) for the relief of George F. Phillips, of Galveston, Tex., late chief machinist, United States Navy, one of the crew of the *Merrimac*—to the Committee on Naval Affairs.

By Mr. GUDGER: A bill (H. R. 12583) granting an increase of pension to Isaac F. Moore—to the Committee on Pensions.

Also, a bill (H. R. 12584) granting a pension to S. M. Carr—to the Committee on Pensions.

Also, a bill (H. R. 12585) for the relief of Perry C. Hawkins—to the Committee on Claims.

Also, a bill (H. R. 12586) for the relief of Perry C. Hawkins—to the Committee on Claims.

By Mr. HAMLIN: A bill (H. R. 12587) to extend the provisions of the pension act of June 27, 1890, to the Seventy-second Regiment of Missouri Enrolled Militia—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 12588) granting an increase of pension to Royal Sanderson—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 12589) granting an increase of pension to William K. Smith—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 12590) granting a pension to M. J. Lowry—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 12591) granting an increase of pension to Thomas Hayduck—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 12592) granting an increase of pension to Mary A. Nash—to the Committee on Invalid Pensions.

By Mr. HUFF: A bill (H. R. 12593) granting a pension to Susan Welsh—to the Committee on Invalid Pensions.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 12594) granting a pension to Josephine Toliver—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12595) for the relief of A. T. Mitchell and others—to the Committee on Claims.

Also, a bill (H. R. 12596) for the relief of estate of P. M. M. Alexander—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12597) for the relief of the estate of William F. Strather, deceased, Holmes County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 12598) for the relief of the heirs of R. H. Montgomery, of Holmes County, Miss.—to the Committee on War Claims.

By Mr. JOHNSON: A bill (H. R. 12599) for the relief of T. B. Stackhouse, a deputy collector of internal revenue for the district of South Carolina during the fiscal year 1884 and 1885—to the Committee on Claims.

By Mr. KINKAID: A bill (H. R. 12600) granting an increase of pension to George E. Knapp—to the Committee on Invalid Pensions.

By Mr. KYLE: A bill (H. R. 12601) granting an increase of pension to Francis M. Prill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12602) granting an increase of pension to Henry Tyler—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12603) granting an increase of pension to Frank V. Lewis—to the Committee on Invalid Pensions.

By Mr. LAMAR of Missouri: A bill (H. R. 12604) granting a pension to Edward M. Fowler—to the Committee on Pensions.

Also, a bill (H. R. 12605) granting a pension to N. H. Dibble—to the Committee on Pensions.

Also, a bill (H. R. 12606) to correct the military record of Luke Marler—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: A bill (H. R. 12607) granting an increase of pension to John M. Savoree—to the Committee on Invalid Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 12608) granting a pension to George W. Kelly—to the Committee on Pensions.

By Mr. MORGAN: A bill (H. R. 12609) for the relief of Allen Fenton—to the Committee on Military Affairs.

Also, a bill (H. R. 12610) granting an increase of pension to George W. Chapman—to the Committee on Invalid Pensions.

By Mr. McCARTHY: A bill (H. R. 12611) granting an increase of pension to Chauncey Cronk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12612) granting an increase of pension to Thomas Eberly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12613) granting an increase of pension to Edward L. Haney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12614) granting an increase of pension to Alexander T. Steen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12615) granting an increase of pension to James P. Freeman—to the Committee on Invalid Pensions.

By Mr. McCLEARY of Minnesota: A bill (H. R. 12616) granting an increase of pension to Matthias J. Sontag—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12617) granting an increase of pension to Ezra V. Felton—to the Committee on Invalid Pensions.

By Mr. McDERMOTT: A bill (H. R. 12618) granting an increase of pension to William Kennelly—to the Committee on Invalid Pensions.

By Mr. McLAIN: A bill (H. R. 12619) for the relief of G. G. Butler—to the Committee on Claims.

Also, a bill (H. R. 12620) for the relief of Girard G. Butler—to the Committee on Claims.

By Mr. OTIS: A bill (H. R. 12621) granting a pension to Cornelius Springsteel—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Tennessee: A bill (H. R. 12622) for the relief of the trustees of the Presbyterian Church of Smyrna, Tenn.—to the Committee on War Claims.

By Mr. RODEY: A bill (H. R. 12623) granting an increase of pension to Liberty B. Walters—to the Committee on Invalid Pensions.

By Mr. ROBERTS: A bill (H. R. 12624) granting an increase of pension to Eva H. Wingate—to the Committee on Pensions.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 12625) for the relief of the legal representatives of Daniel Turnbull, deceased—to [illegible]

Also, a bill (H. R. [illegible]) for the relief of Lemuel Goodwin, [illegible] Baton Rouge Parish, La.—to the Committee on War Claims.

[illegible] a bill (H. R. 12627) for the relief of the estate of Jacob H. M[illegible], deceased, late of Point Coupee Parish, La.—to the Committee on War Claims.

By Mr. [illegible]: A bill (H. R. 12628) granting an increase of pension to Andrew P. McConkey—to the Committee on Invalid Pensions.

By Mr. STALLOWAY: A bill (H. R. 12629) granting a pension to [illegible] to the Committee on [illegible] of L. T. [illegible]

By Mr. THOMPSON: A bill (H. R. 12632) for the relief of Benjamin Rea, of Chambers County, Ala.—to the Committee on War Claims.

By Mr. WADE: A bill (H. R. 12633) granting an increase of pension to [illegible] on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. [illegible]) granting an increase of pension to James W. Cheek—to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 12635) granting a pension to Cullom E. [illegible]

By Mr. WILLIAMS of Illinois: A bill (H. R. [illegible]) for the relief of the military record of Martin Schubert—to the Committee on Military Affairs.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 12637) granting a pension to Julius Galle—to the Committee on Invalid Pensions.

By Mr. WILLIAMSON: A bill (H. R. 12638) granting a pension to Wesley Brummett—to the Committee on Invalid Pensions.

By Mr. LAWRENCE: A bill (H. R. [illegible]) for the relief of Chancey [illegible] Mercury Affairs.

Also, a bill (H. R. [illegible]) for the relief of Lawrence W. Davis—to the Committee on Military Affairs.

By Mr. STEVENS of Minnesota: A bill (H. R. 12641) for the relief of Susanne P. Thorne—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. SHACKLEFORD: Petition of citizens of Pendleton, Ind., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the Merchants' Association of New York, praying for legislation to prevent adulteration and fraud in the sale of food products—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Chicago Board of Trade, praying for the enactment of legislation to further define the duties of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Wisconsin Live Stock Breeders' Association, favoring further legislation in and of agricultural experiment stations—to the Committee on Agriculture.

By Mr. ALLEN of Maine: Petition of R. J. Davis and 20 other voters of Portland, Me., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Bosworth Post, No. 2, Grand Army of the Republic, Department of Maine, favoring passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. AMES: Petition of Herbert Ives and others, of Ballardvale, Mass., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of William S. Beatley and others, of Lawrence, Mass., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Resolutions of the Wisconsin Live Stock Breeders' Association, favoring passage of H. R. 8678—to the Committee on Agriculture.

By Mr. BELL of California: Petition of C. M. Powell and 34 other voters of Chico, Cal., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BIRDSALL: Resolution of the railroad committee of the Dubuque Club, of Dubuque, Iowa, favoring legislation to prevent [illegible] on railroad freights—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Iowa State Veterinary Medical Association, favoring passage of the [illegible] bill—to the Committee on Agriculture.

Also, petitions of D. Sheffer and 51 other voters of Cedar Falls, Iowa, and Rev. H. B. Salisbury and 11 other voters of Winthrop, Iowa, favoring passage of the Hepburn-Dolliver bill—to the Committee on [illegible]

By Mr. [illegible] T. Arey [illegible] of the He[illegible] Committee on [illegible]

By Mr. [illegible] of Massachusetts: Petition of Meade Post, No. 371, Grand Army of the Republic, Department of Massachusetts, for the passage of the service-pension bill—to the Committee on Invalid Pensions.

By Mr. [illegible] of the Hepburn-Dolliver bill—to the Committee on [illegible]

By Mr. [illegible]: Petition of the pastor and congregation of the Congregational Church of Belgrade, Me., in favor of the [illegible] bill—to the Committee on the Judiciary.

By Mr. [illegible] Mr. C[illegible] n to the [illegible] 1, of Pana, Ill., Grand [illegible] of a service-pension bill—to the [illegible]

By Mr. [illegible] Martin D. Kneeland, favoring [illegible] position—to the Select [illegible] tee on Ways and Means.

Also, petition of the W[illegible] of R. I.—to [illegible] gn [illegible]

Also, papers to accompany bill granting an increase of pension to [illegible] W. G[illegible] R. I., in [illegible] or of [illegible] favoring [illegible] of the Hepburn-Dolliver bill—to the Committee on the [illegible]

By Mr. CASSEL: Petition of Levi Hoover and 39 other voters of New Holland, Pa., and H. N. [illegible] Lititz, Pa., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAMPBELL: Petition of R. G. White & Co. and 11 other [illegible] ry, Mo., opposing the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Clarksville, Mo., opposing passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, [illegible] growers of St. Charles County, Mo., opposing the passage of H. R. 6779, introduced by Mr. BELL of California—to the Committee on Ways and Means.

By Mr. CO[illegible] in: Resolutions of the Wisconsin Live Stock Br[illegible] of Bill [illegible] agricultural experiment [illegible]

Also, [illegible] nt Order of Good [illegible] of the Hepburn-Dolliver [illegible]

By Mr. [illegible] of Jaffrey, N. H. [illegible] the Brownlow good-roads bill—to the C[illegible] re.

Also, [illegible] and 8 other voters of Antrim, N. H., [illegible] bill—to the Committee on [illegible]

By Mr. DALZELL: Petition of sundry citizens of Pittsburg, Pa., in favor of prisoner of war pension bill—to the Committee on Invalid Pensions.

Also, resolution of New England Botanical Club, relative to the preservation of the big trees of California—to the Committee on Public Lands.

Also, petition of sundry citizens of Pittsburg, Pa., protesting against passage of the eight-hour law—to the Committee on Labor.

Also, resolution of Grand Army of the Republic Post No. 230, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DEEMER: Resolutions of George W. Mover Post, No. 379, and Corporal C. W. Deming Post, No. 476, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, paper to accompany bill for the relief of James H. Nuss—to the Committee on Claims.

Also, paper to accompany House bill for the relief Ezra J. Baney—to the Committee on Claims.

By Mr. DOVENER: Papers to accompany bill H. R. 11389, for the relief of Mary Petermann—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 12038, for the relief of Eliza Peel—to the Committee on Invalid Pensions.

By Mr. DWIGHT: Papers to accompany House bill for the relief of Chauncey Pudney—to the Committee on Invalid Pensions.

By Mr. ESCH: Resolutions of the Wisconsin Live Stock Breeders' Association, urging passage of bill H. R. 8678, to advance the agricultural interests of the country—to the Committee on Agriculture.

By Mr. FITZGERALD: Resolution of the legislature of the State of New York, favoring the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of the Maritime Association of New York City, favoring the completion of harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, petition of the Robert Gair Company and other firms, of Brooklyn, N. Y.—to the Committee on the Judiciary.

Also, resolution of the National Board of Trade, favoring passage of bill H. R. 8460, providing for the transfer of forest reserves from the Department of the Interior to the Department of Agriculture—to the Committee on the Public Lands.

By Mr. FOSS: Petition of James B. Galloway, of Chicago, Ill., in favor of a harbor of refuge at Waukegan—to the Committee on Rivers and Harbors.

By Mr. FRENCH: Resolutions of G. A. Hobart Post, No. 27, of Nampa, Idaho, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GAINES of West Virginia: Petition of R. E. Theosher and 20 other voters of Savanah, W. Va., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GIBSON: Petition of M. T. Lathsays, Woman's Christian Temperance Union of Knoxville, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, paper to accompany claim of Sterling N. Rose—to the Committee on Military Affairs.

Also, statement to accompany claim of Amanda Fugate and paper to accompany claim of Samuel H. Kidd—to the Committee on War Claims.

By Mr. GILBERT: Petition of Rev. C. S. Young and 17 others, of Point Lick, Ky., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GOULDEN: Papers to accompany bill H. R. 12514, granting a pension to William A. Olmsted—to the Committee on Invalid Pensions.

By Mr. GRAFF: Resolutions of James C. Cowens Post, No. 219, of Pinkneyville; Lemon Post, No. 211, of Farmer City; Cerro Gordo Post, No. 210, of Cerro Gordo; Nauvoo Post, No. 207, of Nauvoo; Kyger Post, No. 204, of Georgetown; Hesse Post, No. 202, of Winchester; Holm Post, No. 195, of Wheeler; Jacob Fry Post, No. 193, of Roodhouse; L. B. Brown Post, No. 151, of Sheldon; E. C. Camp Post, No. 149, of Bement; W. T. Sherman Post, No. 146, of Bloomington; Julius A. Pratt Post, No. 143, of Kewanee; Geddes Post, No. 142, of La Harpe; Gillman Post, No. 186, of Gillman; Chenoa Post, No. 185, of Chenoa; Charles A. Clarke Post, No. 184, of Ridgefarm; George W. Meyers Post, No. 182, of Lincoln; Royal Douglas Post, No. 179, of Prairie City; Carter Yan Veleek Post, No. 174, of Bushnell; H. W. Wood Post, No. 155, of McLean; Harley Wayne Post, No. 169, of Marengo; John Hunter Post, No. 168, of Minier; Hurlburt Post, No. 164, of Belvedere; L. G. Ready Post, No. 160, of Minonk; Ed. Kitchell Post, No. 159, of Ellistown; W. J. Wylie Post, No. 377, of Illinois City; Dick Johnson Post, No. 381, of Tallula; Matt Starr Post, No. 378, of Jacksonville; Waukegan Post, No. 374, of Waukegan; Grayville Post, No. 373, of Grayville; Wauconda Post, No. 368, of Wauconda; John Mussee Post, No. 365, of Orangeville; Steelville Post, No. 358, of Steelville; Lovington Post, No. 354, of Lovington; Tom Smith Post, No. 345, of Metropolis; Arthur W. Marsh Post, No. 343, of Warren; Benton Post, No. 341, of Benton; Albion Post, No. 338, of Albion; Hazel Dell Post, No. 336, of Hazel Dell; Darveau Post, No. 329, of Morris; Atlanta Post, No. 326, of Atlanta; Sodams Post, No. 322, of Sodams; Downing Post, No. 321, of Virginia; R. H. Graham Post, No. 312, of Moline; William H. Thompson Post, No. 308, of Paw Paw; Colonel James A. Mulligan Post, No. 306, of Chicago; Edgwick Post, No. 305, of Gardner; Frank Sampson Post, No. 298, of Waynesville; Carmi Post, No. 296, of Carmi; Edwin D. Lowe Post, No. 295, of Jerseyville; Fred. R. Spooner Post, No. 294, of Argenta; Rutland Post, No. 292, of Rutland; Martin Post, No. 291, of Gridley; T. T. Dew Post, No. 290, of Annowan; W. F. Brym Post, No. 284, of Neponset; Joseph Woodruff Post, No. 281, of Marseilles; Major Lee Post, No. 277, of Rossville; Kilpatrick Post, No. 276, of Austin; McIlvaine Post, No. 273, of Vandalia; Charleston Post, No. 271, of Charleston; Dan Miles Post, No. 270, of Eureka; Knight Post, No. 266, of Irving; Homer Post, No. 263, of Homer; Warren Shed Post, No. 262, of Aledo; Coulterville Post, No. 259, of Coulterville; Franklin Post, No. 256, of Monticello; Seward Nelson Post, No. 251, of Wapello; W. J. Stephenson Post, No. 249, of Louisville; Francis M. Lane Post, No. 247, of Ransom; W. N. Buford Post, No. 246, of Piasa; Martin Baker Post, No. 245, of Jeffersonville; G. W. Grafton Post, No. 239, of Knoxville; Winfield Ingraham Post, No. 238, of Ingraham; Joseph Shaw Post, No. 235, of Annapolis; Wenona Post, No. 232, of Wenona; Hennepin Post, No. 231, of Hennepin; Thomas Riddle Post, No. 230, of Leroy; Kirkpatrick Post, No. 225, of Lodi; West Salem Post, No. 222, of West Salem, and St. Joseph Post, No. 220, of St. Joseph, all in Illinois, Grand Army of the Republic, urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GUDGER: Memorial for relief of Stephen Rice and James A. Sams, and petition for relief of Perry C. Hawkins—to the Committee on War Claims.

Also, papers to accompany claim of John T. O. Wilbar—to the Committee on War Claims.

By Mr. HAMILTON: Petition of citizens of Marcellus, Mich., and merchants of Waterleit, Mich., opposing passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of ladies of Sturgis, Mich., favoring passage of bill to create a national forest reserve in the White Mountains in New Hampshire—to the Committee on the Public Lands.

By Mr. HASKINS: Resolutions of Colonel H. A. Eaton Post, No. 38, and Sedgwick Post, No. 8, Grand Army of the Republic, Department of Vermont, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAUGEN: Resolutions of the farmers' institute meeting, Nashua, Iowa, for the enactment of pure-food and other laws—to the Committee on Agriculture.

By Mr. HEMENWAY: Petition of William T. Ferguson and other citizens of Lake, Spencer County, Ind., favoring passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HEPBURN: Petition of J. H. Smoke and 84 other voters of Beaconsfield, Iowa, and G. L. Wilson and 51 other voters of Larimore, Iowa, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HERMANN: Petitions of the Pendleton Commercial Association and Roseburg Board of Trade, favoring appropriation for Lewis and Clark Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, petition of governor and State officers of Oregon, and Alco Club, of Albany, Oreg., asking appropriation for Lewis and Clark Exposition—to the Select Committee on Industrial Arts and Expositions.

By Mr. HILDEBRANT (by request): Petitions of citizens of Wilmington, Ohio, and the Woman's Christian Temperance Union of Waynesville, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HILL of Connecticut: Petition of the German Methodist Episcopal Church, of Bridgeport, Conn., favoring the McCumber canteen bill—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the German Methodist Episcopal Church, of Bridgeport, Conn., favoring passage of a bill to prevent nullification of State temperance laws—to the Committee on the Judiciary.

Also, resolution of the Connecticut Lumbermen's Association, favoring a national White Mountain forest reserve—to the Committee on Agriculture.

Also, petition of Mrs. A. K. Rhoades and other ladies, of Canaan, Conn., favoring forest reserve in the White Mountains—to the Committee on Agriculture.

Also, petition of Stamford Lodge, No. 452, concerning the naval appropriation bill—to the Committee on Military Affairs.

By Mr. HOLLIDAY: Petition of G. W. Odell and 39 others, of Greencastle, Ind., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petition of residents of Cranbury, N. J., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of William C. Berry Post, No. 85, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUFF: Paper to accompany bill granting a pension to Susan Welsh—to the Committee on Invalid Pensions.

Also, petition of the Christian Civic Union of Greensburg, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Cogsley W. Howart Post, Grand Army of the Republic, Department of Pennsylvania, in favor of a service pension bill—to the Committee on Invalid Pensions.

Also, [illegible] of the National Rural Letter Carriers' Association, in favor of the passage of a bill [illegible] to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Post No. [illegible], Grand Army of the Republic, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: Petitions of E. D. Wrage and 15 other voters of Columbia, Wash.; Joseph Low and 19 other voters of Prosser, Wash., and J. Clyde [illegible] and [illegible] of Sunnyside, Wash., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KLINE: Petition of the Woman's Christian Temperance Union of Bloomsburg, Pa., favoring bill to prevent [illegible] of State liquor laws—to the Committee on Alcoholic Liquor Traffic.

Also, resolution of Yeager Post, No. 12, Grand Army of the Republic, of Allentown, Pa., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Resolutions of the Chamber of Commerce of San Francisco, Cal., relative to the salmon fisheries of Alaska—to the Committee on the Merchant Marine and Fisheries.

Also, petitions relating to bill H. R. 12[illegible]—to the Committee on Indian Affairs.

By Mr. LAMAR of Missouri: Petition of Luke Marler, for correction of war record—to the Committee on Military Affairs.

Also, papers to accompany bill H. R. [illegible], granting a pension to George W. M[illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10962, granting an increase of pension to [illegible] Murray—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible]—to the Committee on War Claims.

Also, papers to accompany bill granting a pension to Edward M. [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting a pension to P. B. [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible], granting a pension to [illegible]—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. [illegible]—to the Committee on Invalid Pensions.

By Mr. FRANK L. LANDIS: Petition of N. Hill and 30 other citizens of Mooresville, Ind., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LANNING: Petition of the congregation of Trinity Methodist Episcopal Church, of Trenton, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the members of State Street Methodist Episcopal Church and of Rev. Charles H. Elder and 20 others, of Trenton, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of A. H. Pierce and 39 others, Thomas Tyack and 27 others, and C. B. Fisher and 28 others, all of Flemington, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of the Presbyterian Church, George H. Large and 25 others, 125 members of Grand View Grange, Reformed Church, J. Wesley Bitzer and 49 others, and 25 members of the Methodist Episcopal Church, all of Flemington, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LILLEY: Resolution of the Lumber Dealers' Association of Connecticut, favoring passage of the Gallinger bill for a White Mountain forest reserve—to the Committee on Agriculture.

By Mr. LITTLE: Petition of L. J. Wilson and 25 other voters of Crawford, Ark., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIVERNASH: Resolutions of the Chamber of Commerce of San Francisco, favoring bill H. R. 2527, relative to Alaskan fisheries—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring establishment of public parks in various towns in the United States—to the Committee on Military Affairs.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring an appropriation for building an immigrant station at San Francisco, Cal.—to the Committee on Appropriations.

Also, resolutions of the Pioneers of Los Angeles County, Cal., favoring the bill for the protection of the Calaveras big trees, and resolutions of the Chamber of Commerce of San Francisco, in favor of Government purchase of the Calaveras big tree grove, in California—to the Committee on the Public Lands.

Also, resolutions of the Chamber of Commerce of Sacramento, Cal., and the Chamber of Commerce of San Francisco, in favor of Federal aid for the Lewis and Clark Exposition at Portland, Oreg.—to the select Committee on Industrial Arts and Expositions.

Also, resolutions of the Chamber of Commerce of San Francisco, in favor of an appropriation for improving at Monterey, Cal., a monument to Commodore John D. [illegible]—to the Committee on the Library.

Also, resolutions of the Chamber of Commerce of San Francisco, for legislation to encourage the building of American ships for the foreign carrying trade—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of a mass meeting in San Francisco, favoring [illegible] of the postal laws [illegible] of certain publications from the privileges of second-class mail, and [illegible] of a postal-savings bank service [illegible] San Francisco—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Chamber of Commerce of Sacramento, Cal., [illegible] Board of Trade, of California, relative to improvement of the inner harbor at San Pedro; resolutions of Chamber of Commerce of Sacramento, Cal., favoring appropriation for improvement of Sacramento River and of the Sacramento and [illegible] rivers, California—to the Committee on Rivers and Harbors.

Also, resolutions of the Chamber of Commerce of Santa Ana, Cal., favoring the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. McLAIN: Papers to accompany House bill for the relief of G. G. Butler—to the Committee on Invalid Pensions.

Also, petition of W. A. Gill and 38 other voters of Magnolia, Miss., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers to accompany House bill for the relief of G. G. Butler—to the Committee on Invalid Pensions.

By Mr. MANN: Papers to accompany House bill granting an increase of pension to David T. Corbin—to the Committee on Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill H. R. 11493, for the relief of Sarah Crabtree and [illegible] estate of Eli Crabtree—to the Committee on War Claims.

Also, papers to accompany House bill for the relief of Francis Mee, and bill H. R. [illegible] for the relief of [illegible] Church—to the Committee on War Claims.

By Mr. NEEDHAM: Resolution of the Sacramento Chamber of Commerce, favoring passage of House bill providing for stamp certificates—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Golden Spur Lodge, No. [illegible], Port of San Francisco, Cal., favoring passage or bill S. 3014, to equalize the rank and pay of retired officers—to the Committee on Naval Affairs.

Also, resolution of the Chamber of Commerce of San Francisco, favoring passage of bill S. [illegible], relating to the Department of Commerce—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Chamber of Commerce of San Francisco, asking Government aid for the construction of road from Rampart to Glen Gulch, Alaska—to the Committee on Appropriations.

Also, resolutions of the Chamber of Commerce of San Francisco, asking that Congress restore the 4 per cent allowance on naval commissary stores—to the Committee on Naval Affairs.

Also, resolutions of the Chamber of Commerce of San Francisco, asking for appropriation for the [illegible] Military Reservation at San Francisco—to the Committee on Military Affairs.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring passage of bill H. R. [illegible] relative to Alaska fisheries—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring passage of bill H. R. [illegible]—to the Committee on Military Affairs.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring the passage of bills [illegible] San Francisco Harbor—to the Committee on Public Buildings and Grounds.

Also, resolutions of the Chamber of Commerce of San Francisco, favoring passage of bill H. R. 8457, for the erection of a statue of Commodore John D. Sloat, United States Navy, at Monterey, Cal.—to the Committee on the Library.

By Mr. OTIS: Petition of citizens of Mount Vernon and Purchase, N. Y., favoring the passage of the Newlands bill—to the Committee on Alcoholic Liquor Traffic.

By Mr. PADGETT: Petition of Samuel Edmondson, praying

reference of claim to Court of Claims—to the Committee on War Claims.

By Mr. PINCKNEY: Petition of Alexander Wade and 20 others, of Brookshire, Tex., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PORTER: Petition of Patrick A. Ricarde, of Pittsburg, Pa., in favor of bill for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. REELIER: Petition of citizens of Washington, Kans., favoring the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Asheville Baptist Church and Asheville [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, [illegible] of Lincoln County, Kans., favoring [illegible] Island Memorial Association of the [illegible] of the Beecher Island battle—to the Committee on the Library.

Also, petition of B. D. Brooks and 70 others, of Franklin, Kans., [illegible] the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Resolution of James A. Perkins Post, No. 156, Grand Army of the Republic, Department of Massachusetts, [illegible] a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBERTSON of Louisiana: Resolutions of the Brewer-[illegible] Louisiana, [illegible] the Hepburn-[illegible] asking for an appropriation to improve the Atchafalaya River.

By Mr. ROBINSON of Indiana: Petition of A. C. Widner and 21 other citizens of DeKalb County, Ind., favoring reduction of internal-revenue tax on liquors—to the Committee on Ways and Means.

Also, papers to accompany bill H. R. 11999, granting an increase of pension to [illegible]—to the Committee on Invalid Pensions.

By Mr. [illegible]: Papers to accompany House bill for the [illegible] New York Harbor—to the Committee on Interstate and Foreign Commerce.

By Mr. SHULL: Paper to accompany bill H. R. 12494, granting an increase of pension to Joseph Nell—to the Committee on Invalid Pensions.

By Mr. SLAYDEN: Petition of Cigar Makers' Union No. 245, of Fort Worth, Tex., [illegible] manufacturers of cigars and [illegible] with cigars and tobacco—to the Committee on Ways and Means.

By Mr. SMITH of Illinois: Petition of citizens of Sparta, Ill., [illegible] parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SNOOK: Papers to accompany bill granting an increase of pension to Andrew P. McConkey—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolution of the Lumber Dealers' Association of Connecticut, favoring the establishment of a Government forest reserve in the White Mountains—to the Committee on Agriculture.

Also, resolution of the Connecticut Society, Sons of the American Revolution, [illegible] of certain Revolutionary [illegible] of sundry citizens of Connecticut, [illegible] Mr. STE[illegible] S. M. Brach and [illegible] of the Hepburn-[illegible] the Judiciary.

Also, [illegible] of St. Paul, Minn., favoring passage [illegible]—to the Committee on the Judiciary.

Also, [illegible] Swedish Baptist, and Grace Methodist churches, of St. Paul, Minn.—to the Committee on the Judiciary.

Also, petition of H. G. Schram and L. P. Furber, of Cottage Grove, Minn., opposing passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of building trades of St. Paul, opposing bill H. R. 89—to the Committee on the Judiciary.

Also, petition of St. Paul Board of Trade, opposing bill H. R. 89—to the Committee on the Judiciary.

Also, petition of Implement Dealers' Association of Crookston, Minn., for repeal of bankruptcy law—to the Committee on the Judiciary.

Also, petition of District Council, Carpenters and Joiners, of Minneapolis, Minn., [illegible] the discharge of soldiers to do the work [illegible] Navy Yards—to the Committee on Military Affairs.

Also, petition of St. Paul Board of Trade, [illegible] the Lodge-Cooper bills, to give [illegible] Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of St. Paul Board of Trade, [illegible] the Lodge consular-service bill—to the Committee on Foreign Affairs.

By Mr. SULLOWAY: Papers to [illegible] a pension to Ida Diamond—to the Committee on Invalid Pensions.

By Mr. W[illegible]: Resolution of Chamber of Commerce, Boston, Mass., [illegible] east—to the Committee on the Merchant Marine and Fisheries.

Also, [illegible] of Portland, Me., favoring the passage [illegible] the Committee on the Merchant Marine and Fisheries.

Also, [illegible] of pension to Henry Ford—to the Committee on Invalid Pensions.

By Mr. WALLACE: Petition of W. W. Folsom and 12 others, of Hope, Ark., favoring passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WANGER: Resolution of Chamberlain Post, No. 256, Grand Army of the Republic, [illegible] favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, [illegible] Post, No. 366, and Gettman Post, No. 108, of Pittsburg, Department of Pennsylvania, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, [illegible] Post, No. [illegible], Grand Army of the Republic, of Lansdale, Pa., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WEEDEMAYER: Papers to accompany claim of Martin Schubert—to the Committee on Claims.

Also, [illegible] Post, No. 178, Grand Army of the Republic, of White County, Ill., favoring the passage of a service-pension law, and petition of neighbors of Henry H. Holland, [illegible] bill granting him an increase of pension—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: Papers to accompany claim [illegible] Committee on War Claims.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 19, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of yesterday's proceedings was read and approved.

STEAMER BEAUMONT.

Mr. PORDNEY. Mr. Speaker, I have been directed by the Committee on Merchant Marine and Fisheries to file the report on the bill (H. R. 4370) to provide an American register for the steamer *Beaumont*, which I have done, and I ask unanimous consent that the minority may have until Monday to file minority views.

The SPEAKER. The gentleman from Michigan asks that the minority of the Committee on Merchant Marine and Fisheries may have until Monday to file minority views on the bill H. R. 4370. Is there objection? [After a pause.] The Chair hears none.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed joint resolution of the following title; in which the concurrence of the House of Representatives was requested:

S. R. [illegible] directing inquiry into the claim of the Wales Island Packing Company.

SENATE JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate joint resolution of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. R. [illegible] directing inquiry into the claim of the Wales Island Packing Company—to the Committee on Claims.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

H. R. 9640. An act [illegible] granting to the Keokuk and Hamilton Water Power Company [illegible] to construct and maintain a dam, and so forth, approved February 8, 1904;

H. R. 3584. An act to authorize the resubdivision of lots or blocks in the District of Columbia; and

H. R. 11823. An act to authorize the Director of the Census to cooperate with the Secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures.

The SPEAKER announced his signature to enrolled bills and joint resolution of the following titles:

S. 1125. An act to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use a bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Lamar.

S. 2224. An act relating to ceded lands on the Fort Hall Indian Reservation.

S. R. 87. Joint resolution providing for the editions to be printed of the annual and general reports of the Department of Commerce.

S. 1800. An act [illegible] as the Red Lake [illegible] of Minnesota; and

S. 1555. An act [illegible] the holding of an additional term of court in the northern district of West Virginia at Martinsburg, W. Va.

PROOF, ETC., UPON FINAL ENTRY OF PUBLIC LANDS.

Mr. LAMAR of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 8435) to amend [illegible] relating to homestead lands.

The Clerk read the bill, as follows:

[illegible] act to amend section 2291 of the [illegible] 1, 1902, be, and the [illegible] United States be, and the [illegible] kind [illegible] of [illegible] in the law to which the gentleman from North Dakota [Mr. SPALDING] has referred. A [illegible] county was divided, [illegible] and rejected at the General Land Office. [illegible] to be made at the county seat, [illegible] is located in two districts.

Mr. SPALDING. We passed an act two or three days ago [illegible]

Mr. LACEY. This will cover cases in North Dakota as well as in Missouri.

Mr. JONES of Washington. Mr. Speaker, I would like to ask the gentleman from Iowa if this bill covers proof taken under the timber-culture law, under similar circumstances?

Mr. LACEY. The bill says "homestead, preemption, timber-culture, desert-land, and timber and stone act."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. LAMAR of Missouri, a motion to reconsider the last vote was laid on the table.

RIGHT OF WAY FOR PIPE LINES THROUGH INDIAN LAND.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian land.

The Clerk read the bill, as follows:

[illegible]

[illegible] amend, or repeal this act is expressly reserved.

The following amendments recommended by the committee were [illegible]

[illegible] the word "Interior," on page 2, line 4, add:

[illegible]

[illegible] pipe-line company shall be permitted to lay its [illegible] word "lines" add the word "are," and same line [illegible]

The Clerk read the amendment recommended by the committee, as follows:

Amend by adding after line 16, page 2, "or which may have heretofore been so [illegible] subscribed."

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SPALDING. I would like to ask the gentleman from Missouri if this [illegible]

Mr. LAMAR of Missouri. The only change is by the addition of the words "county" and "parish." As the law now is, proof can only be made in the land district. It frequently happens that the land [illegible] between the county seat and the place where the land is situated, so that a man may have to go 40 or 50 miles, whereas under this law it would only be a short distance.

Mr. SPALDING. Then this changes the law back to the way it was a [illegible]

Mr. LAMAR of Missouri. I [illegible] the law back. The bill has been approved by the Land Office and by the Secretary of the Interior. I will yield to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, I will say that while the bill appears comprehensive on its face, because it covers the entire section, yet the changes are very slight, and in fact gentlemen on the committee thought [illegible] in the law to which the gentleman from North Dakota [Mr. SPALDING] has referred. A [illegible] county was divided, [illegible] and rejected at the General Land Office. [illegible] to be made at the county seat, [illegible] is located in two districts.

Mr. SPALDING. We passed an act two or three days ago [illegible]

Mr. LACEY. This will cover cases in North Dakota as well as in Missouri.

Mr. JONES of Washington. Mr. Speaker, I would like to ask the gentleman from Iowa if this bill covers proof taken under the timber-culture law, under similar circumstances?

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. ROBINSON of Indiana. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Kansas for some explanation. Was this bill reported from a committee of the Senate?

Mr. CURTIS. The bill was considered by a subcommittee of five consisting of three from the majority side and two from the minority side. The report of the subcommittee was unanimous and was unanimously agreed to by the Committee on Indian Affairs. It has the indorsement of the Secretary of the Interior and the Commissioner of Indian Affairs.

Mr. ROBINSON of Indiana. Was it reported in the Senate by a [illegible]?

Mr. CURTIS. Yes, sir, and passed [illegible]

Mr. ROBINSON of Indiana. [illegible] oil and gas [illegible]?

Mr. CURTIS. Yes, sir.

Mr. ROBINSON of Indiana. What does it provide as to payment of damages [illegible]

Mr. CURTIS. The damages are paid to the allottees or the Secretary for use of the tribe in such manner as the Secretary of the Interior may direct. I [illegible] the gentleman from Indiana that the Secretary of the Interior has made a number of leases to oil and gas companies in the Indian Territory; but when application was made for the right to build pipe lines, he held that under the existing law he had no right to grant any such right of way. There are a hundred wells of gas and oil near Bartlesville, Ind. T., only about [illegible] of which are being operated, and there are forty-six near Chelsea, Ind. T., of which only twenty-five are being worked, because they have no pipe-line facilities. The Government has made leases requiring them to develop the wells, and yet no way has been provided for the operators to get their oil to the refineries, and this bill simply gives the Secretary

the right to grant the right of way so their products may be taken to the market.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I would like to make a suggestion to the gentleman from Kansas [Mr. CURTIS] in the way of an amendment to the bill. We are, at least I hope we are, on the eve of admitting Indian Territory and Oklahoma into the Union as States. It does not seem to me wise to bring them in manacled with corporation grants. I would have no objection to this bill, if the [illegible] operation. I do not much care how long, but it seems to me that there ought to be a provision in the bill limiting its operation to twenty years, let us say.

Mr. CURTIS. I would state to the gentleman that such a provision would not be necessary, for the reason that if Oklahoma and the Indian Territory are admitted—and I hope they will be—the reservations will still be under the jurisdiction of the Secretary of the Interior. There is nothing in this bill which will in any way interfere with the rights of the States, the Territories, the townships, the counties, or the cities [illegible]

Mr. WILLIAMS of Mississippi. I [illegible]

Mr. CURTIS. I am perfectly willing, if the gentleman insists, to make it ten years.

Mr. WILLIAMS of Mississippi. Yes; or even twenty years.

Mr. CURTIS. Then, Mr. Speaker, I will offer that amendment, limiting it to twenty years.

The SPEAKER. The question is first on the committee amendments.

The committee amendments were agreed to.

The SPEAKER. The gentleman will please indicate his amendment.

Mr. CURTIS. At the end of section 1 add the following:

Provided, The rights granted herein shall not extend beyond the period of twenty years.

The SPEAKER. The Clerk will report the amendment.

The Clerk reported the amendment, as follows:

Insert after line 14, page 3: "*Provided*, That the rights herein granted shall [illegible]

The SPEAKER. The question is on the amendment offered by the gentleman from Kansas.

Mr. LACEY. Mr. Speaker, I wanted to call to the attention of the gentleman from Mississippi [Mr. WILLIAMS] what [illegible] effect of this amendment in assessing the damages for the [illegible] of way. Of course the temporary character of the [illegible] will be taken into consideration and the [illegible] reduced accordingly; while, as a matter of fact, the oil or gas is liable to be exhausted in ten or fourteen years; and the result would be that [illegible] this change you would simply reduce [illegible] the Indian allottee would get with [illegible] or anybody else [illegible] in its nature [illegible] only, and my friend will accomplish what he does [illegible]

Mr. WILLIAMS of Mississippi. I consider the question of the amount of compensation to be paid as a secondary matter.

Mr. LACEY. The point to which I want to call my friend's attention is this: [illegible] whilst [illegible] it is in fact temporary, be [illegible] temporary; consequently there is no [illegible] of the grant interfering with anybody.

Mr. WILLIAMS of Mississippi. That may or may not be.

Mr. LACEY. It is always so as to gas or oil.

Mr. WILLIAMS of Mississippi. It may be true or it may not be. I do not know as a matter of the science of oil whether it is true in this case or not. But this is true—that you ought not to start this precedent; you ought not to give anybody a perpetual easement of any sort. In all cases of this kind there ought to be a limitation [illegible] Law.

It is true that you always reserve in these grants the right to amend or repeal; but it is also true that the right is never exercised. And when you attempt to exercise it people immediately begin to cry out about "vested rights," the violation of the obligation of contracts, and all that.

Now, if the point of the gentleman be correct as a matter of fact, nobody is going to be damaged by limiting the period, because by the end of the period nobody will have [illegible] the right granted by the easement. So I hope the amendment will be agreed to.

The question being taken, the amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CURTIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

MUTUAL CLAIMS—UNITED STATES AND VERMONT.

Mr. HASKINS. I ask unanimous consent for the immediate consideration of the bill (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont.

The bill was read, as follows:

[illegible] the proper State authorities [illegible] from [illegible]

There being no objection, the House proceeded to the consideration of the bill; which was ordered to a third reading, read the third time, and passed.

On motion of Mr. HASKINS, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER NEAR ST. JOSEPH.

Mr. COCHRAN. I ask unanimous consent that the bill (S. 3720) now on the Speaker's table be taken up for present consideration.

The bill was read, as follows:

[illegible] bridge and to shorten the draw spans [illegible] the central pivot pier of the draw shall be not [illegible] to the consideration [illegible] ordered to a third reading, read the [illegible] bill similar to [illegible] just passed.

There was no [illegible]

DONATION OF GUN CARRIAGES.

Mr. BRANDEGEE. Mr. Speaker, I [illegible] No. [illegible] same be now taken [illegible]

A bill [illegible] the Connecticut Commissioners for [illegible]

Be it enacted [illegible]

There being no objection, [illegible] consideration of the bill; which was ordered to a third reading, read the [illegible]

Mr. BRANDEGEE, a motion to reconsider the vote by which the bill was passed was laid on the table.

LAND [illegible] PORT ANGELES, WASH.

Mr. JONES of Washington. I ask unanimous consent for the present consideration of the bill (H. R. [illegible]) [illegible] of Port Angeles, State of Washington, for park purposes certain portions of the Government [illegible]

The bill was read, as follows:

[illegible]

The amendments reported by the Committee on Public Lands were read, as follows:

[illegible] word "eighteen," in line 10, on page 1, down to and including [illegible] line 5, page 2, to the end of line [illegible] out the word "three" and insert "one," and also strike [illegible] and insert the words "town [illegible] in line 14, add the following: "and in the [illegible] for public [illegible] a period of five [illegible]

The SPEAKER. Is there objection?

Mr. PAYNE. Reserving the right to object, I should like to inquire of the gentleman from Washington how much land is proposed here to be granted?

Mr. JONES of Washington. About 100 acres.

Mr. PAYNE. How much of a place is Port Angeles?

Mr. JONES of Washington. There are about fifteen hundred or two thousand inhabitants. This land was an original town site laid out by the Government, consisting of three or four thou-

sand lots; and no provision was made at that time for the dedication of any part of the land to park purposes. A part of this land was laid out in 1863. These are suburban lots, outside of the business part of the city and outside of the land which was platted into small business and residence lots. Those lots have been on the market since 1895, and only one of the blocks has been sold since that time. The land is of very little value for any other purpose than as a park. A portion of it has been reserved for military purposes; but the remainder, as I have just stated, has been on the market for sale since 1895, and only one block has been sold.

Mr. PAYNE. In other words, town lots are not in great demand there?

Mr. JONES of Washington. No; not at that point. The present grant comprises only about 100 acres, and the use of the land is restricted to park purposes.

Mr. MONDELL. Will the gentleman yield to me for a question?

Mr. JONES of Washington. Certainly.

Mr. MONDELL. It is my understanding that the Government has already received from the sale of lands in this town site something like $[illegible]

Mr. JONES of Washington. Something over $100,000—the original town site.

Mr. MONDELL. So that the Government is in to the extent of about [illegible] on this town site.

Mr. JONES of Washington. Yes; to the good.

Mr. MONDELL. And this is simply transferring some of the proceeds of the lots to the town for a park?

Mr. JONES of Washington. Yes.

Mr. PAYNE. The property, I suppose, that the Government should [illegible] be allowed to make a dollar.

Mr. JONES of Washington. The Government has already made a handsome profit out of it and can not make anything more, and this is simply to let the people have a little benefit in the way of a park [illegible] purposes.

The SPEAKER. Is there a quorum?

Mr. POWERS of Illinois. Mr. Speaker, may we have the bill read as amended?

The SPEAKER. Without objection, the bill and amendment will be again reported.

The bill as proposed to be amended was read.

The SPEAKER. Is there objection?

There was no objection.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. JONES of Washington, a motion to reconsider the last vote was laid on the table.

RESIGNATION AND APPOINTMENT OF CONFEREE.

The SPEAKER. The Chair is notified by the gentleman from Kansas [Mr. CALDERHEAD] that he will be unable to attend for several days to come, and he asks to be excused from attendance upon conference committees on military pension bills. Is there objection?

There was no objection.

The SPEAKER. The Chair appoints the chairman of the Committee on Invalid Pensions [Mr. SULZER] in place of the gentleman from Kansas [Mr. CALDERHEAD], excused.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I ask unanimous consent for a reprint of the report on the naval appropriation bill, with permission to correct a few clerical errors.

The SPEAKER. The gentleman from Illinois asks unanimous consent for a reprint of the report on the naval appropriation bill, with permission to correct certain clerical errors. Is there objection?

There was no objection.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

Mr. MEYER of Louisiana. Mr. Speaker, I desire to make a few remarks on that subject, and I ask how much time will be allowed on this side for general debate.

Mr. FOSS. I think, Mr. Speaker, I ask that general debate be agreed upon for two hours on each side, making ten hours in all, one half to be controlled by my colleague, the gentleman from Louisiana [Mr. MEYER], and the other half to be controlled by the chairman of the Committee on Naval Affairs.

The SPEAKER. The gentleman from Illinois asks unanimous consent that general debate on the naval appropriation bill be closed after ten hours, one half of the time to be controlled by the gentleman from Illinois [Mr. FOSS] and one half to be controlled by the gentleman from Louisiana [Mr. MEYER]. Is there objection?

There was no objection.

The motion of Mr. FOSS was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, with Mr. HEPBURN in the chair.

Mr. FOSS. Mr. Chairman, I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. FOSS. Mr. Chairman, I desire to state for the information of the committee that I have prepared, or tried to prepare, a very careful report, giving, as far as I could, an explanation for the increases in this bill.

The bill as now before the committee carries an appropriation of $[illegible]. The estimates submitted to the committee, there go in the Navy Department, amounted in all, original and supplemental estimates, to the sum of $105,962,844.34. This bill shows a reduction from those estimates of $9,624,895.40.

I recall the fact that the chairman of the Committee on Appropriations [Mr. HEMENWAY], in the earlier days of this session of Congress, said that if we appropriated for all the estimates asked for by the different departments of the Government there would be a deficiency of nearly $40,000,000.

Up to the time that this bill was reported from the committee [illegible] bills—the sundry civil, the legislative, executive and judicial, the army, the urgent deficiency, the diplomatic and consular, and the agricultural appropriation bills. The reduction from the estimates in these bills amounted in round numbers to about $5,000,000. The reduction [illegible] So I think this bill will afford some comfort to the Committee on Appropriations—that school of economists who exercise a watchful care over the appropriation bills of other committees as well, of course, as their own. And while it will afford comfort to the [illegible] attention to those who [illegible] the Navy, because, while this bill reduces the estimates by an amount of nearly $10,000,000, it is also an increase over the appropriation bill of last year of more than $14,000,000.

That is made necessary by the fact that we are increasing the number of men and also providing for the continued construction of our ships already authorized. Take, for instance, the matter of the increase of men. We provide in this bill for an increase of 3,000 men. We ought really to provide for more men; but we [illegible] at the present time. The [illegible] pay of the Navy [illegible] fact, and from the increase in the number of officers and the increase in the number of apprentice men in the Naval Academy, amounts to more than a [illegible] and a half dollars.

There is another increase in this bill over that of last year which I desire to call your attention to, and that is the fact that we are rebuilding the Naval Academy at Annapolis. Last year we made no appropriation, because no appropriation was required. There was [illegible] the present fiscal year, but in this bill we make an appropriation [illegible] Then, too, we provide for an increase of nearly [illegible] construction and repair. That applies to the construction of ships which have already been authorized. We also provide an increase over that of last year of $2,000,000 for armor. In this bill we are making an appropriation for our naval station down at Guantanamo of $[illegible]; then we are making an appropriation for our naval station over in Subig Bay, in the Philippine Islands, to the amount of $[illegible].

These are the large increases in this bill, and go to make up the [illegible] over last year in the appropriation bill of more than $[illegible].

Now, there are some other matters to which I desire to call the attention of the committee. The [illegible] for a naval programme for this year the authorization of one first-class battleship, carrying the heaviest armor and the most powerful ordnance for a vessel of this class, on a trial displacement of not more than 16,000 tons, to have the highest practicable speed and great radius of action. This battle ship will cost $6,775,000. The committee also recommend two first-class armored cruisers of not more than 14,500 tons trial displacement, carrying the heaviest armor and most powerful armament for vessels of their class, to have the highest practicable speed and great radius of action.

Each one of these armored cruisers will cost $6,500,000. The committee also recommends the authorization of three scout cruisers of not more than 3,750 tons of trial displacement, carrying the most powerful armament for vessels of their class, to have

the highest practicable speed compatible with good cruising qualities and great radius of action. Each one of these vessels or cruisers will cost $2,200,000. And in addition thereto two colliers, to be capable of accompanying the battle fleet, carrying 5,000 tons of cargo coal loaded, and having a trial speed of not less than 16 knots, each costing $1,250,000. The total cost of the battle ship, two armored cruisers, three scout cruisers, and two colliers will be $29,885,000. In this appropriation bill we make no appropriation for this programme authorized this year, because it is not necessary to do so. The appropriation for the cost of these vessels will extend over a series of years, beginning next year, and covering possibly five or six years.

This naval programme which the committee recommends this year is, in its judgment, a modest and reasonable programme, when you come to take into consideration what other countries are doing, and I may say to the committee that I have prepared here in this report a statement showing the naval programme for this year of some of the leading countries of the world. England, for instance, is building three battle ships, four armored cruisers, three protected cruisers of the third class, four scouts, fifteen torpedo-boat destroyers, and ten submarines. Germany has authorized for it naval programme this year two battle ships of 16,500 tons each, one armored cruiser of 9,500 tons, three cruisers of 3,000 tons, one gunboat, six high-sea torpedo boats. Russia has a large naval programme this year of two battle ships of 16,500 tons, two battle ships also of 12,000 tons, two armored cruisers of 6,500 tons; and Italy has a large programme.

In view of that, I think that this programme which we recommend this year is nothing more than a fair and reasonable programme, and I believe that it will be heartily approved throughout the country. If the committee desires to know the strength of foreign navies as they stand to-day, they will find it upon the last pages of this report, in which, by the aid of the Bureau of Naval Intelligence, I have placed here an illustrative diagram, showing the war-ship tonnage of the principal naval powers. Great Britain has a tonnage of a little over a million and a half—I mean to-day in commission; France, nearly 600,000 tons; Russia, a little over 400,000 tons; Germany, a little less than 400,000 tons; the United States, a little less than 300,000 tons; Italy, a little less than ours; Japan, a little less than Italy, and Austria last. I am speaking of the Navy as it stands to-day, the Navy serviceable. This diagram also shows how much the foreign countries are building. As the Navy stands to-day, based upon the ships already built, we rank fifth. Great Britain ranks first, France second, Russia third, Germany fourth.

Mr. Chairman, it has been said in some quarters that we ought to stop building up the American Navy, that the Navy is large enough, that we have too many ships already. That voice has come to us, but I do not believe that it is the voice of the American people. It has been said that we ought to spend more money on internal improvements, that we ought to deepen our rivers and harbors, that we ought to erect post-office buildings, that we ought to promote expositions; that that was a wiser expenditure of public money; but, Mr. Chairman, I do not agree with that position. There is no necessity for ever drawing the issue between building up the American Navy and providing proper and needful expenditures for internal improvements. I recall the fact that during the last six or seven years, as every Member of this House will recall the fact, that we have been building up the American Navy faster than ever before, but at the same time we have also been expending more money upon internal improvements [illegible] ever before.

Why, since the Government began we have expended $150,000,000 for the deepening of our rivers and harbors, and yet since the 4th of March, 1897—and I take that simply as a convenient time—we have appropriated $150,000,000 of that $450,000,000. Not only that, but we have made greater appropriations for building post-offices during that period than ever before, we have promoted more expositions than ever before, and yet I say during all this time we have been making greater progress in the construction of the American Navy than ever before. There is no necessity of drawing the line between the Navy and internal improvements. This country is rich enough and great enough to make proper appropriations for necessary needs at home and abroad, but, sir, if the issue shall be drawn between building up the American Navy as it stands to-day and putting our money into deepening rivers and harbors and building post-offices and promoting expositions—I say if that issue should ever be drawn, though there is no necessity for it, I have no question as to where the American people will stand. Foremost and above all must stand considerations of national defense, the maintenance of our foreign policy, and the protection of American citizens all over the globe.

Now, Mr. Chairman, this Navy of ours is not costing so very much when you come to take into consideration our population, our wealth, and our expenditures of public money. Last year our appropriation amounted to about $82,000,000, about $1 per capita for every man, woman, and child in the country. On the basis of per capita it is not large. Take it, for instance, on the basis of our foreign trade. Our foreign trade last year, if I remember rightly, amounted to two and one-half billion dollars. On the basis, for instance, of appropriating one hundred millions for the Navy, it would mean only 4 per cent of our foreign trade.

Take it on the basis of expenditures. Our expenditures for all the different Departments of the Government will amount, in round numbers, to $700,000,000; perhaps, to be a little more accurate, $660,000,000. Placing it on the basis of spending $100,000,000 on the Navy, that would be about 14 per cent of our total expenditures. This is not as large a proportion as we expended on the Navy in 1800. In that year the naval expenditures were 29 per cent of the total expenditures, according to a statement prepared for me. In 1820 we expended 20 per cent of the total expenditures on the Navy. In 1840, 21 per cent. In 1870 only 7 per cent. That was when our Navy had been allowed to go to pieces after the civil war. In 1880 we expended, I believe, even less than that, because then we had for a Navy only thirty-two old hulks left over from the civil war.

Then we stood twentieth among the navies of the world. We had a smaller navy even than little Chile, in South America. But it was then that the country awoke to the fact that it was necessary to build up the American Navy, and then started the onward march of its growth and development. It began under the Administration of President Arthur and has continued to the present day. Our naval expenditures in 1900 amounted to about 8 per cent of our total expenditures.

To-day, even if we should increase this bill to one hundred millions, the percentage would be about 14 per cent of our total expenditures, less than our forefathers appropriated, in percentage, one hundred years ago.

Now, take it, for instance, on a larger and broader scale—on the wealth of the country. Treat, if you please, the American Navy as the insurer of American wealth, and where do we stand? It has been estimated that the total wealth of this country is more than $100,000,000,000. If we should appropriate in this bill $100,000,000 for the American Navy, what percentage would that be of the total wealth of our country? One-tenth of 1 per cent. The Secretary of the Navy in a very able report has set forth how cheaply we have insured ourselves during the past century with the American Navy.

Mr. LAWRENCE. Would the gentleman from Illinois object to an interruption?

Mr. FOSS. No.

Mr. LAWRENCE. It would be interesting to know why the Committee on Naval Affairs recommended the construction of but one battle ship and two armored cruisers. Is that in accord with the recommendation of the Navy Department?

Mr. FOSS. The recommendation of the general board was along that line, of more cruisers this year than battle ships. The gentleman will recollect that last year we authorized five large battle ships and no cruisers, but the sentiment of the naval authorities seemed to be that this year we should authorize a larger number of cruisers.

Mr. LAWRENCE. Is it the opinion of the Navy Department that there should be a certain proportion existing between the number of battle ships and the number of armored cruisers?

Mr. FOSS. There is an opinion, and the opinion is this: That we ought to have about half as many armored cruisers as battle ships. To-day we have twenty-four battle ships built or under construction, and we have to-day ten armored cruisers. With the two armored cruisers authorized in this bill, it will give us twelve, and we will have just about one-half as many armored cruisers as we have battle ships.

Mr. RIXEY. Will my colleague allow me to make a statement in reply to the gentleman from Massachusetts?

The CHAIRMAN. The gentleman will address the Chair.

Mr. RIXEY. Mr. Chairman, I desire to interrupt the gentleman from Illinois.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Virginia?

Mr. FOSS. I will yield for a question.

Mr. RIXEY. I only wanted to suggest the fact brought out in the question by the gentleman from Massachusetts, which was as to the recommendation of the Navy Department. As I understand it, it was for one battle ship, one armored cruiser, and three protected cruisers. The bill carries one battle ship, two armored cruisers, and no protected cruisers.

Mr. FOSS. We left off the protected cruisers, and in their place put one armored cruiser. Admiral Dewey was of the opinion that we ought to build more fighting ships than the general board recommended, and for that reason the committee made that change and substituted in place of the three protected cruisers one armored cruiser.

There is one thing that we ought always to keep in mind—you cannot build a navy in time of war. When war comes you must fight. Where would Russia be to-day if she could have her [illegible] ships? But it is [illegible] for her to build navies. The war is on. In time of peace you must build [illegible] and [illegible]. It has been said that "eternal vigilance is the price of liberty." It has also been said, and I think I have read it somewhere, that eternal preparation for war is the price of peace.

There is another thing that we ought to take into consideration, that is, the great difference between the Army and the Navy. The Army [illegible] personnel. You can take [illegible] a great army in comparatively a short time. Men will come in [illegible] the ranks and take office, and in a few months, with proper training and discipline, you will have a well-organized army ready for the enemy's [illegible]. That is because an army is made up largely of personnel. And after the war is over these men will go back and be lost in the citizenship of the land.

But with a navy it is different. You never find on land there are two things which go to make up a navy—not only personnel, but also material. It [illegible] years to build these great battle ships. They can be used only in time of peace. It takes long years to train officers and seamen. Someone has said, and there is a good [illegible] of truth in the remark, that you can make a soldier [illegible] in the course of four years, but it takes forty years to make a sailor.

The reason of this difference between an army and a navy it behooves the American people to continue this splendid policy of building up the Navy, so that we may be prepared for war whenever that war shall come. God grant that it never shall come, but it will come—until we reach that stage of civilization when—

> [illegible] at no longer
> Anchor and cannon be furled
> In the parliament [illegible]
> [illegible] the world.

[illegible] that time has not come [illegible]

There is another thing to which I want to call your attention, and that is the fact that we are [illegible] the men for the Navy and the Marine Corps of the Navy from all the States of the Union. [illegible] they are coming in larger numbers [illegible] West. For instance, last year [illegible] 390 men: from Illinois [illegible]; from Iowa [illegible]; from Kansas, [illegible]; from Kentucky, [illegible]; from Minnesota, [illegible]; from Missouri, [illegible]; from Nebraska, 101; from Ohio, 573; from [illegible]. And the farther West they come. That is where we are getting the men for the Navy to-day. And they are [illegible]. We have a training station in the East, on the Atlantic coast, and one in the West, on the Pacific, but we need a training station [illegible] for the training of the [illegible] men and gunners and machinists on land [illegible].

I [illegible] that it is necessary for me to say much to this [illegible] the policy of preparation for war [illegible] Navy. We have [illegible] time to prepare. You may say that we are isolated [illegible] years ago, but it is not so at present [illegible]. It is an important factor, because [illegible] every day. The opening of the Atlantic and the Pacific has brought a great [illegible], but is a question of days. The [illegible] and Panama [illegible] the opening of the canal. Nobody knows [illegible] nations have established [illegible] are and the [illegible] to build many a battleship [illegible].

Now, there is another thing. There are some [illegible] here [illegible]. We had a [illegible] recently down here in Santo Domingo. An American [illegible] one of our ships was shot by the [illegible] without provocation. I do not know how soon, but the time may come when we shall have to stop in and say to Santo Domingo and Haiti, "If you can not preserve law and order within your own territorial confines, then the United States will step in and do it for you."

And then, too, we are running here upon this Isthmus the Panama Canal—a project which will bring two great oceans into everlasting [illegible]—and we will need a defense for the canal. We have provided here in this bill for appropriations to the extent of $[illegible] for a naval base down at Guantanamo, right on the road to Panama. So we have that interest to look after. And then we have the larger interest of the maintenance of the Monroe doctrine. I desire to call your attention to a speech which the President made, I think, in my city, relative to the necessity of building up a strong navy for the maintenance of the Monroe doctrine. Says he:

> [illegible]

> [illegible] of excellence in handling [illegible]

And I [illegible] upon this point [illegible] the American Navy [illegible]. We have at the head of the Bureau of Navigation Admiral Taylor, who has given a great deal of time and [illegible] toward the training of our men. Our [illegible] favor of good [illegible]. On previous naval appropriation bills he has called [illegible] ing [illegible].

Now, Mr. Chairman, I [illegible] sity for continuing this policy of building up our Navy [illegible] the great necessities which we have here at home on this hemisphere, where we are supreme.

But we have also interests in the Far East. This country is no longer an isolated country. We have the Philippines over there in [illegible] which we must protect. We are charged with them. I care not whether gentlemen upon the other side [illegible] it, and [illegible] ours, ours to protect.

We appropriated in this bill $[illegible] for a naval base over in [illegible] in that in view, to protect [illegible] same time to protect our [illegible] here.

Our [illegible] ay is growing with every hour. We are [illegible] than we have ever sold her before. [illegible] the markets for our South, the markets for our North, the markets for our East, and the markets for our West. We need a navy over [illegible] and our trade.

Not only [illegible] to-day under John Hay. [illegible] on the [illegible]. There is no nation in all the world whose influence and power are felt so much in that [illegible].

Why, you recall the trouble in China two or three years ago [illegible] would have dismembered the Chinese Empire [illegible] have done so. It was a note from this [illegible] its integrity. And only [illegible] in the war which is now [illegible] of China; and though to-day we are [illegible] miles away from China, yet we are nearer to the heart of China than any country in the world.

Gentlemen, I am not in favor of building up the Navy spasmodically, with a great naval programme this year and none next. I am not in favor of a policy that will waft as one way to-day and to-morrow another. I am in favor of a [illegible] to leave it with.

I do not want a navy for any of these purposes, but I want to see our country [illegible] that [illegible] and a great [illegible] mercy, but when she strikes may she ever have the power to strike as Dewey struck at Manila—for the flag and country! [Loud applause.]

APPENDIX.

[House Report No. 805, Fifty-fourth Congress, second session.]

NAVAL ESTABLISHMENT.

February 11, 1904.—[illegible] and ordered to be printed.

Mr. [illegible], from the Committee on Naval Affairs, submitted the following report [illegible]:

The Committee on Naval Affairs, to whom was referred so much of the President's annual message as relates to the naval establishment, together with the annual estimates of the Navy Department, submit herewith a bill

(H. R. [illegible]) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, [illegible] the following statement:

[illegible] the estimates for the fiscal year 1905, and the amounts recommended in this bill for the same [illegible]:

Naval establishment.	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Pay of the Navy	[illegible]	[illegible]	$19,324,093.00
[illegible]	[illegible]	[illegible]	380,000.00
[illegible]	[illegible]	[illegible]	65,000.00
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	748,993.70	[illegible]	913,730.92
[illegible]	[illegible]	8,164,874.00	6,565,571.00
[illegible] Bureau of Navigation	[illegible]	[illegible]	[illegible]
[illegible]	60,000.00	[illegible]	[illegible]
[illegible]	[illegible]	3,000,000.00	3,000,000.00
[illegible] California	4,[illegible]	19,000.00	19,000.00
Naval training station, [illegible]	232,000.00	[illegible]	8,125.00
[illegible]	[illegible]	250,000.00	250,000.00
[illegible] Equipment	82,500.00	248,500.00	318,900.00
Public [illegible] of Medicine	5,000.00	7,800.00	7,800.00
[illegible]	245,000.00	20,000.00	20,000.00
Bureau of Ordnance	265,000.00	360,000.00	375,000.00
[illegible]	4,358,078.84	[illegible]	[illegible]
[illegible] and Repairs	8,367,624.[illegible]	[illegible]	[illegible]
[illegible] engineering	[illegible]	[illegible]	[illegible]
[illegible]	2,097,778.02	2,118,875.53	2,120,476.78
[illegible]	1,072,756.50	1,090,236.50	1,090,236.50
[illegible]	[illegible]	[illegible]	[illegible]
Marine Corps	15,[illegible]	19,836,880.00	19,836,880.00
Arm[illegible]	[illegible]	12,000,000.00	12,000,000.00
Equipment	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
Grand total	$1[illegible]	[illegible]	[illegible]

[illegible] estimates for the fiscal year 1905, and the amounts recommended in this bill for the same [illegible]:

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Pay of the Navy	$17,[illegible]	[illegible]	[illegible]
Pay, miscellaneous	[illegible]	[illegible]	[illegible]
Contingent, Navy	[illegible]	[illegible]	[illegible]
Emergency fund	[illegible]	[illegible]	[illegible]

[illegible] of $19,324,093 for the pay and allowances [illegible] the following:

[illegible]	$[illegible]
[illegible]	[illegible]
[illegible] tion	401,500
[illegible]	[illegible]
[illegible] duty	[illegible]
[illegible]	238,100
[illegible]	11,020,320
[illegible] board training-[illegible]	[illegible]
[illegible] on the retired list	270,000
[illegible] petty officers and seamen reenlisting under honorable [illegible]	72,000
[illegible]	200,[illegible]
[illegible] graduates of gun captains', seamen-gunners', and [illegible]	[illegible]
All [illegible]	22,143
To [illegible] medals	83,589
Ex[illegible] pay [illegible] from act February 9, 1889	20,000
[illegible]	147,624
Total	19,824,093

[illegible] the Department could [illegible] in this bill yet the committee [illegible] experience in the past [illegible] been full. This [illegible] last year, which is due to [illegible] equipment, and men, there being a [illegible]

[illegible] appropriation for "Pay, miscellaneous" is the same as that of last year [illegible].

[illegible] from $[illegible] to $[illegible] by reason of the fact that it is more properly a contingent fund.

The emergency fund arose out of the Spanish-American war, and the highest amounts appropriated under it were $[illegible] in a single year, and the responsibility for its expenditure was placed entirely upon the President; but now that the fund has been reduced to $[illegible] and the character of expenditures under it necessarily having changed, it is contended that there is no reason for charging the expenditures from [illegible] to the President, but that it ought to be left to the Secretary of the Navy, and necessarily it merges into the contingent fund, which [illegible].

"*Provided*, That the [illegible] authorized and directed to assign, in the discretion of the [illegible] of disbursing officers, [illegible] payments made under the appropriation [illegible] Navy, to [illegible] employed by the Navy Department for duty [illegible] serving at bases at [illegible] and Navy 1905, and [illegible] Congress shall make [illegible] appropriation for the pay of such employees."

BUREAU OF NAVIGATION.

This Bureau has general charge of [illegible] of the Navy, the training and [illegible] of the Navy and the Naval Academy [illegible] Naval Academy and [illegible] for all [illegible] for the [illegible] relations

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Navigation:			
[illegible]	$2[illegible],420.00	$257,858.00	$254,000.00
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	19[illegible]	[illegible]	[illegible]
[illegible] department	4[illegible]	[illegible]	[illegible]
[illegible]	22[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	250,000.00
Naval [illegible]	4[illegible],000.00	40,000.00	40,000.00
[illegible]	[illegible]	[illegible]	[illegible]
Naval training station, Rhode Island	55,000.00	55,000.00	56,000.00
[illegible] and entertainments for [illegible]	[illegible]	1,000.00	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
Navy [illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible] for [illegible]	[illegible]	[illegible]	[illegible]
One [illegible]	[illegible]	[illegible]	8,000.00
[illegible]	[illegible]	[illegible]	1,250.00
[illegible] lecture on international law	1,000.00	1,000.00	1,000.00
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	400.00
United States Naval Home, [illegible]	77,[illegible]44.00	76,725.00	76,725.00
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
Total	1,320,723.00	[illegible]	1,360,022.00

As will be seen from above table, the appropriation for this Bureau is practically [illegible].

[illegible] naval training station at Rhode Island [illegible] of that sum in [illegible] the Naval War College, Rhode Island, [illegible] Naval Home, Philadelphia, Pa., is substantially the same [illegible].

BUREAU OF ORDNANCE.

This Bureau has general charge of the [illegible] of the Navy and the [illegible] of vessels, the [illegible] and magazines on shore, and [illegible] as well as the [illegible] and [illegible] of the Navy. [illegible] supply of ammunition. It has [illegible] for the Navy [illegible].

The [illegible] statement of the appropriations for 1904, estimates for 1905, and amounts carried by the bill:

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Ordnance:			
Ordnance and ordnance stores:			
Procuring [illegible] preserving and handling ordnance materials	$1[illegible]	$2[illegible]	$2[illegible]
Reserve supply of ammunition	[illegible]	[illegible]	[illegible]
Conversion of 6-inch guns to rapid fire	25,000.00	[illegible]	[illegible]
Smokeless powder, purchase and manufacture of	500,000.00	500,000.00	500,000.00
To enlarge smokeless-powder factory at Indian Head, Md	55,000.00	[illegible]	[illegible]
Machine tools for navy-yard, Boston	[illegible]	5,000.00	5,000.00
Machine tools for navy-yard, Portsmouth, N. H	[illegible]	4,000.00	[illegible]
Machine tools for torpedo station, Newport, R. I	[illegible]	5,000.00	5,000.00
Machine tools for naval magazine, Lake Denmark, N. J	[illegible]	2,000.00	2,000.00

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Ordnance—Continued.			
Ordnance and ordnance stores—			
At Navy Gun Factory, Washing-			
[illegible] and accessories	$80,000.00		
[illegible] plant extension of	5,000.00		
	25,000.00		
[illegible]		3,000.00	2,000.00
[illegible]		10,000.00	10,000.00
[illegible]		100,000.00	
[illegible]		12,200.00	12,200.00
[illegible]		125,000.00	125,000.00
[illegible]		125,000.00	125,000.00
[illegible]	100,000.00		
[illegible] and routine	[illegible]	[illegible]	[illegible]
[illegible]	60,000.00	[illegible]	[illegible]
[illegible] buildings, ma-	30,000.00	30,000.00	30,000.00
[illegible] station, etc	75,000.00	75,000.00	75,000.00
[illegible]	46,006.75	47,006.75	47,006.75
[illegible]			
[illegible] $2,000			
Total	3,116,006	[illegible],706.75	3,670,706.75

[illegible] be ex-

[illegible] the President, "The [illegible] at Norfolk [illegible] ar factory. These are strongly recommended by the [illegible] Bureau.

BUREAU OF EQUIPMENT.

The duties of this Bureau consist in [illegible] coal and general equipment [illegible] tions for [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Equipment:			
Equipment of vessels	[illegible]	[illegible]	[illegible]
Coal and transportation	[illegible]	[illegible]	[illegible]
Coatings	[illegible]	[illegible]	[illegible]
Ocean [illegible]	10,[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	33,622.52	[illegible]	[illegible]
[illegible] ent of			
[illegible] nt of			
[illegible]			
[illegible] of pay ($5.04 to $6 per day)			
Total	[illegible] 52	8,497,988.00	8,498,028.00

As will be seen by the above table, there is an increase in the amount appropriated [illegible] over those of last year of $[illegible] be expended [illegible] by the [illegible] in the equipment of vessels made necessary by [illegible] the new [illegible]

[illegible] for coal [illegible] for depots for coal [illegible] out [illegible] in the Treasury for [illegible] The Secretary is authorized under existing law to use this appropriation for the establishment of coaling depots at such places as he may deem necessary. Under this provision a depot for coal will be established at [illegible] for the purchase of coal [illegible] or new ships, and [illegible] for the contingent fund of this Bureau is the [illegible] and lake surveys is reduced $[illegible] [illegible] of the [illegible]

BUREAU OF YARDS AND DOCKS.

[illegible] of the [illegible] al appropriation bill under public works is [illegible] tions for [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
[illegible]	$[illegible]	[illegible]	[illegible]
[illegible] rds and	40,000.00	40,000.00	40,000.00
[illegible] type-	9,831.25	12,042.89	12,042.89
[illegible] diem	2,460.00	3,360.00	3,360.00
[illegible]		9,023.65	
[illegible]			
[illegible] $2 per			
[illegible] at			
[illegible] spector, at			
[illegible]			
[illegible]			
[illegible]		2,8[illegible]	2,800.00
[illegible]			
[illegible]	1,749.25	1,749.25	1,749.25
[illegible]		2,642.40	2,642.40
[illegible] at			
[illegible]	9,[illegible]	[illegible]	12,425.00
[illegible]			
[illegible] and type-			
[illegible]			
[illegible]	14,[illegible]		15,291.67
[illegible]	2,691.00	7,[illegible]	[illegible]
[illegible] per			
[illegible] r			
[illegible]			
[illegible]			
Na[illegible] rk, N. Y	[illegible]	23,[illegible]	[illegible].13
[illegible] f writer			
N[illegible] Va	12,470.89	16,616.87	16,616.87
[illegible] public, at $4.24			
[illegible] an of teams, at $2.24			
[illegible]			
[illegible]			
One [illegible] pe-			
[illegible]			
[illegible] per $[illegible]			
[illegible]	1,932.00	7,511.68	7,511.68
[illegible] $4 per diem			
One [illegible] ater, at $3.52 per diem			
One stenographer, typewriter, and telegraph operator, at $3.04 per diem			
One writer, at $2.80 per diem			

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Du[illegible]			
[illegible] S. C.	$[illegible]	$[illegible]	$[illegible]
[illegible] N. H.	[illegible]	[illegible]	[illegible]
[illegible] rapher and type-			
On[illegible]			
[illegible] pl. operator and			
[illegible]			
[illegible]			
[illegible]

PUBLIC WORKS, BUREAU OF NAVIGATION.

The following table gives the comparative statement of the appropriations for 1904, the estimates for 1905, [illegible] in this bill:

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Public works under Bureau of Navigation:			
[illegible]		$3,000,000.00	$3,000,000.00
[illegible]	$90,000.00		
[illegible]	500.00		
Total	[illegible]	[illegible]	3,000,000.00
Naval training station, California:			
[illegible] fire-protection system		14,000.00	
Ventilation and sanitary improvements of barracks		5,000.00	
Extension of wharf	[illegible]		
	[illegible]	[illegible]	[illegible]
Naval training station, Rhode Island:			
[illegible]		10,000.00	
[illegible] clear		4,000.00	
[illegible] and	10,000.00		
[illegible] basins	[illegible]		
[illegible]	215,000.00		
	232,000.00	14,000.00	14,000.00
Naval War College, Rhode Island:			
[illegible]		6,500.00	
Furniture for extension of Naval War College		1,625.00	
		8,125.00	8,125.00
Naval training station, Great Lakes:			
[illegible] ment of naval training station on shore of Lake Michigan		250,000.00	250,000.00

[illegible] the Great Lakes [illegible] we draw a great part of our enlisted men.

Second. [illegible] strategy a naval base at the [illegible] Mich. (Lake Superior), which is the [illegible] of twenty-five years, to one hundred [illegible] Lake Superior [illegible] the Great Lakes [illegible] we draw these men from the [illegible] but which do not offer as good a field from which to draw recruits.

[illegible] naval [illegible] interests of the American Navy by men whose business it is to know what the [illegible]

[illegible] report this year [illegible] as Document No. [illegible] to the Committees on Naval Affairs of the Senate and House of Representatives with the following letter by the Secretary of the Navy.

NAVY DEPARTMENT,
Washington, [illegible]

SIR: The act making appropriations for the naval service for the fiscal year [illegible] Navy [illegible] the Great Lakes [illegible] the sum of $5,000, or so much thereof as may be necessary, to be immediately available, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated."

On December 14, 1903, I had the honor to inform Congress of the progress at that time made in compliance with the provisions of this act. I then submitted to Congress the preliminary report of the board appointed under the provisions of the act, and stated that upon the receipt of the report the Department would be [illegible] to Congress. That preliminary report recommended that the naval training station on the Great Lakes should be fixed on [illegible] Lake Michigan [illegible]

I [illegible] the honor now to transmit a copy of the final report of the board. In which [illegible] desirability, are as follows: [illegible]

[illegible] the Great Lakes [illegible] in accordance with its recommendations.

Very respectfully,

WILLIAM H. MOODY, *Secretary.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

The great problem to-day is the training of men and getting them in shape [illegible] before the committee stated that the Department was only asking for 2,000 additional men because they had not at present adequate facilities for training [illegible] and the Great Lakes training station [illegible] urgently recommended.

PUBLIC WORKS, BUREAU OF ORDNANCE.

The following table [illegible] appropriations for 1904, [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Public works, Bureau of Ordnance:			
[illegible]	.....	$350,000.00	$70,000.00
Additional improvements at magazine, Iona Island	$14,200.00		
Improvements at magazine, Lake Denmark, N. J.	19,600.00	10,000.00	10,000.00
Improvements at magazine, St. Julien's Creek	11,600.00	11,100.00	11,100.00
New [illegible]	10,500.00	121,500.00	121,500.00
Improvements [illegible]	25,000.00	34,100.00	34,100.00
[illegible]	1,500.00		
Expense of board on site for magazine on New England coast	1,000.00		
New magazine, etc., Fort Mifflin, Pa.		20,000.00	20,000.00
Observation magazine and filling house, Mare Island, Cal.		2,300.00	2,300.00
Magazine, shell, and filling house, etc., Philippine Islands		50,000.00	50,000.00
Total	82,800.00	498,900.00	318,900.00

[illegible] for a naval magazine on the coast of New England [illegible] for a [illegible] the work [illegible] the total [illegible] Navy [illegible] at a [illegible] England coast is [illegible] sale, at a price to be [illegible] and [illegible] the naval [illegible]

[illegible] at Newport, $34,000.

[illegible]

Also naval [illegible] at Mare Island, [illegible]

Also naval magazine in the Philippine Islands, $50,000.

PUBLIC WORKS (BUREAU OF EQUIPMENT)—NAVAL OBSERVATORY.

The usual appropriation of $5,000 is made for the Naval Observatory, and also [illegible] for [illegible] for garages by a house to cost $2,800.

BUREAU OF MEDICINE AND SURGERY.

The duties of this Bureau are [illegible] and generally estimates for and controls all the details of its own organization.

The following table gives the comparative statement of the appropriations for 1904, estimates for 1905, and the amounts [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Medicine and Surgery:			
[illegible]	$150,000.00	$225,000.00	$225,000.00
[illegible]	40,000.00	[illegible]	[illegible]
[illegible]	35,000.00	[illegible]	[illegible]
[illegible]	40,000.00	45,000.00	45,000.00
Total	265,000.00	[illegible]	[illegible]
Public work, Bureau of Medicine and Surgery:			
[illegible]	20,000.00	20,000.00	20,000.00
[illegible]	[illegible]		
Total	245,000.00	20,000.00	20,000.00

[illegible] the table, there is an increase in the appropriation [illegible] the Medical Bureau asked for a deficiency of $50,000 for this [illegible] propriation for the naval hospital fund is the same as that of last [illegible] $50,000 to $80,000. The [illegible] act [illegible]

[illegible] and building quarters for officers at the naval hospital [illegible] officers' quarters into [illegible] to cost $350,000, one to replace the [illegible] tug facilities, which are now [illegible] and the other to furnish additional [illegible]

Generally speaking [illegible] AND ACCOUNTS.

[illegible] the other bureaus, it estimates for [illegible] for 1904, the estimates for [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Supplies and Accounts:			
[illegible]	$1,000,000.00	$4,850,000.00	$4,850,000.00
[illegible] Bureau of Supplies	250,000.00	250,000.00	250,000.00
[illegible] Bureau of [illegible]	103,978.34	103,932.28	103,932.28
Total	5,353,978.34	[illegible]	[illegible]

[illegible] for provisions has been increased this year by $450,000, [illegible] by the same.

BUREAU OF [illegible] AND REPAIR.

[illegible] for 1905, estimates for 1905, and [illegible] recommendations [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Construction and Repair:			
[illegible] repair of vessels	$8,000,000.00	$8,000,000.00	$8,000,000.00
[illegible]			
Navy-yard, Portsmouth, N. H.	[illegible]	20,000.00	20,000.00
Navy-yard, Boston, Mass.	30,000.00	30,000.00	30,000.00
Navy-yard, New York, N. Y.	50,000.00	50,000.00	50,000.00
Navy-yard, League Island, Pa.	[illegible]	20,000.00	20,000.00
Navy-yard, Norfolk, Va.	[illegible]	15,000.00	15,000.00
Navy-yard, Pensacola, Fla.	[illegible]	[illegible]	[illegible]
Navy-yard, Mare Island, Cal.	30,000.00	[illegible]	[illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Construction and Repair—Continued:			
Improvement [illegible]			
[illegible]			
[illegible] Puget Sound, Wash.	$75,000.00	$30,000.00	$30,000.00
Naval station, New Orleans:			
[illegible]	25,000.00		
Steel ammunition lighter, naval station, Cavite, P. I.	30,000.00		
Total	[illegible]	[illegible]	350,000.00
Civil establishment, Estimate	27,024.25	40,324.25	40,324.25
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible] naval station, [illegible]			
Two [illegible]			
Total	[illegible]	8,565,824.25	[illegible]

The app[illegible] as will be seen from the above table, are [illegible] than [illegible] at [illegible] as [illegible] collected [illegible]

[illegible]

STEAM ENGINEERING.

[illegible] of this Bureau [illegible] to the designing, building, [illegible] as the [illegible] and [illegible] for and [illegible]

[illegible] following table gives the comparative [illegible] for 1904, the estimates for 1905, and the amounts [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Bureau of Steam Engineering:			
[illegible] repairing, and [illegible] of machinery, [illegible]	$2,100,000.00	$2,100,000.00	$2,100,000.00
For [illegible], handling, and [illegible] of machinery [illegible]	1,200,000.00	1,200,000.00	1,200,000.00
For [illegible] or naval [illegible]	15,000.00	15,000.00	15,000.00
Improvement [illegible] steam engineering [illegible]		25,000.00	25,000.00
[illegible] Navy-Yard	60,000.00	75,000.00	75,000.00
[illegible] Navy-Yard	[illegible]	[illegible]	50,000.00
[illegible]	[illegible]		
[illegible]	17,000.00	[illegible]	[illegible]
Total	3,907,000.00	3,572,000.00	3,572,000.00

[illegible] as will be seen from the above, are [illegible] ex- [illegible] an extension [illegible] power for ships, the [illegible] recommended [illegible]

NAVAL ACADEMY (CIVIL ESTABLISHMENT).

The following table [illegible] appropriations for 1904, the estimates for 1905, and the amounts [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Naval Academy:			
[illegible] and others, Naval Academy	$77,442.52	$81,892.52	$78,890.52
Two [illegible]			
One [illegible] for in [illegible]			
One [illegible]			
One [illegible]			

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Naval Academy—Continued.			
[illegible] Na-			
[illegible]			
[illegible]			
[illegible] and	$50,000.00	$50,000.00	$50,000.00
[illegible] ployees, Naval	11,154.82	15,285.94	15,285.94
T[illegible] at $[illegible] per			
T[illegible] at $1.28 per			
C[illegible] er. at $2.80			
C[illegible] at $[illegible] per an-			
S[illegible]	3,000.00	3,000.00	3,000.00
R[illegible]	31,000.00	31,000.00	31,000.00
H[illegible], Naval	25,000.00	30,000.00	30,000.00
C[illegible] Naval Academy—	2,000.00	2,000.00	2,000.00
[illegible]			
[illegible]	2,000.00	3,000.00	[illegible]
F[illegible]	3,000.00	3,000.00	[illegible]
[illegible]			
[illegible]	2,000.00	2,000.00	2,000.00
F[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]			
[illegible]	50,000.00	60,000.00	60,000.00
S[illegible]	800.00	1,000.00	1,000.00
M[illegible]	1,000.00	1,500.00	1,500.00
P[illegible] of the Naval	1,000.00	1,000.00	1,000.00
A[illegible]			
[illegible]			
[illegible]	10,000.00	30,000.00	30,000.00
Repairs of sextants	1,000.00		
Total	270,397.34	314,588.46	311,706.46

[illegible] ing and also an increase of $5,000 in the appro- [illegible] m. [illegible] 25; one cook, $[illegible], and an increase of two [illegible]

This is demanded by the increased number of students.

MARINE CORPS.

The Marine Corps is the military branch of the naval service and consists of

Rank.	Strength January 1, 1904.	Allowed by law.
Brigadier-General, Commandant	1	1
Colonel adjutant and inspector	1	1
Lieu[illegible] ant, and inspector	1	1
[illegible] tor	1	1
[illegible]	1	1
[illegible] rmaster	1	1
[illegible]	1	1
Captain [illegible]	2	2
[illegible]	1	1
[illegible] ant paymaster	1	1
Major [illegible]	1	1
Captain [illegible] paymaster	1	1
Total	21	22
Colonels	5	6
Lieutenant-colonels	6	6
[illegible]	15	15
Captains	66	[illegible]
First lieutenants	59	85
Second lieutenants	a 48	[illegible]
Total	199	256
Sergeants-major	6	6
Quartermaster sergeants	60	60

a One since retired and 14 appointed.

Rank.	Strength January 1, 1904.	Allowed by law.
Drum-major	1	1
[illegible]	77	72
Gunnery sergeants	301	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	76	100
[illegible] ers	81	[illegible]
[illegible]	6	6
[illegible] carrying music	44	25
[illegible]	1	1
[illegible] band	1	1
[illegible]	20	[illegible]
[illegible] ats	30	30
Total	7,[illegible]	[illegible]
Grand total	7,743	[illegible]

[illegible] propriations for 1904, estimates for 1905, and [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
Marine Corps	$2,097,778.03	$2,118,875.53	$2,120,476.73
[illegible]			
[illegible]			
[illegible] dsgun point-			
De[illegible] f officers on the			
Total	[illegible]	[illegible]	[illegible]
Provisions, Marine Corps	[illegible]	[illegible]	[illegible]
[illegible] Marine Corps	[illegible]	[illegible]	[illegible]
[illegible] U. S. Army for 2,000	[illegible]	[illegible]	[illegible]
[illegible]		28,540.00	28,540.00
[illegible] and recruiting,	121,620.00	121,620.00	121,620.00
[illegible] of barracks, Marine	66,336.00	66,336.00	66,336.00
[illegible] barracks, Marine	6,000.00	[illegible]	6,000.00
[illegible]	[illegible]	17,500.00	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible] ot of supplies, Phila-	150,000.00		
Norf[illegible]	42,000.00		
San [illegible]			
[illegible]	16,000.00		
Mar[illegible], Cal., power			
[illegible] heat	11,000.00		
Por[illegible] N. H., boiler			
[illegible]		5,000.00	5,000.00
[illegible]		2,500.00	2,500.00
[illegible] to			
[illegible]		150,000.00	150,000.00
[illegible]			
[illegible] n to ap-			
[illegible] a for barracks and			
[illegible]		6,500.00	6,500.00
Olongapo, P. I., cold-storage and ice-plant		5,000.00	5,000.00
Total	1,672,736.50	1,690,236.50	1,690,296.50

From the above it will be seen that the total appropriations are about [illegible] important provision is that of $150,000 for an addition to the [illegible] boat [illegible] recommended for improvements at the marine [illegible] N. H.; $[illegible] at [illegible] and $5,000 at naval sta- [illegible] sires to call attention to a provision inserted in the bill [illegible] nery the same additions to [illegible]

INCREASE OF THE NAVY.

[illegible] 1 for 1904, the estimates for [illegible]

	Appropriated, 1904.	Estimates, 1905.	Carried by bill.
In[illegible] the Navy:			
[illegible] machinery	$15,025,632.00	$23,826,860.00	$19,826,860.00
Armor and armament	10,[illegible]	12,000,000.00	12,000,000.00
Equipment	[illegible]	400,000.00	
Submarines	500,000.00		
Total	25,925,632.00	36,226,860.00	31,826,860.00

The following table shows the degree of completion of our ships now under construction:

FEBRUARY 9, 1904.

Vessels under construction, United States Navy.

No.	Name.	Speed.	Where building.	Degree of completion. Jan. 1, 1904.	Feb. 1, 1904.
	Battle ships.	*Knots.*		*Per cent.*	*Per cent.*
11	Missouri	18	Newport News Co	99.9	[illegible]
12	Ohio	18	Union Iron Works	84.5	85.5
13	[illegible]	18	[illegible] Co	56.5	63.5
14	[illegible]	[illegible]	[illegible]	35	37.7
15	Georgia	19	Bath Iron Works	42.5	45.4
16	New Jersey	19	Fore River Ship and Engine Co.	49.43	50.3
17	[illegible]	18	do	50.61	51.7
18	[illegible]	18	Navy-yard, New York, N. Y.	26.7	28.5
19	Louisiana	18	Newport News Co	34.5	37.55
20	Vermont	18	Fore River Ship and Engine Co.	2.76	3.6
21	Kansas	18	New York Shipbuilding Co.	2.6	3.9
22	Minnesota	18	Newport News Co	12	14.73
	Armored cruisers.				
4	Pennsylvania	[illegible]	William [illegible] & Sons	64.9	66.8
5	[illegible]	[illegible]	[illegible] Co	70.5	73.32
6	[illegible]	[illegible]	[illegible]	51	54
7	[illegible]	[illegible]	William [illegible] Sons	69	71.8
8	[illegible]	[illegible]	Newport News Co	65.4	69.15
10	[illegible]	[illegible]	Union Iron Works	47	50
11	[illegible]	[illegible]	William Cramp & Sons	15.1	16.6
	[illegible]	22	New York Shipbuilding Co.	12	13.9
	Protected cruisers.				
14	Denver	17	Neafie & Levy	98	[illegible]
15	Des Moines	16½	Fore [illegible] Ship and Engine Co.	97	99
16	[illegible]	16	[illegible]	[illegible]	[illegible]
17	[illegible]	16	[illegible] Trigg Co	72	72
18	[illegible]	16	[illegible] Works	20.5	22
19	[illegible]	[illegible]	[illegible]	98	100
21	[illegible]	[illegible]	[illegible] & Levy	36.2	37.9
22	Charleston	22	Union Iron Works	41	42.5
		22	Newport News Co	56.9	60
	Gunboats.				
17	Dubuque	12	Gas Engine and Power Co	20	25
18	Paducah	12	do	16	22.2
	Training ships.				
	Cumberland	Sails.	Navy-yard, Boston	12	25.5
	Intrepid	Sails.	Navy-yard, Mare Island	5	[illegible]
	Training brig.				
	Boxer	Sails.	Navy-yard, Portsmouth	6	16
	Torpedo boats.				
19	Stringham	30	Harlan & Hollingsworth	93	93
20	Goldsborough	30	Wolff & Zwicker	99	99
27	[illegible]	26	George Lawley & Son	99	99
29	[illegible]	26	Lewis Nixon	99	99
30	O'Brien	26	do	98	98
34	Tingey	26	Columbian Iron Works	100	
	Steel tugs.				
8	Bentucket	12	Navy-yard, Boston	100	
9	Sotoyomo	12	Navy-yard, Mare Island	98	99

[illegible] ded as follows:

[illegible] ery	$16,532,450
[illegible]	[illegible]
[illegible]	[illegible]

[illegible] and [illegible] be appropriated hereafter.

NAVAL PROGRAMME.

[illegible] the purpose of [illegible] the naval [illegible] of the United States, [illegible] to have [illegible] armor and most powerful [illegible] of not more than [illegible] of armor and armament [illegible] cruisers, of not more than [illegible] armor and most powerful armament [illegible] of armor and armament [illegible] $[illegible] each. [illegible] of not more than [illegible] carrying the heaviest armor and most powerful armament [illegible] of armor and armament, not exceeding $[illegible] each. [illegible] of not more than [illegible] carrying the heaviest armor and most powerful armament [illegible] of armor and armament, not exceeding $[illegible] each.

To [illegible] carrying the battle fleet; to carry 5,000 tons of cargo and [illegible], and to have a trial speed of not less than 16 knots, to cost not exceeding $[illegible] each.

The complete cost of constructing the ships above recommended will be as follows:

One first-class battle ship, carrying the heaviest armor and most powerful armament for a vessel of its class, upon a trial displacement of not more than 16,000 tons, to have the highest practicable speed and great radius of action. Cost:

Hull and machinery (includes miscellaneous outfit and equipment)	$4,400,000
Armor	[illegible]
Armament (includes ammunition and miscellaneous ordnance equipment)	1,525,000
Equipment outfit not included in the contract with the shipbuilder	50,000
Total	[illegible]

[illegible] Two [illegible] of not more than 8,750 tons trial displacement, carrying [illegible] ordnance of vessels of their class, to have the highest practicable speed [illegible] compatible with good cruising qualities and great radius of action. Cost:

Hull and machinery (includes miscellaneous outfit and equipment)	$4,400,000
Armor	[illegible]
Armament (includes ammunition and miscellaneous ordnance equipment)	880,000
Equipment outfit not included in the contract with the shipbuilder	50,000
Total	[illegible]

[illegible] of not more than 3,750 tons trial displacement, carrying [illegible] ordnance of vessels of their class, to have the highest practicable speed [illegible] compatible with good cruising qualities and great radius of action. Cost:

Hull and machinery (includes miscellaneous outfit and equipment)	$1,800,000
Armament (includes ammunition and miscellaneous ordnance equipment)	[illegible]
Equipment outfit not included in the contract with the shipbuilder	25,000
Total	2,200,000

[illegible] of the battle class, to carry 5,000 [illegible] and [illegible] speed of not less than 16 knots.

[illegible] programme will be $22,985,000.

[illegible] Navy to build and or [illegible] contracts for [illegible] any of these [illegible] of the Navy [illegible] he can not [illegible] of the [illegible] is [illegible] and [illegible] plate factory, toward which the sum of $4,000,000 is [illegible] Navy. [illegible] moderate and reasonable programme and one that we believe will [illegible] nstruction of more than the usual num- [illegible] for five large [illegible] Navy. If we stopped now we would be [illegible] the policy of sacrificing the Ameri- [illegible] and [illegible] of our [illegible] everywhere. The Am[illegible] on their influence on this hemisphere, nor [illegible] elsewhere.

FOREIGN NAVAL PROGRAMMES.

Great Britain.—From year to year the [illegible] ing the British navy [illegible] years (of about 500 [illegible] England is steadily engaged in reconstructing [illegible] war [illegible] later date than 1895, in [illegible] (England). [illegible] no reduction [illegible] ing the last days of December [illegible] and the total credits are about the [illegible] the budgets of foreign nations [illegible] armored cruiser of 13,644 tons, 2 de- [illegible] programme includes, among other [illegible] construction continues under the [illegible] 1 [illegible] ships of [illegible] each, 1 [illegible] 9 [illegible] 1 gunboat, 8 [illegible] torpedo boats [illegible] programme, in addition to the new construction, [illegible] old ships will be [illegible] the total amount of such repairs [illegible] 17 battle ships, 1 armored cruiser, 27 small cruisers.

German and French newspapers also anticipate a proposition to broaden the programme of 1900 by laying down 5 additional battle ships for foreign service.

The budget for 1904 provides for 40,000 officers and men, which is more than double the number of ten years ago.

Russia.—The new construction authorized by the naval programme of 1903 comprises 2 battle ships of 16,500 tons each, 2 battle ships of 12,500 tons each,

2 armored cruisers of 6,750 tons each, and a large number of torpedo boats [illegible]

[illegible] list of 1903-4 are 3 battle [illegible] or not [illegible]

[illegible] programme was laid down by [illegible] in [illegible] year under the [illegible] of 150 tons, 1 repair [illegible]

It is reported that the contract for the battle ship has been placed in England.

Japan has secured by purchase the 2 armored cruisers just completed in Italy for Argentina.

[illegible]

NAVAL RESERVES OF THE PRINCIPAL NAVAL POWERS.

[illegible]

France has [illegible] complements of [illegible] blue jackets [illegible]

[illegible] officers in her reserves, and in 1902 she [illegible] ing detailed for duty at sea and to com- [illegible] A [illegible] reserve for five years and then into the [illegible]

Number of officers and men of the principal naval powers.

Country.	Commis-	Total	Mid-	War	[illegible]	[illegible]	Ma-
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
England	[illegible]	[illegible]	[illegible]	[illegible]	189	142	474	19,106
France	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible] States	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	6,291
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

NO PARTITION OF CHINA.

[illegible] partition of China not long ago, [illegible] I fear the scheme was arrested [illegible] It is suspended for the present, and, I fear, for the present only. It is still a menace to China and our own interests.

I have [illegible] to show that, without adopting a policy of [illegible] for us is in[illegible] our just [illegible] where to de[illegible]

[illegible] the Suez Canal is substantially and [illegible]

[illegible] we guard and

[illegible] OUR CANAL

[illegible] any one of three or four Euro[illegible] navy? We [illegible] I have [illegible] Navy in itself [illegible] or to an [illegible] navy, built and armed on modern lines, [illegible] power. I think that [illegible] probably not [illegible] will not [illegible] and injury. They will be careful to avoid offensive demands or an aggressive policy.

[illegible]

We all know that a great [illegible] going on all the time. We [illegible] copper, and [illegible] We [illegible] and we are [illegible] that for a [illegible] very active now [illegible] Navy's expenditure [illegible] already so vast, the necessity of a strong navy can not be [illegible]

SEA POWER IMPORTANT.

[illegible] and history, Captain Mahan, [illegible] sea power [illegible] Navy in itself [illegible] men, instead, [illegible] y.

[illegible] sea power [illegible] the world in the late war. Sea power passed Cuba [illegible] our naval [illegible] war. The Spanish [illegible] she could not reen[illegible] a port or a [illegible] the sea for United States [illegible] any number of men to Cuba that might become necessary in order to surround and capture the Spanish forces. It was no longer an equal combat. This proud and gallant nation was forced to yield. And so it has been always. Sea power is the glory and security of a people. The nation that possesses it starts in a [illegible]

I should much regret if anyone were to infer from what I have [illegible] I favor a policy of war and conquest. I [illegible] under any circumstances. War is a calamity, however just and necessary. The late Spanish war carried evils in its train which many are beginning to believe will far outweigh any possible [illegible] n. We [illegible] our population or a team part of our [illegible] an army brave enough, but badly [illegible] all that is ne[illegible] l. We did not have a large navy, but [illegible] way.

It was [illegible] r to that of Spain. Spain has not [illegible] l, and de[illegible] as a naval power. I do not mean to [illegible] r or character, but as a nation she has [illegible] de like that of the north[illegible] heroes like [illegible] his [illegible] ns, but it was no match for our [illegible]

[illegible] Santiago were very easy victories. [illegible] on the other. Compare these suggestive figures with the naval [illegible] and [illegible] tory, including that battle which is painted on our walls, when Perry had to quit his sinking ship to fight in another, or when John Paul Jones, by sheer endeavor and with his decks [illegible] with blood, upheld the glory of our young [illegible] valor and suffering.

SPAIN A WEAK MARITIME POWER.

Over this easy victory against Spain folly has gone wild and many interpret it as a proof that we are [illegible] of us. For one I [illegible] with a great mar[illegible] weak one, and we have no right to assume [illegible] a French, or a German ship is like a Spanish ship [illegible] to our own. The [illegible] if [illegible] have to meet one of them it will be a very different [illegible] from that at Santiago or Manila. Our officers and men will do all that we have a right to ask, but it will be no holiday task.

CONSIDER OUR NAVAL STRENGTH.

Mr. [illegible] man, it is important for us to consider, first, what is [illegible] what are the [illegible] what are they [illegible] and what are we [illegible] and with this House [illegible] this point with a [illegible] I shall not do so. [illegible] of a [illegible] is not a [illegible] of publicity and [illegible] England, Russia, [illegible] and Germany. All these p[illegible] to the legislative bodies to [illegible] authority [illegible] to [illegible] for the necessary [illegible] and [illegible] ty. I venture the [illegible] that there is not a government in Europe that does not know exactly our strength and our weakness, how many fighting

battle ships we have, how many we are building, and how long we will have to wait for their completion. Let us, therefore, look the truth fairly in the face.

APPENDIX.

[Data carefully compiled by Mr. F. B. Whitney, clerk of the Committee on [illegible] from official sources.]

[illegible] OF ALL NATIONS.

[illegible] less than 1,000 tons are [illegible] transports, converted yachts, dispatch vessels, or [illegible] battle ships over twenty years old, unless modernized [illegible] relative order of war strength on the 1st day of February, 1904, was:

Country.	Tonnage.	[illegible]
Great Britain	1,516,040	[illegible]
[illegible]	576,108	[illegible]
[illegible]	416,150	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	258,898	28,346
[illegible]	[illegible]	31,097
[illegible]	[illegible]	10,845

GREAT BRITAIN'S NAVY.

Great Britain has 50 [illegible] armored cruisers built are 27, with tonnage of 262,800, while in the [illegible] with tonnage of 96,510, while on [illegible] are: Built—torpedo-boat destroyers 125; tor[illegible]

GREAT BRITAIN'S NAVAL PROGRAMME

[illegible] and rearming her [illegible] war [illegible]

KINDS OF SHIPS.

Great Britain's policy [illegible] receive the most of [illegible] the materiel.

[illegible]

[illegible] and a grand total

naval programme of France for 1904 consists of 1 armored cruiser of [illegible] s built and building.

RUSSIA.

[illegible] 4 tons; 3 protected cruisers, second class, of [illegible] tonnage of 142,274. Her total [illegible] 0-ton battle ships, two 8,750- and a number of torpedo boats. Russia appears to [illegible] g battle ships and cruisers [illegible] States is [illegible] and with more than 93,469 tons, [illegible] 16 second-class battle ships, [illegible] protected cruisers [illegible] cruisers, of 26,000 tons; 4 other cruisers and scouts, [illegible] a total horse power of 12,000, with tonnage of 16,345. [illegible] 12 [illegible] and building [illegible]

The new construction of Germany is pursuant to a plan adopted in 1900, which provides for ships to be built by 1917, as follows: 38 battle ships, 14 [illegible] cruisers, 38 small cruisers, of which there were in existence in 1900, 27 [illegible] 24 coast ships, 40 large cruisers, and 24 small cruisers with new [illegible]

[illegible] appropriated under this law [illegible] and man each ship when ready.

UNITED STATES NAVY.

[illegible] 12 second-class [illegible] building 11 first-class battle ships of 166,700 tons; [illegible] consist of 16 destroyers [illegible] armored cruiser, 5 protected cruisers, 4 scouts, and 2 squadron [illegible]

COMPLETED NAVIES.

[illegible] built [illegible] United States 34, while the [illegible] It is evident that in [illegible] ful navies are shown [illegible]

Country.	[illegible] ships.	[illegible]	Armored cruisers.	[illegible]	[illegible]	[illegible]	Total.
[illegible]	56	6	41	21	60	52	238
[illegible]	38	32	26	4	19	18	110
[illegible]	8	10	7	9	8	11	53
[illegible]	18	12	6	[illegible]	9	35	80
[illegible]	32	[illegible]	19	5	19	25	99
[illegible]	19	[illegible]	[illegible]	[illegible]	5	11	44
[illegible]	1	9	8	[illegible]	13	17	47
[illegible]	1	13	3	[illegible]	2	6	27

The CHAIRMAN. If no other gentleman desires to speak, the Clerk will proceed with the reading of the bill.

Mr. [illegible] I yield twenty minutes to the gentleman from New York [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Chairman, it is popular to be a big navy. Its achievements are [illegible] the [illegible] of people and [illegible] for the American people. The tr[illegible] and policy of the [illegible] a sea force for defense rather than [illegible] a large [illegible] army, as well as the [illegible] powerful navies, have [illegible] to develop a sentiment favora[illegible] an increase of our navy. [illegible]

The policy [illegible] In a time of peace [illegible] the naval service [illegible] Navy and for the Marine Corps there is provided [illegible] new construction, armor, and armament [illegible] and the balance is for repairs, the Bureau of Medicine and Surgery, supplies and accounts, equipment, yards and docks, and public works at various naval stations, and for the Naval Academy.

This bill carries $14,461,347.51 more than the bill for the current fiscal year.

Since 1890 the naval expenditures have amounted to the sum of $644,526,793.98. With the amount appropriated by the pending bill the expenditures will have aggregated at the end of the coming fiscal year $740,861,867.82. To complete vessels already authorized will require $50,891,699, and for the increase authorized by this bill $29,885,000 more; in all, $80,776,699.

These figures give some idea of the enormous expenditures required for the Navy. From June 30, 1898, to June 30, 1905, provided that the amount carried by this bill is expended, the expenditures for the Navy will aggregate $[illegible]. I have [illegible] statement showing the annual appropriations for the Navy for each year ending June 30, from 1890. This statement is prepared by the Treasury Department. In 1890 the appropriation was $[illegible]. Increases have been made from year to year until the present appropriation of $[illegible] is submitted for consideration.

It is legitimate to inquire at this time, What is meant by a big navy? To what extent is our naval force to be increased? What object is in view and what is to be accomplished by the addition contemplated? I profess, Mr. Chairman, that there may be some who will take this as an opportunity to charge me with that new form of disloyalty [illegible] in this country. To suggest that there can be something better, to suggest that the administration of public affairs may possibly be improved, or to inquire for reasons that may be [illegible] to the Executive, or to the dominant party, is [illegible] upon some partisans as disloyalty [illegible] to the country, or, at all events, to the Administration. At the risk of having this charge made, I shall [illegible] the inquiry already suggested.

It was [illegible] to intimate that the new contract [illegible] for the Navy should be sufficient [illegible] country busy. The unfortunate disagreement [illegible] of the shipbuilding trust [illegible] Congress has not made a definite [illegible] of what would constitute an adequate naval force. I have been unable to find in the reports from the Navy Department any recommendation as to what the naval force should ultimately be. Should not some consideration be given to that question now that the annual appropriation has reached the [illegible] mark?

To whoever can read the signs of the times the programme of the Government is plain. I am aware that official denial will be made of [illegible] but the action of this Government [illegible] unmistakably [illegible] a naval force that shall [illegible] Chief of Germany. At present this country has eleven first-class battle ships of 135,120 tons, and is building three more of 166,700 tons; twelve other battle ships and coast defense vessels of 47,945 tons; two armored cruisers of 17,[illegible] tons, and in the course of construction eight of 111,[illegible] tons; two protected cruisers, [illegible] of 14,[illegible]; three building of 23,[illegible]; [illegible] protected cruisers, second class, [illegible] tons; four building, 12,400 tons; twenty-three other cruisers and scouts (above 1,000), 32,773; two building, 3,[illegible]; or, when all the vessels now under construction are completed, the United States will have a navy consisting of [illegible] tons.

Germany has fourteen first-class battle ships of 214,[illegible] tons, six building, 77,[illegible] tons, sixteen other battle ships and coast defense vessels of 56,[illegible] tons; three armored cruisers, 15,[illegible]; three building, 24,[illegible]; [illegible] protected cruisers, second class, [illegible] tons; four building, 12,000 tons; thirty-one other cruisers and scouts (above 1,000), 32,[illegible]; four building of 14,715 tons; in all, when completed, [illegible] tons.

The celebrated [illegible] programme of Germany calls for thirty-[illegible] battle ships, fourteen armored cruisers, and twenty-[illegible] small cruisers. At the time [illegible] was adopted she had twenty-seven battle ships, twelve large cruisers, twenty-seven small cruisers. The law then enacted provided for the gradual replacement by new construction of [illegible] battle ships, ten large cruisers, and twenty-seven small cruisers. It is the opinion of many experts who have analyzed this programme, however, that by the year 1917, up to which time the programme extends, Germany will then have a greater fleet than that laid down on paper. This will come to pass from the fact that the ships mentioned will not be all scrapped simultaneously, and further that additional auxiliaries are created from time to time, it now being understood that no more second and third battle ships will this year be authorized for foreign service.

In a hearing before the Committee on Naval Affairs on the 6th of the present month Admiral Dewey, speaking of the proper size of our sea forces, says that it should consist of forty-eight battle ships and half as many armored cruisers. This is the opinion of the general board which has been considering the scheme for three years. The Admiral in his statement uses this significant language:

> If it was we ought to be [illegible] that it looks to attack us. I think if we were to have forty-eight battle ships in twenty years they would be needed.

This statement, Mr. Chairman, confirms my assertion that our naval programme, so far as it has been formulated at all, is based upon the theory that our naval force should be greater than that of Germany. And that apparently is the only consideration given any serious thought, for this programme will leave us still slightly behind France and somewhat ahead of Germany.

If this country is to aim at such a navy as the Admiral has in mind, should it not be given careful consideration at this time? Who is prepared to say that the policies of our Government, or even its necessities, require that at the end of twenty years this country shall have a navy practically equal in power to that now possessed by Great Britain? It means the expenditure of at least $[illegible] additional for construction outside of the $80,776,699 required for the vessels under construction and authorized by this bill, and an enlisted force of at least 100,000 men.

Great Britain has to-day fifty first-class battle ships and nine in the course of construction, with a total tonnage of 811,600 tons. She has twenty-seven armored cruisers and fourteen building, with a total tonnage of [illegible]. Her policy is easily understood, for it has been definitely admitted and pursued for many years. It is her policy to have a navy equal to that of the combined navies of any other two powers that can possibly be arrayed against her. Yet last spring a protest was made in the House of Commons against the tremendous burdens that were being imposed upon the people by reason of her enormous naval programme. From the report of the Committee on Naval Affairs it appears that France has reached the limit of her expenditures, yet there can be no decrease, but there must be, for various reasons, a continued increase in her naval expenditures.

This country has undertaken a naval programme which, although never formulated by authority, yet is as definite as that of any other power. Is it fear that prompts a declaration by the naval authorities or by Congress that our Navy must be made to be as great as that which Great Britain now has, with the consequent burdens upon the people? Is it fear that such a declaration would meet with instant disapproval by the country? What would be done with such a [illegible]? I have searched [illegible] for information on the subject. The information obtainable is of the most meager character. On January 25, 1904, the only statement on the subject which I have been able to find was made by Captain Pillsbury to the Naval Committee. In reply to a question as to what he thought we should have, Captain Pillsbury, and bear in mind that he was discussing, he said:

> That is a great question. We are [illegible] have a [illegible] in the Pacific [illegible] I thought we should have [illegible] we have [illegible] I thought we should have [illegible] we have [illegible] I thought we should have [illegible] we have

of our Government for opening up the isthmian canal. This will unite the two great oceans, opening up a waterway which will so develop our resources that we will rank first in commercial importance among the nations of the world. This gigantic scheme is estimated to cost $[illegible] money to be spent in a tropical country, which will benefit us but little except in the commercial results obtained. This canal, when completed, will open up a tidal wave of trade in the South that will, in my judgment, change the business center of this nation.

Admitting the great necessity of this canal and the expediency of its early completion still an equal sum of money if spent upon the public roads of this country would give to each county or parish in the United States at least 50 miles of macadam road, and this money so expended would pass through the channels of trade, benefiting the class who have paid more money and received less in return than any other class of our citizenship, and would ultimately return to our Treasury. If the wish of the substantial farmer could be realized and a first-class macadam road could be built from each county seat in four different directions—east, west, north, and south—the effect would be magical and a new world of industry, energy, and internal development would be opened up to the tiller of the soil.

The total sum for transportation of farm products, lumber, etc., to the railroads is $1,000,000,000 annually. A careful investigation discloses the fact that the average cost of transporting a ton over a mile of ordinary country road is 25 cents, while a conservative estimate shows that over a good macadam road the cost is but 10 cents per ton, thus saving to the farmer $600,000,000 annually! This enormous saving would amply repay the appropriations made by the Government. This estimate is based upon the idea of a complete system of roadways all over the United States. Congress has recently appropriated to the St. Louis exposition nearly $10,000,000; for rivers and harbors there has been expended more than $500,000,000, and the appropriation at this session of Congress will in all probability be something like $60,000,000. While these appropriations are greatly needed and have combined to make this country the leading commercial nation of the world, it is now an opportune time to begin a system of road building by national aid that will make us the greatest agricultural nation of the world.

The surplus in the National Treasury is more than $225,000,000, money which has been collected from the people of the United States, and which should be turned back into the channels of trade by making needed improvements rather than have this enormous sum of money idle in the Treasury or used by rich banking corporations without their paying any interest to the Government. The banks now have of this surplus sum $140,000,000.

No farmer ever objects to the payment of taxes when he gets value received; but conditions are such that it matters not who much tax he pays he can not build these roads without assistance from the National Government. This building of highways is no fanciful scheme, it is no speculation, it is no dream, but it is a substantial necessity. It is impossible to estimate the advantages of good roads; it makes distances unimportant; it enables the farmers to market their products at a minimum cost, thus doing for them what we have done for every other class of our citizenship, and preventing the exodus of our best young men from the farms to seek a livelihood in a city and dwarf the greatest vocation open to development, for we should remember "that the farmer is the man that feeds them all." Good roads are an educational as well as a commercial necessity. Count the weary miles of muddy roads that the farm boy and girl may walk to reach the rural schoolhouse and compare this with the few blocks of paved streets that the city boy and girl walk to reach the magnificent graded school system, and remember that a mile of macadam road in the country will make this trip to the schoolhouse a pleasure; it will make the farmer's load to market lighter; it will lift him out of the mud and mire. It will do for him what the great Jefferson inaugurated in the beginning of our country's history.

The public highways do not belong to the farmer; they are the property of the public and are used by the pleasure seeker, the rich, the poor, the producer and the nonproducer alike, and yet the farmer has had and still has the burden of building and keeping them in repair. This is wrong, and there should be no discrimination, but every citizen, through the Government, should aid in building the public roads, and the burden should not longer be borne by the farmer alone.

It is useless to contend that actual progress will ever be made in the building and maintenance of a permanent extended system of macadam roads without the aid of the National Government. True, it may in some States be done, but in others it can not. The farmers of this country, with their present burden of direct and indirect taxation, are unable to bear this expense, and I am forced to believe that if a great national system is organized by which from fifty to one hundred and fifty millions of dollars would annually be available for road purposes for ten years the construction of good roads will have reached that point where the income from the increased price in farm lands and the saving expense in marketing farm products will enable the farmer to carry this work to completion.

The city resident has his mails delivered at his door many times a day, but the farmer in most cases must travel miles to get his mail even once a day and in some cases thrice a week. This unequal advantage is caused by the inability to have a network of rural mail routes as the direct result of bad roads.

We have entered the threshold of a new century and should create not only for ourselves but millions yet unborn a system of public highways to be left as a heritage for the whole people. We now have an opportunity to assist the producer, the man who lives by the sweat of his brow, by giving him a well-regulated system of good roads, and this can only be done by national aid. This proposition is a practical and not a theoretical one. Money spent to improve the public roads of this country will benefit more people and promote internal development in a greater measure than for any other purpose. Education, civilization, and progress go hand in hand with good roads, and it is our plain duty to build them.

We have reached a point in our national history when under the present system of taxation millions of dollars will lie idle in the Treasury or be used free of charge by gigantic banking corporations or be expended for the benefit of those who paid the major portion of the same into the Treasury. In reviewing the history of large appropriations of money for various purposes, aggregating millions, we find that more than 60 per cent of it is contributed by the farmers of the United States; yet less than 10 per cent of it goes back into improvements designed for their benefit.

Of our export trade of $1,400,000,000 the farmers of the country furnish nine hundred millions; in fact, the farmers form the bone and sinew of our country; they are the producers of the wealth of the nation and are entitled to recognition.

In all the bloody conflicts, both domestic and foreign, in which our people have engaged, the farmers have stood in the forefront of the firing line; they have responded at all times to their country's call, and have demonstrated their courage and patriotism on every battlefield, when to the battlefield was but to the grave; and it is the duty of this Congress to look upon this measure with favor and by the inauguration of this system mark this as an epoch in the history of this country unparalleled in the development of industrial resources.

Large sums of money are constantly being raised and used for public purposes, and I do not wish to be understood as opposed to appropriations for rivers and harbors and other beneficial improvements which will promote progress and prosperity, but I intend to agitate the principal aid for roads and the just recognition of the farmers of this land alongside of and four square with any other appropriation for a public purpose.

The amount asked for of $24,000,000, in my humble judgment, is insufficient as compared with the important work mapped out to be performed. Instead of $24,000,000 annually, as provided for in the various bills now pending before Congress, we ought to make it $100,000,000. This amount of money may seem extravagant, but when compared with appropriations of the last decade it sinks into insignificance.

The prime object of all legislation along this line and the reason for public appropriations are to aid the greatest number of people, thereby doing the most good, and it must be conceded that this proposition will give relief to more people than the same amount of money appropriated for any other public purpose. The building of hundreds of miles of first-class roads in each of the States of this Union would enhance the value of real estate, would enable the farmer to market his surplus with but little expense, and prove a blessing as well to the agricultural life. It would be a just recognition of those who have had so little in the past and yet have contributed their all to our nation's greatness, and I trust and believe that this all-important question will receive that consideration that its importance demands. We can have, we will have, we must have, better highways by national aid.

The intelligence, advancement, and prosperity of our country is demonstrated by the typical commodious country farmhouses, the rural school buildings, and the neat and magnificent churches found in every section of our land, evidences of a great Christian nation. It is left for this generation to inaugurate a system of road building by national aid that will ring around the world as the one essential work to make this the greatest country on the face of the globe—"man's paradise." [Prolonged applause.]

Mr. MEYER of Louisiana. I now yield thirty minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Chairman, on December 14

last I addressed the honorable Committee of the Whole House on my bill (H. R. 4482) entitled "An act for the relief of tobacco growers of the United States." I demonstrated then that our tobacco laws were so vexatious in their operation on the tobacco grower and those who purchased his leaf tobacco, and the right of a tobacco grower to stem and twist his own growth for sale or gift and to sell his growing crop, that the grower was abandoning this industry to avoid bankruptcy, which means that if the present laws remain intact millions of revenue will be lost to the Government.

If the relief which we ask is given to the tobacco growers and any person who deals or wants to deal in leaf tobacco, the tobacco growers' property will be restored and the revenues [illegible] in [illegible] or practically [illegible].

I have read some history and law, and studied both, but I say to you candidly that of all the laws regulating the agriculturist and the products of the farm none are so oppressive, obnoxious, and vexatious to the farmer as those which control the tobacco [illegible] and his tobacco crop, both in his hands and the hands of his purchaser. Indeed, gentlemen, they are brutal. This word appears inapt, but I use that word because it gives you the practical operation and effect of these laws in a word.

I shall discuss these laws. The bankrupt condition of the tobacco grower being confessed and undisputed, I shall show the laws and people lurking behind them are destroying this great interest. I shall shock you gentlemen, I am sure, when I read these laws to you and demonstrate [illegible] practical operation, unless you have done as I have, dug down through forty years of internal-revenue legislation and familiarized yourselves with this, the most complex portion of our jurisprudence.

From 1816 to July 1, 1862, we had no internal-revenue laws, the revenue report of 1897 informs us. Our present system of tobacco laws is based upon the parent act, July 1, 1862, which was [illegible] by the act of June 20, 1868, but portions of the latter act [illegible] the law. All these acts were war measures of forty years ago. They were intended to be "temporary." They have become permanent, while recent amendatory enactments are destroying our tobacco-growing industry.

On March 28, 1862, the committee reported to the House a bill proposing a tax of 3 cents per pound, as follows:

[illegible] leaf or stem, unmanuf[illegible]
That the [illegible]
when ma[illegible]

This clause was stricken out by order of the committee which reported it.

Both the Committee of Ways and Means reporting this clause and the House refused to tax the farmer's leaf. They refused to tax his leaf and stemmed tobacco, and they called, as this clause reads, both leaf and stem "unmanufactured" tobacco and as exempt from additional tax until "manufactured." The present law declares stemmed tobacco "manufactured" in the hands of the grower if he sells or gives it away. It is "manufactured" in the hands of all other parties when they sell to consumers. Leaf tobacco is "manufactured" when thus sold under the present law if sold by anyone except the man who grows it. I will explain this more fully later.

Mr. Horton, in reporting the "clause," March 28, 1862, just alluded to, explained why Congress should not tax the leaf or stem. He said:

[illegible] ple of that paragraph, and I wish to state the [illegible] Chairman [illegible]
[illegible]
[illegible] are directed me to move to strike out this clause, think-[illegible]
[illegible]
[illegible] tary not excepting my colleague from the M[illegible]

This cl[illegible] out and the tax increased from 5 to 10 [illegible] tobacco, treated in the next clause of the bill.

I will read that clause:

On tobacco, cav[illegible] ping, twist, fine cut, and ma[illegible]
[illegible]

The debate continued as follows:

Mr. HORTON. I move to amend that clause by inserting "ten" in place of "five."

The amendment was adopted.

When Congress, to prosecute a war, was framing a tariff bill, it refused to tax the farmer's leaf or his stemmed tobacco. Forty years thereafter, in time of peace, the farmer's own raising in the leaf he can sell free of tax, but his purchaser, selling to a consumer, must pay a tax on that natural leaf, and the grower must pay a tax if he twists or stems his tobacco for sale or gift.

TAX ON HAND TWIST.

Congress levied a tax of 30 cents per pound on "hand-twisted" tobacco on March 3, 1865, to July 3, 1866 (but repealed the law within sixteen months). During this time, a year and four months, the revenue this law produced amounted to—

1865	$8,392.77
1866	6,292.44
Total	14,055.21

Aggregate number of pounds taxed were 46,850. (See Internal Revenue Report, 1897, Table G, p. 395 Appendix, and Ex. Docs. Nos. 55 and 56, 2d sess. 39th Cong., p. 330, and Ex. Docs. Nos. 5 and 6, 2d sess. 40th Cong., pp. 86 to 97 and 337.)

TAX ON HAND TWIST, ETC., AND FINE CUT.

From July 13, 1866, to July 20, 1868 (twenty months), Congress levied a tax of 24 cents per pound on "hand twist, etc., and fine cut." The whole tax for the twenty months amounted to $520,451.69. For the year 1867 it was only $231,730.38. Aggregate number of pounds (taxed, of course), 1,734,839. This is verified by the authorities just cited.

When "hand twist" was taxed separate and alone, as in 1865 and 1866, the revenue therefrom was a mere song—$14,055—and even when "hand twist, etc., and fine cut" (combined) are taxed for twenty months at 24 cents per pound the tax is only $520,451.

These rates were 30 cents and 24 cents per pound. The rate under the present law, if the farmer stems or twists his tobacco for sale, is 6 cents, or one-fifth and one-fourth, respectively, of the rates of 1865 and 1866 and 1866 to 1868.

The tax on manufactured tobacco, whether done by hand or machine, is 6 cents per pound. We want the farmer given the right to "hand" twist, free of tax license and limitations, his own growth of leaf tobacco.

If when Congress in 1865 taxed "hand twist" at 30 cents per pound and received only $7,892 tax, surely but little revenue will be diverted from the Treasury if the grower is allowed to hand twist his own growth for gift or sale when the tax is 6 cents. In 1865 at 6 cents tax per pound the revenues would have amounted to a little over $1,300.

We want the grower to be allowed to "hand" stem his own growth free of tax or limitation. He is required now to pay a tax of 6 cents per pound if he stems to sell or give away. The grower can stem or twist his own growth free of tax for his own personal use. He can not give it away to his son, his wife, his daughter, his son-in-law, to the church, or charity without paying a tax of 6 cents.

COST OF PRODUCTION.

In Tennessee and Kentucky dark-tobacco districts it cost last year 6 cents per pound to raise tobacco, and it is [illegible] sold at all, to-day in Robertson County, Tenn., at 3½ cents per pound on an average.

MANUFACTURING—WHAT IS.

Under the present law, if the grower changes the "natural condition" of his own growth and raising of tobacco, by hand or machine, [illegible] he must pay a tax of 6 cents per pound. (The change wrought by curing, of course, is not manufacturing.) This, mind you, is the law, if the grower manufactures even his own growth. He is not allowed to buy other growers' tobacco without qualifying as a dealer or manufacturer.

There is no such thing as free trade in leaf tobacco. There is free trade in corn, wheat, and other agricultural products. We want leaf tobacco in any and all persons' hands untaxed, unrestricted—free trade, in other words, in leaf tobacco in the hands of anyone. As it is, all persons except the grower with his own crop must pay a tax of 6 cents per pound to sell to consumers. But little, if any, leaf tobacco is thus sold. Leaf tobacco is consumed mostly by the manufacturer and in exporting.

As there is little or no leaf tobacco sold to consumers by nonproducers, but little revenue, if any, would be diverted from the Treasury if the nonproducer were allowed to sell the leaf to consumers. This is one limitation we want removed. The other limitation is, we want the grower and all other persons to be allowed to sell and deal in leaf tobacco, the tax to be placed entirely on the manufactured product.

GROWER MUST DELIVER IN PERSON.

The grower can sell to anybody his own growth and raising without any limitations whatever, except he is required to deliver his own growth and raising to his purchaser. He can not delegate this a "privilege." His son, his wife, his daughter, or

[illegible] law can not deliver for him. His agent can only "solicit" [illegible] the grower. If the grower employs a "registered [illegible] he can [illegible] only and he [illegible] to [illegible] what the grower can do. Think of [illegible] Yes; leaf tobacco of his own [illegible] in construing these [illegible]

The ordinary agent can solicit "sales" for the grower. He [illegible] to the three [illegible] I have named—dealer, manufacturer, and exporter.

GROWING CROP TAXED IF RESOLD.

[illegible] to consumers! That is the law laid down by Commissioner Yerkes. Six cents [illegible] tax on the growing stalk, the growing leaf! The tax itself is prohibitory. The law is [illegible] growing stalks of tobacco by the pound. What [illegible] of such a proposition? But it is the law. Here is what Commissioner Yerkes wrote April 7, 1902, to C. F. Werndon, Winnsboro, Ky. (Treasury Decision 49[illegible]):

The office has decided that where a grower of tobacco sells his crop [illegible] it is [illegible] privileged to resell the tobacco to consumers without payment of a tax.

Reading these laws, gentlemen, clearly convinces me that it was the intention of somebody somewhere to hobble the tobacco grower and turn him over to the manufacturer, the dealer, and the exporter. The American tobacco trust and the Regie combine people have [illegible] within the [illegible] States. Under these laws they are able to control and [illegible] the personal liberty of the grower and the price of his tobacco. They dictate to the price. The law dictates the way the leaf shall be sold and to whom sold. It [illegible] forces the grower to submit at any price [illegible] The grower's freedom of action is destroyed. The purchaser of his leaf is practically dictated by the law, and that purchaser is the tobacco trust lurking behind the wall these laws have built.

Did you ever hear of a law that was calculated to hobble any class of workmen or laborers that more completely succeeds than this? The grower and his agent or both kind are restricted. Under no circumstances can the ordinary agent deliver. He simply solicits. The "grower" as agent can sell [illegible] The grower can deliver [illegible] he is. The son, however filial, is denied the privilege of [illegible] ing or wanting to help his aged father or crippled mother or [illegible] infant sister or brother, growers of tobacco.

A few days ago, in reply to my letter, the Acting Commissioner, William, wrote me as follows:

The farmer and grower is unrestricted in the sale or other disposition of to[illegible] a manufacturer, which was furnished you in a letter addressed to you on the 24 in[illegible]

I will here stop to read the opinion, No. 497, of Commissioner Yerkes to Mr. Herndon, already alluded to, and make my comment general as I proceed.

Here is the law:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, [illegible]

SIR: In your letter dated the 24 instant [illegible] concerning the sale of leaf tobacco by and for farmers who raise the tobacco or who receive the same from tenants or who buy the same while it is growing in the fields, and also whether a number of farmers may employ an agent to [illegible] and sell the tobacco for them.

[illegible] as rent for land, without [illegible] of the person to whom the tobacco is sold and delivered. This delivery is one which the farmer or grower can not delegate to another person.

[illegible]

Blind, deaf, dumb, without any arms or legs, overcome with old age or misfortune, he must make his own trade and deliver his own goods.

HIS AGENT IS LIMITED IN POWERS.

His right to employ an agent, his power under the common law and every other law short of savagery—the principal has the right to employ an agent and give that agent with the power [illegible] pay him a fixed "salary." [illegible] by Mr. Yerkes in this opinion.

REGISTERED DEALER AS AGENT IS ALSO LIMITED IN POWER.

Now, he can employ a registered dealer to sell for him, but [illegible] States the registered dealer can not do any such thing [illegible] he is the agent of the grower. He can only sell to registered dealers in leaf, to manufacturers of tobacco or cigars, or to exp[illegible]

I [illegible] 497 again:

A farmer or grower of tobacco may place his tobacco in the hands of a [illegible]

This is the law, gentlemen, although the principal of this agent—that is, the tobacco grower—can sell to anybody anywhere his [illegible] he raises. Thus the law limits even a legalized [illegible] as agent, while any other agent can only "solicit" sales. Thus the freedom of the grower and the law of agency are destroyed or so minimized as to practically imprison the grower and force the sale of his tobacco into the hands of purchasers whom the law [illegible]

Is not your sense of justice shocked at such a law, and does not this petition of the tobacco grower appeal to you, gentlemen? Can you deny his petition that the liberty of the tobacco grower be [illegible] his. The farmer can sell his corn in the stalk, as we [illegible] sold, you know, without [illegible] tion. You have done so; so have I. But the purchaser of the tobacco crop in the field growing must sell it by the pound at 6 cents while it is yet in the stalk, if he sells to consumers. How does that strike you, gentlemen, for a just law? For a law that is calculated to [illegible] thing else on top of the earth except the tobacco trust. The Government should blush if it has a [illegible]ence, with a face made of steel, at imposing such a law, or [illegible] revenues in such a manner.

The internal-revenue system has always been to our people obnoxious, vexatious, vicious, tyrannical, and exacting to the very last pound of flesh. But the people have borne it with a struggle, but murmuring all the time. They have lived along, kept out of the poorhouse, off the vagrant force, paid [illegible] give up one liberty after another, [illegible] have been compelled to surrender. Labor, black and white, is leaving the tobacco fields, going to the cities, the railroads, and mining camps, while the tobacco grower, broken in spirit, bankrupt in money, [illegible] has turned from tobacco growing, a remunerative business previous

to a few years ago, and is now embarking in "truck" crops—gardening.

RECENT LAWS THAT ARE OBJECTIONABLE.

Several letters that I have here of the Commissioner of Internal Revenue show that section 69 of the act of August 28, 1894, and section 3 of the act approved April 12, 1902, are the objectionable laws, at least in part. I have here letters which the Commissioner sent me March 12, 1903, being copies of letters he had written to other parties. I will read them in full. They are short and plain:

J. P. DUNLAP, Esq.,
Dwight, Butler County, Nebr.

MARCH 6, 1903.

SIR: In your letter dated 28th ultimo, addressed to Mr. Hyde, you ask whether a person has the right to case tobacco for his own use only when none is sold or offered for sale.

[illegible] snuff, whether [illegible] ing, or otherwise [illegible] Section 3 of [illegible] April 12, 1902, [illegible] a tax of 6 cents per pound on all [illegible] law are not construed as preventing a person [illegible] when none is sold [illegible] your [illegible] mation.

[illegible] ally, [illegible], *Commissioner.*

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, August 7, 1903.

C. E. MERIWETHER, Esq.,
[illegible] *Tenn.*

SIR: In reply to your [illegible] 4th instant, you are advised that a farmer or grower [illegible] a farmer or grower to sell and deliver his [illegible] a farmer to con[illegible] ject to tax under [illegible] section, and is [illegible] tobacco, will be [illegible] section 3 of the act of [illegible] and [illegible] to [illegible] of [illegible] ns Nos. [illegible] 36, a copy of which has been forwarded to your address [illegible] a separate cover.

[illegible]

J. C. WHEELER, *Deputy Commissioner.*

You will see from these letters how the grower of tobacco is restricted; that when he sells stems or twists the tobacco he is a manufacturer of tobacco, and that he must box it up in a certain way, labeled and stamped. If he changes the natural condition of the tobacco except to cure, except for his own use, he is a manufacturer, and if he sells it changed from its natural condition it is manufactured, and he must box it up. The act of April 12, 1902, the latest law on the subject, I believe, requires him to box it up, etc., which is a burden—indeed, a prohibition. Mind you, now, this is the farmer's own growth that he must thus manipulate.

I addressed a letter to Commissioner Yerkes March 12, 1903, and his reply covers this question very thoroughly. The whole letter is printed in my [illegible], and I hope you will all read it. I asked him seven questions categorically. Before I finish my speech I will give you all seven of the answers. I will now read five of them. Mr. Yerkes said:

From the [illegible] premises I am constrained to answer your questions cate[illegible] never impose [illegible] the [illegible] only upon [illegible] per pound is imposed upon all to[illegible] intended for his own personal use [illegible] twist tobacco for his own use without incurring liab[illegible] is regarded as manufacturing, and a [illegible] tax. If [illegible] turer of [illegible] and stamp his product, as pro[illegible] for sale manufactured tobacco, snuff, or [illegible] as a dealer in tobacco."

The grower can stem and twist his growth for his own personal use, but he can not do so to sell. He can not give it to his servant, if he smokes or chews tobacco. He can not give it to his son or to his neighbor as a Christmas gift. He can not give it to the church or charity, unless he pays a 6-cent tax thereon per pound.

Mr. CLARK. Will the gentleman allow an interruption?

Mr. GAINES of Tennessee. Certainly.

Mr. CLARK. You ought to state also in that connection that every one of these separate twists he fixes up is a separate crime. Down in my neighborhood once there was a deputy United States marshal concluded he would make some money out of this business; and he had one fellow harnessed up with 250 counts in an indictment because he had twisted 250 twists. The whole thing ought to be broken up. It is an outrage.

Mr. WILLIAM W. KITCHIN. I presume that was on the ground that one twist was a separate package and a violation of the law in each instance.

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from North Carolina.

Mr. GAINES of Tennessee. Oh, yes, Mr. Chairman; I am only too glad to get Members interested in this reform. I know my friend from Missouri, as United States district attorney, informed me not long ago that, under oath, he had to prosecute many a farmer for unintentionally violating the law by twisting his tobacco; that he had to prosecute them although he was opposed to the law. My friend from North Carolina knows more about tobacco than I ever knew. I have raised everything on a farm except tobacco.

Mr. WILLIAM W. KITCHIN. I want to say that I agree with the gentleman from Tennessee in this matter.

Mr. GAINES of Tennessee. I know that. I have never seen a time when I was right that the gentleman from North Carolina was not delighted to agree with me; and I always agree with him, because he is always right.

Mr. WILLIAM W. KITCHIN. Thank you, sir.

Mr. GAINES of Tennessee. Mr. Chairman, I do not raise tobacco, and I would not raise any if I could. This reform is with me not only a matter of official duty, but personal pleasure. I have at heart the condition of the farmers in my country and of others in the tobacco-growing region.

Take up the Tobacco Leaf, a copy of which I have before me, edited in New York. Read its review this week of the condition of the tobacco growers in the United States. There are but few, if a single State, that the growers are not complaining about the price of leaf tobacco, being from 20 to 30 per cent lower today than it was a year ago. Think of those people down in Robertson County, in my district, where in part the illustrious "First Tennessee Regiment" came from—a body of men that President McKinley thought so well of because of their heroism and devotion to duty that he spoke of them praisingly time and time again; and he took nearly all of its officers and appointed them to positions in the United States Army, where they are to-day. Those men acquitted themselves with credit. Yet if they were back there today in Robertson County on their farms they could not make a living.

I was told a few days ago by Mr. Hall, the secretary of my distinguished friend from Kentucky [Mr. STANLEY], that he had to go home to take care of the tobacco tenants on his farm, of whom he said, "Not one could pay his tobacco rent this year." Think of that!

Mr. Chairman, I have read to you to show that even hand-stemming or hand-twisting tobacco is, under the law and as construed at the Internal-Revenue Bureau, manufacturing. If, to sell or give away, you stem or twist your own growth of tobacco by the use of your own hands—by the ten fingers that God gave you that you might make a living—without paying a tax, you are violating the law.

Under the law and the decisions of Commissioner Yerkes and his predecessors, changing the tobacco at all from its natural state, except to cure it, is manufacturing. That is the law under the acts of 1894, 1897, and the McKinley tariff, and even before that. Both Democrats and Republicans are responsible for it. We are all responsible for it. We are responsible for it today, and will be until we give these people the measure of relief to which they are entitled.

Representatives from twenty-six States of this Union have constituents who grow tobacco.

In 1902 these States raised 821,823,963 pounds; price, 7 cents per pound, or $57,563,510.

In 1903 they raised 815,972,425 pounds; price, 6.8 cents per pound; value, $55,514,627, or nearly 6,000,000 pounds less than in 1902, or a loss of about $2,000,000 to the growers.

The New York Tobacco Leaf of January, 1904, states these facts and prints the following valuable table.

Tobacco crop of 1902 and 1903, by States.

States.	Acreage.		Yield per acre.		Production.		Price per lb.		Total value.	
	1902.	1903.	1902.	1903.	1902.	1903.	1902.	1903.	1902.	1903.
	Acres.				*Pounds.*		*Cents.*		*Dollars.*	
[illegible]	131	142	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	4,993	1,560	1,400	[illegible]	[illegible]	15	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	13,294	1,712	1,600	[illegible]	[illegible]	16	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	6	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

at the same price." "Oh, no: this side of the road is as far as I am allowed to go: this road here is my limit: I am not allowed to [illegible] of many like cases. So there is no [illegible] There is no competition whatever [illegible] to this one master and one price or [illegible] and not sell. Now, what is [illegible] the effect of all this? Last year [illegible] internal revenue from tobacco?

Mr. STANLEY. From all tobacco?

Mr. GAINES of Tennessee. From all tobacco.

Mr. STANLEY. What from leaf tobacco?

Mr. GAINES of Tennessee. I do not remember, but I think we [illegible] ...ch internal revenue was received from [illegible] and out before we get through. I [illegible]

Now, [illegible] are the [illegible] I can n[illegible] It [illegible] were any. N[illegible]

Mr. J[illegible]

Mr. GA[illegible] Todd Count[illegible]

Mr. JAMES. A[illegible]

Mr. GAINES [illegible] and in [illegible] lina. [illegible] ir liber[illegible] r I have [illegible] and the farmers can [illegible] and it any longer.

[illegible] t. Paul Dispatch [illegible] me ve[illegible] P[illegible] n their [illegible] they have absolutely abandoned raising tobacco [illegible]

Now, I have in my hand a letter received a day or tw[illegible]

FEBRUARY 14, 1904.

[illegible] n, D. C. [illegible] where is [illegible] pstic blows against [illegible]

Now, gentlemen, we a[illegible] to win in this [illegible] r you [illegible] ir husbands in that way. They will aid [illegible]

[illegible] and the plain laborers in the South are the [illegible] to the [illegible] the laborer [illegible] Now, that [illegible] the other [illegible] Messrs. [illegible] this business.

Now, here is another letter of a different nature. I will ask the Clerk to read it aloud, because it is one of the most sensible letters I have received on the subject. It is from Cheatham County, the place where the man went down and bought one barn of tobacco on one side of the road and would not go across and buy the other barn belonging to the same man on the other side of the road because he was limited by the road to a certain district.

The Clerk read as follows:

HARPER, CHEATHAM COUNTY, TENN., *Feb. 10, 1904.*

Hon. JOHN W. GAINES, *Washington, D. C.*

DEAR SIR: We farmers down here are having a hard time. We can not sell our tobacco for anything. We haven't got but two or three buyers to [illegible] limit. [illegible] We haven't [illegible] to us or keep your [illegible] W[illegible] over the situation that they [illegible]

RICHARD F. HERRON.

Mr. [illegible] N[illegible] blunt, to[illegible] ts as [illegible] y the law, forbids [illegible] and resell it, as one of the w[illegible] said the other day:

As the matter stands now, they can not barter. A m[illegible] ll his own tobacco and be [illegible] ased, but if he [illegible] ealer, and when he sells that tobacco he must pay a [illegible]

WHY TAX LEAF TOBACCO?

[illegible] Why do [illegible] use freely his ten fingers and put into the to[illegible] acco [illegible] all the value that he can? Why do you rob him [illegible] strict his liberty?

Why do you tax his produ[illegible] and make it possible [illegible] rer, the to[illegible] e they can no[illegible] grower? There is the "m[illegible] it." Why do you let the farmer change the form of [illegible] tax him? It [illegible] r; he is a man w[illegible] The man [illegible] rbs so[illegible] s. In [illegible] e laws are so arranged and [illegible] s that the manufacturer practically robs the to[illegible] a large part of his profit—the fruits of his [illegible] r the law. There is no [illegible] this way.

[illegible] and turning it into snuff is [illegible] ring, because in that case you make a new article. [illegible] tobacco is still tobacco, though the stems be pulled out or twisted. In addition to that, tobacco thus raised and then

[illegible] d and twisted by the farmer is pure tobacco. The to[illegible] er it is m[illegible] ured is, 40 per cent of it, "doctored." [illegible] th, the negroes who may work in the cot[illegible] where they do not raise tobacco), or the laborers in the [illegible] r in the fields, whether white or black, prefer the pure [illegible] the country twist, to the manufactured "doctored" [illegible] they have to pay 40 or 50 cents a pound, when [illegible] twist, for 20 cents or less.

[illegible] Mr. [illegible] [Mr. WILLIAMS], the leader of [illegible] y in this House, a[illegible] a meeting of the subcom[illegible] w days a[illegible] that in Mississippi, [illegible] they would be very glad to get [illegible] and do their own twisting—hang it in the [illegible] done in days gone by when I was a farmer boy in the country. I see that no more.

Now the farmer must deliver his tobacco in person. In many cases if he did that he could not be with his family. Some member of the fa[illegible] may be sick. Hence the farmer is unable to [illegible] his tobacco in person. He can not leave [illegible]

Now, why not give him the right to deliver that tobacco by his [illegible] to put his boy in the wagon, just as he would send him to mill with corn, as we have, many of us, done? Let him, as my friend from Mississippi suggested the other day, put his [illegible] in his wagon in the twist, so that it will not break all to pieces or crumble on the way. Let that tobacco be sent in a wagon to Mississippi or any of the nontobacco-producing parts of the country. Let the farmer send his tobacco by an agent to some agent, giving the agent authority to sell it, as if he were himself the grower. At present the agent has not that authority under the law. The solicitor can only solicit orders; he can not deliver. The registered dealer can sell, but can only sell to dealers, manufacturers [illegible]

Now, I [illegible] House to give the tobacco grower freedom of action. Restore his right of free agency; give him the [illegible] to do everything that the grower ought to be [illegible] f. Take the tax off the leaf tobacco when it [illegible] or by anybody. Let the grower stem and tw[illegible] and sell it free of tax. Under [illegible] as manufactured tobacco if any [illegible] it [illegible] to fasten the control of the tobacco market in the hands of the tobacco manipulator? [Loud applause.]

[Here the hammer fell.]

Mr. TOSS. Mr. Chairman, I yield to the gentleman half an hour more if he desires it.

Mr. GAINES of Tennessee. I thank my friend very much.

Now, look at the brutality of [illegible] this thing. If changing tobacco from its natural condition is manufacturing it, how, in the name of Heaven, can Congress truthfully say that when it is not changed it is manufactured? It is a [illegible] ve lie. It is not manufactured unless it is changed. The [illegible] Last year it is [illegible] an a registered dealer or manufac[illegible] r or an [illegible] is taxed.

[illegible] of Texas. I should like to know whether the [illegible] ill pending before any committee of the House [illegible] and, if so, before what committee is it pending—to remove these [illegible]

Mr. GAINES of Tennessee. I have had a bill pending in the last Congress and [illegible] this Congress, and there are four others that propose to give this relief, and we have had a very considerate, fair hearing, so far, before the subcommittee, presided over by the gentleman from Pennsylvania [Mr. DALZELL], and I am satisfied that we have convinced the committee very much, because they verified every statement I made, and this vexatious law was reviewed. The committee did not know what the law was, of course. We are finding out what the law is now. By the assistance of the Internal-Revenue Bureau, by the assistance of everybody that I can get to help me, by employing much of my time daily ever since Congress met, I have finally reached down to where I find that the law is exactly as I have stated it to-day.

We are going to have another hearing next week. We are going to have Mr. Commissioner Yerkes down to tell us how much revenue it will relieve the Treasury of. It may reduce it, [illegible] believe it will. But if you do not relieve the tobacco growers, I have already shown you that the tobacco growers of this country are going to quit growing it and are going to raise something else.

Mr. JAMES. That would curtail the revenue.

Mr. GAINES of Tennessee. It certainly would reduce the amount of revenue now received, which was last year $48,000,000 from tobacco. What the growers want is free trade in leaf tobacco in the hands of any person and the right to stem and twist their own growth and sell it without tax. Let them sell it without agents and with agents. Let them send it by express, by telegraph, by telephone, by boat, wagon, automobile, or air ship, or any other way, anywhere. Liberty of action is what they want. Let these growers know once more at least, [illegible] you should do for them in this matter, that they are sons of freemen and are freemen.

A VEXATIOUS LIMITATION.

I hear it said that there is no tax on leaf tobacco in the hands of the grower. It is true the grower pays no tax on his leaf, but there is a tax on that same leaf if sold by any other person than the grower if sold to a consumer. Why this limitation? Leaf tobacco is leaf in anyone's hands, and a p[illegible] not to be required to pay a tax if he sells to a consumer. This forces him to sell directly or indirectly to the tobacco trust. Let everybody without any restriction trade in leaf.

Mr. SMITH of Kentucky. In other words, let everybody sell to the consumer.

Mr. GAINES of Tennessee. Yes, when any person except the grower sells to the consumer it becomes [illegible] and is subject to tax. I am satisfied that [illegible] revenue comes from the [illegible] on, but this limitation is such a restriction as to tax the leaf tobacco and prevent it from being [illegible] sold and consumed by the great masses of the people, and in effect taxes or burdens the grower [illegible] the price of his growth. I know of no one who is engaged in the business of selling leaf tobacco to consumers, but if there is such a person, the tobacco he sells is subject to a tax. To remove this limitation would not reduce the revenues very much, if any. Our revenues come mostly from the manufactured product. In fact, I have been unable to find in any report of [illegible] years where any tax was paid on leaf [illegible] by anyone. There is no one engaged in the business of "selling leaf to consumers" but the farmer who pays no tax. But this little kink in the law [illegible] sarily, limits the trade in leaf tobacco without producing any revenue, and should be repealed.

TOBACCO GROWERS ARE ASKED TO QUIT RAISING TOBACCO.

I will read here the report of a meeting of the Webster County, Ky., tobacco growers, wherein they are reported to have prepared a resolution calling on the farmers not to raise any tobacco next year:

TOBACCO GROWERS OF WEBSTER COUNTY, KY., MEET AND [illegible]

[illegible]

RESOLUTION.

[illegible] agree to abandon the [illegible]

[illegible] further details later.

A number of counties have done that.

Now, gentlemen, let us consider the question of revenue.

[illegible]

Mr. JAMES. The purpose of this law of yours would be to let the tobacco users of the United States become competitors of the trust in the purchase of the tobacco of the farmer?

Mr. GAINES of Tennessee. Exactly. If you will turn the farmers loose who grow the tobacco, they will wipe out the trust. Take all restrictions and taxes from the leaf.

Mr. JAMES. That would either force the trust to give them better prices or [illegible]

Mr. GAINES of Tennessee. Exactly. As it is, the trust "holds up" the grower and his product, too, because of these limitations on both.

Mr. ETTELSON. Why is it that these absurd, oppressive and [illegible] laws with respect to the growing and sale of tobacco are not repealed?

Mr. GAINES of Tennessee. I will say to my friend as seriously and candidly as he has asked the question that I think that some smart lawyer representing the tobacco trust, who could use language far-reaching in practical effect, wrote the law, and that Congress did not know what it was doing when it passed these severe laws, and so these limitations were fastened in the law, which hobble the grower in the sale of his product. I do not believe that any Congress with a conscience would have been knowingly guilty of passing such savage, tyrannical laws as these. The tax on tobacco, as I have already stated, begun in 1862,

Some of the act of July 20, 1868, is now the law. It has been added to, however, from time to time, down to 1892.

Mr. BOUTELL. Mr. Chairman, so that there may not be any misapprehension, is the law which you wish to modify the original law which you referred to in the opening of your remarks, the statute of 1862?

Mr. GAINES of Tennessee. The laws of which the growers most complain have been enacted in recent years. They are pointed out by Commissioner Yerkes as being the acts of August 28, 1894, sections 69, and section 3 of the act of April 12, 1902. These acts are all based on and are amendments to a string of internal revenue laws which run back to each and every year to the act of June 30, 1868, which repealed several acts passed between the original act of July 1, 1862, and June 30, 1868. It may be to give the desired relief that not only the recent enactments but the parent act must be amended. The farmers, however, have managed to live and let live until the enactments of April 12, 1902, and August 28, 1894. They complain of restrictions that both Commissioner Yerkes and myself find incorporated in these two acts. Conditions during that period of time have become intolerable to the grower of tobacco. These two acts, it seems, coupled with the rules and regulations made to enforce them, is the evil. I am advised by the correspondence that I have from the internal-revenue department and my investigation of the law. Indeed, the act of April 12, 1902, reenacts a part of the old act of 1868. Mr. Yerkes informs me in his letter of April 12, 1902.

Mr. BOUTELL. In order that we may have no misunderstanding [illegible] it is a matter of very great interest to a large number of people, is the law of which the gentleman from Tennessee now complains the original law of 1862, or is it some recent amendment of that law?

Mr. GAINES of Tennessee. The act of July 1, 1862, established our internal-revenue system of that date. Twist tobacco was taxed under that law. I want now to intax it when the grower twists it of his own growth and desires to sell it or give it away. I do not know whether that act taxed hand twist or machine-twist tobacco. But the law of to-day taxes twisted tobacco whether twisted by machine or hand. And it seems that the act of April 12, 1902, and the act of August 28, 1894, has made [illegible] and many other objectionable changes by way of amending the former law. The law of June 30, 1868, is in part the law of to-day. It repealed all former conflicting laws. The act of April 12, 1902, Commissioner Yerkes says, restored a part of the old act of 1868, found in the Revised Statutes of 1873, section 3368. If you will read his letter of March 12, 1903, in my former speech, you will be thoroughly informed on this point. I will read that letter in part if I have time.

Mr. BOUTELL. I ask the gentleman from Tennessee would it not have placed this matter to better effect, if it is in fact a law of 1862, to state that with perfect frankness rather than that it is a law concocted by some clerk of attorney of the trust, the tobacco trust being of very modern origin.

Mr. GAINES of Tennessee. But only in the last few years have these intolerable burdens and denials by operation of law been felt by the farmers, and Mr. Yerkes, in his letter to me March 12, 1903, states that section 3 of April 12, 1902, is only reenactment of section 3368 of the Revised Statutes of 1873, the act of July 20, 1868, section 61. It seems the farmers complain more of the Wilson clause of the McKinley Act, but that they complain more of the act of April 12, 1902, than of any [illegible].

Mr. STANLEY. If the gentleman will permit me, as I understand the statement of the gentleman from Tennessee, it is that this law was passed for one purpose and that its operation has secured an entirely different result. That is especially true of the act of 1894, making an arbitrary definition of manufactured tobacco, namely, that any tobacco, whether in the natural leaf or otherwise, not processed by the producer of it was manufactured tobacco, with certain [illegible] provided it sold by anyone but the producer, who can only sell free of tax his own growth.

Mr. BOUTELL. With the permission of the gentleman from Tennessee I would like to ask the gentleman who has last spoken whether it is his belief that the tobacco trust could have anything to do with the control of the legislation of 1894?

Mr. STANLEY. I am not trying to go into politics. I am not saying that any particular trust did this. But if the gentleman will pardon me just a minute, it is very plain that the intent of the lawmakers in passing that law was to prevent the leaf, which was untwisted in the hands of the farmer, from being manufactured without the Government having an eye to it. That was plainly the purpose of the law. Now, the operation of the law has been to restrict the farmer in the sale of his leaf tobacco to nobody except a licensed dealer, because it can be sold only to a licensed dealer by the agent of the farmer. In that way it has placed the article where it can be controlled by great aggregations of capital, and is not producing a dime of revenue.

After examining this law and after having seen from my own personal experience that the operation of the law was to prevent the farmer from selling natural leaf tobacco in any way to anybody but the licensed dealer, I wrote to Commissioner Yerkes, asking him if prior to the enactment of the law of 1894 there was any effort on the part of the manufacturers of tobacco to evade the law—and it is only a 6-cent duty, nothing like the duty in the foreign countries from which this provision was copied—and he said there had been, to his knowledge, absolutely no fraud on the part of the farmers or persons purchasing from the farmers this leaf tobacco and [illegible] the necessity for the law, and the operation of the law was directly in the interest of the large consumers by putting all the leaf tobacco in the class of manufactured tobacco.

Mr. GAINES of Tennessee. But Commissioner Yerkes shows, in his letter to me of March 12, 1903, that the laws of which the growers complain were passed in 1894 and 1902, which are amendatory. In answering my questions he cites the acts of April 12, 1902, section 3, and August 28, 1894, section 69. He says:

Without attempting to give you an immediate categorical answer to each question as propounded, I have the honor to inform you that at the first session of the Fifty-[illegible] April 12, 1902, section 3, the following was passed [illegible] for manufactured tobacco [illegible] tax now imposed by law [illegible] or any substitute for tobacco, ground, [illegible] and shall pay a special tax [illegible] and such manufactured tobacco [illegible] shall be prepared and put up by the manufacturer in such packages as may be prescribed by such regulations, with the approval of the Secretary of the Treasury, as may be prescribed for the purpose of preventing the removal of any such tobacco for sale or consumption, and for the protection of the revenue. That farmers and growers of tobacco who sell leaf tobacco of their own growth and raising shall not be regarded as manufacturers of tobacco; and section 3244 of the Revised Statutes of the United States and acts amendatory thereof, so far as in conflict with this act are hereby repealed."

The Commissioner, in construing this paragraph, says:

In the second paragraph every person is regarded as a manufacturer of tobacco who prepares and puts up his leaf tobacco in the natural condition by stemming or by preparing it for chewing or smoking, or who sells or delivers his leaf tobacco in its natural condition to consumers or to persons other than dealers, manufacturers, and exporters; and all leaf tobacco so sold by such persons is regarded as manufactured tobacco and subject to tax, but farmers who sell leaf tobacco of their own growth and raising are not to be regarded as manufacturers for selling leaf tobacco of their own growth and raising.

AN ABLE COMMISSIONER'S APOLOGY.

The difficulty in the way of a literal interpretation of the statutes relating to the taxation of leaf tobacco, as pointed out, is that such enactments have been coupled with special tax provisions and not contained in any separate statutes.

I have already read the first provision that appeared in this House, so far as I have been able to find, which undertook to tax leaf or stem tobacco. But the House struck out this clause entirely, because it was taxing unmanufactured tobacco, and transferred the tax to the next clause, taxing manufactured tobacco. This was March 28, 1862.

Mr. STANLEY. What year?

Mr. GAINES of Tennessee. March 28, 1862. I will read again the clause which was then stricken out of the bill:

On tobacco, leaf or stem, unmanufactured, 3 cents per pound, and a payment of this duty shall not exempt tobacco from a further duty when manufactured.

Thus Congress, indeed the committee that reported the bill to the House, not only refused to tax leaf or stem, but classified leaf and stem as unmanufactured tobacco and not subject to a tax unless manufactured. Now, in time of peace, unless the tobacco grower sells the leaf of his own raising, it is taxed, if sold to consumers. If any other person sells it to a consumer it is taxed as manufactured tobacco and the person selling is declared a manufacturer. Stemmed tobacco is manufactured, under the present law, and stemming is manufacturing; but the farmer can stem and twist for his personal use.

Commissioner Yerkes, in his very valuable opinion incorporated in his letter to me, found in my former speech, reviews many laws and parts of laws from June 20 down to the act of April 12, 1902.

We know that the McKinley Act changed the law; that the Wilson Act changed the McKinley Act; that the Dingley Act changed the Wilson Act, but left, I believe, the objectionable definition made by the Wilson Act of the words "manufacturer" and "manufacturing," whereby every person is made a manufacturer who sells leaf tobacco to a consumer, except the grower in the sale of his own growth and raising. We know that Commissioner Yerkes in his letter to me states that the act of April 12, 1902, section 3, reenacts section 3368 of the Revised Statutes of 1873, act of July 20, 1868, section 61. He also stated that it is very difficult to give "a lucid interpretation of the statutes relating to the sale of leaf tobacco by the farmer" because of restrictions in special statutes.

Mr. COOPER of Wisconsin. I regret I have not heard all the gentleman's speech, because this is a matter in which I am very much interested; that is of interest to my State. Will the gentleman kindly read what he characterizes as the objectionable section?

Mr. GAINES of Tennessee. I will refer my friend to the letter containing the objectionable laws, written me by Commissioner Yerkes, found in my speech of December 14, 1903. He will there see that the Commissioner reviews a great many statutes and amendments thereto and gives the history with particularities, and as I have already read the objectionable laws as set forth in his letter, I will ask my friend to be content with the construction placed upon those laws by Commissioner Yerkes. The construction is very plainly worded by the Commissioner, while the laws are very abstruse and hard for anyone to understand, even after hours and months of hard study. The Commissioner himself says they are hard to elucidate. As I understand his letter, he concludes that the act of August 28, 1894, section 69, amending former laws, and the later act of April 12, 1902, reenacting and possibly amending still older laws—the act of 1868—are the objectionable and oppressive laws of which the growers now complain.

ACT OF APRIL 12, 1902.

Of the act of April 12, 1902, the Commissioner says:

You will not find in this section any exemption in favor of the farmer, who is not permitted to twist, stem, or otherwise change his tobacco and prepare it for consumption.

[illegible] section 3368 of the Revised Statutes of [illegible] which first imposed a stamp tax on tobacco.

This provision of law has been in force continuously, without change, except as to the rate of tax since 1868.

Immediately in this connection the Commissioner says:

Section 3368 of the Revised Statutes, and amendatory acts, require that all manufactured tobacco and snuff shall be prepared and put up by the manufacturer in certain specified packages and in no other manner before removal for sale or consumption, and provides that all cavendish, plug, and twist tobacco shall be put up in certain packages, and smoking tobacco and all cut and granulated tobacco in certain other packages; and this section makes no exemption in favor of the farmer or grower of tobacco.

ACT OF AUGUST 28, 1894.

The Commissioner says the definition of manufactured tobacco is found in subsection 9 of section 3244 of the Revised Statutes, as amended by section 69, act of August 28, 1894. Said section 69 provides that—he then quotes this section, which I will insert a little later.

He then says the second paragraph of that section provides that—he inserts that, which I will do.

Now, then, here is the construction which the Commissioner gives of this section 69, which he quoted. He says:

In the first paragraph every person is regarded as a manufacturer of tobacco who in any manner prepares his leaf tobacco for consumption by stemming, twisting, stemming, grinding, or otherwise changing the tobacco from its natural condition.

In the second paragraph every person is regarded as a manufacturer of tobacco who sells and delivers his leaf tobacco in its natural condition to consumers, or to persons other than dealers, manufacturers, or exporters of tobacco in packages for exportation; and all leaf tobacco so sold by such persons is regarded as manufactured tobacco subject to tax. But farmers who sell leaf tobacco of their own growth and raising are not to be regarded as manufacturers for selling leaf tobacco of their own growth and raising.

If you talk to the growers of tobacco, they will tell you that the trouble of which they complain has arisen "in the last year or two." Others will say it was the "act of August 20, 1894, that caused the trouble." This corroborates the opinion of Commissioner Yerkes, who, as we see, says that the laws of to-day that are objectionable are the acts of 1894 and 1902. So that both Democrats and Republicans, gentlemen, are to blame for this obnoxious, vexatious, brutal legislation, and they both should unite at once and remove the evil. I have already explained the practical operation of the law as complained of by the tobacco growers, but as the gentleman from Wisconsin has asked for information I will briefly repeat what Mr. Yerkes says the trouble is.

Mr. Yerkes says to change the natural condition in any way, except to cure it, is manufacturing, and no one is allowed to do that, without paying a tax of 6 cents, except the grower; but if the grower changes the natural condition and gives it away or sells it he has to pay a tax of 6 cents a pound. It costs 6 cents now to raise it in Tennessee, and it is now selling on an average of 3½ cents. The grower can not give it to his family or give it to his church or to anybody. He can not give it to charity.

MANUFACTURED WHEN NOT CHANGED.

So if the farmer sells his own growth of leaf tobacco he is not a manufacturer of leaf tobacco, and the leaf tobacco is not manufactured. But if any other person sells this same tobacco to consumers or any person other than to dealers, manufacturers, and exporters, the leaf tobacco is manufactured, although it is not changed from its natural condition, except cured.

Mr. SHERLEY rose.

Mr. GAINES of Tennessee. Just a moment.

Mr. COOPER of Wisconsin. Suppose the farmer stems it, can he get more money from it?

Mr. GAINES of Tennessee. Yes; because the grower puts more labor in his tobacco when he stems or twists it. But let me say that he can not do that for sale or gift unless he pays the 6-cent tax. The manufacturer puts all that value into it and sells it back to the farmer for from 20 to 40 cents a pound.

Mr. COOPER of Wisconsin. What makes it bring less is that the stems weigh something?

Mr. GAINES of Tennessee. That may be one reason. Now stems are used, while formerly they were thrown away. But another reason is that you put more labor into the stemmed tobacco, and the more labor you put into a thing the more valuable it is—presumptuously, at least. Then another reason is that it is less bulky and is easier handled. The grower can handle it better in the twist. It won't shatter and lose away in that fix. It can be handled in a way in that way and not crumble.

Mr. COOPER of Wisconsin. Are the stems marketable?

Mr. GAINES of Tennessee. Yes, even exported——

Mr. STANLEY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Kentucky?

Mr. GAINES of Tennessee. Yes.

Mr. STANLEY. I would like to state to the gentleman that these stems are now manufactured into what is called "sheepwash," but that name is a delusion, and is only for the purpose of deceiving persons as to the real purpose of the product. It bears the same relation to the stems that attar of roses does to the roses. It takes tons to make a small quantity. The extract looks like thick molasses, and is exported to Germany, where our tobacco was formerly shipped.

There is a German tobacco that is grown there which has the qualities of a sponge. The leaf is very much like our mullein leaf in this country, with a bitter taste. It looks like tobacco, but has very little taste of tobacco. It has a spongy leaf and absorbs this extract. In that way they are doing away with the necessity of importing American tobacco and paying the duty on

[illegible] These sellers are actually now buying the American product at 24 cents a pound, taking the American leaf with [illegible] making it into sheep-wash, [illegible] Germany, and [illegible] tobacco again.

Mr. GAINES of Tennessee. Now I [illegible] of a [illegible] Court of the [illegible] You will find that in [illegible] in my speech. [Laughter.]

I [illegible] Weigman (121 U. S.). The court was [illegible] "manufactured" or "[illegible] had been cleaned by acids and intended to [illegible]

The court [illegible]

[illegible] make that resulting wool a [illegible] does not make the re[illegible] (In re Capital Publishing Co., 3 McA[illegible] for convenient transportation is not manufactured. [illegible]

This [illegible] is followed in 50 Federal Reports, page 71.

Now, [illegible] I want to say to my good and capable and able friend from Wisconsin that the Supreme Court held way back in a Connecticut case [illegible] that the court, that [illegible] "[illegible]" were raw copper, not manufactured. Just this was the "policy" of Congress then. But now the law changes "in the natural condition of tobacco" [illegible] when not changed, if sold to consumers, except by the grower from his own raising.

Now, just think of that proposition!

I hold in my hand a letter from my old lawyer friend, John M. Foster, [illegible] County, Tenn. He has now gone to the country to engage in farming. He writes as follows:

CEDAR HILL, TENN., *December 11, 1903.*

Hon. J. W. GAINES, *Washington, D. C.*

[illegible] Could not a law be passed to give the grower the [illegible] name, character, or use from that of a [illegible] make that resulting wool

[illegible] "tobacco" is defined in the first and second [illegible] page 3 of my letter.

J. W. YERKES, *Commissioner.*

[illegible]
Washington, February 11, 1904.

Hon. JOHN W. GAI[illegible]

SIR: I have [illegible]

1. Q. What tax or license does a purchaser of leaf tobacco pay to purchase [illegible]

A. [illegible] tobacco until it is converted into a manufactured product, except [illegible]

2. Q. W[illegible] the tax or license accrues?—A. See answer to question [illegible] pay any tax or license to make leaf [illegible] leaf tobacco is bought or when [illegible] sold or removed [illegible] tobacco to an exporter with- [illegible] a local buyer of leaf [illegible] war of [illegible] or give his own growth of leaf to [illegible]

A. This question is fully answered in my reply to quest[illegible]

[illegible] upon any person but the [illegible]

[illegible] I to pay special tax for selling to- [illegible] from tenants, but they could not [illegible] tax on retail dealers in leaf tobacco [illegible] from the internal- [illegible] tion 7 of section 324, appears [illegible] may sell at the place of produc- [illegible] at retail directly to consumers, [illegible] only, and was repealed by [illegible] October 1, 1899 (McKinley bill), quoted at the begin- [illegible] in sub- [illegible] it is [illegible]

[illegible]

ROBT. [illegible]

OFFICE OF COMMIS[illegible]
Washington, February 3, 190[illegible]

Hon. JOHN WESLEY [illegible]

[illegible] as to the [illegible]

THE M'KINLEY ACT OF 189[illegible]

[illegible] 7, No. 8 revised, [illegible] leaf [illegible] as [illegible] who have [illegible] the same on the [illegible] farmer, planter or manufacturer.

A farmer or planter is not required to pack or prize his tobacco before

offering it for sale, in hogs[illegible] as he [illegible] as will [illegible] n the [illegible] hears. A strong [illegible] of the French [illegible] as into play [illegible] of our [illegible] truly [illegible] how prudently the commander of a [illegible] full value [illegible] Sir, [illegible] Naval Af- [illegible] re- [illegible] by [illegible] rs. In [illegible] r the rem[illegible] Sir, it is [illegible] on to [illegible] the Navy is [illegible] Volunteer seamen are not available. [illegible] d at sea and [illegible] n. The [illegible] is in crucial hours. What are we d[illegible] Ge[illegible] of the war with Spain must [illegible] there were times when the Navy Department of our country was sorely distressed by [illegible] aired. Indeed I should [illegible] it is needed. We shall [illegible] not make our Navy invinci[illegible] and our ships of trade. I [illegible] may but perilous [illegible] to provide ocean power for the [illegible] of the strength to hold the sea against for-

[illegible] amount of sale of leaf tobacco by

J. W. YERKES, *Commissioner.*

Mr. Chairman, I yield one hour to Mr. [illegible]

[illegible] of our [illegible]

It is not enough to look to The Hague. When universal peace will [illegible]

[illegible] And [illegible] across the sea

the world will be [illegible] m of [illegible] to be. [illegible] [illegible] reath of [illegible] [illegible] ht to [illegible] of [illegible] d for [illegible] nt of [illegible] oring her [illegible] those profes- [illegible] r [illegible] rights [illegible] but [illegible] l [illegible] s fr[illegible] r [illegible] in those [illegible] of the French [illegible] as into play [illegible] r [illegible] s [illegible] d [illegible] t [illegible] s [illegible] t full value [illegible] Sir, [illegible] Naval Af- [illegible] re- [illegible] by [illegible] rs. In [illegible] r the rem[illegible] Sir, it is [illegible] on to [illegible] the Navy is [illegible] Volunteer seamen are not available. [illegible] t? [illegible] d at sea and [illegible] n. The [illegible] s in crucial hours. What are we d[illegible] Ge[illegible] of the war with Spain must [illegible] there were times when the Navy Department of our country was sorely distressed by

[illegible] skilled men for stokehole and gun decks. I wonder how many of us realize the serious significance of that circumstance, and I wonder how many of us have reflected on the truth that it takes longer to train a man to efficient seamanship than it takes to build a battleship.

So, sir, in line [illegible] we do not make a [illegible] spread, whose sinews are raised by the [illegible] and holds [illegible] equal. It always was so and always will be, and the [illegible] which concerns itself most keenly, [illegible] ships and [illegible] work, [illegible] rise of [illegible] is a [illegible] by America. The [illegible] swift. It will not do to build ships if we do not man them with men the equals or superiors in seamanship of those [illegible] and until we have a great, self-[illegible] we can not have a great merchant marine. [illegible] year.

To [illegible] we have conquered the sea, and, we must put America's [illegible] effectiveness at work up on the sea as we have put it at work upon the land: we must make it false that the [illegible] "[illegible] ships;" we [illegible] the thing.

[illegible] conquered the sea as we have the land is because we have [illegible] the one the Americanism we have given the other. [illegible] have been. I feel, unconscious, false [illegible] have [illegible] Members of this House from guilty intent, when I make up my own [illegible] if I could not, I should almost despair of the future of [illegible].

[illegible] I would remind gentlemen of the plight of our race [illegible] the ocean trade. While we have been rising to wonderful wealth ashore, we have lost our hold at sea. According to the latest annual report of the Commissioner of Navigation, Department of Commerce and Labor, only 9.1 per cent [illegible] America [illegible] the [illegible] Those figures are unfamiliar. [illegible] are not familiar—some that should [illegible] statesmanship is broader [illegible] pamphlets. Last year [illegible] with [illegible] of freight charge commonly [illegible] we have, sir, the startling conclusion [illegible] to foreign bottoms about the same [illegible] that in an assembly notable for fervid [illegible] reforms the leaders of neither party [illegible] this impressive fact. When [illegible] trade balances, I [illegible] by this [illegible].

[illegible] 90 per cent of our [illegible] over-sea carrying [illegible] the hands of foreigners—a trade of which at [illegible] 90 per cent—but a heavy proportion [illegible] yet [illegible] handled [illegible] during [illegible] American [illegible] be [illegible]. When it is considered [illegible] power in the [illegible] the estimate does not [illegible] for the [illegible] American [illegible].

The tendency [illegible] men instead of becoming [illegible] of the [illegible] Where [illegible] American [illegible]?

It is one thing to point to an evil; it is another to point a remedy. I trust I shall [illegible] on this floor engaging in empty [illegible] as without having given [illegible] affirmative or negative. I [illegible] in a [illegible] but I trust we shall save the Navy and the seamen of our merchant marine [illegible] division. [illegible] and [illegible] of American seamen [illegible] ters there should be no Democrat, no Republican. There should be only Americans. [Applause.]

[illegible] two, sir, the startling conclu-

[illegible] to foreign bottoms about the same [illegible] that in an assembly notable for fervid [illegible] reforms the leaders of neither party [illegible] this impressive fact. When [illegible] trade balances, I [illegible] by this [illegible].

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Why is the tendency from the sea? Why do American boys have no call for sea life? Why do American men escape it when they can?

Sir, let me try to tell you.

Sea life, as compared with land life, is unworthy of Americans. It has always been a hard life, and it is not so hard to-day as formerly, perhaps; but land life, also a hard life for the poor, has never been so barren of joy, and during the last thirty or forty years has not been so niggardly of wealth and opportunity, as sea life. I am speaking, understand, of the foreign trade. Some glimmering of Americanism has come to our coastwise trade during recent years, though even in that trade conditions are unbefitting the dignity of American life, and therefore unattractive to Americans.

True, some Americans go to sea in our foreign-going bottoms, but so some Americans beg for bread. Necessity compels in these cases where an unconquerable love for the waves does not determine. Our ships are charnel places for dead hope.

Sir, suffer me to tell of the reply made not long ago by an American seaman to the question, "Would you send your son to sea in our foreign trade?"

"Would I send my son to sea!" he exclaimed. "Our ships in the foreign trade are filled with men who have failed and are sailed under laws that kill. Rather would I, with my own hands, crush out the life of my son than surrender him to the fate of the seamen whose lot is cast aboard ships of our country trading in foreign parts."

Why should a father, familiar with the sea, speak so?

Because, sir, in our foreign trade the forecastle is, as a rule, unfit for habitation, crimping suffered to exist, payment of wages not enough safeguarded, no standard of skill provided, undermanning permitted, Asiatics employed, involuntary servitude protected.

Because, in short, seamen in that trade are not free men, and are obliged to toil under conditions destructive of health, prosperity, self-respect.

If any Member of this body shall, after inspection of average forecastles in our foreign-going ships, pronounce them fit places for Americans to eat in and sleep in, I shall feel that I have found a man who is wanting in intelligence and humanity.

In our coastwise trade we have about abolished crimping; but we have left the over-sea trade subject to the crimp; and surely no gentleman who knows of the shameful pillage practices of the crimp can excuse neglect to do all in his power for [illegible] them wherever the authority of America can reach.

Again, while our statutes are strewn with provisions implying a standard of skill in seamanship and a standard for manning, no standards have been established. And so it comes to pass that skilled men are overworked and life and property exposed to needless hazard. The manning evil is of the gravest influence. Many and many an American ship in coastwise and in foreign trade goes to sea so badly undermanned that voyaging is one tense struggle for life, and many and many an American vessel is lost as a direct consequence of undermanning.

Moreover, sir, upon the Pacific our seamen are displaced by Asiatics. Every American steamship in our China trade is manned [illegible] hold. Think of it! The [illegible] given to Americans ashore against competition with the yellow race is denied their brothers who toil at sea. Can you expect Americans to serve side by side with Chinamen? Would [illegible] this Congress submit to have his son share a fore-[illegible] with them, compete for work with them? And the Pacific, remember, is the ocean on which the progress of trade is greatest.

My strength will not permit me to speak to-day of a multitude [illegible] but I will speak of a wrong not minor, whose character is seen as of itself to keep from the over-sea ships of our country the sort of boys, the sort of men, essential to great achievement amidst stern competition with the ships of alien nations. I refer, of course, to the [illegible] of involuntary servitude in our foreign-going mer-[illegible].

Under sections 4596 and 4600 of the Revised Statutes of the United States, the American seaman in our over-sea service is placed outside the grace of the thirteenth amendment of the Constitution. He is the only person under our flag who may not decline his bargain to serve another in civil life without loss of liberty. He may be pursued as fugitive slaves were pursued in the dark days before the civil war if he leave his ship in violation of his civil contract, and may be imprisoned or delivered up to the master of his vessel as felons are delivered up manacled and [illegible]. He may have been lured into the service by the most outrageous frauds, but in practice the fact will avail him nothing. Let him quit the service under penalty of pursuit and irons!

There was recently brought to my attention a case arising be-

fore the repeal of these laws in so far as they related to the coastwise trade—happily they no longer affect that trade. An American seaman, engaged as a cook, left his ship while she was in an [illegible] port. He was apprehended, brought on board, and [illegible] remained in port was kept chained to the cabin [illegible] him to work there—[illegible] remember slaves were chained to [illegible].

[illegible] practice is yet [illegible]—nay, does obtain—as to [illegible] flag when [illegible] flies in foreign jurisdic-[illegible] of it! It is a blistering [illegible] we cherish as [illegible]. The [illegible] of the w[illegible] we may [illegible] it on penalty [illegible] not [illegible] his life, [illegible]—no, not the fraction of [illegible] is, before God, and should be [illegible].

[illegible] that the le[illegible] on the other side of this Cham-[illegible] from N[illegible] [Mr. PAYNE], has in other [illegible] a crusade to destroy this evil utterly. [illegible] it in the coastwise trade is [illegible] [illegible] d. the[illegible] [illegible] great ax fall." We may not [illegible] let us have heed for [illegible] and 4600 should be repealed. Until [illegible] us, sir, would wish to send a boy of [illegible] to. It should not be co[illegible] [illegible] chant marine discussion. If it is [illegible] other features shall be referred to a Con-[illegible] in that re-[illegible] [illegible] of the seamen sufficiently to [illegible] between ships and men, although such [illegible] d not be suffered to defer action by [illegible] whose value is beyond the need of debate. At the proper time I shall offer an amendment to the [illegible] bill, [illegible].

[illegible] I have not consumed the time so gen-[illegible] me, I shall have to conclude, for I am ill; but I [illegible] have printed in the RECORD, as an appendix to my [illegible] pertinent to the subject I have been discussing; [illegible] back to the gentleman from Louisiana [Mr. M[illegible]] of my time. I ask for unanimous consent permitting the privilege desired. [Loud applause.]

APPENDIX.

[Written by Hon. EDWARD J. LIVERNASH, of California.]

THE AMERICAN SEAMAN

[illegible] be for a nation a tremendous means of wealth and diffused welfare on the opposite [illegible]

[illegible] marine of this country [illegible] of men [illegible] The United [illegible] been negligent of the danger-[illegible] seen American seamen, and [illegible] be encouraged to turn to the sea and American adult [illegible] forecastles shall [illegible] on demand [illegible].

The foregoing statement will now be considered sentence by sentence.

I. TRANSPORTATION BY SEA CAN BE FOR A NATION A TREMENDOUS MEANS OF WEALTH OR THE OPPOSITE.

Von H[illegible] [illegible] with the ocean has been [illegible] to [illegible] of the history of the Hanseatic League, Venice, Spain, and Portugal; to point in contrast to vigorous Norway [illegible] and [illegible] of the Merchant Service, p. 1.)

II. SEA PO[illegible] A TO EVERY COUNTRY NOT PROTECTED [illegible] S FROM THE SEA, OR GENERAL [illegible]

[illegible] naval powers of the world is [illegible]

[illegible] the naval estimates for 1901.)

III. IN THE CASE OF THE UNITED STATES [illegible] OF HAWAII OR OF OCCUPATIONS SUBSEQUENT TO A [illegible] THE CHANGE [illegible] THE PACIFIC, HAS INCREASED THE NEED FOR NAVAL [illegible]

This, also, is self-evident. "When the sea not only [illegible]

IV. THERE CAN BE NO NAVAL [illegible] WITHOUT SKILLED SEAMANSHIP; AND, OTHER CONDITIONS [illegible] SUPREMACY IS FOR THE FLEET HAVING THE MOST EXPERT SEAMEN.

The general principle is illustrated [illegible] which engaged Great [illegible] upon the French [illegible] relied that Trafalgar was [illegible] which in the end drove [illegible] and [illegible] Navy Team. [illegible] y [illegible] meet certain death in trying so per[illegible] Mag., V., 1 [illegible] of Great [illegible] tube boilers, w[illegible] y covered with a fire not too [illegible]

[illegible] enough, further, [illegible] the Oregon, whereby the great run around

[illegible] and the immediate [illegible] to the battle call off Cuba were rendered [illegible]

[illegible] with its enemy," says Captain [illegible] Revolution and Empire, volume I, [illegible]

[illegible] and men trained [illegible]

[illegible] ner of Navigation, United [illegible]

[illegible] nent of our ocean steam merchant [illegible]

[illegible] rough seafarer." (Bureau's Monthly [illegible]

V. THAT NAVY [illegible] EQUAL, WILL HAVE THE GREATEST [illegible] WHICH IS BACKED BY A MARITIME [illegible] AND A POWERFUL, WELL-MANNED, SELF-RESPECTING [illegible]

[illegible] men. Of these, the [illegible] Of [illegible] volume I, [illegible]

[illegible] any has 5[illegible] reserve officers and 75,000 reserve blue jackets.

[illegible] second reserves number 33,128 [illegible] engineer officers in her reserves, and in 1902 she had [illegible]

[illegible] regard is thus summarized by the [illegible] so adequate [illegible] men for its Navy." (Report of the [illegible]

[illegible] ld be the most efficient of [illegible] ships. [illegible] r ships are of as high a type as can be [illegible] seas of the world; they are manned [illegible] untered. Neither ships nor men can be improvised when war has [illegible] 17-25.)

VI. THE [illegible] TENDENCY IS AT PRESENT FROM THE SEA.

To the for[illegible] three notable exceptions and a [illegible] the decrease to which he had referred, he [illegible] of the number of [illegible] statistics estab[illegible] nly am[illegible]

[illegible] expert adds:

[illegible] Board of Trade [illegible]

[illegible] man war vessels." [illegible]

In time [illegible] Navy Department has said:

[illegible] fast should not be lost sight of that it requires a much longer time to produce a naval officer than it does to produce a battle ship." (Report of the Secretary of the Navy for [illegible], p. [illegible])

The same observation could with justice be made with relation to the training of a [illegible] period of seamanship [illegible] United States Navy [illegible]

[illegible] United States [illegible] reserve of [illegible]

[illegible] with all the [illegible] men [illegible] ready as reserves [illegible] which in [illegible] Germany has 5[illegible] reserve officers and 75,000 reserve blue jackets.

[illegible] second reserves number 33,128 [illegible] engineer officers in her reserves, and in 1902 she had [illegible]

[illegible] regard is thus summarized by the [illegible] so adequate [illegible] men for its Navy." (Report of the [illegible]

[illegible] ld be the most efficient of [illegible] ships. [illegible] r ships are of as high a type as can be [illegible] seas of the world; they are manned [illegible] untered. Neither ships nor men can be improvised when war has [illegible] 17-25.)

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[illegible] expert adds:

[illegible] Board of Trade [illegible]

[illegible] man war vessels." [illegible]

In time [illegible] Navy Department has said:

[illegible] fast should not be lost sight of that it requires a much longer time

[illegible] March, 1896." (Report to the president of the [illegible]

[illegible] accidental or surprising in this nearly world-wide ten[illegible]

Lord Brassey, [illegible] many years ago, after the committee of shipowners, formed at [illegible] ble and salubrious [illegible] Annual for 1903 (p. 109), in the [illegible] they were [illegible] naval [illegible] the workman ashore [illegible] a condition in which the breadwinner must leave his home to earn [illegible]." (P. 133.)

[illegible] umen of Great [illegible] rt of the commi[illegible] e into certain qu[illegible] rease in the number of British [illegible]

[illegible] the United States Industrial Com[illegible]

"The qu[illegible] n raised. Why do not American boys go to sea? To begin w[illegible] not any prospect for a man to [illegible] Nor[illegible] When I [illegible] power [illegible] not do that will not keep for any length of time those per[illegible] w the s[illegible] from port to port looking for some other [illegible] w York, for instance and he gets paid off wit[illegible] he [illegible] port. [illegible] he [illegible] a short [illegible] He [illegible] a day saw and he obtains em[illegible] ation, [illegible] for the support of a family [illegible] e is no calling [illegible] as the seafaring calling [illegible] ing. The ordinary man on shore speaks about the sailor as 'a [illegible] ow,' as one who would not go to sea if he were fit for anything else, as one not worth much, anyway. This is about the idea, and he loses social [illegible] castely going to sea, loses the respect of the people with whom he has been [illegible] and that, too, tends to prevent men [illegible] going to sea. (Report of Hearing on Transportation, Industrial Commission, 1900, pp. 695, 696.)

VII. WITH THE UNITED STATES THE TENDENCY FROM THE SEA IS MANIFESTED BY CAPITAL AS WELL AS MEN, BUT MORE BY MEN; AND THE OVER-SEA MERCHANT MARINE OF THIS COUNTRY HAS ALL BUT DISAPPEARED, CARRYING TRADE CONSIDERED.

Thomas Jefferson, [illegible] I have no [illegible] with war [illegible] tal [illegible] and all that Jefferson [illegible] view of the United States, has sweep[illegible] ce has disappeared." (Mahan's Influence of [illegible] over [illegible] the [illegible] Year we proceed [illegible] If you [illegible] a single [illegible] Navigation or Lan[illegible] Turkey; [illegible] in Spain in banks, and two [illegible] ission. United States Depart[illegible] urried 0.1 per cent of our [illegible] r reports [illegible] sulates as showing that [illegible] ntered or cleared during the fiscal year ended June [illegible] hamm, Br[illegible] Greece [illegible] ma; P[illegible] Said [illegible] ford. [illegible] Gibral[illegible] New Zealand [illegible] contrast with the [illegible] to the United States Secretary of [illegible] and Labor for [illegible] hant marine in its strictly financial as[illegible] an average of $150, [illegible] n 1898. "has been paid [illegible] stop this drain nothing ef[illegible] arried in for[illegible] age is American he[illegible] as well as foreign ships of this country are in the [illegible] ty.

[illegible] of Navigation. Before [illegible] of Navigation [illegible] wise and over-sea service. Moreover, [illegible] reported by the Bureau showing the nationality of men shipped in American vessels in foreign jurisdictions.

[illegible] ...tions by naturalization, 21,767; aliens, 61,297. [illegible]

[illegible] ...is in the United States." (Annual [illegible] Navy, 1899, p. 9.)

VII. TENDENCY TO IMPAIRMENT OF SEA POWER BY MOVEMENT OF MEN FROM THE SEA IS MET IN EUROPE BY NATIONAL COUNTER TENDENCIES.

[illegible] ...ment from the sea has [illegible] ...are taken: [illegible] ...ts, and issues a [illegible] ...ant marine. [illegible]

[illegible] ...July, 1901, pp. [illegible]

[illegible] ...Landry, referring [illegible]

[illegible] ...s of this French league is thus [illegible] ...efforts * * * in the improve- [illegible] ...recom- [illegible] ...of £20 to the shipowner and [illegible]

[illegible] ...the inducements were inadequate. I have [illegible] ...ing them to the merchant serv[illegible] ...subsidies during the last [illegible] ...jects. (Report of [illegible] p. 22.) [illegible] ...as designed in [illegible] ...ay various foreign governments have within recent [illegible] ...days, [illegible] ...has been striving [illegible] ...atively rem[illegible] ...as to the Navy [illegible] ...report of Secretary [illegible] ...Navy the C[illegible] ...al Report of the Navy D[illegible] ...y trained to [illegible] ...the field, covering [illegible] ...to sea," observes Lord Brassey [illegible] ...It would a[illegible] ...y from men with perhaps no heart [illegible]

for the sea, save in initial romantic ambition not tested by experience, is not a su[illegible] ...of desertion be[illegible]

[illegible] ...of the 25 men in the Navy deserted. When it is considered that [illegible] of these 2,[illegible] members of the Navy were petty officers and [illegible] ...Navy Department [illegible] ...are such as portion [illegible] ...Report of Chief [illegible] ...in coastwise and over-sea vessels carrying our flag [illegible] ...in the coastwise service, the [illegible] ...sailing vessels built or [illegible] ...in the coastwise trade and positively preventive of such progress in the over-sea trade.

X. TO ENCOURAGE THE BUILDING OF AMERICAN SHIPS IS NOT NECESSARILY TO PROMOTE AMERICAN SEAMANSHIP OR TO INCREASE AND [illegible] NUMBER OF AMERICAN SEAMEN; AMERICAN SHIPOWNERS MUST BE TO SEEK AMERICAN SEAMEN, AND AMERICAN BOYS MUST BE [illegible] TO TURN TO THE SEA AND AMERICAN ADULT SEAMEN TO [illegible]

Although to state this proposition is to make argument a carrying of coals [illegible] ...to it, for there is much in the recent history of the United States [illegible] ...the charge that development of an American [illegible] ...contracting shipbuilding [illegible] ...of vessels coming in for little or no consideration, though perhaps the most important factor in the [illegible] ...service. In his [illegible] ...decadence of the merchant [illegible] ...Navy Department [illegible] ...flag, built and manned and owned by Americans."

XI. THE LAWS OF THE UNITED STATES SHOULD BE SO AMENDED THAT [illegible] SHALL BE SANITARY; THAT CRIMPING SHALL CEASE; THAT [illegible] SHALL BE PAID ON DEMAND IN ANY PORT OF CALL, AND ON [illegible] OF WAGES EARNED; THAT [illegible] SEAMEN," "ABLE SEAMEN," AND [illegible] ESTABLISHED; THAT A MINIMUM [illegible] MERCHANT VESSELS SHALL BE PROVIDED; AND [illegible] THAT ASIATICS MAY NOT SERVE ON SHIPS [illegible] THAT [illegible] OF [illegible] THAT SHALL NOT BE VISITED BY SEAMEN; [illegible] VESSELS SHALL BE OBLIGED TO [illegible] AMERICAN BOYS IN PRACTICAL SEAMANSHIP [illegible] ...served in consecutive order.

(a) Forecastles.

[illegible] ...vessel the construction whereof was begun prior to June 30 [illegible] ...to any law fixing forecastle space allowance per seaman (A[illegible] ...the construction whereof was begun after June 30 [illegible] ...30, 1898, comes under the requirement last mentioned. [illegible] ...January 21, 1898, is presumed to have [illegible] ...each seaman or [illegible] ...merchant vessels that minimum is 2 by 6 by 6— [illegible] ...all vessels to provide [illegible] ...United States shall be [illegible] ...of these dangers [illegible] ...disease, and most of all from [illegible] ...American merchant vessel are required to [illegible] ...on decks in our penitentiaries the nation [illegible] ...protest. We have come to take neglect of the [illegible] ...as a matter of course.

The Congress should so alter the laws as that every vessel carrying the American flag shall provide for its seamen a comfortable and healthful place wherein to eat and sleep.

(b) Crimping.

The crimping [illegible] ...Patterson et al. v. The [illegible] ...is an oft-told tale [illegible] ...of the [illegible] ...sailor is powerless [illegible] ...out of whom they can make [illegible] ...a statutory law permit- [illegible] ...laws as [illegible] ...mon- [illegible]

(c) Payment of wages.

The [illegible] ...me law of the United States now provides: "That every seaman on a [illegible] ...of the vessel [illegible] ...the wages which may be due him as [illegible] ...contrary in [illegible] ...Act of December 21, 1898. [illegible] ...at the time of his [illegible] ...a sum equal to one- [illegible] ...in great danger of [illegible] ...just [illegible] ...ship [illegible] ...masters evade the requirement [illegible] ...United States consul at Buenos Ayres [illegible] ...unusual number of desertions to the law of December 21, 1898, [illegible] ...vessel of the United States shall be entitled to re- [illegible] ...part of the [illegible] ...after the voy- [illegible] ...the voyage is ended [illegible] ...if the words in italics were [illegible] ...American vessels coming to this port sail from Boston, Mass. [illegible] ...assigned by the seamen before the United States [illegible] ...said articles toward the bottom of the page. I find in [illegible] ...permission to go ashore ceases the master [illegible] ...at the expiration of the forty- [illegible] ...(Report of Consul Magee to the Secretary of [illegible]

The act of December 21, 1898, should be so altered, on grounds of public [illegible] ...American passenger ships as ports of call shall be [illegible] ...on average should be so changed as to make the requirement effective.

(d) Standards of skill.

Up to about the middle of the last century [illegible] ...wide custom and usage, having the strength [illegible] ...for anyone to [illegible] ...an able seaman who had not the sea experience [illegible] ...least four years of sea service. The rating [illegible] ...ordinary seaman, and able seaman.

[illegible]

(e) *Manning.*

[illegible]

Allumna (696 tons gross), North Bend, Oreg., carries eleven [illegible] (2,897 tons gross), [illegible] 339 tons gross), Bath, Me., carries thirty men, exclu- [illegible] United [illegible] Furuseth says of manning conditions in the American mer- [illegible] wner cuts to make [illegible] rought her home with [illegible] "And this process goes on and on, so that we are nearing a point in the mer-

chant marine of America where sheets can not be hauled in or small sails taken in and furled with the watch on deck—with all that this overwork and [illegible] our vessels differs from rig of the merchantmen of England.

(f) *Asiatics.*

[illegible] Committee on Immi- [illegible] have been treated [illegible] West Indies and South America carry with [illegible] Orient. [illegible] unlimited numbers at $ [illegible] at $15 per month, Mexican. This [illegible] (Chinese-Exclusion Hearings, Senate [illegible] employ Chinese exclusively as sailors, stokers, cooks, stewards, and [illegible] Committee on [illegible] temperance and servility are preferred by Captain Seabury to [illegible]

2. There is no difficulty of obtaining an abundance of them in parts of China or at [illegible] is about one-fourth [illegible] Pacific [illegible] sea, and are also [illegible] [illegible] clean." [illegible] Asiatics, Far Eastern ports are com- [illegible] [illegible] times when a book [illegible] [illegible] labor at the expense of [illegible] He promptly [illegible] (Report to the Secretary of State of the United States, No- [illegible] it may be met by [illegible] [illegible] make it the duty [illegible] country to reduce in deserting seamen and to sur- [illegible] [illegible] man can have [illegible] as to [illegible] American concept of [illegible] slavery, is how the sea:

(h) *Boys.*

The American boy no longer goes to sea. The American boy who seeks the sea is [illegible] exceptional, and encounters this condition: American [illegible] made fit for American boys, [illegible] twise-trade. [illegible] they are [illegible]

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The [illegible]

Mr. GAINES of Tennessee. Mr. Chairman, I make a similar request.

The CHAIRMAN. The gentleman from Tennessee makes a similar request. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HEPBURN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12220, the naval appropriation bill, and had come to no resolution thereon.

RELIEF OF SETTLERS ON LANDS IN SHERMAN COUNTY, OREG.

Mr. WILLIAMSON. Mr. Speaker, I ask unanimous consent to call up for immediate consideration the bill S. 277.

The SPEAKER. Will the gentleman from Oregon give his attention? Has this bill passed the Senate?

Mr. WILLIAMSON. Yes.

The SPEAKER. It is not at the desk. Does the gentleman know where it is?

Mr. WILLIAMSON. I gave a copy of it to the Clerk. It is Senate bill 277. I have the report of the Senate committee here.

The SPEAKER. But it will be necessary to have the bill itself.

Mr. WILLIAMSON. Will it not send up the bill just now? Did I [illegible]

The SPEAKER. [illegible] The Senate bill ought to [illegible] has been referred to the a[illegible]

Mr. WILLIAMSON. [illegible] has [illegible]

The SPEAKER. [illegible] Clerk's desk.

Mr. WILLIAMSON. The [illegible] says it has been referred to the Committee on Public Lands.

Mr. WILLIAMSON. And has been reported favorably.

The SPEAKER. Has it been reported by the committee?

Mr. WILLIAMSON. Yes, sir. The bill has been referred and reported.

The SPEAKER. The gentleman can be recognized at a later time. The bill does not seem to be here.

ADJOURNMENT.

Mr. FOSS. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 53 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] chester, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the [illegible] master—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XXII, [illegible] were [illegible] the Clerk, and referred to the several Calendars therein named, as follows:

By Mr. WILSON of Arizona, from the Committee on the Territories to which was referred [illegible] to ratify and [illegible] Territory of Arizona [illegible] ent, accompanied by a report (No. [illegible]), which said bill and report were referred to the House Calendar.

[illegible] the bill of the House (H. R. [illegible]) [illegible] of the legislative assembly of the Territory of [illegible] which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XXII, private bills and resolutions of the following titles were reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

By Mr. FOCHT, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 4570) to provide for an American register for the [illegible] *Beaumont*, reported that the same ought not to pass; accompanied by a report (No. [illegible]), which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following titles; which were thereupon referred as follows:

A bill (H. R. 6351) to pay J. B. McRae $99 for services as hospital steward, etc.—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 6343) granting a pension to Harry Hirschensohn—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BURLESON: A bill (H. R. 12644) to provide for the taking of a census of agricultural statistics in the year 1905 and every tenth year thereafter—to the Committee on the Census.

By Mr. [illegible]: A bill (H. R. 12645) authorizing and directing the Secretary of War to further improve Trinity River, in Texas—to the Committee [illegible].

By Mr. ROBERTS: A bill (H. R. [illegible]) to reorganize and increase the efficiency of the Hospital Corps of the Navy of the United States, and to define its duties and regulate its pay—to the Committee on Naval Affairs.

By Mr. THOMAS of Iowa: A bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes—to the Committee on the Judiciary.

By Mr. BABCOCK: A bill (H. R. 12648) authorizing the Commissioners of the District of Columbia to make regulations respecting the public hay scales, and for other purposes—to the Committee on the District of Columbia.

By Mr. CRUMPACKER: A bill (H. R. 12649) to amend an act entitled "An act to amend section 4766 of the Revised Statutes of the United States," approved March 3, 1899—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 12650) to amend section 5209 of the Revised Statutes United States, 1878—to the Committee on the Judiciary.

By Mr. SPALDING: A concurrent resolution (H. C. Res. 45) to print 250,000 copies of Diseases of Cattle—to the Committee on Printing.

By Mr. TAWNEY: A concurrent resolution (H. C. Res. 46) to print and bind 200,000 copies of the special report of the Bureau of Animal Industry on the diseases of the horse—to the Committee on Printing.

By Mr. SPALDING: A resolution (H. Res. 222) requesting the Secretary of Commerce and Labor to furnish certain information relative to prices upon certain manufactured articles as sold in the United States and foreign countries—to the Committee on Ways and Means.

By Mr. THOMAS of North Carolina: A resolution (H. Res. 223) referring certain claims to the Court of Claims for a finding of facts under the terms of the Tucker Act—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: A resolution (H. Res. 224) [illegible] to the Court of Claims for a finding of facts under the terms of the Tucker Act—to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Wisconsin: A bill (H. R. 12651) granting an increase of pension to William H. Shine—to the Committee on Invalid Pensions.

By Mr. ADAMSON: A bill (H. R. 12652) granting an increase of pension to Mary L. Johnson—to the Committee on Pensions.

By Mr. AMES: A bill (H. R. 12653) for the relief of Michael H. Farrell—to the Committee on [illegible].

By Mr. BEALL of Texas: A bill (H. R. 12654) for the relief of Clement Cazenderton—to the Committee on War Claims.

By Mr. BURKETT: A bill (H. R. 12655) for the relief of John [illegible]—to the Committee on Claims.

By Mr. CLARK: A bill (H. R. [illegible]) for the relief of the heirs of William S. Bryant—to the Committee on War Claims.

Also, a bill (H. R. [illegible]) for the relief of the trustees of the Methodist Episcopal Church South, of Mexico, Mo.—to the Committee on War Claims.

Also, a bill (H. R. 12658) granting an increase of pension to James Leavy—to the Committee on Invalid Pensions.

By Mr. CONNELL: A bill (H. R. 12659) for the relief of Eduard Lugo-Vina—to the Committee on Claims.

By Mr. DANIELS: A bill (H. R. 12660) granting an increase of pension to Margaret Russell—to the Committee on Pensions.

By Mr. DAYTON: A bill (H. R. 12661) authorizing the President to appoint Charles H. Pendleton a lieutenant-commander on the retired list, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 12662) granting an increase of pension to John A. Stuart, alias John Vauderpool—to the Committee on Pensions.

By Mr. DEEMER: A bill (H. R. 12663) for the relief of Ezra J. Baney—to the Committee on Claims.

By Mr. GAINES of Tennessee: A bill (H. R. 12664) granting an increase of pension to Rachael J. Smith—to the Committee on Pensions.

By Mr. GARDNER of Massachusetts: A bill (H. R. 12665) to amend the military record of Odgen H. Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 12666) granting an increase of pension to Henry E. W. Campbell—to the Committee on Invalid Pensions.

By Mr. LANDIS: A bill (H. R. 12667) granting a pension to Rebecca A. [illegible]—to the Committee on [illegible].

By Mr. LO[illegible]G: A bill [illegible] Emmett O. W[illegible]

By Mr. M[illegible] A bill (H. R. [illegible]) [illegible] of [illegible] sions.

Also, a bill (H. R. 12671) [illegible] an increase of pension to [illegible]

[illegible] (H. R. 12672) granting a [illegible] on Invalid Pensions.

[illegible] bill (H. R. 12673) granting a pension to Ira Davis—to the [illegible] a pension to Sarah Cordin—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. [illegible]) [illegible] ng an [illegible] sion to James A. Barner—to the [illegible] on Invalid Pensions.

By Mr. [illegible] H. R. 12[illegible] the relief of M. L. [illegible]

[illegible] the de[illegible] n the interest of commerce—to the [illegible]

[illegible] H. R. 12679) for the relief of M. L. [illegible]

[illegible] R. 12680) granting an increase of [illegible] to Harvey Polen—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12681) granting a [illegible]

By [illegible] (H. R. [illegible]) [illegible] record of Jesse L. Meeks—to the Committee on [illegible].

PETITIONS, ETC.

Under clause 1 of Rule XXII, [illegible] and papers were laid on the table [illegible]

[illegible] the Hepburn-Dolliver bill—to the Committee on the [illegible]

[illegible] bill H. R. 11827, granting an increase [illegible] to Daniel Smith—to the Committee on Invalid Pensions.

[illegible] H. R. 10172. [illegible] to [illegible] Commi[illegible] H. R. [illegible] to [illegible] H. R. [illegible] granting an increase [illegible] on to Asher D. Bice—to the Committee on Invalid Pensions.

[illegible] papers to accompany bill H. R. 11826, granting a pension to [illegible] H. R. 12[illegible] granting an increase of pension to Nine Holvenstot, minor—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: Petition of C. H. Grant and other master n[illegible] to a harbor of refuge at Cold Spring Inlet, New Jersey—to the Committee on Rivers and Harbors.

Also, resolution of Builders Exchange of St. Paul, Minn., against bill H. R. 8[illegible]—to the [illegible] on the Judiciary.

Also, petition of Charles R. Hamilton and 10 others, of Kenmore, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Resolution of Potomac Post, No. 11, Grand Army of the Republic, of Washington, D. C., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: Petition of citizens of New London County, Conn., favoring bill granting lands in severalty to the landless Indians of northern California—to the Committee on Indian Affairs.

Also, petition of Rev. B. U. Hatfield and 31 others, of Groton, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of Lodge No. 650, International Association of Machinists, of Plattsmouth, Nebr., relative to [illegible] of the Navy [illegible] at Washington, D. C.—[illegible]

By Mr. [illegible] any bill for relief of John Bren[illegible]

By Mr. [illegible] any bill H. R. 11255, [illegible] n—to the [illegible]

[illegible] Arthur Lodge, No. 149, International [illegible] of P[illegible] tive to in[illegible] at Washington, D. C.—to the Co[illegible]

[illegible], and J. K. Oliver and 42 [illegible] r of the Hepburn-Dolliver bill—to [illegible] rv.

By Mr [illegible] of Lancaster County [illegible] n [illegible]

[illegible] ELL: [illegible] C. D. [illegible], of S[illegible], Pa., in favor of the [illegible] n the [illegible] the enactment of an eight-[illegible] r.

Mr. [illegible] of John P. Post Post, No. 83, [illegible] of [illegible] N. H. [illegible] carrier [illegible]

Also, [illegible] N. H. [illegible]

[illegible] ELL: Paper to accompany bill [illegible]

[illegible] DANIELS: Paper to accompany bill H. R. 10892, to cor[illegible] record of David Campbell—to the Com[illegible]

[illegible] ting an increase of pension [illegible]

Also, [illegible] of claim [illegible] bill—to the [illegible]

By Mr. [illegible] J. P. [illegible]

[illegible], petition of heirs of John Tudley, deceased, praying refer[illegible] m to Court of Claims—to the Committee on War [illegible]

By Mr. FOSTER of Vermont: Resolutions of Cummings Post, No. 37; C. J. Ormsbee Post, No. 13; George S. Gale Post, No. 107; Cambridge Post, No. 10; Waterson Post, No. 45; William J. Fuller Post, No. 52; Old Brigade Post, No. 47; [illegible] No. 2; R. S. Sherman Post, No. 86; Jesse A. Jemett Post, No. 72; A. L. Pike Post, No. 41; George A. Custer Post, No. 42; Walt[illegible] A. L. [illegible] worth Post, No. [illegible], and Stow Post, No. 29, Grand Army of the Republic, Department of Vermont, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GARDNER of Massachusetts: Resolution of the Massachusetts legislature, in favor of the bill providing for a retired list and pensions in the Life-Saving Service—to the Committee on Invalid Pensions.

Also, resolution of the Boston Chamber of Commerce, favoring exemption of head tax from residents of Newfoundland entering the United States—to the Committee on Immigration and Naturalization.

Also, resolutions of O. H. P. Sargent Post, No. 132, of Essex, Mass.; Everett Peabody Post, No. 108, of Georgetown, Mass., and Union Post, No. 50, of Peabody, Mass., Grand Army of the Re-

[illegible] in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GARNER: Petitions of W. T. Sutherland and others, and L. B. Wessner and others, of Floresville, Tex.; and John B. [illegible] and others, of Campbellton, Tex., in favor of [illegible] to the Committee on the Judiciary.

By Mr. GILBERT: Paper to accompany bill H. R. 6595, granting pension to Capt. John H. McBrayer—to the Committee on Pensions.

By Mr. GILLETT of Massachusetts: Petition of Meadow City [illegible] the Judiciary.

[illegible] W. Finn and 192 other voters of Enfield, [illegible] the Brownlow good-roads bill—to the Committee [illegible]

[illegible] H. K. Wilcox Post, No. 19, of Springfield; [illegible] Post, No. [illegible] ton; H. V. Smith [illegible] J. W. [illegible] Post, No. 123, [illegible] o, of [illegible]; E. J. Griggs [illegible] own; Manton E. Taft Post, No. [illegible] Union [illegible] pension bill [illegible] rry G. [illegible] and [illegible] of [illegible] E. D. [illegible] D. Butler Pratt [illegible] rs, of Springfield; [illegible] rs, of Ware; Rev. Henry L. [illegible] ld; John B. [illegible] and 51 [illegible] of the Hepburn-Dolliver bill—to the Committee on [illegible]

By Mr. HANGER: Petitions of Rev. A. Crabtree and 10 others, [illegible] R. I., [illegible] river [illegible] the Judiciary.

By Mr. [illegible]: Paper to accompany bill for relief of Stephen [illegible] to the Committee on Military Affairs.

By Mr. HOLLIN: Papers to accompany bill granting pension to [illegible] the Committee on Pensions.

By Mr. JENKINS: Petition of F. R. [illegible] of [illegible], Vt., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HERMANN: Petition of [illegible] Association, of Sun [illegible] and [illegible] Committee on Interstate and Foreign Commerce.

By Mr. HINSHAW: Resolutions of J. A. Morgan Post, [illegible], Grand Army of the Republic, of [illegible], in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: Petition of [illegible] Post, No. [illegible] and [illegible] Post, No. [illegible] Grand Army of the Republic, [illegible] Utah, in favor of the Hepburn-Dolliver bill—to the Committee on Interstate and Foreign Commerce.

By Mr. HUNTER: Papers to accompany bill granting pension to [illegible]

By Mr. KELLEHER: Resolutions of Mansfield Post, No. 140, of [illegible] Post, No. [illegible], of [illegible] Grand Army of the Republic, [illegible] Massachusetts, in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of the [illegible] of Massachusetts, in support of bill pending in Congress providing for a retired list and pension in the Life-Saving Service—to the Committee on Invalid Pensions.

By Mr. KLINE: Resolutions of Lieutenant G. W. Fuller Post, No. [illegible], of [illegible], Department of the Potomac, Grand Army of the Republic, in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of the Philadelphia Board of Trade, [illegible] the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Merchants and Manufacturers' Association of Baltimore, Md., relative to the improvement of the main ship channel—to the Committee on Rivers and Harbors.

By Mr. LANNING: Petition of Rev. W. M. Wilson and 21 other voters, and J. V. Cruser and 19 other voters, of Princeton, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIVERNASH: Petition of the Northern California Indian Association, for relief of the landless Indians of northern California—to the Committee on Indian Affairs.

By Mr. MAHON: Resolution of Robert F. Elliott Post, No. 526, Grand Army of the Republic, of Spring Run, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Colonel James G. Elder Post, No. 570, Grand Army of the Republic, of St. Thomas, Pa., urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petition of D. Ferguson and 27 others, of Park River, and Thomas Catherwood and 77 others, of Park River, N. Dak., and [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Paper to accompany bill for relief of Emmett O. Wampler—to the Committee on Claims.

By Mr. OLMSTED: Petition of E. H. Bachman and 44 others of [illegible], Pa., in favor of the Brownlow good-roads [illegible] tee on Agriculture.

By Mr. ROBINSON of Indiana: Petition of Auburn Lodge, No. 19, International Association of Machinists, of Auburn, Ind., relative to increasing [illegible] of the [illegible] Gun Factory—to the [illegible]

[illegible] lutions adopted by the National Board of Trade, urging [illegible] t-land act and other laws—to the Committee [illegible]

Also, [illegible] of the Maritime Association of the port of [illegible] er at [illegible]

Also, [illegible] of New [illegible] of [illegible] nia Board of Trade, indorsing bills [illegible]—to the Committee on the Merchant Marine and Fisheries.

Also, [illegible] ns of the National League of Commission Merchants of [illegible] city of [illegible]

Also, [illegible] of New York, in [illegible] the Brownlow good-roads bill—to the Committee on Agriculture.

[illegible] it to the act providing for [illegible] require[illegible] 1897—[illegible]

[illegible] M. ALL[illegible] of Dr. H. C. [illegible] of L[illegible] M. E. Reaum[illegible] rs, of Cl[illegible], in favor of the H[illegible]

[illegible] ll and 53 others, favoring passage of the Gallinger liquor bill—to the Committee on the [illegible]

By Mr. SPALDING: Petition of Charles G. Boise and 18 others, [illegible] W. [illegible] others, of Thompson; Christina [illegible] t; R. Lavik and 26 others, of [illegible] ph Whaley and [illegible] and W. J. Glass and 51 [illegible] ksor; J. H. O[illegible] F. W. [illegible] s, of S[illegible] others, [illegible] and [illegible] all in South D[illegible]

By Mr. STANLEY: [illegible] use bill for the [illegible] ee on War [illegible]

By Mr. [illegible] mpany claim of Mrs. Jen[illegible]

Also, [illegible] H. R. [illegible]

By Mr. [illegible] Also, petition [illegible] Methodist Episcopal [illegible] of St. Paul, Minn., in favor of the Hepburn-[illegible] the Committee on the Judiciary.

Also, petition of International Association of Machinists of St. Paul, Minn., in favor of Government ownership of factories for naval construction—to the Committee on Naval Affairs.

By Mr. THAYER: Petition of Alonzo W. Bond and 21 other voters of Worcester, Mass., against the passage of a bill limiting the hours of labor—to the Committee on Labor.

Also, petition of L. G. Lesure and 20 other voters of West Boylston, Mass., [illegible] passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. VREELAND: Resolution of D. T. Wiggins Post, No. 297, Grand Army of the Republic, Department of New York, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WADSWORTH: Petition of Rev. F. W. Grupe and [illegible] N. Y., for the passage of the Hepburn-[illegible] mittee on the Judiciary.

Also, resolutions of Staunton Post, No. 396, Grand Army of the Republic, of Lakeville, N. Y., favoring the passage of a service-[illegible] ny bill H. R. [illegible] Pearce—to the Committee [illegible] the relief of John H. Willis—[illegible] Meeting of Friends, in [illegible] ciary.

[illegible] Hess Post, No. 595, of Armstrong [illegible] No. [illegible] Post, [illegible] Tay[illegible] n; E. M. [illegible] ral W. P. Richardson Post, No. [illegible] Springs Post, No. 624, of Harlem [illegible] Jan[illegible] 287, of Lewisville, and J. G. [illegible] Pensions.

By Mr. WILLIAMS of Illinois: Papers to accompany bill H. R. 12301, for the relief of D. L. d'Elysee, alias L[illegible] am—to the Committee on [illegible] Affairs.

[illegible] pany bill granting an increase of pension to Alexander Reum—to the Committee on Invalid Pensions.

SENATE.

SATURDAY, *February 20, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

[illegible] d of the pr[illegible] unanimous consent, the further reading [illegible] pro tempore. Without objection, the Journal [illegible]

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a com[illegible] in un[illegible] s set out in the [illegible] er *Washington*, [illegible] ich, with the accompanying paper, [illegible] ed to the Committee on Claims, and ordered to be [illegible] from the assistant [illegible] the Court of Claims, tra[illegible] e conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel brig *Orion*, Frederick Hopkins, master; which, [illegible] s referred to the Committee on [illegible].

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of [illegible] n the French spoliation claims set out in the [illegible] court relating [illegible] g *Flu*, James Merrinew, master; which, with the acc[illegible] was referred to the Committee on Claims, and or[illegible] to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 113) to enable the Secretary of the Treasury to pay to the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont;

A bill (S. 3720) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. Joseph, Mo., to lower said bridge and to shorten the draw span thereof; and

A bill (S. 3800) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort [illegible].

The message also announced that the House had passed with amendments the bill (S. [illegible]) authorizing the Secretary of the Interior to grant right of way for [illegible] Indian Territory in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 4074) constituting Utica, N. Y., a port of delivery, and for other purposes;

A bill (H. R. 8435) to amend the act of [illegible] of March 11, 1902, relating to [illegible]

A bill (H. R. 9777) granting to the city of Port Angeles, State of Washington, for park purposes, certain portions of the Government reserve in said city; and

A bill (H. R. 12446) making appropriations for fortifications and other works of defense, for the ar[illegible] procurement of heavy ordnance for trial and service, and for other purposes.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had [illegible] n; and they [illegible]

A bill (S. 38) granting an increase of pension to Miriam R. [illegible]

[illegible] l (S. 70) granting an increase of pension to John G. Brown;

A bill (S. 136) granting an increase of pension to Mary T. Strickland;

A bill (S. 142) granting an increase of pension to Henry W. Nichols;

A bill (S. 167) granting an increase of pension to J. Hudson Kibbe;

A bill (S. 189) granting an increase of pension to Edwin H. Wheeler;

A bill (S. 191) granting an increase of pension to Francis Re[illegible];

A bill (S. 265) granting an in[illegible]

A bill (S. 593) granting an increase of pension to William H. Horn;

A bill (S. 594) granting an increase of pension to Finley T. Johnson;

A bill (S. 782) granting a pension to Mary D. Duval;

A bill (S. 795) granting a pension to Mary H. A[illegible]

A bill (S. 816) granting an increase of pension to Catharine W. Collins;

A bill (S. 883) granting an increase of pension to Allen W. (alias Albert) Hall;

A bill (S. 889) granting an increase of pension to Catherine A. Brown;

A bill (S. 891) granting an increase of pension to Erwin R. Cole;

A bill (S. 895) granting an increase of pension to Charles Disbrow;

A bill (S. 897) granting an increase of pension to Lewis D. Frogge;

A bill (S. 962) granting an increase of pension to [illegible] Thoits;

A bill (S. 980) granting an increase of pension to Mary [illegible] Russ[illegible]

A bill (S. 1239) granting an increase of pension to John Adamson;

A bill (S. 1241) granting an increase of pension to Hamlet F. Roberts;

A bill (S. 124[illegible]) [illegible] nas Davis;

A bill (S. 1356) granting a pension to [illegible] K.

A bill (S. 1358) granting an increase of pension to William W. Lackey;

A bill (S. 1428) granting an increase of pension to George Pennington;

A bill (S. 1451) granting an increase of pension to Eleanor H. Hord;

A bill (S. 1490) to authorize the sale of a part of what is known as the Red Lake Indian Reservation in [illegible]

A bill (S. 1532) granting an increase of pension to [illegible] Allen;

A bill (S. 1597) granting a pension to [illegible] D. M[illegible]

A bill (S. 1688) granting an increase of pension to Frederick Bellman;

A bill (S. 1689) granting an increase of pension to Henry H. Houghton;

A bill (S. 1799) granting an increase of pension to Charles E. Decker;

A bill (S. 1802) granting an increase of pension to Isaac M. Couch;

A bill (S. 1911) granting an increase of pension to Ambrose W. S[illegible]

A bill (S. 1912) granting an increase of pension to Joseph W. B[illegible]

A [illegible] providing for the holding of an additional term of [illegible] in the [illegible] District of West Virginia at Martinsburg, W. Va.

A bill (S. [illegible]) granting an increase of pension to Samuel R[illegible]

A bill (S. [illegible]7) granting an increase of pension to Patrick J[illegible]

A [illegible] to Benton D. Bitner:

A [illegible] to Seth H. C[illegible]

A [illegible] B[illegible]

A [illegible] ing an increase of pension to Julia A. B[illegible]

A bill (S. 2093) granting an increase of pension to Victoria M. [illegible]

A bill (S. 2103) granting an increase of pension to John L. McVey:

A bill [illegible] of pension to Thomas Wil[illegible]

A bill (S. 2128) granting an increase of pension to George A. S[illegible]

A bill (S. 2215) granting a pension to Sallie H. Hoffecker:

A bill (S. 2217) granting an increase of pension to Henry C. R[illegible]

A bill (S. 2222) granting an in[illegible]on to Richard A. Kendall:

A bill (S. 2230) granting an increase of pension to Matilda L[illegible]

A [illegible]

A [illegible]

A bill (S. [illegible] an increase o[illegible] Frenchman:

A [illegible]

A [illegible]

A bill (S. [illegible]) [illegible] an increase of pension to Charles Cummings:

A [illegible]

A [illegible] an increase of pension to William W. M[illegible]:

A bill (S. 2410) [illegible] an increase of pension to Mary Joanna A[illegible]

A [illegible]

A [illegible]

A bill (S. 24[illegible]) [illegible] on to Ebenezer W[illegible]

A [illegible] an in[illegible] to Abner B. E[illegible]

A bill (S. 2517) granting an increase of pension to Elijah Farr:

A bill (S. 2527) granting an increase of pension to Joseph Roberts:

A bill (S. 2542) [illegible] an increase of pension to James E. L[illegible]

A bill (S. 2543) granting an increase of pension to Ella B. Green:

A bill [illegible] an increase of pension to Albert T. [illegible]

A bill (S. 2548) granting an increase of pension to Emma M. F[illegible]

A bill (S. 2549) granting an increase of pension to Charles W. J[illegible]

A [illegible] a pension to Johnson [illegible] Mayes:

A [illegible] an [illegible] to [illegible] K[illegible]

A bill (S. 2559) granting a pension to James Graham:

A bill (S. 2561) granting an increase of pension to [illegible] S. Friend:

A bill (S. 2576) granting an increase of pension to James Redshaw:

A bill (S. 2577) granting an increase of pension to Albert Marshall:

A bill [illegible] J. Bullard:

A bill [illegible] F[illegible]

A bill (S. 2642) granting an increase of pension to Malinda H. C[illegible]

A bill (S. 2668) granting an increase of pension to Alpheus Fawcett:

A bill (S. 2689) granting an increase of pension to David M. K[illegible]

A bill (S. 2712) granting an increase of pension to Harriet Billings:

A bill (S. 2797) granting an increase of pension to Edward A. Catting:

A bill (S. 2841) granting a pension to Jane Patterson:

A bill (S. 2858) granting an increase of pension to Delia B. Stuart:

A bill (S. 2889) granting an increase of pension to John Beard:

A bill (S. 2924) granting an increase of pension to S[illegible] L. Cormany:

A bill (S. 2947) granting an increase of pension to Thomas Batton:

A bill (S. 2965) granting an increase of pension to John Herzinger:

[illegible]

A [illegible]

[illegible] way [illegible]

[illegible] a point between the r[illegible] or [illegible] to the Kenbek and [illegible]

A joint resolution (S. R. [illegible]) [illegible] of the annual an[illegible]

[illegible] AND [illegible]

[illegible]

[illegible] No. [illegible]

[illegible] of St. Pa[illegible] of the D[illegible] Mo[illegible] of [illegible]

[illegible] R. I[illegible] rem[illegible] the im[illegible] the Judiciary.

Mr. CULLOM presented a petition of the Board of Trade of Chicago, Ill., praying for the enactment of legislation to prohibit interstate telegraph and telephone lines being used to promote gambling; which was referred to the Committee on the Judiciary.

He also presented a petition of the Phidian Art Club, of Dixon, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of sundry citizens of Joliet, Ill., and a memorial of sundry citizens of Sparta, Ill., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the congregation of the Methodist Episcopal Church of Equality, Ill., and a petition of the congregation of the Zion Methodist Episcopal Church, of Langham, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOAR presented the petition of John Spear, of Pepperell, Mass., praying that he be granted an increase of pension; which was referred to the Committee on Pensions.

He also presented [illegible] of the Board of Trade of S[illegible]ville, Mass., and a [illegible] of the Board of Trade of Wo[illegible]r, Mass., praying for the ratification of a treaty of arbitration between the United States and Great Britain; which were referred to the Committee on Foreign Relations.

He [illegible] A; [illegible]ian Mountain Club, of [illegible] praying for the preservation of the Calaveras Grove of Big Trees, in California; which was referred to the Committee on Forest Reservations and the Protection of Game.

He [illegible] Post, No. 130, Department of Massachusetts, Grand Army of the Republic; of Gettysburg Post, No. [illegible], Department of Massachusetts, Grand Army of the Republic, and of Theron E. Hall Post, No. 77, of Holden, Department of Massachusetts, Grand Army of the Republic, all in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented [illegible] of Hope Lodge, No. 122, Independent Order of Good Templars, of Edgerton, Wis.; of Rough River Lodge, [illegible] Order of Good Templars, of Waupun, Wis.; of [illegible] Lodge, No. [illegible], Independent Order of Good Templars, of W[illegible] and sundry citizens of Sharon, Marlboro, and Ware, in the State of Massachusetts, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the West End Woman's Club, of C[illegible], praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented the petition of G. H. Morrison, of Whitefield, N. H., praying for the passage of the so-called Brownlow good-roads bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of Adriance, Platt & Co., of Concord, N. H., remonstrating against the enactment of legislation to restrict commerce between the Philippine Islands and the United States to American ships after July 1, 1904; which was referred to the Committee on Commerce.

He also presented petitions of sundry citizens of Nashua, Peterboro, and Sandwich and of the congregation of the Congregational Church of Merrimac, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Board of Trade of Somersworth; of Cherry Mountain Grange, of Carroll; of New Durham Grange, of New Durham; of Bear Hill Grange, of Herkimer; of Moosalam Grange, of Enfield; of Bakers River Grange, No. 290, of Rumney; of Advance Grange, of Wilton; of Jaffrey Grange, of Jaffrey; of Loudon Surprise Grange, of Loudon; of Strawberry Bank Grange, of Portsmouth; of South New Market Grange, No. 179, of Newfields; of Junior Grange, of Goffstown; of Pistareen Grange, of Chesterfield; of Fitzwilliam Grange, of Fitzwilliam; of Ossifee Grange, No. 130, of Triftonboro; of Ocean Side Grange, No. 260, of Hampton; of Progressive Grange, No. 271; of [illegible]; of Prospect Grange, of Mount Vernon; of Bennington Grange, No. 207, of Bennington; of Barnstead Grange, of Barnstead; of Squam Lake Grange, No. 238, of Ashland; of M. L. Ware Grange, of Rindge; of Sullivan Grange, No. 8, of Newport; of Hudson Grange, No. 11, of Hudson; of Pink Granite Grange, of North Haverhill; of Rockingham Grange, of Epping; of New Found Lake Grange, No. 162, of Bristol, and of Umbagog Grange, of Errol, all of the Patrons of Husbandry; of the Woman's Club of Penacook, all in the State of New Hampshire, and of the American Paper and Pulp Association, of New York City; of the Merchants' Association of Boston, and of the Associated Board of Trade of Boston, all in the State of Massachusetts, and of the Lumber Dealers' Association of Connecticut, praying for the enactment of legislation providing for the purchase of a national forest reserve in the White Mountains to be known as the "National White Mountain Reserve;" which were referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a memorial of the North Dakota Retail Hardware Association, of Grand Forks, N. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Potomac Post, No. 11, Department of the Potomac, Grand Army of the Republic, of Washington, D. C., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PROCTOR presented a petition of A. T. Noyes Post, No. 116, Department of Vermont, Grand Army of the Republic, of Chittenden, Vt., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. DILLINGHAM presented petitions of George G. Meade Post, No. [illegible], of Barton Landing; of William Wells Post, No. 113, of Williamstown; of E. B. Frost Post, No. 54; of Edson Dillingham Post, No. 22; of Stowe Post, No. 29, and of Ransom Post, No. 7, all of the Department of Vermont, Grand Army of the Republic, in the State of Vermont, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Woman's Christian Temperance Union of Enosburg Falls, Vt., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Jamaica, Vt., and a petition of the Woman's Christian Temperance Union of Jamaica, Vt., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BERRY presented a petition of sundry citizens of Stuttgart, Ark., and a petition of sundry citizens of Okolona, Ark., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BEVERIDGE presented memorials of the Goshen Milling Company, of Goshen; of the Leesburg Grain and Milling Company, of Leesburg; of the Harris Milling Company, of Greencastle; of Woodbury & Files, of Muncie, and of B. L. Archibald, of Morocco, all in the State of Indiana, remonstrating against the enactment of legislation to provide for the supervision of grain at terminal points by the Government; which were referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Citizens' Alliance of South Bend, Ind., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of the congregations of the Grace Methodist Episcopal Church, the Third Methodist Episcopal Church, St. Paul's German Lutheran Church, the United Presbyterian Church, the Fifth Street Methodist Episcopal Church, the First English Lutheran Church, the South Eighth Street Friends' Church, the Second Presbyterian Church, and the First Baptist and the First Methodist Episcopal churches, all of Richmond, in the State of Indiana, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented a memorial of sundry citizens of Waterville, Wash., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented sundry papers to accompany the bill (S. 2089) for the removal of the charge of desertion against Andrew C. Abbott, alias Andrews; which were referred to the Committee on Military Affairs.

He also presented a petition of the Chamber of Commerce and Board of Trade, of Tacoma, Wash., praying for the enactment of legislation for the division of the State of Washington into judicial districts; which was referred to the Committee on the Judiciary.

Mr. MILLARD presented a petition of Kendall Post, No. 190, Department of Nebraska, Grand Army of the Republic, of Stanton, Nebr., and a petition of Lumbard Post, No. 157, Department of Nebraska, Grand Army of the Republic, of North Loup, Nebr., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Dakota, Nebr., and a petition of the Young People's Society of Christian Endeavor of Central City, Nebr., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of Waverly,

Auburn, Palmyra, Talmage, Brock, Omaha, South Omaha, Papillion, Valley, and Millard, all in the State of Nebraska, remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. CLAPP presented a petition of the Minnesota Council, [illegible] a resolution providing for the preservation of the [illegible] of the Big Trees in California; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of sundry citizens of Monticello, Minn., praying for the enactment of legislation to prohibit the importation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. M'ENERY presented a letter from the Mississippi Valley Medical Association, of Louisville, Ky., in the nature of a petition, praying for the enactment of legislation for the establishment of a laboratory at Washington, D. C., to be under the control of the Government, for the study of [illegible] and diseases of horses; which was referred to the Committee on Education and Labor.

He also presented an affidavit to accompany the bill (S. 1074) for the relief of the estate of Jane N. Gibson, deceased, of Warren County, Miss.; which was referred to the Committee on Claims.

Mr. ELKINS presented a petition of the Wholesale Grocers' Association of Illinois, Ala., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce.

He also presented the affidavits of S. T. Jones and John Kirby, of Belmar, W. Va., in support of the bill (S. 1439) providing for the payment of the amounts due the [illegible] and the contractors who furnished supplies to the United States armory at Harpers Ferry, Va., from January 1, 1861, to April 19, 1861, inclusive; which were referred to the Committee on Claims.

Mr. BURROWS presented petitions of Local Union No. 235, Iron Molders' Union, of Lansing, of Grand Ledge, No. 117, International Association of Machinists, of Port Huron, and of Twin City Lodge, No. 43, International Association of Machinists, of St. Joseph, all in the State of Michigan, that an appropriation be made for the enlargement of the Naval Gun Factory at Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented a petition of Local Union No. 22, Cigar Makers' International Union, of Detroit, and a petition of sundry citizens of Port Huron, Mich., praying for the enactment of legislation to amend section [illegible] of the Revised Statutes relating to tobacco; which were referred to the Committee on Finance.

He also presented a memorial of the Licensed Tugmen's Protective Association of the Great Lakes, remonstrating against an appropriation being made for the construction of dredges by the Government; which was referred to the Committee on Commerce.

He also presented a petition of the Woman's Christian Temperance Union of Ionia, Mich., praying for an investigation of charges made and filed against Hon. Reed SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Pomona Grange, Patrons of Husbandry, of Otsego, Mich., praying for the passage of the so-called Lowden good-roads bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Jackson & Church Company, of Saginaw, Mich., and a memorial of the Grand Rapids Manufacturers' Association of Grand Rapids, Mich., remonstrating against the passage of the so-called eight-hour bill; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Sidney, of the Woman's Christian Temperance Union of the Methodist Episcopal Church of Ionia, of the congregation of the Methodist Episcopal Church of Kalamazoo, of the congregation of the Methodist Episcopal Church of Lake Odessa, and of citizens of Cook Corners, of sundry citizens of Deer Creek, and of the congregation of the Methodist Episcopal Church of Ionia, all in the State of Michigan, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. SIMMONS presented petitions of sundry citizens of Brown and Blowing Rock, of the Woman's Christian Temperance Union, and the Christian Endeavor Society of Blowing Rock, and of the Woman's Christian Temperance Union of Elizabeth City, all in the State of North Carolina, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of the Berwick Woman's Club, of South Berwick, Me., praying for the establishment of a national forest reserve in the White Mountains; which was referred to the Committee on Forest Reservations and the Protection of Game.

LABOR TROUBLES IN COLORADO.

Mr. PATTERSON. Mr. President, early in January the Senator from West Virginia [Mr. SCOTT] presented a statement by the mine operators of Colorado with reference to the troubles in that State, and by unanimous consent it was printed in the RECORD and also as a public document.

The Western Federation have prepared an answer to that statement. They desire and I desire that it shall receive the same treatment; that it may be printed in the RECORD and printed as a public document, and referred to the Committee on the Judiciary. I ask unanimous consent that that may be done.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent that the paper which has been presented by the Senator from West Virginia relating to the troubles in Colorado be printed in the RECORD and also as a document.

Mr. HOAR. I desire to ask the Senator from Colorado what is the document which has been printed already?

Mr. PATTERSON. It is in the nature of a petition and is a reply —

Mr. HOAR. What is the document which has been already printed?

Mr. PATTERSON. A statement from the mine operators or owners in the State of Colorado relating to the troubles there, which necessarily referred—indeed, it referred almost wholly—to the Western Federation of Miners. By unanimous consent, that was printed as a Senate document and printed in the RECORD, and the Western Federation against whom it was directed, desire that the same treatment shall be accorded to their reminder.

Mr. HOAR. If I may be permitted to make one observation, I do not see how the Senate in common justice, even in common decency, can deny the request the Senator from Colorado now makes. Certainly, I have no objection to offer to it.

But perhaps I may be allowed to call attention to the fact that the habit of permitting such documents as the one formerly printed—and I do not refer to this one at all—to be printed in the RECORD involves in it the obligation to allow replies to it to be printed, and that in its turn involves in it the [illegible] of every citizen on a subject of any consequence to come in here and take part himself in discussion in the Senate, of which the RECORD is the official chronicle.

I do not in the least rise to embarrass the Senator's request, which seems to me absolutely just and right, but only to call attention to the propriety of being pretty careful hereafter in making such requests as have been granted the other day in this matter.

Mr. PATTERSON. Mr. President, I fully concur with the observations of the Senator from Massachusetts. I recognize the impropriety of it.

The PRESIDENT pro tempore. The Senator from Colorado asks unanimous consent to have printed in the RECORD, and to have printed as a Senate document, the paper which he sends to the desk. Is there objection? The Chair hears none, and that order is made. The document will be referred to the Committee on the Judiciary.

The paper referred to is as follows:

STATEMENT OF THE WESTERN FEDERATION OF MINERS

[illegible]

PREAMBLE.

We believe in liberty and freedom of choice and should have equal access [illegible]

[illegible] fully commensurate with the dangers of [illegible] to use our earnings free from the dictation of any [illegible]

[illegible] as peaceable and so that it may be endurable [illegible] system of spending our earnings where and now our employers or their agents or others may dictate.

Third. To strive to procure the introduction and use of any and all suit-

able, efficient appliances for the preservation of life, limb, and health of all employees, and thereby preserve to society the lives and usefulness of a large number of wealth producers.

[illegible] for the enactment of suitable laws and the proper enforcement [illegible]

[illegible] provide for the education of our children, and to prohibit the employment of children under the age of [illegible]

[illegible] company or corporation [illegible] forces, and [illegible] of the country.

[illegible] to maintain and promote friendly [illegible] employers, and endeavor by arbitration [illegible]

[illegible] the repeal of conspiracy laws that in any way abridge [illegible]

[illegible] to discourage the contract-labor system [illegible] the said system to [illegible]

[illegible] shall be to unite the various per- [illegible]

[illegible] being initiated to membership in the Western [illegible]

[illegible] May [illegible] principles [illegible]

[illegible] of the organization, and [illegible]

[illegible] whose managers received their orders and instructions from a [illegible]

[illegible] John Hays Hammond, an Engineer, who is the [illegible] Hays Hammond, an Engineer, who [illegible] Sunset Magazine, Mr. Hammond [illegible] Sunset Magazine [illegible] Mr. Hammond [illegible] Mr. Hammond [illegible] Mr. Hammond

the Mine Owners' Association together with Bell and Pettibone [illegible] that [illegible] and been [illegible] and that the Western Federation of Miners [illegible] which [illegible] for [illegible]

We [illegible] the above-named men came to their deaths at Strat[illegible] the cage, loaded with [illegible]

[illegible] No safety device was in use on the cable to prevent the over [illegible] were loaded and unloaded without placing the cage upon the [illegible] of the hoisting engine were detached from their [illegible] extra man should stand near [illegible] men, whose duty should be to [illegible]

[illegible] *Foreman.*
[illegible]
[illegible]
[illegible]
"J. L. TOPPING."

[illegible] ry had outlived its u[illegible]

[illegible] has been charged with the explosi[illegible] lower or the Vindicator. The coroner's jury brought in the following [illegible] the jury is unable to determine the exact cause of the explosion.

"CHARLES KETTELSON, *Foreman.*"

Notwithstanding the verdict of the coroner's jury, Lyman White, the [illegible] with brilliant [illegible] the interior architecture of an institu[illegible] was charged with attempting to blow up [illegible] jury have [illegible]

[illegible] extra men were arrested through prejudice, and a [illegible]

[illegible] furnished by the [illegible] the mine [illegible] time men to organize for their mutual [illegible]

[illegible] law, as [illegible] of the people, was defeated, [illegible] the ballot box, by [illegible] of the [illegible] the Western Federation [illegible] all the [illegible]

[illegible] three members of the Western [illegible] because they delegated to [illegible] and rioting made by the mine [illegible] organized labor in its [illegible] smuggled to place [illegible] violate the Territorial law [illegible] request [illegible] but the legislature, influenced by [illegible]

[illegible] furnished by the [illegible]

[illegible] the laws and constitu[illegible] is 3d day of March, A. D. 1903.

"JAMES H. PEABODY, *Governor.*

"To the ADJUTANT-GENERAL, STATE OF COLORADO."

[illegible] hed to the Denver P[illegible] ain [illegible] ce a portion of the above-named address: [illegible] militia [illegible] as a deputy of the sheriff, and handed to the gov[illegible] territory, from whom there is danger of a commission of [illegible]

WHOM DID THE GOVERNOR CONSULT?

[illegible] City that the State [illegible] has been ordered [illegible] you to [illegible] mayor; George G. Birdsall, chief of police; John McCosch, city [illegible] wing personal [illegible]

[illegible] Mr. Nesbitt, who was [illegible] in why [illegible] for the murder of a [illegible]

[illegible] at the instance of the Sheriff Rutan, of San Miguel County [illegible] Mountain [illegible] the capital of [illegible] Mine Owners' Association, and have [illegible] to return to their homes. The only [illegible] offered by the sheriff for removing these men to another county was that the jail was overcrowded, notwithstanding the fact that after their [illegible] in the county jail. The men were [illegible] in court, but it was [illegible] was the purpose of the au[illegible]

When the mine owners and the representatives of the Mine Owners' Association realized that the strikers were masters of the situation, and were

able, through moral persuasion, to prevent men from usurping their places, a picture was drawn by the corporations to present to the governor that would justify the legality of the State militia being used to [illegible]

On the 3d of March, at the hour of noon, the governor delivered the following order to the adjutant-general:

"[Executive order.]

"DENVER, COLO., *March 3, 1903.*

[illegible]

"JAMES H. PEABODY, *Governor.*

"To the ADJUTANT-GENERAL, STATE OF COLORADO."

[illegible] City, from which there is danger of a commission of [illegible]

[illegible] City that the State [illegible] has been ordered [illegible] you to [illegible] mayor; George G. Birdsall, chief of police; John McCosch, city [illegible] wing personal [illegible]

[illegible] Mr. Nesbitt, who was [illegible] in why [illegible] for the murder of a [illegible]

[illegible] at the instance of the Sheriff Rutan, of San Miguel County [illegible] Mountain [illegible] the capital of [illegible] Mine Owners' Association, and have [illegible] to return to their homes. The only [illegible] offered by the sheriff for removing these men to another county was that the jail was overcrowded, notwithstanding the fact that after their [illegible] in the county jail. The men were [illegible] in court, but it was [illegible] was the purpose of the au[illegible]

[illegible] three members of the Western [illegible] because they delegated to [illegible] and rioting made by the mine [illegible] organized labor in its [illegible] smuggled to place [illegible] violate the Territorial law [illegible] request [illegible] but the legislature, influenced by [illegible]

[illegible] furnished by the [illegible]

[illegible] the laws and constitu[illegible] is 3d day of March, A. D. 1903.

"JAMES H. PEABODY, *Governor.*

"To the ADJUTANT-GENERAL, STATE OF COLORADO."

[illegible] City, from which there is danger of a commission of [illegible]

WHOM DID THE GOVERNOR CONSULT?

"There is no longer any serious attempt to deny that Sheriff Gilbert, of El Paso County, was the agent of [illegible] and that the storeys threatened [illegible] were [illegible] Sheriff [illegible] [illegible] proceeding under near the [illegible] [illegible] [illegible]

port of the visit of the mining and business men's committee from the Cripple Creek district:

"A committee arrived from Victor this afternoon and immediately went into conference with President Moyer and the union officials in Colorado City. [illegible] Lee, Nelson Franklin, J. B. Cunningham, and J. H. Gardner. They are business and mining men of the gold camp. [illegible] District Union, No. [illegible] "We will pull our men to work," they said to President Moyer, "pending the time Mr. [illegible] [illegible] Mr. Moyer [illegible] Federation [illegible] chairman, and members of the ad-[illegible] birth has never been [illegible] union men [illegible] Mr. Moyer [illegible] be put [illegible] board who have labored zealously to bring [illegible] eration on [illegible] think will be certain to [illegible] May, 1903, to carry out the beliefs and in[illegible] of the [illegible] a fair trial and an [illegible] concession in appreciation of those who have assisted and [illegible] y with us and whose interests would suffer through a prolonged [illegible] make the concession in appreciation of the advisory board and of [illegible] have interested themselves to prevent an industrial con[illegible]

"CHARLES H. MOYER."

[illegible] President Moyer was presented by Messrs. Mc[illegible] and the strike which lasted a period of [illegible] the governor to incorporate in his call convening the [illegible] men of Teller County [illegible] Smelting and Refining Company.

DENVER, COLO., *June 17, 1903.*

To the American Smelting and Refining Company:

We [illegible] employees holding membership in the Denver Mill and Smelter [illegible] Western Federation of Miners [illegible] that the fact that the majority of the employees of the smelting and refining [illegible] employed in these centers for a period long past [illegible] years, some years for ten and twenty years, for the same reason, namely, [illegible] many of them are men in middle life, of well known character and [illegible] the men who are married, in the majority, possessed of some property, and [illegible] working for the last eight hours, and are requesting for the same a wage [illegible] that of the highest paid twenty-four working men employed in smelting [illegible]

After due consideration we have concluded that, owing to the [illegible] the eight-hour system, and the fact that our employment is [illegible] and seasonal of work, and as [illegible] and the production and reduction of ores, and having regard that beginning [illegible] a day's work, which now consists of ten and twelve hours a day, and [illegible] the smelting plants situated at Pueblo and Grant, located in the city of Denver, be reduced to eight hours.

We believe this request to be a just and righteous one and sincerely trust that your company may see the way clear to granting the same.

Respectfully,

[SEAL.]

JOE SCOTT,
ANDREW SLANSKE,
ROBERT WITHERS,
PATRICK F. HAMAWAY,
WILLIAM L. SMITH,
DANN [illegible],
CHARLES NARDIS,
Committee.

The petition was signed as a strike of the [illegible] on the [illegible] part of the employees.

[illegible] the strike of the Colorado City mills, when the governor [illegible] rust [illegible] point. There was a partial settlement of this trouble [illegible] mines followed, including one in the [illegible] Cripple Creek district [illegible] of the San Juan district [illegible] have demanded that [illegible] every mine and smelter in Colorado there can [illegible] loss for thousands of men; loss of millions of dollars to the [illegible] back a dozen years, when the [illegible] the Cripple [illegible] now that they can not hope to secure from the legislature [illegible] between the unions on one hand and the allied corpo-[illegible] of the mine owners, introduced by Senator [illegible] of the Cripple Creek district on August 19, [illegible] union standards, and general labor conditions have been all that could be wished."

It is evident that there is such a contrast in the document framed by the [illegible] to be considered by the United States Senate and the public [illegible] to the strike of [illegible]

[illegible] governor [illegible] of the [illegible] the strike of the Colorado City mills, when the governor [illegible] rust [illegible] point. There was a partial settlement of this trouble [illegible] mines followed, including one in the [illegible] Cripple Creek district [illegible] of the San Juan district [illegible] have demanded that [illegible] every mine and smelter in Colorado there can [illegible] loss for thousands of men; loss of millions of dollars to the [illegible] back a dozen years, when the [illegible] the Cripple [illegible] now that they can not hope to secure from the legislature [illegible] between the unions on one hand and the allied corpo-[illegible] of the mine owners, introduced by Senator [illegible] of the Cripple Creek district on August 19, [illegible] union standards, and general labor conditions have been all that could be wished."

It is evident that there is such a contrast in the document framed by the [illegible] to be considered by the United States Senate and the public [illegible] to the strike of [illegible]

[illegible] the

restoration of normal conditions in the district than the mine owners he did not consider it unreasonable for them to pay the expense of the militia.

"The mine owners do not relish having to pay the freight, he stated, but the state is required to maintain peace within its borders and protect the lives of the citizens and the property which belongs to them. He stated that he thought it would be better to pay the cost and resume production in their mines than to [illegible] and have their properties [illegible] damaged. [illegible] It is not likely to be less than $[illegible] and it may be much more than that."

In [illegible] the Governor of the State to the effect that if the mine owners wished to pay for the use of the militia the actual expense of the State would be [illegible]. The governor in his proclamation declared that the rights of the laboring classes, guaranteed and frequently adjudicated, had been violated at no place of persons who, during more honest days, had been prominent in the district upon the mine owners, he said, not consider it unreasonable for them to pay the expense of the militia.

The business activity of Cripple Creek held a meeting on September 6, and after [illegible] the action of the governor [illegible]

Whereas a large force of the Colorado State Militia have already been located in the Cripple Creek district, with orders to disarm and [illegible]

Whereas martial law has been proclaimed by Adjutant General Bell, martial law is practiced in every department of the Cripple Creek district; and

Whereas the greatest misrepresentation has been employed in the effort to have the camp invaded by the militia;

Therefore, be it resolved, that we, the citizens of Cripple Creek and the entire Cripple Creek district, in mass meeting assembled, in Victor, Colorado, this 6th day of September, 1903, [illegible] by Governor Peabody in sending troops to Teller County and declaring the action as unwarranted by the facts and in direct violation of the Constitution and laws, and contrary to every principle of American citizenship, and we do hereby protest against the present occupation of martial law in the Cripple Creek district as a further invasion of our rights and liberties as American citizens.

We protest that these troops, whenever called the governor's advisory committee, which is to be composed of mine owners, [illegible] reason the people of Teller County are being made to pay for the support of a condition which has existed for months, and the people have not asked for them. In view of being a law-abiding community as a very important of any district within the civilized world to believe the Cripple Creek district as one of the quietest and most peaceable [illegible] any community in the country.

We protest against trifling instances of assault, such as have occurred in the whole camp since the strike was declared, but these, all, first-named instances are liable to happen at any time and at any place.

We deprecate the course that is now on, and upon this occasion do not wish to do anything that might embarrass our governor, but do wish to express our confidence in the security of our country, and our offerings to maintain law and order and to protect life and property.

In addition to the protests of the citizens of the county, the board of county commissioners, the city council of Victor, the citizens in mass meeting at Victor and Cripple Creek, a petition was circulated and signed by a [illegible] zens which was presented to the governor calling [illegible] the [illegible] in the county, but the petition was denied as the mine owners were paying for the use of the soldiers and the governor seemed to be under the influence of [illegible] interest. On September 9 two arrests were made without the [illegible] warrant, or process of law. From this time forth the reign of military rule in the State of Colorado, which has called forth the resolutions introduced by Senator Patterson.

Even the chairman of the board of county commissioners P. J. Lynch, who is a member of the Western Federation of Miners, was hauled from his office

[illegible] victed of vagrancy, and worked upon the streets because they refused to return to work in the mines on the terms dictated by the Mine Owners' Association. These men were [illegible] [illegible] Thousands of [illegible] men were herded together [illegible] guarded by the guard at a cost of $[illegible] [illegible] the men [illegible] were [illegible] [illegible] Governor [illegible] Mr. Roosevelt [illegible] Governor [illegible] Mr. Roosevelt [illegible] Governor [illegible] Mr. Roosevelt

not be well to have printed as a document the report, including the samples.

The PRESIDENT pro tempore. It was ordered to be printed as a report. Does the Senator ask that an additional number be printed as a document?

Mr. HOAR. What number will be printed of the report, to be at the disposal of the Senate?

The PRESIDENT pro tempore. Sixteen hundred and eighty-two copies of the report will be printed.

Mr. HOAR. That is enough.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. ELKINS introduced a bill (S. 4421) for the preparation of a railroad map of the United States; which was read twice by its title, and referred to the Committee on Interstate Commerce.

He also introduced a bill (S. 4422) for the relief of the Methodist Episcopal Church South, of Clarksburg, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4423) granting a pension to J. P. Fox;

A bill (S. 4424) granting a pension to Silas Danley; and

A bill (S. 4425) granting an increase of pension to F. S. May.

Mr. MILLARD introduced a bill (S. 4426) to remove the charge of desertion from the military record of Frank Ferrin; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CLARK of Wyoming introduced a bill (S. 4427) for the relief of George Stoll and the heirs of Charles P. Regan, Marshal Turley, Edward Lannigan, James Manley, and John Hunter; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. FOSTER of Washington introduced a bill (S. 4428) granting an increase of pension to Edwin W. Ford; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. HANSBROUGH introduced a bill (S. 4429) relating to the creation of forest reservations on the public domain, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. GALLINGER introduced a bill (S. 4430) for the extension of School street southward to Kenesaw avenue, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4431) to increase the pension of Mexican war survivors to $20 per month; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURROWS introduced a bill (S. 4432) to increase the pensions of soldiers and sailors who have lost a leg in the service and have become totally deaf; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 4433) to provide for the registration and protection of trade-marks; which was read twice by its title, and referred to the Committee on Patents.

Mr. MONEY introduced a bill (S. 4434) for the relief of Francis Kirtley; which was read twice by its title, and referred to the Committee on Private Land Claims.

Mr. PETTUS introduced a bill (S. 4435) for the relief of the estate of W. J. Langston, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BERRY introduced a bill (S. 4436) for the relief of the heirs of H. D. Flowers, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 4437) to increase the rate of pension for total blindness in certain cases; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4438) to restore Alexander [illegible] to any woman whose citizenship has been lost or impaired by marriage with a foreigner; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4439) to correct the naval record of Michael J. Kelley, U. S. S. Michael J. Kelley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. FRYE introduced a bill (S. 4440) granting an increase of pension to Frank K. Nye; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4441) granting an increase of pension to John Spear; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 4442) to provide for the recutting of the great seal of the United States from the original model; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. PLATT of New York introduced a joint resolution (S. R. 50) authorizing the President of the United States to appoint James A. Silsbee as an additional cadet at the Naval Academy, Annapolis, Md.; which was read twice by its title, and referred to the Committee on Naval Affairs.

AMENDMENTS TO ARMY APPROPRIATION BILL.

Mr. FOSTER of Washington submitted an amendment proposing to appropriate $90,000 for the construction of a steel bridge across the Spokane River, in the county of Spokane, State of Washington, intended to be proposed by him to the Army appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. HEYBURN submitted an amendment proposing to appropriate $500,000 to enable the Secretary of War to acquire a tract of land in Spokane County, Wash., and Kootenai County, Idaho, to be used for a permanent camp ground for the instruction and maneuvering of troops of the Regular Army and the National Guard, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. CLAPP submitted an amendment authorizing the issuance, under such regulations as the Secretary of War may prescribe, of forage and straw, in kind, to batteries of artillery and troops of cavalry of the organized militia for the necessary complement of horses which may be kept and regularly used by them in the military service, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $1,200 for the construction and installation of a telephone system from Devils Lake, N. Dak., to the Devils Lake Indian Agency, and to pay for the maintenance of the same for one year, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 8435) to amend the act of Congress of March 11, 1902, relating to homesteads; and

A bill (H. R. 9777) granting to the city of Port Angeles, State of Washington, for park purposes, certain portions of the Government reserve in said city.

The bill (H. R. 4074) constituting Utica, N. Y., a port of delivery, and for other purposes, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 12416) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for field and siege service, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

RELATIONS WITH COLOMBIA—PANAMA CANAL.

Mr. CULLOM. I ask that the Senate proceed to the consideration of the Panama resolution, which was before the Senate on Thursday.

There being no objection, the Senate proceeded to the consideration of the resolution submitted by Mr. BACON on the 11th ultimo, as modified by him on the 8th instant, as follows:

[illegible] That the Government be informed that the Senate [illegible] the action of the President in recognizing the independence of the Panama government [illegible] and also of securing the cooperation of the Colombian people in the construction of the canal of Panama.

Mr. SPOONER and Mr. MORGAN addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Alabama?

Mr. SPOONER. I do.

Mr. MORGAN. I have risen to ask the Senator from Wisconsin, for a reason I have explained to him, the very great courtesy of allowing me to proceed at this time with some remarks which I want to submit to the Senate. I make the request because I am compelled to be absent from this body. The remarks are not long.

Mr. SPOONER. It gives me pleasure to comply with the request of the Senator from Alabama.

The PRESIDENT pro tempore. The Senator from Alabama will proceed.

Mr. MORGAN. Mr. President, on Friday, in a colloquy between the Senator from Wisconsin and myself, a question arose as to the attitude of Mr. Morison, one of the Isthmian Canal Commission, in respect of a sea-level canal across the Isthmus. I will read a portion of it. This is what I said:

Now, as soon as I can have an opportunity I will furnish to the Senator for his own satisfaction a report written by Mr. Morison after he had [illegible] this report [illegible] of the Panama Canal in which he shows the utter [illegible] impossibility of digging a canal that would be permanent at Panama with any reasonable [illegible] and [illegible] to contract and appropriate. In the report in which he [illegible] for the consideration of his brethren, and the debate and discussion of it just before he died he demonstrates the impossibility or impracticability, within any reasonable cost at all, even of cutting the canal at or near Panama.

Mr. SPOONER. I have not seen the article of Mr. Morison.

I wish to read a brief extract from that article by Mr. Morison. He said:

The Isthmian Canal Commission in its report tried to place the two canals, Panama and Nicaragua, as nearly on the same basis as possible, eliminating from each [illegible] advantages and economies which might be applicable on [illegible] the other.

There were several points in which the writer differed from his colleagues, and [illegible] individual views [illegible] report.

[illegible] the great value of a tide-level canal and its unlimited capacity. [illegible] than real. [illegible] limiting factor. [illegible] floods are [illegible] than in the canal with locks, and the [illegible] tide-level canal would be the better canal [illegible] would attend, [illegible] involved, [illegible] given in some detail.

I will not read the estimates. He puts the cost of it at $260,000,000.

Mr. President, thanking the Senator from Wisconsin for his courtesy to me, I will now proceed to present the views that I entertain on this general subject, and this will be my final effort to explain my own attitude in regard to this matter, and also what I conceive to be the duty of the country at this moment of time.

I have heard of nothing in our history that seems to require more studious and careful consideration than the treaty now before the Senate. The situation it creates seems easy, because we are strong, but it is like the first attack of a fatal malady that no physical strength can resist. It is a moral delinquency that indicates a deep-rooted national sin that in the end "will find us out."

The parties to this treaty, the circumstances in which it originated, the great matter with which it deals, and the tremendous consequences that must follow it are entirely novel and without precedent.

The suddenness of the demand and the pressure upon the Senate for its consideration is surprising—yes, astonishing. The facts are as yet unknown to the Senate that are to [illegible] its legality under the laws of nations as a treaty that binds the people of Panama and, correspondingly, the people of the United States in their legal and moral recognition of its force as a treaty, so that they will not hereafter as suddenly and with equal haste turn upon it and repeal it by act of Congress if it shall prove to be an unfortunate venture.

Other nations have given a pro forma recognition to the Government de facto at Panama, but whether any or how many of them attribute to that Government the full powers of independence and sovereignty is not known, officially or otherwise, to the Senate.

What are the motives and purposes of those governments we are not informed, or how far they have bound themselves to an admission of the finality or validity of the secession of Panama.

For ought we know to the contrary those governments are quite at liberty to recognize the right of Colombia, under the laws of nations, to coerce Panama to submission to her laws and constitution and to her former allegiance, or even to assist Colombia, at least with loans of money and with their moral support, in forcing Panama into submission.

No nation of the earth, except the United States, has said, or will say, that due time has elapsed, or that other conditions exist that annul the right of Colombia to assert her sovereignty over Panama, and we hasten to do so because we are actuated by a motive of national aggrandizement, which has given to the secession of Panama its only strength and its sole protection.

Our attitude in this movement requires that we should look closely into our own conduct as well as that of other nations, for we do not know whether such recognition is not intended by these European and Asiatic governments as a declaration of the first successful inroad upon the Monroe doctrine. That inroad is what has been already accomplished by our rash precipitancy in this business.

Nor do we know how the precedent of our example, set in Panama, may encourage certain European states in promoting what we call "a peaceful revolution" under their protection, and may as suddenly sweep Cuba or Porto Rico within the shelter of the protection of their suzerainty.

Such questions as to the actions of foreign countries can not be safely determined in advance by a sudden surmise or guess or hazard as to their future effect, like the fall of dice on the gambling table. We should know, as far as possible, every fact that is in reach of honest and industrious search before we set out on this new road, where there is no pathway or footprint to guide us, that we must open as we go.

A still more important matter confronts us with a demand for sober thought and discreet action. Important, because it is, under the provisions of this treaty, a serious danger.

As a precendent to be established by the action of the Senate, it is most important. But, as a question of rightful power to bind the people of Panama and of the United States by treaty obligations, it is of vital moment. We are bound to know *the state of the law in Panama* under which this treaty was negotiated and at the time it was signed, and it is undeniable that no law in Panama authorized its negotiation or ratification at the date of its signatures.

The persons who exercised power and authority in Panama were recognized at the date of this treaty as a de facto government by the President of the United States; *but that act does not create law for Panama.* It was only for our commercial security and for the protection of our citizens and their property in Panama that such recognition had any effect under the laws of nations. It was not and could not have been intended to create law in Panama. Panama had no code of laws enacted by her authority when this treaty was signed.

If the laws of Colombia, locally applicable, prevailed there, under the laws of nations, they did not authorize Panama to make a treaty with any foreign power. If those laws were not in force in Panama when this treaty was signed, no laws existed there. It was simply a government of force without other laws than the will of the men who exercised power there.

Such a treaty violates the laws and constitution of Colombia, and if they were in force in Panama when this treaty was signed it is simply void and of no effect.

A law must exist in Panama to authorize that State to make a treaty through some designated agent, and the presumption of the laws of nations is that the laws of Colombia remain in force in Panama, even after its independence is achieved, until they are superseded by the laws enacted by Panama. This state of the law presents the question of the existence of any civil power in Panama to create and authorize an agent to make a treaty to bind the people, and the question of the power of such agent, if appointed by a government de facto, to grant land to other governments. It is the signature of Bunau-Varilla that is our sole evidence of title to what we are to acquire under this treaty from Panama. This is not enough.

Any citizen of Panama whose property is affected by this treaty can contest it successfully in the courts of Panama, and even in our own courts, for the President and the Senate can not create law in Panama by ratifying this treaty and can not, certainly, make such laws retroactive so as to give power to Bunau-Varilla to convey the title of the Republic of Panama to lands conveyed to the United States or to subject the lands of private persons to condemnation for public uses.

If this treaty is not ratified by some power in Panama that is more real and more binding on the people there than the junta that commissioned Bunau-Varilla to the United States, it can never be held, in any court, or by any civilized nation as binding upon the people of Panama or of the United States.

The sanction of a treaty—its binding effect upon a nation and the people who constitute it—through successive generations depends upon a law that exists and is obligatory on the people at the time it is signed. The fact that it must be ratified necessarily presupposes that there is a lawful power in the nation to negotiate it and to complete such ratification.

A nation acts as a unit, as a political entity, in making and ratifying a treaty that represents its sovereign power; otherwise the people are not bound by it.

When, as in a republic, or government republican in form, the people are the repositories of the sovereign power, no sovereign act having the force of supreme power can be performed by its officers or agents that is not authorized by law.

In making a contract that binds the people, their agent must be empowered by law to bind them when the contract is made, and also when it is ratified. If the agent was not thus fully empowered, we can not make his act good by our ratification, because the treaty when lawfully made and ratified becomes the supreme law of the United States, and its validity depends upon the lawfulness of the act of the foreign nation, as well as the validity of our action.

We can not limit our people or those of Panama by such a ratification, because one of the signatory powers was not, in fact, a government organized by any law.

The President and the Senate can only make treaties with for-

[illegible] sign nations, and not with foreign persons not organized as nations.

[illegible] nation must have plenary legislative powers because it acts in virtue of such power in enacting [illegible] laws for the United States that are [illegible] our Law and State constitutions. It is in fact one of the legislative [illegible] to enact a law for the United States, and invest the [illegible] to bind this nation it represents.

That [illegible] be such an organized nation [illegible] of Representatives [illegible] in enacting a law.

According to the [illegible] this treaty was [illegible] with the Republic of Panama, and its [illegible] of its recognition as a government, which was made by Secretary Hay to the Government of Colombia, he stated that Panama was a government [illegible] when this treaty was signed, and much less that it was [illegible] in form.

Mr. Hay can not [illegible] his ipse dixit, and he can not destroy [illegible] or by omitting any mention of the actual facts.

As these [illegible] are not considered by the facts, it is true that we can not change a [illegible] or change the laws of nations in Panama [illegible].

I [illegible] to the Senate for [illegible] it of principles of public law that are well understood and have never been challenged, but for a provision in Article XXIV of this treaty, that [illegible] a reference to first principles and a careful examination of the grounds on which we are [illegible].

Before discussing this article and the treaty I will [illegible] that in making a treaty [illegible] or a constitution by the vis major, which is usually accomplished by arms and [illegible] of the people, we must have our action [illegible] sent of the people [illegible] fully expressed. We can not [illegible] ourselves [illegible] what we do is the [illegible] ment with [illegible] power we [illegible] will [illegible] people with whose alleged [illegible] we are dealing. [illegible] drag our Government to an [illegible] that a nation [illegible] spurn.

Under the laws of nations we are bound to take notice of the authority of those we are dealing with, especially when we are acquiring territorial rights in perpetuity, under a treaty. And the laws of nations are [illegible] and in our [illegible] and enforced by our courts, so that the Senate must [illegible].

We [illegible] above the laws of nations [illegible] does. She refused to accept [illegible] that [illegible] on the land Hay [illegible] to treaty, and the treaty [illegible] the laws of nations [illegible] and we [illegible] quently under the power of the [illegible] treaty.

The paragraph of this article of the treaty to which I now refer is as follows:

> If the Republic of Panama shall hereafter become a possessor of any other government, but it does not find that government [illegible] that absorbs Panama.
>
> Here is an express permission that Panama may hereafter merge her sovereignty or [illegible] government or into any union or confederation of states [illegible] as to its form or [illegible] government [illegible] which it is in the Eastern or Western Hemisphere.
>
> As to how it is dangerous [illegible] to the Monroe doctrine, which is [illegible] more important matter is presented to the people as to the power of the [illegible] in Panama to lead the government into which its sovereignty may be merged to respect and enforce the [illegible] in that paragraph, that "the rights of the United States under such conveyance shall not be in any respect lessened or impaired."

A treaty right can not thus be made perpetual as against a successor to the sovereignty without its consent. It can only be done by irrepealable contract, for any nation can repeal a treaty, and the repeal is valid against a nation in perpetuity if it is made for just cause or because of changed conditions, under the laws of nations. The jus revocandi is perpetual.

As a question applicable to any foreign or American government into which Panama may become merged, it is strange a debatable proposition that such government would be left with entire freedom to dispute the authority of the present Government in Panama to make this guaranty in favor of the United States to extend through all changes of conditions and for all time. This right of merger can have no other effect except to [illegible] Panama [illegible] for the United States and instead of being given by this treaty it should be expressly forbidden.

What are the [illegible] of the Republic of Panama as to maintaining its actual independence and developing into a respectable world power, in contact with the strength, activity, energy and aggressiveness of the Americans who will occupy and control the canal zone and [illegible] its entire vital force?

The answer is that it will be diverted into insignificance in trade and in all the powers of statehood so soon as ships shall pass through the canal without breaking bulk. Its principal business is its [illegible] and its most prosperous institution is Duque's lottery. In that condition its only aspiration will be to [illegible].

Then political troubles will set in presently, and the man on horseback, with a revolutionary flag and a big pair of spurs, will [illegible] the canal [illegible] the man on shipboard will resent the [illegible]. Then the [illegible] of Panama's independence will be realized in the relation of a protectorate of the United States. If we are wise in our day and generation and are not afraid, for the sake of appearances, to pluck the fruit that our [illegible] policy [illegible], we will set out in earnest to do what is our real and necessary purpose—to hold Panama in the leash so long as a ship canal is in [illegible].

But [illegible] will be [illegible] to foreign rule and will lead to hot [illegible]. The [illegible] in Panama will unite with the Spanish [illegible] rule their joint object of [illegible] of Panama [illegible] prospect that they will [illegible] separated from Colombia or will voluntarily be[illegible] the United States.

To the one country or the other Panama will certainly gravitate, because [illegible] or civic [illegible]. The [illegible] are clearly in [illegible] of the ultimate return of Panama to a confederation with Colombia. We will have this difficulty always in the way of our [illegible] very delicate relations with Panama.

Whenever complaint is made against any form of vice or politi[illegible] in the Republic or in the canal zone, or an effort is made to suppress gambling or the resorts of liquor dealers or thieves, the patriotism of those classes will be at once kindled into violent resentment, and their love for Colombian [illegible] will lead [illegible].

It is neither unnatural or surprising that the kindred blood and [illegible] of the people of Colombia and Panama in politics, [illegible], and family relationship should draw them together, [illegible] between Panama and the [illegible] will cause [illegible], controversy, and conflict.

That such [illegible] will [illegible] in the [illegible] tain. There was [illegible] we [illegible] Hay-Varilla treaty, and there never existed [illegible] of any people [illegible] for expecting a continuance of cordial relations that now seem to exist in the region of the canal zone.

[illegible] are clear indications of a suspecting and querulous disposition among those people toward our people and Government.

The Senate admits this fact when it urges the necessity for [illegible] this treaty, and especially in shrinking from amending it, because it may encounter some opposition in Panama if it is sent back for concurrence. If we are afraid of them now and are alarmed because they speak their opinions, what will be our situation when they have the opportunity to do real harm, and assert against us that we refused to hear them [illegible] this treaty?

It is very [illegible] and [illegible] that we should provide by treaty [illegible] for the sovereignty of Panama in any other government besides that of the United States. The [illegible] of Panama, or the merger of its sovereignty in another state or confederation, [illegible] such a union that those fickle people, to whom [illegible], will be sure to accept even on the slightest occasion.

In a day, or by a secret treaty, these results can be easily accomplished, and this treaty can and will be appealed to when this [illegible] covenant that such action is valid and binding on the United States.

No question is required to be asked us by Panama as to the form or the character of the government into which she may choose to be merged, or with which she may be confederated, or where it is geographically located, or whether or not the relations

of such government toward the United Statesare friendly or hostile.

If it is a rival power that holds dominion of the Suez Canal, whose sovereignty [illegible] supplant Panama, we will have another isthmian canal [illegible], or else a great war, because we refuse to [illegible] her sovereignty in that of any other [illegible].

Within a month, or a week, after this treaty is ratified and we have paid for the [illegible] under its provisions Panama can [illegible] Reyes by again merging her sover[illegible] that she thereby [illegible] agree to maintain in the first article of this treaty. She can go further and declare, with unanswerable truth, that the people of Panama were living under a code of laws enacted by Colombia when this treaty was signed and that code did not give authority to a junta or board of prefects or consuls to enter into a treaty with a foreign power for any purpose, and especially for the exercise of the highest function of civil government, the grant of lands or of territorial rights in Panama to a foreign government by treaty.

Every question of jurisdiction and power to make a treaty that may now be raised in this body upon this treaty can be raised by any government into which Panama may be merged or with which it may be confederated, and we have no power to deny to such government the right to raise it. How such a question can be settled, otherwise than by war, is not provided for in this treaty. If settled by war, as it will be if it is ever raised, the provisions of this treaty will be responsible for that situation.

When we make war to save our rights under this treaty, it should be at once, whenever any other government attempts to secure the merger of the sovereignty of Panama into its superior sovereignty, or its confederation with other governments without our express consent to be given at the time, and also expressing all the pledges, guaranties, and conditions which the United States may see fit to require or accept, not only as to existing rights, but also to such as we may then demand of such government.

To avoid the necessity of the settlement of such a question by war hereafter we can now so provide that any effort to embarrass our perfect control of the canal will be a casus belli, just as if it were located across the peninsula of Florida. We need not do this in terms if we acquire rights in Panama which neither she nor any other government will question.

It is painful and even distressing to see that we open the door of invitation in this treaty to such interference with this great work. It is to be a feature of our Government which is to be a far more intimate and important feature of our national autonomy than even the Great Lakes of the North.

The canal is to be perpetual, and our control of it is to be perpetual. So that we must now fix, immutably, the conditions on which this part of our national authority is to rest. These conditions are so varied—as yet so unknown—and they are so interwoven with the future success of the work and with its national usefulness that we dare not leave anything to future adjustment that can now be settled by the acquisition of powers that are fully adequate to that end. It is nothing short of criminal folly to surrender to the chances and hazards of the future the power to do as we shall see fit, at any time, with this peculiar and immense work.

We must know now, as far as possible, and we must forever secure the future right to determine what government will hold any rightful power in Panama outside the canal zone and the joint right of control provided by this treaty inside that zone. There is but one way that is possible by which we can secure that power. It is to provide in this treaty, if it is to be the supreme law that will control these rights, so that the Government of the United States shall determine, without let or hindrance, whether the sovereignty of Panama shall be merged into any other state or confederation of states, and all the conditions that are to be annexed to such merger.

To leave this matter entirely to the discretion of Panama, as is done in this treaty, without a single guard that the government into which it is telescoped is bound to respect, is simply to invite trouble and to preordain disaster. If Great Britain or France or Russia or Germany or a South American zollverein, led by Chile, should take Panama in tow, with her love of political liaisons, we might find it too late to repudiate the solemn guaranties of this treaty or to strangle such an anaconda.

Such an alliance or combination, or such an adventure by a single state, supported by the moral force of the laws of nations, would give such states the right, as the Senate now has the right, to question the validity of the cession of the 10-mile zone. They are left free to challenge its validity on the ground that the act of Bunau-Varilla was without the authority of law, and that there was no law in Panama when this treaty was signed that empowered anyone to make such a treaty, and, above all, that the people of Panama had not [illegible] in the negotiation or the ratification of this treaty through a [illegible] agency.

The people of Panama can act upon these questions and destroy this treaty by repealing or renouncing it, and we can do likewise. It is a rope of sand when it becomes the [illegible] of either of the powers [illegible] as to our right to repeal a treaty [illegible] when it no longer suits us to observe its engagements, and we can not deny the same right to Panama.

In such a case the treaty falls, and as to its international obligation, that is a [illegible].

The question whether Panama has the right to make this treaty under any law she had enacted or adopted when it was signed by the agents selected by a self-constituted junta at Panama and ratified by certain local municipal councils or mayors is still open [illegible] not close it by a [illegible] of this body or by an act of the President.

Any nation has the right to say that under the laws of nations Colombia has the right to say that her rightful sovereignty over Panama has not been displaced, and we can not honestly say that her right to maintain that sovereignty has been lost to Colombia.

If Panama, under this treaty, should return to her allegiance to Colombia, as she has the free right to do, then Colombia can lawfully assert that the reunion, so far as she is concerned, is only the restoration of the former allegiance and that her acts, like those of our seceding States from 1861 to 1865, are not valid when they, in any way, affect the national powers and authority of Colombia.

Is this possibility too remote for consideration? Is it absurd, in view of the fact that we are a world power and that Panama is a political kitten in our arms that does not yet hear the cry of Colombia, its caged mother, for its return?

The time will come when Panama will cry out and Colombia will listen, and an applauding world will be more ready to recognize the reunion through this open door in this treaty than it has been to acknowledge the independence of Panama.

Even the strongest men perish of infirmities that first appear in a spot on the cheek, and world powers may perish from some flattering iniquity that kindles a fatal fever in the brain of a president.

We have rumors, such as we are all the time required to act upon without official information, because the President has no respect for the views and wishes of the Senate, but only for its obedience, that Panama has placed some provision in her constitution giving to the United States the right to intervene at any time to preserve order and to protect life and property in Panama.

Was this a suggestion of our Government in an attempt to annul the effect of Article XXIV of this treaty, or was it a frightened expedient of Panama to prevent Colombia from keeping up strife in that Republic?

No matter what is the cause of this strange provision in the constitution of this fresh-born, proud, and independent Republic, our ratification of this treaty without change, after the adoption of that constitution, is only a waiver of any benefit under that provision when Panama chooses to merge her sovereignty in that of another government without a reservation of that provision of her constitution in favor of the United States. In this treaty we permit Panama to merge her sovereignty in another government, and thereby to revoke and destroy the right of the United States to intervene with requisite force to compel obedience to her will in the preservation of peace, order, life, and property or the authority of the laws of Panama anywhere in that Republic.

To make this concession irrevocable it must be secured by a bond that is stronger than a treaty, which can be repealed by legislative act. It must be a legislative compact, like that with Cuba, which can be revoked only with the consent of both Governments.

It is not far to see that this expedient is supposed to be based on the Platt amendment to the army appropriation bill relating to Cuba. But the plagiarist who did this work did not make a faithful copy of the original.

The Platt amendment was an act of Congress that required that the constitution of Cuba should set forth certain organic laws. This, when done, was a compact between two governments. A treaty was also provided for to clinch the compact; for what reason I have never known.

If this treaty contained the provision that the part of the constitution of Panama which I have mentioned should be irrevocable, then we could assert it as a treaty right against any government into which the sovereignty of Panama may be merged. But to make the agreement sure and steadfast it should be a legislative compact on the part of both Governments, and should be irrevocable except with the consent of both.

The third article also should be amended and sent back to Panama for acceptance, so as to give us the right to intervene at our option for the protection of life, liberty, property, and public order,

including the suppression of all such establishments and practices as are calculated to encourage it, and providing that this power shall be perpetual in the United States.

With such definitions as to the independence of Panama as will prevent the international attitude, whatever it may be, from interfering with our sovereign right to exclusively construct, control, and protect the canal, the treaty would be improved in a vital and essential feature. With such amendment it will be only a proclamation and source for future controversy and will embarrass our operations in Panama to a degree of dangerous insecurity.

I have gone over, thus hastily, these features of the present and prospective situations in Panama that I might justify the appeal to the Senate for a careful revision of this treaty and for its postponement to whatever may be the regular and permanent authorities at Panama for consideration and ratification.

The points I have referred to, inside the independence of Panama, a matter that more otherwise concerned, remained unsettled until the right of Colombia to enforce her authority in Panama has been settled.

Of course Panama, under Article XXIV of this treaty, could set that question at rest by merely consenting to transfer her sovereignty into that of Colombia. And she might settle it by transfering her sovereignty in that of the United States or some other strong power that Colombia could not resist. But it requires no argument to convince any man that Panama could not prevent Colombia from compelling her submission, if other nations do not interfere.

But we can not, and the world will not, now settle it conclusively against Colombia, under any principle of international law or the practice of nations, that Panama is, under the present conditions, a free, sovereign, and independent republic.

We are preventing Colombia from asserting her authority over a party of insurrectionists in Panama by military force, and, in the absence of such interposition, her power to put down the rebellion in Panama is not disputed.

Our recognition of the sovereign independence of Panama under such conditions is of no conclusive weight under the laws of nations. Yet, as an accomplished fact, so declared by our Government, we may regard it as a lawful situation, under our municipal laws, and act upon it.

It is from this standpoint that I regard this treaty as if it was the act of two equal powers, both being sovereign and independent.

In doing this for one I must regard the action to be taken by the Senate as if it were dealing with one of the most powerful of the nations of the earth, neither yielding anything to a sentiment, such as a generous man might yield to a foundling placed under his care, nor omitting any safeguard for the future that is required when we are so providing as to protect the United States against possible dangers from powerful nations.

I am now trying to discuss general questions and situations that arise under and in connection with this treaty, and will advert to the circumstances of its origin to show that they require of the Senate unusual care and circumspection.

This is a very great treaty, that is intended to measure its existence with that of the United States and its influence with the whole extent of the earth.

But we are treating, in respect of such matters, with a party that is under duress from fear of Colombia, and from incapacity to deny us anything we choose to demand as the price of our protection against Colombia. This treaty power is the first of its sort that ever appeared in the annals of history.

There was never before such a government established, professing to be a republic, as that which existed in Panama from November 3 until this treaty was signed. It can only be described correctly by saying that it wanted every element that belongs to an established government, with either municipal or international powers.

After its declaration of independence, issued by a few inhabitants at a public meeting, those who asserted authority or attempted to enforce it found no laws to sustain them except those enacted by Colombia.

They did not even attempt to provide other laws for the control of the people. Their alleged independence was not a fact sanctioned by law. It was only a political situation with nothing to support it but force, the will of an unorganized body of people, and the protection of the Navy of the United States, without which the insurrectionary movement would not have been set on foot.

Colombia was, in fact, petitioning the Government of the United States for the withdrawal of its prohibition against the exercise of her constitutional sovereignty over Panama when this treaty was signed by the minister of Panama appointed by that junta.

If the Senate of the United States ratifies a treaty thus ordained in Panama, it will make lawful the most destructive principle that can be devised for the undoing of republics and the destruction of the union, strength, and solidarity of all governments, republican in form, which derive all their powers from the people, organized as self-governing nations.

The whole fabric of republican government rests upon the will of the people expressed through organic laws and organized institutions that are elective and are not self-assuming. It is the union of the people in that form and upon that basis that constitutes a republican form of government, as distinguished from government by what is called "divine right."

It remains for the Senate of the United States to establish a law of the highest authority, that is to be the supreme law of this Republic, under which an existing and recognized sister American republic can be disintegrated, torn apart, and dismembered by a portion of its citizens, acting without any legal form of organization, in open and treasonable defiance of the laws and constitution of Colombia.

Such a law for the destruction of republics should never receive the sanction of this body. If this is done no republic can have a longer lease of existence than may be granted by some more powerful government, according to its pleasure or to satisfy its greed.

Any great temptation, such as a route for an isthmian canal like that at Panama or Nicaragua, or mines of gold like those of Alaska, or great bribes of money like the $40,000,000 was now to place under the control of a few insurrectos in Panama, will induce covetous powers and treasonable citizens to unite in the spoliation of the government, for motives of personal gain and national cupidity, and the wealth and prosperity of our American republics will be the cause of their destruction by more powerful nations.

Under the rule we will establish in the ratification of this treaty no republic that has anything that any other government desires can be safe against destruction under this furtive and fatal plan of disintegration.

With reference to the boundaries of the powers of the Senate, questions are raised by this treaty that are of the first magnitude and require the most patient and conscientious inquiry.

In Article III of this treaty the question is distinctly presented, whether the treaty-making power of the Government can acquire by purchase from another government lands and territorial rights within its jurisdiction, so as to extend to Congress the duty and confer upon it the power to make rules and regulations for its government and for its disposal.

By the third article of this treaty the Republic of Panama grants to the United States, in exclusive and perpetual sovereign right, more than 520 square miles of its territory, designated by metes and bounds, whereby it becomes the property of the United States. Congress must therefore make laws, rules, and regulations for the use and disposal of this area after it is so acquired, if the acquisition is constitutional.

If Congress provides no such laws, it is very clear that the treaty-making power can not provide them, so that the grant is not complete until the Congress has accepted it. It is, at most, only an executory contract that depends upon the consent of a third power for its complete execution.

The Government of the United States, therefore, in all its departments, which are only three, is not bound by such an acquisition of territory from a foreign state until it has been accepted by Congress. Until such a treaty is accepted by Congress in some form it can have no effective force or operation. No such treaty can be self-executing.

If I am right in this point, this treaty does not perfect the grant of this land to the United States, and unless we are willing to take the risk of the future action of our Congress, without providing in this treaty that Congress shall ratify the purchase, it should be so amended, unless such provision is found in the novel and unusual form in which its ratification is provided for in Article XXVI, as follows:

> The convention when signed by the plenipotentiaries of the contracting parties shall be ratified by the respective Governments, and the ratifications shall be exchanged at Washington at the earliest possible date.

Our Constitution requires that treaties shall be ratified by the Senate of the United States, not by the Government.

The Senate is not the Government of the United States, nor is that Government limited in any case to the Senate.

The President and the Senate are not a department of the Government. They constitute a tribunal or commission to make treaties, with no other powers conferred upon it. It is so usual as to have become a diplomatic rule that our treaties must state in the text that they must be ratified by the Senate. There is no rule or practice or law that a treaty can be ratified by the Government of the United States. This rule has been ignored under circumstances that suggest a new and utterly inadmissible power on the part of the President.

In our intercourse with foreign powers the President is known to them as the Government of the United States. This treaty,

in its express terms, provides for the ratification by the respective Governments of the treaty powers. This is not a refinement that sticks in the bark of the subject, as to our own engagement of ratification. The language employed is misleading and should therefore be corrected by the Senate: it is a matter of most weighty import when the act of ratification is required to be made by the Government of Panama.

At the time this treaty was signed there was no known government in Panama that was capable of making such a treaty. If a government has since grown up there that can make a treaty and ratify it, this treaty, if the Senate chooses to act upon it as an unauthorized negotiation, should speak from the date of its ratification and not from the date of its signature.

In that case, as in the case of the Hay-Herran treaty, this instrument, when perfected by the Senate, should be sent to Panama for ratification or dissent. On just principles of fair dealing and frank intercourse between the President and the Senate on this grave and weighty matter, nothing should be concealed or omitted that will give the Senate a full knowledge of the facts as they are known to the President and the Department of State.

The credentials and full powers of M. Bunau-Varilla as the Panama negotiator are disputed by Senators in their places, as not being sufficient to enable him to make this treaty.

The Committee on Foreign Relations, by vote, called upon the Secretary of State for a copy of these powers, and he declined to furnish them to the committee, and thereupon, after the lapse of several days, the committee rescinded its resolution.

The Senate should, in justice to the Administration, demand that those powers should be sent to the Senate, that it may be seen whether the negotiation of this treaty has been conducted by an unauthorized person, and whether those from whom such powers emanated were "the Government" of Panama, empowered to make treaties and exchange ratifications, and whether, in fact, those persons comprise the Government of Panama, with which ratifications can now be lawfully exchanged.

Panama now claims to have a railroad that is to be a source of revenue to the local Government, as the successor to the Government of Colombia, to the sum of $250,000 per annum, provided some way can be found in which, by operation of the laws of nations, the contract between the railroad company to pay that amount to Colombia can be transferred to Panama without the consent of Colombia, or we are to take that revenue and to pay Panama in lieu of it a corresponding annuity without limit of time as to its continuance.

The lawyer who finds a rule or principle by which the terms of that contract can be so changed as to substitute Panama or the United States as payee therein, in lieu of Colombia, under the laws of nations, will be entitled to the highest distinctions of his profession in the art of perverting a contract so as to make it destructive of the rights of the payee through his misfortune in falling beneath the power of another, who, with the aid of friends, is strong enough to rob him of the property to which the contract relates.

If there is any principle of justice or law, municipal or international, that gives to the robber, by succession or accretion, all the rights of his victim under any contract that relates to property taken by violence, it is new to my ideas of personal or national right.

The robber law that gives to a conqueror all the property and rights of his enemy that comes to his possession in the conquered territory is tolerated, not as a law of spoils to reward the victor, but as a law of government, to better enable the new ruler to do justice and preserve rightful authority among his new subjects, and his right of legal succession to such property is sustained by such purposes.

In the case of the railroad and of the proposed canal, the benefit of the annual rental stipulated in the concession was made the property of Colombia—a consolidated government, republican in form, like the Government of France, consisting of nine Departments, of which Panama was one.

As to that Department, the constitution gave to the Congress of Colombia the express power to legislate for it in all matters. It had no law-making power except such as, from time to time, the Congress of Colombia choose to delegate to it for local purposes.

The reason for this exceptional provision as to Panama was, chiefly, that it had been a seceding State prior to 1846, and its distance from Bogota and the main body of the Republic exposed it to raids of filibusters and to the promoters of secession. Its possession of a short line of transit between the oceans made it peculiarly attractive to adventurers, buccaneers, and political revolutionists, and constantly exposed it to such marauds.

It was to meet and prevent such conditions that our treaty with Colombia in 1846 contained the guaranty of the United States that we would protect the sovereignty of Colombia over the Department of Panama and its ownership thereof, so that no political outbreak there, however successful it might be in establishing a government de facto, could release the United States from its guaranty of the ownership of the soil in sovereign right to Colombia.

Another reason also operated to make this guaranty of the highest value to Colombia. It was that the citizens of the United States were given the right of transit across the Isthmus on an equal footing with the people of Colombia; and, having shown a marked and unworthy disposition to conduct filibustering operations, they could not be admitted to such rights by Colombia without the strongest pledges on the part of the United States to protect the sovereignty of Colombia over Panama *and her ownership of the soil in each and every event.*

Until 1856 Panama possessed powers of local government that frequently developed into conflicts with the Federal Government of Colombia which were costly and disastrous.

In the constitution of 1856, which was accepted by Panama, these powers were taken away and the Department of Panama was placed more directly and exclusively under the legislative control of the Federal Congress at Bogota than any of our Territories are under the Congress of the United States.

The reason for all these peculiar provisions as to Panama are clear enough when we consider the character of population that was drawn to that locality by the remunerative employment given by the railroad and canal works to the lowest classes; and its distance from the main body of the Republic, which could only be successfully reached by water routes, made it very difficult to govern.

Now, to a mind that does not find in some misapplied canon of the law a convenient theory to justify a wrong, it seems quite plain that no condition could possibly exist under the treaty of 1846 that could justify a purchase of the soil and territorial rights of Colombia in that Department from any government in Panama in hostility to Colombia and as its rebellious successor to the sovereignty of that Republic. Our treaty pledge was given to secure Colombia against this exact state or condition of affairs in Panama.

To-day our Government is in Panama claiming the right to be there only under the treaty of Colombia of 1846. If that treaty is of force to protect that transit, why is it not in force to protect Colombia in the ownership of the territory we are about to purchase from Panama?

But if any mind of easy flight, not ballasted with a very weighty sense of duty, can surmount these difficulties with the aid of legal subtleties, let us see how far the law goes in justifying robbery when it is for public uses.

No case could better measure these lines and put a clearer limit upon spoliation, by legal intendment, than this one. Colombia had nine Departments before Panama was purloined, with a population of about four and a half millions—about as many people as the United States had at the close of the Revolutionary war. With Panama, her area was 504,772 square miles. Panama was less than one-twelfth of her area. Colombia was nearly ten times as large as Alabama, and more than eleven times larger than Pennsylvania. She possessed Panama, with 31,571 square miles, less than one-twelfth of her area, and a population of one-fifteenth of her entire census.

The most prized of the localities of Colombia were the railroad and canal routes at Panama. These routes, and the concessions she granted over them, gave to every part of Colombia its highest prospects for national progress, wealth, and aggrandizement.

To the cities of Panama and Colon there was a rich promise of permanent wealth from the railroad building and its traffic, and of wealth from the construction of the canal; to be followed by a loss of commerce on the canal after its completion and from the practical destruction of the railroad traffic when the canal should be finished.

In this situation it is evident that the completion of the canal would increasingly benefit all other parts of Colombia, while the benefit to Panama would be constantly diminishing. To secure these great advantages to the Republic, and the income of the canal and the railroad to the national treasury, and the entire value of both at the end of one hundred years, she made to N. B. Wyse, in 1878, a concession of ninety-nine years for a canal with an annuity of not less than $250,000 from its opening, and an annuity of $250,000 from the railroad company. At the end of these terms of ninety-nine years there was to be no extension, but the entire property of the canal and the railroad was to revert to Colombia, without compensation.

No more wise or profitable contract was ever made by any government, and if the canal had been completed, or could have been, no government would have had a richer endowment for its treasury and its people than these contracts yielded.

These contracts were made for and on behalf of the Republic of Colombia, under its sovereign authority, and not alone for Panama, nor even in the larger part, nor for any specific part of the revenue or the commercial benefits of the canal or the rail-

road, for the benefit of Panama. Panama had no special or separate right in these national benefits.

The fact that the canal and the railroad were located in the Department of Panama did not give to the people there any special rights under these concessions. The land was the property of Colombia, and its ownership was guaranteed to Colombia by the United States, and not to the Department or to the people of Panama.

Until the 3d of November, 1903, Colombia was keeping all her obligations under the Wyse concession with the New Panama Canal Company, and with the Panama Railroad Company, and all her obligations to the people and the Government of the United States in Panama were carried out in good faith.

On that day some of the people of Panama, under the protection of the United States, [illegible] through a [illegible] junta, the secession of that Department from Colombia. Yet they did not [illegible] the railroad company or the railroad company in the [illegible] of the concessions granted them by Colombia. Was this secured [illegible] Panama of all the benefits and all the obligations of the Republic of Colombia, under these concessions, or the Republic of Panama then became a free, sovereign and independent republic?

The Republic of Colombia was not destroyed by this secession of Panama. She is still entitled to at least her ancient part, according to area or population, or both, of the benefits of these concessions, and is bound to both these companies to keep them in possession of their rights under these contracts. If we seize them and are bound to go to war to preserve them for these companies, or if Panama seizes them and sells them to us, Colombia is still bound to protect and enforce her concessions. If she was as powerful as we are, she would not hesitate to perform this duty. We forbid her even to make the attempt. In this instance, our strength is all our glory.

But this is an entire mistake, and it is not susceptible of apportionment between two contracting parties as to rights or obligations under it except by the consent of all the parties.

No court can apportion these rights and obligations; they are either ended by the secession of Panama, in which event they are no longer operative as grants or concessions, or if any court anywhere in work out the equities between the parties it must be a court of Colombia, which is the mother country of the concessions and of the corporations to which they were granted.

No foreign court could possibly apportion these contract rights between Panama and Colombia so as to give to each a just share of the benefits, or to impose upon either a just share of the liabilities, and the present mind [illegible] be that the secession of one state may take with it the revenues that belong to eight other states, or its responsibilities [illegible] anything with it. As we are to be the purchasers and lessees of concessions from Panama, shall we assert, as we do in this treaty, that we will take all these rents?

Except in an act of the major, neither Panama nor France nor the United States can confer upon the United States or upon the Panama Canal Company any rights or obligations that exist under these concessions in favor of Colombia.

Nowhere can we find any warrant of law for striking out the name of Colombia in these agreements and inserting the name of Panama or the name of the United States. If the Senate does this, its prestige is gone, its honor is tarnished.

These concessions are dead, or else they still inure to Colombia. If the canal company continues to pay the annuity to Colombia, the court will sustain the payments.

The claims of title by conquest or successful secession can not be applied to the extent of converting into public property contracts that inure to the Republic of Colombia, because they relate in part, to a concession or lease of lands in Panama that derives its validity from the laws of Colombia, which was the real and entire consideration for the agreement.

The lease of the right of way to the railroad company was a sale for unlimited period, with payments to be made annually to Colombia. If the title to the country passed to Panama, subject to these concessions, as this treaty provides, the rights of the railroad company are sacred, and Colombia has the indisputable right to collect the rents.

Panama has possession of nothing except the political power over the land by which the railroad is temporarily and the canal is partly constructed, and it has not ventured to lay its hands upon either of these properties. They still hold under the concessions from Colombia and have not attempted to attorn to Panama as their lessor.

There is great danger to the United States in this situation.

The worst and most conspicuous danger, however, is to the character of the Republic.

It has been solely through our assistance that the present condition has been possible in Panama. We have created it, and until wrong becomes right we will have the entire responsibility and many troubles. I regret the eagerness of the Senate to assume these responsibilities.

We have predicated our actions upon the false pretense that we are moved by the sacred love of liberty to assist a persecuted people in Panama in escaping from the power of Colombia, when our actual motive was to force Colombia away from her own territory that we might take it under the guise of a purchase from Panama, in order to secure a canal route that Colombia had failed to concede to the United States under the Hay-Herran treaty, but was still willing to concede so soon as her constitution could be so amended as to enable her Congress to pass the necessary law.

We deny to the Colombian Congress the right to define the limit of its rights and powers under the constitution of its own Government.

This is a painful statement of our attitude as a government, but it is true.

What other motives may have influenced Colombia in rejecting the Hay-Herran treaty is not a question that concerns our motives or purposes in an act of retaliation for that disappointment.

Colombia was acting within her rights in the rejection of the Hay-Herran treaty, and we were not within our rights in protecting Panama with our naval forces while her people, or the few men who assumed to stand for her people, threw off her allegiance to Colombia and seized the Department of Panama.

If our motives had been free from selfishness and without any covetous design; if we had been animated with the pure spirit of sympathy for people in distress, or for those whose liberty was threatened or was being destroyed, the world would applaud the motive of our act, but would deplore the open breach of the laws of nations by one of the great powers in the attempted gratification of a generous purpose.

Our people would have lamented the indiscretion as an unnecessary expression of sympathy for an oppressed people; but even in such a situation, and for such reasons and motives, they would not sanction the use of military force to secure the independence of Panama, there being no relation of friendship or interdependence between us and those people that would furnish a reason or excuse for such intervention.

Unhappily, our actual motive was either national aggrandizement or the ambitious designs of the President.

On the 3d day of November, 1903, the President made known his purpose to protect what is called "the uprising" at Panama with the armed forces of the United States and to maintain a declaration of the independence of Panama as a separate republic.

On that day Colombia was at peace with the United States and her diplomatic relations, which had continued in unbroken friendship for three-fourths of a century, were uninterrupted. Her diplomatic representatives still held relations of friendship with ours and continue them to this day, we having since that date received and conferred with a special ambassador from Colombia in friendly intercourse.

We have not notified Colombia of any fault or delinquency on her part in observing any of her treaty obligations with the United States or of any injustice, cruelty, or neglect toward the people of Panama.

Indeed, there existed no open question between Colombia and the United States that in the least degree caused any irritation between them.

Whatever may have been a just ground for complaint toward Colombia, if any existed, she was innocent in the eyes of the United States, for no sort of complaint was made by us, either as to her foreign or domestic relations.

Our intervention in the secession of Panama must, therefore, find some other ground of support than any cause of complaint that existed toward her on the part of the United States.

The true reason for such intervention, and the only one, was the refusal of the Colombian Congress to ratify the Hay-Herran treaty, that was intended for no other purpose than to obtain the canal concessions at Panama. That was the sole purpose and object of that negotiation.

Our intervention was [illegible] the disappointment of [illegible] Colombian Congress had refused to grant in the form and on the terms of the Hay-Herran treaty.

The President in [illegible] movement in Panama gave the assistance of the Navy to the men who were the officers and agents of the New Panama Canal Company, who had control of the Panama Railroad, which was the real factor of importance in the problem of preventing Colombia from using her forces, whether civil or military, in the suppression of that insurrection against her lawful and rightful government.

Among those who were prominent in the insurrection were several citizens of the United States.

The insurrectionists organized a provisional government in Panama consisting of three of their number, who are called "consuls" or "prefects." The powers that were thus assigned to these men have not been made known to the Senate. No laws enacted by them, if they had any legislative powers, have been brought to the attention of the Senate. We only have for our guidance the

legal presumption that the laws of Colombia in force in Panama on the 3d day of November, 1903, remain in force until they are repealed by some legislative authority in Panama or are substituted by other laws so enacted.

In addition to the total want of justification for any assault upon the sovereignty of Colombia by the United States, we united with the officers and agents of the Panama Railroad, which is controlled by the New Panama Canal Company, in active military operations conducted for the purpose of putting down a insurrection against Colombia and to secure the permanent secession and independence of Panama.

The person appointed by this triumvirate of consuls as minister plenipotentiary to the United States is a citizen of France, with personal interest in the stock and a salaried [illegible] of the Panama Canal Company and with former official relations with that company as director-general and contract relations for doing large and costly work on the canal.

The New Panama Canal Company, whose connection with the old company is practically inseparable, induced the Government of France to obtain from the Spanish state, or some other alleged authority in Panama, the solemn pledge that all contracts between Colombia and either of said companies entered into prior to the 3d of November, 1903, should be confirmed and enforced by Panama. This compact antedated the Hay-Varilla treaty.

This attitude of the United States toward Colombia has no warrant in precedent. Being the result of inducements of a strongly tempting character, it is a selfish and covetous aggression. Colombia being at war in Panama for the [illegible] of her lawful sovereignty in that Department of the Republic, *for the protection of which she has our treaty guaranty*, the intervention of the United States in support of the insurrection made us a party to that war.

It still continues and would be successful in reestablishing the rightful authority of Colombia in Panama if our military intervention was withdrawn. Of this fact there is no reasonable doubt.

We are for the time being a truce to our hostilities, while we are attempting to negotiate with Colombia for the purpose of [illegible]

This [illegible] the political condition of Colombia so far as we are concerned.

If it is successful it will relieve the situation of one of its worst and most alarming features, for it will enable us to go to work on the proposition of [illegible] canal at Panama without the [illegible] of a bushwhacking conflict with Colombian insurgents and their allies, the savage tribes of Indians in the [illegible] of Panama.

[illegible] many of our soldiers who are already suffering seriously from exposure in camps in the [illegible]

No formal declaration of war has been made by Colombia against the United States. None is needed to make a state of actual belligerency between our Government and that of Colombia or that Government in protecting it against attack by Colombia.

The proposed ratification of article 1 of this treaty will commit the United States to maintain the independence of Panama and the discussion of that proposition will throw upon our soldiers the whole burden of the existing war between Panama and Colombia. In consideration of, and as a condition, that we should put an end to the ratification of that article of this treaty will be a declaration of war. It may be a defensive war, but none the less an actual state of war with Colombia.

This is the task the Senate is required to assume, to aid an unlawful exploit of the President, and it has neither the adequate powers nor any just cause for yielding to that demand.

If the action of the Senate in making this open declaration, which gives to Colombia a just cause for war against the United States, should be delayed so as to afford a reasonable time to settle and compose the relations between Panama and Colombia, there is hope that the situation in Panama can be so cleared that work on the canal can be conducted with greater safety, and that our soldiery may be saved from the ravages of disease to which they must be exposed in camp in that fatal climate.

As to the necessity of gaining the consent of Colombia to a reconciliation with Panama and the United States before we are committed to a declaration of hostilities with Colombia, there exists some serious miscalculations among Senators.

A [illegible] to pride of country and race was never inflicted upon any people than that which Colombians feel in the existing conditions in Panama. To aggravate this suffering by an arrogant attitude on our part is surely not the part of wisdom or generosity.

It may gratify the pride of the President, who has brought about this situation, that he may find in it some excuse for violating the laws of the United States, but it will not gratify our sober-minded people. Aside from that, however, we should not so far underrate Colombians as to suppose that they have not the courage or the ability to conduct war for the redress of grievances. It may be hopeless of good results to Colombia in a practical way, but men who have just conceptions of their rights are not apt to weigh them in the filthy scales of commercialism.

If any nation has ever been robbed of an important province or department by duress, without at some time endeavoring to recover it by war, I have failed to read of it in history.

A surrender to duress is so humiliating that it becomes a badge of cowardice or of utter helplessness if it is never attempted to be removed. No such surrenders without a conflict of arms are recorded in Spanish history.

The President-elect of Colombia, General Reyes, in his recent correspondence with our Department of State, has notified us of the fixed purpose of that Republic to restore its territorial integrity at Panama.

This is far from being an idle boast, and the patient and methodical way in which he is proceeding is a strong assurance of the earnest and settled purpose of his Government.

If war occurs, it may not be a great war, or one that is in any respect [illegible] war. If it [illegible] until peace and the safety of Panama and the canal are secured it will be difficult, protracted, costly, and fatal to many thousands of our people.

In the first revolution in Colombia, the war for the expulsion of the Spaniards led by Bolivar and supported by the English and the [illegible], was severe and destructive. It continued for ten years.

With the entire population of Colombia arrayed against the United States even a longer struggle may be [illegible], but it is the guerrilla character of Indian and Spanish warfare in the Isthmus that is likely to be the most [illegible] and expensive to the United States in protecting and operating the twenty to fifty thousand unmarried laborers that we will employ on the construction of the canal.

Such conditions should be avoided if patient and wise foresight are equal to the occasion. [illegible] is impossible, and the consequences are upon the conscience of the Senate.

A final vote on the treaty, without amendment, is demanded for no reason [illegible]. No [illegible] that seems to be important can be [illegible] will be referred to the Senate.

Such [illegible] amendment, and have been so reported by the Committee on Foreign Relations, are not to be [illegible] purchasers. Senators, [illegible] are [illegible] that they have looked [illegible] carefully and I voted [illegible] it seems, has dazzled [illegible] into darkness and I turned their judgment into [illegible]. [illegible] the discussion of the Hay-Herran treaty all [illegible] voted down. Many of them were addressed to the [illegible] and even [illegible] that if a third or fourth treaty was changed Colombia would reject it.

It is [illegible] that [illegible] to the Hay-Herran [illegible] of its chief recommendations.

I then appealed to the Senate to be informed whether the urgency for [illegible] was so great that we could not afford to lose the time to do [illegible] by our own country. I again make that appeal, and accompany it with the inquiry: Are we so alarmed at the condition of Panama, or at the ill temper of that infant ward of the United States, yet in its swaddling clothes, that we dare not propose any amendment to this treaty lest it should kick the whole thing [illegible] into the fire?

Are we to be again assured by grave Senators that if any trouble is hereafter found in the terms of the treaty or in its interpretation that it is the fixed purpose of the United States to have its own way in the matter, and that in practice we will hereafter put amendments into the treaty that we now refuse to write in it?

To rely upon such rules of construction with safety depends upon the size or the strength of the high contracting powers we are dealing with.

It would not do if we were treating with even a respectable power, and it will not answer to put force in the stead of agreement should Panama, under Article XXIV, become merged into or confederated with some strong power.

I will only point out, but will not discuss, such startling propositions as guides for the action of the Senate.

It is no mere surmise, it is a fact that is proven by abundant evidence in our archives, that this urgent demand for hasty and

conclusive action on this treaty comes from our entanglement with the old and New Panama Canal companies.

If no special reference was made to those companies in this treaty, the nervous haste for its ratification would come down to the temper of quiet consideration of its many vital provisions. If such omission had been in the treaty, however, it would not be here in the form it is, if it would ever have been negotiated by Buneau-Varilla or the junta that congratulated him. This treaty has for a leading purpose the payment of $40,000,000 to the New Panama Canal Company. If that is disappointed or postponed, the urgency for its ratification would be quieted down.

We are in fact in reality the managers of war with Colombia by passing through the ratification of this treaty, to meet the demands of France and the Panama Canal Company.

The most important company in Panama is the Panama Railroad Company, chartered under the laws of New York. Yet, as to its rights we are quite hoodwinked.

It is the only highway for commerce or passengers in the Department of Panama, and is therefore the only transit that the United States has ever protected or has any occasion to protect.

About 80 per cent of the stock of this company is held by the New Panama Canal Company under contracts that are fraudulent and void, as I have demonstrated in the Senate, and has been capturing property of the Government in Interoceanic Canals.

It is a valuable property, yielding great dividends that will increase during all the time the canal is under construction. It is the only foreign company there that yields any revenue.

An American who has any regard for the rights and property of Americans would look after the interests of this company in making a treaty with Colombia or with Panama and incorporate this railroad in the same zone that includes the incomplete Panama Canal.

The government of that company to any transfer of its concessions to the United States, secured by a contract with it, is quite as necessary and quite as important as the consent of the Panama Canal Company. Yet in this treaty and in the Hay-Herran treaty and its progenitor, the Hay-Cassini treaty, no mention is made of the Panama Railroad Company, except that its railroad is sold outright by the Panama Canal Company to the United States with the consent of Colombia in the Hay-Herran treaty, and with the consent of Panama in the Hay-Varilla treaty, just as if that company and its railroad and its concessions belonged to the New Panama Canal Company.

Why has this distinction been made between these two companies, thus ignoring the United States corporation, while the French company is not only consulted, but is permitted, through Cromwell, its general counsel, to participate in the negotiations with the United States and everywhere in evidence and heard is demand in obtaining concessions for a canal?

Why is that company here now, with its funds tied with Colombian blood, demanding that the Senate shall hasten to ratify this treaty?

The answer is plain enough. It is because the Panama Railroad is complete, and the sale of its stock by the canal company involves no great sum of money and furnishes no margin for speculation. But the canal is incomplete, and the New Panama Canal Company never intended to complete it. They were compelled either to sell it or forfeit their entire property, under the Wyse concession, to Colombia. This seems to be a desperate situation to the Senator from Wisconsin [Mr. SPOONER], who evidently thinks it an outrage that this company shall be compelled to comply with its contracts.

It could only be sold to the United States—the only possible purchaser—and the right to become the vendor of the property was its only chance to realize anything from its property, that was then utterly incapable of ever earning a cent of money for its stockholders.

The sum of $40,000,000 that the United States bid for this property, gave to that company the power to set on foot an immense contest among speculators, lobbyists, and lawyers, and they had the power and the audacity to push their demands into the most reserved councils of government.

What they had to sell is the same that a person sometimes sells to doctors—his body for post-mortem season on the dissecting table.

This is not an imaginary or overdrawn statement.

The New Panama Canal Company had no possible chance to perform its contract for the completion of the canal according to its terms, by the 21st of October, 1904. Or if that term should be extended to October 31, 1904, it was equally impossible that they could have completed the canal or even to have made an impression upon it. They only put $12,000,000 into their treasury to construct a canal that had already cost the old company $[illegible] and to dig two-fifths of it.

The New Panama Canal Company had no right to occupy the relation to the United States of vendor of its ditch and plant or the ground it occupied, or of the concessions from Colombia.

It had not earned these properties, and it was impossible that it could earn them under the Wyse concession. The consent of the Congress of Colombia was the prerequisite to any such sale. It was for that which we were to pay Colombia $10,000,000. The sale when made, ended all hope for a canal under the Wyse concession, which would have been so valuable to Colombia, if it had been opened, and would have refunded all that the New Panama Canal Company had put into it, with a large profit added. It is now the same case with Panama.

Colombia's chances for the forfeiture of that property were as certain as death, and that fact rendered the title of the company under that lease of no practical value. It was this bare chance, with no prospect of its becoming valuable, that the New Panama Canal Company engaged Cromwell to sell to the United States for $40,000,000.

That project fell with the Hay-Herran treaty, and is now renewed under the Hay-Varilla treaty, with the price enhanced above $40,000,000, but to what amount is not known.

France has interposed and required Panama to agree to adopt and ratify all the concessions made to the canal company by any authority in Colombia, and to require the United States to purchase these rights and properties from the New Panama Canal Company, as the landlord, instead of being the lessee, and to provide in this treaty that our title to the ceded canal belt shall not be absolute until we have consummated such purchase.

I need not restate these indisputable facts that no one denies, or the fact that the prominent men in the New Panama Canal Company agreed to subscribe its capital stock and to complete the canal in order to obtain releases from heavy fines and pardons from convictions for felonies, for robberies of the old company. No one has denied or can deny these facts. I again refer to them to show that these men have no claims to the indulgence of the United States or to be tolerated *in conducting and controlling our negotiations* with Colombia or Panama for canal concessions.

In this treaty they have no participation in Article XXII, that we can not get at a decisive blow to the canal grant from Panama until we have purchased and paid for their canal property and concessions at a price that is satisfactory to them, and France has lent Panama to support and enforce their demands as the condition of their recognition of its independence.

It is to fasten this part of this treaty bargain and to secure profits thereby in speculations in the stocks of the New Panama Canal Company and the bonds of the old company, that this treaty is to be rushed through the Senate and ratified, to the exclusion of all amendments, even those that the committee have recommended to the Senate.

This urgency for swift dispatch, at the expense of the reputation of the Senate as a careful and deliberative body, does not come from Panama, but from those who are manipulating the demands of the New Panama Canal Company and the holders of its stocks and the bonds of said company in syndicates that have bought them for a song in times when their prospective value was greatly depressed.

Such combinations are in control of such powers in our country that to contend with them seems to be a fruitless endeavor.

The point of urgency at this moment is to realize their profits before the French courts have passed upon the rights of Colombia and to assert non-obligations of their contracts against the Panama canal and railroad companies.

If the Senate should ever find a worse situation than that assigned to it by these operators in the effort they make to shape the action of this body, its past splendid reputation will only be a memory of better days, passed forever.

That we should pause to give the people of Panama, on the demand of such persons, the opportunity to discuss a treaty with the United States lest they should find objection to it, is an exhibition of oppressive power that even the syndicates who are making this urgent pressure upon the Senate will deride us for when their greed is satisfied.

I respectfully submit that what I have shown to the Senate furnishes ample reason for the deliberate and courageous action of the Senate in providing for the future welfare and safety of the country, and that is all that I now insist upon.

The days will be few and full of trouble until it will be manifest that our determination to push this treaty through the forms of ratification without amendment and without submitting it to an organized government in Panama is a fearful mistake.

I have tried to do my duty to prevent this unnecessary borrowing of trouble, and will still perform it, in good faith, to avoid or modify or correct those evils that will crowd upon us in the near future, and with this declaration I will be free from responsibility from results that our rash action will flood upon the country.

I am very much obliged to the Senator from Wisconsin for his courtesy.

I desire to append to my remarks as a supplement an article entitled "The recognition of Panama," an address delivered at the Massachusetts Reform Club, by Mr. Moorfield Storey. He

treats the subject entirely as a publicist and lawyer would treat it, without any political motive.

With the consent of the Senate I will append it as a supplement to my remarks.

The PRESIDENT pro tempore. The Senator from Alabama asks unanimous consent that there may be printed as a supplement to his remarks a paper by Mr. Moorfield Storey, of Boston. Is there objection? The Chair hears none and the order is made.

The paper referred to is as follows:

THE RECOGNITION OF PANAMA.

[Address delivered at Massachusetts Reform Club, December 5, 1903, by Moorfield Storey.]

In order to discuss intelligently the action of the Administration toward the Republic of Panama it is necessary first to know the facts, and I will endeavor to state those briefly.

Friendly relations have long existed between the United States and New Granada, in the words of the notary [illegible] "and we have expended for the money on the personnel of the navy more than [illegible] the navy itself." That is, it binds both the United States and the Republic of Colombia, which has succeeded to the rights and obligations of New Granada.

[illegible] following reciprocal agreements:

"The Government of New Granada guarantees to the Government of the United States that the right of way or transit across the Isthmus of Panama upon any mode of conveyance that may now exist, or that may hereafter be constructed, shall cost the Government and citizens of the United States and the property and citizens of any other nation, no more than the same rate as shall be charged to the citizens of New Granada."

"The United States guarantees positively and unconditionally to New Granada, in the present stipulation, the perfect neutrality of the before mentioned Isthmus, with the view that the transit from one sea to the other may not be interrupted or put in jeopardy in any future time while this treaty exists, and in consequence the United States also guarantee in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory."

Clearly, then, we are bound to protect New Granada against any interference by her citizens with travel across the Isthmus, and the agreement of the United States should not be construed into a guaranty of New Granada. If the latter party failed to keep its agreement, a cause for damages would arise in favor of the other, and this was the clear understanding of the parties, as is shown by the preamble of the treaty.

[illegible] of the articles contained in this treaty should be violated or attempted to be violated in any way whatever, it is expressly stipulated that neither of the two contracting parties shall ordain or authorize acts of reprisal, nor shall it avail itself of the pretext of such infractions or damages, until the said party complaining shall have made its complaint before the other contracting party, verified the respondent proofs, demanding justice and satisfaction, and the same shall have been denied."

Now, clearly, by a word, I need to protect travelers across the Isthmus against [illegible] to pay damages to those slaughtered. It was clearly her duty and the duty of her right to use all force necessary for the purpose. In consideration of this, the United States agreed to keep New Granada and not to use against her. It is [illegible] to protect New Granada against her own people, or to prevent her attacking other nations [illegible] in the face of our "positive" and "[illegible] guaranty of her sovereignty.

Such, then, was our position. If any of your subjects revolt, and so [illegible] with travel across the United States, we have the right to help them, and prevent your asserting your sovereignty. I [illegible] them.

This construction of the treaty is supported by the language of the next treaty [illegible] Panama for [illegible] Panama [illegible] of [illegible] Colombia, [illegible] New Granada, [illegible] Panama [illegible] New Granada [illegible] the right to deal with insurrections [illegible] American as Lewis Cass, the [illegible] Secretary Seward wrote to our minister at Bogota: "The United States [illegible] to Colombia [illegible] to keep open the transit across the Isthmus [illegible] and property of the citizens of the United States [illegible] It is a great misfortune that ever we should be [illegible] power at home or abroad, the United States [illegible] be merely cooperating with the Government and their ally, to maintain and defend them."

On October 27, 1873 Secretary Fish said in an official dispatch to Mr. Keeler, [illegible] duty of [illegible] the United States of land factions. Although [illegible] was [illegible] caused by the action under the convention of August 5, 1846, [illegible] and all the interests [illegible] It is, however, conceded as the understanding of the contracting Governments to protect the road against attacks from land insurgents. The discharge of this duty will be insisted upon."

Secretary Bayard thus stated our position:

"[illegible] the Government of the United States, at the instance and at the request of the Government of Colombia, has in times of civil turmoil, sometimes argued that it is the duty of Panama to protect American citizens and property near the transit, from depredations which the Government of Colombia might at times be unable to prevent. But in taking such steps this Government has always recognized the sovereignty and obligation of Colombia in the premises, and has never asserted a right, but, on the contrary, has expressly disclaimed, the duty of protecting the transit against domestic disturbances."

President Cleveland in his annual message of December, 1885, spoke thus:

"Disturbances threatening civil war in the United States of Colombia demanded of the Government at the beginning of this Administration the employment of armed force to fulfill its guarantees under the thirty-fifth article of the treaty of 1846, in order to keep the transit open across the Isthmus of Panama.

"Desirous of exercising only the powers expressly reserved to us by the treaty, and mindful of the rights of Colombia, the forces sent to the Isthmus were instructed to confine their action to peaceably preventing the transit and its accessories from being interrupted or embarrassed. The execution of this delicate and responsible task necessarily involved police control where the local authority was temporarily powerless, but always in aid of the sovereignty of Colombia. The prompt and successful fulfillment of duty by this Government was highly appreciated by the Government of Colombia and has been followed by expressions of lively gratitude. * * * The restoration of peace on the Isthmus by the resistance of the constituted Government there being accomplished, the forces of the United States were withdrawn.

"When, therefore, we had once or twice landed troops when there were riots or insurrections on the Isthmus, we had done so in aid of the sovereignty of Colombia, sometimes at the request of her authorities, and always with her approval.

"We had insisted that upon us rested the duty of protecting the transit against attacks from insurgents, and had notified her that "the discharge of this duty will be insisted upon." Our interpretation of the treaty and our action thereon had been in accordance with Cassius's language of our treaty. We had helped Colombia to discharge her duty, and so assured her sovereignty. We had never interfered nor claimed the right to interfere against her.

"There is another diplomatic precedent which should not be forgotten in this connection. I refer to the famous Ostend manifesto. In 1854 Messrs. Soulé, Mason and Saunders, the ministers of the United States at London, Paris and Madrid, met at Ostend and issued a joint declaration advocating the purchase of Cuba by the United States for $120,000,000 and proceeded thus:

"If Spain, dead to the voice of her own interest and deaf to the call of southern pride and fanaticism, should persist in her refusal, then a case would arise which would fully justify and even sanctify the United States in wresting Cuba from Spain if she could do it by her own unassisted power. What ought to be the course of the United States under these circumstances?

"We answer this question by saying:

"After we shall have exhausted every means for Cuba far beyond its present value, and this shall have been refused, * * * then by every law, human and divine, we shall be justified in wresting it from Spain, if we have the power.

This immoral declaration was justly condemned at the time and by none more decidedly than by the Republican party, which in its national platform in 1856 asserted the true doctrine in these words:

"The highwayman's plea that 'might makes right,' embodied in the Ostend circular, was in every respect unworthy of American diplomacy, and would bring shame and dishonor upon any government or people that gave it their sanction."

We have also a statement of the true American position from President Polk, who, in his message to Congress in 1845, said:

"No independent nation in America need have the slightest fear of aggression from the United States. It behooves each one to maintain order within its own borders and to discharge its just obligations to foreigners. When this is done, be they strong or weak, they have nothing to dread from outside interference."

Surely there is nothing in these words to indicate that a nation whose sovereignty we had expressly guaranteed was in a less favorable position than any other American nation.

I now proceed to show what we had considered our obligations to Colombia during the twenty of 1903, and how aggression on a weak power was regarded by the American press at its birth and by its present national chief, who we may read the political decisions of the present day that some doubt whether nations recognized by the Monroe doctrine and the Golden Rule.

Let us now compare these avowed principles with the recent action of our Government. Without any demonstration of a hostile character against Panama, Colombia, because under a compression from the Government for a French company, [illegible] that the company might transfer its rights to a public company or individuals, but not to any foreign nation or government. This was a reasonable condition as to minors could not contract with their wards to purchase, and such a consent would be a very natural requirement as to the representative of such a corporation. Colombia hesitated and finally refused to ratify treaties, the United States [illegible] to pay its money for [illegible] but refused to consider [illegible] with Colombia.

Colombia was a weak, [illegible] republic, [illegible] of peace, and was supported partly by our troops. Her possession of Panama [illegible] her property to be lost that they are the property of [illegible] whose people are employed and are somewhat kept in transit from coast to coast. What, then, and is built they possess way [illegible] small [illegible] had a right to [illegible] for the [illegible] also would possibly [illegible] from the [illegible] and it was vital [illegible] and the United States, as the owner of the canal, [illegible] and satisfactorily. A great power is a dangerous subject of a weaker nation.

The Hay-Herran treaty was an attempt to reach a satisfactory agreement on these points, but it was rejected by the Colombian Congress, as our Senate rejected the Hay-Pauncefote treaty, and the treaty of other treaties in their amendment of treaties. A second treaty was the result, and the Hay-Varilla treaty for the establishment of the Isthmian Canal which was given had a most complaining response we could not present such large concessions, and it was we thought should be presented.

The Colombian Senate acted strictly within its rights and we have no large right to allege the contrary. I that Republican Senators Representatives because they did not [illegible] had to adopt another or [illegible] peace between two good nations by rejecting the Hay-Herran treaty, or than any man has to demand another for refusing to sell his property at the price which the first wishes to pay for it. As a matter of fact the property remained in the possession of Colombia over the canal, we very unsatisfactorily. It is from Harper's Weekly that I quote the following:

"The Hay-Herran treaty was unsatisfactory on three grounds. First, the lease was too perpetual, but renewable at long intervals; second, the canal zone leased was too narrow; thirdly, a conflict of jurisdiction in the canal zone seemed inevitable by reason of the company of the possessions of the corporation.

Is it necessary to assume that the Colombians were actuated only by base motives in refusing to dedicate their powerful and commercial neighbor into their territory until the canal was completed? What a supporter of the Fresidentis policy thus describes the rejected treaty. It seems to infer that the Senate of Colombia could give good reasons for refusing to accept it. With any powerful nation we should have begun fresh negotiations but Colombia was weak, and a different course suggested itself to our rulers.

Let me state it in the words which President Roosevelt intended to use in his [illegible] to Congress:

[illegible] matter such as this we should finally decide [illegible] the advantages of this route over any other [illegible] marked we should [illegible] and return to the *Cartagena*."

[illegible] was on board our gunboats. It was our [illegible] of Panama. We can not doubt [illegible] spoke the truth when he said in the [illegible]

[illegible] that the United States would not let the Colom-

[illegible] the new Republic" says Secretary Hay, [illegible] the entire extent [illegible]

[illegible] on the *Alliance* from Colon [illegible] political prisoners, but [illegible]

[illegible] in this conjunction was marked [illegible] right to rob a weak one [illegible]

[illegible] recognized. Thus rest is the [illegible]

[illegible] ence, and having adopted a Government of their own, [illegible]

[illegible] a self-elected junta of three, supported by for[illegible] [illegible] stand by their party, right or wrong, and to put their [illegible]

[illegible] and agrees to maintain the independence of th[illegible] [illegible] Roosevelt has allowed the fair [illegible]

[illegible] and article cedes to the United States a strip of land across the [illegible] story of Mr. [illegible] "[illegible] world."

[illegible] the junta for ratification. The $10,000,000 which Co[illegible] [illegible] is to hold him up and to say, 'Nothing is [illegible]

[illegible] a, prevented by the [illegible] ment of mean hypoc[illegible] Open robbery also is [illegible] the commander of the [illegible] and uninterrupted transit. If interruption threatened by [illegible] ted. They appear by official documents. It is not [illegible] *Boston* and *Dixie*. [illegible] r action would have been in [illegible] gition of the new [illegible] gathered at and near [illegible] Assistant Secretary of [illegible] ng on Isthmus reported. Keep Department promptly and fully [illegible] n Confederacy as a belligerent, after a careful review of the [illegible] on the same day the consul replied: "No uprising yet. Reported [illegible] armed recognition is simply [illegible] by coercion. It is a belligerent [illegible] But an at[illegible] ernment or parti[illegible] [illegible] justify his refusal [illegible] in addition to the test imposed [illegible] of the railroad station, so that the Colombian troops could not move. The Colombian troops withdrew to a hill outside while their colonel sent a mes-[illegible] to Panama, [illegible] to return on the 3[illegible] Hubbard [illegible] was [illegible] and [illegible] a strong force supported by our marines, and [illegible] reports Captain Hubbard, their colonel "was [illegible] and return to the *Cartagena*."

[illegible] prepared the [illegible] of revolution in advance. * * * They accomplished their in-[illegible] A part of the Colombian forces [illegible] danger of its being subjugated by the parent state has entirely passed away."

It is impossible to say that on November 6 the Government of Panama was such a government as Mr. McKinley described or that the danger of its being subjugated by Colombia had passed away, when Colombia had hardly learned that an insurrection had occurred.

Remember our recognition of England's action during the civil war. Remember our protest against its long delay in recognizing the South, [illegible] our long delay in recognition toward the Transvaal Republic and the Orange Free State, our denial that the Philippine Republic [illegible] and the devoted support of a [illegible] Where are the precedents which justify the A[illegible] It is a crime to violate international law. It [illegible] and put in force by the Gov-[illegible] It is war.

[illegible] does not bind the strong nation in its [illegible] is dangerous to disclose [illegible] [illegible] [illegible]

[illegible] to say that we had very reliable information that the Government which has negotiated a treaty is contemplating a [illegible] and a subsequent ratification. That may be so, it is true, but we have no definite information—no reliable information as far as I have our board.

That we found in this attitude. A treaty had failed with the Colombian Government—a treaty which the people of the Isthmus of Panama were anxiously desired, as they seemed to think it was the [illegible] that would turn everything to gold in that [illegible] of the world.

Mr. President, we were [illegible] with everybody concerned with that canal. We were about [illegible] the [illegible] of the construction of a great work that believed to be world, that we were to present to the world a great [illegible] Roosevelt, the senate Southman, the president of the Dual of Europe two hundred years ago, had given it most [illegible] and exploitation was a dream that had been indulged in by several nations.

The Isthmus had been surveyed from one end to the other from Costa Rica down to the end of the Isthmus, by Spanish, French, English and American officers and expeditions. Every sort of trial had been made of it. The coal had been tested for steamship [illegible] and everything was done, in fact, that would [illegible] to a knowledge of the best route.

Then the Commission of ten [illegible] decided for Nicaragua, and afterwards turned to the Isthmus of Panama because they said they had not considered it before on account of the extreme price, the extreme price being $40,000,000, afterwards reduced to $40,000,000, and yet the same Commission said that if we long what is remaining of the Panama Canal $40,000,000 [illegible] least, will be necessary to finish it. The cost of the Nicaragua Canal was never placed higher than $[illegible] at any time.

But, at any rate, we were on good terms with the world. We were not only on good terms with the United States of Colombia by treaties of amity and commercial intercourse but we had a treaty of alliance with that country. We knew its power, [illegible] as great as that of the United States. We knew its resources. We knew also that the slight cohesive power of the Federal Government could at any time be overcome.

The route is a water route to the Republic [illegible] Mondes, some four or five years ago said he had traveled all over South America, from Patagonia up to the Isthmus, and it was only "a succession of [illegible]." We knew that one or two provinces gained their independence a [illegible] of years. It was a [illegible] of said that beyond [illegible] the [illegible] or rail, [illegible] was a [illegible] front. Looking [illegible] to the relations to all the other nations of the world it [illegible] be considered as an [illegible] of government.

We [illegible] in treaties with [illegible] but also in alliance especially with reference to the Isthmus of Panama, [illegible] the proposed [illegible] by water or rail, [illegible] If the [illegible] of [illegible] to the [illegible] [illegible] plated for a [illegible] of [illegible] was a [illegible] railway and canal.

We had not only guaranteed the sovereignty of Colombia from Panama to [illegible] all her territory reaching up to Costa Rica, but we also [illegible] [illegible] to navigation [illegible] we would go [illegible] and closed the [illegible] the other day, upon which is based the present Republic of Panama.

Now, Mr. President, [illegible] can [illegible] [illegible] but it has the good [illegible] is the [illegible] There is not a man who [illegible] defend the Administration in this violation of international law.

Nations take the responsibility of violating all laws, holding themselves responsible to the aggrieved party in damages or any other way until we get to the last argument of kings. So we have taken the responsibility—that is, our Executive has taken the responsibility of violating international law generally by an armed intervention; but, further than that, in breaking faith when we guaranteed sovereignty, and not only doing that, but going further and saying to our ally that "you shall not recover or maintain your sovereignty over your revolted subjects: the [illegible] of Panama will be protected by the Navy of the United States, and we forbid you to land troops in the disputed territory to reestablish your authority." That is not the language of an ally.

And not only that, but instructions were given to the American Navy on both the Atlantic and the Pacific side to permit no Colombian troops to land within the territory of the seceded State, or Department, as they called it. This is known to all the world. [illegible] censure of all right-thinking men and that will assuredly receive the censure of history.

There is no excuse whatever, except in a few bad precedents. We acted just as badly in Samoa, a little [illegible] perhaps. We acted just as badly in Hawaii, where the revolution was gotten up by an American minister, who called upon the marines of an American ship, and it was all done to get a little sugar bounty. That was all. The whole thing was handled by an American [illegible] We have done the same [illegible] in the Philippine Islands, and we have done those things over and over again of late.

But the time was, Mr. President, when the Chief Magistrate of this country hesitated before he even admitted the independence of a sister republic. We did that, though we had [illegible] the land in a [illegible] the de facto as against the de jure government, because we ourselves had our origin in the throes of a revolution [illegible] lawful authority, and that made us [illegible] to the de facto government, and because also the doctrine [illegible] in Europe had insisted so long upon the de jure and had gone so far that there were two [illegible] lors—one to the de jure and the other to the de facto government of a people—we have [illegible] the de facto [illegible] well defended.

Now, Mr. President, [illegible] before he recognized the independence of the [illegible] We had a hot debate in the [illegible] from both bodies, in which the [illegible] that they were [illegible] army on the lower [illegible] rals, and they were [illegible] he did not do so.

Old Hickory [illegible] and when he [illegible] n of that [illegible] when the [illegible] ne acted [illegible] immediately by the [illegible] And [illegible] f [illegible] conduct [illegible] people.

Whatever it is, we acknowledge it; and whether the President was right or wrong [illegible] —yet, as [illegible] that new Republic [illegible] much right to make [illegible] d.

In other words, [illegible] s. He has all the [illegible] ternal or external. So the [illegible] t has [illegible] y which the [illegible] Mr. M[illegible] in his [illegible] or well-[illegible] government, no government in which the people had anything to say.

Well, we never have been accustomed in treaties to consult the

people of a country as to what they have to say. We do not deal with the people; we deal with the government, and nothing else. That Government had just as much right to contract, as soon as it [illegible], as it ever will have or as Great Britain has.

A new treaty for a canal has been negotiated, and it is before us for ratification. Whatever I may think of the [illegible] incident to [illegible] I may hold of the conduct of the Executive in that matter, yet we have an accomplished secession, as we term it, or a revolution, and a Government that can [illegible] w, if we reject this treaty, [illegible] ate a similar treaty with [illegible] or with Great Britain or with any other power. We [illegible] threatening to do [illegible] war between the [illegible]

[illegible] to us negotiated by a de facto government; [illegible] no voice in it [illegible] would be [illegible] eral in its [illegible] and N[illegible] r countries for a canal, but we [illegible] r had a [illegible] extraordinary in its character as th[illegible]

In fa[illegible] it sounds very much as though we [illegible] uld believe that we did write [illegible] had before, having carte blanche, [illegible] very [illegible] ges that I do not believe it could write [illegible] l one for us, for they certainly have written some that [illegible] well defended.

[illegible], Mr. President, the people of the United States [illegible] look at it as a great material [illegible] e a very exaggerated idea of [illegible] l. I do not believe what I [illegible], that any great or considerable [illegible] er go through it.

It may and will in countries on the western coast of South [illegible] rica; it may do so for the Japanese Islands [illegible] but [illegible] r as the point from which all start, [illegible] in Europe, and that traffic will always [illegible] l. But take the whole of the trade of [illegible] to [illegible] ugh the Kiel Canal.

[illegible] y in India. [illegible] the S[illegible] rts, of which [illegible] r, and more than likely all that of southern [illegible] ne route—through [illegible] es of the Suez route, the ships have [illegible] traffic such important ports [illegible] Naples, and Cairo; while if the [illegible] went through the Panama Canal to the same destination [illegible] would have no way traffic, but would be as running [illegible] whole way.

[illegible] will carry that amount of the world's commerce now or in prospect which is assumed for it by its more zealous advocates. Of course it is going to be a great thing for the United States. It will shorten the way between our two seaboards and to our Asiatic [illegible].

We know the people of the United States want an isthmian canal. They [illegible] that, as private capital is incapable of building it, the Government ought to build it. They [illegible] expressed through every possible avenue their desire to have it, and they have come to the conclusion that the United States [illegible] must undertake it; that we must have the canal, and that we must have [illegible] proprietorship but sovereignty.

It is the most difficult thing in the world—the constitution of the South American states forbidding the alienation of their territory to obtain sovereignty there; but, according to this treaty, we have there everything on earth that we could ask for, and more than we ever expected to get. As a government capable of negotiating a treaty has seen fit to make it is one with us, and as we could not under any circumstances ever get a better one, then I am for taking this.

I do not mean to say that I prefer the Panama route to the Nicaragua route, for I do not. In the first place, this canal runs through the deadliest zone in the world. It is only equaled by the [illegible] swamps of western Africa. It is said that every single cross-tie in the Panama railroad has cost a human life.

I had a letter the other day from a man who said that he had worked a thousand hands for ten months on a railroad in the swamp back of San Juan, [illegible] the Nicaragua Canal route, and lost only [illegible] working upon the Panama Canal it was impossible for him to keep his men alive; that they died off like sheep with the rot.

From Nicaragua down almost to Colon, certainly as far as [illegible] germs which belong to the tropical vegetation, while at Panama there is a deadly calm which broods like a pestilence over the whole country.

[illegible] the great promontory which extends from the land south of bay Golfo Dulce, and the [illegible] a favorable exit for all [illegible] sanitary [illegible] ere whatever means may be [illegible] ed.

The [illegible] French [illegible] their [illegible] rs and [illegible] They [illegible] every hygienic method [illegible] be disregarded by the [illegible] vanced of the medical profession, and yet the death rate went steadily on, as it will go steadily on. That is [illegible] to the Panama [illegible] continual sickness which must prevail and the [illegible] deaths.

I can recollect distinctly stories told me by friends who crossed that Isthmus in the old California days before there was [illegible] transcontinental railroad, that a man in choosing his [illegible] way, and never will be any other way until [illegible] is a revolution in the winds and currents of the ocean. It will remain a calm belt, and this insanitary [illegible] to everybody who goes there.

[illegible] not help that; and therefore, as we have here the best treaty we have ever had with a power—whether they had the right to negotiate it or not I take no [illegible] cern—I shall support this treaty as something expected of the [illegible] United States do not un[illegible] n. I [illegible] that [illegible] y or us do not [illegible] unanimous. It ha[illegible] I think, hard to [illegible] It would [illegible] better for all concerned if [illegible] had been freely given [illegible] te. But I shall not d[illegible]

[illegible] n, Mr. [illegible] of my [illegible] with a reception, passed a resolution [illegible] ing me [illegible] they requested us to [illegible] and.

I believe in the doctrine of in[illegible]n. In other words, I would [illegible] Congress [illegible] to go [illegible] and to [illegible] destroy all they [illegible] Samson [illegible] him: "Know, to obey is better than sacrifice, and to hearken than the fat of rams."

The request of my legislature has just as persuasive a power with [illegible] which I could not overcome. I think that I should always obey, I understand them to mean, in their extreme kindness, that I am to use my judgment about it; but they [illegible] wishes, and their wishes, as I have said, have great influence with me.

Mr. President, I have stated what are the reasons which will actuate me in voting for this treaty, and I must express regret that there is not to be a unanimous vote on this side; not, of course, judging any man or [illegible] to criticise anybody. I know there are men whose convictions are as strong as mine and their reasons for their position perhaps are better. At any rate, they are sufficient for them. But I do

say, so far as the world is concerned, that it would be a very happy event if the Senate could pass a unanimous vote on this question.

Mr. SPOONER. I am usually anxious, Mr. President, to conclude as rapidly as may be the task in which I began on Thursday last under the usually disagreeable circumstances.

I think the legislature of Mississippi furnished adequate evidence of intelligence and wisdom by reelecting my friend [Mr. McLAURIN] who has just addressed the Senate, and I think we may assume without any doubt that they were well advised upon the subject upon which they passed a resolution through both houses requesting their Senators to vote for the ratification of this treaty.

I should like, Mr. President, at this time to advert to the speech which the Senator from Alabama [Mr. MORGAN] delivered to-day. When the importance of this time shall have passed, I venture the prophecy that the Senator from Alabama [illegible] will find [illegible] it to be correct. Portions of it [illegible] pointedly the truth of the proposition, that excess of suspicion is as incompatible with sound judgment as is excess of confidence.

When I concluded the day on Thursday I was dealing with Article XXXV of the treaty of 1846, which is substantially the heart of all the controversy which has arisen [illegible] the treaty outside, perhaps, of what may be said as to the terms of the instrument itself.

I had called attention to the fact—and I do not intend to repeat—that it was [illegible] by Mallarino, the Foreign Minister of New Granada, that the main purpose of the treaty was Article XXXV, and that in the statement of the purposes of the provisions or references to articles of the treaty relating to commerce, to [illegible] we were simply [illegible] Article XXXV.

New Granada guaranteed to the United States:

[illegible] any modes of [illegible]

And that it should be free and open to the Government of the United States as much as to the citizens of the United States.

That, I contended, and contend, is in no sense a grant, in a sovereignty granted and a guaranty by the sovereign [illegible] to grant. New Granada cannot, Mr. President, [illegible] to the United States a [illegible] to make the guaranty which, in consideration of that grant, that Government made for any mere *commercial* purpose with New Granada.

I called the attention of the Senate to the fact that it was inserted as a [illegible] to [illegible] the rights of sovereignty and property of New Granada in the whole Isthmus. What? With the power that has been lodged from time to time in the Government of Colombia *interrupted* or *embarrassed* in any future time which Government [illegible]?

That means that if any foreign government—a South American republic or a government across the sea—invaded the Isthmus of Panama this Government would be under bond to send there its war ships and its soldiers to fight in order to keep good this governmental guaranty.

Right here, Mr. President, it may be truthfully said that while the United States has not been called upon to protect Colombia against actual foreign invasion of the Isthmus, the obligation which the assumed by Article XXXV of the treaty of 1846 to do so has been a [illegible] in [illegible] to [illegible].

It was said by Mr. Fish, in a note to the Colombian minister of May 27, 1871,

A [illegible] of New Granada in entering into the treaty is understood to have been to [illegible] from foreign aggression [illegible] New Granada [illegible] by the United States [illegible] to be [illegible] by warning from this Government to the government of New Granada that this treaty.

In January, 1885, Colombia appealed to the United States to avert hostilities which [illegible] to be threatened by the Government of Italy over the Cerruti case, and this Government through Mr. Bayard suggested to Italy the—

[illegible]

The mere fact that this great Republic, which observes its treaty obligations as [illegible] has stood bound for sixty years to protect the neutrality of the Isthmus and the rights of sovereignty and property of Colombia therein against foreign powers has constituted itself the most powerful preventive of foreign invasion of the Isthmus. To what extent there would have been invasion but for this treaty attitude of the United States, of course, one may not know, but with knowledge of the history of Colombian revolutions and the attitude of at least one South American Republic, her neighbor, it is easy to be believed that but for the influence of our promised protection the Isthmus of Panama would have passed to another South American nation years ago.

Mr. President, what was our contract? It has been assumed in this debate that the President has violated the obligation of this Government by what has been done by the United States on the Isthmus. I deny it. There is no obligation resting upon this Government under Article XXXV except to intervene there for the maintenance of neutrality and the protection of the rights of sovereignty and of property of New Granada and her successor, the Government of Colombia, as against invasion by foreign powers.

That proposition would find no support in authority, because it is a [illegible] impossible, unless the language were so explicit as to permit no escape from the conclusion, to impute to the United States an obligation to maintain order in Colombia among her own people on that Isthmus. That is what Colombia bound herself to do. That was a unilateral contract on the part of Colombia, and in consideration of that came our obligation to stand between her and [illegible].

[illegible] various demands upon the United States during these fifty-seven years, based now upon one construction and then upon another of Article XXXV, so far as it relates to our duty—constructions which sometimes took no account of the [illegible] of Colombia. [illegible] Colombia [illegible] as 1865, when an expedition from Cauca, one of the states of the New Granadian Confederacy, was fitted out to invade the Isthmus of Panama, that she was entitled under this treaty to call upon the United States, as if Cauca were a foreign power, to prevent that invasion.

The Secretary of State, Mr. Seward, in a letter to Mr. Burton, under date of November 9, 1865, announced our construction of the treaty as follows:

DEPARTMENT OF STATE,
Washington, November 9, 1865.

[illegible]

a question of grave expediency to be determined by [illegible] SEWARD.

Many, many times when there has been trouble on the Isthmus of Panama—and there has been trouble there *only fifty-three out of fifty-seven years*—Colombia has called upon the United States for help upon the theory that we were bound by this treaty to suppress riots there among her own people. They have murdered once a large number of Americans in transit across the Isthmus—robbery; and once, Mr. President, so variable, so utterly [illegible] have they been that when a [illegible] at Panama and the commander of our war ship sent a [illegible] music unarmed, with a platoon of marines with guns charged with blank cartridges, to attend his obsequies, Colombia protested against it as an attack upon her sovereignty, permission not having been asked; and her officials withheld their presence from the funeral.

Early in 1866 this was declared by Colombia to be the measure of our obligations under Article XXXV of the treaty of 1846:

As [illegible] the [illegible] the [illegible] assistance of Colombia to maintain its sovereignty over the Isthmus, *but not* [illegible]

Then came the statement of Mr. Fish, a great Secretary of State, in 1873; and we were summoned first to the rescue under this treaty in 1856, only eight years after its ratification. Mr. Fish says:

By the treaty with New Granada of 1846 this Government has engaged to guarantee the neutrality of the Isthmus of Panama. This engagement, how-

ever, has never been acknowledged to embrace the duty of protecting the [illegible] of the Isthmus from [illegible] but it is [illegible] *expeditions* [illegible] *attacks from* [illegible] *expeditions.*

I can understand from the character of the Colombian administration how that Government can put forth inconsistent construction of Article XXXV [illegible] the transit on the Isthmus, [illegible] we are under no obligation to [illegible] to find in the assurance of the [illegible] upon the request of Colombia or without it, to [illegible] order on the Isthmus between contending [illegible] ic. Colombia, as late as 1881, in the [illegible] XXXV, [illegible] as she asserted it, the true construction of the article [illegible]

[illegible]

invidious steps tending to separate it [illegible]
ous power or unauthorized private expeditions.

Mr. Evarts declined to agree to this [illegible] ing the correctness of the [illegible] with our own (except as to the words "or m[illegible] expeditions" which phrase would itself require [illegible] upon the ground that the article was plain and that [illegible] ment was [illegible] to enlarge it or to diminish it.

[illegible] in her inconsistency, asserts practically a new [illegible] the United States, through General Reyes, her special envoy, who says, in his correspondence with Secretary Hay:

[illegible] and be given any other interpretation than [illegible]

[illegible] quation contained in the thirty-fifth article [illegible]

[illegible] found in the last clause of the treaty ground for [illegible] tion placed upon it by Mr. Seward, Mr. Fish, Mr. Evarts, and several times [illegible] of sovereignty and property as against [illegible] Colombia.

It is [illegible] ately correct that under the [illegible] under no [illegible] at any time to land marines upon the Isthmus [illegible] duty [illegible] had a [illegible] upon which we had a [illegible] where Colombia [illegible] not or would not make good her guaranty of free transit [illegible] interests and of our treaty right of free transit, and that [illegible] not only for the benefit of American commerce and citizens, but of commerce generally over that transit.

First, the right of way or passage for the Government and for the commerce of our citizens granted to us by Article XXXV, for which we incurred an onerous obligation, vested in us a right of unobstructed passage across the Isthmus, and if Colombia failed in her guaranty to afford it to us we had a *right* to maintain it [illegible]

If any [illegible] Mr. Cullom [illegible] of [illegible] by intruders in its [illegible] sary to enable me to [illegible]

And when [illegible] as [illegible] of [illegible] the Isthmus from sea to sea, [illegible] to maintain it, in exchange for a [illegible] upon our part to [illegible] the [illegible] as [illegible] to [illegible] independent of the treaty the United States has [illegible] right to protect the [illegible] of [illegible] the [illegible] To [illegible] the United [illegible] of [illegible] and [illegible] mus, and is not, under any [illegible] ject that [illegible] way, its [illegible] and an American [illegible] in the [illegible] of the [illegible] at the option of [illegible]

OPERATIONS ON ISTHMUS UNDER ARTICLE XXXV.

I have thought since I began to study the history of the administration of Article XXXV that [illegible] to protect the [illegible] quite [illegible] own guaranty and grant of right of way or transit.

Mr. President, I hold in my hand Senate Document [illegible] of this session, [illegible] of Article XXXV by Colombia and the United States [illegible] before the treaty. [illegible] and the [illegible] across the Isthmus have [illegible] riots, ins[illegible] and other public disorders [illegible] "Outbreak: two [illegible] 1. War vessel to quell outbreak." I will incorporate in an appendix to my remarks this list, only partial, taken from the Pr[illegible]

I [illegible] history, but [illegible]

First, that Colombia has violated this treaty systematically from the beginning by failing to maintain the transit; that she has [illegible] by [illegible] was entirely her own, and which we had not as a government entered into.

[illegible] that from beginning to end the heart of the Isthmus [illegible] at the [illegible] 100 [illegible] by [illegible] the consulate, the au[illegible] being agitated, in the expectation of another attack—

[illegible] British [illegible]

In 1861 the intendente general for Panama informed our consul-general at Panama that a lawless expedition was being fitted out at Cartagena to invade the Isthmus, and requested, in the event of its landing at Aspinwall, now Colon, or any other of the Isthmus ports, the interposition of the United States naval forces to main-

train neutrality and to protect the transit from violence of a lawless character, "which he had every reason to apprehend in case a [illegible] was effected by the [illegible] year Mr. [illegible] was informed by the [illegible] as follows:

[illegible] the invasion from Cauca, a part of New Granada [illegible] the [illegible] Panama take place and became the date of [illegible]

[illegible]

And so we were called on to protect the transit. It is a long story. Colon has been attacked and burned by insurgents. Panama has been captured more than once. Ten times we have been obliged to land marines to protect the transit and the lives and property of American citizens, and many times the presence of our war ships there has caused the [illegible] insurrection, and our interposition has enabled the government to put an end to insurrection and to [illegible] *to the Government.*

I will show, Mr. President, as I go along, that the insurrections and attempted revolutions on the Isthmus of Panama have not been [illegible] the result of mere lawlessness or desire for separation and plunder. In thirty-three [illegible] there have been revolutions, attempted revolutions, or revolutions for separation and independence. In thirty-three years there have been revolutions, or revolutions for separation, or attempts at revolution, or revolutions for independence, or revolutions for separation and independence, or revolutions for independence and separation, or revolutions for independence and separation, or revolutions for independence and separation

in assembling at Colon and Panama American ships of war. At Colon was the third-rate ship the *Nashville*, and at Panama, the [illegible] there was no American war ship. Until November 9 American interests were looked after at [illegible] the *Mohican*, which [illegible] Panama November 9. If any [illegible] the strongest, grounds of com- [illegible] r the futu [illegible] ists, and [illegible] to fight on the line of t [illegible] k to Cartagena, took with their officers [illegible]

[illegible] to be an easy victim [illegible] Mr. [illegible] as they we [illegible] it in Colon or Pa [illegible] Mr. C [illegible] tion. [illegible] from [illegible] of a number of [illegible] on the [illegible] on the Isthmu [illegible] Navy, sent a [illegible] to Mr. W [illegible] Jouett, and, under date of [illegible]

[illegible] by the United States of its [illegible]

[illegible] several war ships there. The officer in comm and of C [illegible] s, who were not permitted to land, was Colonel, [illegible] recently the special envoy of Colombia to [illegible] r of Panama is still Colomb [illegible] that no [illegible] has been [illegible] ght in her ownership and sovereignty. I read from the [illegible]

[illegible] day evening, the 27th, after the departure of the garrison for [illegible]

HEADQUARTERS U. S. NAVAL FORCE ON ISTHMUS OF PANAMA.

[illegible] for this purpose necessarily extend from the railroad wharves to the [illegible]

[illegible] *al force under your command may* [illegible] ts to your mean- [illegible] ui services at your disposal.

I have the honor to be, very re [illegible]

B. H. McCALLA,
[illegible]ler, U. S. Navy, Commanding.

Very polite, but it meant "*A* [illegible] it w [illegible] military and civil chief of the [illegible] Reyes—

W [illegible] stated to [illegible] r that he was having the entrance to the Rio Grande, south of the city, examined with the view of finding out whether he would be able to land his forces in that vicinity.

Some miles from the city.

Rear-Admiral Jouett landing [illegible] Panama on the afternoon of Tuesday, the 28th, on Wednesday Colonels Reyes and Montoya and Aizpuru—

Aizpuru was the general commanding the insurrectionary forces who had com [illegible] at Panama, who had been allowed, because of the absence of national troops, to seize the Isthmus and who was respecting the transit—

[illegible] was to surrender.

And he did surrender; and the report, which is the report of Admiral Jouett, continues:

[illegible] with the signing of the capitulation, the reasons which [illegible] imperative—

"The reasons which had [illegible] made it *imperative*"—

[illegible] *ceased to exist.* [illegible] of the [illegible] and [illegible] on the morning [illegible]

Here again the United States, "protecting the transit," helped to bring about the surrender of the revolutionists and the [illegible] No [illegible] was heard in the country against President Cleveland "for having violated a solemn treaty or the United States," and, so far as the documents show, the action of Admiral Jouett was approved by the Administration. No one without injustice or a [illegible] could criticise that action, because to have per [illegible] troops to land meant igniting along the line of transit, with interruption inevitable and destruction possible.

I wonder if [illegible] t the United States either to de- [illegible] in perpetuity upon the inhabitants of [illegible] d of Colombian tyranny.

There is ind [illegible] evidence in this Senate Document 51 that [illegible] time of tra [illegible] Colon and Panama. I find here a cablegram from Mr. Beaupré to Mr. Hay, on the 14th November 7, the day after the recognition of the Republic of Panama, as follows:

[illegible] LAND TROOPS AT THOSE PORTS TO FIGHT THERE [illegible] WAY.

Of course they knew perfectly well that if they could not have permission to land troops at Colon and [illegible] ports and along the line of railway, it w [illegible] them at all for [illegible]

It must be remembered that a [illegible] r 16 Lieutenant-General Young had laid before the President a memo [illegible] as to what two regular officers, Captain Humphrey and Lie [illegible] t Murphy, who had just returned from a four months' tour th [illegible] reported as to conditions on the Isthmus, as follows:

[illegible] adjournment of the Colom-

It will be seen that the President was justified in the belief that the organization for revolution was a powerful one and thoroughly organized. That it was made up of men who were [illegible] had been demonstrated too many times to leave it in doubt. No one can doubt that if the United States had permitted Colombia, had she so desired, to land a considerable force at Panama and Colon, any more than Colombia doubted it, as shown by the cablegram I have read from Beaupré, there would have been fierce and protracted fighting in both of the cities and along the line of railway, in which it would have been impossible for us to protect the property and lives of our citizens and to maintain the freedom of transit without becoming a participant on one side or the other, or against both, which no one would have justified.

And thus it happened that while our prior interventions had inured to the benefit of Colombia, there came a time when protecting the transit inured to the benefit of the people who lived along the line of transit and at either end thereof.

There is no justification for imputing to the President and those who acted under him a purpose nonsuited to protect the transit and protect American interests and citizens and life and property, but really a dark, damnable purpose to expel Colombia from the Isthmus in violation of treaty obligations, and to build up there an independent republic, from which we could obtain a canal. It will not do.

It is of no moment that the 450 soldiers who were landed would [illegible] been permitted to land had the telegraphic orders to the commander of the *Nashville* been received at an earlier hour. It is enough to know that they did land. Nor is there anything of substance in the complaint that troops were not permitted to [illegible] on the railway transit. The revolutionists de- [illegible] to Panama, and were ready to fight them. What was done in this respect was identical with what was done by Admiral Casey in 1902, without essential criticism in this country. There is no evidence that Colombia intended to [illegible] troops [illegible] would be prevented from landing. As [illegible] Bunau-Varilla was invited to confer with us at Bogota, and asked officially to construe the last clause of Mr. Hay's telegram of November 6, announcing that we had entered into relations with the Republic of Panama, as to whether it meant that the United States would not permit the landing of Colombian troops.

General Reyes states in a communication to Secretary Hay that being [illegible] granted, except in an imperfect manner, with the at- [illegible] by the American war ships he had the honor to [illegible] to Rear-Admiral Coghlan, who in reply told him [illegible] permit the landing of soldiers with hostile intent within the boundary of the State of Panama." This was the 17th or 20th of November, several days after the [illegible] recognition of the Republic of Panama. And one may in- [illegible] his communication that the last information as to the [illegible] of the United States in respect of preventing Colombian [illegible] had [illegible] rived from the public [illegible] in a public document, after his arrival in this country. It is one thing for Colombia to say that we prevented her landing troops *which she sent for that purpose*; another thing for us to [illegible] *that if she had sent troops, which she did not send, they would not have been permitted to land.*

All that has been done there would have evoked no criticism in this country but for the canal. The Senator from Colorado, Mr. [illegible] Let me [illegible] statement, and [illegible] I say, would not have been criticised; it would have been [illegible] mony with what has been done before, without criticism, but for the canal. Why should it be criticised? If not for its [illegible] open to criticism had we gone to Nicaragua why should it [illegible] when liberty came at last to that people and [illegible] to consummate the [illegible] brought about a termination of the partnership between this country and Bogota and tender of generous terms for the opening of a canal so vital to them?

It seems strange to me that in all the [illegible] States [illegible] a: that Senators who hailed with such just delight the dawn of freedom to the people of Cuba have met with execration and [illegible] and criticism the dawn of freedom for the oppressed people of this Isthmus. Their tenderness and commiseration is for Colombia alone.

It is suggested that the uprising in Panama was not much of a revolution. It was enough. No one can read the statement of the two officers to which I have referred without being [illegible] that there was [illegible] fighting strength behind the revolution. Of course no battles were fought. That is fortunate. It is not necessary in order to achieve independence through revolution that it should always result from hard-fought battles. This is not the first time in the history of the world that with one proclamation a *coup d'état* or a *coup de main* without bloodshed has brought independence to a long-suffering people.

The revolutionists are not to be criticised for employing money to gain support. "In the corrupted currents of this world," Mr. President, struggles for liberty have always possessed phases of this kind. If an insurrection or attempted revolution fails, it is a crime; if it succeeds, it is a virtue and an honor.

It is said contemptuously here that the revolution had few leaders. Is that exceptional? Revolutions have few organizers. That is the history of the world. That was not peculiar to Panama.

It was said that the Government of the United States connived at it, encouraged it, was a party to it. It was darkly hinted over

and every man felt that something was being held back. Has anything been held back?

Much comment is made upon the fact that a few of these conspirators were in the United States. "Conspirators" is not a bad word in this case. We had plots in Boston and other New England towns and villages in the days of the Revolution. Conspiracy is not always used in a bad sense. Revolutions are always plots, they are always conspiracies prepared. Some Senator said the revolution in Panama was hatched in the darkness of a back room. I do not know whether it was "hatched" or not; but I have no doubt it was not hatched in the front room with the blinds open and the sun shining brightly into the room. What revolution ever was thought of in that way?

Another accompanying incident was that money was in the bank to the credit of Colombia. Why not? It was money of which the people of Panama had been robbed. They had the entire right to hold that money if they had seized it from Colombia, or guns or the munitions or any other Government property belonging to Colombia.

How strange it is that such observations should be made as to this revolution in the Isthmus of Panama, and such conclusions indulged in! We have even heard it stated that some of the conspirators should be a Tom Lowe found judgment in this country! The whole Cuban revolution was plotted in New York. The Cuban junta consisted of conspirators from New York, issued bonds in New York, issued money in New York, and had their headquarters in New York. There was no such complaint in that direction for that, so far as I have ever heard.

Mr. Cleveland said in one of his messages:

> Many Cubans resident in this country and following peaceful pursuits have taken the name of a people struggling for the possession of a home and the right to frame for themselves such institutions and the tenor of our laws do not permit to be made the subject of criminal prosecution.

The man who plans for liberty finds a resting place under every decent government in the world, the neutrality laws being observed.

CONSTITUTIONAL POWER TO RECOGNIZE IN PRESIDENT.

Among the powers conferred by the Constitution on the President is to "receive ambassadors and other public ministers." To receive implies the power to recognize the existence of a foreign nation as placed by the Constitution exclusively in the hands of the President. To receive ambassadors and other public ministers then the Executive is given the power to deal with foreign nations or to receive ambassadors and other public ministers. He is likewise given the power, by and with the advice and consent of the Senate, to appoint ambassadors and other public ministers. It would be a waste of time to argument by an attempt to prove the proposition that the recognition of independence is under our Constitution, an Executive function.

It has been able argument at other sessions of Congress, has been exercised as an Executive function from the beginning of the Government, and is supported both by the decisions of the courts and the opinions of our leading statesmen. Its constitutionality is supported by its actual exercise of learning and ability in presentation in the Senate by the Senator from Maine, Mr. Hale, of the authorities cited and by Senator Morgan and Senator Frye, fourth Congress, second session. I think no one has ever been in doubt as to the Executive function. Being an Executive function, it is for the President to determine when to exercise the power.

That is premature and unwise which recognition of a revolting province as an independent one, which may be taken by the foreign power to be an unfriendly act and a just provocation for war, does not in any wise derogate from the power. One may exercise the wisdom of recognition in a given case, but no one can impeach the authority of the act. It is not a declaration of war by the President, nor an exercise of intervention. It is but the exercise of a conceded power which may precipitate the country into war. (Pomeroy's Constitutional Law, secs. 671, 672.)

INTERNATIONAL LAW JUSTIFIED THE PRESIDENT IN ENTERING INTO RELATIONS WITH THE REPUBLIC OF PANAMA NOVEMBER 6.

The President's action in recognizing on the 6th of November the independence of the Republic of Panama by entering into relations with it was a matter within his power, but was strictly in accordance with the settled principles of international law upon the subject. On that date there no longer remained—and no one can challenge this statement—a vestige of Colombian authority or power on the Isthmus of Panama. The Colombian troops which had been sent there had sailed away. The governing power of the Isthmus was a provisional committee, which had created a temporary government under the name of the Republic of Panama. It had, it is true, no constitution. It had no laws of its own enactment, except so far as the governing body, supported by the people, changed existing laws. It was supported by the people. It enforced law. It protected life and property.

It had definite boundaries. It ruled within the ancient limits of the former State of Panama, with none within its borders to dispute its authority. It had a supreme court. Its municipalities were in operation. It had [illegible] as much of a navy as Colombia had. It had the *Padilla*, one of the strongest of the naval craft of Colombia. It had a flag, and on that date it was the only power on the Isthmus which [illegible] its citizens or any other government would look for protection, or with which it could deal. It was the only [illegible] there, and its sovereignty was complete. The power of Colombia having [illegible] for a long period or a short time. I would be [illegible] principle of international law [illegible] entering into relations with the only governing power in existence on the Isthmus.

It was in fact [illegible] and the President's act was [illegible] us only to re[illegible] the Isthmus of Panama, which had been [illegible] no civil war [illegible] from [illegible] of that Colombia by the [illegible] rings for the [illegible] of a [illegible] Professor Woolsey [illegible]

> A state is [illegible] nt.
>
> [illegible] which governs itself, under what form soever, *without dependence* [illegible]
>
> [illegible]
>
> A state may [illegible] ple permanently occupying a fixed territory [illegible] forth as [illegible]

Pomeroy says, section 50, page 47:

> [illegible]

It must, of course, in some way govern itself and be free from external control over its affairs. It is [illegible] note the following from Professor P[illegible], page 50:

> [illegible] Under what circumstances [illegible]

Professor Woolsey says:

> [illegible]

Chief Justice Marshall said, speaking of the equality of states (10 Wheaton, 66), "Russia and Geneva have equal rights," and so the United States and the Republic of Panama have, from the moment of its recognition, equal rights.

Professor Pomeroy upon this subject says:

> But [illegible] It is [illegible] said. Nor [illegible] and wrong at the hands of more powerful communities.

Of course the laws which were in force on the Isthmus of Panama prior to the revolution which separated the State from Colombia would continue in force until changed by the new sovereignty. To permit them to remain in force and to enforce obedience to them was an adoption of them, and in itself an exercise of sovereignty. By every test laid down by international law the Republic of Panama on the 6th of November and on the 13th of November was sovereign and independent. Its internal sovereignty was complete; its independence was complete. Recognition of the fact of independence did not add to its sovereignty or independence, but operated to admit it, so far as the United States was concerned, into the family of nations.

I am not at all oblivious to the fact that there is a distinction between the recognition of the *de facto* government or administration of an independent state and the recognition of an independent state. The state is one thing, its government is another. International law [illegible] the right of the people of a nation recognized as independent to change their form of government. Revolution may destroy a monarchy and substitute a republic, or it may destroy a republic operating under a constitution and substitute for it a dictatorship without destroying at all the identity of the state as a member of the family of independent states. In such case instructions to an ambassador or minister to recognize that government which *de facto* administers a previously recognized independent state are necessary, and may be given at once.

It is not a recognition of independence, nor does it commit the Government to the proposition that the *de facto* government is a *de jure* government. We have had a great number of such instances, of course, in our history. Minister Washburn was accredited to France when she was an empire under Louis Napoleon. While the Empire was overthrown and the Republic was established in its place he was instructed to recognize the new Government, but the identity of France as an independent nation was not interrupted nor did the recognition of the Republic involve in anywise the question of independence. The same thing was true of Brazil.

[illegible] province becomes in fact *sovereign* it becomes in fact independent, and a recognition of the government in such case is a recognition of the independence of the state. *De facto* independence is *de jure* independence in international law. [illegible] not inquire concerning the right or wrong of revolution which brings independence. In such case the rule as to recognition in point of conditions and time is different, yet well defined. It is said by Mr. Wheaton, Lawrence's Wheaton, page [illegible]

> [illegible] the civil society [illegible]

The recognition of a new state, of course, involves delicate and [illegible] Mr. Phillimore, page 302:

> [illegible] Under what circumstances [illegible]

Speaking of recognition of independence, he says:

> [illegible] than is [illegible] its integrity, its [illegible] It must have [illegible] the new state into the family of [illegible] to it with all international rights.

[illegible] sums up the discussion, volume 2, pages 19 and 20:

> [illegible] two facts [illegible] of the civil society [illegible] the political state, after the establishment of a permanent government, [illegible] that the new state by the [illegible] of the world, though it is not [illegible] that this recognition should follow, and not precede, that of the old state. Upon this point both the reason of the thing and the ancient and modern practice of nations are quite decisive.

Mr. Dana says, Dana's Wheaton, page 42:

> But with reference to a final recognition by a general treaty or by the establishment of [illegible] intercourse a more positive rule can be laid down. The only [illegible] is that the new state shall be in fact what the recognizing state assumes it to be, for it must be recognized, once for all, that it is among the possibilities of things to have treaties and [illegible] intercourse with [illegible] states. The practice of nations furnishes the best [illegible] and illustrations of the consistency of things in the new state which will justify such a recognition. *It is not necessary that the parent state or the dismembered country should have ceased from any efforts to regain the province. On the other hand, it is necessary that the contest should have been seriously maintained.*

Manning says, page 100:

> Public recognition for the purpose of general intercourse on equal terms of a newly formed, though [illegible] and yet firmly established, government. * * * It need only be stated as to that the recognition of a *de facto* government no longer [illegible] with the actual [illegible] requires very [illegible] consideration, while active interposition in a contest [illegible] requires very many.

Hall says, pages 77 and 78:

> [illegible] can not be held to be established, and recognition [illegible] as a *substantial* [illegible] by the formerly sovereign state for the recovery of its [illegible] and that
>
> [illegible] on the part of the formerly sovereign state, or a [illegible] provided for a reasonable time [illegible] to prevent the rights of [illegible] in forming modern conditions [illegible] as a route [illegible] continuing to have a secular one.

Historicus says (Creasy, p. 680):

> [illegible] nor can they be regarded as a breach of neutrality or friendship.

Lorimer says (vol. 1, p. 24):

> [illegible] law is on a level with municipal law.

Apply these principles to the Republic of Panama, as it existed on the 6th and 13th of November, and the consideration of the President's act is [illegible]

Mr. HOAR. May I ask the Senator from Wisconsin a question in order that I may understand his proposition?

Mr. SPOONER. Certainly.

Mr. HOAR. I suppose the Senator does not mean to state that there is any difference in the power of the President of the United States in [illegible]

Mr. SPOONER. Oh, no; not at all. The power of the President [illegible] independent state and the [illegible] independent state is the same. The one is as [illegible] as the other. Each is derived from the same language in the Constitution. Only in international law it is customary, and perhaps necessary, often to more quickly recognize a changed government or administration of an independent state than in the case of a new independent state.

Mr. HOAR. The Senator will pardon me. I did not put the question as indicating for a moment a doubt on my part of the [illegible] of the proposition now made, or because I misunderstood [illegible]. But I was afraid his statement, that there was no great difference between the two, following what he had just said, might be understood in some quarters to imply a difference in the powers of the President.

Mr. SPOONER. I have not the slightest doubt that the sentence as I uttered it may [illegible] the Senator's attention, and I thank him for giving me by his question an opportunity to disclaim any such thought, because there is no possible distinction between the President's power in the one case and his power in the other.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from South Carolina?

Mr. SPOONER. Yes, sir.

Mr. TILLMAN. The Senator from Wisconsin is discussing a very important and interesting phase of this subject, and merely in order to get some light from a legal standpoint I am going to ask him what are the President's powers, acting under a treaty, in relation to the preservation of the transit, and the condition which would arise after the railroad, for instance, or the canal, or whatever it is, changed its ownership? Now, we were protecting the transit, but we had a treaty with Colombia. After we recognized Panama did the same condition exist, and did the President have the same right in law, international or otherwise, to preserve the transit?

Mr. SPOONER. I will get to that.

Mr. TILLMAN. Well, I want the Senator to get to it. It is on this very subject of the President's power. I do not want him to forget this point.

Mr. SPOONER. I am hurrying to it; but I want to say, in reply to the Senator from South Carolina, that what the United States did on the Isthmus of Panama in protecting the transit it would have had an absolute right to do without any treaty in a country which acknowledged no law and which was either habitually incompetent or unwilling to afford the protection of law to foreign citizens, their lives, and their property.

Mr. TILLMAN. Does the Senator first appeal to the law and then to the higher law? Ought we not to confine ourselves to the one or the other and not take both?

Mr. SPOONER. I was not appealing to any higher law when I asserted that, independent of the treaty—and I think my friend the Senator from Colorado [Mr. TELLER], who is a great international lawyer, will agree with me—if there had been no treaty, and our citizens with their property and their families, were resident in a country which was unable or unwilling to enforce law for their protection, it is powerful in and is the power and duty of the Government to use to their protection.

Mr. TILLMAN. I will not acknowledge that, and the Senator need not go over to bend at the senator from Colorado. The point I can not understand is why the Senator first appeals to our treaty rights with Colombia and then, after I had taken to explain the condition which existed after the treaty died by reason of the revolution of Panama from Colombia, and whether the President then had any right under the treaty, he jumps onto the inherent right to protect citizens in jeopardy, and all that kind of thing.

Mr. SPOONER. Mr. President——

Mr. TILLMAN. I am trying to get back to the original legal question as to what were the President's powers and rights with regard to this piece of ground.

Mr. SPOONER. Before the Senator came into the Chamber I acknowledged to show, and I am not going over it again, that under the treaty, which grants to us the right of way or transit and guaranteed to us if Colombia failed to make that guaranty good, there existed in the treaty right the power on our part to utilize it, and I said that if there were no such treaty right, we would have the right to do on the Isthmus just what we have done.

Mr. TILLMAN. Mr. President——

Mr. SPOONER. Now, if my friend—and I rarely object to his interruptions, but I have spoken too long——

Mr. TILLMAN. I do not like to interrupt the Senator. He is tired. I have not done as is for he has been speaking for several hours. I do not want to trespass on his good nature. I merely have a little doubt in my mind as to whether we can take advantage of two points of law here. Either we must confine ourselves to our treaty rights or we must confine ourselves to the general international law.

Mr. SPOONER. Does the Senator doubt our right to utilize the right of way or transit under the treaty?

Mr. TILLMAN. None in the world.

Mr. SPOONER. Very good. If there were no treaty and our citizens had gone there, and they were about to be destroyed, both as to life and property, in a country which did not protect them, does the Senator doubt our right to protect them?

Mr. TILLMAN. None in the world.

Mr. SPOONER. Then what on earth is the difference between the Senator and myself?

Mr. TILLMAN. The difference is that the Senator has not shown yet, and I was trying to get some light in my own mind as to where the legal right lay. I want to ascertain what right the President had to warn Colombia not to land troops within 50 miles.

Mr. SPOONER. I think the President had every right, in view of the history which is in this book, and which, perhaps, the Senator has not read—and if he has not I commend it to him—to warn Colombia, belated and neglectful after long notice, not to land troops anywhere on that Isthmus that would bring about speedily a fight in Colon or Panama or along the line of the railway.

Mr. TILLMAN. Now, Mr. President, if the Senator will allow me, I can not help——

Mr. SPOONER. Just as President Cleveland did in 1885.

Mr. TILLMAN. The point I want the Senator to explain, if he will, is why at this late day he wastes sympathy—I will not say he wastes it——

Mr. SPOONER. I guess I waste it so far as the Senator from South Carolina is concerned.

Mr. TILLMAN. On the Panamaians, or whatever you call them. I will just say the inhabitants of Panama——

Mr. SPOONER. That is all right.

Mr. TILLMAN. If these people were so downtrodden and oppressed or such subjects of sympathy and charity and pity, why did not the United States step forward and say to Colombia, "Here, we are going to take these people under our wing, and we are going to build a canal through that country for our benefit and for theirs too?" Why did we wait until after the treaty had been rejected at Bogota before we found out that those people were so much oppressed, that they were in such a horrible condition of being trampled over and robbed?

Mr. SPOONER. Does the Senator deny that ever since 1885 they were deprived of their Government and all that?

Mr. TILLMAN. I do not doubt it.

Mr. SPOONER. Does the Senator deny that they were brutally oppressed?

Mr. TILLMAN. I do not.

Mr. SPOONER. Does he deny——

Mr. TILLMAN. Mind you, I do not admit it, and I do not deny it, because I have not been there, and I am a little afraid of about the reports that come here. I think there has been a fearful lot of lying done.

Mr. SPOONER. I think myself there has been a good deal. As the Senator will neither admit nor deny it——

Mr. TILLMAN. I will do this——

Mr. SPOONER. Then his answer to my question ought to be, "I do not know."

Mr. TILLMAN. Well, I do not know. But what I want to find out from the Senator, if he is willing to tell me, is why we have manifested an interest this late day, after the treaty has been rejected, that those people at Panama were so terribly oppressed. Now, if you are going to bring a parallel between our interference in Cuba and the great good we did those people, and the situation in Panama, in order to soothe the American conscience in the action that we have taken in Panama, I tell you, Mr. President, that we ought not to play ourselves with ourselves and delude ourselves into the belief that we are doing a great and humane and generous thing in relieving Panamaians from distress and from oppression. If there was not a canal in it; if—as the Senator from Massachusetts has graphically and in a dozen times portrayed the situation—if the big policeman had not been induced by this Government that the time was ripe for action, and had never the Isthmus to the Senator's knowledge, I suppose his contention would meet my hearty approval.

Mr. SPOONER. Now——

Mr. TILLMAN. But with the canal——

Mr. SPOONER. Now I will answer the Senator's question.

Mr. TILLMAN. I will sit down.

Mr. SPOONER. Very well. The Senator seems to be worried about the proposition that we have discussed in this Chamber would be put in connection with the Senator's good friend the people of Panama had been for a great many years grievously——

Mr. TILLMAN. Oppressed.

Mr. SPOONER. With unspeakable brutality and greed and selfishness oppressed. They had if ever any people had ground for revolt. During many years the United States has helped to fasten the shackles upon them and to maintain the tyranny over them. At last they revolted. There came a situation where they were the only governing power on the Isthmus. They established a government. They called it a republic. They adopted the formation of a constitution. They had the only election that has been held on the Isthmus for many many years. Their republic was supported by all the people.

The United States, upon every principle that is dear to us—that spirit and principle which moved us to go to war for Cuba—observing every [illegible] of humanity, [illegible] to have recognized it, but the President should not have done this righteous act because *there was a canal in it*, notwithstanding the only hope of prosperity and happiness for the Isthmians is the canal. Is that it?

Mr. TILLMAN. That is it from our standpoint, but it ought not to be it from the standpoint of high morals or honesty.

Mr. SPOONER. Then, Mr. President, it amounts to this: All that the United States has done down there, that the President has done, has told for liberty, told for righteousness, told for good, and is beyond criticism, worthy of all praise, if the President had acted in violation of the act of Congress and refused, *lest the canal which Congress has commanded him to obtain if he could*, if there is any comfort to the Senator or any of his associates in that logic, they are welcome to it.

EVIDENCES OF STABILITY.

Mr. President, these interruptions, not pertinent to what I was considering, and involving repetition, have taken up too much of my time.

The President found a republic well established, with every reason in the world to regard it as a stable republic. Why? Not only was there no "substantial struggle" progressing on the part of Colombia to reassert her sovereignty, but there was none whatever. None had been prepared or attempted, except as evidenced by the arrival of the 450 men, who quickly sailed away. Colombia, after a three years' war, just ended, was exhausted to the point of ruin, as General Reyes says in his correspondence with Secretary Hay. Probably he had better opportunities for accurate knowledge than Senators have. With 4,500,000 people she had an army of only 10,000 men, as General Reyes says, and probably he knows.

Colombia is absolutely bankrupt. She has no credit abroad, and no [illegible] at home. She has no navy of any [illegible]. She is isolated from the Isthmus of Panama, and General Reyes says: "It is known that there is no overland way to reach Panama with troops from the interior of Colombia." Nor is that all. Colombia has another province, Cauca, the most powerful of her States, is and has been on the verge of revolt. The same thing can be said of Antioquia, and there are others. Already, in order to prevent the dismemberment of Colombia, the Bogota Government has [illegible] and as to how they believe these shall be brought about. (Correspondence, S. Doc. 95, p. 35.)

On the same page will be found a letter, which would be a credit to any [illegible], from General Triana, the commander of a division, and [illegible] of the Department of Cauca, in which General Triana says:

[illegible] know my views. I have expressed them [illegible] of municipal life which does not exist, and of civil and political [illegible] in administration [illegible] on this question.

In the condition she was in at home, Colombia did not dare send sufficient troops to attempt the resubjugation of Panama. The people of the Isthmus had a right to take advantage of the exhaustion and weakness of Colombia, and in considering the question of recognition the President had no right to close his eyes to the same condition.

Nor is that all. General Reyes, in his correspondence with Secretary Hay, recognizes the impracticability of a resubjugation of Panama. He says:

[illegible] *the national unit* it would, without doubt, have asked the mediation of some [illegible] understanding with the *de facto* gov[illegible]

In the same letter he speaks of the true character of the new State of Panama, as he terms it, and [illegible] of the example of the people of the Isthmus, of the "anarchy, license, and dissolution which a future dismemberment might occasion." He ought to know. Nor is that all. In a cablegram from our minister at Bogota, November 7, there comes from the minister of Panama [illegible] worn-out, [illegible] Government [illegible] in many ways should be pitied, the desire to be informed whether—

Also, if the Government of the United States [illegible] Colombia [illegible] XXI [illegible] Colombian Government is entirely unable to suppress the secession movement there.

While Senators here are [illegible] Panama could not have lived a day [illegible] been withdrawn, the Government of Colombia is officially appealing to us to know if we would not suppress the Republic of Panama under the treaty of 1846 in contemplation of the entire [illegible] herself. Who knows best as to the power of Colombia to [illegible] that sovereignty, the Senator from South Carolina or the Colombian foreign minister?

Mr. TILLMAN. Will the Senator allow me to ask him a question?

Mr. SPOONER. I made a mistake. [Laughter.]

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield?

Mr. SPOONER. I do.

Mr. TILLMAN. I have never made any assertion along the line the Senator has just been speaking.

Mr. SPOONER. Then I withdraw the question so far as it relates to the Senator.

Mr. TILLMAN. But I want to ask the Senator, has not Colombia also notified us that if we would reopen negotiations she would ratify the treaty and give us everything we wanted?

Mr. SPOONER. Oh, yes. Colombia rejected the treaty upon the ground that it did not give her what she ought to have within some twenty-five or thirty million dollars; upon the ground also that it violated her constitution. She could not make the treaty with us on the ground also that it diminished her sovereignty by giving us the right to maintain courts of justice there, before which our own citizens and the subjects or citizens of other governments than Colombia sailing over [illegible] appear.

She wanted to give us the treaty, but could not, because the honor of the Government [illegible] would not permit. But the moment she found that the United States would not any longer be her ally in [illegible] that there was a concentrated, well-prepared revolution [illegible] on the Isthmus, and realized her weakness, [illegible] slaughtered, and she would [illegible] would start [illegible] over the [illegible] which [illegible] would give us the treaty just as it had been [illegible].

Mr. TILLMAN. Will the Senator allow me another question?

Mr. SPOONER. Yes, sir.

Mr. TILLMAN. I believe I understand why Panama seceded was because the treaty was rejected. Was that [illegible]?

Mr. SPOONER. If the Senator would only read the declaration of the people of Panama——

Mr. TILLMAN. Oh, we do not want any manifestoes gotten up in New York.

Mr. SPOONER. The Senator does not want anything except to have his own way about [illegible].

Mr. TILLMAN. No; I want to have the right to have my own idea about it.

Mr. SPOONER. Is the Senator willing to ignore as a powerful element operating upon the people of Panama this long-continued reign of outrage and robbery?

Mr. TILLMAN. Now, will the Senator allow me to answer him?

Mr. SPOONER. I have to allow the Senator to answer——

Mr. TILLMAN. My idea about this matter is——

Mr. SPOONER. But I beg the Senator to be brief.

Mr. TILLMAN. The Senator has proved very conclusively that there would have been no secession but for tyranny. But somehow or other that tyranny never came out in the open. We never heard a thing about it until the treaty was rejected. And now the Senator plays us on both prongs. He takes advantage of either side of this issue that is [illegible]. It is either tyranny or it is because the treaty was rejected. Now, the Senator ought to confine himself to one or the other of those issues.

Mr. SPOONER. I have said that the people revolted because of the tyranny, because there was but one ray of hope, one pathway to light out of that darkness, and that was the canal and through it the government [illegible] of the Isthmus, and that when the door was bolted upon that [illegible] together they [illegible] and [illegible] if the Senator from South Carolina had been there he would have been the chief of the conspirators and revolutionists.

Mr. TILLMAN. You have paid me a great compliment.

Mr. SPOONER. When the Senator says I pay him a great compliment, he speaks the truth, and he admits unwittingly the force of all I have said.

Mr. TILLMAN. Lest the Senator's remarks should be taken too broadly——

Mr. SPOONER. It can not be narrow.

Mr. TILLMAN. I want the Senator to recall the fact that I have had some opinions and I have [illegible] in a brief way here, and I spoke of the Colombians as a [illegible] lot.

Mr. SPOONER. You took it back.

Mr. TILLMAN. No; I did not take it back. I stand by it. I have never taken it back. The Senator [illegible] have [illegible] or [illegible]. The [illegible] over Panama. I do not. I simply suggest to the manner in which the United States has dealt with this matter.

Mr. SPOONER. No, Mr. President, rather than consider this revolution as a [illegible] for liberty, as natural as ever [illegible] and [illegible] for it, growing out of years of tyranny, the Senator proposes [illegible] squint-eyed judgment upon the President and [illegible] for it, all [illegible] upon which to base an [illegible] Administration.

Mr. TILLMAN. The Senator discloses his own partisanship in charging motives to his to me. But I want to ask him this question: Suppose Colombia had not listened to the complaint of the governor of Cauca—one of her provinces, a constituent State—would it be our business to go down there and set Cauca up in the business of a republic?

Mr. SPOONER. No, sir.

Mr. TILLMAN. Now, the Senator must confine himself to some limitation somewhere. If it is our business to become a guardian

ad litem for all mixed populations, Latin populations, and others down in South America and below us to the South, the Senator ought to say we should do so; and if it is not, why single out the only one that has a canal and then try to make out that we are honorably getting in the position we are now in?

Mr. SPOONER. If the Senator can not see the distinction between our relations to the Isthmus of Panama for the last sixty years and our relations to Cuba and Aniaquia and other Departments of Colombia, I confess my utter inability to give him light upon that subject.

WHY SHOULD THE PRESIDENT HAVE DELAYED RECOGNITION?

Mr. President, I emphatically assert that when the President found that Government established, with no struggle for its conquest in progress or threatened, exercising sovereignty and jurisdiction throughout the Isthmus, enforcing law, protecting property—independent in fact—it was his right and his duty to recognize it promptly, and the facts do not warrant any man in this country in impeaching either his wisdom or honesty of purpose in so doing.

Now, Mr. President, each state is to decide for itself whether or not and when it will recognize an independent state. It is a matter of policy. It depends somewhat upon sympathy, somewhat upon interest. The question did not present itself to this Government altogether as it did to governments across the sea, which had no such relation to the Isthmus as we had sustained for nearly sixty years.

It was right for the President to act promptly, justified by the sympathy of this people for the downtrodden; by the impossibility of our denouncing the treaty of 1846, of holding Colombia to the enforcement of her guaranty, of continuing to be her ally as an oppressor of the people of the Isthmus. It involved our dignity as a government and the safety of the Republic, as a short canal will double the capacity of our Navy, and enable us to reach more quickly our coast on the Atlantic or Pacific. It involved the Monroe doctrine in more ways than one, enabling us through that short canal to carry more efficiently its protection to the South American republics on the western coast. It subserved the interest of every South American republic. In short, there was every reason of humanity, of sympathy, of international law, of justice, of reparation, of interest, of safety, why he should recognize the independence of the Republic of Panama.

Why should he have waited, and how long should he have waited? The unanimity of sentiment among the nations which followed the example of the United States in this recognition is of itself an overwhelming evidence, from the standpoint of international law, that the President's action was correct under its principles. Seventeen governments proceeded to place the seal of their approval upon the action of the President, as follows:

List of governments which have recognized the independence of Panama, with the dates of recognition.

United States	Nov. 6, 1903	Nicaragua	Dec. 13, 1903
France	Nov. 9, 1903	Haiti	Dec. 14, 1903
China	Nov. 9, 1903	Cuba	Dec. 16, 1903
Austria-Hungary	Nov. 9, 1903	Great Britain	Dec. 18, 1903
Germany	Nov. 9, 1903	Japan	Dec. 19, 1903
Denmark	Dec. 1, 1903	Portugal	Dec. 21, 1903
Italy	Dec. 1, 1903	Costa Rica	Dec. 22, 1903
Sweden and Norway	Dec. 1, 1903	Guatemala	Dec. 28, 1903
Belgium	Dec. 9, 1903		

It is unquestionable that the approval of these nations, whose authority upon questions of international law, should have so little weight with the Senator and Senators who have so bitterly attacked the President in this matter.

THE EFFECT OF INDEPENDENCE.

The moment the Republic of Panama became independent that moment, from the international standpoint, it was as completely free from Colombia as if from the beginning of time the Republic of Panama had existed as an independent nation. Colombia became absolutely a foreign State to the Republic of Panama. Its people are no longer under the Colombian constitution, and what legal result follows from that? The Senator from Alabama argues, and upon my life I can not comprehend such a contention, that Colombia still owns the canal concession and the railway concession, and that neither can be transferred to the Government of the United States without her consent. That is an impossibility, Mr. President, in law.

The moment the Republic of Panama became sovereign and independent it became the successor in sovereignty and proprietorship to Colombia of the railway concession and the canal concession as fully as if she had originally granted them. They are all on territory now a part of her domain. Being independent, Colombia has no more sovereignty over her territory or ownership within her boundaries than I have over the home of the Senator from Michigan [Mr. ALGER] in Detroit. It must be admitted, of course, that so long as Colombia maintained her sovereignty over the Isthmus she retained her rights of property; no longer. All money she received by way of rentals from the railroad concession and for extensions of time to the canal company before Panama became independent are hers. They were rentals and money received by the proprietor during the proprietorship. The ownership by operation of law has changed. It inheres in the sovereignty, and when Colombia lost the sovereignty she lost the ownership, and the nation which acquired the sovereignty acquired the ownership.

Henceforth the Republic of Panama has alone to deal with the canal company and its concession, with the railroad company and its concession. If under the terms of the Wyse concession the canal company property should become forfeited, would anyone contend that it would become forfeited to Colombia, and that Colombia could sell it, with a right to use it, to some other company or government? Upon what theory Colombia could acquire property under the sovereignty of a foreign government in that way it is impossible for me to discover. If this be not true, it follows that although Colombia has lost the ownership which she possessed by virtue of her sovereignty she is entitled forever, if the canal were completed, to collect the rents, and although the canal lies in the territory of another government and under the sovereignty and jurisdiction of that government, it is as alien to its ownership and control as if the Republic of Panama were Great Britain.

The truth is, in my judgment, that the Republic of Panama stands as to both concessions as if "Colombia" were stricken from the original concessions and the "Republic of Panama" inserted. It is for her, not Colombia, now to consent or to refuse to consent to the transfer of the canal concession by the New Panama Canal Company to this Government. It is for her, not Colombia, to grant extensions of time to the canal company or to refuse it. It is for her alone to insist upon forfeitures or to waive forfeitures. Her title is as complete and absolute as if it were derived by grant from Colombia. She owns the territory, and she has acquired it *cum onere*. It is burdened with the canal concessions; a portion of it is burdened with a railway concession. She owns the property subject to the burdens which were on it when it came to her through revolution and independence.

EFFECT OF INDEPENDENCE UPON ARTICLE XXXV.

What else followed the independence of this State, Mr. President? Upon well settled principles of international law I insist that the right granted to the United States by Article XXXV of the treaty of 1846 constitutes in international law a servitude, recognized in the books and in the practice of governments as an international servitude, and that the Republic of Panama upon becoming independent and assuming the territory took it subject to the burdens and liabilities of the treaty so far as they were local in their nature to that territory. In all the references in the books to international servitudes the *right of way* or *of passage* is clearly included. There were some which [illegible] an imperfect right, or "customary privilege," but which when established by contract or treaty become *rights*, and the right of passage or way across a territory is not only a servitude, but is the nature of a *real* servitude.

Hall says:

[illegible]

Mr. HOAR. Will the Senator permit me to remind him at that point that our great fishery rights, if it were otherwise, than he states, would have been extinguished by our revolution on the one side, or would be extinguished if Canada should separate herself from England on the other?

Mr. SPOONER. Of course.

Mr. HOAR. So we are pledged to that doctrine in the strongest manner.

Mr. SPOONER. Of course; but, Mr. President, I must insert the authorities without comment:

A state may limit or qualify its sovereignty and jurisdiction over its territorial property by permitting a foreign state to perform within its bounds [illegible] the right to exercise certain rights of jurisdiction [illegible] to others. Instances of these impairments of the sovereignty of a State are known as servitudes, which may be of the positive or negative. (Taylor, sec. 212, p. 208.)

NOTE.—The term servitude is borrowed from Roman law, wherein it denotes an incumbrance on a dominant tenement for the benefit of a servient one. In order to convey the former into the latter, some kind of contract or stipulation was necessary. (Sohm's Institutes, ii, Title II. *De Servitutibus*.)

A servitude is made to be created only when the parent state is deprived of a portion of its territory which is practically given and permanently dedicated to another. The subject matter is such that its enjoyment does not impair or lessen the territorial rights of any part of the dominant state, so it is not necessary for the dominant state to surrender its sovereignty or any part of its political rights, or to see its territory lessened in extent. Such a change in the political organization, or in the person of the owner, [illegible] applies to dominant tenements, which are the subject of property and treaty engagements, [illegible] *to the* [illegible] *of property*.

In other words, as through states, so also corporate life without interruption, or rights and duties, property and all general benefits pertaining to the corporation, which [illegible] for any change in the corporate [illegible] or secured by a state or [illegible] *to levy no more than* [illegible] (Taylor, sec. 195, pp. 205, 206.)

Servitudes may be classified in various ways. They may be "positive," [illegible] "negative," "personal," "real," "parent" or "appurtenant," [illegible] (Holland's Elements of Jurisprudence, pp. 155, 196. See Kinkel's International Law of Jurisprudence, pp. 245, 246.)

[illegible] International servitudes may be created by express compact, or they may be based on prescription. International servitudes have been defined as [illegible] state [illegible] of another state. [illegible] state which would not be lawful without express [illegible] (Taylor, sec. 212, p. 208.)

[illegible] the most kind of international servitudes, or more [illegible] (Taylor, sec. 212, p. 208.)

[illegible] a state to abstain from exercising any or full jurisdiction [illegible] a specified [illegible] imported by specified foreigners, or on specified forces [illegible]

[illegible] in a state not to set up custom-houses on its territory [illegible] international servitudes of the other class (Taylor, sec. 212, p. 208.)

[illegible] of the troops of another state [illegible]

[illegible] the troops of another state to occupy any [illegible] state; or to allow another state to exercise [illegible] or taxes in such territory, or to organize [illegible]

[illegible] an end—

[illegible]

[illegible] of international abandonment [illegible] (Taylor, sec. 212, p. 208.)

[illegible] the term *servitude* is borrowed from [illegible] (Taylor, sec. 212, p. 208.)

[illegible] sovereignty and independence on the part of the dominant state. [illegible] (Taylor, sec. 212, p. 208.)

A servitude is a right [illegible] (Taylor, sec. 212, p. 208.)

[illegible] (Taylor, sec. 212, p. 208.)

[illegible] (Taylor, sec. 212, p. 208.)

[illegible] by immemorial prescription, [illegible] manner. They may be also created by treaty, by express [illegible] by forcible [illegible] or in [illegible] to do a thing [illegible] or to suffer a thing to be done [illegible] belonging from the [illegible] (Taylor, sec. 212, p. 208.)

[illegible] *Examples.*—The following examples of servitudes created by treaty [illegible]

[illegible] of 1713, between England and France, it was [illegible] Stuart pretenders should not be permitted [illegible]

[illegible] between Spain and France, the possession of [illegible] by treaty [illegible]

[illegible] of 1814 provided that Antwerp was to be an exclusive [illegible] Belgian for troops were to be abolished [illegible] International Law, sec. 12, pp. 53, 54.)

[illegible] troops of war and the like. A new question of this kind has very recently been passed upon by the tribunal to the Suez canal. It said that it could some day have to be decided how far the sovereignty of a country which allows its dependencies a waterway to be used in time of war by its territory is entitled to close it at will. (Holland, Studies in International Law, p. 155.)

245 Martens speaks of treaties which create a servitude of public law [illegible] in favor of one nation within the territory of another. The term servitude is borrowed from the civil law of the Romans, where it was used to denote such things as [illegible] as for instance a right of way across the land of a neighbor. A servitude was distinguished by the Roman jurists from a *right*, and in order to convert a servitude into a legal appurtenant or stipulation to that effect was necessary. "Sed quia valet aliquid jus constituere pactionibus atque stipulationibus in [illegible] debet."

The right of navigation is only an imperfect right, but under certain circumstances a right of navigation may [illegible] a servitude. Thus the maintenance of a river bank by the territorial sovereignty for the benefit of two nations, which neither bank may be allowed to change without the consent of the other, or the use of the river of two nations, without passing over portions of the river which are being farther upstream, or two lakes joined by a navigable river be surrounded by the territory of another nation, and the former may have the privilege of access to the open sea without passing over the territory of the latter nation. Thus the temporary use of the Swiss Confederation is declared in fact, subject to certain conditions, so that, under the treaty of Vienna, [illegible] the navigation of the Rhine, [illegible] to be free to all nations for the purpose of access to the open sea, except by passing over the territory of one other nation.

Again a navigable river may be [illegible] by the territory of another nation, [illegible] Prussia, or occupied by the territory of other nations, as in the North Germany and Prussia provinces of Prussia, [illegible] which [illegible] a right of way across the territory of one nation in favor of another nation [illegible] Wheaton's Elements of International Law, sec. 12, pp. 53, 54.)

[illegible] of war, but which [illegible] the rights of peace. Kinkel has given the following [illegible] of War: Mr. Wheaton [illegible] which there can arise no dispute. (Twiss, Law of Nations, [illegible])

[illegible] or treaty relations of public right, it is meet to make a [illegible]

[illegible] which are [illegible] by the very fact of the [illegible] of an [illegible] law of nations. [illegible] (Twiss, Law of Nations, [illegible])

[illegible] (Twiss, Law of Nations, [illegible])

[illegible] (Twiss, Law of Nations, [illegible])

[

obligation would have been created by the agent of the States as to which it was local. No State under the new government could be permitted to repudiate it, because it would be from first to last its own contract, made by its own agent.

[illegible] were no international doctrines of servitude. When this treaty was made, when this servitude was created, Mr. President, Panama was a sovereign State, a component of a [illegible] upon the Government of New Granada [illegible] and this treaty, so far as [illegible] and the Legal Status Article XXXV, [illegible] Panama—was the treaty of Panama [illegible] New Granada.

Mr. MALLORY. The Senator does not put his position, though, on the fact that at the time the treaty was made Panama was [illegible]

Mr. SPOONER. I do not. It is not necessary. Who contends, Mr. President, on the other side that to-day we have no right of way or transit across the Isthmus? I put the question in the [illegible] that to-day we have no right of way or passage as well as before. It is not seriously disputed. I think, if that right or servitude still exists, it must be because the obligation became transferred to the new Republic, because, being a servitude and a treaty right land in its nature the sovereignty of Panama succeeded to the sovereignty and ownership subject to the burdens.

Now, Mr. President, possessing the right, what follows? Obviously that we must put the price. And what is the price? To maintain the perfect neutrality of the Isthmus, and the rights of sovereignty and property of the Republic of Panama therein. And so it has seemed to the patent. Mr. President, that upon the recognition by the United States on the 6th of November of the Republic of Panama there was in law a [illegible] as to Article XXXV, and as to the consequence, and from that date the Republic of Panama stood as the grantor of the right of transit or passage, and we as her guarantor, as we had been the guarantor of Colombia, as to the Isthmus. In this view the Proclamation the recognition of independence, had not only a perfect right, but a duty, the treaty being the law of the land, to prevent any invasion by a foreign state, which Colombia had become, of the Isthmus of Panama.

Of course senators say it was not the intention of New Granada when she made this treaty that it should ever be turned against her or a successor government. Probably not; but that is not the question. If the territory went to the Republic of Panama burdened with these servitudes, which are created by the treaty, that is the end of the question. It is difficult to conceive it possible that any South American republic could make a treaty without contemplating the possibility of revolution and dismemberment. That is one of the vicissitudes of national life, and in South America it has been one of the habits of national life.

RECOGNITION OF THE REPUBLIC NO APPROVAL OF DOCTRINE OF SECESSION.

Some of our friends on the other side who are opposed to the treaty seem to roll under their tongues as a sweet morsel the assumption that the President, by the recognition of this Republic, has committed himself and the country to the doctrine of secession. I can not believe such a conclusion is serious. The distinction between the revolt of a province of Colombia and the secession of a State from the American Union is too palpable for debate. The contention might answer in a lodge of the lawgivers of the Confederacy, but not among Senators of the United States. It is not worth spending time upon.

The Southern States claimed under the Constitution the legal right to withdraw from what they called a "compact." They insisted that there was no power in the Federal Government to coerce a State to remain in the Union; that she was invested peacefully to withdraw. A great majority of the people of this country stood by the doctrine of Daniel Webster, that ours is an indestructible Union, which can not be dissolved by the action of any State or States. The doctrine of Daniel Webster in his reply to Hayne was crystallized on the field of battle into the national law which holds our States together, indivisible, and to-day is it a greater blessing to the peoples of the South.

The departments of Colombia were powerless to prevent Panama beyond the right of revolution, as did the Southern States, and succeeded, while the latter failed. That is all there is of it.

Mr. TILLMAN. Does the Senator suppose that we would have failed if we had had a big friend like the United States or England or France to come around there and wave an umbrella over us?

Mr. SPOONER. Well, we found a good deal of fault with the said that both England and France gave you. They very promptly recognized your belligerency, and England allowed you to fit out your privateers in their ports to destroy our commerce. But what is the use of going into that? The Senator interrupts me upon points which are not attracting my attention.

Mr. TILLMAN. The Senator brought it up himself.

Mr. SPOONER. I did not bring that up. I brought the Senator up. [Laughter.]

Mr. President, I have finished. It has been far from my purpose to make a personal speech. It has been my earnest wish to support in a helpful, frank and entirely sincere way the conclusions which I have reached. I wish I might have done so with greater power and better [illegible].

Whatever may be said, the independence of the Republic of Panama is an accomplished fact. The recognitions of that fact are irrevocable. The treaty will be ratified, and it is cause for popular congratulation that in the final action upon it there will be no [illegible] on party lines.

The work of canal construction will be speedily inaugurated and pushed with the energy and [illegible] Government to the [illegible] long dreamed of [illegible] by mankind.

It is not [illegible] will be [illegible] November. That [illegible] and will not disturb the [illegible].

[illegible] to hinge if with [illegible] the safe assurance that [illegible] for the South American republics, and for the world [illegible] and the enlarging [illegible] and it will not be forgotten by posterity in praise of [illegible] there has also come, [illegible] law, a new republic, [illegible] liberty, and prosperity. For it will be deserved and will receive not only the plaudits of thoughtful men of our own day, but the grateful remembrance of posterity.

I thank the Senate.

APPENDIX.

[Extracts from President's message of December 7, 1903.]

May 22, 1850.—Outbreak; two Americans killed. War vessel demanded to [illegible]

[illegible] 1850.—Revolutionary plot to bring about independence of the [illegible]

[illegible] 1851.—Revolution in four southern provinces.

[illegible] 14, 1851.—Outbreak at Panama. Man-of-war requested for [illegible]

[illegible] 1853.—Insurrection at Bogota, and consequent disturbance on [illegible]

[illegible] Panama; war vessel requested.

October [illegible] of Isthmus demanded by provincial legislature.

April, 1856.—Riot, and massacre of Americans.

[illegible]

[illegible] 2, 1856.—Conflict between two native parties. United States forces [illegible]

[illegible] 1857.—Attempted secession of Panama.

[illegible]

[illegible] United States forces in consequence.

[illegible] of the United States forces required by intendant [illegible]

[illegible] 1861.—Insurrection and civil war.

April [illegible] Panama.

June [illegible]

March [illegible]

August [illegible] Panama.

April [illegible]

August [illegible]

July 5, [illegible] inaugurated.

August [illegible]

April [illegible]

April [illegible] war which lasted until April, 1877.

June [illegible]

December [illegible]

April [illegible]

June [illegible]

[illegible] attempt.

[illegible] disturbances.

April [illegible] Panama [illegible]

November [illegible]

[illegible] which lasted until April.

March [illegible]

[illegible] 1901.—Revolution.

January [illegible] Revolution.

June [illegible] disturbances.

September [illegible] taken by rebels.

March [illegible] disturbances.

July, 1902.—Revolution.

DEPARTMENT OF STATE,
Washington, November 3, 1903. (Sent 11.18 p. m.)

Message sent to Nashville at Colon may not have been delivered. Accordingly see that following message is sent to Nashville immediately:

"NASHVILLE, *Colon:*

"In the interests of peace make every effort to prevent Government troops at [illegible] from proceeding to Panama. The transit of the Isthmus must be kept open and other facilities. Acknowledge.

"DARLING, *Acting.*"

Secure special train, if necessary. Act promptly.

LOOMIS, *Acting.*

DEPARTMENT OF STATE,
Washington, November 4, 1903. (Sent 12.02 p. m.)

[illegible] gunboat *Boston* and state plainly that [illegible] transit across the Isthmus, as guaranteed by treaties, [illegible] the [illegible] Panama by two days' notice, now or [illegible] Nashville to Panama in the interests of peace.

LOOMIS, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

[Translation.]

NASHVILLE, *care American Consul, Colon:*

[illegible] transit. If interruption threatened by [illegible] of any armed force with hostile intent, either Government or revolutionists, either at Colon, [illegible] Prevent landing, if in your judgment [illegible] prevent a conflict. Acknowledgment is required.

DARLING, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

GLASS, *Marblehead, Acapulco:*

[illegible] Panama. Telegraph in cipher your [illegible] transit. If interruption is [illegible] Prevent landing of [illegible] Government, with hostile intent, either at Colon, [illegible] Panama. If [illegible] of any armed force [illegible] If the Government troops [illegible] Panama. Prevent [illegible] if in your judgment [illegible] prevent a conflict.

DARLING, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

CRUISER ATLANTA, *Kingston, Jamaica:*

[illegible] dispatch to Colon. Acknowledge immediately. When will you sail?

DARLING, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

NASHVILLE, *Colon:*

In the interests of peace make every effort to prevent Government troops at [illegible] to Panama. The transit of the Isthmus must be kept open and [illegible] Acknowledge.

DARLING, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

AMERICAN CONSUL, *Panama:*

[illegible] Colon may not have been delivered. Accordingly see that the following message is sent to *Nashville* immediately:

"NASHVILLE, *Colon:*

"In the interests of peace prevent Government [illegible] at [illegible] transit of the Isthmus must be kept open and [illegible]

"DARLING, *Acting.*"

Secure special trains if necessary. Act promptly.

LOOMIS, *Acting.*

[Translation.]

NAVY DEPARTMENT,
Washington, D. C., November 4, 1903.

NASHVILLE, *Colon:*

[illegible] Panama. [illegible] flag [illegible] Panama [illegible] transit.

DARLING, *Acting.*

[Translation.]

WASHINGTON, D. C., *November 5, 1903.*

BOSTON, *care of American Consul, Panama:*

Prevent recurrence bombardment of Panama. Acknowledge.

MOODY.

NAVY DEPARTMENT,
Washington, D. C., November 5, 1903.

NASHVILLE, *Colon:*

Prevent any armed force of either side from landing at Colon, Porto Bello, or vicinity.

MOODY.

[Translation.]

WASHINGTON, D. C., *November 6, 1903.*

MAINE, *Woods Hole, Mass.:*

Proceed at once to Colon, coaling wherever necessary to expedite your arrival. Acknowledge.

MOODY.

a Same to commander of *Boston* at San Juan del Sur, Nicaragua.

[Translation.]

WASHINGTON, D. C., *November 9, 1903.*

DIEHL, *Boston:*

Upon the arrival of the *Marblehead* sufficient force must be sent on watch movements closely of the British steamers sailed at Bocas del Toro and to prevent the landing of men with hostile intent within limits of the State of Panama. Protect the British steamers if necessary.

MOODY.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After seven minutes spent in executive session the doors were reopened, and at 5 o'clock and 25 minutes p. m. the Senate adjourned until Monday, February 22, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate February 20, 1904.

CONSUL.

Fred D. Fisher, of Oregon, to be consul of the United States at Tamsui, Formosa, vice James W. Davidson, appointed consul at Antung, China.

UNITED STATES MARSHAL.

Trevanyon L. Mathews, of Nebraska, to be United States marshal for the district of Nebraska. A reappointment, his term having expired December 18, 1903.

PROMOTIONS IN THE NAVY.

Lieut. Commander Nathaniel R. Usher to be commander in the Navy from the 4th day of February, 1904, vice Commander Frederic Singer, promoted.

Lieut. (Junior Grade) Louis C. Richardson to be a lieutenant in the Navy from the 24th day of October, 1903, vice Lieut. Edward Moale, jr., deceased.

PROMOTION IN THE MARINE CORPS.

Capt. Ben H. Fuller, United States Marine Corps, to be a major in said corps from the 27th day of December, 1903, vice Maj. Randolph Dickins, promoted.

POSTMASTERS.

ARKANSAS.

James R. Gibson to be postmaster at Hope, in the county of Hempstead and State of Arkansas, in place of James R. Gibson. Incumbent's commission expired February 19, 1904.

INDIANA.

Charles Laramore to be postmaster at Knox, in the county of Starke and State of Indiana, in place of Charles Laramore. Incumbent's commission expired February 19, 1904.

KANSAS.

M. M. Lee to be postmaster at St. Marys, in the county of Pottawatomie and State of Kansas, in place of Henry F. Heisler, resigned.

MASSACHUSETTS.

Thomas F. Hill to be postmaster at Georgetown, in the county of Essex and State of Massachusetts, in place of Stephen Osgood. Incumbent's commission expired March 6, 1904.

William L. Nickerson to be postmaster at Chatham, in the county of Barnstable and State of Massachusetts, in place of William L. Nickerson. Incumbent's commission expired December 13, 1903.

MICHIGAN.

Eugene T. Slayton to be postmaster at Lapeer, in the county of Lapeer and State of Michigan, in place of Eugene T. Slayton. Incumbent's commission expires March 6, 1904.

MISSOURI.

Lauriston H. Condit to be postmaster at Canton, in the county of Lewis and State of Missouri, in place of Lauriston H. Condit. Incumbent's commission expired February 2, 1904.

NEW JERSEY.

George F. Breder to be postmaster at Egg Harbor City, in the county of Atlantic and State of New Jersey, in place of George F. Breder. Incumbent's commission expired December 12, 1903.

NEW YORK.

William C. Collins to be postmaster at Homer, in the county of Cortland and State of New York, in place of William C. Collins. Incumbent's commission expires March 6, 1904.

Clarence L. King to be postmaster at Tupper Lake, in the county of Franklin and State of New York, in place of Clarence L. King. Incumbent's commission expired December 13, 1903.

Frank F. Simpson to be postmaster at Highland, in the county of Ulster and State of New York, in place of Frank F. Simpson. Incumbent's commission expired December 13, 1903.

PENNSYLVANIA.

W. H. Longwell to be postmaster at Oil City, in the county of Venango and State of Pennsylvania, in place of William M. McKim. Incumbent's commission expires March 1, 1904.

James H. Morrison to be postmaster at Marienville, in the county of Forest and State of Pennsylvania, in place of James H. Morrison. Incumbent's commission expires March 6, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 20, 1904.

POSTMASTERS.

CALIFORNIA.

George Brown to be postmaster at Corona, in the county of Riverside and State of California.

CONNECTICUT.

Alfred E. Goddard to be postmaster at Essex, in the county of Middlesex and State of Connecticut.

LOUISIANA.

R. Blanchard to be postmaster at Whitecastle, in the parish of Iberville and State of Louisiana.

MICHIGAN.

Fabius A. Fisk to be postmaster at Colon, in the county of St. Joseph and State of Michigan.

Walter W. Harrington to be postmaster at Northbranch, in the county of Lapeer and State of Michigan.

Charles E. Ramsey to be postmaster at Central Lake, in the county of Antrim and State of Michigan.

MINNESOTA.

Fred N. Corey to be postmaster at Elk River, in the county of Sherburne and State of Minnesota.

Ole C. Enge to be postmaster at Elmore, in the county of Faribault and State of Minnesota.

NEW HAMPSHIRE.

George L. Stokell, jr., to be postmaster at Exeter, in the county of Rockingham and State of New Hampshire.

NEW JERSEY.

Edward Burroughs to be postmaster at Metuchen, in the county of Middlesex and State of New Jersey.

R. Frank Trowsdale to be postmaster at Butler, in the county of Morris and State of New Jersey.

NEW YORK.

Winfield S. Spencer to be postmaster at New Rochelle, in the county of Westchester and State of New York.

Morris A. Wheeler to be postmaster at Churchville, in the county of Monroe and State of New York.

Harry F. Zimmerlin to be postmaster at Lyons, in the county of Wayne and State of New York.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 20, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

REPORT FROM THE COMMITTEE ON INDIAN AFFAIRS.

Mr. SHERMAN, from the Committee on Indian Affairs, reported back the bill (H. R. 12878) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes, which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

Mr. FITZGERALD. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from New York [Mr. FITZGERALD] reserves all points of order.

REPRINT OF BILL.

Mr. CURTIS. Mr. Speaker, I desire to ask unanimous consent for a reprint of bill H. R. 7873.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the reprint of the bill H. R. 7873. Is there objection? [After a pause.] The Chair hears none.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12239) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, with Mr. HEPBURN in the chair.

Mr. FOSS. Mr. Chairman, I yield to the gentleman from West Virginia [Mr. DAYTON] such time as he desires.

Mr. DAYTON. Mr. Chairman, I promise the committee that I will not occupy very much of the time that the chairman has so kindly given to me. It seems to me that it is almost unnecessary to discuss the proposition that this bill, and especially the broad proposition of the necessity of maintaining the naval service of the United States. I listened with a great deal of interest to the speech of the gentleman from California [Mr. LIVERNASH] last night. I was impressed with the earnestness with which he presented the point in behalf of American seamen.

I did not understand him to make the assertion that the conditions he presented were good in any sense that [illegible] the navy of the United States, but that there have been great improvements in the treatment of the enlisted men in the Navy, and the attention of Congress to care for their interests as well as the other needs of the service. I want to call the gentleman's attention to the fact that the American enlisted man in the Navy of the United States today is receiving the largest pay of any enlisted seaman in any navy in the world; that he is given the best rations that is given in any navy in the world; that he is given more and better clothing upon the date of his enlistment than any other seaman in any navy in the world; that we give them besides this the right to go from the lowest rank to the highest in the American Navy; that he can pass through the grades of petty officers' force, through those of the officers' force, to the rank of rear-admiral, if his genius and his ability warrants him to do so.

In addition to that I want to say that under recent regulations, which in my judgment are calculated to create a very great advance in our naval service and in the effectiveness of it, every man aboard a ship of war has opportunity now to drill in the training and the firing of our guns, so that he may become an expert gunner. We have had a good deal of trouble and a good deal of expenditure about this. Any gentleman who will consider the matter and know it is a very easy matter upon land and upon a stable foundation to point a gun at a target with a reasonable hope of hitting it. When you are aboard ship, where you are subject to the fluctuations that come from the rising from the bottom to the crest of a wave, where there is constant motion, the greatest difficulties that the navies of the world have had have been to invent apparatus by which they could aim those guns at a target and be of any reasonable degree of certainty to hit it.

I want to say that your attention has been called by improvements made recently through the work of Lieutenant Commander Sims in naval gunnery, following the researches of Commander Scott, of the English navy, we are now able to accomodate the gun mount to those disturbances which come from the motion of the ship, so that that difficulty is overcome, and in order to encourage the seamen aboard our battle ships every man of them is given the privilege of training himself and learning this system and being able to fire the guns and fire them effectively. No matter from what quarter of the ship he may come, he who shows the greatest proficiency is rewarded for that efficiency, and it makes a part of his record and enables him to advance in the service. As I started to say, the condition of the American seaman aboard the American battle ships, while it may not be ideal, is far ahead of that of the enlisted men under similar conditions in the ships of other countries.

Now, Mr. Chairman, I wish to say a word or two in regard to the general policy of building up the Navy. I congratulate the gentleman from California and the gentleman from Louisiana [Mr. MANN] and others on the fact that we have had a very patriotic policy in regard to the naval service. As the gentleman from Louisiana and the gentleman from California both said, the upbuilding of the American Navy is not a partisan question.

Mr. Chairman, the maintenance and preservation of the United States Navy is a question as broad as the American people, as the nation's honor, and the nation's defense. It includes the protection of every man, woman, and child from the North, from the South, from the East, from the West. It is a question in which all parties can agree.

While we may have differences of opinion as to the method of conducting the service, the character of the ships that may be built, the expenditures of money that may be put in this navy-yard or that navy-yard, the control of the increase of this branch of service, the decrease of that branch of the service, yet the general policy of maintaining the naval service, that is vital to the interests of every man and every woman and every child in this great Republic. Why? Why, 80,000,000 people in this country, naturally trained by its resolutions of the past and by its history, there is no man today who would have fear or would entertain for a moment the question of successful invasion of this country by a land force of any nation on earth. The Minute Men of the Revolution, the volunteers of the civil war, the militia—in other words, the sons of American freedom—would spring up in a night and resist any such invasion; but we have a necessity upon us to defend ourselves at sea because any man who will contemplate the doubt or trepidation that comes to his mind in undertaking a mere visit across the ocean, the seasickness, the dangers that spring from his imagination, tell him that men, in order to defend themselves aboard our vessels, on our ships, must be fitted and prepared for it. Any man who will study the historical facts will find out that in almost every great struggle in the world's history victory has come to the power that controlled the sea.

There are many who believe that the history of Rome would have been different if Hannibal had not been compelled to lead his army through the mountains instead of crossing the narrow neck of intervening sea and thus bringing his troops fresh to the gates of Rome. There are very many who believe that our national independence would not have been possible if it had not been for the assistance of the French fleet on the Atlantic coast. There are many of us who believe that the civil war would not have been prolonged if there could have been that movement by Farragut and his fleet up through the Mississippi Valley, passing the forts and cutting in two the very heart and the very center of the Confederacy. There are very many who believe there never would have been a field of Waterloo if there had not been first a sea fight at Trafalgar.

For these reasons and because of our extended coast, because of our fixed policy of maintaining the Monroe doctrine, because of our determination to build the canal, because of the fact that we have undertaken to control and guide the destinies of the Philippines, Porto Rico, and Hawaii, because we must defend our commerce in all seas and protect our citizens and their rights in all quarters of the globe, it is an absolute necessity for us to look first to offensive demonstration against our Government and defend ourselves on the sea.

Mr. Chairman, I think it was the great statesman, the man of "blood and iron," Bismarck, who said that the best insurance of peace was to be prepared for war. I want to say to you that the best assurance of our safety and our peace, not war, is in the Continental Navy. If we can be assailed at any point, it is upon the sea. If, we have any decision to make, it will be on the sea. We stand today the richest nation in the world. Our population is two or three times that of France, or of Germany, or of England even, if we take England and restrict it to the United Kingdom.

The gentleman from New York [Mr. FITZGERALD], who has so strenuously taken his stand in opposition to the policy of increasing our Navy, has said that it is time for us to define our policy, and in his own mind he has worked out the idea that our policy is to build up a navy equal to that of Germany and possibly to equal England. Suppose that is true. Is there an American citizen to-day who does not believe that if the occasion came we ought to defend ourselves against England or Germany? Is there an American citizen to-day who believes that the old policy of the country of paying tribute, as we did to our shame and to our sorrow to the Dukes of Tripoli, is a proper one, and that we should be more apprehensive of England or Germany than we are of Tripoli? Is there an American citizen today who for one moment would think that because of our failure to prepare for contingencies we should not adopt such an aggressive policy, for instance, as that which England manifested towards us for years and years and which went to the length of search of our vessels and a seizure of our crews of our own ships?

I do not say that any such time will ever come to us; but suppose it should come to us now. Suppose it should come to us now, I say. We have eleven battle ships on the sea. England has [illegible] ships. Where would that great Atlantic fleet be if it were in a contest with a power? Where would we stand in a contest with Germany? Where would we stand in a contest, if it should come to us, in which two or more of the powers were allied against us? Is it possible that we are to depend always upon the kindly feelings of other nations toward us for our defense? In other words, are we to be our own protectors? Are we to maintain it with dignity and with honor, as the history of our country in the one hundred years gone by unfortunately shows we were not always able to do? We stand to-day in that peculiar position where we have our building substantially half erected, and the gentleman from New York [Mr. FITZGERALD] would pause in the finishing of it.

We have a navy, in other words, that is too good to throw away and not big enough in any decisive contest to make complete defense in our behalf. Suppose we shall build forty-eight battle ships, as Captain Pillsbury, referred to and quoted by the gentleman from New York, suggests. Is it more than we ought to have to reasonably maintain our honor, our integrity, and our defense? I wish to direct the attention of the gentleman to the fact that it is a different thing to build a navy to carry on aggressive warfare, to nag or to injure other nations, from building a navy in order to defend ourselves. There are two methods in every man's life by which he can defend himself if he is attacked by another. One is to run away; the other is to fight. But there is still a better method than either of those, and that is to be so strong that his enemy will reconsider and not attack him at all.

Those who advocate the upbuilding of a navy insist that it shall not be done for the purpose of interfering with the affairs of other nations, but for the purpose of securing our peace and our defense. Before I pass to the cost of the maintenance of this Navy in proportion to the other expenses of our Government, and in proportion to the wealth of the country, I wish to direct attention to the peculiar position the gentleman from New York [Mr. FITZGERALD] has occupied in reference to the naval service. I congratulate him that he has always been the friend of that very excellent corps in the Navy, the chaplains; he has always advocated an increase of that corps in order that the religious training may be well taken care of. He has never failed to lift his voice in favor of the upbuilding of that land portion of the Navy which is situated in the city of New York.

No matter what may be proposed for the purpose of repairing the ships or for building new ships in New York, the gentleman has been a strong, an earnest, effective, and I may say successful advocate thereof. But he has further occupied the position that while that land part of the Navy was to be duly and properly taken care of, the very necessity of which is to repair the ships already built or to build new ships, he has on more than one occasion insisted that the policy of building ships was too expensive; that it was unnecessary and contrary to wisdom and sound sense. I have a square proposition to make to the gentleman from New York [Mr. FITZGERALD] if he wants to be patriotic. I admit it, and I regret it, that throughout this country there are too many navy-yards already in existence.

This condition of affairs has come about from a whole lot of circumstances. It has come about from the fact that gentlemen, just like the gentleman from New York [Mr. FITZGERALD], have been very earnest and consistent advocates of their own districts and their own local interests. We can very well afford to cut out some of these navy-yards. The object, the purpose of the Navy of the United States is to defend ourselves at sea, not to furnish employment for either our officers or our men on shore, save to the extent that it may be necessary.

The New York Navy-Yard is worth $25,000,000, and that is the amount carried by this bill, substantially, for the increase of the larger, the fighting ships of our Navy. I will join hands with the gentleman to-day, to-morrow, next year, in selling out the New York Navy-Yard for $25,000,000, leaving us without that station.

Mr. FITZGERALD. Will the gentleman yield?

Mr. DAYTON. I do.

Mr. FITZGERALD. The gentleman would be very glad, would he not, to turn all the naval work into the hands of the private contractors?

Mr. DAYTON. Not a bit of it; not for one moment.

Mr. FITZGERALD. The gentleman's conduct as a Member of this House would lead to that inference, because he has always opposed propositions for work in the Government yards for the benefit of work in the private yards.

Mr. DAYTON. I absolutely deny that statement. There has never been a question on the part of him who is speaking, so far as I know, on the part of any member of the Naval Committee as to the necessity of having these yards, and the necessity of having all the repair work done there. There has been and there is to-day a distinct opposition to building our ships in the navy-yards, first, because the evidence has come from the Department conclusively that the work would be done there at a much greater cost, and secondly, because our yards are necessary to carry on the repair work. That is the reason of the position the gentleman now speaking has taken.

Mr. FITZGERALD. Will the gentleman yield again?

Mr. DAYTON. Yes, sir.

Mr. FITZGERALD. If the gentleman is not so anxious as I have supposed to turn over the work in the Government yards to the private yards, why is he so willing to dispose of what is universally conceded to be the best-equipped yard in the possession of the Government—not by reason of its location, but because it is in fact the best-equipped yard? Why is the gentleman willing to handicap the Government in its efforts to do its own work?

Mr. DAYTON. I have just this to say in reply to the gentleman: We have on the Atlantic coast a Government yard at Portsmouth, established away back in the very beginning of our history—the yard from which went out Paul Jones, carrying the first American flag that was saluted by a foreign power, that flag being borne by a vessel that went down to the bottom of the sea with that flag flying over the hundred and more dead sailors who sank in achieving their victory under Paul Jones on the *Bon Homme Richard*.

We have also a yard established at Boston whose existence goes back to the earliest history of the country. The New York yard was established; the League Island Navy-Yard was established. We have also the yard at Norfork. We have also the yard at Charleston, and we have a yard in Louisiana at the mouth of the Mississippi. I want to say to the gentlemen in regard to these yards that, with the possible exception of one, we have room at each of them to build—to expand for the purpose of carrying on our work. The city of Philadelphia gave to the Government of the United States for the purpose of extending that League Island yard between eight and nine hundred acres of ground. At New York there has never been a day or an hour when there has not been a determined effort to take away from us, if they could, or to get us to dispose of, if they possibly could, what little remnant of a yard we have had there; and we have not room to turn around in that yard. Therefore, I say, we can well dispose of that yard, if the gentleman wants to be patriotic, and thereby cut down the expenses of our naval establishment.

Mr. FITZGERALD. Will the gentleman yield a moment?

Mr. DAYTON. Yes, sir.

Mr. FITZGERALD. The gentleman referred, I believe, to the Portsmouth yard.

Mr. DAYTON. Yes, sir

Mr. FITZGERALD. Was not the gentleman a member of the Naval Committee at the time when that committee authorized or reported an appropriation of $[illegible] to build a dry dock at that yard and afterwards the Government was compelled to expend a million and a half of dollars in order to have vessels get in that dock?

Mr. DAYTON. I was a member of the House at the time the gentleman refers to, and my recollection is that the appropriation was put upon the bill in the Senate [illegible] and passed by the House and the Senate. I want to say to the gentleman, further, that there is a proposition now pending before the committee, as I remember, to [illegible] to improve the New York yard and [illegible] what little [illegible] we have there available for naval purposes.

Mr. FITZGERALD. The gentleman refers to the Charleston yard. Does he not know as a matter of fact that they are just commencing to build a new yard at Charleston and that the report of the Navy, in the hearings this year [illegible] stated that the appropriation was not [illegible] for that yard, that it did not want it, and that [illegible] ing it upon the Department; and if the gentleman from West Virginia is imposed upon by the people who insists he is, why does he not stand up against the insistence of the men who want to spend money in the yards merely for the benefit of their localities? I have never, before the gentleman's [illegible]

Mr. DAYTON. Now, wait a moment——

Mr. FITZGERALD. I have never urged a single item [illegible] for the New York yard that year [illegible] and the statement that I have been [illegible] of the Navy merely for local purposes [illegible] facts. The gentleman can not cite one instance where I have advocated the improvement of that yard in opposition [illegible]

Mr. DAYTON. Mr. Chairman, I can not yield longer.

The CHAIRMAN. The gentleman from New York is out of order.

Mr. FITZGERALD. The gentleman yielded to me.

Mr. DAYTON. I yielded for a question, I said; not a statement.

Mr. FITZGERALD. This is the question I was coming to——[Laughter.]

Mr. DAYTON. But now I will answer your question.

Mr. FITZGERALD. You did not let me ask it.

Mr. DAYTON. You asked your question and then proceeded to make a defense, which you have a right to do in other time than my own.

The CHAIRMAN. The gentleman from New York is out of order.

Mr. DAYTON. Answering the gentleman's question, the Charleston yard was established by the Congress of the United States by putting upon the annual bill appropriations for that yard. Since it was established there never has been a single appropriation for it put upon our bill by the House committee, and the House committee has been in antagonism to the development of that yard. While that is so, we recognize that the co-ordinate body has a right to its view. It has seen fit to establish that yard and it makes the argument the stronger that, if we are to have a navy-yard at Charleston, some of these other yards ought to be weeded out, and I do not see but what New York is about the best one to let go.

Mr. DOUGLAS. Mr. Chairman, I should like to ask the gentleman from West Virginia whether he is really sincere in trying to do away with the navy-yard at New York, or whether he is simply led into the argument by reason of the persistency of the gentleman from New York and the difference of opinion between the gentleman from New York and others on the Democratic side and the gentleman from West Virginia himself? Because if he really wants to do away with the New York Navy-Yard I think we shall be able to give him some facts later on that he will not like to hear concerning that proposition. There are other yards that would be much better done away with—in fact, any other yard in this country.

Mr. DAYTON. I want to say to my friend in all frankness and sincerity that my proposition was made to the gentleman from New York [Mr. FITZGERALD], absolutely believing that we ought to dispense with some of these yards, and that the New York yard could be dispensed with [illegible] as well as any other. I wanted to test his patriotism and his sincerity in reference to this great wave of economy that has come over him.

Mr. DOUGLAS. Then you really do not wish to do away with the navy-yard at New York? That is what I wanted to know.

Mr. DAYTON. Well, I say to the gentleman that my judgment is that the navy-yard at New York could be very well dispensed with; but I do not believe it will be dispensed with.

Mr. DOUGLAS. No; and I do not believe that you want to see it done.

Mr. DAYTON. The point I desire to make, Mr. Chairman, is that it is a different thing frequently to build up our Navy on [illegible] what it is to build it up at sea. The earnest purpose [illegible] of the Navy Department and every member of that committee, so far as I know, is to increase the effective naval force at sea. These yards are a necessity. One thing I am absolutely sincere about, and that is that we have too many of them. I am not going to undertake [illegible] shall be published, nor am I going to [illegible] the Naval Committee [illegible] any of them. I know the difficulties [illegible] land; but I want to sound a word of warning [illegible] of new yards on the [illegible]

Now, another thing. Reference has been made to the fact that this increase of the Navy has brought the naval appropriation bill, if I understand the gentleman's statement, up from [illegible] of fourteen years. [illegible] the result of the [illegible] civil war, when the country was overwhelmed [illegible] when its people in many quarters were in want and [illegible]—and I refer to the Southland, from which I [illegible] it and when the [illegible] did not build up the United States Navy.

We had other things to look after. It was necessary for us to look after other interests and features. Instead of building up the Navy, they said [illegible] and for [illegible] Government service. [illegible] about fourteen years ago have we gone to work systematically and earnestly to get ourselves a fleet on the [illegible] would be an honor and a credit to our country and to [illegible] As a result of it, of course, these expenditures have increased; but we have been able to [illegible] without the country ever feeling it, and the remarkable spectacle of affairs exists to-day that the strongest sentiment for the United States Navy is in those sections away from the [illegible] great Northwest, in the mountain countries like my [illegible] gentleman represents, the State of New York.

Now, as to the cost of it, the Secretary of the Navy, in his annual report, has taken occasion to give us some figures touching what this naval expenditure has amounted to.

Mr. Chairman, by your leave, I will ask the Clerk to read for me the passage which I have marked from this report, including the table given by him, in order that members of the committee may see, after all, that while it is a $100,000,000 appropriation bill, it is substantially for the purpose of defending our honor, our country, and our flag and maintaining our peace. I hope gentlemen will listen to the table, so that they may see how small the actual insurance rate is compared with the wealth and the value of this country.

The Clerk read as follows:

[illegible]

United States devotes to the support of the Navy by ten year periods in the

last century. The whole period shows an average annual expenditure of $0.00123 for each dollar of the valuation.

Years.	Average valuation (computed).	Average naval expenditure.	Percentage.
[illegible]	$[illegible]	$1,686,739	0.00123
[illegible]	[illegible]	[illegible]	[illegible]
1812	[illegible]	[illegible]	.0141
[illegible]	[illegible]	[illegible]	.0152
1841-1850	[illegible]	[illegible]	.0129
[illegible]	[illegible]	[illegible]	[illegible]
1861-1870	[illegible]	[illegible]	[illegible]
1871-1880	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	81,131,690,950	38,695,164	.00047

[illegible] average, $0.00123.

[illegible]

Mr. DAYTON. Now, Mr. Chairman, absolutely for the commerce [illegible] and the peace of this country we pay less than one-thousandth of 1 per cent upon the actual property valuation of this country. Suppose we take it from the commercial standpoint of view. There is not a single man in this House but what knows that the very essence of defense of our commerce is the Navy of the United States; that it is a hopeless thing to attempt to extend commerce and protect it unless we do it by the strong arm of the Government, exercised through its war ships. Let us look at it from the point of view as an insurance premium upon the commerce of the country. Regarding it as such, the naval expenditures would only be twenty-two thousandths of a cent, and when consideration is taken of the cost of insuring the industrial enterprises of our country the members of the committee can see how small, how insignificant, is this rate.

But, gentlemen, I want to call your attention to another thing. These expenditures are not wastes of money; they are investments. Take any railroad of this great country of ours, just the moment it ceases to make betterments of its property, to make investments in improvements, just that soon that great railroad will get the dry rot, so to speak. So it is with our Navy. The respect, the standing that we have abroad and at home depend upon the energy of our people and depend also upon the good, faithful, and prudent sense of our people. There is not a single battle ship that is built but what is worth dollar for dollar what it cost. There is not one vessel of the battle line of ships of this country that can not be sold to-day for every cent that is invested in it. It is true for a double reason. The first, that under our system and under our careful and prudent management of naval affairs we are building ships as cheap as any nation in the world, we are armoring our ships cheaper than any nation in the world, and, second, we are building better ships than any other nation in the world. That has always been our record.

I referred a while ago to the Portsmouth Navy-Yard. Here is another very interesting historical fact in connection with that yard that appeals to us all. Away back yonder in the Revolutionary times we built the *America* at that yard. The French fleet was coming to help us. Four of their ships sailed into Boston Harbor, and the *Magnifique* struck a rock and went to the bottom, and the American Government presented the *America* to the French Government in lieu of that ship. France already had an *Amerique*, and so she changed the name of the vessel presented her by the United States, built at this yard, to the *Franklin*, in honor of that great statesman so popular in France in those days. She went back to France, and in the siege of Toulon this *Franklin* was partially, but only partially, destroyed.

The French rebuilt it and put it in their service, and the ship was the last one to give up at the battle of the Nile, surrendering at half past 1 o'clock at night, when every other ship had surrendered, and the English took it and made the *Canopus* out of it, and Fitzgerald, in his life of Admiral Trion, has said that ship, originating in our shipyard, the product of our American laboring men, was the pattern for fifty years for the English battle ships. It has always been so. We have always had a preference in the building of ships. We have got the better workmen, we have got the better material, and as a result of it there is not a single battle ship to-day that is not worth its money, dollar for dollar. There is another thing about it. You can buy the smaller ships, but you can not buy these ships of the fighting line. Everybody is willing to buy, but nobody is willing to sell.

Mr. DOUGLAS. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. DAYTON. Certainly.

Mr. DOUGLAS. While the gentleman is explaining the bill I would like to ask him if he will not kindly explain to us why the committee has put in here an appropriation of $1,250,000 for two colliers instead of having them built by the merchant marine and used by the Government when the emergency arises?

Mr. DAYTON. I want to say to the gentleman, very frankly, that provision of the bill did not meet my personal approbation. It came as a recommendation from the Department and as a result of the deliberations of the general board. That recommendation included one battle ship, one armored cruiser, three protected cruisers, two scouts, and two colliers, if I remember rightly.

Mr. PERKINS. Will the gentleman yield for a question?

Mr. DAYTON. I will yield in a moment; let me finish this statement. That recommendation came in that form. It met the serious disapproval of a number of the members of the Naval Committee. I personally have never believed in building these smaller ships, or at least I have not favored building them until we got our battle ships completed. Fortunately, Admiral Dewey came up the next day (it was understood he was president of the board), and he told us by all manner of means to build battle ships, that these protected cruisers were substantially of an antiquated type. The insistence was so strong that some of these smaller ships should be built that this bill carries the two colliers, which seem to be a necessity for the purpose designed, and some scout ships, and the protected cruisers were cut out and an additional armored cruiser was inserted.

Mr. DOUGLAS. I would like to ask one more question. I am glad you spoke as you did——

The CHAIRMAN. The gentleman from New York will address the Chair.

Mr. DOUGLAS. I did address the Chair, Mr. Chairman.

The CHAIRMAN. Does the gentleman from West Virginia yield?

Mr. DAYTON. I do; certainly, sir.

Mr. DOUGLAS. I want to ask you further whether, in connection with these colliers, it is intended they shall be simply colliers or will they also carry guns or armament of any kind?

Mr. DAYTON. My understanding is this: I will say to my friend from New York that these colliers are simply to be adjuncts to the fleet in foreign ports, made necessary to convey coal from one port to another, and not to interfere with the merchant marine carrying trade, nor will they carry guns in any way; that they are merely a temporary requirement made necessary for the transportation of coal from one point to another in our foreign service.

Now I yield to the gentleman from New York [Mr. PERKINS].

Mr. PERKINS. I understood the gentleman to say that our Government had constructed men-of-war at a less price than foreign governments.

Mr. DAYTON. No; I did not say at a less price. I said we got our armor plate for less.

Mr. PERKINS. Not ships as a whole?

Mr. DAYTON. I think not; but I think we construct them as cheaply. If I made the statement too broadly, I would modify that by saying we construct them as cheaply.

Mr. PERKINS. The gentleman thinks, then, this Government can construct men-of-war as cheaply as foreign governments?

Mr. DAYTON. Very nearly, if not quite so.

Mr. PERKINS. How is it, then, that when it comes to the merchant marine it is claimed that it is impossible to construct them as cheaply here as abroad?

Mr. DAYTON. I am very frank to say that I am not posted in reference to the question of building up the merchant-marine service, and therefore I am not able to answer the gentleman's question. I do know that under the present conditions—how long they will last I can not say—there is such an intense rivalry and competition in the building of the few ships that the American Navy is building that we are getting them at the very lowest possible price, and it is a common understanding that the last letting of the two smaller battle ships authorized by the last bill—that the contractor can not possibly make a dollar out of his contract. That statement has been made and, I believe, has been conceded. The cost of these ships has been, as I say, reduced in this country to the very lowest figures by reason of the competition existing between shipbuilding interests.

But, Mr. Chairman, I want to pass on to something else in this bill. I have already taken more time than I expected. All the while we are building these ships it is an absolute necessity for us to look to the personnel of the Navy. Five years ago we passed what is known as "the personnel bill." Time has demonstrated its effectiveness, and, I am also frank to say, some of its weaknesses. I hope the time will come when the personnel will not be gauged by mere arbitrary lines, but when it will be gauged by the absolute number of ships we have.

We have still a great dearth of officers; we still have every year to add to the enlisted force. We need some additional legislation to strengthen the engineering force of the United States Navy. It is never to be forgotten that these great ships of war must be taken care of—must be under the control of the men skilled in

mechanics, able to understand the complex machinery that is within them. I admit that the amalgamation of the engineer corps with the line has brought about a condition of affairs where it will be necessary for Congress to make additional provision for the selection of men to fill the places of engineer officers. I hope this may come by a general plan to increase the officers and men in the service, graded according to the number of ships we may have.

A great many other things, it seems to me, ought to begin to occupy and engage the minds of Members of Congress. It seems to me the time has come when the small navies, if you please, under the control of the different Departments in this Government should be concentrated and made a part of the one Navy. I believe the time has come when Congress, for instance, should take the revenue service, the transport service, the Fish Commission service, the light-house service, all these services having to do with the sea, and concentrate them—make one Department responsible for all of our work on the sea.

Mr. Chairman, one other matter: This bill carries with it a provision to build a naval station in the Philippines. I want to say to you that the committee has considered that station and the building of it for several years. In the most earnest and careful way they have gone over the estimates of vast sums that were recommended to be expended in a yard in Subig Bay; they have been cut down and diminished until it seems to me that the members of the committee on both sides, working, as I understand it, in absolute harmony, have brought about a solution of that question that will enable us to defend our interests in the Philippines without its being such an enormous cost as was at first contemplated.

We are building a floating steel dry dock that will be shipped as soon as completed to Manila. It was at first contemplated that it would be placed in Manila Bay. It can well be placed in Subig Bay, and will supply the necessity of building a stationary dry dock at that place at this time. The committee have estimated the appropriation at $800,000 in this bill, and it will enable us to have a proper defense in the Philippine Islands. No matter whether we retain these islands or not, it seems to me it is clear beyond measure that we ought to have a naval station there, and that under any circumstances we will never surrender that right.

I want to call attention to another thing in this bill. It is a remarkable state of affairs that we are drawing into the enlisted force of the Navy from the great Northwest a great majority of our men. We need, and for two years we have been urged by the Department, to establish a naval training station on one of the Great Lakes.

The strongest reasons exist for this. On the occasion when this matter was reported by this committee at the last Congress the provision went out on the point of order. I earnestly hope that this year it will be conceded that this station ought to be established. Let the contest between the different points seeking it be settled on the floor, but let us have this naval station in order that we may better prepare the seamen who come to us from that great section of the country furnishing us with the largest part of our men.

I congratulate the House and I congratulate the committee upon the fact that, in my judgment, in this bill has been presented one with less of discord in it and more of harmony and agreement than any bill that has ever been presented, a bill in the preparation of which all the members of the committee have given earnest and careful attention and hard work. I hope this measure may pass the House as it has been reported. If I had had my way about it, we would have had as large a building programme—that is, five battle ships—as we had last year; but that was not the judgment of the committee, and I am willing to yield to their better judgment. Mr. Chairman, I thank the committee, and I yield back to the gentleman the time that he yielded to me. [Applause.]

Mr. FOSS. Mr. Chairman, I suggest that the gentleman from Louisiana [Mr. MEYER] consume some of his time now.

Mr. MEYER of Louisiana. Mr. Chairman, I yield thirty minutes to the gentleman from Nebraska [Mr. HITCHCOCK].

Mr. HITCHCOCK. Mr. Chairman, from the fate which the distinguished gentleman from New York [Mr. FITZGERALD] has met for raising his voice against extravagance and reckless expenditure I have no doubt that my contribution to this discussion, although it is directed solely at extravagance in naval appropriations, will be construed as an attack on the Navy. This is by no means what is intended.

We have before us a bill appropriating over $96,000,000 for the Navy, and in addition authorizing an increase in naval plans which involves $29,000,000 more to be appropriated at a future time. It seems to me that a man may favor a navy, may favor its reasonable development, and still denounce this gigantic and excessive appropriation.

It is now more than one hundred years ago that our forefathers established this Republic with the idea that we could improve not only on monarchical forms but on monarchical methods. Ours was to be a government of consent, a government to promote peace, establish justice, and to insure the blessings of liberty to the people. It was to permit them to work out in their own way the natural development of their interests, only possible in times of peace, free from the exactions of exorbitant taxation.

And so, Mr. Chairman, we continued in our course for over a century, a nation of peace, in marked contrast to the war-cursed countries of Europe and the tax-burdened monarchies of the Old World. Suddenly, within the last few years, this rage for militarism and empire, for so-called expansion, has come upon us, and we are beset with that old spirit of conquest and war that has dominated every monarchy. I say it without danger of contradiction from any intelligent source that our Republic, in the use of its national revenues, is more wasteful and extravagant than any empire in the world.

This Republic, founded on the idea of consent, founded on the idea of a government by the people, is becoming the imitator of monarchies. Our forefathers sought to give the people relief from taxation, but our Republic is becoming the most tax-burdened nation of the world. We were formerly taught that as little money as possible should be taken each year by the Government from the income of the business men and from the wages of the laborers. Now we are told that patriotism must be measured by appropriations.

Whether we judge our present national expenditure by our former history or by the national expenditure of other nations, we appear in a most unenviable position.

The great Russian Empire, with two and a half times the area of the United States and nearly twice the population, is the only nation in the world that regularly raises as large an amount of money by national taxation as the United States. The total annual revenue of Russia is about $1,100,000,000. But from that must be deducted nearly $400,000,000 not raised by taxation, but flowing from state monopolies and government property, so that the actual amount which Russia raises by taxation is only about $700,000,000 a year. In proportion to the size and population that is a smaller sum than the United States annually raises by taxation from its citizens.

We can hardly compare our annual expenditures with those of Great Britain at the present time, because Great Britain has only just emerged from a most expensive and destructive war. In times of peace Great Britain's national expenditures are less than those of the United States. Nor will it do to explain this by saying that Great Britain has less population than the United States, because the national expenditures of Great Britain are the expenditures for an empire employing a navy three or four times as large as ours and an army numbering ours at least that proportion. While the United Kingdom is smaller in area and less in population than the United States, it must be remembered that it is the seat of power and expenditure for ten times the population and forty times the area of the United Kingdom. It must also be remembered that Great Britain, as the result of countless wars in the past, has a national debt whose interest charge is $100,000,000 a year greater than the interest charge with which the United States is burdened.

If we compare our national revenues and expenditures with those of France, we find that each nation has total revenues of about $700,000,000 a year. Each nation derives nearly $200,000,000 a year of this revenue from sources which are not due to taxation. In the United States the chief of these is the post-office receipts, land sales, and other miscellaneous income of that sort. In France the following items of revenue are not the production of taxation:

France's revenue not the product of taxation.

	Francs.
From State monopolies	[illegible]
From [illegible]	[illegible]
[illegible] revenues from fees, etc.	[illegible]
Recettes d'ordre	14[illegible]
Total	1,093,175,000

Deducting above revenues from total receipts we have the following showing of net amount derived from national taxation in France:

Gross revenues of France.

	Francs.
Gross receipts	3,[illegible]
Sundry receipts not taxes	1,0[illegible]
Net amount from taxation	2,672,486,000

Equal to $534,497,200.

Nor does the above showing correctly represent the amount of "national" taxation in France, for the reason that the French Government, unlike the Government of the United States, expends a part of the national revenues for local purposes. In this way, of the above $534,000,000, more than $50,000,000 are expended for public schools and other purely local matters which are paid for

in America by local taxation. This brings the French total of national taxation down to $483,000,000 a year, which is materially less than that of the United States. And yet France maintains a standing army of over half a million men and a navy larger than ours. France also pays five times as much interest on her public debt every year as we do. This one item alone costs France $120,000,000 a year more than it costs the United States. She has an enormous inheritance of debt from her bloody centuries of war and revolution.

But perhaps the most instructive comparison is the comparison between the expenditures of the United States with those of Germany, that Empire designated by the gentleman who preceded me as a land of "blood and iron." We might expect to find in this Empire of 60,000,000 people, ruled by the iron hand of an ambitious and dominating Kaiser, maintaining a standing army of 600,000 men and a navy ranking third among the naval powers of the world—we might expect to find here, I say, a burden of national tax heavier than in the American Republic. But the fact is otherwise.

Our national taxation exceeds the national taxation of the German Empire by more than $200,000,000 a year. The German Kaiser, with all his ambition and all his lust for empire, inflicts on the German people less taxation than the Government of the United States upon its citizens. Let us look at the figures. The following is a statement which shows the total income of the German Empire for the year 1903. With the classification of those items not due to taxation and those items of revenue not used for national purposes, the table is as follows:

German Government income.
[Expressed in marks.]

	Gross income according to accounts.	Items not taxation.	Items not for national purposes.
Post and telegraph	454,220,100	456,220,100	
Railways	87,879,600	87,879,600	
Some [illegible]	15,866,200	15,866,200	
A[illegible]	41,658,300		
Imperial personal income	49,033,800		
[illegible]	[illegible]		565,856,200
Customs and internal revenue	810,252,900		
Stamp duties	93,098,000		
Public printing	7,906,000	7,906,000	
Sundry other sources	17,406,600		
Total ordinary receipts	2,145,077,700	567,871,900	565,856,200
Extraordinary	199,848,800		
Grand total	2,344,926,500		
Less items not raised by tax	567,871,900		
Balance	1,777,054,600		
Less assignments to States	565,856,200		
Net national taxation	a1,211,198,400		

a Equal to $302,799,600.

The reason for deducting the items of income from post and and telegraph, railways, State banks, and public printing from the gross income is manifest. These items are not taxation. The reason for deducting the items entitled "Matricular contribution of the States" perhaps demands an explanation. The German Empire is composed of a number of States. Under the law of 1879 it was decreed that certain national revenues drawn from all parts of the Empire should be assigned back to the States in proportion to their population. These revenues, as above shown, now amount to 565,856,200 marks per year, and being assigned back to the States and used by them for local taxation, they must of course be deducted from the national expenditures, as they are not a part of the national, but are purely local expenditures.

Without going into detail in the United States, the figures of which are very much more familiar to us, it may be said that our total gross income is $694,621,117. Of this amount the receipts from the post-office, land sales, and other sources should not be counted in national taxation. Deducting these items as we have deducted these items from the German revenues, and converting the whole into American money, we have the following comparative table, showing taxation in Germany and the United States:

	Germany.	United States.
Total gross income	$586,220,095	$694,621,117
Income not national taxation	288,432,095	179,331,411
Amount raised by taxation	302,799,600	515,289,706

It thus appears, as I have stated above, that our national taxation exceeds the national taxation of the German Empire by $212,000,000 a year. Nor can it be said that this is due to the fact that the American Republic has 80,000,000 population, while the German Empire has less than 60,000,000, because the per capita of the taxation is greater in the United States than it is in Germany, and if we equalize the populations we would still be taxing ourselves $85,000,000 a year more than the Germans tax themselves.

Now, what becomes of the vast amount of money which we raise by national taxation in the United States?

We know that it is rushed through here in appropriations each year that this House knows practically nothing about. A few appropriation committees meet in their committee rooms, experts from the Government come to them with figures, and, as a rule, it is those experts employed by the various Departments who are legislating our national appropriations and wasting this money.

More than two dollars out of every five that we now raise in national taxation go for purposes of war—for our Army and our Navy. This time of profound peace is a time of enormous taxation. Our Army and our Navy are absorbing more than two dollars out of every five that you raise from the people by taxation.

The gentleman who just preceded me, and who pleads so eloquently for the contractors who build our ships and furnish the armor, stated that the wealth of this country is so enormous that our national expenditures are insignificant. But he forgets, Mr. Chairman, that the wealth of this country does not contribute these millions of dollars which go to make up this enormous amount of money that we gather in from the people every year. The wealth of the country does not pay that money. We do not tax wealth; in raising our national revenues we merely tax consumption, and, plainly speaking, such taxation is practically nothing but a per capita tax on the population of the United States. The head of every family pays that tax not only for himself and his wife, but for his children. The daily living expenses of every man, woman, and child are increased by the manner in which we raise this money. Our system of indirect taxation increases the cost of food, clothing, and of most of the other necessaries of life. If the wealth of the country were contributing to these enormous expenditures which go into armor plate and war ships I think we would hear more voices raised here in this House for economy and limited expenditure. The fact is that the money is taken from the masses of the people, regardless of their ability to pay, and it is turned over to armor trusts, beef trusts, railroads, and shipbuilding trusts. These and other trusts and great corporations are the ones who get the great chunks out of these gigantic annual appropriations, and we all know it.

On the floor of this House when the bill was before us I asked the chairman of the Committee on Military Affairs why our Army cost so much more than the armies of Europe in proportion to size. He replied that it was because we paid our men more. Well, I began to look over the bill, and I found that the men received about $10,000,000, but that the greatest item in that military appropriation bill of $75,000,000 was over $14,000,000 for "transportation." Of course our transportation companies—the ship companies, and the railroad companies—are in favor of a great army appropriation bill, and of course all the interests that are allied to them are in favor of it. When we turn to this naval bill here, toward the end of it, we find this short item with this enormous expenditure:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized, $[illegible]

What does this mean? It is nothing more nor less than an appropriation of those millions of money for two great armor-plate factories of the United States. They are owned and controlled by the same men, they unite and conspire every time they make a contract with the Government to bid the same price, and we all know it.

In recent litigation in New York City Mr. Schwab, former president of the steel trust and dominant factor in the shipbuilding trust, gave this sworn testimony, which I clip from the New York World:

Q. Were the Carnegie Company and the Bethlehem Company the only two companies that manufactured armor plate?—A. Yes.

Q. After the Government fixed the maximum price for bids, did they continue to ask for bids?—A. I think so, formerly.

Q. They all require bids, don't they?—A. In a sense, yes; they require proposals.

Q. Competing proposals under the maximum price?—A. Not necessarily. It was understood by the Government in Washington, the Navy Department, that all orders should be divided. I understand from the Secretary of the Navy, Secretary Herbert and Secretary Whitney, as well as the Chief of Ordnance.

Q. Don't you know the Government fixed a figure beyond which it would not accept proposals and then asked proposals from these two companies?—A. Yes, I know that.

Q. Prior to 1889?—A. I do know the Government asked the Carnegie people and the Bethlehem people to build new works, and yet they remembered that the Government was the only customer for this armor that these companies would have, and it was understood that the work was to be divided between the two.

Q. That without reference to price?—A. The price to be agreed upon. The first contract, I believe, was the highest.

Q. Don't you know they were expected to be considered not under the same ownership, or not competing ownership?—A. I don't know that.

Q. Do you mean to say the Government contemplated their being owned

by the same individual—during the time the two were in existence don't you know the Government expected those two companies to compete for the work—I know the Government did not. They were working at the same price by arrangement between the Government and the manufacturer.

We know that this armor-plate appropriation in this bill, if it passes, is an authority to the Secretary of the Navy to pay these millions of dollars to the Carnegie steel plant and the Bethlehem steel plant for armor at their own price. We know that these plants do not compete with each other. We know that they have combined in an unlawful conspiracy. We know that they are parts of a trust declared illegal. We know they will charge this Government over $[illegible] a ton for armor plate. We know by the sworn testimony of Government officers published in Senate report of the Fifty-fourth Congress that the cost of manufacturing armor plate at these plants is about $[illegible] per ton. We know by the authoritative report of the former Secretary of the Navy, Mr. Herbert, that both the Bethlehem and Carnegie companies, year after year, have conspired to charge the Government a certain price for armor which has enabled them, after paying large dividends every year, to pay for their plants every five years in addition. We know that when Mr. Schwab, president of the steel trust, and Mr. J. Pierpont Morgan, his powerful backer, put the Bethlehem Steel Company into the stockjobbing trust its enormous capitalization was based not so much on its physical plant as upon its enormous earning capacity, by reason of these fat contracts for Government armor at $[illegible] a ton.

Since 1887 the Government of the United States has contracted for some 95,000 tons of armor at a cost of $47,[illegible], and, practically speaking, this vast amount of money has all gone into the treasuries of the two great conspirators who are so anxious to have the United States continue its policy of unlimited navy expenditures.

The following is a list of all armor contracted for and the cost of the same:

	Tons.	Cost.
Bethlehem Steel Co:		
Contract of June, 1887	6,[illegible]	$4,168,000
Contract of March, 1893	3,889	[illegible]
Contract of June, [illegible]	2,800	1,584,272
Contract of July [illegible] (estimated)	3,965	1,[illegible]
Contract of October, [illegible] (estimated)	1,142	[illegible]
Contract of Nov. [illegible] (estimated)	18,588	7,996,775
Contract of Feb. 2, [illegible] (estimated)	5,780	2,[illegible]
Contract of January, 1904 (estimated)	5,[illegible]	2,360,564
Total	42,499	[illegible]
Carnegie Steel Co:		
Contract of [illegible]	6,054	3,475,000
Contract of [illegible]	3,190	[illegible]
Contract of [illegible]	3,973	1,697,898
Contract of [illegible] (estimated)	3,712	1,484,[illegible]
Contract of [illegible] (estimated)	1,134	[illegible]
Contract of Nov. [illegible] (estimated)	18,588	7,[illegible]
Contract of Feb. 2, [illegible] (estimated)	5,660	2,467,694
Contract of January, 1904	5,268	2,[illegible]
Total	46,605	21,933,351
Midvale Steel Co:		
Contract of Dec. 15, 1903	6,180	2,453,422

It seems to me that it is about time for the Government of the United States to build its own armor plant. Year after year this Congress has appropriated millions of dollars for armor and inserted a proviso that the Secretary of the Navy "might" build an armor plant if unable to make satisfactory contracts with the armor factories. Unfortunately for the people the Secretary of the Navy seems to be easily satisfied. He knows the armor factories are in collusion and conspiracy. He knows they are controlled by the same people. He knows that these combinations are unlawful. He knows from the testimony of naval officers that the Government can manufacture its armor much cheaper than the price it pays. He knows that we pay for these armor plants every five years besides giving them an enormous profit on their capital, and yet he has never seen fit to start an armor plant with the money which Congress has appropriated.

I give notice that at the proper time I shall offer an amendment to the present bill to strike out that part of the proviso which leaves the construction of a Government armor plant "discretionary" with the Secretary of the Navy. I believe that this Congress should direct as well as authorize the Secretary of the Navy to proceed with the construction of an armor plant for the American people. I have here on my desk a great volume called "The Report of the Armor Factory Board," with many valuable technical documents, submitted to the Fifty-fifth Congress and showing, with a great deal of elaboration and detail, that an armor-plate factory could be built for $4,000,000 and armor manufactured at a cost of $300 instead of $450 a ton, which we are now paying to the trusts.

When I offer that amendment I have no doubt many gentlemen on the other side, who think we are against a navy because we are opposed to extravagance, will stand in their places and oppose the establishment of an armor plant for the American people. This has been the case at former sessions, and I think it will be so again. The wealthy exploiters and owners of these armor plants and their associates, who dominate the great trusts and conspiracies that fatten on these appropriations, will make most strenuous efforts to smother such an amendment, and I fear they will succeed.

The Presidential election is at hand, and party leaders in need of campaign funds will no doubt regard the proprietors of these armor plants as promising subjects for campaign contributions as long as they have in hand or in prospect these enormous contracts.

I have said that these armor plants were parts of a trust, and we all know that Congress legislated against trusts. It has placed a great fund in the hands of the Attorney-General—some $[illegible]—to be used in destroying trusts, and after a year or two of inaction the Attorney-General has only found use for $25,000 of this money.

Mr. THAYER. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. HITCHCOCK. Yes.

Mr. THAYER. Will the gentleman tell us how many of the rascals have been convicted up to date?

Mr. HITCHCOCK. Well, it would not take very long to read the list; there is not one.

Mr. THAYER. Outside of the investigations going on in this city of Machen and his compeers, are there any being prosecuted anywhere in the country?

Mr. HITCHCOCK. Not that I know of. I think there are not. Mr. Chairman, the very Government upon whose Congress has devolved the duty of prosecuting these trusts is deliberately making contracts with these same trusts to pay them millions of the people's money. The fact is that this Government knows, this Administration knows, because its officers have testified to it before the Naval Committees, that these profits are exorbitant. This Administration knows these factories are in conspiracy and knows that they are outlaws, but it continues to turn over big appropriations to them and refuses to build an armor plant to be owned by the nation.

Gentlemen have said that the Monroe doctrine is no stronger than our American Navy. That strikes me as a most ridiculous proposition. No gun has ever been fired in defense of the Monroe doctrine. That is a naked fact for you. When the Monroe doctrine was promulgated in 1820 we had little or no Navy, and all down through the time when the United States had found it necessary to reiterate that doctrine it has been a question by the nations of the world. The Monroe doctrine was never endangered except by one thing, and that by the policy of aggression by the United States. The United States can not consistently maintain and defend the Monroe doctrine that European nations shall keep out of this hemisphere, while at the same time we as a Republic are asserting our rights to cross the ocean with our conquests of empire.

Mr. GAINES of Tennessee. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. HITCHCOCK. I yield to the gentleman.

Mr. GAINES of Tennessee. The gentleman very correctly says that we have never shot a gun in defense of the Monroe doctrine, but have we not ourselves shot through the Monroe doctrine by going to the other side of the world?

Mr. HITCHCOCK. I think, Mr. Chairman, that correction will properly stand as part of the record. We have ourselves endangered the Monroe doctrine, and that is the only danger that the Monroe doctrine is likely to encounter. Gentlemen will remember the fact, and the eloquent gentleman from New York called attention to it yesterday, that in 1895, when there was a Democratic President, his Secretary, Richard Olney, one of the ablest Cabinet officers of modern times, wrote his famous dispatch to the Government of Great Britain calling attention to the Monroe doctrine and warning her to keep hands off Venezuela. Gentlemen will remember that at that time the strength of the American Navy, as compared with the strength of the English navy, was far more insignificant than it is at the present time. Yet, was there any question? Was there any danger at that time? In the face of that bold announcement from this side Great Britain, the first naval power in the world, with four times the number of ships and five times the number of guns that we had, bowed to the Monroe doctrine and again acknowledged it by consenting to arbitration with helpless Venezuela.

Mr. GILBERT. May I remind the gentleman of the fact that even after the war of 1812 was declared Commodore Perry took some forty carpenters and went over to Lake Erie and built a navy that destroyed the fleet of England in 1813? We did not send any navy until after the war begun. [Loud applause.]

Mr. HITCHCOCK. There is a great deal of truth in that statement, Mr. Chairman, and as another instance of the same thing, the greatest naval conflict of the civil war—the battle between the *Monitor* and the *Merrimac*—sustains the claim that American genius—and at this time it was American genius on both sides of the Mason and Dixon line—can construct novel and effective means of naval warfare on short notice.

But, Mr. Chairman, I am not arguing against a great navy. I am only arguing against extravagant recklessness—wild, unlimited expenditures for the Navy and Army for the benefit of favorite contractors.

The growth of these war expenditures has been simply prodigious in twenty years.

Do gentlemen ever stop to think that we may deplete if not exhaust the resources of a nation in the time of peace by excessive preparations for war? We have heard of the man who, in preparing to leap a ditch, took such a long running start that he used up his strength before he reached the ditch and fell into it. Nations have done the same thing with war preparations.

Notice the gigantic growth of war expenditures in time of peace. In 1884 our total army and naval appropriations were $[illegible], They were $[illegible] the next year; they were $[illegible] the next year, and so they ran along year by year; but now, with the spirit of war and imperialism upon us, our combined army and navy appropriations practically equal those of Germany or France. Germany, France, and the United States each expend for army and navy about $215,000,000 a year. If we must have a great navy, still we must have a limit to the Navy. A man may favor marriage is a great institution; but because he is in favor of matrimony he is not necessarily in favor of bigamy or polygamy. There is a limit to all good things, and there should be a limit to the Navy. [Laughter and applause.]

I have compared the national expenditure of the United States with the national expenditure of the other great nations of the world. Now let us compare, in tabulated form, the expenditure of our Army and Navy in the United States at the present time with twenty years ago. The following tabulated statement shows the enormous growth:

Army and Navy expenditures.

Year.	Army.	Navy.	Total.
1884	$39,429,021	[illegible]	[illegible]
1885	[illegible]	[illegible]	[illegible]
1886	[illegible]	[illegible]	[illegible]
1887	[illegible]	[illegible]	[illegible]
1888	[illegible]	[illegible]	[illegible]
1889	[illegible]	[illegible]	[illegible]
1890	[illegible]	[illegible]	[illegible]
1891	48,720,065	[illegible]	[illegible]
1892	46,835,496	[illegible]	[illegible]
1893	40,641,773	[illegible]	[illegible]
1894	44,267,600	[illegible]	[illegible]
1895	51,104,559	[illegible]	[illegible]
1896	[illegible]	[illegible]	[illegible]
1897	[illegible]	[illegible]	[illegible]
1898	[illegible]	[illegible]	[illegible]
1899	[illegible]	[illegible]	[illegible]
1900	[illegible]	[illegible]	[illegible]
1901	[illegible]	[illegible]	[illegible]
1902	[illegible]	67,[illegible]	[illegible]
1903	118,619,520	82,[illegible]	[illegible]

The expenditure for the present year will be materially greater than the expenditure for 1903, above given.

Notwithstanding this enormous growth in the past, the present bill not only appropriates over $96,000,000, which is $14,000,000 more than we appropriated last year, but this bill also contains the provision for a programme to construct another battle ship, two more first-class armored cruisers, and other vessels, to cost, with their equipment, in round figures, $30,000,000. In the name of reason, where is the limit to be drawn? This Republic already has under construction a greater tonnage of new vessels than Germany and France combined. When this construction already authorized is finished, the Navy of the United States will have a greater tonnage than that of Germany and almost as much as France. Yet our Committee on Naval Affairs proposes to add still another expensive naval programme, although it is well known that the revenues of the United States will next year fall short of the income from all sources.

The following table shows the strength of the navies of the four great countries of the world, both present and prospective, revealing the fact that we are making an increase of our Navy under present laws equal to the increase being made by Germany and France combined:

Strength of navies, present and prospective.

Country.	Men	Tonnage.	Tonnage in construction.	Total future tonnage.
Great Britain	114,000	1,546,000	351,000	1,897,000
Germany	[illegible]	588,000	[illegible]	[illegible]
France	44,302	558,000	180,000	[illegible]
United States	81,000	295,000	322,000	616,000

The Republic of the United States, by its determination to pile on naval appropriations, will simply inspire and provoke other nations to do the same.

The following table of naval expenditures for four years of four great countries of the world shows how rapidly our expenditures have increased, compared with those of other nations, and the mad race is only just begun:

Naval expenditures.

	1900.	1901.	1902.	1903.
Great Britain	$130,000,000	$140,000,000	$155,000,000	$155,850,000
France	74,[illegible]	[illegible]	62,419,000	[illegible]
Germany	4[illegible]	[illegible]	54,[illegible]	[illegible]
United States	[illegible]	[illegible]	[illegible]	82,[illegible]

Amount proposed by new bill, $96,[illegible].

Great Britain may be excused for her ambition to have a navy twice the size of any other navy in the world. With such vast and scattered possessions to protect, she has legitimate need of one. The United States has no such need. I have said that the wealth of the country was not paying these enormous taxes which we are squandering in a reckless way. On a future occasion I hope to make a few remarks, which I had expected to include at the present time, on the income tax. Unless we incorporate an income tax as a part of the financial system of this nation wealth will not pay its proper portion of the burdens of our National Government. Now they are borne by the masses without regard to ability.

Other nations of the world reach the wealth of the country in their national taxation. France reaches it by a system of direct taxes in various ways. Great Britain reaches it by an income tax, which yields over $160,000,000 a year. Russia reaches it and to some extent Germany reaches it, but the United States inflicts its whole burden of national taxation upon consumption, which is, as I have said above, little different from a per capita tax of every man, woman, and child in the United States, regardless of ability to pay. The brilliant leader of the Democratic side of this House, the gentleman from Mississippi [Mr. WILLIAMS], has introduced a resolution proposing an amendment to the Constitution to enable Congress to levy an income tax in raising national revenues. It might be an interesting discussion, Mr. Chairman, to consider whether we should amend the Constitution in order to get an income tax or enact another bill in the hope of securing a favorable decision from the Supreme Court, but we should secure the income tax in some way. [Loud applause.]

Mr. MEYER of Louisiana. Mr. Chairman, I yield thirty minutes' time to the gentleman from Georgia [Mr. HARDWICK].

The CHAIRMAN. The gentleman from Georgia is recognized for thirty minutes.

Mr. HARDWICK. Mr. Chairman, as well as I understand the sentiment of this side of the Chamber and that of the people whom I have the honor to represent on this floor, they are not opposed to a strong American navy, a navy strong enough to protect the American flag from insult and injury wherever it may float and strong enough to protect American interests wherever they may be [applause]; but I am confident that in this bill, which both sides of this House have practically agreed is a necessity, there is a considerable increase over what would be otherwise necessary, because of the conditions with which we are now confronted. I believe it is undoubtedly true that but for the possession and retention of the Philippine Islands this large appropriation would not be necessary.

It is, indeed, an important fact, worthy of note, of significance to the American people, and pregnant with deep meaning, that in a time of profound peace we are about to make the second largest appropriation ever made for the American Navy, this appropriation only having been exceeded in amount by the appropriation for the year 1865. Now, without making war on the bill, because I believe that under present conditions it is a necessity to have a strong navy, I wish to impress upon the Members of this House, so far as I can, and upon the people of this country why it is necessary for us to have so strong a navy and to spend so much money. In a recent hearing, Mr. Chairman, before the Commit-

tee on Naval Affairs Admiral Dewey gave the true explanation of why the Navy must necessarily be so large. In the first place, he said that it is impossible to fortify Manila Bay, and therefore we are obliged to have a strong navy in the Philippine Islands. Again, he said, and I read from the report of his remarks before the committee, on page 545, where he uses these words:

Some people think in the event of war we had better sell all of them [ships] [that is, the battle ships] and have them all together, and not scattered. That is a question on which a good deal can be said on both sides. My answer to that is I would have enough battle ships to have a good, strong fleet here and one strong enough there also. It might save a war.

In other words, the Admiral of the American Navy, with the truth and candor for which he is noted, has said that we must, as long as we retain the Philippine Islands, have a navy that is not only strong enough to defend us at home, but to defend that exposed and perilous position out there. It means a navy nearly, if not quite, twice as strong as would otherwise be needed.

Mr. Chairman, the retention of the Philippine Islands is not the fault of the party that I represent and for which I am attempting to speak on this floor.

In its last national platform it declared in language unmistakable the true doctrine about these distant insular possessions. I read from the Democratic platform of 1900:

The Filipinos can not be citizens without endangering our institutions [illegible] we can not long maintain our form of government if we should attempt to incorporate into our population the Filipinos, who have been taught to believe that they are capable of self-government, and who have proved themselves able to govern themselves, and who, if they are not given the chance, will be a menace to the peace and good government of the Pacific Ocean, and a constant source of danger to our peace and good relations with the great nations of Europe and Asia. We believe that the Philippines should be given their independence at the earliest practicable moment consistent with their preparation for self-government, and we believe that such a course will be in the highest degree beneficial to the people of the Philippine Islands and to the interests and reputation of the American people. We believe that the Philippines should be given a government modeled after the government established by the people of the United States for the benefit of themselves and their posterity, and we believe that such a government should be established by the Filipinos under the protection of the United States, until such time as the islands may be able to care for themselves, and we believe that such a form of government will be productive of the greatest good to the people of the Philippine Islands, and will be in harmony with the spirit of the Constitution of the United States. We believe that the Philippines should be given to the people who reside therein as soon as a government can be established therein which will discharge the obligations of the United States to the inhabitants of the islands and to the civilized nations of the world, and we believe that such a government can be established and maintained in the Philippine Islands in the near future if the United States will adopt a policy with reference thereto similar to that which it has adopted with reference to the Island of Cuba.

Again, Mr. Chairman, from that same platform:

We reiterate the declaration made by the Democratic party in its platform of 1896, that the Government of the United States has no right to deprive the people of the Philippine Islands of the blessings of liberty and self-government guaranteed by the Constitution of the United States, and we denounce the action of the President in attempting to deprive the people of the Philippine Islands of the blessings of liberty and self-government guaranteed by the Constitution of the United States as a violation of the principles upon which our own government rests and a violation of the principles of government upon which he based his claim to office.

We believe that the Government of the Philippine Islands should be administered for the benefit of the people thereof, and we believe that the people of the Philippine Islands are capable of self-government, and we believe that they should be given the same form of government and the same measure of liberty and self-government which we ourselves enjoy, and we believe that the Government of the Philippine Islands should be administered in the interest

the square efforts of the educated Filipinos who are with us to-day in building up a civil government. For those reasons I think that such a promise as that would be a great mistake.

Mr. HARDWICK. Will the gentleman now yield for a question?

Mr. COOPER of Wisconsin. I will.

Mr. HARDWICK. That is the original report of the Philippine Commission, is it not?

Mr. COOPER of Wisconsin. That is from the testimony of Governor Taft, given in this city a year ago.

Mr. HARDWICK. What is the date of the report of the Schurman Commission from which you read?

Mr. COOPER of Wisconsin. I have not the date of the report here. The extract which I read is in a speech which I delivered in the House.

Mr. HARDWICK. The report was made during the Spanish-American war, was it not, or right about that time?

Mr. COOPER of Wisconsin. It was when that Commission was over there—about four years ago.

Mr. HARDWICK. Now, just one other question. The gentleman, then, is opposed to any declaration [illegible]

Mr. COOPER of Wisconsin. Wait a moment. The testimony of Governor Taft was given less than a year ago here in the Capitol of the United States to a committee of Congress.

Mr. HARDWICK. Is the gentleman familiar with the last state paper of Mr. Schurman on this question?

Mr. COOPER of Wisconsin. I know that the gentleman has had express views upon that subject. [Applause on the Democratic side.]

Mr. HARDWICK. Yes.

Mr. COOPER of Wisconsin. I do not see why gentlemen should applaud that statement.

Mr. HENRY of Connecticut. Because of their enthusiasm.

Mr. COOPER of Wisconsin. It reminds me of an observation of Lincoln in one of his novels. He says that there are some people who contend that they will applaud a statement of a speaker whether they believe it or not. That was true of many of the French newspapers, and seems to be true of some of our friends on the other side.

When interrupted by the applause over there, I was about to remark that I prefer the views of Professor Schurman, associated and sustained by Dewey and General Otis, Denby, and Worcester, many while he and they were at the very scene of conflict, meeting witnesses by the scores and hundreds from day to day, and [illegible] with all the facts, [illegible] any statement made now for any purpose by a single man of that Commission in contradiction of some of these views.

Mr. HARDWICK. Will the gentleman yield to me for one question.

Mr. COOPER of Wisconsin. Just one moment, and then I will yield. Mr. Buencamino, a Filipino, was indeed by getting upon the stand, but who nevertheless was one of the leading Revolutionists of Aguinaldo, and associated with him in the Filipino government, in his testimony before the Committee on Insular Affairs a year ago said:

[illegible] according to my sad experience, not in theory, belongs only to the [illegible] people. [illegible] have our own aspirations and [illegible] in [illegible].

I call the attention of the gentleman from Georgia to this:

The Philippines.

Says this distinguished Filipino—

[illegible] and France and if Russia [illegible] Washington [illegible] in the State Department.

That is in our State Department here—

[illegible] Government for indemnity for [illegible] Washington [illegible] Manila [illegible] Dewey [illegible] Otis [illegible] Aguinaldo [illegible] Dewey [illegible] Otis [illegible] Aguinaldo [illegible] Dewey [illegible] Otis [illegible] Aguinaldo

lation. Yet in legislating for a country more [illegible] populated than Massachusetts, where every acre of arable land is required to support the people and where the masses engage in no other business than agriculture, you would be [illegible] purchaser to acquire that public land in [illegible] quantities, you would be [illegible] by them, and they would have [illegible] me if you can.

It is a [illegible] history of the [illegible]. Your plea has been "but you [illegible] Gentlemen [illegible] of [illegible] "[illegible] [Laughter and applause on the [illegible] side.]

[illegible] we have [illegible] an era when we hear the [illegible] specious arguments in favor of [illegible] the time of the early [illegible] Grant it. What [illegible] is that of [illegible] nine-tenths of all the people of the world are [illegible] government." [illegible] a republic like ours would be impossible. [illegible] that when America proves to you if her ships, [illegible] country, our soldiers need only to say, "Why, these people can not [illegible] are incapable of self-government," to insure a [illegible] to insure a [illegible] the sentiment of an army to [illegible] And under this pretext, and for no other [illegible] [Laughter and applause on the [illegible] side.]

[illegible] the Hammer fell.]

Mr. VANDIVER. Mr. Chairman, I shall not indulge in any [illegible] of the Louisiana Purchase. I have [illegible] for the purpose of developing a few points [illegible] particular bill I ask the attention of the House for a few minutes.

As one of the [illegible] I joined up the expenses of the Government. I [illegible] that they [illegible] I think we might have [illegible] at any price [illegible] [Laughter.]

But [illegible] propriation that I [illegible] for the Navy. I am not [illegible] g up of the Navy and I would [illegible] of [illegible] the time [illegible] a battle ship that may be blown to pieces [illegible] the power to the Far East which [illegible] [illegible] Great Britain [illegible] and the United States. [illegible] a few [illegible] [illegible] a [illegible] [illegible] [illegible]

its construction. In digging the French death ditch, one man-
dred [illegible] every foot of our excavated canal, [illegible] that improved
sanitary methods may reduce the mortality to [illegible] per cent, the loss
of life will be sufficiently great to [illegible]
[illegible] and terminal
[illegible]
[illegible] Lake is [illegible] at 95
[illegible] dam and
[illegible] an, a distance of 40 miles, is expected to
[illegible]
[illegible] into existence with the railway as its Atlantic
[illegible]
[illegible] ns of the engineers, a
[illegible] ove figures of cost at this point
[illegible] r the
[illegible]
[illegible] is a official to Mr. K
[illegible]
[illegible] go of it, s duty will be insisted
[illegible] at a nominal sum the
[illegible] Canal Company through their pro-

motors and the interoceanic railway is through their agents have so thoroughly hypnotized the American people that they have not only lost all moral perception, but have caused them to inflict [illegible] of our greatest economic possibilities.

[illegible] AND PROTECTION OF PANAMA.

[From address of Moorefield Moore, December 5, 1903.]

[illegible] n the
[illegible]
[illegible] and an income of
[illegible] Her two cities
[illegible] ly. A great power is a dangerous subject of a
[illegible] Hay-Herran treaty was an attempt to reach a satisfactory agreement
[illegible] A
[illegible] was
[illegible] would
not prosper [illegible] be prosecuted.
The [illegible] within its ranks, and we have no
[illegible] Republic or their representatives
[illegible] had [illegible] for [illegible] the price
between two great nations [illegible] the [illegible] or
than any man has to [illegible] property at
the price [illegible] to pay for it. As a matter of fact the pro-
[illegible] Colombia over the canal were very
unreasonable. It is [illegible] that [illegible] the [illegible]
"The Hay-Herran treaty was [illegible] First, the
lease was not perpetual, but renewable at long intervals; second, the canal
zone leased was too narrow; third, a conflict of jurisdiction within the canal
zone seemed inevitable by reason of the complexity of the provisions of the
[illegible]
Is it necessary to assume that the Colombians were actuated only by base
motives in refusing to admit their powerful and not too careful neighbor into
their territory until this complexity was removed? When a [illegible] of the
President's policy thus describes the rejected treaty, it is safe to infer that
the Senate of Colombia could give good reasons for refusing to accept it.
With any powerful nation we should have begun fresh negotiations; but Co-
lombia was weak, and a different course suggested itself to our rulers.
Let me state it in the words which President Roosevelt intended to use in
his annual message to Congress:
[illegible] that, as a matter such as this we should finally decide
[illegible] and if the advantages of this route over any other
[illegible] "not to [illegible]
[illegible] rights of such. The French
[illegible] go on with the
[illegible]
[illegible] to help them and protect your
[illegible] and our-
[illegible] to Mr. K
[illegible] go of it, s duty will be insisted
[illegible] ately appreci-
ated by the Government of Colombia and has been followed by expressions

of its satisfaction. * * * The restoration of peace on the Isthmus by the
[illegible] there being accomplished,
the [illegible] States were withdrawn.
[illegible] when there were riots
or [illegible] of her authorities, and always with her
[illegible]
Let us now compare these avowed principles with the recent action of our
Government. [illegible] "not to [illegible]
[illegible] rights of such. The French
[illegible] go on with the
[illegible] an income of
[illegible] Her two cities
[illegible] ly. A great power is a dangerous subject of a
[illegible] Hay-Herran treaty was an attempt to reach a satisfactory agreement
[illegible] A
[illegible] was
[illegible] would
not prosper [illegible] be prosecuted.
The [illegible] within its ranks, and we have no
[illegible] Republic or their representatives
[illegible] had [illegible] for [illegible] the price
between two great nations [illegible] the [illegible] or
than any man has to [illegible] property at
the price [illegible] to pay for it. As a matter of fact the pro-
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[illegible] go on with the
[illegible]
[illegible] to help them and protect your
[illegible] and our-
[illegible] to Mr. K
[illegible] go of it, s duty will be insisted
[illegible] ately appreci-
ated by the Government of Colombia and has been followed by expressions

marines, in addition to her regular crew, and it was reported that she was
sent to Guantanamo, but in fact she went to Colon.
On November 2 the Navy Department cabled to the commander of the
Nashville, at Colon:
"Maintain free and uninterrupted transit. If interruption threatened by
armed force occupy the line of railroad, preventing landing of any armed force
with hostile intent, either Government or insurgent, either at Colon, Porto
Bello, or other points."
[illegible] were sent to the commanders of the *Boston* and *Dixie*,
[illegible] at Acapulco, [illegible]
[illegible] approach to Panama. [illegible] your
[illegible] Maintain free and uninterrupted transit. If interruption threatened
[illegible]

[illegible]

AMERICAN MERCHANT MARINE.

It seems incredible, but it is true, that in spite of our growth in [illegible] years from 3,000,000 of people to [illegible] and weakest of the nations to the [illegible] of nations of the earth, we have at this [illegible]

[illegible] Congress was a tariff bill, with a provision [illegible] for the protection of American [illegible]

A few days later another law was enacted, providing for from 30 to 50 cents a ton as tonnage duties on foreign vessels entering our ports, as against only 6 cents a ton for American built vessels. In 1793 a law was enacted, which is still in force, confining our coastwise trade to American vessels.

At this point I would ask permission to embody an article from the Boston Transcript of January 28, 1904, and also one of January 30, 1904, for a dual purpose—first, to show that even high Republican officials recognize that some means should be adopted to [illegible] our merchant marine [illegible] time to announce its will is opportune:

[illegible]

[illegible] laws to the [illegible] assert that these laws are in fact now self-[illegible] have been framed and passed in the interest [illegible] a few owners, while it was [illegible] ure for which Mr. Marvin's pen is enlisted, the merchants and freighters,

who were eloquent in their objections, were either owners or charterers of foreign ships. Well, are such merchants guilty in that ownership of any crime?

Surely to eliminate these American citizens and merchants, who are conducting American commerce for American consumers of foreign products, would be to remove about all that there is of American commerce except the goods, the ports themselves, and the custom-houses. At the Senate hearing of the 21st instant of remonstrants against the application of our coastwise laws to the Philippine trade appeared, too, the same attempt to attach opprobrium to reputable American merchants who [illegible] foreign [illegible] to American [illegible] or otherwise employ foreign [illegible] to be low-[illegible] some Senators that [illegible] a century in the Philippines are not to be [illegible] as [illegible] but that American merchants who [illegible] business with them are to be classed as foreign shipping houses, and [illegible] Secretary Root, it appears, desires to employ foreign shipping when necessary, as in duty bound, in the public interest.

EX-GOVERNOR TAFT AND THE PHILIPPINES.

In response to the report of the hearings by the collector of customs for the Philippine Islands to [illegible] has reviewed the proposed amendment of our commerce with the Philippines by extending our coastwise laws to American vessels, viz:

[illegible] proposed that measures should be adopted which will [illegible] burden in the way of freights on Philippine products [illegible] or to the [illegible] of American vessels [illegible] adequate [illegible] between the [illegible] and the Philippines [illegible] necessary to promote, direct [illegible] trade. [illegible] At the present time the greater part of the freight [illegible] between the Philippines and New York is carried on foreign bottoms [illegible] law which preserves the coastwise trade [illegible] bottoms [illegible] American foreign vessels are actually available to take up that trade and [illegible] have to report that vessels report in a decided increase over the present rates [illegible] tonnage plying between these ports and Pacific coast ports, due to the present foreign subsidy, and to the [illegible] in the process of [illegible] as trade [illegible] Philippine Islands [illegible] it is [illegible] that the present law [illegible] permit foreign [illegible] trade between these islands [illegible] the United States [illegible] for a period of [illegible] years from [illegible] 1904, and that positive legislation to that effect be had by Congress at [illegible] session.

[illegible] protest against the granting of foreign [illegible] to American vessels [illegible] the coastwise trade of these islands [illegible] the present process of the [illegible] American [illegible] [illegible] The [illegible] of the Pacific [illegible] American [illegible] [illegible] American [illegible] [illegible] American [illegible]

[illegible] and $1,[illegible] for bounty; Great Britain, nearly $[illegible] mail subsidy and about $[illegible] for bounty, including [illegible] Norway, about $50,000 for mail subsidy and about $[illegible] for bounty, and Russia, about $1,[illegible] for bounty. The [illegible] Europe lost [illegible] about $[illegible] annually for mail subsidy and about $8,000,000 annually for direct [illegible] of bounty.

I [illegible] for the reason that it would be a good [illegible] what traffic rates an [illegible]

[illegible] ing in our ocean trade are to-day com- [illegible] and bounties [illegible] hant ships. [illegible] are [illegible] ry, in order [illegible] ers and men, as [illegible] ved by [illegible] in the United States and officered [illegible] or traveler, but at the [illegible]

[illegible] a time in the history of the country when [illegible] Our country is fore- [illegible] rial development. [illegible] and the commercial instinct of our people [illegible] of our [illegible] to eliminate [illegible] by in- [illegible] p of so- [illegible] by our own [illegible] the uncertain and er- [illegible] involved in trouble with [illegible] an at- [illegible] other vessels with [illegible] the Spanish [illegible] when made in 1791, and [illegible] er, 1795—

That ocean going shipping as an [illegible] but as a resource [illegible]

He also said:

[illegible] If there was an advocacy of a sound policy for the Government when this country was carrying 90 per cent of its imports and 77 per cent of its exports, it should appeal to us in thunder tones in the face of our recent naval experiences—our added dangers at a period when we are carrying less than 9 per cent of our imports and our exports.

The only factor in the solution of this is labor, and would be solved by a percentage rebate of tariff on imports carried by American-built and American-manned ships sufficient for them to compete, if necessary, to the limit of rebate permitted by the Dingley tariff.

To work out this problem it might be necessary to prescribe a restricted and limited registry of foreign-built and partially foreign-manned ships for a time. [Loud applause.]

Mr. FOSS. Mr. Chairman, I yield ten minutes to the gentleman from Pennsylvania [Mr. BATES].

Mr. BATES. Mr. Chairman, we have listened this afternoon to two political speeches from the other side. They have both been on the subject of anti-imperialism and have taken decided ground against the retention of the Philippines. I have no thought of inflicting a speech upon the committee, but one thing occurs to me, and it seems significant. It looks as though our friends on the other side were following the advice that has been given them and were "getting together."

Within the last few days ex-President Cleveland has issued a carefully prepared magazine article in which his views are given on current questions, and especially political questions. The New York Sun of to-day and the Chicago Tribune of yesterday interpret his remarks as putting himself in the attitude of a receptive candidate for the Presidency, and they gather from his remarks [illegible] are to be the two cardinal tenets of his political platform on which he would accept a nomination.

Now, I congratulate the gentleman from Georgia [Mr. HARDWICK] and the gentleman from Missouri [Mr. COCHRAN] that they have caught on so quickly to-day, and are following the principle laid down by their distinguished chieftain, who, it seems, is a receptive candidate for the Presidency, and are giving us to-day anti-Philippine speeches.

Mr. GAINES of Tennessee. We have been doing that ever since you have been holding the Philippines.

Mr. BATES. Well, but we have not had one of those speeches for some time. You have often rated us upon the Rialto for having taken them, but now we are found fault with because we do not immediately let them go and make a cowardly surrender. [illegible] I desire, with the permission of the committee, to read a few sentences from an article in the Chicago Tribune of yesterday:

[illegible] AND IMPERIALISM [illegible]

Cleveland [illegible] together two or [illegible] which his own [illegible] in [illegible] assert as the logical [illegible] unfriendly critics [illegible] Our country is fore- [illegible] rial development. [illegible] and the commercial instinct of our people [illegible] of our [illegible] to eliminate [illegible] by in- [illegible] p of so- [illegible] by our own [illegible] the uncertain and er- [illegible] involved in trouble with [illegible] an at- [illegible] other vessels with [illegible] the Spanish [illegible] when made in 1791, and [illegible] er, 1795—

That ocean going shipping as an [illegible] but as a resource [illegible]

He also said:

[illegible] If there was an advocacy of a sound policy for the Government when this country was carrying 90 per cent of its imports and 77 per cent of its exports, it should appeal to us in thunder tones in [illegible] and [illegible] ts, while at the same time sub- [illegible] ve [illegible] ment [illegible] ment [illegible] ment itself.

POLICY AS TO HAWAII WILL FIT PANAMA

One of the first things done by Mr. Cleveland at the beginning of his second [illegible] feature of the second Cleveland Ad- [illegible]

Mr. THAYER. Mr. Chairman [illegible]

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. BATES. I yield to the gentleman from Massachusetts.

Mr. THAYER. What is there in that which you have read that you do not subscribe to?

Mr. BATES. Does the gentleman from Massachusetts ask what there is in that which I have read that I do not subscribe to?

Mr. THAYER. Except dealing gently with the trusts. Of course you do not subscribe to that. You and your party have a record of being rank in your treatment of the trusts and over anxious to enact drastic measures to curb them; but, outside of that one proposition, what is there in that which you do not subscribe to?

Mr. BATES. Speaking of the trusts, I would like to ask the gentleman in turn what his party and the President of his party ever did in the way of dealing with the trusts?

Mr. THAYER. They never had an opportunity. You gobbled the whole thing, and have stood guard against every bill we have introduced, and have seen to it that nothing harmful to the [illegible] see the light of day.

[illegible] will tell you what they did. To make the Sherman Act, of which you say Mr. S[illegible] was the author, but was not any such thing. History will [illegible] it is correctly written.

[illegible] to my question by the [illegible] he will kindly give it. What [illegible] at you [illegible] man he [illegible] exactly what I [illegible]

Mr. THAYER. I heard every word you read, and I su[illegible]

[illegible] I will say to the gentleman from Massachusetts [illegible] which strikes at the protective features of the tariff [illegible]

Mr. THAYER. There is not a word in what you have read that [illegible]

Mr. BATES. It states distinctly that the tariff bill passed in this House formulated by Professor Wilson was a [illegible] toward free trade, and we are certainly on record in every vote and in every [illegible]

Mr. THAYER. Do you think the Wilson bill was a radical step toward free trade?

Mr. BATES. Why, as it passed the House it was; before the several hundred Senate amendments were added [illegible] It came back [illegible] could scarcely recognize it. It was the House measure with the [illegible] reflected the [illegible] of Grover Cleveland. It removed all [illegible] from wool, coal, iron, and lumber; and stripped all protection [illegible]

Mr. THAYER. Then you subscribe to that as true, don't you—that [illegible]

Mr. BATES. I subscribe to the correctness of the statement which I have just read. I believe it [illegible] thoroughly [illegible] to the [illegible] the very last election, in a [illegible] injustice and an unfair [illegible] the [illegible] our people." Tariff reform with him [illegible] ishment that any [illegible] that came to this land when [illegible] can stand up and even by [illegible] suggestion [illegible]

Mr. THAYER. Now, I [illegible] gentleman again, what is there in [illegible] you have read you object to except [illegible] trusts?"

Mr. BATES. I object to a tariff bill which is as radical as the one [illegible] in [illegible]

Mr. THAYER. [illegible] free trade, or that his statement [illegible] trade, or that free trade would follow. He simply favors a change in the tariff [illegible] [Laughter and applause on the Democratic side.]

Mr. BATES. No, sir, I do not, it will bring injury and ruin to the industries of this country or throw 3,000,000 workingmen and toilers of this land out of employment.

Mr. THAYER. I am glad to put one Republican on record.

Mr. BATES. I am delighted that the gentleman is satisfied with my answer. Tariff inequalities must be adjusted when occasion really requires, and will be; but a wholesale slaughter of the very principle of protection will only invite disaster, as has always occurred when tariff schedules have been lowered.

Mr. THAYER. I am glad to hear one honest Republican brave enough to go on record that he proposes to "stand pat" on everything.

Mr. BATES. I did not say that, nor did I rise to go into any elaborate tariff discussion. "Sufficient unto the day is the evil thereof." The gentleman from Massachusetts, a distinguished scholar, known and respected in the State of Massachusetts, or he would not occupy a seat on this floor from a Republican district, knows full well that a tariff bill is a [illegible] measure, just as the Federal Constitution was adopted as a compromise measure. We call that a sacred instrument, and gentlemen on his side of the Chamber are apt to swear by it and think that it is [illegible]

Mr. THAYER. A sort of golden idol, to be worshiped but not to be touched.

Mr. BATES. A "golden idol," that is the word. Yet it was a hotch potch when it was formed, and a compromise measure from the beginning to the end.

Mr. BURLESON. You think it ought not to be observed?

Mr. BATES. No; not that. I only used it as an illustration of how constitutions and far-reaching laws ever come to be formed at all or put into operation. A tariff law can not be formulated, much less enacted, that will in all its features entirely suit every [illegible] or every section of this land. It is not in the nature of things that this could be. It must be viewed as a whole, and [illegible] a narrow, prejudiced standpoint. There must be considered the greatest good for the greatest number, the [illegible] prosperity, and the content- [illegible]

Mr. THAYER. I would like to ask the gentleman another question, if he will allow me.

Mr. BATES. Just a moment. I understand a colloquy took place [illegible] he would be [illegible] and [illegible] Massachusetts. You [illegible] ox is [illegible]

[illegible] control the Executive, the Senate, [illegible]? If you are ever going to do it, why not do it now, un[illegible] fear [illegible] you fear those affected will not allow you to fly [illegible] it out of them.

Mr. BATES. We have been rated here severely this afternoon [illegible] the money to run [illegible] must come from somewhere? [Applause on the Republican side.]

Mr. THAYER. I would take it off some things and add to it on others.

Mr. GROSVENOR. Ask him on what others.

Mr. BATES. Were you not sent here as a protectionist?

Mr. THAYER. [illegible]

Mr. GROSVENOR. I would be willing for you to tell what duties you would [illegible]

Mr. THAYER. It would take a long time to tell on what I would [illegible] and I would rather begin at that end. I [illegible] gentleman from Ohio, What duties would you [illegible]

The CHAIRMAN. The gentleman from Pennsylvania has the floor.

Mr. BATES. Just one further word to my friend from Massachusetts. I want to ask him if he was not sent here as a protectionist Democrat, and that that [illegible] and the [illegible]

Mr. THAYER. I want, in answer to that, to say to my friend [illegible] that I never sailed under false colors since I knew the difference between right and wrong.

Mr. BATES. Will the gentleman now answer my question? I have answered his.

Mr. THAYER. Now, let me answer the gentleman more fully. I was not sent here by reason of particular views I had on any subject, but [illegible] in Massachusetts felt they could trust me to do a thing I thought was right on all questions. I did not come here with any [illegible] on me, but I judge from what I have read and heard from some of you over there you can not say this much.

The people of my district know just where I stand on the tariff question, and let me say to you that most of the protectionists, even, are with me and fully in accord with my views on that subject. I am in favor of national protection, but [illegible] tion, and there is a world wide difference between these two positions. [Laughter on the Republican side.]

Mr. BATES. I am glad to hear it.

Mr. THAYER. I have not changed my mind, either, from anything I have heard or seen here. And, as a rational protectionist, I want to tell you that you can not fool all the people all the time, and I want to tell the Republican party that this is the accepted time and this is their day of salvation, and if they do not now make any attempt to change these schedules, so curiously [illegible] by all classes and all people except the barren [illegible] party will be put in power that will. [Applause on the Democratic side.]

Mr. COOPER of Wisconsin. Will the gentleman allow me to ask the gentleman from Massachusetts a question?

Mr. BATES. Certainly.

Mr. COOPER of Wisconsin. Do I understand the gentleman from Massachusetts to say that he is in favor of any law enacted by Congress for protection purposes?

Mr. THAYER. Of no [illegible] in it.

Mr. COOPER of Wisconsin. Then you are not in favor of protection, are you?

Mr. THAYER. I am in favor of protection, but I am not in favor of any law.

Mr. COOPER of Wisconsin. Then is protection unconstitutional, as your party declared in its platform a few years ago?

Mr. THAYER. I do not know what the party declared in its platform in relation to that matter a few years ago, or what your party declared in its platform a few years ago relative to bimetallism and the silver question. I am speaking for myself. I believe in rational protection, and I am very clear that there should be radical changes in the present schedules.

Mr. COOPER of Wisconsin. You are a Republican.

Mr. THAYER. You were never more mistaken in your life. You politicians and statesmen seem to deceive yourselves with the belief that the only question that divides the two great parties is the tariff question. You are shortsighted. I am not a Republican never was, and, God helping me, never will be. [Applause on the Democratic side.]

Mr. COOPER of Wisconsin. You do not belong over there.

Mr. FOSS. I yield to the gentleman from Pennsylvania (Mr. BATES) [illegible].

Mr. COOPER of Wisconsin (to Mr. THAYER). You are lost, anyway.

Mr. BATES. Mr. Chairman, I [illegible] the gentleman.

Mr. COOPER of Wisconsin (to Mr. THAYER). You are in awful luck.

Mr. BATES. I desire to ask the gentleman from Massachusetts, who has interrogated me, if he has ever in recent years stood on a Democratic national platform.

Mr. THAYER. I usually stand on my own, and the people up my way know it is a broad and honest one.

Mr. BATES. Yes, I thought so.

Mr. THAYER. I do not second anybody's motion very much. A man who can second a motion will usually dare not make one.

Mr. BATES. Now, I desire to read one other extract from the article in yesterday's Chicago Tribune:

During the closing years of his Administration Mr. Cleveland took a firm stand [illegible] Democratic [illegible] were [illegible] Senators of corporate [illegible] New York [illegible] Wall street [illegible] would [illegible] to the [illegible] were [illegible] with [illegible] Lamont and Whitney.

Now [illegible] Mr. Cleveland [illegible] but it was not [illegible] that he would [illegible] was [illegible] the prosperity of the country was [illegible] the Republican [illegible].

I therefore, Mr. Chairman, congratulate the gentlemen on the other side, who have so quickly [illegible] but by ex-President Cleveland in his [illegible] as taken up and commented upon and construed by the leading journals of the country.

Mr. GAINES of Tennessee. Mr. Chairman, will the gentleman yield for an interrogatory?

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. BATES. Yes.

Mr. GAINES of Tennessee. You spoke of Mr. Cleveland issuing certain bonds during his Administration. I will ask you if he did not issue bonds at the beginning of his last Administration for which President Harrison and Mr. Secretary Foster had ordered bond plates to issue when they turned over a bankrupt Treasury to Mr. Cleveland?

Mr. BATES. I have heard that discussed on the floor of this House so often—

Mr. GAINES of Tennessee. Did he not do it?

Mr. BATES. That is denied.

Mr. GAINES of Tennessee. Is it not a fact that the bond plates had been ordered?

Mr. BATES. I have heard it discussed pro and con upon this floor ad nauseam.

Mr. GAINES of Tennessee. Do you deny the fact?

Mr. BATES. I say it is denied, and that neither you nor I are in a position to state authoritatively yes or no on that proposition.

Mr. GAINES of Tennessee. I will state to you that the order was issued to have the bond plates made, and Cleveland had to issue the bonds that your Republican Administration forced him to issue by turning over to him a bankrupt Treasury.

Mr. BATES. Oh, the gentleman is asking and answering the question; I hope he is satisfied.

Mr. COOPER of Wisconsin. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. BATES. Yes.

Mr. COOPER of Wisconsin. But he did that which was never done by Secretary Foster or President Harrison, and that is, the Cleveland Administration sold United States bonds by private secret sale at 104 and a fraction when they were worth 111 in the open market, as was demonstrated by the second sale when forced to do so by Congress.

Mr. GAINES of Tennessee. And there is not an honest Democrat in the United States who does not condemn that, and I am one of those who condemn it.

Mr. BATES. Mr. Chairman, we were precipitated into the war with Spain by the logic of events and the almost unanimous voice of the whole people. The Democratic party were the loudest in their calls for war. The bill voting the President $50,000,000 for national equipment passed in this House unanimously. The North and the South, the blue and the gray, Democrat and Republican, shared alike in the glories of that war. All were thrilled by Dewey's victory, and at the fighting qualities of Schley and Sampson, and Roosevelt of New York, and Wheeler of Alabama. Colonel Bryan left his regiment and came to Washington to urge Democratic Senators to favor the ratification of the treaty of Paris, and now, because this Administration is standing consistently and holding the advantages gained by that treaty, men on this floor to-day find fault and urge that the Philippines be given up.

If our friends are men, manly men and true Americans, as they shared in the glories of that war let them also share the responsibilities which have arisen from the issues of that war and the treaty of peace which concluded it. The Philippines are ours by conquest and treaty, and we have the same right to restore order there and keep order there as Andrew Jackson had to subdue outbreaks in Florida after we acquired it in 1821. It took the fighting qualities of Andrew Jackson for twenty-one years to subdue them, and yet I presume if our friends on the other side had lived then they would have counseled turning over the Territory of Florida to Osceola, the Aguinaldo of the Seminoles.

Mr. Chairman, I again congratulate the gentlemen on the other side in apparently getting together, and in following so quickly the suggestion made by their great and good friend, Grover Cleveland, who put himself upon record in his last Administration by [illegible] giving up Hawaii to Queen Lil, and now favors giving back the island of Luzon to Aguinaldo. [Applause on the Republican side.]

Mr. TOWNSEND. Mr. Chairman, I have very little excuse for rising at this time to address the committee except that it seems to me proper that you should hear from the Cherokee Strip. [Laughter.] Amidst all the noise and outbreaks that have taken place on this side of the House, I wish to assure you that some of us are still on the reservation. [Laughter.] I do not hope at this time to say anything that can greatly enlighten this committee. I do not have any such ambition. I simply presume to occupy a very few minutes for the purpose of expressing a few ideas of a novice in Congress. I shall express myself somewhat upon the way and the manner in which the business has been conducted in this House during the three and one-half months in which the Fifty-eighth Congress has been in session.

I came here, as I suppose every other new Member came, possessed of the exalted impression that these Halls have been honored in our country's history with the presence of many of the world's greatest statesmen, discussing and enacting great measures—came here filled with the idea that I have a duty to the people to perform, that they duly required me, on occasions at least, to rise above partisanship and meet the conditions which were presented to this body. I have learned since I have been here that it seems to be, and, perhaps rightly, the duty of the majority to legislate. It seems to be the duty of the minority to criticise. Now, I say that it is probably well that this is so, because without just criticism a majority would go wrong.

But when I review the fact that during the session of this Congress the only great measures that have been before the House have practically received the unanimous consent of the Members of this body, and yet the great bulk of that three and one-half months' time has been devoted to making speeches for home consumption, to be printed at the public expense and circulated among the people, but not made upon the questions pending nor with a view to changing the opinions of Members, I am convinced that the minority finds its chief duty in making a party issue for campaign purposes. Generally the discussions have had no relevancy whatever to the matters before this House. For instance, when the great Cuban treaty question was before us, it was openly declared on the first day of its introduction that both sides of this House were ultimately to vote in favor of the treaty. And yet for long days every question before the American people during all of the campaigns in the immediate past were discussed with more or less vigor and with more or less inaccuracy as to facts. Amendments were proposed and discussed, which, if adopted by the House, would have required a resubmission of the treaty to Cuba, and thereby have possibly defeated it. To the new Members the discussion by the minority during the pendency of that bill looked like a frantic effort to create campaign material.

Now, again, I take it, gentlemen, that the country has a right to expect that the party in power will fulfill the pledges made in its platform. For while it is true that you can judge of a party by its past as to what it will do in the future, much confidence is placed upon what the party promises to do if it is placed in power.

I propose to say to you, because I think it is absolutely true, that while there have been differences of opinion here about this body upon the questions which have been before us, every single measure that has been presented by the majority in this House during this session has been in accordance with the promises set forth in its platform and by which the party is to be judged, whether it is right or wrong, and for them, after a bitter battle of words, the minority has voted, thereby showing that the majority was reasonably near right in their opinion.

The Republican party pledged certain things for Cuba, and it is fulfilling that pledge. Both parties in the platforms of 1900 declared that the country was in favor of an isthmian canal. The Democratic party in its platform charged the Republican party with going too slowly, and I call your attention to the platform for the correctness of that statement. Since then when the matter has been brought up in this House, not by any direct measure, but incidentally, the President and the Administration have been charged with going too rapidly.

They charged that the President has acted too hastily, and yet I venture the assertion that our friends in the minority would have been exceedingly glad of the opportunity to have made that canal possible by such an opportunity as has been presented to the Republican Administration at this time, and if President Roosevelt had been a Democratic President he would have been exalted by Democrats as a master of diplomacy and wisdom.

We have heard other measures discussed. For instance, to-day and the other day, I heard the gentlemen on this side condemning an appropriation that was in the bill before the House for the fortifications of the insular possessions. They charged that that amount of money ought not to be expended in fortifications in the Philippines, and yet the gentleman from Georgia, in reading the Democratic platform, used these words found in that platform:

We favor the immediate declaration of giving the Filipinos, first, a stable form of government; second, independence, and, third, protection from outside interference.

I ask the gentlemen who are familiar with the facts if they believe that a stable form of government could be established by the Filipinos at this time? I ask them if they believe that without fortifications or without provisions for carrying out the third clause of that statement we would be in a position to meet the promise which the Democratic party made to the people or proposed in its platform?

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Michigan yield to the gentleman from Missouri?

Mr. TOWNSEND. Yes.

Mr. COCHRAN. I will ask the gentleman if he is not aware that prior to the outbreak of hostilities and after our war with Spain, two officers of our service over there, one a naval officer and the other an army officer, traversed the entire island of Luzon, and [illegible] reported that a stable form of municipal control existed in all parts of the island; that the people were happy and industrious; that life and property were safe and good order prevailed everywhere, and, further, if he does not know that that is one of the public documents at this time?

Mr. TOWNSEND. I think probably there is such a document, but I also know, and I think the gentleman must know if he has any friends over there, as he undoubtedly has, that that condition is not the condition that exists in the Philippine Islands, nor has it existed there according to the best authority.

Mr. COCHRAN. If such a condition did exist immediately after the war with Spain and such an organization of society had been effected in so brief a time, is not that an evidence that the Filipino is capable of self-government?

Mr. TOWNSEND. Undoubtedly, if that were true; but it is not true to the best of my judgment and belief.

Mr. COCHRAN. If the public document I speak of has existence, signed by an officer of the marine service and an army officer after examining the thing throughout the islands, is not that some evidence that it did exist?

Mr. TOWNSEND. It possibly may be evidence sufficient for the gentleman.

Mr. COCHRAN. I will ask if the gentleman has anything to contradict that report that is of an official nature?

Mr. TOWNSEND. I have a statement from gentlemen who are in authority there, in whom I have perfect confidence, who have lived there for years, and who have portrayed to me the conditions of the islands and of the people there, and those statements deny that they are in that happy condition of which the gentleman speaks.

Mr. COCHRAN. Oh, that is after three years of war with us.

Mr. TOWNSEND. Yes.

Mr. COCHRAN. Very well; I believe the gentleman now.

Mr. TOWNSEND. Now, other things have been criticised here, and one gentleman has stated positively that the Paris convention would never have been held had it not been for President McKinley. I wish to say that the Paris treaty of which he speaks could not have been ratified had it not been for Mr. Bryan, because it required Democrats to confirm that treaty, and our presence in the Orient is as much due to Democrats as Republicans.

Mr. COCHRAN. Mr. Chairman——

The CHAIRMAN. Will the gentleman yield?

Mr. TOWNSEND. Well, just for a question.

Mr. COCHRAN. Just one further question. I will ask the gentleman if at the time that treaty was pending in the United States Senate repeated disclaimer of an intention to permanently occupy those islands by conquest was not made by those in authority in the United States Senate?

Mr. TOWNSEND. I know of nothing now to dispute that. I know of nobody who wishes to have perpetual or continuous possession over there. I do not speak for the party. I do not pretend to speak for the party.

Mr. COCHRAN. Has anybody ever spoken for your party on that subject?

Mr. TOWNSEND. I say that condition does not exist where the American Government can leave those people where they were before. Furthermore, it is the condition that confronts us to-day which we are now talking about. That condition exists, and I ask the gentleman if he believes that the Democratic party would be in a position to carry out its pledge to protect those people against the world if we were to remove our influence and our control there in the government?

Mr. COCHRAN. I believe a declaration on the part of the United States that any unfriendly act to them would be regarded as an unfriendly act to us would protect them without firing a gun in a hundred years.

Mr. TOWNSEND. Very well; but here we stand with the Philippine Islands in a very hotbed of international strife, and we have pledged to protect them against all outside interference, and yet, under the Democratic policy, we are to withdraw all authority and retain all responsibility of protecting them as a nation against encroachments or invasions, against all troubles, whether from without or from causes originating in the islands due to the ignorance or vice of their people. Such a policy would not decrease our responsibilities or troubles, it would vastly increase them.

Mr. COCHRAN. If that statement is true, that is, if our Government expended five hundred millions, and all for only one thing—to project us unnecessarily into international strife?

Mr. TOWNSEND. Mr. Chairman, I did not rise for the purpose of entering into this discussion, but simply to give some suggestions as to the way the work has been done and the impressions that have been made upon me during the three and a half months that this Congress has been in session. I do not know how money has been expended for the purpose mentioned by the gentleman from Arkansas. The extension of a war for humanity led us into the Philippines, and there has never been a time since when we could shirk our duty and abandon the islands. The problem of humanity is being worked out and a Philippine republic will be the ultimate result in spite of all opposition from the minority in the American Congress, made for campaign purposes only.

I have learned, at least from my standpoint, that the position of our Democratic friends as to what Democracy stands for now is [illegible] we have known it to be in the past.

[illegible]

Mr. FOSS. I will yield the gentleman more time if he desires. How much more does he wish?

Mr. TOWNSEND. If the gentleman will let me have ten minutes I will try not to use it all.

Mr. FOSS. I will.

The CHAIRMAN. The gentleman from Michigan is recognized for ten minutes.

Mr. TOWNSEND. I wish to say that I do not stand here as a [illegible] leader. I do not want to be understood as such, for I have received good humor and much pleasure in my association with the gentlemen of this House on both sides and I have learned there are honest and sincere men here, and that is the general rule; but I am simply trying to express to some of the ideas that have come to me in a short experience in this Congress.

I want to know I know what Democracy stands for. I find here that it stands for various things. The gentleman from Massachusetts who interrupted the gentleman from Pennsylvania said that he stood on no platform except his own. It seems to me there are many who stand on their individual platforms, and that is right on occasions. But the people of this country have a right to know where any party which seeks to control the affairs of this Government may stand. A distinguished Member of this House writes in one of the magazines an article which, coming from the source it does, seems to me to indicate that it has some what of an official character. Now, I may not understand his language, but I read on page 183 of Everybody's Magazine for February, 1904, in the first column, these words:

"The American farmer would find a [illegible] of the prosperity of the present [illegible] the farmer would sell more at a [illegible] the prices he paid for manufactured articles. [illegible] the same price heretofore obtained for him."

I have discussed that language with others and have come to this conclusion. The writer admits that the price of the products which the farmer would sell must be reduced, but he must sell larger quantities in order to maintain his profits.

Now, gentlemen, if I remember rightly, in the campaign of 1896 especially, the cry was that the products of the farm were too low, and our Democratic friends charged it up to the financial policy of the country. Here is a proposition which is announced, it seems to me, by the leader of the others in that campaign, in favor of the policy which would reduce the price of the products which the farmer produces or raises, and many farmers believe that they are working their farms almost to the limit now.

If this is Democracy, if that is the policy that his party believes in, it is right that the country should know it and should understand exactly what it means.

Mr. [illegible] I stated to say that I believe the Republican party has fulfilled its pledges, so far, at least, that it is conducting itself in a way thoroughly indicative of the fact that it intends to carry out those pledges. It has kept faith with Cuba. It has put itself in a position to dig the isthmian canal. There is not any question about that, notwithstanding what is said, and everybody will admit that it is right when the years have gone by and the opportunity to make a political issue out of the question has passed and gone forever. This is a measure which all the people have wanted, and it is a measure that the President of the United States has made possible.

Mr. THAYER. [illegible]

The CHAIRMAN (Mr. HEPBURN). Does the gentleman from Michigan yield?

Mr. TOWNSEND. Well, just for a question.

Mr. THAYER. Only a question. I understand the gentleman to say in effect that the Democratic party was attempting to make an issue on the building of the Panama Canal. Upon what fact does the gentleman base that statement? Is it not true that the Democratic party represented in Congress is wholly responsible for the building of that canal?

Mr. TOWNSEND. That may be; but I notice that the leader on your side was very much afraid that from the speeches that had been made in this House the position of his Democracy would be misunderstood, and he took every occasion to say, "We are in favor of the canal." So I say, judging from the speeches that have been made on this floor, your statements warned your leader.

Mr. THAYER. Well, he is all right.

Mr. TOWNSEND. Yes, he is all right.

Mr. THAYER. The gentleman claims that our "leader" was attempting to enforce upon the attention of this House that we were not opposed to the building of the canal.

Mr. TOWNSEND. Yes, sir.

Mr. THAYER. Then why do you try to make an issue on the building of that canal? Our only criticism has been that upon the Executive for acknowledging the Panama Republic before it was born. We have not been, so far as I know, opposed to the building of the canal.

Mr. TOWNSEND. But it seems to me, if you were all so heartily in favor of the canal—if you are sincerely in favor of it——

Mr. THAYER. I am——

Mr. TOWNSEND. Then, it seems to me, and there can be no other construction put upon this matter, you would have voted for it without discussion. But you have spent your time, the Democratic Senators have been spending their time in trying to impress upon the people that the Republican party and you can take the credit for having provided for the construction of that canal.

Mr. THAYER. Can you not conceive the position of a man who thoroughly believes in the [illegible] and believes that it is the duty of the Executive to [illegible] the independence of republics under proper circumstances [illegible] wrong to suppose that in that case [illegible] the Republic of Panama so soon as it did? Can you not conceive of a Member of the House occupying that position?

Mr. TOWNSEND. I can; and in answer to the gentleman I will ask him [illegible] gentleman [illegible] the Democratic side of the House?

Mr. THAYER. I presume so; it was true, too.

Mr. TOWNSEND. And is it not a fact that you are condemning the Administration now for going too fast? [Applause on the Republican side.]

Mr. THAYER. Not for going too fast in building the canal. The gentleman does not seem to differ [illegible] and the beginning of the canal.

Mr. TOWNSEND. [illegible] had not acted fairly and honestly in the construction of the canal? [Applause on the Republican side.]

Mr. THAYER. It is simply to call [illegible] upon the fact that the American people were in favor of the canal, and that any means [illegible] to that end would be excused. [illegible]

Mr. TOWNSEND. I will ask the gentleman from Massachusetts if it is not a fact [illegible] people and every one of the [illegible] President has been criticised by the Democratic party [illegible] the transaction at Panama? [Applause on the Republican side.]

Mr. THAYER. I do not understand that [illegible] been disputed that the [illegible]

Mr. TOWNSEND. Wait a minute; do not make too many [illegible]

Mr. THAYER. It has not been disputed that we sent our war ships [illegible] prevent Colombia from landing her troops [illegible]

Mr. TOWNSEND. [illegible] bia that ever asked or [illegible] to keep [illegible]

Mr. THAYER. [illegible] we not pledge ourselves to help Colombia sustain her sovereignty?

Mr. TOWNSEND. As a [illegible]

Mr. THAYER. Did we [illegible] that stood in the way of [illegible] unimpeded the transit across the Isthmus?

Mr. TOWNSEND. And [illegible] Government [illegible] Democratic side.]

Mr. THAYER. Why [illegible] ia to land her own troops [illegible]

Mr. TOWNSEND. [illegible] by allowing her to land troops the [illegible] as would have been impeded. [Applause on the Republican side.]

Mr. THAYER. That is, her own people could not come there

to put down an insurrection without impeding the transit. That is the [illegible]

Mr. TOWNSEND. Well, that matter has been discussed, and I leave it to the record. I leave it to the judgment of an intelligent people to say whether or not the President acted within constitutional limits, and whether he took constitutional means, and whether he acted in accordance with the wish of the American people and with the demands of humanity. [Applause on the Republican side.]

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. FOSS. I will yield to the gentleman from Michigan all the time that he desires.

Mr. TOWNSEND. Owing to the many interruptions my remarks have consumed more time and taken a different trend from what I had intended, but by the courtesy of the gentleman from Illinois and of the House I will briefly conclude, and before I leave this phase of the Panama question, which the gentleman from Massachusetts has injected into the discussion, I wish to say to him and to his party that neither he nor they can divert the country's attention from the fact that the premature [illegible] on the action of the Administration in the matter [illegible] the President had recognized a republic "before it was born," because that is not a fact. It had been born in full season, and was properly christened. It was older, in fact, than was the great French Republic when the United States recognized it.

No; that was not the reason for all these many weeks of abusive and misleading oratory in both branches of the Congress. The real object was to try to impeach the action of the President by calling attention to other matters, hoping to find something that would detract from the great, the supreme, service he has rendered the United States, and he be [illegible] but these efforts have miserably failed, and President Roosevelt will go down in history as the man who accomplished in a few days what the nation had been asking and striving after for a century.

But the gentleman insists that he is for the canal, yet condemns the way it was brought about. He is willing—yea, anxious—to participate in the result of the wrong, but condemns the one who did the wrong. He forgets that the partaker is as bad as the thief; and, by the way, that reminds me of another peculiarity of the minority of this House. I have heard righteous indignation expressed in fervid speeches over and over again at the extravagance of certain appropriations, but I have yet to learn of one of the gentlemen who refuses to accept appropriations for his district or who is not insisting that the expenditure of the money in his district is a necessity.

There was [illegible] question. It seemed to me that a [illegible] gentleman [illegible] the result of the action of the House in that matter. I may be wrong, but I thought I could detect a disposition on the part of some of the minority to play a little politics. There [illegible] an opportunity for the Republicans [illegible] the transaction. [illegible] their approval and at the same time their pockets would contain the same people's money.

I recall also the attitude of the minority the other day when the vote was taken on the appropriation for [illegible] I really thought I could [illegible] and trembling lest the amendment to strike out had carried, and I was sure of that fact when, after the amendment had been defeated by a tie vote, the yeas and nays were not called for. Can [illegible] a really meritorious measure was [illegible] Now, [illegible] that [illegible] did you credit, for it showed that while [illegible] to play politics for all it is worth, you are still patriots at heart.

[illegible] and while forced to admit [illegible] in so [illegible] yet [illegible] the Republican [illegible] we [illegible] I have failed to learn of [illegible] that minority would [illegible] except that the [illegible] gentleman from Mississippi [Mr. WILLIAM W. KITCHIN] [illegible] tive policy by [illegible] would begin with the North, East, and West, where his party has but [illegible] in the [illegible] I do [illegible] desire to [illegible] and [illegible] will demand a complete and specific bill of particulars before they again intrust the Democratic party with a revision of the tariff. That party has had much experience in tearing down and can do a good job of demolition, but it is sadly deficient in the science and art of construction.

I am no worshiper of any tariff schedule. Changing conditions require a change in schedules, but the changes should not be made frequently, and it would be almost criminal conduct on the part of Congress to make a general revision of the tariff at the [illegible] or immediately preceding a general election—each of these things disturb business, and both together would greatly [illegible] it, and anxious as I am to relieve certain duties and [illegible] yet, recognizing the fact that the whole country is doing well, I, too, am in favor of letting well enough alone until after election and when business has assumed its normal conditions.

I have been greatly interested in the discussions of the trusts in which the opposition have indulged. They have condemned the majority for not doing more to abolish trusts and yet have utterly failed to explain why when they had full control of all branches of the Government they failed to write a single line in our statute books which even attempted to regulate trusts or make their organization and operation illegal, or to acknowledge that every particle of legislation against trusts was enacted by a Republican Congress and signed by a Republican President.

I have heard over and over again the President condemned for not prosecuting more corporations and combinations under the Sherman antitrust law, and that even in face of the fact that the Northern Securities case was prosecuted with all vigor and is now pending in the Supreme Court, which will determine whether the law is constitutional or not. If it is held constitutional no honest Democrat doubts that it will be enforced against all combinations [illegible] corporations. Then there is a curious thing in this matter. The minority in this House condemns the President for not [illegible] to enforce the antitrust law, while Wall street and money [illegible] Senators have tried and are now trying to defeat the President's [illegible] that [illegible] stockholders in trusts have been successfully assisted in the Securities case, and they believe that President Roosevelt will enforce the law. Evidently the trusts who have felt the enforcement of the law do not believe gentlemen here who say the law has not been enforced. I will not weary the House with further observations further than to repeat briefly that the party which was intrusted with power in 1900 has been busy fulfilling the pledges of its platform. It has accomplished much; it will accomplish more.

It promised to deal patriotically and liberally with the old soldiers, and with the aid of the equally patriotic Democrats will pass, I believe, a service-pension bill to aid, as far as may be, the [illegible] of that glorious army which preserved the Union and [illegible] going down into the valley of the shadows.

It is in honor bound to increase the pay of the rural carriers, an intelligent band of citizens, than which none connected with the Government service bring more real benefit and satisfaction to the people, and yet no other class of Government employees receive so inadequate a compensation. This is not simply a question of policy on the part of the Congress, for the people pay the bill, and I believe the people are demanding that these worthy men be paid a much better salary.

[illegible] judging by what it has [illegible] will reason it well yet do the Republican party in both [illegible] has kept the faith, and the weak, captious, [illegible] of the minority has but taught the people that all its frantic efforts and wordy denunciations have been in the interest of [illegible] and for the sole purpose of rehabilitating a [illegible] party which [illegible] of a [illegible] in [illegible].

The CHAIRMAN. The gentleman from [illegible] asks unanimous consent to extend his remarks in the RECORD. Is there objection?

[illegible]

Mr. FOSS. Mr. Chairman, there is no gentleman on this side of the House who desires to occupy any time in general debate, and I ask the gentleman on the other side of the House to go [illegible]

Mr. MEYER of Louisiana. Mr. Chairman, how much time has this side remaining?

The CHAIRMAN. Eighty-five minutes.

Mr. MEYER of Louisiana. I yield one hour of that to my colleague on the committee, the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN].

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I have promised to yield this entire hour to a gentleman who is not now in the Hall. As it is getting late on Saturday afternoon, I hope that the chairman of the Committee on Naval Affairs will move that the committee rise. There will be little time consumed in general debate on Monday, and we could then go into the consideration of the bill under the five-minute rule. The gentleman to whom I have promised to yield this time is very anxious to make a speech during this general debate.

Mr. FOSS. I did not understand the gentleman's statement. Did he make a request?

Mr. WILLIAM W. KITCHIN. Yes; I requested that, owing

to the facts I have stated, the chairman of the Committee on Naval Affairs would move that the committee do now rise.

Mr. FOSS. Well, I would like, if possible, to finish general debate to-day.

Mr. WILLIAM W. KITCHIN. Well, I will say again for the benefit of the gentleman from Illinois that the gentleman from Ohio [Mr. SNOOK], to whom I had promised two hours in general debate, has been unable to be in the House, but will be here Monday. There has been an agreement to permit ten hours of general debate. If one hour or ten hours were consumed, we could not begin the reading of the bill until Monday about 1 o'clock or some time thereafter, and my request is, as there seems to be only two gentlemen who desire to speak in general debate, the gentleman from Virginia [Mr. RIXEY] and the gentleman from Ohio [Mr. SNOOK], that you now move the committee rise, and that we will have an hour and a half general debate on Monday, as I understand the situation, and then proceed with the bill. My request was that you move that the committee rise now.

Mr. FOSS. I would ask the gentleman if this would meet his approval: That we agree to one hour of general debate on Monday, and that we start in now with the reading of the bill.

Mr. WILLIAM W. KITCHIN. That would either cut Mr. SNOOK or Mr. RIXEY out. Put it at an hour and a half. That will protect both of these gentlemen and certainly meet with my approval.

Mr. FOSS. I understood all they wanted was one hour, both of them.

Mr. WILLIAM W. KITCHIN. The gentleman from Ohio [Mr. SNOOK] wants an hour, and I understand the gentleman from Virginia [Mr. RIXEY] wants thirty minutes. That would be an hour and a half, and if the gentleman would make his request protecting these gentlemen, so that we can have an hour and a half, then he can go ahead reading the bill this afternoon.

Mr. FOSS. Well, I will make that request. Mr. Chairman, I ask unanimous consent that we proceed now with the reading of the bill, that on Monday an hour and a half be set aside for general debate, and close general debate.

The CHAIRMAN. The time for general debate was fixed by the House. This committee has no power to alter the order that was made by the House, and if there is no further debate now the Chair will direct that the bill be read by paragraphs.

Mr. WILLIAM W. KITCHIN. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman.

Mr. WILLIAM W. KITCHIN. If this afternoon is consumed there will be at least one hour of general debate on Monday, so that under this agreement we can not lose more than half an hour.

The CHAIRMAN. That would depend entirely when the committee rose.

Mr. WILLIAM W. KITCHIN. You would gain an hour and a half this afternoon.

Mr. FOSS. Now, I will say to my colleague on the committee, the gentleman from North Carolina, that as soon as we rise this afternoon I will ask unanimous consent that an hour and a half be given for general debate on Monday next.

Mr. WILLIAM W. KITCHIN. I suggest that you move that the committee rise temporarily now, so that there may be no mistake about it, and I hope that neither you nor I can control may make objection. I want to take no chances. If the House is now willing to make the agreement it will grant that request.

Mr. FOSS. Well, Mr. Chairman, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose and the Speaker having resumed the chair, Mr. HEMENWAY, chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 11963, and had come to no resolution thereon.

Mr. FOSS. Mr. Speaker, I ask unanimous consent that two hours be set aside on Monday for general debate, one hour and a half to be controlled by the minority and one hour by myself. I move that we proceed to the bill for general debate.

The SPEAKER. The gentleman from Illinois asks unanimous consent that one hour of the House shall be devoted to general debate to-morrow and that two hours be devoted to general debate on Monday, one hour and a half for the minority, to be controlled by the gentleman from Illinois [Mr. MEYER], and one hour by the gentleman from Louisiana [Mr. MEYER].

Mr. WILLIAM W. KITCHIN. Does that mean that we will proceed with the reading of the bill then at once?

The SPEAKER. It depends upon whether the House will agree to it or not.

Mr. SMITH of Kentucky. It does not have anything to do with that.

Mr. HITCHCOCK. I object.

The SPEAKER. There is objection.

Mr. ROBINSON of Indiana. I hope the gentleman from Nebraska will not object to this, when the committee desires this arrangement to be made. I hope the gentleman will withdraw his objection.

Mr. HITCHCOCK. I do not want to be misunderstood. I want to offer a number of amendments, and there are a number of Members who are not present and who left the House with the understanding that the reading of the bill will not be taken up to-day.

The SPEAKER. The gentleman from Nebraska objects.

Mr. FOSS. Mr. Speaker, I move that the House adjourn. [A pause.] I withdraw that motion and move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill.

Mr. WILLIAM W. KITCHIN. Mr. Speaker, I move that the House adjourn.

Mr. ROBINSON of Indiana. Pending that, Mr. Speaker, I want to appeal to the gentleman from Nebraska not to interpose an objection to the arrangement that was made upon the floor by the committee.

Mr. PAYNE. I do not see any use of wasting any time about that, as the gentleman has objected.

The SPEAKER. If the Chair may suggest——

Mr. WILLIAM W. KITCHIN. I have made the motion to adjourn.

The SPEAKER. May the Chair make a suggestion for the consideration of the gentleman from North Carolina and the gentleman from Illinois? The gentlemen see the situation. The Chair has a number of requests from gentlemen on both sides of the House to submit requests for unanimous consent touching certain bills.

Mr. WILLIAM W. KITCHIN. Mr. Speaker, I am willing that the motion to adjourn be pending during the submission of those requests.

The SPEAKER. The gentleman for the present withdraws his motion?

Mr. WILLIAM W. KITCHIN. Yes, sir.

Mr. FOSS. Then, Mr. Speaker, I withdraw the motion to go into the Committee of the Whole.

RELIEF OF SETTLERS, SHERMAN COUNTY, OREG.

The SPEAKER. In the absence of any other motion, the Chair will recognize the gentleman from Oregon [Mr. WILLIAMSON], who asks unanimous consent to discharge the Committee on Public Lands from the further consideration of the following Senate bill, and that the same be considered in the House at this time.

The Clerk read as follows:

An act (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cancel and discontinue the preemption [illegible] pending in his Department [illegible] Section 2289 of the Revised Statutes of the United States, [illegible] Act of Congress approved March 3, 1891, entitled "An act to amend the preemption laws," and the amendments thereto, [illegible] Act of September 29, 1890 (26 Stat., p. 489), and the amendments thereto, and a description of the lands so entered, respec-

tively, and to ascertain the value of the improvements made thereon by such entrymen, respectively, between the date of the restoration of said lands to entry and the original entry, or, in the event there has been no entry, then as [illegible] Secretary of the Interior further to [illegible] the Department [illegible] Sec. 4. [illegible] of the Secretary of the Interior to [illegible]

The SPEAKER. Is there objection?

Mr. SMITH of Kentucky. Mr. Speaker, reserving the right to object, I would like to have a brief explanation of this bill and how much land it involves.

Mr. WILLIAMSON. The bill authorizes the Secretary of the Interior to investigate certain land claims which have been pending out in this country for a number of years and to report to the next Congress concerning the status of these claims. This bill has been introduced first in the Senate and then referred to the Commissioner of the General Land Office and the Secretary of the Interior, and both have reported favorably on the passage of the measure and it has been reported favorably by both committees of this Congress. I believe you also asked about the quantity of land?

Mr. SMITH of Kentucky. Yes, sir.

Mr. WILLIAMSON. It is a strip of land, if my memory serves me aright, about 4 miles wide—that is, every [illegible] and about 13, 14, or possibly 15 miles long.

Mr. SMITH of Kentucky. This bill simply authorizes a report to the next Congress?

Mr. WILLIAMSON. Yes.

Mr. SMITH of Kentucky. Then I have no objection.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed for a third reading; was accordingly read the third time, and passed.

The SPEAKER. Without objection, a similar House bill will be laid on the table.

REGULATING THE PRACTICE OF MEDICINE AND SURGERY IN THE INDIAN TERRITORY.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I send to the Clerk's desk.

The SPEAKER. The gentleman from Texas asks unanimous consent for the consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory.

Be it enacted, etc., That hereafter no person shall practice medicine and surgery [illegible] in the Indian Territory [illegible] of the [illegible] demonstration as physician and surgeon, or either, with the date of such [illegible]

SEC. 2. That hereafter any person who may wish to practice the science of medicine or surgery in the Indian Territory shall be required to [illegible] of the United States court of the district in which the applicant may reside, [illegible] in which the board is organized may apply to the board of some other district in the Indian Territory.

SEC. 3. That [illegible] of this act the United States judge of the district in which the applicant may reside shall appoint for the district a board of three competent persons who shall be members of the medical profession, practitioners of medicine and surgery, graduates in medicine and surgery, who shall be [illegible] who shall have been [illegible] years, who shall have been [illegible] years in the practice of medicine and surgery, who shall be [illegible] ordinary the United States judge of the district in which the applicant may reside. The members of said board shall, before entering upon the duties of their office, take the official oath required to be taken by officers [illegible]

SEC. 4. [illegible] meetings of the members of said board [illegible] after they shall have been appointed, [illegible] to be the president of said board [illegible] by a majority vote of the members [illegible] of their members [illegible]

SEC. 5. [illegible] the same as the [illegible] board [illegible] by board [illegible]

SEC. 6. [illegible] the court house of that district on the first Monday in January, April, July, [illegible] certificates to persons guilty of improper [illegible] and if may remain [illegible] opportunity to [illegible] for such [illegible] to assemble the board as soon as practicable [illegible]

SEC. 7. That the board may [illegible] shall constitute a quorum for [illegible] the board [illegible] the sum of $10, which shall be their [illegible]

SEC. 8. That the regular meetings of each board shall be held quarterly at [illegible]

SEC. 9. [illegible] shall be required to [illegible] for such [illegible] and shall be [illegible] for the services required of [illegible]

SEC. 10. That any person who shall prescribe or administer medicine for or treat a man or woman for any disease, wound, fracture, or other bodily injury for pay shall be deemed guilty of a misdemeanor and upon conviction in any court having jurisdiction thereof under the laws of the United States prevailing in the Indian Territory shall be fined in any sum not less than $50 and not more than $100, and each and every person or surgeon shall practice medicine or surgery [illegible] shall be required to be [illegible] within one year, [illegible] to wit, anatomy, physiology, osteology, [illegible] pathology, hygiene, materia medica, therapeutics, obstetrics, [illegible] medical jurisprudence, gynecology, [illegible] and practice of medical and surgery, and shall be required to be able to read and write in the English language, and shall also require a fee for granting a license of $25 for each applicant upon at least four courses of lectures of six months each, between sessions not less than one year, [illegible] and faculty of reputable professors and teachers of medicine and surgery, to wit, anatomy, physiology, osteology, [illegible] pathology, hygiene, materia medica, therapeutics, obstetrics, [illegible] medical jurisprudence, gynecology, [illegible] and practice of medical and surgery, and shall

Mr. STEPHENS of Texas. Yes, sir; he would have to be examined under the bill.

Mr. CRUMPACKER. He would have to be examined under the bill?

Mr. STEPHENS of Texas. Yes, sir; he would be required to take an examination.

Mr. CRUMPACKER. The bill is reported by the committee unanimously, I believe.

Mr. STEPHENS of Texas. Unanimously, and it has also had the approval of the Secretary of the Interior and the Commissioner of Indian Affairs. There is no amendment to the bill, because the new bill embodies all the amendments suggested by either the Commissioner of Indian Affairs or the Secretary of the Interior.

Mr. CRUMPACKER. It seems to have been pretty carefully examined, but it occurred to me it was a very important piece of legislation to be taken up by unanimous consent under these circumstances, but I will not object to it.

The SPEAKER. The Chair hears no objection.

The bill was ordered to be engrossed for a third reading; was accordingly read the third time, and passed.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the vote by which the bill was passed was laid on the table.

DAM ACROSS MISSISSIPPI RIVER, BENTON COUNTY, MINN.

Mr. BUCKMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2815) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.

The bill was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Sauk Rapids Water Power Company, a corporation organized under the laws of the State of Minnesota, its successors and assigns, to build a dam across the Mississippi River at or near the Sauk Rapids, in said River, and at or near the village of Sauk Rapids, Benton County, Minn., for the development of water power, and such works and structures in connection therewith as may be necessary or convenient in the development of said power and in the utilization of the power thereby developed: *Provided*, That the plans for the construction of said dam and appurtenant works shall be submitted to and approved by the Chief of Engineers and the Secretary of War before the commencement of the construction of the same: *And provided further*, That the said Sauk Rapids Water Power Company, its successors or assigns, shall not deviate from such plans after such approval either before or after the completion of said structures, unless the modification of said plans shall have previously been submitted to and received the approval of the Chief of Engineers and of the Secretary of War: *And provided further*, That there shall be placed and maintained in connection with said dam a navigable waterway arranged so as to permit logs, timber and lumber to pass around, through, or over said dam without unreasonable delay or hindrance or injury to the same: *And provided further*, That the dam shall be so constructed that the Government of the United States may at any time, or from time to time, without compensation, control the said dam so far as shall be necessary for purposes of navigation, but shall not destroy the water power developed by said dam and shall impose a rate greater than may be necessary to provide proper facilities for navigation, and that the Secretary of War may at any time require and enforce, at the expense of the owners, such alterations and changes in the construction of said dam as may be deemed advisable in the interests of navigation: *And provided further*, That such alterations shall be approved by the United States Engineer in charge of the improvement and maintained at said dam by the Sauk Rapids Water Power Company, its successors or assigns.

SEC. 2. That no rights arising from the building of said dam, or from the diversion of said power by said dam or appurtenant works, shall be in the public domain, as now provided for the purpose of the State of Minnesota and the citizens of the United States, but shall remain in the said State, to be so controlled as to prevent injury to the rights of the public in reference to the improvement of the navigation of rivers or transport and other uses from the operation of said dam.

SEC. 3. That the said dam shall be begun within two years and be completed within six years from the date of the passage of this act.

SEC. 4. That the right to amend or repeal this act is hereby expressly reserved.

Mr. LACEY. Mr. Speaker, reserving the right to object, I think there ought to be a slight amendment in the bill, and I call the attention of the gentleman from Minnesota to it. I move to insert in line 8, page 2, after the word "dam," the words "and highway."

Mr. LIND. Mr. Speaker, I would like to ask the gentleman if that is not already provided for in the bill?

Mr. LACEY. No; it says "sluiceway."

Mr. LIND. This is a Senate bill, and an amendment at this time would be embarrassing. I think earlier in the bill there is a provision for a fishway.

Mr. BUCKMAN. The head of water is not so high there but what a sluiceway would answer the purpose.

Mr. LACEY. These matters have come up several times, and care has always been taken to insert a fishway in all these bills.

The SPEAKER. The gentleman from Iowa seems to have a different print from that at the desk. There is no "dam" at the place that he indicates.

Mr. LIND. Mr. Speaker, I would suggest that the Clerk read the provision to which I have called attention.

The SPEAKER. The Clerk will read the provision mentioned by the gentleman from Minnesota.

The Clerk read as follows:

Provided further, That suitable fishways, to be approved by the United States Fish Commission, shall be constructed and maintained at said dam.

Mr. LACEY. I withdraw my amendment.

The bill was ordered to be read a third time, was read the third time, and passed.

On motion of Mr. BUCKMAN, a motion to reconsider the last vote was laid on the table.

TO REGULATE THE PRACTICE OF PHARMACY IN THE INDIAN TERRITORY.

Mr. STEPHENS of Texas. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 23) in relation to pharmacy in the Indian Territory.

The SPEAKER. The gentleman from Texas asks unanimous consent for the present consideration of the bill the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 23) in relation to pharmacy in the Indian Territory.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That it shall hereafter be unlawful for any person other than a registered pharmacist or assistant pharmacist, as hereinafter defined, to retail, compound, or dispense drugs, medicines, and pharmaceutical preparations in the Indian Territory as at present compounded and refined, unless such person shall be a registered pharmacist as this act provides, or shall have in charge of such pharmacy, store, or shop a registered pharmacist, except as hereinafter provided.

SEC. 2. That "registered pharmacists" shall comprise all persons regularly engaged as such in the Indian Territory at the time of the passage of this act, and all persons over 21 years of age, having two years' experience in the compounding and dispensing of medicines (Pharmacists), who shall pass a satisfactory examination before the Territorial board of pharmacy hereinafter provided for. Graduates in pharmacy who have completed a course in a college and school of pharmacy as shall be approved by the board of pharmacy may, on payment of a fee of $5, be issued a registered pharmacist's license.

SEC. 3. That "assistant pharmacists" in the meaning of this act, shall comprise all persons who have been authorized to assist in the dispensing and compounding of prescriptions under the supervision of a registered pharmacist, or all persons other than those of age, having two years' previous experience in the compounding and dispensing of drugs, who shall pass such examination as the Territorial board of pharmacy may require. Assistant pharmacists shall not be permitted to [illegible] under their own name, or have their name [illegible] or more than three assistants have been duly qualified [illegible] of a registered and registered pharmacist.

SEC. 4. That upon the passage of this act there shall be appointed by the Secretary of the Interior, Territory of Indian Territory, a board of pharmacy, consisting of five members, all of whom shall be citizens of the United States, and residents of the Indian Territory, and who shall pass such examination as the Territorial board of pharmacy may require. Assistant pharmacists shall not be permitted to [illegible] the Territorial board of pharmacy [illegible] shall hold their office for one, two, three, four, and five years, respectively, or until their successors have been duly qualified [illegible] appointed for the term of five years, or until their successors have been duly qualified. In case of resignation or removal from the Territory of any member of said board, or a vacancy occurring from any other cause, the Secretary shall appoint a registered pharmacist to serve as a member of said board for the remainder of the unexpired term.

SEC. 5. That the said board shall, within thirty days from its appointment, meet at such place within Indian Territory as said board may select, and organize by the election of a president, secretary, and treasurer, who shall serve for the term of one year, and thereafter perform the duties [illegible] by the board. Meetings for the examination of applicants for [illegible], and the transaction of other necessary business, shall be held at least once in four months and at such times and places as the board may direct: *Provided*, That ten days' public notice of time and place of such meeting shall be given. There shall be an examination of applicants for examination and registration are [illegible] under such rules as the board may prescribe. It shall be the duty of the board to issue certificates of registration to such persons as may be entitled to the same, upon the payment of a fee of $5, to be paid to the treasurer of the board, as well as the fees of all persons registered under this act, to keep a book for registration, in which shall be registered the name and place of business of every person registered under this act, and the date when such person was registered, and any other facts pertaining to the qualifications of such persons.

SEC. 6. That said board shall have power to make by-laws for the full and proper [illegible] and prescribe the forms and methods of [illegible] and registration, to [illegible] the [illegible] of any person against whom proceedings are [illegible] to be made [illegible] and other necessary expenses [illegible] the fees to be paid for the [illegible] and other necessary expenses [illegible] the balance of the [illegible] and other necessary expenses [illegible] the balance of the [illegible] and other necessary expenses [illegible] the balance of

Mr. BURKETT. But that detail was not in the original law.

Mr. CRUMPACKER. The detail is not in the law. The law requires the Director of the Census to collect vital statistics every year, and in order to make those statistics of any value at all of course much detail is necessary; the cause of the death, for instance, the civil condition, the sex, age, and color, and if there is any one class of statistics that is of particular value to the people of this country, it is vital statistics.

Now, it is readily seen that 2 cents is not a sufficient fee to induce registration officers in districts where the number of deaths and births are below 500 to make reports. The Director has no power to compel them to act. He limits the inquiries to as small an amount of information as is necessary to get statistics that are of any use, and the Committee on the Census after careful investigation, came to the unanimous conclusion that the fee ought to be increased to a maximum not exceeding 4 cents.

Mr. LIND. Mr. Speaker, will the gentleman permit a question?

The SPEAKER. Does the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. LIND. Is this money to be paid to the city or municipal officers or to the employees of the Census Department?

Mr. CRUMPACKER. The fee is to be paid to the local registration officers, those in charge of the registration records for making transcripts for the Director of the Census, and the difficulty has been that in small districts where the number of births and deaths were below 500 these officers would not make the reports. The estimate of the expense under the proposed scheme made by the Director is that the information can be obtained for $17,500 a year. The appropriation for these statistics for the current year is $14,000.

Only $5,000 has been used, because officers will not respond to the request of the Director. The question is this, whether the Government is sufficiently interested in the collection of vital statistics from registration districts to authorize the schedule or scheme of payment recommended. If it is not, the bill can be defeated, and that branch of statistics will be discontinued.

Mr. STEPHENS of Texas. Does the registration cover an area of an entire State?

Mr. CRUMPACKER. Not necessarily.

Mr. STEPHENS of Texas. I believe in my State we have a law covering that.

Mr. CRUMPACKER. The registration area depends on the State law. Some States have registration of vital statistics in large cities and some in every county. But wherever the local law provides for registration, so that accurate information can be obtained from the records in relation to births and deaths, the law creating the permanent Census Office makes it the duty of the Director of the Census to collect those statistics. That is the situation.

The SPEAKER. Is there objection?

Mr. BURKETT. I think that 2 cents will collect all the information necessary in this matter. Therefore I object.

RATIFICATION OF ACTS OF ARIZONA LEGISLATURE.

Mr. WILSON of Arizona. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 6494) to approve and ratify Act No. 78 of the legislative assembly of the Territory of Arizona.

The bill was read, as follows:

Whereas on the 14th day of March, 1903, the legislative assembly of the Territory of Arizona passed an act [illegible] in the Territorial asylum [illegible] condition in the Territorial Asylum [illegible] for the benefit and welfare of the insane of said Territory, for the [illegible] in charge of said institution to keep separate and [illegible] and affections, but such buildings [illegible] the same patients so afflicted in the same wards and rooms [illegible] and

Whereas some of the rooms and wards of the Territorial Asylum for the Insane [illegible] are so limited as not to be adequate to the proper care of the patients during the hot summer of the year, and the health of the patients suffers in consequence, the Director greatly endangered and the possibility of restoration to health materially impaired; and

Whereas in some cases of the insane, conditions it is impossible for the proper care of the Territorial Asylum for the Insane to render adequate and necessary medical and attention to the inmates. Now, therefore,

Be it enacted by the legislative assembly of the Territory of Arizona, Section 1. That for the purpose of creating such buildings and making such other improvements on the grounds now owned by the Territory of Arizona and used as grounds for the Territorial Asylum for the Insane in Maricopa County, Ariz., as will in their judgment best serve the purposes of relieving the unsatisfactory conditions prevailing at the said Territorial Asylum for the Insane, the board of regents of the Territory of Arizona is hereby authorized and empowered to procure a loan on the faith and credit of the Territory of Arizona as follows:

"SEC. 2. That a loan of $[illegible] is hereby authorized to be negotiated on the faith and credit of the Territory of Arizona, to be paid at the end of fifty years from the date of said instruments, and said loan shall bear interest at a rate not to exceed 5 per cent per annum, redeemable at the end of twenty-five years, principal and interest payable in gold coin of the United States, and bonds to be negotiated in sums as follows:

"The board of regents of the Territory of Arizona under this section is authorized and hereby empowered to negotiate a loan of bonds for the Territorial Asylum for the Insane to any such limit not to exceed $[illegible] for the current year ending June 30, 1904, and in amounts not to exceed $[illegible] in any one year thereafter ending July 1, until the full loan of $100,000 authorized by this act shall have been negotiated.

"SEC. 3. That the treasurer is hereby authorized and directed, when [illegible] by the board of control, to issue bonds as hereinbefore provided in denominations of five hundred and one thousand dollars each, payable thirty years after date, in such amounts not to exceed $[illegible] during the current year ending June 1, 1904, and in amounts not to exceed $[illegible] in any one year, ending June 1, thereafter, and said bonds shall not exceed in the aggregate the sum of more than $[illegible] said bonds to be in the following form to wit:

"No. ——.

"Bonds of the Territorial Asylum for the Insane, Territory of Arizona.

"For value received, fifty years after date, the Territory of Arizona promises to pay to the order of the governor of the Territory of Arizona [illegible] with interest at the rate of —— per cent per annum from date [illegible] on the 1st day of January and the 1st day of July of each year, principal and interest payable in gold coin of the United States, at the office of the Territorial treasurer.

"PHOENIX, ARIZ., ——, ——.

"This bond is redeemable twenty-five years after the date of issue.

"Dated at Phoenix, Ariz., this —— day of ——, 190-.

"——,
"*Territorial Auditor.*

"SEC. 4. All such bonds shall be signed by the auditor of the Territory in [illegible] manner, affixing his official character, and shall be indorsed by the governor of the Territory with his proper name, affixing his official character, and shall be delivered by the auditor of the Territory to the Territorial treasurer, who shall be charged with the full amount of the bonds so delivered.

"At the time of issuing said bonds under the provisions of this act, the Territorial treasurer shall sign them with his own proper name affixing his official character and the seal of his office, and signing and sealing shall be the Territory. The Territorial treasurer shall, in the same manner as the bonds are signed, deliver them as herein provided, and the said coupons [illegible] attached to said bonds in such manner that they may be detached without mutilating the bond and [illegible] numbered from 1 to 100 inclusive, each interest coupon to bear the number of the bond to which it is attached.

"The treasurer shall keep a register of all bonds issued by him, and shall deliver the same to the board of control of the Territory of Arizona on demand.

"SEC. 5. Said board of control of the Territory of Arizona shall dispose of said bonds at as high rate as possible and convert the said bonds into cash: [illegible] the Territorial Asylum for the Insane and the Territorial Asylum for the Insane be and [illegible] by them for less than par.

"The Territorial treasurer shall pay the interest on said bonds when due, taking the coupons as the vouchers therefor, and shall receive in his hands such portion of the proceeds from the proper fund for the payment of the interest on said bonds of the Territorial Asylum for the Insane, and shall so allot return to the bonds, out of the general fund of the Territory, an amount sufficient for the expenses and actual expenses of preparing and issuing of said bonds as herein provided.

"SEC. 6. The boards of supervisors of all of the counties of the Territory of Arizona, or such other officers as are required by law to levy assessments, are hereby directed and required to levy an annual tax, in addition to the amount levied for other purposes, sufficient to meet the interest on the bonds herein provided. The amount of such tax levy shall be determined by the board of equalization, which said board shall notify the proper county officers of such amount of the amount of said tax levy, and the tax when collected shall be paid into a separate fund, to be known as the interest fund for the payment of interest on the bonds of the Territorial Asylum for the Insane. If at any time thereafter the board of control find after the payment of interest shall [illegible] the board of control may by resolution transfer the surplus remaining in the interest fund of the Territorial Asylum for the Insane to the sinking fund for the Territorial Asylum for the Insane.

"SEC. 7. Whenever, after the expiration of ten years from the date of this act, the bonds issued under this act shall have matured, there shall be in the sinking fund for the redemption of bonds of the Territorial Asylum for the Insane a surplus of $[illegible] over and above the interest on said bonds, the Territorial treasurer to advertise for the space of one month in the manner hereinbefore provided, the board of regents shall open all sealed proposals received by them and shall award the purchase of said bonds to the highest bidder or bidders therefor, and the amount of said bonds to be purchased shall be determined by the amount of said surplus in said sinking fund, and the number of bonds corresponding thereto in the order of their numbers, beginning with the lowest number then outstanding, which bonds so purchased shall be set apart for payment and cancellation, and such bonds so purchased shall cease to bear interest after such payment, and the proceeds of said bonds so purchased shall be deposited in the treasury to the credit of said sinking fund, and the balance of said surplus shall be retained in said sinking fund and used for the purchase of bonds whenever presented, but such bonds so purchased shall cease to bear interest after such purchase. Before any such bonds shall be paid they shall be presented to the Territorial auditor, who shall indorse on each bond the amount due thereon, and shall write across the face of each bond the date of its surrender and the name of the person surrendering the same.

"SEC. 9. Before the sale of any of the said bonds of the Territorial Asylum for the Insane, the board of control of the Territory of Arizona shall cause notice of such sale to be published for the space of thirty days in four daily newspapers published in the English language, as follows:

"One in the city of New York, State of New York.
"One in the city of Chicago, State of Illinois.
"One in the city of San Francisco, State of California.
"One in the city of Phoenix, Territory of Arizona.

"Such notices shall specify the amount of the bonds to be sold, the rate of interest they shall bear, the place, day, and hour of such sale, and sealed proposals shall be received by said board of regents within one month from the expiration of such publications, and that the said board of regents shall award the purchase of said bonds to the highest bidder or bidders therefor: *Provided*, That said board of control may reject any and all bids if they deem it to the advantage of the Territory of Arizona: *And provided further*, That they may reject any and all bids unless security shall be furnished by the bidder or bidders for compliance with the terms thereof, or if in the judgment of the said board of control such rejection will benefit the Territory.

"SEC. 10. That in addition to the powers expressly conferred or acts directed to be performed herein, the said board of control of Arizona is by this act authorized, empowered, and directed to do and perform whatever act or acts are necessary to be performed in the premises, to fully carry out and complete the terms, intent, and purposes of this act.

"SEC. 11. This act is subject to approval and ratification by the Congress of the United States.

"SEC. 12. This act shall take effect and be in force from and after its approval by the Congress of the United States.

"E. S. IVES,
"*President of the Council.*
"THEODORE T. POWERS,
"*Speaker of the House.*

"Approved, March 19, 1903.

"ALEXANDER O. BRODIE, *Governor.*"

Therefore,

Be it enacted, etc., That said act No. 78 of the said legislative assembly of the Territory of Arizona, approved March 19, 1903, be, and the same is, in all of its parts and in all things, hereby approved, ratified, and confirmed.

SEC. 2. That this act shall take effect and be in force from and after its passage.

The SPEAKER. Is there objection?

Mr. PAYNE. If the approval of this act of the Territorial legislature does not carry with it an approval of the prolixity with which the act is drawn, with its various whereases, etc., I will not object.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read the third time; and it was accordingly read the third time.

The preamble was then agreed to, and the bill was passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

RATIFICATION AND CONFIRMATION OF ACT NO. 47, TERRITORY OF ARIZONA.

Mr. WILSON of Arizona. I ask unanimous consent for the immediate consideration of the bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona.

The bill was read, as follows:

Whereas the legislative assembly of the Territory of Arizona, for the purpose of authorizing the sale of Territorial bonds to the amount of $11,000 to provide the improvements and publications at the Territorial agricultural experimental station or the University of Arizona, passed the following law, to wit:

"An act entitled 'An act to provide for improvements and publications of the agricultural experimental station of the University of Arizona, and for holding farmers' institutes throughout the Territory.'

"Be it enacted by the legislative assembly of the Territory of Arizona: SECTION 1. That for the purpose of providing for improvements and publications necessitated by the growth of the agricultural experimental station of the University of Arizona, and to provide for the establishment of farmers' institutes throughout the Territory, a loan of $11,000 is hereby authorized to be negotiated and made on the faith and credit of the Territory of Arizona, and to bear interest at such a rate as shall be fixed by the board of regents of the University of Arizona, not exceeding 5 per cent per annum.

"SEC. 2. The treasurer of the Territory of Arizona is hereby authorized and empowered to pay the same over to the said board of regents of the University of Arizona, and said board of regents is hereby authorized to sell, not exceeding $[illegible] of the bonds of this Territory, bearing interest at a rate not to exceed 5 per cent per annum, which interest shall be payable annually in gold coin of the United States, on the first Monday in January in each year, at the office of the Territorial treasurer. The principal of said bonds shall be and is expressly made payable in gold coin of the United States, within twenty years after the date of their issue, and shall be of such denomination as the board of regents shall direct, and shall bear the date of their issue and shall be signed by the said treasurer of the Territory of Arizona and countersigned by the president of said board of regents in his official capacity, and shall have the seal of the said board of regents affixed thereto, and the faith of the Territory of Arizona is hereby pledged for the payment of said bonds and the interest accruing thereon as herein provided.

"SEC. 3. Coupons for the interest accruing on said bonds shall be attached thereto, so that they may be removed without injury or mutilation to the bond. Said coupons shall be consecutively numbered, and shall bear the number of the bond to which they are attached, and shall be signed by the Territorial treasurer.

"SEC. 4. The said bonds shall be prepared and signed by the Territorial treasurer, with said coupons attached thereto, and delivered to said board of regents of the University of Arizona, at any time hereafter and as soon as practicable after said treasurer shall have been requested by said board of regents so to do, taking receipt of said board therefor.

"SEC. 5. The expense incurred by the Territorial treasurer in having said bonds prepared shall be paid out of the general fund of the Territory, from any money therein not otherwise appropriated, to be expended only upon warrants drawn by the Territorial auditor on certificate of the Territorial treasurer that the expense has been incurred and that the claim is just.

"SEC. 6. It shall be the duty of the Territorial treasurer to keep and transmit to his successor a permanent record of all bonds issued under the provisions of this act, and it shall be the duty of said board of regents of the University of Arizona also to keep a permanent record in the office of said board of all bonds sold, the name of the purchaser, and price received by said board under the provisions of this act, and transmit to the governor a certified copy of said record as soon as said bonds have been sold.

"SEC. 7. The board or regents of the Territory of Arizona is hereby authorized to demand of, and receive from, the treasurer the bonds authorized by this act to be issued and sold, or such parts of the same as in the judgment of said board shall be necessary to carry out the purposes of this act, and after the same shall have been countersigned by the president of said board of regents, the said board of regents is hereby authorized to sell said bonds for the purpose in this act stated. Any money received by said board from the sale of bonds and not expended under the provisions of this act shall be paid into the Territorial treasury, and by the treasurer placed in the university funds by this act created.

"SEC. 8. The proceeds derived from the sale of said bonds shall be applied and appropriated as follows:

"For issuing the publications of the agricultural experimental station of the University of Arizona, and for providing buildings and equipments for the said agricultural experimental station, particular at the date or third and the station farm connected therewith, the sum of $[illegible].

"Second. To provide for farmers' institutes and short courses of instruction throughout the Territory, the sum of $[illegible].

"SEC. 9. Before the sale of any of said bonds the board of regents shall cause notice of such sale to be published in four daily newspapers published in English, one in the city of New York, State of New York, one at the city of San Francisco, State of California, one at the Territorial capital, and one at the city of Tucson, in said Territory. Such notices shall specify the amount of bonds to be sold, the rate of interest they shall bear, the place, day, and hour of such sale, and sealed proposals shall be received by said board of regents within one month from the expiration of such publications, and that the said board of regents shall award the purchase of said bonds to the highest bidder or bidders therefor: *Provided*, That said board of regents may reject any and all bids if they deem it to the advantage of the Territory: *And provided further*, That if none of said bids are accepted said board of regents shall again advertise said bonds for sale, and proceed as hereinbefore provided under fresh notice of sale.

"SEC. 10. For the payment of the interest on the bonds issued under this act, after such bonds shall have been issued there shall be and is hereby levied annually, in addition to all taxes otherwise provided to be levied and collected, a tax of seventeen hundredths of a cent on each $100 of the assessed value of all real and personal property in the Territory of Arizona, to be paced by the Territorial treasurer in a fund to be known as the 'university interest fund;' and commencing ten years thereafter, there shall be in a like manner levied and collected such an additional amount as shall pay $1,000 of the principal of the said bonds and any amount of interest accruing thereon and remaining unpaid by said interest fund, to the end, intent, and purpose that all of the principal and interest of all of said bonds shall be fully paid during the period of twenty years from the date of their issuance.

"The Territorial auditor shall certify the rate of tax computed by him to the several boards of supervisors throughout the Territory necessary to raise the required amount for the redemption of the bonds as above stated, and the boards of supervisors are hereby required and directed to enter such rate on the assessment rolls of their respective counties in the manner and with the same effect as is provided by law in relation to other Territorial and county taxes. Every tax levied under the provisions or authority of this act is hereby made a lien against the property assessed, which lien shall attach on the first Monday in February in each year, and shall not be removed or satisfied until such tax shall have been paid. All moneys derived from taxes authorized by this section shall be paid into the Territorial treasury and shall be applied—

"First. To the payment of the interest on the bonds issued by the provisions of this act.

"Second. To the payment of the principal of such bonds: *Provided*, That all moneys remaining in the Territorial treasury after the payment of the interest and principal in each year thereafter, as herein provided, after the issuance of any bonds under this act, shall be transferred by the Territorial treasurer to a fund which shall be known as the 'university fund,' and the Territorial treasurer is hereby authorized and directed to open a separate account with, and to keep moneys so transferred to, said fund and all other moneys which are paid into said fund separate, and apply the same only in payments of warrants drawn by the auditor in payment of the expenses of the maintenance of the agricultural experimental station of the University of Arizona.

"SEC. 11. Whenever, after the expiration of ten years from the issuance of any bonds under this act, there remains after the payment of the interest as provided in this section, a surplus of $[illegible] over and above the interest on said bonds, the Territorial treasurer to advertise for the space of one month in the manner as said board of regents of the university advertise for bids as set forth in section 9 herein, which advertisement shall state the amount in the sinking fund and the number of bonds corresponding thereto in the order of their issuance, commencing at the lowest number then outstanding, which said fund is set apart to pay and cancel; and if such bonds so purchased in such advertisements shall not be presented for payment and cancellation at the expiration of such publications, then such fund shall remain in the treasury to be used for such bonds whenever presented, but they shall cease to bear interest after the expiration of such publication. Before any of such bonds shall be paid they shall be presented to the Territorial auditor, who shall indorse on each bond the amount due thereon and shall write across the face of such bond the date of its surrender and the name of the person surrendering the same.

"SEC. 12. The Territorial treasurer shall keep a full and particular account of all his proceedings under this act and of the bonds redeemed and surrendered, and he shall transmit to the governor an abstract of all of his proceedings under this act with his annual report, to be by the governor laid before the legislature biennially; and all books and papers pertaining to the matter provided for in this act shall at all times be open to the inspection of any parties interested, or the governor, or a committee of either branch of the legislature, or a joint committee of both.

"SEC. 13. It shall be the duty of the Territorial treasurer to pay the interest on said bonds when the same falls due out of the interest fund, if sufficient, and if said fund be not sufficient, then to pay the deficiency out of the general fund: *Provided*, That the Territorial auditor shall first draw his warrant on the Territorial treasurer, payable to the order of said treasurer, for the amount of interest money about to become due and payable, out of the general fund, which said interest warrant shall be drawn at least one month previous to the maturity of the interest.

"SEC. 4. This act shall take effect immediately, subject, however, to its approval and ratification by the Congress of the United States.

"E. S. IVES,
"*President of the Council.*
"THEODORE T. POWERS,
"*Speaker of the House.*

"Approved March 10, 1903.

"ALEXANDER O. BROWN,
"*Governor.*"

Therefore,

Be it enacted, etc., That said act No. 47 of the legislative assembly of the Territory of Arizona [illegible] and the same is hereby approved and made [illegible]

SEC. 2. That this act shall take effect and be in force from and after its passage.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time.

The question was then put on its passage, and the bill passed.

On motion of Mr. ROBINSON of Indiana, a motion to reconsider the vote by which the bill was passed was laid on the table.

GNADENHUTTEN SCHOOL DISTRICT, OHIO.

Mr. CASSINGHAM. I ask unanimous consent for the present consideration of the bill (H. R. 891) granting certain lots in Gnadenhutten, Ohio, to Gnadenhutten special school district.

The bill was read, as follows:

[illegible]

The SPEAKER. Is there objection?

Mr. PAYNE. I should like to understand this proposition. Why should the United States give away the land now to a school district in Ohio?

Mr. CASSINGHAM. The report, if the Clerk will read it, will explain the matter fully.

Mr. LACEY. Mr. Speaker, at the last session of Congress a bill similar to this was passed by the House, but [illegible] on the Senate. The bill simply proposes to allow this school district to sell a lot that was granted to it one hundred years ago.

Mr. PAYNE. Is the object to perfect the title?

Mr. LACEY. No, simply to enable this district to sell this land [illegible] place.

Mr. PAYNE. They are actually in possession now?

Mr. LACEY. Yes, and have been for one hundred years.

Mr. PAYNE. I have no objection.

There being no objection, the House proceeded to the consideration of the bill, which was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. CASSINGHAM, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER, KANSAS CITY, MO.

Mr. COWHERD. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 9653) to amend an act to authorize the building of a bridge across the Missouri River at or near Kansas City and Sibley, in Jackson County.

The SPEAKER. The gentleman from Missouri asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read.

The amendments recommended by the Committee on Interstate and Foreign Commerce were read.

The SPEAKER. Is there objection?

There was no objection.

The amendments recommended by the committee were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. COWHERD, a motion to reconsider the last vote was laid on the table.

COLVILLE RESERVATION, WASH.

Mr. FITZGERALD. Mr. Speaker, I ask unanimous consent that the minority of the Committee on Indian Affairs have ten days in which to file their views on the bill (H. R. 12265) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes.

The SPEAKER. The gentleman from New York asks unanimous consent that the minority of the Committee on Indian Affairs have ten days in which to file their views on the bill H. R. 12265. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

Mr. WILLIAMS of Mississippi. Mr. Speaker, if the gentleman will withhold that motion for a moment, I move that when the House adjourn to-day it adjourn over until Tuesday morning, in order to pay proper respect to the memory of George Washington, the Father of his Country.

Mr. PAYNE. I do not suppose that motion is debatable, and it is not in order.

Mr. WILLIAMS of Mississippi. Mr. Speaker, then I make a motion that is in order. I move that the House take a recess until 12 o'clock Monday morning, and that thereupon the Farewell Address of George Washington be read to the House, and that the House do then adjourn.

Mr. PAYNE. I move on my motion. Of course the gentleman's motion is not in order.

The SPEAKER. The motion of the gentleman from New York to adjourn has precedence of that motion to take a recess.

Mr. WILLIAMS of Mississippi. I move the previous question on the motion to take a recess.

The SPEAKER. Now, [illegible] that upon the adoption of the rules of the House [illegible] a motion to which the House [illegible] a motion for a recess [illegible] their backs [illegible]

Before the adoption of the rules [illegible] the rules of the present Congress, [illegible] same, the question would be [illegible] the motion to adjourn [illegible] Congress [illegible] the motion to adjourn [illegible]

Mr. WILLIAMS of Mississippi. I appeal, then, to the gentleman from New York to withdraw his motion.

Mr. PAYNE. I would be glad to do that [illegible] if it may be allowed, that I think it would be a fine [illegible] duty for this Congress to be in [illegible], and to provide [illegible] Washington. It would be shown [illegible] Republic of the Country.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have [illegible] all around me, and the [illegible] think there was much [illegible] from New York. [illegible] take a holiday on Monday, [illegible] try, and to have Washington's Farewell Address read [illegible] the people of America and the [illegible] affairs of Europe and the Orient [illegible] contemplated [illegible] of the Fathers of this Republic.

The SPEAKER. The Chair [illegible]

Mr. PAYNE. Mr. Speaker, the [illegible] Mississippi [illegible] a speech even on a motion [illegible] his words. I had noticed, Mr. Speaker, [illegible]

Mr. WILLIAMS of Mississippi. Then I serve notice, Mr. Speaker [illegible]

Mr. PAYNE. I had noticed before the gentleman took the floor [illegible] the demand was made by the [illegible]

Mr. WILLIAMS of Mississippi. I did not know that [illegible]

Mr. PAYNE. Regular order, Mr. Speaker.

Mr. WILLIAMS of Mississippi. I serve notice that on Monday morning I will move [illegible]

The SPEAKER. The gentleman from New York [illegible] set-off, and the gentleman from New York [illegible] will put the motion [illegible]

The motion was agreed to.

Accordingly (at 5 o'clock and 7 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIII, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Navy, transmitting an estimate of appropriations for the Naval engineering experiment station—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Auditor of the War Department relating to clerks who worked overtime during the war with Spain—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Fly*, James Merrihew, master—to the Committee on Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Benjamin L. Bryan against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Secretary of the Interior, transmitting the draft of a bill to make final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes—to the Committee on Indian Affairs, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. HINSHAW, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 12265) to provide for the opening of the remaining portion of the Colville Reservation, in the State of Washington, and for other purposes, reported the same with amendment, accompanied by a report (No. 1070); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12689) granting an increase of pension to John B. Hart, reported the same with amendment, accompanied by a report (No. 1023); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2921) granting an increase of pension to Joseph B. Ashley, reported the same with amendment, accompanied by a report (No. 1024); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8887) granting a pension to Emma R. Wallace, reported the same with amendment, accompanied by a report (No. 1025); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8180) granting an increase of pension to William Smith, reported the same with amendment, accompanied by a report (No. 1026); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8735) granting an increase of pension to John A. Parker, reported the same without amendment, accompanied by a report (No. 1027); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6653) granting an increase of pension to Josiah Standley, reported the same with amendment, accompanied by a report (No. 1028); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8044) granting an increase of pension to Seymore F. Burlingame, reported the same with amendment, accompanied by a report (No. 1029); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 727) granting an increase of pension to George W. Wetherell, reported the same without amendment, accompanied by a report (No. 1030); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 819) granting an increase of pension to John B. Glover, reported the same without amendment, accompanied by a report (No. 1031); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4091) granting an increase of pension to Nathan M. Gove, reported the same without amendment, accompanied by a report (No. 1032); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6824) for the relief of Benjamin Manning, reported the same with amendment, accompanied by a report (No. 1033); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7853) granting an increase of pension to William H. Shreiner, reported the same with amendment, accompanied by a report (No. 1034); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9081) granting an increase of pension to Benjamin F. Miller, reported the same with amendment, accompanied by a report (No. 1035); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8862) granting an increase of pension to John C. Foos, reported the same with amendment, accompanied by a report (No. 1036); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6859) granting an increase of pension to William A. Sheridan, reported the same with amendment, accompanied by a report (No. 1037); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8025) granting a pension to James Payton, reported the same with amendment, accompanied by a report (No. 1038); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5262) granting a pension to Irving Holcomb, reported the same with amendment, accompanied by a report (No. 1039); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1280) granting an increase of pension to Henry Wilfong, reported the same without amendment, accompanied by a report (No. 1040); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1392) granting an increase of pension to Mary A. Hughes, reported the same without amendment, accompanied by a report (No. 1041); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3902) granting a pension to Martha J. Derrington, reported the same with amendment, accompanied by a report (No. 1042); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4997) granting a pension to Franklin B. Lippincott, reported the same with amendment, accompanied by a report (No. 1043); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5527) granting a pension to Frances Reck, reported the same without amendment, accompanied by a report (No. 1044); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6501) granting a pension to Isaiah Robinson, reported the same with amendment, accompanied by a report (No. 1045); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Edward Blaisdell, reported the same without amendment, accompanied by a report (No. 1046); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3893) granting an increase of pension to John L. Rogers, reported the same without amendment, accompanied by a report (No. 1047); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 154) granting an increase of pension to Hugh T. Crockett, reported the same without amendment, accompanied by a report (No. 1048); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1555) granting an increase of pension to

Owen E. Newton, reported the same without amendment, accompanied by a report (No. 1039); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 6[illegible]) granting an increase of pension to Isaiah Larkins, reported the same without amendment, accompanied by a report (No. 1050); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4090) granting an increase of pension to Charlotte J. Folsom, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MILES of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Samuel A. Dickey, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Lewis Lewis, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4[illegible]) granting a pension to Alice K. Smith, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) for the relief of Frederick Mehring, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5[illegible]) granting an increase of pension to Sarah H. Kent, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Randall T. Stokes, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Mary P. Sparks, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4[illegible]) granting an increase of pension to George M. Clemons, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BENTLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to Henry C. Boyle, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11654) granting an increase of pension to Lamentha Warner, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5894) granting an increase of pension to Caspar J. Scriver, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MILES of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Charles J. Ayres, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to William D. Hall, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BENTLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Charles W. Bouland, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Charles J. Clark, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GILLESPIE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Daniel A. Dickey, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Lewis Ayres, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Alonzo W. Nutt, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Jonathan R. Blair, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Charles W. Bouland, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Charles J. Clark, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. GILLESPIE, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Daniel A. Dickey, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. BENTLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Henry C. Boyle, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. LITTLE, from the Committee on Claims, to which was referred the bill of the House (H. R. [illegible]) for the relief of Benjamin F. [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. [illegible]) for the relief of Benjamin F. Slaughter, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 1 of Rule XXII, public bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHERMAN, from the Committee on Indian Affairs: A bill (H. R. 12684) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. JONES of Washington: A bill (H. R. 12685) for the reappraisement and sale of the undisposed lands within the Fort Walla Walla Military Reservation, in the State of Washington—to the Committee on the Public Lands.

By Mr. [illegible]: A bill (H. R. 12686) to provide for a survey of the port of Galveston, Tex., and for other purposes—to the Committee on Rivers and Harbors.

By Mr. SPALDING: A bill (H. R. 12687) to amend an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved [illegible]—to the Committee on the Public Lands.

By Mr. STANLEY: A bill (H. R. 12688) to facilitate the transmission by mail of printed matter for the blind—to the Committee on the Post-Office and Post-Roads.

By Mr. HOLLIDAY: A bill (H. R. 12689) to authorize the Southern Indiana Railway Company to construct a [illegible] across the Wabash River in Vigo County, Ind.—to the Committee on Interstate and Foreign Commerce.

By Mr. PARKER: A bill (H. R. 12690) to authorize the President to confer a rear rank on certain officers of the Corps of Engineers, Army, for meritorious service in the war with Spain and subsequent insurrection in the Philippines—to the Committee on Military Affairs.

By Mr. LITTLE: A bill (H. R. 12691) defining and punishing [illegible] conduct in office in the Indian Territory—to the Committee on Indian Affairs.

By Mr. GOOCH: A bill (H. R. 12692) to provide for the construction of an ice harbor in the Kentucky River at or near Carrollton, Ky.—to the Committee on Rivers and Harbors.

By Mr. MOON of Tennessee: A bill (H. R. 12693) to fix the rental of letter boxes in rural and [illegible] post-offices—to the Committee on the Post-Office and Post-Roads.

By Mr. BYRD: A bill (H. R. 12694) for the relief of the farmers and producers of the United States in connection with the tax levied upon the free list—to the Committee on Ways and Means.

By Mr. CRUMPACKER: A bill (H. R. 12695) to amend [illegible] "An act to provide for the [illegible] of the affairs of the Government in the Philippine Islands, and for other purposes," approved July 1, 1902—to the Committee on Insular Affairs.

Also, a bill (H. R. 12696) to amend section 66 of an act entitled "An act to provide for the opening of certain abandoned military reservations, and for other purposes," approved [illegible]—to the Committee on the Public Lands.

Also, a bill (H. R. 12697) authorizing the government of the Philippine Islands to issue bonds for permanent improvements and making nontaxable all bonds hereafter issued by said Government or any political subdivision thereof—to the Committee on Insular Affairs.

By Mr. GOOCH: A bill (H. R. 12698) for relief of the sufferers by fire at Baltimore, Md.—to the Committee on Ways and Means.

By Mr. [illegible]: A bill (H. R. 12699) for the relief of Confederate soldiers and seamen of the Confederate States—to the Committee on War Claims.

By Mr. BRADLEY: A joint resolution (H. J. Res. 113) for the printing of 5,[illegible] copies, with accompanying maps and illustrations, of the report of the governor of New Mexico to the Secretary of the Interior for the year ending June 30, 1903, and the printing of [illegible] copies of the latest map of said Territory—to the Committee on Printing.

By Mr. SLAYDEN: A resolution (H. Res. 225) for printing 10,500 copies of an article entitled "A few general directions with regard to destroying mosquitoes, particularly the yellow-fever mosquito," by W. C. Gorgas, colonel, Medical Corps, United States Army—to the Committee on Printing.

By Mr. RICHARDSON of Alabama: A resolution (H. Res. 226) referring certain cases to the Court of Claims for a finding of facts and a judicial ascertainment of the amount of damages under the provisions of the law regulating such matters—to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 12700) granting a pension to Albert B. Lawrence—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 12701) granting a pension to Sarah E. Hatch—to the Committee on Invalid Pensions.

By Mr. BOUTELL: A bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 12703) for the relief of E. A. Givens, sr., of Bienville Parish, La.—to the Committee on War Claims.

By Mr. BRUNDIDGE: A bill (H. R. 12704) for the relief of the estate of William McCreight, deceased, late of Monroe County, Ark.—to the Committee on War Claims.

By Mr. BURKETT: A bill (H. R. 12705) granting an increase of pension to Moss C. Davis—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 12706) granting a pension to C. Otis Johnson—to the Committee on Invalid Pensions.

By Mr. BYRD: A bill (H. R. 12707) for the relief of the estate of William L. Clearman, deceased, late of Newton County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 12708) for the relief of the estate of Purify Tingle, deceased, late of Newton County, Miss.—to the Committee on War Claims.

By Mr. COOPER of Wisconsin: A bill (H. R. 12709) granting an increase of pension to George W. Van De Bogert—to the Committee on Invalid Pensions.

By Mr. CONNELL: A bill (H. R. 12710) granting an honorable discharge to John Depew—to the Committee on Military Affairs.

By Mr. CRUMPACKER: A bill (H. R. 12711) granting an increase of pension to William Warren—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12712) granting an increase of pension to George W. Knapp—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 12713) for the relief of the estate of Eliza Turner, deceased, Richard H. Turner, and Eliza Turner—to the Committee on War Claims.

By Mr. FRENCH: A bill (H. R. 12714) granting a pension to Lorenzo D. Jameson—to the Committee on Invalid Pensions.

By Mr. GILBERT: A bill (H. R. 12715) for the relief of William O. Robards—to the Committee on War Claims.

Also, a bill (H. R. 12716) for the relief of Belle M. Robards—to the Committee on War Claims.

Also, a bill (H. R. 12717) for the relief of Dr. William O. Robards, of Boyle County, Ky.—to the Committee on War Claims.

Also, a bill (H. R. 12718) for the relief of Belle M. Robards, of Boyle County, Ky.—to the Committee on War Claims.

By Mr. GUDGER: A bill (H. R. 12719) granting a pension to Timothy Edwards—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 12720) granting a pension to John Hagstoz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12721) granting a pension to Evaline Elrod—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12722) granting a pension to Howard Collins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12723) granting a pension to James Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12724) granting an increase of pension to R. L. Davis—to the Committee on Pensions.

Also, a bill (H. R. 12725) correcting the military record of John Dingess and granting him a pension—to the Committee on Military Affairs.

By Mr. JOHNSON: A bill (H. R. 12726) for the relief of the legal representatives of Charles D. Southerlin—to the Committee on Claims.

By Mr. KETCHAM: A bill (H. R. 12727) granting an increase of pension to Theodore Coonley—to the Committee on Invalid Pensions.

By Mr. LLOYD: A bill (H. R. 12728) granting an increase of pension to William McCaw—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12729) granting an increase of pension to W. Alva Adams—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 12730) for the relief of the estate of John H. Grimes, deceased, late of Wayne County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12731) for the relief of the estate of John Chandler, deceased, late of Maury County, Tenn.—to the Committee on War Claims.

By Mr. POWERS of Maine: A bill (H. R. 12732) granting an increase of pension to James W. Nutt—to the Committee on Invalid Pensions.

By Mr. RANSDELL of Louisiana: A bill (H. R. 12733) for the relief of M. W. Stewart, of Morehouse Parish, La.—to the Committee on War Claims.

By Mr. REEDER: A bill (H. R. 12734) for the relief of Jonathan R. Blair—to the Committee on Claims.

Also, a bill (H. R. 12735) for the relief of Jonathan R. Blair—to the Committee on Claims.

Also, a bill (H. R. 12736) granting an increase of pension to Sylvester C. Limbocker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12737) removing charge of desertion from military record of John S. Whitaker—to the Committee on Military Affairs.

Also, a bill (H. R. 12738) removing charge of desertion from the military record of John M. [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. 12739) granting an increase of pension to Lewis Z. Stump—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12740) granting an increase of pension to David Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12741) granting an increase of pension to Edward O. C. Anthony—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12742) granting an increase of pension to Catharine Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12743) granting a pension to Sarah J. Stephenson—to the Committee on Invalid Pensions.

By Mr. RODEY: A bill (H. R. 12744) granting a pension to Christopher Buckhanan—to the Committee on Invalid Pensions.

By Mr. SCOTT: A bill (H. R. 12745) granting an increase of pension to Alexander B. Bruner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12746) granting a pension to Olive Bickham—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 12747) granting a pension to Mary J. Storey—to the Committee on Invalid Pensions.

By Mr. SHEPPARD: A bill (H. R. 12748) for the relief of the legal representatives of M. N. Swofford, deceased—to the Committee on Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 12749) for the relief of the Baptist Church at Bloomfield, Ky.—to the Committee on War Claims.

Also (by request), a bill (H. R. 12750) for the relief of John Cover—to the Committee on Claims.

Also, a bill (H. R. 12751) granting an increase of pension to George E. Muth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12752) granting an increase of pension to Benjamin F. Wilson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12753) granting an increase of pension to James M. Martin—to the Committee on Invalid Pensions.

By Mr. THOMAS of Iowa (by request): A bill (H. R. 12754) for the relief of Charles Dimmitt—to the Committee on Claims.

Also (by request), a bill (H. R. 12755) for the relief of James O. Hubbard—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 12756) granting an increase of pension to James K. Pierce—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12757) granting an increase of pension to Martin S. Drake—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12758) granting an increase of pension to Frederick Shinaman—to the Committee on Invalid Pensions.

By Mr. WOODYARD: A bill (H. R. 12759) granting an increase of pension to Gregory McMullen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12760) to pay trustees of the Baptist Church at Sutton, W. Va., for their property destroyed by United States Army—to the Committee on War Claims.

By Mr. MAYNARD: A bill (H. R. 12761) providing for the promotion of Boatswain Patrick Deery, United States Navy—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. A[illegible]: Papers to accompany House bill granting a pension to Albert H. L[illegible], of N[illegible], Pa.—to the Committee on Invalid Pensions.

Also, letter and petition of citizens of Nanticoke, Pa., urging passage of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. ALLEN: Petition of Mary B. Kendall, State regent, Daughters of the American Revolution, of Maine, for a pension for Sarah E. Hatch, daughter of a soldier of the American Revolution—to the Committee on Pensions.

Also, petition of A. S. M[illegible] and 17 others, of Cumberland County, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BIRSALL: Papers from L. A. B[illegible], of Indianola, Iowa, treasurer of the Iowa Liquor Dealers' Association, in favor of a reduction of the tax on whisky—to the Committee on Ways and Means.

Also, protest of citizens of Dows, Iowa, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BOWIE: Petition of Rev. A. A. Little and 90 others, of Sonora, Ala., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BRANDEGEE: Petition of E. B. Gorton and 8 others, of New London, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BRUNDIDGE: Papers to accompany House bill for the relief of the estate of W[illegible] McCreight, of Montgomery County, Ark.—to the Committee on War Claims.

By Mr. BUCKMAN: Resolution of Commercial Club of St. Paul, Minn., in favor of upper Mississippi River improvements—to the Committee on Rivers and Harbors.

Also, resolution of Minnesota Live Stock Breeders' Association, etc., relative to inspection of infectious diseases among domestic animals—to the Committee on Agriculture.

Also, resolution of the city council of Little Falls, Minn., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of Workman Post, No. 31, Grand Army of the Republic, Department of Minnesota, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BURKETT: Papers to accompany bill granting increase of pension to M[illegible] C. B[illegible]—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: Petitions of M. B. Hunt and 33 others, of Fairfield, Vt., and E. C. Br[illegible], of Pittsfield, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Resolution of Lawrence Circle, No. 75, Ladies of the Grand Army of the Republic, Lawrence, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Petition of J. H. Stewart and 53 others, of Nickaze, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CONNELL: Resolution of William H. Davies Post, No. 187, Grand Army of the Republic, of Carbondale, Pa., in favor of service pension for ex-prisoners of war—to the Committee on Invalid Pensions.

Also, letter of W. W. Wood, manager of the National Elevator and Machine Company, of Honesdale, Pa., against enactment of an eight-hour law—to the Committee on Labor.

Also, resolution of the Los Angeles Chamber of Commerce, relative to the improvement of the inner harbor at San Pedro—to the Committee on Rivers and Harbors.

Also, resolution of Grand Army of the Republic Post No. 218, of Moscow, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Dunmore Lodge, No. 63, International Association of Machinists, in favor of increasing the capacity of the Naval Gun Factory—to the Committee on Naval Affairs.

Also, petition of J. L. Crawford, president of the People's Coal Company, of Scranton, Pa., against enactment of bill providing certain requirements for vessels propelled by gas, fluid, naphtha, or electric motors—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Cigar Makers' Union No. 295, of Scranton, Pa., in favor of the passage of bill H. R. 6, relative to premiums with tobacco, cigars, etc.—to the Committee on Ways and Means.

By Mr. COOPER of Pennsylvania: Petition of Jesse Taylor Post, No. 450, of Pennsylvania, urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DANIELS: Petition of citizens of San Diego, Cal., in support of bill H. R. 62, providing for the erection of a monument in memory of John Berry—to the Committee on the Library.

By Mr. FITZGERALD: Petition of Robert Gair and other residents of Brooklyn, N. Y., against the passage of an eight-hour law—to the Committee on Labor.

Also, resolution of the New York State legislature, in favor of the passage of bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. GUDGER: Papers to accompany bill providing for the [illegible] of Government building at Asheville, N. C.—to the Committee on Public Buildings and Grounds.

Also, papers to accompany bill granting pension to Timothy Edwards—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Resolution of Licensed Tugmen's Protective Association of St. Joseph, Mich., against construction of docks by the Government—to the Committee on Rivers and Harbors.

Also, petition of Rev. John G. Biery and 25 others, of Martin, Mich.—to the Committee on the Judiciary.

By Mr. HASKINS: Petition of Charles Lant and 13 others, and Charles Carpenter and 13 others, of Derby Line, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEDGE: Petition of S. A. White and 72 other voters of Washington, Iowa, urging passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Petition of Struve, Schroer & Koch and others, of Deshler, Nebr., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HULL: Petition of H. E. Armstrong and 48 others, of Des Moines, Iowa, and S. M. McCollough and 37 others, of New Virginia, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LACEY: Resolutions of the Iowa State Medical Association, urging the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of William Pearson and 53 others, of New Sharon, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIND: Memorial of the Minnesota Association of Union Ex-Prisoners of War, in support of bill S. 1716, to pension ex-prisoners of Confederate prisons—to the Committee on Invalid Pensions.

Also, memorial of the Builders' Exchange of St. Paul, Minn., in opposition to the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of District Council of United Brotherhood of Carpenters and Joiners, of Minneapolis, protesting against employment of soldiers to do the work of civilian mechanics—to the Committee on Labor.

Also, memorial of patrons of rural free delivery of St. Anthony, Minn., asking for an increase of pay of rural-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, memorial of J. W. Patten and others, of Orono, Minn., asking for increase in the pay of rural-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of L. Kimball and others, of Minneapolis, opposing the passage of the so-called eight-hour bill—to the Committee on Labor.

Also, petition of L. Kimball and others, of Minneapolis, opposing the passage of the so-called anti-injunction law—to the Committee on the Judiciary.

Also, petition of Freeman P. Lam and others, protesting against the adoption of the Isle of Pines treaty—to the Committee on Foreign Affairs.

Also, petition of cigar makers of Minneapolis, asking for the passage of bill H. R. 6—to the Committee on Ways and Means.

Also, memorials of Bryant Post, No. 119; Levi Butler Post, No. 73; Custer Post, No. 44; Post No. 57; L. P. Plummer Post, No. 50; Gordon Granger Post, No. 120; George N. Morgan Post, No. 4; Dudley P. Chase Post, No. 22, and of Michael Cook Post, No. [illegible], Grand Army of the Republic, all of Minnesota, favoring the passage of a service-pension law—to the Committee on Invalid Pensions.

By Mr. LITTAUER: Petition of Rev. D. H. French, pastor of the Methodist Episcopal Church, and 5 other organizations of Sprout Brook, N. Y., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIVERNASH: Resolutions of the Chamber of Commerce of San Francisco, concerning the harbor at Hilo, Hawaii—to the Committee on Rivers and Harbors.

Also, resolutions of the Chamber of Commerce of San Francisco, concerning derelicts at sea—to the Committee on Interstate and Foreign Commerce.

By Mr. LLOYD: Papers to accompany House bill for the relief of W. Alva Adams—to the Committee on Invalid Pensions.

Also, petitions of Grand Army of the Republic posts and others, of Missouri, Mississippi and Montana, that Companies D and E of the Fifty-third Missouri Volunteers be given a pensionable status—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase pension of William M[illegible]—to the Committee on Invalid Pensions.

By Mr. MANN: Resolutions of Rev. R. O. Rogers and 16 others, M. T. [illegible] and 6 others, and W. T. Thurman and 13 others, all of Pocahontas, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAY: Resolution of L. H. Drury Post, No. 467, Grand Army of the Republic, of Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petition of G. B. Barnes and 192 others, of Valley City, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAHON: Resolution of G. M. Allison and 202 others, of B[illegible], Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. [illegible]: Papers to accompany House bill to increase pension of Isaac W[illegible]—to the Committee on Invalid Pensions.

By Mr. PARKER: Papers to accompany House bill for the relief of John Chandler—to the Committee on War Claims.

By Mr. PAYNE: Papers to accompany bill for relief of estate of John H. Grimes—to the Committee on War Claims.

By Mr. PAYNE: Resolutions of John L. Beckwith Post, No. 402, Grand Army of the Republic, Department of New York, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. REEDER: Paper to accompany bill for the relief of J[illegible]—to the Committee on War Claims.

By Mr. RICHARDSON of Alabama: Papers to accompany bill H. R. 2838, for the relief of estate of Thomas V. Provence, of Jackson County, Ala.—to the Committee on War Claims.

By Mr. RUPPERT: Resolutions of John E. Bendix Post, No. 402, Grand Army of the Republic, of New York, [illegible] passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SCOTT: Petition of citizens of Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Lawrence (Kans.) Circle, No. 75, Ladies of the Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Central Labor Union of Iola, Kans., in favor of [illegible] bill—to the Committee on Labor.

Also, [illegible] Building Trades Employers' Association, of [illegible], in favor of [illegible] power of the courts—to the Committee on the Judiciary.

By Mr. [illegible]: Papers to accompany bill for the relief of legal representatives of M. N. Swofford, deceased—to the Committee on War Claims.

By Mr. SMITH of Iowa: Papers to accompany bill granting a pension to Mary [illegible].

By Mr. SP[illegible]: Resolutions of John E. [illegible] Post, No. [illegible], Grand Army of the Republic, of New York, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. [illegible]: Resolutions of John L. Beckwith Post, No. 402, of New York City, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Kentucky: Affidavits of Baptist Church of Bloomfield, Ky., for claim for damages—to the Committee on War Claims.

Also, papers to accompany bill to increase the pension of Benjamin F. Wilson—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1715, in claim of Rebecca [illegible]—to the Committee on War Claims.

Also, papers to accompany House bill granting an increase of pension to James M. Martin—to the Committee on Invalid Pensions.

By Mr. SPERRY: Resolution of Elm Lodge, No. 420, International Association of Machinists, of New Haven, Conn., in favor of increasing the capacity of the Naval Gun Factory—to the Committee on Naval Affairs.

Also, petition of Cigar Makers' Union No. 103, of Ansonia, Conn., in favor of bill H. R. 6, relating to tobacco—to the Committee on Ways and Means.

By Mr. THAYER: Resolutions of Theron E. Hall Post, No. 77, of Holden, Mass., Grand Army of the Republic, in favor of passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. VREELAND: Petition of Rev. H. E. Bayley and 18 others, of Westons Mills, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WOODS of Ind.: Resolution of the Ripley Anti-Saloon League, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

MONDAY, *February 22, 1904.*

THE PRAYER.

The Chaplain, Rev. EDWARD EVERETT HALE, offered the following prayer:

"Who raised up the righteous man, * * * called him to his foot, gave the nations before him, and made him rule over kings? * * * Who hath wrought and done it? * * * I, the Lord, the first, and with the last: I am He."

Let us pray. Father of life, we thank Thee that Thou hast been with the fathers; that Thou has been with him whose birth this day we celebrate. Thou wert willing to speak to them, and they were willing to hear Thee and to answer Thee, Lo, here am I; send me.

We thank Thee that the memory of these men has come down to us of him who was first in peace, first in war, and first in the hearts of his countrymen, and we ask, Take that Thou will be with us as Thou wilt be with us, and with us wherever we go, that Thou wilt teach us Thy law, that we may walk in Thy ways; that thus may be that happy nation whose God is the Lord.

In all times of our life, O we have sought Thee, we have found Thee. In all times of our sorrow, Thou hast been to us our vacations. Thou hast been with our counselors.

Prosper, to-day, to-morrow, and in days to come, in our memories and in our hopes, be with us still, our Father who art in heaven.

Our Father who art in heaven, hallowed be Thy name. Thy kingdom come. Thy will be done, as it is done in heaven. Give us this day our daily bread. Forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom, and the power, and the glory, forever. Amen.

THE JOURNAL.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

READING OF WASHINGTON'S FAREWELL ADDRESS.

The PRESIDENT pro tempore. The Senator from Idaho [Mr. HEYBURN] will now read Washington's Farewell Address.

Mr. HEYBURN (at the Vice-President's desk) read the address, as follows:

[An address of George Washington to the people of the United States, September 19, 1796.]

To the people of the United States:

FRIENDS AND FELLOW-CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important charge, there appears to me a propriety in my making to you some public declaration of the state of my mind. I have been long enough your servant to be well acquainted with your wishes, and I should now perhaps give you of this predilection I have formed to decline being considered among the number of those out of whom a choice is to be made.

I beg you at the same time to believe the justice to be assured that this resolution has not been taken without a full regard to all circumstances which ought to influence a decision in a matter so momentous to a dutiful citizen to his country, and that in withdrawing the tender of service, which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of gratitude for your past kindness, but am supported by a firm persuasion that the step is compatible with both.

The acceptance of and continuance hitherto in the office to which your suffrages have twice called me have been a sufficient sacrifice to my inclination, which is strongly bent on an immediate retirement. In the last instance I thought it would be more consistent with your interest not to decline the honorable trust, some circumstances in the state of the nation made it my duty to yield to your desires. I accordingly yielded then to what I was not at liberty to refuse, but I felt and expressed all the reluctance with which I was not at liberty to refuse to retirement from which I had been relieved by your voices. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence impelled me to abandon the idea. I flatter myself that the state of your concerns, external as well as internal, no longer requires the present of it to induce my retirement. The duties of office or property, and interest, with which my fellow-citizens may be retained for my services, that in the present circumstances of our country you will not think it my duty to persevere in my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed

toward the organization and administration of the Government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself, and every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my political life my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me, and for the opportunities I have thence enjoyed of manifesting my unfeigned attachment by services faithful and preserving, though in useful labors unequal to my zeal. If benefits have resulted to our country from those services, let it always be remembered to your praise and as an instructive example in our annals that under circumstances in which the passions, agitated in every direction, were liable to mislead, amidst appearances sometimes dubious, vicissitudes of fortune often discouraging; in situations in which not unfrequently want of success has countenanced the spirit of criticism, the constancy of your support was the essential prop of the efforts and a guaranty of the plans by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave as a strong incitement to unceasing vows that Heaven may continue to you the choicest tokens of its beneficence; that your union and brotherly affection may be perpetual; that the free Constitution which is the work of your hands may be sacredly maintained; that its administration in every department may be stamped with wisdom and virtue; that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare which can not end but with my life, and the apprehension of danger natural to that solicitude, urge me on an occasion like the present to offer to your solemn contemplation and to recommend to your frequent review some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all-important to the permanency of your felicity as a people. These will be offered to you with the more freedom as you can only see in them the disinterested warnings of a parting friend, who can possibly have no personal motive to bias his counsel. Nor can I forget as an encouragement to it your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence, the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth, as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest or to enfeeble the sacred ties which at this time link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth or choice of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have in a common cause fought and triumphed together. The independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds in the productions of the latter great additional resources of maritime and commercial enterprise and precious materials of manufacturing industry. The South, in the same intercourse, benefiting by the same agency of the North, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes in different ways to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in a like intercourse with the West, already finds, and in the progressive improvements of interior communications by land and water will more and more find, a valuable vent for the commodities which it brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth and comfort, and what is perhaps of still greater consequence, it must of necessity owe the secure enjoyment of indispensable outlets for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts greater strength, greater resource, proportionately greater security from external danger, a less frequent interruption of their peace by the passions of others, and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves which so frequently afflict neighboring countries not tied together by the same governments, which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern, Atlantic and Western—whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of a party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heartburnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our Western country have lately had a useful lesson on this head. They have seen in the negotiation by the Executive and in the unanimous ratification by the Senate of the treaty with Spain, and in the universal satisfaction at that event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties—that with Great Britain and that with Spain—which secure to them everything they could desire in respect to our foreign relations toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This Government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and to alter their constitutions of government. But the constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and the right of the people to establish government presupposes the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. They serve to organize faction; to give it an artificial and extraordinary force; to put in the place of the delegated will of the nation the will of a party, often a small but artful and enterprising minority of the community, and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction rather than the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely in the course of time and things to become potent engines by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government, destroying afterwards the very engines which have lifted them to unjust dominion.

Toward the preservation of your Government and the permanency of your present happy state it is requisite not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect in the forms of the Constitution alterations which may impair the energy of the system, and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited remember that time and habit are at least as necessary to fix the true character of governments as other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember especially that for the efficient management of your common interests in a country so extensive as ours a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state, with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

The spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result gradually incline the minds of men to seek security and repose in the absolute power of an individual, and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments occasionally riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the Government itself through the channels of party passion. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true, and in governments of a monarchical cast patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency it is certain there will always be enough of that spirit for every salutary purpose, and there being constant danger of excess, the effort ought to be by force of public opinion to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominates in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions by the others, has been evinced by experiments, ancient and modern, some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If in the opinion of the people the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this in one instance may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism who should labor to subvert these great pillars of human happiness, these firmest props of the duty of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, Where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle.

It is substantially true that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundation of the fabric? Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursement to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear. The execution of these maxims belongs

to your [illegible] but it is necessary that public opinion should cooperate. [illegible] duty it is essential [illegible] toward the payment [illegible] the public exigencies may [illegible] and justice toward all nations. Cultivat [illegible] human nature. [illegible] ds of European ambition, rivalship, [illegible] r clear of permanent alliances with [illegible] to ex [illegible] I h [illegible] ble when [illegible] tal or trifling [illegible] ns, obstinate, [illegible] l, and [illegible] n. [illegible] s will [illegible] Why [illegible] our [illegible] we ma [illegible] n. [illegible] is that I [illegible] it. I [illegible] on me, to maintain it with [illegible] so and con [illegible] fidence of the people to surrender their [illegible] [illegible] ght to hold this conduct in extending our commercial relations, to have with them as little [illegible] it is not necessary on this occasion to detail. I will only observe

that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity toward other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my Administration I am unconscious of intentional error, I am, nevertheless, too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence, and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love toward it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate with pleasing expectation that retreat in which I promise myself to realize without alloy the sweet enjoyment of partaking in the midst of my fellow-citizens the benign influence of good laws under a free government—the ever-favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors, and dangers.

GO: WASHINGTON.

UNITED STATES, *September 19, 1796.*

THE FIVE CIVILIZED TRIBES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a draft of a bill to make final disposition of the affairs of the Five Civilized Tribes in the Indian Territory, and for other purposes; which, with the accompanying paper, was referred to the Select Committee on the Five Civilized Tribes of Indians, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills:

A bill (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon; and

A bill (S. 2818) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.

The message also announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 23) in relation to pharmacy in the Indian Territory;

A bill (H. R. 891) granting certain lots in Gnadenhutten, Ohio, to Gnadenhutten special school district;

A bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

A bill (H. R. 6494) to approve and ratify act No. 73 of the legislative assembly of the Territory of Arizona;

A bill (H. R. 9053) to amend an act to amend an act to construct a bridge across the Missouri River at a point between Kansas City and Sibley, in Jackson County; and

A bill (H. R. 11983) regulating the practice of medicine and surgery in the Indian Territory.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Fraternal Union, of Dayton; of the St. Laurentius Unterstuetzungs Verein, of Dayton; of the Central Council of Dayton; of the Oesterreicher Unterstuetzungs Verein, of Dayton, and of the Handegen Unterstuetzungs Verein, of Cincinnati, all in the State of Ohio; of Plattdeutscher Gilde Fortschritt, No. 80, of Chicago, Ill.; of Columbus Lodge, No. 112, of St. Louis, Mo.; of the Germania Verein, of Boston, Mass., and of the Turn Verein of Waupun, Wis., remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of Kilpatrick Post, No. 71, Department of Massachusetts, Grand Army of the Republic, of Holyoke, Mass., and a petition of Henry H. Johnson Post, No. 171, Department of Massachusetts, Grand Army of the Republic, of Northfield, Mass., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Worcester, Mass., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the Independent Order of Good Templars of Pierce County, Wis., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of Richmond Grange, No. 195, Patrons of Husbandry, of Pennsylvania, praying for the passage of the so-called Brownlow good-roads bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of South Bethlehem, Pa., praying for the enactment of legislation providing for the erection of a Government building at that place; which was referred to the Committee on Public Buildings and Grounds.

He also presented petitions of Theodore Weaver Post, No. 241, of Hellertown; of J. C. Keehn Post, No. 539, of Hooker; of William S. Thompson Post, No. 132, of Oxford; of Charles S. Whiteworth Post, No. 89, of Apollo; of Gilmour Post, No. 227, of Ulster; of William Connor Post, No. 40, of Grant; of O. G. Bingham Post, No. 305, of Slippery Rock; of Major William H. Byers Post, No. 612, of Beaver Springs; of Post No. 187, of Carbondale; of Jacob Maynard Post, No. 377, of Mehoopany; of Jerry Jones Post, No. 541, of Pennsylvania; of J. C. Markle Post, No. 623, of Pennsylvania; of John E. Myers Post, No. 386, of Pennsylvania, and of George Cook Post, No. 315, of Pennsylvania, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of St. Peter's Methodist Episcopal Church, of Reading; of the Christian Civic Union of Greensburg; of sundry citizens of Reading; of the congregation of the First Methodist Episcopal Church of Steelton; of the Ministerial Association of Sunbury and Northumberland; of the congregation of the United Presbyterian Church of Lawrence County; of the congregation of the First Baptist Church and Friends Meeting, of Oxford; of the congregations of the Methodist Episcopal, United Presbyterian, and Presbyterian churches, of Oxford; of the Men's League of Oxford; of the Woman's Christian Temperance Union of Oxford, and of the Women's Christian Temperance League of Oxford, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Philadelphia and Harrisburg, in the State of Pennsylvania, praying for the passage of the so-called anti-injunction bill; which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Philadelphia, Pa., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Lordsburg, Bolsa, Visalia, Hyries, Orange, and Redlands, all in the State of California, and of sundry citizens of Promise, Oreg., praying for the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the National Board of Trade, praying for the repeal of the commutation clause of the homestead act and for the enactment of legislation prohibiting the disposal of agricultural and irrigable lands to others than actual settlers under the homestead law; which was referred to the Committee on Public Lands.

He also presented petitions of the Woman's Christian Temperance Union of Elverson; of sundry citizens of Wyoming County; of the Woman's Christian Temperance Union of East Lemon; of sundry citizens of Sunbury; of the congregation of the Methodist Episcopal Church of West Grove; of the congregation of the Presbyterian Church of West Grove; of sundry citizens of Philadelphia; of the congregation of the Salem Evangelical Church, of Mohnsville; of the Salem Young People's Alliance, of Mohnsville; of the Woman's Christian Temperance Union of Darby; of the Woman's Missionary Society of the Temple Lutheran Church, of Philadelphia; of the Ladies Guild of the Temple Lutheran Church, of Philadelphia, and of the Christian Endeavor Society of the Temple Lutheran Church, of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the enactment of legislation to enlarge the powers of the In-

terstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying that an appropriation be made to enable the Agriculture Department to continue its investigations in connection with the preservation of forests and food products, which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., protesting against the enactment of legislation providing for the preservation of game in interstate commerce in the National Government, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the enactment of legislation providing for the establishment of a bureau of commerce and labor, which was referred to the Committee on Interstate Commerce.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the passage of certain amendments to the bankruptcy laws; which was referred to the Committee on the Judiciary.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the passage of the Lodge-Gallinger bill; which was referred to the Committee on Finance.

Mr. PLATT of New York presented a petition of the Manufacturers' Association of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Finance.

He also presented a petition of the Manufacturers' Association of New York, praying for the passage of the so-called pure-food bill; which was referred to the Committee on Commerce.

He also presented petitions of the congregations of the Parish Church of Lacon, of the Methodist Church and Nye Church, of the Congregational Church of New Haven, of the Congregational Church of Avoca, of sundry citizens of Perry and Emmetsburg, and of the Women's Christian Temperance Union of Lake Harbor, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALDRICH presented a memorial of the Grain Dealers National Association and Shippers' Association of Chicago, Illinois, protesting against the passage of the so-called anti-option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Grand Rapids Furniture Manufacturers and Shippers' Association, of Grand Rapids, Michigan, protesting against the passage of the so-called anti-option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the enactment of legislation providing for the preservation of game in interstate commerce in the National Government; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

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He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the passage of certain amendments to the bankruptcy laws; which was referred to the Committee on the Judiciary.

He also presented a petition of the thirty-fourth annual meeting of the National Board of Trade of Washington, D. C., praying for the passage of the so-called Lodge-Gallinger bill; which was referred to the Committee on Finance.

Mr. PLATT of New York presented a petition of the Manufacturers' Association of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Finance.

He also presented a petition of the Manufacturers' Association of New York, praying for the passage of the so-called pure-food bill; which was referred to the Committee on Commerce.

He also presented petitions of the congregations of the Parish Church of Lacon, of the Methodist Church and Nye Church, of the Congregational Church of New Haven, of the Congregational Church of Avoca, of sundry citizens of Perry and Emmetsburg, and of the Women's Christian Temperance Union of Lake Harbor, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ALDRICH presented a memorial of the Grain Dealers National Association and Shippers' Association of Chicago, Illinois, protesting against the passage of the so-called anti-option bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Grand Rapids Furniture Manufacturers and Shippers' Association, of Grand Rapids, Michigan, protesting against the passage of the so-called anti-option bill; which was referred to the Committee on Agriculture and Forestry.

Mr. McCUMBER presented a petition of sundry citizens of Fairmount, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of Hancock and Vadna, in the State of North Dakota, praying for the enactment of legislation to prevent the sale of intoxicating liquors in Soldiers' Homes and Government buildings; which were referred to the Committee on Military Affairs.

Mr. BALL presented a petition of Colonel Whipple Post, No. 49, Department of California and Nevada, Grand Army of the Republic, of Fresno, Cal., and a petition of Seven Pines Circle, No. 3, Department of California, Ladies of the Grand Army of the Republic, of San Francisco, Cal., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. CALLINGER presented a petition of the Women's Christian Temperance Union of Keene, N. H., and a petition of Grand Lodge of New Hampshire, Independent Order of Good Templars, of Concord, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented the petition of C. E. Cate, of Northwood, N. H., praying for the passage of the so-called Lodge-Gallinger pure-food bill; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Northeast Washington Citizens' Association, of Washington, D. C., praying for the enactment of legislation to regulate the operation of the street railways in the District of Columbia; which was referred to the Committee on the District of Columbia.

Mr. GALLINGER presented a petition of the Ministerial Alliance of Kankakee, Ill., and a petition of sundry citizens of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DUBOIS presented petitions of McPherson Post, No. 3, Department of Idaho, Grand Army of the Republic; of A. T. McPherson Post, No. 19, Department of Idaho, Grand Army of the Republic; of Coeur d'Alene, and of W. T. Sherman Post, No. 31, Department of Idaho, Grand Army of the Republic, all in the State of Idaho, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Alpha Club, of Spokane, Wash., praying for the passage of the Spokane bridge and the Coeur d'Alene bridge bill; which was referred to the Committee on Indian Affairs.

Mr. FORAKER presented a petition of Charles F. Clark, of Cincinnati, Ohio, to amend the act (S. 2115) for the relief of Samuel W. Murray; which was referred to the Committee on Military Affairs.

He also presented a petition of the Independent Order of Good Templars, of Warren, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of the Women's Christian Association, Independent Order of Good Templars, Grand Army of the Republic, of Providence, R. I., praying for the passage of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the congregations of the Church of Harmony, of Arcadia, of Chepachet, of Mapleville, of Hopkins Hollow, No. 8, of North Scituate, of Nasonville, No. 6, of Foster, and of Hope Valley, No. 1, of Hopkinton, all in the State of Rhode Island, praying for the passage of the Lodge-Gallinger pure-food bill; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Young Men's Club, of Newport, R. I., praying for the enactment of legislation to protect the interests of the Wild Water Fowl of North America; which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Auxiliary, Grand Army of the Republic, of Portland, Me., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Auxiliary, Grand Army of the Republic, of Portland, Me., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of District Council, United Brotherhood of Carpenters and Joiners of America, of Baltimore, Md., remonstrating against the enactment of legislation to prevent the employment of more than eight hours per day upon all work done for the United States Government; which was referred to the Committee on Pensions and Labor.

He also presented a petition of the Woman's Auxiliary, Grand Army of the Republic, of Portland, Me., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4434) granting a pension to Alban Clifton;

A bill (S. 4435) granting an increase of pension to Rebecca Hanagan;

A bill (S. 4436) granting an increase of pension to Carrie Wages;

A bill (S. 4437) granting an increase of pension to Elias S. Gibson; and

A bill (S. 3544) granting an increase of pension to George W. Phillips.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4438) granting an increase of pension to Peter P. Dobozy; and

A bill (S. 4439) granting an increase of pension to James I. Shafer.

Mr. NELSON, from the Committee on the Judiciary, to whom was referred the bill (S. 3285) providing for the publication of the decisions and dissents of the United States at Great Falls, Mont., reported it without amendment.

HEARING BEFORE COMMITTEE ON PUBLIC LANDS.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. HANSBROUGH on the 8th instant, reported it without amendment, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the committee on Public Lands be and hereby is authorized to employ stenographers to report such hearings as may be had on any bill or bills pending before said committee, the expense thereof to be paid from the contingent fund of the Senate, and that the committee be authorized to have such hearings printed.

BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 4443) for the relief of the estate of John Chandler, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4444) for the relief of the estate of John Moody, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. LATIMER introduced a bill (S. 4445) for the relief of the estate of Dedrick Stratton; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 4446) for the relief of the estate of Jesse R. Angstead, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. BLACKBURN introduced a bill (S. 4447) for the relief of Dr. William O. Richards; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCREARY introduced a bill (S. 4448) for the relief of the Central University of the State of Kentucky; which was read twice by its title, and referred to the Committee on Claims.

Mr. McENERY introduced a bill (S. 4449) for the relief of the estate of John H. Rosser; which was read twice by its title, and referred to the Committee on Claims.

Mr. SIMMONS introduced a bill (S. 4450) for the relief of W. B. Wheeler; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4451) for the relief of Stephen Rose; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PERKINS introduced a bill (S. 4452) to appoint an additional district judge for the northern judicial district of California; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. BACON introduced a bill (S. 4453) to amend section 17 of the act of Congress approved June 6, 1902, entitled "An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes;" which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McCUMBER introduced a bill (S. 4454) granting an increase of pension to Jean Sader; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4455) granting an increase of pension to Ancil J. Busey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 4456) granting an increase of pension to Alexander Geal; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4457) for the relief of the estate of John H. Ellis, deceased (with an accompanying paper);

A bill (S. 4458) for the relief of the estate of William Brown Millican, deceased;

A bill (S. 4459) for the relief of John Christie, in his own right and as administrator of the estate of Daniel Christie, deceased;

A bill (S. 4460) for the relief of the estate of Emile Rost, deceased;

A bill (S. 4461) for the relief of the estate of Joseph Brugere, deceased;

A bill (S. 4462) for the relief of the estate of Clarisse Donato, deceased;

A bill (S. 4463) for the relief of the estate of Belot Augusta Donato, deceased;

A bill (S. 4464) for the relief of the estate of J. M. Charpentier, deceased;

A bill (S. 4465) for the relief of the estate of Francis M. Fisk, deceased;

A bill (S. 4466) for the relief of E. A. Givens, sr.;

A bill (S. 4467) for the relief of the estate of Alexander Roth, deceased; and

A bill (S. 4468) for the relief of M. W. Stewart.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4469) granting a pension to Sarah E. Hood (with accompanying papers);

A bill (S. 4470) granting an increase of pension to Jacob S. Fisher (with accompanying papers);

A bill (S. 4471) granting a pension to Ida Thompson (with accompanying papers);

A bill (S. 4472) granting a pension to Frances E. Taylor (with an accompanying paper);

A bill (S. 4473) granting a pension to Hannah A. Krause;

A bill (S. 4474) granting an increase of pension to B. Frank Paris;

A bill (S. 4475) granting an increase of pension to Daniel J. Horner;

A bill (S. 4476) granting an increase of pension to William Campbell (with an accompanying paper);

A bill (S. 4477) granting an increase of pension to John C. Craven (with an accompanying paper);

A bill (S. 4478) granting an increase of pension to Solomon R. Ruch;

A bill (S. 4479) granting an increase of pension to Frank H. Wilson;

A bill (S. 4480) granting an increase of pension to Jane E. Fuller;

A bill (S. 4481) granting an increase of pension to Isaac Harris;

A bill (S. 4482) granting a pension to Kate D. Marina; and

A bill (S. 4483) granting a service pension to all officers and enlisted men of the United States Army, Navy, and Marine Corps, both Regular and Volunteer, who have been awarded medals of honor, or who may hereafter be awarded such medals under acts of Congress approved December 21, 1861, and July 12, 1862, and March 3, 1863, and any other act or acts amendatory thereof or supplemental thereto.

Mr. PENROSE introduced a bill (S. 4484) to amend section 3893 of the Revised Statutes; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

He also introduced a bill (S. 4485) to correct the military record of Edward Means; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4486) to grant an honorable discharge from the military service to Alexander Gray; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. HANSBROUGH introduced a bill (S. 4487) granting an increase of pension to Aaron M. Mason; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CULLOM introduced a bill (S. 4488) granting a pension to Thomas C. De Ford; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCOMAS introduced a bill (S. 4489) granting an increase of pension to John T. Vincent; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4490) to authorize the President to appoint Col. Argalus G. Hennisee to the grade of brigadier-general in the United States Army on the retired list; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 4491) granting an increase of pension to Charles C. Wilcox; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4492) restoring the name of Joseph Kelly, late of Troop I, Second United States Cavalry, to the pension roll; which was read twice by its title, and referred to the Committee on Pensions.

Mr. SCOTT introduced a bill (S. 4493) granting a pension to George W. Cook; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. TILLMAN introduced a bill (S. 4494) granting an increase of pension to John Whisler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 4495) to provide for the issuance of postage-stamp certificates, to be used as remittances in lieu of postage stamps, now commonly employed in the payment of small accounts; which was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

Mr. KITTREDGE introduced a bill (S. 4496) granting an increase of pension to Harvey Fletcher; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 4497) granting an increase of pension to Hosea A. Dunham; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4498) for the relief of the estate of Mathew Brown, deceased;

A bill (S. 4499) for the relief of the estate of Samuel Stolsworth, deceased;

A bill (S. 4500) for the relief of the estate of James T. Clement, deceased (with an accompanying paper);

A bill (S. 4501) for the relief of the estate of James Crews, deceased (with an accompanying paper); and

A bill (S. 4502) for the relief of the estate of Hiram Howell, deceased (with an accompanying paper).

Mr. GALLINGER introduced an amendment proposing to allow commutation of quarters to civil employees of the Navy, and to civil employees [illegible] Marine Corps, and to civil employees [illegible] Marine Corps, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

He also submitted an amendment proposing to allow commutation of quarters to civil employees of the Navy, and [illegible] Marine Corps, intended to be proposed by him to the naval appropriation bill; which was ordered to be printed, and with the accompanying paper, referred to the Committee on Naval Affairs.

Mr. [illegible] submitted an amendment authorizing the Postmaster-General to lease for post-office purposes for a period of [illegible] years a building to be erected over the tracks of the New York Central Railroad in the city of New York; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed; by Leave, [illegible] Forty-six, intended to be proposed by him to the Post-Office appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

HEARING BEFORE COMMITTEE ON WOMAN'S SUFFRAGE.

Mr. BACON submitted the following resolution; which was referred to the Committee on Woman's Suffrage, and ordered to be printed:

[illegible] of the Senate:

[illegible] Senate.

Mr. PENROSE. I move that the bill (H. R. 5761) to authorize the [illegible] Bridge Company to construct a bridge across the [illegible] River, and the bill (H. R. 3578) to authorize the [illegible] Company to construct a bridge over the [illegible] River, from a point in the borough of [illegible], Washington County, to a point in Ross Township, Allegheny County, be taken from the Calendar and referred to the Committee on Commerce.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Indian Affairs:

A bill (H. R. 28) in relation to pharmacy in the Indian Territory; and

A bill (H. R. 11963) regulating the practice of medicine and surgery in the Indian Territory.

The following bills were severally read twice by their titles, and referred to the Committee on Territories:

A bill (H. R. 6[illegible]) to amend and confirm act No. 47 of the legislative assembly of the Territory of Arizona; and

A bill (H. R. [illegible]) to amend and ratify act No. 73 of the legislative assembly of the Territory of Arizona.

The bill (H. R. [illegible]) to amend the Civil Service Retirement act, was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. [illegible]) to amend an act to authorize an act to construct a bridge across the Missouri River at a point between Kansas City and Sibley, in Jackson County, Mo., was read twice by its title, and referred to the Committee on Commerce.

RELATIONS WITH COLOMBIA—PANAMA CANAL.

Mr. CULLOM. I ask that the unfinished business may now be laid before the Senate, being the resolution of Mr. BACON.

There being no objection, the Senate proceeded to the consideration of the resolution submitted by Mr. BACON on the 12th ultimo, as modified by him on the 8th instant, as follows:

[illegible]

[illegible] of the Colombian people in the construction of the canal.

Mr. HOAR. Mr. President, it seems likely that the dream of [illegible] centuries is now at last to become real. Columbus believed that he was sailing a westward passage to [illegible] China. [illegible] westward.

That was four hundred and [illegible] his mistake. In [illegible] It was not till seven years after [illegible] narrow rock. [illegible] and adventurous spirit of [illegible] Mr. President, [illegible] the two oceans is [illegible] through it without [illegible] in half a [illegible] Canal.

Stared at the Pacific [illegible] a surmise,

we know pr[illegible] four [illegible]

I should [illegible] even if it [illegible] a million or two [illegible] lay, before committing ourselves absolutely to a canal at [illegible]

But it is not a su[illegible] to deal. The [illegible] mine—by exp[illegible] of wa[illegible] for and [illegible]

The gentlemen [illegible] set forth with [illegible] ceeding tide; that [illegible] to make but one [illegible]; that the time has come when the two hemispheres, when East and West, shall be one, or, if not one—

Two [illegible] apart,
But beat and tremble to one throbbing heart.

It would be no wonder, Mr. President, if the tide of this enthusiasm were to sweep people and Senate and Executive off their feet, and that any voice counseling a moment's delay or deliberation should be heard with impatience or should be unheard amid the chorus of acclaim and joy.

There is, however, Mr. President, another result to the accomplishment of which this canal is, in my judgment, to be a great contribution and which, it seems to me, if not even greater than the advantage which is to come to us in the Orient, at least ought to be mentioned along with it—that is, the effect it is likely to have in binding together and to us the sixteen or seventeen republics of the American continent.

In the very darkest period of our civil war, when we had few friends abroad and the stoutest hearted at home were almost in despair, when Washington was in peril and England and France were watching for an opportunity to recognize the Southern Confederacy; when the Alabama had driven our commerce from the ocean, the whole world was startled by a voice of good cheer and good hope. It was the voice of John Bright, at Birmingham.

The chancellor of the exchequer, as a speaker—

He said—

is not surpassed by any man in England, and he is a great statesman; he believes the cause of the North to be hopeless; that their enterprise can not succeed.

I do not blame any man here who thinks the cause of the North hopeless and the reestablishment of the Union impossible. It may be hopeless; the restoration may be impossible.

But I can not believe, for my part, that such a fate will befall that fair land, stricken though it now is with the ravages of war. I can not believe that civil order, quite journeying with the sun, will sink into endless night in order to gratify the ambition of the aristocrats of one section.

I have seen, I have had far brighter visions before my eyes. It may be but a vision, but I believe it shall come true. I see one vast confederation stretching from the frozen North in unbroken line to the growing south, and from the wide Atlantic shores westward to the setting sunset of the Pacific waters, and I see a people, and one language, and one law, and one God, and one all that made England great, and I see the banner for freedom and a refuge for the oppressed of every race and of every clime.

When the end of the nineteenth century was coming on we looked forward to the accomplishment of this hope in the century that was to follow. Certainly it was no ignoble dream. If ever nation were entitled to hope for the good will of any other nation the great Republic might well look for the good will of her sisters at the south. She held out to them in one hand the Declaration of Independence with its great doctrines of the equality in rights of every nation with every other. In the other hand she held out the Monroe doctrine, to which every republic to the south of us owed alike her independence and her safety.

What nation, what combination of nations, can resist the peaceful influence of this great American continent, occupied by republics and alive with the spirit of liberty? When that shall have come about we shall never need to go to war. Our strength will be the strength of peace. Our victories will be the victories of peace. Europe seemed already ripe for the Monroe doctrine. France and Switzerland were already republics in fact. England and Sweden and Norway and Belgium and Denmark were republics in substance. Asia and South Africa and Australia were ready to enter our school as docile, eager, and obedient pupils.

The people of these republics have their grave faults, as we have ours and our ancestors had theirs. Humanity, as it rises from the savage state, is, like Milton's lion, still pawing to get free his lander parts. For one, I feel like being tolerant of the faults of our sister republics. I think revolution and riot and unsteadiness and discontent in freedom are quite as pardonable as the century long dead level of European or Asiatic despotism.

I do not expect myself to see the accomplishment of that vision. But I believe it is not far off. The eyes of children now born, the eyes of men now within the sound of my voice, will see it far on its way to accomplishment. In spite of a difference of opinion on one great question, I am confident that that career of peaceful empire and of peaceful glory will be along the same path, with the same chart and compass, with the same guiding stars, with the same rule of faith and practice, that this nation has followed from the beginning.

The doctrine of the Declaration of Independence that all men are equal in political rights and political opportunities, that governments get their just powers from the consent of the governed, that every nation has the right to that form of government which it and no other shall deem for its safety and happiness, is the doctrine henceforth to be the magnet which will draw men into that mighty federation and to share with us the peaceful dominion of self government.

We will, in my judgment, never substitute permanently the doctrine that strong nations are to judge of these things for weak ones, that we are to give to all weaker peoples such government as we think good for them, that we will determine for them whether and when they are capable of governing themselves, and that military conquest or grant from a dispossessed tyrant will make a good title to empire of one people over another.

The gratitude of free Cuba, Japan started by us on her career of civilization and glory, China saved from partition and spoliation—these great achievements, in two of which my friends who sit by me have had so noble and honorable a share, are to be our passports and titles to the confidence of a continent of republics in this hemisphere, and to the confidence of many a struggling people in the other.

I expect, Mr. President, to give my vote for the treaty. As I said the other day, no man in this country desires it more eagerly than I do. I doubt if there be a man living who desires it so eagerly as I do.

I should hardly deem it needful to speak again after what I have said already and after what has been said by other Senators on both sides of this Chamber were it not for some criticism and misunderstanding here and elsewhere of what I said the other day. Certainly, Mr. President, I have been taught one lesson, especially by the speech of my good friend from Ohio, which it may be was needed to take the conceit out of me. I had, with what I am afraid was an undue vanity, supposed that whatever else might be my defects or shortcomings I had the capacity at least to state what I think so that my meaning would be known with tolerable and ordinary clearness, and that after thirty-five years of service in these halls I should not be suspected by men who knew me of saying one thing and meaning another.

I called attention the other day to some charges which were made extensively in the press in this country and in other countries which I declared in my judgment were unjust and false, but which I thought needed explanation and contradiction. Beside what had appeared in the newspapers hostile to the President and to the Republican party, I was receiving private letters expressing anxiety and alarm from Republican sources of the highest intelligence and respect. The writers were puzzled and anxious. I thought that the case had been very imperfectly and inaccurately stated. I was confident that a full and complete statement would remove all ground of reasonable criticism.

For some reason, what was a simple and ordinary resolution requesting the President to give us such information as he might think not incompatible with the public interest was met with delay and opposition. It was a resolution which for many years it had been the custom of the Senate to adopt on the desire of any single Senator. But it was attempted to delay it and suppress it, first by sending it over under the rules, and then by a proposal to commit it to the Committee on Foreign Relations. I then stated the reasons why I thought a fuller and clearer statement of the whole case was needed for the satisfaction of the public and the absolute vindication of the President.

That I was actuated by no hostility to him, if anything other than my own affirmation be needed to show it, will, I think, be believed when I quote the resolution of the Republican convention of Massachusetts, adopted not long ago. The eminent gentleman charged with the duty of preparing the platform for that convention did me the honor to invite me to prepare so much of it as related to the President. This is the resolution which I prepared myself, of which I wrote every syllable. It was prepared without consultation with anybody and without help from any other man.

The Republicans of Massachusetts and her people, without distinction of party, have paid [illegible] to the President and government of their choice, and [illegible] in the providence of God, the burden he laid down is borne by a worthy successor.

[illegible] Roosevelt has [illegible] of his high calling with wisdom and courage. He has [illegible] The less [illegible] He has [illegible] his present Administration and intends to sustain and support him in another.

I introduced a resolution on the 9th of December calling upon the President to give such information as he might deem not incompatible with the public interest as to what had been done in dealing with Colombia and the new Republic of Panama so far as it affected the canal treaty. I suppose I must call it "Panama" though I was brought up on the old-fashioned lines of Sam't, which my friend the Senator from Ohio will recollect. They run something like this:

Panama's maids will long look pale,
When FORAKER finishes his tale
Colon's dark matrons long will tame
The froward child with CULLOM's name.

I have not got the names right, but the lines are in substance as I have quoted them. That resolution was one of a kind which, according to the customs of the Senate prevailing until quite recently, has been adopted as a matter of course, if any Senator think he need information for the discharge of his own duty. I can not conceive any reason for withholding it or delaying it.

It left everything to the discretion of the President. It asked

for no information, except what the Executive and the State Department were in the habit of giving to any Senator who should visit the White House or the Secretary of State. But for some reason it was met by all the tactics of parliamentary opposition which the Senate rules permit. First there was a demand that it go over from day to day, and then a motion that it go to the Committee on Foreign Relations for consideration.

It will be observed, Mr. President, that it was not a peremptory direction to a department, such as we are wont to give. It was a courteous request to the Executive to tell us so much of the matter as he should think the public interest should permit. If that resolution had been adopted, as I expected when I introduced it, as a matter of course, I should not have said a word. I was specially careful when I did speak to give notice that if any Senator thought anything I should say fitter for executive session, I would instantly desist. Under these circumstances, I deemed myself compelled to say what I said. I thought then and think now that I was doing a great service not only to the country, but to the party of which I am a member, and to the President, of whom I am a supporter.

Mr. President, there was a very peculiar condition of things at that time. A large portion of the press of the country, Democratic and what is called "Independent," were making very bitter charges against the President. The echoes of those charges were beginning to reach us from foreign countries. They charged the President with manufacturing the revolution in Panama. One editor in Panama, favorable to the revolution, made a statement in his own newspaper, extensively copied in this country, that he had had an interview with the Secretary of State, who had, in substance, conveyed to him his approval of the revolution, but counseled a little delay until things should be in readiness.

These charges were, in my judgment, foul and infamous. I was applied to by a well-known newspaper that had repeated them to give my opinion of the whole question. To that request I replied that I was not myself informed sufficiently to make a public statement about it, but that if I did make a public statement I should not select for an organ a newspaper which itself, knowing no more about it than I did, had charged the head of the Republic with dishonorable conduct. The correspondent asked me if he might report my answer. I told him he was welcome to do it, and he did it. That was a few days before I introduced that resolution in the Senate.

Now, does any man believe, after reading that resolution of the Massachusetts State convention, and after making that public statement, I undertook either directly or by insinuation to indorse the calumny I had so indignantly rebuked?

But, Mr. President, these charges of the newspapers at home and abroad were having their effect. I was getting letters from men, whose names, if I were at liberty to make them known, would create a good deal of astonishment, expressing their uneasiness and alarm. They were asking whether these things were possible. Many of the writers were evidently very deeply impressed by them. These letters did not come from the men who are called "Mugwumps," or "Independents," or "Bolters," or "Free Traders," or from the cloisters of universities, or the libraries of dreamers, or from men who were lukewarm in their Republicanism.

They came from men of the highest character and influence, political and personal friends of my own, with whom I have been acting all my life. They did not come from men who in the past have been in the habit of going from one party to another at every alternate election. They came from business men, from protectionists, from large employers of labor, from men of advanced years, from men who never gave other than a Republican vote and whose names were never absent from a Republican contribution. They were full of uneasiness and alarm.

The danger seems to be over now. But it seemed to me then, as it seemed to men wiser and better informed than I am, that the condition was like that which preceded the first and second elections of Mr. Cleveland—a condition of fancied security at Washington and a condition of well-founded alarm among Republicans in the places where elections are decided.

What were the charges and complaints? They were:

First. That the Administration, failing to get a treaty from Colombia, had instigated the revolution.

Second. That the President had been hasty in recognizing the new State, thereby abandoning the doctrine we maintained against England and France in the beginning of the civil war.

Third. That he had, in violation of the solemn treaty by which we were bound to maintain the sovereignty of Colombia over Panama against any other power, at home or abroad, not only neglected that duty, but had tied the hands of Colombia so that she could not defend herself, and then had proceeded to despoil her of that sovereignty and of the Isthmus which gave it its chief value.

Now, Mr. President, I said in my speech on December 17 that so far as the charge of secretly fomenting this revolution, it did not seem to me worth the President's notice. I said that if the President were to consult any Senator, that, in my opinion, he would tell him that there was no occasion for him to prove by any evidence beyond that of his own character that he had had nothing to do with any indiscretion or artifice. I said that from all I had ever seen or known he was the last man living capable of such an act. Perhaps I might say, without indelicacy or impropriety, that what I said any Senator would say to the President, if he had asked him, I had myself said to the President when he asked me. But I also said of the charge against the Secretary of State that I did not believe one word of it; that it did not seem to me to be Mr. Secretary Hay's style.

But the President decided otherwise. He had undertaken to contradict these aspersions. He had sent to the House of Representatives a message containing a few of the documents, with the history of the transactions, and had given to the press, for the express purpose of showing the impossibility of these charges, a part of a message he had prepared to send to Congress on the 7th of December, showing that when he had prepared it, in the latter part of October or the beginning of November, he had no expectation of revolution in Panama, and expected to deal with the situation on an entirely different theory.

Mr. President, unfortunately, it seems to me, and as it seemed to many loyal friends of the President himself, his explanation and contradiction were in a very imperfect state. Neither he nor the Secretary of State had given an indignant denial of the charges. It is true, as I thought then and think now, no denial whatever was necessary. But he had not taken that view. He had sent certain documents to Congress and made known to the public a draft of a message for the very purpose of contradicting these slanders. Now, I pointed out in what I said, affirming with all my might, that I did not believe a word of them myself; that if they were to be contradicted by a history of the transactions we ought to have the whole of it and not simply that part of it that did not contradict them. The documents which the President had sent in began, in order of time, before any revolution had begun in Panama. So far as appeared by them our Administration had no knowledge or expectation of any, a view confirmed by the draft of the undelivered message, until orders were given to hurry ships to Panama for the sole purpose of preventing Colombia from so disposing of her forces as to prevent it.

It is true there had been rumors in some papers before that time of expected revolution in Colombia, but they were not alluded to in anything the President said to us. They were unknown to a large portion of the American people. I confess my own ignorance; but they were not known to me, and they were probably unknown to the general public in foreign countries.

So, Mr. President, the only official fact that had been furnished to us in answer to these calumnies were the facts that the first step, apparently, in these important transactions was that before the revolution broke out the United States gave an order not to let Colombia anticipate it and prevent it.

Now, Mr. President, was it an unfriendly act? Was it unpatriotic? Was it disloyal, either to my country or to the party which my enemies, at least, say I love with an extravagant affection, that I called attention to the condition of things? That friend of President Roosevelt must be very sensitive indeed who thinks when a slanderous and foul charge is made against him that it is a wound to say at the time that the charge is foul and slanderous, and that the President's character is such that it is not worthy of contradiction, and to add, also, as you have undertaken to contradict it, had you not better make your contradiction complete? If it be a wound, be it so. "Faithful are the wounds of a friend."

I not only, Mr. President, utterly disclaimed any other purpose than this at the time, with as much clearness and vigor of statement as I could put into language, but when the Senator from Maryland and the Senator from Ohio put a different interpretation on what I had said I declared that I would not permit, if I could help it, the Senator from Maryland or the Senator from Ohio to put me in a false position.

Mr. President, whether I was right or wrong, the President and the Secretary of State seem to have agreed with me. They have sent in, first a few days after I spoke, and again still later, two messages, giving all the history of the transaction and of our relations with Colombia and New Granada, arguing all these questions very powerfully, so far as they are matters of argument, and accompanied by emphatic and indignant denials of all the imputations to which I referred, expressing at the time my own belief that they were false. The Secretary of State says, what I knew beforehand from my knowledge of his character, that he never said any such thing to that editor, and never talked with him except in the presence of a number of other persons.

The President, in his message January 4, 1902, shows by the history of the transactions that what he did was in precise accord-

ance with what had been done in previous years with entire public approval. He says:

[illegible]

Is there any man on the face of the earth, friend or foe of Theodore Roosevelt, who [illegible] Will the emigrants coming from Portland, Me., to San Francisco or Puget Sound have one among their number who will accuse that brave and honest man of [illegible] And is it not on the whole a good thing for Europe [illegible] or foe of these propositions? Again, if anybody does, I wish he would tell me.

Now, Mr. President, it would be arrogant and presumptuous in me to claim that anything I said in the Senate [illegible] I certainly make no such claim. But I do claim that what the President has said and done vindicates absolutely the propriety of what I myself said and did, and I am able when I read the message of January 4 to repeat what I said in the [illegible] of the Republican State convention of Massachusetts, to which I just [illegible]

[illegible]

Mr. President, if my life shall be spared and my eyes shall see, as I hope and believe if my life shall be spared they will see, another Roosevelt Administration. I shall try, if I have a seat here, to give to President Roosevelt honest and friendly and [illegible] counsel, without stopping to think whether that be the best road either to his favor or to the popular favor of the day. I have learned in my life that while we must do our duty in the present, as God gives us to see it, that the reward for doing duty comes in the future, seldom at the time.

Mr. President, the time for the vote is so near and the members of the Committee on Foreign Relations and other Senators, particularly the Senator from Wisconsin, have so [illegible] that I do not like to enter into an argument now. I will, however, say a word or two upon two questions.

First, I want to speak of the charge that the President has been overhasty in the recognition of the new Republic. That is a matter solely for his discretion. The power of recognition of a foreign government, whether of its separate existence or of its de facto government, must in ordinary cases be with the exclusive discretion of the President, and his action must be absolutely binding upon all other departments of the government. That matter was debated when some members of this [illegible] Congress in recognizing the insurgent government which was then literally in the saddle in Cuba.

Those gentlemen, some of them at any rate, admit their mistake now. This power, though so important, is not an express power. It is a derived power coming from the President's power and duty to appoint and receive ambassadors, other public ministers, and consuls, and his power and duty to see that the laws, including treaties—which are laws—be faithfully executed.

It is impossible that the exercise of this power should wait for the assembling of Congress in those cases that arise in vacation, or should be delayed until the lawmaking power, consisting of three separate and independent authorities, can agree and act. I have thought that cases may be conceived where such a duty and authority may exist in the lawmaking power. It may be desirable sometimes to enact a law which will determine the status of all persons under the authority of our Government in dealing who is the lawful government of a foreign country. But that question does not arise now.

So it is clear to my mind that for every American, whether in Congress or out, the question, What is the status of the government at Panama? has been settled by the President. No question remains for the Senate but whether the proposed treaty be a proper one and for the public interest. Otherwise, if the Executive think one way and we think another, and the House of Representatives perhaps differs from both of us, there can never be a lawful treaty with any power occupying the territory of Panama, and not only the canal must wait, but everything so far as our relations with that country is concerned must be in chaos.

I ought, perhaps, in all candor, to say one other thing. I listened carefully to the interesting argument of my honorable friend from Wisconsin last Saturday. I have read [illegible] all that has been written from the Department of State upon the subject. I am ready to give my assent to the interpretation of the treaty of 1846 with New Granada—the treaty of which the [illegible] Colombia and now, as a consequence of the Panama revolution of the new Republic, to Panama—which has been [illegible] put upon it by my honorable friend from Wisconsin and, if I understand the matter correctly, by the President and given by the President, I suppose, the advice of his able and accomplished Secretary of State.

I do not [illegible] as they do the attitude of previous Administrations upon that question. I think we were bound to guarantee the sovereignty of New Granada and Colombia and now of Panama, since the President has recognized it, over that Isthmus against all foreign powers, including [illegible] This has nothing to do with the Monroe doctrine. Our security is against American States as well as against European powers.

As I interpret the treaty and as I interpret the previous interpretations of our former Administrations, I think, as an equivalent for this valuable and costly right of transit—in which we are more interested than all the rest of the world put together—and the right to compel that Isthmus with our public forces to protect not only the sovereignty, but the [illegible] of Colombia, we were to say to New Granada: "We will guarantee your sovereignty against any unlawful power whatever."

But, Mr. President, the case of the United States, in my opinion, under present conditions is stronger instead of weaker according to my view than according to the view taken by my honorable friend from Wisconsin, as will be seen in a moment.

By the language of the treaty of 1846 the United States guarantees "positively" and "efficaciously" to New Granada—

as special compensation for the right of way and the advantage and favors of [illegible] embarrassed at any future time.

Now, as the President stated and as every Senator who has spoken in this discussion has stated, the United States has an interest in keeping that transit peaceful and neutral whatever contending forces might menace it.

A domestic insurrection might be a greater menace and a more permanent interruption than that which would come from any foreign war. Suppose there were an insurrection in Panama and the conditions along that Isthmus were like those of the valley of the Shenandoah or the Rappahannock in our civil war. The United States, if it were to keep the peace of that region, would in a conflict, inevitably take one side or the other in the [illegible] So our Administration says, and so our Administration has acted.

Now, the treaty goes on to say that "in consequence the United States also guarantees in the same manner the rights of sovereignty and property which New Granada has and possesses over the said territory." Upon any other construction of the treaty the United States is bound to prevent what it has recognized as the lawful sovereignty from ever asserting its lawful authority. From that would follow either that the rebel authority is always to be recognized or in case of any disturbance that there must be no sovereignty existing there whatever, action or a civil war might last, as many Spanish wars have lasted, for a year or for a generation.

Now, Mr. President, this view is supported by the language of the treaty of 1857, under which both Governments admitted the liability of New Granada for damages caused by a mob at Panama, as is expressly stated in the treaty, which says:

[illegible] to preserve [illegible] the [illegible]

If it were not our right and duty to protect that sovereignty it must follow that the right and duty were not [illegible] We were not bound to do it ourselves, and we were bound by our duty to keep the peace to prevent New Granada or Colombia from doing it herself. This view, as I understand, was the view of Secretary Seward, as expressed in his letter of April 30, 1866, in which he says (I abbreviate his language a little, but give its entire substance): "If the complete and absolute sovereignty of the State of Colombia shall ever be assailed by any power, at home or abroad—that is, by domestic violence or foreign violence—the United States will be ready to cooperate with the Government of their ally to maintain and defend it."

Mr. Fish says, October 27, 1873, in his dispatch to Mr. Keeler, that—

> Our engagement has never been acknowledged to embrace the duty of protecting the road across the Isthmus from the violence of local factions.

It is clear that he is not speaking of a menace to the sovereignty of Colombia. He further says that—

> That protection has been given, but with the consent and at the instance of the local authorities. It is regarded as the undoubted duty of the Colombian Government to protect the road from attacks of local insurgents. The discharge of this duty will be insisted upon.

Mr. Bayard says that—

> Our Government has always recognized the sovereignty and obligation of Colombia in the premises and has expressly disclaimed the duty of protecting the transit against domestic disturbance.

And that—

> Whenever we have sent our forces there it has always been at the instance and with the consent of Colombia.

He is speaking of local disturbances not amounting to an attack on the sovereignty which we ourselves are bound to guarantee.

And President Cleveland, in his annual message of December, 1885, says that our forces which were sent to Colombia by him to keep the transit open were sent there only when the local authority was temporarily powerless and always in aid of the sovereignty of Colombia, and that that fulfillment of our duty was highly appreciated by the Government of Colombia and has been followed by expressions of its satisfaction.

So, Mr. President, so far as I can understand the matter, but for my deference to the great legal authorities who differ from me, it would seem to me to be clear that we entered into a treaty in 1846 by which we bound ourselves to guarantee the sovereignty of Colombia against domestic as against foreign violence. We were to do it at her instance and in her aid.

But, Mr. President, this obligation is, in my judgment, limited in all reason and in all justice by the absolute necessity of the case to the protection and guaranty of that sovereignty only when it is so exerted that it gives no occasion or justification for a lawful resistance by the people over which it is exercised. We did not mean to bind ourselves in violation not only of our own Declaration of Independence, but of the doctrine we had been preaching from the beginning to all South American republics that an oppressed people had no right to overthrow a tyrannical government, and that if they undertook to do it our power was to be pledged to their subjugation.

If we had made a like treaty with Spain in regard to Cuba or in regard to any part of South America, Tehuantepec or Nicaragua or Panama, while under her rule, would it be contended for a moment that she could summon us to support her in aggressions like those of Weyler or those against which the whole South American continent and the islands of the sea had rebelled?

There is an analogous case, well settled by all authorities, in international law which declares precisely the same principle, though adapted to a not very dissimilar state of facts. That is the well-settled doctrine that a treaty obligation for an alliance, offensive and defensive, never binds any nation to support its ally in an unjust war.

Wheaton says that Grotius and the other text writers hold that the casus foederis of a defensive alliance does not apply to the case of a war manifestly unjust, that is, to a war of aggression on the part of the power claiming the benefit of the alliance. And it is even said to be a tacit condition annexed to every treaty made in time of peace, stipulating to afford succors in time of war, that the stipulation is applicable only to a just war. To promise assistance in an unjust war certainly would be an obligation to commit an injustice, and no such contract is valid.

Certainly, Mr. President, this doctrine must apply a fortiori to an engagement by treaty to guarantee sovereignty. No such treaty can be for a moment reasonably claimed to constitute an obligation to maintain a sovereignty against which there is a just and clear ground of revolution. If any power had engaged to maintain the sovereignty of Spain over Cuba, would it be for a moment contended that such a treaty bound the contracting power to maintain a rule so oppressive and tyrannical and cruel that we held ourselves justified, under the law of nations, in interposing for its overthrow?

If, therefore, the statements, so far uncontradicted and unqualified, made by the President and made on the floor of the Senate be true, and Panama had an honest ground for revolution against Colombia, in accordance with the doctrine of which we set the example when we became ourselves a nation, and the doctrine stated to the world in our own Declaration of Independence, then, in my judgment, the treaty was not applicable or of binding force any longer.

Of this also it seems to me that the President must necessarily be the judge. The treaty with New Granada, to the rights and duties of which Colombia succeeded, was the law of the land, binding alike upon the executive and the judicial departments. It was the constitutional duty of the President to see that, like other laws, faithfully executed. It was not a case, from its very nature, where he was bound to await the action of the lawmaking power.

The duty to interpose for the defense of the sovereignty of Colombia in a proper case, like that of preserving the neutrality of the Isthmus, would ordinarily be an obligation of instant necessity. It could not await the assembling of Congress, if it arose in vacation, and it could not await the slow action or the possibility of difference of opinion of a power which required the concurrent action of two legislative bodies and the President himself for its exercise.

I hold, therefore, Mr. President, that although, in my opinion, the treaty of 1846, as expounded again and again since, required us to protect the sovereignty of Colombia against all assailants, either foreign or domestic, and of course bound us to respect it ourselves, yet that that only bound us to guarantee and protect it in its lawful exercise. When it became intolerable, so that its subjects had a fair right of revolution on principles which we ourselves have declared are the fundamental and natural rights of every people, we were no longer bound by the obligation. And the question whether that condition of things had arisen was necessarily and solely for the Executive.

Now, Mr. President, if this doctrine be sound, and I do not think it likely to be questioned, what follows? The moment Panama declared her independence and had established it, of which the President is the sole judge, our obligation to defend the sovereignty over that Isthmus, which had come down from New Granada to Colombia, came down from Colombia to Panama. She had the right to claim the advantage as she had succeeded to the obligation of the treaty of 1846, just as she would have the right to claim the right and succeed to the obligation of the treaty of this year if the Hay-Herran treaty with Colombia had been ratified on both sides and she had accomplished her revolution afterwards.

I had thought of saying a word about the charge against the President of undue haste in the recognition of the new Republic. But I do not think at this late hour that I care to do more than to repeat precisely what I said the other day. I am afraid I did not say it very clearly. I certainly failed to make the very clear intellect of my good friend from Ohio [Mr. FORAKER], whom I love and honor—and who, I sometimes think, likes me a little, too—understand me.

It is said that the President's action is inconsistent with what we demanded of European powers at the time of our civil war. I said, then:

> The question whether and when he shall recognize any government as de facto is, in the first instance, by the Constitution to be a question for the discretion of the President. It is a question which, in the first instance, belongs to the executive department of the Government. I do not think he should wait much longer to give the force of law to dealing with Panama from the date when it became a de facto government, belonging to our civil war.
>
> During the impeachment of Warren Hastings, when the lawyers in the House of Commons complained of the delays and the slow process of the trial, Burke answered that when those gentlemen called the precedents of their courts to guide for the proceedings of that great tribunal, it was as if a man that for four times a year should seek to measure the period necessary for the gestation of an elephant. Certainly the reverse is true. The elephant that breed once in twenty months can afford no rule for judging of the period of gestation of a dead mouse or a humming bird.

I have been told by some learned naturalists since I spoke that the elephant takes twenty months, instead of twelve, for that interesting process. That is a matter about which I have no knowledge and about which, I presume, Senators who hear me have no knowledge. If that be true, it only strengthens the force of the illustration. What I meant to say was that, as compared with our civil war, with the birth of the great Southern Confederacy, determining the fate of eleven and perhaps fifteen States, and rending asunder a great nation, this matter of the birth of this little Republic was but a field-mouse or humming-bird transaction as compared with the birth of an elephant.

All the facts, all the history, affecting that transaction were well known to the President when he acted. There were reasons for prompt haste growing out of our relations with that Isthmus and by reason of the necessity of having some power with whom we could deal in the pending negotiations relating to the isthmian canal.

Now, Mr. President, the last sentence which I uttered in the speech of last December was this:

> I do not undertake to say—I do not say—that there has been anything so far on the part of our Government liable to criticism or censure. But the American people and the Senate ought to know all the facts. They are, in my judgment, entitled to know the whole case and to know it now, before action be taken upon the Panama treaty. We are entitled to know it in the way pointed by the established system of the Government for a century—by an official communication from the Executive to one or the other House of Congress, and not to get it through some individual Senator, whose information may be colored, unconsciously, by his own wishes or by what he fancies to be the wishes of anybody else.

Whether I were right or wrong in that declaration, every word of it has been abundantly indorsed by the President. He has declared, as I did, that he thinks the charge unworthy of a serious denial. He has declared also, as I did, that having once treated it as worthy of attention it is better to make his denial complete and absolute, as he has done, and enable the American people and foreign critics and the men who are to write history to judge of the transaction by the whole story and not by a hasty narrative which begins on the 2d of November.

I shall, Mr. President, cordially and gladly support this treaty, as I said, when I spoke the other day, it was my hope and expectation to do. I shall share the exultation of the whole people when, in the near future, the construction of the canal shall be begun by the only power on earth competent to complete it, and another glorious chapter in the history of the world will be also another glorious chapter in the history of the Republic.

For fifty-three years, ever since the Republican party was born—before it was baptized or christened—Massachusetts has kept in these seats an unbroken succession of Republican Senators. She has given through them fearless and honest and brave counsel. She has been often criticised. She has been sometimes unpopular. But I think on looking back that my brethren will agree with me that the country has been on the whole better off, and that the Republican party has on the whole profited by the fact that she has put no bridle or muzzle upon the lips or the tongue of the man she has chosen to represent her. In general you have come round to her way of thinking, and have followed—I will not say her lead, for that is too much—but her advice.

I count myself the humblest and the least worthy of the men she has selected to represent her. I have differed, as have my predecessors, sometimes temporarily from by brethren, whom I love and honor; but the people have kept me here, not only longer than any other in the Senate or House of Representatives for a consecutive term of service and longer than any other Massachusetts Senator, but longer than any other man now in public life in this country.

I have tried to be faithful to her traditions and to represent worthily as I might her deliberate opinions. I have tried, if I might, to bring it about that this great transaction, greatest in our history save only the achievement of our independence and the abolition of slavery, be performed in a way to enhance the pure fame of my country at home and abroad, that it shall owe nothing to power but everything to justice.

So, Mr. President, I not only find no difficulty in giving my vote for this treaty, but I give it with an unqualified pleasure and satisfaction.

I repeat what I said on the 17th of December:

> No man in this country desires more eagerly than I do. I doubt if there be a man living who desires it eagerly as I do—to support the Administration, and to act with my Republican associates in this matter. I desire the success of the project. It is one of the great transactions of the century, in the progress of humanity, bringing nations together and making the whole world kin.
>
> I hope it is a laudable ambition—at any rate it is my ambition—that this may be accomplished in my time by the party with which I have acted from my youth and by the Administration of my choice. I have said to my friends, time before, to me than that it should be accomplished on the first day of March. I had supposed I had the right to speak so in confidence and without pretense to friend. It was clear enough to me that it could not be accomplished in advance of that time.

I added then what I desire to repeat now:

> But let this great transaction be wrought in the great way which alone is worthy of it. Let it be brought to pass, if not unanimously, at least by the votes of all parties and the united authority of the people. If it cannot be done, let it be done, at least let it be without the taint or suspicion of national dishonor.

Mr. President, I am happy to believe that this great transaction is to be wrought in the great way which alone is worthy of it. It is to be brought to pass, if not absolutely, at least almost absolutely, by the unanimous consent of all parties and the united action of all the people. I believe it will come to pass without national dishonor. I may perhaps deceive myself, but I believe I have done something to remove from the transaction any taint or suspicion of national dishonor.

Mr. FORAKER. Mr. President, I have listened to the distinguished Senator from Massachusetts [Mr. HOAR] with that delight which a high order of intellectual effort always imparts, in this case with the added pleasure that I am in full accord with all he has said about the question under consideration, however it may be as to his criticisms upon myself for the speech I made in answer to him when he spoke in December last.

I regret myself somewhat unfortunate, Mr. President, with respect to this controversy in so far as there is one between the Senator from Massachusetts and myself. I had been otherwise engaged when he made his former speech to which reference is made and came into the Senate Chamber only as he took the floor and commenced to speak. I was not aware he intended to make a speech. I was not aware he had introduced the resolutions to which he spoke. I knew nothing about that speech except only as I gathered it as he delivered it. I undertook to make an answer to it. It was necessarily impromptu. It was necessarily based on what I understood the Senator from Massachusetts at that time to say.

If I misunderstood him in any respect, as the Senator in his speech claims I then did misunderstand him, I am not alone in that misunderstanding. I have turned to the RECORD, and I refer to it only that I may the better assure the Senator, and place it in the RECORD, that I did not intend at that time to misrepresent him, as I would not under any circumstances knowingly or intentionally misrepresent anyone. When the Senator concluded his speech, which I find in the RECORD of December 17 last, he was succeeded immediately by the Senator from Maryland [Mr. GORMAN], who seems to have understood the purport of the Senator's speech precisely as I did. I quote from the speech made by the Senator from Maryland [Mr. GORMAN] on that occasion:

> Mr. President, I think the country is to be congratulated that again the Senator from Massachusetts, a great leader on the floor of the Republican party, whose reputation is world-wide, has declared the sentiments that have been expressed in this body time and time again. When some question arises involving the honor of the American people he has declared, time and time again, that no other Senator ought to join the minority in charging the conduct of the Executive, even when it trenches upon the duties of the Senate or of Congress, or attempting, without the consent of Congress, by an improper joint resolution, to involve the country in war.

Whether or not the Senator from Maryland was justified in employing that language in making his answer to the Senator from Massachusetts will appear from a study of what had been said by the Senator from Massachusetts.

Mr. HOAR. The Senator from Ohio will also remember that I at once rose and said that I could not permit the Senator from Maryland to put me in a false position.

Mr. FORAKER. Yes; I remember that very well.

Mr. HOAR. I disclaimed it at the time.

Mr. FORAKER. But the question remained then, notwithstanding what the Senator from Massachusetts said, and remains now, whether or not a fair construction and interpretation of the language then employed by the Senator from Massachusetts warranted what the Senator from Maryland said.

It is perfectly clear from the language then employed by the Senator from Maryland that he understood the Senator from Massachusetts to be making an attack upon the President of the United States, at least to be severely criticising him, because of what had been done under his direction in the Panama affair. Was he or not justified in that? We shall see in a moment.

After the Senator from Maryland had concluded I made the remarks which have been referred to. I have stated how I came to make them: that they were made on the spur of the moment in answer to the speech as I understood it. I knew at the time when I rose to speak that I was not alone among the Republicans in this Chamber in the view I entertained as to the character of speech the Senator from Massachusetts had made. A number of Senators had expressed to me as their opinion of what he had said precisely what I understood him to have said. I rose, therefore, to answer, having in my mind exactly the view as to the character of speech made by the Senator from Massachusetts that the Senator from Maryland had expressed.

But I did not answer as the Senator from Maryland did. I contented myself not with opposing the resolutions—I had no objection to them—but with stating in a prefatory way that I thought these resolutions should have been offered and the speech should have been made in executive session, because at that time we had pending in the Senate—it was just then, I believe, in the Committee on Foreign Relations—a treaty with Panama with respect to which all of those questions were necessarily raised; and if any additional information or evidence or knowledge was desired by any Senator, it could have been secured by asking for it in executive session, where I think it properly belonged, as well as by asking for it in open session. And it occurred to me that that was where the resolution should have been offered and there, if anywhere, where the speech should have been made.

I was not alone in that opinion, Mr. President. The Senator from Massachusetts himself seems to have had the same kind of an impression, for one of the first paragraphs of his speech on that occasion was the statement that if as he proceeded any Senator should think his remarks more appropriate in executive session he would yield at any time for such a motion to be made. I think not only did the Senator from Massachusetts feel that at least in all probability the speech should be made in executive session, but I think every member on this side of the Chamber was in accord with me in that opinion. Therefore it is that, so far as the prefatory part of my remarks on that occasion is concerned, all that I said was entirely justified.

I then came to discuss what the Senator had said, not at any length, for I simply called attention to the fact that he had read a lot of telegrams—all of which are set out here in the RECORD—and from those telegrams which he had just read he had drawn a conclusion. Let me read the language, that I may be accurate. I said:

> He reads a lot of telegrams and draws therefrom an inference, which he states as his opinion, to the effect that the President, notwithstanding having read and quoted from telegrams from which he thought only one conclusion could be drawn, and notwithstanding his just confidence in his word and in his honor, was not proceeding in such a way as to take issue with it, and he draws from that the inference that there was no connivance or intrigue in regard to the matter, was not proceeding in such a way that no other conclusion could be drawn therefrom.
>
> Now, Mr. President, as I read I seem to see before me the image of our duty and obligation as Republican Senators. Pursuant to the treaty across the isthmus, I see no occasion for such a construction, any inference except only that the President of the United States was about to do, in a patriotic way, his duty as the President of the United States.

Then I was interrupted by the Senator from Massachusetts, who claimed that I had misrepresented him. That brings us back to the question which we have just now been discussing and of which I trust we have made disposition. I did not intend to misrepresent him. I do not think now I did misrepresent him. I understood

Mr. FORAKER. Well.

Mr. HOAR. I accompanied what I said with an expression of my indignant disbelief in any such thing, but I said the President had begun his narrative at a point which did not repel it.

Mr. FORAKER. That is true. If the Senator will bear with me a minute he will not differ with me, I take it.

Mr. HOAR. The Senator said, if he will pardon me, that I drew that conclusion.

Mr. FORAKER. Let me say——

Mr. HOAR. If any honest and candid man will look back he will see that I expressed my indignant disbelief and said that the President was the last man in the world to do such a thing, and that his own character did not make it worth while for him to contradict it. But I then said, "You have sent in a story beginning on the 4th of November, instead of sending in the whole, and we want the whole."

Mr. FORAKER. That is true. I am coming to say all that.

Mr. HOAR. I was calling attention, not that I believed in it, for I said I did not, but to the fact that there were people who were made uneasy by it.

Mr. FORAKER. What I said was that the Senator read a lot of telegrams and then stated as his conclusion deduced therefrom thus and so.

Mr. HOAR. Read what I did say.

Mr. FORAKER. I am about to read it.

Mr. HOAR. Read it and see.

Mr. FORAKER. I so understand it. The Senator, after reading all these telegrams, said:

> So it is clear, if this be the whole story that we have in these documents, that at least twenty-four hours, perhaps forty-eight hours, before the time when the President of the United States had proclaimed the intention of our government to prevent the establishment of a revolution from doing anything in anticipation of the revolution to prevent it.

Now, after reading these telegrams he said: "If this be the whole story, then thus and so." In another part of the same speech he referred to the fact that I referred to in my remarks in answer to his, that the President had disclaimed more than once on behalf of the Government and every official connected with the Administration that there had been any connivance, or any intrigue, or any complicity whatever to bring about any such result. I was speaking, Mr. President, in that connection about these telegrams and about the conclusion the Senator deduced therefrom. I was not unmindful of the fact, but referred to it, that the Senator did say in that same speech, notwithstanding he had quoted telegrams from which he thought only one conclusion could be deduced, that he had such high regard for the President and such implicit confidence in his word and in his honor that he did not believe that was the whole story.

But how did the Senator from Massachusetts proceed? After having read these telegrams and after having made the statement that it appeared from these telegrams that we had taken these steps to prevent Colombia from doing anything in anticipation of this revolution to prevent it, the Senator used this language. This was the kind of language which impressed itself on my mind at that time: that gave to my mind the impression as to the character of the Senator's speech, to which I made answer as I did:

> Now, Mr. President—
>
> Having read the telegrams and made that statement—
>
> I want to know, I think the American people want to know, and have a right to know, whether this is a city policeman—
>
> Referring to the United States—
>
> instructed to keep the peace on that isthmus, seeing a man about to attack another, because he has already had some unpleasant words with the man attacked, so that he could not defend himself, seizing the assailant from behind, thrusting a pistol to secure from the assailant the pocketbook of the victim, on the ground that he was de facto the owner?

To whom did that language apply? Of whom was that language spoken? Were we not warranted in drawing the conclusion from the Senator's statement that the telegrams he read showed what he claimed they showed, and from his statement—this figure of speech about a policeman—were we not warranted in coming to the conclusion that the Senator was making an attack on the President which, if we meant to defend the Administration, it was our duty then and there to take issue with? But how did we take issue with it? I said, in answer to that:

> He reads a lot of telegrams and draws therefrom an inference, which he states as his opinion, to the effect that the President, notwithstanding having read and quoted from telegrams from which he thought only one conclusion could be drawn, and notwithstanding his just confidence in his word and in his honor, was not proceeding in such a way as to take issue with it.
>
> Now, Mr. President, as I read I seem to see before me the image of our duty and obligation as Republican Senators. Pursuant to the treaty across the isthmus, I see no occasion for such a construction, any inference except only that the President of the United States was about to do, in a patriotic way, his duty as the President of the United States.

the Senator to say then, and as I read his speech now I understand him to have said then, that these telegrams which he read told what he thought was an imperfect story, and that from these telegrams there was only one conclusion to be deduced, and that was one which justified criticism of the President and criticism of the Administration.

I did not so read them. I called the Senator's attention to a fact which he had already referred to in his speech of that date—namely, that we had before us not only these telegrams to construe and interpret as on their face they might read, but we had also before us the statements of the President.

The Senator from Massachusetts had referred to the fact that the President had caused to be published in one of the newspapers of the country an extract from the message which he had prepared to send to the special session of Congress in November, but which he did not transmit to Congress because it became unnecessary by reason of these events, but which he had prepared before those events and afterwards had published to show that he was telling the truth when he said to the country, and said officially, and said in every other way in which he was called upon to speak, that there was no complicity, no intrigue, no connivance.

I said in that connection that the objection I took to the Senator's speech was that, boiled down to the fine point, he was calling upon the President of the United States to prove that he had been telling the truth, and I did not think that was becoming. I did not think so then; I do not think so now. I think we had a right to judge the President—as the language ascribed to him by the Senator from Massachusetts shows that he judged him then, and judges him now—as a man of honor, as a man of truth, as a man of patriotic purpose, as a man of lofty character, who would spurn to do that which the interpretation that I put upon what the Senator said amounted to an insinuation of.

Now, that is not all that the Senator from Massachusetts said. I speak of this at more length than I perhaps should, simply because of the unqualified and unlimited respect and admiration I have for the Senator from Massachusetts. I think all he said in praise of his predecessors in the office of United States Senator from Massachusetts was worthily and befittingly said. I will go further and say in this presence what I know every member of this body on either side of the Chamber will concur in, that great as were Webster and Sumner and the other great men to whom he referred, they were not so great but that the senior Senator from Massachusetts is a worthy successor in that great line. There is not a man here, on either side of this Chamber, who does not respect him for his great learning, for his great ability, for his zeal in the public welfare, for his fidelity to duty in all the relations of life, both public and private. When a man for whom I have such unbounded regard thinks I have in any degree whatever misrepresented him or misunderstood him, I want to take some pains to show him that I at least did not think I was doing so.

Now, after the Senator had made the remarks I have quoted, he proceeded—I am not reading all—first to speak in high eulogy of the President, to whom he had just referred, as I supposed, as a policeman who had manacled a man who was about to be struck and then taken his pocketbook away from him and claimed it by some sort of de facto right, and then he said:

> Now, Mr. President, as the matter stands on the information given to the House in Document No. 8, the shores of Colombia were patrolled by armed vessels of the United States in order that the Government—the Government of the country—should not take any steps to prevent it.
>
> It does not appear in that document where or from whom our Administration, through information that led to these orders,
>
> According to the documents sent to the House to the President the first charge of any revolution that came either from Panama or Colombia, any organized revolution, came November 3, the day the revolution happened. As the matter is now put in the official communication to Congress, the revolution was known at Washington before it was known on the Isthmus. All that the Government, by its own statement, seems to have done in its anxiety that treaty should not be destroyed was not to take measures that would prevent revolution, but to take measures that revolution should be prevented. I quote from the Secretary of Navy, transmitting to Congress a copy of the instructions to the commanders of the naval vessels, which I find in the most sacred and published form, issued by the United Government of the country, imposing its own jurisdiction, its own territory, that it must prevent a breach of its peace and organized revolution, or attempt at revolution.
>
> Mr. President, is there any doubt that, as now standing unexplained, this was an act of war?

And so I might read on at greater length. It is true that the Senator from Massachusetts did mention in that speech his high regard for the President.

He did speak of him as a man in whom he had implicit confidence. He did speak of him as a man who appeared to him, as he knew him to be, incapable of that which these telegrams showed, as he construed them. But, Mr. President, of what avail is all that when accompanied with the Senator's interpretation of them, coupled with the declaration that they admit of no other interpretation than that which he put upon them, as I understood him. And that, Mr. President, remember all the while, in the face of the President's declaration, to which the Senator in that very speech referred, that there had been no complicity and no intrigue and no connivance.

I had [illegible] and every other Senator on this side [illegible] to have [illegible] at that time, in the truth, of what the President said, and that it was [illegible] to require him to produce [illegible] that he had had [illegible] and to the Congress of the United States.

Now, the Senator says that he is entitled to credit for having [illegible] answer. I do not deny but that he is, and I gladly accord it to him. But I still remain of the opinion that it could just as well have been [illegible] and it would have been [illegible] properly. There was no [illegible] when the President [illegible] the Congress of the United States or the American people any information in regard to this matter—never one moment—and as soon as he learned that there was a disposition to have more light [illegible] had been given he directed that every [illegible] be fully informed. The President could have done that just as readily had he been [illegible] and we would have had [illegible] but what I think will be found in the [illegible] of a treaty which ought to be considered [illegible] in executive session.

Mr. President, as I said when I began, I agree with the Senator in [illegible] so far as he saw fit to criticise what I [illegible] I agree with the estimation he has given us here of the President of the United States—of his great ability and [illegible] as a worthy official to be the head and Chief Magistrate of this great Republic.

I agree with him that all that has been done is consistent with honor and a patriotic purpose and that there is nothing from beginning to end that can be legitimately criticised. The only thing I differ with the Senator about is the fact, as he has expressed it, that he seems to think I was liable [illegible] for taking the view I expressed on a [illegible] which he had seen fit then to say. I rose merely to correct that and to say that I had no idea then of misrepresenting him. I have no idea of misrepresenting him now, nor would I under any circumstances misrepresent any Senator or [illegible] where I regard [illegible] to deceive [illegible] misrepresent himself by [illegible] when he is [illegible] the same [illegible] I undertook then to deal fairly with this matter. I am only now [illegible] if it be necessary I should do so in order that I may continue to enjoy undiminished the friendship, [illegible] good will, respect, and regard of the Senator from Massachusetts.

Mr. HOAR. Mr. President, my honorable friend from Ohio, I have no doubt with absolute sincerity, expressed respect for me, and what I have to complain of is that he [illegible] disposition of mind [illegible] and I [illegible] and say.

Mr. FORAKER. Will the Senator allow me to interrupt him there?

Mr. HOAR. Certainly.

Mr. FORAKER. [illegible] was [illegible] the Senator from [illegible] had [illegible] the President and in the same speech so severely criticised him. [Laughter.]

Mr. HOAR. That is what I want to come to.

Mr. President, the Senator [illegible] I said [illegible] I do not [illegible] I have [illegible] not from any desire to do so, but [illegible] in a very critical frame of mind [illegible] him to ask him a question.

Mr. HOAR. [illegible] if you like.

Mr. FORAKER. Will the Senator kindly tell me in this connection [illegible] of the policeman?

Mr. HOAR. I am going to tell you.

Mr. FORAKER. I may have misunderstood that figure of speech.

Mr. HOAR. I did not [illegible] President. I referred to the attitude in which he [illegible] of a great volume. [illegible] were not surprised [illegible] and numerous [illegible] wrong and [illegible] He said it was as if a man should quote the passage of Scripture, "The fool hath said in his heart. There is no God," and [illegible] the words "The fool hath said in his heart." The Senator from Ohio takes my sentences, reads half and leaves out the rest, and then he undertakes to represent what I said, again and again and again.

I said of a story of a series of transactions which had been going on a long time, you have only a page which begins in November. Suppose, for instance, a man was giving his description of a fight, and he should say that A struck B half a dozen times and then B struck A, and the Senator should leave out the first sentence and put in as the whole story that B struck A. So it is as if he were telling the story and somebody should get up and say: "You have put in the previous thing which provoked that blow, you have left it to appear that this man committed an unprovoked assault."

Now, just see how the Senator goes on. He reads what I said regarding telegrams, and he went on and he says the Senator [illegible] that A [illegible] has been guilty of [illegible] I [illegible] of my indignant disbelief that the President had [illegible] or unworthy conduct. I said he is the last man in the [illegible] to do it, and [illegible] is so foul that, in my opinion, it is not worth the while to reply to it. That was what I said.

Then I went on to say that the President has undertaken partly to contradict it by giving a message to the press which does not contradict it. So he has shown that he thinks it ought to be contradicted, but he has not yet contradicted it. Now, if the Senator from Ohio will give me his attention, I said——

Mr. FORAKER. I am giving the Senator attention; and the Senator, I know, does not mean to misrepresent me, either.

Mr. HOAR. I do not mean to do so.

Mr. FORAKER. What I said on the former occasion and what I [illegible] telegrams [illegible]

Mr. HOAR. No; I said I did not draw [illegible]

Mr. FORAKER. I know, and I stated [illegible] that in another connection, but I was [illegible] I was contending [illegible] the telegrams did [illegible] ent.

Mr. HOAR. I said that the telegram [illegible] alone did not [illegible] the previous story, which completely [illegible] the President, and would do so in my [illegible] I said.

[illegible] and with——

Mr. [illegible] also [illegible] on the President [illegible] of his message which the Senator [illegible] had published for the express purpose of showing [illegible] we had the President's own [illegible] grams, and I was interpreting [illegible] in the light of what the President said.

[illegible] is another in[illegible] ter. The President did not contradict it. He did not disclaim it. He did not say a word [illegible] except that he gave to the press a message in which he proposed to take possession of that canal by a different right. That is all. Then the Senator gets up and says that after the President had indignantly contradicted it I put this question. I called attention to the fact that the President had not indignantly contradicted it; that he had only sent in a message which only impliedly, by indirection, perhaps, would [illegible] with it after he had contradicted it. I said you [illegible] to contradict it, but if you are going to do so, contradict it plainly and fully.

Now, that is what I find fault with the Senator from Ohio for. He represents me to-day as having said these things after a contradiction by the President——

Mr. FORAKER. I said it——

Mr. HOAR. Let me finish the sentence; then I will listen to the Senator.

I said the President has shown that they need attention, but instead of sending in a contradiction he sends in merely this [illegible] and I th[illegible] thing is false. He is the last man in the world to be guilty of it; he is utterly incapable [illegible] incapable of it that he does not need to notice it; but when he does notice it it is better for him that he should give the whole story and that [illegible] it. Now, after sa[illegible] said all this after the President had indignantly contradicted it. I deny it.

Mr. FORAKER. I do not know that I used the word "indignantly."

Mr. HOAR. Yes, you did.

Mr. FORAKER. Possibly I did. If I did I will stick to it. [Laughter.] It was indignantly denied, and not only denied indignantly, but with a good deal of feeling.

Mr. HOAR. By me?

Mr. FORAKER. No; not by you.

Mr. HOAR. The Senator will pardon me. Up to the time I had made that speech I was the first man on the face of the globe who had given this infamous charge against the President a flat and indignant contradiction.

Mr. FORAKER. It may be that that is true so far as speeches

in the Senate are concerned, but I quite differ from the Senator as to that. Here is the language that was employed by the Senator——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. HOAR. Certainly; I like to hear him. [Laughter.]

Mr. FORAKER. I am always delighted to hear the Senator. Here is the language I referred to. When in the speech of December 17 I referred to the fact that the President had entered a denial of any complicity, I said in that connection that he had done so in one instance by publishing an extract from his message which he had prepared to send to the special session, but did not send.

Mr. HOAR. And he did not contradict it at all.

Mr. FORAKER. Here is what the Senator said about it. It shows that the Senator understood it was being indignantly contradicted, and I did not imagine that the Senator would take any other view at this time or express any other view from the language he then employed. The Senator said, referring to that fact:

He has taken the uncommon step of communicating to the press extracts from a message which he had prepared to send to Congress, written before the revolution occurred in Panama, in order that the American people might know that it was impossible that he had expected it and still more impossible that he had done anything to bring it about.

Now, Mr. President, what I said on that occasion and what I say again is——

Mr. HOAR. Read the last sentence of my language.

Mr. FORAKER. Well, I will read it; but does the Senator qualify that or contradict it?

Mr. HOAR. I explain it.

Mr. FORAKER. Now, let us see.

Mr. HOAR. Read what I said about his having decided otherwise.

Mr. FORAKER. I will read it.

I did not think myself that such an assurance to the public was at all necessary. If the President had sent for any member of the Senate and had proposed to show him that message, he would, I think, have been [illegible] there was no occasion for him to seek to prove by any evidence beyond that of his own character that he had had nothing to do with any indirection or artifice. But he decided otherwise. And having decided otherwise——

I suppose that is enough.

Mr. HOAR. That is what I wanted.

Mr. FORAKER. I beg pardon.

Mr. HOAR. Now read the next sentence

Mr. FORAKER. You will find me entirely accommodating. I simply did not want to take time.

And having decided otherwise, I suppose he will like to have the important evidence afforded by the communication to the House of Representatives and by the message at the beginning of the present session made complete, and whatever is meeting to a complete answer to the charges which have been made in the press supplied.

That is the language to which I referred. I said the Senator knew when he made that speech, December 17, that the President had entered a denial of complicity and intrigue on the part of this Government, and I referred in support of that to the fact that the Senator had quoted the publication by the President of an extract from his message with the purpose of thereby making a denial, and that it was so understood by the Senator himself.

Mr. HOAR. Now, Mr. President, can not the Senator see the difference between saying that the President had entered a denial and pointing out, as I did, that all he had done in order that this might be contradicted was to send in a message which did not afford a contradiction?

The President has not said anything about it beyond that, and I called his attention and the attention of the Senate to the fact that there was no denial there, that the evidence was incomplete, and that it was imperfect evidence. I did not say what the Senator keeps saying over and over again I said, that the President had entered a denial. He had not entered a denial.

Mr. FORAKER. Mr. President, what I have said over and over again is that the President had denied it.

Mr. HOAR. That I deny.

Mr. FORAKER. This is not the only case in which he denied it. It had been denied repeatedly before that time. It had been denied from the State Department on behalf of the President. The President has not sent in a message to Congress making an explicit denial, but the President had made this publication, which I understood and the Senator from Massachusetts understood to be intended to show that denial. The Senator so interpreted it in his speech. The Senator had no question in his mind when he made that speech but that President Roosevelt had denied complicity and intrigue.

Mr. HOAR. The Senator is mistaken.

Mr. FORAKER. I refer to the Senator's language.

Mr. HOAR. There had been, to my knowledge, no denial from the State Department and no denial from the President.

Mr. FORAKER. The Senator misunderstood me. There was no official denial. I did not mean that.

Mr. HOAR. There was no denial, official or unofficial, anywhere. The President undoubtedly sent a document in order that the people might infer that he expected at that time to deal with this thing in another way, and I got up and said I do not believe a word of these charges; they are foul, infamous, inconsistent with the President's character; but he has undertaken not to deny them explicitly, not even to tell the whole story, but only to tell a very small part of it, which does not accomplish the contradiction that he proposes.

Now, I want to say one thing——

Mr. FORAKER. I do not want to be misunderstood and I do not want to be misrepresented. When I say that it was denied by the State Department, I do not mean that Secretary Hay, as Secretary of State, published a card with his name signed to it, but I do mean to say that in the papers it had been published repeatedly on authority received from there that there was no truth in these stories. The very first moment that the charge was made it was met with such a denial.

Mr. HOAR. Now, I want to put against the affirmation of the Senator from Ohio my own explicit affirmation to the contrary.

Mr. FORAKER. Well, we will look at the newspapers.

Mr. HOAR. Not only was there no such denial, formal or informal, authorized or unauthorized, before I made my speech, but, to the best of my knowledge and belief, I never heard of it. Will the Senator set out the paper where it occurred? In what document?

Mr. FORAKER. I will say in all the papers. Does not the Senator remember that when the President published the message he referred to, and what he said he understood to be intended for a denial, it was commented on in all the papers of the country?

Mr. HOAR. I do not know. I never heard of it, and I do not believe it now.

Mr. FORAKER. I am talking about the publication of the extracts from the special message. I said when it was published——

Mr. HOAR. I have the floor.

Mr. FORAKER. I am asking a question.

The PRESIDENT pro tempore. The Chair must call the attention of Senators to the rules. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. HOAR. It shows how confused the Senator's memory is in these things. He has been talking all the time of the publication of the message.

Mr. FORAKER. No, Mr. President.

Mr. HOAR. He was talking of the State Department, and what he says was published in all the papers.

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Ohio?

Mr. FORAKER. Will the Senator allow me a moment?

Mr. HOAR. I yield to the Senator.

Mr. FORAKER. I have made no such statement as that. I said the denial had been made over and over again, and I thought it had been. That I can substantiate without any trouble. I called attention to one of the denials, and I called attention to it because the Senator himself had called attention to it, and had placed an interpretation upon it, to wit, the publication of the message, as I said a moment ago, in all the papers, and the message when it was published was discussed and was understood to have the effect or as intended to have the effect which the Senator himself places on it.

Mr. HOAR. Mr. President, can not the Senator see the difference between saying that I do not believe any such thing about the President is true, and that he has sent in a document intended to operate as a denial? But when we come to look at it, it does not deny, it is not a denial, and therefore he had better send a denial that is a little more explicit.

Mr. FORAKER. Certainly; I see that distinction, and I readily concur. I am talking about the specific interpretation the Senator himself made.

Mr. HOAR. Now, Mr. President, that is the way the Senator from Ohio has treated this subject, and the way he has treated it to-day. I repeated these telegrams. The first thing in that history was the telegram to one of our naval officers that if Colombians or anybody else should attempt to land troops—of course nobody but Colombia would attempt to land troops—on that Isthmus they should be prevented. That was the beginning of the story; and I said, arguing for a resolution of inquiry which I had been prevented from getting through, is it not true that the American people have a right to know?

Then I went on to add in the next sentence that it was an affront almost to ask such a question; that the President was incapable of such a thing, and it is not worth noticing except that the President has noticed it, and he has noticed it without any explicit denial, and he has noticed it merely by saying, "Here is a document," and when you look at that document it does not deny it. Then I went on to say that as the statement is now left the revolution was known at Washington before it was known on the Isthmus.

Then I went on to add that the President having decided otherwise, that is, to make a statement—

[illegible] the strongest evidence afforded by the communication [illegible] and by the message of the President [illegible] and what seems to be a [illegible] which have been made in the press supplied.

Then I said at the close of my speech that I did not undertake to say there was anything that had been done by our Government [illegible].

Now, Mr. President, the Senator undertakes to criticise me because I did not offer the resolution in executive session. The reason why I did not bring it up in executive session was because I supposed it would go through as a matter of course. Does the Senator now claim that that resolution, as I offered it, was not one which in the ordinary course in the Senate would go through as a matter of course?

Mr. FORAKER. No: I do not.

Mr. HOAR. Very well.

Mr. FORAKER. As the Senator knows, I was then engaged in an [illegible] before a committee and I was not present at the sessions of the Senate at that time, and I did not know that any objection was made to such a resolution. I did not know it had been offered. But still I think it would have been better, having a treaty before us, if it had been offered in executive session.

Mr. HOAR. Now, then, Mr. President, the Senator admits that the resolution I offered should have gone through in the ordinary proceedings as a matter of course. In fact, that resolution was unobjected at every point, and if I was going to get it adopted at all I was bound to state the reasons for it. I stated them, and I put into words my emphatic belief in the utter righteousness of the President's conduct all through and that the charges against him were totally false. I made that speech with a view of bringing out what the speech or something else has brought out, and though the Senator from Ohio has done me injustice in many things, he has at least done me justice in one thing, for which I thank him, and that is that what I have done in this matter has been a public advantage, an advantage to the President and the party to which I belong. Now, if that be true (though I am afraid the Senator said it in the kindness of his heart and not that he believed it was wholly true), I am perfectly content to suffer any personal consequences now or hereafter.

Mr. FORAKER. I did not say anything in my kindness of heart; I said it because I believed it, but I accompanied it with the statement that I thought the same good could have been subserved if the Senator had offered his resolution and brought on the debate in executive session, and that I thought it more properly belonged there. That is what I said in that connection.

Mr. HOAR. Very well, then I have got the admission of my chief antagonist and the manifestation of all the rest that I have done a great public service in this matter. I am quite content to bear any personal consequences from any quarter.

Mr. FORAKER. I do not admit that the Senator has rendered any such service. I have been rendered by any Senator who had called for any additional information. I mean by that simply that there has never been at any time any withholding of information by the President, or the Secretary of State, or anybody else in regard to this matter.

The President has furnished, whenever called upon, promptly, all that he has been asked for, and when he learned that more was desired he volunteered it, as he had a right to do under the Constitution. It is his privilege as well as his duty to communicate with the Senate and send us information whenever he may see fit or whenever he may deem it good for the public interest to do so. That would have been done anyhow. It was, therefore, no difficult service that has been rendered, yet it is a service in the fact that we have more light than we had at that time.

And now only one more word. The Senator quits by referring to the injustice, as he terms it, that I have done him. Mr. President, I think the Senator has by that remark done me an injustice, and that I have not done him any injustice. I have undertaken to point out to the Senator that what I said in the Senate on December 17 in answer to him was based upon his statement as to the effect of certain telegrams which he read. I called attention to the fact that he in fact spoke in emphasis the President in the broadest terms. I called attention to the fact that he said he had every confidence in the truth and character of the President, in his honor and patriotism.

Mr. HOAR. Those telegrams were only a part, and I said that when the rest of the story came I believed the President would be completely exonerated.

Mr. FORAKER. Yes, I know; but, Mr. President, the trouble with the Senator is—and he just now gives away his whole case by employing the word "exonerated"—he thought the President could exonerate himself; in other words, the exception I took to that speech was that it was criticising the President without having a just right to do so, for I did not read those telegrams as the Senator from Massachusetts did. I said I read those telegrams in the light of the President's statement and the President's denials—denials made on behalf of the President and the Administration. The President can not go and sign an interview, sign a card, or sign a public statement as ordinary individuals are privileged to do. He is not expected to do so. But we all know how the Administration puts out information; and every Senator here knew that the Administration had denied the charge that any intrigue or connivance had been resorted to.

The Senator from Massachusetts referred to the fact that the President had published a part of his message with that purpose in view. He did not think, perhaps, the President should have done so; but he understood that to be a denial on the part of the President of that charge, and he so expressed himself in his speech.

All I said was that I read the telegrams from which the Senator drew his criticism in the light of that denial of the President, and in view of that denial and other denials that had been made. I had absolute faith that all the Administration had done was above and beyond criticism; and the Senator himself, in the most admirable speech which he has made to-day, has said he believes that. With that I think I am content.

I did not say that the Senator had criticised the President without at the same time stating that he did not believe those attacks, but believed that full information would bring out an exoneration. What I was complaining of was that the Senator was criticising the President for that which he had done, in the face of the President's denial. I meant that, but I had certainly no intention of doing the Senator any injustice.

Mr. HOAR. Mr. President, one sentence more. I think the Senator's last statement of what I said in regard to what the President said is incorrect. It is not worth while in contradicting a statement to point out something in a document as a denial that for the purpose of contradiction is not competent, and I stated that we had better have the rest of the story, not criticising the President.

Mr. FORAKER. Mr. President, in answer to that I have only this to say: The Senator from Massachusetts certainly knows, as we all do, that the President would be busy processing signed cards all the while if he had to negative in that way all the charges made against his Administration. In other words, it is the more dignified, the more becoming, and the more usual course which the President has taken. I do not think that I ever saw a statement such as the Senator from Massachusetts seems to think should have been put out by the President in regard to a charge of this kind.

Mr. HOAR. On the contrary, Mr. President, immediately after I made that speech the President sent in a statement.

The PRESIDING OFFICER (Mr. BEVERIDGE in the chair). The Chair must state to the Senator from Massachusetts that the reporters can not hear him when he addresses the Senator from Ohio instead of the Chair.

Mr. HOAR. The Senator from Ohio has been addressing me, Mr. President.

The PRESIDING OFFICER. The Senator from Ohio has the floor.

Mr. FORAKER. Mr. President, of course the President can always communicate with Congress officially, and that is the only way in which he can with propriety communicate. He had communicated officially; he had sent to the House of Representatives the information asked for. The Senator from Massachusetts read it one way; I read it another, perhaps due to the fact that I attached more importance to the denial, as I understood it to be, than to that we have been discussing.

But whether it was the one thing or the other, the point that I made then and the point I make now is that I was commenting simply on the interpretation placed by the Senator upon those telegrams. True, the Senator went on to extol the President as having a true and patriotic purpose, but still the charge was made and remains; but those telegrams, when properly interpreted, amount to only what I contend for.

Mr. CARMACK. Mr. President, I do not intend to take any part in the laundry work which has been going on on the opposite side of the Chamber, but while the imperfectly washed Republican linen is drying on the line I wish to submit a few remarks on another branch of the question.

I will take occasion, however, to call attention to one passage in the speech of the Senator from Massachusetts [Mr. HOAR] which I believe was not quoted by the Senator from Ohio [Mr. FORAKER] and which, as I understand it, is not affected by anything the Senator from Massachusetts has said to-day. In the course of that speech the Senator from Massachusetts said:

> Do you think it well to proclaim to the sixteen republics at the south that if they are weak, or even if they are liable to frequent revolution, we will deal with them hereafter, if we fancy it for our interest, as we are charged with having dealt with Colombia?

And again:

> Are we willing to say that if this revolution had not happened we meant to take that strip of territory by the strong hand and to pay Colombia what we thought its proper damages? Do you claim that every South American nation holds its property subject to our right of eminent domain?

That, Mr. President, was a very distinct criticism of the President. That must have referred, I think, to a certain passage in the President's message, and it has not been affected by anything the Senator from Massachusetts has said to-day by way of disclaimer of any intention to reflect upon the President, for the President in his message did expressly declare a desire or a purpose, if necessary, to seize the territory of Colombia by force, and without asking any other consent except a compelled and enforced consent.

It is also true that the President in his message admits or declares that he was anticipating an insurrection in Panama as a possible means of securing the Panama Canal. He admits that he was looking forward to that event: and in the very nature of things, Mr. President, if he expected to secure the Panama Canal by means of an insurrection there, he must have intended to aid that insurrection, because in no other way could that insurrection have possibly been successful, or, at least, it could not have been successful within the time necessary to accomplish the purpose he had in view.

It is also true, Mr. President, that the leading conspirators in Panama did firmly believe in advance that they would have the help of this Government in the event they raised the standard of insurrection, and that they would not have attempted that insurrection if they had not so believed.

It is also true that a French person by the name of Bunau-Varilla, of whom I intend to speak briefly in a little while, gave assurances from the city of Washington or from the city of New York to those conspirators that if they did raise an insurrection, the Government of the United States would help them and that its war ships would be there on time for that purpose.

It is also true that when the insurrection did begin, the war ships were there precisely as the promise had been made that they should be.

Mr. President, what I wish to say now is with reference to that gentleman who gave these assurances in the name of and on behalf of the Government of the United States.

A few days ago I had something to say with respect to this Bunau-Varilla, minister from the new-made Republic of Panama, a citizen of France. I then declared that this person who claims not only to have known the secret purposes of this Government, but to have influenced them, and whose claim is supported by a number of unfortunate coincidences, was one of the very worst of the knaves whose thieving operations bankrupted the old Panama Canal Company. Without cumbering the RECORD with extracts, I asserted that these facts appeared from the official records of his own country, the Republic of France.

As it has been lately intimated that Bunau-Varilla will shortly resign his position as minister from the Republic of Panama and return to France, and that his reason for doing so is that he only desired to serve his French corporation, and that he has accomplished all he desires in that respect, I think it well to show more in detail both the character of the man with whom this Administration has had such intimate relations and the character of the concern which, under the guise of an American minister, he has undertaken to serve.

I shall therefore have printed in the RECORD the extracts from official reports and documents to which I referred. But before doing so I wish to make a brief but clear statement with respect to the operations of this canal company which brought shame and disgrace upon every man in France connected with its management, and which, with change of name, but without change of character, has transferred the field of its activity from France to the United States. From the first to the last scandal and dishonor have attached themselves to all the operations of this company. Whether its field of activity was in France or Panama or the United States the slime of the serpent was over it all.

Corruption fastened itself upon the old Panama Canal Company at its very birth. It was compromised in the beginning by its relations with one Baron De Reinach, a banker and promoter, who maintained corrupt relations with a large number of French newspapers and politicians.

De Lesseps sought in vain to free himself of these associations, relying upon his own reputation as an engineer to secure financial backing for his enterprise. The result was that he found it fiercely assailed by all the influences under De Reinach's control, and he was compelled to surrender. With the active aid of De Reinach, his venal newspapers, and other powers at his command, the scheme obtained great popularity, and $285,000,000 were subscribed to it, chiefly by the French peasantry and small shopkeepers, many of the investments representing the savings of a lifetime.

Of this $285,000,000 about $170,000,000 was corruptly expended in the bribery of French newspapers, cabinet ministers, and members of the French Parliament. About $115,000,000 were nominally expended on the canal work, but about half of this sum went into the pockets of swindling contractors and others, and represented not a single day's work on the canal. Among the worst of these thieving contractors, as I have said, was this man Bunau-Varilla, who has played so large a part in the recent exploits of this Administration, and I beg leave to present now a few extracts from official French publications to show the character of this man.

I have these publications here in the French language, and any French scholar in the Senate who desires to examine them is welcome to do so.

In the report of the trial in Paris of a cabinet minister, several members of the French congress, and certain officials of the old Panama Canal Company, for swindling the honest investors in that company, I find the following statement, under date of March 15, 1893, made by the attorney-general:

> We are now at 1886. At this moment the attitude of M. De Lesseps was so grievous that the secretary-general of the company, an honest man, M. Martin, thus expresses himself before the first chamber of the court:
>
> "In the course of the month of June, 1886, I learned that pour-parlers had been had with M. Bunau-Varilla to substitute him for a financial company which had been given the concession of the Panama. Some days later I was informed that of the price to be paid to Bunau-Varilla he was to hand over a part of the price of each cubic meter to a third person, who was designated to me as being M. Jacques de Reinach."
>
> M. Martin then proceeds to say: "As it was my duty to at once inform the management of any rumors which I thought well founded, when some days later the question came up of verifying this [illegible], by the counsel I felt myself unable to continue in the office which had been confided to me."

The attorney-general then added:

> When M. De Lesseps was confronted with this witness he did not contradict the testimony. The witness was asked: "Did you make this statement to M. Charles De Lesseps?" And he answered: "Yes." He was then asked: "What did M. De Lesseps say?" He said: "Nothing; and when I left says the arrangement was to be revised." I repeated to M. Charles De Lesseps [illegible] in my [illegible] M. Reinach [illegible]: Is it not possible to persuade M. De Reinach to [illegible] than 1 franc. [illegible]

Five years later, in 1898, the Chamber of Deputies of France published a report of a commission of inquiry made by its chairman, M. Valle, then a member of the Chamber and now a member of the cabinet. On page 268 of this report is printed the testimony of M. Martin, described by the attorney-general as one of the few honest men who had any connection with this company. I have this report now in my hands, printed, of course, in French, and any Senator here who is a French scholar may look at it and verify the accuracy of the translation. M. Martin says:

> I made two voyages to the Isthmus in 1885 and 1886. I had heard great abuses spoken of, especially of squandering.

He then says:

> M. Bunau-Varilla was substituted for Cuthill & Co. In place of 4 or 5 francs per cubic meter, [illegible] by the ordinary contractors, the scheme was to contract with Bunau-Varilla at the price of 7 francs. I do not recall the exact figures, and I mention them only by way of example to make my point understood. Having been appointed as secretary-general to the meeting of the executive committee on June 2, 1886, M. De Lesseps solicited my approval of the scheme, which I refused, and the same day I wrote my resignation. I owe it to the truth to add, with great regret, that it was a fact within the knowledge of many persons that M. Bunau-Varilla had agreed to make allowances of 1 francs 40 centimes per cubic meter upon twenty millions of cubic meters, being the amount of the contract, whose [illegible] was to be paid to Baron de Reinach. I note, and I do not know whether or not this bargain was carried out.

With respect to this latter statement the attorney-general says:

> Yes; this bargain was carried out, as is shown by the report of the expert at pages 357 and 358. It was even made worse.

The plain meaning of all this is that Bunau-Varilla was substituted for other firms, which had agreed to do the work for 4 or 5 francs per cubic meter, he to receive 7 francs per cubic meter on condition that he would divide the plunder with Baron de Reinach, the corrupt promoter. Mr. President, it is one of the many illustrations of the injustice of fate that Baron De Reinach committed suicide rather than face a trial, while his fellow-thief comes to the United States and is received with honor.

On page 269 of this official report the attorney-general further says:

> Bunau-Varilla, formerly a division director of the works of the Panama Company, became for the occasion the promoter and inventor and, picking up spread the creation of a company composed of his brother, a financier in Paris, and two contractors, and without having his name mentioned put himself at the head of an undertaking for a great price. The price of the cubic meter was suddenly raised with an increase proven here, [illegible] and a series of contracts intelligently conceived gave to his company a premium of [illegible]. They secured fixed allowances for [illegible] for expenses of installation and organization of point amounting to [illegible]. The company, exclusive of written agreements, paid Bunau-Varilla, without competition, sums amounting to 9,500,000 francs.

Mr. President, it needs no comment or exposition to show the significance of these facts. Bunau-Varilla took advantage of his temporary position as director-general to give himself contracts at exorbitant prices for the purpose of enriching himself by plundering the company and wrecking the enterprise.

I have also a statement from the official journal of France of June 22, 1890, a statement made in the course of a debate by M. Jules Delahay, a member of the Chamber of Deputies, which shows that under one of his contracts, in what was called the Paraiso section, Bunau-Varilla excavated 818,500 cubic meters, while he charged and was paid for 1,724,536 cubic meters. This statement is based on the figures of the canal company itself. You may get some faint conception of the enormity of the frauds practiced by Bunau-Varilla upon the company and the honest French investors from the fact that while he was receiving nearly a double price per cubic meter for actual excavations made he was at the same time receiving pay for more than twice the amount of work performed.

The failure of the old company was the inevitable result of such fraudulent transactions, and it went into bankruptcy.

Then in due course came the organization of the new company to save something from the wreckage of the old. This new company appealed in vain to the stockholders of the old company to furnish money to continue the work and keep the concessions they had obtained from Colombia alive. The original investors had lost all their money and all their faith, and refused to contribute. Some other method was necessary to raise the funds.

The official report which I have here says substantially that the tribunal of the Seine appointed a representative of the honest investors in the old Panama Canal Company, with full authority to demand "restitution"—that is the word—from those who had defrauded the company in order to furnish capital to start the new company. The sum fixed upon was 60,000,000 francs, or about $12,000,000, and this sum was to be obtained by forcing the dishonest contractors like Bunau-Varilla to disgorge a part of their stealings. On page 41 of this report it appears that Bunau-Varilla's firm was compelled to disgorge the sum of 2,200,000 francs, or about $425,000.

Other dishonest contractors were compelled to disgorge some larger and some smaller sums—M. Eiffel, for instance, being required to pay 10,000,000 francs, or $2,000,000. They were required to either pay this money into the treasury of the new company or submit to a revision of their accounts, and they chose to pay the money. In this way the $12,000,000 was raised. It was of course a mere bagatelle, so far as completing the canal was concerned, but under the contract with Colombia it was necessary to continue the work to prevent a lapse of the concession. This sum was intended simply to keep the concession alive while the company was attempting to dispose of its rights and properties to the United States.

The company then began an earnest campaign with a view to selling its property to this Government. Its agents and lobbyists fairly swarmed in Washington City to impress upon Congress and upon everybody the superior advantages of the Panama route. Then it was we began to read in some of the newspapers such amazing statements as that the Nicaragua route had been rejected and declared impracticable by the engineering genius of the world. Mr. President, I believe I am warranted in saying that the violent partisanship for the Panama route displayed by some of the newspapers and their utterly false and unfounded assertions with respect to the other route could not have been inspired by any honest or patriotic purpose. And as these knavish contractors began their activity with the beginning of the Panama movement in this country, they continued with increasing energy and increasing audacity to the end.

It was Bunau-Varilla, as the agent of this company, who appeared upon the scene when the treaty with Colombia was about to fail to incite and promote an insurrection in Panama, boldly promising the support of this Government and aiding that insurrection, as has been charged with great circumstantiality of detail, with the money of his French corporation and of French speculators in its securities. It was Bunau-Varilla who hastily concluded a treaty with this Government, no citizen of Panama being allowed a voice in the transaction, though commissioners sent for that purpose were within an hour's ride of Washington.

The activity of these thieving contractors is explained by the fact that they alone are to derive any substantial benefits from the payment we are to make for the rights and property of the canal company. The last chapter in the history of this company closes, as the first chapter began, with a robbery of the honest investors. There was a great deal of simulated indignation in Administration circles over the assumed fact that Colombia was trying to delay action on the treaty until the concession of the canal company should lapse and thus secure for herself the benefits of all the money that had gone into the construction of the canal. The basis of this righteous indignation crumbles to sand when brought into contact with the hard fact that the $40,000,000 we are to pay does not go to the honest investors who were robbed, but to the thieves who robbed them.

Even in the face of exposure and disgrace these thieving contractors seem to have lost none of their greed, none of their audacity, and but little of their power. Never for a moment did they forego their purpose of robbing the honest investors of their hard earnings, and never for a moment did they intend to give up one dollar of their stolen money. It was arranged that 60 per cent of whatever should be obtained for the rights and property of this company should go to the stockholders of the old company and 40 per cent should go to those who had contributed capital to the new.

The $40,000,000 which we are to pay for the rights and property of the canal company are to be divided in this proportion. Under that arrangement the honest investors, the peasantry, and the poor shopkeepers of France, whose money represents every dollar's worth of work and every dollar's worth of property, including the railroad, will get back $24,000,000, or about 8 per cent, of the $285,000,000 stolen from them, while Bunau-Varilla and his associates will get back $16,000,000 for the $12,000,000 stealings they were compelled to disgorge.

It is not surprising that protests have been heard in the Chamber of Deputies against the injustice done to these honest French investors.

Mr. President, in my judgment this canal company has no legal title whatever to any of the canal property. Its contract was with the Republic of Colombia and it could not sell that property to any foreign country without the consent of Colombia. It has simply become derelict property, and there is nothing more than a moral obligation upon whomsoever may become the possessor to pay the value of it to the true owner. I should be willing to pay whatever is just and right to those who have honestly invested their money in this enterprise, but I recognize no moral obligation to pay one single dollar to the rascals who stole that money; and I say that under the circumstances there is nothing very fine about the sensitiveness which this Government has displayed with respect to the alleged rights of this syndicate of thieves and the bitter scorn it has exhibited for the alleged greed and rapacity of Colombia.

There are other beneficiaries of this treaty who, perhaps, have not been without their influence in creating sentiment in its favor. One of the leading banks of New York—the Capital City Bank, I believe—says in a recent circular that a large proportion of the securities of the Panama Canal Company have been purchased at a low price by American speculators. All of these are very firmly convinced that the salvation of the Republic depends upon the ratification of this treaty and they have no doubt labored with patriotic zeal to convince others.

Mr. President, I have heard, on what I consider first-rate authority, that Mr. Cromwell, the attorney for this canal company, is to receive 5 per cent, or about $2,000,000, of the forty millions we are to pay. I should be glad to know whether or not this is true, and Mr. Cromwell, no doubt, if he thinks it worth his while, can give me and the country the information. Then I should be glad to know what legitimate service, as a lawyer, Mr. Cromwell could have performed in connection with this business that would entitle him to such an enormous fee.

Mr. President, I impute no dishonest motive to any man in this Chamber. I even believe that Senators have persuaded their minds and consciences to assent to the plainest and most flagrant violations of the Constitution and the law. But the very best interpretation that can be put upon undisputed facts can not save this transaction from scandal and dishonor.

Mr. CULLOM. Mr. President, I do not feel like allowing the discussion in the Senate on the general question of a treaty with the Republic of Panama and the conditions, history, and international and international, involved, to pass without asking the attention of the Senate for a little while on this general subject. I have waited so that all other Senators who desired to speak might have an opportunity, and have refrained from speaking until the Senate had substantially debated the question as long as it desired. I take the floor now this late in the evening because to-morrow I think the Senate ought to go into executive session and remain there until the treaty is disposed of.

When I had the honor of reporting the treaty to the Senate, and the general discussion was entered upon, I preferred quiet, contending myself with doing whatever might be necessary to have the entire subject of the treaty go forward as orderly and rapidly as possible consistent with the importance of the subject.

The debates in open session being now about to close, I think proper, as chairman of the committee reporting the treaty, to submit some remarks.

There has been no greater question before the American people, and with which the American Congress has been called upon to deal, than the question of a great canal uniting the two oceans.

We are about to take the final step that will end the controversy over the different routes and secure the actual construction of the canal in the interest not only of the United States, but of the commerce of the whole world.

Mr. President, I was greatly disappointed and grieved when Colombia r[illegible] into between that [illegible] that treaty was far from [illegible] yet it [illegible] a friendly Republic, and [illegible] two nations, and the [illegible] so anxious to secure the successful comp[illegible] that all controversies over the treaty would be [illegible] amicably adjusted to the satisfaction of the United States.

[illegible] to ratify the treaty, resulting in [illegible] new Republic [illegible] recognized by the [illegible] the world.

[illegible] I do not [illegible] indulge in harsh words against [illegible] of Colombia [illegible] people. That country surely [illegible] the treaty. They recognize [illegible] more in the years to come. But we are not at war with Colombia, and let us say nothing to aggravate the Colombian people, in the hope that they may conclude that the condition in which they now find themselves is the [illegible] of their own mistake and not the fault of any other nation, [illegible]

For almost three quarters of a century the construction of an isthmian canal has been a policy of every succeeding Administration in the United States, regardless of party. Prior to and for [illegible] and Great Britain. To that end the Clayton-Bulwer treaty was entered into with the object of promoting the construction of the canal, but that treaty for half a century proved to be a barrier against any canal across the Isthmus. After much difficulty it was finally abrogated.

[illegible] obstructions standing in the way of a canal, the question then [illegible] shall the canal be built over the Nicaragua or Panama route?

The Isthmian Canal Commission, authorized by Congress to make the [illegible] in favor of the Panama route, [illegible] and the President, under authority [illegible] a treaty with Colombia. That treaty was promptly and almost unanimously ratified by the United States Senate, sent to Colombia March 18, 1903, where it was unanimously [illegible] by the Colombian Congress with very little con[illegible] October 13, 1903, and on October 31 the Colombian Congress adjourned.

It is well un[illegible] how liberally we treated Colombia by that treaty. We gave her $10,000,000 instead of $[illegible] which she agreed to accept under the [illegible] We [illegible] the canal zone; we agreed to joint judicial tribunals [illegible] the first right to protect the canal by armed forces. In brief, we treated Colombia as we would have [illegible] with Great Britain or any other first-class and most powerful nation of the world. On November 3, three days after the Colombian Congress adjourned, Panama seceded and peaceably regained her [illegible]

[illegible] could not have been a surprise to either the [illegible] or to the United States. The correspondence shows that [illegible] from [illegible] of this revolution was considered and discussed in the [illegible] Senate. In fact, it would have been a great surprise and wonder in the United States, in Colombia, and in the world at large if Panama had taken any [illegible] revolution [illegible] I saw no hope that the Panama Canal would be built. To [illegible] of a canal [illegible] the Isthmus, and to me [illegible] standpoint, one of the most important in Central [illegible]

Under the circumstances Panama needed no encouragement from either the [illegible] or any other source to [illegible]

All of the correspondence in possession of the Executive Department [illegible] before the Senate, either in open or executive session. There has been no concealment on the part of the Executive. That correspondence has been gone into in considerable detail here, and there is not one particle of evidence to show that any officer of the United States encouraged or instigated the revolution.

On November 3 the State Department was notified by our consul at Panama that an uprising had occurred, that there was no bloodshed, that the government would organize, and that order prevailed.

There was no resistance to the revolution by Colombia, and on November 4 the three consuls, constituting the provisional government of Panama, notified the Secretary of State officially that in consequence of a popular and spontaneous movement of the people of Panama, the independence of the Isthmus was proclaimed and the Republic of Panama instituted and a provisional government organized. An envoy extraordinary and minister plenipotentiary was later appointed by the new Government of Panama to the United States. On November 6 our consul at Panama notified the State Department that the situation was peaceful, that the movement was a success, and that no Colombian soldiers were on isthmian soil. After receiving that message on November 6, our consuls at Panama and Colon were instructed to recognize the new Government of Panama.

I will not go into the correspondence pertaining to this revolution further at this time; but, in my judgment, that correspondence shows that [illegible] would take another course, under the circumstances, than to recognize the new Republic.

There were no Colombian officials in charge on the Isthmus, and if we did not recognize the new government there would have been no government at all on the Isthmus to which we could look for the protection of our citizens and their property.

From the authorities which have been quoted here on the subject of the recognition of new governments it seems to me that the correct principle is that the whole question of recognition is one of fact.

That matter has been discussed here to-day. So it would seem [illegible] question. All that our [illegible] in recognizing a new government, must look to is the fact. Has a new government sprung into existence, recognized by the people, and carrying on the functions of a state? If such is the fact, we are justified in recognizing that government as the lawful government of the state. It is not necessary to wait until the parent state recognizes the new government; neither does it make any difference how long a new government is in existence. The question simply is, Is there a government there in substantial control and recognized by the people of the state as a government such as it is? What such a government is to be recognized as a question to be determined by the Executive in his own wise discretion. Recognition is an executive and not a legislative function.

It has been correctly stated here that whether we wait five minutes or five days or five years before we recognize a new government [illegible]

Mr. President, in my opinion we do not need to resort to the novel principle of international eminent domain, or to strain any other principle of international law to justify our conduct during this revolution. Every act of our Executive, every order given to the commanders of our vessels of war during and after this revolution, has been justified by our treaty of 1846.

The treaty, entered into in 1846 with the end in view of the construction of a canal or railroad across the Isthmus, as is shown in President Polk's message, in article 35 provides:

> [illegible] embarrassed in any future time while this treaty exists.

This treaty was made in 1846 and still continues in full force. It has survived a number of revolutions. New Granada has become the Republic of Colombia. One revolution has succeeded another, different parties in control, but the treaty has remained and has been recognized by every succeeding government, and the United States [illegible] its right under Article XXXV [illegible] as will be seen by the language and discussion of precedents, and as will be seen by reference to the digest in Wharton's Digest.

The treaty of 1846 continues in force even though the State of Panama has seceded from the Republic of Colombia. No longer binding upon Colombia, after [illegible] over the territory to which Article XXXV refers, it is now binding and its rights and obligations have succeeded to the new Republic of Panama. In other words, the thirty-fifth article of the treaty of 1846 is binding and descends to any government which exercises sovereignty over the Isthmus of Panama.

The treaty of 1846 is what is known in international law as a "real treaty."

Mr. President, I have here extracts from some decisions and from law writers on this subject which I will not take the time now to read, but which I will have inserted in my remarks. I desire to say that these extracts have been quoted already two or three times by distinguished Senators who have spoken on the subject.

Wharton, in his work on International Law, says:

> Treaties are divided by text writers into personal and real. The former pertain exclusively to the persons with whom they are immediately concerned, and treat as a contracting party the person to whom such sovereign and his family. They expire on the death or incapacitation of the sovereign. The latter, or real treaties, relate to the establishment of a condition of independentcy of the persons of the contracting parties. They continue to bind the state whatever intervening changes may take place in its internal

[illegible] or in the persons of its rulers. The state continues the same, [illegible] such change, and consequently the treaty relating to [illegible] objects remains in force so long as the nation exists as an independent state.

Taylor, in his work on International Law, in section 166, speaking of the rights which belong to the new state which has forcibly separated itself from another state, says that—

The new state is entitled to property within it of a local character and to [illegible] of the [illegible] and [illegible] or a part [illegible] the right to navigate streams passing through other countries from its frontiers.

Mr. Taylor makes this statement on the authority of Hall on International Law.

From these authorities it will be seen that this treaty is binding upon the State of Panama and the United States. We owe to the Republic of Panama the same obligations under it as we owed to Colombia. The Republic of Panama has a right to expect and demand that we shall fulfill our obligations under that treaty.

Under this treaty of 1846 we guarantee the neutrality of the Isthmus and the free transit over it from sea to sea. We are bound to see that it is not interfered with. We are bound to protect the railroad. In doing this we must necessarily prevent, if we can, actual hostilities along the railroad. If we permitted warfare to be waged on the Isthmus it would necessarily result in obstructing the free transit from sea to sea. At other times our military forces have been used for the purpose of keeping free and open this transit, and, as an incident [illegible] the Government of Colombia in suppressing [illegible]. Now things are different. Without our aid the people of the Isthmus have declared and regained their independence and have set up a government of their own; no warfare exists, and peace prevails. Under these circumstances it could not be expected that the United States would forcibly overthrow this new Republic or would permit a civil war to be waged on the Isthmus. Such conduct would be contrary to our own policy and history.

The instructions given to our naval commanders are thoroughly in accord with the treaty of 1846. They are as follows:

DEPARTMENT OF STATE,
Washington, November [illegible], 1903. (Sent 11.18 p. m.)

Message sent to Nashville [illegible]. Accordingly see that the following message is sent to *Nashville* immediately:

"NASHVILLE, *Colon:*

[illegible] kept open and order maintained. Acknowledge.

"DARLING, *Acting.*"

Secure special trains if necessary. Act promptly.

LOOMIS, *Acting.*

DEPARTMENT OF STATE,
Washington, November 4, 1903. (Sent 12.02 p. m.)

[illegible] in accordance with communication of yesterday [illegible] that [illegible] land men from the *Nashville* to Panama in the interests of [illegible].

LOOMIS, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 2, 1903.

[Translation.]

NASHVILLE, *Colon:*

[illegible] this would precipitate a conflict. Acknowledge immediately.

DARLING, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November [illegible], 1903.

COMMANDER ATLANTA, *Kingston, Jamaica:*

[illegible] with all possible dispatch to Colon. Acknowledge immediately. When will you sail?

DARLING, *Acting.*

* Same to commander of *Boston* at San Juan del Sur, Nicaragua.

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

NASHVILLE, *Colon:*

In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

DARLING, *Acting.*

NAVY DEPARTMENT,
Washington, D. C., November 3, 1903.

AMERICAN CONSUL, *Panama:*

Message sent *Nashville* to Colon may not have been delivered. Accordingly see that the following message is sent to *Nashville* immediately:

"NASHVILLE, *Colon:*

"In the interest of peace make every effort to prevent Government troops at Colon from proceeding to Panama. The transit of the Isthmus must be kept open and order maintained. Acknowledge.

"DARLING, *Acting.*"

Secure special trains if necessary. Act promptly.

LOOMIS, *Acting.*

[Translation.]

NAVY DEPARTMENT,
Washington, D. C., November 4, 1903.

NASHVILLE, *Colon:*

[illegible] shelling Panama. Send immediately battery 3-inch [illegible]

DARLING, *Acting.*

[Translation.]

WASHINGTON, D. C., *November 5, 1903.*

BOSTON, *care of American Consul, Panama:*

Prevent recurrence bombardment of Panama. Acknowledge.

MOODY.

NAVY DEPARTMENT,
Washington, D. C., November 5, 1903.

NASHVILLE, *Colon:*

Prevent any armed force of either side from landing at Colon, Porto Bello, or vicinity.

MOODY.

[Translation.]

WASHINGTON, D. C., *November 6, 1903.*

MAINE, *Woods Holl, Mass.:*

[illegible], coaling wherever necessary to expedite your arrival. Acknowledge.

MOODY.

[Translation.]

WASHINGTON, D. C., *November 9, 1903.*

DIEHL, *Boston:*

[illegible] watch [illegible] within limits of the State of Panama. [illegible]

MOODY.

The instructions given by our Government were in accord with the treaty of 1846. It will be noticed that in almost every message the main consideration was "keep the transit open." "The Government is responsible for maintaining peace and keeping the transit open across the Isthmus." "Maintain free and uninterrupted transit." The transit of the Isthmus must be kept open and order maintained.

"Keep the transit open" is what has been insisted upon in every communication. There is nothing here to show that there was any interference on our part in this revolution. We were simply running our treaty obligations, regardless of who it affected.

I do not know that the United States has actually or forcibly prevented the landing of Colombian forces on the Isthmus, but I contend that the thirty-fifth article of the treaty of 1846 would [illegible] with a hostile intent, in any part of the Isthmus of Panama.

Read the very terms of the treaty itself. It says:

That treaty does not limit us to the protection of the actual line of the railroad. It is broad enough to cover the whole Isthmus. The purpose of the thirty-fifth article of the treaty of 1846 was to [illegible] the Isthmus of Panama neutral ground for the benefit of the commerce of the world. The purpose of the thirty-fifth article of that treaty was to prevent hostilities on the Isthmus. The protection of the Isthmus was not only for the benefit of the United States, but of the world.

Under the spirit and terms of the treaty of 1846 I believe that we would be justified in preventing the landing of the forces of Colombia or any other Government with hostile intent in any part or port of Panama.

Now that Panama has regained her independence and has been recognized by the nations of the world as an independent republic, Colombia stands in no different relation to her from that of any other foreign nation. We are as much justified in protecting the

Isthmus of Panama and the transit thereof from Colombian forces as we would be in protecting that Isthmus from the forces of any other government.

That portion of the thirty-fifth article of the treaty which I have quoted, providing for the neutrality of the Isthmus, is the most important provision of the treaty and was so recognized by its negotiators.

That provision was expressly inserted with the end in view of the construction of the canal and railroad.

President Polk transmitted the treaty of 1846 to the Senate on February 10, 1847, with a special message of some length. President Polk's message, with the exception of two short paragraphs in connection, is devoted to the provision of the thirty-fifth article, which I have quoted, namely, that the Government of New Granada proposes to guarantee to the Government of the United States the right of passage across the Isthmus on condition that the United States shall make a similar guaranty to New Granada of the neutrality of this portion of her territory, etc.

President Polk also refers to the Isthmus of Panama being the shortest and the most practicable for the construction of the canal. He discusses this provision in connection with the interoceanic canal and railroad.

It is true that the treaty of 1846 was a treaty of peace, amity, navigation, and commerce, but the thirty-fifth article was recognized by President Polk as being the important article of the treaty.

The forces of the United States on many occasions have been landed on the Isthmus of Panama to protect American interests and to keep open the transit under the treaty of 1846.

In September, 1856, when Panama was a sovereign federal State of New Granada, a disturbance arose in the legislative assembly of the State and a revolution was attempted. The acting governor of the State sent our consul a message asking the commanders of the *Independence* and *St. Mary* to land a force, which request was complied with, and 160 marines were landed.

On September, 27, 1860, another outbreak occurred. Commander Porter of the United States sloop of war *St. Mary* and the commander of a British war vessel landed forces to protect the lives of the foreign residents. The joint occupation of Panama by the British and American forces continued some time. This landing was with the sanction of the Panama authorities.

In May, 1861, request was made by the intendente-general for the State of Panama to have the United States forces landed in case an expedition, then fitting out at Cartagena, should invade the Isthmus. This request was based on the thirty-fifth article of the treaty of 1846.

In March, 1865, another revolution having broken out, at the request of our consul at Panama and Colon, marines were landed for the protection of the consulate and the railroad property. Permission was obtained from the president of the State.

In May, 1873, hostilities were in progress in the State of Panama. At the request of the United States consul and a number of influential Americans and other citizens, a force of 200 marines and sailors and 4 pieces of artillery were landed. Another landing was made on September 24 of the same year. These forces were withdrawn on October 28, except a small detachment of thirty men. These forces were used to keep open the transit.

All along in our history since the treaty of 1846 the United States has regarded it as its duty and has complied with its obligation as the United States understood it, and on every occasion when it was necessary to do so it has landed troops, without any request whatever on the part of the Colombian Government, for the purpose of protecting American citizens and to keep open the transit.

In January, 1885, our forces were landed from the United States ship *Alliance*, the President of the State of Panama informing the general superintendent of the Panama Railroad that he was unable to afford adequate protection to the railroad property or the transit.

In April, 1885, a battalion of marines was organized, and men from Portsmouth, New York, and Washington sailed on the *City of Para* from New York, arriving and disembarking on the Isthmus on the 11th. Transit across the Isthmus was kept up by a detachment on every train. A second battalion of the United States marines was landed at Colon on the 15th. The total force of sailors and marines landed from the ships of the Atlantic and Pacific squadrons was 685 officers and men. This force was relieved the latter part of May. This force was used to keep open the transit. The sovereign State of Panama was in revolution, and the revolutionary general was in control in Panama, and he was notified of the landing of these troops. The revolutionary general in command protested against the landing of the second battalion of troops.

Yet the battalion was landed, the transit was kept open, and American citizens were protected. Nobody ever heard a word against it. Everyone believed it was the duty of the Government to do it as it has done time out of mind, or at least as long as the treaty of 1846 has been in force.

In November, 1901, and again in September, 1902, as we all remember, our marines were again landed on the Isthmus to keep open the transit. I believe in both cases the governor of Panama was previously notified.

Prior to the constitution of 1886 the State of Panama was designated as a sovereign state, had considerable self-government, and on some occasions a president. The landing of our forces on the occasions I have designated, with the possible exception of the last occasion, was in most cases at the request of the local president or governor of Panama, the central Government of Colombia not being consulted.

I do not know whether it is questioned now that the recognition of the Republic of Panama by the United States is not a complete recognition of independence.

The recognition by President Roosevelt of the Republic of Panama was as full and complete a recognition of the independence of that Republic as could be given.

Phillemore, Pomeroy, and other writers on international law divide recognition into recognition of belligerency, virtual recognition, and formal recognition. Recognition of belligerency, they say, admits a community existing capable of carrying on war; virtual recognition admits a community existing having commercial relations and capable of maintaining them for the time being; formal recognition admits a society as existing which is in fact independent and sovereign.

Formal recognition is evidenced by the making of treaties and the sending and receiving of ambassadors.

The recognition of the State of Panama by President Roosevelt was a formal recognition. It is formal recognition of independence because he received a minister from that State, and because the President appointed and this Senate confirmed an envoy extraordinary and minister plenipotentiary to Panama.

It has been suggested that a de facto government has not the right in international law to cede territory. I do not admit that this new Government of Panama is merely a de facto government. It is something more. It has become the lawful Government of that State. But, admitting for the purposes of argument that it is a mere de facto revolutionary government, I contend that such a government has the right to alienate a part of its public domain. Now, let us see what the law or the authorities say:

Taylor says, on the authority of Grotius and other writers on international law:

A revolutionary government may also during the period of its authority alienate the whole or a part of the public domain. Upon a revolution [illegible] private property not confiscated and the public domain belongs to their former owners, and [illegible] they revest upon the establishment of a legitimate government. [illegible] * * * When a foreign government or the ruler who has been acknowledged head of the State, or a government de facto [illegible] and thus acquires part of the public domain [illegible] after the revolution, such a grant, though [illegible] be considered valid by the lawful sovereign on his restoration. Wheaton, 246.

Wheaton, in his work on International Law, says:

But if the [illegible] has been [illegible] the public property confiscated by [illegible] the State. The question as to the validity of such transfer [illegible] of conquest.

In the case of inherited [illegible] to foreigners and foreign governments [illegible] property belonging exclusively to the nation; and the Senate, under ordinary circumstances, would be entitled to the opinion of the Committee on the Judiciary as to whether, under existing conditions, the United States can forcibly appropriate territory which, by the treaty of 1846, it guaranteed in Colombia, at least against all foreign nations, including the United States.

It is evident, however, Mr. President, that no such inquiry as this will be permitted by the majority here, and consequently I ask leave to withdraw the resolution.

The PRESIDENT pro tempore. The Chair hears no objection to its withdrawal.

HOUR OF MEETING TO-MORROW.

to Colombia as a rental for the use of the necessary territory for the railroad an annuity of $250,000, which she has since received. By that contract it was also agreed that the Panama Railroad should revert to Colombia in 1966.

In 1878 Colombia made a concession to Lieutenant Wyse for the construction of a canal across the Isthmus of Panama.

Under that Wyse concession it was agreed that Colombia would have a right to participate in the gross receipts of the canal, in amounts ranging from 5 to 8 per cent, and which should amount to no less than $250,000 in any one year. It was also agreed in this Wyse concession that the entire canal property would revert to Colombia at the end of ninety-nine years.

That Wyse concession is the basis of the rights of the Panama Canal Company. That concession was extended in 1890, again in 1893, and again in 1900, on each occasion the company paying to Colombia very large sums of money. Under the extension of 1890 10,000,000 francs in gold were paid to Colombia and 5,000,000 francs in the shares of the New Panama Canal Company.

Colombia must have received millions of dollars in cash from these canal and railroad concessions.

In my opinion all of the rights which Colombia enjoys under the Wyse and railroad concessions are now the property of Panama, as the new Republic of Panama succeeds to the sovereignty over the territory to which they relate. The canal zone being in the State of Panama, that State, on its separation from Colombia, succeeds to the rights which Colombia might have under any concession relative to the canal zone.

Hall, in discussing the rights and obligations which go to a new state on its forcible separation from the mother country, says, page 96:

On the other hand rights possessed in respect of the [illegible] treaties relating to navigation and [illegible] with relinquishment of it alone, and property which it transfers to the new state.

That clause has been quoted, I think, a time or two before.

It would be absurd to say that Colombia after Panama had separated herself from that State and been recognized as independent by the world, should continue to enjoy the large pecuniary profit and rental from the canal zone to which she had lost all title.

It must be assumed, then, under any treaty negotiations between the United States and Panama, that Panama lawfully possesses all rights formerly enjoyed by Colombia under the railroad and canal concessions.

The principal points made by the opposition in this debate are:

Every act of ours pertaining to this revolution is justified by the treaty of 1846, which I have commented upon. We have, under the authority given to us by that treaty, declared that Colombian troops shall not land and carry on hostilities on the transit of the Isthmus. Panama gained her independence without our help, and since the regaining of her independence we are bound to protect the transit through that Republic from foreign invasion, and necessarily we are bound to prevent the landing of Colombian troops.

So, Mr. President, I do not see what principle of international law has been violated.

Neither has the President violated the Constitution of the United States in the messages given to our naval forces, as has been contended here.

It is true, as we know, that under our Constitution war can only be declared by the Congress of the United States. But the orders given to the commanders of our naval forces do not amount to a declaration of war against Colombia.

I have commented on these orders at length. They were in accord with the treaty. Those orders insisted, in various ways, that the transit of the Isthmus must be kept open.

The President, in charge of the executive functions of this Government, has a right, and it is his duty, to execute our treaties as well as our acts of Congress. He is in charge of our foreign relations. The treaty of 1846 gave us the right to protect and keep open that transit. President Roosevelt was performing a proper executive function in sending our naval forces there to keep the transit open. He was doing only what many of his illustrious predecessors did before him. I have given the various instances in which other Presidents, both Republicans and Democrats, have sent troops to the Isthmus. The last Democratic President, President Cleveland, sent troops there in 1885 without authority from Congress.

No act of President Roosevelt in respect to this revolution can properly be construed as a declaration of war against Colombia.

There has been no violation of the treaty of 1846, as has been contended, but, on the contrary, the President has acted thoroughly in accord with that treaty. While it is true that the treaty has sometimes been construed to mean that the duty rested on the Government of Colombia to keep the transit open during domestic disturbances, still its practical operation has been that the United States has repeatedly sent troops there, and in no instance that I now recall in which troops were sent was there any threat of a foreign invasion, but merely local disturbances or revolutions. And in this case Colombia did not ask to send troops to the Isth-

Mr. President, I have presented my views on the main questions involved in the discussion now about to close.

[illegible] I have had an intense interest in the subject [illegible] the location of a canal was [illegible] under consideration, after I had the honor of membership in [illegible] French company [illegible] of its property [illegible] tion. There was no question that the United States could secure the Panama route at any price. I was anxious for a canal and was in favor of it at a reasonable point. When the Canal Commission [illegible] least, I followed their judgment, especially as on such investigation as I could make it became my own judgment.

I desire, Mr. President, to say that I have no quarrel with any Senator who may prefer the Nicaragua route. I believe [illegible] I shall not be surprised, as Senators have suggested, if on both routes a canal shall be constructed at some future time. If the commerce of the world needs it both they will be built. The Panama Canal is alone sufficient for the time, and probably for the century. Its construction is the greatest undertaking of any person, or government of this age, and its importance places it above party considerations, and I am glad that it occupies such a position in this Senate.

Mr. President, I hope I may be excused in saying in this presence [illegible] treaty preparatory to the construction of the Panama Canal, the greatest work of the century on the globe, and which, when completed, will carry with it so great benefits and blessing to the people, not only of the United States, but of the nations.

I know that the distinguished Senator from Alabama and others do not manifest the faith in the outcome of the Panama Canal that I have. I believe and hope that they will be found mistaken.

Mr. President, a few [illegible] words. I desire to express my thanks to the President and Secretary of State for the course they have pursued in connection [illegible] ordeal through which it has passed in dealing with Colombia and Panama during the past few months.

[illegible] has been honored by the [illegible] honor [illegible]

powered to grant in perpetuity the use, occupation, and control of land and waters in the territory of Panama, with full and complete sovereignty over the same.

Mr. CULBERSON. Mr. President, the purpose of this resolution has been largely accomplished by its introduction and publication. When it was introduced impressions in regard to it were [illegible] and discussions had been made as to the constitutional right of Panama to separate from Colombia distinct from the inalienable right of revolution, and comparison had been instituted between the act of Panama in this instance and that of the Confederate States in 1861.

This resolution, largely academic and educational, was not offered as a basis for a discussion of the doctrine of secession, and of course I have no such purpose in view now. Following my general design in introducing it, and remembering that the newspaper organs of the Administration in this city, the Assistant Secretary of State, the Senator from Massachusetts [Mr. LODGE], and the President himself have discussed the question, it is not improper, before I withdraw the resolution, to point out in a sentence, as it were, the fundamental difference between constitutional secession in Panama and in the South.

The great controversy of 1861 revolved around the southern contention, that the Constitution of the United States was a mere compact between sovereign and independent States which did not form a consolidated or centralized government, and that its history, its structural provisions, its reservation of State rights, inherently justified secession. No such claim is possible under the constitution of Colombia, for by its very terms all sovereignty is lodged wholly and exclusively in the centralized nation. No logical mind which can approve constitutional secession in Panama can question constitutional secession in the South.

The constitution of Colombia, Mr. President, also expressly provides that the territory and other property belong exclusively to the nation; and the Senate, under ordinary circumstances, would be entitled to the opinion of the Committee on the Judiciary as to whether, under existing conditions, the United States can forcibly appropriate territory which, by the treaty of 1846, it guaranteed in Colombia, at least against all foreign nations, including the United States.

It is evident, however, Mr. President, that no such inquiry as this will be permitted by the majority here, and consequently I ask leave to withdraw the resolution.

The PRESIDENT pro tempore. The Chair hears no objection to its withdrawal.

FUJI MICRO SAFETY N

[illegible] grants formerly enjoyed by Colombia under the railroad and canal contracts.

The principal points made by the opposition in this debate are:

First. That the President has violated well-known principles of international law in his action with reference to the new Republic of Panama;

Second. That he has violated the Constitution of the United States in the orders given to the commanders of our naval forces, which it is contended practically amount to a declaration of war against Colombia;

Third. That he has violated the treaty of 1846; and

Fourth. That he has violated the Spooner Act.

These allegations, first, second, third, and fourth, were all made by some Senators on the other side.

In the debates which have already taken place the several counts contained in this indictment against the President have been ably met and answered by Senators who have spoken on the subject, especially in the great speeches made by the senior Senator from Wisconsin.

Just what principles of international law it is contended President Roosevelt has violated is not very clear.

In my judgment President Roosevelt has not violated any recognized principle of international law, either in recognizing the new Republic of Panama or in any action he has taken in reference to either Panama or Colombia.

He did not violate any principle of international law in recognizing the new Republic. While early in our history there may have been some doubts expressed by statesmen as to whether recognition is an executive or legislative act, I think it is now well settled, and has been since Secretary Seward's time, that the recognition of a new republic is purely an executive act.

As I stated in the beginning of my remarks, in recognizing a new government all that the Executive authority must look to is the fact. If a new government has sprung into existence, which is recognized by the people (as this new Republic of Panama was promptly and enthusiastically recognized by her people), the President is justified in formally recognizing such government as the lawful government of the state. When such a government is to be recognized, how long it is to be in existence before being recognized is a question entirely within the discretion of the Executive.

The question of intervention is not involved here. We all know, of course, the rule is peaceintervention, but, nevertheless, a recognition of a new government is moral intervention, although clearly not an act of war. We have not intervened in behalf of Panama. [illegible] I now recall in which troops were sent was there any threat of a foreign invasion, but merely local disturbances or revolutions. And in this case Colombia did not ask to send troops to the Isthmus to keep the transit open, assuming that she was under obligations to do so. She wanted to land troops on the Isthmus in order to wage a war in Panama, resulting in an interference with the transit.

The President has not violated the Spooner Act in negotiating this treaty with the Republic of Panama.

That act provides that he shall negotiate a treaty with the Republic of Panama for a right of way for the construction of a canal across the Isthmus. But we must look to the intent of the act itself; we must construe it as a whole. What was the main intent of that act? The intent of Congress in passing it was that a canal should be constructed over the Panama route, if that route could be obtained. The section of that act providing for a treaty with Colombia was a mere incident to its main purpose. The act is [illegible] complied with if a treaty is made with the Government having the sovereignty over the Isthmus of Panama. The President did not have time to turn to Nicaragua after the treaty was rejected by the Colombian Congress. The treaty was only rejected by the Colombian Congress on October 18, but there was a possibility that the action of that Congress might be reconsidered until it adjourned, October 31. On November 3 Panama became independent. In other words, but three days elapsed between the time that all possible hope of the ratification of the treaty with Colombia was abandoned and the successful revolution in Panama. The President very properly entered into the treaty with the Republic of Panama for the construction of a canal, thereby following the intent and spirit of the Spooner Act.

Since regaining her independence Panama has adopted a constitution, elected a President, and has now a complete constitutional Government. When a canal is constructed that State will be one of the great highways of the world's commerce. With the large annual rental paid by the United States for the use of the canal zone she will be in an enviable position among the Central and South American States. At the same time the United States under the treaty will have all necessary authority for the maintenance and operation of the canal. Our relations to that new Republic, which will be necessarily very close in the years to come, will be far more satisfactory than if we were compelled to build and operate the canal under a treaty with Colombia, whose Government, far removed from the Isthmus, would have very little interest in the canal except as a source of revenue.

[illegible] in dealing with Colombia [illegible]

The nation has been honored by their statesmanship and honorable course. No effort has been spared to find evidence of wrongdoing on the part of the Administration, but such effort has been in vain. They stand before the country and the world as among the [illegible] of their time.

I have known all our Presidents, beginning with Abraham Lincoln, whose name and fame are wide as the world, and I say, without [illegible], that I have never known a Chief Magistrate of our great Republic more conscientious in the discharge of [illegible] duties, more fearless in his efforts to enforce the law than Theodore Roosevelt.

His course in dealing with the situation growing out of the secession of Panama has been within the law and our treaty obligations, and I feel sure if he had raised to recognize Panama as an independent state, and finally had failed to make a treaty with it under which, when ratified by this Senate, the work on that great, long-waited-for canal shall begin, there would have been [illegible] doing.

POWERS OF COLOMBIAN GOVERNMENT.

Mr. CULBERSON. Mr. President, in view of the statement made by the Senator from Illinois, that the session to-morrow will be largely devoted to executive business I desire to call up, in order to dispose of it, a resolution which I introduced some time [illegible] Panama subject. I [illegible] 49 of the [illegible].

The PRESIDENT pro tempore. The Chair hears no objection, and the Secretary will read the resolution.

The Secretary read the resolution submitted by Mr. CULBERSON December 11 last, as follows:

Whereas [illegible] provided [illegible] locally and exclusively in the nation, [illegible] powers which shall be exercised within the [illegible]; and

[illegible] provide:

"ART. 4. The territory, together with the public property therein contained, belonging to the nation."

[illegible] the Judiciary of the Senate is directed to [illegible] to the Senate whether the inhabitants [illegible] department of Panama may lawfully form a distinct [illegible] government in that territory, and particularly whether there is any governmental authority other than Colombia em-

The PRESIDENT pro tempore. The Chair hears no objection to its withdrawal.

HOUR OF MEETING TO-MORROW.

Mr. CULLOM. I move that when the Senate adjourns to-day it [illegible] at 11 o'clock to-morrow.

The motion was agreed to.

PIPE LINES THROUGH INDIAN LANDS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3517) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands.

Mr. PLATT of Connecticut. I move that the Senate nonconcur in the amendments of the House of Representatives and ask for a conference with the House on the bill and amendments.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate: and Mr. STEWART, Mr. PLATT of Connecticut, and Mr. DUBOIS were appointed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to: and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 23, 1904, at 11 o'clock a. m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 22, 1904.

MEMBER OF THE PHILIPPINE COMMISSION.

W. Cameron Forbes, of Massachusetts, to be a member of the Philippine Commission and to be secretary of the department of commerce and police in the government of the Philippine Islands, provided for in the act of Congress approved July 1, 1902, entitled "An act to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes."

PROMOTION IN THE MARINE-HOSPITAL SERVICE.

P. A. Surg. James C. Perry, of North Carolina, to be a surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

CONNECTICUT.

Augustus G. Ising to be postmaster at Danbury, in the county of Fairfield and State of Connecticut.

ILLINOIS.

M. S. Brown to be postmaster at Brighton, in the county of Macoupin and State of Illinois.

William T. Thorp to be postmaster at Litchfield, in the county of Montgomery and State of Illinois.

INDIANA.

Edwin S. Gilbert to be postmaster at Indiana Harbor, in the county of Lake and State of Indiana.

James E. Zook to be postmaster at Lima, in the county of Lagrange and State of Indiana.

NEBRASKA.

Trevanyon L. Mathews, of Nebraska, to be United States marshal for the district of Nebraska.

NEW JERSEY.

Charles F. Hopkins to be postmaster at Boonton, in the county of Morris and State of New Jersey.

Andrew Meyer to be postmaster at Lodi, in the county of Bergen and State of New Jersey.

NEW YORK.

Seth Allen to be postmaster at Dannemora, in the county of Clinton and State of New York.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 22, 1904.*

The House met at 12 o'clock m.

The Chaplain, Rev. HENRY N. COUDEN, D. D., offered the following prayer:

Infinite and eternal Spirit, ever present in the hearts of men to inspire, uplift, sustain, and guide, we bless Thee for the truly great and noble men who have been susceptible to the heavenly influence and who have builded wisely for time, they knew for succeeding generations. Our minds turn to-day to him whom we delight to call the "Father of his Country," and a nation will pour out its gratitude to Thee for his character and his deeds as a citizen, a soldier, a statesman, and follower of the Jesus of Nazareth, and every lover of liberty the world round will sing his praise, whose name has become the synonym for wisdom, purity, and goodness.

Help us, we beseech Thee, susceptible to that same influence, to go forward to larger life and grander achievements; and Thine be the praise, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Saturday last was read and approved.

AMENDMENT OF LAW IN RELATION TO TAXATION IN DISTRICT OF COLUMBIA.

Mr. CODWHERD. Mr. Speaker, I ask that House bill 8690, to amend the law relating to taxation in the District of Columbia, be re-referred to the Committee on the District of Columbia.

The SPEAKER. The gentleman from Missouri asks unanimous consent that House bill 8690, now on the Calendar, be taken from the Calendar and re-referred to the Committee on the District of Columbia. Is there objection? [After a pause.] The Chair hears none.

ORDER OF BUSINESS.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I rise for the purpose of making a motion to adjourn. I ask, Mr. Speaker, that the Clerk read the Farewell Address of George Washington, and that immediately upon the termination of the reading the House adjourn.

Mr. PAYNE. I make the point of order that that motion is not in order.

The SPEAKER. The Chair sustains the point of order as to the motion. The Chair will submit the request for unanimous consent, if the gentleman desires that to be submitted.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, Mr. Speaker. Would it not be in order to move that at the expiration of a certain time the House adjourn? Then if that be true, is it not in order that at the expiration of a certain contingency the House adjourn?

The SPEAKER. There are these motions: To adjourn, to adjourn to a day certain, and a motion to take a recess.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I move that the House do adjourn. Pending that, I submit my request for unanimous consent. I ask unanimous consent that the Clerk may read——

The SPEAKER. The Chair will submit the request for unanimous consent standing by itself; but nothing is in order when the motion to adjourn is made.

Mr. WILLIAMS of Mississippi. I was merely anxious to get the two together if I could, Mr. Speaker.

Mr. PAYNE. I call for the regular order.

Mr. WILLIAMS of Mississippi. Then I ask unanimous consent, this being the 22d day of February, that the Clerk may read from the Clerk's desk George Washington's Farewell Address to the American people.

Mr. PAYNE. I demand the regular order, Mr. Speaker.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that George Washington's Farewell Address be read at the Clerk's desk. Is there objection?

Mr. PAYNE. I demand the regular order.

The SPEAKER. The gentleman from New York demands the regular order.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

The SPEAKER. The regular order is demanded.

Mr. WILLIAMS of Mississippi. I want to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Would it be in order to put into the shape of a motion what I have asked unanimous consent for?

The SPEAKER. Not against the demand for the regular order.

Mr. WILLIAMS of Mississippi. Then, Mr. Speaker, I will move what is in order. I move that in memory of George Washington this House do now adjourn.

The SPEAKER. That motion is not in order. [Laughter.] It is in order to move that the House do now adjourn.

Mr. WILLIAMS of Mississippi. Then, Mr. Speaker, I move that the House do now adjourn; and the country will understand the issue.

The SPEAKER. The gentleman from Mississippi moves that the House do now adjourn.

The question was taken; and the Speaker announced that the noes seemed to have it.

Mr. WILLIAMS of Mississippi. Division, Mr. Speaker.

The question was taken; and there were—ayes 66; noes 85.

Mr. WILLIAMS of Mississippi. I now call for the yeas and nays.

Mr. TAWNEY. A parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TAWNEY. Would it be in order for me to read a motion that was made by a Democratic Speaker from New York [Mr. CUMMINGS] in the second session of the Fifty-third Congress on the 22d day of February?

Mr. WILLIAMS of Mississippi. I demand the regular order.

The SPEAKER. The Chair thinks it is not in order.

The yeas and nays were ordered.

The question was taken; and there were—yeas 93, nays 104, answered present 10, not voting 175, as follows:

YEAS—93.

Aiken,	Goldfogle,	Lloyd,	Shull,
Bartlett,	[illegible]	McCreary, Pa.	Sibley,
Bassett,	[illegible]	McDermott,	Sims,
Bell, Tex.	[illegible]	McLain,	Smith, Ky.
Berry,	[illegible]	Maynard,	Smith, Tex.
Boutell,	Hardwick,	Meirs, Ind.	[illegible]
Bowers,	Hay,	Moon, Tenn.	[illegible]
[illegible]	Henry, Tex.	Pa.	[illegible]
Brundidge,	Hill, Miss.	Patterson, N. C.	[illegible], Tex.
[illegible]	Hitchcock,	Patterson, Pa.	[illegible], Mass.
[illegible]	[illegible], N. J.	Patterson, Tenn.	[illegible]
[illegible]	[illegible]	Pujo.	[illegible]
Coffman.	[illegible]	Rixey.	[illegible]
Cooper, Tex.	[illegible]	Richardson, Ala.	[illegible], N. C.
[illegible]	[illegible]	Robinson.	[illegible]wood,
[illegible]	[illegible], Wm. W.	Rucker,	[illegible]
[illegible]	[illegible]	[illegible], Ark.	[illegible]
Fitzgerald,	Lamar, Fla.	Robinson, Ind.	[illegible]
Fitzpatrick,	Lamar, Mo.	[illegible]	Williams, Ill.
Flood,	[illegible]	[illegible]	Williams, Miss.
Garner,	[illegible]	Scarborough,	Wynn.
Gilbert,	Lind.	Shackleford,	
Gillespie,	Little,	[illegible]	
Glass,	Livingston,	[illegible]	

NAYS—104.

Adams, Wis.	Butler, Pa.	Fordney,	Hermann.
[illegible]ander,	Cannon, Ill.	Foss,	Hill, Conn.
[illegible]	Cannon, Pa.	Foster, Vt.	[illegible]
[illegible]ock,	[illegible]	Fuller.	[illegible]
Beidler,	[illegible]	Gibson.	[illegible]rey, Wash.
Birdsall,	[illegible]son,	Gillet, N. Y.	[illegible]
[illegible]	[illegible]	Gillett, Mass.	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]Wash.
[illegible]	[illegible]	[illegible]	[illegible]
Brandegee,	Davis, Minn.	Grosvenor.	[illegible]
Brick.	Deemer.	Hamilton,	[illegible]
Brown, Wis.	Dovener,	Haugen,	Lacey.
Buckman,	Draper,	Hedge.	[illegible]
Burke,	Dresser,	Hemenway,	[illegible]
Burkett,	Dunwell,	Henry, Conn.	[illegible]
Burton,	Esch,	Hepburn,	Loud,

Lovering,	Murdock,	Scott,	Stafford.
McCall,	Olmsted,	Shiras,	[illegible]son,
McCleary, Minn.	Overstreet,	Sloan.	[illegible], Minn.
McLachlan,	Parker,	Smith, Iowa	[illegible],
McMorran,	Payne,	Smith, N. Y.	Tawney,
Marshall,	Pearre,	Smith, Pa.	Thomas, Iowa
Metcalf,	Perkins,	Southard,	Vreeland,
Miner,	Powers, Mass.	Southwick,	Watson.
Mondell,	Prince,	Spalding,	Wilson, Ill.
Mudd.	Roberts.	Sperry,	Young.

ANSWERED "PRESENT"—10.

Adamson,	Kehoe,	Lucking,	Powers, Me.
Cassel,	Kyle,	Mahon,	
Cassingham,	Littlefield.	Meyer, La.	

NOT VOTING—175.

Acheson,	Dixon,	Kitchin, Claude	Rider,
Adams, Pa.	Dougherty,	Kluttz,	Robertson, La.
Aines,	Douglas,	Lafean,	Rodenberg,
Ridzer,	[illegible]	Lamb,	[illegible]
Baker	[illegible]	Landis, Chas. B.	[illegible]
[illegible]	Lincoln,	Landis, Frederick	[illegible]
[illegible]	Evans,	Legare,	[illegible]
Bates,	Finley,	Lester,	[illegible]
Bede,	Flack,	Lindsay,	[illegible]
Bell, Cal.	Foster, Ill.	[illegible]	Small.
Bingham,	Fowler,	[illegible]	Smith, Ill.
Bishop,	Fromen[illegible]	Longworth,	Smith, Samuel W.
Bowersock,	Gaines, Tenn.	Lorimer,	Smith, Wm. Alden
Brantley,	[illegible], W. Va.	Loudenslager,	Snapp.
Breazeale,	[illegible]	[illegible]	Southall,
[illegible]	[illegible], Mass.	McCarthy,	[illegible]
Broussard,	[illegible], Mich.	McNary,	[illegible]
Brown, Pa.	[illegible], N. J.	Macon,	[illegible], N. Y.
[illegible]	Gillett, Cal.	Maddox,	[illegible]
[illegible]	[illegible]	Mahoney,	[illegible]
Burleson,	Granger,	Mann,	[illegible]
Burnett,	[illegible]	Marsh.	[illegible]
Butler, Mo.	[illegible]	Martin,	[illegible]
Byrd,	[illegible]	Miller	[illegible]
Calderhead,	[illegible]	Moon, Pa.	[illegible]
Capron,	[illegible]	Morgan,	[illegible]
Clark,	[illegible]	Morrell.	[illegible]
Clayton,	[illegible]ant,	Needham,	[illegible]
Connell,	[illegible]	Nevin.	[illegible]
Conner,	Hitt,	Norris,	[illegible]
Cooper, Wis.	Hopkins,	Otis.	Wade.
Cousins,	[illegible]	Otjen.	Wadsworth,
Croft.	[illegible], N. J.	Page.	[illegible]
Cromer,	[illegible], Utah	Palmer,	[illegible]
Crowley,	Huff.	Pierce.	[illegible]
Crumpacker.	Hughes, W. Va.	Pinckney,	[illegible]
Darragh.	Hull.	Porter,	Wiley, Ala.
Davey, La.	Humphreys, Miss	Pou.	Wiley, N. J.
Davis, Fla.	[illegible], Md.	Rainey.	[illegible]
Dayton,	[illegible], Ohio	Randell, Tex.	[illegible], N. Y.
De Armond,	James.	Ransdell, La.	Woodyard,
Denny,	Kelher.	Reeder.	Wright.
Dick.	Kennedy,	Rhea.	Zenor.
Dinsmore,	Ketcham.	Richardson, Tenn	

So the motion was rejected.

The Clerk announced the following pairs:

For this day:

Mr. RODENBERG with Mr. TRIMBLE.

Mr. VREELAND with Mr. BUTLER of Missouri.

Mr. TIRRELL with Mr. VANDIVER.

Mr. WARNOCK with Mr. LEGARE.

Mr. WARNER with Mr. GAINES of Tennessee.

Mr. REEDER with Mr. THOMPSON.

Mr. MILLER with Mr. SPIGHT.

Mr. MARTIN with Mr. SOUTHALL.

Mr. MARSH with Mr. SLAYDEN.

Mr. LOUDENSLAGER with Mr. RANSDELL of Louisiana.

Mr. LONGWORTH with Mr. POU.

Mr. FREDERICK LANDIS with Mr. RAINEY.

Mr. LAFEAN with Mr. PINCKNEY.

Mr. KENNEDY with Mr. PAGE.

Mr. HASKINS with Mr. WILSON of New York.

Mr. GREENE with Mr. LINDSAY.

Mr. GAINES of West Virginia with Mr. HUMPHREYS of Mississippi.

Mr. FOWLER with Mr. HOPKINS.

Mr. CHARLES B. LANDIS with Mr. DE ARMOND.

Mr. SMITH of Illinois with Mr. GUDGER.

Mr. DRISCOLL with Mr. EMERICH.

Mr. DOUGLAS with Mr. DOUGHERTY.

Mr. OTJEN with Mr. DAVIS of Florida.

Mr. DARRAGH with Mr. CROFT.

Mr. CRUMPACKER with Mr. BYRD.

Mr. COOPER of Wisconsin with Mr. DAVEY of Louisiana.

Mr. CALDERHEAD with Mr. BURLESON.

Mr. CONNER with Mr. LESTER.

Mr. BROOKS with Mr. CLAUDE KITCHIN.

Mr. GARDNER of Massachusetts with Mr. MCNARY.

Mr. NEEDHAM with Mr. FOSTER of Illinois.

Mr. BOWERSOCK with Mr. BROUSSARD.

Mr. BISHOP with Mr. BREAZEALE.

Mr. BATES with Mr. BAKER.

Mr. MORGAN with Mr. BANKHEAD.

Mr. ACHESON with Mr. BADGER.

Mr. SAMUEL W. SMITH with Mr. RANDELL of Texas.

Mr. WM. ALDEN SMITH with Mr. ROBERTSON of Louisiana.

Mr. BARTHOLDT with Mr. JAMES.

Mr. KETCHAM with Mr. CLARK.

Mr. BINGHAM with Mr. MADDOX.

Mr. WOODYARD with Mr. LIVERNASH.

Mr. LITTAUER with Mr. SULLIVAN of New York.

Mr. ADAMS of Pennsylvania with Mr. KELIHER.

Mr. BURTON with Mr. RICHARDSON of Tennessee.

Mr. LILLEY with Mr. KLUTTZ.

Mr. BROWN of Pennsylvania with Mr. BELL of California.

Mr. DICK with Mr. BURNETT.

Mr. COUSINS with Mr. WADE.

Mr. HUFF with Mr. HARRISON.

Mr. HOWELL of New Jersey with Mr. SULZER.

Mr. MANN with Mr. SWANSON.

Mr. MORRELL with Mr. RIDER.

Mr. HINSHAW with Mr. GRIGGS.

Until further notice:

Mr. BURLEIGH with Mr. BRANTLEY.

Mr. STERLING with Mr. MACON.

Mr. KYLE with Mr. GARBER.

Mr. CASSEL with Mr. GOOCH.

Mr. VAN VOORHIS with Mr. CASSINGHAM.

Mr. LORIMER with Mr. MCANDREWS.

Mr. WACHTER with Mr. DENNY.

Mr. GILLETT of California with Mr. VAN DUZER.

Mr. LITTLEFIELD with Mr. SMALL.

Mr. HITT with Mr. DINSMORE.

Mr. SNAPP with Mr. MAHONEY.

Mr. CAPRON with Mr. GRANGER.

Mr. PORTER with Mr. SCUDDER.

Mr. MAHON with Mr. HOUSTON.

Mr. WADSWORTH with Mr. LAMB.

Mr. CROMER with Mr. ZENOR.

Mr. OTIS with Mr. RHEA.

Mr. TOWNSEND with Mr. LUCKING.

Mr. POWERS of Maine with Mr. SHERLEY.

Mr. WRIGHT with Mr. HEARST.

Mr. BEDE with Mr. RANSDELL of Louisiana.

Mr. HULL with Mr. WILEY of Alabama.

Mr. EVANS with Mr. CROWLEY.

Mr. PALMER with Mr. CLAYTON.

Mr. GARDNER of Michigan with Mr. TAYLOR of Alabama.

Mr. HUGHES of West Virginia with Mr. KEHOE.

Mr. BROWNLOW with Mr. PIERCE.

Mr. HILDEBRANT with Mr. RUCKER.

For the session:

Mr. WANGER with Mr. ADAMSON.

Mr. CURRIER with Mr. FINLEY.

Mr. SHERMAN with Mr. RUPPERT.

Mr. DAYTON with Mr. MEYER of Louisiana.

The result of the vote was then announced as above recorded.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. HEPBURN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of House bill 12220, the naval appropriation bill.

Mr. FOSS. Mr. Chairman, how much time have we had for general debate on this side, how much is there left on the majority side, and how much is there left on the other side?

The CHAIRMAN. There is one hour and five minutes remaining on the side of the committee and one hour and twenty minutes on the opposite side.

Mr. MEYER of Louisiana. Mr. Chairman, I yield thirty minutes to the gentleman from Virginia [Mr. RIXEY].

Mr. RIXEY. Mr. Chairman, I was somewhat surprised to observe in the public press that the Secretary of the Navy, in his address at the Lincoln banquet in New York a few days ago, seemed to treat the support of the Navy in a partisan way. In the course of his address he said:

> A few days ago I should not have considered that the policy of naval progress was at all open to partisan discussion.

And further on in his remarks:

> I have not lost hope that the policy of increasing our power upon the sea will be continued, whatever party may be in control of the National Admin-

[illegible] I confess that I look with apprehension upon the observations [illegible] the most powerful leader of the Democratic party [illegible] When the Senator from Maryland was returned to the Senate to [illegible] the Senate his party associates conferred upon him [illegible] ment of making him their leader in that [illegible] in public affairs, and unquestionably [illegible] party [illegible] consideration and respect.

The Secretary of the Navy did not favor his auditors with the observations of the Senator from Maryland which have caused him to be so apprehensive that he had almost lost sleep. It is at first sight somewhat strange that the Secretary of the Navy should be apprehensive on account of these observations by the Senator who, he says, is easily the leader of his party. These apprehensions of the honorable Secretary, I suppose, can be accounted for upon the theory that he sees a probability in the near future a combination of the two great political parties, and, with his prophetic eye, he sees that this Senator, who, he says, is easily the leader of his party, may be selected as the standard bearer, and then he foresees that within a few months more we are to have a general election, and, with the same prophetic eye, he sees that this standard bearer at the head of his great party will be easily successful at the polls.

Mr. Chairman, in this view, in view of the fact that he may be transferred from a forum where he is in the minority to a forum where he would be in a position to direct to some extent the policies of the country, the observations of the Senator from Maryland do become of some consequence to the country, and, as the honorable Secretary did not give them, I will ask the Clerk to read from the RECORD of the dates of February 3 and February 4 the observations on the naval establishment as made by the Senator from Maryland.

The Clerk read as follows from the RECORD of February 3:

It may be that, now that we have entered upon the control of islands 8,000 [illegible] we may be [illegible] from the Secretary of the Navy [illegible] and [illegible] of $[illegible] for a naval establishment in the far Pacific [illegible] and coaling stations upon those islands and the seas and upon war ships which we have upon those seas now [illegible] thought necessary to maintain the Monroe doctrine and protect our interests in every part of the globe.

We will always maintain the doctrine that we will prevent any foreign nation from interfering with the republics south of us. A small navy has protected them in the past. Our present Navy would do it now. [illegible] these republics. [illegible] and commerce with us, and there is not a nation on the face of the earth that would attack any of them.

I am an advocate for a navy sufficient to guard our interests. But you have entered upon a point of having as many battle ships as Germany, half as many as Great Britain, and your expenditures of the Navy Department have run up from generation to over a generation. The Navy is costly, very heavy. There are too many men, too many officers, too many [illegible]. We have as ships enough to protect us and guard all our interests on every sea upon the round the globe. Let war wait and let commerce be protected.

And as follows from the RECORD of February 4:

The Senator from Massachusetts [illegible] although I am sure he did not intend it, said that I have [illegible] of an increase of the Navy and intimated that I was possible [illegible] that are of the service so necessary to protect us upon the seas of the world. [illegible] ignorance of necessities more than opposition, which is one of the things [illegible] I am prompted [illegible] the Navy. From boyhood of my story into [illegible] with the gentleman from Maine Mr. HALE and with [illegible] us for the [illegible] Navy [illegible] be proud [illegible] Appropriations [illegible] continuance of our Navy [illegible] Appropriations [illegible]

I have [illegible] and I have [illegible] that we should, as it appears the Administration [illegible] but have a navy [illegible] of vessels and number of men. Our conditions are not such as to require it.

I am opposed to a navy for display. Our navy so far as I [illegible] what we do [illegible] the waters for the protection of the Government or citizens of our country. Now I desire to make a substantial [illegible] Appropriations [illegible] time of peace unnecessary for that purpose, merely for display. I need economy.

I say to the Senator from Massachusetts that while a navy is necessary [illegible] was transferred to great [illegible] our Navy was [illegible] experiment [illegible] that I knew of is that of torpedoes [illegible] $[illegible] a year.

Mr. RIXEY. Mr. Chairman, as far as I am concerned, I am willing to regard that as the position of the Democratic party in regard to the Navy.

The Secretary of the Navy need give himself no apprehension as to the position of the Democratic party on the naval establishment. The Democratic party stands for a navy and for everything else that is necessary to enforce the Monroe doctrine in the Western Hemisphere. It stands also for a navy and for anything else that is necessary to protect American interests and maintain respect for our flag throughout the world.

This bill carries over $96,000,000 for the support of the naval establishment for the year 1905, and with Senate amendments it will be easily a round one hundred millions. The estimates sent in by the different bureaus amounted to over $150,000,000, but these were cut or scaled down by the Secretary and the Naval Committee. The present bill is fourteen millions more than for 1904.

At its present rate of increase we may expect the annual navy appropriation bill to carry $150,000,000 within the next ten years.

The chairman of the Appropriations Committee may well announce to the House, as he did the other day, that the revenues for 1905 would probably not be sufficient by forty millions to meet the appropriations for that year. What may we expect in ten years at the present [illegible] expenses due to the expansive and expensive imperialism of the present Republican Administration?

With this bill we lay the foundation for a great naval station at Guantanamo, Cuba, to cost, according to the estimates, over $12,000,000. A coaling station at that point to cost half a million dollars is all that is required. Costly naval stations we now have along our own coast, at New Orleans, La., Pensacola, Fla., and Charleston, S.C., and there is no earthly necessity for another in foreign territory so close to our own shores.

The bill also provides for the establishment of a naval station at Olongrapo, in the Philippine Islands, estimated to cost by different naval boards all the way from thirty millions down to ten millions, though Admiral Dewey says that $800,000 should establish all the station we need there.

Expansion is indeed a stirring theme with which to fire the national heart, but in practice it is expensive.

For this great Navy Congress is now urged to provide a general staff, the theory, I suppose, being that the Secretary of the Navy should be further advised or, as I believe, controlled.

The Secretary of the Navy now has as his advisers and assistants an Assistant Secretary, eight heads of bureaus, all admirals, a Construction Board, and the General Board of thirteen members, of which Admiral Dewey is the president. This muchly advised Secretary, it is thought, needs further advice, and therefore a general staff of many more admirals is to be added in Washington to this already top-heavy fighting arm of the military service.

Instead of expanding in this direction we should, in my opinion, consolidate.

I remember the urgent recommendation of ex-Secretary Long that at least three of the bureaus should be consolidated, but this instead of [illegible] less in Washington, and of course his recommendations fell stillborn.

His insistence of the need of reform was almost plaintive. "It is not the case," he said, speaking of the bureau system, "of one tail wagging the dog, but of eight tails wagging one dog." If [illegible] with eight admirals, what will be the condition when the Secretary has a general staff with many more admirals?

In a material way the greatest beneficiaries and, to some extent, the greatest advocates for this ever-expanding Navy are the contractors, and chief among these are the armor-plate manufacturers and shipbuilders. In regard to these, the many millions of dollars which they have received have not always been well or economically expended. Without going into too great detail, a few instances will show this. A few years ago the lowest price at which Congress could secure armor plate from the Bethlehem and Carnegie plants was $[illegible] per ton, and it had been as high as $671. The Democrats in Congress insisted that this was excessive, the manufacturers insisted they could not make it for less. The result of this contest, however, was that the manufacturers took the Government contract for armor plate at $[illegible] per ton, instead of $[illegible] and agreed to find the Government [illegible] of $[illegible] on this one contract.

From that time to the present the Government has gotten the benefit of this reduction, brought about almost entirely by the [illegible] of the Democrats.

The point, however, is still [illegible], as the following circumstance shows:

Since the convening of Congress the Secretary has awarded contracts for 10,000 tons of armor. The old firms, the Bethlehem and Carnegie companies, who have an agreement on prices, as stated by the Secretary and Admiral O'Neil, and the old firm, while the Midvale company, a new concern, bid $55 less per ton, and of the 10,000 tons 6,400 were given the lowest bidder and the other 10,000 tons divided equally between the Bethlehem and Carnegie companies at the loss of $55 per ton, or $550,000 altogether, to the Government.

It was proved by Admiral O'Neil that these two companies—the Bethlehem and the Carnegie—have an agreement, that they are in concert, that they have a combination; and it was also proved by the Secretary of the Navy, Mr. Moody, who stated in

his testimony that it was as plain as the sun that they had a combination to control the prices.

Now, I want to ask what is the use of this Government passing laws denunciatory of the trusts and combines and appropriating $500,000 to prosecute them, when here in Pennsylvania, the State of the Attorney-General, there is a trust and combination to control the price of the armor plate which the Government must buy.

Mr. SMITH of Kentucky. Will the gentleman from Virginia [Mr. RIXEY] yield for a question?

The CHAIRMAN. Does the gentleman from Virginia yield?

Mr. RIXEY. Yes, sir; I do.

Mr. SMITH of Kentucky. What explanation does the Secretary of the Navy give for awarding contracts to the Carnegie and Bethlehem companies at $455 a ton when he could have been supplied with the armor plate at $398 by the Midvale Company?

Mr. RIXEY. The Secretary of the Navy stated that there was no one else from whom to get this armor plate, that under the proposition of the Midvale Company it could not furnish all the armor plate within the time that the Department wanted it, and that he felt compelled therefore to give these contracts to the Carnegie and Bethlehem companies. When asked:

[illegible] $50 a ton less a sufficient reason to [illegible]

He replied:

No, sir; there is no [illegible] bids. Who would bid? There is nobody who makes armor except the [illegible] and Carnegie.

Virtually the Secretary says that the Government was in the power of this trust and combination; that it had the Government by the throat.

Mr. SMITH of Kentucky. Now, I would like to ask this additional question: Was there not a provision in the last naval appropriation bill requiring the Secretary of the Navy to take steps to erect an armor plant in case he could not secure the armor plate at a reasonable price?

Mr. RIXEY. I think so.

Mr. SMITH of Kentucky. And in the face of that provision he makes a contract for 10,000 tons of armor plate at $55 a ton more than what a certain other company had bid?

Mr. RIXEY. Upon examination I find that the provision referred to by the gentleman from Kentucky was carried in a former bill, but not in the last.

Mr. Chairman, I should like to know why the Attorney-General of the United States, with this extra fund which he has for the prosecution of trusts and combines, has not instituted some prosecutions against the Bethlehem Company and the Carnegie Company. I can give him as witnesses, and the record shows it, Admiral O'Neil, Chief of the Bureau of Ordnance, and the Hon. William H. Moody, Secretary of the Navy.

Instead of starving the trusts this Government is feeding them. Instead of prosecuting them this Government is rewarding them. You appropriate $500,000 to prosecute all the trusts in the country, and you give to one trust a bonus of $550,000 on one Government contract. In the face of this fact the Naval Committee would not place a limitation upon the price of armor plate, but when the bill is read under the five-minute rule I intend to offer an amendment providing that the Secretary of the Navy shall not pay for armor plate more than he has contracted to pay to the Midvale Company, which is $398.

As further proof of the exorbitant profits made out of the Government contracts by this Bethlehem company, whose recent performances in the New York shipbuilding trust are so notorious, I give the following extracts from the hearings before the committee.

Captain Pendleton, now superintendent of the Washington Navy-Yard, said:

We went to work with the Bethlehem Steel Company and made a big contract, which authorized them to put up a plant and make armor. We all knew that it [illegible] and paid for their plant and made fair profits, but they made [illegible]

And again:

[illegible] years, in which the Government paid for the plant, we are paying them interest and depreciation on that same plant on the present contracts.

Admiral O'Neil, Chief of the Bureau of Ordnance, on page 5 of his annual report, says, speaking of some guns ordered from the Bethlehem company, that $2,000,000 contract for guns cost the Government 36 per cent more than if the Government could have done the work in its own Gun Factory. This it could not do because of overwork. And in his hearings, page 153, said the work done in the Government Gun Factory was better and the guns of superior quality.

Captain Pendleton, in his testimony, page 67, said:

Why should we pay these private companies to increase their plants when the Government could do the work at 30 or 40 per cent cheaper than anybody else can do it? Why should we pay them the interest, insurance, and depreciation on their plants after we have paid for the plants, and then not control them?

If all this is true in regard to the steel supplies and armor plate, does it not justify the representatives of the taxpayers in insisting that the Government should have its own gun factory (as it has) and its own armor-plate factory (as it has not), do its own work, and be independent of the steel-trust combination?

An armor-plate factory owned by the Government would long since have paid for itself many times over.

I can not agree, Mr. Chairman, that it is either necessary or expedient at this time to add 3,000 more men to the Navy, as this bill provides. We have, with the 3,000 men now provided for, 34,000 men, and about 7,000 men in the Marine Corps, making a total of 41,000 in the naval establishment besides commissioned officers.

Admiral Taylor, Chief of the Bureau of Navigation, in his testimony, page 184, said that 26,000 men would man the ships in active commission for the next five years, and on page 169 said we would lack 797 officers for the ships to be completed by 1907 and 357 officers for the ships he supposed we would have ready by 1911, and this notwithstanding the last Congress provided for doubling the number of cadets at Annapolis.

Truly, the Government is rushing headlong in its race for the greatest navy of the world!

I submit there is no necessity for this increase of 3,000 men, and I shall not support it.

We now have complete and in commission 12 battle ships, 2 armored cruisers, and 2 protected cruisers, besides a large number of smaller vessels of war, as monitors, auxiliary cruisers, torpedo boats, and submarine boats.

Admiral Dewey, in an interview published in the Washington Post, March 28, 1903, said, referring to the recent Caribbean maneuvers:

They were the greatest object lessons of that kind, probably, that the world has ever seen. It was an object lesson to the Kaiser more than to any other person. Think of it, fifty-four warships, including colliers and all. Germany could not possibly get a fleet over here that could fight such an aggregation as that.

In addition to the ships then in commission we now have under construction the following: Twelve battle ships (including the *Missouri*), 8 armored cruisers, 8 protected cruisers (making 28 war ships proper, which more than doubles what we already have), 2 gunboats, 2 training ships, 1 training brig, 6 torpedo boats, and 2 steel tugs, a total of 41, on which we still owe $82,000,000.

Will any conservative man, who has no ax to grind, say that this is not sufficient?

Why should we go on as is done in this bill and authorize contracts for other ships to cost $3[illegible] Why not first complete and pay for the ships already authorized, and then consider our ability to support the naval establishment as it will then exist?

If we stopped now and neither built nor authorized another ship prior to 1907, we would then have the third strongest navy in the world, and who is it that thinks it necessary that we should be either first or second?

The report by the chairman of the committee on this bill shows that if all the vessels now building were completed the United States would rank third, with only Great Britain and France ahead of her. Below I give table:

Relative order of war-ship strength [illegible] be the case were vessels building [illegible]

Nation.	Tonnage.
Great Britain	[illegible]
France	[illegible]
United States	[illegible]
Russia	[illegible]
Germany	[illegible]
Italy	[illegible]
Japan	[illegible]
Austria	146,883

For years past it has been a favorite topic for the Navy expansionist to insist that we should keep abreast of Germany. Now, France and Germany are building six battle ships each; we are building twelve. Germany is building three armored cruisers; we are building eight. Germany is building no protected cruisers; we are building eight. We have under construction three great ships 100,000 tons more than Germany. We are building more rapidly than any other nation on earth except Great Britain, as the following table, taken from the report of the chairman of the Committee on Naval Affairs, shows, the estimate being in tons displacement:

Vessels building January 1, 1904.

Nation.	Tonnage.
Great Britain	351,000
France	160,000
Russia	142,000
Germany	118,000
United States	322,000
Italy	70,000
Japan	10,000
Austria	56,000

This [illegible] large part for the increase in cost of the naval [illegible] 00 in Cleveland's Administration to [illegible] 00 in the present.

[illegible] a battle ship at least one year. [illegible] would be [illegible] the provision for the three great battle [illegible]

The [illegible] of keeping a battle ship in commission in time of peace [illegible] and $[illegible] a year, and on the Asiatic [illegible] a year. An armored cruiser costs [illegible] a year, and a protected cruiser [illegible] a year.

[illegible] were proportioned to the number and class of the Navy [illegible] as to whether ships should be kept "in commission" or "in ordinary" [illegible] and properly cared for, and what would be the [illegible] of the ships.

The [illegible] that the ships would depreciate less [illegible] "in ordinary" than when "in commission" [illegible] a year to keep [illegible] in commission, it could be kept in as good condition [illegible] "in ordinary" at a cost of from one-fifth to one-[illegible] of its [illegible].

I [illegible] the following as making for economy, without lessening [illegible] of the Navy:

First. Let some of the ships go out of commission, or "in ordinary" as it is called, with sufficient crew to keep them in good condition and ready for service on twenty-four hours' notice. In this way several millions can annually be saved without detriment. Great Britain does this. Why should we not follow her example when it makes for economy, as well as when it makes for [illegible]?

Second. Eliminate the provision for 3,000 men provided for in this bill. We now have more men than is necessary to man ships that will be ready for several years, and sufficient men to keep in commission or send "in ordinary" all ships now authorized.

Third. Let the building programme for the three great ships, to cost $[illegible], go out, certainly for this year.

Fourth. Cut out the provision for the great naval station in Guantanamo, Cuba, to cost $12,000,000, and provide only for a coaling station at that place.

These reforms would result in a saving of $30,000,000, probably more, and without in any way affecting the efficiency of the naval service. This great sum saved from this one source could be spent to better advantage in the internal improvements of our country.

With one hundred million for the Navy, one hundred million for the Army, and one hundred and fifty million for pensions, we have for the military establishment the appalling total of $[illegible] annually—one-half of all the revenues of the Government. It has been stated that the agricultural districts contribute at least one-half of the $[illegible] annually collected for the support of the Government. What is returned to them? Large sums have been expended on public buildings in the larger cities and on the great rivers and harbors along our coast.

Besides this, Congress by law has taken the proceeds of the public lands belonging to all the people of the United States and applied them to irrigating the arid lands of the Western States.

It is no wonder that there now goes up a cry from the agricultural classes for relief. In the building of the great transcontinental railways. Why may it not annually contribute a few million dollars to assist the States in building the important highways over which the United States mail is daily carried? It is not a new proposition. In 1811 the Government undertook the building of the national turnpike from Cumberland, Md., to St. Louis, Mo., a distance of 700 miles, and expended on it about $7,000,000.

It is not questioned that Congress has the power. Is there any direction in which the Government can turn its energies and apply a small per cent of its revenues which would so benefit the agricultural classes of the people as in good roads? Instead of the present proposition for an appropriation of a lump sum of about $[illegible], I would suggest at least that amount be set aside every year for ten years, and the States in building roads.

Twenty-five millions is only about one twenty-eighth of our total revenues, and surely the people who pay one-half of seven hundred million dollars revenue can reasonably ask and expect this direct appropriation for their benefit. The fund should only be paid over to the States when they duplicate it. In this way each of the forty-four States would have an average of $[illegible] road fund a year. The property around the farms would give us good roads; farming lands would be more desirable, their value enhanced, and the condition and enjoyment of the agricultural classes greatly improved. These twenty-five millions can be saved from the one hundred millions for the Navy, and yet its efficiency not be lessened.

Let the people demand economy in the matter of the Army, Navy, and pensions, and [illegible] applied to internal improvements which more [illegible] country districts. I am not a sectional or [illegible], but when favored interests are growing fat upon the favor and smiles of the Government, I favor an insistence by the great agricultural interests, stretching from ocean to ocean, of some respect and consideration for their happiness, their prosperity, and perhaps their very existence. Without good roads, farming is not attractive, and our young people leave it. Make it attractive, and thus keep our young people on the farms.

Let the farmer prosper and the balance of mankind will not suffer. Had the hundreds of millions spent upon Cuba and the Philippine Islands been spent in improvements within the continental limits of the United States it is perhaps not too much to say that every great thoroughfare within the United States could have been made [illegible] of the magnificent roads of Rome and Greece of ancient times and of France in modern times. Let the people demand less of imperialism and Asiatic expansion and more consideration for and investment of the conditions of the taxpayer at home. [Loud applause.]

The CHAIRMAN. The gentleman from Louisiana——

Mr. MEYER of Louisiana. Does the gentleman from Illinois desire to have me proceed?

Mr. FOSS. Yes.

Mr. MEYER of Louisiana. Mr. Chairman, I yield fifty minutes of the time remaining to the gentleman from Ohio [Mr. SNOOK].

Mr. SNOOK. Mr. Chairman, before beginning my remarks, I ask unanimous consent to revise and extend them.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to extend and revise his remarks. Is there objection?

There was no objection.

Mr. SNOOK. Mr. Chairman, I will further ask that I may be allowed to proceed without interruption, as I have a line of argument that I should like to follow, and my time is limited.

The CHAIRMAN. The gentleman declines to be interrupted during his remarks.

Mr. SNOOK. Mr. Chairman, in the Fifty-seventh Congress the Senate passed what is commonly known as the "ship subsidy" bill. It then came before the House Committee on Merchant Marine and Fisheries for consideration.

After many hearings and much discussion that committee refused to report the measure, thus ending its consideration so far as that Congress was concerned.

However, in the last campaign in my State it was announced by the Republican leaders on the stump and given out through the press that the bill was to be passed in the Fifty-eighth Congress, and that there was to be no let up on the fight until it had been enacted into law.

On the convening of Congress, however, it is made known, through the utterances of the Republican leaders, as published in the press of the country, that there will be no important general legislation during the present session of Congress. No doubt fearing the result that such legislation might have on the coming national campaign, the party adopts a policy of delay.

But now a majority of the Committee on Merchant Marine and Fisheries report to this House a bill to create a commission, which, we are told, shall be "to investigate and to report to the Congress on the first day of its next session what legislation is desirable for the development of the American merchant marine and American commerce."

There can be no doubt as to the intention of the majority to press a subsidy bill similar to that adopted by the Senate in the Fifty-seventh Congress just as soon as Congress shall convene after the national election. There can be little doubt as to what will be the report of the commission to be appointed, for the majority in their report on the bill to create that body practically say that any other form of legislation except subsidy is futile, and the Senators who are to have a place on the commission will be appointed by the father and most ardent advocate of the subsidy bill adopted by the Senate in the Fifty-seventh Congress. I therefore take it that that bill will be the basis of the subsidy legislation offered as the result of the labors of this commission. I had the honor to be a member of the committee in the last Congress which rejected that measure.

The reasons that then impelled me to join with the majority of the committee in the defeat of the Senate bill I believe still hold good, and inasmuch as I have not given the Republican party action and the subject is again before the House, I desire at this time to offer the reason why I am opposed to subsidy legislation, and in doing so I shall, therefore, confine what I have to say on the subsidy question to the provisions of the bill as it passed the

Senate in the last Congress, believing that that bill will be the basis of any new legislation proposed on the subject, and a fair [illegible] of what can be [illegible].

The necessity for the restoration of the merchant marine of our country has been apparent to the people for many years. Its cause has been pled with so much force and eloquence by the leaders of my own party for the last quarter of a century that I must confess at the outset that I feel almost any course would be justified that promises the restoration of the American flag to the high seas. As early as the year 1884, having just become a voter, I remember there came into my hands a speech made on this subject in this House by the Hon. S. S. Cox, of New York. The clear statement of the case made by this eloquent orator, of the advantages to be gained by my country by possessing a merchant marine commensurate in size with its population and wealth, an argument which I believe has never been surpassed, left a lasting impression on my mind which has become more fixed by the passing of years.

[illegible] I find men so widely experienced in business and legislation, whom I know to be honest and patriotic in their devotion to their country, whom I am confident devoutly believe that they are about to accomplish by subsidy legislation that which so many of the wisest and best of my own party have so often asserted to be a necessity. I repeat that it is with the utmost [illegible].

It is true that the [illegible] party have demanded the restoration of the merchant marine to the high seas, and for twenty-five years and more have advocated measures which seem to them to promise this end. While they have been persistent in endeavoring to attain this object, they have never believed that it could be [illegible] by voting them a bounty from the public Treasury. Our leaders have held that a safe regard for precedent and the simplest rules of equity and justice forbid taking the money which has been raised by taxation on the whole people, representing, as it necessarily does, the fruit of the toil, which they have willingly yielded up as a sacrifice for the benefit of a just and equitable Government, and bestowing it on any single class that its business may be favored and advanced at the expense of all.

The arguments made in favor of such legislation are made up in the [illegible] future the advantages and blessings that will follow the flag when it becomes a daily visitor in the ports of the world. This appeal has accompanied every measure and every argument for the restoration of our merchant marine. It describes the situation. It enforces the necessity for relief, but I submit neither a description of the depths to which our carrying trade has fallen, the necessity [illegible], nor a fervid and eloquent picturing of the end thus to be attained give any convincing proof that the payment of a subsidy will reinstate our country among the leading [illegible].

[illegible] Is there a [illegible] Are its provisions just [illegible] we as a republic afford to establish the precedent [illegible] ment will bring about? Will it accomplish [illegible] claim for it? That is, will the payment of [illegible] in a [illegible] owners at the expense of the taxpayers and permit those owners to form a trust that will [illegible] from the public Treasury? These are [illegible] must be answered by the friends [illegible] the bill as it [illegible] into three heads: [illegible] in su[illegible]

[illegible] for carrying mails on American [illegible] between ports of the [illegible] mail service to be equitably distributed among Atlantic, Mexican, Gulf, and Pacific ports, and said contracts to be made with the lowest responsible bidder.

All vessels must be American built, owned, and officered; first two years, one-fourth; next three years, one-third, and remaining time at least one-half of crew must be American citizens.

[illegible]

First. Vessels over [illegible] and 20 knots or over, 2.7 cents per [illegible] per gross ton.

[illegible] 19 knots and less than 20, [illegible] per gross ton.

Third. Vessels [illegible] knots or over, 2.3 cents per 100 nautical miles sailed per gross ton.

Fourth. Vessels over [illegible] tons and 17 knots and less than 18, 2.1 cents per 100 nautical miles sailed per gross ton.

Fifth. Vessels over 5,000 tons and 16 knots and less than 17, 1.9 cents per 100 nautical miles sailed per gross ton.

Sixth. Vessels over [illegible] tons and 15 knots and less than 16, 1.7 cents per 100 nautical miles sailed per gross ton.

Seventh. Vessels over 2,000 tons and 14 knots or over, 1.5 cents per 100 nautical miles sailed per gross ton.

That all of the first, second, third, fourth, and fifth classes shall be constructed with reference to conversion into auxiliary cruisers.

That all such vessels shall take as cadets or apprentices one American boy under 21 years of age for each 1,000 tons gross register, and one for each majority fraction thereof, to be educated in the duties of seamanship.

The second title provides for the payment of a general subsidy to our merchant marine engaged in the foreign trade, and is in substance as follows: The Secretary of the Treasury is directed to pay, subject to the provisions of the bill, to the owners of American-built vessels engaged in the foreign trade, on each entry, not exceeding sixteen in one year, both sail and steam, 1 cent per gross ton for each nautical mile sailed. By Senate amendment this compensation is confined to vessels of over 1,000 gross tons on each entry, not exceeding sixteen in one year.

On each vessel of over 1,000 gross tons made and registered after the passage of the act for a period of five years after registration one-fourth of 1 cent per ton for each 100 nautical miles sailed in addition to the foregoing 1 cent per gross ton.

The compensation shall not be allowed—

First. To a vessel whose voyage is less than 150 miles from her port of departure from the United States.

Second. To a vessel on a voyage less than one-half of the whole length of which shall have been on a sea between a port of the United States and a foreign port.

Third. To a vessel which shall not be of the class A 1.

Fourth. To a vessel of which less than one-fourth the crew shall be American citizens or within the provisions of section 2174, Revised Statutes.

Fifth. To a barge or canal boat.

Sixth. To a foreign-built vessel.

Any vessel before receiving compensation, if required, shall carry the United States mails free.

Such vessels before receiving compensation, if required by the Secretary of the Treasury, shall carry apprentices as provided in title 1.

The owners of vessels receiving compensation shall agree that the United States shall have the right to take or employ the vessels at any time it may deem necessary upon compensating owners.

[illegible] shall be paid to owners of vessels engaged in the deep-sea fisheries three months in the year, if one-third the crew be citizens of the United States, $2 per gross ton per annum, and to citizens engaged as crew three months in a year $1 per month during time employed.

We find, therefore, that the first of the titles into which it is [illegible] is, in effect, [illegible] act of August 1, 1891, under which our present contracts were made with American ships for foreign mail service.

The act of 1891 divided ships into four classes:

First. [illegible] less than 8,000 tons, with a speed of not less than [illegible] per hour.

Second. Ships of not less than 5,000 tons, with a speed of not less than 16 knots an hour.

Third. Ships of not less than 2,500 tons, with a speed of not less than [illegible].

Fourth. Ships of not less than 1,500 tons, with a speed of not less than 12 knots an hour.

The compensation received by the various classes of ships for carrying the mails was:

First class, [illegible].

Second class, [illegible].

Third class, not to exceed [illegible].

Fourth class, not to exceed [illegible].

We have [illegible] led to enact the law of 1891, which provided that the compensation paid to the *St. Paul*, a ship of the first class, should be [illegible], made under the provisions of the act of 1891, for a trip from New York to Southampton, amounted to $[illegible], and that the rate of compensation paid for the same service under the Senate bill would be $[illegible]. Under the present contract we pay the *Philadelphia* and *New York* for each trip from New York to Southampton at the rate of $14,556 per trip, while under the Senate bill this compensation would be increased to $[illegible] for the same trip.

I shall not undertake to give the exact figures showing the increase in cost to the Government of maintaining its present foreign mail service under the proposed legislation upon the expiration of the present contracts, but the figures already given show conclusively that the service, taking no account that to be established, would be increased fully one-third in the cost of its maintenance. This increase is more formally set forth in a table used by Senator [illegible] in his argument against the bill in the Senate during the Fifty-seventh Congress, which is as follows:

[illegible]

The author of the measure said that it will increase the amount paid for carrying our foreign mails from $1 [illegible] to $4,700,352.

I am in no way opposed to paying [illegible] for ocean mail service for the United States. It is admitted by everyone that England and Germany have in many instances received material benefit from pursuing a liberal policy toward the carriage of their transoceanic mails; but the main already provisions of this bill are in no way patterned after the policy [illegible] pursued by Great Britain. England's colonial possessions have within their borders over [illegible] people. To these colonies have gone from the mother country some of the best blood of the British Isles. Here they have settled and made their homes, are cultivating the lands, and building up vast commerce [illegible], and it is absolutely necessary for political reasons that England should maintain almost hourly communication with her colonies.

It has been the maintenance of these relationships, such as a mother would keep up with her children, that has brought about England's great political strength, yet the assistance she has rendered her shipping industry by way of mail subsidy has, in the main, been for the purpose of encouraging and building fast to the close relationship with her colonies. In 1891 the present Commissioner of Navigation investigated this subject and verified the truth of these statements. He then said:

[Report of Commissioner of Navigation for 1891, page xx.]

The object of the British Government in paying steamship companies to carry foreign mails is [illegible] the commercial interests [illegible] [illegible] [illegible]

The conditions asked for by Mr. Roach have been brought about. Every thing needed in the building and equipping of ships for foreign trade has been exempted from the burden of tariff dues. It is true that when this statement was made by Mr. Roach England had no rival in the manufacture of iron and steel products. At that time she had so fully developed her iron industries that she was able to furnish the materials necessary for the construction of a steel ship at figures that could not be approached by any other country in the world. This condition no longer exists. We have opened and developed the richest iron and coal mines in the world. The splendid genius of American manhood has applied itself to this great problem and has solved it with the same success that it has every other problem that has been submitted to it for solution.

In 1890, when Mr. Roach was lamenting our inability to produce iron in competition with England, our annual product only amounted to one and a half million tons, while Great Britain was producing 5,000,000 tons; yet in 1890 we passed our rival in the production of pig iron, and every year since that time have maintained our supremacy in the production of this article which is the basis of steel ship building, reaching in the year 1900 the unrivaled position of producing an output of over 14,000,000 tons.

It must be remembered that the argument of the payment of superior wages applies with the same force to this industry as it does to shipbuilding, and if carried to its logical conclusion would prevent our people engaged in this industry from selling their products in foreign markets in competition with European manufactures.

Is it true, then, that because we pay higher wages to the laborers engaged in this trade that their product can not be sold in competition with that of the English manufacturer, who pays his men far lower wages? On the contrary, we find that the American producers of iron and steel and their various products, after supplying the home demand, have pushed their trade right into the countries of low wages, and have there sold their goods at a profit. In 1900 the makers of iron made, exported, and sold to foreign countries raw pig iron of the value of $4,654,582. And yet this is only the beginning of what has been done. In the same year we exported products of iron and steel, such as steel rails, sheets and plates, hardware, saws, machinery, nails and spikes, and other articles manufactured wholly from steel and iron to the value of $20,653,189, and for the year 1903 to the value of $[illegible]. These articles were all made by the best-paid labor the world has ever known. According to the argument used by the friends of this bill, the makers would have been absolutely prohibited from making sales in competition with English manufacturers who paid less wages.

Another Senator, in discussing this subject, says that from the ore in the earth to the finished product every process and step is labor, and nothing but labor, and therefore, he says, a ship can not be built by American builders and sold in competition with those who pay their laborers less wages. He could say the same thing with equal force of any of the products I have named that went to make up the $[illegible] of exports of iron and steel manufacture. But when made and applied to these articles his arguments must fail to the ground for the reason that these figures demonstrate to a mathematical certainty that these products are being sold in open competition with the world. Is it not clear that the size of the wages paid does not control the ability to sell as cheaply as those who pay less wages? The truth is the American business man is so progressive and the mechanic the American laborer is so intelligent, that we are able to manufacture these articles with so much economy that we are capturing the markets of the world, notwithstanding we pay our workmen the highest rate of wages. This energy is just beginning to be directed to the shipbuilding industry, and it promises to accomplish without government aid the same results that have been brought about in other branches of the steel industry.

This progress is well described in an article printed in our consular reports for 1900, from which I quote:

> Gradually the Americans are pushing their way into the British colonies. The last [illegible] export the power and machinery [illegible] Colony. Egypt has [illegible] hundred [illegible] land of the Pharaohs, and [illegible] Harrisburg to connect Cairo with the Pyramids. [illegible] against the competition of American goods. Russia, France, Germany and Italy [illegible] power with machinery and electricity. Notwithstanding the [illegible] industry has been dominated by Britain. It would be frivolity to remain indifferent to the expansion of this American people.

If, therefore, American manufacturers have demonstrated that steel rails, locomotives, railroad coaches, electrical machinery, bridges, steel plates, steel wire, hardware, nails, structural steel, and raw iron itself can be made with American labor without subsidy and sold in competition with English and German products of like character, I maintain that they will accomplish the same results in our shipbuilding industry.

But the advocates of subsidy ask why this has not been already accomplished. Why have we not built up a merchant marine? I believe these questions can be easily and truly answered. And the reason will not be found to be the payment of higher wages to American workmen engaged in the shipping industry. Shortly before the war between the States, England, whose iron industries were then well developed, began the building of steel vessels. Our merchant marine was then composed of wooden ships, in the building of which we far excelled other countries, owing to the cheap and abundant supply of timber.

England possessing the advantage of having her iron industries developed to such a high state of perfection, on the advent of the steel vessel, which proved to be far superior to our wooden ships, began at once to supplant us in our control of the foreign carrying trade. I call attention to the following table, used by Senator Vest in his argument on this subject before the Fifty-sixth Congress:

Total imports and exports in vessels.

Year ending June 30—	Value in American vessels.	Value in foreign vessels.	Total.	Per cent carried in American vessels.
1850	$239,272,065	$90,764,954	$330,037,038	72.5
1851	318,167,326	118,506,711	436,612,943	72.7
1852	[illegible]	[illegible]	417,055,221	70.5
1853	[illegible]	[illegible]	498,934,804	69.5
1854	[illegible]	[illegible]	577,290,[illegible]	70.5
1855	[illegible]	[illegible]	[illegible]	75.9
1856	[illegible]	[illegible]	[illegible]	75.2
1857	[illegible]	[illegible]	[illegible]	70.5
1858	[illegible]	[illegible]	[illegible]	[illegible]
1859	[illegible]	[illegible]	[illegible]	66.9
1860	[illegible]	[illegible]	[illegible]	66.3
1861	[illegible]	[illegible]	[illegible]	65.2
1862	[illegible]	[illegible]	[illegible]	59
1863	241,[illegible]	[illegible]	[illegible]	41.4
1864	184,[illegible]	[illegible]	[illegible]	27.7
1865	[illegible]	[illegible]	[illegible]	27.7
1866	[illegible]	[illegible]	[illegible]	32.2
1867	[illegible]	[illegible]	[illegible]	33.9
1868	[illegible]	[illegible]	[illegible]	35.1
1869	380,[illegible],772	560,482,052	876,448,784	39.1
1870	352,989,401	638,927,488	991,836,889	35.6

This table shows that the decline began with the appearance of the steel ship in 1850. While we were then carrying 72.5 per cent of all American exports and imports in American ships, the percentage had declined to 65.2 per cent in 1861. This decline was greatly augmented by the civil war, as our merchant carrying trade in imports and exports fell off from 65.2 per cent in 1861 to 27.7 per cent in 1865. During this time our vessel owners, to avoid the dangers and hazards arising out of the war, either sold their ships or placed them under foreign register. The extent to which we were affected during the war period is shown by the following table:

Year.	Lost.	Abandoned.	Sold to aliens.	Sold to United States.	Total decrease.
	Tonnage.	Tonnage.	Tonnage.	Tonnage.	Tonnage.
1861	[illegible]	7,994	26,[illegible]	.....	[illegible]
1862	41,432	14,882	117,[illegible]	73,200	[illegible]
1863	52,041	[illegible]	[illegible]	[illegible]	[illegible]
1864	64,851	[illegible]	[illegible]	12,[illegible]	[illegible]
1865	47,033	4,[illegible]	133,[illegible]	.....	185,[illegible]
1866	36,863	2,170	22,117	.....	61,186
1867	28,041	14,868	9,088	.....	52,037

This table shows that in four years we sold to aliens American ships amounting in tonnage to 774,652 gross tons. These were all American ships, constructed in American yards by American mechanics. The same necessity for a merchant marine then existed as now. The same party that urges the subsidy legislation was then in power, yet no effort was made to secure their return to the American flag.

When the war was over and our people once more turned to the pursuits of industry, a new factor was dominating the ocean carrying trade. The steel ship had proved itself in every way so superior to the wooden vessel that it at once became the master of the seas. Our people had excelled in the making of wooden ships and by this means had been able to control their share of the foreign carrying trade, but while we had been engaged in war England had most rapidly developed her iron and steel industries and perfected her methods of constructing ships from these products. Our own iron and steel industries, as I have shown, were as yet in their infancy.

The political party in power refused to alter, change, or relax the navigation laws which had been adopted at the founding of the Government, as has been so often shown, by means of a compromise between the shipping interests of New England and those desiring to prosecute the slave trade. In short, the decline in our carrying trade was due to the following causes: The vast superiority of steel over wooden vessels; the high state of perfection to which England had developed her iron and steel industries; the undeveloped state of these industries in our own country, and refusal to grant to our citizens the right to purchase English-made steel vessels. By this means we would have familiarized our mechanics and builders with the materials out of which they were constructed and the manner in which they were made and at once established yards for repairs and the building of smaller vessels, a policy so successfully used by the German nation. These were the causes that led to the unprecedented decline in our foreign shipping.

There were many other pursuits that seemed to promise our people better hope of success than following the sea. Our internal country was undeveloped. Furnishing its various sections with means of transporting their products, and intercommunication promised labor hunting employment and capital seeking investment the largest returns. The most perfect system of railroads in the world was a necessity. A most rich and fertile country lay along and contiguous to the Great Lakes. It was yielding vast crops of immense value, the transportation of which by the way of the lakes was sure to yield the largest profits to ship builders and owners. Our people were most progressive and intelligent and demanded for their necessities, their comfort, and convenience every labor-saving device, every manufactured product that science and ingenuity could devise. And this field of enterprise promised untold riches to adventurous capital.

We had millions of acres of the richest soil, such as that described by the late Senator from Kansas, where "you tickle the ground with a hoe and it laughs with a harvest." The people of the Old World needed and were asking for the products of these lands to supply them with bread. With a most liberal hand the Government bestowed these lands on her citizens, and thousands of them found free homes and busied themselves with the development of agriculture, our greatest industry.

So the pendulum swung back. The people, lured by such bright hopes and prospects, left the pursuit of the sea and devoted themselves almost wholly to the development of our domestic industries, which in time, as I have shown, have reached a high state of perfection. Capital invested here no longer yields such enormous returns. Our country has been covered with the most complete system of railroads that the world has ever seen. The carrying trade of our lakes is the pride of our country and the wonder of the world. Our manufactures have passed those of all the world in excellence, so that they not only supply our own country with what it needs, but have reached out until in 1903 they sold to foreign nations a product valued at $421,453,915. Our farms—I need say nothing of these, for they have been so well developed and the value of their products is so great that when undertaken to be expressed in figures it can not well be comprehended by the human mind, reaching, in 1903, a product valued at $913,584,571.

All these fields of industry have been developed, and we are once more turning our attention to the sea, and our capitalists have become so eager that, notwithstanding our navigation laws prohibit the sailing of foreign-made ships under our flag, they are every day reorganizing the lines belonging to other countries and making them the property of American capital. On June 30, 1901, as shown by the Commissioner of Navigation, American citizens owned foreign vessels of 672,000 gross tonnage. Vessels not included in this list by the Commissioner, but owned by Americans, and purchases made since that time would no doubt swell the list of foreign ships owned by Americans to over a million tons. This shows that the American people are once more turning their attention to the sea, and I maintain that the present course, reinforced with American intelligence and business ability, with the advantages this trade already possesses, will ultimately lead to the same result attained in Germany.

While therefore it must be admitted that the American manufacturer is able to compete with all his rivals in other branches of industry, the advocates of subsidy say that this is impossible in shipbuilding. All argument and reason is laid aside and the whole case is based on letters received by the Commissioner of Navigation from the Atlantic Transport Company, of Baltimore, written by its president, Mr. Baker. In this letter it is claimed that this company purchased four ships at Belfast and four in the United States. That the four built in American yards cost his company one-third more than those constructed in British yards. And the friends of this kind of legislation immediately say that the whole case is proven and that nothing remains to be said. Can it be possible that an argument based upon such premises can be conclusive? This company is on the anxious seat. It is a most earnest advocate of subsidy and will be one of the beneficiaries if this act becomes a law.

No one knows the conditions under which these contracts were made. There are many reasons other than the ones on which the fathers of this bill rely that might influence the difference in cost in this case. Because some ardent advocate of the payment of subsidies paid more for an American than he did for an English vessel I submit ought not to be proof enough to convince any man that such ships can not and are not built as cheaply in American as in English yards. On the other hand I contend that the melancholy frame of mind in which the Commissioner of Navigation finds himself, when considering the prospective growth of our merchant marine, is due to the bitter reflections that harass his conscience when he contemplates the sore straits to which he is driven to invent argument to controvert the position he formerly maintained with so much force and persistence, rather than to any logical conclusion that can be deduced from the figures given in his report.

It is true that our business men are as keen, active, intelligent, and farseeing as any in the world, and it goes without saying that you will not find them so influenced by sentiment as to find them buying in a market where their purchase will cost them one-third more than they can obtain it for in another market. It has never been charged, and if claimed has never been proven, that the Standard Oil Company is actuated by sentimental motives in its business transactions. It is an axiom that when this company lets go of a dollar it is sure to get value received for the investment, and, like the man from Missouri, must be shown full value before it parts with the dollar. Yet I find in the report of the Commissioner of Navigation for 1901 this important news. He says:

> The [illegible] are the [illegible] ships, [illegible] company, [illegible] abroad similar vessels for the same purpose.

And on the same page of the report, in speaking of the ships in course of construction, he says:

> [illegible] nearly, if not quite, to [illegible] The strike [illegible] work [illegible] would [illegible] for the Pacific [illegible] two years and [illegible] last day. Two of these, [illegible] the finest yet designed by any nation for trade with Asia, have been launched.

The last two were built by the people who control the recent combination of western railroads for the use of these roads in the Asiatic trade. These people are well known to be the shrewdest and most capable financiers in the United States, and yet you would have us believe they are willing to squander over $2,000,000 for the sake of sentiment; neither can it be contended that the commencement of these vessels was commenced in the hope of the passage of subsidy legislation, for the builder, Mr. J. J. Hill, in a speech before the Chicago Board of Trade, said that he was building them in American yards because they could be built more cheaply there than abroad. These are the ships that the Commissioner of Navigation described as the finest ever designed for the Asiatic trade.

When we find the business judgment of such institutions as the Standard Oil Company and these financiers, and the absolute word of such men as Mr. Hill, reenforced by the conclusion that must necessarily be drawn from the fact that we are successfully competing with our rivals in every other line of industry, I ask is it fair to ignore all this because Mr. Baker happened to write a letter to the Commissioner of Navigation? Everything shows that our shipbuilding industry is working out its own salvation.

The Senator from Maine, in his argument in favor of a subsidy bill, claims that Great Britain, France, Germany, Italy, and Spain pay large subsidies to their merchant marine, and I presume by this he means to argue that for this reason we must do likewise. He does not, however, show that the only two countries named that can show any material prosperity in this industry are England and Germany. We have already shown that the mail subsidy paid by England is paid for the purpose of keeping in close touch with her colonies; that this pay does not amount to as much in proportion to the mail carried as that now paid by our own country under the provisions of the law of 1891.

The Commissioner of Navigation informs us that barely 3 per cent of the British mercantile marine receives public funds in any form. Great Britain has built up her vast foreign trade and become mistress of the seas through her tramp ships, which do not receive a single penny of Government aid. This great fleet of commercial ships has been built and maintained and is now carrying more than one-half of the trade of the world without even the hope of governmental fee or reward. And yet gentlemen are so bold as to point to this splendid example of what has been done without subsidy as an argument for such a measure.

Many also claim that the splendid progress made in recent years

by Germany in her shipping industries furnishes proof for the [illegible] contained in such a measure. I believe a careful study of the [illegible] which have built up the merchant marine of Germany offers a most complete answer to the arguments offered by the friends of subsidy. The German people, as soon as [illegible] that there had not been [illegible] the recommendations I have here [illegible] the policy for the time being [illegible] in the building of good vessels. The Government at once allowed her citizens to go [illegible] market and buy their ships. As a consequence, the people [illegible] seen become familiar with the kind of ships [illegible] manner in which steel ships were built. At first [illegible] sprung up for the repair of vessels. The Government adopted a liberal policy in permitting business to [illegible] repair of the building of new vessels. The result was that these shipyards began to grow up, the work being confined by way of repairs. And [illegible] the shipyards as the purchase of European ships [illegible] have increased until now they are building ships in open competition with the world.

The increase in her shipping has been drawn from every possible source. She has been England's largest purchaser. This is shown by the following quoted from Lloyd's Register for 1903:

[illegible] Holland with 24,93 tons, France with 21,984 tons, and Spain with [illegible] tons.

And the following from Lloyd's Register for 1903:

[illegible] has been built to the order of [illegible] tons of shipping has been built in Germany for foreign owners. [illegible] Greece with [illegible] tons.

It is true that she paid to several of her lines for carrying the mails in 1903 nearly $4,000,000, but this has been paid on the theory so that paid by Great Britain for [illegible] she did not before receive. What effect [illegible] has not brought about the growth in her merchant marine I have shown is made by [illegible] the American system of subsidy legislation. I call attention to the following letter written by the director-general of the Hamburg-American Line to the editor of the London Times and reproduced in the report of the Commissioner of Navigation for 1903:

THE GERMAN MERCHANT MARINE.

[The following from the London Times of Saturday, August 31, 1901.]

To the editor of the Times:

[illegible] and its development into the largest shipping [illegible]

I have, sir, your obedient servant,

ALBERT BALLIN,
Director-General Hamburg-American Line.

HAMBURG, August 27.

The policy pursued by the German Government has been to extend and apply to the lines to the Far East, to places with which she had no former communication, such as China, Japan, Australia and the German possessions in the Pacific Ocean. The ships that received this aid are compelled to be built in German yards. All others can be bought in any market in the world. It is this liberal policy that has increased the net steam tonnage of the German Empire from 81,994 in 1870 to 1,506,039 net tons in 1901, and the total net tonnage from 982,355 in 1870 to 2,093,033, and there is nothing contained in the German policy of free ships and the establishment of particular mail lines to insure direct communication with their colonies and [illegible] to [illegible] in the Far East that Congress may [illegible] the provisions contained in such legislation which provide for a [illegible] to all American [illegible] America [illegible] and for a [illegible] to all American ships engaged in the foreign trade.

Norway, which gives no subsidy whatever and gives to her vessel owners less than $150,000 for carrying the mails, has increased her steam tonnage from 13,715 tons in 1870 to 482,247 tons in 1901, and is the only country that has not suffered a decrease in her sailing tonnage, having about 44,000 tons more in 1899 than in 1870. On the other hand, the two largest subsidy-paying countries, according to their fleets, are Italy and France, and these two countries have failed to show such an increase in their merchant marine as would warrant any country in adopting their policy. Italy gave a subsidy in the [illegible] increased from [illegible] tons in 1870 to 434,711 tons in 1901, while she suffered during that period a decrease in her total tonnage from 1,012,164 in 1870 to [illegible] tons in 1901. France began the system of granting bounties and subsidies to owners and builders of ships as early as 1881 and has been the most consistent nation in following our this policy. She has increased the pay from year to year until in the year 1899 it reached the largest amount paid by any country in the world.

With a total tonnage of 977,755, she paid as total Government pay to her ships in per cent more than England with a total of 10,750,000. What has been the effect of the payment of these subsidies and bounties? France has given the system its fairest and best trial, but the result as established give promise that the [illegible] such a bill will be realized? On the other hand, the Italian system shows that while Italy has given it a most thorough and persistent trial, her efforts have [illegible] and have resulted in failure. Since 1870 Norway has increased her net steam tonnage from 13,715 to 482,247 tons in 1901; Germany from 81,994 tons to 1,506,039 tons; England from 1,111,[illegible] tons to 1,[illegible] tons; while France has only increased her steam tonnage from [illegible] tons. The following table shows the amount of her tonnage from 1889 to 1899 and shows clearer than words can express how vain has been the struggle.

[Tonnage of French mercantile marine.]

Year.	Steamers.		Sailing vessels.		Total.	
	Number	Net tonnage.	Number.	Net tonnage.	Number.	Net tonnage
1889	1,066	492,084	14,128	440,051	15,194	[illegible]
1890	1,100	499,[illegible]	14,011	444,[illegible]	15,111	[illegible]
1891	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1892	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,212	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,235	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	1,227	[illegible]	14,282	[illegible]	[illegible]	[illegible]

[illegible]

These figures show that notwithstanding the payment of such [illegible] from 1889 to 1899 but 12,806 tons. The present Commissioner of Navigation sums up the case in his report for 1894 in the following true language:

[Report of the Commissioner of Navigation for 1894, page xxi.]

[illegible]

In France and Italy the advocates of the system maintain that if the conditions [illegible] the purpose [illegible] the purchase of higher priced domestic shipping. But this alternative [illegible]

[illegible] to them, the French and Italian flags would doubtless have disappeared from the seas and French and Italian shipowners would have resorted to the use of the British flag, as is the custom, under our registry law, of the leading shipowners in trans-Atlantic trade.

This is a brief review of the amount of aid rendered by European countries to their shipping interests and a discussion of the purpose for which this aid is extended by the various countries. The failure that Italy and France have experienced with the subsidy policy I believe fully warrants the conclusion that the policy pursued by the countries of Europe offer no inducement or argument for the adoption of subsidy legislation and give no promise of the results so confidently claimed by its advocates.

The advocates of such bills often refer, however, in glowing terms to what has been done by European countries through the payment of subsidies. I have yet to hear a single one of them refer to our own experience in this line. The chapter in our own country which relates this experience, which describes the scandal over the attempt to increase the subsidy in 1872 to the Pacific Mail, is passed over in silence.

The story is familiar to every student of American history. At various times we granted bounties to various lines and the system was tried in each case for a number of years. The Collins Line received $385,000 per year; the Pacific Mail, $500,000 per year. The Brazilian Line received a subsidy from 1866 to 1876. In no case did we materially increase our commerce through this course or add to our merchant marine. In each case it proved a failure, and each case only led to demands for increased aid, and so flagrant and bold was the attempt to secure larger bounties that the corrupt and bold methods used by the parties interested to secure larger subsidies threw suspicion on many of the Members of Congress and brought about one of the worst scandals ever connected with American legislation.

The reason for the adoption of such legislation as is proposed, as expressed by the Senator from Maine, is one, and only one—American wages. That is, he claims the wages paid to our laborers, mechanics, and sailors in the construction and operation of ships practically prohibit us from taking any part in the carrying trade of the world. I shall not claim that the wages paid to American mechanics engaged in shipbuilding and to our sailors on vessels engaged in the foreign trade do not exceed those paid to foreigners engaged in the same lines. But I do assert that the difference in amount paid to sailors engaged on American vessels and those engaged by other countries is largely exaggerated, and for myself I believe that many of the figures given out are padded for the purpose of affecting legislation.

It must be remembered that the laws do not require American shipowners to obtain their crews in American ports. Section 4915 of the Revised Statutes of the United States provides, "Every master of a vessel in the foreign trade may engage any seamen at any port out of the United States, to serve for one or more round trips from and to the port of departure or for a definite time, whatever the destination." It is a matter of common knowledge that the crew of our merchant marine engaged in the foreign and coasting trade are composed almost wholly of foreigners.

Referring to this matter in his report for 1894, the Commissioner of Navigation says that:—

Only a small part of the crews of the Indiana, Illinois, Pennsylvania, Ohio, and of the Pacific Mail steamships engaged in foreign trade sail from New York, Boston, Philadelphia, and San Francisco, and that is the rule of their being shipped at Liverpool, Antwerp, and Hongkong.

That the shipping interests go into the market and employ the cheapest labor obtainable is conclusively shown by a hearing before the Senate committee in the Fifty-seventh Congress, which shows that in the Asiatic trade two-thirds of the crew employed are Chinese and are paid only $7.50 per month. I maintain, therefore, that the people who are engaged in the foreign trade are exercising the same ability exercised by every other class of business men and will employ their labor where it can be employed cheapest, as long as the law permits the American shipowner to engage his sailors in any port of the world, in any place that they can be engaged the cheapest.

This was also clearly proven to be true by the testimony of the only two sailors that have appeared before the Committee of the House in the Fifty-seventh Congress. Mr. Forsythe, who represented the Seamen's Union, comprising 12,000 sailors, said that the sailors objected to placing the necessity for subsidy legislation to be an alleged difference in wages paid in the foreign trade, for the reason that there was none, and the experience of his people, with whom he was in close touch, was that they received no more pay when engaged in the foreign trade than the sailors of other countries.

That the law of the port and not the law of the flag governed the scale of wages. Mr. Campbell, an ex-sailor and an ardent advocate of subsidies, in answer to questions, repeatedly asserted that when an American and a foreign vessel were lying in the same port seeking to ship a crew, his experience taught him that the American vessel could invariably obtain a crew at the same wages at which one was shipped by the foreign vessel. It has been claimed that in disputing this point we have relied on argument only. But here is the actual experience of two sailors, and added to this is the experience of a whole union, always alert and active to secure any legislation that will better their condition or increase their pay, speaking through their representative and declaring that the law of supply and demand and the port, not the flag, governs the wages paid to sailors engaged in the foreign trade.

To maintain, therefore, as some do, that there is such a wide difference, is to charge the American shipowner and master with imbecility—a charge that can not well be maintained against a class of citizens who have shown as much good sense, thrift, and economy as the American business men. When the shipping bill was pending before the Fifty-sixth Congress, the minority of the Committee on Merchant Marine and Fisheries made a report to this House, in which they discussed very fully this question of the difference in wages of seamen employed on vessels of American register and those of foreign countries. And taking the wages as given out by the shipowners themselves, which the committee was compelled to do, as they were the only figures accessible in comparing the wages paid on the American liner *St. Paul* with the fast Liverpool passenger liner *Campania*, they found that the difference in wages paid to the officers and skilled employees did not materially differ, but that in the common laborers there was a difference which in the course of a year would aggregate about $15,000.

To compensate for this difference under the provisions of the bill it was proposed to give to her owners each year a subsidy of $278,334. Under the contract made with her owners under the law of 1891 she received as pay for carrying the mails each year, provided she made fourteen trips, the sum of $203,896. Thus we see that the pay to a single vessel would be increased under such a bill about $75,000 per year for carrying the mails, although there has not been a suggestion that the present contract can not be renewed.

It must be remembered, too, that there is but very little difference in the pay of the officers and skilled workmen, so if the bill should ever become a law there will be no rise in the wages, although the subsidy would seem to warrant it, for the part of the crew that must be American citizens will be the officers and mechanics, and the places of the common laborers will be filled by foreigners, and they will be hired in the cheapest labor market that can be found, as is now being done in the Pacific trade.

In a hearing before the committee of the House on the shipping bill pending before the Fifty-sixth Congress, Mr. Clyde said the sum that the American line ships would get under a similar bill would be no more than sufficient to compensate their American owners for the addition in cost of furnishing ocean transportation with that type of ship, as compared with furnishing it under the British, Norwegian, or other foreign flag in the same type of ship. We have seen that the difference in cost of labor on one of the American ocean liners does not exceed that on a British liner by more than $16,000, yet the subsidy proposed to be paid was $278,000. How can such payment be justified?

The Coast Seamen's Journal say:

Wages are equal on the vessels of all nationalities when shipping crews in foreign ports. In other words, it is the rule of the port and not the flag of [illegible] wages. The usual statistics on this subject are grossly misleading.

And says the Commissioner of Navigation in his report for 1894:

Unlike the manufacturer, whose labor market is to a degree at least restricted, the shipowner is at liberty to employ labor in any quarter of the globe, on account of its abundance, its quality, or its cost, he finds it for his advantage to do so.

Indeed, it would seem to be quite unnecessary to quote from these persons whose research and experience entitle them to speak with authority on this subject; for inasmuch as the same source of employment is open to all nationalities engaged in the foreign trade, it follows as a logical conclusion that it is not reasonable to assert that there can be such a wide difference in the wages paid as to entirely prohibit one nationality from engaging in that pursuit.

And in concluding what I have to say on this subject I desire to quote briefly from one of the most distinguished men who has ever been a Member of this House, one who gave the subject the most careful and painstaking study and research, one whom I have heard my friends on the other side of the Chamber eulogize so eloquently and so often for his wisdom and knowledge. I refer to the late Nelson Dingley, jr., of Maine, and I quote from a speech he made in this House, and these are his words:

It is claimed that the fact has developed [illegible] that the only reason we [illegible] more wooden vessels for the foreign trade is that they can be built [illegible] and run them as cheaply as our foreign competitors.

Why, sir, it has been said that the question of wages of seamen is one that meets us here and can not be overcome. I wish to show you, Mr.

Speaker and gentlemen, that in the foreign carrying trade the question of [illegible] nature of the [illegible] enough to [illegible]

It, however, does not be proven that the amount of wages paid to [illegible] of a country to [illegible] This is no new argument. On the other hand, it has been often asserted on this floor that the average of wages [illegible] privilege of [illegible] gentlemen who favor [illegible] the maintenance of a [illegible] who [illegible] And so healthy and steady has been the [illegible] year, growing [illegible]

[illegible] of our exports [illegible] country, [illegible] only in[illegible] year, and [illegible] 4 tons in 1870 to 874,054 [illegible]

This argument has never been answered and never can be answered. [illegible] other [illegible] of wages paid [illegible] [Applause.]

[illegible] of a country in public vessels of her own from [illegible] in a summing up of the case, use the [illegible]

[illegible] owned so small a percentage of foreign shipping our export trade [illegible] in the history of nations. [illegible] per capita in 1868, had increased to $17.96 per capita in 1900, and [illegible] 1. In 1860 the [illegible] amounted [illegible]

[illegible] exports, 63 per cent in value and a far larger percentage in weight and bulk are farm products, and yet the vessels [illegible] to secure the smallest rate of subsidy. If the purpose of the friends of this legislation is the promotion of commerce, why should this be the case? In an appendix I give the manifest of the *George* for [illegible] *Times* for February 20, 1900, in so far as they relate to farm products. The *St. Louis* is a 20-knot steamer of 11,626 tons, and would receive the highest [illegible] bill, to wit, 2.7 cents per ton per nautical mile. This voyage is a freight [illegible] of 10,000 miles [illegible] and 12 knots and will receive the highest rate of subsidy, or 1 cent per 100 nautical miles sailed per ton.

This shows that the *St. Louis* carried no real farm products and only about 400 tons of partly manufactured products, of which [illegible] bill to receive the smallest rate of subsidy carried about 7,000 tons of raw farm products, enough to fill the freight space on the *St. Louis* twice.

The total value of our domestic exports for the year 1903 was [illegible] 1903. Of that sum [illegible] or 62 per cent of all the [illegible] country. [illegible] It was pointed out to the [illegible] Congress, in the hearings, that [illegible] carry small [illegible] 4 tons in 1870 to 874,054 [illegible]

[illegible] pending in the Fifty-sixth Congress contained a provision [illegible] that [illegible] as well [illegible] rs. At [illegible] to r[illegible]

Is there any just hope that the adoption of the proposed policy [illegible] of subsidies other than for services rendered is [illegible] in freight to our manufacturers [illegible]

On the other hand, during the period when our people have [illegible] er, that in the event that two of the powerful European nations should engage in war we would have no

means of transportation for products, and some one in the heat of debate has said that "if the war lasted long enough the products of the American farm and the American shop would stand [illegible]

This is a favorite argument with the advocates of this system. Is it at all likely that any such result would follow a European war? It is asserted in all soberness and candor that such result would follow, but with all due deference to the gentlemen who make such assertions, I for one shall ask higher proof than naked assertion. In either peace or war the European peoples must eat. In times of war their home industries will be somewhat disturbed. At all times they must look to the surplus of the American farm for their sustenance, and though war may come, [illegible] supply their wants from the surplus [illegible]

If war [illegible] it would not be long until the vessels of the [illegible] would seek protection under the [illegible] flag [illegible] as it did during the civil war. And [illegible] is now owned and controlled by American capital. [illegible] to all this, our tonnage engaged in the [illegible] in the ocean trade if it should be [illegible] products from rotting and save the [illegible]

[illegible] I hear one [illegible] that because two of the maritime nations of Europe happen to be engaged in war the products of farms and factories will be allowed to rot for want of means of transportation. I [illegible] that at the heart of debate has [illegible] of the American people to carry to a successful issue any enterprise that may be necessary. To preach such doctrine one must close his eyes to the history of the most complete triumph that the world has ever witnessed. In place of the dire results [illegible] show it to be true beyond dispute that [illegible] European war would stimulate and rebuild our merchant marine. Such a war would add more to its strength than a century of subsidy. [Applause.]

If the advocates of the subsidy policy were truly in earnest in their claim that one of the first objects sought to be attained by the bill is the building of ships in American yards, why did we not find in the bill the provisions contained in the bill introduced in the Fifty-sixth Congress, whereby the owners receiving subsidy were compelled to build new vessels equal to 25 per cent of the tonnage of the vessels receiving aid under the terms of the act, and the provision that American citizens having their capital invested in foreign vessels should be entitled to procure an American register of their boats and to receive one-half the regular rate of subsidy, provided they build other ships of equal tonnage in American yards?

The promoters of this measure must know that if any subsidy [illegible] at all is enacted, these two provisions or similar ones would stimulate the building of ships in American yards far more than any or all of the provisions contained in the measure, and yet they were ignored and turned down without any [illegible] Who can then wonder that it is claimed that the promoters of [illegible] were far more anxious about giving aid to the owners of [illegible] ships now engaged in the foreign trade than they were to stimulate the shipbuilding industry in American yards? If [illegible] is to be adopted, [illegible] for the omission of these two provisions already mooted to encourage American shipbuilding.

It seems to me that it is therefore clear that there is now no necessity for such legislation, for the following reasons:

1. Our shipbuilding industry enjoys many advantages not [illegible] It has [illegible] passed the experimental stage, is developing, and, without further aid, in a very short time will construct vessels in competition with the builders of all the world.

2. The history of the development of our steel industries in which the same high-priced labor is employed, proves beyond dispute that we can attain the same degree of perfection in shipbuilding.

3. The law of the port and not the law of the flag governs the wages of [illegible]

4. We [illegible] control the power of a people to own and operate [illegible] the business ability, [illegible] of the labor, and the giving of [illegible] to that particular pursuit.

[illegible] of England and Germany of granting mail [illegible] in freight to our merchant marine, [illegible] business for political purposes is not the cause of [illegible] of our merchant marine and affords no argument [illegible] such policy.

5. The only [illegible] policy followed by European countries has been that of free ships, and whatever prosperity they have enjoyed can more logically be claimed to flow from this policy than any other.

7. The war vessels being constructed at present are so much more fleet than vessels of the merchant class that the auxiliary cruiser feature promises no material advantage to our Government in case of war.

8. It will neither increase our export trade nor lower the rate of freights.

For these reasons I believe that such a measure, if enacted into law, would fail to bring about that [illegible] claimed it will [illegible]

I believe that the [illegible] asure is founded is unjust. [illegible] by reason of [illegible] you [illegible] lead? W[illegible] you claim his [illegible]

[illegible] years of failure, disaster and [illegible] When the farmer was unable to support [illegible] and some of his people proposed that the Government extend him its aid by way of a governmental loan on his products for security, you said such [illegible] Populists and intended to bankrupt the Government. [illegible] tablish this policy, and who can define the limitations, who can tell what the harvest will be?

What reason can be urged that during periods of financial distress the miner, the merchant, the mechanic, and the farmer should not become public wards, be the recipients of a subsidy or bounty? I [illegible] so long [illegible] people of equality before the law, carrying with it equal and only equal advantages to every man engaged in business or enterprise to receive only equal aid from the taxes imposed by his Government, has been obsolete. Yet I maintain that a strict adherence to this time-honored [illegible] will bring the greatest good to the whole people, and offers the only safe and sure guide to just legislation.

Here is the paternalism which gentlemen who advocate such legislation have so persistently opposed. I know that the [illegible] revenues are now at high tide and a small gift of from $5 [illegible] to some manufacturing or commercial industry may cause no great alarm, but you must remember that you have been dispensing the people's money with a most liberal hand. It is wisdom in the hour of plenty to prepare for the day of famine. It is by no means certain that we will always be able to collect such enormous revenues with such ease. A just regard for the future forbids lessening the public revenues in order to benefit a single class or industry.

We are all dazed with the picture of the day when the shout of the American sailor will become a familiar cry to the ear of the maritime people of the world; when the American flag, floating on the masthead of an American vessel laden with American products, will always greet the alien eye gazing seaward. We maintain that this end can never be attained as long as liberty is denied nor be brought about by a narrow and selfish policy of paternalism.

Kingdoms and empires may forget or ignore that which is essential to our national existence. Equality and justice are the corner stones of the foundation of our Government. No commercial advantage, however great, is worth enough to be gained by the slightest sacrifice of these principles. I appeal to you in the name of justice, in the name of equality, take the step, give no vote, enact no law, that will not leave every industry, every American citizen stand equal below the law. [Loud applause.]

APPENDIX.

[From the report of the minority in the Fifty-sixth Congress.]

HISTORY OF SUBSIDIES IN THIS COUNTRY.

[illegible] subsidies [illegible] countries, which [illegible] have been given by their [illegible] and the United States. [illegible] [illegible] years later the [illegible] was established and there were four [illegible] under me, and in 1889 the [illegible] Department came up for [illegible] in 1891 Mr. Cooper in [illegible] to the [illegible] and [illegible] a semi-monthly service. This [illegible] the subsidy question.

Mr. [illegible] argument for subsidies as "the old and pre[illegible] country will gain nothing by [illegible] was lost and the appropriation bill was [illegible] of the Com[illegible] a year and you will not restore [illegible] n Nevada's argument [illegible] body money [illegible] New York and Liv[illegible] wish to get some [illegible] American citizens and everybody [illegible] if not one [illegible] on May 7, 1872, "Voting bounties or subsidies to stimu[illegible] was [illegible] ly, so that there is no dis[illegible] ing every other enterprise [illegible]

The Venezuelan Red D Line was subsidized under the postal law of 1891, [illegible] the subsidy our exports to that country [illegible] In 1899 they were $[illegible] in 1899 [illegible] In [illegible] the Pacific Mail tried to get an increase of its subsidy, and ex[illegible] foreign trade or lower [illegible]

[illegible] OPERATING SHIPS.

[illegible] 3. Trimming of coal.
4. Stevedoring.
[illegible]
6. Insurance
[illegible] coal and stevedoring cargo [illegible] New York and Liv[illegible] traveled by the White Star Line (British), Cunard [illegible] American registry will not be af[illegible] in which [illegible] in Great [illegible] penses:

First [illegible] liner (*St. Paul*):		First [illegible] passenger liner	
[illegible]	$120.00	[illegible]	$100.00
[illegible]	[illegible]	[illegible]	75.00
[illegible]	[illegible]	[illegible] officer	62.50
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	85.00	[illegible]	[illegible]
Extra first assistant engineer	85.00	[illegible] engineer	100.00
Senior second engineer	70.00	[illegible] engineer	75.00
Junior second engineer	65.00	[illegible]	72.50
Senior third engineer	60.00	[illegible] engineer	67.50
Junior third engineer	55.00	[illegible]	60.00
Fourth engineer	50.00		
Total	1,010.00	Total	995.00

This shows an immaterial difference of $15 in favor of the British ship.

[illegible] wages are as follows:

[illegible]	$50.00	Carpenter	$40.00
[illegible]'s mate	35.00	Joiner	37.50
[illegible]	[illegible]	Boatswain's mate	37.50
[illegible]'s mate	27.50	[illegible]	[illegible]
[illegible] at arms	25.00	Master at arms	[illegible]
Sailors	25.00	Sailors	24.25
Total	200.00	Total	216.25

In these wages we do not find any material difference either.

[illegible] received the same amount on both the American and British [illegible] paid on the American ships are

[illegible]	$40.00	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	25.00
Trimmers	30.00	[illegible]	[illegible]

If we take into consideration the [illegible] we are comparing at present [illegible] arrive at the [illegible]

[illegible]	$[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Total	1,325

This would make a difference of $15,900 a year, to equalize which the steam[illegible]

[illegible] Merchant Marine and [illegible] a statement made by Mr. Clyde on behalf of Mr. Grisdom. [illegible]

[illegible] American Line ships will not under the bill will be [illegible] in case of increasing ocean transportation with that to pay of steamships [illegible] paid with furnishing a vessel the British or Norwegian or other foreign flag to the same type of ship.

We have seen that there are material differences between the cost of running an ocean liner under the American flag and the British flag are to be

found in the wages paid the hands in the engine room. This difference does [illegible] ent to one-twentieth of the subsidy which the American ship would [illegible]

BULK OF SUBSIDY WILL GO TO PASSENGER SHIPS, WHICH CARRY BUT LITTLE CARGO AND PRACTICALLY NO FARM PRODUCTS.

Not only are the rates of subsidy twice as high for swift passenger steam[illegible] [illegible] manifests of passenger and freight steamers [illegible] A comparison of [illegible] passenger steamer of the American Line, with a [illegible] of the Atlantic Transport Company, with a [illegible] of the *St. Paul* for A[illegible] of the [illegible] we summarize the [illegible] as to the farm [illegible]

	Manhattan.	St. Paul.
Bushels of corn	163,645	None.
Bags of corn	1,300	None.
Bushels of oats	50,325	None.
[illegible]	395	None.
[illegible]	4,510	None.
[illegible]	982	None.
Sacks of flour	11,592	2
Head of cattle	880	None.
Live horses	106	None.
Boxes of hams	1,946	[illegible]
[illegible]	1,551	1,030
W[illegible] staves	11,271	None.
W[illegible] boards	1,510	None.
[illegible]	464	[illegible]
[illegible]	None.	602
[illegible] tobacco	24	None.
[illegible]	10	None.
[illegible]	200	None.
Barrels of [illegible]	219	2
[illegible]	125	60
[illegible]	441	None.
[illegible]	463	[illegible]
Quarters of beef	None.	2,796
Packages and crates of poultry	None.	1,547
Boxes, cases, etc., of meat, lard, oleomargarine, etc	None.	3,146

From these manifests it is evident that the *St. Paul* carried practically no farm products, unless lard, bacon, dressed beef, and canned meats, including all such products, the *St. Paul* apparently carried only 500 or 600 tons of [illegible]

[illegible] with a gross tonnage of about two-thirds that of the *St. Paul*, [illegible] of the *St. Louis* carried [illegible] more than enough to fill the whole cargo [illegible] of course, only half as much as the *St. Louis* [illegible] the *St. Paul* twice. Of these [illegible] farm products the *St. Paul* carried not a ton. Of the farm products and partly manufactured farm products the *Manhattan* appears to have carried at least [illegible] times as many tons as the *St. Paul*—that is, per ton of farm [illegible] the *St. Louis* [illegible] passenger steamer of the American Line, with a [illegible] steamer of 10,077 gross tons and 13 knots speed, [illegible] manifests of the *Georgic* for March 18, 1900, and of the *St. Louis* [illegible] February 20, 1903, as to the farm products carried, gives the following results:

	Georgic.	St. Louis.
Bushels of [illegible]	85,418	None.
Bags of [illegible]	6,900	None.
Bushels of [illegible]	117,200	None.
Bushels of [illegible]	12,095	None.
[illegible]	855	None.
Head of [illegible]	919	None.
Head of [illegible]	127	None.
Live [illegible]	39,917	None.
Boxes of [illegible]	10,938	None.
Barrels of [illegible]	9,689	None.
Barrels of [illegible]	571	597
Pounds of bacon	1,624	1,162
Pounds of [illegible]	5,[illegible]	4,250
Barrels of [illegible]	793	None.
Quarters of beef	6,681	3,181
Barrels of beef	4,[illegible]	None.
Barrels of [illegible]	882	None.
Barrels of [illegible]	30	10
Tierces of [illegible]	16	None.
Tierces of [illegible]	250	None.
Barrels of [illegible]	131	None.
Cases of [illegible]	685	None.
Boxes of hams	123	12
Tierces of bacon	58	None.
Cases of [illegible]	None.	1,390
Boxes of bacon and hams	None.	982

Thus the *St. Louis* carried no real farm products and only about 40 tons of partly manufactured farm products, of which dressed beef is the principal item.

The *Georgic*, with a gross tonnage considerably less than that of the *St. Louis*, and which would get only one-half as much subsidy per trip, carried of farm products [illegible] times as many tons as did the *St. Louis* twice. Of these products [illegible] tons, or enough to fill the *St. Louis* twice. Of these products [illegible] tons.

Of farm products and partly manufactured farm products the *Georgic* appears to have carried at least twenty times as many tons as did the *St. Louis*. Of farm products carried [illegible] *St. Louis* would receive about forty times as much subsidy as would the *Georgic*.

Mr. FOSS. Mr. Chairman, I yield twenty-five minutes to the gentleman from Ohio [Mr. BURTON].

The CHAIRMAN. The gentleman from Ohio is recognized for twenty-five minutes.

Mr. BURTON. Mr. Chairman, I am opposed to the naval programme exemplified by this bill. I oppose it because I believe it involves a departure from the fundamental principles and policies which are alike the bulwark and the honor of this Republic.

It involves great extravagance; but that is, after all, a minor consideration. We can in no way illustrate the growth of our naval establishment so well as by referring to certain figures.

In the years 1886 and 1887 there was expended for the Navy respectively $13,187,000 and $15,141,000. The expenditures for the year 1903 were $82,000,000. The present bill carries a total of $[illegible], almost seven times as great an amount as that expended in 1886, and more than six times as great as the amount expended in 1887. What is the need of this great Navy? What nation on earth is attacking us or threatening us?

In 1895 the Executive insisted that Great Britain should settle a dispute with the little Republic of Venezuela by arbitration. The demand was complied with. In 1898 we insisted upon the independence of Cuba—that it should be wrested from a country which had held the island for nearly four hundred years. An attempt was made to form a combination of the nations of Europe against us. That effort failed, and failed utterly. About the same time a European statesman sought to make an economic combination or alliance of the countries of Europe against us, so that there might be retaliatory tariffs against the United States. That effort failed.

What country is questioning our control in the Philippines? What country held back when our President insisted that Panama be independent of Colombia? Certainly there have been opportunities enough in the last six or seven years for the nations of the earth to combine or intervene against us and cause us difficulty; but every time we have been allowed to pursue our course as we pleased.

The fact is, we do not need a great navy unless there is a combination of all European powers against the United States, and what is more unlikely? If there were a combination of all these powers we could not provide a navy which could cope with them without such a change in political, social, and economic conditions as would be absolutely appalling to us. Indeed we could not build a navy greater and stronger than that of Great Britain alone, without changing the whole framework of society in this country.

Why is it that the navy of Great Britain is so prominent, and why is it that it is maintained at its present standard in size and efficiency?

It is different with that country because of the great number of people engaged in shipping and fishing, the insular nature of the country, with its vast possessions over the sea, which it is necessary to protect and foster. The very large amount of capital invested in the merchant marine, and its very great prominence in the carrying trade, in itself furnishes the recruiting field for the navy, and at the same time a reason for the protection of British interests in all parts of the earth.

Again, a not insignificant feature, in which they are not superior to the United States except in the longer record of years, is the great traditions of the English navy. It is thoroughly appropriate when they select names for their battle ships which are built to belch out fire and smoke that they should name them as they have. His Majesty's war ships, the *Colossus*, the *Powerful*, the *Thunderer*, and the *Terrible*. That which would be empty bombast in another country is entirely appropriate when we consider the magnitude and strength of the English navy.

What is the reason, then, for this great expenditure of $[illegible]000, an amount approaching the total that is expended for the strictly civil side of the Government, bearing in mind that the Post-Office is nearly self-sustaining? It means that we are inviting the nations of the earth to attack us. It means that we are declaring to the world that we are going to enter into a field entirely different from that which we have occupied in the past; that we are striving to dominate political affairs in other portions of the earth. Is anybody afraid of the Monroe doctrine? In ten years we have had instances enough to show that that doctrine is admitted by all nations to be an established fact in the diplomatic policy of the world. It has been strained at times, in the opinion of some of us, without awakening any opposition whatever, so there is no cloud over it. Our supremacy in this hemisphere is

adjusted, and that supremacy will rest upon the strongest foundations while it is exercised in justice and with the desire to promote honesty and good faith between these republics and all the nations of the earth. [Applause.]

Mr. Calhoun said the Monroe doctrine did not mean that we are to uphold one of these South American republics if in the wrong. President Roosevelt in our day said it does not mean that we are to shield them from paying their honest debts. The Monroe doctrine is not a doctrine of oppression of injustice to other powers. Rightly considered it means that in this hemisphere republican government must prevail, and that weak nations shall be protected against the strong. It is one which is in itself so manifestly just that no power of the world will ever dare attack it when properly maintained and when it is kept within its reasonable limits.

I remember a gentleman of this House, speaking a few days ago, said that Germany would soon attack us. What hobgoblin disturbed him in his dreams? [Laughter.] There is just about as much chance of war with Germany as that by some great cataclysm part of the Eastern Hemisphere will slip over here, so that one of her capes will abut against our country. The nations of Europe respect us; they honor us, and, so far as fear is salutary, they fear us. We have an economic advantage as compared with any part of the whole world. They know that in war our friendship is necessary. War is not a matter alone of battle ships, nor of men and cannon, but of resources and of staying qualities, of ability to provide for the strain and distress of a great struggle. What nation of Europe, if it were engaged in war, would desire to lose our friendship and good will?

There is another very important phase of this question. The tendency of the present time is toward peace. The situation is new such in the Old World that no country can go to war without grave reason, at least without incurring the condemnation of the rest. Since 1815, during which time, as it would seem, the world has grown in inventions and in the improvements which come with civilization more than in all the centuries before, the nations of Europe have tried to maintain peace and amity, because they knew that war, with its devastation and bloodshed, brings unhappiness and calamity to all the nations of the earth.

So the nations are warned they must not go to war unless they have the most weighty reasons. Now, here is our country, one which should most of all set an example which shall look toward a better day of peace and amity, that is spending six times as much for its Navy as it did seventeen years ago. We have nothing to do with their rivalries and quarrels. Almost as much as by our republican institutions and the push and energy of the American citizen we have gained our present standing among the nations of the earth by our splendid isolation. We are remote from wars and conflicts. Shall we declare to the nations of the earth that we will depart from those old policies, that new ambitions inspire and actuate us? Shall our battle ships line up with the battle ships of the countries which for centuries have been maintaining an extensive and depressing military establishment?

If so, the indication does not look toward peace; it looks toward war, and we will be taking a backward step. "My art, it was but justice," were the words the dramatist put in the mouth of Cardinal Richelieu. Our art and our glory, they are but justice. [Applause.] And if we stand for the triumphs of just diplomacy rather than by those of cannons and guns, we will gain the respect of the world. Oh, but some one says, it needs war to test and maintain our manhood. There are enough opportunities for heroism in this world, with its tragedies and difficulties, without war. I have listened here sometimes to men who fomented conflict by their utterances. I have washed there was a rule in this House that when a man talked in favor of war it should be settled that in case war ensued he must stand in the most conspicuous place on the firing line for at least the length of time he consumed in his speech. [Applause.]

"They are the men behind the guns," says one of our humorists. "Yes, I see men behind the guns and willing to be farther." [Applause.] We can not afford as a country to allow our example to be exerted in the direction of war and great military establishments. It is not alone the first expense, which will increase far more than we can realize, but we must consider that probably for every dollar invested in a battle ship, in a short space of years $10 will be required for the maintenance and equipment of the ambitious naval establishment which is projected. You must have dry docks and you must have naval stations; you must have coaling stations and colliers, with all the incidents which belong to a great navy. Nearly one hundred millions will be expended now and far more in the early future. But far more important than the expenditure of money is the threatening prospect for the future which this policy affords.

I wish that the words of him whose birthday we celebrate today could be heard again. His heart was always for peace. He was ready to fight and to die for his country, but he left in his Farewell Address that which is a priceless heritage, the injunction to cultivate and maintain peace and good will with all nations. [Applause on the Democratic side.] He set forth principles which will be immortal because they are immortally right. I wish I could with some degree of force so much as whisper in the ears of men those words of William McKinley:

Let us ever remember that our interest is in concord, not conflict; that our true glory rests in the triumphs of peace, not those of war.

Oh, but it is said, "This is merely a defensive measure; the best way to secure peace is to be ready for war, and so build up a great navy." How similar to that are the words of Uriah Heep when he said: "We know that we are humble, but we are afraid that other people that are not humble will get the start of us." The best way to secure peace is to promote every means for an amicable settlement of national controversies by an international tribunal like the courts which render judgments between individuals, so that its judgments may be sanctioned and enforced. The strongest sanction that can be given as the years will go by, a force as strong as a despotism for the enforcement of its decrees, will be that of public opinion, which is the controlling force in our own country at this day.

Every step that you take to build other battle ships and to increase the Navy is another influence against settling disputes in this way. Is there no voice to be raised among us in favor of making advancement in settling the world's controversies in an amicable manner? Are we to go even ahead of the other nations in our naval programme? I want to call attention to this report to show that in comparison with us France and Germany and other powers are abating in their efforts for a greater navy. It is the United States that is going ahead with the greatest rapidity; it is the United States that is saying we must be prepared for war; it is the United States that is saying, in effect, if not in words, we are to be ready for war, which means that we invite war.

I want to call attention briefly, for this is a matter which presents some political considerations, to several paragraphs in the Democratic national platform of 1900. That platform says:

We are in favor of extending the Republic's influence among the nations, but believe that influence should be extended not by force or violence, but through the persuasive power of a high and honorable example.

Now, did you mean it? Was it merely an idealistic dream on that hot day at Kansas City, or was it an expression of the policy of the party? Has that idea outlawed since 1900? If so, how long does it take for the declaration in a party platform to outlaw? Is it three years or is it four years? Will that clause, or one similar to it, be repeated by your convention in 1904? In the face of that, are you going to vote for a $100,000,000 naval bill to-day?

I say this not with any accusation that this plank was mere buncombe in that party platform. I say it because I think this question should be viewed from the broad standpoint of statesmanship or what is best not for a political party or organization, but for our common country. It might even have been less important whether we elected McKinley or Bryan in 1900 compared with it as it was, in comparison with the great questions that might arise affecting the whole future of the Republic.

Again it was said in that platform:

We oppose militarism.

Well, is not a navy a part of militarism? Is not the desire to be second in the nations of the earth with your Navy an upbuilding of militarism? Has anyone from that side filed a minority report on any naval bill that has come into the House within the last three or four years? If not, why are these planks in your platform, if there if you are in favor of this large programme, this extended expenditure, this declaration to the world that America is to be a military power? Are these declarations to be repeated when you meet at St. Louis, or wherever you meet? We should cry halt on every issue that looks toward war or the preparation for war. This should not be a party question.

One gentleman, as I understand, opposed this bill because the material for the Navy was made by the trusts. That shows how, when a man gets a fad in his mind, he will go astray. You will never attack the naval programme with any such popgun as that by saying that the material that belongs in the ships is made by a trust. There is a broader and higher ground, and that is its effects upon the future of this great nation, upon civilization here and everywhere. Shall our statesmanship, with its aspirations, its forecast of the future, look toward peace and amity and good will, or shall it look toward the bloody days of war? For one I want to say that I am unable to vote for a bill that carries so large an amount as this. I am unable to vote for a bill that declares that the United States, which should be the herald of peace, the leader in all great movements of civilization, is going to double and treble and quadruple its Navy, all under the statement that we claim that it is in the interest of peace.

Gentlemen, you are not going to make the world think that it is in the interest of peace. I doubt whether, if you reflect upon it in your own inner consciousness, you believe that these battle ships and cruisers and torpedo boats mean that. They mean, rather, the gratification of a desire that we shall enjoy the triumphs of war upon the land and the sea again. I would not detract from the glories of the American Navy. I believe it is an efficient naval force, one which, as ex-President Harrison said, man for man, gun for gun, shall be the best in the world; but this bill means something very different from that. This is a programme far more ambitious and emphatic. It seems to display a desire that the future policy of this country shall be one of conflict. [Applause.]

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FOSS. Mr. Chairman, I yield so much of my time remaining to the gentleman from Massachusetts [Mr. POWERS] as he desires.

The CHAIRMAN. The gentleman from Massachusetts is recognized for forty minutes.

Mr. POWERS of Massachusetts. Mr. Chairman, I will say that I shall take but a very few moments. Since I have been a Member of this House I have taken great pleasure in following the magnificent leadership of the gentleman from Ohio [Mr. BURTON] who has just taken his seat. I have recognized in the gentleman great learning, great ability, and great leadership. I have seen him bring onto the floor of this House a bill carrying an appropriation of from fifty to sixty millions of dollars for internal improvements and carry that bill through and defend it perfectly to the end. I remember that something like twenty years ago one of my predecessors was defeated for what was called his vote for a river and harbor "steal," and yet it was a bill which carried an appropriation of only fifteen or twenty millions of dollars.

Still, under the educating influence of my friend from Ohio [Mr. BURTON] to-day the American people thoroughly believe in the improvement of our rivers and harbors, and no man in my district could be elected to-day who did not vote for a liberal appropriation in favor of such internal improvements. But I have recognized to-day in the speech of the gentleman from Ohio what seems to me to be a false note. I have recognized in that speech a want of that spirit and broad-mindedness which has characterized his career since he has been a Member of this House. If I understand correctly his proposition, it is that the time has come when the United States can well afford to abandon its Navy and disband its Army, and yet I bear in mind, as you do, that it has been less than six years since the treaty of peace between this country and Spain, coming after a war that was carried on and won by the magnificent spirit and conduct of the United States Navy.

I want to ask my friend from Ohio what could we have done for Cuba if we had been in the condition which the United States Navy was in twenty years ago? We could not have carried on a war which we claimed at that time and which we claim now was in the interests of humanity. But let us look at the world at large. To-day the United States has a navy which ranks fifth in magnitude among the navies of the world. Great Britain stands first, with a navy which has a tonnage of 1,516,040. France comes next, with a navy having a tonnage of 576,108. Then comes Russia, with a navy having a tonnage of 416,158; then Germany, with a tonnage of 387,874, and the United States, with a tonnage of 293,405. In this table accompanying the committee's report will be found the comparative strength of the United States when the ships which we are now building are completed.

It will give us a navy having a tonnage of 616,275, and make us rank as the third navy in the world, and in efficiency at least the second. To-day, while this bill is under discussion, two of the great nations of the earth are engaged in war: one a nation representing 140,000,000 of people of the Caucasian race, and the other a nation representing 40,000,000 of people of a different race. So far the war has not been upon land, but has been upon the seas. While Great Britain, and France, and Germany, and all the nations of Europe are increasing their navies, what right have we to say that this nation, with the greatest seacoast of any nation on the face of the globe; bathed, as it is, by the Atlantic on the one side and the Pacific upon the other—what right have we to say that we are secure, unless we have a navy that compares favorably with the navies of the great nations of the earth?

During the past fifteen years there has been a large amount of discussion with reference to the origin of what is known as the "new" or "steel" Navy. There has been more discussion as to whom the credit is due for originating this new method of construction. Men high in office and in the councils of each political party have at different times been credited with the honor of being the author or father of the new Navy.

I have before me the report of the House Committee on Naval Affairs presented at the first session of the Forty-seventh Congress, in March, 1882, which would appear to settle this much-mooted question at once and for all time. This report, which contains more than 200 pages, was prepared by the Hon. Benjamin W. Harris, a Member of Congress from Massachusetts, who was at that time chairman of the House Committee on Naval Affairs. Mr. Harris is still living, at the age of some four score years, and still in perfect possession of that splendid mental vigor and equipment which rendered him a man of large influence while serving in this House. I am not aware that he has ever complained because a deserved credit fairly due him has never, up to the present time, been accorded him, nor am I aware that he has ever made complaint when the credit has been given to others, which he has so well earned and fairly belongs to him. This report ought to settle the question without further discussion.

It sets forth the weakness of our Navy as it existed in 1882, showing that we had at that time only thirty-eight vessels which could be of any possible service in naval warfare, most of which were second-rate ships, not one well adapted for service, and many of which were built during the civil war, and even prior to that time. The total tonnage of these thirty-eight vessels amounted to some 37,000, about the equal of the tonnage of two of our large battle ships at the present time. They carried only 357 guns of all calibers, none of which were of high power or breech-loaders.

This report, after pointing out the great naval strength of other commercial nations goes on to state that long delay in king to the building up of our Navy would not only be a folly but even a crime.

The report, in taking up the question of material for the construction of the Navy, says that the first question involved is whether steel or iron shall be used in the construction of vessels recommended to be built. The report then goes on to state the arguments in favor of the adoption of steel, reaching the conclusion that steel is the best possible material for ship construction, and says that the committee unhesitatingly recommends its adoption. And the committee, in this report, recommends the construction of the larger types of vessels to be built of steel to be the most effective, both in speed and power.

The report concludes by saying that the report made by the committee is entirely unanimous, and that no question of politics or party interest has for a moment divided it, and closes with the following language:

We see the country which we love and honor with equal zeal, a country which [illegible] to lead the world as [illegible] from its [illegible] to become the equal of the same he goes on the seas to regain [illegible] without [illegible] to be [illegible] for so [illegible] the beginning of a policy which may lead up to the hoped for results.

Mr. Harris has lived to see the fruition of his hopes, the building up of a great navy, which will stand third in tonnage and second in efficiency among the nations of the world, when the ships now under construction are completed.

No one can read the vigorous language contained in that report without fully comprehending that the Naval Committee of the Forty-seventh Congress, of which Mr. Harris was chairman, believed in the building up of an efficient navy, not for the purpose of warfare, but as a safeguard for peace. The committee reached this conclusion not as Republicans, not as Democrats, but as American citizens, more interested in the safety and development of the country than in the success of party ambition.

Mr. Chairman, what do you suppose was our naval strength in 1882? That is only twenty-two years ago; yet in 1882 we had but thirty-eight vessels, many of them built during the civil war; a few small vessels built directly after the civil war; and the total tonnage of our entire navy in 1882, twenty-two years ago, was 37,000. To-day we build two great battle ships which have a combined tonnage nearly equal to that of the entire navy in 1882. The total number of guns on those thirty-eight vessels was 357; and there was not a single gun that was known as a breech-loading, rifled, long-range gun on any one of those thirty-eight vessels. We built between 1865 and 1882 a number of small vessels, of which the total tonnage was only 11,400.

But in 1882 the Committee on Naval Affairs of this House came forward with a proposition to build up a steel navy, and we commenced soon after that the building up of this great navy which is the pride of the American people.

Mr. Chairman, I deny that we are building up a navy to-day for the purpose of warfare. I deny that we are building up a navy to-day as a challenge to any country on the face of the globe. We are building up this navy for what purpose? For the purpose of our own defense and the defense and protection of American commerce. Go back in American history and see what has been the result when we have not had a navy. At the close of the Revolutionary war we practically had no navy, and what

was the result? The first we knew there commenced reprisals on our commerce in the Mediterranean Sea. The pirates of Algiers came out and demanded tribute of the United States. And what did we do? We were at their mercy. We [illegible] what many other nations did at that time. We paid them a [illegible] amounting to more than $1,000,000 for the protection of our commerce in the Mediterranean and adjoining seas. And why did we do it? Simply because we had no navy to defend our commerce. And then France, seeing our weakness, brought on the naval warfare which followed. Great Britain, seeing our weakness on the sea, brought on the war of 1812. Then the American people—a maritime people, a commercial people, for our people have come from the great maritime races of the world, from Portugal, from Spain, from Sweden, from Great Britain, and from France—took measures to [illegible] themselves. We then built up a navy and fought our three wars of [illegible] upon the lakes and upon the sea in a manner that reflected great credit upon the American seamen.

Suppose we had had a great navy at the opening of our civil war. It would have averted war. But now we have reached the time when we are building up our Navy. And why are we building it up? We are not building it up for the purpose of being the greatest nation upon the seas, but we are building it up for the purpose of keeping peace between ourselves and the rest of the world.

[illegible] says that we are an isolated nation. That may [illegible] years ago, but it is not true now. That was true in 1897, when the House Committee came out in favor of a strong and large Navy. But it is not true to-day. The American flag now floats over Porto Rico. It floats thousands of miles to the westward, near the scene of the great conflict that is going on to-day. American commerce is whitening the seas, and American commerce must be protected.

Take about the expense. I admit that this bill carries a large amount, but suppose Mr. Chairman, that some naval power were to blockade for a month or two the port of New York, what would be the expense to the American people?

[illegible] Mr. Chairman, it is the duty of this House to vote the [illegible] that is now called for. In voting that appropriation I believe that we vote in accordance with the sentiment of the American people. I am aware that the American people are [illegible] of the [illegible] they are at variance [illegible] the question of [illegible] and for [illegible] I know [illegible] the American people are [illegible] on the question of [illegible] I am [illegible] that the American people are [illegible] and to American [illegible] [Applause.]

Mr. [illegible] I ask unanimous consent that I may [illegible] that I be allowed to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks in the RECORD. Is there [illegible]

There was no objection.

Mr. [illegible] Mr. Chairman, I yield five minutes to the gentleman from Indiana [illegible]

Mr. ROBINSON of Indiana. Mr. Chairman, a few days ago a [illegible] appeared in the Washington [illegible] [illegible] the Navy Department. There [illegible] the [illegible] of the Navy. A [illegible] to that article [illegible] the [illegible] I propose to read it. [illegible] the [illegible] of the Navy [illegible] the [illegible] [illegible] the [illegible] [illegible] [illegible]

fully appeal from the decision of the Chair upon this point of order.

The CHAIRMAN. The question is Shall the decision of the Chair stand as the judgment of the committee?

The question was taken, and on a division (demanded by Mr. WILLIAM W. KITCHIN) there were ayes [illegible] noes.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I move to strike out the last word, and on that I would like to be heard.

Mr. [illegible]. Mr. Chairman, I would like to have the paragraph read.

The CHAIRMAN. The paragraph has been read. The gentleman from North Carolina [Mr. KITCHIN] moves to strike out the last word. The clerk will read the last word in the paragraph.

The last word was read, as follows: 8, 9, 10, 11, and 13 on page [illegible] of the bill.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, this appropriation was [illegible] to be used at Guantanamo, in Cuba. We have [illegible] I want to [illegible] year after year. [illegible] to maintain [illegible] Navy [illegible] only an amount of $985,000. Six hundred [illegible] We have a good [illegible] S. C. [illegible] navy, a navy which has been [illegible] and in the interest of [illegible] Two [illegible] Navy. I do [illegible] is to [illegible] desire to patrol [illegible]

The CHAIRMAN. The time of [illegible] from North Carolina has expired.

Mr. [illegible] Pennsylvania. Mr. Chairman, it developed in the [illegible] Secretary of the Navy was [illegible] Navy [illegible] Mr. WILLIAM W. KITCHIN [illegible] maintenance [illegible] Navy [illegible] he made this statement in regard to Guantanamo:

In [illegible] and Olongapo, I want to [illegible]

He further said:

[illegible] to the provisions of the [illegible] called [illegible] Guantanamo, which is some 40 miles east of Santiago on the [illegible]

By [illegible] of the recommendation made by the Secretary of the Navy, and the estimates of the Department, the Naval Affairs Committee, with very great care, and after a great deal of examination and a great deal of patience, concluded, and the Secretary of the Navy not opposing the conclusion that was arrived at by [illegible] that the [illegible] necessarily needed [illegible] to keep [illegible] that the country might think was [illegible] the estimates made for Guantanamo were, I [illegible] in two [illegible] third.

It is proposed by the [illegible] and [illegible] at Guantanamo. Its purpose [illegible] and I do not see [illegible] It is the opinion of the [illegible] opinion of naval experts [illegible] on the southern seas [illegible]

[illegible] We have [illegible] d by the Republic of Cuba [illegible] the opportunity of constructing [illegible]

As [illegible] that by reason of its fine [illegible] on the southern line of Cuba, by reason of the magnificent harbor that is found there, with a [illegible] of water to enable [illegible]

[illegible] Mr. Chairman, it being understood that within a [illegible]

The CHAIRMAN. The time [illegible] has expired. Do [illegible]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I ask unanimous consent [illegible] gentleman from Mississippi [Mr. WILLIAMS] may be a[illegible]

Mr. WILLIAMS of Mississippi. Mr. Chairman, I do not want [illegible] consent. Has debate been concluded on this paragraph?

The CHAIRMAN. Debate has been concluded on this motion.

Mr. WILLIAMS of Mississippi. Then, Mr. Chairman, I move to [illegible] the last word.

The CHAIRMAN. The gentleman from Mississippi moves to [illegible] word.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the gentleman from Ohio [Mr. LAMSON] said some things this morning that I [illegible] e. He spoke with his usual deliberation and his usual sound judgment in great part. [illegible] He [illegible] lie up at their w[illegible] rot; that American [illegible] the Amer[illegible] I now [illegible] of things [illegible] ary, or at any rate [illegible] the world with a chip on its [illegible] r, and it h[illegible] for a row, [illegible] Now, when [illegible] a-world-powering," if the [illegible] r, she [illegible] ate it. The [illegible] need not doubt that for a [illegible]. I am not only, like him, [illegible] expenditures, but am, like him, willing to go [illegible]

Here is [illegible] five millions, a naval bill [illegible] hundred and sev[illegible] ittee on Rivers and Harbors [illegible] river and harbor appropriations for the purpose of [illegible] re, but of investment, [illegible] in [illegible] that are needed, and they are investments, because they save rent wherever they are built.

I say this much—I go this far with the gentleman—that when you propose upon this bill new and unnecessary expenditure in order to carry further and beyond the ships already provided for, contracted for, or for which provision is made by law, then we can stand with him, some of us, and some of us can not, just as

that will be the case on that side of the Chamber, and why? Because [illegible] not and can not be a party question. It becomes a question for each representative to decide in his own mind as to whether he thinks a particular battle ship, a particular cruiser, a particular naval station, started for the first time in this bill and not requiring merely clothing and food and equipment for those taking care of an existing situation, is necessary or is unnecessary. That is a question of business, of common [illegible] Member to decide. Now, I am glad to hear a voice raised on that side, which means logically, whatever it may have meant to mean otherwise—means, when carried to its last [illegible] [illegible] are beginning to awaken to the [illegible] to "world-powering"—"world-powering" with chips upon our shoulders as bullies in the arena of the nations—the less money there is left to make us really strong and great and powerful and rich at home.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, as a substitute for my previous motion I move to strike out the last two words.

The CHAIRMAN. In the opinion of the Chair, it is not in order for the gentleman to make that motion at this time.

Mr. WILLIAMS of Mississippi. Then I ask unanimous consent to occupy five minutes more.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to occupy five minutes more. Is there objection? The Chair hears none.

Mr. WILLIAMS of Mississippi. Now, Mr. Chairman, there is not a dollar that you put into a vain—aye, vainglorious—old Roman or modern land-grabbing national policy that does not subtract a dollar somewhere from a schoolhouse, from a good road, from the comfort of home, or from river improvement or harbor deepening, or from a public building in the United States.

Now, Mr. Chairman, I want to add that the most defensible of all these appropriations are the appropriations for a navy. I do not see why this country needs more than 25,000 to 35,000 soldiers at the most. I do not see why she needs all this money being appropriated for fortifications. I believe that the adviser who it was given by the oracle to Themistocles and the other Athenians who asked it in the ancient days was good for them, and with a change of language is good for us. The reply of the oracle was that "the best fortification of Athens was wooden walls," and when they went back they construed that to mean ships—at that [illegible] and of all things [illegible] you are going to spend for military preparation and national defense the money best spent is that spent in steel and iron ships—iron walls. [Applause.] Instead of waiting until the enemy lands to destroy your shores and to kill you or be killed by you, you should, as far as possible, sink him at sea.

[illegible] I shall be glad to cooperate with the gentleman on the other side in cutting down the Army of the United States to 25,000 or 30,000 men, that are needed for the most part for police supervision, by the way. I would be glad if the money taken from that sort of expenditure and from fortification could be put [illegible] work of home development and some of it into naval [illegible]

Naval [illegible] not offense. Why, Mr. Chairman, we have had some ex[illegible] lately that ought to teach us a lesson in the way of [illegible] a great [illegible] side and twice as many upon the other. What was the experience of Great Britain in the last Boer war? She found that even with the great leviathans of the deep she could hardly transport more than one regiment of men at one time in one ship, with their arms, provisions, and accoutrements. What was the consequence? One [illegible] powerful and wealthy nations, considering its population [illegible], upon the face of this globe found it almost impossible to carry troops enough to guard communication from the seacoast [illegible] ation and otherwise, and put itself upon [illegible] ty, man for man and gun for gun, in the field with a little r[illegible] in the center of Africa.

It will be very hard indeed for any nation in this world, transporting her troops in ships, a regiment at a time, to land upon the American coast a number of men that could not be [illegible] to death in very short order, or bodily su[illegible] by the National Guard and militia of the neighborhood, if even our regular forces could not be gotten up. And then, if, furthermore, the enemy are to run the gantlet of an American Navy at sea, though not of "world-power" and world-conquering proportions, but simply of American proportions for home defense, they would find it a yet more difficult job.

And do you think they do not know that as well as we know it? They know it vastly better.

But you have entered upon this "world-power" arena. You have twisted the British lion's tail; you have, through the newspapers and otherwise, insulted Germany; you have engaged in this rapid-transit business in Panama, and the world would sit [illegible] Why? Because they know war with the United States would be unprofitable from every sort of standpoint.

Gentleman ought not to try to put the Democratic party in the attitude of inconsistency because it has said it is in favor of becoming a "war power" by setting a great example to the world, rather than going around armed as a bully in [illegible] and still does not vote down an appropriation bill to clothe and feed American sailors or to keep ships already in commission afloat and [illegible] with the contracts we already have made. [Loud applause on the Democratic side.]

[Here the hammer fell.]

Mr. BURTON. Mr. Chairman, I certainly did not make myself clear to the gentleman from Mississippi if he has [illegible] from what I said any intimation that I favored [illegible] now under way to remain incomplete or to [illegible] maintenance of the Navy. I did say that I should vote against this bill, and I expect to do so if opportunity offers.

Mr. WILLIAMS of Mississippi. You asked us if we would not join you now in the consideration of that platform.

Mr. BURTON. Yes, sir. But what it seems to me was clear enough was this, that a material modification ought to be made in this bill.

Mr. WILLIAMS of Mississippi. I think so, too. [Applause on the Democratic side.]

Mr. BURTON. That the further construction of battle ships should be abandoned until we are done with those already in course of building, and I really can not see how the [illegible] ing its duty to this House and to the country without raising [illegible]

Mr. WILLIAM W. KITCHIN. Will the gentleman permit an interruption right there?

Mr. BURTON. Certainly.

Mr. WILLIAM W. KITCHIN. Four years ago the minority filed views against the then pending bill, and, so far as I know, it is the only time that such a thing has been done. We fought all these things over, we called attention to these increases and extravagances. We received no support, as I remember, from that side of the House at all. If we had then had the influence of the gentleman aiding us, we might have accomplished more. We have in every Congress since then protested against these increases. We have given the gentleman and his friends an opportunity here to vote to cut down expenses.

Mr. BURTON. The gentleman is making a rather lengthy statement. I am glad to be informed——

Mr. WILLIAM W. KITCHIN. The minority have taken the position, as I understand it—certainly those for whom I could speak have taken the position—that the gentleman has advocated here to-day.

Mr. BURTON. I am glad to be informed that at one time a minority [illegible] I was not aware of that fact, but if [illegible] to carry out and make part of the policy of this country the provision of the Kansas City platform, why be satisfied with filing one minority report? Is it not the duty of the minority to maintain that contest, to be strenuous about it to the end, with each bill, not to stop and refer to the RECORD of four years ago, but to continue it from that time to this?

Mr. WILLIAM W. KITCHIN. Will the gentleman permit another interruption?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from North Carolina?

Mr. BURTON. Certainly. I would prefer not to have it too long.

Mr. WILLIAM W. KITCHIN. Does the gentleman wish to state to this House that the only way to oppose bills or to undertake to reduce its extravagances is to file a minority report? Why, of course, we [illegible] this bill out here. Nobody is in favor of a [illegible] building for the Navy. We are all in favor of a [illegible] and increase and of a faithful maintenance of what we have, but it is not required of us, I think, to file minority views every time, because it is a matter of judgment upon each item in the bill. We do not oppose the making of a [illegible] appropriation.

Mr. BURTON. Will the gentleman state how many votes have been mustered on his side at any time in favor of a reduction?

Mr. WILLIAM W. KITCHIN. I can not state the number, but I can state that a large majority of our side have been in favor of it on every occasion when a test vote has been taken, in my judgment.

Mr. BURTON. Will the gentleman state——

Mr. WILLIAM W. KITCHIN. And I should like to ask the gentleman, how many votes have you mustered on your side in favor of your views?

Mr. BURTON. Will the gentleman state on what occasions these votes were taken that he refers to?

Mr. WILLIAM W. KITCHIN. There has been a test upon every occasion, as I recollect, in the last five years, and one test here this afternoon.

Mr. BURTON. Is it not true that the leader of the minority on this committee, the leading representative of the Democratic party on this committee, favored this bill in toto? He, of course, can answer for himself.

Mr. WILLIAM W. KITCHIN. The gentleman who represents the minority on this committee can answer for himself, but what I have stated is that the majority of the Democratic membership of this House have heretofore taken the position that the minority, with whom I have cooperated, have taken.

Mr. BURTON. I think, Mr. Chairman——

Mr. RIXEY. I should just like to state——

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Virginia?

Mr. BURTON. Yes.

Mr. RIXEY. I should like to state to my friend that when this matter was in committee there was a motion to eliminate the battle ship and the armored cruiser upon the ground that the naval estimates were recommended one battle ship, one armored cruiser, and three protected cruisers, and stated in their recommendation that they were to be considered in the order of their importance in the inverse order, that is, the three protected cruisers first, then the armored cruiser, and then the battle ship, and a majority of the minority members of the committee thought that the battle ship and the armored cruiser might be left out of this bill.

Mr. BURTON. However, is it not true that they favored an increase of the Navy by building additional ships at this time?

Mr. WILLIAMS of Mississippi. Not to the same extent as the majority.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WILLIAM W. KITCHIN. I ask unanimous consent, Mr. Chairman, that the time of the gentleman from Ohio be extended five minutes.

Mr. WILLIAMS of Mississippi. I wish to amend the request by asking that the gentleman be allowed ten minutes additional.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the time of the gentleman from Ohio be extended ten minutes. Is there objection?

There was no objection.

Mr. BURTON. This may be taken as true——

Mr. RIXEY. Do you want an answer to your question?

Mr. BURTON. I should like to be undisturbed for a moment. The enlargement of the Navy has proceeded with the approval of the majority of the minority, and the minority have at least been responsible in the impression created in the country, that this bill with its provisions, with the increase involved, has been framed in accordance with the substantially unanimous judgment of this House. Now, the gentleman from Mississippi makes some remarks in regard to——

Mr. VANDIVER. Will my friend allow a single suggestion?

The CHAIRMAN. Does the gentleman yield to the gentleman from Missouri?

Mr. BURTON. I do.

Mr. VANDIVER. I heartily approve the position that the gentleman is so ably championing; but I want to inform him also that he is mistaken in supposing that this position which he is now controverting has been unanimous or even had the support of the majority of the minority either in the committee or in the House.

Mr. BURTON. Then, what is the attitude of the minority? Here is the plain platform of 1900, on which the minority do not agree. [One of the most [illegible] and [illegible] provisions in the platform. How could that minority if it ever wished to seek the approval of the citizens of the country who oppose the enlargement of the Navy claim that they made effective opposition to it? Here is the plank of the platform. He who runs may read. It is as clear as anything there; and this confession is made. We do not agree in supporting that plank of the platform. If that be the case, how does the country know that you will agree if ever it should happen that you should get into power? Were these mere appeals to be observed and regarded by you or utterly disregarded, as you should choose?

Mr. VANDIVER. If the gentleman will allow me, I merely suggest——

The CHAIRMAN. The gentleman from Missouri, if he desires to interrupt, will address the Chair.

Mr. BURTON. I shall have to decline.

Now, mention has been made of the omission to pass a river and harbor bill at this session. It is probable that the responsibility for that rests very largely with the committee, and, of course, if there is any blame it will rest upon its chairman. I am perfectly willing to take that responsibility.

Mr. WILLIAMS of Mississippi. I do not want you to think that I think so.

Mr. BURTON. Thirty-eight millions of dollars are now lying in the Treasury available for river and harbor improvements, nearly twice as great an amount as was ever expended in a single year. The sundry civil bill will carry probably an additional amount of $[illegible], making in all $[illegible].

Mr. GROSVENOR. Will the gentleman allow me a question?

The CHAIRMAN. Does the gentleman from Ohio yield to his colleague?

Mr. BURTON. Certainly.

Mr. GROSVENOR. Is the gentleman able to state the amount of money that will be carried in the sundry civil bill for the purposes of public buildings?

Mr. BURTON. That I am not posted upon. I can not state that. I have no doubt it is a large amount.

Mr. GROSVENOR. Is it not a fact that it will be much larger than ever carried by any public-building bill except that of last year?

Mr. BURTON. I should presume so, but I am not accurately informed upon that question.

That makes $46,000,000 to be expended the coming year, more than twice as much as was expended in any single year since the beginning of river and harbor improvements. What does that show? That it would be futile to pass a river and harbor bill with this situation. If there is any lack of promptness in the prosecution of that class of public work, the blame rests with the machinery of the executive department, which carries out the will of Congress. It is our intention to bring in a bill carrying an amount sufficient to maintain the work not expressly provided for. Thus if any reproach can rest upon this side of the House, or upon anybody, I am willing to take the reproach myself, because, as it seems to me, it was a sensible thing to do under the circumstances.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I do not want to be misunderstood there. I hope the gentleman does not think I am blaming him?

Mr. BURTON. Certainly not.

Mr. WILLIAMS of Mississippi. I am blaming the system and the necessity for it.

Mr. BURTON. I think the system is wrong. The work, as prosecuted by the engineers engaged—not from their fault, but because of the insufficient number of them—proceeds tardily. It should also be said that the delays in preparing the plans and the time required by the Attorney General's Department in condemning necessary property are factors in the situation.

Now, something has been said about our being a world power. I do not see what blame can rest upon the Republican party in that respect. We took possession of the Philippines because we supposed our intervention over there was just as necessary as in Cuba. Whatever the decision may be, one thing is certain, whether it was well for the United States or not, it was well for the inhabitants of the Philippine Islands that we should take possession, and the Republican party proposes to administer that trust and maintain order and advance civilization if it can possibly be done. [Applause.] I do not want to be understood as a nonresistant. A great deal has been said in favor of withdrawal from the Philippines. Suppose in the face of brigandage and rebellion there the flag that went proudly into Manila Harbor should come down. Suppose the American Army and Navy should do what they have never done in history—give way without a fight in the face of a foe, and our troops sail away. The leaders of the party that brought it about might as well call on the rocks and hills to fall on them to hide them from the condemnation they would receive from the people of this country and from the world. Of that much we may be sure.

Mr. HARDWICK. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Georgia?

Mr. BURTON. Certainly.

Mr. HARDWICK. I desire to ask the gentleman this question: Does the gentleman from Ohio now contend that there is a state of war and brigandage in the Philippines now?

Mr. BURTON. I do contend this, that without an efficient constabulary there would be outbreaks, though great results have been accomplished by our control there.

Mr. HARDWICK. One further question.

Mr. BURTON. I hardly see how this applies to the line of argument to which I have been addressing myself.

Mr. HARDWICK. I do not want to draw the gentleman from the line of his argument, but the gentleman was discussing the question of withdrawing or not withdrawing from the Philippine Islands, or whether or not we were under fire there. The gentleman, then, is in favor, as I understand it, of withdrawing from there as soon as the islands are pacified?

Mr. BURTON. Whether there is a firing line there or not it would be a surrender; it would be a withdrawal that would have in it the elements of cowardice. That is what I meant to say.

Mr. HARDWICK. Why so, if resistance has ceased?

Mr. BURTON. Because we took possession there for a purpose and that purpose would be abandoned entirely if we should leave.

Mr. FOSS. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. BURTON. Certainly I yield to the gentleman from Illinois and I desire to thank the gentleman from Illinois for giving me time, because he knows I was going to speak at a late hour.

Mr. FOSS. I would like to ask the gentleman whether or not he thinks that we ought to have a fleet in the Orient large enough and strong enough to protect the Philippines?

Mr. BURTON. Why, I presume I should say yes. What is the reason, though, that we need any more battle ships to protect the Philippines? Who is raising any cry against us? Who is threatening to attack the Philippines at all?

Mr. FOSS. In reply to that let me answer him in the words of Admiral Dewey:

"[illegible] happiness after the Navy left"? He said, "six weeks; possibly [illegible]."

Mr. BURTON. Why, Mr. Chairman, that goes on the assumption we are going to have a war, that we will be involved in a quarrel. Now, a quarrel if it arose with reference to the Philippines would require a naval force in excess, if there is a united movement against us, of any you are even proposing to build.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. LACEY. Mr. Chairman, I move to strike out the last word. I was at some loss to determine whether the gentleman from Ohio in quoting the Democratic platform on the subject on the Navy, did so with an approval——

Mr. BURTON. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Iowa yield?

Mr. LACEY. Certainly.

Mr. BURTON. I may say that there was an implied approval of the sentiment there; but I think the gentleman will recall that I asked the question as to what had been done by the party in pursuance thereof.

Mr. LACEY. I think the Democratic side of this Chamber misunderstood my friend as indorsing their platform and speaking for it with approval. I hope they did. I was at some little loss to understand the position he took. But in order that in the RECORD the statement of the Republican party on this question may be clearly set out, I desire to read what that party says on this subject.

Mr. WILLIAMS of Mississippi. Before the gentleman does that, will he let me ask him a question?

Mr. LACEY. Certainly.

Mr. WILLIAMS of Mississippi. In so far as that particular sentiment read by the gentleman from Ohio is concerned, do you not indorse the Democratic platform?

Mr. LACEY. I am going to give you what I believe on that subject.

Mr. WILLIAMS of Mississippi. I would like to know, as far as that particular sentiment is concerned, if the gentleman does not think that is sound?

Mr. LACEY. What part does the gentleman refer to?

Mr. WILLIAMS of Mississippi. To the one that the gentleman from Ohio read. I will read it to you again.

Mr. LACEY. I would like to have the gentleman read it, because I would like to have the two go side by side.

Mr. WILLIAMS of Mississippi (reading)—

We are in favor of extending the Republic's influence among the nations, but believe that influence should be extended not by force and violence, but through the persuasive power of a high and honorable example.

Now, if the gentleman objects to that he would object to the Lord's Prayer in the Democratic platform. [Laughter and applause on the Democratic side.]

Mr. LACEY. The gentlemen on the other side, and the leader of the Democratic side in particular, indorses the sentiment as being restrictive of the expansion of the American Navy. So far as the moral question is concerned, extending American power by peaceful means is concerned, there is no conflict between the two political parties. But the issue here to-day is whether the American Navy shall be expanded or not. The argument was made that if you expand the Navy you increase the danger of war. But if you have a navy [illegible] to prevent war.

Now, on the contrary, the Navy is preventive of war. The very walls that the gentleman from Mississippi describes as defensive of Athens are defensive to-day, except that they are steel instead of wood, and the position of the Republican party is well stated in the platform, which I will read:

ENLARGEMENT OF THE NAVY

[illegible]

Now, this supplements the doctrine of our Democratic friends. You add the two together and you have something substantial: [illegible] Navy [illegible] and you have a [illegible] Lord's Prayer for the purposes of defending the United States of America [laughter on the Republican side], and that has never proved effective.

The battle ship is the great ocean policeman to keep the peace on the high seas. It is the defense of our seacoast, and our Democratic opponents will not dare raise their voices against voting a liberal appropriation for the American Navy. They will take shelter, if at all, on the ground that the amount proposed is more than is needed. The question after all, on both sides of this House, is as to what would be a just and reasonable amount of increase under existing conditions.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, the gentleman from Iowa [Mr. LACEY], I think, stated the heart of this proposition. Suppose one side of this House is in favor of a large increase in the Navy, each Member of it might well differ as to what specific increase should be had each year. One man might be in favor of one battle ship a year, another of two battle ships a year, and another of a dozen battle ships a year; and in addition to the battle ships one might be in favor of one armored cruiser each year, and another of two armored cruisers, and another of a dozen. If the other side of the House is in favor of a smaller increase each year, they might differ as to what that increase should be. One might be in favor of one battle ship, another of two battle ships; or one might be in favor of one cruiser, another of two cruisers, another might be in favor of one battle ship and a cruiser, and another might favor two of each.

I think if anyone should take the pains to go back and examine the history of the increase of the Navy for the last six or seven years he would find that while both sides were in favor of an increase of the Navy, while neither side was in favor of "standing pat" on it, yet he would find that the Republican party has been in favor of enormous increase, entailing vastly increased and, in my judgment, extravagant expenses on the people, and that this side has been in favor of a more economical, a more moderate increase. I belong to that class of Democrats who believe that we ought to increase the Navy, but increase it gradually and moderately. I, myself, would not object to having a stated programme providing for a certain number of battle ships and a certain number of armored cruisers to be constructed during a certain period of years. I am not in favor of a "stand pat" policy and declaring to the world that we will no longer increase the Navy.

Why, Congress has in the last few years, in a single session, passed bills authorizing the construction of ships that would cost, when put upon the seas, $50,000,000. Thirty millions of dollars in another year, and this bill will entail a future expenditure of $[illegible]. Suppose we cut that in two and authorize in this bill ships to cost $15,000,000, and hereafter for several years authorize $15,000,000 worth, would not that be a constant and steady increase, and would it not meet the demands of this great country, and would it not appeal to the patriotism and the economical sense of the American people? After the passage of this bill, which carries more than $30,000,000 towards paying for and equipping ships already under construction, we will then have upon us obligations to be hereafter paid of more than $[illegible] to finish and equip the ships already authorized and those carried by this bill.

I have never believed in making this country a great offensive nation to override and intimidate the other civilized powers of the world. I believe in having a navy capable of taking care of our interests when war comes, and I believe in providing absolutely for our defense in time of peace.

I would hope, if it were in my power, part of the amount necessary for the big ships authorized in this particular bill and build torpedo boats, these submarine boats, and I would build a sufficient number of them to put them in every important harbor of the United States. While we may not have the means and while the people may not be willing and should not be taxed to build enough battle ships to go out and destroy the fleets of England, still we can economically build sufficient torpedo boats to keep the

navies of the world off our shores. We can do that reasonably and economically. For one-half the cost of the ships authorized in this bill we could build enough submarines to protect every important harbor in the United States. For the price of one battle ship we can build twenty-five submarine boats. No officers of any navy in the world would dare take a ship into a harbor protected by submarine boats. Admiral Dewey stated before our committee in the Fifty-sixth Congress that if the Spanish Government had had two submarine boats in Manila Harbor, and he and his men had known it, the strain would have been too much for human nerve, and they never would have entered that harbor; and there it would be.

No man would risk the lives and no man would risk his own reputation in history by taking a battle ship freighted with a few or a thousand men into a harbor where these submarine monsters lay concealed. Again, I believe that sort of defense to be the cheapest and most effective that human ingenuity can provide for our harbors. I also believe that if it had not been for great corporate interests desiring large ships which require vast tons of steel and armor which they sell, the sentiment of the country would have been more in favor of defending our coast by the smaller boats.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I ask unanimous consent to be allowed to continue for two minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that his time be extended for two minutes. Is there objection?

There was no objection.

Mr. WILLIAM W. KITCHIN. Another thing, Mr. Chairman, when you build these submarine boats for defense and put them in your harbors, your great battle ships can go out after them any and will not have to hug our shores to defend us. When you build smaller boats, these torpedo carriers, you liberate your battle ships. The building of the smaller craft eliminates the necessity of having so many larger and more expensive battle ships. I know a navy requires large expense. I know we have to keep up our navy-yards. We must continue the construction of ships and must preserve what we already have. But I believe that with an expenditure of one-half of what we are expending in new construction we can provide a more effective navy for defense against any possible enemy by appropriating a large portion of it to the proper means of defense. Now, Mr. Chairman, I have stated the spirit which has actuated me in my service on this Naval Committee. It has not been my fortune to be on the subcommittee that practically prepared this bill. I have heard many of the hearings. I have gone through these bills carefully session after session of Congress.

I know there is not a man in this House that would feel more humiliated by an American defeat than myself; I know there is not a man in America that would rather see the American Navy overtop all possible rivals than myself, but there are two things to consider—the necessity of what we are doing, measured by the amount of danger from the outside and the great people who have to pay these enormous expenses. We appropriate $85,000,000 by this bill. That means $7 out of the Treasury for every head of a family in the United States—$7 to each family. Where will it end? If you are going to establish great naval stations in the Philippines and in Cuba, and constantly and unceasingly add to the Navy and its expense by such extravagant strides, where will it end? Ten years ago the Navy cost $25,000,000, now near $100,000,000. What will it be ten years from now? The thing to do is to moderate the increase. [Applause.]

[Here the hammer fell.]

The CHAIRMAN. The debate on this amendment is exhausted.

Mr. DAYTON. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Without objection, the pro forma amendments will be considered as withdrawn. The gentleman from West Virginia moves to strike out the last word.

Mr. DAYTON. Mr. Chairman, it seems to me that the position taken by the gentleman from Ohio [Mr. BURTON] here to-day is a most remarkable one. In violation of his own party's platforms, as I will show later on, he has announced his opposition and determination to vote against this bill providing for the naval service and a reasonable increase of its material. He has gone further, and made a direct appeal to the minority side to join him against his own party in this opposition. I congratulate the able and distinguished gentleman from Mississippi [Mr. WILLIAMS] upon his answer to this appeal, and his clear statement of Democratic position touching this question.

It is not, as he has said, a partisan question, and nothing in the Democratic platform, as I read it, can be construed into opposition to the upbuilding of the Navy. A platform of this kind is significant not only for its direct declarations, but also frequently for its omission of direct declarations. In this case the omission of the last Democratic platform of any declaration against the policy of naval building is, under the peculiar circumstances, very significant.

One clause of it does denounce what is called "militarism." It distinctly opposes the existence of a large standing army and insists that a small army with the home guard is sufficient for the country's defense at home. That declaration is, however, significant in the fact that not a word of it can be construed to relate to the United States Navy and to its upbuilding. Therefore, as I said on Saturday last, this is a question upon which it seems both parties can stand—a careful, thorough upbuilding of the Navy for national peace, national honor, and national defense.

So far as I know, the gentleman from Ohio must stand on another and a different platform from that of either of the parties; and I insist that it is a platform that has nothing in it; that is, "neither flesh nor fowl nor good red herring." It is not an American platform; and it is not the platform of the Republican party, which we have a right to stand upon and which has been reiterated time and again in the conventions of our party for the last twenty years.

In order to make this clear I want to read some of these platforms to see how far the gentleman in his appeal to the minority has been seeking to place himself upon the platform of the minority and against the declarations of his own party.

In 1884 the platform of the Republican party demanded this:

> We demand the restoration of our Navy to its old-time strength and efficiency that it may in any sea protect the rights of American citizens and the interests of American commerce.

In 1888 the Republican party proclaimed this:

> We earnestly recommend that prompt action be taken by Congress to the enactment of such legislation as will most speedily lay the foundations of our American merchant marine, and we protest against the parsimony of Congress in failing to make appropriations to work upon our ships so begun and to the wages of those employed in preparing materials such as those directly employed in our shipyards. We demand appropriations for the early rebuilding of our Navy.

In 1892 the same party in its party platform made this declaration:

> We favor the extension of our foreign commerce, the restoration of our merchant marine by honest means, wages and the protection of a navy for the protection of our national interests and the honor of our flag.

And in 1896, when we elected that great American statesman from the gentleman's own State of Ohio whose memory every Republican reveres to-day, and when we swept this country from one end to the other, we stood upon this platform, and the gentleman himself was sent to this House upon this platform:

> The peace and security of the Republic and the maintenance of its rightful influence among the nations of mankind demand a navy commensurate with the position and resources of the country. We therefore favor the continued development of the Navy and a complete system of harbor and seaport defenses.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. I ask for five minutes longer.

The CHAIRMAN. Is there objection to extending the time of the gentleman from West Virginia [Mr. DAYTON] for five minutes? The Chair hears none.

Mr. DAYTON. Mr. Chairman, we have heretofore stood in this House and seen those who were near and dear to us in party principles get away from their moorings and cross to the other side. If the gentleman from Ohio must go from us, we will deeply regret it. But where can he go for a platform on this question? He can not stand on the Republican platform, nor can he stand on the Democratic platform touching the upbuilding of the United States Navy. The significant clause in the latter's platform denouncing militarism and the omission of any reference to the Navy show that they favor or are at least not adverse to the upbuilding of the naval service, while the gentleman stands in distinct opposition, as I have shown by party declaration, to every principle on which he was elected to this floor.

I submit, Mr. Chairman, it is time for us to think about these party declarations. It is time for us sometimes to remember that we have reason to be proud of the record of our party when we have gone to the country upon party declarations; and there is no victory that we have achieved that has ever brought us more lasting success and greater good to the country than that of 1896 when we elected William McKinley upon the ringing declaration, amongst others, that we should uphold the American Navy and continue to uphold it. [Applause on the Republican side.]

Mr. RIXEY. Mr. Chairman, we are always glad to welcome recruits, but I for one am not willing that a new recruit shall undertake to lecture me as to my duty. [Laughter and applause.] I have nothing to do with the effort on the part of the gentleman from West Virginia [Mr. DAYTON] to read the gentleman from Ohio out of the Republican party. The position of a majority of the minority members of the Committee on Naval Affairs with regard to the increase of the Navy was that we should not announce that we would never build another ship, but it was that

we are now building faster than any nation in the world, with the exception of Great Britain, and it was unnecessary to authorize more battle ships at this time.

Mr. WILLIAMS of Mississippi. That we have more under contract.

Mr. RIXEY. We now have completed twelve battle ships. We have under contract twelve more, so that when the battle ships under contract shall have been completed, our Navy will be then twice the size that it is to-day. In the statement which is furnished by the Committee on Naval Affairs, and which I believe to be accurate, I find that Great Britain is building ships to the amount of 351,000 tons, the United States 322,000, France only 180,000, Russia 142,000, Germany 118,000. We are building nearly three times as fast as Germany; and when the ships already authorized are completed, we will have far outstripped Germany in the number of battle ships and their tonnage.

The position of the Democratic party is that while we owe $82,000,000 upon these ships already contracted for, and while the ships contracted for will double our Navy, it is not necessary at this time to authorize ships to cost $30,000,000. In view of the statement made by the chairman of the Committee on Appropriations that we might expect a deficit, why not let the building programme for this year stand until another year and save $30,000,000 here?

Mr. WILLIAMS of Mississippi. Like rivers and harbors.

Mr. RIXEY. They tell us that they have not the money for any internal improvements. Save $30,000,000 here; it will not cripple the Navy, it will not affect its efficiency, and you will have the money. Admiral Taylor testified before the committee—and his statement is in print—that by 1907 we would still lack 797 officers for our Navy as at present authorized. If this is true, and it is true, why go on and authorize ships to be built for which we have not the officers? The position of the Democratic party is not that this appropriation bill must be voted against, and we reject the advice of the Republican Member [Mr. BURTON], who advises us to take that position. We are for a reasonable support of any navy that is necessary for the exigencies of the time. For myself I believe that we are to-day the second naval power in the world. Our ships are new, whilst many of the battle ships and armored cruisers of the Old World are so old that they ought to be relegated to the second or the third line of defense.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. GROSVENOR. Mr. Chairman, I move to strike out the last four words.

I was greatly affected by the powerful appeal made by the gentleman from Mississippi [Mr. WILLIAMS], the leader of the minority on this floor, when he made such a pathetic appeal in regard to the expenditures of the public moneys, or rather the non-expenditure of the public moneys, by the Republican party in the present Congress. He said that these war bills were so absorbing of the public revenues that we could not build public buildings. I infer that a great many people holding office are at present distributing the mails in the open air. He said that we could not dig harbors and rivers, and a sad condition was depicted by him, so that sadness came over me.

The gentleman from Ohio [Mr. BURTON] came to my rescue and relieved my mind somewhat when he stated that it was proposed in the coming sundry civil bill to appropriate double the amount of money for the improvement of rivers and harbors that had been expended by the last Democratic Congress. That relieved my mind on the river and harbor question. But still I feared that the public buildings were being neglected, and I instituted a search. I have found very much to relieve my anxiety. I find that in the forthcoming sundry civil bill there will be appropriated $10,545,883.79 for public buildings now under construction and those already authorized by acts of Congress approved by the President and upon which no money has hitherto been expended. Upward of ten million and a half dollars! This in time of practical war, as I now learn; this when the money in the Treasury is being absorbed by the war bills about which we have heard so much.

I thought I would look and see what was a reasonable expenditure under a Democratic Administration in time of profound peace, so I went back to the long session of the Fifty-third Congress, and over against the upward of ten million and a half proposed to be expended for public buildings at this session of Congress I found that the Fifty-third Congress, the last Democratic Congress that we have had and probably the last we will have [laughter], in a time of profound peace, when they had to borrow the money at a high rate of interest, expended $1,126,500 for public buildings.

Mr. BUTLER of Pennsylvania. Ten times as much.

Mr. GROSVENOR. About nine times as much in the present expenditures; and that is about the ratio of all that is great and good in administration existing to-day between the two parties so far as the record goes. [Laughter and applause on the Republican side.]

Mr. FOSS. Mr. Chairman, I move to strike out the last five words. I desire to call the attention of members of the committee to the question of the tonnage of our ships which we are now building. Owing to the fact that there have been numerous delays in the construction of our ships, it would appear that we are building a great many ships at the present time. If the contracts had been lived up to, more than half the tonnage to-day which is in process of construction would be built. So it is not a fair statement to take that particular diagram here which shows that we are building largely at the present time unless you take along with it the other statement, and that is this: Take, for instance, a period of years, since January 1, 1898, during the last five or six years, and how much tonnage have we added to the American Navy? Great Britain has added 641,000 tons; France has added 218,000 tons; Russia has added 160,000 tons; Germany, 190,000 tons; Japan, 153,000 tons, but the United States only 117,000 tons during the last six years. Now, take that statement and couple the other with it when you take into consideration the question of how much we have built and how much we are building to-day.

Now, Mr. Chairman, I do not care to discuss this question any further at this time, and I call for a vote upon the pending motion, which I believe is to strike out the paragraph on page 15, "depots for coal."

Mr. WILLIAM W. KITCHIN. Before the gentleman takes his seat——

The CHAIRMAN. The gentleman from New York is recognized.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I desire to ask the gentleman from Illinois a question.

The CHAIRMAN. The gentleman's time has expired.

Mr. BASSETT. Mr. Chairman, I move to strike out the last line. I understand that the pending amendment is to strike out, on page 15, the lines beginning with 7; and I understand further that this appropriation which is proposed to be stricken out applies to the coaling station at Guantanamo Harbor. It is to the need of this coaling station that I propose to address myself, as I intend to vote against the amendment. And as I presume I will be somewhat alone on this side, I wish to explain briefly my reasons. In my judgment a coaling station at this point on the southern side of the island of Cuba, controlling as it does the Caribbean Sea, is a most important part of the home coast defense, and is entirely different from the proposition to place defenses in the Philippines or in distant parts of the world.

If one will examine on a map the routes of travel from our large cities, like Boston, New York, and Philadelphia, to South American ports and between Atlantic seaboard towns and the proposed Panama Canal, he will see that ships do not go between Cuba and Florida, but pass the eastern end of the island of Cuba. We need coaling stations for our war ships near this route. The mainland is much too far away. The strategic importance of the Caribbean Sea demands such stations.

As developments at the Isthmus go on during the next decade that route past the eastern end of Cuba will become more and more important, and the proper defense of this route and the control of the Caribbean Sea become part of the coast defenses of the United States and not part of a foreign enterprise. Stations and fortifications half around the world are no portion of our home defense. They will be sources of great expense, and in war with a great power a weakness rather than a help. But coaling stations as outposts for coast defense are right, and such is the location at Guantanamo Bay.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

> Contingent, Bureau of Equipment: For freight and transportation of equipment stores, packing boxes and materials, printing, advertising, telegraphing, books, and medical stationery furniture for equipment use in navy-yards; postage on letters sent abroad, furniture, and emergencies arising under cognizance of the Bureau of Equipment unforeseen and impossible to classify, $5,000.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I move to strike out the last word.

Just to illustrate that the gentleman from Ohio [Mr. GROSVENOR] is not quite as accurate in figuring at the time as in prefiguring things, he tells us that we are going to make more public building appropriations upon some appropriation bill and more river and harbor appropriations on some other general appropriation bill than we would have got if we had a public buildings bill and a river and harbor bill.

Well, now, there are some things that mathematics can prove to me even read in the confident and hasty manner in which the gentleman reads them, or rather prepared in the hasty manner and read in the confident manner in which he uses them, but it would be very hard to convince me by any kind of figures that

we are going to get the river and harbor appropriations we need [illegible] we have this year when the River and Harbor Committee [illegible] not and that it is very hard to [illegible] that we are going to get as many [illegible] as we need to have when you are asked for the Public Buildings Committee to act and bring in a report for new legislation [illegible]

Now, Mr. Chairman, I know that the great harbor of New York is wanting for much needed improvements. I know that New Orleans is wanting. I know that [illegible] I know that [illegible] and [illegible] I know that these [illegible] power [illegible] I know that [illegible] because there is a [illegible] way. I want to say right here, Mr. Chairman, that [illegible] me to be from much as a [illegible] You have [illegible] dollars, and we will [illegible] conflict in the next Presidential election that about on time to go in with a deficit, and then you will come along and swear it was [illegible] of a Democratic variety. [Applause on the Democratic side.] You have promised to [illegible] you are going to have it, and you will swear I say we [illegible]

I [illegible] of the House up saying, "At the time the Defiant began to [illegible] I [illegible] Mr. Speaker I [illegible] and that you knew [illegible] that the Defiant had the news, and that you are prepared to [illegible] the information upon the part of the [illegible]." I know what you have been saying. I know that you have been saying that you would pass the general appropriation bill and get away from here without any other legislation, except perhaps a tariff [illegible] to tax the South, but as soon as you passed [illegible] the gentlemen from Ohio and I both know—we are [illegible] to know it—that for this year river and harbor [illegible] a great many other useful things are being [illegible] in these appropriations, and perhaps we are [illegible] because of the vast amount of money that has been made necessary to carry on the Government under the present regime with this "world power" policy.

The CHAIRMAN. The time of the gentleman has expired. Without objection, the pro forma amendment is withdrawn.

The Clerk continued the reading of the bill, as follows:

Contingent, Bureau of Yards and Docks: For contingent expenses that may arise in the yards and stations, $[illegible].

Mr. HITCHCOCK. Mr. Chairman, I move to substitute $20,000 for the sum now in the bill.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page [illegible] strike out "forty" and insert "twenty."

Mr. HITCHCOCK. Now, Mr. Chairman, in support of that I want to call the attention of the committee to the fact that I had presented for contingent funds in the various bureaus, amounting to $[illegible] as follows: Navy proper, [illegible]; Bureau of Navigation, $[illegible]; Bureau of Equipment, $[illegible]; Bureau of Yards and Docks, $[illegible]; Bureau of Medicine and Surgery, $[illegible]; Bureau of Supplies and Accounts, $[illegible]; Superintendent Naval Academy, $[illegible]; Marine Corps, $[illegible].

That is over [illegible] Mr. Chairman, in [illegible] provided in various bureaus in the [illegible] bill [illegible] and the [illegible] of the various clerks and [illegible] Now, Mr. Chairman, a short time ago I presented a [illegible] inquiry as to the [illegible] at public expense being used by various officers, and it was [illegible] that it should be stopped from which funds these [illegible] were paid. It developed upon [illegible] the Navy Department [illegible] and charged to the contingent fund of the Bureau of Yards and Docks, and so far as I was able to find out, the only reason for charging it to this contingent fund was the fact that the [illegible] had exhausted their [illegible] funds [illegible] be worked [illegible].

Mr. [illegible]. Mr. Chairman, there is no increase in this appropriation this year. It is the same as last year, and it is urgently recommended not only by the Bureau of Yards, but by the Secretary of the Navy. I [illegible] for a vote.

The question was taken, and the amendment was not agreed to.

The Clerk read as follows:

[illegible]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I move to strike out the last word. I desired to ask the gentleman from Illinois [Mr. FITZGERALD] a few minutes ago when the time would come for the Chairman to be out. I understood the gentleman from Illinois to state that we had expended in the last five years 117 [illegible] of war vessels. Now, the question that I wanted to ask the gentleman I will put in the form of a statement. In the last five [illegible] years we have authorized an increase of the Navy to an amount of [illegible] tons. While the amount that we have appropriated in the years past for the Navy is 117 [illegible], and we have [illegible] in the last five years [illegible] tons. I withdraw the [illegible] amendment.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last two or three words. Mr. Chairman, I do that at this time simply to call attention to the fact that the gentleman from Illinois [illegible] the appropriation for Pensacola navy-yard from $1,952 to $7,500 this year.

Now, the gentleman from West Virginia [Mr. DAYTON] [illegible] made on the naval appropriation bill, and [illegible] was willing to join me in advocating the sale of the navy-yard at New York. I asked him if he was willing to turn over all the work being done by the Government yards to the private plants, and he said he was not. Yet, Mr. Chairman, it appears from the hearings before the Committee on Naval Affairs this year that the only place on the Atlantic seacoast controlled by the Government at which a first-class battleship can be docked is at the New York Navy-Yard. In this navy-yard were to be disposed of at this time, the only places that a first-class battleship could be docked would be at the shipyards' yard and at Newport News Shipbuilding Company's plant.

I insist that the gentleman's statement, if made in good faith and [illegible] of material benefit to the private shipbuilding plants. I assume, however, that his [illegible] was [illegible] a part of a great deal of cheap buncombe [illegible] by some gentlemen. He states that the value of the yard at New York—the land alone—is some $25,000,000. It is not so easy, even if desirable, to find a purchaser for land of this character [illegible]. According to the hearings before the gentleman's committee, that yard did at least 75 per cent more [illegible] work than was done by any other yard.

I recall the time when the gentleman from West Virginia had an opportunity to join with me in attempting to dispose and to prevent the undue growth of some of the insignificant navy-yards of this country. I recollect in the first session of the Fifty-seventh Congress, when the gentleman from West Virginia [Mr. DAYTON] was a conferee on the naval appropriation bill. The conferees at that time brought in a report agreeing to two items in the bill which had been placed there by the Senate—one item was for the removal of Hendersons Point, at the Portsmouth Navy-Yard, which would cost, when complete, $749,000; the other provided for buildings at the Charlestown Navy-Yard which, when complete, would cost [illegible].

The chairman of the Committee on Rivers and Harbors [Mr. [illegible]] at that time stated that [illegible] proposed, even after removal of Hendersons Point, at Portsmouth, at an expenditure of [illegible], the facilities for merchant vessels would be [illegible], and that, in his opinion, it would not at all [illegible] a harbor [illegible].

I [illegible] at the time that discussion was up in the House, and the gentleman from West Virginia [Mr. DAYTON] did not then seem to be inspired with the same patriotic desire to stop the increase of these insignificant navy-yards. He kept silent in his seat at that time. He now in the [illegible] or the most efficient, the best equipped and [illegible] navy-yard on the Atlantic coast where it is possible to dock a first-class battle ship; and I insist that if the [illegible] were [illegible] that [illegible] be [illegible] upon the Atlantic [illegible].

The CHAIRMAN. The pro forma amendment, without objection, will be withdrawn.

There was no objection.

The Clerk read as follows:

Naval [illegible]: 1 clerk, $1,600; 1 foreman machinist, $1,600; 1 messenger and janitor, $[illegible]; in all, $[illegible].

MESSAGE FROM THE SENATE.

The [illegible] was [illegible] and the Speaker [illegible] the chair a message from the Senate, by Mr. [illegible], [illegible] that the Senate had disagreed to the amendments of the House of Representatives to the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands, had asked a conference with the House on the disagreeing votes of the two Houses thereon,

and had appointed Mr. STEWART, Mr. PLATT of Connecticut, and Mr. DUBOIS as the conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. FITZGERALD. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I wish to ask the gentleman from Illinois if these employees at Guam are the employees that are to be taken care of under the contingent appropriation earlier in the bill, on pages 3 and 4?

Mr. FOSS. These are employees under the Bureau of Yards and Docks.

Mr. FITZGERALD. And they are additional employees and those that will be taken care of in the earlier appropriation?

Mr. FOSS. Yes. Mr. Chairman, I will ask the Clerk to read the next section, and then I will move that the committee rise.

The Clerk read as follows:

In all, civil establishment, Bureau of Yards and Docks, $148,700.92, and no other fund appropriated by this act shall be used in payment for such service.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HEPBURN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12220, the naval appropriation bill, and had come to no resolution thereon.

STEAMER BEAUMONT.

Mr. LITTLEFIELD. Mr. Speaker, I ask unanimous consent that the time for filing the minority views on the bill (H. R. 4570) to provide an American register for the steamer *Beaumont* be extended until Friday morning next.

The SPEAKER. The gentleman from Maine asks unanimous consent to have the time for filing the views of the minority from the Committee on Merchant Marine and Fisheries on House bill 4570 extended to Friday morning next. Is there objection? [After a pause.] The Chair hear none.

SENATE BILL REFERRED.

Under clause 2 of Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 3607. An act making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire a new site, and for other purposes—to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bills:

H. R. 3584. An act to authorize the resubdivision of lots or blocks in the District of Columbia;

H. R. 11823. An act to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures;

H. R. 9640. An act to amend an act granting to the Keokuk and Hamilton Water Power Company right to construct and maintain a dam, and so forth, approved February 8, 1901;

H. R. 3172. An act granting an increase of pension to Robert E. Pogue;

H. R. 3272. An act granting an increase of pension to Elizabeth Hardy;

H. R. 3337. An act granting an increase of pension to Mary A. Craigue;

H. R. 3345. An act granting an increase of pension to Charles P. Clarke;

H. R. 3367. An act granting an increase of pension to George W. Kerby;

H. R. 3411. An act granting an increase of pension to William J. Hart;

H. R. 3435. An act granting an increase of pension to John M. Pratt;

H. R. 3521. An act granting an increase of pension to John Hawker;

H. R. 3407. An act granting an increase of pension to Frank Lewis;

H. R. 3616. An act granting an increase of pension to James W. Davis;

H. R. 3617. An act granting an increase of pension to Charles M. Everett;

H. R. 3665. An act granting an increase of pension to Henry C. Jones;

H. R. 3815. An act granting an increase of pension to Hester E. Mooney;

H. R. 4325. An act granting an increase of pension to John A. Sills;

H. R. 7798. An act granting an increase of pension to Andrew Black;

H. R. 6028. An act granting an increase of pension to Anson Heffron;

H. R. 6032. An act granting an increase of pension to Charles S. Bellows;

H. R. 7374. An act granting an increase of pension to Jabez Perkins;

H. R. 6588. An act granting an increase of pension to James H. Cummings;

H. R. 5199. An act granting an increase of pension to Emma M. Johnson;

H. R. 5617. An act granting an increase of pension to William P. Hereford;

H. R. 5634. An act granting an increase of pension to Robert L. Miles;

H. R. 6701. An act granting an increase of pension to John A. Reeds;

H. R. 7756. An act granting an increase of pension to Charles Schroder;

H. R. 7594. An act granting an increase of pension to Charles H. Miller;

H. R. 6994. An act granting an increase of pension to Theresa Nebrich;

H. R. 7683. An act granting an increase of pension to William H. Howard;

H. R. 5818. An act granting an increase of pension to Philip Snow;

H. R. 8729. An act granting an increase of pension to Gustus S. Remick;

H. R. 5883. An act granting an increase of pension to David Warentz;

H. R. 6036. An act granting an increase of pension to John Shafer;

H. R. 5609. An act granting an increase of pension to Benjamin F. Grigsby;

H. R. 5471. An act granting an increase of pension to A. Marion Gamble;

H. R. 6005. An act granting an increase of pension to George B. Davis;

H. R. 5581. An act granting an increase of pension to Marvin Nash;

H. R. 6071. An act granting an increase of pension to Abraham C. Null;

H. R. 6947. An act granting an increase of pension to Joseph H. Cooper;

H. R. 7439. An act granting an increase of pension to Helen M. Bates;

H. R. 6562. An act granting an increase of pension to Frances A. Thompson;

H. R. 7355. An act granting an increase of pension to Henry Barrett;

H. R. 4457. An act granting an increase of pension to Mary E. Meldrum;

H. R. 4887. An act granting an increase of pension to George N. Thorpe;

H. R. 4323. An act granting an increase of pension to Mary Wurtz;

H. R. 4276. An act granting an increase of pension to Hamilton E. Burritt;

H. R. 4629. An act granting an increase of pension to Thomas C. Pond;

H. R. 4031. An act granting an increase of pension to Samuel R. Wasson;

H. R. 4915. An act granting an increase of pension to James W. Hibbert;

H. R. 4937. An act granting an increase of pension to Emily Conklin;

H. R. 5718. An act granting an increase of pension to Adolph Heiser;

H. R. 7732. An act granting an increase of pension to Mary Chenowith;

H. R. 6061. An act granting an increase of pension to Alpheus D. Brown;

H. R. 5720. An act granting an increase of pension to William T. Filler;

H. R. 2912. An act granting an increase of pension to Elizabeth A. Jones;

H. R. 138. An act granting an increase of pension to Henry Hale;

H. R. 198. An act granting an increase of pension to Emmett Cole;

H. R. 165. An act granting an increase of pension to Thomas Adelsperger;

H. R. 1497. An act granting an increase of pension to Dana Cook;
H. R. 1487. An act granting an increase of pension to Dexter T. Dr[illegible]
H. R. 1483. An act granting an increase of pension to James W. B[illegible]
H. R. 1294. An act granting an increase of pension to William M[illegible]
H. R. 1156. An act granting an increase of pension to John P[illegible]
H. R. [illegible]7. An act granting an increase of pension to Mark A Sheldon;
H. R. 812. An act granting an increase of pension to Charles F[illegible]
H. R. [illegible]4. An act granting an increase of pension to Henry S. M[illegible]
H. R. 127. An act granting an increase of pension to James K. P[illegible]
H. R. 703. An act granting an increase of pension to Robert P. B[illegible]
H. R. [illegible]9. An act granting an increase of pension to Edgar C[illegible]
H. R. [illegible]. An act granting an increase of pension to Ella P. K[illegible]
H. R. [illegible]. An act granting an increase of pension to John S S[illegible]
H. R. [illegible]10. An act granting an increase of pension to Samuel A[illegible]
H. R. 561. An act granting an increase of pension to Eri Summy;
H. R. 349. An act granting an increase of pension to Mollie J. M[illegible]
H. R. 1859. An act granting an increase of pension to Patrick Cannon;
H. R. 1906. An act granting an increase of pension to George W[illegible]
H. R. 2016. An act granting an increase of pension to George Gardner;
H. R. 2141. An act granting an increase of pension to Henry D. T[illegible]
[illegible]01. An act granting an increase of pension to George M[illegible]
H. R. 2553. An act granting an increase of pension to George W[illegible]
H. R. 2822. An act granting an increase of pension to Louiza P[illegible]
H. R. 2916. An act granting an increase of pension to Francis S. Howard;
H. R. 8187. An act granting an increase of pension to George J[illegible]
[illegible]442. An act granting an increase of pension to James P. W[illegible]
H. R. 5534. An act granting an increase of pension to Adaline Shaw [illegible]
H. R. 8207. An act granting an increase of pension to Charles J[illegible]
[illegible]5. An act granting an increase of pension to Harrison H[illegible]
H. R. 7557. An act granting an increase of pension to Cyrus D[illegible]
H. R. [illegible]. An act granting an increase of pension to Sarah E. W[illegible]
H. R. 6091. An act granting an increase of pension to John W. Brown;
H. R. 7447. An act granting an increase of pension to William B[illegible]
H. R. 5699. An act granting an increase of pension to James P. J[illegible]
H. R. 5[illegible]43. An act granting an increase of pension to Horace E. [illegible]
H. R. 6023. An act granting an increase of pension to Charles W[illegible]
H. R. 7799. An act granting an increase of pension to John O. Rice;
H. R. 6343. An act granting an increase of pension to Thomas Springer;
H. R. [illegible]72. An act granting an increase of pension to Edward A. W[illegible]
H. R. 6920. An act granting an increase of pension to William P. Conner;
H. R. 8717. An act granting an increase of pension to Henry E[illegible]
H. R. 6547. An act granting a pension to John Holzer;
H. R. 194. An act granting a pension to Wilhelmina Miller;
H. R. 195. An act granting a pension to Michael Landy;
H. R. 219. An act granting a pension to Minerva J. Burton;
H. R. 529. An act granting a pension to Emma H. Higley;
H. R. 754. An act granting a pension to John M. Lawton;
H. R. 2040. An act granting a pension to James Anderson;
H. R. 2427. An act granting a pension to Cynthia Thomas;
H. R. 2932. An act granting a pension to Dudley R. W. Williams;
H. R. 3298. An act granting a pension to Mary E. Pennock;
H. R. 3299. An act granting a pension to Medie M. Flanders;
H. R. 7545. An act granting a pension to Rebecca A. Mathias;
H. R. 4625. An act granting a pension to Theresa B. Nash;
H. R. 5528. An act granting a pension to Maria Lindhorst;
H. R. 4946. An act granting a pension to James F. Wheeler;
H. R. 8123. An act granting a pension to Eliza S. Smith;
H. R. 8929. An act granting a pension to Harriet A. Tucker;
H. R. 6085. An act granting a pension to Anna M. Maier;
H. R. 9029. An act granting a pension to Georgie S. Barbour;
H. R. 5538. An act granting a pension to Jane Elizabeth Bullock;
H. R. 7072. An act granting a pension to Mary McCall;
H. R. 5372. An act granting a pension to Mariah Knechler;
H. R. 87[illegible]8. An act granting a pension to Martha Lafferty;
H. R. 4578. An act granting a pension to Catharine M. McClannahan;
H. R. 1855. An act granting a pension to Harriett B. Riley;
H. R. 4365. An act granting a pension to [illegible]y L. Brookins;
H. R. 8748. An act for the relief of Serenus Kilbourne; and
H. R. 4759. An act granting an increase of pension to David P. McDonald.

CHANGE OF REFERENCE.

By unanimous consent, reference of House resolution 218 was changed from the Committee on Rivers and Harbors to the Committee on Accounts.

ADJOURNMENT.

Then, on motion of Mr. FOSS (at 5 o'clock and 9 minutes p. m.), the House adjourned until to-morrow at 12 o'clock m.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following communication was taken from the Speaker's table and referred as follows:

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Agriculture submitting an estimate of appropriation for greenhouses [illegible] to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 6480) to control grazing in forest reserves, reported the same without amendment, accompanied by a report (No. 1148); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3544) granting an increase of pension to John S. Parker, reported the same with amendment, accompanied by a report (No. 1071); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3415) granting an increase of pension to Manluff W. Reynolds, reported the same without amendment, accompanied by a report (No. 1072); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3267) granting an increase of pension to Mary V. Carson, reported the same with amendment, accompanied by a report (No. 1073); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 562) granting an increase of pension to Emeline F. Emmons, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2491) granting a pension to Larkin Maynard, reported the same with amendment, accompanied by a report (No. 1075); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1519) granting a pension to Thomas P. Moore, reported the same with amendment, accompanied by a report (No. 1076); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9360) granting an increase of pension to Dr. S. L. Tyner, reported the same with amendment, accompanied by a report (No. 1077); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9726) granting a pension to John McEliece, reported the same with amendment, accompanied by a report (No. 1078); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10264) granting an increase of pension to Louis C. Amberg, reported the same without amendment, accompanied by a report (No. 1079); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3839) granting an increase of pension to George B. Abbott, reported the same without amendment, accompanied by a report (No. 1080); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11428) for the relief of Augustus Fellows, reported the same with amendment, accompanied by a report (No. 1081); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11141) granting an increase of pension to John B. Keller, reported the same with amendment, accompanied by a report (No. 1082); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2490) granting a pension to John Maynard, reported the same with amendment, accompanied by a report (No. 1083); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12073) granting an increase of pension to Eliza J. Gardner, reported the same with amendment, accompanied by a report (No. 1084); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9756) granting an increase of pension to Jesse T. Bennett, reported the same with amendment, accompanied by a report (No. 1085); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to David C. McVicker, reported the same with amendment, accompanied by a report (No. 1086); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9776) granting an increase of pension to Eli M. McElwain, reported the same with amendment, accompanied by a report (No. 1087); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Ephraim O. Gilbert, reported the same with amendment, accompanied by a report (No. 1088); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Susan E. Oliver, reported the same with amendment, accompanied by a report (No. 1089); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10209) granting an increase of pension to Margaret Delaney, reported the same with amendment, accompanied by a report (No. 1090); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10901) granting an increase of pension to John Quinn, reported the same with amendment, accompanied by a report (No. 1091); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10847) granting an increase of pension to James O. Knowles, reported the same without amendment, accompanied by a report (No. 1092); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2649) granting an increase of pension to William S. Burch, reported the same without amendment, accompanied by a report (No. 1093); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2200) granting an increase of pension to Charles R. Collins, reported the same without amendment, accompanied by a report (No. 1094); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2278) granting an increase of pension to Harriet H. Howlett, reported the same without amendment, accompanied by a report (No. 1095); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2490) granting a pension to Naomi Green, reported the same without amendment, accompanied by a report (No. 1096); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1824) granting an increase of pension to John W. Paul, reported the same without amendment, accompanied by a report (No. 1097); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1944) granting an increase of pension to John S. Stanger, reported the same without amendment, accompanied by a report (No. 1098); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3488) granting an increase of pension to Charles E. McIntire, reported the same without amendment, accompanied by a report (No. 1099); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1805) granting an increase of pension to John M. Morgan, reported the same without amendment, accompanied by a report (No. 1100); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11066) granting an increase of pension to Joshua D. Griffith, reported the same with amendment, accompanied by a report (No. 1101); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12352) granting an increase of pension to William H. C[illegible], reported the same with amendment, accompanied by a report (No. 1102); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11557) granting a pension to Alfred D. [illegible], reported the same with amendment, accompanied by a report (No. 1103); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to George W. McCaskey, reported the same with amendment, accompanied by a report (No. 1104); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Annie B. Johnson, reported the same without amendment, accompanied by a report (No. 1105); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to John A. Chamberlain, reported the same without amendment, accompanied by a report (No. 1106); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2179) granting an increase of pension to Thomas Harkison, reported the same without amendment, accompanied by a report (No. 1107); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2043) granting an increase of pension to Andrew J. Williams, reported the same without amendment, accompanied by a report (No. 1108); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to

which was referred the bill of the Senate (S. 1530) granting an increase of pension to Theron T. Lamphere, reported the same without amendment, accompanied by a report (No. 1109); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1646) granting an increase of pension to Michael Donovan, reported the same without amendment, accompanied by a report (No. 1110); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1796) granting an increase of pension to Matthew Woodworth, reported the same without amendment, accompanied by a report (No. 1111); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 1551) granting an increase of pension to John D. Pickard, reported the same without amendment, accompanied by a report (No. 1112); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3527) granting an increase of pension to Jermingham Boone, reported the same without amendment, accompanied by a report (No. 1113); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 354) granting an increase of pension to Clara B. Griswold, reported the same without amendment, accompanied by a report (No. 1114); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. [illegible]) granting an increase of pension to Nathan P. Bowman, reported the same without amendment, accompanied by a report (No. 1115); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3[illegible]) granting an increase of pension to Linus S. Lindsley, reported the same without amendment, accompanied by a report (No. 1116); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3378) granting a pension to Eliza Williams, reported the same without amendment, accompanied by a report (No. 1117); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1591) granting an increase of pension to James Hahn, reported the same without amendment, accompanied by a report (No. 1118); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 935) granting a pension to Mary S. Clark, reported the same without amendment, accompanied by a report (No. 1119); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1272) granting an increase of pension to Samuel Rollins, reported the same without amendment, accompanied by a report (No. 1120); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3645) granting an increase of pension to Francis Hall, reported the same without amendment, accompanied by a report (No. 1121); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3085) granting an increase of pension to Alexander Lane, reported the same without amendment, accompanied by a report (No. 1122); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3423) granting an increase of pension to Joseph H. Ottey, reported the same without amendment, accompanied by a report (No. 1123); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3291) granting an increase of pension to John Olson Bakken, alias John Olson, reported the same without amendment, accompanied by a report (No. 1124); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3[illegible]) granting an increase of pension to Charles Male, reported the same without amendment, accompanied by a report (No. 1125); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2999) granting an increase of pension to Malvina C. Buzzell, reported the same without amendment, accompanied by a report (No. 1126); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2948) granting an increase of pension to George Hyde, reported the same without amendment, accompanied by a report (No. 1127); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2940) granting an increase of pension to Margaret Liddle, reported the same without amendment, accompanied by a report (No. 1128); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2445) granting an increase of pension to George M. Waters, reported the same without amendment, accompanied by a report (No. 1129); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2429) granting an increase of pension to John Dow, reported the same without amendment, accompanied by a report (No. 1130); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6956) granting an increase of pension to Ellis House, reported the same with amendment, accompanied by a report (No. 1131); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2198) granting a pension to Thomas Irvin, reported the same without amendment, accompanied by a report (No. 1132); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1627) granting an increase of pension to Alonzo R. Kibbe, reported the same without amendment, accompanied by a report (No. 1133); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1678) granting an increase of pension to Rudolph Reinhart, reported the same without amendment, accompanied by a report (No. 1134); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 900) granting an increase of pension to Daniel M. Smith, reported the same without amendment, accompanied by a report (No. 1135); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1170) granting an increase of pension to Lewis L. Bean, reported the same with amendment, accompanied by a report (No. 1136); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 693) granting an increase of pension to Charles W. De Rocher, reported the same without amendment, accompanied by a report (No. 1137); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 156) granting an increase of pension to Harriet L. Ford, reported the same without amendment, accompanied by a report (No. 1138); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 148) granting an increase of pension to Benjamin H. Smalley, reported the same without amendment, accompanied by a report (No. 1139); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 153) granting an increase of pension to William W. Turk, reported the same without amendment, accompanied by a report (No. 1140); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2869) granting a pension to Henry Dority, reported the same without amendment, accompanied by a report (No. 1141); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3397) granting an increase of pension to George B. Christy, reported the same without amendment, accompanied by a report (No. 1142); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9082) granting an increase of pension to Chester F. Kimball, reported the same

with amendment, accompanied by a report (No. 1143); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2966) granting a pension to William Conover, reported the same without amendment, accompanied by a report (No. 1144); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2652) granting an increase of pension to John H. Carrow, reported the same without amendment, accompanied by a report (No. 1145); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 729) granting an increase of pension to Freeman O. Hodge, reported the same without amendment, accompanied by a report (No. 1146); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2838) granting a pension to Louisa Lyon, reported the same without amendment, accompanied by a report (No. 1147); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 12701) granting a pension to Sarah E. Hatch—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12706) granting a pension to C. Otis Johnson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. GOULDEN: A bill (H. R. [illegible]) [illegible] naturalization laws of the United States—to the Committee on Immigration and Naturalization.

By Mr. McLACHLAN: A bill (H. R. 12763) to amend section 17 of the act of Congress approved June 6, 1902, [illegible] "An act [illegible] erection and [illegible] or public [illegible] for other purposes" [illegible] Grounds.

By Mr. CL[illegible] (H. R. [illegible]) [illegible] position [illegible] Territory, [illegible] Affairs.

By Mr. LAL[illegible] of Ohio: A bill (H. R. [illegible]) [illegible] "An act [illegible] duties on imports, and for other purposes," approved October 1, 1890—to the Committee on Ways and Means.

By Mr. LANNING: A bill (H. R. [illegible]) to establish a permanent [illegible] in the State of [illegible]—to the Committee on Military Affairs.

By Mr. OVERSTREET: A bill (H. R. 12767) to amend an act entitled "An act to regulate [illegible] commerce," approved February 4, 1887, and to further prevent the payment of commissions or rebates on freight—to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 12768) to carry into effect the provisions of a [illegible] Washington, [illegible] July 24, 1897, and the [illegible] of the United States [illegible] Washington, December [illegible]—to the Committee on [illegible].

By Mr. CO[illegible]: A bill (H. R. [illegible]) [illegible] gere's plaster head of Lafayette, now at Mount Vernon—to the Committee on the Library.

By Mr. SLEMP: A bill (H. R. 12770) for the erection of a monument to the memory of Gen. William Campbell—to the [illegible].

By Mr. SMITH of Iowa: A bill (H. R. 12771) to increase the limit of cost for the erection of a public building at Atlantic, Iowa—to the Committee on Public Buildings and Grounds.

By Mr. LAL[illegible]: A bill (H. R. [illegible]) to restore [illegible] the United States Army to their proper places on their respective lineal lists—to the Committee on Military Affairs.

By Mr. BYRD: A bill (H. R. 12773) to repeal the act to establish a uniform system of bankruptcy throughout the United States—to the Committee on the Judiciary.

By Mr. WALLACE: A bill (H. R. 12774) authorizing the State of Arkansas to fix its western boundary—to the Committee on the Judiciary.

By Mr. LOVERING: A bill (H. R. 12775) to amend the customs drawback law—to the Committee on Ways and Means.

By Mr. McLAIN: A bill (H. R. 12776) to provide for a survey of Natchez Harbor, on Mississippi River, at Natchez, Miss.—to the Committee on Rivers and Harbors.

By Mr. BURKETT: A joint resolution (H. J. Res. 114) to extend the time for construction of the Akron, Sterling and Northern Railroad, in Alaska—to the Committee on the Territories.

By Mr. TAWNEY: A joint resolution (H. J. Res. 115) extending the time before which the [illegible] laws of the United States can be put into effect either as between the islands of the Philippine Archipelago or as between the Philippine Islands and the United States to July 1, 1906—to the Committee on the Merchant Marine and Fisheries.

By Mr. FLOOD: A joint resolution (H. J. Res. 116) asking the President of the United States to make such investigations to elicit facts in reference to the restrictions put upon the sale of American tobacco—to the Committee on Foreign Affairs.

By Mr. WILLIAMS of Mississippi: A resolution (H. Res. 227) requesting the Secretary of War to inform the House whether and to what extent the right of free speech and of free political action prevail in the Philippine Islands since the cessation of hostilities—to the Committee on Insular Affairs.

By Mr. TAWNEY: A resolution (H. Res. 228) authorizing the Committee on Accounts to provide for payment to certain elevator conductors—to the Committee on Accounts.

By Mr. LOVERING: A resolution (H. Res. 229) to amend the rules of the House—to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 12777) for the relief of Walter W. Harris—to the Committee on Claims.

By Mr. BOWERS: A bill (H. R. 12778) granting a pension to William H. Meek—to the Committee on Pensions.

By Mr. BURLEIGH: A bill (H. R. 12779) granting a pension to Henrietta R. Young—to the Committee on Pensions.

By Mr. CALDWELL: A bill (H. R. [illegible]) granting a pension to James G. Rumbolz—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 12781) granting an increase of pension to George Richard—to the Committee on Invalid Pensions.

By Mr. CURTIS: A bill (H. R. 12782) granting an increase of pension to Isaac W. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12783) granting a pension to Harlon Scarlett—to the Committee on Pensions.

By Mr. DAYTON: A bill (H. R. 12784) granting an increase of pension to Thomas W. Waugh—to the Committee on Invalid Pensions.

By Mr. EVANS: A bill (H. R. 12785) to correct the military record of [illegible] Arthur A. [illegible]—to the Committee on Military Affairs.

Also, a bill (H. R. [illegible]) [illegible] of pension to Emma Van [illegible] on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to [illegible] Christian Wagner [illegible].

Also, a bill (H. R. [illegible]) [illegible] pension to Millicent Le Valley [illegible] and the record of [illegible] Affairs.

Also, a bill (H. R. [illegible]) [illegible] pension to Henry H. Struve—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to William Hand—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) [illegible] pension to Thomas J. Pavy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12[illegible]) [illegible] of pension to John L. Lee—to the Committee on Invalid Pensions.

By Mr. GRAHAM: A bill (H. R. [illegible]) for the relief of John B. Beavers—to the Committee on Claims.

Also, a bill (H. R. 12789) for the relief of John B. Beavers—to the Committee on Claims.

Also, a bill (H. R. 12790) granting a pension to William East—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12799) granting a pension to Elizabeth Clay—to the Committee on Invalid Pensions.

By Mr. GILDER: A bill (H. R. 12800) granting a pension to Robert L. Franks—to the Committee on Pensions.

By Mr. HAMLIN: A bill (H. R. 12801) granting an increase of pension to H. B. Mower—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 12802) for the relief of Albert D. Dunlap—to the Committee on Claims.

By Mr. HOGG: A bill (H. R. 12803) granting certain lands to the city of Durango, Colo.—to the Committee on the Public Lands.

By Mr. JONES of Washington: A bill (H. R. 12804) granting an increase of pension to Smith B. Mills—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 12805) granting a pension to Margaret J. Stock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12806) granting an increase of pension to James S. Harris—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 12807) granting an increase of pension to John B. Pearson—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 12808) granting a pension to Harriet S. Ripley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12809) granting a pension to Amanda M. Webb—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12810) granting a pension to Octavia J. Trull—to the Committee on Invalid Pensions.

By Mr. ROBB: A bill (H. R. 12811) for the relief of James Fearn—to the Committee on War Claims.

By Mr. RODENBERG: A bill (H. R. 12812) granting a pension to Solomon F. Wolf—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12813) granting an increase of pension to Martin Poole—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12814) for the relief of Adam Eichner—to the Committee on Military Affairs.

By Mr. RODEY: A bill (H. R. 12815) for the relief of B. J. Lujan—to the Committee on Claims.

By Mr. SHACKLEFORD: A bill (H. R. 12816) for the relief of George E. Dodd—to the Committee on Claims.

By Mr. SMITH of Pennsylvania: A bill (H. R. 12817) granting a pension to Kate D. Martin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12818) granting a pension to N. M. Brockway—to the Committee on Invalid Pensions.

By Mr. SOUTHARD: A bill (H. R. 12819) granting a pension to William D. Jordan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12820) granting an increase of pension to Isabella Bryson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12821) granting an increase of pension to Noah Barton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12822) granting an increase of pension to Obediah A. Bailey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12823) granting an increase of pension to James Hodges—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12824) granting an increase of pension to Rebecca Carpenter—to the Committee on Invalid Pensions.

By Mr. SPALDING: A bill (H. R. 12825) granting a pension to Elizabeth Merrill Bellows—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 12826) granting an increase of pension to Charles L. Parker—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of New York: A bill (H. R. 12827) granting an increase of pension to Agnes Flynn—to the Committee on Invalid Pensions.

By Mr. WILLIAMS: A bill (H. R. 12828) granting a pension to Josephine Hoffman—to the Committee on Invalid Pensions.

By Mr. WYNN: A bill (H. R. 12829) granting an increase of pension to Johanna J. Naughton—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12830) providing for the reinstatement in and retirement from the Navy of Frank A. R. George—to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Western Association of Shoe Wholesalers, praying for legislation granting additional powers to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, memorial of the North Dakota Retail Hardware Association, against legislation for the establishment of a parcels-post—to the Committee on the Post-Office and Post-Roads.

Also, petition of the women's clubs of Illinois, favoring the passage of a bill for a national forest reserve in the White Mountains, in New Hampshire—to the Committee on the Public Lands.

Also, petition of members of the Ministerial Alliance of Kankakee, Ill., urging passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ACHESON: Petitions of members of the Presbyterian Church, and of Charles E. McKinley and 19 others, of New Wilmington, Pa., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ALEXANDER: Petition of George E. Matthews and 12 other voters of Buffalo, N. Y., opposing the eight-hour bill—to the Committee on Labor.

Also, petition of George E. Matthews and 12 other voters, opposing the anticonspiracy and anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Typothetæ of Buffalo, N. Y., opposing the eight-hour and the anticonspiracy bills—to the Committee on the Judiciary.

By Mr. ALLEN: Petition of F. N. Dow and others, of Portland, Me., owners of motor carriages, favoring the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Walter W. Harris, asking for one month's extra pay as corporal—to the Committee on Invalid Pensions.

By Mr. BANKHEAD: Petitions of Dora Terrell, heir at law of Andrew J. Huston; J. A. McDonald, heir of James McDonald; Woddens M. Walker, heir of Thaddeus Walker, and R. J. Mayfield, praying for reference of claims to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. BOUTELL: Resolution of Chicago Board of Trade, favoring passage of bill H. R. 7871—to the Committee on the Judiciary.

By Mr. BOWIE: Petitions of the legal representatives of the estate of William Ozley and of Thomas B. Parker, for reference of claim to Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. BRICK (by request): Petition of A. L. Prescott and 33 other voters of Goshen, Ind., favoring the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BROWN of Wisconsin: Petition of Wisconsin Live Stock Breeders' Association, in favor of increasing the allowance of agricultural experiment stations of the different States—to the Committee on Agriculture.

Also, resolution of Western Association of Shoe Wholesalers, favoring more power to Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BRUNDIDGE: Petition of James H. Meritt, for reference of claim to Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. BURKE: Petition of W. Dyktra and others, of Monson; J. A. McLane and others, of Rockham; J. E. Walker and others, of Davis; C. W. Albright, of Iroquois; D. H. Lofters, of De Sonett, and R. H. Williams, of Brookings, S. Dak., opposing a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BURKETT: Resolution of the Western Association of Shoe Wholesalers—to the Committee on Interstate and Foreign Commerce.

Also, petition of East Lincoln Woman's Christian Temperance Union, of Lincoln, Nebr., and 124 other voters of Lincoln, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of wives, sisters, and daughters of soldiers, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BURNETT: Petitions of Robert C. Reed and of heirs of Cynthia Daniel, for reference of claims to the Court of Claims under the Bowman Act—to the Committee on War Claims.

Also, petition of the legal representatives of the estate of Leonard F. Daniel, for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. CALDERHEAD: Resolution of the Western Association of Shoe Wholesalers, in regard to discrimination in tariff rates of transportation—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Kansas State Temperance Union, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of members of the Brotherhood of Boiler Makers and Iron Ship Builders of America, in favor of bills S. 2259 and 2295 and H. R. 12222 and 7056—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Mrs. W. E. Stanley, State regent, Daughters

of the American Revolution, of Kansas, for the passage of a national flag law—to the Committee on the Judiciary.

By Mr. CASSINGHAM: Papers to accompany bill H. R. 6332, granting a pension to Rachel Davis—to the Committee on Invalid Pensions.

By Mr. CURTIS: Petition of members of the State Soldiers' Home, Fort Dodge, Kans., in favor of bill H. R. 7873—to the Committee on Invalid Pensions.

Also, resolutions of Muddy Creek Grange, No. 1437, of Kansas, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Daughters of the American Revolution of Kansas, in favor of a national-flag law—to the Committee on the Judiciary.

Also, resolutions of the Kansas State Temperance Union, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DARRAGH: Petition of 117 citizens of Evart, Mich., favoring bill H. R. 4072—to the Committee on the Judiciary.

By Mr. DINSMORE: Petition of William B. Rutherford and petition of John W. Bean, for reference of claims to Court of Claims—to the Committee on War Claims.

By Mr. DOUGLAS: Petitions of Walton M. Briggs and 42 others, James O. Rhodes and 13 others, and Charles F. Coy and many others, all of New York City, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DRAPER: Petition of National German-American Alliance, opposing Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DRESSER: Petition of the Woman's Christian Temperance Union of Kane, Pa., urging the passage of a bill to prevent nullification of State liquor laws—to the Committee on Alcoholic Liquor Traffic.

By Mr. ESCH: Petition of the Western Association of Shoe Wholesalers, opposing passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Wilson Colwell Post, No. 38, Grand Army of the Republic, Department of Wisconsin, favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of I. N. Barnes, of Grand Forks, N. Dak., opposing passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. EVANS: Resolutions of Colonel William G. Murry Post, No. 39, of Hollidaysburg; Fred. G. Ward Post, No. 468, of Altoona; Sergeant Thomas McCloskey Post, No. 314, of Gallitzin; Colonel D. M. Jones Post, No. 172, of Tyrone; Major William Watson Post, No. 332, of Bedford; Sanford F. Beyer Post, No. 426, of Bellewood, and Lieutenant S. C. Potts Post, No. 62, of Altoona, all in the State of Pennsylvania, Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolution of Manufacturers' Association of New York, favoring the reduction of the tax on alcohol to 70 cents a gallon—to the Committee on Alcoholic Liquor Traffic.

Also, resolutions of the German-American Alliance, opposing the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the assembly of the State of New York, favoring the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. FLOOD: Petition of Rev. R. W. Watts and 59 others of the Tenth Congressional district of Virginia, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GILBERT: Petition of merchants of Stamford, Ky., opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GOEBEL: Papers to accompany House bill granting a pension to John L. Lee—to the Committee on Invalid Pensions.

Mr. GOLDFOGLE: Resolutions of the senate of the State of New York, favoring the passage of the bill to promote the efficiency of the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

Also, petition of the New York Board of Trade and Transportation, for an appropriation for the improvement of the Harlem River and Bronx Kills—to the Committee on Rivers and Harbors.

Also, petition of the American Society for the Prevention of Cruelty to Animals, favoring the passage of a bill for the establishment of a board for the protection of children and animals—to the Committee on the Judiciary.

Also, resolutions of the United Commercial Travelers, New York Council, asking amendment to bankruptcy act so as to include traveling and city salesmen as preferred creditors—to the Committee on the Judiciary.

By Mr. GOULDEN: Indorsement of John E. Bendix Post, No. 402, Grand Army of the Republic, Department of New York, of the service-pension bill of the national pension committee of the Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. GRAFF: Petition of Lucian Post, No. 410, Grand Army of the Republic, of Lucian, Ill., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Frank Reed Post, No. 409, Grand Army of the Republic, of Tuscola, Ill., favoring a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Wilson Circle of Ladies of the Grand Army of the Republic, of Peoria, Ill.; Dunham Post, No. 141, of Decatur; Walter Blanchard Post, No. 386, of Naperville; E. G. Trask Post, No. 388, of Chatsworth; G. W. Sanders Post, No. 393, of Arcola; Barnes Post, No. 395, of Kingston; George W. Hewitt Post, No. 398, of Franklin Grove; John O. Duer Post, No. 399, of Hanover; E. L. Gooding Post, No. 401, of Lockport; Mother Bickerdike Post, No. 402, of Edinburg; Mattoon Post, No. 404, of Mattoon, and R. M. A. Hawk Post, No. 406, of Savanna, all in Illinois, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Papers to accompany bill granting a pension to William East; also testimony in support of bill granting a pension to Elizabeth Clay—to the Committee on Invalid Pensions.

Also, resolutions of tobacco growers of Switzerland County, Ind., in favor of bill to amend the revenue laws relating to tobacco sold by farmers and others—to the Committee on Ways and Means.

Also, petitions to accompany bills for relief of John B. Beavers—to the Committee on Military Affairs.

By Mr. HASKINS: Resolution of Mason Post, No. 16, Grand Army of the Republic, of Vermont, in favor of the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of R. P. Lord and 42 others, of Barre, Vt., in favor of the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HAY: Petition of Isaac B. Frye and 27 other voters of Mountain Falls, Va., urging passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEDGE: Papers to accompany House bill for the relief of Albert D. Dunlap—to the Committee on Invalid Pensions.

By Mr. HINSHAW: Petitions of Woman's Temperance Union of Hebron, Nebr., and the Society of Christian Endeavor of Marquette, Nebr., urging the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JACKSON of Ohio: Papers to accompany bill H. R. 14191, by Mr. Norton, from the Ohio Wine Association—to the Committee on Ways and Means.

Also, papers to accompany each of the following bills: H. R. 5572, granting a pension to Mary A. Harrison; H. R. 10053, granting an increase of pension to Charles A. Reeser; H. R. 10054, granting an increase of pension to Jacob M. Zartman; H. R. 10056, granting an increase of pension to Henry Thoman; H. R. 10057, granting a pension to John Richardson; H. R. 10695, granting an increase of pension to Jefferson Martin; H. R. 10696, granting an increase of pension to Frederick Clink, and H. R. 11912, granting an increase of pension to Henry Balskey—to the Committee on Invalid Pensions.

By Mr. LACEY: Petition of Boilers and Iron Ship Builders' Union, for the passage of bills H. R. 16; 139, and 7056—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the United Mine Workers of Foster, Iowa, in favor of anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of the Western Association of Shoe Wholesalers, favoring increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. LAWRENCE: Petitions of George M. Prentice and 14 others, and Rev. F. M. Estes and 28 others, of Holyoke, Mass., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLE: Petition of the representatives of the estate of Harriet F. Isaac, for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. McCLEARY of Minnesota: Petition of Horrace Cummins and others, citizens of Eagle Lake, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McDERMOTT: Petitions of Second United Presbyterian Church and 44 voters, and of James M. Gimpsey and 11 voters, of Jersey City, N. J., favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WALLACE: Petitions of Isham H. Mark, heir of William Mark, for reference of claim to the Court of Claims, and of J. C. Kerr, heir of Taliaperro S. B. Kerr, for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. MARSHALL: Petition of Theodore J. Hangeburg and 46 other business firms, of Washburn, Mo., [illegible] post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MIERS of Indiana: Papers to accompany House bill for increase of pension of Harvey Miller—to the Committee on Invalid Pensions.

Also, papers to accompany House bill to increase pension of James L. [illegible] on Invalid Pensions.

By Mr. NEEDHAM: Petition of W. J. [illegible], chairman of the board of [illegible] and Commerce, Merchants' Exchange, and Board of Trade of San Francisco, Cal., [illegible] Rivers and Harbors.

Also, petition of Lodge of the Grand Army of the Republic, San Francisco, Cal., [illegible] on Invalid Pensions.

Also, petition of Whipple Post, No. 19, Grand Army of the Republic, of [illegible], Cal., [illegible] rebellion at $12 per month—to the Committee on Ways and Means.

Also, petition of Manufacturers and Producers' Association of California, [illegible] known as the Foraker bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Maritime Association of the Port of New York, [illegible] of Commerce, [illegible] Committee on Rivers and Harbors.

By Mr. POWERS of Massachusetts: Petition of [illegible] Bedford, Mass., for [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. TIRRELL: Petition of A. B. Webber and [illegible] Bedford, Mass., for [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. UNDERWOOD: Papers to accompany bill H. R. [illegible] for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. WEBB: Papers to accompany bill H. R. [illegible] granting a pension to Sarah Green.

By Mr. WEEMS: Papers to accompany bill H. R. 11344—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 12680—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: Papers to accompany bill for the relief of the estate of William T. Daniel, for [illegible] Claims under the Bowman Act, and for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. SULLIVAN of New York: Resolutions of the assembly of the State of New York, favorable to the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolutions of the New York Board of Trade and Transportation, [illegible] Merchants, relating to freights—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Board of Trade held at Washington, D. C., for the material increase of [illegible] foreign trade—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Maritime Association of the Port of New York, for the improvement of Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the Manufacturers' Club of New York, [illegible] approving bill H. R. 7056—to the Committee on Ways and Means.

Also, resolution of the United [illegible] Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Brooklyn Council, No. 165, United Commercial Travelers, urging passage of an amendment to the bankruptcy bill—to the Committee on the Judiciary.

Also, memorial of the National Rural Letter Carriers' Association, [illegible] increase in salary—to the Committee on the Post-Office and Post-Roads.

By Mr. TIRRELL: Petition of A. B. Webber and [illegible] Bedford, Mass., for [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. UNDERWOOD: Papers to accompany bill H. R. [illegible] for reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. WEBB: Papers to accompany bill H. R. 11344—to the Committee on Invalid Pensions.

By Mr. WEEMS: Papers to accompany bill H. R. 11344—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 12680—to the Committee on Invalid Pensions.

By Mr. WILEY of Alabama: Papers to accompany bill for the relief of the estate of William T. Daniel, for [illegible] Claims under the Bowman Act, and for reference of claim to the Court of Claims—to the Committee on War Claims.

SENATE.

THURSDAY, FEBRUARY 23, 1904.

[illegible] EDWARD EVERETT HALE.

The Secretary proceeded to read the journal of the proceedings of yesterday, when, on motion of Mr. [illegible] ordered to be dispensed with, and the journal was declared approved.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore laid before the Senate the following memorial, which was referred to the Committee on Pensions:

Resolutions of Lodge, No. 23, of Columbus, Ohio, of the Veteran Drivers' Association of the Metropolitan Police of New York City, New York, New York, New York

[illegible] and [illegible] Hon. R. [illegible] STOOT, a Senator from the State of [illegible], which was referred to the Committee on Privileges and Elections.

[illegible]

Mr. [illegible] from the Committee on [illegible], to whom was referred the bill (H. R. [illegible]) [illegible] Addison B. [illegible], reported it without amendment, and submitted a report thereon.

Mr. PRE[illegible] from the Committee on [illegible] and Forestry, to whom [illegible] of

Mr. [illegible] the Committee on Naval Affairs, to whom [illegible] reported it without amendment, and submitted [illegible]

[illegible] granting an increase of pension to William [illegible]

[illegible] (H. R. 3011) granting an increase of pension to Phillip [illegible]

Mr. [illegible] from the Committee on [illegible], to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4136) granting an increase of pension to William R. [illegible]

A bill (H. R. 1317) granting an increase of pension to Thomas [illegible]

A bill (H. R. 2995) granting a pension to Mary Korth;

A bill (H. R. 3[illegible]) granting an increase of pension to Clinton M. [illegible]

A bill (H. R. 4391) granting an increase of pension to Nicholas [illegible]

A bill (H. R. 6951) granting an increase of pension to Charles [illegible]

A bill (H. R. 7436) granting an increase of pension to James [illegible]

A bill (H. R. 10192) granting a pension to Martha Mullins;

A bill (H. R. [illegible]) granting an increase of pension to Frances C. [illegible]

A bill (H. R. 15631) granting an increase of pension to Ory Warren;

A bill (H. R. 4671) granting an increase of pension to John T. [illegible]

A bill (H. R. 3936) granting an increase of pension to Isaac F. [illegible]

A bill (H. R. 6602) granting an increase of pension to Benjamin F. [illegible]

A bill (H. R. 1566) granting an increase of pension to Ellis T. P[illegible]

A bill (H. R. 8284) granting an increase of pension to Samuel G. Woods;

A bill (H. R. 2470) granting an increase of pension to Harriet S. Packard;

A bill (H. R. 4151) granting an increase of pension to John W. F[illegible]

A bill (H. R. 4198) granting an increase of pension to Edwin Lake;

A bill (H. R. [illegible]) granting a pension to Alice [illegible]

A bill (H. R. [illegible]) granting an increase of pension to William S. King; and

A bill (H. R. 1287) granting an increase of pension to Cyrus B. D[illegible]

Mr. McCUMBER (for Mr. BURTON), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. [illegible]) [illegible]

A bill (H. R. 9710) granting an increase of pension to Henry F[illegible]

A bill (H. R. 10682) granting an increase of pension to Marion A[illegible] and

A bill (H. R. 1485) granting an increase of pension to Franklin F[illegible]

Mr. McCUMBER (for Mr. BURTON), from the Committee on Pensions, to whom was referred the bill (H. R. 2047) granting an increase of pension to William F. Thompson, reported it with [illegible] and submitted a report thereon.

[illegible] from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. [illegible]) [illegible] M. Driggars; and

A bill (H. R. [illegible]) for Mr. [illegible]

[illegible] were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4[illegible]) granting an increase of pension to Thaddeus S. C[illegible]

A bill (H. R. 4314) granting an increase of pension to John F. [illegible]

A bill (H. R. 4750) granting a pension to William J. Jackson;

A bill (H. R. 4510) granting a pension to Amanda Skinner; and

A bill (H. R. 5015) granting an increase of pension to [illegible]

[illegible]

A [illegible] United States, by Mr. B[illegible] Indian Reservation, in the State of Minnesota.

RELATIONS WITH COLOMBIA—PANAMA CANAL.

Mr. CULLOM. As is, I think, known to all members of the Senate, to-day we shall [illegible] on the canal treaty. There is considerable discussion yet desired upon the treaty before [illegible] it if we delay by first disposing of the morning business we shall be quite late in the night in getting through with the treaty.

[illegible] treaty to-day, and to-morrow morning, if not earlier, we shall all [illegible] resolution be [illegible] laid before the Senate, so that those desirous of speaking—as I understand [illegible] Senators wish to speak on a new [illegible] may have that opportunity, and then we will go into executive [illegible]

There being no objection, the Senate resumed the consideration of the resolution submitted by Mr. BACON on the 12th ultimo, as modified [illegible] on the 8th instant, as follows:

[illegible] That the President be respectfully informed that the Senate [illegible]

Mr. BACON. Mr. President, I desire to say a very few words. Without any special order of the Senate, and by what may be termed a general tacit agreement there has been by Senators a discussion in the open Senate of the pending Panama treaty, and Senators have on the one side and the other stated the reasons why they will vote for or against the ratification of the treaty. As this is my last opportunity, I desire to avail myself of the privilege which has thus been exercised by Senators to state how I shall vote upon the treaty and to give my reason for it, for I have but one reason.

I shall not enter into a discussion of any of the questions involved, and my only reason in now making any statement is that I do not desire to be misconstrued or misunderstood [illegible] of the vote which I shall cast. I desire that it shall be understood what I intend by my vote, and I still more desire that there shall not be implied by that vote anything I do not intend [illegible] implied.

[illegible] Mr. President, that I [illegible] that so [illegible] are alleged on the part of the United States [illegible] prove of them.

It is a ve[illegible] whether a [illegible] has done so or whether he should be controlled by his own judgment. There are very strong arguments which have been urged upon either side of this question. There are those who think that a Senator should be so guided, and there are others who contend that he should not be; and, as I said, very strong arguments can be adduced and have been adduced in support of either the one or the other proposition.

Of course one necessarily has to consider a question of that kind

in the course of his Senatorial service; and it has been a matter [illegible] to me in the past. As the consequence of the reflection which I have given to it I have heretofore come to the conclusion, which I still entertain, that it is the duty of a Senator to be guided by the wish of the people of his State when their wish is indicated in a manner not to leave him in doubt as to what it is. In my capacity as a Senator I stand as a representative, and I conceive it to be my duty as such, generally speaking, where no constitutional question is involved, to vote in accordance with the known wish of the people of my State upon any question of such importance, or where there has been such interest aroused in it as to elicit from the people an expression which leaves no doubt as to their wish.

And, Mr. President, I think that this is very much more so in a case where the measure is one of large scope and where it naturally involves in a [illegible] the material interests of the people.

In this particular case I desire to say that, regardless of my own [illegible] after the most careful inquiry by [illegible] Mr. CLAY] and myself, and through sources of information [illegible] to us voluntarily, there is no doubt left upon [illegible] that it is the wish of a large majority of the people of [illegible] that we should vote for this treaty, and, in compliance with [illegible] and in pursuance of the duty which I conceive devolves [illegible] me under such circumstances, I shall do so.

I [illegible] to say, however, Mr. President, that while I believe, in fact, while I am quite confident, that the majority of the people of my State desire that I shall vote for this treaty, I do not understand by any means that they approve of the recent occurrences [illegible] Panama, so far as they involve any of the alleged actions of the United States in aiding the [illegible] of the revolution. I believe quite the contrary of that.

But, Mr. President, the people of Georgia and of the whole South have been striving for this canal for fifty years, and they are naturally impatient of anything which they think will cause any additional delay in the beginning and prosecution of the work of building an isthmian canal.

They are of opinion that whatever injury has been done to Colombia by the dismemberment of the territory of Colombia can not be remedied by a rejection of the treaty; and they believe that the only practical effect of a rejection of the treaty is to cause a still further delay in the beginning of the construction of the canal.

Now, sir, I know that a very great deal can be said and is said contrary to the correctness of that proposition. Without stopping to discuss it, I only state it for the purpose of giving, as I understand, the position of those who, while they favor the ratification of the treaty, do not approve of illegal actions by the United States in connection with the revolution upon the Isthmus of Panama. If the people of Georgia thought that the ratification of the treaty involved an approval of the alleged illegal actions of the United States in connection with the revolution, as earnestly as they wish the building of the canal they would be [illegible] to the ratification of the treaty.

I think it proper I should further state that, while the people of my State think that whatever wrong has been done to Colombia by the dismemberment of her territory can not be remedied by the rejection of this treaty, they are very decidedly of the opinion that it is the duty of the United States Government to endeavor to agree with Colombia upon a peaceful settlement of all claims and all differences which have grown out of the occurrences connected with the recent revolution in Panama; and I believe, sir, that that view is shared not only by the people of Georgia, but generally by the conservative people in the United States. I have myself been very much impressed with the strength of that view. I have been very much in sympathy with it, and I have very strongly desired to contribute what I could to the accomplishment of that end.

As is known to the Senate, I have introduced a resolution, and a modified resolution, and I have offered an amendment to the treaty, all looking to this end. I desire, in order that these several propositions may appear in sequence in the RECORD, now to read them to the Senate. The original resolution is as follows:

Resolved, That the President be respectfully informed that the Senate [illegible] responsibility on the part of the United States, or upon the question of the amount of compensation to be made when such [illegible] shall be established [illegible] out of the matters herein recited.

The modified resolution, which I will read to the Senate, intended to take the place of the original resolution, is as follows:

Resolved, That the President be respectfully informed that the Senate [illegible] of the Colombian people in the construction of the canal at Panama.

While the original resolution is satisfactory to myself, I have modified it in this way simply to meet some criticisms as to phraseology which have been made by Senators on the other side of the Chamber.

In addition to this change of phraseology, it will be noted that in the modified resolution the provision in the original resolution looking to a submission of the controversy to The Hague tribunal has been eliminated. I would be unwilling that it should be thought I had abandoned the contention that a submission to The Hague tribunal is a proper proceeding in case there should be a failure in the effort at peaceful agreement, but, as a reference to [illegible] is a [illegible] proceeding only to be had when there is a failure at peaceful agreement, that provision may very well be postponed for the present, until it is seen whether there can be such peaceful agreement.

And then, I have offered to the treaty an amendment which has been made public, and which I will now read. The amendment which I have offered is to the first article of the treaty. The first article is one which guarantees to Panama the sovereignty of Panama, and to that I propose an amendment in the way of an addition, which is in these words:

Amend Article I by adding the following at the close thereof:

[illegible]

Under the restrictions which have been observed, although there has been no order passed upon the subject, I do not think it proper that I should offer the proposed amendment in the open senate, and I will reserve it for the consideration of the Senate in executive session.

I will repeat, however, that I think the approval of the resolutions which I have offered in the Senate, and the amendment proposed to the treaty which I have just read, is sought not only by the people of Georgia, but by the conservative and conservative people of the United States, and I believe that a compass the truth of that statement will become more apparent to the Senate and to the people.

It is not the desire, sir, of the thoughtful and conservative people of the United States that Colombia should be treated with any harshness or unkindness and anxiety which would certainly follow if the Government of Colombia has done in [illegible] and does not attempt to seek any redress for alleged wrongs, which, whether [illegible] or not, are [illegible] to Colombia to exist. Nor is it the wish of the conservative and thoughtful people of the United States that the Government of Colombia, in the effort to avoid that disaster, [illegible] and in the effort to redress the wrongs its people have [illegible] shall engage in a war with the United States, however confident we may be of our perfect capacity to deal with that war without any material sacrifice on the part of the United States.

I do not desire to trespass further upon the time of the Senate. In order that my vote shall not be misunderstood or misconstrued, that it may not be taken to imply that which I do not wish it to imply, I deemed it proper to make these few remarks.

Mr. BERRY. Mr. President, I have no intention of making a

[illegible] I did not think could this morning that I would say anything. I simply desire to say now, however, that if I believed the defeat of this treaty would [illegible] Colombia a part to the secession of Panama I would vote against it. I do not know that it will [illegible] that consideration. We know that the Republic of Panama has been recognized by the [illegible] United States, and so long as it is recognized by this Government it will remain a republic. If it is not a republic it has the [illegible] and sovereignty to make a treaty with any other country. Therefore [illegible]

If I [illegible] President, that the defeat of this treaty would compel the Panama [illegible] at Nicaragua, as was [illegible] I would vote against it. I would [illegible] we did not know that it will not [illegible] at Nicaragua. He has said so in a public [illegible] We all know that a majority of the Senate and a majority of the Senate probably [illegible] would prefer to build the canal at Nicaragua, where I believe it would have been better, [illegible] have seen the Panama canal treaty so forced as to defeat a treaty with Colombia. But the defeat of this treaty would not [illegible]

I believe that a vote for this treaty could be rightfully construed [illegible] the President of the United States. Then I would vote against it.

But Mr. President, it seems to me when a fact is established which is [illegible] treaty [illegible] the act which brought that nation into existence [illegible] ground.

The same thing that was done in Panama was almost precisely done in Hawaii. The President of the United States used the Army of the United States to change the government in Hawaii. And yet Hawaii has become one of the [illegible] and we [illegible] with it as we do with any other [illegible] thousand of us believed that the manner in which we acquired it was not honorable to this Government and ought never to have taken place. Long [illegible] that case and this. But [illegible]

I do not approve of what the President did. I think the country believes today that he [illegible] down [illegible] Colombia from asserting her sovereignty in a way that he was not authorized to do, and that he was [illegible] not be justified. I believe in the [illegible] made by the Senator from [illegible] House and not to the last [illegible] But we [illegible] It has been done.

I have no particular sympathy with Colombia although I think she has been badly treated. I am frank to say that it is a matter of [illegible] to me whether they have two so-called republics or had a dozen [illegible] It is not that that influences me. Perhaps on account of my early education my natural sympathies would go out to the other party—to the party that revolted and was engaged in revolution. I think if I had sympathy [illegible] would be with them.

But I do not approve the act of the President of the United States, and when [illegible] President stated a truth when he stated that he had not encouraged the revolution. I believe that the parties here who were working in the interests of the revolution had [illegible] from the State Department here that they would [illegible] I do not think any man can [illegible] done, is past and settled. I [illegible] treaty with the people of Panama can be considered as a [illegible]

But perhaps after all, Mr. President, the most [illegible] for me to vote for the treaty is that which [illegible] Senator has [illegible] from which I come [illegible] the canal. I think that when they do not accomplish what was done they think it is done and past and that it can not be remedied by a defeat of the treaty. They believe that the defeat of this treaty will not secure a canal at Nicaragua. They believe that if it is defeated it will [illegible] years the construction of any canal, a subject in which they have such an intense interest.

The people of the Southern States for years have [illegible] some time fear that [illegible] building of an isthmian canal will have a tendency to largely increase the price of cotton, which is their great product. They believe that it will reduce very largely the freight rates in order to transport it to the eastern country, which is their market. They believe that it will have a tendency to build up the southern ports and be of peculiar advantage to the South.

That is what they believe about it, and they are impatient at any delay which prevents the beginning of the construction of the canal. They preferred, as I think, that the canal should have been built at Nicaragua, but if they can not get it at Nicaragua they want it at Panama.

I voted for the Colombian treaty to build the canal at Panama, although I had voted against the Spooner amendment, and voted in favor of the Nicaragua route. Afterwards, when that became impossible, I voted, as I said, for the treaty with Colombia.

This treaty with Panama is more favorable to the United States. It is made with a nation which has back of it much stronger power than Colombia had when we made that treaty with her.

The people of the South want this canal. I believe in the old-fashioned doctrine that it is the duty of a Senator, on a matter of some public policy, to either carry out the wishes of his people or resign and let them send some one here who will carry them out. I believe in that, and I have always believed in it.

I do not mean to say, Mr. President, that I believe in obeying the will of the people when they would have a Senator violate the oath he had taken to support the Constitution. I do not believe in obeying them when it involves the question of a Senator's honor, or the honor of the Government, or the honor of the State which he represents. In all cases of that kind I would not hesitate to vote contrary to their wishes.

Take, for instance, the Paris treaty and the act of this Government in reference to the Philippines. There is no power on this earth that could have made me vote for it or to support it [illegible] I believed that [illegible] was a crime, a disgrace, and a shame, and that it will fix a stain upon this Government from which it will never recover.

[illegible] wholly different. As I said, the people of the South want it, and whatever the people of the South want, I want.

Mr. CULLOM. Now, if no further remarks are to be made in open session, I will move an executive session.

Mr. TELLER. I wish to say a word or two before we go into executive session.

Mr. CULLOM. I yield for that purpose.

Mr. TELLER. Mr. President, I do not intend to detain the Senate more than a moment, or a few moments at least. I have discussed this question at considerable length heretofore, and I am not going over the old ground.

Yesterday the senior Senator from Massachusetts [Mr. HOAR] told us that we were about to realize [illegible] centuries; we are to have a water [illegible] the [illegible] and the Pacific. It has never been [illegible] but a dream until [illegible] at time at least. The project of [illegible] canal or a [illegible] of that country is older than the settlements [illegible]

And yet, Mr. President, we are about to build a canal upon a line that has never been examined and never surveyed as an enterprise of this kind demands; and to this hour, when we are about to vote millions and millions of money, some of the best engineers of the world declare that it is an im[illegible] I do not believe that myself. Mr. [illegible] sible scheme, but I do believe what [illegible] and again in the last twenty years, that no man living can say what that scheme will cost.

I have said, Mr. President, and I wish to repeat, that I have been opposed to a canal of this character. I have not believed and I do not now believe that, if the canal is constructed as proposed, it will be of any considerable value to us as a nation or to the people of the world generally. I do not believe that in [illegible] can persuade the commerce of the world to climb a hill and then climb down again.

Mr. President, there has been haste. We are told that we want to begin to dig. If twenty years ago you had built this canal [illegible] sition then proposed to the human race, it would [illegible] lay. If you had built it since we have [illegible] for propositions of that kind, it would be worthless to the commerce of the world.

Mr. President, in my judgment this canal will not be built as now proposed, for I believe the good judgment and common sense of the American people will [illegible] canal will not meet the demands of the commerce of the world. While, I repeat, no man living can tell what it will cost, whether the cost be great or small, the American people, having commenced the work, will unconstitutionally compel us, not in exact [illegible] but in the day of most of us who sit here, but in time to give the commerce of the world a canal such as ought to be built, or one is to be built at all.

I believe—and I have given attention to this question for very nearly a quarter of a century—that we have greatly overrated the advantages and blessings which are to flow from the construction of this canal, whether it be a lock canal or a tide-water canal.

I do not care to go into the question of the wisdom of the construction of this proposed canal, either as a tide-water canal or a lock canal; but I rose to say that, in my judgment, when this

treaty is ratified, as it will probably be to-day, and when the ratifications are exchanged it will become a law of the United States, and it will be [illegible] as one of the [illegible] of the United States, and it will be the duty of all of us here to provide for the execution of the [illegible] contained in that law. It will need, Mr. President, [illegible] it will need some details in the way of [illegible] which are not contained, in my judgment, [illegible]

[illegible] of the ordinary [illegible]

[illegible] bonds. We have a law providing for $100,000,000 of bonds. If that were a law which could be executed, I do not believe any Senator [illegible] posed to it, believes that is an adequate provision for building the canal.

In [illegible] in my judgment, [illegible] issue. If we [illegible]

[illegible] would be [illegible] the ratification of this treaty. [illegible]

[illegible] I suppose later Congress would [illegible]

I want to [illegible] the record, Mr. President, a justification of my vote. [illegible] kind. There is [illegible] for one [illegible] no project w[illegible]

[illegible] say ten or t[illegible] is to be, or as to what kind of a [illegible]

Mr. T[illegible]. If the [illegible] had been in the Chamber when I began he[illegible] any reflection upon him. [illegible]

Mr. STEWART. I can [illegible]

Mr. T[illegible]. There are [illegible] that it can not be made a sea-level canal [illegible] as I before [illegible] sible scheme, but I do believe what [illegible] and again in the last twenty years, that no man living can say what that scheme will cost.

[illegible] enough to accommodate the commerce of the world [illegible]

Mr. P[illegible] the French spent two hundred and sixty-odd million [illegible] built, [illegible] lock canal.

Mr. President, I know [illegible] will be said, and said truthfully, that [illegible] of the French was conceived in in[illegible] it could not; but they did not dare [illegible] world that it would cost five hundred [illegible] canal, and would [illegible] the work. When [illegible] they called for [illegible] the French people two hundred and si[illegible] and sunk it in this [illegible] lobbyists who secured the action of C[illegible]

Mr. P[illegible] that there was an element here, a sentiment [illegible] unfortunate Frenchmen a part, at least, of their investment. I for one voted for this canal with the de[illegible] that I voted for it in the hope that some day it might be made a sea-level canal, and not because I believed as between a lock canal on the Nicaragua route and the canal at Panama that this was the better. No sea-level canal could ever be built on any other route, unless it were the one being [illegible] nearly, if not [illegible] if the canal was ever built we would [illegible]

Mr. I[illegible]. I think the first thing to be done after we shall [illegible] ir, and that is to [illegible]

I [illegible] President, of what ought to be [illegible] true that there are obstacles in that region which can not be [illegible]

[illegible] at the Commission say in their report—which I have [illegible] ly unworthy [illegible]

I [illegible] climat[illegible] and I ha[illegible] Mr. P[illegible] the [illegible] all suffer [illegible] and if we do n[illegible] here know.

Mr. Pr[illegible] of which I do not believe, in the nature of things, I can hope to see accomplished.

Mr. SIMMONS. Mr. President [illegible] I will not be long, go into executive session on the [illegible] the treaty itself.

Mr. SCOTT. Will the Senator from North Carolina yield to [illegible] has been deferred until we get through with the treaty. I hope the Senator will not insist on presenting it now.

Mr. TELLER. I want to say that if the Senator from Illinois [illegible] being pre[illegible]

Mr. SCOTT. I was not aware of the desire of [illegible] Illinois [Mr. CULLOM], and therefore I will [illegible]

Mr. SIMMONS. Mr. President, I subm[illegible] his Gov[illegible] Panama. I had read [illegible] the President in his [illegible] had [illegible] arms and a reasonable amount of [illegible] to cast their lot with the [illegible] come; that the Panama Canal Company [illegible] powerful factors in Colombia, were actu[illegible] and that three other great De[illegible] Cauca, the most powerful State of Colombia, [illegible]

Bolivar—were in sympathy with the Panamaians and, to a more or less extent, themselves ripe for a revolution.

A[illegible] and other circumstances, tending to show widespread [illegible] in the various Departments of Colombia and the demoralization of its army and navy, were well known and supposed as I thought [illegible] that the insurrection in Panama [illegible] of the defeat by the Colombians [illegible] I have but little doubt. [illegible] our interference I can not [illegible] I do not [illegible] under treaty [illegible] That is what we have [illegible] my mind it is the most regrettable [illegible]

[illegible] I [illegible] the Administration of Panama [illegible] forces of Colombia to suppress the [illegible] to her authority upon the [illegible] ence of Panama [illegible] the President as here and in [illegible] of international [illegible] Mr. President, [illegible] action of the Administration in these particulars [illegible] in the [illegible] the independence of Panama and the other powers of the world [illegible] I remember the fact, whether publicly [illegible] Panama was an independent nation, and we [illegible] with as a separate power.

Mr. DANIEL. Will my friend from North Carolina yield to me to ask a question?

Mr. SIMMONS. Certainly.

Mr. DANIEL. I ask the Senator from North Carolina [illegible] from Virginia.

Mr. SIMMONS. Certainly.

Mr. DANIEL. When the Government of Panama was [illegible] as a separate government, [illegible] Government of Panama [illegible] nations, and did we [illegible]

Mr. SIMMONS. Mr. President, [illegible] Government of Panama was [illegible] sovereignty of Colombia, over the Isthmus [illegible]

Mr. DANIEL. Will the Senator allow me to ask him another question?

Mr. SIMMONS. Certainly.

Mr. DANIEL. We were under obligation to protect the sovereignty of Colombia [illegible]

Mr. SIMMONS. [illegible]

Mr. DANIEL. [illegible] party [illegible] That is the way [illegible] President [illegible] it. That was the [illegible]

Mr. SIMMONS. [illegible] to [illegible] the Isthmus of Panama, and I [illegible] if I [illegible] all of the Senators on this side of the Chamber [illegible] for the treaty. Under these circumstances I [illegible] read in the Washington Post of this morning the [illegible] of the late Secretary of War, Mr. Root, at a [illegible] banquet. I will read a brief extract from that speech. It is as follows:

> The conduct of the United States Government in recognizing the independence of Panama [illegible] as carrying no weight [illegible]
>
> [illegible]
>
> Unfortunately, Mr. President, to use the phraseology of Mr. Root, sin has been committed in this business, and one of the chief sinners is the ex-Secretary of War himself, for there is reason to believe that he is largely responsible for the reprehensible action of this Government in these matters. Nearly every Senator upon this side of the Chamber, if not every one, whether he intends to vote for the treaty or against it, believes that wrong has been done to Colombia and that reparation should be made for that wrong, and they intend to insist that reparation shall be made. But, Mr. President, those of us who expect to vote for the treaty do not intend by that act to condone the sins of the Administration; and I want to say to Senators on the other side of this Chamber that I understand the sentiments of Senators on this side of the Chamber who intend to vote for the treaty, they would vote with practical unanimity against it and it would be defeated if they thought, as the ex-Secretary of War declares he thinks, that by voting for this treaty they would condone, indorse, or acquiesce in the wrongful action of the Administration toward Colombia.

Mr. President, ours is a government of divided powers. The States have certain powers and the Federal Government has certain powers. Within its own sphere the powers of each are exclusive and supreme. Both in the State government and in the Federal Government these powers are subdivided and distributed into legislative, judicial, and executive functions. It is a fundamental principle of our system that these departments of government shall be kept separate and apart, and, excepting rare instances, where their duties are in a measure by express provision coordinate, neither is permitted to trench upon the other, and each is bound by the action of the other taken in the lawful exercise of its functions. In the judiciary department the Supreme Court is the depository of judicial power; its interpretation of the laws enacted by Congress is final. The only remedy the legislative branch of the Government and even the people have in case of what seems to it and them to be a wrongful interpretation is new legislation upon the subject. This court alone determines the constitutionality of all legislative enactment. If it shall decide [illegible] be by amendment to the Constitution.

In other words, within its sphere its power is exclusive and its decisions are final and binding, not only upon the judiciary department, but upon every other department of the Government and upon the people of the country as well. Long years before the war, when the question of slavery and the status of the negro under the Constitution [illegible] an active question in this country, the famous Dred Scott case, which involved questions [illegible] was [illegible] The decision of the court in that case was one which met with almost universal disapproval in certain parts of the country; indeed, no decision ever rendered by that court has met with such general disapproval in these sections of the country as did that decision. It was [illegible] most and bitterest and most universal [illegible] and acted upon. It [illegible] by the tribunal invested by the Constitution with the power of final adjudication. There was no appeal from it. No [illegible] ent war could reverse it, and it remained the law of the land and was accepted and acted upon as such until it was overthrown and changed by the arbitrament of the sword.

[illegible] ago the question of the status of the Philippines and the Philippines under the Constitution was a burning question. Were they citizens? Could we hold them as subjects? Were they citizens, but not under the Constitution? Whether these people and this country should be dealt with by Congress in the way the Republican party insisted upon dealing with them and it, or in the way the Democratic party insisted upon dealing with them and it, depended upon the decision of the Supreme Court as to the status of these people and this country under the Constitution. If the Supreme Court decided one way, then we could continue to rule them as subjects and not as citizens and to hold this territory under the flag but not under the Constitution. If it decided the other way, it would be necessary to change the whole system of laws and theory of government which the Republican party had planned and to treat the Philippines under the Constitution as well as under the flag. The decision was favorable to the Republican contention; but if it had been different, as much as it would have disconcerted the plans of that party, it would [illegible] the Philippines and a [illegible] munities of the Constitution or have relinquished all control over them.

Now, under the Constitution and the practice of this Government in dealing with foreign nations, in receiving foreign ministers and in accrediting ministers and ambassadors from this to foreign countries, the recognition of belligerency or independence of a foreign government is an Executive function, vested in the President as the Chief Executive of the nation; and when, in the exercise of that function, he recognizes the belligerency or independence of a foreign country, whether that recognition be right-

ful or wrongful, whether in accordance with precedent or not, whether in accordance with the feelings and sentiments of the people or not, whether it meets with the approval of the legislative and judicial departments of the Government or not, it is binding upon both of those departments and upon the people as well.

Mr. President, in support of this position, I call the attention of the Senate to the following statement of Mr. Wharton, a great writer upon international law, found in Wharton's International Law, second edition, page 551:

> [illegible] which the President has [illegible] a new [illegible] way of [illegible] [illegible] present controversy. (36th sess., S. Doc. 56.)

Also to the following extract from the Commentaries of Judge Storey upon the Constitution, sections 55 and 56 and 55-67:

> But a much more delicate occasion is when a civil war breaks out in a country [illegible] of the [illegible] It has not been invested [illegible] power either to negotiate or act upon them. * * *
>
> That a power so extensive in its reach over our foreign relations could not [illegible] and firm and exalted patriotism.

Also, to the following extract from Mr. Pomeroy, found in Pomeroy's Constitutional Law, pages 669, 670, and 672:

> All foreign relations are thus confided exclusively to the President or to him in connection with the Senate. * * *
>
> [illegible] pass resolves in relation to questions of an international character [illegible] more efficient in such matters than a large deliberative [illegible] the initiative; and this step once taken, the challenge can not be recalled.

I also desire to call the attention of the Senate to the decision of the Supreme Court of the United States in the case of Williams against Suffolk Insurance Company, reported in 13 Peters. In this case the court uses the following emphatic language in defining the powers of the Executive in the matter of recognition of foreign governments and the binding effect of such recognition upon the people and the coordinate departments of the Government:

> There can be no doubt that when the executive branch of the Government, which is charged with the duty of intercourse with a foreign nation assumes a fact in regard to the sovereignty of any country [illegible] Congress, [illegible] expenditures which belong to him, it is obligatory on the people and the Government of the Union.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. SIMMONS. Certainly.

Mr. CULBERSON. Do I understand the Senator from North Carolina to read that decision on the point that the Executive has the exclusive authority to recognize foreign governments?

Mr. SIMMONS. I read that, sir, to show that where the Executive does, in the exercise of his authority, recognize a foreign government, the courts are bound by it, and every other department of the Government is bound by it, until it is overturned by affirmative action.

Mr. CULBERSON. The Senator from North Carolina of course does not mean to say that that decision holds that the legislative branch of the Government is bound by the Executive act.

On the contrary, I invite his attention to the fact that the decision simply holds, which is the universal rule, that in a political matter the courts are bound by the act of the Executive or the other coordinate branches of the Government having jurisdiction of such matters under the Constitution. But it is a very different proposition, if the Senator will pardon me, to say that the courts feel bound by the acts of the Executive in such instances and saying that the legislative branch of the Government would be bound by it.

Mr. SIMMONS. I do not of course mean to say that the legislative department of the Government would be bound by an act of the Executive in the exercise of a coordinate function, a function as to which another department enjoys coordinate power with him or as to which it has the power of review.

I cited that case for the purpose of showing that the recognition of belligerency and independence in the first instance is exclusively an executive act. It may be, as Judge Story with [illegible] suggests, that Congress could repudiate that act. It may be that Congress could make that act ineffective to a certain extent by refusing to pay the salary of a minister dispatched to that country from this Government; but that would not militate against the proposition that recognition is exclusively an executive act. Even if Congress possess the power of repudiation, there is now no proposition to do that. To defeat this treaty will not have that effect. If we defeat this treaty, the status will not be changed. We will still have a minister in Panama and Panama will still have a minister here.

Mr. President, on yesterday there was a deliverance in this Chamber by the senior Senator from Massachusetts [Mr. HOAR], recognized by all as one of the greatest constitutional lawyers in this country. No man's opinion upon a legal question is entitled to more weight than his. It is, in the main, in accord with the position I have just taken and with the authorities I have read, and I wish again to call the attention of the Senate to his [illegible] words and to incorporate them as a part of my remarks.

Mr. President, the [illegible] the Congress [illegible] in Washington [illegible] an argument now. I will, however, say a word or two upon two [illegible]

[illegible] the insurgent government which was then literally in the saddle in [illegible]

[illegible] have no [illegible] country. But that question does not arise [illegible]

So it is clear to me [illegible] that for every Administration whether in Congress or out of Congress [illegible] the lawful Government of Panama had been [illegible] by the President. No [illegible] the Senate [illegible] the territory of Panama, and not only the [illegible] last everything so far as our relations with that country are [illegible]

Mr. President, in my judgment, there is but one question before the Senate at this time, and that is whether this is a meritorious treaty—a treaty which the Senate, in the interest of the country and of the discharge of its duties to the world, ought to ratify. The other questions, the question of right and wrong in connection with the revolution in and recognition of the independence of Panama, are separate and distinct questions and should be dealt with separately and distinctly. It may be that they ought to have been dealt with before the ratification of the treaty. I had hoped they would be. I had hoped that the resolution of the senior Senator from Georgia [Mr. BACON] looking to negotiations with Colombia for adjustment of all the questions between it and us growing out of these transactions would be acted upon before the treaty was disposed of. Whenever that resolution comes to a vote I think it will have the unanimous consent of this side of the Chamber. I don't know what fate it may meet from the other side of the Chamber.

It may be that that side of the Chamber would prefer to deal with these questions upon its own initiative, but I firmly believe

[illegible] in the Chamber and in the country, not [illegible] Democratic party, that [illegible] Chinese [illegible] Congress [illegible] Mr. [illegible] I [illegible] to the consideration [illegible] the Senate proceeded to the con- [illegible] doors were reopened [illegible] Mr. [illegible] I [illegible] The Chair has no information that [illegible] Mr. [illegible] I [illegible] by its title, and referred to [illegible] on page 3, line 15, to increase the [illegible] for office of the Secretary from $76,200 to [illegible]

The amendment was agreed to.

[illegible] the head of "Weather Bureau: * * * One professor of [illegible] and flood service, $3,000, etc.

[illegible] S. 4507) granting an increase of pension to Francis G. [illegible] (S. 4508) granting an increase of pension to John M. [illegible] granting an increase of pension to James L. [illegible] bill (S. 4512) granting an increase of pension to Hial E. Wylie.

Mr. KITTREDGE. [illegible]

JERRY S. FISH.

[illegible] which was to strike out all after the [illegible]

Mr. MARTIN. I [illegible] Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

GREEN B. YAWN.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 486) [illegible] B. Yawn, which were, in line 4, after "[illegible]" to insert "[illegible] and Enlisted men of the [illegible]," in line 6 to strike out "of Gainesville, Fla.," and in line 7, after "Infantry," to insert "war with Spain."

Mr. McCUMBER. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I gave notice a week ago that I would call up [illegible] for a meeting bill. I [illegible] its consideration.

[illegible] the Senate, as in Committee of [illegible] (H. R. 11825) making [illegible] and Forestry [illegible] the bill be [illegible] that the [illegible] from Vermont [illegible] Is there [illegible] amendment is made.

[illegible] culture, on [illegible] "dollars," to insert "one law clerk, [illegible]

[illegible] on page 20, line 20, to increase the appropriation [illegible] of the [illegible] to $1,000.

[illegible]

[illegible] on page 3, line 15, to increase the [illegible] for office of the Secretary from $76,200 to [illegible]

The amendment was agreed to.

[illegible] the head of "Weather Bureau: * * * One professor of [illegible] and flood service, $3,000, etc.

[illegible]

[illegible] and insert "professor of meteorology;" so as [illegible]

[illegible] and in line 5, before the word "dollars," [illegible] duty in the city of [illegible]

Mr. [illegible] I [illegible]

Mr. PROCTOR. I suppose it is almost impossible for the Government [illegible] on the outside. What [illegible] I had understood that in [illegible] good reason [illegible] on it in any department. If we do [illegible] not see why we should not do it in others [illegible]

[illegible] Forestry.

The amendment was [illegible]

[illegible] the Committee on Agriculture and Forestry [illegible] amended. The next amendment of the Committee on Agriculture and Forestry was, on page [illegible] 10, before the word "clerks," to strike out "twenty-four" and insert "five;" and in line 11, before the word "dollars," to strike out "seven thousand two hundred" and insert "nine thousand;" so as to read:

[illegible] $8,000; one library [illegible]

The amendment was agreed to.

The next amendment was, on page 4, line 15, before the word "clerks," to strike out "twenty-four" and insert "twenty-five;" in line 16, before the word "dollars," to strike out "twenty-eight thousand eight hundred" and insert "thirty thousand;" in the same line, before the word "clerks," to strike out "fifteen" and insert "sixteen," and in line 17, before the word "thousand," to strike out "fifteen" and insert "sixteen;" so as to read:

Twenty-five clerks of class 1, $30,000; sixteen clerks, at $1,000 each, $16,000, etc.

The amendment was agreed to.

The next amendment was, on page 5, line 11, after the word "messengers," to insert "messenger boys;" in line 13, after the word "messengers," to insert "messenger boys;" and in line 15, after the word "five," to insert "messengers;" so as to read:

Three messengers, messenger boys, or laborers, at $900 each, $7,800; four messengers, messenger boys, or laborers, at $840 each, $3,360; five messengers, messenger boys, or laborers, at $480 each, $2,390, etc.

The amendment was agreed to.

The next amendment was, on page 5, line 20, to increase the total appropriation for salaries, Weather Bureau, from $176,440 to $[illegible].

The amendment was agreed to.

The next amendment was, on page 9, line 1, to increase the total appropriation for maintenance of the Weather Bureau from $1,333,740 to $1,[illegible]8,240.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Animal Industry," on page 11, line 25, to increase the appropriation for carrying out the provisions of the act approved May 29, 1884, establishing the Bureau of Animal Industry, and the act approved August 30, 1890, providing for an inspection of meats and animals, etc., from $1,200,000 to $1,250,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 2, to insert:

For experiments in animal breeding in cooperation with State agricultural [illegible] stations, etc.

Mr. LODGE. On the amendment which has just been stated I should like to ask the chairman if it is not something entirely new. It seems to me that it is entering the Government on something very new.

Mr. PROCTOR. It is substantially new. There was a very strong application from the noncorn-producing States for a measure of this kind. The Senator from Colorado [Mr. TELLER] and the Senator from Wyoming [Mr. WARREN] are very much interested in it, and I see neither of them here for the moment.

It appeared before the committee that the cattle from those noncorn-producing States were not fattened there; that it was impossible to transport corn there, and that foreign countries produce beef better than ours on the whole, as I believe they do—the English beef—with no corn at all. The amendment is for experiments in the breeding of animals suited especially to the noncorn-producing States.

Mr. BAILEY. Will not the Senator from Vermont say that he thinks the Government goes as far in that direction as it ought to go when it admits to this country animals for that purpose without any duty? The Government has a right to go that far, I grant you, but it looks to me as if it had gone as far as it ought to go when it relieves the importation of such stock from duty.

Mr. PROCTOR. The law is very strict about the importation of animals free of duty for breeding purposes, and confines it to well-known breeds that are registered, pure blooded. No breed of cattle of any account has been originated in this country, that I know of. We have been depending upon foreign breeds. It was believed by those who appeared before the committee, and there was a very strong delegation before the committee, that a breed might be developed which would be very valuable. I could read the statements of some of those who appeared before the committee, but perhaps it is not necessary. The Senator from Colorado is now in his seat, and can state the case better than I can.

Mr. BAILEY. Even if it were true that we have developed no breed, we have brought to a high state of perfection more than one breed. It is not correct, however, to say that we have not developed a breed. I think the harness horse may well be said to be an American breed.

Mr. PROCTOR. Trotting horses. I will admit that.

Mr. BAILEY. And without any governmental assistance or encouragement. I believe the highest price ever paid for shorthorned cattle was paid in this country, also. They were said to have been the most excellent lot of animals ever offered at public sale, and the first ten or fifteen averaged over $10,000. And all that was done without any further assistance or encouragement than the admission of breeding animals free of duty.

I think when we establish experimental stations and admit animals free of duty we have gone as far in encouraging those things as the Government ought to go. But of course this amendment will stay in. A point of order would take it out if the Senate wanted it to go out.

Mr. LODGE. I will say to the Senator that I propose to make the point of order as soon as I can be recognized.

Mr. SPOONER. The Senator from Texas seems to miss a point here. This is to develop a breed of animals that can get along without corn.

Mr. BAILEY. Then it is unfortunately worded. I might be willing to see the Government make an appropriation to determine if they could not fatten cattle without corn. We do now fatten them in the South, in the cotton-growing districts, on cotton-seed meal. If the people of the West can find a product which will fit their cattle for the markets of this or other countries, I might be willing to see an appropriation made for that purpose, for the Government has already entered upon that policy.

Mr. WARREN. May I interrupt the Senator from Texas?

Mr. BAILEY. Certainly.

Mr. WARREN. The purpose is to determine whether we can not develop a better breed or breeds of cattle and better modes of feeding, so that in the arid regions and in the far West, where we do not raise corn, we may fatten at least so many of our own beeves as are needed for near home or local consumption. We now raise the cattle, but we have to send them to the great corn-growing States to prepare them for the eastern markets, and then for the beef we want for our own table we have to buy the same cattle at Omaha, Kansas City, St. Joseph, or Chicago and ship them back on hoof or in dressed beef in order to get good at beef, especially in parts of the country where the range is no longer fresh. This amendment comprehends that part of the question as well as the matter of preparing stock for general feed shipment.

Mr. BAILEY. It is not an unmixed evil that the various sections of the country fit into each other in that way. If the good people in the West are able to fatten their cattle, it becomes a question, then, what is to become of the corn growers in Iowa and Illinois and the other great corn-growing States. A very large part of the crop grown by the soil and industry of those people goes to this very purpose. They grow the cattle on the cheap lands of the western ranges, ship them to the Iowa, Illinois, and Indiana farmers, and their corn is fed to those cattle, thus making it the industry of one section to raise them where they can raise them cheaply and the industry of another section to fatten them for the market. And just exactly why the people of Iowa and Illinois and Indiana ought to be taxed for the purpose of enabling their friends in the West to avoid having to buy their corn to feed their cattle is not plain to a layman's mind.

Still I am willing to see the Government, by a mere naked appropriation, make every kind of useful experiment with a view to cheapening the feed products of the people of this country. In the way of feeding I have no doubt the Government has experiment stations in the West where these experiments may be conducted. But establishing a breeding farm to raise crossbred animals goes a good deal farther than we have heretofore been asked to go; and if the Government can engage in that business, a storehouse, a bank, a factory, and all these other things will follow. I believe that the farmers of the country generally could well be left to apply such knowledge as the Government supplies them with, and if it can conduct experiments in the articles to be fed to these animals and furnish that information to the farmers the rest, I think, may safely be left to the farmers.

Mr. TELLER. Mr. President, I think we would know more about this matter if we would look into the statement made by the Secretary of Agriculture before the committee. I do not know whether or not it has been printed. The Secretary came before the committee, and while I am not a member of the committee I went down to hear what he said upon this subject, because there were two very intelligent gentlemen from Colorado, one a practical farmer and another a professor in our agricultural colleges, who were here urging an appropriation of this sort. The Government has established in every State an agricultural station. Whether or not that was a wise thing to do, that is the policy we entered upon many years ago, and that is, I suppose, what we will maintain.

Mr. SPOONER. It produces good results.

Mr. TELLER. And, as the Senator from Wisconsin says, it produces good results. Nearly all of the States have added to these Government appropriations, so that the States and the Government are acting in conjunction in reference to this matter.

Now, the Secretary stated that he wanted to try not to create a new breed, but to determine what is the best breed for each section of the country.

Mr. BAILEY. Then it seems to me the amendment could be made acceptable to everybody by striking out the words "animal breeding" and inserting "animal feeding;" so as to read:

For experiments in animal feeding.

I myself should have no objection to that.

Mr. TELLER. Just for the moment I do not care to be particular about the form of it. That is a matter of very little consequence, provided it carries out the purpose of the Secretary.

The Secretary said that if he got this appropriation he would [illegible] East, one in the South, one in the northern part of the country, where the climate is the same as in the East, and one in the West.

We have in the West what we call the range cattle. They are [illegible] Nebraska, Kansas, and other contiguous States, and money needs to be spent that we will not continue to [illegible] a very low percentage of what we raise to these markets. We have been shipping our cattle here and having them slaughtered in Chicago and bringing the beef in our western cities, which makes it a very expensive article to our people. We get a very small price for the cattle and pay a very high price for the beef.

A gentleman who owned [illegible] in the country, in the neighborhood of [illegible] feet above the sea, who has been successful in raising fine cattle, fine sheep, and fine horses and who [illegible] at it, was present at a meeting in Denver [illegible] of the country [illegible] College. He was one of the gentlemen who went before the committee and made a statement.

Now, it appears to me, from what I gathered from him and from the [illegible] the best type for our country to breed is the one adapted for the North, and what is the best for the South, and what is the best breed for us in our western country, where if we feed any corn we must import it. We raise wheat and barley and a kind of hay called "alfalfa." It is found somewhat perhaps in Texas.

Mr. CLARK. And in Missouri, too.

Mr. TELLER. But, as far as I know, it is not raised in any quantity east of the Mississippi River, although I understand it is being tried with some prospect of success as far east as the State of New York. That is a crop which is very good and valuable in our part of the country, cutting it before it goes to seed, and feeding the hay from 1 to 2 years in advance of feeding it. It is a cheap food, but it is not a fattening food. You can not prepare on it some cattle for the market so that they will go to the great centers here or Chicago and [illegible] and get a [illegible] price.

I commend to this gentleman, who saw the cattle in Europe, [illegible] as bad to outlive, but if we were [illegible] and barley and perhaps oats and grain of that kind [illegible] which might be prepared, we could do what they are doing in Europe to a limited extent, and ship to a limited extent, because we have to pay the freight [illegible] but the home product at least we might get a cheaper article and a better food.

Now, Mr. President, I do not understand from the Secretary that he proposes to go into what the Senator from [illegible] breeding of stock. It is not necessary that he should do that in our part of the country, for we have been doing the very best [illegible] stock, not only in this country, but we have been importing that kind of cattle from Europe to our western ranges. It will not do to put them out upon the ranges, but by crossing we might get a breed [illegible] on the ranges and we will get a [illegible] of the very best [illegible] and [illegible] stock of Europe.

It does not seem to me that we are entering upon any innovation. We are only [illegible] to do what he has already been doing, but we [illegible] in one place, but in several places. We are doing what the Government station in Colorado has been trying to do, what the agricultural college of Colorado has been trying to do, and what, I have no doubt, other sections of the country have been trying to do.

Mr. President, the amount is not great when you come to divide it [illegible] is an [illegible] of the Secretary of Agriculture. I am not [illegible] but I have been for a long time [illegible] and I have been [illegible] farm. I have owned it [illegible] for food purposes, and I have [illegible] subjects, but I [illegible] Agriculture we are every [illegible] in my judgment, to this country as the present Secretary of Agriculture.

Mr. STEWART and others. I say so.

Mr. TILLMAN. [illegible]

Mr. BARLOW. The Senator from Colorado, I suppose, with all his experience, [illegible] that while he is an agriculturist of the best of his professions, that he knows the difference between an agriculturist and a farmer.

Mr. TELLER. I do, Mr. President.

Mr. TILLMAN. Will the Senator please let us understand the difference?

Mr. TELLER. The farmers of this country, at least in my part of it, are the men who make money on their farms. The agriculturist, according to my notion and experience, is a man who farms for a living and not to make money, and he rarely ever makes any money. That is about the difference.

Mr. TILLMAN. If the Senator will permit me, I will give another [illegible] part of the country.

Mr. PROCTOR. Will the Senator from Colorado yield to me for a moment?

Mr. TELLER. Certainly.

Mr. PROCTOR. The Senator asked if what the Secretary said before the committee had been printed. It was not printed, but my stenographer took notes of it, and I will read half a dozen lines. Secretary Wilson said:

As a [illegible] we have produced a trotting horse and a lard hog. We [illegible] do the very best [illegible] with its conditions.

There [illegible] need to repeat what I have said. [illegible] said:

Great Britain and Germany feed very little corn, and they produce a better quality of meats than we do.

Professor Carlyle, another witness, said:

The [illegible] with.

I thought [illegible] to know what the Secretary said.

Mr. TELLER. I am sorry [illegible] the Secretary's statement before the [illegible] I am [illegible] favor of [illegible] into four [illegible] country.

Now, Mr. President, I want to say a word on another point. It was [illegible], and I wish to say something about it myself. We have [illegible] horse in the United States. I believe it will be admitted that our cavalry [illegible] of any particular class, and that we have no type [illegible] might be called a cavalry horse; it is a horse [illegible] We can raise in the [illegible] such as the Government calls for for [illegible] in proportion [illegible] can be raised in any other part of the United States. It has a better hoof than any other horse I have ever known.

I have had [illegible] I have had a [illegible] or $70 and never had a shoe on. I have ridden it over the country at the rate of 75 miles a day without any [illegible] That can not be [illegible] I [illegible] ought to our part of [illegible] with those native horses in [illegible]

[illegible] can try a [illegible] this appropriation on the [illegible] country. I do not think we do [illegible] for the [illegible] only you have not done so much [illegible] farmer of the West that you need be afraid of a [illegible] inasmuch as [illegible] are not established [illegible] and increase what the [illegible] ought to [illegible] and it seems to me that we ought to have it without [illegible] any [illegible].

Mr. LODGE. Mr. President, I think there is but one opinion [illegible] that has been [illegible] Let the very great service [illegible] in his hands would be most wisely and judiciously [illegible]

Mr. [illegible] from the fact that it is a new [illegible] use of expenditure. It is a [illegible] as future. If we begin to ex[illegible] farm [illegible] there is no reason why we should stop there. It will grow year by year. There is no reason that could be [illegible] we should not improve the blood of our horses [illegible] as to the best cattle and the best horses for use in this country. We now admit

blooded stock free. It seems to me that this is a small beginning of a very large [illegible]. It is to my mind also clearly out of order. It is general legislation; it has not been estimated for; and I make the point of order against it.

Mr. TILLMAN. Mr. President—

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. WARREN. It has been estimated for.

Mr. LODGE. I make the point of order that it is general legislation.

Mr. TILLMAN. Mr. President, I hope you will submit the question of order to the Senate, just as you did another important [illegible] day, and not bring in the rule to hammer to death a [illegible]

I [illegible] which have been made by my [illegible] matter, and I want to give a [illegible] experience and observation. I believe I [illegible] about agriculture, as that is about the only thing I [illegible] at.

Mr. PATTERSON. And lecturing?

Mr. TILLMAN. No; I do not make any living at lecturing; that is a side [illegible] which comes from notoriety or other sources, [illegible] to my [illegible].

I wish to call the attention of the Senate to the fact that under this amendment we can be [illegible] Secretary of Agriculture, what I would regard as a very valuable work.

I intend to offer an amendment to the paragraph, if the Chair does not decide that he is going to stand by the rule and not submit it to the Senate. I propose [illegible]

For experiments in animal breeding in cooperation with State agricultural stations and the importation of new breeds, $50,000.

Now, gentlemen, just listen to me one moment on that subject. In the decade from 1850 to 1860, and possibly a few years prior to that date, some of the wealthy men in my State, men of great learning and knowledge, spent immense sums of money in the search for new breeds of cattle and sheep, and for grasses and other things adapted to our climate. We have in that country now a grass imported by Governor Means from somewhere—I do not [illegible] where—which is a terrible pest to a cotton plantation, but a splendid forage crop and hay producer and a good grazing grass. It is known as "Means grass" now.

Another one of our governors—he was a governor some time in his life—imported some sheep from somewhere in Africa called the [illegible] Broadtail sheep, but it is given up by everyone familiar with that breed of sheep. They have run out and gone. The negroes and dogs and poverty and one thing or another have [illegible] them practically to disappear. That was something very desirable, and the lack would not continue if we could help it. But I know of nobody down there or anywhere else in the South who is able now to go to the habitat in Asia, or wherever these sheep were originally bred, and go to the expense of thousands of dollars to bring them here. There were introduced also from India by one of those men I have spoken of a breed of cattle called the Brahmin, and it was proven by experiment and actual test that the oxen of that breed could pull more and stand more hard usage than any breed of cattle that were ever known of in that country.

Now, if we will just turn our attention, our economical mind, in the direction of saving money somewhere else and not undertake to hamper the present Secretary of Agriculture, in his fine common-sense view of his duties and his practical knowledge of agriculture and of its needs, under the bugaboo that he is going [illegible] and that this or that [illegible] nanism, we can accomplish a great deal with this $50,000 by simply providing that he may be allowed, in addition to this experiment in feeding and in breeding the present breeds, to create by [illegible] a breed of horses and a breed of cattle adapted to the [illegible] tions of our country, and we will have accomplished a [illegible]

[illegible] friend from Massachusetts will take the trouble to read any treatise on [illegible] he will know that in the little island of England, only [illegible] square miles, there are six or seven distinct breeds of sheep which owe their [illegible] and their value [illegible] from which [illegible] the Southdowns, the Leicestershires, the Suffolks, Blackfaces, and so on. I do not remember the other names distinctly. I am a little rusty on my agriculture and I have not lectured at a fair for a good while. I will say to my friend from Colorado [Mr. PATTERSON]; but there are in England to-day breeds of sheep which, as I said, are worthless in certain parts of the island, while they are the supreme essence of superiority in other parts, just simply because the climate and the grass and the soil and other things make a difference in the feed upon which the sheep live.

Now, I understand my friend from Colorado here [Mr. TELLER] is anxious to have something to do with trying to have a breed of cattle come in the West which will grow fat enough to turn into beef at home and not have to be sent to Illinois or Iowa or somewhere east to be fattened sufficiently to let them furnish grease enough to cook them, having to pay the railroad charges both ways. I honestly think that Senators could economize better somewhere [illegible] than take this [illegible]

If we had a theorist or a man at the head of the Agricultural Department over here who was lacking in common sense and was a [illegible] I would say, "Do not [illegible] him [illegible] money," but this is a [illegible] opportunity to obtain [illegible] the breeds which exist [illegible] and which are [illegible] here, and which I know to have existed in my State, as the African Broadtail sheep, the Brahmin cattle, that I recall, and [illegible] others. These can be imported by the Government and [illegible] here, and we can begin to [illegible] and the benefit that are to come would be very [illegible] in a few years.

I hope the Senator from [illegible] will withdraw his point of order and let the [illegible] which she has [illegible] which I offer—after the word "[illegible]," in line 4, insert [illegible] order that the Secretary of Agriculture may utilize his great common sense and the [illegible] introduced to introduce into the country [illegible] and to the opportunity of your poor farmer to get some recompense [illegible]

I want to say right now to my friend from Colorado that he did not give the right definition a little [illegible] and the farmer. The farmer is a man [illegible] his hands, and the agriculturist is a man who makes a living with his mouth; and there are too many agriculturists in the Senate, I [illegible]

Mr. LODGE. Mr. President, I observe that the scope of this amendment has begun to grow already. The Senator from South Carolina wants to add "[illegible]"

Mr. TILLMAN. Otherwise I do not care anything about it.

Mr. LODGE. I believe I have the floor. I merely wish to state that I was correct in saying that this was not estimated for. It is not in the [illegible] Of course, there is a letter from the Secretary, but that is not an estimate. It is not estimated for; it is not reported from any standing committee; it is a new item; it is not to carry out any existing legislation. I understood the Chair [illegible] to sustain the point of order.

The PRESIDENT pro tempore. The Chair did.

Mr. PROCTOR. I wish to say, in regard to the estimate——

Mr. DOLLIVER. I call attention to the fact that that point of order can be made practically against every item of the bill. There is no general legislation in relation to this expenditure. Every paragraph——

Mr. LODGE. If the Senator will allow me, I made the point that it is not estimated for; that it is not reported from a standing committee; that it is a new item and is not in pursuance of any existing law.

Mr. PROCTOR. I wish to state, in regard to the estimate——

Mr. PATTERSON. I ask the Senator from Massachusetts what Senate rule is violated simply [illegible] it has not been estimated for or has not [illegible] I do not [illegible] prohibits the placing of an item upon a general [illegible]

Mr. LODGE. I think, if the Senator will read Rule XVI——

Mr. PROCTOR. I called the attention of the Secretary of Agriculture to the fact that there was no estimate for this item, and he said one would be forwarded me. He afterwards told me by telephone that it had been forwarded. I have not received it. It takes several days, and we had a holiday. I have no doubt it is on the way.

Mr. LODGE. If the Senator will turn to the last part of paragraph 1 of Rule XVI, it reads

Mr. PATTERSON. On what page?

Mr. LODGE. On page 16. It reads:

[illegible]

I make the point that the amendment does not carry out the provision of any existing law; that it is a new item of appropriation, and that it is not in pursuance of an estimate of the head of one of the Departments, which is provided in the same rule. I do not think there can be any question about the rule.

Mr. TILLMAN. What was with that point the other day, when the St. Louis exposition question was here?

Mr. LODGE. That is another rule. That is the question of relevancy, which is submitted under clause 4 of Rule XVI.

Mr. TILLMAN. There is not a bit of difference. If the Senate thinks it relevant and desirable, the Senate can say so; and I wish the Senator would give us the opportunity.

Mr. LODGE. I do not make the point that it is irrelevant. It is obviously germane to the bill. I make the point of order, as I have stated it. It is not estimated for and it is a new item, all of which are forbidden by Rule XVI.

Mr. TILLMAN. Does it not come from the Committee on Agriculture and Forestry? I understood that it came from a standing committee.

Mr. LODGE. It does not make any difference; it is a new item added without an estimate, and is not in pursuance of existing law. But the Chair has already ruled upon it, and I do not care to discuss the ruling.

Mr. WARREN. Mr. President, I desire only a moment. I have no desire to discuss a question already decided, but I should have been glad of a word, at least, on the point of order before it was decided.

If I am correct, the amount estimated for under this paragraph has not been exceeded, in fact, is yet some $50,000 below the estimate. Furthermore, if I understand the language, the use of this amount of money for the purpose proposed is clearly within the authority of the first paragraph. I am not the author of the language of the amendment, and it may be understood to mean something that the committee did not intend, but placing it in as it is, is really a limit as to how much shall be expended in that particular direction.

For instance, near the top of page 12, under this appropriation, among other things is said:

"The Secretary of Agriculture is hereby authorized to use any part of this sum he may deem necessary or expedient, in such manner as he may think best, in the collection of information concerning diseases of sheep and other animal products."

Mr. LODGE. Will the Senator from Wyoming allow me to ask him a question?

Mr. WARREN. Certainly.

Mr. LODGE. Did I understand him to say that the total is not increased?

Mr. WARREN. The total is not increased.

Mr. LODGE. It is increased from $200,000 to $300,000.

Mr. WARREN. No, you are mistaken. The estimate made by the Department is still $50,000 above the amount appropriated.

Mr. LODGE. This is a new item.

Mr. WARREN. I think it is not a new item. That is where the Senator and I differ.

Mr. PATTERSON. I do not think that the Senator from Massachusetts has read all of Rule XVI.

Mr. LODGE. I have read the whole of it a great many times.

Mr. PATTERSON. What I meant was that I do not think the Senator read it upon this occasion to the Senate.

Mr. LODGE. I did not. It does not all bear on the question before the Senate.

Mr. PATTERSON. The rule, as I understand the status of this amendment, removes it altogether from the objection made by the Senator from Massachusetts. Let us see. Commencing in the middle of the rule, where the Senator did, it reads:

"And no amendments shall be received hereto proposing an appropriation or providing for the same, nor to any general appropriation bill, unless the object of such bill be to carry into effect an existing law, or to provide a new tribunal or agency for the execution of existing laws, or to provide for the payment of claims against the government arising out of or based upon existing laws, or to pay the salaries established by the laws authorizing the same, or to pay the salaries of officers elected by the Senate or House of Representatives, or to provide for the payment of such claims as may be included in a statement of claims transmitted by the Secretary of the Treasury, or unless the same be moved by direction of a standing or select committee of the Senate—"

Mr. SPOONER. "Or"—

Mr. PATTERSON. Yes, the rule continues:

"or proposed in pursuance of an estimate from the head of some one of the Departments."

Mr. President, this is clearly an amendment moved by one of the regular committees of this Senate, to wit, the Committee on Agriculture and Forestry.

Mr. SPOONER. It is estimated for.

Mr. PATTERSON. If it is estimated for. There are two clauses in this rule which would draw this item, if the construction made by the Senator from Massachusetts. I ask the Senator from Massachusetts whether this item is or is not proposed by one of the standing committees of the Senate?

Mr. LODGE. The rule as to an amendment being moved by a standing or select committee treats a standing or select committee other than the appropriating committee. That is perfectly clear from the next clause of the rule.

Mr. PATTERSON. Not at all. The language is, "unless the same be moved by direction of a standing or select committee."

Mr. LODGE. If the Senator will read the next clause of the rule, he will see it requires a reference to the Committee on Appropriations.

Mr. PATTERSON. Certainly it does; but at the same time it provides for an amendment, no matter to what extent the item may be increased, provided it has been recommended by any standing or select committee of the Senate.

Mr. LODGE. If the Committee on Agriculture had recommended this provision to the Senate as a separate bill or resolution, and had put it on the Calendar, that might have brought it in order; I do not know how that would have been; but the intent of the rule is perfectly clear from the next paragraph that the item would have to be moved by direction of a standing or select committee of the Senate and be referred to the Committee on Appropriations.

Mr. PATTERSON. Mr. President——

Mr. TILLMAN. If the Senator from Colorado will permit me, I would ask the Senator from Massachusetts, was not that rule as it is now interpreted by him the rule before the appropriation bills were distributed? The Appropriations Committee has nothing to do with the agricultural appropriation bill. The estimates are sent to the Committee on Agriculture, the bill is considered by that committee, and the Appropriations Committee does not look at or see it.

Mr. LODGE. The Committee on Agriculture is substituted for the Committee on Appropriations, and the amendment has got to come from a standing or select committee other than the appropriating committee. That is the purpose of the rule.

Mr. TILLMAN. How could anyone else introduce an amendment to the agricultural appropriation bill more fitly and appropriately than the committee itself?

Mr. LODGE. I think that it was the original practice of the Senate—and I am sure the Senator from Iowa [Mr. ALLISON], who has had large experience, will confirm me in regard to that proposition—that the amendment must be proposed by other than the appropriating committee.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. If the Senator from Colorado will allow the Chair, the Appropriations Committee could at any time make anything under the sun in order which was germane to a bill which had been reported, and so could the Committee on Agriculture make anything in order, if the construction of the Senator from Colorado is the right construction of the rule. The Chair has no manner of doubt about this amendment being out of order, although the Chair is perfectly willing to submit it, if it is desirable, to the Senate.

Several SENATORS. No, no.

Mr. SPOONER. Mr. President, there is some force in what the Chair says, but the rule never has been changed since the distribution of the appropriation bills in the Senate. When this rule was adopted, the Committee on Appropriations had all of the appropriation bills, and the Committee on Appropriations had nothing whatever but appropriation bills. No subject was committed to that committee except appropriations. Now, the Committee on Agriculture is not simply an appropriation committee as to appropriations for the Agricultural Department, but it is a standing committee of the Senate on agriculture. It deals with all the bills introduced here referring to agricultural subjects.

It may be a casus omissus. It may be, and I think it is, true that the rule ought to have been changed after the distribution of these appropriation bills, which I think never should have occurred, and which I think has cost the country a vast amount of money and has not added at all to the efficiency or economy of appropriations. I think it was a mistake, but the rule never has been changed.

The only appropriation bill that is referred to the Committee on Agriculture is the agricultural appropriation bill. That is only one item of the business of that committee. The committee deals with a vast number of bills which are not appropriation bills. Is it not true, therefore, that it is both, as to the agricultural appropriation, an appropriation committee and a standing committee of the Senate on the general subject? No other committee could entertain an amendment of this kind. If the appropriation bills had not been distributed, then the Committee on Agriculture would have reported the proposition for reference to the Appropriations Committee. Now, can the Chair supply by a ruling the [illegible] from the distribution of the appropriation bills without any adaptation of this [illegible]?

Mr. HALE. Will the Senator from Wisconsin allow me?

Mr. SPOONER. Certainly, I yield.

Mr. HALE. Let me ask the Senator if he does not see that the province of appropriating money in an appropriation bill is entirely distinct from the general scope of the duties of a committee in any other relation?

When certain bills were taken from the Appropriations Committee and distributed to other committees, those committees become in that end appropriating committees or appropriation committees. They have two functions, the general function of the committee in dealing with subjects intrusted to them that are generic and proper for them, and they are substituted for the Committee on Appropriations on appropriation bills to this extent.

Now, as the Chair has indicated, if all that is necessary is for the Committee on Agriculture—because it is a standing committee—to report a clause in an appropriation bill, they can make anything in order. If this provision had been introduced into the Senate and had been referred to the Committee on Agriculture or to any other committee, and had been reported back as an amendment to the appropriation bill, then, even if the Committee on Agriculture did that, I should not be certain that it might not come under the general head upon which it is sought now to hold this provision upon the bill. But nothing appears to show that that has been done.

The Committee on Agriculture, without this having been referred as an amendment and without its having been sent as an amendment by the Senate to the agricultural appropriation bill, has, so far as I can see, independently, without any such reference and without the Senate passing upon it and referring it as amendment, bodily put it in. If that committee can do that, by the same line of reasoning the Appropriations Committee, being a standing committee of the Senate—it is clearly that—can put anything upon any appropriation bill and take it out of that exceptive clause, which is so important in the running of appropriation bills in this body.

It seems to me that distinction is clear; that the Chair is right; and that it not being a matter of relevancy, of being germane, which is submitted, it is a pure matter for the ruling of the Chair.

Sometimes it has been contended that the Committee on Appropriations, as a standing committee, can put anything on an appropriation bill; but I as a member of the Appropriations Committee, have never advanced that ground and have never maintained it.

The truth is, as a matter of good policy and good legislation, the authority and power of any appropriating committee, whether it be the Committee on Appropriations or Agriculture or Military Affairs or Naval Affairs, instead of being broadened and widened, ought to be hedged in and restricted and kept down, for the temptation is always to put everything upon an appropriation bill.

Mr. BAILEY. Even an exposition loan.

Mr. SPOONER. Is the Senator from Maine through?

Mr. HALE. I ask the Senator's pardon. I have put rather a long question and, I fear, taxed the Senator's patience.

Mr. SPOONER. The trouble with the Senator's proposition is that he is asking the Chair to take a liberty, I think, with the rules; he is asking the Chair to do what the Senate ought to have done, perhaps.

Mr. LODGE. The Chair has ruled twice already.

Mr. SPOONER. I do not accept the rulings of the Senator from Massachusetts.

Mr. LODGE. I did not intend any rebuke. I simply called attention to the fact that the Chair had ruled.

Mr. PATTERSON. The Chair also said that he would submit the question to the Senate.

Mr. SPOONER. The Chair will call me to order if I am proceeding out of order.

The PRESIDENT pro tempore. The Chair declines to call the Senator from Wisconsin to order. He is too glad to hear him.

Mr. ALDRICH. If the Senator from Wisconsin will permit an interruption, I ask him to read part of clause 2 of this rule, which I think will perhaps give him some additional light as to the purpose of the rule.

Mr. SPOONER. It does not give me any additional light whatever as to the present situation.

Mr. ALDRICH. The second clause clearly intends to apply to amendments which are submitted by direction of a standing committee.

Mr. SPOONER. Yes.

Mr. ALDRICH. And that is what I understood to be the contention of the Senator from Wisconsin—that this amendment was submitted by direction of a standing committee. And the second clause says that an amendment submitted by direction of a standing committee shall be first referred to the Committee on Appropriations.

Mr. SPOONER. Yes; but the Senator only illustrates——

Mr. ALDRICH. So if the Senator wants to follow the rules strictly and not ask the Chair to depart from them, he will have to take that clause into consideration, it seems to me, as well as the last part of clause 1.

Mr. SPOONER. I thank the Senator from Rhode Island for emphasizing what I was saying. That was the old rule; that was when there was a Committee on Appropriations whose function was solely to deal with appropriation bills; that was when the Committee on Agriculture could report an amendment to be referred to the Committee on Appropriations; but that situation no longer exists.

Mr. ALDRICH. But will the Senator from Wisconsin agree with me that the plain purpose of the clause and the rule, taken together, is that no new items of appropriation shall be inserted in an appropriation bill without the concurrence of two standing committees of the Senate?

Mr. SPOONER. Ah, but, Mr. President, the trouble is (and I think it is a complication) that when the Senate—I repeat, in my judgment, mistakenly—took away from the Appropriations Committee the appropriation bills and distributed them among other committees of this body they failed to change the rules, and they can not now ask the Chair to change the rule or to adapt it to the new situation.

Mr. McCOMAS. Will the Senator from Wisconsin allow me to ask a question for information?

Mr. SPOONER. Yes.

Mr. McCOMAS. I should like to ask the Senator from Wisconsin, the chairman of the Committee on Rules, whether it would not be now permissible and proper for the amendment to the Committee on Agriculture as the standing committee on agriculture, and for that committee to report the amendment to the Senate, to be referred, under this rule, to the Committee on Agriculture as a committee on appropriations?

Mr. SPOONER. One day——

Mr. McCOMAS. One day before the consideration of the amendment. I ask that in good faith, under this rule.

Mr. SPOONER. Of course the Senator asks it in good faith; but for the Committee on Agriculture to bring back a proposition and report it to the Senate as one which in its opinion should be incorporated in the agricultural appropriation bill, and for the Senate to refer it back to the Committee on Agriculture in order to give that committee jurisdiction to incorporate it in the bill, is working in a circle.

Mr. McCOMAS. It is.

Mr. SPOONER. It involves an absurdity.

Mr. McCOMAS. But would it not still make the rule as it is effective?

Mr. SPOONER. But, Mr. President, the trouble with it all is that the Committee on Agriculture now deals with the agricultural appropriation bill and is at the same time a standing committee.

Mr. GALLINGER. Will the Senator permit me to interrupt him?

Mr. SPOONER. Yes.

Mr. GALLINGER. I think the Senator's contention on that point is well taken.

Mr. SPOONER. I am very greatly [illegible]

Mr. GALLINGER. I want to call the attention of the Senator, who is chairman of the Committee on Rules to the last clause of paragraph 2, as well. I think, the point of order ought to have rested. It provides that

"No amendment shall be received to any general appropriation bill proposing general legislation shall be received to any general appropriation bill."

I want to ask the Senator if it is not manifest that this new item [illegible] Agriculture does not come under [illegible] Rule XVI?

Mr. BACON. I do not think that is the meaning of "general legislation" at all.

Mr. BEVERIDGE. That was not the point of the Senator.

Mr. GALLINGER. The Senator from Massachusetts [Mr. LODGE] made that point, but he coupled it with other matters that I think were not as potent as that point.

Mr. BEVERIDGE. The ruling was not on that point.

Mr. GALLINGER. Yes; the first ruling was.

Mr. DOLLIVER. Will the Senator from Wisconsin permit me?

Mr. GALLINGER. I should like, if the Senator from Wisconsin will gratify me to that extent, to have him answer the question I have propounded in all seriousness, whether or not, in his opinion, this new provision is not obnoxious to that rule?

Mr. SPOONER. I always wish to be frank. I am not certain whether it is or not. This is the agricultural appropriation bill. It makes a large appropriation to be expended by the Agricultural Department.

Mr. TILLMAN. For one year only.

Mr. SPOONER. It is based on estimates, and this item is estimated for by the Agricultural Department. I am not at all certain

Mr. BACON. I want to say to the Senator——

Mr. SPOONER. The Senator will allow me to finish my sentence.

Mr. BACON. I beg pardon.

Mr. SPOONER. I am not at all certain that this item would fall within the definition of new legislation. If it is to be the rule, under the circumstances which surround this bill, there will not be much, if anything, in these general appropriation bills—I would not put it that way—but there will be a great deal that is important estimated for by the Department in all of these general appropriation bills, naval and all, which must go out.

Mr. HALE. That is true, Mr. President, if the point is made. We go through that experience at every session of Congress. Clauses are reported that are clearly subject to that last provision of Rule XVI, that general legislation shall not be permitted; but they go on, [illegible]

Mr. SPOONER. Is an appropriation for a new battle ship general legislation?

Mr. HALE. That has been decided. That is not general legislation in any proper sense of general legislation, after a building has been started, to add to that building and make appropriations for it. That question was all fought out perhaps fifteen or twenty years ago, and it was declared that it was in continuation of the service and of the uses of the Department. But there are hundreds of items that are reported by the different committees,

and for which appropriations are carried on different bills, which, if any Senator made the point, would go out.

My idea about general legislation—and I suppose it is the idea of the Senator from Wisconsin, who is a good lawyer—is that anything that is not private legislation is general legislation. When we declare, either in a separate bill by itself, or in an appropriation bill, that the Secretary of Agriculture shall have power to import breeds of cattle or horses, which he now can not do, that is general legislation. It applies only to one subject, but it is general legislation.

Mr. WARREN. May I ask the Senator a question?

Mr. HALE. Certainly; but I am speaking in the time of the Senator from Wisconsin.

Mr. WARREN. If I may be permitted; whatever may be the view taken by the Chair or by the Senators as to the application of the paragraph of the rule which has been referred to, the fact remains that the amendment under discussion provides for exactly the same kind of appropriation as is used in providing for or adding to something that has already been commenced. It is precisely such a case as if a building were under progress and an appropriation was made to enlarge it, by adding to its construction. So far as I know, at the eastern and western colleges, at the experimental stations, they have in a very small way commenced the breeding of live stock.

Mr. BAILEY. They are doing it, then, without authority.

Mr. WARREN. I am stating the facts.

Mr. HALE. State agricultural institutions are not in charge of the General Government. We encourage them by great appropriations of money. I remember it was very well said when that was done that that would be the end of it; but we endowed them, and then we passed under the jurisdiction and administration of the States. We have had no more to do with them since, or ought not to have anything more to do with their experiments than we have with an experiment in a private laboratory or college laboratory at Cambridge or New Haven or Brunswick, in my own State. I confess, I am clear in my own mind that this amendment is subject to the point of order that it is general legislation.

Suppose it had been introduced as a separate bill giving this power that never before was exercised by a Secretary of Agriculture, would the Senator from Wisconsin have any doubt that that would be general legislation? I do not think it would be, although confined to one subject, it would go through statutes as private legislation, but goes into that realm of the statutes that is public legislation. This would be the same.

Mr. SPOONER. I am not at all sure whether this is or is not general legislation. My mind was directed entirely to the other proposition.

Mr. DOLLIVER. Mr. President, if the Senator from Wisconsin will permit me, I have a very distinct impression that the act of Congress creating the Bureau of Animal Industry would make this item thoroughly germane and an extension of existing legislation. The very object of that act was to improve the breeding of cattle and the care of stock. I am satisfied, from reading this agricultural appropriation bill, that practically the whole body of it consists in providing for these experiments. If the Senator takes that position it will simply encourage further the practice of putting legislation upon the general appropriation bills. There are not two lines of this bill that do not refer to these experiments in stock and poultry and other things.

Mr. TILLMAN. These lines are of amendments to the present law.

Mr. DOLLIVER. There is no general legislation upon the subject.

Mr. HALE. Undoubtedly.

The PRESIDENT pro tempore. To save time, the Chair is inclined to submit this question to the Senate.

Mr. BACON. Mr. President, I think that while the objection may be made under the second clause, there is an amendment which can be properly made upon the third clause. This is not general legislation in the meaning of that term as construed by the courts. Nothing can be general legislation which is in the shape of an amendment upon the same subject as the bill.

The question as to what is general legislation and what is specific legislation has been repeatedly decided by the courts, and without going into it, for I have not the books here and can not call from memory the attention of the Senate to where the decisions are to be found, I will say that I am quite sure an investigation will show that the courts have decided that there is a broad line of distinction between general and specific legislation, and this particular proposed amendment being, as it is, something which relates to the subject-matter of the bill, can not possibly fall under the head or designation of general legislation.

Mr. HALE. Now, let me ask the Senator a question. Suppose in an appropriation bill that provides for the salaries of the nine supreme judges—there is the subject-matter upon an appropriation bill—the Committee on Appropriations reports a salary for an additional judge. We can make an additional judge?

Mr. BACON. Yes; but there is where the general legislation would come in—in the making of a judge.

Mr. HALE. I know, but it is on a bill relating to the judges.

Mr. BACON. I know.

Mr. HALE. It is on an appropriation bill——

Mr. BACON. If it was a bill——

Mr. HALE. If the Senator's contention is true, that anything which is put on an appropriation bill which relates to the subject-matter of the appropriation bill is not general legislation, then we have embarked upon the widest and broadest track that I have ever known to be suggested in the United States Senate.

Mr. BACON. If the Senator from Maine will permit me to state my proposition before he rejoins, I will endeavor to adapt it to the particular question he has asked.

The Senator has asked whether if we had before us a bill fixing the salaries of judges and on that bill we proposed to increase the judge and fix the salary, it would or would not be general legislation. Undoubtedly it would be, because the subject-matter would not be, as the Senator from Maine suggested, the making of judges.

Mr. HALE. Mr. President——

Mr. BACON. I hope the Senator will let me proceed sufficiently to express my idea.

Mr. HALE. Very well.

Mr. BACON. The subject-matter would not be the question of the creation of judges, but the subject-matter would be the question of salaries. Now, if we had before us a bill in which we were endeavoring to exercise the constitutional power to create inferior courts and make judges thereof, and there should be on such a bill an amendment to create an additional judge, that would not be general legislation in the sense of this rule, but it would be a legitimate amendment to that particular subject-matter.

Mr. HALE. Now, right on this point, let me put the Senator another proposition.

Mr. SPOONER. Let me ask the Senator from Georgia a question.

Mr. BACON. I hope the Senator from Maine will allow me to answer one proposition before he puts another, with his permission. I will yield, if he desires it, however. Go ahead.

Mr. HALE. I was going a little further. Does the Senator think that on an appropriation bill appropriating money for the salaries of judges—the salaries of judges, not the number of judges, which are fixed by general law and general legislation—we could increase the salaries of judges which are fixed by general law? That is certainly pertinent.

Mr. BACON. There would come in the question whether it was objectionable under the second clause, and not whether the amendment would come under the objection of being general legislation.

Mr. HALE. Does not the Senator think it would be general legislation to increase the salaries of the judges?

Mr. BACON. I do not think it would.

Mr. HALE. Then I do not agree with the Senator from Georgia.

Mr. BACON. That would come in under the second clause, but not under the one as to general legislation.

Mr. SPOONER. Will the Senator permit me?

Mr. BACON. Certainly.

Mr. SPOONER. The two illustrations made by the Senator from Maine are entirely to be differentiated from this proposition, because the additional judge or judges created would hold for life. It would be a permanent provision of law. It is the same with respect to the appropriation for their salaries. This appropriation dies at the end of the Congress or the year.

Mr. BACON. Yes.

Mr. SPOONER. It is temporary.

Mr. HALE. I do not take so much stock in my first suggestion as I do in the second one, and that does seem to me to be very pertinent.

Mr. BACON. As to the amendment?

Mr. HALE. As to a provision where we are appropriating for salaries that are fixed by general law as in the case of the judges of the Supreme Court. Now, to say that upon an appropriation bill we can change that general law and increase the salaries of the judges because it is not general legislation is, if the Senator will allow me, as it seems to me, an absurd conclusion.

Mr. BACON. I am very much obliged to the Senator. I am only sorry to have to differ from him.

I do not think there can be any possible maintenance of the proposition that it is objectionable as general legislation. When you come back to the proposition—because here is really where the crucial point is—whether, under the second clause, as an amendment the rule has been complied with, I wish only to make one suggestion in addition to what has been said by Senators.

The fact has already been called to the attention of the Senate that that rule was made at a time when all appropriations were in charge of one committee, which committee had no general charge of any other general bill, and therefore committees which had charge of bills relating to their particular jurisdiction passed upon the question as one which was of importance to that subject-matter, and under the rule it went to the general Appropriations Committee, which had the decision of the question, so far as recommendations to the Senate would go, as to what appropriations should be made.

The point to which I desire to call the attention of the Senate is this: Under the changed rule either it must be held that the Agricultural Committee, now having the agricultural bill, has the right to present an amendment, and when it does so it comes within the rule, or else the rule is nugatory as it now stands, and it is impossible that there could be a recommendation by the Agricultural Committee which could be enacted into law by going to the Appropriations Committee. Why? Because the general Appropriations Committee of the Senate has no jurisdiction of the agricultural bill. It has nothing to do with it. The Agricultural Committee has exclusive charge of the question of appropriations for the Agricultural Department, and therefore that committee must act in the dual capacity of a general committee on the subject of agriculture and a general committee on the subject of the appropriation of money for the Agricultural Department, or else the power of amendment by recommendation of the Committee on Agriculture is entirely lost and gone until this rule shall be amended.

I think, Mr. President, that that is a plain proposition; and I do think, if there is any doubt about the question, that this is a matter of such importance that the appropriation ought to be made. The Agricultural Department has accomplished a great work in its investigations, in the experiments it has made as to all branches of agriculture. It is a work upon which it has heretofore never made investigation. It is one which affects every section of this country and a most important industry; and to say because now the Appropriations Committee and the Agriculture Committee have as to this bill been consolidated this rule should be entirely abrogated it seems to me is going too far.

Mr. BAILEY. Mr. President, it seems to me that there was a way in which to make this amendment in order, but that way has not been pursued. If the Senator from Wyoming, the Senator from Colorado, or any Senator interested in this matter had introduced it as an amendment and it had been referred to the Committee on Agriculture, I do not think the Committee on Agriculture would have been disabled from reporting it back simply because it happened also to report the bill to which it was proposed as an amendment. The purpose, I take it, of allowing an amendment which had been recommended by a standing or select committee of the Senate was not merely to have the judgment of the two committees. Undoubtedly that was a good reason. That reason, however, disappeared when the two functions were united in the same committee. But it also had another purpose. A committee of the Senate has no power over any measure until it has been referred to that committee. I believe that no committee of the Senate could originate any matter, bill, or amendment until the bill or amendment had been referred to it by the Senate. In other words, if the Senate refers to a committee a bill, then that committee has jurisdiction of the bill and can report amendments which are germane under the rule.

But there was no reference of this item. This measure was not introduced into the Senate. It was not referred to a standing or a select committee of the Senate. If it had been, and the Committee on Agriculture had reported it back with the recommendation that it be adopted as an amendment to the general appropriation bill reported by that committee itself, then it would have been in order under the rule. Otherwise, my judgment is that it is not.

But, Mr. President, it is a waste of time and breath to argue a question of order which has been submitted to the Senate. We had an experience on that a few days ago when my distinguished friend the Senator from Maine appropriated on the urgent deficiency bill $4,600,000, and I made the point of order against that sum, reenforced by the statements of those high in authority, that the Treasury was not well able to spare it. But by a vote that was so overwhelming that I did not want to call for the yeas and nays the amendment was retained.

I protest against this as I did against that appropriation. I think it a species of paternalism to be loaning the money to a private corporation for the purpose of exhibiting the products of the country. Here we have a proposition to establish a stock farm in connection with an experiment station. We have gone as far as we ought to go in the feeding of animals. Every State in the Union has established at its agricultural or mechanical college an experiment station of that kind. We have in my own State——

Mr. TILLMAN. Will the Senator allow me to enlarge his illustration a little?

Mr. BAILEY. I am always glad to be informed.

Mr. TILLMAN. The experiment stations provided for under the Hatch bill, which were given in each State $15,000, do a great deal more than merely experiment in feeding. I am one of the directors or trustees or something of the station in my State.

Mr. BAILEY. Let me do the Senator the honor to say that he is the founder of it——

Mr. TILLMAN. Well.

Mr. BAILEY. For I believe it was established under his administration as governor, was it not?

Mr. TILLMAN. That was the college, for the establishment of which some people gave me credit; but I am speaking of the stations founded first by Mr. Morrill. He was the originator of the idea of such education. Later on Mr. Hatch was the father of an act giving $15,000 to each State for the purpose of experiments.

I want to say that at that station we are experimenting with a great many things besides feeding. We have bought three or four or five of the best breeds of cattle and some sheep, and we are enlarging and trying to give our people the benefit of those object lessons in the use of improved breeds and better blood and mixtures of blood, which are necessary in order to advance the interests of agriculture in our State, and the bill expressly provides for it.

Mr. BAILEY. The Senator from South Carolina adds nothing to my knowledge by that statement.

Mr. HALE. Mr. President——

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Senator from South Carolina yield to the Senator from Maine?

Mr. TILLMAN. Certainly.

Mr. HALE. When the Senator says, "We are doing it," whom does he mean?

Mr. TILLMAN. I mean the State of South Carolina, and every other State in the Union, including the one which the Senator has the honor to represent and represents so ably, has an experiment station at which this very thing is being carried on right now.

Mr. HALE. By the State?

Mr. TILLMAN. By the State, with Federal money.

Mr. BAILEY. I personally understand that, but it is necessary to buy in order to feed, and wherever there is an appropriation authorizing an experiment in feeding an animal, it must, by the very force of the term, imply the authority to buy before they can feed.

These stations have performed a very useful work, but, Mr. President, we talk in this body about the propriety of appropriating money for the benefit of this and the benefit of that class or industry, as if we were wholly oblivious of the fact that the Government must take this money from the taxpayers before it can give it back to them. If the special pleas which from day to day are made for the appropriation of public moneys are all to be heeded, then where is the limit to the taxation that shall meet them? We seem to have forgotten the essential fact in political economy that the Government has nothing to give except what it first takes from the pockets of its people, and when we appeal for a gift here, or if you prefer to call it an appropriation here for another and new enterprise and pioneer upon a new farm or unexplored region, where, I appeal to Senators, shall we fix the limit of taxation? The people of this country to-day——

Mr. SPOONER. You ought not to draw the line on the farmer.

Mr. BAILEY. So far as I am concerned, I know no class. I am probably as much interested in the farmer, though not quite so profuse in my protestations in his behalf, as any Senator here, and vastly more interested in the improvement of live stock. I spend all my leisure time, take all my vacation and my recreation, in trying to improve the breed of horses, cattle, and sheep.

I have seen what is, in my judgment, the greatest breed of horses in the world established almost now to a type without even so much of governmental aid as relief from the tariff duty. I have seen the intelligent farmers of the United States continue with their own intelligence and their own means until they have bred a purely American horse which challenges comparison with the world to-day.

The American trotting horse is purely an American product. Only the foundation, probably, which our Virginia ancestors brought here in the shape of the remarkable thoroughbreds imported in the early days of the Republic enter at all into this marvelous piece of horseflesh, and that has been accomplished without the aid of the Government in any particular. I have seen the American farmer breed and perfect the Shorthorn cow until nowhere in the world to-day can it be surpassed. Not even in England, its original home, nor in Scotland, its later home, can

the American Shorthorn breeds he surpassed. They have done [illegible]

[illegible] accomplished all [illegible] exp[illegible] in [illegible] the Government [illegible]

[illegible] the Senator from Texas [illegible]

[illegible] Mr. President, [illegible] because the G[illegible] of [illegible] and [illegible] before the people can get [illegible]

[illegible] if I had my way I would [illegible] when the Interior [illegible] If [illegible] Lee from [illegible]

Mr. P[illegible] we are [illegible] the power on the President or [illegible] the power upon other people to [illegible]

[illegible] The Senator from Massachusetts [illegible] is on a [illegible]

[illegible] the Senator from Massachusetts [illegible] wise in wi[illegible] r. W[illegible] XVI. If w[illegible] ite it ceases to [illegible]

[illegible] of this debate that this is a pro[illegible] r only one year. If S[illegible] read the [illegible] that it of necessity [illegible] You [illegible]

[illegible] it is desirable to do under t[illegible] ent, and begin the [illegible] year. You can not re[illegible] or four or five years. [illegible] I am not simple-minded [illegible]

[illegible] farmers: but they do not——

Mr. TILLMAN. Mr. Presid[illegible]

Mr. HALE. I wish the Senator would let me go on for a moment. But they do not [illegible] is, as the Senator from Texas has said, a [illegible]

If we set up experiments in the breeding of animals with reference to agricultural products, I do not see why we should not go into experiments in manufactures. Can anyone tell me why if we do this we should not experiment about the kind of shoes that it is best for the farmer to wear, about the sort of vehicles it is best for him to drive in over the roads, or the clothes that he puts upon his back or the backs of his children, and all things that enter into his life?

As the Senator from Texas has said, it is paternalism, the invocation to the General Government to do the things that heretofore have been done by the individual or, at the farthest, by the State. And posterity will find, Mr. President, as the Senator from Texas has said, that there is no limit which can be drawn by the human imagination that will not be exceeded when we embark upon that scheme.

Mr. HOAR. Will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Maine yield?

Mr. HALE. I wish the Senator would wait a moment, and then I will be through.

Mr. HOAR. I wanted to ask the Senator a question before he got through.

Mr. HALE. We are appealed to for good roads, for rural free mail delivery, and all the other things. It is said we must do that generally for the people, as though the mission of the Government is to take into its hands all the things that illustrate and enter into the everyday life of the people because an appropriation of money will help them.

I had some thought of making a point of order on the provision upon page 21, where there is lodged in the Secretary of Agriculture the power to prevent and stop importations, but I do not know——

Mr. SPOONER. I ask the Senator if that is not an absolutely different proposition from this one?

Mr. HALE. Yes: it is different, of course, but the same thing will be said for it that is said for this proposition. When that is reached I shall, with some considerable feeling of hopelessness and inadequacy, look to see it submitted to the Senate, and the Senate is quite likely to declare that it is a good thing and, it will be said, in the hands of a good Secretary, and he is a good Secretary, that it will do no harm, and that it will result in a better examination and scrutiny about food products. It may be that I shall venture to make the poin. of order, but, as I said, I shall not do it in a very hopeful way. I do not expect that anything we may do can stop the provisions, whatever they may be, upon the agricultural appropriation bill.

Mr. PROCTOR. Mr. President, the Senator from Maine has alluded somewhat to the increase of this appropriation. The Senator will very soon have in his charge a bill, and perhaps a little comparison of the increases in appropriations might well be made. He will have in his charge a bill the increases on which, for this year over last year, are more than double the entire agricultural appropriation bill, and they are forty-two times as much as the increases the committee have proposed on this bill. I have a table of increases of the agricultural appropriation bill for several years past, and I printed it in the report.

Mr. HALE. I made no point about the amount of money. That is not of the slightest consequence. I make no point on that. It is not worth consideration. The naval appropriation bill, which the Senator, I suppose, refers to, will contain an appropriation of nearly $20,000,000: and now, on the military side of the Government, we are spending larger sums of money than—I will not say our grandfathers, but larger than our fathers ever dreamed was possible. The Senator can read his minutes, but I will admit beforehand that the naval appropriation bill will in amount surpass anything ever expected to be appropriated. I do not raise on this matter the question of the amount of money that is involved. That is not of any account.

Mr. PROCTOR. Mr. President, I agree in much that the Senator has said in regard to the paternal character of legislation. But this is a peculiar Department, stretching all over the country, and it must necessarily engage in experimentation largely. Individuals can not carry on the necessary experiments for the development of our agriculture. That industry is the basis of our prosperity. Not all the experiments will be successful, but many of them have been successful, a single one of which would more than repay to the country, some of them many times more, the entire expense of the appropriation.

Now, I for one have not favored a large increase. Last year we reported an increase of three hundred and forty-odd thousand dollars, and we saved $130,000—less than 40 per cent of it—in the conference. For one, I do not wish to go before the farmers of this country as a Republican with too narrow appropriations on this measure. I think as we reported them they are very moderate indeed. We have reported about $860,000 additional, and it is, of course, safe to say that not all of the items will be enacted into law.

Mr. TILLMAN. Mr. President, the Senator from Maine [Mr. HALE] has been speaking very eloquently and forcibly about the scope of this bill, how far it goes and how much farther it is going to go. I want to call his attention to the fact that the Bureau of Animal Industry, of which he speaks, is already in existence, and if he will look on line 6 of this very same page 14 he will find that the aggregate appropriations for that Bureau in this bill are $1,987,880. Now, that is a large sum of money. But let us see what are some of the results of it.

If the Senator will turn back to page 11, he will find that this Bureau has the "regulations for the safe transport and humane treatment of export cattle from the United States to foreign countries;" it has the "inspection of live cattle, hogs, and the carcasses and products thereof which are the subjects of interstate and foreign commerce;" and then here comes something which comes closer home to him:

To enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of [illegible]

I recall (it has not been very long ago) when we had a woeful complaint from New England about the foot-and-mouth disease in cattle, which threatened destruction, desolation. I will not say to the measly stock interests of that country, but in comparison with the West it was measly. Yet Congress voted the $500,000 necessary to stamp out that contagious, infectious, deadly disease there among the farms of New England. I think the Senator ought not to be so hard on the balance of us who have agriculture mainly, as we in the South have, and in the West, who are looking for just a little help from Uncle Sam in the way of aiding us to solve the problems which confront us, and he should be willing to give us a little light, a little assistance, a little paternalism, if need be. We have had a good deal of paternalism of one kind and another, and I think New England has had a little more than her share.

Mr. HALE. The matter the Senator refers to, if he will allow me, I remember very well. It was a matter that was cognate to legislation that we have about a thousand things, where there is something immediate, which spreads consternation, disaster, loss of property and life, and we do intervene. It did not come from the State of Maine; it came——

Mr. TILLMAN. It was mainly in Massachusetts, as I recall the fact.

Mr. HALE. It came from other States. But what was mainly behind that was the pressure upon the Secretary of Agriculture from the West to prevent that disease from being sent by shipment of trains so that it would break out in Western States. That was the strong reason and argument for the interposition of Congress, that it must be put down where it was before it magnified and amplified and went to the four corners of the earth, so far as this country goes. It was not a local matter.

Mr. TILLMAN. I am not treating it as a local matter. It is one of the duties of this great Bureau of Animal Industry, to which I call the Senator's attention, and I merely wanted to remind him that his own immediate neighborhood had been benefited by the scientific supervision and work of this very Bureau which he is—I will not say abusing, because the Senator does not abuse anybody; he does not indulge in that kind of thing; his arguments and reasoning are always very strong and forcible. I realize, as he says, that there is danger of extravagance; but do not let us draw the line on the hard-working farmers of the country and be so liberal with other industries.

Mr. BAILEY. Mr. President, before the Senator from South Carolina resumes his seat, do I understand him to say that he regards this appropriation to experiment in breeding cattle as on all fours with an appropriation to stamp out a disease that would not confine itself to any State, and therefore no State could be expected to incur the expense of protecting the neighboring States?

Mr. TILLMAN. If the Senator wants an answer——

Mr. BAILEY. Yes.

Mr. TILLMAN. I will say that anything which relates to inspection and growth and fostering care and supervision of our great stock industry meets my approval, and when we spend money on one phase of it, we ought to spend money on any and all phases of it which promise good results.

Mr. BAILEY. I am as guilty of objection as the Senator from Maine, and I am hardly willing to allow this to be presented as the same. The difference is that the one proposes to improve the prosperity, we will say, of the live-stock industry. I would say, let the live-stock industry improve its own prosperity. But the other was a proposition to protect innocent owners of cattle from the dangerous infection of cattle coming from other sections. This foot-and-mouth disease travels fast and is destructive. It could hardly be expected that the State of Massachusetts would incur the expense of protecting the cattle owners in Illinois, Indiana, and Texas and South Carolina from that disease.

There was an important instance in which the Government was undoubtedly justifiably intervening to protect the people of some States from injury by interstate commerce coming from other

States. I myself as [illegible] voted for the appropriation to ex[illegible] as I ever voted for a public [illegible]

Mr. [illegible]. I just said, if the Senator will allow me, that the [illegible] from the great West, which [illegible] of this information. It did not come [illegible] from the country broadly, at large, and that was the basis upon which the appropriation was put at [illegible]

Mr. [illegible]. Undoubtedly.

Mr. [illegible]. The Senator is quite right.

Mr. BAILEY. And, very seriously, what was protecting the [illegible] I voted for that very cheerfully, and I would vote for that again.

Mr. HOAR. If the Senator will pardon me, it was more largely [illegible]

Mr. [illegible]. Mr. President—

Mr. [illegible]. If the Senator will allow me, I hope I am not [illegible] I want to give money to that and [illegible] country. That is what I stand here for. And [illegible] Secretary of Agriculture will carry it out.

Mr. BAILEY. I did not [illegible]

Mr. [illegible]. I believe [illegible] enforce the rule in my favor, and I [illegible] way.

Mr. [illegible]. I think you have been against it both times.

Mr. [illegible]. I believe [illegible] I would have enforced that rule [illegible] of order. I would have held that [illegible] the Senate in both cases.

Mr. [illegible]. Mr. President, this matter has been pretty [illegible] I have tried to be [illegible] bill to a stopping [illegible]

The [illegible]. The question is on the amendment [illegible]

The [illegible]. There is one other committee [illegible] Yes, that should be acted upon before we [illegible]

The [illegible] was agreed to.

Mr. [illegible]. I move that [illegible]

The [illegible] was agreed to; and (at 5 o'clock and 25 minutes p. m.) the Senate [illegible] to-morrow, Wednesday, February [illegible] o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 23, 1904.

PROMOTIONS IN THE NAVY.

Lieut. Frank K. H[illegible] to be a lieutenant commander in the Navy from the 4th day of February, 1904, vice Lieut. Commander [illegible] Laird, promoted.

Gunner Frank L. Hoagland to be a chief gunner in the Navy from the 2d day of February, 1903, having completed ten years' service in his present grade.

Carpenter Wilbur F. Stevenson to be a chief carpenter in the Navy from the 27th day of July, 1902, having completed ten years' service in his present grade.

PROMOTION IN THE REVENUE-CUTTER SERVICE.

George Elfers, of New York, to be a second assistant engineer in the Revenue-Cutter Service of the United States, with the rank of third lieutenant, to succeed E. W. Davis, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 23, 1904.

CONSUL.

Fred D. Fisher, of Oregon, to be consul of the United States at Tamsui, Formosa.

APPOINTMENT IN THE NAVY.

Elijah H. Cope, a citizen of Tennessee, to be an assistant paymaster in the Navy from the 13th day of February, 1904.

PROMOTIONS IN THE NAVY.

Lieut. Commander Alexander Sharp, jr., to be a commander in the Navy from the 4th day of February, 1904.

Ensign Roe W. Vincent to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

Commander James K. Cornwell to be a captain in the Navy from the [illegible] of February, 1904.

Commander William H. Garrett to be a captain in the Navy from the 4th day of February, 1904.

Ensign James B. [illegible] to be a lieutenant (junior grade) in the Navy from the [illegible] of January, 1904.

Lieut. Commander [illegible] to be a commander in the Navy from the 4th day of February, 1904.

Lieut. (Junior Grade) Louis C. Richardson to be a lieutenant in the Navy from the 24th day of October, 1903.

PROMOTION IN THE MARINE CORPS.

Capt. Ben H. Fuller, United States Marine Corps, to be a major in the Marine Corps from the 27th day of December, 1903.

POSTMASTERS.

ARKANSAS.

James R. Gibson to be postmaster at Hope, in the county of Hempstead and State of Arkansas.

INDIANA.

Charles Laramore to be postmaster at Knox, in the county of Starke and State of Indiana.

KANSAS.

M. M. Lee to be postmaster at St. Marys, in the county of Pottawatomie and State of Kansas.

KENTUCKY.

Charles G. Robinson to be postmaster at Earlington, in the county of Hopkins and State of Kentucky.

MASSACHUSETTS.

Thomas F. Hill to be postmaster at Georgetown, in the county of Essex and State of Massachusetts.

William L. Nickerson to be postmaster at Chatham, in the county of Barnstable and State of Massachusetts.

MICHIGAN.

Eugene T. Slayton to be postmaster at Lapeer, in the county of Lapeer and State of Michigan.

MINNESOTA.

John Atz to be postmaster at Hancock, in the county of Stevens and State of Minnesota.

NEW JERSEY.

George F. Breder to be postmaster at Egg Harbor City, in the county of Atlantic and State of New Jersey.

NEW YORK.

William C. Collins to be postmaster at Homer, in the county of Cortland and State of New York.

Clarence L. King to be postmaster at Tupper Lake, in the county of Franklin and State of New York.

Frank F. Simpson to be postmaster at Highland, in the county of Ulster and State of New York.

TREATY WITH PANAMA.

During the executive session the injunction of secrecy was removed from the treaty between the United States and the Republic of Panama for the construction of a canal to connect the waters of the Atlantic and Pacific oceans, signed on November 18, 1903, and from the vote on any proposed amendment thereto.

On motion by Mr. BACON, to amend Article I by adding the following at the close thereof:

In consideration of the guaranty on the part of the United States of the independence of the Republic of Panama, and in further consideration of the

[illegible] to both the United States and the Republic of Panama that there [illegible] for the [illegible]

On the question to agree thereto, it was determined in the negative [illegible]

Those who voted in the affirmative are:

Messrs. Bacon, Berry, Blackburn, Clarke of Arkansas, Clay, Cockrell, Dubois, Latimer, McCreary, Mallory, Money, Morgan, Newlands, Patterson, Pettus, Taliaferro, Teller, Tillman.

Those who voted in the negative are:

Messrs. Alger, Allee, Allison, Ankeny, Ball, Beveridge, Burnham, Burrows, Clapp, Clark of Wyoming, Depew, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Frye, Fulton, Gallinger, Gamble, Hale, Hansbrough, Heyburn, Hoar, Hopkins, Kean, Kearns, Kittredge, Lodge, Long, McComas, McCumber, McEnery, Mallard, Mitchell, Nelson, Penrose, Perkins, Platt of Connecticut, Platt of New York, Proctor, Scott, Smoot, Spooner, Warren, and Wetmore—[illegible].

[illegible] announced as follows:

Mr. Martin, in the affirmative, with Mr. Cullom, in the negative.

Mr. McLaurin, in the affirmative, with Mr. Hawley, in the negative.

Mr. Overman, in the affirmative, with Mr. Quay, in the negative.

[illegible] Resolution advising and consenting [illegible]

It was determined in the affirmative, two-thirds of the Senators present concurring therein—yeas 66, nays 14.

Those who voted in the affirmative are:

Messrs. Alger, Allee, Allison, Ankeny, Bacon, Ball, Bard, Berry, Beveridge, Burnham, Burrows, Clapp, Clark of Wyoming, Clarke of Arkansas, Clay, Cockrell, Cullom, Depew, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster of Louisiana, Frye, Fulton, Gallinger, Gamble, Gibson, Hale, Hansbrough, Heyburn, Hoar, Hopkins, Kean, Kearns, Kittredge, Lodge, Long, McComas, McCreary, McCumber, McEnery, Mallory, Millard, Mitchell, Money, Nelson, Penrose, Perkins, Platt of Connecticut, Platt of New York, Proctor, Quarles, Scott, Simmons, Smoot, Spooner, Stewart, Taliaferro, Warren, and Wetmore—66.

Those who voted in the negative are:

Messrs. Bailey, Dubois, Foraker, Carmack, Culberson, Daniel, Dubois, Gorman, Morgan, Newlands, Patterson, Pettus, Teller, and Tillman—14.

During the roll call pairs were announced as follows:

Messrs. Quay and Clark of Montana, in the affirmative, with Mr. [illegible] in the negative.

Messrs. Foster of Washington and Hawley, in the affirmative, with Mr. McLaurin, in the negative.

Messrs. Burton and Stone, in the affirmative, with Mr. Martin, in the negative.

HOUSE OF REPRESENTATIVES.

TUESDAY, *February 23, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read.

CORRECTIONS.

Mr. GAINES of Tennessee. Mr. Speaker, yesterday I was ill and unable to attend the session of the House. I find in the report of the vote yesterday I appear as paired with the gentleman from Illinois [Mr. WARNER], and paired against reading the Farewell Address of Washington. I had no such pair, and if I had been here I should have voted to read it. It should be regularly read every day in the United States, at every fireside and in every schoolhouse in the United States. Of course there was not injustice intended by anyone to anyone, but I want this explanation to go in the RECORD.

The SPEAKER. The Journal will stand corrected.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

By direction of the Committee on Appropriations, Mr. McCLEARY of Minnesota reported the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, which was ordered printed, and referred to the Committee of the Whole House on the state of the Union.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I reserve all points of order.

The SPEAKER. The gentleman from Mississippi reserves all points of order on the bill.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12230, the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, with Mr. FOSTER of Vermont in the chair.

Mr. FOSS. Mr. Chairman, I call for the reading of the bill.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

[illegible] New York, N. Y., [illegible] in all, navy yard, New York, N. Y., $71,500.

Mr. FITZGERALD. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Page 23, line 9, insert after the word "dollars" the words "dry docks, extraordinary repairs, $90,000."

Mr. FITZGERALD. Mr. Chairman, this is one of the items submitted as necessary at the navy-yard at New York for the coming year. The purpose of it is to provide for extraordinary repairs which may perhaps be necessary during the coming fiscal year. It is not intended that this money shall be expended unless by reason of some accident which would require it. From the report of the Bureau of Yards and Docks the following appears in reference to this item:

Dry dock No. 3 at this navy-yard requires extensive repairs from time to [illegible] dock [illegible] a few weeks, if not [illegible] that it has been [illegible] for the purpose.

In the hearings before the Naval Committee it appeared that this dock is in constant use and that by reason of injury sustained by the dock at the hands of the dockmen of the Massachusetts it was necessary to expend $4,000 or $5,000 to put it in condition. The dock is necessary in the work of the yard, and unless some fund is available to meet and make repairs as required serious loss will be occasioned. At this time I desire to call attention to the fact that the committee in making up this bill has cut the estimates for the New York yard out of all proportion to the other yards in the country. In no other bill, perhaps, that comes before this House is "the cohesive power of public plunder" so well [illegible]. From the report of the committee it appears that for the Boston yard $361,800 was estimated and $[illegible] allowed. For the naval station at Sandy Hook $[illegible] was asked and the same sum allowed. At League Island $665,470 was asked and $512,970 allowed. At Mare Island $[illegible] was asked and $[illegible] allowed. At Norfolk $848,500 was estimated, $[illegible] allowed; at Pensacola, Fla., $97,000 estimated, $94,000 allowed; at Portsmouth, N. H., $150,000 estimated, $147,000 allowed; at Puget Sound, Wash., $299,5[illegible] estimated, $[illegible] allowed; at Washington, D. C., $657,744 estimated, $575,[illegible] allowed; at Guantanamo, Cuba, $1,025,000 estimated, $385,000 allowed; at Olongapo, P. I., $[illegible] estimated, and this sum was allowed; at New York $[illegible] was estimated and $371,000 allowed.

Eliminating from the estimates submitted for the New York yard the sum of $1,500,000 asked for the purpose of improving the water front there, the sum asked for other improvements is $575,000. Of this amount, the committee allows $[illegible].

It is a somewhat significant fact, too, that in relation to one of the navy yards of the country, although no estimates whatever have been submitted to the committee as appears from its report, yet the committee has seen fit to allow $271,000 for improvements at that yard.

Personally I have no interest whatever in this appropriation.

It is asked for by the Department in order that when leaks happen in this dock they may at once be repaired with the money available under this appropriation, and thereby greater expenditure be saved.

This appropriation is asked, as I have stated, upon the theory that "a stitch in time will save nine." It appears from the hearings of the Committee on Naval Affairs that the amount of repair work at the New York yard during the past year exceeded that done at any other yard by at least 75 per cent. This is the only yard possessed by the Government upon the Atlantic coast which has facilities for docking first-class battle ships. It is the only yard whose fleets can be sent to, be overhauled and prepared for efficient action, either in time of peace or in war. And I submit, while this money is not asked to be positively expended, but merely for use in case of great emergency, in order to avoid larger expenditures if the occasion arises, that it is the part of wisdom for this committee to place this sum at the disposal of the Department.

Mr. FOSS. Mr. Chairman, in reply to the gentleman from New York I desire to say that if we should appropriate in this bill for all the estimates urged by the Department the bill would carry $106,000,000. The committee has had to go over all these estimates in a very careful and systematic way and has provided in this bill for these appropriations that are the most urgent for the coming fiscal year.

Now, in regard to the amendment offered by the gentleman from New York, I desire to state that Admiral Endicott, Chief of the Bureau of Yards and Docks, appearing before the committee, made the statement that this particular appropriation was not imperative. I read from his own language:

And I shall adapt myself to your pleasure about allowing it.

Now, we had to draw a distinction between some of these estimates. Where the demand was most urgent we put the amount in the bill, and those estimates that were not urgent we left out, realizing of course, that next year and year after, if it should become necessary, we can appropriate at that time.

Now, the gentleman says we have cut down largely the sums for navy-yards. It is a fact that we have done so, but that is very easily explained. There was an estimate here for a million and a half of dollars for the rearrangement of the piers in the New York yard. A number of naval officers connected with the yard were appointed to make examination, and they recommended that improvement. That involved the building of four piers. It involved the cutting off from the cob dock of the New York yard 6 acres of land—nearly one-half of the present landed area of that navy-yard, when we know, when everybody knows, that the great trouble at the New York yard to-day is that we have not enough land there. It not only involved that, but it also involved the destruction of the Whitney Basin, for the dredging out of which we had appropriated thousands of dollars. It cut that out entirely. The committee said, "Before we will go into this proposition we will wait another year, because a million and a half dollars means only the beginning; it does not provide for all the cost of this rearrangement of that yard."

So far as the New York yard is concerned, let me say to the gentleman from New York that he will find if he looks back over the years, that we have appropriated more for the New York yard than for half a dozen other yards put together—$90,000,000, I think, in all since 1823 for the New York yard.

Now, the New York yard has been an important yard—why? Because we have not had any other yards in sufficient shape to repair some of the ships. We have been rebuilding the Boston yard; we have been building up the League Island yard; we have been building up the Norfolk yard, and while we have been building up these yards the New York yard has been doing most of the repair work.

I believe it ought to be the policy of the Department from now on to distribute this repair work. Where so much money is being appropriated out of the public Treasury for repairs of our ships, I say it is good policy that the work should be distributed over the country, that all this work should not go into a single navy-yard.

Mr. Chairman, I can not help thinking, in view of the speech of the gentleman from New York the other day, that he belongs to that classed naval enthusiasts who believe in putting all the Navy on the land and none of it upon the sea. I will tell him that I believe in such an expenditure of naval appropriations as will provide for putting every dollar we appropriate for naval purposes, so far as we can, upon the sea and as little of it as possible upon the land.

Mr. LIND rose.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FOSS] has expired.

Mr. LIND. I ask unanimous consent to ask the gentleman from Illinois [Mr. FOSS] a question.

The CHAIRMAN. Is there objection? The Chair hears none.

Mr. LIND. Will the gentleman from Illinois yield for a question?

Mr. FOSS. I yield.

Mr. LIND. In view of the statement just made, I would ask the chairman of the committtee how it is that an appropriation of upward of $200,000 was made for a navy-yard in excess of any recommendation or estimate, an appropriation not even asked for by the Navy Department?

Mr. FOSS. What is the item?

Mr. LIND. The preceding speaker [Mr. FITZGERALD] stated that this bill carried an item of upward of $200,000 for a navy-yard somewhere that was not asked for or estimated by the Navy Department.

Mr. FOSS. I should like to have the gentleman designate that item.

Mr. LIND. I will ask the gentleman from New York [Mr. FITZGERALD] to do so.

Mr. FITZGERALD. Why, if the gentleman will turn to page 8 of his own report he will find it. I assumed that he knew what was in his report, and in the bill, too.

Mr. FOSS. I do.

Mr. LIND. The question has not been answered, Mr. Chairman.

Mr. FOSS. I ask the gentleman to point out the item on page 8 of my report.

Mr. FITZGERALD. The gentleman can find it if he looks under the items where it shows the amounts appropriated last year, the amounts estimated for this year, and the amounts appropriated for this year.

Mr. FOSS. I will ask the gentleman to point out that item.

Mr. FITZGERALD. If the gentleman can not find it I will not help him, because he knows better than I do what it is.

Mr. FOSS. I do not know what is in the gentleman's head.

Mr. MAHON. Nothing.

Mr. LIND. Do you know what is in your own bill?

Mr. FOSS. Yes; I do know what is in the bill.

Mr. FITZGERALD. Then, if the gentleman——

Mr. FOSS. If the gentleman will point out the specific item to which he refers, I should like to have him do it.

Mr. FITZGERALD. Mr. Chairman, if the gentleman from Illinois will read the last line on page 8 he will find what I refer to.

Mr. FOSS. The last line on page 8, "Naval station, New Orleans, La." Is that the item?

Mr. FITZGERALD. Yes; that is the item.

Mr. LIND. Now, I will ask the gentleman from Illinois if it is a fact——

Mr. FOSS. I will ask the gentleman from Louisiana [Mr. MEYER], the leader of the minority of the committee, to explain that item.

Mr. MEYER of Louisiana. Mr. Chairman, it is true that the item referred to does not figure in the Department's estimate, because originally the estimate made by the Chief of the Bureau of Yards and Docks involves the amount of $530,500. Upon consideration of that proposal on the part of the Secretary of the Navy he concluded that it was rather excessive, in view of the many other objects requiring provision, and referred it to the Committee on Naval Affairs for its action.

You will find, Mr. Chairman, in the hearings before that committee that the Chief of the Bureau of Yards and Docks, Rear-Admiral Endicott, with the sanction of the Secretary of the Navy, presented a supplemental estimate embracing the amounts in part which were subsequently incorporated in the bill and reported by the committee, which was also materially reduced in the interests of economy.

The navy-yard in the city of New Orleans is in process of construction; a considerable amount has already been appropriated and much work performed. A steel floating dock, admitted to be the very best in the world, and capable of docking the largest battle ships of the Navy, as well as the heaviest freight carrier, has been placed there and is doing good work.

The report of the Navy Department shows that already twenty-seven merchant ships have been docked there during the past year and some few war ships. It is admitted that a naval station at New Orleans, the outlet of the great Mississippi Valley, is as well a commercial necessity, and the Secretary of the Navy in failing to incorporate in his estimates any recommendation for an appropriation for that yard had no idea and no intention, so he assured me, of neglecting it, but he said he felt assured that the committee was amply able to deal with the subject, after having secured further information of the progress of the work and the necessities of the establishment.

The appropriations herein incorporated are very moderate. They are by no means what could properly be appropriated for the speedy completion of the station, but they are ample to continue the work of construction for the next fiscal year in a reasonable way.

It is needless for me, Mr. Chairman, to enter upon the question as to the necessity for that naval station. Years ago a commission appointed by Congress to investigate and report upon the best site on the shores of the Gulf of Mexico for such a station. The city of New Orleans was determined upon. The naval station was appropriated for. It was initiated in the Fifty-third Congress, and appropriations were made for the purchase of additional land required. Since that time there have been moderate but steady appropriations made in every Congress for its advancement and availability to perform all necessary work. It is universally admitted that the station at New Orleans, commanding the mouth of the great Mississippi River, is one of the most important in the entire naval establishment. The committee has unanimously incorporated this provision in the bill after careful investigation. If it were stricken out it certainly would be a vital blow to one of the most useful and necessary Government establishments in the United States.

Mr. BUTLER of Pennsylvania. Will the gentleman allow me to ask him a question?

Mr. MEYER of Louisiana. Certainly.

Mr. BUTLER of Pennsylvania. I was very much interested in endeavoring to hear what the gentleman said. I am not sure but that the committee did exceed the estimate of the Secretary here. I think it exceeded it largely.

Mr. MEYER of Louisiana. Five hundred and twenty thousand five hundred and fifty dollars was the estimate originally submitted to the Secretary.

Mr. BUTLER of Pennsylvania. Those estimates were reduced by the Secretary of the Navy.

Mr. MEYER of Louisiana. He took no action on them, but expressed willingness to submit it to the action of the committee.

Mr. BUTLER of Pennsylvania. I believe the committee added to the estimate of the Secretary of the Navy as to certain yards. I believe it was generally understood that the estimates made by the Secretary of the Navy, although the estimates of the Bureau of Yards and Docks amounted to more by over [illegible].

Mr. MEYER of Louisiana. Such I believe to be the case.

Mr. LIND. Will the gentleman permit me to ask him a question, as I have been unable thus far to get an answer from the chairman of the committee. I will ask the gentleman——

Mr. BUTLER of Pennsylvania. I am not sure I can answer.

Mr. LIND (continuing). Whether this is a fair illustration of the method of constructing your bill, and the principles that guided you in perfecting it?

Mr. BUTLER of Pennsylvania. Now, while it is true that in some instances, this being one, the estimates did exceed the recommendation of the Secretary of the Navy, estimates made by the different bureaus of the naval establishment amounted to more than $25,000,000. The Secretary of the Navy reduced them considerably. We had a number of hearings by the bureau chiefs, and it was [illegible] which appeared, and [illegible] mendation of the Secretary of the Navy was slightly exceeded. But in no case, I believe, can you, has the estimate of the bureau been exceeded. The estimate of the Secretary of the Navy may have been exceeded. I know in this instance the estimate of the Secretary of the Navy was [illegible] per cent.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from New York.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Page 28, line 13, after the word "dollars," insert "improvement of water front, $1,500,000."

Mr. FITZGERALD. Mr. Chairman, it is with no hope that this amendment will be adopted that it is offered. It is money [illegible] which the New York yard which have not yet been said.

The gentleman from Illinois [Mr. FOSS] and the gentleman from West Virginia [Mr. DAYTON] seem to imagine that they can [illegible] embarrassment by asserting that I favor building up a land navy rather than building up a sea navy. I wish to say, Mr. Chairman, that the mere fact that I am opposed to the programme which I know has been formulated by the Department for the sea force may be unpopular will in no way deter me from opposing its recommendation.

This item is recommended by a board appointed by direction of the Secretary of the Navy. It is for the purpose of making available the navy-yard at New York for the proper handling of fleets and great ships. Gentlemen of the committee cavil continually at proposed improvements in the New York yard. They say that the people of Brooklyn came to Congress ten or a dozen years ago and succeeded in getting Congress to consent to the sale of some navy lands for the sum of about $2,000,000—$1,908,666; and now that it is proposed to buy lands which would be valuable and useful for the purposes of the yard there for practically the same amount these same gentlemen say that they come here for the purpose of unloading useless lands upon the Department. I am [illegible] lands sold by the Government to the city of Brooklyn, which was a portion of what [illegible] in this House. The land sold was used as a public dump. It was a public nuisance and a menace to the health of the people of Brooklyn. The city of Brooklyn purchased from the Government a part of what was known as the naval lands and land in navy yard [illegible]. The purchased a part of what was known as the navy-yard land proper for $1,208,666. The understanding at that time was that the Government should utilize the $1,908,666 received from the sale of the lands upon the east side of the navy-yard [illegible] the west side, which [illegible] with [illegible] water front and depth of water to be useful to the yard.

Part of the programme was carried out; the other part has never been carried out. In regard to this proposed improvement [illegible] in the hearings before the committee Admiral Endicott was heard.

[illegible] improvement direct[illegible] I think not.

[illegible] done, and he appointed the board?

Mr. Chairman, that is a remarkable assertion for the head of a bureau of the Navy Department to make. In the last session of [illegible] adopted a resolution which directed the Secretary of the Navy to report as soon as possible what improvements are necessary on the water front in the navy yard at Brooklyn for the proper berthing of battle ships [illegible].

The Secretary of the Navy referred the matter to the commandant of the Brooklyn yard and directed him to appoint a board, and this board recommended this plan. This plan is known as the Bowles plan. It has been under consideration in the Navy Department for four or five years. It was originated by former Rear-Admiral Bowles, the head of the Bureau of Construction and Repair, and, I can say safely, and without fear of contradiction, one of the best-equipped men who ever served the Government in the Navy Department, and a great loss was suffered by the Department when he left it.

Admiral Bowles made a thorough study of the improvements required at the Brooklyn Navy-Yard while he was stationed there, and this plan is the one that he finally favored and approved. The only man who opposed this plan was Admiral Endicott, the Chief of the Bureau of Yards and Docks. He had a plan of his own. Admiral Bowles's plan was to cut away a portion of the so-called "Cob Deck," which is an island built upon a shoal in front of the yard, and contains now merely a few insignificant buildings. His plan was to cut away the dock and to bend out into the river a number of piers, so that there would be adequate berthing and slip room. Admiral Endicott proposed to cut into the mainland; to take the land which was being utilized for other purposes and needed for other purposes and make ships in that way. He was the only officer of all those who have considered the proposed improvements for this yard who opposed the Bowles plan; and Admiral Endicott says that he finally consented, because so many men desired to have it done.

I repeat, Mr. Chairman, that I know that the committee's disposition is not to make the necessary improvements at that yard. Necessarily, I am indifferent to what the committee does, but in having an efficient and properly equipped naval station, which is an asset of service and benefit to the Government in the work of repairing its vessels, I am interested. If this yard were located at some other point, if it were equipped as it is now, I would advocate just as strongly those proposed improvements. There is much said by gentlemen who are members of the committee about legislating and doing away with unnecessary yards, and yet my experience has been that those who sing the loudest in that strain are those least disposed to join in any movement to dispense with "the out-of-the-way yards," as Admiral Bowles was accustomed to term them, and they are those who are most [illegible] the Government now has.

The following is the letter of the Secretary of the Navy and the report of the board appointed by him:

[Senate Document No. 165, Fifty-seventh Congress, second session.]

WATER FRONT, NAVY-YARD, BROOKLYN, N. Y.

Letter from the Secretary of the Navy, transmitting a copy of a report made by the board appointed to take the subject of the water front, to consider and recommend what improvements are necessary, in the water front at the navy yard, Brooklyn, N. Y., for the berthing of battle ships and boats. February 23, 1903. Referred to the Committee on Naval Affairs, and ordered to be printed.

NAVY DEPARTMENT, *Washington, February 21, 1903.*

SIR: I have the honor to acknowledge the following resolution of the Senate:

"IN THE SENATE OF THE UNITED STATES,
"February 16, 1903.

"*Resolved*, That the Secretary of the Navy is directed to report to the Senate as soon as practicable what improvements are necessary in the water

front in the navy-yard, Brooklyn, N. Y., for the proper berthing of battle ships and [illegible]

[illegible] CHARLES G. BENNETT, Secretary.

President.

In view of the short time remaining before the adjournment of this present Congress, it has been impossible for me to give more extended information as would be desirable for the consideration of the matter by Congress. I send the facts as found in the report of the commandant of the navy-yard, Brooklyn, which is the only navy-yard New York which is equipped or supplied with officers on duty as the heads of departments of that yard. I have carefully examined the report, a copy of which I transmit herewith, and have personally visited the navy-yard for the purpose of ascertaining what it would be necessary to do in the improvement of the yard.

Very respectfully,

W. H. MOODY, *Secretary.*

The PRESIDENT PRO TEMPORE *of the Senate.*

NAVY-YARD, NEW YORK, [illegible]

SIR: [illegible] navy-yard, New York, [illegible] Dock shown in blue hatching on the accompanying map [illegible] Dock, and [illegible] Dock.

[illegible] Dock, to 30 feet below mean [illegible] $390,000

[illegible] 110,000

[illegible] 115,000

[illegible] 15,000

(f) [illegible] water system, including 6,700 linear feet of water [illegible] 17,000

[illegible] Dock (par. 7) [illegible]

[illegible] water front near "A," to provide [illegible]

The [illegible] as presented above.

Very respectfully,

P. F. H[illegible],
Captain, United States Navy, Commandant.

R. S. [illegible],
Captain, United States Navy.

J. A. H[illegible],
Captain, United States Navy.

R. P. [illegible],
Commander, United States Navy.

J. H. [illegible],
Commander, United States Navy.

W. L. CAPPS,
Naval Constructor, United States Navy.

From the small amount of time I have been able to devote to this subject, I concur in the general arrangement of the plan recommended [illegible] to the greatest extent of any but the most [illegible] permanent construction, each pier so constructed that the heaviest type of traveling crane can be operated on each pier if desired.

I estimate the cost of the recommended plan, on the basis of masonry piers, with tracks for harvest cranes, as [illegible] at $[illegible].

R. C. HOLLYDAY,
Civil Engineer, United States Navy.

The COMMANDANT,
Navy-Yard, New York.

Mr. DAYTON. Mr. Chairman, I thought when the gentleman spoke the other day against the increase of the Navy that when we got down to the New York Navy-Yard we would hear from him in advocacy of a large expenditure toward building up that local yard at the expense of the building up of the Navy at sea. It has turned out just precisely as I indicated, or at that time intended, it would turn out. Now, I want to say to the gentlemen of this committee that there are some of us who have not a single interest in the world in naval stations or navy-yards who have sat upon that committee seeking to be fair to all the yards and yet have had the idea that it was highly important that we should have ships at sea, and that navy-yards were nothing but an adjunct to the sea navy; a necessity, it was true, but a necessity only in proportion to the number of ships to be repaired. I want to call attention to the fact that this New York Navy-Yard has been a source of trouble to the committee for a number of years. The gentleman has reminded us that because of the fact that there were docks at the navy-yard it was a menace to the health of Brooklyn and that therefore Congress was induced to sell a portion of this yard.

I want to say to you that the proposition that the gentleman now advocates is to put in five or six slips in the yard at Brooklyn for this very same unhealthy, injurious purpose of docking these ships.

Mr. FITZGERALD. Mr. Chairman—

Mr. DAYTON. I will yield to the gentleman in just a moment. It is almost impossible to define where the gentleman stands. I know he does want in reference to the navy-yard. Certain it is that the scheme he advocates and refers to was sent to our committee without any request by the Department, and we have not, upon his word or upon the word of a single officer of the Navy Department, incorporated it into this bill. It involves the destruction of several shops already in existence at that navy-yard, and it involves not only the destruction of those shops, but the rebuilding of similar shops at another point in the yard. It involves the loss of about 6 acres of ground and the loss of the basin that we spent out at an expense of thousands and hundreds of thousands of dollars. Now I will yield to the gentleman from New York.

Mr. FITZGERALD. I simply wish to call the gentleman's attention to the fact that he evidently misunderstood a word that I used. I did not use the word "dock;" I used the words "public dump." This land was used as a place for dumping refuse.

Mr. DAYTON. Used by the Navy Department as a public dump?

Mr. FITZGERALD. No; it was not used by the Navy Department. It was used by trespassers as a public dump.

Mr. DAYTON. Well, I beg the gentleman's pardon for misunderstanding the word which he used. I call attention to the fact that that was simply a matter of police regulation for the city of Brooklyn. If it allowed its health to be endangered by a [illegible] of that kind, it could have abated it, and it was a [illegible] expense for us to dispose of land for a million or two dollars [illegible] is worth to-day ten or twelve million dollars.

Mr. FITZGERALD. Mr. Chairman—

The CHAIRMAN. Does the gentleman from West Virginia yield to the gentleman from New York?

Mr. DAYTON. Certainly.

Mr. FITZGERALD. The gentleman knows better than any other Member in this House that the local authorities have absolutely no right to enter on Government land and attempt to regulate what is done there, not in the cause of public health or anything else.

Mr. DAYTON. I know just as well that no man, no citizen of Brooklyn who trespasses upon the Government land for the purpose of creating a nuisance of that kind, could do so without being amenable to the United States statutes as well as to the local police regulations of the city.

Mr FITZGERALD. Oh, the gentleman is mistaken. The local authorities have no jurisdiction.

Mr. DAYTON. I yielded to the gentleman for the purpose of answering any question he might ask. That is a matter that he and I may differ about. If there is any courtesy I can extend to the gentleman by the way of answering any other question, I should be glad to do so, but I do not want him to take up all of my time.

Mr. FITZGERALD. The gentleman can get all the time he desires.

Mr. DAYTON. I do not want my time extended. I want to say to the gentleman this—in a nutshell: There is no intention on

the part of the Naval Committee to discriminate against this yard so long as it is a yard. There has never been any intention to discriminate against it. Now, one word in regard to the question put by the gentleman on the other side, in reference to the way these additional supplemental estimates come in.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. DAYTON. I will ask, Mr. Chairman, for two minutes more.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent that he may proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DAYTON. Mr. Chairman, I want to say to him that every item in this bill has been gone over at least twice by the Naval Committee. It has been studied from every point of view. Additional supplemental estimates came in and have been incorporated into the bill. It is so in regard to the items affecting the Louisiana Navy-Yard; it is so in regard to the Norfolk Navy-Yard. For instance, we have been condemning land at Norfolk. We have had a decision of the court since the original estimates were made, and the Secretary of the Navy, in the last hour, sent to the committee a recommendation that we should put in this bill the sum of $400,000 in order to pay for the land that had been condemned by judicial proceeding, and the decision of which reached the Department after the original estimates had been sent in. That does not indicate in any way, shape, or form that this committee has not given the most careful, scrutinizing attention to every item that has entered into the bill.

Mr. LIND. Mr. Chairman, I ask unanimous consent for two minutes.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent that he may proceed for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LIND. Mr. Chairman, I have listened to the explanations by the gentleman from Louisiana [Mr. MEYER] and likewise to the explanations by the gentleman from West Virginia [Mr. DAYTON]. They would appear satisfactory, and I should be satisfied but for the remarkable fact that the chairman of the committee, when I interrogated him, did not seem to know anything about this item, or, if he did know, he hesitated and refused to answer. It seemed to cause embarrassment, and he laughed and snickered, and apologized for the presence of the item in the bill, and referred me to the leader of the minority on the committee.

I asked the question in good faith. I felt that I had a right as a Member of this House to be informed upon it.

Mr. FOSS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. LIND. Yes.

Mr. FOSS. I thought the gentleman from Louisiana [Mr. MEYER] was more capable of making an explanation of that appropriation than I was, and I therefore yielded to him out of courtesy.

Mr. LIND. But that was after it had been drawn out of the chairman, as by a corkscrew, that there was an item of that character. He did not even deign to answer my question. He referred me to the gentleman from New York [Mr. FITZGERALD]. Then there had to be cross references to page and line before the chairman would answer.

Mr. FOSS. May I say to the gentleman that I did not know what particular item the gentleman referred to and did not refer him to the remark made by the gentleman from New York; but as soon as I found out what item the gentleman was referring to, then, out of courtesy, I yielded to my colleague on the committee, the gentleman from Louisiana [Mr. MEYER], who is more familiar with and better capable of explaining that item than I.

Mr. LIND. Let me ask the chairman of the committee a question. Are the items in the bill which have not been recommended by the Secretary of the Navy so numerous that one must furnish a bill of particulars when one would inquire in regard to such an item? Is this the kind of information to appeal to the membership of this House? That is the question that I would ask.

The CHAIRMAN. The time of the gentleman from Minnesota has expired. The question is on the amendment.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Navy-yard, League Island: [illegible] To continue retaining wall along reserve basin, $90,000; [illegible] to complete, $[illegible]; sewer system, extensions, $[illegible]; [illegible], extensions, $[illegible]; railroad system, extensions, $[illegible]; dredging and filling in Delaware water front, to continue, $[illegible]; water system, extensions, $[illegible]; underground electrical system, $[illegible]; fire-protection system, extensions, $[illegible]; sea wall extension, $[illegible]; one officers' quarters, $[illegible]; extension of reserve basin, to continue dredging, $75,000; locomotive crane track, extension, $[illegible]; storehouse for naval supplies, to complete, $80,470; in all, navy-yard, League Island, $912,970.

Mr. BURTON. Mr. Chairman, I move to strike out the last word. I do so solely with the intention of asking the chairman of the committee to explain two or three items in this paragraph which would seem at first sight extravagant. In lines 20 and 21 there appears:

Electric plants, extensions, $100,000.

In lines 2 and 3, page 29, there appears the following:

Extension of reserve station, to continue dredging, $75,000.

And in lines 4 and 5, page 29, appears the following:

Storehouse for naval supplies, to complete, $80,470.

Calling attention to the first item, Mr. Chairman, it would seem that $100,000 for the mere extension of an electric-light plant is a very large amount. I would inquire, also, what is the item referring to the extension of the reserve station, to continue dredging, $75,000, and as to whether or not this appropriation completes the work. I also call attention to the item for the storehouse, $80,470, which would seem to be a large amount.

Mr. FOSS. Mr. Chairman, I shall have to refer the gentleman to the hearings before the committee, where Admiral Endicott, Chief of the Bureau of Yards and Docks, appeared before the committee. As to the first item, Admiral Endicott said:

We need [illegible] money.

Mr. LOUDENSLAGER. [illegible] You do not need it all. You had $75,000 last year.

Admiral ENDICOTT. [illegible] stitch, and [illegible] We are [illegible] work. [illegible] We have [illegible] yards and the [illegible] Every new building that goes up [illegible] in the [illegible] and it is all to be [illegible] this year. I have a [illegible] as very important.

These are the words of Admiral Endicott, who is charged with the duty of estimating for appropriations necessary to carry on the work of this Bureau. It may be said in reference to the new League Island yard that we have been building up that yard during the last few years. We have found it necessary to do so. We have built a great many new buildings there. The old buildings were built fifty and sixty years ago, and in view of that fact Admiral Endicott finds, I presume, the necessity for a large appropriation for this particular item.

Now, in reference to the extension of the reserve station and to continue dredging, $75,000, I would state that the estimate was $100,000 as recommended by the chief of the Bureau and we cut it to $75,000. Reading in reference to this, on page 312 of the hearings, the following is found:

Mr. LOUDENSLAGER. The next item is "extension of reserve station, to continue dredging, $100,000."

Admiral ENDICOTT. The full amount of that item ought to stand.

The CHAIRMAN. You can [illegible] $[illegible]?

Admiral ENDICOTT. Yes, sir; but we ought to go on with the other work. You can make it $75,000. I would not like to have it reduced below that.

Now, as the gentleman knows, if he has ever been to League Island, we have there a great reserve basin, a fresh-water basin, really the only great fresh-water basin in connection with our yards; and it is there where we lay up our ships. In view of that fact, and in view of Admiral Endicott's testimony and the hearing upon it, it struck the committee that they could not afford to cut down that item any more, so they cut it down 25 per cent.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Ohio may be extended.

Mr. BURTON. Let that be the time of the gentleman from Illinois.

Mr. BUTLER of Pennsylvania. That the time of the gentleman from Illinois may be extended in order that he may be able to answer the questions propounded by the gentleman from Ohio.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend the time of the gentleman from Illinois to such time as he may require to answer the questions propounded. Is there objection?

There was no objection.

Mr. BUTLER of Pennsylvania. The Chairman will allow me to say that I think the item estimated for was to complete the building appropriated for two years ago. It has been appropriated for from time to time, and this appropriation is to complete the building.

Mr. FOSS. I have the passage now, and I will read it:

Storage house for naval supplies, act March 3, 1901, to cost $224,840. A contract was made for this building November 1, 1902, to cost $210,000. At the end of the fiscal year 44 per cent of the work had been completed.

The amount now asked to complete the building is slightly in excess of the original estimated cost, owing to unexpected expenses incurred in connection with the construction of the building. This last item is to complete the appropriation for this building, which has already been authorized under a previous act of Congress.

Mr. BURTON. Will the gentleman yield for a further question?

Mr. FOSS. Yes, sir.

Mr. BURTON. What is the total cost of this electrical plant, [illegible]

Mr. FOSS. I can not [illegible] what the total cost is. We have appropriated every year for the last two or three years certain sums for the electrical plant, and as the work progresses and the Bureau sees the necessity of further extension we [illegible]

Mr. BURTON. In proportion as power being substituted for steam power in that and other navy yards

Mr. FOSS. Yes, sir, it is, and I presume the time will come when the power at all our navy yards will be [illegible] electrical.

Mr. BURTON. Is there a house electrical plant in all the navy yards?

Mr. FOSS. There is.

Mr. BURTON. Is the gentleman able to state the expense of [illegible]

Mr. FOSS. I am not able to state that now, but I can very easily find out the figures by consulting the Department.

Mr. BURTON. Well, Mr. Chairman, [illegible] this item is erroneous. I withdraw the pro forma amendment.

The Clerk read as follows:

[illegible]

Mr. HITCHCOCK. Mr. Chairman, I move to amend by inserting after the word "dollars," in line 2, page 30, the words "for construction of gun factory, $500,000."

The Clerk read the amendment offered by Mr. HITCHCOCK.

Mr. HITCHCOCK. Mr. Chairman, I [illegible] before this committee Captain Pendleton, [illegible] experts, a man who has been in the service of the gun factory [illegible] a great many years, gave certain testimony. I [illegible] this testimony verbatim in my remarks, but will merely refer now to the substance of it.

He stated, in the first place, that the capacity of the gun factories of America under private control was not sufficient [illegible] the present preparation of gun manufacture for navy yards already provided for. He stated, in the next place, that gun manufacture in these private factories and the Government factory [illegible] money than the cost of manufacturing in Government factories. He said, further, that there were only two factories in the United States where large guns could be made, and [illegible] appropriation of $500,000 for the gun factory in the Washington Navy-Yard.

I will read a part of his testimony:

Mr. VREELAND. You mean that they can not produce enough in quantity or quality?

Captain PENDLETON. In quantity. Every [illegible] do this work in some instances [illegible] work [illegible] as a result we are [illegible] Now, we have [illegible] expansion for the future needs, and we have to take [illegible] Something has to be done. Nothing was done last year. I would [illegible] expectation of the gun factory, that the Government can do this work at much less cost.

When we were getting our plant ready for work we had to [illegible] the tools [illegible] We had [illegible] a lathe near West Point and another [illegible]

We paid in both places always the same price—$3,300 apiece for the assembling of every 6-inch gun, and we furnished all the tools with which to do the work.

As soon as we were able to take the work ourselves they cost [illegible] the cost of all the work we do was [illegible] that is, we take the forged tube and mount it and [illegible] and that is the cost. We build these guns at a cost of $1,300 apiece.

Further on, referring to the acquisition of certain guns from private factories, Captain Pendleton testified:

Before the Department made that contract they sent for some [illegible] to make a [illegible] what it ought to cost. I had some [illegible] work. The Department had [illegible] for this work and yet [illegible] any $500,000 more to get those guns than the estimate was put in the work.

Mr. BURTON. I think that Admiral O'Neil stated yesterday that in buying $2,000,000 worth of guns they paid $2,500,000.

$2,000,000 GUNS COST GOVERNMENT $2,500,000 UNDER CONTRACT.

Captain PENDLETON. The cost is half a million dollars more than I estimated they would cost, and I went into every detail.

So he continues in his testimony; and, so far as I have been able to learn, there was nothing before the committee to dispute the fact that the investment of $500,000 in the extension of this Government gun factory would save to the Government perhaps 40 per cent of the cost of these guns as now made in private factories, a saving which would soon amount to millions of dollars.

I should like to have the chairman of the committee tell us why it is that in the face of this fact no recommendation is made for the extension of this gun factory to put the Government in a position to make its own guns much cheaper than they can be made in the private factories.

Mr. RIXEY. Will the gentleman state to the House what Captain Pendleton said in regard to the production of the guns which he recommended to make if this Government gun factory should be extended?

Mr. HITCHCOCK. I am not able to refer to that; perhaps the gentleman [illegible]

Mr. RIXEY. I have [illegible] committee that he [illegible] only [illegible] them. He [illegible] why it was [illegible]

Mr. GILLETT. [illegible]

Mr. RIXEY. I ask that the time of the gentleman be extended five minutes.

The CHAIRMAN. Is there objection?

There was [illegible]

Mr. HITCHCOCK. I have no doubt the gentleman correctly [illegible]

Mr. RIXEY. And I want to state to my friend that it was [illegible] If Captain [illegible] largement, with this $5[illegible] do any more than tw[illegible] work, because he [illegible] the private [illegible] the country.

Mr. HITCHCOCK. Now, Mr. Chairman, it is not [illegible] but what we should do is [illegible] spire to overcharge the Government.

Mr. RIXEY. The Government does manufacture now two-thirds of the guns.

Mr. HITCHCOCK. Captain Pendleton later on in this hearing [illegible]

Mr. VREELAND. Do you [illegible] the prospect is that [illegible] able to do the part [illegible]

Captain PENDLETON. I say that if the present plants, both [illegible] and depreciation on their plants [illegible] and I do not own or control them?

[illegible] query. Why should the Government not construct and enlarge its own plants? Why should [illegible] or 40 per cent more to private factories, when by enlarging [illegible] plants, as its own expert recommends, these guns [illegible] Government factories can be made for 30 or 40 per cent less than [illegible] I should like to have the Chairman of the Naval Affairs Committee say why it is that he recommends [illegible] thing for the contractors and nothing for Government works to compete with the contractors?

Mr. VREELAND. Mr. Chairman, this item was not recommended by the Navy Department. It has not been [illegible] by the Navy Board. It has not been [illegible] tary of the Navy. The head of what is called the [illegible] Gun Factory, who naturally desires to put himself at the head, as large a plant as possible, appeared before our committee and [illegible] permission to present his views.

Now, the gentleman from Nebraska inquires why the Government does not build all of its guns. I would say to him there is no proposition, even by the gentleman who appeared before our committee, that the Government shall build all of its guns. It is an impossibility for the Government of the United States to build the great guns which it uses for its coast defenses and for arming its battle ships. There is no proposition that the Government should do anything more than what is called "assembling" these guns, anything more than to finish the guns here in the Government Gun Factory at Washington, and in the military gun factory at Watervliet, N. Y. This expenditure which the gentleman proposes would be the entering wedge for building a great gun factory here in Washington, which in the end, he admits, would cost four or five or six million dollars. Mr. Chairman, I am one of those who believe that where fair trade conditions exist the Government of the United States might better buy all the goods that it needs in all the great departments of the Government.

Mr. HITCHCOCK. Will the gentleman permit an inquiry?

Mr. VREELAND. Yes.

Mr. HITCHCOCK. Did not Captain Pendleton testify that

$500,000 would make a sufficient extension at the present time to enable the Government to produce these guns for its own use 30 or 40 per cent cheaper than the manufacturers were producing them? And why should we not do this and save all these millions that we pay to the private factories?

Mr. VREELAND. If the gentleman will only think a minute, this is for a commencement, and this money would run it over until another year, when he could come before the committee again, say that the Government had already started into this work, and that it should be kept on, and ask you for still greater appropriations to continue the work. Competition in the manufacture of guns has increased during the last few years. At least two great steel plants in this country have equipped themselves for the purpose of building and furnishing these guns to the Government.

I said a moment ago, Mr. Chairman, that I was one of those who believe that the Government of the United States, where fair trade competition exists, might better buy all the supplies that it needs in all the great departments of the Government.

Mr. HITCHCOCK. Mr. Chairman, the gentleman has hardly answered my question. I asked him whether it was not testified before the Committee on Naval Affairs by Admiral O'Neil that the Government in buying $2,000,000 worth of guns was forced to pay $2,500,000 for them?

Mr. VREELAND. Well, the committee heard these matters. They fully considered the point raised by him. The members of the committee inquired into what basis he had for that information that he could build guns cheaper than we now buy them.

Mr. SIBLEY. Will the gentleman yield to an interruption?

Mr. VREELAND. Yes.

Mr. SIBLEY. I have been informed, and I have reason to believe it is true, that the contractors, the steel works that take Government contracts to cast the guns, do 60 per cent of the entire work upon that gun.

Mr. FOSS. Nearer 80 per cent.

Mr. SIBLEY. Nearer 80 percent. The Government does from 20 to 80 per cent, and yet 60 per cent of the entire price of the cost of that gun is represented by the work that the Government does and only 30 or 40 per cent of the work represented by the work of the steel company who contracts for the gun. I am informed, and I would like to know if it is true, and if it is, how can the gentleman get away from the proposition? You can go down here to the Public Printer to have a speech printed that you delivered yesterday, and he will charge $8 a thousand for that speech, while you can go to another printer, outside of the Government, and get a thousand copies for $2.50 or $3 a thousand. If you will find one Department of the Government of the United States where they have done work cheaper than the private individual or corporation, then point it out.

Mr. HITCHCOCK. I would like either one of the gentlemen on the other side to answer this question——

The CHAIRMAN. Does the gentleman yield?

Mr. VREELAND. Yes.

Mr. HITCHCOCK. Whether there was a word of testimony disputing Captain Pendleton or the Admiral of the United States Navy when they testified that these guns were being produced 20 to 40 per cent cheaper than we are now paying?

Mr. VREELAND. I would say to the gentleman that the committee did not feel interested enough in the subject at that time to go into the testimony. There is no testimony before the committee. There was simply a statement by the captain of the gun foundry here at Washington. There were a few questions directed to the captain. He had a very incomplete knowledge of the cost to the Government of these guns. It developed that there was a great amount of money invested in the plants that manufacture these guns. It turned out, for example, that no attention was paid to the hundred thousand dollars which was paid to men for leave of absence now by the Department each year as an item of cost. All these items which are paid are necessarily a part of the cost, and should be charged in an account as to the cost of these guns. I would say to the gentleman that after hearing the captain's testimony, having the desire to equip the Navy of the United States with the best possible guns as cheaply as can be done, the committee did not feel interested enough to start in with an expenditure which would amount to five or six million dollars in experiments whereby the Government should try to build the guns it now buys. [Cries of "Vote!"]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I will state that I was not present at the hearing before the committee on this item, but I have read Captain Pendleton's testimony, and from my experience with other matters I am satisfied that it will be in the interest of economy to enlarge the Government Gun Factory and enable our own officials to finish more guns. Every member of the committee will remember that in the case of smokeless powder by making our powder—and we make a part of it, we buy a part of it—we get it 40 per cent cheaper than when we buy it, as I recollect the testimony. Every gentleman in the country knows that before we began to agitate for a Government armor-plate factory that the armor-plate makers——

Mr. VREELAND. May I ask the gentleman a question?

Mr. WILLIAM W. KITCHIN. In one minute. That the armor-plate makers charged us $545 a ton, and when it was signified to them that we would like to hear something from them on prices, they refused to give us any other proposition; but after the agitation for an armor-plate factory came up we succeeded in getting that armor plate for $100 a ton less, and we have thereby, in the last four years, saved the Government $3,000,000 by the mere agitation for an armor-plate factory. Captain Pendleton says here, in speaking of guns:

We paid in both places always the same price, $3,300 apiece, for the assembling of every 6-inch gun, and we furnished all the tools with which to do the work. As soon as we were able to take the work ourselves they cost $1,300.

A saving of $2,000 apiece in guns. Now, what is the question of the gentleman from New York?

Mr. VREELAND. The gentleman makes the assertion that there is very much profit, for instance, in the manufacture of smokeless powder. I would ask the gentleman whether he takes into account the money invested in that plant and all of the things that go to make up a great manufacturing plant?

Mr. WILLIAM W. KITCHIN. I would say to the gentleman that in the hearing Admiral O'Neil, I believe it was, gave all the facts and gave all the figures and gave the history of his experience with the gunpowder factory and stated his conclusions in figures in the hearing, and the gentleman by looking them up can find them himself in a few minutes and find just what has been our experience with powder.

Mr. VREELAND. I would ask if there has been a recommendation made by the gentleman as to building factories?

Mr. WILLIAM W. KITCHIN. What is that?

Mr. VREELAND. Is there any recommendation made by the Admiral as to building a factory?

Mr. WILLIAM W. KITCHIN. The Admiral was strongly in favor of enlarging it last year, and I presume he is this year. I did not hear his testimony this year and have not read it. I know there was a proposition coming from this side of the House to increase that powder factory last year; but Captain Pendleton's testimony is fresh as to guns; the gentleman from Nebraska has just called attention to it, and he says that $500,000 can equip this factory. He says that as things are now he can not finish the guns that are needed for battle ships and cruisers already authorized until 1907. So the probability is that unless we increase the plant the work of the Government will get further and further behind from year to year in the Ordnance Department.

Mr. VREELAND. I would like to ask the gentleman if he would be willing to make an expenditure of four or five million dollars of his own money based on Captain Pendleton's testimony?

Mr. WILLIAM W. KITCHIN. The gentleman must take me to be a multimillionaire. I am not, and have not four or five million dollars to invest in it, but I should think if I could get into one of the armor-plate trusts or some other great trust which sells all the great supplies to the Government, I would be soon able to make such an investment. [Applause on the Democratic side.] No, it is a clear business proposition, Mr. Chairman, in the interest of economy, in the interest of getting our guns cheaper. The Government turns out the best product. I believe that the amendment of the gentleman from Nebraska ought to be adopted. While it will entail some increased expense now, Captain Pendleton's testimony shows in the long run that even within a very few years it will save vastly more for the Government than the cost of the factory.

[Here the hammer fell.]

The CHAIRMAN. Debate is exhausted on this amendment.

Mr. RIXEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. RIXEY. Mr. Chairman, I intend to support the committee on this proposition. No one in this House has a record clearer than I have for providing for the protection of the Government against the armor-plate trust. It is as plain as daylight, says Secretary Moody, that there is a trust, that the Bethlehem and Carnegie companies are in a combination, and that it dictates prices on armor plate to the Government.

If it appeared that the amendment of the gentleman had the effect to protect the Government against this trust, I would support it with pleasure and would have advocated it in committee. But the fact is that Captain Pendleton, who proposed the enlargement of the factory, told the committee that he did not propose to take from that trust one particle of the work that it now has. I will read you from the hearings. I interrogated him especially on that point.

Mr. HITCHCOCK. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Virginia yield to the gentleman from Nebraska?

Mr. RIXEY. I will.

Mr. HITCHCOCK. Of course the gentleman does not claim, even if he concurs in Captain Pendleton's words as he does, that Captain Pendleton would carry out the policy of the United States. If this Congress orders the construction of a Government gun factory, certainly there would be a power in this Government to manage that gun factory.

Mr. RIXEY. The answer is that is what Captain Pendleton is the director of this project, and he outlines what he expects to do with it. This is what he says:

Mr. RIXEY. How many guns will be required for the ships already authorized?

GUN DO TWO-THIRDS OF WORK AT GUN FACTORY.

Captain PENDLETON. I have carefully gone [illegible] work now [illegible] do two-thirds of the work.

Mr. RIXEY. Is there any objection to increase your factory so that you can do the work [illegible]?

QUESTION

Captain PENDLETON. No, that is not it. The question is this: that we have [illegible] ready authorized?

Mr. RIXEY. [illegible] care of the present conditions you can take care [illegible] ready authorized?

Mr. RIXEY. [illegible] take care of the [illegible] care of [illegible] if you get the [illegible]

Captain PENDLETON. [illegible] to take care of the [illegible] and further [illegible] ready authorized.

Mr. RIXEY. [illegible] for the present conditions you can take care [illegible] ready authorized?

Captain PENDLETON. [illegible] Yes, sir.

Mr. RIXEY.

and repair, to complete, $150,000; foundry, for construction and repair, to complete, $[illegible]; in all, navy yard, Charleston, S. C., $[illegible]."

Mr. LEGARE. I offer this amendment. Mr. Chairman, with considerable confidence, feeling as I do that the Committee on Naval Affairs in ignoring the Charleston Navy-Yard had no intention of being unjust or unfair to the people of my district. To the contrary, I feel the committee has been actuated only by a desire to do that which in its opinion was to the best interests of the Government. I shall have no trouble, however, in convincing the Members of this House, the gentlemen of the Committee on Naval Affairs included, that a great wrong would be perpetrated and a great injustice be done should this bill be passed in its present shape without this amendment, and that not only would irreparable injury be wrought to my people, who are a part of this great Government, but to the Government itself.

I say that there has been a mistake or a misunderstanding concerning this matter, for upon due inquiry and investigation I find that in some way the gentlemen in charge of the original bill were impressed with the idea that the appropriations for this work had already been appropriated in previous bills to carry on this work, and that this would be a new and unnecessary expenditure; second, that the Navy Department were not the originators of the plan to build a navy-yard at Charleston, had never controlled it, and were in no way responsible for its completion or maintenance, and, third, that Charleston was not the proper place for a navy-yard anyhow, and while it is not my purpose to make a speech in any sense of the word, I do wish to as briefly as possible remove this false impression by simply making a plain, concise explanation of the entire matter and ask your earnest cooperation in the passage of this amendment. In the first place, then, allow me to say to you, in explanation of the amounts already appropriated for the yard, that the same was made by Congress for specific purposes and is for the completion of separate and distinct contracts from those mentioned in my amendment. For instance:

The act of March 3, 1903, made appropriations as follows:

Power house and fuel storage, for construction and repair, to complete	$45,000
Machine shop, for construction and repair, to complete	80,000
Foundry, for construction and repair, to complete	[illegible]
Timber dry dock, for [illegible]	[illegible]
Power house, for steam engineering	25,000

What I am asking for to-day is an appropriation to continue and complete contracts already entered into by the Government and for which the Government is responsible. I have not taken the entire estimate as furnished by the Navy Department. These amounts in all to $951,500, and includes a number of estimates for new contracts, and in order to meet this situation fairly and squarely, I have eliminated each and every new item, and stand here to-day asking you for only such amounts as are necessary to continue and complete work already contracted for. These contracts have been executed by our Government, and contractors have all over the land have moved there with men and material and machinery at great expense, and have already completed a large part of the work. Unless this appropriation is [illegible] there will be compelled to shut down, leaving under the terms of their contracts they receive a certain percentage of their pay as the work progresses. Over [illegible] worth of these contracts could be completed before the end of the year, as follows:

	Amount.	Date of completion.
Water main	$[illegible]	May 1, [illegible]
Quarters [illegible]	[illegible]	[illegible]
Improvement [illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Joiner shop, for [illegible]	[illegible]	[illegible]

You can readily see, therefore, the hardship that would result from your failure to appropriate this money at once. I mean hardship to the contractors and the great inconvenience they experienced last season. Already they have been writing me to know what provision has been made in this bill for a continuance of these contracts and have begun to shut down work. I wish to read the following from one of my home papers:

TO STOP WORK. AT THE NAVY-YARD THERE ARE MORE THAN EIGHTY MEN SCHEDULED TO BE LAID OFF WITHIN A FEW DAYS. APPROPRIATIONS ARE EXPECTED TO BE MADE, BUT UNLESS FUNDS TO CONTINUE AND SUSPENSION WILL BE ONLY TEMPORARY.

A member of this establishment of the population Navy-Yard have completed [illegible] the proposed suspension of the work next week on account of the lack of funds.

* * * * * * *

The notice of the laying off of the men was received in the past few days. The men came to Charleston with the understanding that they would be kept [illegible] in the employ of the Government. With the funds [illegible] the contractors have completed the work [illegible] would not be far distant when the actual mechanical force would also be laid off, but aside from the sequence the construction of the buildings will be stopped on account of the expenditure of the appropriation.

* * * * * * *

The suspension of work for any extended time will prove serious to the large force of employees who have located at the navy-yard, and its effect will be felt as far as we.

The suspension of work may prove very damaging to the dry dock especially which is under construction.

Mr. GROSVENOR. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Ohio?

Mr. LEGARE. Certainly.

Mr. GROSVENOR. What is the nature of the work of these contracts the gentleman speaks of; what does it relate to?

Mr. LEGARE. It relates to "machine shop for steam engineering," to complete; "power house for steam engineering," to complete; "stone and concrete dry dock," to continue, and the like. Permit me also to say, Mr. Chairman——

Mr. GROSVENOR. And these contracts were made pursuant to statute in force at the time they were made?

Mr. LEGARE. Yes, sir.

Mr. GROSVENOR. And now no provision is made in this bill, as I understand, either for the completion of the contracts or settlement with the contractors for any damage?

Mr. LEGARE. That is it. You have stated the case, sir, exactly as I have endeavored to present it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I ask that the gentleman's time be extended.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the time of the gentleman from South Carolina be extended. Is there objection? [After a pause.] The Chair hears none.

Mr. LEGARE. I thank the gentleman from Illinois.

So much, then, for the necessity of this appropriation. What of the Navy Department's responsibility for this navy-yard? On the 25th day of last January the Secretary of the Navy, Mr. Moody, made the following statements before the Committee on Naval Affairs:

The Navy Department has no responsibility whatever for the Charleston Navy-Yard. [illegible] to estimate for [illegible] navy-yard.

* * * * * * *

[illegible] never been consulted.

Now, it is not my purpose to attack this statement; in fact, I hesitate as to whether I should even discuss the matter, coming as it did from so high an authority. But, actuated as I am by a sense of duty to those whom I represent and holding as I do the [illegible] facts in my hand, I must at least be allowed to say that the Secretary was mistaken. He says: "The Navy Department never recommended the Charleston Navy-Yard." I hold in my hand a copy of the first letter written upon this subject. It was written by the Chief of the Bureau of Yards and Docks to Mr. Moody's predecessor, Secretary Long. It contains a recommendation that the navy-yard be removed from Port Royal to Charleston. Secretary Long on the same day wrote to the Senate transmitting this letter and commending the matter to its "favorable consideration."

I wish to read these two letters because it shows absolutely and conclusively that the matter originated with the Navy Department. They are as follows:

[Letter to Secretary Long.]

BUREAU OF YARDS AND DOCKS, NAVY DEPARTMENT,
Washington, D. C., May 7, 1900.

SIR: Referring to naval appropriation bill, H. R. 10459, reported by the Senate on the 2d instant, the Bureau begs to draw the attention of the Department to the proposed [illegible] Port Royal, S. C., [illegible] seq. [illegible] the dry dock [illegible] $[illegible] [illegible] $[illegible] [illegible] $[illegible]

Just a little more, and I shall leave the matter for your just and conscientious opinion and decision.

Some few years ago the Government expended a half million dollars for a navy-yard at Port Royal. This station has been almost entirely abandoned; in fact, it is utterly useless; and this money has been practically wasted. Is it proposed that this new enterprise or navy-yard shall likewise be abandoned; and if so, why? You have some seven navy-yards and stations north of Hatteras, and any far-minded man must realize that sooner or later you must establish important naval stations on our southern coast, unless you propose to abandon that coast entirely in the event of war.

We are certainly entitled to equal protection with the northern ports; justice requires it and necessity demands it. The South is fast becoming the center of the world's industry. The clouds of prejudice and [illegible] that have obscured its glorious [illegible] for the past thirty years are fast passing away. A northern writer, after [illegible] and travel, has said that—

[illegible]

I [illegible] from the South [illegible] and I tell you that it is true, that the South has more [illegible] than any other section of this country, and energy and enterprise, and unlimited resources [illegible] on the face of the globe. [illegible] and most successful [illegible] of the [illegible] Would the South [illegible] and wealth and [illegible]. We have an abundance of [illegible] iron, coal, phosphate, timber, and tobacco, and I ask you, sirs, What country of the known world can boast of more [illegible]

[illegible] industry, thrift, energy, and wealth of the South have been the great factors in bringing about [illegible] country into a world power. Have we not the right, then, to come to you and ask protection at your hands, you who are the dominant [illegible] of this House?

All [illegible] have been abolished; bitterness has passed away. We are one people, one great country, and I [illegible] true and as patriotic as yours, and [illegible] that they really [illegible] in these matters.

We have one of the greatest harbors on the Atlantic. You might search the whole coast and not find a spot so well adapted and suitable in every respect for a naval station, situated about the middle of the south Atlantic coast, a good harbor of magnificent proportions, deep water, and accessible for vessels of the largest size and heaviest draft. It is in a sheltered location, convenient for navigation, and also in a favorable position with respect to the principal lines of defense. It is secure from [illegible] natural surroundings; in fact, it is a [illegible] Its land defenses on Sullivans Island have been practically completed, and there is no fear of destruction or capture, or even material damage, from any [illegible] attack.

Charleston is 7 miles from the ocean, and the naval station [illegible] Charleston, and thus the longest range guns could [illegible] there.

[illegible] with more than 26 feet of water at [illegible] a rise of 5 feet in the tide, we have [illegible] feet of water at high tide. Just a few days ago a [illegible] with a draft of [illegible] feet in [illegible] The largest war vessels which have ever [illegible] more able and efficient men in this or any [illegible] than the members of the Charleston Pilots Association [illegible]

[illegible] and adaptable for naval [illegible] Charleston has an [illegible] population of [illegible] and [illegible] as the sun ever shines on it. We have the railroads running [illegible] in abundance supplied [illegible] and a healthy climate that is suitable for outdoor as well as indoor work. While other parts of the country are frozen over for months at a time, our [illegible] every day in the year. And we have [illegible] a magnificent supply of pure, fresh water for the use of the navy-yard.

What more can be desired, or asked, or demanded? I do not hesitate, sirs, to stand here and say to you we have a port suitable in every possible way for this work—yea, a port preeminent not only in the South, but along the entire Atlantic and Gulf coasts, and I appeal to your sense of justice and right when I ask that you permit the Government of the United States to comply with its solemn compact with the contractors in charge of this work and with the people of this port by voting for my amendment. [Loud applause.]

Mr. FOSS. Mr. Chairman, I desire to state the facts in reference to this matter, and it is my intention to give the facts and reasons why the committee did not see fit to put any appropriation in this bill. I may say that I think the committee were unanimous in regard to it. I know this, that the motion did not come from this side of the committee.

Mr. LEGARE. Will the gentleman yield to an interruption?

The CHAIRMAN. Does the gentleman yield to the gentleman from South Carolina?

Mr. FOSS. I do.

Mr. LEGARE. The gentleman says that the motion did not come from his side of the House. That is true. But the member of the committee, the gentleman from Iowa, who did make the motion, being away, I wired him and have his telegram in reply, saying that if the rest of the committee would concur, he would [illegible] to my amendment.

Mr. FOSS. Now, Mr. Chairman, this was the situation before the committee. The House has never made an appropriation for this yard. It was put on in the Senate, and the appropriations for this yard have always been made in the Senate. It has been regarded as a kind of Senatorial proposition. Now, we have appropriated for this yard to date $[illegible]. That much money we have appropriated for the Charleston yard—$1,363,300, and not only that, but when we transferred the yard from Port Royal to Charleston we reappropriated all the money that was left [illegible] at the Port Royal yard, which [illegible] in the [illegible] of the Bureau of Supplies and Accounts, so that [illegible] amounted to $340,105, making, then, the total a[illegible] are available for this yard in round [illegible] $1,700,-957,95[illegible] officers quarters, $[illegible] wharf, [illegible] making, in all, a total [illegible] wholly completed.

[illegible] already made which are to be e[illegible] work already [illegible] Now, [illegible] Admiral E[illegible] we ha[illegible] enough to pay for all [illegible] to-day, but not an of the work authorized. Now, Mr. [illegible] and I know, [illegible] so much every year. If [illegible] appropriated—

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he be granted five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. It struck the committee that we had money enough appropriated to carry on the work of this yard for the [illegible] fiscal year. We are appropriating only for this next fiscal [illegible] we are not appropriating for the following fiscal year. We will be back here in a [illegible] Now, I have no disposition in any way to cut down the yard at all. [illegible] unanimous upon it, that we ought not to appropriate any more at this time. Now, I will make that statement about it and leave it to the committee entirely to settle the question.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from North Carolina moves to strike out the last word.

Mr. WILLIAM W. KITCHIN. It seems to me that since the chairman of the Committee on Naval Affairs [illegible] with the Committee of the Whole, who [illegible] we should not hesitate to adopt this amendment, as the plain fact stated by the gentleman from South Carolina [Mr. LEGARE] must convince everybody that we ought to put in this appropriation for the Charleston Navy-Yard. The gentleman from [illegible] GROSVENOR] in asking the gentleman from South Carolina two or three

questions made plain the situation of this yard. He made it plain that these contracts are authorized by law; that they were entered into by authority of Congress. Although this yard may have been considered a Senatorial proposition, the gentleman evidently meaning by that that it originated in the Senate, which is true, yet it is now a proposition of the people of the United States. It matters not whether the original act creating the Charleston Navy-Yard originated in this body or at the other end of the Capitol, it is now our proposition.

Mr. MUDD. Mr. Chairman, may I interrupt the gentleman?

The CHAIRMAN. Does the gentleman yield?

Mr. WILLIAM W. KITCHIN. Certainly.

Mr. MUDD. I ask for information because I did not happen to be at the hearing when this matter was considered. The gentleman from Illinois, the chairman of the committee, I understood, stated that we had appropriated sufficient money for all the contracts that have been entered into. I would like to know what is the understanding of the gentleman from North Carolina as to that?

Mr. WILLIAM W. KITCHIN. My understanding is the money has not been appropriated to complete all the contracts that have been entered into.

Mr. MUDD. I understood that; that is a matter I would like to have some light upon.

Mr. WILLIAM W. KITCHIN. Now, I may be in error upon that, but such is my understanding.

Mr. FOSS. The fact, as I have stated it, is that we have already appropriated enough money to complete the works which have already been contracted for.

Mr. WILLIAM W. KITCHIN. Take the dry dock.

Mr. FOSS. Not including the dry dock, because the gentleman knows that construction runs along for a number of years.

Mr. WILLIAM W. KITCHIN. That is exactly it.

Mr. MUDD. Mr. Chairman——

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Maryland?

Mr. WILLIAM W. KITCHIN. Yes.

Mr. MUDD. The question is, Have we appropriated money enough for the next fiscal year?

Mr. WILLIAM W. KITCHIN. My understanding is that we have not. I have not the Department's statement at hand, but there are other projects there already authorized by law for which there has been no appropriation. As I understand the position of the gentleman from Illinois, he is willing for this matter to be considered now without prejudice. The fact that it has been omitted from the bill he does not desire to count against this proposition.

Mr. LEGARE. Mr. Chairman——

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from South Carolina?

Mr. WILLIAM W. KITCHIN. Yes.

Mr. LEGARE. I stated, which the gentleman perhaps did not hear, that I went to Admiral Endicott's office yesterday morning, and included in this amendment only such matters as have already been contracted for and for which he said there was not sufficient money to carry on the work, contracts that are to be completed this year.

Mr. WILLIAM W. KITCHIN. And from the gentleman's statement I understood the Admiral was recommending only such matters as could not conveniently be avoided. It is true we have heretofore appropriated nearly one and three-quarter millions of dollars for that navy-yard, but everybody in the House knows that you can not make a navy-yard with $2,000,000. It has been stated here to-day that the Brooklyn Navy-Yard represents an investment of $19,000,000. The Norfolk yard represents many millions, the Boston Navy-Yard many millions, the Portsmouth (N. H.) Navy-Yard many millions, the Mare Island yard many millions.

Mr. BUTLER of Pennsylvania. Will the gentleman allow me to ask him a question?

Mr. WILLIAM W. KITCHIN. Yes.

Mr. BUTLER of Pennsylvania. Will the gentleman state what the depth of water is at Charleston?

Mr. WILLIAM W. KITCHIN. Yes; but let me say to the gentleman that when we have spent as much money there as we have in the Delaware River we will have as great a depth of water at Charleston as we now have at League Island.

The CHAIRMAN (Mr. GROSVENOR). The time of the gentleman from North Carolina and the time of the gentleman from South Carolina has expired. [Laughter.]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that he may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. LEGARE. May I interrupt the gentleman?

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I yield to the gentleman from South Carolina.

Mr. LEGARE. Mr. Chairman, the depth of water on Charleston bar is 31 feet and a little over at high tide and 26 feet and a little more at low tide. Only last week a vessel came into port in distress in the night time drawing 26 feet 4 inches of water. The heaviest draft war vessel when loaded only draws 27 feet of water.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I thank the gentleman from South Carolina for that information. I did not have it. I am not an expert on harbors. I believe that this amendment is a fair and just proposition.

We all realize that it must be appropriated some time, and why not in such a manner as not to discontinue the progress of the work that is now contracted for? We do not hesitate to appropriate for Boston, for Portsmouth, N. H., for Brooklyn, N. Y., for coaling stations in different parts of the country, the training station at Rhode Island, the navy-yard at Mare Island; and why should this proposition be made an exception?

I am in favor of economy, yet I believe this proposition will appeal to the reason of every gentleman here. As I have said, I do not understand the chairman of the Naval Committee himself to be opposed to this proposition; he is willing to submit it to the House without prejudice. I heartily favor the adoption of the amendment offered by the gentleman from South Carolina.

Mr. RIXEY. Mr. Chairman, in view of the fact that the gentleman from Illinois, chairman of the committee, said that the provision for the Charleston yard was left out by practically unanimous consent, I would like to make a statement about this particular item. The proposition for the Charleston Navy-Yard has never been very popular with the House Naval Committee because of the statement made before that committee that there was not sufficient depth of water there to justify a navy-yard, but from the statement now made by the gentleman from South Carolina [Mr. LEGARE] that information seems not to be correct and that there are deep-water facilities at that place.

The Members not on the conference committee were, perhaps, influenced in our position by some statements of those who were in conference in dealing with the Senate on this proposition. The Charleston Navy-Yard did not originate with the House committee, but on the Senate side, and when our conferees came back and reported that they had provided for the Charleston Navy-Yard and were asked why, they replied the proposition was forced upon them.

We had sympathy for them and were willing to stand by them temporarily. But, as the time for conference again approaches, I believe it would be as well for us to save them the trouble of having the proposition pitched down their throats again. In addition to that, as suggested by a gentleman near me, it might be as well for us to assert the right of the House. I want to say in all frankness to the membership of this House that I think the proposition has gone so far that we can not stop it now and say that that yard shall be abandoned.

I will say that in my judgment there are too many yards on the Atlantic coast. We have them from New Orleans to Portsmouth, N. H.; not at every few miles of the coast, but too close together to answer the needs of the Government; but I think that before we undertake to abandon any one yard the whole system ought to be considered. We ought to take the whole subject into consideration, from Portsmouth to New Orleans, and decide what yards, if any, should be abandoned. I do not believe that the Naval Committee will feel that it has been turned down if this proposition is inserted. I believe that committee recognizes that the proposition will have to go in the bill, and it is well to receive it now.

We can consider hereafter what yards should be abandoned. We have two yards on the New England coast within 50 miles of each other, carrying millions of dollars annually, conceded by every member of the House committee that one or the other ought to be abandoned and the property sold; yet there has been no action taken to carry that out. Under the circumstances I shall vote for the proposition of the gentleman from South Carolina [Mr. LEGARE]. I believe it is wise to make the provision and put it in this bill. I notice that in the amendment which he brings in here and has offered he provides for a less sum than that recommended by the Secretary of the Navy. Every item which he offers in his amendment has been recommended by the Secretary of the Navy in the estimates which he sent to the House committee, and there can be no danger in adopting the amendment of the gentleman from South Carolina. [Applause.]

The CHAIRMAN. The debate on this proposition is exhausted.

Mr. GARDNER of Massachusetts. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Massachusetts.

Mr. GARDNER of Massachusetts. Mr. Chairman, the gentle-

man from South Carolina [Mr. LEGARE] tells us that there are contracts in existence on which the contractors can sue in the Court of Claims, there recovering their money in case we do not adopt his amendment. If that statement is correct, obviously there is no reason for this amendment. There is no necessity in it if the gentleman from South Carolina is correct. On the other hand, the chairman of the committee [Mr. FOSS] says that a sufficient sum has already been appropriated to take care of all improvements contemplated for. In return, the gentleman from South Carolina produces evidence from Admiral Endicott to show that his original statement was correct, and that such sums of money have not been appropriated and that, therefore, these contractors can sue in the Court of Claims and can recover there. Now, I should like to know the judgment of the committee if, after the statement of the gentleman from South Carolina, he is still satisfied that sufficient money has been appropriated to cover these items and that, therefore, it will be impossible for those contractors to recover in the Court of Claims? Obviously, it is not worth while for this House to insert an item from this appropriation bill, if there is no necessity in such a course.

Mr. FOSS. Mr. Chairman, that was my statement—that I thought there was a sufficient amount of money already appropriated. Now, if the contracts have been assigned in the last day or so, that is something I do not know anything about, but, of course, gentlemen, it is simply a question. You can appropriate the money this year or you can appropriate it next. You can build one as fast as you like in building up a navy-yard. You can build it all in one year or all in two years. I have no doubt. I will say to my friend the gentleman from South Carolina [Mr. LEGARE], that the appropriation will be made next year if it is not made this year, but all we want to do is to appropriate just that measure of money which is necessary each year. I am not going to say it is not so, but it is barely possible that we do need a little more appropriation for that dry dock. I do not know just when the payments are to be made, but I do think that of those items which the gentleman has put in here the item for carrying on the work of the dry dock is the most important. I think that is $300,000.

Now, I want to be perfectly fair and square with the gentleman. We are not trying to cut out this yard, or anything of that sort. We recognize the supreme power of Congress. Congress has established this yard. Of course it was initiated over in the Senate, but the House agreed to it on its conference report, and there is no disposition in any way to cut down this yard, but to give only that measure of appropriation which is necessary to build it up. Consequently I have made the statement that I have in all fairness to the gentleman from South Carolina [Mr. LEGARE], and in all fairness to the Members of this House, without any prejudice one way or the other, and if you see fit to put in the appropriation, why, that is your action and not mine.

The CHAIRMAN. The question is on agreeing to the amendment proposed by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Naval station, Guantanamo, Cuba: Dry dock, $200,000; dredging at Toro Key, [illegible]; at Boca Key, $75,000; reservoir and water system, [illegible]; in all, $285,000.

Mr. RIXEY. Mr. Chairman, I move to amend the paragraph just read by striking out, in the first line, the word "naval" and inserting in lieu thereof the word "coaling."

Mr. Chairman, if this amendment should prevail, I will follow it with an amendment to strike out the provision for the dry dock and for the dredging at that place. As I view it, all that this country needs at Guantanamo, Cuba, is a coaling station. I do not believe there is any necessity for establishing at that point a naval station at which a would-be navy would have its plant there, and that this station would be maintained at a cost of annual expenditure.

It is well known that we have turned over this island to the people of Cuba. We have naval stations at Key West, along the South Atlantic coast, and it does seem to me that to be utterly useless for us to establish a great naval station upon the coast of Cuba, only a short distance away. We have no [illegible] in Cuba. We made there during the war with Spain. But there is a vast difference when we come to consider the question of establishing and maintaining a naval station and a coaling station, and if, as I know, a coaling station is all that is required at Guantanamo, it should be limited to that.

Mr. FOSS. Mr. Chairman, the Secretary of the Navy, in his hearing before the committee, said, in regard to Guantanamo and other places, the following:

[illegible] for public works in the bill go out than to fail on those two [illegible].

Under the Platt resolution, which, as gentlemen will recall, was a part of the military appropriation bill for the fiscal year ending June 30, 1902, we entered into certain agreements with Cuba. I read from article 7 of that agreement:

That to enable the United States to maintain the independence of Cuba and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States land necessary for coaling or naval stations at certain specified points to be agreed upon with the President of the United States.

In pursuance of that resolution, known as the "Platt resolution," the President of the United States made an agreement with the President of Cuba, a copy of which I have here, in which two coaling or naval stations were set out, one at Guantanamo, on the southern coast of Cuba, and the other on the northern coast, at Olongapo. It is not proposed to do anything toward the development of the latter, but it is proposed in this bill to start in gradually for the development of a small naval base at Guantanamo.

Last year we made an appropriation in the naval appropriation bill of $100,000 toward the development of that station. This year there was carried in the deficiency bill an appropriation of $200,000 for the same object. In the present bill we propose a modest appropriation of about $350,000. It is necessary and important that we should have a station at Guantanamo, on the south side of Cuba. We have a beautiful harbor there. It has been my pleasure to visit it, and there can not be a better location for our naval station—to defend our interests in the West Indies and at the same time to be a defense to the Panama Canal, which we are going to build, and right away, too. Not only that, but also a defense to the Monroe doctrine. There is no better location, there is no more important strategic point than right there at Guantanamo.

It is not proposed by the committee to build up a great naval station, but simply a small station where we can make a few necessary repairs—dock our ships and scrape off the barnacles, and preserve them in that way instead of bringing them home.

Now, in view of the earnest recommendation of the Secretary of the Navy and the Department, I ask this committee to vote down the amendment of the gentleman from Virginia.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I move to amend by striking out the last word. I think that the vote upon this item will be a test vote as to whether we shall have simply a proper coaling station at this point or whether we shall have a naval station. As I discussed this proposition at some length yesterday, I do not wish to occupy much time now.

Gentlemen will recall that in another part of this bill—on page 15, I believe—there is an item of $600,000 to be used for coaling stations, a part of which—how much I do not know, perhaps all, but certainly a portion of it—to be used in establishing a coaling station at this very point, Guantanamo. Therefore we have a proper coaling station at that point already provided for, and it is unnecessary to retain this item in the bill if all we want there is a coaling station. Guantanamo is 40 miles east of Santiago.

Mr. WM. ALDEN SMITH. Does not the gentleman believe that our failure to make this appropriation would be construed as a relinquishment of our right there?

Mr. WILLIAM W. KITCHIN. I do not think it would be construed as a relinquishment of our right to establish a coaling station there.

Mr. WM. ALDEN SMITH. It would amount to a relinquishment of our right to establish a naval base there.

Mr. BUTLER of Pennsylvania. Under the treaty.

Mr. WILLIAM W. KITCHIN. Surely I have already stated that it would be a relinquishment of our purpose to establish a great naval station there, but it would not be relinquishing our right to establish a proper coaling station there or any other right we have.

Mr. WM. ALDEN SMITH. I do not understand that we are going to establish any great naval station there.

Mr. WILLIAM W. KITCHIN. Well, I do. The gentleman [illegible] understand the proposition is, in my judgment. The Secretary of the Navy, Mr. Moody, stated before the committee that the cost of this establishment, according to the present plan, was estimated to be $12,085,000. Does not the gentleman from Michigan think that $12,000,000 would establish a great naval station there?

Mr. WM. ALDEN SMITH. That may be the outside limit, but this present appropriation does not contemplate any very large expenditure.

Mr. WILLIAM W. KITCHIN. As I remarked yesterday, this would commit us to that proposition, and while the country will not understand it, while you will only be appropriating $285,000 in this item, it will commit you to a final appropriation exceeding $12,000,000, according to present estimates.

Mr. WM. ALDEN SMITH. And if you do not make this appropriation, in my judgment, it will be construed as a relinquishment of our rights under the treaty, and an abandonment of the purposes and intention of the Platt amendment, by virtue of which we acquired valuable rights in Cuba.

Mr. WILLIAM W. KITCHIN. Then the gentleman has not read the former part of the bill, and he has not read the hearings; because, as I have stated, the $600,000 item on page 15 is stated by the chairman of this committee, in his report, to go in part, if not altogether, toward the establishment of a coaling station at this very place. Striking this item out will be an abandonment of no right we have in Cuba.

Mr. BUTLER of Pennsylvania. Mr. Chairman, will my colleague allow a question?

Mr. WILLIAM W. KITCHIN. Certainly.

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Pennsylvania?

Mr. WILLIAM W. KITCHIN. As I have already stated, Mr. Chairman, certainly.

The CHAIRMAN. The gentleman from Pennsylvania.

Mr. BUTLER of Pennsylvania. What is there in this bill that will compel the Secretary of the Navy to establish a coal heap at Guantanamo?

Mr. WILLIAM W. KITCHIN. Nothing in the world except that honest, good faith that ought to actuate the conduct of every one in reference to an appropriation granted for an express purpose. The hearings show it, the report shows it, everything shows it; and if the Secretary did not establish a coaling station there under the $600,000 appropriation elsewhere authorized, he would not act in good faith to the American people. And so, as I said, the question upon that item is whether you will have a coaling station there, or whether you will have a larger and a greater thing, a naval station there. In my judgment the necessities of the United States do not warrant the latter.

We have a naval station at Pensacola, we have a naval station at New Orleans, we have a naval station at Key West, and one at Charleston; and, in my judgment, another great naval station in that part of the world is not required by the necessities of the country. If you establish a great naval station there, it will mean a large permanent annual appropriation for its maintenance. If you want to limit it to a mere coaling station, strike out this item; but if in your judgment it is best for the interests of the country, all things considered, to establish a great naval station there, then retain it. This estimate of $12,000,000 is the present estimate. In my judgment, if you start to develop a great naval station there you will never develop it at an expense of only $12,000,000, but suspect it will cost vastly more than that. For these reasons I support the proposition of the gentleman from Virginia [Mr. RIXEY].

The CHAIRMAN. The pro forma amendment will be considered as withdrawn. The question is upon agreeing to the amendment offered by the gentleman from Virginia [Mr. RIXEY].

The question being taken, on a division (demanded by Mr. RIXEY) there were—ayes 58, noes 87.

Accordingly the amendment was rejected.

The Clerk read as follows:

Naval station, Olongapo, P. I.: To complete survey of reservation, $20,000; for repairing buildings erected by the quartermaster for temporary use as shops, storehouses, offices, and so forth, $20,000; toward building 1,700 feet of quay wall, at $44 per foot, one hundred seventy commandant's quarters, $[illegible]; three officers' quarters, $[illegible]; toward constructing marine barracks and outbuildings $[illegible]; marine officers' quarters, $[illegible]; dredging entrance to floating dry dock to 30 feet deep, about 25,000 cubic yards, at 30 cents, $7,500; [illegible] in front of quay walls, about [illegible] cubic yards, at 40 cents for floating dock; [illegible] water supply from back yard springs, capacity 50,000 [illegible]; 11,000 feet of [illegible] pipe, [illegible] cents per foot, [illegible] valves and fittings, $[illegible]; freight and transportation $[illegible]; distribution [illegible] ward $[illegible]; in wing pipes, $[illegible]; temporary reservoir, 40 by 40 by 10 feet, capacity [illegible] gallons per day for use in hauling and receiving [illegible] immediate use, $[illegible]; toward coaling plant, $[illegible]; coal, $[illegible].

Mr. JONES of Virginia. Mr. Chairman, I move to strike out the whole of this paragraph.

The CHAIRMAN. The gentleman from Virginia moves to strike out the entire paragraph.

[Mr. JONES of Virginia addressed the committee. See Appendix.]

Mr. BRANDEGEE. Mr. Chairman, I have not worried the House with my ideas upon any part of the naval bill, but the discussion has now come to a point where it seems to me that I may with propriety express my views. All the objections made upon the other side to the provisions in this naval bill seem to turn upon two points: First, that the bill is a very extravagant bill; second, that it is a bill which departs from the traditional policies of the Government and is to be used to build up a navy to threaten somebody, and to embroil this nation in trouble with foreign powers. Mr. Chairman, both of those propositions are as remote from the truth as they well could be. The distinguished gentleman from Ohio [Mr. BURTON] yesterday arose in this body and stated that he was opposed to this bill because he believed it—

to be a departure from the fundamental principles and policies which are alike the bulwark and the honor of this Republic. It involves great extravagance; but that is, after all, a minor consideration.

He then goes on and says:

We can in no way illustrate the growth of our naval establishment so well as by referring to certain figures.

Then he refers to figures, and says that the expense to this country on account of the maintenance of the American Navy has increased to a proportion where it ought to be stopped, and to an unreasonable degree. Now, what are the facts about that? Everybody knows that the expenses of this Government are increasing in every department. They are legitimately increasing, and they will continue to legitimately increase, and they should. This country is no longer a country of small things. The amounts in the naval bill have increased, but has the ratio between these amounts and the value of the property of the country to be defended increased? No; it has decreased, and that is the point that determines whether the expenditure is extravagant or not.

Let me call the attention of the committee to the report of the Secretary of the Navy for the present year. There at the bottom of page 32 of the Secretary's report is a tabulated statement showing that from 1801 to 1810, when the Government had just emerged from the domination of Great Britain and was in its swaddling clothes, the expenditures for naval purposes were 1½ mills on the dollar of the property of the United States. From 1811 to 1820 they were 2¼ mills on the dollar of the property of the United States. From 1820 to 1830 they were 1½ mills. From 1830 to 1840 they were 1¼ mills, and so on; and the average for the whole century, from 1800 to 1900, was 1½ mills on the dollar of the property of this country. The present bill necessitates only eighty-five one-hundredths of 1 mill upon the property of the country.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. HILL of Connecticut. Mr. Chairman, I ask unanimous consent that my colleague may be allowed to conclude his remarks.

Mr. BRANDEGEE. Mr. Chairman, I shall not take over ten minutes.

The CHAIRMAN. The gentleman from Connecticut asks that his time be extended ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HITCHCOCK. Mr. Chairman, may I ask the gentleman a question?

Mr. BRANDEGEE. I prefer not to be interrupted, as I have only ten minutes. Now, Mr. Chairman, it appears that the naval expenditures carried by this bill are now only about three-quarters of a mill on the dollar of the property of this country. And yet the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] stood up here yesterday and said it involved the taxing of $7 upon every family in the country. Nothing could be farther from the facts than that. I want to call the attention of the gentleman from Ohio [Mr. BURTON], who claims that the increase of the American Navy is a departure from the fundamental and traditional policies of the Government, to the message of President Monroe in 1824, who said, speaking of the Navy:

The Navy is the arm from which our Government will always derive most aid in the support of our * * * rights. Every power engaged in war will know the strength of our naval power, the number of our ships of each class, their condition, and the promptitude with which we may bring them into service, and will pay due consideration to that argument.

Now, he knew what counts in time of trouble with foreign powers. President Monroe was not in favor of the Quaker policy of disarming because we had a high moral sentiment in this country, relying upon the same to exist in the Orient and in other countries of the world, and you gentlemen know it.

Why do you not join with us and build up the American Navy? I apprehend there will be no dissensions upon this side of the Chamber upon that question. We are in the majority, Mr. Chairman. We have installed a Republican Executive and a Republican Secretary of the Navy. They recommend to us these appropriations. The President of the United States says in his annual message to this session of Congress:

I heartily congratulate the Congress upon the steady progress in building up the American Navy. We can not afford a letup in this great work. To stand still means to go back. There should be no pause in adding to the effective units of the fighting strength of the fleet. Moreover, as the Navy Department and the officers of the Navy are doing well their part in providing constant service at sea under conditions akin to those of actual warfare, our officers and enlisted men are learning by battle the battle ships, cruisers, and torpedo boats with high efficiency in fleet and squadron maneuvers, and the standard of marksmanship is being constantly raised. The best work ashore is indispensable, but the highest duty of a naval officer is to exercise command at sea.

The establishment of a naval base in the Philippines ought not to be longer postponed. Such a base is desirable in time of peace, but in time of war it would be indispensable, and its need would be imminent. Without it our fleet would be helpless. Our naval experts are agreed that Subig Bay is the proper place for the purpose. The national interests require that the work of fortification and development of a naval station at Subig Bay be begun at an early date, for under the best conditions it is a work which will consume much time.

Now, Mr. Chairman, personally I regard this as the most important feature of the whole bill. It makes no difference what the future policy of the United States shall be with relation to the holding of the Philippine Islands under this, that, or the other

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and the interests of the American people compelled us to stay there. [Loud applause on the Republican side.] But, Mr. Chairman, even from their point of view, they should join with us in building a naval station in the Philippines. I have never heard it contended by any Democratic authority in any platform or upon the stump by Democrats or by the Democratic party that even if we decided to abandon the Philippine Islands, if we sail away and leave them, but that we should retain there a naval station, fully equipped for the vessels of the United States and the great commerce of the United States which is growing now in the East.

Mr. Chairman, I have been glad to see the opinions brought out in this debate. I have been glad to see the Democratic party as a whole are willing to see, and that they stand up for the building up of the American Navy, and that with us they have been unable to lift up their voice against it: and I protest here that those who have do not represent the American people nor any section of it.

The CHAIRMAN. The time of the gentleman has expired. [Cries of "Vote!"]

Mr. LOUD. Mr. Chairman, I ask for five minutes. It has been stated that the appropriation asked for is one that will lead up to large cost, making in all $9,000,000. I want to read from the hearing of Admiral Dewey before the committee, in which he testifies as follows:

Mr. BRANDEGEE. Admiral, I think the last scheme submitted by the General Board and by the Department to the committee involved an expenditure of some $[illegible], if it was completed and carried to ultimate production. Now, is it not possible to put the rudiments of a coaling station there and have it properly defended—the coaling station and dry dock—for a much smaller sum than that?

Admiral DEWEY. I should think so.

Mr. BRANDEGEE. So that ultimately, if we wanted to, we could extend it, but would still have a defensible post there, for a much smaller sum?

Admiral DEWEY. Yes; in my opinion it could be done as you say, for a much smaller sum.

Mr. BRANDEGEE. So that with an appropriation of a million dollars, say, we could get a defensible and practical base where a large squadron can come contrary to an ultimate expenditure of $[illegible] and if we decided to go no further with it we would still have something that could be defended and answer the present purpose?

Admiral DEWEY. I should say so. I think that this $800,000 does not include the defense of the station. That is for the Army to look after. In addition to what we have there at present, you know there are five of those destroyers, torpedo-boat destroyers, on the way. They will be useful.

The CHAIRMAN. Yes, sir.

Mr. BURTON. Do you anticipate, for present purposes, that it will be necessary to spend very much money to build accommodations for the workmen at Olongapo?

Admiral DEWEY. No, sir.

Now, as to Subig Bay.

Mr. JONES of Virginia. I would like to ask the gentleman a question just there, as to that $800,000.

Mr. LOUD. Not at present. Now, as to Subig Bay. In our hearings it came out that the coal ships which take coal to the Philippines can get nowhere near Cavite Station. They have to anchor out a mile or more from the shore. The coal is taken from those transports on cascoes, small lighters, and is conveyed to the shore at Cavite and there taken out upon the dock and placed in piles, and when the war ships want the coal the coal is taken out on the cascoes again and floated to the war ships and there put on board. Admiral Dewey said in answer to this question put by myself:

Speaking on the subject of coaling ships, Admiral, to get the coal from the colliers that come from the United States, they must discharge first into cascoes and then upon the dock, and it makes double handling?

Admiral DEWEY. Yes; both ways.

Mr. LOUD. And that makes it very complicated and multiplies the work?

Admiral DEWEY. Yes, and it makes it very expensive. And by the time the coal gets into the bunkers of our ships it is mostly dust.

Now, in answer to the gentleman from Tennessee, I ask if it is impossible to get the colliers in there at Cavite Station, how is it possible to get war ships in there?

Mr. GAINES of Tennessee. What did you say about the gentleman from Tennessee?

Mr. LOUD. Admiral Dewey stated it was impossible to get colliers in there, and they had to anchor a mile or more out, and the coal had to be taken by small boats to the shore and then back again. If that is so, how are you going to get battle ships in there if you can not get colliers in there?

Mr. GAINES of Tennessee. That is where the Spanish ships were.

Mr. LOUD. Yes; but when the Spanish ships, sunk by our fleet, were resting on the bottom of Cavite Bay, their upper works were out of water, their holds merely filled, the decks just under water at high tide.

Just before the battle ended Admiral Dewey sent the little *Petrel* (800 tons), the only ship he dared to send into the shoal water, to destroy the small ships close in to Cavite Station.

The *Olympia* (5,870 tons, 21½ feet draft) could not get in to Cavite Station, and the *Olympia* is but one-third the size of the battle ships under discussion.

The *Castilla* (3,342 tons) was the largest Spanish ship, and there was not water enough under her to allow the ship to sink further than her deck line.

It is useless to maintain a naval station for our ships of all classes in these shallow waters at Cavite. Before any further expenditures are made there, for this and other reasons I believe this station should be transferred to Olongapo, in Subig Bay, where there is an abundant depth of water for ships of deepest draft.

On page 545 of same report Admiral Dewey said:

I would have enough battle ships to have a good, strong fleet here [United States], and one strong enough there also. It might save a war.

Again, same page, 545, Admiral Dewey said:

I think if we were to have forty-eight battle ships within the next twenty years, they [foreign nations] would let us alone.

Again, page 547, he says:

The possession of that fleet of ships would be a preventive of war.

I believe Admiral Dewey's statement that a navy of reasonable strength "might save a war," and that with such a navy foreign nations "would let us alone," and that "the possession of that fleet of ships would be a preventive of war" is right—not only because it is Admiral Dewey's opinion, but because it is amply demonstrated by history.

In the last half century there have been no naval wars in which nations having strong navies have taken part. England, France, Germany, and Russia have not been looking for war because of their naval strength. It is rather the price they have paid for peace. Our own naval weakness has in the past subjected us to imposition and attack. We are now respected for our strength; let us not be again despised for our weakness. A navy of reasonable power is, I believe, our best and only safeguard.

The CHAIRMAN. The time of the gentleman has expired.

The question was taken; and the amendment was rejected.

The Clerk continued the reading of the bill, as follows:

The Secretary of the Navy is hereby authorized, in his discretion, to consolidate the several power plants in any or all of the several navy-yards and stations under the Bureau of Yards and Docks [illegible] the production and distribution of light, heat, and power for all the purposes of the Navy. To the above end all such plants may be transferred from other bureaus to the Bureau of Yards and Docks, and all appropriations heretofore made for power houses and power plants for bureaus other than Yards and Docks are hereby reappropriated and made available under the Bureau of Yards and Docks for the consolidations herein provided for, and to further carry out the purposes of this provision there is hereby appropriated the sum of $250,000.

Mr. TATE. Mr. Chairman, under the provisions of this paragraph, on pages 35 and 36 of this bill, it is proposed to authorize the Secretary of the Navy to consolidate the power plants in the several navy-yards of the United States. Now, Mr. Chairman, this is a step in the right direction. It is estimated that we save by that one provision authorizing the consolidation of the power plants alone $250,000 a year. Now, I shall send to the Clerk's desk and ask that a substitute be adopted in lieu of this provision, giving the Secretary of the Navy general authority, whenever in his opinion he thinks it is necessary and economical to do so, to consolidate any and all of the bureaus at the navy-yards. I ask that the Clerk read the amendment I offer.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out all of the paragraph after the word "dollar," in line 18 on page 35, to the word "and," in line 5, page 36, and insert the following in lieu thereof:

"The Secretary of the Navy is hereby authorized, in his discretion, to consolidate any or all of the several power, shops, and works of the several bureaus in the several navy-yards and stations at each navy-yard and station. To the above end all such plants, shops, and works may be transferred from one bureau to another or to the several bureaus at the several navy-yards as may be consolidated into one central bureau at each navy-yard and station, and all appropriations heretofore made for any bureau is hereby reappropriated and made available for the consolidation of the bureaus herein provided for."

Mr. DAYTON. Mr. Chairman, I want to reserve a point of order on that.

The CHAIRMAN. The gentleman from West Virginia reserves the point of order.

Mr. TATE. I think the point of order is too late. Mr. Chairman. This is an amendment to a paragraph in this bill. No point of order was made on this paragraph in the bill when it was read.

The CHAIRMAN. The Chair thinks the point of order was made as quickly as could be after the amendment was read.

Mr. TATE. But I understand, Mr. Chairman, the point of order is to my amendment, and not to the paragraph in the bill.

The CHAIRMAN. Yes.

Mr. TATE. Mr. Chairman, the purpose of this amendment is to authorize the Secretary of the Navy to consolidate the several bureaus in our navy-yards and stations. In most of our navy-yards the Bureau of Steam Engineering, the Bureau of Construction, the Bureau of Ordnance, the Bureau of Equipment, and the Bureau of Yards and Docks each have a separate and complete

manufacturing establishment. What good business reason can there be given for the establishment under each of these bureaus of a power plant, a machine shop, a blacksmith shop, a foundry, a paint shop, etc.? Why should we duplicate our power plants, machine shops, and other shops in each of these bureaus in our navy-yards? There can, in my opinion, Mr. Chairman, be no good reason for the enormous expense in duplicating these expensive plants and shops, when by consolidating them we would save to the people of this country annually not less than $5,000,000, and probably a much greater sum than this. Why not simplify this work by having one central power plant, one central machine shop, one central blacksmith shop, one central foundry, one central paint shop in each of our navy-yards?

The purpose of my amendment is to authorize the Secretary to make this consolidation. The amendment of the committee only authorizes the consolidation of the power plant, and, as I have before stated, that alone is a saving of $250,000 a year. Now, Mr. Chairman, let us adopt this amendment and authorize the Secretary to consolidate the other plants and shops. This consolidation is in the interest of economy, harmony, and good service. The present bureau system is cumbersome, extravagant, and productive of friction among our officers. No private business concern would be carried on for one day under the present wasteful bureau system now in force in our navy-yards. Why, Mr. Chairman, under the present bureau system you will find that these shops are often engaged in the same class of work. You will find a foreman or inspector in one of these shops supervising the making or manufacturing of a similar article to that being made at the same time in the shops of one or more of the other bureaus in the same navy-yards.

Under this system we must continue to erect, repair, and keep up all the numerous buildings and furnish all the machinery, tools, and supplies necessary to carry on all of these separate plants and shops in each of these numerous bureaus in our navy-yards. Sir, this multiplicity of plants and shops should not longer be tolerated by the representatives of the people. In this bureau system we have too much division of authority, too many chiefs that seem to show more interest in enlarging the jurisdiction of their bureaus and in extending their authority than in the economical administration of our navy-yards. The proposition to consolidate the power plant is an admission that he should also consolidate the other plants and shops, and thereby save this unnecessary expense of duplication that is now costing this country in every one of our navy-yards at least 25 per cent and, in my opinion, one-third more than it would cost under the consolidation I propose by this amendment. [Applause.]

Mr. DAYTON. Mr. Chairman, I dislike very much to disagree with my colleague on the Naval Affairs Committee, for whose judgment I have great respect, but I want to say to the members of the committee, without entering into a discussion of the facts, that there are two or three reasons why we are not ready to take the step proposed by his amendment. In the first place, there is a very distinct and decided opinion against the view expressed by him that there would be any saving to the Navy Department by a consolidation of the mechanical departments. There is a very distinct and decided opinion in the Navy Department and among the experts that such a combination would be against the superior work we are now doing and against the efficiency of the shops; and there is also Mr. Chairman, a distinct and decided opinion that such a consolidation at this time would be impracticable.

Mr. TATE. Mr. Chairman, may I ask the gentleman a question?

Mr. DAYTON. Certainly.

Mr. TATE. Is it not true that the Secretary of the Navy recommends a consolidation of the bureaus in his report?

Mr. DAYTON. I think not.

Mr. TATE. I will call the gentleman's attention to the language of the report.

Mr. DAYTON. The gentleman refers to Secretary Moody?

Mr. TATE. I do. He says:

[illegible] power and for work progressing therein. Second, consolidation of the bureaus in the Department.

Mr. DAYTON. I want to ask my friend if he is correct about that being a recommendation of the Secretary of the Navy; if, on the contrary, he is not making a request of the committee to investigate and determine these things?

Mr. TATE. This is the report of the Secretary of the Navy, November 23, 1903, and that is the language of the report.

Mr. DAYTON. Yes, but I ask the gentleman, because I have not the report here, is that a recommendation by the Secretary? This is my recollection of it, that it is a request that we shall investigate and determine for ourselves these matters without his expressing his opinion about them.

Mr. TATE. If the gentleman asks me the direct question, I will answer it. The Secretary of the Navy, as I understand his position, is in favor of consolidating these bureaus. He is in favor of consolidating this work at the navy-yards; he is in favor of economizing at the navy-yards in every way he can. Let me ask the gentleman from West Virginia a question. If it is proper to give the Secretary of the Navy the discretion to consolidate the power plants at the navy-yards, why not enlarge that discretion and let him carry out the scheme of consolidation in whatever way he thinks will be for the benefit of the Government?

Mr. DAYTON. I will answer the gentleman in this way: I do not understand the position of the Secretary of the Navy to be that which the gentleman has stated. I have no question as to his sincerity and his belief as to the Secretary's position——

Mr. TATE. It is not a question of my statement; it is a question of the statement in the report.

Mr. DAYTON. If my colleague will allow me to close my statement, I do not understand that to be the position of the Secretary of the Navy, but, outside of that, I understand the position of our navy-yards to depend very largely upon the experts who have control and who are responsible for the work in the yards. Both of these provisions, Mr. Chairman, are contrary to existing law.

The point of order which I reserved, and which I feel compelled to make absolutely, certainly goes to the amendment proposed by my colleague on the committee. I want to say frankly that I want this consolidation to extend to the power, heat, and light plants, in order that we may determine the vexed question of whether or not such consolidation to a further extent will be advisable. Certain it is that it will require the expenditure of a much larger sum than we have provided for in this bill to make any such consolidation to any material extent.

The CHAIRMAN (Mr. HEPBURN). The time of the gentleman has expired. The Chair is prepared to rule on the point of order. It has been held that a paragraph which changes existing law, being allowed by general consent to remain, may be perfected by any germane amendment. If a point of order had been made to the original paragraph, the point would have been sustained, but by common consent it was retained in the bill. Therefore the Chair holds that this amendment, being germane, is not obnoxious to the rule. The point of order is overruled.

Mr. FOSS. Mr. Chairman——

The CHAIRMAN. Debate on this motion is exhausted.

Mr. FOSS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman moves to strike out the last word.

Mr. FOSS. Mr. Chairman, the Secretary in his report recommended an investigation by the committee into certain matters, namely, alterations in the organization of navy-yards, which will increase the power and responsibility thereover and for work progressing thereunder; second, the consolidation of the bureaus in the Department; third, the creation of the general staff. But the Secretary nowhere that I can find recommends specifically the proposition pending here before the committee.

Mr. TATE. Will the gentleman yield?

Mr. FOSS. I do.

Mr. TATE. The gentleman will find on page 5 of the Secretary's report the following language:

The proposal for changes may be classified as follows: First, alterations in the organization of the navy-yards, which will increase the power and responsibility thereover and for work progressing thereunder.

Mr. FOSS. The Secretary does state that language.

Mr. TATE. Well, then, he proposes the change.

Mr. FOSS. Oh, no; the Secretary does not propose the change. The Secretary says proposals have been made, some by the general board, some, perchance, by the Bureau of Construction and other boards in the Navy Department, but he does not come out and say that he proposes the change. He says proposals have been made to him, and as a result of that he recommends that the committee investigate these different matters.

Mr. TATE. Then the gentleman admits that he asks us to investigate and act upon this proposal. I understand you admit that that is his position. Is that correct?

Mr. FOSS. He asks us to investigate these proposals, these three propositions——

Mr. TATE. In point of fact, did not Secretary Long recommend this same provision or something similar, and in point of fact, does the gentleman not know that the Secretary favored this consolidation?

Mr. FOSS. I know that Secretary Long favored the consolidation of the bureaus, and I introduced the bill for the consolidation of bureaus, but I am not prepared now, without a thorough investigation into the question, to say that these bureaus shall be consolidated.

Mr. TATE. One other question.

The CHAIRMAN. Does the gentleman yield?

Mr. FOSS. I do.

Mr. TATE. Do I understand the gentleman to be afraid to place this discretion in the Secretary to act whenever he thinks proper upon this question? That is solely the purpose of my amendment.

Mr. FOSS. So far as the Secretary has gone at the present time in his recommendation, as I understand it, which is disclosed by the hearings, is that he is in favor of a consolidation as far as it affects power, heat, and light plants, and that we have done.

I do not understand that he has gone a single step further than that. Now I will say to my friend——

Mr. BOWIE. Will the gentleman allow me to ask him this question: What possible objection can there be to vesting the power in the Secretary of the Navy at his discretion to consolidate these bureaus if he thinks it best to do so in the future? What objection can there be to giving him that discretion? I understand that is all the amendment proposes.

Mr. FOSS. I do not know that there is any particular objection one way or the other, except that before going into this matter we should like to investigate it. I think the committee ought to investigate—we have not done so—to see whether this measure would be wise or not.

Mr. TATE. What would you investigate? Would you investigate whether you were afraid to trust the Secretary of the Navy, or would you investigate the merits of the question itself?

Mr. FOSS. Under our law to-day the Secretary of the Navy has the power to distribute the work among the different bureaus as he may deem proper. He can minimize one bureau and magnify another. But I do not think it would be wise to go to the extent that the gentleman urges at this time.

Mr. RIXEY. Mr. Chairman, I think the amendment offered by the gentleman from Georgia [Mr. TATE] a very important one. This matter has been investigated by the Committee on Naval Affairs. During the past summer, under an appropriation carried in an appropriation bill of one year ago, the Naval Committee went to the different navy-yards on the Atlantic coast and heard the statements of the commandants and other officers of the yards; and I call attention to the fact that without exception the commandant of every yard said that there ought to be a consolidation of the different plants in the yards.

I feel absolutely certain that the Secretary of the Navy is with us in this matter; but, as he stated in the hearings before the committee, he wants the authority of Congress. I say we ought to give it to him. If the Democratic party can trust the Secretary of the Navy with the discretion to consolidate the bureaus, surely the Republican party can trust him in this respect.

We have to lodge this discretion somewhere. We on this side are willing to lodge it with the Secretary of the Navy. I think this discretion ought to be given him, so that in the interest of economy he may consolidate these bureaus if he sees fit to do so.

What is the objection to this? It would bring about a readjustment of positions and a general shake up on some lines perhaps. I would not only authorize but instruct the Secretary to consolidate the same kind of plants in the several navy-yards whenever, in his judgment, it would promote efficiency, dispatch, and economy in the Government work.

I shall support with pleasure the amendment of the gentleman from Georgia. It looks to efficient work in the navy-yards and it looks to economy. It will tend to reduce appropriations in the future for our many navy-yards. [Cries of "Vote!" "Vote!"]

The CHAIRMAN. The question is on the amendment of the gentleman from Georgia.

Mr. NORRIS. I call for the reading of the amendment.

There being no objection, the amendment of Mr. TATE was again read.

The question being taken.

The CHAIRMAN said: The ayes seem to have it.

Mr. DAYTON. I call for a division.

The question being again taken, there were—ayes 77, noes 83.

Mr. TATE. I call for tellers.

Tellers were ordered; and Mr. TATE and Mr. FOSS were appointed.

The committee divided; and Mr. FOSS (for the tellers) reported ayes 100, noes 100.

Mr. TATE. That does not agree with my count. I counted 98 in the affirmative, and afterwards 3 others voted on that side, making 101 in the affirmative.

Mr. DAYTON. Mr. Chairman, there seems to be some misunderstanding between the tellers. I ask unanimous consent that the vote may be taken again by the tellers.

The CHAIRMAN. The gentleman from West Virginia requests that the vote be taken again. Is there objection?

Mr. TAWNEY. The request should be first that the vote already taken be vacated.

The CHAIRMAN. The Chair put the proposition as the gentleman from West Virginia stated it. Is there objection to the request? [A pause.] The Chair hears none. The tellers will resume their places.

The committee again divided; and the tellers reported—ayes 99, noes 105.

Accordingly the amendment was rejected.

The Clerk read as follows:

Plans and specifications for public works: For the preparation of plans and specifications for public works and for preliminary estimates required by section 3663, Revised Statutes, for public works, $10,000.

Mr. GILLETT of Massachusetts. Mr. Chairman, I should like to ask the chairman of the Committee on Naval Affairs a question about this paragraph, which I think must have crept into the bill by inadvertence.

The gentleman from Illinois, of course, recollects that last year, at the suggestion of the Secretary of the Navy, the large appropriation, under increase of the Navy, for clerks, was done away with, and that this year, on the legislative bill, after conference with the gentleman from Illinois [Mr. FOSS], that was changed and a specific appropriation was made for draftsmen, etc. Now, I wish to ask the gentleman from Illinois if this really is not a mistake, if this is not reverting to the old practice, and is not changing what we agreed upon this year on the legislative bill?

Mr. FOSS. In reply to the gentleman I would state that when the Secretary of the Navy was before the committee I asked him this question:

The CHAIRMAN. I understand in the legislative bill these are certain performances [illegible] for clerks, for draftsmen, and I would like to have you tell us, Mr. Secretary, how far-reaching it is, and how it affects our bill, if at all.

Secretary MOODY. I do not see how it affects your bill at all. The reform instituted at the last session grew out of a condition which may be illustrated by the appropriation for the "increase of the Navy." Under a law of several years ago it was provided that clerks, draftsmen, and three or four other classes of employees should be employed out of the appropriation for "increase of the Navy," but that the reports made to Congress on the subject before this legislative bill was reported, and which should show, all the money appropriated for "increase of Navy" might be employed for clerk hire. There is no limit on it. The Appropriations Committee took up a good many that we had employed under that provision of law and appropriated for them specifically and then placed a limit upon the amount that could be employed out of the general appropriation.

Now, I put that direct question to the Secretary, covering the particular points that the gentleman has brought up, and that is his answer.

Mr. GILLETT of Massachusetts. Mr. Chairman, I think the gentleman does not quite answer my question, because there was in the legislative bill a special paragraph which provided:

That the services of skilled draftsmen and such other technical services as the Secretary may deem necessary may be employed in the Bureau of Yards and Docks, etc.

I wanted to know if I was mistaken. It seemed to me that that covered this precise paragraph which the gentleman has here under the new arrangement that we made after consultation with the gentleman from Illinois. Now, why does not that paragraph in the legislative bill cover the very same purposes which this paragraph provides for? And if it does, of course it is superfluous to have it in here.

Mr. FOSS. As I understood it, the reform that the Committee on Appropriations were trying to institute was to prevent the employing of clerks under the increase of the Navy.

Mr. GILLETT of Massachusetts. Yes.

Mr. FOSS. That is not this item at all. Under the increase of the Navy we have had the power to employ clerks, but we have taken this out now, as I understand it, and have reduced the sum correspondingly.

Mr. GILLETT of Massachusetts. Yes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I ask that the gentleman have five minutes more.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from Massachusetts be extended. Is there objection?

There was no objection.

Mr. GILLETT of Massachusetts. Now, I think the gentleman either does not see the scope of my question or possibly he does not recollect the hearing, which would be quite natural; but what was done in reference to the employment of clerks under the increase of the Navy was done after consultation with the gentleman, and of course it had his hearty concurrence.

Mr. FOSS. Certainly.

Mr. GILLETT of Massachusetts. The purpose was to prevent this general appropriation from being subject to this use and to have it specific. Now, this section which you have in here is, of course, a general appropriation and not specific. On the legislative bill we made a specific appropriation covering, it seems to me, exactly this clause. It said that the services of skilled draftsmen, etc., may be employed. Now, what I wish to ask is, Why does not that provision in the legislative bill cover this, and, therefore, why is this necessary? And, still more, why is not this a reversion to the old system, which the gentleman himself as well as the House desired to get rid of? It seems to me this is such a reversion, and I should like to ask the gentleman why it is not, and why the clause which I refer to in the legislative bill does not cover this exact purpose?

Mr. FOSS. I take it that in the legislative bill the Committee on Appropriations appropriated for the heads of the Departments and for the Department here in Washington. This appropriation, as I understand it, is for the yards and stations elsewhere.

Mr. GILLETT of Massachusetts. If that is so, it is not intended to be employed in Washington?

Mr. FOSS. I do not understand so.

Mr. GILLETT of Massachusetts. That would answer the question; but would it not be well, then, to put something in the bill to make that clear? Because otherwise it obviously is a repetition of an appropriation which has already been made.

The gentleman, it seems to me, would carry out the purpose he wishes, so as not to cover the appropriation the Secretary already has, if he would put in "outside of Washington."

Mr. FOSS. I will say to the gentleman, we have added the last clause, which was new legislation really, for plans and estimates required by section 3663 of the Revised Statutes, for public work. We have added there something that is new. That is to say, in that section of the Revised Statutes there is a requirement upon every bureau chief whenever he makes an estimate for public works of any kind or character that he shall present full estimates and plans before that work is authorized. That is an old, obsolete statute.

Mr. GILLETT of Massachusetts. Which is never observed.

Mr. FOSS. And has never been observed. The committee thinks that it would be wise, that it would tend toward greater economy in the building up of these yards and making improvements, that we enforce that statute, so to speak, by making the small appropriation of $10,000. So there is an addition there that I do not think would apply to the gentleman's other point.

Mr. GILLETT of Massachusetts. I do not wish to make any amendment myself. I simply wish to call the attention of the gentleman to it, because I know he agrees with me that this is carried on. I suggest to the gentleman that as that is his opinion, that he would conform to it if he would add, "to be employed outside of Washington." I leave that for him to determine.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I do not know exactly what language to put in. I move to strike out the last word.

Now, I do not want to offer any amendment here. The gentleman and I agree perfectly upon the intent of the Secretary of the Navy, who administers the law, and who is absolutely in favor of this reform. He initiated it himself, and therefore I would rather leave it as it is, unless the gentleman desires to offer an amendment; and if he does, I will not object.

Mr. MUDD. My recollection in reading one of the hearings was that this work is not to be done outside of Washington, but to do work that for the last few years has not been done at all.

Mr. GILLETT of Massachusetts. That only applies to $10,000 of it.

Mr. MUDD. They have not been carrying out the statute for years. I do not think there is a duplication of money in the legislative bill at all.

The Clerk read as follows:

In order to further improve the grounds at the Naval Academy and secure the best site for the naval hospital heretofore authorized and appropriated for, the removal of the cemetery from its present site to another to be selected is authorized and directed, and to this end the sum of $50,000 or so much as is necessary, to be immediately available, is authorized to be expended out of the $5,000,000 above appropriated.

Mr. MUDD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

On line 4, page 37, strike out the words "and directed," and insert after the word "authorized" the following words: "if the Secretary in his discretion shall deem advisable."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland.

Mr. MUDD. I would like to be heard briefly on the amendment. The provision of the bill requires the removal of the cemetery of the Naval Academy, including, of course, the remains of all those who have been buried there. It is rather a gruesome proposition, and of doubtful wisdom and propriety, in my judgment, at all times, unless clearly required by the most urgent necessity. If I should follow my own views, I would move to strike out the paragraph; but as I did not happen to be present at the hearings upon this particular subject-matter and did not hear the reasons for it then set forth, I am not entirely familiar with the grounds upon which it is asked. The amendment that I offer goes only to the effect of making the removal discretionary with the Secretary instead of making it mandatory. It places the responsibility of whatever action may be taken in his hands, and while I can not now look upon the proposition with favor, I am willing to trust the judgment of the Secretary. I have submitted the amendment to the chairman of the committee, and also to the gentleman from West Virginia, who is the author of the provision in the bill, and I understand that it meets with their approval, or at least that they will make no objection to it.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the shore of Lake Michigan, south of latitude 42° 20', $250,000.

Mr. COOPER of Wisconsin. Mr. Chairman, I raise the point of order against that provision of the bill on the ground that it is new legislation, in violation of clause 2 of Rule XXI. As it provides for a station where none exists, it is entirely new legislation. Mr. Chairman, in view of the extraordinary position in which that puts me before the House, I ask unanimous consent that I be allowed to explain my reason for making that point at this time, raising the point of order.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he be permitted time to explain his views upon this paragraph. Is there objection?

Mr. DAYTON. Mr. Chairman, in view of the fact that the gentleman wants to make an explanation about that, will he not modify his request that he hear a representative of the Naval Committee give his earnest request that he do not make the point. Will you not reserve it?

The CHAIRMAN. The Chair is prepared to rule.

Mr. COOPER of Wisconsin. I will reserve the point of order, and ask unanimous consent that I may have an opportunity——

Mr. GROSVENOR. If the Chair is ready to rule upon this point, it seems to me that time is a little too valuable to spend in explaining anything about it.

Mr. COOPER of Wisconsin. I think, in view of the fact of the peculiar phraseology that there is in this provision of the bill, and that I live in and the people of my district have a site located within that zone, that I ought to be permitted to state the reasons why I raise the point of order against that provision of the bill.

The CHAIRMAN. Is there objection to the request of the gentleman that he be permitted to explain his views upon this paragraph?

Mr. BARTLETT. Mr. Chairman, I do not want to object, but I want to know whether the gentleman purposes to withdraw his point of order?

Mr. COOPER of Wisconsin. I do not intend to withdraw it.

The CHAIRMAN. The Chair hears no objection, and the gentleman is recognized for five minutes.

Mr. COOPER of Wisconsin. Mr. Chairman, can not I have more than five minutes?

The CHAIRMAN. What time does the gentleman request?

Mr. COOPER of Wisconsin. I will ask for ten minutes.

Mr. FOSS. Mr. Chairman, I ask that the gentleman have ten minutes.

The CHAIRMAN. The gentleman asks unanimous consent that he may be permitted to address the committee for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I have spoken of the importance of the pending paragraph and of the peculiar position in which I am placed by raising the point of order against it. It reads as follows:

Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the shore of Lake Michigan, south of latitude 42° 20', $250,000.

This paragraph is important in several respects. It is important because of the mere amount of money involved, the proposed initial expenditure being $250,000, and a much larger sum would be immediately necessary. One of the witnesses before the Committee on Naval Affairs said that $750,000 would be required to put the station in a condition of great efficiency. But even that sum does not include the amount necessary to construct a harbor at Lake Bluff. And that is what this paragraph means—the location of this station at Lake Bluff, in the district so ably represented by my distinguished friend the chairman of the Committee on Naval Affairs.

Mr. FOSS. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. I do.

Mr. FOSS. Mr. Chairman, I dispute the proposition. The board has recommended——

Mr. COOPER of Wisconsin. Did the gentleman interrupt me for a question or for a speech?

Mr. FOSS. I want to explain that.

Mr. COOPER of Wisconsin. If the gentleman will permit me I will move, after I conclude, that the gentleman have unlimited time to reply to what I shall say.

The CHAIRMAN. The gentleman declines to yield.

Mr. COOPER of Wisconsin. If the gentleman desires to ask a question, I will answer as best I can any that he may choose to propound, but if he wishes to make a reply to my remarks, I submit that it will be proper for him to do so after I have concluded my statement.

I say this with all respect to the gentleman, and with no desire to make any accusation against him or any other person, but with the purpose, nevertheless, to acquaint the Members of the House with the facts. These facts demonstrate that, regardless of its phraseology, the pending paragraph means just what, a moment ago, I said that it means—that this naval training station shall be located at Lake Bluff, in the State of Illinois. The paragraph, on its face, seems to leave the Government a choice of six sites, including one at Racine, but in reality it does nothing of the kind. It can be demonstrated that it means Lake Bluff and nothing else.

Mr. WM. ALDEN SMITH. I hope that is not the purpose of your objection.

Mr. COOPER of Wisconsin. I desire only that the Members of the House shall have the information necessary to enable them to understand what this paragraph means. This is an important matter——

Mr. WM. ALDEN SMITH. There are other sites outside of Lake Bluff.

Mr. COOPER of Wisconsin (continuing). It had its origin in a law passed by Congress in July, 1902, which I will read:

"[illegible] Great Lakes. The Secretary of the Navy is hereby [illegible] to appoint a board composed of naval officers, whose duty it shall be to select [illegible]

And I beg the committee to observe that the language of this statute is mandatory, not discretionary—

shall be to select on the Great Lakes a suitable site for an additional naval training station and having selected such site [illegible] upon private lands to cede [illegible] as may be necessary, as near as practicable to the time fixed for which it may be necessary, at a reasonable cost of their proceedings and recommendations [illegible] report to the Secretary of the Navy [illegible] report. [illegible] to Congress [illegible] and to define the compensation of said board the sum of $[illegible] or so much thereof as may be necessary, to be [illegible] appropriated out of any moneys in the Treasury not otherwise appropriated.

This statute did not request this board, in its discretion, to select or not to select a site. It declared that the duty of the board "shall be to select a site." In effect, it commanded the board to select a site. And it did more. In effect, it required the board to select a site before making a report. The language is plain—

Where [illegible] to select a site, * * * and having selected such site * * * make full and detailed report—

The words "having selected such site" in this statute are here [illegible] meaning, which is that the board was to select a site before making its report. Congress knew, when it passed that law, that if there were to be such a station on one of the Great Lakes it must act at once upon the necessary appropriations, and Congress therefore commanded the board to select a site and tell all about it before asking for money to pay for it.

On the 10th of July, 1902, almost two years ago, a board of three was appointed under this mandatory statute to select a site, and "having selected a site," to make a full and detailed report to the Secretary of the Navy of their proceedings. Several sites were offered on each of the Great Lakes. On Lake Michigan, for example, there were a number of sites offered, including one at Lake Bluff, Michigan City, Muskegon, Milwaukee, Racine, and Racine.

On the 6th of August, 1902, the board [illegible] Racine. On that day I met the board at Racine, and [illegible] with a committee of citizens, we visited the site [illegible] After the inspection I accompanied the board on its special train to Racine, 10 miles distant. The gentleman from Illinois [Mr. FOSS] was also on the train.

On reaching Racine a committee of the Business Men's Association and other citizens were waiting with carriages. The board drove to the hotel and then started for Wind Point. On [illegible] a point near the city limits the board left the carriages and [illegible] standing on the beach of the lake looked across the bay [illegible] at Wind Point, at an distance from [illegible] miles, and at the time on that day the [illegible] lack of time and because the board [illegible] to inspect the site and [illegible] to see it. This fact was [illegible] later.

On October 31, 1902, the board made its second and last visit to Racine. [illegible] was [illegible] only [illegible] inspecting the site. They were then driven across the site, but it was too dark to see at all well, and the return trip was immediately begun. One month later, on November 29, 1902, the board made a report, in which it was set forth that they had not selected a site, and that in the opinion of the board Congress ought first to vote $250,000 to purchase a site on Lake Michigan south of 43° 30', to be selected by the Secretary of the Navy, which, of course, meant to be selected by the board.

Thus before the board had selected a site as required by the law under which they were appointed, before they had submitted the estimate required by the law, and before Congress was furnished any information on which it could base intelligent action, it was asked to appropriate a quarter of a million of dollars to buy a site of which it knew absolutely nothing. The proposed appropriation came before the House in February a year ago in the naval appropriation bill and went out on a point of order raised by the gentleman from Ohio [Mr. GROSVENOR].

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FOSS. Mr. Chairman, I ask unanimous consent that the gentleman from Wisconsin may have all the time that he desires.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the gentleman from Wisconsin may have time to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. Mr. Chairman, I am obliged to the gentleman from Illinois and also to the committee.

Mr. Chairman, report was rendered on the 29th of November, 1902. Congress met a few days later, on the first Monday in December.

Mr. LITTLEFIELD. The regular session.

Mr. COOPER of Wisconsin. That was the regular session, as the gentleman from Maine now admits. [Laughter.] That entire session passed away, but the board made no further report. The session ended on the 4th of March, 1903. April, May, June, July, August, September, and October, 1903, passed, and still no final report. They were appointed July 5, 1902, to select a site and report in detail concerning it, yet there was no final report until November, 1903—seventeen months after the date of their appointment, and a year after their first report.

Mr. FOSS. Mr. Chairman, will the gentleman let me call his attention to a fact?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. Certainly.

Mr. FOSS. I want to call the attention of the gentleman to the itinerary on page 15 of the first report, showing each day [illegible] was [illegible] at Chicago, on the 31st of August, and all through August and part of October and November; this shows where the committee was.

Mr. COOPER of Wisconsin. I admit that. But all that was in 1902; the months I have mentioned were in 1903. I am quite familiar with the itinerary. I have read it a number of times in the [illegible] what I have said. They were at Racine on the 4th day of August and the 31st of October, 1902, and at no other time.

Mr. FOSS. Well, I thought the gentleman was expressing great surprise [illegible] not get this [illegible]

Mr. COOPER of Wisconsin. Oh, no. [illegible] was [illegible] a site [illegible] and until they [illegible] by the law and absolute [illegible]

Mr. WM. ALDEN SMITH. [illegible] gentleman [illegible] to the [illegible]

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Michigan?

Mr. COOPER of Wisconsin. Mr. Chairman, if the gentleman [illegible] I think [illegible] to see it. [illegible] at [illegible] to [illegible] on the proposed naval training station?

Mr. [illegible]

I w[illegible]

M[illegible] its w[illegible]

Mr. [illegible] say [illegible] within a mile and a half of the site.

Mr. COOPER of Wisconsin. Yes.

Mr. FOSS. The first time?

Mr. COOPER of Wisconsin. The first time.

Mr. FOSS. And yet the gentleman was there to show them the site. Did the gentleman ask them to go there?

Mr. COOPER of Wisconsin. One of the committee informed the board that there were, I think, from 100 to 300 acres to be had at Wind Point, and that the land was all admirably suited to the purposes of such a site. He said: "You can see one side or edge of it from here. The Government can get it for about $250 an acre, and we can give you that in a very short time." The members of the board said: "We can see from here the general outline. We are pressed for time now, but we will be back in this vicinity again to inspect this site." Everybody seemed to understand that this visit was merely preliminary, as the board had not time that day to make an inspection.

Mr. FOSS. Was anyone else present on that occasion?

Mr. COOPER of Wisconsin. Yes; about a half dozen gentlemen, citizens of Racine.

Mr. FOSS. And the gentleman was there to meet them, to take them out for the express purpose of showing them the site?

Mr. COOPER of Wisconsin. I rode up with them and the committee of business men.

Mr. FOSS. And the gentleman did not take them to the site because he says they did not want to go and see the site?

Mr. COOPER of Wisconsin. No; not that. They said that they were in a hurry. They had a special train and announced to us that they would come back at a later day to inspect this site. In this connection permit me to read from the letter to which I referred a moment ago:

In explanation as to the reason why, in our opinion, the naval examining board did not give Racine first place in every respect is due to the fact that Admiral Taylor and the other members of the board who visited Racine in August, 1902, did not get nearer than 1½ miles of the site because of lack of time. They were simply driven to the north city limits and had a view of the location 1½ miles across the bay lying between Racine and Wind Point, and, further, that on the second visit Admiral Taylor was not present at all. Rear-Admiral M. R. Winslow, commander of the United States Navy, and H. H. Rousseau, junior member and recorder of the board, arrived at the proposed site after lights had been lit in the farmhouses surrounding the site, and therefore could make but a superficial examination. Then our understanding here at Racine was that when the choice should be narrowed down to a few of the best sites that we should have another visit from the committee, who would make a careful examination. No such visit was made.

Mr. DAYTON. Do I understand the gentleman to favor the erection of a training station on Lake Michigan or at some point in the Northwest? I do, do I not?

Mr. COOPER of Wisconsin. I do favor the location of such a station on Lake Michigan.

Mr. DAYTON. Then what objection would the gentleman have to an amendment authorizing the site to be hereafter determined by a body that might be entirely impartial?

Mr. COOPER of Wisconsin. I have prepared an amendment, which I propose to offer at the proper time, providing for the appointment of a new board.

Mr. Chairman, up to the time Congress assembled in special session last November this board had made only one report, and that one was dated November 29, 1902. On the 11th of November last—that is, November, 1903—after Congress convened in special session, the Secretary of the Navy sent to Congress a letter, in which he said:

I have the honor now to transmit a copy of the final report of the board, in which Lake Bluff, 32 miles from Chicago, is recommended as the most suitable site for a naval training station.

Then he adds:

In view of the large price at which land at that point is held by the owners, the board suggests four other sites as suitable which, in the order of their desirability, are as follows: Racine, Muskegon, Milwaukee, and Michigan City.

Now, what were the prices at which land was obtainable at these places when the first report was made—the report in which Congress was first asked for a lump-sum appropriation of $250,000? Milwaukee, $700 per acre; Racine, $250; Michigan City, $125; Muskegon, $100, and Lake Bluff, $900 per acre. And the prices were the same at the date of the final report. All the long delay did no good so far as prices are concerned.

But—

Says the commission, and so says the Secretary of the Navy—

in view of the high price at which this land is held at Lake Bluff the commission recommends other sites within that particular zone.

That reads as if Muskegon, Milwaukee, Racine, and Michigan City were all to be further considered; and yet, sir, as I have said, an analysis of the evidence demonstrates that the pending paragraph of this bill means Lake Bluff, and absolutely nothing but Lake Bluff.

The gentleman from Illinois [Mr. FOSS] denied that statement when I made it a few minutes ago. Let us, therefore, look a little further into the facts which go to prove its truth or its falsity. On the 5th of last month (January, 1904) Admiral Taylor, the senior member of the board, testified before the Committee on Naval Affairs. I read from the printed report of the hearings:

Admiral TAYLOR. Our first report was in that region I have mentioned. We were then permitted by the Secretary ——

Mr. RIXEY. How much of the coast of Lake Michigan does that include?

Admiral TAYLOR. That includes southern Wisconsin, Illinois, Indiana, and Michigan.

Mr. RIXEY. How many miles?

Admiral TAYLOR. About 250 miles

Mr. RIXEY. Have you come to any more definite conclusion than that as to locality?

Admiral TAYLOR. Yes, sir; by the order of our Secretary two or three months ago we selected the best of sites in that region.

He says that two or three months ago, by order of the Secretary of the Navy, the board selected the best of sites in that region. "Two or three months ago" was about the time their final report was presented, yet nearly two years ago Congress by law required the board to select a site, make estimates, and report in detail.

Admiral Taylor further said:

Admiral TAYLOR. Two, sir, have been especially thought of by the board. One is within a mile or two of Racine, known as Windy Point, Wisconsin. The other is a point called Lake Bluff, a few miles south of Waukegan, in the northern part of Illinois.

Mr. RIXEY. Did your board decide as between these two points?

Admiral TAYLOR. The board, as I say, mentioned No. 1——

Mr. RIXEY. Has it mentioned any one first?

Admiral TAYLOR. I have forgotten whether we named them in the order of merit. Those are the two points, however.

Mr. RIXEY. Did your board decide as between the two?

Admiral TAYLOR. I do not remember, sir. I remember saying these two, but I do not remember that we said which of these two.

Mr. RIXEY. Would there be any objection to your stating your selection between the two?

Admiral TAYLOR. I believe they are equal.

Here we have the senior member of the board saying that he had forgotten whether they reported a first choice. My own judgment is that Admiral Taylor was too busy to give this matter much attention.

Mr. RIXEY. Did your board decide as between the two?

Admiral TAYLOR. I do not remember, sir. I remember saying these two, but I do not remember that we said which of these two.

Is it not remarkable that he should so soon forget whether the board had decided between Lake Bluff and Racine, or whether they really had a first choice? This portion of his testimony would seem to indicate that, owing to the multiplicity of his duties, he had very little, or nothing, to do with the preparation of the report. He had not only forgotten whether the board had reported a first choice, but he gave it as his own opinion that the sites at Racine and at Lake Bluff are of equal merit.

Mr. RIXEY. Would there be any objection to your stating your selection between the two?

Admiral TAYLOR. I believe they are equal.

Here, then, according to the opinion then expressed of the senior member of the board, were two sites of equal merit, one at Racine, at $250 per acre, the other at Lake Bluff, at $900 per acre; yet the board in their report declare that their first choice is Lake Bluff. Admiral Taylor, later, during his testimony——

Mr. FOSS. I hope the gentleman will be entirely fair.

Mr. COOPER of Wisconsin. I hope——

The CHAIRMAN. The gentleman from Illinois [Mr. FOSS] is out of order unless he addresses the Chair.

Mr. FOSS. I addressed the Chair.

The CHAIRMAN. Does the gentleman from Wisconsin yield?

Mr. COOPER of Wisconsin. I trust that the gentleman from Illinois will permit me to continue reading from this testimony. I do not wish him just at this point to inject something which might tend to make it appear that I am attempting to conceal the truth by not reading all that I ought to read.

I was just going to read what the gentleman himself was about to read.

A little later the gentleman from Pennsylvania [Mr. BUTLER] asked Admiral Taylor:

What does it cost to get enough land there to start this naval station?

Admiral TAYLOR. Roughly, it is $250,000.

Mr. BUTLER. How many acres will you get?

Before answering this question it is evident, from his reply, that Admiral Taylor had been given a copy of the final report. In some places he closely follows its language.

Admiral TAYLOR. Two hundred acres, at $1,000 an acre, at one point. The Racine locality, which we thought well of, was $250; Milwaukee, $700, and the Lake Bluff locality was $900. This board found that after rating the five it liked particularly, including Muskegon, on the other side of the lake, as one, and rating them according to population, physical characteristics, harbor facilities, and cost of land, in which they gave the first choice to Lake Bluff for population, for physical characteristics, and to Muskegon for cost of land, and so on, the following summary was reached: First choice, Lake Bluff; second choice, Racine; third choice, Muskegon; fourth choice, Milwaukee; fifth choice, Michigan City.

This answer is full of details. But at first Admiral Taylor could not remember even whether the board had made a first choice. In this connection it is interesting to observe in his last answer that he says, "they," not we, but "they gave the first

choice to Lake Bluff." He had shortly before testified that he himself thought Racine and Lake Bluff equal. The board also ask an appropriation of $250,000. Admiral Taylor says that sum will buy 200 acres at one point. People have told me that it would cost hundreds of thousands, perhaps a million of dollars, to construct a good, well-protected harbor at Lake Bluff.

Mr. WM. ALDEN SMITH. At Lake Bluff?

Mr. COOPER of Wisconsin. Yes.

Mr. BUTLER. How many acres will you get?

Admiral TAYLOR. Two hundred acres of a thousand dollars an acre, at one point. The Racine property, which we thought well of, was $250; Milwaukee, $[illegible]; and the Lake Bluff property was $[illegible].

And yet, notwithstanding this difference in cost, they did not in their first report make a selection, but distinctly refused to make one. When they made that report $[illegible] an acre was too much, but now they are willing to buy a site at that rate per acre and to appropriate the money for it, although one of the board testified that the Racine site is the equal of the one at Lake Bluff, and can be bought for about one-fourth as much money.

The money of the people of the United States is a trust fund. We are the trustees. We have no more right to squander it, no more right to vote it out of the Treasury without knowing for what we vote than a guardian has to fritter away the money of his ward.

What is the reason—the great, controlling reason—why they gave the first choice to Lake Bluff? It is, says the board, the fact that Lake Bluff is nearer to the center of population. Nearer to the center of population! Racine is situated on Lake Michigan between Chicago and Milwaukee. These two cities are only 83 miles apart. A distinguished man recently declared that fifty years from now there will be practically one continuous city from Chicago to Milwaukee. This will not be doubted by any person familiar with present conditions and with the rapid and constant development in progress.

Racine is only thirty minutes from Milwaukee. Milwaukee is a very enterprising and rapidly growing city. Its tonnage in and out last year was greater than that of Chicago. It has a population of more than 300,000 people. Chicago contains 2,000,000 inhabitants. Racine and Lake Bluff are between these two great centers, but the board gave the choice to Lake Bluff because it is nearer to the center of population! Two hundred acres at Racine would be $50,000. Two hundred acres at Lake Bluff $180,000. But Lake Bluff is nearer the center of population!

Lake Bluff station is 32 miles from Chicago, and Racine station is 28 miles farther along on the same line of railroad—28 miles farther from Chicago—too far from the center of population! Lake Bluff can be reached only on this single line of railroad, the Chicago and Northwestern, while Racine is accessible by the Chicago and Northwestern and the Chicago, Milwaukee and St. Paul railway systems, and also by two lines of steamers stopping regularly each way on their daily trips between Chicago and Milwaukee, but it is too far from the center of population!

Mr. Chairman, the board, in their report, acknowledge themselves to be under obligations to various persons for services, advice, and counsel.

Among these is Professor Walcott, the head of the United States Geological Survey. I have ascertained within the last week that notwithstanding this great delay in the selection of a site, notwithstanding the fact that in their first report they did not name a site because prices were too high, but instead asked for a sum to be appropriated, and that the selection be made after the appropriation—notwithstanding all of these things, the board had a site surveyed before they made their first report.

Who made the surveys? The experts of the United States Geological Survey. What site was surveyed? The Lake Bluff site, the one the board now recommends. It was not an ordinary survey, but a topographical survey, and the board have had it in their possession for more than a year. As I said, it was made before they submitted their first report. The expert who helped make it informed me that it was made in November, 1902, and that the survey of this site and one other, both at Lake Bluff, were the only ones made by the Geological Survey at the request of the board. These were not ordinary surveys to establish metes and bounds. They were topographical surveys by Government experts.

Mr. FOSS. Does the gentleman mean to say——

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. FOSS. I ask the gentleman to yield to me. Does the gentleman mean to say that there were no surveys or plans or anything of the other sites whatever?

Mr. COOPER of Wisconsin. The man in the office of the Geological Survey told me that in November, 1902, a member of the board requested his office to make topographical surveys or two of the Lake Bluff sites, and that they were made during that month. I said, "Did you make any other?" and he replied, "No others were made from this office."

Mr. FOSS. That is another question.

Mr. WILLIAMS of Mississippi. Will the gentleman from Wisconsin permit an interruption?

Mr. COOPER of Wisconsin. Does the gentleman from Illinois himself know that the board had other surveys made? Can the gentleman from Illinois mention any other survey made by the Geological Survey for this board?

Mr. FOSS. I will answer that question later.

Mr. WILLIAMS of Mississippi. I would like to get permission of the gentleman from Wisconsin to interrupt him for a moment. Would the gentleman object to the committee rising now, and then go on with this to-morrow morning?

Mr. COOPER of Wisconsin. Let the committee rise now.

Mr. WILLIAMS of Mississippi. Some of us are getting tired.

Mr. FOSS. Mr. Chairman——

Mr. COOPER of Wisconsin. I reserve my right to proceed to-morrow.

The CHAIRMAN. The gentleman reserves his time.

Mr. FOSS. I do not like to adjourn to-night without saying one word——

Mr. BARTLETT. A parliamentary inquiry.

The CHAIRMAN. Does the gentleman from Wisconsin yield the floor?

Mr. COOPER of Wisconsin. No. The gentleman from Mississippi asked me if I would yield the floor now and proceed to-morrow, to let a motion be made that the committee rise.

Mr. WILLIAMS of Mississippi. To rise for the purpose of adjourning, and complete this in the morning.

Mr. BARTLETT. A parliamentary inquiry.

The CHAIRMAN. The gentleman from Mississippi moves that the committee rise.

Mr. BARTLETT. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. BARTLETT. I desire to know if the committee rises now, under the circumstances, if the point of order will still be pending?

The CHAIRMAN. It will.

Mr. FOSS. Mr. Chairman, I desire to make my statement.

The CHAIRMAN. And the gentleman from Wisconsin will be entitled to the floor. The gentleman from Mississippi moves that the committee now rise.

Mr. FOSS. I move that the committee do now rise.

The CHAIRMAN. The gentleman from Illinois moves that the committee do now rise.

Mr. BRANDEGEE. Pending that, Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Connecticut, pending the motion that the committee rise, asks unanimous consent that he may have leave to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the motion that the committee rise was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HEPBURN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12220, and had come to no resolution thereon.

GENERAL LEAVE TO EXTEND REMARKS.

Mr. MEYER of Louisiana. Mr. Speaker, I ask unanimous consent that every Member who has spoken to-day on this bill may be permitted to extend his remarks in the RECORD.

The SPEAKER. The gentleman from Louisiana asks unanimous consent that Members who have spoken to-day may have leave to extend their remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3890. An act donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold;

S. 2818. An act permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.;

S. 3720. An act to authorize the St. Joseph and Grand Island Railway Company, its successors and assigns, to construct a bridge across the Missouri River at or near St. Joseph, Mo., to power said bridge, and to shorten the draw spans thereof;

S. 113. An act to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to settle said claims between the United States and the State of Vermont; and

S. 277. An act for the relief of the settlers on lands in Sherman County, in the State of Oregon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. GRIGGS, indefinitely, on account of sickness.

DAVID C. COLEMAN.

By unanimous consent, change of reference was made of the bill (S. 2663) granting an increase of pension to David C. Coleman from the Committee on Invalid Pensions to the Committee on Pensions.

DESTRUCTION OF YELLOW-FEVER MOSQUITO.

Mr. SLAYDEN. Mr. Speaker, I ask unanimous consent to call up House resolution No. 225, which has been favorably reported from the Committee on Printing.

The Clerk read as follows:

House resolution No. 225.

Resolved, That 10,500 copies of an article entitled "A few general directions with regard to destroying mosquitoes, particularly the yellow-fever mosquito," by [illegible], Medical Corps, United States Army, [illegible] be printed for the use of the Medical Department of the United States Army, to [illegible] the Surgeon-General of the Army.

Mr. PAYNE. I would like to know if this resolution has been reported from a committee?

Mr. SLAYDEN. I will say to the gentleman that it has been reported favorably by the Committee on Printing.

Mr. PAYNE. What is the total cost?

Mr. SLAYDEN. One hundred and eighty-five dollars is the estimate from the Public Printer.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the resolution was agreed to.

On motion of Mr. SLAYDEN, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ADJOURNMENT.

Mr. FOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of waterway from Norfolk, Va., to Beaufort Inlet, North Carolina—to the Committee on Rivers and Harbors, and ordered to be printed, with illustrations.

A letter from the Acting Secretary of War, transmitting, with a letter from the Quartermaster-General, papers relating to the claim of owners of the schooner *Colonel Baker*—to the Committee on Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. THOMAS of Iowa, from the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes, reported the same with amendment, accompanied by a report (No. 1160); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER, from the Committee on the Judiciary, to which was referred the bill of the House (H. R. 1953) to provide for an additional associate justice of the supreme court of the Territory of New Mexico, reported the same without amendment, accompanied by a report (No. 1198); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12457) granting an increase of pension to Nannie J. McGurkin, reported the same with amendment, accompanied by a report (No. 1149); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12550) granting an increase of pension to Emma R. Lamb, reported the same with amendment, accompanied by a report (No. 1150); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12417) granting a pension to Hiram Parker, reported the same with amendment, accompanied by a report (No. 1151); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12191) granting an increase of pension to Henry D. Filkins, reported the same with amendment, accompanied by a report (No. 1152); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12096) granting an increase of pension to Jacob Wetzel, reported the same with amendment, accompanied by a report (No. 1153); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11660) granting an increase of pension to James Dawson, reported the same with amendment, accompanied by a report (No. 1154); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11169) granting an increase of pension to Reuben G. Porter, reported the same with amendment, accompanied by a report (No. 1155); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10912) granting a pension to Leonard J. Whitney, reported the same with amendment, accompanied by a report (No. 1156); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10822) granting an increase of pension to Andrew Smith, reported the same with amendment, accompanied by a report (No. 1157); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10576) granting a pension to Lulu E. McKee, reported the same with amendment, accompanied by a report (No. 1158); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10531) granting a pension to George W. Farr, reported the same with amendment, accompanied by a report (No. 1159); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9996) granting a pension to Henry Mason, reported the same with amendment, accompanied by a report (No. 1160); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9820) granting an increase of pension to Vint Anderson, reported the same with amendment, accompanied by a report (No. 1161); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9744) granting an increase of pension to Sarah E. Dale, reported the same with amendment, accompanied by a report (No. 1162); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9381) granting an increase of pension to Henry W. Lloyd, reported the same without amendment, accompanied by a report (No. 1163); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8287) granting a pension to Abram T. Carney, reported the same with amendment, accompanied by a report (No. 1164); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8220) granting an increase of pension to Edward B. Nugent, reported the same with amendment, accompanied by a report (No. 1165); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8010) granting a pension to Josiah B. Deeter, reported the same with amendment,

accompanied by a report (No. 1166); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 7726) granting a pension to Jasper W. N. Rogers, reported the same with amendment, accompanied by a report (No. 1167); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7470) granting an increase of pension to Isaac B. Goforth, reported the same with amendment, accompanied by a report (No. 1168); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7244) granting an increase of pension to Williamina R. Allenbaugh, reported the same with amendment, accompanied by a report (No. 1169); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6848) granting an increase of pension to John W. Plattenburg, reported the same with amendment, accompanied by a report (No. 1170); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6611) granting an increase of pension to Austin Murphy, reported the same with amendment, accompanied by a report (No. 1171); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5855) granting an increase of pension to Herbert M. Blackwell, reported the same with amendment, accompanied by a report (No. 1172); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5648) granting a pension to Margaret Herold, reported the same with amendment, accompanied by a report (No. 1173); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5008) granting an increase of pension to Henry McCord, reported the same with amendment, accompanied by a report (No. 1174); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4968) granting a pension to Robert E. Clary, reported the same with amendment, accompanied by a report (No. 1175); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4355) granting a pension to Martha Day, reported the same with amendment, accompanied by a report (No. 1176); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 1528) granting an increase of pension to Charles Jarolman, reported the same with amendment, accompanied by a report (No. 1177); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2110) granting a pension to Mary Farrell, reported the same with amendment, accompanied by a report (No. 1178); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 790) granting an increase of pension to Oliver A. Fillman, reported the same with amendment, accompanied by a report (No. 1179); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3167) granting an increase of pension to James Littleton, reported the same with amendment, accompanied by a report (No. 1180); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2121) granting a pension to Gertrude Merrill, reported the same with amendment, accompanied by a report (No. 1181); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2855) granting an increase of pension to John W. Hill, reported the same with amendment, accompanied by a report (No. 1182); which said bill and report were referred to the Private Calendar.

Mr. HOPKINS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2862) granting an increase of pension to Mrs. Henrietta A. Pryce, widow of Capt. Thomas H. Pryce, reported the same with amendment, accompanied by a report (No. 1183); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2239) granting an increase of pension to Theodore E. Chatfield, reported the same without amendment, accompanied by a report (No. 1184); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2289) granting an increase of pension to Louisa R. Chitwood, reported the same without amendment, accompanied by a report (No. 1185); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3053) granting an increase of pension to Emma E. S. Wright, reported the same without amendment, accompanied by a report (No. 1186); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 89) granting an increase of pension to James M. Markham, reported the same without amendment, accompanied by a report (No. 1187); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3405) granting an increase of pension to Mary F. Pentzer, reported the same without amendment, accompanied by a report (No. 1188); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2563) granting an increase of pension to Elizabeth M. Banta, reported the same without amendment, accompanied by a report (No. 1189); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8421) for the relief of Russel A. McKinley, reported the same without amendment, accompanied by a report (No. 1197); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. DENNY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1847) to correct the military record of Alexander Nugent and grant him a discharge, reported the same adversely, accompanied by a report (No. 1192); which said bill and report were ordered laid on the table.

Mr. YOUNG, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1088) to remove the charge of desertion from the military record of Henry A. Cryderman, and so forth, reported the same adversely, accompanied by a report (No. 1193); which said bill and report were ordered laid on the table.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 8224) for the relief of John W. Dampman, reported the same adversely, accompanied by a report (No. 1194); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 2011) to correct the military record of Stephen W. Coakley, reported the same adversely, accompanied by a report (No. 1195); which said bill and report were ordered laid on the table.

Mr. DENNY, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6412) to correct the military record of Amos Abbott, reported the same adversely, accompanied by a report (No. 1196); which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 9377) granting an increase of pension to John Morlidge—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 4330) granting a pension to Catherine Tully—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6666) for the relief of Willis Benefield—Committee on the Public Lands discharged, and referred to the Committee on Claims.

A bill (H. R. 10973) granting a pension to Harry F. Thompson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RIXEY (by request): A bill (H. R. 12831) to incorporate the Mississippi Valley Interstate Commerce Association, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTS (by request): A bill (H. R. 12832) to provide for the registration and protection of commercial marks, prints, and labels used in foreign or interstate commerce, and for other purposes—to the Committee on Patents.

By Mr. McCLEARY of Minnesota, from the Committee on Appropriations: A bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. JONES of Washington (by request): A bill (H. R. 12834) in aid of the construction of the Valdez, Copper River and Tanana Railroad, in Alaska—to the Committee on the Territories.

By Mr. UNDERWOOD: A bill (H. R. 12835) to enable the Secretary of the Treasury to extend, enlarge, and improve the post-office and court-house building at Birmingham, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. SLAYDEN: A bill (H. R. 12836) to repeal section 4716 of the Revised Statutes—to the Committee on the Judiciary.

By Mr. CUSHMAN: A bill (H. R. 12837) to establish a lighthouse and fog-signal station at the entrance to Bellingham Bay, State of Washington—to the Committee on Interstate and Foreign Commerce.

By Mr. PUJO: A bill (H. R. 12838) for the completion of a dam and locks in the Mermentau River, in the State of Louisiana—to the Committee on Interstate and Foreign Commerce.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12839) to provide for the issuance of postage-stamp certificates—to the Committee on the Post-Office and Post-Roads.

By Mr. LITTLE: A bill (H. R. 12840) prescribing certain duties of internal-revenue collectors, and for other purposes—to the Committee on Ways and Means.

By Mr. VANDIVER: A bill (H. R. 12898) to create a new division in the eastern judicial district of the State of Missouri—to the Committee on the Judiciary.

By Mr. WILSON of Illinois: A bill (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery—to the Committee on Ways and Means.

By Mr. TAWNEY: A joint resolution (H. J. Res. 117) extending the time before which the coastwise laws of the United States can be put into effect between the islands and ports of the Philippine Archipelago to July 1, 1906—to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BARTHOLDT: A bill (H. R. 12841) to correct the military record of William Morrison—to the Committee on Military Affairs.

By Mr. BOWERSOCK: A bill (H. R. 12842) for the relief of J. M. Johnston—to the Committee on War Claims.

By Mr. BROWNLOW: A bill (H. R. 12843) for the relief of the estate of John Moody, deceased, late of Grainger County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12844) for the relief of the estate of Samuel Stolsworth, deceased, late of Grainger County, Tenn.—to the Committee on War Claims.

By Mr. CAPRON: A bill (H. R. 12845) granting an increase of pension to Charles Bowen—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 12846) granting an increase of pension to Simon U. Branstetter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12847) for the relief of the heirs of Margaret P. Botts—to the Committee on War Claims.

By Mr. DAVEY of Louisiana: A bill (H. R. 12848) for the relief of the estate of Francis M. Fisk, deceased, late of Orleans Parish, La.—to the Committee on War Claims.

By Mr. DAVIDSON: A bill (H. R. 12849) granting an increase of pension to Ernest A. Klingenberg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12850) granting an increase of pension to Simon P. Rittenhouse—to the Committee on Invalid Pensions.

By Mr. DAVIS of Florida: A bill (H. R. 12851) for the relief of Jackson Boney—to the Committee on Claims.

By Mr. DINSMORE: A bill (H. R. 12852) granting permission to Capt. Julian M. Cabell, United States Army, to accept a medal from the Government of Great Britain—to the Committee on Foreign Affairs.

By Mr. DOVENER: A bill (H. R. 12853) for the relief of the estate of James H. Hardesty, deceased—to the Committee on War Claims.

By Mr. FLACK: A bill (H. R. 12854) to correct the military record of Joseph Smith—to the Committee on Military Affairs.

Also, a bill (H. R. 12855) granting a pension to Elsie M. Brownlow—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 12856) granting an increase of pension to Samuel Miles—to the Committee on Invalid Pensions.

By Mr. GARNER: A bill (H. R. 12857) for the relief of Col. Alexander Moore—to the Committee on Military Affairs.

By Mr. GREENE: A bill (H. R. 12858) to authorize the President of the United States to appoint Wilson B. Strong captain and quartermaster in the United States Army—to the Committee on Military Affairs.

By Mr. GROSVENOR: A bill (H. R. 12859) granting an increase of pension to James Donnelley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12860) granting a pension to John W. Horseman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12861) granting an increase of pension to Bartlett Mingus—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 12862) granting an increase of pension to William H. Shively—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 12863) granting a pension to Clarissa Murray—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12864) to correct the military record of George A. McKenzie, alias William A. Williams—to the Committee on Military Affairs.

By Mr. LAFEAN: A bill (H. R. 12865) to authorize the President to place the name of Adam K. Baylor on the retired list of the United States Navy with the rank of mate, United States Navy—to the Committee on Naval Affairs.

Also, a bill (H. R. 12866) authorizing the Secretary of War to procure medals for the members or the legal heirs of the deceased members of the Worth Infantry and York Rifles, who were the first fully armed and equipped soldiers to do active service in response to President Lincoln's call for 75,000 volunteers, and for other purposes—to the Committee on Military Affairs.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 12867) granting an increase of pension to John M. Thomas—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 12868) granting an increase of pension to James Armstrong—to the Committee on Invalid Pensions.

By Mr. MUDD: A bill (H. R. 12869) granting an increase of pension to James Heiser—to the Committee on Invalid Pensions.

By Mr. NEVIN: A bill (H. R. 12870) to remove the charge of desertion from the record of Peter Calligan—to the Committee on Military Affairs.

Also, a bill (H. R. 12871) to correct muster of Albert W. Keller—to the Committee on Military Affairs.

Also, a bill (H. R. 12872) granting a pension to Israel Heffner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12873) granting a pension to Edward Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12874) granting an increase of pension to Mary J. Backus—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12875) granting an increase of pension to John V. Lambertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12876) granting an increase of pension to Peter O. Hanlon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12877) granting an increase of pension to George A. McSurely—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12878) granting an increase of pension to Theodore F. Harrison—to the Committee on Invalid Pensions.

By Mr. SHACKLEFORD: A bill (H. R. 12879) granting a pension to James Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12880) granting an increase of pension to William H. Bynon—to the Committee on Invalid Pensions.

By Mr. WM. ALDEN SMITH: A bill (H. R. 12881) for the relief of Ellen A. Dunn—to the Committee on Claims.

By Mr. LLOYD: A bill (H. R. 12882) granting a pension to Mary I. Wammick—to the Committee on Invalid Pensions.

By Mr. RODENBERG: A bill (H. R. 12883) for the relief of John B. Johnson—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 12884) authorizing the President to appoint Henry C. Jordan an assistant paymaster of the United States Navy on the retired list—to the Committee on Naval Affairs.

By Mr. McGUIRE: A bill (H. R. 12885) for the disposition of certain school lands in Oklahoma Territory—to the Committee on the Public Lands.

Also, a bill (H. R. 12886) for the relief of Zonee Adams—to the Committee on Indian Affairs.

By Mr. BENTON: A bill (H. R. 12887) granting a pension to George W. Baldwin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12888) granting a pension to Alfred G. O'Neal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12889) granting a pension to John T. Horner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12890) granting an increase of pension to Thomas J. Locey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12891) granting an increase of pension to Wilson D. Monnett—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12892) granting an increase of pension to John B. Courtright—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12893) granting an increase of pension to James W. Schnet—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12894) granting an increase of pension to Daniel Willhoit—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12895) granting an increase of pension to William H. Jenkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12896) granting an increase of pension to Perry C. Watson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12897) granting an increase of pension to Thomas R. May—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Memorial of Carpenters' Union No. 174, of Joliet, Ill., praying for legislation limiting the use of the writ of injunction—to the Committee on the Judiciary.

Also, memorial of Edward Levings and 405 other voters of Edgar County, Ill., praying for legislation for the improvement of roads—to the Committee on Agriculture.

Also, memorial of American Association of Masters and Pilots of Steam Vessels, praying for legislative encouragement for the project of building a light-house at Outer Diamond Shoal, near Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

By Mr. BABCOCK: Protest of citizens of Millville, Wis., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BARTLETT: Resolutions of board of directors of the Savannah (Ga.) Cotton Exchange, favoring an appropriation for improvement of the Point Judith Harbor—to the Committee on Rivers and Harbors.

By Mr. BIRDSALL: Petition of E. B. Fowler and 39 others, of Delhi, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Woman's Club of Independence, Iowa, in favor of a bill for a national forest reserve in the White Mountains—to the Committee on the Public Lands.

Also, communication from the officers of the Saloon Keepers' Union of Dubuque, Iowa, in favor of a reduction of the tax on whisky—to the Committee on Ways and Means.

By Mr. BOWERSOCK: Resolutions adopted by Ladies' Circle, No. 75, Grand Army of the Republic, of Lawrence, Mass., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions adopted by the Kansas State Temperance Union, favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, protest of merchants of Bonner Springs, Kans., against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BROWN of Wisconsin: Resolutions of the American Association of Masters and Pilots of Steam Vessels, of Camden, N. J., approving the construction of a light-house on Diamond Shoal, North Carolina—to the Committee on Interstate and Foreign Commerce.

By Mr. BROWNLOW: Petitions of L. B. Caldwell, D. D., and 127 voters, and Rev. H. T. Foster and 17 other voters, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAMPBELL: Resolutions of the Western Association of Shoe Wholesalers, at its annual meeting in St. Louis, for legislation against discriminating tariff rates of freight—to the Committee on Interstate and Foreign Commerce.

Also, petition of 24,000 American workmen, for the passage of bill S. 3289—to the Committee on Interstate and Foreign Commerce.

By Mr. CANDLER: Petition of J. C. Stanley and 64 others, of Booneville, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CURTIS: Petition of citizens of Oneida, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DALZELL: Resolutions of sundry citizens of Pittsburg, Pa., against passage of eight-hour law—to the Committee on Labor.

Also, resolutions of Mrs. Sarah Rice Circle, No. 104, Grand Army of the Republic, of Factoryville, Pa., in favor of ex-prisoners of war pension bill—to the Committee on Invalid Pensions.

Also, petition of Samuel W. Gamble, of Portland, Oreg., relative to a Sabbath-observance amendment to the Lewis and Clark Exposition bill—to the Select Committee on Industrial Arts and Expositions.

By Mr. DAVIDSON: Resolutions of the United Commercial Travelers of Sparta, Wis., Council No. 223, in favor of bill H. R. 4489, for an amendment to the bankruptcy bill—to the Committee on the Judiciary.

Also, petition of W. R. Lyle and many others, of Ripon, Wis., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolutions of J. B. Reynolds Post, No. 205, of Chilton, Wis., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of Masters and Pilots of Steam Vessels of Camden, N. J., for improvement by a permanent and substantial light-house near the Outer Diamond Shoal—to the Committee on Interstate and Foreign Commerce.

By Mr. ESCH: Resolutions of the American Association of Masters and Pilots of Steam Vessels, urging legislation to authorize Capt. A. F. Eells to construct a light-house on or near Diamond Shoal, on the coast of North Carolina—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of McPherson Circle, No. 2, Ladies of the Grand Army of the Republic, Department of Wisconsin, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: Resolutions of American Association of Masters and Pilots of Steam Vessels, in favor of a light-house on the Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, resolutions of Brooklyn Council, No. 165, United Commercial Travelers of America, in favor of an amendment to the bankruptcy bill, making traveling salesmen preferred creditors—to the Committee on the Judiciary.

Also, resolutions of Manufacturers' Association of New York, favoring the passage of bill H. R. 7056, for the development of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. FLACK: Petition to accompany bill to correct the military record of Joseph Smith—to the Committee on Military Affairs.

By Mr. FULLER: Petition of L. E. Waterman and 44 other voters of Rockford, Ill., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, memorial of the National Rural Letter Carriers' Association, for additional compensation—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of business men of Belvidere, Ill., in opposition to parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GARNER: Papers to accompany a bill for the relief of Col. Alexander Moore—to the Committee on Military Affairs.

By Mr. GILLESPIE: Petition of George Murkey and 53 others, of Fort Worth, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GREENE: Resolutions of the National Board of Trade, Philadelphia, indorsing the bill extending the navigation laws to the Philippine Islands, and of the same body, favoring legislation extending trade between the United States and the Philippines to American vessels—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the New York Board of Trade and Transportation, urging the completion of a harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolutions of the Massachusetts Agricultural College Alumni Club, of Boston, favoring additional appropriations for State experiment stations—to the Committee on Agriculture.

Also, resolutions of the New England Shoe and Leather Association, of Boston, Mass., favoring the increase of power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the New England Shoe and Leather Association, of Boston, Mass., favoring improvement in the consular service—to the Committee on Foreign Affairs.

Also, resolutions of the Massachusetts State Board of Trade,

favoring revision of the postal rates and a postal currency—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of William Logan Rodman Post, No. 1, and R. A. Pierce Post, No. 190, of New Bedford, and Henry Clay Wade Post, No. 201, of Cottage City, Grand Army of the Republic, and Union Veterans' Union, all of Massachusetts, favoring the enactment of a service-pension law—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Petition of Charles E. Torbett and 18 other voters and J. W. Dashiell and 11 other voters of Moores Hill, Ind., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Resolutions of Iseminger Post, No. 18, Grand Army of the Republic, of Chariton, Iowa, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of McKnight Post, No. 491, Grand Army of the Republic, Department of Iowa, for a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: Papers to accompany bill H. R. 11411—to the Committee on Invalid Pensions.

Also, petition of Friends' First Day School of Springboro, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, urging the construction of a light-house by Capt. A. F. Ellis on or near the Outer Diamond Shoal, North Carolina—to the Committee on Interstate and Foreign Commerce.

By Mr. HOGG: Petition of citizens and members of Grand Army of the Republic Woman's Relief Corps, urging passage of bills S. 2017 and H. R. 4079, to grant to honorably discharged soldiers who served ninety days a land warrant for 160 acres of land—to the Committee on Invalid Pensions.

Also, petition of citizens of Rocky Ford, Colo., urging passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KLINE: Petition of St. Peter's Methodist Episcopal Church, of Reading, Pa., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

By Mr. LAFEAN: Petition of surviving members of the Worth Infantry and York Rifles, of York, Pa., urging an appropriation of $10,000 for the purpose of erecting a suitable monument or tablet commemorating the services of said survivors—to the Committee on the Library.

Also, resolutions of Lieutenant R. W. Smith Post, No. 270, Grand Army of the Republic, of Wrightsville, Pa., urging the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LOUDENSLAGER: Petition of Charles E. Davis and 34 other voters of Pittsgrove, and J. William Gaynor and 32 other voters of Salem, N. J., urging passage of Hepburn bill—to the Committee on the Judiciary.

By Mr. McNARY: Petition of Unitarian Church of Walpole, Mass., urging passage of Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of A. Nattrass and 17 other voters of Island Lake, N. Dak., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. NEEDHAM: Resolutions of Pacific Coast Jobbers and Manufacturers' Association of San Francisco, protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of Colonel Whipple Post, Grand Army of the Republic, Department of California and Nevada, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of citizens of Osborne County, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. RIDER: Resolution of the Manufacturers' Association of New York, asking for a reduction of 70 per cent on alcohol—to the Committee on Ways and Means.

Also, resolution of the National German-American Alliance of New York City, opposing the Hepburn bill—to the Committee on the Judiciary.

Also, resolution of Brooklyn Council, No. 165, United Commercial Travelers' Association of America, urging an amendment to the bankruptcy act—to the Committee on the Judiciary.

Also, resolutions of the North Dakota Retail Hardware Association, opposing passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of John E. Bendix Post, No. 402, Grand Army of the Republic, of New York, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of the Manufacturers' Association of New York, approving bill H. R. 7056, for the development of the American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. ROBERTS: Petition of Tillman B. Johnson and 82 other voters of Dorchester, Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Samuel McBay and 7 other voters of Revere, Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. RYAN: Resolutions of the North Dakota Retail Hardware Association, against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SHACKLEFORD: Petition of citizens of Tipton, Mo., urging an increase of pension to William H. Bynon—to the Committee on Invalid Pensions.

By Mr. SHERMAN: Papers to accompany House bill granting a pension to Mary J. Storey—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petition of Valentine Herbert and 10 others, of Cherry Valley, N. Y., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 693, granting a pension to S. C. Roe—to the Committee on Invalid Pensions.

Also, petition of citizens of Sunset, Tex., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of many citizens of Denton, Tex., urging the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, memorial of Company A, First Regiment of Volunteer Militia, requesting that the provisions of the Dick bill be extended to the militia of the Indian Territory—to the Committee on Militia.

By Mr. THOMAS of Iowa: Petition of 39 voters of Merrill, 12 voters of Hawarden, 60 voters of Marathon, 37 voters of Moville, 33 voters of Sergeant Bluff, 27 voters of Aurelia, 29 voters of Hull, 8 voters of Ashton, 48 voters of Kingsley, the Presbyterian Church of Sioux City, 20 voters of Sioux City, and 16 voters of Terril, all of Iowa, praying for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. WEEMS: Petition and papers to accompany bill H. R. 12898, for the relief of Josephine Hoffman—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Petition of the Methodist Episcopal Church of Canton, Pa., and of the Prohibition Alliance of Grover, Pa., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

SENATE.

WEDNESDAY, *February 24, 1904.*

The Senate met at 12 o'clock m.

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. HANSBROUGH, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

RENT OF UNION BUILDING.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting estimates of appropriations for rent of fifth floor of the Union Building, on G street, for Patent Office models and for the removal of casts and models, etc., thereto, $11,500; which, with the accompanying papers, was referred to the Committee on Appropriations, and ordered to be printed.

EXPERIMENTS IN ANIMAL BREEDING.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of Agriculture submitting an estimate of appropriation for general expenses, Bureau of Animal Industry, for experiments in animal breeding in cooperation with the experiment stations, $50,000; which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 118) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of

July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont;

A bill (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon;

A bill (S. 2818) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.;

A bill (S. 3[illegible]) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. Joseph, Mo., to lower said bridge and to elevate the draw spans thereof; and

A bill (S. 3[illegible]) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold.

PETITIONS AND MEMORIALS.

Mr. BURNHAM presented a petition of the American Paper and Pulp Association, praying for the establishment of a national forest reserve in the White Mountains; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented petitions of the Woman's Christian Temperance Union of Keene; of the congregations of the Methodist Episcopal and Baptist churches of Rochester; of M. L. Ware Grange, No. 146, Patrons of Husbandry, of Westbridge, and of the congregation of the Congregational Church of Weare, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of Joseph P. Rice Post, No. 69, Department of Massachusetts, Grand Army of the Republic, of Westminster, Mass., and a petition of William Wadsworth Post, No. 135, Department of Massachusetts, Grand Army of the Republic, of Duxbury, Mass., praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

He also presented a petition of the American Association of Masters and Pilots of Steam Vessels, praying for the enactment of legislation providing for the erection of a light-house on the Outer Diamond Shoal, North Carolina; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Worcester, Mass., praying for the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented petitions of the Young People's Christian Union of Southbridge, of the congregations of the Congregational and Methodist churches of Sandwich; of the congregation of the Immanuel Baptist Church, of Boston, all in the State of Massachusetts, and a petition of the Children's Boarding Home and Nursery of Cleveland, Ohio, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented a petition of the Pattern Makers' League of Tacoma, Wash., and a petition of Local Lodge No. 102, International Association of Machinists, of Tacoma, Wash., praying that an appropriation of $2,000,000 be made to increase the Naval Gun Factory at the Washington Navy Yard, Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented petitions of sundry citizens of Tacoma and Garfield, in the State of Washington, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN presented a petition of sundry citizens of Cranbury, N. J., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Iron Molders' Local Union No. 267, American Federation of Labor, of Trenton, N. J., praying for an appropriation of $2,000,000 to increase the capacity of the Naval Gun Factory at Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented a memorial of the Board of Trade of Newark, N. J., remonstrating against the enactment of legislation providing for the adoption of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

He also presented a petition of the executive council, Brotherhood of Boiler Makers and Iron Ship Builders of America, praying for the enactment of legislation to regulate shipping in the trade between the ports of the United States and ports in the Philippine Islands, and also for the appointment of a commission to consider and recommend legislation for the development of the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the American Association of Masters and Pilots of Steam Vessels of Camden, N. J., praying for the enactment of legislation providing for the construction of a light-house on Outer Diamond Shoal, on the coast of North Carolina; which was referred to the Committee on Commerce.

He also presented memorials of the Robert W. Kennedy Company, of Trenton; of the Skillman Hardware Manufacturing Company, of Trenton; of the Trenton Fire Clay and Porcelain Company, of Trenton; of the Foster Engineering Company, of Newark; of the Fitz-Gibbon and Crist Carriage and Wagon Company, of Trenton; of T. C. Hill & Son Company, of Trenton; of James E. Norris, of Trenton; of the Trenton Malleable Iron Company, of Trenton; of the Bellmark Pottery Company, of Trenton, and of Henry Wood's Sons, of Trenton, all in the State of New Jersey, remonstrating against the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Methodist Episcopal Church of Princeton; of the Christian Endeavor Society of the First Presbyterian Church of Lambertville; of the Christian Endeavor Society of the First Baptist Church of Collingswood; of the congregation of the Baptist Church of Haddonfield, and of the Christian Endeavor Society of Trinity Church, of Atlantic City, all in the State of New Jersey, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG (for Mr. BURTON) presented a petition of Lawrence Circle, No. 75, Ladies of the Grand Army of the Republic, of Lawrence, Kans., and a petition of Mulvane Post, No. 203, Department of Kansas, Grand Army of the Republic, of Mulvane, Kans., praying for the enactment of a service pension law; which were referred to the Committee on Pensions.

He also (for Mr. BURTON) presented petitions of sundry citizens of Conway Springs, Oswego, Franklin, Jewell County, Lawrence, Greensburg, Newton, Pleasant Ridge, and Barclay, and of the Woman's Christian Temperance Union of Franklin, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PERKINS presented sundry papers to accompany the bill (S. 4410) to carry into effect the decisions of the Court of Claims in the matter of the claim of David H. Bannister; which were referred to the Committee on Claims.

Mr. NELSON presented a petition of sundry citizens of Fairfax, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Plymouth Congregational Church, of St. Paul, Minn., and a petition of the First Swedish Methodist Episcopal Church, of St. Paul, Minn., praying for the enactment of legislation to provide for the nullification of State liquor laws; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of Carpenters' Local Union No. 174, United Brotherhood of Carpenters and Joiners, of Joliet, Ill., praying for the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the Western Association of Shoe Wholesalers, of Chicago, Ill., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. SCOTT presented a petition of Custer Post, No. 8, Department of West Virginia, Grand Army of the Republic, of Charlesburg, W. Va., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Anti-Saloon League of Ripley, W. Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Grand Lodge, Brotherhood of Boiler Makers and Iron-ship Builders, praying for the enactment of legislation to increase the American merchant marine; which was referred to the Committee on Commerce.

Mr. McCUMBER presented a memorial of the North Dakota Retail Hardware Association, of Grand Forks, N. Dak., and a memorial of sundry citizens of Washburn, N. Dak., remonstrating against the passage of the so-called parcels-post bill; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented the petition of McEwan and Dougherty, of Park River, N. Dak., and a petition of the Implement Dealers' Association of Crookston, Minn., praying for the repeal of the present bankruptcy law; which were referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of the Ministerial Alliance, of Springfield, Mo., praying for the enactment of legislation to prevent nullification of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented a petition of the Commercial Club of Kansas City, Mo., praying for the enactment of legislation to remove all restrictions upon the sale of lands in the Indian Territory by the allottees of the Five Civilized Tribes; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Woman's Christian Temperance Union of Jasper City, Mo., and a petition of the Council of Woman's Clubs of Kansas City, Mo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. GALLINGER presented petitions of the Fruitdale Grange, of Mason; of Rye Grange, No. 233, of Rye; of Claremont Grange, No. 9, of Claremont; of Walpole Grange, No. 125, of Walpole; of Amoskeag Grange, of Manchester; of Sonhegan Grange, No. 10, of Amherst; of Rumford Grange, No. 109, of Concord; of the Eagle Grange, of Chatham; of Chester Grange, of Chester; of Ossipee Lake Grange, No. 175, of Ossipee; of Antrim Grange, No. 98, of Antrim; of Mascot Grange, No. 220, of Randolph, and of Lovell Grange, No. 5, of Washington; of the Woman's Club of North Conway; of the Current Events Club, of Exeter; of the Vega Club of Lebanon; of the Woman's Club, of Franklin; of the Graffort Club, of Portsmouth; of the Woman's Club of Berlin; of the Board of Trade of Portsmouth, and of the Commercial Club of Keene, all in the State of New Hampshire, praying for the enactment of legislation providing for the purchase of a national forest reserve in the White Mountains of New Hampshire; which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. DOLLIVER presented a petition of the railroad committee of the Dubuque Club, of Dubuque, Iowa, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a memorial of sundry citizens of Denison, Iowa, and a memorial of sundry citizens of Remsen, Iowa, remonstrating against the passage of the so-called "parcels-post bill;" which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of A. R. Hovey Post, No. 492, of Monmouth; of James B. Sample Post, No. 170, of Fort Madison, and Henry Dillon Post, No. 150, of Emmetsburg, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Pocahontas, Iowa, and a petition of Prohibition Alliance No. 19, of Epworth, Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WETMORE presented petitions of Rocky Hill Grange, No. 27, Patrons of Husbandry, of East Greenwich; of Kiskemint Grange, No. 24, Patrons of Husbandry, of East Warren; of Cumberland Grange, No. 2, Patrons of Husbandry, of Arnolds Mills, and of the Rhode Island Poultry Association, all in the State of Rhode Island, praying that an increased appropriation be made for the support of United States agricultural experiment stations; which were referred to the Committee on Agriculture and Forestry.

Mr. BEVERIDGE presented a petition of Cigar Makers' Local Union No. 62, American Federation of Labor, of Richmond, Ind., praying for the passage of the so-called "anticoupon present bill;" which was referred to the Committee on Finance.

He also presented a memorial of sundry citizens of Indianapolis, Ind., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a memorial of the Fulton Hardware Company, of Portland, Ind., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented the memorial of Nordyke & Marmon Company, of Indianapolis, Ind., and the memorial of J. S. Farrell & Co., of Indianapolis, Ind., remonstrating against the passage of the so-called "eight-hour bill;" which were referred to the Committee on Education and Labor.

He also presented the petition of S. Bash & Co., of Fort Wayne, Ind., and a petition of the Bish Milling Company, of Seymour, Ind., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

Mr. MITCHELL presented a petition of Leeap Grange, No. 239, Patrons of Husbandry, of Cedar Mill, Oreg., and a petition of Surprise Grange, No. 233, Patrons of Husbandry, of Turner, Oreg., praying for the passage of the so-called "Brownlow good-roads bill;" which were referred to the Committee on Agriculture and Forestry.

Mr. PERKINS presented a memorial of the Manufacturers and Producers' Association of San Francisco, Cal., remonstrating against the enactment of legislation to lessen the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented petitions of sundry citizens of California, praying that lands in severalty be granted to landless Indians of northern California; which were referred to the Committee on Indian Affairs.

He also presented petitions of sundry citizens of California, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. SIMMONS presented sundry papers to accompany the bill (S. 3875) for the relief of Sidney Maxwell; which were referred to the Committee on Claims.

Mr. CARMACK (for Mr. BATE) presented sundry papers to accompany the bill (S. 1337) for the relief of Sarah McClay, administratrix of Robert McClay, deceased; which were referred to the Committee on Claims.

REPORTS OF COMMITTEES.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5149) granting an increase of pension to John W. Erwin;

A bill (H. R. 2930) granting an increase of pension to Lafayette M. Greene;

A bill (H. R. 719) granting an increase of pension to John H. Willey;

A bill (H. R. 10968) granting a pension to Marceline P. Hamilton;

A bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum;

A bill (H. R. 720) granting an increase of pension to Frank L. Gray;

A bill (H. R. 910) granting an increase of pension to Freeman York;

A bill (H. R. 1314) granting a pension to Denison L. Brown;

A bill (H. R. 4642) granting an increase of pension to William L. Wheeler; and

A bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5750) granting an increase of pension to William Cassidy;

A bill (H. R. 4589) granting a pension to Henry H. Barrett;

A bill (H. R. 8984) granting an increase of pension to John I. Rundberg; and

A bill (H. R. 9778) granting an increase of pension to Loriston W. Adkins.

Mr. ALGER, from the Committee on Pensions, to whom was referred the bill (H. R. 1801) granting a pension to James Allen, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

He also, from the same committee, to whom was referred the bill (H. R. 1851) granting an increase of pension to David T. Towles, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 4679) granting an increase of pension to Martha M. Pierce;

A bill (H. R. 2769) granting an increase of pension to William E. Armstrong;

A bill (H. R. 2573) granting an increase of pension to William G. Cronkite;

A bill (H. R. 4624) granting a pension to Isabella Phelps; and

A bill (H. R. 4449) granting an increase of pension to William Brown.

Mr. CULLOM. I am directed by the Committee on Appropriations, to whom was referred the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, to report it with amendments, and I submit a brief report thereon. I give notice that on to-morrow morning,

if the agricultural appropriation bill which has been under consideration in the Senate is out of the way, I shall ask the Senate to take it up for consideration.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. [illegible]) granting a pension to Annie G. Norwood;

A bill (H. R. 5370) granting an increase of pension to Joseph Adams;

A bill (H. R. 4179) granting an increase of pension to Martha C. [illegible];

A bill (H. R. 4180) granting an increase of pension to Joseph G. Thomas;

A bill (H. R. 783) granting an increase of pension to Nicholas R[illegible];

A bill (H. R. 2001) granting an increase of pension to Nora J. Glahn;

A bill (H. R. 6879) granting a pension to Reuben A. Finnell;

A bill (H. R. 4719) granting an increase of pension to Joseph F. Carter;

A bill (H. R. 5008) granting a pension to Sarah Ulshafer;

A bill (H. R. 4119) granting an increase of pension to William Mercer;

A bill (H. R. 4936) granting an increase of pension to Wilfred C. M[illegible];

A bill (H. R. 850) granting an increase of pension to Andrew Barr;

A bill (H. R. 3909) granting an increase of pension to George Hayden;

A bill (H. R. 789) granting an increase of pension to Eli Lachman;

A bill (H. R. 3010) granting an increase of pension to Charles W. [illegible]man; and

A bill (H. R. 3402) granting an increase of pension to Daniel Nag[illegible].

Mr. [illegible]OLLIVER, from the Committee on Post-Offices and Post-Roads, to whom were referred the bill [illegible] for the relief of J. M. [illegible], reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 86) to reimburse John Waller, postmaster at Monticello, N. Y., for money expended in carrying the mail, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. [illegible]) for the relief of Henry A. L. [illegible], submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. BALL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1095) granting an increase of pension to Marab E. P[illegible];

A bill (H. R. 4964) granting an increase of pension to Charles E. M[illegible];

A bill (H. R. 5342) granting a pension to Jane E. Sutfin;

A bill (H. R. 9960) granting an increase of pension to John C[illegible];

A bill (H. R. 7063) granting a pension to Ellen F. Lynch;

A bill (H. R. 9061) granting a pension to Nettie A. Buell;

A bill (H. R. 4910) granting an increase of pension to Prudentia L. D. N[illegible];

A bill (H. R. 10700) granting a pension to Ella D. Madden;

A bill (H. R. 2116) granting an increase of pension to Richard C. Ivey;

A bill (H. R. 941) granting an increase of pension to William D. Taylor;

A bill (H. R. 10794) granting an increase of pension to Moses Hurlbut; and

A bill (H. R. 5620) granting a pension to William H. Mount.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (H. R. [illegible]) to amend an act to amend an act to construct a bridge across the Missouri River at a point between Kansas City and Sibley, in Jackson County, reported it without amendment.

Mr. CARMACK (for Mr. PATTERSON), from the Committee on Pensions, to whom was referred the bill (H. R. 4805) granting an increase of pension to William Herlinger, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8822) granting a pension to Martha E. Nolen;

A bill (H. R. 8824) granting a pension to Georgia A. Whitehead;

A bill (H. R. 1623) granting an increase of pension to John H. Reed; and

A bill (H. R. 5479) granting an increase of pension to William H. Anderson.

Mr. CARMACK (for Mr. GIBSON), from the Committee on Pensions, to whom was referred the bill (H. R. 2192) granting an increase of pension to William O. Smith, reported it without amendment, and submitted a report thereon.

Mr. LODGE, from the Committee on Foreign Relations, reported an amendment proposing to appropriate $1,246 to meet the [illegible] and Associate Justices of the City of Mexico [illegible] by Don Rufino J. Cuervo, intended to be proposed to the sundry civil appropriation bill, and moved that it be printed, and, with the accompanying papers, referred to the Committee on Appropriations, which was agreed to.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 1362) for the relief of the Postal Telegraph Cable Company, reported it without amendment, and submitted a report thereon.

Mr. [illegible], from the Committee on Claims, to whom was referred the bill (S. [illegible]) for the relief of [illegible], reported it without amendment, and submitted a report thereon.

Mr. BEVERIDGE, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. 3129) to prohibit the circulation of reading matter among the blind, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on Public Lands, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 891) granting certain lots in Gnadenhutten, Ohio, to Gnadenhutten special school district; and

A bill (H. R. [illegible]) to [illegible] the [illegible] of state-[illegible] public lands under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated.

PROOFS IN LAND ENTRIES.

Mr. HANSBROUGH. I am directed by the Committee on Public Lands, to whom was referred the bill (H. R. 8435) to amend the act of Congress of March 11, 1902, relating to homesteads, to report it favorably without amendment, and I submit a report thereon.

Mr. COCKRELL. That bill simply changes the law so that if [illegible] is in two land districts proof may be made [illegible] officer at the county seat instead of the entryman being required to go off to some other county seat in the land district. Proof can only be made now in the land district. The bill consists of only two or three lines, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the [illegible], as in Committee of the Whole, proceeded to its consideration. It proposes to amend an act entitled "An act to amend section 2294 of the Revised Statutes of the United States," approved March 11, 1902, to read as follows:

That section 2294 of the Revised Statutes of the United States be, and the same is [illegible] to read as follows:

"[illegible] shall be entitled to receive from the register and receiver of any land district in which any land is situated, upon payment of the legal fees and commissions, a certificate showing such payment, and upon making such proof as may be required by law that he is a qualified claimant under the homestead laws, or any other law relating to the disposition of the public lands, and that he has complied with the laws governing his claim, he shall be entitled to receive from the register and receiver a certificate showing such proof, and upon the presentation of such certificate to any other officer than the register and receiver, with the fees and commission allowed and paid, he shall be entitled to receive a patent for the land described in such certificate.

"[illegible] deposition of claimant or witness, when not prepared by the officer, $1.

"[illegible] deposition of claimant or witness, prepared by the officer, $1.

"[illegible] shall be guilty of a misdemeanor, and upon conviction shall be punished for each [illegible]."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. MITCHELL. I desire to enter a motion to reconsider the vote by which the bill was passed. I received a letter on the subject this morning and I should like to examine the bill. I may have no objection to it, but I desire to enter a motion to reconsider so as to have time to examine it.

The PRESIDENT pro tempore. The Senator from Oregon enters a motion to reconsider the vote by which the bill was passed.

Mr. MITCHELL subsequently said: I desire to withdraw the motion which I entered this morning to reconsider the vote by which the bill (H. R. 8435) to amend the act of Congress of March 11, 1902, relating to homesteads, was passed.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. HALE introduced a bill (S. 4514) granting an increase of pension to John P. Whitehouse; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of New York introduced a bill (S. 4515) granting a pension to John W. Stewart; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4516) granting a pension to Evelyn S. Beardslee; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 4517) granting an increase of pension to Samuel J. Zimmerman; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition for increase of pension of Samuel J. Zimmerman, together with the affidavits of Dr. J. M. Hindman, G. W. Bailey, and Thomas J. Ramsey, and copy of military record and Pension Office record. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. MONEY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4518) for the relief of James W. Person and Isabella M. Person;

A bill (S. 4519) for the relief of the estate of Joseph N. Moran, deceased;

A bill (S. 4520) for the relief of the estate of Mrs. M. L. Holt, deceased, Mrs. Jane E. Cannon, and Mrs. L. B. Shipp;

A bill (S. 4521) for the relief of the heirs of Vernon H. Johnston, deceased;

A bill (S. 4522) for the relief of the estate of Alfred Swearingin, deceased; and

A bill (S. 4523) for the relief of the estate of James Roach, deceased.

Mr. MONEY introduced a bill (S. 4524) granting a pension to James McDaniel; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MCENERY introduced a bill (S. 4525) for the relief of George Douglas, administrator of the estate of James S. Douglas, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4526) granting a pension to M. Francis Von Balsan;

A bill (S. 4527) granting an increase of pension to William O. Colson;

A bill (S. 4528) granting an increase of pension to Amanda M. Hand;

A bill (S. 4529) granting an increase of pension to Jesse N. Jones;

A bill (S. 4530) granting an increase of pension to John A. Packard; and

A bill (S. 4531) granting an increase of pension to Julia C. Vanzant.

Mr. TALIAFERRO introduced a bill (S. 4532) to remove the charge of desertion appearing against the military record of David W. Trumpeller; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4533) granting certain land to the Missionary Baptist Church, of Rock Sink, Fla.; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CARMACK introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4534) for the relief of the estate of Wilson Cupples, deceased;

A bill (S. 4535) for the relief of the estate of David Hurst, deceased;

A bill (S. 4536) for the relief of the heirs of Jesse Hollis, deceased;

A bill (S. 4537) for the relief of the estates of R. L. Evans, deceased, and Elizabeth P. Evans, deceased;

A bill (S. 4538) for the relief of John W. Fowler;

A bill (S. 4539) for the relief of the estate of Robert Edwards, deceased;

A bill (S. 4540) for the relief of James C. Anderson, James H. Tarkington, and Nannie Jones, heirs at law of James C. Anderson, deceased;

A bill (S. 4541) for the relief of the estate of Josiah P. Ashford; and

A bill (S. 4542) for the relief of the estate of Benjamin Adams, deceased.

Mr. BATE introduced a bill (S. 4543) for the relief of W. J. Winsett; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced a bill (S. 4544) granting an increase of pension to Oliver Allie; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PROCTOR introduced a bill (S. 4545) to increase the efficiency of the Medical Department of the United States Army; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. DILLINGHAM introduced a bill (S. 4546) granting an increase of pension to Martha C. Paige; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 4547) for the relief of Mark A. Chamberlain; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. NELSON introduced a bill (S. 4548) granting a pension to Betsy J. Northrup; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BURNHAM introduced a bill (S. 4549) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

He also introduced a bill (S. 4550) to authorize and direct the Secretary of War to survey and construct a military trail, commencing at or near the intersection of the Orazek and the Yukon rivers, thence to Coldfoot, on the Koyukuk River, in Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4551) granting an increase of pension to Richard Cable;

A bill (S. 4552) granting an increase of pension to Henry Stanton;

A bill (S. 4553) granting an increase of pension to Joseph Neil;

A bill (S. 4554) granting a pension to Samuel B. French;

A bill (S. 4555) granting an increase of pension to Michael Kelly, alias Patrick Kelly (with an accompanying paper); and

A bill (S. 4556) granting an increase of pension to Charles W. Abbott (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 4557) to amend section 6, act of March 3, 1883, in regard to outdoor relief by Soldiers' Home; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4558) for the relief of Henry Brandt; which was read twice by its title, and referred to the Committee on Claims.

Mr. ANKENY introduced a bill (S. 4559) granting an increase of pension to John Kenton; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4560) to divide the State of Washington into two judicial districts; which was read twice by its title, and referred to the Committee on the Judiciary.

He also introduced a bill (S. 4561) for the reappraisement and sale of the undisposed of lands within the Fort Walla Walla Military Meadow Reserve, in Walla Walla County, Wash.; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. MITCHELL introduced a bill (S. 4562) to provide for the issuance of postage-stamp certificates to be used as remittances in lieu of postage-stamps, now commonly employed in the payment of small accounts; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. PERKINS introduced a bill (S. 4563) for the delivery on the Pacific coast of two light vessels now being built in New York and New Jersey; which was read twice by its title, and referred to the Committee on Commerce.

Mr. BERRY introduced a bill (S. 4564) for the relief of the heirs of Mrs. D. J. Booth, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4565) for the relief of the estate of Nathan P. English, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. FORAKER introduced a bill (S. 4566) granting authority

to the President, in his discretion, to restore certain midshipmen to the naval service: which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. DANIEL introduced a bill (S. 4567) to prohibit Senators and Representatives in Congress while serving as such from accepting, holding, or receiving the pay, allowance, or emolument of any executive office, agency, or commission; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. HANSBROUGH introduced a bill (S. 4568) for the relief of Mary Cuffee Lamin: which was read twice by its title, and, with the accompanying paper, referred to the Committee on Public Lands.

Mr. BAILEY (by request) introduced a bill (S. 4569) for the relief of certain Indians by appeal from the Commission to the Five Civilized Tribes to the United States courts; which was read twice by its title.

The PRESIDENT pro tempore. To what committee does the Senator from Texas desire to have the bill referred?

Mr. BAILEY. The Committee on the Judiciary.

The PRESIDENT pro tempore. It will be so referred.

Mr. STEWART. The Committee on Indian Affairs have had charge of the matter all the time, and I think it had better go to that committee.

Mr. BAILEY. I think the bill might go to either committee. I tried the Committee on Indian Affairs, and I have been unable to accomplish anything with them, so I thought I would try the other committee.

Mr. STEWART. It might be that you could get the Committee on Indian Affairs to understand the question better than it did before.

Mr. BAILEY. I have made a perfectly frank statement; I think the bill could be properly referred to either committee.

Mr. FRYE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4570) granting an increase of pension to Simon D. Mitchell (with accompanying papers);

A bill (S. 4571) granting an increase of pension to Ella N. Harvey (with an accompanying paper);

A bill (S. 4572) granting an increase of pension to Thomas R. Perkins (with accompanying papers);

A bill (S. 4573) granting an increase of pension to Mary C. Buck (with accompanying papers); and

A bill (S. 4574) granting an increase of pension to Abraham B. Morton.

Mr. TILLMAN introduced a bill (S. 4575) for the relief of the heirs of Theodore Dehon; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. LODGE introduced a bill (S. 4576) donating certain obsolete ordnance to the city of Boston; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. MILLARD introduced a joint resolution (S. R. 51) to extend the time for construction of the Akron, Sterling and Northern Railroad, in Alaska; which was read twice by its title, and referred to the Committee on Territories.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PROCTOR submitted an amendment proposing to appropriate $20,000 to enable the Secretary of War to make a test to determine the destructive effect of the Isham shell, intended to be proposed by him to the fortifications appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to allow commutation of quarters to all commissioned and warrant officers of the Navy serving on shore and not occupying public quarters, intended to be proposed by him to the naval appropriation bill; which was ordered to be printed, and, with the accompanying memorandum, referred to the Committee on Naval Affairs.

Mr. KITTREDGE submitted an amendment directing the payment to the Sioux Indians residing at Flandreau, in the State of South Dakota, the share of said Indians in the principal permanent fund appropriated and placed in the Treasury of the United States to the credit of the Sioux Indians by the act approved March 2, 1889, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. TELLER submitted an amendment proposing to appropriate $100,000 to pay the executor or administrator of the estate of Eli Ayres, deceased, for land purchased by said Eli Ayres in his lifetime from certain Chickasaw Indians in the State of Mississippi, which land was subsequently sold and disposed of by the United States, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

NARRAGANSETT BAY IMPROVEMENT.

Mr. ALDRICH submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate, the House of Representatives concurring. That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of dredging in Narragansett Bay, Rhode Island, a channel 5000 feet in length from the head of the cove, 100 feet in width, and with a mean depth of 8 feet at low water.

RESTRICTION ON SENATORS AND REPRESENTATIVES.

Mr. DANIEL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on the Judiciary be, and it is hereby, instructed to inquire into the expediency of amending a law prohibiting agents, the acceptance, holding, or receipt of pay, allowances, or emolument of any executive office, agency, or commission, by a Senator or Representative in Congress, while serving as such Senator or Representative.

RED LAKE INDIAN RESERVATION.

On motion of Mr. CLAPP, it was

Ordered, That 4,000 copies of the act to authorize the sale of a part of what is known as the Red Lake Indian Reservation, in the State of Minnesota, be printed.

SHIPPING BETWEEN THE UNITED STATES AND PHILIPPINE PORTS.

Mr. LODGE. I move that Senate Document No. 124, Fifty-eighth Congress, second session, being a hearing before the Committee on the Philippines on the bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes, be reprinted, as the copies have become exhausted.

The motion was agreed to.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on this day approved and signed the following act and joint resolution:

An act (S. 1935) providing for the holding of an additional term of court in the northern district of West Virginia at Martinsburg, W. Va.; and

The joint resolution (S. R. 37) providing for the editions to be printed of the annual and special reports of the Librarian of Congress.

TOMBIGBEE RIVER BRIDGE.

Mr. PETTUS. I ask unanimous consent for the present consideration of the bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REPUBLIC OF PANAMA.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying papers, referred to the Committee on Foreign Relations, and ordered to be printed:

To the Senate:

In response to the resolution of the Senate of February 18, 1904, as follows:

"*Resolved*, That the President is requested if not incompatible with the public interests, to send to the Senate such information as is in possession of the Government of the United States as to the present state of organization of the Government of the Republic of Panama

"And a copy of the constitution of said Republic, or such information as to the provisions thereof as may have been received by him.

"And that he will inform the Senate as to any ordinance, or other proceeding of the said national convention relating to canal, in session at Panama, relating to the Hay-Varilla treaty now pending in the Senate."

I transmit herewith a report from the Secretary of State on the subject.

THEODORE ROOSEVELT.

WHITE HOUSE, *February 24, 1904.*

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I ask that the agricultural appropriation bill, House bill 11825, be now proceeded with.

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905.

The Secretary resumed the reading of the bill on page 14, line 8.

The next amendment of the Committee on Agriculture and Forestry was, under the head of "Bureau of Plant Industry," on page 14, line 11, to increase the appropriation for the salary of the Chief of the Bureau of Plant Industry from $4,000 to $4,500.

The amendment was agreed to.

The next amendment was, on page 15, line 4, to increase the total appropriation for salaries, Bureau of Plant Industry, from $62,980 to $63,430.

The amendment was agreed to.

The next amendment was, on page 16, line 20, before the word

"scientific," to strike out "and student;" and in the same line, after the word "aids," to strike out "at an annual salary of $480 each;" so as to read:

To study and find methods for preventing the algal and other contaminations of water supplies; the employment of investigators, local and special agents, clerks, assistants, scientific aids, and other labor required in conducting experiments in the city of Washington and elsewhere, and collating, digesting, reporting, and illustrating the results of such experiments, etc.

The amendment was agreed to.

The next amendment was, on page 17, line 1, after the word "laboratory," to insert "for the erection of necessary greenhouses, not to exceed $2,000;" and in line 8, after the word "dollars," to insert "of which sum $2,000 shall be immediately available;" so as to read:

For telegraph and telephone service; for gas and electric current; purchase of chemicals and apparatus required in the field and laboratory; for the erection of necessary greenhouses, not to exceed $2,000; necessary traveling expenses for express and freight charges, the preparation of reports and publications; the rent and repairs of a laboratory not to exceed $[illegible] per annum; necessary furniture, fixtures and supplies, and for other necessary expenses; the personal work of the investigations, $[illegible], of which sum $[illegible] shall be immediately available.

The amendment was agreed to.

The next amendment was, on page 17, line 17, before the word "scientific," to strike out "student;" and in the same line, after the word "aids," to strike out "at an annual salary of $480 each;" so as to read:

Pomological investigations: Investigating, collecting, and disseminating information relating to the fruit industry; the publication and distribution of [illegible] and specimens; and for collecting and mounting fruits, vegetables, and other plants and performing [illegible] labor in the experimental gardens of the United States, as far as [illegible] practicable; the hire of laborers, investigators, local and special agents, clerks, assistants, scientific aids, and other labor required in conducting experiments in the city of Washington, and elsewhere, etc.

Mr. PLATT of Connecticut. I wish to inquire of the chairman of the committee whether these investigators, local and special agents, clerks, assistants, and scientific aids are in the classified service?

Mr. PROCTOR. I think the majority of them are not. The clerks are in the classified service.

Mr. PLATT of Connecticut. I suppose a majority are not. I should like to inquire how it is that this Department gets the opportunity for the employment of so many employees at salaries which are not specified, without having been appointed under the classified service, when I think no other Department has that privilege?

Mr. PROCTOR. That is very true, but it has always been so from the beginning. The work of the Department is such that it requires at certain periods and for certain purposes, temporarily and not constantly, a much larger force than is required for constant service. It would be impossible to classify all the help of the Department. The attempt has been made, I believe, by the committees of both Houses—it has always been urged as fully as can be—that they should be brought within the classified service. The question has always been up at every meeting of the committee I have attended, and many of them have been brought in that were not so a few years ago.

Mr. PLATT of Connecticut. I suppose the real reason for it, then, is that the Agricultural Department gets everything it asks for and the other Departments can not. I suppose that is the real explanation.

I was led to make the inquiry from the fact that a somewhat similar institution, doing somewhat similar work, except so far as it has been taken away from them, the Smithsonian Institution, can not get anybody, from a scientific aid to a laborer, appointed except through the classified service.

Mr. PROCTOR. Mr. President, it will be borne in mind that the work of the Agricultural Department is in great part at special times, when certain crops are in certain stages of growth. That is one of the reasons, and generally, perhaps, that is the principal reason, why the work is not even and regular.

The PRESIDENT pro tempore. The question is on the amendment of the committee, which has been stated.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 18, line 15, before the word "vegetables," to strike out "and," and in the same line, after the word "vegetables," to insert "packages and packing material;" so as to read:

For the purpose of increasing the exportation of American fruits and vegetables, and for all necessary expenses connected with the practical work of the same, and such fruits, vegetables, packages, and packing material as are needed for these investigations and experimental shipments may be bought in open market and disposed of at the discretion of the Secretary of Agriculture, and he is authorized to apply the moneys received from the sales of such fruits and vegetables toward the continuation and repetition of these investigations and experimental shipments etc.

The amendment was agreed to.

The next amendment was, on page 19, line 3, to increase the appropriation for pomological investigations from $40,000 to $47,000; in line 4, before the word "thousand," to strike out "five" and insert "twelve;" and in line 6, after the word "for," to strike out "studying the nature of Anaheim, and other diseases of vines, and for ascertaining the best means for protecting vineyards against their ravages," and insert "determining the adaptability of various grape stocks to the different soil and climatic conditions of the Pacific coast and their resistance to disease;" so as to read:

"To investigate, map, and report upon the commercial fruit diseases of the United States, for the purpose of determining the relative adaptability of the several important fruits thereon, by a study of the conditions of soil and climate, and of the prevalence of fungal diseases, so far as related to commercial fruit production, $47,000, $20,000 of which sum, in the discretion of the Secretary, may be applied in cooperation with the experiment station of the State of California for determining the adaptability of various grape stocks to the different soil and climatic conditions of the Pacific coast and their resistance to disease."

The amendment was agreed to.

The next amendment was, on page 19, line 22, before the word "scientific," to strike out "and student;" and in the same line, after the word "aids," to strike out "at an annual salary of $480 each;" so as to read:

Botanical investigations and experiments: Investigations relating to medicinal, poisonous, fiber, and other economic plants, seeds, and weeds; the [illegible] of plants, including expenses, and express and freight charges, and necessary other expenses, the purchase of paper and [illegible] supplies, [illegible] apparatus, for rent and [illegible] for office and laboratory purposes, not to exceed $[illegible] for gas and electric current; for telegraph and telephone service; for the employment of investigators, local and special agents, clerks, assistants, scientific aids, and other labor in conducting experiments in the city of Washington and elsewhere.

The amendment was agreed to.

The next amendment was, on page 20, line 18, to increase the appropriation for botanical investigations and experiments from $65,000 to $70,000.

The amendment was agreed to.

The next amendment was, at the top of page 21, to insert:

The Secretary of Agriculture is authorized to examine and report upon the nature, quality, and condition of samples of seed and grain submitted to him for that purpose; to sample, examine, and certify the character and condition of samples and cargoes of seed and grain upon request of the owner; to fix and collect fees for such services and apply the money so received to the support of his work.

Mr. HALE. I make the point of order against that amendment. Without regard to the point as to this provision being estimated for, I make the point of order that it is a new provision: that it is general legislation; that it confers upon the Secretary of Agriculture an entirely new power; that it authorizes him to takes fees and apply them to this work, which, under the law, ought to go into the Treasury. Without argumenting upon it, I call the attention of the Chair to the point. In my own mind I have no doubt whatever about it; and so I wish to raise the point of order.

Mr. BEVERIDGE. It ought to go out.

Mr. PROCTOR. Mr. President, it seems to me that that provision is precisely in the line of what we have been legislating in every agricultural appropriation bill. Provisions for the examination of seeds and the investigation of varieties of cereals have been inserted in our agricultural appropriation bills every year.

Mr. BEVERIDGE. If the Senator will permit me, I will call attention to the fact that it is not only the examination but the certification as to "the nature, quality, and condition of samples of seed and grain submitted to him [the Secretary] for that purpose." That struck my attention the moment the Secretary read it. It is perfectly apparent to every person who observed and listened what the possible and probable effect of such certification would be.

Mr. HALE. I will not debate the general proposition; but what the Senator from Indiana says is very true. It would be a certification, which may be used for exploiting and for advertising purposes, and one which the Secretary now has no right to make.

Mr. PROCTOR. Mr. President——

The PRESIDENT pro tempore. The Chair is ready to rule on the question of order, but will hear the Senator from Vermont if he desires to be heard.

Mr. PROCTOR. I do not care to discuss the rule.

The PRESIDENT pro tempore. The Chair has no question that the amendment is general legislation; it would not expire with the bill itself, and, being general legislation, it is clearly out of order.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 21, line 21, before the word "scientific," to strike out "and;" in the same line, before the word "aids," to strike out "student;" in the same line, after the word "aids," to strike out "at an annual salary of $480 each;" and in line 25, before the word "dollars," to strike out "one thousand two hundred" and insert "two thousand;" so as to read:

Grass and forage-plant investigations: To enable the Secretary of Agriculture to conduct investigations of grasses, forage plants, and animal foods in cooperation with other divisions of the Department; to collect and purchase seeds, roots, and specimens of valuable economic grasses and forage plants

for investigation; experimental cultivation and distribution, and for experiments and reports upon the best methods of extirpating Johnson and other noxious and destructive grasses; to purchase tools, all necessary office fixtures, materials, apparatus and supplies; to pay freight, express charges, and incidental expenses for telegraph and telephone service for gas and electric light; and for the employment of local and special agents, clerks, assistants, experts, and other aids required in conducting experiments in the city of Washington and elsewhere; rent and repairs of a building not to exceed $[illegible] per annum; to prepare drawings and illustrations for circulars, reports, and bulletins, etc.

The amendment was agreed to.

The next amendment was, on page 22, line 14, to increase the appropriation for grass and forage-plant investigations from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 23, after line 10, to insert:

For the removal and reconstruction of the greenhouses on the Department grounds in order to accommodate the new buildings for the Department, $[illegible] to be expended by authority.

The amendment was agreed to.

The next amendment was, on page 24, line 16, to increase the appropriation for the maintenance of the experimental farm and agricultural station on the Arlington estate, in the State of Virginia, from $[illegible] to $[illegible].

The amendment was agreed to.

Mr. TELLER. I should like to ask the chairman of the committee if by the provision in relation to the Arlington experimental farm it is intended to devote the Arlington estate to the purposes of such a farm, and if so, to what extent? It seems to me that if the Government wants to establish an experimental farm station, it would be better to buy land somewhere else and not destroy that property over there.

Mr. PROCTOR. Mr. President, I understand the part used by the Department of Agriculture is what is below the Arlington road, down next to the river, entirely east or north of the Arlington estate proper. It is low land that is in a very bad condition.

Mr. TELLER. If that is the fact, perhaps it will not mar the property.

Mr. PROCTOR. No; it will improve it greatly.

Mr. TELLER. I could not tell the location of the farm from the description in the bill.

Mr. PLATT of Connecticut. Mr. President, while we are on that clause I should like to know just what is meant by the language on page 24, line 3, where reference is made to a former act, in which I suppose the same thing has occurred. What is meant by the language:

To enable it [illegible] Secretary of Agriculture and his successors jurisdiction over so much of the Government land in Alexandria County, Va., known as the Arlington estate as the need of the public may require.

What is the jurisdiction conferred upon the Secretary of Agriculture?

Mr. PROCTOR. Mr. President, I understand it to be that, whereas all of these lands are under the special care of the Secretary of War, for this purpose the care of this portion of that land is to be transferred to the Secretary of Agriculture.

Mr. PLATT of Connecticut. Is there no Department of the Government which the Secretary of Agriculture is not permitted to invade?

Mr. TILLMAN. Mr. President, I have no knowledge on this subject except in a general way. It seems there is a lot on the Arlington estate which is lying like a kind of an old field, which is somewhat necessary object, but it is very valuable land, being close to the city here, which is available for this use, and is being used for nothing now. Congress, in the original act which set apart the Arlington estate, expressly conferred upon the Secretary of Agriculture and his successors jurisdiction over a part of that land. I have not the act before me, but I suppose it conferred the right and power upon that Department to utilize this land in the way provided for; and this is a provision which specifies the boundaries of the new agricultural experimental station. It leaves all the woodland of the cemetery and all the rest of the estate which can possibly be used for its present purpose—as a national burying ground—untouched and undisturbed. The adoption of this provision will really be beautifying the Arlington estate, instead of leaving there in a state of nature a lot of land covered with weeds and brambles and bushes.

The reading of the bill was resumed and continued to the end of the clause making appropriations "for tea-culture investigations," from line 17 to line 25, inclusive, on page 24.

Mr. GALLINGER. Mr. President, though it is out of order at this time to move an amendment to the clause which has just been read, I suggest to the chairman of the committee, if I forget to move the amendment, that he ought to strike out the word "making," before the word "tea," on line 20, and insert the word "producing." It now reads, "the cost of making tea."

Mr. BEVERIDGE. No; that is a definite thing.

Mr. GALLINGER. Well, let it go. I will call it up again.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 25, line 4, before the word "building," to strike out "rent of" and insert "repairs of present seed;" in line 5, before the word "dollars," to strike out "three thousand" and insert "seven thousand five hundred;" and in line 13, after the word "amount," to strike out "not more than $48,000 shall be expended for labor in the city of Washington, D. C., and;" so as to make the clause read:

Purchase and distribution of valuable seeds: For the purchase, propagation, testing, and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants; for repairs of present seed building, not to exceed $7,500; the employment of local and special agents, clerks, assistants, and other labor required, in the city of Washington and elsewhere, all necessary office fixtures and supplies, fuel, transportation, paper, twine, gum, printing, postal cards, gas, and other incidentals; traveling expenses, actual necessary transportation and repairs for packing up and distributing the same, and to be distributed as heretofore, a report to be made to the next session of Congress, an amount not less than $[illegible] shall be tabulated for Congressional distribution.

The amendment was agreed to.

The next amendment was, on page 25, line 20, after the word "bulbs," to insert "trees;" on page 26, line 3, before the word "of," to strike out "and no more;" and in the same line, after the word "bulbs," to insert "trees;" so as to read:

And the Secretary of Agriculture is hereby directed to expend the said sum, or so much thereof as may be necessary, in the purchase, testing and distribution of valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants, including the employment of persons and the purchase of such material as may be necessary for the same, and such as may be required for experiments in various parts of the country, and such other purposes as may be deemed advisable by the Secretary of Agriculture in the execution of the foregoing provisions of this paragraph, and for the purchase of such other seeds, bulbs, trees, shrubs, vines, cuttings, and plants as may be required for experiments with reference to their introduction into this country

of "Bureau of Forestry," on page 30, line 10, to increase the appropriation for general expenses, Bureau of Forestry, from $[illegible] to $112,860.

The amendment was agreed to.

The next amendment was, on page 30, line 18, to increase the total appropriation for maintenance of the Bureau of Forestry from $400,140 to $450,000.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Chemistry," on page 31, line 24, after the word "advisable," to insert "and to publish the results of such investigations when thought advisable," so as to read:

To investigate the adulteration of foods, condiments, beverages, and drugs when deemed by the Secretary of Agriculture advisable, and to publish the results of such investigations when thought advisable.

The amendment was agreed to.

The reading of the bill was continued to the end of line 17 on page 33.

Mr. PLATT of Connecticut. The bill is being read for action on committee amendments, I suppose.

The PRESIDENT pro tempore. Committee amendments.

Mr. PLATT of Connecticut. And after they are disposed of the bill will be open to amendment.

The PRESIDENT pro tempore. It will be.

Mr. STEWART. I should like to inquire of the Senator having the bill in charge whether this investigation of "the adulteration of foods, condiments, beverages, or drugs," whenever the Secretary shall deem advisable, will cover the [illegible] of meat and vegetables and fish—kept in cold storage? I have been informed that if kept too long meats and fish and the like become poisonous, and that many people lose their lives from consuming cold-storage products. I think if you call for a beefsteak in almost any city in the East you will find that it has lost the element of freshness; that it has been kept in cold storage too long. It has been neglected and lain there for many months, perhaps more, for years.

I have had a little experience with that. I do not know that many people have been murdered by it, but the use of meat kept too long in cold storage has made a good many men sick.

This investigation, if it can go to that point, I think would be very useful to the country. I should insert after "when deemed by the Secretary of Agriculture advisable" the words "and the effects of cold storage"——

Mr. ALLISON. "And also"——

Mr. STEWART. "And also the effect of cold storage."

Mr. GALLINGER. "Upon meats."

Mr. STEWART. The effect upon meats and vegetables and anything kept in cold storage. The effect upon food products.

Mr. TILLMAN. The effect on the health.

Mr. STEWART. The effect of cold storage upon the health.

And also the effect of cold storage upon the health.

I would leave out the words "when deemed * * * advisable." They are unnecessary, because that would say he might do it or might not. Strike out "when deemed by the Secretary of Agriculture advisable" and insert "and also the effect upon the health of the cold storage of food products."

Mr. TILLMAN. I call the Senator's attention to the fact that "when deemed advisable" applies only to the publication.

Mr. STEWART. It ought to be published. If he finds that it is injurious, the people ought to be put on guard.

Mr. TILLMAN. Do you suppose he would do that without any order? Else we had better abolish him.

Mr. STEWART. I do not think it is necessary to leave that in. I think it ought to be published. I think that should be stricken out.

Mr. PROCTOR. I have no objection to the amendment, but I would suggest to the Senator that this matter of pure-food legislation is before the Senate in a measure which came from the other House, and they have adopted in preparing that bill this provision. This is only one of its many provisions. The Senator from North Dakota [Mr. MCCUMBER] is familiar with that matter. I think the other provisions of that measure, which has already passed the House, covers this whole question.

Mr. STEWART. Probably so, if it passes. But we have no guaranty that that bill will pass, and we are providing for investigations by the chemical force of the Department of Agriculture of adulterations of food products. One of the principal adulterations is keeping them a long time in cold storage. That is a decided adulteration, and it is certainly germane. I do not care whether or not you strike out anything if you insert after "advisable" the words—

Also the effect upon the health of cold-storage food products.

Mr. PROCTOR. There is no objection to the amendment.

The PRESIDENT pro tempore. Will the Senator from Nevada repeat his proposed amendment?

Mr. TILLMAN. "On the healthfulness of food."

Mr. STEWART. "And also the effect of cold storage upon the healthfulness of food." That will do.

Mr. ALLISON. In line 23.

Mr. ALDRICH. It seems to me this matter is covered by the provision of the bill on page 32. Will the Senator read the provision at the top of the thirty-second page?

Mr. STEWART. The thirty-second page?

Mr. ALDRICH. Yes. I think he will find——

Mr. STEWART. That refers to coloring matter and added substances.

Mr. ALDRICH. No; food preservatives.

Mr. STEWART. Food preservatives?

Mr. ALDRICH. Cold storage is a food preservative, I think.

Mr. STEWART. Not [illegible] is a matter of [illegible].

Mr. TILLMAN. Salicylic acid, or something like that.

Mr. STEWART. Yes. That refers to another matter altogether.

Mr. ALDRICH. I do not object to the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Nevada will be stated.

The SECRETARY. On page 31, line 24, after the word "advisable," it is proposed to insert:

And also the effect of cold storage upon the healthfulness of foods.

Mr. STEWART. That is all.

The amendment was agreed to.

The PRESIDENT pro tempore. The amendment was [illegible] in order when it was offered, and this case [illegible] a precedent. The [illegible].

Mr. STEWART. I suppose it can be waived for the present.

The PRESIDENT pro tempore. The amendment has been agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 34, line 22, to increase the appropriation for carrying on the investigations in connection with the Bureau of Animal Industry [illegible] and of the [illegible], and of the [illegible], from $[illegible] to $[illegible].

The amendment was agreed to.

Mr. ALLISON. Is it in order at this time to move to strike out this provision?

The PRESIDENT pro tempore. To strike out a provision in the House bill?

Mr. ALLISON. A provision in the House bill.

The PRESIDENT pro tempore. Not under the unanimous consent given, which was [illegible] first be considered.

Mr. ALLISON. Then at a later time I will move to strike out this provision.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page [illegible], line 24, to increase the appropriation for the purchase and [illegible] of a new boiler in the Bureau of Chemistry from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 35, line 2, to increase the appropriation for investigations of the chemical and physical character of road materials from $10,000 to $15,000.

The amendment was agreed to.

The next amendment was, on page 35, line 11, to increase the total appropriation for maintenance of the Bureau of Chemistry from $124,890 to $174,000.

The amendment was agreed to.

The next amendment was, under the head of "Bureau of Soils," on page 36, line 19, after the word "States," to strike out "in continental United States," so as to read:

For investigations of the soils of the United States, including the preparation of maps showing the results of such investigations, having due regard to the [illegible] and United States, etc.

The amendment was agreed to.

The next amendment was, on page 37, line 5, to increase the appropriation for rent of buildings for office and laboratory purposes, Bureau of Soils, from $[illegible] per annum to $[illegible] per annum.

The amendment was agreed to.

The next amendment was, on page 37, line 16, to increase the appropriation for general expenses, Bureau of Soils, from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 37, line 18, to increase the total appropriation for maintenance of Bureau of Soils from $[illegible] to $47,960.

The amendment was agreed to.

The next amendment was, on page 37, line 21, before the word "of," to strike out "Division" and insert "Bureau;" in line 22, after the word "of," to strike out "division" and insert "bureau;" in line 24, before the word "dollars," to strike out "two thousand seven hundred and fifty" and insert "three thousand five hundred;" in the same line, after the word "dollars," to strike out

"and for additional compensation while the office is held by the present incumbent, $500;" on page 38, line 1, after the word "of," to strike out "division" and insert "bureau," and in line 9, before the word "dollars," to strike out "four hundred and fifty" and insert "seven hundred;" so as to make the clause read:

Bureau of Entomology, salaries: One entomologist, who shall be chief of bureau, $2,500; one assistant entomologist, who shall be assistant chief of bureau, $1,800; one assistant entomologist or clerk, $1,600; one assistant entomologist or clerk, $1,400; two assistant entomologists or clerks, at $1,200 each, $2,400; two clerks, at $1,000 each, $2,000; in all, $12,700.

The amendment was agreed to.

The next amendment was, on page 38, line 10, after the word "expenses," to strike out "of entomological investigations" and insert "Bureau of Entomology;" in line 16, after the word "of," to strike out:

the codling moth and of the cotton-boll weevil and boll worm, with a view of ascertaining the best methods of their extermination; investigations in apiculture; investigations of the damage to forests and forest trees by insects.

And insert:

insects affecting field crops; investigations of the insects affecting small fruit and truck crops; forest and forest products and stored products; investigations of insects in relation to diseases of men and domestic animals and as animal parasites; miscellaneous insect investigations, including the introduction of beneficial insects; quarantine work, and the study of fungus and other diseases of insects; for the expenses of insect laboratory, collections, and experimental gardens; investigations in apiculture and in silk culture; investigations of insecticides and insecticide machinery.

So as to read:

General expenses, Bureau of Entomology: Promotion of economic entomology; investigating the history and habits of insects injurious and beneficial to agriculture, horticulture, and arboriculture; ascertaining the best means of destroying those found to be injurious, including an investigation into the ravages of insects affecting field crops; investigations of the insects affecting small fruit and truck crops, forest and forest products and stored products; investigations of insects in relation to diseases of men and domestic animals and as animal parasites; miscellaneous insect investigations, including the introduction of beneficial insects, quarantine work, and the study of fungus and other diseases of insects; for the expenses of insect laboratory, collections, and experimental gardens; investigations in apiculture and in silk culture; investigations of insecticides and insecticide machinery, etc.

The amendment was agreed to.

The next amendment was, on page 39, line 15, after the word "the," to strike out "Division" and insert "Bureau;" in line 16, before the word "thousand," to strike out "$12,000 of which shall be immediately available, sixty-five" and insert "seventy-five;" in line 17, before the word "dollars," to strike out "five hundred," and in the same line, after the word "dollars," to strike out "of which amount not to exceed $10,000 may, in the discretion of the Secretary of Agriculture, be expended for silk investigations;" so as to read:

Preparing, illustrating, and publishing the results of the work of the Bureau, $75,000.

The amendment was agreed to.

The next amendment was, on page 39, line 20, after the word "for," to strike out "Division" and insert "Bureau," and in line 21, before the word "dollars," to strike out "seventy-nine hundred and fifty" and insert "eighty-seven thousand seven hundred;" so as to make the clause read:

Total for Bureau of Entomology, $87,700.

The amendment was agreed to.

The next amendment was, on page 39, line 23, before the word "of," to strike out "Division" and insert "Bureau;" in line 24, after the word "of," to strike out "Division" and insert "Bureau," in line 26, before the word "dollars," to strike out "two thousand seven hundred and fifty" and insert "three thousand five hundred;" on page 40, line 1, after the word "of," to strike out "Division" and insert "Bureau," and in line 10, before the word "dollars," to strike out "seventeen thousand eight hundred and fifty" and insert "eighteen thousand six hundred;" so as to make the clause read:

Bureau of Biological Survey, salaries: One biologist, who shall be chief of bureau, $3,500; one assistant biologist, who shall be assistant chief of bureau, $1,800; two assistant biologists, at $1,500 each, $3,000; one assistant biologist, $1,400; four assistant biologists, at $1,200 each, $4,800; one clerk of class 1, $1,200; two clerks, at $1,000 each, $2,000; one clerk, $900; in all, $18,600.

Mr. PROCTOR. I move, as an amendment to the amendment, to strike out, in line 24, the words "who shall be chief of bureau."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 40, line 11, after the word "expenses," to strike out "of biological investigations" and insert "Bureau of Biological Survey," and on page 41, line 1, after the word "the," where it occurs the second time, to strike out "division" and insert "bureau;" so as to make the clause read:

General expenses, Bureau of Biological Survey: For biological investigations, including the geographic distribution and migrations of animals, birds, and plants, and for the promotion of economic ornithology and mammalogy, for an investigation of the food habits of North American birds and mammals in relation to agriculture, horticulture, and forestry; for the employment of local and special agents, clerks, assistants, and other labor required in conducting experiments in the city of Washington and elsewhere, and in collating, digesting, reporting, and illustrating the results of such experiments; for freight and express charges; for office fixtures and supplies, gas and electric current, telegraph and telephone services; for preparation and publication of reports, and for illustrations, field work, and traveling and other expenses in the practical work of the Bureau.

The amendment was agreed to.

The next amendment was, on page 41, after line 7, to insert:

To enable the Secretary of Agriculture to move or transport elk or other game animals presented to the Government or owned by it, and to fence, maintain, feed, and care for them on forest reserves or other public lands, $1,000, the same to be immediately available.

Mr. TELLER. Mr. President, it seems to me that this sum, $1,000, is not enough to be of any benefit. It is so small that it does not seem to me to be sufficient.

Mr. PROCTOR. There was $1,000 appropriated last year that was not used because it was not sufficient. This they say will be sufficient.

Mr. TELLER. With the last year's appropriation?

Mr. PROCTOR. With the last year's appropriation. That is still available.

Mr. TELLER. I want to amend this amendment by inserting in the tenth line, after the word "owned," the words "or purchased." I do not suppose the Government will go into the purchasing of wild animals to any extent, but there are a few animals, like the mountain sheep or the mountain goat, that the Government does not have and that it might want to purchase. It would not amount to much.

Mr. PROCTOR. It was not proposed to go into the purchase of animals. There is a band of elks in the San Joaquin Valley of California different from any other elk, different from the mountain elk, and it is the only specimen of that species in existence. It was considered very desirable to preserve them. They belong to a firm, Miller & Lux, who have a large ranch and have cared for them, and they propose to present them to the Government. They do not wish to sell them or to have them destroyed, but they propose to present them to the Government, and there is a place in the Sequoia Reservation where the cliffs fence a good part of it. A little at each end will have to be fenced to keep them in. It will give them a good range and preserve a species of elk that would be exterminated otherwise.

Mr. TELLER. I do not want to interfere with the purpose of the committee, for I appreciate their object, but it seems to me while they are about it they ought to extend it so as to bring in a few animals that are likely to become extinct in this country. One is the American moose and the other is the caribou. Of both of these, particularly the caribou, a few head can be purchased and put in the Yellowstone Park at a very reasonable rate. I do not know that I will move any amendment to this provision, but as long as the Government is in this line of business, it seems to me it would be well to consider that. If this amendment remains in in conference to be had on the bill, I should like to suggest to the chairman of the committee that they make a little extension, if they can do so.

Mr. TILLMAN. They will have to increase the money.

Mr. TELLER. You would have to increase the amount of money, as the Senator from South Carolina says. I am told that the Government can buy and put into the Yellowstone Park a few caribou at about $50 per head. In a few years there will not be a caribou outside of Alaska. There are a few to be had in the northeastern part of our country. I am told by Mr. Jones, who is one of the men in charge of the Yellowstone animals, that for $50 a head a few can be purchased and put in the park. I should like to see it done, but I do not want to interfere with the matter to the extent of making an amendment.

Mr. PROCTOR. I think that is a matter for future consideration. I could deliver a lecture on the moose and caribou question from personal experience, but I do not think there is any occasion for it now.

Mr. TELLER. I shall be delighted to attend if the Senator will give me notice when he is to deliver his lecture.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). Does the Chair understand that the Senator from Colorado withdraws his proposed amendment?

Mr. TELLER. Yes; I did when I heard the statement of the chairman.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Agriculture and Forestry was, on page 41, after the word "for," in line 13, to strike out "Division" and insert "Bureau," and in line 15, before the word "dollars," to strike out "fifty thousand eight hundred and fifty" and insert "fifty-two thousand six hundred;" so as to make the clause read:

Total for Bureau of Biological Survey, $92,600.

The amendment was agreed to.

The next amendment was, on page 41, line 19, to increase the appropriation for the salary of one assistant chief of the Division of Accounts and Disbursements from $2,000 to $2,500.

The amendment was agreed to.

The next amendment was, on page 42, line 2, to increase the total appropriation for maintenance of the Division of Accounts and Disbursements, from $24,350 to $24,850.

The amendment was agreed to.

The next amendment was, on page 45, line 22, to increase the appropriation for collecting domestic and foreign agricultural statistics, compiling, writing, and illustrating statistical matter for monthly, annual, and special reports, special investigations and compilations, etc., from $120,500 to $132,000.

The amendment was agreed to.

The next amendment was, on page 46, line 13, to increase the total appropriation for the maintenance of the Bureau of Statistics, from $187,060 to $197,260.

The amendment was agreed to.

The next amendment was, on page 46, line 15, to increase the appropriation for the salary of one librarian, from $1,300 to $2,000.

The amendment was agreed to.

The next amendment was, on page 46, line 22, to increase the total appropriation for salaries, library, from $10,000 to $10,200.

The amendment was agreed to.

The next amendment was, on page 47, line 5, to increase the appropriation for purchase of technical books of reference, technical papers, and technical periodicals necessary for the work of the Department, etc., from $10,000 to $12,500.

The amendment was agreed to.

The next amendment was, on page 47, line 21, to increase the total appropriation for maintenance of the library, Department of Agriculture, from $20,000 to $22,700.

The amendment was agreed to.

The next amendment was, on page 49, line 6, before the word "thousand," to strike out "ten" and insert "fifteen;" so as to read:

Agricultural experiment stations: To carry into effect the provisions of an act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," and to enforce the execution thereof, $15,000.

Mr. ALLISON. I see that the estimate for the appropriation on page 49, line 6, provides for only $10,000, and the committee has inserted "fifteen" in lieu of "ten," making the amount $15,000. I suppose that this sum was the amount directed by the law quoted in this paragraph; or was that a mistake, and is the sum of $15,000 necessary?

Mr. PROCTOR. The Secretary of Agriculture appeared before the committee and said that this amount is necessary. He said:

I estimated for $5,000 extra in that office. That is all the extra estimating I made for the whole office.

That is his testimony before the committee, taken by the stenographer. I think it was an additional estimate.

Mr. ALLISON. I only called attention to it because this is an appropriation that is provided for specifically by law. I can see that $5,000 additional might be necessary in Porto Rico, perhaps, or somewhere and I merely wanted to know why the estimate was increased $5,000. I am in entire sympathy with the Senator and the committee in providing ample sums for this purpose. I only asked the question by way of explanation.

The amendment was agreed to.

The next amendment was under the head of "Miscellaneous," on page 49, in line 16, after the word "Congress," to strike out:

And the Secretary of Agriculture is hereby authorized and directed to coordinate the work of the several stations and the work of the stations with the Department of Agriculture to the end of preventing duplication of work, of increasing the efficiency of the stations and the Department of Agriculture, and of unify and systematize agricultural investigations in the United States.

Mr. ALLISON. This paragraph struck out by the committee seems to be a rather important one. I believe myself that it ought to be stricken out, but I think some information ought to be given why it was stricken out by the committee.

Mr. PROCTOR. I have heard from a large number of the experiment stations, and several of the officers of experiment stations have been here from different States. They are under State control, and they claim that to coordinate the work of the stations would give an authority to the Secretary of Agriculture that they did not think proper. I proposed to them that it might be amended by using the word "cooperate" instead of "coordinate." There was satisfactory to the officials of the experiment stations, but they said, and so did the Secretary, that that authority exists now, and it therefore seemed best to the committee to strike it out.

Mr. TILLMAN. I will explain the matter a little more fully. On page 32 the present law and this proposed act provides that "the agricultural experiment stations are hereby authorized and directed to cooperate with the Secretary of Agriculture in establishing and maintaining experimental grass stations, for determining the best methods of caring for and improving meadows and grazing lands," etc.

I have had a good deal of experience, and I am speaking now because I am connected with the experiment station in my State as one of the board of trustees. The words here that are stricken out, if left in, would simply destroy the local control of the stations and place the power in the hands of the Secretary of Agriculture to direct their work.

It might be advisable and valuable to have cooperation and coordination, and to prevent duplication of work, but any Senator can very readily understand that the bulletins which would be then issued by the Agricultural Department would not reach the local clientage or clientèle, or the farmers, in any State so that they would be benefited thereby. We issue fifteen or twenty thousand bulletins in South Carolina covering the work that we are carrying on. Our farmers are interested in cotton. The farmers of Maine do not care anything about cotton. Suppose we should get a man in the Agricultural Department as Secretary who might be a theorist and undertake to say to the South Carolina experimental station people, "You must not do this work because some other State somewhere else is going to do it." You can very readily see that the use and benefit of the station locally would be destroyed absolutely.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from South Carolina yield?

Mr. TILLMAN. Certainly.

Mr. HALE. I agree fully with what the Senator has said. Is not this matter working now very satisfactorily?

Mr. TILLMAN. Entirely so; and I do not see any use of enlarging the power of the Secretary of Agriculture to do more than to advise and superintend. He is already doing that, and as far as I know the stations are cooperating with the Department here. I think the committee of the Senate was very wise in striking out these words, and I hope they will see that the clause stays out.

Mr. PROCTOR. There was a general agreement upon the question that the clause should be stricken out, and that is entirely agreeable to the Department of Agriculture.

The amendment was agreed to.

The next amendment was, on page 50, line 15, after the word "index," to insert "and this fund shall be available until used;" so as to read:

The Secretary of Agriculture is hereby authorized to furnish to such institutions and stations as may apply for the same, and have complied with the requirements of the act approved March 2, 1887, entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and the acts supplementary thereto," the publications of the Department of Agriculture, and may make such rules and regulations as may be necessary for the proper distribution of the same, and for the expenses of the preparation of the index, and the same shall be available until used, etc.

The amendment was agreed to.

The next amendment was, on page 51, line 4, after the word "station us," to insert "and this fund shall be available until used;" and in line 6, before the word "thousand," to strike out "ten" and insert "fifteen;" so as to make the proviso read:

Provided, That not more than $[illegible] may be expended for the maintenance of any one such station, and the Secretary of Agriculture is authorized to use, out of the funds herein appropriated, not exceeding $[illegible] per annum in Alaska, Hawaii, and Porto Rico, for the support of experiment stations in Alaska, Hawaii, and Porto Rico, and the expenses of said stations, and this fund shall be available until used; in all, $[illegible].

The amendment was agreed to.

The next amendment was, on page 51, in line 6, before the word "thousand," to strike out "five" and insert "ten;" and in line 15, after the word "practice," to insert "including the preparation and printing of charts, diagrams, photographs, and lantern slides for use in connection with lectures delivered at farmers' institutes;" so as to make the proviso read:

Provided, That $10,000 of this sum shall be used by the Secretary of Agriculture to prepare and report upon the organization and practices of farmers' institutes in the several states and territories and upon similar organizations in foreign countries, with special suggestions of plans and methods for the work of the Department of Agriculture in connection therewith, including the preparation and printing of charts, diagrams, photographs, and lantern slides for use in connection with lectures delivered at farmers' institutes.

The amendment was agreed to.

The next amendment was, on page 51, line 19, to increase the total appropriation for Agricultural experiment stations from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 52, line 22, after the word "drainage," to insert "and other agricultural purposes;" so as to read:

Irrigation and drainage investigations: To enable the Department of Agriculture to conduct investigations, experiments, and demonstrations in irrigation and drainage, and other agricultural purposes, and to publish the results of such investigations, experiments, and demonstrations, and to prepare and publish such other matter as may be necessary to the proper understanding of the subjects herein mentioned, and upon the practice of irrigation and drainage, and upon the use of different kinds of power and implements for irrigation, drainage, and other agricultural purposes, and for the preparation, publication, and distribution of reports and bulletins, or any of them, and for expenses incidental to the employment of labor in the city of Washington, or elsewhere, etc.

Mr. TELLER. I understand that under some unanimous-consent arrangement we are not allowed to move amendments now, but we must wait until the reading of the bill has been concluded.

The PRESIDENT pro tempore. The agreement was that Senators should wait until the committee amendments had been acted upon.

Mr. TELLER. I wish to move to amend that particular provision.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 53, in line 7, to increase the appropriation for irrigation and drainage investigations from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 53, line 13, after the word "experiments," to insert "and object lessons in road building;" in line 14, after the word "of," to insert "experts;" in line 17, after the word "experiments," to insert "and field work;" in line 19, after the word "apparatus," to insert "machinery," and in line 21, before the word "dollars," to strike out "thirty-five thousand" and insert "sixty-five thousand;" so as to make the clause read:

Public road inquiries: To enable the Secretary of Agriculture to make investigations and experiments in the improvement of road building, to test various materials for road making, to publish the results of such investigations, experiments, and tests in such form as may be deemed most advantageous, to employ such experts, clerks, and other assistants in the city of Washington and elsewhere as may be necessary, to purchase such office furniture, apparatus, and supplies, to purchase such road making machinery, and to make such road improvements as may be necessary in connection therewith, and to enable him to assist the agricultural colleges and experiment stations in disseminating information on this subject, $65,000.

The amendment was agreed to.

The next amendment was, on page 53, line 25, to increase the total appropriation for the maintenance of the Department of Agriculture from $5,711,340 to $6,072,380.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. PROCTOR. On page 37, line 22, after the word "entomologist," I move to strike out the words "who shall be chief of bureau."

The amendment was agreed to.

Mr. ALDRICH. On page 33, I move to strike out commencing in line 18, all down to and including the word "package," in line 22, on page 34.

Mr. BACON. The amendment proposed by the Senator is so large in its scope that it is impossible for us to judge whether or not it should be stricken out without having the opportunity to read it or having it read from the desk. It covers more than a page.

Mr. ALDRICH. I suggest that the amendment be read.

The PRESIDENT pro tempore. The words proposed to be stricken out will be read.

The SECRETARY. It is proposed to strike out, beginning in line 18, page 33, the following:

And the Secretary of Agriculture, whenever he has reason to believe that adulterated foods or beverages which are being imported from foreign countries or which have been imported and are held in bond or in transit, are of such character as to violate the provisions of law, shall inspect such foods or beverages, or cause the same to be inspected, at such place or places as he may deem most advantageous to the interests of the public health, and if upon such inspection or examination any such food or beverage is found to be adulterated, or to be so manufactured or prepared as to be injurious to the health of the people, he shall refuse permission to the importer, owner, or consignee thereof to deliver the same from the custody of the Treasury Department, and shall cause the same to be destroyed or redelivered to the importer, owner, or consignee thereof, upon the payment of all the expenses of such inspection, examination, and detention, and the cost of such destruction or redelivery, and the cost of the return of the same to the port from which imported, if such return be required by the Secretary of Agriculture; and if such food or beverage be found to be not adulterated, and not so manufactured or prepared as to be injurious to the health of the people, he shall permit the delivery of the same to the consignee thereof, upon the payment of all the expenses of such inspection, examination, and detention, and the cost of such delivery; and the Secretary of Agriculture is hereby authorized to make such rules and regulations as may be necessary for the proper execution of the provisions of this act, and to cause to be published from time to time such results of such inspections, examinations, and analyses as he may deem advantageous to the interests of the public health

where in the Treasury Department to prevent these adulterated and injurious substances and foods from being imported, of course we do not want to duplicate the work, but if there does not exist somewhere the power it looks to me as though it ought to exist somewhere.

Mr. ALDRICH. I will read the act to the Senator. The second section of the act of August 30, 1890, commonly known as the "meat-inspection act," provides:

That it shall be unlawful to import into the United States any adulterated or unwholesome food or drug or any whole carcass, or part of any carcass, adulterated or mixed with any poisonous or noxious chemical, drug or other ingredient injurious to health. Any person who shall knowingly import into the United States any such adulterated food or drug or drink, knowing or having reasons to believe the same to be adulterated, etc.—

shall be liable to prosecution and upon conviction shall be fined and imprisoned. I will not stop to read the details.

The next section provides:

That any article designed for consumption as human food or drink, and any other article of the classes or description mentioned in this act, which shall be imported into the United States contrary to its provisions, shall be forfeited to the United States.

That is a provision for fine or imprisonment and for the forfeiture of the goods. The next section provides:

SEC. 4. That whenever the President is satisfied that there is good reason to believe that any importation is being made, or is about to be made, into the United States, from any foreign country, of any article used for human food or drink that is adulterated to an extent dangerous to the health or welfare of the people of the United States, or any of them, he may issue his proclamation suspending the importation of such articles from such country for such period of time as he may think necessary to prevent such importation, and during such period it shall be unlawful to import into the United States from the countries designated in the proclamation of the President any of the articles the importation of which is so suspended.

Now, that covers practically all the provisions of the act. Of course the execution of the existing law is left with the President of the United States and with the Treasury Department, which has the sole charge of importations into the United States. There is nothing in the provisions which have been read as to the Agricultural Department, except as to labor, but what is included in the existing law, the enforcement of which is left where it should be, with the Secretary of the Treasury and the President of the United States. I submit that Congress has never given to an Executive Department or to a bureau of an Executive Department the right to exclude from importation into the United States goods of any description, depending upon the judgment of that bureau officer as to whether they should be excluded or not, and that is precisely what is done by this bill.

Mr. TILLMAN. Mr. President, I agree with the Senator from Rhode Island that the language in the present act is very much broader and more sweeping than the act of last year; but the general provisions, as the Senator from Vermont has stated, are the same, unless there is some bureau somewhere other than what is provided in the general provisions of the statute which the Senator has just read, which of course gives the power to the Secretary of the Treasury, but really does not give him any specific authority. It does not give him any policemen. There is not any specific inspector; there is no detective.

It looks to me like there might be some compromise arrangement made here, or some hedging about, which would enable the Bureau of Chemistry in the Agricultural Department to do this work upon the request of the Secretary of the Treasury, and leave it to the report of the chemist for the Secretary to determine himself whether they ought to be excluded, instead of leaving it in the power of the Secretary of Agriculture to exclude it, in his judgment.

The words that are in that I object to (and the Senator has called attention to them) are contained on page 34, at line 11, and they are not in the previous act. That is all new legislation. I have the old act in my hand, and I have examined the two very closely to see where they correspond and where they disagree.

The new words are—

in all cases where the examination conducted by the Secretary of Agriculture discloses any reason for believing that the products in question should be excluded.

Thus the Secretary of the Treasury must exclude them. I agree with the Senator that they ought to go out. There ought to be some provision here by which this chemical bureau would inspect and analyze and do everything else that the Secretary of the Treasury might want done in order to exclude adulterated products. We have considerable interest in this matter locally in one sense. As the letter just read by the Senator from Vermont shows, olive oil is one of the things which is habitually adulterated. We know in the South that our cotton-seed oil, after having been bought at about 55 cents a gallon, or something like that, is carried off to France and there they monkey with it a little and send it back to us and sell it for three or four dollars a gallon as olive oil.

It is like our California wines and other things. They take those, carry them abroad, where they manipulate them, and then import them as fine champagnes, and all that kind of thing.

I think the Senator from Vermont might have accomplished his purpose by striking out the words I have just quoted and using some language to amend the present law, so as to let the power rest in the Secretary of the Treasury to take the initiative and have the final judgment, and let the Department of Agriculture, through its chemical bureau, do the work as it has done its own. I suggest that to him as an arrangement that might be agreeable all around.

Mr. PROCTOR. Mr. President, I think in the little time the Senator from South Carolina has had to examine this proposed change he has failed to catch the idea of it. I do not see that the bill makes any material change in the matter. The old law, beginning on page 7, reads:

The Secretary of Agriculture, for the purpose mentioned, giving notice to the owner or consignee of such articles, who may be present and have the right to introduce testimony before the secretary of Agriculture—

That is the present law. Now the following words are added: either in person or by attorney or by writing, in all cases where the examination conducted by the Secretary of Agriculture discloses any reason for believing that the products in question should be excluded.

After the word "excluded" there ought to be some punctuation: a semicolon, perhaps. Then the language is precisely that of the present law in regard to the Secretary refusing admission.

Mr. TILLMAN. But it leaves it in the judgment of the Secretary of Agriculture to decide what shall be excluded, and the Secretary of the Treasury shall then exclude such articles. That is the objection to this legislation. I think we ought to provide that the Secretary of the Treasury shall furnish samples, or that after the Secretary of Agriculture has obtained samples through the machinery provided he shall make his report to the Secretary of the Treasury, and leave it to him to determine whether the articles are to be excluded or not. He would exclude, of course, anything that would be injurious or unhealthful.

Mr. ALDRICH. In reply to the question asked me by the Senator from South Carolina as to what machinery the Secretary of the Treasury has for enforcing the existing law, I would say that he has an army of employees in every part of the United States: he has his special agents here and abroad, and he has his chemical laboratories, and it is the duty of the Secretary of the Treasury to enforce this law by his agencies, and not to call upon the Secretary of Agriculture. The Secretary of the Treasury is constantly enforcing the existing law, and if he is not enforcing it he ought to be impeached.

Mr. TILLMAN. If the Senator from Rhode Island will permit me, is it not shown from the letter of the Secretary of the Treasury, which has been read, that he rather approves of this method of running down vile adulterations and excluding them? I should agree with him entirely that those two gentlemen from Iowa, one in the Treasury Department and the other in the Department of Agriculture, might be depended on to look after our stomachs and not let us have these impure and improper food products, wines, oils, etc., foisted upon us, and they seem to agree to the present arrangement. I am only looking forward to the time when, as to the heads of these Departments, this brotherly agreement that now exists may not be continued. Therefore, I think we had better provide in the law that there shall be power in the Secretary of the Treasury, to whom it belongs, to do this duty, and that the Secretary of Agriculture may gather this information through the Bureau of Chemistry when asked to do so.

Mr. ALDRICH. I have no objection to the Secretary of the Treasury being given the right to call upon the Secretary of Agriculture for all the assistance he may be able to give him in regard to the examination of any of these articles of food that may be proposed to be improperly imported into the United States, but this legislation goes much further than that.

Mr. TILLMAN. Undoubtedly.

Mr. ALDRICH. That is what I object to. I object to the precedent which it establishes.

Mr. McCUMBER. Mr. President, I simply want to call the attention of the Senator from Rhode Island to what I think is an error in his statement as to who enforces this law. Under the new provision this proposed law reads as follows:

The Secretary of Agriculture for the purpose mentioned, giving notice to the owner or consignee of such articles, who may be present and have the right to introduce testimony before the Secretary of Agriculture, either in person or by attorney or by writing, in all cases where the examination conducted by the Secretary of Agriculture discloses any reason for believing that the products in question should be excluded, and the Secretary of the Treasury shall then exclude such articles, or if any articles or groups of articles shall be found to be dangerous to health,

Who is it that enforces this law? The law simply provides that upon certain facts being established by the Secretary of Agriculture then the Secretary of the Treasury shall take those facts and enforce the law.

Mr. ALDRICH. Does the Senator from North Dakota understand that the Secretary of the Treasury has any discretion in this matter?

Mr. McCUMBER. I do not know that the Secretary of the Treasury should have any discretion in the matter when the law determines what shall be sufficient evidence for him to act upon. When it has been developed from the evidence, the Secretary of Agriculture having established the fact, that certain goods are not salable or not of such a character as should be imported into the United States, it then becomes the duty of the Secretary of the Treasury to refuse the admission of such goods to the United States.

Mr. ALDRICH. It confers discretion on the Secretary of the Treasury and provides that the examination shall be conducted by the Bureau of Chemistry in the Agricultural Department.

Mr. McCUMBER. Should there be any discretion in the Secretary of the Treasury to refuse admission in case his own chemist had found that the goods are deleterious?

Mr. ALDRICH. He is bound under the law, if his own chemist has found that the goods were injurious, to commence a prosecution in the courts of the United States and to have punishment inflicted upon importers fraudulently importing such goods. He is bound to bring it to the attention of the President of the United States.

Mr. McCUMBER. He is bound to prohibit their introduction.

Mr. ALDRICH. Not under existing law.

Mr. McCUMBER. Then, if he is not, under existing law, there is a very good and valid reason why this proposed law should be substituted for the existing law.

Mr. ALDRICH. The President of the United States, to whom all these great powers are intrusted, has the power, under existing law, to exclude such goods if he shall find they are injurious to the public health. The power is with him. It does not exist in any bureau of chemistry. That is a matter to be determined by the President of the United States.

Mr. McCUMBER. The power does not exist in the Bureau of Chemistry of the Agricultural Department in this proposed law. All that is provided in this law is to determine whether or not goods are in such a condition as would prohibit their introduction into the United States under existing law. If they are such, then it becomes the duty of the Secretary of the Treasury to prohibit their introduction.

I wish to state that I can see no difference whether the Secretary of Agriculture, through his chemical department, which is conceded to be possibly the best chemical bureau in any Department of the United States, determines this question for the action of the Secretary of the Treasury or whether it is done in an incomplete chemical bureau in his own Department. In either event the law fixes it as the duty of the Secretary of the Treasury to enforce the law upon certain facts being established.

I [illegible] I am on my feet, where does this objection come from? Who objects to it? I do not think there has been a law upon the statute book in the last year that has been more beneficial to the public and which has received their approbation more strongly than has this particular section of the law as it has been enforced.

There is no great difference, Mr. President, between the old law and the one which is now proposed. The effect of both is practically the same. The importers in the United States, those who are affected directly by this, all of them seem to be in favor of it so far as I have heard.

I have here a few letters, to which I call the attention of the Senator from Rhode Island. They are letters coming from importers in this country, directed to the Secretary of Agriculture, and they go even to the extent of thanking him for the assistance given to them in the purchase of goods and in excluding the character of goods which do not come up to our American standard as established by our previous laws.

Let us take the letter of Jordan Stabler Company, of Baltimore, large importers:

BALTIMORE, *December 5, 1903.*

Hon. JAMES WILSON,
Secretary of Agriculture, Washington, D. C.

[illegible] Regarding the matter of the [illegible] wine, No. 2889, shipped from Bordeaux to us by Jules Merman & Co. last month, we have [illegible] the report of the wine [illegible] we do not wish to mislead [illegible] be the case, as we presume it must be if it has passed through Dr. Wiley's office—

There seems to be a great deal of confidence in the country generally in the office of Dr. Wiley—

therefore we will not attempt to offer any other evidence, but would like a copy of your report to send to our shippers to satisfy them.

Very respectfully, yours,

JORDAN STABLER COMPANY.

I read this letter to the Senator simply to indicate to him that the importers of wines and other goods in the United States desire to be protected. Whatever may have been the previous law, it never has been enforced as it has been enforced in the last year.

Here is a letter from H. C. Newcomb, an importer, of Philadelphia:

PHILADELPHIA, *December 19, 1903.*

Hon. JAMES WILSON,
Secretary of Agriculture, Washington, D. C.

SIR: I am in receipt of yours of the 15th instant in regard to the 2 barrels of Spanish olive oil imported from Seville, and which [illegible] the Bandwin test for sesame oil.

I thank you for the consideration shown and for releasing same under the circumstances.

These I was imported in good faith, but had you exacted a return of same to the [illegible] I would not have [illegible]

Desiring to know the real truth respecting these [illegible] I have written to the [illegible] the [illegible] time and were [illegible] to state. It [illegible] very pleased to regard [illegible] your Department to be used in bringing them for future [illegible] any opportunities of your [illegible] to do so [illegible]

My experience with your Department has been very satisfactory, and of such a character that I feel [illegible] to assist, rather than oppose, any investigations necessary [illegible]

Respectfully, yours,

H. C. NEWCOMB.

Mr. President, everyone knows that until this last law was passed, about a year ago, we received an amount of spurious articles, wines, olive oils, and everything of that kind. Possibly not more than a twentieth part of the wines imported into the United States were of the character designated.

Let us take the letter of S. J. Valk & Bro., of New York, which is as follows:

NEW YORK, *October 29, 1903.*

Hon. JAMES WILSON,
Secretary of Agriculture, Washington, D. C.

DEAR SIR: We [illegible] of your favor of October 28, and will say that, [illegible] that [illegible] we feel [illegible] and [illegible] or that of the New York Custom-house [illegible] proceed to reship the merchandise in question to Marseille, France.

Yours, very truly,

S. J. VALK.

I might read any number of letters all favoring the existing law or the law which has been enforced through the recommendation of this Bureau in the Department of Agriculture.

I have here the declaration that is used as a requirement by the Treasury Department of all shippers of these products, wines, etc., into the United States. I shall read just the heading of the declaration to show how falsely these statements are made and the great amount of adulterated articles which have heretofore escaped the detection of our custom-house officers and have entered into the goods of this country. Here is a declaration of a shipper of food products:

I, the undersigned, do solemnly and truly declare that I am the shipper of the merchandise herein described and described, and to set it consisted food products which contain a poisonous substance injurious to health. These food products were made in France and manufactured in France by us during the year [illegible] and are exported from Bordeaux and consigned to New York. [illegible] four [illegible] or possession, and are not of a character [illegible] or restriction [illegible] country where made or from which exported.

Then follows a long list containing wines, and perhaps other articles, amounting to many thousand dollars' worth, and yet every [illegible] is absolutely false. Not a single brand of those wines came from the country from which it is said to have been exported, not a single case or barrel of them was manufactured by the person who makes this statement, and not a single statement is true.

I have been furnished—and I have them here—by the Secretary of Agriculture for use in the Senate with a large number of these bills of lading, if I may call them by such a term, all of them showing false statements as to the place where the product is produced and as to their character. They are manufactured out of the cheapest wine basis as a rule, and never saw the section of France from which they are claimed to have been imported. They are colored and marked to correspond with some twenty or thirty different grades of wine, and yet all of them are made from the same particular basis.

I am satisfied that the importers of this country desire to be protected against counterfeits of this kind, and whatever has been the law heretofore, it certainly has never been enforced as it has been within the last year under the supervision of the Department of Agriculture.

Mr. DOLLIVER. Mr. President, I regard the section under consideration as a very important section of this bill. I have not given so much attention as has the honorable Senator from North Dakota [Mr. McCUMBER] to the question of pure food, and therefore I have listened with a great deal of attention and interest to what he had to say about that subject. We all know, however, a good deal from observation and experience and from the testimony of others, of the general state of demoralization that has grown up in the trade in food products in the United States.

Our country is more helpless than any other country in the world, because we have a system of local government here and a

system of interstate commerce which mutually paralyze one another in any local effort to deal with the question of pure food.

We have hardly a State in the Union that is able to enforce its own laws with respect to the rights and privileges of its own people, and therefore in the last ten years there has grown up in the country a conviction that the United States ought to take up the question of pure food exactly as the great countries of the Old World have done. Every one of them protects its people against the sale of adulterated and poisonous and mislabeled and fraudulent food products. Every nation in Europe has an effective system of supervision, and there is no country in the Old World that permits anybody to sell to its people articles the like of which we are trying to exclude under the provisions of this bill.

It is not a new jurisdiction, as the Senator from Rhode Island [Mr. ALDRICH] has so well pointed out. It is an old statutory provision of Congress; and yet everybody knows that it has been almost a dead letter upon the statute books of the United States, and that year after year the people have been compelled to submit, many of them to the most serious results of the fraud involved in the importation of impure lard, adulterated, diluted, and otherwise deleterious articles of food sent here from other countries.

Fortunately we know with absolute certainty what the operation of this provision in the agricultural appropriation bill has been. It came into the agricultural appropriation law one year ago, and for the last six months it has been in operation. In that time the Department of Agriculture has investigated a large number of invoices suspected to be fraudulent under the provisions of this law.

Mr. ALLISON. Will my colleague allow me to correct him?

Mr. DOLLIVER. Yes.

Mr. ALLISON. The provision to which the Senator refers appears first in the appropriation bill for 1900, and has been in effect ever since.

Mr. DOLLIVER. Very well. In the past six months the Department of Agriculture, under the provisions of the act of last year, has investigated a large number of these [illegible]. Fortunately the Department, under authority of law, has been able to follow these invoices from their places of shipment in other countries, and has been notified by our consuls, exercising a very useful function, in my judgment, of the departure of ships bearing these fraudulent importations. In the cases that have been investigated by the Department of Agriculture, [illegible] have been found to be fraudulent under the provisions of the act of last year.

Many of these were cases involving the importation of mislabeled, adulterated and otherwise impure meat products; wine adulterated with sulphur and a variety of other [illegible], making it marketable in any country of Europe, and left only the loaded on the only country in the world that has not had the moral energy to take care of the rights of its own people.

These cargoes came here; they were promptly investigated by the Bureau of Chemistry, certified under the provisions of the act of last year to be adulterated, promptly reported to the Secretary of the Treasury, and sent back not to the country from which they had come, but to some country even more helpless than we are in respect to such matters.

The Secretary of Agriculture has investigated fraudulent importations of meat products, especially sausages, manufactured out of all varieties of arsenicated meat, horse meat, and other varieties of refuse meat preserved by chemicals, and sent here to be sold under fraudulent pretenses in market places that are absolutely without protection.

These cargoes when they arrive here are already under suspicion. The Department of Agriculture knows who they are in Europe who send these things here, and when the cargoes arrive this suspicion leads the Department to immediately investigate the character of the shipment. They buy a sample; they examine it; they find out its exact character, and certify it to the Secretary of Agriculture. If it is all right, they pay for it and get their money back, so the Secretary informs me, by selling such goods at auction on the grounds of the Department of Agriculture. If they are not right, the goods are not confiscated but are directed to be reshipped and taken out of the country. They are not treated as our goods are treated in the great nations of continental Europe.

Sanitary decrees in central Europe seize whole cargoes of American food products. Food laws condemn them practically without a hearing, and have practically excluded from the great market places of the Old World our agricultural products.

If no question of public health at all were involved. I would be in favor of arming this Government with that weapon of retaliation—a notice to the countries of the Old World that we will not submit to the injurious advertisement of the healthful food products of the United States under mere sanitary decrees in the ports of Europe.

Therefore, in my judgment, this ought to stand, first as a protection to the public health. We know exactly how it has operated. There is not a merchant consignee of one of these fraudulent cargoes who has complained of the action of the Department of Agriculture; there is not a shipper from the Old World that has dared to take one of these cases—forty-nine in number—into the courts.

Our own merchants have thanked the Department of Agriculture for protecting them from an imposition against which they were unable to protect themselves, and these shippers in Europe have waked up to the fact that at last we have in the United States an effective mechanism to prevent the unloading of these fraudulent articles upon our market places.

I am not alarmed about the growth of the power of the Secretary of Agriculture. I am one of those who believe that the Secretary deals with the largest single commercial interest the American people have, and I confess that I have listened with some degree of irritation to the complaints about the expenditures and the waste of money in that great Department when I know that the entire appropriation for the maintenance of all the great bureaus of the Department of Agriculture put together do not equal the cost of a single battle ship that we will provide for by act of Congress this year.

I feel, Mr. President, that the Secretary of Agriculture should be given the largest possible measure of discretion, not only in forwarding the legitimate agricultural interests of our people here, but in doing what this act authorizes him to do, in protecting our commerce against fraudulent imposition by the outlawed and outcast merchants of other countries, who, having been driven out of the market places of their own countries, have for years taken advantage of our helpless situation to palm off on us articles not only fraudulent in character, but injurious to the health and to the lives of the people of the United States.

Mr. BACON. Mr. President, I desire to call the attention of the Senator from Rhode Island [Mr. ALDRICH] to the fact that the criticism as to the undue power conferred upon the Secretary of Agriculture in this proposed law is, I think, a misconstruction of the language.

There is but one power conferred upon the Department of Agriculture, and that is to determine whether any article, upon being analyzed, has been found to be injurious to health. If that fact is reported to the Secretary of the Treasury, then the Secretary of the Treasury is under obligation to accept that as a conclusive finding of fact.

I have said—but the Senator's attention was diverted at the time—that the only power conferred upon the Secretary of Agriculture by this bill is to determine, for the benefit and information of the Secretary of the Treasury, when any article has been analyzed and found to be dangerous to health. Whenever that is done——

Mr. ALDRICH rose.

Mr. BACON. If the Senator will pardon me, I will yield to him in a moment.

Whenever that is done the law makes it imperative upon the Secretary of the Treasury to accept that as a conclusive finding of fact and to act upon it. But so far as the other provisions in this proposed law are concerned, they are not confided to the judgment of the Secretary of Agriculture, but are still within the exclusive jurisdiction of the Secretary of the Treasury. I will read it and see. The Senator from Vermont [Mr. PROCTOR] correctly stated that after the word "excluded," in the fourteenth line, there should possibly be a semicolon, and the sentence would be complete if it began there. I will read the language:

And the Secretary of the Treasury shall refuse delivery to the consignee of any such article, and cause the same to be destroyed or shipped out of the country, if the same be found to be adulterated, or misbranded, or to have been imported in violation of the laws of the United States, or to be in violation of any law of any State, Territory, or the District of Columbia, or of any foreign country, or shipped or consigned in violation of law; and he shall also exclude and prevent the importation of any such article which shall be found to be in violation of any law of any State, Territory, or the District of Columbia, or of any foreign country, or which shall be

Leaving out the word "and" makes a complete sentence. He shall refuse to deliver. He does not confiscate. He does not take the title to the property. He simply leaves it in the hands of the party who has attempted to perpetrate the fraud.

Mr. ALLISON. Mr. President, I wish to say a word or two in reference to these provisions. The provision upon the subject of the importation of goods injurious to health was first inserted in the act reported by me for the year 1890. It applied then only substantially to what was already provided for in the Revised Statutes, as suggested by the Senator from Rhode Island, but it provided an additional method whereby the facts could be ascertained.

Now, here is the statute of 1890 as it was passed, approved the 1st of March, 1890. That was the first time the Secretary of Agriculture was required to deal with this subject, and it provides, without reading what precedes—

And the Secretary of Agriculture, whenever he has reason—

I would be glad if Senators would turn to the phraseology of the bill before us and compare it with this phraseology—

And the Secretary of Agriculture, whenever he has reason to believe that articles are being imported from foreign countries which, by reason of such adulteration, are dangerous to the health of the people of the United States, or which are forbidden to be sold or restricted in sale in the countries in which they are made or from which they are exported, or which shall be falsely labeled in any respect in regard to the place of manufacture or the contents of the package, shall make a request upon the Secretary of the Treasury for samples of the original packages of such articles for inspection and analysis; and the Secretary of the Treasury is hereby authorized to open such original packages, etc.

That was the law of 1890, and it was mandatory, as this law is mandatory, upon the Secretary of the Treasury. It is not at the request of the Secretary of Agriculture, but when the Secretary of Agriculture shall report to him that a particular article is dangerous to health, then we made it his duty to exclude it. It was a law. When that took place, then the importation should be prohibited. It may be said that it was a rigorous provision upon importers, but it is no more rigorous than many other provisions found in our tariff law. The statute which the Senator from Rhode Island read provides that the goods thus found to be injurious to health shall be forfeited. So that really this is a broader provision in one sense than that, because under the statute as it shows here by Senators who have debated the question, the imported goods which are injurious to health may be reexported to more favored countries where the government is not examining the goods with a view to the health of the people.

So in 1890 we began this legislation. I remember it very well. It was after Germany—this is a historical statement—and other countries had passed the most rigid legislation as respects the adulteration of articles imported from our own country. They had issued rescripts or prohibitions against importations from our country in many cases. It was believed by our officers, without reason, that the goods thus exported were in fact goods which were not in any form or in any respect adulterated. A cry came up from our exporters that if the governments in Europe to whom we were selling products should undertake to exclude those goods upon false statements or inspections, we had only to retaliate by also providing that in our country we would inspect their imports and would treat them as they were treating ours. So that came into the law of 1890. It has appeared in varied form in every agricultural appropriation bill from that time till now.

Mr. ALDRICH. It is the varied form and the complete change in the structure and purpose of the legislation that I object to.

Mr. ALLISON. What I want to try to do, if I can, is to see—the forms have been changed, of course—whether the changes have been detrimental to our interests and injurious to our foreign commerce.

I have here now the legislation of 1902; that is, the law passed in 1901, upon this very subject, which is almost a literal following of the law of 1890. In fact, I believe it is in the exact phraseology of the law of 1890.

But I want to call the attention of the Senator from Rhode Island to the fact that in all these cases where these facts were found it was made the duty of the Secretary of the Treasury: and I think the Senator from Georgia made a very good criticism as respects the punctuation. After this examination and investigation by the Department of Agriculture in all these laws there is a semicolon, so as to separate what the Secretary of Agriculture is to do from what the Secretary of the Treasury shall do.

Mr. ALDRICH. Will the Senator from Iowa permit me?

Mr. ALLISON. Certainly.

Mr. ALDRICH. Does he think the Secretary of the Treasury ought to have a discretion, as suggested by the Senator from Georgia, in regard to all these matters except such as are injurious to the public health? If so, there is no difference whatever between us. If the Senator from Georgia is correct—and I understand his interpretation has the approval of the Senator from Iowa—if it is made plain so that the ordinary man who reads can understand it, there will be no further discussion upon this question.

Mr. ALLISON. Do I understand that the Senator from Rhode Island will make no objection to the phraseology of this bill if a semicolon is inserted?

Mr. ALDRICH. Oh, no: not a semicolon.

Mr. ALLISON. Then I will proceed, if the Senator will allow me.

Mr. ALDRICH. If the Senator from Iowa is contending that except in cases where the public health is involved the discretion or the judgment ought to be lodged in the Secretary of the Treasury and not in the Secretary of Agriculture, there is no difference between him and me on this question.

Mr. ALLISON. I will allow the Senator from Rhode Island, as well as he can, and I know he can do it well, to ascertain the differences that exist between himself and myself upon this subject after I shall have completed what I am about to say.

I proceed to the act of 1903, which is substantially the act of 1890 and the act of 1901 and the act of 1903. Now I come to the act of 1904, which is the existing law.

Mr. LODGE. Nineteen hundred and three.

Mr. ALLISON. I have already mentioned the act of 1903. I want to say a word in respect to it—

Mr. BACON. Will the Senator from Iowa permit me to suggest, as the Senator from Rhode Island says he is satisfied if that can be made clear, that if after the word "which," at the end of the line, he will insert the words "the Secretary of the Treasury shall find" it will make it complete and beyond doubt? Then it would read thus:

Mr. ALLISON. I will.

Mr. BACON. It is only a suggestion.

Mr. BEVERIDGE. Where is the word?

Mr. BACON. At the end of line 17, after the word "which," insert "the Secretary of the Treasury shall find."

Mr. ALDRICH. I have no objection to that.

Mr. BACON. That will make it clear beyond the possibility of a doubt.

Mr. ALDRICH. I have no objection to that.

Mr. BEVERIDGE. That harmonizes it.

Mr. ALLISON. In line 17, after the word "health?"

Mr. BACON. After the word "which," at the end of the line, insert "the Secretary of the Treasury shall find." That makes it clear beyond the possibility of a doubt.

Mr. LODGE. Yes, that makes it clear.

Mr. ALDRICH. I have no objection to that. It will obviate my objection.

Mr. BEVERIDGE. That produces harmony.

Mr. ALLISON. I will probably agree with the Senator later on, but I want to say that these criticisms as respects the investigation by the Secretary of Agriculture are criticisms that are made not only against this bill, but against laws which have been in operation for five years, giving him the same authority—

Mr. ALDRICH rose.

Mr. ALLISON. As respects public health.

Mr. ALDRICH. That is right.

Mr. ALLISON. If my friends will have the patience they usually have, I will endeavor to understand their criticisms, and I hope they will understand my position, if I can make it clear. In what I am now saying I am replying to the suggestion that the Secretary of Agriculture had no right to intrust himself into this question of the chemical analysis of foods; that the Secretary of the Treasury ought to deal with this question; and I wanted to justify the action of the Secretary of Agriculture by showing that this duty has been imposed upon him for many years.

Mr. ALDRICH. I hope the Senator does not assume that I have criticised the Secretary of Agriculture.

Mr. ALLISON. Certainly not.

Mr. ALDRICH. I know he is a good man: I know he is from a great State; and I know he has made a great reputation for himself and has performed good service for the country. I have not ventured to criticise him.

Mr. ALLISON. I do not think I suggested that the Senator from Rhode Island criticised him, though, as he disclaims it, I fear he may have misunderstood me to have applied my remarks to him.

Now, in 1904 there was introduced into the statutes a new provision.

Mr. BEVERIDGE. This year?

Mr. ALLISON. The appropriation act for 1904, the current year, under which whatever money there is is now being expended for this purpose.

The Secretary of Agriculture—

I fall again into the same paragraph—

The Secretary of Agriculture, whenever he has reason to believe that articles are being imported from foreign countries which, by reason of such

adulteration, are dangerous to the health of the people of the United States, or which are forbidden to be sold or restricted in sale in the countries in which they are made or from which they are exported.

That is to say, if he has reason to believe that articles are being imported here, the sale of which is prohibited in other countries, then he can examine the packages just as well as if they are deleterious to health. They may not be injurious to health, but if they are prohibited at home, this country shall not become the dumping ground of such products—

Or which shall be falsely labeled in any respect in regard to the place of manufacture or the contents of the package.

Therefore these new elements were introduced in the act of 1904, under which the Secretary of Agriculture is now acting.

Now, it is the question for us to consider whether or not we shall add to these provisions—I hope the Senator from Rhode Island will understand me—which prohibit the importation of articles deleterious to health, articles which are forbidden to be sold in the country of manufacture or production; whether we shall or shall not say somewhere——

Mr. ALDRICH. I do not object to that at all.

Mr. ALLISON. Whether we shall not say somewhere in our statutes—and I understand the Senator from Rhode Island agrees with me—that if any country that trades with us shall prohibit the sale of any particular article in the country of production, we shall also say to that country, "We will not allow it to be imported into and sold in ours."

Mr. LODGE. May I ask the Senator from Iowa a question?

Mr. ALLISON. Certainly.

Mr. LODGE. Does he think the Secretary of the Treasury is incompetent to decide whether such a prohibition takes place in a foreign country?

Mr. ALLISON. Mr. President, the Senator from Massachusetts anticipates.

Mr. LODGE. I thought you had reached that point.

Mr. ALLISON. I had not quite reached it. I will reach it in a moment. I will read what this current law of 1904 also provides. I will read the whole clause in its connection:

Are dangerous to the health of the people of the United States, or which are forbidden to be sold or restricted in sale in the countries in which they are made or from which they are exported, or which shall be falsely labeled in any respect in regard to the place of manufacture of the contents of the package, shall make a request upon the Secretary of the Treasury for samples of the original packages of such articles for inspection and analysis; and the Secretary of the Treasury is hereby authorized to open such original packages, etc.

And then there is provision for the introduction of testimony:

And the Secretary of the Treasury shall refuse delivery to the consignee of any such goods which the Secretary of Agriculture reports to him have been inspected and analyzed and found to be dangerous to health, or which are forbidden to be sold or restricted in sale in the countries in which they are made or from which they are exported, or which shall be falsely labeled in any respect.

So that practically this is the existing law upon those various points, except that in the phraseology of this bill it is provided that there shall be added to "falsely labeled" the words "or incompletely labeled." I think those words ought to go out.

Mr. PROCTOR. They have gone out.

Mr. ALLISON. They have gone out.

Mr. ALDRICH. No; they have not gone out.

Mr. ALLISON. The words "or incompletely," I say, should go out of the bill, and I understand that they have already been eliminated by an amendment proposed by the chairman of the committee.

Now, there is another provision here which I suppose to be inserted for the benefit of those who import the articles that are inhibited by this statute, because all these laws require the Secretary of the Treasury and the Secretary of Agriculture to allow the people who are thus charged with violating the law to be present by counsel and with witnesses. This proposed law modifies the provision of the law for 1904 by a provision in lines 10 to 14, inclusive, which says:

The Secretary of Agriculture * * * who may be present and have the right to introduce testimony——

Mr. ALDRICH. That is in the act for 1904.

Mr. ALLISON. It is in the act for 1904.

Mr. ALDRICH. It is in all the acts.

Mr. ALLISON. It was in all the acts, but now this is changed so that he may appear "by attorney or by writing"——

Mr. ALDRICH. The word "attorney" is not in the bill before me.

Mr. ALLISON (reading)—

In all cases where the examination conducted by the Secretary of Agriculture discloses any reason for believing that the products in question shall be excluded.

That is to say, it enlarges the opportunity of the people who are charged with violating the law to appear.

It is a question now, and that is what we have reached, whether these facts being found, the articles thus imported shall be prohibited. I understand that the Senator from Rhode Island and the Senator from Georgia think that the Secretary of the Treasury should be the final arbiter as respects this question, and to that I certainly have no objection. I certainly am willing that he shall review, if you think the Secretary of Agriculture in his examination will not truthfully and carefully make a proper inspection, for instance, of the article in regard to health, and if you want also to protect the violator of the law by requiring the Secretary of the Treasury to pass upon the subject, I am certainly willing that both of them shall have that power. They are both constituents of mine.

Mr. ALDRICH. I rather object to the Senator's last phrase, because the question whether a man has violated the law in a label, for instance, upon goods, is not a question of agricultural products, it is not a question affecting public health.

Mr. ALLISON. Certainly not.

Mr. ALDRICH. It is not a question affecting the personal safety of individuals. Is the question whether a person has put the right kind of a label on a case of woolen goods or a case of cotton goods one to be determined finally by a clerk in the Agricultural Department?

Mr. ALLISON. Certainly not.

Mr. ALDRICH. Why should it not be left to the Secretary of the Treasury, who is held responsible for administration, if anybody is to be held responsible?

Mr. ALLISON. Certainly: I say I do not object to that, and I accept the criticism of the Senator also that it is not quite fair to say that this applies only to goods that are so falsely imported by means of adulteration, etc. But it seems to me that in some way we ought to place the responsibility upon the Secretary of Agriculture to deal with the questions that affect the public health.

Mr. ALDRICH. That is right. I have no objection to that. There is no objection to it on the part of anyone.

Mr. ALLISON. That runs through all this provision. Now, why do we give that power to the Secretary of Agriculture? It is because he has the machinery more effectively through the Bureau of Chemistry than even the Secretary of the Treasury has. The Secretary of the Treasury has the machinery to review at probably one or two ports. Therefore, the Secretary of Agriculture should have this authority.

Now, when it comes to a question of fact as respects false labeling, of course the customs officers or the officers of the Treasury can decide the question as well as the Secretary of Agriculture. But it is perfectly well known that most cases of false importations or of importations in violation of law relate to articles of consumption which are in the nature of things required to be put to a chemical test.

Mr. PLATT of Connecticut. May I interrupt the Senator from Iowa?

Mr. ALLISON. Yes, sir.

Mr. PLATT of Connecticut. I wish to ask him what he supposes to have been the reason for introducing into this bill, after the word "articles," the words which do not exist in the present law, on page 33, line 19:

Or goods of any description.

What does he suppose was the necessity of that, or, if there be a necessity, how does it enlarge the powers of the Secretary of Agriculture? I supposed the word "articles" included everything.

Mr. ALDRICH. It does.

Mr. ALLISON. If I were to pass upon that question I should say that those are words of surplusage. Why they were inserted I do not know. I find them in the House bill. They came to us from that other great body which deals in the first instance with this great question. I suppose there was some reason perhaps for inserting them: I can conceive of none. The word "articles" includes everything.

Mr. ALDRICH. It is the same process of enlargement that we are objecting to.

Mr. ALLISON. I hope the Senator from Vermont in charge of the bill will consent, for harmony, that those words may be excluded.

Now, Mr. President, I come to the suggestion of the Senator from Georgia [Mr. BACON], which proposes to insert certain words in line 17.

Mr. ALDRICH. The suggestion of the Senator from Georgia was to insert after the word "which," at the end of the seventeenth line, the words "the Secretary of the Treasury shall find;" so as to read:

Or which the Secretary of the Treasury shall find are forbidden entry—

Giving him the power of deciding those questions.

Mr. BEVERIDGE. It consolidates the power of final judgment.

Mr. ALDRICH. Yes.

Mr. ALLISON. Leaving the question of health to the Secretary of Agriculture?

Mr. ALDRICH. Yes.

Mr. ALLISON. I see no objection to those words at all.

Mr. BEVERIDGE. Mr. President, however long this law, identical or in substance, may have been upon the statute books, its careful reading and this debate reveal a fundamental defect which some amendment here ought to remedy, and that defect is the diffusion of power instead of the concentration of it. It becomes very clear, as the discussion proceeds, that these laws have been beneficially effective because of the man behind the law, who is executing it, and not by virtue of the law itself. If the time should come when two men less intelligent and less harmonious should preside over, respectively, the Department of the Treasury and the Department of Agriculture, it is perfectly clear that the diffusion of authority between the two might produce a result which would render the operation of the whole law nugatory. I say it is clear that it has been the man behind the law, whose excellences everyone whose has spoken upon the question has referred to, who has rendered it effective.

The power which is described and conferred in this bill ought to be concentrated in some one. As it is, as was pointed out in my interpretation of the Senator from Georgia, it divides the things into three classes, in one of which the Secretary of Agriculture is the final authority, leaving no discretion to the Secretary of the Treasury, and in two others of which the final authority is in the Secretary of the Treasury without consulting the Secretary of Agriculture.

The very statement of that condition shows that only in the case of two very harmonious and very sensible men could the law produce the excellent results which it has thus far produced and which have been pointed out by the senior Senator from Iowa. So some amendment should be adopted here which would remedy this fundamental defect of the law.

It seems to me, Mr. President, that there is a further thing collateral to this general principle. Not only does this defect, which is fundamental, occur in the law itself, upon the face of it, but it is produced by reason of prior legislation, the legislation of 1890, read by the Senator from Rhode Island [Mr. ALDRICH]. If this law remains there should be a further amendment repealing the former law, because the two laws standing together may very well produce an inharmony of action which, as I said will render nugatory all beneficial results.

I do not know but that the amendment suggested by the Senator from Georgia does remedy this defect and concentrate all the power. Certainly it should. Certainly there is not and can not be any difference of opinion here upon the great fundamental question, the health of the people, the welfare of the people of the country. We all agree with equal vigor and sincerity upon that great question.

I listened with entire sympathy to the reasoning, as I always listen with admiration to the rhetoric, of the junior Senator from Iowa [Mr. DOLLIVER], who presented that question with such great power a few moments ago. But that is not the question involved here. The question involved here is the effectiveness of the thing itself. If we scatter the power, and it remains scattered, we may defeat the very end which we hope to produce.

Now, whether the Senator from Georgia has suggested the right amendment to produce this necessary result of concentrating this power in some place and not dividing it among three or four Departments is a question for us to decide. I think, myself, he has.

In this connection it might be said, as we are going along and enlarging the power of these Departments—each enlargement necessary, each enlargement beneficial—there ought to be constant care that confusion is not produced.

We have a Department of Commerce, a Department of the Treasury, a Department of Agriculture, and the first thing we know, no matter how old this law is, we shall find powers which should reside in one Department partly placed there and partly in the other.

I think the amendment of the Senator from Georgia should prevail; and I further suggest to the Senator from Rhode Island, who first raised this question, whether if the law remains as it is, even with that amendment, there should not be a further amendment repealing the law of 1890. Otherwise the counteraction of the two laws may destroy the very result sought. I do not know what the Senator may think about that, but certainly both laws ought not to stand upon the statute book.

Mr. HOAR. Mr. President, I merely rose to ask a question of the Senator from Iowa [Mr. ALLISON]. I came in after this debate had begun, and perhaps I ought to know myself the answer to the question. Does the Senator understand that under the bill as it is now before the Senate, if an article of machinery comes from Germany to Boston to be used there, having nothing to do with public health or agriculture or food, but an article of cotton machinery, it is intended that the Secretary of Agriculture is to inquire whether that is falsely or incompletely labeled in any respect, either in regard to the place of manufacture or the contents of the package, and thereupon is to stop it?

Mr. ALLISON. I do not think so. I will be glad to have the Senator tell me if he thinks so.

Mr. HOAR. I do not know. I said I came in after the debate had begun and was not informed.

Mr. ALLISON. I do not think so.

Mr. HOAR. But let me read it:

and the Secretary of the Treasury shall refuse delivery to the consignee of any such goods—

The previous phrase to which such goods apply is "articles or goods"—

which the Secretary of Agriculture reports to him have been inspected and analyzed and found to be dangerous to health—

That is No. 1. Now, No. 2—

or which—

Articles or goods of any kind—

are forbidden entry or to be sold or are restricted in sale—

As articles or goods or any kind of machinery to be used in Boston—

in the countries in which they are made or from which they are exported—

Now, here is another clause—

or which—

Still covering machinery used in Boston with the rest—

shall be falsely or incompletely labeled in any respect in regard to the place of manufacture or the contents of the package.

I do not know, and therefore I wanted to ask the Senator from Iowa.

Mr. McCOMAS. If the machine happened to have come from Germany originally and was labeled sent from Cuba, it might come clearly under the prohibition. We have reciprocal relations with Cuba.

Mr. HOAR. Suppose it comes from China, the Secretary of Agriculture is to inquire whether the statement that it was made in Hongkong or Fuchau is true, and thereupon stop it.

Mr. ALLISON. The Senator from Massachusetts asks me to construe phraseology which I have no right to construe.

Mr. HOAR. But you reported it!

Mr. ALLISON. I did not. I will say to the Senator.

Mr. HOAR. I beg pardon; that is true. If you had, such a question would not have been necessary.

Mr. ALLISON. Not having reported it and not being responsible for it, and most of the phraseology having come to us where these matters are thoroughly examined, it was perfectly natural that I should not place a critical eye upon this phraseology. Therefore I will say to the Senator, as I came in just a little before he entered the Chamber, and having been here a little longer than he, I have been endeavoring myself to explore this phraseology and see wherein it is defective and wherein the wisdom of the Senate, by the aid of all of us, severally, can improve this phraseology. We are helping the Senator from Vermont who has charge of the bill as best we can to so arrange the bill as that it will make good English at least and so that it will allow a cotton machine to be imported into Massachusetts. [Laughter.]

Mr. HOAR. May I ask the Senator whether he has answered my question so thoroughly, may I ask him another?

The PRESIDENT pro tempore. There is no difficulty about the reporters getting this question as thoroughly.

Mr. HOAR. I will say, that the reporters may hear. I want to ask one other question. Does not the Senator himself, as he has been discoursing on it, think it is a little ridiculous as it stands?

Mr. ALLISON. Will the Senator from Massachusetts first give me his opinion as to the phraseology?—which I infer is that it is rather inaccurate. It is not ridiculous. I will say to him that I think it needs amendment. I would not say that it was ridiculous, because that might be unkind to some other people who prepared the phraseology.

Mr. HOAR. I was very sure the Senator would not put it in that phrase, with his known excellent use of the English language.

Mr. McCOMAS. Mr. President, the Senator from Massachusetts suggests that there may come under this provision a teapot made in China, and he rather indicates that this may be "pigeon English" from the same quarter. I want to say that that whole paragraph involves a good purpose. I am ready to admit that the English was not made in Boston, but it does embody the act of 1890, or of 1900, as the Senator from Iowa has said, and inserts a few words; and in putting in those middle words in the present bill much confusion has arisen.

It is urged and seems to be agreed that the Secretary of Agriculture has the equipment and that the Secretary of the Treasury has the original power in respect of enforcing the provision, and that there should be no confusion. That seems to be agreed. It was strongly stated by the Senator from Rhode Island and assented to by the Senator from Iowa and the Senator from Indiana.

Now, in the act of this and for 1904—

Mr. ALDRICH. That language appears first in the act making appropriations for the present year.

Mr. McCOMAS. That is true. In the midst of the language of the act for 1904 these words have been inserted:

In case the Secretary of Agriculture shall report to the Secretary of the Treasury that the articles in question should be excluded, and shall give any reason for believing that the products in question are adulterated

That language is certainly intended to do a thing which the words do not fully accomplish. It is a little loose to begin with, to say that the Secretary of Agriculture—

Mr. PLATT of Connecticut. The effect of those words, as I understand, is that the report can not be heard until the Secretary has practically decided the case against him.

Mr. McCOMAS. Yes. It is perfectly evident that the amendment which the Senator—

Mr. PLATT of Connecticut. The amendment offered by the Senator from Georgia, at the end of line 14.

Mr. McCOMAS. The language was suggested by the Senator from Vermont.

Mr. BEVERIDGE. To complete the sentence.

Mr. McCOMAS. It was suggested to me. I suggested to the chairman of the committee that the provision be so amended as to read that if we agree that the Secretary of Agriculture shall make examination after the report shall be made to him by the Secretary of the Treasury, and that the report of his examination shall be made to the Secretary of the Treasury. And that leaves the Secretary of the Treasury, in his discretion, not "shall," but in his discretion, that the Secretary of the Treasury may do these things. I suggested that to the chairman of the committee in charge of this bill, and I suggested that if he would strike out all the words after the word "writing," in line 11, down to the word "the Secretary," in line 14, and insert—

and in all cases where the Secretary of Agriculture shall report to the Secretary of the Treasury that the articles in question should be excluded.

Then the Secretary of the Treasury, in his discretion, in the language of the Senator from Rhode Island, may refuse to deliver to the consignee. That makes the examination through the Department of Agriculture of the customs-entered goods. The present language is that if the report, after examination, "discloses any reason." There is no use to legislate here about reasons. The Secretary of Agriculture makes his report to the Secretary of the Treasury; and in this report he gives the analysis as shown by the examination.

Mr. BEVERIDGE. Has the Senator observed the amendment offered by the Senator from Georgia [Mr. BACON]?

Mr. McCOMAS. I have.

Mr. BEVERIDGE. Does the Senator think the amendment offered by the Senator from Georgia reaches the precise point which the Senator's amendment touches?

Mr. McCOMAS. I do not.

Mr. BEVERIDGE. The report of the Secretary of Agriculture becomes a decision, which it is made the duty of the Secretary of the Treasury to act upon. So I thought, perhaps, the Senator had considered the amendment suggested by the Senator from Georgia.

Mr. McCOMAS. No; I have not. The amendment of the Senator from Georgia relates to a further part of this matter, which I do not now address myself to. I suggest, however, to the chairman of the committee, the Senator from Vermont [Mr. PROCTOR], if he will give me his attention, that if he will strike out, after the word "writing," in line 11, on page 34, all the words down to the words "the Secretary," in line 14, and insert:

And in all cases where the Secretary of Agriculture shall report to the Secretary of the Treasury that the articles in question shall be excluded, the Secretary of the Treasury, in his discretion, may refuse delivery, etc.

That meets the purpose of the Senator from Rhode Island and it meets the views of the Senator from Iowa. It simply puts into language what the Senator from Iowa expressed in his statement a while ago, that the examination should be made in the Department of Agriculture, and that the Secretary of Agriculture should report his findings and analyses to the Secretary of the Treasury.

Mr. PLATT of Connecticut. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Connecticut?

Mr. PLATT of Connecticut. I thought the Senator from Maryland was through.

Mr. McCOMAS. I am not through, but I will yield to the Senator.

Mr. PLATT of Connecticut. I thought the Senator was through; I will wait.

Mr. McCOMAS. I ask the Senator from Vermont in charge of the bill if what I have suggested does not meet his wishes? If so, I will offer that amendment. I shall move to strike out, on page 34, in line 11, after the word "writing," down to the word "the," in line 14 on the same page, and insert:

And in all cases where the Secretary of Agriculture shall report to the Secretary of the Treasury that the articles in question should be excluded.

And, in line 11, after the word "shall," to insert the words "may, in his discretion."

Mr. TILLMAN. Mr. President, I will ask the Senator from Maryland would not it involve a great discourtesy in one Secretary to another, if, in the discharge of a great duty like this, he finds certain facts, and those facts would indicate a certain line of action, and there is a doubt necessary with the other Secretary as to whether he should do what is right?

Mr. McCOMAS. Mr. President, in the context are the words "and found to be dangerous to health." The word "may" may mean in an administrative sense "must," unless the Secretary of the Treasury differed from the Secretary of Agriculture as to the article being dangerous to health.

Mr. TILLMAN. What is the use of a chemist making an analysis to ascertain whether articles are poisonous to health if, after he reports they are injurious to health, the report is not going to have any effect?

Mr. McCOMAS. If he did think so, then as an administrative officer he must exercise a discretion in matters of the gravest results of people. He, as the head of the Department, must exercise a certain discretion, and I don't mind to give it to him. Of course it will not be abused, but it must be lodged in an executive officer. Suppose it were to be an error in reading the report, then the Secretary of the Treasury, when seeing the other provisions, for instance, the word "not" had been inserted in a sentence where it ought to have been omitted,—would he have no discretion to correct the error?

Mr. TILLMAN. There is no analogy between the cases. It seems to me that this whole trouble arises from the fact that this legislation is a kind of hodgepodge, which has grown by concretion, by a historical process.

Mr. BEVERIDGE. Accretion.

Mr. TILLMAN. Well, probably it is "accretion" rather than "concretion."

Mr. McCOMAS. If the Senator——

Mr. TILLMAN. Let me get through.

You would have to recast the whole section. In other words, I believe with the Senator, that the Secretary of the Treasury, being the officer having charge of imports and all that kind of thing, should have the power vested in him, and that the initiative as to chemical analysis, inspection, and analysis should come from him. Then he could request the Secretary of Agriculture to make an examination through his Bureau of Chemistry and report to him the results of the examination, and then he ought to be forced to carry out in good faith the result of such analysis and inspection. As I have said, this whole thing is a hodgepodge, and would have to be recast from top to bottom to make it work right.

Mr. McCOMAS. There is no practical difference between the word "shall" and the word "may" in this connection.

Mr. TILLMAN. I believe the word "shall" ought to remain in. Where one Secretary certifies, through his officers, that he has found poisonous or deleterious and injurious ingredients in any article of food or drink he ought to be forced to act. It should not be "may," but "shall" should stay there.

Mr. McCOMAS. Apart from that, I think the Senator from South Carolina will agree with me that the other provisions had better be amended as I have suggested, so that the report shall be made by the Secretary of Agriculture to the Secretary of the Treasury, who shall then act.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maryland yield to the Senator from Colorado?

Mr. McCOMAS. I yield to the Senator from Colorado.

Mr. PATTERSON. If what the Senator from Rhode Island [Mr. ALDRICH] has said is true, that the Treasury Department has its laboratories and its chemists and other officers, and that to make these investigations and examinations, why the necessity of establishing these agencies for work of this kind?

Mr. McCOMAS. There can be no difference about that, I think. The Secretary of Agriculture is more and more developing, and very rightly developing, the whole subject of the analysis of foods, medicines, and drugs and the Treasury Department is having less and less to do with that part of the Administration. The Secretary of Agriculture ought to be the Secretary to inspect foods and the like, and he is becoming more and more so.

Mr. PATTERSON. Is this not one of the ideas that the Senator is endeavoring to eliminate—the duplication of authority—the bringing of more than one department into connection with imports into this country? The Secretary of the Treasury, as I understand, has particularly to do with imports. He has agents in every seaport, in every port of entry and delivery; he has all

the facilities, and if he has not all the facilities, if he lacks any of them, they should be given to him through laboratories, chemists, and other scientific persons to make every necessary and proper investigation to determine whether or not food or liquor has been adulterated or is deleterious to the public health.

Mr. President, I want to call the attention of the Senate to this additional fact: I do not understand that the Agricultural Department has agencies in New York, Philadelphia, Boston, upon our Canadian frontier, on or the Pacific coast, or on the Gulf, while the Secretary of the Treasury has agents everywhere. The Secretary of the Treasury can more readily and properly acquire information as to the coming of impure and improper goods into this country than can the Secretary of Agriculture, it seems to me.

Mr. McCOMAS. That is a pretty long question. I see the Senator from Connecticut [Mr. PLATT] wants to take the floor. I should have been through if the question of the Senator from Colorado had not been so extended.

Mr. PATTERSON. Well, if the Senator from Maryland objects upon the ground that I am intruding upon his time——

Mr. McCOMAS. The Senator is not intruding on my time.

Mr. PATTERSON. I am bound in courtesy to suspend.

Mr. McCOMAS. The Senator asked me a question, and I should like to answer that.

Mr. PATTERSON. The Senator from Connecticut [Mr. PLATT] has had such vast experience that he has become hardened to all this, and I suggest there is no necessity for any particular sympathy upon the part of the Senator from Maryland for the Senator from Connecticut.

Mr. PLATT of Connecticut. No: I am going to stand here until I get the floor.

Mr. McCOMAS. I should like to answer the suggestion of the Senator from Colorado.

Mr. PATTERSON. I have not got through. [Laughter.]

Mr. McCOMAS. If he would get through speedily, I should like to answer him before long.

Mr. PATTERSON. I should have been through before this time, probably, if the Senator from Maryland had not interfered with me.

There was a great deal of good, hard common sense in what was suggested by the Senator from Indiana [Mr. BEVERIDGE] as to the duplication of powers, the mingling of authority, and the provisions of the law which permit officials of one Department to interfere with the work and duties of the officials of another Department.

It is true that the Secretary of Agriculture may have a few more facilities of this kind, so far as paraphernalia is concerned, for the purpose of detecting the adulteration of foods and liquors; but I suggest that any defect in that respect, so far as the Secretary of the Treasury is concerned, could be speedily remedied. The Secretary of the Treasury has this advantage over the Secretary of Agriculture: He has his agents in every port of entry and delivery wherever these goods may go, while, as I understand, the Secretary of Agriculture probably has no agents in any of them. Then, again, the facilities for bearings——

Mr. HOAR. He not only has the conveniences, but the goods are in his custody.

Mr. PATTERSON. The goods are in his custody. He has laboratories; he has chemists; and surely, if these duties are imposed upon the Secretary of the Treasury, as he is an intelligent and an honest man, he will carry them out most effectively.

Mr. LODGE. Will the Senator allow me at that point?

Mr. PATTERSON. Certainly.

Mr. LODGE. The proposition is, this bill covered by the increase of appropriation is to duplicate the laboratories and to duplicate the agents abroad, to have free traveling agents, when we have got the consular service. I am very glad to hear the Senator say what he has said, but I want to call his attention to this duplication.

Mr. PATTERSON. If some Senator upon this side had made that statement, he would be immediately accused of offensive partisanship [laughter], because he would hardly dare to say that, coming from the Committee on Agriculture, provisions had been made for the purpose of duplicating officers and offices; but that must necessarily be the logical result, and there is but one way in which it can be avoided—make the duties of the Secretary of the Treasury clear, defined, imperative; then give him the facilities for doing these things; and there will be no necessity of mixing up the Department of Agriculture with the Treasury Department.

Mr. McCOMAS. Mr. President, the question of the Senator from Colorado [Mr. PATTERSON] though lengthy, has a line in it, and that is, Why should there be a duplication by putting in this bill a provision for analysis and inspection of foods, medicines, drugs, and the like by the Agricultural Department when there are laboratories and opportunities for analysis in the Treasury Department in certain places? The answer to that is that for some years past we have been increasing in the Department of Agriculture the facilities for this purpose, and that Department has been doing splendid work, work which in a century the Treasury officials never undertook, and, if they had, could never have achieved. In respect of foods, especially, and things deleterious to health, the Department of Agriculture has done in the last four years what the Treasury Department could never do, and never will do.

That is under existing legislation; it is the policy of this country, and it is working successfully. The Treasury Department has not objected to giving this power to the Department of Agriculture, and since the Department of Agriculture has under existing law this power, my purpose in offering the amendment is to make the pending provision of the bill simply require the customs service to cooperate in the examination and analysis of food products, so that articles coming through the custom-houses shall, upon the suggestion of the Department of Agriculture, be turned over to the Secretary of Agriculture, and when his Department reports to the Secretary of the Treasury, as the Senator from Rhode Island [Mr. ALDRICH] suggested, that then the Secretary of the Treasury shall have power, in his administrative discretion—because he is empowered to exercise a discretion, for if he were not so empowered, he would not be an administrative officer——

Mr. PATTERSON. Let me suggest to the Senator——

Mr. McCOMAS. Let me finish my answer. The Secretary of the Treasury has an administrative discretion, and therefore in that discretion, every time, of course, when a report is made and he can not countervail the conclusion of the report that the subject-matter is poisonous or dangerous to health, he will do the things that are provided for in such cases.

Mr. PATTERSON. I want to suggest to the Senator——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Maryland yield to the Senator from Colorado?

Mr. McCOMAS. I yield.

Mr. PATTERSON. I only want to suggest that the Senator from Connecticut [Mr. PLATT] is still on his feet.

Mr. McCOMAS. The Senator from Connecticut has assured the Senator from Colorado that he will remain on his feet until the Senator from Colorado ceases to be in a state of eruption.

Having made that statement, Mr. President, I seriously think my amendment ought to be adopted, because it does coordinate the work of the two Departments. I hope, in the interest of the Department of Agriculture and in the interest of this provision of the bill, the amendment may be accepted by the chairman of the committee or, at least, voted upon and accepted by the Senate.

Mr. PLATT of Connecticut. I think this discussion has shown so many defects, or mistakes, I will say, in the draft of this provision, that it is better to strike it out and let it be dealt with in conference between the two Houses. I do not believe that any amendment of it here upon the floor of the Senate is going to make it what anyone wants it to be. I hope the chairman of the committee will take that view of it and allow it to go out, so that it may be carefully considered and carefully drafted in a committee of conference.

There is certainly one thing which has not been alluded to, unless it be by the Senator from Indiana [Mr. BEVERIDGE], to which I wish to call the attention of the chairman of the committee. We have a statute of 1890 dealing with this whole subject as it stood up to the act for 1904. That statute was read by the Senator from Rhode Island [Mr. ALDRICH]. It empowered the Secretary of the Treasury to deal with this whole subject of the importation of adulterated foods or goods deleterious to health. In 1903 we enacted another law, which seems to give to the Secretary of Agriculture the entire power of dealing with this subject.

Mr. ALDRICH. In relation to the public health only.

Mr. PLATT of Connecticut. In relation to the public health and adulterated articles of food. Now, does not the last law repeal the first by implication? Is the statute of 1890, giving to the Secretary of the Treasury the power to deal with this subject, repealed by implication by the statute of 1903 in last year's appropriation bill, which gave the power to deal with this subject to the Secretary of Agriculture, and prescribed what was going to be done if such importations were attempted?

Mr. ALDRICH. I suggest to the Senator from Connecticut that the statute of 1890 prescribed an entirely different method. It was a penal statute, which made it a misdemeanor to import articles of that kind; and it further provided that, upon proper legal process, the goods should be forfeited to the United States.

Mr. PLATT of Connecticut. That is just the point I am making. After we have given this whole matter into the hands of the Secretary of Agriculture, and upon his finding that the goods are deleterious, directing the Secretary of the Treasury to return them, what is left of the statute of 1890, which makes their introduction into this country a misdemeanor and authorizes their forfeiture?

It seems to me it is a very serious question whether this statute provision that was put in last year's appropriation bill did not by implication repeal the statute of 1890, which made the introduction of deleterious foods into this country a misdemeanor.

Mr. ALDRICH. But the appropriation bill was in effect the adoption of a statute for a year. At the expiration of the fiscal year that law expired by limitation.

Mr. PLATT of Connecticut. I am not sure about that.

Mr. ALDRICH. Well, I assume it; otherwise there would be no occasion for repealing it in this bill.

Mr. PLATT of Connecticut. Well, the statute may be repealed.

Mr. BEVERIDGE. There seems to be a state of great confusion here.

Mr. PLATT of Connecticut. A statute may be repealed by a provision introduced in an appropriation bill. A great many statutes have been so repealed.

But what I want to ask is this: If when we deal with this subject by putting it in the hands of the Secretary of Agriculture, and providing that he is to examine and see whether the articles imported are deleterious to the public health, and, if he finds them so, to direct the Secretary of the Treasury to send them back, is there anything left of the statute of 1890, which provides for their forfeiture? In other words, have we not in the statute of last year—the appropriation act of last year—prescribed a different method of dealing with goods of that character when they are imported into this country, and prescribed a different remedy from that provided in the statute of 1890? I do not say this is so, but I say it is a thing which ought to be considered very carefully before any legislation is enacted.

Mr. STEWART. Mr. President, I wish to say a word upon this matter of duplication. I am in favor of the amendment of the Senator from Maryland [Mr. McCOMAS]. There are already in the bill many provisions intrusting the Secretary of Agriculture with the examination of food products of various kinds. That is a matter within his general jurisdiction. If food products produced at home or abroad are to be examined, they are properly under his general jurisdiction.

This is not a duplication of officers, because he has to have his officers in places from which goods, meat, and everything else are exported. Before all food products are exported the Secretary of Agriculture, through his officers, is there to make an examination, and for him to initiate the examination does not duplicate the officers for this work.

It is true that the Secretary of the Treasury has agents everywhere, but they are not expert agents for this particular purpose. The Secretary of Agriculture has expert agents for the particular purpose of examining food products wherever they come from; and it is right in their line, when goods are imported, to examine them, as they are in the locality where the goods are exported.

So that if we adopt the amendment of the Senator from Maryland, authorizing the Secretary of Agriculture to make an examination and report to the Secretary of the Treasury, and then leave it to the Secretary of the Treasury, in his discretion, to exclude such commodities as are deleterious to health, or are reported against by the Secretary of Agriculture, we avoid that duplication concerning which so much has been said.

We have got to duplicate the expert officers in every port, one to examine the goods that go out and another to examine the goods that come in. An ordinary man who is not an expert, whose business is not in this line, would be useless for the purpose of making such examinations.

It seems to me that, turning it all over, not allowing the Secretary of Agriculture to initiate the examination as to food products of all kinds when he is there in that business, but to have another set of officers of the Treasury Department to initiate it, would result in duplication. It seems to me that the system proposed avoids the duplication against which there has been so much said.

Mr. LODGE, Mr. PERKINS, and Mr. MALLORY addressed the chair.

The PRESIDING OFFICER. The Senator from Massachusetts [Mr. LODGE] is recognized.

Mr. LODGE. I yield to the Senator from California [Mr. PERKINS], as I know he desires to address the Senate.

Mr. PERKINS. Mr. President, I only desire to say a few words. We all have one common object in view—that is, to prevent the importation into this country of adulterated foods or that which is deleterious to the health of the people. In other words, we want the label to show what the goods contained in boxes, cans, and bottles really are.

California has suffered very materially for the want of proper legislation in this regard, as has been intimated by my friend from South Carolina [Mr. TILLMAN]. The cotton-seed oil of Georgia and South Carolina is sent to France; it is there transferred into bottles with French labels, and returned to this country, to compete with olive oil that is produced in the State of California, the only State in the Union that produces olive oil.

In the same way the wines of our country, especially California wines, which we sell for a dollar and a dollar and fifty cents a gallon, are exported to France, there placed in bottles with French labels, and returned to this country, and my friend from South Carolina probably pays $5 a bottle for Chateau Yquem, which is the same as we sell in California for one-tenth of that amount.

Mr. ALDRICH. Will the Senator from California allow me?

Mr. TILLMAN. Will the Senator from California yield to me for a minute?

Mr. PERKINS. Certainly.

Mr. TILLMAN. Has the Senator from California any guaranty that his olive oil is any sweeter, any purer, any better than the cotton-seed oil we can furnish him from our country?

Mr. PERKINS. Mr. President——

Mr. TILLMAN. Answer the question.

Mr. PERKINS. The oil made from olives is olive oil. That made from cotton seed is cotton-seed oil. If one has a taste for cotton-seed oil, it would be unbecoming in me to criticise that taste. [Laughter.]

Mr. MONEY. Mr. President——

Mr. PERKINS. We in California prefer the oil made from the olives.

Mr. PLATT of Connecticut. Will the Senator from California allow me?

Mr. PERKINS. Most certainly.

Mr. MONEY. Will the Senator from California allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Mississippi?

Mr. PERKINS. Certainly.

Mr. TILLMAN. I want to ask the Senator from California whether he can tell the difference?

Mr. MONEY. I wish to say to the Senator from California, who stands up for olive oil, as he ought to, because his State is such a great producer of it, that the very finest article of olive oil imported from Lucca or any other port in Italy is made from cotton-seed oil. For a number of years the Italian Government forbade the importation into that country of cotton seed or cotton-seed oil, because they said it was ruining the olive industry. That rule was afterwards relaxed, and to-day the finest olive oil you get is made from cotton-seed oil that crosses the ocean twice.

Mr. PERKINS. That is an Italian taste which we in California have not yet cultivated. We believe in the old Spanish proverb that the olive tree has the faculty of health giving, of life giving, and that one who has an olive orchard transmits to his posterity an advantage that is beyond money or price.

But, Mr. President, the amendment proposed by the Senator from Maryland, it seem to me, is inopportune; or, at least, if it is not, the language ought not to be amended in this respect. The law has been in operation for over seven months, since the first of the fiscal year, July 1, and it has served notice to the importers into this country of adulterated foods and wines and other spirituous drinks that they can not bring them into this country and have them landed and distributed among our people.

Mr. ALDRICH. Will the Senator allow me to ask him a question?

Mr. PERKINS. Certainly.

Mr. ALDRICH. It is a well-understood custom for importers of salad oils to brand them as "salad oil" when it is known that they are made largely, in whole or in part, of cotton-seed oil. Now, does the Senator think the Secretary of Agriculture ought to be required to exclude from entry into this country a salad oil because it is composed in whole or in part of cotton-seed oil?

Mr. PERKINS. Those who wish to buy cotton-seed oil and use it for salad oil have that privilege, but brand it what it is; notify on the label what are the contents of the bottle.

Mr. ALDRICH. It is usually labeled "salad oil."

Mr. PERKINS. No epicurean like my friend the Senator from Rhode Island would use salad oil or oil that is labeled on the bottle "salad oil." He has been in the business as an importer of oil, and I am sure he has never used it in his own household, although it is customary with some.

Mr. ALDRICH. I presume I have.

Mr. TILLMAN. May I ask the Senator from California a question?

Mr. PERKINS. Certainly.

Mr. TILLMAN. Can he tell the difference between California champagne and the French?

Mr. PERKINS. If the Senator will furnish me with the two samples I will give my testimony. [Laughter.]

Mr. TILLMAN. Then, again, does the Senator purchase for his home use the California or the French product? He will dodge that question, I bet.

Mr. PERKINS. I am too patriotic and too loyal to the great industries of our State, California, which has over a hundred million dollars invested in vineyards, giving employment to over 70,000 persons; I am too loyal to my State and too patriotic to my country to drink, if I drink anything stronger than coffee, other than California wine.

But, Mr. President, the point I have in view is this: This law

has been on the statute books for seven months. It has worked advantageously to the honest importers. It has operated in the interest of the public, as administered by the Secretary of Agriculture and by the Secretary of the Treasury.

Mr. MALLORY. Will the Senator permit me for a moment?

Mr. PERKINS. Undoubtedly.

Mr. MALLORY. The purpose of my amendment is to continue the law, to let the Secretary of Agriculture make the analysis and the investigation and report upon the package to the Secretary of the Treasury.

Mr. PERKINS. Why change a law which has proved to be so salutary in its effect?

Mr. MALLORY. It is not changing it; it is giving it effect.

Mr. PERKINS. I fail to see, Mr. President, if this law has been in force satisfactorily for seven months, why we should change it. It is true that sometimes our friends the lawyers go to the beginning of our respective Senates and secure an amendment of a law so as to bring a case to their mills, as my friend the Senator from South Carolina [Mr. TILLMAN] would say, and that they may go into the courts again to have it legally construed. But this law has worked advantageously to the people of this country, and it seems to me that we ought to let well enough alone. For that reason I am opposed to the amendment proposed by the Senator from Massachusetts.

Mr. PROCTOR. Mr. President, the Senator from California has hit the point of this matter. We have had a very engrossing afternoon but it is important that we can not meddle with this provision very much without harm. It has been in force the last seven months. Returns have been made. Both Secretaries understand it. [The Secretary of the Treasury writes a very strong letter in regard to it. He says:

I know of no way better than the new provided.

I move, in line 19, page 33, that the words "or goods of any description which" be stricken out, and that after the word "countries," in the next line, line 20, the word "which" be inserted.

Mr. ALDRICH. Before that is done, I will say it is surplusage either way. The word "articles" used in a law of this kind is broader than the word "articles" and covers everything. It does not matter which way it is.

Mr. PROCTOR. No; but some objection has been made to it.

Mr. ALDRICH. The objection, as I understood it, was fundamental, that it includes not only articles of food, and that it ought to be limited to articles of food or to articles that are comprised within the law and not [illegible].

Mr. PROCTOR. I ask that the amendment be agreed to. Certainly no one is opposed to it.

Mr. LODGE. I desire to be heard on the amendment.

Mr. PROCTOR. I withdraw the amendment.

Mr. BEVERIDGE. Before the Senator from Massachusetts proceeds——

Mr. LODGE. I have been trying to get the floor for some time.

Mr. BEVERIDGE. Before the Senator from Massachusetts speaks—I think it would instruct the Senator's remarks—I should like to inquire what has become of the amendment of the Senator from Georgia [Mr. BACON], which was, after the word "which," in line 17——

Mr. ALDRICH. That was accepted.

Mr. BEVERIDGE. To insert "the Secretary of the Treasury shall find". Has it been accepted?

The PRESIDENT pro tempore. It is still pending.

Mr. PROCTOR. If the amendment which I have offered would make the measure satisfactory, as it seems to be, I would be very glad to have it closed up to-night. I would be very glad.

But, as I started to say, this measure has been interpreted. It has been discussed [illegible] there is no question that in another appropriation bill great care will be exercised in drafting it.

This was originally reported by the Committee on Commerce. Alterations and additions have been made to it, not in my view, but in the view of the chairman of the Committee on Appropriations, materially changing its meaning. Its purpose is very evident, that it is to prevent importations of substances which would make them injurious to health. If the measure was stricken out, it might be lost entirely, which would be a very great calamity, as all agree.

Mr. MALLORY. Will the Senator allow me to ask a question for my own information?

Mr. PROCTOR. Certainly.

Mr. MALLORY. I notice that, beginning in line 18, on page 33, it is provided that—

The Secretary of Agriculture, whenever he has reason to believe that articles or goods of any description—

That includes everything—

which are being imported from foreign countries by reason of adulteration are dangerous to the health of the people of the United States—

Which is one point; and then farther on—

or which are forbidden entry or to be sold or are restricted in sale in the countries in which they are made or from which they are exported.

What I should like to get some information on is as to the meaning of the last clause which I have read:

Or which are forbidden entry or to be sold or are restricted in sale in the countries in which they are made or from which they are exported.

Is that confined to adulterated articles of food and medicine and other things taken into the human system, or does it empower the Secretary of Agriculture to designate any articles which fall within that provision as being liable to be excluded? The language is very broad.

Mr. PROCTOR. I think the meaning of it is plain, and there can be no question about the interpretation of it. It is to forbid any country unloading upon us articles that they will not themselves receive or the sale of which they restrict. A country——

Mr. ALDRICH. If the Senator from Florida will permit me, I will make a suggestion. Tobacco is one of the products forbidden to be sold in half the civilized countries of the world; that is, tobacco of certain kinds, and all kinds in many countries. Could the Secretary of Agriculture, under that, prohibit the importation into this country of tobacco in any form or any particular kind or [illegible]?

Mr. PATTERSON. I understand that in certain countries the importation of tobacco is very greatly restricted, as among the Mohammedans.

Mr. ALDRICH. In all cases it is either restricted or——

Mr. MALLORY. If that is the case, it seems to me that the clause should be revised. Certainly it gives a tremendous power to the Secretary of Agriculture.

Mr. PROCTOR. It goes upon the supposition that the Secretary of Agriculture and the officers of the Government will give an interpretation which will not be strained. The purpose is evident. The language has stood for years. We have been working under it for months very beneficially, and I certainly think it would be better to adopt it as it is. It is not a matter of my construction. It is precisely as it came to the committee from the other body.

Mr. LODGE. Mr. President, of course all that has been said in behalf of excluding adulterated food products is rather beside the mark. We are all in favor of that. I should not be at all [illegible] that kind forfeited, as the law of 1890 provided. I should not be sorry to see a little more drastic retaliation against the countries which under pretense of sanitary regulations are undertaken to discriminate against our products. But that question is not involved here. We are all agreed about the policy. The thing that is involved here is a question of good organization, and proper administration of government.

Mr. President, the law, as it appeared in 1890, the production, I suppose, of the Senator from Iowa, was a perfectly proper clause. It provided that the Department to which it intrusted the care of our food products should pass upon adulterated articles of food and drink and notify the Secretary of the Treasury. But since then little by little the provision has grown.

From being confined to food products, it has passed now to the question of articles whose entry is forbidden or whose sale is prohibited or restricted in foreign countries. Why is the Secretary of Agriculture any better able to pass upon that than the Secretary of the Treasury? It has gone on from that to the question of [illegible].

Mr. HOAR. Will my colleague allow me to call his attention to the fact that it has not only gone on to that, but for any reason whatever that the Secretary of Agriculture thinks a good one for excluding it under this bill, in the thirteenth line, he can do so.

Mr. GALLINGER. Any reason.

Mr. LODGE. I am much obliged. I was coming to that. It has gone on from that to labels. The Senator from Rhode Island is well aware, and everybody is who is familiar with tariff legislation, that the question of the description of articles of import is one of the most important things that comes before the Treasury Department. It involves sometimes the classification of an article, a question which is arising constantly and employs the best [illegible] of the Treasury. Under it sometimes is involved a question of a million of dollars of duty.

Under this clause the question of labeling is put into the hands of the Secretary of Agriculture. The bill goes on to say "for any reason." It is all very well to say that we know the distinguished gentleman at the head of the Department of Agriculture is going to administer this law properly. That is not the question. We are not engaged in legislating for the individual who happens to be for the moment at the head of the Department of Agriculture, unquestionably the best Secretary of Agriculture we have ever had, and who has done more for agriculture than anyone else. We are not legislating for Mr. Wilson. We are legislating for all Secretaries of Agriculture, and we must remember in passing laws of this kind that nothing can be so unfortunate as to confuse the duties of Departments.

The duty of the Department of the Treasury is to collect the revenues of the Government, and if there is a particular phase involved in a foreign importation which comes particularly within

the purview of the Agricultural Department, then the Treasury Department is entitled to all the assistance and all the enlightenment that the Agricultural Department can give.

But that is a very different thing from giving the Secretary of Agriculture control over the Secretary of the Treasury. Under this bill as it now reads—and it is a miserably drawn clause—the duties of the Secretary of the Treasury are purely ministerial. The Secretary of Agriculture finds certain facts. The Secretary of the Treasury has no choice.

Mr. President, if the Secretary of Agriculture is going to collect the revenues of the Government, let him do it; and if the Secretary of the Treasury is to collect them, let him do it. But do not let us duplicate and confuse the Departments. I listened with very great interest to what the Senator from Indiana and the Senator from Colorado said about this matter of duplication. It is a subject to which I have given some attention in the past in connection with another matter. We have gone on duplicating surveys in this country, triplicating them, quadrupling them——

Mr. GALLINGER. And statistics.

Mr. LODGE. And statistics in the same way. On our surveys we have doubled and trebled and quadrupled them and put them in this Department and in that Department, and we have spent a hundred and fifty or two hundred million dollars on those surveys, building up one bureau here and another there, and we have not yet a decent map of the United States.

Mr. President, we are starting in to duplicate again. We have at this moment laboratories at every port in the country. I believe they are not very good. I believe they ought to be made better. But what is the proposition here under the cover of this increased appropriation? It is to establish another set of laboratories under the Secretary of Agriculture at every port in the country. Let us have good laboratories for the necessary examinations connected with the tariff, but let us have only one set. Let us have them under the Secretary of the Treasury or under the Secretary of Agriculture. Do not let us duplicate them. I refer to this because in the House hearings it appears that the House Members discussed that at length and refused to put it in.

Another thing that I find in the House hearings is this: They want to send three agents, at $3,000 a year apiece, to travel abroad and look into manufactures there and report to the Secretary of Agriculture. We have a consular service and we have Treasury agents, and they are there in Europe now. What are they for? What are we to duplicate them for, to treble them again? Why are we to have another force of men over there traveling about and reporting to the Government? We have a consular service whose business it is to make such reports. They send in monthly or weekly reports on just such subjects. If they do not do their work properly, get new consuls. If the Treasury agents who assist them do not do their work properly, get new Treasury agents. Why send out another set of agents to do over again the work that these men are doing?

This clause, as it started in 1900, was a very proper clause. As it is now——

Mr. PROCTOR. Will the Senator allow me a question?

Mr. LODGE. Certainly.

Mr. PROCTOR. Is the clause of 1900 satisfactory to the Senator?

Mr. LODGE. Perfectly; and I was going to propose to come back to it.

Mr. PROCTOR. Would the Senator be glad to substitute that for the present clause?

Mr. LODGE. If the Senator will allow me to offer my amendment, he will see that that is just what I am going to do, if I understood the reading of it correctly. I have not got it before me.

Mr. PROCTOR. I do not think there has been any material alteration in it. If the Senator will take the clause as it was originally put in the bill in 1900 by the Committee on Appropriations, I will accept it and move its substitution for this.

Mr. LODGE. I will tell the Senator what has been added, unless I was misguided by the reading of the Senator from Iowa.

Or which shall be found upon examination to be in violation of any law in the countries in which they are made, or from which they are exported, or where shall be found to be improperly labeled or marked with respect to the place of manufacture or the contents of the package.

I believe that has all crept in since 1900.

Mr. PROCTOR. I think it has. I can read——

Mr. LODGE. That is all right. Then I am not wrong. That has crept in since 1900. That is the vicious part of the bill. What was originally put in, as far as I understand it—and I merely am talking about what I heard read—was a reasonable provision, that articles of food and drink affecting the health of the people were to be examined by the Secretary of Agriculture, because he had the means to furnish better than anyone else to the Secretary of the Treasury the information necessary to keep those unhealthy products out of this country. From that we have got out into the whole range of imports.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Colorado?

Mr. LODGE. Certainly.

Mr. PATTERSON. Will not the law of 1900 still provide for these duplications of which the Senator has spoken?

Mr. PROCTOR. There is practically no duplication. The Treasury Department has no machinery to administer this law. The Secretary of the Treasury is satisfied. Perhaps the Senator from Colorado did not hear his letter read. He says he knows of no better method.

Mr. PATTERSON. I can well understand why the Secretary of the Treasury should say so. He would say so all the more gladly if he was furnished with the paraphernalia, if he has not got it, for the purpose of investigating imported articles. However, I did not desire to interrupt the Senator from Massachusetts.

Mr. LODGE. Mr. President——

Mr. PROCTOR. The Senator from Rhode Island says that that provision will be entirely satisfactory to him. It is headed "To investigate the adulteration of foods, drugs, and liquors when deemed by the Secretary of Agriculture advisable."

Mr. ALDRICH. It is not very long, and I suggest that the Senator from Vermont read it.

Mr. PROCTOR. I can read the whole of it.

Mr. LODGE. I will be through in a moment. That will be perfectly satisfactory to me, so far as I am informed about it. It strikes out all these things that have crept in, which are matters the Secretary of the Treasury could decide and find out about just as well as the Secretary of Agriculture. He has the machinery to do it.

As to the adulteration of food, I do not suppose he did have the machinery. So probably it is not a duplication so far as that goes and to that limited extent, but it is growing into a duplication.

Now, as I pointed out, in this increased appropriation we are to have a new set of laboratories and a new set of agents abroad. I do not think it is good administration. I do not think it is a wise system, and I hope we shall return to the law of 1900, if that is satisfactory to the Senator from Rhode Island, who has examined it more closely than I have.

Mr. DOLLIVER. Mr. President, it seems to me the criticism made against the language of this provision is at least unnecessary. One thing about it which has impressed me is that this is the only language we have ever had in one of these provisions that has been sufficiently understood by our own Government to be executed and sufficiently understood by fraudulent importers into the United States to be obeyed. In the last six months this law in the exact phraseology that we have it here has been under execution.

Mr. HOAR. May I ask the Senator from Iowa a question?

Mr. DOLLIVER. Certainly.

Mr. HOAR. That which impresses me more than any other part is where it says that if "the examination conducted by the Secretary of Agriculture discloses any reason for believing that the products in question should be excluded" they may be excluded.

It gives him absolute discretionary power over the entire imports of the United States. Now, is not that new in this proposed law?

Mr. DOLLIVER. I think it is included in the general provision.

Mr. HOAR. I should like to know whether or not that is new. The Senator and I could not differ about that. The Senator does not claim for a moment that we should enact a law giving the Secretary of Agriculture, whoever he may be hereafter, for, of course, we would all trust Mr. Wilson with almost anything, the power to exclude any import into the United States for any reason that he thinks proper. No one would.

Mr. DOLLIVER. I do not think that is the operation of the law.

Mr. HOAR. I understand that is new.

Mr. PROCTOR. I think if the Senator will read that language carefully he will see that it relates to the clause providing for the right of the owner or the consignee to appeal.

Mr. HOAR. Oh, no; for it goes on expressly in the very next clause to say that the Secretary of the Treasury shall refuse delivery to the company of any such goods. [After a pause.] Oh, I see that is limited to articles dangerous to health. The Senator is right about that, but on the other I think he is wrong.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. DOLLIVER. Certainly.

Mr. TILLMAN. I was going to say, for the benefit of the Senator from Massachusetts, that I have compared and collated the law of last year and the bill, and, beginning in line 9, page 34, with the word "before," down to "excluded," in line 14, it is all new.

Mr. HOAR. All of it.

Mr. TILLMAN. Every bit of it.

Mr. HOAR. That is what I thought.

Mr. TILLMAN. Interpolated in the present bill. It was not in the law.

Mr. HOAR. That is what I thought.

Mr. DOLLIVER. That language does not touch the criticisms which have been offered.

Mr. TILLMAN. If the Senator will look again he will see it does, because it says:

In all cases where the examination conducted by the Secretary of Agriculture discloses any reason for labeling——

Mr. DOLLIVER. I understand the criticisms made here are, first, that it gives too much power to the Secretary of Agriculture, to which I reply that it gives substantially the same power that he has exercised for years under the law.

In the next place, it is claimed that the language can not be understood. I hold that it is the only language we have ever had in these statutes that has been understood or has been effective in producing the result we sought.

The Senator from Massachusetts says it duplicates the machinery. In my humble opinion the only machinery we have competent to handle this business is the Chemical Bureau of the Department of Agriculture.

The Senator from Massachusetts says that we propose to increase that facility. The only increase we propose is that these examinations shall be made at the port of Boston and at the port of New York, at Philadelphia, and other ports of entry, instead of having the goods brought here to Washington to be analyzed. The object of that is to facilitate the investigation and prevent any disturbance of legitimate commerce and business.

This law, in the exact language in which it has been reported by the committee, however lame and imperfect the language may be, has been construed by both the Department of Agriculture and the Department of the Treasury, and both Departments are satisfied that they understand it and can execute it.

Now, it appears to me that this whole discussion is a year too late. If all these questions were involved about increasing the power of the Department of Agriculture, about duplicating the machinery of the Government for carrying on its business, they ought to have been raised when the law was first put upon the statute books of the United States. The fact is that this law is well understood both in Europe and in the great ports of entry of the United States, and that it is the only effective machinery we have had in the United States to accomplish that purpose.

Therefore, as this law is in the process of administration, is thoroughly understood and perfectly interpreted in both Departments, I sincerely hope that the Senate will allow it to stand exactly as the committee has reported it. Any concession, in my humble opinion, would operate to weaken the efficiency of the statute itself.

Mr. LODGE. Let me ask the Senator a question.

Mr. DOLLIVER. Certainly.

Mr. LODGE. I agree with him entirely about keeping out articles injurious to health. I approve of the law of 1900.

Mr. DOLLIVER. Everybody appears to agree about keeping them out and something is done that actually keeps them out.

Mr. LODGE. No, the amendment I propose does not touch the testing of food injurious to health, and if the Senator will allow me——

Mr. DOLLIVER. Certainly.

Mr. LODGE. What I wish to ask him about is, why it is necessary to put into the hands of the Secretary of Agriculture the determination of such a question as whether the goods are forbidden or restricted in sale in another country. That is the duty of the Secretary of the Treasury and of the consular service. The Secretary of Agriculture has no information on that point that he does not derive from some other service.

Mr. DOLLIVER. I regard that as a comparatively immaterial matter. That is one of the tests of fraud. If the goods are such that no country will receive them, and that the country in which they are made refuses to allow them to be sold, that is a very effective, and, it seems to me, a satisfactory test of the character of the goods. But whether that question of fact should be determined by the Secretary of Agriculture or the Secretary of the Treasury I regard as comparatively unimportant. It is a question of fact.

Mr. LODGE. My sole point is to leave with the Secretary of Agriculture the question of testing food products. Everything that is consumed—food and drink—we are to leave to him, because he can do it better than anybody else. But the question of labels, the question of classification, the question of restriction in other countries, are not questions which belong to the Agricultural Department. They belong, where they have always been, it seems to me, with the Secretary who is charged with the collection of the revenues and the enforcement of the tariff laws.

Mr. DOLLIVER. So far as the question whether goods are forbidden to be sold or imported into another country is concerned, of course that is a question that could be determined by the Secretary of the Treasury just as well as by the Secretary of Agriculture. But when you come to the question of false labeling that involves a chemical analysis of the goods to see whether the contents of the package corresponds to the label, I think that is purely a question for the chemical department of the Department of Agriculture.

The point I desire to make is that this law is now working well, and if we desire in the future to make some permanent legislation in respect to this subject it can be done in the future. But these two great Departments are now working harmoniously together and they are now doing a business which has never been done before in the United States, and they ought to be allowed to proceed under the terms of the statute, which they both understand, whether it is understood in the Senate or not.

Mr. PROCTOR. Mr. President, it seems that all parties who have been criticising this provision the most severely are satisfied with the provision of the act of 1900. That gives substantially everything that is required. There would have to be a little enlargement, but the objections which have been brought up could be obviated, and I think it could be fixed satisfactorily in conference. I am ready to move, and will move, that, beginning on page 33, with line 18, all be stricken out down to and including the word "package," in line 22, on page 34, and that the provision which I send to the desk be inserted in brackets be inserted instead.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from Georgia [Mr. BACON].

Mr. PROCTOR. I hope that will not be agreed to.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Georgia will be stated.

The SECRETARY. In line 17, page 34, after the words "or which," at the end of the line, insert the words "the Secretary of the Treasury shall find."

Mr. PROCTOR. The amendment I have proposed of course wipes all that language out.

Mr. ALDRICH. I am in favor of the amendment of the Senator from Georgia, but in view of the action suggested by the Senator from Vermont in charge of the bill, I am quite willing that the amendment of the Senator from Georgia shall be voted down, and then, so far as I can, I will accept the amendment offered by the Senator from Vermont in place of the motion made by me.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BACON].

The amendment was rejected.

The PRESIDENT pro tempore. The Senator from Vermont offers an amendment, which will be stated.

The SECRETARY. On page 33, beginning with line 18, strike out that line and all the following lines down to and including the word "package," in line 22, on page 34, and insert:

[illegible]

Mr. McCUMBER. Mr. President, I wish to call the attention of the Senator from Vermont to the fact that by this amendment he has taken out of the bill the gist, the character of the whole provision. He has limited the exclusion that may be made by the Secretary of Agriculture simply to those articles that are dangerous to health, and there we stop.

Ninety per cent of all those which are excluded—I may say 99 per cent—are not articles which are necessarily injurious to health, but they are misbranded articles, spurious articles. They may be healthful to a certain extent, but they are adulterated and misbranded articles that are sent upon our markets under an assumed name, as wines that are claimed to be manufactured at certain places in France, that never saw France. All of those articles are dumped upon us. Now, I should like to ask the Senator how we are to be protected against them.

If the Senator will look over the list of things which have been excluded through the efforts of the Secretary of Agriculture he will find very few that are dangerous to health. As has already been suggested by the Senator from South Carolina [Mr. TILLMAN], I do not know that cotton-seed oil is dangerous to health, and yet under this bill, as it would now stand, you can introduce

from France or Italy as pure olive oil any cotton-seed oil and ship it to this country and the Secretary of Agriculture is absolutely at their mercy.

It seems to me that if the amendment is to be made, we should include not only those articles which are dangerous to health, but all misbranded and adulterated articles of food and drink. When we have done that I think we will come within the limit which all Senators agree is proper.

Mr. BEVERIDGE. Falsely branded.

Mr. ALDRICH. All adulterations are covered by the language suggested by the Senator from Vermont.

Mr. McCOMAS. Bad labeling is not covered.

Mr. PROCTOR. I said in submitting the amendment that there would be something to be added. I agree fully with what the Senator from North Dakota says in regard to the necessity of extending it. It brings the whole matter into conference, where, I think, all these differences can be adjusted. The Senator knows very well that I am earnestly in favor of pure food and pure branding. I do not like to see a compound of cane sugar labeled "Pure Vermont maple sirup," as I do every year. I have no doubt the committee will be able to bring about such a framing of the provision as will obviate all difficulties.

Mr. McCUMBER. But, if the Senator will excuse me, I do not understand that those Senators who favor this amendment have any objection whatever to its being amended here so that it will exclude falsely branded articles of food. They have no objection of that character; at least, they certainly have not stated it so far.

Mr. LODGE. If it is solely confined to food and drink and does not spread over the whole tariff list, I have no objection.

Mr. BEVERIDGE. That is all.

Mr. McCUMBER. Then let us include it right now without going into conference. Let us make this amendment say that.

Mr. PROCTOR. I will insert in the very title "to investigate the adulteration and false branding of foods, drugs, and liquors."

Mr. BEVERIDGE. It would have to be in the body of the act. That would not reach it. All that has to be done is to insert the words "falsely labeled."

Mr. ALLISON. "Such adulteration or false labeling."

Mr. LODGE. I suggest that if we adopt this amendment now it will be open to amendment in the Senate, and it can be perfected then.

Mr. ALDRICH. I think if we put in the words "falsely labeled and branded" it will answer. There can not be any objection to that.

Mr. PATTERSON. "Falsely labeled or branded," because other things than cattle are not branded.

Mr. McCOMAS. "In regard to the place of manufacture or the contents of the package." Those words ought to be retained.

Mr. PROCTOR. Insert after "adulteration" the words "false labeling or false branding;" and then after the word "health," where it reads "any goods which the Secretary of Agriculture reports to him have been inspected and analyzed and found to be dangerous to health," insert "or falsely labeled or branded." That puts it into the body of the bill.

Mr. ALDRICH. That is right.

The PRESIDENT pro tempore. If there be no objection, that amendment to the amendment is agreed to.

Mr. ALDRICH. I ask that the amendment as amended be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Vermont, as amended.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. Are there further amendments as in Committee of the Whole? If not, the bill will be reported to the Senate.

Mr. McCOMAS. I presented an amendment which I think will perhaps remove the difficulty about the conflict between the two Departments, simply requiring a report to the Secretary of the Treasury.

Mr. PROCTOR. That is all wiped out now.

Mr. McCOMAS. I understood the amendment of the Senator from Vermont to strike out from line 18 and insert. Did it not?

Mr. LODGE. I think before the bill is finally disposed of we all ought to see the amendment of the Senator from Vermont in print. I hope we shall not undertake to dispose of the bill finally to-night, so that we can have the amendment printed, and in the morning look at the bill as amended. I ask that the bill be printed as amended.

Mr. McCOMAS. The Senator will pardon me. I had not finished my inquiry. I ask the Secretary to state where the amendment of the Senator from Vermont was inserted.

The PRESIDENT pro tempore. The Secretary will state the matter stricken out by the amendment of the Senator from Vermont.

The SECRETARY. On page 33, beginning on line 18, strike out that line and the lines following down to and including the word "package" in line 22, page 34, and insert.

Mr. LODGE. I ask to have the bill printed as amended.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that the bill as amended may be printed, and that its further consideration be delayed.

Mr. PATTERSON. I want to suggest an amendment, which I think will go without any controversy. Recurring to page 14, the item that we had so much debate about yesterday, lines 3 and 4, for experiments in animal breeding, after the word "breeding" I move to insert the words "and feeding;" so that it will read:

For experiments in animal breeding and feeding.

Those who are interested in it are quite satisfied with the amendment.

The PRESIDENT pro tempore. The Senator from Colorado proposes an amendment, which will be stated.

The SECRETARY. On page 14, line 3, amend the committee amendment as agreed to by adding, after the word "breeding," the words "and feeding."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Colorado.

The amendment was agreed to.

The PRESIDENT pro tempore. Is there any objection to the bill being reported to the Senate? If there be no further amendment as in Committee of the Whole, the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

Mr. LODGE. I move that the Senate adjourn.

Mr. ALLISON. Before that is done, I ask that the pending appropriation bill be laid aside informally, that I may call up a brief bill relating to the State of Iowa.

Mr. LODGE. I only wanted to leave the appropriation bill at that stage.

The PRESIDENT pro tempore. By unanimous consent the further consideration of the appropriation bill is postponed until to-morrow morning.

IOWA STATE CLAIM.

Mr. ALLISON. I ask unanimous consent for the consideration of the bill (H. R. 6845) for the relief of the State of Iowa.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to pay to the State of Iowa $20,545.70, to reimburse the said State for money and supplies furnished Iowa troops after being mustered into the United States service.

Mr. HOAR. May I ask the Senator what war it relates to?

Mr. ALLISON. It relates to the war with Spain. It is an adjustment of the accounts of our State.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RAILWAYS IN INDIAN TERRITORY.

Mr. BAILEY. I ask unanimous consent for the present consideration of the bill (S. 3204) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

OSAGE RIVER, MISSOURI.

Mr. COCKRELL. There is a little House bill on the Calendar, Order of Business 492, being the bill (H. R. 7620) defining the limit of navigation of the Osage River, in the State of Missouri, favorably reported from the Committee on Commerce, for which I ask present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which provides that the Osage River, in the State of Missouri, above the point where the south line of sections 15 and 16, in township 40 north, of range 22 west of the fifth principal meridian, in the county of Benton, Mo., crosses the river, is declared not to be a navigable stream, and shall be so treated by the Secretary of War and by all other authorities.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MISSOURI RIVER BRIDGE AT YANKTON, S. DAK.

Mr. ALLISON. Mr. President——

Mr. GAMBLE. I ask unanimous consent ——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Dakota?

Mr. ALLISON. I was about to move an adjournment. I will yield to the Senator from South Dakota, but I shall not yield further.

Mr. GAMBLE. I ask unanimous consent for the present consideration of the bill (S. [illegible]) authorizing the Yankton, Norfolk and Southern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Interstate and Foreign Commerce.

The amendment was, in section 1, on page 4, line 4, before the word "Railway," to strike out "Southeastern" and insert "Southern," so as to read:

"That a bridge for the Yankton, Norfolk and Southern Railway Company, a corporation [illegible] across the Missouri River at a point suitable to the interests of navigation, between the cities of Yankton, S. Dak., and [illegible], Nebr., shall be [illegible] and approved by the Secretary of War."

The amendment was agreed to.

The amendment was, on page 4, section 3, line 24, after the word "Act," to strike out

"No bridge shall be erected or constructed under the authority of this act until the plans and specifications thereof shall have been approved by the Secretary of War, and the location of said bridge shall be subject to and approved by the Secretary of War."

And to insert:

"Said bridge shall be built and located in the manner and subject to the conditions and limitations prescribed by the Secretary of War for the protection of navigation and commerce at Sioux City, Iowa, and Omaha, Nebr., and shall be subject to the provisions of the act of Congress approved June 21, 1902, entitled 'An act to regulate the construction of bridges over navigable waters,' and the amendments thereto, so far as the same may be applicable to said bridge, and the plans and specifications of said bridge shall be submitted to and approved by the Secretary of War before the same shall be commenced or built."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Yankton, Norfolk and Southern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak."

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and at 5 o'clock and 10 minutes p. m. the Senate adjourned until to-morrow, Thursday, February 25, 1904, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *February 24, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

REPRINT.

Mr. SHERMAN. Mr. Speaker, I ask unanimous consent for a reprint of the report on the Indian appropriation bill, which is exhausted. I think I make the request in representing in it too much valuable information.

The SPEAKER. The gentleman from New York asks unanimous consent for a reprint of the report on the Indian appropriation bill. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

OSAGE RESERVATION, OKLA.

Mr. CURTIS. Mr. Speaker ——

The SPEAKER. For what purpose does the gentleman rise?

Mr. CURTIS. I desire to ask unanimous consent for the consideration of a bill.

The SPEAKER. The gentleman from Kansas asks unanimous consent for the present consideration of the following bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 8893) to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the provisions of the act of Congress approved January [illegible], 1903, entitled "An act to provide for the sale of the surplus lands in the Osage Indian reservation in the Territory of Oklahoma," be, and the same are hereby, extended to and shall [illegible] the Territory of Oklahoma.

The amendment was read, as follows:

[illegible]

Mr. [illegible] of Indiana. Mr. Speaker, I would like to have the gentleman from Kansas explain the purpose of this bill.

Mr. CURTIS. In 1903 a law was passed [illegible] the Osage country. Now they are [illegible], and they want permission to buy timber for use in the construction of railroads which are being built by them.

Mr. [illegible] of Indiana. What is the attitude of the Indians [illegible] this proposition?

Mr. CURTIS. The Indians have no interest in it. It is a matter in the hands of the Secretary of the Interior, and they have no [illegible].

[illegible] measure, and it has been unanimously reported [illegible].

[illegible] and the amendment was agreed to.

The bill was ordered to be engrossed, read a third time, and passed.

On motion of Mr. CURTIS, a motion to reconsider the vote by which the bill was passed was laid on the table.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12070) the naval appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, for the consideration of the naval appropriation bill, with Mr. HEPBURN in the chair.

Mr. COOPER of Wisconsin. Mr. Chairman, yesterday I discussed somewhat in detail the first report of the board appointed to select a site for a naval training station on the Great Lakes. In commencing my remarks this morning I desire to preface what I have to say with an apology for the length of the statement that I am making. I did not think that I should occupy the attention of the committee for more than ten or possibly fifteen minutes when I asked permission to speak. But I was made to digress from what I had intended to say by interruptions and questions, with a consequent lengthening out of the discussion. This morning I shall endeavor to be as brief as is consistent with a presentation of the facts.

Mr. Chairman, I desire again to call attention to certain expressions in the board's first report. For example:

"[illegible] the board will cover in detail matters which are not [illegible]."

Yet these details promised to appear in the final report are the [illegible] which Congress commanded them to submit in their first report. In other words they were commanded to select a site, having selected a site, to report the necessary details so that Congress might have them and act with intelligence, if it should act at all.

These details are the very things which Congress is entitled to know [illegible] know before being called upon to vote away the public money.

I reiterate that the details thus promised constitute the exact information which the law commanded the board to submit before Congress should be asked to appropriate money to buy a site. Yet they asked for an appropriation of $250,000. Why did they make such a request in their first report? Because, as they say in that report, if an owner of a site knew that his property had been selected, he would be disposed unduly to enhance its cost to the Government. But this is answered by saying that if the Government should not wish to pay the price demanded, it could condemn the land and pay only its actual value.

If the Government should desire a particular site it could take it and not pay one dollar more than its real worth. Moreover, the competition was an open one. Self-interest would induce each owner to offer his best possible site at his best possible price. The law required a report in detail as to site and price, and then

Congress could decide for itself whether it wished to make the purchase.

Mr. Chairman, there are some things a little unusual about this final report. It is an official document relating to a subject of great public importance, and made by a specially appointed board, and yet it is not dated. Perhaps, after all, this selection of a site was made more than two or three months ago.

I was informed, as were other Members of the House, at the session of Congress one year ago by a Senator of the United States that the site had been selected and that it was located in the Congressional district in which I say, under the pending paragraph, it is to be located. I was then given that information by a Senator of the United States, as were several gentlemen of the House now here before me.

Mr. FOSS. May I ask the gentleman a question?

The CHAIRMAN. The gentleman from Illinois is not in order.

Mr. FOSS. Mr. Chairman, I ask if the gentleman from Wisconsin will yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. I do.

Mr. FOSS. I would like to ask the gentleman if the Senator was from Wisconsin?

Mr. COOPER of Wisconsin. That calls for information which the gentleman from Illinois has no right to ask me to make public. I will not say whether it was a Senator from Wisconsin or a Senator from Illinois or a Senator from any other particular State. It was a Senator of the United States.

Mr. Chairman, this final report is not only without date, but it is also without the signature of one member of the board. Following the signatures of the other two members is the following statement:

Civil Engineer H. H. Rousseau, a member of the board, concurs in this report, but he is now on duty at Mare Island yard, and therefore not present to sign the report.

Yet he was brought to Washington for the express purpose of acting on this board and uniting in a final report of its proceedings. It may be that the final report was submitted to him, but there is no statement to that effect, only the general assertion that he concurred in it. It could have been sent to him anywhere in the United States and returned with his signature in ten days.

The first report of this board was dated. The Secretary of the Navy, in calling the attention of Congress to it, says, "I have the honor to transmit a copy of the report of the board made November 29, 1902," and that report is signed by the three men appointed to make it, but the second report comes in about three months ago, and the Secretary of the Navy says, "I have the honor now to transmit a copy of the final report of the board," but he does not say when it was made. All this may not be of special importance, and yet, in connection with other facts and circumstances, it is interesting and suggestive.

As I said last evening, the board had a topographical survey of the Lake Bluff site made before they submitted their first report. A topographical survey depicts upon a plane surface the contour and physical features of a portion of the earth's surface.

Mr. FOSS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. Yes.

Mr. FOSS. I will ask the gentleman, Mr. Chairman, if they did not have a topographical survey of all the places along on the map?

Mr. COOPER of Wisconsin. When I inquired at the Coast and Geodetic Survey what topographical surveys they had made for the board the reply was, "None except the two at Lake Bluff."

Mr. DAYTON. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from West Virginia?

Mr. COOPER of Wisconsin. Yes.

Mr. DAYTON. Is it not true that the other sites were well-known cities and towns that had harbors that had been surveyed either by the Coast and Geodetic Survey or by the Hydrographic Office of the Navy, so that a survey of them was unnecessary, and that they had those with them at the time?

Mr. COOPER of Wisconsin. Mr. Chairman, these surveys were of the sites at Lake Bluff; they were not harbor surveys.

Mr. DAYTON. Mr. Chairman, let me explain to the gentleman just a moment. Lake Bluff is not a harbor point at all. Is not that true?

Mr. COOPER of Wisconsin. Well, it is about 4 to 4½ miles from the harbor at Waukegan.

Mr. DAYTON. So I understand. Therefore it would have to be surveyed, while the places on the other side have ports or harbors.

Mr. COOPER of Wisconsin. The gentleman, I think, is in error in his assumption. That lake has been sounded throughout its whole length along its shores, and the soundings are given in official Government charts. The depth of water at these various points is well known. It is known whether there is an opportunity to construct a harbor at any given point.

The board reports that there is no harbor at Lake Bluff, although they say that there can be a harbor dredged there for small boats. They also admit that it is 4 or 4½ miles from Waukegan Harbor, now the only harbor which is available.

Mr. DAYTON. I do not want to interrupt the gentleman for any captious purpose——

Mr. COOPER of Wisconsin. I yield to the gentleman.

Mr. DAYTON. If what the gentleman has just stated is correct, why was there any necessity for the survey of any of these places?

Mr. COOPER of Wisconsin. Mr. Chairman, there is another statement in this final report which calls for attention:

The board has not yet carried on negotiations with the owners of the above tracts to definitely state the price which it would have to pay, nor has it obtained any options.

During the long time which has elapsed, why have they not asked the owners of sites to say definitely what they would demand for their property? Can any man conceive of a valid reason why they have not? It is one of the identical duties devolved upon them by the law under which they were appointed. The law requires them to "ascertain as nearly as practicable the cost for which it (the site) can be purchased or acquired." It is the information which Congress needs.

Mr. HAMILTON. Will the gentleman permit an interruption?

Mr. COOPER of Wisconsin. Yes, sir.

Mr. HAMILTON. I desire to take the liberty of inquiring from him whether there is a harbor at Lake Bluff?

Mr. COOPER of Wisconsin. No, sir; nor do we know what it would cost to construct one there.

Mr. HAMILTON. I should like to inquire further whether the board, in their notices issued to the towns making applications for the location of this naval training school, required that the school should be located upon a harbor—a good natural or artificial harbor?

Mr. COOPER of Wisconsin. Not precisely in that way.

Mr. HAMILTON. Specifying the depth of water? Have they not made that a condition precedent?

Mr. COOPER of Wisconsin. In reply to the gentleman from Michigan I will say that I have here the first report of the board. In it are set forth certain requirements of the site to be selected. Among these is "convenience of harbor conditions near the point selected." Lake Bluff is 4 or 4½ miles from the harbor at Waukegan.

Mr. VANDIVER. Will the gentleman allow a question?

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. VANDIVER. I just want to find out whether the gentleman from Wisconsin is talking to the point of order or whether he is discussing the merits of the question.

Mr. COOPER of Wisconsin. I had permission yesterday to speak as I am now speaking. Unanimous consent was given. The point of order is reserved.

Mr. VANDIVER. Is the gentleman ready to inform us at this time whether or not he intends to insist on the point of order?

Mr. COOPER of Wisconsin. I shall insist on the point of order.

Mr. VANDIVER. Then why discuss the merits of the question until the point of order be determined?

Mr. COOPER of Wisconsin. The first statement which I made yesterday, I will say to the gentleman from Missouri, was to this effect: That while the pending paragraph apparently left an option in the Government to select one of five enumerated sites in the zone below parallel of latitude 43° 30', on Lake Michigan, it does not really leave that option, but that if it became a law means the selection of the Lake Bluff site. When I made that assertion I was disputed very earnestly by the distinguished gentleman [Mr. FOSS] who is the chairman of the Committee on Naval Affairs, and therefore I am demonstrating that the statement which I made is absolutely true.

Mr. VANDIVER. But why not dispose of the point of order first, and then, if the question is still up for consideration, discuss the merits of the matter itself?

Mr. COOPER of Wisconsin. Why not permit me, as I have the right, and as I think is my duty under the circumstances, to speak as I am speaking, particularly in view of the fact that I have the unanimous consent of the committee to do so? The gentleman from Missouri may be sure that there is no politics in this.

Mr. Chairman, I now invite attention to another statement in the final report which, in connection with the other evidence, is decisive of the dispute between the gentleman from Illinois [Mr. FOSS] and myself as to what this paragraph means. Before reading it, as some gentlemen are now present who did not hear the discussion yesterday, it will be well at this point to say that according to the first report of the board, dated November 29, 1902, the high price at which land was held at some of the

sites on Lake Michigan was set forth as their reason for reporting not a particular site, but a zone on Lake Michigan south of 43° containing a number of sites, from which the Government was to authorize a selection to be made.

Then the price of land was too high. Apparently it was still too high when the final report was submitted. For in his letter transmitting the final report the Secretary says that the board has selected Lake Bluff, 32 miles north of Chicago; but he says:

In view of the large price at which land at that point is held by the owners, the board suggests four other sites as certainly suitable, which in their order—

And so forth. The price was still too high. What was the price for these various sites? Milwaukee, $700; Racine, $250; Michigan City, $125; Muskegon, $100; Lake Bluff, $900.

Mr. WM. ALDEN SMITH. That is the price of the land?

Mr. COOPER of Wisconsin. That is the price of the land per acre. Nine hundred dollars was the highest price, and that was at Lake Bluff.

Nearness to a large city—

Says the board, on page 3 of the final report—

increases the cost of any property, and there is undoubtedly a limit beyond which the increased cost will not be accompanied by any substantial benefits. As to the amount of land that is required for the station, while 100 acres has been fixed upon as a minimum—

Mark this—

it would be desirable to acquire at least 200 acres in order to adequately provide for all needs. The price of the property offered varies from a nominal sum to several thousand dollars per acre.

But not for any one of these sites. It only varies from $100 to $900 for the five enumerated sites within this particular zone.

The board thinks that the Government ought to acquire not less than 200 acres.

From inspection of these different places on lower Lake Michigan—

The board believes that it is possible to fix at the outset a price per acre which would not be desirable or necessary to exceed—

They say that it is easy to fix a price above which they need not go. What is the limit?

The board believes that it is possible to fix at the outset a price per acre which it would not be desirable or necessary to exceed in order to meet all essential needs, and that this price shall be approximately $1,000.

One thousand dollars per acre! That is $100 per acre more than the reported price of the Lake Bluff site, the highest price asked for any of the six enumerated sites.

A hundred dollars more than the price at Lake Bluff! Reflect on that proposition. They do not think that it would be advisable or necessary to exceed $1,000 an acre!

Of course the man who owns the Lake Bluff site knows that he has heretofore asked but $900. He knows that this board has unanimously reported that they do not think $1,000 an acre would be too high for them to go. And the Secretary of the Navy wants the board to select the site. If the board thinks that $1,000 an acre is not too much for a good site, and if they think that the Lake Bluff site is the best site and would cost only $900 an acre, what site do you suppose they would buy?

Is it not a demonstration that this board is to buy the Lake Bluff site for $900 per acre? If anybody can make an answer to that proposition he has an opportunity right now.

Mr. VREELAND. May I ask the gentleman a question?

Mr. COOPER of Wisconsin. Certainly.

Mr. VREELAND. I would inquire if the gentleman yet knows whether the Chair is ready to rule? [Laughter.]

Mr. COOPER of Wisconsin. That is facetious, but it is not practical. [Laughter.] The gentleman is on the Naval Affairs Committee, is he not?

Mr. VREELAND. Yes.

Mr. COOPER of Wisconsin. And the gentleman helped to report this paragraph. I do not wonder at his embarrassment.

Mr. VREELAND. I am with you; be careful. [Great laughter.]

Mr. COOPER of Wisconsin. All right. I retract that. The gentleman is not embarrassed at all. [Renewed laughter.] He is one of the most sensible men in the House. I have made a convert, and that is worth all this trouble.

Mr. WM. ALDEN SMITH. We have his first promise.

Mr. COOPER of Wisconsin. The board, after seventeen months of calm reflection, decide that it is possible—possible—"to fix at the outset" a limit of $1,000 an acre, beyond which it would not be well to go!

It is possible to fix a price per acre which it would not be desirable or necessary to exceed in order to meet all essential needs and that this price would be approximately $1,000.

Well, $900, the Lake Bluff price, is "approximately $1,000."

Mr. FOSS. Will the gentleman yield to me?

Mr. COOPER of Wisconsin. Yes.

Mr. FOSS. I want to ask the gentleman from Wisconsin——

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. COOPER of Wisconsin. I had unlimited time, Mr. Chairman.

The CHAIRMAN. Unlimited time? Under the rule the Committee of the Whole can not suspend the rule of the House, the one that limits the time to an hour. The gentleman has had an hour.

Mr. COOPER of Wisconsin. I ask unanimous consent to present an amendment proposing the appointment of a new board, to be appointed by the President. I ask for fifteen minutes more.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that his time may be extended for fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COOPER of Wisconsin. I am obliged to the committee for its courtesy, and I shall ask that the gentleman from Illinois [Mr. FOSS] have unlimited opportunity to present his reply. He disputed my statement yesterday with a good deal of ardor when I said that this paragraph in the pending bill meant only the selection of the Lake Bluff site.

Mr. FOSS. I would like to ask the gentleman—I beg pardon, Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. COOPER of Wisconsin. If I can have as much time added to the fifteen minutes as the gentleman consumes.

The CHAIRMAN. The gentleman declines to yield.

Mr. COOPER of Wisconsin. No; I do not. I will yield.

Mr. FOSS. If the gentleman from Wisconsin thinks the Secretary would pay $1,000 an acre for land at Lake Bluff, why in the name of common sense did he put in his letter addressed to the Speaker of the House of Representatives these words?

In view of the large price at which land at that point [referring to Lake Bluff] is held by the owners, the board suggests four other sites as certainly suitable, which, in the order of their desirability, are as follows: Racine, Muskegon, Milwaukee, and Michigan City.

[Applause.]

Mr. COOPER of Wisconsin. I have said that they recommended other sites. If I had intended to select the Lake Bluff site and pay $900 an acre, I would have pursued exactly this course; I would have mentioned other sites. But this paragraph asks us to appropriate $250,000 to buy 200 acres of land. The board say that they want 200 acres and that "approximately" $1,000 an acre is not too much to pay. Well, as I said, $900 approximates $1,000.

Mr. FOSS. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield?

Mr. COOPER of Wisconsin. Yes.

Mr. FOSS. The board will say it is not too much to pay, but the Secretary of the Navy says that it is too much to pay, if I read this report aright.

Mr. COOPER of Wisconsin. Oh, that is the point the gentleman makes—I did not before understand it—that because the Secretary of the Navy says that the price is "large" it would not be paid. The Secretary does not say that the price is "too high," only that it is "large." Mr. Chairman, after this final report appeared the delegation in Congress from Wisconsin met at the Hotel Dewey and discussed this entire subject.

In view of the fact that the gentleman from Illinois, the chairman of the House Committee on Naval Affairs, had suggested to me that the Secretary of the Navy be permitted to make the selection of a site, the delegation thought that I had better call on the Secretary of the Navy and ascertain whether he personally would visit the Wind Point site—something that one of this board had never done, and the other two never except in the dark after lamps were lighted—and if he would go there we would match Racine against Lake Bluff; and we will gladly match it to-day against Lake Bluff in a fair competition.

I saw the Secretary of the Navy at his office. He is an honorable man, for whom I entertain a high regard. I said to him: "Mr. Secretary, the Wisconsin delegation in Congress have had a meeting, at which it was suggested that possibly this controversy about a site for a naval training station on the Great Lakes might be left to you for decision. The delegation thought that possibly you would consent to inspect the Wind Point site and the other four sites mentioned in the last report of the board. You could not see the Wind Point site nor the other sites satisfactorily in winter, especially during this, the hardest winter known in that country for thirty years; but we thought that possibly you might go next summer and look at the Wind Point site at Racine and the other sites before a final decision is reached." He replied: "I do not want such a responsibility put upon me. I am too busy to go out there. I am not as well informed as is the board, and you could hardly expect me to overrule the board which I myself appointed."

Mr. Chairman, nobody knows that better than the gentleman from Illinois, who has just propounded that question to me. He knows that the Secretary of the Navy could not consistently overrule the findings of his own board. Could he? Everybody understands just what there is in the question of the gentleman from

Illinois. It is this board which is to make the selection. Here is what the Secretary of the Navy said when he sent their first report to this House:

Pending that submission—

That is, the submission of the final report—

I have the honor to recommend that Congress authorize the establishment of the naval training station upon Lake Michigan, within the region approved by the board, and that an appropriation of $250,000 for the purchase of land be made, and that the determination of the exact site be left to the discretion of the existing board.

The Secretary of the Navy officially recommended that the selection of the site be left to the existing board, and personally to me said that the responsibility ought not to be devolved upon him. Therefore it is perfectly plain that this paragraph means that the board is simply to name a site for the Secretary to purchase. They have already selected it. Their choice is Lake Bluff. Congress knows that it is held at $900 per acre. Congress knows also that the board is perfectly willing to pay at that rate, because it has expressly reported that its limit is $1,000 an acre. Lake Bluff would be selected, although Congress knows that, according to the testimony of the senior member of the board, Wind Point site is of equal merit and is held at a far less price.

Mr. WM. ALDEN SMITH rose.

Mr. COOPER of Wisconsin. Just a moment, Mr. Chairman. I am opposed to this paragraph because, while it pretends to leave an opportunity for a fair contest between sites and also an option to the Government, it practically does nothing of that kind. I am not opposed to the paragraph because the Lake Bluff site is in the district represented by the gentleman from Illinois. I am opposed to it because the splendid site at Wind Point has had nothing like a fair chance. I am opposed to it because this board, which was commanded to submit detailed information to the House, comes here after a [illegible] months without having asked owners to set definite selling prices on their respective sites.

I am opposed to it because we have not the detailed information to which we are entitled before voting away the public money. I am opposed to it because I do not want oftener than is absolutely necessary to vote into the hands of an executive officer a lump sum of public money, to be expended in his discretion. That sort of policy is largely responsible for the present scandals in the Post-Office Department.

Great sums of money, hundreds of thousands of dollars, turned over to men to buy property at any price that they may see fit to pay. Is Congress unnecessarily to sanction that system by enacting this paragraph into law?

Mr. Chairman, the amendment which I shall offer will provide for an entirely new board, to be appointed by the President, none of whose members shall reside in any State bordering upon the Great Lakes. I shall offer it at the earliest opportunity.

Mr. FOSS. Mr. Chairman——

The CHAIRMAN. Does the gentleman wish to address the Chair on the point of order?

Mr. FOSS. I desire to be heard in answer to the gentleman from Wisconsin.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I ask unanimous consent that the gentleman be accorded an opportunity to answer the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. I ask, Mr. Chairman, that the gentleman from Illinois have unlimited time.

Mr. PAYNE. Mr. Chairman, I will ask the gentleman from Illinois if he desires more than an hour?

Mr. FOSS. I think not; perhaps half of it.

Mr. PAYNE. Then I suggest that the time be limited.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he be permitted to address the committee for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. Mr. Chairman, before answering the gentleman from Wisconsin specifically upon certain points, I desire to make a brief statement of what has been done with reference to a training station on the Great Lakes.

The father of the idea was Commander Hawley. During the Spanish-American war he was in charge of the recruiting from the Middle West. He came before the committee and recommended that a naval station be established on the Great Lakes.

Now, it is barely possible that some one may not know what a naval training station is. We have two in this country, one at Yerba Buena Island, San Francisco Bay, and the other at Newport. There we train the boys that go into the Navy to become landsmen and seamen and to become officers afterwards.

To-day it is the pride of the American Navy that a boy can go from the lowest grade up to that of Admiral. He does not have to go to the Naval Academy at Annapolis, but it is possible for him to go to the training school and acquire knowledge and information so that he may go up through the ranks until he becomes a commissioned officer in the United States Navy.

Now, the Navy Department recommended the establishment of a naval training station on the Great Lakes, and Commander Hawley sent us a provision providing for a board of naval officers to examine the sites along the Great Lakes and report to Congress, which was incorporated in last year's bill and became law.

That board was appointed, and who was upon that board? Admiral Taylor, the ranking chief of the bureaus in the Navy Department, Commander Winslow, and Mr. Rosseau, one of the brightest men in the civil engineer corps—a splendid board. That board investigated the Lakes, and you will find here, in a very able and exhaustive report, a complete statement of what they did. I trust every gentleman on the floor of this House will send for this document and read it. There has never come from any department of the Government a more thorough and exhaustive statement of a proposition than is submitted by this board.

Now, what did this board say? They said they went over the Great Lakes, and they have put in here their itinerary, every day when they traveled and where they were, all over the Great Lakes, along the shores. What did they recommend? They said, first, we must fix the lake on which to place the naval training station.

The Secretary of the Navy in his instructions told them to leave out Lake Ontario, so they considered Lake Erie, Lake Huron, Lake Superior, and Lake Michigan. They decided upon Lake Michigan, and why? Why, for several reasons that will appeal to any man of sense and intelligence upon this floor. They said, in the first place, that Lake Michigan was the best lake because it was nearer to the center of population, in the great heart of the Middle West, out of which were coming to-day the recruits to man the ships in the Navy. Does not that reason commend itself to intelligent gentlemen? They said in their report that on Lake Erie, at Erie, in 1903 there were recruited only 56 men, whereas at Chicago there were recruited more than 2,800 men.

Mr. SOUTHARD. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Ohio?

Mr. FOSS. Mr. Chairman, I do not care to yield.

The CHAIRMAN. The gentleman declines to yield.

Mr. FOSS. Let us take the map of that country and look and see whether it is not better to place the naval training station on Lake Michigan than on any other lake. This naval training station, as I said, is to draw from the recruits of the great Middle West. What States are in the Middle West? Ohio is the most eastern State. Why, we are getting recruits from all over. Even Colorado sent us 280 last year. They come from Wyoming, they come from Missouri, they come from Nebraska and from Kansas, and this board said, "Let us put this station—where?—as near to the heart of that great section of our country as it is possible to get it." Now, here is the map, and you will see for yourselves what the situation is. Here are the Great Lakes—Erie, Huron, Superior, and Michigan—and, as I said, by instructions of the Secretary of the Navy Lake Ontario was not considered. What is the territory which we are trying to map for the American Navy? Ohio, Kentucky, Indiana, Illinois, Wisconsin, Michigan, Minnesota, Iowa, Missouri, Tennessee, Kansas, Nebraska, South Dakota, North Dakota, and away out here to this line of the Rockies, and beyond that the boys go to the Pacific coast.

Now, that was the first reason why this board decided that Lake Michigan should be the place to locate this naval training station. What was the next reason why this board decided upon Lake Michigan? Look at the strategic situation of Lake Michigan. There is no place on Lake Erie or Lake Huron or Lake Superior for a naval training station along the American shore which is not right in sight or opposite to the so-called the possible enemy. But here is Lake Michigan, ordained, it seems to me, by the Almighty, reaching away down into the heart of the United States, surrounded on the one side by Michigan and on the other by Wisconsin, and there, down at the foot of it, was the best place in the judgment of the naval board for a naval station, because that would make the naval base 400 miles away from the mouth of the lake, opposite the shore of the possible enemy.

Now, there was another reason why this board of naval officers recommended Lake Michigan, and that was this—it is a reason that will appeal to every man of sense and judgment. They found, for instance, that Lake Erie was closed to navigation—for instance, at Cleveland—ninety days of every year on an average, not in one year, but on an average of twenty-five years. They found, also, that the closed season of navigation on Lake Huron was even greater, and still greater on Lake Superior, but at the south end of Lake Michigan was to be found the only body of water which was open to navigation the year round. So, gentlemen, this board reported that the site of the naval training station should be on lower Lake Michigan, and the Secretary of the Navy recommended to Congress an appropriation of $250,000 last year in order to buy a site. He said in that report that it was recommended that no site be fixed, and why? Because the moment you fix the site up goes the price of land. Therefore he said, "Give us the $250,000 for the purchase of land and toward the

development of the station, and we can buy the site for less money than we can buy it if you fix the site."

But Congress did not act. I introduced a resolution in the House for a rule on this subject, but it failed to be reported by the Committee on Rules, and when the proposition came up on the floor a point of order was made against it.

Now, the board went on and made its final report, and that report was sent to Congress this year. It states:

The preliminary report—

Referring to the report of last year—

recommended that the naval training station on the Great Lakes should be fixed on the shores of Lake Michigan, below latitude 43° 30'. I have the honor—

Says the Secretary of the Navy—

now to transmit a copy of the final report of the board in which Lake Bluff, which is [illegible] north of Chicago, is recommended as the most suitable place for a naval station. It was stated that [illegible] which land at least could be held by the owners, the board stated [illegible] which, in the order of their desirability, are as follows: Racine, Muskegon, Milwaukee, and Michigan City.

There seems to be a mistaken idea here as to what a naval training station is. The gentleman from Wisconsin has said it will cost a million dollars to build a harbor at Lake Bluff; but the board says that a harbor is not the first thing to be considered. The board says in its report:

[illegible] important and desirable the matter of harbor facilities is, it is [illegible] which is of the first importance [illegible]

We are relying our men to-day largely upon the land, and it is so stated in the report. A few years ago it was my fortune to visit a great naval training station at Portsmouth, England, and there I saw men being trained on the land. I saw a great [illegible] with the floor laid up as though it were the deck of a [illegible] ship, and on it were guns, and the men were being trained [illegible]. It is not necessary to have a great harbor, and in this report [illegible] Why, you know that under our treaty with England we can not have war vessels on the Lakes. But the purpose of this naval training station is to give the men a military training, and it is so stated in this report:

It should be remembered in this connection that the greater part of the [illegible] young men who are [illegible] and on the [illegible] that [illegible] Great Lakes [illegible] view to preparing them for service [illegible] and the young men will not be [illegible] than about six months.

Mr. COOPER of Wisconsin. Will the gentleman allow me just one question—the only one I will ask him?

Mr. FOSS. Yes, sir.

Mr. COOPER of Wisconsin. Did I understand the gentleman to say that the treaty which now exists between this country and England prevents the putting of vessels on the Lakes for the training of our seamen?

Mr. FOSS. I will state in that connection that we made an appropriation of $200,000 for a gunboat on the Great Lakes three or four years ago, and that boat has not been built, by reason of the understanding between the two countries.

Mr. COOPER of Wisconsin. The gentleman a moment ago used the expression, "a treaty with England would prevent." What would it prevent?

Mr. FOSS. War vessels being placed there.

Mr. COOPER of Wisconsin. Now, will the gentleman permit me to read four or five lines of the testimony before his own committee?

Mr. FOSS. Yes, sir.

Mr. COOPER of Wisconsin (reading)—

Mr. BARRY. Would it be practicable, Admiral, if you had the [illegible] on Lake Michigan, [illegible] Great Lakes [illegible] for the purpose of training men on board?

Admiral TAYLOR. That would doubtless be done if we once got the place and got a little wharfage at which to tie them up to.

Mr. DAYTON. Such an act would not be contrary to the terms of our treaty with England?

Admiral TAYLOR. As I understand it, it would not.

Mr. FOSS. I would say to the gentleman that I doubt very much whether we could put battle ships or large war ships upon Lake Michigan.

Mr. COOPER of Wisconsin. We do not want battle ships or large war ships. The necessity for the harbor is the point there.

Mr. FOSS. The board says that the training of these men is largely on land. It is military training. If the gentleman would go down to Newport and see boys trained there, or if he would go to Yerba Buena Island in San Francisco and see the boys trained there, he would see that they are given military training largely. They are taught obedience and discipline. Why, they come there fresh and raw recruits, not knowing much about how to take care of themselves, and there they are trained into men, taught to obey, and all of this training is done on the shore, and about all the exercises which they have on the water is in small boats. Now, Mr. Chairman, I desire to go on.

Mr. ALEXANDER. Mr. Chairman, will the gentleman from Illinois yield for a question?

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. FOSS. Yes.

Mr. ALEXANDER. I desire to ask if there is any natural harbor at Lake Bluff, or any harbor at all?

Mr. FOSS. There is Pettibones Creek, which comes down and enters into Lake Michigan.

Mr. ALEXANDER. Is there any harbor there now sufficient to harbor a vessel of twelve hundred tons?

Mr. FOSS. No; unless you go to Waukegan, about three or four miles away.

Mr. ALEXANDER. Will the gentleman allow me to read the thirteenth provision or condition?

There should be a good natural or artificial harbor, convenient for both large and small vessels, having not less than 18 feet of water, and ease of egress and ingress.

Does Lake Bluff meet that condition?

Mr. CRUMPACKER. Read the next point.

Mr. ALEXANDER (reading)—

14. The harbor and channel should be self-maintained, and should not require [illegible]

That was the point that Admiral Taylor and his board dwelt on when they visited the eastern end of Lake Erie, and we had to point them out a harbor that gave them 30 feet of water and anchorage in all sorts of weather, when the wind blew from the northwest.

Mr. HAMILTON. Those were the conditions imposed upon every other harbor.

Mr. FOSS. I will state to the gentleman that at Lake Bluff, Waukegan Harbor is [illegible] north and the harbor of Racine is 3 [illegible] there.

The great point in this report, gentlemen, is this: The board are looking for men. Men are the essential thing. What we need is men—men to enlist in the Navy, men to recruit, men to become trained seamen; and the board say they think the first consideration should be to locate this place where they will get the most men.

Mr. GROSVENOR. Mr. Chairman——

Mr. FOSS. I decline to yield.

The CHAIRMAN. The gentleman from Illinois declines to yield.

Mr. FOSS. I would state, Mr. Chairman, that we are getting a great many men from the city right around in the vicinity of southern Lake Michigan [illegible] for instance, my city—the city of Chicago. Last year Chicago furnished 6[illegible] men. Racine, Wis., gave us 7 men. Chicago gave us more than twice as many men as Michigan. Chicago gave us more men than the whole State of Ohio. Chicago gave us considerably more men than the State of Indiana, four or five times as many men as the State of Iowa, five times as many as the State of Kansas.

Mr. SOUTHARD. The gentleman is speaking by unanimous consent, and I hope he will permit me to ask him a question.

Mr. FOSS. Yes.

Mr. SOUTHARD. Does not the number of recruits at any particular point depend in large measure upon the maintenance of a recruiting station? And is there any permanent recruiting station in Chicago, or in any other [illegible] Illinois and New York?

Mr. FOSS. The policy of the Bureau has been to send recruiting parties around to the different cities.

Mr. SOUTHARD. I am not asking for the policy of the Bureau; I am asking for an answer to the question.

Mr. FOSS. The only permanent recruiting stations have been at Chicago, Buffalo, and Detroit, and in St. Louis [illegible] recruiting parties were this last year sent out to the large cities.

Mr. SOUTHARD. Very well; then another question: Does not the number of recruits from Chicago depend entirely upon your recruiting station and the amount of advertising done there for recruits; and is not this true that in Ohio—in the region, we will say, tributary to Lake Erie—more recruits were obtained last year than were obtained from the Chicago locality, notwithstanding your permanent recruiting station; and is it not true that the [illegible] recruits in 1903 over 1902 was largely in favor of the Lake Erie locality?

Mr. MANN. There were more men appointed to Federal office from Ohio; that is sure.

Mr. FOSS. Now, Mr. Chairman, the provision of this bill provides for the purchase of land and the development of a training station, $250,000. I want to say here, for the benefit of this committee, that this provision was not changed in any way by the Naval Committee. It was sent in the regular estimates by the

Secretary of the Navy, placed in the bill just where he wanted it, and there it stands. There it stands, backed up by his recommendation.

Now, Mr. Chairman, another thing: This proposition has come here two sessions of Congress practically, and it comes with the unanimous approval of the Committee on Naval Affairs. Then there is another thing which I desire to call to your attention, and that is that in this recommendation Racine, Muskegon, and Michigan City are in no ways excluded. They come within the scope. They are competitors for this training station, the same as Lake Bluff. The Secretary says in his letter that by reason of the high price of land the board has recommended suitable sites at Muskegon, at Racine, and also at Michigan City and Milwaukee.

Mr. PAYNE. May I ask you a question right there?

The CHAIRMAN. Does the gentleman yield to the gentleman from New York?

Mr. FOSS. Yes.

Mr. PAYNE. Are you willing to put a proviso in this provision that not more than $250 per acre shall be paid for land and leave it stand?

Mr. FOSS. Am I willing to have put in that we shall not pay more than $250 an acre? Yes.

Mr. PAYNE. Or even $300.

Mr. FOSS. Yes. [Applause.] If they will agree to that proposition, I stand for it. Now, I am not urging, gentlemen. I have not in any shape, manner, or form, either by word or letter or by look, in any way expressed my wish to this honorable board. They have seen fit to say that the best site is in my district. Because I happen to be chairman of the Committee on Naval Affairs is no reason why I should be excluded or that the district which I have the honor to represent should be excluded from competition. I might perchance have brought a measure in here and submitted it to you providing for a naval training station at Lake Bluff; and if I had done it, I would only have been following the course of a very illustrious statesman in this country. But, sir, I say let Lake Bluff stand on its merits. If that is not the best site, I do not want it, because my interest in the American Navy is infinitely more than any local or any personal interests which I may have.

Now I want to reply to my honorable friend from Wisconsin. He made a statement here last evening, and before replying to him I wish to ask my friend from Indiana [Mr. CRUMPACKER], in whose district is located Michigan City, whether the naval board investigated that place to his satisfaction? Did they make a thorough investigation, in the judgment of the gentleman?

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, I ask unanimous consent for half an hour more.

Mr. GROSVENOR. I object. The gentleman refused to allow me to ask him a question.

The CHAIRMAN. The gentleman asks half an hour more time. Is there objection?

Mr. MANN. There will be a lot more objections.

Mr. GROSVENOR. Plenty of them.

The CHAIRMAN. The Chair hears none.

Mr. FOSS. I do not care to——

The CHAIRMAN. The gentleman is recognized for half an hour.

Mr. FOSS. I ask the gentleman from Michigan City to state whether or not the board made an investigation of that place.

Mr. CRUMPACKER. Mr. Chairman, the board authorized to make this investigation visited the city of Michigan City, Ind., and made a thorough and careful investigation of conditions there. I was with the board during the entire investigation, and it impressed me as a board thoroughly familiar with its business, intelligent, patriotic, and inclined to do the fair thing. I met with the board, and was with the board all the way along until it did not locate the naval station at Michigan City. [Laughter.]

Mr. FOSS. Now, I would like to ask the gentleman from Michigan——

Mr. GROSVENOR. The Chairman asked the committee if there was objection to the extension of the gentleman's time, and I loudly objected.

The CHAIRMAN. The Chair understood the gentleman to object before the question was submitted to the House, and then waited. There was no objection made, and the Chair supposed the gentleman had waived the objection.

Mr. GROSVENOR. I had not only objected, but had been threatened with punishment by another gentleman on the Lake Bluff side of this question because I had objected.

The CHAIRMAN. The Chair did not so understand.

Mr. GROSVENOR. Everybody understood. I only wanted to ask the gentleman a single brief question, and in the most insulting manner he refused.

Mr. FOSS. Oh, I did not intend to insult the gentleman.

Mr. GROSVENOR. And immediately afterwards he yielded to two or three gentlemen, and I only wanted to ask one question.

Mr. FOSS. I could not help yielding very well; they were right on me.

The CHAIRMAN. Does the gentleman yield?

Mr. FOSS. I yield for a question.

Mr. GROSVENOR. This is what I want to ask the gentleman: The gentleman stated that population—a place to get men from—is the important question; that water is not important except for rowboat purposes. Now, I want to ask him why limit, therefore, the location of this training station to a point on any lake? Why not put it down in the great centers of population where there are rivers for rowboat purposes, if it be true that it is not water that is really the indispensable consideration?

Mr. FOSS. Oh, I am not saying we do not need water. Now, the gentleman misunderstood me entirely. I am saying it is not so important that you should have a great harbor, because the training of the men is largely on land. They have boat exercises and——

Mr. GROSVENOR. Rowboats you said——

Mr. FOSS. But they are given a military training for about six months to a year before they are sent down on board ship.

Mr. GROSVENOR. I understand that perfectly. Then why not go where the lines of transportation are and where rowboat water is plenty, where other people can compete in tendering these sites to the Government?

Mr. FOSS. I know; but can the gentleman find any place better than lower Lake Michigan, which will offer better facilities for being reached from different parts of the country——

Mr. GROSVENOR. Most undoubtedly I can.

Mr. FOSS. Where?

Mr. GROSVENOR. Why, take Pittsburg, the center of a great system of railroads.

Mr. FOSS. I know; but this naval station is for the recruits of the great Middle West, where we are getting our men. You know, I will say to the gentleman, that probably half the men that enlist are not fit for the Navy. They go out. As it is now we have to send them either down to the Atlantic coast or away out to the Pacific coast and pay their way back again; I mean the men who do not stay in the Navy. It is a measure of economy to have the training station in the Middle West.

Mr. GROSVENOR. You have no system of finding out whether a man is able-bodied or not?

Mr. FOSS. Oh, yes; when we take him he has to go through an examination.

Mr. GROSVENOR. Then why not examine him exactly as they do the recruits in the Army—send them for examination to various points?

Mr. FOSS. Oh, we do that.

Mr. GROSVENOR. Then the whole thing falls to the ground.

Mr. FOSS. No, not at all; but a great many men—I think it is only about 60 per cent of the men who enlist that stay in the Navy.

Mr. GROSVENOR. They do not stay in the Navy, but you do not transport them back when they go out of the Navy because of their misfortune, troubles, etc?

Mr. FOSS. Now, gentlemen, the idea of this whole naval training station was for the great Middle West, and the board said you can not find a place where it would be more easily accessible than on lower Lake Michigan. Now, I want to ask my friend from Michigan [Mr. BISHOP] whether the board made an investigation of Muskegon?

Mr. BISHOP. I would say that the board visited Muskegon at two different times.

Mr. FOSS. At two different times. Did you think from what you saw that the investigation was a good one?

Mr. BISHOP. Why, I had no reason to doubt it at that time.

Mr. FOSS. Have you ever had any reason to doubt it since?

Mr. BISHOP. I have not had any reason to doubt the investigation; I have had reason to doubt the judgment.

Mr. FOSS. Well, now, Mr. Chairman, I want to say just a few words more. It seems that the gentleman from Indiana [Mr. CRUMPACKER], in whose district is located or situated Michigan City, is satisfied with the investigation of the board. It seems that the gentleman from Muskegon was satisfied with the investigation which the board made, although he did not agree with the judgment of the board.

And so it remains that the gentleman from Wisconsin is the only man who censures the board, because he believes they did not make a thorough investigation of Racine. Now, Mr. Chairman, I desire to call attention of the gentleman to this fact. Upon the floor of this House yesterday afternoon the gentleman from Wisconsin [Mr. COOPER] made the statement to the effect that when the board went to Racine the first time they were met by himself and a committee and that the board did not go within

a mile and a half of the site which that board recommended as a suitable site for a naval training station. When he made that statement, he knew whether it was true or not. I have nothing to say. I leave it to the judgment of this House as between the gentleman from Wisconsin and the board. Here is a letter written to the Secretary of the Navy by Commander Winslow, of that board, saying that they investigated every single site that was offered. Let me read it to you:

WASHINGTON, D. C., *February 21, 1904.*

SIR: In compliance with your request [illegible] in your letter of this date, I have the honor to [illegible] report in reference to the examination of sites for Great Lakes [illegible] Taylor, Lieut. Commander C. McR. Winslow, and Civil Engineer R. H. [illegible] composed the board.

The board was met by a committee and driven in carriages to the hotel in Racine. Afterwards the board was [illegible] of Racine and several citizens of that city [illegible] to express to the board the sole, a short distance north of the city. The board [illegible] sites for the proposed station and met by the request of the board as the board [illegible] a suitable site for the naval training station. The board inspected this site, and afterwards returned to Racine and to the railway station.

The site at North Point was not presented to the board during this visit. [illegible] passed by in a casual way. The board was in the [illegible] time. It was the first outline being and therefore only visited the site which the committee had [illegible]

The site at North Point been so [illegible] to the board the board [illegible] naturally have preferred to visit this site [illegible] is manifestly the best site for a training station in the vicinity of Racine.

After the return of the board to Washington, the subject of the site at North Point, known in the board's final report as "North Point site A," was taken up in correspondence with the representatives [illegible] the board determined on their next trip to the Great Lakes to visit this site.

The board again visited Racine in October. Rear Admiral Taylor, the president of the board, was unable to accompany the board on this visit. The board arrived at Racine late in the afternoon, and was there met by [illegible] a committee [illegible] to North Point. Owing to the time lost by the committee [illegible] to meet the board, a considerable amount of daylight was wasted in the journey from the railway station to the site.

The gentleman charged that the board did not properly investigate the site on the first visit. The site was never presented to the board on the first visit, and on the second visit the carriage horses were so slow that they did not reach the site until late in the day. The letter continues:

Nevertheless the board reached the site in ample time to have sufficient daylight [illegible] and numerous photographs [illegible] the board [illegible]

Now, I want to say to the gentleman from Wisconsin that I understand there were more photographs and charts and maps in connection with this site at North Point Site A than there is in connection with [illegible] down to the Navy Department and see the Secretary of the Navy, he will see them there. The letter goes on:

[illegible] board has a large number of photographs [illegible] possession of the board.

Very respectfully,

C. McR. WINSLOW,
Commander, United States Navy.

The SECRETARY OF THE NAVY,
Navy Department.

Now, gentlemen, where do we stand now? The gentleman charged the board [illegible] duty because it refused to [illegible] the Secretary of the Navy [illegible] Now, who was responsible for that? Was it the board? Was it the Secretary of the Navy? Was it the gentleman from Wisconsin? Was it the Civil Engineer of the board? Was it the negligence of some one else within the vicinity of Racine?

Now, Mr. Chairman, who constituted this board? Was it not an able board? I challenge any one to point out a board more able than this board. Upon that board was Mr. [illegible] one of the ablest men in the Civil Engineer Corps. Upon that board was Commander Winslow, in whose veins flows rich military blood. Every one of his ancestors in the last hundred years and more has fought for his country, either in the Army or in the Navy. Commander Winslow to-day bears upon his body the scar from a wound which he received off the coast of Cuba in the Spanish-American war while cutting cables. Commander Winslow to-day is an able officer in the United States Navy. He is the naval aid of the President of the United States. Who was the third member of the board? Admiral Henry C. Taylor, the man

who commanded the *Indiana* in the battle at Santiago, a ship that fired more shots than any other ship. He has been in command of the North Atlantic Squadron, and is at the present time chief of the Bureau of Navigation in the Navy Department. He has been president of the Naval War College.

There is no man in the American Navy to-day who stands higher than Admiral Henry C. Taylor. He is at present with Admiral Dewey conducting maneuvers down in our West India waters. That was the board which inspected the naval sites along the Great Lakes and made their report. Ah, Mr. Chairman, the trouble with the gentleman from Wisconsin [Mr. COOPER] is that his particular site did not happen to lead the list.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield? I wish merely to make one brief statement right there, just a word. I submitted to several interruptions.

The CHAIRMAN. Does the gentleman yield?

Mr. FOSS. Yes.

Mr. COOPER of Wisconsin. I never knew, Mr. Chairman, until the gentleman read that letter from the board how they came to do as they did. The board has all of the time been laboring under an entire misapprehension of the facts. Those two sites at Racine are contiguous. They never went nearer than a mile to the nearer of the two, and about a mile and a half from Wind Point. We drove right down to a bluff on the lake, a mile from the nearer site.

A street 60 feet wide runs along parallel with the lake shore. On the side opposite the lake, at that point, there are houses and lots—a part of the city in the Fourth Ward. We stopped there and looked up to Wind Point.

Mr. FOSS. Was that the first visit?

Mr. COOPER of Wisconsin. That was the first visit. On the second visit we drove out and showed them both sites, but on that occasion we arrived at Wind Point rather dark. They came on the 4.20 train from Chicago in the afternoon on the [illegible] day of October when the days are getting short. If those gentleman thought that on August 4, on the occasion of their first visit, they saw either of the sites from a point nearer than 1 mile they are utterly and absolutely mistaken. That is the fact. The gentleman, who [illegible] appointed by the Business Men's Association of Racine, and the Mayor, and I read yesterday a letter from two of them stating the same facts.

Mr. FOSS. Mr. Chairman, I must object, as my time is limited and I have [illegible] but I leave that [illegible] say, of men of such high character that [illegible] [Applause.]

APPENDIX A.

[illegible] naval service for the [illegible] Lakes.

[illegible] sary, to be immediately [illegible] in the Treasury [illegible]

On December 13, last [illegible] Congress of the purpose at that time made [illegible] of this act. [illegible] ted to Congress the preliminary report of the board appointed [illegible] provisions of the act, and stated that when the final report of the board was made it would be submitted to Congress. The preliminary report recommended that the naval training station on the Great Lakes should be fixed on the shores of Lake Michigan below latitude 43° 30'.

I have the honor now to transmit a copy of the final report of the board, in which Lake Bluff, which is 32 miles north of Chicago, is recommended as the most suitable site for a naval training station. In view of the large price at which land at that point is held by the owners, the board suggests four other sites as suitable, which, in the order of their desirability, are as follows: Racine, Muskegon, Milwaukee, and Michigan City.

At the present time a large number of recruits for the naval service are obtained from the States of which Lake Michigan is the center. These men are of high quality in every respect, and after one term of enlistment become excellent seamen for service either in the Navy or the merchant marine, and in many cases become well fitted for responsible positions in private life.

I respectfully recommend to Congress the earnest consideration of the report of this board and the establishment of a naval training station on the Great Lakes in the vicinity where with its recommendations.

Very respectfully,

WILLIAM H. MOODY,
Secretary.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES,
Washington, D. C.

WASHINGTON, D. C.

SIR: The board appointed to select a site for a naval training station on the Great Lakes by the Department under No. 22, 28, of July 3, 1903, has the honor to transmit the following final report of its proceedings and opinions:

The preliminary report, submitted to the Department on November 29, 1903, gave the [illegible] to that time, and it was recommended therein that the training station be located on the shores of Lake Michigan below the latitude 43° 30'. Since that time the board's opinion in regard to the [illegible] has not changed, and it now recommends that [illegible] be strongly [illegible]

[illegible] a site for the general [illegible] to be accomplished. The board neither [illegible] a detailed [illegible] of many elements and a thorough consideration of the various conditions met with in this region. In [illegible] the [illegible] of each one, the board has [illegible] each with the [illegible] given to the different [illegible] of standing by each to some degree. The [illegible] report of the board gave the following as the more important [illegible] requirements that should be fulfilled:

LOCAL CONDITIONS.

First. The amount of land available must be sufficient for all purposes and should [illegible]

Second. The population within the immediate vicinity from which a large [illegible] must be drawn should be large, which would enable [illegible] to recruit as well as to train the men.

Third. The land should be [illegible] large enough to afford [illegible]

Fourth. The land should be high and dry, partially wooded, fertile, and healthful, with a good [illegible] and reasonably free from mosquitoes.

Fifth. The water front should not be less than half a mile.

Sixth. The [illegible] should preferably be on an island close to the shore or on a [illegible]

Seventh. The [illegible] should not be prohibitive.

Eighth. Extensive grading should not be required to secure level ground for drill and [illegible] purposes.

Ninth. Water of good quality should be available in large quantity.

Tenth. The [illegible] should be a bathing beach.

Eleventh. The [illegible] should be served by railroads or public highways.

Twelfth. There should be convenient railroad facilities for both freight and passengers.

Thirteenth. There should be a good natural or artificial harbor convenient for [illegible] large or small vessels, having not less than 18 feet of water and [illegible] of egress and ingress.

Fourteenth. The harbor or channel should be self-maintained and should [illegible] dredging.

Fifteenth. There should be facilities for target practice.

Sixteenth. The station should not be in a manufacturing district.

[illegible] of the above conditions are indispensable, while some, if need be, [illegible] dispensed with.

[illegible] comparing the different sites the relative importance of the local [illegible] to be given. It should be borne in mind that the station will [illegible] and training establishment, and that it should be located so as to afford the greatest number of young men an opportunity to visit it and to enter the service. A site not convenient of access to a large population would be [illegible] for recruiting purposes, and dependence would have to be placed upon recruiting offices that would have to be opened where a sufficient number of young men could be reached. In requiring a constant supply of recruits the training station differs materially from a permanent self-maintained military post. It must therefore be located near a large population, so that it can recruit the largest number of men and boys directly at the station without requiring the opening of recruiting offices in the neighboring cities or the sending of recruiting parties through the country.

In such a location, also, the station will be visited by a large number of people who will thus become interested in its work, and this will not only make it better known, but will tend to increase the number of recruits received. As vitally affecting, therefore, its success, which depends upon a large and constant supply of recruits, and from the consequent lessened cost of maintenance resulting from dispensing in part with branch recruiting offices, as well as from the greater opportunity for making the work of the Navy better known, the board is unanimous in giving precedence to the matter of nearness to a large center of population in determining the location of the station. This is indeed a sine qua non.

4. Nearness to a large city increases the cost of any property, and there is no doubt a limit beyond which the increased cost will not be accompanied by any substantial benefits. As to the amount of land that is required for the station, while 160 acres has been fixed as a minimum, it would be desirable to acquire at least 320 acres in order to adequately provide for all needs. The price of the property offered varies from a nominal sum to several thousand dollars per acre. From its inspection of different tracts in the general area of lower Lake Michigan, the board believes that it is possible to fix at the outset a price per acre which it would not be desirable or necessary to exceed in order to meet all essential needs, and that this price would be approximately $1,000. While this means the elimination of several sites that possess more or less attraction, and which are held to be worth much more than $1,000, the greater part of their value is in a general derived from their possibilities for manufacturing purposes, which is another reason for excluding them for aside from the more or less unpleasant consequences due to smoke and pollution of water resulting from proximity to manufactories, it has been the experience of the past that Government reservations should be established where they will not interfere with or check the growth of manufacturing interests of the commerce of a locality, for as soon as commercial needs become of sufficient urgency the removal of the reservation to some less desirable situation will be required and expected on the grounds of public expediency.

5. Healthful conditions in the vicinity of the station, good water, some reasonably level ground for drilling, water frontage of about half a mile, and convenient railroad facilities are indispensable. A location easily isolated and facilities for target practice are desirable. It would be also preferable that the land should not be crossed by railroads or public highways. The matter of harbor accommodations is an important one as affording opportunity for small-boat exercises and a haven of refuge from storm and ice for larger practice vessels, if any should ever be assigned the training station. However important and desirable this matter of harbor facilities is, it is completely overshadowed by the element of population, which is of the first importance as was shown heretofore. For while natural harbors in stations will add to the attractiveness and usefulness of the station and to the value of the instruction given and to the enjoyment of those undergoing training, this is a secondary matter as compared with the controlling conditions, viz, that the site should be so fixed as to secure the greatest possible number of young men for the country service.

It should be remembered in this connection that the greater part of the lives of these young men will be spent afloat and in national waters, and that the schooling given them at the station is merely preliminary and with a view to preparing them for sea life; that it will be impossible to keep any given ashore, and that a young man will not be stationed there longer than about six months. It naturally follows from this that the important need of actual contact with life aboard ship will still lead to the training station is of a minor nature. The principal functions of the enlisting and training station are these:

First. To get the young men and to enlist as many of them as possible at the station itself.

Second. To give them a preliminary training ashore, so that they may be better prepared to take up their actual duties afterwards in seagoing vessels.

6. With these conditions in mind, the board considers that good harbor facilities are very desirable, this is but the controlling element that should affect to an appreciable degree the selection of a site to the detriment of the important elements.

7. As regards centers of population, the general area of lower Lake Michigan can be divided into three districts, as follows:

First. Muskegon, located on the east shore, extending from latitude 43° 30' to about 42° 30', with Muskegon as a center.

Second. Chicago district, including the shore line of the lake on both sides below latitude 42° 30', with Chicago as a center.

Third. Milwaukee district, on the west shore, extending from latitude 42° 30' to 43° 30', with Milwaukee as a center.

8. It has been stated that the relative importance to a large center of population of the different representations. In regard to the above three districts, therefore, the value of the sites will depend largely upon the distance from the largest center of population in that district, which are respectively, the three cities of Muskegon, Chicago, and Milwaukee. Corresponding with the distance of sites at equal distances from the center of population in each district will pass in proportion with the population of those cities. Thus in the Chicago district will be first, then in the Milwaukee district, and then in the Muskegon district third. Considering all three districts together, the map of the region clearly indicates that the shore line between Milwaukee and Chicago, which is within the sphere of the influence of the great population of each of these two cities, possesses much the greater value as regards nearness to centers of population than any other portion of the shore line of lower Lake Michigan.

9. The preliminary report of the board selected southern Lake Michigan as possessing more favorable characteristics for a naval training station than any other on the Great Lakes. It is densely populated. It possesses great strategic value. The conditions as regards temperature and the period when navigation is closed by ice are most favorable. It is nearest the center of population of the Great Lakes region, and is also in the geographical center of that district. Its shores were therefore examined with great care.

10. As regards physical characteristics the shore line of southern Lake Michigan may likewise be divided into three districts, viz, the west shore, the south end, and the east shore. For a large portion of the distance between Chicago and Milwaukee the west shore of the lake back of the beach is a bluff that reaches in some places a height of 100 feet.

The country stretches inland as a plateau for a distance varying from 1 to 3 miles, broken slightly by occasional narrow ravines running back from a few hundred feet to a half mile or more from the lake. The plateau is wooded for the most part and forms a very attractive country. The Chicago area of such a character that with a moderate amount of dredging this could be converted into inland harbors of sufficient size to afford protection for small vessels. All conditions as regards health and drainage are most favorable. The shore line at the south end of Lake Michigan is in general low and formerly was a portion of the bed of the lake. Toward the east side of the lake sand dunes occupy the shore line and the water is comparatively shoal. In general the sites offered in this district at the south end of the lake, while possessing sufficient height above the lake to insure freedom from sewage, cannot be expected to be as healthful as the bluffs north of Chicago. The whole district at the south end of the lake is traversed by numerous railroads. The most unfavorable feature of the district, however, is the magnitude of the manufacturing interests located therein and the practical certainty that sooner or later the unoccupied land will be very much encroached upon by their rapid growth.

11. The east shore of lower Lake Michigan is lined with high sand dunes, in most cases with little or no vegetation to prevent the constant drifting of sand. This district has the advantage of possessing inland harbors at the mouths of rivers emptying into the lake, which afford ample facilities for harboring vessels in winter and in storms. All the harbors on the east shore of Lake Michigan are, however, subject to deterioration due to the general shoaling in the vicinity of piers at the entrance, caused by the deposit of sand carried by littoral currents. This action is greatest near the south end of the lake. On the west shore it is very slight. In some cases a bar tends to form, due to the deposit of material brought down from inner waters. The only remedy is constant dredging, which the commerce of the ports justifies and which without doubt will be continued indefinitely.

12. In general, the east shore is inferior to the west shore as regards the character of the country and on account of the drifting sand, which would render the occupancy of the lake front on the east shore practically impossible. The south end of the lake at its head is less suitable than either the east or west shores. It is thus seen that, considering the region of lower Lake Michigan as a whole, the west shore between Chicago and Milwaukee possesses the greatest advantages both as regards population and physical characteristics.

13. The following is a list of the principal sites offered for naval training station purposes in lower Lake Michigan, numbering twenty-one in all:

MILWAUKEE DISTRICT (7 SITES).

No. 1. Betula Shore Company site.—Fourteen miles north of Milwaukee. This site is so inferior as regards proximity to center of population to others in this district that it may be eliminated at once.

No. 2. Fox Point site.—Eight miles north of Milwaukee. Possesses very favorable physical characteristics and well situated as regards population in the vicinity. Will be reserved for further consideration.

No. 3. South Milwaukee, site A.—Eight miles south of Milwaukee. Somewhat similar as regards population and physical character to site No. 2, but is inferior to that site on account of being in a manufacturing district, and therefore will not be further considered.

No. 1. *South Milwaukee, Site B.*—Eight miles north of Racine, 10 miles south of M[illegible] Pleasant and very attractive, but is not so favorably located. Inferior to Site No. 1 [illegible] ile north of K[illegible]

CHICAGO DISTRICT (5 SITES).

[illegible] two miles north of Chicago. Has excellent [illegible] as regards population. Will [illegible] less easily obtained [illegible] Very similar to [illegible]

Site. [illegible] Twenty miles south of Chicago. Similar to Site No. 3 as regards disadvantages, and can therefore be [illegible]

[illegible] Site No. 3 [illegible] Miles north of Milwaukee. [illegible] Site No. 15 at Michigan City.

[illegible] Sites Nos. 9 and 11, at Muskegon.

[illegible] population, [illegible] about 20 miles from [illegible] Chicago and [illegible] from Milwaukee. [illegible] and, together with Lake Bluff, would derive benefit from both Chicago and Milwaukee manufacturers' population. Michigan City and Milwaukee rank next, and Muskegon last.

14. As regards [illegible] characteristics all the sites are of sufficient [illegible] naval training station purposes, and are [illegible] [illegible] period of ice the boats and vessels must be laid up [illegible] important one. [illegible] [illegible] regard to possessing a ravine [illegible]

	Per acre.
[illegible]	$700
[illegible]	250
[illegible]	[illegible]
[illegible]	25
[illegible]	100

[illegible] as regards the best [illegible] follows:

Choice.	Population.	Physical characteristics.	Harbor facilities.	Cost of land.
First	Lake Bluff	Lake Bluff	Muskegon	[illegible] City.
[illegible]	[illegible] City	[illegible]	[illegible]	[illegible]
[illegible]	Milwaukee	[illegible]	[illegible]	Muskegon.
[illegible]	Muskegon	Muskegon City	[illegible] ity	Lake Bluff.

In the above table "P[illegible]" [illegible] to centers of large [illegible] [illegible] mary of the above [illegible]

[illegible] esq., Director of the United States Geological Survey, for charts and for

making topographical surveys of different tracts; to Hon. W. R. Merriam, the Director of the Census, for statistics regarding population; to Willis L. Moore, esq., Chief of the Weather Bureau, for temperature data and statistics regarding rainfall and prevailing winds; to Rear-Admiral George Brown, United States Navy; to Mr. B. R. Mellenbach; to these and to many other individuals the board is under many obligations.

Respectfully submitted.

H. C. TAYLOR,
Rear-Admiral, U. S. Navy.
C. McR. WINSLOW,
Commander, U. S. Navy.

The SECRETARY OF THE NAVY.

Civil Engineer H. H. Rousseau, a member of the board, concurs in this report, but is now on duty at the Mare Island yard, and therefore not present to sign the report.

DEPARTMENT OF THE NAVY, BUREAU OF NAVIGATION,
Washington, D. C., January 28, 1904.

SIR: Replying to your request of the 26th instant, the Bureau has the honor to inclose herewith a memorandum showing the number of men enlisted during the fiscal year ending June 30, 1903, together with the names of the cities and towns, by States, where these men were enlisted.

Respectfully,

J. E. PILLSBURY,
Acting Chief of Bureau.

Hon. GEORGE EDMUND FOSS,
Chairman Committee on Naval Affairs,
House of Representatives, Washington, D. C.

[One inclosure.]

Memorandum of the number of men enlisted for the fiscal year ending June 30, 1903, and the cities and towns where enlisted, and the number enlisted in each State.

ALABAMA.

Birmingham	39
[illegible]	9
[illegible]	10
Total	58

ARKANSAS.

[illegible]	[illegible]
[illegible]	35
Total	37

ARIZONA.

Prescott	6
Phoenix	5
Total	11

CALIFORNIA.

[illegible]	83
[illegible]	1
[illegible]	898
[illegible]	15
[illegible]	1
Total	998

COLORADO.

Aspen	2
Colorado Springs	23
Cripple Creek	11
[illegible]	244
Fort Collins	31
Grand Junction	16
[illegible]	[illegible]
[illegible]	[illegible]
Pueblo	35
Total	390

CONNECTICUT.

[illegible]	30
[illegible]	62
[illegible]	28
[illegible]	22
Total	142

DELAWARE.

Wilmington	58

DISTRICT OF COLUMBIA.

Washington	281

FLORIDA.

Key West	2
[illegible]	52
Total	54

GEORGIA.

Atlanta	46
Augusta	15
[illegible]	13
[illegible]	17
[illegible]	43
Total	134

IDAHO.

Boise City	7

ILLINOIS.

Alton	6
Cairo	2
Chicago	655
Joliet	1
Peoria	26
[illegible]	15
Rockford	11
[illegible]	17
Total	735

INDIANA.

Evansville	128
Fort Wayne	36
Indianapolis	110
[illegible]	[illegible]
South Bend	39
Terre Haute	55
Total	417

IOWA.

Burlington	27
Council Bluffs	6
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	9
[illegible]	[illegible]
[illegible]	[illegible]
Sioux City	8
Total	150

KANSAS.

Hutchinson	9
Leavenworth	14
[illegible]	56
Wichita	30
Total	112

KENTUCKY.

Fulton	1
[illegible]	[illegible]
[illegible]	57
Paducah	29
Total	94

LOUISIANA.

Baton Rouge	1
New Orleans	32
Shreveport	2
Total	35

MARYLAND.

Baltimore	212
Cumberland	35
Total	247

MASSACHUSETTS.

Boston	1,451
Provincetown	1
Springfield	11
Salem	1
Total	1,464

Memorandum of number of men enlisted for the fiscal year ending June 30, 1903, etc.—Continued.

MICHIGAN.

Bay City	7
Detroit	129
Grand Rapids	44
[illegible]	7
Lansing	28
Muskegon	3
Saginaw	73
Total	285

MINNESOTA.

Duluth	14
Minneapolis	98
Winona	1
Total	113

MISSISSIPPI.

Jackson	8
Vicksburg	5
Total	13

MISSOURI.

[illegible]	7
Kansas City	1
[illegible]	97
[illegible]	287
[illegible]	509
[illegible]	30
Springfield	23
Total	904

MONTANA.

Butte	14
Great Falls	[illegible]
Helena	40
Havre	1
Total	88

NEBRASKA.

Lincoln	7
Omaha	94
Total	101

NEVADA.

Reno	7
Virginia City	5
Total	12

NEW HAMPSHIRE.

Portsmouth	34

NEW JERSEY.

Camden	3
Newark	141
New Brunswick	15
Trenton	41
Total	200

NEW MEXICO.

Albuquerque	6
Las Vegas	5
Santa Fe	5
Total	16

NEW YORK.

Albany	90
Auburn	9
Batavia	5
Binghamton	19
Buffalo	218
Canandaigua	7
Canandaiguna	3
Elmira	107
Geneva	20
Ithaca	1
Lyons	1
New York	884
Olean	6
Poughkeepsie	8
Rochester	74
Rome	5
Schenectady	5
Syracuse	63
Troy	81
Utica	31
Total	1,643

NORTH CAROLINA.

Asheville	6
Charlotte	24

NORTH CAROLINA—cont'd.

Moorehead City	1
Raleigh	6
Wilmington	8
Total	45

NORTH DAKOTA.

Fargo	8
Grand Forks	1
Grand Rapids	4
Total	13

OHIO.

Akron	6
Canton	98
Cleveland	100
Columbus	38
Dayton	66
Newark	3
Springfield	4
Toledo	42
Youngstown	1
Total	572

OKLAHOMA.

Guthrie	19
Oklahoma City	61
Total	80

OREGON.

Portland	17
Salem	9
Total	26

PENNSYLVANIA.

Allentown	18
[illegible]	[illegible]
Bethlehem	9
Easton	1
Erie	79
Harrisburg	[illegible]
Johnstown	23
Lebanon	10
Lackawanna	5
Lancaster	41
Philadelphia	[illegible]
Pittsburg	258
Reading	[illegible]
Scranton	23
Wilkesbarre	18
Williamsport	1
York	65
Total	1,289

RHODE ISLAND.

Providence	6

SOUTH CAROLINA.

Charleston	61
Columbia	25
Greenville	2
Port Royal	13
Spartanburg	5
Total	106

SOUTH DAKOTA.

Pierre	2
Sioux Falls	30
Yankton	11
Total	43

TEXAS.

Austin	49
Dallas	113
El Paso	[illegible]
Fort Worth	65
Galveston	76
Houston	51
[illegible]	[illegible]
San Antonio	88
Texarkana	2
Waco	53
Total	548

TENNESSEE.

Chattanooga	18
Knoxville	4

Memorandum of number of men enlisted for the fiscal year ending June 30, 1903, etc.—Continued.

TENNESSEE—continued.

Memphis	51
Nashville	29
Paducah	1
Total	97

UTAH.

Manti	1
Ogden	55
Provo	10
Salt Lake City	83
Total	149

VIRGINIA.

Norfolk	158
Petersburg	1
Richmond	18
Total	177

WASHINGTON.

Bremerton	213
Seattle	9
Spokane	48
Tacoma	18
Total	288

WEST VIRGINIA.

Charleston	6
Huntington	47
Parkersburg	12
Wheeling	17
Total	82

WISCONSIN.

La Crosse	3
Milwaukee	127
Madison	4
Oshkosh	25
Racine	7
Total	187

WYOMING.

Cheyenne	29
On ships	376
Grand total	12,934
Less number enlisted on ships	376
Total enlisted at recruiting stations	12,558

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 44.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be and he is hereby authorized and directed to cause a survey to be made and estimates to be submitted of the cost of improving the Pawtuxet River, Narragansett Bay, Rhode Island, so as to give a channel 40 feet in depth from the head of the cove, 100 feet in width, and with a mean depth of water at low water.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 1330) granting a pension to Jerry S. Fish.

The message also announced that the Senate had agreed to the amendments of the House to the bill (S. 486) granting a pension to Green B. Yawn.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 7287. An act to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephens meridian.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. SOUTHARD. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. SOUTHARD. Mr. Chairman, I ask unanimous consent to make a short statement.

The CHAIRMAN. What time does the gentleman ask?

Mr. SOUTHARD. I will try to get through in ten minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that he be permitted to address the committee for ten minutes. Is there objection?

There was no objection.

Mr. SOUTHARD. Mr. Chairman, the report of this committee seems to have created great commotion, especially upon that end of Lake Michigan or upon the southwest end of Lake Michigan south of 43° 30′. The contention seems to be between those who are running a neck-and-neck race for a favorable report from this committee. Now, there are others who are interested. A good deal has been said about this report, but a good deal remains still to be said. In my judgment, this board was working all the way through entirely under a misapprehension of what they were bound to do. The chairman of the Committee on Naval Affairs also seems to have imbibed the same idea, the same spirit that controlled the board in preparing and writing this report. For instance, he says that it became the duty of this board to locate this naval station in the great heart of the Middle West. Can the gentleman find anything like that in the statute authorizing the appointment of this board?

Mr. FOSS. Mr. Chairman, I stated that was one of the principal reasons why.

Mr. SOUTHARD. That was one of the principal reasons why, the gentleman says. The statute authorizing the appointment of this committee directs the committee to select a site in the region of the Great Lakes, not in the great heart of the Middle West, not in the East, but in the region of the Great Lakes; and why? My colleague from Ohio [Mr. GROSVENOR] a few moments ago asked a very pertinent question. He said, Why locate this great naval training station, if harbors are not needed, upon the Lakes at all? Why not locate it at Columbus, or at Louisville, or at Indianapolis or elsewhere?

The reason is obvious. It is desired in the location of a naval training station to reach a large number of men who have acquired, in as great a degree as possible, what is known in naval parlance as "the sea habit." In this view one who has acquired the "sea habit" on Lake Ontario becomes as valuable a recruit as though he had obtained the "sea habit" upon Lake Superior; the locality where the "sea habit" has been acquired makes no difference. And, Mr. Chairman, the effort of this committee should have been to locate this naval training station where the largest possible number of that kind of men can be recruited.

It is very evident that the board appointed for this purpose did not proceed along these lines. Toledo was, as I have already said, a competitor for this naval training station. The board proceeded in the first instance to determine what it was pleased to call an "area of maximum desirability." It is very plain from the reading of the report what that phrase "area of maximum desirability" means. The commission proceeds to at once eliminate, because of reasons given in the report, which it seems to me are not good reasons at all—it proceeds to eliminate at once Lake Erie and Lake Ontario from all consideration.

A MEMBER. Oh, no.

Mr. SOUTHARD. Not perhaps from all consideration literally, but practically, as I shall show a little later on, from all consideration in reference to this naval training school.

A MEMBER. They eliminate only Lake Ontario.

Mr. SOUTHARD. I know that in terms they eliminate only Lake Ontario; but really and practically they eliminate both Lake Ontario and Lake Erie because of this proposition which was mentioned by the chairman of the committee, the desire of the board to locate this naval training station "in the great heart of the Middle West." That was a new idea—an idea which originated with the board and nobody else.

And how does the board proceed to determine what this "area of maximum desirability" is? I will undertake to show you.

In the first place, they decide that the greatest consideration should be given to population. Harbor facilities, strategy, and everything else must be subordinated to this question of population. And they select several centers—one for the mere sake of form, as is very evident from the reading of the report. One center is located at Erie, Pa.; another at the west end of Lake Erie; another, I think, in the Straits of Mackinaw; another at Chicago; another at the city of Duluth; and they proceed then to describe circles—one circle surrounding each one of these centers, with a radius of 100 miles, and another circle with a radius of 200 miles. And then they undertake to compute the population within those circles so described.

What is the result? And this is a very important point to be considered in connection with this report, bearing in mind, Mr. Chairman, the fact that they subordinate all other questions to the great question of population. And why? Because it is not proposed, as they say in this report, to train these men upon the sea or upon the lakes while they remain at the station. They propose to give these young men a "preliminary" training—a training such as will habituate them as much as possible to the life afterwards to be followed by a naval apprentice or a naval recruit.

Now, they compute the population within these circles having a radius, respectively, of 100 miles and of 200 miles. They find that the circle having Chicago as a center has more population, taking either the radius of 100 miles or the radius of 200 miles, than any other circle they have described.

But, Mr. Chairman, observe now upon how slender a thread this conclusion hangs. In describing the circle with Toledo as a center, or the western end of Lake Erie as a center, they compute the population and make it less than that of the circle having Chicago as a center, with a radius of 200 miles. But in so describing that circle they come within about 10 miles of Pittsburg, but they leave that out; they come within a few miles of Cincinnati, but they leave that out; they come within a few miles of Chicago, but they leave that out.

If they had described their circle with a radius 10 miles greater, then, in their determination as to population—the great consideration in this whole discussion—they would have reversed their conclusions and located this naval training station at the western end of Lake Erie, so far as population is concerned; and that is the controlling feature of the whole subject as set forth in the report of this board. If they had increased that radius 50 miles—it has been figured out by the Census Bureau (I had intended to have the map here)—the circle having the western end of Lake Erie as its center would have a million population more than the circle having Chicago as its center; so that the conclusions of the board would have been reversed. Not only that; they have undertaken to determine this matter by States; they have under-

taken to determine the population of "the great Middle West" referred to by the gentleman.

Mr. FOSS. Yes.

Mr. SOUTHARD. The gentleman would not yield to me, but I will yield to him.

Mr. FOSS. I was going to ask the gentleman whether in the case he has supposed they would have had the population at the periphery of the circle instead of the center?

Mr. SOUTHARD. No; they would not have had the population at the periphery instead of the center. Cleveland is, I think, the fifth city in size; and that would have been within about 100 miles, less than 100 miles, of the center.

The CHAIRMAN. The time of the gentleman from Ohio [Mr. SOUTHARD] has expired.

Mr. SOUTHARD. I should like about two or three minutes more.

The CHAIRMAN. The gentleman asks unanimous consent that his time be extended three minutes. Is there objection?

Several MEMBERS. Five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SOUTHARD. Now, Mr. Chairman, the population would not have been at the periphery or anywhere near the periphery of this circle. The population would have been distributed all over the circle; and I want to say right here something with reference to the remark made by the gentleman who just preceded me in regard to the obtaining of recruits. He mentioned Chicago as a great recruiting station. I was not aware until he mentioned it that no permanent recruiting station was located at Buffalo. But in proportion to the population last year and the year before, Buffalo, without a recruiting station, furnished more recruits than did the city of Chicago.

The number of recruits obtained, Mr. Chairman, I think depends upon the amount of advertising done and the length of time the recruiting station is continued at any special point and not upon the fact that you have a good deal of population gathered together at any particular place. Those who have acquired the sea habit are willing to travel some distance in order to enlist if they have a desire to do so.

And I want to call your attention to another matter which does not seem to have been considered at all by this board. The Great Lakes form one of the greatest shipping thoroughfares in the world. This great thoroughfare has its termini, as does any other thoroughfare. Its great eastern terminus is the city of Buffalo. Its western termini are at the city of Duluth, at the extreme northwest end, and at Chicago, Detroit, and Toledo, as the case may be. This great thoroughfare may be said to have several western termini, but only one great eastern terminus.

Those men who have the sea habit travel the Lakes from one end to the other. They are engaged in shipping, they are engaged in yachting, they are doing things connected with the water, and they are the kind of men who are desirable as a source of supply for this naval training station which we are about to establish. These men follow the Lakes, and go from one end of this great thoroughfare to the other. So far as that is concerned, they will be recruited upon any portion of the Great Lakes and on one portion about as well as upon the other.

There is another matter which the board has considered and about which I wish to speak for a moment. It is the same thing about which our friend here spoke when he made his tragic rush down to the map that was exhibited in the arena. He says, "Look at the strategy of Lake Michigan." Well, now, my friend, the board itself says this is not a very important matter, and I want to call your attention to one or two things in relation to it. I know of nobody who would not say at the outset that war with Great Britain is a thing that is extremely remote.

If we were to have war with our neighbors on the north, the great predominance of our shipping on the Great Lakes is at once sufficient to render it certain that she would have no business with us so far as the attacking of a naval training station is concerned. The remoteness of any necessity for the protecting of any training station upon Lake Erie renders the subject one of very little importance. A naval training station is not intended for an arsenal; it is not intended for a fort. We are not building a fort; we are not constructing an arsenal. We are establishing a naval training station where men can be given a few months' training upon land, as this report says, preparatory to shipping them to the coast, where they will be placed upon vessels and trained in the sea service. It is for the purpose of getting them habituated to the manner of living in the Navy, and that seems to be necessary.

The board refer to one or two other matters. They speak of a harbor. There are many harbors. There is one locality in my district that I think is an excellent place for a naval training station. It has a harbor on which a dollar has never been spent. The largest boats in the lakes have been going in and out of there ever since I can remember. It would not be necessary for the Government to spend a single dollar upon that harbor if it should select that point for its naval training station. Every local condition and requirement mentioned in this report is fully met by the conditions which exist at that station. Population is in its favor. The only thing that can be said against it, so far as I know, is that it does not possess the strategic points that have been referred to by the chairman of the Naval Affairs Committee as so necessary for an institution of this kind.

No, my friends, there is a good deal that may be said about this report that has not been said. I have passed over some of the points in my haste to finish my remarks. There is a good deal that may be said about the methods which the board took in arriving at their conclusion that there was an area of maximum desirability somewhere to be found around the Lakes, leading one to believe that a man who had acquired the sea habit on Lake Ontario was not as desirable for a recruit as a man who had acquired the sea habit—the naval habit—somewhere else.

There is a good deal in this report to be considered. It is very technical. It reminds me of the scientific farmer who could not plow except he had a blue print, and that is about the impression gained by one as he reads this report.

When this matter comes to be discussed upon its merits, I desire to have something to say. We are not satisfied with the report. We are among those who were left out when the preliminary report was filed. We were not satisfied with it then, but said nothing. We thought our time would come. It seems so far as the second report is concerned, some of those who have rival localities are not any better satisfied than we were with the preliminary report. We think we know we have got the very best location for a naval training station on the Great Lakes, and when the proper time arrives we propose to prove it to you. [Applause.]

Mr. CRUMPACKER. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. CRUMPACKER. I am one who has a special interest in this matter, and I rise to ask unanimous consent that I may address the committee for five minutes, and I will agree not to ask for an extension of time.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that he may address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CRUMPACKER. Mr. Chairman, I am heartily in favor of the location and establishment of a naval training school upon the Great Lakes, and I am interested doubly in the establishment of that training station at the right place.

I have read with a great deal of care and thought the respective reports of the commission appointed to investigate the subject, and I agree with the commission in everything it has said and done, excepting the giving of Lake Bluff the preference for the location of the training school. Seriously I do not believe that a sensible person can read the original report thoughtfully and carefully and not agree with the conclusion of the commission about the establishment of a naval training school and that it ought to be located on the south half of Lake Michigan.

There is one objection to the very beautiful site advocated by the gentleman from Ohio [Mr. SOUTHARD], Put in Bay, and that is the climate. The record shows that during the last twenty-five years, and I suppose if it is the case during the last twenty-five years it must have been the same for a few hundred years before, navigation is closed during the winter at Put in Bay for an average of three months each year. The records show that navigation is not closed between points on the east and west shores of Lake Michigan for a single day during the year.

Mr. SOUTHARD. Will the gentleman allow me to ask him a question?

Mr. CRUMPACKER. I will yield to the gentleman for a question.

Mr. SOUTHARD. Now, does not this report itself state that the people of Put in Bay guaranteed to keep that port open every day of the year?

Mr. CRUMPACKER. The difficulty is the commissioners seem to doubt the ability of the people of Put in Bay to regulate the weather. That is a situation they never have mastered.

Mr. SOUTHARD. It is a situation they control now.

Mr. CRUMPACKER. It can be controlled, and has been in Lake Michigan.

Now, Mr. Chairman, I believe this Commission to be composed of able, honest, well-meaning gentlemen. I have no doubt about it at all. I believe its work to have been painstaking, conscientious, and careful. I believe everything it did is justified by the facts it reports, excepting the location of the training station at Lake Bluff; and I would agree even with the Commission in that respect if there had been a harbor at that place.

Mr. GROSVENOR. Will the gentleman allow me to ask him a single question?

Mr. CRUMPACKER. If I had the time I would be glad to.

Mr. GROSVENOR. I only want to ask you what is the difference in latitude of Put in Bay and Lake Bluff?

Mr. CRUMPACKER. Why, there is not much, if any difference in latitude, but there is a great deal of difference in climate and in navigation. Boats run the year round between Milwaukee and Grand Haven and Ludington and down Lake Michigan on the south.

Mr. GROSVENOR. Not running every day.

Mr. CRUMPACKER. They are running now every day in the year. Ferryboats are carrying trains of cars over the lake. I do not believe the training station ought to be located at any point where the Government will have to incur the expense of creating a harbor, because I have no doubt that a commodious harbor is indispensable to a naval training station. If this station should be located at Lake Bluff, the Government would be called upon to expend hundreds of thousands of dollars in the next few years to construct a harbor. There are a great many eligible points on Lake Michigan, conspicuous among which is the beautiful city of Michigan City, having suitable harbors already constructed, having all the facilities that may be required, and I insist that it would be poor policy to locate this institution at a point where there is no harbor at all, and thereby involve the country in the large expense necessary to create this convenience.

I have no doubt the board did its work honestly. The matter of expense was only a secondary consideration with the board. Lake Bluff is only 32 miles from Chicago. It is a beautiful place in which to live—high above the water level, and an elegant residence locality, within an hour or two's ride of the churches and theaters of the great city of Chicago. It would be a delightful place for naval officers to locate and live. But the question of expense is an important one to the country. Splendid surroundings for naval officers in charge of the school may be a desirable, but should not be a controlling consideration. The institution should be established upon one of the many commodious harbors that now adorn the shore of Lake Michigan. Michigan City has a population of 20,000, and its standard of morals, intelligence, and refinement is second to that of no other city in the country. It offers a splendid site at a low price. It has an excellent harbor and is well located as respects the elements of population, geography, and accessibility. If the board had located the institution at that beautiful place, its work would have been beyond criticism.

[Here the hammer fell.]

Mr. STAFFORD. Mr. Chairman, I would like to ask unanimous consent of the committee for a few minutes, in which to address the committee on this subject.

The CHAIRMAN. What time does the gentleman desire?

Mr. STAFFORD. Ten minutes.

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent that he be permitted to address the committee for ten minutes. Is there objection?

Mr. VANDIVER. Mr. Chairman, I do not like to object to the time the gentleman wants, but a good deal of time has been already spent on this subject and I would be glad if he would get through in five minutes. I will not object to five minutes.

The CHAIRMAN. Will the gentleman modify his request?

Mr. STAFFORD. I will try to get through in five minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. STAFFORD. Mr. Chairman, coming from the city which has been often mentioned in this discussion and which has been favorably indorsed by the board that has had this matter under consideration, I deem it no more than proper to present at this time some of the merits of the proposed Milwaukee site and, if possible, to make clear in the minds of the Members of this House certain facts which appear to have been overlooked. The gentleman from Ohio has just questioned the desirability of the zone of territory on lower Lake Michigan, which this board has selected because the lake ports there are not open to navigation during the entire winter season. Permit me to say that this board, in their preliminary report, pointed out that only two cities on the Great Lakes—Milwaukee and Chicago—had for the past twenty-five years, during the entire winter season, remained open for lake traffic. Never before in the history of the country has there been such a severe winter as that which we have just witnessed, and yet during all this severe weather the port of Milwaukee has been open to lake carriers.

Continued temperature below the freezing point does not necessarily close the lake ports, but the difficulty that lake traffic has to contend with during the winter season is the large fields of flotsam ice, which drift with the prevailing winds. By all who are acquainted with the maritime conditions on the Great Lakes during this season it is recognized that the prevailing winds are from the northwest, which drive the collecting ice to the eastern and southern shores of Lake Erie as well as Lake Michigan, keeping free from ice and open to navigation the lake ports on the western shore of Lake Michigan.

The report of the board, based upon the records of more than twenty years, shows that the ports on the southern shore of Lake Erie are closed from ninety to one hundred and twelve days in each year during the winter season. Means of access to the station is necessary at all times of the year to afford recruits ease of travel in going to and coming from the designated station, and further to enable the training ships connected with the station the opportunity to cruise and to give needed ship instruction during the entire year. To show that these conditions prevail at Milwaukee and to supplement the reasons advanced by the board is my present purpose in addressing the House.

A cursory reading of the preliminary report submitted by the board will convince any disinterested Member that the reasons advanced for selecting the zone of territory on lower Lake Michigan south of latitude 43° 30' are cogent and unanswerable. No argument advanced here to-day by any gentleman against restricting a selection to this region has in any manner detracted from the wisdom of its finding. If anything, the argument advanced by the gentleman from Ohio who preceded me tends to strengthen its conclusion. The advantage of locating this station on Lake Michigan can not, from a strategic point of view, be minimized. No one can foretell the development of this station and its ultimate value as a base for military operations, should the occasion arise.

Coming to the proposition propounded by the gentleman representing the Toledo district, that the territory tributary to Lake Erie is the best recruiting field for ordinary seamen, I wish to call the attention of the House to the exceptional conditions, unequaled by any other lake port, in the number of lake freighters, which, during the winter seasons are quartered along the many miles of river dockage at Milwaukee. The wintering of these boats there necessarily induces a large number of seamen to remain at Milwaukee and be in readiness when the lake season opens to man the boats for lake service. The seafaring men who have acquired what has been termed in this debate the "sea habit" will necessarily furnish many recruits to our Navy in addition to those who will naturally be attracted here for enlistment from that great supply country, the Middle West and the Northwest.

Not only the opportunity for visitation afforded to lake mariners to visit such a prospective naval station at Milwaukee during the winter season will cause large numbers of these most desirable recruits to enter the service, but the leading position that Milwaukee has achieved in excelling all other cities in amount of tonnage entering and leaving this port will necessarily bring to this station, during the open-lake season, many of this type of recruits which the location of the station distant from a large city as at Lake Bluff, Michigan City, Muskegon, Put in Bay, and other places suggested, would exclude.

Though not certain whether this matter will be settled to-day in the House on its merits or whether the clause making provision for the necessary appropriation will be stricken out on the point of order raised against it from the prominence given by the previous speakers in support of other sites, it is eminently proper that the House at this time, while the question is immediately before it, should have its attention called to the advantages and superior claims of Milwaukee for the location of this proposed naval training station. It is no wonder, Mr. Chairman, in view of the natural advantages that this site at Fox Point, Milwaukee, affords and its close proximity to the Milwaukee Harbor, the peer of any on the Great Lakes, that it should have been designated as one eminently adapted for the purposes of this proposed station.

Following closely the essentials laid down for a site by the board, the location at Fox Point in every particular will be found to fully conform with them. At no place on the Lakes is it difficult to obtain adequate land, but the particular kind as defined by the board is not easily secured.

Having an elegant shore line with a projecting point to shelter the harbor from the usual prevailing winds, and with a low tableland more than a half mile in length paralleling and adjacent to the shore and one-quarter of a mile in width and 8 feet above the lake level, which offers a particularly favorable place for drilling purposes, the site at Fox Point is here backed by a gradual slope 50 feet in height, continuing then as a level meadow land, and bounded by a ravine, thus isolating the station from outside communication, as sought for by the board. This makes the site in its present condition immediately available for training-station purposes, needing only the buildings to quarter the recruits.

At a distance of 7 miles from Milwaukee, connected by railway and electric lines, this site makes it convenient of access for the recruits to visit the city, where they may seek healthful amusement, which is a desideratum, as expressed by the board, and still sufficiently remote from all city life as not to interfere with the pursuit of their training or studies.

Whatever the ultimate action taken upon this matter may be,

Milwaukee seeks not to retard for selfish interests the speedy establishment of this necessary naval adjunct, but is content, in full confidence of the merits of the Fox Point site, to permit it to rest upon the decision of any tribunal.

Mr. GROSVENOR. Mr. Chairman, I ask unanimous consent that I may have one minute.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that he may have one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. GROSVENOR. Mr. Chairman, this morning the thermometer stood at Milwaukee 4 degrees above zero, at Chicago 12 degrees above, at Detroit 14 degrees above, and at Cleveland 22 degrees above zero. [Applause.]

Mr. BISHOP. Mr. Chairman, I ask unanimous consent that I may address the committee for five minutes.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent that he may address the committee for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BISHOP. Mr. Chairman, as the expense, perhaps, of fatiguing the patience of the House, I think it my duty to say a few words regarding another location for a naval training school situated in my district. I had thought, if this provision was to remain in the bill, of offering a proviso as an amendment to the appropriation, which I will ask the Clerk to read.

The Clerk read as follows:

Page 37, line 25, after the word "dollars," insert:

"*Provided*, Such naval training station shall be located in the immediate vicinity of an existing harbor having not less than 18 feet of water and easy of ingress and egress: *And provided further*, That not more than $250 per acre shall be paid for the land for such site."

Mr. BISHOP. Now, Mr. Chairman, I have no desire to question the honor or integrity of any member of this board, or of the board itself, who was appointed to make investigation regarding the location of the naval training school, but considering the appropriation that was made and the purposes for which it was made, I had conceived the idea that it would be necessary to locate this training school at some point where there was an available harbor. When I go to the preliminary report which they made, I find they set down as the essential facts necessary for the location of a training station the following conditions:

First. The amount of land available must be sufficient for all purposes and should not be less than 100 acres.

Second. The population within the immediate vicinity from which a large percentage of the recruits will be drawn should be large, which would enable the station to recruit as well as to train the men.

Third. There should be a city in the neighborhood large enough to afford amusements to the boys and men when given leave of absence.

Fourth. The land should be high and dry, partially wooded, fertile, and healthful, with absence of swamp, and reasonably free from mosquitoes.

Fifth. The water front should not be less than half a mile.

Sixth. The site should preferably be on an island close to the shore or on a peninsula easily isolated.

Seventh. The cost should not be prohibitive.

Eighth. Extensive grading should not be required to secure level ground for drill and recreation purposes.

Ninth. Water of good quality should be available in large quantity.

Tenth. There should be a bathing beach.

Eleventh. The land should not be crossed by railroads or public highways.

Twelfth. There should be convenient railroad facilities for both freight and passengers.

Thirteenth. There should be a good natural or artificial harbor convenient for both large and small vessels, having not less than 18 feet of water and easy of egress and ingress.

Fourteenth. The harbor or channel should be self-maintained and should not require continual dredging.

Fifteenth. There should be facilities for target practice.

Sixteenth. The site should not be in a manufacturing district.

Mr. Chairman, considering the purposes for which this board was appointed, they have well set forth the requirements of a naval training school. Now, then, the board examined the various locations and has made the report. They have placed one feature as predominant, and that is the center of population. Then, in order to get the center of population, they have drawn a circle of 100 miles, taking Chicago as the center.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. BURTON. Mr. Chairman, I ask unanimous consent that the gentleman may have five minutes additional time.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the gentleman from Michigan may proceed for five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. BISHOP. Now, then, as I was saying, Mr. Chairman, it seems to me from the outset that the dominant feature in selecting a site was a good harbor. I must say that I was surprised when I came to read the last report made by this board, when they reported that a good harbor was not an essential feature. Why, I supposed this was to be a naval training station. I was reminded of a little couplet that I heard in my boyhood days, which ran something like this:

"Mother, may I go out to swim?"
"Yes, my darling daughter;
Hang your clothes on a hickory limb,
But don't go near the water."

[Laughter.]

They have sought in this instance to locate a naval training station at Lake Bluff, and despite the able argument made by the chairman of the Naval Committee the board have in four different places expressed its preference for Lake Bluff. I have no doubt, and neither can any Member of this House have a doubt, that unless some provision is placed in this bill—if it should pass—the naval training station will be located at Lake Bluff.

Had the circle been drawn 10 miles greater in diameter, Muskegon would have taken the site and would have had a larger population than that inscribed in the circle with Chicago as the center. Muskegon Harbor is open the year through. It would never cost a dollar to dig it out or for dredging, and they can have 200 acres of land at a cost of $50,000.

The water mains are already laid on the land; no grading is necessary; a vessel of the largest size that sails Lake Michigan can come right to the harbor and unload her freight to-day. It is isolated by Muskegon Lake, a mile from the city of Muskegon, a town of twenty-five or thirty thousand people. It is accessible at all seasons of the year, both by rail and by water. Had nature started out to make an ideal place whereon to build a naval station she could not have made a better one than Muskegon. Here is a splendid harbor, an interior lake a mile and a half wide by 6 miles long; the land which they offer is located on a tongue, or peninsula, backed by another interior lake entering into the other; is high and dry, covered with a second growth of young oak in beautiful groves, with open spaces large enough to train a brigade of infantry, and for $50 an acre. The training station at Lake Bluff would cost, for the land alone, $250,000. Here we offer the land, the finest location in the world, on a splendid harbor, for $50,000. Now then, gentlemen, these were the instructions that were before that committee, and I am at a loss to-day to understand how it is and where the influence is that induced the board to select Lake Bluff rather than Muskegon Harbor. [Applause.]

Mr. FOSS. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. FOSS. To ask for a ruling upon the point of order.

The CHAIRMAN. The Chair understood the gentleman from Wisconsin to reserve his point of order.

Mr. COOPER of Wisconsin. No; I insist on the point of order.

The CHAIRMAN. The point of order is sustained.

Mr. FOSS. Mr. Chairman, I rise to offer an amendment, which I will send to the Clerk's desk and ask to have read.

The Clerk read as follows:

The President is hereby authorized and directed to select a site on the Great Lakes and establish thereon a naval training station, and the sum of $250,000 is hereby appropriated for the purchase of land and toward the development of said station.

Mr. HEMENWAY. Mr. Chairman, I make the point of order.

Mr. GROSVENOR. Mr. Chairman, I make the point of order.

The CHAIRMAN. The point of order is made against the amendment. The Chair is prepared to rule. The Chair sustains the point of order.

Mr. COOPER of Wisconsin. Mr. Chairman, I offer the following amendment, which contains no appropriation.

The Clerk read as follows:

Naval training station: The President is hereby authorized and empowered to appoint a board of not less than three members, none of whom shall reside in a State adjoining the Great Lakes, whose duty it shall be to report on one of the Great Lakes a suitable site for a naval training station, and having selected such site, if it be upon private lands, to estimate its value and ascertain as nearly as possible the cost for which it can be purchased or acquired, and to make a full and detailed report of their actions and proceedings to the President, who shall transmit such report, with his recommendations thereon, to Congress for its action; and to defray the expenses of said board the sum of $[illegible], or so much thereof as may be necessary, to be immediately available, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

Mr. DAYTON. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. The point of order is sustained.

Mr. BISHOP. Mr. Chairman, I offer the amendment which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Provided, Such naval training station shall be located in the immediate vicinity of an existing harbor having not less than 18 feet of water and easy of ingress and egress: *And provided further*, That not more than $250 per acre shall be paid for the land for such site.

Mr. DAYTON. Mr. Chairman, I make the point of order against that.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I rise to a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAM W. KITCHIN. My inquiry is as to what specific proposition the amendment last offered applies.

The CHAIRMAN. To the one that went out, the Chair thinks. [Laughter.] The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

Naval magazine, New England: For the purchase of land for a site for a naval magazine on or near the New England coast, north of Cape Cod, and toward the erection thereon of the necessary buildings, of inclosing said

grounds of grading and filling in of building roads and walks of the improvement of the water front, of the necessary wharves and cranes, of railroad [illegible] stock for fuel, service, of fire and water services, and of the purchase of [illegible] $20,000, or as much thereof as may be necessary, and the Secretary of the Navy may employ, and pay out of the appropriation herein [illegible] such additional expert aids, surveyors, [illegible] for the purpose aforesaid, not to exceed [illegible] dollars. That the total cost of the improvement, including the purchase of the property, shall not exceed the sum of $[illegible], and provided further, that the Secretary of the Navy may, at a fair [illegible] and proceed to institute proceedings for the condemnation of such part or parts thereof as may be necessary, and [illegible] that the Secretary of the Navy is hereby authorized and directed to institute proceedings for the condemnation of such part or parts thereof as may be necessary, and [illegible] that the Secretary of the Navy is hereby authorized and directed to [illegible] the practicability of [illegible] the new buildings for the New England coast is ready to be occupied, and to sell at public auction or private sale, as may appear to be advantageous to the Government, the present magazine and the land, or a portion thereof, the proceeds thereof to be deposited in the Treasury of the United States.

Mr. BARTLETT. Mr. Chairman, I desire to make a point of order on this section, to find out whether there is any law authorizing it or not. It reads as though it were a new enterprise entirely. Therefore I make the point of order to that part of the section—at any rate from line 11 on page 38 down to line 8 on page 39—as being new legislation. It is a provision for the purchase of land for a site for a naval magazine.

Mr. ROBERTS. Mr. Chairman, I hope the gentleman from Georgia will reserve his point of order until an explanation can be made.

Mr. BARTLETT. Mr. Chairman, if it is desired by the gentleman from Massachusetts that the point of order be reserved that he may be heard, I will do so.

The CHAIRMAN. The point of order is reserved.

Mr. ROBERTS. Mr. Chairman, I trust, after the explanation which I shall give, the gentleman from Georgia will withdraw his point of order entirely. The facts in this case are as follows: There is a small naval magazine in the city of Chelsea. It is in a very thickly settled territory. Within perhaps a square mile of this magazine there are from forty to fifty thousand people residing. In addition a large coking plant—an establishment costing $2,000,000, running day and night, manufacturing coke and gas—has been located within twelve hundred feet of the magazine; so that to-day the magazine, as present existing, and the only one which the Navy Department has on the New England coast north of Cape Cod, is a source of imminent and grave danger to a great many people. Not only that, the magazine is small, it is obsolete, and it is entirely inadequate to the needs of the Navy Department.

By previous legislation this Congress has authorized an examination of and a report upon a new and suitable site; and in pursuance of that report this provision has been inserted in the bill. The gentleman from Georgia will note a provision here that the land inclosing the present obsolete magazine shall be sold as soon as a new magazine has been provided. I am not an expert on land values, but, in my opinion—and I have some familiarity with the location of the old magazine—that land will bring almost, if not fully, enough to pay for the entire cost of the new magazine.

The board that has looked into this proposition has done its work with great thoroughness; has made a report to the Secretary of the Navy and to Congress that the site selected is inclosed by a range of hills, isolating it from the surrounding country so that in case of explosion the safety of the people and property in the neighborhood will not be endangered. The location is secure from attack by armed vessels, and is far enough from sea to render bombardment futile. Its area and boundaries forbid the proximity of dangerous or objectionable neighbors.

But more than that, Mr. Chairman, it is a grave question whether the Navy Department can secure anywhere else on the New England coast a suitable site that will combine all the elements of safety and desirability that this site presents for the amount of money with which this site can be purchased at the present time. And it is a matter of business economy for the Government to take steps at once to secure the site that this board has reported upon. That site can be secured at not exceeding $70,000 at the present time. If time is allowed to run on there is no telling what speculators may do in the way of enhancing the value of the land. I trust the gentleman from Georgia, after this explanation, will withdraw his point of order.

Mr. BARTLETT. Mr. Chairman, the suggestion that I withdraw the point of order virtually admits that the point is good and that this proposition has no place properly in this bill. So long as we have a rule forbidding legislation upon appropriation bills, I insist upon the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

In all, public works, Bureau of Ordnance, $318,900.

Mr. DAYTON. I want to call attention to the fact that as the provision for the New England naval magazine has been struck out, this total ought to be corrected. I ask that the Clerk, after ascertaining the proper sum, may make the necessary correction.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DAYTON. I call attention also to the fact that the total named in the first paragraph on page 38, $291,125, should be corrected because of the item providing for a naval training station on the Great Lakes.

The CHAIRMAN. In the absence of objection, the Clerk will make the necessary correction.

Mr. DAYTON. It is suggested to me that by unanimous consent the Clerk be directed to correct the totals in all cases of this kind.

The CHAIRMAN (Mr. GROSVENOR). The gentleman from West Virginia asks that all totals in this bill, where changes have been made in the aggregate amounts, be corrected without formal motion. Is there objection? The Chair hears none.

The Clerk read as follows:

Transportation of commuted rations: For the Secretary of the Navy, in his discretion, to engage in the transportation of officers' commutation of rations and commuted rations of the Navy and Marines, upon written orders issued in advance by the Secretary of the Navy, or under such regulations as may be prescribed by the Secretary of the Navy, or upon the expiration of leave of absence, or when ordered to sea, or upon the expiration of the term of service of commissioned officers, $[illegible].

Mr. RIXEY. I move to amend by inserting at the end of the paragraph just read the following:

Provided, That the sum [illegible] for payment for a supply of fuel for the Naval Academy and Marine Barracks at Annapolis, Md., and Lake Bluff, Ill., and shall be available until used, and appropriations to pass as soon as practicable.

Mr. Chairman—

Mr. DAYTON. I think there is no objection to that amendment.

The question being taken, the amendment was agreed to.

The Clerk read as follows:

SUPPLIES AND ACCOUNTS.

Provisions, Navy: For provisions and commuted rations for the seamen and marines, which commuted rations may be paid to officers of marines, in lieu of rations, upon orders issued by the Secretary of the Navy, or under such regulations as may be prescribed by the Secretary of the Navy, for officers on sea duty, under their commanding officers, or when ordered to sea, or upon the expiration of leave of absence from vessels to which attached, under orders issued prior to the expiration of such leave, or when ordered to duty on shore, and for commuted rations for enlisted men detached or absent from vessels to general stations and permanent stations on land, including travel allowances and per diem in lieu of subsistence, incurred in travel performed under the control of the United States, and expenses in handling stores purchased under the naval supply fund, one hundred, at $2.00 per ration, and two thousand, at $2.[illegible] per ration, $[illegible].

Mr. BURTON. I ask the gentleman from West Virginia [Mr. DAYTON] temporarily in charge of this bill just what is included in this item of $4,850,000—whether this sum is for subsistence for the whole Navy? Does it cover merely food, or what does it include?

Mr. DAYTON. It covers provisions and commuted rations for seamen, marines, and midshipmen, and stores and commuted rations for the Navy generally.

Mr. BURTON. Then it simply includes the item of food?

Mr. DAYTON. Yes, sir.

Mr. BURTON. Does it include the transportation of food to remote places?

Mr. DAYTON. I will say to the gentleman that this is for food and for expenses in handling stores under the naval supply fund for these purposes.

Mr. BURTON. Will the gentleman please state whether it includes transportation as well?

Mr. DAYTON. No; I think not.

Mr. BURTON. That is all.

Mr. DAYTON. There was last year a deficiency of half a million dollars in this fund.

The Clerk read as follows:

Naval Academy, Annapolis, Md.: In general storehouse: One bookkeeper at $[illegible]; one receiving and shipping clerk, at $1,000; in all, $2,0[illegible].

Mr. BURTON. I move to strike out the last two words in order to make an inquiry concerning the Naval Academy, an inquiry that would have come in more naturally on page 36. What is the total amount already appropriated for the Annapolis Academy, and will the amount already appropriated come out of this?

Mr. DAYTON. The amount fixed by the acts of Congress approved June 7, 1902, and March 3, 1903, for the completion of the Naval Academy at Annapolis is $10,000,000. Of that amount I think only about $7,000,000 will have been appropriated, including this appropriation of $3,000,000. We have the absolute promise of those in charge of the academy that this ten-million limit will not be exceeded, and that the academy will be completed under that authorization by Congress.

Mr. BURTON. Does not the gentleman know that on page 36 the language of the paragraph is: "Toward the completion of

buildings and for other necessary improvements at the Naval Academy."

Mr. DAYTON. The reason of that is simply this, that we are not appropriating any more money out of the $10,000,000 than is necessary to carry on work for this present year. The total expenditure out of the $10,000,000 up to this date is about $4,000,000. We have authorized $3,000,000 more by this bill, as I understand, making the total, including the appropriation in this bill, about $7,000,000.

Mr. MUDD. About $8,000,000.

Mr. DAYTON. Possibly those figures are too small. It may be that with this bill about $8,000,000 will have been appropriated.

Mr. BURTON. Are the committee to understand that $8,000,000 has already been appropriated and that this is an addition of $3,000,000, making eleven million in all?

Mr. DAYTON. No.

Mr. BURTON. Or that with this $3,000,000——

Mr. DAYTON. With this $3,000,000, $8,000,000 will have been appropriated out of the $10,000,000.

Mr. BURTON. Ten million dollars is the limit?

Mr. DAYTON. The limit fixed by Congress in its last act, as I remember, the act of March 3, 1903, is $10,000,000.

Mr. BURTON. So there are $2,000,000 more to be appropriated after this bill?

Mr. DAYTON. Yes.

Mr. BURTON. I withdraw the formal amendment.

The CHAIRMAN. The formal amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

One professor as head of department of modern languages, to be appointed with the rank and pay of a professor of mathematics of the rank of commander, and to be carried as an extra number in the list of professors of mathematics in the Navy.

Mr. DAYTON. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The Clerk read as follows:

Strike out line 25, on page 56, and lines 1, 2, 3, and 4, on page 57, and insert in lieu thereof the following:

"That the President be authorized, by and with the advice and consent of the Senate, to appoint a professor of mathematics of the rank of commander, to rank after Aaron Nichols Skinner, and to be an extra number in the list of professors of mathematics in the Navy."

Mr. HEMENWAY. Mr. Chairman, I desire to reserve the point of order.

Mr. DAYTON. I will simply explain to the gentleman that it has been found impracticable to fill the position of head of the department of modern languages except with a naval officer, and it is thought, in order that there may be any permanency in the position, that this head of department ought to be a member of the corps of mathematics. We had a civilian appointed last year and he has resigned. The Secretary of the Navy has sent this to us as a special recommendation. The committee, after hearing had, were unanimous in making the original provision, and it is found that the original provision does not verbally conform to the law. This is simply a change so as to make it conform to the law.

Mr. HEMENWAY. I do not understand the effect of it. Is this appointment made to-day by the President and confirmed by the Senate?

Mr. DAYTON. Yes; and he will be, in fact, one of the corps of mathematics, and detailed as the head of this department.

Mr. HEMENWAY. It creates a new office, does it not?

Mr. DAYTON. No; it does not create a new office. It transfers a line officer to the corps of mathematics.

Mr. HEMENWAY. Will he be advanced and go onto the retired list?

Mr. DAYTON. No. As a member of the corps of mathematics, when he has performed full service he will be regularly retired, but not until then; but in any event we would have to provide for the head of this department, because there is now such a position.

Mr. HEMENWAY. Have you the letter of the Secretary of the Navy?

Mr. DAYTON. We had a hearing on it before the Naval Committee. You will find it in the hearings. It has come up since the estimates were submitted.

Mr. BARTLETT. We on this side would like to hear what is going on over there.

Mr. HEMENWAY. I will say to the gentleman that it seems to me strange that a professor of mathematics at the Annapolis Academy should be appointed by the President and confirmed by the Senate. Why should he not be appointed as any other professor at one of the academies of the country, either the Naval or the Military Academy, is appointed? I do not know how they are appointed, but I did not suppose they were appointed by the President and confirmed by the Senate.

Mr. DAYTON. Any member of the corps of the Navy is appointed by the President and confirmed by the Senate. He is advanced also. Here is a letter from the Department. After a long explanation, the Secretary closes in these words:

The necessity for this legislation is very clear to the Navy Department, and the suggestion of Captain Brownson is indorsed and recommended.

Mr. HEMENWAY. Who is he?

Mr. DAYTON. The Superintendent of the Academy.

Mr. MANN. May I ask the gentleman a question? Is this appointee to be a civilian?

Mr. DAYTON. No; he is to be a naval officer.

Mr. MANN. Is he a civilian now?

Mr. DAYTON. No; he is not now.

Mr. MANN. How much advance in rank does this give him?

Mr. DAYTON. It simply transfers him to this corps, so that he can fill this position.

Mr. MANN. Why, this makes him a commander. It puts him in a different place from what he is in the list.

Mr. DAYTON. The understanding is simply that at this time he is on the eve of being promoted to the position of commander. This does not, as I understand, give him any additional salary, but simply puts him in the corps in the same position that he would have at the present, or within a short time, possibly by the time this bill becomes effective, but because of his peculiar fitness to take charge of this department at the academy, it is asked that he should be carried as an extra number, and put at the head of this department.

Mr. MANN. This is an officer who will never see sea duty, and this proposes to advance his rank.

Mr. DAYTON. No; I think not.

Mr. MANN. Well, the amendment provides for putting him in a different place on the list.

Mr. DAYTON. It transfers him from one corps to another. That is what it does, as I understand the amendment. I will ask the Clerk, in order that there may be no doubt, to read the recommendation of the Secretary.

Mr. BARTLETT. I would like to hear what the situation of the committee is.

The CHAIRMAN (Mr. GROSVENOR). The situation is that an amendment is offered by the gentleman from West Virginia, striking out line 25 on page 56 and lines 1, 2, 3, and 4 on the next page and inserting an amendment, which the Clerk will report again for the information of the committee.

The amendment was again reported.

Mr. HEMENWAY. And to that I reserved the point of order.

The CHAIRMAN. And the gentleman from Indiana has reserved the point of order.

Mr. DAYTON. Now, I ask that the letter of the Secretary of the Navy and one of Captain Brownson be read. They give a full explanation.

The Clerk read as follows:

NAVY DEPARTMENT,
Washington, February 1, 1904.

SIR: I inclose herewith a copy of a letter from Capt. W. H. Brownson, United States Navy, superintendent of the Naval Academy, recommending that a position for the department of modern languages be established, with the rank and pay of a professor of mathematics of the rank of commander, to be carried as an extra number in the list of professors of mathematics in the Navy.

The person mentioned in connection with the position is Lieut. Commander Harry P. Huse, United States Navy, now in charge of the department of languages at Annapolis.

It is recommended a permanent head of this department was recognized in the appropriation act which provided for such a position, and here [illegible] the department of modern languages, with a salary of $[illegible] a year, which [illegible] has been now for some vacant period, the position of Prof. [illegible] Mead and is as a matter of some concern to the Superintendent how to fill it.

It is considered in a military institution like the Naval Academy that the head of the department of modern languages not only should be a thoroughly [illegible] and Spanish and be a teacher of experience, but that he also have the prerogative and ability to administer the large academic department of which he is the head. The officer mentioned in this recommendation of the Superintendent of the Naval Academy has had eight years' experience as an instructor at Annapolis, during three of which he has been in charge of the department of languages. He is now a lieutenant-commander in the Navy, which rank he has held and was advanced five numbers for conspicuous bravery at the battle of Santiago, in which he took part as executive officer of the Gloucester.

By the proposed legislation an officer would practically be transferred from the line of the Navy to a position in the same line in the staff, and the appropriation of $[illegible] a year for a civil professor would be saved. As it is proposed to transfer the officer there is preferred an extra rank but in the list of professors to have no effect upon rank in the professors of mathematics who would come immediately before Mr. Huse.

The necessity for this legislation is very clear to the Navy Department, and the suggestion of Captain Brownson is indorsed and recommended.

I have the honor to be, sir, very respectfully,

W. H. MOODY, *Secretary*.

Hon. GEORGE EDMUND FOSS,
Chairman Naval Committee, *House of Representatives*.

NAVAL ACADEMY,
Annapolis, Md., January 27, 1904.

SIR: A question of importance to the Naval Academy is caused by the resignation of Professor Nichols, who has held the position of modern languages.

2. This position has for a number of years been filled by a line officer, the choice of necessity being limited to officers properly equipped. Of late years a knowledge of Spanish, as well as of French, has been deemed essential, and

it has been hard to find an officer with the necessary qualifications who was available for shore duty. This difficulty finally led to the insertion of a clause in the appropriation bill for the current year providing for a civilian head of department at a salary of $3,000 a year.

3. Mr. Randolph H. Miner, who graduated at the head of his class in 1879, resigned in 1883 and returned to the service upon accepting the Spanish war, was offered the newly created position and accepted it. Mr. Miner has all the qualities necessary to make a success of his department, combined with the great importance to watch and direct his large financial interests in various parts of a distant a point, and he has proved his capacity in my service. It is with much regret that I forward it.

4. Mr. Miner was so preoccupied for the time that his appointment presented no problems. It would be otherwise with a new man, and there is a great deal of nonsense and mistake. The service is being sadly injured by the belief that a civilian appointee, who is a good man, with strong influential backing, might be appointed, and it is now my duty to get rid of him. Lieut. Commander H. P. Rose, at present in charge of the department of modern languages, has suggested to me a good solution of the interests of the Naval Academy. He has my cordial approval and support. It is that the following clause be inserted in the appropriation bill, such a place of the clause under which Mr. Miner was appointed:

"That a lieutenant-commander may be appointed with the rank and pay of a professor of mathematics, with the rank of commander, and carried as an extra number in the list of professors of mathematics in the Navy."

5. If this were enacted Lieutenant-Commander Rose informs me that he would be an applicant for the position. He is now senior, as an extra number on the list of lieutenant-commanders, and the proposed legislation would merely transfer him to a position in the line of promotion, which, as shown below, Professors Alger and Brooks were transferred to the line at the Naval Academy. He would be the senior of the two, and would accept this position and his appointment would be the best one if it could be brought about.

Very respectfully,

W. H. EMORY,
Captain, United States Navy, Superintendent.

THE SECRETARY OF THE NAVY,
Washington, D. C.

(Endorsement.)

Mr. HEMENWAY. I would like to ask the gentleman in charge of the bill if that provision makes a promotion of this officer?

Mr. DAYTON. As I understand it, it simply transfers him from one corps to another.

Mr. HEMENWAY. Would it increase the salary paid to that officer?

Mr. MANN. He is a lieutenant-commander now, and this makes him a commander.

Mr. DAYTON. But in a very short time he will by promotion be a commander. It would save the salary of $3,000 paid to a civilian professor.

Mr. MANN. Mr. Chairman, as I understand this amendment, it provides for the appointment of this gentleman as a commander?

Mr. DAYTON. Yes, sir.

Mr. MANN. And that he is now a lieutenant-commander. Now the question will not be the same.

Mr. DAYTON. He will likely be a commander before this bill becomes law.

Mr. MANN. What is the object of providing for it, if he would be the commander before this bill becomes law?

Mr. DAYTON. Simply to transfer him from the other corps. He would not be a commander. He would be a lieutenant-commander of the other corps, and he would not be promoted to the position he would have had had he remained in the line.

Mr. MANN. Could he not be promoted if he were transferred?

Mr. DAYTON. His promotion then would be according to the commissions existing in the corps of mathematics.

Mr. MANN. The gentleman knows that I am not familiar with that matter, as he is.

Mr. DAYTON. Promotions in the different services depend upon death, resignations, and such things; so that they are not equal. For instance, when there is a promotion of the next in line of the line, there is not one in the staff.

Mr. MANN. This officer is now a teacher at the Naval Academy.

Mr. DAYTON. He is not in a sense a teacher. He is the head of this department, as a lieutenant-commander.

Mr. MANN. What do you mean? Does he teach?

Mr. DAYTON. Yes; to some extent.

Mr. MANN. He is on duty at the Naval Academy.

Mr. DAYTON. He is on duty now at the Naval Academy.

Mr. MANN. Is one class of teachers at the Naval Academy promoted in one line and another class promoted in another line?

Mr. DAYTON. The members of the corps of mathematics are promoted according to the vacancies in that corps.

Mr. MANN. In the corps of mathematics?

Mr. DAYTON. Yes; and men in the line are promoted according to vacancies in the line.

Mr. MANN. This man is not in the line?

Mr. DAYTON. This man is in the line; yes, sir.

Mr. MANN. Assigned to duty——

Mr. DAYTON. Assigned to duty, because of his peculiar fitness, to this department of modern languages.

Mr. MANN. Would he be promoted as an officer of the line or promoted as one of the professors of the academy?

Mr. DAYTON. He is about to be promoted now as an officer of the line to the rank of commander. If he is transferred to the corps of mathematics, he will then thereafter be promoted according to the vacancies in the corps of mathematics.

Mr. MANN. Then, according to the gentleman's explanation, this amendment will not promote him; it will not prevent his promotion if he accepts the position?

Mr. DAYTON. Substantially you are right.

Mr. MANN. Then, if that is the case, I can see no objection.

Mr. MAHON. It provides in the original section of the bill that he shall have the rank of commander. Why not leave the original section standing so when he gets promotion and confirmation by the Senate he can be appointed?

Mr. DAYTON. The objection is, after the Navy Department had examined it thoroughly they did not think the language complied with the requirements of law, and this amendment is simply in form and verbal changes necessary to comply with the law and means the same thing precisely.

The CHAIRMAN. Does the Chair understand that the gentleman from Indiana withdraws the point of order?

Mr. HEMENWAY. I reserve it. I do not care to make the point of order, however, I just rose for a question on the subject.

Mr. WILLIAMS of Mississippi. Mr. Chairman, if the gentleman withdraws the point of order, I renew it.

The CHAIRMAN. The Chair will sustain the point of order, if it is that the proposition is not germane to the text. The Clerk will read.

The Clerk continued the reading of the bill, as follows:

"One battle ship, carrying the heaviest armor and most powerful [illegible] the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding $4,400,000.

Mr. BURTON. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all of paragraph on page 70, beginning at line 6 and ending with line 11.

Mr. FOSS. I suggest to the gentleman that he wait until the whole paragraph shall have been completed.

Mr. BURTON. I think there are grounds for separate consideration. I am unable, Mr. Chairman, to vote for a proposition which would look to [illegible] and in the Philippines [illegible] accomplished facts, but [illegible] least to the extent of doing away with [illegible] of battle ships at present. I desire no better argument in support of that position than the figures to be derived from a table [illegible] report made by the chairman of the Committee on Naval Affairs. I wish to ask the careful consideration of those gentlemen of this committee, for it will require [illegible] stand their import. It is [illegible] to make three comparisons.

The table to which I refer is the one entitled "The strength of the principal naval powers, number and displacement of battle ships, built and building, of 10,000 or more tons displacement."

The first comparison in the table [illegible] tonnage building as compared with that already built in each [illegible]. The tonnage building in the United States as compared with that of other nations [illegible] a specific comparison of the tonnage of battle ships building. It appears that the United States is building a tonnage of them on [illegible] of that already in existence; the quantity building is 351,210 tons—less than one-fourth of that already constructed. In France the quantity building is 179,649 tons; the quantity already constructed is 576,178 tons, so that under construction is less than one-third. Russia goes slightly above [illegible] tons now under construction, as against 416,178 tons constructed; Germany, 117,745 tons under construction, as against [illegible] tons already constructed, [illegible] less than one-third.

Now we come to the United States. We will take it the other way and give first that which is constructed—[illegible] tons constructed; under construction, 421,870 tons, and we are informed in a footnote that two battle ships, already authorized, of a tonnage, I suppose, of about 15,000 tons each, have not been contracted for. If we were to add these two, the total tonnage under construction would be 447,000, as against [illegible], which includes all war ships of every nature now in existence, and this is true while not another nation on the globe is constructing more than one-half of that which it now has, and the usual average is one-quarter to one-third.

The position taken by me on Monday was criticised. It was said that I was out of line with the Republican party, as indicated especially by the platform of 1896. Is there anything in the Republican platform of 1896 in advocacy of an enlarged navy that requires us in this year 1904 not only to have under construction

more of tonnage than we already have but to add to that another battle ship and armored cruisers besides? The gentlemen who take that view are already far too modest in their estimate of the work that they have already done, and it is a very dangerous mode to go when it has to do with the National Treasury. Again, in the year 1896, when this platform was written, the total expenditure for the Navy was $27,147,000; that contemplated in this bill is $57,000,000. Is not that an unreasonable increase?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. FOSS. Mr. Chairman, I ask that the gentleman's time be extended for ten minutes.

The CHAIRMAN. The gentleman from Illinois asks that the time of the gentleman from Ohio be extended ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. Mr. Chairman, I want to call attention in this connection to the fact that there is something in the Republican national platform of 1900 that points toward peace. In that platform there is this statement:

We commend the part taken by our Government in the peace conference at the Hague. * * * [illegible] regarded when President M[illegible] was [illegible] of peace between Great Britain and the South African Republics.

To show that the platform did not contemplate that we should become involved in European politics, I quote the following:

[illegible] we [illegible] the Hague tribunal to adjudge and determine questions which may threaten the peace of the world, we believe the American people unanimously hope that a way may be found, consistent with the honor and interests of both contending parties, to terminate the struggle in South Africa.

That is, between Great Britain and the republics in South Africa. I now take up the second comparison, that between the tonnage building in this country and that in other countries. The tonnage building is, of course, the largest in Great Britain—351,210 tons—but our country is a very close second, if we include the battle ships already authorized, for as against the 351,000 tons there would be 347,000 tons. The tonnage building in France is 179,000 tons. I think it is fair to count in that which is under construction here the ships already authorized, so as to make our tonnage 347,000 tons, an enlargement in this country almost exactly twice as great as that in France.

Russia has [illegible] tons, as against our 347,000 tons, ours being about two and one-half times as much. Germany, which seems to be [illegible] consideration of some gentlemen, has [illegible] our 347,000 tons under construction only 117,000 tons, just a little more than one-third. Italy has 70,000 tons, or about one-fifth. Japan, at the time [illegible] statement was made, only had 10,000 tons, or about one-fifth.

I carefully looked over, last evening, the budget accounts of the leading nations of Europe to find how their expenses for the navy compared with ours. This bill contemplates the expenditure of not less than $[illegible] during the ensuing year, including the amount now under construction. Great Britain expends $[illegible] with about $[illegible]. France, however, expends only about [illegible] millions per year. Germany, according to the last budget available, that for 1903, expends twenty-one and a half millions, and ours is four and a half times as much. Russia expends about sixty millions. There has been a marked increase since the year 1900. Italy expends about twenty-five millions, so that, with the exception of Great Britain, we are at least 50 per cent in excess in our naval expenses of any nation in Europe.

I wish, now, in a word, to compare the tonnage of battle ships building, for that is the subject especially applicable to this paragraph. It is shown in this statement that we now have eleven battle ships under construction, and two of 13,000 tons each are authorized [illegible]. The total tonnage of battle ships under construction in Great Britain is 143,000 tons. These already under construction in this country amount to 168,700 tons, and if we add the 26,000 tons it would be 192,000 tons, 50,000 tons more of battle ships under construction in the United States or contracted for than in Great Britain, and yet we are asked to approve of an appropriation for another battle ship. I am told that it will take at least four years to complete those already under way.

Naval warfare is now on, in which it may appear that these mighty engines of destruction are useless as against torpedo boats or the modern methods of attack and defense.

Mr. FITZGERALD. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Will the gentleman from Ohio yield to the gentleman from New York?

Mr. BURTON. Yes.

Mr. FITZGERALD. Will the gentleman permit me to call his attention at this time, right in this connection, to a press dispatch which says that in the House of Commons yesterday it was stated that the programme for Great Britain for the coming year has been reduced one battle ship, from three to two, and under certain contingencies it would be reduced to one, and that that would be laid down in the coming autumn instead of by the 1st of April, as contemplated?

Mr. BURTON. Showing that there, where the naval interests are greater, they are waiting to see the results of this war. In 1897, in a speech I heard down here in Hampton Roads, naval architecture was revolutionized and the wooden ship, you may say, driven out of existence as a force on the sea—at any rate, in close action. Mr. Chairman, under all these circumstances it seems to me that it comes very near to absurdity to claim that one is lacking in his fealty to the Republican party or to any party in giving a word of caution and crying halt upon this very amortious programme. [Applause.]

Mr. ROBERTS. Mr. Chairman, in answer to the gentleman from Ohio [Mr. BURTON], in whose judgment on most matters I have great confidence, I would like to read to this committee a few extracts from an editorial in the New York Sun, which appeared the very day the gentleman from Ohio [Mr. BURTON] was making his attack upon the further increase of the American Navy. That editorial is headed: "It is best for Congress to follow Mr. Roosevelt's advice."

I am not going to read all of it, because there is over a column in the article. I want to read a few extracts.

It says:

"This Administration has been much praised for that part of the appropriation bill which provides for naval expenditures. The bill now reported [illegible] for nearly [illegible] years. The [illegible] amounts to $[illegible], or more than 12 per cent of the Department's estimates.

"Moderation, or rather economy, in naval preparedness is misplaced. It is like [illegible] economy by cutting down the premiums paid for insurance on the house itself.

* * * * * * *

"Mr. Roosevelt [illegible] with remarkable clearness and vigor when he said in his speech at Necessity Near Lake Cosme, Haverhill, Massachusetts, [illegible] outbreak of war to improvise either the ships or the men of a navy.

"A navy's efficiency in a war depends mainly upon its preparedness at the outset of a war.

"[illegible] to be excused as a nation if there is not such preparedness of our navy.

"[illegible] undertakes big task unless it is prepared to do it [illegible] must be treated with no ordinary degree of thoroughness. Every effort must be made to bring it ever nearer to perfection.

"Every effort, and at any cost in money or labor. Since the foregoing words were spoken [illegible] a philosophy of naval increases [illegible] illustration in [illegible] of her war with Japan.

* * * * * * *

"Among the more specially technical and professional questions to which the [illegible] was [illegible] the construction of the torpedo boat in actual warfare [illegible] Mr. Roosevelt became convinced of the tremendous value of the torpedo boat.

* * * * * * *

"You know that [illegible] Congress and to a large measure [illegible] Mr. Roosevelt [illegible] Congress [illegible] Mr. Roosevelt's [illegible] Mr. Roosevelt's [illegible] that emergency was coming.

Mr. BURTON. Mr. Chairman, which statement does the gentleman think most accurate, the statement of that newspaper or a report filed by the chairman of his committee?

Mr. ROBERTS. I am reading a newspaper editorial, and not comparing the statements contained therein with the statement of committees.

Mr. BURTON. Does the gentleman vouch for its accuracy, or is it filled with statements carelessly made?

Mr. ROBERTS. I have not examined these figures. If the gentleman has, and these figures are wrong, I will not stand by them. I am only reading this editorial for the sake of what is in it. To continue:

"What an impressive demonstration of the soundness of his conclusions in this respect and of the accuracy of his prevision has been furnished to the world by [illegible] the Russo-Japanese war.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBERTS. Mr. Chairman, I ask unanimous consent that I may be permitted to continue for two minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that his time may be extended for two minutes. Is there objection?

There was no objection.

Mr. ROBERTS. Mr. Chairman, I want to call the attention of this committee to one other statement that has been attributed to President Roosevelt. It seems to me [illegible] the American people should tread softly, but carry a big club. And a big club for the American people, in my judgment, is an adequate navy

I believe the American people are prepared to-day, notwithstanding the statements of the gentleman from Ohio [Mr. BURTON], to continue to tread softly, but to increase the size of the club they are to carry.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio.

Mr. MAYNARD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Virginia moves to strike out the last word.

Mr. MAYNARD. Mr. Chairman, the Democratic party is in line with an increase in the Navy. As has been stated on this floor by various Representatives of the minority, the Democratic party believes in an increase in the Navy, but along such lines as the needs of the service and country demand. What the necessity for the present increase is and what the needs of the service and the country demand must be determined by each individual for himself.

I believe that we should have the increase in the Navy that is provided in this bill. I believe in making this increase that we should build ships of such a size that they will be able to cope with battle ships of any other nation on the globe. I am in favor of torpedo boats and submarine boats, but if we can not have all, let us have the best and heaviest we can get. The constituency which I represent on this floor believes in the Navy. They have a great pride in the Navy. When the *Oregon* took that wonderful trip around the Horn and arrived at Santiago, the cheers that the southern and Yankee tars raised when she took her place in the line of battle rang around the world and found an echo in the hearts of all our people.

I believe the people of this country want ships of that type—ships which, when called to undergo a long voyage or to do efficient service in time of need, will be capable of meeting the emergency.

Mr. Chairman, the trouble with this country is that the Representatives upon this floor come here not knowing what the people of the country want in regard to the Navy. They each represent here their individual ideas. This country has seen fit to have at different times expositions which have been great universities to educate the people along the lines of the advance in science, industry, arts, and learning. But, Mr. Chairman, there has been no occasion when our people could be informed in regard to the needs of the Navy or the class of vessels in course of construction to make our Navy efficient. There should be given to the people some opportunity to be educated upon this line. Let us do something to bring the navies not only of this country but of all the countries together so that the people may see for themselves and compare the wooden ships, the first ironclads, and the ironclads of to-day, the great war ships, with vessels of the same class from every country on earth.

Under those circumstances the people who are as anxious as we are to be informed on these questions will see for themselves what is needed. They will determine this question for themselves. They will go home and will impress upon their Representatives their views on this question; and then, coming here, we shall all come nearer to voting what is the true idea of the people about the increase of the Navy, and will not so largely determine such questions as we now do upon our own individual ideas.

There is in this bill a provision for a naval training station. There has been long and varied debate here to-day about the advisability of establishing this training station and about its location. Mr. Chairman, what we need for our Navy is not so much a school for training boys to naval service; they can be sufficiently trained in the performance of their duties; what we need is a school established somewhere on the coast of this country where we may educate a naval reserve. Nearly all the other countries have a large naval reserve by reason of the fact that in those countries there must be compulsory service rendered by the citizen or subject in the army and the navy. This insures a reserve of trained men that can be used at any time. In this country we have no compulsory military or naval service. There should be a school established somewhere in which we might educate men for the merchant marine, give them a technical education, with the understanding that in time of need they shall be used as a naval reserve. In this way, Mr. Chairman, we shall build up in this country a large class of men suitable for that naval reserve, so that if we shall have ships in time of need we may easily man them.

As I said before, I believe the people of this country take a peculiar pride in the Navy of the country. I believe they want to see our Navy equal to any navy of the world. I do not believe they want our Navy increased with the idea of going to war with any foreign power; but they want our Navy so large that in case of necessity there will be no danger to our largely extended coast. The people I represent live in a coast country. They are very much interested in this question; and I feel I should be recreant to my duty if I did not stand here and urge not only the need of ships, as provided for in this programme, but declare that they are in favor not only of the Navy, but an increase of ships of the very largest kind. [Loud applause.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Ohio. On this question debate is exhausted.

[Mr. VREELAND addressed the committee. See Appendix.]

Mr. RIXEY. Mr. Chairman, as I understand the proposition, it is not to abandon the American Navy, and it seems to me a little strange that the gentleman from New York [Mr. VREELAND] should intimate that the Democratic party is less patriotic than the Republican party. I will remind him that it was a Democrat who first laid down the doctrine that no foreign power would be permitted to enlarge its territorial holdings in the Western Hemisphere. [Applause on the Democratic side.] I will say to the gentleman that the Democratic party will now and in the future enforce that doctrine.

Mr. VREELAND. Will the gentleman permit an interruption?

Mr. RIXEY. Yes.

Mr. VREELAND. I am very sorry if any language which I used could be construed as conveying to the gentleman the idea which he suggests. It was entirely contrary to my purpose.

Mr. RIXEY. I am very glad I misunderstood the gentleman. The question here is simply as to what shall be done on this appropriation bill for this one year.

The Secretary of the Navy recommends to Congress the adoption of the report of the general board, which provided for three protected cruisers, one armored cruiser, and one battle ship, and stated that their relative importance at this time was in the order named. That is, the three protected cruisers as the most important, with the one armored cruiser next, and, as the least important of the three, the battle ship. So that the proposition is now up to this House. If we intend to curtail expenses and keep down the appropriations to the limit now reached, we ought to commence right here and eliminate the provision for this battle ship.

I submit that the Secretary of the Navy and the general board have good reason for regarding the battle ship as not essential at this time, for I find that we are now building thirteen battle ships, while Great Britain is only building nine. We are building more battle ships in number and in tonnage than Great Britain. Russia comes next, with eight battle ships, and Germany and France with six each. We have under construction twice as many battle ships now as Germany or France, and a third more than Great Britain. In view of the great increase in appropriations for the naval establishment is there any reason to charge anyone with being unfriendly to the naval establishment because he favors omitting the provision for the three great ships for this year?

But a few years ago I remember that the distinguished gentleman from Illinois who is now Speaker of this House supported a motion to omit the provision for an increase in the battle ships for that year. And my recollection is that he stated, in substance, that it was his opinion that when the ships under construction were completed we would furnish a navy that would practically be sufficient for this country.

Mr. Chairman, we have a pretty good-sized navy as it is. Under date of March 28, 1903, the Post published an interview with Admiral Dewey in regard to the naval maneuvers in the Caribbean Sea last year. He said:

> They were the greatest object lesson of that kind, probably, that the world has ever seen. It was an object lesson to the Kaiser more than to any other person. Think of it, fifty-four war ships, including colliers and all. Germany could not possibly get a fleet over here that could fight such an aggregation of war ships as that.

The Post then adds:

> Admiral Dewey admitted yesterday that the interview as published is substantially correct, and saw no reason to deny or correct any portion of it, but remarked that he had not spoken in any feeling of hostility toward Germany.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RIXEY. I would like to have about two minutes more.

Mr. BUTLER of Pennsylvania. I ask unanimous consent that the time of the gentleman may be extended five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from Virginia be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. RIXEY. The Admiral said in regard to these maneuvers last year that they furnished the greatest object lesson the world had ever seen, and that one of the greatest powers in the world—Germany—could not possibly get such a fleet to this country. No sane man believes that Germany wants to attack the United States, but the Admiral's assurance may satisfy those who are not sane. We are now doubling our naval power. We are adding to the officers and men every year. We have under construction enough ships to double the Navy, and with expenses for the naval

establishment quadrupled within the past twenty years surely the most rabid and insistent advocate of the greatest world navy should be satisfied with the progress made. I support with pleasure the proposition to strike out the provision for the battle ships.

Mr. BUTLER of Pennsylvania. I move to strike out as many words as are necessary.

The CHAIRMAN. The pro forma amendment will be considered as withdrawn.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I move to strike out the last word.

Perhaps the most pleasing incident ever seen in this House occurred yesterday, when my friend from Ohio made his heart junction with the peace loving people of the United States. Did my friend vote for the $[illegible] appropriation that makes the increase of this navy a necessity? Did he consider the acquisition of the Philippines with the assumption of responsibilities accompanying them, in the interest of peace? He stands now, by his recent speech, clothed in the garb of George Fox smearing himself with the blood of his countrymen, because he has said in that speech, which we all liked to listen to, as we do to everything that he says, in order that we may be improved by the listening, that those people who would talk in favor of war he would place upon the firing line for the length of time they consumed in the discussion. Allow me to quote him correctly:

> I have always thought there was a rule in this House that when a man talked in favor of war he should be put on the firing line for at least the length of time he consumed in his speech. [Applause.]

[Laughter.]

To stand conspicuously on the firing line means to stand where danger is greatest and where the risk to life is [illegible]. I [illegible] the kindly desire of the gentleman expressed in warmth before the whole country, tend to soothe the passions of men and recommend him as a well-suited ally of the peace-loving people who would settle their differences with arguments rather than with swords?

If my friend had been consistent in his expressed wish to be with those who strive for peace alone, and to them we should all belong, if he had been absolutely consistent he would have found himself on his knees praying for those who opposed the declaration which he supports. He could not have wished that their blood run as [illegible] he would not have wished those opposed to his opinion put in places of danger that their lives might be offered up in place of any [illegible] that they opposed. [illegible] had at that time. I [illegible] of people who have been consistent since the time [illegible] Friends, [illegible] a Christian church known as the "Society of Friends" [illegible] to strife for consciences [illegible] with [illegible] Ohio indulged in his love [illegible], in which he said "our arts and our library [illegible] and if we stand for the principles of [illegible] by cannons and guns we will gain the [illegible]," that he was in a state of mind to join [illegible] war part of which I have spoken I [illegible] heretofore and up to this time within my recollection, without one word of [illegible] because of its willingness to [illegible] increase in [illegible] of our country and to increase [illegible] by arming [illegible] navies armed with modern [illegible]. When I [illegible] seven years ago and was assigned to a place on the Committee on Naval Affairs I [illegible] Government [illegible] by a [illegible] Congress had provided for the construction of [illegible] war, and many of them were necessarily unpaid for at the time I spoke of. [Applause on the Democratic side.]

Now you applaud your own efforts, but many of you decry ours. I [illegible] work. [illegible] has grown big and [illegible] and is now opposed by a majority on that side of the [illegible] because our continuance in the East depends altogether [illegible] and the effectiveness as well as the size of our naval forces.

The Democratic party would force us from our outlying possessions by depriving the authorities of the necessary means to enable them to stay there. The cause here should be a common one. Why play politics to confuse it?

In 1898 the Spanish-American war was forced upon us. Every method known to man was employed to avoid it. Can any gentleman tell me wherein we could have done more to postpone the issue with credit to our country? After we had fully exhausted our art and our glory we found they were not only justice, and the dramatist had not considered the Spanish temper when he wrote the beautiful lines quoted with such eloquent effect.

Did my friend vote for the resolution that precipitated war? Those of us who did need not hold our heads in shame. While we regretted the necessity, we may commend the result. Did we have too many boats in our fleets the day they set sail to do battle for a cause approved by our whole country? Have we yet forgotten the painful days of waiting and suspense while the *Oregon* made her way to our assistance? Not an American soul during that period of anxiety found fault with expenditures made for naval increases. The Spanish fleet was not a formidable foe, and we were not ungrateful that she fought aimlessly and without purpose except to escape.

While we are justly influenced by the opinions of our forefathers, we must not forget that they went into the future before the Republic which they made and blessed had fully matured.

As a result of our victory at arms, we have been able to demonstrate to humanity our complete ability to make other republics almost perfect images of our own.

We are not seeking lands in which we can force our institutions, and the proposition to increase our naval forces can carry with it no such implication. I do believe had we had a sufficient fleet of great war ships in 1898 we would have had no war with Spain. Who is there among us who would rather pay for honor than for ships? Wouldn't the people prefer to spend a proper sum each year to honorably prevent conflict rather than engage in it? Do the people believe that our efforts if successful here will have that effect? Can there be any doubt about the opinion of the country upon this proposition to increase the Navy? Does any gentleman in this House have an opinion that the country does not favor it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for ten minutes.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman be extended for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER of Pennsylvania. How can we get the sentiment of the country? You are not voting away your money nor mine, but we are voting away the money of the people of the United States. How can we learn what they wish? There are but two ways I know of, one through the ballot and the other through the opinions expressed by the leading periodicals. And if there is any satisfaction to my friends to know it, it is a pleasure to state here that I have had within the last five days the opinions of more than 100 great editorial writers of the United States through their papers. How many do you suppose are opposed to the programme as proposed from this Committee on Naval Affairs? It may be interesting to you, as it was to me, to hear some of these editorials read. The Boston Courier, the Cincinnati Telegraph, of Pittsburg, the Star, of Washington, the Pittsburg Gazette, the Buffalo Express, the Brooklyn Times, all advocate the proposed increase with strong and plausible argument. The New York Herald, referring to Senator GORMAN's declaration, says:

> In the same breath in which he [GORMAN] denounced the Navy as top-heavy and expensive he has always favored wise and liberal appropriations for the Navy, and was responsible for Senator GORMAN's vote, for an increase in the cruising and fighting [illegible] of the Navy.

The Times, of Cumberland, Md.; the Boston Globe; the Philadelphia Inquirer; the Chronicle, Portsmouth, N. H.; the Evening Post, Chicago, Ill.; the Republic, St. Louis, Mo., stand upon the same plane of the Herald and [illegible]. We ought not to make a partisan [illegible] here. My friends do not let us come to this; one of us loves his country as much as the other.

Each of us is as patriotic as the other, and none of us wants to fight any more than the other. It has only been a few years since we as citizens welcomed our soldiers and sailors home from an awful war with their hands stained with the blood of their brothers. What would they have done to have prevented it? All persuasion had ceased to be effective and no method remained but the one to which they resorted.

My first impression was that preparing in a proper spirit would prevent strife among brothers and kindred nations. After learning from history of the efforts made upon that great occasion, and after witnessing the results, I have been turned to change my mind, and this is not the only historical occurrence that might be cited to justify my conclusion.

All feeling aroused by that conflict has nearly disappeared, and we have now a common country and are all for everything that will make the country stronger and greater, and let us not get into a feeling of partisanship or spend our time quoting party platforms and party declarations.

But to go further. I have here editorials from the Mail and Express, of New York; one from the Louisville Post, which says:

> While it is true that the Army and Navy have taken some important large sums of money, these appropriations have not been and least the expense of works of internal improvement.

The Chicago Tribune says:

> The American people will not indorse the policy of sacrificing the American Navy for internal improvements, nor is there any such necessity.

Now, Mr. Chairman, the hands on that clock are tearing along. I can not stop to read all these editorials or even extracts from them, because the time consumed would cover a week. I have here further editorials from the Evening Mail, Galesburg, Ill. Also another editorial from the New York Herald of February 18, 1904, in which it is said:

> The possibility of also Congressmen being called on to protect the now peaceful possessions in the Philippines, or even going to war, into the unknown past, if not on to the threat by reason of these possessions, has frightened the Navy Department a very little. If so remote that an event may happen at the time, the Navy would have to expend a great energy on the Navy for the protection of its interests and for the maintenance of the place attained. Representatives in Congress, who have heretofore been somewhat apathetic in regard to naval affairs, are now taking an active interest in the discussion.

There is a paper in the United States that is as old in its democracy as the party itself, and is known as the New Orleans Picayune. To show you that this is not an issue between your side and this side, it is a pleasure to read for a minute a small extract from a strong editorial appearing in that paper on February 15, 1904. The writer in his conclusions says:

> Money spent on the Navy is money well invested. Should we ever become engaged in another war we are going to have use for a large navy, hence the sooner we proceed to get large navy and accustom the personnel to handling it effectively the better it will be.

Another paper I would like to read from is the Journal, published in Sioux City, in which the writer says:

> When that time comes we want to be in shape to fight to win, and the very best guaranty in that direction is the possession of a navy large enough to cover the commercial points and ready to do business at the shortest time. With this object in view we ought to be absolutely certain that the navy both for increasing the strength of our Navy authorized in preparation on other improvements being, and in keeping the vessels now in commission in effective fighting form.

The motion here is to take from this bill the provision for a battle ship. If any part of this bill must go out, do not let us take the ship from the bill that offers the best protection to our own people that we care so much for, the sailors of the United States. Do not send them out to be needlessly exposed to the guns of the enemy, but put them on the best ships that can be provided. Upon this question there is no difference among naval experts. They are for the battle ship. If they must go, send them armed with the best weapon science approves.

The Republican, published at Cedar Rapids, Iowa, has a long comment, in which the writer says:

> Our Navy is our national insurance against war. We ought to continue to build up and increase its strength, and it shall be our policy. The American nation can have no safer guaranty of continuing any honorable peace than the possession of a navy the most well equipped. That is carrying forward the present programme, which we have expected to do, but not saying. But what of that? The answer is, the American people approve it. Every dollar of the money will be expended at home. It will give employment to thousands of American artisans of one type or another.

A similar expression of opinion comes from the Journal of Commerce, of the city of New York:

> A great navy will be costly to construct and to maintain, but it will be an insurance policy of peace and a guaranty against war, and commercial growth and development, gain, wealth and civilization, and not an engine of destruction. War has always been a costly business, and as it has never led to peace, and would be the last approach to objective in protecting commerce as it would have part of the general view in protectorate of the nations, enabling it to preserve a number of peace and commercial growth among the nations of the earth, enhance the resources and its advantages and the power of the face of the globe outside of it. It needs to be prepared and equipped to be respected, but as present we are not and we are not yet at such a point to be our requirements. We need a powerful navy not for war and destruction, but as an insurance of peace and protection.

My friend from Ohio can see with a prophetic eye and can guarantee to this House that we will have no use for ships of war; if he knows better than all the rest of us know, then he may be justified in his position. But wherein is the strength of his warranty? He can not call the advocates of this item jingoes, because, if I remember rightly, George Washington, whose principles he would invoke, while he expressed his great faith in the Divine Power, at the same time told his men to keep their powder dry.

Mr. WATSON. That was Cromwell.

Mr. BUTLER of Pennsylvania. Well, it was good advice, anyhow. [Laughter.] Here are further editorials from the Call, Woonsocket, R. I.; the Telegraph, Harrisburg, Pa.; the Boston Daily Advertiser, Boston; the Burlington, Vt., Free Press and Times; the Portland, Me., Advertiser; the Philadelphia Press, with advice well worth the following.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUTLER of Pennsylvania. Mr. Chairman, just one minute more.

The CHAIRMAN. The gentleman asks that his time be extended one minute. Is there objection? [After a pause.] The Chair hears none.

Mr. BUTLER of Pennsylvania. Gentlemen, I have in ten minutes given you very briefly the editorial comment found in some of our great newspapers. But if any gentleman doubts that I have nearly a hundred more, let him come to my desk and assure himself. [Laughter.]

Mr. GROSVENOR. Mr. Chairman, I did not intend to discuss the general proposition in this bill, and I should not have done so had it not been that I have some fear that the very able talk that has been made by the gentleman from Ohio, my colleague [Mr. BURTON], might have a misleading effect upon the House as to the attitude of the people of the State which I have the honor in part to represent on this floor. I am not greatly surprised that my friend has taken the course that he has in opposition to the increase of the Navy. He is abundantly able to explain his own position, to defend himself anywhere, and always gives a reason for any faith that he may have.

Sometime when he has nothing else to do I would like him to explain to me what seems to me to be an incongruity in his career as a statesman. He long ago gave notice that he was opposed to legislation in the interests of the merchant marine of the country. Now he is opposed to the increase of the Navy, and apparently, if he should vote against this bill, it would be a declaration that he is in favor of laying up out of commission a large portion of the Navy. But, at the same time, my distinguished colleague is very earnestly in favor of deep-water harbors all around the possessions of the United States, presumably for the accommodation of other people, so that the active navies of the world can come in and go out, and the active merchant marine of the world can come in and go out, furnishing these great facilities, I suppose, to be emblazoned upon that flag which he so eloquently described as the flag that ought to be put to the front by our nation, the flag of peace to all the world.

I would hardly dig the water deeper, however, to let the enemy's ships in unless I had provided a means of protection for my own country after they came in. Now, I do not know of a single public man in the State of Ohio on either side, Democratic or Republican, who stands with my friend. I do not remember whether I saw him in the convention at Columbus last year or not. I think I did. I think he was there. Whether he was there or not, when the party lined itself for the battle of 1903, one of the most significant that we have ever had in the State, my friend was foremost in the fight, everywhere defending the Republican position, everywhere proclaiming the utterance of the Republican party, and no doubt he carried as his credentials authorizing him to speak for the great party to which he belonged the platform of the convention then just freshly announced at the city of Columbus, and which I have no recollection that he voted against, if he was present. I never heard that he denounced it after it had been agreed to.

Therefore, I assume that among other propositions he was at least consistently in favor of this proposition—a very brief statement of the plank of the platform on which Governor Herrick was a candidate and on which the lamented Senator Hanna was so triumphantly victorious, and here, I may say, as an argument against the very philosophy of my friend:

> As America's part in possessing the parts of the world, we indorse the Republican policy of developing the United States Navy to the highest efficiency.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. Mr. Chairman, I ask unanimous consent that the gentleman may have ten minutes more time.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent that the time of the gentleman from Ohio may be extended fifteen minutes. Is there objection?

There was no objection.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, will the gentleman permit an interruption right there?

The CHAIRMAN. Does the gentleman yield?

Mr. GROSVENOR. Yes.

Mr. WILLIAM W. KITCHIN. The gentleman from Ohio has read the Republican platform of 1900, I believe?

Mr. GROSVENOR. Of 1903.

Mr. WILLIAM W. KITCHIN. Oh, the platform of the Republican party in the State of Ohio. I thought the gentleman was reading from the national platform.

Mr. GROSVENOR. No; I am now appealing to my brother——

Mr. WILLIAM W. KITCHIN. I will state, Mr. Chairman, I have no desire to get into a family quarrel in Ohio. [Laughter.]

Mr. GROSVENOR. Oh, we are entirely too fond of each other in Ohio to quarrel. Sometimes we have to caution our brother against his wayward actions and invite him to come back. [Laughter.] I belong to a church that believes in the full liberty

of backsliding and then coming back in. [Prolonged laughter.] Therefore, it is that I am jealous of the position of my colleague, and I know that he is too good a Republican to wage war against the party declarations of the Republican party and against the policy of the Administration of that party.

I have no confidence, Mr. Chairman, no belief, in the gentleman's doctrine that a great navy is an invitation to war. That is the argument of my colleague, that it is a sort of invitation, stating to the world, "Here is our great Navy, and, therefore, we invite you to come and test the question." Now, I think you may start at the smallest boy who gets into a fight with his small neighbor and carry your investigation clear up through the growth to manhood, the aggregation into States, and the aggregation into an administration with a great navy, and from the smallest boy up to the great navy the question involved in a dispute, nine times out of ten, is whether the other fellow can lick you or not. That is human nature, and human nature controls the action of men and the action of nations.

Now, we are told that if we build a great navy and go on to perpetuate the naval question, the foundation of which was laid by the approval of the Administration in which Mr. Chandler was Secretary of the Navy, and which was taken up and enlarged with great intelligence and great patriotism by the first Cleveland Administration, with the lamented Whitney at the head of the Navy Department—that if we do all this we are doing it with a danger threatening us that somebody will want to go to war with us. Does anybody suppose that when President Cleveland figuratively shook his fist at Great Britain when he believed they were imposing upon Venezuela that if we had been a small nation with small power Great Britain would have settled the matter in the manner that she did? Great Britain is no better nor no worse than other nations, but she is particularly careful to see to it that the estimate of guns and men and material shall enter largely into her national diplomacy.

I want to call the attention of the House, for this is a very important question that we are debating, to the condition that we were in six years ago. Some of us wanted to go to war very badly; some of us were not so anxious to go to war. What was the condition of our country then? We are told that for every cannon mounted or in use, every effective gun that we had in all the world at that time, we had four loads of ammunition, and no more. We had just about small arms enough to arm 25,000 men, and no more, and ammunition enough for forty rounds for each one of those men, and no more.

Now, it happened that we went to war with an inferior nation; yet we learned enough to know that if that demonstration of power and belligerency that we put forth to that inferior nation had been made to one of the great nations of Europe—well, I think there would have been several States that would have called out its militia to protect its seacoast.

Very soon after that declaration of war there would have been a condition that none of us would have liked. As it happened, we prepared ourselves at a rate of progress never heard of before. But what did it cost us? I should like to have the gentleman from Ohio, when he admits the possibility of a war with a naval power, take the figures of our purchases in ships in 1898—bought at the best price at which we could buy them—indispensably necessary to the outfit of our small naval force, and then take the figures at which those vessels were sold, and see what it cost this Government to supply itself with an indispensable naval equipment. Take also our furnishing of our soldiers—the accoutrements, the equipments, the camp and garrison equipage, and everything that went to fit out the soldiers in the field. The purchases, upon a basis of the true standard of value, turned out to have cost us five times more than the property was worth; and all of this because we were carrying that flag of peace that my colleague has spoken about to the front.

Who ever heard of one nation in dispute with another nation that ever cared for the "spirit of peace" in which that other nation conducted itself? Russia almost demanded of all the world that we should have an international arbitration arranged for, yet Russia is the very first nation to provoke or to accept the provocation of a war that bids fair to shake the very continent of Europe and reorganize and change its map.

So that it will be seen that after all the argument that disarmament tends to peace is met and overthrown by the learning, the wisdom, the experience, and the human nature of mankind, which recognizes that if you want to have "peace on earth and good will to men" you must have the biggest guns, the finest ships, and the most of them. They are the heralds of peace; they are the missionaries of good will; they are the harbingers of equal rights and fair dealing between the nations of the earth. It does not follow that because the United States becomes a great naval power—because she goes "world-powering"—that she shall abuse anybody; provoke anybody.

The distinguished gentleman from Mississippi [Mr. WILLIAMS], yesterday or the day before, talked about the tendency of the Republican party to go "world-powering," and he said it was sufficient to have a few ships in the harbors of our country, and we could not go "world-powering" if we had those ships. The trouble would be that the "other fellow" that was disposed to go "world-powering" would very quickly destroy those ships. There is nothing in philosophy that justifies the appeal of my colleague from Ohio that disarmament or nonarmament is a proposition of peace to mankind. In taking such a position he flies in the face of history; he flies in the face of the judgment of mankind.

I did not intend to make a party question of this matter; in fact, I was trying to inspire my own party friends with enthusiastic patriotism on this occasion. But I will call the attention of the House very briefly to the ships that were projected and builded by several Administrations.

Mr. Chandler began the work of the new Navy in 1881. He laid the foundation and builded the *Atlanta*, the *Boston*, the *Charleston*, the *Chicago*, the *Newark*, the *Dolphin*, the *Petrel*, the *Yorktown*. Then came the type of Democracy—a gentleman of whom I speak always with the highest esteem and regard—William C. Whitney. During the administration of Mr. Whitney we began with the *Maine* (No. 1). Then came the *Texas*, the *New York*, the *Katahdin*, the *Monterey*, the *Baltimore*, the *Cincinnati*, the *Olympia*, the *Philadelphia*, the *Raleigh*, the *San Francisco*, the *Detroit*, the *Marblehead*, the *Montgomery*, the *Bancroft*, the *Bennington*, the *Castine*, the *Concord*, the *Machias*, the *Vesuvius*, the *Cushing*.

There is the longest list almost, all but one, that has been projected under any Administration.

Then comes Tracy, with the *Indiana*, the *Iowa*, the *Massachusetts*, the *Oregon*, the *Brooklyn*, the *Columbia*, the *Minneapolis*, the *Helena*, the *Nashville*, the *Wilmington*, and the *Ericsson*.

Then comes the next Democratic Administration, with Herbert, formerly a colleague of ours in this House, who projected these mighty battle ships: The *Alabama*, the *Illinois*, the *Kearsarge*, the *Kentucky*, the *Wisconsin*, the *Annapolis*, the *Marietta*, the *Newport*, the *Princeton*, the *Vicksburg*, the *Wheeling*, and the *Bailey* and 18 other torpedo boats.

Then came Long, with a fewer number even than Herbert's administration.

Mr. GAINES of Tennessee. How many vessels were there projected under the two Democratic Administrations?

Mr. BUTLER of Pennsylvania. Fifty-three under the two Administrations.

Mr. GAINES of Tennessee. Where are they all now?

Mr. BUTLER of Pennsylvania. I can not say.

Mr. GROSVENOR. I will tell you one thing about them. None of them ever struck its flag to an enemy, and none of them ever failed to accomplish any mission on which it was sent. [Applause.] So our Democratic friends are committed to the new Navy. Do not, my friends, now—I have sufficiently appealed to my colleague, let me appeal for a moment to you—do not forsake the only good thing there is in your record. [Laughter.] Do not go off after a new idol. You started pretty vigorously on the Panama Canal question, but most of you are back on the reservation. [Laughter.] And the dead and wounded will not materially affect the result in the coming election. [Applause on the Republican side.]

The CHAIRMAN. Debate upon this amendment is exhausted.

Mr. FOSS. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. HEPBURN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12220, the naval appropriation bill, and had come to no resolution thereon.

TELEGRAPH OPERATORS IN THE WAR OF THE REBELLION.

Mr. MORRELL. Mr. Speaker, I desire a change of reference of the bill (H. R. 2895) amending the act of January 26, 1897, entitled "An act for the relief of telegraph operators who served in the war of the rebellion," from the Committee on Invalid Pensions to the Committee on Military Affairs.

The SPEAKER. If there be no objection, the reference of this bill will be changed from Invalid Pensions to Military Affairs. The Chair hears no objection.

MISSISSIPPI RIVER, LONGWOOD, MISS.

Mr. HUMPHREYS of Mississippi. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HUMPHREYS of Mississippi. To ask for a change of reference of the bill (H. R. 12304) to appropriate money to revet the bank of the Mississippi River at Longwood, Miss., from the Com-

mittee on Levees and Improvements of the Mississippi River to the Committee on Rivers and Harbors.

The SPEAKER. The gentleman asks for a change of reference of the bill from the Committee on Levees and Improvements of the Mississippi River to the Committee on Rivers and Harbors. Is there objection?

There was no objection.

SENATE CONCURRENT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Senate concurrent resolution No. 44.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted for a channel of suitable depth and width from the head of the cove, 100 feet in width, and with a mean depth of 5 feet at low water—

to the Committee on Rivers and Harbors.

LEAVE TO EXTEND REMARKS.

Mr. BUTLER of Pennsylvania. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. BUTLER of Pennsylvania. To ask unanimous consent of the House that those who spoke upon the naval appropriation bill to-day may have permission to extend their remarks in the RECORD.

Mr. WILLIAMS of Mississippi. And those who spoke yesterday.

Mr. BUTLER of Pennsylvania. Accepting the suggestion made by my friend from Mississippi, I will include those who spoke yesterday.

Mr. BARTLETT. All those who have spoken on the bill.

Mr. MAYNARD. They were provided for yesterday.

The SPEAKER. The gentleman asks unanimous consent that those who have spoken upon the naval appropriation bill may extend their remarks in the RECORD. Is there objection?

There was no objection.

And then, on motion of Mr. FOSS (at 5 o'clock and 4 minutes p. m), the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for the enforcement of the law relating to the sale of intoxicating liquors to Indians—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. COUSINS, from the Committee on Naval Affairs, to which was referred the bill of the House (H. R. 3586) to provide for the retirement of petty officers and enlisted men of the Navy, reported the same without amendment, accompanied by a report (No. 1201); which said bill and report were referred to the House Calendar.

Mr. BURNETT, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8793) granting certain lands belonging to the United States and situated in the State of Alabama to the State of Alabama for the use and benefit of the common schools of that State, reported the same with amendment, accompanied by a report (No. 1202); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RODEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico, reported the same with amendment, accompanied by a report (No. 1203); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12805) granting a pension to Margaret J. Snook, reported the same without amendment, accompanied by a report (No. 1200); which said bill and report were referred to the Private Calendar.

Mr. FOSTER of Vermont, from the Committee on Claims, to which was referred the bill of the House (H. R. [illegible]) for the relief of Eugene Patoumbie, reported the same with amendment, accompanied by a report (No. 1204); which said bill and report were referred to the Private Calendar.

Mr. LIND, from the Committee on Claims, to which was referred the bill of the House (H. R. 11084) to reimburse the Illinois Central Railroad Company for damages to Union Depot at Louisville, Ky., by blasting in the Ohio River, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 11042) for the relief of Adolph Spiegel, as the successor of the firm of Spiegel, Finkelstein & Co., reported the same with amendment, accompanied by a report (No. 1206); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MAYNARD: A bill (H. R. 12900) to provide for the erection of a public building in the city of Portsmouth, in the State of Virginia—to the Committee on Public Buildings and Grounds.

By Mr. STEPHENS of Texas: A bill (H. R. 12901) to provide for an appeal in certain cases from the decision of the citizenship court of the Choctaw and Chickasaw nations—to the Committee on Indian Affairs.

By Mr. WACHTER: A bill (H. R. 12902) providing for the purchase or condemnation of a tract of land adjoining the custom-house in Baltimore, in the State of Maryland—to the Committee on Public Buildings and Grounds.

By Mr. TATE: A bill (H. R. 12903) authorizing the erection of a post-office building at Gainesville, Ga.—to the Committee on Public Buildings and Grounds.

By Mr. HOWARD: A bill (H. R. 12904) providing for building of courts of the eastern division of the northern federal judicial district of Georgia at Athens, Ga.—to the Committee on the Judiciary.

By Mr. SPALDING (by request): A bill (H. R. 12905) for relief of Turtle Mountain Chippewa Indians in North Dakota—to the Committee on Indian Affairs.

By Mr. ADAMS of Pennsylvania: A bill (H. R. 12906) to limit the immigration of aliens into the United States—to the Committee on Immigration and Naturalization.

By Mr. STEPHENS of Texas: A bill (H. R. 12907) to provide for the completion of certain citizenship rolls in the Choctaw and Chickasaw nations of the Indian Territory—to the Committee on Indian Affairs.

By Mr. RANDELL of Texas: A bill (H. R. 12908) to appropriate the sum of $100,000 to erect a public building at South Mc Alester, Ind. T.—to the Committee on Public Buildings and Grounds.

By Mr. BENNY: Memorial requesting Senators and Representatives in Congress from the State of New Jersey to request the Committee on Rivers and Harbors to give early consideration to the pending legislation—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AIKEN: A bill (H. R. 12909) for the relief of Thomas G. Williams—to the Committee on Claims.

Also, a bill (H. R. 12910) for the relief of Thomas G. Williams—to the Committee on Claims.

Also, a bill (H. R. 12911) for the relief of Kelly Johns—to the Committee on Claims.

Also, a bill (H. R. 12912) for the relief of Kelly Johns—to the Committee on Claims.

Also, a bill (H. R. 12913) for the relief of Edwin Calhoun—to the Committee on War Claims.

By Mr. BOWIE: A bill (H. R. 12914) for the relief of Edward M. Boggs—to the Committee on Claims.

By Mr. BRANDEGEE: A bill (H. R. 12915) for the relief of Thomas Palmer—to the Committee on Claims.

By Mr. BROOKS: A bill (H. R. 12916) for the relief of Frank S. Donahue and Howard J. Donahue—to the Committee on Claims.

By Mr. BROUSSARD: A bill (H. R. 12917) for the relief of the estate of Camile Berard, deceased, late of Iberia Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12918) for the relief of the estate of William Burgess, deceased, late of West Feliciana Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12919) for the relief of the heirs of Bosman Lyons, deceased, late of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12920) for the relief of estates of Celeste Belanger Tanner and Lemuel Tanner, deceased—to the Committee on War Claims.

Also, a bill (H. R. 12921) for the relief of Florville Kerlegan, of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12922) for the relief of the estate of Rosemond Le Blanc, deceased, late of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12923) for the relief of Mrs. Katherine Smith, of St. Mary Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12924) for the relief of Paul Duhon, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12925) for the relief of estate of Jean Delille, deceased, late of Iberia Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12926) for the relief of Louis J. Arceneaux, of Lafayette Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12927) for the relief of the estate of Adolph C. Orillion, deceased, late of Iberville Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12928) for the relief of Armand Lacour—to the Committee on War Claims.

Also, a bill (H. R. 12929) to carry into effect the findings of the Court of Claims in the matter of the claim of Lastie Broussard, administrator of the estate of Augustine Broussard, deceased, late of Vermilion Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12930) for the relief of the estate of Ozeme Viator, deceased, late of Vermilion Parish, La.—to the Committee on War Claims.

By Mr. BROWN of Pennsylvania: A bill (H. R. 12931) granting an increase of pension to William H. H. Foster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12932) to remove the charge of desertion from the military record of John Haffler—to the Committee on Military Affairs.

By Mr. BRUNDIDGE: A bill (H. R. 12933) for the relief of the heirs of Mrs. D. J. Booth, deceased, late of White County, Ark.—to the Committee on War Claims.

By Mr. BYRD: A bill (H. R. 12934) for the relief of Mrs. Louise C. Germain, of Lauderdale County, Miss.—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12935) for the relief of William R. Butler, of Scott County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 12936) for the relief of the estate of John Graham, deceased, late of Scott County, Miss.—to the Committee on War Claims.

By Mr. CANDLER: A bill (H. R. 12937) for the relief of the estate of Richmond Pace, deceased, late of Tishomingo County, Miss.—to the Committee on War Claims.

By Mr. CANNON: A bill (H. R. 12938) granting an increase of pension to Daniel Reed—to the Committee on Invalid Pensions.

By Mr. CASSINGHAM: A bill (H. R. 12939) granting a pension to Charles Haselton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12940) to correct the military record of John R. Ellis—to the Committee on Military Affairs.

By Mr. COOPER of Pennsylvania: A bill (H. R. 12941) granting an increase of pension to Eli Shockey—to the Committee on Invalid Pensions.

By Mr. DAYTON: A bill (H. R. 12942) for the relief of Andrew J. Weese—to the Committee on Claims.

By Mr. DUNWELL: A bill (H. R. 12943) granting an increase of pension to Isabel Ward—to the Committee on Invalid Pensions.

By Mr. HAY: A bill (H. R. 12944) for the relief of the estate of Abraham Hisey, deceased, late of Shenandoah County, Va.—to the Committee on War Claims.

By Mr. HEDGE: A bill (H. R. 12945) granting a pension to Mary J. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12946) granting an increase of pension to John W. Holmes—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 12947) for the relief of Mrs. Mary English—to the Committee on War Claims.

Also, a bill (H. R. 12948) for the relief of S. E. Gallemore—to the Committee on Claims.

By Mr. JACKSON of Ohio: A bill (H. R. 12949) granting a pension to Harriet Place—to the Committee on Pensions.

By Mr. KLINE (by request): A bill (H. R. 12950) for the relief of Eli Bierman—to the Committee on Claims.

By Mr. MANN: A bill (H. R. 12951) granting an increase of pension to Albert Donovan—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 12952) authorizing the Secretary of the Interior to issue patent to Keystone Camp, No. 2879, of the Modern Woodmen of America to certain lands for cemetery purposes—to the Committee on the Public Lands.

By Mr. MILLER: A bill (H. R. 12953) granting a pension to Thurlow W. Lieurance—to the Committee on Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 12954) for the relief of Nathaniel R. Carson and William C. Carson, of Bradley County, Tenn.—to the Committee on War Claims.

By Mr. NORRIS: A bill (H. R. 12955) granting an increase of pension to Henry Simons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12956) for the relief of Russell F. Loomis—to the Committee on Claims.

By Mr. PADGETT: A bill (H. R. 12957) granting a pension to Israel W. Bennett—to the Committee on Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 12958) for the relief of James C. Anderson, James H. Tarkington, and Nannie Jones, heirs at law of James C. Anderson, deceased, late of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12959) for the relief of the estate of Benjamin Adams, deceased, late of Tipton County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12960) for the relief of the estates of R. L. Evans, deceased, and Elizabeth P. Evans, deceased, late of Memphis, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12961) for the relief of the estate of Hiram Howell, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12962) for the relief of the estate of John W. Hester, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 12963) for the relief of John W. Fowler, of Shelby County, Tenn.—to the Committee on War Claims.

By Mr. PALMER: A bill (H. R. 12964) granting an increase of pension to Elizabeth C. Banks—to the Committee on Pensions.

Also, a bill (H. R. 12965) granting an increase of pension to William H. Dailey—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 12966) granting an increase of pension to Charles H. Lakey—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 12967) to remove the charge of desertion from the record of Tobias K. Brenner—to the Committee on Military Affairs.

By Mr. PUJO: A bill (H. R. 12968) for the relief of the estate of Dr. Joseph Moncla, deceased, late of Avoyelles Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12969) for the relief of the estates of W. R. Brown and Mrs. Elmyra Brown, deceased, late of Avoyelles Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 12970) for the relief of the estate of Elizabeth W. F. Chevis, deceased, late of St. Landry Parish, La.—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 12971) for the relief of Sarah J. Walker, of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 12972) for the relief of Mason Shipman—to the Committee on War Claims.

By Mr. SIMS: A bill (H. R. 12973) for the relief of the estate of James T. Clement, deceased, late of Chester County, Tenn.—to the Committee on War Claims.

By Mr. SMITH of Illinois: A bill (H. R. 12974) for the relief of Mrs. Fredonia Burd, widow of John Candle—to the Committee on War Claims.

By Mr. SPARKMAN: A bill (H. R. 12975) granting a pension to Henrietta Bronson—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 12976) for the relief of certain Indians by granting an appeal from the Commission to the Five Civilized Tribes to the United States courts—to the Committee on Indian Affairs.

By Mr. STANLEY: A bill (H. R. 12977) for the relief of George W. Smith—to the Committee on War Claims.

Also, a bill (H. R. 12978) for the relief of Walter Langley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12979) for the relief of H. Grant Artis—to the Committee on War Claims.

Also, a bill (H. R. 12980) for the relief of Wormley E. Wrae—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12981) granting an increase of pension to Lucy A. Dennis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12982) granting an increase of pension to Edmon H. Short—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12983) granting an increase of pension to Wesley S. Witty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12984) granting a pension to Caroline Carter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12985) granting a pension to William Varner Dykes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12986) granting a pension to Ann J. Long—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12987) granting a pension to Isaac J. Tucker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12988) granting a pension to Sarah A. Harl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12989) granting a pension to Susan V. Childress—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12990) granting a pension to Solomon Powell—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 12991) for the relief of Willie V. Stockwell—to the Committee on Claims.

By Mr. WEISSE: A bill (H. R. 12992) granting an increase of pension to Henry Heide—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12993) granting an increase of pension to John Hotchkiss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12994) granting an increase of pension to Daniel W. Lawrence—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 12995) granting a pension to Sarah B. Hirll—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: A bill (H. R. 12996) removing the charge of desertion from the military record of Thomas T. Inslee—to the Committee on Military Affairs.

Also, a bill (H. R. 12997) removing the charge of desertion from the military record of Henry Buckbaum—to the Committee on Military Affairs.

Also, a bill (H. R. 12998) for the relief of John P. Murphy—to the Committee on Claims.

By Mr. HOPKINS: A bill (H. R. 12999) granting a pension to Drewry Sellards—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13000) granting a pension to Robert Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13001) granting a pension to Catharine Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13002) granting a pension to John A. Miller—to the Committee on Invalid Pensions.

By Mr. REID: A bill (H. R. 13003) granting a pension to Catherine Adams—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13004) for the relief of John Taylor Winbery—to the Committee on Military Affairs.

By Mr. LIVERNASH: A bill (H. R. 13005) granting to the city and county of San Francisco, for water-supply purposes, the use of certain lands in a forest reservation in the State of California—to the Committee on the Public Lands.

By Mr. HOGG: A bill (H. R. 13006) granting a pension to Gustavus Zacharias—to the Committee on Invalid Pensions.

By Mr. COWHERD: A bill (H. R. 13007) granting an increase of pension to Frederick B. Schnebly—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13008) granting a pension to Sarah F. Hall—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Petition of citizens of Pulaski Township, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of electors of Neshannock Township, Pa., for increase in pay of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. ADAMS of Pennsylvania: Petition of piano manufacturers and dealers, in support of bill H. R. 9302—to the Committee on Ways and Means.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, in favor of the erection of a light-house on Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, resolution of the Scranton Board of Trade, favoring improvement of highways in the United States—to the Committee on Agriculture.

By Mr. ADAMSON: Petition of V. A. Cox, W. L. Lott, and 50 other voters of Columbus, Ga., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. ALLEN: Petition of Rev. J. W. Magruder and 74 other voters of Portland and Harrison, Me., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petition of the executive council of the St. Louis gymnastic societies, against the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of the Citizens' Industrial Association of St. Louis, protesting against passage of the eight-hour bill—to the Committee on Labor.

By Mr. BASSETT: Resolutions of the American Association of Masters and Pilots of Steam Vessels, for the construction of a light-house on Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

By Mr. BEALL of Texas: Petition of J. C. Mason and 239 other voters of Dallas, Tex., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BENTON: Papers to accompany bill granting an increase of pension to James W. Lennett; papers to accompany bill granting a pension to John T. Horner; papers to accompany bill granting an increase of pension to Wilson D. Monnett; papers to accompany bill granting an increase of pension to Thomas J. Lacey; papers to accompany bill granting an increase of pension to John B. Courtright; paper to accompany bill granting an increase of pension to Thomas R. Mayr; papers to accompany bill granting an increase of pension to Perry C. Watson; papers to accompany bill granting an increase of pension to Daniel Willhoit; papers to accompany bill granting a pension to George W. Baldwin; papers to accompany bill granting an increase of pension to William H. Jenkins; papers to accompany bill granting a pension to Alfred G. O'Neal; resolutions of Indian Springs Post, No. 176, Grand Army of the Republic, of Missouri, and of Stephen Decatur Post, No. 142, of Mexico, Mo., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Resolutions of the Western Association of Shoe Wholesalers, to enlarge powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, for a light-house on Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, petition of merchants of Paola, Kans., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BOWIE: Petition for relief of Edward M. Bogus—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: Petition of Thomas Palmer, for relief—to the Committee on Claims.

Also, petition of citizens of Stonington, Conn., favoring the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. BROUSSARD: Statement to accompany bill for relief of estates of Celeste Belanger Tanner and Lemuel Tanner—to the Committee on War Claims.

Also, affidavits for relief of Camile Berard, Bosman Lyons, William Burgess, Katherine Smith, J. M. Charpentier, Eli C. Brown, Augustine Lastrappe, Jean Crouchet, and papers in case of Owen Conlon, all of Louisiana—to the Committee on War Claims.

Also, affidavits for relief of Florville Kerlegan, of Louisiana—to the Committee on War Claims.

Also, affidavits for relief of estate of Rosemond LeBlanc, of Louisiana—to the Committee on War Claims.

By Mr. BROWN of Wisconsin: Resolutions of Milwaukee Foundrymen's Association, protesting against passage of "a bill to limit the meaning of the word 'conspiracy,' and the use of restraining orders and injunctions in certain cases"—to the Committee on the Judiciary.

By Mr. BURKETT: Affidavits of Edwin Kirkpatrick, Capt. Isaac Niles, Ami B. Todd, and Thomas J. Majors; letters from Auditor of the Treasury for the War Department, Thomas A. Starrh, of Salt Lake City, Chief of the Record and Pension Office, and S. M. Chapman, of Plattsmouth, Nebr.; field order of Brig. Gen. R. B. Mitchell, and certified copy of proclamation of the governor of Nebraska, all in reference to Territorial militia of Nebraska, to accompany bill H. R. 8990—to the Committee on Invalid Pensions.

Also, petition of A. E. Bacon and 26 others, of Middleburg, Nebr.—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of Charles F. Dunbar and 50 other voters, E. M. Fletcher and 32 other voters of Madison, and William H. Spencer and 90 other voters, of Skowhegan, Me., urging passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania (by request): Petition of 60 citizens of Pennsylvania, praying for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. CAMPBELL: Petition of Alvin Lawrence and 49 other voters, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. CASSINGHAM: Affidavits to accompany bill for relief of Charles Haselton—to the Committee on Invalid Pensions.

Also, affidavits for relief of John R. Ellis—to the Committee on Military Affairs.

By Mr. COOPER of Pennsylvania: Resolution of Grand Army of the Republic Post of Windridge, Pa., in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. COUSINS: Protest against the parcels-post bill by citizens of Haverhill, Iowa—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Friends' Quarterly Meeting of Muscatine and Cedar counties, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Iowa State Veterinary Medical Association, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CURTIS: Petitions of J. H. Green and 44 other voters of Effingham; J. W. Blair and 58 other voters of Topeka, Kans., and Woman's Missionary Society of Topeka, for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of Rev. C. P. McClelland and congregations of three churches of Pittsburg, for passage of the Hepburn bill—to the Committee on the Judiciary.

Also, resolutions of Pittsburg Typographical Union, No. 7, in favor of the passage of the eight-hour law—to the Committee on Labor.

Also, petition of sundry citizens of Kahoka, Mo., in favor of passage of ex-prisoners of war pension bill—to the Committee on Invalid Pensions.

By Mr. DAYTON: Papers relating to the claim of Andrew J. Weese—to the Committee on Claims.

Also, petitions of R. Hardwick and 17 others, James Logan Fish and 8 others, W. H. Cornelius and 46 others, J. B. Workman and 12 others, and T. R. Alkire and 15 others, all of Davis, W. Va., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FULLER: Petition of Rev. Frank D. Sheets and 52 others, of Rockford, Ill., for passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GAINES of West Virginia: Petition of Rev. W. H. Austin and 22 others, of Meadow Bluff, W. Va., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of Massachusetts: Resolutions of General James L. Bates Post, No. 118, of Swampscott, Mass., for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GREENE: Resolutions of the Massachusetts State Board of Trade, favoring reduction of tax on grain alcohol—to the Committee on Ways and Means.

Also, resolutions of the New Bedford Builders' Exchange, favoring the building of a harbor of refuge at Point Judith, R. I., and resolutions of the Massachusetts State Board of Trade, favoring appropriation for survey of New Bedford Harbor—to the Committee on Rivers and Harbors.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, favoring the building of a light-house on the Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, resolutions of the Massachusetts State senate and house of representatives, favoring the enactment of a law pensioning life-savers, their widows, and minor children—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Rev. Edgar C. Wheeler and 45 others, of Rockland, William Berg and 55 others, of Easton; Maj. E. H. Keith and 37 others, of Brockton, and L. T. Norton and 60 others, all of Massachusetts, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GIBSON: Petition of John R. Dans and 33 other voters of Harriman, Tenn., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HASKINS: Resolutions of Whitney Post, No. 21, Grand Army of the Republic, of Vermont, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAY: Petition of Rev. C. W. Leftwith and 41 other voters of Ivy Depot, Va., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HOLLIDAY: Petition of A. T. Riley and 35 other voters of Greencastle, Ind., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petitions of Joseph Garrison and 50 others, of Keyport, N. J.; H. M. Browne and 24 others, of Cranbury, N. J.; R. A. Leonard and others, of Atlantic Highlands, N. J., and Rev. W. T. Valiant and others, of Toms River, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of Utah: Resolutions of George Maxwell Post, No. 5, Utah, Grand Army of the Republic, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the National Live Stock Association and Utah Wool Growers' Association, of Salt Lake City, urging passage of a bill for taking the census of agriculture in 1905 and every ten years thereafter—to the Committee on the Census.

By Mr. KLINE: Petition of Allentown National Indian Association, praying that lands be granted to the landless Indians of northern California in severalty—to the Committee on the Public Lands.

Also, petition of Eli Bierman, for relief—to the Committee on Invalid Pensions.

By Mr. KYLE: Petition of Alexander Bell and E. H. Dornblaser, of Springfield, Ohio, for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Resolutions of Cigar Makers' Union No. 149, of Brooklyn, N. Y., favoring the passage of bill H. R. 6, known as the "anticoupon bill"—to the Committee on Ways and Means.

Also, resolution of Brooklyn (N. Y.) Council, No. 165, of the United Commercial Travelers of America, favoring amendment to the bankruptcy act—to the Committee on the Judiciary.

Also, resolution of the North Dakota Retail Hardware Association, opposing the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, of Camden, N. J., favoring the construction of a light on Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, resolution of the Manufacturers' Association of New York, favoring a reduction of the internal-revenue tax on alcohol—to the Committee on Ways and Means.

Also, resolutions from the United German societies of the city of New York, opposing the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Allan C. Bakewell, past commander of the Grand Army of the Republic of New York, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MANN: Resolutions of the Chicago Live Stock Exchange, approving bill H. R. 6273—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Chicago Board of Trade, approving bill H. R. 7871—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of W. S. Daniels and 50 other voters of Page, N. Dak., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. MARTIN: Resolutions of Phil K. Faulk Post, No. 18, Department of South Dakota, Grand Army of the Republic, for passage of the Sulloway bill—to the Committee on Invalid Pensions.

Also, petition of A. G. Young and 45 other voters of Brookings, N. Dak., for passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of A. C. Shepherd and 10 other voters of Vermilion, S. Dak., for passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of the Winnor-Torgerson Lumber Company and others, of Palmer, S. Dak., protesting against the passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MILLER: Papers to accompany bill granting a pension to Thurlow W. Lieurance—to the Committee on Invalid Pensions.

Also, petition of citizens of Emporia, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of citizens of Peabody, Kans., for the passage of the Curtis bill—to the Committee on Invalid Pensions.

Also, petition of C. N. Swihart and 47 other voters of Peabody, and O. C. Olson and 21 other voters of Haversville, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. MORRELL: Resolution of the American Association of Masters and Pilots of Steam Vessels, for the building of a light-house on or near Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, petition of manufacturers of Pennsylvania, urging passage of the bill to provide for untaxed denaturized alcohol for industrial purposes—to the Committee on Ways and Means.

By Mr. OTJEN: Petition of Charles J. Kearns and 34 others, members of Milwaukee Harbor, No. 51, American Association of Masters and Pilots of Steam Vessels, in favor of bill H. R. 9800—to the Committee on Claims.

Also, resolutions of the Milwaukee Foundrymen's Association, against passage of the anti-injunction bill—to the Committee on the Judiciary.

By Mr. PUJO: Papers to accompany claim of Laundry Beillie—to the Committee on War Claims.

By Mr. RICHARDSON of Tennessee: Petition of H. B. Folk and 29 other voters of Shelbyville, Rev. G. W. Morgan and 20

other voters of Fayetteville, and W. R. Long and 48 other voters of Petersburg, Tenn.—to the Committee on the Judiciary.

By Mr. RIDER: Resolutions of the American Association of Masters and Pilots of Steam Vessels, in favor of construction of light-house on Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

By Mr. RIXEY: Papers to accompany bill for the relief of Mason Shipman, of Fairfax County, Va.—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of rural-delivery carriers, in relation to salary of rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Phil Danehy, of East Wayne, Ind., in favor of the erection of a monument to the memory of Commodore John Barry in the city of Washington—to the Committee on the Library.

By Mr. RYAN: Resolutions of the American Association of Masters and Pilots of Steam Vessels, approving construction of a light-house at Diamond Shoal, North Carolina—to the Committee on Interstate and Foreign Commerce.

By Mr. SAMUEL W. SMITH: Petition of Genesee County (Mich.) Romona Grange, favoring a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SMITH of Texas: Papers to accompany bill H. R. 5226—to the Committee on Public Buildings and Grounds.

Also, papers to accompany bill H. R. 12502—to the Committee on Pensions.

By Mr. SNOOK: Petition of Harley & Whitaker and other business firms of Defiance, Ohio, opposing the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SPARKMAN: Resolutions of the Pensacola Chamber of Commerce, asking Congress to prevent any legislation that would curtail the export and import business—to the Committee on Ways and Means.

By Mr. SPERRY: Petition of Rev. F. St. John Fitch and 31 other voters of Bramford, and Rev. A. Irvine and 28 other voters of New Haven, Conn., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Mr. STEVENS of Minnesota: Petition of North Dakota Hardware Association, against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Minnesota Council, for preservation of big trees in California—to the Committee on the Public Lands.

Also, petition of Plymouth Church, of St. Paul, Minn., for passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Chamber of Commerce of St. Paul, in favor of the bill to prevent interstate telegraph and telephone lines being used for gambling purposes—to the Committee on the Judiciary.

Also, petition of the Western Association of Wholesale Shoe Dealers, to extend powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Christian Endeavor Society of Plymouth Congregational Church, St. Paul, Minn., for passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Nor-Danish Baptist Church, of St. Paul, Minn., for passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Cigar Makers' Union, No. 294, of Duluth, Minn., in favor of bill H. R. 6—to the Committee on Ways and Means.

By Mr. TAWNEY: Memorial of rural free-delivery carriers of Waseca, Minn., for additional compensation—to the Committee on the Post-Office and Post-Roads.

Also, memorial of W. P. Lewis and others, for increase of compensation to rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of John Pratt and 28 other voters of Manchester, and F. A. Jones and 19 other voters of Preston, Minn., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. THAYER: Petition of Eli H. Brigham and 13 other voters of Sterling, Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. THOMAS of North Carolina: Petition of the American Association of Masters and Pilots of Steam Vessels, for construction of a light-house at Cape Hatteras—to the Committee on Interstate and Foreign Commerce.

By Mr. TIRRELL: Petition of F. P. Hawkes and 39 other voters of Hudson, Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. WADSWORTH: Petition of patrons of rural free-delivery carriers Nos. 40 and 42, of Gasport, N. Y., in regard to privileges and salaries—to the Committee on the Post-Office and Post-Roads.

By Mr. WEISSE: Resolutions of the Western Association of Shoe Wholesalers, favoring the granting of certain additional powers to the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of McPherson Circle, No. 2, Department of Wisconsin, Ladies of the Grand Army of the Republic, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Resolutions of the Manufacturers' Association of New York, favoring bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Manufacturers' Association of New York, favoring reduction of tax on alcohol—to the Committee on Ways and Means.

Also, resolutions of the United German Societies of New York, against the Hepburn bill—to the Committee on the Judiciary.

Also, resolutions of Brooklyn Council, No. 165, United Commercial Travelers of America, favoring amendment of the bankruptcy law—to the Committee on the Judiciary.

Also, resolution of Cigar Makers' Union No. 149, favoring passage of bill H. R. 6—to the Committee on Ways and Means.

Also, resolutions of the Maritime Association of the Port of New York, favoring establishment of a harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the Varuna Boat Club, of Brooklyn, N. Y., favoring improvement of Sheepshead Bay—to the Committee on Rivers and Harbors.

SENATE.

THURSDAY, *February 25, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on the request of Mr. GALLINGER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

BERTRAND D. RIDGEWAY.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Bertrand D. Ridgeway, executor of Lindsay Ridgeway, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 8878) to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory; in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of Fortschritt Union, No. 12, of Cleveland; of the Liederkranz Singing Society, of Massillon; of the German Beneficial Union, No. 163, of Cincinnati, and of Germania Lodge, No. 7, of Cleveland, all in the State of Ohio; of the St. Francis Pioneer Corps, of Wilkesbarre; of the Turn Verein of Erie; of St. Joseph's Society, of Lehighton; of the Washington Society, of Pottsville; of the Bloomfield Liedertafel, of Pittsburg; of St. Boniface Society, of Williamsport; of the St. Joseph's Beneficial Society, of Allentown, and of the Turn Bezirk Verein of Philadelphia, all in the State of Pennsylvania, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Friends' Church of Batavia, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CULLOM presented a petition of the Woman's Club of Henry, Ill., praying that an appropriation be made for the purchase of a national forest reserve in the White Mountains of New Hampshire; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the congregations of the Grace Methodist Episcopal and the First Presbyterian churches of Nogo, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented petitions of Joseph A. Miller Post, No. 178, of White County; of Pope Post, No. 411, of Pana; of W. W. Wright Post, No. 327, of Toulon, and of R. G. Nance Post, No. 756, of Loogootee, all of the Department of Illinois, Grand Army of the Republic, in the State of Illinois, praying for the enactment

of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of Typographical Union No. 280, American Federation of Labor, of Danville, Ill., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a memorial of sundry citizens of Chicago, Ill., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Chicago, Ill., remonstrating against the passage of the so-called eight-hour bill; which was referred to the Committee on Education and Labor.

Mr. HOAR. I present resolutions adopted by the legislature of the Commonwealth of Massachusetts, in favor of legislation by Congress to protect food fish from sharks or dogfish, which I ask be referred to the Committee on Fisheries.

The PRESIDENT pro tempore. Does the Senator from Massachusetts request that the resolutions be printed in the RECORD?

Mr. HOAR. I ask that the resolutions be read. I think that deference is due to the resolutions of a State legislature.

The PRESIDENT pro tempore. The resolutions will be read.

The resolutions were read, and referred to the Committee on Fisheries, as follows:

Commonwealth of Massachusetts, in the year 1904. Resolutions in favor of legislation by Congress to protect food fish from sharks or dogfish.

Whereas a species of shark, commonly known as "dogfish," has become so numerous [illegible] the shore fisheries a menace to the welfare of Massachusetts [illegible] its payment on which [illegible] the fishing industry) [illegible]

Whereas petitions have been forwarded to the Congress of the United States asking for a [illegible] on request for the enactment of legislation which [illegible] the food fish of our coast from these sharks or dogfish: Therefore [illegible]

Resolved, That the general court of Massachusetts favors such legislation; and [illegible]

Resolved, That properly attested copies of these resolutions be sent to each of the Senators and Representatives from Massachusetts in Congress.

SENATE, *February 3, 1904.*

Adopted. Sent down for concurrence.

HENRY D. COOLIDGE, *Clerk.*

HOUSE OF REPRESENTATIVES, *February 12, 1904.*

Adopted, in concurrence.

JAMES W. KIMBALL, *Clerk.*

A true copy. Attest:

HENRY D. COOLIDGE,
Clerk of the Senate.

Mr. HOAR presented petitions of George G. Meade Post, No. 119, of Lexington; of P. Stearns Dawes Post, No. 57, of Cambridge, and of Bridgewater Post, No. 205, of Bridgewater, all of the Department of Massachusetts, Grand Army of the Republic, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Woman's Club of Norwood, Mass., praying that an appropriation be made for the purchase of a national forest reserve in the White Mountains of New Hampshire; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. GALLINGER presented a petition of Local Lodge No. 674, International Association of Machinists, of Nashua, N. H., praying that an appropriation [illegible] be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented petitions of Mount Washington Grange, of Warner, of Stratham Grange, of Marlborough; of Sutton Grange, of Sutton, and of the Patrons of Husbandry, and of the Friday Club of Warner and of the Friday Afternoon Woman's Club of Franconia, all in the State of New Hampshire, praying for the establishment of a national forest reserve in the White Mountains; which were referred to the Committee on Forest Reservations and the Protection of Game.

Mr. BLAIR presented a petition of Escanaba Lodge, No. 56[illegible], Amalgamated Association of Machinists, of Escanaba, Mich., praying that an appropriation of $2,000,000 be made for the enlargement of the Naval Gun Factory at Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented a petition of Typographical Union No. 72, of Lansing, Mich., praying for the passage of the so-called anti-injunction bill; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Methodist Episcopal Church of Williamsburg, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DRYDEN presented a petition of sundry citizens of Haddon Heights, N. J., praying for the enactment of legislation to provide for the closing on Sunday of the Lewis and Clark Centennial Exposition; which was referred to the Committee on the Judiciary.

He also presented memorials of Henry R. Tell, of Trenton; of the Star Porcelain Company, of Trenton; of the Eureka Flint and Spar Company, of Trenton; of Thomas Maddocks Sons & Co., of Trenton; of Benjamin Atha & Co., of Newark; of Cole & Taylor, of Trenton, and of J. D. Mangeram, of Trenton, all in the State of New Jersey, remonstrating against the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

Mr. TALIAFERRO presented a petition of Typographical Union No. 102, of Jacksonville, Fla., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of the Northeastern District Christian Endeavor Union of Florida, praying for the enactment of legislation to prevent nullification of State liquor laws, etc.; which was referred to the Committee on the Judiciary.

Mr. McCREARY presented a petition of the Christian churches of Georgetown, Ky., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented sundry papers to accompany the bill (S. 4448) for the relief of the Central University of the State of Kentucky and A. R. Burnam and John Bennett; which were referred to the Committee on Claims.

Mr. WETMORE presented a petition of Portsmouth Grange, No. 27, Patrons of Husbandry, of Portsmouth, R. I., praying that increased appropriations be made for the support of agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. FOSTER of Washington presented a petition of Island Lodge, No. 288, Independent Order of Good Templars, of Spokane, Wash., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. DOLLIVER presented petitions of sundry citizens of Boone, Iowa; of the Western Retail Implement and Vehicle Dealers' Association, of Kansas City, Mo., and of the North Dakota and Northwestern Minnesota Implement Dealers' Association, praying for the repeal of the present bankruptcy law; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Free Methodist Church of Radcliffe, of sundry citizens of Dunlap, and of the congregation of the Congregational Church of Dunlap, all in the State of Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of Samuel J. Kirkwood Post, No. 8, of Iowa City; of George H. Emerson Post, No. 208, of Iowa; of Sutherland Post, No. 171, of Waucoma; of O. S. Fowler Post, No. 246, of Lamont; of H. J. Simpson Post, No. 505, of Lake View; of J. M. Holbrook Post, No. 342, of Delhi; of Chauncy Lawrence Post, No. 163, of Iowa; of Cascade Post, No. 269, of Cascade; of Shilledy Post, No. 84, of Monroe, and of Jason D. Ferguson Post, No. 31, of Nevada, all of the Department of Iowa, Grand Army of the Republic, in the State of Iowa, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. PENROSE presented petitions of Hurst Post, No. 86, of Camptown; of Phelps Post, No. 124, of East Smithfield; of Post No. 108, of California; of Colonel George A. Cobham Post, No. 11, of Tidioute, and of local post of Windridge, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LONG presented a petition of the congregation of the First Presbyterian Church of Liberal, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of the Congress Club, of Kings County, N. Y., praying for the enactment of legislation providing for the carrying of all men and supplies in Government transports instead of by contract with foreign vessels; which was referred to the Committee on Commerce.

He also presented a memorial of the Shipbuilders' Association of the Pacific Coast, of San Francisco, Cal., remonstrating against the enactment of legislation to extend the time for applying coastwise navigation laws to interisland traffic in the Philippines; which was referred to the Committee on the Philippines.

Mr. HEYBURN presented petitions of McPherson Post, No. 2; of A. T. McReynolds Post, No. 19, and of W. T. Sherman Post, No. 39, all of the Department of Idaho, Grand Army of the Republic, in the State of Idaho, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

INTERSTATE LIQUOR TRAFFIC.

Mr. HANSBROUGH. I present excerpts from a hearing before the Committee on Interstate Commerce upon the bill (H. R. 15331) to limit the effect of the regulations of commerce between the several States and with foreign countries in certain cases. As this is an important matter, I move that the matter be printed as a document.

The motion was agreed to.

AMERICAN INSTITUTE, PARIS, FRANCE.

Mr. KEAN, from the Committee on Foreign Relations, to whom the subject was referred, submitted a report, accompanied by a bill (S. 4594), to incorporate the American National Institute (Prix de Paris) at Paris, France; which was read twice by its title.

He also, from the same committee, to whom was referred the joint resolution (S. R. 95) to incorporate the American National Institute (Prix de Paris) at Paris, France, reported adversely thereon; and the joint resolution was postponed indefinitely.

BILLS INTRODUCED.

Mr. TALIAFERRO introduced a bill (S. 4577) for the relief of the estate of Cyprian T. Jenkins deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4578) for the relief of C. W. Moffatt; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4579) for the relief of Lemuel Turner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4580) to correct the military record of George Gwynn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. McCREARY introduced a bill (S. 4581) granting a pension to Milly Washington; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4582) granting a pension to Evaline Elrod; which was read twice by its title, and referred to the Committee on Pensions.

Mr. WETMORE introduced a bill (S. 4583) granting an increase of pension to Charles Bowen; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAILEY (by request) introduced a bill (S. 4584) for the relief of John F. Byars; which was read twice by its title, and referred to the Committee on Claims.

Mr. BEVERIDGE introduced a bill (S. 4585) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River in Vigo County, Ind.; which was read twice by its title and referred to the Committee on Commerce.

Mr. DOLLIVER introduced a bill (S. 4586) granting an increase of pension to Angeline P. Root; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HEYBURN introduced a bill (S. 4587) granting certain property to the town of Coeur d'Alene, Kootenai County, Idaho; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4588) granting a pension to Hannah B. Nyce;

A bill (S. 4589) granting an increase of pension to John L. Janeway; and

A bill (S. 4590) granting a pension to Annie Valerie Stockton (with an accompanying paper).

Mr. PENROSE introduced a bill (S. 4591) to authorize and direct the Secretary of War to purchase certain lands on the battlefield of Gettysburg, and making appropriation therefor; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FAIRBANKS introduced a bill (S. 4592) to provide for the purchase of additional ground and the enlargement and improvement of the public building at South Bend, Ind.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. FORAKER introduced a bill (S. 4593) granting an increase of pension to D. C. McMillen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4595) for the relief of the estate of Eliza J. Mahon; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. ELKINS introduced a bill (S. 4596) concerning receipts and bills of lading issued by common carriers engaged in interstate commerce relating to property transported in such commerce; which was read twice by its title, and referred to the Committee on Interstate Commerce.

Mr. CULBERSON introduced a bill (S. 4597) making an appropriation for a public building at Houston, Tex.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. TALIAFERRO introduced a bill (S. 4598) providing for the erection of a public building at the city of Fernandina, Fla., and for other purposes; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment proposing to appropriate $6,500 for grading and improving California avenue, from Phelps place to Massachusetts avenue, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the salary of the fire marshal of the District of Columbia from $1,200 to $1,800, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. DILLINGHAM submitted an amendment proposing to appropriate $125,000 to enable the Commissioners of the District of Columbia to purchase Analostan Island, in the Potomac River, near the city of Washington, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. WARREN. I submit an amendment proposing to appropriate $12,000 for 3,000 medals of honor, to be prepared with suitable emblematic devices and to be presented, in the name of Congress, to such officers, noncommissioned officers, and privates as have most distinguished or as may hereafter most distinguish themselves by their gallantry in action, intended to be proposed to the army appropriation bill. I move that the amendment be referred to the Committee on Military Affairs and ordered to be printed. As the consideration of the army appropriation bill by the committee is nearly completed, I ask that the printing of the amendment may be made special and sent to that committee.

The PRESIDENT pro tempore. The printing will be made special. The amendment will be referred to the Committee on Military Affairs.

Mr. FAIRBANKS submitted an amendment proposing to appropriate $50,000 for the purchase of the United States interest in the lease of a building to be used as permanent quarters in the city of Washington, D. C., for the International Bureau of American Republics and the Columbus Memorial Library, and proposing to appropriate an additional sum of $50,000 to acquire a site upon which to erect said building, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TELLER submitted an amendment providing for a test of one 8-inch or 10-inch elevating gun carriage of A. H. Emery's design, and authorizing the Secretary of War to close the contract with said Emery under which he is now making a 12-inch gun carriage and loading apparatus, by relieving him from all further work thereon and contracting with him for either an 8-inch or 10-inch disappearing gun carriage to be furnished by him in place thereof, intended to be proposed by him to the fortifications appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment authorizing the joining of Kalorama avenue, Washington Heights, through lot 1 of Little's subdivision, so as to include a triangular piece of ground measuring 196 feet on Columbia road and 150 feet on Nineteenth street extended, etc., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

FERNANDINA (FLA.) HARBOR IMPROVEMENT.

Mr. TALIAFERRO submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the harbor of Fernandina, Fla., with a view to establishing a harbor line and to determining the necessary improvements for providing a harbor of uniform and adequate depth for ocean-going vessels.

NEWPORT (R. I.) HARBOR IMPROVEMENT.

Mr. WETMORE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made and estimates to be submitted of the cost of extending the area of light-draft anchorage in the southern part of the harbor at Newport, R. I.

SURVEY OF WATEREE RIVER, SOUTH CAROLINA.

Mr. TILLMAN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause to be prepared from available data, if the same be on file in the War Department, and to submit a report with an estimate of the cost of obtaining channel in Wateree River, in the state of South Carolina from its mouth in Santee River to Camden, S. C., of sufficient depth and width to render it navigable by any and all boats which can navigate Santee Rivers as far up as the mouth of the Wateree *Provided*, That if sufficient data for the purpose are not available in the War Department the Secretary of War is authorized and directed to cause an examination and survey of Wateree River to be made with a view to obtaining information as herein above described, and to submit a report thereon, with an estimate of the cost of the improvement, the expense of such examination and survey to be paid from the appropriation for "Examinations, surveys, and contingencies of rivers and harbors."

HOUSE BILL REFERRED.

The bill (H. R. 8878) to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, was read twice by its title, and referred to the Committee on Indian Affairs.

AGRICULTURAL APPROPRIATION BILL.

Mr. PROCTOR. I ask the Senate to proceed to the consideration of House bill 11825, the agricultural appropriation bill.

There being no objection, the Senate resumed the consideration of the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905.

The PRESIDENT pro tempore. The bill is in the Senate and still open to amendment.

Mr. PROCTOR. There are two or three minor amendments to which I call attention. On page 27, line 24, the word "into" was stricken out. I think the comma should also be stricken out and the word "and" inserted; so as to read:

For experiments with reference to their introduction and cultivation in this country.

I move that amendment.

The amendment was agreed to.

Mr. PROCTOR. On page 38, by mistake, the amendment in line 15 was made in the wrong place. The words "who shall be chief of Division" should be restored, with "Bureau" substituted for "Division;" so as to read:

One entomologist, who shall be chief of Bureau.

And the words in lines 19 and 20, "who shall be assistant chief of Bureau," should be stricken out.

I move that amendment.

The amendment was agreed to.

Mr. PROCTOR. On page 40, line 17, the same change should be made. The words "who shall be chief of Division" should be restored and the word "Bureau" substituted for "Division;" and in lines 19 and 20 the words "who shall be assistant chief of Bureau" should be stricken out. It would then read:

One biologist, who shall be chief of Bureau, $3,500; one assistant biologist, $1,800.

I move that amendment.

The amendment was agreed to.

Mr. LODGE. Mr. President, I wish to suggest to the chairman of the committee that in the amendment, which is now printed so that we can all see it, on page 34, line 25, before the word "articles," there ought to be inserted the word "such;" so as to read:

Whenever he has reason to believe that such articles are being imported from foreign countries.

This would make it refer to the articles, because we have changed the beginning of the paragraph, altering the form it had in the original bill, and it makes it more explicit.

Mr. PROCTOR. I have no objection to that amendment.

The amendment was agreed to.

Mr. McCUMBER. I offer also an amendment. After the words "United States," on page 35, line 1, I move to insert the following:

Or which shall be falsely labeled or branded either as to their contents or as to the place of their manufacture.

Also, after the word "branded," in line 13, on the same page, I move to insert "either as to their contents or as to the place of their manufacture."

This reduces the matter entirely to foods and drugs and liquors, and covers other than merely injurious articles. It corresponds to what we were speaking of yesterday.

The PRESIDENT pro tempore. The Senator from North Dakota offers an amendment, which will be stated.

The SECRETARY. On page 35, line 1, after the words "United States," at the end of the line, insert:

Or which shall be falsely labeled or branded either as to their contents or as to the place of their manufacture.

And on the same page, line 13, after the word "branded," insert:

Either as to their contents or as to the place of their manufacture.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. McCUMBER].

The amendment was agreed to.

Mr. HANSBROUGH. I observe by the RECORD that during the debate yesterday a provision which is on page 20, I believe, of the print of the bill that we were then considering was stricken out, a point of order having been made against it.

Mr. COCKRELL. On what page?

Mr. PROCTOR. It is on page 21 of the new print.

Mr. HANSBROUGH. It is on page 21 of the print of the bill now before us. It was a provision which was inserted by the Senate committee and went out on a point of order.

Mr. President, I do not believe that it contemplated new legislation. I think it will be found by an examination of the provision on page 20 that the Secretary of Agriculture has been given authority from year to year to do precisely what it was proposed to do in this new provision. However, to get around that objection I propose an amendment at the end of line 3, page 21, of the new print of the bill, as follows:

Provided, That the Secretary of Agriculture may fix and collect fees for the examination of samples of seeds submitted to him and apply the money so received to the support of such work.

I send the amendment to the desk.

The Secretary read the amendment.

Mr HANSBROUGH. It simply broadens the duties which the Secretary is now performing, and I do not think it can be held that it is new legislation. It merely authorizes the Secretary to make a charge for examining such seeds as may be submitted to him.

Mr. BEVERIDGE. Let the amendment be read again, Mr. President.

The PRESIDENT pro tempore. It will be again read.

The SECRETARY. On page 21 of the reprinted bill add at the end of line 3 a colon and the following proviso:

Provided, That the Secretary of Agriculture may fix and collect fees for the examination of samples of seeds submitted to him, and apply the money so received to the support of such work.

Mr. HANSBROUGH. Now, Mr. President, just a moment. Let me refer to the provision which is already in the bill. In the new print of the bill, on page 20, will be found these words:

The Secretary of Agriculture is hereby directed to obtain in the open market samples of seeds, grains, roots of annuals, tools, the same manner as any such [illegible] or [illegible] seeds [illegible] any other name that Congress may [illegible] to Congress, to publish the results of the tests, together with the names of the persons by whom the seeds were offered for sale.

Now, at the end of that provision I propose to add the proviso which I sent to the desk, which simply allows the Secretary to make a charge for the examination of such seeds as are submitted to him by persons in the trade. I do not think that that is new legislation.

Mr. HALE. Mr. President, the Senator has removed one objectionable feature which was found in the amendment that was ruled out by the Chair, but that was not a feature which attracted my attention in making the point of order. It is still legislation, new legislation, and general legislation, applying to all the future, in giving new powers to the Secretary, and especially upon the point of collecting fees, which he can not do now, and applying those fees to this work, when the general law is that in all cases where it is not otherwise provided the fees shall be turned into the Treasury. The amendment is just as much subject to a point of order as the other amendment, in my view.

The PRESIDENT pro tempore. The Senator from North Dakota does not state the Senate rule correctly. It is not the House rule, which provides against new legislation. The Senate rule provides against general legislation. In the opinion of the Chair the amendment offered by the Senator from North Dakota is general legislation and subject to the point of order.

Mr. HANSBROUGH. Of course, if the Chair is inclined to rule in that respect, I will not offer any further suggestion.

The PRESIDENT pro tempore. Are there further amendments? Is a separate vote desired on any of the amendments which have been reported from the Committee of the Whole to the Senate?

Mr. CULBERSON. Mr. President, I desire to call the attention of the Senator in charge of the bill to a matter apparently indicating a double appropriation. On page 35, in line 19 and the subsequent lines, it reads:

Provided, also, That not to exceed $15,000 of this sum may be used to investigate the chemical and physical character of road materials.

On page 54, line 2 and following, it is provided as follows:

To make investigations in regard to the best methods of road making and the best kinds of road-making materials in the several States.

It appears to me that this is a double appropriation, and I wish to ask the Senator from Vermont if it was so intended?

Mr. PROCTOR. It was not, and I hardly think it is. I see the provision at line 20 on page 35. I should like to ask the Senator what is the object?

Mr. CULBERSON. On page 54, beginning at line 2. It reads:

To make investigations in regard to the best methods of road making and the best kinds of road-making materials in the several States.

That is included in the total of $65,000, and the bill indicates, as I have said, apparently at least, that there is a double appropriation to inquire into the best materials for road making. That is the point.

Mr. PROCTOR. I think it is hardly a double appropriation. Certainly it was not intended for one. The first one is strictly a chemical examination. The second is a general examination as to the best methods of road making and the best kinds of road-making material. That is not entirely or necessarily a chemical test by any means.

Mr. CULBERSON. But the Senator will observe that lines 21 and 22, on page 35, provide for "the chemical and physical character of road materials;" and "the best kinds of road-making materials," on page 54, would simply be a duplication.

Mr. TELLER. Mr. President, this is not the only duplication there is. There is another one of the same character on page 37, to which I wish to call the attention of the Senator from Vermont. In the appropriation for the Bureau of Soils there is the following, in line 7:

For the investigation of the cause and prevention of the rise of alkali in the soils of the irrigated districts.

If the Senator will turn to page 53, beginning at line 5, he will find the appropriation for "irrigation and drainage investigations." Now, go down to line 12 and it reads:

For the removal of seepage and surplus waters by drainage, and upon the use of different kinds of power and appliances for irrigation and drainage.

There is a duplication. It seems to me that if you strike out in the first item on page 37 those words there is power enough to do all you want to have done on page 53. I wish to move some little amendment to page 53 before we get through. I do not want to interfere with this business, but it seems to me that it would be hardly worth while to have two items here of this kind. If, on page 53, the language is not broad enough it ought to be enlarged, and on page 37 those words should be stricken out. There is a little more on page 37 about the rise in alkali, etc., but that is of no consequence one way or the other.

Mr. PROCTOR. The wording of this measure has been left with members of the committee from the arid region, and I presume the Senator from Wyoming [Mr. WARREN] will explain it satisfactorily.

Mr. WARREN. Mr. President, that is true of the wording on page 53, and I should be glad to have it remain substantially as it is, but as to the wording on page 37, I think it was not considered especially by the members of the Senate committee from the arid region. I think that the language came with the bill from the House——

Mr. TELLER. Yes: it was placed in the bill by the House.

Mr. WARREN. And it doubtless came to the House from the Bureau of Soils. Perhaps they were not aware when they drew the item for insertion in the bill that it might be comprehended in the appropriation for the irrigation service.

I hope the Senator from Colorado, in moving to strike out, if he feels that it is necessary to do so, will move to strike it from the Bureau of Soils rather than from the other item, where it properly belongs.

Mr. TELLER. I think we might amend the provision for the irrigation and drainage investigation so as to give authority for the work, if it does not now, and not have the two branches dealing with practically the same question.

Mr. WARREN. I will say that I am in sympathy with the intention of the Senator from Colorado, who is perhaps the subject-matter of both these provisions, and so far as I am concerned, as a member of the committee, I am willing to accept his proposition to enlarge the latter item if he chooses.

Mr. TELLER. I will suggest some amendments which I think the Senator from Wyoming will not object to as a member of the committee, for he understands this question. In line 7 on page 53, after the word "laws," I move to insert the words "of the States and Territories." It reads:

To enable the Secretary of Agriculture to investigate and report upon the laws.

I do not suppose anyone will object to that amendment.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment which will be stated.

The SECRETARY. On page 53, line 7, after the word "laws," insert the words "of the States and Territories."

The amendment was agreed to.

Mr. TELLER. Now, in line 10, I want to read the clause and see if the Senator who has the bill in charge or any member of the committee will not agree that what I propose is a better method. It is to make a report—

upon the use of irrigation waters at home and abroad; with especial suggestions of better methods for the utilization of irrigation waters in agriculture than those in common use.

That is a call on the Department to find something better, and it is an intimation that they can find something better. I think they can accomplish all they want by striking out the word "better," in line 10, and inserting the words "the best," and then striking out the words "than those in common use," in line 11. It will then read:

With especial suggestions of the best methods for the utilization of irrigation waters in agriculture.

That will give them just as much authority as they have now, and a little more.

Mr. WARREN. There is no objection to that amendment.

Mr. TELLER. It will not confine them to looking for new methods.

Mr. WARREN. All right.

Mr. TELLER. Then, on line 22, where it reads "a due regard to the varying conditions and needs," I move to insert the words "and laws" after "needs."

Mr. WARREN. There is no objection to that amendment.

Mr. TELLER. It will then read "conditions and needs and laws of the respective States and Territories."

The PRESIDENT pro tempore. The Senator from Colorado proposes an amendment, which will be stated.

The SECRETARY. In line 10, page 53, strike out the word "better" and insert in lieu the words "the best."

In line 11, after the word "agriculture," strike out the words "than those in common use;" and in line 22, after the word "needs," insert the words "and laws."

Mr. TELLER. I do not want to interfere on page 37, if anybody thinks an amendment there will interfere with the scheme.

Mr. PROCTOR. In line 10 I did not understand that the article "the" was put in before "best."

Mr. TELLER. It is "the best."

Mr. PROCTOR. I did not understand the Secretary to so read it.

Mr. TELLER. My amendment is to insert "the best" in place of "better." I should like to inquire whether the Senator from Wyoming [illegible] page 37 it would [illegible] scheme of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the last amendment proposed by the Senator from Colorado.

The amendment was agreed to.

Mr. TELLER. Mr. President, I do not want to appear to be interfering with any [illegible] but I thought that perhaps we were [illegible]

Mr. GALLINGER. Upon reflection, my idea is that while we [illegible] under [illegible] rations, [illegible] of Irrigation in the [illegible] to [illegible] of various crops and to report their ex[illegible]

[illegible] I do any harm to leave the language in, although it may seem like a duplication.

Mr. TELLER. I do not want to offer any amendment to the item on page 37.

Mr. CULBERSON. The Senator from Vermont does not seem to be [illegible] I make [illegible] fully [illegible] and physical character of road materials, and the road department will investigate the physical character other than may be involved in the chemical character of road materials.

Mr. GALLINGER. The Senator would strike out the words "and physical" leaving the word "chemical."

Mr. CULBERSON. Yes.

The PRESIDENT pro tempore. Does the Senator from Texas offer that amendment?

Mr. CULBERSON. I move to amend as I have suggested.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 35, lines 21 and 22, strike out the words "and physical."

The amendment was agreed to.

Mr. GALLINGER. Mr. President, the junior Senator from Iowa [Mr. DOLLIVER] yesterday suggested that he was somewhat irritated because of some strictures that had been made in reference to certain provisions in this bill; and since then I have hesitated to even make an inquiry. I do not want to be put in the attitude of opposing the Department of Agriculture in any of its beneficent work; we all recognize what it has done and what it is doing; and yet it is possible that there are certain matters in this bill which ought to be inquired into, and possibly amended. I am going to call attention to a very trivial matter—I apprehend it will be so considered—for the purpose of information. On page 35, line 23, I find this provision in the bill:

That $15,000 thereof shall be used exclusively for the purpose of investigating, determining, and reporting the proper treatment and process in order to secure uniform grade and quality of first-class table sirup.

Mr. President, that same provision was in the bill of last year. Fifteen thousand dollars was appropriated last year to investigate the proper treatment and process in order to secure uniform grade and quality of first-class table sirup. Fifteen thousand dollars would have paid five chemists a salary of $3,000 a year each to make this investigation. We now duplicate the provision and give the Department $15,000 more for those chemists to continue this investigation as to table sirup.

Mr. PROCTOR. I should like to call the attention of the Senator from Georgia [Mr. BACON] to the statement which the Senator from New Hampshire is making.

Mr. BACON. Very well.

Mr. GALLINGER. I will say to the Senator from Georgia, if he is particularly interested in this matter—for I do it for information—that I was calling attention to the provision in the bill appropriating $15,000—

For the purpose of investigating, determining, and reporting the proper treatment and process in order to secure uniform grade and quality of first-class table sirup.

Mr. BACON. On what page is that found?

Mr. GALLINGER. It is found on page 35 of the new print of the bill, commencing on line 23.

Mr. President, I ventured to suggest that in the last appropriation bill a similar provision was inserted. So the Department of Agriculture has had at its disposal during the last year $15,000 to make this investigation. Now, another sum of $15,000 is provided for in this bill for, I presume, continuing that investigation. What I wanted to know was this: I am interested in having good table sirup, as everybody is, and I know we get a great deal of very poor table sirup. Those of us who have been in the habit of using maple sirup to some extent have been compelled to feel that there is a very wide difference between a good article and a poor article. But has the Department of Agriculture published any bulletin or given any information as to the progress the Department is making in this matter? Are we appropriating money to enable chemists to carry on these investigations?

As I remarked a moment ago, I will say to the Senator from Georgia that $15,000 would give five chemists a salary of $3,000 a year each, and we can employ very good chemists for a much less sum than that. It is a small item; but what I should like to know is whether we are getting any information on this subject, and if not, would it not be well to add to this provision that the Secretary of Agriculture shall report to Congress the results of that investigation?

Mr. PROCTOR. There could be no harm at all in that; but I think there has been a report.

Mr. GALLINGER. For the purpose of bringing this matter before the Senate in proper form, I will offer this amendment, after the word "sirup," on page 36, line 1, to insert the words:

And the Secretary of Agriculture shall report to Congress at its next session the result of said investigation.

Mr. BACON. I have no objection to that, but before the subject is dismissed, I desire to say a word or two on it. I am not able to answer specifically the inquiry of the Senator. I do have some little general knowledge of the work which it is desired to accomplish, but I am not able to say to the Senator what progress has been made. Possibly, if I say a word as to the nature of this product——

Mr. GALLINGER. I should be very glad to have the Senator do so.

Mr. BACON. It is a thing which calls for governmental action or for the action of some one who will take a general view of it and make some practical experiments of a general character which will assist somewhat in determining as to the propriety of this appropriation. My knowledge of the matter is altogether unofficial, I may say, but it has been gathered in the course of all my life, as I have been familiar from early childhood with the methods used by Georgia farmers in making sugar-cane sirup for the use of their families and to supply the demands of their immediate neighborhoods.

The sirup which is generally found in commercial business, as I understand—speaking now of the cane sirup—is the residuum after the making of the sugar; in other words, it is the drippings from the sugar, which is afterwards by some process of refining converted into sirup and used for table purposes.

The farmers of Georgia from my earliest recollection, and for a long time preceding that, have been making sirup which is not a residuum, but which is a product of the cane juice, boiled to a point where the cooking is arrested prior to the stage where granulation begins. So that this particular sirup is not one from which the sugar has been extracted, but it contains the sugar, and to that extent, possibly—at least it is so thought—is superior to the sirup which is residuum from sugar obtained from drippings while it is being manufactured.

This sirup has never heretofore been a commercial article in any extended sense. The practical operation has been this: The farmers of Georgia—and I presume it is true also in Alabama, and possibly to some extent in Florida and South Carolina—make sirup for their own use and for supplying the demand in their immediate neighborhood. The consequence has been that each man has had to a certain extent a process peculiar to his own work and differing from the work of everybody else. There has been, in consequence of that, the greatest variety and difference in the quality and grade of the sirup. The Agricultural Department, as I understand, has had its attention attracted to this sirup, which is made, differing in the way I have indicated from the ordinary commercial sirup, and has become impressed with the idea that if a uniform grade of sirup of that kind could be made, so as to be put upon the market and its character recognized by a certain standard, it would become a valuable product, not only so far as its money yield was concerned, but valuable for the consumption of the people of the country. In this I quite agree, believing as I do from a life-time experience with it that the Georgia cane sirup when carefully and properly made is the very best table sirup that is made anywhere in the world.

I am not able to state with accuracy what is the particular work which has been undertaken by the Agricultural Department, but my general understanding is that it has probably erected some simple works sufficient for the purpose of taking a comparatively small quantity of the cane juice and manufacturing it into sirup, the purpose being to establish through practical experiment a process by which what should be ascertained to be the best standard of sirup would be made, which process would be afterwards used by the sirup makers, and in that way some uniformity be secured in the character of the sirup which would be thereafter manufactured.

The Senate will easily note the fact that so long as there is no very large production of this sirup and so long as it is left to the individual work of each farmer, this diversity and difference will necessarily exist. Of course the whole matter is based upon the judgment of the Agricultural Department; that if properly systematized and the method properly ascertained, this would be an extremely valuable product. It is with a view to that, as I understand it, that the work has been undertaken by the Agricultural Department.

I repeat, I have no detailed knowledge of what has been done by the Department, and it is only in a general way that I have this information.

Mr. PROCTOR. Mr. President, I wish to assure the Senator from New Hampshire [Mr. GALLINGER] that no part of this appropriation has been used for investigating maple sirup. That does not need any investigation.

Mr. GALLINGER. So I understand.

Mr. PROCTOR. That speaks for itself. If you get your supply from Vermont, you will be sure to have the finest table sirup in the world. [Laughter.]

The PRESIDENT pro tempore. The amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] will be stated.

The SECRETARY. On page 36, line 1, after the word "sirup," it is proposed to insert:

And the Secretary of Agriculture shall report to Congress at its next session the result of said investigation.

Mr. ALDRICH. I read this item in the bill with considerable curiosity, and when the Senator from Georgia [Mr. BACON] took the floor I expected that it would be explained. What first-class table sirup is, or could be defined to be, was beyond my compre-

hension. It is like requiring the people of the United States to breathe first-class air or to drink first-class water. Of course the chairman of the committee would define first-class table sirup as maple sirup, and nothing else, and I am inclined to agree with him.

Mr. PROCTOR. I have already defined it as that.

Mr. ALDRICH. Yes; the Senator has already done so; but the Senator from Georgia, as I understand, thinks that first-class table sirup is something which is made in Georgia from cane.

I suppose there are thousands of different kinds of table sirups used in the United States. It seems to me a rather useless sort of thing to appropriate money to get the Secretary of Agriculture to define what first-class table sirup is or to fix the formula to be used in the manufacture of sirup. The object, I suppose, is to give employment and to enable people in different parts of the country, who think their sirup better than that made at any other place, to get the approval of the Secretary of Agriculture.

Mr. BACON. I did not hear more than half of what the Senator from Rhode Island said, and consequently I may have misunderstood him, but I think this proposition is one in accord with what has heretofore been recognized as legitimately within the province of the work of the Agricultural Department, which is to properly ascertain by practical experiment how the great agricultural interests of the country can best be promoted. In this way the Department of Agriculture has extended its work to investigations and experiments all over the United States as to all the different kinds of agricultural products, and a very great work has been accomplished in giving information secured as the result of practical experiment, which has been of immense service to the agriculturists of the country, and adding largely to our agricultural products.

There is no doubt about that, and it is one which is thoroughly appreciated, not by one section alone, but by all sections.

As to this particular work, it seems a very simple matter to show its correspondence, in work which has been done and the end which is sought to be accomplished, with all other work which has been undertaken and accomplished by the Department through investigations and experiments with the intent to lead the agriculturists of the country to the knowledge of what is the best way to do certain things and to accomplish certain results in any particular branch of agriculture.

As to whether or not the Department is going to determine what first-class sirup is, of course that is very largely a matter of judgment for the consumer; but it is within the range of practical knowledge for the officers of the Department, by experimenting, to themselves come to a conclusion as to what methods will produce a sirup which they and other parties of ordinary knowledge and taste would determine to be of the best grade, as the Department may with anything else.

The purpose of this is not in any way to aid any particular individual in the marketing of his crop by any direct act of the Government, but it is for the purpose of determining what is the best process of manufacture. If the New England Senators who are now so partial to maple sirup will make a trial of first-class Georgia sirup they will agree with me that it is a long way better than any other kind.

It is a fact, which has been developed by the analyses of the Agricultural Department, that there is a very great difference in the saccharine matter which is contained in sugar cane in different sections of the country, and it is developed that different characters of soil are adapted in one case to the production of sugar and in another case to the production of sirup. The analysis shows that the Georgia sugar cane is very rich in saccharine matter and highly suitable for making the very best sirup. It is an industry capable of very large development, and it is with a view to encouraging and promoting it in the same way that the Department of Agriculture has endeavored to encourage and promote the development of other agricultural interests. It is with that view that this work has been undertaken. It is not a work which is liable to be extended indefinitely or to involve any large expense; certainly it will involve a very small expense proportioned to the results which may be reasonably anticipated.

Mr. ALDRICH. May I ask the Senator from Georgia a question?

Mr. BACON. If the Senator will speak louder, I will, with pleasure, endeavor to answer him.

Mr. ALDRICH. I think a large proportion of the sirups used in the United States are made from glucose. Now, with the Senator's knowledge—and he seems to have given this matter much study—does he think that first-class sirup could be made from glucose?

Mr. BACON. I am quite sure that nothing like glucose is used in the region where these experiments are to be conducted.

Mr. ALDRICH. Not in Georgia?

Mr. BACON. No, indeed. I do not think such a thing has ever been used, and certainly it will not be in the operations conducted by the Agricultural Department. The sirup made in Georgia is only the very purest of sugar-cane sirup, without any artificial or deleterious substances.

Mr. GALLINGER. Mr. President, when I first read this provision my disposition was to move to strike it out, but as I assumed I did not know as much about it as I ought to know, for that reason I raised the inquiry. It seems to me if the amendment I have offered is adopted—and I presume it will be—that we shall obtain the necessary information next year to enable us to determine whether this work ought to be continued or not.

Mr. CLAY. Will the Senator state what is the amendment proposed by him?

Mr. GALLINGER. Simply asking the Secretary of Agriculture to report as to the result obtained during the two years that this matter will then have been under investigation.

Mr. CLAY. We have no objection to that.

Mr. GALLINGER. The only additional observation I wish to make is that I want to enter my protest against the Senator from Vermont [Mr. PROCTOR] advertising the maple sirup from his State and apparently propagating the product from New Hampshire. We make just as good maple sugar and maple sirup as they do in Vermont. [Laughter.]

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New Hampshire [Mr. GALLINGER].

The amendment was agreed to.

Mr. STEWART. Mr. President, I desire to offer a slight amendment, on page 58, line 7, after the word "rights," to insert the words "of appropriators and."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 58, line 7, after the word "rights," it is proposed to insert "of appropriators and."

Mr. STEWART. I should like to make an explanation of the amendment. This is a very wide and far-reaching investigation which is proposed for the Agricultural Department as to the "[illegible] of [illegible] and [illegible] relating to irrigation and upon the use of irrigation waters, at home and abroad." We inherited from England the idea of riparian rights. There, in ancient times, and until quite recently, when water began to be used in manufacturing establishments and for other similar purposes, it was thought best to all concerned to have water run in its natural channel. The water was not needed for irrigation. When people went to California a different condition of things prevailed. There it was necessary to take water out of the channel, convey it long distances, and use it for mining purposes. The [illegible] upon the streams objected, but the courts there held that the principles of the common law as to riparian proprietors did not apply; that the principle of appropriation applied. The prior appropriation governed. Water appropriated for a beneficial use, followed up with reasonable diligence, gave prior right to the appropriators.

Settlers spread over the Territories, nearly all of which passed laws in regard to water appropriation. The Congress of the United States recognized that doctrine in the act of 1866 authorizing the construction of ditches over the public domain. The Supreme Court has also recognized the right of prior appropriation in the region where prior appropriation of water is all important.

The same doctrine as to riparian appropriators applies to other countries as well as to ours. If we look to the countries similar in character to much of the western portion of the United States, where they irrigate, we will find that prior appropriations there prevail against riparian owners. That was the custom with the Moors. Where there was desert land that needed to be irrigated, the principle of appropriation applied. But where land needed no irrigation, where it was important that the water should flow in the stream, there the principle of riparian ownership prevailed—that is, the person owning the land had a right to have the water flow in the stream. In such cases the water could not be diverted.

If this matter is not intelligently investigated, if the laws of England and the laws of the West are not taken into consideration, and the conditions and purposes that prevail in other irrigating countries are not looked into, in other words, if there is not a broad view taken of the question, the investigation will be worse than useless. If somebody merely takes upon old law book and studies the common law of appropriation, we will get a report here that will be very prejudicial. I think that when the question of riparian rights is considered consideration should also be given to the rights of appropriators for mining purposes and for irrigation, which are protected by the courts of the West.

My amendment simply calls attention to those rights which have been recognized by the State laws, by the United States laws, and even by the Supreme Court of the United States, in regard to the proper use of water by appropriators, in order that the proposed investigation may not be too narrow.

The PRESIDENT pro tempore. The Senator from Nevada offers an amendment, which will be stated.

The SECRETARY. On page 58, line 7, after the word "rights,"

it is proposed to insert the words "of appropriators and;" so as to read:

"Irrigation and drainage investigations: To enable the Secretary of Agriculture to investigate and report upon the laws as affecting prior rights and the rights of appropriators and of riparian proprietors and institutions relating to irrigation and upon the use of irrigation waters, at home and abroad, etc."

The amendment was agreed to.

Mr. LODGE. I move to amend the amendment adopted, on page 39, line 14, by inserting, after the words "small fruit," the words "shade trees." The chairman of the committee informs me that there is no objection to that amendment.

Mr. PROCTOR. I accept the amendment of the Senator.

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be stated.

The SECRETARY. On page 39, line 14, after the word "fruit," it is proposed to insert the words "shade trees;" so as to read:

"Bureau of Entomology: Promotion of economic entomology; investigating the history and habits of insects injurious and beneficial to agriculture, horticulture and arboriculture, ascertaining the best means of spreading those found to be injurious, including an investigation into the ravages of insects affecting forest trees, continuation of the work affecting small fruit, shade trees, and truck crops, etc."

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Massachusetts.

The amendment was agreed to.

Mr. HEYBURN. On page 27, at the end of line 5, I move to insert:

"*Provided*, That the Secretary of Agriculture shall have power, and he is hereby authorized, to make such rules and regulations and to take such action for the prevention of interstate commerce in seeds, trees, plants, and vines that are sold under false names as to their variety or character as shall prevent the shipment from or into any State, Territory, province, or dependency of the United States of such seeds, trees, plants, or vines."

I will say, Mr. President, that the evil is a growing one. I represent in part one of the number of fruit-producing States in the United States where we are particularly victims of this evil practice that has grown up. Unfortunately, in the case of trees the evil is one that is not discovered until after the lapse of several years, and we find that we have vast orchards of trees of no value, trees which turn out to be mere seedlings or trees of some other variety than those selected.

The same is true of the vines and small fruits as well as of seeds. This year in one county, after six years of waiting, it was found necessary to dig up and destroy something over 9,000 apple trees that proved to be of no value.

They are sold by agents from nurseries in other States into these new States that are building up this fruit industry; and this damage is a very serious one, which I think might, in a measure at least, be prevented by an intelligent investigation of the subject and the making and enforcing of such rules as will provide for honesty in the description and sale of these articles.

The PRESIDENT pro tempore. The Senator from Idaho offers an amendment, which will be stated.

The SECRETARY. On page 27, line 5, after the word "plants," at the end of the line, it is proposed to insert:

"*Provided*, That the Secretary of Agriculture shall have power, and he is hereby authorized to make such rules and regulations and to take such action for the prevention of interstate commerce in seeds, trees, plants, and vines that are sold under false names as to their variety or character as shall prevent the shipment from or into any State, Territory, province, or dependency of the United States of such seeds, trees, plants, or vines."

Mr. TILLMAN. Mr. President, everyone recognizes the evil of which the Senator from Idaho [Mr. HEYBURN] complains, but it seems to me he is going about securing a remedy in a very queer way. If we will pass an act here making it a penal offense, punishable after conviction in the courts, to foist this kind of stuff on people who want to plant orchards, that is one thing; but to undertake to put it in the power of the Secretary of Agriculture to interfere with the great nursery industry of this country and to harass, and, you might say, bedevil them, honest as well as dishonest ones with all sorts of I do not know what sort of regulations, I think is going a little too far.

In fact, it seems to me that we are trusting so much to the zeal and intelligence and common sense of the present Secretary of Agriculture that we are willing to do most anything in the enlargement of the powers of that Department. If we should happen to get a fool in there some day, as we undoubtedly will, because we have had in the past, we do not know what harm may come. I hope the Senator will go about remedying this wrong, this nuisance and abuse, in some other way than this.

In my State we have large orchards, and we are harassed—I might say we are robbed—by planting trees thinking they are one thing, and then in three or four years, after we have cultivated them and they come to bear, we have found we have been swindled. But this is not the way to go about remedying that evil.

Mr. HEYBURN. I should like to make a suggestion to the Senator from South Carolina. I have attempted to be conservative in framing this amendment with a view that the Secretary of Agriculture may enter upon the consideration of this question by virtue of authority given him in this act. Perhaps in a short time we may be able to legislate more directly to the point to cure this evil; but let him commence with the limited powers that are given him by this amendment, with the end in view that we may ultimately provide some penalty and get closer to the question of punishment after we have tried the experiment.

Mr. LODGE. Mr. President, as I understand the Senator from Idaho [Mr. HEYBURN], he describes the amendment as conferring very limited powers. It is simply to put the regulation of interstate commerce into the hands of the Secretary of Agriculture. I am not going to object to that addition to his powers. There are Senators here more familiar with the workings of interstate commerce than I am. There is a committee that has that subject in charge. But I do think, Mr. President, that if we are to be protected against the wiles of gentlemen who sell bad seed and who sell defective fruit trees, there are a number of other things that we ought to be protected against.

In my portion of the country certain men are in the habit of going about and peddling lightning rods. They are frequently bad lightning rods. I think we ought to have them inspected by the Government, if this is to be done, before they are put on houses.

Other men go about in my country and sell a great many other things—ladders and things of that sort. I imagine sometimes that the ladders that are sold are not very good ones. And chairs are sold by traveling peddlers or agents. I think those ought to be inspected, and we ought to have a Government inspector for that purpose. I am sure that in the matter of book agents I am appealing to a very wide sympathy when I say protection against them would be very valuable.

It seems to me, Mr. President, if we are going to give interstate commerce in the control of the Department of Agriculture, and if we are going to have the articles that are peddled or sold by agents or travelers in this way protected, we ought to extend it. I do not think we ought to limit it merely to seeds and fruits. I have no doubt of the desirability of the protection in that direction, but there are a large number of other articles which, if we are to turn the regulation of interstate commerce over to the Agriculture Department, I think ought to be equally protected.

Mr. HALE. Let me ask the Senator from Massachusetts if he thinks, on the general theory of protection against sharp practice and cheating, two men ought to be allowed to change horses when the likelihood is that one or the other will get cheated if there is not Government protection?

Mr. LODGE. It seems that protection in horse trades is something we have a right to demand. There is nothing on which there is probably more cheating and nothing as to which the general public suffers more than in its horse trades. I think if we could have a large corps of veterinary surgeons employed by the Government to examine horses and certify to them, it would be a very great protection.

Mr. CLARK of Wyoming. Mr. President, this is not a new idea in legislation by any means. Neither is it an idea that can be laughed out of court. Neither is the proposition a safe one that because you can not remedy all evils you ought not to attempt to remedy any. We have legislated time and again on the agricultural bill on subjects connected with agriculture where things are carried on to the detriment of the people. Certainly it will not be claimed either by the Senator from Massachusetts or anybody else that this would not be a good thing to accomplish if it can be done. It is properly in place on the agricultural bill. If the citizens of Massachusetts are in danger of being swindled by lightning-rod agents the Senator can protect the citizens of Massachusetts in their guilelessness in some other bill.

Mr. LODGE. That certainly affects the farmers, does it not?

Mr. CLARK of Wyoming. Perhaps the farmers in Massachusetts. The farmers of other States are able to protect themselves.

Mr. LODGE. I see. Then why can not they protect themselves on fruits, as our farmers do?

Mr. CLARK of Wyoming. Lightning rods do not come into ordinary consumption. Fruits are directly concerned with agriculture and come properly under the suggestion at least, if not the control, of the Department of Agriculture.

Mr. HEYBURN. Mr. President, the fruit industry is very permanent in its character. Lands that are worth eight or ten dollars an acre are converted into lands worth $500 an acre in our State by being converted into fruit lands or orchards lands. The amendment seems particularly pertinent to an agricultural bill, which is for the purpose of considering those things that affect the farmers and their home life and their prosperity. I have no doubt that if a horse bill was before the Senate or a lightning rod bill or any other bill of that kind, the amendment might be offered and considered by the Senate. But, it is no answer to this amendment to say that because a man may be taken advantage of in a horse trade or in the purchase of lightning rods, he should not be protected from imposition of this kind which may affect the prosperity of an entire country.

Within the last twenty years the sage-brush plains of southern

Idaho have been converted into orchards, and while men have not always been deceived as to the variety of fruits and vines and plants they have purchased and planted, yet they have been deceived to that extent by the agents of nurseries in other States lying far to the east that it becomes a crying evil, and there is an actual necessity for its remedy at this time.

Where should we go in seeking such a remedy if not to the agricultural bill? We have experimental stations for all other purposes. Why not have such an organization within the Agricultural Department of the Government as will detect and provide means for protection against this evil.

Mr. TILLMAN. Mr. President, I hope the Senator from Idaho does not class me along with some other Senators who have spoken and have cast ridicule and have rather tried to laugh this amendment out of the Senate. I do not belong to that class. I am here objecting to the scope, the consequence. I want to stop this swindling of people by selling them one apple tree, which, if it is a genuine one, is very valuable, and when it comes to grow to bearing age they find that they have something else, absolutely worthless. The purchaser of such an article has not only lost the money which he paid for the tree originally, but he has lost all his time and the fertilizer and everything else in cultivating it and in bringing it to the stage of bearing.

That is an evil, but it is not to be remedied in this way. I want a penal statute regulating interstate commerce in cases of this kind which will make it permissible for the man who has been swindled to go into the United States court, without regard to the amount involved, and go back on the man who sold him the stuff and have him punished; but do not come here and spread the Agricultural Department all over creation. You will destroy it if you do.

I am in favor of the Agricultural Department. I am in favor of the work that it is doing. I have great respect for the Secretary of Agriculture. He is a man who has done more than any other man that I know of in this country in the last fifty years in behalf of agriculture. But I confess I do not see the wisdom or the good policy of undertaking to clothe him with these altogether improper powers. If you want fruit trees inspected, he can not, by any machinery which you can give him, go all over the country and stop swindling. Let us punish the swindlers rather than undertake to put somebody in possession of a power which will involve, as I said in the beginning, an immense interruption and bother and trouble and harassment of the great nursery industry of this country.

Mr. HEYBURN. I should like to ask the Senator whether or not we have information enough at this time or have progressed far enough in this matter to take up the question of prescribing a penalty for the infraction of a law which does not yet exist? Is it not better for us, by providing that he shall make rules and regulations for the purpose of determining the extent, the effect, and the character of the evil, to lay the foundation for doing just what the Senator says should be done now? Is the Senator ready at this time to propose a specific provision of law for the punishment of this evil? Is the evil sufficiently circumscribed and determined at this time?

Mr. TILLMAN. It seems to me that the Senator and I have both described the condition, which is one in which men who buy fruit trees and vines of one kind, which would be valuable if genuine, and which prove to be utterly worthless, are swindled. We can, in the proper bill here, punish swindling on trees just as readily as on anything else. We punish the people who distill illicit whisky up and down the mountain streams in the backwoods. There is not any trouble, if the Senator will turn his attention to having a bill passed here for that purpose, to punish this swindling in the Federal courts, because it is interstate commerce, by putting the amount down to $50 or $10 or any other limited amount that he wants, which will bring the case within the purview of the courts. He need not go and undertake to investigate. If he is going to continue to have an examination of this thing for three or five years before he legislates to punish the evil, we will never get any results. I suggest to him that I will cooperate with and help him to frame a bill which will reach these peddlers and swindlers who rob people, and we can do it more readily and certainly more effectively than in this way.

Mr. LODGE. Mr. President, I spoke only half seriously. I did not know that the amendment was very seriously intended. But as it has been given a serious turn, I should like to point out that the growing of fruits and vines and the use of seeds are not confined to one State. It is something which is common to the whole country. Even in my little State, Massachusetts, Worcester County was the third county in the United States in the value of its agricultural products in the census of 1890. It is one of the first of the counties to-day. We use a large number of trees and vines and seeds of small fruits and vegetables. Why should the people who use those things be singled out for Government protection any more than anybody else?

There are a great many other articles in use among the farmers in which they are entitled to just as much protection; and why should the farmer be singled out for protection above all other American citizens? Mr. President, I am in the habit of taking pretty liberal views of the powers of Government, but this is paternalism run mad to suppose that we are to have the heads of a Department here to protect every citizen of the United States in everything he buys. If you undertake to protect them on one thing, there is no reason why you should not undertake to protect them on another. The fruit grower and the grower of vegetables have no better claim for Government protection than any other class of American citizens.

It seems to me, Mr. President, to undertake to have the Government come in and protect every buyer against every seller is a scheme utterly impossible in practice. Men have their redress in courts now. Are we to undertake to abolish the old doctrine of caveat emptor and to suppose that everybody has to be taken care of by the Government like a child in swaddling clothes to see that he is not swindled? It was not in that way that this country has been settled and built up, but by independent, capable men, able to look out for themselves. You can do a great deal to protect the public on matters which the courts can not reach, but are we to enter into the daily business and to say that we must protect all those in the country who are exposed to the liability of making bad bargains?

If you once begin it, there is no place where you can draw the line. It seems to me to be entering upon a course of policy utterly alien to anything that we have ever done.

Moreover, Mr. President, this undertakes to turn the regulation of interstate commerce into the Agricultural Department. I do not believe that this is a wise thing to do, and I agree with the Senator from South Carolina [Mr. TILLMAN] that to undertake to spread the Agricultural Department and its powers in this way is the worst thing for the Department that could be done. I am entirely friendly to the Department and am a great admirer of the Secretary.

Mr. President, I believe this amendment is entirely out of order, and I make the point of order on it.

Mr. TELLER. Mr. President, I do not know that I understand exactly what this amendment is.

Mr. PLATT of Connecticut. Let it be read.

Mr. GALLINGER. Will the Senator allow it to be read?

Mr. TELLER. I should like to have it read again, so as to know what it is.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Secretary will again read the amendment proposed by the Senator from Idaho.

The SECRETARY. It is proposed, after line 5, on page 27, to insert the following:

Provided, That the Secretary of Agriculture shall have power, and he is hereby authorized, to make such rules and regulations and to take such steps for the prevention of interstate commerce in seeds, trees, plants, and vines that are sold under false names as to their variety or character as shall prevent the shipment from or into any State, Territory, province, or dependency of the United States of such seeds, trees, plants, or vines.

Mr. TELLER. Mr. President, that may serve a very useful purpose, and undoubtedly it would, but there are a good many other things that ought to be attached to it, it seems to me, if we are going into it.

Now, out in the country in which I live, under the liberal postal regulations, our people send to New York and Boston and other places and buy goods. They frequently find when they get the goods that they are not what they supposed they were. Why should we not put in some provision of this kind to protect them? It is not simply the farmer, but the whole community.

It seems to me that this is such an important question that it ought not to be passed on in haste. However, it seems to me that this proposition is very pertinent to the pending bill, for there is practically everything in this bill except what ought to be in it. We had some trouble getting in a little provision that might help some sections of the country and some classes of the people and benefit everybody.

I find in this bill some things that strike me as very wonderful, and I want to inquire of those who have this bill in charge—I want to inquire of the party in power, the party we have been told again and again here has the responsibility of legislation—where this system of the Government doing everything and the people doing nothing for themselves is to stop?

Mr. President, I find in this bill two provisions: First, that the Secretary of Agriculture shall examine chemically, as the bill now stands, of what kind of material roads in the farming districts are to be made. It is confined now, I believe, to the chemical constituents. You can not pick up anywhere a farmer's boy 15 years of age who does not know of what material a road in the neighborhood in which he lives ought to be built. Now, is there any necessity for this provision? Are the people of the farming and the rural districts, where they have been making roads for two hundred and fifty or three hundred years, so ignorant that they

have now to come here and get Congress to appropriate money to experiment as to what class of stone they shall dig from the hills and pile in the roadway in order to make a good road?

For this purpose I find that $15,000 is appropriated. It strikes me that in the agricultural field you can find many things on which to spend $15,000 usefully to the agriculturist instead of getting this information.

Then, on another page I find there is an appropriation of $65,000, making an appropriation of $80,000 in this bill, for what? To give the people of the United States information as to how to build roads; to tell the people how they shall construct the wagon roads of the country.

Then, I find more than that in this bill. I find that the authority is given to the Agricultural Department to construct a road as an object lesson. Where is the Secretary going to construct it? If he constructs it in New England, what good will it be to the people of the great West? Or, if he builds it in the great West, what good will it be to the rest of the country? An object lesson! You will find it on the last page of the bill:

And object lessons in road-building; for the employment of experts, local and special agents, clerks, assistants, and other labor.

There is no end to what can be done under this provision except the limit of $65,000. It is the only limit. Absolute authority is given to go into the country and interfere with the public highways. There is a bill pending in the other branch of Congress appropriating $24,000,000 for the purpose of building roads this year. There is a bill in the Senate, and we listened here to an argument of an hour on it, which will cost $500,000,000 if it is carried out, but it is said that it will be expended so much this year, so much the next year, and so on, and we will not feel it.

I believe in the Government of the United States keeping up with the progress of the times, but I do not believe that it is necessary that the Government should commence giving instructions to the people of the United States about building roads, and, above all, I know it is not in the province of this Government to build roads in the several States of the Union at an expense of $24,000,000 or any sum whatever.

I do not deny that under the old system, when the mails were and could be carried only over the roads in wagons, the Government did build some roads, and that in the early history of the country the Government did build a road across the mountains to open the great country known as the "Northwest country." But are we going to enter upon a system of making roads? Is the Government going to take from the States that which they have been doing and doing successfully—the building of their own roads?

Mr. President, in my youth I went into a country without law; I went into a country where there was no regulation except what the people themselves made; a country that was open, and where for three years the people lived without any interference on the part of the General Government or the State of Kansas, which claimed some jurisdiction over it, or a part of it at least, and where there was never a dollar collected from anybody for taxes during that time, and where the people maintained all the proper relations of a government of the people, by the people, and for the people.

Mr. President, it was a country in which it was difficult to make roads. But we made our own roads. We made them by putting our hands in our pockets to build the roads necessary to open the country so that one community might have intercourse with another. We built the roads up the mountains; we built them over the mountains, and all that has been done. And while Colorado is a comparatively new State, I say here, although I am getting letters from people there saying they want the Government to build roads there, the people of Colorado, as a people, do not want the Government of the United States to interfere with their domestic and local affairs, and do not want it to build any roads.

Mr. President, you can not go on with this condition. You are to build an object lesson. How long is it to be? Is it to be an object lesson 10 miles in length or 1 mile in length? And when you build an object lesson in one community, you will have to build one in another and one in another and another, and there is no end to it.

Mr. President, a few years ago, to satisfy, as was said, the disaffection and discontent of the farming community, we adopted a system which is now known as "rural mail delivery." I know something of the people who live on farms. I lived on a farm until I was old enough to go out and take care of myself. I have come in contact with farming people all my life. I know there was no considerable demand by the farming people of the United States for the introduction of a system that is already costing us $20,000,000 a year, and before we get through will cost us a hundred million dollars a year.

I know that the farmer boy who lives 8 or 10 miles away from his post-office, if such a case can be found in these days, and it rarely can be, wants to go to town once a week, and it is a blessing to him that he has the opportunity, and no farmer is demanding this relief, as it is called, to the farmer. Who does demand it, Mr. President? I get petitions from people in my State who want a rural delivery established on this line or the other. In nine cases out of ten it is the man who wants to be the mail carrier who gets up the petition. Everybody will sign it, and as you have entered upon that system I send the petition to the Department, and in many instances they grant it and in some instances they do not. If they do not, then you have given a cause for one community to complain if they have any desire for the route.

You can benefit the farmer in a thousand ways better than you can by sending the mail to his door. It is true that the local county newspapers, which send out their papers through the mail free under the statute, have been, perhaps, the strongest advocates of rural mail delivery. But I am not going to spend any time on that.

I rose, Mr. President, only to say that I think somewhere there has to be a check on these appropriations; somewhere there has to be a going back to the old doctrine that you have no right to raise from the people more taxes than the absolute necessities of the Government demand. Every dollar that you spend, whether it is for roads in Massachusetts, or New York, or Colorado, comes out of some man's pocket. It is not essential to the good condition of society. It is not necessary for the preservation of the Government. It is not necessary at all that any money should be spent for this purpose in any portion of the country, except it be in Alaska, and there you would be the last to spend it.

Mr. President, this bill contains an appropriation of $450,000 for forestry. I do not mean to say anything against the forestry business. I am a lover of trees, and I think likely I have planted as many trees as almost any other man in public life. But it is not the duty of the Government of the United States to plant trees for the American people. This morning I received in my mail a letter from a man out on the prairies who said that the grange to which he belonged had instructed him to ask me to have the Government establish a tree farm in that neighborhood to raise timber, he said, for the farmers of the country. I replied to him early this morning, and I said:

If you want to raise trees on the great prairies of our country, you will have to do it by your own industry and exertions, and you can not depend upon the Government of the United States, which is absolutely incapable of doing it and at the same time doing justice to every other part of this great country.

If you enter upon it in one section, you must enter upon it in all. We have extended our appropriations to an alarming extent. We have from a comparatively small national expense gone to an expense that is terrifying to the men who stop to think. You are demanding in every Department of this Government an increased appropriation, whether it be for the Treasury Department or any other. Your navy appropriation has gone, since I have been here in the Senate, from $13,000,000 to an estimate to-day of $105,000,000. In 1889 the entire expense of the American Army and American Navy was $55,000,000. Last year it was $218,000,000 or $220,000,000. This year, Mr. President, it will be still higher.

Now, add to that your road building, add to that your forest reserves, and your planting of trees upon the sides of mountains and upon the Great Plains, and you have got to revise your revenue laws. You are facing a deficit in this fiscal year. There is undoubtedly to be a deficit and not a surplus, although a surplus is estimated for by the Treasury Department. Next year the Treasury Department says there will be a deficit, and the next year there will be another deficit, and the deficit will grow as the appropriations grow, and as they must naturally grow. Yet, Mr. President, they ought not to grow abnormally.

If you are to give the Secretary of Agriculture the right to interfere with all the commerce of this country, and give to the Secretary of the Treasury the same right, which you have given under the interstate-commerce law, the expense must be paid for by somebody.

I know, as everybody knows, that a country like ours, growing rapidly, must increase her expenses, and increase them sufficiently, I will say, to carry on the Government in the way that this Government was intended to be carried on by the men who created it. It never was intended, Mr. President, that the people of the States should not do their duty and take care of the affairs in the States. It never was intended that the Government should do for individuals what individuals can do better for themselves than any government in the world.

Now, Mr. President, I know it is not of any use to move to strike out the provision about roadmaking. It comes here from the House. It is the tendency of the times. It is the tendency of the party in power, Mr. President, to increase the revenues by increasing taxation on the people. That is the way of the party in power. I do not care which party it is, whether it is Democratic or Republican; it is the way they keep in power when they get hold of the purse strings.

Now, Mr. President, I know how futile it is to make these objections. I know that they will fall upon deaf ears, and I will simply be charged with entering, as usual, a complaint.

The PRESIDENT pro tempore. The Chair sustains the point of order. Are there further amendments to the bill?

Mr. BAILEY obtained the floor.

Mr. PROCTOR. Will the Senator from Texas allow me to say a word in reply to the Senator from Colorado?

Mr. BAILEY. Certainly. Probably the Senator from Vermont could reply to two of us at one time if he would wait until I have finished.

Mr. PROCTOR. I am willing to take it either way; but I think the Senator would probably like to have an opportunity to reply to me. It will not take him a very long time.

Mr. BAILEY. I am entirely willing——

Mr. PROCTOR. Suit yourself.

Mr. BAILEY. No; I am entirely willing that the Senator from Vermont shall proceed.

The PRESIDENT pro tempore. The Senator from Vermont.

Mr. PROCTOR. Mr. President, I do not rise to reply to the charges of the Senator from Colorado as to the party in power. If I had the ability or inclination I should hardly do it at this time. I agree with him substantially as to the legitimate province of the National Government and our State and local governments in these matters. But I think this line may fairly be drawn, that it is right for the General Government proper and its duty to do what it can in the educational line. I think that is perfectly legitimate.

In reference to roadmaking and forestry, I think that the work which is being done and will be done is very useful indeed. I had a conference the other day with the road commissioner of my State, who has done most excellent work.

We have had a general appropriation there, and a provision for making a certain amount of permanent roadway. I find from his experiments that there is great doubt whether the systems of roadmaking that we have taken from other countries, the macadam and telford roads, answer the purpose in this country that they do there. The difference in climate makes a great difference. On account of our drier climate those roads do not stand as well, and the cost of repair, for which he gave me some very interesting figures, will be very much greater.

Now, there is a very earnest effort, I presume, from every State in this direction. We are receiving petitions in regard to national aid for roads. I think the Senator and others can well reply, if they are opposed to such an appropriation, that we do everything we can properly do. We examine the material, we examine the different systems, and we make a small appropriation, and there can be no question about that, fairly distributed, for an object lesson; and beyond that we ought not to go. It strikes me that instead of an entering wedge to what the Senator apprehends, it is really the best reason to be given against it.

In regard to forestry, that is a matter which is attracting great attention all over the country. There is need of it. We are losing the best of our timber very rapidly indeed, and I think the money appropriated to that industry is well expended.

Mr. TELLER. I should like to say to the Senator that if we do not now understand the best methods, in my judgment it belongs to the States to find out what is the best method, and not to the United States. If the people of Vermont, after the existence of that State for one hundred years, do not know how to build roads, the State of Vermont ought to take some steps to get the information necessary to build good roads. I do not think they need any. I think they have had experience enough and know how to build good roads.

Mr. BAILEY. Mr. President, I simply want to welcome the Senator from Massachusetts [Mr. LODGE] and the Senator from Colorado [Mr. TELLER] to my small minority in this body. I have stood here day after day and protested against this paternalism until I had about given over the hope of ever inducing anybody to believe again that there was any point at which the operation of the Federal Government ought to end and the efforts of the individual citizen, county, municipality, or State ought to begin.

But surely when so confirmed a Federalist, I might say so confirmed a Nationalist, as the junior Senator from Massachusetts protests against this hasty, general, and indiscriminate substitution of the action of the Government for the action of the individual, I may well be encouraged to believe that it will finally get so bad that it must get better. That is about the only hope, however. I have that there will ever come a time again when men will rely upon themselves rather than upon the Government.

For my part, I rather wish that the Senator from Idaho had succeeded in ingrafting upon the bill that amendment which seeks to accomplish the impossible thing of making all fruit-tree venders honest. The next step, and that would fail, would be a proposition for a civil-service examination to be held for all these fruit-tree and seed venders. The Secretary of Agriculture would be authorized to give them certificates for varying degrees of honesty and good behavior.

A man who sold apples for apples and pears for pears and did no more than to misrepresent the exact variety of his apple or pear trees would probably have given to him a certificate of fair honesty, and a man who not only sold the particular fruit, but the particular grade of fruit he professed to sell would probably be given a chromo with a certificate tied with a blue ribbon for each dozen trees that he happened to sell.

I see no more objection to requiring people to stand an examination as to their intelligence and integrity than there is in authorizing the Secretary to make other kinds of regulations that interfere with their traffic. Possibly we are going on the theory that penal statutes which punish men for doing wrong have failed to accomplish the desired result, and we are not going to be content with punishing men for cheating others, but we are going to tie them hard and fast, so that they can not cheat.

Why not, then, go one step further? Instead of allowing a man who must buy fruit trees to be victimized by the itinerant vender, why not establish a Government station in connection with one of these breeding farms that we provided for the other day, where a man can go and be certain that he buys fig trees that will not bear thistles. Then we would have no trouble in protecting our simple-minded folks from their cunning brothers.

Let no man buy or sell except under the supervision and with the approval of the Secretaries of Agriculture and the Treasury. Take away the rewards of industry, abolish the incentives to intelligent and conservative business methods. Let us place everybody on a dead level. It will be low enough, of course, to satisfy everybody, but so we are all the same I suppose it will make no great difference to those new philosophers.

That is what the Government ought to do and that is what the Government will finally do unless it turns back. The Senator from Colorado sees what the road building means. I will live, if I live as long as my father has done, to see a Federal officer probably supervising all the county roads in this country. You can induce the people to accept anything if you glaze it over with an appropriation and do not take it out of their pockets directly.

If it were proposed for the Federal Government to lay a tax of so many mills on every citizen's dollar's worth of property to build these roads, you could not carry that kind of a proposition here or elsewhere. In the States where it is spent under their immediate supervision they will not consent to high taxes for the purpose of making good roads; but if you can take it from their pockets indirectly, pick them while they sleep, then they seem to want all that Congress will appropriate.

I remember in Cleveland's first Administration he was assailed with great vigor and denunciation because the expenditures of the Government had then reached $250,000,000 per annum, and the country stood aghast at it. He was defeated for reelection, and one of the things that contributed to his defeat was the enormous growth in public expenditures. In less than twenty years those expenditures have now exceeded $600,000,000 annually, and there are none in this Chamber to lift their voices against the extravagance but the Senator from Massachusetts [Mr. LODGE], the Senator from Colorado [Mr. TELLER], and myself.

Mr. WARREN. Does the Senator from Texas believe that the citizens of the United States are suffering any loss of sleep or that they sorrow over the expenses of to-day, according to their income, as compared with their expenses and income under the Cleveland Administration, when spending but two or three hundred million dollars? Does he feel that we are in any hardship now as a people that we were not under then as to the great expenditure he speaks of?

Mr. BAILEY. I know that to-day in municipal, county, State, and Federal taxes the people of the United States are spending every dollar they receive for their cotton, corn, wheat, and oats crops. And if you required them to come and pay their taxes in the produce that comes from their soil and their toil, there would be a revolution in this country before any party could levy a tax as enormous as they now endure.

Mr. WARREN. If the people are any happier in paying the expenses of the Government under the present mode of collection, would the Senator disturb that by going back to a period of time and a different mode of government, which would make them all unrestful?

Mr. BAILEY. Mr. President, I would be uncivil enough to awaken a man from the most delightful dream if I thought it was carrying him finally to a bad result. When the Senator from Wyoming intimates that the people are delighted with the existing condition, I might reply that that is because of the facility with which our friends on the other side can lull them to sleep. Many years ago I read four lines that I hesitate now to repeat,

because they have doubtless passed entirely out of my mind, but it seems that somewhere in my youthful days I read about—

> A bat of the Indian brakes,
> Whose poison lulls the victims she makes,
> And soothing thus the dreamer's pains,
> She drinks the innocent from his veins.

While I entertain the highest respect for the intelligence of the American people, I do not flatter them so grossly as to claim that they always comprehend their own highest and best interests.

Mr. WARREN. The Senator will not accuse this country of having been in one of those delightful dreams of security during the years 1893 and 1894, when we were under, or approaching, a different system of collection of money and when panic and hard times were staring us in the face.

Mr. BAILEY. "Still harping on my daughter."

Mr. WARREN. Selling bonds to pay the running expenses of the country instead of taking our revenue as now, for instance.

Mr. BAILEY. The Administration of Mr. Cleveland—unfortunate for the country, you say, unfortunate for the Democratic party, I say, because the people, mistaking natural conditions for political consequences, visited the punishment on us——

Mr. WARREN. The Senator is assuming, if I understand the thread of his discourse, that the present mode of taxation is too high in the way of our tariff; he would have it lowered.

Mr. BAILEY. Oh, Mr. President, I would not——

Mr. WARREN. During the time he speaks of, under Mr. Cleveland, we certainly came nearer to his idea of the collection of revenue in this country and a lower tariff than we had had for many years.

Mr. BAILEY. The Senator from Wyoming is not advised, because the criticism against the expenditures under Mr. Cleveland's Administration, to which I refer, were the expenditures under his first Administration, when an ideal Republican tariff law was in existence and was executed by a Democratic President, because, this body being Republican, he was powerless to secure the modification or repeal of it.

Mr. WARREN. And the country was executed as well.

Mr. BAILEY. Well, not at that time. The country did suffer under Mr. Cleveland as it has suffered under other Administrations and as it will suffer again.

I want to record a prophecy to which the Senator from Wyoming may have his attention called hereafter.

Mr. WARREN. Well, Mr. President.

Mr. BAILEY. Let me say now that if—which I sincerely hope will not be the case—during the next four years there are two bad crop years, as there were under Cleveland's second Administration, this country will witness a repetition of the painful scenes and conditions that we suffered then.

Mr. WARREN. Mr. President, I think the Senator is entirely consistent, because I have heard Senators and others who are not Senators, members of the same political party as himself, say that give them one or two years of bad crops and they would get the ascendency again in politics in this country. I think he is correct that a necessity is a factor, perhaps an ally, in obtaining Democratic party success.

Mr. BAILEY. The man who said that ought either to be a Republican or a Populist. He ought to believe in monopoly or socialism. A man who is a Democrat and who believes that there is no hope for his party except in the calamities of the country misunderstands the principles of the Democratic party. We do not teach that the Government makes the people either prosperous or happy. We teach that the Government ought to leave the people to make themselves both prosperous and happy. Precisely what I am protesting against here and now is this eternal and increasing tendency to take everything out of the hands of the individual and confer it upon the Government.

No Democrat who understands the principles and knows the traditions of his party ever has taught or has ever believed that prosperity is the product of the Government. We perfectly understand that misgovernment may abate prosperity. We perfectly understand that unjust and unwise laws may take the wealth created by one man and confer it upon another man who has not honestly earned it. But we have never believed and we have never taught that wealth is the creation of the Government. It is a creation of the brain, the muscle, the industry of men, applied first to the soil and to the raw materials out of which we fashion useful articles of commerce and civilization.

The Senator from Wyoming gives an excellent reason for the political darkness in which he has wandered so long. A man who believes that the Democratic party has ever been so foolish as to teach the people of this country that their prosperity and their happiness depend upon the Government ought never to have been a Democrat, and a man who continues to believe that can never become a Democrat.

I will confess that in an inexcusable and inexplicable hallucination that now and then seizes a Democrat he does lay so much stress upon the injustice of your laws as to imply that if we made laws we would make all men rich and all women happy. But that is merely the aberration of a moment. A real Democrat knows, and knowing it he teaches, that it is the province of the Government to make men free, and leave them to make themselves happy and prosperous.

Mr. President, the Senator from Wyoming does not doubt that a man might be very prosperous and still indulge in an extravagance not warranted by his prosperity. And may the same not be true of a country? When the Senator from Wyoming will tell me that the wealth of this country has doubled, that the productions of this country have doubled, then he can justify doubling the expenditures of the Government. Even a double population and double wealth ought not to call for double expenditures, because, with so many charges fixed and the same, whether the numbers be large or small, the increase in the expenditures per capita ought to be a diminishing one as the population increases.

There are certain great and necessary expenses that would be the same whether we had 10,000,000 or 100,000,000 people, and when they are taken into account, raise the expenditures beyond that and outside of that ought to be a diminishing scale as the population grows. But instead of providing the people of this country with that sensible arrangement, we have provided an ascending scale of expenditure per capita, and how? By invading, as we are doing every year more and more, the domain of private and individual effort.

We started out with a $50,000 appropriation to experiment with some fish, and it has culminated in a Commission that now hatches them in every State in this Union. We started out with a small appropriation to experiment with rural free delivery, and we have not only suffered the burden of the expenditure, but we have added to it the infinitely worse effect of scandalizing the postal service. Twenty million dollars now, for what? To carry the mail to people who would prefer to go after it. I live in a very excellent town of 8,000, and everybody prefers to go to the post-office once a day. Yet you have carriers to carry it to them, though they prefer to go after it.

Why carry your mail to the farmer? It is not half so important as his medicine. Why carry mail? It is not half so important as food and drink. They will be carrying almost every kind of merchandise in the rural free delivery before very long. Already in this and in the other House we have these postal-parcel bills, intended to allow the Government to become a common carrier on a somewhat moderate scale; and under the enlarged postal facilities, coupled with free delivery, it will not be ten years before the representative of the Federal Government will be delivering to the Senator from Wyoming [Mr. WARREN] the shoes and hats which he must buy.

Mr. WARREN. Providing we have a Republican Administration and I am able to buy them.

Mr. BAILEY. If we have a Republican Administration, the Senator's kind will be increasingly able to buy them and the other kind will be decreasingly able to buy them.

The trouble with the Senator's party is that it represents one extreme—monopoly—and on the other hand stand our Populist friends representing the extreme of socialism.

If the Republicans continue to control this Government a few years longer, a few people will own everything, and if our Populists could control it a few years, nobody would own anything. I am not exactly prepared to say which would be the happier condition. I would escape them both by strengthening that great conservative party which holds to a safe and a middle course, demanding justice toward all and conferring special privileges on none.

Mr. WARREN. May I ask the Senator from Texas a question?

Mr. BAILEY. Certainly.

Mr. WARREN. I have observed with a great deal of interest and admiration the Senator's ability in quoting figures. His deductions from those figures are not always, however, such as I should draw. The Senator makes the somewhat broad statement about the road to the devil we are traveling in our postal affairs; that we are spending twenty or thirty million dollars in the rural delivery, etc.

I want to ask the Senator—I do not know myself—what is the deficit to-day in the Post-Office Department; how much short is it of being self-supporting; and, if he knows, how much short was it before we had any rural free delivery? Let us get at what the cost may be of rural free delivery.

Mr. BAILEY. I will answer that with a principle instead of statistics. It makes no difference how much or how little the deficit is, the people pay the bills, and the important question is, how much are we spending?

What I complain about is the wasteful expenditure of money for an unnecessary service.

Mr. WARREN. Now, Mr. President——

Mr. BAILEY. Let me finish my answer——

Mr. TILLMAN. Will the Senator from Texas allow me to make an observation?

Mr. BAILEY. I will, very cheerfully.

Mr. TILLMAN. I am sorry to see the Senator from Texas undertake to give the Republicans the credit, while he seems to be lambasting them with the wrong or the criminality, whatever it may be, of the rural free delivery. If we are not all equally chargeable with any sin that there may be in that, then I am mistaken.

I want to claim equal credit with anybody about it; I want to stand here and say to the Senator, who lives in a town of 8,000 people, having his mail brought to him, that he does not realize what a great blessing it has been to the farmers of this country, who stand in a somewhat modified degree the blessings of this paternalistic Government, which in every city has the mail carried to every door from two to six times a day, according to its population. And yet these farmers, who are taxpayers, have hitherto been forced to go 10 miles to the post-office—or 5 or 7 miles, as the case may be—and I say to the Senator, if he thinks the people of the United States who live in the country and who are farmers do not consider the rural free delivery a blessing then he is badly off.

Mr. BAILEY. I would want to have some further proof of that than the mere assertion of the Senator from South Carolina.

Mr. TILLMAN. And I should like to have some other proof than the Senator's assertion that it is the contrary, because I live in the country and have always lived in the country, and I am glad of it, and I know how my neighbors feel about this thing, and I know more about farmers than the Senator does. [Laughter.]

Mr. BAILEY. I do not think he is as well informed that the Senator from South Carolina does not know more about them as any other Senator if we take his opinion on that point. But I decline to take his opinion on this particular question. I think I know something about the farmers, though I make no parade of being one of them. I do not myself think that it is any particular credit or discredit to a man whether he lives in the town or in the country, so that he lives uprightly wherever he happens to live.

The Senator from South Carolina is no doubt familiar with the opinions of his neighbors, but I still insist that his neighbors know that they have to help pay the expenses of their government.

Mr. TILLMAN. And they have helped to pay some of its benefits. They are mighty glad to get even so small a thing as rural free delivery and have their mail brought to their doors every day, rather than to have to go 6 or 7 miles after it two or three times a week.

Mr. BAILEY. Then, let us continue; let us carry their mail to them. In a great State of this Union in a great political party, yielding to one of these billionaire schemes about which I spoke a few moments ago, proposed to pay the Federal Government into the pockets of mining coal in order that the poor might be cheaply warmed. Why not do that?

Mr. KEAN. Would not the Senator name that political party and its leader?

Mr. BAILEY. I regret to say it was the party to which I belong; but the difference between my party and the Senator's party is that we are mistaken sometimes and they are mistaken all the time. [Laughter.]

If the idea is that giving to the people is a wise policy, let us sell them coal, let us give them bread, let us furnish them meat. Why stop? The people have expected to work when the Government can do all these things for them.

Now, Mr. President, it might be very convenient for me, living 5 miles in the country, to have the Government bring my mail to me, but when it is remembered that, under a just and honest and equal system of contributing to governmental expenses, I am simply paying the Government to bring my mail to me, as every other man bearing his share is paying to have it brought to him, perhaps it then becomes a mere question—is the service worth the money?

Mr. TILLMAN. Mr. President——

Mr. BAILEY. Let me finish this.

Mr. TILLMAN. Very well.

Mr. BAILEY. Undoubtedly, if I have to ride to town from my home, 5 miles distant, to get the weekly paper, it would be convenient to have it brought; but if I had to put my hand down in my pocket and pay out the ready cash, would I hire it done or would I go after it? I would simply do as we did so long, and as we did so satisfactorily—I would saddle my horse and go after the mail, instead of paying somebody to bring it to me. Is it possible that we have devised a way of having something done for the people that does not cost the people anything? If that is true, if we can perform a legislative miracle and render a service without any cost, it would not be sensible or patriotic to deny the people such a benefaction.

But so long as I live up to my early belief that the Government is a pauper to begin with, and only saved from the poorhouse by the contributions of the people, that the Government has no dollar except what it takes from those who earn it, as God intended they should, by the sweat of their face, or else by the exercise of their intelligence, so long as I believe that I shall think it better to let the people spend their own money in their own way, surrendering to the Government each man's share toward supporting the Government in the exercise of its proper governmental functions.

Mr. TILLMAN. Mr. President, the Senator knows that I have great admiration for him—and I am not speaking ironically, as he was a moment ago, about my knowledge. The trouble is that in most of the views he holds and has been expressing so eloquently I agree with him in toto. But he must remember that the Post-Office Department is a governmental monopoly which has existed from the foundation of our Republic; that its peculiar function is to collect the mail and distribute it; and when he undertakes to discriminate against the farmer, who proportionately pays his share of the tax, and deny him the benefit that may come from having his mail delivered, knowing that the progress of the world and the demands of business and everything else have made it necessary, or at least desirable, for the denizens of the cities to receive their mail at their doors, I want to ask him, where is the democracy which makes flesh of one and fowl of the other; that a man who lives in the country shall be denied the same blessings of this Government which a man who lives in the city receives?

Mr. BAILEY. Mr. President, if I contended that, I should say that the Senator's dissent was a very sensible one, but I do not contend that. On the contrary, I began what I had to say by acknowledging that where I live, in a very excellent little town, which is a little more than a village, if I remember the population, there is no free delivery. The Government pays nothing to bring to them the mail which they prefer to bring for themselves.

Mr. TILLMAN. In my State there are several little towns of the same size in that in which the Senator lives, and there is not one of them, I think, which is without city delivery that is not [illegible] and paying the Post-Office Department [illegible] have a certain amount of [illegible] and, of course, I am glad to say, because they can get such a delivery, but I do not know anybody in my State who does not prefer to have his mail delivered at his door, if he can get it, rather than to go to the post-office for it. I am afraid I am not much more in my views on this question. In the little town in which the Senator lives he says the people prefer to go to the post-office rather than have their mail brought to them.

Mr. BAILEY. We are industrious.

Mr. TILLMAN. I beg to tell my friend that a great many South Carolinians have gone to Texas.

Mr. BAILEY. Yes, and we have put some of them in the penitentiary, too. [Laughter.]

Mr. TILLMAN. And you have put some of them in Congress. [Laughter.] You have got one of them for governor now, and it would have been better if you had been born east of Mississippi. [illegible] here not there. I want to say to the Senator.

Mr. BAILEY. I want to correct the Senator from South Carolina. I did not have the good fortune to be born in Texas. I was born east of the Mississippi River, in the good old State of Mississippi.

Mr. TILLMAN. That is a good enough State for anybody, though it is more like South Carolina than any other state.

Mr. BAILEY. Mr. President, an incidental issue. If the Senator understood me to say, or to mean, that free mail delivery ought to be confined to towns and cities and not extended to the country, he misunderstood me.

Mr. TILLMAN. I did not understand that, but I understood the Senator to have stated that rural delivery on the part of the people that it was wrong; and naturally he would have this result, that the people in the cities would have the blessings of this little paternalism or this big paternalism, whichever you choose to call it, while the farmer would be denied it. I think paternalism is a pretty good thing, provided you get your share of it. It is only when my people do not get their just proportional share of it that I object to it. [Laughter.]

Mr. BAILEY. The Senator from South Carolina has heretofore done himself the great injustice of saying that if there is any stealing going on he wants his share of it.

Mr. TILLMAN. Wait a minute. Let me illustrate that. I only go to this extent: I object to stealing, but if I could not help, if I saw it going on, and the public revenues being squandered in these paternalistic schemes, and while we paid our proportion of the taxes we could not get any part of them back honestly, I said I would be willing to steal some of our own taxes, and I stand by it. [Laughter.]

Mr. WARREN. May I ask the Senator a question?

Mr. BAILEY. I want to say that I certainly owe——

Mr. WARREN. I do not want to break in on this little symposium, of course.

Mr. BAILEY. I owe the Senator from South Carolina an apology for having provoked him into giving the sanction of his high name in this high place to the doctrine of theft. The Senator does not mean——

Mr. TILLMAN. The Senator does not mean that the Senator from South Carolina approves of theft anywhere. The Senator from Texas knows that. But when I see things here which, in my judgment, are wrong—and my opinion in regard to them is based upon the principles which the Senator from Texas has so eloquently been enunciating, that the Government has no business engaging in things of this kind—but when I see the Government engaging in them every day, and going more and more into them, and I can not help myself, what shall I do—play the fool, pay taxes, and get nothing back? [Laughter.]

Mr. BAILEY. I suppose that is the difference between a "practical statesman" and a "bookish theoric." I presume that if I were a practical statesmen, instead of protesting against the spoliation of the Treasury, I would say it ought not to be done, but vote to do it in the expectation that my share would be duly allotted to me. But, being somewhat of an inelastic quality of mind—I will not say of conscience—I find it impossible to denounce a thing and then demand a division of it.

Mr. TILLMAN. If it belonged to you originally, would you not be willing to take a part of it? If you were one of the heirs to a coward all the other heirs were sitting down to supper and eating the beef and you had to stand by—my friend, you lean too far backward, you had better get your conscience straightened. That is all I have to say. [Laughter.]

Mr. BAILEY. Mr. President, I have no wonder that the Senator from South Carolina interrupted himself in the course of his illustration.

I am not inclined to believe that any member of this body votes for what he considers a downright violation of his duty. My association with men in public life has satisfied me that, almost without exception, they strive to do their duty. But they are subject to the same infirmities that afflict the rest of mankind. It is very easy for them to perceive it to be their duty to do what makes them popular with their constituents, and, naturally enough, a Senator yields to those who honor him with their confidence and with their high office a deference not out of place.

I do not profess that I would not go as far to comply with the wishes and even to serve the selfish interests of my constituents as any patriotic Senator ought to go, but if this whole matter is to be reduced to a mere exchange of favors, if the question of right and wrong is to be eliminated or even obscured, and we are to do any certain thing because others are doing it or because our people command us to do it, notwithstanding we think it wrong, then my judgment is that one man could serve as a Senator as well as another.

If it is to be a matter of bargain, then, instead of going to the law offices of this country to find men learned in the law upon whom I would impose the duty of making laws, I would go to the great centers of trade. I would engage the services of those men who are masters in driving bargains, and I would send them here to agree with their fellow-Senators upon these—I will not call them thefts—I will call them these divisions. But that is not my view. Assuming no higher virtue than I freely accord to other Senators, I believe that if the Government is entering upon and pursuing an improper policy in expending the public money, it is my duty to call a halt and not to demand a division.

Where shall the end be if, instead of resisting this wasteful and I might well say criminal extravagance, we simply protest against it in mild terms, and then say, "Let us divide on the basis of population?" From $250,000,000 twenty years ago to $650,000,000 now is the bitter fruit of this policy of silence and division.

Mr. TILLMAN. Does the Senator accuse me of having been silent here on that kind of thing?

Mr. BAILEY. No; the Senator has always proclaimed, though I have tried to dissuade him from doing it on more than one occasion, that he will not help to take, but he will help to divide. That is the Senator's doctrine.

Mr. TILLMAN. Because I help to pay taxes and I do not get anything like one-tenth that I ought to get. I pay $10 or my State pays $10, and gets back 50 cents. [Laughter.]

Mr. BAILEY. Then, Mr. President, if the Senator from South Carolina doubled the taxation and expenditures he would pay $20 and get back only a dollar, and he would be $9 worse off.

Mr. TILLMAN. But I am protesting all the time; I am doing everything I can to stop it; I am voting against this policy; I am speaking against it here and on the hustings; but the people seem to love it. What am I going to do—sit down like a fool and refuse to get some of our own taxes? [Laughter.]

Mr. BAILEY. I recall that the Senator denounced the appropriation for the St. Louis Exposition as a steal, and then announced that he was going to vote for it.

Mr. TILLMAN. Because I had got some of the same kind of stuff for my own State. [Laughter.]

Mr. BAILEY. He does not always try to prevent it, then; but the Senator from South Carolina knows the one contention I am making, that as we multiply these expenditures we compel the people to pay either for unnecessary services to themselves or for unnecessary services to others.

Mr. TILLMAN rose.

Mr. BAILEY. Just a moment, and then I will yield. The Senator says that he gets $1 and gives $10.

Mr. TILLMAN. I do not give anything. I can not help myself. They come and get it. [Laughter.]

Mr. BAILEY. Then I will express it as the Senator does, and say that the Government takes $10 from him and returns him $1. It is a gross inequality, an unspeakable injustice, that it returns him anything in the shape of money, because the Government ought only to take from him and from every other man his fair share toward its support, and it ought not to return him anything.

A just and frugal and wisely administered government would not take more than it required, and would, therefore, have nothing left to return.

But the Government is not justly and wisely administered, we will say; and upon that proposition the Senator from South Carolina and myself will agree. The Government does lay taxes that it ought not to lay, and it does discriminate against sections and classes in the levy of those taxes, as I see it. Now, believing that, as we both do, what becomes the duty of a Senator from South Carolina or a Senator from Texas? It is to resist every unnecessary expenditure, for unnecessary appropriations require unnecessary taxes, and the unnecessary taxes simply intensify and aggravate the injustice and discrimination.

Mr. TILLMAN. Now, will the Senator allow me?

Mr. BAILEY. I will.

Mr. TILLMAN. I have been here nine years. Can the Senator point to a single vote of mine where I have not by that vote undertaken to stop this thing? I voted for the Charleston Exposition. I had seen the money of the Government, as I have said, stolen for such purposes, and I only accepted a part of it because I saw other cities and other sections getting it. We have been paying our taxes and getting nothing. That is my defense.

Mr. BAILEY. And it is that spirit which has increased the appropriations of the Government in twenty years from $250,000,000 to $600,000,000. Continue that sort of thing, and after twenty years more we will be spending a billion dollars a year instead of a billion dollars a Congress.

The Senator from South Carolina and myself remember that in 1890 the people of this country rose with an irresistible power and drove the Republican party out of authority in the House of Representatives upon the cry that that Fifty-first Congress was a billion-dollar Congress.

In every hamlet, town, and village in this land we arraigned and denounced the Republican party because their Congress had spent a billion dollars of the people's money. Our Republican friends sought to answer the charge by saying: "This is a billion-dollar country," but did that answer satisfy the judgment of the people? Read the returns of the elections to the Fifty-second Congress for the answer. A party that was in control of the Fifty-first Congress found itself with barely enough Members to demand a roll call in the Fifty-second Congress; and that tremendous revolution occurred because a Republican Congress had spent a billion dollars of the people's money.

You assailed us in the election of 1888 because we had increased the expenditures of the Government to $250,000,000, and you secured a verdict at the hands of the people. We assailed you in 1890 because you had spent a billion dollars, and we obtained from the people a judgment of condemnation against you. And yet in fourteen years you have added $400,000,000 to the expenditures of the Government, and no voice is lifted against the extravagance. Indeed, we are told that the Government is doing something for the people.

I thought it was the duty of the people to do something for the Government. That was the school in which I was trained. Now we have it reversed. It is now the duty of the Government to do something for the people. Under this mistaken and enervating policy the people can no longer go to the post-office for their mail, but in an incorporated village less than a mile and a half square they want it brought to their doors three times a day.

The sturdy American farmer who creates the wealth upon which all the industries of this Republic thrive, the man who never forsook his farm until the summons of his country came; the man who responds with alacrity to every call upon his courage or his labor—this sturdy American farmer, the highest type of citizenship ever exhibited in the history of the world, can no longer go to his trading place to obtain his mail. He has be-

come infected with this miserable habit of demanding that the Government shall serve his convenience and promote his prosperity, and he sits down now to wait until the time-worn mail carrier brings him the county paper.

Mr. President, I have little hope that we will ever go back to that glorious time, but we would make our sons worthy of our fathers if we could renew our devotion to the old idea that the people must support the Government rather than that the Government must support the people. If the contrary policy were in vogue for the last ten years, for instance, it may well be that we would do nothing for the prosperity that it could do if the State would do nothing for the country that it could do for itself, and if the nation should do nothing for the State that it could do for itself, then, sir, we would rear a race of moral and intellectual giants.

But under the policy of leaning on the Government for all we are and under looking for support we will become a race of political, moral and intellectual pygmies.

If you think my argument will appeal to the people and only the same principle is applicable to every other person, if it be and my conscience and have made the world not say your duty as a citizen with the kindness and good order of society, in a word have done all that I could in my duty toward me for the payment of my taxes to it.

The government which first takes charge of the business and next takes charge of the pocketbook of the people will soon be put to an extravagance, and I repeat here what I had the honor to say in another body, that an extravagant government can put into people becoming a servant government that a special thrift can not be encouraging a business life. Extravagance is a fruitful source of corruption. Corruption, when long continued, that the creature can continue to increase its resources and its appropriations and not be hamstrung by such scandals as have happened certain departments in recent days, gives little heed of the admonition of history.

But I owe the Senate an apology for having wandered into a time when I was wandering and somewhat discursive in my remarks. I realize that it is a waste of strength and breath, and I sometimes resolve that I will not again vex the patience of the Senate by asking it to hear such things. When I say them, the gentlemen Senators say I am right as a matter of abstract principle, but they seem to think that somehow I am wrong as a matter of practice.

I have not yet been able to learn how a sound principle can be a bad practice. Perhaps the wiser and more practical way would be to sit here and watch this go on—it has been going on—until a sober second thought comes to the people and they themselves conclude that they are governed too much.

Probably when from the other side there comes—as there did this afternoon from the junior Senator from Massachusetts [Mr. LODGE] and as will come from other distinguished Senators there, because I know many of them chafe under this tendency—sufficient protest, or if perchance their refusal to arrest the tendency shall hereafter transfer their power, as I believe it will, to this side of the Chamber, then, and probably not until then, there will be some hope of impressing upon the people of this country again a truth which Jefferson taught, that the people are governed best who are governed least.

Mr. PROCTOR. Mr. President, I am very sorry to change the tenor of this very interesting discussion on agriculture. At the suggestion of the Senator from Rhode Island, on page 35, in line 10, after the word "any," I ask that the word "such" be added. It makes it uniform.

The amendment was agreed to.

Mr. PROCTOR. At the suggestion of the Senator from North Dakota two amendments were adopted on page 35, in regard to false branding. It is proposed to add the words "or production" in each case. The first place is at the end of the first line, where his amendment reads in.

Or adulterated or falsely labeled or branded, either as to their contents or the place of manufacture.

Now insert:

or production.

It seems to me that is the proper word to be added. The second amendment is in line 13, on page 35 of the bill, to insert the same words.

The amendments were agreed to.

The PRESIDENT pro tempore. The question is on concurring in the amendments reported to the Senate by the Committee of the Whole.

The amendments were concurred in.

Mr. TELLER. Mr. President, I do not care to continue this debate, which the Senator from Vermont thinks is not germane to the appropriation bill. When I got up I had no idea of precipitating a discussion of this kind. I did not intend, nor do I intend now, to give it any political aspect, for I do not hesitate to say that if the Democratic party came into power and remained in power as long as the Republican party has been there would be a large party in the party at all events, judging from my intercourse at home for the last ten years, who would be induced to take practically the same ground that is now taken by the dominant party.

The fact is that the growth of these appropriations has largely come from the fact that [illegible] in any party, and it would be difficult somewhat for [illegible] to resist those [illegible] for its friends.

I think I [illegible] the United States [illegible] I say that I [illegible] I believe I [illegible] of a [illegible] The people do not ask these unusual and [illegible]

The Senator from Texas [Mr. BAILEY] said he would like to see the [illegible] he would [illegible] less attention, less knowledge on the subject, less consideration than I have seen a hundred-dollar question debated in this body.

Mr. President, if I had not had some feeling upon this subject, growing out of transactions for the last year or so here, I do not suppose I would have mentioned it, and perhaps it would have been better if I had not said anything about it.

Mr. CLAY. Mr. President, I do not see any reason to complain of the great extravagance of the Agricultural Department.

Mr. TELLER. If the Senator from Georgia will permit me, I have not been complaining a moment about the Agricultural Department. I have been complaining of the general tendency of this body.

Mr. CLAY. We will appropriate this year about $96,000,000 for the purpose of supporting the Navy and $75,000,000 for the purpose of supporting the Army. Something [illegible] large appropriations. But this appropriation and carries only $9,000,000, as I understand it, and I do not believe there is a Department connected with the Government of more value to this country than the Agricultural Department.

Take my State. We have a large tract of land in the southern section of Georgia from which the pine timber has been cut. The agricultural value of this land was not known. We sent samples of that soil here and had it analyzed, and it has developed to be of great value for the purpose of producing cane. Those lands have advanced fivefold in value.

Take the northern section of my State. We have devoted that section largely to the cultivation of fruit trees and the production of fruit. Large orchards were about to be destroyed by insects. I say to-day that the Yearbook sent out from the Agricultural Department is worth half this appropriation. We have just appropriated $250,000 for the purpose of destroying the boll weevil. If the Department of Agriculture can destroy it with $5,000,000 it will be a blessing to the people of the United States.

Now, sir, so far as I am concerned—and other Senators, I presume, have pursued the same course—I have voted as my judgment dictated in the past, and I shall proceed to do so in the future. I say to-day take the great Department of Agriculture and the improvements that have been made by reason of the lessons taught by it, and it has been of great value to the people of the United States. I shall have something to say in the future in regard to our appropriations for the Navy and Army.

Now, a word in regard to the free rural delivery. I am a member of the Committee on Post-Offices and Post Roads, and in every instance I have supported that appropriation because I thought it was proper and just. I have before me now the report of the Postmaster-General, and it would appear that the people of the United States are largely in favor of that appropriation. I find that on July 1, 1902, there were pending 11,738 petitions pleading for new routes; that during the year 8,339 cases were made up for investigation; that 1,714 were adversely reported, and that 6,653 routes were established.

The Postmaster-General tells us in his report that the people are constantly knocking at the door asking for new routes, but that it has been impossible to comply with the petitions sent to that Department.

I say that the farmers of this country receive more benefit by reason of the establishment of the free rural-delivery routes and from the Agricultural Department than from any other sources in this Government. Take my own county where I live, take my own section of the State, and every farmer receives his mail at his door. He receives his daily newspaper. Farming life is made more pleasant. I say the free rural delivery is here to stay and will be permanently established.

Mr. President, I do not believe that any political party, Populist, Republican, or Democratic, will ever declare in favor of abolishing the free rural-delivery system. Nobody thinks so. We have

and neighboring States, twenty-four men charged, it was said, with looking after the forest ranges; and every one of them was there for the purpose of engaging in politics. It happened that it was a Republican assemblage; but if the Democrats had been in power, judging from my observations while Mr. Cleveland was in power, it would have been the same.

Mr. President, two or three years ago we created a new Department. We said it was in the interest of commerce and trade. We called it the Department of Commerce, and we opened the door to that Department to do anything that it is possible for the human intellect to devise, the only question being where it would get the money to do it. Now, the Committee on Appropriations of both Houses will be assailed year after year, year after year, for money to carry out that purpose.

Then you have consuls in different parts of the world making reports; you have special agents from the Department of Commerce and Labor making others, and so you will duplicate all these efforts to get information, which are honest and proper and properly belong to the Treasury Department and not to an independent bureau. Yet that Department was created with less care, less attention, less knowledge on the subject, less consideration than I have seen a hundred-dollar question debated in this body.

Mr. President, if I had not had some feeling upon this subject, growing out of transactions for the last year or so here, I do not suppose I would have mentioned it, and perhaps it would have been better if I had not said anything about it.

Mr. CLAY. Mr. President, I do not see any reason to complain of the great extravagance of the Agricultural Department.

Mr. TELLER. If the Senator from Georgia will permit me, I have not been complaining a moment about the Agricultural Department. I have been complaining of the general tendency of this body.

Mr. CLAY. We will appropriate this year about $96,000,000 for the purpose of supporting the Navy and $75,000,000 for the purpose of supporting the Army. Something [illegible] large appropriations. But this appropriation and carries only $9,000,000, as I understand it, and I do not believe there is a Department connected with the Government of more value to this country than the Agricultural Department.

Take my State. We have a large tract of land in the southern section of Georgia from which the pine timber has been cut. The agricultural value of this land was not known. We sent samples of that soil here and had it analyzed, and it has developed to be of great value for the purpose of producing cane. Those lands have advanced fivefold in value.

Take the northern section of my State. We have devoted that section largely to the cultivation of fruit trees and the production of fruit. Large orchards were about to be destroyed by insects. I say to-day that the Yearbook sent out from the Agricultural Department is worth half this appropriation. We have just appropriated $250,000 for the purpose of destroying the boll weevil. If the Department of Agriculture can destroy it with $5,000,000 it will be a blessing to the people of the United States.

Now, sir, so far as I am concerned—and other Senators, I presume, have pursued the same course—I have voted as my judgment dictated in the past, and I shall proceed to do so in the future. I say to-day take the great Department of Agriculture and the improvements that have been made by reason of the lessons taught by it, and it has been of great value to the people of the United States. I shall have something to say in the future in regard to our appropriations for the Navy and Army.

Now, a word in regard to the free rural delivery. I am a member of the Committee on Post-Offices and Post Roads, and in every instance I have supported that appropriation because I thought it was proper and just. I have before me now the report of the Postmaster-General, and it would appear that the people of the United States are largely in favor of that appropriation. I find that on July 1, 1902, there were pending 11,738 petitions pleading for new routes; that during the year 8,339 cases were made up for investigation; that 1,714 were adversely reported, and that 6,653 routes were established.

The Postmaster-General tells us in his report that the people are constantly knocking at the door asking for new routes, but that it has been impossible to comply with the petitions sent to that Department.

I say that the farmers of this country receive more benefit by reason of the establishment of the free rural-delivery routes and from the Agricultural Department than from any other sources in this Government. Take my own county where I live, take my own section of the State, and every farmer receives his mail at his door. He receives his daily newspaper. Farming life is made more pleasant. I say the free rural delivery is here to stay and will be permanently established.

Mr. President, I do not believe that any political party, Populist, Republican, or Democratic, will ever declare in favor of abolishing the free rural-delivery system. Nobody thinks so. We have under consideration a bill to provide support for the Agricultural Department which carries $9,000,000 and no Department in my judgment has been more faithfully administered than it.

I do not agree with the Senator from Texas. I shall never vote to abolish it, and I do not believe that you would ever get any political convention in this country, of Republicans or Democrats or Populists, to declare in favor of the abolishment of that great Department.

I want to say, Mr. President, that if you will take the free rural-delivery system, and if you will take it for the last ten years, it has been made a success in almost every instance. Not only that, but it has grown in popularity and it has grown in usefulness. Not only that, but the Department of Agriculture has also grown in popularity and grown in usefulness.

Mr. President, there may be some good reason for assaulting an appropriation that increases your Navy $14,000,000 or $15,000,000 per year; there may be some good reason for assaulting an army appropriation that carries $75,000,000 or $80,000,000 a year in time of profound peace; there may be some reason and some excuse, and we may be able to show why these appropriations should be cut down; but in my judgment there can be no just assault made upon this bill that we are now considering or on account of the free rural-delivery system. Let me tell you, when your farmers are contented, happy, and intelligent people the Republic is absolutely safe. In your cities socialism and anarchy may take charge of the country, but when the farmer is intelligent, when he is thoughtful, and when he is satisfied, and when his sons are satisfied with farm life, you need not have any fear for the future of this great Republic.

Mr. TELLER. I should like to ask the Senator from Georgia who has assailed the Agricultural Department? Certainly he can not charge that I did. My objection against that part of this bill was that it does not belong to the Agricultural Department. The making of good roads has nothing to do with the Agricultural Department. It is an innovation brought in here recently. It is the first one, and I do not think it will be the last one, either. It will come ultimately to a point where, if it does not destroy the Department, it will at least minimize its influence as an agricultural agent.

Mr. CLAY. I never mentioned the name of the Senator from Colorado. I never said a word about the Senator.

Mr. TELLER. I know you did not.

Mr. CLAY. I simply gave my views in regard to the Agricultural Department, after hearing the views expressed upon the other side of the question. I did that and nothing more. I have nothing but the kindest feeling for the Senator from Colorado. He knows that. I simply did not agree in the general views expressed in reference to extravagance, if they were applied to the Agricultural Department and to the free rural-delivery service. I simply rose for that purpose and no other, and I did not even refer to the Senator from Colorado.

Mr. TELLER. Of course not. I did not say that the Senator did.

Mr. TILLMAN. Mr. President, I do not want to appear to unduly magnify a trivial incident, but I was informed by a Senator on this side that while I was engaged in debate with the Senator from Texas one of my friends on the other side took the liberty to [illegible] unknown to me, to take out of my pocket a little [illegible] and to uncork it and smell it and then replace it. It was something of a liberty, but friends can sometimes take those liberties, and I have no grievance against the Senator from Wyoming.

In view of the fact that I have been here nine years and my habits are well known and no harm could result to me at home, I might pass the incident without notice, but to prevent the sending off of distorted and untrue reports in regard to this little matter I merely wish to say that I have been suffering for three or four days with an ulceration of the throat, and I have been using some boracic acid and I have been gargling with it; that is all.

Mr. WARREN. In a somewhat playful way I have transgressed. I owe myself the justice to apologize to the Senator and to the Senate for the [illegible]

Mr. TILLMAN. That is all right; I accept it as such.

The PRESIDENT pro tempore. Shall the amendments be engrossed?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM. I ask leave to call up House bill 9480, the legislative, executive, and judicial appropriation bill.

The PRESIDENT pro tempore. The Senator from Illinois moves that the Senate proceed to the consideration of the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. CULLOM. I ask that the formal reading of the bill be dispensed with, and that it be read for action on the committee amendments as the reading proceeds.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none.

The Secretary proceeded to read the bill. The first amendment of the Committee on Appropriations was, under the head of "Legislative," on page 2, line 10, to increase the appropriation for the salary of the Chaplain of the Senate from $800 to $1,000.

The amendment was agreed to.

The next amendment was on page 2, line 19, after the word "journal," to insert "minute and journal clerk, $3,000;" and in line 21, after the word "clerk," to strike out "minute and journal clerk."

The amendment was agreed to.

The next amendment was, on page 3, line 7, after the word "dollars," to insert "clerk, $1,600."

Mr. CULLOM. That was a mistake. I desire to insert, instead of "$1,600," "$1,440" in line 7; so as to read:

Clerk, $1,440.

I move that amendment to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in line 10, after the word "dollars," to strike out "and $400 additional while the office is held by the present incumbent; two messengers, at $1,440 each," and insert "messenger, $1,440."

The amendment was agreed to.

The next amendment was, in the total of appropriations for the office of the Secretary of the Senate, in line 17, before the word "dollars," to strike out "eighty-six" and insert "ninety-six;" so as to read:

In all, $71,596.

Mr. CULLOM. In lines 16 and 17 I move to strike out the amount specified there and to insert "seventy-one thousand four hundred and thirty-six." That is made necessary on account of the change of the amendment above reducing the amount.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The SECRETARY. In lines 16 and 17 strike out "seventy-one thousand five hundred and ninety-six" and insert "seventy-one thousand four hundred and thirty-six."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Appropriations was, on page 6, line 7, before the word "clerks," to strike out "nineteen" and insert "twenty-two;" and in line 9, before the word "hundred," to strike out "thirty-four thousand two" and insert "thirty-nine thousand six;" so as to make the clause read:

For twenty-two clerks to committees, at $1,800 each, $39,600.

The amendment was agreed to.

The next amendment was, on page 7, line 1, after the word "dollars," to insert "janitor, $1,200."

Mr. CULLOM. I desire that the item "janitor, $1,200," shall be transferred down to the third line and inserted between the word "each" and the words "skilled laborer," so that the sentence above will read as it was intended.

The SECRETARY. It is proposed to transpose the committee amendment in line 1, page 7, "janitor, $1,200," so as to follow the word "each," in line 3.

The PRESIDENT pro tempore. The matter will be read as it would then stand.

The Secretary read as follows:

Upholsterer and locksmith, $1,440; three carpenters to assist him, at $960 each; janitor, $1,200; skilled laborer, $1,000.

The amendment was agreed to.

The next amendment was in line 4, before the word "skilled," to strike out "two" and insert "four;" in line 5, after the word "each," to strike out "two janitors, at $900 each;" in line 10, before the word "dollars," to strike out "six hundred" and insert "seven hundred and twenty;" and in line 19, before the word "dollars," to strike out "fifty-three thousand five hundred and forty-four" and insert "fifty-four thousand eight hundred and sixty-four;" so as to read:

Four skilled laborers, at $900 each; laborer in charge of private passage, $840; two female attendants in charge of ladies' retiring room, at $720 each; two telephone operators, at $840 each; telephone page, $720; press gallery page, $720; two laborers, at $840 each; twenty-four laborers, at $900 each; twenty-eight laborers, at $720 each; sixteen pages for the Senate Chamber, at the rate of $2.50 per day each during the session, $1,848; in all, $54,564.

The amendment was agreed to.

The next amendment was, on page 8, line 15, after the word "dollars," to insert "assistant machinist and electrician, $1,000;" in line 18, before the word "laborers," to strike out "six" and insert "five;" in the same line, after the word "each," to insert "laborer in charge of Senate toilet rooms in old library space, $660;" and in line 22, before the word "dollars," to strike out "twenty-six thousand five hundred and twenty-five" and insert "twenty-seven thousand four hundred and sixty-five;" so as to make the clause read:

Under Superintendent of the Capitol Building and Grounds: For chief engineer, $2,150; four assistant engineers, at $1,440 each; eight conductors of elevators, at $1,200 each; machinist and electrician, $1,400; assistant machinist and electrician, $1,000; three firemen, at $1,080 each; five laborers, at $720 each; laborer in charge of Senate toilet rooms in old library space, $660; in all, $27,465.

The amendment was agreed to.

The next amendment was, on page 8, line 23, before the word "annual," to strike out "thirty-five" and insert "thirty;" and on page 9, line 2, before the word "dollars," to strike out "fifty-two thousand five hundred" and insert "forty-five thousand;" so as to make the clause read:

For thirty annual clerks to Senators who are not chairmen of committees, at $1,500 each, $45,000.

The amendment was agreed to.

The next amendment was, on page 9, line 5, before the word "thousand," to strike out "three" and insert "four;" and in line 6, before the word "thousand," to strike out "fourteen" and insert "fifteen;" so as to make the clause read:

For contingent expenses, namely: For stationery and newspapers for Senators, [illegible] including $4,000 for stationery for committees and officers of the Senate, $25,000.

The amendment was agreed to.

The next amendment was, on page 9, after line 11, to insert:

To enable the Postmaster of the Senate to keep a constant supply of postage stamps for sale to Senators, $50.

The amendment was agreed to.

The next amendment was, on page 9, line 16, to increase the appropriation for expenses of maintaining and equipping horses and mail wagons for carrying the Senate mails from $5,000 to $6,000.

The amendment was agreed to.

The next amendment was, on page 9, line 20, to increase the appropriation for folding speeches and pamphlets, at a rate not exceeding $1 per thousand, from $2,000 to $6,000.

The amendment was agreed to.

The next amendment was, on page 10, line 6, to increase the appropriation for miscellaneous items, exclusive of labor, from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, under the subhead "House of Representatives," on page 12, line 6, to increase the appropriation for the salary of the secretary to the Speaker from $2,350 to $3,000; and in line 12 to increase the total appropriation for the maintenance of the office of the Speaker of the House of Representatives from $9,750 to $10,400.

The amendment was agreed to.

The next amendment was, on page 15, line 8, after the word "Judiciary," to insert "Labor;" and in line 11, after the words "Revision of the Laws," to insert "Territories;" so as to read:

Clerks to Committees on Accounts, Agriculture, Banking and Currency, Claims, Education and Labor, Commerce, Cuban Affairs, Disposition of Useless Papers, Engrossed Bills, Foreign Affairs, Foreign Commerce, Indian Affairs, Interoceanic Canals, Interstate Commerce, Judiciary, Labor, Manufactures, Mines and Mining, Naval Affairs, Pensions, Post-Office and Post-Roads, Revolutionary Claims, Territories, and Transportation Routes to the Seaboard, and clerk to continue Digest of Claims under resolution of March 7, 1898, at $2,000 each, etc.

The amendment was agreed to.

The next amendment was, on page 16, line 6, to increase the total appropriation for clerks and messengers to committees from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 16, line 12, before the word "clerks," to strike out "thirteen" and insert "eleven;" and in line 15, before the word "dollars," to strike out "nine thousand four hundred and thirty-eight" and insert "seven thousand nine hundred and eighty-six;" so as to make the clause read:

For eleven clerks to committees, at $6 each per day during the session, $7,[illegible].

The amendment was agreed to.

The next amendment was, on page 16, line 23, after the word "dollars," to strike out "clerk in charge of pairs, $1,400," and insert "two clerks in charge of pairs, at $1,400 each;" and on page 17, line 2, before the word "hundred," to strike out "eight-

een thousand eight" and insert "twenty thousand two;" so as to make the clause read:

Office of Sergeant-at-Arms: For Sergeant-at-Arms of the House of Representatives, $[illegible] per annum; [illegible] Sergeant-at-Arms, $[illegible] per annum; [illegible] $[illegible] per annum; [illegible] $[illegible] per annum; [illegible]

forbidden. This amendment is clearly general legislation, and the Chair sustains the point of order.

Mr. CULLOM. I think that is right.

The PRESIDENT pro tempore. Then, the first part of the amendment will be stated, as no point of order is made on that.

Mr. CULLOM. I do not understand that the Senator from Minnesota makes any point of order on the words in the amendment—

and said Service shall remain under the jurisdiction of the Treasury Department until otherwise provided by law.

Mr. BEVERIDGE. He only objects to the part after that.

The PRESIDENT pro tempore. The point of order was only made against the part of the amendment following that which has been read by the Senator from Illinois [Mr. CULLOM].

Mr. CULLOM. I so understand.

Mr. NELSON. Is the latter part of the amendment, to which I have referred, ruled out, Mr. President?

The PRESIDENT pro tempore. That was ruled out. The question now is on the first part of the amendment of the committee, which will be again stated.

The SECRETARY. On page 54, line 11, after the word "Service," it is proposed to insert:

And said Service shall remain under the jurisdiction of the Treasury Department until otherwise provided by law.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 55, after line 18, to insert:

For rent of buildings, heat, light, and janitor and elevator service, for office of Lady Service Section, $[illegible].

The amendment was agreed to.

Mr. BACON. I should like to ask the Senator from Illinois in regard to the item on page 55, beginning with line 22. This is simply a general appropriation of $[illegible].

For rent of additional quarters for accommodation of clerical force of Auditor for the Post-Office Department.

I ask, for information, of the Senator what is the law or the regulation which determines what quarters shall be rented and what price shall be paid for them?

Mr. CULLOM. The officer in charge of the Department finds quarters suitable for his use, and makes a contract as well as he can in the interest of the Government. Then he comes to Congress with the information, and we provide for the appropriation if we think it right to do so.

Mr. BACON. Well, the inquiry which I had in my mind is not fully answered by that reply. Does the Department submit information as to the particular building selected and the rent to be paid for them?

Mr. CULLOM. I do not know just how that is or in what shape it comes to us.

Mr. BACON. I will state very frankly the reason why I have made the inquiry.

Mr. CULLOM. The chairman of the committee [Mr. ALLISON] states that it is an estimate from the Department which comes to the committee, and then, if we see proper to inquire further into the matter, we do so.

Mr. ALLISON. The head of each Department, where additional rooms is necessary, posts suitable offices. We [illegible] participate in any way in the matter of [illegible]. We have in certain instances, of course, referred to [illegible] money that has been asked for by the heads of Departments.

Mr. BACON. The question that I wished to get information on is whether the committee has considered it to be the duty of the Department the name and location of the particular building which is in any instance proposed to be rented and the price which it is proposed to pay for it.

Mr. ALLISON. I think that has not been done in this particular instance, but I have no doubt that the Secretary of the Treasury will see to it that suitable provisions are made for this office.

Mr. BACON. Mr. President, I want to state to the committee very frankly the reasons which prompt me to make the inquiry.

I have information, the source of which I can not properly disclose, but it comes direct and first hand to me that I am sure has needed in any case presentation, and who is eminently qualified to judge of the matter, that there is now building rented by the Post-Office Department which is entirely unsuited for purposes for which it is rented, an extremely inferior building and an utterly unsuited for comfortable and healthful occupation by the employees of the Government.

Mr. ALLISON. I think probably that is true. I have heard something of that, but just where I do not know.

Mr. BACON. Senators on the other side of the Chamber may feel some little delicacy in stating it, and, therefore, I am going to state it and call attention to the particular building. It is the building known as the Busch Building which is rented by the Post-Office Department.

I have had a very strong representation made to me by one who is not opposed to the Department by any means and one who, I will state, does not belong to a different political party from the one now in power, that that building is an inferior building, utterly unsuited to the purpose, and the conclusion drawn was that there must have been some motive in the selection of that building other than its adaptability to the purpose for which it is used.

Mr. TELLER. What is its price?

Mr. BACON. I do not know the price, although I understand it is excessive; but I am myself thoroughly convinced, considering the source from which I derived this information, that it is correct; that the Government has that building when it ought not to have it, when there are better buildings that could be secured, and that it is being used when it is not for the interest of the Government to use it. What the exact price is I do not know.

Mr. FAIRBANKS. May I interrupt the Senator?

Mr. BACON. The Senator will pardon me a moment only. The Senate will perceive the reason which prompts the inquiry to be made by me. I wanted to know, Mr. President, whether this matter is exclusively in the control of the Departments or whether Congress knows what any Department does in such a matter, or whether we simply take the statement as to the amount of money they want and, without knowing the particular use to which they propose to devote it, appropriate it.

Mr. LODGE. I should like to ask the Senator from Georgia, if I may, if the building to which he refers is the one on E street?

Mr. BACON. It is across the street from the old Post-Office Department building.

Mr. ALLISON. It has no connection with that building.

Mr. LODGE. Is it the building connected with the old Post-Office Department building by a bridge across the street?

Mr. BACON. I will state to the Senator from Massachusetts that, if I am correctly informed, it is the building in which the Civil Service Commission formerly sat.

Mr. LODGE. That is the one I mean.

Mr. BACON. I am going to be a little more frank and state that the information which I have leads me to believe that the renting of that building was suggested or rather influenced by a representation to the Department. I have no information to the effect that any Senator on this side of the Chamber was approached and when [illegible] is received, but I do object, and I am sure not only I, but every Senator on the other side will object, as every other Senator will, to the use of an inferior building which would not be selected except under some such influence.

Mr. BEVERIDGE. That is a pretty serious charge.

Mr. BACON. The Senator says, and I understand it, that this is a pretty serious charge. I do not mean that it is [illegible]ruptly. I disclaim that. But I mean that the building would not have been rented, probably, but for the fact that there was a consideration or an influence of the kind I have stated. The payment of public money is a matter which is controlled by whichever party is in power, and when this is done with proper regard for the interests of the Government it is not to be criticised. But it is otherwise when the interests of the Government are subordinated to some personal interest.

Mr. ALLISON. I think the Busch Building has been rented for a long time either by the Post-Office Department or by the Auditor for the Post-Office Department; but it was occupied, my recollection is, by the Auditor for the Post-Office Department before the Post-Office Department building was completed and afterwards in some way. I was informed that it had been occupied by some officers of the Post-Office Department.

I regard the statement made by the Senator from Georgia as a very serious charge against the management of those under whom the matter of the renting of this building comes, and I hope the Senator from Illinois [Mr. CULLOM], who has charge of the bill will investigate the matter.

Mr. BACON. Permit me to say, Mr. President, in that connection, that nothing that I say can apply to anybody now in office. My understanding is that the renting of that building dates back beyond the present Administration. I do not even know when it was rented, and I have no details; but I say that the information came to me in such a way as to produce conviction in my mind. I have in mind no special or particular official as the one responsible for the selection and renting of this building. I simply have stated my conclusion that it is an inferior and unsuitable building for the Government use, and that it would not probably have been selected and rented for the purpose but for an influence of the character I have mentioned. While I do not know the figures, the impression is on my mind that much more than the rental value of it is being paid for it by the Government.

Mr. FAIRBANKS. Will the Senator allow me to interrupt him?

Mr. BACON. Certainly.

Mr. FAIRBANKS. I did not understand to which item the Senator referred.

Mr. CULLOM and Mr. BERRY. Page 55, line 22.

Mr. FAIRBANKS. I want to say, if the Senator will allow me, that I observe on page 55 several items for rent of buildings, as follows:

For rent of buildings, $[illegible].

For rent of buildings, heat, light, and janitor and elevator service, for office of Lady Service Section, $[illegible].

For rent of additional quarters for accommodation of clerical force of Auditor for the Post-Office Department, $[illegible].

Mr. CULLOM. The last item is the one under discussion.

Mr. FAIRBANKS. In these three items we have a total of $10,800 paid in a year for the rent of three buildings in the District of Columbia, when the Treasury of the United States is filled with idle money with which the necessary buildings could be constructed. More than this, the appropriation bills will carry $[illegible] on this year for payment of buildings in the District of Columbia. The money is paid for rent in perpetuity.

Capitalized on the basis of the Government credit, it represents a sum in excess of $[illegible]. The payment of these large sums every year for rent of buildings that are to some extent to be occupied by the Government, and when the Government has the money on hand with which to build is the most profligate, inexcusable waste of the public money. We should remedy the evil of which the Senator speaks by providing the necessary buildings at Government expense for the accommodation of the Government business. I [illegible] to the Senator.

Mr. HOAR. May I ask my honorable friend a question in the line of his argument before he sits down?

Mr. FAIRBANKS. Certainly.

Mr. HOAR. I only ask because I desire information on the subject. Is the Senator willing to state to the Senate in general what is the program of the public buildings bill that has been considered by his committee and discussed publicly recently, that is, when will the bills for the new building for the Court of Claims, the Department of Justice, the Department of Commerce and Labor, and for the Supreme Court on the site near the Library be likely to be so prepared that they can be presented to the Senate?

Mr. FAIRBANKS. There is a bill for a building for the Departments of State, Justice, and Commerce and Labor on the Calendar; it has the unanimous report of the committee; and there is also a bill providing for the construction of a hall of records; but there has been objection to the consideration of all those measures. Nothing has been done at the present session toward providing for the construction of a much-needed building for the Supreme Court.

The committee has been diligent in bringing these matters to the attention of the Senate. Experience shows that years are taken in the consideration and maturing of building legislation for the District of Columbia.

The necessity for action seems to me most urgent. I simply interrupted the Senator from Georgia to make the observation, which I have emphasized in this bill, that the Senate owes it to itself and the country to proceed with the prompt consideration of the measures for public buildings in the national capital. The Government should own its own departmental and other buildings and stop wasting money paying extravagant rent.

Mr. HOAR. Mr. President, I quite agree with my honorable friend's view, and I am very sure that his committee has been diligent. I put the question in order that that might appear.

I should like to say that in addition to the two bills he has mentioned, I hope we shall have at a very early day for consideration a measure for a building for the Supreme Court of the United States, which is a part of Mr. Morrill's plan when the Library building was projected. Every Senator knows that in spite of the inconveniences and vexations we have, resulting from the construction of the Public Library, by which so many offices have been provided, the Senate itself is straitened for room in the Capitol, and there are Senators whose time is of great value to themselves and the country who are obliged to go out to other buildings than the Capitol for quarters.

Now, if the Supreme Court is provided for, we should have the room of the Supreme Court, and perhaps the room of the Library, and the room of the clerk's office, very excellent rooms, and the rooms below where the records of the court are. They all belong to the Senate, and we would not have to divide them with the House of Representatives. They are in our wing. It seems to me that while we should provide for the Court of Claims and the State Department—I do not refer, of course, to my honorable friend the Chairman of the Committee on Public Buildings and Grounds, for he knows very well that a man who provides "not for those of his own house * * * is worse than an infidel"—I think the first provision we ought to make is for suitable quarters for the Senate of the United States.

And, if I may add one other thing, if I were to make a criticism, as the result of very long experience and observation, upon the character of Senators at the present day as compared with those of the past, when I first came into public life, and from the beginning of the Government, I should say, and I think my honorable friend the Senator from Nevada [Mr. STEWART], whose experience and observation are longer than mine, will agree with me that in the matter of ability, in the matter of devotion to the public service, and in the matter of high and elevated morality, personal conduct, and everything that makes the dignity and character of the statesman and the gentleman, the Senate never stood higher than now.

Mr. STEWART. I can say there is a marked improvement in many respects, and in many respects the condition can not be compared with what it was forty years ago.

Mr. HOAR. But in one thing I think the Senators do not compare favorably with their predecessors, and that is in their assertion of their own dignity and quality. I do not speak now of personal dignity, but of the dignity and authority of the great office. Is not the Senator who represents the State of Illinois, or New York, or Pennsylvania, with four or five or seven million inhabitants, as important a public official, and is not the performance of his public duties so important as when New York came into the Union with three or four hundred thousand inhabitants only, and when Illinois came into the Union with inhabitants enough to make a single Congressional district?

Mr. CULLOM. And hardly enough.

Mr. HOAR. Now, in the matter of the compensation of Senators, our salary, I believe, was fixed somewhere forty or fifty years ago. I do not remember the date.

Mr. STEWART. Eighteen hundred and sixty-five, I think.

Mr. HOAR. Eighteen hundred and sixty-five. The $5,000 at which it was fixed then is not now in value equal to more than 50 per cent. Our salary is also now lower in practical value than it was before it was raised fifty years ago. And yet the one thing that we do not seem to have courage enough to do is to say to the people of the United States that the compensation of this important office shall be at least in some degree adequate to its dignity and character. Take the salary of a judge of the district court of the United States. Is there a judge of a district court of the United States who would not consider his promotion to the Senate of the United States an advance in dignity and authority? And yet we have put up their salaries and the salaries of the judges of the circuit courts to $6,000 and $7,500 and do not venture to touch our own.

So in the matter of proper accommodations: the accommodations we have now were for a Senate representing perhaps twenty States. There were not so many States as that in 1861. When was it that this wing was added?

Mr. STEWART. It was completed in 1861.

Mr. HOAR. It was completed in 1861, I should have said. We had thirty States at that time. Now we have forty-five, and we have practically the same accommodation for ninety Senators that we had then for sixty.

I think that, with all respect, the first public building we should take hold of is that of a hall of justice, and then we should add to our own accommodations all the quarters in this wing of the Capitol now occupied by the Supreme Court of the United States.

Mr. BAILEY. Mr. President, I simply desire to say, in reenforcement of what the Senator from Massachusetts [Mr. HOAR] has said, not so much in the way of salary as in the way of accommodations to us, that one-half of the Senate are compelled to occupy a public building which has been condemned as unsafe; and if the Senate of the United States [illegible] for one second to provide itself with safe quarters is an [illegible] to me. The building is not an inviting one, but I [illegible] about that. But it is surprising that we will [illegible] in a building wherein one would not be permitted to [illegible] a tavern or a theater, and we do it. I will [illegible] to appropriate the money, but [illegible] to spend for ourselves, though we [illegible] body else.

Mr. CULLOM. Referring to the item to which the Senator from Georgia made reference, it is not the Busch Building, as I understand, but it is a building in which [illegible] I suppose does not require a very long lease for that sort of use. But the fact is, and I am frank to admit it, that being placed there by the House of Representatives, the committee supposed it was the usual rent and was all right.

Mr. BACON. The Senator will not understand me as saying that any part of the $10,000 is devoted to the rent of that building. I do not know.

Mr. CULLOM. No.

Mr. BACON. I simply used that item as a basis for the inquiry I made.

Mr. CULLOM. I understand. The truth is, I do not know what the building is. A year or two ago——

Mr. BACON. I am not referring to this particular item. I am

only using it as the basis for an inquiry as to the practice of the committee in informing itself as to buildings that are rented and the price.

Mr. CULLOM. I was going to say, however, that a year or so ago—I forget whether it was one year or two years ago—we had a list of all the buildings rented by the Government of the United States in this city, when we examined the rent, the amount paid per square foot for each of the buildings, and we made some changes in reference to them, so as to have nearly the same amount of rent per square foot, one with the other. We did some good in that respect. But really as to what this building is, or whether it is a reasonable rent, I am not able to say.

Mr. BACON. Does the Senator refer to the Busch Building or to this particular item?

Mr. CULLOM. To this particular item.

Mr. BACON. I have no criticism to make of it. I do not understand that the Busch Building is used for a file depository.

Mr. CULLOM. It seems to be so, according to the Book of Estimates.

Mr. BACON. If my information is correct, it is used by one of the bureaus of the Department of the Post-Office.

Mr. CULLOM. According to the Book of Estimates the rent of the Busch Building is only $[illegible].

Mr. BACON. I am not speaking of the rent. I stated explicitly that I knew nothing about the price paid for it.

Mr. CULLOM. I understand.

Mr. BACON. And I was not criticising the rent of it.

Mr. CULLOM. I want to say, furthermore, as to the remarks of the Senator from Indiana, that it is not for the Committee on Appropriations to take charge of the question whether we ought to build more buildings for the Government's use. I think we ought, but the Senator and his committee have charge of that subject more than anybody else. I hope he will prosecute the question whether the Congress of the United States ought not to provide for sufficient buildings for the Government use without this promiscuous renting all over town. It is very difficult to find out just what the Government should pay. The head of a Department makes a contract, and then he submits the amount of rent that he wants us to appropriate, and we go on and do it, unless we find that there is something wrong in reference to it.

And as to the matter the Senator from Connecticut suggested, if there is any way of finding out whether there has been any wrong in any way or any paying of political debts in the renting of any of these buildings, I should like to find it out.

Mr. BACON. I think, if an investigation is made, it will be found to be as I have stated.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 56, line 15, to increase the appropriation for purchase of coal, wood, engine oils and grease, etc., for the Treasury Department from $12,000 to $[illegible].

The amendment was agreed to.

The next amendment was, on page 56, line 21, to increase the appropriation for purchase of gas, electric current for lighting and power purposes, etc., for the Treasury Department from $15,000 to $17,000.

The amendment was agreed to.

The next amendment was, on page 57, line 12, to increase the appropriation for washing and hemming towels, for the purchase of awnings and fixtures, etc., for the Treasury Department, from $9,000 to $12,500.

The amendment was agreed to.

The next amendment was, on page 58, line 5, before the word "For," to insert "Contingent and miscellaneous expenses, Office of Auditor for the Post-Office Department, namely:" in line 11, before the word "dollars," to strike out "five thousand" and insert "six thousand five hundred;" in line 12, before the word "dollars," to strike out "ten thousand" and insert "eleven thousand five hundred;" and in the same line, after the word "dollars," to insert "to be expended under the direction of the Auditor for the Post-Office Department;" so as to make the clause read:

Contingent and miscellaneous expenses, Office of Auditor for the Post-Office Department, namely: [illegible] $[illegible] may be used for repairs of furniture, and not exceeding $[illegible] may be used for the purchase of law books, books of reference, and one [illegible] for carpets and repairs $[illegible] for furniture and repairs, $6,500 in all, $[illegible], to be expended under the direction of the Auditor for the Post-Office Department.

The amendment was agreed to.

The next amendment was, under the subhead "Collecting internal revenue," on page 59, line 16, after the word "dollars," to insert the following provisos:

Provided, That the compensation of the chief of the internal-revenue agents shall not exceed $10 per day, and of the other internal-revenue agents shall not exceed $8 per day each, to be fixed by the Commissioner of Internal Revenue; and for per diem in lieu of subsistence, when absent from their legal residences on duty said agents, including the chief of internal-revenue agents, shall receive a sum not to exceed $3 each, to be fixed by the Commissioner of Internal Revenue with the approval of the Secretary of the Treasury: *Provided further*, That internal-revenue agents assigned to the duty of examining the personal income tax of internal revenue shall receive for per diem in lieu of subsistence, when absent from their legal residences on duty, a sum to be fixed by the Commissioner of Internal Revenue and approved by the Secretary of the Treasury, not to exceed $[illegible]: *Provided further*, That internal-revenue agents shall have the same authority to administer oaths that is now possessed by collectors of internal revenue.

The amendment was agreed to.

The next amendment was, under the subhead "Independent treasury," on page 61, line 7, before the word "clerks," to strike out "two" and insert "five;" in line 9, before the word "clerks," to strike out "three" and insert "four;" and in line 14, before the word "hundred," to strike out "forty thousand five" and insert "forty-five thousand one;" so as to make the clause read:

Office of assistant treasurer at Boston: * * * five clerks, at $1,200 each; clerk, $1,100; four clerks, at $1,000 each; clerk, $900; [illegible] and [illegible] messenger, $[illegible]; stenographer and typewriter, $1,000; three watchmen and janitors, at $850 each; in all, $45,110.

The amendment was agreed to.

The next amendment was, on page 61, line 21, after the word "dollars," to insert "silver and [illegible] dollar, $1,800;" on page 62, line 1, before the word "clerks," to strike out "twenty" and insert "twenty-three;" and in line 7, before the word "hundred," to strike out "fifty-six thousand three" and insert "sixty-one thousand seven;" so as to make the clause read:

Office of assistant treasurer at Chicago: For assistant treasurer, $[illegible]; [illegible] $[illegible] each; [illegible] $[illegible] each; [illegible] $[illegible] each

others in the War Department, namely: For law officer, $4,500; chief clerk, $2,000; five clerks of class 4; three clerks of class 3; eight clerks of class 2; fourteen clerks of class 1; twelve clerks, at $1,000 each; fourteen clerks, at $900 each; two messengers; two assistant messengers; five laborers; two charwomen; in all, $[illegible].

The amendment was agreed to.

The next amendment was, on page 87, line 6, to increase the appropriation for rent of buildings for Ordnance and Signal offices from $2,[illegible] to $2,500.

The amendment was agreed to.

The next amendment was, on page 87, line 11, to increase the total appropriation for rent of buildings for use of War Department, etc., from $[illegible] to $18,900.

The amendment was agreed to.

The next amendment was, under the head of "Navy Department," on page [illegible], line 10, after the word "dollars," to strike out "one draftsman, under instruction, $720;" in line 13, before the word "hundred," to strike out "three" and insert "four;" in line 19, after the word "each," to strike out "one engraver, $900" and insert "two engravers, at $900 each;" in line 22, after the word "dollars," to strike out "one apprentice engraver, $[illegible];" in line 23, before the word "hundred," to strike out "five" and insert "six;" and in line 24, before the word "hundred," to strike out "three" and insert "four;" so as to read:

[illegible] For the following, now authorized and being paid from [illegible], namely: [illegible] draftsman, at $[illegible]; one [illegible] $2,[illegible]; [illegible] engravers, at $[illegible] each; one engraver, $1,[illegible]; [illegible] at $[illegible] each; [illegible] engraver, $[illegible]; one apprentice engraver, $[illegible]; one apprentice engraver, $[illegible]; etc.

The amendment was agreed to.

The next amendment was, on page 96, line 3, after the word "each," to strike out "two plate printers, at $[illegible] each," and insert "one plate printer, $700; one apprentice plate printer, $[illegible]; one apprentice plate printer, $360;" and in line 9, before the word "hundred," to strike out "three" and insert "four;" so as to read:

One chief plate printer, $1,[illegible]; one plate printer, $1,[illegible]; one plate printer, $1,000; two plate printers, at $900 each; one plate printer, $[illegible]; one plate printer, $840; one apprentice plate printer, $[illegible]; one [illegible] plate printer, $[illegible]; two [illegible] printers, at $1,[illegible] each; one apprentice [illegible]; etc.

The amendment was agreed to.

The next amendment was, on page 96, line 15, to increase the total appropriation for the maintenance of the Hydrographic Office from $100,920 to $101,000.

The amendment was agreed to.

The next amendment was, on page 98, line 5, to insert:

For personal pilot charts of the South Atlantic Ocean and of the South Pacific Ocean, showing the prevailing currents of water and information as to the trade winds, [illegible] permanent, the [illegible] and [illegible] of the winds as the second strong [illegible] of the prevailing currents of water, [illegible] the prevailing winds, [illegible] and [illegible] the [illegible] of materials for said printing and mailing the charts, $2,000.

The amendment was agreed to.

The next amendment was, on page 103, line 9, to increase the number of clerks of class 3 in the Bureau of Supplies and Accounts from two to three; in line 10 to reduce the number of clerks of class 1 in the Bureau of Supplies and Accounts from eleven to ten; and in line 14 to increase the total appropriation for the maintenance of the Bureau of Supplies and Accounts from $45,800 to $46,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 111, line 7, to increase the number of clerks of class 4 in the General Land Office from thirty-four to thirty-eight; in line 8 to increase the number of clerks of class 3 from sixty to sixty-four; in the same line to reduce the number of clerks of class 2 from sixty-eight to sixty-seven, and in line 9 to reduce the number of clerks of class 1 from seventy to sixty-nine.

The amendment was agreed to.

The next amendment was, on page 111, line 12, after the word "laborers," to insert "who may act as assistant messengers when required;" and in line 21, before the word "thousand," to strike out "fifty-two" and insert "sixty-three;" so as to read:

Six skilled laborers, who may act as assistant messengers when required, at $[illegible] each; [illegible] the Commissioner of Pensions may employ a person, [illegible] the Secretary, $2,000; director for the new Bureau of the Census, $[illegible]; clerk, to be selected by the secretary of the Interior wholly with reference to his special fitness for such work, $1,[illegible]; in all, $[illegible].

The amendment was agreed to.

The next amendment was, on page 115, line 4, to increase the number of clerks at $1,000 each in the Pension Office from 225 to 249, and, in line 15, to increase the total appropriation for the maintenance of the Pension Office from $1,937,210 to $1,961,210.

The amendment was agreed to.

The next amendment was, on page 118, after line 14, to strike out:

For producing the Official Gazette [illegible] weekly, bimonthly, and annual indexes therefor, [illegible] of expired patents, $[illegible].

The amendment was agreed to.

The next amendment was, on page 118, after line 17, to insert:

For [illegible] printing [illegible] illustrations for [illegible] weekly, bimonthly, and annual indexes therefor, exclusive of expired patents, $[illegible]; in all, $100,000.

The amendment was agreed to.

The next amendment was, on page 122, line 20, to increase the appropriation for rent of buildings for use of the Geological Survey from $27,200 to $29,200, and, on page 123, line 2, to increase the total appropriation for rent of buildings for the Department of the Interior from $50,900 to $52,900.

The amendment was agreed to.

The next amendment was, under the subhead "Surveyors-general and their clerks," on page 123, line 16, to increase the appropriation for clerks in the office of the surveyor-general, Territory of Arizona, from $5,000 to $6,000; and in line 17 to increase the total appropriation for the maintenance of the office of the surveyor-general of the Territory of Arizona from $7,000 to $8,000.

The amendment was agreed to.

The next amendment was, on page 124, line 22, to increase the appropriation for rent of offices for the surveyor-general, Territory of Arizona, etc., from $1,000 to $1,500.

The amendment was agreed to.

The next amendment was, under the head of "Post-Office Department," on page 128, line 24, to increase the appropriation for the salary of the telephone operator in the office of the Postmaster-General from $900 to $1,000.

The amendment was agreed to.

The next amendment was, on page 131, line 18, after the word "dollars," to insert "assistant superintendent of classification division, $2,000;" so as to read:

[illegible] Third Assistant Postmaster-General, [illegible] Third Assistant Postmaster-General, $[illegible]; [illegible] division, $[illegible].

The amendment was agreed to.

The next amendment was, on page 132, line 3, before the word "clerks," to strike out "six" and insert "seven;" in line 5, before the word "laborers," to strike out "nine" and insert "ten;" and in line 7, before the word "dollars," to strike out "fifteen thousand three hundred and eighty" and insert "eighteen thousand nine hundred and forty;" so as to read:

[illegible] clerks, at $900 each; one messenger; five assistant [illegible]; ten laborers; in all, $218,940.

The amendment was agreed to.

The next amendment was, on page 133, line 15, to increase the [illegible] of the Fourth Assistant Postmaster-General [illegible] of assistant messengers from thirteen to twelve; and in line 18 to increase the total appropriation for the maintenance of the Office of the Fourth Assistant Postmaster-General from $405,700 to $405,820.

The amendment was agreed to.

The reading of the bill was continued to line 11, on page 136, the last item read being as follows:

For rent of suitable buildings for the storage of post-office supplies, and for the rural free-delivery service, $12,800.

Mr. CULLOM. I move, in line 11, before the word "dollars," to strike out "twelve thousand eight hundred" and insert "nine thousand three hundred." I do so for the purpose of giving me an opportunity to investigate the whole question before the bill gets into conference and to deal with it then as the facts seem to require.

Mr. BACON. I understand that the Senator proposes, then, to make an inquiry as to this particular item.

Mr. CULLOM. Yes.

Mr. BACON. To see whether or not it is a suitable building for the purpose and whether or not a proper rental charge is being made in most instances for the use of it.

Mr. CULLOM. That is the purpose in making the amendment, so that we shall have an opportunity to investigate it hereafter.

Mr. BACON. I am perfectly content that the Senator shall give the matter that direction, and I am sure if there is any injustice being done to the Government he will correct it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Illinois.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, under the head of "Department of Justice," on page 138, line 21, to reduce the total appropriation for the maintenance of the office of the Attorney-General from $[illegible] to $[illegible].

The amendment was agreed to.

The next amendment was, on page 140, after line 4, to insert:

[illegible] Commerce and Labor. For [illegible] and Labor, to be appointed by the President, $3,000; law clerk, $[illegible]; clerk of class 3, clerk of class 2, clerk of class 1, and messenger; in all, $[illegible].

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce and Labor," on page 140, line [illegible], after the word "dollars" where it occurs the second time, to insert "three chiefs of division, at $[illegible] each;" in line 22, before the word "clerks," to strike out "eight" and insert "nine;" in line 23, before the word "clerks," to strike out "five" and insert "seven;" in the same line, before the word "clerks" where it occurs the second time, to strike out "twelve" and insert "thirteen;" in line 24, before the word "clerks," to strike out "nine" and insert "ten;" in the same line, before the word "clerks" where it occurs the second time, to strike out "four" and insert "six;" in line 25, before the word "clerks," to strike out "five" and insert "seven;" on page 141, line 9, after the word "each," to strike out "one fireman, $840;" and insert "two firemen, at $660 each;" and in line 17, before the word "dollars," to strike out "twenty-five thousand two hundred and sixty" and insert "forty-three thousand three hundred and twenty;" so as to make the clause read:

[illegible] For compensation of the Secretary of Commerce [illegible] $[illegible]; [illegible] clerk, $[illegible]; three chiefs of division, at $[illegible] each; [illegible] at $[illegible] each; [illegible] at $[illegible] each; [illegible]

skilled laborer, $900; one skilled laborer, $840," and insert "five skilled laborers, at $900 each;" in line 8, after the word "messengers," to strike out "one skilled laborer, $780; one skilled laborer, $720," and insert "two firemen, at $720 each;" in line 11, before the word "unskilled," to strike out "fifteen" and insert "sixteen;" in line 14, before the word "and," to strike out "seven thousand for hundred" and insert "seventeen thousand;" so as to make the clause read:

The Census Office: For Director, $6,000; 4 chief statisticians, at $2,500 each; chief clerk, $2,250; disbursing clerk, $2,250; messenger, $900; secretary to the Director, $1,800; 2 supervising chiefs of division, at $2,000 each; 4 clerks of class 4; 7 clerks of class 3; 16 clerks of class 2; 25 clerks of class 1; 250 clerks, at $1,000 each; 27 clerks, at $900 each; an expert map mounter, $1,000; assistant, $1,000; assistant, $900; 2 special interpreters, at $1,000 each; 4 special interpreters, at $900 each; 10 watchmen; 6 messengers; 2 firemen, at $720 each; 3 assistant messengers; 16 unskilled laborers, at $660 each; 35 charwomen, in all, $17,010.

Mr. CULLOM. On page 146, line 17, after the word "disbursing," I move to insert "and appointment;" so as to read "disbursing and appointment clerk." That makes it in accordance with the present law.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 147, after line 14, to strike out:

For special agents and detailed employees, to secure information for census reports, provided for by law, $60,000.

And insert:

For securing information for census reports, provided for by law, including per diem compensation of special agents and expenses of the same and of detailed employees, the cost of transcribing slips, manuscript, and other records, and temporary rental of quarters outside of the District of Columbia for supervising special agents, and the employment by them of such temporary service as may be necessary in collecting the statistics required by law, $475,000: *Provided*, That the total expenditure for such purposes shall not exceed $1,000,000, and that for personal services $9,000: *And provided further*, that no expense shall be incurred for the two last named items unless the same shall have been previously authorized by the Director.

Mr. CULLOM. On page 148, line 3, before the word "service," I move to strike out "personal" and insert "temporary."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 148, line 7, before the word "special," to strike out "twelve" and insert "thirteen;" in line 8, before the word "the," to strike out "the Bureau of;" in the same line, after the word "Census," to insert "Office;" in line 12, after the word "assigned," to strike out "to clerkships of class 4" and insert "as follows: Four as chiefs of division, at $2,000 each; four as clerks of class 4, and four as clerks of class 2;" so as to make the clause read:

The thirteen special agents now employed in the Census Office on other than the special work contemplated to them as authorized by section 10 of the act of March 6, 1902, entitled "An act to provide for a permanent Census Office," are hereby transferred to the classified service, to be assigned as follows: Four as chiefs of division, at $2,000 each, four as clerks of class 4, and four as clerks of class 2.

Mr. CULLOM. On page 148, line 13, I move to amend the amendment by inserting before the word "Four" the words "One geographer, and."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 148, line 13, it is proposed to amend the amendment of the committee by inserting before the word "Four" the words "One geographer, as 1," and making the word "Four" commence with a small letter instead of a capital; so as to read:

The thirteen special agents now employed in the Census Office on other than the special work contemplated to them as authorized by section 10 of the act of March 6, 1902, entitled "An act to provide for a permanent Census Office," are hereby transferred to the classified service, to be assigned as follows: One geographer, and four as chiefs of division, at $2,000 each; four as clerks of class 4, and four as clerks of class 2.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 148, line 15, to strike out:

For transcript of registration records, $14,000.

The amendment was agreed to.

The next amendment was, on page 148, line 24, after the word "office," to strike out "furniture" and insert "fixtures;" so as to make the clause read:

For furniture, carpets, ice, lumber, hardware, dry goods, advertising, telegraphing, expressage, horses and wagons, [illegible] other absolutely necessary expenses, $13,000.

The amendment was agreed to.

The next amendment was, on page 149, line 1, after the word "of" where it occurs the first time, to strike out "law books;" in line 2, after the word "and," to strike out "manuscript investigation of census work in other countries" and insert "manuscripts;" and in line 4, before the word "dollars," to strike out "five thousand" and insert "two thousand five hundred;" so as to make the clause read:

For purchase of books of reference, periodicals, and manuscripts, $2,500.

The amendment was agreed to.

The next amendment was, on page 149, line 15, before the word "clerks," to strike out "eight" and insert "nine;" in the same line, before the word "clerks" where it occurs the second time, to strike out "twelve" and insert "thirteen;" in line 17, before the word "clerks," to strike out "ten" and insert "twelve;" in line 18, before the word "laborers," to strike out "four" and insert "five;" and in line 21, before the word "dollars," to strike out "seventy-five thousand five hundred and seventy" and insert "eighty thousand eight hundred and thirty;" so as to make the clause read:

Bureau of Statistics: For Chief of Bureau, $4,000; chief clerk, $2,250; one chief of division, $2,000; statistical clerk, $2,000; six clerks of class 4; three clerks of class 3; one expert in foreign statistics and languages; [illegible] Abstract of the World, $1,800; [illegible] and typewriter, $1,200; [illegible] of class 2; thirteen clerks of class 1; [illegible] $1,200; messenger, at $660; four assistant messengers; three assistant messengers; five laborers and one female laborer, $660; in all, $80,830.

The amendment was agreed to.

The next amendment was, on page 149, line 25, to increase the appropriation for payment of the services of experts, and for other necessary expenditures connected with the collection of facts relative to the internal and foreign commerce of the United States, from $2,000 to $5,000.

The amendment was agreed to.

The next amendment was, at the top of page 150, to insert:

To enable the Bureau of Statistics, under the direction of the Secretary of Commerce and Labor, to collect and arrange the facts of foreign commerce as shown by consular reports, to be printed in two volumes, the language of the text to be prepared in the Department of State, $[illegible] for such reports shall not exceed [illegible] of Customs Tariffs and Commercial Systems of Foreign Countries, and [illegible] foreign terms of currency, weights, and measures used in such tariffs, $[illegible].

The amendment was agreed to.

The next amendment was, on page 151, line 11, after the word "dollars," to strike out "one clerk of class 2: one clerk of class 1: one clerk, $1,000," and insert "one clerk of class 3: three clerks of class 2: three clerks of class 1: three clerks, at $1,000 each:" and in line 16, before the word "hundred," to strike out "eighteen thousand four" and insert "twenty-seven thousand two;" so as to make the clause read:

Bureau of Immigration: For Commissioner-General of Immigration, $4,000; [illegible] $2,000; [illegible] $2,000; [illegible] $1,800; [illegible] $1,200; [illegible] $1,000; [illegible] $900; [illegible] $720; [illegible] $660; [illegible] $660; [illegible] $660

will undoubtedly be in the course of time, probably next year; but the House in dealing with this subject undertook to keep the salaries of the force in Washington down, and we have attempted to do the same thing, feeling that we ought to check up a little in reference to increases in salaries. We have added a good many clerks in the service, where the testimony seemed to show that they were already needed, but we have made no increases in salaries. This item for his promotion really got into the bill. I may say he got it without my observation as to when it was done or how it was done.

When it was done I heard that almost every clerk around here said, "That is not fair unless you promote us." They are good young men, and some of them are advanced in years. It seemed to me that the only fair thing for the committee to do was to treat them all alike this year and refuse to increase their pay. I would have been very glad to do this, and I hope my good friend the Senator from Minnesota will appreciate the fact that the young man comes out of the cellar, out of messengers and takes his position as a $1,440 clerk, and undoubtedly he and others will be taken care of later on. I hope the Senator will withdraw his motion and allow us to pass the bill.

Mr. NELSON. I can not withdraw it. It is a matter of very great importance. The Secretary of the Senate, realizing the battle for work and the extra work this clerk has done, went before the committee and asked for this increase.

Mr. CULLOM. Certainly he did.

Mr. NELSON. It was not at my request.

Mr. CULLOM. There is no doubt of that.

Mr. NELSON. I want to do the Secretary of the Senate justice by saying that being informed of the extra and unusual amount of work, under circumstances that the Secretary could not help, which the young man was obliged to do, he felt that this clerk was entitled to this little increase. It is only $160 a year. Now, to merely change the name from "messenger" to "clerk" is no promotion.

Mr. CULLOM. The young man gets into a different class, and I know he will be very glad to have that much done for him, though he does not get the additional pay. If he was getting the ordinary pay of a messenger, of course in promoting him to a clerkship we would have been compelled to have given him an increase, in accordance with the ordinary pay of a clerk.

Mr. NELSON. Because the labor. I call the attention of the Senator from Illinois to the fact that he has not been doing the work of a messenger.

Mr. CULLOM. I know.

Mr. NELSON. He has been doing the work of a clerk.

Mr. CULLOM. That is true.

Mr. NELSON. A good deal of the time, on account of the sickness and incapacity of other clerks, he has had the work of three desks to do, and he has worked after the sessions have been over, late in the evenings, and to my knowledge has had to work several Sundays.

Mr. CULLOM. A good many work nights and Sundays.

Mr. NELSON. I submit, as a matter of fairness, that his case is not on a parity with the other cases to which the Senator from Illinois referred.

Mr. CULLOM. If it were absolutely so that he is a better clerk and doing more work than any other clerk, I would feel that he had more claim than he has now.

Mr. NELSON. I do not claim that he is a better clerk, but I say he has done more work in proportion.

Mr. CULLOM. Possibly so. But the clerks are good men; they work hard; they deserve promotion and deserve additional pay; and if we take this up we must run through the whole list before we can stop. I hope the Senator will withdraw his motion.

Mr. NELSON. I can not withdraw it, because I think it is an act of injustice.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Minnesota to reconsider the vote by which the Senate agreed to the amendment striking out "six hundred" and inserting "four hundred and forty." [Putting the question.] By the sound, the "ayes" seem to have it.

Mr. HALE. A division.

Mr. CULLOM. Let it go, Mr. President.

The PRESIDENT pro tempore. The "ayes" have it. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the Committee on Appropriations.

The amendment was agreed to.

Mr. BURROWS. Mr. President——

The PRESIDENT pro tempore. If there be no further amendments, the bill will be reported to the Senate as amended.

Mr. BURROWS. I will be very brief, if the Chair will not be impatient. On page 3, line 20, after the word "room," I move to strike out "one thousand eight hundred" and insert "two thousand," being an increase of salary of that officer in the document room to $2,000; and in line 21, after the word "thousand," I move to strike out the word "four" and insert "eight," so that it shall read "eight hundred," and to strike out the words "and forty," in line 22.

Mr. CULLOM. I make the point of order on the amendment of the Senator from Michigan.

The PRESIDENT pro tempore. What is the point of order which the Senator from Illinois makes?

Mr. CULLOM. That it is an increase.

Mr. PLATT of Connecticut. Without an estimate.

Mr. CULLOM. Without any estimate for it or anything else.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. BURROWS. Was the other amendment which we have just passed on estimated for?

Mr. CULLOM. I do not know whether it was or not, but I did not make the point of order on the amendment.

Mr. BURROWS. The point of order was not made on it?

Mr. NELSON. And it was reported from the Committee on Appropriations.

The PRESIDENT pro tempore. If there be no further amendment, the bill will be reported to the Senate as amended.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BUILDING FOR THE DEPARTMENT OF STATE, ETC.

Mr. FAIRBANKS. I wish to give notice that after the completion of the routine business to-morrow I will move that the Senate proceed to the consideration of the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor.

Mr. PENROSE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 26, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, *February 25, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12220, the naval appropriation bill, and the question is upon the amendment offered by the gentleman from Ohio [Mr. BURTON].

Mr. FOSS. Mr. Chairman, the gentleman from Louisiana desires to be heard.

Mr. MEYER of Louisiana. Mr. Chairman, concerning the clause for the construction of one armored battle ship contained in the pending bill making appropriations for the coming fiscal year, I wish to say at the outset that I am in favor of this provision. Naval strategists recognize ships of the line, i. e., the battle ship or the armored cruiser, as the unit of naval power. In the tonnage recently and now being built abroad the largest share is set aside for battle ships fully armed and armored. Armored cruisers come next in importance to the battle ships. Their qualities of speed, coal endurance, and means of coaling rapidly render them especially valuable to the commander of a fleet.

Mr. Chairman, in discussions of this bill much has been said about the platform of both political parties with especial reference to the Navy.

SUBJECT OF THE NAVY NOT FOR PARTISAN DISCUSSION.

I do not think the Navy a subject for partisan discussion. It is one that ought to lift a man above the rancor of a partisan. I should be very sorry to believe that the American people are willing to have the subject of the Navy considered in this way and the occasion of providing for the public defense converted into an opportunity for flings at any Member of this House of any party.

Mr. Chairman, in his speech on Tuesday last the gentleman from Ohio [Mr. BURTON] took occasion to read from the Democratic platform of 1900—the Kansas City platform—with a view to call the Democrats of this House to what he conceived to be their duty.

DEMOCRATIC PLATFORM.

That platform contained a clause under the caption of "Militarism opposed," which all Democrats, and I trust all Republicans, have ever approved. It represents the common sentiment of all true Americans and those who love human liberty and free institutions. But, sir, nothing contained therein applies to the argument against a strong, efficient navy commensurate with our needs as a great and growing power. I quote it here, that its declaration may be again impressed upon this House.

1900 PLATFORM—MILITARISM OPPOSED.

We oppose militarism. It means conquest abroad and intimidation and oppression at home. It means the subjugation of peoples who have learned to govern themselves. It means the destruction of the industrial and commercial prosperity of the people. It means the [illegible] of a standing army, a thing dangerous to the liberties of the people, and a vast navy, a thing costly and oppressive to the people. It means the [illegible] of a powerful standing army, a thing dangerous to the liberties of the people. It means the [illegible] of a powerful navy, a thing costly and oppressive to the people. It means the [illegible] for a military service and [illegible] service.

But, sir, the gentleman might well have read to you an extract from the Democratic platform of 1892, upon which the party went to the country and achieved one of the most glorious victories in its annals. It might almost seem a corollary to the other. With your permission I shall read it:

SEC. 10. The Democratic party is the only party that has ever given the country a [illegible] [illegible] *nity of the country abroad.*

Upon that platform, Mr. Chairman, the Democratic party has always stood and stands to-day. As I have on a former occasion stated, the new Navy owes its beginning almost entirely to the Democratic party.

THE NEW NAVY.

True, under the administration of Secretary of the Navy Mr. Chandler three wooden unarmored cruisers, to wit, the *Chicago*, *Boston*, and the *Atlanta*, and one dispatch boat, the *Dolphin*, were commenced, but under the inspiring touch of Mr. Whitney, a Democratic Secretary, the natural aspiration for a navy to be built on modern lines, with all the modern appliances of science, seemed to find an outcome and impression that gave the profoundest satisfaction to every patriot, regardless of party.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRANDEGEE. I ask unanimous consent that the gentleman's time may be extended ten minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Louisiana may continue his remarks for ten minutes. Is there [illegible] after a pause.] The Chair hears none.

Mr. MEYER of Louisiana. At the time Secretary Whitney entered upon his duties, as was well stated by the President in [illegible] the country did not possess a single vessel of war that could keep the sea against a first class vessel of any important power.

[illegible] in the United States that could turn out a [illegible] not one that could furnish the forgings for a modern gun larger than a [illegible] caliber.

No automobile torpedoes had ever been manufactured in this country, no modern rapid-fire guns, and not a grain of powder for a [illegible] gun.

Since that time both parties have united in the great work, and none have contributed to it more efficiently than Secretaries Whitney and Herbert.

In my service on the Naval Committee, I, together with my Democratic colleagues, have ever held this object of preparing the Navy for national defense above party, and sought beyond party to develop our strength to the highest degree commensurate with our greatness and security.

In fact, Mr. Chairman, the support of the Navy has been a favorite measure of the Democratic party from its earliest days, and the great statesmen of our party have handed down this policy as a cherished one. We all can recall the victories of the war of 1812. They were won by ships fashioned in American navy-yards, administered by Jefferson and Madison.

Such has been our traditional policy, and the aspiration of Whitney was only the logical outcome of his sound Democratic training.

ACTION OF MINORITY MEMBERS OF NAVAL COMMITTEE CONSIDERED.

Mr. Chairman, the distinguished gentleman from Ohio [Mr. BURTON] took occasion to censure the minority of the Committee on Naval Affairs because of omission to make a "minority report" consistent with his views as to the objectionable character of this bill. I have been a member of the Naval Committee, Mr. Chairman, for over twelve years, ever since my service in this House, and at no time has the minority, of whatever party, made a minority report, with but one exception. In the Fifty-sixth Congress there was a minority report made upon a single subject, one relating solely to armor plate.

We have never deemed it necessary to make a minority report. In that committee, Mr. Chairman, politics has but little play. Each member follows and votes his judgment as to what he deems for the best interest of the naval establishment and the country, and differences that may arise are rarely, if ever, on political lines. Some may want a large scheme of new construction in ships. Others may contend for more moderate ones. In the present instance I may say, for illustration, that my friend from Virginia [Mr. RIXEY], as well as my friend from Georgia [Mr. TATE], seemed disinclined to any important addition to our ships at this time.

Mr. RIXEY. Battle ships.

Mr. TATE. Not cruisers.

Mr. RIXEY. But not the small cruisers.

Mr. MEYER of Louisiana. My colleague on the committee, the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN], contended that we should have a large appropriation for torpedo boats, believing them to be more effective and more economical; whilst my friend from Missouri [Mr. VANDIVER], in his speech of Wednesday last, urged that the naval battles of the future will be fought below the water, and thus render surface boats useless.

I FAVORED THE ENTIRE PROGRAMME.

I mention these incidents to show the difference of opinion constantly occurring, with no occasion, however, for a minority report, reserving the right and privilege to express our views on the floor of the House, though they may diverge. Now, I would respectfully ask the gentleman from Ohio [Mr. BURTON], were he here, whether there has ever been a minority report made by the committee of which he is the distinguished chairman. In my service in this House I have never known of such a minority report.

IMPORTANCE OF RIVER AND HARBOR BILL.

I consider the appropriations and the provisions of the river and harbor bill, Mr. Chairman, as the most useful and most important of any appropriation bill in this House. I have always voted for them cheerfully, because I believe they are carefully considered and are needed to promote the commercial interests and every other interest of our great country. No other bill, for the amount appropriated, brings so great a return in benefits to the people.

I do not criticise the able chairman because his committee has never offered a minority report. It is a monument to his fairness and patience, but I certainly think he ought to extend the same consideration to his colleagues who serve on the Naval Affairs Committee. Mr. Chairman, I report that I approve in every respect the river and harbor bills which the gentleman has brought in this House, and yet we know also that no severer criticism has ever been uttered in this House at times than has been devoted to the great river and harbor appropriations. Then why should we incorporate in or attach this House to vote against the naval appropriation bill; to vote in a way which, if adopted, would paralyze the entire establishment for the next fiscal year?

Mr. Chairman, I can not but wonder that the gentleman, in his purpose to reduce governmental expenses—a purpose which I would not treat lightly, for I believe him actuated by the highest motives—did not, some weeks since, apply his efforts to the reduction of the army appropriation bill, which, if I remember rightly, carried some $[illegible]000. Without disparagement to our Army, it seems to me that there was a better field for curtailment. We can not improvise a navy, but to our present splendid nucleus of an army we can readily bring more than an adequate number of men and arms into service for any possible emergency. Here was an opportunity to strike a blow at militarism, imperialism, and greed of power!

Mr. PAYNE. Will the gentleman from Louisiana permit me to ask him a question?

Mr. MEYER of Louisiana. Certainly.

Mr. PAYNE. Do I understand the gentleman as complaining against the size of the river and harbor bill?

Mr. MEYER of Louisiana. Not by any means.

Mr. PAYNE. I did not suppose he would, but I was afraid he might get into that category. [Laughter.]

Mr. MEYER of Louisiana. No, sir; I am speaking of the army appropriation bill. I never complained of the size of the river and harbor bill. I think it has been moderate and always framed with fairness and judgment.

Mr. PAYNE. Except the gentleman might have thought it was too moderate when it approached New Orleans. [Laughter.]

Mr. MEYER of Louisiana. I have never thought it too large. I have always voted for it and supported it, and I take occasion to say now that we of New Orleans and the whole country owe the gentleman from Ohio gratitude for his fairness and ability. I can not even now assert that the army appropriation bill could have been reduced materially in view of the policy of "world powering"—a phrase, I believe, coined by our able minority leader, Mr. WILLIAMS—which compels us to be ever on the alert, and to be prepared for the contingencies thus involved.

THE BATTLE SHIP MOST IMPORTANT.

Mr. Chairman, to return to our battle ships, I would state that the board of which my friend [Mr. RIXEY] spoke yesterday at one time mentioned that the battle ship should be last in the further order of construction. I do not understand that it was intended to convey the idea that this type is the least important. I think, Mr. Chairman, that at the present juncture the battle ship is of the utmost importance. It is a fighting ship, and Admiral Dewey in his statement before our committee stated distinctly and unequivocally that the battle ship is the fighting ship, and of the first value. Protected cruisers, which seemed to have so much favor with the board of which my friend [Mr. RIXEY] spoke, he regarded obsolete vessels and would be of but little use in our Navy.

Mr. RIXEY. Will my friend allow me to ask a question?

The CHAIRMAN. Does the gentleman from Louisiana yield to the gentleman from Virginia?

Mr. MEYER of Louisiana. Certainly, with pleasure.

Mr. RIXEY. Is it not a fact that the Secretary of the Navy recommended the adoption of the report of the joint board which provided for three protected cruisers, one armored cruiser, and one battle ship, and did he not also state that their order of importance was in the order he stated?

Mr. MEYER of Louisiana. But the Secretary of the Navy also stated that in his recommendation he followed strictly the recommendation of the board to which we have referred; that he personally did not presume to state what was best, that he relied upon the board, as my colleague will remember, subsequently Admiral Dewey testified before the Committee on Naval Affairs; and with all due respect to the board of which we have spoken, and with all due respect to our distinguished Secretary, who certainly devotes close attention to his duties, I am inclined to rely upon the statement of Admiral Dewey, who has had practical experience with fighting ships, and who has served in the Navy for over forty years; who has examined every type of vessel, sailed them, fought them, and, in fact, seen them under all conditions.

Mr. RIXEY. Now, will my colleague allow one further suggestion? I would ask my friend if Admiral Dewey is not the president of the board which recommended the ships in the order in which I have stated them?

Mr. MEYER of Louisiana. Yes.

Mr. RIXEY. And after the committee had given him, as the minority on that board, a hearing, would it not have been a fair thing to have then called in the members of the board who constituted the majority who agreed on this report? It is a fact we did not hear them at all, is it not?

Mr. MEYER of Louisiana. The statement made by my colleague is correct, but he will remember also that Admiral Dewey stated that he was in a minority, but he still maintained his opinion.

Mr. RIXEY. Certainly.

Mr. MEYER of Louisiana. And, Mr. Chairman, I would say that we may safely rely upon the experience and the wisdom and patriotism of Admiral Dewey in relation to matters of this kind. The Admiral did say he was in the minority on that committee. So was the Admiral in the minority with reference to a great fight that was had some years ago, but the majority of the American people believe he was in the right.

WARS HAVE NOT CEASED TO EXIST.

Gentlemen may dream of peace, they may repose quietly and calmly in the beatific hope that the millennium has been reached and that all the people of the earth have beaten "their swords into plowshares and their spears into pruning hooks;" but there are many of them who are not convinced that wars on our continent and with other nations have ceased to exist.

At no time has there been more unrest, more disquiet, more class divisions, more readiness to employ brute force. The two nations now at war furnish an example. Fear of change possesses the monarchs and cabinets of the world; all Europe is an armed camp, momentarily fearing a convulsion, the end of which no man can tell. The sword is drawn, the guns all shotted. It is impossible not to see that the conflagration may become general.

In such an hour I hope we may be guiltless, but it is our duty not to be caught unprepared for the emergency if it shall come upon us.

If a general war should come we may be drawn into it, however pacific our policies and purposes.

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. MEYER of Louisiana. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Louisiana asks that his time be extended five minutes. Is there objection?

Mr. VANDIVER. Mr. Chairman, I, of course, do not want to object to the extension of time, but I want to give notice that I am anxious to get a vote on this proposition, and I shall object to any further extension.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

"DON'T GIVE UP THE SHIP."

Mr. MEYER of Louisiana. I thank the Chair and the committee. Mr. Chairman, the proposition for new construction in this bill is for one first-class battle ship, two armored cruisers, three scout cruisers, two submarine boats, and two torpedo boats. We ought to follow my own judgment and desires. I would urge upon my colleagues, and especially upon my colleagues on this side of the House, to vote for the entire scheme of construction. I believe, sir, that now is the time to build up our Navy. But, sir, yielding to perhaps the better judgment of many of my friends, I am quite willing to advise a somewhat more moderate programme, by waiting another year for the armored cruiser. We have a goodly number building, and no harm, I trust, will come from the delay; but the battle ship, Mr. Chairman, should not be neglected. We ought to have it, and I trust that all our friends on this side will realize the importance of their action and will vote to sustain the provision. I ask them to give it careful, patriotic consideration, and in the words of Lawrence, who in Boston Harbor [illegible] his purpose right as he fell, maintaining the honor of his country, "Don't give up the ship."

Mr. MUDD. Mr. Chairman, I have taken no part in this discussion thus far because I felt that there were others who could better do it, and for the additional reason that I have been without the details of information that I would like to have had, because of my inability to attend but very few sessions of the Committee on Naval Affairs while engaged in the consideration of this bill.

I feel, however, sir, that so much has been said and so much deference expressed as to the position upon this bill of a much more distinguished gentleman from Maryland than myself—that I, as a member of the Committee on Naval Affairs, [illegible] ought, at least, to rise here in my place and go on record as to my own views upon the subject-matter of the increase of our Navy, which I very cordially and earnestly favor.

An impression has been created, sir, or sought to be created in this debate, that the extraordinary increase of the programme in the make-up of this bill has been so great that we have overrun or go beyond the recommendations of the Secretary of the Navy in the programme we have presented to the House.

Such an impression, if created, is very far from being in accord with the facts.

I read from the statement of the Secretary of the Navy, made in the Committee on Naval Affairs, upon the increase of the Navy:

Secretary MOODY. I have been referring to the General Board of the Navy [illegible] Asked them to make a recommendation upon the theory [illegible] of new ships authorized by Congress that year, and he [illegible] in a preliminary way, that they do [illegible]

In other words, the Naval Board, or the "General Board," as it is termed, composed of men who have had experience in the handling of ships in war as well as in peace, a board constituted of experts in matters relating to the construction and needs of the Navy, recommended, at the request of the Secretary, two alternative propositions providing for ships, neither of which did they, nor does he, in my judgment, think sufficient.

To continue with what the Secretary said:

They have advised me, however, that if we are to have a programme equal in [illegible] [illegible] 2 submarine [illegible]

And the Secretary gives us to understand that the general board considered neither of those provisions as being sufficient.

Now, then, it will be seen that we have not only not recommended more than the Secretary sought to impress us with the need of, or more than the general board recommended in its lowest estimate; but as a matter of fact, if the calculations which I have hastily made are correct, we have limited the expenditure authorized herein to an amount slightly below that of the smallest

proposition, in point of cost, as recommended by the Navy Department.

We have, it is true, substituted a battle ship for the three protected cruisers, which we have stricken out of the bill, and for the very good reason that should appeal to those of us who want a navy of fighting capacity and who claim no technical, scientific knowledge as to its construction and its needs, and that reason was that Admiral Dewey, whose opinion we can all afford to respect, made the statement to us that protected cruisers were obsolete and of no practical use at this time and that the battle ships were the essential thing needed now, as constituting the fighting arm of the navy of the future.

It seems to me that we can well afford to adopt the scientific opinions and advice of men who have commanded and those who have been associated with them in the command of our ships in actual warfare upon the seas.

It has been said that this whole proposition for the increase of our Navy should be abandoned because of the asserted fact—and it is a fact—that our naval shipbuilding in the last five or six years has been larger in the aggregate than that of any other great nation.

Such, in substance, was the argument of the gentleman from Ohio [Mr. BURTON].

That statement, Mr. Chairman, is essentially true, but that fact ought to be considered alongside of the other pertinent fact, that when we commenced, five or six years ago, to provide this large programme of shipbuilding now in progress we had done practically nothing in the upbuilding of our Navy upon the modern and effective basis that we have now adopted.

It might with just as much propriety be argued that if there were two neighboring cities in our country, one of which had kept its streets, its sewerage system, and other public works in a high degree of improvement, and the other had entirely neglected these matters for a period of five or six years, but after that time had awakened to a sense of pride and begun to make an earnest effort to catch up with the other—you might just as well say that because one of these cities, owing to these conditions, had very much more work to do in a given time in order to reach a basis of comparison with its rival—had, in a recent period of years, accordingly expended more money in providing pavements, sewers, and other municipal improvements, therefore the other city should suspend its work forthwith and entirely and make no provision whatever for municipal progress.

The gentleman from Ohio further argues—and this is, in fact, a reproduction of his comparison of the aggregate work for the last few years—that the proportion of ships contracted for and authorized to those already constructed and finished is larger, in relation to the Navy of this country, than in that of any other nation, and for that reason his contention is that we might dispense with any programme for the coming year.

This statement, as a matter of fact, is true, and true for a reason similar to the other one; but the argument based upon it is fallacious, because, up to the time, I repeat, when we began a few years ago to provide for the complement of ships now under contract or authorized, we had practically made no progress in this direction at all.

The essential fact, however, to be borne in mind, Mr. Chairman, by all those who want to see an adequate navy for our country lies in this, that we are to-day only the fifth in rank in the tonnage of our Navy among the great nations that maintain effective navies.

Indeed, sir, I rather incline to the opinion that since Japan has added largely to the number of her ships by purchase, in order to carry on the conflict in which she is now engaged, we have probably dropped down to only the sixth in rank.

Just whoever it may be who can feel a pride in this comparative condition of the Navy of the United States I leave to gentlemen who are standing here in opposition to this programme of increase to point out for themselves.

If the construction of ships that we have heretofore provided for shall be completed in several years from now, we expect to be third in rank, only England and France surpassing us; but we shall not reach to that rank if we stop now in our work in this direction while the other nations that are ahead of us are going on and making continuous and tremendous progress. We shall fall behind farther even than now if Congress, upon the pretext of a spurious economy, should adopt the stand-still policy of building no ships at all.

There is another feature of this debate to which I want now to call attention.

I have never taken any part in partisan discussion since I have been in Congress, and I have no disposition to enter upon it now, but I do want to call attention to some remarks in the speech of the gentleman from Virginia [Mr. RIXEY], which speech has not yet been printed in the RECORD, but which I think I can remember substantially as delivered.

I want to give the House an idea of what, from the standpoint of the gentleman from Virginia and those who agree with him, must be the kind of navy that this country may expect to have if Democracy shall have its way in the building of it.

Now, the gentleman from Virginia, according to the custom and course of procedure in this House, is fairly entitled to the rank of leader of his side in regard to the pending naval bill, because the gentleman from Louisiana [Mr. MEYER] has, for the time being—on the question of battle ships, at least—joined this side. I do not know how long he will stay with us. I hope he will remain with us until the finish upon this measure.

Mr. RIXEY. My friend does me too much honor. I am only the third on the committee on this side of the House.

Mr. MUDD. That is right, but I am not prepared to accept the disclaimer which the modesty of the gentleman prompts him to make. If not the ranking member of his party upon the committee—the gentleman from Louisiana and the gentleman from Georgia [Mr. TATE] preceding him in the order named—as I understand, he has, nevertheless, taken the leading part among those whom he has designated as a "majority of the minority" of the committee in manifesting opposition to the essential features of our increases in this bill, both of ships and men.

The gentleman from Virginia, in his opening remarks upon this bill, undertook to quote, with approval, from a speech of a distinguished Marylander in the other wing of the Capitol, but for which fact I should not feel that it were quite the proper thing, perhaps, to refer to it; and there was just one thing, Mr. Chairman, that I liked about this, and that was that I liked to see Virginia acquiring a habit of following in the footsteps of Maryland.

My friend from Virginia spoke of this distinguished gentleman, the junior Senator from my State, as being a very prominent candidate for the Presidency of the United States, and unreservedly gave expression to his willingness to adopt the views of that distinguished gentleman upon the Navy for himself, and, as far as he was able to do so, as the position of the Democratic party in regard to the Navy.

The utterances of a prominent and in this case, it may be said, a probable candidate for President of the United States are entitled to great consideration in this country everywhere.

I assume, of course, that he is entirely sincere in the position which he has seen fit to adopt, and that he had adopted it—in the conspicuous attitude in which he stands before the public to-day—after mature and careful consideration and with deliberate, fixed purpose; and I want to say that if the distinction of the nomination for President should come to him from a party, though it may be across the line from that in which I stand as an humble member, as a citizen of Maryland I feel that I ought to accord to him, and to contribute my mite in having others accord to him, in all candor and fairness, and with as much of the spirit of altruism as I can summon to my aid in such a situation, in giving him full credit for the economy in public expenditure, particularly in reference to this subject-matter of an increase in the Navy, for which he now stands, and to which he is entitled.

And yet I do not believe that this gentleman would be willing to rest the reputation which he now enjoys upon any special record for rigid economy.

Now, what does this distinguished Senator and probable nominee of the Democratic party say as to what he thinks this country ought to have in the way of a navy?

He says, as all others have said who have spoken upon this question, as my friend from Virginia has said, that he was in favor of an adequate and sufficient navy—a navy adequate and sufficient for the protection of all the interests of our country everywhere.

That, however, is a truism upon which we all can stand. We all favor an adequate and sufficient navy, but we decide upon its adequacy and sufficiency from our different and divergent standpoints.

I quote now from the extracts that the gentleman from Virginia has already quoted and placed in this debate from the speech of the distinguished gentleman from Maryland. I read as follows:

The Navy is getting too heavy. There are too many men, too many officers, too many guns afloat. We have more than enough to protect us and guard all our interests upon every sea upon the face of the globe.

Now, "guns afloat," I take it, no one will dispute, are guns on ships; and if there are too many guns afloat there are too many ships afloat.

Mr. WILLIAMS of Mississippi. From whom is the gentleman quoting?

Mr. BARTLETT. He is quoting Senator GORMAN'S speech in the Senate.

Mr. MUDD. I am quoting, as the gentleman from Georgia [Mr. BARTLETT] has stated, from a speech made by a distinguished gentleman from my State, which has already been quoted

here, and, I repeat, I would not make any quotation from it unless it had already been brought into this debate by one of his personal friends.

This gentleman, however, occupies a higher sphere than that which he holds in the Senate, big, broad, and great—unreservedly, it may be said—as has been his record there.

I repeat, he is a probable Democratic candidate for the Presidency. It is in that character that I comment upon his utterances, and I want to say that if the calamity of the election of a Democratic President should come to us, I believe I should prefer to have it served up to me in the form of the Democratic Senator from my State than in any other shape.

If, as he says there are already "too many men, too many sailors, too many ships afloat;" if now, as he further says, we have "more than enough to protect us and guard all our interests upon every sea, upon the face of the globe," why, then, we want no more navy; we have too much already, and we must content ourselves with the occupancy of the inferior rank in which we stand to-day; and when the gentleman who seems to have been assigned the task of leading the minority, or, as he has phrased it, the "mouthpiece of the minority," upon this floor upon this all-important question takes the same ground occupied by the gentleman who acts as acty leads the minority on the floor of the other body, and who may be called upon to lead his party, as my friend from Virginia hopes, to what prospect there may be of Democratic success in the election of this autumn. I want the Members of this House to consider what sort of navy we would be likely to get at the hands of a party whose greatest leader predicates his position upon the assumption and assertion of fact—honestly made, I am sure—that our Navy is already "top-heavy" and too large.

Mr. Chairman, I take the position of another gentleman from Virginia, who spoke in different strain here yesterday. I think that if there is any criticism to be passed upon the present policy in respect to the Navy it is that it is not large enough. It is true that the great maritime nations of the world have preceded us in the last quadrennial as of their respective legislative bodies of which we have any accurate information.

England and Russia are building more ships to-day than we are, and Germany is building about the same number. I have no particular information as to what France is doing.

But, sir, there can be no reason why an analogy should be drawn for our guidance from what Russia, France, and Germany are doing in the way of building a navy—certainly no sort of reason worthy of a moment's consideration in the example of Germany and France.

There is no force in the argument, no patriotism, in my judgment, in the desire that we should content ourselves with a smaller navy than those maintained by countries that are away below us in territory, in population, and in interests that are to be conserved by that arm of the military service.

Gentlemen need not lecture us upon our duty, with comparisons as to what France and Germany are doing in respect to their navies.

In contrast with either of these we have vastly more people, infinitely more territory, and marvelously more general prosperity which prosperity has lately come to us, in my judgment, from the added prestige of our country, built up by the splendid achievements of our Navy in recent times.

Our Navy should grow at a pace that is commensurate with the growth of the interests that we have to protect. There should be no halting or half way or half-hearted policy about it.

If we would maintain a navy at all, we ought to maintain an effective one. We ought to build up and maintain such a navy as shall not only be first in rank or third in rank, but shall be at all times ready and at all times able, if occasion should arise for it, in excellence and fighting capacity of ships and guns and men behind them, to meet and successfully cope with the naval power of any nation on the face of the globe. [Applause on the Republican side.]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I have listened with a great deal of interest to the various speeches that have been made on the other side upon this question of the Navy, and the distinguished gentleman from Ohio [Mr. BURKETT] to-day made a battle ship. I presume many of you have discovered, as I have, that when they have undertaken to answer the gentleman's argument they have absolutely evaded the statements that he has made. They have now and then commented upon his speech as what they refer to as the Republican policy, but they have failed to shake in the least any statement of fact or any possible inference that the gentleman from Ohio [Mr. BURKETT] has announced. His colleague from Ohio [Mr. GROSVENOR] read a Republican State platform. Another gentleman on that side has questioned his fidelity to the Republican party, because, forsooth, he thinks that the necessities of this Government do not require the rapid and extravagant rate at which we are now building up the Navy. But they have appealed to the partisanship of Members on that side, instead of using the facts and appealing to the judgment of the members of the Republican party. And yet everyone who speaks says boldly that it is not a party question; that there is no politics in it; and in truth it is not a party question. I challenge any man who speaks for the Republican party to show me a sentence or a line in the last Republican platform that you can truthfully say requires us to pass the present policy of this party.

The last national Republican platform did not contain any expression in it which would justify this as a matter of proclaimed Republican policy. On the contrary, the Republican House, by its conduct since the last national Republican platform was adopted, in the last Congress put a construction upon that platform in harmony with my statement about it. How did you make that the construction? You assembled in Congress in December after that platform was formulated, after you had elected a President upon that platform, and you failed during that session did not authorize the construction of a single war ship.

If you can now appeal to your Republican platform in justification for this bill, how can you excuse your conduct then in not authorizing any ships?

No, Mr. Chairman, the truth of this matter is, in my judgment, that you think—and the intelligent people of this country share your belief—that now the Democratic party are wild upon this question, and now you can succeed in getting great battle ships in large numbers through Congress, and the fear that hereafter you may not be able to get so many great ships when the people are a little further removed from the Spanish war. You are going to defer the construction of battle ships for two years, and the effect of the bills that you have passed here, and that good judgment requires us to have, thus ignoring an economical and effective defense—in order that you may concentrate the construction upon the battle ships of the Navy. We have no authority for this statement. No longer than this morning a gentleman who has been in close touch with the Administration—I refer to Admiral Bowles—has given it as his opinion that that is one reason that is actuating Congress now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. I would like to have permission to extend my remarks. We on this side of the proposition have had very little debate.

The CHAIRMAN. The gentleman asks an extension—for how long?

Mr. WILLIAM W. KITCHIN. Ten minutes.

The CHAIRMAN. For ten minutes. Is there objection?

Mr. FOSS. I would like to see if we can not limit debate on this proposition to half an hour, and come to a vote in half an hour, and that the time be equally divided.

Mr. WILLIAM W. KITCHIN. This is a very important proposition—the most important in the bill. I think the country, and I think the membership of this House, would like to have a full debate. As long as anybody on either side of the House can throw any light upon the subject it seems to me that the country ought to have it. We do not have these debates often. It is a nonpartisan question, and let us have a full debate upon it.

Mr. VANDIVER. I desire to suggest to my friend from North Carolina that another opportunity will be offered for debate on this proposition when a motion is made, which, I understand, will be made at the close of debate.

Mr. WILLIAM W. KITCHIN. There will be no debate on that motion.

Mr. VANDIVER. I hope the request of the chairman of the committee will be granted—coming to a vote on this proposition in thirty minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina that his time be extended for ten minutes?

Mr. VANDIVER. I object to ten minutes.

Mr. WILLIAM W. KITCHIN. Make it five, then.

The CHAIRMAN. The gentleman asks that his time be extended five minutes. Is there objection?

Mr. FOSS. I will ask that the general debate at half past 1 and come to a vote upon the proposition, and that the time between now and then be equally divided between the two sides. I ask unanimous consent for that.

Mr. WILLIAM W. KITCHIN. Mr. Chairman——

The CHAIRMAN. The Chair will state that the debate is now proceeding upon a pro forma amendment to strike out the last two words. The request of the gentleman from Illinois is for unanimous consent that all debate on the paragraph and amendment be closed at half past 1.

Mr. WILLIAM W. KITCHIN. I hope that request will not be put now. While I have not gone over it, I think the time occupied by gentlemen against this position has been twice as much as those in favor of it.

Mr. FOSS. I think it is very equally divided.

Mr. WILLIAM W. KITCHIN. The gentleman from Ohio

[Mr. GROSVENOR] had twenty minutes, the gentleman from Pennsylvania [Mr. BUTLER] had his time extended, and the gentleman from Maryland [Mr. MUDD] the morning has had three minutes. I can not remember them all now; but you have had twice as much time, in my opinion, as we have had. So I hope you will not insist on your request being put.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina to extend his remarks for five minutes? [After a pause.] The Chair hears none.

Mr. MUDD. Mr. Chairman, may I interrupt the gentleman for a question?

Mr. WILLIAM W. KITCHIN. For information; what is it?

Mr. MUDD. I would like to ask if Admiral Bowles, to whom the gentleman referred, is not now disconnected from the Navy and the president of a shipbuilding company which has a contract for building ships?

Mr. WILLIAM W. KITCHIN. Yes; I stated that he had been connected with the Navy. I do not know his position now.

Mr. MUDD. And that his company has a contract for building ships?

Mr. WILLIAM W. KITCHIN. I do not know. Now, Mr. Chairman, who do we need a navy for? Do we need it for the Navy? Do we need it for what purpose? I thought the gentleman from Virginia [Mr. MANN] asked the question, and I thought I heard the gentleman say, in referring to the Monroe doctrine, that we must have a great navy. We do not ask the American people to demand this immense navy. Is it to take Santo Domingo? Is it to take any of the Central American republics? Is it to take any country on the American continent? If you suspect such purpose we will not need a larger navy than we now have. Is it to meddle in China? We had influence there before the Navy, was as large as it is now. Do we intend to compete with the navies of the European powers? There is no necessity for that and no probability of it. No; we have no great interest before us to require us to constantly increase this Navy at this extravagant rate. I would retain in this bill one of these large ships, and I would build smaller craft, but I do not believe there is any necessity for this increase, carrying an increased expense to the people of $[illegible].

What do you fear? Do you fear England? Why, the grain fields of the West are a guaranty that England will not fight us. We have Canada as a hostage for England's peace.

Are you afraid of Germany? You are not afraid of Germany.

Are you afraid of France? You are not afraid of France.

Where is the gentleman who will rise in his place here and designate the country or power on earth that we fear? Are you afraid of your President? Ah, your fears may be well founded; but let me tell you, we trust he will not be President long; that his conduct will not long be a menace to the peace of the American people. Before you can complete the ships now authorized I trust you will have no further grounds for that fear.

So, if your just fears do not warrant it, if the necessities do not justify it, what other reason is there for it? Is there a demand of the people for it? I deny that there is any demand in the country for this enormous increase.

The gentleman from Virginia yesterday told us that there is a demand among his people. There may be local conditions which would justify him in thinking it. He has the Norfolk Navy-Yard in his district and the Newport News shipbuilding yard that is now building six of the great ships of the country. With thousands of voters there whose families are dependent upon the building of ships I can imagine how appeals to him may seem to justify him in thinking the entire country is that way. But I deny, as a general proposition, that the people demand such increase. There may be a few localities demanding it.

Are you going to increase the Navy for the benefit of the shipbuilders? Then let me remind you that now we have uncompleted in their yards thirty-five ships of the Government. We have to-day eleven great battle ships; we have eight great armored cruisers and six protected cruisers, besides many smaller ships being constructed in private yards. Will not that satisfy the private yards? Do you owe them anything further? I deny that you ought to go further merely in their behalf. Is it patriotism that requires it? Let me remind you, Mr. Chairman, that the greatest patriotism you can show is to preserve national safety in an economical, honest, and honorable way. The people do not demand extravagance. Ten years ago we had a naval bill of $[illegible]; we were not afraid of Germany or any other country; yet we have $[illegible] in this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. I only want two minutes more.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to continue for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. WILLIAM W. KITCHIN. Now, when you answer the gentleman from Ohio, when you can not successfully appeal to the fears of the country or to the economic interests of the country or to the wishes of the masses of the country, you fall back upon the Monroe doctrine and declare that is in danger.

But it is proclaimed that the Monroe doctrine is no stronger than the Navy. That is not true. If the Monroe doctrine is right, and I believe it is, it is as strong as mankind's respect for human rights—it is as strong as conscience. Before we had our present Navy the Monroe doctrine was strong enough, when President Cleveland sent his Venezuelan message to Congress, to make Europe in its proclamation. We should want no navy to enforce a wrong, and, if this doctrine is right, as we proclaim it to be, we have found by experience that an immense navy is not required for its maintenance. Some of you think that your party platform demands it. It does not. Some think the people demand it. They do not.

It seems to me if you look at this question calmly and without bias, in the interest and safety of the American people, in the interest of the Treasury of the American people and the great masses who have to pay the taxes, you will not further be stampeded into the support, in time of peace, of such an immense appropriation. [Applause.]

Mr. McNARY. Mr. Chairman, I had not intended at this time to make any remarks on this subject, but later on to offer an amendment striking out a certain paragraph of this bill and to provide for the building of two torpedo-boat destroyers, but I am constrained by the remarks of the gentleman on my right to say that he has stated the fact when he said that the Democratic party in any number of years has opposed the upbuilding of the American Navy. I for one, as a Democrat, would like to have any man here, whether it be the gentleman from Ohio or any other, either upon the Republican or upon the Democratic side, point out where the Democratic party has been opposed to it.

I want to call the attention of this House to the fact that under the last two Democratic Secretaries of the Navy the most of our ships were built. Every boat that distinguished herself in the war with Spain was built either under Secretary Whitney or Secretary Herbert. I am not opposed to this bill as a whole. It seems me that the men on the Republican side who want to point out the evils of great appropriations might have reasonably opposed the army bill. If there was ever any objection on the part of the people of the United States to militarism, it was directed to the Army and never to the Navy.

The Navy has always been essential to the well-being of our national life and our national future. In the time of the Revolution it was the command of the sea by the French fleets that brought about the victory of Yorktown and the triumph of American arms. In the war of 1812 we were defeated on the northern border, and the Capitol was burned by British forces, but it was naval victories that saved the country, and these, the most glorious years of our naval history, were under a Democratic Administration. In the civil war the North could never have been successful had it not been for our Navy, which blockaded the southern ports and prevented the imports of arms and ammunition and the exports of southern products. In the Spanish war the same was true; it was our naval victories on the sea at Santiago and Manila that brought about our success.

The objection to this bill does not be in the great appropriation. It lies in the character of the bill itself, in providing for the building up of the Navy in quarters where it does not need it and neglecting certain essential parts which should be properly provided for in order to round out and complete our equipment. We have provided for a battle ship when we do not need it, when the United States as respecting battle ships is at the present time fourth in rank among the nations. We have provided for three cruisers when we can buy them in the open market and do not need to provide for the building of them at all; but in the essential matter of torpedo boats and torpedo-boat destroyers it has been the fashion of our naval constructors and of the Naval Committee to neglect those craft for years.

I believe that the American Naval Department has thought in the past that torpedo boats and torpedo-boat destroyers were not essential, that they were not good instruments of warfare. But the experience of the Chileans in their war, of the Japanese in the war with China, and of the Japanese in their war with Russia has proven to the contrary. What this bill should contain is a provision for ten or more torpedo boats and torpedo-boat destroyers and for less battle ships and scout cruisers. Then it would meet the approbation, I think, of practically every man in this House and in the country.

For one, I shall vote against this provision for the battle ship. And if it is stricken out I shall move to substitute in place thereof an amendment providing for ten torpedo-boat destroyers costing $[illegible], as against the $[illegible] to be expended for the battle ship. The American Navy will not suffer. On the contrary, it is what should be done, because the very statistics prepared by the committee itself show that as regards torpedo boats and torpedo-

boat destroyers we are the last of all the nations on the list, and as regards battle ships we are number four, and there are eleven battle ships now being built, with two more authorized, but not contracted for. We need no more at present.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McNARY. Mr. Chairman, I should like to ask for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks for five minutes. Is there objection?

Mr. VANDIVER. Mr. Chairman, withholding for a moment the objection, I would like to ask if we can not reach an agreement as to the time for voting on this proposition. I renew my request of the chairman of the committee. If that can be done then I shall have no objection to the extension of time.

Mr. FOSS. Mr. Chairman, I would ask unanimous consent that we close debate on this paragraph in half an hour.

Mr. FITZGERALD. Mr. Chairman, will that exclude debate on other amendments to be offered?

Mr. FOSS. I can not hear the gentleman.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the debate on this paragraph and all amendments conclude in thirty minutes.

Mr. WILLIAM W. KITCHIN. How is the time to be controlled?

Mr. FOSS. I would say to the gentleman that I would like to close the debate with the last ten minutes myself, and the gentleman from Massachusetts [Mr. GILLETT] would like five minutes.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I presume that probably the gentleman from Ohio [Mr. BURTON] ought to control the balance of the time left in favor of the motion, except so much thereof as is granted to the gentleman who now has the floor.

Mr. FITZGERALD. Mr. Chairman, I desire to say to the gentleman that his request will shut out debate on amendments that might be offered to this paragraph, and I suggest that he ask unanimous consent that there be thirty minutes' debate on the motion of the gentleman from Ohio.

Mr. FOSS. Well, that is the only paragraph that I refer to. I mean the battle ship proposition in the bill.

The CHAIRMAN. Is there objection?

Mr. BENNY. Mr. Chairman, I object. I think this matter is of so much importance that it ought to receive all the debate that this House can use to give.

The CHAIRMAN. Objection is heard. Is there objection to the request of the gentleman from Massachusetts [Mr. McNARY] that his remarks may be extended for five minutes?

Mr. VANDIVER. Mr. Chairman, I object.

The CHAIRMAN. Objection is made.

Mr. GILLETT of Massachusetts rose.

Mr. McNARY. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. That motion is not in order at this time.

Mr. McNARY. Then the last four words.

The CHAIRMAN. The motion is already pending to strike out the last four words.

Mr. McNARY. Then I will move to strike out the last six words. [Laughter.]

The CHAIRMAN. Does the gentleman from Massachusetts [Mr. GILLETT] desire to be heard upon the amendment which was already pending before his colleague makes this motion?

Mr. GILLETT of Massachusetts. Mr. Chairman, I do not wish to interfere with my colleague.

The CHAIRMAN. The gentleman from Massachusetts [Mr. McNARY] moves to strike out the last word.

Mr. McNARY. Mr. Chairman, I did not desire at this particular time more than a chance to finish my sentence, because I propose to move a little later on an amendment providing for the building of torpedo-boat destroyers. I had practically said everything I wanted to say as regards the battle ships; but I must express my thanks to the gentleman on my right for his remarkable courtesy in refusing to allow me a few minutes more, especially when you consider the fact that I have occupied none of the time of the House during the entire session up to the present moment, while the gentleman has managed to inject himself into a number of debates.

I have stated that I shall vote against the battle-ship proposition, hoping that if that provision should be stricken out we may have an opportunity to insert a provision for torpedo-boat destroyers. This will save over three millions and a half of dollars to the United States Treasury; it will increase the efficiency of the Navy; it will give us an opportunity to round out our naval establishment in the proper direction, and it will benefit the whole morale of the service in a way I will speak of.

We all know that these torpedo-boat destroyers are uncomfortable vessels to serve in, but they give an opportunity for independent command by the younger officers of the Navy—an opportunity to become acquainted with our coasts and inlets, a knowledge which is extremely valuable and in a matter of independent command something which is absolutely necessary for the proper development of the best qualities of an officer.

This morning I asked former Admiral Bowles (who appeared before the Committee on Claims, of which I am a member) why it was that our Navy Department insisted on the building of battle ships, and had not paid more attention to the torpedo boats and destroyers.

I received from him the reply that the reason was that while Congress is willing to grant great appropriations for the building of battle ships, the Navy Department will continue to ask for them; that there was not any real objection to torpedo boats or torpedo-boat destroyers as compared with the heavier and more important vessels which are costing much larger sums; but the sense of his answer was that the torpedo boat ought to be built and placed in the Navy at the present time, but as the battle ships cost much more they would get them as long as possible and then turn to the torpedo boats, which cost less, and would therefore be easier to get.

Mr. GILLETT of Massachusetts obtained the floor.

Mr. FOSS. I desire to renew my motion that debate on the pending paragraph and all amendments thereto be closed in thirty minutes.

The CHAIRMAN. The Chair has recognized the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT of Massachusetts. I yield a moment for the motion of the gentleman from Illinois.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSS] moves that all debate on the pending paragraph and all amendments thereto be closed in thirty minutes.

The motion was agreed to.

Mr. GILLETT of Massachusetts. I agree with the statement made by the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] that this is not a partisan question. I think it is preposterous to say that any man is violating Republican doctrine or Democratic doctrine by advocating or opposing any fixed number of battle ships. I sympathize very heartily with the proposition laid down by the gentleman from Ohio [Mr. BURTON] that this is a nation of peace, not of war, and that all our efforts should be to stimulate, by effort and by example, the arts of peace. I thoroughly agree with his principles, but I differ from his conclusions. It seems to me that while [illegible] we should be fair and just to [illegible] and every other good man will admit that we must have a navy. No one denies that we must have a powerful, vigorous navy, sufficient to defend us against any probable attack. And it seems to me the question, and the only question, is one of detail: Is our present force too large, or is it too small?

I honor the gentleman from Ohio [Mr. BURTON] for making his proposition, because I think the tendency of the time, stimulated as we are by our recent naval successes and by the atmosphere of war in the world, is to go too far. The pendulum has for some years been swinging toward a larger navy; [illegible] strongly on that side; and under the [illegible] there is the danger that we will not stop in time, and I think the gentleman from Ohio has rendered a courageous and a valuable service which will bear good fruit in the future. But I do not think this bill does go too far, although I am glad the note of warning has been sounded. It seems to me the present condition of war between Japan and Russia is the strongest illustration and argument against this amendment.

The gentleman says: "The United States is a great peace power with unlimited resources; let us rely on them." In Europe, the counterpart of the United States is Russia, enormous in extent and enormous in resources of men and minerals and agriculture—in every natural source of wealth. Yet what do we see to-day? We see that enormous power [illegible], possessed by a power not a quarter of its size in population, not a twentieth of its size in power and in territory and resource. And why? Is not the one and clear and indisputable reason because the power of Russia on the sea is not commensurate with her power on the land? [Applause.] Is not the only reason because Russia has not proportionately developed her navy, and Japan, in this small, comparatively insignificant power, with a highly developed navy, has attacked her and humiliated her and brought her to a most trying condition, where the world thinks the chances are perhaps even between these disproportionate antagonists?

Mr. RIXEY. I should like to interrupt the gentleman.

Mr. GILLETT of Massachusetts. No; I have but two minutes more.

The CHAIRMAN. The gentleman declines to yield.

Mr. GILLETT of Massachusetts. That, it seems to me, Mr. Chairman, is a strong and conclusive argument that we can not safely rely on our vast natural resources. It shows that a nation must depend on her navy for defense. And to-day what would

Russia give if she could retrace her policy, if she could have had a naval administration for the last ten years that had been bringing in bills for battle ships and cruisers?

What could she not afford to give? Must she not to-day regret bitterly the fact that, because of neglect of her navy, she is lying at the feet of Japan—a nation which never would have dared even attack her if her force on the sea had been at all commensurate with her force on land? It would have been economy for Russia to have lavished millions on her navy, for this war would never have been heard of if Japan's naval superiority had not been wholly disproportionate to her other resources.

Why, it is said, that it invites an attack to have a strong navy. Is that the reason Japan attacked Russia? Was it because Russia had a strong navy? Was not the only reason Japan ever dared to commence this war because she knew that in naval power Russia was comparatively weak and she was strong? By development [illegible] in some proportion to her strength [illegible] Russia would have saved herself not only vexation and humiliation, but she would have saved herself a war, which [illegible] if she had in time of peace prepared adequately for war upon the sea. [Applause on the Republican side.]

[Here the hammer fell.]

Mr. FITZGERALD, Mr. SOUTHARD, and Mr. BRANDEGEE rose.

The CHAIRMAN. The gentleman from Connecticut [Mr. BRANDEGEE], a member of the committee, is recognized.

Mr. BRANDEGEE. Mr. Chairman, the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] complains that what he [illegible] or accusation of the gentleman from Ohio [Mr. BURTON] has not been met, but has been avoided. Well, Mr. Chairman, nobody is attempting to avoid the statement of the gentleman from Ohio that when the present naval programme of the United States is completed the United States will be the third naval power in the world. Nobody wants to avoid that statement [illegible] ought to be proud of it.

The gentleman from North Carolina further says that the American people will not be stampeded into favoring this bill or [illegible] provided for in this bill. Nobody is attempting to stampede the American people. This programme is no [illegible] Naval Committee, and when it is adopted, as it will be adopted, it will be in the even pursuance of a policy long ago begun and consistently and uniformly advocated and put [illegible] by every Administration [illegible] has seen for the last twenty years.

[illegible] country has made up its mind to have a navy commensurate with the amount of its property, its importance, and its great commercial interests. There is hardly a dissenting voice, outside of this Chamber, to the programme outlined by this Naval Committee.

I desire to read a short extract from the New York Mail and Express of February 12, 1904, commenting upon the statement of the chairman of the Naval Committee [Mr. FOSS] in the report:

[illegible]

[illegible] number of cruisers in view of the [illegible] we would be left behind [illegible] of the [illegible]

[illegible] American people will not introduce the policy of sacrificing the [illegible] "let the American" policy advocated by the Democratic party and expressed clearly the views of those who [illegible] the United States maintain the position she has won in the past [illegible]

[illegible] battle ship is to cost $[illegible] the [illegible] cruisers $[illegible] and the others [illegible] It showed [illegible] as any congressman [illegible] and as staid an American [illegible] patriotism and comprehension of the nation's responsibilities [illegible] to it.

And the Philadelphia Inquirer of February 14, 1904, says:

Secretary Moody took the opportunity to urge the construction of a great navy [illegible] the importance of keeping abreast with the times, and [illegible] a valuable lesson. His audience agreed with him, and it will be interesting to see the names of the Members of Congress, in both Senate and House, who shall follow Senator GORMAN in his openly avowed hostility to larger naval construction.

The navy bill which has been reported from committee follows the general plan [illegible] recommendation. One powerful battle ship of 16,000 tons, two armored cruisers of 14,500 tons, three scout cruisers, and two colliers capable of accompanying a fleet are recommended. We wish a second battle-ship might have been included, but our growing Navy will be materially strengthened by these additions.

Great attention is being given the construction of vessels in these days. We learned much from the Spanish war. Japan has astonished many in Europe. She has a homogeneous fleet capable of [illegible] a unit in force. The speed of latest Japanese vessels equal to that of the newest vessels. We are thinking [illegible] speed, and another war should it ever come, ought to find us in the possession of a navy that could be depended upon for speedy service.

The naval bill carries appropriations for naval stations in Cuba and the Philippines. Two naval stations can not be attached to these stations. We have got to protect the Panama Canal and the Monroe doctrine as well, and coaling stations and repair shops are absolutely essential. [illegible] in the Philippines as it is necessary to establish such a place as would be required in every coaling port. The Cuban situation is not one that can be settled in a day nor a year, nor in many a year to come. With our growing interest in Eastern Asia, to be prepared for anything is but a matter of prudence. A navigable and more powerful if it is intended for self-defense to those [illegible] and the more power it has the greater are the chances for preserving peace.

[illegible] of the Navy ought not to be a partisan matter. Our ships began to grow in the administration when WHITNEY was at the head of the Navy Department. It was in pursuance of a policy which [illegible] born, but such progress has been continuous. It now remains for Senator GORMAN, the leader of the Democrats in the Senate of the United States, to take the position that the Navy is top-heavy, and that there are too many officers and too few ships.

We can not believe that he can have many followers for such a dangerous policy. [illegible] both on the canal and on the Navy's development, has cost him much of his prestige. He seemed promised to be a candidate for the Democratic nomination for President. Probably he has ruined his chances, but in no event the great thinking public would never place such a man in the White House.

The Washington Star of February 12, 1904, says:

The House Committee on Naval Affairs, in reporting the annual bill for support of the Navy, says:

[illegible] sentiment aright, it is in favor of the continuance of the policy of building up our Navy. If we stopped now, we would be left behind [illegible] of the world.

[illegible] the policy of sacrificing the American [illegible] the [illegible] defense, the [illegible] of American citizens everywhere. The American people are not willing to lessen their influence in the world [illegible]

[illegible] Congress is not called upon to choose between [illegible] the Navy and appropriations for the Army. The two are [illegible] and [illegible] that [illegible] Congress [illegible] as well as on the Navy.

[illegible] can afford to shut his eyes. A [illegible] Secretary of the Navy [illegible] "Nature of the [illegible] and [illegible] and [illegible] and

sachusetts [Mr. GILLETT], in discussing the motion of the gentleman from Ohio [Mr. BURTON], referred to the fact that the sea force of Russia was not at all commensurate with her land force. He compared Russia to the United States in certain respects—that its territory, its people, and its natural resources were relatively equal to those of the United States. He asserted that if Russia had had the opportunity she would have built up a navy that would have been able to cope with the navy of Japan.

The gentleman evidently has not even looked at the figures submitted by the Committee on Naval Affairs in its report. Before the war broke out between Japan and Russia, the naval force of Russia was about double that of Japan in tonnage. Russia had 17 battleships, with a total tonnage of 201,129; Japan had 6 battleships of 84,800 tons. Russia's total naval force consisted of 59 war vessels of 416,158 tons, while Japan consisted of 44 war vessels of 245,860 tons.

The reports of the press associations were to the effect that before the attack at Port Arthur by the Japanese fleet the power of the fleets of the two countries at the scene of warfare was practically equal.

Mr. GILLETT of Massachusetts. Is Japan anything like equal to Russia in all other resources?

Mr. FITZGERALD. It was not even equal in naval force, but it is not even tonnage or mere numbers that count in naval battles and naval strength. It is the efficiency of men and equipment of vessels. This is evident, because the history of this country shows that in all naval engagements those who man the American war fleets have been of much higher efficiency than those that man the fleets of any other nation. The only nation whose crews can compare at all in efficiency with those of the United States are those of Great Britain.

The pending motion is that made by the gentleman from Ohio [Mr. BURTON], to strike out the provision for the first-class battle ship at this time. Gentlemen on that side have stated that this is not a party question; it is simply a matter of opinion whether the United States has now, and under construction sufficient first-class battle ships; and yet they have read the gentleman from Ohio out of the Republican party in practically every speech made upon that side.

I am of the opinion that at this time the United States has sufficient vessels which are regarded as first-class battle ships, and that this is the time to consider, when our naval budget has reached the $100,000,000 mark annually, what will be the effect of submarine and torpedo boats in future naval warfare. There seems to be a fear that this country will be launched into war; and yet with the exception of the recent fisticuff affair that this country had with the Spanish nation, we have not been in a foreign war since the Mexican war, and that was not a war that required a naval force.

It will not do to rest simply upon the assertion that it is necessary for us to have a great navy. Those who are advocating the programme in this naval bill should make some definite statement as to the ultimate force that it is believed in all reason the United States should have.

Nobody, so far as I know, desires to dispense with the Navy or to cripple the Navy; but there are those who are honestly of the opinion that the United States has reached that stage in its construction that it can afford to stop for some years and consider whether it is the part of wisdom to continue to add to the first-class battle ships and armored cruisers.

Mr. FOSS. Mr. Chairman, I desire to ask unanimous consent that I may have the balance of the time to close debate. I have tried to be liberal toward the committee, and have not spoken upon the point of order at all.

The CHAIRMAN. The Chair states that under the rule of the House the Chair is not permitted to allow more than five minutes. A motion prevailed in the committee providing for thirty minutes in which the debate shall be closed, of which fifteen minutes has been used, and the gentleman from Illinois now asks unanimous consent to consume the remaining fifteen minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. FOSS. Mr. Chairman, I desire to reply to the gentleman from Ohio in reference to a matter which he called to the attention of the committee relative to our present condition of battle ships. It is true to-day that we have thirteen battle ships under construction; but it is also true that our construction of battle ships to-day is very much congested, due in a great measure to the labor strikes which have been going on throughout the country. Take, for instance, the battle ship *Ohio*, named after the gentleman's own State. We authorized the construction of that battle ship on the 1st of May, 1898.

The date for the completion of its construction was June 5, 1901. The degree of completion to-day is 84.5. It is at the present time thirty-seven months behind the contract. That is due to the fact that that ship to-day is in process of construction in the Union Iron Works, San Francisco, where there have been labor troubles; and that great shipyard has been practically closed up, and the employers have been obliged to get in new men and practically train new machinists and new engineers to carry on the construction of this battle ship. What is true of the battle ship *Ohio* is true also of other battle ships.

Now, the total displacement of all battle ships under construction to-day is 192,000 tons, but if the contractors had been able to have lived up to their contracts we would have had in commission to-day five battle ships, about half. I should say, of the present construction of battle ships. So I think, gentlemen, in voting upon this proposition you must take that fact into consideration, that while to-day this diagram, to which the gentleman from Ohio has alluded, shows the large construction of battle ships, it has been due to labor troubles and other causes throughout the country. Now, for instance, looking over a period of years, taking it from January 1, 1898, down to the present time, how many battle ships have we completed within those six years?

I will read you the number of battle ships we have put in commission. The *Alabama*, the *Illinois*, the *Kearsarge*, the *Kentucky*, the *Maine*, the *Wisconsin*, and recently there has gone into commission the *Missouri*. That is to say, in six years we have put in commission seven battle ships, a little more than a battle ship a year. Going back even farther and taking into consideration the fact that we started to build up the American Navy in 1883, more than twenty years ago, how many battle ships have we to-day? Eleven battle ships built. How many under construction? Thirteen battle ships. How many in all? Twenty-four battle ships—a little more, just a little more, than one battle ship a year. How many has England to-day? She has fifty built. How many has she under construction? Nine. How much does that make in all? Fifty-nine battle ships. We will have twenty-four, she will have fifty-nine, nearly sixty.

Now, my friends, there are other things to be taken into consideration. The gentleman has called attention to the fact that we are expending here upon our Navy, or maintenance of the Navy, in this appropriation bill $96,000,000. He calls attention to the fact that England's naval appropriation this year amounts to $170,000,000, although I saw in a morning paper that she has put in estimates to the amount of $184,000,000. France, Russia, and Germany have large estimates also. This thing must be taken into consideration in comparing the expense, the maintenance of our Navy with foreign countries.

Germany's naval appropriations for maintenance of the navy, and I may say, also, France and Russia, are smaller in proportion to the number of ships and men than ours, because naval service is compulsory there, whereas in our service it may be said that we pay the men more, we give them better rations, we clothe them better, and we pay our officers better than any navy in the world. Now, I propose to put in the RECORD here a statement showing the reason for delays in construction of ships, and also a statement showing what the foreign countries are paying or appropriating for their navies this year.

Now, Mr. Chairman, the gentleman said the other day that there was no necessity for a navy in order to defend the Monroe doctrine. He alluded to the fact that we had a controversy some time ago with England over Venezuela; that that little difference was submitted to arbitration. It is true. We had our quarrels with the mother country a hundred years ago, and I think the mother country came to respect her offspring upon this hemisphere and we, too, came to respect her. But, my friends, remember that Canada is a hostage of peace upon this hemisphere forever between the United States and Great Britain, and I am glad to say, because I want always to see peace between those two countries, as, indeed, I want to see peace between all the countries of the world.

What makes the proposition of the gentleman to strike out the battle ship so significant in this debate is this fact: When he proposes to strike out the battle ship, he moves to strike out the fighting arm, he moves to strike out that particular ship that stands for preparation for war above anything and everything else. If he had moved to strike out a cruiser, a ship of peace, that would have been another thing. Now, gentlemen, the issue between the gentleman from Ohio and the Naval Committee is this: We are all for peace, but we believe in peace backed up by preparation for war. We believe in that peace which comes from being prepared. The father of our country said that one of the most effectual means of preserving peace is to prepare for war.

That is why the debate on this battle ship is so important. We are all for peace, peace among the nations of the globe, peace between other nations and ourselves; but we do not believe in striking down that ship that stands for the largest armament, for the largest ordnance, for the largest guns; that ship that is the fighting arm of the United States Navy. That is what makes the significance of this debate so great.

I am well aware that the Czar of Russia called the representatives of the foreign countries together at that great peace celebration at The Hague, and those representatives in solemn convention resolved upon the disarmament of the military establishments; but I am also reminded of the fact that no sooner was that resolution passed by the representatives of all the countries than the nations themselves began to build their military establishments with greater vigor than ever before. And I say here to you to-day that we must continue this policy of building the American Navy.

Why, the gentleman says that we are isolated upon this hemisphere. True, we are isolated. We were more isolated one hundred years ago than we are to-day. We were more isolated fifty years ago than we are to-day. We were more isolated twenty-five years ago than we are to-day. We were more isolated five years ago than we are to-day. Science is annihilating space every hour and every minute. We are brought into closer and closer relations with the nations of the world in our commerce and in our trade, and the time is fast coming when we will be still further interwoven with them in all their relations. Not only that, but foreign nations have coaling stations here right in the sight of our coast.

Why, you remember when the Spanish fleet, in the Spanish-American war, started from the other side and we knew not its destination there was a shudder that went down the whole New England coast, and many of those estimable gentlemen who live along the coast and preach in times of peace about the cost of war and the necessity of cutting down the military establishment would not go to their summer resorts on the shore, but, on the contrary, went to their safety-deposit vaults, and took their boxes and heels into the interior. [Laughter.] Now, I tell you, in time of war we see the necessity for a navy.

If we are to turn our backs upon the Philippines; if we are to give them up and our islands of the sea; if we are to withdraw our protection to American commerce wherever that commerce goes, if we are to say, "Oh, yes, there is nothing but peace; there will never be any war," why, then, I say let us stop building battle ships, stop building all kinds of ships, dismantle the guns along the coasts, and refuse to put a single dollar into fortifications.

Why deepen the rivers and harbors? What is the use of creating a foreign commerce unless you can protect it? Why not go back into some corner of the world and there hide away in solitude and isolation? Yes, why not take down from the masthead of our battle ships that old flag of glory, placed in the sky by the united work of the Army and the Navy in every great national struggle, placed there by the bravery of our soldiers and our sailors, all the way from Washington to Chaffee, all the way from Esek Hopkins and old Jack Barry to Dewey.

Why not take down that flag and run up to the masthead the white flag of peace; that kind of peace that means surrender of national duty, of national obligation, of national responsibility? And then take ourselves away into some remote corner of the earth and pray God may we carry Old Glory along with us as a sweet and gentle reminder that we were once a nation and once a people. Go back, I say, into some isolated corner and sit down and write the word "Nation" so small that no people on the face of the globe can see it, and we ourselves ashamed to look at it, and there, with humiliation and grief, mourn over the better and more glorious days of the Republic. [Loud applause.]

APPENDIX.

NAVY DEPARTMENT,
Washington, [illegible] 1904.

SIR: [illegible] the report of the Bureau of Construction and Repair showing the amount of work done on the battleships and armored cruisers now building, showing the degree of completion, the number of months behind the contract time, and the contract dates of completion, and the reasons of delays, and the number of months behind the contract time in the completion of armor and armament for the vessels, and the same with respect to armor and armament for the Massachusetts behind the contract time, with a statement showing the number of months behind the contract time in the completion of armor and armament for the vessels for which armor would have been required to be in place when the vessel is ready for trial, and the number of months behind the contract time in the completion of armor and armament for the vessels at such date as may be required to complete the armor and armament. If there be any such vessels, and to inquire as to the number of these vessels in which the armor and armament are now in place, and the number of these vessels in which the armor and armament are not in place, and the number of these vessels in which the armor and armament are not in place, and the number of these vessels in which the armor and armament are not

Number of months behind contract time, etc.—Continued.

Vessels.	Degree of completion (per cent).	Months behind the contract time.	Contract date of completion.
GUNBOATS.			
Dolphin	20		Nov. 29, 1904
Paducah	15		Mar. 6, 1905
TORPEDO BOATS.			
Blakeley	99	51	Sept. 27, 1899
Somers	99		Jan. 29, 1900
Goldsborough	99		Oct. [illegible], 1899
Nicholson	99		Sept. 27, 1899
O'Brien	98		Do.

[illegible] Goldsborough, Nicholson, and O'Brien are still under contract, but the contracts have been declared void and the vessels completed at the navy-yards.

DEPARTMENT OF THE NAVY, BUREAU OF NAVIGATION, [illegible] 1904.

Memorandum for the chairman of Committee on Naval Affairs, House of Representatives.

Battle ships placed in commission since January 1, 1893: *Alabama, Illinois, Kearsarge, Kentucky, Maine, Wisconsin.*

	Tons.
Total displacement of United States battle ships now under construction	192,550
Displacement of all vessels above 1,000 tons authorized and now under construction	[illegible]

These figures are all shown on the accompanying statement, compiled in the Office of Naval Intelligence, Navy Department, under date of January [illegible], 1904.

The contract date for the completion of the battle ships and armored cruisers, having an aggregate displacement of [illegible] tons, [illegible] contracts, we would have [illegible] in the Navy Department and in the United States navy-yards. The United States has [illegible] battle ships, [illegible] armored cruisers, [illegible] torpedo boats, [illegible] torpedo boat destroyers, and [illegible] gunboats, Prairie, Dubuque, and Paducah, [illegible] 64 of 1899.

NOTE.—These vessels have been or are ready to be placed in commission.

Estimates for great naval powers for 1903.

Country.	Regular expenses.	Naval expenditures.	Total.
England	$116,474,000	$[illegible]	$[illegible]
France	[illegible]	[illegible]	[illegible]
Russia	[illegible]	[illegible]	[illegible]
Germany	[illegible]	[illegible]	[illegible]
United States	[illegible]	35,444,000	[illegible]

N. B.—This difficult for some countries to separate the [illegible] for [illegible] of [illegible] also [illegible] purposes [illegible] the [illegible] of [illegible] and [illegible] in [illegible] and [illegible] in [illegible] and [illegible] in

Mr. HILL of Connecticut. I will withhold my amendment for the present.

Mr. McNARY. I would like to call the attention of the Chair to the fact that I reserved to line 18, instead of 19, as the Clerk read. I do not know whether it is my mistake.

The CHAIRMAN. Without objection, the correction will be made.

Mr. McNARY. Now, Mr. Chairman, my reason for offering this amendment is this: As I said a few moments ago, I am not opposed to an increase of the Navy, but it seems to me that this increase should come in a proper fashion.

I was surprised, with many members of this House, to find that the Committee on Naval Affairs had not reported an increase of our navy. I asked the chairman, and on questioning some Member asked him. I received no conclusive answer; but I did, however, receive an answer this morning from former Admiral Bowles, who said that as long as Congress was willing to vote large sums of money for the heaviest armored ships, so long will the naval authorities ask it.

Let me call the attention of this House to the fact that our Navy is being developed in a disproportionate manner. Our friend from Illinois, the chairman of the Naval Affairs Committee, claimed that the armored boats were the principal arm of the Navy, so they are. But we have seen only within the past few days the end of these great battle ships, costing several millions of dollars, have been put out of action by torpedo boats, costing perhaps $100,000.

It is a significant fact that the United States will be according to the report of the Committee on Naval Affairs, ranked as regards battle ships, having 24 either built, building or authorized, against England's 70, France's 38, Russia's 25 and Germany's 20, having no equal in that line and third in the line of scout cruisers, having a total of 32 to England's 120, France's 120, and Germany's 56; in the matter of torpedo boats, eighth in rank, the last of all, behind even Austria-Hungary.

Including submarine torpedo boats, France is No. 1, with 268; England is No. 2, with 255; Russia, No. 3, with 214; Italy, No. 4, with 156; Germany, No. 5, with 140; Japan, No. 6, with 80; Austria-Hungary, No. 7, with 69, and the United States, No. 8, with 58.

If there is any arm of our Navy that needs development, it is the torpedo boat. Experience has proven in the Russian war, as was shown when the *Almirante Condell* and the *Almirante Lynch* torpedoed the battle ships, that these form a very forcible offense.

The Japanese navy in the war with China sent its torpedo boats into Wei-hai-wei and destroyed several battle ships, and a few days ago at Port Arthur the Japanese torpedo boats put several Russian battle ships out of action. This shows that the torpedo boats, properly manned and directed, are able to destroy these great armored vessels.

Now, what can be the reason that this committee has not reported an increase of our Navy in this particular? The only reason is the reason given by former Admiral Bowles this morning, that so long as we are willing to vote great sums of money for the heaviest ships the Navy Department will ask for it, but as a matter of fact any sensible man who reads and believes knows that if our naval establishment is to be properly built up we ought to have a much larger number of these torpedo vessels.

A good reason why we should have additional torpedo boats is because younger officers of the Navy will thus be given an independent command, and by this means they will become acquainted with the inlets and harbors of the coast, and by giving them a small independent command over men, they will be enabled by observation and experience, better to command men in the future on larger and more important vessels. From every standpoint—from the standpoint of statistics, from the standpoint of efficiency—we ought to adopt a provision of this character.

Let me point out also that five of these vessels will be built in the navy-yards of this country if this amendment is adopted, which will give our naval constructors and mechanics an opportunity to display and develop their skill and give them also needed experience in construction.

In addition, the cost of these ten boats as provided will be but $3,500,000, whereas the cost of the three scout cruisers, which can be bought at any time from among the trans-Atlantic fleet and which need not be built by the Government, will be, with armament, $3,600,000.

Mr. FOSS. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Illinois for a question?

Mr. McNARY. Assuredly.

Mr. FOSS. I would say to my friend from Massachusetts that we can build torpedo boats in less time than we can build scout cruisers, particularly those scout cruisers which are cruisers of great speed—which go 22 knots an hour. They can not be built as easily and quickly as the other articles.

Mr. McNARY. Mr. Chairman, the chairman of the Committee on Naval Affairs can not tell this House where in the world we can buy torpedo boats or torpedo-boat destroyers. They can be bought anywhere, but the scout cruisers can be bought.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. DAYTON. Mr. Chairman, there has been such a clear misstatement of the condition of the United States Navy's ships, and especially in reference to that number of vessels that I want to call the gentleman's attention to the fact that the actual situation. We have eleven battle ships of the first class now building. We have [illegible] class battle ships and armored cruisers, such as [illegible] and are building. We have [illegible] and [illegible] I hope the gentleman from Massachusetts will give his attention, as I think I can explain to him. There is no necessity for the large appropriation for torpedo boats.

We have [illegible] and have [illegible] building. This is the fighting line.

We have protected cruisers, seventeen; small cruisers and scouts, twenty-three; a total of forty; and we have nine of those two classes building. This is the messenger and commerce-destroying service of the Navy. The very character of the vessels has fitted for this occupation and substantially for none other. We have sixty-seven gunboats built and one building. I do not know just exactly what to characterize that. You may say that it is the [illegible] of the Navy. It is the fighting line in the actual business of the [illegible] vessels that may [illegible] attention. It is not the real fighting line. We have sixteen torpedo-boat destroyers, thirty-one torpedo boats built and six building, and we have eight submarine torpedo boats, making a total of fifty-five in that class of vessels for the fighting [illegible] service, and we have [illegible] building. In other words, we have [illegible] five of that class of vessels against twenty-five vessels that can fight.

When we have our present Navy completed we will have 46 vessels in the fighting line, 47 in the messenger and commerce-destroying service, as in the gunboat-warfare service, and 61 in the guerrilla-warfare service. Now, I want to call your attention to my reason for calling these torpedo-boat destroyers and torpedo boats and submarines as vessels engaged in a guerrilla warfare. There is but very little difference between a torpedo boat and a torpedo-boat destroyer. They are fast, unprotected ships, one designed to destroy the other, it is true, but both carrying torpedoes. They are boats designed to run in, strike a blow, and then run away. Now, Mr. Chairman, I want to call the gentleman's attention to the fact that history shows substantially that a torpedo boat never struck an effective blow where its adversary was upon the alert, and that in every battle where it has come in contact with a foe ready to meet it it has been destroyed, and destroyed easily. Take, for example, Santiago, where Wainwright, on the little *Gloucester*, settled the two torpedo boats of the Spanish fleet. Take Manila, where the *Olympia* went in and destroyed the Spanish boats with no trouble.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. DAYTON. Mr. Chairman, I ask for five minutes more.

Mr. BAKER. I object.

Mr. GRAFF. Mr. Chairman, my attention was attracted to what seemed to me a new objection to the Republican policy of increasing our Navy, and I was somewhat surprised to hear that objection from so distinguished a gentleman as the gentleman from Missouri. The objection made by him was that this increase of the Navy would logically be followed by an increase of our Army; that because we necessarily compared the needs of our Navy with the size of the navy upheld by other great nations that we would follow up that policy by following the example of England, with her [illegible] standing army, and by the standing army of Germany and by the [illegible] of Russia.

Mr. McNARY. Mr. Chairman, I would like to ask the gentleman a question.

Mr. GRAFF. Very well.

Mr. McNARY. I would like to ask the gentleman if he did not this morning hear the statement of former Admiral Bowles that the reason why they had not asked for torpedo boats was that as long as Congress was willing to make the larger appropriations they delayed asking for the smaller boats?

Mr. GRAFF. I will refer the question of torpedo boats to the Naval Committee, who know more about them than I do. I desire to say that there is any necessity, [illegible] the possession of a great navy and may [illegible] a great army. The territory of the United States is not contiguous to the territory of any great power which would threaten us. If we were to have a war in the future, it would necessarily be a war upon the

sea, and any man who engages either in the conflict of war or any commercial conflict that does not measure the necessities of his own strength by the equipment of his antagonist is certainly an unwise man. What other guide can we have for the necessities of this great nation in the way of a navy than the present equipment of naval strength of other contending powers?

The policy of the Republican party with relation to our military establishment has been entirely different from the policy of the nations of the Old World. Our policy has simply been to give us a skeleton army, those things which we must necessarily be equipped with in order to make a framework, the ranks of which shall be filled in by the thousands of patriotic citizens who flock to our standard and make up the powerful Army of the United States. The impulses which are awakened in the breast of the American citizen when an American conflict has been at hand is entirely different from the motives which move men in other nations of the world. An American is fighting for his flag, his country, and his institutions, in which he has a part ownership as well as interest. But the merchant marine of the United States, if we had one, could not be improvised into battle ships when the conflict came. We must necessarily have them prepared in time of peace for time of war when it comes.

It takes four or five years to reach the completion of a battle ship after it is provided for by Congress. In addition to this, our friends seem to have great fear in the face of the fact that this is a world power; but it is a world power, and our having become a world power has been by conditions, by our position, by our strength, and not by the policy of any party. They have made objections in regard to the increase of the Navy because they say it is not necessary for the protection of our own shore, as though this 80,000,000 of people had no interest except between these particular oceans which cover the eastern and western boundaries of this country.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. GRAFF. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks that his time be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GRAFF. The United States of America has more money invested in manufacturing enterprises than the Kingdom of Great Britain. The United States produces 32 per cent of all the food products of the entire world. It will always remain true. In view of the increased productive power, as a resultant from these great factories already built, from American invention, and from the steady employment of American workmen, a large surplus is being produced, and will continue to be produced unless there is retrenchment in the production in the United States, unless the American workman ceases to be employed so generally, or ceases to be employed all the time throughout the year. So that the pressing problem before the United States, whether the Democratic party wins at the next election or whether the Republican party wins at the next election, is, How are we going to provide for the consumption and sale of the surplus of our farms and our factories?

In what direction are we looking for that? Shall we presume that European nations will continue to furnish an outlet for the most of the surplus of our factories and farms? Ah, no. Already a protest sentiment has been sufficiently aroused in England, intrenched as she is by past experience and by prejudice in the principle of free trade, to protect herself against the invasion of her markets by the products of American factories. The direction in which we must look is toward the Orient and if this Congress should go before the people of the United States at the coming election and confess that they thought that an isthmian canal was so necessary that it warranted us in expending two hundred millions of the people's money and then provided no navy commensurate with this great enterprise for protecting our interests which relate to our foreign trade, present and prospective, we would meet with condemnation at the hands of the intelligent citizens of the United States. The people of the United States have an interest in regard to the open ports in China.

Who believes that we could have succeeded in obtaining those open ports if it were not that the power and dignity of the United States was partially represented by a powerful navy, willing to back up its just demands? Any intelligent student of the present time knows that there is a conflict going on. You may talk of peace, but there is a conflict, not of arms, but of commerce; a conflict between the railroad land transportation of Russia and the transportation by water by the balance of the European powers and the United States. It was in view of these facts that the people of the United States unanimously demanded the opening of the Isthmus of Panama by a canal. The South recognized the demands and the necessities of the hour for better facilities for the sale of her surplus cotton in oriental markets. Ah, but you say that the present trade with China is insignificant. Fifty years ago Japan would not permit one of her citizens to go beyond her borders nor permit a foreign citizen to enter into her gates under penalty of death, so exclusive was she.

We have discovered, in studying the characteristics of the Chinese and the Japanese, in the last year, that the Chinaman contains as many of the faculties for development for receiving the impress of western civilization as the Jap. Already railroads are being opened up in China. Already there is a large and increasing demand in China by her citizens for the products of the nations of the West.

We can reasonably look for a change in China industrially similar to that now so evident in Japan. If the per capita consumption in China of American products were to increase to the present per capita consumption in Japan, China would be to-day a very large customer.

No! Naval stations in the Philippines, fortifications there, and like improvements in the Hawaiian Islands, and the increase of our Navy are necessary to preserve our commercial interests abroad, in which every citizen of the United States is vitally interested.

The CHAIRMAN. The time of the gentleman has expired. The question is on the adoption of the amendment offered by the gentleman from Massachusetts.

Mr. FOSS. Mr. Chairman, I just want to say a word upon this proposition, and that is this: The proposition of the gentleman means, as I understand it, if adopted, an expenditure of $3,500,000. This recommendation which we make in this bill for a naval programme is a recommendation which is backed up by our naval authorities, who have given careful consideration to the different types and characters of ships.

Mr. McNARY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Massachusetts?

Mr. FOSS. Yes; for a question.

Mr. McNARY. I would like to ask the gentleman from Illinois if that programme was not made out and recommended to the Committee before the events at Port Arthur?

Mr. FOSS. Yes. I will answer my friend from Massachusetts, this programme was made out before the battle of Port Arthur, and that is just the point exactly. Since the battle of Port Arthur we have had no further recommendation from the Secretary of the Navy or from Admiral Dewey or from the general board, and I wish to call the attention of the gentleman to this fact: I submit that the House of Representatives should not be moved on an occasion like this by the hearing of news of one battle or another. Why, if that were so, we might be building torpedo boats to-day and we might be building battle ships to-morrow. When I first heard of that successful attack by the Japanese torpedo boats upon the Russian ships, I naturally felt that we ought to build torpedo boats, perchance; but then I reflected a little further, and the next morning I saw that the Czar of Russia had said that he did not expect war; that there had been no declaration of war; that the Japanese had made their attack before the Japanese minister had left St. Petersburg or the Russian minister had left Tokyo. There was no declaration of war until two or three days after that attack. He gave that in explanation, I presume.

It is barely possible that Russia had been adopting that peace policy which we hear about, which means nothing less than never being prepared for war. I do not know what it was, but I know this, that I do not believe that we can gather up the results of this war until after the war is over, because I see in the papers to-day that the *Retvizan*, built by the Cramps in Philadelphia, has repulsed and put to flight the Japanese boats. Now, we have imperfect news. We have had no official statement whatever with reference to the battle.

Mr. McNARY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Massachusetts?

Mr. FOSS. Yes; for a question.

Mr. McNARY. I should like to ask the gentleman from Illinois how he will explain to this House the fact that while the United States is number four in regard to battle ships and number four as regards cruisers, which are provided for in this bill, she is even below Austria as regards torpedo boats? What has brought about this condition of affairs? On what theory has the Navy been built in such a way as to bring the United States below France, England, Germany, Russia, Italy, Japan, and Austria as regards torpedo boats? Why——

The CHAIRMAN. The time of the gentleman from Illinois [Mr. FOSS] has expired.

Mr. FOSS. I ask unanimous consent to proceed five minutes longer.

Mr. McNARY. I hope the gentleman's time will be extended, and I should like to have my question answered.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that his time be extended for five minutes. Is there objection? The Chair hears none.

Mr. McNARY. I hope I may be allowed to finish my question. I hope the gentleman from Illinois will kindly explain to the House why it is that England, France, and Germany have seen fit to build so large a number of torpedo boats, a much larger number, proportionately, than the United States? What objection is there on the part of our naval authorities to a similar policy?

Mr. FOSS. I will say, Mr. Chairman, that in considerations of this kind as to the particular character and type of our ships, the Naval Committee has always thought it best to follow the advice and opinions of our naval authorities. I know that whenever Congress has gone the other way we have only been led away from the right course. I know that upon one occasion there was a proposition brought in here with reference to a wonderful gun, and Congress appropriated a good deal of money for the manufacture of such a gun. Indeed, I believe it was stated on this floor that if we could only have this gun it would put to flight all the navies of the world; that it was such a powerful arm that it would even almost blow the earth off its axis. But the only thing it ever did blow was $250,000 out of the Treasury of the United States. And so I say to my friend that I think it better for us to take the advice and follow the opinions of our naval authorities.

Mr. McNARY. Will the gentleman kindly explain to the House what the opinion of the naval authorities is? What reason do they allege for having built up the Navy disproportionately? Why is it that we have been allowed to fall down to the eighth place in reference to torpedo boats, whereas France and England and Germany have built a larger number proportionately? What theory is beneath or behind the action of the Department? The gentleman answers my question by saying that the committee has merely taken the advice of the naval authorities. Will he kindly tell us why the naval authorities have taken such a position?

Mr. FOSS. I think it is due to the fact that torpedo craft of every character have been largely experimental. There have been comparatively few instances—for example, in our civil war—where the torpedo boat has accomplished much. Of two exceptional instances which I recall, one was the blowing up of the *Albemarle*. The torpedo boat is yet to be developed and to prove its usefulness.

Then, there is another consideration. We can build those boats quickly. It takes comparatively few months as compared with years that have to be expended in constructing a great battle ship or an armored cruiser. I think that is, perhaps, the main reason why the building of such craft has not been recommended. The general board did not recommend and our naval authorities do not recommend torpedo boats this year. But it does not necessarily follow that this committee next year or at some future time may not bring in a proposition to increase our torpedo fleet.

But what I do insist upon is this, that in the building up of our Navy we should not be moved by the passion of the hour or by a newspaper recital of this battle or that. I have insisted, if I have ever insisted upon anything, that we should build up this Navy with calmness and with poise. We shall find it infinitely better and safer to stand always upon the recommendation of our great naval authorities in this regard.

Why, sir, Congress, against the advice of our naval authorities, appropriated $350,000 for a dynamite cruiser called the *Vesuvius*. It was stated at that time, upon this floor, that that was a wonderful ship, and we appropriated that sum of money. But the *Vesuvius* to-day is fit only for the scrap heap. The American Congress appropriated a million and a half of dollars for a battering ram called the *Katahdin*, against the advice and opinion of our naval authorities, and that battering ram is now fit only for the scrap heap.

Mr. McNARY rose.

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. FOSS. No. I must decline to yield just now. Mr. Chairman, it is infinitely better for us to have something back of us—something to stand upon—like the opinion of our naval authorities, whose business, whose profession, whose duty it is to recommend to the American Congress the best type and the best character of ships. [Applause.]

The CHAIRMAN. The question is upon the adoption of the amendment of the gentleman from Massachusetts [Mr. McNARY].

Mr. RYAN. Mr. Chairman, let us have the amendment read again.

There being no objection, the amendment was again read.

Mr. McNARY. Mr. Chairman, I desire, without any attempt at following the oratory of the gentleman, to point out this fact—that on the statistics prepared by the committee of this House we are No. 4 as regards battle ships and No. 3 as to cruisers, and No. 8 as regards torpedo boats; in other words, we are behind Japan and Austria.

Let me say to this House that either our naval authorities are wrong or the naval authorities of other nations are wrong. If they were right in building up a large number of torpedo boats, we are wrong. If they were wrong in building up a large number of torpedo boats, we are right. Now, you can have your choice. In my judgment, the American naval authorities are wrong. The gentleman says that the torpedo boat is experimental. So is the battle ship. A battle ship ten years of age is regarded now as worthless and sent to the scrap heap. You can not even sell it. So the battle ship is, in a sense, experimental. What are all these naval vessels at the present time but experimental?

But I desire to call the gentleman's attention again to the fact that he has not refuted the evidence that in three wars—in the Chilean war, in the China-Japan war, and in the present war between Japan and Russia—the torpedo boat has proven a most effective article of warfare; and the only reason that it did not so prove in the war between the United States and Spain was the fact that we did not have torpedo boats. If we had had them, instead of lying many weary weeks before Santiago, we might have done what the Japanese did at Wei-hai-wei.

Instead of sending in a coal-laden steamer to try to block the entrance, we might have done what the Japs did when they sent their torpedo boats into Wei-hai-wei and torpedoed a number of Chinese battle ships and what they did when they sent them into the harbor at Port Arthur the other night and torpedoed a number of the battle ships of Russia and gained command of the sea thereby. There was no need for all those weary weeks if we had had the boats, because we certainly had the men to man them and the skill to operate them.

We have fallen short in this respect. Gentlemen can not disguise the fact that either our naval constructors are wrong or the foreigners are wrong. On the side of the foreigners stands the experience in the three wars that I have mentioned. On the side of the Americans there is no argument whatsoever.

Mr. FOSS. Let me ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Illinois?

Mr. McNARY. Certainly.

Mr. FOSS. Whom does the gentleman wish to follow, a foreign naval authority or our own naval authorities?

Mr. McNARY. Mr. Chairman, I want to follow the teachings of any nation at any time that shows itself superior to us. What should we follow, the experience of people or the theories of people? I am backing the experience of nations against the theories of our own officers. What would any sensible man follow?

Experience has shown that these boats ought to be constructed; and as regards the remarks of the gentleman from Illinois that we can build them quickly, let me tell this House that it came out before the committee of which I am a member that it took four years to build the torpedo boats we now have, and that is not very quick——

Mr. FOSS. Will the gentleman yield?

Mr. McNARY. Yes.

Mr. FOSS. That is due to the fact that those were the first we built.

Mr. McNARY. No, Mr. Chairman, they were not the first we built. They were the first to be built by private contractors. The delay was partly due to the fact that the Bethlehem Iron and Steel Works and the Midvale Steel Works had, in combination, cornered the market and jumped up the price of steel, and held the contractors by the throat, and refused to deliver the goods, and because Congress had inserted the provision that they must be constructed of American materials, thus making the builders the prey of the steel combination. The result was that everything was held up, depending upon the steel works, but the fact remains——

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURLESON. I understand the gentleman from Massachusetts intends, if this amendment carries, to move to strike out the paragraph providing for the scout cruisers.

Mr. McNARY. Yes.

Mr. BURLESON. I will not vote for this unless he does.

The CHAIRMAN. Debate on this amendment is exhausted.

Several MEMBERS. "Vote!" "Vote!"

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from Massachusetts [Mr. McNARY].

The question was taken; and there were—ayes 56, noes 81.

Accordingly the amendment was rejected.

The clerk read as follows:

Two colliers to be capable of accompanying the battle fleet; to carry 5,000 tons of coal; [illegible] to have a trial speed of not less than 16 knots, [illegible] exceeding $[illegible].

Mr. RIXEY. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The amendment was read, as follows:

On page 71, at the end of line 4, insert:

"*Provided*, That the Secretary of the Navy shall not pay more than $398 per ton for armor plate of the best quality for the ships herein authorized; and in case he is unable to make contracts for armor plate under the above conditions, he is authorized and directed to erect, on land owned by the Government, a factory for the manufacture of armor plate, and the sum of $4,000,000 is hereby appropriated for that purpose."

Mr. DAYTON. I raise the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DAYTON. I simply submit that it is legislation and not germane to the section.

Mr. WILLIAMS of Mississippi. It is a limitation.

Mr. RIXEY. Mr. Chairman, the bill provides for certain ships. It is necessary to have armor plate, and I refer the Chair to page 345 of the Manual and Digest, where it is held "to a paragraph providing for armor and armament of naval vessels, providing that the total cost of armor shall not exceed a certain amount, and that no contract shall be made in excess of a certain price per ton, was held to be a limitation."

Mr. MUDD. May I ask that the amendment be reported again? I did not get the full purport of it.

The CHAIRMAN. The amendment will again be reported.

The amendment was again reported.

Mr. MUDD. Well, I would like to be heard a moment on that. The latter part of the amendment is clearly new legislation, because it provides that the Government shall construct an armor-plate plant, which is as yet unauthorized by any provision of law and is not a public work or object already in progress in the purview of the rule. That, of course, can not in any sense be said to be a limitation upon anything in this paragraph or in this bill. Further than that, Mr. Chairman, the amount of money to be paid as provided by the amendment for armor is not in any sense a limitation upon anything authorized to be purchased in this paragraph, or up to the present time in this bill. That amendment would come properly come in when we get to the section relating to armor and armament. There is a provision for armor and armament, and an authorization for the purchase of it. We have not reached that yet. You can not put in a paragraph language which otherwise would be new legislation on the ground that it is a limitation on an expenditure authorized by law, unless the expenditure is authorized in the particular paragraph to which you undertake to impose your limitation or in some prior portion of the bill which the committee may be said to have passed upon.

We have not authorized the purchase of any armor in this paragraph. Therefore the amendment can not be a limitation; and it can not be germane. The latter part of the amendment in all respects is new legislation, and new legislation is a change of "existing law" which Rule XXI forbids.

I understand also that it is the rule that if a part of a proposition is out of order all of it is unless the author of it makes the separation of that which is in order from that which is not. The latter part of the proposition is clearly out of order, and that has been ruled upon several times.

I refer to page 342 of the Digest:

A proposition to appropriate for the establishment of an armor-plate factory was [illegible] on the ground [illegible] appropriation [illegible] construction of a public work or object, [illegible] with Congress.

The CHAIRMAN. Does the gentleman from Virginia desire to be further heard?

Mr. RIXEY. In reply to the statement of the gentleman from Maryland that the amendment ought to be offered to the last section of the bill, I will state that I feared that the last section was subject to a point of order itself, because it provides that in certain contingencies the Secretary of the Navy shall procure a site—that he shall purchase land for the purpose. The section which I have offered comes in as an independent paragraph at the end of increase of the Navy, and provides that the Secretary is to secure armor plate, providing it does not cost over $398 a ton. Then, in the event he can not procure it at that price, he is to build an armor plate factory upon land owned by the Government. It is as much in order as any provision would be directing the construction of a building in any of the various navy-yards.

We have just provided for the building of ships, and in order to perfect these ships we must have armor plate. We direct the Secretary to purchase armor plate, if he can do so at $398 a ton. If he can not, then he is to expend $4,000,000 in establishing an armor-plate factory to be located upon property owned by the Government. This is certainly a limitation. It is a direction that the Secretary is to get armor plate; it does not direct him to purchase land, but provides how the armor plate shall be secured by the Secretary of the Navy.

Mr. MUDD. The only difficulty as to the germaneness of that is that we have not yet provided for the purchase of any armor plate at all.

Mr. RIXEY. But it is necessary to provide for it in the bill, and this is offered as an independent paragraph, following the increase of the Navy. The reason that I did not offer this as an amendment to the last paragraph was that I was afraid that the last paragraph was subject to a point of order, because it provided for the purchase of land.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, just a word about that.

The CHAIRMAN. The Chair will hear the gentleman from North Carolina.

Mr. WILLIAM W. KITCHIN. As the law stands now, there is no provision whatever for the construction of the ships authorized in this bill. The amendment of the gentleman from Virginia pertains to the vessels authorized in this bill; and if the point of order is good against his amendment, why certainly it would be good against the entire paragraph providing for the construction by contract, etc.

There is no law whatever so far as pertains to anything connected with ships in this bill authorized. Now, when we authorize these ships, any directions to the Secretary of the Navy pertaining to the construction or to the equipment or anything else for a completed vessel would be germane to the item covering these battle ships. There is no law that this amendment contravenes. The utmost you can say is it is new legislation, but it is new legislation just as the entire paragraph is new legislation, just as the entire provision on page 71 is new legislation, and the only question is, is it pertinent; is it germane to the construction of battle ships in this bill authorized? If so, and the paragraph remains in the bill, this amendment would not be subject to the point of order.

The CHAIRMAN. Rule XXI provides that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless it be a continuation of an existing appropriation for public works and objects as are already in progress, nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

Now, in regard to the decision to which the gentleman from Virginia referred, on page 345 of the Manual, the Chair has made investigation, and finds that the provision passed upon—it is found on page 296 of Parliamentary Precedents—was a proviso that—

The total cost of the armor, according to the prices and specifications already prepared for three battle ships authorized by act of June 30, 1886, shall not exceed $[illegible] including the cost of [illegible] the same and expenses of the [illegible] test pieces and [illegible] for armor plates shall be that of an average rate to exceed $[illegible] per ton of 2,240 pounds, including the model as aforesaid.

That amendment was ruled by the Chair to be a limitation merely upon the appropriation, and therefore to be in order; but the amendment offered by the gentleman from Virginia, after limiting the price to be paid for armor to $398 per ton, proceeds further and declares "that in case the Secretary of the Navy shall not be able to make contracts at that rate he is authorized and directed to erect on land owned by the Government a factory for the manufacture of armor, and the sum of $4,000,000 is hereby appropriated for that purpose." That seems to the Chair to be not a limitation upon the appropriation contained in the paragraph that has been read, but an authorization, to the Secretary of the Navy to do something which he was not previously authorized to do, and therefore it is an enactment of law and a change of existing law. It may furthermore be questioned whether as the amendment attempts to limit the price to be paid for armor upon other vessels not mentioned in the paragraph to which it is offered, but provided for in paragraphs which have already been agreed to and passed, it is in order upon this paragraph, which relates merely to two colliers, and therefore whether it is germane to this particular paragraph, to which it is offered as a proviso. Finding that part of the amendment is out of order, the Chair is forced to sustain the point and rule out the entire amendment.

Mr. RIXEY. I would like to ask the Chair this question: Would that amendment be in order to the last paragraph in the bill, or, rather, would the amendment if offered to the last paragraph of the bill be subject to the same objection which the Chair now states, that the provision for an armor-plate factory is new legislation?

The CHAIRMAN. The Chair has not read the last paragraph of the bill and will not attempt to pass upon that at this time.

Mr. RIXEY. I will state that what is called an amendment was offered as an independent section to apply to all the paragraphs under the head of "increase of the Navy," but I will offer this latter under the head of "armor and armament."

Mr. BELL of California and Mr. DOUGLAS rose.

The CHAIRMAN (to Mr. DOUGLAS). For what purpose does the gentleman rise?

Mr. DOUGLAS. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The Chair understands that the gentleman from California [Mr. BELL] desires to offer an amendment, which the Clerk will report.

The Clerk read as follows:

Amend by striking out the word "each" in line 4, page 7, the following: "and none of the appropriation shall be used in the navy yards on the Pacific and the other on the Atlantic coast, and the same to be designated by the Secretary of the Navy."

Mr. MUDD. Mr. Chairman, I make the point of order on that amendment.

The CHAIRMAN. The gentleman from Maryland will state his point of order.

Mr. MUDD. Mr. Chairman, I do not care to debate the point of order to any extent.

The CHAIRMAN. The Chair would like the gentleman to state his point of order.

Mr. MUDD. My point of order is that the proposed amendment is clearly and unquestionably a limitation upon the discretion of the Secretary, and points of order made to a similar provision have been over and again held to be good on the last appropriation bill as I believe.

On a point of order this proposition or one similar to it has been made by a Member from California or from some State on the Pacific coast, contemplating generally a provision giving a margin of 4 per cent increase in the plants [illegible] on that coast and contemplating also a mandatory change that so many ships should be built there, and on every occasion when a point of order was made [illegible] the ground that it was a restriction of the discretion of the Secretary of the Navy, [illegible] it may be said with great prospects of success that built of [illegible] construction [illegible] of navy-yard labor [illegible] a general appropriation bill. In no case [illegible] has this amendment been in no sense germane to anything that precedes it in the paragraph or to the bill.

Mr. BELL of California. Mr. Chairman, I want to be heard on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BELL of California. As I understand the gentleman from Maryland his point of order rests on the ground that it relates to the Pacific and the Atlantic coasts. I do not understand the gentleman raises any point of order as to our right to contract that these colliers be built in the navy-yards of the Government, because, as I understand, at one point was ruled upon in the second session of the Fifty-sixth Congress when Mr. Moody, of Massachusetts, now Secretary of the Navy, was in the chair, and it was then held by him that there was no existing law requiring that these ships be built by contract, and therefore it was proper in an appropriation bill to direct that they be built either by contract or in the navy-yards.

This amendment simply provides that these two colliers shall be built in the navy-yards, and further [illegible] that they be built in the Pacific coast and the other on the Atlantic coast. If Congress has the right, as has been held in connection and in the House, to direct that these vessels be built in the navy-yards, have we not at the same time the right to direct which yards they shall be built in? Now, we have a precedent in the Fifty-second Congress where it was directed that at least one battleship be built in a navy-yard, and as a result of that one ship is now in process of construction in the navy-yard at Brooklyn. I would like to ask the gentleman from Maryland if he simply directs his point of order against that part of my amendment which provides that one be built on the Pacific coast and one on the Atlantic coast?

Mr. MUDD. Mainly that, but the other provision also. They don't have been ruled against.

Mr. BELL of California. One was ruled against. It was held on a point of order in the first session of the Fifty-sixth Congress that a provision directing the Secretary of the Navy to build in the navy-yard was not in order, and the point of order was sustained. But in the next session, the Fifty-sixth Congress, Mr. Moody himself being in the chair, ruled that he could find a provision in the existing laws of the United States that required these vessels to be built by contract, and subsequent to that Congress [illegible] that one battleship be built in the navy-yard, and that ship is now being built at the Brooklyn Navy-Yard.

Mr. Chairman, I want to get straightened out on this question. If the Chair sustains the point of order as to my right to designate the Atlantic and the Pacific coasts I shall modify my amendment so that the colliers may go to the navy-yards generally. It seems to me to be unwise at this time to raise this point of order, because the time may come, and come soon, when we will desire to build all our cruisers and ships in the navy-yards, and some gentleman may rise and make a point of order preventing our doing so.

I call the Chair's attention to the CONGRESSIONAL RECORD, second session of the Fifty-sixth Congress, pages 1414 to 1420. I think the ruling is on page 1420.

The CHAIRMAN. The Chair understands that there is at present no law directing where vessels of this character shall be built. This proposed amendment makes law on that subject by directing that they shall be built in the places indicated in the amendment. It has been repeatedly held that a provision in an appropriation bill which makes law where none previously existed does change existing law in violation of the rule. There is some conflict of decision, as has appeared from the rulings cited, upon provisions of this kind. It was ruled in the Fifty-sixth Congress, the present Secretary of the Navy, Mr. Moody, then in the chair, that, there having been "no general law suggested to the Chair which would be altered by the amendment offered by the gentleman from New York, the Chair is compelled to think it is in order, in the absence of any such statute, and therefore overrules the point of order."

But that decision itself was in conflict with previous decisions that the making of law in an appropriation bill where none previously existed is itself a change of law, or is, as we say, legislation upon an appropriation bill. In the Fifty-seventh Congress, about one year ago, on February 19, 1902, the naval appropriation bill being then, as now, under consideration, an amendment was offered providing, among other things, that "the Secretary of the Navy may build any or all vessels herein authorized in such navy-yards as he may designate: and shall build the vessels herein authorized in such navy-yards as he may designate," etc. The gentleman from Massachusetts, Mr. GILLETT, in the chair, ruled that the provision was out of order, saying: "The Chair is perfectly clear that this proposition is in violation of the rule. The Secretary of the Navy shall build the ships at certain navy-yards is a change of existing law because it limits the powers which existing laws give him." An appeal was taken from his ruling, upon that appeal very exhaustive debate was had, at the conclusion of which the decision of the Chair was sustained by the action of the House by a vote of 109 to 88. That appears to be the last ruling upon this precise point.

The Chair will call attention to the distinction between a limitation upon an appropriation and a positive enactment which changes the powers of officers under existing laws. A mere limitation of the appropriation is in order. There is no obligation on the House to appropriate at all, and therefore it may provide that the money appropriated shall not be used [illegible] in the manner specified. No law is changed, because there is no obligation to expend the money at all. [illegible] and places a limitation upon the use of one of the [illegible] of that kind [illegible] which [illegible] would be [illegible] a limitation upon an appropriation. It [illegible] in the [illegible] which makes a change in law [illegible] put in by previous action of law. It is, in the opinion of the Chair, a change in existing law and new legislation, and, inasmuch as that in this amendment, the Chair is compelled to sustain the point of order.

Mr. BELL of California. Mr. Chairman, is the point of order sustained to the entire amendment?

The CHAIRMAN. It is well settled that where there is in an amendment any provision which is out of order the whole amendment falls with it.

Mr. BELL of California. What I desire to ascertain, Mr. Chairman, is whether the point of order would apply to the designation of the navy-yards, if that is a separable one, so that these colliers might be built in any of the yards. [illegible] the yard in each case. I [illegible] and I now offer my amendment as modified.

Mr. MUDD. Mr. Chairman, let us hear what the amendment is.

The CHAIRMAN. Has the gentleman sent his amendment to the Clerk's desk?

Mr. BELL of California. Mr. Chairman, I will state the amendment. After the word "each," line 4, page 7, add the following language: "Said colliers shall be built in the navy-yards."

Mr. MUDD. Mr. Chairman, I make the point of order to that that it is mandatory.

Mr. BELL of California. Mr. Chairman, I would like to be heard just one moment, because while this matter may not be of the greatest importance at this time, it may be of supreme importance on some future occasion, and these rulings may at some future time place this committee and this House in a very embar-

rassing position, and may, in fact, shackle it so that it can not act as it desires. Now, if it be true that there is no existing law as to where this work shall be done, and that therefore we can not direct where it shall be done, then is not the very provision itself which confers upon the Secretary of the Navy the right to let these contracts to the lowest and best bidder subject to the same point of order?

It seems that we have no law upon the subject. We are making an appropriation. Now, why have we not the right in making this appropriation to designate, not only the number of the ships that we shall build and the character of the ships that we shall build, but also where they shall be built? The bill itself is in the alternative. It gives the Secretary of the Navy the power to ask for bids and to let contracts, or he may have them built in the navy-yards: and, further, if he should find that there is any combination or trust that is conspiring to raise the price upon the Government, it shall be his duty in such case—"it shall be his duty," is the language; he is not allowed discretion—to build those in the Government yards of the country. Now, is not that language where you direct him and you say, you shall do a thing upon a certain contingency, just as objectionable as the amendment that I have offered?

I [illegible] liberality should be indulged in. I, for one, am willing to rest upon the judgment and the judicial knowledge of the gentleman who was in that chair, and who now is a member of the Cabinet, when he said that this point of order should not be sustained. These colliers do not amount to much, but it is the principle of the thing. Are we to surrender our right to say that we shall use the public yards of this country for the purpose of constructing our battleships?

I ask that the gentleman from Maryland [Mr. MUDD] withdraw his point, in order that this committee at this time may say whether or not some of these vessels which we are generously provuing for shall not be built in the navy-yards of the country. I will leave it to the Secretary of the Navy to select any of the dozen Government yards in the country; but let us carry on the work of experiments as we are doing and have these ships built in this way. I will ask the gentleman to yield his point, in order that future Congresses may not be embarrassed by a ruling adverse to this amendment at this time.

Mr. McDERMOTT. Will the gentleman from California [Mr. BELL] allow me to suggest that a direction to build in certain yards is not allowable under the rules as an amendment to this bill [illegible] in these yards would be permissible? So that the gentleman may get at his point in that way.

Mr. BELL of California. I should like to have the ruling of the Chair on my amendment.

The CHAIRMAN (Mr. OLMSTED). In the opinion of the Chair the amendment just offered is open to the [illegible] gentleman from Maryland. The amendment is not a limitation upon the appropriation; it is in the nature of a law—a command to the Secretary of the Navy to build these vessels in a certain place. As the Chair has already attempted to make clear, it is within the power of the House to say, "We will appropriate money for a certain purpose, but no part of it shall be used unless in the way we direct." But under Rule XXI it is not within the power of the House, having appropriated the money, to accompany the appropriation with a command which is itself legislation changing existing law.

Mr. BELL of California. I fully comprehend the ruling of the Chair, and a way has been suggested by which I can meet, I think, the views of the Chair and also of the gentleman who made this point of order.

I move to amend by inserting after the word "each," in line 4, page 7, the following: "and none of the appropriation for the foregoing purposes shall be used for any colliers not built in the yards owned by the United States Government."

The CHAIRMAN. The question is upon the amendment offered by the gentleman from California.

Mr. BELL of California. In offering this amendment, having for its object the construction of these two colliers in the navy-yards of the United States, I am well aware that I am touching upon a subject that has received considerable attention in previous sessions of Congress. I am well aware that this subject was fully and amply discussed in the sessions of the Fifty-sixth Congress, but I believe that such changes have occurred in the meantime that we ought now to give the matter our further and our earnest consideration.

It must be apparent even to the dullest mind that we intend to increase the great American Navy until it shall become the mistress of all the seas. There may be some differences of opinion among us, but those differences all run to the question of the rate of increase, not the fact of increase itself.

Navy building in America has attained a momentum that no power can stop. Now, this amendment affects only one phase of the question, and that is, Where shall we build the smaller vessels that are provided for in this bill? Are we going to confess openly and publicly that the great navy-yards of this country, planted upon the three coasts of America at an expenditure of hundreds of millions of dollars, are impotent to discharge one of the highest purposes of their creation—that of building our war ships? Are we going to admit unreservedly before the world that while England and Germany and France can build their war ships in their own yards as cheaply as they can have them built by private enterprise—and the reports will show such to be the fact—here in America we can not do the same?

I know some of the objections that have been urged in the past to the navy-yard system. It has been alleged that it costs twice as much and takes twice as long to build our ships in those yards as it does to build them in private yards, but I for one have not seen the evidence in support of so startling an announcement. I for one am not prepared to accept as a fact so deplorable a condition of affairs unless sustained by the most satisfactory evidence. I am not willing to admit that such gross inefficiency exists upon the part of our Government.

If those statements be true, then there has existed an inefficiency that should have called for the most searching investigation at the hands of Congress, and if the allegations had been sustained would have warranted a revolution in navy-yard methods and a renovation in the officialdom of the Navy, so far as the yards were concerned. I believe those statements are exaggerations. Some of them have been innocently made, but most of the defamation of our navy-yards has come from men who were counting the dollars and cents and who found it profitable to defame the Government yards of this country. There are, unfortunately, men sordid enough and base enough to stop at anything in order that they may divert public money from certain channels into their own pockets; yet I believe that if you would call the roll of all the yards in existence to-day and would consult their commandants and constructors, if you would go to the Navy Department and there consult the Chief of the Bureau of Construction and Repair, you would find that the yards of this country can do this work as cheaply and as well as the great shipbuilding trusts and combines of our land. [Applause.]

[Here the hammer fell.]

Mr. BOWIE. I ask unanimous consent that the gentleman from California [Mr. BELL] be allowed five minutes more.

There was no objection.

Mr. BELL of California. Now, Mr. Chairman, during the investigation before the committee in 1900 much of the inefficiency existing or claimed to exist in the navy-yards was attributed to the fact that they had become strong political factors, that the navy-yards had gone into politics and were used for political purposes. Like many other in the past such has been the case, but that condition of affairs has passed away. With the reorganization of our election laws and the reformation in our public service through civil service that condition has ceased to exist and never will return. I know that at Mare Island some twenty-five years ago the men were lined up like a lot of sheep, were marched up to the polls, and voted, each one holding in his hand a "tapeworm" ticket.

But these "tapeworm" tickets are no longer used, and they are now merely looked upon as curiosities, and the old condition of demoralization does not exist. The yards can not now be used for political purposes. Under our system of balloting and holding elections a man can walk into a booth, and in the privacy of that booth he can register the dictates of his own conscience. There exercise, untrammeled and unalloyed by outside influences, the greatest privilege of the American citizen.

And then, again, I have heard it urged in support of this excessive-cost theory that in the navy-yards men can only be required to work eight hours a day, while in private yards men are worked nine, ten, and eleven hours a day. But, gentlemen, it is a most shameful assertion whenever it is claimed that we should take advantage of that fact.

True it is that the men at the Mare Island Navy-Yard or any other navy-yard can not be compelled to work more than eight hours a day, and it is equally true that in 1892 we spread upon the statute books of this country a law that no man, laborer, mechanic, or otherwise, could be compelled to work more than eight hours a day upon a job of the Government, whether it was let by contract or otherwise. I know that the decision of a former Attorney-General has had the effect to nullify this law to a certain extent, but the law is there, and I do not believe the great Congress of the United States is going to seek an advantage, is going to accept the fruits of the wrong of some one else. When you say that you should build these ships in private yards because they can work their men more than eight hours a day, you are becoming a party to the crime of those shipbuilders and those contractors, because

they are violating the letter and the spirit of the law which says they shall not work men more than eight hours a day.

Again, suppose some man should rise in this Chamber and say we ought to build these ships by contract because the contractors can get their material and therefore build the ships more cheaply. Why, anyone making such a suggestion as that would incur the scorn of every one of his colleagues in this House. He would call down upon himself the just censure of every good citizen in America, and yet that argument is akin to the other. You say because a contractor can work his men over hours and violate the law he can do the work more cheaply than the Government can.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOWE. I ask unanimous consent that the gentleman from California be allowed to proceed another five minutes, as he has not finished his remarks.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent that the gentleman from California be permitted to continue his remarks for five minutes. Is there objection?

There was no objection.

Mr. BELL of California. Now, Mr. Chairman, in 1900 the committee listened to the testimony of three of the most prominent naval constructors of America—Chief Engineer Hichborn, Captain Crowninshield, and Constructor Baxter—and also at that time listened to the opinion of Admiral Hichborn, the Chief of the Bureau of Construction.

Mr. FOSS. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Illinois?

Mr. BELL of California. Yes.

Mr. FOSS. I did not hear Admiral Hichborn in his testimony say that, in his opinion, it would cost 25 per cent more to build ships in navy-yards than by private contract.

Mr. BELL of California. I can not say whether he did or not. If the gentleman says he did, I will accept the statement.

Mr. FOSS. Yes. I would like to say to the gentleman that perhaps we can come to some agreement on this. Will the gentleman yield for a question?

Mr. BELL of California. Certainly.

Mr. FOSS. I want to make a suggestion to the fact that we are now constructing the battleship *Louisiana* in a navy-yard.

Mr. BELL of California. That is true.

Mr. FOSS. [illegible] building the *Louisiana*, a ship of the same type and character and tonnage as those we are building, [illegible] to see whether [illegible] in Government navy-yards [illegible]

Mr. BELL of California. Yes.

Mr. FOSS. [illegible] had [illegible] the difference between a collier and a great war ship?

[illegible]

Mr. BELL of California. [illegible] two [illegible] and [illegible]

Mr. FOSS. [illegible]

[illegible]

Now, I would [illegible] build one of [illegible] navy-yard. I would [illegible] one of the [illegible]

Mr. FOSS. Now [illegible]

Mr. BELL of California. So long as the gentleman thinks this [illegible] why not make it in the collier?

Mr. FOSS. I am not saying it is good; but I am willing to do it in this case. I want to do it for our own benefit in securing information.

Mr. BELL of California. Providing that one of these colliers shall be built in a navy-yard.

Mr. FOSS. I will agree to that amendment.

Mr. BELL of California. I accept the amendment. [Applause.]

Mr. McMORRAN was recognized.

Mr. FOSS. I ask the Chairman to direct the correction to be made, so that one of these colliers shall be built in a navy-yard.

The CHAIRMAN. The Chair is not in possession of the amendment as it now stands.

Mr. FOSS. I will offer an amendment, if it is agreeable to the gentleman.

Mr. BELL of California. I would like to offer the amendment. The amendment will be simply to provide that one of these ships shall be built in the navy-yard. Add after the word "each," in line 4, "*Provided*, That one of said colliers shall be built in a Government navy-yard."

Mr. FOSS. I accept that.

Mr. WILLIAMS of Mississippi. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire to be heard on the amendment?

Mr. WILLIAMS of Mississippi. I hope the amendment will be adopted.

The CHAIRMAN. The Chair had recognized the gentleman from Michigan.

Mr. McMORRAN. I desire to ask the gentleman in charge of the bill [illegible] a fact that you can go into the open market and buy colliers of the description named in the bill on thirty-six hours' notice?

Mr. FOSS. Yes; you can go upon the market and buy merchant colliers, but can not buy naval colliers. You can not buy [illegible] are. They only recommend [illegible] and vessels in connection with the two great [illegible] one in the Atlantic and the other in the Pacific.

Mr. McMORRAN. I understand the definition of a collier to be a vessel [illegible] for the war ships. Now, any [illegible] and will run 16 miles an [illegible]r. Now, if it is a fact that [illegible] all times [illegible] to ask the chairman whether it is good [illegible] to appropriate five times the amount [illegible]?

Mr. [illegible] ment of the [illegible] such as the naval au[illegible] it costs to [illegible] collier, either by co[illegible]

Mr. McMORRAN. I will say this: [illegible] lier with a capac[illegible] hour can be [illegible] $1,250,000?

[illegible] you require, [illegible] at this point—

[illegible] 340 feet and [illegible]

[illegible] at the [illegible]

[illegible] the gentleman from [illegible]

Mr. McMORRAN. I supposed the gentleman was going to ask [illegible]

Mr. W[illegible]

Mr. McMORRAN. Now, Mr. Chairman, I would like the further i[illegible] whether as a [illegible] would [illegible]

The CHAIRMAN. [illegible] has expired.

Mr. McMORRAN. Mr. Chairman, I ask unanimous consent that I may have [illegible]

The CHAIRMAN. The gentleman from [illegible] unanimous consent that his time be extended [illegible] Is there objection? [After a pause.] The Chair hears none.

Mr. McMORRAN. Mr. Chairman, I move to strike out the entire paragraph carrying the appropriation of $1,250,000 for two colliers.

Mr. FOSS. Mr. Chairman, I do not think that motion is in order at present.

The CHAIRMAN. The motion is not in order.

Mr. FOSS. But it may be in order a little later. I will say, Mr. Chairman, that this recommendation came to us from the general board, and in the Secretary's hearing he speaks of these colliers and gives here the reasons of the general board. Now, when the Secretary was before the committee he stated the reasons for the recommendation of the general board in regard to these two colliers, and this is the language of the general board:

> Squadron colliers—that is, colliers of steam high enough to accompany and capacity adequate to supply the fleet—do not exist in the merchant marine and can not be improvised.

Now, when the Secretary of the Navy came before us he recommended that these colliers be put in the bill. Now, on the general proposition of building colliers I am free to say to the gentleman that I sympathize to some extent with him, but as to the building of these two particular colliers, squadron colliers, specially adapted for the two great squadrons, I think that we ought to do it and build them adequate in capacity and swift enough in speed, and in accordance with the recommendations of the Department and the Secretary of the Navy.

Mr. BUTLER of Pennsylvania. Mr. Chairman, will my colleague allow me to ask him a question?

The CHAIRMAN. The gentleman from Michigan has the floor.

Mr. McMORRAN. Mr. Chairman, I concede that all naval officers want the very best equipment that they can have——

Mr. FOSS. Yes.

Mr. McMORRAN (continuing). But there is one unfortunate thing about the whole transaction, and that is that the naval officers do not have to foot the bills. The people of this country have to foot these bills, and we are here voting the people's money and not the money of naval officers. Now, no private corporation in this country, with a fleet of battle ships such as we are building and with the knowledge that they could go into the open market and buy colliers at any time, would consent to pay two and a half million dollars for two colliers which we do not need and may never need. I assume that a collier can be built on the Pacific or Atlantic suitable for carrying 5,000 tons and a capacity of from 16 to 20 miles an hour if necessary, sufficient to carry out the wants of the Navy, for a sum not to exceed from $300,000 to $350,000. Now, if that is true, why should we appropriate $1,250,000?

Mr. FOSS. Now, the gentleman is making some statements, and I would be glad if he would go down to the Navy Department and try and reconcile those estimates with the estimates of the Board of Construction as to the cost of colliers and as to the cost of these colliers. It seems to me that he is making a rather extravagant statement.

Mr. WM. ALDEN SMITH. If my friend will permit, I think the Navy Department might get some useful information from the gentleman from Michigan. He has had a good deal of experience——

Mr. FOSS. That is why I recommend that he go down to the Navy Department and try and reconcile the estimates.

Mr. McMORRAN. If these colliers were to be built in a navy-yard of the Government I have no doubt they would cost at least $500,000 apiece, but I can not conceive they would cost $1,250,000. If the estimate of the Secretary is correct that it will cost $1,250,000 to build each of these colliers, I think it is full time the Government abandoned building its own colliers.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I believe there is only one exception to the general principle that the Government ought not to go into the manufacturing business of any sort or into private business. I believe, however, that an exception does exist in the case of articles that are manufactured for self-defense, articles that are purely governmental and absolutely necessary for self-defense—cannon, torpedoes, powder, ships, and things of that sort. I think that the question of mere economy ought not to cut quite as much of a figure as the gentleman from Illinois would attach to it. Even if it costs a little bit more money to build ships and cannon and make armor plate in Government navy-yards, it would still be better to make them there, because then you are independent of everybody except the Government in case of great emergency, and great emergencies may arise at any time.

I shall support the proposition of the gentleman from California [Mr. BELL] in the hope that later on, before the discussion is over, we may go yet further and order that all of the lesser craft provided for in the bill, everything except the two cruisers and the battle ship—all the colliers and scouts shall be built in the navy-yards.

When you first build a battle ship or a scout or a collier in a navy-yard, in comparison with a private yard, you are going to come out on the wrong side of the ledger, of course, because they have the skilled labor, the experience, the routine, and all of that. The first great battle ship or cruiser you build, compared in cost with the same type of vessel built in a private yard, is going to bring the balance against the Government on the cost of building, for the reason that I have stated. But as you train your men and get them accustomed to the grooves in which they must live in order to complete this work, then the product becomes itself cheaper and cheaper.

There is this much to be said, at any rate. The item of profit is cut out. When the Government builds its own ship, makes its own powder, and makes its own cannon, the item of profit is eliminated. Now, if the Government can build as cheaply as a private yard, then of course the Government will have to pay less, because it has to pay its own profit. If it can not build quite as cheaply, yet if it can build less than the cost in a private shipyard, it places the profit itself still ahead, and if it pays a little bit more it is worth something to have the matter of necessary self-defense under governmental control and management.

Now, one other point; something has been said about the fact that the Government could not build as cheaply because the Government navy-yards work their men a less number of hours than the private yards. All the better. If this thing will incidentally, or in some other way, redound to the benefit of American labor, that will certainly be no objection to it; and if it will set a shining example in favor of old Sir Matthew Hale's division of time—eight hours for work, eight hours for sleep, eight hours for worship, education, and edification—all the better. [Applause.]

Mr. ROBERTS. Mr. Chairman, I move to strike out the last two words. It is quite evident that the gentleman from Michigan [Mr. McMORRAN] has entirely misunderstood the nature and requirements of these two naval colliers. He speaks of a collier just being laid down somewhere on the Great Lakes as having a speed of 16 knots and carrying 5,000 tons cargo. But that sort of a collier would not answer as a naval collier for a moment. It could not for a moment fill the place of the colliers designed in this bill. What is wanted by the Navy Department are two colliers that will have, in addition to the capacity to carry 5,000 tons of coal, sufficient capacity to carry coal enough to enable them to steam 8,000 miles. That is what is wanted—an entirely different ship from the ordinary collier that will go up and down the lakes, touching at one port and another. The collier that is wanted here is one that has additional space for coal enough to carry them across the ocean.

Furthermore, the colliers designed for the Navy must be of a much stronger construction than the ordinary merchant collier, because it is designed to coal the battle ship at sea, which naval officers will tell you is a most dangerous proceeding, dangerous especially to the collier, which is not ordinarily built as strong as a battle ship. Furthermore, the collier designed in this bill is a collier that would be fitted with special appliances for coaling ships at sea. The collier the gentleman from Michigan speaks of is a collier that we see on the Atlantic coast, made a little larger than the ordinary collier, but they do not themselves have the appliances for handling coal. They have no apparatus for handling the coal taken from their own holds. They go up alongside of the wharf or a shed or a coal pocket where there is machinery to hoist the coal out and put it into the coal pocket.

They have not the machinery to take that coal out of the hold and put it on a neighboring ship. That is why these colliers cost more than the ordinary colliers.

Mr. McMORRAN. Mr. Chairman, does the gentleman say that the ordinary collier does not have facilities for taking the coal out of the hold?

Mr. ROBERTS. That is true.

Mr. McMORRAN. Did the gentleman ever see one that did not have it?

Mr. ROBERTS. Why, Mr. Chairman, I have seen as many colliers, I venture to say, as the gentleman from Michigan, and none of them are equipped with apparatus for hoisting the coal out of the hold. They come up alongside of the pocket and there is machinery on the shore that does the business. Those colliers are not large enough to carry that heavy and expensive and complicated machinery to lift that coal out and deposit it alongside. Furthermore, Mr. Chairman, he speaks of the case with which colliers to fill these requirements can be purchased. The general board of the Navy tell us that these colliers are not now in existence and can not now be improvised, and yet the gentleman would have us strike these two items out because a collier which will, according to his ideas, meet the requirements is to be built on Lake Michigan or some one of the Great Lakes.

How long would it take, or would it, indeed, be possible in time of war, to get those colliers out of the lakes and down to the port of New York, or Norfolk, or San Francisco, or wherever they are wanted? The idea is to have these colliers ready to go with a flying squadron at a moment's notice, if necessary, to the other

[illegible] into the market, even if [illegible] and buy them at a moment's [illegible] [illegible] and at the point where [illegible] [illegible] on a day's [illegible] [illegible] They are urgently needed for the [illegible] of the Navy.

Mr. [illegible] MORRAN. Mr. [illegible] a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. [illegible] MORRAN. Is my motion to strike out the paragraph [illegible]

The CHAIRMAN. The motion to strike out the paragraph will be [illegible] is perfected by [illegible]

Mr. [illegible] MORRAN. It is not [illegible]

The CHAIRMAN. The [illegible] Virginia offered an amendment which has been [illegible] and the gentleman from [illegible] have been [illegible]

Mr. FOSS. Mr. Chairman, I call for the reading of the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

[illegible] page 70, the following:

[illegible] used unless [illegible]

Mr. MCMORRAN. Mr. Chairman, I move to strike out the last [illegible]

Mr. FOSS. Mr. Chairman, I agree to that amendment, although I [illegible]

The CHAIRMAN. The question is on the amendment offered by [illegible]

Mr. MCMORRAN. Mr. Chairman, I move to strike out the last [illegible]

Mr. FOSS. Mr. Chairman, I move that debate close on this [illegible] and all amendments [illegible]

Mr. MCMORRAN. Mr. Chairman, I believe I have the floor.

[illegible]

The CHAIRMAN. What is the motion of the gentleman from [illegible]

Mr. FOSS. Mr. Chairman, I rose and made the motion that [illegible]

The CHAIRMAN. The [illegible] moves that [illegible] The [illegible]

[illegible] of the [illegible]

The question was taken, and [illegible] was agreed to.

Mr. MCMORRAN. Mr. Chairman, I move to strike out the [illegible] each for two [illegible]

The CHAIRMAN. The gentleman from Michigan moves to strike [illegible]

Mr. MCMORRAN. Mr. Chairman, in this connection I would like [illegible]

The CHAIRMAN. The Chair will [illegible] the gentleman from [illegible] Mr. [illegible] was taken [illegible] by Mr. McMORRAN [illegible]

So the amendment was [illegible]

MESSAGE FROM THE SENATE.

The committee [illegible] Mr. PAYNE having taken the chair as speaker pro tempore, a message from the Senate, by Mr. PARKER, their reading clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2750. An act authorizing the Yankton, Norfolk and Southern Railway Company to construct a commercial wagon and foot bridge across the Missouri River at or near the city of Yankton, S. Dak.;

S. 3344. An act permitting the Kansas, Oklahoma and Fort Smith Railway Company to sell and dispose of land and other property in the Indian Territory to the Eastern Oklahoma Railway Company and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said The Atchison, Topeka and Santa Fe Railway Company.

The messages also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 48.

Resolved by the Senate (the House of Representatives concurring). That the Secretary of War be, and he is hereby, authorized and directed to cause a survey to be made of the harbor of Fernandina, Fla., with a view to establishing a harbor line and to determining the necessary improvements for [illegible]

Senate concurrent resolution No. 49.

Resolved by the Senate (the House of Representatives concurring). That the [illegible] area of light-draft [illegible] be, and the same is hereby, [illegible] R. 1

The [illegible] announced that the Senate had passed without amendment [illegible] following bills:

H. R. 6345. An act for the relief of the State of Iowa;

H. R. 8435. An act to amend the act of Congress of March 11, 1902, relating to homesteads; and

H. R. 7620. An act defining the limit of navigation of the Osage River, in the State of Missouri.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

[illegible] act for [illegible]

[illegible]

[illegible] petition [illegible]

Mr. HUMPHREY of Washington. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page [illegible] after the word "party," insert the following:

[illegible]

Mr. [illegible]

The CHAIRMAN.

Mr. RIXEY. The [illegible] portion of [illegible] Navy to [illegible] him to build a portion of [illegible]

The CHAIRMAN. The [illegible] hear the gentleman from [illegible] if he [illegible]

Mr. HUMPHREY of Washington. I [illegible] the gentleman to reserve [illegible] for a few [illegible]

Mr. RIXEY. I [illegible]

Mr. HUMPHREY of Washington. Mr. Chairman, I do not [illegible] the vessels [illegible] be built upon the Pacific coast; and I believe that [illegible] the Navy [illegible] from the East and is [illegible]

Labor is to-day [illegible] than upon the Pacific [illegible] than upon the Atlantic. Under such conditions it is absurd [illegible] between the builders upon the Atlantic and those upon the Pacific coast.

I do not believe that we can construct any of the vessels provided for in this bill unless we do have this protection. I do not believe that a vessel ever has been constructed upon the Pacific coast without this protection.

I know that without this advantage we can not construct one at Seattle, where we are to-day building a battle ship. The ship now being built there has had [illegible] advantage of this [illegible] but when it became evident that the contractor could not [illegible]

Mr. WILLIAMS of Mississippi. Do I understand the gentleman to be advocating [illegible] of "protection" of some part of the United States against some other part of the United States?

Mr. HUMPHREY of Washington. Yes, sir.

Mr. WILLIAMS of Mississippi. That is carrying "protection" further than I ever heard it [illegible]

Mr. HUMPHREY of Washington. We are asking a protection of 4 per cent on [illegible] constructed upon the Pacific coast. And I desire to say to the gentleman that such protec-

tion has existed for the last fifteen years until the last Congress, and that all the vessels, so far as I know, that have ever been constructed on the Pacific coast have been constructed under this protection.

Now, I desire to say further that not only was this protection given to the battle ship now being constructed at Seattle, but in addition to that fact, when it was discovered that the contractor could not build it at the price bid, the patriotic people of Seattle in twelve hours subscribed a bonus of $100,000 and gave it to the builder in order that he might accept the contract.

We have constructed some vessels upon the Pacific coast for the Navy, and we are justly proud of the record. We constructed the *Monterey*. We constructed the magnificent *Oregon* that bore Dewey on that historic day at Manila. We have constructed the [illegible] of the seas, the most marvelous [illegible] machine that the deft cunning of hand and brain has ever yet wrought, and to-day we are building at Seattle a battle ship that will be greater in size, more terrible in battle, as perfect in construction as the best [illegible] unless [illegible]

We have an advantage in climate, in evenness of temperature, that enables us to construct these mighty monsters of steel more perfectly than is possible upon the Atlantic coast.

By actual test, by the test of battle, this statement has been changed from argument to demonstration. When the Government pays 4 per cent more for the construction of a vessel upon the Pacific coast, outside of the question of policy, it gets more than it pays for. But we ask this protection, not only on the ground of wise public policy, not only on the ground of more perfect construction, but, as the gentleman has said, as a protection to our industries upon that coast.

[illegible]

Mr. JONES of Washington. I ask unanimous consent that my colleague have five minutes more.

There was no objection.

Mr. HUMPHREY of Washington. Mr. Chairman, never did we need this protection so sorely as we need it to-day. Not since the keel for the first ship was laid upon Puget Sound has our shipyard been in a condition so deplorable as now. Practically [illegible] work that is being done in our shipyards is work upon the [illegible] of the Navy.

On [illegible] point: The company now carrying on this construction at Seattle does not belong to the trust. It is an independent company, and that in itself ought at least to entitle it to fair treatment. I think it is better that the Government should pay 4 per cent more upon one vessel than that there should be no competition upon any. I call the attention of gentlemen on the [illegible] of the House, who are always so anxious and willing to fight trusts with their vocabulary, to the fact that here is an opportunity to hit the grasping octopus with their votes. [Applause.]

Now, this advantage has always been allowed us until the last Congress. It is just, it is right; our shipyards need the protection, and therefore I say, in all fairness, we ought to have it. [Applause.]

Mr. RIXEY. I should like to ask the gentleman a question.

Mr. HUMPHREY of Washington. Certainly.

Mr. RIXEY. Does the gentleman mean to say that all the shipyards on the eastern coast are in a trust?

Mr. HUMPHREY of Washington. No, sir; I do not mean to say anything of the kind.

The CHAIRMAN. Does the Chair understand the gentleman from Virginia [Mr. RIXEY] to insist on his point of order?

Mr. RIXEY. I do.

The CHAIRMAN. The Chair will ask the gentleman to state it.

Mr. RIXEY. My point of order is to the amendment. I understood the amendment to provide that the Secretary of the Navy should build at least two of these ships on the Pacific coast and that the Pacific coast was given a preference of 4 per cent. Now, this is a limitation on the discretion of the Secretary. Under the law as it [illegible] on the Pacific coast wherever he chooses to build them, but this provides that he shall build some of them in a certain portion of the country. As I say, it is a limitation upon his discretion.

The CHAIRMAN. The Chair will call the attention of the gentleman from Virginia to the fact that the paragraph of the bill as read and as amended by the committee itself contains provisions changing existing law. The Chair would like to hear the gentleman if he has anything to say upon that subject. The Chair is ready to rule unless the gentleman desires to be heard.

Several MEMBERS. Rule! Rule!

The CHAIRMAN. The amendment offered by the gentleman from Washington [Mr. HUMPHREY] would be subject to the point of order made by the gentleman from Virginia were it not for the fact that the paragraph as read (and which no point having been made against it, must be considered as having been agreed to by unanimous consent) is itself subject to the point of order, or would have been had the point been made, that it changes existing law in several particulars. It provides specifically that the contract shall be awarded by the Secretary of the Navy to the lowest and best responsible bidder, but that not more than three of the vessels provided for in this act shall be built by one contracting party, which is legislation and a change of existing law.

Now, it has been held, as may be seen by reference on page 348 of the Manual, that a paragraph which changes existing law being allowed by general consent to remain, it may be perfected by any germane amendment. The Chair therefore overrules the point of order.

The question is upon the amendment offered by the gentleman from Washington.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the point of order having been overruled, the question comes up on its merits.

This is a fair sample of the degeneration of reason and the disease of imagination that comes from a system of protectionism. Here is a proposition now deliberately to pay out of the public Treasury 4 per cent more to people in a certain section of the United States for doing certain work than is paid to other people in other sections for doing exactly the same work. Where is it going to stop?

Mr. CUSHMAN. Is the gentleman aware that this same provision has been in the naval bill heretofore?

Mr. WILLIAMS of Mississippi. Perfectly aware of it.

Mr. CUSHMAN. Why did not the gentleman raise his voice against it before?

Mr. WILLIAMS of Mississippi. It happened not to be my responsible duty to do that.

Mr. CUSHMAN. Is it your duty now?

Mr. WILLIAMS of Mississippi. Yes, it is now; it always is. Whenever a question of inequanity comes up, it is the duty of any man who has been imagined to be fit to represent the Democratic party or to stand for it to raise his voice.

Mr. CUSHMAN. That is exactly the reason why I asked you why you did not raise the objection before.

Mr. WILLIAMS of Mississippi. I frankly confess to the gentleman that, as is the case with himself and a great many other Members upon this floor, a great many things have gone into the statute laws of the United States that I did not know anything about at the time. It was not then my special duty to notice it. I was thoroughly astounded a moment ago to learn that this same sort of a provision had appeared in previous laws of the United States.

But a wrong does not make it right to repeat a wrong. It never can. Nobody but the [illegible] lawyer, when he is [illegible] as a lawyer, ever had an idea that a precedent constitutes a [illegible]

Now, Mr. Chairman, how far is this sort of thing to go? After a while, when the Post-Office Department wants to put certain material, when the War Department wants it, when the Interior Department wants certain work done, are we to say that we must pay 4 per cent more if it is done on the Pacific slope than if it is done in Mississippi, or 8 per cent more if it is done in Pennsylvania than if it is done in New Jersey?

The protection of the United States against the balance of the world has been partially [illegible] by the assistance of a great many men of intelligence, but protection of one part of the United States against another is more nonsense of the imagination in economics, and this is as good a time to strike it down as any other time that can possibly present itself.

Mr. FOSS. Mr. Chairman, I desire to call the attention of the committee to the reason why this was stricken out, and I may as well read what I said on the floor one year ago. I will say to the gentleman, addressing myself to the gentleman from Washington [Mr. CUSHMAN], I said last year: The Committee on Naval Affairs had always reported a preferential of 4 per cent; but last year, in the report on the bill to the House, we put it out, and the reason given at that time was that the Union Iron Works, on the Pacific coast, and the shipbuilders there, had shown in a recent hearing that they could compete with the East and the eastern shipbuilders. The Union Iron Works, in a bidding for cruiser No. 2, *South Dakota*, had bid less than the eastern shipbuilders at Cheapside and Newport News, and by reason of the fact that the Pacific coast shipbuilders had shown in a manner that they could build these vessels to the Government at a less cost than the eastern shipbuilders here, it seemed to the committee that there was no reason for this preferential of 4 per cent. That is all I have to state.

Mr. CUSHMAN. Mr. Chairman, in rising to support the amendment offered by my colleague [Mr. HUMPHREY of Washington] I address myself first to the gentleman from Mississippi [Mr. WILLIAMS], who is opposing this amendment. I am not at all surprised that, belonging to the political party that he does and entertaining the views that he does on the subject of protection generally, he has made an onslaught on the proposed amendment to this bill, which amendment embodies a feature of the protective law.

It is somewhat surprising, however, to think that the gentleman from Mississippi, who was so earnestly in favor of a million-dollar appropriation being made at this same session of Congress to protect the cotton industry of Texas from the ravages of the devastating cotton worm, can work himself up into such a tremendous spasm of virtue over this provision. That was a provision to appropriate money to protect an agricultural industry of the South.

This is a provision to appropriate money to protect a manufacturing industry of the West. He was in favor of that. He is against this. I always admire the somersaulting proclivities of a political acrobat whenever I am privileged to witness them.

Permit me, Mr. Chairman, to remark in passing that I am not only in favor of the passage of this naval appropriation bill, but I most cordially support the policy behind this bill, which is the policy of building a large United States navy of modern construction and equipment.

I am utterly unable to agree with the statements of those who claim that a great navy is an invitation for war. On the contrary, in my judgment, it is a command for peace. Both in a national and an individual sense he who is prepared for attack and capable of defense is less likely to be assaulted than the weakling who depends upon a peaceful disposition, with no means at hand to compel respect for his opinions or regard for his rights.

Now, I am not only in favor of a large modern navy, but I am in favor of having the same built in the cheapest practicable manner that will produce satisfactory results. And that is the exact reason why I am to-day supporting this amendment to give a 4 per cent preferential rate to Pacific coast constructors on one naval vessel to be built on the Pacific coast.

Now, then, there is only one principle in all this wide world that keeps down the price of anything—and I don't care whether the article is a bag of peanuts or a battle ship—and that one thing that keeps down all prices is competition. When you take the element of competition out of any contest involving price, you have taken out the last anchor. You, the purchaser, are then helpless as regards the cost of the article.

If it is an article that you are obliged to have, and one single person or combine controls the cost, the price that they will wring out of you will only be limited by the degree of your necessity and the extent of their avarice. Those statements are axiomatic. They are fundamental.

Now, then, it is to the interest of this Government for numerous reasons to have part of the battle ships of the Navy built on the Pacific coast.

First, it is advisable to build part of our battle ships on the Pacific coast because experience has taught the world that the very best specimens of naval architecture, not of this nation alone, but of the world, have been turned out of the Pacific coast yards. Second, it is advisable that part of our battle ships be built on the Pacific coast in order to maintain and stimulate a healthy competition in this gigantic and necessary work.

As I have heard it stated, if there is any combination on the Government's part to purchase to control the price it may depend. Any competition, in order to be of any benefit to the Government, must be real competition.

Let me illustrate what I mean by real competition. If the Government advertises for the construction of a battle ship worth $3,000,000, and the shipbuilding concerns of the Atlantic coast enter into an agreement between themselves that none of them will bid less than $3,000,000, and regardless of which one of them gets the contract they will all divide the profits—now, in a case like that, it doesn't make any difference what the amounts of the different bids may be on paper, there has been no real competition, and the Government is beat out of a million dollars by the system.

Now, in a practical sense, that is about the proposition we are face to face with to-day. A number of the shipbuilding concerns on the Atlantic coast have entered into a combine, agreeing to act together in the matter of bidding on these battle ships. It is not necessary for very many of these concerns to band together in order to absolutely control the price, for you must remember that concerns able to build a battle ship are not located on every street corner. There are only a few of them, and when these few get together they have mastered the situation as regards the work which they produce.

Now, then, the Moran Brothers Company at Seattle, Wash., is one of the two shipbuilding yards of that nation. Nevertheless, of the two that their yard is comparatively new, they are to-day building the battle ship *Nebraska* for the United States Government. This shipbuilding concern, the Moran Brothers Company, is not to-day and never has been a member of any trust or combine for the purpose of "holding up" the Government.

Therefore the real competition, which is the only relief of the Government, must come from the Pacific coast bidder. Now, then, what position is the Pacific coast shipyard in as a competitive bidder against the Atlantic coast shipyard? By the very nature of things and by virtue of geographical location it is possible for the Atlantic coast people to build a battle ship cheaper than it can possibly be built on the Pacific coast. This is because nine-tenths of all the material that goes into every battle ship is manufactured very near the Atlantic coast.

All the heavy steel work is done on the Atlantic coast, and I think that statement is equally true regardless of the way in which you spell the word "steel." [Laughter.] All the large steel plates and all the heavy material that go into a battle ship are produced on or near the Atlantic coast, and from there they must be transported to whatever place the battle ship is to be built. And if a battle ship is to be built on the Pacific coast at all, the Pacific coast contractor must ship all this heavy material, hundreds and thousands of tons, across the continent and pay 75 cents per hundred freight charges on it.

Now, then, some gentlemen on the Naval Committee—and they are gentlemen, too, whether they agree with us or not—some gentlemen on the Naval Committee will probably tell you that a contractor can build a battle ship on the Pacific coast as cheaply as it can be built on the Atlantic coast. I do not mean to be offensive when I say that is not true. All it requires to demonstrate its falsity is a rudimentary knowledge of arithmetic—just plain addition and subtraction.

When a man can prove to me that it is as great a distance from Pittsburg to New Jersey as it is from Pittsburg to Seattle, or that the freight rates are the same, then I will believe that statement, and not before.

They may tell you that some man on the Pacific coast at one time bid less on one vessel than some Atlantic coast bidder. Mr. Chairman, that is a mighty small foundation on which to build up a great system of procedure. You can't ship material clear across the continent and pay freight on it and then compete in price of construction with a man whose manufacturing plant is within the shadow of the steel works.

When this same question was up for discussion on this floor a year ago I read and placed in the CONGRESSIONAL RECORD on February 10, 1903, page 2401 of the CONGRESSIONAL RECORD, the letters and statements of Pacific coast builders fully sustaining this position which I now take.

You can't get the heavy material from the factory to the Pacific coast as cheaply as you can get it from the factory to the Atlantic coast.

Therefore it is a physical and financial impossibility for the Pacific-coast shipyard to build a battle ship as cheaply or to bid as low on its construction as the Atlantic-coast concern.

And for these reasons we have to-day offered and are supporting this amendment to the naval appropriation bill, which amendment in substance provides that the Secretary of the Navy shall give a 4 per cent preferential to Pacific-coast bidders over Atlantic-coast bidders on one of the naval vessels authorized by this bill; that is, in comparing and considering the bids of the two the Pacific-coast bidder shall be given an advantage of 4 per cent.

This 4 per cent advantage, if allowed, will not any more than offset the advantage which the Atlantic-coast bidder now enjoys in cheap freight rates and short haul from the factory to the shipyard on all of this tremendous tonnage which constitutes the chief material out of which a battle ship is built.

The CHAIRMAN. The time of the gentleman has expired. [Cries of "Vote!"]

Mr. HUMPHREY of Washington. Mr. Chairman, I ask unanimous consent that my colleague may have five minutes more.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that his colleague may have five minutes more. Is there objection? The Chair hears none.

Mr. CUSHMAN. Mr. Chairman, let me impress upon you and upon this House that I am not making this speech or this amendment here to-day wholly or even primarily on account of the interest of the men who own the Pacific coast shipyards. I recommend the adoption of this amendment more for the protection of the Government than for the benefit of the Pacific coast shipyard owner, and the reasoning is plain. It is like this: If you do not allow the Pacific coast bidder a preferential rate, you shut him out as a practical bidder.

If you shut out the Pacific coast bidder you leave the Atlantic coast bidders standing alone practically in a combine, and you thereby eliminate all real competition. When you eliminate this real competition you leave the Government open to the rapacity of and defenseless against the encroachments. If there is any man on this floor who hesitates to vote for this amendment because he thinks he will thereby add to the burdens of the Government, I want to assure him that in voting for this amendment he is throwing an additional advantage on the side of his Government and saving his country's money. [Applause.]

Mr. WILLIAMS of Mississippi. Before the gentleman sits down may I ask him a question?

Mr. CUSHMAN. Certainly.

Mr. WILLIAMS of Mississippi. There would be no practical

competition in bidding if the gentleman wanted to buy lumber, let us say, between the treeless plains and the balance of the country. Then you would advocate—because that was true, you would give a bidder from the treeless plain country a 4 per cent advantage when the Government wanted to buy lumber?

Mr. CUSHMAN. Mr. Chairman, I may be unusually dull, but I confess I do not see the applicability of that question in this connection.

Mr. WILLIAMS of Mississippi. But the gentleman a moment ago said that the reason why we could not have the steel and they could have it on the Pacific coast was that they do not have the steel and they would have to import it.

Mr. CUSHMAN. Yes; we are obliged to transport both kinds.

Mr. WILLIAMS of Mississippi. The reason why men could not furnish timber as cheap from a treeless plain country would be because they did not have the timber and would have to import it there before they could sell it. Then would you in the matter of Government contracts give those men an advantage of 3, 4, or 5 per cent in bidding for Government work?

Mr. CUSHMAN. Not necessarily, because I do not consider there is any analogy between the two propositions. I recall that you and your party voted on this floor—and the gentleman supported it—a million of dollars to protect the cotton industry of Texas, because that industry needed protection. Why can we not appropriate a few dollars with equal consistency to protect the shipbuilding industry on the Pacific coast, which needs it?

Now, let me state one other matter that in the haste of my remarks I have overlooked. Another proposition that ought to appeal to the gentleman from Mississippi is this: We need a portion of our naval vessels on the Pacific coast after their construction. Experience has taught this nation that the very best specimens of naval architecture, not of this nation alone, but of the world, have been turned out of the Pacific coast yards.

Now, does the gentleman from Mississippi [Mr. WILLIAMS] consider that there would be any material difference in principle between paying this additional 4 per cent and having one of these vessels constructed on the Pacific coast, where we need it, and transporting it around the Horn and paying 4 per cent of cost for doing so?

Mr. WILLIAMS of Mississippi. Oh, yes; I can imagine that there would be an appreciable difference. Now, I am not an expert upon that question and I really do not know the figures, but I have no idea that a trip, say, from New York or Norfolk to San Francisco would cost 4 per cent of the entire cost of a battle ship.

Mr. CUSHMAN. I am frank to say neither do I think such a trip would cost 4 per cent of the cost of the battle ship, but I merely stated that as one of the additional reasons entitled to some weight in the consideration of this matter. There were a great many people in the United States who would have cheerfully paid 400 per cent on the price of the battle ship *Oregon* if they could have gotten her around Cape Horn at one particular time.

Mr. WILLIAMS of Mississippi. We are not taking it for granted that we are engaged necessarily in hostilities the minute after a ship is built; we can not take that for granted. The gentleman's question was whether I thought there was any great degree of difference between paying 4 per cent bonus and carrying a ship, let us say, from New York to San Francisco.

My reply is, yes; I imagine that there is a very great deal of difference. I have no idea that it costs 4 per cent of the cost of a battle ship to carry it from New York to San Francisco.

Mr. CUSHMAN. I think the gentleman is right on that; I do not think it does, either.

Mr. JONES of Washington. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Washington moves to strike out the last word. In the absence of anyone who desires to speak opposing the amendment, the Chair will recognize the gentleman from Washington.

Mr. JONES of Washington. Mr. Chairman, I just desire to say a few words, because more may have a bad effect. I desire first to reply to the proposition of the gentleman from Mississippi. I will say to him if by giving the preference to which he refers it would bring up a good forest where there is not any without loss to any other forest, I would be in favor of it.

Mr. WILLIAMS of Mississippi. Do you ask me——

Mr. JONES of Washington. No; I am answering your proposition, and it seems to me that is the only proposition here. A few years ago we received bids from the Pacific coast——

Mr. WILLIAMS of Mississippi. Will the gentleman allow me a question?

Mr. JONES of Washington. Certainly.

Mr. WILLIAMS of Mississippi. I would like to ask the gentleman this question: Is he in favor, then, of building up or creating an American industry by protection against other American industries within the United States?

Mr. JONES of Washington. If the other industries are absolutely controlled by trusts, yes. If we can bring up the other industries without injuring those existing, yes.

Mr. WILLIAMS of Mississippi. In the illustration I have offered there was no question of trusts. The gentleman says he would give a bonus in Government contracts for the purpose of creating a forest in some part of the country. Then I ask him whether he will follow that out to its ultimate end and will say that he is in favor, by protection, in contracts or otherwise, of building up an American industry in competition with another American industry within America territory?

Mr. JONES of Washington. If it appears in the general good of the people and to the Government and without injury to the existing industry, I say yes.

Mr. WILLIAMS of Mississippi. I thought protectionism hitherto was a question between us and foreign nations. I wanted to know how far we had got along.

Mr. JONES of Washington. Oh, we are getting along very well.

Mr. MORRELL. Will the gentleman allow me to ask him a question?

Mr. JONES of Washington. Certainly.

Mr. MORRELL. Does the gentleman know how long the battle ship *Nebraska*, now being constructed on the Pacific coast, has been under construction?

Mr. JONES of Washington. I do not know; but a year and a half or two years, I suppose.

Mr. MORRELL. Practically two years. Does the gentleman know what percentage of the battle ship has been completed?

Mr. JONES of Washington. I do not; but I know there is a reason for the condition she is in.

Mr. MORRELL. I will give the gentleman the information—37 per cent.

Mr. JONES of Washington. Let me ask the gentleman from Pennsylvania if a yard in Pennsylvania has ever completed a battle ship within the time limited in the contract?

Mr. MORRELL. Yes.

Mr. JONES. I would like to know the name of it.

Mr. MORRELL. The shipbuilding firm of Cramp & Sons have built several battle ships within the time limited.

Mr. JONES of Washington. I would like to know the name of one battle ship.

Mr. MORRELL. I can not give the gentleman the names, because I am not sufficiently informed.

Mr. JONES of Washington. In answer to the intimation of the gentleman from Pennsylvania that the Moran Brothers are behind in their contract, I wish to read a telegram that I have from them here, as follows:

We are not behind contract, as extended, in construction of battle ships.
MORAN BROS. CO.

We do not claim that they have been delayed. They have been delayed because the Department has not been able to furnish the specifications and the plans, and because the Department has been changing the plans from time to time, and these people had to wait upon the Department. That is one reason they are behind. It is by no fault of theirs. One other reason is, and a reason that comes only in Republican times, that we had a strike out there that tied up the plant for a long time, and they were unable to work. We have been having prosperous times and there was some inducement for men to strike; there was a chance for them to win.

Now, then, the proposition made by the chairman of the committee that the reason they opposed this proposition before was because one bid upon one battle ship had been submitted at one time from the Pacific coast less than on the Atlantic coast. That may have happened, and probably did, but remember that the company that submitted that bid was in the trust at the time it was submitted. They are outside of that now, and I submit it is not a fair argument. The bids have been lower since, and therefore the reason fails.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. CUSHMAN. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from Washington asks unanimous consent that the time of his colleague be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. JONES of Washington. Now, Mr. Chairman, what are the facts in regard to the bids? The facts are that since that time the bids have exceeded the bids made upon the Pacific coast. This fact should not be overlooked—that every battle ship built upon the Pacific coast up to the present time and that is now building has been built and is being built under and by virtue of the very provision which it is proposed to insert in this bill.

At the last bidding called for by the Navy Department there was only one bid submitted from the Pacific coast, and that bid was submitted not by the Union Iron Works, of San Francisco,

but by the new and struggling and competing yard at Seattle, which sprang up under the fostering care of the Government. They relied and had a right to rely upon the continuance of the policy that had been pursued for fifteen years. This is another reason why they should have this encouragement. That bid, however, was 6 per cent over the lowest bid of Cramp & Sons and 10 per cent over the bid for the two ships. The Moran Brothers, you have been told, submitted a bid for the ship they are now building. They were awarded the contract by being given the benefit of 4 per cent and with the assistance of the patriotic and public-spirited people of Seattle, who raised $100,000 to help them out. With this assistance and relying on the longcontinued policy of Congress they entered their plant and prepared to compete in this work. They should not be denied the encouragement now. The Pacific must be manned by our ships, and good shipbuilding plants are a national necessity and should be protected.

Will Congress refuse to those people of the Pacific coast aid that is not, as the gentleman from Mississippi would have you understand, entirely for the benefit of the Pacific coast, but is for the benefit of the Government, for the benefit of the nation in building up other competing plants, plants that will bring to this Government contracts cheaper and cheaper for the building of these great battleships and be a great bulwark of safety in time of war? We on the Pacific coast are proud of the vessels that we have constructed; their achievements are emblazoned upon the scroll of our nation's history, and they have enriched the traditions of our Navy with victories most precious to us and humanity, and the glory they have brought to our flag will be a priceless heritage to our posterity. I trust that this House, having the opportunity to give us this assistance, will give it not for private gain, but for national advancement, and put a Government industry on the same plane it was for fifteen years prior to the last Congress. [Applause.]

Mr. McDERMOTT. Mr. Chairman, I offer an amendment providing that all ships mentioned in this bill shall be constructed within the State of New Jersey, and I want to say in advance of that proposition, which has so much merit upon its face that it really needs no advocacy [laughter], that New Jersey is entitled to more consideration than California. New Jersey is one of the original States of this Union. [Laughter.] New Jersey is so situated that when you look from one side of it you see the great city of New York, while from another side you behold the village of Philadelphia. New Jersey is so situated that when the great naval yard that will be necessary to construct these ships gets busy the people of Pennsylvania and the people of New York, traveling but 100 miles, one eastward and the other westward, can come there in the early morning and remain there until the late hour of summer's sinking sun watching the progress. There you have the eyes of three States looking upon these ships in course of construction to see that they are honestly constructed. [Laughter and applause.]

Nobody but the Chinese can come westward to investigate the shipbuilding in San Francisco. [Laughter.] Others have to go to Lewis End in order to understand it. There is another reason, and it is a reason that appeals to economy and perhaps teaches it. The reserve of the great ship trust is now a resident of the State of New Jersey, and its yard is there. [Laughter and applause.] What are you going to do when you find a property owned by men who thirteen months ago were known as the princes of finance, a property owned by men who hold it up in France for speculation and in England for contribution of pounds, to-day lying prostrate, no only working there, the boys jumping over the machinery, the weed going to rot and the iron going to rust in the great Neptune shipyard of New Jersey? May I not, with a voice more pregnant than that which comes from California, appeal to you all, Democrats and Republicans alike, to come to the rescue of that ship trust and have the ships mentioned in this bill built in that yard? [Prolonged laughter and applause.]

Mr. FOSS. Mr. Chairman, I call for a vote.

Mr. LIVERNASH rose.

The CHAIRMAN. Does the gentleman from California desire to be heard in opposition to the amendment of the gentleman from New Jersey?

Mr. McDERMOTT. Mr. Chairman, I withdraw the amendment.

Mr. LIVERNASH. Mr. Chairman, I regret that anything has been said here treating as matter of raillerie the amendment offered by the gentleman from Washington.

The amendment has regard to the importance to our nation as a nation that there shall be on the Pacific as well as on the Atlantic seaboard facilities for building war ships in private shipyards.

It is not enough that we have a navy-yard on the Pacific coast. We should have also effective private plants. The public and the private plants are checks upon each other, and in time of trouble we might have grave occasion for such rapidity and extent of work as neither could meet alone, though within the power of both.

The condition is not one of local interest to California or other Pacific coast States exclusively. It concerns all the States and all the Territories. The extent of our country makes this so. The exigencies of war might prove it of the utmost national importance.

We have in San Francisco really great private shipbuilding plants. They should be kept enough employed to insure their effectiveness for the purposes of the Government. In a large sense they are not private plants, though privately owned. The United States has a direct interest in their capacity for such service as it may wish of them.

And thus it is not so much helping California as helping the country when industrial inequalities between the Atlantic and the Pacific States are so equalized by preferentials as that Pacific shipyards may be able to bid against eastern yards with reasonable pertinacity to gain employment on such other work as the Government withholds from its navy-yards.

The preferential we are asked to restore in the case of Pacific yards is needful, if Pacific yards are to have a fair chance to continue serving the United States as builders of war ships. Let us not forget the *Oregon*, the *Oregon*, and these other superb war ships built by the Union Iron Works with such telling value to our country as to make them glorious throughout the world.

We may need other *Oregons* for later times of stress.

I hope the amendment will prevail.

The CHAIRMAN. Without objection, the amendment of the gentleman from New Jersey will be considered as withdrawn.

There was no objection.

The question is on the amendment offered by the gentleman from Washington.

The question was taken; and on a division (demanded by Mr. JONES of Washington) there were—ayes 76, noes 98.

So the amendment was rejected.

The Clerk read as follows:

[illegible] Secretary of the Navy is hereby authorized [illegible] for or purchase [illegible] and be authorized to be expended for the purchase of [illegible] Washington [illegible] appropriated, not exceeding [illegible] dollars, [illegible] appropriated, not exceeding [illegible] dollars, [illegible] appropriated, not exceeding [illegible] dollars,

Pensions, to which was referred the bill of the House (H. R. 8806) granting an increase of pension to George H. Sweet, reported the same with amendment, accompanied by a report (No. 1220); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Kerzia Cherry, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 7[illegible]) granting an increase of pension to George Tolman, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4[illegible]) granting an increase of pension to Margaret F. Harris, reported the same with amendment, accompanied by a report (No. 1224); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6087) granting an increase of pension to Anthony F. Brackin, reported the same with amendment, accompanied by a report (No. 1224); which said bill and report were referred to the Private Calendar.

Mr. LAFFERSLADER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10935) for the relief of Rebecca Mayo, reported the same with amendment, accompanied by a report (No. 1225); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5682) granting an increase of pension to Charles B. Hunt, reported the same with amendment, accompanied by a report (No. 1226); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5476) granting an increase of pension to William Davis, reported the same with amendment, accompanied by a report (No. 1227); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2371) granting a pension to Sarah J. Herrman, reported the same with amendment, accompanied by a report (No. 1228); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6422) granting a pension to Ellender C. Miller, reported the same with amendment, accompanied by a report (No. 1229); which said bill and report were referred to the Private Calendar.

Mr. HIGGINS, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9709) granting a pension to Louis De Witt, reported the same with amendment, accompanied by a report (No. 1230); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9592) for the relief of William H. Steimann, reported the same with amendment, accompanied by a report (No. 1231); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. STEENERSON: A bill (H. R. 13009) to validate certain original homestead entries and extend the time to make final proof thereon—to the Committee on the Public Lands.

By Mr. McDERMOTT: A bill (H. R. [illegible]) to abolish all duties upon wool or woolen goods imported from foreign countries—to the Committee on Ways and Means.

By Mr. SOUTHWICK: A bill (H. R. 13011) to increase pensions allowed to the totally blind—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 13012) authorizing and directing the Attorney-General of the United States to institute a suit or proceeding in the supreme court of the District of Columbia, by application for a writ of quo warranto against the Washington Gaslight Company for the purpose of having determined and adjudged the legality of the act or acts of said company in issuing $4,000,000 of certificates of indebtedness of said company and delivering them to its stockholders as a gratuity—to the Committee on the District of Columbia.

By Mr. LAFEAN: A bill (H. R. 13013) to authorize and direct the Secretary of War to purchase certain lands on the battlefield of Gettysburg, and making appropriation therefor—to the Committee on Military Affairs.

By Mr. CUSHMAN: A bill (H. R. 13014) to authorize the appointment of road overseers and to create road districts in the district of Alaska, and for other purposes—to the Committee on the Territories.

Also, a bill (H. R. 13015) to authorize and direct the Secretary of War to survey and construct a military trail commencing at or near the intersection of the Orazek and the Yukon rivers, thence to Coldfoot, on the Koyukuk River, in Alaska, and for other purposes—to the Committee on Military Affairs.

By Mr. BENTON: A bill (H. R. 13016) to establish a United States court and recording district at Grove, Ind. T.—to the Committee on the Judiciary.

By Mr. LEWIS (by request): A bill (H. R. 13017) to amend section 3 of the Code of the District of Columbia—to the Committee on the District of Columbia.

By Mr. TOMLINSON: A bill (H. R. 13018) for the erection of a public building at Tuskegee, Ala.—to the Committee on Public Buildings and Grounds.

By Mr. BREAZEALE: A bill (H. R. 13019) to provide for building an annex to the court-house and post-office at Shreveport, La.—to the Committee on Public Buildings and Grounds.

By Mr. VAN DUZER: A bill (H. R. 13020) to establish the Department of Mines and Mining—to the Committee on Mines and Mining.

By Mr. COUSINS: A bill (H. R. 13023) for improving, repairing, and the erection of an addition to the public building at Cedar Rapids, Iowa, and for public parking ground therefor—to the Committee on Public Buildings and Grounds.

By Mr. SCUDDER: A resolution (H. Res. 230) authorizing the Clerk of the House to purchase 40 sets of the Federal Statutes, annotated, of the United States, for use of the House—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Pennsylvania: A bill (H. R. 13021) granting an increase of pension to William Moore—to the Committee on Invalid Pensions.

By Mr. BARTHOLDT: A bill (H. R. 13022) to amend the military record of Bernhard Lofinck—to the Committee on Military Affairs.

By Mr. BENNY: A bill (H. R. 13023) for the relief of Joseph W. Barton—to the Committee on Military Affairs.

By Mr. BREAZEALE: A bill (H. R. 13024) for the relief of the estate of Jacob A. Wolfson, deceased, late of Natchitoches Parish, La.—to the Committee on War Claims.

Also, a bill (H. R. 13025) for the relief of the estate of Emile Rost, deceased, late of Natchitoches Parish, La.—to the Committee on War Claims.

By Mr. BURKETT: A bill (H. R. 13026) granting an increase of pension to Mary P. Bradley—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 13027) for the relief of Charles H. Skillings—to the Committee on Claims.

Also, a bill (H. R. 13028) for the relief of Frank Cowin—to the Committee on Claims.

By Mr. BURKETT: A bill (H. R. 13029) for the relief of John A. Bates—to the Committee on War Claims.

By Mr. CANDLER: A bill (H. R. [illegible]) for the relief of James F. Kellum—to the Committee on Military Affairs.

By Mr. CLAYTON: A bill (H. R. [illegible]) granting a pension to Martha Yarbrough—to the Committee on Pensions.

By Mr. DAYTON: A bill (H. R. [illegible]) granting an increase of pension to James Dean—to the Committee on Invalid Pensions.

By Mr. DE ARMOND (by request): A bill (H. R. [illegible]) granting a pension to Luther T. Hammonds—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 13034) for the relief of Permelia F. Roberts, widow of Jacob W. Roberts, deceased—to the Committee on War Claims.

By Mr. GAINES of Tennessee: A bill (H. R. [illegible]) for the relief of the estate of Elizabeth McClure, deceased, late of Montgomery County, Tenn.—to the Committee on War Claims.

By Mr. GRIFFITH: A bill (H. R. [illegible]) granting an increase of pension to George Mitchell—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 13037) for the relief of Samuel Post—to the Committee on Claims.

Also, a bill (H. R. 13038) for the relief of Carl C. Schmeiske—to the Committee on Claims.

By Mr. HENRY of Texas: A bill (H. R. 13039) granting a pension to Mary King—to the Committee on Pensions.

By Mr. HILDEBRANT: A bill (H. R. 13040) granting an increase of pension to George W. Stratton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13041) granting an increase of pension to Daniel B. Jacks—to the Committee on Invalid Pensions.

By Mr. JOHNSON: A bill (H. R. 13042) granting a pension to Esther J. Lee—to the Committee on Invalid Pensions.

By Mr. JONES of Virginia: A bill (H. R. 13043) for the relief of the estate of David Heller, deceased, and Mrs. E. Mary Heller, of Spottsylvania County, Va.—to the Committee on War Claims.

By Mr. KLINE: A bill (H. R. 13044) granting an increase of pension to Solomon R. Ruch—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 13045) granting a pension to Milton Diehl—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13046) granting an increase of pension to John N. Doss—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13047) granting an increase of pension to Simeon B. Hawkins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13048) granting an increase of pension to Alexander C. Cochran—to the Committee on Invalid Pensions.

By Mr. LONGWORTH: A bill (H. R. 13049) for the relief of James W. Jones—to the Committee on Claims.

By Mr. LORIMER: A bill (H. R. 13050) to remove the charge of desertion from the military record of Samuel Baird—to the Committee on Military Affairs.

By Mr. McDERMOTT: A bill (H. R. 13051) removing the charge of desertion from the military record of William Galvin—to the Committee on Military Affairs.

By Mr. McGUIRE: A bill (H. R. 13052) for the disposition of certain school lands in Oklahoma Territory—to the Committee on the Public Lands.

By Mr. McMORRAN: A bill (H. R. 13053) granting a pension to John T. Hartwell—to the Committee on Invalid Pensions.

By Mr. NEEDHAM (by request): A bill (H. R. 13054) for the relief of James Q. Shirley and the estate of Francis De Long, deceased—to the Committee on Claims.

By Mr. REEDER: A bill (H. R. 13055) for the relief of George W. Collins—to the Committee on Military Affairs.

By Mr. REID: A bill (H. R. 13056) for the relief of the legal representatives of Wiley J. Davis, deceased—to the Committee on War Claims.

By Mr. RIDER: A bill (H. R. 13057) to provide for the extension of letters patent for an improvement in insulating submarine cables—to the Committee on Patents.

By Mr. RIXEY: A bill (H. R. 13058) for the relief of Charles Clarkson—to the Committee on War Claims.

By Mr. SCUDDER: A bill (H. R. 13059) granting a pension to Charles P. Carman—to the Committee on Pensions.

Also, a bill (H. R. 13060) granting a pension to George Scudder—to the Committee on Pensions.

Also, a bill (H. R. 13061) granting an increase of pension to Henry S. Tillinghast—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13062) granting an increase of pension to Melville A. Smith—to the Committee on Invalid Pensions.

By Mr. SIBLEY: A bill (H. R. 13063) for the relief of James Shoakley, late governor of the Territory of Alaska—to the Committee on Claims.

By Mr. SMITH of New York: A bill (H. R. 13064) granting an increase of pension to John K. Tyler—to the Committee on Invalid Pensions.

By Mr. SNOOK: A bill (H. R. 13065) granting an increase of pension to James Hoy—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13066) granting an increase of pension to Thomas E. Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13067) granting an increase of pension to Thomas W. Prentiss—to the Committee on Invalid Pensions.

By Mr. SOUTHWICK: A bill (H. R. 13068) to correct the record of Harrison Clark—to the Committee on Military Affairs.

Also, a bill (H. R. 13069) for the relief of Daniel Leary—to the Committee on War Claims.

Also, a bill (H. R. 13070) for the relief of Lawrence Collins and Edward J. Flanigan—to the Committee on Claims.

Also, a bill (H. R. 13071) granting an increase of pension to John S. Whitmore—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 13072) granting a pension to Mary Bell—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 13073) granting an increase of pension to William Zigman—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: A bill (H. R. 13074) granting an increase of pension to John A. Gragg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13075) granting a pension to Samuel M. Centers—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13076) granting a pension to Alice Anna Amsden—to the Committee on Invalid Pensions.

By Mr. WALLACE: A bill (H. R. 13077) for the relief of Asa Townsend—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 13078) granting an increase of pension to Elizabeth C. Trafton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13079) granting a pension to Hudson M. Fisher—to the Committee on Invalid Pensions.

By Mr. CHARLES B. LANDIS: A bill (H. R. 13080) to remove the charge of desertion from the the military record of William N. Huddleston—to the Committee on Military Affairs.

Also, a bill (H. R. 13081) to remove the charge of desertion from the military record of John D. Cohee—to the Committee on Military Affairs.

By Mr. DAVIDSON: A bill (H. R. 13082) granting an increase of pension to William E. Wheeler—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ADAMS of Pennsylvania: Resolutions of United Textile Association of Philadelphia, protesting against the passage of the anti-injunction bill—to the Committee on the Judiciary.

By Mr. ALEXANDER: Resolutions of Iron Molders' Union No. 13, of Buffalo, N. Y., favoring an appropriation of $2,000,000 to increase the capacity of the Naval Gun Factory—to the Committee on Naval Affairs.

By Mr. BABCOCK: Petition of Oscar E. Follette and 13 others, of Delton, Wis., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BAKER: Petition of the New York Board of Trade and Transportation, favoring bills H. R. 3562 and 3539—to the Committee on Rivers and Harbors.

Also, resolution of the Manufacturers' Association of New York, favoring bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Manufacturers' Association of New York, favoring reduction of internal-revenue tax on alcohol used in the arts—to the Committee on Ways and Means.

Also, resolution of the Maritime Association of New York, favoring completion by the Government of breakwater at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the National Association of Agricultural Implement and Vehicle Manufacturers, of Chicago, commending the President's message on the subject of forestry and irrigation—to the Committee on Agriculture.

Also, resolution of United German Societies of New York, opposing the Hepburn bill—to the Committee on the Judiciary.

Also, resolutions of the United Commercial Travelers of America, of Brooklyn, N. Y., for amendment to the bankruptcy bill—to the Committee on the Judiciary.

Also, resolution of the the North Dakota Retail Hardware Association, in opposition to a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, favoring a light-house on Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

By Mr. BEALL of Texas: Petition of the Woman's Christian Temperance Union of Dallas, Tex., for passage of Hepburn bill—to the Committee on the Judiciary.

By Mr. BEDE: Petition of Fred Lamere and others, of Aitkin, Minn., for permission to construct a ditch between Spirit Lake and Diamond Lake, in Aitkin County, Minn.—to the Committee on Irrigation of Arid Lands.

Also (by request), memorial of rural letter carriers of Cambridge, Minn., praying for a maximum salary of $850 per annum, based on a grade scale—to the Committee on the Post-Office and Post-Roads.

By Mr. BENTON: Petition of George C. Abbott, M. D., and others, of Exeter, Mo., in favor of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BIRDSALL: Petitions of E. N. Kinshaw and 43 others, and of E. P. Stubbs and 11 others, of New Providence, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BREAZEALE: Petition of the Louisiana Bar Association, in favor of bill H. R. 10011—to the Committee on the Judiciary.

By Mr. BROWNLOW: Petitions of J. W. Tipton and 39 other voters, and W. H. Tipton and 23 other voters of Elizabethton, Tenn., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of members of women's clubs of Johnson City, Tenn., for a national forest reserve in the White Mountains—to the Committee on the Public Lands.

By Mr. BRUNDIDGE: Petition of citizens of Randolph County, Ark., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petitions of J. H. Slater and 19 others; I. D. Lewis and

26 others of Heber, Ark., and J. E. Davis and 28 others, of Searcy, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, protest of citizens of Reyno, Ark., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. BLACK: Petitions of M. A. Wiley and 46 others, and J. H. Wolf and 16 others, of Kansas City, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Letter of F. C. Hayward, president of Hayward Lumber Shoe Company, of Omaha, Nebr., in opposition to the anti-injunction bill—to the Committee on the Judiciary.

Also, petitions of Women's Christian Temperance Union of Auburn, Nebr., for the passage of a bill to prevent nullification of State temperance laws—to the Committee on the Judiciary.

By Mr. [illegible]: Papers relating to claim of Charles H. [illegible] for compensation for property destroyed—to the Committee on War Claims.

Also, papers to accompany bill granting a pension to James Elmore; and resolutions of Lewis H. Wing Post, No. 167, Grand Army of the Republic, of Macon, favoring a service-pension law—to the Committee on Invalid Pensions.

By Mr. BUTLER: Petition of Pennsylvania: Petition of W. P. Mercer and 41 other voters of Kennett Square, Pa., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of F. N. Collins and other citizens of Jackson, Kans., for passage of Hepburn bill—to the Committee on the Judiciary.

By Mr. CANNON: Papers to accompany House bill for the relief of James W. Ryan—to the Committee on Invalid Pensions.

By Mr. CAPRON: Petition of F. B. Smith, M. D., and 11 other voters, and Rev. D. L. Bennett and 20 other voters, of Coventry, R. I., praying for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. CASSEL: Resolutions of Captain Snow Post, No. 461, Department of Pennsylvania, Grand Army of the Republic, of Pleasant Grove, in favor of a service-pension bill—to the Committee on Invalid Pensions.

A petition of the Woman's Christian Temperance Union and 40 other voters of Mahaffey, Pa., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. CURRIER: Petition of James Cairns and 15 other voters, and Charles S. Parker and 21 other voters, of Concord, N. H., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. DANIELS: Papers in support of bill H. R. 11833, granting an increase of pension to James Ferguson—to the Committee on Invalid Pensions.

Also, papers in support of bill H. R. 11833, granting a pension to Lewis E. [illegible]—to the Committee on Invalid Pensions.

By Mr. DOWNER: Affidavits in support of bill for relief of Peter F. Hodson—to the Committee on War Claims.

By Mr. DUNWELL: Resolutions of Harry Lee Post, No. 21, Grand Army of the Republic, of New York City, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of the United Commercial Travelers of America, Freedom Council, No. 195, indorsing the proposed amendment to the bankruptcy bill—to the Committee on the Judiciary.

Also, resolution of Abel Smith First Long Island Post, No. 441, Grand Army of the Republic, New York, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of the Congress Club of Kings County, N. Y., favoring a ship-subsidy bill and other legislation and subsidies in United States vessels—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Manufacturers' Association of New York, protesting against the tax on alcohol—to the Committee on Ways and Means.

By Mr. FULLER: Resolutions of Chicago Board of Trade, in favor of bill H. R. 6273—to the Committee on Interstate and Foreign Commerce.

Also, petitions of Rev. H. M. Bannen and 500 others, of Rockford, Ill., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. GILLETT of Massachusetts: Petition of A. H. Warfield and 35 other voters of West Springfield, and W. H. Thompson and 45 other voters of Springfield, Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. GRANT: Resolutions of Bowlen Post, No. 494, of Channahon; Samuel McAdams Post, No. 467, of Lorenzo; E. D. K[illegible] Post, No. [illegible] of [illegible]; Iowa McDowell Post, No. 507, of East St. Louis; Coleman Post, No. 598, of Mount Vernon; Sandwich Post, No. [illegible], of Sandwich; E. S. Kelley Post, No. [illegible], of Wheaton; Bergerson Post, No. 474, of Washington; McCulloch Post, No. 455, of Earlville; Major Sam Hays Post, No. 457, of Summer Hill; Reseca Post, No. 478, of Genoa; James Mayes Post, No. 489, of Mount Erie; J. J. Anderson Post, No. 488, of Wayne City; Viola Post, No. 449, of Viola; G. W. Spencer Post, No. 489, of Riverdale; Alfred Birg Post, No. 492, of Andalusia; W. H. H. Lawton Post, No. 458, of Griggsville; Cobden Post, No. 439, of Cobden; George J. Meade Post, No. 444, of Chicago; Isaac McManus Post, No. 446, of Keithburg; Captain A. F. Knight Post, No. 460, of Albany; Edwardsville Post, No. 461, of Edwardsville; Eph Scott Post, No. 464, of Mahomet; Macedonia Post, No. 469, of Macedonia; Blue Island Post, No. 473, of Blue Island; Colonel Raith Post, No. 587, of O'Fallon; Eugene Lyford Post, No. 603, of Port Byron; Whipple Post, No. 414, of Kankakee; W. A. Babcock Post, No. 416, of Onarga; Nashville Post, No. 419, of Nashville; P. Schoolcy Post, No. 418, of Watson; Tobias Butler Post, No. 428, of Bowen; Marissa Post, No. 430, of Marissa; Timber Post, No. 432, of Glasford; Reynolds Post, No. 559, of Reynolds; Samuel Akins Post, No. 566, of Camden; James C. Lasater Post, No. 570, of Mill Shoals; Brown Culley Post, No. 571, of Thebes; Amboy Post, No. 572, of Amboy; George Kriedler Post, No. 575, of Milledgeville; John A. Rawlins Post, No. 579, of Mulberry; Harry Man Post, No. 582, of Okawville; Hiller Post, No. 585, of Grafton; Samuel T. Hughes Post, No. 534, of Centreville; Jordan Post, No. 535, of Macon; General John A. Logan Post, No. 540, of Evanston; Joseph P. Casey Post, No. 542, of Camp Point; Rochelle Post, No. 546, of Rochelle; Jacob E. Reed Post, No. 550, of Newton; W. C. Baker Post, No. 551, of Stillman Valley; Robert Hale Post, No. 556, of Fulton; Anna Post, No. 558, of Anna; D. [illegible] Post, No. 515, of Pittsfield; Luke Mayfield Post, No. 516, of Girard; J. L. Park Post, No. 518, of Crab Orchard; Rollin Taylor Post, No. 524, of Chapin; J. Q. A. Jones Post, No. 526, of Havana; W. W. [illegible] Post, No. [illegible], of [illegible]; [illegible] Post, No. [illegible], of El Paso; and David Hill Post, No. 532, of [illegible], all in Illinois, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. [illegible]: Resolutions of the Massachusetts State Board of Trade, [illegible] Point Judith—to the Committee on Rivers and Harbors.

By Mr. HENRY of Connecticut: Petition of Rev. George W. Reynolds and other voters of Manchester, Conn., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of [illegible] of Norristown, and W. A. [illegible], praying for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of [illegible] Women's Christian Temperance Union, of [illegible], for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HOWARD: Petition of [illegible] and others, for passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of Utah: Petition of [illegible] of Ogden, Utah, for passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HUFF: Petition of the Christian Civic Union (86 men) of Greensburg, Pa., for the passage of the Morris-Sheppard bill to forbid the transportation of intoxicating liquors into prohibition territory—to the Committee on Interstate and Foreign Commerce.

By Mr. [illegible]: Resolutions of the Eastern Association of Shoe Wholesalers, for the enforcement of fair and reasonable rates of freight—to the Committee on Interstate and Foreign Commerce.

By Mr. LILLEY: Resolution of Union Grange, No. 25, of Southington, Conn., for an equitable good-roads bill—to the Committee on Agriculture.

Also, petition of the Woman's Club of [illegible], California—to the Committee on Indian Affairs.

By Mr. LOVERING: Resolutions of the Tidewater Towboat Company, of New London, Conn., [illegible] improvement harbor at Cold Spring Inlet—to the Committee on Rivers and Harbors.

Also, petition of William K. Hurley and others, of Pennsgrove, N. J., protesting against the passage of bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, petition of American Association of Masters and Pilots of Steam Vessels, for [illegible] Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, petitions of Edwin A. Holmes and 15 others, of [illegible]; B. G. Parker and 10 others, of [illegible]; and 18 citizens of Connecticut, [illegible] M. [illegible] and others, of Collinsville, and J. R. M[illegible] and others, of [illegible], in New Jersey, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of Rev. D. Springer and 35 others, of Maselle, N. Dak., and of J. L. Ivey and 15 others, of Granville, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MILLER: Petition of Rev. R. A. French and 32 other voters, praying the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. OTIS: Petition of citizens of Mount Vernon and Port Chester, N. Y., [illegible] the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PALMER: Petition of Rev. R. R. Wolf and 50 other voters of Wilkes-Barre, Pa., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, resolution of the Union Steel Casting Company, of Pittsburg, Pa., in opposition to the eight-hour bill—to the Committee on [illegible].

Also, petition of the Typographical Union No. 7, of Pittsburg, Pa., in support of the anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of the North Dakota Retail Hardware Association, of Grand Forks, N. Dak., in opposition to the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Schuylkill Board of Trade, of Scranton, Pa., in favor of the Brownlow good roads bill—to the Committee on Agriculture.

By Mr. [illegible]: Petition of the American Association of Masters and Pilots of Steam Vessels, [illegible] of a light-house on Bogue Banks, Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, [illegible] of New York, [illegible] of [illegible] Committee on Ways and Means.

By Mr. RIXEY: Petition of Rev. W. R. Flannagan and 27 other voters of Orange, Va., for the Hepburn bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Resolutions of the Massachusetts legislature in favor of [illegible] to protect food fish from [illegible]—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of Old and New Club, of Malden, Mass., in favor of [illegible] in the White Mountains—to the Committee on [illegible].

By Mr. [illegible]: Petition of L. E. Ferguson, of [illegible], for [illegible] parcels by rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, [illegible] the United States, [illegible] Congress [illegible] to the [illegible] Committee on the Judiciary.

Also, petition of the Manufacturers' Association of New York, [illegible] in the tax on alcohol—to the Committee on Ways and Means.

Also, petition of the Manufacturers' Association of New York, [illegible] H. R. 7056—to the Committee on Merchant Marine and Fisheries.

By Mr. SCOTT: Petition of citizens of Phillips County, Kans., praying the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. [illegible]: [illegible] governor of Alaska, from the [illegible] for contingent expenses [illegible] for the quarter ending June 30, [illegible].

Also, petition of A. K. D[illegible] and others, of Pleasant Grove, Pa., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of Rev. William O. Stevens and others, of [illegible], Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. [illegible]: Petition of [illegible] Christian Temperance Union, of [illegible], Tex., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. S[illegible]: Papers to accompany bill granting an increase of pension to [illegible] Civil War [illegible] papers in support of bill granting an increase of pension to Andrew P. M[illegible] papers in support of bill granting an increase of pension to [illegible] E. Davis; resolutions of [illegible] Post, No. 260, favoring a service-pension bill—to the Committee on Invalid Pensions.

By Mr. [illegible]: Petition of M. E. [illegible], of Gallipolis, Ohio, for a bill [illegible] the sale of liquor in Soldiers' Homes [illegible] buildings, and favoring the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STERLING: Resolution of the Business Men's Association of New Haven, Conn., favoring appropriation for a harbor of refuge at Point Judith—to the Committee on Rivers and Harbors.

Also, petition of women's clubs of Connecticut, favoring the establishment of a national forest reserve in the White Mountains—to the Committee on Agriculture.

Also, resolutions of Union Grange, of Southington, Conn., for the passage of a bill for road improvements—to the Committee on Agriculture.

Also, petition of the congregations of the Methodist Episcopal and First Congregational churches and E. R. Brown and 23 other voters, of Ulysses, Conn., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. TAWNEY: Petition of W. H. Kochel and 11 other voters of Utica, Minn., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. THAYER: Petition of the executive council of the Massachusetts State Board of Trade, to abolish the revenue tax on grain alcohol used in the arts and manufactures—to the Committee on Ways and Means.

By Mr. WILLIAMS of Illinois: Letter to accompany House bill for the relief of Elizabeth C. Tracey—to the Committee on Invalid Pensions.

Also, affidavit to accompany bill for a special pension to Lola Qualls—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Resolutions of Captain E. Z. Rice Post, of Farmersville, Pa., favoring a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of Phelps Post, No. 1241, Grand Army of the Republic, of Pennsylvania, favoring a service-pension bill—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petition of 48 members of Calvary Baptist Church, of Parkersburg, W. Va., for the passage of the Hepburn bill—to the Committee on the Judiciary.

SENATE.

FRIDAY, *February 26, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. GALLINGER. I ask unanimous consent that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. Is there objection?

Mr. KEAN. Mr. President, I should like to hear the Journal read.

The PRESIDENT pro tempore. Objection is made, and the Journal will be read.

The Secretary resumed and concluded the reading of the Journal, and it was approved.

FRANCIS S. HOPKINS.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2309) granting a pension to Francis S. Hopkins, which was, in line 9, before the word "dollars," to strike out "twenty" and insert "eighty."

Mr. McCUMBER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

JESSE J. FINLEY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 2309) granting a pension to Jesse J. Finley, which was, in line 9, before the word "dollars," to strike out "fifty" and insert "thirty."

Mr. McCUMBER. I move that the Senate concur in the amendment of the House of Representatives.

The motion was agreed to.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. W. J. Brownson, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (S. 1330) granting a pension to Jerry S. Fish; and

A bill (H. R. 7287) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Choctaw and Clarke, in the State of Alabama, in township 9, range 1 west of St. Stephen's meridian.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a petition of the congregation of the United Brethren Church of Crawford County, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. BEVERIDGE presented a memorial of the Builders' Exchange, of Lafayette, Ind., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Greensburg and Kokomo, in the State of Indiana, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the Woman's Chris-

tian Temperance Union of New Hampshire; of the congregation of the Methodist Episcopal Church of West Derry; of P. E. Meras, of Exeter; of sundry citizens of Littleton, Plaistow, Tilton, Hampton Falls, and Dover, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOPKINS presented petitions of sundry citizens of Chicago, Morgan Park, Duquoin, Kankakee, Lamoille, Wheaton, River, Forrest, Rockford, Aledo, Norris, Hoopeston, Laclede, Rogers Park, Rochelle, Cooksville, Prophetstown, Yorkville, and Mortonpark, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Reformed Presbyterian Church of Houston; of the congregation of the Reformed Presbyterian Church of Sparta; of the congregation of the First Presbyterian Church of Aledo, and of the congregation of the Zion Methodist Episcopal Church, of Grundy County, all in the State of Illinois, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Carpenters and Joiners' Local Union No. 174, American Federation of Labor, of Joliet, Ill., praying for the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of the Trades and Labor Assembly, American Federation of Labor, of Quincy, Ill., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented memorials of sundry citizens of Chicago, Springfield, Rockford, and Peoria, all in the State of Illinois, remonstrating against the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented memorials of sundry citizens of Joliet, Roselyn, and Segel, all in the State of Illinois, remonstrating against the passage of the so-called "parcels post bill;" which were referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Chicago, Elgin, Mount Carmel, Centralia, Charleston, Momence, and Hebron, all in the State of Illinois, praying for the passage of the so-called "Brownlow good roads bill;" which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of Hecker Post, No. 443, of Belleville; of Pope Post, No. 411, of Pana, and of John Wood Post, No. 96, of Quincy, all of the Department of Illinois, Grand Army of the Republic; of the Union Veterans' Union of Quincy; of the Chicago post-office civil war veterans, of Chicago; of George A. Wilson Circle, No. 49, Ladies of the Grand Army of the Republic, of Peoria, and of Florence Nightingale Circle, No. 60, of Chicago, all in the State of Illinois, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. STEWART presented a petition of U. S. Grant Circle, No. 26, Department of California and Nevada, Ladies of the Grand Army of the Republic, of San Diego, Cal., and of General O. M. Mitchell Post, No. 69, Department of California and Nevada, Grand Army of the Republic, of Reno, Nev., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LONG presented petitions of the Woman's Missionary Society of the Westminster Presbyterian Church, of Topeka; of sundry citizens of Moran, Topeka, Belpre, Galena, Effingham, Sumter, Shawnee, Eskridge, Jackson, Mount Ayr, Ottawa, Garnett, Solomon, Jennings, Philipsburg, Pleasanton, and Lyons, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN presented a memorial of the Valentine & Weldon Company, of Trenton, N. J., and a memorial of the Trenton Potteries Company, of Trenton, N. J., remonstrating against the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented a petition of the Young Peoples' Society of Christian Endeavor of Springton, N. J., and a petition of sundry citizens of Blackwood, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Iron Molders' Local Union, No. 114, American Federation of Labor, of Newark, N. J., praying that an appropriation be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which was referred to the Committee on Naval Affairs.

Mr. McENERY (for Mr. MONEY) presented sundry papers to accompany the bill (S. 4211) for the relief of Eugenie Baptiste, sole surviving heir of Francisco Krebs; which were referred to the Committee on Claims.

Mr. PETTUS presented a petition of the Southern Branch of the National Dental Association, praying for the appointment of dental surgeons in the United States Navy; which was referred to the Committee on Naval Affairs.

Mr. KEAN presented a petition of the American Association of Masters and Pilots of Steam Vessels, of Camden, N. J., praying for the enactment of legislation providing for the construction of a light-house on Outer Diamond Shoal, on the coast of North Carolina; which was referred to the Committee on Commerce.

He also presented a petition of the Board of Trade of Jersey City, N. J., praying for the enactment of legislation providing for the construction of a bridge across Newark Bay, in that State, and also for the completion of the harbor at Point Judith, R. I.; which was referred to the Committee on Commerce.

He also presented a petition of the Immigration Restriction League of Elizabeth, N. J., praying for the passage of the so-called "Lodge immigration bill;" which was referred to the Committee on Immigration.

He also presented a petition of the Brunswick-Balke Collender Company, of New York City, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of Iron Molders' Local Union No. 395, American Federation of Labor, of Plainfield, N. J., and of Iron Molders' Local Union No. 267, American Federation of Labor, of Trenton, N. J., praying that an appropriation be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented a memorial of the Fitz-Gibbon & Crist Carpet and Wall Paper Company, of Trenton, N. J., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Elizabeth, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Grand Lodge of Boiler Makers and Iron Ship Builders of New Jersey, praying for the enactment of legislation to regulate shipping in the trade between ports of the United States and ports in the Hawaiian Islands, and also praying for the enactment of legislation to create a commission to consider legislation for the development of the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of the congregation of the Presbyterian Church of Flemington, N. J., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. BERRY presented a petition of sundry citizens of Prairie Grove, Ark., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PENROSE presented memorials of sundry citizens of Philadelphia and Harrisburg, Pa., remonstrating against the passage of the so-called "eight-hour bill;" which were referred to the Committee on Education and Labor.

He also presented petitions of E. F. Roberts Post, No. 437, Department of Pennsylvania, Grand Army of the Republic, of Mishoppen, Pa., and of Philander Billings Post, No. 392, Department of Pennsylvania, Grand Army of the Republic, of Nicholson, Pa., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Oxford and Altoona; of the Temperance Alliance of Oxford; of the congregation of the Presbyterian Church of Conshohocken; of sundry citizens of Shiremanstown and Scranton; of the Woman's Christian Temperance Union of Little Britain; of the Woman's Christian Temperance unions of Millersville and Bucks County; of sundry citizens of Mount Carmel; of the Young Men's Christian Association of the United Brethren Church of Mount Carmel; of the Presbyterian Church and Methodist Episcopal Church of Mount Carmel; of the Lutheran Church and Church of God, of Northumberland County; of sundry citizens of Mount Carmel; of the Evangelical Church and the Reformed Church of Mount Carmel; of the Woman's Christian Temperance Union of Makefield; of the Prohibition Alliance of Grover; of sundry citizens of Reading, and of the Ladies' Aid Society of Winwood, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented a petition of General Milroy Post, No. 62, Department of Washington and Alaska, Grand Army of the Republic, of Washington, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Dayton Business Men's Association, of Dayton, Wash., praying for the establishment of an eastern and western judicial district in that State; which was referred to the Committee on the Judiciary.

Mr. LODGE presented petitions of P. Stevens Davis Post, No. 57, of Cambridge; of Washburne Post, No. 175, of Lancaster; of Kilpatrick Post, No. 71, of Holyoke; of H. V. Smith Post, No. 140, of Massachusetts; of George K. Bird Post, No. 169, of Norwood; of Charles H. Stevens Post, No. 53, of Leominster; of Ward Post, No. 90, of Danvers; of Everett Peabody Post, No. 108, of Georgetown; of E. B. Nye Post, No. 203, of Bourne; of D. Willard Robinson Post, No. 112, of Norwell; of Needham Post, No. 39, of Lawrence; of Captain Horace Niles Post, No. 110, of Randolph; of Sergeant Plunkett Post, No. 184, of Ashburnham; of Samuel Woods Post, No. 129, of Barre; of O. H. P. Sargent Post, No. 152, of Essex; of J. W. Lawton Post, No. 85, of Ware; of George S. Boutwell Post, No. 48, of Ayer; of G. C. Parker Post, No. 153, of Winchendon; of Joseph C. Wilder Post, No. 83, of Hanover; of Hartsuff Post, No. 74, of Rockland; of James A. Perkins Post, No. 156, of Massachusetts; of G. H. Maintien Post, No. 133, of Plainville; of J. C. Freeman Post, No. 55, of Provincetown; of Thomas G. Stevens Post, No. 26, of Roxbury; of Theoron E. Hall Post, No. 77, of Holden; of General Sedgwick Post, No. 17, of Orange; of Gettysburg Post, No. 171, of Boston; of Isaac Davis Post, No. 138, of Massachusetts; of A. St. John Chambre Post, No. 72, of Stoughton; of H. F. Wolcott Post, No. 102, of Milton; of George C. Strong Post, No. 166, of Edgartown; of General E. W. Hinks Post, No. 95, of Saugus; of Timothy Bigelow Post, No. 11, of Boylston; of Weston Post, No. 194, of Weston; of Robert Gould Shaw Post, No. 8, of Boston; of Benjamin Franklin Post, No. 21, of Franklin; of Major George L. Stearns Post, No. 120, of Lunenburg; of officers of Bridgewater Post, of Bridgewater; of William Wallace Post, No. 165, of Duxbury; of Henry H. Sibley Post, No. 171, of Northfield; of Joseph P. Rice Post, No. [illegible], of West Newbury; of General James L. Bates Post, No. [illegible], of Massachusetts; of [illegible] Post, No. 201, of [illegible]; of [illegible], No. 50, of Peabody; of Henry C. Kinsley Post, No. 139, of [illegible]ville, and of [illegible] Post, No. 119, of Lexington, and Army [illegible] of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. [illegible] presented a petition of the congregation of the [illegible] Church, of Waterbury, all in the State of Connecticut, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. [illegible] presented a petition of the congregation of the German [illegible] Church, of Bridgeport, Conn., praying for the passage of the so-called "eight-hour bill;" which were referred to the Committee on Education and Labor.

Mr. [illegible] presented a petition of the Knowlton Literary Society

that the memorial and accompanying papers be printed as a document and referred to the Committee on Indian Affairs.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. BARD, from the Committee on Public Lands, to whom was referred the bill (S. [illegible]) to authorize the Secretary of the Interior to negotiate for the Government, by exchange of [illegible] the ownership of the private lands within certain [illegible] in the State of California, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on Indian Affairs, to whom was referred the bill (S. [illegible]) for the relief of the wandering American Indians of the Flathead band, Montana, reported it without amendment, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. [illegible]) amending section 66 of the act of June 8, 1872, entitled "An act to revise, consolidate, and amend the statutes relating to the Post-Office Department," reported it without amendment, and submitted a report thereon.

Mr. QUARLES, from the Committee on Military Affairs, to whom was referred the bill (S. 872) to correct the military record of Isaac Hall, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. GALLINGER, from the Committee on the District of Columbia, reported an amendment proposing the Commissioners of the District of Columbia, in their discretion, to grant leave of absence, with pay, not to exceed [illegible] days to any individual in any one year, to regular employees above the grade of skilled laborer, appointed directly by the Commissioners, who have been continuous but who never have been compensated for [illegible] been in the service of the District one year, intended to be proposed to the District of Columbia appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 25th instant, proposing to increase the appropriation for the support of the insane of the District of Columbia from $1,200 to $1,800, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom was referred the amendment submitted by himself on the 1st instant, proposing to appropriate $[illegible] to provide for the removal of snow and ice from the streets, cross walks, and gutters of the District of Columbia, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. [illegible]) to authorize the abandonment of W street NE., Washington, D. C.; and

A bill (S. 4419) in relation to contracts with the District of Columbia.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3889) for the extension of Allegheny street, reported it with amendments, and submitted a report thereon.

Mr. PLATT of Connecticut. I am directed by the Committee on Indian Affairs, to whom was referred the bill (S. 2051) to authorize the purchase of lands in the Indian Territory under certain conditions, to report it adversely. The Senator from Texas [Mr. BAILEY] takes an interest in this bill, and I am quite sure that he would wish to have it placed upon the Calendar with the adverse report.

The PRESIDENT pro tempore. The bill will be placed on the Calendar with the adverse report.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (S. 3338) to amend and codify the laws relating to municipal corporations in the District of Alaska, reported it with amendments, and submitted a report thereon.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 1054) for the relief of Theodore F. Nordhoff, reported it without amendment, and submitted a report thereon.

Mr. FORAKER. On November 17, 1903, the Senator from Missouri [Mr. COCKRELL] presented a petition of the Union soldiers of Gentry County Missouri Home Guards, praying for the correction of the rolls of their regiment so as to show their muster in to have been June 1, 1861, instead of August 28, 1861, and had it referred to the Committee on Military Affairs.

I am directed by that committee to submit an adverse report thereon, and to move its indefinite postponement.

The PRESIDENT pro tempore. The adverse report of the committee will be agreed to, and the petition will be postponed indefinitely.

Mr. FORAKER, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 819) to quiet claim all interest of the United States of America in and to all of square 1131, in the city of Washington, D. C., to Sidney Bieber, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the bill (S. 2710) for the opening of [illegible] Park, District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. SCOTT, from the Committee on Military Affairs, to whom was referred the bill (S. 3638) to relieve Orville B. Merrill, late captain Company I, Thirty-sixth Regiment Illinois Volunteers, of [illegible], reported it without amendment, and submitted a report thereon.

GOVERNMENT PRINTING OFFICE.

Mr. SCOTT. From the Committee on Public Buildings and Grounds, in response to a resolution of the Senate introduced by the Senator from Massachusetts [Mr. HOAR] December 15 last, [illegible] committee to inquire as to the safety of the old [illegible] and whether any persons are [illegible] under circumstances [illegible] safety, I am directed, as representing the subcommittee of the whole committee, to submit the following report:

[illegible] Office be torn down and a new building erected on [illegible] in the rear be al- [illegible] Printing Office and to report the same to [illegible].

N. B. SCOTT,
A. C. LATIMER,
Subcommittee.

FEBRUARY 9, 1904.

Mr. HOAR. May I ask the Senator from West Virginia what the fact turned out to be as to whether persons were employed or were at the time of the adoption of the resolution employed in the building, and the number so employed?

Mr. SCOTT. There are a great many employed there. I am not able to state the number, but I should say 100.

Mr. HOAR. If I understand the report, then, the statement is that hundreds of human beings, who are of course employees of the Government and compelled to go there whether they will or no, on pain of losing there places, are employed in a building which is in a most dangerous condition and unfit or unsafe for human beings to occupy in that way.

The committee, who seem to have done their duty with admirable thoroughness and fidelity, recommend that there be some estimates made for a new building. But in the meantime the present danger as condition of the very worthy and meritorious persons seems to be continued, perhaps for a year or two.

If the Senator will pardon me, his report reminds me a little of what happened in the supreme court of Massachusetts some years ago, when I was practicing law. They held court at Northampton and went over to Mount Holyoke, where there is an elevator which takes travelers up the side of a steep rock a hundred or two hundred feet, to save the difficulty of climbing. The judges, as judges are apt to be, were nearly all of them rather corpulent men. Six or seven got into the elevator at once. They saw that the rope which held the car in which they went was very much frayed, and they asked the manager if he did not think it was a

little unsafe. "Yes," the manager said, "it is wholly unsafe and likely to break every minute, but we are going to have a new one next Monday." [Laughter.]

The PRESIDENT pro tempore. Should not the report be referred to the Committee on Public Buildings and Grounds, being the report of a subcommittee?

Mr. SCOTT. It is reported back from the Committee on Public Buildings and Grounds in answer to a resolution of the Senate. The resolution was referred to the Committee on Public Buildings and Grounds and the Senator from South Carolina [Mr. LATIMER] and myself were appointed a subcommittee to make a personal investigation, which we did. This is our report, and we were ordered by the committee to make it to the Senate this morning.

The PRESIDENT pro tempore. The report will simply be printed, then.

Mr. HOAR. Mr. President, I do not wish to appear to be an alarmist, and I do not wish to be talking about matters that do not come within any personal duty of mine as a representative of a committee; but with the history of the Ford's Theater building fresh in our memory, since I was in public life, a building belonging to the Government, occupied by Government employees, who were there against their will, young women and young men in the prime of life being killed or wrecked in that accident, and with the recent terrible tragedy at Chicago fresh in our memories, that the Government of the United States, the wealthiest human organization on the face of the earth, whether Government or other, allows such a condition of things as that described in the report which has just been made, when the Senator reports that for various reasons this building, which contains heavy machinery and heavy burdens——

Mr. SCOTT. Books.

Mr. HOAR. Books, the heaviest things most likely to be stored there, with rotten timbers and an imperfect roof, and all wood except the walls, liable to fall in a minute, with an imperfect exit in case of fire, highly inflammable, so that the Senator who has made the examination would not be surprised if within an hour the news should come that the building had fallen from its own weight, or if within an hour the news should come that a fire had caught there under circumstances preventing the escape of the hundreds of persons we are keeping there at work, I think we ought to give those employees a vacation without loss of pay until we get a better place for them to work; and, although it would be a terrific public calamity, even if the CONGRESSIONAL RECORD, which, however, is not printed in that building, I suppose, but is under the same department, were also to take a vacation and we should not have any more speeches printed for the next few months, I think we ought to do it.

Mr. GALLINGER. Mr. President, the Senator from Massachusetts disclaimed any purpose of being an alarmist, but I think there would have been a rapid exodus from some portions of the Government Printing Office if his speech could have been heard by the employees.

Now, Mr. President, I do not share to any very large extent the apprehensions that agitate the mind of the distinguished Senator from Massachusetts.

Mr. HOAR. If the Senator will pardon me, I only stated what is in the report. I know nothing about it myself.

Mr. GALLINGER. We have heard this from time to time for nearly twenty years. It was my province when a Member of the other House, in the Forty-ninth Congress, to be on a committee which made a very thorough investigation of the Government Printing Office. There were, I think, some 3,000 employees at that time in the old building. Since that time we have constructed two new buildings, and we now have the largest printing office in the world.

The report comes to us now that there is not room for the employees or for the machinery, notwithstanding we have spent, I suppose, a couple of million dollars, more or less, on new buildings. The old building is beyond doubt in a state of partial decay, as all old buildings are; and I am glad that two distinguished Senators have taken up the matter and made an investigation.

But it seems to me that before we advertise to the men and women who are employed in that building that their lives are in momentary danger we ought to have an investigation by experts, who could determine whether there is any possibility of the building falling or not. I have great confidence in the Senator from West Virginia in certain lines, but I have not any more confidence in his judgment in reference to the safety or unsafety of a public building than I have in my own, and I have not a particle of confidence in my own judgment in that regard.

It seems to me, Mr. President, that if this matter could be put in such shape that the Senate would ask for an investigation by experts, by gentlemen connected with the Engineer Corps of the Army and the Superintendent of this building, we would get the true facts in the case, and that pending that we ought not to send out to the country statements so alarming as the one which has been made by the Senator from Massachusetts. There are not many more employees there than there were in 1887, when that very noted investigation was made, covering all the details of the Government Printing Office at that time, and I can not conceive of such an alarming state of affairs in view of the fact that since that time we first constructed a building under the superintendency of the War Department, which is there now, and since then have constructed that magnificent Printing Office building, which of course is safe in every particular.

If heavy machinery remains in the old building, it seems to me it might be removed. If books are stored there, they certainly could be removed. But pending a thorough, careful, and scientific investigation of the conditions of the building, I must enter my protest against so alarming a statement going out to the country, involving, as it does, the honor of the National Congress in its relations to its employees, and saying to the country that we are absolutely negligent in a matter which involves human life.

I hope, Mr. President, that whatever disposition may be made of this matter, it will result in a careful investigation on the part of very competent men, whose judgment on the subject will be conclusive, and if such report comes here, that we may then take immediate steps to remove the employees from the building, that it may be razed to the ground and a new building constructed in its stead.

Mr. PLATT of Connecticut. Mr. President, if it be not disagreeable to the Committee on Public Buildings and Grounds, I move that the report be referred to the Committee on the District of Columbia.

Mr. SCOTT. If the Senator will allow me, I do not believe the Senator from Connecticut means that as any reflection on the committee.

Mr. PLATT of Connecticut. Not at all. I said if it was not disagreeable to the Committee on Public Buildings and Grounds.

Mr. SCOTT. Mr. President, I should like to say a word. The distinguished Senator from New Hampshire would like to have an investigation made by experts. I do not claim to be an expert, although I have been engaged in erecting a great many buildings in my life, many of them suitable for heavy machinery. I know a little something about a building. When the joist under a floor where it rests on a 9-inch wall is partly rotten, with dry rot, I know that that floor is not safe. I do not need an expert to tell me that that joist is rotten. I do not need an expert to tell me that a 9-inch wall is not sufficient to carry heavy machinery, especially when that machinery is in motion, and the working of the shafts, etc., naturally jars and continually shakes the building.

Now, Mr. President, the Public Printer and his assistants have moved the heavier machinery into places in that building where they thought it was more safe for it to be. They have moved a great deal of the heavy weight, books and materials, into a more safe place in the building to take the weight off the uprights holding the floor above. For instance, take the uprights on the second floor, supporting the third floor; they tore away the boards of the floor, and they found the end of those supports rotted off with dry rot. They are now engaged in splicing them, putting additional pieces under them.

If the Senator from New Hampshire wants an expert to find that out, of course I have no objection, but I do know (and I am willing to stake my reputation on what little I do know about buildings) that that is a very unsafe building. I do not say that the building is going to fall down in twenty-four hours or in ten years, but I say that it is not a safe building.

Mr. GALLINGER. Now, Mr. President, if the Senator will permit me, I will respond to him that I do not want an expert to determine the matters he has called attention to; but I will say to the Senator that it requires a great deal of that kind of thing to get a building in such an unsafe condition that it will fall to the ground. They have been repairing that building from year to year; they are repairing it now; and I know of no reason why that large machinery can not be for the main part removed from that building, and all the books taken out of the building if necessary.

I will ask the Senator if it is not a fact that a very large proportion of that machinery has been removed from the old part of the building?

Mr. SCOTT. A great deal of it has been removed. If the Senator will allow me, it is not stated in the report, neither have I said in my remarks, that the building is going to fall down. I remarked that it might stand for ten years, but I should not care to work in it.

Mr. PLATT of Connecticut. I withdraw the motion I made. I think perhaps it would not be agreeable to the Committee on Public Buildings and Grounds.

Mr. ALLISON. Mr. President, this matter of the Public Print-

ing Office is not a new one. We have had a contest about the Public Printing Office for twenty years, as the Senator from New Hampshire has stated. All have agreed for many years that the present Printing Office is not fireproof, and that in that sense it is in more or less danger; and we all have known that it was wise to erect a new office for the Public Printer as rapidly and as soon as practicable.

So, after Congress finally settled that a new building was to be constructed on the old site, there was at once commenced the reconstruction of a new Printing Office. The first thing that was done was to put a wing on the west side of the printing office, completely fireproof. That building, I think, is seven stories high, and there was moved into it the heavy machinery of the Printing Office.

That being done, the Committee on Appropriations immediately made provision for the construction of a new building for the Public Printer. That new building could not be built in a day or in a year, nor could the employees of that office be permitted to go into rented quarters so that the entire building could be torn down; therefore the southern portion of that building was torn away gradually and the new and imposing structure which is now completed was put up in its stead.

Mr. GALLINGER. Will the Senator from Iowa permit me?

Mr. ALLISON. Certainly.

Mr. GALLINGER. The Senator omits to state what is a very important matter—that a large additional tract of land was purchased and the building was extended to a very considerable extent. I think doubling its capacity.

Mr. ALLISON. Nearly doubling its capacity. Now, the work of construction of that new building is, I understand, completed. It cost, I think, nearly $2,000,000, and it is complete in every particular. I speak of this matter from knowing something about it, because it was brought to the attention of the Committee on Appropriations every year. The old building, which is now under consideration, on the north side of the office, of course, is an ancient structure. It has been repaired from time to time to make it safe, and I think that if the committee who examined this subject will state what they know about it, they will say that every possible precaution is found there to prevent fire or to deal with fire should it occur. I do not believe there is a building in this city that has as many and such effective appliances to deal with fire as that old structure has.

It has been understood all the time, as far as I know, that as soon as this new structure was completed the work of tearing down the north end of the printing office could be begun, and I think it ought to be begun; but I do not believe it is necessary for us to either express or have any great alarm as to the imminent danger of that building. Of course it is growing older all the time, as some of us are, and it needs repairs and care.

Mr. FAIRBANKS. Mr. President, may I interrupt the Senator from Iowa?

Mr. ALLISON. Certainly.

Mr. FAIRBANKS. I suggest to the Senator whether, perhaps, the resolution of the Senator from Massachusetts and the report made in response to it by the Senator from West Virginia may not so call attention to the situation as to lead to precautions being taken which will properly secure the safety of the employees for the time being.

Mr. ALLISON. I have no doubt it will have that effect, but my information is, or, rather, my observation has been, that every possible precaution against fire has been already provided for.

Mr. SCOTT. Will the Senator from Iowa allow me?

Mr. ALLISON. Certainly.

Mr. SCOTT. I will say to the Senator from Iowa that every precaution has been taken against fire, but the Senator well knows that old, rotten wood—boards—burn very quickly even when the very greatest care is being used. The building, if he will allow me, has been propped; that is, it had extra rows of studding put through and uprights put under them in order to hold up the floor.

It was the intention of the committee, as the chairman has suggested, only to call attention to the fact that that part of the building facing on North Capitol street and the L on H street that the Senator refers to should at as early a date as possible be taken down.

Mr. ALLISON. That is valuable information for the Senate, and I agree with that portion of the report, although, if I was wholly out of employment and desired some congenial occupation, I for myself would be willing to risk it in that old building for a few months or even a few years, until a new construction could be completed. Therefore it is that I want to second the suggestion made by the Senator from New Hampshire that it is not really necessary at this moment that we should create such an alarm as respects the employees who are in that building that they will at once scamper away from it and fear that if they stay in it a month they will lose their lives. I do not think there is such danger.

The gentleman who constructed the new building is an expert in construction, and I should be willing to intrust to him, as I am sure the Public Printer will be willing to intrust to him, the making of such repairs as may be necessary in that building to protect the lives and comfort of the employees until such time as a new building can be constructed. I hope that construction will take place at an early day, and I understand that already preliminary plans are being made to that end. When that time comes the Committee on Appropriations will undertake to present to the Senate the appropriation of such sums of money as will commence the construction of the building. Therefore I am quite willing to have this matter rest where it is, and I am sure it will have proper attention in due time.

We are just now engaged in a great question as respects public buildings in this District. If we were to undertake the building of all of them at this moment, it would cost a very large sum of money to make the necessary constructions.

For one I do not share the alarm of the committee that has made this report as to the great danger of the building. If there is such danger, money will be provided, and I am sure that architects and mechanics can be found who will hold up the building until a new structure can be completed.

Mr. HOAR. Mr. President, I myself think this inquiry and discussion have been pretty healthy and have done great good. I suppose it is all true that the Senators have spoken, especially the Senator from New Hampshire and the Senator from Iowa, and there is not very great probability that any tragedy will happen in that building before something can be done, which certainly ought to be done, and that it ought to be done promptly I suppose both Senators agree. But I suppose, from the account given by the committee in its report, that this building would not new stand the inspection of the fire inspector in any considerable city in the United States. Further, so far as I understand it, the report is no more favorable than would have been the report of a like examination of Ford's Theater, or of the theater in Chicago, which was the condition of every theater there. If the Senator had known the condition of the Chicago theater and if he had been invited that afternoon to go there, he would have said: "Well, it is all right to point out these difficulties; but I guess I shall take the risk one night. The chances are one in a thousand."

Mr. ALLISON. Will the Senator allow me?

Mr. HOAR. Certainly.

Mr. ALLISON. So far as my knowledge extends, this old building has in it every possible precaution against fire, which was not true at all in the case suggested by the Senator.

Mr. HOAR. I have no doubt that is true.

Mr. ALLISON. Everything is provided there that ingenuity and skill can provide to prevent fire in that building.

Mr. HOAR. Except the building itself. Now, it is not quite logical to have a children's school over a powdermill and say that every possible precaution human ingenuity can take has been taken against that powdermill's explosion. Do not put the children there. Every precaution has been taken against fire except the precaution of not having a building so inflammable that it will burn like tow if it catches fire. There is the trouble with the matter.

Mr. ALLISON. There is no powder stored there.

Mr. HOAR. I know there is no powder stored there.

Mr. President, I offered the original resolution as a pure resolution of inquiry, at the request of a good many people whose lives are exposed in that building and without myself knowing how the building was used or anything about it. All I know about the matter now is from the report of a subcommittee, made by an eminent business man, who says he has had large experience in construction. I am not responsible for its correctness or otherwise, but that is the way it was given to me.

It seems to me to be my duty to call attention to what that report says, and if in the judgment of Senators of such excellent judgment as those who have spoken, who themselves know all about the matter, the condition of things, while not one which should be submitted to permanently, warrants the risk of remote danger and remote probability of trouble there, of course I suppose their judgment will be acquiesced in. But the condition of alarm, to which my friend from New Hampshire [Mr. GALLINGER] has alluded, I think I can affirm already exists in a good many minds.

Mr. GALLINGER. Mr. President, a single additional word. This matter has been talked about for nearly twenty years, off and on, and I think it has been very much exaggerated in the minds of some people.

The Senator from Massachusetts [Mr. HOAR] alluded to the old Ford's Theater. The Senator will remember that that building fell because some careless men undermined it. This Capitol would fall under similar circumstances. Ford's Theater was an old building, it is true, but the workmen dug under the foundations, and the building collapsed.

I think that a great service has been performed in calling attention to this matter, and I wish to give the Senator from Massachusetts my thanks and the Senator from West Virginia [Mr. SCOTT] my thanks.

I want to say one thing further. The Senator has alluded to the unfortunate affair that occurred in Chicago a few weeks ago. Mr. President, the subject of protecting the public from such catastrophes has been before the Committee on the District of Columbia, to my knowledge, during the entire time I have served in that committee, which is now almost thirteen years. We have investigated the public buildings in Washington from time to time, and a recent investigation, in response to a resolution submitted by the Senator from Maine [Mr. HALE], which is now in print, shows that, so far as the theaters in this city are concerned, they are as safe as human ingenuity can make them; and a recent inspection by the fire marshal of the churches and schoolhouses in this city brings to me verbally the same assurance. We have not been neglectful of our duty in that regard; and I want it to go out to the country, not quite in the language of the Senator from Massachusetts, in reference to this printing house, but in reference to all our buildings here, that there is probably no city in the Union that has given such careful attention to the details of building construction and safety of the buildings in which people congregate as has been given in the city of Washington. It is a great gratification to me that that is the fact.

Mr. President, the Senator from Iowa [Mr. ALLISON] has stated this matter exactly as it stands. This old building will in due time, and I trust before long, be removed, and a new structure be put on that site. We have greatly enlarged the facilities of that Printing Office during the last few years. The business has increased, and the employees to a limited extent have increased. I think we have doubled the capacity of that building in the two structures which have been placed there at, I think, a cost of almost $3,000,000 in the total, and as speedily as possible this matter will be taken up, pending which I feel sure that that building can be repaired in a way that will make it absolutely safe to the employees.

That is what I want to have appear, so that those employees may not be panic-stricken every time they enter that building, because personally I should certainly have no fear if I were employed in that structure.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PENROSE introduced a bill (S. 4599) to authorize the President to place the name of Adam K. Baylor on the retired list of the United States Navy with the rank of mate, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 4600) authorizing the Secretary of War to procure medals for the members or the legal heirs of the deceased members of the Worth Infantry and York Rifles, who were the first fully armed and equipped soldiers to do active service in response to President Lincoln's call for 75,000 volunteers, and for other purposes; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4601) granting an increase of pension to Urbanus Hubbs; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FOSTER of Washington introduced a bill (S. 4602) granting an increase of pension to Hiram Imus; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4603) to modify the mining laws applicable to the district of Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. BARD introduced a bill (S. 4604) granting an increase of pension to Frances E. Kent; which was read twice by its title, and referred to the Committee on Pensions.

Mr. STEWART introduced a bill (S. 4605) granting an increase of pension to Charles R. Schmidt; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. BAILEY (by request) introduced a bill (S. 4606) granting an increase of pension to Edward G. Horne; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BERRY introduced a bill (S. 4607) granting an increase of pension to Jonathan B. W. Bennington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. OVERMAN introduced a bill (S. 4608) appropriating $50,000 for a textile and agricultural exhibit by the Government of the United States at Cape Town, South Africa, during the months of December, 1904, and January, 1905; which was read twice by its title, and referred to the Committee on Agriculture and Forestry.

He also introduced a bill (S. 4609) to authorize the Secretary of Commerce and Labor to appoint a deputy collector of customs at Manteo, N. C.; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4610) for the relief of the estate of Isidore Cohn, deceased;

A bill (S. 4611) for the relief of the Bank of Rutherfordton, in the State of North Carolina (with an accompanying paper); and

A bill (S. 4612) for the relief of William C. Rains (with accompanying papers).

Mr. OVERMAN introduced a bill (S. 4613) granting a pension to William T. Carliel; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4614) granting an increase of pension to Joseph Reed; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MONEY introduced a bill (S. 4615) for the relief of the heirs of Sidney W. Spears, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. TALIAFERRO introduced a bill (S. 4616) for the relief of William S. Livingston; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4617) for the relief of C. B. McClenny; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Health and National Quarantine.

He also introduced a bill (S. 4618) granting an increase of pension to William Varnes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4619) granting an increase of pension to Anna L. Bartleson; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. LONG introduced a bill (S. 4620) to amend section 8 of an act approved April 15, 1902, authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo.; which was read twice by its title, and referred to the Committee on Commerce.

He also introduced a bill (S. 4621) granting an increase of pension to George Draper; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 4622) to amend section 2305 of the Revised Statutes of the United States; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SMOOT introduced a bill (S. 4623) to authorize the Secretary of the Interior to extend the trust period provided for in patents for lands in Utah entered as homesteads by Indians of the Shoshone tribe; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MITCHELL introduced a bill (S. 4624) granting an increase of pension to James W. Wheeler; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON introduced a bill (S. 4625) for the relief of John Holderby; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4626) for the relief of Thomas McGrath; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also introduced a bill (S. 4627) granting a pension to Elizabeth Sadler; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4628) granting a pension to William P. Edson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 4629) granting a pension to Elizabeth Benson; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4630) granting an increase of pension to John Lindt; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DANIEL introduced a bill (S. 4631) for the relief of the legal representatives of Joseph H. Maddox, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. STEWART introduced a joint resolution (S. R. 52) authorizing the Secretary of the Interior to use so much of the amount appropriated by the act approved February 18, 1904 (Public No. 22), as may be necessary for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in Indian Territory; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Indian Affairs.

AMENDMENT TO DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. HANSBROUGH submitted an amendment proposing to appropriate $5,000 for the improvement of Twenty-second street from Decatur place to S street NW., in the city of Washington, D. C., intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

J. HUDSON KIBBE.

Mr. McCUMBER submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring). That the President be requested to return to the Senate Senate bill 167, granting an increase of pension to J. Hudson Kibbe.

BLACK WARRIOR RIVER BRIDGE, ALABAMA.

Mr. PETTUS. I ask unanimous consent of the Senate for the present consideration of the bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUILDING FOR THE DEPARTMENT OF STATE, ETC.

Mr. FAIRBANKS. I move that the Senate proceed to the consideration of Senate bill 1508.

The PRESIDENT pro tempore. The Senator from Indiana moves to proceed to the consideration of a bill the title of which will be stated.

The SECRETARY. A bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Indiana.

Mr. QUARLES. The Senator from Indiana has kindly consented to yield to me for a moment, that I may secure consideration of a bill which will not lead to debate.

The PRESIDENT pro tempore. The Chair will first put the question on the motion of the Senator from Indiana.

Mr. COCKRELL. Mr. President, I hope that question will not be put until I can make an explanation as to why I think the motion should not be adopted. It is not a debatable proposition, I believe, but I think there are reasons why the bill ought not to be taken up just at this time.

The Senator from Maryland [Mr GORMAN] is absent, and is very much interested in this bill, as he is in all similar matters, and I do not suppose he will be here to-day. My information is that he will not be. I hope, therefore, that the bill will not be taken up until the Senator from Maryland may have an opportunity to be present.

Mr. FAIRBANKS. I always like to accommodate the Senator from Maryland, for whom I have the highest possible esteem, but I have desired the Senate to consider this measure for some time, and have yielded because of the pressure of other business. Yesterday I gave notice that I should move this morning to take up the bill. It is very important that action should be had soon if we are to accomplish anything.

The Senator from Missouri understands very well that the session is fast fading away, and unless a measure like this, which needs the action of the other House, is considered here promptly, it might as well not be considered at all.

The Senator from Maryland said nothing to me of his desires in relation to this bill or as to the necessity of his absence. We know that it is difficult to have here at all times all the Senators who are interested in any particular measure; and so I hope the Senator from Missouri will consent to the taking up of the bill.

Mr. COCKRELL. Mr. President, to be frank with the Senator, I think that it probably would hasten action on the bill if some delay is permitted. I am satisfied the Senator can not pass the bill to-day in the absence of the Senator from Maryland.

Mr. FAIRBANKS. Then, if the Senator please——

Mr. COCKRELL. I think that if the Senator presses the bill now, it will necessarily lead to unnecessary discussion, because I know a number of Senators who feel that the Senator from Maryland ought to have an opportunity to be heard on this matter.

Mr. FAIRBANKS. Does not the Senator think it would be better for the Senator from Maryland to communicate with Senators in charge of the bill?

Mr. COCKRELL. I have not seen the Senator from Maryland for two or three days and do not know whether or not he is in the city, or whether he has had information of the notice which was given by the Senator from Indiana last evening.

Mr. FAIRBANKS. Does the Senator from Missouri know when the Senator from Maryland will be in the Senate?

Mr. COCKRELL. I can not say, but I suppose he will be here on Monday.

Mr. FAIRBANKS. Mr. President, does the Senator think it is quite fair to delay a measure in which many are interested and to which they have given considerable attention upon so vague a suggestion as that?

Mr. COCKRELL. Mr. President——

The PRESIDENT pro tempore. This debate is proceeding by unanimous consent.

Mr. COCKRELL. I understand that, and that is the reason I asked leave to be heard upon it. I know the proposition is not debatable.

I think the better way would be for the Senator from Indiana to give notice to that effect if he wants to call up the bill on Monday or Tuesday morning. I do not know that there will be any appropriation bill that will then be in the way, or any other privileged question.

Mr. FAIRBANKS. The honorable Senator from Missouri is himself a member of the Committee on Appropriations.

Mr. COCKRELL. Yes.

Mr. FAIRBANKS. And he knows there are large appropriation bills before his committee which are liable to come into the Senate almost any day. Now, will the Senator agree, on behalf of the Appropriations Committee, that this bill may be taken up on Monday and disposed of then?

Mr. COCKRELL. I could not agree to that because I do not represent anything more than a small minority of the Appropriations Committee; but if there is any bill which is liable to come from the Committee on Appropriations before the middle or last of next week, I do not know anything about it.

Mr. FAIRBANKS. Mr. President——

Mr. HALE. Will the Senator allow me to make an observation?

Mr. FAIRBANKS. Certainly.

Mr. HALE. I had hoped that we might have received the naval appropriation bill from the other House, and that the proceeding of the committee could be had on it to-morrow, in order that the bill might be reported on Monday; but looking over the debate in the House yesterday and finding that the bill has been by no means finished, I am entirely satisfied that we shall not only not be able to report that bill on Monday, but that we shall not be able to get it before Monday. So we shall not have an appropriation bill then in the way of the Senator.

The Senator from Maryland [Mr. GORMAN] spoke to me about the bill of the Senator from Indiana. The Senator from Indiana had given notice once before, and then was called away, and the matter fell out. The Senator from Maryland, whom I may add as to matters relating to public buildings here, an old hand at the bellows, takes a great deal of interest in these measures.

I see force in what the Senator from Missouri [Mr. COCKRELL] has said, and I should be very glad to have the matter go over until Monday, and either the Senator from Missouri or I will notify the Senator from Maryland that the Senator from Indiana will call up the bill on Monday morning. That will give the Senator from Maryland an opportunity of being here.

Mr. FAIRBANKS. Well, Mr. President, I will ask the Senator if he will agree that this bill be made the special order for Monday morning, after the routine business?

Mr. HALE. This matter is in charge of the Senator from Missouri, but so far as I am concerned, I see no objection to the request.

Mr. FAIRBANKS. Upon that statement——

Mr. BERRY. Will the Senator permit me to say a word?

Mr. FAIRBANKS. Yes, sir.

Mr. BERRY. The Senator from Maryland [Mr. GORMAN], as I understand, is suffering with a severe attack of neuralgia. He is not seriously sick, but he is unable to go out of his house. He was not here yesterday, and I do not think he is informed as to the notice which was given by the Senator from Indiana [Mr. FAIRBANKS] last evening. The Senator from Maryland, speaking to me about another matter, said that he expected to be able to be here next week. I think he is opposed to some of the provisions in the bill in charge of the Senator from Indiana and is anxious to present his views in regard to that measure. For that reason I hope the Senator from Indiana will not insist on asking for the consideration of the bill until the Senator from Maryland can be communicated with.

Mr. FAIRBANKS. I greatly desire, of course, to accommodate the Senator from Maryland so far as I reasonably can. The only purpose I have in pressing for the early consideration of the bill is that it may not come into conflict with the appropriation bills, which take precedence. I hope that the Senator from Maryland will be well enough to be in his seat on Monday. If it is understood that the bill shall be made the special order after the

routine business is closed on Monday morning, I will not press the motion to-day. I ask unanimous consent to that effect.

Mr. TILLMAN. Mr. President, I do not know what the Senator means by that; but it seems to me that he can not make the bill the unfinished business without first having a vote of the Senate to take it up. If the bill should come in after the routine morning business, it would go out at 2 o'clock, under the rule.

Mr. FAIRBANKS. If the Senator will allow me, I have moved to take up the bill now.

Mr. TILLMAN. I understood that; but the request was then made that the Senator would not press that motion in the absence of the Senator from Maryland. It seems to me that the Senator can not get his bill before the Senate and make it the unfinished business to be disposed of one way or the other without a vote.

Mr. FAIRBANKS. Certainly, I can not.

Mr. TILLMAN. If the Senator will give notice that on Monday or Tuesday he will, without regard to whether the Senator from Maryland is here or not, call up the bill and have the Senate decide whether or not they will make it the unfinished business, that would seem to accomplish his purpose, and not undertake to have any unanimous-consent agreement about it.

Mr. FAIRBANKS. I do not see how there can be any objection to the request I have made. I do not wish to press the measure in the absence of the Senator from Maryland, as the Senator from South Carolina very well understands, and I do not wish to jeopardize the consideration of the bill by too long a delay. The Senator knows that appropriation bills are liable to come into the Senate, and if they do we can not tell how much time they will consume. The Senator from Maine [Mr. HALE] indicates that there will be no appropriation bill ready for consideration so early as Monday next.

I ask unanimous consent that the bill may be made the special order on Monday.

Mr. HOAR. I desire to remind the Senator that that does not require unanimous consent.

Mr. FAIRBANKS. No.

Mr. HOAR. The Senator can move to make the bill the special order for next Monday, and that can be done by a two-thirds vote, I think.

Mr. FAIRBANKS. Mr. President, I will withdraw my motion and now move that the bill be taken up after the routine business on next Monday morning and made the special order.

Mr. TILLMAN. Do I understand that by that the Senator is asking the Senate now to fix the order of business for Monday?

The PRESIDENT pro tempore. The Chair so understands the motion.

Mr. TILLMAN. By a vote?

Mr. FAIRBANKS. Yes.

The PRESIDENT pro tempore. By a vote.

Mr. TILLMAN. Is not the Senator rather taking advantage of the situation and, let me say, more or less the ignorance of Senators on this question and the merits of it, without discussion to put it before us whether or no, when, if the matter could be presented, the Senate might decide that it did not want to consider it, or it might desire to kill it, or it might desire to amend it, or something like that. It seems to me the Senator will reserve all of his rights and will secure his end just as expeditiously if he will wait until Monday and then move to take it up, just like he is doing this morning.

The only reason why those on this side are asking delay is in order to have the Senator from Maryland present. He seems to have the matter very much in interest and to be concerned about it, and has asked us to look after it. That is the only object I have in view. I suggest to the Senator that he possibly will get further along in passing the bill if he will let the matter rest now without any further notice other than that he will call it up and ask the Senate to take it up.

Mr. FAIRBANKS. This is only asking that it be made the special order. It will be open to amendment or rejection by the Senate.

Mr. HOAR. Or postponement.

Mr. FAIRBANKS. Or postponement.

Mr. HALE. It will be subject to any other motion.

Mr. FAIRBANKS. Yes.

Mr. HALE. It only starts it.

Mr. HOAR. I suggest to the Senator from South Carolina that this vote does not amount to much more than a notice that it will come up then. The Senator can get up at that time and move to take it up without notice. If it is made the special order, it does not take precedence of the unfinished business. If the Senator from Missouri should come in and say that the Senator from Maryland——

Mr. TILLMAN. Very well. I shall not object any further.

Mr. HOAR. If the Senator from Missouri should come in and say that the Senator from Maryland was still absent and would like a delay of a day or two, that he was ill, or that any other interested Senator was, all these questions would be open. Making it the special order is a very much more convenient thing for the opponents of the measure, because instead of that they are liable to be constantly surprised by a special motion.

The PRESIDENT pro tempore. The Senator from Indiana moves that the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor, be made a special order for Monday next immediately after the conclusion of the routine morning business. [Putting the question.] The "ayes" have it; and two-thirds having voted therefor, it is made the special order for Monday next immediately after the conclusion of the routine business.

PROOFS IN LAND CASES.

Mr. QUARLES. I ask unanimous consent for the present consideration of the bill (H. R. 11812) relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated. It is a bill which ought to receive attention. It will take only a moment, being a short bill.

Mr. GALLINGER. I will not object to this bill, but after it has been disposed of, unless other business intervenes, I will ask that we proceed with the Calendar in order.

Mr. TILLMAN. I shall ask the Senator from New Hampshire to indulge me to pass one bill. I have not asked the favor of the Senate before this session, and after the Senator from Wisconsin gets through, if he will let me pass a brief bill, I shall be obliged.

Mr. GALLINGER. Let this one be disposed of.

The PRESIDENT pro tempore. The Senator from Wisconsin asks for the present consideration of the bill, which will be stated by title.

The SECRETARY. A bill (H. R. 11812) relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. COCKRELL. Has not the bill been read once?

Mr. QUARLES. The bill has not been read. It has only recently been reported, and there are reasons why it should be passed at an early day.

Mr. COCKRELL. Day before yesterday I undertook to pass this bill, thinking it was another bill which I wanted to have passed, and it was read, beyond any question.

The PRESIDENT pro tempore. It was read.

Mr. COCKRELL. I found it was not the bill, and the other bill was passed.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEGISLATION AFFECTING ALASKA.

Mr. BEVERIDGE. Mr. President, I desire to ask unanimous consent of the Senate that on Thursday next, after the completion of the morning business, the day shall be given to the consideration of Alaskan legislation, providing it does not interfere with appropriation bills.

There are now before the Senate, from the Committee on Territories, about four bills of immediate and pressing importance, upon very material and much-needed subjects up there, such as roads, municipal corporations, etc. I do not think that any of these bills reported will be controverted, but unless we can fix a day next week for their consideration it is pretty clear that there may not be any legislation at the present session on this subject, which would be very unfortunate. These bills are the result of the subcommittee's investigation into Alaskan conditions and are agreed to by all of us. I ask unanimous consent, as I have indicated.

The PRESIDENT pro tempore. Has the Senator from Indiana completed his request?

Mr. BEVERIDGE. I have completed my request.

Mr. GALLINGER. It is not to interfere with appropriation bills.

Mr. BEVERIDGE. I stated that—not to interfere with appropriation bills.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that on Thursday next, after the completion of the routine morning business, the Senate shall proceed to the consideration of bills relating to Alaska, not to interfere, however, with appropriation bills.

Mr. BEVERIDGE. Yes.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the order is made.

ORDER OF BUSINESS.

Mr. LODGE. I ask that we go to the Calendar now. Is that in order?

The PRESIDENT pro tempore. The Calendar itself is in order.

Mr. LODGE. I ask for the regular order.

Mr. TILLMAN. I hope the Senator from Massachusetts will not cut me off after I asked permission and have given notice that I wanted a little bill passed. It is the first time I have asked that favor this session.

Mr. LODGE. We all of us want to pass little bills, and I do not see why the fair way is not to go to the Calendar instead of each scrambling for time.

Mr. TILLMAN. If the Senator would apply the same rule to all it would be all right, but he sat there and let one bill go through. I do not see why he can not allow me to have my bill passed.

Mr. LODGE. That was a request for unanimous-consent agreement to fix a day next week for the consideration of certain bills.

Mr. TILLMAN. Oh, on the other side of you. The Senator from Wisconsin passed a bill.

Mr. LODGE. I was not aware of that.

The PRESIDENT pro tempore. The Senator from Massachusetts demands the regular order.

Mr. LODGE. If we are going in and scramble for time I withdraw the request.

Mr. PROCTOR. I ask unanimous consent for the present consideration of Order of Business 788.

Mr. TILLMAN. Mr. President, I want to know how I got sidetracked by the Senator from Vermont?

The PRESIDENT pro tempore. Did the Senator from Massachusetts withdraw his demand for the regular order?

Mr. LODGE. Yes; but I think I will renew it. I think it is the only fair way. We are all of us anxious to get bills through, and it seems to me it is the only fair way.

Mr. PROCTOR. The Senator from Massachusetts had withdrawn his demand when I made the request.

Mr. LODGE. Very well; then I will withdraw it. Let the Senator from Vermont and the Senator from South Carolina get their bills through. They must always pass their bills.

The PRESIDENT pro tempore. Then, the Chair will recognize the Senator from South Carolina.

Mr. GALLINGER. Mr. President, in this connection I desire to say that I have, at the request of some Senators, been trying to facilitate the consideration of bills on the Calendar. I always want to be courteous, and I gave notice that I would ask that we go to the Calendar. But, if it is agreeable to the Senate, I certainly have no objection to devoting the time until 2 o'clock to the consideration of bills which individual Senators may want to have considered.

Mr. TELLER. I want to know whether they will be subject to objection?

Mr. GALLINGER. Certainly.

Mr. TELLER. I do not want to object unless somebody proposes the consideration of a bill that is going to occupy the Senate for some length of time, and in that case I should object.

Mr. GALLINGER. Bills will be subject to objection.

Mr. TELLER. As it is for only a few moments, I will not interfere. Otherwise I should.

Mr. ALLISON. The proposition is to consider bills on the Calendar under Rule VIII.

Mr. GALLINGER. Certainly.

The PRESIDENT pro tempore. The Senate will be proceeding under Rule VIII, and one objection will prevent the consideration of a bill unless on motion a majority determine otherwise. The Senator from South Carolina is recognized.

Mr. TILLMAN. I ask unanimous consent to call up out of its order the bill (S. 2667) for the relief of the estate of R. W. Bullock, deceased.

Mr. HOAR. I should like, before the bill is proceeded with, to understand the parliamentary situation. I understand that two Senators called for the Calendar, and then waived the demand in order that matters unobjected to might be called up by Senators.

Mr. TILLMAN. If this bill is objected to, I shall not expect to press it.

Mr. HOAR. Let me say a word, if you please. They waived the Calendar in order that Senators might call up bills until 2 o'clock. Is it not necessary to reserve the right to call up the Calendar at 2 o'clock?

The PRESIDENT pro tempore. At 2 o'clock the Calendar of General Orders will come up, under the rule.

Mr. HOAR. Very well.

Mr. BEVERIDGE. In any event?

The PRESIDENT pro tempore. In any event, unless by unanimous consent other disposition is made.

ESTATE OF R. W. BULLOCK, DECEASED.

Mr. TILLMAN. I now ask unanimous consent for the present consideration of the bill (S. 2667) for the relief of the estate of R. W. Bullock, deceased.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to pay to the estate of R. W. Bullock, deceased, for mail service performed as contractor on route 5726, South Carolina, from October 1, 1859, to January 31, 1861, the sum of $95.21, with interest to date.

Mr. ALLISON. I ask that the report be read. It seems to be one of these old mail affairs.

Mr. TILLMAN. It is an old mail bill.

Mr. COCKRELL. It goes back to the 1st of January, 1861.

Mr. TILLMAN. It involves only ninety-odd dollars.

The Secretary read the report submitted by Mr. STEWART on the 10th instant, as follows:

The Committee on Claims, to whom was referred the bill (S. 2667) for the relief of the estate of R. W. Bullock, deceased, beg to report the same back to the Senate and to recommend its passage without amendment.

That the claim is just and should be paid will be seen from the following letter of the Postmaster-General, written in response to your committee's request for the Department's views as to the merits of the claim:

OFFICE OF THE POSTMASTER-GENERAL,
Washington, D. C., January 16, 1904.

SIR: Receipt is acknowledged of your request of the 6th instant for papers, or copies of same, on file in this Department relating to the claim covered by Senate bill 2667, for the relief of the estate of R. W. Bullock, deceased, which bill is for payment for mail service said to have been performed as contractor on route 5726, South Carolina, from October 1, 1859, to January 31, 1861.

In reply I have the honor to inform you that the records of this office show that from October 1, 1859, to January 31, 1861, Richard W. Bullock, of Ninety-Six, S. C., was contractor at $95 per annum. Under a general order of the Postmaster-General all service in South Carolina, including this route, was discontinued from May 31, 1861.

The records of this office do not show what amounts were actually paid under this contract, and your letter has been referred, for further attention, to the Auditor for the Post Office Department, from whose records this information may be obtained.

Very respectfully,
H. C. PAYNE, *Postmaster-General.*

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate.

Mr. ALLISON. I merely ask for information, but according to the bill the account is to draw interest. I believe there is a general law that the rate of interest shall be 4 per cent, and I think it might be well to put such a provision in this bill.

Mr. TILLMAN. It might as well be put in.

Mr. COCKRELL. I had not noticed the matter of interest. Has the Senator from South Carolina the report of the Auditor?

Mr. TILLMAN. I have the report of the Acting Auditor of the Treasury Department.

Mr. COCKRELL. All right.

Mr. TILLMAN. I will read it.

TREASURY DEPARTMENT,
Washington, January 23, 1904.

Hon. FRANCIS E. WARREN,
Chairman Committee on Claims, United States Senate.

SIR: In reply to your letter of the 6th instant, received by reference from the Second Assistant Postmaster-General, relative to a claim of the estate of R. W. Bullock, deceased, for payment of the amount stending to be credit for mail service performed as contractor on route No. 5726, South Carolina, as set forth in Senate bill No. 2667, I have the honor to inform you that the records of this office show that Richard W. Bullock, of Ninety-Six, S. C., was the contractor of route No. 5726, South Carolina, from October 1, 1859, to January 31, 1861, and there is a balance of $95.21 remaining to the credit of his account for service from July 1, 1860, to January 31, 1861.

Many of this class of claims were paid by the Confederate States government, but the Confederate records (mutilated) now in the possession of this office do not show, so far as they go, that any payment was made to Mr. Bullock or his heirs for mail transportation under his contract with the United States.

Respectfully, N. L. CHEW, *Acting Auditor.*

Mr. PLATT of Connecticut. Mr. President——

Mr. COCKRELL. I move to strike out the words "with interest to date." We never have paid interest on any claim of that kind during the last twenty years, and I do not think it right that we establish a precedent of paying interest.

Mr. PLATT of Connecticut. I was going to say that for several years I tried to get one of these claims allowed, and it was finally passed by Congress. It was for the widow of a contractor, and involved some three or four thousand dollars. The widow lived in Connecticut, and I know in that case the Government did not pay interest.

Mr. TILLMAN. Of course if it is the rule that interest shall not be paid, I can not ask that you shall make any change in behalf of this citizen of my State.

Mr. COCKRELL. That is the universal rule; and I will say frankly that I am very much astonished that the Senator from Nevada reported the bill with those words in it. It is the first time for a long while that the Committee on Claims has made a report of this kind. The only report that has been made here in the last twenty years allowing interest was a report made——

Mr. TILLMAN. I expect this man will be glad to get anything. He has been kept out of this money for forty years.

Mr. STEWART. I did not observe the matter of interest.

Mr. COCKRELL. I was going to say that the only time in recent years when a bill allowing interest was reported was when the Committee on Post-Offices and Post-Roads reported a bill allowing interest, and we beat them in the Senate by a vote of nearly two-thirds against the report when it was tested. So the precedent of not paying interest has been very firmly established.

Mr. BEVERIDGE (to Mr. TILLMAN). You do not insist on interest?

Mr. TILLMAN. I can not insist on anything. I suppose my friend down there will be glad to get the principal.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Missouri offers an amendment, which will be stated.

The SECRETARY. At the end of the bill it is proposed to strike out "with interest to date."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEONARD I. BROWNSON.

Mr. PROCTOR. I ask unanimous consent to call up the bill (S. 4066) for the relief of Leonard I. Brownson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to revoke so much of General Orders as dismissed First Lieut. Leonard I. Brownson, Company K, Fifth Vermont Volunteers, and to cause to be issued to him a certificate of honorable muster out of the service.

Mr. ALLISON. I hope the Senator from Vermont will make a brief explanation of the bill.

Mr. PROCTOR. I have explained this measure two or three times in previous sessions of the Senate, and a similar bill has passed unanimously, I think, three times—I know twice. I served in the regiment with this gentleman. There was a little misunderstanding with the adjutant and a few sharp words passed, and he was tried and dismissed very unjustly. He was a fine soldier, and has a fine record.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LEOPOLD HERBERT SCHWERIN.

Mr. DRYDEN. I ask unanimous consent for the present consideration of the bill (S. 2605) to authorize the appointment of Acting Asst. Surg. Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

CITIZENS' BANK OF LOUISIANA.

Mr. McENERY. I ask unanimous consent for the present consideration of the bill (S. 2467) for the relief of the Citizens' Bank of Louisiana.

The Secretary read the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. ALLISON. I think I will allow it to be passed over without prejudice.

ELECTRIC WIRING IN THE DISTRICT.

Mr. COCKRELL. I ask unanimous consent for the present consideration of the bill (S. 3) to regulate electrical wiring in the District of Columbia.

The Secretary read the bill; and the Senate, by unanimous consent, proceeded with its consideration.

The bill was reported from the Committee on the District of Columbia with amendments.

Mr. ALLISON. Section 14 ought to be stricken out certainly.

Mr. KEAN. There are amendments to the bill. I do not know what they are.

The PRESIDENT pro tempore. There are amendments pending to that section.

Mr. GALLINGER. Section 14 was amended by the committee, I will say to the Senator from Iowa.

The PRESIDENT pro tempore. The amendments of the committee will be stated in their order.

The SECRETARY. In section 1, page 1, line 4, after the word "construction," insert the words "or installation;" and in line 6, after the word "act," insert "or who is not working under the supervision of some person so licensed;" so as to make the clause read:

That it shall be unlawful for any person to act as an electrical wiring contractor or to engage in electrical construction or installation in the District of Columbia who shall not have been licensed as provided in this act or who is not working under the supervision of some person so licensed.

The amendment was agreed to.

The next amendment was, in line 9, after the words "United States," to strike out "or of the District of Columbia;" so as to read:

Provided, That nothing in this act shall be construed to apply to public buildings of the United States or to diminish the authority of the officer in charge of public buildings and grounds or the Superintendent of the Capitol Building and Grounds.

The amendment was agreed to.

Mr. COCKRELL. I offer an amendment to that clause. After the word "grounds," in line 13, I move to insert "the Superintendent of the Congressional Library Building and Grounds." We do not want him placed under the bill any more than the Superintendent of the Capitol Building and Grounds. There is no language in the bill which excludes the Congressional Library from its operation, and this amendment is therefore necessary.

Mr. GALLINGER. Would not that be considered a building of the United States?

Mr. COCKRELL. No more than the Capitol building would be a building of the United States.

Mr. GALLINGER. I think we intend to exclude the Capitol building.

Mr. COCKRELL. But you have put that provision in here, and therefore it becomes necessary to make provision for the Library building.

Mr. GALLINGER. I have no objection to the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. On page 1, line 11, after the word "grounds," insert the words "the Superintendent of the Congressional Library Building and Grounds."

Mr. ALLISON. Are not all public buildings of the United States exempt from the operation of this proposed statute?

Mr. GALLINGER. The bill provides—

That nothing in this act shall be construed to apply to public buildings of the United States.

As the bill was originally drafted (and I will state that it was drafted by the Commissioners or the law officers of the District) it had the words "or of the District of Columbia," and it seemed to the committee that the District authorities ought to supervise their own buildings at least.

Mr. COCKRELL. Certainly.

Mr. GALLINGER. So we struck that out. But it seemed to me that this was a complete exemption of buildings owned by the Government.

Mr. ALLISON. So it seems to me.

Mr. GALLINGER. The other clause is as to the authority.

Mr. COCKRELL. The other provision is as to the authority to control the buildings.

Mr. GALLINGER. It reads:

That nothing in this act shall be construed to apply to public buildings and grounds of the United States or to diminish the authority of the officer in charge of public buildings and grounds or the Superintendent of the Capitol Building and Grounds.

The Senator from Missouri wishes to extend that to the Library building, and I think there is no objection to that amendment.

Mr. ALLISON. There is none certainly, but it seems to me that if all public buildings are excluded that is sufficient.

Mr. DANIEL. I should think so.

Mr. COCKRELL. But the Capitol building and the Congressional Library building are directly under our own control. We do not want to have this authority interfere with the authority of our Superintendents, and they would probably have the authority to interfere if they were not named.

Mr. ALLISON. I understand, but how will that affect the Treasury Department building or the State, War, and Navy Department buildings? They are under the general authority of the Government of the United States. Is it intended that they should be under the control or the supervision of these buildings?

Mr. GALLINGER. Not at all. I will say to the Senator that it is the purpose of the bill to absolutely prevent them from doing that.

Mr. ALLISON. So I supposed; but I wondered why it was that we are to name two or three buildings at this particular point and omit all the others.

Mr. TELLER. The bill excepts two or three buildings.

Mr. ALLISON. It excepts two or three buildings. For instance, the State, War, and Navy building is under the control of the joint board there. The Treasury Department building is under the control of the Secretary of the Treasury, who has an electrician of his own, and so on.

Mr. COCKRELL. No; I do not think they have any machinery in the Treasury Department for producing electricity. It is furnished by the company. That is my understanding. I should like to call the attention of the Senator from Iowa to the fact that these public buildings are not lighted, at least all of them are not lighted, by machinery operated by the United States within the buildings. Therefore, their appliances ought to be subject to examination just the same as in private houses.

Mr. ALLISON. I understand that; but here is a provision—

That nothing in this act shall be construed to apply to public buildings of the United States—

Now, that seems very clear and sweeping—

or to diminish the authority of the officer in charge of public buildings and grounds or the Superintendent of the Capitol Building and Grounds, or to the generation of power by incorporated companies, etc.

The officer in charge of public buildings and grounds does not have, as I understand it, control of the Treasury Department building or of the Interior Department building.

Mr. COCKRELL. Certainly not.

Mr. ALLISON. Very well. These buildings are placed under this control, as I understand it.

Mr. COCKRELL. The light is furnished to them from outside power, and they ought to be subject to inspection just as is the case when it is furnished to a private residence or to a church or theater.

Mr. ALLISON. I think so.

Mr. KEAN. I think that the bill had better go over, if the Senators do not agree about it.

Mr. ALLISON. Some of the public buildings, at least, have a small electric power in them.

Mr. COCKRELL. Some few of them may have, but as a rule they do not.

Mr. KEAN. I do not want to object to the bill, and I do not want it to lose its place on the Calendar, but——

Mr. GALLINGER. It will come up at 2 o'clock. If the Senator wants to put it over for three minutes, very well.

Mr. ALLISON. I do not wish to interfere with the bill. Its general purpose seems to be commendable.

Mr. GALLINGER. It is a very desirable bill and it is agreeable to all interests. The contractors, the people of the District, and the people representing the Government as well, want it. I hope it may pass.

Mr. GIBSON. Mr. President——

Mr. GALLINGER. As the honorable Senator from Montana wishes to call up a bill before 2 o'clock, I will ask that this bill may be passed over for the present. I shall call it up again.

Mr. TELLER. What is the number?

Mr. GALLINGER. It is Senate bill No. 3. I wish the Senator from Colorado would look it over.

COURTS IN MONTANA.

Mr. GIBSON. I ask unanimous consent for the present consideration of the bill (S. 2885) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that hereafter, and until otherwise provided by law, regular terms of the circuit and district courts of the United States for the district of Montana shall be held at Great Falls, Mont., on the first Monday in May and on the first Monday in October in each year, and causes civil and criminal may be transferred by the court or judge thereof from Helena or Butte to Great Falls or from Great Falls to Butte or Helena, in said district, when the convenience of parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HENRY O. BASSETT.

Mr. MALLORY. It is not quite 2 o'clock, and I ask unanimous consent to call up the bill (S. 623) for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to pay to Henry O. Bassett, sole surviving heir of Henry Opeman Bassett, deceased, $142.50.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

TRANSPORTATION OF SUPPLIES FOR ARMY AND NAVY.

The PRESIDENT pro tempore. The Chair lays before the Senate the Calendar of General Orders.

Mr. GALLINGER. I ask unanimous consent that the Calendar may be considered during the afternoon under Rule VIII.

Mr. HALE. I wish the Senator would withhold that request for a moment.

Mr. GALLINGER. I will do so.

Mr. HALE. When the Senate reached on the Calendar the bill (S. 2263) to require the employment of vessels of the United States for public purposes, in the absence of the Senator from Arkansas [Mr. BERRY], it was passed over with the understanding that it would be taken up when he should be present. I move that the Senate proceed to the consideration of the bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2263) to require the employment of vessels of the United States for public purposes.

Mr. HALE. I do not think it will take much time. I do not propose to consume any time.

Mr. BERRY. Does the Senator from Maine propose to say anything about the bill?

Mr. HALE. It is so good a bill that I would be willing to let it pass on its own merits.

Mr. BERRY. I have no doubt the Senator would be.

Mr. HALE. The Senator said to me that while he had no feeling about the bill he desired to submit some remarks upon it, and I waited until he was present before calling up the bill.

Mr. PETTUS. I ask for the reading of the bill.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That vessels of the United States and no others shall be employed in the transportation, in one of more journeys, from one port or place of any government, property, pursuant to law, for the use of the Army or Navy, but upon such and no conditions as permit the transportation of such articles by any vessel owned by any Department of the Government.

SEC. 2. That the President of the United States may from time to time suspend, in whole or in part, section 1 of this act whenever, in the interests of the national defense, such suspension may seem to him expedient.

SEC. 3. That the Secretaries of War and the Secretary of the Navy are hereby directed to enforce the provisions of this act.

SEC. 4. That all acts and parts of acts in so far as inconsistent with the provisions of this act are hereby repealed.

SEC. 5. That this act shall take effect one month after its passage.

Mr. HALE. There is an amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The bill was reported from the Committee on Commerce with an amendment, in section 2, page 2, line 1, before the word "such," to insert "or for the protection of the interests of the Government;" so as to make the section read:

SEC. 2. That the President of the United States may from time to time suspend, in whole or in part, section 1 of this act whenever, in the interests of the national defense or for the protection of the interests of the Government, such suspension may seem to him desirable.

Mr. COCKRELL. I should like to have a definition of what are "vessels of the United States." Does that mean that the United States must be the owner of the vessel?

Mr. HALE. This only applies to those; it does not at all go into the general question. It is only the simple question that when the Government transports stores or goods to foreign ports it shall be done by vessels of the United States.

Mr. BERRY. Not belonging to the United States?

Mr. HALE. No; but vessels that are papered by the United States.

Mr. ALLISON. Registered.

Mr. HALE. Yes; registered. It is understood in business very well. They are to be vessels of the United States and not foreign tramps. That is all there is of it.

Mr. BERRY. Mr. President, under the present law the Secretary of War is required to let to the lowest bidder the right to carry the property of the United States to foreign ports. Under the present law any shipowners can bid, and, if they get the contract, they can carry it. This proposition is to confine the bids to American vessels and not permit any vessel that is not a registered vessel of the United States to enter into the competition.

I voted against this bill in the Committee on Commerce. I did not believe that it ought to pass. I believed that it was in effect a subsidy bill to these ships; that while it did not go to the extent of the subsidy bill which was discussed here, and which at one time passed the Senate, nevertheless it was making the United States Government pay more money for the transportation of these goods in order that the benefit would accrue to these ships; that it was a direct gift of whatever that difference was to the American ships, and in that way I regarded it as a subsidy.

Now, at that time we did not have a report from the Secretary of War. The bill was reported from the Committee on Commerce before that report was received. Afterwards the report came in, and the Secretary of War has presented the objections to this bill in a stronger way than I can present them. It is a very short report. I should like to have the Secretary read the report made by the Secretary of War on this bill.

The PRESIDENT pro tempore. The Secretary will read the report.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, January 28, 1904.

SIR: Referring to Senate bill 2263, Fifty-eighth Congress, second session, in response to your request for suggestions touching the merits of the bill and the propriety of its passage, I have the honor to transmit a report by the Quartermaster-General of the Army to the Secretary of War, dated December 26, 1903, a further report by the Quartermaster-General to the Secretary of War, dated January 9, 1904, in response to a request for detailed information, and a report from the same officer to the Secretary of War, dated January 13, 1904, in response to further specific requests for information.

The great bulk of freight shipped by the War Department to the Philippines goes upon the transports owned by the United States. The remainder goes chiefly in foreign bottoms, because the owners of foreign vessels uniformly underbid the owners of American vessels. Every opportunity has been given to American vessels to compete, and the standing instructions of the Department are to prefer American vessels whenever there is such substantial equality between the bids as to make it lawful to do so.

I have no doubt whatever of the wisdom of a provision which shall make it possible to do this business through the employment of of American ships.

I think, however, that there is great danger that the passage of this bill in its present form would involve the Government in serious difficulty and unwarranted expense. The number of American vessels available for shipment from the Atlantic coast to the Philippines is so small that a rigid requirement that shipments should be made in American vessels only would put the Government entirely at the mercy of a very few individuals, who could charge any price they wished. The only alternative to the power to purchase or charter such vessels for shipments from New York to Manila would be sending the freight by rail to the Pacific coast, and thence by ship to Manila.

Your committee will observe, by examining the Quartermaster-General's report of January 9, that the average cost of transportation of freight from New York to Manila during the calendar year 1903 has been $[illegible] per ton of 40 cubic feet, while the average cost of transportation of freight by rail from New York to San Francisco has been $[illegible] per ton of 2,000 pounds, and the average cost of transportation by ship from San Francisco to Manila has been $[illegible] per ton of 40 cubic feet. So it costs twenty-seven dollars and [illegible] to get freight from New York to Manila, as it now costs, as it took costs to get it from New York to Manila. Under these circumstances, if we were confined absolutely to American bottoms for this business we would have no way of escaping from the payment of some three times as much as we now pay for the cost of transportation.

I think the same result can be accomplished and this danger avoided by changing the form of the bill so that it will authorize a preference to American shipping, provided the charge made does not exceed the prices bid by the owners of foreign vessels more than a specific percentage.

A bill providing for such a preference in respect of shipments on the Pacific was reported in the House in the first session of the Fifty-seventh Congress (H. R. 1419). It was favorably reported by the House Committee on Merchant Marine, report No. [illegible]. It had the warm approval of this Department, but was defeated on the floor of the House upon the avowed ground that it would amount to a kind of a ship subsidy. (See CONGRESSIONAL RECORD, vol. [illegible], p. [illegible], 1902.)

For greater convenience I take the liberty of inclosing a copy of that bill as introducing the former, the provision would be going to the would not accomplish the desired object of doing the Government business in such a way as to promote American shipping. I should be in favor of increasing the preference to, say, 25 or 30 per cent.

Very respectfully,

ELIHU ROOT, *Secretary of War.*

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce, United States Senate.

Mr. DANIEL. That letter has been printed?

Mr. BERRY. It has been printed. It is Senate Document No. 94 of the present session.

I have heard—I do not know whether it has been printed or not—that subsequently the Secretary of War made some modifications in a private letter, or a letter at least that was written to the chairman of the committee, but not to the committee itself, in regard to his views on this question, but he presents the matter here in such a light that it seems to me it ought to be fatal to the bill.

He states that the number of American vessels which are engaged in that trade is very small; that the foreign vessels have uniformly underbid the American vessels, so that it has practically been carried in foreign bottoms. He says, furthermore, that confining it to a few would enable them to fix such exorbitant rates as the Government ought not to pay.

We all know, Mr. President, that the very moment the bidding is confined to the owners of American vessels, they are so few in number that they will make a combination or a trust, or whatever you may choose to call it, and they can force this Government to pay any exorbitant demand they may make or desire.

It is true that the Senate committee put on an amendment that the President might, on certain occasions, modify the law, but we all know that in practice that will not be done. The Secretary says that a bill of the kind he proposes is that the goods shall be carried in American vessels, provided they do not bid more than 25 or 30 per cent more than is bid by the owners of foreign vessels. Such a bill as that was introduced into the House of Representatives, but it was beaten on the ground that it was a subsidy to the shipowners. And it was beaten, Mr. President, upon the proper ground. It can be nothing else but a subsidy. If we provide here that the bidding shall be entirely confined to them, if we pay them three times as much as we otherwise would have to pay, and the Secretary says we would under this bill with even 30 per cent more, it is a subsidy to that extent, whatever it may be.

I know Senators may talk about appealing to American patriotism, and having the goods carried by American vessels. I would be glad if all of our transportation could be carried in American bottoms, provided it could be fairly done; but I am opposed, under whatever guise or whatever shape it may come, to voting a subsidy to these vessels. I do not think it is the policy of this Government to pay ship subsidies, and I do not believe it is fair to pass a bill here which will enable a few shipowners to charge the Government three times the cost that ought to be charged for carrying the goods belonging to the Government. On that ground I am opposed to the bill.

Mr. HALE. Mr. President, I know the deep-rooted sentiment of the Senator from Arkansas against a subsidy bill, and that sentiment is shared by a great many Senators besides the Senator from Arkansas, but this bill does not raise that question. The issue on a subsidy bill has passed certainly from this session of Congress. The ghost of that bill will not appear before the eyes of any Senator. This is in no respect a substitute for that, but with our dwindling commerce, constantly fading away, it is a reproach to us that what every other great nation does—transport its military supplies in its own ships—we should not do in our own case.

Mr. BERRY. Will the Senator from Maine permit me to correct him right there in one moment? I will not take longer.

Mr. HALE. Certainly.

Mr. BERRY. My information is, from the evidence which came to the Committee on Commerce, that there is no law either in Germany, France, or Great Britain requiring their military supplies or any other supplies to be carried in their own vessels.

Mr. HALE. But France subsidizes her own lines——

Mr. BERRY. She subsidizes ships.

Mr. HALE. And in Germany and in other European countries it is all a matter of regulation—not of statute, but of regulation.

Mr. GALLINGER. Departmental regulation.

Mr. HALE. Yes. In Germany the war and naval departments are strictly limited by regulation to their own vessels for government transportation.

Mr. BERRY. The Senator may be correct as to what the practice is; but I repeat that, according to the information furnished the committee, there is no law in Germany requiring it.

Mr. HALE. No; it is there done as the European powers do many of those things—by regulation.

Mr. BERRY. While I have the floor, with the Senator's permission, I will answer him. He thinks this bill has no feature of a subsidy. I will ask the Senator to answer this question: If we pay three times as much, or even 30 per cent more, for carrying in American ships than we do in foreign vessels, is not that a direct gift or subsidy, or whatever you may choose to call it, to the owners of American vessels?

Mr. HALE. Mr. President, it is only doing what we do in our coasting trade. We confine it to American ships; and under that provision the coasting trade, while every other trade has run down to almost nothing, is doubling every six or eight or twelve years.

Mr. PERKINS. Will the Senator from Maine permit me to answer the Senator from Arkansas in relation to the testimony before the Committee on Commerce?

Mr. HALE. I will.

Mr. PERKINS. I will take but a moment. I want to interject here at this point the statement that, while it is true there is no law requiring it, there was no evidence that any European government, whether England, France, Germany, or Russia, ever transported one dollar's worth of supplies for their army or their navy in ships flying the flag of any other nation. As a matter of fact, with the permission of the Senator from Maine, I wish to say that there is no instance on record where England has ever in all her great transportation business given a dollar's worth of freight to any other nationality, although the ships of Norway and Sweden operate from 15 to 25 per cent less than do the ships of England.

Mr. HALE. Undoubtedly, Mr. President, there is a natural feeling of fitness and pride in the product of their own people, which induces nations to have their stores, munitions of war, and everything of that sort transported in their own ships; and that is all that is asked here.

We have here the letter of the Secretary of War. The letter which was read applied to other conditions. The Secretary has suggested one or two amendments. One amendment is that the Secretary of the Navy and the Secretary of War may be allowed to suspend the operation of this act. If that is at all essential, instead of leaving it in the hands of the President, that can be done; but it amounts to the same thing. Undoubtedly the Senator will see that it makes no difference whether the President is authorized to suspend, or the two Secretaries who have charge of these two Departments. If the President suspends, technically he will refer the matter to one of the Secretaries.

The original provision was:

That the President of the United States may from time to time suspend, in whole or in part, section 1 of this act whenever, in the interests of the national defense—

That would limit it to a condition of war; but we propose to insert as an amendment the following:

or for the protection of the interests of the Government.

If the Secretary of War or the Secretary of the Navy should find by any possibility a combination which attempts to impose upon them undue prices, then, for the protection of the interests of the United States, either of the Secretaries or the President himself may suspend the operation of the act. So that reason for not passing the bill ceases by this amendment.

Mr. CLAY. I ask the Senator, does not the Secretary of War recommend most heartily the following amendment:

I think the same result can be accomplished and this danger avoided by changing the form of the bill so that it will authorize a preference to American shipping, providing the charge made does not exceed the prices bid by the owners of foreign vessels more than a specific percentage.

Mr. HALE. That is the original letter, and what I am talking about is as to what occurred afterwards.

As to the point that has been made by the opponents of this bill and of another bill—the Secretary alluded to that; he was not then informed—that there were no American ships of sufficient numbers to do this trade and that it would be thrown into the hands, as the Senator says, of a few shipbuilders and shipowners, I have here lists of the ships that are waiting to do this business, steamships with capacity amounting to 145,512 tons on the Pacific and 160,000 tons on the Atlantic, besides all the sailing vessels, and they are waiting for this business.

Mr. President, I stake any reputation that I may have for being able to see things as they actually occur that if this bill starts puts in practice the practice of every other great nation of transporting its own supplies in ships of its own country, while there will at first be perhaps some little increase in rates—and I think that will not be very much—the competition is such that it will prove to be true, just as it has in the Hawaiian Islands, where the rates for transporting in our own ships are not now higher than they were ten years ago, before annexation.

It is, Mr. President, a crying shame, with American-built ships, built by American workmen, owned by American shipowners, standing ready before the Government asking for the poor boon of transporting its supplies in their ships, that our Government shall do differently from every other government and open that business to the competition and service of foreign tramps. I have not stated that so strongly as I wish that I could, but I have stated it as strongly as I can.

I will insert these lists here, because I do not care to read them, as I promised that the bill should not take much time. I am more than willing to leave this question to the Senate as it stands now.

The lists referred to are as follows:

APPENDIX A.

Steamships available for Philippine trade between Pacific ports and the Philippines after July 1, 1905.

[Page 44, Report for 1903 of Commissioner of Navigation.]

Vessel.	Gross tons.	Owner.
Siberia	11,284	Pacific Mail Steamship Co.
Korea	[illegible]	Do.
Manchuria[a]	[illegible]	Do.
Mongolia[b]	[illegible]	Do.
[illegible]	[illegible]	Do.
China	[illegible]	Do.
Peru	[illegible]	Do.
Minnesota	[illegible]	Great Northern Steamship Co.
[illegible]	[illegible]	Do.
Dakota	[illegible]	Boston Steamship Co.
Tremont	[illegible]	Do.
Shawmut	[illegible]	Do.
Lyra	[illegible]	Do.
Hyades	[illegible]	Do.
Pleiades	[illegible]	Do.
Victoria	[illegible]	Northern Pacific Steamship Co.
Olympia	[illegible]	Do.
Tacoma	[illegible]	Do.
Total	145,512	

[a] Launched. [b] Building.

APPENDIX B.

Steamships available for Philippine trade between Atlantic ports and the Philippines after July 1, 1905.

Name of vessel.	Dead-weight capacity.	Net register.
	Tons.	Tons.
Maine	[illegible]	[illegible]
Massachusetts	[illegible]	[illegible]
Nebraska	[illegible]	[illegible]
Minnesota	[illegible]	[illegible]
Massachusetts	[illegible]	[illegible]
Nebraska	[illegible]	[illegible]
Nebraska	[illegible]	[illegible]
Nebraska	[illegible]	[illegible]
J. L. [illegible]	[illegible]	[illegible]
Lewis [illegible]	[illegible]	[illegible]
Harvard [illegible]	[illegible]	[illegible]
Jason [illegible]	[illegible]	[illegible]
Lassen	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Washington	[illegible]	[illegible]
Arapahoe	[illegible]	[illegible]
Massachusetts	[illegible]	[illegible]
Louisiana	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
Florida	[illegible]	[illegible]
Max	[illegible]	[illegible]
Pathfinder	[illegible]	[illegible]
Indiana	[illegible]	[illegible]
Pennsylvania	[illegible]	[illegible]

Steamships available for Philippine trade, etc.—Continued.

Name of vessel.	Dead-weight capacity.	Net register.
	Tons.	Tons
Conemaugh	3,000	1,739
Hugoma	[illegible]	1,284
[illegible]	2,800	1,325
Minnola	4,000	1,891
Total	160,900	74,764

NOTE.—Some of these steamers are now employed in the tank oil trade, but they are capable of quick conversion.

POSSIBLY AVAILABLE FOR PHILIPPINE TRADE.

Texan	12,000	5,698
Alaskan	12,000	5,621
Arizonan	12,000	5,621
American	8,500	3,643
Hawaiian	8,000	3,651
Oregonian	8,500	3,651
Californian	8,500	3,719
Nebraskan	5,000	2,824
Nevadan	5,000	2,824
Total	80,000	37,187

APPENDIX C.

Available for Philippine trade—Atlantic or Pacific Ocean.

SAILING SHIPS OF IRON OR STEEL.

Name of vessel.	Dead-weight capacity.	Net register.
	Tons.	Tons.
Andrew Thompson	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible]

Mr. HALE. Does not the Senator know—for he is a Senator of very wide range of information—that under the expectations of increased trade in the east, and, more especially, under the expectation of the passage of a subsidy bill that would put our merchant marine upon the basis of that of France and England and Germany, there was a stimulation of building in American shipyards, and that these new ships have been disappointed in their expectations, and all that is left for them is the little pittance of transporting Government supplies to our foreign possessions? It is not because the trade is overstocked with work that the ships were built, but because of the stimulation that was afforded by the expectation of what would be done. Many of these ships now lie upon the waters without work, without service, without anything to do.

While I am on the floor, let me say to the Senator that in his statement of the ships that are controlled by four or five companies he has not taken into consideration the tables which I have got of more than forty ships outside of those he has enumerated of a larger tonnage, and more than thirty ships of [illegible] tons, smaller than the larger kind that are entirely outside of these companies.

Mr. BEVERIDGE. How many of those are on the Atlantic coast?

Mr. HALE. A portion of them.

Mr. DANIEL. May I ask where that table appears in any document we have?

Mr. HALE. It does not appear in any document.

Mr. DANIEL. Then how could I have taken it into consideration?

Mr. HALE. I say the Senator could not; but it has been produced before the committee is certained to, and is authentic.

Mr. DANIEL. That may be. Mr. President, I do not know as much about this subject as the Senator from Maine. He is upon committees that are constantly dealing with it, and I am not. I certainly do not know the facts that he states or assumes to be true, and I do not know that he knows the facts to be true.

Mr. HALE. As I have said, I know the detailed statements were brought out at a hearing before the committee, and they have been before Congress in that way.

Mr. DANIEL. Somebody may have testified on that subject in the hearing of the Senator from Maine, but we can not judge matters in this body by the Senator's hearing report of what some swift witness, perhaps, who wants a subsidy has said as to its benefits or influence, where we can not [illegible] the testimony and know the witness and the standpoint he speaks from.

Mr. PERKINS. Will my friend permit me to ask him a question?

Mr. DANIEL. With pleasure, sir.

Mr. PERKINS. My colleague [Mr. BARD] and myself yesterday received a telegram signed by the secretary of what is known as the Shipowners Association of California, stating there was adequate tonnage, not only to transport the Government business, but also the trade between the Pacific coast and the Philippine Islands. It also said that there are vessels and crews of unemployed tonnage of American ownership now lying at San Francisco and Puget Sound and [illegible] ready to come. This is testimony which I believe [illegible] would have from that association if they were [illegible] a similar inquiry.

Mr. DANIEL. I hope the Senator will lay this important information before the Senate.

Mr. PERKINS. The ships I have just referred to are in addition to those enumerated by the Committee on Commerce in their report, which aggregate [illegible] tons. The ships mentioned in that report are already engaged in business, while these other vessels are lying idle.

Mr. DANIEL. I hope, Mr. President, that this important information, which comes from a witness of the Senator from California and has just been received by telegraph from that State by the Senators from that State, may be duly considered when this subject is brought up in such a manner that it may command that comprehensive kind of consideration that it should receive before it is dealt with.

Mr. LODGE. Will the Senator allow me?

Mr. DANIEL. It but adds another objection to this piecemeal method of dealing with great subsidy propositions and with great and continuous matters of public concern.

When this bill is passed, while it will be referred to by the Senator who calls it up as "a little bill," and will be pointed out in the reports as concerning only a little scrap of trade, it will be heralded throughout the country as a great victory for the subsidy scheme, as a concession and illustration of the doctrines which are hereafter to be pursued.

Now I yield to the Senator from Massachusetts.

Mr. LODGE. I want to say to the Senator that, in connection with another bill, this matter of the number of ships employed in the Atlantic and Pacific trade, both steamships and sailers, was all put in in formal testimony with the evidence of the owners. It was all done with the utmost thoroughness in public hearings, and no evidence could have been more fully and absolutely presented than that then was.

Mr. BEVERIDGE. And it was earnestly combated.

Mr. LODGE. And it was combated at the time, but not affected by that fact at all.

I thought it was desirable to call the Senator's attention to the fact that this is not a sudden thing. It has all been put in; it has all been heard, and is all here in the reports of the hearings before the Philippines Committee. It was the presentation of these facts in regard to American ships——

Mr. DANIEL. What is the date of that hearing?

Mr. LODGE. The 21st of January.

Mr. DANIEL. Of this year?

Mr. LODGE. Of this year. And while on that point, Mr. President, I think it is fair to say that the Secretary of War, when he wrote that letter, had not seen these statistics of tonnage, and that after he saw them he modified his views very much.

Mr. DANIEL. Any modification of the views of the Secretary of War on this subject ought to be presented to the Senate.

Mr. LODGE. The Senator is aware that the Secretary of War went out of office at just that time.

Mr. DANIEL. There is another Secretary of War who went in when Secretary Root went out.

Mr. LODGE. But he has not got the views of the other Secretary.

Mr. DANIEL. I have only got the views of the other Secretary as expressed in a document to Congress. If he had any subsequent views to submit, it is to be assumed that he would have taken the proper method to communicate them to the Senate, so that the Senator from Massachusetts would not enjoy the monopoly of knowing exactly what they were.

The honorable senior from Massachusetts as to the [illegible] of the views of a deceased Secretary, who has entered upon [illegible] of the Senate, especially when the Senator [illegible] to what degree or in what respect they were [illegible] does not [illegible] very much light for a debate of this character.

I may say, Mr. President, to make a few brief remarks on this subject and to point up what seems to me to be the wisdom of our procedure [illegible] that we are to take up the great matter of our mercantile marine in a piecemeal fashion.

There is one other, to my mind, very grave objection to this bill. It is the unexpected that happens with respect to war. Wars do not always announce themselves long beforehand. When they come [illegible] are imperative, exigent. [illegible] supplies for soldiers and sailors which are needed promptly, which should go in such a way, and be stimulated by every thing that the Government can afford. I do not think it is wise to place supplies which may be needed for men in a hostile nation, or men who have guns in their hands in front of the enemy. I do not think that that portion of American freight ought to be put at the mercy of a few men who, the Secretary of War has said, can then crowd the Government with exorbitant prices and put it at their mercy.

Mr. HALE. If the Senator will allow me, the committee thought of that and put it in the bill.

Mr. DANIEL. I was the Senator [illegible]

Mr. HALE. If the Senator will allow me, has the Senator read the [illegible] part of section 2, which provides that the President of the United States may from time to time suspend, in whole or in part, section 1 of this act whenever, in the interests of the national [illegible]

Mr. DANIEL. I prefer, Mr. President, that the Senate of the United States should [illegible] the laws of this country, and let them stand. I do not believe in the President of the United States suspending the laws [illegible]

Mr. HALE. But the Senator's point was that we would be at the mercy of these [illegible] I say the [illegible] that was proposed in a case such a case that this provision should be suspended. They may [illegible] than that, and provided that when at any time it was to the interest of our Government a lower bid might be accepted. The committee cared for all that.

Mr. DANIEL. The bill does not provide that it shall be suspended. There is simply a provision that the President of the United States may suspend it.

Mr. HALE. Has the Senator any doubt that he would in case of war?

Mr. DANIEL. I do not know who may be President of the United States. I know the pressure that often gathers around the President of the United States, which is to be appeased by this or that; and I would not put it in the power of the President of

the United States or of anyone else. I would take it out of the power of man, and leave it as it is now, under the control of commerce and the business of the world.

Mr. BEVERIDGE. Will the Senator from Virginia permit a question?

Mr. DANIEL. Certainly.

Mr. BEVERIDGE. The Senator is making a point as to war. I believe it is true, is it not, that Congress must declare war?

Mr. DANIEL. That was once the opinion of the Senate.

Mr. BEVERIDGE. Whether so or whether not, if war was at hand Congress would of course be in session. Does not the Senator think that the Congress would vote unanimously, in case of emergency, to suspend the operations of the act, even if it was not put in that the President might do so?

Mr. DANIEL. I do not know, Mr. President.

Mr. BEVERIDGE. I would ask the Senator whether he thinks there is any real substantial danger in the point to which he is now addressing himself?

Mr. DANIEL. Mr. President, I should not have made the point if I did not deem it worth considering.

Mr. BEVERIDGE. That perhaps was not put fortunately upon my part.

Mr. DANIEL. We sometimes have very warlike conditions of peace. We have been all along at peace, perfect peace, with the Republic of Colombia, while we have had our guns dropped upon her soldiers and have commanded them clear of their own country.

Mr. BEVERIDGE. I will say to the Senator that I was, perhaps, unfortunate in the form of the question which I put to him. The meaning of the question, however, was that in view of the fact that Congress itself must declare war, and would certainly be in session in case of any hostilities that really threatened the country, was there any particular practical danger in view of the fact that Congress would undoubtedly immediately unanimously suspend the operation of the law, even if the President were not authorized to do so?

Mr. DANIEL. My honorable friend the Senator from Indiana can speculate upon that subject as readily as anyone else.

When a country gets in the confusion of war strange things happen, and no man can tell what it will be until it arises. I imagine that the reasonable and sensible American people and their sensible Congress would do what was wise and just in such an emergency. But there is no use in allowing a disease to arise because you think you will find, when it does arise, a good doctor to cure it. The teaching of medicine is that the prevention of disease is the highest order of science; and so in lawmaking, no room for difficulties of that sort to arise is better than to speculate on providing a remedy after they may have possibly arisen.

Mr. President, I will conclude what little I have to say on this subject by repeating what the Secretary of War says, that to do what is asked here will put the Government entirely at the mercy of a few individuals who may charge any price they wish. I do not think the Congress ought to do that. I do not think it will do it. And the Secretary states that the only alternative would be the possible payment of exorbitant prices for shipments from New York to Manila by sending the freight by rail to the Pacific coast and then by ship to Manila.

Mr. PERKINS. Mr. President, I desire to say only a word in answer to my friend the Senator from Virginia [Mr. DANIEL]. He is laboring under a misapprehension as to the tonnage on the Pacific coast. I have already stated that which belongs to the merchant service, but the Government of the United States owns twenty-two transports on the Pacific coast. I think their average tonnage is perhaps 4,000. That would make 88,000 tons which the Government has. We pay but very little to other vessels for the transportation of freight—nothing for the soldiers. It is principally done in our own transports—those belonging to the Government. But there are times when the Government wants to ship a small quantity, and it is cheaper to give it to an outside vessel of small tonnage than to use one of the larger transports belonging to the Government.

Mr. DANIEL. Will my friend allow me to interrupt him for a moment?

Mr. PERKINS. Certainly.

Mr. DANIEL. I beg leave to say that I am under no misapprehension on the subject, nor did I make any statement of what is the tonnage on the Pacific coast. I merely pointed out the fact, stated in the report of the committee, that there are seventeen vessels engaged in the trade between Pacific ports and Hongkong—not the East, but Hongkong.

Mr. PERKINS. That is very true; but the report does not enumerate those vessels which are not engaged in the regular trade—those we call "tramp vessels," which have no particular route; and the tonnage of these vessels on the Pacific coast, I believe, will aggregate nearly a hundred thousand tons. They are to-day unemployed, for the reason that there is no profitable business for them to engage in.

The point which my friend the Senator from Virginia overlooked, or at least did not present to us for our consideration, is that there seems to be no particular necessity for the Government to charter other vessels at this time, for, as I have stated, the Government owns and operates twenty-two transports that are now on our coast.

Mr. BERRY. Will the Senator from California permit me?

Mr. PERKINS. Certainly.

Mr. BERRY. The Secretary of War says in this report that it costs $28 a ton to ship freight from New York to San Francisco before it ever starts across the Pacific Ocean to Manila. He furthermore says that under the present system of letting to the lowest bidder he can have freight carried from New York to Manila for eleven dollars and something. I think it is, per ton, while it costs $28 per ton to get it to San Francisco, where you say these vessels are lying there idle.

Mr. PERKINS. You might as well say that it costs $10 or $15 additional to bring merchandise from England to New York as to quote the rate from there to San Francisco or Puget Sound. We have there everything that the soldiers of our army in the Philippine Islands desire to use which is produced from the soil and by the loom and in the factory and the machine shop. Therefore it is not worth while to consider the cost of transportation across the continent.

Mr. MITCHELL. May I ask the Senator from California a question?

Mr. PERKINS. Certainly.

Mr. MITCHELL. It is for information. Can the Senator state the amount of American tonnage on the Pacific coast to-day, outside of vessels owned by the Government—transports?

Mr. PERKINS. Those that are engaged in the regular business between Puget Sound, the State of Washington, the State of Oregon, and the State of California, and the Orient, according to the Committee on Commerce, which was carefully compiled by the clerk, aggregated 145,000 tons.

But we have, as I stated before the Senator came in, nearly a hundred thousand tons of vessels which are to-day disengaged, seeking employment, seeking charters to the Orient, the Philippine Islands, Australia, and elsewhere.

Mr. MITCHELL. Can the Senator state about into what number of vessels this tonnage is divided? What is the total number of vessels, outside of transports owned by the Government, running out of Pacific coast ports of the United States to the Orient?

Mr. PERKINS. I think the testimony which was given before the Committee on the Philippine Islands is in print. Therefore, that is better than for me to speak from memory.

But aside from those which have been enumerated, I have called the attention of my friend the Senator from Virginia to the fact that the Government owns twenty-two transports, which the people have bought and paid for, and when it is to the interest of our Treasury that cargoes of men and munitions shall be transported by those vessels, it is always done.

Parenthetically, I want to say that I have no friends who are interested especially in any particular vessel or line of vessels or in any company. I do not myself own a dollar of interest in any of these vessels. I am in favor of the bill because it is in the public interest: in the interest of the people. The shipowner pays taxes where the vessel is registered in all the States, with one or two or three exceptions. There they are exempt from taxation. In my own State, in the State of Oregon, and in other states, every vessel that is registered at the custom house pays city, municipal, county, and State taxes. They are officered by American citizens, and at least 50 per cent of their crew must be American citizens. They have their homes, their families, in the ports from which the vessel sails. Why should we not keep this money at home among our own people and pay it to our own mechanics, to our own sailors and officers who navigate and man and equip these vessels, and who purchase their supplies in our own ports and cities?

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from California yield to the gentleman from Colorado?

Mr. PERKINS. Certainly.

Mr. PATTERSON. Did I understand the Senator to say that on all American vessels plying between the United States and the Philippines 50 per cent of the crew must be American citizens?

Mr. PERKINS. On those that are receiving mail subsidies.

Mr. PATTERSON. Oh! But it is not true as to American vessels that do not receive mail subsidies?

Mr. PERKINS. Their officers must be American citizens.

Mr. PATTERSON. Yes.

Mr. PERKINS. Their crew may be of other nationalities.

Mr. PATTERSON. I would ask the Senator from California whether the reason that is ordinarily given in favor of protection exists in this case, namely, to make good the difference between American and foreign labor? Is it not a fact that the steamers

on the great lines plying between the Pacific coast and Asia are all manned by Chinese?

Mr. PERKINS. The Senator is aware that no officer, from the captain to the assistant engineer, can be an officer or receive his license on a ship of American register flying the Stars and Stripes unless he is an American citizen.

Mr. PATTERSON. I did not suppose that the officers—the captain and the mates—of American ships were Chinese, but I understand the fact to be that the crews—the cabin hands, the men down in the stokeholes, everybody below the dignity of what may be termed a commissioned officer—are Chinese. Now, if that is true, and I think it is, why should we afford protection of the kind that is prohibition simply because it is the Government that may be engaged in the transportation?

Mr. PERKINS. To my knowledge there is not a Chinese upon any Government transport sailing out of San Francisco.

Mr. PATTERSON. Oh, no. I agree with the Senator from California that this bill is not intended for the benefit of Government transports.

Mr. PERKINS. It is intended for ships of American register.

Mr. PATTERSON. Ah; but there is a wide difference between ships of American register and Government transports.

Mr. PERKINS. They must be built in the United States.

Mr. PATTERSON. Does the Senator say that no ship with an American register is manned wholly by Chinese, outside of its officers?

Mr. PERKINS. I say that no ship can have an American register and fly the Stars and Stripes unless she was built in the United States or, having been wrecked, has had 75 per cent of her value spent upon her here.

I mean to say that the ship must be built by Americans, in American shipyards, from American materials brought from our forests and from our mines. Then, when it is manned and equipped, every officer must be an American citizen or have declared his intention of becoming an American citizen. Every man on that ship, or a certain percentage of them, must be an American citizen.

Mr. BERRY. Oh, no.

Mr. BACON. The Senator is mistaken about that.

Mr. PATTERSON. The Senator from California is mistaken about the main part.

Mr. PERKINS. A certain percentage must be American citizens.

Mr. PATTERSON. We have had that matter under discussion in this body before, and I have accepted it as true, and my conclusion was the result of investigation, that so far as concerns American vessels not engaged in the coastwise trade and American vessels with American registers plying between Pacific coast ports and the Philippines and to all intents the Philippine Island ports are foreign ports) they are manned by Chinese, except as to officers. The cabin hands, the crew, the firemen, the whole body of employees on board of American vessels plying between the Pacific coast and foreign ports are Chinese. If that is true, why should we say that the Government shall ship only in vessels of that kind and not say that the Government shall not purchase anything but that which is an American product?

Mr. PERKINS. I will speak of that of which I have personal knowledge. The ships plying between San Francisco and the Hawaiian Islands, the ships plying between San Francisco and Australia and New Zealand, the ships plying between San Francisco and Central American ports and the Isthmus of Panama are manned wholly in their crews by American citizens or those capable of becoming American citizens.

I am advised, and that is what my friend the Senator from Colorado evidently refers to, that the ships plying to the Orient have a large number of Chinese firemen and in the steward's department and also among the sailors. I make no defense of that class of people. I am speaking for American ships, and the law requires that a certain percentage of their crews and all their officers shall be American citizens.

Mr. HALE. I am entirely willing that the Senate shall take a vote on the matter.

Mr. BERRY. Mr. President, I wish to reply, in just a few words, to what has been said by the Senator from California [Mr. PERKINS]. I do not want to restate what I said before.

The Senator from California spoke about this money going to American citizens. He then went on to recite the fact that there are a number of vessels now idle on the Pacific coast. The Secretary of War says that most of the supplies for the army in the Philippines have been carried in Government transports, and he gives the amount which has been carried otherwise. As I have said, Congress, not being willing to leave it to the Secretary of War or to the President of the United States or anybody else to say what should be paid, passed a law providing that it should be left to the lowest bidder.

Now, under the present law foreign vessels carried freight from New York to Manila at $11.91 a ton, and the Secretary himself says that if it is carried from anywhere on the Atlantic seaboard to the Pacific slope it costs twenty-eight dollars and some cents a ton to get it from New York to San Francisco before you start across the ocean with it. Yet the Senator from California would have that added to the cost, and would pay such additional sum to carry it from San Francisco to Manila as the few shipowners on the Pacific coast would agree that the Government should pay.

The Senator talks about patriotism and paying the money to American seamen and American officers, when, as the Senator from Colorado has said, the American vessels plying to foreign ports, it was proven in the Senate and proven by the personal observation of the Senator from Georgia, are manned, except their officers, by Chinese from the top to the bottom of the ship.

Mr. President, as I said before in reply to the Senator from Maine, who says that it has no feature of a ship subsidy, I care not whether he calls it a subsidy or whether he calls it a direct gift out of the Treasury to the owners of these American vessels. Senators speak about the large number of ships that are lying idle. Yet the Secretary tells us that on opening the bids there was not one of them that bid such a sum as would enable it to carry the freight under the law. If they carry it as cheaply as any other vessel, I should say, by all means, that the Secretary should employ American vessels. But when you propose that we shall confine the bidding to them, without any restraint except such as the President may choose to offer in time of great distress, you thereby enable a few individuals, as the Secretary says, to charge an exorbitant price and such as the Government ought not to pay.

I agree with the Senator from Virginia that you can not build up a merchant marine by such methods, and that the only result will be, if this bill becomes a law, to enable a combination of shipowners—a few individuals—to hold this Government up for such price as they think will be submitted to by the Government.

Now, that is the question fairly presented; and are we willing to give to the shipowners the difference between the cost of transportation charged under the present law and such sums as they may, after consultation with each other, agree they will make the Government pay? The Secretary of War himself says that it ought not to pass. We have a new Secretary of War. The Senator from Massachusetts said that the other Secretary has just gone out. Does anyone doubt that if the present Secretary entertained views different from those given by Secretary Root the Senator from Maine would have a letter from him here giving such a different opinion? I do not know what he believes about it; I have no idea, for I have not heard; but I do say that the Secretary of War, Mr. Root, wrote this strong document against it, and I think the Senate ought to vote down the bill.

Mr. HALE. Mr. President, has the amendment been adopted?

The PRESIDENT pro tempore. It has been.

Mr. CARMACK. What is the amendment?

Mr. BERRY. The committee amendment.

Mr. HALE. Inserting "or for the protection of the interests of the Government."

Mr. McCUMBER. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from North Dakota offers an amendment, which will be stated.

The SECRETARY. On page 1, line 6, after the word "Navy," insert:

Provided, That no greater charges be made by such vessels for transportation of articles for the use of the said Army and Navy than are made by such vessels for transportation of like goods for private parties or companies.

Mr. HALE. There is no objection to that.

The amendment was agreed to.

The PRESIDENT pro tempore. If there be no further amendment, the bill will be reported to the Senate as amended.

Mr. BERRY. I will say that the Senator from Georgia [Mr. BACON], for whom I have sent, desires to offer an amendment to limit——

The PRESIDENT pro tempore. It can be offered in the Senate if there is no objection to reporting the bill to the Senate.

Mr. BERRY. I suppose he will be here in a few minutes. My understanding is that he wants to offer an amendment that the difference shall not exceed 30 per cent.

Mr. ALLISON. I was about to make a suggestion to the Senator from Maine, and I will make it in the form of an amendment. In line 3, after the words "United States," I move to insert "or belonging to the United States." Then I wish to strike out that portion of the first section down to the end of the section, beginning with the word "but." I think it is better phraseology.

Mr. HALE. If the Senator thinks it suits better, it covers the same point.

Mr. ALLISON. I think it suits better.

Mr. HALE. Very well. There is no objection to it.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment, which will be stated.

The SECRETARY. In line 3, page 1, after the words "United States," it is proposed to insert "or belonging to the United States."

The amendment was agreed to.

Mr. ALLISON. Then strike out "but this section shall not be construed," etc.

The SECRETARY. In line 6, page 1, after the word "Navy," it is proposed to strike out the following:

but this section shall not be construed to prohibit the transportation of such articles by any vessel owned by any Department of the Government.

Mr. ALLISON. No Department of the Government owns vessels, but all these vessels belong to the United States.

Mr. HALE. That is all right.

The amendment was agreed to.

Mr. ALLISON. If I may suggest another amendment, it would be a modification of the amendment proposed by the committee, inserting "or for the protection or the interests of the Government." I think it ought to be "the interests of the United States."

Mr. HALE. Yes; that is true. Undoubtedly it means the same thing, but "the United States" is better than "the Government."

The amendment was agreed to.

Mr. ALLISON. Will the Senator allow me one more suggestion? It seems to me that thirty days is rather a short period for the taking effect of this proposed act. I would suggest ninety days, or sixty days at least.

Mr. HALE. Let it be sixty days. Although the bill has been pending more than two months, still I will accept sixty days.

Mr. ALLISON. A great many people may not know about it.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment, which will be stated.

The SECRETARY. In line 9, page 2, it is proposed to strike out the words "one month" and insert in lieu thereof "sixty days."

The amendment was agreed to.

Mr. BACON. I should like to ask the Senator in charge of the bill—I may not now recall it—whether there is any other statute or law the operation of which the President is authorized to suspend at will in his discretion.

Mr. HALE. Oh, yes.

Mr. LODGE. Yes.

Mr. HALE. Yes; there are, I will not say a great many, but we have——

Mr. BACON. I can not hear the Senator.

Mr. HALE. One is suggested to me, the law in reference to the Canadian bonding privilege; and if I had time I could give the Senator a half dozen instances.

Mr. BACON. I did not hear the one the Senator gave.

Mr. LODGE. The law granting the bonding privilege through Canada. The President has authority to suspend it.

Mr. HALE. It is all in certain emergencies, and that was covered by the original bill. Now, since then we have incorporated an amendment that the President may suspend it at any time when it is to the interest of the Government.

Mr. BACON. Do you mean the question of bonding?

Mr. HALE. No; I am talking about this bill now.

Mr. BACON. Yes; this bill. That is a very different matter.

Mr. HALE. The Senator will remember that in tariff legislation——

Mr. BACON. Yes; that is all very different from this.

Mr. HALE. The tariff legislation is different?

Mr. BACON. I mean in principle.

Mr. LODGE. Does the Senator think that suspending the bonding privilege with Canada is unimportant?

Mr. BACON. I did not say it was unimportant. I said it was different in principle.

Mr. HALE. Does the Senator think it would be better to pass the bill without leaving that power in the President?

Mr. BACON. As the Senator asks me the question, I will say that I am not in favor of the Executive being delegated practically legislative powers, and when you give to the Executive the power to suspend or to practically annul an act by an indefinite suspension you do confer upon him legislative power practically.

Mr. HALE. We give just this power in naval bills, that wherever the Secretary of the Navy is convinced that there is a combination against the Government the President may suspend the operation of the law and direct the other thing to be done. We have done that in a great many cases.

Mr. BACON. If the Senator will pardon me, that is very different. There the Executive is directed to perform certain work, and so far as practicable directing him how to perform it. That is nothing more than vesting him with certain discretion as to how the particular work which is provided for in the law shall be executed by the executive department. But here is a general law which shall control the question of transportation, as to what ships shall be allowed to carry certain freights between certain points. It is a general law, and you put it absolutely within the power of the President to say when that law shall be in force and to say when it shall not be in force. There is no reason why the general navigation laws should not be put in the same way, so far as their operation is concerned, under the control of the Executive.

We have a law now which prohibits the carrying of freight between any two ports on the coast by other than vessels under American registry. Why should there not in that case be a provision that the President in his discretion may suspend that law and practically annul it? The same reasons could be urged that are urged as to this measure.

It is a fact Senators will recall that some two years ago, I think, the head of one of the Executive Departments—I have now forgotten which; I think it was either the Secretary of War or the Secretary of the Treasury—did, without any authority of law whatever, absolutely issue an order annulling the law which required that goods shipped between an American port and the Philippine Islands should be shipped in a vessel of American registry. All Senators will recall that fact. It was then commented upon in the Senate, and it was sought to be justified upon the idea or on the claim that the public emergency required it.

Of course this is a very much better provision than to have the executive department in that way disregard the positive requirements of the law, but unless there can be some reason urged which is very much stronger than any reason which occurs to me, there ought not to be vested in the Executive a power such as this.

If it be true, as urged by Senators, that it is important that the transportation of these goods should be limited to vessels of American registry, then let the law be passed and stand by it. If it is not true, then do not pass the law. If it is true, do not put it in the power of the Executive to annul the law. I do not say that in the interest of this particular measure, but I say it in the interest of the proper prerogatives of the legislative branch of the Government.

The question as to whether the President should make certain reciprocity treaties is not at all on all fours with this measure. It does not stand upon the same principle. Here is the operation of a general law, and, I repeat, there is no reason (there may be a particular reason, but I am speaking generally) why, wherever the emergency arose, the President should not have this power as to the general navigation law which does not exist as to this particular law proposed.

Mr. President, as our Government grows larger there is a natural tendency in the very vast multitude of its ramifications and the scope of its business that the executive department, which is intended only to execute the law which is prescribed by the legislative department, shall extend in its operations into the domain really of legislation in that it undertakes to do things not specifically warranted or authorized by law.

If we are going to enter upon this departure, if we are going to enter upon the departure that whether provisions of a general law, such as the navigation laws, shall remain in force or be suspended for a day, or for a year, or for ten years shall be in the discretion of the President, then we have taken a long step in the direction of abdicating the power which it was intended we should exercise and conferring it upon the executive department, which it was the direct intention of the Constitution it should not exercise. It is unnecessarily mingling the functions of the two departments of Government. If I had no other objection to this bill, that would certainly be a most radical one to me.

Mr. TELLER. Mr. President, there are unquestionably, as the Senator from Maine states, precedents for the second section. It does not make it any the less vicious because there are precedents for it. Precedents may establish the principle that Congress thought they had the right to do it, and yet it might be true that they did not have the right to do it.

The present statutes on the subject are explicit and positive as to what the executive department shall do and what the law forbids it to do. Now, it is proposed to repeal that provision of the law and to substitute a different system—that is, to provide that contracts shall be made on the part of the proper authorities with American shipowners. When the shipowner insists upon a price that is not satisfactory to the executive department, the executive department may under this provision, I suppose, decline to enforce the act, or, as the proposed statute here says, it may suspend it. I will read the second section:

That the President of the United States may from time to time suspend in whole or in part, section 1 of this act whenever, in the interests of the national defense, or for the protection of the interests of the Government, such suspension may seem to him desirable.

The President may suspend it under those conditions.

Mr. President, what is, then, the method of securing the transportation of these goods? You have repealed by this legislation the act that says you shall call for bids. The President suspends the act, and then you have not any act whatever on this subject.

Mr. HALE. It restores the old provision.

Mr. TELLER. No; it does not. The authorities are against that view. The repeal of the repealing statute does not necessarily revive the old act. Of course it may be so provided in the repealing act, but unless that is done when the next act is repealed that will not be the case.

Mr. HOAR. I was going to suggest to the Senator from Maine that it seems to me there is some force in the suggestion of the Senator from Colorado, and that it can be met by putting in after the word "act" the words "and proceed under the law now in force."

Mr. TELLER. That would undoubtedly cover it.

Mr. HOPKINS. I desire to suggest to the Senator from Massachusetts that this section provides simply for an emergency. If the emergency exists which requires the suspension of the law, then the President ought not to be limited in advertising and getting bids to carry the products. It seems to me it is better to leave it exactly as it is, because it will only be exercised the same as the President in an emergency, in case of war, suspends the writ of habeas corpus.

Mr. HOAR. I withdraw the suggestion. I think the Senator from Illinois is entirely right.

Mr. HALE. It would be purely an executive matter.

Mr. HOPKINS. Yes.

Mr. HALE. There is force in that.

Mr. TELLER. Does the Senator from Massachusetts think that this act revives the other act when the President suspends it?

Mr. ALLISON. It does not.

Mr. TELLER. The Senator from Iowa says it does not. It seems to me it is a mere technical question. What is the authority? Is there any? I was interrupted, and I did not hear what the Senator from Illinois [Mr. HOPKINS] said.

Mr. HOPKINS. The suggestion I made to the Senator from Massachusetts is that this clause is only to be exercised in a great national emergency, and that when exercised it is to be exercised in the interest of the Government, and hence the President ought not to be limited to a law that will require him to advertise to carry any products or munitions of war or anything else for the Navy or the Army. He ought to have the power to do it instantly, and hence that would be a right that he could exercise without being limited to advertising.

Mr. TELLER. I suppose the President of the United States, or at least the Secretary of War, or whoever makes these contracts, gets his authority from some statute. I do not think he has that authority by any provision of the Constitution. I did not raise this question as a mere technical one. I think it is a legal one, and I do not think it is any answer to say that this discretion is only to be exercised in a great emergency.

Who determines whether it is a great emergency? Any discretion vested in the President on such a question is not a question for anybody to consider except the President. He is the judge of the emergency. He may judge that it is an emergent case and that the national defense requires it when nobody else in the country thinks that it does. Who is going to call him to question? The courts can not do it. We can not do it, except as a matter of law. So it does not make any difference that you put in the bill it may be done in case of national emergency or for the national defense or anything of that kind. You have simply said to the President of the United States, "Whenever you can not make a contract satisfactory to your mind you can repeal this act by refusing to execute it."

Mr. ALLISON. Mr. President——

Mr. TELLER. Now, how will he execute it? He is to make a contract, of course, and the only limitation there is upon it is that he shall contract with American ships. Now I will hear what the Senator from Iowa has to say.

Mr. ALLISON. I do not understand the bill as it now reads to dispense with competition.

Mr. TELLER. It may have been amended.

Mr. ALLISON. I understand there is a general law applying to all the Departments which requires all supplies to be advertised for. Of course this is a limitation upon competition, but I suppose that, when the bill shall become a law, the Secretary of War will be obliged to advertise for bids, but the bids will be confined to American owners of ships.

Mr. HALE. The contract will be made on bids, of course.

Mr. ALLISON. The contract will be made on bids. Now, if this particular statute is suspended, it will not suspend the general law on that subject, because the repealing clause here only suspends acts and parts of acts that are inconsistent with the provisions of this act. For the time being, of course, the Secretary of War can not take foreign bids; but suppose the President suspends this act? Would he not fall back to the general statute?

Mr. TELLER. There may be some force in that.

Mr. ALLISON. I think he would. I am sure about it.

Mr. TELLER. It is a repeal of only a portion of the statute. It repeals so much as requires or authorizes a contract to be made with foreign ships. Under the present statute there is no limitation. We do not know the difference between a foreign citizen and anybody else. It may be that my view is rather supercritical, but it seems to me we are running along here in our legislation in a way that we are raising questions which need not be raised, when possibly a very little attention to the phraseology of the bill would put it beyond any controversy.

I do not believe, in view of the report of the Secretary of War on this bill, that I shall be able to vote for it. I should be quite willing to vote for a proposition to give the American ship the preference.

Mr. BAILEY. At the same price?

Mr. TELLER. At the same price. For a good many years, since I have been here, we have had various ways and devices proposed to increase the American shipping and encourage our people to put their money in ships. At one time we had a provision which gave to the American shipper bringing imported goods into the United States a reduction of the tariff duty, which was in the nature of a bounty. That was not, in my opinion, an objectionable feature, from the fact that it reduced the tariff on the goods and gave him the preference. The people paid no more, while he got more than the foreigner. If there is a principle upon which a subsidy can be granted at all, it seemed to me that was about the most harmless subsidy of all. But here is a proposition which the Secretary says will cost possibly three or four times as much.

Mr. CARMACK. At least three times as much.

Mr. TELLER. At least three times as much. If the law stood without that suspensory clause, of course it might have cost ten times as much, and I suppose it is just to avoid that that the clause of suspension was put in.

It seems to me if you wanted to give a preference you could provide if these people bid, say, 10 per cent more than the foreigner, then the foreigner might have it, or 25 per cent more than the foreigner. It appears to me there is a way to get at that without running any danger of having a very great increase in the cost of transportation.

Mr. ALLISON. I will ask the Senator, because I think it has not been explained, what efficacy he sees in the next clause?

> Or for the protection of the interests of the Government.

That is not an emergency clause.

Mr. TELLER. When you say—

> That the President of the United States may from time to time suspend, in whole or in part, section 1 of this act "whenever, in the interests of the national defense"—

that does not amount to any more than saying that whenever, in his opinion, the interests of the Government justify it he may make such suspension. It is the same thing. This gives the discretion to him. He can say that it is necessary.

Mr. DANIEL. For public policy.

Mr. TELLER. For the defense. He can say he thinks it is necessary for the interest. The interest is to increase the shipping of the country and encourage people to build ships and operate them. Suppose he did that? Does anybody suppose that anyone could insist that he had made a mistake in a matter of that kind, and that therefore there had been no suspension? You can reach the whole question by saying "if the President thinks the price asked is an unreasonable one" he may then contract with anybody else. That will do it. It looks to me as if that is not exactly what the originators of this scheme intended. They intended to get a large increase on the cost of transportation. The letter of the Secretary of War seems to indicate that he had something of that idea, too, at the same time.

Mr. CARMACK. Mr. President, I suppose the Secretary of War gave this matter very careful and impartial examination from the standpoint of the Government. He knows what he is talking about, and he tells the truth when he says that this is an extremely vicious and indefensible bill. The practical operation of it, according to the statement of the Secretary of War, would be as it appears from his letter to the chairman of the Committee on Commerce, in which he says:

> I have no doubt whatever of the wisdom of a provision which shall make it possible to do this business through the employment of American ships. I think, however, that there is great danger that the passage of this bill in its present form would involve the Government in serious difficulty and unwarranted expense. The number of American vessels available for shipment from the Atlantic coast to the Philippines is so small that a rigid requirement that shipments should be made in American vessels only would put the Government entirely at the mercy of a very few individuals, who could charge any price they wished.

Again he says:

> Under these circumstances, if we were confined absolutely to American bottoms for this business we would have no way of escaping from the payment of at least three times as much as we now pay for this class of transportation.

The Secretary says in this letter:

> I should be in favor of increasing the preference to—

That is, the preference claimed for American vessels—

> say, 25 or 30 per cent.

I think in another letter he says he would prefer to give a preference of 100 per cent, but the advocates of the bill are not satisfied even with an advantage of 100 per cent. They want the right to charge at least three times as much as the Government is now required to pay for this service.

Now, what will be the effect of it? Here is a statement from Rear-Admiral G. A. Converse, Chief of the Bureau of Equipment, made at a hearing before the House Committee on Naval Affairs a few days ago:

> While I much prefer to see the American coal carried in American ships, I do not believe that the American ships available are sufficient to meet the demands of the Navy Department. I do not think the Navy Department should be the one to pay all the subsidy for building up the American merchant marine, and I do not think the Bureau of Equipment should have to increase its estimates for coal transportation beyond a reasonable amount simply because coal in American ships. It is my opinion, therefore, as previously stated, that there should be a means provided for carrying American coal in a vessel, giving preference to American bottoms wherever they can be obtained, at a reasonable advance over the price offered by foreign ships, said advance to be limited by a certain percentage.

Why is it that the advocates of this bill are not satisfied with a reasonable advance? Why are they not satisfied with a reasonable profit, instead of giving a man a right to charge the Government three times as much as it is now required to pay?

The Government has had difficulties of this sort before, Mr. President. In a report made by the Bureau of Equipment in 1898 the following statement is made:

> The Department was still in desperate straits for transportation of coal; there were but few vessels in this country suitable for the transportation of coal and available for immediate use. When these were found, their owners knew well the necessities of the Government and generally demanded exorbitant prices.

In 1900 the Bureau of Equipment made the following statement:

> Owing to the great scarcity of freight steamers at present it is extremely difficult, in fact, impossible, to deliver coal at points desired at regular periods. The necessities of the Government are generally taken advantage of to extort exorbitant freight rates.

That is what you are going to accomplish by this bill. You are going to enable a few American shipowners, simply to rob and plunder the Government, to charge whatever prices they please, and compel the Government to pay them. It does seem to me, Mr. President, as though this were an exceedingly audacious demand to make upon the Treasury of the United States for the benefit of a few shipowners.

Mr. McCUMBER. Mr. President, I simply want to call the attention of the Senator from Tennessee [Mr. CARMACK] to the fact that under the amendment which has already been adopted no greater charges can be made to the Government than the charges which are made by the same vessels for transporting like articles for private individuals. If that be the case, then under what character of combination could they make the prices so exorbitant against the Government, as there is not a single one of these vessels but what is now, and all the time has been, engaged in carrying the same kind of freight for private individuals and private companies?

While the Senator is here I wish to call his attention to another fact; that is, as to the alleged inadequacy of American ships to carry the coal and provisions which will be necessary for our Army and Navy while staying in the Philippines. There are two vessels now at New London, just completed, each of them over 3,000 tons burden. With those vessels added to our present carrying capacity, have we not far more now than are sufficient to carry in American bottoms all of the supplies for the use of the Army and Navy in the Philippines?

Mr. CARMACK. Mr. President, I think that the Secretary of War is probably better informed on that subject than my friend from North Dakota.

Mr. McCUMBER. I simply call the attention of the Senator from Tennessee to the fact that when the report of the Secretary of War was made the vessels to which I refer had not been completed.

Mr. CARMACK. Well, I suppose the Secretary of War knew those vessels would be completed in a very short time.

Mr. HALE. Mr. President——

Mr. CARMACK. I should like to ask the Senator if he is willing to fix a certain percentage, so that the Government shall not be required to pay more than a reasonable advance?

Mr. HALE. I do not know what the percentage ought to be, and I am entirely willing to leave that to the executive officers when the emergency arises. This has all been gone over—the Senator was not here—and it has been shown that when the Secretary of War wrote that letter he was not in possession of the facts of the case. Since then hearings before the committee have developed the tonnage capacity of American ships ready to do this business and who want to do it. We have put on an additional amendment, which leaves the whole thing discretionary, so that it will be just as it is in the case of combinations on naval supplies or combinations in any such interest, where the Secretary of War or the Secretary of the Navy or the President may suspend the operation of the law. But, as I say, the Secretary of War, when he wrote that letter, was not in possession of these facts.

Mr. CARMACK. In what contingency may the Secretary suspend the operation of the law?

Mr. HALE. In his discretion.

Mr. CARMACK. Whenever he chooses?

Mr. HALE. Whenever he concludes that there is such a combination, just as we provide that when the President is satisfied there is a combination of bidders to keep up the price, he may suspend the operation of the law. It is left with him.

Mr. CARMACK. I do not think that is a very good principle.

Mr. HALE. Well, that raises the rather philosophical question suggested by the Senator from Georgia and the Senator from Colorado, but there is no other way of getting at it. The senior Senator from Colorado said that there was plenty of precedent for it, but whether there is or is not precedent for it, it has never worked anything very wrong or bad.

Mr. CARMACK. The Senator from Maine says that there have been public hearings since the Secretary of War made his former statement; but the Secretary of War has never made a statement to the contrary of this which indicated a change of opinion. We have now a new Secretary of War. Does the Senator know what he thinks about this proposed legislation?

Mr. HALE. I understand the Secretary of War, when he more thoroughly understood the situation, suggested certain amendments which should be put on the bill.

Mr. CARMACK. The amendment suggested here gives certain preferences by raising the percentage in favor of American vessels.

Mr. HALE. Mr. President——

Mr. BERRY. If the Senator will permit me, the Senator from Tennessee [Mr. CARMACK] has asked the Senator from Maine as to the views of the new Secretary of War on this matter, and that question has not been answered.

Mr. CARMACK. Yes: I asked the Senator from Maine if he knew what were the views of the present Secretary of War with respect to the pending bill.

Mr. HALE. I do not know what the views of the present Secretary of War are about this bill. He has just come into the Department.

Mr. CARMACK. Mr. President, the opinion of the Secretary of War is very important in a matter of this kind, and I believe we ought to know what his opinion is. We ought to have some statement by him as to the effect of this bill. So far as we have any statement now is to the effect that this bill would be very injurious.

Mr. HALE. That was in reference to another bill.

Mr. BERRY. No; it is in reference to this bill. In the report the Secretary refers to this identical bill.

Mr. HALE. I thought the Senator was speaking of the present Secretary of War.

Mr. BERRY. But he is speaking now of Secretary Root.

Mr. CARMACK. I know what Secretary Taft, who has been the governor of the Philippines, has said in regard to another matter, but I want to know the opinion of the Secretary of War in regard to this bill. I think we ought to have it.

Mr. TELLER. Mr. President, though there may be precedents for this bill, I doubt whether there is a precedent which is exactly in line with this. There are precedents to the effect that an act may be suspended by proclamation of the President; that is, when certain facts are determined by the President, he may then proclaim those facts and declare that the statute shall be suspended.

In the tariff act there are provisions that if the President finds certain things are being done by a foreign nation with whom we have trade relations, he may on ascertaining the facts change the rates of duty. That, however, is a very different thing from what is here proposed. In that case it is not done upon mere discretion, but after inquiry.

For instance, in the bond cases—I do not remember the particulars—I think it was upon the condition that if certain things were being done by the other parties which they ought not to do, we would suspend the bonding privilege, whilst this gives the absolute power to the President, in his discretion, to suspend this proposed law.

Mr. President, I do not suppose I need spend any time in saying that that is a very remarkable provision to be placed in a statute in a case where there is absolutely no necessity to clothe the President with such extraordinary powers, even if it be admitted that we have the authority to do so.

After the 4th day of next July all goods transported from our western ports will go in American ships. I do not remember exactly the extent of that act, which we passed to take effect on the 4th of July next, but I think it practically applied the coastwise laws to the Philippine Islands. If this is done at all, it is done not to protect the Government, but for the purpose of assisting the shipowners.

If Senators feel that they ought to do something for American shipping, and they are anxious to do it, they ought to do it in such a way that when it is presented to the Senate there can be no doubt about the propriety and legality of the transaction. It is not necessary now to say that the President shall suspend this law. You could leave that all out and say that if the President finds that there is a combination against the Government to put up the price of freight unreasonably, he may then resort to another law. That principle we have embodied in the bill for the construction of the Panama Canal when we said the President might have a certain time within which to deal with Colombia, and if it should be found within that time that it could not be done, then he should do something else. The law in that case is not suspended, but the law is in force. It is just as easy to make such a provision now, unless the Senate desires to make a precedent and to come here at a subsequent time and claim that it is a precedent, that we have clothed the President with legislative power by enabling him practically to repeal a law, to nullify it, and set it aside, or to enforce it or not to enforce it, as he may see fit.

There is something more than a mere technical question here. It is a question of principle; and you are applying a vicious principle without any occasion for it, when by a slight change in the wording of the law you could avoid it and accomplish everything you can accomplish by giving to the President of the United States this, as I claim, unconstitutional authority.

Mr. DANIEL. Mr. President, I should like to offer an amendment to come in after the amendment of the Senator from North Dakota [Mr. McCUMBER].

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the amendment offered by Mr. McCUMBER, and agreed to, the following:

And provided further, That such freight charges do not exceed by 10 per cent the lowest bid offered for transporting such freight in foreign bottoms.

Mr. DANIEL. Mr. President, the criticism which the Senator from Colorado [Mr. TELLER] has made on section 2 of this bill seems to me a very correct one, but I think he might have gone even further than he did, for it seems to me that section 2 is wholly unconstitutional.

In the words used in this section 2 there are some provisions of other statutes which would seem to be to a certain extent precedents, but I do not think any statute which we have heretofore passed has ever authorized the President of the United States, or attempted to authorize him, to suspend at his will, and then at his will to reenact a law of Congress. Such a provision as this would be much more appropriate in the Philippine Islands, for which three men legislate, than at this, the American end of this transportation line.

Mr. President, let us read this second section:

That the President of the United States may from time to time suspend, in whole or in part, section 1 of this act whenever in the interests of the national defense such suspension may seem to him desirable.

It does not require, Mr. President, a state of war, for the national defense goes on whether there be peace or war. It does not define an act or a time, to be ascertained by the President, in which the power of Congress shall, upon such condition, make a different law. It leaves it wholly within the mind of the President of the United States as to whether this shall be law or not law, and within that mind the operation must be simply upon the poll of the President's desire. Discretion, it was said by a great English judge, is the father of tyranny. We have made this law or not law going and coming, solely within the unlimited discretion of the President of the United States. So that upon this subject and to the extent that the Congress is undertaking to give the President an authority which does not reside in the Executive office, it is proposed that we shall transfer to him the legislative power of government, that when he pleases he may regard this as law, and when he pleases he may regard it as not law.

Any court, in my judgment, would hold this provision to be unconstitutional, and the result would be that we would have the absolute law which is contained in the first section uncontrollable by the fancies or by the convictions which might come and go at the Presidential discretion.

If the late Secretary of War be any judge of this subject, this state of affairs is summed up by him in the declaration:

If we were confined absolutely to American bottoms—

And we would be so confined—

for this business we would have no way of escaping from the payment of at least three times as much as we now pay for this class of transportation.

Does any Senator on this floor imagine, Mr. President, that the taxpayers of the United States, if consulted on this subject, would indorse the proposition that we shall make any law which requires this Government to pay three times the value in the market of transportation or other matters which they seek to purchase?

Mr. President, while I do not believe in systems of discrimination and would hope to provide for the American merchant marine without them, yet if we are going into the subsidy business, whether by a direct sum paid or by so disposing of the matter that a larger sum, three times as much, is bound to be paid, let us at least show some moderation. Let us gauge to some degree, and limit according to that gauge, the extraordinary demands of these shipping companies to be paid more for transporting these articles for the Government than the Government can get them transported for at those ports. For this consideration I have offered the amendment putting it at 10 per cent.

Mr. CARMACK. Mr. President, would it be in order at this time to move to recommit this bill?

The PRESIDING OFFICER (Mr. GALLINGER in the chair). It would.

Mr. CARMACK. Then, I move to recommit the bill; and I will say that I do so for several reasons. There are a number of amendments proposed and agreed to on this bill. I think the committee should consider it again, and I think it should have the benefit of a statement from the Secretary of War in regard to the bill. For those reasons I move to recommit the bill to the Committee on Commerce.

The PRESIDING OFFICER. The question is on the motion of the Senator from Tennessee, to recommit the bill to the Committee on Commerce. [Putting the question.] The "noes" seem to have it.

Mr. CARMACK. I ask for the yeas and nays. Mr. President.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. STONE]. As he is absent, I withhold my vote.

Mr. CULLOM (when his name was called). I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. As he is not present, being at home ill, I understand, I withhold my vote.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I do not see him present, and I withhold my vote. If I were at liberty to vote, I should vote "yea."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I do not see him in the Chamber, and therefore withhold my vote.

The roll call was concluded.

Mr. BEVERIDGE (after having voted in the negative). I have a general pair with the senior Senator from Montana [Mr. CLARK]. I did not observe when I voted that he was not present, and not knowing how he would vote, I do not feel at liberty to vote myself. I therefore ask to withdraw my vote.

Mr. ALLISON. I am paired with the senior Senator from Missouri [Mr. COCKRELL]. That Senator not being in the Chamber, I withhold my vote.

Mr. GAMBLE (after having voted in the negative). I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. I supposed he was present when I voted; but I will transfer the pair to the senior Senator from Rhode Island [Mr. ALDRICH], and let my vote stand.

Mr. FOSTER of Washington (after having voted in the negative). I have a general pair with the junior Senator from Mississippi [Mr. McLAURIN]. I transfer that pair to my colleague [Mr. ANKENY], and will let my vote stand.

Mr. CLARK of Wyoming. I announced a pair with the junior Senator from Missouri [Mr. STONE]; I will transfer that pair to the Senator from Kansas [Mr. BURTON], and vote. I vote "nay."

Mr. CULBERSON (after having voted in the affirmative). As the Senator from Wisconsin [Mr. QUARLES], with whom I have a pair, has not voted, I withdraw my vote.

Mr. DANIEL. I beg leave to state that my colleague [Mr. MARTIN] is paired with the Senator from Illinois [Mr. CULLOM]. If my colleague were present, he would vote "yea."

Mr. CARMACK. My colleague [Mr. BATE] is unavoidably absent on business. On this vote he is paired with the Senator from Kansas [Mr. BURTON]. If he were here, my colleague would vote "yea."

Mr. CLARK of Wyoming (after having voted in the negative). Under the statement just made by the Senator from Tennessee [Mr. CARMACK], I withdraw my vote.

Mr. BEVERIDGE. I stated that I had a general pair with the senior Senator from Montana [Mr CLARK], who is not present. I transfer that pair to the Senator from Nebraska [Mr. DIETRICH], and vote. I vote "nay."

Mr. CULLOM. I understand that there has been no pair arranged for the Senator from Connecticut [Mr. HAWLEY]. I will therefore take the liberty of transferring my pair with the junior Senator from Virginia [Mr. MARTIN] to the Senator from Connecticut [Mr. HAWLEY], and vote. I vote "nay."

Mr. CARMACK (after having voted in the affirmative). Has the senior Senator from Wisconsin [Mr. SPOONER] voted?

The PRESIDING OFFICER. The Chair is informed he has not.

Mr. CARMACK. I am paired with that Senator, and therefore withdraw my vote.

The result was announced—yeas 12, nays 30, as follows:

YEAS—12.

Bacon,	Clarke, Ark.	Foster, La.	Overman,
Bailey,	Clay,	Latimer,	Patterson,
Berry,	Daniel,	McCreary,	Teller.

NAYS—30.

Allee,	Fairbanks,	Hansbrough,	Mitchell,
Bard,	Foraker,	Heyburn,	Nelson,
Beveridge,	Foster, Wash.	Hopkins,	Perkins,
Burnham,	Frye,	Kean,	Platt, Conn.
Burrows,	Fulton,	Kittredge,	Stewart,
Cullom,	Gallinger,	Lodge,	Wetmore.
Dryden,	Gamble,	Long,	
Elkins,	Hale,	McCumber,	

NOT VOTING—47.

Aldrich,	Cockrell,	McComas,	Proctor,
Alger,	Culberson,	McEnery,	Quarles,
Allison,	Depew,	McLaurin,	Quay,
Ankeny,	Dietrich,	Mallory,	Scott,
Ball,	Dillingham,	Martin,	Simmons,
Bate,	Dolliver,	Millard,	Smoot,
Blackburn,	Dubois,	Money,	Spooner,
Burton,	Gibson,	Morgan,	Stone,
Carmack,	Gorman,	Newlands,	Taliaferro,
Clapp,	Hawley,	Pettigrew,	Tillman,
Clark, Mont.	Hoar,	Platt, Cal.	Warren.
Clark, Wyo.	Kearns,	Platt, N. Y.	

The PRESIDING OFFICER. No quorum having voted, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Allee,	Clay,	Hansbrough,	Newlands,
Allison,	Culberson,	Heyburn,	Overman,
Bacon,	Cullom,	Hoar,	Patterson,
Bailey,	Daniel,	Hopkins,	Perkins,
Bard,	Dryden,	Kean,	Platt, Conn.
Berry,	Fairbanks,	Kittredge,	Stewart,
Beveridge,	Foraker,	Latimer,	Teller,
Burnham,	Foster, Wash.	Lodge,	Tillman,
Burrows,	Frye,	Long,	Warren,
Carmack,	Fulton,	McCreary,	Wetmore.
Clapp,	Gallinger,	McCumber,	
Clark, Wyo.	Gamble,	Mitchell,	
Clarke, Ark.	Hale,	Nelson,	

The PRESIDING OFFICER. Forty-nine Senators have answered to their names. A quorum of the Senate is present. The question is on agreeing to the motion of the Senator from Tennessee to recommit the bill to the Committee on Commerce.

Mr. HALE. Mr. President, this bill will come up as the unfinished business to-morrow, and as the margin is so narrow and Senators, perhaps without realizing the importance of remaining, have gone away, I move that the Senate adjourn. Let the bill be printed as it has been amended.

The PRESIDING OFFICER. That order will be made.

Mr. MITCHELL. Will the Senator permit me to offer an amendment, to be printed and go over?

Mr. HALE. Yes; but I can not yield to anything else.

Mr. MITCHELL. I move to amend the bill by inserting after the words "and no other," in line 3, the following words:

From and after July 1, 1905.

The PRESIDING OFFICER. The bill will be reprinted with the amendments. The Secretary will state the amendment proposed by the Senator from Oregon.

The SECRETARY. In line 3, page 1, after the words "and no others," it is proposed to insert "from and after July 1, 1905."

Mr. HALE. I renew my motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Maine, that the Senate adjourn.

The motion was agreed to; and (at 4 o'clock and 17 minutes p. m.) the Senate adjourned until to-morrow, Saturday, February 27, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

FRIDAY, *February 26, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. SULLOWAY. Mr. Speaker, under the rules, bills on the Private Calendar are in order to-day; but I find that gentlemen on both sides of the House feel very desirous to finish to-day the naval appropriation bill. I therefore ask unanimous consent that to-morrow may be substituted for to-day for the consideration of those bills which would be in order to-day.

The SPEAKER. The gentleman from New Hampshire [Mr. SULLOWAY] asks unanimous consent that to-morrow may be substituted for to-day for the consideration of pension bills, the same as if it were to-day. Is there objection? The Chair hears none.

NAVAL APPROPRIATION BILL.

On motion of Mr. FOSS, the House resolved itself into Committee of the Whole House on the state of the Union, Mr. OLMSTED in the chair, and resumed the consideration of House bill 12220, the naval appropriation bill.

The CHAIRMAN. When the committee rose last evening there was pending an amendment offered by the gentleman from Massachusetts [Mr. ROBERTS].

Mr. ROBERTS and Mr. FOSS rose.

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. FOSS. I desire to say that I reserved a point of order on this amendment——

The CHAIRMAN. So the Chair understands.

Mr. FOSS. I did so for the purpose of asking the gentleman from Massachusetts a question. I will now withdraw the point of order, and allow the amendment to come up on its merits. I do not believe, at any rate, it is subject to a point of order.

Mr. ROBERTS. I ask unanimous consent that I may be allowed to proceed for fifteen minutes.

Mr. HILL of Connecticut. Mr. Chairman, I will not object if I can have the same time allotted to me.

Mr. ROBERTS. I have no doubt that the gentleman can secure that time.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Massachusetts [Mr. ROBERTS] may be permitted to proceed for fifteen minutes, after which the gentleman from Connecticut [Mr. HILL] shall proceed for fifteen minutes. Is there objection?

There was no objection.

Mr. HILL of Connecticut. Mr. Chairman, prior to the beginning of the debate, I should like to offer an amendment to the amendment, so that the question may be fairly understood.

The CHAIRMAN. Does the gentleman from Massachusetts yield the floor for that purpose?

Mr. ROBERTS. I will.

The Clerk read as follows:

Amend the amendment by striking out, in line 12, page 72, the word "five;" so that the clause will read:

"The Secretary of the Navy is hereby authorized to contract for or purchase subsurface or submarine torpedo boats," etc.

Mr. MUDD. I ask unanimous consent that the amendment offered by the gentleman from Massachusetts [Mr. ROBERTS] may be reported again. It was offered late yesterday evening, and a good many gentlemen have not heard it.

The CHAIRMAN. Without objection, the amendment of the gentleman from Massachusetts [Mr. ROBERTS] will be again reported.

Mr. MUDD. This is not to come out of the time of the gentleman from Massachusetts.

The Clerk read as follows:

In line 12, page 72, strike out the word "two" wherever it occurs and insert in place thereof the word "five."

In line 13 strike out the words "five hundred" and insert in place thereof the words "eight hundred and fifty."

In line 18 after the word "Navy," strike out all down to and including the word "appropriated," in line 23, and insert in place thereof the following:

"To carry out the purpose aforesaid the sum of $800,000, or such part thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated."

So that as amended the section shall read:

"The Secretary of the Navy is hereby authorized to contract for or purchase five subsurface or five submarine torpedo boats at a cost not exceeding $800,000: *Provided*, That before any such subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements for submarine warfare and shall have been fully tested to the satisfaction of the Secretary of the Navy. To carry out the purposes aforesaid the sum of $800,000, or such part thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated."

The CHAIRMAN. Unanimous consent having been given, the gentleman from Massachusetts [Mr. ROBERTS] is recognized for fifteen minutes.

Mr. ROBERTS. Mr. Chairman, I was much gratified during the debate yesterday to hear the chairman of the Committee on Naval Affairs appeal to this committee to be guided by the judgment of our naval experts in making up the naval programme this year, and I gathered from his remarks that he pledged himself to follow the judgment of our highest naval authorities.

He said yesterday with much earnestness and great fervor:

We shall find it infinitely better and safer to stand always upon the recommendation of our great naval authorities in this regard.

"This regard" being the size, the number, and the character of the ships we should provide in this bill.

Again he said:

Mr. Chairman, it is infinitely better for us to have something back of us, something to stand upon, even the opinion of our naval authorities, whose business, whose profession, it is to know, and it is to recommend to the American Congress the best type and the best character of ships.

Again, the chairman of our committee said to my colleague from Massachusetts:

What does the gentleman wish to follow—a foreign naval authority or our own naval authorities?

And I think it a fair assumption that the chairman of our committee has placed himself behind and will follow our own highest naval authorities.

I want to quote again from the speech of another distinguished gentleman on the Naval Committee—I refer to the ranking Democratic member, the gentleman from Louisiana [Mr. MEYER]—who said to his colleague, the gentleman from Virginia [Mr. RIXEY]:

Yes—

Replied the gentleman from Louisiana—

but I would rather take Admiral Dewey's judgment than that of the board.

Now, Mr. Chairman, what is the highest naval opinion in the United States on this question of submarine boats?

Let me read briefly what Lieut. Commander W. W. Kimball, who commanded our torpedo-boat flotilla during the late war with Spain, said on this question before the Senate Committee on Naval Affairs:

Give me six Holland submarine boats, the officers and crews to be selected by myself, and I will guarantee life's blood off the entire British flying squadron 48 miles from Sandy Hook without any aid from our fleet.

There is an excellent authority for the chairman of our committee and for this committee to follow. Let us see what Rear-Admiral Jenett, who was under Farragut at Mobile Bay, said before the Senate Committee on Naval Affairs:

If I commanded a squadron that was blockading a port and the enemy had half a dozen of these floating submarine boats, I would be compelled to raise the blockade and put to sea to avoid destruction of my ships from an invisible source and from which I could not defend myself.

There is a high naval authority for the chairman of the Committee on Naval Affairs and for this committee to follow.

Admiral Dewey said to the House Committee on Naval Affairs on April 24, 1900:

The boat—

Speaking of the only submarine boat the Government then had—

The boat did everything that the owners proposed to do. And I said then, and I have said it since, that if they had had two of these boats in Manila I never could have held it with the squadron I had.

Mr. FOSS. May I interrupt the gentleman?

Mr. ROBERTS (continuing). The moral effect to my mind——

Mr. FOSS. Mr. Chairman, will the gentleman yield to me for a moment?

Mr. ROBERTS. I yield for a question, Mr. Chairman.

Mr. FOSS. Did not Admiral Dewey after that send a letter stating that he thought we had enough of these boats to experiment with then?

Mr. ROBERTS. I will come to that in a moment. And I want the chairman of the committee to give me close attention. Admiral Dewey continued:

The moral effect, to my mind, is that it is infinitely superior to mines or torpedoes—

That is, the torpedo boats—

or anything of this kind. With those craft moving under water it would wear people out. With two of those in Galveston, all the navies of the world could not blockade that place.

That is what Admiral Dewey said to our committee in the hearing of our chairman less than four years ago.

Now the chairman says, gentlemen, that Admiral Dewey, in a letter, changed his mind. I say no. In a letter to a member of our committee [Mr. LOUDENSLAGER], written two year ago, Admiral Dewey said:

My views on the value of the submarine have not changed.

But he did say that in view of the fact that we are building seven submarines and had not accepted them, it was not wise to go on building any more.

Now, the chairman of our committee said yesterday we had not heard from any high naval authorities of this country since the battle of Port Arthur. We had not heard from Admiral Dewey. He may not have heard from him, but I have, and I want this committee to listen to what he says:

NAVY DEPARTMENT,
OFFICE OF THE ADMIRAL OF THE NAVY, MILLS BUILDING,
Washington, February 16, 1904.

Just a week ago to-day, after the battle of Port Arthur, after the general board had made up its recommendation for the programme itself, and after the House Committee had passed on it. He says:

DEAR MR. ROBERTS: Referring to our conversation of this morning, I find that [illegible] and it [illegible] the goods. Judging from its work, as well as the good [illegible] boats at Newport during the past summer—

Bear that in mind. I will refer to it a little later—

and the efficient work which torpedoes have accomplished in the East—

By the Japanese attack on the Russians at Port Arthur—

I am of the opinion that we have waited long enough before [illegible] ing additional [illegible] as I believe they have amply demonstrated their [illegible] as component parts of a strong navy.

Mr. FOSS. Mr. Chairman——

Mr. ROBERTS. I decline to be interrupted at this moment. Now listen:

In my judgment the number of these boats, two, recommended by the general board for authorization by the present Congress might very well be increased.

Very truly, yours, GEORGE DEWEY.

This letter is addressed to myself.

Mr. FOSS. And not to the committee.

Mr. ROBERTS. That is very true, but to me, and is it necessary for the gentleman who professes such a great faith in the views of Admiral Dewey to have a communication directed to him personally before he can follow out the good advice therein contained?

Mr. FOSS. Mr. Chairman, will the gentleman yield a moment for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. ROBERTS. Yes, for a question.

Mr. FOSS. I want to ask him whether in the torpedo attacks made by the Japanese on the Russian fleet off Port Arthur there was in that fleet a submarine boat?

Mr. ROBERTS. Mr. Chairman, so far as the best advice we can get will inform us, neither Japan nor Russia have to-day a submarine torpedo boat; but let me say, in addition to this letter, what Admiral Dewey stated to me personally last Friday. He said, "From what the Japanese have done with their surface torpedo boats at Port Arthur, if they had had submarines they would have gone into the harbor and destroyed every Russian ship." That is what he told me only a week ago. Now, why has Admiral Dewey come out with so strong a recommendation of submarines? During this present Congress the Senate of the United States sent a communication to the Secretary of the Navy asking him to lay before the Senate the results of the trials of the eight submarine boats owned by the Government, those trials having been had during the last year, and the Secretary of the Navy sent back to the Senate of the United States this: "It is contrary to sound public policy to divulge what these boats have been doing." Why? Let me read part of a newspaper article, and you may get an idea why they do not want officially to tell the world how effective these boats are. Here is an item from the New York Sun, dated December 10, 1903:

SUBMARINE WINS AGAIN—THE SHARK RUNS BY FORT ADAMS IN THE DAYTIME UNDETECTED.

NEWPORT, R. I., *December 9.*

There was an interesting test with the submarine torpedo boat *Shark* this afternoon in the outer harbor. The *Shark* is attached to the torpedo station, and since the departure of the *Adder* and *Moccasin* she has been used for experiments. The submarine have found no difficulty in passing objects at Fort Adams unnoticed, and today it was decided to make a trial to see if the boat could pass a given point in the daytime without being detected.

Several officers were stationed at Fort Adams, and so that the boat might have no advantage in proper bearings and a crew from one of the other submarines were sent to the fort to assist in picking her up.

The boat, under the command of Lieut. C. P. Nelson, was then sent out from the station. There was but little motion on the surface of the water, a condition favorable for picking her up, but in spite of this the boat was successful in passing the fort unnoticed.

After getting out in the outer harbor the *Shark* was submerged, and for an hour she was there moved about under water. Then she came to the surface for an observation through the operating tower. Then, again diving, she passed the given point without being seen. Coming to the surface between Fort Adams and the Dumplings she was cleared and next came to the surface near Ross Island, and having complied with the requirements of the test, proceeded awash to her slip at the torpedo station.

Now, the test was this: She was to go out in broad daylight

with all the officers and all the men of the forts guarding the entrance of Newport Harbor on the watch to detect and to see her, and to come in by those forts in broad daylight without being discovered, and, bear in mind further, it is not a straight run into the harbor at Newport, but the channel to be followed is crooked and tortuous. The vessel had to be navigated under water by her conning-tower, and she succeeded in making that most difficult and supreme test of the work of a submarine boat.

Mr. COOPER of Wisconsin. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Massachusetts yield to the gentleman from Wisconsin?

Mr. ROBERTS. I yield.

Mr. COOPER of Wisconsin. How fast can this boat run under water?

Mr. ROBERTS. Mr. Chairman, I will speak of that a little later.

Mr. COOPER of Wisconsin. There is one other question in that connection. I have been told that one had stayed under water for ten hours or more.

Mr. ROBERTS. Mr. Chairman, I have been told on reliable authority that a submarine boat has been submerged for thirty-six consecutive hours with a full——

Mr. COOPER of Wisconsin. Let me ask the gentleman this question.

Mr. ROBERTS (continuing). With a full complement of men aboard of her, eight men in the vessel, submerged for thirty-six consecutive hours.

Mr. COOPER of Wisconsin. Suppose that boat was running 5 miles an hour under water, and could be submerged for twelve hours: the boat could dive, for instance, here at Washington and come up 20 miles the other side of Baltimore, and attack a war ship. Is that a fact?

Mr. ROBERTS. The gentleman is outlining what we hope to achieve some time in the future. That trip is too long to make, unless the gentleman means overland to Baltimore. [Laughter.]

Mr. COOPER of Wisconsin. No; I do not mean that. I mean in a straight line at sea.

Mr. ROBERTS. The gentleman is right in that.

Mr. COOPER of Wisconsin. Let me ask the gentleman one more question. If that be true, that a boat can go under water 60 miles, submerged all the time, and at the end discharge this Whitehead torpedo, why does not that mean the doing away absolutely with battle ships in the near future?

Mr. ROBERTS. Oh, no; Mr. Chairman, I can not agree to that. It will do away with the battle ships and cruisers for harbor defense, but it will not do away with the battle ship as a fighting machine on the high seas.

Mr. DAYTON. Mr. Chairman, may I ask the gentleman a question?

Mr. ROBERTS. I have no objection in the world. Mr. Chairman, to these interruptions, providing my time can be extended.

Mr. DAYTON. I only want to understand the gentleman. Do I understand you to say that the type of submarine boat that the Government now has can go beyond 25 miles under water with its present storage-battery capacity?

Mr. ROBERTS. I so understand.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SLAYDEN. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts have ten minutes more.

Mr. BILL. I have no objection to that, Mr. Chairman, if I may have the same courtesy extended to me if I need it. I do not think I shall.

Mr. SLAYDEN. I will ask for it for the gentleman from Connecticut also.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the time of the gentleman from Massachusetts may be extended for ten minutes, and couples with that request that the time of the gentleman from Connecticut may also be extended for ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SLAYDEN. Mr. Chairman, I would like to ask the gentleman from Massachusetts a question.

Mr. ROBERTS. Certainly.

Mr. SLAYDEN. I want to ask the gentleman if, in any contingency where it would be desirable to use a submarine boat, there will be any necessity for a boat continuing for 25 miles under water?

Mr. ROBERTS. Oh, no. In talking with the experts in the service, those who are familiar with these boats and have commanded them, they have formulated their ideas for their use in warfare. They do not think it will ever be necessary for these boats to make so long a run under water. They will proceed on the surface until they are within five or ten miles, at the outside, of their possible enemy, and then go underneath and make their attack. It is not supposed that they are going to grope around under water all the time, but will proceed on the surface until they are near enough for an under-water attack. Then they will dive and deliver their blow.

Now, Mr. Chairman, some say that this newspaper item which I have read, telling us of this wonderful exploit of this submarine boat in Newport Harbor, is a newspaper story. It is a newspaper story, but it is a true one. I know it is true, because only last Saturday, in this very building, Lieutenant Nelson, who commanded the *Shark*, about which I have read you, told me with his own lips the story of that wonderful performance. It was a most remarkable performance, and the most complete refutation of the sinrs and insinuations against the efficiency of these boats that I have ever heard. This, among others, is the reason why our Navy Department do not want to advertise to the world the wonderful possibilities of these submarine boats.

But before I leave this point I want to say to this committee that the seven submarine boats that were purchased by the Government, when they were put to their official acceptance test, in each and every instance exceeded the contract requirements. In some instances they exceeded the contract requirements at least one knot in speed, and those familiar with naval affairs know what that means. Why, the next to the last battle ship that the Government accepted fell short of her contract requirements on speed, but not enough to necessitate her rejection. All these submarine boats exceeded the contract requirements for speed, both on the surface and under water.

When the army board learned that the board of inspection of the Navy were to conduct the acceptance test of these submarine boats, they asked permission to be present and observe what was done. That permission was given, and here is what that army board says:

As to the value of these submarine boats, now that they have been proven by actual trial to be both habitable and designed with complete submergence, there can be no question. Such a fleet placed off a harbor guarded by modern high-power guns, protected by an electrically controlled mine field could be safe against the heaviest enemy fleet and, on the approach of a hostile fleet, passing out of the mine field with the mine field was then removed temporarily, just by the cutting off of the electric current, and after approaching near enough to the enemy to discharge her torpedoes effectively, could go to a place of refuge behind the mine field, which could be replaced ere we could be attacked by the enemy by turning on the electric current as soon as the submarine had repassed the field.

The military value of such a boat, as measured by its destructive power which thus used in combination with other elements of coast defense, could only be determined from actual experiment in war; but it is firmly believed that there is no question in making such an experiment wrong, for surely not the most stout-hearted commander of a hostile fleet to hesitate long before he attempted to enter or to blockade a harbor known to be defended by some one or more with such machine boats as we have. While the actual destructive value of such a boat can not, therefore, be definitely stated, its value as an element of coast defense, when measured by its probable moral effect, is thought to be incalculable.

Very respectfully,

ARTHUR MURRAY,
Major, Artillery Corps.
C. J. BAILEY,
Captain, Artillery Corps.
E. P. LANDERS,
Captain, Artillery Corps.

The ADJUTANT-GENERAL U. S. ARMY.
(Through military channels.)

That is the authority we present for an increase in the number of these boats, and I assume from the alacrity and the willingness of this committee yesterday to follow the request of the chairman of the Committee on Naval Affairs to be guided by the highest naval opinion, that there will not be the slightest difficulty to-day in the chairman's phrase, in the ranking Democratic member from Louisiana [Mr. MEYER], and in this entire committee following the advice of the highest naval authority we have in the United States to-day, as contained in the letter which I have just read. There is no man in the American Navy to-day who has had more experience in war than Admiral Dewey. There is no man in the American Navy to-day in whom the people have more confidence.

The gentleman from Louisiana [Mr. MEYER], in saying that he would follow the Admiral of the Navy rather than the board, was merely voicing the sentiment of the people of this country. They have faith in the judgment of Admiral Dewey, and they know that what he recommends is the best thing for us to do in naval matters; and Admiral Dewey says to us—and he says to you through this letter directed to me—that in his judgment we have waited long enough before constructing additional submarine boats. And why does he say it? "In view of the performance of those boats at Newport last summer." There is now no reasonable doubt as to their efficiency, as to their desirability—to use his own language, "as component parts of a strong navy." He continues:

In my judgment, the number of these boats, two, recommended by the general board for authorization by the present Congress, might very well be increased.

I have reason to believe, Mr. Chairman, from personal conversation with Admiral Dewey and other members of the general board, that had the news of the engagement at Port Arthur been received in this country before the general board made up its

recommendation that board would have recommended more than two submarines; and I have reason also to believe from personal conversation with members of the House Naval Committee that had that same news reached us before our bill was made up and reported into this House the programme as reported by us would have been changed quite materially in the matter of small boats.

I desire now to call attention to this fact. The newspapers on yesterday morning gave us the English naval programme for the ensuing year. England provides in her budget, now before the House of Commons, for thirty vessels for the next year. What are they? Two battle ships, four cruisers, fourteen destroyers, ten submarines; in all, thirty vessels, and twenty-four out of the thirty are of the torpedo type—four-fifths of her entire programme for torpedo craft.

What does our programme provide for? There are ten boats—one battle ship, two cruisers, three scout ships, two colliers, and two submarines—only one-fifth of the American programme being for torpedo craft. Yet England, whom we have copied almost boat for boat in the past, is to-day taking advantage of the lesson of Port Arthur, and is making four-fifths of her programme of the torpedo type, as against one-fifth by this country. The amendment that I offer is nothing radical. It is nothing impulsive. It is but carrying out the ideas of high naval authority who have studied this question thoroughly and digested it well. It is not an excessive number to add in any one year when you consider that this Government has done nothing with submarines since the year 1900, and has done nothing with any form of torpedo craft since 1898.

The CHAIRMAN. The time of the gentleman has again expired. Unanimous consent having been given, the gentleman from Connecticut [Mr. HILL] is recognized for twenty-five minutes.

Mr. HILL of Connecticut. Mr. Chairman, the gentleman from Massachusetts [Mr. ROBERTS] has just read from a part of the army report. With the consent of the House I will insert in the RECORD the entire report from the office of the Chief of Artillery, and made by a board of officers convened under Special Order, No. 20, Adjutant-General's Office, January 24, 1903, and submitted by them a few days ago. The president of the board was Maj. Arthur Murray, of the Artillery Corps, and acting with him were Capt. C. S. Parker and Capt. C. J. Bailey. I will also insert, in addition to the official report of the army officers, a report of a civilian who accompanied the Lake torpedo boat in its cruise at Newport and gave his account in the New Orleans Times-Democrat on February 14, 1904. I shall insert these as a part of my remarks.

Now, I would ask the attention of the House for a few minutes. I will try and be as brief as possible and not take up the whole time allotted to me. I shall not talk any politics, because we have had too much discussion of that kind in this debate, but I want to talk just plain, straight business for a few minutes.

About two years ago, or just two years ago, when the naval appropriation bill came in, it had in it a provision for the purchase of six Holland torpedo boats. We then had under contract six boats of that class and owned two, making eight. That bill provided for the purchase of six more. Ten minutes before that proposition came up, I was called out by a gentleman in the gallery who stated to me that, representing a large number of my constituents in the Fourth district of Connecticut he pledged himself that if the purchase of submarine boats could be thrown open to competition he would give the Government the benefit of twenty years of his experience.

I came upon the floor of the House and stated the substance of his offer, and the House rejected the provision at that time. I gave my pledge to the House that if this should be done, these gentlemen, whom I knew to be financially responsible, would carry out their agreement. They immediately went to work, building boats. One of those boats was finished last spring, and in accordance with that action on their part, there was in the bill of last year a provision setting aside for the use of the Secretary of the Navy half a million dollars to be used in holding a competition not only between private boats, but the boats owned by the Government or any American citizen who chose to bring his boat into open competition, in order that the Secretary of the Navy after such competition might decide as to what he should purchase.

Last spring that notice was given to the only two companies in this country who are making submarine torpedo boats—the Holland Company and the Lake Torpedo Company; and the date fixed for the competition was October 16. Mr. Lake was ready with his boat, finished; and he was not only ready then, but was ready at the naval review in Oyster Bay. And his boat was visible and open, to be visited and examined by everybody.

The gentleman from Massachusetts says that there are military reasons why the Navy Department should not give out the details of these boats. All I have to say is that the torpedo boat *Protector* is open to the inspection of anybody, not only in this country, but from foreign countries as well. And it has been visited by attachés of the Japanese and the Russian Governments.

Last October, happening to be in Washington on my way to the West, I received a telegram from Mr. Lake advising me that the test had been postponed. I went to the Navy Department and asked why it had been postponed.

I was informed that the Holland people had notified the Department that they were not ready and would not be until November 16. This competitive test was not confined entirely to the Holland boat; the law says distinctly and specifically—here is the language: "Tested by comparison or competition, or both, with a Government subsurface or submarine torpedo boat or any private competitor." I said to the Secretary of the Navy and to Captain Train, president of the naval board of inspection and survey: "Gentlemen, I ask you now to carry out the spirit of the legislation of last year and put a Government boat in this competition: you have six of them." Captain Train replied to me: "It is absolutely useless: I am ready to admit now that the *Protector* outclasses anything which the Government has." That was the reply made to me in the presence of the Secretary of the Navy. I then said: "Go on with your competition on the 16th of November." On that date Mr. Lake's boat, the *Protector*, was at Newport—not towed there by somebody else, but going under its own power from Bridgeport, Conn., to Newport, and towing a schooner all the way in addition.

Mr. WATSON. What was the make of the Government boat?

Mr. HILL of Connecticut. The Holland, a class of boats on which the Government has spent nearly a million and a half of dollars; and the *Protector* had been developed, as my constituents said it should be, at their own expense—an expense involving between three or four hundred thousand dollars, with no customer on earth except the Government. Nobody else wants to buy such an article—a weapon of offense.

Mr. DAYTON. Engineered by a company with five or six million dollars of capital and a $50,000 plant.

Mr. HILL of Connecticut. There is no trouble about the plant or about the boats. These men have done what they agreed to do. They brought this boat into full preparation for a competition for which the Government——

Mr. DAYTON. I beg the gentleman's pardon. I was referring to the Holland boat.

Mr. HILL of Connecticut. I know nothing about the Holland company or the Holland boat except what I have learned from official reports of the Government, which I will give in a moment.

Time passed on, and November 16 came around. The *Protector*, the Lake boat, appeared at Newport ready for this competition. But on the journey down it broke its reversing gear in towing the schooner which it took down with it, so that it could only go ahead, but could not go back. I wish the United States Government would break its reversing gear, so that it could only go ahead. It does go backward many times, but I do not want it to do so now.

The Holland boat was not there, although the Navy Department had offered to lend the Holland Company one of the boats which the Government had purchased, but the offer was declined.

When the next time was fixed and the board went to Newport, they found the bay covered with ice, so that the test has not yet been held.

Now, as I understand the purpose of this committee, it is to apply this half million dollars, which was appropriated last year, to precisely the purposes for which it was intended, to hold this competition, which will be held within thirty days, if weather permits and anybody is ready to compete. My constituents are ready to compete, or will be. They are now changing the screws of the boat. So that whatever else may have been done, it is absolutely certain that, so far as the Lake torpedo boat is concerned, they are ready for business.

But, gentlemen, there has been a test held. It was said a year ago that no competition would be held, notwithstanding the appropriation by Congress. Thus far that prophecy is true. I hope that before many weeks it will be falsified.

But there has been a competition entirely unknown to me until a few days ago, when I learned that there had been a competition between these two classes of boats.

Now, understand, they are different in size, they are different in very many essential features. The Lake boat is a twin-screw boat, the Holland is a single screw. The Lake boat carries three torpedo tubes, the Holland carries one. One is much larger than the other. The gentleman from Massachusetts, I think without any intention of confining this appropriation entirely to the purchase of Holland torpedo boats—for I do not think he meant it—practically has done so by the language which he has used directing that the Secretary of the Navy shall buy five of these boats at $170,000 apiece. Well, you can not buy the Lake torpedo boats at $170,000 apiece, and consequently I have moved to strike out "five," and leave it wholly discretionary with the Secretary of

the Navy whether he shall buy one or five or none. That is the position in which I want it left.

Mr. ROSS. Mr. Chairman, will the gentleman yield?

Mr. HILL of Connecticut. Certainly.

Mr. ROSS. How much do you appropriate in your amendment?

Mr. HILL of Connecticut. Oh, I have just simply stricken "five" out of the amendment of the gentleman from Massachusetts [Mr. ROBERTS] and left it otherwise intact. I do not want to be too radical in amendments. I am perfectly willing, so far as I am concerned, to make it $5,000,000 and leave it discretionary with the Hon. William H. Moody. I left it just as it is, $500,000 instead of $5,000,000, and I will tell you in a moment why I did that. If the bill is amended in accordance with the amendment of the gentleman from Massachusetts [Mr. ROBERTS] and my amendment to his amendment, it will carry $850,000, leaving it absolutely discretionary with the Secretary of the Navy whether he uses it for one, whether he buys two, three, or five boats, or anything else.

Mr. ROSS. May I ask the gentleman a question?

Mr. HILL of Connecticut. Certainly.

Mr. ROSS. The gentleman has read the committee provision, I [illegible]

Mr. HILL of Connecticut. Certainly.

Mr. ROSS. [illegible] that the Secretary of the Navy is authorized [illegible] the better of the two.

Mr. HILL of Connecticut. Yes.

Mr. ROSS. And I [illegible] which I have in my [illegible] which was appropriated for the last naval appropriation [illegible]

Mr. HILL of Connecticut. Yes. Now, if the amendment of the gentleman from Massachusetts [Mr. ROBERTS] is [illegible] amount from $500,000 to [illegible]

Mr. ROSS. [illegible] an increase of [illegible]

Mr. HILL of Connecticut. An increase of $350,000.

Mr. ROSS. Will the gentleman yield further?

Mr. HILL of Connecticut. Certainly.

Mr. ROSS. As I understand the amendment of the gentleman from Massachusetts [illegible] does not mean a reappropriation of [illegible] now [illegible]

Mr. HILL of Connecticut. I would like to ask the gentleman, does he think it is necessary to reappropriate [illegible] Was it [illegible] a continuing appropriation? As a matter of fact, would not this be an additional [illegible]

Mr. ROSS. [illegible] gentleman's amendment and the amendment of the gentleman from Massachusetts take it together, would be an additional appropriation.

Mr. HILL of Connecticut. That is just what I think.

Mr. ROSS. [illegible] our appropriation here is a reappropriation of that $500,000, which has not yet been used.

Mr. HILL of Connecticut. [illegible] Now, I am in favor of giving the Secretary of the Navy the largest liberty on this proposition.

Mr. ROSS. [illegible] gentleman, you have reached a point where you are possibly changing the entire system of naval warfare in the world. I believe that the dreams of Jules Verne have practically come to fulfillment, and that the time is not far distant when by submarine warfare it will become possible to stop every hostile invasion of every country in the world by sea, because of the impossibility of doing it successfully.

Mr. WM. ALDEN SMITH. I do not want the gentleman to get away from the question of competition he said he was going to tell us about.

Mr. HILL of Connecticut. I will not read the entire report of this army board. I will read their recommendation and conclusions. The report, let me say, has thus far been held secret. So that there can be no misunderstanding, because I do not wish to betray any confidence, I will state that a few days ago I learned that such a competition had been held, that a competent board of gentlemen whom I have named had visited, examined, and tried both boats and had made their reports. I went to the Secretary of War and asked for a copy of the report. The Secretary called General Storey, Chief of Artillery, into his room, and stated that he desired the utmost publicity in all matters where it was proper to have it in connection with the office of the Secretary, and General Storey said that while it was a question of military strategy, he thought no harm would come about in giving Captain Lake a copy for his stockholders, who had patriotically as well as financially invested from $300,000 to $400,000 in this business. I then asked him for and he gave me a copy of this statement. I then asked him for another copy for myself, with the distinct agreement that I might read it to you as Members of Congress—the legislators of this country. So that I am not using it in violation or betrayal of any secrecy imposed upon me, because that was the distinct understanding, that I could so read it.

Mr. ROBERTS. Will the gentleman from Connecticut give me the date of his report?

Mr. HILL of Connecticut. Oh, yes; January 21, 1904.

Mr. ROBERTS. Well, I want to say to the gentleman, if the gentleman will excuse me, that the report of the board was dated November 28, 1902, some two years prior to this.

Mr. HILL of Connecticut. I am very glad to find the date of that other report. Since they made that report they have had another meeting, examined this boat later, and recommended the purchase of several of these boats, so that this was a second proposition. I will put the whole report in the RECORD. It goes into an elaborate discussion of the *Protector*.

Proceedings of a board of officers convened by the following order:

[Special orders No. 20.]

HEADQUARTERS OF THE ARMY,
ADJUTANT-GENERAL'S OFFICE,
Washington, January 24, 1903.

Extract

* * * * * * *

5. By direction of the Secretary of War, a board of officers to consist of [illegible] will report to the Chief of Artillery, Department of the East, for such duty as may be assigned them by the senior member of the board, and will be governed in their proceedings by the instructions contained in paragraphs 1 and 2 of Special Orders, No. 20, Adjutant-General's Office, January 24, 1903, so far as the same may be applicable, and will report the results of their investigations, with such recommendations as may be required by the board in obeying the orders are necessary for the public service.

* * * * * * *

By command of Lieutenant-General Miles:

H. C. CORBIN,
Adjutant-General, Major-General, U. S. Army.

FORT TOTTEN, N. Y., *January 21, 1904.*

Pursuant to the above order, the board of officers named in paragraph 5 of Special Orders, No. 20, Adjutant-General's Office, January 24, 1903, [illegible] Fort Totten, N. Y., on the 28th day of November, 1903, and [illegible] would communicate with the board when all was in satisfactory condition [illegible]

[illegible]

The board considered the following possible uses of the boat:

FOR THE DEFENSE

First, to replace fixed mines, by [illegible] to the forts and attacking vessels attempting to [illegible] or to run past the forts [illegible] to attack [illegible]

Second, to [illegible] or swift [illegible] to attack [illegible]

Third, to [illegible] to attack [illegible]

Fourth, to [illegible] to the forts to [illegible] to torpedo [illegible] or picket duty, keeping in telephonic [illegible]

Fourth, to pick up and repair [illegible] joints, junction boxes, etc.

FOR THE ATTACK

First, to run past the forts and attack vessels within the harbor.

Second, to tow [illegible] up and cut down [illegible] branch cables on the bottom of the [illegible]

Third, to [illegible] connected by a line [illegible]

A consideration of the above and the [illegible] recommendations of the Board follows above.

The Board submits the following description of the boat:

The *Protector* is a [illegible] with a cigar shaped shell 65 feet long and [illegible] feet in diameter [illegible] feet of ballast [illegible] A motor [illegible] Lozier Motor Company, Navy [illegible] of the type, [illegible] used in the Navy, [illegible] boat in use, [illegible] of new [illegible]

From the detailed description by Lieutenant [illegible] following general description of the principal and characteristic features of the boat and their purposes is compiled:

The superstructure is provided for the following purposes:

First, to give buoyancy and [illegible] in cruising trim.

Second, to provide storage for [illegible] and impede the hull for reasons of safety and economy of [illegible]

Third, to give deck room, thus contributing to habitability.

In the superstructure are stored [illegible] combined capacity of 1,600 gallons, 6 bag compressors [illegible] of 21 cubic feet, 2 lubricating oil tanks with [illegible] capacity of 100 gallons, and 4 low pressure air tanks with a total capacity of [illegible]

All gasoline tanks on the same side of the [illegible] connected with each other and with a copper service tank situated in the engine room abaft the

engines, the supply to the service tanks being automatically regulated by means of a gauge and float.

The comparatively large conning tower is provided for the following purposes:

First, to provide a buoyancy moment well above the center of gravity, thus [illegible] stability.

Second, to realize the control when submerged.

Third, to facilitate the surface navigation of the boat in comparatively rough seas.

Fourth, to provide a compass location, well removed from the magnetic influence of the steel hull.

The conning tower carries a sighting hood and also an omniscope, affording an all-round view of the horizon. Within the tower is located nearly all of the controlling mechanism of the boat. When the boat is in cruising condition, a detachable steering wheel and engine telegraphs are shipped on top of the tower.

Within the steel hull are the engine, motor, and air-compressing room; 3 torpedoes in large tubes, fore and aft; a living room; a gallery; a diving compartment, a storage-battery compartment, and water-ballast tanks, located fore and aft, and amidships.

The engines are two 4-cylinder, 4-cycle, 120-horsepower gasoline engines. For igniting the gasoline, three means are provided—a primary dry-cell battery, a magneto machine, a current from the storage batteries. With this combination no difficulty has been found in igniting the gasoline, a common source of trouble with gasoline engines. Provision is made for using the engines in the third stage of submergence—i. e., with the sighting hood just out of water, the exhaust in this case being under water, air for the engines being supplied through a water-excluding valve in the top of the sighting hood.

The generator motors are two 6-pole shunt-wound dynamos, one on each main shaft line. When only the engines are being used for propulsion the armatures revolve freely, with brushes lifted and serve as fly wheels on the shafts. Each motor has a rated capacity of 50 kilowatts at 120 per cent volts when driven at 400 revolutions per minute, a range of 1, M. E. P. (mean effective pressure) and a current capacity of 400 amperes at 1 volt, with a momentary capacity of 600 amperes.

The storage battery is located aft of the port engine, and is designed to consume 40 cubic feet of air per minute of 2,000 pounds per square foot when running at 200 revolutions per minute. The principal feature of the compartment is its compactness, it being 47 inches long, 32 inches wide, and 40 inches high, except at the high-pressure crosshead guides, which are 41 inches high.

The living room or crew space is located amidships and contains eight berths—four lower and four upper. The lower berths are in the nature of transoms, for which the upper berths, when lowered, form backs. Above and behind the berths are lockers. A folding table is provided, for which the lower berths serve as seats. The room is also provided with electric heaters, and an incandescent light system extends throughout the boat.

The galley is located aft of the living room and is provided with electric cooking stoves and washing facilities.

A water closet is located in the after engine room.

Regarding the habitability of the boat, Lieutenant Halligan states:

"In all respects save that of deck room and under all conditions of weather, this boat provides greater comfort for her crew than any surface torpedo boats on which I have served."

The diving compartment is located in the bow and is separated from the crew space by an air lock, and both it and the [illegible] are provided with air-tight water tight doors. The compartment is fitted with a connection to the boiler pressure air system and provided with a telephone communicating with the living room and a hydro-pneumatic gauge with two hands, one of which registers the pressure of the water outside, due to the depth, and the other the air pressure in the compartment. At the bottom of the compartment is an iron door, which can be opened outward. To open the door the air-lock doors are first closed and then compressed air is admitted into the compartment until the gauge hands indicate the same pressure within and without the compartment. The door is then unfastened and then allowed to swing open, thus giving the diver a good view of the bottom.

The diving compartment provides for—

First, mine-cable cutting, or else repair of or burying mine cables and junction boxes.

Second, a way of escape for the crew in case of total disablement of the boat.

Third, a channel for telephonic communication with the shore when the boat is on picket duty.

The storage battery compartment is located mainly under the crew space and is entirely ventilated. The [illegible] of which [illegible] the overall dimensions of the cells being about [illegible] inches. The total weight of the battery is about [illegible] pounds, [illegible] sufficient for electrical horse power for eight hours, or six hours [illegible] for three hours.

On the exterior of the boat are located four hydroplanes, a horizontal rudder, two wheels, two anchors, and a drop keel.

The hydroplanes are located, two on each side, flush with the superstructure deck. They are operated in unison by means of a system of shafts and bell cranks from the conning tower. When the boat is running submerged the depth of submergence is controlled by locating the reserve buoyancy with the forward pair of the hydroplanes.

The horizontal rudder is also controlled, and by light means, from the conning tower.

The wheels are provided to meet the sea bottom in inner localities, to be used as a grappling medium, to act as compensatory to the diving compartment in calm and more easily, and to allow the boat to rest on the bottom in weathering a heavy storm. They are of iron, 24 inches in diameter, with 10-inch rims, and are housed in pockets along the keel.

The anchors weigh 50 pounds each and are located one forward and one aft in pockets on the keel, and are raised and lowered by means of compressed air lines in the after end of the crew space, operated from the conning tower. The anchors, in addition to their use as such, serve as weights by which the control of depth of submergence is obtained when not under way. When on picket duty, the boat by means of these anchors could rise for observation and submerge at will.

The drop keel consists of two castings with a combined weight of 10,000 pounds held in position by a shaft on which is shipped a wrench when the boat is submerged, the fastening of the two portions of the drop keel being such that a quarter turn of the wrench will release the entire weight, 10,000 pounds, in an emergency.

The general safety of the vessel and crew is contributed to largely by the boat's seaworthiness and stability. The following means are provided for insuring certainty of return to the surface from the submerged condition:

First, the reserve of buoyancy maintained while submerged.
Second, emptying of ballast tanks by air pressure.
Third, emptying of ballast tanks by power pumps.
Fourth, emptying of ballast tanks by hand pumps.
Fifth, release of two 500-pound anchor weights.
Sixth, release of 10,000-pound drop keel.
Seventh, escape of crew through the diving compartment.

Submergence, when the boat is at rest, is obtained either by taking in water ballast or by means of the anchor weights, as already stated; when the boat is in motion, it is obtained by means of the hydroplanes. When submerging with the hydroplanes the horizontal rudder is set to keep the vessel on approximately an even keel, compensating any eccentricity of longitudinal trim, due to distribution of weights. While running submerged there are no restrictions on the movements of the crew, and no great degree of skill is required to maintain a uniform depth of submergence.

Regarding the matter of submergence, Lieutenant Halligan states:

"The most remarkable feature in the performance of the *Protector* is the facility with which her depth of submergence is controlled, this being of particular interest, aside from its importance, in that it is one of the few qualities of the boat that was not developed in her predecessors (the *Argonaut I* and the *Argonaut II*."

There are five stages of submergence, viz:

First. The normal cruising condition, with superstructure and ballast tanks empty. In this condition the superstructure deck is about 16 inches out of water.

Second. The war-time cruising condition, with superstructure filled and decks awash.

Third. Superstructure filled and sufficient water in ballast tanks to submerge to the base of the sighting hood. This is the trim for submergence. A reserve buoyancy of about 250 pounds, corresponding to the recommend line sighting hood and omniscope, is maintained for all ordinary submergences. In this condition direct vision can be had through the sighting hood lenses. While under way in this condition, by depressing the hydroplanes two other conditions are assumed, namely:

Fourth. Submergence with nothing showing except the top of the omniscope.

Fifth. Complete submergence.

To pass from the first of these conditions to the second requires about fifteen minutes from the word to the first [illegible] Fifty pounds [illegible] of the self-contained compressed air, being used, when [illegible] time required for an [illegible] observation through the omniscope. In this condition, of course, of primary importance, because as when within sight of an enemy it is intended to run completely submerged, except for occasional verifications of bearing and range through the omniscope.

* * * * * * *

Propulsion for the first three stages is by engines and motors, singly or combined, in the last three stages by motors only.

The [illegible] stage, by means of an automatic induction valve [illegible] the exhaust pipe, admitting air for the gasoline engines and [illegible] spray and water. The engines may be fired above the head a large [illegible] in this condition, and propulsion by the engines and motors [illegible] that under many conditions of sea, light and weather the boat may [illegible] for a long range without being seen in the course of the trial [illegible] of her experimental equipment. In this case, of course, the omniscope would be lowered, and the sighting hood of a neutral color could be lowered [illegible] a white or dark color. The foregoing gives the general information [illegible] that the ultimate boat [illegible] in the submarine boat of to-day are the storage battery and electrical equipment.

* * * * * * *

It is intended in the near future to extend this advantage by taking the [illegible] through the top of the omniscope, so that the engines may be used [illegible] to the exclusion of the motors, certainly until within a mile [illegible]

A [illegible] trial of the speed of the *Protector* has not been taken. According to the official trial [illegible] as entered in her log, her best speed are as follows: [illegible] light condition, electrics and motors combined, [illegible] by means of light condition, electrics only, 8 knots. Submerged speed has never been taken, but it is estimated that she will make, with a complete bay submerged, between 6 and 7 knots.

As her cruising radius, no records of fuel consumed by the engines have been kept, but from rough calculations, made during the longer runs of the *Protector*, the commander thinks she may safely be given a cruising radius of 500 miles in the light condition, at two knots.

The board on January 20, last, visited the boat, which made a surface and submerged run, and carried out such evolutions as the board desired, and within [illegible] knots.

The board was on board from 10 15 a. m. to 4 p. m. From about 12 m. to 3 p. m. the boat was submerged, and from 12 to 3 p. m. the board was in the diving compartment, observing its operation and that of grappling for a [illegible]

No discomfort was experienced under the air pressure in the diving chamber, and the remaining part of the interior was quite as comfortable as any submarine boat of its size would have been. Lunch was cooked and served while submerged.

PROGRAMME.

First. Proceeded from Fort Adams some 3 miles up the bay in cruising condition, using engines.

Second. Passed from cruising to awash condition, housing all external fittings except a wooden mast provided for the navy test.

Third. Continued submerged run in awash condition.

Fourth. Passed to submerged condition by flooding ballast tanks.

Fifth. Maneuvered on the bottom of the bay by using storage battery and motors to prove the boat.

Sixth. Filled diving chamber with compressed air, opened door in bottom, and with a grassed picked up a telephone cable by moving slowly over its approximate position.

Seventh. Passed from submerged to awash, and thence to cruising condition, and returned to Fort Adams by a surface run, using storage battery and motors.

In passing from the submerged to the awash condition, it was found that an ice floe had drifted over the boat, which, on rising, broke through the floe and emerged with its deck completely covered with some 3 inches of ice, which remained on the deck while passing to the cruising condition. It was also found that the wooden mast above mentioned, had been broken by the ice, while the boat was maneuvering under it.

The weather was very cold, the bay full of ice, and it would have been difficult to have chosen more adverse conditions for the test.

CONCLUSIONS AND RECOMMENDATIONS—FOR THE DEFENSE.

First and second, the board believes that this type of submarine boat is a most valuable auxiliary to the fixed-mine defense, and in cases where channels can not be mined owing to depth, rough water, swift tides, or width of channel it will give the nearest approach to absolute protection now known to the board. The boat can lie for an indefinite time adjacent to the point to be defended in either cruising, awash, or submerged condition, by its anchors, or on the bottom ready for instant use, and practically independent of the state of the water and in telephonic connection with the shore, or can patrol a mined or unmined channel invisible to the enemy and able to discharge its torpedoes at all times. It possesses the power of utilizing its engines in every condition except the totally submerged and can always charge its storage batteries while so doing, necessitating its return to shore only when gasoline must be replenished. In narrow channels the boat or boats would have a fixed position with a telephone cable buoyed or anchored at the bottom. In wide channels they would patrol or lie in mid-channel or where they could readily meet approaching vessels.

Third, as a picket or scout boat, outside the mine field or even at extreme range of gun fire, telephone communication can be sustained, and information received, and instructions sent for attacking approaching vessels.

Fourth, the test at Newport demonstrated the ease with which the boat can locate and pick up cables, and, with minor alterations in the present model, junction boxes, etc., can be taken into the diving compartment and repaired at leisure while absolutely protected from hostile interference. The faculty possessed by the boat of maneuvering on the bottom and sending out divers, leaves little or nothing to be desired in its facilities for doing this work.

FOR THE ATTACK.

The boat shows great superiority over any existing means of attacking mine fields known to the board.

First, it can run by any field, as at present installed, with but little or no danger from the explosion of any particular mine or from gun fire, during the few seconds it exposes the sighting hood for observations, and can attack at its pleasure vessels in the harbor.

Gentlemen, I will state that Captain Lake has gone in a submarine from the entrance of Sandy Hook straight into New York Harbor absolutely unobserved and unknown by anybody, and it is entirely possible with the Holland or Lake boats, either one, I think, with a fleet of vessels guarding Sandy Hook, to send a submarine boat up and put a torpedo on the Battery dock and come away unknown to anyone, and escape in absolute and complete safety.

Second and third, the board personally witnessed the ease with which cables can be grappled, raised, and cut while the boat is maneuvering on the bottom; mines can be swept for, found, and cut, or a diver can be sent out for that purpose.

The crew of the boat is a skilled one, trained for its test in every way likely to be requested by the Naval Board. It should be noted that, with one exception, no seamen are used, this exception being the man who steers and handles the boat.

The crew is as follows: One navigator, who is also the diver; one chief engineer; one assistant engineer; one electrician; one machinist; one deck hand, and one cook.

* * * * * * *

The board recommends consideration of the foregoing by the General Staff. The question of the use of the Whitehead torpedo as part of the fixed-mine defense, fired from tubes on shore, is now receiving consideration. Where channels are wide and water swift, the use of the Whitehead will be very limited. With boats of this type the Whitehead can, it is believed, be carried within certain effective range in all ordinary channels, and this alone will warrant the consideration asked for.

Now, understand this is the board appointed by the Secretary of War to examine both boats. They did examine them and they made this report to the General Staff. Now, gentlemen, just one minute; just suspend conversation for half a minute. I am going to say something I am not authorized to say. This was a unanimous report to the General Staff. The General Staff of the Army have had this matter under consideration for the last five days, and the committee has reported, but I am not at liberty to say what that report is. I understand, however, that they recommend to the joint board of the Army and the Navy to take the whole subject under consideration in time for action at this session.

Mr. FOSS. That is the joint board?

Mr. HILL of Connecticut. The joint board of the Army and Navy. It is not necessary for this House to get excited over this question in the slightest degree. It is in good hands, and it is being fairly and fully considered by both parties. I am simply giving information as far as I have got it. Now, what was their recommendation?

The CHAIRMAN. The time of the gentleman has expired.

Mr. HILL of Connecticut. Mr. Chairman, I ask unanimous consent that I be given five minutes.

Mr. ROBERTS. I ask that the gentleman have five minutes longer.

The CHAIRMAN. The gentleman from Massachusetts asks that the gentleman from Connecticut be given unanimous consent to continue for five minutes. Is there objection? [After a pause.] The Chair hears none.

The board recommends, in consequence of its conclusions, that five of these boats be purchased for use in submarine defense, as follows:

One for the School of Submarine Defense for experimental work, one for the eastern entrance of Long Island Sound, one for the entrance to Chesapeake Bay, one for San Francisco Harbor, and one for Puget Sound.

The necessity for this kind of defense in the four localities named needs no demonstration to those acquainted with them.

There being no further business before it, the board then adjourned sine die.

ARTHUR MURRAY,
Major, Artillery Corps, President.
C. J. BAILEY,
Captain, Artillery Corps, Member.
C. F. PARKER,
Captain, Artillery Corps, Recorder.

APPENDIX A.

[Copy of telegram.]

FORT TOTTEN, N. Y., *January 15, 1904.*

ADJUTANT-GENERAL, *U. S. Army, Washington, D. C.:*

Request telegraphic authority for board convened by paragraph 5, Special Order 20, 1903, to proceed Newport, R. I. No test of *Protector* possible heretofore. Boat now ready at Newport. Mr. Lake desires test there immediately. Board concurs.

MURRAY, *President Board.*

A true copy.

C. J. BAILEY, *Captain, Artillery Corps.*

APPENDIX B.

[Copy of telegram.]

WASHINGTON, D. C., *January 15, 1904.*

Maj. ARTHUR MURRAY,
Artillery Corps, Fort Totten, Willets Point, N. Y.:

Secretary War directs as necessary for public service members of board, consisting of yourself and Capts. Charles J. Bailey and Charles F. Parker, Artillery Corps, proceed to Newport, R. I., on official business pertaining to test of submarine torpedo boat *Protector*, and on completion duty return proper station.

PETIT, *Assistant Adjutant-General.*

A true copy.

C. J. BAILEY, *Captain, Artillery Corps.*

Now, gentlemen, that is a unanimous report. Now, I do not think I am revealing any secret when I say, since the six Lake boats were bought and paid for——

Mr. ROBERTS. You mean Holland boats.

Mr. HILL of Connecticut. Yes: since the six Holland boats were bought and paid for by the Government the naval boards have recommended changes in them to the extent of about $10,000 each, copying identically in many respects the principles of construction of the Lake boat. We already have eight Holland boats. My constituents have shown that they are a company of gentlemen who are not only financially able but who actually have spent three or four hundred thousand dollars of their own money.

The chairman of the committee yesterday spoke of the *Katahdin* and other experiments which have gone to the naval scrap heap. These gentlemen did not ask for an advance order. They have delivered to you a completed instrument, which the Army itself says is the best method of defense in the world. Now, why do I make this amendment to strike out these five boats? I think we ought to have them. I think we had better have the Holland than not have any. But why do I propose to strike out these five in this bill? This thing is an experiment, practically, yet, notwithstanding this magnificent report which will be put in here. England and France to-day have gone beyond the mere defense: the *Protector* is beyond that. I heard Governor Voorhees, of New Jersey, counsel for the *Protector*, challenging the Navy Department to a 250 mile run at sea with one of their boats, and in rough water at that. What I would like to see done is this: The appropriation should be $500,000, with full discretion given the Secretary of the Navy to use it as he sees fit; and what I would like to have him do——

Mr. FOSS. In that connection may I ask the gentleman a question?

Mr. HILL of Connecticut. Certainly.

Mr. FOSS. Whether or not the gentleman would think it advisable to reappropriate that $500,000 of last year?

Mr. HILL of Connecticut. I do if it is necessary. I did not suppose it was necessary. I supposed it was a continuing appropriation until used.

Mr. FOSS. The Secretary came before our committee——

Mr. HILL of Connecticut. I would ask the chairman of the committee himself to make that motion. It will cost nothing if we do not spend it.

Mr. BENNY. Will the gentleman yield for a question?

Mr. HILL of Connecticut. I have only two minutes left.

Mr. BENNY. I simply wanted to ask the gentleman what time this challenge that he speaks of was made.

Mr. HILL of Connecticut. October 15 of last year, or about that date.

Mr. FOSS. I would like to ask the gentleman from Connecticut whether this amendment leaves it in the discretion of the Secretary?

Mr. HILL of Connecticut. I understand so absolutely. I will ask the gentleman from Massachusetts if he does not understand that his amendment leaves it also within the discretion of the Secretary?

Mr. ROBERTS. Mr. Chairman, the language of the committee has not been altered in the slightest degree by my amendment, and will give the discretion to the Secretary of the Navy. The committee voted to make it mandatory on the Secretary, provided the boats would meet certain tests. My amendment leaves it there, and I hope the amendment offered by the gentleman from Connecticut will leave it there also.

Mr. HILL of Connecticut. I propose that it shall. Now, Mr. Chairman, I wish to close by saying that my purpose in striking

out this item and leaving it discretionary with the Secretary of the Navy [illegible] to meet a similar course of action in foreign governments. I hold in my hand the report of the French [illegible] officers and in both France and England they have started to build [illegible] of 12 to 15 miles an hour. [illegible] one every coast on the Atlantic coast and one in the Gulf [illegible] invasion of [illegible] by a foreign power [illegible]. In my [illegible] over a [illegible] for both.

[illegible] if the [illegible] of defense has reached the point [illegible] so increased, let the Secretary of the Navy [illegible] in regard to the matter. We appropriate [illegible] hundreds of millions of dollars here; and I believe [illegible] the men of the Committees are in the same position as I am, we know very little about where the money goes or what [illegible] are expended for. Surely we can trust the Hon. W. H. Moody with the largest liberty in the use of this appropriation.

[illegible]

APPENDIX.

THE ARMY AND THE [illegible]—A FEW PAGES ON THE SUBJECT—WHAT [illegible]—A HOPE BENEATH AN IOU—[illegible]

[For the [illegible] Record.]

The [illegible] the board there are many of the [illegible] defenses of our [illegible] have not suddenly [illegible] of [illegible] Navy [illegible] composed of Maj. [illegible] of Engineers, [illegible] Navy [illegible] Army [illegible] of adaptation is two-fold [illegible] the board considered the [illegible]

1. [illegible] of steel to support [illegible] by big armament to the forts and [illegible] that position to work effectually to run past, the [illegible] of the submarine with her battery of Whitehead torpedoes, making her at once a [illegible] and a movable mine field capable of meeting any [illegible] of an approaching foe.

2. To approach the third mines by attacking vessels that may be approaching the mine field or such as may have succeeded in crossing the danger zone [illegible] instant remedy to render fact mines that may have become [illegible] disabled, either by accident or the cutting of their battery connections by the foe.

3. To [illegible] fields at a distance of 1,000 yards (Admiral [illegible]) by means of [illegible] with the forts by means of a cable [illegible] or attached to an anchor—the position of which is known to the submarine by cross bearings or any other convenient method of secret signals. This of course means using the cable company [illegible] the boat as a telephone-station [illegible] the cable aboard through the hawse pipe. In [illegible] and her kind would serve as a great [illegible] giving the military [illegible] a distance point of observation [illegible] and more secured, and giving it power of after [illegible] direction to the boat, where the enemy is not seen [illegible] safe from danger.

4. To serve as a patrol for [illegible] water transportation of our own mine fields to overhaul the cable lines, and to prevent [illegible] by an enemy's submarines, if he should have a type permitting such work.

5. Serve as a repair boat, by picking up defective parts, junction boxes, etc., and taking them into the diving compartment for overhauling and fixing.

The last two of these functions would permit of operations under weather conditions prohibitive to the working of surface boats using divers, and, too, would afford a scope of application now denied the present mining facilities.

Under the heading "To assist the attack," the operations trench upon those now assigned the Navy, but their usefulness may be just as legitimately [illegible]

1. To drag for, pick up, and cut multiple and branch cables which [illegible]

2. [illegible] of those cables [illegible] firing batteries, to secure a certain [illegible] a set or group of mine fields.

3. To [illegible] enemy's mine fields wholesale by the use of two submarines. In this case the [illegible] would approach the field on a parallel course, with a steel wire [illegible] and in that way dis[illegible]

4. [illegible] batteries and to attack [illegible] of the coast in the several directions outlined by the board's [illegible]

[illegible] half of it, the [illegible] main body of the [illegible] chamber. After dinner the boat was [illegible] came through a fleet of [illegible] from 9 to [illegible] attached [illegible] the [illegible] the [illegible] the

torpedo boat is on shore. A Holland boat can not run more than 25 miles from the shore, and then has to go back and get its new supply.

Mr. FITZGERALD rose.

Mr. DAYTON. I decline to be interrupted further. I do not want to get into a discussion which may lead me away from what I started to do, which was to make a statement of the situation as it is before the Department.

In addition, I say to the naval board, which has been opposed thus far to any further purchase of these boats, the army board has made its report, and states that the purchase of the Lake boat, with reference to the defense of the coast, is one within army jurisdiction. This matter has been referred to a joint board of the Army and Navy, to make full and complete investigation of the matter, to settle, I suppose, the use of these boats, and under which jurisdiction, and of what type they shall be constructed, and how many of them shall be constructed.

Within the next few weeks there will be a report of a special board of inspection appointed by the Navy Department to carry on these tests on boats already presented; and we want to hear from that board before we go headlong into the purchase of these boats.

Now, Mr. Chairman, on this matter I take the liberty of submitting this statement, which I believe to give the exact epitome of the situation.

The authorization by the Congress for the building of additional submarine boats of the Holland type is ill advised and not conducive to naval efficiency for the following reasons:

1. The joint board of army and navy officers, composed of experts of the General Staff of the Army and of the General Board of the Navy, and of which Admiral Dewey is president, is now specially considering the question of the utilization of the submarines for coast defense purposes. The number, character, and size of such boats are now being specially considered, and it is simply embarrassing these military experts to authorize such construction of submarines at the present time.

2. Within the next six weeks the board of inspection of the Navy will commence conducting an extended series of competitive tests to determine the merits and defects of the Holland and Lake designs of submarines. The board of inspection have been giving special consideration to this subject during the past year, and they have prescribed tests and conditions which will secure for the Navy Department and for the Congress special information upon disputed points.

3. The Navy Department has been in possession of one Holland boat for over three years. Two of such boats have been possessed by the Government one year, while the remaining five have been in commission from six to nine months. Not one of them has ever been tested in rough weather and off the coast or under the actual conditions for which they were designed to operate. In a land-locked harbor, where the water is shallow and where the bottom is muddy, and by reason of the fact that the hulls of the vessels are exceedingly strong, no harm has resulted from the bow of the vessel striking the bottom. If such experiments had taken place, however, off a rocky coast or in deep water we should probably have been without any submarines.

4. It has been shown that the radius of action of the boats, when electrically propelled, is about 25 sea miles. As every blockading fleet must keep at least 7 or 8 miles off the coast, and as the shore fortifications are generally about 10 or 12 miles from the center of important cities, the boats of the Holland type could hardly leave their base under electric power without running down before reaching the probable field of action.

5. The boats have shown their unseaworthiness. It was attempted but fail to tow the *Adder* and the *Moccasin* from Newport to Norfolk. Both of these submarines were cast on the coast, and as a result their storage batteries are undoubtedly ruined, and it will take about six months and half their appraised value to put them in efficient condition.

6. The whole tendency in Europe is to build submarines of increased tonnage, and the boats projected are practically of a design that has been discarded by the French experts. The tendency in submarine construction is to give increased habitability and to extend the radius of action, and it is actually delaying naval construction of submarines to continue building a type that has not proved serviceable.

7. Although the Navy Department has two of the Holland boats on the Pacific coast, not one of these submarines has yet attempted to pass out the Golden Gate. The boats possess an extremely able and efficient commander, but he has found the boats so unstable that he has not yet dared to operate in other than shallow water.

8. The attitude of the Navy Department has been aptly expressed by Admiral Dewey in his letter to the House Naval Committee, wherein he stated that the Department should not commit itself to the building of any one type, but that an approved design should be adopted only after competitive tests and trials.

9. The present stage of the submarine-boat controversy is specially pleasing to the Navy Department. One private firm at their own cost has built a submarine boat, and has officially requested to have it fully and completely tested in competition with the type possessed by the Government. The report of the board selected by the Navy Department to conduct such tests can be expected within two or three months, and there is no doubt but that such report will contain information of exceeding value, and suggest lines of construction which should be demanded by the Navy Department.

10. Not one of the mechanical weaknesses of the Holland submarine boat that were pointed out by Admirals Melville and Bowles have yet been overcome. There has been no change in the design or character of the gasoline engine. The storage battery is so installed that the pounding of the sea will impair its efficiency. There has been no improvement as regards stability. The boat is still "blind," since the range of vision of the Holland submarine boat is only about 15 degrees. The boat is lacking in speed, and it is so tender under diving conditions that the different members of the crew can barely move from a fixed position when the boat is engaged in submerging or rising to the surface.

11. As the Navy Department now possesses eight of these boats, reliable information is being furnished as to their military value, efficiency, and endurance. So far as the naval experts are concerned, there is a weaker call for them than was made a year ago; and this is due to the fact that the actual performance of the boat has not been of such character as to convince the Navy Department officials that their development has been sufficiently satisfactory to regard the boat as efficient weapons of naval warfare.

12. With the joint board of army and navy experts specially investigating the problem of the submarine as a weapon of defense, with the Navy Department making preparations to carry on an extended series of competitive tests, with the several chiefs of bureaus of the Navy Department analyzing the regular reports forwarded by the commanders of the various submarine boats, and with various experts throughout the Navy giving special consideration to the problem, it would seem as if it would be wisdom upon the part of the Congress to delay consideration of the matter for six months, when some reliable data will be at the disposal of the committee.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments the bill (H. R. 11895) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 48.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate Senate bill 167, "granting an increase of pension to J. Hudson Kibbe."

Also,

Senate concurrent resolution No. 47.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, requested forthwith to be presented, from available data, if the same be on file in the War Department, and to submit a report with an estimate of cost of constructing a channel in Waccamaw River, in the State of South Carolina, from its mouth up to Conway River to Capella's Cut of sufficient depth and width to render it navigable for any and all boats which can navigate Santee River as far up as the mouth of the Waccamaw, *Provided*, That if sufficient data for the purpose are not available in the War Department the Secretary of War is authorized and directed to cause the examination and survey of Waccamaw River to be made, with a view to obtaining a channel of such depth and width, and to submit a report thereon, with an estimate of the cost of the improvement, the expense of such examination and survey to be paid from the appropriation for examinations, surveys, and contingencies of rivers and harbors.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 7288. An act to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian; and

H. R. 11813. An act relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated.

NAVAL APPROPRIATION BILL.

The committee resumed its session.

Mr. WILLIAM W. KITCHIN obtained the floor.

Mr. HILL of Connecticut. If the gentleman will pardon me a moment, I should like to offer a further amendment. If it be offered now, the gentleman can speak to the whole question. I

wish to offer this as a substitute for the amendment already pending.

Mr. WILLIAM W. KITCHIN. That is all right; go ahead.

Mr. HILL of Connecticut. As a substitute for the amendment now pending, I offer what I sent to the desk.

The Clerk read as follows:

The Secretary of the Navy is hereby authorized, in his discretion, to contract for or purchase subsurface or submarine torpedo boats in the aggregate of the cost exceeding $850,000: *Provided*, That prior to said purchase or contract for said boats any American inventor or owner of a subsurface or submarine torpedo boat may give reasonable notice and have his, her, or its system, type of subsurface or submarine boat tested by comparison or competition, or both, with a Government subsurface or submarine torpedo boat or any private competitor, provided there be any such, and thereupon the board appointed for conducting such tests shall report the result of said competition or competition, together with its recommendations, to the Secretary of the Navy, who may purchase or contract for subsurface or submarine torpedo boats in a manner that will best advance the interests of the United States in submarine warfare: *And provided further*, That before any subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements for submarine warfare and shall have been fully tested to the satisfaction of the Secretary of the Navy. To carry out the purpose aforesaid the sum of $850,000 is hereby appropriated out of any money in the Treasury not otherwise appropriated, and to make up said sum of $850,000 the sum of $500,000 heretofore or such part thereof as may remain unexpended and authorized in the naval appropriation act approved March 3, 1903, is hereby reappropriated.

Mr. HILL of Connecticut. Mr. Chairman, I will state for the benefit of the gentleman from North Carolina, although doubtless he knows it already, that this is the precise language of last year's bill, except that the sum of $500,000 has been changed to $850,000.

Mr. FOSS. And let me further add that it also provides for the reappropriation of the $500,000.

Mr. HILL of Connecticut. Yes; it reappropriates $500,000 as a part of the $850,000.

Mr. FOSS. Authorized in the act of last year, but not used, or at least only a small part of it used.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I believe hatt Congress ought to do something positive and direct in the line of acquiring submarine boats. Congress ought to give great respect to the recommendations of the Navy Department, but ought not to confine its deliberations to those recommendations. We are charged with the defense of the country and ought to shape the policy of the Government in regard to its Navy. I am informed that when the first great battle between ironclads was fought, which revolutionized the naval warfare of the world, Congress had not accepted and the naval authorities had not approved the *Monitor*. She fought as private property. It is no new thing for the Navy Department and for other Departments to be against things they did not originate. The question is not and ought not to be whether the Department favors this, but whether it meets our judgment.

Now, is it not a business-like proposition to increase our submarine force? England is to-day building ten submarines. She has nine already built. France is to-day building ten submarines. France has already built thirty. Germany is building submarines; other nations are building submarines. We ought to declare it now to be the policy of this country to build enough submarines in the next few years to fully defend the important harbors of the United States.

They furnish the cheapest and most effective means of defense that human ingenuity has yet devised.

The gentleman from West Virginia [Mr. DAYTON] asks, "Can you see to fight under water? Can you do much destruction when you have to travel under water?" Ah, gentlemen, you might as well ask, "Can one wait in the darkness of night and destroy his approaching enemy?" The very fact that it does go under the water, the very fact that it does act almost as an assassin, accounts for its danger. It is that fact that disturbs the brain of every commander. It is that fact, as Admiral Dewey has said, that would enable two of these submarines to defend the harbor of Galveston against the navies of the world. It is a cheap defense; it is a quick defense. You gentlemen who have been talking about having a great navy to maintain the integrity of the United States, who are afraid of foreign countries, who want to be prepared for war, in the exercise of good judgment in this way you can have a complete defense, quickly and economically. I state as my judgment, having studied this question, that for one-half of the money carried in this bill for the increase of the Navy you can build enough submarine boats completely to defend every important harbor in the United States.

I have no choice between the two submarine boats advocated here. I want the best. I do not care which one the Navy gets, and I do not care if the Navy refuses them both and constructs its own submarines. In fact, if the companies do not sell us submarines at proper prices I should prefer that the Government, taking charge of their patents if necessary, with adequate compensation to them, should construct a submarine boat building plant and build our own submarines. What I want is complete and cheap defense for the coasts of the United States, and then you will not need your big boats for coast defense. They will not have to hug our shores for our protection. Your battle ships can leave these harbors then with the complete assurance that they are protected and go to fight the enemy on other seas.

Whether submarines ought to be under the head of fortifications or not does not go to the merits of the proposition. These boats will be commanded by officers of the Navy, and while this fortification idea may be used for delay and to defer action upon it, I believe that calm consideration will make you believe that they ought to be under the Navy Department as a part of the Navy, and not under the War Department as fortifications.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WILLIAM W. KITCHIN. I should like to have five minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent that he be allowed to continue his remarks for five minutes. Is there objection?

There was no objection.

Mr. WILLIAM W. KITCHIN. They say the present submarine is not perfected and that soon it will be out of date. Why, gentlemen, at League Island you will find ships, monitors, and rams that once were thought to be great, and yet now they are out of date. Naval construction is progressive.

The battleship itself is not perfect. The time will soon come when the proudest battle ship afloat to-day will be out of date. When anybody uses that argument, trying to delay and defer submarine defense, I conclude that his opposition is deeper, and that he is opposed to the submarine boat in principle. This belief is strengthened when I remember that the *Monitor* and the *Merrimac* were not perfect, not equal to the *Kentucky* or the *Kearsarge*, and yet our predecessors did not stop the construction of ironclads on account of their deficiencies. It is no argument to say that these submarine boats are not perfect.

The question is, Are they now capable of defending our coasts? Gentlemen admit that one type of these boats can go out 75 miles without coming back to the shore, and that another type can go out 25 miles. Now, does not such ability prove them to be effective in defending a harbor? But the gentleman from Massachusetts has shown far greater merit in them than a radius of 25 miles. No squadron could blockade a port defended by them. They carry the same torpedoes that other boats use. The torpedoes carry their own motive power. Their effect is the same whether they are let loose from a regular torpedo boat or from a submarine. The motive power of each separate torpedo carries it to the enemy's ship. The trials of submarine boats up to this time, as stated by the gentleman from Connecticut and the gentleman from Massachusetts, have shown that they are effective in approaching the enemy and discharging the torpedo; that they can elude the keenest vigilance of those on guard; that they have even gone into harbors unseen, though carefully watched for, and have gotten near enough to vessels to have destroyed them without being discovered. What more can you ask?

If you want to defend our harbors and want that defense to be effective and economical, in the interest of our seacoast cities and in the interest of the American people, it seems to me you can reach but one conclusion, and that is that the Congress ought to give positive and direct instructions to its Navy Department to proceed along the line of acquiring the best submarine boats. For the reasons I have given, we ought to adopt a direct and positive amendment.

In addition to the submarines, I am in favor of more torpedo boats of the kind with the greatest speed and most effective for the destruction of an enemy's ships. I believe in such smaller craft, which will accomplish more for the purposes of defense than a battle ship or armored cruiser. The price of one battle ship will build a dozen torpedo boats and it will build twenty-five submarines, but a battle ship would not be half so effective in defending a harbor as a half dozen of either kind of these smaller boats.

Mr. BRANDEGEE. Mr. Chairman, I do not want to be heard but one or two moments upon this question. I simply want to say this: It seems to me that we are in a position to learn a good deal in the near future, by actual experience, of the comparative merits of large ships as compared with small vessels in naval warfare. It may be, therefore, it would be the part of prudence not to be stampeded into making any very large appropriation for a type of boats which are yet in a more or less experimental stage, and which have been very little tested in actual fighting conditions, and none at all upon the high seas. It seems to me that we may rely upon the patriotism and efficiency of our Navy Department and our general board to do the right thing in protecting the harbors of this country.

I believe that they are better judges of what is needed than Members of this House, no matter how much attention they have given to that subject. I believe that most of our information is derived from unreliable sources—from newspapers and hearsay.

I do not think this Congress ought to be guided by that sort of authority. Now, the testimony before the committee in relation to this submarine question was this: Mr. DAYTON inquired of the Secretary of the Navy:

Would you recommend any further appropriation than we appropriated for in the bill of last year for the purchase of two submarine boats?

Now, Secretary Moody says:

I would not recommend going a step further than the general board's recommendation.

And again the Secretary says:

I suppose everybody wants to do the right thing by the Government. The general board comes here with a very conservative proposition; we want two submarine boats.

Now, I say this Congress can well leave this matter there. I do not object personally to the amendment offered by the gentleman from Massachusetts [Mr. ROBERTS] as modified by the gentleman from Connecticut [Mr. HILL] because that appropriates a little more money, but it leaves it to the discretion of the Secretary of the Navy and does not make it mandatory upon him to purchase anything that he does not believe is best for the Government after he has made tests as between these different types of submarine boats. Now I think that is fair. I think everybody wants to have a fair test between these boats.

Mr. HILL of Connecticut. Or any other.

Mr. BRANDEGEE. Or any other boats or any improvement that may be made in the next few months, but do not let us be extravagant about this thing. This is a thing we can not afford to waste much money about until we know what is the best type; then we want all of them that are necessary for the protection of all our coasts. Now, Congress will be in session again next December, and I think then, after the Secretary has tested these boats and we see the result of foreign wars, we will be in a better position to judge, and I hope the recommendations of the committee will not be substantially increased by this House.

Mr. SLAYDEN. Mr. Chairman, I listened with a great deal of interest to the speech of the distinguished gentleman from Connecticut [Mr. HILL], and like him I want to say a few words about plain business matters in a plain business way. I do not pretend to any technical knowledge of marine architecture. If I had not had the privilege of seeing one of these submarine boats operate I doubt, sir, whether from reading of them I could have told the difference between them and Langley's flying ship, but I have seen them operate, and there are some few simple conditions of navigation that even I, landsman as I am, and a Representative from the interior, can comprehend perfectly well. I know that the submarine boat can go in a reasonably direct line. I believe from the testimony which has been printed and which I have read from time to time that it is the most effective war machine which has yet been brought to the attention of this country.

Now, I fear that there may be some opposition to submarine boats; I do not say the Holland submarine boat or any other submarine boat; but I fear there may be some opposition to the introduction of the submarine boats by commercial interests whose profits lie in another direction. I believe there is ample testimony on the part of naval experts to sustain these opinions. I believe that each submarine boat which we have for the defense of this country will displace a large and very expensive boat. I favor their purchase as a matter of economy and from plain business motives. I can not agree with the gentleman from Connecticut who has just taken his seat, or with the Secretary of the Navy, whom he quoted, that all people are considering the interests of the Government. I believe there is a large class of people in this country who consider their individual interests first and then the Government. In connection with other matters than their own they may be patriotic enough to consider the Government first.

Mr. Chairman, I saw in one of yesterday's papers, or, rather, in several of yesterday's papers, an estimate of the marine expenditures in the British Empire for the next fiscal year. It amounted to the stupendous total of $184,000,000. Incident to that project was an estimate for submarine boats, ten submarine boats. I am calling attention to this budget, however, not for the purpose of citing the naval plan of Great Britian as an example which we should follow; I prefer to use Great Britian as an illustration of a country which we should not follow, although I have heard it urged upon this floor that the naval programme of the British Empire was one we should emulate. I desire to avoid these enormous naval expenditures——

Mr. FOSS. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. SLAYDEN. Certainly.

Mr. FOSS. I would like to know who said we are emulating Great Britain in her naval programme?

Mr. SLAYDEN. I do not know that I can name them just now, but I have heard it suggested several times, by supporters of the committee bill, that we must build up a great navy in order to compete with Great Britain or Germany or Russia or any other country which was going in for a large navy. Mr. Chairman, when I came to Congress seven years ago I was a very stanch advocate of the upbuilding of the Navy, but I think, sir, it has been upbuilt. I do not believe that we ought to go into any scheme of competition with Great Britain in that direction, but having built a magnificent navy, having built up a navy which has given a satisfactory account of itself on the high seas in conflict with other nations, having provided adequate protection for our own ports and seacoast cities, and having reached the condition of affairs where our annual naval expenditures approximate $100,000,000, I believe it is time to call a halt and——

Mr. FOSS. Will the gentleman yield?

Mr. SLAYDEN. Yes.

Mr. FOSS. I want here and now to state for the committee that we disclaim any intention on the part of the committee to compete with any foreign nations in the matter of building up its navy.

Mr. SLAYDEN. I am very glad, Mr. Chairman, to hear the gentleman's disclaimer, but observation of the regularity with which his appropriation bills grow convinces me that whatever may be his declared intention we are rapidly approaching a condition of competition with Great Britain and other great naval powers.

[Here the hammer fell.]

Mr. ROBERTS. Mr. Chairman, I desire at the outset to resent the insinuation of the gentleman from West Virginia [Mr. DAYTON] that I am the representative on this floor of any style or type of submarine boats. The gentleman knows as well as he knows of his own existence that in the committee and on this floor I have advocated the building of submarine boats of the best type; and it has always been left open in the provisions of any bill I have urged for the Secretary of the Navy to select the best type; and the amendment which I offer now, and which is pending before this committee, leaves open the question as to which is the best type. And the committee, in regard to the submarines, as anybody can see by reading the bill, leaves the question of type of boat open to the discretion of the Secretary of the Navy.

Now, with regard to the argument by the gentleman from Connecticut, it is the same old argument that I have heard since I have been in Congress always coming from the lips of the opponents of submarine boats—"Don't be hasty; don't be precipitate; another session of Congress is coming and we can appropriate then." That has been said by the enemies of submarine boats ever since I have known anything about submarine boats. Another thing I would like to have the committee bear in mind is that, for the first time in the history of submarine boats in this country, the Navy Department has voluntarily made a recommendation to Congress for their purchase. Bear that in mind. On the question of whether or not the Navy Department has heretofore been hostile to submarine boats, this is the first time any Secretary of the Navy has come before the House committee to recommend submarine boats, and he has recommended two of them. Don't be led away about the reappropriation of last year's appropriation. Last year's appropriation was for the purpose of providing a fund for experimental purposes, and the general board, speaking through the Secretary of the Navy, recommended for this year the two submarine boats carried in the bill, without any reference whatever to last year's appropriation.

The general board, as we know from conversation with some of its members, desire a progressive programme to be started now, based on the information they already have, and desire the $500,000 contained in the appropriation of last year to remain available for the purposes of experimentation, that they may obtain the highest and best type of submarine boat, if improvement in the present type is possible. The only difference between the language of the committee as reported to this House and my amendment is in the number of boats we shall now order, still leaving it to the discretion of the Secretary of the Navy to select the type. The committee ask you to have two built without reference to last year's appropriation. My amendment would raise it to five.

Now, there is just one question that I want to allude to. I regret very much that my friend from Connecticut has brought in here a comparison between the Holland and the Lake boats. He proceeded to laud the Lake boats highly to the disadvantage of the Holland boat. I am not opposed to the Lake boat, but I want to call the attention of the gentleman from Connecticut, who seems so familiar with what lies in the archives of the Bureau, to a letter written by Simon Lake, president of the Lake Torpedo Company, dated January 16 of this year, in which he says to the Department:

I can not make good what I have claimed for my boat. I can not make the surface and under-water speeds I have claimed for my boat. The screws will not operate right. The diving rudders do not operate right. The steering wheel does not operate right. The storage battery does not operate

right. Will not the Government accept my boat without competition, without a test, and leave it to me to make it good after the Government has paid for it?

Mr. HILL of Connecticut. Will the gentleman allow me?

Mr. ROBERTS. That was subsequent to the report which the gentleman from Connecticut read, dated some time in 1903.

Mr. HILL of Connecticut. Will the gentleman yield?

Mr. ROBERTS. When I have finished.

Mr. HILL of Connecticut. Was the gentleman quoting verbatim from a letter or from his own recollection?

Mr. ROBERTS. I am quoting from a letter which I read at the Navy Department.

Mr. HILL of Connecticut. Why hasn't the gentleman got the letter here?

Mr. ROBERTS. Because it is in the archives of the Department and they would not give it up. The gentleman can read it if he goes up there. Any Member of this House can read the letter if he asks for it. And that is the Lake boat, which the gentleman from Connecticut says is superior to anything that was ever built.

Now, I am not against it. If that Lake boat is a better boat than we have in our service to-day, I say to buy it; but for the first time in my knowledge we have some idea of what a Lake boat will cost. We know what the boat we already have will cost. We can duplicate it and get even a better boat for $170,000, but the gentleman from Connecticut [Mr. HILL] tells us that this great Lake boat, whose inventor says will not meet the claims that he has made for it, will cost more money than those we already have.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WATSON. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the gentleman from Massachusetts may proceed for five minutes. Is there objection?

There was no objection.

Mr. WATSON. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. ROBERTS. I yield.

Mr. WATSON. I want to ask two questions. First, how many of the six Holland boats contracted for have been supplied to the Government—have been completed?

Mr. ROBERTS. They are all accepted and paid for by the Government, all of them.

Mr. WATSON. How have they met the requirements and the demands that were made conditions precedent to their acceptance?

Mr. ROBERTS. Mr. Chairman, every one of them exceeded the contract requirements, every one of them, as the report of the trial board shows. And furthermore, Mr. Chairman, in one of the trials, as the gentleman can find by reading the reports of the boards conducting them, the boats undertook to do something that was not called for in the contract, viz, to run a mile under water, turn about, and come back over the same course, and they did that. That was not required of them.

Mr. WATSON. What, if any, experiments have been conducted since the Government has accepted those boats?

Mr. ROBERTS. I am glad the gentleman has brought that question up. The gentleman from West Virginia [Mr. DAYTON] said that these boats had been tried only in smooth waters. I call to his attention the report of Lieutenant McArthur, which any gentleman can see by going to the Navy Department, showing that the boat in San Francisco Harbor has repeatedly been taken outside of Golden Gate, out into the open sea, where the sea was so heavy that the boat rolled to an angle of 20°, and there successfully operated; and I would call the attention of the gentleman to the many reports about these boats he will find in the Navy Department reports, which the Secretary will not give out or make public, because, in his judgment, it is contrary to public policy, where these boats have gone outside of Block Island 6, 8, and 10 miles, and the gentleman from Connecticut [Mr. BRANDEGEE] knows that the weather conditions off Block Island are not very conducive to smooth water. They have rough water out there. Those boats have gone out there and have operated successfully time after time.

I wish to call his attention to one fact which has been told to me on credible authority, and which I believe, that in one of the tests last summer the surface boat was to go out about 6 miles off Block Island and wait for an attack by the submarine. The submarine got out on the ground and cruised around, but could not find the surface boat, and finally she went back into Newport, where it was learned that the surface boat had found the weather so rough that it could not stay on its station and await the attack of the submarine. Now, shall we take the judgment of Admirals O'Neil and Melville, or shall we take the judgment of Admiral Dewey, who knows what these boats are doing, who has access to all these reports, who is a fighting man, who is the man, if a war should come in his lifetime, who will go out and fight our battles, while neither of the other admirals mentioned will ever again go out and fight?

If we are going to have a comparison of the number of admirals who approve and disapprove these boats, here are a few that favor them: First, Admiral Dewey, for one; Rear-Admirals Hichborn, Farquhar, Jouett, Endicott, Kenney, Lowe, and the lately made Admiral Sigsbee, than whom no man, perhaps, in our Navy has had more experience with submarine warfare. He was blown up on the *Maine*, stood off the torpedo attack off San Juan, and he knows what torpedo warfare means. He is an advocate of submarine boats. Then, to go to subordinate officers, we have Captain Folger and Captain Wainwright, who was on the *Gloucester* and who knocked out two of those torpedo boats. He favors submarine boats. Then we have Commander Kimball, who commanded our torpedo flotilla. He says that with six of these submarine boats he will stand off the English flying squadron 10 miles outside of Sandy Hook or forfeit his professional standing in the service.

Commander N. E. Mason, lately in charge of torpedo station, Newport, R. I.; Lieut. Commander Nathan Sargent, at one time Admiral Dewey's naval aid; Naval Constructor Lawrence Spear, who superintended building the Government Holland boats at Nixon's yard; Lieut. A. P. Niblack, former naval attaché at Berlin, Rome, and Vienna; Lieut. F. W. Toppan; Lieut. W. J. Sears, formerly chief inspector in charge of manufacture of Whitehead torpedoes; Lieut. Arthur MacArthur, commander of torpedo boat *Winslow*; Lieut. H. H. Caldwell, commander of U. S. submarine boat *Holland* and on Admiral Dewey's staff at Manila; Ensign Charles P. Nelson, now lieutenant, the officer who took the *Shark* into Newport Harbor in broad daylight without being detected; Capt. A. T. Mahan, of the United States, and Lord Brassey, of Great Britain, the two greatest naval authorities of the world, all of these favor the submarine boats.

[Here the hammer fell.]

Mr. FOSS. I move that we close debate on this question in ten minutes.

The CHAIRMAN. Debate is already closed unless some gentleman desires to speak. [Cries of "Vote!" "Vote!"]

Mr. FOSS. Mr. Chairman, I want to say just one word, that is all.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSS] is recognized.

Mr. FOSS. Mr. Chairman, the proposition which is reported here by the committee gives the Secretary of the Navy authority to buy two submarine boats after he has made tests, and it reappropriates $500,000, or such part thereof that may remain unexpended, toward that end.

Last year we made an appropriation of $500,000 and required the Secretary of the Navy to make competitive or comparative tests, or both, between these boats. Those tests have not yet been made. Now, the proposition of the gentleman from Massachusetts is that the Secretary of the Navy shall buy submarine boats, and an appropriation of $850,000 is proposed therefor. If you will examine that proposition for a moment, you will see that five of these boats at $170,000 each, which is the price of the Holland boat, make exactly $850,000. In other words, if the amendment of the gentleman from Massachusetts should be adopted, it means that the Secretary of the Navy can only buy submarine boats that cost $170,000 each—five of them.

To adopt that amendment means that the Secretary of the Navy must buy a particular boat, and that boat the Holland torpedo boat. Now, what I insist upon is that the Secretary of the Navy shall have the discretion and the right to buy any submarine boat that he may deem proper, and such as appears to be the best boat after there has been a competitive test and a comparison between the different types of submarine boats.

Mr. COWHERD. I should like to ask the gentleman whether he wishes to have that amendment adopted in such a form that the Secretary of the Navy shall have a discretion simply in the selection of the submarine boats to be purchased, or whether he shall have a discretion as to the purchase of any kind of submarine boats? Does the gentleman propose that the Secretary of the Navy must purchase some kind of a submarine boat?

Mr. FOSS. I will say to my friend from Missouri that I think the best provision on this subject, the provision out of which the Government (and we stand here as the representatives of the Government and the people)—the provision out of which the Government will get the most benefit for its money, is the provision that was adopted by Congress in the last naval appropriation act.

Mr. HILL of Connecticut. That is what I want.

Mr. FOSS. And that is practically the substitute offered by the gentleman from Connecticut. Let me read:

The Secretary of the Navy is hereby authorized, in his discretion, to contract for or purchase submersible or submarine torpedo boats in the aggregate of, but not exceeding, $850,000——

[Here the hammer fell.]

Mr. COWHERD. I ask consent that the time of the gentleman from Illinois be extended for five minutes.

There was no objection.

Mr. FOSS. The gentleman from Connecticut in his substitute increases that sum by $350,000, making in all $850,000. Now, let me read further.

Mr. COWHERD. Before the gentleman passes from that point, will he allow me to ask a further question? I wish to know whether the legal construction of that language would not permit the Secretary of the Navy to say in his discretion that he does not want any submarine torpedo boat?

Mr. FOSS. Yes; he can buy these boats or not. But look at this proviso which follows:

Provided, That prior to said purchase or contract for said boats any American inventor—

Observe the language—

any American inventor or owner of a subsurface or submarine torpedo boat may give reasonable notice and have his, her, or its subsurface or submarine torpedo boat tested—

How?—

by comparison or competition—

That is what we want. We want what is found to be the best, after there has been comparison and competition—

tested by comparison or competition, or both, with a Government subsurface or submarine torpedo boat of any private competitor provided there be any such. And upon the tests authorized for conducting such tests shall report the results of such competition, accompanied, together with the recommendations of the Secretary of the Navy, as to their practical usefulness, of said subsurface or submarine torpedo boats in the manner that will best advance—

Mark this language—

that will best advance the interests of the United States in submarine warfare: And provided—

Mr. WATSON. Let me ask a question.

Mr. FOSS. I would rather finish this.

And provided further, That before any subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements for submarine warfare, and shall have been fully tested to the satisfaction of the Secretary of the Navy.

Now, the gentleman's substitute reappropriates the $500,000, or such part thereof as may remain unexpended from that appropriation, which was made in the last naval appropriation act.

Mr. LOUDENSLAGER. Mr. Chairman, will the gentleman from Illinois yield for a question?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from New Jersey?

Mr. FOSS. Yes.

Mr. LOUDENSLAGER. Does the chairman of the committee contend that that will permit the Secretary of the Navy to buy any submarine boats whatever without a competition?

Mr. FOSS. No.

Mr. LOUDENSLAGER. Then if there are two types of submarine boats manufactured in this country, one superior to the other, and one refuses to compete under that section, the Secretary of the Navy can not purchase any.

Mr. FOSS. Oh, the gentleman is mistaken.

Mr. LOUDENSLAGER. Why, certainly, that is the language of the section you have read.

Mr. HILL of Connecticut. Is that the ground on which they have refused to compete?

Mr. LOUDENSLAGER. And that is put in as a subterfuge, to permit the Secretary of the Navy not to buy.

Mr. FOSS. Oh, no; I do not take it that way at all.

Mr. WATSON. I should like to ask the gentleman from Illinois a question.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Indiana?

Mr. FOSS. Let me read the language:

By comparison or competition.

Mr. LOUDENSLAGER. Yes, one or the other, but they must be willing to submit to a comparison or competition; and if there are two, and one refuses and the other is good, and willing to have a competition or a comparison, the Secretary of the Navy is not permitted to buy, no matter how excellent it may be, simply because the other refuses.

Mr. FOSS. What position would that company be in that would refuse to compete or to compare?

Mr. LOUDENSLAGER. They ought not to be considered in it, but I want to say to the chairman of the committee that I have confidence in the Secretary of the Navy.

Mr. FOSS. So have I.

Mr. LOUDENSLAGER. And it is left to him to decide whether to buy or not, and the requirement he puts on it ought to be as sufficient as any other.

Mr. WATSON. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Indiana?

Mr. FOSS. Yes.

Mr. WATSON. I want to ask if it is not a fact that the Secretary of the Navy has recommended that at least two of these boats be purchased? Is it not a fact that this provision was incorporated in your bill because of the recommendation of the Secretary of the Navy? Is that true?

Mr. FOSS. Yes; the Secretary of the Navy, in his statement before the committee, says:

I would not recommend going a step further than the general board's recommendation for two boats.

Mr. ROBERTS. In either case.

Mr. FOSS. This question was asked him:

And you have money enough for this purpose?

Secretary MOODY. Yes; only it would have to be reappropriated.

Mr. WATSON. Now, if the general board have recommended two, and the Secretary of the Navy has recommended two, he is then committed to two, is he not? And is it not reasonable to suppose that, being committed to two, he would purchase more if these boats meet the demands and the requirements of submarine warfare?

Mr. FOSS. Oh, undoubtedly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. I ask for five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to continue for five minutes. Is there objection?

There was no objection.

Mr. FOSS. The whole purpose of the committee is to protect the Government, to see to it that the Government gets the most for its money. The committee is not opposed to submarine boats in any way or respect or manner whatever, but the members of the committee believe that this money that we appropriate ought to go toward the progress of submarine science and not for the benefit of one boat or the other.

Mr. Chairman, I might say as to different ships we have tested the battle ship and the cruiser in actual battle, and the gunboat and also the torpedo boat, but the submarine has never yet been tried. I do not know whether it is going to prove an effective weapon of war or not. I may say that I trust it may, and I hope that we will develop a great deal along this line of submarine warfare. But I do insist that we shall appropriate money here in such a manner as will develop science, will bring in all the different inventions and developments in reference to submarine warfare, so that the Government in the end, by competition, by comparison, will get the best article for the money.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. RIXEY. The chairman of the committee, as I understand, is in favor of the substitute offered by the gentleman from Connecticut [Mr. HILL].

Mr. FOSS. Yes, sir; I call for a vote.

The CHAIRMAN. The gentleman from Missouri [Mr. COWHERD] is recognized.

Mr. RIXEY. Mr. Chairman, I merely want to ask the chairman of the committee a question.

The CHAIRMAN. The gentleman from Missouri has been recognized. Does he yield to the gentleman from Virginia?

Mr. COWHERD. I yield to the gentleman to ask a question.

Mr. RIXEY. I understand the gentleman from Illinois is advocating the Hill amendment.

Mr. FOSS. What is that?

Mr. RIXEY. I understand the gentleman from Illinois is now advocating the amendment of the gentleman from Connecticut.

Mr. FOSS. I believe the Hill amendment is even better, but the provision which is brought in here by the committee, because it is identical with the language of the provision of Congress in the last naval appropriation bill and that it reappropriates the $500,000 which was appropriated then, and adds to it $350,000.

Mr. RIXEY. Then the chairman of the committee abandons the provisions of the present bill for the submarine boats. Now, I want to call his attention to this paragraph to see if he does not think it protects the Government. It provides:

The Secretary of the Navy is hereby authorized to contract for or purchase [illegible] boats [illegible] Provided, That before any subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements for submarine warfare, and shall have been fully tested to the satisfaction of the Secretary of the Navy.

Mr. FOSS. Yes.

Mr. RIXEY. Why does not that protect the Government? Let me say to my friend that this whole matter was discussed in the committee; and we finally decided to insert this provision so as to protect the Government, and at the same time authorize and direct him to purchase at least two boats.

Mr. FOSS. Yes.

Mr. RIXEY. The committee was willing to authorize the Secretary of the Navy to buy two submarine boats after satisfactory tests and trials. He did nothing under the last appropriation because the rival boat companies did not give the competitive test required.

Mr. FOSS. Will the gentleman yield a moment? The identical language was used as the gentleman has read; that is in the bill of last year. So that we have not only that but something more. We have here a provision that there must be a comparison of the boats.

Mr. RIXEY. Now, right there, the gentleman will remember under this additional provision that applies to submarine boats that so long as there is one party which is not ready, and which wants the boat tested, the Secretary will wait until all the parties can come, and can not buy a boat until all the tests have been made.

Mr. FOSS. Oh, no.

Mr. RIXEY. And that matter has been delayed by him for over twelve months. And I want to state to my friend, the chairman of the committee, that it was my intention to stand by the committee.

Mr. FOSS. And I will say to the gentleman also that I will stand by the committee, but I supposed that every member of the committee was going to stand for this provision that we had agreed upon in the committee; but I want to say to the gentleman that when the committee differed from that provision I am willing to state my views in the matter. Now I ask for a vote.

The CHAIRMAN. The gentleman from Missouri had been recognized.

Mr. RIXEY. Mr. Chairman, as the chairman of the committee and myself have taken the time of the gentleman from Missouri, I ask that his time may be extended for five minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that the time of the gentleman from Missouri be extended for five minutes. Is there objection?

Mr. FOSS. I move that we close debate in ten minutes.

The CHAIRMAN. Does the gentleman from Missouri yield the floor for that motion?

Mr. COWHERD. I will.

The CHAIRMAN. The gentleman from Illinois moves that debate on this paragraph and all amendments thereto be concluded in ten minutes.

The motion was agreed to.

The CHAIRMAN. Is there objection to the request that the gentleman from Missouri may be allowed to proceed for five minutes? [After a pause.] The Chair hears none.

Mr. COWHERD. Mr. Chairman, I want to say for myself, and I believe I voice the sentiment of a great many men on the floor of this House, that I am in favor of submarine boats being built for the Navy. Now, whether it be the Lake boat or the Holland boat or somebody else's boat, I do not care. I pretend to be no expert in naval affairs. I know as little about it as any man who has been raised fifteen hundred miles from tide water, and never saw a battle ship in his life. I know they can go for miles when wholly submerged, can rise to get their bearing, dive again in the space of a few seconds, and discharge, with fair accuracy, a torpedo, the most destructive weapon known to modern warfare. But I have seen these boats operate. I believe the submarine boat is the weapon of the future, and I believe it is a piece of absolute folly for the American Congress year after year to appropriate here hundreds of millions of dollars for a navy, with from eight to twenty million dollars for great battle ships, and refusing to provide any money for the experimentation of these cheaper boats that science tells us, and that to-day the Admiral of the Navy tells us in the letter read by the gentleman from Massachusetts [Mr. ROBERTS], are to be the dangerous weapon of the future.

Now, I do not care whether the language be the language of the Roberts amendment or the Hill amendment, except I do care for this: I do not want any amendment slipped in here under which any officer of the Government can say, "It being left to my discretion whether I will purchase a submarine boat or not, I will exercise that discretion against the purchase of the boat." I am perfectly willing to leave the Secretary of the Navy the discretion of the designation of the boat to be purchased, but I want the purchase made mandatory.

Mr. MUDD. Will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. COWHERD. Yes, sir.

Mr. MUDD. The Secretary in his hearing before the committee says that in his judgment he would purchase two.

Mr. COWHERD. I know nothing about it except I see in the bill here an authorization for two.

Mr. MUDD. The Secretary submitted that.

Mr. COWHERD. Yes; but the gentleman knows that the amendment as proposed is worded so that the purchase can take place only after competition and——

Mr. HILL of Connecticut. Will the gentleman allow an interruption? That competition can be held whenever the Government sees fit.

Mr. COWHERD. Can it be held if there is no competitor?

Mr. HILL of Connecticut. It is entirely under the control of the Secretary.

Mr. COWHERD. Suppose there was no competitor?

Mr. HILL of Connecticut. He can put in his own boat, he can put in the Government boat.

Mr. FOSS. Then determine by comparison.

Mr. COWHERD. I want to say this, and this is all I am arguing for, that I do not care to leave it absolutely in the discretion of that Department, which has heretofore time and again recommended against these boats; that the gentleman from West Virginia tells us—quoting from the heads of its bureaus—hold these boats to be worthless; I do not want to leave that absolutely in the discretion of that Department to say whether we will spend a few hundred thousand dollars for boats of this type or many million dollars for the big boats which are being built in the big navy-yards of the country. I believe the building of the submarine boat is not only necessary as a weapon of defense, but is distinctly on the side of economy.

We have been treated to-day to the most remarkable argument that has ever come from any committee, and particularly when it comes from the gentlemen of the committee who now have charge of the floor, when they fear that if you give them this appropriation they will take charge of some work that belongs to some other department of the governmental service. When was there ever a committee on this floor that was not willing to reach out and take all the work they could get? And many times have we heard these gentlemen here saying, with tears in their voices as well as in their eyes, that you had taken away from them some kind of survey and given it to some other committee when it properly belonged to them. I do not want to see the Army buying boats. I do not believe it is the Army's business, but whether this is or not a technical question of coast defense. I believe we can and ought to provide in this bill so there will be no question about it, not that some officer shall have the discretion of purchasing submarine boats, but that we propose to see that the officer exercises that discretion to the extent only of selecting the type, and that this Congress demand that this Government shall go on with the operation of buying submarine boats, not extravagantly, but sufficiently to develop that great weapon of warfare that, in my humble judgment, is to be the weapon of the future. [Applause.]

The CHAIRMAN. The Chair will state that the gentleman from Massachusetts offered an amendment to the paragraph and that the gentleman from Connecticut offered an amendment to the amendment.

Mr. HILL of Connecticut. Mr. Chairman, I would like to withdraw the amendment to his amendment and let the substitute stand.

The CHAIRMAN. The gentleman from Connecticut now desires to withdraw the amendment to the amendment, and without objection that will be done.

There was no objection.

Mr. HILL of Connecticut. Now, Mr. Chairman, I would like to have both amendments read. My understanding of the matter is that the question is, first, on the amendment offered by the gentleman from Massachusetts to amend the bill.

The CHAIRMAN. The Chair will state that the question is, first, on the amendment offered by the gentleman from Massachusetts [Mr. ROBERTS] to perfect the paragraph, and then upon the substitute amendment offered by the gentleman from Connecticut [Mr. HILL].

Mr. HILL of Connecticut. Now, Mr. Chairman, let us have a fair vote and a fair understanding. Those that are ready to place $850,000 at the discretion of the Secretary of the Navy for a competitive test will vote against the amendment offered by the gentleman from Massachusetts, and then will vote in favor of the substitute. Am I right?

The CHAIRMAN. The first question is on the amendment offered by the gentleman from Massachusetts to perfect the paragraph.

The question was taken; and on a division (demanded by Mr. ROBERTS) there were—ayes 45, noes 106.

So the amendment was rejected.

The CHAIRMAN. The question now is on the substitute offered by the gentleman from Connecticut.

The question was taken; and on a division (demanded by Mr. COWHERD) there were—ayes 91, noes 51.

So the amendment was agreed to.

The Clerk (proceeding with the reading of the bill) read as follows:

Construction and machinery: On account of the hulls, outfits, and machinery of vessels, and steam machinery of vessels heretofore authorized, $19,820,860.

Mr. LIVERNASH. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Amend by striking out the period after the word "dollars," in line 2, page [illegible] and inserting a colon, and the following proviso: "Provided, That none of said sum shall be used for the construction of any of the hulls, outfits, or machinery of vessels heretofore authorized for which appropriations have been made and that shall not have contracted with the United States for the same.

"That no laborer or mechanic doing any part of the work contemplated by the contract in the employ of the contractor or any subcontractor shall, during the term of such work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work, except upon permission granted by the Secretary of War. Nor shall any time over or at the regular wages be permitted or which may be allowed, compelled, or coerced, and that the contracting contractor with the United States shall be held guilty of violation of said covenant in the terms of these forfeit to the United States the sum of $5 for each laborer or mechanic for every calendar day in which such laborer shall be required or permitted to labor more than eight hours upon the work under such contract."

Mr. FOSS. Mr. Chairman, to that I make a point of order.

The CHAIRMAN. The gentleman from Illinois will state it.

Mr. FOSS. It is new legislation.

Mr. LIVERNASH. Mr. Chairman, I should like to be heard on that point before it is passed upon.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. LIVERNASH. Mr. Chairman, the point of order calls for but little discussion. It has been twice determined in recent Congresses, namely, during the second session of the Fifty-sixth Congress and the second session of the Fifty-seventh Congress, that an amendment of this kind is not subject to the point of order here made. I read from page 345 of the Manual and Digest as follows:

When it is in order to legislate as to the qualifications of the recipients of an appropriation, the House may specify terms on which an appropriation shall go to the recipients lacking certain qualifications.

Clearly, sir, the amendment is such limitation upon an appropriation as brings it within this rule. The paragraph sought to be amended appropriates many millions of dollars, and the amendment specifies that no part of these millions shall go to recipients lacking certain qualifications—to no persons, that is to say, who shall have declined to covenant with the United States that contract work yet to be performed shall be conducted on the eight-hour basis as to workday for laborers and mechanics which is now in effect in the navy-yards of the country.

Certainly, therefore, the point of order is not well taken and should not be sustained, but I should be glad to have it go out of the case through a failure to press it rather than for another reason. I hope, sir, that no Member of the House will urge a point of order striking straight at the working classes of this country. Surely any gentleman who shall urge a point of order against the amendment must be open to the accusation of hostility to genuine amelioration of the eight-hour principle, for which the House has more than once professed favor.

The CHAIRMAN. Does the gentleman from Illinois desire to be heard?

Mr. FOSS. Mr. Chairman, I will state that the amendment is offered, as I understand it, to that paragraph in the bill providing for "construction and machinery," and the wording is as follows:

On account of the hulls, outfits, and machinery of vessels and steam machinery of vessels heretofore authorized, $19,998,890.

Now, that appropriation is for vessels already authorized by previous provisions of law and in process of construction. In view of that fact I take it that this amendment now would be in violation of law. The contracts are let, penalties provided, and everything in connection with the construction of these ships.

I desire to have the Chair clearly to understand that this appropriation under this paragraph does not apply in a single degree to ships authorized in this bill. It applies to those ships already under process of construction authorized by provisions of law, and, in view of that fact, I think it is clear that this would be a change of existing law.

The CHAIRMAN. The Chair understands that this paragraph as it stands is intended to appropriate for the construction of vessels or parts of vessels heretofore authorized, and learns from the statement of the gentleman from Illinois [Mr. FOSS] that contracts have been made for such vessels. Nevertheless, it is within the power of Congress to appropriate or to withhold this appropriation. Having authority to refuse to make any appropriation at all, it may impose limitations, even though they amount practically to a withholding of an appropriation. It does not change existing law for the House to refrain entirely from appropriating, and, of course, does not violate existing law if it makes an appropriation subject to such limitations as amount substantially to a failure to appropriate at all. The Chair is of opinion that this amendment proposes a limitation upon the appropriation and is in order. The point of order is overruled.

Mr. LIVERNASH. Mr. Chairman, in offering this amendment I have no disposition to embarrass the members of the committee, but an anxiety to afford them a fair opportunity to manifest their willingness or unwillingness to create a condition obliging action of some sort by another body concerning a matter of great importance to many of our people.

Session after session the House of Representatives has passed a bill in the interest of the working classes of America—a bill to give the persons employed in building war ships and performing other work for the Government the benefit of that reasonable practice which the United States now applies in our navy-yards, limiting to eight hours per calendar day the hours of labor. The limitation is in line with the best modern thought, and I shall not pause to defend it.

However, sir, unfortunately for the working classes, this assembly has passed the eight-hour bill so late in each session that the Senate has not received the House bill until the eve of adjournment, a time permitting the subterfuge of suffering the bill to lie in Senate committee because reported too late for reporting out. Thus the country has been told year after year that the House has testified its friendliness for eight-hour legislation by adopting a bill in that regard, and that the Senate has been denied the opportunity to express similar friendliness because of want of sufficient time wherein to act, and surely will make good this friendliness at the succeeding session of Congress.

Knowing the issues which have led to failure of legislation, I took occasion, sir, before the Christmas recess, to urge that the House Committee on Labor should, taking notice of the subterfuge practice, forthwith report out the eight-hour bill according to the American Federation of Labor, so that the House might send to the Senate before the holidays the eight-hour bill, and thus prevent the unhappy Senate subterfuge against our efforts. But here we are within a month or thereabout of the time announced by numerous leaders of Congress as the time for adjournment, and our Labor Committee still lags, frittering away week after week, thrashing straw that has been thrashed and threshed again to the point of absurdity, and this assembly has not yet been placed in a position to act upon the bill.

I am for avoidance of further delay, and since I can not reach the eight-hour bill itself, I am seeking to give the eight-hour principle the widest application the pending measure will permit. Amend the measure as I propose and the Senate, with the whip in its hand—will not be able to evade the eight-hour issue, but will have by vote to manifest its will, being obliged, in so far as the amendment reaches, to go upon record.

I repeat, sir, that I do not mean to embarrass Members of the House. They have pretty generally voted for an eight-hour law. I afford them an opportunity to protect the House against any body, to protect, moreover, the workingmen we all seem eager to advantage. I hope that when the vote shall have been taken I may not feel the word "seem" to have been in the least justifiable.

The CHAIRMAN. The question is on the adoption of the amendment offered by the gentleman from California.

Mr. HUGHES of New Jersey rose.

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HUGHES of New Jersey. To speak to the amendment.

The CHAIRMAN. The gentleman is recognized.

Mr. HUGHES of New Jersey. Mr. Chairman, as a member of the Committee on Labor, I feel it my duty to have this bill before this House. The Committee on Labor has been [illegible] hearings on various eight-hour bills which are now before that body for the purpose of settling the particular kind of bill which it will recommend to this House. That, at least, is the avowed purpose of the hearings. That committee has been in session Thursday of each week, as I remember it, for five weeks. In that time they have heard one or two proponents of the bill and many opponents of the bill. The list of opponents and proponents yet to be heard seems to me almost interminable, and in view of the fact that Members of this body have been given unofficially to understand that the adjournment of Congress will take place about the middle of next month, it does not seem to me that there is any reasonable prospect of that bill getting consideration in the Senate, even if it is reported and passed by this House.

Now, there are many reasons, Mr. Chairman, why this legislation should take the shape of the amendment offered by the gentleman from California [Mr. LIVERNASH]. I have here an amendment which I myself intended to offer, which I expected would bring about precisely the same result, but I am satisfied that the amendment of the gentleman from California is much more effective and obviates many difficulties which it were in the way of mine. The chairman of the Committee on Labor, the gentleman from New Jersey [Mr. GARDNER], stated in a report which he sent to the last Congress, being a report to the bill H. R. 3076 in the Fifty-seventh Congress, practically the same bill which is now being considered before our committee as it came back from the Senate, as follows:

The Committee on Labor, to whom was referred the bill (H. R. 3076) limiting the hours of daily services of laborers and mechanics employed upon work done for the United States or any Territory or the District of Columbia, thereby securing better products, and for other purposes, beg leave to submit the following report, and recommend that said bill do pass with amendments as follows:

On page 3 of printed bill, line 9, after the word "fire," insert "or." In same line, between the words "or" and "danger," insert the words "do to." In same line, between words "or" and "property," insert the words "loss to." In same line omit comma after word "fire."

This bill being the same in purpose and almost identical in language with H. R. 6862 of the Fifty-sixth Congress, the report on that bill is in the main repeated in the report on this bill.

Your committee devoted many days to hearings upon the bill, and parties interested in the effects of the measure from many parts of the country were heard, either in person or by attorney.

The single new contention made by the opponents of this bill and not urged against previous bills of like purpose was that the completion of some work, like large castings, particularly by different workmen under an eight-hour plan, would fail to produce the best results. In other words, that satisfactory results could not be obtained under an eight-hour system. The correctness of this contention was stoutly denied by practical workers. It is believed by your committee that any real difficulty in this particular is met by the amendments proposed in this report.

This bill is in conformity with the settled policy of Congress, as indicated by legislation covering a period of thirty-four years.

The following extract touching a similar bill in the Fifty-fifth Congress expresses this understanding:

DEPARTMENT OF LABOR,
Washington, D. C., February 26, 1898.

The policy of this class of legislation has therefore been settled by Congress, and I need not discuss this phase of the question. All such laws are enacted for the purpose of protecting the laboring man from the injurious consequences of prolonged physical effort, giving him more time for his personal affairs, and more time and energy to devote to the cultivation of his moral and mental powers.

It has always been expected that they would aid him in the acquisition of knowledge, thus tending to make him a better and more contented citizen. This policy must be admitted by all to be a good one. The only difficulty is in so shaping legislation as not to interfere with necessary economic conditions. The Federal Government has long been committed to this policy; therefore the principle of the proposed bill may be considered as settled and approved.

I am, respectfully,
CARROLL D. WRIGHT,
Commissioner.

Antedating the series of "eight-hour acts," Congress passed one act of a different character relative to the hours of labor and wages of Government employees.

The first act which dealt with the labor question was approved on July 16, 1862 (12 Stat. L., p. 556). This provided that the hours of labor and wages of employees in navy-yards of the United States should conform, as nearly as might be consistent with the public interests, with those of private establishments of a similar nature.

Of that act it was said by the Court of Claims in the case of Averill v. United States (14 C. of Cls. R., 200):

"These provisions were made in order that the wages of such employees should conform, as nearly as practicable, with those paid by individuals in other establishments, and to prevent a disturbance of the prevailing rates in the immediate vicinity."

In this connection it should be remembered that at the date of the passage of the act of 1862 the money in circulation was of a low purchasing power, and the wages of mechanics measured in that money at par had approximately doubled in private shipyards and other private industries.

In navy-yards and fortifications and like works a provision of law that the hours of labor and wages paid should conform as nearly as might be with those of private establishments of a similar nature, perhaps, went as far as any scheme of law can go toward preventing the United States from exercising an influence on the subject of hours and wages.

The United States, however, can not be held from the exercise of such influence when work is given out on competitive bidding. Then the work goes to the lowest responsible bidder. The lowest bidder is he who can for any reason do the things involved at least cost as well when the advantage arises from low wages or long hours as from any other cause, and hence the United States becomes the patron of him who represents the most oppressive conditions.

Navy-yards, light-houses, and other fixed works are located wholly independent of consideration of local rates of wages, hours of labor, or local appearance for building light-houses or navy-yards. But there is no locus contemplated in contracts for battleships, and the work goes where he to whom the contract is awarded sees fit to take it—the place where the things contracted for can be produced at least cost. So it, as contended by the opponents of the bill, "long hours" conduct to cheapness, the United States becomes under the present system the patron of those who enforce the longest hours.

EIGHT-HOUR LEGISLATION.

On June 25, 1868, an act entitled "An act constituting eight hours a day's work for all laborers, workmen, and mechanics employed by or on behalf of the Government of the United States" became law. It reads as follows:

"*Be it enacted, etc.*, That eight hours shall constitute a day's work for all laborers, workmen, and mechanics now employed or who may hereafter be employed by or on behalf of the Government of the United States; and that all acts and parts of acts inconsistent with this act be, and the same are hereby, repealed."

This act, while very brief, was intended to be very sweeping. The spirit, if not the terms, of this act was disregarded or misunderstood by Government officials, which moved President Grant, on May 19, 1869, to issue a proclamation directing the enforcement of the eight-hour law of June 25, 1868, as follows:

"That from and after this date no reduction shall be made in the wages paid by the Government by the day to such laborers, workmen, and mechanics on account of any such reduction of hours of labor."

Then and for years after there appeared to be no clear comprehension of the purpose of the act. There was almost entire absence of uniformity in its administration by Government officials, and on May 11, 1872, President Grant issued a second proclamation, reciting his proclamation of May 19, 1869, and which contains the following:

"And whereas it is now represented to me that the act of Congress and the proclamation aforesaid have not been strictly observed by all officers of the Government having charge of such laborers, workmen, and mechanics: Now, therefore, I, Ulysses S. Grant, President of the United States, do again call attention to the aforesaid act, and direct all officers of the executive department of the Government having charge of the employment and pay of laborers, workmen, and mechanics employed by or on behalf of the Government of the United States to make no reduction in the wages paid for the

Government, by the day, for such laborers, workmen, and mechanics on account of the reduction of the hours of labor."

May 18, 1872, the following became a law:

"SEC. 2. That the proper accounting officers be, and hereby are, authorized and required, in the settlement of all accounts for the services of laborers, workmen, and mechanics employed by or on behalf of the Government of the United States between the 25th day of June, 1868, the date of the act constituting eight hours a day's work for all such workmen, laborers, and mechanics, and the 19th day of May, 1869, the date of the proclamation of the President concerning such pay, to settle and pay for the same without reduction on account of reduction of hours of labor by said act when it shall be made to appear that such was the sole cause of the reduction of wages, and a sufficient sum for said purpose is hereby appropriated, out of any money in the Treasury not otherwise appropriated."

The question whether, under this act and the act of June 25, 1868, the terms "laborers, workmen, and mechanics," were to be construed in a general or a technical sense arose, and was submitted to the Department of Justice by Hon. W. W. Belknap, Secretary of War.

On October 24, 1872, Clements U. Hill, Acting Attorney-General, furnished an opinion in reply to the Secretary of War, in which opinion occurred the following:

"I am strongly inclined to the opinion, considering the history of Congressional legislation upon this subject, and particularly in view of the recent decision of the Supreme Court in the Twenty per cent cases (13 Wall., 566), that this statute is to have a broad and liberal construction, and that the above case is decisive against limiting its provisions to those who would fall within strict language, within the terms 'laborers, workmen, and mechanics.' On the contrary, I think it was the intention of Congress to include within the provisions of this act and the previous act of 1868 all persons who are employed and paid by the day."

Almost twenty years after the passage of the act of June 25, 1868, there was inserted in the urgent deficiency bill approved March 30, 1888, the following:

"And the Public Printer is hereby directed to rigidly enforce the provisions of the eight-hour law in the department under his charge."

By act approved May 24, 1888, it was provided—

"That thereafter eight hours shall constitute a day's work for letter carriers in cities or postal districts thereof, for which they shall receive the same pay as is now paid for a day's work of a greater number of hours. If any letter carrier is employed a greater number of hours than eight he shall be paid extra for the same in proportion to the salary now fixed by law."

This series of acts committing the United States Government to the "eight-hour day," failed to accomplish the purpose for which the legislation was sought.

The Department of Justice decided "that the provisions of the act of June 25, 1868, were not applicable to mechanics, workmen, and laborers who are in the employ of a contractor with the United States. That act was not intended to extend to any others than the immediate employees of the Government."

In the case of the United States v. Martin (4 Otto, 400) the Supreme Court held that the act of 1868 "is in the nature of a direction by the Government to its agents" that it creates no contract between the Government and its employees; that "it neither prevents the Government from making agreements with them by which their labor may be more or less than eight hours a day, nor does it prescribe the amount of compensation for that or any other number of hours," thus practically holding that the law was a nullity, unless the agent of the Government saw fit to obey the "direction." Under the decision the laborer acquired no legal rights, and therefore no additional means, by reason of the law, for securing an eight-hour day or recovering for overtime.

The law was interpreted in a manner to leave it almost devoid of vitality except that which was infused into it by the two proclamations of President Grant.

A result was general dissatisfaction, not only among the laborers and their representatives who had sought the legislation, but also among the executive officers of the Government. The representatives of labor were dissatisfied from the fact that it was getting little practically and had nothing certain under the law. General Casey, then Chief of Engineers, Commander Folger, then Chief of the Bureau of Ordnance, and other prominent Government officials charged with the direction of the labor employed by the Government, while generally favoring the eight-hour system, declared that the law should be more specific.

Apparently in obedience to the generally expressed sentiment, when the Fifty-second Congress convened the Committee on Labor took up the subject. The committee, finding that it needed specific information on various matters not to be found in published documents, sought and obtained power from the House to enter upon a general investigation, with power to summon witnesses, etc.

The committee, in pursuance of the powers so granted, met March 8, 1892, and summoned before them Brig. Gen. Thomas L. Casey, Chief of Engineers, in which capacity he was in direction of all works for river and harbor improvements in the country, all works of construction of fortifications, the erection of the new Library building, and in charge of the White House; Col. O. H. Ernst, superintendent of public buildings and grounds; W. M. Folger, commander in the Navy, and holding the position of Chief of the Bureau of Ordnance; the Hon. Frank W. Palmer, Public Printer, and Mr. St. Julien B. Dapray, chief of the law and construction division of the Supervising Architect's Office, Treasury Department.

The testimony showed conclusively that at that late date—twenty-four years after the act of 1868 was signed—the administration of the law by the several officials directing Government employees was not uniform and not intended to be.

In the course of his testimony General Casey said:

"I want to say to you that I am strongly in favor of what is called the eight-hour law. I am a friend of the wage-earner. I believe he is getting more money for his labor under this eight-hour law than he has ever been getting, and I believe it is well that that should continue. I think it is an advantage to the country and to the laborer, and I think it should be extended all over the country."

But General Casey asserted that the law had not been understood as limiting the hours of employment. His testimony showed that his department deemed the law complied with if the employee was paid for a day's work for each eight hours he labored.

In Commander Folger's examination occurs the following:

"Q. If the policy of the Government in the enactment of this law of 1868 was to actually limit the hours of service in a calendar day, then the law is not being observed?—A. No, sir, it is not being carried out. We do not imagine that that was the object of the law."

Further on Commander Folger, in the course of his examination, gave the following opinion under oath:

"If you could, by fiat, say that every man in the land should work but eight hours, it would be a very good thing to do. The quality of the work produced would probably compensate for the difference in hours."

Again:

"If, however, an effort is made to secure a fair performance from the men, and if the employer is fortunate enough to get the men interested in their work, I believe the output of the product per unit of time will be vastly better in quantity and in quality, in high-grade work, than if the longer period were mandatory."

The result of the hearings had and the deliberations of the committee was that on August 2 the committee reported as a substitute for sundry bills then before them the following, which became law August 1, 1892:

"It is ordered, etc., That the employment of all laborers and mechanics who are now or may hereafter be employed by the Government of the United States, by the District of Columbia, or by any contractor or subcontractor upon any of the public works of the United States or of said District of Columbia is hereby limited and restricted to eight hours in any one calendar day, and it shall be unlawful for any officer of the United States Government, or of the District of Columbia, or any such contractor or subcontractor whose duty it shall be to employ, direct, or control the services of such persons, and shall have power to require or permit any such laborer or mechanic to work more than eight hours in any calendar day except in cases of extraordinary emergency.

"SEC. 2. That any officer or agent of the Government of the United States or of the District of Columbia, or any contractor or subcontractor, whose duty it shall be to employ, direct, or control any laborer or mechanic employed upon any of the public works of the United States or of the District of Columbia who shall knowingly violate any provision of this act shall be deemed guilty of a misdemeanor, and for each and every such offense, upon conviction, be punished by a fine not to exceed $1,000 or by imprisonment for not more than six months, or by both said fine and imprisonment, in the discretion of the court having jurisdiction thereof.

"SEC. 3. That the provisions of this act shall not be so construed as to in any manner apply to any officer, contractor or subcontractor or to limit the hours of daily service of laborers or mechanics engaged upon the public works of the United States or of the District of Columbia for which contracts have been entered into prior to the passage of this act."

There was perhaps no misapprehension on the part of Congress as to what was intended by this act. The committee, in its report in explanation of the bill, used the following language:

"And again section 3 makes it unlawful to allow or permit a laborer or mechanic to work more than eight hours in any one calendar day, thus prohibiting overtime in the manner the act of 1888 was evaded."

"The measure herewith submitted, it is thought, will secure a practical enforcement of the purpose intended to be secured by the act of 1888. It extends the employment of all laborers and mechanics employed by or on the Government of the United States, by the District of Columbia, or by any contractor or subcontractor of the United States or of the District of Columbia upon any of the public works of the United States or the District of Columbia to eight hours in any one calendar day, makes it unlawful for any officer of the United States or of the District of Columbia, or any contractor or subcontractor whose duty it shall be to employ, direct, or control the services of such laborers or mechanics to require or permit such laborer or mechanic to work more than eight hours in any one calendar day except in cases of extraordinary emergency, makes the violation of its provisions a misdemeanor and imposes suitable penalties for such violation."

There was, however, a very great misapprehension on the part of the advocates of a shorter day as to the law as it would be if the words "or by any contractor or subcontractor upon any of the public works of the United States" were construed and read in their technical sense and they thought all work done for the Government public work and that all work done under all contracts made for work contracted for by the Government under any circumstances. It is in spite of the Treasury in the real and substantial sense of the law of 1892 that further legislation has been sought at every session of Congress.

The act providing for the public printing and binding and the distribution of the public documents, approved June 23, 1895, contains the following provisions:

"SEC. 6. That no work shall be done in the Government Printing Office at night as well as through the day when the exigencies of the public service require it, but the provisions of the existing eight-hour law shall apply."

Congress has adopted by legislative enactment the eight-hour day either by enforcing it on public works, work of specified kinds, or making eight hours the legal day, as follows:

In Connecticut the statute of 1885 contains this provision:

"Eight hours of labor performed in any one day shall be a lawful day's work."

In Indiana the annotated statutes of 1894 provide that—

"Eight hours shall constitute a legal day's work for all classes of laborers except those employed in agricultural or domestic labor. Extra work or overtime may be expressly contracted for."

In Kansas, March 8, 1891, it was enacted:

"That eight hours shall constitute a legal day's work for laborers, workmen, artisans, mechanics, except in cases of extraordinary emergency which may arise in time of war, or where it is necessary for the protection of property or human life."

In Montana the Revised Statutes of 1889 provide that eight hours shall constitute a legal day's work.

In Montana the Code and Statutes (Sanders's edition, 1895, Political Code) contain a provision to the effect that eight hours shall constitute a legal day's work for persons employed in connection with hoisting engines, mining, and for all of those employed upon work underground.

In New York the seventh edition of the Revised Statutes contains a provision to the effect that eight hours shall constitute a legal day's work for all mechanics and workmen. It does not apply to farm labor, which is expressly excepted from the operation of the act.

In Ohio the Revised Statutes, second edition, pt. 1, contain this:

"In all engagements of labor in any mechanical, manufacturing, or mining business, eight hours of work, where there is no express contract to the contrary, shall consist of a legal day's work."

In Pennsylvania a law provides that eight hours' labor shall be deemed a legal day's work in all cases of labor employed by the day, where there is no contract. The law does not seem to apply to agricultural labor nor to persons employed by the year, month, or week.

In Utah the act of 1896 provides:

"Eight hours shall constitute a day's work on all public works."

The Utah law has an eight-hour law for all persons who work in mines, smelters, and other hazardous employment, which has been upheld by the supreme court of that state.

In Wisconsin the Annotated Statutes of 1889 contain this:

"A day's work shall consist of eight hours where there is no express contract to the contrary."

It does not apply to a laborer employed by the week, month, or year.

A statute of Illinois, 1895, provided that—

"No female shall be employed in any factory or workshop more than eight hours in any one day nor forty eight hours in any one week."

This act was set aside by the court as an interference with the right of contract.

The constitution of the State of Wyoming contains a provision to the effect that eight hours shall constitute a lawful day's work in all State and municipal works.

It appears to your committee that, while writers on political economy differ widely in their theories as to the law of wages (and they assault each other with great energy), the arguments deduced from all of them alike support the theory of a shorter or eight-hour workday. The dogma of McCulloch is that—

"The well-being and comfort of the laboring classes are * * * especially dependent upon the relations which their increase bears to the increase of capital that is to feed and employ them. If they increase faster than capital their wages will be reduced, and if they increase slower they will be augmented. In fact there are no means whatever by which the command of the laboring classes over the necessaries and conveniences of life can be enlarged, except that by accelerating the increase of capital as compared with population. Every scheme for improving the condition of the laborer which is not founded on this principle, or which has not the increase of a national capital to production for its object, must be competely negatory and ineffectual."

A definition of capital apparently satisfactory to all schools of political economists is "the means of production (other than labor)." The definition quoted is thus given by John Stuart Mill:

"If wages are higher at one time or place than at another, if the subsistence and comfort of the class of hired laborers are more ample, it is for no other reason than that the demand for labor has risen to a greater height in proportion to the supply of the laboring class to be employed, or, in other words, that by adding to the proportion to their advantage, and every scheme for their benefit which does not proceed on this as its foundation is for all permanent purposes a delusion."

Ricardo states it thus:

"Wages, however, by the encouragement which high wages give to the increase of population, the number of members in the market wages again fall to their natural price, and indeed from a reaction sometimes fall below it. * * * It is under these circumstances, after the previous increase of their number, or the almost full employment of the laboring class, that the laborer may share in the good fortune, provided that the amount of his wages will have the purchasing power of a larger quantity of those things which men and the world in which men live consider necessaries, comforts, and enjoyments. Under these circumstances the laborer may be said to share in the general prosperity of the country, and his condition may be improved without any permanent advantage to the class to which he belongs."

Adopting the language of modern writers, capital represents the means of production, or, if "means are considered for some purpose employed in production, human force and natural force, and the latter represents the capital of the employer. It was, under the definition of all the writers, that whatever tends to increase the capital employed in production increases the demand for labor. And, indeed, it were vain to say that the shortening of the workday would not increase the demand for labor. The shortening of the workday would increase the demand for labor, because it would increase the number of persons who would be employed in production, because it

The Clerk read as follows:

Amend by adding the following paragraph after line 2 of page 73:

"None of the contracts for the new vessels authorized by this bill may be awarded to any contractor who shall not have covenanted with the United States as follows:

"That no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work, except upon permission granted by the Secretary of the Navy during time of war or a time when war is imminent or when any great national emergency exists, and the contractor contracting with the United States shall, in the event of violation of said covenant as to hours of labor, forfeit to the United States the sum of $5 for each laborer or mechanic for every calendar day for which he shall have been required or permitted to labor more than eight hours upon the work under such contract."

Mr. FOSTER of Vermont. Mr. Chairman, I raise the point of order that the amendment is not germane to the paragraph.

Mr. MAHON. Not germane to the paragraph that has been passed.

Mr. FOSTER of Vermont. As I understand the amendment, it is a limitation upon the construction of the new ships provided for in the preceding paragraph. Secondly, I make the point of order that it is new legislation.

The CHAIRMAN. Does the gentleman from California desire to be heard upon that point?

Mr. LIVERNASH. Mr. Chairman, the amendment is a complete and new paragraph, and as such certainly is germane to the bill. It need not be germane to this or that preceding paragraph, and I do not believe it to be justly subject to the points of order made against it.

The CHAIRMAN. The Chair has just ruled that an amendment denying an appropriation, except upon certain conditions, as expressed in a previous amendment offered by the gentleman from California, was in order. It being within the power of the House entirely to deny the appropriation if it saw fit to do so, it had the right to deny it except upon certain terms, even though they might amount practically to a withholding of the appropriation.

But this pending amendment is not a limitation upon the appropriation. It is clearly new legislation, and therefore in violation of Rule 21. The Chair sustains the point of order. The Clerk will read.

The Clerk began the reading of the next paragraph.

Mr. HUGHES of New Jersey. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. HUGHES of New Jersey. To offer an amendment.

Several MEMBERS. Too late.

The CHAIRMAN. To what paragraph does the gentleman offer his amendment?

Mr. HUGHES of New Jersey. To the paragraph under consideration, which the gentleman from California [Mr. LIVERNASH] sought to amend.

The CHAIRMAN. Where does the gentleman desire his amendment to be inserted in the bill?

Mr. HUGHES of New Jersey. After line 2, page 73.

The CHAIRMAN. Does the gentleman say that he was on his feet seeking recognition when the Clerk was directed to read the next paragraph?

Mr. HUGHES of New Jersey. I believe so, sir. I intended to offer it.

The CHAIRMAN. If the gentleman states that he was on his feet trying to obtain the recognition of the Chair, his amendment will be considered.

Mr. HUGHES of New Jersey. I will state to the Chair and to the committee that it was my intention to offer this amendment as soon as the gentleman from California concluded.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 2, page 73, insert:

"Every contract under which any of the foregoing appropriations is to be expended for the construction of the various kinds of ships of war enumerated in this bill, not already contracted for, shall contain a provision to the effect that eight hours shall constitute a day's work for each and every laborer and mechanic engaged in the construction of the said ships or any of the parts thereof, and that no laborer or mechanic shall be required or permitted to work for any greater length of time than eight hours per calendar day, pursuant to existing contracts."

Mr. FOSTER of Vermont. Mr. Chairman, I raise the same point of order, and it seems to be substantially the same proposition that we have already disposed of.

The CHAIRMAN. This proposed amendment is not a limitation upon the appropriation, but is so clearly new legislation that, following innumerable precedents, the Chair has no hesitation in sustaining the point of order. The Clerk will read.

The Clerk read as follows:

That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels herein authorized, provided such contracts can be made at a price which, in his judgment, is reasonable and equitable; but in case he is unable to make contracts for armor under the above conditions, he is hereby authorized and directed to procure a site for and to erect thereon a factory for the manufacture of armor, and the sum of $4,000,000 is hereby appropriated toward the erection of said factory.

Mr. DALZELL. Mr. Chairman, I make the point of order against the paragraph from line 6 to line 14, inclusive, on page 73.

The CHAIRMAN. The gentleman will state his point of order.

Mr. DALZELL. That it is new legislation and that it has been so ruled on several occasions.

The CHAIRMAN. The Chair has no hesitation in sustaining the point of order, that proposition having been raised and passed upon in a number of instances. It clearly provides for an appropriation of $4,000,000 for the construction of a plant and the erection of a factory, for which there is no previous authority of law——

Mr. WILLIAM W. KITCHIN. I appeal from the decision of the Chair upon that point of order, and I wish to be heard on it.

The CHAIRMAN. Let the Chair conclude his ruling.

Mr. WILLIAM W. KITCHIN. I thought the Chair had concluded.

Mr. RIXEY. A parliamentary inquiry. I merely wish to understand the ruling of the Chair. Do I understand the Chair to rule that part of the paragraph beginning with line 6 and ending with line 9 is also subject to the point of order?

The CHAIRMAN. If the gentleman will withhold his appeal until the Chair concludes his statement.

Mr. WILLIAM W. KITCHIN. I did; and I thought the Chair so understood.

Mr. MAHON. I make the additional point of order against lines 10, 11, 12, and 13 that it is clearly new legislation.

The CHAIRMAN. The Chair finds, in section 581 of the Parliamentary Precedents, the general principle thus stated:

It has generally been held that provisions giving a new construction of law or limiting the discretion which has been exercised by officers charged with the duties of administration are changes of law within the meaning of the rule.

A number of precedents are there cited, the first one being a ruling by Hon. John G. Carlisle of Kentucky, upon an amendment to the deficiency appropriation bill, in this language:

Provided, That the Commissioner of Pensions shall not withhold a pension from any soldier or participant of the war of 1812 who was granted a pension under the act of Congress of 1871 and was dropped for charges of disloyalty and reinstated under the act of 9th March, 1878, and their pension shall be paid from 9th March, 1878.

In the course of his ruling Mr. Carlisle said:

The Chair thinks that it will change the law within the meaning of the rule, because, undoubtedly, if the amendment be adopted the Commissioner of Pensions will hereafter be required by the express letter of the law to do what he has not been heretofore required to do by express letter of the law.

Now, the Chair thinks that this provision, against which the point of order is made, authorizing and directing the Secretary of the Navy upon certain conditions to procure a site and erect thereon a factory for which there is not now authority of law requires him to do "what he has not been heretofore required to do by express letter of the law," and the ruling of Mr. Carlisle is directly in point.

The Chair also finds that Mr. William H. Hatch, of Missouri, in 1894 ruled an amendment out of order because it limited the discretion of the Postmaster-General. This amendment clearly proposes to limit the discretion of the Secretary of the Navy. There is a long line of authorities, which the Chair will not take time to cite.

In the third session of the Fifty-fifth Congress, the naval appropriation being then as now under consideration, a proposition was offered in an amendment making an appropriation for the establishment of an armor-plate factory—the very proposition which is now before the committee—ruling upon the point of order against that, the gentleman from New York [Mr. SHERMAN] said:

It is so clear to the Chair that this proposed amendment is obnoxious to Rule XXI, the Chair thinks it unnecessary to make any statement. The Chair therefore sustains the point of order.

In a later Congress a similar proposition was again ruled out, Mr. PAYNE of New York in the chair.

Following these precedents, and for these reasons, it clearly appearing that in a number of particulars this paragraph not only changes existing law but provides for an appropriation for a purpose not authorized by law, the Chair sustains the point of order made by the gentleman from Pennsylvania.

Mr. RIXEY. A parliamentary inquiry. As I understand it, the objection to this paragraph is upon the latter part of it, and that the first portion, down to and including line 9, by itself, would not be subjected to the point of order.

The CHAIRMAN. The Chair understands that the point of order was made against the entire paragraph from line 6 to line 14, because it contains legislation contrary to the rules. As one portion of it contains such legislation, the point of order must be sustained, and, following other established precedents, the whole paragraph must fall.

Mr. WILLIAM W. KITCHIN. Now, Mr. Chairman, I desire to be heard on the appeal.

The CHAIRMAN. The gentleman from North Carolina appeals from the decision of the Chair, and upon that he will be heard.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, former naval appropriation bills have carried a provision similar to this provision. If this entire provision goes out of the bill, then there will be no authority for the Secretary of the Navy to provide for the armor of the vessels authorized in this bill. We have in this bill authorized one battle ship and two armored cruisers, each requiring a large amount of armor. Unless a provision is carried in this bill authorizing the procurement of that armor the Navy Department will be powerless to secure it.

Mr. FOSS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Will the gentleman from North Carolina yield to the gentleman from Illinois?

Mr. WILLIAM W. KITCHIN. I yield for a question.

Mr. FOSS. I think the gentleman has put the wrong construction upon the absence of the paragraph. If he will read the first paragraph on page 70 under the "increase of the Navy" he will see:

That for the purpose of further increasing the naval establishment of the United States, the President is hereby authorized to have constructed by contract or at navy yards the vessels herein named, namely:

One battle ship, two first-class armored cruisers, etc.

Mr. WILLIAM W. KITCHIN. I understand that; but in this very same paragraph the price is named, and it is limited to the hull and machinery.

Mr. DALZELL. May I interrupt the gentleman to ask him whether or not he is addressing his argument to his appeal from the decision of the Chair?

Mr. WILLIAM W. KITCHIN. I am addressing myself to the appeal. I take the position that if we let this bill contain a provision for the armored cruisers and for the battle ships, that it is not only the privilege, but it is the duty of this House—and it is not only in order, but it must be held in order that this House has the power—to provide for the completion of those ships. As I was going to say, the facts which the gentleman from Illinois called my attention to show in the paragraph mentioned by him the price to be paid for the ship is $4,400,000, and it is limited to the hull and machinery, and we know that every dollar of it will be expended for the hull and machinery, and contracts will be made to cover it, and not one dollar of it can go to armor plate, and not a pound of armor plate is provided for nor can be had within that limitation of $4,400,000. Right here I will say I do not know why for a battle ship of exactly the same tonnage that was provided last year this bill should give the contractors an extra price of $188,000.

Last year we provided for two battle ships of 16,000 tonnage each, one to be built in a private yard and one to be built in a Government yard, and the price was $4,212,000, and this bill carries a price for the same tonnage ship of $4,400,000, which is $188,000 more. But that $188,000 does not go to the armor plate, and in the next paragraphs the appropriation per ton is increased. I will call the attention of the House to the fact that although the tonnage of the war vessels authorized in this bill will cost $50 more a ton for hull and machinery than the war vessels authorized last year, not a dollar of that increased price can go to armor plate. Armor plate has heretofore been costing various prices. Why, Mr. Chairman, for the vessels already authorized contracts have been entered into recently at two different prices—10,000 tons at about $450 a ton, and 6,000 tons at $398 a ton. We are paying for 10,000 tons a price of $55 a ton more than for 6,000 tons.

Now, I want to call the attention of the gentleman from Pennsylvania [Mr. DALZELL] to this fact, and I challenge the gentleman to respond to this argument. If Congress, in this bill, has the right to authorize the construction of two armored cruisers and a battle ship, has it not the power in this same bill to provide for the completion of those ships and for securing the armor? Can it be that we can provide for a ship, and yet not provide that ship with engines, guns, and armor? If we can provide for the beginning, we can provide for the finishing of the ship. If we can authorize the whole, we can authorize the parts of a ship. There is no rule of this House pertaining to appropriation bills that will authorize the beginning of a work and forbid provision for the completion of that work when begun. Now, what has been the ruling on matters kindred to this, for I will admit there has been no direct ruling of the House upon this particular provision?

Mr. DALZELL. The gentleman will pardon me; there have been several rulings on this particular provision.

Mr. WILLIAM W. KITCHIN. Cite me to the page in the Rules and Digest. I have here the Digest.

Mr. DALZELL. The gentleman will look on page 342, about halfway down the page. This is not a new question at all. This very proposition has been elaborately discussed.

Mr. WILLIAM W. KITCHIN. I want to call the gentleman's attention to the decision on page 345 of the Manual and Digest:

To a paragraph providing for armor and armament of naval vessels a proviso that the total cost of armor should not exceed a certain amount and that no contract could be made in excess of a certain price per ton was held to be a limitation merely.

Mr. DALZELL. That is all right.

Mr. WILLIAM W. KITCHIN (reading)—

A provision that no part of a sum appropriated for armor plate should be expended except for armor of a certain cost and quality was held to be a limitation.

Mr. DALZELL. I have no fault to find with those decisions at all, but I deny that they have any relevancy to this question.

Mr. WILLIAM W. KITCHIN. Now, it was held in the case cited by the gentleman from Pennsylvania that an appropriation for an armor-plate factory which had not already been authorized was not in order, but will the gentleman say that that necessarily means that in order to provide armor plate for specific vessels herein authorized for the first time we have no power to prescribe the means? Will the gentleman hold that that will prevent us from securing armor plate in a particular way for vessels in this bill first authorized?

Mr. DALZELL. Certainly.

Mr. WILLIAM W. KITCHIN. I could see the force of the gentleman's position, if the Chair will bear with me, if we had an independent proposition in this bill under consideration to build an armor-plate factory for providing armor plate for vessels heretofore authorized and hereafter to be authorized. The gentleman's point would then be well taken, and you could say that for the purpose of providing for that armor-plate factory the point of order would be good, but the gentleman must see the distinction between the bare proposition to build an independent armor-plate factory and the proposition to secure the completion of the ships herein authorized by providing the method of procuring their necessary armor plate by providing that the Government shall make it if it can not otherwise secure it on satisfactory terms. The case cited is not the case now under consideration.

Why, Mr. Chairman, the gentleman must admit that under the decisions, if we should declare that the appropriation should be limited to armor plate at a cost of $250 a ton for one kind, and if we could not get it at that price the Government should pay more for another kind, that would not be subject to a point of order. If we can in an appropriation bill secure a ship, and we can, then we can secure its armor. If we can secure its armor, then we can secure it in any manner we see fit—that is, the armor for the ships so secured. If providing for the ship is not new legislation, providing for its armor is not new. If the ship is continuation of a public work, its armor is such continuation.

The line of demarcation which I want the gentleman to recognize and avoid if he can is this, that under the case cited by him it was a bald, barefaced, independent proposition to build an armor-plate factory for general purposes, including that for ships already authorized and in course of construction. The pending proposition is for the Government to secure, if it can, by purchase, armor plate at a limited price for the vessels authorized in this bill, and if it can not secure it at that price, then to take the other method to secure the armor plate for the vessels authorized in this bill—that is, to construct an armor-plate factory and make the armor plate.

The principle upon which the citation he gave me rests does not apply in this case, when the whole proposition touching armor plate is limited to battle ships, which are themselves new matter in this very bill. A power to authorize the battle ship contains the power to finish the battle ship. The power to finish the battle ship contains the power to provide armor plate. Any rule of this House to permit the battle ship to go on this bill will permit the armor plate to go on, and any rule which permits us to secure, as we think best, the battle ship will permit us to secure, as we think best, any of its necessary parts.

Mr. PAYNE. Mr. Speaker, I move that all debate on this proposition be closed in five minutes.

The CHAIRMAN. The gentleman from New York moves that debate be closed in five minutes.

The question was taken; and the motion was agreed to.

Mr. DALZELL. Mr. Chairman, as a matter of courtesy, I think I ought to say a word in answer to what the gentleman from North Carolina has said. I am surprised that so intelligent a gentleman as he is should take the position he does on this proposition. It is well settled that the House in making an appropriation has a right to say how that appropriation should be expended. It has the right to say that so much shall go this way and so much shall go that way, and so on. That is a limitation. There is another rule of the House which says there shall be no legislation on appropri-

ation bills. Now, the gentleman from North Carolina will concede that there is no existing law that authorizes the Government to build an armor-plate factory.

Mr. COCHRAN. Mr. Chairman, I would like to ask the gentleman a question. If this bill provided that bids should be advertised for for armor plate, and that in the event of no bids being received then to complete the ships an armor-plate factory should be erected—would that be in order?

Mr. DALZELL. It would not; certainly not. The answer to it all is——

Mr. COCHRAN. The gentleman holds that while the Congress has the power to provide for building a battle ship, it has not the power to go on and make that provision effective by making all necessary provisions for the elements that enter into that battle ship.

Mr. DALZELL. Not at all. All that the gentleman contends is that it has not the power to legislate on an appropriation bill.

Mr. COCHRAN. Isn't it legislation on an appropriation bill when it authorizes the construction of a battle ship?

Mr. HEMENWAY. No.

Mr. DALZELL. No; it is the continuation of a public work.

Mr. COCHRAN. No; but it authorizes a new ship.

Mr. DALZELL. But it has been decided more times than the gentleman has fingers and toes that it is the continuation of a public work. And if the Committee on Naval Affairs sees fit to bring into this House a bill authorizing the construction of an armor-plate factory, it can be passed or voted down; but under the rules of this House and under the decisions that are too numerous to mention the proposition to build an armor-plate factory can not be put on an appropriation bill, because, in the absence of any law to build such a factory, it is a new legislation.

Mr. COCHRAN. We have also authorized the construction of battleships in navy yards. If the same bill provided that they might buy the necessary tools to do it with, would that be a new legislation?

Mr. DALZELL. Certainly.

Mr. COCHRAN. Then it could authorize them to build battle ships but could not give them the necessary appropriations to provide the material and appliances with which to build them.

Mr. DALZELL. Oh, I think that hardly deserves a reply. Does the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] wish to ask a question?

Mr. WILLIAM W. KITCHIN. Yes. I wish to ask the gentleman if the same rule that permits discretions and leeways to be given to the Secretary of the Navy in contracting for the engines and boilers would not also permit discretions to be given to him in reference to securing the armor plate.

Mr. DALZELL. Yes; but it would not authorize him to build an engine or a boiler factory.

Mr. WILLIAM W. KITCHIN. If it has the power under the rule to direct him how to secure the armor, why can not it direct him to make it as well as purchase it?

Mr. DALZELL. Because it is a change of existing law.

Mr. WILLIAM W. KITCHIN. That is the point of difference between us.

The CHAIRMAN. The Chair will state the parliamentary situation. The gentleman from Pennsylvania [Mr. DALZELL] having made the point of order against the pending paragraph that it violates Rule XXI, because containing legislation upon an appropriation bill, or, in other words, providing for the construction of an armor-plate factory without previous authority of law, the Chair, following precedents in the Fifty-fifth and Fifty-sixth Congresses, sustained the point of order. Thereupon the gentleman from North Carolina [Mr. WILLIAM W. KITCHIN] appealed, and the question now is, Shall the decision of the Chair stand as the decision of the committee?

The question was taken, and on a division (demanded by Mr. WILLIAM W. KITCHIN) there were—ayes 151, noes 93.

So the decision of the Chair was sustained.

Several Members rose.

Mr. FOSS. Mr. Chairman, I move that the committee do now rise and report the bill and amendments to the House with a favorable recommendation.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, but we have some amendments we would like to offer.

Mr. RIXEY. Mr. Chairman, the chairman of the Committee on Naval Affairs surely will not make a motion that the committee rise until the bill is perfected. There are some amendments on this side that we propose to offer.

The CHAIRMAN. The Chair will state that a motion to amend takes precedence of a motion to rise with a favorable recommendation.

Mr. RIXEY. I have an amendment that I wish to offer.

The CHAIRMAN. The gentleman from Virginia [Mr. RIXEY] offers an amendment, which will be read.

Mr. RIXEY. I was willing to wait to see whether the chairman of the Committee on Naval Affairs would undertake to perfect his bill and to provide armor plate for our ships.

The amendment offered by Mr. RIXEY was read, as follows:

That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for armor-clad vessels herein authorized, provided such contracts can be made at a price not to exceed $400 per ton; but in case he is unable to make contracts for armor under the above conditions, then there is hereby appropriated the sum of $4,000,000 for the erection, upon property now owned by the Government, of an armor-plate factory of the character and to the extent that the Secretary of the Navy may in his judgment deem necessary and practicable under the appropriation.

Mr. DALZELL. I make the same point of order against this amendment as against the other.

Mr. RIXEY. I desire to be heard for one minute on the point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. RIXEY. The difference between this amendment and the one which went out on the point of order is that the one which went out on the point of order is that the one which went out provided for the purchase of land upon which an armor-plate factory was to be built. This provides that the armor-plate factory shall be built upon property now owned by the Government. I submit that this amendment provides for the continuation of a public work, and I refer the Chair to the following amendment which was offered to the naval appropriation bill in 1898:

For the erection of new buildings for the use of the Naval Academy at Annapolis, Md., of the character and to the extent that the Secretary of the Navy may in his judgment deem necessary.

That amendment carried an appropriation for a new building at Annapolis. A point of order was made against the amendment; but the Chair overruled the point, following a ruling which had been made upon a similar provision in regard to West Point.

This amendment provides for the erection of an armor-plate factory upon property now owned by the Government. It is for a Government purpose—the providing of armor plate for the ships authorized by this bill; and it seems to me as much in order as the provision directing the Secretary of the Navy to provide a building at Annapolis.

Mr. DALZELL. Mr. Chairman, I could not hear very well the remarks of the gentleman from Virginia [Mr. RIXEY]; but if I caught the proposition it was that this amendment differs from that which was passed upon by the Chair, because this is an appropriation to build an armor-plate factory on Government land. I submit that it requires a new provision of law to authorize the building of an armor-plate factory, whether the land on which it is to be built belongs to the Government or whether it does not. In either case such a provision is a change of existing law.

Mr. UNDERWOOD. Was not the distinction between a building upon Government land and a building to be erected upon land of Government land distinctly drawn in the decision in the Forty-fifth Congress, when a question of order was raised on a proposition to erect a new building for the Naval School in this District?

In that case the Chairman of the Committee of the Whole held that, as the proposition was to erect this building upon Government land, it was a proposition to carry on or continue Government work already in progress.

Mr. DALZELL. A continuance of public work in progress; that is, for the construction of new public work.

Mr. UNDERWOOD. In that case the Chairman distinctly held that the fact of the Government owning the land on which the building was to be erected distinguished the provision from one proposing the purchase of new land for such a structure.

Mr. DALZELL. Well, the distinction is rather farfetched, I should think.

Mr. UNDERWOOD. The decision is here and can be referred to.

Mr. DE ARMOND. Mr. Chairman, I am somewhat surprised that this point of order is made, and I hope that, whatever may be its technical value, the gentleman who made it will withdraw it and the other gentleman will renew it. The amendment here proposed is to enable the Government, in case it is "held up" again in its effort to procure armor plate, as it has been "held up" before, and I might say almost continuously, to provide itself with that most necessary article in the construction of war ships. I can hardly conceive of a reason, looking to public policy and to the public welfare, for the interposition of the point of order, even if the point be good.

Ought the Government in increasing the Navy, in spending year by year millions of dollars for this purpose, to be absolutely at the mercy of a few armor-plate factories in this country, combined together to exact just such price as they may choose to demand? Ought not the Government to be prepared to make armor plate just as the Government ought to be prepared to build ships, to cast cannon, to fabricate rifles and swords and bayonets, and, generally, the munitions of war upon land and sea? Now, then, is not the manufacture of this armor incident

to and directly connected with a business already authorized by existing law, and a business specially reauthorized by this pending measure as it has already passed the committee?

This bill authorizes the building of battle ships and armored cruisers. Existing law provides for the construction of the Navy in that way and for additions to it of that kind, consisting of armored fighting fortresses. The Government already has navy-yards; the Government already has factories for the making of heavy ordnance; the Government has factories for the manufacture of small arms; the Government has places for the repair of ships and for the making of necessary things to go into ships. This amendment, if allowed, simply provides that the Government, if it be necessary (if in the exercise of the judgment of those having the matter in charge it should be done), shall have the necessary additional facilities, on Government ground, at Government expense, for the making of some things absolutely necessary to be made, absolutely necessary to be had, and to be used in the construction of these armored ships of the various classes.

If there should be a change in ordnance, is it necessary that there should first be a law that the Government be permitted or allowed or authorized to construct cannon of a particular kind in order that a provision with reference to the making of cannon at Government factories be in order in the naval appropriation bill?

Suppose there should be invented or discovered, or invented and discovered, some means of defense or of offense entirely novel, entirely unlike anything which the Government now has and is now prepared to fabricate and to furnish; yet it would be of the nature of heavy ordnance, say for land batteries or for use upon ships, or both. Would it be necessary to have a distinct new law authorizing the construction by the Government of this particular pattern of cannon before provision may be made in a bill of this kind, by amendment or original provision, for its construction by the Government?

There used to be the old Armstrong gun. Later guns and, maybe, better guns followed. There are various grades of ordnance, one supposed to be an improvement upon the other; and respecting many of them there is great difference of opinion as to which is the best. Suppose there is a general authorization to establish and to operate works for the fabrication of cannon. Suppose that some kind of cannon entirely distinct and different from any heretofore made has come into use in foreign countries, and it is supposed to be very desirable to equip our shore batteries or our ships with it.

Will some gentlemen say that if a provision to make that kind of cannon at Government works be incorporated in a bill of this kind, or be offered as an amendment to it, the proposition must go out of the bill if printed in it, or must be denied admission to it if offered as an amendment, unless a particular law to make that particular kind of cannon can be cited?

There are Government establishments for the construction of ships. It is entirely proper to provide in a bill that a ship shall be constructed in a Government yard. It does not take new law to do that. It certainly can not be necessary that the Government, having its yards for the construction of ships, must be authorized by an express law to build ships in the yards when the building of the ship is authorized.

The armor plate is only part and parcel of a certain class and kind of ships, absolutely essential in the making of such ship. If it happens that the Government has not that kind of a plant at this time, that the Government is not prepared to make that particular kind of thing, it is just as competent, it seems to me, under the existing law for the making of the completed ship, to provide for such addition as may be required for the fabrication of that part as it is to provide for the addition of a machine to make a particular kind of rigging or a particular spar, or to fashion a particular kind of lumber for particular use, in deck or side or bottom, or anywhere else in the ship.

I do not think that is a strained construction if the committee see proper to vote for this amendment, and if that construction would protect the Government against robbery, protect the Government against extorting combination, is for the Government and against the trust, it does seem to me that if any doubts exist they ought to be solved in favor of allowing the House to vote upon the amendment.

I admit that there is no law in so many words saying that the Government may erect a plant for the manufacture of armor plate, but the whole scope of the law, the whole policy of the law, the whole policy of the Government, is for the construction of these ships, and the Government, in large part, has its appliances and machinery and plans for their construction.

If it lacks some particular means to the legalized end, as it does with reference to the armor plate, as perhaps it does with reference to some other things, why is it not competent, without an express new enabling act, to provide in a bill of this kind, by original provision or by amendment, that the Government shall supply that particular defect, adding that much to the plants already existing, thus preparing still further to complete what it is already prepared to complete in large part?

I think that for the protection of the Government, in a liberal construction of the law, looking to the beneficial effect of the legislation, looking to the object to be accomplished, it would be no stretch of the power of the Chair, and no perversion or departure from the rule which we all understand very well, to hold that this amendment is in order; and I sincerely hope that the Chair may see his way clear so to hold. [Applause on the Democratic side.]

Mr. UNDERWOOD. Mr. Chairman, I desire to call the attention of the gentleman from Pennsylvania to the fact that this House has made the distinction between whether the Government owned the land and whether it was engaged in a work that was in contemplation when the appropriation was made. In determining whether a rider of this kind was in order or not, as I stated, the House has heretofore held that the purchase of adjoining land for a work already established is a continuation of a public work, and an amendment for acquiring adjacent property was held to be in order. You will find that in the Digest, page 433.

In fact, Mr. Chairman, the distinction which has been made by the House in these rulings has always turned around one point, and that is the question as to whether the Government had already engaged in the enterprise and the new proposition was incident to the main proposition. Now, originally it was held, under the terms of this rule, that you could not provide for the building of a ship on the naval appropriation bill; that it was in conflict with the rule. But in 1885, after the Chair had ruled the proposition out, the House itself held that the building of a ship was carrying out a project that the Government was already engaged in—that is, the building up of a navy. From that time on it has stayed there.

Again, they held at one time it was in order to provide for an increase of seamen in a naval appropriation bill. An amendment was offered to the appropriation bill providing for more seamen for the Navy. The Chair held that it was out of order and in conflict with the rule. The House determined that it was carrying out an existing undertaking of the Government; that we can not have a Navy without having the seamen to man the vessels, and that therefore it was in order, and put that on the bill, and it has been an undisputed precedent since that time.

I admit, Mr. Chairman, that the rule has been that you can not legislate upon an appropriation bill, but the exceptions to the rule are almost as numerous as the rule. In other words we build public buildings under provisions put on an appropriation bill, where they carry out an existing undertaking. We build battle ships, notwithstanding the rule, in carrying on the naval development. We provide for seamen on an appropriation bill.

On the 12th of January, 1889, the House was in Committee of the Whole House on the state of the Union, considering the Military Academy appropriation bill. A section of the bill was read, providing for the erection of a fireproof building on the ground of the Military Academy at West Point. Mr. Kilgore of Texas made the point of order that the bill contained a provision that was not authorized by law. After debate the chairman [Mr. Cox of New York] decided—

The provision just read, the building to be erected, a fireproof building on the site of the proposed at West Point, is within the purview of the rule. The construction of this building is incident to the maintenance of the Academy which is already in progress, the main object contemplated in a certain part of the bill.

There is the whole reason for this proposition, Mr. Chairman; the reason for all these amendments. The turning point as to whether the amendment is in order or not is determined on the point whether, as in this case, the construction of the building is incident to the maintenance of an object already in progress itself or whether it is not.

The House has been engaged for days in passing a great appropriation bill for building and maintaining the Navy of the United States.

That is the main purpose of the bill. We come to the proposition that we propose to build a certain number of battle ships; incident to the building of the battle ships it is in order for the bill to also provide the armor and the armament for those battle ships. If there was no armor factory, if there was no other way to acquire armor than by the Government manufacturing it, would it not be held that it was incident to our building the battle ship to provide for the armor as well? How can we provide the armor if private contractors refuse to make it for us at a reasonable price, unless the Government itself can supply it?

Now, what is this proposition? It has appeared to the Naval Committee, and it is evident, that there is some doubt as to whether it can procure suitable armor at a reasonable price from private contractors.

Therefore they attempt to provide some other way to get the

armor that is necessary to complete the contract that they are already carrying out. It is merely an incident to the undertaking the Government has in hand to-day, and instead of providing just one way of acquiring that armor they have provided two ways. They provide that we shall get that armor by purchase if we can within what they determine is a reasonable price and on reasonable terms, but that if we can not acquire that armor at that price from private contractors and on those terms, then we shall acquire the armor necessary to equip these vessels in another way, to wit, the erection of a naval plant to make the armors to put on these vessels. It is as much an incident to the erection of that vessel and to the building of that vessel as are the stays on which it is built.

You can not, Mr. Chairman, build an armored battle ship without armor. When you provide in a bill for an armored battle ship you have committed yourself and the Government to the proposition that you are going to acquire armor. It then has become the law. I admit that if it came in here purely as a proposition for the Government to build an armor-plate factory, not coincident with the question of building the vessels, under the former rulings of the House it would go out, but here is a proposition that is directed to vessels already on the way and is certainly as much an incident to the erection of those vessels as the building of a fireproof building at West Point for the maintenance of the Academy, and therefore I contend that the amendment offered by the gentleman from Virginia is necessarily in order.

The report of the Secretary of the Navy shows that he believes we are paying more for armor plate than we should pay after giving a fair and reasonable profit to the manufacturer. It is evident that the Navy Department thinks a provision along the lines of this amendment would be effective in enabling them to secure a reasonable price from the private contractors for armor plate; it is in the interest of economy and is made necessary by reason of the fact that there is practically no competition in this business to regulate prices. It is to be regretted that the Republican Members of the House are unwilling to vest such a power in the hands of a Republican Secretary of the Navy, whom we all know to be a fair and just man.

The CHAIRMAN. The Chair is ready to rule. As the Chair has already ruled several times during the pendency of this bill, it is quite within the power of Congress to withhold an appropriation or to make it upon a condition that it shall not be used, except in a certain way. Undoubtedly the House may withhold entirely an appropriation for armor plate. Undoubtedly it may appropriate with the limitation that no more than a certain amount shall be paid per ton. That has been held in the case cited during the discussion, but here is an amendment which goes further and appropriates $4,000,000 for the erection upon property now owned by the Government of an armor-plate factory. A similar proposition has already been ruled out, but it is contended that this stands upon a different footing, because of the expressed provision that the factory shall be erected on property owned by the Government. The argument is made that it would therefore be in continuation of a public work.

Undoubtedly it is within the power of Congress to authorize the erection of an armor-plate factory and when that has been done to make an appropriation, but Rule XXI expressly provides that—

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

It is not pretended that there is any armor-plate factory in progress, but the attention of the Chair has been called to a ruling authorizing the erection of additional buildings on Government ground at West Point and at Annapolis. Those rulings have gone to what has been considered the extreme limit. Subsequent occupants of the chair, both Mr. SHERMAN of New York and Mr. PAYNE of New York, have held that as original propositions they would not have sustained such a paragraph as in order. Thus, in the first session of the Fifty-sixth Congress, Mr. PAYNE, in the chair, upon an appropriation for a new building at the Naval Academy, said:

If this were a new proposition the Chair would hesitate to declare it in order, but the Chair feels bound to follow the precedent that has been set and acquiesced in by Congress, and therefore overruns the point of order.

But that building was an addition to the plant of the Naval Academy, so to speak. It was considered as going to a great length to sustain that new building as a continuation of a public work, but even that ruling has not been considered as extending to a case where the additional building was for a purpose other than that to which the existing buildings were dedicated. Thus, on May 17, 1902, the naval appropriation bill then, as now, being under consideration, there was involved a paragraph reading as follows:

Toward the construction of a building on land owned by the Government at Annapolis for an experimental station and testing laboratory, in the department of marine engineering and naval construction, at a cost not to exceed $250,000, and the complete equipment of the same with all the necessary appliances and apparatus, at a cost not to exceed $150,000.

To that paragraph JOSEPH G. CANNON, the present Speaker of this House, made the point of order that there was no law authorizing the expenditure, and the Chairman, Mr. SHERMAN, of New York, held—this is his language:

Upon the statement of the gentleman from Illinois, chairman of the committee, and also of the gentleman from Maryland, namely, that the building was not considered as a part of the Academy, the Chair is very clear in the opinion that the provision is not in order, and the Chair sustains the point of order.

Now, here is a provision for an armor-plate factory upon Government land, but there is no pretense that there is any existing factory in continuation of which this might be considered. It was held in the second session of the Forty-fifth Congress that, although an appropriation had previously been made for the purchase of a site for a public building, a proposed amendment appropriating for construction of the building was not in order upon a general appropriation bill.

Now, here is clearly legislation upon an appropriation bill, an appropriation for what is not a continuation of a public work now in progress, nor authorized by existing law, and the Chair sustains the point of order.

Mr. RIXEY. Mr. Chairman, I desire to offer the following amendment.

The Clerk read as follows:

That the Secretary of the Navy is hereby authorized to procure by contract armor plate of the best quality for any and all vessels herein authorized, provided such contracts can be made at a price not to exceed $398 per ton.

Mr. RIXEY. Mr. Chairman, I am glad that there seems to be no point of order raised against this amendment. As the bill now stands it is incomplete. The Naval Committee seems to be content with securing the authorization of this House for building great ships of the Navy without any provision for the armor plate for those ships. I want to call the attention of the chairman of the Committee on Naval Affairs to the fact that the Navy Department has thought it necessary, in order to secure armor within the provided time for the ships, to make contracts for armor before it has made the contracts for the ships, and this bill should now make provision for the armor plate.

If it is necessary to provide in this bill for ships, surely the Navy Committee ought to have offered some provision here to provide for securing armor plate.

This amendment, Mr. Chairman, provides a limitation upon the price of armor. I want to submit to the House that it is necessary that there shall be a limitation. The Secretary of the Navy stated that he had recently entered into contracts for 16,000 tons of armor, and that up to the past few months only two factories in this country had ever furnished this Government with any armor plate, and they were the Bethlehem and the Carnegie companies. He stated the further fact that these two companies had an agreement on prices, and controlled the price at which this Government could buy armor plate. He further stated that on the last bid the Midvale company (a new company) had bid for the whole 16,000 tons at $398 a ton; but on examination of the bid, he found that it could not furnish the armor plate within the time required, and he therefore rejected its bid as to 10,000 tons, and gave it a contract of 6,000 tons, at $398 a ton.

Both the Secretary of the Navy and Admiral O'Neil, of the Bureau of Ordnance, testified that the armor plate to be furnished by the Midvale company was to be as good as that furnished by the Carnegie and the Bethlehem companies. The contract for 10,000 tons was given, five to the Carnegie and five to the Bethlehem company, at $443 a ton, a difference of $45 a ton more than the contract to the Midvale company, making a difference against the Government of $550,000. The Secretary of the Navy stated that he felt it his duty, in order to get the armor plate, to give this contract to these two companies, which he said were in an agreement and controlled the price; that it was useless to reject their bids, because if he rejected them he could not get the armor plate from any other concern.

Mr. MAHON. Mr. Chairman, I would like to ask the gentleman a question.

Mr. RIXEY. I will yield.

Mr. MAHON. Has the Midvale company ever delivered a ton of armor plate to the Government?

Mr. RIXEY. No; it has not.

Mr. MAHON. Is it not true that they are trying to make an armor plate of their own—not the true armor plate, that has to pay a royalty of $45 a ton?

Mr. RIXEY. All I know is that the Secretary of the Navy and Admiral O'Neil stated that this armor plate to be furnished by the Midvale company was to meet all the requirements of the Government and to be as good as that furnished by the Bethlehem and Carnegie companies.

Mr. MAHON. Is it not true that they never have delivered a ton to the Government and that they can not make a ton of it?

Mr. RIXEY. The Secretary of the Navy stated that he was

satisfied that the Government was protected and that they could do so. I state that this limitation ought to be placed on the price of armor plate, and that the Government ought not to be required to pay to this trust $550,000 again on a like contract.

Mr. MAHON. Does not the gentleman know that under this contract with the Midvale works the Government will never get their armor plate—that the company can not make it?

Mr. RIXEY. Well, the gentleman from Pennsylvania may know more about it than the Secretary of the Navy or Admiral O'Neil.

Mr. MAHON. The Secretary of the Navy said he has never delivered a ton.

Mr. RIXEY. But the Secretary of the Navy said he was satisfied that the Midvale company would deliver the armor plate as they had contracted to deliver it. Mr. Chairman, I would like to ask the gentleman from Pennsylvania [Mr. MAHON] if he objects to the Government getting this armor plate as cheaply as it ought to have it, at a reasonable price, and I would like to ask him this question: Is it not evidence of a reasonable price for the companies when a new company can come in and satisfy the Secretary of the Navy that it will produce and furnish within the limitation armor plate of satisfactory quality at $398 per ton?

Mr. MAHON. I will answer the question.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. RIXEY. Mr. Chairman, I ask unanimous consent that my time be extended for one minute.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent that he may continue his remarks for one minute. Is there objection?

There was no objection.

Mr. RIXEY. Mr. Chairman, I yield to the gentleman from Pennsylvania.

Mr. MAHON. If the Midvale Company will pay the royalty required of $45, which all armor-plate companies must pay, they can not make it for $398, and they know they can not make it. They are trying to make a cheap armor-plate of their own invention, and they are not satisfied to meet the requirements of the Navy at all. They have never delivered a ton.

Mr. RIXEY. Mr. Chairman, the argument used now by the gentleman from Pennsylvania was used on this floor three or four years ago when gentlemen stood here and said we could not get it for less than $545 a ton, and Congress refused to give it. Congress refused to pay more than $445, and the result was that Bethlehem and Carnegie took the contract at $445 for 30,000 tons and that the Government saved $3,000,000 on that one contract. [Applause on the Democratic side.]

Mr. MAHON. You take your $398 bid and add $45 royalty on it, and your company will not do it. These other manufacturers are making it and paying a royalty of $45 a ton for that fine armor plate.

Mr. RIXEY. This company, which the Secretary says is bonded for an amount to insure——

Mr. MAHON. Oh, yes; I can bond, too, but I could not make it.

Mr. RIXEY. Agrees to furnish the armor plate, as good as the Bethlehem or Carnegie armor plate, at $398.

Mr. VANDIVER. Mr. Chairman——

The CHAIRMAN. Does the gentleman desire to oppose the amendment?

Mr. VANDIVER. I desire to support the amendment.

The CHAIRMAN. The Chair will recognize first some one in opposition to the amendment.

Mr. DALZELL. Mr. Chairman, I will say to the gentleman from Virginia [Mr. RIXEY] that, as far as I am concerned, I do not desire that the Government should be compelled to pay a single dollar more than it ought to pay for armor plate, but I am solicitous that the Government shall be put in a position where it can secure armor plate. The gentleman from Virginia will recall, because he has been here long enough, the experience we have had in this House on this very subject. This is no new controversy, the question as to how much shall be paid for armor plate. It extends back over a great many Congresses, and my friend from Virginia will recall that in one Congress, when we undertook to fix the price of armor plate at a point where those who were running armor-plate factories were unwilling to supply it, our ships lay for several years in an unfinished and incomplete condition. Now, I do not desire that we shall get into that position again. This question is one of the most practical questions with which we have to deal.

Mr. BOWIE. Mr. Chairman, the gentleman says that he does not desire to get into that position again. Why not let the authority go to the Secretary of the Navy to build an armor-plate factory so that he can meet that condition?

Mr. DALZELL. Oh, I have discussed that question before. We are not in a position to do that just now. I will cross that bridge when we get to it.

Mr. HITCHCOCK. Mr. Chairman, will the gentleman permit a question?

Mr. DALZELL. Certainly.

Mr. HITCHCOCK. Will the gentleman state when it was that this Government was unable to procure armor plate under the limit imposed by Congress?

Mr. DALZELL. I could not state the year to the gentleman, but there was such a condition of things.

Mr. HITCHCOCK. Is it not a fact that the fifth and sixth armor-plate contracts let by this Government in 1898 and 1899 were for $400 per ton, the limit which this Congress imposed?

Mr. DALZELL. Well, I think that is so, but there has been a great improvement in armor plate since then.

In the first place there is the nickel plate, which costs so much more. In the second place, as we learned, I think, in the last discussion on this question, there is the Krupp armor, which is subject to a royalty payable to the Krupp representatives in this country——

Mr. VANDIVER. Has the legal question of that royalty yet been determined?

Mr. DALZELL. Oh, I do not know anything about that.

Mr. VANDIVER. I know that in the judgment of some of the prominent officers of the Navy it has not been determined and should never be.

Mr. DALZELL. Well, I understand that these people are paying that royalty. Whether or not they pay it under protest, putting themselves in a position to recover it hereafter, I do not know.

Mr. VANDIVER. Is the gentleman prepared to state the fact that they are paying it?

Mr. DALZELL. I am so informed. I have no personal knowledge on the subject.

Now, let me go back to where I was a moment ago. I say that this is one of the most important questions we are called upon to deal with. It ought not to be a partisan question. It ought to be a plain, practical business question. But it gives the opportunity every time we are called upon to discuss it to abuse corporations and to talk about the Government being "held up," and all that sort of thing. Now, does the gentleman who offers this amendment know that the Government can obtain this armor plate at $398 a ton? I am told that the Government can not——

Mr. RIXEY. Will the gentleman allow me to answer his question? The Midvale company bid for the whole 16,000 tons at $398 a ton, and the Secretary of the Navy stated he was satisfied that company could carry out its contract, but that its bid did not provide for delivering all of that quantity as soon as the Department wanted it.

Mr. DAYTON. Let me say——

Mr. DALZELL. Let us concede that to be so.

Mr. DAYTON. Wait a moment. I do not want you to concede it.

Mr. DALZELL. I say to my friend from Virginia, let us concede for the purpose of argument that that is true. The Midvale company is a new company. It is very desirous of getting into this business. It pursues the ordinary means that men do when they undertake to take away the market of somebody else—it underbids. And it may take this contract at a loss. The gentleman will recur to the case where the Bethlehem Iron Company made a lot of armor plate for Russia at a loss of $75 to $100 a ton for the purpose of securing the Russian market.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. DALZELL] has expired.

Mr. DALZELL. I ask five minutes more.

The CHAIRMAN. Is there objection to extending the time of the gentleman from Pennsylvania for five minutes? [A pause.] The Chair hears none.

Mr. RIXEY. I think the price paid by Russia in that case was $200——

Mr. DALZELL. Two hundred and forty-nine dollars.

Now, I say this is a new company and is desirous of getting into the field; and I have no doubt it will guarantee that it will supply the armor; but the armor it will supply will not be such armor as the other parties have agreed to supply; it is an armor of their own; it is an armor that they say is as good as the other; but as yet it has not been tested. And the gentleman knows that there is no more complicated manufacture; there is no manufacture that requires more skill than the manufacture of armor. And yet here is a new company coming into the field, and you ask that the price to be paid to these older companies, about whom you know everything, shall be fixed by the price bid by this new company. It does not strike me that that is altogether fair or businesslike.

I put aside altogether—for I do not care anything about it—the question whether the Carnegie Company and the Bethlehem Company agreed together as to their bids. I suppose they did. The

Carnegie Company was induced to go into this business of manufacturing armor by Secretary Tracy, at a time when there was an understanding that the business was to be divided between these two companies. The real question is whether they have asked too much for their armor. Now, has the gentleman any evidence on that subject except the evidence that this other party is willing to furnish armor at $398 a ton?

Mr. HITCHCOCK. I think I can supply the gentleman with some other evidence. The Senate of the United States went into an exhaustive examination——

Mr. DALZELL. Oh, I know all about that. I have been all over this subject before, let me say to the gentleman from Nebraska. I know all about it. I know all about the navy board that undertook to find out how much it cost to make armor, and the report of Secretary Herbert, and the report of Senator Chandler, and all that sort of thing. That was on harveyized armor, a now obsolete armor. It was made when steel and iron were many per cent cheaper than they are now. That was when it cost the parties to make their armor a good many dollars a ton less than it costs now. That is all anticipated. The question is a present question. Has the gentleman any evidence outside of the Senate report——

Mr. HITCHCOCK. Yes. I have some evidence here, if he is willing to listen to it, which I believe ought to be considered pretty good evidence in Pennsylvania.

Mr. DALZELL. What is it?

Mr. HITCHCOCK. It is the evidence of Mr. Charles H. Cramp, sworn to.

Mr. DALZELL. When?

Mr. HITCHCOCK. I will send it up and ask the Clerk to read it.

Mr. DALZELL. When was it?

Mr. HITCHCOCK. In 1901.

Mr. DALZELL. And who is the witness?

Mr. HITCHCOCK. Charles H. Cramp, who is a ship manufacturer in the United States.

Mr. DALZELL. Well, I suppose he had some motive to subserve, of course. I do not know what the evidence is.

Mr. HITCHCOCK. The gentleman has called for it, and I ask to have it read.

Mr. DALZELL. Certainly; I have no objection to it being read.

The CHAIRMAN. Does the gentleman from Pennsylvania consent to have it read in his time?

Mr. DALZELL. Certainly. Of course I shall have to have an allowance of time for it.

Mr. HITCHCOCK. Oh, we will get you that.

The clerk read as follows:

[Charles H. Cramp's testimony, Industrial Commission Report, 1901, vol. 14, p. [illegible]]

The profit on armor making is astonishing enormous. The people who make money on their ships and not the persons who design and construct them, nor the persons who take two or three generations to get information enough to produce a battle ship. * * * The gun maker who makes the guns makes the money, and if we had been good gun makers we could have had the guns, too. * * * In Great Britain and Germany and in France they build the ships complete, guns and all, and we are at a tremendous disadvantage. Why, I would be willing to take a battle ship and land the ship at cost if we got the profit on the armor. * * * That is what these big concerns in England do.

Mr. DALZELL. Mr. Chairman, I did not understand the name when the gentleman from Nebraska mentioned it. Charles H. Cramp, of course, is a shipbuilder of reputation, and anything he says, so far as he is competent to speak, goes with me. I have a very high respect for him, and I have no doubt that he thinks that in the building of a ship he does not get as much as he ought to get, and that the fellow who makes the armor gets all the profit. Nevertheless, Mr. Cramp has been building ships a great many years, and he has never yet gone into bankruptcy.

Mr. JAMES. Have the armor-plate men gone into bankruptcy?

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOWIE. I ask unanimous consent that the gentleman's time be extended ten minutes.

Mr. DALZELL. I do not want ten minutes.

Mr. BOWIE. Five minutes.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time be extended five minutes. Is there objection?

There was no objection.

Mr. BOWIE. Now I want to ask the gentleman just one question: Did we not have a law passed two or three years ago, to the effect that if the Secretary of the Navy could not get this armor plate at a price which he deemed to be reasonable, in that event he should have the right to build an armor factory, and was not an appropriation passed for that purpose?

Mr. DALZELL. I think that is correct.

Mr. BOWIE. Is there any objection in the gentleman's mind to a proposition of that sort being put into this bill?

Mr. DALZELL. I thought I had answered that question pretty emphatically a little while ago.

Mr. BOWIE. The gentleman made a point of order against it, but he did not state any reason.

Mr. DALZELL. It indicated my attitude toward it. Now, the letter that the gentleman from Nebraska had read, from Mr. Cramp, furnishes no additional evidence. Mr. Cramp did not say anything about the price of armor plate. He simply complained that another party was making more profit than he was. Now, I make this assertion, that the United States Government gets its armor plate for its ships at less per ton than any nation on the face of the earth.

Mr. RIXEY. Mr. Chairman, the gentleman asked me a question. Now I should like to answer it.

Mr. DALZELL. I want to get along without interruption.

The CHAIRMAN. The gentleman declines to yield.

Mr. RIXEY. The gentleman asked me a question. That is the only reason I propose to reply. He asked me if there was anything before the committee as to the price of armor plate being excessive.

Mr. DALZELL. Yes.

Mr. RIXEY. Captain Pendleton, who is the superintendent of the Government gun factory here at Washington, has made a statement on that subject in general terms. He says:

The Bethlehem Steel Company in five years paid for their armor-plate plant, and now they own the plant.

In reply to a question by the gentleman from Pennsylvania [Mr. BUTLER], he went on to say:

Both to save the money and to enable the Government to meet the increasing demands, we went to work at the Bethlehem Steel Company and made a big contract with them for armor and other work, and made armor. We furnished them the money for their plant and made a fair profit, and they now own the plant.

Mr. DALZELL. I am familiar with that. I say that the United States Government to-day, at the price the Secretary of the Navy is asked to pay, gets its armor cheaper per ton than any nation on the face of the earth.

Mr. BUTLER. Is the Government getting it as cheaply as it ought to get it?

Mr. DALZELL. There is only one nation, so far as I know, that has an armor-plate factory, and that is Russia; and Russia has time and again abandoned her armor-plate factory and procured her armor here in this country at prices far above those paid by the United States Government.

Mr. DAYTON. I want to call the gentleman's attention to the fact that in the last year the Russian Government contracted for 4,000 tons of armor of American manufacture at the price of $545 a ton, or $102 per ton higher than we are paying.

Mr. DALZELL. That simply confirms what I am saying.

Now, gentlemen, let me finish just as I began. I do not want the United States Government to be compelled to pay a single dollar more for its armor than you do. It is not any interest of mine that any private individuals, corporations, or otherwise should make money out of the Government unduly; but I do not want the Secretary of the Navy to be put in a position where he will be compelled to leave our ships uncompleted by reason of the want of armor. Now, under existing law——

Mr. HITCHCOCK. May I ask the gentleman a question?

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. DALZELL. Oh, I suppose so.

Mr. HITCHCOCK. I should like to ask the gentleman, if he objects to having the Secretary of the Navy embarrassed in such a case, why does he object to having the Secretary of the Navy construct an armor factory?

Mr. DALZELL. Well, I am so dull, Mr. Chairman, that I do not see the relevancy of that question. Now, under existing law, the Secretary of the Navy has authority to contract for armor. He has authority to use his judgment and discretion in the matter. I am perfectly satisfied to rely upon the patriotism and integrity and business judgment of the Secretary of the Navy, and I think we will be entirely safe if we put our bill through in such shape that the Secretary of the Navy will be authorized to negotiate for such armor as may be needed for the completion of these ships upon the best terms obtainable by him, he exercising his own judgment in the premises. That is where I should like to leave this matter, and where I think it ought to be left.

Mr. VANDIVER. Mr. Chairman, as to the price of armor plate, the proper price the Government should pay, the Government itself has investigated the subject and officially reported upon it. I know it is an old subject, but it seems to be up now as a new one, and I want to read a little from the report of the committee which investigated the subject. This is from the report of the Secretary of the Navy in 1897.

Mr. DAYTON. The gentleman is aware of the fact that we are not using that kind of armor now.

Mr. VANDIVER. I understand, Mr. Chairman, that the gentleman from West Virginia says that we are not using the same kind of armor now. Perhaps not under the same name, but it is

the same thing, and the testimony before the Naval Committee has never yet developed as a fact what is the difference between the two kinds.

You call one Krupp armor and you call the other harveyized armor; and yet you can not find a naval officer on the American continent that can tell the difference between them. They say it is a secret.

Mr. DAYTON. The gentleman will certainly pardon me for interrupting him?

Mr. VANDIVER. Yes.

Mr. DAYTON. You remember the hearings before the Naval Committee showed that Krupp armor was at least 25 per cent stronger and had a greater resisting power to that extent, do you not; and was made under an entirely different process, the gas process, while the other had been made under the charcoal process?

Mr. VANDIVER. If the gentleman will refer to the testimony he will find the fact is brought out that some difference of strength and tensity could be found in two different pieces of Krupp armor and in two different pieces of harveyized armor, as well as between two pieces of the different names. It does not depend upon the name. Now, as to the patent, or the royalty, I maintain that question has never yet been legally determined, and I seriously doubt whether any royalty is being paid or ever will be paid for either kind.

But here is what I wanted to get at: The hearing before the committee that investigated these results is summed up.

Lieutenant Commander Rodgers, who had been an inspector at the Bethlehem Iron Works [illegible] to make an estimate of the cost of [illegible] armor, and has made some observations in the manufacture [illegible] of a plate material in a ton of single-forged [illegible] armor $[illegible]

The inspector of ordnance at the Carnegie Steel Company, Ensign C. B. [illegible] estimated the cost of a ton of nickel-steel armor at $[illegible]

[illegible] of estimates, has come to the conclusions [illegible] $[illegible] and of forging [illegible] $[illegible] per ton; [illegible] for; [illegible] the estimate of Lieutenant Commander Rodgers is $[illegible], and of [illegible] $[illegible]

[illegible], in making his calculations, says, in order "to be just to [illegible] he took an average of the [illegible] $[illegible] and $[illegible] per ton; [illegible] $[illegible] and $[illegible] for reforged armor, [illegible] the calculations contained in the report.

* * * * * * *

After the Secretary's report was received the committee engaged in consideration [illegible] and material: [illegible] maintenance of the plant [illegible] sum per ton paid to the Secretary, and to add only 33 per cent for profits on [illegible] has been in fact paid for and is maintained by the Government. A statement thus revised would be as follows:

Cost of labor and material per ton	$168.00
Add for reforging	[illegible]
	[illegible]
Add for maintenance of plant	180.00
	90.00
	[illegible]
Thirty-three and one-third per cent profit	210.00
	70.00
	[illegible]
Add for nickel	280.00
	[illegible]
Making the price for armor	300.00

Now, if we add $98 for the increased cost of material owing to higher prices at this time, we have just the amount of the bid of the Midvale company, which is certainly not too low.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOSS. Mr. Chairman, I move to close debate in ten minutes.

Mr. VANDIVER. I desire to have about three minutes more.

Mr. WILLIAM W. KITCHIN. I would like to have three or four minutes.

Mr. FOSS. How many minutes does the gentleman want?

Mr. WILLIAM W. KITCHIN. I want five minutes.

Mr. VANDIVER. And I want three minutes.

Mr. FOSS. That makes eight minutes.

Mr. DALZELL. Mr. Chairman, I want to offer an amendment to the amendment, and I want it now pending, so that it may be [illegible] the debate.

Mr. VANDIVER. I ask unanimous consent that I may have three minutes more.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks for three minutes. Is there objection?

Mr. FOSS. Mr. Chairman, I have a motion to close debate which I desire to make, but before doing so I would like to hear the amendment.

The CHAIRMAN. The gentleman from Missouri having the floor, had asked unanimous consent for three minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. VANDIVER. Now, Mr. Chairman, I have only this in addition to say on this subject: It has been thrashed over and over time and again, but I believe it would be interesting reading for every Member of this House to read the full report of that committee. I make no claptrap argument about corporations, as the gentleman from Pennsylvania suggested, but I want to say to him that in all the history of the dealings of this Government with individuals or corporations there has never anything transpired equal to the transaction with the Carnegie Steel Company manufacturing armor plate which was found to be so full of blowholes that it had to be discarded, and the contract actually was discredited by the officers of this Government, and that company itself finally had to come in and plead guilty and was fined $140,000 for frauds perpetrated upon the Government—putting off on the Government such inferior armor plate that it was actually criminal to put it between the bodies of American seamen and the guns of the enemy.

Mr. DALZELL. Mr Chairman, let me interrupt the gentleman for a moment. Does the gentleman not know that Secretary Herbert reported that the very armor that the gentleman talks about was 5 per cent better than the contract called for, and when the company offered to take those plates out of the vessels he refused to allow it to be done, because he said he believed there was not a poor plate on any vessel, and the President remitted the fine?

Mr. VANDIVER. Let me say to the gentleman that a fuller investigation of that whole question will reveal a great many other things still more discreditable, and I say to him that the report of the Secretary of the Navy itself fully explodes that whole contention. The Carnegie Company's course was nothing short of criminal and was so declared by the investigating committee.

Mr. DALZELL. Not at all; the gentleman only stated half of the story; that is the trouble.

Mr. VANDIVER. Yes; I did not have time to tell one-tenth of the story; the other nine-tenths would have been a thousand times worse.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Pennsylvania [Mr. DALZELL] has offered an amendment, which the clerk will report.

The Clerk read as follows:

Add to the amendment the following:

"[illegible] the Navy is hereby authorized to procure by contract armor of the best quality for any and all vessels herein authorized at such price as in his judgment is just and reasonable."

Mr. DALZELL. That is intended as a substitute to the amendment offered by the gentleman.

Mr. FOSS. Mr. Chairman, I move that debate on this paragraph and amendments be closed in ten minutes.

The CHAIRMAN. The gentleman from Illinois moves that debate upon this paragraph and all amendments be closed in ten minutes. Is there objection?

Mr. WILLIAM W. KITCHIN. Mr. Chairman, is it the purpose of the gentleman to permit five minutes to be used on this side?

Mr. FOSS. Yes.

The question was taken; and the motion was agreed to.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I think the fears of the gentleman from Pennsylvania are not well founded. I wish to say, as he said himself he has no interest in the matter, that the Midvale Company, the Carnegie Company, and the Bethlehem Company are all in Pennsylvania. Understanding the situation, you need have no fear.

Here is the great Midvale Steel Company that has made a contract with the Government at $398 per ton. The other two companies, with an understanding with each other, in combination with each other, as the officers of the Navy Department believe and as everybody else believes, have bid exactly the same figures, even to the very same cent, and they bid $55.07 over this Midvale Company, and the Secretary of the Navy has exercised a discretion, unwisely as I think, and has given this combination of concerns 10,000 tons at a price over $50 a ton more than the bid of the Midvale Company.

Now, as a practical business proposition, are you willing to let the Secretary of the Navy [illegible] such discretion when he is surrounded by every influence that great corporations can bring to bear upon a Department, where his discretion may be unwisely used, however honest and able he may be? His discretion has proven heedless in spite of meeting this question as it ought to be met. He has yielded to the demands of the combination and paid them the same old price, paying them over $50 a ton more than to this other corporation, the new bidder. Let us restrain that discretion and put a limit as to price upon the Secretary's power to contract. He has heretofore had a discretion, and with contracts for [illegible] tons to be made he only gave the Midvale Company 6,000 tons, although its bid was $[illegible] a ton for the whole amount less than the bid of the combination. The reason was that he thought the lowest bidder could not deliver the amount in due time.

Admiral O'Neil, on page 140 of the hearings, says that the Midvale Company's contract to furnish 6,000 tons is at a price of $55.07 a ton less than the Government must pay for its contract of 10,000 tons with the other two concerns. He says that it is $23 a ton less aside from the question of royalty. He says that they

have a guaranty from the Midvale Company that the armor will stand the same ballistic test as the Krupp armor and that that is what we want.

Now, who is it that says that the Midvale Company can not meet its obligations? The Navy Department? No. The shipbuilding company? No. No one except gentlemen who have heretofore been always against limiting the price of armor plate. In the last contracts we lost $550,700 by the Secretary not giving the entire contract to the Midvale people. Now we have the opportunity to prevent such high price for the future.

In my judgment, Mr. Chairman, it is business, it is good sense, it is fair dealing, it is patriotism, it is honesty, it is courage to meet this question now and here and to limit the cost of this armor plate. If you do not, hereafter when the question comes up again on some future bill, the point of order, I fear, will be made, and if the present occupant be then in the chair, and the House be in the mood that it is in to-day, I fear it will be sustained. Now, we have the chance when no point of order is made against it, when we can come to a vote upon it, and I ask you gentlemen upon that side, as well as upon this side, to stand by the cheaper price for the same goods, stand by economy in the Government, stand by sustaining the Secretary of the Navy in getting the best armor plate that is to be made at a fair and reasonable price. [Applause.]

Mr. FOSS. Mr. Chairman, the gentleman from Virginia has alluded to a provision that was in a former appropriation act, which I think was a very salutory provision. I may say that I drafted the provision myself [laughter], and I introduced it as an amendment to a conference report in this House, and it passed this House and was finally acceded to by the Senate. That provision was as follows:

That the Secretary of the Navy is hereby authorized to secure by contract armor of the best quality for any or all ships above referred to, provided such contracts can be made at a price which in his judgment is reasonable and equitable; but in case he is unable to make contracts under the above conditions, he is hereby authorized and directed to procure a site for and to locate thereon a factory for the manufacture of armor, and the sum of $1,000,000 is hereby appropriated toward the erection of that factory.

It was under that provision that we obtained our armor at a much lower figure than ever before, referring to the Krupp armor.

Now, the committee brought that same provision in and incorporated it into this bill, but it has gone out on a point of order, and, of course, that question is disposed of.

But here comes a new question, the question of whether it is wise to limit the price of armor. Now, I take this position in reference to the advisability of limiting the price of armor: I have no doubt in my own mind that if the armor produced by the Midvale company at $398 a ton is proved to be as good as the so-called "Krupp armor" produced by the Bethlehem and Carnegie companies, I say I have no doubt in my mind that in the future no Secretary of the Navy will ever pay one dollar more than $398 per ton.

But, sir, what is the effect of your amendment? When you limit the price of armor—and I challenge anyone to deny my statement—and our previous Congressional history will show that when you put in here a provision for the price of armor, you practically direct the Secretary of the Navy to pay just that price. It is a sort of notification to the armor-plate factories that the Government will pay that, and consequently that fixes the price of armor plate. I want to leave it open, so that the Secretary of the Navy can buy it even lower than $398 a ton. [Derisive laughter on Democratic side.] Gentleman on the other side may laugh at that assertion.

Mr. VANDIVER rose.

Mr. FOSS. I can not yield now; I have only a few minutes.

What is the situation? We had the Secretary of the Navy before the committee, and he said that we were getting armor at lower prices than any foreign country, and he testified further as to the Midvale Company:

We received the bid from the Midvale Company. The protest was made to me against accepting the bid of the Midvale Company upon the ground that they could not meet their contract; that they never had built any armor plate; that they had not the plant to do it; that they had not the control of the patents, and that they could not do it. It was also reported out to me that they had once before bid and withdrawn their bid after bidding. I got a report from the Bureau of Ordnance on the subject. Subsequently I asked Admiral O'Neil to come in person and look at the Midvale people and give me the benefit of his opinion. The Midvale people are responsible people; they have plenty of capital, and they are people of financial responsibility.

Admiral O'Neil made a careful report to me in which he said he thought they could build a plant of which there was some beginning in their establishment, and that they could deliver armor plate for the two smaller ships, but not more. I then said their bid should be accepted to that extent, and that a provision should be put into the contract which would enable us to cancel the contract at any time when it should appear that they were not making sufficient progress in the building up of their plant and the preparation of armor to meet the ships as they became ready for the armor. I think every possible precaution was taken to protect the interests of the Government, and to give just as much of the armor at the lower price as was possible.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Pennsylvania [Mr. DALZELL].

Mr. GAINES of Tennessee. Mr. Chairman, I ask that the amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the substitute.

There was no objection; and the Clerk again reported the substitute amendment.

The question was taken: and on a division (demanded by Mr. DALZELL) there were—ayes 133, noes 101.

Mr. HITCHCOCK. Mr. Chairman, I call for tellers.

Tellers were ordered.

Mr. RIXEY and Mr. DALZELL were appointed tellers.

The committee again divided; and the tellers reported—ayes 123, noes 98.

So the substitute amendment was agreed to.

The CHAIRMAN. The question now is on the amendment offered by the gentleman from Virginia, as amended by the substitute amendment just adopted.

The question was taken, and the amendment was agreed to.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I offer the following amendment as a new paragraph to the bill, which I will send to the desk and ask to have read.

The Clerk read as follows:

That to the Bureau of Medicine and Surgery of the Navy there shall be attached a corps of dental surgeons, which corps shall not exceed in number the actual requirements nor the proportion of 1 to 1,000 authorized by law for the naval and marine military service and training schools. The said dental corps shall consist of three grades, designated "assistant dental surgeon," "passed assistant dental surgeon," and "dental surgeon," and with respect to rank, pay, and allowances and to promotions within said dental corps the grades named shall correspond to the grades of the Medical Corps designated "assistant surgeon," "passed assistant surgeon," and "surgeon," respectively.

That original appointments shall be made to the grade of assistant dental surgeon, and the appointees must be citizens of the United States, between 21 and 30 years of age, graduates of standard dental colleges, of good moral character, of unquestionable professional repute, and shall be required to pass the usual physical examination and a professional examination, which shall include tests of skill and proficiency in practical dentistry and the usual equivalent of a standard dental-college course: *Provided*, That there shall be first appointed a number of the dental profession who is a citizen of the United States, not a graduate of a standard dental college, and whose aptitude and experience evidence eminent fitness for conducting the professional examinations and for assisting in organizing, equipping, and supervising the operations of the officers, who shall be first appointed to the grades of dental surgeons: *Provided further*, That the dentist now employed at the Naval Academy shall not be displaced by the operation of this act.

Mr. FOSS. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. WILLIAM W. KITCHIN. Mr. Chairman, I hope the gentleman will not make the point of order on this amendment.

Mr. FOSS. It is new legislation.

The CHAIRMAN. The Chair sustains the point of order.

Mr. MAHON. Mr. Chairman, I offer the following amendment as a new paragraph to the bill, which I will send to the desk and ask to have read.

The Clerk read as follows;

That the Secretary of the Navy is hereby directed to have a test made of the McHenny & McAllister armor plate, and report the result of said test to Congress, and the sum of $2,000 is hereby appropriated to pay the expense of making said test.

Mr. MUDD. Mr. Chairman, I make the point of order against that.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LIVERNASH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have reported.

The Clerk read as follows:

Amend by adding, after the last word on page 71, the following:

"*And provided further*, That none of said $12,000,000 shall be, and none is, appropriated toward said armament or armor, or either of them, for use, payment, or appropriation under any contract for any armor or armament in which said contract the contractor shall not have covenanted with the United States as follows:

"That no laborer or mechanic doing any part of the work contemplated by the contract, in the employ of the contractor or any subcontractor contracting for any part of said work contemplated, shall be required or permitted to work more than eight hours in any one calendar day upon such work, except upon permission granted by the Secretary of the Navy during time of war or at a time when war is imminent or when any great national emergency exists; and that the contractor contracting with the United States shall, in the event of violation of said covenant as to hours of labor, forfeit to the United States the sum of $5 for each laborer or mechanic for every calendar day for which he shall have been required or permitted to labor more than eight hours upon the work under such contract.

Mr. FOSS. Mr. Chairman, I make the point of order to that. It is new legislation.

Mr. LIVERNASH. Mr. Chairman, I should like to be heard upon the point of order.

The CHAIRMAN. The Chair will state that this is an amendment to a part of a bill that has already been passed, and can not be considered except the committee by unanimous consent recur to that part of the bill.

Mr. LIVERNASH. If the Chair will indulge me——

Mr. FOSS. Mr. Chairman, I object.

Mr. LIVERNASH. It is an amendment which adds a paragraph.

The CHAIRMAN. The Chair will state that the committee has passed the provision to which this is an amendment and has added a new section.

Mr. LIVERNASH. But, Mr. Chairman, I offer it as an independent paragraph, to follow the last word of the bill as the bill now stands.

The CHAIRMAN. It would not be germane. It refers to "the said twelve millions of dollars," which is an amount appropriated in a part of the bill already passed.

Mr. LIVERNASH. Then, sir, I shall make it germane. I so amend the amendment as that it shall read: "*And provided further*, That none of the $12,000,000 hereinbefore mentioned as appropriated toward armament and armor shall be, and none is, appropriated," the remainder of the amendment as originally offered.

Mr. FOSS. Mr. Chairman, we have already passed that paragraph. It is not germane.

Mr. LIVERNASH. Mr. Chairman, the amendment proposes a complete paragraph and is germane to the bill. It refers back to another section. The point at issue is this: Is the amendment germane to the bill as a whole? The point is not this: Is the amendment germane to a specific paragraph of the bill? The point of order should not be sustained.

Mr. PAYNE. The difficulty with that proposition, Mr. Chairman, is that it seeks to modify a paragraph that has already been perfected by the committee and passed, viz., the $12,000,000 paragraph. Of course, you could open up the whole bill to amendments if this were allowed.

Mr. LIVERNASH. Even if the point of order were well taken (and I think it is not), Mr. Chairman, with what ill grace does it come from the leader of the majority in this Chamber to defend an omission?

Mr. SHERMAN. Mr. Chairman, I call for the regular order.

Mr. WILLIAMS of Mississippi. Mr. Chairman, if the proposition be germane as an independent section of the bill at the end of the bill, it is plain that within the proposition there is a reference back to the previous part of the bill would certainly not deprive it of the character of being germane, nor could it make it obnoxious to the rule to tack this amendment to that part of the bill. It is offered as an independent section and merely refers back to a previous part of the bill in order to indicate by description the appropriation referred to.

The CHAIRMAN. The Chair is of opinion that this amendment goes to a paragraph, and seeks to amend a part of the bill upon which the committee has already passed, and that to sustain this amendment as in order would practically open all the provisions of the bill to amendment. Therefore the Chair sustains the point of order that the amendment is not in order.

Mr. LIVERNASH. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from California rise?

Mr. LIVERNASH. I rise for the purpose of asking unanimous consent that the amendment last offered be agreed to, no Member raising any point of order.

Several Members objected.

The CHAIRMAN. Objection is heard.

Mr. LIVERNASH. Then, sir, I ask unanimous consent that solely for the purpose of considering the amendment, we recur to that paragraph to which it would be germane under the ruling of the Chair.

The CHAIRMAN. The gentleman from California asks unanimous consent to recur to the paragraph appropriating $12,000,000 for armor of domestic manufacture, etc. Is there objection?

Several Members objected.

Mr. DALZELL. I call for the regular order.

Mr. HITCHCOCK. I offer the amendment which I send to the desk.

The Clerk read as follows:

That no money appropriated in this bill for armor shall be used to purchase armor not yet manufactured from manufacturers or manufacturers who combine or have combined to produce such armor, the price of steel products in violation of the laws of the United States.

Mr. DAYTON. I raise a point of order on that amendment.

The CHAIRMAN. Does the gentleman from West Virginia [Mr. DAYTON] desire to be heard upon this point of order?

Mr. DAYTON. I do not care to take the time.

The CHAIRMAN. The Chair is of opinion——

Mr. DALZELL. Mr. Chairman, this amendment proposes to place in the Secretary of the Navy a discretion that does not now exist by law, to determine the character of these manufacturers. Does the Secretary have any such discretion now? The question involved is a question of law and fact. The amendment proposes new legislation as plainly as anything could.

Mr. WILLIAMS of Mississippi. But a moment ago we passed an amendment of which the gentleman from Pennsylvania [Mr. DALZELL] was himself the author: an amendment to an amendment, in which there was given to the Secretary of the Navy such immensely broad discretion in connection with the purchase of armor plate that it would include this matter. Now, this is a mere limitation upon the discretion given in that amendment, which the gentleman himself offered and which has been adopted. It is either a limitation or an extension, whichever you choose to call it. It enables the discretion of the Secretary to go to the point of recognizing a self-admitted trust. That is all.

Mr. DALZELL. I thank the gentleman from Mississippi for giving me a new suggestion. The House has already passed upon this question and limited the discretion of the Secretary of the Navy.

Mr. WILLIAMS of Mississippi. On the contrary, it made his discretion unlimited.

Mr. DALZELL. This is a proposition to modify an amendment already adopted by the House.

Mr. WILLIAMS of Mississippi. We gave the Secretary of the Navy a discretion vague and very wide, indeed; in fact, unlimited. Now, we propose simply to point his eyes in a certain direction—a direction, by the way, in which his eyes have already been turned, for he himself has borne testimony before the Naval Committee that this thing is a trust.

Mr. DALZELL. If this proposition is in order, there is no limitation to the immensity of the amendment already agreed upon in this bill. The House has passed on that amendment; it has fixed and limited the discretion of the Secretary of the Navy; and now this is a proposition to modify the amendment already proposed, and which was adopted by a large majority. If this provision ever was in order, it was in order to the amendment offered by myself and when that was pending. It is not in order now, surely.

The CHAIRMAN. It is not within the discretion of the Chair to pass upon the consistency of amendments. This proposed amendment does not limit, relate, nor apply to the $12,000,000 appropriation contained in the paragraph already passed. It seems to the Chair to be merely a limitation upon the appropriation to purchase additional armor not covered by that paragraph, and is therefore in order. The Chair overrules the point of order.

[Applause on the Democratic side.]

Mr. HITCHCOCK. Mr. Chairman, I have only a few words to say on this amendment. I desire to call the attention of this House to the fact that a tremendous change has come over this country since the manufacture of modern armor plate was begun in 1887. That was by the Bethlehem Company. At that time the first armor-plate contract was let, Mr. Whitney being then the Secretary of the Navy. In 1890 the second armor-plate contract was let at a time when Mr. Tracy was Secretary of the Navy.

When Secretary Tracy let that second armor-plate contract it was to the Carnegie Company, in Pennsylvania, and he distinctly stated at that time, and it was notorious over the United States, that his purpose in letting that contract to the Carnegie Company was to build up a competitor to the Bethlehem Company, which had had prior to that time a monopoly of armor-plate manufacture. The third contract was let in 1893. At that time these companies made identical bids. The fourth contract was made in 1896, when again the two companies made identical bids.

Then Congress, seeing that an agreement existed between those two companies to extort an agreed price from the United States, inserted a provision in the law that the Secretary of the Navy should not pay over $400 a ton for armor plate. The result was that the fifth contract in 1898 and the sixth contract in 1900 were let by the Navy Department to those two concerns at $400 a ton. The seventh contract was let in the year 1903 to the Bethlehem and Carnegie Company, and at that time the bids were again identical and were for a larger price.

Since that time the eighth contract, in 1903, and the ninth contract, in 1904, have been let, but not to companies even pretending to be competitors, but to these two concerns, known to be banded together, practically in the same combination, a trade conspiracy; both outlaws under the laws of the United States; and it is to prohibit dealings with that trade conspiracy that this amendment is offered. These two concerns constitute a commercial outlaw, existing in defiance of the acts of Congress and will of the people of the United States. It is to prevent these conspirators from securing from the United States any further gigantic contracts that this amendment is offered.

In closing, Mr. Chairman, I want to call the attention of this committee to the fact that since 1887 the United States has paid these two companies alone $[illegible] of the people's money. It certainly is a great time, if we can not erect an armor factory for the purpose of competing with these concerns, because the gentleman from Pennsylvania objects, that we should limit the price to be paid for armor and decline to recognize by Government contracts an outlaw of the United States. [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, I rise to offer an amendment to the amendment.

The CHAIRMAN. The gentleman from Illinois offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Insert after the word "manufacturers" the words "who have been judicially declared to."

Mr. MANN. Now, Mr. Chairman, the original amendment proposes to impose upon the Secretary of the Navy, at his risk, the determination whether these companies constitute a trust in violation of the laws of the United States, and if the Comptroller of the Treasury or the Auditor of the Navy should conclude that the Secretary of the Navy was mistaken, then after the contract had been made and the work performed the bills would be thrown out. It is not fair to the Secretary of the Navy to impose upon him this responsibility. It is fair to impose that responsibility upon the courts, and if the courts have determined these companies to be trusts——

Mr. HITCHCOCK. Will the gentleman allow me to ask him a question?

Mr. MANN. Why, certainly.

Mr. HITCHCOCK. Is it not a fact that Congress has appropriated $500,000 to prosecute trusts? Is it not a fact that the Attorney-General, having that money at his disposal, does not proceed against these trusts? And unless the Attorney-General of this Administration does proceed against these trusts, how are we going to determine judicially that they are trusts? [Applause on the Democratic side.]

Mr. MANN. Why, Mr. Chairman, the Congress of the United States has appropriated $500,000 to confer upon the right officer of the Government the determination of the question of trusts, and the Democratic party on the other side of this House, for purely demagogical purposes and no other, bring in this amendment to impose upon the Secretary of the Navy this duty, which the gentleman knows is unfair to the Secretary. I do not propose at this time to defend the Attorney-General. He needs no defense from the attacks of the gentlemen on the other side.

Mr. COCHRAN. Will the gentleman allow me to ask him a question?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. MANN. Why, certainly.

Mr. COCHRAN. You have said that the opposition to letting these contracts to trusts proceeded from this side for demagogic reasons. Now, will you tell your reasons for defending the trusts? [Laughter and applause on the Democratic side.]

Mr. MANN. Mr. Chairman, the distinguished gentleman rises oftener than any other Member of the House, and I have never known him to rise except for demagogical purposes. [Laughter on the Republican side.]

Mr. COCHRAN. I should like to ask the gentleman one further question. Is that the best answer he can give? Is that the best reason he can give for defending the steel trust on this floor? [Applause on the Democratic side.]

Mr. MANN. Mr. Chairman, that answer is absolutely conclusive, in the opinion of any fair-minded man, so far as the gentleman from Missouri is concerned.

Mr. FOSS. Mr. Chairman, I move to close debate upon the paragraph and all amendments.

Mr. COCHRAN. Mr. Chairman, I rise to a question——

Mr. WILLIAMS of Mississippi. I hope that motion will not prevail.

The CHAIRMAN. The gentleman from Illinois moves that debate upon the pending paragraph and amendments be now closed.

The question being taken, on a division (demanded by several Members) there were—ayes 134, noes 101.

The CHAIRMAN. The ayes have it, and debate is closed.

Mr. HAY. Tellers, Mr. Chairman.

Mr. WILLIAMS of Mississippi. Mr. Chairman, is it in order now to move to strike out the last word?

The CHAIRMAN. The motion is in order, but debate can not be had thereon.

Mr. HAY. Mr. Chairman, I called for tellers immediately upon the Chair announcing the vote.

Mr. WILLIAMS of Mississippi. Mr. Chairman, a parliamentary inquiry first.

The CHAIRMAN. The Chair did not hear the gentleman from Virginia; but if he states it as a fact, the Chair will put the question on ordering tellers.

Mr. WILLIAMS of Mississippi. Pending that, I want to make a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Why is not a motion to strike out the last word debatable?

Mr. PAYNE. Regular order, Mr. Chairman.

The CHAIRMAN. Because a motion was made that debate close, and the Committee has decided by a vote, which has been announced, that debate is closed or would be but for the fact that the gentleman from Virginia demanded tellers, and pending a vote by tellers debate is not in order upon an amendment.

Mr. HAY. A parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. HAY. I understood the gentleman from Illinois to propose to close debate.

Mr. FOSS. On the paragraph and all amendments.

Mr. HAY. And all amendments?

Mr. FOSS. Yes.

The CHAIRMAN. The Chair so understood.

Mr. HAY. Which means that the debate will be closed on all of the bill.

The CHAIRMAN. Does the gentleman from Virginia demand tellers?

Mr. HAY. I do.

The question was taken; and tellers were ordered.

The CHAIRMAN. The gentleman from Virginia [Mr. HAY] and the gentleman from Illinois [Mr. FOSS] will take their places as tellers.

The committee divided; and tellers reported—ayes 135, noes 97.

So the motion was agreed to.

The CHAIRMAN. Debate is therefore closed; and the question is upon the amendment to the amendment offered by the gentleman from Illinois.

The question was taken; and the chairman announced that the ayes appeared to have it.

Mr. JAMES. Division!

Mr. WILLIAM W. KITCHIN. I would like to have that amendment reported again, Mr. Chairman.

Mr. PAYNE. Regular order.

The CHAIRMAN. The regular order is demanded.

Mr. WILLIAM W. KITCHIN. I want you to understand it.

Mr. WILLIAMS of Illinois. They do not want to understand it.

The committee divided; and there were—ayes 135, noes 91.

So the amendment to the amendment was agreed to.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Nebraska as amended.

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BURLESON. Division.

The committee divided: and there were—ayes 81, noes 117.

Mr. WILLIAMS of Mississippi. This is a matter of such importance I would like to have tellers on it, Mr. Chairman.

Tellers were ordered.

The CHAIRMAN. The gentleman from Mississippi [Mr. WILLIAMS] and the gentleman from Illinois [Mr. FOSS] will take their places as tellers.

Mr. FOSS. Mr. Chairman, I ask that my colleague take my place as teller.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] will please act as teller.

The committee again divided; and the tellers reported—ayes 87, noes 109.

So the amendment as amended was rejected.

Mr. FOSS. I move that the committee rise and report the bill and amendments with a favorable recommendation.

Mr. MAHON. Mr. Chairman——

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. MAHON. Division.

The committee divided; and there were—ayes 137, noes 53.

Mr. MAHON. Tellers.

The question was taken on ordering tellers.

The CHAIRMAN. Two gentlemen have risen—not a sufficient number; tellers are refused, and the committee determines to rise.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12220, the naval appropriation bill, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. FOSS. Mr. Speaker, I move the previous question on the bill and amendments to its final passage.

The SPEAKER. The gentleman from Illinois moves the previous question on the bill and amendments to its final passage.

The question was taken, and the previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the amendments will be submitted in gross.

A separate vote was not demanded.

The amendments were agreed to in gross.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading; and, being engrossed, it was accordingly read the third time.

Mr. MEYER of Louisiana. Mr. Speaker, by request and instruction of the minority of the committee I make the motion to recommit which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Recommit to the Committee on Naval Affairs with instructions:

1. To provide for a coaling station and dock at Olongapo (Subig Bay) instead of a naval station.

2. To eliminate provision for the two armored cruisers and the armor thereof, costing $6,000,000.

3. Placing limit of $[illegible] per ton as a maximum price for armor plate of the best quality for the ships authorized by this bill, with the provision for an armory and factory located not over $4,000,000 if the armor plate can not be procured within the limit prescribed.

4. That all moneys herein provided for under the heading of "Increase of the Navy," except the battle ship, be constructed in the Government navy-yards.

5. That no money appropriated in this bill for armor shall be used to purchase armor not yet contracted for from any manufacturer or manufacturers who constitute in whole or in part a trust or trade conspiracy to control the price of steel products in violation of the laws of the United States.

6. All moneys appropriated in this bill to be expended under contracts drawn in conformity to the act of Congress approved August 1, 1892, entitled "An act relating to the limitation of the hours of daily service of laborers and mechanics employed upon the public works of the United States and of the District of Columbia."

Mr. FOSS. Mr. Speaker, I make the point of order on that.

The SPEAKER. The gentleman from Illinois makes the point of order upon the motion to recommit.

Mr. FOSS. For the reason that the instructions contain new legislation.

The SPEAKER. The Chair, as he caught the reading of the motion, and he was paying as close attention as was possible for the Chair to do, is of opinion that several of the instructions in the motion cover legislation, and therefore as you can not do indirectly that which you can not do directly the Chair sustains the point of order.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. It being admitted that some of the instructions are perhaps subject to the point of order, is it not in order, they embodying separate propositions, to vote upon each proposition? If that is the case, and if that be permissible, I call for a division of the subject. There are five separate propositions.

Mr. FOSS. Mr. Speaker, I move the previous question.

Mr. PAYNE. Mr. Speaker, I move that the bill be recommitted to the Committee on Naval Affairs, and on that I move the previous question.

The SPEAKER. The Chair is furnished with the precedent or precedents that a motion to recommit is not divisible in its different branches of instruction.

Mr. PAYNE. Mr. Speaker, I move to recommit the bill to the Committee on Naval Affairs, and on that I ask the previous question.

The SPEAKER. The gentleman from New York moves to recommit the bill to the Committee on Naval Affairs, and on that he asks the previous question.

Mr. WILLIAMS of Mississippi. Let us have the yeas and nays upon that motion.

Mr. PAYNE. This is on the previous question.

Mr. WILLIAMS of Mississippi. I want it upon the motion to recommit.

Mr. PAYNE. This is on the previous question.

Mr. WILLIAMS of Mississippi. Very well; I do not want it on that.

The question was taken, and the previous question was ordered.

The SPEAKER. The question now is on the motion of the gentleman from New York to recommit the bill to the Committee on Naval Affairs, and on that the gentleman from Mississippi asks for the yeas and nays.

The yeas and nays were ordered.

The question was taken: and there were—yeas 100, nays 138, answered "present" 13, not voting 131, as follows:

YEAS—100.

Aiken,	Gaines, Tenn.	Lever,	Russell,
Beall, Tex.	Garber,	Lewis,	Ryan,
Bell, Cal.	Garner, Tex.	Lind,	Scarborough,
Bennet,	Gilbert,	Little,	Scudder,
Burgess,	Gillespie,	Livernash,	Shackleford,
Bowie,	Griffith,	Lloyd,	Sheppard,
Brantley,	Hay,	McDermott,	Sherley,
Brownlow,	Henry, Tex.	McLain,	Sims,
Brundidge,	Hill, Miss.	Maynard,	Smith, Ky.
Burgess,	Hitchcock,	Meyer, La.	Smith, Tex.
Burleson,	Hopkins,	Miers, Ind.	Snook.
Burnett,	Howard,	Moon, Tenn.	Sparkman,
Caldwell,	Hughes, N. J.	Padgett,	Stanley,
Candler,	Humphreys, Miss.	Page,	Stephens, Tex.
Clark,	Hunt,	Patterson, N. C.	Sullivan, Mass.
Clayton,	James,	Pinckney,	Thomas, N. C.
Cochran,	Johnson,	Pou,	Thompson,
Cooper, Tex.	Jones, Va.	Pujo,	Underwood,
Cowherd,	Kitchin, Claude	Randell, Tex.	Van Duzer,
Davey, La.	Kitchin, Wm. W.	Rayburn, La.	Wallace,
De Armond,	Kline,	Richardson, Ala.	Webb,
Dinsmore,	Lamar, Fla.	Rixey,	Wiley, Ala.
Field,	Lamb,	Robb,	Williams, Ill.
Finley,	Legare,	Robertson, La.	Williams, Miss.
Foster, Ill.	Lester,	Rucker,	Wynn.

NAYS—138.

Acheson,	Dovener,	Ketcham,	Pearre,
Adams, Wis.	Draper,	Kinkead,	Porter,
Alexander,	Dresser,	Knapp,	Powers, Mass.
Allen,	Driscoll,	Kyle,	Ransdell,
Ames,	Dunwell,	Lacey,	Rodenberg,
Bates,	Esch,	Lamberson,	Sherman,
Beale,	Fordney,	Lawrence,	Sibley,
Bonynge,	Foss,	Lilley,	Sloan,
Brick,	Foster, Vt.	Littlefield,	Smith, Ill.
Brigham,	Fuller,	Longworth,	Smith, Samuel W.
Brick,	Gaines, W. Va.	Loud,	Smith, Wm. Alden
Bradley,	Gardner, Mass.	Loudenslager,	Smith, Pa.
Brantley,	Gibson,	McCarthy,	Snapp,
Brick,	Gillet, N. Y.	McCleary, Minn.	Southard,
Brown,	Gillett, Cal.	McCreary, Pa.	Southwick,
Brown, Wis.	Goebel,	McLachlan,	Spalding,
Burke,	Graff,	McMorran,	Sperry,
Butler, Pa.	Greene,	Mann,	Stevenson,
Campbell,	Hamilton,	Marsh,	Sulloway,
Connell,	Haskins,	Marshall,	Thayer,
Conner,	Hedge,	Martin,	Thomas, Iowa
Cooper, Pa.	Hemenway,	Metcalf,	Volstead,
Cooper, Wis.	Henry, Conn.	Miller,	Vreeland,
Cousins,	Henry, Tex.	Mondell,	Wadsworth,
Crumpacker,	Hill, Conn.	Morrell,	Warnock,
Currier,	Hinshaw,	Murdock,	Watson,
Curtis,	Hogg,	Needham,	Weems,
Cushman,	Holliday,	Nevin,	Wiley, N. J.
Dalzell,	Howell, N. J.	Norris,	Williamson,
Dalzell,	Howell, Utah	Olmsted,	Wilson, Ill.
Daniels,	Humphrey, Wash.	Otis,	Woodward,
Darragh,	Jackson, Ohio	Otjen,	Wright,
Davis, Minn.	Jenkins,	Palmer,	Young.
Davison,	Jones, Wash.	Patterson, Pa.	
Dawson,	Kennedy,	Pavne,	

ANSWERED "PRESENT"—13.

Bartlett,	Cassingham,	Mann,	Vandiver.
Burton,	Kehoe,	Powers, Me.	
Burton,	Mahon,	Sherman,	
Cassel,	Minor,	Tirrell.	

NOT VOTING—131.

Adams, Pa.	Evans,	Kellher,	Robinson, Ark.
Adamson,	Fitzgerald,	Kluttz,	Robinson, Ind.
Babcock,	Fitzpatrick,	Knopf,	Rupert,
Badger,	Flack,	Lafean,	Scott,
Baker,	Flood,	Lamar, Mo.	Shober,
Bankhead,	Fowler,	Landis, Chas. B.	Shull,
Barchfeldt,	French,	Landis, Frederick	Slayden,
Bennett,	Gardner, Mich.	Lindsay,	Small,
Benton,	Gardner, N. J.	Littauer,	Smith, Iowa
Bonynge,	Gillett, Mass.	Livingston,	Smith, N. Y.
Brewer,	Glass,	Lorimer,	Southall,
Brewer,	Goldfogle,	Lovering,	Spight,
Brownsard,	Gooch,	Lucking,	Stafford,
Brown, Pa.	Goulden,	McAndrews,	Sterling,
Brownlow,	Granger,	McCall,	Stevens, Minn.
Buckman,	Gregg,	McNary,	Sullivan, N. Y.
Burke,	Griggs,	Macon,	Sulzer,
Butler, Mo.	Grosvenor,	Maddox,	Swanson,
Byrd,	Gudger,	Mahoney,	Talbott,
Calderhead,	Hamlin,	Mason, Pa.	Tate,
Capron,	Hardwick,	Meeman,	Tawney,
Croft,	Harrison,	Overstreet,	Taylor,
Cromer,	Haugen,	Parker,	Townsend,
Crowley,	Hearst,	Patterson, Tenn.	Trimble,
Davidson,	Hepburn,	Perkins,	Van Voorhis,
Davis, Fla.	Hildebrant,	Pierce,	Waechter,
Dawes,	Hitt,	Prince,	Wade,
Dayton,	Houston,	Ramey,	Wanger,
Edwards,	Huff,	Reeder,	Warner,
Edwards,	Hughes, W. Va.	Reid,	Weisse,
Dwight,	Hull,	Rhea,	Wilson, N. Y.
Dwight,	Hunter,	Richardson, Tenn.	Zenor.
Emerich,	Jackson, Md.	Rider,	

So the motion was not agreed to.

The following pairs were announced:

For the session:

Mr. CASSEL with Mr. GOOCH.

Mr. HUNTER with Mr. RHEA.

Mr. BOUTELL with Mr. GRIGGS.

Mr. SHERMAN with Mr. RUPPERT.

For one week:

Mr. STERLING with Mr. HAMLIN.

For balance of week:

Mr. SMITH of Iowa with Mr. HARDWICK.

Until further notice:

Mr. TIRRELL with Mr. MCNARY.

Mr. DAVIDSON with Mr. MAHONEY.

Mr. OVERSTREET with Mr. WADE.

Mr. TOWNSEND with Mr. LUCKING.

Mr. GARDNER of Michigan with Mr. TAYLOR.

Mr. VAN VOORHIS with Mr. CASSINGHAM.

Mr. BRADLEY with Mr. GOULDEN.

Mr. TAWNEY with Mr. BARTLETT.

Mr. MCCALL with Mr. SWANSON.

Mr. LORIMER with Mr. MCANDREWS.

Mr. HITT with Mr. DINSMORE.

Mr. CAPRON with Mr. GRANGER.

Mr. MAHON with Mr. HOUSTON.

Mr. CROMER with Mr. ZENOR.

Mr. EVANS with Mr. CROWLEY.

Mr. HUGHES of West Virginia with Mr. KEHOE.
Mr. BROWNLOW with Mr. PIERCE.
Mr. STEVENS of Minnesota with Mr. VANDIVER.
For this day:
Mr. STAFFORD with Mr. REID.
Mr. BEEDER with Mr. BASSETT.
Mr. BURLEIGH with Mr. RIDER.
Mr. BROWN of Pennsylvania with Mr. WILSON of Kentucky.
Mr. FRENCH with Mr. ROBINSON of Arkansas.
Mr. LOVERING with Mr. HAMLIN.
Mr. SCOTT with Mr. SLAYDEN.
Mr. WACHTER with Mr. GLASS.
Mr. BURKETT with Mr. BENTON.
Mr. DICK with Mr. TALBOTT.
Mr. WANGER with Mr. ADAMSON.
Mr. POWERS of Maine with Mr. ROBINSON of Indiana.
Mr. FREDERICK LANDIS with Mr. RAINEY.
Mr. BOWERSOCK with Mr. BROUSSARD.
Mr. BINGHAM with Mr. MADDOX.
Mr. LITTAUER with Mr. SULLIVAN of New York.
Mr. ADAMS of Pennsylvania with Mr. KELIHER.
Mr. HUFF with Mr. HARRISON.
Mr. SMITH of New York with Mr. FITZGERALD.
Mr. MUDD with Mr. TATE.
Mr. KNOPF with Mr. WEISSE.
Mr. BABCOCK with Mr. SULZER.
Mr. BARTHOLDT with Mr. FLOOD.
Mr. GILLETT of Massachusetts with Mr. LIVINGSTON.
Mr. BUCKMAN with Mr. BARGER.
Mr. CALDERHEAD with Mr. DAVIS of Florida.
Mr. DOUGLAS with Mr. BUTLER of Missouri.
Mr. DWIGHT with Mr. DOUGHERTY.
Mr. FLACK with Mr. FITZPATRICK.
Mr. FOWLER with Mr. GOULDEN.
Mr. GARDNER of New Jersey with Mr. GREGG.
Mr. HAUGEN with Mr. HOPKINS.
Mr. HILDEBRANT with Mr. KLUTTZ.
Mr. HULL with Mr. MACON.
Mr. JACKSON of Maryland with Mr. SPIGHT.
Mr. LAFEAN with Mr. PATTERSON of Tennessee.
Mr. WARNER with Mr. RICHARDSON of Tennessee.
Mr. CHARLES B. LANDIS with Mr. SMALL.
Mr. MOON of Pennsylvania with Mr. SOUTHALL.
Mr. MORGAN with Mr. SHOBER.
Mr. PERKINS with Mr. SHULL.
Mr. PRINCE with Mr. TRIMBLE.
On this vote:
Mr. HEPBURN with Mr. HEARST.
Mr. GROSVENOR with Mr. BANKHEAD.
Mr. WYNN. Mr. Speaker, I desire to have my vote recorded.
The SPEAKER. Was the gentleman present in his seat and listening when his name should have been called?
Mr. WYNN. I was, and tried to catch the voice of the Clerk, but I was unable to do so.
The SPEAKER. Call the gentleman's name.
The Clerk called Mr. WYNN's name, and he voted "aye," as above recorded.
The result of the vote was then announced as above recorded.
The SPEAKER. The question now is on the passage of the bill.
The question was taken; and the bill was passed.
On motion of Mr. FOSS, a motion to reconsider the last vote was laid on the table.

SENATE RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution No. 47 was taken from the Speaker's table and referred to its appropriate committee as indicated below:

Senate concurrent resolution No. 47:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause to be prepared from available data, if the same be on file in the War Department, and to submit a report with an estimate of cost of obtaining a channel in Wateree River, in the State of South Carolina from its mouth in Santee River, to Camden, S. C., of sufficient depth and width to render it navigable by any and all boats which can navigate Santee River to Camden, S. C., of sufficient depth and width to render it navigable by any and all boats which can navigate Santee River as far up as the mouth of the Wateree: *Provided*, That if sufficient data for the purpose are not available in the War Department, the Secretary of War is authorized and directed to cause an examination and survey of Wateree River to be made with a view to obtaining a channel as hereinbefore described, and to submit a report thereof, with an estimate of the cost of the improvement, the expense of such examination and survey to be paid from the appropriations for "Examination, surveys, and contingencies of rivers and harbors"—

to the Committee on Rivers and Harbors.

ENROLLED BILL.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 7987. An act to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephen's meridian.

J. HUDSON KIBBE.

The SPEAKER laid before the House Senate concurrent resolution No. 48, which the Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate Senate bill 167, granting an increase of pension to J. Hudson Kibbe.

The resolution was considered and agreed to.

ADJOURNMENT.

Mr. FOSS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 6 o'clock and 12 minutes p. m.) the House adjourned until to-morrow at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GARDNER of Massachusetts, from the Committee on Immigration and Naturalization, to which was referred the bill of the House (H. R. 11443) to extend the exemption from head tax to citizens of Newfoundland entering the United States, reported the same without amendment, accompanied by a report (No. 1233); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. PARKER, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 2424) to recognize and promote the efficiency of army chaplains, reported the same with amendment, accompanied by a report (No. 1234); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the House (H. R. 11126) to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw nations, Indian Territory, reported the same with amendment, accompanied by a report (No. 1235); which said bill and report were referred to the House Calendar.

Mr. BURKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 6[illegible]) authorizing the Winnipeg, Yankton and Gulf Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., reported the same without amendment, accompanied by a report (No. 1236); which said bill and report were referred to the House Calendar.

Mr. STEVENS of Minnesota, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 708) authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River, in the State of Minnesota, reported the same without amendment, accompanied by a report (No. 1237); which said bill and report were referred to the House Calendar.

Mr. BURKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3[illegible]), authorizing the Yankton, Norfolk and Southern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak., reported the same without amendment, accompanied by a report (No. 1238); which said bill and report were referred to the House Calendar.

Mr. SHACKLEFORD, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Chandalar Creek, in the district of Alaska, reported the same with amendment, accompanied by a report (No. 1239); which said bill and report were referred to the House Calendar.

Mr. SHERMAN, from the Committee on Indian Affairs, to which was referred House resolution (H. Res. 2[illegible]) requesting the Secretary of the Interior to report to the House of Representatives information relative to the sale of town lots in the towns of Lawton, Hobart, and Anadarko, Okla., under act of Congress of March 3, 1901, reported the same with amendment, accompanied by a report (No. 1240); which said House resolution and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10773) providing for the erection of a keeper's dwelling at the Tibbetts Point light station, New York, reported the same without amendment, accompanied by a report

(No. 1241); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12152) relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane, reported the same without amendment, accompanied by a report (No. 1242); which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 6034) granting an increase of pension to Oscar S. Turner—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 1093) for the relief of Rose B. Noa—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12978) for the relief of Walter Langley—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 12980) for the relief of Wormley E. Wrae—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. FIELD: A bill (H. R. 13084) to increase the pension of Mexican war survivors to $20 per month—to the Committee on Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 13085) to increase the pension of those who have lost a limb above the knee and total deafness of both ears (combined) in the military or naval service of the United States—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 13086) to amend an act entitled "An act to amend an act entitled 'An act granting the right to the Omaha Northern Railway Company to construct a railway across and establish stations on the Omaha and Winnebago Reservation, in the State of Nebraska, and for other purposes,' by extending the time for the construction of said railway," by a further extension of time for the construction of said railway—to the Committee on Indian Affairs.

By Mr. OTIS: A bill (H. R. 13087) to establish a court of patent appeals, and for other purposes—to the Committee on Patents.

By Mr. SHERMAN: A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax—to the Committee on Ways and Means.

By Mr. POWERS of Massachusetts: A bill (H. R. 13089) to fix the compensation of criers and bailiffs in the United States courts—to the Committee on the Judiciary.

By Mr. NEVIN: A bill (H. R. 13090) to amend section 3285 of the Revised Statutes as amended by the act of May 28, 1880—to the Committee on Ways and Means.

By Mr. JONES of Washington (by request): A bill (H. R. 13091) to provide an additional district judge for the district of Alaska, and for other purposes—to the Committee on the Judiciary.

By Mr. SMITH of Texas: A bill (H. R. 13092) to provide for the enlargement of Fort Bliss, near El Paso, Tex.—to the Committee on Military Affairs.

By Mr. KALANIANAOLE (by request): A bill (H. R. 13093) to so amend section 64 of "An act to provide a government for the Territory of Hawaii" as to remodify certain sections of the election law of said Territory—to the Committee on the Territories.

By Mr. POU: A bill (H. R. 13094) for the relief of street-car motormen—to the Committee on the District of Columbia.

By Mr. MONDELL: A bill (H. R. 13095) to regulate the use of forest-reserve timber—to the Committee on the Public Lands.

By Mr. SHERMAN: A joint resolution (H. J. Res. 118) authorizing the Secretary of the Interior to use $5,000 of the amount appropriated February 18, 1904 (Public No. 22), for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in Indian Territory—to the Committee on Indian Affairs.

By Mr. GIBSON: A resolution (H. Res. 231) referring certain claims to the Court of Claims for a finding of facts under the terms of the Tucker Act—to the Committee on War Claims.

By Mr. RIDER: Memorial requesting the Senators and Representatives in Congress to use all honorable efforts in passing a bill in order to secure for the State of New York the benefits of national aid in road construction—to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 13096) granting pensions to the survivors of the One hundred and fortieth Regiment of Pennsylvania Volunteer Infantry—to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 13097) granting an increase of pension to George Parry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13098) granting an increase of pension to Morris Del Dowane—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 13099) granting an increase of pension to Jacob T. Grimes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13100) granting an increase of pension to Hiram F. Armstrong—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 13101) granting an increase of pension to Isaac W. Sherman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13102) granting an increase of pension to William H. Broadwell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13103) granting an increase of pension to Thomas Langridge—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 13104) for the relief of Samuel Robbins—to the Committee on Claims.

By Mr. COOPER of Pennsylvania: A bill (H. R. 13105) granting an increase of pension to William F. Gant—to the Committee on Invalid Pensions.

By Mr. HEDGE: A bill (H. R. 13106) for the relief of Walter L. Leighton—to the Committee on Claims.

Also, a bill (H. R. 13107) for the relief of Walter L. Leighton—to the Committee on Claims.

By Mr. KLINE (by request): A bill (H. R. 13108) for the relief of Michael F. Connolly—to the Committee on Claims.

By Mr. JONES of Virginia: A bill (H. R. 13109) granting an increase of pension to Joshua W. Birch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13110) granting an increase of pension to George C. Birch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13111) for the relief of William J. Lewis—to the Committee on War Claims.

Also, a bill (H. R. 13112) for the relief of the heirs of Richard S. Rew, deceased—to the Committee on War Claims.

By Mr. KLUTTZ (by request): A bill (H. R. 13113) for the relief of Walter V. Brem, jr.—to the Committee on Claims.

By Mr. KNAPP: A bill (H. R. 13114) granting an increase of pension to C. J. Ripley—to the Committee on Invalid Pensions.

By Mr. LITTAUER: A bill (H. R. 13115) granting a pension to Sarah Jane Van Alstyne—to the Committee on Invalid Pensions.

By Mr. LIVINGSTON: A bill (H. R. 13116) granting an increase of pension to Nellie B. Newton—to the Committee on Pensions.

By Mr. MARTIN: A bill (H. R. 13117) granting an increase of pension to Lewis Sawyer—to the Committee on Invalid Pensions.

By Mr. MILLER: A bill (H. R. 13118) for the relief of Doc Bolyard—to the Committee on Claims.

By Mr. LOUDENSLAGER: A bill (H. R. 13119) granting an increase of pension to Ellen R. Ostrander—to the Committee on Invalid Pensions.

By Mr. MURDOCK: A bill (H. R. 13120) granting an increase of pension to Jonathan Peiper—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13121) granting an increase of pension to Andrew Curran—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13122) granting an increase of pension to Gilead M. Shell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13123) granting an increase of pension to William Nevil—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13124) granting a pension to Sanna Anderson—to the Cammittee on Invalid Pensions.

Also, a bill (H. R. 13125) granting a pension to Mollie J. Howard—to the Committee on Pensions.

By Mr. McGUIRE: A bill (H. R. 13126) for the relief of Lotsee Deitrich and others—to the Committee on Indian Affairs.

By Mr. NEVIN: A bill (H. R. 13127) granting an increase of pension to Clinton C. Nelson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13128) granting a pension to Thomas Cheek—to the Committee on Pensions.

Also, a bill (H. R. 13129) granting a pension to Anna Bever—to the Committee on Invalid Pensions.

By Mr. OTIS: A bill (H. R. 13130) for the relief of James T. Barry and Richard Cusion, executors of the last will and testament of Martin Dowling, deceased—to the Committee on Claims.

By Mr. POWERS of Massachusetts: A bill (H. R. 13131) to reimburse A. Herbert Bailey, of Boston, for duties illegally paid—to the Committee on Claims.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 13132) for the relief of the estate of Frederick Arbour, deceased—to the Committee on War Claims.

By Mr. SHULL: A bill (H. R. 13133) for the relief of George E. Bechtum—to the Committee on Claims.

By Mr. SHACKLEFORD: A bill (H. R. 13134) granting an increase of pension to Catharine R. Rice—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 13135) granting an increase of pension to Thaddeus Wheelock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13136) to correct the military record of Edwin C. Hoxie, alias Charles Umstead—to the Committee on Military Affairs.

Also, a bill (H. R. 13137) for the relief of Mary A. A. Cervantes, executrix, and so forth—to the Committee on Claims.

Also, a bill (H. R. 13138) for the relief of Charles A. Holloway—to the Committee on Naval Affairs.

By Mr. SMITH of Iowa: A bill (H. R. 13139) granting an increase of pension to La Roy B. Church—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13140) granting an increase of pension to John W. Howard—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 13141) granting a pension to James Abbott, alias James Buck—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 13142) granting an increase of pension to William M. Lang—to the Committee on Pensions.

Also, a bill (H. R. 13143) granting a pension to Tiney Hogan—to the Committee on Pensions.

Also, a bill (H. R. 13144) for the relief of Charles S. Blood—to the Committee on Claims.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 13145) for the relief of James W. Kenney—to the Committee on Claims.

Also, a bill (H. R. 13146) for the relief of James W. Kenney—to the Committee on Claims.

By Mr. WEEKS: A bill (H. R. 13147) granting an increase of pension to Euphemia A. Young—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 13148) for the relief of the heirs of Vernon H. Johnston, deceased, late of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 13149) for the relief of the estate of Augustus Cushings, sr., deceased, late of Hinds County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 13150) for the relief of the estate of Jane N. Gibson, deceased, late of Warren County, Miss.—to the Committee on War Claims.

Also, a bill (H. R. 13151) for the relief of the estate of R. T. Brown, deceased, late of Warren County, Tenn.—to the Committee on War Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 13152) granting an increase of pension to William L. Luster—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13153) granting a pension to Joseph Thacker—to the Committee on Invalid Pensions.

By Mr. WILLY of Alabama: A bill (H. R. 13154) for the relief of John T. West—to the Committee on Claims.

By Mr. WADE: A bill (H. R. 13155) granting a pension to Philip Yoham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13156) granting a pension to Michael Fitzpatrick—to the Committee on Invalid Pensions.

By Mr. ALEXANDER: A bill (H. R. 13157) to remove the charge of desertion from the military record of Andrew Jackson Cutsman—to the Committee on Military Affairs.

By Mr. DOVENER: A bill (H. R. 13158) granting an increase of pension to Beckwith A. McNemar—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Estella M. Lundblad, of Chicago, Ill., against sale of cigarettes to minors—to the Committee on the Judiciary.

Also, petition of residents of Neoga, Ill., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. ACHESON: Memorial of the General Assembly of the Presbyterian Church in the United States, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, resolutions of the American Association of Masters and Pilots of Steam Vessels, for the building of a light-house on Diamond Shoal—to the Committee on Rivers and Harbors.

By Mr. ADAMS of Wisconsin: Petition of G. L. Swartz, editor of the Poynette Press, and 123 others, of Poynette, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of Rev. W. E. Atcheson, pastor of the Presbyterian Church; Rev. J. W. Barnett, pastor of the Methodist Episcopal Church; the Young People's Society of Christian Endeavor, the Enworth League, the Women's Missionary Society, and the Woman's Christian Temperance Union, all of Poynette, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Memorial Baptist Church, of Vernon, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ALLEN: Petition of J. R. Libby and 445 others, of Portland and other towns in Maine, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BABCOCK: Petition of Elmer House and 14 others, of Delton, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of residents of the Third Congressional district of Wisconsin, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petition of S. W. Cobb and others, of St. Louis, Mo., in favor of House bill 9011, to regulate retirement of veterans of the civil war—to the Committee on Military Affairs.

Also, resolutions of the Hafner Manufacturing Company, of St. Louis, Mo., and of the Globe-Democrat Publishing Company, of St. Louis, Mo., in opposition to the eight-hour bill—to the Committee on Labor.

By Mr. BASSETT: Resolution of Fifth Annual Supervisors' Highway Convention, at Albany, N. Y., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. BIRD: Petition of the American Association of Masters and Pilots of Steam Vessels, of Dulgarth, Mass., for the relief of James Cahill—by the passage of bill H. R. [illegible]—to the Committee on Claims.

Also, petition of residents and owners on Bartlett Lake, Minnesota, to set aside certain land for a park and [illegible]—to the Committee on the Public Lands.

By Mr. BISHOP of Michigan: Petition of J. V. Williams and 19 others, and Rev. J. D. F. Houck and 15 others, of Chico; P. H. Atkinson and 12 others, I. C. Davis and 20 others, and E. G. Chapman and 18 others, of Petaluma, all in California, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Petition of G. A. Chamberlin and 21 other voters, Mrs. J. E. Howell, president of the Woman's Christian Temperance Union, and other organizations, B. W. Hodman and other voters, and N. V. Morrison and 24 other voters, of Kansas, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of the Presbyterian, Methodist, and Christian churches of Pleasanton, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of merchants of Blue Mound, Kans., protesting against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, affidavits of J. M. Johnson, C. G. Ellis, and J. M. Johnson, relating to bill H. R. [illegible] for the relief of J. M. Johnson—to the Committee on War Claims.

By Mr. BOWIE: Petition of E. W. Tucker and 23 others, of Dallas, Ala., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BROWN of Wisconsin: Petition of merchants of Shawano, Wis., against passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of R. E. [illegible] and 13 others, of Ashland, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKE: Petition of H. W. Rattenbo and 54 others, of Faulkton, S. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURRETT: Petition of the Woman's Christian Temperance Union of Auburn, Nebr., in favor of bill to forbid sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

By Mr. CALDERHEAD: Petition of Charlotte F. Wilder, of Manhattan, Kans., for legislation favorable to literary workers and authors—to the Committee on the Post-Office and Post-Roads.

Also, letter of J. J. and W. F. Muenzenmayer, protesting against the passage of the Frye bill—to the Committee on Insular Affairs.

Also, resolutions of the Kansas Federation of Commercial Interests, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolutions of the Kansas Federation of Commercial Interests, of Topeka, for the passage of the Charles bill, known as S. 2389—to the Committee on Ways and Means.

By Mr. DAVEY of Louisiana: Resolution of the Louisiana Bar Association, in favor of bill H. R. 10011—to the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: Papers to accompany bill H. R. 10881, granting a pension to Frances E. Truesdell—to the Committee on Invalid Pensions.

By Mr. DEEMER: Petition of residents of Eldred Township, Lycoming County, Pa., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. DRAPER: Resolution of the Fifth Annual Supervisors' Highway Convention, held at Albany, N. Y., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Jacob Hasslacher, of New York, in favor of bill S. 2276—to the Committee on Military Affairs.

By Mr. ESCH: Resolution of the Milwaukee Foundrymen's Association, against passage of bill to limit the meaning of the word "combination, etc."—to the Committee on the Judiciary.

By Mr. FITZGERALD: Resolutions of the Fifth Annual Supervisors' Highway Convention, of New York, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. FLACK: Petition of members of Lake Seamen's Union of Ogdensburg, N. Y., favoring the enactment of bill H. R. 12290—to the Committee on the Merchant Marine and Fisheries.

By Mr. FULLER: Petition of Rev. P. M. Snyder and 54 others, of Rockford, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the M. A. Love Manufacturing Company and others, in favor of improvement of Kaw Valley—to the Committee on Rivers and Harbors.

Also, resolution of the North Dakota Retail Hardware Association, in opposition to a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Mr. GARDNER of Massachusetts: Resolution of the executive council of the Massachusetts State Board of Trade, relative to a breakwater at Point Judith Harbor—to the Committee on Rivers and Harbors.

Also, resolution of the legislature of Massachusetts, relative to legislation to protect food fish from sharks and dogfish—to the Committee on the Merchant Marine and Fisheries.

By Mr. GRIFFITH: Resolution of Retail Lumber Dealers' Association of Indiana, against passage of the anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of the Retail Lumber Dealers' Association of Indiana, against the passage of the eight-hour law—to the Committee on Labor.

By Mr. HAY: Petitions of J. L. Bush and 15 others, of Clarke, Va., and S. L. Lupton and 22 others, of Bruceton, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEDGE: Petition to accompany bill for relief of Walter L. Leighton—to the Committee on Invalid Pensions.

Also, paper to accompany bill for relief of Walter L. Leighton—to the Committee on Military Affairs.

By Mr. HEMENWAY: Petition of R. W. Richards and others, of Spencer County, Ind., in favor of Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HERMANN: Resolution of the Manufacturers' Association of the Northwest, favoring appropriation for Lewis and Clark exposition—to the Select Committee on Industrial Arts and Expositions.

Also, resolutions of the Pacific Coast Jobbers and Manufacturers' Association, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of G. A. G. Moore and 18 others, of Turner, Oreg.; D. N. Brown and 9 others, of Butteville precinct, Oreg., and C. E. Crandall and 43 others, of Stayton, Oreg., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petition of Rev. D. E. Jones and 25 others, of Ellington, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Petition of Rev. James R. Morris and 20 others, of Passaic, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Dwight Post, No. 106, Grand Army of the Republic, of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. KLINE (by request): Paper to accompany bill for relief of M. F. Connolly—to the Committee on Claims.

By Mr. KLUTTZ: Petition of the Bar Association of Muscogee, Ind. T., asking for additional judges—to the Committee on the Judiciary.

Also, petition for relief of Walter V. Brem, jr.—to the Committee on Claims.

Also, petition of Robert C. Rivers and 59 other voters of Boone, N. C., for passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. KNAPP: Protest from residents of Jefferson County, N. Y., against the passage of bill H. R. 7083—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of the Northern New York Paper and Pulp Manufacturers' Alliance, of Watertown, N. Y., protesting against freight rate legislation—to the Committee on Interstate and Foreign Commerce.

By Mr. JACKSON of Maryland: Petition of citizens of Centerville, Md., relative to dredging Corsica River, in Queens County, Md.—to the Committee on Rivers and Harbors.

Also, petition of residents of Worcester County, Md., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. JONES of Virginia: Petitions of William B. Lee and 12 others, of Gloucester; G. P. Smith and 23 others, of Colansville; James Arthur Winn and 36 others, of Washaprengue; Rev. Edwin Gardner and 28 others, of Cape Charles, and W. D. Stoakley and 22 others, of Cheriton, all in Virginia, and of C. C. Ramsburg and 36 others and J. Craven and 14 others, of Seattle, Wash., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LACEY: Petition of C. S. Barger and others, of Albia, Iowa, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LAMB: Petitions of J. B. Carneal and 9 others, of Hanover County; W. H. Brock and 30 others, of Richmond; Frank S. Kirn and 20 others, of Manchester, and G. T. Sale and 12 others, of Hanover County, all in Virginia, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LANNING: Petition of citizens of Flemington, N. J., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Resolution of the Fifth Annual Supervisors' Highway Convention, held at Albany, N. Y., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. LITTAUER: Paper to accompany bill H. R. 1097, increasing pension of H. C. Thorne—to the Committee on Invalid Pensions.

Also, petition of Rev. O. M. Omaw and others, of Saratoga Springs, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: Petition of H. M. Bean and 82 others, of Camden, Me., and Rev. George S. Hill and 37 others, and Eli Hodgkins and 11 others, of Cousins, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McMORRAN: Petition of J. A. Jackson and 20 others, of St. Clair County, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McNARY: Petition of Joseph A. McGowan, of West Quincy, Mass., in favor of erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

Also, petitions of Eldridge Terry and 41 others, of Dorchester, Mass.; Rev. L. M. Pierce and 21 others, of Medford, Mass., and Henry H. Faxon and 25 others, of Quincy, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAHON: Resolution of Grand Army of the Republic Post, No. 655, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MARSHALL: Petitions of John Hempstead and 20 others, of Grand Forks County, N. Dak., and A. E. Robinson and 44 others, of Traill County, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAYNARD: Petitions of George D. Chapman and 36 others, of Isle of Wight, Va., and W. L. Tait and 17 others, of Norfolk, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MILLER: Petition of Reuben Cox and 22 others, of Rose Hill, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Brownlow Post, No. 79, Grand Army of the Republic, of Severy, Kans., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of Post No. 60, Alta Viste, Kans., in favor of bill H. R. 7878, known as the "Curtis bill"—to the Committee on Invalid Pensions.

Also, petition of Rev. Reuben F. Riggs and 59 others, of Barclay, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, paper to accompany claim of Doc Belyard—to the Committee on Claims.

By Mr. MURDOCK: Resolutions of Mulvane Post, No. 203, Grand Army of the Republic, of Kansas, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of the Kansas State board of agriculture, relative to irrigation—to the Committee on Irrigation of Arid Lands.

Also, petitions of citizens of Conway Springs: E. L. Fell and 43 others, of Jackson Township; J. B. Collingwood and 75 others, of Pretty Prairie; W. L. Pleener and 64 others, of Greenburg;

Samuel J. Rudel and 36 others, of Belpre; G. W. Wright and others, and B. H. Albertson and others, of Kiowa County; D. D. Aken and others, of Sterling; C. E. Haworth and 39 others, C. M. Chism and 32 others, and D. S. Pickett and 35 others, of Argonia, all in Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. NEVIN: Petition of S. B. Timmons and 41 others, of Camden, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of L. E. Paxton and 25 others and E. H. Wysong and 11 others, of College Corner, Ohio, in favor or the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. OLMSTED: Resolutions of Weimers Post, No. 494, of Lebanon; Coleman Post, No. 467, Annville; Captain J. W. Sharp Post, No. 371, Newville; S. W. Lascomb Post, No. 351, Steelton; General Simon Cameron Post, No. 78, Middletown; Kennedy Post, No. 490, Mount Holly Springs, and Chester Post, No. 280, Williamstown, all in Pennsylvania, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsalvania: Resolutions of Post 320, of Pinegrove; Post 146, of Shenandoah; Post 110, of Mahanoy City; Post 17, of Minersville; Post 47, of St. Clair; Post 189, of Tamaqua, and Post 144, of Port Carbon, all in Pennsylvania, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of Local Union No. 1542, of Shaft; Local Union No. 1571, of Tamaqua; Local Union No. 1685, of Shenandoah; Local Union No. 1516, of Lost Creek; Local Union No. 1541, of Gilberton; Local Union No. 1600, of Ravine; Local Union No. 1587, of Llewellyn, and Local Union No. 1217, of Luzerne, United Mine Workmen of America, and Central Trades and Labor Assembly, of Shenandoah, all in Pennsylvania, in favor of bills H. R. 89 and 7041—to the Committee on the Judiciary.

By Mr. PAYNE: Affidavits to accompany bill H. R. 12966, granting a pension to Charles H. Lakey—to the Committee on Invalid Pensions.

By Mr. PORTER: Letter from Joseph W. Hunter, the State highway commissioner of Pennsylvania, for the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, papers to accompany bill for the erection of a monument to the memory of John Barry—to the Committee on the Library.

By Mr. REEDER: Petitions of Woman's Christian Temperance Union of Jennings; Rev. J. S. Trumbull and others, of Violanta; Rev. Isaac Johnson and 88 others, of Phillipsburg; F. H. Hayward and 42 others, of Jennings and vicinity; Rev. J. R. McBurney and congregation, of Quintic, and Rev. H. W. Dalrymple and others, of Mount Ayer, all in Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBERTS: Petition of John Larabee and 13 others, of Melrose, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBERTSON of Louisiana: Petition of the people of the parish of Livingston, La., asking for improvement of Colyell Bay—to the Committee on Rivers and Harbors.

Also, papers to accompany claim of H. B. Benjamin—to the Committee on War Claims.

By Mr. RUPPERT: Resolution of the Fifth Annual Supervisors' Highway Convention, held at Albany, N. Y., January 26-27, 1904, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of the Association of Masters and Pilots of Steam Vessels, relative to a light-house on Outer Diamond Shoal, North Carolina—to the Committee on Interstate and Foreign Commerce.

Also, petition of the United Commercial Travelers of America, Brooklyn Council, No. 165, urging enactment of the Badger amendment to the bankruptcy act—to the Committee on the Judiciary.

By Mr. RYAN: Resolution of the Fifth Annual Supervisors' Highway Convention of New York, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SCOTT: Resolutions of the Kansas Federation of Commercial Interests, favoring the enactment of legislation to prevent discrimination in rates—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Western Association of Shoe Wholesalers, favoring enactment of legislation to prevent discrimination in freight rates—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Kansas Federation of Commercial Interests, favoring the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SHACKLEFORD: Paper to accompany bill granting an increase of pension to Catharine R. Rice—to the Committee on Invalid Pensions.

By Mr. SHIRAS: Petition of Rev. I. W. Sprull, of Pittsburg, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SAMUEL W. SMITH: Resolution of Pomona Grange, No. 48, Patrons of Husbandry, of Clio, Mich., in favor of the Brownlow good-roads bill—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the Brighton Farmer's Club, relative to certain reforms in the Post-Office Department—to the Committee on the Post-Office and Post-Roads.

Also, petition of George Stowe, of Unadilla, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WM. ALDEN SMITH: Resolution of Don S. Root Post, No. 126, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of George Miller and 124 others, of Pewamo, Mich., and Rev. A. B. Johnson and 35 others, of Saranac, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Washington Circle, No. 17, Ladies of the Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Pennsylvania: Petitions of Young Woman's Union (50 members) and of Woman's Christian Temperance Union (100 members) of Apollo, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. TAWNEY: Petition of W. H. Palmer and 21 others, of Brownsdale, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WADE: Resolution of Cigar Makers' Union No. 172, of Davenport, Iowa, in favor of bill H. R. 6—to the Committee on Ways and Means.

Also, resolution of Friends' Church of West Branch, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of John M. Hoise and Adolph C. Lepper, against passage of the Hepburn interstate liquor bill—to the Committee on the Judiciary.

By Mr. WADSWORTH: Petition of carriers of rural delivery routes Nos. 1, 2, 5, 6, 7, and 9, of Albion, N. Y.; 20, of Youngstown; 28 and 29, of Burt; 35 and 37, of Middleport, and 39, of Gasport, all in New York—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Illinois: Papers to accompany bill granting a pension to Joseph Thacker—to the Committee on Invalid Pensions.

Also, paper to accompany bill H. R. 12634, granting an increase of pension to James W. Cheek—to the Committee on Invalid Pensions.

By Mr. WOODYARD: Petitions of Albert Heck and 32 others, of Racy, W. Va., and W. H. Piggott and others, of Lubec, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

SATURDAY, *February 27, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CULLOM, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, returned to the Senate, in compliance with its request, the bill (S. 167) granting an increase of pension to J. Hudson Kibbe.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BINGHAM, Mr. LITTAUER, and Mr. LIVINGSTON managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented petitions of the Woman's Christian Temperance Union of Greenfield, Pa.; of the congregation of the Asbury Methodist Episcopal Church, of Detroit, Mich., and of the Woman's Christian Temperance Union of Erie County, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of Philippine Lodge, No. 706, of St. Louis, Mo.; of the Turn Verein of Cleveland, Ohio; of the

Plattdeutscher Gilde, Walhalla Lodge, No. 50, of Milwaukee, and of the Austria Verein, of Kiel, and, in the State of Wisconsin; of the German-American Legion, No. 46, of Rochester, N. Y.; of the German Turn and Schuetzen Verein, of Yorktown; of the Turn Verein of New Braunfels, and of the Schuetzen Verein of Lindenau, in the State of Texas, remonstrating against the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented petitions of sundry citizens of Savoy, Sunbeam, Vermont, Camp Point, East Jordan, Edgar County, Pulaski, and Chicago; of the congregation of the Zion Methodist Episcopal Church, of Verona; of the Woman's Christian Temperance Union of East Jordan; of the Woman's Christian Temperance Union of Kankakee; of the Woman's Christian Temperance Union of La Salle; of the congregation of the United Presbyterian Church, of Sunbeam; of the Christian Endeavor Society of the Christian Church of Abingdon, and of the Public School Teachers of Abingdon, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented a petition of sundry citizens of Flat Rock, Mich., in support of the bill (S. 1716) granting pensions to soldiers and sailors confined in so-called "Confederate prisons;" which was referred to the Committee on Pensions.

He also presented a petition of sundry rural letter carriers of Battle Creek, Mich., praying for the enactment of legislation to increase the salaries of rural free-delivery mail carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of Local Lodge No. 251, International Association of Machinists, of Lansing City; of the Trades and Labor Assembly, of Benton Harbor and St. Joseph, and of Iron Molders' Local Union No. 213, of Grand Rapids, all of the American Federation of Labor, in the State of Michigan, praying that an appropriation be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented a petition of Washington Circle No. 17, Department of Michigan, Ladies of the Grand Army of the Republic, of Grand Rapids, Mich., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Benzonia, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a memorial of the Star Brass Works, of Kalamazoo, Mich., remonstrating against the adoption of the metric system of weights and measures; which was referred to the Select Committee on Standards, Weights, and Measures.

He also presented a petition of the Pomological Society of South Haven and Casco, Mich., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented petitions of Rev. George A. Downey, of Jackson; of Rev. W. R. Cochrane, D. D., of Antrim; of Rev. J. H. Nichols, of Derry; of Rev. C. H. Farnsworth, of Manchester, and of the Christian Endeavor Society of the First Presbyterian Church of Antrim, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CLAPP presented a petition of the Evangelical Association of the German Emanuel Church, of St. Paul, Minn., praying for the enactment of legislation to prevent the nullification of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Lansing, Minneapolis, and Marshall, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN presented a petition of the Christian Endeavor Society of the Christian Church of Milford, N. J., and a petition of the Ladies of the Golden Eagle of Manahawkin, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of Typographical Union No. 307, American Federation of Labor, of New Brunswick, N. J., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented memorials of Golding Sons Company, of Trenton; of J. R. McCardell & Co., of Trenton, and of the Hudson Porcelain Company, of Trenton, all in the State of New Jersey, remonstrating against the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Salem County, Tuckerton, Woodstown, and Hadlonfield; of the congregation of the Methodist Episcopal Church of Flemington; of the Young Woman's Christian Temperance Union of Tuckerton, and of the Woman's Christian Temperance Union of Tuckerton, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. MALLORY (for Mr. TALIAFERRO) presented a petition of the congregation of the First Baptist Church of Jacksonville, Fla., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. LONG presented a petition of Garfield Post, No. 25, Department of Kansas, Grand Army of the Republic, of Wichita, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of sundry citizens of Kansas, remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Kansas Federation of Commercial Interests, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Kansas Federation of Commercial Interests, praying that an appropriation be made for the construction and maintenance of public highways; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Lyons, Viola, Rose Hill, Parsons, and Whitewater, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of the Central Labor Union, American Federation of Labor, of Fall River, Mass., and a petition of the Central Labor Union of Fitchburg, Mass., praying that an appropriation be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which were referred to the Committee on Naval Affairs.

He also presented a petition of the Woburn Womans' Club, of Woburn, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of the congregation of the Christian Church of Sedan, Kans.; of the Society of Friends of Lincoln, Nebr.; of the Woman's Christian Temperance Union of Lawrence; of sundry citizens of Whitman; of the Woman's Christian Temperance Union of Natick; of the congregational Church of Gilbertville; of the Young People's Society of Christian Endeavor and the Woman's Christian Temperance Union of Greenville; of the Woman's Christian Temperance Union of Whitman, and of the congregation of the First Baptist Church of Whitman, all in the State of Massachusetts, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of the American Association of Masters and Pilots of Steam Vessels of Duluth, Minn., praying that relief be granted to James Caniff for loss of limb while employed by the Government as second mate on light-house tender *Birch*; which was referred to the Committee on Claims.

He also presented a petition of the congregation of the Zion German Evangelical Church, of St. Paul, Minn., praying for the enactment of legislation to prevent the nullification of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the First Methodist Episcopal Church of Owatonna, Minn., and the petition of John Hoffer and 76 other citizens of Faribault, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HALE presented a petition of Bosworth Circle, No. 1, Department of Maine, Ladies of the Grand Army of the Republic, of Portland, Me., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented the petition of Charles P. Dow, late of the Sixth Maine Volunteer Infantry, praying that master pay and allowances of second lieutenant be granted him as commanding officer of Company E, Sixth Maine Volunteer Infantry, from December 4, 1863, to May 3, 1864, less sergeant's pay during that time; which was referred to the Committee on Military Affairs.

He also presented the petition of M. J. Dow and sundry other citizens of Plymouth, Me., praying that an appropriation be made for the construction and maintenance of public highways; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the North Dakota Retail Hardware Association, of Grand Forks, N. Dak., remonstrating against the passage of the so-called parcels-post bill; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. SCOTT presented a petition of James Garfield Circle, No. 1, Department of West Virginia, Ladies of the Grand Army of the Republic, of Wheeling, W. Va., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Island Literary Club, of Wheeling, W. Va., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Richland Grange, No. 76, Patrons of Husbandry, of Lewisburg, W. Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. WARREN presented sundry papers to accompany the bill (S. 43) for the relief of Miss L. V. Belt, administratrix of Alfred C. Belt, deceased; which were referred to the Committee on Claims.

CONDITIONS IN THE PHILIPPINES.

Mr. HOAR. Mr. President, I desire to present a paper on conditions in the Philippines, by David J. Doherty, M. D. Doctor Doherty is an eminent scholar and was interested in the Philippines long before the recent historical events. He has visited there and made a very interesting statement of his observations. I move that the paper be printed as a document and referred to the Committee on the Philippines.

The motion was agreed to.

PHYSIOLOGY IN PUBLIC SCHOOLS.

Mr. GALLINGER. I present a paper which is a reply to the physiological subcommittee of the committee of fifty, by Mrs. Mary H. Hunt, a very distinguished woman, who is interested in the scientific teaching of physiology in the public schools.

I move that the paper be printed as a document, and I further move that 1,000 additional copies be printed, to be deposited in the document room of the Senate. It is not a very lengthy paper.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4130) to amend sections 1288, 1293, and 1294 of the Code of the District of Columbia, relating to marriage, so as to authorize marriages according to the custom of the Society of Friends or Quakers; and

A bill (H. R. 2871) to incorporate the Mutual Investment Fire Insurance Company of the District of Columbia.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3288) to provide a public park on Georgetown Heights, in the District of Columbia, reported it without amendment, and submitted a report thereon.

Mr. STEWART, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 3d instant, proposing to appropriate $6,000 for paving Q street between Twenty-second and Twenty-third streets NW., in the city of Washington, intended to be proposed to the District of Columbia appropriation bill, reported it with an amendment, submitted a report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (H. R. 6494) to approve and ratify act No. 73 of the legislative assembly of the Territory of Arizona, reported it without amendment, and submitted a report thereon.

BILLS INTRODUCED.

Mr. CARMACK introduced a bill (S. 4632) for the relief of John Conner, sr.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4633) for the relief of the estate of Zeno T. Harris, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. LONG introduced a bill (S. 4634) extending to Indian Territory certain provisions of the laws of the Territory of Oklahoma relating to rates of interest, and making the same operative therein; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. KITTREDGE introduced a bill (S. 4635) granting an increase of pension to David Misener; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. CLAPP introduced a bill (S. 4636) to validate certain original homestead entries and extend the time to make final proofs thereon; which was read twice by its title, and referred to the Committee on Public Lands.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4637) granting a pension to Ernestine Lavigne;

A bill (S. 4638) granting an increase of pension to Edwin F. Barrett; and

A bill (S. 4639) granting an increase of pension to Samuel P. Starrett.

Mr. COCKRELL introduced a bill (S. 4640) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Missouri River, and to establish it as a post-road," approved February 28, 1903; which was read twice by its title, and referred to the Committee on Commerce.

Mr. MALLORY. For my colleague [Mr. TALIAFERRO], who is unavoidably absent, I introduce the bill that I send to the desk.

The bill (S. 4641) confirming to certain claimants thereto portions of lands known as Fort Clinch Reservation, in the State of Florida, was read twice by its title.

Mr. MALLORY. There are some papers in connection with the bill which are important as explaining its purpose, and, at my colleague's request, I move that they be printed as a Senate document and, with the bill, referred to the Committee on Military Affairs.

The motion was agreed to.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment proposing to appropriate $23,000 for house and furniture for a chemical engine company, to be located near Benning, D. C., including cost of connecting the house with fire-alarm headquarters, intended to be proposed by him to the District of Columbia appropriation bill; which, with the accompanying memorandum, was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to appropriate $10,000 for the improvement of Grant street NW., between Eighteenth street and Nineteenth street, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia and ordered to be printed.

He also submitted an amendment proposing to appropriate $6,000 for grading and macadamizing Shepherd street NW. from Connecticut avenue extended to Idaho avenue, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations and ordered to be printed.

He also submitted an amendment proposing to appropriate $5,000 to pay the Prospect Hill Cemetery for the land necessary for the extension of W and Albany streets east and North Capitol street, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia and ordered to be printed.

Mr. PERKINS submitted an amendment providing for the building of the colliers authorized by the naval appropriation act in Government navy-yards, one collier to be built on the Pacific and the other on the Atlantic coast, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

WITHDRAWAL OF PAPERS—JOHN WHITEHEAD.

Mr. McCUMBER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Senate Committee on Pensions, to whom has been referred H. R. 5737, a bill granting an increase of pension to John Whitehead, be instructed to return all papers in this case to the House of Representatives for further action in said case, no adverse report having been made thereon.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CULLOM. I move that the Senate insist upon its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. CULLOM, Mr. WARREN, and Mr. TELLER were appointed.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 26th instant approved and signed the following acts:

An act (S. 113) to enable the Secretary of the Treasury to pay the State of Vermont money appropriated by the act of Congress of July 1, 1902, and to adjust mutual claims between the United States and the State of Vermont;

An act (S. 277) for the relief of settlers on lands in Sherman County, in the State of Oregon;

An act (S. 2818) permitting the building of a dam across the Mississippi River at or near the village of Sauk Rapids, Benton County, Minn.;

An act (S. 3720) to authorize the St. Joseph and Grand Island Railway Company, in the reconstruction of the bridge across the Missouri River at or near St. Joseph, Mo., to lower said bridge and to shorten the draw spans thereof;

An act (S. 3800) donating gun carriages to the Connecticut commissioners for the care and preservation of Fort Griswold; and

An act (S. 4125) to authorize the Little Rock and Monroe Railway Company to construct, maintain, and use the bridge across Ouachita River, in the State of Louisiana, at a point between Ouachita City and the mouth of Bayou Loutre.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House insists upon its amendment to the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands, agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CURTIS, Mr. BROWN of Wisconsin, and Mr. STEPHENS of Texas managers at the conference on the part of the House.

The message also announced that the House had passed a bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes; in which it requested the concurrence of the Senate.

TRANSPORTATION OF SUPPLIES FOR ARMY AND NAVY.

Mr. HALE. I move to take up Senate bill 2263, which was before the Senate when we adjourned.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2263) to require the employment of vessels of the United States for public purposes.

The PRESIDENT pro tempore. The question is on the motion made by the Senator from Tennessee [Mr. CARMACK], to recommit the bill to the Committee on Commerce. The Secretary will call the roll.

Mr. MALLORY. Is debate in order now?

The PRESIDENT pro tempore. A vote on the motion to recommit is only in order now.

Mr. MALLORY. I desire to give some reasons why I shall vote to recommit the bill.

Mr. LODGE. There is nothing in order except the calling of the roll.

Mr. HALE. The Senate was dividing when we adjourned.

The PRESIDENT pro tempore. The roll call having been ordered and proceeded with, nothing is in order except the call of the roll.

Mr. PETTUS. I will inquire what is the exact question on which we are to vote?

The PRESIDENT pro tempore. The motion to recommit the bill to the Committee on Commerce.

Mr. BERRY. Does the Chair hold that because no quorum voted, a quorum now being present, the motion to commit can not be discussed, but that we must vote on the motion? I respectfully submit to the Chair that, there being no quorum on the roll call, it was equivalent to no action whatever and that the motion to recommit is now debatable.

The PRESIDENT pro tempore. The Chair is inclined to that opinion.

Mr. HALE. The yeas and nays had been ordered, and they were called once, and a lack of a quorum was disclosed. Of course you can not come in this morning with debate any more than you could yesterday, until after that vote is settled. We did not complete the vote.

The PRESIDENT pro tempore. But, there being no quorum present on the roll call, the whole thing drops. That has been the custom of the Senate.

Mr. BERRY. That has been the rule since I have been here.

Mr. HALE. The original motion disclosed the lack of a quorum.

Mr. GALLINGER. Mr. President, happening to be in the chair temporarily, I will state the parliamentary status. Of course I may be wrong in my view.

The roll call disclosed the lack of a quorum. A call of the Senate was then made, and a quorum appeared. I suppose the next procedure would have been another roll call on the question which was then pending, and would not that come over this morning?

The PRESIDENT pro tempore. Was there a roll call which showed a quorum?

Mr. GALLINGER. There was.

Mr. HALE. There was a roll call.

The PRESIDENT pro tempore. The Chair was not informed of that fact.

Mr. BERRY. If the Chair will permit me, the custom has been where there is a roll call on any proposition which discloses that there is no quorum the whole order is null and void, and it comes back to the original proposition to recommit when a quorum does appear. The vote that was taken, there being no quorum at the time, was a nullity, and it has been held repeatedly that when a quorum does appear, then the question is still open for debate.

Mr. LODGE. No, never.

Mr. BERRY. A yea-and-nay call was had, but the vote was not taken. It occurs to me that that has been the rule and that it is the correct rule.

The PRESIDENT pro tempore. The Chair is of the opinion that where there has been a roll call ordered, and on the call no quorum is developed, and the same day a call of the House is had, and a quorum is developed, the first thing immediately to be done, then, is to proceed with a new roll call.

Mr. BERRY. I submit to the Chair that such has not been the practice.

Mr. HALE. I think it has always been the practice.

Mr. BERRY. I know it has not.

Mr. LODGE. It has been the universal practice.

Mr. GALLINGER. I will say further that immediately upon a quorum appearing I suggested that the roll call should proceed on the motion to recommit, but pending that the Senator from Maine moved to adjourn.

The PRESIDENT pro tempore. The Chair is entirely clear about it. The presence of a quorum has been developed. The Secretary will call the roll.

Mr. TELLER. What is the call on?

The PRESIDENT pro tempore. On the motion made by the Senator from Tennessee [Mr. CARMACK], to recommit the bill to the Committee on Commerce.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I have a general pair with the junior Senator from Missouri [Mr. STONE], and I withhold my vote.

Mr. FOSTER of Washington (when his name was called). I have a general pair with the junior Senator from Mississippi [Mr. McLAURIN]. I transfer that to the senior Senator from Kansas [Mr. BURTON], and vote. I vote "nay."

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. He is not present, and I will transfer my pair to the senior Senator from Rhode Island [Mr. ALDRICH], and vote. I vote "nay."

Mr. GIBSON (when his name was called). I have a general pair with the senior Senator from Utah [Mr. KEARNS]. I will transfer that pair to the Senator from Tennessee [Mr. BATE], and vote "yea."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I do not see him present. If he were here, I should vote "yea."

Mr. SCOTT. I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. I suggest to the senior Senator from Florida [Mr. MALLORY] that, if it is agreeable to him, we transfer our pairs.

Mr. MALLORY. That is agreeable.

Mr. SCOTT. I vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the senior Senator from Mississippi [Mr. MONEY]. I do not know how that Senator would vote. If he were present and I were at liberty to vote, I should vote "nay." I withhold my vote.

The roll call was concluded.

Mr. DEPEW. I have a general pair with the Senator from Louisiana [Mr. McENERY]. I transfer that to the Senator from Pennsylvania [Mr. PENROSE], and vote "nay."

Mr. CULLOM. I have a general pair with the junior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the Senator from Connecticut [Mr. HAWLEY], and vote "nay."

Mr. BEVERIDGE (after having voted in the negative). I voted under the transfer of pairs announced yesterday. I am paired with the senior Senator from Montana [Mr. CLARK]. I transfer that pair to the senior Senator from Nebraska [Mr. DIETRICH], and let my vote stand.

Mr. MALLORY. I transfer my pair with the Senator from Vermont [Mr. PROCTOR] to my colleague [Mr. TALIAFERRO], and vote "yea."

Mr. McCOMAS. I desire to vote "nay," but I will first ask if the senior Senator from Kentucky [Mr. BLACKBURN] has voted?

The PRESIDENT pro tempore. He has not voted.

Mr. McCOMAS. I withhold my vote.

The result was announced—yeas 19, nays 39: as follows:

YEAS—19.

Bacon,	Clay,	Gibson,	Pettus,
Bailey,	Cockrell,	Latimer,	Simmons,
Berry,	Culberson,	Mallory,	Teller.
Carmack,	Daniel,	Overman,	Tillman.
Clarke, Ark.	Foster, La.	Patterson,	

NAYS—39.

Alger,	Dillingham,	Hale,	Mitchell,
Allen,	Dryden,	Hansbrough,	Nelson,
Allison,	Elkins,	Hawley,	Perkins,
Baird,	Fairbanks,	Heyburn,	Platt, Conn.
Beveridge,	Foraker,	Hoar,	Platt, N. Y.
Burnham,	Foster, Wash.	Hopkins,	Quarles,
Burrows,	Frye,	Kean,	Scott,
Carter,	Fulton,	Kittredge,	Smoot,
Clapp,	Gallinger,	Lodge,	Stewart,
Cullom,	Gamble,	Long,	Wetmore.
Depew,		McCumber,	

NOT VOTING—31.

Aldrich,	Dietrich,	McEnery,	Platt, N. Y.
Ankeny,	Dolliver,	McLaurin,	Proctor,
Bell,	Dubois,	Martin,	Quay,
Bate,	Gorman,	Millard,	Spooner,
Blackburn,	Hawley,	Money,	Stone,
Burton,	Kearns,	Morgan,	Taliaferro,
Clark, Mont.	McComas,	Newlands,	Warren.
Clark, Wyo.	McCreary,	Penrose,	

So the Senate refused to recommit the bill to the Committee on Commerce.

Mr. HALE. I think the pending question is on the amendment offered by the Senator from Virginia [Mr. DANIEL], which I move to lay on the table.

The PRESIDENT pro tempore. That is the pending question. The amendment will be read to the Senate.

The SECRETARY. Amendment proposed by Mr. DANIEL: At the end of the amendment offered by the Senator from North Dakota [Mr. McCUMBER] and agreed to insert the words:

And provided further. That such freight charges do not exceed by 10 per cent the lowest bid offered for transporting such freight in foreign bottoms.

The PRESIDENT pro tempore. The Senator from Maine moves to lay the amendment on the table.

Mr. DANIEL and Mr. TELLER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. CLARKE of Arkansas (when his name was called). I have a general pair with the Senator from Nebraska [Mr. MILLARD]. I see that he is not here this morning. I do not know how he would vote on this proposition. If he were here, I should vote "nay."

Mr. DEPEW (when his name was called). I transfer my pair with the Senator from Louisiana [Mr. McENERY] to the Senator from Pennsylvania [Mr. PENROSE], and vote "yea."

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. I transfer that pair to the senior Senator from Rhode Island [Mr. ALDRICH], and vote. I vote "yea."

Mr. GIBSON (when his name was called). I transfer my pair with the Senator from Utah [Mr. KEARNS] to the senior Senator from Tennessee [Mr. BATE], and vote "nay."

Mr. McCOMAS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BLACKBURN]. I transfer my pair to the Senator from Delaware [Mr. BALL], and vote. I vote "yea."

Mr. MALLORY (when his name was called). I am paired with the senior Senator from Vermont [Mr. PROCTOR]. The Senator from West Virginia [Mr. SCOTT] is paired with my colleague [Mr. TALIAFERRO]. I suggest to the Senator from West Virginia that we turn our pairs over to those gentlemen so as to enable us to vote.

Mr. SCOTT. Very well.

Mr. MALLORY. I transfer my pair to my colleague [Mr. TALIAFERRO], and vote "nay."

Mr. WARREN (when his name was called). I again announce my pair with the Senator from Mississippi [Mr. MONEY].

The roll call was concluded.

Mr. QUARLES. I wish to announce that my colleague [Mr. SPOONER] is detained by illness and unable to be here.

Mr. WARREN. By an arrangement for a transfer of pairs, the Senator from Wisconsin [Mr. SPOONER] will stand paired with the Senator from Mississippi [Mr. MONEY], thus relieving the Senator from Tennessee [Mr. CARMACK] and myself, and enabling us to vote. I vote "yea."

Mr. CARMACK (after having voted in the negative). I have already voted.

Mr. MITCHELL (after having voted in the affirmative). I have a general pair with the Senator from Idaho [Mr. DUBOIS]. I notice that he is not present. I will transfer my pair to the Senator from Kansas [Mr. BURTON]. My vote stands "yea."

The result was announced—yeas 42, nays 20, as follows:

YEAS—42.

Alger,	Dillingham,	Hansbrough,	Nelson,
Allen,	Dryden,	Hawley,	Perkins,
Allison,	Elkins,	Heyburn,	Platt, Conn.
Ankeny,	Fairbanks,	Hopkins,	Quarles,
Baird,	Foraker,	Kean,	Scott,
Beveridge,	Foster, Wash.	Kittredge,	Smoot,
Burnham,	Frye,	Lodge,	Stewart,
Burrows,	Fulton,	Long,	Warren,
Carter,	Gallinger,	McComas,	Wetmore.
Clapp,	Gamble,	McCumber,	
Cullom,	Hale,	McEnery,	
Depew,		Mitchell,	

NAYS—20.

Bacon,	Cockrell,	Latimer,	Patterson,
Bailey,	Culberson,	McLaurin,	Pettus,
Berry,	Daniel,	Mallory,	Simmons,
Carmack,	Foster, La.	Martin,	Teller,
Clay,	Gibson,	Overman,	Tillman.

NOT VOTING—27.

Aldrich,	Clarke, Ark.	McEnery,	Platt, N. Y.
Bell,	Dietrich,	Martin,	Proctor,
Bate,	Dolliver,	Millard,	Quay,
Blackburn,	Dubois,	Money,	Spooner,
Burton,	Gorman,	Morgan,	Stone,
Clark, Mont.	Hawley,	Newlands,	Taliaferro.
Clark, Wyo.	Kearns,	Penrose,	

So Mr. DANIEL's amendment was laid on the table.

Mr. DANIEL. I desire to renew the language of the amendment with the words "15 per cent" instead of "10 per cent" inserted.

Mr. HALE. I move to lay it on the table.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Virginia will be stated.

The SECRETARY. Add at the end of the amendment offered by the Senator from North Dakota [Mr. McCUMBER] and agreed to the following:

And provided further. That such freight charges do not exceed by 15 per cent the lowest bid offered for transporting such freight in foreign bottoms.

The PRESIDENT pro tempore. The Senator from Maine moves to lay the amendment on the table.

The motion was agreed to.

Mr. DANIEL. I move to insert "20 per cent" in the same amendment.

Mr. MITCHELL. I offered an amendment last evening which I believe has not been acted upon.

The PRESIDENT pro tempore. It was not formally offered. It was sent to the printer.

Mr. MITCHELL. I offer it now.

Mr. DANIEL. I believe I have the floor.

The PRESIDENT pro tempore. The Senator from Virginia offers an amendment, which will be stated.

The SECRETARY. It is proposed to add the following additional proviso:

And provided further. That such freight charges do not exceed by 20 per cent the lowest bid offered for transporting such freight in foreign bottoms.

Mr. HALE. I move to lay the amendment on the table.

The motion was agreed to.

The PRESIDENT pro tempore. The Senator from Oregon offers an amendment, which will be stated.

Mr. MITCHELL. I hope the Senator from Maine will not make a motion to lay it on the table until after I submit a few observations giving my reason for the amendment.

Mr. HALE. Of course I will await the Senator's convenience. After that I shall move to lay the amendment on the table.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Oregon will be stated.

The SECRETARY. On page 1, line 3 (line 4 of the reprinted bill), after the word "others," insert "from and after July 1, 1905;" so that if amended the clause will read:

That vessels of the United States, or belonging to the United States, and no others, from and after July 1, 1905, shall be employed in the transportation by sea of coal, provisions, etc.

Mr. MITCHELL. Mr. President, I dislike very much to offer an amendment that seems to be in opposition somewhat to what is considered proper legislation at this time by the Republican leaders of the Senate, but I feel compelled to do so for reasons which I will state.

I am not opposed, as my record in the Senate in the past will

clearly show, to legislation in the interest of American shipping or to legislation which will promote the interests of the merchant marine. The word "subsidy" has no horrors for me. I voted cheerfully in the last Congress, as Senators know, for what was known as the "Frye-Hanna subsidy bill." I would vote again for that same bill, or something having the same purpose in view, had I the opportunity. I also voted, however, at the same time with the distinguished Senator from Massachusetts [Mr. LODGE], the chairman of the Committee on the Philippines, and with every other Republican Senator, and I think probably most Democratic Senators, for a bill which provided that the coastwise shipping laws should not be extended to our shipping between this country and the Philippine Islands until the 1st of July, 1904. That was a provision incorporated in the act approved by the President of the United States March 8, 1902.

That bill was reported by the distinguished Senator from Massachusetts, supported by every member of the committee, and, as I have said, supported, I think, perhaps almost unanimously by the Senate. At all events, by all the Republicans, and, I think, by many Democrats.

There were reasons for that legislation at that time. Otherwise it would not have received the sanction of the distinguished Senator from Massachusetts, as chairman of the Committee on the Philippines. It seems to me that the same reasons which existed then, inducing hesitation for a time in extending our coastwise navigation laws to our shipping between the United States and the Philippines, exist now. There has been no very great increase, although some, in the building of American ships for the Pacific coast, or for the Atlantic coast, for that matter, although I think that that was a very wise piece of legislation and has done much to stimulate shipbuilding in this country.

But the fact remains, Mr. President, notwithstanding the statistics which have been quoted here in this discussion, that on the Pacific coast at least—and I think the same is true of the Atlantic coast—there is not sufficient American tonnage, especially and particularly steamship tonnage, to meet the demands of our rapidly increasing trade.

We are engaged in attempting to build up a great trade with our new possessions and with China and Japan, and if we commence putting on the clamps and applying restrictions immediately, what will be the result? Instead of encouraging that trade it will strike it down. It will transfer it to Canada, to Australia, and to other foreign countries.

Some attempt was made in the legislation reported from the Committee on the Philippines at the last Congress to reduce the tariff duties on goods coming to and going from the United States to the Philippines. I myself introduced an amendment to a then pending revenue bill to reduce customs duties 50 per cent. A little progress in that direction was made. Twenty-five per cent was taken off, together with the export taxes at the other end on products imported into the United States which were wholly the production of the Philippine Islands. Nothing more was done, however. The old tariff rates which existed between the United States and foreign countries as to products from this country to the Philippines were permitted to remain. I believe that some bill has been reported at the present session from the Philippines Committee looking to a further cutting down of these trade restrictions.

If I had my way, Mr. President—and I think I voice the sentiment of the Pacific coast, irrespective of party—I would strike down every barrier, so far as customs duties are concerned, between the United States and our Philippine possessions. I believe that that is the sentiment of the people. I believe, furthermore, that it is the sentiment of a great many Senators; and I believe the only thing that has prevented that action being taken before now by the Republican party in Congress has been a feeling upon the part of Senators that the time has not yet arrived for such action by reason solely of the fact that the revenue arising from these customs duties seems to be necessary to meet deficits in the treasury of the Philippines. I sincerely trust the time is rapidly approaching when this necessity will no longer exist as a barrier to free and unrestricted trade between the United States and our insular possessions.

I take no stock in the assaults which come from the other side of this Chamber upon nearly every effort that is made to build up American shipping, because I believe thoroughly in that policy; but I am not in favor of moving so rapidly in that direction and by means, the effect of which will be—and that will be the effect of this bill if it becomes a law immediately—to discriminate very largely in favor of certain special interests and certain special ports to the absolute destruction of other more general interests and the trade of other equally important maritime ports.

It is said that we have 145,000 tons of American steam shipping on the Pacific coast, and about 160,000 tons on the Atlantic coast. That is true; but what does that amount to, Mr. President, when we come to consider not only the great trade which already exists, but the still greater trade and increased commerce which we expect to build up, not only between this country and our Pacific possessions, but with China and Japan?

Why do I say that the effect of this proposed legislation will be to discriminate in favor of certain ports and against certain other ports? There are on the Pacific coast all told but seventeen American steamships engaged in the oriental trade. Every one of these American steamships on the Pacific coast are registered and located in two ports. None of them ever come to the Columbia River, to the port of Astoria, or to the port of Portland, Oreg. They each and all clear either from San Francisco or Puget Sound.

The following is a list of the seventeen American steamships registered on the Pacific coast:

Steamships available for Philippine trade between Pacific ports and the Philippines after July 1, 1904.

[Page 44, Report for 1903 of Commissioner of Navigation.]

Vessel.	Gross tons.	Owner.
Siberia	11,264	Pacific Mail Steamship Co.
Korea	11,276	Do.
Manchuria[a]	13,500	Do.
Mongolia[a]	13,500	Do.
City of Peking	5,079	Do.
China	5,060	Do.
Peru	5,528	Do.
Minnesota[a]	21,000	Great Northern Steamship Co.
Dakota[b]	21,000	Do.
Tremont	9,606	Boston Steamship Co.
Shawmut	9,606	Do.
Lyra	4,437	Do.
Hyades	3,753	Do.
Pleiades	3,753	Do.
Victoria	3,502	Northern Pacific Steamship Co.
Olympia	2,897	Do.
Tacoma	2,811	Do.
Total	145,512	

[a] Launched. [b] Building.

These seventeen vessels, it will be observed, are owned, controlled, and operated by four corporations, namely, the Pacific Mail Steamship Company owning, controlling, and operating seven—the *Siberia*, *Korea*, *Manchuria*, *Mongolia* (the last two but recently launched), *City of Peking*, *China*, and *Peru*; while the Great Northern Steamship Company owns, controls, and operates two—the *Minnesota* and the *Dakota*. The Boston Steamship Company owns, controls, and operates five—the *Tremont*, *Shawmut*, *Lyra*, *Hyades*, *Pleiades*, and *Victoria*; while the Northern Pacific Steamship Company owns, controls, and operates three—the *Victoria*, *Olympia*, and *Tacoma*.

All these companies are deserving of the highest praise and are deserving of every consideration and aid consistent with the protection and guardianship of other commercial interests for their great enterprise and patriotism in investing their capital in building up and promoting the great American shipbuilding industry of this country and in promoting American trade and American commerce. And they shall always have my earnest cooperation and aid, in so far as I can render it consistent with my duty to the interests of the great commercial State which I have the honor in part to represent on this floor.

But I can not be blind to the fact that inasmuch as all these great American steamships must clear always from either the ports of San Francisco or Puget Sound, and never, not a single one of them, from any Columbia River port, that the effect of the passage of the pending bill must of necessity be to divert all oriental trade from the Columbia River ports either to the ports of San Francisco or Puget Sound; hence my strenuous opposition in the interest of the trade and commerce of my own State to prevent this calamity as long as possible. That the three great American steamship companies I have named will continue substantially the Government transportation from the ports of San Francisco and Puget Sound, whether this bill does or does not become a law, I have no kind of doubt, and I believe, furthermore, they will have all they can do.

An examination of the records for the past few years will disclose the fact that the Boston Steamship Company, through its five steamships, has virtually controlled all Government transportation going out of Puget Sound to the Orient. Let there be unity of action, therefore, in this great national work of the development of the oriental trade, but, any legislation which discriminates in favor of one or more great commercial ports, either on the Pacific or Atlantic, for the purpose of promoting the interests of one or more other commercial ports, is not only unwise, but absolutely unjust.

Mr. President, the Government of the United States is calling every few days for bids for forage to send to the Philippines. The Department is absolutely fair. The Department believes that those supplies should be distributed equally, as far as possible, all things being equal, between the three great ports on the Pacific

coast—Puget Sound, San Francisco, and the Columbia River. Unfortunately we have no American vessels, or, at least, but an occasional one, coming to the Columbia River. We produce in the great Willamette Valley, and in the Columbia River Valley, a better quality of hay and oats, and we can and do put in lower bids for both than can either of the other ports—Puget Sound or San Francisco; and yet we are able to get but very little of the trade even now as the law stands. If, however, we are confined, compelled, as proposed by the pending bill, to do our shipping wholly in American bottoms, it will be an absolute destruction of all oriental trade from the great ports of the Columbia. That will be the effect of this bill. I am flooded with dispatches from our boards of trade and our chambers of commerce imploring me and my colleague not to destroy the bill, but to ask for a reasonable postponement of its effect, and that is why I have offered my amendment.

I suppose from the indications that it will be voted down, but I have felt it my duty to submit these observations as the reasons for my course in offering the amendment, the effect of which is simply to postpone the operation of the bill until the 1st of July of next year. I sincerely trust the Senator having this bill in charge will consider the reasonableness of the amendment I propose and consent to it.

Mr. PATTERSON. I should like to ask the Senator from Oregon a question in connection with his amendment, if I have his permission.

The PRESIDENT pro tempore. Does the Senator from Oregon yield?

Mr. MITCHELL. I do.

Mr. PATTERSON. I am at a loss to understand the necessity for the Senator's amendment, in view of the legislation which now exists. The Senator from Oregon must have given considerable attention to the question——

Mr. MITCHELL. Not very much; I was not aware that this bill was coming up until yesterday.

Mr. PATTERSON. I know the question I am about to ask will be of interest to a number of Senators, and in order that it may be understood more clearly I wish to read a statement from the Secretary of War, which is published in Senate Document No. 94, and which is as follows:

In the act entitled "An act temporarily to provide revenue for the Philippine islands, and for other purposes," approved on the [illegible] day of March, 1902, it is provided that the navigation laws of the United States shall not extend to the Philippine islands until the 1st day of July, 1904.

That is only a few months off. Then the statement continues:

So that after that date all commerce between the United States and the Philippine islands must be transported in American ships. [illegible] to all ships. So that this act, if passed, would be in [illegible] two years.

This is a communication from the War Department, dated May 31, 1902. If this statement from the War Department is correct—and I take it that it is, for I have the act before me that is referred to in the communication—why should legislation of this kind be sought when, if the purpose is to send all traffic from the United States to the Philippine Islands in American bottoms, that must be done under the law as it is to-day on the 1st day of July?

Mr. MITCHELL. I take it for granted that one purpose of the proposed bill is to prevent that limitation applying to navigation between the different islands in the Philippines.

Mr. PATTERSON. That is not the construction that is placed upon it by the War Department. The War Department says:

So that after that date all commerce between the United States and the Philippine islands must be transported in American ships.

Mr. LODGE. If the Senator will allow me, that refers to the act that is now existent, and not to the pending bill, I think.

Mr. PATTERSON. Not but under the act as it now exists all transportation of articles from the United States to the Philippine Islands must, after the 1st of July of this year, be sent in American bottoms.

Mr. LODGE. That is the existing law beyond a doubt.

Mr. PATTERSON. That is the existing law.

Mr. LODGE. That, of course, applies only to the traffic between the United States and the Philippine Islands. This bill covers all supplies carried to all parts of the world, and is very much broader than that.

Mr. PATTERSON. Ah! But, Mr. President, the only statement we have heard made up to this time as to the necessity for this bill, arises out of the necessity for the transportation of supplies from the United States and by the United States to the Philippine Islands for the necessities of the Army.

Mr. LODGE. That may have been said in the debate, but the coal supplies of the Navy are carried to all parts of the world.

Mr. MITCHELL. Mr. President, I shall be through in a moment. Without my amendment to this bill, of course, after the 1st day of July next all business must be transported in American bottoms between the United States and the Philippine Islands. There is no question about that. The effect of my amendment would be simply to postpone the matter some seventeen months longer—to July 1, 1905. That is all there is about it.

The committee, it is evident, realized the necessity of providing that this restriction to navigation between the different islands of the Philippines should not apply, and therefore they have provided it shall not apply to our navigation laws in respect to commerce between the various islands of that archipelago.

Mr. HALE. That is not in this bill at all.

Mr. MITCHELL. That, perhaps, as the Senator from Maine says, is in the other bill. There are twin bills here, having precisely the same purpose in view, and the provision is in one or the other of the bills. I supposed it was in this one. And why is this reduction not to apply to commerce between the islands? Simply because there is not American tonnage there to do the business, and therefore such legislation would be unwise. I insist the same reason applies here. There is not sufficient American tonnage on the Pacific coast to do the business. I have here a telegram from the Chamber of Commerce of Portland, Oreg. Telegrams have been introduced here from San Francisco and other places, and I beg to submit this one. It reads as follows:

PORTLAND, OREG., *February 26, 1904.*

Senator MITCHELL, Washington, D. C.:

Proposed meat contract time should be extended for proposed extension navigation laws Philippines. Fleet is notorious that no adequate supply of American vessels within reasonable time is available, and business would suffer materially in meantime from lack of competition in supplying contract. Lack of competition in meat contract between Canada and Australia, already active competitors, would be less affectated.

W. J. BURNS,
President Portland Chamber of Commerce.

Mr. HALE. That refers to the other bill.

Mr. MITCHELL. They are the same. Mr. President: the two bills are on all fours as to their effect. One bill provides that from and after the passage of this act, as introduced, although I think it has been amended on the motion of the Senator from Iowa [Mr. ALLISON] extending it sixty days, or something of that kind—one provides that after the date of its passage no vessel, except a vessel of the United States, a vessel owned by the United States—which is construed by the Senator from Maine [Mr. HALE] to mean all registered American vessels—shall carry the products of this country to the Philippines, while the other bill provides that no merchandise shall be carried from and after the passage of the bill except in home ships. So the two bills are really intended to accomplish one and the same purpose. They are twin measures, begotten by the same parentage, and either one will, if enacted into law, accomplish precisely the same purpose, no more or no less, than will both if melted into legislation.

If we had the necessary American vessels on the Pacific coast to do the business—which I do not believe we have, and I feel sure we have not—I would most cheerfully favor this bill. But I believe, as I said before, that the act passed in 1902 has done much toward stimulating shipbuilding in this country. I think no harm can come to the shipping interests or American trade and commerce, but that much good would come to our commerce generally which we are attempting to build up between this country and the Philippine Islands, and with all sincerity I urge the postponing the matter at least seventeen months longer. I insist, Mr. President, on a yea-and-nay vote on my amendment.

Mr. PATTERSON. I should like——

Mr. HALE. I move to lay the amendment on the table.

Mr. PATTERSON. I should like to ask a question, Mr. President.

The PRESIDENT pro tempore. The Senator from Maine [Mr. HALE] has moved to lay the amendment on the table.

Mr. MITCHELL. On that question I ask for the yeas and nays.

Mr. PATTERSON. I submit, Mr. President, that I should certainly be permitted to ask the Senator from Massachusetts [Mr. LODGE] a question. Certainly it will not consume much time. There is a matter in connection with this proposed amendment which ought to be cleared up.

The PRESIDENT pro tempore. Does the Senator from Maine withdraw his motion for that purpose?

Mr. HALE. I am very desirous, Mr. President, that the discussion shall not be long, but if the Senator from Colorado will confine himself to the question I will withdraw the motion temporarily.

Mr. PATTERSON. I am going to confine myself to the question.

Mr. HALE. Otherwise I will certainly insist on the motion to lay the amendment on the table.

Mr. PATTERSON. Well, time will be taken afterwards, if not now.

Mr. DANIEL. We want the Senator from Maine to understand that we will debate this bill. We are not going to be cut off by his hasty endeavor to lay on the table every amendment that is offered.

Mr. HALE. I am entirely subject, Mr. President, to the rules of the Senate.

Mr. DANIEL. The committee has been very scant in the information it has given to the Senate on this bill. There are a great many facts that ought to be known to the Senate before this bill is passed, and we do not think that the Senate should be so eager to protect Chinese seamen and American monopolies as to try to cut off our opportunity to lay this matter fully before the Senate.

Mr. PATTERSON. With the permission of the Chair, in response to a question propounded by the Senator from Oregon [Mr. MITCHELL], the Senator from Massachusetts [Mr. LODGE] stated that this bill is intended to cover not alone the transportation of supplies to the Philippine Islands for Government uses, but to all other ports. What I want to know is what other American port is without the coastwise navigation laws of the United States except those that are in the Philippine Islands and possibly in the island of Guam? Where are there any others for this law to operate upon except those that are in the Philippine Islands?

Mr. LODGE. The Senator, I think, can not have read this bill with care. This bill is not confined to the carrying of supplies between one American port and another, but it applies to the conveying of supplies for the Army and Navy anywhere. For example, we are sending coal to Guantanamo at this moment for the use of the fleet. Guantanamo is not an American port, but this bill would apply to the coal carried there. Of course the bill relating to navigation laws being extended to the Philippine Islands is a much narrower and quite different question. This bill applies to the supplies carried to the Navy or to the Army. Of course the army supplies go chiefly, if not altogether, to the Philippine Islands, but for the Navy that is not the case. Naval supplies are carried all over the world. Wherever there is a fleet, wherever there is a ship for which supplies have to be sent, they are sent now by foreign bottoms. This bill provides that they shall be carried in American ships. This is a much more extensive bill than the other.

Mr. PATTERSON. Mr. President——

Mr. ALLISON. Will the Senator from Colorado allow me to ask the Senator from Massachusetts a question?

Mr. PATTERSON. Certainly.

Mr. ALLISON. Guantanamo being a foreign port, as is also Panama, if it were necessary to transport coal from Guantanamo to Panama, under this bill would that coal have to be carried in American ships? In other words, between two foreign ports will or will not this bill apply?

Mr. LODGE. I do not think it applies. But I am not aware that, as a practical matter of fact, supplies are bought in foreign countries except under emergency orders, and then bought by the ship's captain on the ground and in open market.

Mr. ALLISON. This bill does not apply when supplies are transported from one foreign port to another?

Mr. LODGE. This bill does not cover that.

Mr. ALLISON. This bill, as I understood the Senator from Maine to say——

Mr. LODGE. That would imply, of course, the buying of Cuban coal, which we are not in the least anxious to encourage.

Mr. ALLISON. I am speaking now of coal that we have transported to Cuba, to Guantanamo.

Mr. LODGE. The Senator means the coal stores we have there?

Mr. ALLISON. If coal from our stores at Guantanamo were to be transported to Panama, would that coal have to be done on an American vessel, or could the Navy get any transport there to take it? That is the point I had in mind.

Mr. LODGE. I understand that is what the Senator from Maine referred to.

Mr. DIETRICH and Mr. PATTERSON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Nebraska [Mr. DIETRICH] is recognized.

Mr. PATTERSON. I had not yielded the floor, Mr. President.

The PRESIDENT pro tempore. The Senator from Colorado, as the Chair understood, took the floor to ask a question of the Senator from Massachusetts.

Mr. PATTERSON. Yes, sir; but it did not follow, I suppose, that I had to be content with whatever answer the Senator from Massachusetts would give me. I want to make a statement in great connection with the answer made by the Senator from Massachusetts, so that the matter may be more clearly before the Senate.

The PRESIDENT pro tempore. The Senator from Colorado will proceed.

Mr. PATTERSON. The answer of the Senator from Massachusetts is given to illustrate, by a suggestion, that we are now engaged in sending coal to some port of Cuba—as I understand, Guantanamo. As I understand it, American ships coaling in foreign waters coal with foreign coal. We do not send tenders filled with coal after the Navy of the United States wherever it may go. We have no army posts in foreign countries. Here and there we may, for the time, use barracks from some of the vessels of the United States, but I take it that the great bulk of that business—for it must be infinitesimally small as compared with the traffic for which over $4,000,000 were paid last year—this very class of traffic that is contemplated in this measure, such things as the Senator from Massachusetts refers to, are infinitesimally small as compared with the matter concerning which, and to which, all the correspondence related, and to effect which this bill has been introduced and is being pressed to its passage.

So, Mr. President, what have we got? We have got under existing law the necessity of transporting all freights both to and from the Philippine Islands in American bottoms after the 1st day of July of the present year; and yet, for some occult reason—for some reason that has not been developed—it is insisted that a law shall be passed that will give a monopoly of transportation between the United States and the Philippine Islands to American vessels.

I am inclined to think, Mr. President, that the real thing at the bottom of it is that when the coastwise laws of the United States are in operation as between the Philippine Islands and the United States, then the Pacific-coast steamships must man their vessels under the coastwise laws, and not be permitted, as they are permitted now, to make a complete crew above deck and below deck of Chinese, who work for one-third or one-fourth the wages that American sailors work for, and whose presence in American vessels is a constant menace to the class of sailors—floating seamen—that are necessary to give us a Navy that will be effective in the event of war between this country and some other naval power.

Under this bill the seventeen vessels that were referred to yesterday of four or five Pacific companies trading between Oregon and Washington and California upon the one side and oriental ports upon the other are manned exclusively by Chinese sailors. The danger is that, unless the law that went into effect in 1902, which extends the coastwise laws to shipping between the Philippine Islands and the United States, is repealed—if the coastwise laws should continue in existence as they are to-day—this law will interfere with their operation in some way so far as governmental transportation is affected between the Pacific coast and the Philippine Islands. So we may continue to have, notwithstanding the fact that under our coastwise laws a certain percentage of the crews of all vessels must be composed of American citizens, certain vessels, Mr. President, that may be manned exclusively by Chinese crews, while the steamship companies are extorting from the Government inordinate and unconscionable fees for transportation.

It seems to me that if this statement from the Quartermaster's Department is true, that on and after the 1st of July, 1904, all goods transported either from or to the Philippine Islands and from and to the United States must be carried in American bottoms, that the pressure for this law at this time must be intended to affect something more than the transportation between the countries named, simply from now until the 1st day of July of the present year—a mere matter of four or five months. I take it that we ought to look with great caution and care and scrutiny to a measure of this kind, in view of the law as it exists to-day upon the statute book.

Mr. HALE. I move to lay the amendment on the table.

Mr. CARMACK. If the Senator from Maine will permit me, I want to prefer a request. I want to move to amend the pending amendment, but if the Senator from Maine prefers to have a vote on the motion to lay the amendment on the table, I will withhold my amendment until after the vote has been taken.

Mr. HALE. I think, Mr. President, I will ask for a vote of the Senate on the motion to lay the amendment of the Senator from Oregon [Mr. MITCHELL] on the table, and the Senator from Tennessee [Mr. CARMACK] can move his amendment afterwards.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine to lay the amendment of the Senator from Oregon on the table.

Mr. MITCHELL. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BACON. I ask for a reading of the amendment in order that we may know what it is.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The SECRETARY. In line 4, after the word "others," it is proposed to insert "from and after July 1, 1905," so as to read:

That vessels of the United States, or belonging to the United States, and no others, from and after July 1, 1905, shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy.

The Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I desire to state that I have a general pair with the junior Senator from Virginia

[Mr. MARTIN]. I have transferred that pair to the Senator from Connecticut [Mr. HAWLEY], and will vote. I vote "yea." I make this announcement for the day.

Mr. GAMBLE (when his name was called). I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. I transfer that pair to the Senator from Rhode Island [Mr. ALDRICH], and will vote. I vote "yea."

Mr. GIBSON (when his name was called). I transfer my pair to the senior Senator from Tennessee [Mr. BATE], and will vote. I vote "nay."

Mr. McCOMAS (when his name was called). I should like to announce that I have a general pair with the senior Senator from Kentucky [Mr. BLACKBURN], who is absent. I transfer that pair, upon amendments and this bill for the day, to the Senator from Delaware [Mr. BALL], and will vote. I vote "yea."

Mr. MALLORY (when his name was called). I am paired with the Senator from Vermont [Mr. PROCTOR]. My colleague [Mr. TALIAFERRO] is paired with the Senator from West Virginia [Mr. SCOTT]. The Senator from West Virginia and I transfer our pairs, so that the Senator from West Virginia and I may vote. I vote "nay."

Mr. MITCHELL (when his name was called). I have a general pair with the Senator from Idaho [Mr. DUBOIS]. I presume he would vote the same way that I vote on this proposition, and I will therefore vote. I vote "nay."

Mr. SIMMONS (when his name was called). I should like to inquire whether the junior Senator from Minnesota [Mr. CLAPP] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. SIMMONS. I have a pair with that Senator, and therefore withhold my vote. If he were present, I should vote "nay."

Mr. WARREN (when his name was called). I announce the same transfer of pairs as on the preceding vote. The Senator from Wisconsin [Mr. SPOONER] stands paired with the Senator from Mississippi [Mr. MONEY], relieving the Senator from Tennessee [Mr. CARMACK] and me. I vote "nay."

The roll call having been concluded, the result was announced—yeas 34, nays 23, as follows:

YEAS—34.

Allee,	Dryden,	Heyburn,	Perkins,
Allison,	Elkins,	Hoar,	Platt, Conn.
Ankeny,	Fairbanks,	Hopkins,	Quarles,
Bard,	Foraker,	Kean,	Scott,
Beveridge,	Foster, Wash.	Kittredge,	Smoot,
Burnham,	Frye,	Lodge,	Stewart,
Burrows,	Gallinger,	McComas,	Wetmore.
Cullom,	Gamble,	McCumber,	
Dillingham,	Hale,	Nelson,	

NAYS—23.

Bacon,	Culberson,	Latimer,	Patterson,
Bailey,	Daniel,	McCreary,	Pettus,
Berry,	Dietrich,	McLaurin,	Teller,
Carmack,	Foster, La.	Mallory,	Tillman,
Clay,	Fulton,	Mitchell,	Warren.
Cockrell,	Gibson,	Overman,	

NOT VOTING—32.

Aldrich,	Clark, Wyo.	Kearns,	Penrose,
Alger,	Clarke, Ark.	Long,	Platt, N. Y.
Ball,	Depew,	McEnery,	Proctor,
Bate,	Deweer,	Martin,	Quay,
Blackburn,	Dubois,	Millard,	Simmons,
Burton,	Gorman,	Money,	Spooner,
Clapp,	Hansbrough,	Morgan,	Stone,
Clark, Mont.	Hawley,	Newlands,	Taliaferro.

So Mr. MITCHELL'S amendment was laid on the table.

Mr. CULBERSON. I offer an amendment; after the enacting clause to strike out all of sections 1 and 2, and to insert what I send to the desk.

In view of the probability of a motion to lay on the table, I desire to state that if the amendment is adopted it will put the bill in the form recommended by the Secretary of War in his letter of January 14, of this year, to the chairman of the committee.

The PRESIDENT pro tempore. The Senator from Texas offers an amendment, which will be stated.

The SECRETARY. After the enacting clause it is proposed to strike out all of sections 1 and 2 and to insert in lieu thereof the following:

That in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy, vessels of the United States shall be preferred, provided the charges made do not exceed the price bid by the owners of foreign vessels more that 25 per cent; but this section shall not be construed to prohibit the transportation of such articles in any vessel owned by the United States.

Mr. HALE. I move to lay the amendment on the table.

Mr. CULBERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. GAMBLE (when his name was called). I announce the same transfer of pairs as on the previous vote, and will vote. I vote "yea."

Mr. GIBSON (when his name was called). I transfer my general pair to the senior Senator from Tennessee [Mr. BATE], and will vote. I vote "nay."

Mr. MALLORY (when his name was called). If agreeable to the Senator from West Virginia, I will do what we have done on the other vote—transfer my pair with the Senator from Vermont [Mr. PROCTOR] to my colleague [Mr. TALIAFERRO], enabling the Senator from West Virginia and me to vote. I vote "nay."

Mr. PETTUS (when Mr. MORGAN'S name was called). The senior Senator from Alabama is unwell, and is unable to attend the sessions of the Senate at this time.

Mr. SIMMONS (when his name was called). I again announce my pair with the Senator from Minnesota [Mr. CLAPP]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. DEPEW. I transfer my pair to the Senator from Pennsylvania [Mr. PENROSE], and will vote. I vote "yea."

Mr. WARREN. Under the arrangement heretofore announced, I will vote. I vote "yea."

Mr. PROCTOR. I understand that my pair has been transferred, and I will therefore vote. I vote "yea."

Mr. McLAURIN (after having voted in the negative). I desire to inquire if the senior Senator from Washington [Mr. FOSTER] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not.

Mr. McLAURIN. I have a general pair with that Senator, and therefore withdraw my vote.

The result was announced—yeas 37, nays 18, as follows:

YEAS—37.

Alger,	Dillingham,	Heyburn,	Platt, Conn.
Allee,	Dryden,	Hoar,	Proctor,
Allison,	Elkins,	Hopkins,	Quarles,
Ankeny,	Fairbanks,	Kean,	Scott,
Bard,	Foraker,	Kittredge,	Smoot,
Beveridge,	Frye,	Lodge,	Warren,
Burrows,	Fulton,	McComas,	Wetmore.
Cullom,	Gallinger,	McCumber,	
Depew,	Gamble,	Nelson,	
Dietrich,	Hale,	Perkins,	

NAYS—18.

Bacon,	Cockrell,	McCreary,	Pettus,
Bailey,	Culberson,	Mallory,	Teller,
Berry,	Foster, La.	Mitchell,	Tillman.
Carmack,	Gibson,	Overman,	
Clay,	Latimer,	Patterson,	

NOT VOTING—34.

Aldrich,	Clarke, Ark.	Long,	Platt, N. Y.
Ball,	Daniel,	McEnery,	Quay,
Bate,	Deliver,	McLaurin,	Simmons,
Blackburn,	Dubois,	Martin,	Spooner,
Burnham,	Foster, Wash.	Millard,	Stewart,
Burton,	Gorman,	Money,	Stone,
Clapp,	Hansbrough,	Morgan,	Taliaferro.
Clark, Mont.	Hawley,	Newlands,	
Clark, Wyo.	Kearns,	Penrose,	

So Mr. CULBERSON'S amendment was laid on the table.

Mr. CARMACK. I offer the amendment which I send to the desk. I desire to say a few words on it.

The PRESIDENT pro tempore. The Senator from Tennessee offers an amendment, which will be stated.

The SECRETARY. On page 1, line 4, after the word "others," it is proposed to insert "from and after July 1, 1909."

Mr. CARMACK. Mr. President, this is in line with the very urgent appeal made by Governor Taft, now Secretary of War, at that time governor-general of the Philippines, in regard to another bill, but equally applicable to this. In his report he says:

The operation of the coastwise trade laws of the United States, in respect to trade between the islands of the Philippine Archipelago and to trade between those islands and the mainland of the United States, have been suspended by act of Congress until July 1, 1909. If Congress were to take no action and to allow the coastwise navigation laws to become applicable to the intercoastal trade of these islands and to the trade between the United States as they now are, most disastrous results would follow. It is earnestly recommended that the regulation of the coastwise trade, so far as it relates to the trade between the islands of the Philippine Archipelago, be left wholly to the discretion of the Philippine Commission, subject to the approval of the Secretary of War and the President of the United States, and that the trade between the islands and the mainland of the United States be continued as at present by suspending the application of the trading laws of the United States for five years longer, to wit, until July 1, 1909.

I think the same reasons will apply with as much force to the present bill.

There is a question which I desire to ask in reference to the amendment offered yesterday by the Senator from North Dakota [Mr. MCCUMBER]. The amendment, which was agreed to, is as follows:

Provided, That no greater charges be made by such vessels for transportation of articles for the use of the said Army and Navy than are made by such vessels for transportation of like goods for private parties or companies.

I ask for information, for I have not the information myself. To what extent are coal and hay and articles of that kind exported to the Philippine Islands or to the countries of the Far East for private consumption? The Senator from North Dakota can probably inform me, or the Senator from Maine can probably do so.

Mr. HALE rose.

Mr. CARMACK. My question was, To what extent are articles like coal and hay now exported to the Philippine Islands or to Japan and China and the Far East for private consumption?

Mr. HALE. I do not know what the figures would be covering those articles of trade.

Mr. CARMACK. I mean in American vessels.

Mr. HALE. They can very easily be reached in the Bureau of Statistics. I can not answer the question. I do not presume there is a Senator here who can offhand answer a question of that kind. I do not know.

Mr. CARMACK. I had an idea that probably very little coal, for instance, was exported to the Philippine Islands in American vessels for private consumption. If that is the fact there would be no basis on which to apply the amendment of the Senator from North Dakota.

Mr. HALE. I move to lay on the table the amendment offered by the Senator from Tennessee.

Mr. CARMACK and Mr. TELLER called for the yeas and nays, and they were ordered.

Mr. MALLORY. I ask that the amendment may again be stated.

The PRESIDENT pro tempore. The amendment will again be stated.

The SECRETARY. On page 1, line 3 of the original bill, line 4 of the reprint, after the word "others," it is proposed to insert "from and after July 1, 1909."

The Secretary proceeded to call the roll.

Mr. GAMBLE (when his name was called). I announce the same transfer of my pair as on previous votes. I vote "yea."

Mr. GIBSON (when his name was called). Under the transfer of pairs heretofore announced I will vote. I vote "nay."

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. PETTUS (when his name was called). I have a general pair with the senior Senator from Massachusetts [Mr. HOAR]. I see he is absent.

Mr. QUARLES (when his name was called). I should like to inquire whether the Senator from Texas [Mr. CULBERSON] has voted?

The PRESIDING OFFICER (Mr. GALLINGER in the chair.) The Chair is informed that the Senator from Texas has not voted.

Mr. QUARLES. I have a general pair with that Senator, and therefore withhold my vote.

Mr. WARREN (when his name was called). By the same arrangement of pairs heretofore announced, I will vote. I vote "yea."

The roll call having been concluded, the result was announced—yeas 36, nays 15, as follows:

YEAS—36.

Alger,	Depew,	Gallinger,	Long,
Allee,	Dillingham,	Gamble,	McComas,
Allison,	Dryden,	Hale,	McCumber,
Ankeny,	Elkins,	Hansbrough,	Nelson,
Bard,	Fairbanks,	Hoar,	Perkins,
Beveridge,	Foraker,	Hopkins,	Platt, Conn.
Burnham,	Foster, Wash.	Kean,	Smoot,
Burrows,	Frye,	Kittredge,	Warren,
Cullom,	Fulton,	Lodge,	Wetmore.

NAYS—15.

Bacon,	Cockrell,	Latimer,	Overman,
Bailey,	Daniel,	McCreary,	Patterson,
Berry,	Foster, La.	McLaurin,	Tillman.
Clay,	Gibson,	Mallory,	

NOT VOTING—38.

Aldrich,	Clarke, Ark.	Martin,	Quay,
Ball,	Dietrich,	Millard,	Scott,
Bate,	Dolliver,	Money,	Simmons,
Blackburn,	Dubois,	Morgan,	Spooner,
Burton,	Gorman,	Newlands,	Stewart,
Carmack,	Hawley,	Penrose,	Stone,
Clapp,	Hoar,	Perkins,	Taliaferro,
Clark, Mont.	Kearns,	Platt, N. Y.	Teller.
Clark, Wyo.	McEnery,	Proctor,	
Clarke, Ark.	Mallory,	Quarles,	

So Mr. CARMACK'S amendment was laid on the table.

Mr. PATTERSON. I offer an amendment to be inserted at the close of section 1.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of section 1 insert the following proviso:

Provided, That no Chinese, except such as are of right bona fide residents of the United States, shall be employed on any vessel acquiring benefits under this act.

Mr. PATTERSON. Mr. President, the Senate will observe that the amendment I offer is not as sweeping an amendment, so far as the employment of Chinese is concerned, as the opponents of Chinese labor in the United States would naturally and usually insist upon. It practically authorizes the employment of Chinese who are of right bona fide residents of the United States. The reason of that is that Chinese who have lived in this country have learned the value of their services, and on the Pacific coast and elsewhere they demand and they receive wages that are commensurate with the value of their services measured by the wages paid to the white laborer. Therefore I could see no impropriety in permitting them to be used in the cabins and elsewhere where they might be as efficient as the white laborer. There are those upon the coast who prefer them.

But by permitting this limited employment of Chinese the danger that follows the right to secure crews in Chinese ports and at the port of Hongkong does not assume nearly so dangerous and bad a character. Under the American shipping laws it is made to the interest of American ship captains, representing the interests of the owners, when their vessels reach Chinese ports and before that time to so treat the crew as that it becomes desirable upon their part to desert, although in deserting they lose every dollar they have earned and that may be due to them up to the time they abandon the ship, and the reason why this is encouraged is that they can remain their vessels with Chinese sailors for one-quarter of the cost they would have to bear if they manned them with the average white sailor.

There was a pretty close examination into this question two years ago before one of the Senate committees, and Capt. William B. Seabury, who for twenty years was in the service of one of the Pacific lines as a shipmaster, gave testimony. His testimony is found between pages 360 and 367 of the printed testimony, and these facts were clearly brought out in the testimony of Captain Seabury: That the trans-Pacific liners plying between the Pacific States and the Orient employ exclusively Chinese as sailors, stokers, cooks, stewards, and waiters; that there is no difficulty of obtaining an abundance of them in ports of China or at Hongkong, and the wage of sailors or firemen is about one-fourth the wage of white sailors or firemen shipped in Pacific coast ports; that not only are Chinese supplanting the Caucasians as seamen on the Pacific, but they are encroaching on the Japanese of that sea and are also successfully competing with the Lascars on the Indian Ocean.

The testimony of Mr. Andrew Furuseth, who, I think, is the head, officially, of the Sailors' Union of the Pacific Coast, was to the like effect. He said:

The crews of our own steamships plying to China and Japan are almost wholly Chinese and Japanese, shipped before American consuls at foreign ports because the vessel sooner and clear.

Mr. President, if vessels upon the Pacific coast are to be made selected beneficiaries of the Government, if they are to be given a monopoly of the carrying of governmental supplies for the American Army and Navy to the Philippine Islands and elsewhere, then we should insist that they shall be so manned as to give encouragement to the creation of a high class of American seamen, particularly for the purpose of having a class of men ready to man the American war vessels that are now being constructed at so rapid a rate.

It is the concurrent testimony of every disinterested person who testified upon this subject two years ago before the Senate committee that on the four or five lines of steamships plying between Pacific ports and Asiatic ports, the American sailor, as we read of him in history, as we have him upon the Pacific coast, as he is found on coastwise shipping is absolutely extinct on vessels that cross the ocean. If this is to continue, I want to ask the Senate what advantage it is to the United States to encourage trans-Pacific American commerce upon the Pacific coast? If the benefit is to go wholly to four or five great ship-owning corporations, with or without close alliances with great railroad companies, I submit that there is little or no advantage to this country as a whole, especially in so far as it is a necessity that the country should have a body of seamen ready to man American war vessels as they may be constructed and set afloat.

On the four or five ship lines owning steamers plying between the Pacific coast and the Orient, except the commissioned officers, you find no one manning them except the Chinese. He has practically driven the American sailor from the Pacific coast. He has deteriorated the physical, mental, and, if I might use the term, if it would be applicable to sailors, the spiritual qualities of the American sailor.

The ports of San Francisco, Seattle, Tacoma, and Portland, Oreg., are no longer frequented by a high class of sailor for trans-Pacific business, for the simple reason that there can find no employer—there is no ship open to them upon which they can sail and for which they can render service.

Under those circumstances, Mr. President, since it is the purpose of this measure, and since it will, beyond peradventure, pass this body, although it is not needed, if the existing law is to remain upon the statute books which puts our coastwise laws into effect upon the 1st of July of the present year between the Philippine Islands and the United States, then, in compensation for the immense profits they will be able to reap from the Government of the United States, as testified to by the Secretary of War, they should be made a training school, within reasonable limits, for American sailors. The opportunity is given, unjust and unneces-

sary as this law may be, if it is to be upon the statute books, of starting on the Pacific coast schools for American sailors; schools that will give encouragement to American sailors, that will open up the ports of the Pacific coast to American sailors, and not confine employment in the trans-Pacific trade to Chinese shipped in Hongkong and Asiatic ports, working for a quarter of the wages the average white sailor is able to secure where his services are required, and encouraging a species of treatment of the white sailor, wherever he may be upon an American vessel trading with an Asiatic port, that will drive him to abandon his ship in order that his place may be filled with sailors and firemen and cabin boys who will enter the service for one-quarter the wages the deserter had been receiving.

I think the Senators from California and the Senators from Oregon know full well the feeling and the sentiment of the people of the Pacific slope upon that question, and none of them, from his own personal knowledge, I think, will even intimate that the sentiment is not fully justified by the evil results that are possible everywhere following the almost exclusive employment of Chinese upon American vessels plying between American and oriental ports.

For that reason, Mr. President, I sincerely hope that this amendment which I have offered shall be adopted.

Mr. HALE. I move to lay——

Mr. PERKINS. Mr. President, I ask the Senator from Maine to yield to me for a few minutes before pressing his motion, as I believe that the charge made by the Senator from Colorado should not go unanswered.

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from California?

Mr. HALE. I will not take the responsibility of insisting at this moment on my motion to lay on the table. I have not discovered anything in what the Senator from Colorado has said that requires an swer. But the Senator from California is a member of the Senate; he has the same responsibility; he is in favor of the bill, I suppose, as much as I am, and if he thinks it is better to take up time and prolong the debate I can not hinder him.

Mr. PERKINS. I will trespass but a few minutes upon the time of the Senate.

The PRESIDING OFFICER. The Senator from California will proceed.

Mr. PERKINS. Mr. President, I am a member of the Committee on Commerce and the Committee on Naval Affairs, and, as I have said in times gone by, I am a sailor by profession, a merchant from necessity, and a politician by accident. I therefore think I have some knowledge of this question.

My friend from Colorado states that it is a prevailing custom among shipowners or shipmasters to so illtreat their crew when upon a foreign voyage that they will leave the ship, and then the owners or masters may enlist on the ship Chinese or others to take their places. My friend is a lawyer of national repute and a journalist of marked ability; yet this statement, to my mind, carries the conviction that he has not given this subject-matter the consideration he should have given it.

Since I have been a member of this honored body we have enacted more laws in the interest of American seamen than were ever upon our statute books before, all combined together. One of those laws is that no master of any ship can discharge any one of his crew in a foreign port without his consent, and then he must go before an American consul and there agree to find him employment on a return vessel to the United States, paying him such wages as he is receiving or to pay him a sum equivalent thereto.

Mr. PATTERSON. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. PERKINS. Certainly.

Mr. PATTERSON. The statement I made was not that the American shipmaster could discharge his crew at will, but that the opportunity of replacing a high-priced crew with a crew that would cost him for wage but one-quarter induces a course of treatment to the crew that results in desertions, and there is ample testimony to sustain the charge.

Mr. PERKINS. If the master illtreats the seaman on shipboard, the seaman can go to the American consul and there make charges against the master of that vessel. The consul can order a court of inquiry, and if the charges are found true the court may impose a penalty upon the master of $1,000 or five years' imprisonment, or both, in its discretion. Why should an American seaman who shipped on a vessel be illtreated and desert when he can go to the American consul and there have not only his wages paid to him for the time the voyage had consumed and the voyage on the homeward vessel, but could there impose a punishment upon the master of the vessel who had permitted him to be abused by his officers, or who had been abused by the master himself?

Mr. President, as I stated, Congress, since I have been here, has done more for seamen in protecting them everywhere, in caring for them, than ever was done before. Their wages are free from attachment. We have removed the hospital dues which they formerly had to pay, and that burden is placed upon the shipowners. There is a marine hospital in almost every port in the United States, where, without money or price, a sailor can go and have the very best medical and surgical treatment, and be there cared for until he recovers. If the sailor should die in a foreign port, the consul takes charge of his effects. The wages for the voyage must be paid into the Department of our Government, and be there held for six years, when, if legal heirs are not found, those wages revert to the Government. If the shipowner has not provided sufficient food, so that seamen are placed upon short rations during the voyage, they can recover a penalty in dollars and cents for every day that a seaman is obliged to receive or accept a less food scale than that provided for by law.

In every manner this Government has protected and cared for the seamen of our country. When I went to sea and followed it we were huddled up in small bunks in the forecastle. To-day, I think, under the act passed some few years ago, 72 cubic feet are required for every seaman, and there must be 12 superficial feet of space upon the ship's deck or floor for his sleeping berth or place for him to occupy.

I therefore say to my friend he is mistaken when he says that the American seaman is not properly cared for by this Government and protected in every movement he may make, whether in this country or in foreign countries. To-day there is a better opportunity in wages and in preferment, for everyone can rise on a ship if he has the right mettle, the perseverance, and the correct habits. There is a better chance for him for preferment by going into the merchant-marine service of to-day and there making his mark than in almost any other vocation I know of in the ordinary walks of life.

The wages paid to seamen on the Pacific coast range from $45 to $55 a month, and they are required to be employed only twelve hours a day, and for any overtime they are paid extra wages, 50 cents an hour for the same. Our Government requires that our seamen shall have a certain class of food, which is better than three-fourths of the farm hands and mechanics receive in other walks of life.

Therefore, I say, that while I shall vote for this amendment, because I believe we should have American citizens as seamen, and we should encourage them to become seamen to officer and man and command our vessels, I believe in building up our merchant-marine trade, and the way to do it is to offer an inducement to young men to go into the merchant-marine service. We are to-day taking apprentices in our Navy. Since the naval training school was established in California over 300 boys from the farm have there been enlisted into the service of our Navy, and they are becoming to-day not only mechanics and sailors in the Navy, but they are noncommissioned officers, boatswains, and gunners, receiving from $1,500 to $2,000 per annum.

My friend from Oregon [Mr. MITCHELL] seemed to think there was some local preference given by the provisions of this bill, and that the great State of Oregon, which he in part represents, would not have a fair chance. Mr. President, this is too broad a question to confine it to any particular port or State or even coast. It is a broad, patriotic question that the ships should be built in the United States, manned and officered by American citizens, that are transporting the munitions of war and our soldiers and the supplies of the Government from one port of the United States to another or from any port of the United States to a foreign port.

I have a telegram in my hand received yesterday from the Shipowners' Association of the Pacific Coast—not from San Francisco, not from Puget Sound, but from the coast—and I am going to read it, with your permission:

SAN FRANCISCO, CAL., *February 25, 1904.*

Hon. GEORGE C. PERKINS,
United States Senate, Washington, D. C.:

We respectfully urge your opposition to bills extending time for applying navigation laws to passenger traffic in the Philippines beyond June 1, 1904. Large fleets of vessels [illegible] now plying [illegible] Pacific [illegible] and support [illegible] Government. If Congress declines [illegible] of American [illegible] they should apply coasting laws at once.

SHIPOWNERS' ASSOCIATION OF PACIFIC COAST.
R. S. CLARK, *Secretary.*

Mr. PATTERSON. May I ask the Senator from California a question?

The PRESIDENT pro tempore. Does the Senator from California yield?

Mr. PERKINS. With pleasure.

Mr. PATTERSON. I wish to say that I am thoroughly in sympathy with the Senator from California in his desire to build up and extend American shipping, but apropos of that, will the

Senator from California state, since the American shipping coastwise laws become applicable to the Pacific coast trade with the Philippine Islands on the 1st of July of this year, why this law should be enacted?

Mr. PERKINS. Mr. President, the Philippine Islands are as much a part of the United States, being one of its colonies, as is the Territory or district of Alaska, or as the Territory of Arizona. The people of this country are supporting our Army and Navy that are protecting that country. We are helping it as we do our Territories and States. We are Americanizing it. We have done more for the Philippine Islands since the Stars and Stripes were raised at Manila than had been done since it was first discovered, nearly five centuries ago.

Mr. PATTERSON. The object of this bill, as I understand the Senator from California, is to require supplies for the American Army and Navy to be transported in American bottoms, that is all, whatever it may cost the Government. Just as soon as the coastwise laws of this country attach to the Pacific coast and the Philippine trade, is not that result brought about? Must not everything that is sent from this country, both by the Government and by private individuals, be carried in American bottoms?

Mr. PERKINS. No; that is not true to this extent. We have twenty-two transports belonging to this Government, and eighteen of them were built in foreign countries. The Government can take possession of them at once, as they are now doing, and operate them between the United States and the Philippine Islands.

Mr. PATTERSON. Then, with the extension of vessels owned by the Government of the United States under the designation of American transports, will not all supplies for the Army be compelled to be carried in American bottoms?

Mr. PERKINS. No, Mr. President; because if we should purchase 10,000 tons or any other quantity of coal in Japan to send to Cavite, in the Philippine Islands, to the naval station there, it could be sent in any foreign vessel, in the discretion of the Government.

Mr. PATTERSON. But my question was directed to trade between the United States and the Philippine Islands, not to trade between the Philippine Islands and some foreign country.

Mr. PERKINS. The Senator is undoubtedly correct in that respect, but we have not yet applied the coasting laws.

Mr. PATTERSON. Ah; but they are to be applied on the 1st of July of this year. Then why press this measure so strenuously?

Mr. PERKINS. Bills are pending to extend the time five years. Several converts on this side of the House to-day have given an intimation, by proposed amendments to this bill, that they are willing to vote to extend the time for the operation of the navigation laws.

Mr. PATTERSON. Had we not better wait to see whether those efforts are successful or not?

Mr. PERKINS. No, Mr. President; I believe in building up the merchant marine and the commerce of this country. I believe in carrying the freight and cargo and transporting the soldiers of our Army in vessels built in the United States—built by American mechanics——

Mr. TILLMAN. Mr. President——

Mr. PERKINS. Built from material, the pine that comes from South Carolina and the iron and steel that come from Minnesota, Wisconsin, Illinois, and Pennsylvania, and that are put together and fashioned by American mechanics, who are supporting our public schools and our churches and are raising up their children to become American citizens. I yield to my friend from South Carolina.

Mr. TILLMAN. I heard the Senator say a moment ago that if we purchased 10,000 tons of coal in Japan to send to Cavite it need not go in American bottoms. I want to ask him if his patriotism does not go far enough to require that American ships shall burn only American coal? Now, you ought to be consistent. Does not this thing of having none but American ships to convey supplies to American soldiers and sailors require that those supplies shall come from America?

Mr. PERKINS. My friend is patriotic and loyal to State and country, as I claim that I am, and if he should come to California as my guest I should endeavor to entertain him and do the best I could for him; but if he were out of provisions I do not believe he would go hungry until he got home. That is exactly our case. Our ships are perhaps in Japan, and——

Mr. TILLMAN. Our ships are not "perhaps in Japan;" they are in Japan. I mean they are in the Philippines. Speaking now about transporting coal from Japan to our ships in the Philippines, the Senator said, if we were going to buy coal, we were now allowed, under the law, to transport it in foreign bottoms; but he wants it to be transported in American bottoms. I say if we are now going to confine the carrying of coal to American ships, if we are so solicitous about that, then we ought to say that nothing shall be supplied to them but American products.

Mr. PERKINS. We would hardly allow our locomotive shops in Cavite and other shops in the Philippine Islands to remain idle until they could get the coal from the United States when they required it immediately.

Mr. TILLMAN. But the Senator is not exactly frank on that subject.

Mr. PERKINS. I am frank, Mr. President. If I had my way, with the best coal in the world, as we have; with the best pine and the best cotton in South Carolina, I would not permit any other to come into this country to compete with American free labor unless they paid a license for the privilege of doing it.

Mr. TILLMAN. Still the Senator has not answered my question. I asked him, if we are compelled, under this law, to use nothing but American ships to send any Japanese coal that is to be supplied in the Philippine Islands, why should we not go further and say that we shall not send any Japanese coal, but shall send American coal to supply American ships in the Philippines?

Mr. PERKINS. I understand that to be the policy of the Department, because it is better coal. It is mined by American miners and transported by American ships.

Mr. TILLMAN. Where—from Japan?

Mr. PERKINS. No; from the United States. I am in favor of United States coal.

Mr. TILLMAN. You just now spoke of Japan sending coal from Japan to Cavite.

Mr. PERKINS. That was in answer to a hypothetical question asked me by my friend from Colorado [Mr. PATTERSON].

Mr. TILLMAN. What is the usage now? Do we use our own coal in our own ships in the Pacific and the Philippines, or do we buy it from Japan?

Mr. PERKINS. The purchases are divided about equally between Australia, Japan, and the United States.

Mr. TILLMAN. Then, why not put a provision in the bill not only that we shall not transport any coal for our Navy in any other but American bottoms, but that we shall not transport any coal but American coal for our ships? Let us get drunk on this, and go the whole hog or none. [Laughter.]

Mr. PERKINS. I am very frank to say that the Senator is always in favor of building up the Navy, and is especially in favor of building up the Charleston Navy-Yard. He always votes right on that proposition; and I am generally with him, being, as he is, a member of the Committee on Naval Affairs.

Mr. TILLMAN. As the Senator has taken the liberty of mentioning the Charleston Navy-Yard, I will say that he himself represents the navy-yard at San Francisco, and I have never known him to be over modest in endeavoring to get appropriations for that navy-yard.

Mr. PERKINS. No; because nature has done for our navy-yard at San Francisco what my friend wants the Government to do for the navy-yard at Charleston. [Laughter.]

Mr. TILLMAN. I do not care to discuss secrets of the Naval Committee here in the Senate, but I do remember that it came out in the committee not very long ago that that navy-yard in San Francisco Bay was in such shallow water that we would have to dredge up to it, and there was a discussion as to whether we should not abandon it; but the hair of my friend the Senator from California—what little is left of it—stood up in such a state of horror, as everybody saw, that the committee subsided, and allowed him to have his own way; and we decided that, if necessary, we would dredge up to that navy-yard. [Laughter.]

Mr. PERKINS. If the Senator will only come to California and see our navy-yard and the resources of that great State, with her 800 miles of seacoast and her splendid people, who come from South Carolina and Georgia and Alabama and every other State in the Union, he will say, as the Queen of Sheba said when she visited Solomon, that "the half has not been told," so varied are her attractions and resources.

Mr. TILLMAN. I will not try to emulate the Senator in speaking of the glories of California, and as he has dodged off from the coal business and has gone into State glorification, I shall subside, Mr. President.

Mr. PERKINS. Mr. President, I did not mean to trespass so long on the time of the Senate; indeed, I promised my friend the Senator from Maine [Mr. HALE] that I would not occupy more than a few minutes if he would yield to me to answer my friend from Colorado [Mr. PATTERSON].

I only want to say further, in answer to my friend from Oregon [Mr. MITCHELL], that we have vessels whose tonnage amounts to over 100,000 tons disengaged on the Pacific coast to-day, that are seeking freight and seeking cargoes. They want business, and they are ready and willing to do it as cheaply as it can be done by any other people in the world.

Those ships, as I said before, have been built in the United

States, built by American mechanics and manned by American citizens. There is not a Chinaman employed on any of those vessels engaged in our coasting trade.

Mr. TILLMAN. The Senator has made such a startling statement I would ask him if he has any information different from that contained in the letter of the Secretary of War, to the effect that this very bill would increase the expenditure for the transportation of this very article 300 per cent?

Mr. PERKINS. I think——

Mr. TILLMAN. Who shall I believe, the Secretary of War or the Senator from California? Of course, I am disposed to believe my colleagues here at all times; but still, when gentlemen of such prominence fall out and make such contradictory statements, I should like to be set right.

Mr. PERKINS. When a man lays down a false proposition and commences to reason from it he can prove almost anything. I commend to the attention of the Senator from South Carolina the report of the Quartermaster-General's Department on the transportation service, which gives a list of vessels that belong to the United States, not to the Government, but that may belong to my friend from South Carolina and the remainder of the people of the United States.

Mr. TILLMAN. Does the Senator contend, from the knowledge which he has on this subject, that we have enough transports to carry all the coal that the Government will need and all the other supplies that the Army and Navy will need? If so, what is the use of this bill, and what becomes of the patriotism of which the Senator speaks if we already have our own ships ready to carry everything we need, and will not have to hire any ships?

Mr. PERKINS. As I explained to my friend yesterday—he has probably forgotten it, as he has so many things to think of—our transports range in tonnage from 5,000 to 8,000 tons each. Frequently it is to the advantage of the Government to have a vessel with a capacity to carry only 2,500 tons.

Mr. TILLMAN. Why not buy them? Let us have smaller transports.

Mr. PERKINS. We have all we want of the large transports to do the business.

Mr. President, these are only little by-talks; but the plain, patriotic proposition is that I do not believe that under the proposed legislation this service will cost the people of this country 10 per cent more; and if it does, the money will be kept here at home among our own people and paid out here.

I want to say, parenthetically, to my friend from Colorado when he speaks of trusts and combinations, that there is no single track on the ocean, and there is nobody who keeps a toll-gate on Puget Sound or at the San Francisco Golden Gate. The ocean is open to the free commerce of the world, and he and I, if we have credit enough to build a ship, if we think we can see any money in it, can go into the business, and we can build a ship and man her and equip her, and no trust or combination can say aught against it. If there is any one incontrovertible proposition it is that the commerce of the world, the trade of our ports, is open and free to everyone who has a desire or ambition or inclination to embark in it.

Mr. PATTERSON. Mr. President——

Mr. HALE. I move to lay the amendment on the table.

Mr. ELKINS. I wish the Senator would allow me a few moments. I will not take one-third as long as the Senator from California [Mr. PERKINS] has taken.

Mr. PATTERSON. I hope the Senator from Maine will let us have this debate out now, and it will probably curtail the debate later on.

Mr. HALE. Mr. President, I see the situation, and I want to be good-natured about it. There is nothing new which has been brought out about this matter, and there has not been for hours, and nothing can be gained by prolonging the debate; but if Senators on this side insist on prolonging it and stirring up our friends on the other side, and thus imperil the bill, as they will—for if the bill does not pass to-day it will not pass at all—the responsibility will be upon those who cause the delay.

Mr. PATTERSON. Why should the Senator say that if the bill does not pass to-day it can not pass at all? Why can it not be passed at some other time?

Mr. HALE. Because the time has already been taken up, it has been assigned by the Senate. But I am helpless, particularly against my own friends. I think the bill ought to pass this evening. I do not find fault with Senators on the other side, who are opposed to the measure, but I do think Senators on this side—believing, as we do, as a matter of principle that the bill ought to pass—ought not to delay it.

Now, the responsibility is with the Senate. The Senator from West Virginia may talk here for five minutes, and that may give rise to an hour's talk on the other side. I, however, can not help it. Senators must take the responsibility.

Mr. CARMACK. There is another reason why if this bill does not pass to-day it can not pass at all, and that is that if it goes over until Monday a majority of Senators upon the other side of the Chamber will meanwhile be converted to the views held by the present Secretary of War.

Mr. HALE. Thus far the Senator has not succeeded very well in making converts on this side by anything which has been said against the bill. If there has been any such thing as lobbying against this bill by the Secretary of War, as the Senator seems to intimate, I do not know it; and if he does, it is a very remarkable thing.

Mr. CARMACK. I think, as a matter of right and justice, for the information of the Senate we ought to have what knowledge or information the Secretary of War can give to this body as to the effect of this bill, and I suppose he can do that better than anybody else. I believe if this bill had not been hurried into the Senate before an opportunity had been given for information, it probably would not have been reported to the Senate at all.

Mr. HALE. The bill has been here for six weeks; for nearly two months, in fact.

Mr. CARMACK. I know it has been here for six weeks.

Mr. HALE. It has been postponed at the request of one Senator and another, and the action in reference to it has been eminently conservative. There has been no disposition to hurry the consideration of the bill. We are nearing what we all hope and believe to be the early end of the session. The bill is a very important one, and to say now that we ought to delay it to hear the judgment and advice of anybody is equivalent to saying that we never should proceed with any legislation which the Senate is maturing.

The attitude of the former Secretary of War has been commented on here over and over again; it has been explained; no new answer can be given; no new statement can be made about it, and we make no process actually so far as information goes.

Of course, I am at the mercy of Senators. They can consume time, but the good sense of the Senate generally brings things out right, and bills that have a majority behind them are finally passed. I am certain that this bill will pass, but I am sorry it is being delayed by its friends.

Mr. BACON. I do not think the Senator has any right to complain of any great consumption of time on the bill. It has not been twenty-four hours before the Senate.

Mr. HALE. I have not, and I stated that I did not find fault.

Mr. BACON. The Senator talked about being powerless, and said that it is in the power of Senators to consume time. I think we have had nothing but the most legitimate debate and of a very brief character.

Mr. HALE. I was not lecturing anybody. I said distinctly that I did not find fault with Senators on the other side who are opposed to the bill and who do not believe in it, but I did express the hope that our friends on this side would not consume time, because no new facts have been brought out. The Senators opposed to it, of course, will take their responsibility. I do not suppose Senators on the other side have made any concession or have any hope that simply by delay they can stop this bill. That is not the fashion in the Senate.

Mr. BACON. I do not think there is any such disposition.

Mr. HALE. No; I do not think so.

Mr. ELKINS. If the Senator will yield to me, I shall not occupy more than four or five minutes.

Mr. HALE. I will withhold my motion, Mr. President.

Mr. ELKINS. Mr. President, I am heartily in favor of this bill, because it seems to me about the first substantial effort that has been made in fifty years to encourage American interests on the sea and for the protection of American commerce.

I want to say a word about the amendment of the Senator from Colorado [Mr. PATTERSON] as to the exclusion of Chinese labor from American vessels. His amendment is not in the interest of the United States. It excludes Chinese from American vessels, while vessels of other nations in competition with ours are allowed to employ them. This is unjust and unfair to American vessels. All know Chinese labor is cheaper than American labor, and if foreign vessels in competition with vessels of the United States employ Chinese labor and American vessels are prohibited by the Senator's amendment, the result would be disasters to American shipping. No one desires more than I the employment of American seamen on American ships on all the seas where our flag flies, and when we build up our merchant marine this will follow.

Mr. PATTERSON. The Senator is mistaken. They can not under the law land Chinese laborers in the United States.

Mr. ELKINS. But they can employ them. That is the point I want to make. On every rival line in the world they employ Chinese labor coming into San Francisco and other Pacific ports. Now, you want to exclude Chinese from our vessels, while they are employed on foreign vessels in competition with ours.

Mr. PATTERSON. We do not exclude bona fide American Chinese, but we are opposed to the yellow people.

Mr. ELKINS. Well, if you are opposed to them, as you say, why did you not put in your amendment that fact, that foreign

vessels employing Chinese laborers shall not be allowed to touch at any American port?

Mr. PATTERSON. We know, and the Senator from West Virginia knows, that you never can build up a high class of American seamen to man an American Navy when you turn over one entire coast of the United States to Chinese sailors.

Mr. ELKINS. That is purely ad captandum and academic. If you are going to exclude Chinese from American vessels, then I ask, in the interest of American commerce, that Chinese operating ships throughout the world be prevented from landing in ports of the United States on foreign vessels. This is only fair and just to American ships, and I would willingly vote for such a provision.

Mr. PATTERSON. I will vote with the Senator on that.

Mr. ELKINS. Then you did not make your amendment in that way. When you make your amendment in that way, then we will consider it. I am glad the Senator yields that point.

Mr. BACON. Does the Senator mean to say that no foreign ships shall be allowed to enter port with Chinese labor?

Mr. ELKINS. I mean this: If it were possible to pass the Senator's amendment I would prefer to have it so amended or changed that it would apply as well to foreign lines in the way I have indicated. That is to say, provided, also, that no foreign ships employing Chinese seamen shall touch at any American port. This would place American vessels on an equality with foreign vessels; the cost of labor on all ships would then be the same.

Mr. BACON. Does the Senator mean that we by law can prescribe what shall constitute the crew of a foreign ship, or does he propose to go further and say that unless it has a crew of a certain character it shall not enter the port?

Mr. ELKINS. Yes, sir; I think that is competent.

Mr. BACON. That is the question I asked the Senator—if that is what he wishes to do.

Mr. ELKINS. Well, it is perfectly competent to exclude them.

Mr. BACON. The Senator said he did not mean that, and he said I knew he did not mean it.

Mr. ELKINS. I say it is perfectly competent to exclude Chinese laborers on foreign ships from landing in a foreign ship at our ports, and particularly we ought to do so if we exclude them from American vessels. I think my meaning would be clearer if I should say no foreign vessels employing Chinese seamen should touch at or get clearances from American ports.

Mr. BACON. We do not let them land now.

Mr. ELKINS. But, as I said, we could exclude such foreign vessels from all our ports, which should be done if the Senator's amendment should be adopted.

Mr. BACON. Not at all.

Mr. ELKINS. Foreign vessels employing Chinese labor could go to all the ports in British Columbia and compete with American ships. Every one of these lines employ Chinese, and would drive American vessels off the Pacific Ocean and off all the seas if vessels of the United States should be prohibited from employing Chinese labor. What I insist on is we should protect American ships and American seamen as well.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Colorado?

Mr. ELKINS. I promised the distinguished Senator from Maine that I would only consume a few minutes, and I wish the Senator would allow me to finish.

Now, Mr. President, the Senator's amendment is not consistent. There is a way to reach his point to benefit and build up our merchant marine, encourage shipping, and encourage the employment of American seamen on American lines; but his amendment as it stands would, in effect, drive American ships off the sea, and American seamen would have no opportunity to be employed on American ships, because there would be none.

I am heartily in favor of this bill for the reason, as I have said, that it is the first substantial step taken toward protecting our interests on the sea, building up our commerce, and helping American vessels, that has been put in the form of law for fifty years, though we have attempted in one way and another—by subsidy bills, by contracts for carrying the mails, and otherwise—to build up and encourage American shipping.

I want to say that after giving this subject careful thought my idea is that the only way to begin to encourage American vessels is to encourage them by compelling American products to be hauled in American vessels, as this bill so wisely does. So far as the United States are concerned, we can do this under the terms of this bill.

Then I go a step further, and state that we are now paying $500,000 in gold a day to foreign owners for hauling in foreign ships American products—goods we buy and goods we sell—that is to say, $200,000,000 in gold a year, or a thousand millions in ten years, is taken out of the people of the United States to pay for hauling American products in foreign vessels. This is a shame and a humiliation and should be remedied at once.

When the Government was organized the second act passed by the Congress of the United States provided for protection of American interests on land and sea as well. This act was drawn by Mr. Madison. It provided a system of protection to our manufacturing interests and discriminating duties in favor of American ships with a view to build up our merchant marine. That is to say, that a duty of 10 per cent, in addition to the ordinary duty, should be imposed on products coming from foreign countries in vessels "not of the United States." Those are the words of the statute. This was the protection principle inaugurated by Mr. Madison that enabled the Government to raise revenue and to protect American interests on land as well as on the sea, and under it American shipping prospered for fifty years or more, until American ships transported 92 per cent of the commerce of the United States.

Finally we agreed with Great Britain to reciprocity in the matter of shipping, or free ships, and from that date until now our commerce has declined, until to-day we are transporting only about 8 per cent, possibly not that much, of American products—that is, of goods we buy and sell—in American vessels, employing foreign vessels to transport the remaining 92 per cent.

Without taking a dollar out of the Treasury, if we should put an additional duty of 10 per cent on goods coming to the United States in foreign vessels, we would in ten years have our flag flying in all the ports of the world and our shipping interests built up until we would haul, in my judgment, 90 per cent of our commerce. What a glorious result to be obtained by going back to first principles by protecting American interests on the sea as we have on land.

I can not see the objections to such a course. We understand what it has done by actual experience; and to the extent that this bill is an encouragement and a step in that direction I want to sustain it.

We have done everything to protect American interests on land, but we have done nothing for fifty years to protect our interests on the sea, and to build up American shipping. I hope, Mr. President, that this will lead us up to the old act under which American shipping prospered, until we can get engrafted on our laws the theory or the principle of protective or discriminating duties such as we had, and such as was favored in the St. Louis platform, that first nominated McKinley, and such as was approved by him in his letter of acceptance. Mr. President, although sorely pressed, the United States has never abandoned the principle of protection to American ships in our coastwise trade, which has grown and prospered beyond all expectations and is the pride of the American people. As to our coastwise trade, the United States goes so far that it will not permit a foreign-built ship or a foreign-owned ship to be engaged or take any part whatever in it. Nothing but prosperity and unbounded success has followed this principle of protection to our home interests.

If foreign vessels had been allowed in our coastwise trade we would to-day have no coastwise shipping trade and be as weak and as impotent as we are on the seas, hauling in American ships only 8 per cent of our entire commerce—the things we buy and sell. Why not protect our commerce on the sea as well as coastwise commerce, and save to the American people thousands of millions of dollars in our generation?

Mr. PATTERSON. Mr. President, if the Senator from West Virginia [Mr. ELKINS] can induce his party to bring in a bill for the encouragement of American shipping based upon discriminating duties, providing that there should be a reduction of 5, 6, 7, or 10 per cent of the present duties upon all goods brought into this country by American vessels, it would receive the most careful consideration by Senators upon this side of the Chamber, and I believe would be triumphantly adopted.

Mr. BEVERIDGE. Would the Senator vote for it?

Mr. PATTERSON. I am ready to vote for it without any hesitation.

The trouble with the gentlemen upon the other side, who have been advocating the building and the strengthening of the American shipping interests, is that they have pointed out no other way than to do it by subsidies. It is a subsidy to-day and to-morrow and yesterday—a subsidy in this bill. There is no method suggested by a respectable number of Senators upon the other side to build up American shipping except by taking money out of the Treasury that has been collected from the people at large in the way of taxes and putting that money into the pockets of the great shipping companies and corporations.

I believe with the Senator from West Virginia that as soon as the country returns to the old-time system that was adopted in the early days of the Republic, and under which American shipping grew and prospered, as it has deteriorated since that system was abandoned—just that soon we will have restored to the seas of the world the American flag floating over American ships.

So much for what the Senator from West Virginia has said; and it meets a hearty response from me. I believe—I will not undertake to speak for anybody but myself—but as I know from

conversations with other Senators upon this side of the Chamber, it will meet with a hearty response at least from a goodly number of Senators upon this side, and I believe there would be no material delay in the adjournment of this Congress from the time anticipated or hoped for if the Committee on Commerce, of which the Senator from West Virginia is a member, would bring in a bill for the relief of American shipping, providing for a reasonable deduction of duties upon all goods brought into American ports in American vessels. I believe, too, if such a law as that was enacted that within less than five years, instead of being as it is now—American vessels not carrying one-half of 1 per cent of the commerce of the world, while the ships of Great Britain carry nearly 50 per cent of the commerce of the world—they would carry a much greater proportion.

American ships only carry some 8 or 9 per cent of American commerce, simply because of the departure from the old-time plan of protecting and encouraging American shipping, and depending upon subsidies to give strength and virility to that shipping.

I want to say something while I am on my feet in reply to what was said by the Senator from California [Mr. PERKINS] as to the great benefits that within the past few years Congress has provided for American sailors upon American ships. I have no doubt in the world, Mr. President, but that benefits have been provided for American sailors, but when the country understands the practical slavery of the American sailor upon American merchantmen to-day, it will rise and demand that other laws shall be enacted in order that we may secure a proper quota of American seamen upon the oceans of the world. Referring to a document that is quite authentic, I find the following:

"Every steam vessel the construction whereof was begun after June 30, 1884, is required to have for crew place "a space of not less than 72 cubic feet, and not less than 12 superficial feet measured on the deck or floor of that place, for each seaman or apprentice lodged therein."

Now, what is that? A space on the floor of the forecastle 6 feet by 2 feet, constituting a cube 6 feet by 2 feet by 6 feet in height, or allotting to the American seaman upon an American merchantman, under the laws as they exist to-day, less space than is given to an average grave. When a man dies and you prepare the earth for his reception you give him more room than is given to an American sailor in the forecastle of an American ship under the laws as they exist to-day. Six feet by 2 by 6 is the minimum, and from the emergencies of trade most of the owners of these ships limit the sailors to that space in the forecastle! One can imagine, Mr. President, what the sanitary condition of the forecastle of an American ship is when they are crowded so that on the floor they have but 6 feet by 2 allotted to each sailor, with a height of 6 feet.

There is also another law with reference to the American sailor which practically makes him a slave. He takes service upon an American merchantman. The employer is permitted to make his own terms upon the written contract with reference to the wage and the payment of the wage; and whatever that wage may be, the usual contract is that the shipowner shall not be compelled to pay the sailor one dollar of his wages until the end of the round voyage. So if a sailor departing from some port in the United States to a foreign port wishes to leave his vessel there, and would demand payment for the time served, he can not enforce the payment of a single dollar.

When American vessels come into a foreign port, under the law upon the statute book, the sailor is made the victim of "crimpers" and those who lie in wait for prey of that kind, by reason of the fact that the sailor can not require the shipowner or the ship captain to pay a dollar of his wages, because the voyage has not ended. And if he deserts, if he leaves these conditions and surroundings, under the law he may be hunted down and brought back on board the ship as the slave was brought back in the days of slavery when he left the State of his bondage to breathe the free air of another country.

I read an account not very long ago, Mr. President, of a sailor who, by reason of the treatment received by him at the hands of the shipmaster, deserted. He was caught. He was brought back and put in the galley, with a chain and ball to his leg, giving him just latitude enough to reach from one end of the galley to the other, to do the cooking for the rest of the crew.

There is no doubt that the condition of the American sailor has been ameliorated to some extent by the legislation of 1895 and 1898, but it is equally true that the laws upon the statute book which apply to the sailor in the oversea commerce of his country hold him a slave; refuse to him what every American citizen on land is entitled to receive; that is, payment for the length of time that he has served, whether he has entered into a contract for a specified time or not; payment pro tanto. It is for this reason and the others I have mentioned, I will say to the Senator from California, that the great incentive exists so to treat American sailors as that when they reach Chinese ports or the port of Hongkong they will be glad to escape, even with the loss of their wages, from the thraldom in which they place themselves, and in those ports no effort is made to retake the absconding sailor. The shipowners are glad to get rid of them, because they can put sailors on the vessels for one-fourth of what they were compelled to pay the white sailors who left the service.

Mr. President, there is a whole lot said these days about American ships flying the American flag, and the deterioration of American commerce. No single item in the controversy is more effective to produce that condition than the method of treatment that is permitted and that in too many instances is resorted to by the shipowner in dealing with the American sailor. We ought to give some of our time to ameliorating these conditions, to making the American ship a place that would be sought by those whose trend of mind leads them to the sea and sea life, rather than to create in our vessels conditions which when known appear to the American sailor to be fraught with danger to life and health and peace.

It is for this reason that I insist that if we are to give to shipowners on the Pacific coast the right to compel the United States to pay them two or three times as much as the United States would be compelled to pay a foreign shipowner for the transportation of American supplies, then accompanying the bill shall be provisions which will tend to build up on the Pacific coast a body of seafaring men that will elevate the profession of the sea and give us a reserve from which American sailors may be drawn to man American war vessels as they may be floated and put into the service of the United States.

I for one, Mr. President, am opposed to giving any special privileges, especially to ship companies that are constantly engaged in methods that deteriorate and destroy the American sailor and that find upon the decks and holds of their vessels room only for the yellow, cheap labor that can be secured and is secured in such unlimited abundance and amount on the Pacific Ocean.

Mr. HALE. I move to lay the amendment on the table.

The PRESIDENT pro tempore. The Senator from Maine moves to lay on the table the amendment proposed by the Senator from Colorado [Mr. PATTERSON].

Mr. PATTERSON. Let the amendment be read, please.

The PRESIDENT pro tempore. It will again be stated.

The SECRETARY. It is proposed to add at the end of section 1 the following:

Provided, That no Chinese except such as are of right bona fide residents of the United States shall be employed on any vessel acquiring benefits under this act.

Mr. PATTERSON and Mr. TELLER called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. CLARK of Wyoming (when his name was called). I desire again to announce my pair with the junior Senator from Missouri [Mr. STONE]. Not knowing how he would vote, I refrain from voting.

Mr. WARREN (when his name was called). I announce my pair with the senior Senator from Mississippi [Mr. MONEY].

The roll call was concluded.

Mr. BAILEY (after having voted in the negative). I voted "nay," but I observe that the Senator from West Virginia [Mr. ELKINS], with whom I am paired, has not voted, and I therefore withdraw my vote.

Mr. GAMBLE. I have a general pair with the junior Senator from Nevada [Mr. NEWLANDS]. I transfer the pair to the senior Senator from New York [Mr. PLATT], and will vote. I vote "yea."

The result was announced—yeas 37, nays 18, as follows:

YEAS—37.

Aldrich,	Depew,	Hale,	Nelson,
Allen,	Dietrich,	Hansbrough,	Platt, Conn.
Allison,	Dillingham,	Heyburn,	Pettigrew,
Ankeny,	Fairbanks,	Hopkins,	Proctor,
Beveridge,	Foraker,	Kittredge,	Scott,
Burnham,	Foster, Wash.	Lodge,	Spooner,
Burrows,	Frye,	Long,	Stewart,
Clapp,	Fulton,	McComas,	Wetmore.
Cullom,	Gallinger,	McCumber,	
	Gamble,	Mitchell.	

NAYS—18.

Bacon,	Cockrell,	McLaurin,	Simmons,
Bard,	Daniel,	Malloy,	Tillman,
Berry,	Foster, La.	Overman,	Turner.
Carmack,	Latimer,	Patterson,	
Clay,	McCreary,	Perkins,	

NOT VOTING—34.

Bailey,	Dolliver,	Kearns,	Platt, N. Y.
Ball,	Dryden,	McEnery,	Quarles,
Bate,	Dubois,	Martin,	Quay,
Blackburn,	Elkins,	Millard,	Spooner,
Burton,	Gibson,	Money,	Stone,
Clark, Mont.	Gorman,	Morgan,	Taliaferro,
Clark, Wyo.	Hawley,	Newlands,	Warren.
Clarke, Ark.	Hoar,	Penrose,	
Culberson,	Kean,	Pettus,	

So Mr. PATTERSON's amendment was laid on the table.

Mr. DANIEL. Mr. President, I beg leave to offer an amendment, to come after the first section as it is now amended.

The PRESIDENT pro tempore. The Senator from Virginia offers an amendment, which will be stated.

The SECRETARY. It is proposed to add at the end of section 1 the following:

[illegible] That the section shall not apply to any particular [illegible] unless the United States shall have been tendered [illegible] at reasonable rates.

Mr. DANIEL. Mr. President, in moving this amendment I am following, not in identical terms, but in substance, the principle recommended by the late Secretary of War, Mr. Root. I have before me in one of the papers has made in Congress an extract from a letter of Mr. Root which has not been furnished us in any document, but I deem it appropriate to quote from it, although it is not in general use in the Chamber.

This is known as the second letter of Mr. Root, which was addressed to the chairman of the Committee on Commerce, but which I do not think has been transmitted in any published form to the Senate. Marking the part which I desire to quote, I will ask to insert it here, though I shall refer more especially to his particular recommendation.

[Secretary Root's second letter to Senator FRYE.]

I have [illegible] that the best way to accomplish what the American ship-[illegible] contracts for transportation [illegible]

In the course of that letter he says:

[illegible] I think you could accomplish the operation of section 1 in [illegible] the United States and have been re-[illegible] the employment of vessels of the United States for [illegible] purposes.

It will be observed that the Secretary recommends "something like the following," and that his recommendation does not contain even what he himself would in so many words recommend as a statute.

I could not think, Mr. President, of accepting the recommendation of the Secretary that any head of a Department might suspend at his pleasure the operation of section 1. It would seem to me that the idea which he seemed desirous of accomplishing is in that recommendation very inartificially and imperfectly and improperly stated. But the result of what he is driving at may be obtained by the amendment in the phraseology in which I have attempted to frame it—that is to say, it gives the right to the Government to pass upon the question as to whether or not the freight charge is reasonable, and it does not require the absolute terms of this statute to apply in any case where the American vessel has not offered reasonable terms.

I find, Mr. President, that this idea of the Secretary of War has also made a very favorable impression on one of our colleagues. I refer to the Senator from Maine [Mr. HALE], who has been the leader upon the floor in the advocacy of this bill, for Senate bill 2437, which is now Calendar No. 268, offered by him, seeks to put this measure in this modified and, as it would seem to me, more just and reasonable form. I ask to have this bill inserted in my remarks, that it may be seen in the RECORD, before I comment further upon it.

The bill referred to is as follows:

A bill (S. 2437) to provide for the transportation of naval and other stores and supplies in American-built ships.

Be it enacted, etc., That whenever the Secretary of the Navy shall deem it practicable all naval stores and supplies sent by sea shall hereafter be transported in American-built ships, and whenever the Secretary of the Navy shall be able to enter into contracts for such transportation of such [illegible] the provisions of section 4358, Revised Statutes of the United States, and the provisions of law prescribing penalties for [illegible] shall not be applicable to such contracts made under the provisions of this act.

SEC. 2. That all transportation at sea of army stores and supplies under the jurisdiction of the Secretary of War shall be subject to the provisions of section 1 of this act.

Mr. DANIEL. So in essence the amendment I have just offered to the pending bill is the proposition of the late Secretary of War put as I conceive in unobjectionable legal shape, and is also the gravamen of the bill which is now upon our Calendar offered by the Senator from Maine.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from South Carolina?

Mr. DANIEL. Certainly.

Mr. TILLMAN. I suggest to the Senator from Virginia that, the Senator from Maine having introduced that bill and it having been reported favorably, and now being on the Calendar, he might accept it as a substitute for the pending measure, and instead of the Senator from Virginia incorporating it as a part of his speech that he move it as a substitute for the pending bill. The Senator from Maine then could not reasonably vote against his own bill, and surely our friends on the other side would be willing to accept it as a compromise arrangement of this question.

Mr. DANIEL. Mr. President, the Senator from Maine is momentarily absent from the Chamber, but will presently return. He is well aware of the proposition I am making, and will, of course, himself be heard upon it duly when he returns, if he desires.

I intended to proceed to say, Mr. President, that, as the late Secretary of War no longer has Congress on his hands, and is therefore no longer disturbing his spirit over such vexatious propositions as this, it would seem to me appropriate that the Secretary of War should be consulted on this measure before the Senate undertakes to pass it.

In the ordinary course of administration this would undoubtedly be a very proper and just practice. When we remember, however, that the present Secretary of War was lately the governor-general or the chief representative of this country in the Philippine Islands, and that he has, of course, in the very nature of things, made his eminently able and practical mind thoroughly conversant with this subject, it would seem peculiarly desirable that he should be consulted.

I am informed by an authority which I regard as thoroughly reliable that this matter has been brought to his attention by some who desire substantial changes in the existing law, and I am also informed that the present Secretary of War, who has become familiar with this topic by reason of his experience in the Philippine Islands, is very much opposed to what it is now proposed to do in the Senate. I am all the more inclined to credit this information by what I perceive he has himself said in his report as civil governor of the Philippine Islands, from which I desire to read a brief extract. In that report he says:

In respect to the trade between these islands and the United States I consider fully as the natural [illegible] he says "At the present time the greater part of the [illegible] between the Philippines and New York [illegible] Congress [illegible] would result in a decided increase over the present rates of freight. The [illegible] would from the [illegible] of these islands, and such a result would be more than lamentable from every stand-

point. The tonnage plying between these islands and the Pacific coast is about equal to the present freight supply, and no change in the present law seems desirable, as far as trans-Pacific routes are concerned.

It is, therefore, earnestly recommended that the present laws, so far as they permit foreign bottoms to trade between these islands and the mainland territory of the United States, be not changed for a period of at least five years from July 1, 1899, and that positive legislation to that effect be had by Congress at an early date.

Now, Mr. President, it is true that these remarks of the civil governor of the Philippine Islands are addressed concerning a broader proposition than that which is contained in this bill. But his recommendations show that this is a subject with which his mind is conversant, one that he has dealt with, and is in possession, no doubt, of far wider information than we have received. It is therefore, in my opinion, eminently proper that he should be consulted, and that the Senate should have the benefit of his views. If we are correctly informed with respect to him, then it would appear to the Senate that not only does the late Secretary of War impute difficulty, danger, and loss to the United States from this bill, but that similar ideas are also entertained by his successor.

So far as the debate has gone, Mr. President, the observations of Senators upon the other side of the Chamber have been applied, for the most part, to the subject of trade between the Pacific coast and the Philippine Islands. It should not be lost sight of, however, by the Senate that this bill concerns the world-wide trade in the subject-matter to which it refers. In one of the documents which we have for our information there is a summary of that trade in recent times. It is true that the inhibitions of this bill will apply only to those goods, wares, and merchandise which are for the use of the Army and Navy of the United States. It is also true that, while that is a considerable item of trade, to put that single item in a bill to regulate the merchant marine service of the United States seems to me pinching off but a small portion of the general subject and ignoring the larger and more prominent interests which are involved in it.

Why should simply goods designed for the Army and Navy of the United States be placed upon a different basis of transportation from other goods which are designed for American citizens, for American merchants, or for anyone else who may trade with American ports? Why should one little topic of trade, or one large topic of trade, be specialized and set apart from all other topics which are embraced in the great currents of commerce, with one special set of laws applicable to it and applicable to no other thing?

As to this world-wide commerce, however, which is concerned in this single subject-matter of supplies for the Army and Navy of the United States, I shall ask leave to insert pages 8 and 9 of Senate Document No. 94, of the Senate at this session, which contains a statement showing shipments to Manila on commercial vessels since January 1, 1899.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Chair hears no objection to the request of the Senator from Virginia.

The statement referred to is as follows:

Statement showing shipments to Manila on commercial vessels since January 1, 1899.

FOREIGN VESSELS.

Shipping port.	General merchandise	Forage.	Total.	Lumber.	Live stock.
From Jan., 1899, to Dec., 1902.					
Seattle:	*Tons.*	*Tons.*	*Tons.*	*Feet.*	
Chartered vessels	86,975	.....	86,975	8,574,000	8,911
Contract vessels	25,936	11,026	36,962	2,423,303	.....
Total	112,911	11,026	123,937	10,997,303	8,911
Portland	14,282	13,049	27,331	6,218,889	.....
San Francisco	.....	6,273	6,273	.....	.....
New York City	46,541	.....	46,541	.....	.....
Total Jan., 1899, to Dec., 1902	173,734	30,348	204,082	17,215,692	8,911
From Jan. 1 to Dec. 31, 1903.					
Seattle	.....	38,448	38,448	13,801,614	.....
Portland	.....	.....	.....	7,314,122	.....
New York City	6,078	.....	6,078	.....	.....
Total Jan. 1 to Dec. 31, 1903	6,078	38,448	44,526	21,115,936	.....
Total Jan., 1899, to Dec., 1903.					
Seattle	112,911	49,474	162,385	24,799,117	8,911
Portland	14,282	13,049	27,331	13,532,481	.....
San Francisco	.....	6,273	6,273	.....	.....
New York City	52,619	.....	52,619	.....	.....
Grand total	179,812	68,796	248,608	38,331,598	8,911

Statement showing shipments to Manila, etc.—Continued.

AMERICAN VESSELS.

Shipping port.	General merchandise	Forage.	Total.	Lumber.	Live stock.
From Jan., 1899, to Dec., 1902.	*Tons.*	*Tons.*	*Tons.*	*Feet.*	
Seattle, contract vessels	.....	11,026	11,026	.....	.....
Total Jan., 1899, to Dec., 1902	.....	11,026	11,026	.....	.....
From Jan. 1 to Dec. 31, 1903.					
Seattle	.....	34,006	34,006	1,219,626	.....
Total Jan. 1 to Dec. 31, 1903	.....	34,006	34,006	1,219,626	.....
Total Jan., 1899, to Dec., 1903.					
Seattle	.....	45,032	45,032	1,219,626	.....
Grand total	.....	45,032	45,032	1,219,626	.....

TOTAL.

Shipping port.	General merchandise	Forage.	Total.	Lumber.	Live stock.
From Jan., 1899, to Dec., 1902.					
Seattle:	*Tons.*	*Tons.*	*Tons.*	*Feet.*	
Chartered vessels	86,975	.....	86,975	8,574,000	8,911
Contract vessels	25,936	11,026	36,962	2,423,303	.....
Total	112,911	11,026	123,937	10,997,303	8,911
Portland	14,282	13,049	27,331	6,218,889	.....
San Francisco	.....	6,273	6,273	.....	.....
New York City	46,541	.....	46,541	.....	.....
Total Jan., 1899, to Dec., 1902	173,734	30,348	204,082	17,215,692	8,911
From Jan. 1 to Dec. 31, 1903.					
Seattle	.....	38,448	38,448	13,801,614	.....
Portland	.....	.....	.....	7,314,122	.....
New York City	6,078	.....	6,078	.....	.....
Total Jan. 1 to Dec. 31, 1903	6,078	38,448	44,526	21,115,936	.....
Total Jan., 1899, to Dec., 1903.					
Seattle	112,911	49,474	162,385	24,799,117	8,911
Portland	14,282	13,049	27,331	13,532,481	.....
San Francisco	.....	6,273	6,273	.....	.....
New York City	52,619	.....	52,619	.....	.....
Grand total	179,812	68,796	248,608	38,331,598	8,911

Seattle.—Shipments from this port via foreign vessels under charter was owing to no American vessels being offered for charter. Contract shipments were made via foreign vessels after bids had been invited by circular proposals. Only two American vessels offered, and rate from $5 to $6 per ton higher than foreign bids. This for period January 1, 1899, to December 31, 1902. For the period since January 1, 1903, contract vessels and foreign ships after inviting competition by circular proposals, the only offer had being via American sailing ships 50 cents per ton higher. Also, owing to American vessels of Boston Steamship Company being laid up to be fitted for passenger transportation.

Portland.—Shipments from this port awarded by contract on lowest informal bids in response to circular to shipping agents in writing, or by telephone. No bids received from American vessels.

San Francisco.—Shipments from this port awarded after advertisement by circular, less than ten days. No bids received for transportation via American vessels.

New York City.—Shipments from this port made via foreign vessels on account no bids being received from American ships. No formal contracts, but shipments made after inviting informal proposals.

QUARTERMASTER-GENERAL'S OFFICE,
Washington, D. C., January 9, 1904.

Mr. DANIEL. Mr. President, it will be seen from this document, which I will not pause to read at length, and by looking, indeed, at the very phraseology of this bill, that it concerns trade not only from the Pacific coast to the Philippine Islands, but concerns trade from all ports of the United States—New York as well as San Francisco, Charleston as well as Seattle, New Orleans, Mobile, or any other seaport of the United States, with any other seaport of the wide world to which we may be transporting supplies for the Army or for the Navy of the United States.

The result of it will be, first, simply to mulct the United States, to throw them in the Orient at the mercy of a few shipowners, to put them in all ports of the United States at a disadvantage, to pile up the burdens of the Treasury, which the party in power are now endeavoring to keep down as far as they can by sidetracking river and harbor bills, by sidetracking all great subjects-matter of appropriation, while they put whip and spur to themselves to escape from Washington and large appropriations as speedily as possible for the sake of the country. And yet is it to be that their farewell greeting to the people of the United States will be to turn over this great trade to a few monopolists and to the Chinese laborers in the East who constitute the crews of the ships that trade with the Pacific coast?

Mr. President, it has been not many days since the great cry that ran through this Chamber was, "Support the Administration." Who would have supposed that the two sides would so soon have changed boots? It is that side now which appears as a phalanx against the recommendations of the Administration, and it is this side which is here advocating a principle recommended by the late Secretary of War. The reason of the change is apparent. That side has the opportunity to serve a monopoly; and if it can serve a monopoly at the expense of the Treasury of the United States, neither Administration nor anything else any longer counts with this patriotic view of the situation. The reason why this side opposes the bill is because it is a bill solely devised in the interest of monopoly, which is invited to the public crib to help itself with no kind of limitation upon what it may demand for carrying supplies for the Army and Navy of the United States.

The Secretary of War, who has all sympathy with American shipping, who wants to see the American marine built up, who has given instructions, justly I think, that American ships should be preferred whenever it could be done reasonably and justly, was willing to meet monopoly halfway and divide with them in the interest of the Government. He was willing to give them 10 per cent advantage, 20 per cent advantage, 25 per cent advantage, but he planted the flag of economy and governmental interest somewhere. At the end of 25 per cent he got tired and halted. But when we get to 20 and 25 per cent here, the other side wants to throw the whole thing wide open, with no top and no bottom and no boundary, and just say to monopoly, "Walk into the War and Navy Departments, gentlemen, and help yourselves."

The Senator from Maine sympathized a few weeks ago with the opposition of the Secretary of War. He wanted reason and practicability and experience still to keep a watchful eye upon those who want to make a quick fortune out of the Treasury of the United States, and these safeguards of reasonableness and practicability and of fixed sentinels upon a post, with specific instructions, do constitute a certain sort of equitable supervision of law. But the Senator heard and states to the Senate that those who are so eager and who are so rank and insistent on having an illimitable carte blanche given to them of the Treasury of the United States are suffering with disappointment. They thought they were going to get a big subsidy from the United States and they did not get it; and this is to be, in the view of the Senator from Maine, a sop for Cerberus, a little placebo to the projectors of good times and flush times under the present Administration.

Mr. President, the Senator from Colorado suggested, in line with the remarks of the Senator from West Virginia, that a bill comprehending this whole subject, and giving as a preference to American ships a reduction of tariff on goods which they might bring in, would be the best and most desirable way of treating it. I am not prepared to say with the Senator from Colorado that I would support such a bill. Neither am I prepared at this juncture in my mind to say that I would oppose it.

This much I would say on that subject, that if the Government of the United States intends to aid the merchant marine of the United States by any particular act for its protection and upbuilding, that plan, it seems to me, is the least objectionable, and one thing at least may be said in its favor. There is the outholding of the idea that the people themselves may share in the benefits which these shipowners would derive in this, that in the lowering of tariffs on goods brought in by American ships the consumers of the United States at large would perhaps get a mutual benefit.

So, Mr. President, while there might be disappointment about that for the reason that the logic of political economy has been to a certain extent deranged and dislocated by the large capital, the manifold interests which are concatenated nowadays to regulate price, while the law of supply and demand will always be operative, like the law of gravity, there are so many dams built and so many impediments of an artificial kind put here and there, that unless one is familiar or has sought out the occult forces which are at work, it is difficult to conjecture precisely the effect of a law which is intended for a certain purpose but is magnetized or diverted to operate in a different way.

So, Mr. President, I offer this amendment and feel that I may commend it not only to my own political colleagues on this side of the Chamber, but also to gentlemen upon the other side of the Chamber, and especially to the Senator from Maine. A bill framed according to the principle of his own bill, or which would be better, in my opinion, according to the essential part of that bill, which I have put in this amendment, is at least not a very harsh bill against the interests of the United States.

It is one that leaves wisdom and reason and common sense and ordinary equity between man and man unsuffocated in the Departments of this Government and with some chance to play in the interest of the Government of the United States. Unless the Senator from Maine has so changed his mind on this subject that he is no longer to be open to conversion even to his own recent anterior opinions, I think we might soon wind up this debate by recurring to the recommendation of the Secretary of War and to his own indorsement and embodiment thereof in the measure which is now before this body.

Mr. MALLORY. I am very sorry, Mr. President, that the amendment proposed by the Senator from Texas [Mr. CULBERSON] was voted down by a majority of the Senate, because I think it was clearly in keeping with the recommendations furnished us by the two Departments that are specially interested in this measure. I do not think there is anyone on this side of the Chamber who is opposed to any legitimate measure that looks to the improvement of the condition of our merchant marine, and I for one would be willing to go as far as I could consistently with my sense of duty as a Senator to promote the welfare of our merchant marine.

When this measure was before the Committee on Commerce, of which I am a member, I was disposed to favor it because I thought that it was in the interest of the development of our mercantile vessels; but at that time we did not have before us the reports on this measure we have since been furnished with from the War Department and the Navy Department.

As the law stands to-day both those Departments, when providing transportation for coal, provisions, and supplies of other kinds for our use in foreign countries or in the Philippine Islands, are required to advertise for bids and to give the contract for transportation to the lowest responsible bidder. This measure proposes to change that and to require that the advertisement shall be confined exclusively to American vessels engaged in transportation and that no foreign vessel can take such a contract.

The opinion of the Secretary of War upon that subject has been produced here and it is so strongly adverse to the proposition contained in this measure that it seems to me, with all due respect to the other side, there is nothing to be said in answer to it. He tells us emphatically that it would be a great mistake; that it would subject the Government to a great increase in expense in transporting these supplies to the Philippine Islands and to foreign countries where those supplies are sent, and that it would cost, under the circumstances which he indicates in his communication, at least three times as much as it does now.

The proposition of the Senator from Texas, while I do not know that it was entirely in accord with the views of that gentleman upon this subject, nevertheless proposed to allow to the vessels owned by citizens of the United States a preference up to 25 per cent in advance of any charges that were proposed by any foreign-owned vessel. As the Senator tells me, that is in accordance with the recommendation of the late Secretary of War, which is in the following language:

> I think the same result can be accomplished and this danger avoided by changing the form of the bill so that it will authorize a preference to American shipping, providing the charge made does not exceed the prices bid by the owners of foreign vessels more than a specific percentage.

He adds in the last line of his communication:

> I should be in favor of increasing the preference to, say, 25 or 30 per cent

Now, the amendment proposed by the Senator from Texas took the recommendation of the Secretary of War and put it in the shape of a bill practically. If there is anyone in a position to speak intelligently and intelligibly upon this subject it seems to me that that officer, who has charge of all the dealings of the War Department, would be the proper one to furnish us with views on the subject.

But this bill also proposes to apply the same rule to the Navy Department. In response to an inquiry from a member of this body on that subject, we have a statement from Rear-Admiral Converse, Chief of the Bureau of Equipment, made before the Committee on Naval Affairs quite recently, in which he says:

> While I much prefer to see the American coal carried in American ships, I do not believe that the American ships available are sufficient to meet the requirements of the Navy Department. I do not think the Navy Department should be the one to pay all the expenses for bolstering up the American merchant marine, and I do not think the Bureau of Equipment should have to increase its estimates for coal transportation beyond a reasonable amount simply to carry coal in American ships. It is my opinion, therefore, as previously stated, that there should be a means provided for carrying American coal in any vessel, giving preference to American bottoms whenever they can be obtained at a reasonable advance over the price offered by foreign ships, and advance to be limited by a certain percentage.

That, Mr. President, is a reasonable proposition. It is in direct accord with the proposition made by the Secretary of War. There has not been a word said on the opposite side of this question in refutation of the correctness of the position occupied by the Secretary of War and the Chief of the Bureau of Equipment of the Navy.

Now, it appears from a statement made by the Secretary of the Navy, which was published with the report of the committee on this subject, that during the last fiscal year there were transported of coal for the Navy to Cavite in English bottoms 36,985 tons; in German bottoms, 5,000 tons; to Yokohama in English bottoms, 17,388 tons, and of stores other than coal there were

shipped in American bottoms 373 tons and in French bottoms 77 tons. The reason for that great discrepancy between American vessels and foreign vessels undoubtedly was, as it appears by the communication of the Secretary of War and the statement of Rear-Admiral Converse, that the American vessels will not bid so low for these contracts as will foreign vessels.

As I have already said, I do not think there is anyone on this side of the Senate who is unwilling to do anything which he legitimately may for the advancement of the interests of the merchant marine of the United States. Speaking for myself personally, I am very much inclined to favor the proposition which was referred to a while ago by the Senator from West Virginia [Mr. ELKINS] as to establishing certain discriminating duties whereby a preference would be given to American shipping over foreign shipping.

Whether that would stand the test of a very close analysis of the situation in this country, compared with that of other countries at the present day, I do not now undertake to say; but it is a fact that it was just such a measure adopted originally—beginning in the very foundation, you may say, of this country—that led to the upbuilding of the merchant marine of the United States, and which gave it the strength and virility which it enjoyed for more than one-half of the last century. That project was recommended by the late President McKinley, and why his party has thought proper to ignore it and to undertake to pursue other methods of developing the merchant marine I have never been able to entirely understand.

As I stated in the beginning, when this matter was brought up in committee, I favored it because it did not occur to me that there was any risk whatever of combination, by which a few companies owning a great majority of the shipping of the Atlantic and Pacific coasts could form combinations and put up prices, or that there would be anything which would expose the United States Government to the necessity of having to pay a higher rate for transportation than it would under the existing law.

But in the face of the report of the Secretary of War, in the face of the facts which have been developed here in this debate it seems to me it is a great mistake; and it places those gentlemen who favor the measure in the attitude of those who have heretofore urged a subsidy and other such measures, to wit, that under the plea of building up the merchant marine—a most laudable purpose and most desirable and most beneficial one to the interest of the country if it can be accomplished—they use that as a pretext for the purpose of requiring the people of the United States to contribute to the welfare and prosperity of particular individuals engaged in particular lines of business.

That being so, Mr. President, I have felt justified in changing my views as to the propriety of this measure. While I would have voted very gladly for the proposition of the Senator from Texas [Mr. CULBERSON], I do not see how it is possible, in the face of what we have heard in the shape of authentic reports from the Departments which are especially required by law to take cognizance of these matters—reports adverse to this measure—to bring ourselves, in the face of those facts, quietly to support this measure.

Mr. BACON. Mr. President, I have no captious opposition to this bill, and certainly no desire to consume any time unnecessarily; but there are some considerations of a very grave character which I think it proper should be brought to the attention of the Senate.

The bill is really an enlargement of the present navigation laws. A great deal that has been said here to-day—and most, I think, that seems to be in the mind of Senators in the discussion of the bill—is controlled now by our navigation laws, or at least will be, so far as the Philippine Islands are concerned, after the 1st of July.

Under the present navigation laws no freight can be carried from any port of the United States to any other port under the jurisdiction of the United States, whether for the Army or for the Navy or for a private individual, unless it be in a vessel with an American registry; so that, so far as almost the entire volume of the trade is concerned between the United States and any port under the jurisdiction of the United States, it is now controlled, or will be after the 1st of July, by existing law.

We passed the law in reference to the Philippine Islands in the last Congress, and the enlargement which is proposed by this bill, so far as I can properly construe it, is simply to the effect that freights, which will be carried from foreign ports to one of our ports where we may have a naval station for the use of the Army or Navy, or, as is suggested to me by the Senator from Florida [Mr. MALLORY], if from one of our ports to a foreign port where we may have any part of our Army or Navy—for instance, at the naval station we have in Cuba—must be carried in American bottoms. But it is a very important and far-reaching amendment to the navigation laws when it is proposed that, never mind from what section of the world any shipment may be, to any port for the use of the Army or Navy, that shipment must be made in a vessel of American registry.

That is what I understand the bill to be, and I do not understand it to have any exceptions whatever—I mean any exceptions as to any shipment of the articles enumerated in this bill, "coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy."

Now, Mr. President, I do not propose to discuss generally the policy of the bill, but there are some practical features connected with it which I think are worthy of some consideration.

We discuss this bill as if it were a bill providing for transportation between various points in the United States and the Philippine Islands. It is true that the Philippine Islands will be the point which will be the most concerned in these shipments, but it is not limited to that by any means.

But, taking the Philippine Islands, I imagine that very little coal—taking coal, now, as the heaviest and bulkiest freight that will be affected in its transportation under this bill—I imagine that very little coal will ever be sent from the United States to the Philippine Islands, either in our own ships or in other ships, because of the fact that it will not be an economical thing to do. There is no coal in the Philippine Islands—none to speak of, certainly—none, at least, has been produced to an extent to bring it in as a commercial article.

There are other neighboring countries to the Philippine Islands which are large producers of coal. Japan is a large producer of coal, and much of the coal, I imagine, that goes to the Philippine Islands, goes there either directly from Japan, or indirectly, through Hongkong. There is another large coaling station within striking distance of the Philippine Islands, from which, whether there is much shipping of coal now or not, shipments of coal may be expected, and that is Singapore.

Singapore is one of the largest coaling stations in the whole world. The Philippine Islands are not directly but comparatively in a direct line between the Japanese coal ports and Singapore. The port of Hongkong lies to the west. Now, without having statistics before me I imagine—and if I am in error, Senators will correct me—that most of the coal that comes to Manila is obtained from one of those three points. I may be mistaken—not having looked for the information—in the idea that the coal that goes to Manila does not go from the United States. It seems to me it would be a very foolish thing to transport coal that distance when it may be gotten within a couple of days' sail of Manila.

Under this bill no English tramp ship can carry coal from Singapore, or from Hongkong, or from Nagasaki, in Japan, to Manila for the use of our Navy. We have got either to carry from the United States in our ships, at immense cost, and I think at an immense waste, or else we have got to have American ships where they are not now, and where there is no reasonable expectation that they ever will be engaged in the local trade between Singapore and Manila, or between Hongkong and Manila, or between Nagasaki and Manila. That is the practical working of this bill.

Does that seem wise? What expectation is there that there are going to be any "vessels of the United States," in the language of the law—I say "of the law," for it is not simply the language of this bill, but it is the language of our navigation laws—"vessels of the United States," which means vessels having United States registry—what prospect is there that vessels of the United States are going to be engaged in local trade between Hongkong and Manila, or Nagasaki and Manila, or Singapore and Manila?

There is no possibility, practically speaking, of any regular lines of American ships being established between either of those ports and Manila. In the absence of such lines there are no American ships that can be used in transporting coal from either of those ports to Manila, because outside of ships engaged in our coasting trade I do not believe there is a single tramp ship of American registry flying the United States flag. Therefore from any port from which coal will be transported in quantities to Manila there will be no ships sailing to Manila in which such coal could be transported. As a consequence this bill, if enacted as law, will prohibit the foreign ships from transporting coal from those ports to Manila when there are no other ships in which that coal can be carried to Manila.

Mr. LODGE. May I interrupt the Senator?

Mr. BACON. I yield with pleasure.

Mr. LODGE. The Senator, I think, is entirely wrong about the buying of local coal. The coal used chiefly by the war ships there in the East is either American coal or Cardiff coal.

Mr. BACON. I take the Senator's statement.

Mr. LODGE. Mr. Bullitt, who represents a great coal firm in this country, and who appeared in opposition to the Philippines bill, said in a hearing before the committee:

> I represent my firm, Castner, Curran & Bullitt, which for some years has supplied a large part of the coal used by the Navy. The coal is shipped from Norfolk, Va., and most of it goes offshore, especially to the Philippines, where it is held in stock for use of naval vessels or for transshipment by colliers to other points in the Philippine Islands.

That is, it is American coal that is carried out in English tramps. We have also bought in the Philippines for our Navy and in Chinese waters a great deal of Cardiff coal, which comes from Wales.

Mr. BACON. I will accept the statement of the Senator, but that does not in any wise relieve the difficulty. All the coal that goes from America will, after July 1, be controlled by the present law, which will prohibit foreign vessels from carrying it, and this bill will have no reference to it. All American coal must, after July 1, go in American bottoms, whether this bill is passed or no.

Mr. LODGE. Surely the Senator does not mean to say that all of the American coal that is now carried out to our Navy from this country is carried in English bottoms?

Mr. BACON. I understand so; it can not be done after the 1st of July. The law is already on the statute books, and it will go into effect on the 1st of July.

Mr. PERKINS. Will the Senator permit me to ask him a question?

Mr. BACON. Certainly.

Mr. PERKINS. Is there anything in this law that prevents the Government from buying Australian or Cardiff coal delivered in Manila or Honolulu or the United States?

Mr. BACON. I should think most undoubtedly there is. That would certainly be a violation of the spirit of the law. What benefit would that be to vessels of American registry, if the law can be evaded in that way?

Mr. PERKINS. That is when the Government purchases it in some foreign port, but 95 per cent of the coal that comes into the United States from foreign countries, that is purchased by the Government of private corporations, is delivered at the respective ports.

Mr. BACON. Very well. Then, if what the Senator says is true, 95 per cent of the trade which you seek to secure by this bill can not be secured by it. Therefore, we are here making this tremendous effort to secure the transportation in American bottoms of only 5 per cent of all this coal. Is that the view of the Senator? If so, is the game worth the candle?

Mr. PERKINS. I am speaking, if the Senator please, of the products of our own land.

Mr. BACON. I understand.

Mr. PERKINS. And the transportation of our own soldiers. We carry food for them and feed them. That does not come from foreign countries, but it comes from the United States.

Mr. BACON. Very well. If it does not come from foreign countries, we have already a law on the statute book now, which goes into effect on the 1st of July, which will control every pound of it and make it go in an American bottom. So this bill does not effect any purpose in that regard.

After the 1st of July no freight can be carried from any American port to the Philippine Islands except in a vessel of American registry. Therefore this bill is not necessary to accomplish anything with reference to any shipments that go from America to the Philippine Islands; and we may just put that clean out of the bill, because we have already put a law on the statute book in the last Congress that after the 1st of July that shall be so done. And the sole question is this: Is there any practical purpose to be secured by the passage of this bill in the control of trade for American vessels so far as the Philippine Islands are concerned?

I respectfully submit that there is not. American coal after July 1 must go in American bottoms under a law now existing, and foreign coal will not and can not go there in American bottoms even if we pass this law.

Coming back to the question of coal, if, as the Senator from Massachusetts [Mr. LODGE] says, all of the coal goes—not all of it, but a large part of it—either from America or from Cardiff. If you limit it to those two, the present law will control the coal that goes from America; and there is no possibility that any ship under an American registry is going to be engaged in the coal business between Cardiff and the Philippine Islands, or between Manila and any port in Asia to which Cardiff coal may be carried before shipment to Manila. Is not the argument even stronger than the one I put when I spoke of coal as going from Hongkong or Nagasaki or Singapore? So what practical benefit will there be?

But there may be very great inconveniences. If the suggestion of the Senator from California [Mr. PERKINS] is to be taken as an answer to my argument that coal can be bought in these foreign countries to be delivered in Manila—if that is to be taken, what value remains to the bill?

The spirit of the bill and the intention of the bill is that all coal—I am using coal for the illustration, because that is the bulkiest and most constantly needed; there are a great many other articles, but I will not stop to enumerate each one of them—the intent of the bill is that all coal which goes for the benefit of our Navy, or our Army, if you please, if it uses any, shall go in American bottoms; and when I suggest the fact that coal will not be carried from any port in the neighborhood of Manila to Manila in an American bottom, and that therefore the carrying of it there by an English tramp would be unlawful, the Senator from California replies that it would be competent to purchase at Singapore, for instance, or in Nagasaki, or in Hongkong, coal to be delivered in Manila.

Mr. PERKINS. The Senator misunderstands my statement. Most of the foreign coal that is purchased by the Government is purchased from agents who have imported coal and sell it to the Government.

Mr. BACON. I do not misunderstand the Senator; but I say that one of two things is certain—either that that would be such a violation of the spirit of the law as not to be permitted, or, if it could be permitted, it would absolutely defeat the law. So that, take either horn of the dilemma you wish, and there is no practical result coming from it.

Suppose we pass this law to go into effect immediately. There is not a single American ship on the west side of the Pacific Ocean which could be engaged in the carrying of coal to Manila or to Cavite; and the only possibility would be under the second section authorizing the President to annul the law.

It is not limited, however, to the matter of coal. I want to call the attention of Senators on the other side, and particularly the attention of the Senator from Maine [Mr. HALE], to another practical feature of this case.

There is no beef in the Philippine Islands nor are there other animals out of which butchers' meat can be made, except the carabao, which is exceedingly scarce and needed for draft animals and not fit to be eaten anyway, and, as is suggested to me by the Senator from Colorado [Mr. TELLER], it is too expensive, because 90 per cent of the carabao have been destroyed, and the industries of the Philippine Islands are almost paralyzed for a lack of the only farm animal which can be used in that climate, which is the carabao. I had an opportunity a few years ago to see a practical demonstration of the fact of the difficulty of getting butchers' meat in the Philippines. I was there for a month or two, visited a great many parts of the islands, and was entertained most hospitably and courteously by officers who were in command at various points, and it is a fact that, although I knew the officers were putting the very best on their tables that they could get, in all that time, outside of Manila and its immediate vicinity, I never saw a pound of butchers' meat.

The only way they get any butchers' meat there is occasionally when it is brought there from neighboring countries. Of course there is some carried over on our transports, but not enough to feed our Army or the officers, by any means. It is brought there from Japan and from China and from Australia, but none of it in our ships. We have no ships in which to bring it, and we are not going to have any there in which to bring it. Any meat that goes from this country to the Philippines must, after the 1st of July, go in American bottoms. Any meat that they can get elsewhere than from America can not possibly be carried in American bottoms, because there are no American ships that are trading in those oceans, and none that will be.

That is a practical instance, and I could illustrate by others. We are going to have an army down on the Isthmus of Panama. While, of course, in the neighboring countries there will be supplies more conveniently and economically obtained for the use of our Army and for our Navy than if they were shipped altogether from this country, cheaper articles, such as forage for horse and other things that are conveniently and economically to be obtained in that country, will be brought there in small schooners, small trading vessels. Not a single one of them can be used for that purpose; and we are going to have no American vessels there engaged in that trade. Every particle of it that goes from this country to Panama will be controlled by the present law requiring it to be sent in American bottoms.

If this is true, does it not look like the most utter piece of folly that ever was conceived to undertake the passage and insist upon the passage of this bill when no practical benefit can possibly be expected from it, where everything that will go from this country after July 1 will be controlled by law on the statute book already, and where everything that goes from another country can not have the benefit of the law because we have no vessels engaged in that trade and can not have any?

Mr. President, I will not elaborate that, but it does seem to me that these practical considerations are worthy of the attention of the Senate.

Mr. FAIRBANKS. Will the Senator from Georgia allow me?

Mr. BACON. Certainly.

Mr. FAIRBANKS. If the statement just made by the Senator so clearly and forcibly is true, as he undoubtedly believes it is, will any injurious result follow the passage of the bill?

Mr. BACON. I will say, in the first place, if it is not true I should like exceedingly for some Senator to show where the defect is in the presentation.

Mr. FAIRBANKS. I ask the Senator what harm will result?

Mr. BACON. I understand that. I am coming to the other proposition. But before I leave that, if any Senator can show the fault in the argument presented I hope he will do so, in justice to us on this side, that we may see where is the defense of the bill. Now, the Senator asks if this argument is true what harm can be done by the bill. Is it a sufficient reason for the passage of any bill, is it a sufficient reason for the enactment of any law that it can not do any harm? Mr. President, it does harm if it encumbers the statute books without any practical purpose.

Mr. FAIRBANKS. I put the inquiry because the Senator is in antagonism with some of his associates on the other side. Some of his associates claim that the bill will work great harm to the interests of the country. The Senator from Georgia has just argued that it will do no harm whatever. I let one proposition offset the other one.

Mr. BACON. I say it will do harm in this respect, and I have already touched upon that. It will do a great harm in Manila if you have a law which will act as an embargo against the convenient and easy procurement of coal and other supplies needed there and which can not be carried there under the provisions of this bill, and if carried there must be carried there in violation of the law. That, I think, is where harm will come. As it now stands an English tramp can carry coal from Nagasaki or Hongkong or Singapore to Manila, and it will not be able to do so under this bill. It is simply a question whether there shall be a bill on the statute books which will be utterly inoperative, or if operative great harm and inconvenience and loss are to come to the Government in the supplying of its troops.

But, Mr. President, I had no idea of saying half as much on that branch of the subject, although it does seem to me that there is a practical view of it to which there is no answer, except the answer of the Senator from Indiana, and that is that the bill will be practically inoperative and useless, and therefore we may as well pass it because it will do no harm.

Mr. FAIRBANKS. No, Mr. President, the Senator misapprehends. I asked him the question, if, from his own statement, it would do any harm. I understood him to say "No."

Mr. BACON. I understand that.

Mr. FAIRBANKS. I simply drew the Senator out to show that his position was in sharp antagonism to that of his associates.

Mr. BACON. I was saying that from my point of view it was utterly inoperative and could only be defended if the suggestion of the Senator from Indiana were adopted, and that is that it would be harmless.

But, Mr. President, I really rose to call the attention of the Senate to another matter in connection with this bill, and I would be very glad really if I could have the serious and impartial consideration of Senators on the other side to the point I am now about to make. The question as to whether or not our navigation laws should be enlarged, the question whether still further steps should be taken in the direction of securing for ships under American registry the exclusive business of transporting coal and other articles for our Army, as is proposed in this bill, even conceding for the sake of the argument that it would be a practical provision, may be taken as a party question.

Therefore Senators, of course, recognizing it as a party question, may vote in a certain way, even though all the provisions and details may not meet with their approval. But the question I am going to submit to the Senate is not a party question, and it ought to command, if my view of it is correct, the entire approval and sympathy of every Senator, regardless of party. And that is contained in the second section of this bill, which gives to the President the right at any time to "suspend, in whole or in part, section 1 of this act whenever, in the interests of the national defense, or for the protection of the interests of the United States, such suspension may seem to him desirable."

I affirm without fear of possible contradiction that there is not from the foundation of the Government to the present day a precedent for such legislation as that. It is a surrender by the lawmaking power of a part of its constitutional function committed to it and denied by the Constitution to the executive branch of the Government. Of course I am aware of the fact that from the early days of the Government there have been acts put upon the statute books wherein the President has been authorized, under certain conditions named or in the event of the ascertainment of certain facts, either to put a law in operation or to suspend its operation.

But that is an altogether different question from submitting to the President, in his uncontrolled discretion, the question whether or not a general law shall be operative or whether it shall be suspended, either temporarily or permanently. And the distinction has been clearly drawn by our Supreme Court in an elaborate case of Field against Clark, reported in 149 United States Reports.

Of course I need not remind Senators that the very first provision of the Constitution says:

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Now, the question is whether or not this proposed bill is in harmony with that provision of the Constitution of the United States. The power to legislate in Congress is one without conditions, only limited by the restrictions of the Constitution. In other words, anything that Congress thinks is a proper thing to be accomplished by legislation Congress has the power to enact into law, within the limitation which I have already mentioned. Legislation is not simply in the creation of law. Legislation is no less legislation in the destruction by repeal of that which is already law. The repeal of a law is as technically and vitally legislation as the enactment of a law, and the permanent suspension of a law or the temporary suspension of a law is no less legislation than either its enactment or its repeal.

Now, the effect of this is to put in the hands of the President of the United States in his discretion, absolutely without control, the power at any time to suspend this law, either in whole or in part, either for a day or for the balance of his Administration or until some other President shall restore it.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Maine?

Mr. BACON. With pleasure.

Mr. HALE. The point the Senator is making, that it is not desirable that in form the President should be given the power to suspend a law——

Mr. BACON. No; however, go ahead.

Mr. HALE. To suspend the operation of a law——

Mr. BACON. Suspend the law. Go ahead.

Mr. HALE. That, of course, is not a new suggestion. It has arrested the attention of other Senators. There is a distinction undoubtedly between providing that when certain facts are established the President may do a given thing——

Mr. BACON. Oh, yes.

Mr. HALE. And providing in terms that he shall have the power to suspend the operation of and countervail the law. I suppose it could all be reached and we could save time—I did not draw this bill—if instead of section 2, to which the Senator is addressing himself, it should be provided, in line 7, "that vessels of the United States or belonging to the United States"——

Mr. BACON. Line 7 of what page?

Mr. HALE. The first section.

Mr. BACON. The first section.

Mr. HALE. This will dispense with section 2.

Mr. BACON. After the word "Navy?"

Mr. HALE. Yes.

That vessels of the United States or belonging to the United States and no others, shall be employed in the transportation by sea of coal, provisions, forage and supplies of any description intended or required for the use or benefit of the Army or Navy, unless the President shall otherwise order in the public interest.

Mr. BACON. I do not think that meets the legal question at all.

Mr. HALE. Now, what form of words——

Mr. BACON. If the Senator will provide a certain contingency that upon the ascertainment of certain facts such and such law shall be in force, then he will come within the terms of the decision of the Supreme Court in the case of Field against Clark. In that case, at page 692 of volume 143 of the United States Supreme Court Reports, the court says:

That Congress can not delegate legislative power to the President is a principle universally recognized as vital to the integrity and maintenance of the system of government ordained by the Constitution. This maxim, however, has, in the progress of modern government, been subjected to qualification. It does not in any real sense invest the President with the power of legislation. For the purpose of securing the enforcement of the provisions of the act relating to the importation of sugars, molasses, coffee, tea, and hides, Congress has declared that the provisions, full and complete in themselves, permitting the free importation of the articles specified, shall be suspended whenever and for such time as the President shall find that any country which shall be designated by him exacts from agricultural products of the United States or other articles produced by the labor of its people, such duties or other exactions as, in his judgment, are reciprocally unequal and unreasonable.

Congress itself prescribed, in advance, the duties to be levied, collected, and paid on sugars, molasses, coffee, tea, and hides produced by or exported from such designated country while the suspension lasted.

No doubt, previously to the passage of the act, operation of such legislation was left to the determination of the President. The words, "he may deem," in the third section, of course, signify that the President would examine the commercial regulations of other countries producing and exporting sugar, molasses, coffee, tea, and hides, and form a judgment as to whether they were reciprocally equal and reasonable, or the contrary, in their effect upon American products.

But when he ascertained the fact that duties and exactions reciprocally unequal and unreasonable were imposed upon the agricultural or other products of the United States by a country producing and exporting sugar, molasses, coffee, tea, or hides, it became his duty to issue a proclamation declaring the suspension, as to that country, which Congress had determined should occur. He had no discretion in the premises, except in respect to the duration of the suspension so ordered, but that related only to the enforcement of the policy established by Congress.

As the suspension was absolutely required when the President ascertained the existence of a particular fact, it can not be said that, in ascertaining that fact and in issuing his proclamation in obedience to the legislative will, he exercised the function of making laws. Legislative power was exercised when Congress declared that the suspension should take effect upon a named contingency. What the President was required to do was simply in execution of the act of Congress. It was not the making of law. He was the mere agent of the lawmaking department to ascertain and declare the event upon which its expressed will was to take effect. It was a part of the law itself as it left the hands of Congress that the provisions, full and complete in themselves, permitting the free importation of sugars, molasses, coffee, tea, and hides from particular countries should be suspended in a given contingency, and that in case of such suspensions certain duties should be imposed.

It will be noted that the court expressly denies that anything involving the expediency of the operation of the law can be delegated by Congress to the Executive, and that is exactly what is proposed to be done in the broadest and most unrestrained manner by the second section of this bill. The President was only empowered to ascertain certain facts, and when so ascertained the law should be suspended, as Congress had determined and in the statute had prescribed should occur.

The Chief Justice and Justice Lamar dissented; but all of the justices, including those who dissented, agreed upon the principle involved in the case, but only differed as to the application of the same to that particular case.

I had intended to pursue this line of argument further and to review the several statutes heretofore enacted by Congress in which similar powers were conferred upon the Executive, with the view of showing that they are all of them of the character of the provision of the act of 1890, which is upheld by the court in the foregoing case, and that none of them contain such a provision as that found in the second section of this bill. But it is unnecessary to do so, as the Senator from Maine recognizes the principle for which I contend.

Mr. HALE. You can say that whenever there shall be established in the mind of the President the fact that the operation of this statute——

Mr. BACON. That will not meet it.

Mr. HALE. You can not apply a distinct fact, because the fact in one case will be different from what it will be in the other. I began—and I do not like to legislate without being frank and outright—by saying that I appreciate the force of that distinction, and I am trying to get the Senator to tell me what he thinks about it. It seems to me this would do:

Unless the President shall otherwise order in the public interest.

Mr. BACON. No.

Mr. HALE. That is, the President determines that it is in the public interest. Or you may say, "provided the President is satisfied that the prices charged are unreasonable." But that is only saying in other words what is said here—that it is in the public interest. You can not base this upon a statement of facts to be found unless you have some phrase which covers it.

Mr. BACON. And yet the law requires that it shall be based upon some facts to be found.

Mr. HALE. Well, now, what has the Senator in mind? Suppose, instead of these words, we say that the President, upon being informed or believing that unreasonable rates are being demanded not in the interest of the Government, may otherwise order.

Mr. BACON. I will say this to the Senator: I have not been endeavoring to determine upon a particular phrase that would meet the requirements of the law, because——

Mr. HALE. Ought not the Senator——

Mr. BACON. The Senator will allow me just a second, in order to finish my sentence?

Mr. HALE. Yes.

Mr. BACON. Because my mind has not been running in that direction. But I want to say to the Senator frankly that we have a number of statutes, some of them dating back to the very early days of the Government and running up to the McKinley Act of 1890, in which there is a framing of the law along the line he is trying now to reach: for instance, the suggestion of the Senator that the proviso should be limited to the finding of the fact by the President that the prices were unreasonable or that a monopoly or a combination had been made. But what I am trying to suggest to the Senator is this: It must be something specific. It can not be put simply upon the ground of the judgment of the President as to the interest of the United States. There must be some specific fact found.

Mr. HALE. But the President must be the judge whether the fact is established.

Mr. BACON. Of course. There is no doubt about that.

Mr. BAILEY. Will the Senator from Georgia permit me?

Mr. BACON. Certainly.

Mr. BAILEY. I think the Senator from Georgia is indisputably right in his criticism of this provision, but whatever may be said about it as a matter of proper legislation, as a matter of law it would be valid with the provision suggested by the Senator from Maine.

Mr. BACON. As to prices?

Mr. HALE. The law then would stand, not being suspended by the President, because the law would be that they shall be carried in this way unless the President finds the charges exorbitant.

Mr. BACON. Yes.

Mr. HALE. And otherwise orders.

Mr. BAILEY. Of course; that would follow.

Mr. HALE. Yes.

Mr. BAILEY. In that way it is rather a conditional law which continues in effect.

I think the Senator from Georgia has performed a useful service in calling attention to this matter, and I am gratified to see Senators on the other side willing to remove that objection; though even with that I should vote against the bill, as embodying a bad principle.

Mr. HALE. I am entirely willing that that provision shall be put in, because this consideration which the Senator from Georgia has raised I may say is not new and has been in the minds of Senators upon this side as well as upon the other. It is undoubtedly better that we do not set a precedent of declaring in terms that the President shall absolutely have the right to countervail a law.

Mr. BACON. Yes.

Mr. HOAR. Mr. President, I should like very much, if it is agreeable to the Senator from Georgia, to make one suggestion for his consideration and that of the Senate at this point in the discussion, and that is of the ground upon which it seems to me this must be supported, if at all, and upon which it seems to me it can be easily supported, if I may have his leave to do it.

Mr. BACON. Certainly.

Mr. HOAR. I agree with the Senator from Georgia that the lawmaking power can not be vested in the Executive except to the familiar extent of his approval of laws. You could not say lawfully that an estate shall go to all the children on the death of the owner unless the President thinks it would be better to have the law of primogeniture, and in that case it should go in accordance with that principle. That is perfectly clear to my apprehension.

The argument of the Senator from Georgia is a very clear and powerful statement of a sound doctrine. But, as I understand this, it is a regulation of the executive power which the lawmaking power may do unless the executive power be regulated and defined by the Constitution itself.

The duty of seeing that the supplies are carried to our Army and Navy is purely an executive power, which the President would have a perfect right to do if there were no provision of law specifically requiring it.

Mr. BACON. Will the Senator allow me, in this connection?

Mr. HOAR. Permit me one sentence more. Now, then, can we not say, and do we not say in a thousand instances in the States and in the nation, that executive powers shall be discharged in a certain way, unless the executive find it is better to discharge them in another way, in which case he does it under his general power?

Take the most important instance of executive power—the execution of criminals. Suppose we should say by law that the execution of all criminals capitally sentenced should occur within thirty days after conviction, but that the governor or the President, if he find it expedient, may prescribe a different period. Now, is it not clearly within the power of the legislature to limit an executive act or to leave that executive act where, without law, the executive would limit it, as a matter of course, to his discretion?

Mr. BACON. Will the Senator pardon me in this connection?

Mr. HALE. The Senator will let me say right here that in the State of Maine we have lived for a number of years under a statute which declares in terms that the time for executions shall be fixed, under certain limitations, by the governor.

Mr. HOAR. I wish to beg the pardon of both Senators. I do not want to thrust myself into the debate. But it seems that this consideration completely supports that contention.

Mr. BACON. Before the Senator from Massachusetts takes his seat, I desire to call his attention to the fact that this bill is not and does not purport to be the arrangement of an Executive function.

Mr. HOAR. Does it not——

Mr. BACON. If the Senator will pardon me, I am trying to tell him. It is not limited to the question as to how provisions and coal and things of that kind shall be carried in Government transports, but it extends to all other vessels under American registry. This does not have any——

Mr. HALE. This bill does not apply to anything but Government supplies.

Mr. BACON. I know that, but it does not deal exclusively with the question of carrying freight in Government transports. It is extending the navigation laws as to all vessels. It is making the

navigation laws extend beyond the present limitation, which is as to transportation between ports under the jurisdiction of the United States, to the transportation of anything intended for the Army or Navy, regardless of what port it may come from, so that no foreign ship can engage in it. Congress may empower the President to perform an executive duty in one way or another, but it can no more empower him to annul a law prescribing an executive duty than any other law.

The suggestion of the Senator from Massachusetts, while of course an ingenious one, can, I think, upon consideration, be easily recognized by all as in no manner affecting this question. If that were so, every one of the cases reviewed by the Supreme Court in the case of Field *v.* Clark is one that relates to some executive function, some executive act, and yet the Supreme Court of the United States clearly draws the distinction along the line which I have endeavored to present to the Senate—that the execution of a law can be made contingent upon the ascertainment of a definitely prescribed fact, and that when the executive asserts as that fact, he does not make the law, he does not exercise a judgment whether or not the law shall be operative; he only ascertains a fact that it is impracticable for the legislature to ascertain, and therefore it commits to him the power to ascertain it, and says upon the ascertainment of the fact the law which they make shall either be operative or inoperative, as the case may be. Therefore, as said by the Senator from Texas, and as I say, the suggestion of the Senator from Maine as to the charges in this provision of the bill will bring it within the requirements of the Constitution of the United States.

Mr. HALE. I propose to offer the amendment I have suggested. It will strike out section 2.

Mr. BACON. It it will bring the bill within the Constitution. I will not detain the Senate a minute longer.

Mr. HALE. I am entirely willing to do it. I may say to Senators, and I hope I am not unreasonable in saying it, that I should like very much to have a vote on the bill. I do not understand that any Senator on the other side because he asserts to have proposition approves the bill or in any way is committed to it, but I should be very glad to have a vote and have the matter out of the way and have it out of my way.

Mr. BACON. I can not speak for other Senators, but for myself, if the amendment meets my criticism, I will not have anything further to say.

Mr. HALE. Then I move, after the word "Navy," in line 7, section 1, to insert the words which I have read:

Unless the President shall find that the rates are in the public interest.

Then, when that is adopted——

Mr. BACON. That will not do. It does not meet the point at all.

Mr. HALE. The words are precisely the same that I read before.

Mr. BACON. If the Senator will put it in this way—I will not give the exact phraseology, but the essential part of it—"unless it could be found that the rates charged are unreasonable" that is the determination of a fact and will meet the requirement of the law.

Mr. HALE. It is difficult when you come to particularize, but as the Senator from Texas has said, the provision I have read brings it within the theory and scope of the law, as I understand it all of us as lawyers understand it. Now, as I said before, you may say, "unless the President shall find that the prices charged are unfair and unreasonable."

Mr. BACON. That would bring it within the law.

Mr. HALE. That would be only another form.

Mr. BACON. Not whether in another form or not, it is vital and essential to the maintenance of the principle. When you say that "the President, when he finds it to be public interest," you go beyond the limit and you make him the legislator and he may set aside the act of Congress. But whenever you say that this shall be the law unless the President finds the prices to be unreasonable, then you are making the law and he is simply finding the facts.

Mr. HALE. "Unless the President shall find that the prices or rates of freight charged by said vessels are unreasonable." That will cover it.

Mr. BACON. Please read it again.

Mr. HALE. It follows the general provision for transportation for the use of the Army or Navy:

Unless the President shall find that the rates or prices of freight charged by such vessels——

Which have just been described as vessels of the United States—are unreasonable——

That surely will cover it.

Mr. BACON. I think that probably comes within the principle of the law.

Mr. HALE. I move that amendment, Mr. President.

Mr. BAILEY. I suggest that in order to bring it clearly within the doctrine of Field *v.* Clark we employ the language of the court in that case, and say "unless he shall deem the charges unreasonable." As I recall it, the provision of the law then under consideration by the court was what is known as the "reciprocity section" of the tariff law.

Mr. BACON. The law of 1890. I have it here.

Mr. BAILEY. So that whenever the President might deem these regulations unreasonable or unjust——

Mr. HALE. "Unreasonable."

Mr. BAILEY. The language of the act of October 1, 1890, was—

May deem to be reciprocally unequal and unreasonable.

So, it seems to me, we should put in here:

Unless the charges shall be deemed by the President to be unreasonable and unjust.

Mr. HALE. "Unless the President," I said, "shall find," but "shall deem."

Mr. BACON. Either one.

Mr. BAILEY. The Senator employs the very expression into which the Supreme Court translated the words "as he may deem."

Mr. BACON. That is right.

Mr. HALE. We are not far apart. I will say "unless the President shall deem."

Mr. BERRY. "Find" is a better word.

Mr. HALE. "Find" was my suggestion.

Unless the President shall find that the freight charges——

Mr. BAILEY. Say "transportation charges," because we are providing for transportation charges.

Mr. HALE. Well, "transportation charges."

Mr. PATTERSON. "Rates of freight charges."

Mr. BACON. "Are unreasonable."

Mr. HALE. "Shall find that the freight charges"——

Mr. BACON. "Exceed or are unreasonable."

Mr. PATTERSON. Why not put it "the rates of freight charges"——

Mr. HALE. "The rates of freight charges by said vessels are unreasonable." I will propose that amendment.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Colorado?

Mr. HALE. I do not.

Mr. BACON. Mr. President——

Mr. HALE. As soon as this amendment is adopted I shall move to strike out section 2.

Mr. BAILEY. Mr. President——

Mr. TELLER. Will the Senator from Texas allow me to make a suggestion?

Mr. BAILEY. I presume that without any express provision to that effect, the President, finding these transportation charges to be excessive, would be authorized under the existing law to ask for rates, would he not?

Mr. TELLER. Of course, he would doubtedly.

Mr. BAILEY. What I mean——

Mr. HALE. He would be authorized to make inquiry. All this would be done anyway. That is where the President would be at the last time. The charges, determined by the President to be unreasonable, because he would be entitled to be satisfied by proof.

Mr. BAILEY. I am not perfectly sure. I do not concur with the views expressed that the President would have that function. The President, finding the rates and finding the charges to the Government, would have a right to refuse to pay the proposed or demanded rates. But he would not have the power to set aside the authority of the statute to make contracts for their transportation, I think.

Mr. BACON. That right exists now.

Mr. BAILEY. Under the existing law. What I want to be sure about is that this provision does not repeal the existing law.

Mr. BACON. If the Senator will pardon me a moment, I do not think there can be any possible question on that point. This is a provision "that vessels of the United States, or belonging to the United States, and no others shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description purchased pursuant to law for the use of the Army or Navy, unless" so and so. Then, of course, if it is found to be that way, this law does not apply and the present law is in existence. There is not any possible question about that.

Mr. BAILEY. I think that is probably true, and yet we often find ourselves repealing by implication. It is a little difficult to say that an existing statute is repealed under some circumstances and not repealed under others. In other words, the courts are not inclined to favor the conditional repeal of statutes, and we might find that having given to the President this authority unless certain circumstances exist he would be without that authority under other circumstances. Still, I make no question about it.

Mr. TELLER. Mr. President, I suggest to the Senator that if he simply follows what he has there, a direction to the President to proceed in the same manner as under existing law or in some other way, the whole thing will be complete.

Mr. HALE. This is a measure that takes effect when the President decides that the present existing law does not apply. That is all that is intended. I have no objection to striking out section 4, which in terms declares that it absolutely repeals acts inconsistent with this act, and that takes away the question as to whether if the President does intervene he can fall back upon existing law.

Mr. TELLER. The President would certainly fall back on the existing law if the Senator would add that to his modified clause. It seems to me that that is the proper way to do it, and that is what I tried to suggest.

Mr. HALE. I have no objection to adding that. I am trying to get suggestions.

Mr. CULBERSON. I understand that the present law provides that this transportation shall be had by advertisement to the lowest bidder. The bill under consideration, if it becomes a law, not only by implication of the first section, but by express provision of section 4 provides:

That all acts and parts of acts in so far as inconsistent with the provisions of this act are hereby repealed.

If the amendment of the Senator from Maine stops where he says it will stop, that is to say, that the first section of this proposed law shall apply unless the President finds the charges are unreasonable, then if he does find it so and the existing law is repealed, where is the law upon which bids can be had and the transportation carried on?

Mr. HALE. If the Senator will allow me, that is precisely what we have been discussing.

Mr. CULBERSON. I understand it.

Mr. HALE. We have been trying to reach that, either by striking out section 4, which repeals all laws, and simply leave this as a modification and as a substitute unless it is arrested in its operation by the present law. In that case the words can be added, "in which case the law as now existing shall apply." Either can be done: I do not care which, but I think it would perhaps be just as well to strike out section 4 and then make this, which is a locum tenens, hold the place of that statute. If it is not arrested by the President it applies, but if it is applied then the present existing statutes we do not repeal. We simply provide that the President by his act may declare and find that this provision does not apply, and if it does not apply the old law does apply. I think that, perhaps, is the most symmetrical way of getting at it. I will move then this amendment, and will move afterwards to strike out section 2 and section 4 also.

Mr. BACON. All right.

The PRESIDENT pro tempore. The Senator from Maine offers an amendment, which will be stated.

Mr. PATTERSON. I think the Senator had better recast the entire first section.

Mr. HALE. I want to amend the first section. The amendment is to the first section.

Mr. PATTERSON. And then recast it.

Mr. HALE. There is not any recasting to be done. It applies perfectly the language after the word "Navy."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 1, line 7, after the word "Navy," insert:

Unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable.

Mr. HALE. That is it.

Mr. CULBERSON. I suggest to the Senator to add something like this, "in which case the transportation shall be regulated as may be otherwise provided by law."

Mr. BERRY. "In which case the contract shall be made under existing law," is, I think, a better phrase.

Mr. CULBERSON. In which case the charges——

Mr. HALE. No; "in which case contract shall be made"——

Mr. CULBERSON. "As may otherwise be provided by law."

Mr. HALE. That is in already. "Unless the President shall find"——

Mr. CULBERSON. In other words, the suggestion I make, crude as it may appear, is intended to refer the question back to the law as it exists in other statutes—that is, by bid—and to exclude the idea that that statute is repealed.

Mr. HALE. But does not the Senator think I reach that by striking out the provision of section 4, that all other acts are repealed? We do not repeal any law.

Mr. CULBERSON. I rather think it will have that effect, but the suggestion I make will altogether relieve any doubt about it.

Mr. BAILEY. It does not necessarily follow because the legislative body does not incorporate the repealing provision that it does not therefore repeal an existing and conflicting law. It would repeal any existing and conflicting law.

Mr. HALE. It does, while it operates.

Mr. BAILEY. It does; and I think the suggestion of the Senator meets it, but I myself am inclined to prefer the suggestion of my colleague, because that excludes the idea of any conflict between the present and the existing law as to these contracts.

Mr. HALE. Let the Secretary read the amendment I have offered, and then I will add to the language.

The SECRETARY. On page 1, line 7, after the word "Navy," insert:

Unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable.

Mr. HALE. Add, "In which case contracts shall be made based upon existing law."

Mr. BERRY. That is right.

Mr. BAILEY. "Made under it."

Mr. HALE. "Made under existing law."

Mr. CULBERSON. This is existing law.

The Secretary read as follows:

In which case contracts shall be made under existing law.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Maine.

The amendment was agreed to.

Mr. HALE. Now, I move to strike out section 2.

The PRESIDENT pro tempore. The Senator from Maine moves to strike out section 2.

The amendment was agreed to.

Mr. HOAR. I should like to ask the Senator a question. I do not want to delay the bill, but what is the significance of section 3? Is it anything more than to say they are directed to obey the law? Of course they are not to enforce the provisions the President is directed to enforce.

Mr. HALE. That is simply, as this matter comes into two Departments, that each head of Department shall enforce the law in his Department; that is all.

Mr. HOAR. But that will be equally their duty without it. It does not mean that the Secretary of War and the Secretary of the Navy shall enforce so much of the law except that the President is to do certain things. If you say that the Secretary is directed to enforce the provisions of the law, it only means that he is directed to obey it, and that is implied without it. It does not seem to me that that is a very good provision to put into a law. I would strike it out.

Mr. HALE. I do not think it does any harm or any good. What the President is directed or authorized to do will be done through the Secretaries.

Mr. HOAR. I think I would strike that out.

Mr. TELLER. Mr. President, I want to say a few words about the bill itself, late as it is.

Mr. HOAR. If the Senator will pardon me, I think I will move to strike out section 3.

Mr. TELLER. I will yield for that purpose.

Mr. HOAR. I do not think it a proper form of legislation.

Mr. HALE. I am always pleased to hear the Senator from Colorado, but I should like to have the bill passed.

Mr. TELLER. I do not want to have the bill passed before I make my speech.

The PRESIDENT pro tempore. The Senator from Massachusetts moves an amendment, which will be stated.

The SECRETARY. It is proposed to strike out section 3, in the following words.

SEC. 3. That the Secretary of War and the Secretary of the Navy are hereby directed to enforce the provisions of this act.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

Mr. TELLER. Mr. President, I do not desire at this late hour to detain the Senate, but this is a very important bill, and it has been railroaded along yesterday afternoon and to-day with a haste that has been very unusual. The amendments that have just been made might have been made yesterday just as well as to-day.

Mr. President, I am opposed not simply to the details of the bill, but I am opposed to the principle we have established in it. I am opposed to the bill that is to follow, a companion bill, No. 2259, which is to complete this arrangement and which is to put the trade between the Philippine Islands and the United States under the coast-line acts of the United States.

I am opposed to the bill, in the first place, Mr. President, because it is a subsidy bill. I am not opposed to certain preferences being given to American ships, but when you do that, I want to feel that it is a fair system and puts the ships of all parts of the United States on an equality. I can see no reason why you should give to the ships between the ports of the United States and the Philippine Islands a certain advantage that you deny to the ships

between the Atlantic ports and the Pacific ports and other sections of the world. I suppose it may be said that it will be followed by giving preferences or advantages, but they will have to be different advantages. You can not apply this principle to the trade of the world generally. So, I think, to begin with, it is a vicious way of commencing a ship-subsidy system.

Mr. President, I am opposed to it on other grounds. I am going to wait until Senators get through talking.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. TELLER. It is bad enough to talk at this hour. I do not care about being delayed very much, but I do not believe, Mr. President, in hasty legislation. I do not believe that it is an excuse for a failure to enter your protest against a bill which you believe to be bad, because it is not convenient for Senators to stay away from their dinner. There is no reason in the world why, if this is a proper bill to pass, it can not be passed upon another day just as well as to-day. There is a very large majority here apparently in favor of this bill. It is their right to pass it when they get ready.

It is my right and the right of those opposed to it to have an opportunity to enter their objections to it, and I am going to do it now. I should be much better pleased to do it some other day if it would be just as convenient, but if it is the policy of the party who want to pass this bill to insist on going through with it to-night I am going to make my speech to-night.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Maine?

Mr. TELLER. Certainly.

Mr. HALE. I will ask unanimous consent that the bill shall be taken up at the expiration of the routine morning business on Tuesday next, and that a vote shall be taken upon it during that day.

Mr. ALLISON. At 5 o'clock?

Mr. HALE. Well, I will ask that at 5 o'clock on that day we shall vote upon the bill and all pending amendments.

Mr. HOAR. Five o'clock or before.

Mr. ALLISON. Four o'clock.

Mr. HALE. I will ask that a vote shall be taken during that day.

Mr. TELLER. To say "during the day" is a better way.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the bill may be taken up for consideration after the routine morning business on Tuesday.

Mr. CULBERSON. Before that request is put, I should like to ask the Senator in charge of the bill if he supposes that by that time we shall have the result of the hearings on this bill, which I understand is being had by the present Secretary of War?

Mr. HALE. There have been no hearings, I understand, on this bill.

Mr. TELLER. I understand there have been.

Mr. HALE. There have been none.

Mr. TELLER. On last Thursday.

Mr. HALE. No; there have been none.

Mr. LODGE. The Secretary of War, I will say, has been before the House committee and the hearings were on the Philippine bill, not on this bill.

Mr. CULBERSON. I understand that the representatives of certain shipping interests have been before the present Secretary of War on this bill or the associated bill.

Mr. TELLER. The companion bill.

Mr. CULBERSON. Both are pending, and we would like to know—at least, I should like to know—if we will have the result of that inquiry before us in some way by Tuesday.

Mr. HALE. I will say to the Senator that I do not understand there have been any hearings or anything taken down. The representatives of different interests have been to the Secretary, as I have, and I will get, so far as it can be gotten, and bring it in on Tuesday, anything that there is of record, but I do not presume there is any record of anything.

Mr. TELLER. Yes, there is. I am informed by a gentleman who was present that the Secretary had a stenographer who took down everything that was said. I should like, while we are getting that, to get the opinion of the Secretary of War on this subject, if the Senator will do that.

Mr. HALE. The Secretary can send it in at any time, if he chooses; we can not oblige him to do that. But I will say to Senators I will ask the Secretary if there are any matters of that kind, and if any meetings have been taken down to send in the hearings, so that we can have them here Tuesday morning.

Mr. TELLER. Will you also ask the Secretary for his opinion on this bill?

Mr. HALE. We never have done that. We always say when we send directions that we do not want an opinion. I have known that objected to frequently. We ask for facts, we ask for papers, but we always object to opinions.

Mr. TELLER. We have the opinion of the former Secretary, and I should like to have the opinion of the present Secretary.

Mr. HALE. If the Secretary chooses to send it in. The interest, I will say, that the Secretary has felt in this matter is not in this bill: it is in the Philippine bill.

Mr. TELLER. It is the same thing.

Mr. HALE. He has recently come from the Philippines. It is hardly the same thing.

Mr. TELLER. I wish to discuss this bill in its effect upon the Philippines.

Mr. HALE. I make this suggestion for a vote on Tuesday. I see how the Senator feels about it.

Mr. TELLER. I have no objection to the proposition.

Mr. HALE. It is late, and that is why I make the proposition.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the consideration of the pending bill may be resumed after the morning business on Tuesday next, and that the final vote be taken on it during that day.

Mr. HALE. The final vote on the bill and all amendments.

Mr. TELLER. The bill to be still open to amendment?

Mr. HALE. The bill to be still open to amendment.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

Mr. HALE. I ask that the bill which has been pending may be ordered to be reprinted as it has been amended, and that it also be printed in the RECORD as amended.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

The bill as amended is as follows:

A bill (S. 2268) to require the employment of vessels of the United States for public purposes.

Be it enacted, etc., That vessels of the United States, or belonging to the United States, and no others, shall be employed in the transportation of all supplies, provisions, forage, or stuffs of any description, or any other property, pursuant to law, for Bureaus of the Army or Navy, unless the President shall find that the rates of freight charges on such vessels are excessive and unreasonable, in which case contracts shall be made under existing law: *Provided*, That no greater charges be made for such vessels for transportation of supplies for the use of the said Army and Navy than are made by such vessels for transportation of like goods for private parties or companies.

SEC. 4. That all acts and parts of acts so far as inconsistent with the provisions of this act are hereby repealed.

SEC. 5. That this act shall take effect sixty days after its passage.

HOUSE BILL REFERRED.

The bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, was read twice by its title, and referred to the Committee on Naval Affairs.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 89) granting an increase of pension to James M. Markham;

A bill (S. 148) granting an increase of pension to Benjamin H. Smalley;

A bill (S. 153) granting an increase of pension to William W. Turk;

A bill (S. 154) granting an increase of pension to Hugh T. Crockett;

A bill (S. 156) granting an increase of pension to Harriet L. Ford;

A bill (S. 268) granting an increase of pension to Annie B. Johnson;

A bill (S. 312) granting an increase of pension to John F. Oviatt;

A bill (S. 317) granting an increase of pension to Mortimer Hallett;

A bill (S. 354) granting an increase of pension to Clara B. Griswold;

A bill (S. 386) granting an increase of pension to Homer D. Wells;

A bill (S. 562) granting an increase of pension to Emeline F. Emmons;

A bill (S. 588) granting an increase of pension to Wilbur F. Little;

A bill (S. 681) granting an increase of pension to Isaiah Larkins;

A bill (S. 693) granting an increase of pension to Charles W. De Rocher;

A bill (S. 727) granting an increase of pension to George W. Wetherell;

A bill (S. 819) granting an increase of pension to John B. Glover;

A bill (S. 822) granting an increase of pension to Marquis L. Stevens;

A bill (S. 893) granting an increase of pension to William W. Angelo;

A bill (S. 900) granting an increase of pension to Daniel M. Smith;

A bill (S. 935) granting a pension to Mary S. Clark;

A bill (S. 1272) granting an increase of pension to Samuel Rollins;

A bill (S. 1280) granting an increase of pension to Henry Wilfong;

A bill (S. 1392) granting an increase of pension to Mary A. Hughes;

A bill (S. 1530) granting an increase of pension to Theron T. Lamphere;

A bill (S. 1554) granting an increase of pension to John D. Pickard;

A bill (S. 1555) granting an increase of pension to Owen E. Newton;

A bill (S. 1591) granting an increase of pension to James Hahn;

A bill (S. 1616) granting an increase of pension to Michael Donovan;

A bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe;

A bill (S. 1642) granting an increase of pension to Blanche L. Chunn;

A bill (S. 1678) granting an increase of pension to Rudolph Reinhart;

A bill (S. 1796) granting an increase of pension to Matthew Woodworth;

A bill (S. 1803) granting an increase of pension to John M. Morgan;

A bill (S. 1884) granting an increase of pension to John W. Paul;

A bill (S. 1944) granting an increase of pension to John S. Stanger;

A bill (S. 2043) granting an increase of pension to Andrew J. Williams;

A bill (S. 2087) granting an increase of pension to George Rilea;

A bill (S. 2122) granting a pension to Ashley C. Riggs;

A bill (S. 2179) granting an increase of pension to Thomas Harkison;

A bill (S. 2198) granting a pension to Thomas Irvin;

A bill (S. 2200) granting an increase of pension to Charles R. Collins;

A bill (S. 2216) granting an increase of pension to Charles Reed;

A bill (S. 2237) granting an increase of pension to Louise Chandler;

A bill (S. 2239) granting an increase of pension to Theodore E. Chatfield;

A bill (S. 2278) granting an increase of pension to Harriet H. Howlett;

A bill (S. 2289) granting an increase of pension to Louisa R. Chitwood;

A bill (S. 2429) granting an increase of pension to John Dow;

A bill (S. 2445) granting an increase of pension to George M. Waters;

A bill (S. 2490) granting a pension to Naomi Green;

A bill (S. 2563) granting an increase of pension to Elizabeth M. Banta;

A bill (S. 2649) granting an increase of pension to William S. Burch;

A bill (S. 2662) granting an increase of pension to John H. Carrow;

A bill (S. 2688) granting an increase of pension to George M. Linch;

A bill (S. 2888) granting a pension to Louisa Lyon;

A bill (S. 2940) granting an increase of pension to Margaret Liddle;

A bill (S. 2948) granting an increase of pension to George Hyde;

A bill (S. 2955) granting an increase of pension to John Hogarth Lozier;

A bill (S. 2966) granting a pension to William Conover;

A bill (S. 2969) granting a pension to Henry Dority;

A bill (S. 2999) granting an increase of pension to Malvina C. Buzzell;

A bill (S. 3038) granting an increase of pension to Joseph H. Kennedy;

A bill (S. 3053) granting an increase of pension to Emma E. S. Wright;

A bill (S. 3085) granting an increase of pension to Alexander Lane;

A bill (S. 3130) granting an increase of pension to Nathan P. Bowman;

A bill (S. 3267) granting an increase of pension to Mary V. Carson;

A bill (S. 3291) granting an increase of pension to John Olson Bakken, alias John Olson;

A bill (S. 3362) granting an increase of pension to Daniel H. Wallace;

A bill (S. 3373) granting a pension to Eliza Williams;

A bill (S. 3397) granting an increase of pension to George B. Christy;

A bill (S. 3405) granting an increase of pension to Mary F. Pentzer;

A bill (S. 3413) granting a pension to Henry P. Howard;

A bill (S. 3415) granting an increase of pension to Manluff W. Reynolds;

A bill (S. 3423) granting an increase of pension to Joseph H. Ottey;

A bill (S. 3452) granting an increase of pension to Charles Male;

A bill (S. 3470) granting an increase of pension to Richard Wilks;

A bill (S. 3480) granting an increase of pension to Swepston B. W. Stephens;

A bill (S. 3481) granting an increase of pension to James E. Harrison;

A bill (S. 3488) granting an increase of pension to Charles E. McIntire;

A bill (S. 3527) granting an increase of pension to Jerningham Boone;

A bill (S. 3534) granting an increase of pension to John S. Parker;

A bill (S. 3569) granting an increase of pension to John A. Chamberlain;

A bill (S. 3645) granting an increase of pension to Francis Hall;

A bill (S. 3656) granting an increase of pension to William Turner;

A bill (S. 3738) granting an increase of pension to Linus S. Ludington;

A bill (S. 3812) granting an increase of pension to Charles Wheatland;

A bill (S. 3839) granting an increase of pension to George B. Abbott;

A bill (S. 3887) granting an increase of pension to Charles J. Clark;

A bill (S. 3893) granting an increase of pension to John L. Rogers;

A bill (S. 3902) granting a pension to George F. Smith;

A bill (S. 3945) granting an increase of pension to Lewis Lewis;

A bill (S. 3950) granting an increase of pension to Edward Blaisdell;

A bill (S. 4052) granting a pension to Alice K. Seligson;

A bill (S. 4090) granting an increase of pension to Charlotte J. Folsom;

A bill (S. 4091) granting an increase of pension to Nathan M. Gove; and

A bill (S. 4141) granting an increase of pension to Samuel A. Dickey.

SANITARY DAIRY PRODUCTS.

Mr. HALE. Mr. President, I move that the Senate adjourn.

Mr. STEWART. I ask the Senator to yield to me for a moment.

Mr. HALE. Very well.

Mr. STEWART. I desire to ask unanimous consent for a few minutes on Wednesday morning in the morning hour—I do not think it will take twenty minutes; in fact, I do not suppose it will take ten minutes—to call up the "milk bill," as it is known. I ask unanimous consent that that bill may be given a few minutes on Wednesday morning after the morning business.

Mr. ALLISON. Not to interfere with appropriation bills.

Mr. STEWART. Not to interfere with appropriation bills.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that a bill which he calls "the milk bill" shall receive consideration on Wednesday morning after the routine business. Is there objection?

Mr. HOAR. Would that displace the bill the Senator from Indiana [Mr. FAIRBANKS] has in charge, which was made a special order?

Mr. LODGE. That was made a special order for Monday.

Mr. HOAR. I understand; but that bill may not be disposed of on Monday. However, Mr. President, I will not object.

Mr. CARMACK. I desire to ask what is the exact nature of the bill which the Senator from Nevada refers to as "the milk bill?"

Mr. STEWART. It is a bill to provide pure milk for the people in the District of Columbia.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

Mr. ALLISON. The Senator from Nevada [Mr. STEWART] said that he would not interfere or seek to interfere with appropriation bills——

Mr. STEWART. Certainly not.

Mr. CULLOM. And no other bill ought to interfere with appropriation bills.

Mr. LODGE. That is always understood, of course.

Mr. STEWART. That is always understood. I hope my bill will be given five or ten minutes. I think fifteen minutes will be the extent of time it will occupy.

Mr. BAILEY. I will agree that the Senator from Nevada shall have all the time he wants to speak on this bill, but I suppose he does not ask us to agree that we will pass the bill?

Mr. STEWART. You will certainly vote for it when you know the facts. There will be no trouble about that.

Mr. BAILEY. I am so in the habit of voting "no" that I am not certain I shall vote for the Senator's bill.

Mr. STEWART. Oh, yes; you will vote for it when you understand it.

Mr. ALLISON. The Senator from Nevada desires to make his bill the regular order for Wednesday morning.

Mr. STEWART. Yes.

Mr. BAILEY. Subject, of course, to appropriation bills.

Mr. ALLISON. Not to interfere with appropriation bills.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the Senate will proceed to the consideration of the bill S. 2402, to secure sanitary dairy products for the District of Columbia, on Wednesday morning, immediately after the routine business, not to interfere, however, with appropriation bills.

Mr. CULLOM. Nor with conference reports.

Mr. STEWART. Certainly not.

Mr. BAILEY. I am informed that the bill relates merely to the District of Columbia.

Mr. STEWART. Entirely so.

Mr. BAILEY. I have no objection to that.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada? The Chair hears none, and that order is made.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 8 minutes p. m.) the Senate adjourned until Monday, February 29, 1904, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

SATURDAY, *February 27, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

LEAVE TO EXTEND REMARKS.

Mr. HILL of Connecticut. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the naval appropriation bill for the period of three days.

The SPEAKER. The gentleman from Connecticut asks unanimous consent to extend his remarks on the naval appropriation bill. Is there objection?

There was no objection.

PIPE LINES THROUGH INDIAN LANDS.

Mr. CURTIS. Mr. Speaker, I ask to take from the Speaker's table the bill S. 3317, authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands, with House amendments, for the purpose of having the House insist on its amendments and agree to the conference asked thereon.

The amendments were read.

The SPEAKER. The gentleman from Kansas moves that the House insist on its amendments and agree to the conference asked.

The motion was agreed to.

The following conferees were appointed on the part of the House: Mr. CURTIS, Mr. BROWN of Wisconsin, and Mr. STEPHENS of Texas.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 4066. An act for the relief of Leonard I. Brownson:

S. 2667. An act for the relief of the estate of R. W. Bullock, deceased:

S. 2605. An act to authorize the appointment of Acting Asst. Surg. Leopold Herbert Schwerin, United States Navy, as an assistant surgeon in the United States Navy; and

S. 2385. An act providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bills of the following titles:

S. 2596. An act granting a pension to Frances S. Hopkins; and

S. 2899. An act granting an increase of pension Jesse J. Finley.

The message also announced that the Senate had passed with amendments bill of the following title; in which the concurrence of the House of Representatives was requested:

H. R. 9480. An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

COMMITTEE APPOINTMENTS.

The SPEAKER announced the following committee appointments:

Mr. CONNELL—Patents, Levees and Improvements of Mississippi River, Ventilation and Acoustics.

Mr. BONYNGE—Immigration and Naturalization, Patents, Mines and Mining.

Mr. CANDLER—Public Lands.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, to have the House disagree to the Senate amendments, and ask for a conference thereon.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the legislative, executive, and judicial appropriation bill, and disagree to the Senate amendments, and ask for a conference thereon. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The following conferees were appointed on the part of the House: Mr. BINGHAM, Mr. LITTAUER, and Mr. LIVINGSTON.

PENSIONS.

Mr. SULLOWAY. Mr. Speaker, by order of the House made yesterday, to-day is the day assigned for the transaction of the business that was in order yesterday. I ask unanimous consent that the bills in order for consideration to-day may be considered in the House instead of in the Committee of the Whole.

The SPEAKER. The gentleman from New Hampshire asks unanimous consent that the bills under the rule for consideration to-day may be considered in the House instead of in the Committee of the Whole. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the first bill.

WILLIAM H. BELL.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Bell, late of Company E, second Regiment Wisconsin Volunteer Cavalry, and Company E, Tenth Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I would like to ask the chairman of the committee as to how much of a raise this is?

Mr. SULLOWAY. It is a raise from $12 to $30 a month.

The SPEAKER. The question is on the engrossment and third reading of the bill.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I would like to ask if there is an engrossed copy of the bill present?

The SPEAKER. The question is on the engrossment.

Mr. ADAMS of Pennsylvania. I rise to make a parliamentary inquiry.

The SPEAKER. It is not necessary that there should be an engrossed copy present on this question.

Mr. ADAMS of Pennsylvania. Do I understand the Chair to hold that there would not have to be an engrossed copy of the bill?

The SPEAKER. That is not the question before the House at present. This is upon the engrossment. Shall the bill be engrossed and read a third time?

Mr. ADAMS of Pennsylvania. Very well, sir; I will make the point of order when it comes to the reading of the bill.

The bill was ordered to be engrossed and read a third time.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I ask whether there is a copy of the engrossed bill at the desk?

The SPEAKER. The gentleman from Pennsylvania, as the Chair understands, demands the reading of the engrossed copy of the bill.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I should like to make a statement to this House.

Mr. PAYNE. I will ask that the gentleman have unanimous consent.

Mr. ADAMS of Pennsylvania. I ask unanimous consent to make a statement.

Mr. CLARK. I should like to know what it is about.

Mr. PAYNE. How much time does the gentleman want? I will ask that he have unanimous consent.

Mr. CLARK. I will reserve the right to object.

Mr. ADAMS of Pennsylvania. I ask unanimous consent for five minutes to address the House on this subject.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to address the House for five minutes.

Mr. CLARK. The right to object has not passed, has it?

The SPEAKER. It has not.

Mr. CLARK. Well, I reserve that right. I should like to hear what this explanation is about.

Mr. ADAMS of Pennsylvania. I wish to state to the House my reason for taking the action I am about to take.

Mr. CLARK. Do you simply want to make a speech?

Mr. ADAMS of Pennsylvania. I do not.

Mr. CLARK. Well, have you a bill up?

Mr. ADAMS of Pennsylvania. I have not.

Mr. CLARK. Well, I will not object.

The SPEAKER. The Chair desires at this time to state that Members of the House are falling into a habit that the present occupant of the chair was liable to fall into in former days, but which is in violation of the rule. The rules require that one Member of the House in addressing another on the floor should address him as "The gentleman from such and such a State." It is not in order for one Member to address another directly as Mr. Jones or Mr. Doe. The Chair, by the indulgence of the House, calls attention to the rule, and will say that in the discharge of his duty in the future he will be obliged to insist upon the rule being observed.

The Chair hears no objection to the request of the gentleman from Pennsylvania [Mr. ADAMS] to occupy five minutes. The gentleman is recognized for that purpose.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I think the Members of the House who have served with me here for ten years know me well enough to know that any action that looks toward retarding the wishes of my fellow-Members is most distasteful to me. But the district which I have the honor to represent has returned me six times to this House; and I am coming back, as I was informed last week, for another term. [Laughter.]

Mr. COCHRAN. Mr. Speaker ——

The SPEAKER. Does the gentleman from Pennsylvania yield to the gentleman from Missouri?

Mr. ADAMS of Pennsylvania. No, sir.

Mr. COCHRAN. I simply wanted to know where the gentleman got that information.

Mr. ADAMS of Pennsylvania. Mr. Speaker, I feel that I should fail in my appreciation of what the citizens of my district have done for me if I did not use every method in my power to guard their interests and secure such legislation as they are entitled to in this House. I have good loyal men in my district, who have served their country and some of whom are now applying for that recognition in the way of pensions to which under the law they are entitled. I have filed the papers of some of them before the Pension Committee, but somehow or other—I do not know how—I have got the ill will of a surly clerk who is detailed from the Pension Office to docket up these bills and make the returns. The result is that when I was notified to send in the usual batch of bills every one of my bills was turned down.

Now, Mr. Speaker, I want nothing but equal and fair treatment for the people of my district. I have been to the chairman of the committee and the chairman of the subcommittee. I have complied with their requirements and filed the papers that have been called for. Still when I look on the Calendar to-day I find not a single bill of mine reported.

Now, what course is left for me in defense of the people of my district except to say that unless the Second Pennsylvania district receives the proper treatment at the hands of this committee, I shall have to bear down and put all the districts of the United States on the same plane with that which I represent?

Mr. GAINES of Tennessee rose.

Mr. ADAMS of Pennsylvania. I decline to yield.

Mr. Speaker, it is most distasteful for me to take this course. Gentlemen here who have known me longest know that I am not built that way; but I simply announce a course of action which it appears to me necessary to be taken for the defense of the rights of my constituents. Therefore I give this fair notice to the committee that if I can not receive at its hands the fair treatment in the future to which my constituents and myself are entitled, I shall be obliged to block legislation in this House in respect to bills of this character, though I shall do so much against my will. I will not proceed to do so to-day, because I think it fair that in a matter of this kind everyone concerned should have fair notice.

The SPEAKER. Does the gentleman from Pennsylvania withdraw his demand for the reading of the engrossed bill?

Mr. ADAMS of Pennsylvania. Yes, sir.

Mr. LOUDENSLAGER. Will the gentleman from Pennsylvania yield for a question?

Mr. ADAMS of Pennsylvania. No, sir.

The bill was then read the third time, and passed.

Mr. SLAYDEN. Mr. Speaker, I rise to a parliamentary inquiry. The gentleman from Pennsylvania [Mr. ADAMS] has made a statement the full purport of which I was unable to catch or to comprehend. As I understood, it was to the effect that when he received notice to "send in his batch of bills" he complied with the request, but his bills were not acted on. As I have received no such request and have a good many persons in my district who would like to get on the pension roll, I should like to know under what rule that style of legislation is adopted.

The SPEAKER. The Chair will hold the matter under advisement. [Laughter.]

CHARLES M. MORRISON.

The next pension business was the bill (H. R. 9789) granting an increase of pension to Charles M. Morrison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles M. Morrison, late of Companies A and H, Ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the words "Companies A and H" and insert in lieu thereof the words "Company H."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

JOSIAH H. TYACK.

The next pension business was the bill (H. R. 10171) granting an increase of pension to Josiah H. Tyack.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josiah H. Tyack, late of Company E, Thirteen Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, and was accordingly read the third time, and passed.

MALINDA A. MYERS.

The next pension business was the bill (H. R. 11649) granting an increase of pension to Malinda A. Myers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Malinda A. Myers, widow of Samuel F. Myers, late of Company K, Eleventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "sixteen."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

MERRITT R. SIMPSON.

The next pension business was the bill (H. R. 11074) granting a pension to Merritt R. Simpson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place Merritt R. Simpson, late of Company I, Sixth Regiment United States Volunteer Infantry, on the pension roll at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Merritt R. Simpson, late of Company I,

Sixth Regiment United States Volunteer Infantry, and pay him a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

FRANCIS MARSHALL.

The next pension business was the bill (H. R. 10399) granting an increase of pension to Francis Marshal.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Marshal, late of Company F, First Regiment United States Colored Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Marshal" and insert in lieu thereof the word "Marshall."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Francis Marshall."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

ISAAC S. DRUMMOND.

The next pension business was the bill (H. R. 11175) granting an increase of pension to Isaac S. Drummond.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac S. Drummond, late of Company E, Twelfth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

JOHN BARTMANN.

The next pension business was the bill (H. R. 9990) granting a pension to John Bartmann.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Bartmann, late of Company D, Twenty-first County Missouri Home Guards, and pay him a pension at the rate of $8 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "County" and insert in lieu thereof the word "Bartmann."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twelve."

Mr. RUSSELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. RUSSELL. I rise to oppose this bill.

The SPEAKER. The gentleman from Texas rises to oppose the bill.

Mr. RUSSELL. Mr. Speaker, I was struck with a remark made by the gentleman from Pennsylvania [Mr. ADAMS] a few minutes ago, when he informed the House that he had introduced a number of meritorious measures, and that he had received notice and filed with the committee the necessary papers to have them considered, and then he complained of the action of the committee because they have not reported any measures in which his district is interested. Now, sir, I take it that one method by which this condition of affairs, if it deserves to be corrected, can be corrected, is to vote down any measure reported by the committee that ought not to be passed.

Mr. SULLOWAY. Mr. Speaker——

The SPEAKER. Does the gentleman yield?

Mr. RUSSELL. Yes.

Mr. SULLOWAY. I want to say that the gentleman who made those remarks [Mr. ADAMS of Pennsylvania] has had two cases reported and acted on, and had six cases written up and laid by, by the subcommittee having jurisdiction of those cases, because they were deemed unworthy of consideration.

Mr. RUSSELL. Yes.

Mr. SULLOWAY. I wanted to nail that statement right now.

Mr. ADAMS of Pennsylvania. Mr. Speaker——

Mr. RUSSELL. How much time will I have? I want to find out how much time I will have before I yield to an interruption.

The SPEAKER. The question is on the amendment, and the bill being considered in the House as in Committee of the Whole, the gentleman has five minutes.

Mr. RUSSELL. Will I have longer, then, after the amendment is acted upon?

The SPEAKER. That will depend upon the engrossment and third reading of the bill. The gentleman can be recognized for five minutes on that.

Mr. RUSSELL. I think I have a meritorious defense against favorable action on this bill, and I think it will catch the attention of the House if I have time to state it. I understood when I rose I would have an hour.

The SPEAKER. How much time does the gentleman desire?

Mr. RUSSELL. I think I can explain it in twenty or twenty-five minutes.

The SPEAKER. The gentleman from Texas asks unanimous consent that he may address the House for twenty-five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. RUSSELL. Mr. Speaker, I accept the explanation made by the chairman of the Committee on Invalid Pensions, and think that it exhibits the fact that the gentleman from Pennsylvania has no cause for the complaint which he stated to the House. Now, I submit, Mr. Speaker, that this bill ought not to pass, and I am going to demonstrate the position, if I can, from the report made by the committee.

I have heretofore expressed the view that this character of legislation ought not to come in here at all. I think this bill is an exemplification of the force and truth of that position. The committee that reported this bill, in closing their statement concerning its merits, says this:

[illegible] is adequate to show that this soldier incurred a rupture from causes due to his military service.

The evidence upon which they make that statement shows that this conclusion is amply justified. This man never got within hundreds of miles of the firing line. He only served thirty days in the Missouri Home Guard. He was sworn in without examination. He only did picket duty in the city where he was sworn in, and under the regulations adopted he was permitted, when not on picket duty with the balance of his comrades, to go to his home and go about like any other ordinary citizen in time of profound peace. He presented his claim to the Pension Bureau under the act of 1890, and it was rejected because that act required ninety days' service, and he only served thirty days. Then he presented his claim under the general law, and after an examination running through a period of years, the Bureau of Pensions rejected the claim under that law, because he was utterly unable to show, as this committee states in their report, that the disabilities under which he claimed to be suffering were due to service in the Army of the United States.

Now, these are the facts. He only served thirty days. He served in the Missouri Home Guard. He did picket duty in the city wherein he was mustered in. When not on picket duty he was allowed to go about like any other man in time of peace. He was never examined by anybody before sworn in. Now, I want to exhibit to you that I have not overstated anything. I want to quote to you from this report as to the merits, and I will only read those portions of the report that bear out the position I have announced.

According to the records of the War Department—

This soldier—

[illegible]

The merit of this claim [illegible] the general law, filed in June, 1887, and based upon [illegible] and how is it possible [illegible] in March, [illegible] in service and line of duty.

That is what the Committee on Invalid Pensions has said about the two applications of this soldier in the Bureau of Pensions.

The claimant alleged that during the time of his brief service of one month he was taken sick with a fever and in a fit of nausea became ruptured.

Now, that is his claim. Let us see what the evidence shows of that. The committee proceeds with reference to that view of it by saying this: and I ask the attention of that side of the Chamber to this statement from the report of the Committee on Invalid Pensions:

A number of men of his company had no knowledge that he contracted any disability in the service, and his lieutenant testified that he did not believe it was possible for claimant to have been sick without his knowing it, and that he has no recollection that claimant was ill during his service.

Now, the report says:

The two comrades whom claimant alleged to have taken him to the doctor at the time that he was taken sick with the fever and vomiting spell testified before the special examiner as to that spell, that they took him to the doctor,

who said that claimant was ruptured; that they, however, did not see the rupture, but saw the truss that the doctor fitted on for him.

Something like the incident told of by Mark Twain when he wanted to prove that a buffalo climbed a tree. He said he did not see the buffalo climb the tree, but that the tree was standing there to prove it. These men did not see any injury, but they saw the truss the doctor fitted on the man. Suppose, however, that he was ruptured. The records of the War Department, Mr. Speaker, show that these men were never examined at the time they were sworn in, but were sworn in in a body, and the disability might have existed then instead of being of service origin.

Mr. Speaker, I have often heard it said since I came here that the reason for the existence of the Committee on Invalid Pensions of this body and the reasons that obtain why this character of legislation should be committed to this House is that here the equities of the pension law are administered. Now, sir, we have got down here at the Pension Bureau an organization consisting of over seventeen hundred men, employees of the Government, whose duty it is to examine these cases. It costs this country a rise of $2,000,000 a year to administer the laws down here at the Pension Bureau, yet we are told that there must be a kind of high court of chancery here where the equities of the pension law are to be administered. Mr. Speaker, I have learned as a lawyer that equity follows the law and is not antagonistic to the law. The law is that this man must either show that his disabilities are of service origin, or, if he applies under the act of 1890, he must show that he served in the military or naval service of the United States for a period of not less than ninety days, that he was honorably discharged, and that he is now suffering under some disability which prevents him from earning a living by manual labor.

This man only pretends to have served thirty days; this man makes no pretense, and the report of this committee shows this—I have not opportunity to examine the evidence in the case and only a very few of these reports, because it is not within the power of any Member of Congress to give but a casual examination of a very few of them owing to the great number that come on the Calendar—but this case shows that this man only served thirty days; that he never got within sight of the firing line, was simply on picket duty in the city where he was sworn in, and while not on picket duty was on dress parade or permitted to go about his business in the city like any other man residing within it. Now, I submit, sir, the facts in this case, as exhibited in the report of the Committee on Invalid Pensions, show that this man's bill ought to be voted down by this body. I ascertained here a few days ago when making some casual observations about this subject that there were over 7,000 of these bills pending before the Committee on Invalid Pensions.

I had supposed there were about half that number, say 3,600, but there were over 7,000 some weeks ago. I do not suppose I would miss it far, if the latter statement is correct, if I should say there are probably 10,000 in charge of the Committee on Invalid Pensions to-day. If that be true then I want to remind the House that under the regulations established by that committee, and which has been verified by the statement of the gentleman from Pennsylvania, so far as that assertion is concerned, that the committee in its wisdom has decided that each Member of this House shall have the right to select a given number of bills, or rather to select the order in which the bills he reports shall be considered by that committee, which is tantamount to saying he shall select the bills which shall come before this House for consideration. If that be true, then assuredly, Mr. Speaker, in the midst of these many thousands of bills to which I have called attention there must be some cases more meritorious than this bill. This applicant for pension belonged to the Missouri Home Guards and only served thirty days in the city, did picket duty there, going about on dress parade. If I am correct in this, then this man's bill ought not to be passed here and ought to be gotten out of the way, so that if we have any more meritorious measures before the Committee on Invalid Pensions those men rather deserve the bounty of the Government than the man who stayed at home and never got to the firing line or did one thing to preserve the majesty of the law in time of national peril. I hope the bill will be defeated.

Mr. CLARK. Mr. Speaker, the gentleman from Texas [Mr. RUSSELL], who is very well informed generally, does not know anything about what he is talking about in this particular case—that is, the condition of the Missouri Home Guard—and I do not say it with any disrespect whatever to my friend from Texas, for a man may be well posted on most subjects and absolutely without knowledge on a particular subject. He says this man was never within 100 miles of the firing line. I undertake to say that there was not a single point anywhere in the State of Missouri that was not closer to the firing line during the entire four years of the war than 100 miles, and I can prove it by Major LACEY, who sits on the other side of the aisle. Most Missourians were on the firing line all the time, nolens volens. There are hundreds and thousands of men who served spasmodically in the Missouri Home Guard that were in much greater danger and more frequently than a great many men who served the entire four years in the Regular and Volunteer service of the United States.

The truth about it is, and I have stated it here and repeat it for the benefit of Brother DALZELL's kindergarten statesmen, that in Missouri and Kentucky and that border country was the only place where there was any civil war during the war between the States. It was hazardous to be a Union man in that region. It was dangerous to be a Confederate. It was dangerous to sit on the fence and be neither. [Laughter.] In both Kentucky and Missouri thousands of men went into the Army because it was safer there than to stay at home.

Mr. RUSSELL. May I ask the gentleman from Missouri a question?

The SPEAKER. Does the gentleman from Missouri yield to the gentleman from Texas?

Mr. CLARK. Certainly.

Mr. RUSSELL. I would like to ask the gentleman if the statement made by the report of the Committee on Invalid Pensions, in which they aver, and I presume base it on the testimony, that this man only served one month in the service and was simply sworn in, never left the city where he was sworn in, and only did picket duty when he was drilling—I ask if these statements are true?

Mr. CLARK. I take it for granted that the statements are true. And the further statement that he was ruptured while in that thirty days' picket service entitles him to a pension. I do not care whether a man serves four years or fifteen minutes. If he was injured in the service of his country he deserves a pension. [Applause.] And I do not care a baubee whether he was in the Regular Army or the volunteer service or in the home-guard service.

While I am at it I am going to make another statement, and that is that in this pension business, both in the Pension Office and in Congress, there has been unjust and outrageous discrimination against the irregular troops in Missouri, Kentucky, and Tennessee ever since the civil war closed. This discrimination grows out of the complicated system of militia in Missouri.

I am going to make another statement, Mr. Speaker. I wish somebody else had made these remarks, but nobody seemed disposed to make them, and I will make them myself. Whenever that service-pension bill comes into this House, I serve notice on all concerned that I am going to offer an amendment to it giving the irregular troops of these States the same pensionable basis under the bill as the others have.

I have had some experience with these pension committees. An open confession is good for the soul, and I will make one now. The first time I was elected to Congress I had heard a great deal of talk against the pension business all around—and there is some bogus business about it which if I could break up I would—and the first thing I did after I was elected to Congress was to begin saving up stuff to make an antipension speech here. I came hither and I kept my ears open and my mouth shut, to some extent, not as much as I have here in the last service, because I am getting so that I do not feel like making a speech here at all. I have never made that antipension speech yet. I found this to be the case: That this House sits here as a court of equity to relieve the hardship of the general law. I found in nearly ever case brought up here there was some reason why a man ought to have a pension. I will give you a sample. The act of June 27, 1890, provides that a man had to serve ninety days at least in the Army to get a pension. Of course there had to be a limit somewhere. In my district there was an entire battalion that served only eighty-nine days.

The SPEAKER. The time of the gentleman has expired.

Mr. CLARK. Mr. Speaker, I want some more time, now that I have got started at it.

The SPEAKER. The gentleman asks unanimous consent for how much time?

Mr. CLARK. Ten minutes now, and if I need any more I shall ask it later.

The SPEAKER. The gentleman asks unanimous consent that his time may be extended for ten minutes. Is there objection?

There was no objection.

Mr. CLARK. Now, Mr. Speaker, can any man give a reason why a man who served in the Army eighty-nine days is not as much entitled to a pension as one who served in the Army ninety days, provided that man is afflicted in any way that entitles him to a pension? My friend from Texas [Mr. RUSSELL] complains that the committee allows Members to select the bills. I select them sometimes. When a man writes me about a pension I write back to him and tell him there are so many bills ahead of him.

Mr. RUSSELL. Mr. Speaker, do I understand the gentleman to say that the bills he introduces here as a Member of Congress and that are reported to the House by the committee are the bills that he selects for them to report?

Mr. CLARK. I will tell the gentleman what I do exactly. I go to one of these Pension Committees and I say here is the bill where a man especially deserves a pension; he is helpless and in absolute want, and I want you to examine and report it, and they do it. If there is no extraordinary reason why any of my bills should pass, I try to take them in the order in which application is made to me. The gentleman from Texas seems to labor under the hallucination that that committee reports every time we ask them to. That is not true at all. They knocked me out of two bills this Congress. They reported three for me and refused to report two.

I will give a sample of cases in which I make selection. An old lady—a grand old mother in Israel—Aunt Anna Waters, in Ralls County, in my district, a widow of a soldier of the war of 1812, is 98 years old and very feeble, without property. She was drawing a pension of $8 per month. I went to Mr. Chairman LOUDENSLAGER and stated the facts to him and asked him to report it at once for an increase, which he did. Can there be any rational objection to my action or to the committee's action in this case? The House did not think so, for it promptly passed the bill. What sense would there be in postponing her case? Suppose I live long, and I say that the widow of any soldier of the war of 1812 should live in comfort the remnant of her days, and the American people will endorse that proposition or I miss my guess.

Mr. friend from Texas says that the evidence in this case, is weak; but appearances are sometimes deceptive.

This report shows that this man was ruptured. One of the finest looking men in my county had been after me about getting a pension. He looks stouter than I do. He said to me one day, "You may not believe there is anything the matter with me, but I am badly ruptured, and so badly ruptured that I can hardly in walking along the streets of this town I have to go into the first house I can get to adjust my trass in order to be able to go along at all." I investigated and found it was so. I will give you another sample. Every man did not have a hospital record. There is a man living in my town that has a sword cut right square across his face and his nose. About ten or fifteen years ago he commenced getting blind in one eye. He applied for a pension under the old law and they rejected him. Then he applied for it under the act of 1890, and he got me to look after it here for him.

I commenced looking after it, and lo and behold, he did not have any hospital record at all. But he was getting blind, and the doctors that examined him—among them one doctor who had been practicing medicine fifty years in the town—all certified that his blindness came from that sword cut across his face. The committee would not report it. I went back home and I said, "Here, the records show that you have no hospital record. If you got cut across the face with that sword, what is the reason you have not a hospital record?" And I listened to this simple tale, one that explains many cases. He said he was a healthy young fellow, 18 or 19 years old, from Pennsylvania, serving in a cavalry regiment. That one day down in Virginia somewhere a sergeant or lieutenant had a small squad out doing scouting duty; they run across about that many Confederate soldiers doing scouting duty. They immediately got up a little cavalry fight of their own. He was slashed across the face with that sword.

The commander of his squad had been a clerk in a drug store before the war began, had studied medicine somewhat, and carried with him a pocket case of sticking plaster and needles and thread and scissors and this and that and the other, and when they got through with the skirmish they went out under a tree and this amateur doctor plastered up his wound and sewed it up, put salve on it, and he never went to the hospital at all; but being a healthy young fellow he got well, and it was years afterwards before that wound commenced to affect his sight. I got that man a pension, and I ought to have gotten it, and I would not have been faithful to my constituents if I had not gotten it. [Applause.] I got that bill through this Congress.

Let me give you another sample. There is a man living in my district, as honest a man as ever lived in the world—a farmer and a stanch Republican—who has a bad a case of hunchback and chicken breast (because the two things go together) as you will find anywhere. That man made application for a pension. The doctors over here at the Pension Office "knocked him out;" that is, they would not allow him anything on account of the disability I have just mentioned; they allowed him a small pension for some other thing. Now, what were the facts in his case? He had had a bad spell of typhoid fever, which was followed by rheumatism, and about six or twelve months after the war closed a small lump commenced forming on the small of his back. The doctors at home said that it grew out of the typhoid fever and rheumatism. The doctors over here at the pension bureau said that it did not, and that it was not of service origin.

Now, what do you gentlemen of common sense say about that? That lump gradually developed into hunchback and chicken breast, and rendered him incapable of earning a living. When he entered the Army he was a strong, likely lad, straight as an arrow. Now he is a pitiable wreck without property and without physical strength to make a living.

One of his neighbors was one of Stonewall Jackson's soldiers—and there were none better who ever lived in the American continent or any other continent. [Applause on the Democratic side.] That Confederate wrote me time and again begging me to get this fellow a pension, that he was a pauper and in bad circumstances. I got it through; and if I had not done so I would not have been faithful to my constituents.

Let me give you another sample. The law says that a man, in order to be entitled to a pension, must have had ninety days in the service. Whenever the Mexican pension bill comes up, you gentlemen here from the South of Texas will vote for it. If you do not, you will be very ungrateful to some of the people, and I do not believe that you are such. Whenever that Mexican pension bill comes up here—as it will some time—for payment of the soldiers of the Mexican war—I intend to offer an amendment providing that a battalion of merchants and teamsters that were in Doniphan's expedition shall be put on a pension on the basis with the rest of those men. The men I am now speaking of were not sworn in. They did not enlist for three years, they were just hired in for a short term; but their service was such a magnificent one and it contributed so much to make as Doniphan's men make. Americans and Texans were not in it with Doniphan and his Missourians. And if it had not been for what the Missourians achieved we would not have had California, or Nevada, or Arizona, or New Mexico, or Utah even unto this day.

Mr. RUSSELL. Will the gentleman allow me to interrupt him?

Mr. CLARK. Wait till I have finished telling about these men. Colonel Doniphan had only about 1,000 enlisted men. With that small band of heroes he invaded a great and populous country and conquered a territory larger than France, Austria, Hungary, or the German Empire.

These merchants and teamsters of whom I speak were never sworn in as soldiers, but they fought bravely and triumphantly. They were organized into a battalion consisting of two companies. Samuel C. Owens was elected major, and the captains were Sellman and Glasgow. Whenever there was a fight with the Mexicans, who sometimes outnumbered the Americans 10 to 1, this battalion of Missouri merchants and teamsters would park their wagons, some three muskets, fall into line with Doniphan's soldiers, and fight until the foe was put to flight.

At the great battle of Sacramento, where Doniphan won an astounding victory, Major Owens, the commander of this battalion of Missouri merchants and teamsters, died a hero's death, leading a charge. What is more, Doniphan garrisoned captured posts with details from that battalion.

These men, the few of the heroic remnant still surviving, are as much entitled to pensions as any soldiers ever sworn into service, and they should be placed on a pensionable basis.

Mr. RUSSELL. Now, will the gentleman allow me?

Mr. CLARK. Yes, sir.

Mr. RUSSELL. I do not want to break the train of the gentleman's argument further than to say a word in reply to his remark that Texas ought to feel grateful to the soldiers of the Mexican war. We Texans would not detract one iota from the glory of the soldiery of the Mexican war, but I do not want that remark to pass without reminding the House that Texas achieved her independence at San Jacinto, nine or ten years before the Mexican war, and that three-fourths of the masses of the people of Mexico to-day would gladly declare war against the United States if they were not afraid of Texas. [Laughter and applause.]

Mr. CLARK. I understand all about Texas having achieved her independence at San Jacinto. That is true. But Missourians did more in the battle of San Jacinto than all the rest from everywhere else on the earth put together. [Laughter and applause.] And that is not detracting from anybody else. As Admiral Schley said, "There was glory enough for all." The grandfather of the gentleman from Texas [Mr. BURLESON] whom I see before me was in that battle and fought valiantly, commanding the center under old Sam Houston. I do not know whether he was from Missouri.

Mr. BURLESON. Tennessee.

Mr. CLARK. Well, that is a good place to come from, too.

Now, everybody knows that the independence of Texas precipitated the Mexican war; the two are all of a piece; and when you Texans get ready to celebrate the one hundredth anniversary of the battle of San Jacinto let me know, and if I am in Congress I will help you to do it.

The truth about the matter, gentlemen, is that these two Pension Committees do the best they can.

The SPEAKER. The time of the gentleman has expired.

Mr. CLARK. I ask unanimous consent for five minutes more.

There was no objection.

Mr. CLARK. Mr. Speaker, I would not take the place of the gentleman from New Hampshire [Mr. SULLOWAY] to-day as chairman of the Committee on Invalid Pensions of this House if you would increase the salary by $5,000 a year. And I do not believe, either, that I would take the place of the gentleman from New Jersey [Mr. LOUDENSLAGER], the chairman of the Committee on Pensions. Those two committees do more work than any other two committees in the House, and they undertake to be just. If there is any politics operating in those committees, I have never seen the slightest evidence of it, and I served on LOUDENSLAGER'S committee in the Fifty-third Congress.

I repeat the proposition that because this man served only thirty days, because he never left his home town, because he simply did picket duty (and while he was doing such duty he relieved some other soldier, who thereby was able to go to the front), that is no reason why, if this man contracted hernia while doing such duty, he is not entitled to a pension.

Mr GAINES of Tennessee. Does not the gentleman think that we ought to have a court to try these pension cases?

Mr. CLARK. A court? Yes; not only a court to try pension cases, but a court to try these claims against the United States that come here to Congress, because Congress is not fit to pass on them.

Mr. GAINES of Tennessee. Do you not think Congress ought to make this law that they are about to make now about service pensions, and all the other pensions, subject to the action of a court of five or nine judges, whose duty it shall be try these cases.

Mr. CLARK. I would not object to it at all.

Mr. GAINES of Tennessee. Take the burden off Congress and try each case like a lawsuit, as it is.

Mr. CLARK. They claim these things are rushed through here too quickly. It is said that the committees scarcely examine them, but I believe if you would take the average Member of Congress and submit to him the evidence that the committee hears on these bills he would report favorably the cases that the committee report favorably.

It is a great deal easier to stand on the sidewalk and criticise the procession as it goes by than it is to take hold of the show and run it yourself. [Applause.]

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LACEY. I should like to say just a word of explanation to the House in regard to the service of this soldier.

There was organized what was known as the "Hawkins Taylor commission," which was sent to Missouri to investigate the length of the actual United States service of the men in the home guard. The commission was headed by Hawkins Taylor, and is known by his name.

The commission reported that this particular soldier had been in the service thirty days, and that is recognized in the pension law as being equivalent to service where there had been an actual muster in, and the Committee on Invalid Pensions report that he contracted this particular disability during that period, so that it is immaterial whether he served thirty days or three years.

Mr. MIERS of Indiana. Thirty days actual service, but he did picket duty in addition.

Mr. LACEY. Yes; but I am speaking about the actual service that is regarded in law the same as though officially mustered, and although the actual service in this case is found to be only thirty days, the committee find that the disability was contracted during that period, however short the time.

Mr. MIERS of Indiana. Mr. Speaker, I am rather glad that the gentleman from Texas [Mr. RUSSELL] has called the attention of the House to this particular bill. It shows the conditions that the members of the Invalid Pensions Committee must meet. We have the gentleman from Pennsylvania [Mr. ADAMS] complaining that he is unfairly treated because four of his bills have by the committee been considered unworthy to pass the House. We have the gentleman from Texas [Mr. RUSSELL] saying that the committee reports all bills that any Member asks to have reported. Neither of those positions is quite true. The facts are that Members who introduce bills are supposed to know the merits of their bills. They are simply invited to indicate which ones they would like to have the committee consider first. The committee take the bills in the order selected by the Member of the House, and when a bill is considered, if it is found in the judgment of the committee to be a worthy bill, that one is first reported. And so with the next and the next; but if in the meantime one is found not to meet the requirements, that bill is turned down; and if there is any gentleman of the House who thinks these bills are rushed through the committee, if he will on any Monday or Friday, the days when the committee meets, come to the committee room and remain an hour or two or three hours, if he will, and see how these claims are all considered by the committee, carefully, after the evidence is gleaned from the record by an expert better than whom there is no one in the Pension Bureau, it will dispel all such opinion as he may have.

Now, just a word as to this particular case. I want to read a little from the record of it.

Mr. ADAMS of Pennsylvania. Will the gentleman permit a question?

Mr. MIERS of Indiana. Certainly.

Mr. ADAMS of Pennsylvania. The statement was made by the chairman of the committee [Mr. SULLOWAY] that four of my bills were turned down because they were bad bills.

Mr. MIERS of Indiana. I only remember——

Mr. ADAMS of Pennsylvania. The information I have—the statement that was given to me—is that three out of four of the bills are marked as turned down because they violate a rule of the Senate committee. Now, I should like to ask the gentleman if this House and its committees are to be bound by such rules as the Senate committees choose to make? Why not pass our bills according to our own rules and send them over to the Senate, and then if the Senate rejects them let us ask the reason why. Three out of four of these bills are turned down not because of any lack of merit of the claim, but they are simply marked "barred" by the Senate rules. I should like to know where the independence of this House is if our legislation is to be turned down by submitting to their dictation.

Mr. MIERS of Indiana. Ah, Mr. Speaker, the gentleman's theory is all very well. We do not approve of some of the rules of the Senate, but what is the use of taking the time of the House in passing bills that will go to the Senate and necessarily lodge there and never be enacted into law? That is all I have to say upon this subject. Now, the gentleman from Texas complains of the shortness of this soldier's service. That is one of the reasons why the committee was justified in making the report—that is to say, this soldier has no standing under the act of June, 1890. If he had a standing under the act of June, 1890, he could go to the Department; but the only standing he has is by reason of the fact that he incurred his disability while in the line of duty. The committee investigated and found from reliable testimony that at the time, within three days after he claimed to have been ruptured, he went before a board. His comrades testified that he had a rupture. Now, will the gentleman say whether a man must have three years' service to receive a rupture? But if he received it in three years' service or in thirty days' service, he is in the same condition for the remainder of his life.

Mr. RUSSELL. Will the gentleman permit an interruption?

Mr. MIERS of Indiana. Certainly.

Mr. RUSSELL. Do not you use this language in your report:

The testimony is admittedly weak to show that this soldier incurred a rupture from causes due to his military service.

Mr. MIERS of Indiana. Yes. I think that is another reason for the action of the committee. The committee has not undertaken to cover anything. We did say:

The testimony filed is admittedly weak to show that he incurred rupture from causes due to his military service.

Your committee, however, believed that it did possibly come from service origin, and in view of his age, 77 years, resolved the doubt in his favor and recommend not a large pension, but recommend a small pension, simply of $12.

Now, then, to conclude, for I do not want to take up the time of the House. I want to proceed with this Calendar. Will you say that that old soldier—he was an old soldier—from along the firing line in Missouri—and it took more courage to be a Union man there than it did over in Indiana, and possibly less than in Texas—will you say that a man who served as best he could until he was ruptured, even though it was only thirty days, who is 77 years of age, helplessly dependent—will you say that that old fellow shall go to the poorhouse, or place him along with the others, and give him a small pension of $12? That is all there is in this bill.

Mr. VANDIVER. Mr. Speaker, having introduced the bill, I feel I should say a word or two. I shall not detain the House more than two or three minutes. I am very much obliged to my friend and colleague [Mr. CLARK] for having relieved me of the necessity of doing that.

I want to say, however, to the gentleman from Texas, in regard to his statement that the evidence is "admittedly weak," that that statement is true only in a most technical sense. That statement, of course, is made up from the record of the Pension Bureau. Everybody knows that in that Bureau they adhere most rigidly to the technical rules of evidence. The simple fact is there was no record. The testimony from the doctor who treated this soldier for rupture is not obtained, but if the gentleman will refer to the evidence itself I think he will admit that he has presented strong evidence from a standpoint of common sense. Here is the

testimony of two of the witnesses in the case, the very men who carried this soldier to the surgeon who treated him. They say that they took him to the doctor, who said that claimant was ruptured; that they, however, did not see the rupture, but saw the truss which the doctor fitted to him. Now, is that——

Mr. RUSSELL. Will the gentleman from Missouri permit me to interrupt him?

Mr. VANDIVER. Certainly.

Mr. RUSSELL. Do you not believe that we have generous and just pension laws that are generously administered by the Pension Bureau?

Mr. VANDIVER. In general, yes.

Mr. RUSSELL. And is it not a fact that your man, after an examination for a series of years, was turned down at the Pension Bureau in this case?

Mr. VANDIVER. Well, if you admit that to be sufficient ground for turning him down here, then we would have no Pension Committee here whatever and no business for one.

Now, just one other statement here. These two witnesses also testify that during the next two weeks after that they saw that this soldier was unwell—they discovered themselves that he was sick; that several weeks thereafter he again complained of fever, and after discharge the soldier claimed to be unable to do anything and complained of liver trouble.

Mr. RUSSELL. Will the gentleman permit another interruption?

Mr. VANDIVER (continuing). And frequently, right down on that line, thereafter the evidence before this committee showed that he was treated in 1862, 1863, 1864, 1865, and again in 1875 and 1876, and clear on up. The evidence shows that he has been suffering with disease until now.

Now, I want to ask the gentleman, in all fairness, if from the standpoint of common sense and justice he can say that is weak testimony?

Mr. RUSSELL. Do you desire an answer to that? I will state in reply I do not believe, in my judgment, that on the testimony, on the whole, submitted by the committee and that read by you a man prosecuting this claim could recover in any justice's court.

Mr. VANDIVER. I want to say in reply to that here is the testimony of the examining physicians to show that he should be rated at $2 for malaria, $14 for hernia, and $4 for heart and lung trouble, $20 in all, while the report of the committee only gives $12, and that is my only objection to the report.

The amendments were agreed to.

The question was on the third reading and the passage of the bill as amended, and on a division, called for by Mr. RUSSELL, there were—ayes 98, noes 19; so the bill was passed.

JEREMIAH MYERS.

The next pension business was the bill (H. R. 7754) granting an increase of pension to Jeremiah Myers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jeremiah Myers, late of Company D, Fifty-ninth Regiment Indiana Volunteers, in war with Mexico, and late a member of Company D, Fifty-ninth Volunteer Infantry, in the war of the rebellion, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, 9, and 10 and insert in lieu thereof the following: "of Jeremiah Myers, late of Company D, Fifty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

FRANK H. CLARK.

The next pension business was the bill (H. R. 7778) granting a pension to Frank H. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frank H. Clark, son of Daniel Clark, late of Company B, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Frank H. Clark, helpless and dependent son of Daniel Clark, late of Company B, One hundred and ninety-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

LUCIUS E. MILLS.

The next pension business was the bill (H. R. 7308) granting an increase of pension to Lucius E. Mills.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Lucius E. Mills, late a private in Company K, Sixteenth Regiment, Michigan Infantry Volunteers, and to grant him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lucius E. Mills, late of Company K, Sixteenth Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

GEORGE T. YOUNG.

The next pension business was the bill (H. R. 9117) granting an increase of pension to George T. Young.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George T. Young, late of Company D, Forty-first Regiment Pennsylvania Emergency Militia Infantry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Infantry."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

Mr. RUSSELL. Mr. Speaker, I do not want to detain the House unnecessarily. I have had an opportunity to examine only a very few of these reports—very few—but I want to make this observation: If the House will examine the last report of the Commissioner of Pensions, they will discover this fact, that the average annual value of all pensions other than those granted by special act of Congress amounts to $133.49. Now, that is the entire average annual value of all pensions other than those granted by special acts of Congress. The House, if they will examine the report of the Commissioner, will discover this additional fact, that if you take the years 1900, 1901, 1902, and 1903, inclusive, those four years that are embraced in the report, as I look at it, you will find that the average annual value of pensions granted by special acts is nearly $280 a year—lacking a few cents of being $280 a year.

Now, the position I want to comment on is this, that under that fact as exemplified in the report of the Commissioner of Pensions the man who served the ninety days and the man who was wounded in battle, the man who went to the front and faced the enemy and did his duty by his country, is getting nearly $150 less a year than the man who is forced by virtue of the fact that he can not comply with the regulations of the law to come to Congress for relief, $280 a year being the average annual value of the pensions by special acts, whereas $133.49 is the average annual value of pensions granted under the general law and under the act of 1890. What does it signify? It signifies that a man who comes here because he can not get his pension at the Pension Office (and the committee has adopted a regulation that shuts out a man from applying to this House for a pension until it is rejected by the Pension Bureau because he can not comply with the conditions of the law) is more liberally treated than the brave soldier who did his full duty.

If he served ninety days and got an honorable discharge and was suffering from any disability, whether of service origin or not, he is entitled to a pension under the act of 1890. If he does not apply under the act of 1890, and he can show that he is suffering from some injury the result of service origin, he can get a pension under the general law. But when he can not show either, when he did not serve ninety days and has not an honorable discharge or has no disability that he can show was of service origin, then the only way he can get a pension is to come to this House; and when he comes he is granted a pension by the House, and the report shows that the average value of the pension given him exceeds that of the man who can comply with the general law by $150 a year. I submit that pensions granted to the man who did his duty to the country in a time of peril and went to the front with his musket in the face of the enemy and endured the privations of the camps and campaign ought not to be on a basis of $150 less than the man who can not comply with the law and has to come here to receive the equities of the pension law, as it has been called by the gentleman from Missouri.

Now, what is this bill? This man only served one month and three days. He never did any service involving, so far as the report shows, any hazard to him. This man was in the Forty-first Pennsylvania Emergency Militia, and served from June 30, 1863, to August 3, 1863, a month and three days, when he was discharged. He could not claim under the act of 1890 because he had not served the requisite time by nearly two months. He had served [illegible] of the time. He failed to show that his condition was the result of an injury received in the service. He failed to show it to the satisfaction of the Pension Bureau after they had examined his case from 1892 to 1901, nearly nine years ago, he could not show that the injuries he claimed to be suffering from were the result of service origin.

The SPEAKER. The time of the gentleman has expired.

Mr. RUSSELL. Mr. Speaker, I ask for five minutes more.

The SPEAKER. The gentleman from Texas asks unanimous consent that he may have five minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. RUSSELL. I thank the Chair and the House for this courtesy. Let us see what the case is, as stated in the report. This man claims that while he was doing drill service his feet got sweaty and smelling bad and he went off to a spring and washed them, which gave him rheumatism. [Laughter.] Now, the report says that. He got out of the service after a month and three days, and when he came back, by being drafted to go into it, not like the men that made the glorious record in the Federal Army at Chancellorsville and Gettysburg, but he got out of it on the ground that he had rheumatism. I don't know how it was north of Mason and Dixon's line, but I have heard from Confederate soldiers that a few men in the South got out of the service on account of rheumatism when they were spry as a spring chicken after the danger was over. [Laughter.]

He failed to satisfy the committee that he was entitled to a pension for rheumatism. Then he made an application in 1903, I believe it was, saying that he was suffering from varicocele and circocele, and they rejected that claim upon a position that I submit is unanswerable; that he never made any claim to any injury of that sort until after he failed to get his pension for rheumatism.

Now, I am not going to take much more time, but I want to verify my position by reading from the report. The committee says:

[illegible] law, died on March 24, 1892, and [illegible] July, 1863, was [illegible] Army [illegible] Company K, Sixteenth Michigan Infantry, [illegible] was discharged by Assistant Surgeon [illegible] the summary had arrived at Read- [illegible] he would be a strong [illegible] he claimed that the exposure [illegible] taken cold back in [illegible] upon the recommendation of the surgeon, [illegible] a month after he arrived home [illegible] and that upon examination he was exempted from the draft on account of rheumatism.

Going to another paragraph of the report, the report says:

[illegible] was exempt from the draft on [illegible] was taken by [illegible] proposition [illegible] claim [illegible] in the service [illegible] line of duty of said description.

Going to another paragraph of the report:

[illegible] how the varicocele and [illegible] in his claim filed in 1892 raised a strong adverse presumption against [illegible] claim.

Now, all that is in the report. I submit that the report of the Committee on Invalid Pensions carries on its face unanswerable evidence that this bill ought to be promptly defeated.

Mr. KLINE. Mr. Speaker, I do not rise at this time for the purpose of defending the Invalid Pensions Committee, for it needs no defense. During my short experience I have observed that said committee is performing its duties with a great deal of care, patience, impartiality, judicially, as well as equitably, and, in my judgment, does more labor in the performance of its duties than any other committee in this House. Many pension bills are presented in the House; but I dare say that less than one-fourth are considered by the committee.

The treatment that I have received at the hands of the committee has been of a most courteous character. I represent a Congressional district which has a population of 253,000, a district containing 60,000 more people than the requisite ratio, and a district which possibly sent more soldiers in the service than any other district in the United States, and by reason of said large population, there are in said district a large number of soldiers who are clamoring for relief, either under the general law or by special act.

I presented eight or ten bills in this House for relief, a few of which I must admit are without merit, but I submitted to the committee only such bills that in my judgment were meritorious and were such cases which could not obtain relief under existing pension laws. This particular case is meritorious. Before I introduced the bill I visited the soldier at his home in the city of Allentown. I visited his family, consisting of himself and wife, and there I found a poor, old, enfeebled, and crippled man 72 years of age. He was required to walk in a stooped manner and could only walk with the aid of two canes, and his poor wife was similarly enfeebled. He is without means or property, and is unable to perform manual labor, and were it not for the contributions of relatives and friends charitably disposed he and his old wife would have been inmates of the almshouse.

This soldier served as sergeant in Company D, Forty-first Pennsylvania Emergency Militia, from June 30, 1863, to August 3, 1863, when he was honorably discharged. It is true he was only in the service for thirty-three days, but during said period, as alleged by the soldier and corroborated by several of his comrades, he contracted rheumatism. When he went into the service he was a healthy man, and when he left the service he was not sound. About a month after he arrived home from the service in 1863 he was drafted, and upon examination he was exempted from the draft on account of circocele and varicocele. He could not get a pension under the general law of 1890, because he was not in the service for a period of ninety days, and he was rejected; and could not get a pension under the act of 1862, because he could not to the satisfaction of the Pension Department and medical examiners show that his disability had its origin during his service. Under these conditions he can obtain no relief, except by bill for relief in this House, however meritorious his case may be.

If a soldier has served ninety days he can obtain relief under the general law for disability occasioned subsequent to the service, and if a soldier served eighty-nine days he can acquire no relief for disability arising subsequent to the service, no matter how enfeebled his condition may be. Why this line of demarcation, and why can relief only be granted to soldiers under this head, after the service of ninety days and upward? Thus we find the law, and thus this is the only forum in which soldiers who served less than ninety days, who can not satisfactorily trace their disability to the service, can find jurisdiction and relief.

Should the opportunity be afforded, I will support the service-pension bill. It is right, it is just and meritorious. By the enactment of such a law much of the pension matter introduced in both Houses of Congress will be avoided.

In this case the record is supported by the affidavit of a physician, by the affidavits of numerous citizens and comrades, and by the petition of neighbors and friends, all indicating that this soldier is a proper subject for relief, that he is very poor, and incapacitated for manual labor, and that his enfeebled condition is not the result of vicious or intemperate habits. The committee in its discretion and wisdom granted this soldier $12 per month, the maximum rating under the act of June 27, 1890. I repeat, this is a meritorious case; I know it from personal observation. Were it not a deserving case I should not have requested the committee to take favorable action on the bill, and therefore hope that this House will sustain the report of the committee.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question now is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. RUSSELL) there were—ayes 51, noes 11.

So the bill was passed.

SENECA R. POLLARD.

The next pension business was the bill (H. R. 6823) granting an increase of pension to S. R. Pollard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and hereby is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of S. R. Pollard, late of the Seventeenth Independent Battery, New York Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he now receives.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "S." and insert in lieu thereof the word "Seneca."

In line 7, before the word "Light," insert the word "Volunteer."

Amend the title so as to read: "A bill granting an increase of pension to Seneca R. Pollard."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MARY E. SPRINGER.

The next pension business was the bill (H. R. 7500) granting a pension to Mary E. Springer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary E. Springer, widow of Peter B. Springer, deceased, late of steamer Lioness, and pay her a pension at the rate of $17 per month.

The amendment recommended by the committee was read, as follows:

In line 5 strike out the word "deceased" and all of lines 7 and 8 and insert in lieu thereof the following: "late first engineer ram Lioness, Mississippi Marine Brigade, and pay her a pension at the rate of $8 per month."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE K. KNOWLTON.

The next pension business was the bill (H. R. 8789) granting an increase of pension to George K. Knowlton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George K. Knowlton, late an acting ensign, United States Navy Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "an acting ensign" and insert in lieu thereof the words "acting master's mate."

In line 7 strike out the word "Volunteers."

In same line strike out the word "fifty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JAMES LYNCH.

The next pension business was the bill (H. R. 11655) granting an increase of pension to James Lynch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of James Lynch, late private Company E, One hundred and fifty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 4 strike out the word "upon" and insert in lieu thereof the word "on."

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN BARRAGAR.

The next pension business was the bill (H. R. 6563) granting an increase of pension to John Barriger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Barriger, late sergeant of Company F, One hundred and forty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Barriger" and insert in lieu thereof the word "Barragar."

Amend the title so as to read: "A bill granting an increase of pension to John Barragar."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE W. KIMBLE.

The next pension business was the bill (H. R. 1176) granting an increase of pension to Capt. George W. Kimble.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Kimble, late captain of Company F, Eighteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "captain of" and insert in lieu thereof the words "first lieutenant."

Amend the title so as to read: "A bill granting an increase of pension to George W. Kimble."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

HARRIET SNYDER.

The next business was the bill (H. R. 153) granting a pension to Harriet Snyder.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet Snyder, widow of Clinton Snyder, deceased, late a private in Company G, Second Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Harriet Snyder, widow of Clinton Snyder, late of Company G, Second Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $8 per month, such pension to cease upon proof that the soldier is still living."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JAMES W. SMITH.

The next business was the bill (H. R. 133) granting an increase of pension to Capt. James W. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Capt. James W. Smith, late of Company B, Eighteenth Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Captain."

In same line, before the word "Company," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to James W. Smith."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN E. NEARY.

The next business was the bill (H. R. 2767) granting an increase of pension to John E. Neary.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John E. Neary, late corporal Company I, Thirty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HENRY F. DAVIS.

The next business was the bill (H. R. 1575) granting an increase of pension to Henry F. Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry F. Davis, late of Company E, Thirteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

REBECCA C. SHURLOCK.

The next business was the bill (H. R. 691) granting an increase of pension to Rebecca C. Shurlock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca C. Shurlock, widow of William C. Shurlock, late surgeon of Fifty-first Regiment Pennsylvania Veteran Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 7, 8, and 9 and insert in lieu thereof the following: "captain Company D, One hundredth Regiment, and surgeon Fifty-first Regiment, Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EMILY CATLIN.

The next business was the bill (H. R. 7501) granting an increase of pension to Emily Catlin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emily Catlin, widow of Lucius W. Catlin, late captain Company C, Twenty-eighth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the word "first lieutenant."

In line 7, strike out the letter "C" and insert in lieu thereof the letter "L."

In line 8 strike out the word "seventeen" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM J. MOSIER.

The next business was the bill (H. R. 8078) granting an increase of pension to Henry J. Mosier.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry J. Mosier, late of Battery H, Third Regiment New York Volunteer Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Henry" and insert in lieu thereof the word "William."

In line 7, before the word "Artillery," insert the word "Light."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to William J. Mosier."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOEL M. STREET.

The next business was the bill (H. R. 5603) granting an increase of pension to Joel M. Street.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Joel M. Street, late of Company K, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joel M. Street, late of Company K, One hundred and thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CALISTO CASTRO.

The next business was the bill (H. R. 6024) granting an increase of pension to Calistro Castro.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Calistro Castro, late of Company C, Fifth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Calistro" and insert in lieu thereof the word "Calisto."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Calisto Castro."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CHARLES V. BILLIG.

The next business was the bill (H. R. 4874) granting a pension to Charles V. Billig.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles V. Billig, late of Company G, One hundred and forty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SIRBRINA E. PALMER.

The next pension business was the bill (H. R. 5873) granting a pension to William E. Palmer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William E. Palmer, helpless and dependent son of Francis M. Palmer, deceased, late of Company I, Fifth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

Strike out all of lines 6, 7, 8, and 9 and insert in lieu thereof the following: "of Palmer, helpless, son of Francis M. Palmer, late of Company I, Fifth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of William E. Palmer, helpless and dependent child of said Francis M. Palmer, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Sirbrina Palmer the name of said William E. Palmer shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said surviving Palmer."

Amend the title so as to read: "A bill granting an increase of pension to Sirbrina Palmer."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

THEODORE C. PUTNAM.

The next pension business was the bill (H. R. 6258) granting an increase of pension to Theodore C. Putnam.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Theodore C. Putnam, late of Company A, Thirty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore C. Putnam, late of Company A, Thirty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JAMES B. LUCKEY.

The next pension business was the bill (H. R. 11538) granting an increase of pension to James B. Luckey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James B. Luckey, late of Company C, Third Regiment Ohio Volunteer Cavalry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the word "captain."

In same line strike out the letter "C" and insert in lieu thereof the letter "L."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; was read the third time, and passed.

HUGH S. SMITH.

The next pension business was the bill (H. R. 9807) granting an increase of pension to Hugh S. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hugh S. Smith, late private Battery D, First Regiment West Virginia Volunteer Light Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "private" and insert in lieu thereof the word "of."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; was read the third time, and passed.

DAVID R. LUTTRELL.

The next pension business was the bill (H. R. 12050) granting an increase of pension to David R. Luttrell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David R. Luttrell, late of Company F, Twenty-second Regiment Tennessee Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

JAMES LARGE.

The next pension business was the bill (H. R. 12053) granting an increase of pension to James Large.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Large, late of Company C, Twenty-fourth Regiment Illinois Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "company."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JEREMIAH SHELDON.

The next pension business was the bill (H. R. 11894) granting an increase of pension to Jeremiah Sheldon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jeremiah Sheldon, late of Company F, Fifty-fourth Regiment Massachusetts Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Company F, First Regiment."

In same line strike out the words "Massachusetts Volunteers," and insert in lieu thereof the letter "B."

In line 8 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 9 strike out the word "forty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ABEL N. BOSTON.

The next pension business was the bill (H. R. 11575) granting a pension to Abel N. Boston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abel N. Boston, late of Company A, Ninth Regiment New York State Militia Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the words "State Militia Guards, Second Regiment" and all of lines 8 10, and 11 and insert in lieu thereof the "Volunteer Infantry," and pay him a pension at the rate of $30 per month."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

FREDERIC LOCKLEY.

The next pension business was the bill (H. R. 10792) granting an increase of pension to Frederic Lockley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederic Lockley, late Lieutenant, Company F, Second Regiment New York Volunteer Engineers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "first lieutenant" and insert in lieu thereof the word "of."

In same line strike out the letter "F" and insert in lieu thereof the letter "E."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JANE M'NEIL.

The next pension business was the bill (H. R. 9801) granting a pension to Jane McNeil.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jane McNeil, widow of Robert McNeil, late of Company C, Fifty-second Regiment Illinois Volunteers, and pay her a pension at the rate of $12 per month.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EZRA NICHOLS.

The next pension business was the bill (H. R. 9970) granting an increase of pension to Ezra Nichols.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ezra Nichols, late of Company B, Fifty-second Regiment Illinois Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JASON ROBINSON.

The next pension business was the bill (H. R. 8742) granting an increase of pension to Jason Robinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jason Robinson, late of Company K, Fifty-second Regiment Illinois Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Livingston, Ky., being private."

In same line strike out the word "company," and insert in lieu thereof the word "of."

In same line strike out the word "twenty-five" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JOHN I. LOSE.

The next pension business was the bill (H. R. 8050) granting an increase of pension to Joan I. Lose.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John I. Lose, late of Company A, Ninth Regiment Illinois Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "company," insert the words "and Company I."

In line 7 strike out the word "Illinois" and insert in lieu thereof the word "Volunteers."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading, and being engrossed, it was accordingly read the third time, and passed.

BENJAMIN R. W. MOCKABEE.

The next pension business was the bill (H. R. 7698) granting an increase of pension to Benjamin Mockabee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin R. W. Mockabee, late of Company C, First Regiment New York Volunteer Engineers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "Regiment," insert the letters "E. V."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twenty-four."

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Benjamin R. W. Mockabee."

GEORGE P. MALLOCH.

The next pension business was the bill (H. R. 7664) granting an increase of pension to George P. Malloch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George P. Malloch, late of Company B, Thirty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

AMELIA HUTCHINS.

The next pension business was the bill (H. R. 7394) granting an increase of pension to Amelia Hutchins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Amelia Hutchins, widow of Chauncey B. Hutchins, late of the One hundred and sixteenth New York Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of."

In line 7 strike out the word "the" and insert in lieu thereof the word "surgeon."

In same line, before the words "New York," insert the word "Regiment."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

CHARLES T. PRESTON.

The next pension business was the bill (H. R. 6880) granting an increase of pension to Charles T. Preston.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles T. Preston, late of Company C, Twelfth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JACOB B. MOCK.

The next pension business was the bill (H. R. 6589) granting a pension to Jacob Mock.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Mock, late of Company D, one hundred and sixty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month, the same to be paid to him under the rules of the Pension Bureau as to mode and times of payment without any deduction or reckoning on account of former alleged overpayments or erroneous payments of pension.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Mock," insert the letter "B."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Jacob B. Mock."

ANNA S. DUNN.

The next pension business was the bill (H. R. 6416) for the relief of Anna S. Dunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Anna S. Dunn, of Pueblo, Colo., widow of Rhodamanthus H. Dunn, late major, Third Tennessee Infantry, and pay her a pension of $25 per month in lieu of the pension she is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna S. Dunn, widow of Rhodamanthus H. Dunn, late major, Third Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Anna S. Dunn."

MATTIE ATEN.

The next pension business was the bill (H. R. 5395) granting a pension to Mattie Aten.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mattie Aten, dependent daughter of Peter Aten, deceased, late of Company A, Ninth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $15 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "dependent," insert the words "helpless and."

In same line strike out the word "deceased."

In line 8 strike out the word "fifteen" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

FREDERICK J. FAIRBRASS.

The next pension business was the bill (H. R. 6249) granting an increase of pension to Frederick J. Fairbrass.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll the name of Maj. Frederick J. Fairbrass, late of Company I, First Michigan Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick J. Fairbrass, late of Company I, First Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

CHRISTOPHER C. RICHARDS.

The next pension business was the bill (H. R. 5760) granting a pension to Christopher C. Richards.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Christopher C. Richards, late of Company B, Seventy-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Christopher C. Richards."

HORATIO M. PRICE.

The next pension business was the bill (H. R. 5296) granting an increase of pension to H. M. Price.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the restrictions and limitations of the pension laws, the name of H. M. Price, late sergeant in the Seventh Wisconsin Battery, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Horatio M. Price, late of Seventh Battery Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Horatio M. Price."

CATHARINE M. WONDERLY.

The next pension business was the bill (H. R. 6271) granting a pension to Catharine Wonderly.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Catharine Wonderly, widow of [illegible] United States Marine Corps, and pay her a pension [illegible] $30 per month.

The amendments recommended by the committee were read, as follows:

In place before the word "Wonderly," insert the letter "M."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

In same line, after the word "month," insert the words "in lieu of that she is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Catharine M. Wonderly."

MOTEN M. PITTS.

The next pension business was the bill (H. R. 5373) granting an increase of pension to Motem M. Pitts.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Regiment Illinois Volunteers Mounted Cavalry, and pay him a pension [illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Motem" and insert in lieu thereof the word "Moten."

In same line strike out the letter "L" and insert in lieu thereof the letter "[illegible]."

In line 7 strike out the word "Sixth" and insert in lieu thereof the word "[illegible]."

In line 7, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Moten M. Pitts."

NATHAN L. MEANDS.

The next pension business was the bill (H. R. 3288) granting an increase of pension to N. L. Meands.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of N. L. Meands, late sergeant of Company [illegible], Twenty-second Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "N" and insert in lieu thereof the word "Nathan."

In same line, before the word "Company," strike out the word "of."

In same line, after the word "Company," insert the letter "[illegible]."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-six."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Nathan L. Meands."

DANIEL BUSHMAN.

The next pension business was the bill (H. R. 2928) granting an increase of pension to Daniel Bushman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel Bushman, late of Company L, Seventy-fourth Regiment New York Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed for a third reading; and being engrossed, accordingly, was read the third time, and passed.

SUSANNA COSGROVE.

The next pension business was the bill (H. R. 3589) granting a pension to Susanna Cosgrove.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susanna Cosgrove, widow of James Cosgrove, late of Company I, One hundred and thirty-third New York Volunteers, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7, before the words "New York," insert the word "Regiment."

In lines 7 and 8 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly, was read the third time, and passed.

JAMES CARR.

The next pension business was the bill (H. R. 2557) granting an increase of pension to James Carr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions [illegible] James Carr, late of Company [illegible], Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

HENRY SPINDLER.

The next pension business was the bill (H. R. 2189) granting an increase of pension to Henry Spindler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] name of Henry Spindler, late of Company B, Twenty-first Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JAMES DURKEE.

The next pension business was the bill (H. R. 1882) granting an increase of pension to James Durkee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] company D, Thirty-second regiment Wisconsin Volunteer Infantry, and pay him a pension [illegible] per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

LUCY WARREN.

The next pension business was the bill (H. R. 1515) granting a pension to Lucy Warren.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Massachusetts Volunteer Infantry, and pay her a pension [illegible] per month.

The amendment recommended by the committee was read, as follows:

Strike out all of lines 6, 7, 8 and 9 and insert in lieu thereof the following: "widow of James Warren, widow of James Warren, late of Company [illegible], Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ADAM GOSAGE.

The next pension business was the bill (H. R. 1285) granting an increase of pension to Adam Gosage.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] pension at the rate [illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Cavalry" and insert in lieu thereof the word "Infantry."

In line 8 strike out the word "forty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

NICHOLAS GRUBER.

The next pension business was the bill (H. R. 967) granting an increase of pension to Nicholas Gruber.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible], Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MARY J. BRADLEY.

The next pension business was the bill (H. R. 194) granting a pension to Mary J. Bradley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Mary J. Bradley, [illegible] Company H, First Regiment Illinois Volunteers Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "mother," insert the word "dependent."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JANE I. LONG.

The next pension business was the bill (S. 3274) granting an increase of pension to Jane I. Long.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Jane I. Long, widow of [illegible] Company B, Twenty-second Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

MARQUIS L. STEVENS.

The next pension business was the bill (S. 823) granting an increase of pension to Marquis L. Stevens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marquis L. Stevens, late of Company B, Twenty-eighth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

LOUISE CHANDLER.

The next pension business was the bill (S. 2237) granting an increase of pension to Louise Chandler.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louise Chandler, widow of Theodore C. Chandler, late lieutenant-colonel Fifty-fifth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOSEPH H. KENNEDY.

The next pension business was the bill (S. 3038) granting an increase of pension to Joseph H. Kennedy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph H. Kennedy, late of Company G, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN F. OVIATT.

The next pension business was the bill (S. 312) granting an increase of pension to John F. Oviatt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John F. Oviatt, late of Company K, First Regiment Michigan Volunteer Engineers and Mechanics, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES REED.

The next pension business was the bill (S. 2316) granting an increase of pension to Charles Reed.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Reed, late of Company A, Thirty-third Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

WILLIAM W. JACKSON.

The next pension business was the bill (S. 1543) granting an increase of pension to William W. Jackson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Jackson, late of Company [illegible], Twenty-sixth Regiment United States Colored Troops, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

GEORGE M. LINCH.

The next pension business was the bill (S. 2688) granting an increase of pension to George M. Linch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Linch, late of Company A, Twenty-seventh Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

WILBUR F. LITTLE.

The next pension business was the bill (S. 598) granting an increase of pension to Wilbur F. Little.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Wilbur F. Little, late of Company K, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MORTIMER HALLETT.

The next pension business was the bill (S. 317) granting an increase of pension to Mortimer Hallett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mortimer Hallett, late of Company M, First Regiment Minnesota Volunteer Cavalry, and Company H, First Regiment Minnesota Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

WILLIAM W. ANGELO.

The next pension business was the bill (S. 893) granting an increase of pension to William W. Angelo.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Angelo, late of Company B, Tenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

HOMER D. WELLS.

The next pension business was the bill (S. 380) granting an increase of pension to Homer D. Wells.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Homer D. Wells, late of Company E, Seventeenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE RILEA.

The next pension business was the bill (S. 2087) granting an increase of pension to George Rilea.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Rilea, late of Com-

pany G, Thirty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $55 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN HOGARTH LOZIER.

The next pension business was the bill (S. 2955) granting an increase of pension to John Hogarth Lozier.

The bill was read, as follows:

Be it enacted, etc. That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Hogarth Lozier, late captain Thirty-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MARGARET J. ROBBINS.

The next pension business was the bill (H. R. 9892) granting a pension to Margaret J. Robbins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret J. Robbins, widow of Charles G. Robbins, late first lieutenant of Company M, Seventeenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $17 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "of."

In line 8 strike out the word "Infantry" and insert in lieu thereof the word "Cavalry."

In line 9 after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Margaret J. Robbins."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE W. DARRAH.

The next business was the bill (H. R. 742) granting an increase of pension to George W. Darrah.

The bill was read, as follows.

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Darrah, late of Company K, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN B. HART.

The next business was the bill (H. R. 1268) granting an increase of pension to John B. Hart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Hart, late of Company I, Eighth Regiment Pennsylvania Reserves, during the civil war, from and after the passage of this act, at the rate of $30 per month.

The amendment recommended by the committee was read, as follows.

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Hart, late of Company I, Eighth Regiment Pennsylvania Reserve Volunteer Infantry, and Company D, One hundred and ninety-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOSEPH B. ASHLEY.

The next business was the bill (H. R. 2921) granting an increase of pension to Joseph B. Ashley.

Mr. SULLOWAY. As the beneficiary named in this bill is dead, I move that the bill be laid on the table.

The motion was agreed to.

EMMA R. WALLACE.

The next business was the bill (H. R. 8387) granting a pension to Emma R. Wallace.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma R. Wallace, widow of Martin M. R. Wallace, late colonel and brevet brigadier-general Fourth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the letters "M. R." and insert in lieu thereof the letters "R. M."

In line 7 strike out the words "and brevet brigadier-general."

In line 9 strike out the word "fifty" and insert in lieu thereof the word "thirty."

In same line, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Emma R. Wallace."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM SMITH.

The next business was the bill (H. R. 8180) granting an increase of pension to William Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Smith, late of Company E, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN A. PARKER.

The next business was the bill (H. R. 8725) granting an increase of pension to John A. Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Parker, late of Company F, One hundred and twenty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOSIAH STANDLEY.

The next business was the bill (H. R. 6653) granting an increase of pension to Josiah Standley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josiah Standley, late of Company I, Ninety-seventh Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the words "second lieutenant."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SEYMOUR F. BURLINGAME.

The next business was the bill (H. R. 8044) granting an increase of pension to Seymore F. Burlingame.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Seymore F. Burlingame, formerly of Company I, Ninth Regiment Connecticut Volunteer Infantry, subject to the provisions and limitations of the pension laws, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Seymour F. Burlingame, late of Company I, Ninth Regiment Connecticut Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Seymour F. Burlingame."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

GEORGE W. WETHERELL.

The next business was the bill (S. 727) granting an increase of pension to George W. Wetherell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Wetherell, late of Company C, Fourth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be a third reading, read the third time, and passed.

JOHN B. GLOVER.

The next business was the bill (S. 819) granting an increase of pension to John B. Glover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Glover, late captain Company D, Thirty-eight Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading, read the third time, and passed.

NATHAN M. GOVE.

The next business was the bill (S. 4091) granting an increase of pension to Nathan M. Gove.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathan M. Gove, late musician, Fourth Regiment New Hampshire Volunteer Infantry, and Second Brigade, Ninth Army Corps, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading, read the third time, and passed.

BENJAMIN MANNING.

The next pension business was the bill (H. R. 6824) for the relief of Benjamin Manning.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin Manning, late a private Company C, Sixth Regiment New Jersey Volunteers, and pay him a pension at the rate of $30 per month in lieu of $12, the amount he is now receiving.

SEC. 2. That this act shall take effect immediately.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private."

In line 7 strike out the word "Volunteers" and insert in lieu thereof the word "Volunteer Infantry."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In line 9 strike out the words "twelve dollars."

In line 10 strike out the words "the amount" and insert in lieu thereof the word "that."

Strike out all of line 10.

Amend the title so as to read: "A bill granting an increase of pension to Benjamin Manning."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM H. SCHREINER.

The next pension business was the bill (H. R. 7353) granting an increase of pension to William H. Shreiner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Schreiner, late of Company C, Second Regiment Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 2 strike out the word "Shreiner" and insert in lieu thereof the word "Schreiner."

Amend the title so as to read: "A bill granting an increase of pension to William H. Schreiner."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

BENJAMIN F. MILLER.

The next pension business was the bill (H. R. 9081) granting an increase of pension to Benjamin F. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Miller, late of Company D, Second Pennsylvania Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Seventh," insert the word "Regiment."

In line 8 strike out the word "thirty-six" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN C. FOOS.

The next pension business was the bill (H. R. 8482) granting an increase of pension to John C. Foos.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Foos, late of Company B, Purnell Legion, Maryland Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In same line strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM A. SHERIDAN.

The next pension business was the bill (H. R. 6859) granting an increase of pension to William A. Sheridan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William A. Sheridan, late of Company C, One hundred and fifteen Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $72 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JAMES PAYTON.

The next pension business was the bill (H. R. 8025) granting a pension to James Payton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Payton, late of Company K, Fourth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to James Payton."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

IRVING HOLCOMB.

The next pension business was the bill (H. R. 5262) granting a pension to Irving Holcomb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Irving Holcomb, late captain Company B, One hundred and twenty-first Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "and."

In line 7 strike out the word "Infantry," and insert in lieu thereof the word "Cavalry."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Irving Holcomb."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HENRY WILFONG.

The next pension business was the bill (S. 1280) granting an increase of pension to Henry Wilfong.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Wilfong, late of Company F, Second Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MARY A. HUGHES.

The next pension business was the bill (S. 1892) granting an increase of pension to Mary A. Hughes.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary A. Hughes, widow of Thomas F. Hughes, late captain, Sixteenth Iowa Volunteer Infantry, and pay her a pension at the rate of $10 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MARTHA J. DERRINGTON.

The next pension business was the bill (H. R. 3902) granting a pension to Martha J. Derrington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha J. Derrington, widow of Riley Derrington, late of Company I, Provisional Troop, Sixth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "Provisional Troop."

In same line and in line 8 strike out the words "Missouri Volunteer Infantry" and insert in lieu thereof the words "Provisional Enrolled Missouri Militia."

In lines 8 and 9 strike out the word "twenty-four" and insert in lieu thereof the word "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

FRANKLIN B. LIPPINCOTT.

The next pension business was the bill (H. R. 4997) granting a pension to Franklin B. Lippincott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Franklin B. Lippincott, late acting medical cadet, and pay him a pension at the rate of [illegible] dollars per month.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "cadet," insert the words "United States Army."

In line 7, before the word "dollars," insert the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

FRANCES RECK.

The next pension business was the bill (H. R. 5527) granting a pension to Frances Reck.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances Reck, widow of [illegible] Reck, late of Company B, Second Regiment United States Reserve Corps, Missouri Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

ISAIAH ROBINSON, JR.

The next pension business was the bill (H. R. 6501) granting a pension to Isaiah Robinson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaiah Robinson, late of Company A, Fourth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Robinson," insert the word "junior."

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Isaiah Robinson, jr."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

EDWARD BLAISDELL.

The next pension business was the bill (S. 3950) granting an increase of pension to Edward Blaisdell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward Blaisdell, late second lieutenant Company H, Eleventh Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN L. ROGERS.

The next pension business was the bill (S. 3893) granting an increase of pension to John L. Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John L. Rogers, late of Company D, Sixteenth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

HUGH T. CROCKETT.

The next pension business was the bill (S. 154) granting an increase of pension to Hugh T. Crockett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hugh T. Crockett, late of Company A, Forty-sixth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

OWEN E. NEWTON.

The next pension business was the bill (S. 1555) granting an increase of pension to Owen E. Newton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Owen E. Newton, late of Fourth Independent Battery, Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ISAIAH LARKINS.

The next pension business was the bill (S. 681) granting an increase of pension to Isaiah Larkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaiah Larkins, late second lieutenant Company G, Fourth Regiment Ohio Volunteer Infantry, and first lieutenant Company I, One hundred and seventy-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CHARLOTTE J. FOLSOM.

The next pension business was the bill (S. 4090) granting an increase of pension to Charlotte J. Folsom.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible] Folsom, widow of [illegible], late of Company B, Second Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

SAMUEL A. DICKEY.

The next pension business was the bill (S. 4141) granting an increase of pension to Samuel A. Dickey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel A. Dickey, late of Company A, First Regiment Louisiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

LEWIS LEWIS.

The next pension business was the bill (S. 3945) granting an increase of pension to Lewis Lewis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis Lewis, late of Company K, Second Regiment United States Sharpshooters, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and it was accordingly read the third time, and passed.

ALICE K. SELIGSON.

The next pension business was the bill (S. 4052) granting a pension to Alice K. Seligson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alice K. Seligson, widow of Abraham A. Seligson, late lieutenant colonel Ninth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The bill was ordered to be read a third time; and it was accordingly read the third time, and passed.

FREDERICK MEHRING.

The next pension business was the bill (H. R. 6420) for the relief of Frederick Mehring.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of Frederick Mehring, late private in Company C, Sixteenth New York Cavalry Volunteers, and pay him a pension of $30 per month from and after the passage of this act in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frederick Mehring, late of Company C, Sixteenth Regiment New York Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Frederick Mehring."

WILLIAM H. KENT.

The next pension business was the bill (H. R. 5952) granting an increase of pension to William H. Kent.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Kent, late of Company F, Twelfth Regiment Illinois Volunteer Infantry, and Company D, Second Wisconsin Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "Company F, Twelfth Regiment."

In line 7 strike out the words "Illinois Volunteer Infantry, and."

In same line, after the word "Second," insert the word "Regiment."

In line 8, before the word "Cavalry," insert the word "Volunteer."

In same line strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

RANDOLPH T. STOOPS.

The next pension business was the bill (H. R. 4634) granting an increase of pension to Randolph T. Stoops.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Randolph T. Stoops, late a [illegible] Company C, Eleventh Pennsylvania Volunteer Cavalry, and pay to him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "captain," strike out the word "a."

In same line, before the word "Company," strike out the word "of."

In line 7, before the word "Pennsylvania," insert the word "Regiment."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

MARY P. SHEETS.

The next pension business was the bill (H. R. 4994) granting an increase of pension to Mary P. Sheets.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary P. Sheets, widow of William F. Sheets, late of Company A, Second Regiment Pennsylvania Reserve Corps, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the word "Corps" and insert in lieu thereof the following: "Volunteer Infantry, and Company E, Third Regiment Potomac Home Brigade, Maryland Volunteer Infantry."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "sixteen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

GEORGE M. GIBBONS.

The next pension business was the bill (H. R. 4252) granting an increase of pension to George M. Gibbons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Gibbons, late of Company K, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "forty-six" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

HENRY C. BELTZ.

The next pension business was the bill (H. R. 4889) granting a pension to Henry C. Beltz.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry C. Beltz, late of Company H, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "H" and insert in lieu thereof the letter "E."

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Henry C. Beltz."

AUGUSTUS WAGNER.

The next pension business was the bill (H. R. 11654) granting an increase of pension to Augustus Wagner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augustus Wagner, late of Company I, Sixth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

CASPER J. SCHOER.

The next pension business was the bill (H. R. 5824) granting an increase of pension to Caper J. Schoer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Casper J. Schoer, late of the St. Louis Home Guards, Company K, Third Regiment, Company D, Fourth Regiment United States Reserve Corps, Missouri Volunteers, and Company G, Fifth Regiment Missouri State Militia Cavalry Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Caspar" and insert in lieu thereof the word "Casper."

In same line strike out the words "late of St. Louis Home Guards," and all of lines 7 and 8.

In line 9, before the word "Company," insert the words "late of."

In same line, before the word "Cavalry," insert the word "Volunteer."

In line 10 strike out the word "Volunteers."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Casper J. Schoer."

CALEB J. MAY.

The next pension business was the bill (H. R. 11606) granting an increase of pension to Caleb J. May.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Caleb J. May, late of Company A, Twenty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM D. HALL.

The next pension business was the bill (H. R. 3935) granting an increase of pension to William D. Hall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William D. Hall, late of Com-

[illegible] G, D, and F, Seventy-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now [illegible]

The amendments recommended by the committee were read, as follows:

In line [illegible] strike out the words "of Companies G, D, and F" and insert in lieu thereof [illegible] Company G, second lieutenant Company D, [illegible]

In line [illegible] and the word "fifty" and insert in lieu thereof the word "[illegible]"

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES WHEATLAND.

The next pension business was the bill (S. 3812) granting an increase of pension to Charles Wheatland.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Wheatland, late of Company D, Thirty-ninth Regiment New Jersey Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-five" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

CHARLES J. CLARK.

The next pension business was the bill (S. 3887) granting an increase of pension to Charles J. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles J. Clark, late [illegible] Company [illegible] Ohio Volunteer Infantry, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE F. SMITH.

The next pension business was the bill (S. 3902) granting an increase of pension to George F. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George F. Smith, late of Company [illegible] Regiment, and Company F, Seventh Regiment, Delaware Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES W. DE MOTTE.

The next pension business was the bill (H. R. 8611) granting an increase of pension to Charles W. De Motte.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. De Motte, late of Company F, One hundred and twenty-third Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN S. PARKER.

The next pension business was the bill (S. 3534) granting an increase of pension to John S. Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Parker, late of Company B, Purnell Legion Maryland Volunteer Infantry, and captain Company C, Third Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MANLUFF W. REYNOLDS.

The next pension business was the bill (S. 3415) granting an increase of pension to Manluff W. Reynolds.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Manluff W. Reynolds, late of Company K, Sixth Regiment, and Company G, Eleventh Regiment, New Jersey Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MARY V. CARSON.

The next pension business was the bill (S. 3367) granting an increase of pension to Mary V. Carson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary V. Carson, late of Company [illegible] Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

EMBLINE F. EMMONS.

The next pension business was the bill (S. 562) granting an increase of pension to Emeline F. Emmons.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emeline F. Emmons, widow of George W. [illegible] Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

LARKIN MAYNARD.

The next pension business was the bill (H. R. 2491) granting a pension to Larkin Maynard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Larkin Maynard, late of Captain Thomas Damron's independent company, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Damron's" and insert in lieu thereof the word "Damron's."

In line 7, after the word "company," insert the word "West Virginia Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

THOMAS P. MOORE.

The next pension business was the bill (H. R. 1519) granting a pension to Thomas P. Moore.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas P. Moore, late of Captain [illegible] independent company, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Damron's" and insert in lieu thereof the word "Damron's."

In line 7, after the word "company," insert the words "West Virginia Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

SAMUEL LOUIS TYNER.

The next pension business was the bill (H. R. 9890) granting an increase of pension to Dr. S. L. Tyner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dr. S. L. Tyner, late assistant surgeon of the [illegible] Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "of Dr. S. L. Tyner, late assistant surgeon of the" and insert in lieu thereof the words "of Samuel Louis Tyner, late of Company K."

In line [illegible] the word "[illegible]" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Samuel Louis Tyner."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN M. ELIECE.

The next pension business was the bill (H. R. 9726) granting a pension to John McEliece.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of John McEliece, late of Company K, Forty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to John McEliece."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

LEWIS C. AMBERG.

The next pension business was the bill (H. R. 10264) granting an increase of pension to Louis C. Amberg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis C. Amberg, late lieutenant Company E, One hundred and forty-ninth Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Louis" and insert in lieu thereof the word "Lewis."

In same line, before the word "lieutenant," insert the word "first."

In line 7, before the word "Ohio," insert the word "Regiment."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

Amend the title so as to read: "A bill granting an increase of pension to Lewis C. Amberg."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE B. ABBOTT.

The next pension business was the bill (S. 3839) granting an increase of pension to George B. Abbott.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George B. Abbott, late Company B, Thirteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, read the third time, and passed.

AUGUSTUS FELLOWS.

The next pension business was the bill (H. R. 11428) for the relief of Augustus Fellows.

The bill was read, as follows:

Be it enacted, etc., That the pension of Augustus Fellows, late a private of Company M, First Regiment California Volunteer Cavalry, be increased from $24 per month, the present rate, to $30 per month, his disability being rheumatism and resulting disease of spine and acute disease of heart.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Augustus Fellows, late of Company M, First Regiment California Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Augustus Fellows."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN B. KELLER.

The next pension business was the bill (H. R. 11141) granting an increase of pension to John B. Keller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John B. Keller, late of Company I, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOHN MAYNARD.

The next pension business was the bill (H. R. 2490) granting a pension to John Maynard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Maynard, late of Captain Thomas Damron's independent company, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Damron's" and insert in lieu thereof the word "Dameron's."

In line 7, after the word "company," insert the words "West Virginia Volunteer Infantry."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ELIZA J. GARDNER.

The next pension business was the bill (H. R. 12073) granting an increase of pension to Eliza J. Gardner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza J. Gardner, widow of Benjamin Gardner, late captain, Forty-fourth United States Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7 strike out the words "Forty-fourth United States Infantry" and insert in lieu thereof the words "Company I, One hundredth Regiment Illinois Volunteer Infantry, and captain Company B, Third Regiment Veteran Reserve Corps."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JESSE T. BENNETT.

The next pension business was the bill (H. R. 9756) granting an increase of pension to Jesse T. Bennett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse T. Bennett, late of Company G, Twenty-ninth Regiment Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 7, before the word "Volunteer," insert the word "Iowa."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

DAVID C. M'VICKER.

The next business was the bill (H. R. 11845) granting an increase of pension to David C. McVicker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David C. McVicker, late of Company I, Thirty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ELI M. M'ELWAIN.

The next business was the bill (H. R. 9576) granting an increase of pension to Eli M. McElwain.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eli M. McElwain, late of Company F, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EPHRAIM O. GILBERT.

The next business was the bill (H. R. 9815) granting an increase of pension to Ephraim O. Gilbert.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ephraim O. Gilbert, late of Company E, One hundred and twenty-seventh Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SUSAN E. OLIVER.

The next business was the bill (H. R. 10919) granting an increase of pension to Susan E. Oliver.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Susan E. Oliver, widow of Thomas [illegible] Oliver, late captain Company L, Second Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "fifty" and insert in lieu thereof the word "eleven."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARGARET DELANEY.

The next business was the bill (H. R. 10209) granting an increase of pension to Margaret Delaney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Delaney, widow of Patrick Delaney, late captain Company B, Twenty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 after the word "Patrick," insert the letter "K."

In line 7 strike out the word "captain" and insert in lieu thereof the word "lieutenant."

In line 8 before the word "One," insert the words "and regimental quartermaster."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JOHN QUINN.

The next business was the bill (H. R. 10901) granting an increase of pension to John Quinn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Quinn, late of Company [illegible], Second Regiment Massachusetts Volunteer Militia, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the word "in."

In line 8 strike out the word "sixty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JAMES O. KNOWLES.

The next business was the bill (H. R. 10847) granting an increase of pension to James O. Knowles.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James O. Knowles, late of Company C, Fourth Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM S. BURCH.

The next business was the bill (S. 2649) granting an increase of pension to William S. Burch.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William S. Burch, late of Company I, One Hundred and twenty-ninth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading, read the third time, and passed.

CHARLES R. COLLINS.

The next business was the bill (S. 2200) granting an increase of pension to Charles R. Collins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles R. Collins, late of Company B, Fourth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading, read the third time, and passed.

HARRIET H. HOWLETT.

The next business was the bill (S. 2278) granting an increase of pension to Harriet H. Howlett.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet H. Howlett, widow of Robert Howlett, late of Company E, Twenty-sixth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $16 per month in lieu of that she is now receiving.

The bill was ordered to a third reading, read the third time, and passed.

NAOMI GREEN.

The next pension business was the bill (S. 2490) granting a pension to Naomi Green.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Naomi Green, widow of [illegible] Green, late of Company B, Third Regiment New Jersey Volunteer Cavalry, and pay her a pension at the rate of $12 per month.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN W. PAUL.

The next pension business was the bill (S. 1834) granting an increase of pension to John W. Paul.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Paul, late of Company [illegible], Second Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN S. STANGER.

The next pension business was the bill (S. 1944) granting an increase of pension to John S. Stanger.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John S. Stanger, late of Company [illegible], Fifty-second Regiment Pennsylvania Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

CHARLES E. M'INTIRE.

The next pension business was the bill (S. 3488) granting an increase of pension to Charles E. McIntire.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles E. McIntire, late of Company [illegible], Second Regiment Massachusetts Militia, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN M. MORGAN.

The next pension business was the bill (S. 1803) granting an increase of pension to John M. Morgan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Morgan, late of Company [illegible], Fourteenth Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOSHUA D. GRIFFITH.

The next pension business was the bill (H. R. 11066) granting an increase of pension to Joshua D. Griffith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joshua D. Griffith, late a private of Company H, Sixty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving; and the said Joshua D. Griffith being a person of unsound mind, said pension shall be payable to his legally appointed guardian.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "[illegible]."

In line 9 strike out the words "and the said Joshua D. Griffith being a person of."

In line 10 strike out the words "unsound mind, said pension shall be payable" and insert in lieu thereof the words "the same to be paid."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM H. COOPER.

The next pension business was the bill (H. R. 12352) granting an increase of pension to William H. Cooper.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Cooper, late of Company [illegible], [illegible] Regiment Pennsylvania Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "who was honorably discharged" and all of line 8.

In line 9 strike out the words "day of June, eighteen hundred and sixty-five."

In line 10 strike out the word "thirty" and insert in lieu thereof the word "seventeen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ALFRED D. BURTON.

The next pension business was the bill (H. R. 11557) granting a pension to Alfred D. Barton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alfred D. Barton, late of Company [illegible], Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Barton" and insert in lieu thereof the word "Burton."

Amend the title so as to read: "A bill granting a pension to Alfred D. Burton."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE W. M'CONKEY.

The next pension business was the bill (H. R. 805) granting an increase of pension to George W. McConkey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. McConkey, late of Company [illegible], [illegible] Regiment Pennsylvania Volunteer Infantry, war with [illegible], and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows.

In line 6 strike out the words "a private in Company H, Fourth."

In line 7 strike out the words "Illinois Infantry, war with Mexico, and."

In line 8 after the word "[illegible]" insert the word "Regiment."

In line 9 strike out the words "Infantry, war of the rebellion," and insert in lieu thereof the word "Cavalry."

In line 10 strike out the word "thirty-five" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ANNIE B. JOHNSON.

The next pension business was the bill (S. 268) granting an increase of pension to Annie B. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Annie B. Johnson, widow of [illegible] B. Johnson, late lieutenant-colonel Twenty-ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN A. CHAMBERLAIN.

The next pension business was the bill (S. 3569) granting an increase of pension to John A. Chamberlain.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John A. Chamberlain, late of Company G, Fourth Regiment Maryland Volunteer Infantry, and Ninety-fifth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

THOMAS HARKISON.

The next pension business was the bill (S. 2179) granting an increase of pension to Thomas Harkison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Harkison, late of Company [illegible], First Regiment Pennsylvania Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

ANDREW J. WILLIAMS.

The next pension business was the bill (S. 2034) granting an increase of pension to Andrew J. Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Williams, late of Company H, Eighth Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

THERON T. LAMPHERE.

The next pension business was the bill (S. 1530) granting an increase of pension to Theron T. Lamphere.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theron T. Lamphere, late of Company E, Eighth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MICHAEL DONOVAN.

The next pension business was the bill (S. 1616) granting an increase of pension to Michael Donovan.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Michael Donovan, late of Company [illegible], Twelfth Regiment Pennsylvania Volunteer Militia, and Company F, Fourteenth Regiment United States Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

MATTHEW WOODWORTH.

The next pension business was the bill (S. 1796) granting an increase of pension to Matthew Woodworth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Matthew Woodworth, late of Company [illegible], One hundred and fifty-ninth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JOHN D. PICKARD.

The next pension business was the bill (S. 1554) granting an increase of pension to John D. Pickard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John D. Pickard, late of Company D, Seventh regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

JERNINGHAM BOONE.

The next pension business was the bill (S. 3527) granting an increase of pension to Jerningham Boone.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jerningham Boone, late of Company [illegible], Thirteenth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

CLARA B. GRISWOLD.

The next pension business was the bill (S. 354) granting an increase of pension to Clara B. Griswold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clara B. Griswold, widow of Dennis K. Griswold, late captain Company L, Second Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

NATHAN P. BOWMAN.

The next pension business was the bill (S. 3130) granting an increase of pension to Nathan P. Bowman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nathan P. Bowman, late major and additional paymaster, United States Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

LINUS S. LUDINGTON.

The next pension business was the bill (S. 3738) granting an increase of pension to Linus S. Ludington.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Linus S. Ludington, late of Company G, First Regiment Connecticut Volunteer Heavy Artillery, and One hundred and nineteenth Company, Second Battalion Veteran Reserve Corps, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

ELIZA WILLIAMS.

The next pension business was the bill (S. 3373) granting a pension to Eliza Williams.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Eliza Williams, widow of William Williams, late 2d Company A, First Battalion District of Columbia Volunteer Infantry, and pay her a pension at the rate of $8 per month.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

JAMES HAHN.

The next pension business was the bill (S. 1591) granting an increase of pension to James Hahn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Hahn, late Corporal Company H, First Regiment Louisiana Native Guards Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

MARY S. CLARK.

The next pension business was the bill (S. 935) granting a pension to Mary S. Clark.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary S. Clark, widow of William H. Clark, late second lieutenant Company G, Fourth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $15 per month.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

SAMUEL ROLLINS.

The next pension business was the bill (S. 1272) granting an increase of pension to Samuel Rollins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel Rollins, late of Company F, One hundred and sixty-seventh Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

FRANCIS HALL.

The next pension business was the bill (S. 3645) granting an increase of pension to Francis Hall.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis Hall, late of Company C, Seventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

ALEXANDER LANE.

The next pension business was the bill (S. 3085) granting an increase of pension to Alexander Lane.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alexander Lane, late of Company F, Eleventh Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

JOSEPH H. OTTEY.

The next pension business was the bill (S. 3423) granting an increase of pension to Joseph H. Ottey.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph H. Ottey, late of Company B, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

JOHN OLSON BAKKEN, ALIAS JOHN OLSON.

The next pension business was the bill (S. 3291) granting an increase of pension to John Olson Bakken, alias John Olson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Olson Bakken, alias John Olson, late of Company K, Second Regiment Minnesota Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

CHARLES MALE.

The next pension business was the bill (S. 3452) granting an increase of pension to Charles Male.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Male, late of Company B, Fourth Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

MALVINA C. BUZZELL.

The next pension business was the bill (S. 3999) granting an increase of pension to Malvina C. Buzzell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Malvina C. Buzzell, widow of Thomas Buzzell, late of Company A, Twenty-second Maine Volunteers, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE HYDE.

The next pension business was the bill (S. 2948) granting an increase of pension to George Hyde.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George Hyde, late of Company C, Twenty-second Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MARGARET LIDDLE.

The next pension business was the bill (S. 2940) granting an increase of pension to Margaret Liddle.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Liddle, widow of Samuel Liddle, late second lieutenant Company F, First Regiment Illinois Volunteer Light Artillery, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

GEORGE M. WATERS.

The next pension business was the bill (S. 2445) granting an increase of pension to George M. Waters.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George M. Waters, late of Company A, Nineteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $17 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JOHN DOW.

The next pension business was the bill (S. 2429) granting an increase of pension to John Dow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Dow, late of Company E, Seventh and Company A, Sixth Regiments, Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

ELLIS HOUSE.

The next pension business was the bill (H. R. 6956) granting an increase of pension to Ellis House.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellis House, late of Company E, Fifty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5, after the word "late," strike out the word "of" and insert in lieu thereof the words "private and first lieutenant."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

THOMAS IRVIN.

The next pension business was the bill (S. 2198) granting a pension to Thomas Irvin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas Irvin, late of Company B, Fifth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The bill was ordered to be read a third time, was read the third time, and passed.

ALONZO R. KIBBE.

The next pension business was the bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alonzo R. Kibbe, late of Company A, Twenty-second Regiment Wisconsin Volunteer Light Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

RUDOLPH REINHART.

The next pension business was the bill (S. 1678) granting an increase of pension to Rudolph Reinhart.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rudolph Reinhart, late of Company C, Fifty-fifth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

DANIEL M. SMITH.

The next pension business was the bill (S. 900) granting an increase of pension to Daniel M. Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel M. Smith, late of Company K, Fourteenth Regiment New Hampshire Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

LEWIS L. BEAN.

The next pension business was the bill (H. R. 1170) granting an increase of pension to Lewis L. Bean.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lewis L. Bean, late of Company D, Twenty-seventh Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 6 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

CHARLES W. DE ROCHER.

The next pension business was the bill (S. 693) granting an increase of pension to Charles W. De Rocher.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles W. De Rocher, late of Company G, Third Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, read the third time, and passed.

HARRIET L. FORD.

The next pension business was the bill (S. 156) granting an increase of pension to Harriet L. Ford.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Harriet L. Ford, widow of Lucius M. Ford, late of Company C, Thirty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, read the third time, and passed.

BENJAMIN H. SMALLEY.

The next pension business was the bill (S. 148) granting an increase of pension to Benjamin H. Smalley.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Benjamin H. Smalley, late of Company H, One hundred and twenty-seventh Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, read the third time, and passed.

WILLIAM W. TURK.

The next pension business was the bill (S. 153) granting an increase of pension to William W. Turk.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William W. Turk, late of Company B, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, read the third time, and passed.

HENRY DORITY.

The next pension business was the bill (S. 2969) granting a pension to Henry Dority.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Dority, late Nineteenth Census, Lincoln County, Maine Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The bill was ordered to be read a third time, read the third time, and passed.

GEORGE B. CHRISTY.

The next pension business was the bill (S. 3397) granting an increase of pension to George B. Christy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George B. Christy, late surgeon Ninth Regiment Illinois Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, read the third time, and passed.

CHESTER F. KIMBALL.

The next pension business was the bill (H. R. 9082) granting an increase of pension to Chester F. Kimball.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Chester F. Kimball, late member Company E, First Rifles (Bucktails), Thirteenth Reserves Pennsylvania Volunteers, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "member" and insert in lieu thereof the word "of."

In the same line strike out the words "First Rifles."

In line 7 strike out the word "Militia."

In same line strike out the words "Reserves Pennsylvania Volunteers" and insert in lieu thereof the words "Regiment Pennsylvania Reserve Volunteer Infantry."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM CONOVER.

The next pension business was the bill (S. 2966) granting a pension to William Conover.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Conover, late of Company H, Second Regiment California Volunteer Cavalry, and pay him a pension at the rate of $12 per month.

The bill as amended was ordered to be read a third time, read the third time, and passed.

JOHN H. CARROW.

The next pension business was the bill (S. 2662) granting an increase of pension to John H. Carrow.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Carrow, late second lieutenant Company D, First Battalion Delaware Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill as amended was ordered to be read a third time, read the third time, and passed.

FREEMAN O. HODGE.

The next business was the bill (H. R. 729) granting an increase of pension to Freeman O. Hodge.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Freeman O. Hodge, late of Company D, Fifth Regiment Vermont Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

LOUISA LYON.

The next business was the bill (S. 2838) granting a pension to Louisa Lyon.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louisa Lyon, widow of Samuel Lyon, late first assistant engineer ram T. D. Horner, Mississippi Marine Brigade United States Volunteers, and pay her a pension at the rate of $12 per month.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

NANNIE J. M'GUCKIN.

The next business was the bill (H. R. 12457) granting an increase of pension to Nannie J. McGurkin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Nannie J. McGurkin, widow of Charles McGurkin, late of Company B, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "widow," strike out the word "McGurkin" and insert in lieu thereof the word "McGuckin."

In same line, before the word "late," strike out the word "McGurkin" and insert in lieu thereof the word "McGuckin."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

Amend the title so as to read: "A bill granting an increase of pension to Nannie J. McGuckin."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

EMMA R. LAMB.

The next business was the bill (H. R. 12550) granting an increase of pension to Emma R. Lamb.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma R. Lamb, widow of Derrick Lamb, late captain Company F, One hundred and forty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 9 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HIRAM PARKER.

The next business was the bill (H. R. 12417) granting a pension to Hiram Parker.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hiram Parker, late of Company F, First Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

HENRY D. FILKINS.

The next business was the bill (H. R. 12191) granting an increase of pension to Henry D. Filkins.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry D. Filkins, late of Company K, Sixteenth Regiment New York Heavy Artillery, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the words "New York," insert the word "Volunteer."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JACOB WETZEL.

The next business was the bill (H. R. 12036) granting an increase of pension to Jacob Wetzel.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob Wetzel, late of Company E, Fourth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "F" and insert in lieu thereof the letter "D."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

JAMES DASSON.

The next business was the bill (H. R. 11660) granting an increase of pension to James Dawson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Dawson, late of Company H, Seventy-eighth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Dawson" and insert in lieu thereof the word "Dasson."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "forty."

Amend the title so as to read: "A bill granting an increase of pension to James Dasson."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

REUBEN GRIFFITH PORTER.

The next business was the bill (H. R. 11169) granting an increase of pension to Reuben G. Porter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Reuben G. Porter, late captain and commissary of subsistence, United States Volunteers, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "G." and insert in lieu thereof the word "Griffith."

In line 8 strike out the word "forty" and insert in lieu thereof the word "thirty-six."

Amend the title so as to read: "A bill granting an increase of pension to Reuben Griffith Porter."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

LEONARD J. WHITNEY.

The next business was the bill (H. R. 10912) granting a pension to Leonard J. Whitney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Leonard J. Whitney, late of Company F, First Regiment Nevada Volunteer Cavalry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Company," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Leonard J. Whitney."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ANDREW SMITH.

The next pension business was the bill (H. R. 10822) granting an increase of pension to Andrew Smith.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Smith, late of Company B, Ninth Regiment Missouri State Militia Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, before the word "Cavalry," insert the word "Volunteer."

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was read the third time, and passed.

LULU E. M'KEE.

The next pension business was the bill (H. R. 10576) granting an increase of pension to Lulu E. McKee.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Lulu E. McKee, helpless and dependent daughter of John R. McKee, deceased, late of the Ninth Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the words "deceased, late of the" and insert in lieu thereof the words "late of Company C."

In line 8 strike out the word "twenty" and insert in lieu thereof the word "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was read the third time, and passed.

GEORGE W. FARR.

The next pension business was the bill (H. R. 10531) granting a pension to George W. Farr.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Farr, late of Company C, Seventy-eighth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Company" and insert in lieu thereof the word "Companies."

In same line, after the letter "C," insert the words "and B."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to George W. Farr."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

HENRY MASON.

The next pension business was the bill (H. R. 9996) granting a pension to Henry Mason.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry Mason, late of Company E, Twenty-first Regiment Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 6, after the word "Regiment," insert the word "Missouri."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

VINCENT ANDERSON.

The next pension business was the bill (H. R. 9820) granting an increase of pension to Vint Anderson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Vint Anderson, late of Company B, Twenty-first Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Vint" and insert in lieu thereof the word "Vincent."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Vincent Anderson."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

SARAH E. DALE.

The next pension business was the bill (H. R. 9741) granting an increase of pension to Sarah E. Dale.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah E. Dale, widow of James Dale, late of Company I, First Regiment Rhode Island Light Artillery, and pay her a pension at the rate of $24 per month in lieu of that she is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "twenty-four" and insert in lieu thereof the word "twelve."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

HENRY W. LLOYD.

The next pension business was the bill (H. R. 9581) granting an increase of pension to Henry W. Lloyd.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry W. Lloyd, late of Company I, One hundred and thirty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

ABRAM T. CARNEY.

The next pension business was the bill (H. R. 8287) granting a pension to Abram T. Carney.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram T. Carney, late of Twelfth Ohio Battery, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Abram T. Carney, late of the Twelfth Independent Battery Ohio Volunteer Light Artillery, and pay him a pension at the rate of $40 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Abram T. Carney."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

EDWARD B. NUGENT.

The next pension business was the bill (H. R. 8220) granting an increase of pension to Edward B. Nugent.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Edward H. Nugent, late of Company [illegible], Third Regiment Michigan Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "late," strike out the word "of" and insert in lieu thereof the words "first lieutenant."

In the same line after the word "Company," insert the words "M and [illegible]."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-five."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JOSIAH B. DEETER.

The next pension business was the bill (H. R. 8010) granting a pension to Josiah B. Deeter.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Josiah B. Deeter, late private of Company C, Twenty-third Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

Amend the title so as to read: "A bill granting an increase of pension to Josiah B. Deeter."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

JASPER N. W. ROGERS.

The next pension business was the bill (H. R. 7786) granting an increase of pension to Jasper W. N. Rogers.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jasper W. N. Rogers, late of Company G, Third Regiment North Carolina Mounted Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letters "W. N." and insert in lieu thereof the letters "N. W."

In line 7 strike out the words "Mounted Volunteer" and insert in lieu thereof the words "Volunteer Mounted."

Amend the title so as to read: "A bill granting a pension to Jaspar N. W. Rogers."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

ISAAC B. GOFORTH.

The next pension business was the bill (H. R. 7470) granting an increase of pension to Isaac B. Goforth.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac B. Goforth, late of Company K, Seventh Kansas Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "late," insert the words "alias Napoleon B. Gordon."

In same line, before the word "Kansas," insert the word "Regiment."

In line 7, before the word "Cavalry," insert the word "Volunteer."

Amend the title so as to read: "A bill granting an increase of pension to Isaac B. Goforth, alias Napoleon B. Gordon."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

WILLIAMINA R. ALLENBAUGH.

The next pension business was the bill (H. R. 7244) granting an increase of pension to Williamina R. Allenbaugh.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Williamina T. Allenbaugh, widow of Charles T. Allenbaugh, late lieutenant Company A, Second Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the letter "T" and insert in lieu thereof the letter "R."

In line 7, before the word "lieutenant," insert the word "[illegible]."

In line 9 strike out the word "thirty" and insert in lieu thereof the word "fifteen."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JOHN W. PLATTENBURG.

The next pension business was the bill (H. R. 6848) granting an increase of pension to John W. Plattenburg.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Plattenburg, late lieutenant, Company K, First Regiment West Virginia Volunteer Infantry, at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Plattenburg, late second lieutenant, Company K, First Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

AUSTIN MURPHY.

The next pension business was the bill (H. R. 6611) granting an increase of pension to Austin Murphy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Austin Murphy, late of Company [illegible], Fifty-second Regiment Illinois Volunteers and Company [illegible], Fifty-second Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

HERBERT M. BLACKWELL.

The next pension business was the bill (H. R. 5855) granting an increase of pension to Herbert M. Blackwell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Herbert M. Blackwell, late corporal, Company C, Second Regiment Maryland Volunteer Cavalry, and pay him a pension at the rate of $12 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Blackwell," insert the words "alias Levi W. Moar."

In line 8 strike out the word "seventy-two" and insert in lieu thereof the word "twenty."

Amend the title so as to read: "A bill granting an increase of pension to Herbert M. Blackwell, alias Levi W. Moar."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MARGARET HEROLD.

The next pension business was the bill (H. R. 5646) granting a pension to Margaret Herold.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret Herold, widow of John S. Herold, late captain Company [illegible], Maryland Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out the letter "B" and insert in lieu thereof the letter "E."

In same line, before the word "Maryland" insert the word "Regiment."

In line 8, after the word "month," insert the words "in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Margaret Herold."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

HENRY M'CORD.

The next pension business was the bill (H. R. 5008) granting an increase of pension to Henry McCord.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry McCord, late of Company I, Eighty-third Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 8 strike out the word "twenty" and insert in lieu thereof the word "thirty."

In same line, after the word "month," insert the words "in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

ROBERT E. CLARY.

The next pension business was the bill (H. R. 4968) granting a pension to Robert E. Clary.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert E. Clary, late of Company F, Forty-ninth Massachusetts Volunteers, and pay him a pension of $30 per month.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Robert E. Clary, late of Company F, Forty-ninth Regiment Massachusetts Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Robert E. Clary."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

MARTHA A. DAY.

The next pension business was the bill (H. R. 4355) granting a pension to Martha Day.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Martha Day, widow of Harrison Day, late corporal, Company G, Fifty-ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6, before the word "Day," insert the letter "A."

In same line strike out the word "Harrison" and insert in lieu thereof the words "James H."

In same line strike out the word "corporal."

In line 8 strike out the word "twelve" and insert in lieu thereof the word "[illegible]."

Amend the title so as to read: "A bill granting a pension to Martha A. Day."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

CHARLES C. JORALEMON.

The next pension business was the bill (H. R. 1528) granting an increase of pension to Charles Jarolman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Jarolman, late of Company K, Twenty-seventh Regiment Michigan Volunteer Infantry, and pay him a pension at the rate of $45 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Jarolman" and insert in lieu thereof the words "C. Joralemon."

In line 8 strike out the word "forty-five" and insert in lieu thereof the word "forty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles C. Joralemon."

MARY FARRELL.

The next pension business was the bill (H. R. 2110) granting a pension to Mary Farrell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Farrell, widow of James Farrell, late private in Company K, Third Regiment Vermont Infantry Volunteers, and pay her a pension of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "private in" and insert in lieu thereof the word "of."

In line 7 strike out the words "Infantry Volunteers" and insert in lieu thereof the words "Volunteer Infantry."

In line 8 strike out the words "of twelve" and insert in lieu thereof the words "at the rate of eight."

In same line, after the word "month," insert the words "such pension to cease upon proof that the soldier is still living."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

OLIVER A. FILMAN.

The next pension business was the bill (H. R. 790) granting an increase of pension to Oliver A. Fillman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Oliver A. Fillman, late of Company C, Fifty-first Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Fillman" and insert in lieu thereof the word "Filman."

In line 8 strike out the word "fifty" and insert in lieu thereof the word "twenty-four."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Oliver A. Filman."

JAMES LITTLETON.

The next pension business was the bill (H. R. 8167) granting an increase of pension to James Littleton.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James Littleton, late of Company D, Twenty-second Regiment Kentucky Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out the word "thirty" and insert in lieu thereof the word "twenty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

GERTRUDE MERRILL.

The next pension business was the bill (H. R. 2121) granting a pension to Gertrude Merrill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Gertrude Merrill, widow of Charles P. Merrill, unassigned, Fourteenth Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $12 per month.

The amendment recommended by the committee was read, as follows:

In line 6, before the word "unassigned," insert the word "late."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

JOHN W. HILL.

The next pension business was the bill (H. R. 2855) granting an increase of pension to John W. Hill.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John W. Hill, late a private in Company H, First Regiment North Carolina Volunteer Infantry, war of the rebellion, and pay him a pension of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the words "a private in" and insert in lieu thereof the word "of."

In lines 7 and 8 strike out the words "war of the rebellion."

In line 8, after the word "pension," insert the words "at the rate."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

HENRIETTA A. PRYCE.

The next pension business was the bill (H. R. 2869) granting an increase of pension to Mrs. Henrietta A. Pryce, widow of Capt. Thomas H. Pryce.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Henrietta A. Pryce, widow of Capt. Thomas H. Pryce, late of Company I, Thirty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out the word "Mrs."

In line [illegible] after the word "Henrietta" [illegible]

In line [illegible] strike out the word "of" and insert in lieu thereof the word "[illegible]."

In line 8 strike out the word "thirty" and insert in lieu thereof the word "[illegible]."

The amendments were agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, accordingly was read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Henrietta A. Pryce."

THEODORE E. CHATFIELD.

The next pension business was the bill (S. 2239) granting an increase of pension to Theodore E. Chatfield.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Theodore E. Chatfield, late of Company B, First Regiment Iowa Volunteer Cavalry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

LOUISA R. CHITWOOD.

The next pension business was the bill (S. 2289) granting an increase of pension to Louisa R. Chitwood.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Louisa R. Chitwood, widow of George R. Chitwood, late of Company F, Seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving, and $[illegible] per month for the use and benefit of the minor children of said George R. Chitwood until they reach the age of 16 years.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

EMMA E. S. WRIGHT.

The next pension business was the bill (S. 2053) granting an increase of pension to Emma E. S. Wright.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emma E. S. Wright, widow of David V. N. Wright, late acting master, United States Navy, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time; and accordingly was read the third time, and passed.

JAMES M. MARKHAM.

The next pension business was the bill (S. 89) granting an increase of pension to James M. Markham.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James M. Markham, late of Company A, Second Regiment East Tennessee Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

MARY F. PENTZER.

The next pension business was the bill (S. 3405) granting an increase of pension to Mary F. Pentzer.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary F. Pentzer, widow of Patrick H. Pentzer, late captain Company C, Ninety-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

ELIZABETH M. BANTA.

The next pension business was the bill (S. 2563) granting an increase of pension to Elizabeth M. Banta.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elizabeth M. Banta, widow of William C. Banta, late captain Company B and major Seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

RUSSEL A. M'KINLEY.

The next pension business was the bill (H. R. 8421) for the relief of Russel A. McKinley.

The bill was read, as follows:

Be it enacted, etc., That Russel A. McKinley, who enlisted on the 23d of April, 1861, under the name of Wade Hampton, and was assigned to Company [illegible] Regiment [illegible] Volunteers, and who was discharged by reason of [illegible] on the 23d day of January, 1862, which he was required to do to enlist in the Regular Army, and who served in said Army as a commissioned officer for more than ninety days, be, and he is hereby, pensioned as a soldier of the war with Mexico, and the pension herein granted shall commence and become due and payable to any person by reason of the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

MARGARET J. SNOOK.

The next pension business was the bill (H. R. 12805) granting an increase of pension to Margaret J. Snook.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret J. Snook, widow of John N. Snook, late of Company H, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $[illegible] per month.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM KENNEDY.

The next pension business was the bill (H. R. 5091) granting an increase of pension to William Kennedy.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Kennedy, late [illegible] Company B, [illegible] Regiment Indiana Volunteers, and of Company G, Sixty-second and Sixty-fourth Regiment United States Colored Infantry, and to pay him a pension of $30 per month, the same to be in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Kennedy, late [illegible] Company B, [illegible] Regiment Indiana Volunteer Infantry, and of Company G, Sixty-second and Sixty-fourth Regiment United States Colored Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

HENRY P. HOWARD.

The next pension business was the bill (S. 3413) granting a pension to Henry P. Howard.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Henry P. Howard, late of the Ordnance Department, United States Army, war with Mexico, and pay him a pension at the rate of $30 per month.

The bill was ordered to be read a third time, was read the third time, and passed.

DAN H. WALLACE.

The next pension business was the bill (S. 3362) granting an increase of pension to Dan H. Wallace.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Dan H. Wallace, late of Company H, First Regiment North Dakota Volunteer Infantry, war with Spain, and pay him a pension at the rate of $30 a month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

JAMES E. HARRISON.

The next pension business was the bill (S. 3481) granting an increase of pension to James E. Harrison.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James E. Harrison, late of Company [illegible], Mounted Volunteers, Seminole Indian war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

RICHARD WILKS.

The next pension business was the bill (S. 3470) granting an increase of pension to Richard Wilks.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard Wilks, late of Company [illegible], First Regiment Missouri Volunteers, Mexican war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

Strike out the word "twenty-four" and insert in lieu thereof the word "[illegible]."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

WILLIAM TURNER.

The next pension business was the bill (S. 3656) granting an increase of pension to William Turner.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Turner, late of Company [illegible], Second Regiment Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

ASHLEY C. RIGGS.

The next pension business was the bill (S. 2122) granting a pension to Ashley C. Riggs.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ashley C. Riggs, late of Company [illegible], Second Regiment Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

SWEPSTON B. W. STEPHENS.

The next pension business was the bill (S. 3480) granting an increase of pension to Swepston B. W. Stephens.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Swepston B. W. Stephens, late [illegible] Company [illegible], Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Good," insert "late."

In line [illegible] after the word "[illegible]," insert "war with Mexico."

In line 9 strike out the word "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

BLANCHE L. CHUNN.

The next pension business was the bill (S. 1642) granting an increase of pension to Blanche L. Chunn.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Blanche L. Chunn, widow of [illegible], late of Company [illegible], Second Regiment Mounted Volunteers, war with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The bill was ordered to be read a third time, was read the third time, and passed.

FRANCIS M. GOOD.

The next pension business was the bill (H. R. 11229) granting a pension to Francis M. Good.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Francis M. Good, of Captain Gardner's company, Ninth Regiment Oregon Mounted Volunteers, Oregon Indian wars of 1855 and 1856, and pay him a pension at the rate of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 6, after the word "Good," insert "late."

In line [illegible] after the word "[illegible]," insert "war with Mexico."

In line 7, after the word "Oregon," insert "Mounted Volunteers, Oregon Indian wars of 1855 and 1856."

In line 9 strike out the word "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MARY J. WILSON.

The next pension business was the bill (H. R. 4941) granting a pension to Mary J. Wilson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary J. Wilson, widow of Andrew Wilson, late a gunner in the United States Navy, and pay her a pension of $12 per month.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "in the," and in the same line, after the word "pension," insert "at the rate."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

ALBERT COSTIGAN.

The next pension business was the bill (H. R. 7568) granting an increase of pension to Albert Costigan.

The bill was read, as follows:

Be it enacted, etc., That the pension now granted to Albert Costigan, late private in Company G, Third Regiment Kentucky Volunteers, Civil war, be, and the same is hereby increased to $30 per month, and the Secretary of the Interior is hereby authorized to place such additional sum on the pension roll as the provisions of the pension laws, and this act, shall take effect from and after the passage of this act.

The amendment recommended by the committee was read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Costigan, late of Company G, Third Regiment Kentucky Volunteers, Civil war, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

MATTHEW CALDWELL.

The next pension business was the bill (H. R. 7411) granting an increase of pension to Matthew Caldwell.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Matthew Caldwell, late of Company [illegible], Mounted Volunteers, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 5 strike out "a private."

In line [illegible] after "Infantry," insert "war with Mexico."

In line [illegible] strike out "twenty-four" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

GEORGE H. SWEET.

The next pension business was the bill (H. R. 3806) granting an increase of pension to George H. Sweet.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Sweet, late of Company [illegible], First Regiment United States Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Infantry," insert "war with Mexico."

In line [illegible] strike out "thirty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

KEZIA CHERRY.

The next business was the bill (H. R. 12056) granting an increase of pension to Kezia Cherry.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Kezia Cherry, widow of Peterson Cherry, late sergeant of Captain Newberry's mounted volunteers, Indian war, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

Change the spelling of the claimant's Christian name where it appears in the bill and the laws, to the right, to "Keziah."

In line [illegible] strike out "sergeant."

In line 7 change "Newberry" to "Newlen's," and in the same line insert, after the word "Volunteers," the words "Black Hawk."

In line 7, before the word "Illinois," insert "company."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CORINNE TOLMAN.

The next business was the bill (H. R. 7498) granting an increase of pension to Corinne Tolman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Corinne Tolman, widow of Cassius Thomas M. Tolman, late of Company —, First Regiment [illegible] Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out the word "Captain."

In line 7 strike out the words "of said party," and in the same line insert, after the word "late," the word "captain." In the same line strike out the word "Volunteer."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

MARGARET F. HARRIS.

The next business was the bill (H. R. 4798) granting an increase of pension to Margaret F. Harris.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Margaret F. Harris, widow of James C. Harris, late of Indian war, Company —, —— Regiment, Tennessee Volunteer Infantry, and pay her a pension at the rate of $15 per month in lieu of that she is now receiving.

The amendments recommended by the committee were read, as follows:

In line 7 strike out "Indian war" and insert "Captain Morrow's."

In the same line strike out "Regiment."

In lines 8 after the word "Infantry," insert "Florida Indian war."

In line 9 strike out "fifteen" and insert "twelve."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ANTHONY BRACKLIN.

The next business was the bill (H. R. 6067) granting an increase of pension to Anthony F. Bracklin.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anthony F. Bracklin, late of Company —, Forty-fifth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

Change the claimant's name in the title and in the body of the bill so as to read: "Anthony Bracklin."

In line 8 strike out "Forty-fifth" and insert "H. First Regiment."

In line 7 strike out "Regiment New York Volunteer Infantry" and substitute therefor "United States Artillery, war with Mexico."

In line 8 strike out "forty" and insert "twenty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

REBECCA MAYO.

The next business was the bill (H. R. 10935) for the relief of Rebecca Mayo.

The bill was read, as follows:

Be it enacted, etc., That the pension of Rebecca Mayo, widow of Steven Mayo, deceased, be increased from $12 to $25 per month, she being over 90 years of age and the only widow except one of the Revolutionary war, the present allowance being insufficient for support.

The amendments recommended by the committee were read, as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Rebecca Mayo, widow of Stephen Mayo, late of the Virginia Line, war of the Revolution, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving."

Amend the title so as to read: "A bill granting an increase of pension to Rebecca Mayo."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

CHARLES B. HUNT.

The next business was the bill (H. R. 5682) granting an increase of pension to Charles B. Hunt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles B. Hunt, late private Company C, First Regiment Michigan Infantry, war with Mexico; second lieutenant Company I, Ohio Cavalry; captain Company K, Second Regiment Missouri Cavalry; major Second Regiment Missouri Cavalry; lieutenant-colonel Second Regiment Missouri Cavalry, civil war, and colonel First Regiment Ohio Volunteer Infantry, war with Spain, and pay him a pension at the rate of $75 per month in lieu of that he is now receiving.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "private" an insert "of."

In line 7, after the word "Michigan," insert the word "Volunteer."

[illegible] after the word "Mexico," in line 7, down to and [illegible]

In line 8 strike out "seventy-five" and insert "thirty."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM DAVIS.

The next business was the bill (H. R. 5476) granting an increase of pension to William Davis.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Davis, late of Company A, First Regiment Tennessee Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment recommended by the committee was read, as follows:

In line 8 strike out "thirty" and insert "twenty."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

SARAH J. HERRMAN.

The next business was the bill (H. R. 2371) granting a pension to Sarah J. Herrman.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah J. Herrman, widow of the late Mary Mexico Herrman, a soldier of the Mexican war, and pay her a pension at the rate of $8 per month.

The amendments recommended by the committee were read, as follows:

Change the spelling of the claimant's surname in the title and the body of the bill to read "Herrman."

In line 8 strike out "widow of," strike out "the late" and in the same line, after "Mary Mexico Herrman," insert "a soldier of the Mexican war" and insert "late of Company C, Second Regiment United States Infantry, war with Mexico."

In line 8 strike out "twenty" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

ELLENDER C. MILLER.

The next business was the bill (H. R. 6482) granting a pension to Ellender C. Miller.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ellender C. Miller, late private Company —, Second Regiment Mounted Volunteers, war with Mexico, Creek war, and pay her a pension at the rate of $25 per month.

The amendments recommended by the committee were read, as follows:

In line 7, after the word "Creek," insert "Indian."

In line 8 strike out "twenty-four" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

LOUIS DE WITT.

The next business was the bill (H. R. 9709) granting a pension to Louis DeWitt.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis DeWitt, late scout of the Eleventh Infantry, and pay him a pension at the rate of $30 per month.

The amendments recommended by the committee were read, as follows:

In line 6 strike out "scout of the Eleventh Infantry" and insert "sergeant, detachment of Indian scouts, United States Army."

In line 7 strike out "twelve" and insert "eight."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

WILLIAM H. STEINMANN.

The next business was the bill (H. R. 9592) for the relief of William H. Steimann.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of William H. Steimann, Company A, Sixteenth United States Infantry, and pay him a pension of $30 a month.

The amendments recommended by the committee were read, as follows:

Change the title so as to read: "A bill granting an increase of pension to William H. Steimann."

Change the spelling of the claimant's surname where it appears in the bill [illegible]

In line [illegible] "company," insert "late of;" and in the same line [illegible] "at the rate."

[illegible] "per month."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. SULLOWAY, a motion to reconsider the several votes by which the various bills were passed was laid on the table.

SERVICE-PENSION BILL.

Mr. MIERS of Indiana. Mr. Speaker, I desire to be recognized for an [illegible] to address some remarks upon the matter of a general pension bill.

The SPEAKER. The gentleman is recognized for one hour.

Mr. MIERS of Indiana. Mr. Speaker, the people of the United States of America appreciate the sacrifices and services of the American Army, and no one begrudges any amount necessary to their equipment, comfort, or care. Congress has from time to time enacted pension laws and made [illegible] of the nation's obligation and [illegible] laws. This Government has paid to soldiers, their widows and children, and dependents, pensions for all the wars in which the United States has been engaged $3,038,623,590.16.

Revolutionary war, estimated	$70,000,000
[illegible]	[illegible]
War with Spain	2,8[illegible]
Total	3,038,623,590.16

We have at the present session appropriated $138,150,100. There is a universal demand from all over the country for further legislation. Not many less than fifty bills have been introduced [illegible] in some way at a service pension. These bills all possess more or less merit and every one aims at an extended and more [illegible] system. When such proposed measures are introduced they should be considered in a business way, that we may better understand the subject and be better prepared to act. To that end I want to submit some facts and figures.

The Grand Army bill proposes to pay pensions of a [illegible] $12 per month, House bill No. 11140 to pay such house rent as should be added to $12, and provides that 10 years of age shall be taken as total disability; that those with three years' service shall be entitled to a pension of [illegible] per month, those with thirty months' service to $17 per month, those with two years' service to $16 per month, those with eighteen [illegible] $14 per month, and those with one year's service [illegible] and soldiers with twenty days' service and [illegible] as to require the aid and attention of another, [illegible] of service, origin or not, shall be entitled to $30 per month.

I desire to compare the respective merits of these two bills and the [illegible] of their cost.

By reference to the report of the Commissioner of Pensions of June 30, 1903, the number of pensioners and the amount each one is drawing may be ascertained. I have made a calculation to determine the exact amount required to increase them, respectively, to $12, the amount proposed by the Grand Army bill, and to increase them to $10, the amount proposed by House bill No. 11140, [illegible] by myself. I submit the calculations in full, which are as follows:

UNDER GENERAL LAW.

Amount proposed by—	Present rate.	Proposed monthly increase.	Number of pensioners.	Proposed increase per annum.
Grand Army bill:				
$12	$2.00	$10.00	4	$480.00
[illegible]	3.00	9.00	1	[illegible]
12	4.00	8.00	5	[illegible]
12	5.00	7.00	7	[illegible]
12	6.00	6.00	37,410	2,693 [illegible]
12	6.25	5.75	14	[illegible]
12	6.37½	5.62½	2	[illegible]
12	6.75	5.25	1	[illegible]
12	7.00	5.00	37	2,220.00
12	7.50	4.50	336	12,[illegible]
12	7.75	4.25	4	[illegible]
12	8.00	4.00	34,156	1,639 [illegible]
12	8.25	3.75	[illegible]	[illegible]
12	8.50	3.50	306	12,[illegible]
12	8.62½	3.37½	1	40.50
12	8.75	3.25	5	195.00
12	9.00	3.00	212	7,632.00

UNDER GENERAL LAW—continued.

Amount proposed by—	Present rate.	Proposed monthly increase.	Number of pensioners.	Proposed increase per annum.
Grand Army bill—Continued:				
$ [illegible]	9.25	2.75	5	[illegible]
[illegible]	9.41	2.59	16	[illegible]
[illegible]	9.50	2.50	5	[illegible]
12	10.00	2.00	23,[illegible]	550.[illegible]
[illegible]	10.00	2.00	11	[illegible]
[illegible]	10.00	1.50	11	[illegible]
12	10.00	1.42½	1	[illegible]
12	10.00	1.25	4	[illegible]
12	10.00	1.00	54	[illegible]
12	11.00	.75	16	1,[illegible]
12	11.00	.66⅔	9	[illegible]
12	11.00	.50	11	[illegible]
12	11.25	.25	11	[illegible]
Total				4,945.[illegible]
House bill No. 11140:				
$ [illegible]	2.00	8.00	4	384.00
[illegible]	3.00	7.00	1	[illegible]
[illegible]	4.00	6.00	1	[illegible]
[illegible]	5.00	5.00	7	[illegible]
[illegible]	6.00	4.00	37,410	1,796.[illegible]
[illegible]	6.25	3.75	14	[illegible]
[illegible]	6.37½	3.62½	2	[illegible]
[illegible]	6.75	3.25	1	[illegible]
[illegible]	7.00	3.00	37	1,[illegible]
[illegible]	7.50	2.50	336	2,[illegible]
[illegible]	7.75	2.25	4	[illegible]
[illegible]	8.00	2.00	34,156	819.[illegible]
[illegible]	8.25	.75	5	[illegible]
[illegible]	8.50	.50	306	5,[illegible]
[illegible]	8.62½	.37½	1	[illegible]
[illegible]	8.75	.25	5	[illegible]
[illegible]	9.00	1.00	212	2,544.00
[illegible]	9.00	.75	5	[illegible]
[illegible]	9.50	.50	16	[illegible]
[illegible]	9.75	.25	5	[illegible]
Total				2,[illegible]

To increase the general-law pensions to $12 it would require $4,[illegible]80. To increase to $10 it would require $2,634,831.50. The Grand Army bill would require $2,310,339.27 more than House bill No. 11140.

See the Commissioner's report, June 30, 1903, for those drawing under the June, 1890, act.

I have likewise made a calculation as to this class, and submit the calculation as follows:

To increase those under June, 1890, act to $12 would require $14,618,604. To increase those under June, 1890, act to $10 would require $7,612,182. The Grand Army bill would require $7,006,622 more than House bill No. 11140.

ACT JUNE 27, 1890.

Amount proposed by—	Present rate.	Proposed monthly increase.	Number of pensioners.	Proposed increase per annum.
Grand Army bill:				
$12	$6.00	$6.00	87,984	$6,334,848.00
12	7.00	5.00	2	[illegible]
12	7.50	4.50	4	[illegible]
12	8.00	4.00	141,203	6,777.[illegible]
12	9.00	2.50	1	[illegible]
12	10.00	2.00	53,744	1,2[illegible]
12	11.50	.50	1	6.00
Total				14,402,820.00
House bill No. 11140:				
$10	6.00	4.00	87,984	4,223,232.00
10	7.00	3.00	2	[illegible]
10	8.00	2.00	141,203	3,388,872.00
10	9.50	.50	1	6.00
Total				7,612,482.00

See committee report, June 30, 1903, for the widows drawing the minimum pension, $8.

I have also made a calculation as to the amount necessary to increase the widows, respectively, to $12 and $10, and submit the calculation as follows:

UNDER ACT OF JUNE 27, 1890.

Amounts proposed.	Present rate.	Proposed monthly increase.	Number of pensioners.	Proposed increase per annum.
Grand Army bill:				
$12	$8	$4	157,255	$7,548,240
House bill 11140:				
$10	8	2	157,255	3,774,120

To increase the widows to $12, it would require $7,548,240. To increase the widows to $10, it would require $3,774,120. The

Grand Army bill would require $3,774,120 more than House bill 11140.

UNDER GENERAL LAW.

Amounts proposed.	Present rate.	Proposed monthly increase.	Number of pensioners.	Proposed increase per annum.
Grand Army bill:				
$12	$8	$4	1,994	$93,312
House bill 11140:				
$10	8	2	1,994	46,656

As to those drawing under the general law and under the act of June, 1890, and the widows, it is a mere matter of calculation into which no element of doubt can enter.

Under the Grand Army bill it would be $4,945,570.80 plus $11,618,684 plus $7,548,240 plus $93,312, equals $27,205,736.80.

Under House bill 11140 it would require $2,634,631.50 plus $7,612,182 plus $3,774,120 plus $46,656, equals $14,067,589.50.

The next class to be considered is the class that is not on the roll. These can only be estimated. From data furnished by the Pension Bureau it is ascertained that there are 180,000 of them. Taking this as the number, the next thing to determine is how many of these would be placed on the roll if we enact the proposed legislation. There are a great many who never have and never will apply. I know in my immediate vicinity at least four of such, and I can only recall three or four who have applied and failed. I have made inquiry, and from all the information I can gather I think there would not be more than 90,000 placed on the roll—that being one half of the number not now on. For the purposes of this calculation I take a large proportion and assume that 100,000 would be placed on the rolls by reason of this class. I am sure this would be a large estimate for the first year. It would be many years before this many would be placed on the roll, and in the meantime death would claim many, so that I hardly think 100,000 of these would ever find their way to the pension rolls.

Taking the number as 100,000, the Grand Army of the Republic bill, at $144 per year, would require $14,400,000; House bill No. 11140, at $120 per year, would require $12,000,000. There being 170,000 to 200,000 eligibles not on roll, it is estimated that 100,000 would apply.

	Amount proposed.	Number.	Total amount.
Grand Army bill	$12.00	100,000	$14,400,000
House bill 11140	10.00	100,000	12,000,000

By reason of the calculation heretofore made, the Grand Army of the Republic bill would require $37,205,736.80. Add this sum to $14,400,000, and we have a grand total of $41,605,736.80.

By reason of the calculation heretofore made, House bill No. 11140 would require $14,067,589.50; add to this on account of these same eligibles $12,000,000, and we have a grand total of $26,067,589.50.

That would be the total increase without taking into account any deaths and other reasons for lessening the roll. See Commissioner's report, June 30, 1903, and it will be seen there was lost from the rolls during 1903 by death, 40,907; by remarriage, 1,152; by legal limitations (minors), 2,791; for other causes, 1,146; total, 47,996. This would lessen the amount required each year, so that the calculations submitted are in excess of the amount that will be required.

The foregoing calculations and estimates complete the increase under the Grand Army bill, but House bill No. 11140 provides that all soldiers with an honorable discharge and three years' service who have arrived at the age of 65 years shall draw a pension of $20 per month; with two and one-half years' service, $17 per month; with two years' service, $16 per month; with one and one-half years' service, $14 per month; with one year's service, $12 per month.

By the foregoing calculations all soldiers now on the roll have been brought up to $10 per month, including 100,000 that may be placed on the roll.

We will have to approximate how many have arrived at the age of 65 years to see how many more must be taken into account.

According to the Commissioner's report of June, 1903, there are 173,487 soldiers of the rebellion on the pension roll under the general law that are drawing between $12 and $20, and under the June, 1890, act there are 219,861; total, 293,348. Assuming that one-half have arrived at the age of 65, the number to be increased would be 146,674. The next inquiry should be how much will the increase be. The same report of June, 1903, shows the average rate of pension to be: Those drawing under the general law average per annum $176.16; those drawing under the June, 1890, act average per annum $108.82; general average, $142.49.

Under the proposed bill the amounts received would be $240, $204, $192, $168, $144; general average, $189.60.

The general average would be an increase from $142.49 to $189.60, an average increase of $47.11.

We have found the number to be increased 146,674, at an average annual increase of $47.11, would require $6,909,812. This amount should be added to the amount heretofore found—to $26,067,589.50 add $6,909,812, and we have a grand total required under H. R. 11140 of $32,977,401.50.

There is still the 100,000 that must be brought from $10 per month to $12 per month. Again, assuming that one-half have arrived at 65 years, there would be 50,000 that would be increased by $24 per annum, or $1,200,000. Thus $1,200,000 added would bring the total up to $34,177,401.50. There is yet the class totally disabled, so as to require the aid of an attendant, that H. R. 11140 proposes to increase to $30. How much will be required? This increase would amount to $216 per annum. Assuming that 3,500 would be increased—that would be one in forty—it would require $756,000. This sum added, the grand total would be $34,933,401.50.

RECAPITULATION.

To bring all under general law up to $10 per month would require	$2,634,631.50
To bring all under June, 1890, act up to $10 per month would require	7,612,182.00
To bring all widows' claims up to $10 per month would require	3,774,120.00
By reason of the eligibles to $10 per month would require	12,000,000.00
By reason of widows under general law	[illegible]
By reason of long service	6,[illegible]
To bring the eligibles from $10 to $12 per month	1,200,000.00
To increase the totally helpless	756,000.00
A grand total of	34,933,401.50

I have, in my judgment, made all these calculations on a liberal basis, so much so that I believe that sum will not be required, but let us assume it will be. What are you going to do about it? This is a large increase. Will the Treasury permit it? Does the country expect it? There has been no general pension legislation since June, 1890. The country seems to expect the passage of the Grand Army bill, which would require an increase of $41,605,736.80.

The country therefore seems to expect an increase of $40,000,000 or more. House bill No. 11140 will require a considerably less sum than that. Which bill will the most nearly meet the demands, and which is the nearest just? An increase under the June act is provided by the Grand Army bill, but in no way recognizes length of service. By making the increase to $10 instead of $12, we save enough to add the per diem feature, still making a generous increase under the June act, and permitting us to recognize long and faithful service. I believe this fair and what the country and the old soldiers will approve. I think the men who had the long service and bore the brunt of the battle should not be ignored. It is but just to say that they naturally and necessarily did more to save the Union than the men of short service, and that fact should be recognized in a general pension law.

If two men, equally dependent and helpless and equally deserving, that had been in the same service, and equally faithful, but one had helped the farmer through one or two harvests, the other had been with him and helped fell the forest and bring the farm up to its present high state of cultivation, and the farmer was inclined to help them in their old and dependent days, who can doubt but his affections would go out more strongly to the man that had borne the longer fatiguing service. It is but natural and just. The country does not expect Congress to forget or ignore the men of long and faithful service, and will approve legislation that takes into account long and faithful service. House bill No. 11140 adds about one cent a day from date of muster to date of discharge. The distinction is, it gives a man who served three years more than the man who served only ninety days, because he served longer.

Can we afford to increase the pension roll $34,933,401.50? I say yes, and would not be willing to say no if it cost $40,000,000. Will the business interest of the country object? I submit it ought not. It will reap its share of benefit by this amount being put into general circulation. Besides, the money interest has had its day. These old soldiers made it possible for this country to be a united, great, and prosperous country, but for their service and sacrifice they would have lost.

In 1864, when General Grant was organizing and assembling a great army at Culpeper Court House, General Sherman at Chattanooga, and Sigel down the Shenandoah Valley, and other organizations of soldiers, great and small, the wage of battle was uncertain; the very life of the Republic was being despaired of; these men had to be fed and clothed. The national debt had already grown to nearly $2,000,000,000. The men who controlled

the great money markets would loan no more money. The greenbacks went down to 61.4 cents in March, 57.9 cents in April, 56.7 cents in May. The soldiers were enduring and fighting for the Union as no other soldiers had done or have since. The money power, that demands so much now, refused to strengthen the credit of the Government, and the value of greenbacks depreciated to 47.5. The man who had $100 in gold wanted $210.70 for it.

This was not the end. General Grant had lost nearly 70,000 men in the Wilderness; no one could predict what the end would be. General Lee with a force almost at the limits of the capital, and money power that had $100 was demanding $285 for it, and actually refused to loan the Government any more money. The Treasury turned to the people and the men who were fighting its battles in the field, and secured a loan of $20,000,000. If anyone doubts this statement let him turn to the report of the Secretary of the Treasury to Congress in 1864. The interest paid on the seven-thirties was $141,536,427.73.

June 30, 1864, Congress authorized the Secretary of the Treasury to make another effort to negotiate a loan on bonds redeemable in five years and payable in twenty years, with an interest of 6 per cent in coin. Four hundred million dollars were authorized, but only $125,561,300 were taken. Greenbacks were worth less than 50 cents on the dollar. The $125,561,300 were bought for $62,780,650, thus drawing the equivalent of 12 per cent in coin on the amount invested. In five years' time these bonds were redeemed for $125,561,300, making to the bondholder 12 per cent annually on his investment for five years, then redeemed at 200 per cent on the original loan.

Fathers, sons, husbands, and brothers were being shot to death in battle for the Union; many were dying of wounds and disease. The money power was depreciating the value of greenbacks in order that gold might flow back to them from the Treasury. Which class is entitled to the greatest credit; which did the most for the Union? The courage and patriotism of the soldiers, who hesitated at no sacrifice, at no cost of life or health, to save the Union.

Who begrudges these men, who endured such hardships, made such terrible sacrifices, and saved the Union, this small payment on the Government's obligations? These men were paid in the depreciated greenback dollar, worth only 47 cents. The bondholder was paid his interest in coin, and finally his bond was paid in gold. The soldiers' courage never failed; they never winced under hardship nor flinched in battle. They made all things possible to this Republic. Now that we have grown strong, let us not forget the obligation that once laid so close to everyone's heart nor the debt of gratitude that we owe.

This great Government gladly and willingly grants a liberal pension, which in a small degree compensates for the maimed limb, wounded and diseased body. Let us not forget these men who sacrificed and endured so much to preserve the Union our forefathers established.

It is not very infrequent that the regimental history gives 300, 400, and sometimes 600 and more as the total loss, killed and wounded and those who died in Confederate prisons. Sometimes 50 and many times more who for a consideration of money would take places in one of these regiments to be killed or wounded in battle or to die from neglect and starvation in a Confederate prison. Who is the Representative that has been voting for unnecessary and extravagant appropriations until the annual expenditures are near $1,000,000,000 who is ready to place the pruning knife into a sum necessary to provide a liberal pension for these men that endured so much that the Union might be saved?

Besides, there is no streak of economy entering into other appropriations; appropriations generally have increased more in proportion than is proposed by this legislation. The Naval Appropriation is increased by over $14,000,000. We are building great battle ships that cost many millions. We are expending many millions on account of the Philippines. We are entering into a scheme to construct an isthmian canal that will cost many hundred millions, and may reach near to $1,000,000,000. Others are willing to enter into a great ship-subsidy scheme that will cost many millions of dollars. Many of these schemes I do not believe in and only mention them to show that it is no real spirit of economy that may cause certain gentlemen to vote against this proposed legislation.

There is much boasting that there is great prosperity in the land and much talk of duty and national honor. Let use not neglect to bestow a little attention where recognition is most merited; let us not forget the most deserving of all. To do so amounts to smiting the hand that saved the Union; that made all things possible to the American Republic.

For one I shall urge the committee to favorably report House bill No. 11140; if I fail in that I will accept any amendment that seems reasonable and just, and if this fails I will vote for the G. A. R. bill or any other one that is reasonable and just.

While this is a larger increase than I had expected, and perhaps larger than Members generally expected, it is not extravagance; it is only justice. It is a just recognition by a generous Government of the faithful, patriotic service of the men who composed the greatest army that ever went forth to do battle for any country.

The passage of House bill No. 11140 would do away with the necessity for the special legislation that is now being enacted. It would bring all pensions up to $10; those that are helpless and dependent up to $12; those that are dependent and totally disabled to the extent of requiring the aid of an attendant up to $30, and adds about 1 cent a day from the date of muster to the date of discharge. This is what we are doing now by special acts. This bill would enable the Pension Bureau to do it by reason of the general law. This would do away with the necessity for nearly all special bills. I ask Members to carefully read the provisions of the bill, study its effects, and follow my calculations, and see if it is just and equitable; see if my calculations and estimates are not correct.

I think every Member of this House must be impressed with the necessity of some general legislation that will in a great measure do away with special bills. Congress can not treat all alike by special bills. We can only consider a very few of the requests received. Besides, we should enact a law that would relieve Congress and enable the Pension Bureau to do what the country expects and what Congress is doing in such an imperfect way. The investigation of this subject has led me to a higher appreciation of the Pension Bureau and its administration of the duties of that office.

The Bureau has the right to expect the enactment of this or some kind of legislation that will permit it to meet the demands of the country and avoid the apparent criticism by Congress, which is constantly enacting special bills granting relief to a few that can not be granted by the Pension Bureau, where the soldiers have the right to look for relief and all receive the same treatment. Every Member is estopped to criticise the Pension Bureau or its management so long as he refuses to vote for the enactment of a law that will permit the Bureau to do what he criticises it for not doing. The Bureau expends all the money Congress appropriates. It administers all the laws enacted by Congress. What more can it do? An old soldier totally disabled by locomotor ataxia, paralysis, blindness, or what not, unless of service origin, the Bureau can give no relief, yet Congress does, whether the disability is of service origin or not, grant the relief by giving him a pension of at least $30 per month, and constantly adds about 1 cent per day for length of service. House bill No. 11140 proposes that the Bureau shall do this, and provides that the minimum pension shall be $10. This will meet the demand of the country, will come near equal justice to all the country's defenders. Let's relieve Congress from spending much valuable time in enacting special pension bills, and enact a law that will permit the Bureau to administer the pension laws with justice and equality to all.

I am sure the members of the Grand Army of the Republic expect and demand legislation at the present session of Congress. I receive many letters in nearly every delivery of mail demanding that the committee shall recommend some kind of legislation, and many criticise the committee for not having done so. I do not desire to criticise the committee, but feel impelled to say that it is no fault of mine that the committee has not reported. I have urged the committee to consider and report, and will do so until it does make report. [Loud applause.]

CERTAIN TOWN LOTS IN OKLAHOMA TERRITORY.

Mr. CURTIS. Mr. Speaker, I have a privileged resolution from the Committee on Indian Affairs which, at the direction of the committee, I call up.

The SPEAKER. Is it likely to lead to any debate?

Mr. CURTIS. No debate whatever.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior is hereby directed to report to the House of Representatives, at his earliest convenience, the following matters, except such as may be deemed by him to be incompatible with the public interest, namely:

First. What amount of money has been derived from the sale of town lots in the towns of Lawton, Hobart, and Anadarko, in Oklahoma Territory, under act of Congress of date of March 3, 1901.

Second. What amount of money has been paid out, and to whom paid, as fees or costs of selling said lots; and what amount of money is now on hand to be distributed among said towns; and what is the amount due each town, respectively.

Third. When will said money be distributed among said towns, respectively.

Fourth. A copy of the report of Mr. Bonaparte, Mr. Chalmers, or any other inspector of the investigations of certain charges against United States officials in charge of Indian affairs in the Indian Territory. Also a statement of any other charges made against any United States officials in charge of Indian affairs in said Territory in 1903 and 1904, and of the action taken by the Department thereon.

Fifth. A statement showing the amounts of money arising from the sale of town lots in the Indian Territory, and from the grants of rights of way to

railroad companies in said Territory, and where said funds are at this time, [illegible] the banks or banks where said funds are now deposited, and what part of said funds have been paid to the Indians entitled to them, and what part of said funds have ever been paid to or applied for by Mansfield, Bledsoe & Cravens, the attorneys for the Choctaw and Chickasaw Indians, and have said Indians or any of them, ever intended against the payment of said attorneys and their associate attorneys, and what such protest, if any, was made to the Department or to the President of the United States.

Sixth. For what amount of money the said attorneys have received from said Indians, or from, which amount has the Indian Office or any other Department been informed thereof, and what amount has the Department allowed them. What amount of expenses in the prosecution of said claims have said attorneys.

Seventh. What amount have they contracted for as compensation from each of said tribes, and what is said agreement to be a portion of the estimated value of the property of each Indian that they succeed in excluding from the Indian roll.

Eighth. Whether the Department, at the request of said attorneys for said Indians, has received or approved the names of any Choctaw or Chickasaw Indians who are said to be Indian citizens and have always been admitted by their respective tribes and their names placed on the rolls and approved by and placed on the rolls by the Indian Commission.

Ninth. A copy of a departmental letter and telegram dated December 10, 1903, ordering the Indian Commission to suspend action relative to persons admitted to citizenship in the Choctaw and Chickasaw nations by said Indian authority, and the reasons therefor. Also, a copy of the letter of November 1, 1902, mentioned in said telegram.

Tenth. What action has been taken by the Department of the Interior relative to the reservation from allotment of timber lands in the Chickasaw nation, the law under which a reservation, if any, has been made, and the reasons therefor, and whether Indians have been refused allotments thereon, and if so, the reasons therefor.

Eleventh. Whether the attorneys for the Choctaw and Chickasaw nations have entered an agreement with the Commission to the Five Civilized Tribes, from a judgment rendered by the Supreme Court of the Choctaw and Chickasaw Nations, which has been passed by any court in the Indian Territory prohibiting the Commission from allotting such land to said Indians, which agreement has been given by the Department to certain Indians in said tribes.

Twelfth. Whether the members of the Indian tribes were represented at the meeting of the Choctaw council at the time of the delegation from the Department, and if so, and if any monetary favors were promised at the meeting of said council, to have stated the purpose and success of the two agents.

Thirteenth. Whether there has been any money paid to these agents, commonly known as the "interpreters" of the Choctaw and Chickasaw Indians, if so, the name to whom.

Fourteenth. Whether such arrangements have been delayed in the Cherokee Nation, and if so, [illegible] thereof. [illegible] to the Department and employees of the Mississippi Choctaws, whether depredations on these tribes are being made, and if so, why, whether the Department refuses to be bound by these agreements for enrollment, such a copy thereof has been furnished the Department attorney.

The following amendments recommended by the committee were read:

Page 2, line 1, strike out all after the word "Fourth," down to and including the word "thereon," at the end of line 3, and insert in lieu thereof the following:

"A copy of the report of any inspector or person authorized to investigate the conduct of the management of any United States officer in charge of Indian affairs in the Indian Territory."

Page 2, line 11, strike out all after the word "and," down to and including the word "Indians," line 18, and insert in lieu thereof the words "the disposition of the same."

Page 2, line 20, strike out the word "your" and insert in lieu thereof "the Indian."

Page 2, line 22, after the word "money," insert "if any."

Page 2, line 23, after the word "expended," insert "if any."

Page 2, line 24, strike out the word "same."

Page 2, line 25, strike out after the word "what" and insert in lieu thereof as follows:

"Amounts, if any, have been approved by the Interior Department between the Chickasaw and Choctaw Indians and attorneys for services in citizenship cases."

Page 3, line 11, strike out the word "therefor" and insert in lieu thereof "in connection with the same."

Page 3, line 2, strike out all after the word "Nation" down to and including "therefor," in line 3.

Page 3, line 15, after the word "Fourteenth," strike out down to and including "Also" in line 18.

Page 3, line 20, strike out all after the word "Choctaw" down to and including the word "attorney," in line 24.

The amendments were agreed to.

The resolution as amended was agreed to.

On motion of Mr. STEPHENS of Texas, a motion to reconsider the last vote was laid on the table.

PORT MISSOULA MILITARY RESERVATION, MONT.

Mr. DIXON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10761) to authorize the Secretary of War to accept from the citizens of Missoula, Mont., deeds donating to the United States certain lands for the enlargement of the military reservation of Fort Missoula, Mont.

The SPEAKER. The gentleman from Montana asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized to accept from the citizens of Missoula, Mont., deeds donating to the United States the following described lands for the enlargement of the military reservation of Fort Missoula, namely: The south half of the southwest quarter of section 25, the northeast quarter of section 35, the northeast quarter, the north half of the southeast quarter, and the north half of the northwest quarter of section 36, all in township 13 north and range 20 west of the Montana meridian in Missoula County, Mont.

The SPEAKER. Is there objection?

There was no objection.

The bill was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. DIXON, a motion to reconsider the last vote was laid on the table.

SUPREME COURT OF NEW MEXICO.

Mr. RODEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 1958) to provide for an additional associate justice of the supreme court of the Territory of New Mexico.

The SPEAKER. The gentleman from New Mexico asks unanimous consent for the present consideration of a bill, which the Clerk will report.

The bill was read, as follows:

Be it enacted, etc., That hereafter the supreme court of the Territory of New Mexico shall consist of a chief justice and two associate justices, any four of whom shall constitute a quorum. [illegible] SEC. 2. That it shall be the duty of the President to appoint such additional associate justice of said supreme court in manner now provided by law, who shall hold his office for the term of four years and until his successor is appointed and qualified.

SEC. 3. That the said Territory shall be divided into [illegible] and a district court shall be held in each district [illegible] judge, after assignment, [illegible]

SEC. 4. That the present chief justice and his associates are hereby vested with power and authority [illegible] provided for in the first section of this act as shall, in their judgment, be meet and proper.

SEC. 5. That the said district court shall have jurisdiction, and the same is hereby vested, [illegible] of the Territory now possessed and exercised by the district courts of said Territory, [illegible] powers two terms of said court shall be held annually [illegible] SEC. 6. That all laws in force in said Territory not inconsistent herewith shall remain in force as [illegible] the same may be amended or repealed by law.

SEC. 7. That all business now pending before the supreme court of said Territory and which shall be pending before said court at the time of the passage of this act shall be transferred to and be disposed of by the court herein created and established.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I should like to ask the gentleman what committee reported this bill?

Mr. RODEY. The Committee on the Judiciary; and it was a unanimous report.

Mr. PAYNE. This gives an associate justice in addition to the present force?

Mr. RODEY. Yes; and the committee found that it was absolutely necessary to provide for such officer.

Mr. PAYNE. Simply for the Territory of New Mexico?

Mr. RODEY. Yes.

Mr. PAYNE. How many have they now?

Mr. RODEY. Five; this makes six. The condition which is sought to be remedied by this bill has been a crying evil for years. The committee were unanimous in their report, both majority and minority voting for it, and the evidence showed that the Government now pays more money in securing other justices, witnesses, and jurors into the district in order to do the necessary business [illegible] at least to pay the salary of the additional justice.

Mr. PAYNE. How long is it since the judicial force there was increased?

Mr. RODEY. I think about ten years.

Mr. STEPHENS of Texas. I understand your supreme court is composed of the trial judges in the lower courts?

Mr. RODEY. Yes; these same judges perform duties as trial judges in the counties around and their own district court, and then when sitting together at the capital form the appellate tribunal.

Mr. STEPHENS of Texas. I happen to know something about the workings of that system, and I know the inconvenience of it, because the man who tries the case sits in the appellate tribunal.

Mr. RODEY. Yes; it was inconvenient when the judge that conducted the trial in the court below sat in the trial above, but that is done away with now. This bill provides that the judge who presided at the trial in the court below shall not sit at the hearing of the same in the supreme court. I think it is a very advantageous bill, and one that should be passed. The committee heard all the evidence and unanimously reported the bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS CANTALLA CREEK, IN ALASKA.

Mr. NEEDHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 6780.

The title of the bill was read, as follows:

A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Cantalla Creek, in the district of Alaska.

The bill and the amendment by the committee were read at length.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WILLIAMS of Mississippi. I will ask the gentleman from California if the provisions of the bill have the indorsement of the War Department?

Mr. NEEDHAM. The bill was referred to the War Department, and is unanimously reported.

The SPEAKER. The Chair hears no objection.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

The title was amended so as to read: "A bill authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska."

On motion of Mr. NEEDHAM, a motion to reconsider the vote by which the bill was passed was laid on the table.

UNIVERSITY OF MONTANA.

Mr. DIXON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 121.

The Clerk read as follows:

A bill (S. 121) granting additional lands adjacent to its site to the University of Montana.

Be it enacted, etc., That there is hereby granted to the University of Montana the following described land lying within Missoula County, Mont., and adjacent to the site of said university in said State, namely: The south half of section 26, the south half of the northeast quarter and the south half of the northwest quarter of section 26, the east half of the southeast quarter of section 23, all situated in township 13 north and range 19 west, the same to be used for a site for an observatory for said university.

The amendments recommended by the committee were read, as follows:

In line 3, page 1, after the word "the," insert the words "State of Montana for the use of the."

In lines 9 and 10 strike out the following words "the east half of the southeast quarter of section 24."

Add to the end of the bill as an additional section the following:

"SEC. 2. That the Secretary of the Interior is hereby authorized to issue a patent for the said land from the United States to the State of Montana."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. MANN. I would like to hear an explanation of that bill.

Mr. DIXON. Mr. Speaker, I will say that this is a tract of land situated on top of a bald knob right in the rear of the State University. A goat can not climb the hill. They ask it for a site for an astronomical observatory.

Mr. MANN. May I ask the gentleman whether they expect to get at it by the aid of the Langley flying machine?

Mr. DIXON. They expect to get at it by building some steps. It is a desolate hill at the back of the university.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to a third reading; and it was accordingly read the third time, and passed.

The title was amended so as to read: "An act granting additional lands adjacent to the site of the University of Montana to the State of Montana for the uses of said university."

On motion of Mr. DIXON, a motion to reconsider the vote by which the bill was passed was laid on the table.

PETRIFIED FOREST NATIONAL PARK.

Mr. LACEY. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 2529.

The Clerk read as follows:

A bill (H. R. 2529) to set apart certain lands in the Territory of Arizona as a public park, to be known as The Petrified Forest National Park.

Be it enacted, etc., That there is hereby reserved for settlement, entry, sale, or other disposal, and set apart as a public reservation, all those certain tracts, pieces, or parcels of land lying and being situate in the Territory of Arizona and particularly described as follows:

Townships 16 and 17 north, ranges 23 and 24 east, Gila and Salt River meridian, Arizona.

SEC. 2. That said public park shall be known as The Petrified Forest National Park, and shall be under the exclusive control of the Secretary of the Interior, whose duty it shall be to prescribe such rules and regulations and establish such service as he may deem necessary for the care and management of the same. Such regulations shall provide specially for the preservation from injury or spoliation of the mineralized or fossilized formations or deposits, natural curiosities, and wonders within said park.

SEC. 3. That the Secretary of the Interior be, and is hereby, authorized, in the exercise of his discretion, to rent or lease, under rules and regulations to be made by him, pieces or parcels of ground within said park for the erection of such buildings as may be required for the accommodation of visitors.

SEC. 4. That all funds arising from the privileges granted hereunder shall be covered into the Treasury of the United States as a special fund, to be expended in the care of said park.

SEC. 5. That all persons who shall unlawfully intrude upon said park, or who shall, without permission, appropriate, injure, or destroy any of the mineralized or fossilized formations or deposits found therein, or other natural wonders or curiosities therein, or commit unauthorized waste in any form upon the lands or other public property therein, or who shall violate any of the rules and regulations prescribed hereunder, shall, upon conviction, be fined in the sum of not more than $5,000, or be imprisoned for a period of not more than twelve months, or shall suffer both fine and imprisonment, in the discretion of the court.

SEC. 6. That the Secretary of the Interior is authorized to make exchange with the owners of any land included within the limits of the said Petrified Forest National Park of an equal quantity of nonmineral, vacant, surveyed public land open to settlement, within the limits of the Territory of Arizona, of approximately the same value, and when such exchanges are made the owners of such lands to be so exchanged shall convey the same by perfect title to the United States, and the Secretary of the Interior shall cause patents to issue for the public land so exchanged to the persons making such exchange or to their assigns.

The amendments recommended by the committee were read, as follows:

In section 1, line 3, after the word "reserve," strike out the word "for" and insert the word "from."

Also strike out all of section 6 and insert in lieu thereof:

"That in cases in which a tract covered by an unperfected bona fide claim or by a patent is included within the limits of said park, the settler or owner thereof may, if he desires to do so, relinquish the tract to the Government, and may select in lieu thereof a tract of surveyed, vacant, nonmineral land open to settlement in the Territory of Arizona, not exceeding in area the tract covered by his claim or patent; and no charge shall be made in such cases for making the entry of record or issuing patent to cover the tract selected: *Provided*, That in cases of unperfected claims the requirements of the laws respecting settlement, residence, improvements, etc., are complied with, the new claims, credit being allowed for the time spent on the relinquished claims."

Mr. PAYNE. I would like the gentleman to explain that bill.

Mr. HERMANN. I would like to ask the gentleman a question.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I have objected to several bills of this sort, giving for park purposes public lands. Therefore I desire to explain why I will not object to this. I understand this is a petrified-forest affair; that the land is situated in a desert; that it is absolutely useless for agricultural or mineral purposes, and that it is just lying there as a curiosity of nature, and that is all. So that I shall not make objection in this case.

Mr. HERMANN. I would like to ask the gentleman, as I did not distinctly hear a portion of the phraseology of the bill, does it provide that lieu land selections shall be within the area and an equal area?

Mr. LACEY. An equal area in the Territory of Arizona.

Mr. HERMANN. Does it say that the quality shall be precisely of the same character as that for which it is taken in lieu anywhere?

Mr. LACEY. That is eliminated. It is limited to the Territory of Arizona.

Mr. HERMANN. Well, as I understand the bill, there seems to be a phase in there that would seem to imply that. Will the gentleman kindly read that particular portion of the bill?

Mr. LACEY (reading):

And may select in lieu thereof a tract of surveyed, vacant, nonmineral land open to settlement in the Territory of Arizona, not exceeding in area the tract covered by his claim or patent.

That is the same law that we have in all the other cases.

Mr. HERMANN. I remember. I think, if the gentleman will read, that it provides that it shall be of the same value.

Mr. LACEY. That was in the original bill. I was reading the amendment as proposed by the committee. The amendment proposed by the committee places this selection on the same footing as all the other provisions for lieu lands, except that it is limited to the Territory of Arizona, so that the owner could not go out and take timber land in any other State or Territory; and it practically only could be used in the squaring up of the railroad grants in that Territory, because the land inside of the proposed park is all railroad land, not held by any other claims.

Mr. HERMANN. But I wish to make this suggestion to the gentleman, that if he does not require the selection of land of approximately the same value, that affords an opportunity of advantage to the people who are owning these worthless lands, for if there is worthless land in any part of God's earth it is within the proposed territory. Now then, why should the holders of these absolutely worthless lands be permitted to go into some Government timber tracts, which are in some places very valuable in the Territory of Arizona, and select lands worth perhaps a thousand times more in value than those they surrender? Does the gentleman not think it is time now for Congress to enter upon the proposition of requiring these people who are attempting to surrender worthless lands, many of them purchased with that object, and thereby take advantage of the Government—does he not think it is time now to enter upon the proposition of saying to them, "If you exchange these lands you must exchange acre for acre of land of the same value." Do you not think that is better?

Mr. LACEY. Not as to this proposition at all; and I will tell you why. We have upon the Calendar a separate bill regarding the proposition my friend has attempted so hard for so many years to have passed.

Mr. HERMANN. Thank you.

Mr. LACEY. Here is a proposition covering a comparatively small amount of land which is covered by fallen timber that fell so long ago that it makes a man dizzy to think of its antiquity.

This land to be exchanged is covered by this petrified forest. It is utterly impossible to find any other land of like character in the United States or upon the face of the earth. Consequently if we allow them to exchange this petrified timber land for anything they have in Arizona, and succeed in making the exchange, it will be a good exchange. The other proposition to which my friend has addressed himself in several of his reports to Congress, and upon which I sympathize with him very much, involves the broad question as to all the forest lieu lands all over the country, and ought not to be complicated with this little proposition of a comparatively small petrified forest in this Territory.

Mr. HERMANN. Will you permit me——

Mr. LACEY. I will say, Mr. Speaker, we have passed this bill in the House twice. It is the most marvelous curiosity in the United States, not even excepting the Yellowstone or the Yosemite. It is unparalleled upon the habitable globe, and we have the opportunity now, as it is public land and has been temporarily reserved—in fact, my friend from Oregon, exercising the function vested in him when Commissioner of the Land Office, withdrew this land from entry or settlement, and the bill I am now asking to have passed is substantially as that drawn by him, which I think is one of his wisest official acts.

Mr. PAYNE. Will the gentleman allow me to ask him this question: Is it not true that the only beauty of petrified wood is when sawed into cross sections and polished, and the trees are not beautiful as they lie upon the ground?

Mr. LACEY. They are wonderful rather than beautiful as they lie upon the ground, but they are broken in places, and the wonderful beauty of the interior is visible here and there in the fragments of the trees, and the temptation has led persons to dynamite the trees in order to get the crystals in the center. This is one reason of placing them in this state of reservation so they will be taken care of. These trees floated in there ages ago in an old arm of the sea, and the sand drifted over them and hardened into sandstone, and they were there covered up in this way perhaps millions of years ago. Now the land has slowly risen 7,200 feet above the sea and a stream has since slowly excavated a valley through the sandstone, taking off about 40 feet of the surface, exposing the trees and leaving them lying on the sand of the old sea bottom. They are from 80 to 140 feet in length, and many of them 5 feet in diameter, and there are places where they lie so numerous that you can step from one tree to another. There are petrified forests in other lands, but this is the petrified forest of the world.

Mr. RODEY. This is the most fine-colored one.

Mr. LACEY. It has all the colors of the rainbow, almost every color you can think of in the wood. It is the finest agatized. This old desert land is merely worthless for anything else. An effort was made to utterly destroy this forest a few years ago by sawing these trees up into table tops, and also by grinding them up into emery. The table tops have proved unsuccessful, because there were pin holes that marred the surface when cut in that form; and they put up a mill to grind the trees into emery powder. About the time they got the mill in operation, it was discovered in Canada, I believe, that they had a stone which was nearer transparent and which would make emery as well as this. It seemed like an interposition of Divine Providence that led to the discovery of the other stone in time to save some trees.

Mr. PAYNE. Does it cost material a commercial value for being cut into table tops?

Mr. LACEY. I was just explaining that it was supposed that they had. There was a land put up at Sioux Falls, they got title to some land and commenced to manufacture tables, but it was found that there were pin holes in all of them which spoiled the material for that purpose, so that it could not be successfully used in that way.

Mr. PAYNE. So the speculation failed?

Mr. LACEY. The speculation fortunately failed.

Mr. PAYNE. If this bill is passed, will it not enable the people to take lands in the irrigation district?

Mr. LACEY. As far as the irrigation district is concerned, irrigable lands are subject to withdrawal from entry under regulations, and there have been many withdrawals by the Land Department.

Mr. PAYNE. This would not open that up?

Mr. LACEY. No; it wouldn't open that up at all.

Mr. HERMANN. Will the gentleman from Iowa tell us about what the area is?

Mr. LACEY. About 40,000 acres, including the railroad land, or about 22,000 acres of public land.

Mr. HERMANN. I had a withdrawal made there several years ago.

Mr. LACEY. Yes; I understand the gentleman withdrew a good deal more than this bill includes. I was profoundly interested in this question and made a personal visit to the region. I went over the land in person and eliminated some fifty or sixty thousand acres that my friend had withdrawn, so as to reduce it to the smallest area necessary to preserve the proposed park.

Mr. HERMANN. I wish to say to the gentleman from Iowa that it came under my observation that whole carloads of these petrified trees were being taken away by vandals and curiosity seekers, and that unless something was done in a very short time nothing would remain of these giant trees that are there petrified, but the Government interest ought to be protected.

Mr. STEPHENS of Texas. Will the gentleman allow me a question?

Mr. LACEY. Certainly.

Mr. STEPHENS of Texas. Is it not a fact that the railroad company owns every alternate section?

Mr. LACEY. It does. There are also mineral locations, and it was thought at one time that it would be taken up under the mineral-land law, but they were afterwards abandoned and the locations fell back to the Government. The speculative feature of it did not justify them in holding the claims.

Mr. STEPHENS of Texas. Might not the passage of this bill bring about complications, and may not the railroad company seek to take lands that are much more valuable?

Mr. LACEY. They will have to take lands in Arizona, and they can not greatly better themselves unless they get into the irrigable lands.

Mr. HERMANN. Arizona contains some of the most valuable timber forests in the United States.

Mr. LACEY. But they were placed under reservation years ago. Practically all the valuable timber of Arizona has been withdrawn and is now within the forest reserve.

Mr. PAYNE. Mr. Speaker, I have understood the last four or five years that Arizona was the garden spot of the earth.

Mr. LACEY. It is, in spots; and one of the most beautiful land in the world is in Arizona; there is no question about that. But when there is a comparatively small area of good, arable land in Arizona the desert area is enormous, and the only way that the railroad company can realize anything on its grant for this land would be to square out some of their lands by taking alternate sections and thus utilize land for grazing purposes that is practically worthless.

Mr. STEPHENS of Texas. Is it not a fact that in what is known as the main chain of the Rocky Mountains there is one of the most valuable and largest forests of pure timber, and could not this railroad company recoup itself by mining those lands?

Mr. LACEY. I do not know of any timber land of any great value in Arizona—that is, when I say value, I mean anything that would be regarded as more valuable than this land, that they could get. The forest land has been practically all put into forest reserves, such as the San Francisco Reserve and the other reserves there and the Grand Canyon Reserve.

Mr. BURLESON. But the gentleman from Oregon [Mr. HERMANN] says that the gentleman from Iowa [Mr. LACEY] is mistaken about that.

Mr. LACEY. I think I am not, and when my friend from Oregon [illegible] original bill, when he was Commissioner of the Land Office, and sent it to me and asked me to introduce it, he did not have any question but that he had practically obviated all risk by limiting the taking of the lieu land to [illegible].

Mr. HERMANN. That is right, and I will say to the gentleman from Iowa [Mr. LACEY] that I [illegible] as I understand it, and say to [illegible] if they are willing to [illegible] lands, and they are [illegible] to do it—they must be [illegible] same value.

Mr. STEPHENS of Texas. [illegible] character and value.

Mr. LACEY. You might [illegible]

Mr. HERMANN. Appropriate [illegible]

Mr. LACEY. Why, there is not any land of like character anywhere on the face of the globe.

Mr. HERMANN. It is arid land.

Mr. PAYNE. Why not say lands of present value not exceeding a certain amount, if there is not any of like character or value?

Mr. LACEY. We do say not exceeding the same area.

Mr. PAYNE. Not to exceed a certain amount per acre. It seems to me as though some people had purchased this land in this area on speculation and that the speculation had turned out badly, that they found that the land had [illegible] and that therefore they now want to get rid of it and [illegible] land and some of the best land in Arizona, in its place. I do not like the looks of it.

Mr. LACEY. It is a matter that can be adjusted easily by voting down the amendment. The original bill is drawn exactly on the lines suggested by the gentleman from Oregon [Mr. HERMANN], viz. to have it of like character and value.

Mr. HERMANN. Yes; that is it.

Mr. LACEY. We passed it in that form, and it twice failed in the Senate.

Mr. HERMANN. Let us try again.

Mr. PAYNE. That would be simple. If the gentleman will withdraw the amendment, we will give him unanimous consent, and he can go on and pass his bill.

Mr. STEPHENS of Texas. That is right.

Mr. MANN. Mr. Speaker, may I ask the gentleman a question?

Mr. LACEY. Certainly.

Mr. MANN. What is the value of these lands?

Mr. LACEY. The railroad company has had this land for sale for forty years, and I suppose you could get it for a dollar and a quarter an acre.

Mr. MANN. Has it been offered for sale at that price?

Mr. LACEY. It has all been offered for sale, and in the recent great sales of railroad lands the Santa Fe Railroad Company last year sold approximately 1,000 acres of land, while the Northern Pacific sold 8,000,000 of acres of their grant. This desert land has not been in demand.

Mr. STEPHENS of Texas. Does the gentleman think that out in Arizona, with many millions of acres to select from, there need be any difficulty in this respect?

Mr. LACEY. We have limited this to Arizona. Let the amendment go out if it is unacceptable.

Mr. PAYNE. If the gentleman asks the passage of the bill without the amendment I have no objection to it.

Mr. JONES of Washington. Why not provide in this bill that no timber land shall be taken? I think such a provision would meet the objection of the gentleman from Oregon [Mr. HERMANN] and also of the gentleman from New York [Mr. PAYNE].

Mr. PAYNE. They have some very valuable agricultural land out there.

Mr. JONES of Washington. I thought that might meet the objection.

Mr. PAYNE. I do not want those people to get everything from the United States for nothing; I am willing they shall get something for nothing.

Mr. LACEY. They already have this land. It is only an exchange of other public land in Arizona for this petrified forest that is proposed.

The SPEAKER. Does the gentleman from Iowa [Mr. LACEY] modify his request for unanimous consent?

Mr. LACEY. I am willing also to insert after the word "nonmineral" the word "nonforested." That would obviate the objection of my friend from Oregon.

Mr. HERMANN. Yes; but I think the words "approximate value" would be better.

Mr. LACEY. That involves much mystery. It might be very hard to find the "approximate value." It would be difficult to put an estimate on the value of land where real value is because of the strange scenic beauties with which it abounds.

Mr. PAYNE. Why not provide that this land shall not exceed in value $2 an acre, or, as a friend here suggests, $1.25? I am willing that the bill should pass in that shape.

Mr. LACEY. This land has been open to settlement for forty years, and nobody has taken it up. Our friends here are imagining that some mysterious gentlemen are trying to get hold of some land in Arizona. If anybody wants land out there, there is plenty of it. All they have to do is to go and take it. There are millions of acres of public land open to settlement in that Territory. No settlers are going into the desert part of the Territory.

Mr. PAYNE. The point seems to be this: Some people have land in Arizona that has proved to them very unremunerative; and now, having property which is worth nothing, which they can not use, they want to get rid of it and at the same time to get all they can for it. In this matter I am representing the United States.

Mr. LACEY. What land does the gentleman refer to?

Mr. PAYNE. These 18,000 acres.

Mr. LACEY. That is an assertion that the gentleman ought not to make. These people are not asking to have this land disposed of.

Mr. PAYNE. I do not suppose that "these people" came to the committee. That is not the way people do when they have land of that kind that they want to dispose of.

Mr. LACEY. In fact, the railway company has at no time expressed a willingness to dispose of this land. I do not know whether we shall be able to get it. The bill proposes to make a part of the Government sections in the petrified forest, and to authorize an exchange of other Government lands for the railway sections that are covered with these petrified trees. Should the company refuse to exchange, then the park would be limited to the Government sections.

Mr. STEPHENS of Texas. I should insist that the term "nonirrigable" shall go in with "nontimbered" and "nonmineral."

Mr. LACEY. Why not insert "land absolutely worthless?"

Mr. STEPHENS of Texas. The gentleman stated, I believe, that this land is not irrigable?

Mr. LACEY. Certainly.

Mr. STEPHENS of Texas. Then, what could be the objection to such an amendment?

Mr. LACEY. This land, which is covered with a petrified forest, it is now proposed to exchange for something of a like character, when we know there is nothing else of a like character.

Mr. STEPHENS of Texas. Is not the gentleman aware of the fact that the Secretary of the Interior now, under the irrigation law, has the right to set apart any part of the public domain where reservoirs can be formed?

Mr. LACEY. Yes; he has done so.

Mr. STEPHENS of Texas. Suppose that these people should find a place where there is a good site for an irrigation dam and below that they should take this 18,000 acres of land; would not that be irrigable land, or land that could be made irrigable?

Mr. LACEY. Yes.

Mr. STEPHENS of Texas. And would not that be a great deal more valuable than this land, which can not be made irrigable?

Mr. LACEY. Yes; but all that land has been withdrawn already under the irrigation law, so this has been anticipated; the danger is wholly imaginary.

Mr. STEPHENS of Texas. My information is that on the lower Gila River there is a proposition to build these dams, and that the land below has not been withdrawn at the present time.

Mr. HOGG. May I ask the gentleman a question?

Mr. LACEY. Yes.

Mr. HOGG. How much of this land has been entered?

Mr. LACEY. None of it.

Mr. HOGG. What need have you for taking it out?

Mr. LACEY. There is a railroad grant through it. This petrified forest is within 6, 8, or 10 miles of the Atchison, Topeka and Santa Fe Railroad, and all this public land that we are seeking now to make a park of has been opened, so that anybody could have gone and taken it at any time within the last forty or fifty years.

Mr. HOGG. You are seeking to reserve this land in order to preserve these curiosities?

Mr. LACEY. Yes; merely the curiosities.

Mr. HOGG. Do you have to reserve 40,000 acres to preserve the curiosities?

Mr. LACEY. It takes about that much land to cover the entire tract.

Mr. HOGG. I will ask the gentleman who is asking that this be done?

Mr. LACEY. The first request came from the Secretary of the Interior. I believe that my friend from Oregon [Mr. HERMANN] prepared the original proposition. The question has been brought up by a great many different persons. This is really, as I said before, I think, the most remarkable curiosity remaining in the ownership of the Government of the United States; the most remarkable, I think, possibly, on the face of the earth. The lovers of Nature's wonders in all parts of the country are interested in the question. There has been much interest in the subject.

Mr. HOGG. You say for anything except these curiosities it is not worth anything?

Mr. LACEY. It is not worth anything.

Mr. HOGG. Then you propose to give these people land worth the same amount—perfectly worthless land.

Mr. LACEY. No; to let them exchange for any public land anywhere in Arizona.

Mr. HOGG. But it can not have timber on it, and it can not be irrigated, and it can not be mineral land. I should like to know what kind of land they have in Arizona that anybody would be willing to take.

Mr. HILL of Connecticut. I should like to suggest that in the absence of the Delegate from Arizona this matter ought to go over, or else we ought to hear from the gentleman from New Mexico [Mr. RODEY], who is perfectly familiar with this whole matter.

Mr. WM. ALDEN SMITH. And who will undoubtedly soon be coming to Washington from Arizona.

Mr. HILL of Connecticut. And who will undoubtedly become the Senator from Arizona in a very short time.

The SPEAKER. Is there objection?

Mr. PAYNE. Mr. Speaker, I am unwilling to consent——

Mr. LACEY. I withdraw the amendment, then, on page 3.

Mr. PAYNE. I should like to hear from the gentleman from Iowa how much of this 18,000 acres is covered by these petrified forests, if he knows.

Mr. LACEY. There are between thirty and forty thousand acres altogether in which these trees are, more or less; some ten or twelve thousand acres are the parts where the deposits are the heaviest.

Mr. PAYNE. Do we own that, or does some one else own it?

Mr. LACEY. We own most of it; a portion of it is covered by the railroad grant—the alternate sections.

Mr PAYNE. Don't you think that by setting aside the 22,000 acres that we own, preserving that, we might get along until we get some more information on the subject?

Mr. BURLESON. That is enough to satisfy curiosity.

Mr. PAYNE. You could satisfy quite a lot of curiosity if you travelled over 22,000 acres.

Mr. STEPHENS of Texas. Leave out the railroad land.

Mr. LACEY. I have noticed that when we strike anything that is especially arid and worthless, then some people get excited about "their heritage." I think maybe we had better withdraw this amendment on page 3 and require that the land exchanged be of the same value. It is the original bill.

But the problem as to what land would be of equal value to that of a petrified forest would be found rather a difficult one for the Land Department to solve.

The SPEAKER. The gentleman withdraws his amendment. Is there objection? [After a pause.] The Chair hears none.

Mr. LACEY. Now, Mr. Speaker, there is one other amendment by the committee, on line 3, page 1.

The question was taken, and the amendment was agreed to.

Mr. LACEY. Again on line 8, page 1, I move to strike out "seventeenth" and insert "seventeen." It is a misprint.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

BRIDGE ACROSS THE MISSOURI RIVER, YANKTON, S. DAK.

Mr. BURKE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 3780) authorizing the Yankton, Norfolk and Southern Railroad Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.

The bill was read at length.

The SPEAKER. Is there objection?

Mr. WILLIAMS of Mississippi. Mr. Speaker, I will ask the gentleman if the specifications of the bridge were submitted to the Secretary of War?

Mr. BURKE. They were.

Mr. WILLIAMS of Mississippi. And approved by him?

Mr. BURKE. They were.

Mr. WILLIAMS of Mississippi. Were the provisions of the bill submitted to him, too?

Mr. BURKE. Yes, sir.

The SPEAKER. The Chair hears no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. BURKE, a motion to reconsider the vote by which the bill was passed was laid on the table.

TO VALIDATE AND CONFIRM PATENTS IN BITTER ROOT VALLEY, MONTANA.

Mr. DIXON. Mr. Speaker, I ask unanimous consent for the present consideration of a bill to confirm and validate some old land titles.

The SPEAKER. The gentleman from Montana asks unanimous consent for the present consideration of the following bill:

The Clerk read as follows:

A bill (H. R. 6757) to confirm and validate patents to certain lands situated in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo Fork of the Bitter Root River.

Be it enacted, etc., That all patents heretofore issued for lands in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo Fork of the Bitter Root River, designated in the act of June 5, 1872, in court order as, preemption entries, mining entries, entries under the act of June 5, 1878, as extended to all the public land States by the act of August 4, 1892, commonly known as the "timber and stone" law, and for lands selected for the benefit of the university of the State of Montana prior to the passage of the act of August 4, 1894, are hereby confirmed and said patents canceled to all intents and purposes the same as if the law under which said patents were issued was applicable to said lands.

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to inquire as to the matter of these titles. This seems to be a pretty sweeping bill.

Mr. DIXON. I will say to the gentleman from New York that under a ruling of the Land Department and the Secretary of the Interior these settlers went into Bitter Root Valley, into fifteen townships which had originally belonged to the Flathead Indians. The Commissioner of the General Land Office held that under the laws enacted for the disposal of these lands the lands could be entered under the old preemption act of 1841. In 1894 the State of Montana was permitted to select a portion of its university land grant from these same lands, and selected them in these fifteen townships.

One hundred and fifty settlers, under the preemption act of 1841, under special authority and ruling of the Land Department, had gone on to these lands, and had obtained title to and held them under that special ruling of the Department until about a year ago, when some clerk in the Department reversed the former ruling, and since it has been held that entry could not hold these lands in these fifteen townships except under the act of 1872 and the homestead act. As soon as that ruling was made, speculators immediately began to seek to attack these entries. The effect will be, if they succeed, to take away from these men land that they have lived on, where they have developed their ranches and cultivated them and made improvements in absolute good faith and under an express ruling of the Land Department of this Government.

Mr. PAYNE. Does this bill in terms confine it to those fifteen townships?

Mr. DIXON. It is applicable to these fifteen original townships which originally belonged to the Flathead Indians.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. DIXON, a motion to reconsider the vote by which the bill was passed was laid on the table.

MINNIE GUSLER.

The SPEAKER laid before the House the bill (H. R. 4045) granting a pension to Minnie Gusler, with a Senate amendment, which was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

MARY GWYNN.

The SPEAKER also laid before the House the bill (H. R. 2019) granting a pension to Mary Gwynn, with a Senate amendment, which was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

CHARLES C. CHASE.

The SPEAKER also laid before the House the bill (H. R. 865) granting an increase of pension to Charles V. Chase, with a Senate amendment, which was read.

Mr. SULLOWAY. I move that the House concur in the Senate amendment.

The motion was agreed to.

MARY HUFF.

The SPEAKER also laid before the House the bill (H. R. 6352) granting a pension to Mary Huff, with Senate amendments, which were read.

Mr. SULLOWAY. I move that the House concur in the Senate amendments.

The motion was agreed to.

EMMA L. NAGLE.

The SPEAKER also laid before the House the bill (H. R. 6089) granting an increase of pension to Emma L. Nagle, with a Senate amendment, which was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

WILLIAM J. SHEPARD.

The SPEAKER also laid before the House the bill (H. R. 4526) granting an increase of pension to William J. Shepard, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

FRANK J. M'LAUGHLIN.

The SPEAKER also laid before the House the bill (H. R. 2477) granting an increase of pension to Frank J. McLaughlin, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

DANIEL W. HUFFMAN.

The SPEAKER also laid before the House the bill (H. R. 2920) granting an increase of pension to Daniel W. Huffman, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JOHN WATT.

The SPEAKER also laid before the House the bill (H. R. 2809) granting an increase of pension to John Watt, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JOHN G. FAIRCHILD.

The SPEAKER also laid before the House the bill (H. R. 2923) granting an increase of pension to John G. Fairchild, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

WILLIAM PITTENGER.

The SPEAKER also laid before the House the bill (H. R. 2032) granting an increase of pension to William Pittenger, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

CALEB ARNETT.

The SPEAKER also laid before the House the bill (H. R. 4136) granting an increase of pension to Caleb Arnett, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JOSEPH HINKLE.

The SPEAKER also laid before the House the bill (H. R. 4251) granting an increase of pension to Joseph Hinkle, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

FRANKLIN MOORE.

The SPEAKER also laid before the House the bill (H. R. 5367) granting an increase of pension to Franklin Moore, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JAMES R. HAUPTLY.

The SPEAKER also laid before the House the bill (H. R. 5555) granting an increase of pension to James R. Hauptly, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JOSHUA HARLAN.

The SPEAKER also laid before the House the bill (H. R. 5865) granting an increase of pension to Joshua Harlan, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JOHN HERZOG.

The SPEAKER also laid before the House the bill (H. R. 6025) granting an increase of pension to John Herzog, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

DAVID Z. BEIDLER.

The SPEAKER laid before the House the bill (H. R. 6426) granting an increase of pension to David Z. Beidler, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

EDWIN A. FORMAN.

The SPEAKER laid before the House the bill (H. R. 6705) granting an increase of pension to Edwin A. Forman, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

WILLIAM M. UNDERHILL.

The SPEAKER laid before the House the bill (H. R. 8058) granting an increase of pension to William M. Underhill, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JONATHAN J. SMITH.

The SPEAKER also laid before the House the bill (H. R. 8376) granting an increase of pension to Jonathan J. Smith, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

JAMES H. HARGIS.

The SPEAKER also laid before the House the bill (H. R. 9583) granting an increase of pension to James H. Hargis, with a Senate amendment.

The Senate amendment was read.

Mr. SULLOWAY. Mr. Speaker, I move that the House nonconcur in the Senate amendment and ask for a conference.

The motion was agreed to.

The SPEAKER appointed the following conferees on the part of the House: Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

CARL W. ALBRECHT.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 4405) to correct the military record of Carl W. Albrecht.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of War be and he is hereby authorized to correct the military record of Carl W. Albrecht, who was enrolled in the service of the United States in Company H, Thirteenth Minnesota Volunteer Infantry, April 29, 1898, as Charles Albrecht, and who was mustered on the roll as Charles Albrecht: That the Secretary of War be and he is hereby authorized to have the name on the roll changed from Charles Albrecht to Carl W. Albrecht, the true name of the soldier.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. STEVENS of Minnesota, a motion to reconsider the last vote was laid on the table.

WITHDRAWAL OF PAPERS.

By unanimous consent, Mr. WILLIAMS of Mississippi was given leave to withdraw from the files of the House, without leaving copies, the papers in the case of John Whitehead, Fifty-eighth Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WATSON, for one week, on account of important business.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 8355. An act to amend the act of Congress of March 11, 1902, relating to homesteads;

H. R. 7620. An act defining the limit of navigation of the Osage River, in the State of Missouri; and

H. R. 6345. An act for the relief of the State of Iowa.

ADJOURNMENT.

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 4 o'clock and 30 minutes p. m.) the House adjourned until Monday next at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriation for repairs, fuel, etc., for the Executive Mansion—to the Committee on Appropriations, and ordered to be printed.

A letter from the president of the Commissioners of the District of Columbia, recommending the acceptance of a bronze bust of George Frederick Handel—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of the Wabash River below Vincennes, Ind.—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. SMITH of Kentucky, from the Committee on the Judiciary, to whom was referred the bill of the House (H. R. 2531) to divide Wassaw on into two judicial districts, reported the same without amendment, accompanied by a report (No. 1243); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MINOR: A bill (H. R. 13159) to amend so much of an act approved March 3, 1903, authorizing the erection and completion of new buildings for the accommodation of the United States Naval Hospital, Washington, D. C., as concerns the location thereof—to the Committee on Public Buildings and Grounds.

By Mr. AIKEN: A bill (H. R. 13160) for the relief of the Miami Indians—to the Committee on Indian Affairs.

By Mr. GILLETT of California: A bill (H. R. 13161) to appropriate $300,000 for the construction of restraining barriers for the purpose of the protection of navigation of the Sacramento and San Joaquin rivers, in California—to the Committee on Rivers and Harbors.

By Mr. VAN DUZER: A bill (H. R. 13162) for the free and unlimited coinage of silver—to the Committee on Coinage, Weights, and Measures.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 13163) to define what shall constitute and providing for assessments on oil-mining claims in Alaska—to the Committee on Mines and Mining.

By Mr. COWHERD: A bill (H. R. 13164) to supplement and amend an act entitled "An act to authorize the construction of a bridge across the Missouri River, and to establish it as a post-road," approved February 28, 1903—to the Committee on Interstate and Foreign Commerce.

By Mr. SNOOK: A bill (H. R. 13165) to increase the pension of certain pensioned soldiers and sailors who have lost the sight of one eye or the sight of both eyes in the service of the country, and to provide a rate of pension for those who have lost the sight of one eye and been affected in the sight of the other eye—to the Committee on Invalid Pensions.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 13166) to increase the pensions of those who by reason of their service in the Army or Navy of the United States have lost the use of their sight—to the Committee on Invalid Pensions.

By Mr. WEISSE: A joint resolution (H. J. Res. 119) authorizing and directing the Secretary of War to cause a survey and examination to be made of the harbor at Port Washington, Wis., with a view to securing a depth of 14 feet of water and lengthening the pier at said harbor 100 feet—to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BENTON: A bill (H. R. 13167) granting a pension to Arthur W. Gillum—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13168) granting an increase of pension to Allen Davis—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 13169) granting an increase of pension to William H. Fletcher—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 13170) granting an increase pension to Ruth M. Haskell—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 13171) for the relief of the estate of David Crowell, deceased, late of Franklin County, Ala.—to the Committee on War Claims.

By Mr. CURTIS: A bill (H. R. 13172) granting a pension to Bertye Weinheimer—to the Committee on Pensions.

By Mr. DARRAGH: A bill (H. R. 13173) granting an increase of pension to Mary E. Houghton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13174) granting an increase of pension to George W. Steele—to the Committee on Invalid Pensions.

By Mr. DAVEY of Louisiana: A bill (H. R. 13175) for the relief of Mrs. Louisa Dornier—to the Committee on War Claims.

By Mr. FIELD: A bill (H. R. 13176) granting an increase of pension to Lucretia A. Evans—to the Committee on Pensions.

By Mr. FORDNEY: A bill (H. R. 13177) granting an increase of pension to Arthur B. Payne—to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 13178) granting a pension to Julius H. Rogge—to the Committee on Invalid Pensions.

By Mr. HASKINS: A bill (H. R. 13179) granting an increase of pension to Charles M. Wing—to the Committee on Invalid Pensions.

By Mr. CLAUDE KITCHIN (by request): A bill (H. R. 13180) for the relief of the estate of Esidore Cohn, deceased, late of Edgecombe County, N. C.—to the Committee on War Claims.

By Mr. LAMAR of Missouri: A bill (H. R. 13181) for the relief of the heirs of James Roberts, deceased—to the Committee on Claims.

Also, a bill (H. R. 13182) to correct the military record of C. H. Ware—to the Committee on Military Affairs.

By Mr. LEVER: A bill (H. R. 13183) granting an increase of pension to Simon P. Weed—to the Committee on Invalid Pensions.

By Mr. McMORRAN: A bill (H. R. 13184) to grant an honorable discharge to John Truman Hartwell—to the Committee on Naval Affairs.

By Mr. McCREARY of Pennsylvania: A bill (H. R. 13185) granting an increase of pension to Joseph A. Kauffman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13186) granting a discharge to John B. Rhine—to the Committee on Military Affairs.

By Mr. MEYER of Louisiana: A bill (H. R. 13187) for the relief of the Stone, Sand and Gravel Company of New Orleans, La.—to the Committee on Claims.

By Mr. MIERS of Indiana: A bill (H. R. 13188) granting an increase of pension to Charles H. Denihne—to the Committee on Invalid Pensions.

By Mr. POWERS of Maine: A bill (H. R. 13189) granting an increase of pension to Wilson M. Mayo—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 13190) granting a pension to Eveline Crouch Dunbar—to the Committee on Pensions.

Also, a bill (H. R. 13191) for the relief of Frank J. D'Avy—to the Committee on Claims.

By Mr. ROBERTS: A bill (H. R. 13192) for the relief of the Atlantic Works, of Boston, Mass.—to the Committee on Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 13193) for the relief of Stephen Duncan—to the Committee on War Claims.

Also (by request), a bill (H. R. 13194) for the relief of George C. Wooley—to the Committee on War Claims.

Also, a bill (H. R. 13195) granting a pension to Susan Higdon—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13196) granting an increase of pension to Fannie A. Hutchason—to the Committee on Pensions.

Also, a bill (H. R. 13197) granting an increase of pension to Luther Morris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13198) granting an increase of pension to R. H. Dedrick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13199) to correct the military record of Robert H. Shofner—to the Committee on Military Affairs.

By Mr. SIMS: A bill (H. R. 13200) granting a pension to Rebecca Jones—to the Committee on Invalid Pensions.

By Mr. WARNER: A bill (H. R. 13201) granting an increase of pension to Francis D. Matheny—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of F. H. Austermann and others, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ADAMS of Pennsylvania: Memorial of the Philadelphia Board of Trade, relative to the inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

By Mr. ALLEN: Petition of Edward H. Emery and 27 others, of the village of Sanford, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BENTON: Petition of O. A. Steiner and 14 others, of Carthage, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers in support of bill granting a pension to Arthur W. Gillum, and papers to accompany bill granting an increase of pension to Allen Davis—to the Committee on Invalid Pensions.

By Mr. BONYNGE: Petition of the Boulder (Colo.) Prohibition Alliance, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petitions of Frank W. Gowen and 23 others, of Kennebec County, Me., and Rev. C. F. Beebee and Woman's Christian Temperance Union of Searsmont, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURNETT: Papers to accompany bill for relief of J. C. West—to the Committee on War Claims.

By Mr. CAMPBELL: Petitions of B. B. Hogue and 43 others, of New Albany, Kans., and Rev. F. A. Leak and 15 others, of Fall River, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COCHRAN: Petitions of John A. Pierce and 25 others, of Tarkio; A. C. Gann and 40 others, of Maryville; A. Thompson and 64 others, of Tarkio; Rev. A. J. Brook, First Methodist Episcopal Church of Oregon, and J. H. Hatfield and 42 others, of Tarkio, all in the State of Missouri, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CURRIER: Petition of E. B. Pike and 25 others, of Haverhill, N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CURTIS: Petitions of A. M. Reynolds and 34 others, and W. G. Dean and 34 others, of Topeka, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Kansas River Improvement Association, relative to the improvement of the Kansas River—to the Committee on Rivers and Harbors.

By Mr. DALZELL: Petition of sundry citizens of the Thirtieth Congressional district of Pennsylvania, in favor of good-roads bill—to the Committee on Agriculture.

By Mr. DARRAGH: Petition of Solomon A. Stein and 31 other citizens of Osceola, Mich., for the passage of the Hepburn bill—the Committee on the Judiciary.

By Mr. DAVIS of Minnesota: Memorial of patrons of rural routes Nos. 1, 2, and 3, of Hastings, Minn., for the passage of a bill to place rural-route carriers upon a graded scale—to the Committee on the Post-Office and Post-Roads.

By Mr. DAYTON: Petition of H. J. Ballah and 5 others, of Mill Creek, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DRAPER: Resolution of ladies of the Grand Army of the Republic Circle, Department of New York, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of John McNeil, grand president-organizer, Brotherhood of Boiler Makers and Shipbuilders of America, in favor of bill S. 2259 and sundry other bills—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Lawrence Cordage Works, in favor of bill H. R. 11437—to the Committee on the Merchant Marine and Fisheries.

By Mr. DRISCOLL: Petition of the Straight Line Engine Company and other business firms of Syracuse, N. Y., protesting against passage of an anti-injunction bill—to the Committee on the Judiciary.

By Mr. ESCH: Petition of Enterprise Lodge, No. 546, of the International Association of Machinists, of La Crosse, Wis., to increase the capacity of the Naval Gun Factory—to the Committee on Naval Affairs.

By Mr. FULLER: Resolution of the Western Association of Shoe Wholesalers, relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of Rev. L. J. Harrington and others, of Kishwaukee, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GAINES of Tennessee: Petitions of R. B. Ressington and 17 others, of New Providence, Tenn., and Rev. B. R. Downer and congregation of the Baptist Church of Providence, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of New Jersey: Petitions of J. M. Johnson and 42 others, pastor and congregation of Bethany Baptist Church, and Rev. William Mitchell and 25 others, of Atlantic City; Rev. J. B. Adams and 16 others, of Elwood; John Wagg and 18 others, of Bridgeboro; W. F. Robinson and 17 others, of Moorestown; Rev. E. Van Dwight and 4 others, of Lumberton; Isaac Steelman and 11 others, of Bakersville, and pastor and congregation of the Methodist Episcopal Church of Moorestown, all in New Jersey, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of the General Wood Circle, Ladies of the Grand Army of the Republic, Department of New Jersey, and John Murray Post, No. 113, of Cape May, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GILLETT of Massachusetts: Petitions of Francis H. Norton and 12 others, of Chicopee, Mass., and Robert M. Pratt and 25 others, George H. Cheney and 51 others, Andrew E. Ford and 22 others, and F. P. Sawyer and 44 others, of Clinton, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRAFF: Resolutions of E. N. Kirk Post, No. 656; Oakdale Post, No. 648; Holden Putma Post, No. 646; W. B. Panabaker Post, No. 681; Lake Forrest Post, No. 676; McKayne Smith Post, No. 673; New Douglas Post, No. 670; Colonel Ellsworth Post, No. 669; Hiram McClintock Post, No. 667; Swain Post, No. 660; Henry Hiller Post, No. 658; O. K. Hubard Post, No. 739; Rockwood Post, No. 734; John Knox Post, No. 718; McKinley Post, No. 701; G. W. Parker Post, No. 700; T. B. Lee Post, No. 692; George Ralston Post, No. 688; Millstadt Post, No. 684; A. J. Smith Post, No. 779; Carter Wright Post, No. 772; George W. Caine Post, No. 771; John H. Johnson Post, No. 769; Stark Post, No. 760; John Thompson Post, No. 748; Burrell Post, No. 744; John G. Ragan Post, No. 742; John C. Dinsmore Post, No. 610; F. L. Wham Post, No. 657; Robert Harvey Post, No. 606; J. R. Crebome Post, No. 603; A. M. Pollard Post, No. —; Pulaski Post, No. 796; William Lawrence Post, No. 794; Lawton Post, No. 792; Charles E. Herey Post, No. 786; John S. Hosteker Post, No. 785; W. W. Wright Post, No. 327; Grimm Post, No. 641; L. P. Blair Post, No. 634; John Huffer Post, No. 633; Simeon Walker Post, No. 629; Robert Anderson Post, No. 632; James T. Jones Post, No. 623, and Phil Sheridan Post, No. 615, Grand Army of the Republic, Department of Illinois, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Petition of residents of Sturgis, Mich., for the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HASKINS: Petition of Frank Plumley and 49 others, of Northfield, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petition of H. W. Gaines and 38 others, of East Hartford, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HILL of Connecticut: Petition of the woman's clubs of Connecticut, relative to the national reserve in New Hampshire—to the Committee on Agriculture.

By Mr. HOWELL of New Jersey: Petitions of Benjamin Stiles and 24 others, of Tuckerton, N. J.; Rev. Dewitt C. Cobb and congregation of Methodist Episcopal Church of Atlantic Highlands, N. J., and Eugene Remyon and 24 others, of Dunellen, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Typographical Union No. 307, of New Bruns-

wick, N. J., in favor of an anti-injunction bill—to the Committee on the Judiciary.

By Mr. HOWELL of Utah: Resolution of the Weber Club, of Ogden City, Utah, relative to American merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. JAMES: Petition of residents of Caldwell County, Ky., in favor of bill H. R. 3574—to the Committee on Ways and Means.

By Mr. KLINE: Petition of Woman's Christian Temperance Union of Mehrsville, Pa., relative to the publication of State liquor laws—to the Committee on the Judiciary.

By Mr. KNAPP: Petition of residents of Sackets Harbor, N. Y., protesting against the enactment of bill H. R. 7053—to the Committee on the Merchant Marine and Fisheries.

Mr. LAMAR of Missouri: Resolution of Norwood Post, No. 274, Grand Army of the Republic, Department of Missouri, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 12605, granting a pension to N. H. Dibble—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting increase of pension to M. V. B. Amos—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10544, granting an increase of pension to H. H. Rhoads—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 10542, to correct the military record of Robert W. Marr—to the Committee on Military Affairs.

By Mr. LANNING: Petitions of Elwood Mathew and 29 others, and Frank Le Bar and 35 others, of Pennington, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of the Grand Lodge, Brotherhood of Boiler Makers and Iron-Ship Builders of America, in favor of bill S. 2259 and sundry other bills—to the Committee on the Merchant Marine and Fisheries.

By Mr. LLOYD: Petition of J. W. Fonda and 36 others, of Luray, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of Thomas W. Wyne and 36 other voters of Therofare, N. J.—to the Committee on the Judiciary.

By Mr. MIERS of Indiana: Paper to accompany bill to increase pension of Charles H. Donihue—to the Committee on Invalid Pensions.

By Mr. MILLER: Petition of Rev. C. E. Flanagin and 134 others of Burlingame, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. OTJEN: Petition of Rev. William A. Cutter, against registry and money-order business in post-offices on Sunday—to the Committee on the Post-Office and Post-Roads.

Also, petition of Rev. William A. Cutter, of Milwaukee, Wis., in favor of Sunday closing of the Lewis and Clark Exposition—to the Select Committee on Industrial Arts and Expositions.

By Mr. PUJO: Papers to accompany bill for the relief of Frank J. D'Avy—to the Committee on War Claims.

By Mr. RANDELL of Texas: Petition of T. A. Wilson and 88 others, of Collinsville, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Papers to accompany bill H. R. 3989, for the relief of the estate of W. R. Hanserd, deceased—to the Committee on War Claims.

By Mr. RICHARDSON of Tennessee: Petition of L. B. Jarmon and 22 others, of Wartrace, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill for relief of Stephen Duncan—to the Committee on Military Affairs.

Also, papers to accompany bill granting an increase of pension to Fannie A. Hutchason—to the Committee on Pensions.

Also, papers to accompany House bill for the relief of Robert H. Shafner—to the Committee on Military Affairs.

By Mr. SNOOK: Resolution of Evans Post, No. 149, of Bryan, Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. TAWNEY: Petition of C. F. Greening and 17 other voters of Grand Meadow, Minn., for the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Robert Hobson and 17 other voters and F. H. McCulloch and 30 other voters of Austin, Minn., for the Hepburn bill—to the Committee on the Judiciary.

Also, petition of S. T. Christenson and 22 other voters of Lansing, Minn., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of S. N. Wheaton and 5 other voters of Caledonia, Minn.; J. W. Pendergast and 26 other voters, and Frank Willis and 13 other voters, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. THAYER: Petition of the Southbridge (Mass.) Young People's Christian Union, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Worcester Metal Trades Association, against passage of the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of residents of Worcester, Mass., against passage of anti-injunction bill, etc.—to the Committee on the Judiciary.

Also, petition of Rev. Everett Heammond and 10 others, of Blackstone, Mass.; A. H. Richardson and 36 others, of Gilbertville, Mass., and Leonard E. Taft and 9 others, of Mendon, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of W. H. Becker, in favor of increasing appropriations for agricultural experiment stations—to the Committee on Agriculture.

By Mr. VREELAND: Petition of Woman's Christian Temperance Union and citizens of Angelica, N. Y., and G. W. Adams and 27 others, of Andover, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WACHTER: Petition of E. M. Spath and 21 others, and Rev. G. W. Hobbs and 45 others, of Baltimore, Md., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the American Shipowners, Shipbuilders, and Shipmasters, relative to denying American registry to foreign-built vessels, etc.—to the Committee on the Merchant Marine and Fisheries.

By Mr. WADSWORTH: Petition of Kendall, Orleans County, N. Y., route No. 29; Medina, Orleans County, N. Y., routes Nos. 16 and 17; Lockport, Niagara County, N. Y., routes Nos. 2, 4, 7, and 10, and Ransomville, Niagara County, N. Y., routes Nos. 22 and 24, urging increase of salaries for rural free-delivery carriers, etc.—to the Committee on the Post-Office and Post-Roads.

By Mr. WARNOCK: Petition of Herman McClellan and 77 others, of Wayne, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WEISSE: Resolution of the Milwaukee Foundrymen's Association, against passage of the bill limiting the meaning of the word "conspiracy"—to the Committee on the Judiciary.

Also, resolution of the American Association of Masters and Pilots of Steam Vessels, relative to a light-house on or near the Outer Diamond Shoal, on the coast of North Carolina—to the Committee on Rivers and Harbors.

Also, resolution of the Wisconsin Live Stock Breeders' Association, in favor of increase in appropriation for agricultural experiment stations—to the Committee on Agriculture.

Also, petition of citizens of the Sixth Congressional district of Wisconsin, protesting against the passage of bill H. R. 7038—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Rock River Lodge, No. 11, Independent Order of Good Templars, Waupun, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

MONDAY, *February 29, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of the proceedings of Saturday last, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, if there be no objection. It is approved.

BUST OF HANDEL.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, requesting that authority be given them to accept a bust of Handel from the United German Singing Societies of Washington, D. C.; which was referred to the Committee on the Library, and ordered to be printed.

CANCELING MACHINES IN THE POST-OFFICE DEPARTMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster General, transmitting certain information relative to the purchase and rental of canceling machines to be used in that Department, and recommending that an appropriation [illegible] be made for the rental of [illegible] machines; which was referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

TARIFF ON PHILIPPINE TOBACCO.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting a translation of a petition to the President of the United States, dated Manila, P. I., October 23, 1903, from the Tobacco Workers' Guild in the Philippines, respecting the tariff on Philippine tobacco and cigars imported into the United States; which, with the accompanying

paper, was referred to the Committee on Finance, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the bill (S. 3780) authorizing the Yankton, Norfolk and Southern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 885) granting an increase of pension to Charles C. Chase;

A bill (H. R. 2019) granting a pension to Mary Gwynn;

A bill (H. R. 4045) granting a pension to Minnie Gusler;

A bill (H. R. 6089) granting an increase of pension to Emma L. Nagle; and

A bill (H. R. 6352) granting a pension to Mary Huff.

The message further announced that the House had passed with amendments the following bills; in which it requested the concurrence of the Senate:

A bill (S. 121) granting additional lands adjacent to its site to the University of Montana;

A bill (S. 1543) granting an increase of pension to William W. Jackson; and

A bill (S. 3274) granting an increase of pension to Jane I. Long.

The message also announced that the House had disagreed to the amendments of the Senate to the following bills; asks conferences with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY managers at the respective conferences on the part of the House:

A bill (H. R. 2477) granting an increase of pension to Frank J. McLaughlin;

A bill (H. R. 2809) granting an increase of pension to John Watt;

A bill (H. R. 2920) granting an increase of pension to Daniel W. Huffman;

A bill (H. R. 2923) granting an increase of pension to John G. Fairchild;

A bill (H. R. 3032) granting an increase of pension to William Pittenger;

A bill (H. R. 4136) granting an increase of pension to Caleb Arnett;

A bill (H. R. 4251) granting an increase of pension to Joseph Hinkle;

A bill (H. R. 4526) granting an increase of pension to William J. Shepard;

A bill (H. R. 5367) granting an increase of pension to Franklin Moore;

A bill (H. R. 5555) granting an increase of pension to James R. Haupty;

A bill (H. R. 5865) granting an increase of pension to Joshua Harlan;

A bill (H. R. 6025) granting an increase of pension to John Herzog;

A bill (H. R. 6426) granting an increase of pension to David Z. Beidler;

A bill (H. R. 6705) granting an increase of pension to Edwin A. Forman;

A bill (H. R. 8376) granting an increase of pension to Jonathan J. Smith;

A bill (H. R. 8058) granting an increase of pension to William M. Underhill; and

A bill (H. R. 9583) granting an increase of pension to James H. Hargis.

The message further announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 133) granting an increase of pension to James W. Smith;

A bill (H. R. 153) granting a pension to Harriet Snyder;

A bill (H. R. 194) granting a pension to Mary J. Bradley;

A bill (H. R. 691) granting an increase of pension to Rebecca C. Shurlock;

A bill (H. R. 729) granting an increase of pension to Freeman O. Hodge;

A bill (H. R. 742) granting an increase of pension to George W. Darrah;

A bill (H. R. 790) granting an increase of pension to Oliver A. Filman;

A bill (H. R. 805) granting an increase of pension to George W. McConkey;

A bill (H. R. 967) granting an increase of pension to Nicholas Gruber;

A bill (H. R. 1170) granting an increase of pension to Lewis L. Bean;

A bill (H. R. 1176) granting an increase of pension to George W. Kimble;

A bill (H. R. 1268) granting an increase of pension to John B. Hart;

A bill (H. R. 1285) granting an increase of pension to Adam Gosage;

A bill (H. R. 1515) granting a pension to Lucy Warren;

A bill (H. R. 1519) granting a pension to Thomas P. Moore;

A bill (H. R. 1528) granting an increase of pension to Charles C. Jaralemon;

A bill (H. R. 1575) granting an increase of pension to Henry F. Davis;

A bill (H. R. 1882) granting an increase of pension to James Durkee;

A bill (H. R. 1953) to provide for an additional associate justice of the supreme court of New Mexico;

A bill (H. R. 2110) granting a pension to Mary Farrell;

A bill (H. R. 2121) granting a pension to Gertrude Merrill;

A bill (H. R. 2189) granting an increase of pension to Henry Spindler;

A bill (H. R. 2371) granting a pension to Sarah J. Herman;

A bill (H. R. 2490) granting a pension to John Maynard;

A bill (H. R. 2491) granting a pension to Larkin Maynard;

A bill (H. R. 2529) to set apart certain lands in the Territory of Arizona as a public park, to be known as "The Petrified Forest National Park;"

A bill (H. R. 2557) granting an increase of pension to James Carr;

A bill (H. R. 2589) granting a pension to Susanna Cosgrove;

A bill (H. R. 2767) granting an increase of pension to John E. Neary;

A bill (H. R. 2855) granting an increase of pension to John W. Hill;

A bill (H. R. 2862) granting an increase of pension to Henrietta A. Pryce;

A bill (H. R. 2928) granting an increase of pension to Daniel Bushman;

A bill (H. R. 3035) granting an increase of pension to William D. Hall;

A bill (H. R. 3167) granting an increase of pension to James Littleton;

A bill (H. R. 3288) granting an increase of pension to Nathan L. Meands;

A bill (H. R. 3306) granting an increase of pension to George H. Sweet;

A bill (H. R. 3902) granting a pension to Martha J. Derrington;

A bill (H. R. 4252) granting an increase of pension to George M. Gibbons;

A bill (H. R. 4355) granting a pension to Martha A. Day;

A bill (H. R. 4405) to correct the military record of Carl W. Albrecht;

A bill (H. R. 4634) granting an increase of pension to Randolph T. Stoops;

A bill (H. R. 4798) granting an increase of pension to Margaret F. Harris;

A bill (H. R. 4874) granting a pension to Charles V. Billig;

A bill (H. R. 4889) granting an increase of pension to Henry C. Beltz;

A bill (H. R. 4941) granting a pension to Mary J. Wilson;

A bill (H. R. 4968) granting an increase of pension to Robert E. Clary;

A bill (H. R. 4994) granting an increase of pension to Mary P. Sheets;

A bill (H. R. 4997) granting a pension to Franklin B. Lipsincott;

A bill (H. R. 5008) granting an increase of pension to Henry McCord;

A bill (H. R. 5091) granting an increase of pension to William Kennedy, alias Leonard;

A bill (H. R. 5262) granting an increase of pension to Irving Holcomb;

A bill (H. R. 5296) granting an increase of pension to Horatio M. Price;

A bill (H. R. 5373) granting an increase of pension to Motem M. Pitts;

A bill (H. R. 5395) granting a pension to Mattie Aten;

A bill (H. R. 5476) granting an increase of pension to William Davis;

A bill (H. R. 5527) granting a pension to Frances Reck;

A bill (H. R. 5648) granting an increase of pension to Margaret Herold;

A bill (H. R. 5682) granting an increase of pension to Charles B. Hunt;

A bill (H. R. 5693) granting an increase of pension to Joel M. Street;

A bill (H. R. 5700) granting an increase of pension to Christopher C. Richards:
A bill (H. R. 5824) granting an increase of pension to Casper J. Schoerr:
A bill (H. R. [illegible]) granting an increase of pension to Herbert M. [illegible]:
A bill (H. R. 5873) granting an increase of pension to Sirbrina Palmer:
A bill (H. R. 5952) granting an increase of pension to William H. Kent:
A bill (H. R. 6024) granting an increase of pension to Calistro Castro:
A bill (H. R. 6087) granting an increase of pension to Anthony Brackin:
A bill (H. R. 6249) granting an increase of pension to Frederick J. Fenderson:
A bill (H. R. 6258) granting an increase of pension to Theodore C. Putnam:
A bill (H. R. 6271) granting an increase of pension to Catharine M. Wonderly:
A bill (H. R. 6416) granting an increase of pension to Anna S. Dunn:
A bill (H. R. 6420) granting an increase of pension to Frederick Mehring:
A bill (H. R. 6432) granting a pension to Ellender C. Miller:
A bill (H. R. 6501) granting an increase of pension to Isaiah Robinson, jr.:
A bill (H. R. 6563) granting an increase of pension to John Barragar:
A bill (H. R. 6599) granting a pension to Jacob B. Mock:
A bill (H. R. 6611) granting an increase of pension to Austin Murphy:
A bill (H. R. 6653) granting an increase of pension to Josiah Standley:
A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Cataldo Creek, in the District of Alaska:
A bill (H. R. 6[illegible]) to confirm and validate patents to certain lands situated in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo Fork of the Bitter Root River:
A bill (H. R. 6823) granting an increase of pension to Seneca R. Pollard:
A bill (H. R. 6824) granting an increase of pension to Benjamin Manning:
A bill (H. R. 6848) granting an increase of pension to John W. Plattenburg:
A bill (H. R. 6859) granting an increase of pension to William A. Sh[illegible]:
A bill (H. R. 6880) granting an increase of pension to Charle[illegible] T. Preston:
A bill (H. R. 6956) granting an increase of pension to Ellis House:
A bill (H. R. 7244) granting an increase of pension to Williamina R. Allenbaugh:
A bill (H. R. 7298) granting an increase of pension to Lucius E. Mills:
A bill (H. R. 7353) granting an increase of pension to William H. Schreiner:
A bill (H. R. 7394) granting an increase of pension to Amelia Hutchins:
A bill (H. R. 7411) granting an increase of pension to Matthew Caldwell:
A bill (H. R. 7438) granting an increase of pension to Corinne Tolman:
A bill (H. R. 7470) granting an increase of pension to Isaac B. Goforth, alias Napoleon B. Gordon:
A bill (H. R. 7500) granting a pension to Mary E. Springer:
A bill (H. R. 7501) granting an increase of pension to Emily Catlin:
A bill (H. R. 7568) granting an increase of pension to Albert Costigan:
A bill (H. R. 7664) granting an increase of pension to George P. Malloch:
A bill (H. R. 7698) granting an increase of pension to Benjamin R. W. Mockabee:
A bill (H. R. 7726) granting a pension to Jasper N. W. Rogers:
A bill (H. R. 7754) granting an increase of pension to Jeremiah Myers:
A bill (H. R. 7778) granting a pension to Frank H. Clark:
A bill (H. R. 8010) granting an increase of pension to Josiah B. Deeter:
A bill (H. R. 8025) granting an increase of pension to James Payton:
A bill (H. R. 8044) granting an increase of pension to Seymore F. Burlingame:
A bill (H. R. 8050) granting an increase of pension to John I. Lose:
A bill (H. R. 8078) granting an increase of pension to William J. Mosier:
A bill (H. R. 8180) granting an increase of pension to William Smith:
A bill (H. R. 8220) granting an increase of pension to Edward B. Nugent:
A bill (H. R. 8287) granting an increase of pension to Abram T. Carney:
A bill (H. R. 8337) granting an increase of pension to Emma R. Wallace:
A bill (H. R. 842[illegible]) for the relief of Russel A. McKinley:
A bill (H. R. 8482) granting an increase of pension to John C. F[illegible]:
A bill (H. R. 8611) granting an increase of pension to Charles W. De Motte:
A bill (H. R. 8725) granting an increase of pension to John A. Parker:
A bill (H. R. 8742) granting an increase of pension to Jason Robinson:
A bill (H. R. 8789) granting an increase of pension to George K. Knowlton:
A bill (H. R. 9081) granting an increase of pension to Benjamin F. Miller:
A bill (H. R. 9082) granting an increase of pension to Chester F. Kimball:
A bill (H. R. 9117) granting a pension to George T. Young:
A bill (H. R. 9390) granting an increase of pension to Samuel Louis Tyner:
A bill (H. R. 9392) granting an increase of pension to Margaret J. Robbins:
A bill (H. R. 9576) granting an increase of pension to Eli M. McElwain:
A bill (H. R. 9581) granting an increase of pension to Henry W. Lloyd:
A bill (H. R. 9592) granting an increase of pension to William H. S[illegible]:
A bill (H. R. 9709) granting a pension to Louis De Witt:
A bill (H. R. 9726) granting an increase of pension to John M[illegible]:
A bill (H. R. 9741) granting an increase of pension to Sarah E. Dale:
A bill (H. R. 9756) granting an increase of pension to Jesse T. Bennett:
A bill (H. R. 9789) granting an increase of pension to Charles M. Morrison:
A bill (H. R. 9801) granting a pension to Jane McNeil:
A bill (H. R. 9807) granting an increase of pension to Hugh S. [illegible]:
A bill (H. R. 9815) granting an increase of pension to Ephraim [illegible]:
A bill (H. R. 9820) granting an increase of pension to Vincent Anderson:
A bill (H. R. 9979) granting an increase of pension to Ezra Nichols:
A bill (H. R. 9990) granting a pension to John [illegible]:
A bill (H. R. 9996) granting a pension to [illegible]:
A bill (H. R. 10171) granting an increase of pension to Josiah H. Tyack:
A bill (H. R. 10179) granting an increase of pension to William H. Bell:
A bill (H. R. 10209) granting an increase of pension to Margaret [illegible]:
A bill (H. R. 10264) granting an increase of pension to Louis C. Amberg:
A bill (H. R. 10399) granting an increase of pension to Francis Marshall:
A bill (H. R. 10581) granting an increase of pension to George W. Farr:
A bill (H. R. 10576) granting a pension to Lulu E. McKee:
A bill (H. R. 10761) to authorize the Secretary of War to accept from the citizens of Missoula, Mont., deeds donating to the United States certain land for the enlargement of the military reservation of Fort Missoula, Mont.:
A bill (H. R. 10792) granting an increase of pension to Frederic Lockley:
A bill (H. R. 10822) granting an increase of pension to Andrew Smith:
A bill (H. R. 10847) granting an increase of pension to James O. Knowles:
A bill (H. R. 10901) granting an increase of pension to John Quinn:
A bill (H. R. 10912) granting an increase of pension to Leonard J. Whitney:
A bill (H. R. 10919) granting an increase of pension to Susan E. Oliver;

A bill (H. R. 10935) granting an increase of pension to Rebecca Mayo:
A bill (H. R. 11066) granting an increase of pension to Joshua D. Griffith:
A bill (H. R. 11074) granting a pension to Merritt R. Simpson:
A bill (H. R. 11141) granting an increase of pension to John B. Keller:
A bill (H. R. 11169) granting an increase of pension to Reuben Griffith Porter:
A bill (H. R. 11175) granting an increase of pension to Isaac S. Drummond:
A bill (H. R. 11229) granting a pension to Francis M. Good:
A bill (H. R. 11428) granting an increase of pension to Augustus Fellows:
A bill (H. R. 11557) granting a pension to Alfred D. Burton:
A bill (H. R. 11558) granting an increase of pension to James B. Luckey:
A bill (H. R. 11575) granting a pension to Abel N. Button:
A bill (H. R. 11606) granting an increase of pension to Caleb J. May:
A bill (H. R. 11649) granting an increase of pension to Malinda A. Myers:
A bill (H. R. 11654) granting an increase of pension to Augustus Wagner:
A bill (H. R. 11655) granting an increase of pension to James Lynch:
A bill (H. R. 11669) granting an increase of pension to James D[illegible]:
A bill (H. R. 11845) granting an increase of pension to David C. McVicker:
A bill (H. R. 11894) granting an increase of pension to Jeremiah S[illegible]:
A bill (H. R. 12036) granting an increase of pension to Jacob W[illegible]:
A bill (H. R. 12050) granting an increase of pension to David R. L[illegible]:
A bill (H. R. 12053) granting an increase of pension to James Large:
A bill (H. R. 12056) granting an increase of pension to Kezia Cherry:
A bill (H. R. 12073) granting an increase of pension to Eliza J. Gardner:
A bill (H. R. 12191) granting an increase of pension to Henry D. Filkins:
A bill (H. R. 12352) granting an increase of pension to William H. Cooper:
A bill (H. R. 12417) granting a pension to Hiram Parker:
A bill (H. R. 12457) granting an increase of pension to Nannie J. McGuckin:
A bill (H. R. 12550) granting an increase of pension to Emma R. Lamb; and
A bill (H. R. 12805) granting a pension to Margaret J. Snook.

The foregoing pension bills were subsequently read twice by their titles, and referred to the Committee on Pensions.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented a petition of sundry citizens of Salt Lake City, Utah, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Donaldson Grange, No. 1160, Patrons of Husbandry, of Donaldson, Mich., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Saginaw, Mich., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a memorial of the Board of Commerce of Detroit, Mich., remonstrating against an appropriation being made for a pneumatic-tube service for the post-office at that place; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Anti-Saloon League of Lansing, Mich., and a petition of sundry citizens of Branch County, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented the petition of N. J. Hester and 24 other citizens of America, Ill., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the Manufacturers and Shippers' Association of Rockford, Ill., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of John A. Logan Circle, No. 39, Department of Illinois, Ladies of the Grand Army of the Republic, of Chicago, Ill., and a petition of J. W. Dodds Post, No. 350, Department of Illinois, Grand Army of the Republic, of Auburn, Ill., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented the petition of F. A. McCarty and 105 other citizens of Mason City, Ill., and a petition of the congregation of the United Presbyterian Church of Aledo, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the United Presbyterian Church of Aledo, Ill., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. FOSTER of Washington presented a petition of George Washington Circle, No. 2, Department of Washington and Alaska, Ladies of the Grand Army of the Republic, of South Bellingham, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of the Woman's Christian Temperance Union of Waitsburg, and of sundry citizens of Thornton and Waitsburg, all in the State of Washington, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. McCUMBER presented a petition of the congregation of the First Baptist Church of Fargo, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. NELSON presented petitions of sundry citizens of St. Paul, Marshall, and Le Roy, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of the National Association of State Dairy and Food Departments and by sundry manufacturers and distributers of food products in the United States, praying for the passage of the so-called "pure-food bill;" which was referred to the Committee on Manufactures.

He also presented a petition of the Farmers' Club and Benevolent Society of West Brookfield, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Thomas N. Gardner Post, No. 207, Department of Massachusetts, Grand Army of the Republic, of Nantucket, and a petition of Charles Ward Post, No. 62, Department of Massachusetts, Grand Army of the Republic, of Newton, in the State of Massachusetts, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of West Brookfield, Mass., and a petition of the Woman's Christian Temperance Union of Bolton, Mass., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. McCOMAS presented petitions of the Woman's Christian Temperance Union of Sharpsburg; of the congregation of the Columbia Avenue Methodist Episcopal Church, of Baltimore; of the congregation of the Harlem Park Methodist Episcopal Church, of Baltimore; of the congregation of the Emory Methodist Episcopal Church, of Baltimore; of the congregation of the West Baltimore Methodist Episcopal Church, of Baltimore; of the congregation of the Arlington Methodist Episcopal Church, of Baltimore County, and of the congregation of the Methodist Episcopal Church of Westminster, all in the State of Maryland, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. LONG presented a memorial of Lichty Brothers, of Wellington, Kans., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Mayflower Circle, No. 80, Department of Kansas, Ladies of the Grand Army of the Republic, of Lawrence, and a petition of James Shields Post, No. 57, Department of Kansas, Grand Army of the Republic, of Wellington, Kans., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Seneca, Wilson, Parsons, Arkansas City, Whitewater, and Chetopa, all in the State of Kansas, praying for the enactment of legislation to

regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ANKENY presented petitions of W. T. Kenney Circle, No. 12, Department of Washington and Alaska, Ladies of the Grand Army of the Republic, of Blaine; of General Milroy Post, No. 62, Department of Washington and Alaska, and of George Washington Circle, No. 2, Department of Washington and Alaska, Grand Army of the Republic, of Bellingham, all in the State of Washington, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LATIMER presented a petition of 80 citizens of Waterbury, Conn., praying that an appropriation be made for the construction and maintenance of public highways; which was referred to the Committee on Agriculture and Forestry.

Mr. QUARLES presented petitions of the congregation of the Methodist Episcopal Church of Union Valley; of sundry citizens of Waupaca; of the congregation of the Methodist Episcopal Church of Waterloo; of Lodge No. 146, Independent Order of Good Templars, of Caldwell; of Lodge No. 128, of Auburn; of the congregation of the Methodist Episcopal Church of Whitewater; of Lodge No. 295, Independent Order of Good Templars, of Butternut; of Lodge No. 183, Independent Order of Good Templars, of Cambria; of the congregation of the Mount Hope Baptist Church, of Edmund; of Lodge No. 242, Independent Order of Good Templars, of Buena Vista; of the Wisconsin Sunday Rest Association, of Milwaukee; of sundry citizens of Columbus; of sundry citizens of Centerville; of sundry citizens of Trempolian; of sundry citizens of Racine; of the O. L. Packard Machinery Company, of Milwaukee, and of Nordon Lodge, No. 60, Independent Order of Good Templars, of Ashland, all in the State of Wisconsin, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Monday Club, of Waupun, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of Council No. 155, United Order of Commercial Travelers, of Appleton, Wis., praying for the enactment of legislation to place the claims of traveling salesmen on the list of preferred creditors in bankruptcy cases; which was referred to the Committee on the Judiciary.

He also presented a petition of the board of directors of the Merchants and Manufacturers' Association of Milwaukee, Wis., and a petition of the Western Association of Shoe Wholesalers, of Chicago, Ill., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which were referred to the Committee on Interstate Commerce.

He also presented a petition of the Wisconsin Live Stock Breeders' Association, and a petition of the Wisconsin State Board of Agriculture, praying that an appropriation be made in aid of State agricultural experiment stations; which were referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Ripon, Wis., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented the petition of Rev. W. A. Cutler, of Milwaukee, Wis., praying for the enactment of legislation to prohibit postal order or registry business being done on Sunday; which was referred to the Committee on Post-Offices and Post-Roads.

Mr. COCKRELL. I present resolutions adopted by the board of directors of the Board of Trade of Kansas City, Mo., declaring that they are "in hearty sympathy with the movement calling for encouragement and friendly legislation on the part of Congress to enlarge and extend the American merchant marine; to remove, as far as possible, any impediment or discrimination to the American merchant marine now existing, and to put it upon an equality before the law with any merchant marine sailing under the flag of the most favored nation: *Provided, however*, That this board of trade is unalterably and uncompromisingly opposed to any enactment by Congress that shall involve the payment of any subsidy, it being the firm conviction that the magnitude of the commerce to be carried, the unlimited supply of material within our own borders for the construction of vessels, and the unequaled ability of our people in the construction of the same, together with their recognized superior seamanship, place the people of this nation upon a footing on which they are able to cope with all the world without material aid." I move that the resolutions be referred to the Committee on Commerce.

The motion was agreed to.

Mr. COCKRELL presented a petition of the Ministerial Association of Monroe City, Mo., and a petition of the Fortnightly Club, of Kirkwood, Mo., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. DEPEW presented petitions of sundry citizens of Patchogue, of the Woman's Club of Sandy Hill, of the Young Woman's Industrial Club of Saratoga Springs, of the congregation of the Methodist Episcopal Church of Kendall, of the congregation of the South Presbyterian Church of Syracuse, of the congregation of the United Presbyterian Church of York, and of sundry citizens of New Brighton, Port Richmond, and Graniteville, all in the State of New York, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Onondaga, Mount Kisco, Carmel, Canton, Andover, Pike, Silver Creek, Canajoharie, Lewiston, Richmond, Richford, Mexico, Walworth, Northfield, West Hampton Beach, Bayport, Bloomfield, Genesee Falls, Dryden, Port Cluster, Lewis County, Lakewood, Chautauqua, Essex County, Warrensburg, Rochester, Horseheads, New York City, Steuben County, Little Genesee, Cabin Hill, Hagaman, Ontario, Prince Bay, Wellsville, Old Saratoga, Oswego, and Utica; of the congregation of the Methodist Episcopal Church of Fly Creek; of the congregation of the Baptist Church of Lowville; of the congregation of the First Methodist Episcopal Church of Lowville; of the Woman's Christian Temperance Union of Morristown; of the congregation of the Baptist Church of Cobleskill; of the congregation of the Presbyterian Church of Columbia County; of the congregation of the Presbyterian Church of West Hampton Beach; of the congregation of the Methodist Episcopal Church of Sidney; of the congregation of the Congregational Church of Rickford; of the Sixth Ward Woman's Christian Temperance Union, of Rochester; of the Woman's Christian Temperance Union of Silver Creek; of the congregation of the Methodist Episcopal Church of Malone; of the Woman's Christian Temperance Union of Webster; of the congregation of the Universalist Church of Potsdam; of the congregation of the Methodist Episcopal Church of Lawrence; of the congregation of the Baptist Church of Lawrence; of sundry citizens of Burke, Jamestown, and Port Jefferson, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of the Board of Trade of Philadelphia, Pa., praying that an appropriation be made for the construction of a new custom-house at that city; which was referred to the Committee on Public Buildings and Grounds.

He also presented a memorial of the Board of Trade of Philadelphia, Pa., remonstrating against the enactment of legislation providing for the Government inspection of grain at terminal points; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Pittsburg, New Albany, West Finley, Sharon, Berks County, Honesdale, Port Allegheny, and Reading; of the congregation of the United Brethren Church of Reading; of the congregation of the Methodist Episcopal Church of Canton; of the Prohibition Alliance of Grover; of the congregation of the United Brethren Church of Everson; of the Christian Civic Union of Greensburg; of the congregation of the Methodist Episcopal Church of Milton; of the congregation of the Second United Presbyterian Church of Indiana; of the congregation of the First United Presbyterian Church of Indiana; of the General Assembly's Permanent Committee on Temperance of the Presbyterian Church of Pittsburg; of the Woman's Christian Temperance Union of Mohrsville; of the congregation of the First Presbyterian Church of Oakmont; of the congregation of the Presbyterian Church of Honesdale; of the Woman's Christian Temperance Union of Honesdale; of the congregation of the Methodist Episcopal Church of Thompson; of the congregation of the First Baptist Church of Sharon; of the congregation of the First Presbyterian Church of Sharon; of the Woman's Christian Temperance Union of Sharon, and of the Lawrence Local Sunday School Association, of Tioga County, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CLAPP presented a petition of the congregation of the Trinity Methodist Episcopal Church, of St. Paul, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Mankato, Minn., praying that an appropriation be made for the construction and maintenance of public highways; which was referred to the Committee on Agriculture and Forestry.

Mr. GALLINGER presented a petition of the Lumber Trade Club, of Boston, Mass., praying for the establishment of a national

forest reserve in the White Mountains; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. McLAURIN presented sundry papers to accompany the bill (S. 1070) for the relief of U. Lunenberger; which were referred to the Committee on Claims.

Mr. PLATT of Connecticut presented a petition of sundry citizens of Connecticut, in support of the bill (S. 4151) granting an increase of pension to Thomas J. Spencer; which was referred to the Committee on Pensions.

Mr. WARREN presented papers to accompany the bill (S. 4523) for the relief of James Roach, deceased, of Hinds County, Miss.; the bill (S. 4[illegible]) for the relief of John Moody, of Grainger County, Tenn.; the bill (S. 4447) for the relief of Dr. William O. Robards, of Boyle County, Ky.; the bill (S. 4465) for the relief of the estate of Francis Fisk, of Orleans Parish, La.; the bill (S. 4467) for the relief of the estate of Alexander Roth, of Iberville Parish, La.; the bill (S. 4468) for the relief of M. W. Stewart, of Morehouse Parish, La.; the bill (S. 4543) for the relief of W. J. Winsett, of Bedford County, Tenn.; the bill (S. 4539) for the relief of the estate of Robert Edwards, of Madison County, Tenn.; the bill (S. 1103) for the relief of the estate of Augustus [illegible], deceased, late of Hinds County, Miss.; the bill (S. 4[illegible]) for the relief of Joseph Bragere, of Orleans Parish, La.; the bill (S. 4292) for the relief of Rufford Brewington, of Sampson County, N. C.; the bill (S. 1105) for the relief of Julia A. Thomas, of Scotts County, Miss.; the bill (S. 1020) for the relief of Benjamin Hawes, of Union County, Miss.; the bill (S. 1152) for the relief of William L. Clearman, of Newton County, Miss.; the bill (S. 3816) for the relief of the heirs of Jabez Tanner and York & Hoover, of Rapides Parish, La.; the bill (S. 3808) for the relief of Mrs. A. T. Mason, of Benton County, Miss.; the bill (S. 1090) for the relief of Thomas S. Maben, of Hinds County, Miss.; the bill (S. 4464) for the relief of the estate of J. M. Charpentier, deceased, of St. Mary Parish, La.; the bill (S. 1340) for the relief of Thomas E. Robison, of Henderson County, Tenn.; the bill (S. 1470) for the relief of Belle M. Robards, of Boyle County, Ky.; the bill (S. 4537) for the relief of the estate of R. L. and Elizabeth P. Evans, of Shelby County, Tenn.; the bill (S. 903) for the relief of the estate of Purify Tingle, of Newton County, Miss.; the bill (S. 1167) for the relief of Isaac Jones, deceased, of Adams County, Miss.; the bill (S. 3756) for the relief of the estate of James Henderson, deceased, of Hinds County, Miss.; the bill (S. 3820) for the relief of Eli C. Brown, of East Baton Rouge Parish, La.; the bill (S. 1108) for the relief of the estate of Mrs. Elizabeth Hull Wellford, of Marshall County, Miss.; the bill (S. 4445) for the relief of John [illegible], of Maury County, Tenn.; the bill (S. 4499) for the relief of the estate of Samuel Stelsworth, of Grainger County, Tenn.; the bill (S. 3669) for the relief of the estate of Isham G. Bailey, deceased, of Marshall County, Miss.; and the bill (S. 4498) for the relief of the estate of M[illegible] Brown, of Shelby County, Tenn.; which were referred to the Committee on Claims.

Mr. FRYE presented a petition of the Bar Association of Chicago, Ill., praying for the ratification of a treaty of reciprocity between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a memorial of Local Division No. 3, Ancient Order of Hibernians, of Portland, Me., remonstrating against the ratification of a treaty of reciprocity between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented resolutions adopted by the Associated Republican Clubs of Kings County, N. Y., and resolutions adopted by the German-American Republican Central Club of Cook County, Ills., expressing sympathy on the death of Hon. Marcus A. Hanna, late a Senator from the State of Ohio; which were ordered to lie on the table.

He also presented a petition of the Womans' Christian Temperance Union of Bayou La Barre, Ala., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

REPORTS OF COMMITTEES.

Mr. SMOOT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7410) granting an increase of pension to Enos D. Hoge; and

A bill (H. R. 9035) granting an increase of pension to Joseph Branen.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 336) granting an increase of pension to William Lechleidner;

A bill (S. 4455) granting an increase of pension to Ancil J. Busby; and

A bill (S. 885) granting a pension to Sarah A. Gillham.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 3491) granting an increase of pension to Andrew J. Howe;

A bill (S. 447) granting an increase of pension to David H. George;

A bill (S. 450) granting an increase of pension to George H. Sutherland;

A bill (S. 3499) granting an increase of pension to Samuel E. Lookingbill; and

A bill (H. R. 8925) granting an increase of pension to John Weaver.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 556) granting an increase of pension to William Stall;

A bill (S. 4454) granting an increase of pension to John Seiler;

A bill (H. R. 6618) granting an increase of pension to Henry C. Coffin;

A bill (H. R. 5610) granting a pension to Annie Dorfner;

A bill (H. R. 5999) granting an increase of pension to Ann Jennet Whitney;

A bill (H. R. 10194) granting an increase of pension to Marion Long;

A bill (H. R. 7348) granting a pension to Robert H. Cooke;

A bill (H. R. 11076) granting an increase of pension to Elvira Miller;

A bill (H. R. 10640) granting an increase of pension to Horace E. Wood;

A bill (H. R. 9064) granting an increase of pension to Edwin Tidd;

A bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine;

A bill (H. R. 7382) granting a pension to Ellen A. Harmon;

A bill (H. R. 7659) granting an increase of pension to Emma M. Elliott;

A bill (H. R. 7814) granting an increase of pension to James G. Andrews;

A bill (H. R. 7088) granting an increase of pension to Albert P. Jackson;

A bill (H. R. 9739) granting a pension to Lizzie M. Worster;

A bill (H. R. 2692) granting an increase of pension to Elwood Finley;

A bill (H. R. 8203) granting an increase of pension to James M. Hemmitt;

A bill (H. R. 8272) granting an increase of pension to Stephen Elliott;

A bill (H. R. 9791) granting a pension to Abram Claypool;

A bill (H. R. 9999) granting an increase of pension to William Edgar; and

A bill (H. R. 9695) granting an increase of pension to Frank M. Spears.

Mr. McCUMBER (for Mr. BURTON), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5603) granting an increase of pension to William C. McCormick;

A bill (H. R. 5879) granting an increase of pension to Bennett Putnam;

A bill (H. R. 6038) granting an increase of pension to Benjamin George;

A bill (H. R. 6703) granting an increase of pension to Levi Remick;

A bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom;

A bill (H. R. 8379) granting an increase of pension to Ira B. Wambaugh;

A bill (H. R. 8718) granting an increase of pension to Caswell P. Ford;

A bill (H. R. 8998) granting an increase of pension to Henry L. Beach; and

A bill (H. R. 8811) granting an increase of pension to James Dougherty.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10741) granting a pension to Mary Tate;

A bill (H. R. 11345) granting a pension to Joseph H. Huie; and

A bill (H. R. 8733) granting an increase of pension to Benjamin F. McGraw.

Mr. ALGER, from the Committee on Pensions, to whom was referred the bill (S. 1294) granting an increase of pension to Lewis M. Webster, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran;

A bill (H. R. 7096) granting an increase of pension to Eva A. Burgess;

A bill (H. R. 8966) granting an increase of pension to James M Fink;

A bill (H. R. 7359) granting a pension to Caroline Hurley;

A bill (H. R. 8124) granting an increase of pension to Elizabeth Harfield;

A bill (H. R. 7444) granting an increase of pension to Washington J. Dutcher;

A bill (H. R. 9376) granting an increase of pension to Martin Reuther;

A bill (H. R. 10268) granting an increase of pension to Margaret E. Keller;

A bill (H. R. 11343) granting an increase of pension to Matthew S. Priest;

A bill (H. R. 9587) granting an increase of pension to Bartlett S. Haggard;

A bill (H. R. 9753) granting an increase of pension to Sarah J. Loomis;

A bill (H. R. 7737) granting an increase of pension to Howard McGuire;

A bill (H. R. 9273) granting an increase of pension to James H. Sackett;

A bill (H. R. 9037) granting a pension to Alice W. Clarke;

A bill (H. R. 10850) granting an increase of pension to Adaline L. Power;

A bill (H. R. 10706) granting an increase of pension to Alfred J. West;

A bill (H. R. 10694) granting an increase of pension to Alderson T. Keen;

A bill (H. R. 10748) granting an increase of pension to Kate Ridgway;

A bill (H. R. 11413) granting an increase of pension to Jasper F. Morton; and

A bill (H. R. 11319) granting an increase of pension to Mary C. Arnold.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 7311) granting an increase of pension to Rachel Large;

A bill (H. R. 10068) granting an increase of pension to James G. Sains; and

A bill (H. R. 9421) granting an increase of pension to Thomas P. Marshall.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (S. 3573) granting an increase of pension to Calvin E. Myers, reported it with amendments, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 2971) granting a pension to Amelia Walsh, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 305) granting an increase of pension to John R. Evans, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3946) granting an increase of pension to Jesse Bright;

A bill (H. R. 5155) granting an increase of pension to John J. Tompkins;

A bill (H. R. 8771) granting a pension to Walter F. Horner;

A bill (H. R. 10346) granting an increase of pension to Thomas J. Campton; and

A bill (H. R. 8970) granting an increase of pension to Charles B. Hart.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (S. 3825) granting an increase of pension to Anna H. Lyman, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson;

A bill (H. R. 6869) granting an increase of pension to Lorenzo D. Elmer;

A bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston; and

A bill (H. R. 11113) granting an increase of pension to Silas Soules.

Mr. PETTUS, from the Committee on the Judiciary, to whom was referred the joint resolution (S. R. 44) as to the provisions of "An act for the relief of certain settlers on the public lands, and to provide for the payment of certain fees, purchase money, and commission paid on void entries of public lands," approved June 16, 1880, reported it with an amendment.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 3377) granting an increase of pension to John M. Tyree, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 733) granting an increase of pension to William McGee; and

A bill (S. 4078) granting an increase of pension to Thomas B. Steele.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5568) granting an increase of pension to Emily Chapman;

A bill (H. R. 5749) granting a pension to James B. Combs;

A bill (H. R. 6977) granting an increase of pension to Mary A. Graves;

A bill (H. R. 10378) granting an increase of pension to Sarah J. Shell;

A bill (H. R. 9903) granting an increase of pension to George W. Harlan;

A bill (H. R. 11310) granting an increase of pension to John W. Swisher;

A bill (H. R. 9024) granting an increase of pension to Jacob Laird;

A bill (H. R. 9426) granting an increase of pension to William S. Campbell;

A bill (H. R. 7992) granting an increase of pension to Isidore F. Chamberlain;

A bill (H. R. 8231) granting an increase of pension to John Gangwisch;

A bill (H. R. 9835) granting a pension to Maggie Fitzpatrick; and

A bill (H. R. 7999) granting an increase of pension to David W. Williamson.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4285) granting an increase of pension to John H. Shands;

A bill (S. 4349) granting an increase of pension to Laura Ann Seaton; and

A bill (S. 2058) granting an increase of pension to Jacob A. Roof.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 5580) granting a pension to Celia C. Owen;

A bill (H. R. 6999) granting an increase of pension to Albert W. Jones;

A bill (H. R. 10180) granting an increase of pension to William E. McDowell;

A bill (H. R. 5532) granting an increase of pension to Levi Vassar;

A bill (H. R. 8173) granting an increase of pension to Anna Waters;

A bill (H. R. 8648) granting a pension to Shadrach D. Bardin;

A bill (H. R. 7236) granting an increase of pension to William R. McCullough;

A bill (H. R. 9988) granting an increase of pension to William Ellis; and

A bill (H. R. 8849) granting a pension to James S. Lauderdale.

Mr. McCUMBER (for Mr. BALL), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted a report thereon:

A bill (S. 2661) granting an increase of pension to John H. Klingler; and

A bill (S. 3810) granting an increase of pension to Virginia B. Mullan.

Mr. McCUMBER (for Mr. BALL), from the Committee on Pensions, to whom were referred the following bills, submitted them severally without amendment, and submitted reports thereon:

A bill (H. R. 5849) granting an increase of pension to Catharine R. Brown;

A bill (H. R. 6816) granting an increase of pension to Frederick Ratzel;

A bill (H. R. 6817) granting a pension to Rosa Glass;

A bill (H. R. 6335) granting an increase of pension to James A. Barnes;

A bill (H. R. 6814) granting an increase of pension to Edward W. Miller;

A bill (H. R. 9127) granting a pension to Moses Schuman;

A bill (H. R. 11556) granting an increase of pension to Edward M. Tappen;

A bill (H. R. 10648) granting an increase of pension to Agnes Shearer;

A bill (H. R. 7712) granting a pension to Emma Crosier;

A bill (H. R. 7805) granting an increase of pension to William N. Hall;

A bill (H. R. 7418) granting an increase of pension to Peter Minkler;

A bill (H. R. 8185) granting a pension to Herman Lemmerman;

A bill (H. R. 8343) granting a pension to Annie P. Erving, formerly Cilla Zerbe;

A bill (H. R. 8991) granting an increase of pension to William E. Mattison;

A bill (H. R. 8992) granting an increase of pension to William C. Davis;

A bill (H. R. 8079) granting an increase of pension to Charles La Forest;

A bill (H. R. 8863) granting an increase of pension to Edward O'Malley;

A bill (H. R. 9610) granting an increase of pension to Frederick Halling; and

A bill (H. R. 9921) granting a pension to Virginia Boyd.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom was referred the bill (H. R. 8692) to authorize the apprehension and detention of insane persons in the District of Columbia, and providing for their temporary commitment in the Government Hospital for the Insane, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. CULBERSON, from the Committee on the Judiciary, to whom was referred the bill (H. R. 10145) to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas, reported it without amendment.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 9683) granting a pension to Henry Austin;

A bill (H. R. 5868) granting an increase of pension to William Simmons; and

A bill (H. R. 10904) granting an increase of pension to Edson H. Crawford.

JOSEPH WEEMS.

Mr. CARMACK. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 11021) granting an increase of pension to Joseph Weems, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Weems, late private, Company A, First Regiment Tennessee Infantry, war with Mexico, and to pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LUCIUS E. POLK.

Mr. CARMACK. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 8227) granting a pension to Lucius E. Polk, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lucius E. Polk, late captain Company D, Forty-third Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension at the rate of $30 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COURTS IN VERMONT.

Mr. HOAR. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 4165) to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Newport, to report it favorably without amendment. The bill simply provides for an adjournment of the circuit and district courts of the United States to Newport, Vt., in case the judges shall see fit. I understand there is ample provision there in the way of a place for holding court, and no new building is asked for. I request that the bill be put upon its passage. I call the attention of the Senator from Vermont [Mr. DILLINGHAM] to it.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that hereafter in each year one of the stated terms of the circuit and district court of the United States for the district of Vermont may, when adjourned, be adjourned to meet at Newport.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN FLORIDA.

Mr. CULBERSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 4503) to provide for sittings of the circuit and district courts of the southern district of Florida in the city of Fernandina, in said district, to report it favorably without amendment, and I ask for its present consideration.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It provides that in addition to the times and places now fixed by law for the sitting of the circuit court of the United States for the southern district of Florida there shall be a session of the circuit court in the city of Fernandina on the first Monday in April in each year hereafter; and that there shall be a regular term of the district court of the United States for the southern district of Florida in the city of Fernandina on the first Monday in April in each year hereafter.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING IN BLUEFIELD, W. VA.

Mr. SCOTT. I am directed by the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 732) providing for the erection of a public building in the city of Bluefield, W. Va., to report it favorably with an amendment, and I submit a report thereon. I ask for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment of the committee was, in section 1, page 1, line 10, before the word "thousand," to strike out the words "and fifty;" so as to make the section read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to cause to be erected upon the site heretofore selected and purchased herefor in the city of Bluefield, W. Va., a building to be used as and for a post-office, housing quarters for holding United States courts, and for other purposes of the Federal Government at the said city of Bluefield, W. Va., which said building shall cost, complete, not to exceed the sum of $100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. COCKRELL introduced a bill (S. 4642) for the relief of the trustees of the Christian Church of Pleasant Hill, Cass County, Mo.; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the affidavit of R. L. Walker, L. A. Rayborn, and Earl Parker, trustees of the Christian Church at Pleasant Hill, Cass County, Mo. I move that the bill and accompanying papers be referred to the Committee on Claims.

The motion was agreed to.

Mr. McCREARY introduced a bill (S. 4643) granting an increase of pension to William Weddington; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON introduced a bill (S. 4644) to strengthen and upbuild the American merchant marine; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McLAURIN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4645) for the relief of the heirs of J. H. Peeples, deceased (with an accompanying paper);

A bill (S. 4646) for the relief of the heirs of J. B. Clark, deceased (with accompanying papers); and

A bill (S. 4647) for the relief of Matthew Burns (with an accompanying paper).

Mr. CARMACK introduced a bill (S. 4648) granting an increase of pension to John T. Rader; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 4649) granting a pension to Charles K. Davis; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4650) providing for the payment to the New York Marine Repair Company, of Brooklyn, N. Y., of the cost of the repairs to the steamship [illegible], damaged by injuries received from being used by the United States Army transport Grant in May, 1899; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4651) for the relief of James T. Barry and Leonard Cushman, executors of the last will and testament of Martin Dewing, deceased; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4652) for the relief of Dr. Joseph P. Tunis; and

A bill (S. 4653) for the relief of Joseph Miles (with an accompanying paper).

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4654) granting an increase of pension to Vial A. Putnam; and

A bill (S. 4655) granting an increase of pension to Henry H. Sleppy (with accompanying papers).

Mr. PLATT of Connecticut. I introduce by request a bill to establish a court of patent appeals, and for other purposes. I have already introduced two or three bills touching [illegible]. There are differences of opinion in relation to the details of such a bill, and this is a bill which is different from either of the bills which I have heretofore presented. I ask that it may be referred to the Committee on Patents.

The bill (S. 4656) to establish a court of patent appeals, and for other purposes, was read twice by its title, and referred to the Committee on Patents.

Mr. PLATT of Connecticut introduced a bill (S. 4657) authorizing the payment of the Choctaw and Chickasaw town-site fund; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 4658) granting an increase of pension to Lemon H. Wiley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ANKENY introduced a bill (S. 4659) relating to annual assessment labor on placer mining claims; which was read twice by its title, and referred to the Committee on Mines and Mining.

Mr. CLAY introduced a bill (S. 4660) granting an increase of pension to Nellie B. Newton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4661) authorizing the erection of a postoffice building at Gainesville, Ga.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. McCOMAS introduced a bill (S. 4662) granting an increase of pension to William H. Seattes; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4663) granting an increase of pension to William Hall; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. McCOMAS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4664) to carry into effect the findings of the Court of Claims in the matter of the claim of William Vieira Rouse, administrator of the estate of Elijah Thompson, deceased;

A bill (S. 4665) for the relief of Catharine C. Mechlewain, widow and administratrix of Michael A. Mechlewain, deceased;

A bill (S. 4666) for the relief of Kate Lawrence Henry, widow and administratrix of James L. Henry, deceased; and

A bill (S. 4667) for the relief of the estate of Jacob Reichard, deceased.

Mr. McCOMAS introduced a bill (S. 4668) for the erection of a monument to the memory of Commodore John Barry; which was read twice by its title, and referred to the Committee on the Library.

Mr. KITTREDGE introduced a bill (S. 4669) to correct the military record of George W. Samson; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4670) granting an increase of pension to Thomas H. Devine; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 4671) to remove the charge of desertion from the record of Peter Bangie; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. PLATT of Connecticut introduced a bill (S. 4672) to authorize the New York, New Haven and Hartford Railroad Company to construct, maintain, and operate a bridge across the Connecticut River; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO BILLS.

Mr. TELLER submitted an amendment proposing to appropriate $[illegible] for grading and macadamizing Twentieth street NE., from Lincoln road to Queens Chapel road, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. HEYBURN submitted an amendment providing for the construction of fully completed models of each vessel of war of the Navy which now has or may hereafter be given the name of a state and [illegible] the United States, and models to be [illegible], when bearing the name of a State, to be provided [illegible] States, and, when bearing the name of a city, in the city hall of said city, intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

Mr. CARMACK submitted an amendment intended to be proposed by him to the bill (S. [illegible]) to establish [illegible] in the vicinity of Fort Sam Houston, Tex.; Camp Douglas, Wis.; in the Conewago Valley, Pennsylvania; and at or near Nacimiento, Cal., California, which was referred to the Committee on Military Affairs.

Mr. DANIEL submitted an amendment intended to be proposed by him to the bill (S. 2263) to require the employment of vessels of the United States for public purposes; which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—WILLIAM W. ARMSTRONG.

On motion of Mr. McCOMAS, it was

ORDERED, That leave be granted to withdraw from the files of the Senate the papers in the case of William W. Armstrong, accompanying Senate bill 4341, Forty-second Congress, first session, there having been no adverse report on the same.

EUREKA INSURANCE COMPANY OF PITTSBURG.

Mr. McCOMAS submitted the following resolution; which was considered by unanimous consent, and agreed to:

[illegible]

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. JAMES, one of his secretaries, announced that the President had on the 26th instant approved and signed the following acts:

An act (S. 3400) to amend the act entitled "An act granting a pension to Flora Stanton Kalk," approved February 25, 1899;

An act (S. [illegible]) granting a pension to Mary D. Laval;

An act (S. [illegible]) granting a pension to [illegible];

An act (S. [illegible]) granting a pension to [illegible];

An act (S. 1595) granting a pension to [illegible] Mathew;

An act (S. 1953) granting a pension to [illegible];

An act (S. 2215) granting a pension to [illegible] H. Hoffecker;

An act (S. [illegible]) granting an increase of pension to Daniel Fritz;

An act (S. [illegible]) granting a pension to [illegible] Conway;

An act (S. [illegible]) granting a pension to Mary J. [illegible];

An act (S. [illegible]) granting a pension to J[illegible] L. Mynatt;

An act (S. [illegible]) granting a pension to James Graham;

An act (S. [illegible]) granting a pension to Sarah J. Bellamy;

An act (S. [illegible]) granting a pension to Jane [illegible];

An act (S. [illegible]) granting an increase of pension to Mariam R. Adams;

An act (S. 70) granting an increase of pension to John G. Brown;

An act (S. 136) granting an increase of pension to Mary T. Strickland;

An act (S. 142) granting an increase of pension to Henry W. Nichols;

An act (S. 189) granting an increase of pension to Edwin H. Wheeler;

An act (S. 191) granting an increase of pension to Francis Roy;

An act (S. [illegible]) granting an increase of pension to Frances [illegible];

An act (S. 5[illegible]) granting an increase of pension to William H. Horn;

An act (S. 594) granting an increase of pension to Finley T. Johnson;

An act (S. 846) granting an increase of pension to Catharine W. Gaither;

An act (S. 880) granting an increase of pension to Allen W. (alias Albert) Hall;

An act (S. 889) granting an increase of pension to Catherine A. Brown;

An act (S. 891) granting an increase of pension to Erwin R. Cole;

An act (S. 895) granting an increase of pension to Charles Disbrow;

An act (S. 897) granting an increase of pension to Lewis D. Frogge;

An act (S. 962) granting an increase of pension to Jennet Thoits;

An act (S. 980) granting an increase of pension to Mary Von Kusserrow;

An act (S. 1239) granting an increase of pension to John Adamson;

An act (S. 1241) granting an increase of pension to Hamlet F. Roberts;

An act (S. 1242) granting an increase of pension to Thomas Davis;

An act (S. 1358) granting an increase of pension to William W. Lackey;

An act (S. 1428) granting an increase of pension to George Pennington;

An act (S. 1451) granting an increase of pension to Eleanor H. Hord;

An act (S. 1532) granting an increase of pension to Electa Allen;

An act (S. 1688) granting an increase of pension to Frederick Bellman;

An act (S. 1689) granting an increase of pension to Henry H. Houghton;

An act (S. 1799) granting an increase of pension to Charles E. Decker;

An act (S. 1802) granting an increase of pension to Isaac M. Couch;

An act (S. 1911) granting an increase of pension to Ambrose W. Severance;

An act (S. 1912) granting an increase of pension to Joseph W. Booker;

An act (S. 1927) granting an increase of pension to Samuel Richards;

An act (S. 1947) granting an increase of pension to Patrick Judge;

An act (S. 1954) granting an increase of pension to Benton D. Bitner;

An act (S. 1956) granting an increase of pension to Seth H. Craig;

An act (S. 2061) granting an increase of pension to William H. Barlow;

An act (S. 2068) granting an increase of pension to Julia A. Roberts;

An act (S. 2093) granting an increase of pension to Victoria M. Steele;

An act (S. 2103) granting an increase of pension to John L. McVey;

An act (S. 2136) granting an increase of pension to Thomas Williams, alias Thomas W. Lennox;

An act (S. 2128) granting an increase of pension to George A. Seebold;

An act (S. 2217) granting an increase of pension to Henry C. Riggs;

An act (S. 2222) granting an increase of pension to Richard A. Kendall;

An act (S. 2230) granting an increase of pension to Matilda C. Lathrop;

An act (S. 2236) granting an increase of pension to James Reed;

An act (S. 2250) granting an increase of pension to Anna Pritchard;

An act (S. 2373) granting an increase of pension to Charles Cummings;

An act (S. 2374) granting an increase of pension to Alonzo Moses;

An act (S. 2392) granting an increase of pension to William W. Misner;

An act (S. 2416) granting an increase of pension to Mary Joanna Adams;

An act (S. 2440) granting an increase of pension to George Olsen;

An act (S. 2441) granting an increase of pension to Frank Lee;

An act (S. 2496) granting an increase of pension to Ebenezer Wing;

An act (S. 2509) granting an increase of pension to Abner B. Edson;

An act (S. 2517) granting an increase of pension to Elijah Farr;

An act (S. 2527) granting an increase of pension to Joseph Roberts;

An act (S. 2542) granting an increase of pension to James E. Larkin;

An act (S. 2543) granting an increase of pension to Ella B. Green;

An act (S. 2544) granting an increase of pension to Albert T. Severance;

An act (S. 2548) granting an increase of pension to Emma McFarland;

An act (S. 2549) granting an increase of pension to Charles W. Jellison;

An act (S. 2558) granting an increase of pension to Sallie H. Kincaid;

An act (S. 2561) granting an increase of pension to Mathias S. Friend;

An act (S. 2576) granting an increase of pension to James Redshaw;

An act (S. 2577) granting an increase of pension to Albert Marshall;

An act (S. 2642) granting an increase of pension to Leonard G. Freeman;

An act S. 2643) granting an increase of pension to Malinda H. Chapman;

An act (S. 2668) granting an increase of pension to Alpheus Fawcett;

An act (S. 2689) granting an increase of pension to David M. Kanouse;

An act (S. 2712) granting an increase of pension to Harriet Billings;

An act (S. 2797) granting an increase of pension to Edward A. Cotting;

An act (S. 2858) granting an increase of pension to Delia B. Stuart;

An act (S. 2889) granting an increase of pension to John Beaird;

An act (S. 2924) granting an increase of pension to Samuel E. Cormany;

An act (S. 2947) granting an increase of pension to Thomas Bratton;

An act (S. 2965) granting an increase of pension to John Herzinger; and

An act (S. 3166) granting an increase of pension to Levi B. Lewis.

The message also announced that the President of the United States had on the 27th instant approved and signed the following acts:

An act (S. 486) granting a pension to Green B. Yawn; and

An act (S. 1330) granting a pension to Jerry S. Fish.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Military Affairs:

A bill (H. R. 4405) to correct the military record of Carl W. Albrecht;

A bill (H. R. 8421) for the relief of Russel A. McKinley; and

A bill (H. R. 10761) to authorize the Secretary of War to accept from the citizens of Missoula, Mont., deeds donating to the United States certain lands for the enlargement of the military reservation of Fort Missoula, Mont.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 2529) to set apart certain lands in the Territory of Arizona as a public park, to be known as "The Petrified Forest National Park;" and

A bill (H. R. 6787) to confirm and validate patents to certain lands situated in the Bitter Root Valley, State of Montana, above the mouth of the Lo Lo Fork of the Bitter Root River.

The bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. 1953) to provide for an additional associate justice of the supreme court of New Mexico, was read twice by its title, and referred to the Committee on the Judiciary.

J. HUDSON KIBBE.

The PRESIDENT pro tempore. The Chair lays before the Senate a message from the President of the United States, and calls the attention of the Senator from North Dakota [Mr. McCUMBER]. The message will be read.

The message was read, and ordered to lie on the table and be printed, as follows:

To the Senate:

In compliance with the resolution of the Senate of the 26th instant (the House of Representatives concurring), I return herewith Senate bill No. 167, entitled "An act granting an increase of pension to J. Hudson Kibbe."

THEODORE ROOSEVELT.

WHITE HOUSE, *February 29, 1904.*

Mr. McCUMBER. I think the message should be followed up by a resolution to complete the record, and I submit a resolution and ask that it be immediately considered.

The resolution was read, considered by unanimous consent, and agreed to as follows:

[illegible] the President pro tempore in signing the bill [illegible] to J. Hudson [illegible] be presented and [illegible] be considered as [illegible] that it is [illegible] the concurrency of the same being [illegible]

BUILDING FOR THE DEPARTMENT OF STATE, ETC.

The PRESIDENT pro tempore. The Chair lays before the Senate [illegible] under the special order of the Senate.

Mr. McCREARY. I ask the Senator from Indiana to yield to me for a moment.

Mr. FAIRBANKS. Let the special order be laid before the Senate.

Mr. McCREARY. Very well.

The Secretary. A bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor.

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Kentucky?

Mr. FAIRBANKS. I do.

JAMES DENTON.

Mr. McCREARY. I ask unanimous consent for the immediate consideration of the bill (S. 3078) for the relief of James Denton. This bill has been favorably reported by the Committee on Claims, and its passage is recommended by the Secretary of the Treasury and by the Commissioner of Internal Revenue.

Mr. FAIRBANKS. I yield to it if it does not lead to debate.

Mr. McCREARY. It will not.

The Secretary read the bill, and by unanimous consent, the Senate, as in Committee of the Whole, proceeded to its consideration. It directs the Secretary of the Treasury to credit James Denton, collector of internal revenue for the eighth district of Kentucky, with the sum of $57,189.77 (loss of tax-paid spirit stamps of the amount of $49,401, and stubs or coupons to the amount of $7,788.77 for stamps charged to him lost in transit.

Mr. GALLINGER. Mr. President, I think we ought to have some explanation of the bill. It involves a very considerable amount.

Mr. McCREARY. The bill was reported favorably by the Committee on Claims after it had been referred to the Secretary of the Treasury and to the Commissioner of Internal Revenue. Both the Secretary of the Treasury and the Commissioner of Internal Revenue recommend the relief proposed in the bill.

The bill is for the relief of James Denton, collector of internal revenue for the eighth collection district of Kentucky, and it directs the Secretary of the Treasury to credit James Denton, collector of internal revenue for the eighth district of Kentucky, with the sum of $57,189.77 for loss of tax-paid spirit stamps of the amount of $49,401, and stubs or coupons to the amount of $7,788.77 for stamps charged to him and lost in transit.

Mr. President, the stamps and coupons were stolen without the fault of the collector, and the claim for the relief is, I think, certainly just. All who understand the business of the office of the collector will know that stubs or coupons of tax-paid spirit stamps are of no value unless they have the serial number on them, which is put upon them by the collector, and, again, they are marked by the stamp deputy, so called. The Commissioner of Internal Revenue, in his letter to me, and also in his letter to the Secretary of the Treasury, makes the following statement:

The stamps and coupons were stolen absolutely without fault of the collector. His claim for relief is entirely just, and there is no other means of crediting his account except through the passage of the bill.

Further on, he says:

These stamps are absolutely valueless in the hands of the one who committed the theft or to anyone to whom he might transfer them.

The Secretary of the Treasury, in his letter to the chairman of the Committee on Claims, says:

In reply I have to state that the bill was referred to the Commissioner of Internal Revenue, and herewith find his report, in which he recommends the passage of the bill with a slight amendment, and is this I concur.

Mr. GALLINGER. Did I understand the Senator to say that these stamps can not be used by the party who took them? The Senator's word is all I desire.

Mr. McCREARY. I say that, and the Commissioner of Internal Revenue says it also.

Mr. GALLINGER. I think, Mr. President, the bill ought to pass, by all means.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

COURT IN INDIAN TERRITORY.

Mr. FAIRBANKS. Mr. President——

Mr. BAILEY. Will the Senator from Indiana yield to me for a very little bill for a court in the Indian Territory?

Mr. FAIRBANKS. I have no objection, if the bill does not lead to debate.

Mr. BAILEY. I feel sure it will not. I ask unanimous consent for the present consideration of the bill (H. R. 19[illegible]) for a United States court at Ada, Indian Territory.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER C. ASSERSON.

Mr. NELSON. I ask unanimous consent to yield to me for the consideration of a bill which is a very short one.

Mr. FAIRBANKS. I yield to the Senator.

Mr. NELSON. I ask unanimous consent for the present consideration of the bill (S. 3218) for the relief of Civil Engineer P. C. Asserson, retired.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Naval Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Treasury [illegible] Civil Engineer Peter C. Asserson, United States Navy, retired, a sum equal to the difference between the pay received by him while on the retired list and the pay of a captain on the active list during the period he was so retired, and for the payment of the same there is hereby appropriated [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COURTS IN TEXAS.

Mr. CULBERSON. The Senator from Indiana [Mr. FAIRBANKS] has kindly yielded to me that I may ask unanimous consent of the Senate for the consideration of a very short bill.

The PRESIDENT pro tempore. Does the Senator from Indiana yield?

Mr. FAIRBANKS. I yield for the reason that I understand the bill of the Senator will not lead to any debate and the Senator is obliged to leave the Chamber.

Mr. CULBERSON. I ask unanimous consent for the present consideration of the bill (H. R. 10[illegible]) [illegible] of error, and other appellate proceedings [illegible] trict courts of Beaumont, in the eastern district of Texas, which was reported this morning by the Committee on the Judiciary.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BUILDING FOR DEPARTMENT OF STATE, ETC.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used [illegible] State, a Department of Justice, and a Department of Commerce and Labor; which had been reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of State, the Attorney General, the Secretary of Commerce and Labor, the President pro tempore of the Senate, the Speaker of the House of Representatives, the Chairman of the Committee on Public Buildings and Grounds of the Senate and the Committee on Public Buildings and Grounds of the House of Representatives, be, and they are hereby, constituted a commission, and they are hereby authorized and directed to select and adopt plans for a suitable building to be used for the purposes of the Department of State, the Department of Justice, and the Department of Commerce and Labor, and to make estimates for its construction, after proper advertisement and the receipt of bids; and if they shall invite plans by competitive bids, to pay to the person submitting the two sets of approved plans and specifications such sums as, in their judgment, shall be proper, not exceeding the lowest competitive bid for such preparation. The cost of said building exclusive of site, shall not exceed [illegible]

The PRESIDENT pro tempore. The question is on the amendment reported by the committee, which has been read.

Mr. FAIRBANKS. Mr. President, in section 1, on page 4, line 10, of the amendment, before the word "block," I move to strike out "or;" and in the same line, after the words "two hundred and twenty-one," to insert "or a suitable block south of Pennsylvania avenue."

The PRESIDENT pro tempore. The amendment will be stated.

The Secretary. In section 1, page 4, line 10, before the word "block," it is proposed to strike out "or;" and in the same line, after the words "two hundred and twenty-one," to insert "or a suitable block south of Pennsylvania avenue."

The amendment to the amendment was agreed to.

Mr. GALLINGER. I should like to hear the amendment which was just suggested by the Senator from Indiana again read.

Mr. CHAIRMAN. So should I.

The PRESIDENT pro tempore. The amendment will be again stated.

The Secretary. In section 1, page 4, line 10, before the word "block," it is proposed to strike out the word "or;" and in the same line, after the words "two hundred and twenty-one," to insert "or a suitable block south of Pennsylvania avenue," so that, if amended, it will read:

All of lots 1 to 4, in square numbered 167, block 169, block 230, or a suitable block south of Pennsylvania avenue, in the northwest section of the city of Washington.

Mr. GALLINGER. I would suggest to the Senator to add "east of Fifteenth street," so as to read "south of Pennsylvania avenue, east of Fifteenth street." That is the section of the city we want to improve—the south side of Pennsylvania avenue. I think it had better not be left open to go west of that point.

Mr. FAIRBANKS. The amendment is entirely acceptable.

The PRESIDENT pro tempore. The amendment will be stated.

The Secretary. After the words "Pennsylvania avenue" it is proposed to insert "east of Fifteenth street."

The amendment to the amendment was agreed to.

Mr. FAIRBANKS. In section 3, on page 5, line 14——

Mr. GALLINGER. Let me make a suggestion relating to this particular matter.

Mr. FAIRBANKS. Very well.

Mr. GALLINGER. I call the attention of the Senator to the language in lines 14, 15, and 16, of section 1, on page 4.

[illegible] within sixty days after the approval of this act, shall [illegible] in which of said blocks land shall be acquired for the purposes of this act.

That language was correct before the Senator's present amendment. I would suggest that the word "sites" be substituted for the words "blocks land" in line 16.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The Secretary. In section 1, on page 4, line 16, after the word "land," it is proposed to strike out "blocks land" and insert "sites."

The amendment to the amendment was agreed to.

Mr. GALLINGER. And in line 15 the word "in" should be stricken out where it reads "in writing in which of said blocks land shall be acquired." Let the word "in," wherever it occurs the second time, be stricken out.

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The Secretary. After the word "writing," in line 15, it is proposed to strike out the word "in."

Mr. FAIRBANKS. That is necessary in consequence of the amendment already made.

The amendment to the amendment was agreed to.

Mr. FAIRBANKS. In line 14, page 5, section 3, at the beginning of the line, I move to strike out the three words, "a conveyance to" and insert in lieu thereof the words "the title for;" and in the same line to strike out the word "of," after the words "United States," and insert the word "to."

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The Secretary. On page 5, section 3, line 14, before the words "the United States," it is proposed to strike out "a conveyance to" and insert "the title for;" and after the words "United States," in the same line, to strike out "of" and insert "to."

The amendment to the amendment was agreed to.

Mr. McCUMBER. I offer an amendment, after the word "commission," in section 2, page 4, line 22, to strike out the words

"from the testimony of real-estate experts, or otherwise, as they may deem necessary," and insert in lieu thereof the words "from competent evidence."

The PRESIDENT pro tempore. The amendment to the amendment will be stated.

The Secretary. On page 4, section 2, line 22, after the word "commission," it is proposed to strike out "from the testimony of real-estate experts, or otherwise, as they may deem necessary," and insert "from competent evidence."

Mr. McCUMBER. Mr. President, there are several reasons for wishing this amendment. I do not think that we should place too much force in the words——

Mr. FAIRBANKS. I will say to the Senator, if he will allow me to interrupt him, that the amendment is entirely proper.

Mr. McCUMBER. I understand the amendment is accepted, and yet I think there should be some reason given for the amendment, and the reason which I think should guide this commission in its labors to some extent, and that is this: Heretofore in nearly all cases of this kind the testimony mainly has been that of experts, and very little consideration has been given to the value as assessed, and but little consideration has been given to the rental value of the property.

In going over the amounts we have paid for like property it is safe to say that the same property can not be rented for any possible purpose so as to bring in an income of 1 per cent upon the value placed on it, and this value has been obtained mainly from the testimony of experts. In other words, we have, as a rule, paid from three to four times the actual cash value of the property for use in any other business.

I do hope, Mr. President, that we can find some way by which the Government will not be compelled to pay from three to five times the real value of property in order to secure property in the city of Washington on which we can place our public buildings.

Mr. HALE. Will the Senator allow me before he takes his seat?

Mr. McCUMBER. Certainly.

Mr. HALE. There is great force in what the Senator says. The trouble has been that Congress has made no examination and has had no actual knowledge of what land is to cost until it is too late. There ought not to be a public building erected in Washington upon land that we have to buy until, by a commission, a preliminary examination has been made and it can be reported to Congress what the land can be bought for; so that the point so well raised by the Senator can be dealt with before we go on and commit ourselves to the erection of a public building.

It is true, as the Senator says, that we have gone on and found ourselves in the end compelled to pay extravagant sums because we have put bills through that leave no time, no chance for examination; and when we come to appropriate the money, as we do in the Committee on Appropriations, the same question is raised there that the Senator raises here, that the amount is extravagant and enormous; and the only answer is that it is too late.

Then Senators say, when the matter comes up, "Why do you not provide beforehand that before any work is done a commission shall investigate and report to Congress what certain lots can be bought for, and what other lots can be bought for." I am glad the Senator has called attention to it; because if we do not scrutinize these things carefully we are very likely to fall into all the errors we have fallen into heretofore and to pay three or four times as much as we ought to pay.

Mr. McCUMBER. We are met here, Mr. President, with a condition that must be solved at the present time. This building is absolutely necessary. The same condition would arise no matter how many commissions passed upon the facts. We are so situated that it is necessary for us to have certain property. Heretofore it has made no difference whether we have purchased property outright from the owners or whether we have condemned it. In condemnation proceedings there has been no difficulty in securing the testimony of any number of experts who will place the value of the property so much higher than the cash value for any rental purpose that we are paying the same amount whether a jury assess the damages or whether a commission determines the value of the property.

But I think in this case the proposition of the Senator from Maine has been answered, for the reason that the committee has appointed a subcommittee, who have investigated into the question of what the property can be purchased for, and I have no doubt that they have ascertained that the claim for the property is several times the real value considered in the matter of using the same property for any other possible purpose.

I merely make these suggestions for the reason that it seems to me that the Government ought to be able to secure property at its real value, instead of paying such enormous prices for it. In every State in the Union we have the same methods of condemning property, and we have never heard in those States of such exorbitant prices being paid as we are compelled to pay here. When a

commission or when a jury to assess damages passes upon the question, the evidence of the assessed valuation of that property is produced, and the evidence of its rental value for any purpose is taken into consideration, with its situation, etc. That is produced before such a jury; and upon that is determined the real price that the Government ought to pay. It seems to me that the Government ought not to be compelled to pay a price the interest on which at 6 per cent would amount to more than the rental value of the property itself.

Mr. President, I understand that there is no objection to this particular amendment.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from North Dakota [Mr. MCCUMBER] to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. GALLINGER. In line 5, page 6, section 3, after the word "architects," I move to strike out the word "to" and insert the words I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. In section 3, on page 6, line 5, after the word "architects," it is proposed to strike out the word "to" and insert "the successful architect shall receive compensation in full at a rate not exceeding 2½ per cent of the total cost of said building and shall also;" so that it amended it will read:

If they can I mean plans by competition among architects, the successful architect shall receive compensation in full at a rate not exceeding 2½ per cent of the total cost of said building and shall also pay to the persons submitting the two next in order of merit to those selected such sums as, in their judgment, shall be proper compensation for their preparation.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from New Hampshire to the amendment of the committee.

Mr. HALE. Let that be read again.

The PRESIDENT pro tempore. The amendment will be again stated.

The Secretary again read the amendment to the amendment.

Mr. HALE. Mr. President, this is another instance which shows the danger of proceeding too hurriedly in these matters. We have been already caught in the provision for the buildings at Annapolis, where contracts were made at percentages with an architect, who is going to get $400,000 out of our funds for his work, and if this bill——

Mr. FAIRBANKS rose.

Mr. HALE. If the Senator who has charge of the bill, and who is a conservative legislator, will allow me, he has provided here a bill which gives Congress no opportunity to regulate vicious practices attending the construction of public buildings.

Mr. FAIRBANKS. Mr. President, I ask the Senator, as an old and experienced legislator, if the bill in this respect differs from other similar bills whose passage the Senator has secured?

Mr. HALE. That is just what I have said, Mr. President. We have learned by experience. This leaves open the same thing that we have been caught in before, and having learned by experience, we ought to apply a remedy.

I have a little instance here. We appropriated in just such a way as this bill provides for a large increase to the insane asylum across the river—St. Elizabeth's. We provided that such property should be taken; that the commission or the superintendent of the buildings should go on, just as was done at Annapolis, and make his contracts and we would appropriate the money. This is a sample of what is done under the kind of legislation we have had before.

I will say to the Senator I accept my part of the responsibility. I have been delinquent heretofore, and all of us have been. Not with my consent will we go into such an enormous project as this—for this is to be the biggest Department building that we have in Washington—until we have guarded and kept out these vicious attendants upon the construction of our public buildings.

Mr. GALLINGER. The Senator yields to me to modify my amendment.

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Maine yield to the Senator from New Hampshire?

Mr. HALE. Yes. The Senator is working in the right direction.

Mr. GALLINGER. I desire to modify my amendment so that it shall read:

The successful architect shall receive compensation in full for plans and superintendence——

Mr. PLATT of Connecticut. "And specifications."

Mr. CULLOM. Yes; "specifications" should be inserted.

Mr. GALLINGER. Then I will say "for plans, specifications, and superintendence."

The PRESIDING OFFICER. The amendment to the amendment will be so modified.

Mr. HALE. Now, here is what took place——

Mr. BACON. If the Senator will pardon me a moment, do I understand the amendment proposed by the Senator from New Hampshire [Mr. GALLINGER] has been adopted?

Mr. HALE. I did not so understand.

The PRESIDING OFFICER. The Chair is informed that the proposed amendment of the Senator from New Hampshire [Mr. GALLINGER] is now pending.

Mr. HALE. Mr. President, the Committee on Appropriations, in the case to which I have alluded, had a suspicion of what was going on. I had, having been caught at Annapolis, and we sent for information.

Mr. FAIRBANKS. Will the Senator allow me to ask him a question for information?

Mr. HALE. Yes.

Mr. FAIRBANKS. Under whose charge was the work done at Annapolis?

Mr. HALE. The general control and overlooking of it was done by the superintendent down there. It was all done by act of Congress. We did not tie it up.

Mr. FAIRBANKS. This bill provides for a committee that can tie it up.

Mr. HALE. I want to see that the committee does tie it up. Heretofore we have lodged this discretion elsewhere, and now this is what happened in one case, as it has been developed in a little investigation. I would go further than the Senator from New Hampshire about this matter of architects and everything else in relation to it.

I produce herewith a statement of payments made to Shepley, Rutan & Coolidge, architects, for plans and superintendence of buildings, and includes the last month's traveling expenses and fees for time spent in traveling.

All of which the architects charged for. Here is a sample of what they have got out of that appropriation:

Shepley, Rutan & Coolidge, for plans $[illegible].

The whole appropriation was something like five or six hundred thousand dollars, I think.

For plans $9,000.
Two and a half per cent on contract, $13,750.

That is bad enough, but in addition, following that, is 2½ per cent on every payment that was made by appropriation from Congress. First they charged for plans, then a percentage on the contract, and then a percentage on every payment under the contract, and for what an individual could easily have had done for $10,000 they have already received $44,036.54.

Mr. GALLINGER. Ten per cent of the appropriation.

Mr. HALE. Yes; and they are not through by any means. They came for some additional items, and the Committee on Appropriations struck them out.

Mr. BACON. I call the attention of the Senator to the fact that under the amendment offered by the Senator from New Hampshire the compensation for the architect in this case will be $125,000.

Mr. GALLINGER. Precisely that.

Mr. HALE. That is a very large sum.

Mr. BACON. I should say so.

Mr. HALE. Now, let me say about architects, Mr. President, that all this has come in within a few years. We have a large establishment in the Treasury Department which is nothing but an architect's establishment. We have there a large force of draftsmen and everything else that is in a private architect's office, and this year we have given them additional room and are to give them additional clerks. Up to a few years ago no outside private architect was allowed to intrude himself and make these heavy charges. It was all done by the bureau which we have established for this very purpose, and they ought to do it. There is not any reason in the world why they should not, except the practice. The architect is intrusive. He says, "You can not get a good building without me." Four years ago a commission was appointed, rather unwarily, and paid out of the contingent fund, and we knew nothing about it. It had practically as its head one of these fashionable architects from New York, and they traversed Europe, broad and large, and they came in with a proposition for improving this city which involved over $200,000,000.

Mr. COCKRELL. Is not this a part of that plan?

Mr. HALE. This bill selects certain lots that that commission provided in the residential part of the city, where the land is the highest and where the owners of the property protest against being driven off. But that is the architect's plan. The architect sees but one thing. He lives in a lofty domain. All that he considers that the Government is running for is to adopt his great projects.

Mr. COCKRELL. Is he the man who built that magnificent office for the President?

Mr. HALE. He is the man; and I never have been able to find out——

Mr. COCKRELL. That is a second-class lawyer's office all over the country, if it is as good as that.

Mr. HALE. We tried to provide in the bill so that we could have there a respectable building, and to have it built so that it could have an additional story put on it, but the architect was bent at that time. The Senator from Indiana in the last Congress, my recollection is, although we have many things on our minds from his committee, reported a project for a building on this same lot, and provided that the executive offices should be put in it. Is not that so, may I ask the Senator?

Mr. FAIRBANKS. That was done, and it was done at the request of the executive department.

Mr. HALE. It was done. I do not know what the department requested. I know the President receded from that; that he did not want it.

Mr. FAIRBANKS. The Senate was advised fully about it at the time.

Mr. HALE. Yes.

Mr. BACON. At the request of the executive department the provision for executive offices was afterwards amended by striking that feature, and a different provision was made by the Committee on Appropriations for the present very elaborate and commodious quarters of the executive office.

Mr. HALE. I was not finding fault with the Senator. Only it was a part of the scheme to build this enormous building.

This building, which it is said will cost $5,000,000, will cost $[illegible],000. It will be the largest building in all Washington. It will have three Departments in it, an experiment which never has come out well.

We made the State, War, and Navy building for three Departments, and it has got so now that it has not room enough to answer to the wants of the War Department alone. I do not want myself for one to see these over-big buildings. I would rather have a good, reasonable building for the Department of Justice put in a proper place where land can be bought cheaply, but the plan of this New York architect involved all this, involved taking all these squares and certain other squares down below, and a programme was laid out looking to the expenditure of $[illegible].

Now, the Senator from New Hampshire is acting in the right way, but he does not go far enough.

I would have nothing done about these large buildings in a hurry. I would have a good commission appointed. I do not find fault with this commission, although most of them will be away. We have generally had a commission composed of such persons as the Architect of the Capitol, the Architect of the Treasury, and we have sometimes put on a very accomplished man, a very good business man, Mr. Bernard Green, who superintended the Library. I would have a good commission (I will not have any contest with the Senator about who shall constitute it); I would provide that the commission in the recess shall examine into whatever tracts or squares we direct them to examine and report to us at the next session of Congress, six or eight months off, when Congress goes away, what the different sections and locations could be bought for by the Government, so that we may know, as the Senator from South Dakota has suggested, what we are embarking in.

Then I would also have it provided that no contract should be made with any architect until the necessity for the same was reported to Congress and the rate fixed at which the architect should be employed, because I think it will be found that the architects of the Government—these three men whom we employ—will say, "We can build that building."

There rises off the eastward here a very noble and imposing structure that pleases the eye of the citizen and the visitor and the beholder. It was built for a sum less than the limit fixed by the act, and money was turned back into the Treasury. It was built without a dollar of percentage being paid to an outside architect. But Gen. Thomas L. Casey, who was an engineer and a man of experience and good taste, conducted that whole business in addition to his offices and services as an engineer officer, and the only thing outside that we paid, where we are paying $44,000 to an architect for this little addition to the insane asylum, was a little amount, I think, of some $17,000 to General Casey the architect had not got in.

Mr. GALLINGER. Will the Senator from Maine yield to me for a moment?

Mr. HALE. Certainly.

Mr. GALLINGER. I think the Senator has fallen into an error in regard to that. The original architects of the Congressional Library were Smithmeyer & Pelz.

Mr. HALE. Yes.

Mr. GALLINGER. They made the original plans, and while General Casey departed somewhat from those plans, beyond a question, those architects were paid something, I do not know how much—the Senator from Maryland may remember—but a very considerable amount, and there is now pending a bill for additional compensation to those architects.

Mr. HALE. I was going to say, because that is a part of my statement, that when we came to build the building and erect the noble edifice and make it commodious and suitable for the public needs, we dropped every architect, and General Casey did it. If he wanted sketches and plans he paid for them, so many hundred dollars for little things at the time.

We did have an old claim that an architect set up for plans that he had made, and we paid him first, I guess, $30,000, and then $40,000, and then another bill which was worked through here. But when it came to the work General Casey would have nothing to do with it, and that architect was not allowed even, except so far as concerned the right of a citizen, to enter upon the premises and never had the slightest thing to do with it. General Casey went on and built this fine building, as we have always until late years built buildings, and as for one I hope we will do in the future.

We had this same kind of a question come up last year on another important matter, the building of a hall of records, and we provided in that act a clause shutting off architects and declaring that no contract should be made with any architect that runs with the building. There is where they get in their charges. They charge for the plans, and then they have a contract that runs with the building, and they charge a percentage on the contract price and then on every payment. We provided that nothing of that kind should be done until it was reported to Congress. That is what we ought to do here.

I have no feeling about the matter, but my attention has been called to it by the remarks of the Senator from North Dakota and the Senator from New Hampshire, and it brings up just what the situation is, and I take it before this matter passes from the Senate there will be a proposition submitted here by some Senator that we shall not hurry in this matter, but that the whole matter shall at the next session be laid before us, and we will know for what we can get lots in different places and know what propositions are made by architects, or we will find out that the architects that we have now are ample to do this work.

Mr. GALLINGER. Mr. President, I am in full sympathy with the general proposition advanced by the Senator from Maine, and will support him in any reasonable amendment to the bill looking to the control of the architects' fees. I have myself frequently called attention in the Senate and very many times in committee to the fact that we have a large bureau in the Treasury Department, the title of the chief being Supervising Architect of the Treasury Department, and I have often wondered why it was that we did not place a man there with sufficient competency, if the present occupant does not possess it, to superintend the erection of all public buildings.

However, I rose more particularly——

Mr. COCKRELL. Will the Senator from New Hampshire yield to me for a question?

Mr. GALLINGER. Certainly.

Mr. COCKRELL. Do we not intrust to him the erection of every public building in the whole United States outside of the city of Washington?

Mr. GALLINGER. I have an impression that in recent years public buildings outside of Washington are being placed at the mercy of architects who are building upon them, and that he is not taking charge of all the public buildings outside of the city of Washington. I think the Senator from Missouri will find that to be true if he investigates the matter.

Mr. COCKRELL. Does he not make the plans, and all that, and simply select a superintendent to attend to it at places where he can not be present?

Mr. GALLINGER. I will say this to the Senator: We are going to build a little building in New Hampshire. I think the appropriation is $[illegible],000; possibly a little less. It is in the second largest city in my State, and is to be for post-office purposes. Recent inquiry of the Supervising Architect as to when the construction of the building was to begin revealed this fact: The bill was passed at the last session, and nothing has been done apparently except the purchase of a site. He replied to me that the plans would soon be submitted by the Boston architect, who had them in charge, and that as soon as those plans were received he would then take up the matter and push it along. So it is very evident that the plans of that little building, costing $[illegible],000, are in the hands of an architect in Boston, who is making those plans and receiving compensation.

Mr. HALE. While the Architect here has nominal and legal control of all buildings outside of Washington, under this practice he is giving way to outside architects?

Mr. GALLINGER. Precisely.

Mr. HALE. I think that is so.

Mr. TILLMAN. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. GALLINGER. I yield to the Senator from South Carolina.

Mr. TILLMAN. The statement the Senator makes is rather a remarkable one, and I should like to know the whole matter concerning it. In other words, I should like to know under what authority and how it comes that the Supervising Architect of the Treasury designates somebody in Boston to superintend a building in New Hampshire? Have you not some people in New Hampshire who are architects?

Mr. GALLINGER. He does not put the construction of the building in the hands of Boston parties, but he does put the matter of plans in the hands of at least one Boston architect. Possibly he has had competition. I do not know.

Mr. TILLMAN. Does he hire the Boston architect?

Mr. GALLINGER. I assume that somebody pays the Boston architect.

Mr. TILLMAN. I know; but under what rule of law or regulation of the Treasury Department does he pay this money in that way? If he is employed to do it here, and has all these clerks and draftsmen and other assistants to prepare plans for buildings, how does he find the money to go off to Boston and hire somebody?

Mr. HOPKINS. Will the Senator from New Hampshire permit me?

Mr. GALLINGER. I yield to the Senator from Illinois.

Mr. HOPKINS. My remembrance is that some years ago Congress provided by appropriate legislation that, at the instance of a Senator or Representative having the building especially in charge in his district or State, a local architect could be designated to draw the plans. I think in every instance where an outside architect has prepared plans for a public building it has been at the request of the Senator from the State or the Representative from the district wherein the building was to be constructed. I think the present architect——

Mr. TILLMAN. Will the Senator please get that statute and let us examine it? I suppose he can find it. He knows there is some such law, but I should like to know it, because we have occasionally got a little appropriation for a public building down our way, and I am sure no local talent ever has had a chance to smell of it, much less to get any money.

Mr. GALLINGER. I would say in this connection——

Mr. HOPKINS. I will look up the statute——

Mr. TILLMAN. I wish the Senator would, and let us know.

Mr. HOPKINS. And call the Senator's attention to it.

Mr. DRYDEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from New Jersey?

Mr. GALLINGER. With pleasure.

Mr. DRYDEN. Is the Senator through?

Mr. GALLINGER. I am not through, but I will yield to the Senator from New Jersey.

Mr. DRYDEN. I will wait until the Senator from New Hampshire gets through.

Mr. GALLINGER. Mr. President, in response to the suggestion made by the Senator from Illinois, I will say to him that the public building at Nashua, N. H., is one of my pets, and I never have been consulted as to the matter of the architect who is to be employed. Had I been, if it was to be taken out of the hands of the Supervising Architect of the Treasury Department, I certainly would have designated an architect in New Hampshire, because we have very competent ones.

Mr. TILLMAN. It seems to me the Senator from Massachusetts ought to make an explanation as to how this Boston man got that job.

Mr. FAIRBANKS. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Indiana?

Mr. GALLINGER. I yield to the Senator from Indiana.

Mr. FAIRBANKS. The Senator from Illinois is entirely correct. Some years ago there was a bill passed known as the Tarsney Act—I am not able to put my hands on it at this moment—under which it was made competent for the Secretary of the Treasury to submit to competition among architects the preparation of plans for public buildings. It is within his discretion. The Representatives from different districts in which buildings are to be built, or the Senators from the different States, have from time to time asked the Treasury Department to have plans prepared for their respective buildings under the Tarsney Act, taking it out of the direct control of the Supervising Architect.

That law was passed, if the Senator will indulge me a moment further——

Mr. GALLINGER. Certainly.

Mr. FAIRBANKS. Because there was some dissatisfaction with the character of the work which was being done in the Treasury Department. I will say further that the Treasury Department has been very free in acting under the Tarsney Act where Senators or Representatives have requested it.

Mr. GALLINGER. Mr. President, undoubtedly this official has gone beyond that, because I am entirely positive that no representative in either branch of Congress has made any request in regard to the New Hampshire building to which I have called attention.

I rose more particularly, Mr. President, to say a word concerning the Congressional Library and a few words on the general proposition. General Casey was one of the most competent men who has ever been in the employ of the Government, but he was an engineer and not an architect, and it is unfair to the very distinguished firm of architects who made those original plans to say that they were of no account and that an engineer went in and constructed the building on plans of his own. That is not correct. The plans of Smithmeyer & Pelz were adopted to a very large extent, and General Casey made such changes in them as he thought wise, and beyond a question he did improve upon them in the construction of the building.

In reference to the general proposition, Mr. President, my sole purpose is to keep this matter, to some extent, in the control of Congress. If this proposed building costs $8,000,000, and that certainly is the minimum cost, and if the architects get 2½ per cent for plans and specifications and supervision, they will get $125,000; and it does seem to me that that is a very large rate of compensation.

Mr. McCUMBER. Will the Senator from New Hampshire yield to me for a question?

Mr. GALLINGER. Certainly.

Mr. McCUMBER. Suppose in a building of this importance it is necessary or proper to get more than one architect to furnish plans and specifications for a beautiful building, such as we would take pride in and such as we ought to have in this city. Assuming that to be the fact, is there not proper force in the Treasury Department, and can not the Supervising Architect in the Treasury Department take charge of the construction of the building? Is it necessary to pay 2½ per cent or any per cent to any architect who furnishes the plans? I understand the architect will get his pay for his plans to a sufficient amount. Is it necessary, therefore, for us to employ this same architect or any outside architect to supervise the construction of the building?

Mr. GALLINGER. Mr. President, as Kipling says, "that is another story." The architect always does have some degree of supervision. That is true of every small building in the country. The Supervising Architect of the Treasury will appoint a man who will have direct supervision, and he will be responsible for the construction of the building. Outside of Washington that man is always appointed in the city where the building is being constructed.

I think it will do no harm to insert the word "supervision" in this amendment. Two and a half per cent is the rate that is allowed ordinarily to architects. Of course if we can dispense with architects entirely in the construction of this building and all other buildings and put these matters in the hands of the Supervising Architect of the Treasury, it is entirely agreeable to me, and I think that is the way we ought to do it, provided we have men of sufficient competency to do the work that is required.

Mr. McCUMBER. Will the Senator from New Hampshire permit me again?

Mr. GALLINGER. Certainly.

Mr. McCUMBER. If the architect is to receive 2½ per cent upon the cost of the building, is that not paying him a premium to make the building cost as much as possible? It has been intimated here that this building will cost us $12,000,000 before we get through with it. Therefore the architect will receive double the amount, or a quarter of a million dollars, for his services in supervising the building alone. Is not that an exorbitant price?

Mr. GALLINGER. I take it that the character of the building will be in the hands of the commission.

Mr. FAIRBANKS. Right here, will the Senator from New Hampshire permit me?

Mr. GALLINGER. Certainly.

Mr. FAIRBANKS. There is no authority, so far as the record is concerned, for the statement of the Senator from Maine that it will cost $12,000,000. I call the attention of my honorable colleague upon the committee to the fact that the evidence before the committee was that it would cost from five to six million dollars.

Mr. BACON. I desire to say to the Senator from Indiana that we on this side could not hear what he said, but that the records show that the present State, War, and Navy building cost over $16,000,000—$16,500,000.

Mr. GALLINGER. I will say to the Senator from Georgia, the attention of the Senator from Indiana being diverted for the moment, that the Senator from Indiana stated that the expectation is that this building will cost from five to six million dollars.

Mr. BACON. Yes; I do not know what the history of the State, War, and Navy building was in that regard, but the possibility is that the anticipation was that it would not exceed that amount.

But it in fact cost $16,500,000. I understand this building which is proposed to be erected will be a building equal in size to that building.

Mr. HALE. It will be much larger.

Mr. BACON. Larger.

Mr. FAIRBANKS. The Senator from Georgia is in error in his information about the State, War, and Navy building. It cost $10,000,000.

Mr. BACON. I do not know from what source the information was obtained, but it has been reported to me by one who appears to have made an examination that the total cost of that building to the Government of the United States was $16,500,000, which may include some items not embraced in the statement made by the Senator from Indiana. It may have something to do with some other expenses.

Mr. FAIRBANKS. The reports of the Government, which are accessible to the Senator, give the amount at the figure I have quoted.

Mr. LODGE. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Massachusetts?

Mr. GALLINGER. I yield to the Senator from Massachusetts.

Mr. LODGE. I merely wish to say to the Senator from New Hampshire, although perhaps he has it there already——

Mr. GALLINGER. I have the act.

Mr. LODGE. That the act approved February 20, 1893, provides for the competition of five architects.

Mr. GALLINGER. I have the act before me, and inasmuch as I raised this question I think I will read the act and let it go into the RECORD.

Mr. COCKRELL. Yes: read the whole of it.

Mr. GALLINGER. It is as follows:

That the Secretary of the Treasury be, and he is hereby, authorized in his discretion to invite plans, drawings, and specifications for the proposed public buildings for the United States authorized by Congress to be erected under the supervision and direction of the Secretary of the Treasury, and the local supervision of the construction thereof to be conducted by competent architects under such conditions as he may prescribe, and to make payment for the services of the architect whose plan may be selected out of the appropriations for the respective buildings: *Provided*, That not less than five architects shall be invited by the said Secretary to compete for the furnishing of such plans and specifications and the supervision of such construction as aforesaid: *Provided further*, That the general supervision of the work shall continue in the office of the Supervising Architect of the Treasury Department, the supervising Architect to be the representative of the Government in all matters connected with the erection and completion of such buildings, the receipt of proposals, the award of contracts therefor and the disbursement of moneys thereunder, and perform all the duties that now pertain to his office, and the preparation of drawings and specifications for such buildings and the local supervision of the construction thereof, the said drawings and specifications, however, to be subject at all times to inspection and changes according to proper arrangements of building and economy of material therefor as may be directed by the Secretary of the Treasury.

That act was approved February 20, 1893.

Now, Mr. President, I have only a single word further to say in this connection. I think we ought not to be in great haste to make provision for this very costly building; and I think we ought to pause before we determine to place it especially upon these squares opposite the White House. I am very much impressed with the view which has been agitated in Congress and out of Congress, that we ought, in placing our public buildings, to put them on the south side of Pennsylvania avenue, between Fifteenth street and the Botanical Gardens, and get rid of that unsightly portion of our city, erecting a succession of public buildings upon the south side of that avenue as the necessities of the Government may require.

I have hoped that that might be done, and I wish very much indeed that the Senator from Indiana could see the propriety of eliminating from the bill all provisions relating to the site and providing specifically that this building shall be put on the south side of the avenue. I know that the Park Commission suggested in their report that those blocks around that beautiful square might be utilized for the purpose of public buildings, but already there are fine and costly buildings there, private residences. Some of the people occupying them are entering earnest protests against being deprived of their homes, and I sympathize with them. One of them is connected with people in my own State, a woman, who feels that she can not give up her home, and yet she will have to do so if this building is authorized to be placed on that site. That is all I care to say on that point now.

As to the matter of the architects, my only desire is that if we have that provision in the bill we shall limit it in some way. I became familiar with the instance the Senator from Maine has cited in looking over the construction of the buildings for the St. Elizabeth Asylum, finding, out of an appropriation of between $500,000 and $600,000, that $47,000 had been paid to architects; and they are a very common kind of buildings at that. There is not an architect in a town of 15,000 people in this country who could not have made the plans for those buildings. It did not require any great skill, and yet we paid out 8 per cent of the entire appropriation to architects to construct those buildings for the insane wards of the Government.

I simply want to in some way limit this matter so that if we do make an appropriation of $5,000,000 or $6,000,000 for this magnificent structure, wherever it may be located, we may not have to pay half a million dollars of that amount to the architects who will make the plans.

Mr. President, I do not want to detain the Senate; and that is all I care to say at present on this question.

Mr. DRYDEN. Mr. President, on the proposition which has been made here to postpone the erection of these buildings I have nothing to say. I do not know anything about the matter as to whether the committee have matured their plans so that they are ready to begin the preliminary work or not. I assume, of course, that they are or they would not have reported this bill.

But upon the question of architects' fees I should like to say that in my judgment that would be in the work of economy at the wrong end. You can not secure the services of any competent experienced architect with an organization at his command sufficient to do a work of this magnitude at any such percentage.

I suppose it will be readily conceded that private enterprises—buildings which are erected by individuals and corporations—in point of economy, in point of usefulness, in point of attractiveness, and as to their working qualities and facilities, far exceed those erected by the Government.

In my judgment, the Government, in the erection of these proposed buildings, should proceed along precisely the same lines that individuals and corporations proceed on in the construction of great buildings in the large cities. You can not secure the services, as I have stated, of a competent architect with a well-organized office at less than 5 per cent. You can get men who will say, "We will act as architects for 2½ per cent," or 2 per cent.

Mr. HALE. My attention was diverted there. From what I did hear I think the Senator is right about it. But did he say that we can not get an architect for 2½ per cent?

Mr. DRYDEN. I say we can not get competent architects with sufficient office organization to carry on a work of this kind for less than 5 per cent.

Mr. HALE. Yes, I have no doubt the architects would claim that.

Mr. DRYDEN. I have had a good deal of experience in that line.

Mr. HALE. I have no doubt the Senator is right about it. The architects claim that, and they have a right to ask what they please in private matters. For buildings that are going up in the Senator's State, in New York, or elsewhere they have a right to ask what they please and to make their own trade. But here we are dealing with a public building in Washington.

Mr. DRYDEN. But the question is whether you can get an architect with sufficient ability to undertake the designing and the erection of a great building of this kind at the percentage proposed in the bill. I say that private individuals can not do it.

Mr. LODGE. The Government can.

Mr. DRYDEN. You can get architects, but not architects with the equipment behind them, with the experience requisite to put up buildings of this kind.

Mr. LODGE. If the Senator will allow me, I venture to say that we can get the best architects in this country, the very best that anybody can name, to erect a great monumental building like this for the Government at this great expenditure for 2½ per cent. I have not the slightest doubt of it.

Mr. DRYDEN. I differ with the Senator from Massachusetts in that opinion.

Mr. FAIRBANKS. If the Senator will allow me, in support of the Senator's argument, I wish to have read a letter from the Supervising Architect.

The PRESIDING OFFICER. Does the Senator from New Jersey yield?

Mr. DRYDEN. Certainly.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

TREASURY DEPARTMENT,
Washington, February 9, 1904.

Hon. CHARLES W. FAIRBANKS,
United States Senate.

SIR: Pursuing the subject discussed at our recent interview, I have now the honor to state the points with respect to which [illegible]

The compensation paid by the Department to private architects selected by competition is 5 per cent upon the cost of the work executed from their drawings and specifications, for full professional services, including supervision of the work of construction. This fee is the rate established by the American Institute of Architects, and is the standard fee charged by architects in good standing throughout the country.

The service rendered to the Government by the architect selected under competition, in consideration of this fee (5 per cent), is the same service which he would render for the same fee to clients in his private practice.

It should be noted here, however, that the architect so employed by the Government is burdened with a considerable amount of clerical work and correspondence with the Department which does not devolve upon him in

private practice. This grows out of the fact that the expenditures, being of public funds, must be made under the requirements of law and of the department regulations. Under them, the Government employment is not so profitable to the architect as his private practice.

I think that there is in the public mind a prevailing misconception as to the amount of profit realized by architects who have charge of public buildings at the above-mentioned percentage. Modern methods of construction and the introduction of complicated heating and mechanical appliances and electric equipment have changed the employment by architects of specialists in the several branches. The cost of these drawings and specifications is nearly and less than 1 per cent on the cost of the special work. The expense falls upon their shoulders, whether he has the drawings prepared in his office or out of the country, whether he has the work on such a scale that he can employ permanently such specialists in his own office.

In comparison in a large city office, counting the cost of rent, the hire of clerks and draftsmen and of the outside men who look after the work, and the proportion of the 5 per cent which remains to the architect as a profit when business is good will not usually be more than 2 per cent. The business of an architect is subject to the same fluctuations as work and other business, and in a professional career of years this gives some income for taking up the slack of lean years.

Respectfully,

J. K. TAYLOR, *Supervising Architect.*

Mr. DRYDEN. That letter, which seems to speak with authority, only confirms the statement I have made, which was based upon my own knowledge in such cases. I know from practical experience (and I have dealt with the largest and most important architects in this country) that no great architect will take a fee of less than 5 per cent. That is fixed, as the letter states, by the American Institute of Architects, and they are bound by that rate and will not accept any less commission.

It has been said, "Why the fee upon this building would amount to $[illegible],000." Why? Because of the enormous structure, the magnitude of the undertaking. But $[illegible],000 is no temptation to an architect who has got to do $[illegible],000 worth of work.

My contention about the fee of the architect is that the most wasteful, the most extravagant thing that can be done in connection with erecting a great building of this kind is to employ a cheap architect. Every man who has had experience knows that an architect with an organization skillful in drawing plans, skillful in preparing specifications, skillful in laying the project before the contractors for bids, can make a vast difference in the result as to the cost.

I say here now that as between a poor architect, who does not know how to draw his specifications properly, and a skillful and experienced architect, who does know how to do that thing, if you were to put this structure out to contractors for bids, the difference would amount to probably more than a million dollars.

Every man who has had much experience knows that it is of the first importance that the architect should know how to draw his specifications; and having drawn his specifications and the construction of the building having been gotten under way, it is next of the first importance that his drawings should be perfected so that when his iron beams, steel columns, etc., come to the ground to be put into place they will fit in their places. Now, a young, inexperienced, incompetent architect, who would take this job gladly for 2½ per cent, or 2 per cent, or 1½ per cent, can not do that. He has not the facilities, he has not the organization, he has not the experience.

In my opinion the place to begin to economize is not with the architect. You want the best possible talent that you can get for that purpose, and to get it you must pay the fixed scale—5 per cent.

I should like, if it is in order, to propose an amendment to the amendment. I should like to see it amended so as to provide that the fee to the architect should not exceed 5 per cent. Some of our friends here think we can get the great architects to do this at a less fee. Private individuals can not do it, and I think that they look after business with as much care at least as the Government.

Now, let us see if we can get the great architects of the country to lend their talent to this work. I think the provisions of the law, as read by the Senator from New Hampshire [Mr. GALLINGER], are wise in that they provide for competition by not less than five architects to be selected. These architects should be paid for their preliminary plans or proposed plans, so as to make an inducement for them to enter the competition. The comparatively small sums that the Government will pay for the architects' fees is not to be thought of or talked about at all, in my judgment.

Mr. GALLINGER. Mr. President, just one word in addition. I do not at all agree with the Senator from New Jersey [Mr. DRYDEN] that it is necessary to pay 5 per cent, and if his proposed amendment should be adopted that we shall pay not exceeding 5 per cent, we will pay 5 per cent. There is no doubt about that.

I wish to call attention to the fact that if this building costs $5,000,000, at 2½ per cent we will pay $125,000 to the architects. Then there is a further provision that we shall pay to the persons—it is "person" in the bill; it ought to be plural—that we shall pay to the persons "submitting the two sets of plans next in order of merit to those selected such sums as, in their judgment," that is, in the judgment of the committee, "shall be proper compensation for their preparation." I do not know how much that will be, probably $25,000, or $30,000, or $40,000, or $50,000.

Mr. DRYDEN. Will the Senator from New Hampshire allow me?

Mr. GALLINGER. Certainly.

Mr. DRYDEN. The Senator, of course, recognizes that the question of the gross amount which the architect will receive will weigh only in consideration of the amount of work that he has to do. If he has to do $300,000 worth of work, a gross fee of $125,000 is no temptation to the architect.

Mr. GALLINGER. Of course; we all admit that. But I do not believe there is any danger of the architect doing $300,000 worth of work in making plans for this building.

Mr. President, we reconstructed the White House a year or two ago, and one of these very distinguished architects had charge of it. I do not know how much it cost. I think it perhaps has never been stated; but it cost a very large amount. If there is no architect in New Hampshire who can do that work just as well for a much less amount, then I miss my guess.

Mr. COCKRELL. Do you think you have an architect in New Hampshire who could equal the building for the President?

Mr. GALLINGER. I perhaps might draw the line at that; but that building was constructed under the supervision of a distinguished architect.

Mr. COCKRELL. Certainly.

Mr. GALLINGER. One of the men the Senator from New Jersey has reference to, who has this great outfit and who is in this business, whereby they are going, I suppose, to hold up private individuals as well as the Government to 5 per cent. He has come here and he has done that job. He reconstructed the White House, and spoiled some of it. He built an office for the President of the United States, and as the Senator from Missouri suggests, any second-rate lawyer or third-rate doctor in the country could reasonably ask for just as good accommodations. It is an eyesore. Any man who may go down the Avenue and look at that excrescence which has been added to the White House by this very distinguished architectural firm will wish that some architect of some country town in Missouri or New Hampshire had been employed to do the job.

Now, Mr. President, I am not at war with these gentlemen. They are going to get all the money they can, there is no doubt about that. If we give them 2½ per cent and add the amount to the two next architects in order, we will get rid of $175,000 out of this appropriation.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. GALLINGER. I do.

Mr. TILLMAN. Does the Senator give his consent and will he vote to give these additional architects employment? If we are going to have competition in this matter, and the honorable gentleman shall get the preliminary—in other words, if the honorable gentleman's brains and ability as an architect shall secure employment for this purpose—why should the fellow who loses get anything?

Mr. GALLINGER. That question would of course be properly before the Senate if the Senator should move to strike out that provision from the bill.

Mr. NEWLANDS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from Nevada?

Mr. GALLINGER. Certainly.

Mr. NEWLANDS. If the Senator will permit an interruption, let me say to the Senator from South Carolina that there is an immense amount of work involved in drawing up these competitive plans, and not only——

Mr. TILLMAN. I am not objecting to competitive plans.

Mr. NEWLANDS. Not only is there a large amount of work involved, but every architect who draws up a competitive plan has to pay out a very large sum of money to draftsmen, to draftsmen, to draftsmen, etc., for the purpose of presenting a proper plan. The Senator, I imagine, has very little conception of the amount of labor that is expended. I have often been told by able and conscientious architects that they have been prevented from going into these competitions by a knowledge of the fact that they would be obliged to expend from five thousand to ten thousand dollars out of their own pockets in the payment of employees in the preparation of competitive plans which after all might fail of success.

It does seem to me, if the Senator will permit me, it is desirable that we should get the very best plans, and that in a matter involving an expenditure of $5,000,000 the extra expense of ten, fifteen, twenty-five, one hundred, one hundred and fifty, or two hundred thousand dollars in securing the best plans and the best art is not to be considered.

Mr. TILLMAN. If the Senator from New Hamshire will permit me——

Mr. GALLINGER. Certainly.

Mr. TILLMAN. I agree with the Senator entirely in the view that we ought to have the very best plans we can get. We do not want any more abominations, if I may use the term, such as the executive offices and the Post-Office building up the street here. If I am any judge of a building, that is an abortion in architecture. If we are going to have something else opposite the State, War, and Navy building, I think we had better go slowly.

While I am willing to appropriate $100,000 or $150,000 or $200,000 in a lump sum for the preparation of plans and specifications and supervision and for division among competing architects upon some agreed programme, I do not believe that we ought to go into the business of donating to somebody $5,000, $10,000, or $30,000 because he sees fit to come into the competition. I do not think that is a good business proposition.

You might say give $150,000 for the preparation of the plans to the man who wins; you might say give $10,000 to the next man whose plan was second in the estimation of the commission, and $5,000 for the third; but I do not want to leave it in the power of any commission, however high it may be, to pick out some favorite somewhere in this competition and make a contribution to his finances ad limitum.

Mr. DRYDEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New Hampshire yield to the Senator from New Jersey?

Mr. GALLINGER. Certainly.

Mr. DRYDEN. I should like to explain to the Senator from South Carolina the usual course in cases of competition. A certain number of architects are selected and invited to submit competitive plans, generally upon the condition that if one plan is accepted the architect whose plan is accepted shall receive the appointment as architect to prepare the plans and specifications and supervise the construction of the work.

The compensation of the other architects who are unsuccessful in the competition is an amount agreed upon, some small sum—perhaps $1,000 each, or something like that—simply enough to pay them for their actual expenses and outlay in preparing the drawings which they submit. They receive no percentage; they have no interest in the building whatever after the appointment has been made of one of the architects.

Mr. GALLINGER. Now, if the Senator will permit me, I should like to ask him if he is not rather giving his argument away when he says that there is a large expense connected with the preparation of these plans and we ought to allow 5 per cent, and now says that we will give to the second and third competitors a thousand or two thousand dollars to reimburse them?

Mr. DRYDEN. Not by any means; and I think I can make that clear to my friend from New Hampshire. The preliminary plans or drawings submitted by the architect for decision are simply an exhibition of the exterior of the building, of the sides. He submits a style of architecture which he recommends. To do that is comparatively an inexpensive and trifling matter.

Mr. GALLINGER. But then he will likewise submit a plan for the interior of the building.

Mr. DRYDEN. By no means.

Mr. GALLINGER. Well, Mr. President, I know that in some instances that is the case. I am not guessing.

Mr. DRYDEN. That might be done, of course, by agreement, and of course that would involve a further expense; but that was not within my contemplation in the statement which I made a moment ago.

Now, just one word more, if my friend will pardon me.

Mr. GALLINGER. Certainly.

Mr. DRYDEN. The addition to the White House has been criticised. I am not going to defend it, but it is only fair to say that the architects who put on that addition have done some of the most beautiful architectural work in the world. I make no exception, and I realize the breadth and force of the statement when I say "the world." An architect is often at a disadvantage, and his work is sometimes a reflection upon himself because he is cramped, restricted, dictated to, by his employer and he does not have his own way.

I do not know who decided upon the plans for the addition to the White House. I know that I do not like them. But in my judgment that does not militate one iota against the claim I am making here, that the Government in the prosecution of these great enterprises ought to select the best talent in the land and the best talent is the cheapest.

Mr. GALLINGER. Mr. President, as the ground has been pretty well traversed, I do not know that I want to add anything further. Yet I will venture to say just this, that I hope the time is not far distant when the office of Supervising Architect of the Treasury Department will be made sufficiently competent to take charge of all our public buildings and not put us at the mercy of private architectural firms.

I venture to say that there is not a handsomer public building in this country than the building in the little city in which I live. It cost only $200,000, but it is beautiful. It is admired by every visitor to that city. It was constructed directly under the supervision and upon plans made in the office of the Supervising Architect of the Treasury Department. We then had a very competent Supervising Architect.

I trust the present Supervising Architect is equally as competent. He was selected upon a civil-service examination, which to my mind is an utter absurdity. As to his competency I will not speak; I know nothing about it; but I do know that under the present arrangement we are having substantially all our public buildings constructed upon plans made by private architects, and I do not think it ought to be so.

Whether that office is sufficiently equipped to take charge of this building or not I am unable to say, but I will repeat that in my opinion it is an extravagant waste of public money for us to vote a larger appropriation to the firm of architects who may get this contract than the amount I have named in my amendment, which I trust may be adopted.

Mr. PROCTOR. Mr. President, I think a different rule might well apply, and ought to apply, to a building of this kind from that which applies in the case of any private structure. This is a building that will occupy several years in its construction. The ordinary fee of architects, as has been stated in the letter of the Supervising Architect, is 5 per cent for the plans and for supervision. The Government will require but very little in the way of supervision, because we shall have a superintendent of construction, who will be himself a skilled architect and engineer. Take the buildings which have been recently constructed—the building for the Library of Congress, for instance, of which Mr. Green was the superintendent, and the Printing Office building, where Captain Sewall, of the Engineer Corps of the Army, was superintendent, and I have understood from Senators who have visited that building that it was admirably constructed.

Under the rule which we shall adopt of having a skilled superintendent there will be very little need of an architect in the way of supervision. Architects have this arrangement, as I know: They charge a certain fee for the plans, which is much less than the full fee of 5 per cent, then they make an arrangement by which they can be consulted occasionally; and all we shall need with an architect in the construction of a building of this kind will be the preparation of plans and such a supervision as we should doubtless have under such a man as either one of the two men I have named, Mr. Green or Captain Sewall, who have a very superior knowledge of material. They are expert judges of every item of material which goes into a building; they are entirely familiar with plans, and would carry out the minutest details without needing to go to an architect. I think the quotation of the rule has not any great bearing upon this case.

In regard to what the Senator from New Hampshire [Mr. GALLINGER] said about the recent construction of public buildings, that arrangement was perhaps wisely adopted by Congress, and I think one reason given for it was that when all the public buildings were planned by one architect we fell into a rut of uniformity in architecture. That argument was made I know, and many buildings were cited as illustrations of it. Then the particular fad of the Supervising Architect was mansard roofs, and we had no public building in the country without a mansard roof on it.

Mr. HALE. Will the Senator allow me to ask him a question?

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Maine?

Mr. PROCTOR. Certainly.

Mr. HALE. Does the Senator think that there is a finer or a more pleasing structure in Washington—one that gratifies good taste, that gratifies the eye in every particular—than the Treasury Department building? That was built before the day of the intrusion of the professional architect.

Mr. GALLINGER. And so was the Patent Office.

Mr. HALE. The Patent Office, as the Senator from New Hampshire [Mr. GALLINGER] suggests, was also built before that time. Visitors in Washington pause before that building and look with satisfaction and pleasure upon its symmetrical proportions.

Mr. GALLINGER. And there was the old Smithsonian Institution building, which was another instance.

Mr. HALE. Yes; and there are others; but I refer to the Patent Office especially. That was built before the 5-per cent architect invaded this domain. We had good engineer officers. We had men that were competent, like Captain Sewall, to whom the Senator from Vermont has referred, and also General Casey, to erect those buildings.

The Senator from New Hampshire has called my attention to the old Smithsonian building, one, certainly, that is the very

fines of our public buildings. The White House itself, as it stood before there was put up the little shanty which this architect has built for the accommodation of the Presidential business, was a most pleasing edifice. The time will come pretty soon—I would be in favor of it now, but I do not want to move it on the pending bill—to repeal that provision which lets in these architects. It was enacted unadvisedly. Very few Senators or Members of the House realized what it was, but it grew out of the importunity of the architects. We would be better off without it, but I will not embarrass the Senator's bill by moving that amendment at this time. Some day, however, we ought to wipe it out.

Mr. PROCTOR. Mr. President, I entirely agree with the Senator from Maine in regard to the character of the buildings that he has cited. We had not then arrived at that point of perfection where we could improve upon the classic style of the ancients, and I do not think we have yet arrived at it.

Mr. HALE. What led me to say what I did say so inadequately was the suggestion of the Senator that, while this was done under authority of the Government and we had the help of outside architects, we were falling into a sameness and an uninteresting period of architecture. But what I called his attention to was those buildings which, I am sure, do not lie open to criticism on the part of the Senator, and which he would not visit upon them. They are very graceful and very complete and are fine specimens of architecture, each of it own kind.

Mr. PROCTOR. If the Senator will allow me, I was referring to a later period, since we have had a Supervising Architect, who had charge for so many years of the planning of the public buildings. I quite agree with the Senator in what he says as to the buildings to which he has referred. We then had no such plan. I do not believe now in going back to the system of having one architect plan all of the public buildings. That was not the system which prevailed when the buildings to which the Senator refers were erected. Under our present arrangement it would be plainly impossible for the Supervising Architect's Office to make all the plans, and therefore some other arrangement must be made, unless we continue to employ outside architects.

There are, I think, with our liberal appropriations, a very large number of public buildings under construction, and it would be entirely beyond the power of any one architect to take proper charge of the plans for all of them. There would be danger that he would imitate himself in one building after another and that the style would be too uniform.

Mr. NEWLANDS. Mr. President, I quite sympathize with any effort which tends to secure economy of expenditure in any Government improvement, provided the efficiency of that expenditure is not impaired.

Years ago I used to have the same views regarding architects which seem to be entertained by the Senator from Maine [Mr. HALE], but after some years of experience in connection with building upon a large scale, matters in which I was personally interested, and matters in which corporations in which I was interested were engaged, I have come to the conclusion that there is no body of men in the United States more maligned than the architects of the United States—not intentionally, but simply because of unfamiliarity with the subject.

With reference to the compensation that is to be paid to these architects, I understand that such compensation is fixed by the rule of the Association of Architects. Their charge, I believe, is 1 per cent for preliminary drawings, 3½ per cent for plans without supervision, and 5 per cent for plans with supervision. That is the rule of all the architects of the United States, as I understand it. So, when you fix a less compensation in the bill, you necessarily exclude, it seems to me, from its operation these educated and trained men who belong to this association.

Mr. GALLINGER. Will the Senator permit me?

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. Does the Senator mean to say that all the architects in the United States are in that trust?

Mr. NEWLANDS. I believe that every architect of good standing in the United States belongs to these architectural associations; that they are all in some measure allied to the National Institute of Architecture; and that the purpose of that organization is not spoliation or monopoly, but simply to advance art itself by securing able, competent, skilled, and trained men for this profession.

Mr. GALLINGER. To promote art itself, and at the same time increase their bank account. Is that the object?

Mr. NEWLANDS. As to bank accounts, I have never known an architect within my experience who has reached large fortune. I have always found that the great architects are much more interested in the perfection of their work than they are in the amount which they receive. I am sure that some of the greatest of our architects who have engaged in great works, involving very large expenditure of money, have paid out in the elaboration of their plans almost all they have received.

I had occasion the other day to go to New York——

Mr. HOAR. With the permission of the Senator, I wish to ask him if he thinks that the association of architects is any more of a trust or any different from the law or the bar associations or the medical association?

Mr. NEWLANDS. I imagine not.

Mr. HOAR. Or other professional association?

Mr. NEWLANDS. Of course not.

Mr. HOAR. I do not suppose my friend from New Hampshire [Mr. GALLINGER] meant to say that architects in general were engaged in association for any unworthy purpose.

Mr. GALLINGER. No; I did not. But I think the Senator will permit me to say, as we hear a great deal in debate in these modern times about combinations and trusts, and a good deal of denunciatory talk, that I do not see any difference between a combination in a commercial or a manufacturing sense and a combination of architects to hold up to their terms the men who are constructing buildings. I use the word "trust" advisedly, for I think it is as much a trust as anything else that can be imagined. That is my judgment.

Mr. NEWLANDS. Mr. President, I do not care to be diverted from the present trend of my views by a discussion of the trust question. I assume that this association of architects resembles the bar associations, the associations of medical men, and other associations which are intended to advance the efficiency of certain professions. I am sure that any reasonable rule laid down by these professions regarding the nature and compensation of their services ought not to be regarded as assuming the aspect of a trust or a monopoly.

I was saying that if it be the fact that all of the eminent architects of the country belong to this association, and if we fix a compensation below that provided by their rules, we necessarily eliminate them from the competition and submit this whole matter to men who, as a rule, are inferior.

Mr. GALLINGER. If the Senator will permit me, supposing that the association next week should conclude that 10 per cent was the right thing, ought we to continue this system and pay that sum?

Mr. NEWLANDS. There is an unreasonable exaction and a reasonable charge.

Mr. GALLINGER. Unquestionably.

Mr. NEWLANDS. I propose in a moment to get to the question of the reasonableness of the charge.

Mr. GALLINGER. I hope the Senator will; for I am very much afraid that as to the next public building we construct we shall be called upon to pay 7½ or 10 per cent. There is no logic against it. All the association has got to do is to be resolute, and we are at their mercy.

Mr. NEWLANDS. The present rates have existed for years, and there has been no protest on the part of private builders.

So far as I am concerned, with a large experience in these matters, I have to say that every architect with whom I have had any connection has fully earned his money, and the architect in which he was engaged was a small one of the profession. I assume, Mr. President, that the great corporations that are engaged in putting up large and expensive buildings, far surpassing in expense and in beauty most of our public buildings, and the great men of wealth who are engaged in putting up large and expensive buildings in our great cities, would not be likely to submit to an exaction, and yet they all pay these rates.

We have an improvement now going on in Washington, the construction of a great station [illegible] which has been provided for by Congress, a structure to be built by the Pennsylvania Railroad and the Baltimore and Ohio Railroad companies at a cost exceeding $[illegible], I believe. What do these corporations do? They go to one of the best architects in the country, Mr. Burnham, of Chicago—not, perhaps, so strong in his artistic sense as some of the other architects of the country, but uniting with artistic sense the highest business capacity, the qualities of an engineer, of a constructor, and of a financier.

We had an instance of the work of that great architect in the Chicago Exposition, which opened the eyes of the world to the possibilities of American architecture, advanced by the very architects belonging to this association, graduates of the art schools of this country, graduates of the art schools of Paris, men who had spent years and large amounts of money in their training. It is these men of whom the Senator from New Hampshire complains.

I will warrant that the railroad companies do not haggle with Mr. Burnham regarding his commission. I will warrant that they pay him the percentage provided for by the rules of the association to which he belongs.

So it was when Boston was about to construct its public library, one of the most beautiful buildings in the United States, constructed at a cost of only $1,000,000, I believe, but yet in the expenditure representing more in the way of art than any other

building in the United States. That building was constructed by Mr. McKim, the architect of the White House, who is now the dean of architects. Did the city of Boston haggle with Mr. McKim then as to the compensation he received? I will warrant they paid him the 5 per cent provided for by the rules of this association.

Some time ago I was in New York, and I went into the office of Carrere & Hastings, noted architects of this country, standing upon an equality with the firm of McKim, Mead & White, of New York, the architects who laid out the great Buffalo Exposition, which certainly was a thing of beauty. Carrere & Hastings had undertaken the construction of the great public library in New York, and I found them occupying two buildings with an army of men engaged in the work of designing that one building.

I imagine that the compensation which they receive counts nothing with those men as compared with the excellence of the work which they propose to do. I will warrant that they will spend every cent of their compensation, if it is necessary, in securing the best talent in the way of designers, in the way of constructors, in the way of engineers, and in the way of artists that may be necessary for the completion of that great work.

Mr. GALLINGER. Will the Senator permit me to interrupt him?

Mr. NEWLANDS. So far as wealth is concerned—I beg the Senator's pardon. I yield to him.

Mr. GALLINGER. The Senator says that all the competent architects in the country are in this association; that outside of this association no good work can be secured. Now, if that be so, the architect who made the plans for the addition to the St. Elizabeth's Asylum belongs to this association, and yet he has received 5 per cent on the amount appropriated by Congress—$75,000 or $[illegible], I have forgotten which—on an expenditure of a little over $500,000.

Mr. NEWLANDS. I will say that the charge of architects——

Mr. GALLINGER. The Senator from Nevada——

Mr. NEWLANDS. If the Senator will permit me, I will say that under the rules of the association the charge of architects for alterations and improvements of an existing building is 10 per cent.

Mr. GALLINGER. But these were new buildings.

Mr. NEWLANDS. It is much harder to change a building already existing than to plan one anew.

Mr. GALLINGER. I will say to the Senator that these were new buildings of very common character—common brick buildings—and yet we have paid the architect for those buildings—and if the Senator will cross the river he will see them as he goes over—8 per cent, I think, and there is still a bill pending. We should limit in some way the compensation of these gentlemen, accomplished as they are. I quite agree with the Senator in his tribute to them. They believe in high art, and give us a little too much of it. That is the trouble with many of our buildings; they are too elegant for public use, in my judgment. But, if the Senator will go over to St. Elizabeth's Asylum he will see a very common—[illegible] brick buildings that these distinguished architects are responsible for, so far as the plans are concerned, and we paid out 8 per cent for them. Does the Senator want this bill left open so that when we have expended $50,000,000 these gentlemen will get $10,000,000 of that sum, and a like proportion on any additional sum expended? Does he not think we ought to limit it in some way?

Mr. NEWLANDS. I will say to the Senator that I know nothing of the improvement to which he refers. I have not seen the building, and so I am unable to form a judgment. I certainly do not want to see inferior work, and I do not want to see extravagant compensation for it.

Mr. FAIRBANKS. May I interrupt the Senator?

Mr. NEWLANDS. Certainly.

Mr. FAIRBANKS. Under the bill the responsibility of contracting with the architects will rest upon three Cabinet officers—the Secretary of State, the Attorney-General, and the Secretary of Commerce and Labor; and I ask the Senator if we may not all have confidence in that commission? Is there anyone here who has any suspicion whatever that these three Cabinet officers, constituting the commission of construction, will be derelict in performing their duty?

Mr. GALLINGER. If the Senator will permit me, I will answer that by saying that I do not think they will pay any attention to it at all. That is my judgment.

Mr. NEWLANDS. I assume, Mr. President, that there must be some executive body to attend to this thing. I believe the matter of an agreement for the compensation for the architect's fees is an executive matter; and, whilst I recognize the right of Congress to limit the compensation which can be paid, I only oppose that kind of a limitation which, in my judgment, will prevent efficient service and prevent the securing of the proper talent for this work. I take it for granted that the gentlemen to whom the Senator from Indiana [Mr. FAIRBANKS] has referred—able, as able as any of us are; economical, as economical as any of us are—will guard the interests of the Government in the discharge of their executive work just as well as we can; and I think they will be in a much better position to adjust this matter properly than we are, for they will have the means of judgment and they can secure the information that is necessary for them to arrive at a proper judgment.

The Senator from Maine [Mr. HALE] has referred to the architectural history of this city in aid of his contention that it is unnecessary to go to trained architects for work, and he has referred to the Treasury Department, to the Patent Office, and to the Post-Office, I believe, as specimens of good architecture.

Mr. GALLINGER. Not the Post-Office.

Mr. NEWLANDS. Not the Post-Office?

Mr. GALLINGER. I hope not.

Mr. NEWLANDS. I mean the old Post-Office building, which is recognized as a very pure specimen of Grecian architecture.

Mr. GALLINGER. The Senator from Maine referred, at my suggestion, to the old Smithsonian building, which, in my judgment, is the finest specimen of architecture in Washington.

Mr. NEWLANDS. I do not know the history of the Smithsonian building, but I feel sure that if you will inquire into the history of the construction of that building you will find that one of the best architects of the time was secured in its construction. Its very proportions indicate that a trained, experienced, and artistic architect accomplished that work.

So far as this Capitol is concerned, it was intrusted to the best architects of the time. Doctor Thornton, I believe, one of the great architects of this region, made the original design. His work was followed up by Mr. Walter, one of the great architects of the time; probably the greatest architect of the time. That work was not done under the supervision of the Supervising Architect of the Treasury.

I am not familiar with the history of the Treasury building or with the history of the old Post-Office building or the Patent Office, but I am sure that the best architects must have been connected with those great works.

In the early history of the Republic the architecture of this country was very much better than it has been in later years. Why? Because our architects were under the influence of the traditions of the European architects. They followed the European architecture. The colonial style of architecture, which is so much admired to-day, was simply a repetition of the continental architecture of that time, some of the colonial buildings being designed by great architects and some of them simply copied after existing plans, and almost all of them excellent. As to public architecture, you have only to read Jefferson's letters to see how solicitous he was that we should follow the best classic models.

But in the middle of the last century we fell upon a most unfortunate era in which, disregarding all the traditions of this art and of this profession, trusting ourselves to carpenters and builders and stone masons, we erected all over this country the most amazing structures of hideousness. It has only been since the Chicago Exposition that there has been a revival of architecture in this country. That revival was due to the enthusiastic and public-spirited acts of the men belonging to this institute of architects which is so much criticised here to-day.

You will find that during the middle of the century and up until recent years almost all the buildings of Washington of a public character were inferior in their architectural effect. The Pension building—a monstrosity—the new Post-Office, designed in the office of the Supervising Architect, which we all admit is inferior, and the State, War, and Navy building, also designed in the office of the Supervising Architect, which, while perhaps not so bad, certainly will not compare with the Capitol or with the Patent Office or with the Treasury or the White House in artistic effect, though it involved a very large expenditure of money.

It does seem to me that we are fortunate to have so large, able, public-spirited, and capable a body of men banded together in this association, not for the purpose of spoliating the public, not for the purpose of monopoly, but simply for the purpose of guarding the profession itself in the interest of art, and protecting the public itself from spoliation by men who otherwise would charge what they choose.

Recollect that the association limits the man of genius and talent as well as the inferior man, and that the compensation is the same, the only difference between them being that the man of recognized talent gets the great work. No man of talent can continue to secure such work unless he does the work well, unless he does good service.

These great corporations, like the Baltimore and Ohio Railroad, like the Pennsylvania Railroad, like the great insurance corporations of New York, and these great banking companies, which are putting up these monumental structures throughout the United States—companies composed of men of business who meas-

ure every cent—certainly would not yield to this association of architects if they were a band of robbers simply gotten together for spoliation and robbery. It seems to me a word ought to be said in behalf of these men who are doing more in this country to make it beautiful and attractive than any other body of men in the country and who, in my judgment, are doing a higher public service to the country than any other association of men.

Now, criticism is passed upon the work in the White House. We limited the appropriation. They had to get along with $500,000, I believe, for the entire work, and the question was whether they should put on additions to that building which would entirely subordinate the old building and destroy its individuality in the beauty and the grandeur of the new, or whether they should maintain the simple individuality of that historic building; and we owe a debt of gratitude to Mr. McKim, if for nothing else, that he decided to hold to the individualized White House as it existed for a hundred years, not changing it or altering it at all, but completing it according to the original plans.

Mr. ALLISON. The law required him to do it.

Mr. NEWLANDS. Very well. The law probably required him to do it, but it was at the suggestion, I have no doubt, of Mr. McKim. Mr. McKim, I understand, was in communication with the White House.

Mr. BACON. I may be mistaken, but is not the contrary true, that Congress had reason to apprehend that there were going to be some undesirable changes, and Congress put this limitation on him to prevent him? Am I not correct, I will ask the Senator from Iowa?

Mr. ALLISON. I do not remember the circumstances. I remember very well that the law required him not to change the exterior appearance of that building or to add to it or take from it.

Mr. BACON. I will ask the Senator this: Was not that law passed after it was shown that the changes were about to be undertaken?

Mr. ALLISON. The law was passed because there was a consensus of opinion that no one should interfere with the appearance of that old building.

Mr. BACON. And Congress had reason to believe that there was about to be such interference?

Mr. ALLISON. There may have been people who had that fear; I do not know.

Mr. BACON. And there was foundation for that apprehension.

Mr. GALLINGER. I will say to the Senator from Georgia that in fact a plan had been made and exhibited in the White House showing the proposed changes.

Mr. BACON. It did change the exterior?

Mr. GALLINGER. Very materially.

Mr. BACON. Very materially changing the exterior, and at that time some of our leading Senators, as I recollect, who are very much to be thanked for the service performed, saw the necessity for such legislation and initiated it and carried it through. I think the thanks of the country are due to them for the protection of the White House against those changes.

Mr. NEWLANDS. I should like to ask the Senator from Georgia whether Mr. McKim was not in consultation with somebody regarding that building before the Senate took this action?

Mr. BACON. I think so, undoubtedly. That is exactly what I have allusion to. Of course I have no definite knowledge other than that which is generally shared by Senators and Representatives——

Mr. NEWLANDS. I will ask the Senator from Iowa whether it is not true that Mr. McKim was in consultation either with the President or some one else in regard to that structure before the appropriation was made?

Mr. ALLISON. I have no doubt he was in such consultation. Of course there were many plans and suggestions as respects what should be done with that building, and Mr. McKim, among others, was consulted on the subject. The superintendent of public buildings and grounds at that time also had some decided views on the subject, but those views were all laid aside, if I may use that expression, by the committees having charge of the matter, and the request was made that an estimate be provided which would declare that the building should not be disturbed or the harmony of it or its general appearance changed, and that it should not be added to or taken from.

Mr. NEWLANDS. I will ask the Senator from Iowa whether that conclusion was not in accordance with the views of Mr. McKim?

Mr. ALLISON. I do not know as to that. Mr. McKim did not appear before the Committee on Appropriations, which dealt with this subject, although they had his estimates before them. But there was sufficient reason, so far as concerns the committee and the Senate, to induce the committee to restrict these changes in such a way that the exterior of the building should not be disturbed.

Mr. NEWLANDS. I think the committee acted very wisely. All I contend is that I have always understood that Mr. McKim was brought into consultation regarding that building before the appropriation was made, and that the general views of the committee coincided with the views of Mr. McKim, or, if you wish to put it the other way, that the views of Mr. McKim coincided with the views of the committee.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Maine?

Mr. NEWLANDS. Certainly.

Mr. HALE. I can add a little something to the testimony of the Senator from Iowa with reference to this matter, not in any way contradicting it.

When the matter finally came up, as these things do, on the question of the money, the appropriation to pay the bills, a subcommittee waited upon the President. I will say to the Senator that instead of in any way assenting to his general proposition, that not only a distinctive suggestion, but I may say an adjuration was imposed upon the President that this man McKim should not be allowed in any way to interfere with the architectural beauty of the White House; and the only man from whom any danger was contemplated as likely to arise was this same architect.

I am free to say that I believe had not the committee jealously guarded that building and kept it in a way intact, preserved its fine, beautiful features, it would have been stripped, dismantled, ransacked, changed, and perverted and practically destroyed if we had let it go into the hands of the architect.

Mr. NEWLANDS. Do you base that upon any statement of Mr. McKim's?

Mr. HALE. Knowing what was generally in view, knowing that his scheme was to carry the Executive office over to a new building on Jackson Square, we were very careful in every way to exclude the idea. We knew enough. I did not want any statement from Mr. McKim that he knew more about that building and what ought to be done than I did. No member of the committee wanted it. We did not go near him.

Mr. NEWLANDS. Let me suggest to the Senator from Maine that if he had no statement from Mr. McKim it is hardly fair for him to state that he has no doubt that Mr. McKim would have dismantled that building and changed its whole structure.

Mr. HALE. I have no doubt whatever of it.

Mr. NEWLANDS. Very well. It is hardly fair, it seems to me, unless the Senator had some information from Mr. McKim to that effect, so to charge.

Mr. President, I am very glad to be corrected regarding the history of the White House construction. If the retention of that building in all its old simplicity is entirely due to the committee, great credit is due them. If any part of it is due to the President, credit is due him. If any part of it is due to Mr. McKim, credit is due him; but I do say that an appropriation of $500,000 was made, and with that appropriation it would have been possible for an architect to have departed very considerably from the present individualized appearance of the White House.

Mr. HALE. Not under the injunctions that we laid down, and we never should have appropriated unless we had had the assurance that none of those changes would be made.

Mr. NEWLANDS. It would have been very easy, had an inferior architect been selected, to have put up the Executive building right adjoining the White House, and in such a way as to interfere with its architectural completeness, and yet the architect would have done it under the appropriation. No particular place was designated where a particular structure or improvement was to be made. You gave general instructions, it is true——

Mr. GALLINGER. Does not the Senator think it would have looked better if it had been put in the rear of the White House instead of where it is?

Mr. NEWLANDS. So far as that building is concerned, I was going to say that all lines pointed out by the original architect of the White House were pursued. The original plans were looked up. Those original plans provided for the arcade upon each side which has been the subject of criticism. They were in the original plans of the White House, and in providing for them Mr. McKim only carried out the original design.

It was essential that there should be Executive offices. The White House was crowded and was almost deprived of its character as a home by reason of the Executive offices. They had to be placed somewhere, and where it would be convenient. Now, architecturally that structure, I say, was located at the right place. I do not say that simply from my own judgment, but the judgment of the best architects of the country—I state that the architects of the country have come to the protection of Mr. McKim against the assaults which have been made upon him.

He is the president of the Institute of Architects of this country. Do you suppose that that great body of men would select an inferior man as their chief official? He is the man who de-

signed the public library in Boston, where they have greater taste for art than in any other city in the United States, and he has done the very best work in the country. He is so generally recognized, not only in this country, but throughout the world, that he received some decoration at the hands of the King of England [illegible] a short time ago. This decoration was regarded as a proper tribute to the character and the artistic quality of the man by architects all over the world.

Now, then, as you view the White House from Jackson Square, so far as proportion is concerned, there is nothing to find fault with.

Mr. BACON. I should like to inquire of the Senator whether that decoration was conferred before or after the construction of the Executive office? Was a photograph of it submitted to His Majesty before the decoration was conferred?

Mr. NEWLANDS. I do not know about that.

Now, so far as the material is concerned, it is the only thing you can question about the Executive office. If he had put a high structure there, it would have subordinated the White House. It had to be a low structure, almost unobservable. So far as the color is concerned, it is just as is the White House. So far as proportions are concerned, it is perfect in its proportions.

Now, you can criticise the material because it is made of brick, painted white. I have no doubt the architect would have used marble if you had given him the money to do it, but he was limited by the appropriation, and he had to put it up. It is required as a temporary structure, costing, I think, only fifteen or twenty thousand dollars.

Mr. BACON. Sixty thousand dollars.

Mr. NEWLANDS. Perhaps $60,000; I do not know.

Mr. BACON. The Senator's suggestion as to the cost, I suppose, is controlled largely by the view, from looking at the building, he would take as to what would be the proper cost. But that is only one-fourth the cost.

Mr. NEWLANDS. I should think myself——

Mr. FORAKER. Will the Senator allow me to interrupt him?

Mr. NEWLANDS. Certainly.

Mr. FORAKER. I understood him to say just now that that structure cost not to exceed fifteen or twenty thousand dollars.

Mr. NEWLANDS. That was my impression.

Mr. FORAKER. I hope that is true. I have heard it stated, however, and repeatedly, that it cost $65,000.

Mr. GALLINGER. That is correct.

Mr. NEWLANDS. Well, it may be so.

Mr. FORAKER. Senators sitting about me say that it is correct.

Mr. NEWLANDS. Then, it seems to me, it cost too much.

Mr. FORAKER. Yes; that is the popular impression.

Mr. NEWLANDS. But so far as the design itself is concerned, its proportions, its relation to the White House itself, I insist upon it that it could not have been more perfect, and that the only thing to be complained of, regardless of the question of cost, is as to the material of which it is composed. Doubtless many would have been better pleased had a striking structure been placed there, but its very merit is its simplicity and unobtrusiveness.

Senators have spoken of a plan that was on exhibition there, the plan that was gotten up by the army engineer in charge of public buildings. That elaborate design, involving an extensive wing on each side, is did the design that was presented to Congress at the time by the wife of President Harrison, involved a very large expenditure of money and involved almost a destruction of the individuality of the White House itself.

Now, here is a sample of a design cheaply secured. The army engineer in charge of the public buildings had in his employ at that time an architect, not an independent architect, not a man who would go out in the world and wrestle with others and secure work, but a man who, having had an architectural training, possessed the peculiar qualities which would have given him success in his profession, and therefore could be secured for a very small salary, and he made that great design which would have cost a very large sum. Suppose you had accepted it. You would have added to the architect's fees and you would have lost in the great expenditure for the building. That is what I say is the advantage to be secured by getting these men of training and experience. You not only get art, you not only get efficiency, you not only get perfect construction, but you also get the most economical construction.

Senators have referred to the Supervising Architect's Office. The Senator from New Hampshire [Mr. GALLINGER] referred to it as if that office were almost conducted without cost, and he hopes the time will come when the construction of these buildings will be turned into the Supervising Architect's Office. The present Supervising Architect is one of the very best men who has ever occupied that position, but I assume he would not accept a position yielding only $5,000 a year if he could contend in the world with such men as Carrere & Hastings or McKim, Meade & White. I suppose he will not assume that he stands in the same grade with them. He runs this office, and he has an expenditure in this office——

Mr. GALLINGER. I interrupt the Senator to say, if that be so, why should not the Government get in that office this high talent for which the Senator is contending?

Mr. NEWLANDS. Very well. Pay a man $50,000 and you will get it.

Mr. GALLINGER. Why should we keep an inferior man there who is really in charge of our public buildings?

Mr. NEWLANDS. Pay a man $50,000 and you will get him.

As to the cost of that office, I do not know what the annual expenditure for public buildings is. I have had no opportunity to prepare myself on this subject. I came into this Chamber only a few moments ago and found this matter under discussion. It is a new question to me, but I imagine that the total expenditures of this country for public buildings does not exceed $5,000,000. Am I right, may I ask the Senator from Iowa?

Mr. ALLISON. The appropriation for the Supervising Architect's Office is a very small sum relatively; but the custom of the Supervising Architect's Office is to retain 5 per cent of every appropriation for supervision, plans, etc., and therefore I should say that the annual expenditure would be more than 5 per cent upon the amount expended annually.

Mr. NEWLANDS. So it seems that now the Government is paying 5 per cent for the work that is done in the Supervising Architect's Office. From every appropriation that is made for a public building, costing, say, a million dollars, $50,000, 5 per cent, is set aside by the Supervising Architect for the expenses of the plans and supervision. How can you object to 5 per cent being paid to men of talent outside?

Mr. HALE. That is done for emergencies, general supervision, janitors, and this fee that the architect gets is besides that. It is in addition to it. That is the whole point of the matter. There is not a dollar of this sum saved by employing an architect. It is a wise thing in a large building to reserve something for emergencies, things that come up which are unanticipated, and that is always done. But the architect's fee is aside and independent of that entirely, and it does not cut off a cent from the building—not one cent—if you employ an architect.

Mr. NEWLANDS. As I understand, the architect's fees cover not only the plans, but the supervision.

Mr. HALE. Only what they call the "architectural" work.

Mr. NEWLANDS. Yes; construction.

Mr. HALE. After a building is started the architect does not go near it more than once in several weeks.

Mr. NEWLANDS. Well, he would——

Mr. HALE. Well, he does not. But we do have a superintendent of buildings, and if it is a large building he has his subordinates, he has janitors, he has everybody else, and the 5 per cent is reserved to cover all that. But the architect has nothing to do with that.

As I said, he does not appear, he does not show himself near the building after he has put his plan in and got his fees started; at least not often.

Mr. NEWLANDS. The Senator from Maine has had an entirely different experience among architects than I have.

Mr. GALLINGER. If the Senator will permit me, in the Tarsney Act it is specifically provided that the Supervising Architect of the Treasury Department shall superintend these buildings.

Mr. DRYDEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from New Jersey?

Mr. NEWLANDS. Certainly.

Mr. DRYDEN. I should like to state what my information is as to the practice of architects in superintending the construction of a structure.

He enters into a contract with his employer that he will not only prepare the plans and designs and prepare the specifications, but that he will superintend the work. Now, it is true that a great architect does not personally go every day and walk over the beams and climb onto the different stories to look at the work, but he keeps his superintendents there to do it, men who are in his employment, men who are paid by him, and they do the work and they are skilled men in their work. If a contract is made with one of these big architects, these men take the place of the very force which it has been stated here the Government keeps in its architectural office.

Mr. HALE. That is not experience, nor is it my experience in the erection of private structures. I have had to build, from the desires and the necessities and the ravages of fire within the last fifteen years, three pretty good sized houses. I paid the architect for the plans, and just paid him his percentage, a big price, but I had a contractor to manage the whole thing and I had to pay him. The architect never in any way reduced by one dollar the ex-

penses that I was at with reference to the supervision of the structure. It was all extra. And I say that the architect who furnishes plans for Government buildings is all additional. It does not take the place of anything. Five per cent is reserved by the Government, as it always was before.

Mr. DRYDEN. My experience has been directly contrary to that of the Senator from Maine. I know it is customary when large structures are to be erected to stipulate such a condition in the contract with the architect, that he shall furnish these men to examine the work as it goes on and certify to its correctness, and if the work is found to be improper it is rejected, and rejected on the certificate of these men whom the architect keeps there to act for him. If the Government was to enter into a contract with any of these big architects who construct these enormous buildings, it can make such a condition in the contract, and the architect will agree to it.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Indiana?

Mr. NEWLANDS. Certainly.

Mr. FAIRBANKS. I wish to say what the Senator from New Jersey would be too modest to say, that there is nowhere, neither in the Senate nor anywhere else, a person more capable of speaking upon this subject than the honorable Senator from New Jersey. One of the most splendid office buildings in the United States—yes, one of the finest in the world—has been constructed by him, and while I have no certain knowledge upon the subject, I am very well satisfied to follow the better opinion of the Senator from New Jersey.

Mr. NEWLANDS. Will the Senator from Maine permit me to inquire whether or not he paid the architect to whom he referred 5 per cent commission?

Mr. HALE. Two and a half per cent.

Mr. NEWLANDS. Then you paid two and a half per cent simply for the plans which did not involve supervision.

Mr. HALE. I was younger then than I am now, and greener. I paid him what he asked.

Mr. NEWLANDS. Two and a half per cent for all these structures that you referred to? You spoke of having put up three.

Mr. HALE. I paid all expenses, all incidental expenses. I found no fault with him. He was a very competent, bright architect, one of the very best, but he did not manage the construction of the building.

Mr. NEWLANDS. What is that?

Mr. HALE. He did not manage the construction of the building. He turned over his plans to the builder. The builder employed his joiners, his carpenters, his day laborers, and built the building, and when he had a bill to present he presented it to me and I paid it. But the architect did not manage it, and there is no necessity in these cases, with this bureau that we have there, for the architect charging for the management of the building.

Mr. NEWLANDS. It is very clear to me that the Senator must have made an arrangement such as is often made covering simply the plans and involving no supervision whatever as to details and no responsibility whatever as to construction.

Now, the architect's duties are defined in the annual report of the Supervising Architect, in which he speaks of the Tarsney Act:

> The law that authorizes the Secretary of the Treasury to adopt this method of procuring designs, known as the Tarsney Act, provides that in carrying it into effect the standard authority is to include full supervision of the construction, the function of the office of the supervising Architect being of an advisory or a supervisory nature.

So that the architect is to have the local supervision of the construction. He is to have supervision of the contract, and if the contractor puts in inferior material he orders it to be taken out; and my experience is that a very valuable part of the architect's work is that which comes under this head.

Mr. GALLINGER. Now, Mr. President, at that point——

Mr. NEWLANDS. Let me keep the floor just one moment longer and I will yield.

Mr. GALLINGER. I wish to call the Senator's attention to something on that very point. He has the report of the Supervising Architect on that point, from which he reads?

Mr. NEWLANDS. Yes.

Mr. GALLINGER. If the Supervising Architect had turned to the statute enacted in 1893 he would have found this provision, which relates directly to his office:

> That the general supervision of the work shall continue in the office of the Supervising Architect of the Treasury Department, the Supervising Architect to be the representative of the Government in all matters connected with the erection and completion of such buildings, the receipt of proposals, the award of the contracts therefor, and the disbursements of moneys thereunder, and perform all the duties that now pertain to his office, except the preparation of drawings and specifications for such buildings.

It seems to me that so far as the supervision is concerned, under this statute, which provides for competition between outside architects, the Supervising Architect is specifically charged with the supervision of the construction.

Mr. NEWLANDS. The Supervising Architect does not say so in his report.

Mr. GALLINGER. Well, he forgot to quote the language.

Mr. NEWLANDS. He says "the architect is to have local supervision of the construction, the function of the office of the Supervising Architect being of an advisory or supervisory nature." It is true that the Supervising Architect represents the Government, just as my agent would act for me if I were putting up a building. I would have a certain degree of control over the architect, but that would not involve my assumption of his duty in the supervision of the construction itself.

Now, Mr. President, I was just getting to one point. I sent to the room of the Committee on Appropriations a few moments ago to inquire what amount was allowed the Supervising Architect's Office for the supervision of the construction of the various public buildings of this country. I find that while the specific allowance to that Office is only $5,220, yet there is authorized to be paid from public-building appropriations $300,000, making a total of $305,000, which is 5 per cent on——

Mr. ALLISON. Six million dollars.

Mr. NEWLANDS. It is 5 per cent on $6,000,000, and I assume that the annual expenditures of the Government for public buildings in this country does not exceed that amount. So it seems that even when we assign this work of making plans to the Supervising Architect, the plans and supervision of the Government buildings involve an expenditure of 5 per cent.

It is true that you can pay an architect, if you choose, simply for his plans, and you can get them for a less sum than 5 per cent, but it seems to me that no greater mistake could be conceived than to get a great design for a great building from a great architect, and then when the time for construction comes absolutely absolve him from all responsibility regarding it. I should call that in the highest degree unbusinesslike, involving possibly great defects in construction, great defects in design, and great defects in the artistic perfection of the building.

Mr. QUARLES. Mr. President, I have not sufficient artistic taste nor yet the experience to throw any light on the question which has engaged the attention of the Senate now for a considerable time. To one claiming to know something on that subject, it would seem entirely safe if we fixed a maximum compensation—say, 5 per cent—and left it to a committee of three members of the Cabinet, as is proposed in this bill. But upon the major proposition, as to whether this measure should pass, I have very decided convictions.

Mr. CLAY. If the Senator will permit me just on that point, I will ask him a question. Does he know how much we are paying at this time for rental of offices for Government officials? Is it not true that we are paying about $315,000 or $320,000 a year, and that is equal to 2 per cent on $15,000,000?

Mr. QUARLES. Three hundred and sixteen thousand dollars, I am advised, the Government is paying annually in this city for the rental of additional facilities for its departmental force. I shall come to that presently.

Mr. President, I should not have asked the attention of the Senate at all on this question had it not been for a suggestion made by my distinguished friend from Maine [Mr. HALE]. He is always deliberate, always persuasive, and generally wise; but he dropped one remark which challenged my attention and to which I wish to direct the attention of the Senate for a moment.

His suggestion was that, before passing a bill of this magnitude, there ought to be a preliminary commission organized, whose function it should be to investigate and report to Congress at the next session the probable cost of the several proposed sites. Now, that delay means death to this measure; and when my distinguished friend urges delay and deliberation, I beg to remind him that this bill involves no sudden impulse or spasm; that it is the result of five years of deliberate reflection and investigation on the part of the committee of this body to whom is intrusted this subject-matter.

When I came to the Senate five years ago I was assigned to this committee, and I believe I have attended every meeting of the committee from that time until now. One of the very first propositions made to that committee after I had the honor of joining it was the imperative necessity of another large departmental building, such as is contemplated by this bill, and that committee then undertook that task. You may have noticed, if you have read the report of the committee, that it was in 1899 that, responding to the universal conviction that another great building was necessary, the Attorney-General was authorized to expend a million dollars on one of the squares named in this bill for a judiciary building. You know the history of that proposition. It failed.

The Committee on Public Buildings and Grounds in the Senate have considered no end of propositions with a view of relieving

this great demand on the part of the Departments, but it has been necessary to adopt some scheme which was considered wise by the corresponding committee in another place. We had also to consult the convenience and wishes and preferences of the several Departments; and this bill, notwithstanding that continued investigation on the part of the committee, is the very first tangible proposition that has ever found its way into this body.

Now, referring again to the suggestion of my distinguished friend from Maine that we should ascertain the cost of these several sites as a matter of precaution, I want to say that the Committee on Public Buildings and Grounds has repeatedly endeavored to ascertain the cost of all the sites that are named in this bill; and we went far enough to determine in our minds one great fact—that is, that the owners of these several pieces of property put such an excessive valuation upon them that it is utterly impossible to hope for an agreement with them as to the price of their property, and that condemnation must necessarily be resorted to in each and every case.

So, if my distinguished friend were to carry his proposition through and defeat the consideration of this bill, his commission would only learn that which our committee has had enforced upon us time and time again, that it is utterly idle to make the attempt to buy this property. You have got to condemn it, and we shall simply lose time if we undertake to pursue the other course.

Mr. HALE. If the Senator will allow me, I do not quite see why he says that if this particular proposition is not carried through now it is the death of this enterprise. Granted that we need accommodations for these three Departments, certainly there is no harm coming to the public service, aside from the fact of the payment of some rent, that will conflict with the public business. The scrutiny, investigation, and report as to what property can be bought for and is Congress in deciding whether it will take it. Six months go very quickly, and it is not any such investigation as the committee has been able to make that is contemplated.

Mr. FAIRBANKS. Will the Senator allow me?

Mr. HALE. Certainly.

Mr. FAIRBANKS. The Senator may have overlooked the fact that the measure was before a former Congress. The Senator opposed its consideration then. If he had been eager to have expedited the measure, his suggestions made now might have been made then.

Mr. HALE. I wish it had occurred to me then. I did oppose it because it was then a worse scheme than it is now. If it had occurred to me, I certainly would have made the proposition I have in my mind now. I do not say that it is my proposition, because other Senators have that in view. But I was going on to say—I do not want to take the Senator off his feet, but we have a way of talking back and forth——

Mr. QUARLES. That is all right.

Mr. HALE. I do not condemn such investigation as the committee has been able to make. If I frame the amendment providing for an examination into that triangle south of the avenue, the place where, evidently, most Senators, so far as we can judge from what they have said, believe Government buildings ought to be erected, we shall get a thorough investigation; we shall get a commission that will take it in hand; we will see and hear every man who has property south of the Avenue, and we will get his proposition.

When Senators or the commission come to deal with the tracts south of the Avenue they will not find such a condition as we have on the lot that it is proposed to take on the opposite side of Jackson Square. There almost everybody objects to selling and does not want to sell. They want to stay where they are. It is a residential part. South of the Avenue everybody wants to sell out, and when they are confronted with the fact that they have got to make reasonable offers the Senator's committee will find when we come together at the next session of this Congress that they will be able to mark out a plan and will be able to say what not only one square will cost, but what the whole of that triangle will cost, and when we get that, Mr. President, it will be a good investment; we can put every public building that we build for thirty years on it, and all these questions will be saved.

Now, there is some rent saved, but the amount that is paid for rent in Washington not only applies to these three Departments; it applies to all the Departments. It is $350,000 in all. There is only a portion of that—not the largest portion—that comes under these Departments. That is the entire amount, and for these three Departments it is not so large as people state.

The Senator from Indiana, if he got his bill through—which I suppose he will not—would not consent that a proviso should be put in it that no contract shall be made until contracts for the entire building shall be made, not exceeding $5,000,000. This building can not be constructed for that amount. It can not be built for $10,000,000, Mr. President. Nobody supposes that it can. The amount saved in rent on these three Departments, suppose it is half of $350,000, is only $175,000, and that is a very small per cent on what the cost of this building will be.

But I only rose to call the attention of the Senator to the fact that by proceeding carefully, by providing for what we ought to do, and what I ought to have had the foresight two years ago to propose—which I did not—this scheme will not be destroyed; it will be all the better, and we will get good buildings south of the Avenue and help make that a noble avenue. We will have the park brought up on the southern side and every public building will have two fine fronts, one on the park south and one on the Avenue north. It will not be in the way of residences; it will not be in anybody's way. It will not chill the whole square round about, as a great building does when built in a residential part. It will be by itself, where it ought to be, and it will be a great, noble, grand feature.

Mr. QUARLES. Mr. President, as far as the last suggestion made by my distinguished friend is concerned, I beg to inform him that this committee has gone down along the south side of Pennsylvania avenue. It has negotiated with owners of property there, and it has in its committee room to-day the very figures which the learned Senator would wait a year or two to obtain through the medium of a commission. The result was, as I said a moment since, that the figures are simply excessive in every case, and we have got to condemn this property.

Now, I do not understand why my distinguished friend, notwithstanding the amendment that has been made to the bill, still lingers around square 167 as though there were some fatal fascination about that square. The commission certainly have been authorized to go down on the south side of Pennsylvania avenue and get that property, if they can, and if it has all the advantages so graphically described by the Senator from Maine, why should they not do so?

My distinguished friend asks me to tell the Senate why his proposition of delay means the death of this bill, and I am glad to state it in a few words. It throws this measure over into the short session, which will be so congested with other measures that consideration of this great measure would be absolutely hopeless. We have no river and harbor bill in the long session; we have no general public-building bill; we are considering no general legislation of any kind; everything is being thrown over into the short session; and does any Senator here think that, with all the pressing needs of all those great bills, this bill is going to receive consideration in that short session?

Mr. HALE. Does not the Senator expect—because there will be none at this session—that there will be a public-building bill at the next session?

Mr. QUARLES. I say there may be.

Mr. HALE. Do we not all understand about that? Is it not the understanding, I will say, in another body that whilst it is not desirable this year to have a public-building bill there will be one next year? The truth is, Mr. President, the Senator is wrong about that. These public-building matters go more easily, and have done so heretofore, in a short session than at any other, after the elections are over and after everything is out of the way. When we come in at a long session it is always said we must not have a public-building bill, we must not have a river and harbor bill, but when we get into the short session we always have it. There will be a public-building bill next year. There will be a much better chance of passing it then than there will be this year.

Mr. QUARLES. Mr. President, I do not think this measure would find its way into that bill. There are so many other measures to which Members and Senators are wedded in their own localities that my proposition is that this great measure would be driven out, as it has been for five years. For five years the necessity of this building has been just as apparent as it is to-day. You have had two public-building bills, but this bill could not get in; neither will it get into the next public-building bill.

Mr. BACON. Will the Senator permit me to ask him a question?

Mr. QUARLES. Certainly.

Mr. BACON. I desire to ask the Senator whether if this session should be prolonged to a date to which the long session usually reaches, would it not furnish the opportunity for securing the information which the Senator from Maine suggests as being important, and still leave time enough in which to pass this bill? So if it is of such crying importance, of such great magnitude, would it not, in the opinion of the Senator, be better that we should give it that direction rather than adjourn and leave it without any action whatever?

Mr. QUARLES. Mr. President, I am in favor of the passage of this bill now.

Mr. BACON. I understand. I was simply asking a question of the Senator which might suggest a way in which the difficulty

which he presented might be obviated and the passage of the bill still secured during the present session of Congress.

Mr. QUARLES. No, Mr. President; I conceive that the information upon which my distinguished friend from Maine lays such great importance is of no avail. As I said, we have that information now, unless the figures have been destroyed. The committee has had them and has considered them.

Mr. HALE. Certainly, there is not in this report the slightest particle of information either way about that.

Mr. QUARLES. Of course not.

Mr. HALE. It is singular that with evidently so many Senators believing offhand that this building ought to be erected on the south side of Pennsylvania avenue, the committee does not give us a particle of information upon that point. I do not blame the committee. I do not suppose they have any exhaustive information such as a commission can get. A commission can get complete information and furnish it to the Senate, but the committee can not do that. They have other things to attend to and I do not find fault with them. It is impossible for the committee to do it.

Mr. QUARLES. Mr. President, my learned friend underestimates the industry of the chairman of the committee. The chairman of the committee has undertaken that labor himself on three several occasions. He has consulted the owners of this property, he has obtained their lowest prices, and has submitted those prices to the committee, and the committee in each instance has determined that the prices were excessive and that the property would have to be condemned.

Mr. HALE. I suppose there are 500 owners south of the Avenue. The chairman could not have seen them all.

Mr. QUARLES. I do not mean that we went all down that line. We did not go down below the power-house site. But we took every piece of property west of the power-house site, clear up to and including the Regent Hotel, and each and every other piece of property——

Mr. HALE. That is only a block; that is only a small portion.

Mr. QUARLES. It is more than a block, because it included the power-house site.

Mr. GALLINGER. But, if the Senator will excuse me, the power-house site is already purchased for the municipal building, and they are commencing the construction of the building now.

Mr. QUARLES. I am well aware of that fact.

Now, Mr. President, just a word as to the immediate necessity of this building. I will say the immediate initiation of the building. No Senator can read the report this committee has made, I think, without coming to the conclusion that it is the duty of the Senate to pass this bill at once.

When we say that the facilities which are given to the State Department, for instance, are inadequate we are not half stating the proposition. They are simply shabby. Our great Secretary of State has only one office. He has no retiring room. If two diplomats call at the same time on different matters of business, one has to wait. If a Senator happens to call he has to wait in the open corridor. I ask Senators to read this report from the several Departments that are to be housed in the new building and see how absolutely imperative it is that the building should be commenced at once.

When we consider that five years will undoubtedly be necessary to complete this building, it requires no great strain of imagination to see what the condition of affairs will be in the city of Washington with reference to our great Departments before the time comes when we can possibly finish this building. It is a shame and a disgrace that a great Government like this should leave these great Departments in the condition in which we find them in the city of Washington at this time.

I ask, without protracting this debate—for the time is running on—that Senators will read the report of the committee and read the appeals which are made by these several Departments for greater facilities. Then, in the light of that suggestion, they will be prepared to vote upon this bill, and I think they will agree with me it ought to pass at this session and be sent over to the other House in time to be considered there.

Mr. HOPKINS. Before the Senator from Wisconsin takes his seat, I should like to ask him a question. I understood the Senator to say, in the course of his remarks, that the land which is described in this bill is held at prices which the committee believed were so exorbitant that the Government would have to resort to condemnation proceedings. What assurance will we have, if that authority is given, that the Government will get the property at any less prices than those fixed by the property owners? What has been the experience of the Government in the past in questions of that kind?

Mr. QUARLES. Does the Senator mean to ask me whether by condemnation we shall be able to economize?

Mr. HOPKINS. Yes, sir.

Mr. QUARLES. In regard to that, I am utterly unable to furnish the information desired by the learned Senator. My experience is not sufficient to warrant me entering upon that theme. That, however, is the only recourse, as the Senator well knows, if the price which is fixed by the property owners is exorbitant. There is no alternative.

Mr. HOPKINS. I agree with the Senator that that is correct if we take that particular property. But I think that is a consideration which should be looked into further in determining whether we shall select the specific property which is described in the bill.

Mr. FAIRBANKS. If the Senator from Wisconsin will allow me——

Mr. QUARLES. Certainly.

Mr. FAIRBANKS. The discussion has been directed mainly to one of the blocks mentioned in the bill; but there are several sites which the commission is authorized to consider.

Mr. HALE. Does the Senator from Indiana think it likely after he gets this bill through that any other block will be selected excepting that great residential block to the west of Jackson Square?

Mr. FAIRBANKS. "That great residential block!" That is a misuse of words.

Mr. HALE. I make that inquiry.

Mr. FAIRBANKS. That square——

Mr. HALE. Is not the Senator himself in favor of acquiring that square?

Mr. FAIRBANKS. If I had my way about it, I certainly would acquire that square, and I think it is a serious mistake for the Government not to take it. I think so, and when I have an opportunity to get the floor I shall undertake to demonstrate it. How other members of the proposed commission may view the subject I do not know. I have not conferred with any of them. I do not know what their opinion is upon it. My desire is, Mr. President, to accomplish something and not stand here striking in the bark upon a great question. Let us deal with a great public question in a great, broad, intelligent way.

Mr. HALE. That is precisely what we want.

Mr. FAIRBANKS. If this were a matter of individual or corporate concern, Mr. President, it would have been settled long ago. The history of the efforts to secure buildings in the District of Columbia for the accommodation of the public business is a serious commentary upon the manner in which business is sometimes done. History shows that years are consumed in debate as to the necessity of a public building, and much time is frequently consumed in debating these minor questions—the minutiæ, details which have been debated here. I can characterize them in no other way——

Mr. HALE. I do not wish——

Mr. FAIRBANKS. I say that without any discourtesy to the honorable Senator.

Mr. HALE. No; it is not a matter between the Senator and me here, but I do not agree with the Senator that Congress has been remiss in this business. Long since I came into Congress almost every Department of the Government——

Mr. FAIRBANKS. Will not the good Senator, who has spoken frequently, allow me a few moments for uninterrupted discussion?

Mr. HALE. Yes.

Mr. FAIRBANKS. If, however, the Senator has arisen for a question I do not wish to interrupt him.

Mr. HALE. No; I see the force of what the Senator says, and will not interrupt him.

Mr. FAIRBANKS. I think the Senator has spoken a half dozen times, and I, in order to expedite the passage of the bill, have refrained from saying anything.

Mr. HALE. I shall not interrupt the Senator.

Mr. FAIRBANKS. Mr. President, about twenty years elapsed from the time the discussion began for the erection of the extension of the Treasury building until it was completed and occupied. It was about eleven years after the discussion of the necessity for a new Congressional Library building began until the building was ready for use. And some seventeen years—nearly—elapsed in the consideration of the necessity for the construction of the State, War, and Navy building and the actual construction.

Twenty-five years, Mr. President, have elapsed since the debate began as to the necessity of a hall of records, and until the present hour all that has been accomplished has been to acquire a site for the building. The question of an appropriation comes later.

Mr. LODGE. And an undesirable site.

Mr. FAIRBANKS. "An undesirable site," the honorable Senator from Massachusetts says. I do not admit it. That has been one of the great stumbling blocks in the consideration of this question—sites. There are differences about the tariff and some constitutional questions which can be easily adjusted, but when it comes to the question of sites for public buildings there the opinions are fixed, rigid, and unchangeable. It seems to me that we

have got to accommodate ourselves to each other's views in a measure in order to accomplish anything in these important matters.

What the people of the United States want in the city of Washington is suitable accommodations for the transaction of the business of the Government. I need not say to Senators here how great is the necessity for additional facilities for the economical conduct and proper transaction of the business of the Government.

The Department of Justice is housed in inadequate quarters, and valuable documents and records of the Government, amounting possibly to more than the comparatively little sum involved in this bill, are in constant danger of destruction and loss.

Go to the Treasury Department and you will find that there are records stored away in insufficient and in inaccessible recesses, liable to be destroyed at any moment, amounting to millions of dollars in value, and yet we debate about the question of architects' fees or whether this or that inconsequential detail should go in the bill.

Ah, my friend, we have got to repose confidence and discretion in some one if we expect to secure the requisite facilities for the proper transaction of the public business.

I know, Mr. President, there is no more ungracious task that rests upon any committee of the Senate than that which rests upon the Committee on Public Buildings and Grounds. If we propose a measure here deemed by us essential to the public interest, we are beset by property owners and real-estate speculators from the beginning of the discussion of the measure to its final consummation.

No great residential section should be taken for this purpose, says the Senator from Maine. Once it was true that the block in question was a great residential section, but it is not so now—its glory has departed. I believe the Government owes it to the future as well as to the present to acquire block 167. There and in that vicinity is the heart of the Republic, and it must so continue down through the years that lie before us.

This block looks out upon the White House and the White House grounds. It looks out upon Lafayette Square, which will always be an object of great interest to the people of the United States. Block 167 will either be owned by the Government or by private individuals—private speculators—and in time there will be erected upon it either a Government building that will be a matter of admiration and pride with the people and which will enhance the value and desirability of all the surrounding Government property, or there will be built upon it apartment buildings, stores, and shops, which will be a standing disgrace to the Government.

Nobody can tell what the particular site mentioned by the Senator from Maine will cost, as the committee in its report frankly says to the Senate. The men upon the committee are practical men, used to dealing with questions of some magnitude. They believed there was only one way to accomplish the object desired. You can not accomplish the end in view entirely by legislation; you will have to give authority to some commission to go and select within reasonable limits a site adequate for the erection of a great building.

What have we provided in the bill? We have provided that a commission shall be composed of the President pro tempore of the Senate, the Speaker of the House of Representatives, the chairman of the Committee on Public Buildings and Grounds of the Senate, and the chairman of the like committee of the House of Representatives, and to these four we have added three members of the Cabinet—the Secretary of State, the Attorney-General, and the Secretary of Commerce and Labor. That commission of seven, within the limits prescribed by this proposed act, is authorized to acquire by purchase—and if not able to purchase upon reasonable terms, then by condemnation—the requisite property.

Block 167, says my friend the Senator from Maine, will be the one acquired. I do not know. The commission under this bill, if it shall become a law, will be authorized to purchase not only block 167, but the one immediately opposite to it across Lafayette square—block 169; the block west of the State, War, and Navy Department, upon which the Winder Building is situated, or it may acquire a site south of Pennsylvania avenue and east of Fifteenth street, as proposed by the distinguished Senator from New Hampshire [Mr. GALLINGER]. The bill has given this much discretion to the commission, and a very broad discretion it is.

Why? Because dealing with the subject through Congress would be a cumbersome, slow, tedious, and uncertain process, and no one knows that better than the able and distinguished Senator from Maine.

The Senator from Maine says he does not want a Department building erected in this "great residential section." Let us see about that. Block 167 is now partly occupied by the Court of Claims; it is partly occupied by the Bureau of American Republics, and it is partly occupied by one of the bureaus of the Department of Justice.

People, instead of wanting to live there, as a general proposition are obtaining homes and going elsewhere. North, looking down upon this block, is a hotel and, I believe, three residences, one, if I recollect correctly, unoccupied for some time. West, across Seventeenth street, is the Metropolitan Club. I have heard of protests from some of the members of that organization against the erection of a public building in that vicinity. South of the club, reaching down to Pennsylvania avenue, are a few residences and a number of shops. When shops go in, residences go out, as the Senator knows.

South of this block is the great War, State, and Navy Department building, and on the east side is Lafayette Square. Senators must have observed that large apartment houses are crowding down into that locality. It seems to me that we would be recreant in our duty to safeguard the future interests of the city of Washington, in which the people are justly concerned, if we allowed this property to go into the hands of those who would make of this locality an undesirable place.

This seems to me to be the most desirable block for a great building which shall stand as a representative of the dignity and power of the Government. These Department buildings are but few, and when they are built they should be built not only for the present but for the future.

As to the architect's fees, of which the Senator has made complaint, it has not been customary—and I appeal to the Senator from Maine in the statement I am about to make—it has not been customary to impose limitations upon fees to be paid architects.

The Senator is a member of the great Committee on Appropriations, and one of the last bills reported to Congress by that committee contained a provision carrying some three and a half million dollars for the construction of a building for the National Museum. That proposition did not go to the Committee on Public Buildings and Grounds, as, under the rules, it should have gone, but it went to the Appropriations Committee, of which the honorable Senator is so powerful and distinguished a member. What did that committee do?

Did it put a limitation on the architect's fees? Certainly if there was great peril to the Government the vigilant Senator would not have omitted to say so, but an inspection of the act as it stands upon the permanent statute books of the United States discloses the fact that the Senator did not deem such a limitation there necessary.

Mr. HALE. I will state to the Senator——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Indiana yield to the Senator from Maine?

Mr. FAIRBANKS. With pleasure.

Mr. HALE. I will state to the Senator that I did not think then, and do not think now, that there was any danger in that case; but if the Senator had directed his attention to another case, where a great building was to be erected, and where there would be danger of this, he would find that on my motion the following clause was inserted in the bill providing for the erection of a hall of records:

> And no plan shall be adopted unless authorized by legislation hereafter to be enacted, and such plan or any compensation connected therewith shall only be preliminary and shall not in any way run with the construction of the building, and no obligation for such preliminary plans shall be incurred to cost in excess of $5,000 herein appropriated.

I mean, Mr. President, if I can have my way, upon every public building erected here in the city of Washington, and perhaps outside largely, to have a provision similar to that which I have just read put on the bill. In the case of the hall of records I thought such a provision necessary; but I did not think any architect was needed in the matter to which the Senator has referred, and do not know that one has been employed.

Mr. FAIRBANKS. I will ask the Senator if he has not been pressing certain bills for public buildings in Maine, and whether there is any limitation in regard to architects' fees in those bills?

Mr. HALE. I do not know how that will be when we get them. We have not got the buildings yet.

Mr. FAIRBANKS. You have got the bills.

Mr. HALE. We have got the bills for the sites and all that. I am entirely willing and should be very glad to have the provision I have referred to incorporated upon all bills of that kind. Of course it is not so essential upon a small building, but even in such a case I think if any architect at all is employed he ought to be employed under limitations, and he ought to be a local architect.

When it comes to big buildings—and we have got some, as the Senator knows, in contemplation in New York City and other cities—I for one shall not consent to any provision for those great structures unless it is accompanied by such a stipulation as, on my motion and drawn by me, was put on the bill providing for a great building for a hall of records. I want Congress to

know before it embarks on these undertakings and appropriates the money what all this is to cost, and on buildings here in Washington—I do not want to interrupt the Senator from Indiana——

Mr. FAIRBANKS. I am glad to hear the Senator.

Mr. HALE. But on matters here in Washington, I think, as I have said, Congress ought to know where its money is to go and what the land is going to cost. That can be easily done.

I agree with the Senator, and generally we are all agreed, that we want these buildings. But six months' delay is not fatal by any means. We are constructing a great many public buildings in Washington, as the Senator knows. Long since I have come into Congress every Department under the Government has been taken out of crowded, narrow, cramped quarters, and many of them given fine, handsome, commodious rooms. I do not think we are especially at fault. I want to go on from year to year, but I want to know where we stand when we do go on.

Mr. FAIRBANKS. So far as the attorneys' fees are concerned, and I will take but a moment, as I wish to see action upon the bill to-morrow—I am willing to leave that account to the discretion of the Secretary of State, the Attorney-General, and the Secretary of Commerce and Labor. It is a discretion which they will exercise reasonably. The Senator can have no doubt about that.

There was one thing stated by the honorable Senator from Maine that I did not understand precisely. He said that the bill would not go through. Why?

Mr. HALE. I said that I expected it would not. I do not think the Senate is prepared to pass the Senator's bill. I may be wrong about it, but I judge so from the indications. Of the Senators here to-day, almost every one who has spoken, except the Senator from Indiana and the Senator from Wisconsin, has spoken in favor of going south of the Avenue. I may be wrong about that.

Mr. FAIRBANKS. The Senator intimates—the statement was perhaps somewhat ungarded and inaccurate—that there had been undue haste, and that was the sound of alarm when the Senator first began his observations. Mr. President, there has been no subject which has been before the Senate for years which has been more deliberately considered than this. It failed of action in the Senate, first, because an amendment was put upon the bill at the suggestion of the honorable junior Senator from Massachusetts [Mr. LODGE]. While we were dealing with that amendment the bill was so delayed that it failed of passage at the long session of Congress.

Mr. BAILEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Texas?

Mr. FAIRBANKS. I yield with very great pleasure.

Mr. BAILEY. Has it not heretofore been the idea that the building for the Supreme Court, at least, should be located near the Capitol and opposite to the Library?

Mr. FAIRBANKS. Yes; the Senator is right about that.

Mr. BAILEY. Speaking for myself, I dislike very much to see the Supreme Court sent so far from the Capitol.

Mr. FAIRBANKS. I agree with the Senator; but this bill does not make provision for the Supreme Court; it is for the Attorney-General; it is for the executive branch of the Department of Justice.

Mr. BAILEY. Then my objection does not apply; but I had been advised that it included the Supreme Court.

Mr. FAIRBANKS. Oh, no.

Mr. BAILEY. I was going to say that it often happens that it is necessary for Senators to go to the Supreme Court for the purpose not of attending to their professional, but to hear the discussion of important causes there. Every Senator has probably the experience that I have, of frequent requests to present members of the bar from his own State for admission there. In attending to these matters it would be very inconvenient to us if the court were put at the other end of the Avenue. I think they ought to have better quarters than they have. I think they ought to have more room and better room, and I hope we shall find it for them near the Capitol.

Now, Mr. President, that I am on my feet, I am constrained to ask the Senator from Indiana how long it is going to be before the Senate takes care of the minority members of its own body, and how long must we be set down here in a building that has been condemned as unsafe. I think myself that it would not be very much less to the country, perhaps, if some of us were not able to perform our service, but for one I should like to be able to perform it with all my faculties, and I have no taste for being housed in a building that, by common consent, is regarded as unsafe.

Those in charge have declined to allow us to carry books into our rooms over in what is known as the "Senate Annex," because they are afraid that if we all carry books up there the building will fall. [Laughter.] Most of the Senators who are located in that building probably are wise enough not to need books to help them perform their duties; but some of us do need them, and we chafe a little at being told by the janitor in charge of the building that we must not carry books up into our rooms, because, if we do, the building is liable to fall.

That is the condition in which thirty-five or forty members of this body find themselves, and I sincerely hope the Senator from Indiana, who is chairman of the Committee on Public Buildings and Grounds, and performs his work well, will relieve these Senators before he takes care of others. In other words, I think it infinitely more important to provide for the safety of the Senators than for the comfort of the Commerce and Labor Department or even of the Attorney-General. I do not believe that any man who serves for the Government ought to be exposed to an unnecessary hazard. But when a man comes here, patriotically performing, certainly at what is not more than a moderate salary, what the public service requires of him, if he can not have comfortable quarters, he ought at least to have a safe place in which to do his work.

Mr. FAIRBANKS. I fully agree with the honorable Senator from Texas. There are more buildings than he has mentioned needed in the District of Columbia.

Mr. NEWLANDS. Will the Senator from Indiana permit one suggestion from me in that connection?

Mr. FAIRBANKS. I yield for a question.

Mr. NEWLANDS. It is a mere suggestion, and that is, that a structure somewhat resembling the Executive office of the President, but composed of better material, we intended, and in keeping with the architecture of the Capitol, could be constructed immediately adjoining this building upon the same ground, and connected with it. That would give ample accommodations to those who now have very inferior accommodations.

Mr. FAIRBANKS. One of the difficulties about securing necessary building legislation in the District of Columbia has been the great divergence of opinion as to which was the most emergent measure.

Mr. BAILEY. Will the Senator permit me?

Mr. FAIRBANKS. I was going to say that the Senator and I have discussed the matter he has just mentioned, and I think it is one that should be taken up and considered in a deliberate and intelligent way.

Mr. BAILEY. But is it not the most emergent? I have heard no suggestion that anybody else is occupying quarters that have been condemned. I have heard that some are occupying quarters that do not comport with the dignity of their several offices, and there may be more or less force in that. But I have not yet heard a suggestion that anybody connected with the public service is occupying condemned quarters, except several of the Senators.

I said a moment ago that Senators of the minority were those occupying this building; but I will correct that statement and say the Senators who are sent down to this building, commonly known as the "Maltby Building," I believe, but legally known as the "Senate Annex," are not entirely Democrats, but there are a number of newly elected Republican Senators as well. They are sent down there more as a matter of seniority than they are as a matter of politics; as I I take it that in case of accident you would lose about as many able-bodied men as we would.

Mr. FAIRBANKS. It would be a sort of nonpartisan accident.

Mr. BAILEY. Yes; but I discover that it is a nonpartisanship that comprehends only the new members. If you reversed it and sent the old members down there, they would have had a new building three years ago.

Mr. HALE and Mr. GALLINGER. That is true.

Mr. BAILEY. But the new Senators hardly know how to proceed with that dispatch and efficiency which their seniors have acquired; and so, being new and without that powerful influence in these affairs, we are put down there with our lives in our hands and told to wait until the comfort of other folk can be provided for.

I am not going to obstruct the Senator's bill; but if the Senate, or at least that part of it that is quartered down there in this condemned building, had my view, there would never be another public-building bill pass this body until the safety of the Senate was provided for.

I do not myself expect to stay down there all the while. I expect to join the seniors up here, if I live long enough. I expect to be provided with quarters here, and probably long before you would have that building finished if you began it now. But I do believe that it is a reflection on the good judgment of the Senate to compel a large number of members to occupy rooms in a building that is unsafe, and has been condemned as unsafe, and is so unsafe that the Senators are not permitted to carry books up there to inform themselves about questions which they ought to discuss. They can carry them up one or two at a time, but the vigilant janitor there, if he finds any Senator with too many, serves notice on him that he must take them out. Twice within the last two or three weeks I have seen books taken from a Senator's room into the hall to be carted down to the basement.

Now, that is an outrage upon the Senators who are compelled to do their work there, and I am sure the Senator from Indiana will give the matter his attention. I hope there will be no division of opinion here that this is the most urgent. The others are simply questions of comfort and of architectural beauty—of adorning the city, as it were. This is a question that may seriously affect the lives of Senators. If there were an explosion anywhere within 200 yards of the Maltby Building, it would crumble to the dust. It is an outrage that Senators are compelled to occupy such a building.

Mr. FAIRBANKS. Mr. President, only a word or two more.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Texas?

Mr. FAIRBANKS. If it is for a question, I will yield.

Mr. CULBERSON. It is for a question on the same matter to which my colleague has alluded. I call the Senator's attention to Senate bill 3587, providing for the purchase of a suitable site for a building for the Supreme Court, and I ask him whether, if that bill should become a law and the Supreme Court should be removed from the Capitol, there would be sufficient space now occupied by the Supreme Court to give the remaining Senators offices in this building?

Mr. FAIRBANKS. I do not think so. No; I think it would be entirely inadequate. I believe with the Senator from Texas that we should make ample and adequate provision for the Senators who now have their committee rooms in the Maltby Building. I spent two years there, the first two years of my service in the Senate, and I sympathize fully with the observations the Senator has made.

Mr. BACON. If the Senator will pardon me a moment, I desire to say that the most serious objection I have yet heard suggested to the construction of a building for the use of the Senate is that which has just been found in the suggestion of the Senator from Nevada, that when that building is constructed it should be after the pattern of the new Executive building, about which something has already been said in this debate. I think if it is going to be after that pattern possibly Senators would prefer almost to risk their lives in the present annex building, known as the "Maltby."

Mr. FAIRBANKS. Mr. President, I must decline——

Mr. BACON. I hope the Senator will pardon me for saying that I entirely agree with the suggestion of the Senator from New Hampshire; that it would have been better if the Executive building had been put in the rear of the White House.

Mr. BAILEY. So as to make a stable out of it.

Mr. BACON. I suppose in making that suggestion the Senator from New Hampshire was animated by the same consideration that moved Sydney Smith in some advice he gave to one of his friends, one of the prominent poets of England—I believe it was Rogers—who was not especially distinguished for personal pulchritude. He advised him whenever he had his picture taken to have it taken while he was at prayer, with his face in his hat. [Laughter.]

Mr. NEWLANDS. Mr. President——

Mr. FAIRBANKS. I must decline to yield further, if the Senator from Nevada will pardon me. I only wish to say a word or two, and must hasten on.

This is a matter which claims our serious attention as trustees of the interests of the public. We pay out yearly on appropriation bills—as the distinguished Senator from Maine, who is an honorable member of the Committee on Appropriations, well knows—$316,000 for the rent of quarters in the District of Columbia, estimated to be very inadequate.

With the money lying in the Treasury with which to build buildings for the accommodation of our business, the Appropriations Committee does nothing—and I say it without any unkindness whatever—to aid us to secure the construction of proper buildings, and to make unnecessary that immense draft upon the Treasury each year. When the committee charged with the duty of providing buildings for the Government comes to the Senate with a measure which will save the drain to a considerable extent, we find nothing but serious opposition. Shall we continue, Mr. President, to pay out $316,000 a year indefinitely?

Mr. HALE. The Senator should wait until we get through the session. The Committee on Appropriations put on last year provision for two large buildings. They were put in the appropriation bill.

Mr. FAIRBANKS. What two buildings?

Mr. HALE. The building for the hall of records.

Mr. FAIRBANKS. That was reported from the Committee on Public Buildings and Grounds.

Mr. HALE. But the appropriation had not been put on by the committee. Provision for the Agricultural and Smithsonian buildings were put on the appropriation bill.

Mr. FAIRBANKS. The Agricultural building measure passed as a separate bill. I introduced the bill, and it was reported from the Committee on Public Buildings and Grounds.

Mr. HALE. I know; but we put it on finally in the Committee on Appropriations.

Mr. FAIRBANKS. Because it was the law. That was the reason for it.

Now, are we going to waste $316,000 a year indefinitely? I have had the honor of sitting in this Chamber some seven years. I have not gone into the figures accurately, but I am within the reasonable limits of the truth when I say that there has been paid out during that time for rents in the District of Columbia over a million and a half of dollars, when the money for the construction of necessary buildings is piled up and lying idle in the Federal Treasury. What kind of business is that, Mr. President?

I hope the honorable Senator from Maine is not prophetic. I hope his very positive statement that the bill will not pass is founded in error. It is in the interest of the Government that it shall pass. It is in the interest of good administration that it shall pass. Even after it has passed, several years will elapse before the building contemplated can be occupied.

Mr. McCUMBER. Mr. President, the Senator from Maine [Mr. HALE] seems very insistent on gaining further time for the consideration of this subject. When I first became a member of the Committee on Public Buildings and Grounds, I think some five years ago, this matter was then under consideration. It has been considered every session since that time. This is the fifth session that it has been under consideration. How long it had been under consideration before the same committee prior to that time I can not say. But this much is evident. If I have learned anything in that committee it is that there is no hope, by any character of investigation, of finding a single spot in the city of Washington where we can locate a public building and get a reasonable price put upon the property.

Therefore a commission, such as is suggested by the Senator from Maine, might serve for ten years, and they could not secure the setting of a reasonable value upon any property for public purposes. It is necessary, therefore, that we should go beyond what is proper, or that we go to the courts in condemnation proceedings.

We have considered this matter during all these years, and we have come to the conclusion that it is necessary and proper at this time to put up a building of the character described in this bill. And why? The money in the Treasury is lying there rotting, while we are paying out, as has been suggested, $316,000 a year for rentals in the city of Washington. The money is there to pay for the building. What character of economy can we call it when we have the money on hand and when we can put up the building within a few years and yet at the same time go on with these extra expenditures for rent?

Not only that, but the quarters now occupied by the Department of Justice and by other Departments which are to be benefited by this bill are inadequate and improper for the purpose. Vast records are stored there. There is no adequate place for them, and in case of their destruction they could not possibly be replaced. That is one reason why we should commence now the construction of this building, which can not be completed in less than five years from the present time.

The Senator from Maine says that this building will cost us $10,000,000, and yet I understand the building just east of us was completed entirely within the limits of the appropriation and the original bill. If that is true, it seems to me a committee consisting of the gentlemen who are mentioned in this bill, assisted by the President pro tempore of the Senate and the Speaker of the House, both exceedingly conservative, can secure for us as reasonable a place for the building of this structure as we could possibly hope for. Mr. President, I can not see any necessity for further delay. Nothing can be gained. This committee has done everything that possibly could be accomplished by the commission which the Senator from Maine desires.

I wish to address myself, before closing, to just one other proposition, and that is the amendment offered by the Senator from New Hampshire [Mr. GALLINGER]. Mr. President, may I ask for the reading of the amendment, so that I may clearly understand it?

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. On page 6, line 5, after the word "architects," it is proposed to strike out the word "to" and insert:

> The successful architect shall receive compensation in full for plans, specifications, and attendance at a rate not exceeding 2½ per cent of the total cost of said building, and shall also.

Mr. McCUMBER. I am in entire sympathy with the object sought to be accomplished by this amendment, but it seems to me the amendment produces exactly what the Senator and I are attempting to guard against, that instead of cutting down the expenses of the architectural work, it makes it the duty of the commission to employ an architect to superintend the construction of this building.

I desire to call the attention of the Senator from New Hampshire to the reading of the law itself, and to state to him that

under the bill as it now reads there is no authority on the part of the Commission which is to secure the construction of this building to employ an architect for the purpose of supervising the construction of the building. Under the law which the Senator from New Hampshire has already read in connection with this bill, if it becomes a law, the duty will be imposed upon this Commission simply to employ architects for the purpose of securing plans and to pay them for those plans. Then, following the law which is now upon our statute books, the Commission would turn over to the Supervising Architect the duty to supervise the construction of the building.

Mr. GALLINGER. Mr. President——

Mr. McCUMBER. Now, let me read this, if the Senator please, before he quotes the law again.

Mr. GALLINGER. Will the Senator permit me just here?

Mr. McCUMBER. Certainly.

Mr. GALLINGER. Since drawing the amendment I have examined the law and read it, and I am entirely persuaded that it is not necessary for us to provide for supervision. So I have rewritten the amendment which I am going to offer, and will now offer it as a substitute for the one I submitted a while ago. I will send it to the desk.

The PRESIDENT pro tempore. The Senator from New Hampshire withdraws his former amendment?

Mr. GALLINGER. I withdraw it and send the proposed amendment to the desk.

The PRESIDENT pro tempore. Does the Senator from North Dakota desire to have the amendment read before he proceeds?

Mr. McCUMBER. I will consent to its being read.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. After the word "architects," in line 5, it is proposed to strike out "to" and insert:

The successful architect shall receive compensation in full for plans and specifications not to exceed two and a half per cent of the total cost of said building, and shall also——

Mr. McCUMBER. Mr. President, I can see some objection to this new amendment. Under the law as it now reads the amount to be paid to an architect for the plans is left to the sound discretion of this commission. I have entire confidence in the commission, if this bill becomes a law, and I do not believe that under any circumstances they would allow, on a building that would cost $5,000,000, more than two and a half per cent, which would amount to $125,000. I do not believe as a conservative commission they would consider it was worth more than a hundred and twenty-five thousand dollars to secure plans alone. Therefore it seems to me that the amendment is unnecessary and practically makes it incumbent upon them to fix at least the value which they shall pay.

Now, reading this bill—

That the construction of said building shall be in charge of the Secretary of State, the Attorney-General, and the Secretary of Commerce and Labor, who are hereby authorized and directed to select and adopt plans for the said building, and to make contracts for its construction——

I do not conceive that anyone will claim that the words "contracts for its construction" shall be construed to include fees for superintending—

after proper advertisements and the reception of bids, and, if they shall invite plans by competition among architects, to pay to the persons submitting the two sets of plans next in order of merit to those selected such sums as, in their judgment, shall be proper compensation for their preparation.

I should like to ask the Senator from New Hampshire why it is not satisfactory to leave it in that way, and if the commission consider that the plans and specifications are not worth more than thirty or forty or fifty thousand dollars, why shall we say to them practically that they shall consider them worth a hundred and twenty-five thousand dollars, or 2½ per cent upon the value of the building?

Mr. GALLINGER. If the Senator will permit me, as he asks me a question, I will say that the Senator from New Jersey insists that the architects will demand 5 per cent. We have had a recent experience where they demanded and received 8 per cent. I think that is a sufficient answer to the Senator from North Dakota.

Mr. McCUMBER. But the demanding of the 5 per cent, I understand, includes not only the plans, but supervision also; that where there is no supervision by the architect, there is no general rule that he shall have 5 per cent upon the value of the building.

Mr. DRYDEN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Dakota yield to the Senator from New Jersey?

Mr. McCUMBER. With pleasure.

Mr. DRYDEN. The usual charge of 5 per cent by the best architects in the country includes the furnishing of a design, the preparation of detailed drawings, the preparation of specifications, and the supervision of the entire work from start to finish. Now, as I understand, and I will speak only a moment——

Mr. McCUMBER. I yield to the Senator.

Mr. DRYDEN. The last amendment proposed as a substitute by the Senator from New Hampshire covers simply the furnishing of a design and the preparation of specifications, and for that the Senator proposes to pay the architect 2½ per cent. I think that is an extravagant price to pay the architect for what the amendment proposes to require of him, according to my understanding. The great expense, the great labor in connection with the preparation of the entire scheme by the architect for a building consists in preparing the detailed plans. That may involve, for such a building as is proposed here, assuming that it is going to cost, as some Senator has said, ten or twelve million dollars, the employment of a force of fifty or perhaps seventy-five clerks for a series of years.

Mr. GALLINGER. Do not the specifications cover that?

Mr. DRYDEN. Not at all; not by any means.

Mr. GALLINGER. I will amend it then by putting in detailed drawings, if it will suit the Senator from New Jersey better.

Mr. DRYDEN. The specifications are a comparatively simple matter.

Mr. LODGE. The percentage paid, when the supervision of the building is not involved, is very much less than 5 per cent. I think if he will look at the rates of charges fixed by the Architects' Society he will find a much lower charge. Supervision is considered very laborious work.

Mr. DRYDEN. It may be somewhat less. But I doubt the wisdom of giving a contract to an architect and relieving him at the very point at which he should be held responsible. If you provide in the contract that the architect shall do nothing more than furnish the design, specifications, and the detailed drawings, and go no further than that, if the building is not properly constructed, and that is ascertained afterwards, you can not hold the architect responsible, because you have specifically eliminated him from that responsibility.

Now, in my judgment, the architect should be held responsible for the entire matter from the time he furnishes his general plan of the building until the building itself is completed.

Mr. CULLOM. And turned over.

Mr. DRYDEN. And turned over.

Mr. McCUMBER. There seems to be considerable divergence of opinion as to what are the duties of an architect, under the general rules of the association, when he receives his 5 per cent. As I understand the Senator from New Jersey, his duties would simply consist of showing a design of the outer structure of the building, without specifications. I may be mistaken in that, but it includes not only the general design of the building and specifications, but in addition, supervision of construction.

Mr. DRYDEN. And detailed drawings.

Mr. McCUMBER. And all detailed drawings. But I would understand also that the 2½ per cent basis, or one-half of that, would include the specifications as well as the general design. But whatever that may be, in a case of this kind it would be subject to a special contract.

There are very few five or ten million dollar buildings put up in the United States, and therefore buildings of this character can not be taken ordinarily as a basis for the value of the services of an architect. In other words, the ordinary public building that costs a million dollars would require almost as much of specifications and certainly as great skill on the part of an architect as a $5,000,000 or a $10,000,000 or possibly a $20,000,000 building. There are exceptions, of course, to this rule. I believe charges should be graded somewhat according to the value of the building. Certainly if an architect should receive 5 per cent upon a building that cost only $100,000, he would not receive nearly as much accordingly for his services as if he were to receive 5 per cent upon one which is to cost $10,000,000.

But seems to me we can justly leave this matter entirely with the commission to determine what is reasonable and what is just. It seems to me, further, that the amendment offered by the Senator from New Hampshire might be construed as requiring the commission to pay a greater compensation than they ought to merely for the work of the architect in furnishing the plans and specifications. It might be worth 2½ per cent and it might not be worth 1 per cent, and it seems to me we should leave that entirely in the hands of the commission.

Mr. ALLISON. Mr. President, I appreciate fully the desires and wishes of the Committee on Public Buildings and Grounds in some effective way to add to the public buildings in the District, and I also appreciate the difficulty they have in making selections as to what particular building shall be first constructed.

We had a considerable debate here the other morning, and it appeared from that discussion, or one side of it at least, that a portion of the office of the Public Printer was in such a condition that the building should be torn down, or that portion of it which has been in occupation for a long time, and a new building constructed in its place.

We to-day have the suggestion from younger Senators in this

body that they are not quite fairly treated in comparison with those who have been here for some years. My friend the Senator from Texas even went so far as to suggest that the Maltby Building should be occupied by the older Senators and that the new Senators, those who have come in more recently, should occupy the space in this building. I sympathize with the Senator in this regard, although I never had the opportunity of occupying any portion of the Maltby Building.

But I want to say to the Senator from Texas and other Senators that I believe one of the first things necessary for us to do as respects appropriations for public buildings is to provide for what we may call an annex to the Senate. The House of Representatives for a long time saw the necessity of such an annex for the House, and they purchased what is known as the Butler Building a good many years ago and used it, and they also rented other buildings in and about the south side.

Now I think we have reached a point where it will be necessary for us at an early day to provide an annex building to this Capitol. It is obvious that we can not——

Mr. BAILEY. Will the Senator from Iowa permit me? He stops with the statement that they purchased the Butler Building and rented others outside. The Senator, of course, is aware that two years ago Congress provided for a structure that was to cost something more than $2,000,000 for an annex to the House.

Mr. ALLISON. I mentioned that fact just before the Senator came in.

Mr. BAILEY. I did not hear it.

Mr. ALLISON. The House structure will cost, I think, more than $2,000,000; possibly, including the condemnation of the land, two and a half million dollars.

Now, we need a structure, of course not as extensive as the structure proposed on the south side of the Capitol. We need a structure for the use of the Senate, and that structure should be placed as near the Capitol as practicable. It should not be where the Maltby Building is now. We should purchase a corresponding corner northeast of the Capitol, and erect there a suitable building architecturally for the convenience and utility of the Senate. I agree that that is a very important thing to do.

The Senator from Indiana suggested that the Committee on Appropriations had hardly made in the past such provision as they ought to have made for these public buildings. Perhaps that criticism is a very proper one.

Mr. FAIRBANKS. No; I did not intend to be understood as going to the extent which the Senator from Iowa says I did. I was led to observe, if my observation is drawn out, that the Committee on Public Buildings and Grounds were endeavoring to relieve the Government from this intolerable embarrassment and continual expense, and they were antagonized in that effort by leading influences upon the Committees on Appropriations. Of course the responsibility for enacting the law rests primarily upon the committees of the other House.

Mr. ALLISON. It does as a rule, although I believe the Committee on Appropriations of the Senate has a right to originate appropriations for the necessities of the Departments of the Government and for the necessities of either or both branches of Congress. I do not think that as respects these questions there is any necessity for a law; but I believe the House have decided otherwise, and therefore they will consider no appropriations unless previous provision is made for the buildings by law, except that they inserted in the appropriation act in the House last year a provision for the construction of the building south of the Capitol.

Mr. FAIRBANKS. And I may ask the Senator if the practice of the Senate has not generally been in line with that?

Mr. ALLISON. It has generally been in line with that, and I think too strictly in line with it.

This bill provides for an appropriation to house the Department of Justice. There was an appropriation made some four or five years ago, during the incumbency of Attorney-General Griggs, appropriating, as I remember it, twelve hundred and fifty thousand dollars for a building for the Department of Justice, and I think there was a commission provided. I do not know whether it was a commission similar to this one. The Senator from Indiana will know.

Mr. FAIRBANKS. Does the Senator refer to the act of 1899?

Mr. ALLISON. I refer to that act.

Mr. FAIRBANKS. It appropriated $1,000,000.

Mr. ALLISON. There was another act, was there not?

Mr. FAIRBANKS. Not as I recollect it. My understanding is that there was $1,000,000 appropriated, but the Attorney-General afterwards reported that he could not construct the building within the limit.

Mr. ALLISON. I was about to come to that. During the incumbency of Attorney-General Griggs provision was made for the Department of Justice by a separate statute, I believe, and it also contained a full and complete appropriation. The Attorney-General was authorized to secure plans and specifications for that building. He did so, and the plans and specifications which he or the commission, if it was a commission, decided ought to be accepted would cost in the neighborhood of sixteen hundred thousand dollars.

Mr. FAIRBANKS. Nineteen hundred thousand dollars.

Mr. ALLISON. Nineteen hundred thousand dollars. I think afterwards it was modified so that it could have been constructed for sixteen hundred thousand dollars. That was in 1899. The old building was torn down, and the Department of Justice was compelled to lease buildings around the city until that construction was completed. I am not aware that from that time to this there has been any suggestion of a statute looking to the enlargement of the cost of the building for the Department of Justice. The Senator from Indiana will correct me if I am mistaken in that.

Mr. FAIRBANKS. I did not understand the Senator's statement. My attention was diverted at the moment.

Mr. ALLISON. I was about to state that that building failed because of an incomplete limit and because of an incomplete appropriation, and because of the rule which the House has established we could not put upon an appropriation bill any increase of that appropriation without first removing the limit of cost and fixing a new limit. I am not aware that any bill has ever been presented in this body or in the other suggesting an enlargement of the limit of cost in order to provide for a building to house the Department of Justice. If I am mistaken in that, the Senator will correct me.

Mr. FAIRBANKS. The Senator is not absolutely correct about that, because immediately following that failure a bill similar to the one now before the Senate was prepared. It had the entire concurrence and approval of the Attorney-General. He preferred this arrangement to the one to which the Senator refers.

Mr. ALLISON. Then this bill, or an arrangement such as is proposed here, was substituted for that original plan?

Mr. FAIRBANKS. Yes; the idea being that it was cheaper for the Government to erect a building that would accommodate the State Department, the Department of Justice, and some third Department, than to spend smaller sums in different independent structures.

Mr. ALLISON. Very well. Whilst that may have been the judgment of the Attorney-General, I have always believed, and I still believe, that the Department of Justice building ought to be built upon the space we now have. It is large enough for the Department of Justice.

Now, I believe another thing; that it is not wise to have three or four Departments in one building. I believe that whatever construction we make for the several Departments ought to be made, as far as practicable, for them independently.

Mr. FAIRBANKS. May I interrupt the Senator?

Mr. ALLISON. Certainly. I am stating my own opinion now about it.

Mr. FAIRBANKS. I agree with the Senator as to that. This provision is, in the nature of things, but temporary. Originally there were three Departments provided for in the State, War, and Navy Department building. One of those Departments will retire on the passage of this bill, and ultimately it will be occupied by one or the other remaining.

Mr. ALLISON. I certainly so understand.

Mr. FAIRBANKS. So, with the building under consideration, while there will be three Departments partially accommodated for the time being, there will be immediately another building, and this building will be eventually occupied by one Department.

Mr. ALLISON. The Senator's suggestion is in exact accord with what I was endeavoring to say, and would have said in a few moments.

In 1876 or in 1877, I have forgotten which—the date is not material; perhaps earlier than that; I believe, in fact, in 1871—we commenced the construction of the State, War, and Navy Department building, and everybody said at that time the building would be ample for thirty or fifty years for those Departments. Before that building was completed and after its completion there was a struggle between those three Secretaries, and particularly between the two Secretaries of War and Navy, about the space to be occupied in that building, which had to be settled finally by the arbitration, if I may say so, of a committee of Congress.

Mr. HALE. By Congress.

Mr. ALLISON. By Congress practically alone. The structure, by the time it was completed, was claimed by the three Secretaries then in service to be insufficient for the accommodation of their several Departments. And now of the immense rent we are paying a large portion of it is for the War Department, I think amounting to $30,000 or $40,000. The Senator probably has the details; I speak only from memory. We have entered into a

lease for a building just completed, called the "Mills Building," adjacent to the War Department, for which I believe we are paying $20,000 or $24,000 a year.

Mr. FAIRBANKS. The Senator from Iowa is mistaken about the War Department expenditure for rent. It is among the least amounts paid for that purpose.

Mr. ALLISON. The Navy Department has the building.

Mr. FAIRBANKS. I will state that the estimate for rent for the War Department this year is $16,800, but for the Navy Department it is $24,500.

Mr. ALLISON. It is the Navy Department. I said the War Department. The Navy Department is paying $24,000 for a new fireproof building, which I believe has been rented for a long period of years; at least it was understood when the building was constructed that it was constructed at great expense and according to plans and suggestions made by the then Secretary of the Navy. Although the War Department pays only $16,000 for rent, it is paying, I repeat, a large sum for rent. The State Department I think is not paying anything, although it may be paying some small sum for rent.

Mr. FAIRBANKS. Practically nothing—$720 a year.

Mr. ALLISON. Now, Mr. President, the bill provides that this new structure shall be occupied by the State Department, by the Department of Justice, and by the new Department of Commerce and Labor. I say, with due respect to Senators, I believe there are a great many people housed in this city in the public service who need, more than the State Department, additional room.

Mr. FAIRBANKS. If the Senator will bear with me a minute——

Mr. ALLISON. Certainly.

Mr. FAIRBANKS. I fear he has not taken that accurate and careful survey of this subject which he usually takes of subjects. The Senator has just stated that we are paying rent for accommodating the War and Navy Departments outside.

Mr. ALLISON. Undoubtedly.

Mr. FAIRBANKS. If the State Department goes into the new Department building there will be space there to be occupied by either the War or the Navy Department, and to that extent it will reduce the outside rent.

Mr. ALLISON. I understand that very well. That is a very excellent statement. The State Department portion of the building will accommodate a few people from the War Department, but it is so arranged that the great body of clerks will find very little space there for their use.

The Department of Justice is not a very large Department, but it is growing as other Departments are growing.

Then comes the Department of Commerce and Labor. Mr. President, that is a new Department, but it has assigned to it certain bureaus and offices that require a large number of clerks. Six hundred, I believe, alone are in the Census Bureau. The Census Bureau is now situated on the corner of Second and B streets, in a building which was rented by the former Director of the Census for three years, with the option of renting it for five years more. The Committee on Appropriations, regarding that rent as exorbitant, brought in an item in the appropriation bill some two years ago, or last year, providing for the purchase of that ground. It received practically no support from the Senate, for the reason that the location did not seem to be exactly suited to the people who were to be housed there. The result is, that of the $[illegible] rent we are paying, $36,000 a year for three years goes for a building for the Census Office.

Mr. FAIRBANKS. If the Senator will permit an interruption, that very situation is strongly illustrative of the statement I made as to the difficulty of accomplishing anything here in a sensible way for the public business. That building, as the Senator will recollect, was offered to the Government of the United States at $200,000.

Mr. ALLISON. Two hundred and twenty-five thousand dollars.

Mr. FAIRBANKS. The Senator urged that we should have authority upon an appropriation bill to purchase it, as I recollect it.

Mr. PERKINS. At $225,000.

Mr. FAIRBANKS. At $225,000. But somebody opposed it, and we are continuing to pay $26,000, or more than 10 per cent upon the reasonable value of the property.

Mr. ALLISON. The amount is $36,500, and we will be compelled to pay that during the continuance of the lease, whereas, if we had purchased it, we would have had more than half the rental involved in the purchase money.

Mr. GALLINGER. May I ask the Senator from Iowa who made that lease, leasing a building for the Government at 10 per cent of its value?

Mr. ALLISON. It was made, I think, by the Census Office, but they were under pressure at the time.

Mr. GALLINGER. I asked the question for the reason that what little investigation I have made leads me to the conclusion that the Government is paying in rents about twice what it ought to pay or what private individuals would pay; and there ought to be some way of finding relief from that oppression.

Mr. ALLISON. There ought to be. Now, before this building is constructed, I make the prediction that if we should pass this bill to-day, the Department of Commerce and Labor will want the whole of it.

Mr. HALE. Every part of it.

Mr. ALLISON. Every part of it. When we started on the Post-Office building at the corner of Eleventh street and Pennsylvania avenue, which has been so largely condemned to-day by Senators, it was supposed that we could pick out many bureaus of the Treasury Department and put them in there in addition to providing for the whole postal service. Before the building was completed, or about the time it was completed, the Post-Office Department insisted upon using nearly the whole of it, and they did use all of it except the space set apart for the Sixth Auditor's room, and that will be out in a very few months if it has not been already removed. I think it is still in the building. The Post-Office Department requires every inch of the building for its purposes, and on the 1st of July the Department will have the exclusive use of it.

Mr. HALE. The Senator will bear in mind that the Post-Office Department is not only occupying the whole of this building, but is now paying large sums for rent of buildings outside.

Mr. ALLISON. I know it is.

Mr. HALE. There is only one Department there, occupying that immense building, and they want more room than they have. As the Senator says, you can not get three Departments in one building.

Mr. ALLISON. Now, if the Senator will allow me, I want to make a slight criticism upon the details of this bill in view of what I have already said. The bill, as I understand it, provides for two commissions, one commission composed of members of the House and Senate, the presiding officers of each House, and the chairmen of the Committees on Public Buildings and Grounds, to which are added three Secretaries—the Secretary of State, the Attorney-General, and the Secretary of Commerce and Labor. There is no place fixed for the construction of this building, as I understand it, but the commissioners are confined to three squares.

Mr. FAIRBANKS. Mr. President, if the Senator will allow me.

Mr. ALLISON. Am I right about that?

Mr. FAIRBANKS. No. I had the bill amended this morning so as to give the commission the right to select a suitable location south of Pennsylvania avenue and east of Fifteenth street.

Mr. GALLINGER. Yes: in addition.

Mr. FAIRBANKS. In addition to the three sites mentioned by the Senator from Iowa.

Mr. ALLISON. Well, that is an improvement, of course. I think myself that we ought to commence the construction of Department buildings, as far as we can do it properly, on the south side of Pennsylvania avenue. But the commission which selects the site, as I understand it, is functus officio when that is done.

Mr. FAIRBANKS. The commission to select the site is composed of the President pro tempore of the Senate, the Speaker of the House of Representatives, the chairmen of the Committees on Public Buildings and Grounds of the two Houses, and three Cabinet officers. The three Cabinet officers are to continue and construct the building after the site has been selected.

Mr. ALLISON. So I understand. Now, that is a very excellent commission, of course; but the three Cabinet officers are the commission who will report after the building is constructed, and they will have the power of saying who shall go into it, and they also have full direction in the construction as to the character of the building in every respect.

Whilst I have every confidence in every gentleman who occupies the position at this time, and probably will have such confidence in those who will occupy the position when the building shall be completed, which will be five or six years hence, it does seem to me that if we want to economize in the space of buildings and in the construction of buildings, so as not to have too great space, there ought to be somebody somewhere who would have some direction over the people who are to occupy this building. I speak of that because we had precisely this difficulty when the State, War, and Navy Department building was completed.

Mr. President, whilst I do not criticise this bill in any way, and I do not wish in any way to impede its passage, it seems to me that there are other things which are just as important as what is proposed here, and that as respects relief from the great rental we will find at the end of five years that we will be paying as much rent here as we are now paying, notwithstanding this construction.

Mr. TILLMAN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from South Carolina?

Mr. ALLISON. Certainly.

Mr. TILLMAN. I wish to ask the Senator from Iowa if there is not another objection, or at least another consideration, in regard to these three Cabinet officers? For instance, if they are to have a say so and controlling power in apportioning the space, naturally they will have a plan to suit their ideas of the needs and necessities of their respective Departments.

Mr. ALLISON. They should have, in a great measure.

Mr. TILLMAN. But if it were an independent building, where each one of them would have his own house and plan it to suit the necessities of the Department over which he presides, that would be one thing; but the difficulty of getting these three to agree upon any scheme of apportionment of this great structure that will not prove abortive I think is a very strong argument against the idea to have this palace, you might say, and then try to divide it up among three Departments, when by a reasonable expenditure of a couple of million dollars, say, or three million dollars for each Department, we can construct three buildings and improve the south side of the avenue by taking away the unsightly, miserable, measly houses that are along there now and substitute others. The land is cheaper there, and I would much prefer to see three buildings constructed, one for each of these Departments, than to see one building constructed and have the conflict of interests which would naturally arise from the effort to divide it in a reasonable way.

Mr. HALE. I will say that before the time comes to occupy this building, as the Senator from Iowa has intimated, a single one of these heads of Departments will claim that his Department needs the whole of the building, and we will be called upon, after having been led into a scheme which is to house three Departments, to construct two other Department buildings, when we can begin and take up all the property south of the avenue and erect for each Department a suitable, commodious building and let it be independent by itself. The experiment of putting several Departments into one building does not work. It never has and it never will. It has been just the contrary.

This building will cost before we get through with it $[illegible], I have no doubt, and for that sum you can build three good handsome structures south of the avenue, one for each of the Departments, and house every one of those Departments by itself.

Mr. FAIRBANKS. Mr. President, does the Senator from Maine think a proposition to construct three Department buildings would get the sanction of Congress?

Mr. HALE. Well, I think we would do very much better and get on very much better, if the Senator would report from his committee in favor of one Department building at a time, and put one on each year.

Nobody raises issue with the Senator from Indiana about the desirability—it is not the necessity, as he says, but the desirability—of having these buildings for the Departments erected; but the Senator must bear in mind that we shall have to pay rent longer than he or I or any of us will live. The Departments grow all the time; and long before we had got the three Departments of the State, War, and Navy fairly housed in their present building, they were renting buildings outside; so that somebody, in rather a waggish way, when some one asked: "Why are you appropriating so much money for rents," some Senatorial wag, I do not remember who said: "We are renting buildings outside, because we have just built one for these Departments. That is the reason."

The Senator will never see the day, we all agree, when that will not be the case, but we have got a chance now to develop what is a great plan. We can provide that that property, with all those buildings south of Pennsylvania avenue, shall be taken by the Government. Then we can from year to year erect everything except the building for the Supreme Court of the United States, which ought to be provided for early and ought to be in a building near here corresponding to the Congressional Library building; and all the courts, all tribunals, and all arbitration boards, etc., ought to be put into a building over there, corresponding in external architecture with the Congressional Library, so that we might get the Supreme Court out of the Capitol building and yet leave it near by, so that Senators and lawyers who come here can visit it, as the Senator from Texas [Mr. BAILEY] has said.

We have now got a chance to do these things. This scheme which has been proposed here does not in any way help either of those schemes. I should have been very much better content if the Senator had been willing to wait and report back a bill placing all the courts in a building near the Congressional Library building. I think that is more needed than is this. The Senator, however, did not do that; and it is not for me to say that he should. He is a good legislator, and has done what he thinks is the right thing. But the trouble with this scheme is that it commits us to what puts off all these other things. I am sorry to have taken up so much time.

Mr. FAIRBANKS. Mr. President——

Mr. BAILEY. Will the Senator yield to me for just a moment?

The PRESIDENT pro tempore. Does the Senator from Indiana yield to the Senator from Texas?

Mr. FAIRBANKS. With pleasure.

Mr. BAILEY. My attention was diverted for the moment, but I am told that the Senator from Iowa [Mr. ALLISON] understood me to say that Senators of longer service ought to be transferred down to the Senate Annex, and those of us of shorter service ought to be brought up here. Probably I was unfortunate in expressing myself. I did not say that ought to be the case. What I did say was that if that were done, we should soon have ample accommodations.

Mr. ALLISON. Will the Senator from Indiana yield to me for a moment?

Mr. FAIRBANKS. With pleasure.

Mr. ALLISON. I may have been careless in my observations. I did not suppose for a moment that the Senator from Texas wished to reverse the custom of the Senate in that regard.

Mr. FAIRBANKS. Mr. President, the Senator from Maine assumes continually that the site for this building will be upon block 167 and not south of Pennsylvania avenue. He is unwarranted in that assumption. The commission is left free to select a site along the south side of Pennsylvania avenue in accordance with his wishes. It is perfectly obvious that we can not legislate upon this subject readily, and we have got to permit some discretion to a commission.

If one building is erected, the Senator says, for the three Departments, those Departments would soon outgrow it. That is true. Ultimately this building will be occupied entirely by one Department; ultimately the War, State, and Navy Department building will be occupied by either the War or the Navy Department. There is no doubt about that.

Now, specifying the purposes to which this proposed building is to be devoted is but a temporary expedient. We can not—I think I am confirmed by the good judgment of Senators here—we can not now enter upon the scheme of erecting a separate building for each Department. This proposed building will be larger than is necessary for the present requirements of the State Department and larger than will be necessary for accommodating the Department of Justice—I refer to the Executive Department—four years to come. There will be surplus of space after these two Departments are accommodated. That will not be lost. That will be turned over to the Department of Commerce and Labor. It will not be sufficient to provide entirely for the wants of that Department. Soon after this building is authorized, if it shall be authorized, the work of constructing other buildings should be entered upon.

Mr. President, if we were to provide for buildings in the District of Columbia, calling ultimately for the expenditure of $15,000,000, it would be good business policy. Why? Because we are paying out in the District of Columbia now, in the way of rent, more than the interest upon $15,000,000. It is simply a business proposition. Shall we divide over the question of whether there shall be one Department or two Departments? Shall we divide over the mere question of location? It seems to me we should not be in any wise unaccommodating. The committee reported in favor of three sites. There are Senators who say, "We wish this option enlarged and the commission given authority to select a site below Pennsylvania avenue." The committee said instantly, "Very well; we are willing to clothe this commission with that authority; we have no fixed immovable policy. What we want first and foremost is a building, and we want to enter upon the construction of it at the earliest possible day."

Mr. BACON. Will the Senator permit me to ask him a question there?

Mr. FAIRBANKS. With pleasure.

Mr. BACON. The Senator says the paramount object is to secure a building. Would the Senator be willing to concede to those of us who are very much opposed to a building being located on block 167 that the building shall be located upon the south side of Pennsylvania avenue, east of Fifteenth street? If the Senator will do that, I myself will vote for the bill promptly, and I do not think there will be the slightest difficulty in getting it through.

Mr. FAIRBANKS. There are others who have a different view. I do not speak for them.

Mr. BACON. I simply asked the Senator if he would be willing to concede that much.

Mr. FAIRBANKS. I would not at the present time. No; I would not.

Mr. WARREN. Does the Senator not believe that the purchase of a site or sites may be made to much better advantage

and the Government secure a much lower price if the commission on selection was not tied to any particular block or locality?

Mr. FAIRBANKS. The Senator is perfectly right about that.

Mr. GALLINGER. Will the Senator permit me?

Mr. FAIRBANKS. Certainly.

Mr. GALLINGER. In case of going south of Pennsylvania avenue you will have the entire stretch from Fifteenth street to the Botanic Garden, not one site, but half a mile of territory.

Mr. FAIRBANKS. I had not intended to advert to it, but there is very serious opposition to that part of the scheme. I had not intended to bring that into this debate, as it seemed irrelevant.

Mr. GALLINGER. I have no disposition to do that; but the Senator will remember that the parking commission have suggested the very site that he has in his bill, and likewise made the suggestion concerning the south side of Pennsylvania avenue.

Mr. FAIRBANKS. The Senator is perfectly right about that. I was not criticising him in any degree. We go into that subject in the report, and the situation we contemplate is within the plans of the parking commission. We report that that is not to be adopted to further those plans, but its adoption does not stand in the way of their plans being adopted and carried out.

There is, I may suggest to the Senator in all frankness and candor, elsewhere, in very powerful quarters, a very strong opposition to carrying out the parking commission's plans south of Pennsylvania avenue, and when this bill goes elsewhere it will be antagonized more sharply because we vest in the commission the discretion to go south of Pennsylvania avenue than for anything else it contains. I am not opposed to the scheme of the parking commission——

Mr. GALLINGER. If the Senator will permit me just there—I know there is a prejudice against the park system, so-called, but I have never seen in debate anywhere opposition manifested to utilizing the south side of Pennsylvania avenue for public purposes. Possibly the Senator has seen some debate that has escaped my attention, but I have been very diligent in reference to this matter. While I agree with him that there is very strong opposition to the adoption of the park system, so called, which, after all, was a mere suggestion to Congress—it amounts to nothing more than that—I have failed to see any opposition manifested to utilizing the south side of Pennsylvania avenue for public purposes.

Mr. FAIRBANKS. I do not know whether there has been any public manifestation of opposition to this matter, but there is a common understanding that influential legislators in another branch are very much opposed to it. When Senator McMillan was here and occupied the chair at the head of the District of Columbia Committee, so well occupied now by my friend from New Hampshire, he proposed that the hall of records should be located in that quarter, and I was in entire sympathy with him; but opposition developed so that we found it inadvisable to limit the officers who were to select the site to that locality. But I do not know that opposition was manifested in public debate.

Mr. President, I do not care to prolong this matter.

Mr. GALLINGER. When I offered my amendment to the pending bill, I used the words "plans and specifications." I presumed "specifications" covered all the detailed drawings. That was understood by those of us who have not had the experience the Senator from New Jersey [Mr. DRYDEN] has had. I went to the Standard Dictionary and found "specifications" defined to be "a definite, particularized, and complete statement." That was my notion about the matter, but as a question has arisen I want to modify the amendment by having it read, "for plans, specifications, and detailed drawings."

I will allow the amendment to remain in that shape to be voted on. If the Senate wishes to adopt it, all right; if they wish to reject it, all right. I shall make no further modification.

I should like to have the Secretary state the amendment from the desk, so that I may see that he has it correctly.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 6, line 5, after the word "architects," it is proposed to strike out the word "to," and insert the following:

"The supervising architect shall receive compensation in full for plans, specifications, and detailed drawings not to exceed 2½ per cent of the total cost of such building, and shall also"

Mr. FAIRBANKS. As the report of the committee is a substitute for the original bill, I ask that the amendment may be considered as if it were the original bill.

The PRESIDENT pro tempore. The Senator from Indiana asks that, as the bill reported by the committee is a substitute, it may be treated as the original bill for the purpose of amendment. The Chair hears no objection, and it is so ordered.

Mr. CULLOM. Mr. President, I desire to move that the Senate proceed to the consideration of executive business.

Mr. FAIRBANKS. If the Senator from Illinois will allow me—his motion, of course, if it prevails, will render it impossible to vote upon this bill to-night—I want to ask if it is not possible to agree to vote upon the bill Wednesday, say before the close of Wednesday's session.

Mr. HALE. Wednesday has been assigned.

Mr. FAIRBANKS. Wednesday has been assigned?

Mr. LODGE. It has been assigned to the Senator from Nevada [Mr. STEWART], with a bill about the regulation of milk.

Mr. GALLINGER. That measure will be discussed.

Mr. FAIRBANKS. Then, if Wednesday is occupied, and if Thursday is also occupied, I ask unanimous consent that we vote on the bill on Friday.

Mr. TELLER. I do not know whether other Senators wish to speak on this bill, but I think before we go any further we ought to have a print of the bill, so that we may know what it is. Nobody knows what it is now.

I do not believe you can fix any time for voting on this bill. I do not believe the bill is so important that it is necessary to fix a time.

Mr. FAIRBANKS. It is not any more important than hundreds of other bills, but the Senate has already spent a great deal of time in its consideration, and that should not be wasted.

Mr. TELLER. I do not think the Senate has spent as much time on this bill as it ought to spend on it before it commits itself to the system to which it is proposed to commit the Senate by this bill. I think the bill ought to be discussed. I think the beauty of this city depends somewhat upon the passage or the passage of this bill. I confess that I am not a friend of the bill.

Mr. FAIRBANKS. I did not charge the Senator with being its friend.

Mr. TELLER. If it means what I think it means, it ought not to pass, not simply because of the cost, but because it will not do for the city what we might do for it in expending this amount of money. So I do not think it is worth while to try to agree to an agreement to vote. That can be done when the bill has been more thoroughly discussed.

Mr. FAIRBANKS. Then I shall move to take up the bill on next Friday after the routine morning business, if there is no earlier opportunity to do so.

Mr. CULLOM. I now yield to the Senator from Massachusetts.

Mr. LODGE. I wish to ask to have an amendment to the bill printed, so that it may be before the Senate. I will send the print to the desk in a moment. I will suggest it so that it may be taken down correctly. In line 8, page 4, after the word "otherwise," I move to strike out all down to and including the word "Columbia," in line 12, and to insert:

"A separate site on the south side of Pennsylvania avenue between the Capitol and the Treasury."

I will send the bill up, so that the clerks can get it correctly and have it properly printed.

The PRESIDENT pro tempore. The amendment will be received and printed.

HOUSE AMENDMENTS TO SENATE PENSION BILLS.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the following Senate pension bills:

A bill (S. 3274) granting an increase of pension to Jane I. Long; and

A bill (S. 1543) granting an increase of pension to William W. Jackson.

Mr. PATTERSON. I move that the Senate disagree to the amendments of the House of Representatives to the respective bills and ask for a conference with the House on the bills and amendments.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

SENATE AMENDMENTS TO HOUSE PENSION BILLS.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the following House pension bills, and asking for a conference with the Senate thereon:

A bill (H. R. 3032) granting an increase of pension to William Pittenger;

A bill (H. R. 2923) granting an increase of pension to John G. Fairchild;

A bill (H. R. 2920) granting an increase of pension to Daniel W. Huffman;

A bill (H. R. 2809) granting an increase of pension to John Watt;

A bill (H. R. 2477) granting an increase of pension to Frank J. McLaughlin;

A bill (H. R. 4136) granting an increase of pension to Caleb Arnett;

A bill (H. R. 4951) granting an increase of pension to Joseph Hinkle;

A bill (H. R. 4526) granting an increase of pension to William J. Shepard;

A bill (H. R. 5367) granting an increase of pension to Franklin Moore;

A bill (H. R. 5555) granting an increase of pension to James R. Hauptly;

A bill (H. R. 5865) granting an increase of pension to Joshua Harlan;

A bill (H. R. 6025) granting an increase of pension to John Herzog;

A bill (H. R. 6426) granting an increase of pension to David Z. Beidler;

A bill (H. R. 6705) granting an increase of pension to Edwin A. Forman;

A bill (H. R. 8376) granting an increase of pension to Jonathan J. Smith;

A bill (H. R. 8058) granting an increase of pension to William M. Underhill; and

A bill (H. R. 9583) granting an increase of pension to James H. Hargis.

Mr. PATTERSON. I move that the Senate insist upon its amendments to each of those bills disagreed to by the House of Representatives, and agree to the conferences asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 39 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 1, 1904, at 12 o'clock meridian.

WITHDRAWALS.

Executive nominations withdrawn Monday, February 29, 1904.

John F. Jewell, of Illinois, and William Ross Davis, of Ohio, to be consuls of the United States, respectively, at Alexandretta, Turkey, and Martinique, West Indies.

NOMINATIONS.

Executive nominations received by the Senate February 29, 1904.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be captains.

First Lieut. George J. Holden, Tenth Infantry, December 10, 1903, vice Taggart, Sixth Infantry, detailed as quartermaster.

First Lieut. Charles F. Bates, Twenty-fifth Infantry, December 17, 1903, vice Benjamin, Twenty-seventh Infantry, deceased.

First Lieut. Arthur Cranston, Seventeenth Infantry, December 26, 1903, vice Schoeffel, Sixteenth Infantry, appointed judge-advocate.

First Lieut. John J. Toffey, jr., Fourth Infantry, January 2, 1904, vice Grisard, Seventh Infantry, appointed judge-advocate.

Ordnance Department.

Capt. William W. Gibson, Ordnance Department, to be major, January 21, 1904, vice Lyle, promoted.

First Lieut. Edwin D. Bricker, Ordnance Department, to be captain, January 21, 1904, vice Gibson, promoted.

PROMOTIONS IN THE NAVY.

Commander James R. Selfridge to be a captain in the Navy from the 4th day of February, 1904, vice Capt. Frederic Singer, an additional number in grade.

Lieut. Commander Charles Laird to be a commander in the Navy from the 4th day of February, 1904, vice Commander Alexander Sharp, an additional number in grade.

Ensign Charles H. Fisher to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, upon the completion of three years' service in his present grade.

Lieut. Commander William G. Cutler to be a commander in the Navy, from the 31st day of December, 1903, vice Commander James D. Adams, promoted.

Capt. Caspar F. Goodrich to be a rear-admiral in the Navy, from the 17th day of February, 1904, vice Rear-Admiral Charles S. Cotton, retired.

APPOINTMENT IN THE MARINE CORPS.

Lauren S. Willis, a citizen of Vermont, to be a second lieutenant in the Marine Corps, from the 22d day of February, 1904, to fill a vacancy existing in that grade on that date.

CHAIRMAN OF ISTHMIAN CANAL COMMISSION.

Rear-Admiral John G. Walker, United States Navy, retired, of the District of Columbia, to be chairman of the Isthmian Canal Commission, to fill an original vacancy.

MEMBERS OF THE ISTHMIAN CANAL COMMISSION.

Maj. Gen. George W. Davis, United States Army, retired, of the District of Columbia, to be a member of the Isthmian Canal Commission, to fill an original vacancy.

William Barclay Parsons, of New York, to be a member of the Isthmian Canal Commission, to fill an original vacancy.

William H. Burr, of New York, to be a member of the Isthmian Canal Commission, to fill an original vacancy.

Benjamin M. Harrod, of Louisiana, to be a member of the Isthmian Canal Commission, to fill an original vacancy.

Carl Ewald Grunsky, of California, to be a member of the Isthmian Canal Commission, to fill an original vacancy.

Frank J. Hecker, of Michigan, to be a member of the Isthmian Canal Commission, to fill an original vacancy.

INDIAN AGENT.

Rush J. Taylor, of Castlewood, S. Dak., to be agent for the Indians of the Yankton Agency, in South Dakota.

J. Blair Shoenfelt, of Wyoming, to be agent for the Indians of the Union Agency, in the Indian Territory, his term having expired January 18, 1904. (Reappointment.)

Lieut. Col. James F. Randlett, United States Army, retired, of California, to be agent for the Indians of the Kiowa Agency, in Oklahoma, his term having expired February 2, 1904. (Reappointment.)

MARSHAL.

Victor Loisel, of Louisiana, to be United States marshal for the eastern district of Louisiana, vice Charles Fontelieu, deceased.

REGISTER OF LAND OFFICE.

Joseph T. Bridges, of Oregon, to be register of the land office at Roseburg, Oreg., his term having expired June 2, 1903. (Reappointment.)

RECEIVERS OF PUBLIC MONEYS.

James H. Booth, of Oregon, to be receiver of public moneys at Roseburg, Oreg., his term having expired June 2, 1903. (Reappointment.)

Frank M. Foote, of Wyoming, to be receiver of public moneys at Evanston, Wyo., his term having expired December 19, 1903. (Reappointment.)

POSTMASTERS.

ARIZONA.

William M. Newell to be postmaster at Mesa, in the county of Maricopa and Territory of Arizona, in place of William M. Newell. Incumbent's commission expired February 2, 1904.

ARKANSAS.

Omar N. Hawkins to be postmaster at Morrillton, in the county of Conway and State of Arkansas, in place of Thomas D. Hawkins, deceased.

Charles L. Jones to be postmaster at Junction, in the county of Union and State of Arkansas, in place of Edward S. Parnell, resigned.

COLORADO.

Preston Holbrook to be postmaster at Blackhawk, in the county of Gilpin and State of Colorado, in place of Preston Holbrook. Incumbent's commission expired February 19, 1904.

ILLINOIS.

Robert B. Thomas to be postmaster at Lacon, in the county of Marshall and State of Illinois, in place of Robert B. Thomas. Incumbent's commission expired December 18, 1903.

IOWA.

William A. Grummon to be postmaster at Rockwell, in the county of Cerro Gordo and State of Iowa, in place of William A. Grummon. Incumbent's commission expired February 26, 1904.

A. M. Loomis to be postmaster at Wyoming, in the county of Jones and State of Iowa. Office became Presidential January 1, 1904.

KENTUCKY.

Thomas B. Kirkpatrick to be postmaster at Hodgenville, late Hodgensville, in the county of Larue and State of Kentucky. Office became Presidential January 1, 1904.

MASSACHUSETTS.

John F. Mitchell to be postmaster at North Grafton, in the county of Worcester and State of Massachusetts, in place of John F. Mitchell. Incumbent's commission expired February 19, 1904.

Lyman D. Thurston to be postmaster at Leicester, in the county of Worcester and State of Massachusetts, in place of Lyman D. Thurston. Incumbent's commission expired February 19, 1904.

MICHIGAN.

Zebedee G. Culver to be postmaster at Reading, in the county of Hillsdale and State of Michigan, in place of Zebedee G. Culver. Incumbent's commission expired February 19, 1904.

Charles Quick to be postmaster at Lowell, in the county of Kent and State of Michigan, in the place of Charles Quick. Incumbent's commission expired December 18, 1903.

MINNESOTA.

William Cordiner to be postmaster at Princeton, in the county of Millelacs and State of Minnesota, in place of William Cordiner. Incumbent's commission expired February 19, 1904.

MISSOURI.

Milton J. Hudson to be postmaster at Hale, in the county of Carroll and State of Missouri. Office became Presidential January 1, 1904.

William G. Kitchen to be postmaster at Bloomfield, in the county of Stoddard and State of Missouri, in place of William G. Kitchen. Incumbent's commission expired February 2, 1904.

NEBRASKA.

Theodore A. Gierens to be postmaster at Arlington, in the county of Washington and State of Nebraska. Office became Presidential January 1, 1904.

NEW YORK.

Charles T. Jackson to be postmaster at Goshen, in the county of Orange and State of New York, in place of Charles T. Jackson. Incumbent's commission expires March 6, 1904.

NORTH CAROLINA.

Richard M. Norment to be postmaster at Lumberton, in the county of Robeson and State of North Carolina, in place of Richard M. Norment. Incumbent's commission expired February 5, 1904.

OHIO.

Charles H. Clark to be postmaster at Mount Sterling, in the county of Madison and State of Ohio, in place of Edward Hornbeck. Incumbent's commission expired January 24, 1903.

OKLAHOMA.

G. A. Hall to be postmaster at Okarche, in the county of Canadian and Territory of Oklahoma, in place of Ellery A. Humphrey, resigned.

PENNSYLVANIA.

John W. Chamberlain to be postmaster at Wyalusing, in the county of Bradford and State of Pennsylvania, in place of Lotta J. Kintner. Incumbent's commission expired February 19, 1904.

Cyrus E. Hippee to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania, in place of Cyrus E. Hipple. Incumbent's commission expired February 24, 1904.

Sylvester C. Stout to be postmaster at Glenside, in county of Montgomery and State of Pennsylvania. Office became Presidential July 1, 1903.

TEXAS.

William Reese to be postmaster at Floresville, in the county of Wilson and State of Texas, in place of Paul Neubauer. Incumbent's commission expired December 14, 1903.

WASHINGTON.

James Lane to be postmaster at Roslyn, in the county of Kittitas and State of Washington, in place of James Lane. Incumbent's commission expired February 2, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 29, 1904.

POSTMASTERS.

INDIAN TERRITORY.

William Noble to be postmaster at South McAlester, in the Choctaw Nation, Indian Territory.

MISSOURI.

Benjamin C. Klusmeier to be postmaster at La Grange, in the county of Lewis and State of Missouri.

Lauriston H. Condit to be postmaster at Canton, in the county of Lewis and State of Missouri.

NEBRASKA.

David S. Beynon to be postmaster at Burwell, in the county of Garfield and State of Nebraska.

NORTH CAROLINA.

J. Sanford Patterson to be postmaster at Spray, in the county of Rockingham and State of North Carolina.

NORTH DAKOTA.

Albert Albrecht to be postmaster at Anamoose, in the county of McHenry and State of North Dakota.

OHIO.

Charles E. Frame to be postmaster at West Union, in the county of Adams and State of Ohio.

William M. Evans to be postmaster at Hubbard, in the county of Trumbull and State of Ohio.

PENNSYLVANIA.

James H. Morrison to be postmaster at Marienville, in the county of Forest and State of Pennsylvania.

W. H. Longwell to be postmaster at Oil City, in the county of Venango and State of Pennsylvania.

WASHINGTON.

George W. Edgerton to be postmaster at Puyallup, in the county of Pierce and State of Washington.

HOUSE OF REPRESENTATIVES.

MONDAY, *February 29, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of Saturday, February 27, 1904, was read and approved.

SWEARING IN OF A MEMBER.

By direction of the Speaker, the credentials of Hon. George A. Castor, Member-elect from the Third Congressional district of Pennsylvania, were read by the Clerk.

Mr. Castor appeared at the bar of the House and took the oath of office prescribed by law.

THOMAS JOYCE.

The SPEAKER laid before the House the bill (H. R. 8850) granting an increase of pension to Thomas Joyce, with a Senate amendment.

The Senate amendment was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

HARRY HALLER.

The SPEAKER laid before the House the bill (H. R. 6582) granting an increase of pension to Harry Haller, with a Senate amendment.

The Senate amendment was read.

Mr. LOUDENSLAGER. Mr. Speaker, I move that the House nonconcur in the Senate amendment and request a conference.

The question was taken, and the motion was agreed to; and the Speaker appointed the following as conferees on the part of the House: Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama.

EMPLOYMENT OF DOCKET CLERK.

Mr. GRAFF. Mr. Speaker, by direction of the Committee on Accounts I present the following privileged resolution and report, which I will send to the desk and ask to have read.

The Clerk read as follows:

House resolution No. 79.

Resolved, That the Clerk of the House is hereby authorized and directed to employ an additional [illegible] to be paid from the contingent fund of the House, until otherwise provided for, at the rate of $[illegible] per year.

Amended so as to read as follows:

Resolved, That the Clerk of the House is hereby authorized and directed to employ a docket clerk for the purpose [illegible] to be paid out of the contingent fund of the House, until otherwise provided for, at the rate of $[illegible] per year, from and after January 4, 1904.

The SPEAKER. The question is on agreeing to the amendments.

The question was taken; and the amendments were agreed to.

The SPEAKER. The question now is on agreeing to the resolution as amended.

The question was taken; and the resolution as amended was agreed to.

RELIEF OF BATH IRON WORKS AND OTHERS.

Mr. GRAFF. Mr. Speaker, the Committee on Claims has had before it, among other bills, the bill (H. R. 10346) for the relief of the Bath Iron Works and others. The parties for whom this bill is sought to be a relief are some dozen different contractors and manufacturers who contracted to build a number of torpedo boats and torpedo-boat destroyers. The bill seeks to give to these manufacturers the difference between the contract price and the actual cost of these boats. The contention of the claimants is that they lost money on the contracts.

The House committee has not reached any conclusion upon the

merits of the bill, but has had a hearing occupying two full days. The bill involves a large sum of money, something a little less than $2,000,000. Under these circumstances I have come into the House on behalf of the Committee on Claims for the purpose of asking unanimous consent to have the report of this hearing printed.

The SPEAKER. The gentleman from Illinois asks unanimous consent to have the hearings before this committee on the bill (H. R. 10346) for the relief of the Bath Iron Works and others printed. Is there objection?

There was no objection.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 9150) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. WARREN, and Mr. TELLER as the conferees on the part of the Senate.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 628. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. McCLEARY of Minnesota. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes.

Mr. MUDD. I desire to reserve points of order on this bill.

Mr. McCLEARY of Minnesota. They have been reserved.

The SPEAKER. Points of order have already been reserved.

Mr. McCLEARY of Minnesota. Pending my motion, I should like to ask the gentleman from Tennessee [Mr. PIERCE] whether he has any suggestion to make as to the duration of the general debate on this bill?

Mr. PIERCE. I suggest that the matter be permitted to run along; and when the debate has proceeded somewhat, we can then, if necessary, agree upon a time for closing it.

Mr. McCLEARY of Minnesota. That suggestion is satisfactory to me.

The motion of Mr. McCLEARY of Minnesota was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union (Mr. LAWRENCE in the chair), and proceeded to the consideration of the bill H. R. 12833, the District of Columbia appropriation bill.

The Clerk was proceeding to read the bill, when

Mr. McCLEARY of Minnesota said: I ask unanimous consent that the first reading of the bill be dispensed with.

There was no objection; and it was ordered accordingly.

Mr. McCLEARY of Minnesota. Mr. Chairman, this bill has been constructed with two ideas in view: First, the recognition of the fact that the District of Columbia contains the capital of the United States, in which all of the people of the United States are interested and in which they take a natural and proper pride; and, second, the recognition of the necessity for reasonable care and prudence in the expenditure of public money.

The appropriations carried in this bill, exclusive of the appropriations for the water department, which are payable out of the income of that department, are based upon estimates of $12,884,825. The bill carries appropriations amounting to $10,059,071, being $2,825,754 less than the estimates.

The amount appropriated for expenses of the District of Columbia for the current year is $8,753,691. Hence this bill carries $1,305,380 more than the appropriations for the current year. But this sum is made up almost entirely by two items—namely, $968,155 of an increase for the completion of the filtration plant and $300,000 to carry on the work connected with the building of the new terminal railway station.

Of the $10,059,071 appropriated in this bill, exclusive of the appropriation for the water department, the amount payable from the Treasury of the United States is $5,028,285.50; the amount payable from the revenues of the District of Columbia is $5,030,785.50. This covers $2,500 which, under the highway act, is payable wholly out of the revenues of the District.

In addition to the amount just named, there is carried in the legislative bill, chargeable to the District of Columbia, the sum of $90,043. Provision is also made for the construction of a bridge across the Potomac River, at an expense of $996,000, for which about $250,000 will be required from the District funds the coming year.

The total revenues of the District of Columbia for the fiscal year 1905 are estimated at $4,730,935.10.

It will thus be seen that the amount appropriated in this bill payable out of the District revenues exceeds those revenues by about $830,000. To meet this excess of expenditure provision is made in section 3 of the bill for advances from the Treasury corresponding with those heretofore made.

There have been a few additional offices provided, all of them being deemed necessary. In the first place, the school system has called for an addition of forty-five teachers. There has also been an addition to the fire department. The aggregate of additional employees numbers seventy-six.

There have been some increases of salaries, notably among those enjoying the smaller salaries. The minimum salary of teachers in the public schools of Washington has been $450 per year. That minimum has been raised in this bill to $500 per year. There has been in the police department a minimum salary of $720. That is now raised to $900. There has also been an increase in the salaries of those men connected with the fire department who are receiving the smallest pay. In brief, this statement accounts for practically all the increased salaries and additional offices.

There are in this bill several provisions which might be construed as being legislation and therefore perhaps subject to a point of order. But every one of them has a purpose relevant to this bill; and I trust that if a point of order is raised by anyone, it will be reserved in order that explanation may be made, because I think with explanation the point of order will be withheld.

Mr. PAYNE. Mr. Chairman, I should like to ask the gentleman a question. I should like to ask if any provision is made for sewers in that region of the city about Woodley Inn?

Mr. McCLEARY of Minnesota. Mr. Chairman, in general answer to the gentleman from New York, I would say that our plan in connection with the extension of sewers has been to extend now the trunk lines for the general sewage-disposal system. As perhaps most of the members of the committee know, the sewage of Washington now finds its outlet in front of the city. That has not been regarded as healthful. The purpose is to collect it all into a great trunk sewer, carry it under the Eastern Branch, and thereby a siphon to dispose of it 2 miles below the mouth of the Eastern Branch, so that none of this foulness shall enter the Potomac in front of the city. The carrying on of the enterprise referred to—that is, the general sewage-disposal system and the trunk sewers connected with it—is taking so much money that there is no sewer construction being done in the section of the city referred to by the gentleman. Later on, when this general sewer system has been worked out, we hope to reach that part of the city to which he refers.

Mr. PAYNE. When will that hope probably be realized?

Mr. McCLEARY of Minnesota. I am not a prophet, nor the son of a prophet, but I should say it will be when we are thoroughly convinced that it is a wise expenditure of public money to take up that particular part of the sewerage system.

Mr. PAYNE. And in the meantime those people up there will have to get along without sewers?

Mr. McCLEARY of Minnesota. In the meantime they will have to do as other people have to do who go out to the suburbs. They get the benefit of cheap land on which to build their homes and have low taxation, and must be satisfied to do without some of the things enjoyed by those who live on higher priced land and pay higher taxes.

Mr. SCOTT. Will the gentleman yield for a question?

Mr. McCLEARY of Minnesota. Certainly, Mr. Chairman.

Mr. SCOTT. I should like to inquire what has been done and what is now being done upon the filtration plant and how soon that is expected to be completed?

Mr. McCLEARY of Minnesota. Mr. Chairman, in answer to the question of the gentleman from Kansas, I would say that the amount appropriated for the filtration plant for the current year was $600,000. Colonel Miller, the officer of the War Department in charge of this water system, assured us that if we would give him for the coming year the full amount estimated to be necessary to complete the filtration plant—in round numbers, $1,600,000—he would have that filtration plant completed on the 1st day of December of this year, so that when we return next fall we can both drink and wash in clean water.

Mr. PAYNE. Did you make the appropriation asked for?

Mr. McCLEARY of Minnesota. We have made the appropriation, and that accounts, in large part, for the size of this bill. There is an additional million dollars in that one item, and that accounts for a large part of the increase that the bill carries.

Mr. SCOTT. Is the filtration plant to be located up near the source of the supply?

Mr. McCLEARY of Minnesota. It is located out near the Catholic University and the Soldiers' Home.

Mr. Chairman, I yield to the gentleman from Nebraska [Mr. BURKETT] such time as he desires.

Mr. BURKETT. Mr. Chairman, I desire at this time, when we are considering the annual District of Columbia appropriation bill, to submit a few remarks, generally, upon our national capital, her government and development. I believe that in connection with the many plans for the beautifying of Washington that have been urged upon the attention of Congress and the press and the people within the past few years, some of which are provided for in this bill, it may be interesting and profitable to know something more than the facts and figures which this bill carries.

For a very few moments that I shall occupy your attention I desire to give something of the original plan for the completed Washington, together with some of the difficulties that have stood in the way of its consummation. I want, incidentally, to submit something in a very general way of the government of the District and how and whence it comes about. It is an unique government, nothing like it anywhere, and yet every citizen of the Republic is proud to believe that his capital is the best-governed city in the world.

It was a risky statement by some one that "more people have ears to be tickled than understandings to judge." But to this he might have added that there were more eyes to be feasted than dispositions to know.

The thought suggests itself that of the many Americans who tour Europe and the world how few do know how their own capital is governed. Then, too, of the many thousands of people who annually visit Washington and feast upon the scenes of art and industry, from the great galleries to the magnificent panorama of her streets and avenues, and the great public and private institutions, how few ever inquire into the machinery that makes Washington the beautiful city it is. How few ever stop to think that in all the world besides there is not another city governed just like Washington. Here is food for much reflection; here is reason for much speculation upon the power to abandon "inherent rights" with the "consent of the governed."

Admiring multitudes have stood in awe before the statues of marble and bronze to the heroes of the Republic; they climb the shaft towering over them all, erected to the memory of the Father of his Country; they explore the city to its farthest corners, for every step is filled with historic recollections; they are whirled through miles of streets paved with asphaltum and admire their width, and their length, and their ingenious figure; they applaud the parks and the pleasure resorts; yet, with it all, few ever stop to ask, How is this all brought about—what is it that makes it possible? Whence comes the treasure to care for this enormous expense? And, if some one were to tell them that they had helped to elect a member of the common council of this beautiful capital city there would be an air of incredulity approaching disbelief. Nevertheless, such is the case. Their vote may have been cast in Maine or in California, in Texas or in Florida, yet every vote for a Member of Congress was a vote for a member of the common council of Washington. Congress is the lawmaking power of the national capital in exactly the same capacity as the board of aldermen is for New York City, but with unlimited prerogatives and unlimited power. That is, there is no law of superior importance above Congress that would compare with the State statutes that control the council of an ordinary city.

Perhaps this may seem new to somebody, but it is only the refreshing of a treacherous memory, for everybody has read in that article of the United States Constitution in which is enumerated the powers of Congress—

> Congress shall have power to exercise exclusive legislation on all questions whatsoever over such district, not exceeding 10 miles square, as may by the cession of particular States, and the acceptance of Congress, become the seat of government of the United States.

Everybody who has ever read the Constitution has once known this fact, and it only needs to be suggested for him to call it vividly to mind. Perhaps, however, he has never thought, and probably has never asked himself how that clause in the Constitution is executed. Or perhaps he may think it has fallen by the wayside in its literality, supplanted by some substituted form under our "elastic Constitution," by man's ingenuity in making the "old document" adjustable to modern ideas.

It is safe to say that comparatively few people know how this clause is carried out, or whether it is even pretended to be carried out, and if so, to what extent. Thus, I say, few people understand that within our own confines, at the very heart of the nation, at our own capital, there is a district of 70 square miles, inhabited by over 300,000 of God's creatures, intelligent, educated, civilized, Christianized, who not only have no voice in the affairs of the nation, but indeed exercise no control whatsoever over their own local government. This is the condition in Washington. Congress does the legislating for the District of Columbia. It not only provides the form of government for the District, but directs the execution of that form of government. It also makes its laws, both civil and criminal, it makes the rules of evidence for the courts, names the punishment for criminals, and provides laws regulating juries.

In short, Congress, without let or hindrance, with no other restraint than the one clause in the Constitution just quoted, is the source of all government in the District of Columbia. Congress passes upon and allows every dollar of money expended in the District, directs and limits improvements, scrutinizes and fixes the salary of every clerk in the city offices. It provides a water system, a police force, and a fire department. It orders the streets paved and repaired, cares for the parks, and carries away the garbage. In short, the Congress of the United States, constituted at present of 386 members in the House of Representatives and 90 in the Senate, representing forty-five States, is the common council of Washington, with supreme power and authority to legislate for it. Thus it may be said that this particular clause in the Constitution is interpreted literally and is executed as it is interpreted.

It should also be said that under the control of Congress Washington has developed from a neighborhood of suburban villages, near-by villages, surrounded by the most insanitary conditions, to that of a beautiful city. Swamps have been drained, forests have been removed, rivers have been bridged, canyons have been filled, and rocks have been blasted out in making way for the beautifully paved and parked capital city that Washington has grown to be. And let me say that during all of that time the symmetrical plan which the Father of his Country prided himself so much in and spent so much time in perfecting has been carried out. To many its consummation has seemed slow. There have always been those who chafed under the apparent lethargy in the building up of Washington, and at times the enormous cost has almost persuaded those in control of affairs that the plan was too big and that the design of the draftsman was too expensive of execution. But, to the credit of all of them, better judgment has always prevailed, charity and patience on the one hand has met apprehension and conservatism on the other, and the symmetry of the plans of Washington have never been interfered with.

To George Washington belongs the credit of most of the beauties of plan of the capital city, for it was his farseeing eye that looked clear in advance of anything then dreamed of by most people and to where we have scarcely yet reached.

To George Washington, the Father of his Country, the designer of her machinery of government, the savior of her liberties, it was appropriate likewise that the plan for her capital should be intrusted when she was ready to have one. In him then was reposed the trust of selecting the exact location of the capital city. For several years the headquarters of the nation had been transitory. It had been going from one city to another, according to the patriotic manipulations of the "logrollers" in Congress, or other more or less worthy motives, until most men came to believe that if the nation was to endure and perpetuate its blessings and beauties, it must have a permanent, fixed seat of government, that if it was to convince the skeptical of its future stability, it must at least be settled and determined within itself.

Some time was taken up in controversy as to just where the capital was to be located. The South very naturally wanted it in the Southern States, and the North wanted it in the Northern States, and every State wanted it in that particular State. The compromise, so well known to all men, was finally made that the Southern States were to be permitted to have the capital located on the Potomac River, and the Northern States, in consideration of permitting them to have it without further trouble, were to have assumed certain of their State obligations incurred in Revolutionary war times. Thus the location of the capital, which threatened at times the disruption of the Union, was finally adjusted as the result of a barter of the "location" for the "assumption of State debts." This only shows that those old philosophers were no less alive to home interests than men of more modern times, and that "Pro bono publico" is sometimes a local question.

Washington was then given authority to select the site for the Federal city. In this he was limited to 100 miles along the Potomac River, running from somewhere about Cumberland, Md., to Jones Point, down just below Alexandria. His experience as a surveyor preeminently qualified him for the undertaking, while his proverbial justness to all men and to all things and under all conditions made him the unanimous choice for this important yet laborious undertaking.

How fitting that George Washington should select the site of the permanent abiding place of the nation's capital, and that the city should bear his name, to stand throughout the life of the nation a growing monument to the grandeur of the achievements of his life. He selected, in accordance with the law, a place 10 miles square, located on the Potomac River, about two-thirds of it north of the river, in Maryland, and the rest of it south of the river, in Virginia. The lateral lines of the square do not extend due east, west, north, and south, but in a northeasterly, northwesterly, etc., direction, giving it such a shape that one corner is at the northernmost northern point and its opposite diagonal corner is the northernmost southern point. This makes it somewhat of a diamond shape as it appears on the map with its corners toward the four points of the compass.

In all that part selected west of the Potomac River and in the State of Virginia was receded to that State, and the District of Columbia now constitutes about 70 square miles east of the west bank of the Potomac River.

Washington, then, with the assistance of L'Enfant, proceeded to lay out the city of Washington. He made the streets to run north, south, east, and west, but across them, diagonally northeast and southwest, and northwest and southeast, he ran avenues. All of these thoroughfares he made of extraordinary width. All the city was to be reckoned from the Capitol. The streets are numbered from the Capitol east and west and lettered from north to south. From the Capitol these streets and avenues radiate as the spokes from the hub of a great wheel. Between the Capitol on one hill and the White House on another hill, about a mile and a half away, he ran Pennsylvania avenue, familiar, of course, to every one who has ever visited Washington. It was down this thoroughfare, then little more than a cow path through a jungle of scrub weeds, that the British went when they destroyed the Capitol in 1812. It was down this historic old street that the "Boys of '61" rushed to the defense of the nation, and where they again marched through the mud at the close of four years of fighting in their last "Grand Review." Down this thoroughfare went Thomas Jefferson on horseback unattended to take the oath of office, and down it also the inaugural parade of every President has gone.

The plan which George Washington laid out was, until the close of the civil war, looked upon by many as visionary. It contemplated an enormous expense and a great city to sustain it or need it. The city was unpromising, although perhaps for this she was not to blame. The uncertainty of the permanency of the capital until after the civil war gave little heart to the residents to improve Washington. But after Appomattox all uncertainty was removed. Washington was to continue forever the seat of government of the American Republic. To be sure, there was no public edict to this effect, as indeed there could be none, but the verdict was rendered in two millions of hearts and minds in the last "Grand Review." Four years of warfare had more intimately acquainted the people with the historic significance of Washington. Its defense and preservation by the heroes in blue had endeared it to every Northern soldier, and the verdict was sealed, silently but effectually, and from that time all effort to remove it has ceased.

In 1871 Congress established a government for the District, giving it a governor and Delegates in Congress and providing for popular elections. At this time and under the impetus of this first real attention that Congress had given to the development of the District the first move of any consequence for the improvement of the city was made. Several millions of dollars (probably about thirty millions) were expended by the administration of affairs in opening up the streets and in extending the city. But popular government soon demonstrated itself to be a failure, at least the people of the District evidently thought so, for they united in a request to Congress in 1874 to establish a government other than one dependent upon elective franchise of the people of the District.

This may be the first time that people have asked that their component be taken away from them in governmental affairs. Accordingly the commissioner system was established in 1874, similar in many respects to what pertains now, and in 1878 the present government of the District was given by Congress. Under this government, known as "the commissioner system," exemplified and perfected from that of 1874 by the act of 1878, the beautiful Washington of to-day has grown. By this arrangement the people of the District gave up their right of representation in Congress and their right of franchise. Congress, on the other hand, agreed to assume one-half of the expense of operating the city in the future. By the provisions of that government the President appoints two Commissioners, residents of the District, who, together with a member of the Engineer Corps of the United States Army, detailed by the President, constitute the Board of Commissioners, with executive powers in administering the affairs of the District in accordance with the laws that Congress provides.

This government has existed since 1878 and is the most satisfactory to the people of the District of Columbia and to Congress of any that has been tried. The Commissioners, through offices created and provided for by Congress in their general laws, levy and collect taxes of the people of the District. The taxes are paid into the Treasury of the United States and are there kept in a separate fund for the District of Columbia. They are then all paid out under the appropriation bills passed by Congress. By the terms of the act of 1878 of every public expense Congress appropriates 50 per cent from the District fund and the other half from the United States fund. In short, it may be stated as practically correct that the United States pays one-half of the cost of the maintenance and running of the District of Columbia, Washington, and Georgetown, and the people of the District pay the other half.

There are two reasons perhaps most potent for this arrangement. First, the United States is a very large property owner in the District and city, and of course Government property is not taxable. The amount of this property is constantly increasing. Every year additional land is being purchased and new buildings are being erected. When property is changed from private to public ownership, and consequently withdrawn from the available taxable property, the share of the burden as borne by this property is then shifted to the remaining property of the District under private ownership. But a second reason for the United States bearing one-half of the whole burden which might not appear to the casual observer, and which perhaps is the most potent, is that unusual demands are made for the improvement and beautifying and control of Washington. It is the capital city of 80,000,000 people and of the most prosperous nation on earth. Every individual feels a proprietary pride in his capital and wants it in keeping with the mighty, progressive nation that we are. The Constitution placed control where it is so that the whole people, through Congress, could have their capital just as they wanted it. It is not thought proper that the taxpayers of a single city should be called upon to pay for the ideals of the people in this particular. They could not do it. It would confiscate property to enforce it; hence the amicable arrangement and the "half-and-half" plan.

Congress exercises the full power reposed in it by the Constitution in the legislation for and the control of the District of Columbia. In both the Senate and House of Representatives there are committees on the District of Columbia, to which all matters of legislation are referred. The appropriations of funds, of course, go to the Committee on Appropriations.

This appropriation bill that we now present is the annual budget of the District for the fiscal year ending June 30, 1905. It is made in accordance with the laws that I have heretofore mentioned. The committee have given it very careful consideration, and we believe it is as nearly perfect as could be made. As it shall be read item by item and paragraph by paragraph opportunity will be given for every Member of the House to understand every detail and to criticise it and to amend it if they so choose. [Loud applause.]

Mr. PIERCE. I yield one hour, or so much thereof as he may desire, to the gentleman from Kentucky [Mr. GILBERT].

Mr. GILBERT. Mr. Chairman, four or five days ago the distinguished gentleman from Connecticut [Mr. HILL] consumed about an hour of the time of this House in undertaking to tell us what the Democratic party stands for. I should be glad to have the gentleman from Connecticut present.

Mr. BENTON. He is here.

Mr. GILBERT. I propose to take so much of the hour now following as may be necessary to point out what the Republican party is and what it stands for, and, like the gentleman from Connecticut [Mr. HILL], I shall decline to be interrupted until I shall have concluded what I have prepared to say, and then I shall be very glad to attempt to answer any reasonable questions that may be propounded.

The Republican party was at the outset not a political organization at all. It was a party of wild-eyed religious fanatics, who despised the Constitution and evaded the laws. They emphasized certain glittering generalities in the Declaration of Independence and denounced the express provisions of the Constitution of the United States. They were almost as frenzied and unreasoning in their determination to free the negroes and give them political and social equality as were the Crusaders in their determination to rescue the Holy Sepulcher from the hands of the Moslem.

The first Republican platform, adopted in 1856, upon which Frémont was nominated for the Presidency, demanded the immediate admission of Kansas as a State of the Union. Kansas then had a sparse population of only a few thousand, spreading over a vast wilderness. Now, when three great Territories with a half million of people each demand admission as States, this party continues in its platforms to promise admission and continues to violate the promise. For example, the platform you adopted in 1892 contained, among other things, this promise to the American people:

> We favor the admission of the remaining Territories at the earliest practicable day, having due regard to the interest of the people of the Territories and of the United States.

You repeated this promise in 1896, and then again in the platform of 1900 you proclaimed:

> We favor home rule for and the early admission to statehood of the Territories of New Mexico, Arizona, and Oklahoma.

How many more times are you going to write these falsehoods in your platforms and how many more years will these people in the Territories be denied the right of local self-government? Has your fondness for holding crown colonies in the Orient tempted you to hold these neighbors and kindred of our own country in subjection also? Do the people who inhabit the poor hillsides of New England dread to see the seat of political empire drift away to the South and West?

You wanted Kansas to come in immediately because she would have strengthened your political power. You oppose the admission of these three great Territories because you fear six more Democratic Senators and quite an additional number of Democratic Congressmen. This is the state of the Union upon that matter. And speaking of promises in the Republican national platforms which have never been redeemed, it would afford amusement, if the matter were not so serious and important, to review this highway leading to your political perdition next November, paved with good resolutions, and see how it is strewn with wrecks and betrayals of the people's confidence. [Applause on the Democratic side.]

In the platform of 1868 this Republican party announced that suffrage in all the loyal States properly belonged to the people of those States, but that in the disloyal States it was a matter under the control of Congress. This absurd doctrine was carried out with all its hideous enormity in the reconstruction of the South. No civilized people in modern times, though subjugated by war, were ever subjected to more outrage and cruelty by a conquering enemy than were the people of the Southern States at the close of the war. Not content with disfranchising the white people, they placed the ballot into the hands of the ignorant and illiterate negroes, who were fresh from the cornfields and cotton plantations, and these negroes were guided and controlled by unscrupulous carpetbaggers from the North.

These illiterate negroes mounted the bench as judges of the courts. They filled the halls of the State legislatures and inaugurated such a carnival of crime and corruption as were hideous to contemplate. Such pollution of society ensued, such misery followed, as no other people endured. Yes, these issues are dead; but these historical facts are not, and should not be forgotten. If, when England conquered the Republic of South Africa, she had disfranchised the white population of those countries and had placed the right to vote exclusively in the hands of the negro slaves, the case would still not have been as great an outrage as was heaped upon the southern people of our own land. The outrage would not have been so great, because negro slaves of South Africa were as intelligent as the negro slaves of the Southern States, whereas the Boers of South Africa were a different race of people from the English conquerors. They were strangers, separated by wide oceans, speaking a different tongue, with different manners and customs; while the southern white people were of the same blood, descended from the same sires, speaking the same language, and inheriting the same laws, literature, and traditions as the people of the North.

The day is long in the life of a people, but time will hardly efface from our memories the needless cruelties and frightful devastations that were visited even upon the smoking ruins of the fairest of all the lands of the world.

Coming now to the platform of 1872—I want to try and hasten on to get down to some of these modern issues [applause], so that I can entertain the young gentleman from Minnesota, who hopes to laugh and giggle the doctrines of Jefferson and Jackson out of the country, and I want to get down to the days that are in the recollection of my distinguished friend from Connecticut.

In the platform of 1872 this party declared this astounding statement:

It suppressed a gigantic rebellion, emancipating four millions of slaves, decreeing the equal citizenship of all, and established universal suffrage, exhibiting unparalleled magnanimity; it criminally punished no man for political offenses.

There is not a single truthful statement in that whole paragraph. The Republican party did not suppress any rebellion. The Democrats North and South who voted for Douglas and the Whigs and Union men North and South who voted for John Bell were as much opposed to secession as were the Republicans who voted for Lincoln. More votes were cast for Douglas and Bell than were cast for Lincoln. They were as patriotic, as devoted to the Union, and made as good soldiers and did as much in every way to suppress the rebellion as did those Republicans who claimed the sole credit.

The Republican party never saved the Union at all and never freed a negro slave. Missouri voted for Douglas, and she put more than 100,000 soldiers in the Union Army. Tennessee voted for Bell, and that State furnished 31,092 Union soldiers. Kentucky voted for John Bell, and yet she furnished 85,860 soldiers to the Union Army. Maryland furnished 46,638 soldiers to the Union Army. West Virginia furnished 32,068 Union soldiers. I have heard no less an authority than Judge Harlan, of the Supreme Court, say that the Union was saved in a great measure by the southern men who refused to join the secession, but who, with equal heroism and greater love for the Union, stood out against their brethren of the South and fought to maintain and perpetuate the Government of their fathers. Think of this declaration in the platform, "exhibiting unparalleled magnanimity; it criminally punished no man for political offenses." When the German army conquered the Turks at Poltawa, the Turks were permitted to return home and to maintain their local laws and institutions.

When the French army was destroyed at Sedan, the Frenchmen were allowed to return to their own country and exercise all the rights of citizenship. So when the army of the Sultan conquered the Greeks, these people retained their local laws and institutions and were allowed to rule their own country as if no war had been waged. Even when Russia, Germany, and Austria despoiled Poland, her citizens were still left permission to control their local affairs, forced only to acknowledge the paramount allegiance to the conqueror. In this South land of ours, alone of all the conquered countries of modern times, the white citizens, the property owners, the intelligent part of the population, were disfranchised and the local government placed in the hands of former slaves.

Coming now to the platform of 1876, let us read this paragraph:

We rejoice in the quickening conscience of the people concerning political affairs.

Think of this! When Tilden received 4,284,757 votes, while Hayes received only 4,033,950 votes; and yet by the utter lack of any political conscience whatever the returning boards and the Electoral Commission found a devious way by fraud to either go behind the returns or to refuse to go behind them or do whatever else was necessary to vote into the high office of President a man who had been defeated at the polls, and to count out a man whom all honest men now admit was duly elected. So, having perpetrated the greatest election fraud in our history, and having forcibly canceled the certificate of the people at the polls, this party in the next platform of 1880 with great impudence declared, "The honest voter must be protected against terrorism, violence, and fraud."

But let us hasten on to 1884, when that party began its series of promises to reduce the tariff—promises which it never intended to fulfill. Instead of redeeming this pledge that party has constantly pursued the opposite plan, and the surplus has grown to such proportions that certain favorite national banks are made depositories of this surplus and are collecting millions of dollars annually in the way of interest by lending this surplus back to the people. The net profits made every year by these national banks in this way would furnish many millions for campaign funds, to be expended to perpetuate the outrage and still leave the bankers time and leisure to praise the glories of the Republican party in newspapers and magazines of the country. [Applause and laughter.] Then look at this siren song which was sung in that same platform:

The Republican party has gained its strength by quick and faithful response to the demands of the people for the freedom and equality of all men.

The freedom and equality of the ten millions in the Philippines, in Porto Rico, in Alaska, and in the Sandwich Islands are meant, of course. The only freedom and equality furnished since this platform was written was such as was shown to a colored woman, Mrs. Cox, at Indianola, when the Administration undertook to force her services as postmaster upon the white people of that city. Another instance of freedom and equality is to be found when the President disregarded the recommendations of both white Republicans and Democrats in South Carolina and forced upon the people a black, odoriferous geranium by the name of Doctor Crum as collector of the port of Charleston. Still another instance of freedom and equality to all men was perhaps shown when a certain other darky by the name of Booker Washington came to lunch at the White House and the President expressed his regrets that his family were away and insisted that Mr. Washington return to dinner. So this negro did come back to dinner, with the President of the United States at one end of the table, Mrs. Roosevelt at the other, Miss Alice and Theodore, jr., on either side, and Booker Washington seated at the seat of honor at the right hand of the President, eating out of the same dish and "sopping" out of the same bowl.

"Freedom and equality to all men!" What rot and nonsense in the light of recent history. Have you read the address delivered the other day by ex-Secretary of War Root at the law school banquet? Here is what he says, in part:

It has been my province during the last four and a half years to deal with arbitrary government. It has been necessary for me to not only make laws and pronounce judgment without any occasion for discussion, except in so far as I would choose to weigh the question involved in my own mind, affecting 10,000,000 of people; and not only to make laws and pronounce judgment, but to execute judgment with overwhelming force and great swiftness.

Think of this for one moment and think how rapidly we have degenerated from the institutions founded by the fathers of this Republic. Think of one arbitrary despot holding the destinies of 10,000,000 of human beings in the hollow of his hand without any restraint of constitution or law. "Execute judgment with overwhelming force and great swiftness!" The time was when such an utterance would have demanded and received universal condemnation. But now it is the strenuosity of a popular administration. A military satrap burning cities, devastating provinces, torturing prisoners and noncombatants has become the hero and idol of a Republican party that has the unspeakable impudence to talk about "liberty and equality."

But hastening on to the platform of 1888, we find this ebullition of patriotism from the swelling bosom of the Republican party:

The Republican party would accept all needed reductions in the national revenues by repealing the tax upon tobacco, which is an annoyance and a burden to agriculture.

Then, why don't you repeal the tax on tobacco and relieve the farmers of this annoyance and burden to agriculture? You elected your candidate to the Presidency in 1888. You have controlled Congress ever since. Time and again the Democrats have urged you to redeem this promise to repeal this tobacco tax. There are four or five bills now pending in this House, one introduced by my distinguished friend who sits in front of me, Mr. STANLEY, one by my colleague from Kentucky, Mr. TRIMBLE, still another by my distinguished friend from Tennessee, Mr. GAINES, and another by, I think, Mr. HOPKINS—all of them Democrats.

They have all been referred to that magnificent Committee on Ways and Means, and there they will be permitted to sleep. I hate to discourage you, gentlemen, but those tobacco bills are as dead to-day as the seven sleepers of Ephesus, and no resurrecting angel will ever roll away the stone from their sepulcher as long as the Republican party remains in power.

Mr. STANLEY. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Does the gentleman yield?

Mr. GILBERT. Yes.

Mr. STANLEY. I am listening with great delight to the gentleman's able and magnificent address, but I have too much faith in that thing we call the human heart and its sympathies with the pain and suffering with fellow-men, as it is found on both sides of this Chamber, to believe that those just bills can die.

Mr. GILBERT. Mr. Chairman, it is easily to be seen that my colleague is serving his first term in Congress. [Laughter.] He will learn more after he stays here. If tobacco was grown chiefly up yonder on the barren hillsides of New England, this war tax would have been abolished years and years ago. It is about the only relic that is left upon the statute books of that régime under which the Government taxed anything and everything in order to carry on the war.

Here is another sweet exhalation from the swelling bosoms and perfumed breath of the Republican party:

We declare our opposition to all combinations of capital, organized in trusts or otherwise, to control arbitrarily the condition of trade among our citizens.

Opposed to trusts, are you? In every Congress your leading Members put out three standard arguments, and standing arguments, too. The first is that there are no trusts. The second, that there are trusts and that there have been trusts time out of mind, and that they are goods things to have. The third is that the Republican party is pledged and is using every reasonable effort to destroy the trusts.

The Sherman antitrust law was enacted in July, 1890, more than thirteen years ago. It provides that "every contract, combination in the form of trusts or otherwise, or conspiracies in restraint of trade or commerce among the several States or with foreign nations are declared to be illegal," etc., and persons found guilty are to be punished by fines of not exceeding $5,000 or by imprisonment not exceeding one year, or by both fine and imprisonment. Hundreds of thousands of poor people in this country have suffered with cold on account of the soulless rapacity of the coal barons. Hundreds of thousands of ragged children have cried themselves to sleep with hunger on account of the soulless rapacity of the beef trusts and the milling trusts, while these scoundrels were increasing their dividends upon watered stock; and yet no man has ever been made to wear a felon's stripes for violating this law—no man has ever been convicted of violating this law.

Indeed, a distinguished Senator has introduced a bill at the other end of the Capitol to virtually repeal the Sherman antitrust law. Lawyers who have been for years making their fortunes out of the trusts, with the trusts for their clients, are brought here from New Jersey and Pittsburg to fill the office of Attorney-General of the United States, and of course they are not able to fine any of the trusts. In the last Congress we appropriated a special fund to track the trust and hunt down these modern brigands. Five hundred thousand dollars still remains unexpended in the Treasury, and no prosecutions are inaugurated.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. GILBERT. Yes.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I wanted to suggest to the gentleman's memory the fact that on last Saturday only the Republican side of this Chamber voted unanimously, or perhaps with three exceptions, against a proposition to prevent the Secretary of the Navy from making Government contracts with combinations convicted of being trusts and of living in violation of the Sherman law.

Mr. GILBERT. Certainly, I remember that, and it is a very apt illustration and a forcible addition to the argument I was attempting to make, and I am obliged to the gentleman from Mississippi for that contribution. The money, as I said, remains unexpended in the Treasury, and these freebooters, instead of being put upon trial, are lauded as philanthropists when they donate to some church, or to some school, or some other charitable or eleemosynary institution a very small part of their booty. They are the idols of fashionable drawing-rooms. They are the chief drawing card of the swellest clubs in the country. When they come to the city of Washington they are wined and dined with unusual eclat.

Why, the average Republican smiles and fawns and seems to be flattered by the society and the association of these great modern nabobs. There was a triumvirate—I turn aside from the regular course of my remarks to make a historical allusion. There was a triumvirate in the old days—Crassus representing the newly rich, Pompey representing the old democracy, and Julius Cæsar representing the "rag-tag" and the rabble of the day. The next step was a combination between Crassus and Cæsar—a combination, in other words, between the newly rich and the rabble. This combination soon disposed of Pompey, and they also soon disposed of the liberties of their country. The next step was an imperial despotism. It is this combination of the wealth of a country with the rabble that is to be dreaded now in this country, and it is to be dreaded always and everywhere.

But we must return to our mutton, as the gentleman from Missouri [Mr. CLARK] would say.

"We favor the extension of our foreign commerce, etc.," taken from the platform of 1896. Everybody knows that in order for ships to engage in foreign commerce they must be permitted to bring a return cargo. And yet this party has built a tariff wall around the country so high as to almost entirely exclude foreign manufactured goods. They have not been totally excluded thus far, but the high tariff wall has forced the commercial nations of Europe to retaliate by putting up tariff walls themselves, and it is inevitable that this policy will in a very few years naturally destroy our international trade. You put the Dingley tariff rate at 20 per cent higher than was thought to be proper even by the avowed friends of protection, and you did so under the promise that this extra per cent should be traded off in consideration of concessions to be obtained from foreign countries in the way of reducing the duties upon farm products and manufactured articles exported from this country and imported into those countries. Under this Dingley law provisions were made for the negotiation of reciprocity treaties, and quite a number of them were negotiated by Mr. Kasson.

Indeed, treaties were made calculated to build up our foreign trade with all of the leading countries of Europe. Not a single one of these treaties has ever been ratified by the Senate. The two years provided by that law in which these treaties could be made have waxed and waned and the treaties have been abandoned. Although you procured this unprecedented protective rate under the promise of reducing it by reciprocity agreements, the doctrine is now "stand pat" and "keep on letting well enough alone." There was a barefooted Nazarene who came preaching a new doctrine to the world, but the money changers and magnates of that day cried out, "Stand pat," and "Keep on letting well enough alone." So when Washington and the ragged, hungry soldiers at Trenton and Valley Forge were fighting for our liberty the plutocrat of that day and the money changers were as a class "stand patters," and their watchword was, "Keep on letting well enough alone."

That is always the war cry and the campaign cry of the privileged classes in all the ages of the world. The revolutions in the world's history that have come for the betterment and the upbuilding and the promotion of the welfare of mankind have always come from the undercrust, who were oppressed and who were opposed to the doctrine of "stand pat" and "keeping on letting well enough alone." [Applause on the Democratic side].

But take this fine declaration from the platform of 1896:

The Republican party has always been the champion of the oppressed and respected the dignity of manhood, irrespective of faith, color, or nationality.

I suppose this was written exclusively for the benefit of the negro, because, strange as it may seem, while the Caucasian race and the African race stand at opposite ends of the line with regard to the different races that make up the human family, the Republican party has all along manifested a strange solicitude for the negro race alone. They have never shown any especial anxiety for the welfare of the Chinese, or the Indians, or the Boers, or the Armenians, or for the Circassian slaves, or for any other race except the beautiful and sweet-smelling sons of Ham.

But I am glad to be able to say that distance lent enchantment to the objects of their devotion and that with closer proximity and better knowledge their original enthusiasm is softening down in some degree to a condition of reason and common sense.

In the platform of 1900 the party made this declaration:

We reiterate our allegiance to the principle of the gold standard and declare our continuance in the mission of the majority of the Fifty-seventh Congress, to secure the parity of all our money and the stability of our currency upon a gold basis has been secured.

At last, after a century of support given to wildcat banks, free-silver coinage, and fiat money, this Republican party, by strange political fortune, has come to pose as the champion of sound money. In the old days of Jefferson and Jackson the Democratic party was the advocate of sound money, contending that gold and silver were the only legal-tender money authorized by the Constitution, whereas the Federalists, headed by Nicholas Biddle, were clamoring that the issues of the national bank should be made a legal tender, and they were also the advocates and defenders of a general system of wildcat banks.

The Democratic party, on down to the days of Tilden and Hendricks, of Justices Field and Lamar, were still the friends and defenders of sound money and were still contending that gold and silver were the only legal-tender money authorized by the Constitution. In those days the Republican party was the creator and defender of fiat money. That party created the greenback money and made it a legal tender in payment of all debts, public and private, except duties upon imports and interest upon the national debt. The Supreme Court, in an opinion written by a Democrat, Mr. Justice Field, decided that gold and silver alone could be made a legal tender and that the legal-tender feature of the greenback legislation was unconstitutional and void. The Republican party, to avoid this decision, proceeded to reorganize that court, created new judges, and these places were filled by a Republican President with judges known to support the contention of that party.

What a howl they made down in my State in 1896 about the claim that the long-haired 16 to 1 Populists and anarchists were going to reorganize the Supreme Court, that it was going to be a revolution.

Thus a new decision of that court was obtained, upholding the constitutionality of the legal-tender function of the greenbacks. This was the beginning of that long series of Republican legislation in the interest of the money classes which has proved a very Pandora's box of evils. The Republican party opened the silver agitation in 1878 and continued it in their platforms down to the meeting of their convention of 1884. They inserted in their platform of 1884 a demand for an international agreement to fix the standard of value between gold and silver. Then, in their platform of 1888, they denounced the Democratic party for its efforts to demonetize silver. Continuing their soft-money crusade and love for uncle and money, this party, in its platform of 1892, announced this doctrine:

The American people, from tradition and interest, favor bimetallism, and the Republican party demands the use of both gold and silver as standard money.

Still on down to 1896, and in the platform of that year, the Republican party pledged itself to promote bimetallism by international agreement, so that never until the platform of 1900 did the Republican party become the open advocate of the gold standard or become the friend or supporter of what it pleases to call "sound money," and it is attitude it assumed by a strange reversal of the positions of both of the two great political parties. On the other hand, the Democratic party, reading the Constitution, finds this language: "No State shall make anything but gold and silver a legal tender in the payment of debts," and by this constitutional provision the Democratic party has consistently stood during all the years of our national life.

Now, let us come to 1900 again and notice the last effusions of the "Grand Old Party." This was the convention in which the chairman insisted that ex-Governor Taylor, of Kentucky, should come upon the platform so that all could see and honor him. This was the platform written at the cottage of E. A. Griscom, the president of the International Transportation Company and the head and front of the ship-subsidy steal. This platform announces: "We have conducted, and in victory concluded, a war for liberty and human rights. No thought of national aggrandizement tarnished the high purpose with which American standards were unfurled." That sounds fine, does it? What are the facts? Democratic votes forced your party into the war, and Democrats took the leading part in its prosecution until Cuba was liberated; and then the Republican party came in for the spoils and for the subjugation of the Philippines.

The commander in chief of the Army was Gen. Nelson A. Miles, a Democrat; the man who had charge of the navy at Cavite and Manila and who destroyed the Spanish fleet was Admiral Dewey, a Democrat; the man who had command of the fleet at Santiago and who knocked the Spanish fleet into "smithereens" was Admiral Schley, a Democrat; the man who was put in charge of the civil government of Cuba was Gen. Fitzhugh Lee, a Democrat; the man who had charge of the land forces in Cuba and who sent no grumbling complaints home, was Gen. Joe Wheeler, a Democrat; the man who had command of the land forces in the field in the Philippines, did the main fighting, and was never guilty of torturing anybody, was Gen. J. Franklin Bell, of my own city, and a Democrat. The Republicans were not idle. They were busy, too. A distinguished Republican was accused of furnishing the soldiers embalmed beef, and how many of the soldier boys were made sick and how many died from this cause will perhaps never be known. Then there was a Republican horse doctor sent to Cuba who was accused of befriending the gamblers and other lawbreakers.

There were two Republicans, Rathbone and Neely, that had charge of the post-office affairs in Cuba, and who were found guilty by a jury of peculations and fraud. There was little General Funston, a good Republican, who violated the rules of civilized warfare, dressed in the uniform of the enemy, forged letters, scouted all the laws of hospitality, and captured Aguinaldo. Then there was General Davis, a good Republican, who had charge of the commissary, and who sold rice and other provisions to the starving natives at enormous profits, and last of all, the Republican Congress refused to limit the timber lands for the benefit of home seekers, but passed in the hall provision permitting corporations and syndicates to purchase and exploit these timber in large tracts.

What does the Republican party now stand for? It stands for the open door in China, while loudly proposing a policy that would close the doors of Europe and Canada. It stands for ship subsidies to build up our foreign trade, while it drafts bills giving most of the subsidy to fast passenger steamers, the floating palaces of the seas, that carry those trust magnates and millionaires back and forth across the ocean, instead of giving it to the vessels that carry the freight. It stands for the Monroe doctrine and foments an insurrection in Panama. It stands and preaches that to put articles on the free list increases the price to the consumer, while it is forced to take off a tariff from quinine and coal in order to relieve the distresses of the people. It stands for high protection in order to build up the farming interests of this country and indorses Chinese cheap labor protection in order to benefit the farmers of Cuba. This party stands for extraditing criminals from across the sea and refuses to bring criminals from across the Ohio River.

It promises in platforms to destroy the trusts, but gathers its chief campaign funds from them; refuses to prosecute them, and now has a bill in the Senate making lawful all reasonable trust criminals and repealing the imprisonment clause of the Sherman law as to these criminals who are unreasonable. It stands in favor of the Nicaragua Canal in all its platforms, and gives to a defunct French corporation $40,000,000 in order to get a chance to build a canal at another place. It stands posing as the friend of the laboring man, and votes down the Clark amendment by which the Chinese would be effectually excluded and refuses to pass the eight-hour law. It stands as the pretended friend of reciprocity, and refuses to ratify every reciprocity treaty that is presented to the Senate. There is no heresy and no delusion in finance, economics, international law, or politics which this party has not at some time or other embraced or practiced and at other times denounced. A medley of contradictions and inconsistencies, it stands for anything and for everything and for nothing at all.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. GILBERT. Mr. Chairman, I would like to have five minutes granted me by somebody who has charge of the time.

Mr. PIERCE. Mr. Chairman, I yield five minutes to the gentleman.

Mr. GILBERT. Can such a medley of contradictions and inconsistencies continue to win the elections? I am sure I do not know. This combination has usually won in the world's history. Only few exceptions can be found here and there as cases in the great desert of human wrenchedness. Partial and vicious laws enacted and enforced in the interest of certain occupations or localities in course of time always result in building up a large, wealthy, aristocratic class, and this class, by power and prestige,

terrify the timid, corral the poor and ignorant, purchase and control the venal and purchasable vote, and thus have usually succeeded in outvoting the great intelligent middle class that constitutes the Democratic party of this country and the liberal parties of the Old World.

This combination of wealth and aristocracy and the baser elements has succeeded in all the dark blood-stained centuries of history. Tribunes of the people and governors of provinces have returned loaded down with the wealth collected from the people by fraud and extortion. Thus prepared he becomes ready to give entertainments to please the ragged and hungry populace and to buy their votes. Crowds thronged the Colosseum and the Circus Maximus to enjoy and applaud. Young damsels of the patrician class sat with smelling bottles, themselves beautifully gowned, and clapped their white bejeweled hands at the sight of wild beasts tearing peasants to pieces, limb by limb, by the thousands. When the hero of the entertainment appeared in sight, "the rabblement hooted and clapped their chapped hands and threw up their sweaty nightcaps, and uttered such a deal of stinking breath that he swooned and refused the crown that was offered him by the foolish populace."

Are we traveling away from our moorings and going in the same direction? Some day, perhaps when it is too late, we will learn that no free government can long endure unless builded upon the doctrines of Jefferson and Jackson. The gentleman from Minnesota [Mr. BEDE] can not laugh nor giggle this party out of existence. I am not a prophet, but when the old doctrine of the Democratic party of "equal rights and opportunities for all and exclusive privileges to none" shall have perished, then the liberty of the people will have perished also.

Mr. SCOTT. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Kansas?

Mr. SCOTT. Mr. Chairman, I would like to ask the gentleman a question. The gentleman, when he began his address, stated that he desired not to be interrupted, and I therefore deferred until this time a question which I wish to propound.

Mr. GILBERT. Come this way a little.

Mr. SCOTT. In the beginning of the gentleman's remarks he alluded to what will probably go down into history as the Booker Washington incident. I should like to inquire whether he would criticise as severely a Democratic President who would receive at his table at the White House a negro as he has criticised a Republican President?

Mr. GILBERT. Mr. Chairman, that is an impossible assumption.

Mr. SCOTT. By no means impossible, Mr. Chairman, for the reason that it has already happened.

Mr. GILBERT. There is a vast difference between the equality which a Democrat and a Republican regards the colored man. Will you let me give you an illustration?

Mr. SCOTT. Let me ask you this question——

Mr. GILBERT. Wait a minute; I want to answer the first question. A few days ago a colored man from my own country was in Boston hunting for employment; he knocked at the front door of a house and asked for something to eat, I believe it was, instead of work. The master of the house came out and said, "My dear sir, I am very sorry, but we have nothing to eat." He went to the second house and knocked and asked for something to eat, and the white master of the mansion came out and said, "I am very sorry, sir, but I have nothing to eat for you in the house." He went to the third house and he knocked at the door, and the white man came out to the front door and said, "You black scoundrel, what do you mean by coming to my front door for something to eat? Walk around to the kitchen and get your breakfast." That third man was a Democrat; the other two were Republicans. [Laughter and applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. SCOTT. I ask unanimous consent that the gentleman be given two minutes more to answer one more question.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent that the gentleman from Kentucky be given two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. GILBERT. Go ahead; I would be delighted to try to answer the question.

Mr. SCOTT. I would like to ask if the gentleman knows during President Cleveland's first Administration he entertained at his table at the White House a negro?

Mr. GILBERT. No; but, mind you, we are not particularly claiming Mr. Cleveland. [Laughter.]

Mr. WILLIAMS of Mississippi. As matter of fact, that never happened.

Mr. GILBERT. I never heard of it before, and if it did happen it may be barely possible that Mr. Cleveland was not a first-class Democrat. [Laughter.]

Mr. COCHRAN. That is cumulative proof that there is no better Republican in this country than Grover Cleveland. [Laughter.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

The committee informally rose; and the Speaker having resumed the chair, a message from the President of the United States was communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who informed the House of Representatives that the President had approved and signed bills of the following titles:

On February 20, 1904:

H. R. 2427. An act granting a pension to Cynthia Thomas.

On February 26, 1904:

H. R. 3584. An act to authorize the resubdivision of lots or blocks in the District of Columbia:

H. R. 9640. An act to amend an act granting to the Keokuk and Hamilton Power Company right to construct and maintain a dam, and so forth, approved February 8, 1901:

H. R. 134. An act granting a pension to Wilhelmina Miller;
H. R. 195. An act granting a pension to Michael Landy;
H. R. 219. An act granting a pension to Minerva J. Burton;
H. R. 529. An act granting a pension to Emma H. Higley;
H. R. 754. An act granting a pension to John M. Lawton;
H. R. 1855. An act granting a pension to Harriett B. Riley;
H. R. 2040. An act granting a pension to James Anderson;
H. R. 2932. An act granting a pension to Dudley R. W. Williams;
H. R. 3298. An act granting a pension to Mary E. Pennock;
H. R. 3299. An act granting a pension to Medie M. Flanders;
H. R. 4365. An act granting a pension to Barney L. Brookins;
H. R. 4578. An act granting a pension to Catharine M. McClanahan;
H. R. 4625. An act granting a pension to Theresa B. Nash;
H. R. 4946. An act granting a pension to James F. Wheeler;
H. R. 5372. An act granting a pension to Mariah Kuechler;
H. R. 5528. An act granting a pension to Maria Lindhorst;
H. R. 5538. An act granting a pension to Jane Elizabeth Bullock;
H. R. 6085. An act granting a pension to Anna M. Maier;
H. R. 6547. An act granting a pension to John Holzer;
H. R. 7072. An act granting a pension to Mary McCall;
H. R. 7515. An act granting a pension to Rebecca A. Mathias;
H. R. 8123. An act granting a pension to Eliza S. Smith;
H. R. 8728. An act granting a pension to Matilda Lafferty;
H. R. 8920. An act granting a pension to Harriet A. Tucker;
H. R. 9029. An act granting a pension to Georgie S. Barbour;
H. R. 138. An act granting an increase of pension to Henry Hale;
H. R. 165. An act granting an increase of pension to Thomas Adelsperger;
H. R. 198. An act granting an increase of pension to Emmett Cole;
H. R. 249. An act granting an increase of pension to Mollie J. Mitchell;
H. R. 561. An act granting an increase of pension to Eri Summy;
H. R. 610. An act granting an increase of pension to Samuel Alexander;
H. R. 660. An act granting an increase of pension to John S. Sines;
H. R. 681. An act granting an increase of pension to Ella P. Kersteter;
H. R. 689. An act granting an increase of pension to Edgar Chapman;
H. R. 703. An act granting an increase of pension to Robert P. Baker;
H. R. 727. An act granting an increase of pension to James K. Blye;
H. R. 734. An act granting an increase of pension to Henry S. McAlister;
H. R. 812. An act granting an increase of pension to Charles F. Emery;
H. R. 937. An act granting an increase of pension to Mark A. Shelton;
H. R. 1156. An act granting an increase of pension to John Pangratz;
H. R. 1294. An act granting an increase of pension to William McBrien;
H. R. 1483. An act granting an increase of pension to James W. Black;
H. R. 1487. An act granting an increase of pension to Dexter T. Drake;
H. R. 1497. An act granting an increase of pension to Dana Cook;
H. R. 1859. An act granting an increase of pension to Patrick Cannon;

H. R. 1906. An act granting an increase of pension to George W. Blanchard;
H. R. 2016. An act granting an increase of pension to George Gardner;
H. R. 2111. An act granting an increase of pension to Henry D. Towsley;
H. R. 2201. An act granting an increase of pension to George McDonald;
H. R. 2553. An act granting an increase of pension to George Wurtz;
H. R. 2822. An act granting an increase of pension to Louiza Phillips;
H. R. 2912. An act granting an increase of pension to Elizabeth A. Jones;
H. R. 2916. An act granting an increase of pension to Francis S. Howard;
H. R. 3172. An act granting an increase of pension to Robert E. Pogue;
H. R. 3272. An act granting an increase of pension to Elizabeth Hardy;
H. R. 3337. An act granting an increase of pension to Mary A. Craigue;
H. R. 3345. An act granting an increase of pension to Charles P. Clarke;
H. R. 3367. An act granting an increase of pension to George W. Kerby;
H. R. 3407. An act granting an increase of pension to Frank L. [illegible];
H. R. 3411. An act granting an increase of pension to William J. Starr;
H. R. 3425. An act granting an increase of pension to John M. Pratt;
H. R. 3521. An act granting an increase of pension to John H. [illegible];
H. R. 3616. An act granting an increase of pension to James W. Davis;
H. R. 3617. An act granting an increase of pension to Charles M. Everett;
H. R. 3665. An act granting an increase of pension to Henry C. Jones;
H. R. 3815. An act granting an increase of pension to Hester E. Mooney;
H. R. 4031. An act granting an increase of pension to Samuel R. Wasson;
H. R. 4276. An act granting an increase of pension to Hamilton E. Burritt;
H. R. 4323. An act granting an increase of pension to Mary Wurtz;
H. R. 4325. An act granting an increase of pension to John A. Sass;
H. R. 4457. An act granting an increase of pension to Mary E. Meadram;
H. R. 4639. An act granting an increase of pension to Thomas C. Pond;
H. R. 4759. An act granting an increase of pension to David P. McDonald;
H. R. 4887. An act granting an increase of pension to George N. Thorpe;
H. R. 4905. An act granting an increase of pension to James W. Pillsbury;
H. R. 4937. An act granting an increase of pension to Emily Coulson;
H. R. 5199. An act granting an increase of pension to Emma M. Jones;
H. R. 5299. An act granting an increase of pension to Sarah E. Wheeler;
H. R. 5471. An act granting an increase of pension to A. Marion Gardner;
H. R. 5531. An act granting an increase of pension to Marvin Nash;
H. R. 5534. An act granting an increase of pension to Adaline Shaw Lowery;
H. R. 5569. An act granting an increase of pension to Benjamin F. Gregory;
H. R. 5577. An act granting an increase of pension to William P. [illegible];
H. R. 5584. An act granting an increase of pension to Robert L. M[illegible];
H. R. 5699. An act granting an increase of pension to James P. J[illegible];
H. R. 5718. An act granting an increase of pension to Adolph H[illegible];
H. R. 5720. An act granting an increase of pension to William T. Filler;
H. R. 5818. An act granting an increase of pension to Philip Snow;
H. R. 5883. An act granting an increase of pension to David Warentz;
H. R. 5973. An act granting an increase of pension to Edward A. Wilbur;
H. R. 6005. An act granting an increase of pension to George B. Davis;
H. R. 6020. An act granting an increase of pension to William P. Conner;
H. R. 6023. An act granting an increase of pension to Charles Wigert;
H. R. 6028. An act granting an increase of pension to Anson Heffron;
H. R. 6032. An act granting an increase of pension to Charles S. Bellows;
H. R. 6036. An act granting an increase of pension to John Shafer;
H. R. 6061. An act granting an increase of pension to Alpheus D. Brown;
H. R. 6071. An act granting an increase of pension to Abraham C. Null;
H. R. 6091. An act granting an increase of pension to John W. Brown;
H. R. 6342. An act granting an increase of pension to Thomas Springer;
H. R. 6442. An act granting an increase of pension to James P. Wallace;
H. R. 6562. An act granting an increase of pension to Francis A. Thompson;
H. R. 6588. An act granting an increase of pension to James H. Cummings;
H. R. 6701. An act granting an increase of pension to John A. Reeds;
H. R. 6947. An act granting an increase of pension to Joseph H. Cooper;
H. R. 6994. An act granting an increase of pension to Theresa Nebrich;
H. R. 7095. An act granting an increase of pension to Harrison H. Hakes;
H. R. 7355. An act granting an increase of pension to Henry Barrett;
H. R. 7374. An act granting an increase of pension to Jabez Perkins;
H. R. 7439. An act granting an increase of pension to Helen M. Bates;
H. R. 7447. An act granting an increase of pension to William Bailey;
H. R. 7594. An act granting an increase of pension to Charles H. Miller;
H. R. 7682. An act granting an increase of pension to William H. Howard;
H. R. 7732. An act granting an increase of pension to Mary Chenowith;
H. R. 7756. An act granting an increase of pension to Charles Schroder;
H. R. 7757. An act granting an increase of pension to Cyrus Davidheiser;
H. R. 7798. An act granting an increase of pension to Andrew Black;
H. R. 7799. An act granting an increase of pension to John O. Rice;
H. R. 8187. An act granting an increase of pension to George Jeffrey;
H. R. 8207. An act granting an increase of pension to Charles Johnson;
H. R. 8342. An act granting an increase of pension to Horace E. Davis;
H. R. 8717. An act granting an increase of pension to Henry Edwards; and
H. R. 8729. An act granting an increase of pension to Gustus S. Renick.

On February 27, 1904:

H. R. 7237. An act to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Tombigbee River between the counties of Clarke and Choctaw, Ala., in section 7, township 9, range 1 west of St. Stephen's meridian.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

Mr. SCOTT. If the gentleman from Minnesota will kindly yield me five minutes, I shall be very much obliged.

Mr. McCLEARY of Minnesota. I yield to the gentleman from Kansas five minutes.

Mr. SCOTT. The reply of the gentleman from Kentucky to the last question which I asked him was a good illustration of what I think the lawyers call "confession by avoidance."

Mr. GILBERT. That is a good plea in any court.

Mr. SCOTT. It happens to be fresh in my memory, however, and I have asked this time in order to give some information to gentlemen on the other side of the House who will no doubt be interested in it. During the first Administration of Mr. Cleveland a negro from Kansas was brought to Washington, taken to the White House, introduced to the President, and by him invited to remain and sit at the table at luncheon, an invitation which I need not say was promptly accepted.

Mr. CLAUDE KITCHIN. Will the gentleman state who it was that introduced the negro, and upon whose authority the gentleman is making this statement?

Mr. SCOTT. I make the statement on my own authority.

Mr. COCHRAN. Were you present?

Mr. SCOTT. I was not present, but one of my colleagues will corroborate me as to the fact.

Mr. COCHRAN. Who was this negro?

Mr. SCOTT. It was C. H. J. Taylor, afterwards appointed registrar of deeds for the District by President Cleveland. [Laughter on the Republican side.]

I wish to call the attention of the House one moment to the difference in the treatment of these two men. Concerning Booker Washington the least that can be said of him is that he is a good man. But I think it might also be said that if he had a white skin it would be considered an honor by any gentleman to know him; that he is a gentleman and a scholar. So much of a scholar that he has been entertained by Queen Victoria at Windsor Castle; so much of a scholar that a member of a college faculty of one of the southern colleges recently denominated him the greatest living American, for which utterance he was promptly called to tab by his associates; but, I am glad to say, that it was declared by the authorities of the college that they held from such [illegible].

Mr. GILBERT. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I have only five minutes, and I decline to yield. I have alluded to the character of Booker Washington not because he needs any praise from me, but because I want to call attention——

Mr. MADDOX. I want to say to the gentleman from Kansas that the declaration was that he was second to Robert E. Lee.

Mr. SCOTT. I can not quote the language exactly for I do not remember it. Probably the gentleman is correct. But from his standpoint I should suppose it would be considered quite a compliment to be named as second to Robert E. Lee.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. BREAZEALE. Mr. Chairman, I ask unanimous consent that the gentleman be given five minutes more.

The CHAIRMAN. The gentleman from Louisiana asks that the time of the gentleman from Kansas be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLEARY of Minnesota. I will yield the gentleman five minutes' time.

Mr. CLAUDE KITCHIN. Mr. Chairman, I would like to say to the gentleman, in justice to that college, that the faculty did rebuke this professor for making that utterance, but did say that he had a right to it as enjoying the liberty of free speech.

Mr. SCOTT. They rebuked him for making the utterance, but they did not attempt to say that the utterance was not true. They rebuked him because they were forced to do so by the public sentiment of their community.

Mr. CLAUDE KITCHIN. The gentleman who uttered it afterwards explained and said he did not mean it. [Laughter on the Republican side.]

Mr. SCOTT. That is a question for the gentleman and his friends on that side to decide between themselves.

Mr. CLAUDE KITCHIN. He said he did not mean to say that he was the greatest man the South ever produced except Lee, but the greatest negro.

Mr. SCOTT. All that aside, it will be admitted by every Member on the floor of this House that if Booker Washington had a white skin, any one of us would receive him on terms of equality.

Mr. CLAUDE KITCHIN. Why does not the gentleman receive him, having a black skin?

Mr. SCOTT. We do receive him in every proper way.

Mr. CLAUDE KITCHIN. Does the gentleman mean to say that he receives him as his equal?

Mr. SCOTT. Not as my social equal——

Mr. CLAUDE KITCHIN. The black skin is the cause of it, is it not?

Mr. SCOTT. The black skin, and the prejudice, and all that. I recognize that as fully as the gentleman does. I am not standing here, if the gentleman will allow me——

Mr. CLAUDE KITCHIN. We are alike, then. The gentleman has the same prejudice that we have—on account of the skin. There is no difference between us on that.

Mr. SCOTT. I am not standing here to make a plea for social equality. We all know that is impossible. I do not stand for that any more than Theodore Roosevelt did when he invited Booker T. Washington to his luncheon, any more than President Eliot did when he invited Booker T. Washington to his luncheon, any more than Grover Cleveland did when he invited C. H. J. Taylor to his luncheon. I have alluded to the character of Mr. Washington, which everybody in this country recognizes, because I wanted to point a contrast between the man whom the Republican President of the United States received at his table and the man whom the Democratic President of the United States received at his table. Who was C. H. J. Taylor? He was a black negro, as black as you ever saw. He had been a ward heeler, and nothing more, in the city of Kansas City, Kans. He had no great accomplishment to his credit; he had no education to speak of; he had nothing to commend him to any man's consideration, particularly nothing to commend him to the consideration of any Democrat, except the promise that he carried some negro votes in his vest pocket and could deliver them to the Democratic party.

For that reason, and for that reason only—for the reason that he had promised that if he were given his position here in Washington he could turn the negro vote in Kansas from the Republican party to the Democratic party—he was brought here to Washington by some Democratic leaders of Kansas, taken to the White House, introduced to the President, seated at his table, and afterwards paid the price by receiving the appointment of registrar of deeds of this District.

Mr. CLAUDE KITCHIN. Does the gentleman approve of Grover Cleveland asking that negro to dine with him and dining with him? Does the gentleman approve of that?

Mr. SCOTT. I do not approve of it, because I know the character of the man. I would not invite him to my house if he were a white man.

Mr. CLAUDE KITCHIN. Because he is a Democratic negro—is not that it?

Mr. SCOTT. That is not the reason. It is because the man is utterly without character, without education, without culture, or anything to commend him to the consideration of a gentleman.

Mr. CLAUDE KITCHIN. Who introduced that negro to the President? The gentleman said his colleague was present when it was done.

Mr. SCOTT. I did not say that. I simply said my colleague was cognizant of the fact.

Mr. CLAUDE KITCHIN. Did not a Republican from Kansas introduce him to the President?

Mr. SCOTT. Oh, no; by no means. I have already said he was introduced by a Democrat.

Now, Mr. Chairman, I have alluded to this matter, not to apologize for President Roosevelt, who needs no apologist, but merely to call attention to the glaring inconsistency which goes into hysterics over a courtesy paid to a man of admitted high character and who has done and is doing a splendid and noble work, while utterly ignoring a similar attention paid to a man without standing or character or accomplishment, and whose only claim to consideration was the presumption that he could swing a certain number of votes. [Applause on the Republican side.]

The CHAIRMAN. The gentleman's time has expired.

Mr. McCLEARY of Minnesota. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. DALZELL] such time as he may desire.

Mr. DALZELL. Mr. Chairman, much has been said of late, both in this Chamber and elsewhere, upon the hustings and in the public press, upon the subject of reciprocity. The question has been discussed as to whether, as an economic policy, it is Democratic or Republican. The gentleman from Minnesota [Mr. LIND], who addressed the committee some days ago, assured us that it found its first expression from the lips of Thomas Jefferson, and yet I find in the last Democratic campaign text-book this assertion:

> Reciprocity looks like free trade, but tastes like protection. In practice reciprocity is worse than protection. Free trade would open our markets to benefit our competitors. Reciprocity gives away the home market and buys the foreign market with a club. The reciprocity idea, [illegible] the treasury [illegible] and the protective principle [illegible] and to most people has been and will ever continue to be a delusion and a snare.

And then, again, I find in a magazine article written by the gentleman from Mississippi [Mr. WILLIAMS], the leader of the minority, this declaration:

> There is also a tariff revision by piecemeal, which is the handmaiden of the other system. This is tariff revision by reciprocal trade agreements with other nations. Much can be done along this piecemeal line of tariff revision under a Democratic or approximately a Democratic law.

In other words, there is a reciprocity approved of by the Democratic party for the purposes of tariff revision, and as leading to free trade. In view of that fact, and in view of the further fact that at least two Republican national conventions have declared in favor of reciprocity, I am forced to the conclusion that there are two kinds of reciprocity—one Democratic and the other Republican, and that they differ in toto coelo.

The reciprocity in trade relations advocated by the Democratic party embraces reciprocity in competing articles, and is therefore free trade in whole or in part, dependent upon the terms of the particular agreement. It is of value to the Democratic party only to the extent that it is an effective force toward the overthrow, partial or complete, of the protective system, with which it is absolutely inconsistent.

Now, it is too manifest to be the subject of argument that to impose a duty upon a foreign article for the purpose of preserving the home market for a like home article and then to lower or remove that duty so as to admit the foreign article into competition in the home market is to abandon in that case the principle of protection and to adopt that of free trade.

Republican reciprocity is reciprocity in noncompeting articles and in nothing else. [Applause on the Republican side.] I know of no better definition of it than that given by ex-Postmaster-General Charles Emory Smith. He says:

When rightly understood the principle is axiomatic. Brazil grows coffee, but makes no machinery. We make machinery, but grow no coffee. She needs the fabrics of our factories and forges, and we need the fruits of her tropical soil. We agree to concessions for her coffee; she agrees to concessions for our machinery. That is reciprocity.

And I know of no better definition of its purpose than that given by President McKinley in his inaugural address:

The end in view—

He says—

always to be the opening up of new markets for the products of our country by granting concessions to the products of other lands that we need and can not produce ourselves and which do not involve any loss of labor to our own people, but tend to increase their employment.

In other words, Republican reciprocity, like protection, keeps always in view the preservation of the home market, the primacy of our manufacturers, and the well-being of the wage-earner.

My purpose at this time in undertaking to make some observations on this subject is to enforce and emphasize the difference between Democratic and Republican reciprocity and to demonstrate that Republican reciprocity admits of reciprocity only in noncompeting articles.

And I aver that there is nothing in the history of the Republican party, in its traditions, or in any of its platforms that justifies the claim that reciprocity in competing products is consistent with Republican principles. On the contrary, everything in its history, its traditions, and its platforms proclaims such reciprocity to be inconsistent with the protective system, and therefore inconsistent with Republicanism.

If the committee will bear with me, I propose very hastily and as briefly as possible to review some of our national experiences with respect to this subject. They may be dealt with under three heads: First, reciprocity with Canada; second, reciprocity with Hawaii, and third, tropical reciprocity, as illustrated under the Dingley and McKinley tariff laws. And I deal with reciprocity with Canada, because arguments have been made upon the Democratic side of this Chamber looking toward a renewal of reciprocal trade arrangements with Canada, and because arguments have been made elsewhere with like purpose of a sensational character by men whom we can not regard otherwise than as covert enemies of protection, although they appeal to Republican hearers.

Our reciprocity treaty with Canada was made in 1854 and abrogated in 1866. Various causes have been assigned for the making of that treaty, amongst others that Great Britain was fearful that in the absence of new trade arrangements Canada might become annexed to the United States. There is nothing in connection with the negotiation of that treaty or with its operation of which we have any reason to be proud. The truth is that we were compelled to its discussion by the unjust and indefensible attitude of Great Britain with respect to our rights in the fisheries, and that it was consummated by the shrewdness of the Canadian Governor-General, Lord Elgin, and his staff, who, according to a British writer, "approached the representatives of the American nation with all the legitimate wiles of astute and accomplished diplomats." "They threw themselves," said he, "into the society of Washington with the abandon and enjoyment of a group of visitors solely intent on pleasure." The American opponents of the treaty did not hesitate to say that "it was floated through on champagne."

In view of the present agitation of the subject, the history of this treaty and its results become matters of present practical importance. I think it will be more interesting, instead of using my own words, to let Mr. Blaine tell the story, as he does, in his Twenty Years in Congress. He says:

When the independence of the colonies was recognized in the preliminary treaty of 1782 the provisions agreed upon in regard to two subjects were held by both Governments to be final and perpetual. One was the territory embraced within the boundaries conceded to the United States; the other was the right to the fisheries. The people of the colonies, especially the people of the New England colonies, had as British subjects had the British fisheries in what is now known as the Dominion of Canada and the island of Newfoundland, and in the preliminary treaty to which George III gave his assent in 1782, as well as in the final and more definite treaty of 1783, it was provided that the privilege should continue to be enjoyed by citizens of the new Republic.

No doubt of the intent and proper construction of this clause in both treaties had even been suggested until the English and American negotiators were engaged in framing the treaty of peace at Ghent in 1814, at the close of the second war with Great Britain. The British negotiators claimed that the war of 1812 had put an end to all existing treaties, and that the fishery clause in the treaty of 1782 being no longer in force our fishery rights had expired, and if revived at all must be revived under new treaty stipulations.

* * * * * * *

The position thus taken by the British Government was plainly untenable. The treaty of 1782 was only the formal declaration of certain facts consequent upon the termination of the Revolutionary war. That treaty recognized three conclusions as fully established: First, the independence of the thirteen colonies; second, the territorial limits of the United States; third, the rights and methods of the common fisheries in colonial waters the citizens had exercised as British subjects. The history of the negotiations and the express language of the treaty prove that the clause touching the fisheries was the recognition of an existing right and not the grant of a new right. The British Government in 1814 might with equal force and justice have claimed that under this theory of the abrogation of the treaty of 1782 by war the recognition of our independence and the establishment of our boundaries had also become void.

I quote from Mr. Blaine only so much as is necessary to make clear the circumstances under which this reciprocity treaty of 1854 was brought about. He goes on to say:

On the 20th of October, 1818, a treaty was concluded at London containing as its first and most important provision an absolute surrender of some of our most valuable rights in the fisheries.

From the execution of this treaty—as might have been seen—the misunderstanding between the two countries in relation to the fisheries became more complicated. * * *

The right in the fisheries conceded by the treaty of 1854—originally ours under the treaty of 1782, and unnecessarily and unwisely renounced in the treaty of 1818—was not given freely, but in consideration of a great price. That price was reciprocal trade carried on between the United States and the British North American provinces in certain enumerated articles named in the treaty. The selection, as shown by the schedule, was made almost wholly to favor Canadian interests. There was scarcely a product in the list which could be exported from the United States to Canada without loss, while the great market of the United States was thrown open to Canada without tax or charge for nearly everything which she had and produce and export. All her raw materials were admitted free, while all our manufactures were charged with heavy duty, the market being reserved for English merchants. The fishery question had been adroitly used to secure from the United States an agreement which was one-sided, vexatious and unprofitable. It had served its purpose admirably as a makeweight for Canada in acquiring the most generous and profitable market she ever enjoyed for her products.

That Mr. Blaine's declaration that the treaty was one-sided, vexatious, and unprofitable was correct appears from the fact that in the last year and three-quarters of its life we remitted to Canada duties amounting to $70,152,103, and the balance of trade was against us in the sum of $28,184,749.

Now, this is a general statement, but to go into detail a little more as to the effect of the treaty, let me quote Senator Morrill, of Vermont, who was thoroughly familiar with the subject. He says:

Our exports to Canada in 1855 were $20,828,676, but under the operation of reciprocity, then commenced, they dwindled in twelve years down to $[illegible], while the exports of Canada to the United States increased from $[illegible] and odd to $46,000,000 and odd. When the treaty began the balance of trade had been $5,000,000 annually in our favor and that paid in specie, but at the end the balance against us to be paid in specie in a single year was $[illegible]. Here was a positive yearly loss of over $5,000,000 of our export trade and a loss of $[illegible] specie, all going to enrich the Canadians at our expense.

Now, I want to show you the difference in the conditions that existed under this reciprocity treaty and as they exist to-day, and I propose to show you those conditions not by any mere uncorroborated statement of my own, but out of the mouth of a Canadian witness. If you will turn to the North American Review for the present month of February, you will find an article on Canadian reciprocity, written by the Hon. John Charlton, a member of the Canadian Parliament. He says:

The nonprogressive character of the Canadian export trade to the United States is shown by the fact that, while the export in 1866 amounted to $44,000,000, the export in 1886, less precious metals and articles not the produce of Canada, was no more than $48,869,000. On the other hand, a comparison of Canadian import returns from the United States will show remarkable increase, as the subjoined table will demonstrate:

Canadian imports from the United States for consumption.

1866	$28,764,000	1901	$110,485,000
1890	52,291,000	1902	128,814,000
1896	54,554,000	1903	137,600,000
1900	109,844,000		

These are imports from the United States into Canada for consumption, the goods which we sold her, and for which we got pay. Here is another branch of the same subject. I am still quoting from Mr. Charlton's magazine article:

The subjoined table, showing the Canadian importation of manufactures from Great Britain and from the United States since 1896, will be of interest,

especially when taken in connection with the fact that Canada has given a tariff preference to Great Britain, first of 12½ per cent, 1897 to 1898, then of 25 per cent to 1900, and of 33⅓ per cent since that time.

Canadian imports of manufactures.

Year.	From Great Britain.	From United States.
1896	$26,243,000	$41,510,000
1900	31,187,000	49,302,000
1900	37,388,000	60,453,000
1901	36,469,000	62,643,000
1902	41,675,000	69,596,000
1903	50,473,000	76,291,000

[illegible] great increase in the sale of manufactures by the United States to Canada between 1896 and 1903, in the face of the Canadian preference in favor of British [illegible] the strong hold that the American manufacturer has upon the Canadian market, and of his ability to meet all competition [illegible] terms.

These two tables, with their authors' comments, are eloquent witnesses as to existing conditions.

Let me add that the balance of trade in our favor last year was $73,554,000.

I have here a copy of a speech delivered by this same gentleman, Hon. John Charlton, member of the Canadian Parliament, at Ottawa, on the 24th of February, 1903. The subject of this discussion is reciprocity with the United States. And after going on to show how favorable the conditions are under existing circumstances to the United States, and unfavorable to Canada, he pays us this tribute:

The American people have been applied not only to us but to all the world, and [illegible] the United States has been to sell and that it possibly could of [illegible] and its manufactures, and to buy just as little as it could from other countries, and thus having as much of the balance of trade in its favor as possible. The result has been that the balance [illegible] in favor of the United States last year amounted to $[illegible] [illegible] $[illegible] against Canada. That is a good thing for the United States and will be her policy as long as the rest of the whole world will permit her to do it, but it is not a good thing for us.

Now, what does this gentleman who speaks for his people offer us by way of temptation to change this condition of things which is so highly advantageous to the United States and which is not so advantageous to Canada?

He says:

Something must be done to change the trade conditions that exist between the United States and Canada. Free trade in natural products would [illegible] a [illegible] Nothing short of this will do it, and [illegible] of [illegible] natural products should be granted by the United States [illegible] from Canada further than it has already made. We can [illegible] any more.

What is the proposition? Why, that while everything is going our way, we are to make a trade arrangement upon the same basis as the arrangement in 1854, which proved so disastrous to us. An astounding proposition, indeed! Now, I want to show you——

Mr. LIND. Will the gentleman permit a question?

Mr. DALZELL. Certainly.

Mr. LIND. Is it not a fact that with the exception of the last year of that treaty, after notice of abrogation had been served, the excess of our exports over Canadian imports was substantially as great as has been the relation of exports and imports since?

Mr. DALZELL. Well, I do not have the figures here. I did not go into detail any further than Senator Morrill. But I should answer the question, speaking generally, by saying "No," because the figures that are given by Mr. Charlton in the North American Review article show such a tremendous variance.

Mr. LIND. I will state, however, for the benefit of the gentleman, that with exception of the last year, after notice of the abrogation of the treaty had been given, our excess of exports to Canada was relatively as much as it has been in any years since or any period of years.

Mr. DALZELL. I have been unable to find anywhere, and I have given considerable attention to the subject, a single solitary reason from the United States standpoint that would justify a treaty with Canada in natural products.

Mr. LACEY. If my friend will allow an interruption here——

Mr. DALZELL. Certainly.

Mr. LACEY. The four years' time to which the gentleman from Minnesota alludes was during our civil war, when it was very difficult to get at what would be a fair basis to figure upon.

Mr. LIND. Yes; but the facts are as I state, are they not, Mr. LACEY?

Mr. BATES. Mr. Chairman, is the gentleman from Minnesota aware that during the life of that treaty we gained 11 per cent in our export trade and Canada gained 500 per cent in her trade with us? That is the fact.

Mr. LIND. No; I think that is a mistake.

Mr. DALZELL. Mr. Chairman, I propose to show that every distinguished statesman in our history who has dealt with this subject at all occupies the same position with respect to this Canadian question that I am now endeavoring to sustain.

The first of the Republican leaders who is recorded as having expressed an opinion on the subject of reciprocity seems to have been Senator Charles Sumner, of Massachusetts, who, as chairman of the Committee on Foreign Relations, on the 11th of January, 1865, reported favorably the joint resolution for denouncing the Canadian treaty.

On this occasion Senator Sumner argued that the event had shown that the treaty was much more advantageous to Canada than to the United States—that, in short, it was "unilateral, and hence not reciprocal." The Senator went on to say:

The reciprocity treaty has a beautiful name. It suggests at once exchange, equality, equity; and it is because it was supposed to advance these ideas practically that this treaty was originally accepted by the people of the United States.

Mr. Sumner proceeded to show by figures that the revenue gained to Canada under the treaty had been very great and the revenue lost to the United States still greater, and that therefore the advantages of the treaty "are not shared equally by the two countries," so that "it loses title to its name." The opinion expressed by Senator Sumner was expressed also by the following prominent Republican Senators: Sherman, of Ohio; Collamer and Foot, of Vermont; Morrill, of Maine; Chandler, of Michigan; Doolittle, of Wisconsin; Wilson, of Massachusetts, and others.

In his first annual message to Congress, under date of December 6, 1869, President Grant alluded to the Canada treaty in terms of disapproval on account of its lack of true reciprocity. I quote this extract from his message:

The question of renewing a treaty for reciprocal trade between the United States and the British provinces on this continent has not been favorably considered by the Administration. The advantages of such a treaty would be wholly in favor of the British provinces. Except perhaps a few articles in the trade between the two countries no citizen of the United States would be benefited by reciprocity. Our internal taxation would amount to protection to the British producer almost equal to the protection which our manufacturers now receive from the tariff. Some arrangement, however, for the regulation of commerce and navigation between the United States and the Dominion of Canada may be desirable.

President Grant, in his second Administration, assisted by his Secretary of State, Hamilton Fish, made an effort to perfect a new reciprocity treaty with Canada, embracing among other items the admission into Canada of a large number of our manufactured articles free of duty. The treaty miscarried, as did all other subsequent tentative treaties with Canada, the prevailing idea in opposition thereto apparently having always been that the productions of Canada were practically identical with our own productions, and hence any general admission of Canadian products into this country free of duty or at reduced rates of duty would necessarily compete injuriously with our own industries.

I have already quoted Senator Morrill, but I will quote him again:

It is said we must do something to build up and extend our foreign commerce—to which I agree—and to do this it is strangely proposed at once to surrender much more of our markets at home than is offered to us abroad—to which I do not agree. We are asked, so to say, to throw into the sea a greater amount of food than will be returned in the catch of fish. Eleven years of free and broad trade, giving up superior markets in exchange for inferior markets, did not win the commercial or political friendship of the Canadians.

I quote now from another distinguished President—President Harrison—from his message of June 20, 1892:

A reciprocity treaty limited to the exchange of natural products (referring to the case of Canada) would have been such only in form. The benefits of such a treaty would have inured almost wholly to Canada. Previous experiments on this line had been unsatisfactory to this Government. A treaty that should be reciprocal in fact and of mutual advantage must necessarily have embraced an important list of manufactured articles and have secured to the United States a free or favored introduction of these articles into Canada as against the world.

And again, in his fourth annual message, Mr. Harrison said:

During the past year a suggestion was received through the British minister that the Canadian government would like to confer as to the possibility of enlarging, upon terms of mutual advantage, the commercial exchanges of Canada and of the United States; and a conference was held at Washington, with Mr. Blaine acting for this Government and the British minister at this capital and three members of the Dominion cabinet acting as commissioners on the part of Great Britain. The conference developed the fact that the Canadian government was only prepared to offer to the United States in exchange for the concessions asked, the admission of natural products. The statement was frankly made that favored rates could not be given to the United States as against the mother country. This admission, which was foreseen, necessarily terminated the conference upon this question. The benefits of an exchange of natural products would be almost wholly with the people of Canada.

The objections to the Canadian treaty have never been better stated than they were by Mr. Roberts, Treasurer of the United States, who said:

The commerce of Canada and of the United States covers substantially the same classes of articles. The question of reciprocity or commercial union between Canada and the United States is a very different one from that which would arise over the proposition for reciprocity with Mexico or with the South American republics, for the reason that Canada produces almost identically, so far as its production goes, the same articles as the United States produces. Therefore there can be very little of exchange in the sense of our

getting back for our products what we do not ourselves produce. The trade with Canada would be inviting competition, so far as there is a production in Canada, as against our own producers.

Now, I submit that every utterance of this long line of distinguished statesmen on this subject is just as applicable to-day, just as pertinent, as it was when uttered first. I submit that there would not only be no reason in it, but that it would be folly to throw open the splendid markets of 80,000,000 people in exchange for the markets of less than 6,000,000 people and to bring into competition the products of high-priced farm lands in the West, cultivated with a high wage rate, with those of Canada, with its low-priced lands and low wage rates. Every dictate of reason, every impulse of patriotism, every sense of loyalty to our own people and their interests demands that we should let well enough alone. [Applause.]

Now, I will not stop to talk about Hawaii, because it has no special bearing upon the proposition now in hand. We all recall that the treaty was made in 1875, and that it was made not for economical reasons, but for reasons purely political, because of the anticipated annexation of Hawaii to the United States. It cost us in the end the loss of nearly $13,000,000 of revenue.

Now, you will observe that in the declaration of the statesmen from whom I have read the principal point made is that natural products are not the proper subjects of reciprocity. During the Arthur Administration the idea of tropical reciprocity seems to have originated.

The fact that we admitted the products of tropical countries into our ports without the payment of any duty and that a duty was imposed upon nearly all of our products in their ports gave rise to the idea that we might very well make some arrangement whereby we could, for the concession of our free list, obtain like concessions from our neighbors. In 1883 a treaty with Mexico was attempted and failed. In 1884 a treaty with Cuba, Porto Rico, and Santo Domingo was attempted and failed. Both Mr. Arthur and his Secretary of State are upon record as to what they believed to be the true principles of reciprocity. A letter of Secretary Frelinghuysen, sent to the Senate and subsequently embodied in a report dated March 20, 1884, contains the following important announcement as to the true principles of reciprocity between nations:

> The true plan, it seems to me, is to make a series of reciprocity treaties with the states of Central and South America, taking care that those manufactures and, as far as is practicable, those products which would compete in competition with our own manufactures and products should not be admitted to the free list.

Mr. Arthur, in his messages, announced the same principle;

> The need has long been recognized of some arrangement by which the natural market of the large communities lying at our doors should be secured under beneficent terms for the principal productions of the United States. In return for this we grant certain reserved favors, whereby the articles, mainly raw materials or food products, which this country does not produce or produces in inadequate quantity shall reach their natural market of consumption in this country. * * *

And again, on another occasion, he recommended:

> A series of reciprocal commercial treaties with the countries of America, which shall foster between us and them an unhampered movement of trade. The conditions of these treaties should be the free admission of such merchandise as this country does not produce in return for the admission free, or under a favored scheme of duties, of our own products.

You will recollect that in 1889 the Pan-American Congress concluded its sittings and recommended a series of reciprocity treaties between the several states constituting that conference and the United States. Mr. Blaine, who was then Secretary of State, made his report, the conference having been called at his suggestion in the first instance, and Mr. Harrison sent that report to Congress with a message.

And that was the beginning of practical Republican reciprocity. The Blaine plan was that instead of placing our noncompetitive articles on the free list they should receive duties and that those duties should be remitted by the President in exchange for concessions to be made by the nations who sent to us noncompetitive products. It would be tedious to go through the legislative history of the McKinley law, that finally embodied the Blaine reciprocity. It is sufficient to say that certain articles, noncompetitive, were placed upon the free list—sugar, molasses, tea, coffee, hides—and the President was authorized to remove them from the free list and impose on them certain duties in cases where unreasonable duties were imposed on our products.

There is considerable of history connected with the making of this reciprocity provision, because, you recollect, it was not in the McKinley bill as it went from the House, but was put in it in the Senate. But I shall not stop to go over that, because it is familiar to a great many gentlemen who are here, and I am more anxious about results than I am as to how they were brought about. It will be observed that the reciprocity provided for by the McKinley law was reciprocity in purely noncompetitive articles. That was a time when our sugar industry had not as yet assumed such proportions as to be called a "home industry," requiring protection, and it was put upon the free list, and constituted one of the articles on the free list to be used in making these negotiations.

The domestic consumer was protected by way of bounty. It will be observed that the reciprocity of the McKinley law was in aid of our foreign trade, without the possibility of harm to any domestic industry or any domestic producer. Under the McKinley law, as you recollect, a great many treaties were made, quite a number. They were all of them swept by the board when the Democratic Administration came into power, without either rhyme or reason.

But I must hasten on. I want to call attention particularly to the provisions of the Dingley law, because there never was a law put upon the statute books that is so little understood and so much misrepresented. The reciprocity provisions of the Dingley law are to be found in sections 3 and 4.

Section 3 deals with two classes of articles. The first class contains argols or crude tartar or wine lees, brandy, champagne, still wines, vermuth, paintings, and statuary. These articles are substantially noncompetitive articles. Under the preceding paragraphs of the law they have each been charged with a duty. For this duty the President is authorized to substitute a certain lower duty for the purposes of barter. In other words, if he can obtain an agreement with a foreign country whereby our products can obtain favorable entrance into foreign markets by lowering the duties on these articles, he is authorized to do so. The second class contains tea, coffee, tonka, tonka beans, and vanilla beans, which were on the free list. On these the President is authorized to impose a certain duty, unless the countries exporting them should grant us fair entry into their markets.

So far as this section is concerned, it will be observed that the principles of Republican reciprocity are preserved.

The articles to be the subject of barter do not come into competition with any home industry.

The discussion of this section gives me the opportunity to say that no law that ever went upon our statute book has been so grossly misrepresented as has the Dingley law. It has been heralded all over this country—it is heralded all over the country to-day—that the schedules of the law are intentionally placed above the protective point, and that therefore the people are suffering from excessive taxation.

It is not said that some schedules were so treated, but the schedules, meaning all of them. That is not true. The only duties that were raised were those upon argols, or crude tartar, or wine lees, brandy, champagne, still wines, vermuth, etc., and this for trading purposes. It has been asserted that Mr. Dingley admitted the raising of duties. On the other hand, men have rushed to deny that he did. There was no reason for any controversy on the subject, for either assertion or denial. The bill itself shows the articles that bore the extra rates of duty. There was no concealment of the matter. The articles were those that I have mentioned, and no others. I have no doubt that Mr. Dingley admitted the claim as to them, but more than that he never did admit, never could have admitted.

Mr. WILLIAMS of Mississippi. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Mississippi?

Mr. DALZELL. Let me say to my friend from Mississippi that I think I know what he is going to say. I have read his magazine article, and I propose to address myself to it in the course of a few minutes.

Mr. WILLIAMS of Mississippi. I wanted to ask the gentleman this question, and then perhaps what I ask the gentleman will be what he knows I am going to say and perhaps it will not be. Upon what articles is the President given authority under the Dingley bill to negotiate reciprocity treaties with a reduction of 20 per cent?

Mr. DALZELL. I knew that was what the gentleman was going to ask me. I will answer it in a moment.

Mr. WILLIAMS of Mississippi. That is what I would like to know in that connection.

Mr. DALZELL. I repeat——

Mr. CLARK. Mr. Chairman, will the gentleman yield?

Mr. DALZELL. Yes.

Mr. CLARK. The Hon. John A. Kasson——

Mr. WILLIAMS of Mississippi. If the gentleman from Missouri will permit, I would like to have my question answered first.

Mr. CLARK. That is all right. I thought the gentleman was going to answer it directly.

Mr. WILLIAMS of Mississippi. No. In this connection, as I understand the gentleman, when he has said that articles were put 20 per cent too high in only certain cases which he mentioned, I ask this question: What articles are put within the power of the President as a basis to negotiate reciprocity treaties upon where he is granted the power to negotiate upon the basis of a reduction of 20 per cent?

Mr. DALZELL. I will answer the gentleman in a moment or two. I am coming to that.

Mr. WILLIAMS of Mississippi. Right now?

Mr. DALZELL. In the course of perhaps thirty seconds.

Mr. WILLIAMS of Mississippi. Are not those all the articles?

Mr. DALZELL. Not at all. There is a limitation that the gentleman has not paid any attention to. I will satisfy the gentleman, if he will only wait a moment.

I repeat that there is no undue duty placed upon any article in the Dingley bill, whether for the purposes of barter or otherwise, except upon those to which I have referred—argols or crude tartar, wine lees, etc.—and I would like some gentleman now to stand up and tell me who they are that are tax ridden and suffering, because of the duty on argols or crude tartar and wine lees, or any other article named in that section. And yet out of "such stuff as dreams are made of" a hostile press and the enemies of protection are continuing to vex the souls of a credulous public.

Mr. LIND. You have reduced the duty on argols and such, have you not, since the passage of the Dingley bill?

Mr. DALZELL. I do not know whether that is true or not.

Mr. LIND. Well, they have been reduced.

Mr. DALZELL. Now, then, section 4 is the section that worries my friend from Mississippi and which he seems to think justifies him in the assertion that we are providing for 20 per cent overtaxation all along the line.

Section 4 provided, first, that the President might, within a period of two years, enter into treaties with foreign nations to secure favorable entry of our goods into their ports in consideration of a reduction upon their duties of not more than 20 per cent, such agreement not to last over five years; and, second, he might agree to place on our free list such of their products as we did not produce, or retain such if already on the free list. But his authority to act could only be by treaty to be ratified by the Senate and approved by Congress.

This section was not in the bill when it went from the House. It was a Senate provision. It is not now in effect more than two years since the passage of the bill having expired. When the bill went from the House to the Senate, the House had a reciprocity section, viz, section 3, and the Senate had a reciprocity provision, viz, section 4. A compromise was made by adopting both House provision and Senate provision with certain amendments.

I see that the gentleman from Mississippi in his magazine article contends that the 20 per cent rebate allowed by the fourth section measures the extra duties of the Dingley bill. But his position is not tenable for the reason that the schedules of the bill had been fixed before this section was suggested by the Senate, and without any reference thereto, and without any knowledge by the House that fixed the schedules that any such suggestion would be made on the part of the Senate.

But the section was not agreed to without a material limitation by way of amendment, which retained power in the Republican House. That was contained in the provision that no agreement could be consummated save by the consent of Congress.

The men who insisted on that modification did so in order that they might retain in their own hands such power as would protect home interests against possible reciprocity in competitive products. They did so for the further reason that they did not believe it to be within the constitutional power of the Executive and Senate, in the first instance, to deal with the revenues of the country, either by treaty or otherwise, but that the power to originate legislation taxing the people belongs to the representatives of the people.

An analysis of section 4 thus discloses that it contained a provision for reciprocity in noncompetitive articles similar to the House provision—viz, that of section 3—and also a provision which might result in reciprocity in competitive articles, but the latter was so guarded and restricted as to keep the veto power in Congress.

Certain treaties have been negotiated under the provisions of section 4, but they have never been ratified by the Senate and I trust they never will be, because they propose to sacrifice certain American industries in the interest of certain other American industries on the assumption that in the long run the net gain will be greater than the loss. The Republican party, however, does not believe in bookkeeping reciprocity, and I trust it never will. It believes that every American industry, whether large or small, is equally entitled with every other American industry to protection for its labor and its capital. [Applause on the Republican side.] Protection for all is its motto and its practice.

It has been claimed that the Cuban reciprocity treaty was a reversal of the Republican policy.

Mr. CLARK. Mr. Chairman, I should like to ask the gentleman my question now.

Mr. DALZELL. All right.

Mr. CLARK. I want to ask the gentleman three questions.

Mr. DALZELL. Does the gentleman expect me to answer all of them at once?

Mr. CLARK. No; you may answer them all at once or may answer them seriatim. Is not Hon. John A. Kasson, of Iowa, a Republican in good standing and an officer in a Republican Administration?

Mr. DALZELL. Well, he is known as a Republican. I do not know anything about his standing. [Laughter.]

Mr. CLARK. All Iowa Republicans are in good standing.

Mr. DALZELL. I would not like to certify to that.

Mr. CLARK. In the second place, did not Mr. Kasson, as the appointee of President McKinley, negotiate quite a number of reciprocity treaties which have been pigeonholed with great unanimity by the Senate?

Mr. DALZELL. I have already said so.

Mr. CLARK. Now, my third question is this: If the gentleman's statement here to-day properly expounds the present Republican position on the subject of reciprocity, then does not the transaction touching the Kasson treaties show that the Republican party has changed its base on reciprocity in the last seven years?

Mr. DALZELL. Not at all. The Republican party has been consistent from the beginning; it never agreed to any reciprocity treaty that involved anything except noncompeting articles. [Applause on the Republican side.] And it is because it has been consistent to its principles that those treaties have never been ratified, and, in my judgment, they never will be ratified by Republicans.

Mr. CLARK. The real reason those treaties have never been ratified is because McKinley died, is it not?

Mr. DALZELL. Oh, not at all. They were——

Mr. BUTLER of Pennsylvania. They were negotiated a year before McKinley's death.

Mr. LIND. Will the gentleman yield to me?

Mr. DALZELL. Yes.

Mr. LIND. Can the gentleman think of any noncompetitive product in the world now on the dutiable list that could be made the subject of reciprocity under his definition?

Mr. DALZELL. Why, they all could. Yes, by putting them on the free list.

Mr. LIND. But is there anything now not on the free list that could be made the subject of reciprocity under your definition?

Mr. DALZELL. I don't know; the tariff schedule is a long document. I do not recall any just now.

Mr. PAYNE. Statuary, for instance.

Mr. DALZELL. Oh, I mentioned that—statuary and painting.

Mr. PAYNE. He is asking you again; he has forgotten.

Mr. DALZELL. I gave the gentleman a list a while ago—argols, crude tartar, the wine list, champagne——

Mr. LIND. We make all those things in the United States.

Mr. DALZELL. And brandy—oh, no; we do not make any champagne that comes into competition with French champagne. We do not have any competition in argols; we do not have any competition in any of these articles—paintings——

Mr. LIND. One more question. Under the gentleman's definition of reciprocity we could not possibly have reciprocity with Canada in any one product that either nation produces, could we?

Mr. DALZELL. I do not think we could have any reciprocity with Canada that would be of any advantage to the United States in any shape or form. [Applause on the Republican side.]

Now let me go on; my time is almost exhausted. I was about to say that it has been claimed that the Cuban reciprocity agreement was a reversal of Republican policy. On the other hand, it was an exception. It was justifiable only on the ground of the exceptional circumstances under which it was made. It necessarily resulted from the peculiar relations that the United States bore to Cuba, a Republic made free by the expenditure of our treasure and the blood of our sons. It is not definitive of Republican policy. It is not a precedent for anything, and no one has any right to so consider it.

So that the reciprocity of Arthur and Harrison and Blaine and Dingley and McKinley is still the reciprocity of the Republican party.

I know that certain gentlemen, enemies of protection, have contended that President McKinley in his last speech at Buffalo, on the eve of his tragic end, abandoned the doctrine whose advocacy throughout his long life had made him famous. I think they do him an injustice. There are detached sentences in that speech that, taken by themselves, may be construed to mean almost anything; but taken as a whole the speech was a McKinley speech. It was a speech, I grant you, in advocacy of foreign trade, but at the same time its keynote sounded the supreme and commanding importance of the home market and was a protest against any curtailment thereof or of any industry therein or of any harm to its wage-earners. Note what he says:

> By sensible trade arrangements which will not interrupt home production we shall extend the outlets of our increasing surplus.

And then again:

> We should take from our customers such of their products as we can use without harm to our industries and labor.

And all through that speech, in which he glorifies our prosperity, he attributes its existence to the policy of protection. Whether that be so or not, the faith of the Republican party to-day on this subject remains as declared in 1900 at Philadelphia:

> We favor the associate policy of reciprocity, so directed as to open our markets on favorable terms for what we do not ourselves produce in exchange for free foreign markets.

Now, why change this policy at all? Why not cling to the policy of reciprocal relations with respect simply to noncompeting articles, and so preserve our home interests? Oh, they say, because we want to get foreign trade. Well, what is the matter with our foreign trade? There certainly is nothing of criticism to be said about its present status, and I do not indulge in the fears that some gentlemen express as to its future. I apprehend that in the adjustment of world conditions it will take care of itself in the future, as it has in the past. Why, during the last thirty years our foreign trade has grown more than that of Great Britain; it has grown more than that of Germany; it has grown more than that of France; it has grown more than that of Russia; it has grown more than that of any nation in the world.

I have here some figures that I will not stop to read at length, but I will give you the results of them. I have first a table showing the exports of domestic products from the United States, Great Britain, Germany, and France, and I find that between 1872 and 1901 the increase of the United States foreign trade was 168.39 per cent. I find that the increase of trade of Great Britain in the same period was 5.49 per cent. I find that the increase of trade of Germany was 91.19 per cent and of France 6.08 per cent—that is to say, while Germany, which next to the United States grew the most, increased 91 per cent, the United States increased 168.39 per cent.

I have here a table showing the imports entered for consumption in the United States, Great Britain, Germany, and France which I will not stop to read, and I have a table showing the total imports for consumption and exports of domestic products of the United States, Great Britain, Germany, and France, and I will read you the result as to that. The United States between 1872 and 1901 increased 73.66 per cent, Great Britain increased 28.10 per cent, Germany increased 76.74 per cent, France increased 14.92 per cent.

The tables are as follows:

Exports of domestic products from United States, Great Britain, Germany, and France.

Country.	1872.	1901.	Per cent of increase.
United States	$695,089,030	$1,866,481,871	168.39
Great Britain	1,291,760,000	1,363,932,000	5.49
Germany	375,000,000	1,364,985,000	91.19
France	726,000,000	771,095,000	6.08

Imports entered for consumption into United States, Great Britain, Germany, and France.

Country.	1872.	1901.	Per cent of increase.
United States	$663,146,657	$899,769,754	35.66
Great Britain	1,595,123,000	2,044,111,000	28.10
Germany	775,128,000	1,369,294,000	76.74
France	689,100,000	840,354,000	22.00

Total imports entered for consumption and exports of domestic products, United States, Great Britain, Germany, and France.

Country.	1872.	1901.	Per cent of increase.
United States	$1,188,189,096	$2,955,275,615	93.06
Great Britain	2,776,883,000	3,557,248,000	28.10
Germany	1,336,746,000	2,344,939,000	76.74
France	1,415,100,000	1,626,751,000	14.92

I am justified, I think, in the claim that I have made that in the last thirty years our foreign trade has increased more than that of any other nation. And that magnificent showing, let me suggest, was not due to our agricultural trade alone. In 1892 our exports of manufactures amounted to only $158,500,917, or 15.7 per cent of our exports. In 1902 our exports of manufactures amounted to $403,641,401, or 29.77 of our exports, an increase since 1892 of 154.7 per cent. Why, the growth of our foreign trade has been the wonder of the world. We have heard time and again on the floor of this House threats made that on account of its increase foreign countries would seek to bar us out of their markets, and we have heard the plea made for tariff revision and reciprocity on that ground.

It is furthermore said that "we must buy or we can not sell." Why, we are among the greatest buyers in the world. Great Britain buys more than we do; Germany buys more than we do; France buys only a little more, and Russia not near so much. I have here figures covering two periods of time—a period of depression and a period of prosperity—showing what sort of buyers we are in the world's market. Without stopping to give the figures at length, in 1892 we bought at the rate of $12.73 per capita; in 1894, $9.41; 1895, $10.61; in 1896, $12.29. Then coming to a later period, 1900, 1901, and 1902. In 1900 we bought at the rate of $17.96; in 1901, $10.58; in 1902, $11.43. The tables in full are as follows:

Year.	Amount.	Per capita.
1893	$866,400,922	$12.73
1894	[illegible]	9.41
1895	791,960,982	10.61
1896	916,724,954	12.29
1900	[illegible]	17.96
1901	[illegible]	10.58
1902	943,279,548	11.43

There are reasons why we should not be as great buyers as some other nations. Those reasons are to be found in our native wealth of wheat and corn and cotton, tobacco, petroleum, coal, and ores—indeed, all the necessities of life in a great superabundance. Taking these into consideration we are, relatively speaking, amongst the world's greatest buyers, and will ever continue to be so long as our industries flourish and our wage-earners are in receipt of such wages as enable them to be large consumers.

Yes; but gentlemen say, "Oh, well, we will be shut out of the markets of the world. They will raise their tariffs on us." Mr. Speed from Alabama [Mr. UNDERWOOD] indulged in a sad forecasting here not very long ago, entertaining that fear. For how long a time, for how many years have you heard on the floor of this House that foreign tariffs were going to bar us out of the markets of Europe. Why, Mr. Chairman, men in the aggregate are just like individuals. They buy where they can buy best and cheapest, and buy from the party who has what they want to sell.

The CHAIRMAN. The time of the gentleman has expired.

Mr. UNDERWOOD. May I interrupt the gentleman?

Mr. DALZELL. Certainly.

Mr. M'CLEARY of Minnesota. I ask unanimous consent that the time of the gentleman from Pennsylvania may be extended until he completes his remarks.

The CHAIRMAN. Unanimous consent is asked that the gentleman from Pennsylvania may be permitted to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. UNDERWOOD. Will the gentleman permit me to interrupt him?

The CHAIRMAN. Does the gentleman yield?

Mr. DALZELL. Certainly.

Mr. UNDERWOOD. I would ask the gentleman from Pennsylvania if it is not a fact that there has been a large reduction in the exports of manufactures of iron and steel of the United States into the markets of the world?

Mr. DALZELL. Undoubtedly there are periods of depression and periods of prosperity, changes in the market extending from time to time over long periods; and there always have been. I will remind the gentleman that "two swallows do not make a summer."

Mr. UNDERWOOD. Ever since the enactment of the Dingley tariff bill have not the European countries that furnished us markets for our goods heretofore almost all of them discriminated against our iron and steel manufactures?

Mr. DALZELL. They do not seem to have affected our prosperity in that direction.

Mr. UNDERWOOD. I will ask the gentleman from Pennsylvania if it is not a fact that our exports last year were less than they were five years ago?

Mr. DALZELL. I do not have before me the figures, but I will say that there are periods of depression, and sometimes there are long times of depression; but there is always a reason for it, and generally temporary.

Now, with respect to this claim that we are going to be shut out of the world's markets. The United States produces one-fifth of the world's wheat.

Mr. STANLEY. Will the gentleman allow me to ask him just one question?

Mr. DALZELL. I will.

Mr. STANLEY. Does the gentleman not concede that a high protective rate on the part of Great Britain would be a great calamity to this country?

Mr. DALZELL. No, I will not concede it; I prefer to say that

that is a very large question, with which I am not now familiar. It is one that I do not feel myself now prepared or able to answer. I have not given it any study. But I will say for the benefit of the gentleman——

Mr. STANLEY. I am speaking of a tariff on all kinds of American industry.

Mr. DALZELL. I will prefer to say that I am not competent to answer the gentleman's question. If the gentleman wants something to read on the subject, I will refer him to the last Book Lovers' Magazine, to an article written by Mr. Talcott Williams, of Philadelphia, one of our best writers. He can give him more light than anyone who has written on the subject, so far as I have seen up to this time.

Now, as to being driven out of the world's markets, the United States, I say, produces one-fifth of the world's wheat, one-half of the world's meat, four-fifths of the world's corn, and three-fourths of the world's cotton. Europe's importations from the United States last year were three-fifths of its wheat, almost all of its corn, half of its meat, and three-fourths of its cotton. In 1901 Europe took over 50 per cent of our exports of manufactures, 90 per cent of our exports of agricultural products, and 60 per cent of all other exports. Suppose it possible that Europe could be furnished with these necessities from other places outside the United States, what effect do you suppose it would have upon their markets as to price to shut out the American products? To do so, I venture to say, would be an economic impossibility.

Now, Mr. Chairman, if I have proven anything at all I have proven, first, that Republican reciprocity means only reciprocity in noncompeting products, and I have proven, secondly, that no reason exists, growing out of our relation with the world's trade, for changing or abandoning that policy.

So then, I say, let us abide by the ancient landmarks, the party faith, and I repeat, "we favor the associated policy of reciprocity so directed as to open our markets on favorable terms for what we can not ourselves produce in exchange for free foreign markets." That is all we are willing to give for free foreign markets. We will not agree that a single home industry shall be crippled; we will not agree that a single American wage-earner shall lose his job or part with a penny of his wages. The game is not worth the candle.

In the long run we shall have our full share of the world's markets. We shall have it because we shall deserve it. We shall have it because, in the great international contest for the world's trade, we shall have behind us the inexhaustible wealth of a continent, the energy and enterprise and inventive genius of the most intelligent and energetic people on the face of the earth, and all of it backed by such wise policies as shall most advantageously develop their great resources. [Prolonged applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. LOVERING having taken the chair as Speaker pro tempore, a message from the Senate by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 19. An act establishing a United States court at Marietta, Ind. T.;

H. R. 11021. An act granting an increase of pension to Joseph Weems;

H. R. 8227. An act granting a pension to Lucius E. Polk; and

H. R. 10145. An act to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas.

The message also announced that the Senate had passed the following resolution:

Resolved, That the action of the President pro tempore in signing the bill (S. 167) "granting an increase of pension to J. Hudson Kibbe" be rescinded, and that the bill be returned to the House of Representatives with the request that similar action be taken by the House with respect to the signature of the Speaker, and that the passage of the bill be reconsidered, and that it be postponed indefinitely, the beneficiary of the same being dead.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

Mr. WILLIAMS of Mississippi. Mr. Chairman, it is an old adage that the application of principles can always be confused by a prolixity of figures. It is true, for the same reason, that the sea has no fixed level and that the running waters have no regular level. People lose sight of the general principle that there is a mean level of the sea, because the sea is never at rest; and people lose sight of the general principle that waters flow downward, because sometimes downstream the waters are higher than above, backed by some inflow of other waters.

Thus, when you come to the consideration of the application of the general principle, you may run over a lot of figures dealing with the great complexities of the trade of a great country and take out some special figures here and there, seemingly contradicting any principle, no matter how well grounded and fixed that principle may be.

So gentlemen every now and then attempt to show that protection, a policy which is inaugurated for the purpose of raising prices for the benefit of the man or industry protected, does really lower prices and thereby destroys its own purpose, and so gentlemen now and then, as in this debate, attempt to show that people grow rich by the "balance of trade" in their favor, or grow poor by the "balance of trade" the other way.

Facts staring all men in the face yet prove that neither assertion is true. Adam Smith long years ago, Ricardo afterwards, John Stuart Mill after him, and Henry George after him have so reasoned and absolutely ridiculed the old mercantile theory of the "balance of trade" out of existence that no man in his sound senses, if he stops to think, would believe for one moment that the relative prosperity or depression of two countries, considering each by itself compared with the other, could be accounted for by the fact that there was in one case a balance of trade in favor of exports or in the other in favor of imports. There is indeed no such thing as a balance of trade, except when you come to consider simply two traders and no more, and even then not for a great time, as history counts time.

It is very true that there was a very large balance of trade in favor of a Kentucky mule dealer, for example, as against myself when I was planting, because every year I bought from six to twelve mules from Kentucky mule dealers, and the mule dealer never bought anything from me, and therefore these old mercantile-theory people would tell you the Kentucky mule dealer grew immensely rich and I was being necessarily impoverished by the trade between myself and the Kentucky mule raiser.

True, if somebody did not come along and buy my cotton it would not be long before the Kentucky mule raiser would have to sell his mules to somebody else. Again, the man who paid me money for my cotton sold me nothing. Thus, according to this balance of trade theory, I impoverished him. Now, there is no sense in all that. The sense in it, if there ever was any logic in it at all, grew out of the old mercantile theory that a country had to get the gold and silver of the world in order to prosper, and that it grew rich only by getting gold and silver.

The truth is the mule raiser, the cotton buyer and I, and the cotton spinner, who bought from the cotton buyer, all made money, and there was, as between all of us and everybody else of whom we bought and to whom we sold, no "balance of trade" at all. We each parted with what we wanted to part with and got what we wanted to get. Neither grew rich by buying; neither by selling.

We each and all grew rich, if we grew rich at all, by both buying and selling.

If either of any two of us had sold always and never bought, and between the two of us had controlled all the trade of the world, the one who exclusively sold would have wound up with all the gold and silver of the world and nothing else, and must have starved for his pains, or begun to buy; the other would have had everything in the world except its gold and silver.

John Stuart Mill says (Principles of Political Economy, vol. 2, p. 117, Little & Brown edition of 1848):

> From this exposition we perceive in what consists the benefit of international exchange, or, in other words, foreign commerce. Setting aside its enabling countries to obtain commodities which they could not themselves produce at all, its advantage consists in a more efficient employment of the productive forces of the world.
>
> If two countries which trade together attempted, as far as was physically possible, to produce for themselves what they now import from one another, the labor and capital of the two countries would not be so productive, the two together would not obtain from their industry so great a quantity of commodities, as when each employs itself in producing, both for itself and for the other, the things in which its labor is relatively most efficient. The addition thus made to the produce of the two combined constitutes the advantage of the trade.
>
> It is possible that one of the two countries may be altogether inferior to the other in productive capacities, and that its labor and capital could be employed to greatest advantage by being removed bodily to the other. The labor and capital which have been sunk in rendering Holland habitable would have produced a much greater return if transported to America or Ireland. The produce of the whole world would be greater than it is if everything were produced where there is the greatest absolute facility for its production.
>
> But nations do not, at least in modern times, emigrate en masse; and while the labor and capital of a country remain in the country, they are most beneficially employed in producing for foreign markets as well as for its own the things in which it lies under the least disadvantage, if there be none in which it possesses an advantage.

Before proceeding further let us contrast this view of the benefits of international commerce with other theories which have prevailed and which to a certain extent still prevail on the same subject.

According to the doctrine now stated, the only direct advantage of foreign commerce consists in the imports. A country obtains things which it either could not have produced at all, or which it must have produced at a greater expense of capital and labor than the cost of the things which it exports to pay for them. It thus obtains a more ample supply of the commodities it wants for the same labor and capital, or the same supply for less labor and capital, leaving the surplus disposable to produce other things.

The vulgar theory disregards this benefit and deems the advantage of commerce to reside in the exports; as if not what a country obtains, but what it parts with by its foreign trade, was supposed to constitute the gain to it. An extended market for its produce; an abundant consumption for its goods; a vent for its surplus; are the phrases by which it has been customary to designate the uses and recommendations of commerce with foreign countries.

[illegible] when we consider that the authors and leaders of opinion on mercantile questions have hitherto been the selling class. It is in such a surveying [illegible] of the mercantile theory, according to which, money being the only wealth, selling or, in other words, exchanging goods for money [illegible] to countries without mines of their own the only way of getting rich, and importation of goods—that is to say, parting with money—was one to be discouraged from its benefit.

Adam Smith says, in his celebrated first chapter of book four, speaking and [illegible] the mercantile theory, a chapter which, by the way, every young and old student of this subject ought to read carefully, among other things these:

We [illegible] a great deal and money, in short, are in his [illegible] every respect synonymous.

[illegible] gold and [illegible] For some [illegible] of the [illegible] who [illegible] if the country was [illegible]

[illegible] from the King of France to one of [illegible]

[illegible] the price of [illegible]

[illegible] the barriers which the [illegible]

It would be too ridiculous to go about seriously to prove that wealth does [illegible] money, but [illegible]

[illegible] those unnecessary utensils would [illegible]

[illegible] maintains and employs the people.

The importation of gold and silver is [illegible] Between [illegible]

[illegible] of it the narrowness of the home market does not [illegible]

[illegible] services foreign trade is continually occupied [illegible]

By opening a new and inexhaustible market to all the commodities of [illegible] gave occasion to new divisions of labor and improvements of art [illegible] the want of a market to take off the greater part of their produce [illegible] powers of [illegible] different countries of Europe and, together with the [illegible] wealth of the inhabitants.

The commodities of Europe were almost all new to America, and many of them [illegible]

[illegible] several of these [illegible]

I thought it necessary, though at the hazard of being tedious, [illegible] at full length this popular notion that money and wealth are [illegible] silver. Money in [illegible] sense, as I have already [illegible] signifies wealth; and this ambiguity of expression has [illegible] notion so familiar to us that even those who are [illegible] of its absurdity are very apt to forget their own principles and in the course of their reasonings to take it for granted as a certain and undeniable truth.

[illegible] ever, that the attention of government should be more turned toward the one than toward the other object. A country that has wherewithal to buy wine will always get the wine it has occasion for; and a country that has [illegible]

[illegible] money, but [illegible]

[illegible] but the [illegible]

[illegible] of the [illegible]

[illegible] would [illegible]

[illegible] maintains and employs the people.

[illegible] Between [illegible]

[illegible] of it the narrowness of the home market does not [illegible]

[illegible] services foreign trade is continually occupied [illegible]

[illegible] rely on this account could [illegible]

By opening a new and inexhaustible market to all the commodities of [illegible] gave occasion to new divisions of labor and improvements of art [illegible] the want of a market to take off the greater part of their produce [illegible] powers of [illegible] different countries of Europe and, together with the [illegible] wealth of the inhabitants.

The commodities of Europe were almost all new to America, and many of them [illegible]

[illegible] several of these

increased price in the market to which they are shipped, and vice versa with what they sell us, so that two nations can not come to any agreed statement about it at all.

Now, the gentleman from Pennsylvania [Mr. DALZELL] said that the Democratic platform declared that "as practiced, reciprocity is worse than protection," and the sort of reciprocity to which the Democratic platform was referring is worse than protection—the sort that would be practiced by the Republican party, or the sort that the Democratic platform makers thought would be practiced by the Republican party.

And the gentleman proved it here to-day; but the right sort of reciprocity is almost as good as the right sort of tariff revision, all along the line, because it reduces tax burdens somewhere at any rate. It untaxes the American consumers at our end of the line and unburdens foreign consumers at the other end of the line, thereby increasing their purchasing power, and thereby increasing the volume of our shipments to them.

The gentleman said there are two kinds of reciprocity, and there are. There is a sham reciprocity, the seeming reciprocity, which is Republican reciprocity, and then there is "the real thing," and that is Democratic reciprocity. [Applause on the Democratic side.] And why? The gentleman told you why: because Republican reciprocity, according to him, is reciprocity in "noncompeting" articles altogether.

Now, as all of your noncompeting articles are already on the free list, or very nearly so, what do you mean by Republican reciprocity, "reciprocity in noncompeting articles," except sham and humbuggery and pretense? Why? Because the only way in which you can lower a duty on noncompeting articles, the same being now not on the dutiable list, is, first, to put those articles on the dutiable list. In other words, go through the farce of taxing a thing upon which the consumer is not already taxed and then removing the tax thus levied, in order to get the foreigner to do what?

To levy and remove a duty upon one of his "noncompeting" articles. And why? Because if the foreigner allows you to "reciprocate" only in noncompeting articles, noncompetitive in your market, then you have got to assume that the foreigner is a fool if he allows you to send anything except "noncompeting" articles into his market.

So that you have this magnificent piece of mutual humbuggery at the two ends of the balance, "Republican reciprocity," as defined by the gentleman from Pennsylvania [Mr. DALZELL]: We take off the free list a certain number of noncompeting articles and tax our consumers on them, and then France takes off her free list a certain number of noncompeting articles and taxes her consumers upon their consumption.

Then the two of us get together through diplomacy and say, "We will remove these things that we put on for the purpose of 'trading,' and we will call it 'reciprocity.'" Now, that is Republican reciprocity, according to the gentleman's definition, if I understand it; unless we assume that the foreigner, as highly civilized as we, as alive to his own interest as we, knowing just as much about the course of trade as we—in France, Germany, and Great Britain—is a fool. Why? Because he knows that we have got to consume his noncompeting articles anyhow.

Such articles as they produce that come into our markets and that are noncompeting with ours, because we for any reason can not produce them, we have *got to buy*, and it does not affect them at all, no matter what import tax we put upon them.

The only effect of our tax on things, which we must have and can not produce, would be to make our own people pay more for them. We can not grow anything to compete with them, we can not grow anything to reduce their price, and we have got to accept them from their hands, they holding the monopoly of their production.

But the gentleman from Pennsylvania [Mr. DALZELL] was not altogether right even in his statement of his own party's past position.

If so, will the gentleman tell me why it was, if Republican reciprocity as announced by Blaine and by McKinley and other great men in the Republican party, but not as announced by him to-day, was to be a reciprocity only in noncompeting articles—will the gentleman tell we why it was that sugar was one of the articles always designated and the one that has been most dealt with in reciprocity treaties? I am sure we have been raising sugar for generations.

A little bit later on in his speech he told us, that at the time of the enactment of the Dingley bill, sugar "had not grown to the proportions of a great national production." Had it not? If there is any reason at all that could be stated, it must be simply because sugar was at that time produced nearly altogether out of cane in Louisiana and was not at that time produced to any great extent in America out of beets raised in the Northwest.

Was what he really meant to say that it had not become a Northern product, that it was still a "sectional" product, and, being raised in Louisiana, of course, it could be switched around just as the Republican party chose?

Now, the gentleman disputed what I said in that magazine article. I shall insert in my remarks section 4 of the Dingley bill, which proves that I am exactly right.

The gentleman says that that section was inserted after the schedules of the bill had been fixed. What difference does it make whether it was inserted after you had drawn up your schedules or before? If it was inserted afterwards, it was simply a confession of the fact that you had beforehand made the duties 20 per cent higher than, in your own opinion even, was necessary. That is all.

If it had been inserted contemporaneously, it might have proven that you had had the two provisions in view at the same time; but if inserted subsequently, it proves that you, as the makers of the law, believed that you could spare 20 per cent of the duties named in the schedules of the bill and still have a bill which from a protectionist standpoint even would do what you say protection will do, namely, "protect American labor."

The gentleman says that during a certain period of our treaty with Canada we gained 11 per cent in "our trade" (as if our trade with them was not their trade with us, you understand) and they gained 500 per cent in "their trade" with us. Now, if that were true——

Mr. DALZELL. I think the gentleman has made a mistake. I did not say anything of that kind.

A MEMBER. It was Mr. BATES.

Mr. WILLIAMS of Mississippi. I beg pardon of the gentleman from Pennsylvania for the mistake. It was an interruption of the gentleman's speech in which that language was used by Mr. BATES his colleague.

Mr. BATES. The gentleman from Mississippi will allow me to say that was not the language I used. I stated that during the life of that treaty of 1854 with Canada our exports to Canada increased only 11 per cent, while her exports to us increased 500 per cent.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon. Somebody on the other side used that language. I think it was the gentleman himself, because I noticed particularly the manner of the expression used, and I turned at the time in that direction and said: "I wonder whether our trade with Canada is not their trade with us."

Mr. BATES. If it is the "manner" of expression which the gentleman challenges, then I beg him to ignore the "manner" of the expression and to address himself to the facts.

Mr. WILLIAMS of Mississippi. I am glad to do that, too; I am going to address myself to both, as is my right.

I say the very manner of that expression is one of the straws showing which way the wind blows—one of the oozings out of things not deliberately intended, showing more than a deliberate utterance would, the tendency of protectionist miseducation on the other side of the Chamber.

Now, the gentleman really had in his mind the idea that when Canada sells things to us we are buying something that we do not want and the buying of which is somehow a loss to us and somehow a greater advantage to Canada; and when we sell things to Canada, somehow or other there is an advantage to us and none to Canada.

That is, in one case the trade is an advantage to us and a disadvantage to them, and in the other case an advantage to Canada and a loss or detriment to us. That idea oozes out unconsciously as a result of this miseducation, economically, which protectionism brings upon men. We profited, I dare say, just as much and no more, proportionately, from the 11 per cent increase in our exports to her as we did from the 500 per cent increase in her exports, to us and vice versa.

I make this statement because I take it that this great Yankee nation, or rather the people composing it, are not fools and would not have bought anything from Canada unless, in their opinion, it paid them to get it, any more than they would have sold anything to Canada unless, in their opinion, it was an advantage to sell it.

But the gentleman is mistaken even there. The "balance of trade" even was not against us. He is not mistaken if he takes the last years of the whole period; but there was a part of the period of the life of that treaty when very abnormal conditions existed, namely, from 1861 down to 1866. If the gentleman will take the balance of that period not affected by the abnormal war conditions, he will find the truth.

Of course in time of war you buy more because you have less producers at home. A country with a million men in the field of war has to buy more than it does with those million men in the field of peaceful industry. Now, I am going to read to the gentleman a part of an article written by Eugene G. Hay, entitled "The future of Canada and reciprocity with the United States." I read from page 462 of the Review of Reviews for October, 1903:

Largely through the energy, the tact, and the skill of Lord Elgin, then governor-general of Canada, there was negotiated and ratified in 1854 a commercial treaty between the United States and the Canadian provinces. This

treaty, by its terms, was to continue for a period of ten years, and continually thereafter until twelve months after either government had given notice to the other of its wish to terminate the same.

The Government of the United States, upon the direction of Congress, gave such notice in 1865, and the treaty was terminated in 1866. No provision was made in the treaty as to the duty on dutiable articles, but it provided for the free admission from either country to the other of a long list of natural products, including the great staple products of Canada and of the United States, embracing most of the products of the farm, the forest, the quarry, and the waters of each country.

In the light of present conditions it is difficult to understand why the United States Congress terminated this treaty. The principal reason given was bound up with the enormous debt left by the civil war the United States was in need of all possible revenue, and must have the revenue that would come from the duties on Canadian imports.

It is probable that a feeling of bitter hostility, growing out of the attitude of Great Britain and certain factions in Canada during our great civil conflict, had its influence upon Congress, but, more than all this, it is probable that the great pressing problems with which the statesmen of that day had to deal were such as to cause them to feel that the possible growth and development of our commerce did not receive due consideration.

It was in an era of war. Commercial benefit was not then the main aim of Congress in legislating, I will interpolate.

ITS PRACTICAL EFFECTS.

Figures—

Mark you—

which state the imports and exports do not always tell the full story of the volume of trade between two countries. In many instances goods that may be collected with Canadian ports imports would be described just as easily by their increased sales, but on their increased purchases from the other. But, viewed entirely from the standpoint of the figures which state the exports and imports—

Viewed entirely from that standpoint—

an examination of these figures for the years preceding, during, and succeeding the period of the treaty will disclose the fact that both countries were benefited by its operation. Prior to 1854 there was comparatively little trade between Canada and the United States and prior to 1848 scarcely any, but during the time, while the treaty was insignificantly small, our exports nearly doubled our imports. With the ratification of the treaty in 1854 the trade between the countries increased at a bound.

"Our exports to Canada," a thing that you think makes us rich, increased nearly 300 per cent in two years, "grew from $13,432,597 in 1853, the year preceding the ratification of the treaty, to $34,362,188 in 1855, the first year in which the treaty was in force;" and "our imports during the same period increased from $6,527,559 to $15,118,289," or double, in round numbers. What we bought from them—the thing that you seem to think makes us poor—our purchases doubled, only, during the same period. I think the increase in both exports and imports is what equally enriched both of us.

This rapid increase continued, preserving almost the same ratio during the first two years the treaty was in operation. During our civil war the exports and imports grew nearer together, owing to the curtailing of our production and the increase of our consumption, until, in 1864, the imports exceeded the exports, and so again in 1865 and 1866.

And those are the only three years during the life of the treaty; and why? Because when men are fighting they can not plow. When men are on steamships at sea in deadly conflict with their foes they can not be working in shops on land manufacturing things. No country can go to war without increasing its consumption and decreasing its production.

The treaty was terminated in 1866, and the excess of our imports over exports continued until 1874, or a period of seven years after the termination of the treaty.

Why? Because we were still trying to catch up with the waste of the war.

The years when this treaty was in force were far more prosperous for the commerce between Canada and the United States than had hitherto been or since.

Now, the trade may have been more prosperous at some periods since, understand me, because both countries have since become more prosperous, more populous, more productive, and therefore both possess greater interchangeable value, one for the other; but it was relatively prosperous then than at any equal period since.

In fact it was the very beginning of what has since developed into an enormous commerce between these two neighboring peoples. During the period of a little less than twelve years that the treaty was in force the balance of trade in our favor—

Taking the whole period together—

was $57,000,000.

Now, if it had been the other way, provided the *volume* of trade, in the aggregate, had grown, it would still have proven that we had benefited; but still, for men who believe in the "balance-of-trade" theory, I give you the true figures to think about; even the "balance of trade" was in our favor.

Being more than double the entire trade between the countries during any year prior to the ratification of the treaty, and the total commerce grew during that period—

Now, hear this:

The total commerce grew during that period from $18,000,000 per annum to $70,000,000. As these countries have prospered and increased in importance, the commerce between them has continued to grow, until in the fiscal year just ended the total commerce reached almost to $140,000,000, the balance of trade being greatly in our favor. The present condition can not, however, long continue.

Our average tariff on dutiable goods coming from Canada to the United States is 46.83 per cent, and the Canadian average tariff on dutiable goods going from the United States into Canada is 24.46 per cent. Unless commercial reciprocity is soon attained, Canadian tariffs will undoubtedly be raised to approximately the level of our own, which will practically destroy commerce between the countries.

THE PROPOSED "BROWN DRAFT" TREATY.

In 1874 a treaty was negotiated between the United States and the Dominion government which is known in Canada as the "Brown Draft treaty." This treaty contained three schedules, and by its terms it was agreed that the duty on articles named in these schedules, being the growth, products, and manufacture of the Dominion of Canada and of the United States, on their importation from one country to the other, should, from the 1st day of July, 1875, to the 30th day of June, 1876, inclusive, be two-thirds of the rate paid at the date of the treaty, and, from the 1st day of July, 1876, to the 30th day of June, 1877, inclusive, be one-third of such rate, and on and after the 1st day of July, 1877, for a period of twenty-one years, all such articles should be admitted free of duty into each country, respectively.

Eighteen hundred and seventy-four was during General Grant's Administration. The treaty of that year was approved by him.

I want to remind you gentlemen upon that side of this House that General Grant, after he began to give up thoughts of military affairs and began to betake himself to thoughts about political affairs, was classed as a Republican.

Mr. LIND. Before the gentleman leaves that article, I would like to state to him that Mr. Hay, the writer of that article, is one of the Republican tariff commissioners or appraisers at the port of New York, recently appointed by President Roosevelt. He was the Republican candidate for Congress in my district at the last election.

Mr. McCLEARY of Minnesota. And, Mr. Chairman, I would like to add, he was not nominated.

Mr. LIND. Well?

Mr. WILLIAMS of Mississippi. Your President by appointing a man with his ideas, a man that could write that article showing such research and sound economical judgment, reflects more credit upon your party than was reflected upon it by having him beaten for a nomination in one of your districts. [Applause on the Democratic side.]

I wanted to call your attention to the fact that in 1874 a treaty was negotiated under General Grant's Administration, he being very much in favor of it, being a repetition of the treaty of 1854, except that it went further.

Now the gentleman from Pennsylvania [Mr. DALZELL] tells us that the treaties negotiated by Mr. Kasson, approved by Mr. McKinley (because Mr. McKinley sent them to the Senate), are "not Republican" treaties and that the Republican party was consistent and true to its idea in defeating them. Who had the better right to judge what is and what is not sanely Republican, Grant and McKinley or he, I leave as a thought to be digested by the country. Then he goes on to say, that, of course, I know, that "the period for ratifying these treaties under the Dingley bill has passed." That is true; but the period to obtain the fruit of these treaties in another way has not passed.

I have introduced into this House a bill—and if I could just get the Ways and Means Committee favorably to report and this House to pass all my bills that are pending in that committee, this country would be great, grand, and glorious beyond all precedent in less than three months. [Laughter.] I have introduced a bill into that committee, and the purpose of the bill is to fix the rates of duties upon certain articles as shown by a certain schedule in that bill.

Now, then, these articles and these duties shown by that schedule are the articles upon which the duties were fixed by us as our proposed import duties in the proposed treaty which was negotiated by William McKinley's administration with France. A clause of my bill provides that that schedule of reduced duties shall not go into effect until the President of the United States shall "by proclamation make known the fact that France" has done a certain thing. What? Why, the thing that France promised to do in the treaty, viz, give to American products in her market her minimum rates.

Now, here is my friend from New York [Mr. PAYNE], who denies the Senate's right to enter into reciprocity treaties, anyhow, without the House, and here is my friend from Pennsylvania [Mr. DALZELL] who takes that view also, I believe. Now, I have come in to their aid. I now say, by this bill, "Away with the Senate; brush it aside; let us have 'McKinley reciprocity,' by legislation originated in the House of Representatives." [Applause on the Democratic side.] And when you pass this bill I will introduce three or four others, based on treaties that Mr. McKinley approved and Mr. Kasson negotiated.

But get back to this matter of Canadian reciprocity. While I am upon that question, Mr. Chairman, I want to read something from Mr. McKinley:

The period of exclusiveness is past.

It has been read so often that it has become trite, but it is worth reading.

The expansion of our trade and commerce is the present problem. Commercial wars are unprofitable. A policy of good will and friendly trade relations prevents reprisals.

If he did not fear reprisals, why did he want to "prevent reprisals?" The gentleman from Pennsylvania tells us to-day that

he has heard this wolf cry of "reprisals and retaliation" so often that he pays no attention to it. That is substantially what he said. Now, if it had that effect upon Mr. McKinley's mind, if he was not afraid of retaliation and reprisal, why did Mr. McKinley say:

Reciprocity is in harmony with the spirit of the times. Measures of retaliation are not.

Why did he say that, unless he was afraid that there would be "measures of retaliation?" Mr. McKinley had sense enough not only to feel, but to know, that there would be reprisals and measures of retaliation. Why, of course, you must have measures of retaliation unless you have the balance of the world in such a slavish adulation of you that they will stand still and give you all advantages to enter their markets while you deprive them of such as you can.

There is just one advantage that you can not deprive them of, and it is the advantage of their shipping to our markets the things which they grow or make, that we can not grow or make in this country—the noncompetitive articles.

These very things you propose to make the sole basis of so-called "Republican reciprocity." Do you really think that foreigners can be so foolish as not to know that you propose to get something for nothing, or that they will trade on that basis?

"Republican reciprocity" on noncompeting articles!

I hold in my hand President Eckhart's introductory address to the Illinois Manufacturers' Association, and a part of that I want to read. Now, I do not know whether President Eckhart is a Republican or a Democrat; some of you Illinois people do, I suppose. He says:

Great Britain, our largest consumer for our agricultural and manufacturing products, is now agitating the question of a retaliatory tariff and commercial policy of free trade, based on giving the power of preferential tariffs to its colonies, in order to deal with the view of securing reciprocal trade arrangements with other nations.

And in that connection, if the gentleman from Pennsylvania still has by him the North American from which he read this morning there are some figures there which I will insert in my remarks. I want to say—I can not remember the figures exactly—Canada first gave Great Britain 15 per cent preferential; she then gave her 25 per cent, and then she gave her 33⅓ per cent.

Mr. DALZELL. Twelve and one-half per cent was the first.

Mr. WILLIAMS of Mississippi. Twelve and a half per cent first, and then 25, and then 33⅓. Now, when Canada began that policy she found her purchases of Great Britain to amount annually to about $20,000,000. I will put the right figures from the magazine in the RECORD. Now, those purchases from Great Britain have increased, at the expense of our manufacturers and our producers mainly, from $20,000,000 to $[illegible], as I remember the figures. It has been a month nearly since I read the article and some time since it first came out.

Here is what the article says:

The Chamberlain proposition for colonial preferential trade marks a conspicuous in the reciprocity issue at the present time. Last year Mr. Chamberlain spoke [illegible] favor of Great Britain, of 10 per cent, and several days later [illegible] appointing, and that it was chiefly valuable as an evidence of loyal sentiment. This estimate of value was wide of the mark. The preference had actually resulted the British export trade to Canada from [illegible] tion. This trade had gone down from $68,000,000 in 1873 to $[illegible] in 1897. The effect of this Canadian preference has been to bring this trade up to $[illegible] in 1903.

Since the gentleman from Pennsylvania has read so much and commented so much on this article, I will supply the reader with more of it.

For example, this:

In the history of the two countries there was a period of twelve years, from 1854 to 1866, when their trade relations were of a mutually [illegible] character, and were exerting a powerful influence in the direction of community of interest and the broadening of national sympathies. The civil war in the United States gave rise to circumstances that arrested and [illegible] feeling toward Canada in that country, based upon misrepresentations to facts, for the great majority of Canadians were friendly to the Union.

A mistaken impression that this treaty was much more favorable to Canada than to the United States was entertained by the majority of Americans. For the period during which the treaty was in force the balance of trade was decidedly in favor of the United States. According to Canadian trade returns, the total imports and exports, 1854 to 1866, inclusive, were:

Imports from the United States	$[illegible]
Exports to the United States	[illegible]
Balance of trade in favor of the United States	[illegible]

These returns did not include Prince Edward Island, Newfoundland, and British Columbia.

According to American returns, the total exports and imports to all of British North America, 1854 to 1866, inclusive, were:

Exports to British America	$343,326,000
Imports from British America	318,760,000
Balance in favor of the United States	24,566,000

And this:

One of the unexpected trade developments of late years is the growth of an extensive demand in various parts of Canada for American farm products, and the fact that this demand has turned the tide of trade in this line in the direction of Canada. The Canadian market for American farm products is found in British Columbia and the Yukon and the Klondike region, in the maritime Provinces of New Brunswick, Nova Scotia, and Prince Edward Island, and in the lumbering and mining regions of Ontario; and for Indian corn, hides, flaxseed, wool, tobacco leaf, etc., in all parts of the Dominion.

In the fiscal year 1902-3 the importation of farm products into Canada for consumption from the United States was as follows: Dutiable farm products, $8,960,000; free farm products, $14,612,000, a total of $21,581,000. The same year the export of farm products to the United States was $8,200,000, the Canadian exports of imports [illegible] from the United States being $12,[illegible]. The dutiable portion of the imports was subject to the same rates of duty substantially as were imposed by the United States upon articles of the same class imported from Canada.

This conclusive [illegible] the trade leads to the conclusion that if free trading farm products were [illegible], the importation by Canada from the United States [illegible] domestic consumption would [illegible] export in the same line to the United States for consumption. This, of course, would not apply to wheat, flour, and [illegible] articles of which both countries have a surplus for export, as the United States in importing such products would export either of them or a [illegible] depleting amount of United States products, and they would [illegible] as a factor, securing for American manufactures [illegible], [illegible], and commission merchants [illegible] every way desirable trade.

Also this:

The annual table showing the Canadian importation of manufactures from Great Britain and from the United States [illegible] interest, especially when taken in conjunction with the fact that Canada has given a [illegible] preference to Great Britain first of 12½ per cent, then of 25 per cent in 1900, and of 33⅓ per cent since that time.

Canadian imports of manufactures.

Year.	From Great Britain.	From United States.
1898	$26,943,000	$41,510,000
1899	[illegible]	[illegible]
1900	[illegible]	[illegible]
1901	[illegible]	[illegible]
1902	[illegible]	[illegible]
1903	[illegible]	[illegible]

The Department of Commerce [illegible] of the United States [illegible] in the year [illegible] the United States [illegible] exported by [illegible] per capita to Mexico, the Central American States, and all South America. [illegible] an effort to re[illegible] That [illegible]

The present importance of this question is great. Its future importance [illegible] In the United States [illegible] Where [illegible] the Canadian [illegible] English statesmen comprehend the importance of the trade of Canada, [illegible] preferential trade within [illegible] which farmers participate as producers, as [illegible] to the home market, as [illegible] for a low tariff [illegible] products.

The [illegible] attention of the Canadian public. Various [illegible] Conservatives [illegible] to look upon it with favor. There is [illegible] the American Reciprocity [illegible] the British market, and the [illegible] a strong position [illegible] Canada. The greater the [illegible] of American [illegible] would be the result.

This excellent gospel for full measure:

Free trade in natural products and all other products, has [illegible] in the United States since that [illegible] was adopted. In that country there is [illegible] variety of soil, climate, [illegible] and the kind and [illegible] trade has been found to be mutually advantageous to all the States. The same policy will apply with equal force to Canada.

This also for patriotic Americans, whether of the United States or Canada:

The day will come when [illegible] people who speak the English tongue will occupy [illegible] in America. Since [illegible] good will and [illegible] advantageous relations shall prevail. [illegible] that it may, and let all the agencies [illegible] realize that the worthy and [illegible] American and American [illegible] in the interests of the future [illegible] we are laying down the lines.

Mr. DALZELL. Will the gentleman allow me to interrupt him?

Mr. WILLIAMS of Mississippi. Yes.

Mr. DALZELL. Does the gentleman mean to say that British exports to Canada have increased in larger proportion than ours?

Mr. WILLIAMS of Mississippi. No: I do not. No: I do not say that. I was telling just what they had increased. Why, when Canada began that policy Great Britain had almost lost the Canadian market. She had sunk so low she did not export to her own colony but about $20,000,000 per annum, and now the amount has gone up to the neighborhood of $60,000,000 a year.

It is increasing at the expense of our people, consisting of things that would have been shipped by us to Canada but for this preferential duty which enables Great Britain to sell the same articles cheaper.

In the light of all these facts—

Says Mr. Eckhart—

how much longer may we hope to continue to find a ready and profitable market for the increasing surplus of our agricultural and manufacturing

products with our gates of commerce swinging but one way? Has not the time come for our doors to be so hung that they can swing both in and out?

In connection with that, I want to insert in the RECORD, for my voice is in a bad condition, a part of the speech made by John Charlton, a member of the Canadian congress, the author of the very article read by the gentleman from Pennsylvania, at the Auditorium, Chicago, November 10, 1903, on "Reciprocity with Canada."

Mr. LITTLEFIELD. You mean member of Parliament?

Mr. WILLIAMS of Mississippi. I meant member of Parliament, of course. There is a little that I would like to read, though—the first beginning of it:

Between the Gulf of Mexico and the Republic of Mexico on the south, and the Arctic Ocean on the north, stretches a vast territory, 7,000,000 square miles in extent, with resources of soil, mine, forest, and fisheries many times in excess of present development; bounded on the east, west, and north by oceans; invulnerable to foes if united in purpose; inhabited at the present moment by 84,000,000 English-speaking people, the home of the highest form of civilization, and possessed of the most advanced condition of human liberty.

What shall be the future of this most favored of all of earth's continental areas? Shall this early morning of its history advance to a resplendent noonday of power, development, and mutually peaceful and advantageous relations, with, ultimately, 200,000,000 of our race dwelling together in peace and unity, or shall we deliberately shape the conditions of the present in such a manner as to secure the establishment of two rival, mutually repellent, and possibly hostile powers, swayed by the influences of prejudices and animosities, and spurning the conditions that will bear the blessed fruits of peace, harmony, and mutual advantage?

I want to read you some figures now which the gentleman has not read. I want to call the gentleman's attention, and I shall insert in the RECORD the Canadian free list—the list of the things that they now admit from our market free:

CANADIAN FREE LIST.

Of Canadian imports from the United States last year, $69,485,000 were upon the free list, and embraced in this list were the following:

Manufactures	$23,000,000
Forest products	4,986,000
Indian corn	3,250,000
Flaxseed	1,303,000
Tobacco leaf	2,241,000
Hides and skins	2,612,000
Wool	397,000
Sundry agricultural products	2,050,000
Sundry animals and products	2,267,000
Total	42,016,000

These are the things which they will put a duty upon, if they are driven by hostile legislation, or rather by a continuance of it, to retaliate. Again:

CANADA AS A CUSTOMER FOR OUR MANUFACTURES.

Even under her moderate tariff Canada has become the best customer for manufactures that the United States possesses, and her trade with the United States largely exceeds that of all Latin America, with 56,000,000 inhabitants. The imports of manufactures from the United States were:

Manufactures from United States, 1902	$99,596,000
Excess over Great Britain in 1902	27,000,000

Mr. DALZELL. Will the gentleman allow me an interruption?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. DALZELL. Will the gentleman tell me what American manufactures are on the Canadian free list?

Mr. WILLIAMS of Mississippi. I do not know specifically. I can probably get the details before to-morrow morning, and if so, I will put them in the RECORD. There were twenty-three millions of our manufactures imported into Canada, which were, in 1902, on the free list.

Now, then, "under moderate tariff Canada has become the best customer for manufactures that the United States possesses, and their trade with the United States largely exceeds that of all Latin America with 56,000,000 inhabitants."

This vast market will expand indefinitely. Canada has room for 100,000,000 inhabitants. The question is whether we shall preserve that market or whether we shall act in such a way as to close it by reprisal and retaliation.

Now, a great deal has been said this morning about Canadian reciprocity hurting our farmers in the Northwest. I want to call the gentleman's attention to these figures:

WHEAT.

United States production, 1900	$369,945,000
United States importation from Canada for consumption	596,000
Proportion of import to production, 0.02 per cent.	

OATS.

United States production, 1900	$217,098,000
Importation from Canada for consumption, 1903	39,062
Proportion of import to production, 0.002 per cent.	

BARLEY.

United States production, 1900	$41,631,000
Importation from Canada for consumption, 1903	17,148
Proportion of import to production, 0.035 per cent.	

POTATOES.

United States production, 1900	$98,380,000
Importation from Canada for consumption, 1903	56,969
Proportion of import to production, 0.005 per cent.	

HAY.

United States production, 1900	$484,254,000
Importation from Canada for consumption	1,924,598
Proportion of import to production, 0.04 per cent.	

HORSES.

Value in United States, 1900	$1,060,526,000
Importation from Canada, 1903	340,289
Proportion of importation to stock held, 0.034 per cent.	

CATTLE.

Value in United States, 1900	$1,516,337,000
Importation from Canada, 1903	282,298
Proportion of importation to stock held, 0.034 per cent.	

SHEEP.

Value in United States, 1900	$170,881,000
Importation from Canada	961,109
Proportion of importation to stock held, 0.09 per cent.	

EGGS.

Production in United States, 1900	$144,240,000
Importation from Canada, 1903	6,436
Proportion of importation to production, 0.0005 per cent.	

LUMBER.

United States production, lumber and lumber products, 1900	$566,021,000
Importation from Canada, 1903	16,977,000
Proportion of importation to production, 3 per cent; proportion of importation of sawn lumber to production, about 2 per cent.	

Ah, but I hear some gentleman say that if we reduce the duty more farm products will come in. I know that will be so on some parts of the boundary, because it is a queer fact that at one end of the long line of division we buy a thing of Canada and at the other end she will buy the same thing of us. It will work both ways.

Mr. Charlton further says:

It must not be supposed that the trade in natural farm products would be exclusively from Canada to the United States. At the present time and for years past the interchange of farm products has been greatly in favor of the United States. In 1901 the export of farm products from Canada to the United States was $8,200,000. The import of farm products from the United States to Canada, exclusive of raw cotton, was $21,000,000, of which $9,989,000 was dutiable and $14,022,000 free. So that we sell more farm products to Canada than Canada buys from us by a very great deal—more than twice as much.

Mr. PAYNE. Mr. Chairman, may I ask the gentleman a question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. PAYNE. May I ask the gentleman what he is reading these statistics from?

Mr. WILLIAMS of Mississippi. From the speech of John Charleton, a member of Parliament, made before the Illinois Manufacturers' Association, November 10, 1903, and I so stated when I began to read them.

Mr. PAYNE. I did not hear the gentleman.

Mr. WILLIAMS of Mississippi. The gentleman from Pennsylvania says the Republican party is not engaged in "bookkeeping reciprocity." I thought that just what the Republican party believed in in connection with the tariff laws, whether treaties, reciprocity laws, or general laws, was "bookkeeping."

I have been hearing so long that the Republican party was "upbuilding the private industries of the country" that I thought they kept a credit and debit account with every private industry in the United States—manufacturers getting protection, Republicans getting campaign funds. But I think if the gentleman does want to keep books in connection with reciprocity he will find the books are more apt to bring prosperity to the United States in proportion as he takes the trammels off our trade.

The gentleman then says, "What is the matter with our foreign trade?" Why, our foreign trade is all right, except in just so far as it is trammeled by Republican legislation. What we want is to make it "all righter." The gentleman quotes our imports from foreign parts of the world, and he boasts about the amount of our imports and says they are increasing.

That is a very high tribute to the laws of God as against the laws of the Republican party, because if you could have carried your Republican policy to its ultimate analysis you would not have any imports at all except in noncompeting products. And what sort of products are there upon the face of this globe that would be strictly noncompeting in the American market?

A Republican policy carried to its bitter end would build a wall against every article in the world the like of which could be raised in the United States. What are the articles the like of which can not be raised in the United States? Polar bears, guava, and breadfruit, and a few things of that sort constitute about all. [Laughter.]

The gentleman would quit buying from any country under the sun anything except the things that could not, even with legislative hothousing, be produced in the United States. Every dollar that we import is a blow at the success of your miserable Republican tariff legislation, and is a proof of the inability of human legislation to violate always and forever the laws of God and of trade. The gentleman says our foreign trade has grown. So it has. But our domestic trade has grown, too. It has grown a great deal more, and nobody contends that the tariff has had anything to do with that.

Mr. GAINES of Tennessee. Mr. Chairman, if the gentleman will permit an interruption, my recollection of the debates in the

Senate last fall is that Senator DOLLIVER, in a colloquy over there as to whether or not Mr. Dingley placed reciprocity rates in the Dingley tariff, said he had placed and that there were in the present Dingley law reciprocity rates for the purpose of forcing foreign countries to enter into specially good reciprocal rates with us. Did the gentleman from Pennsylvania [Mr. DALZELL] allude to that in his argument?

Mr. WILLIAMS of Mississippi. No.

Mr. GAINES of Tennessee. I was not here, and I did not hear all of his speech.

Mr. WILLIAMS of Mississippi. The gentleman did not allude to what Mr. DOLLIVER said. I knew of that.

Mr. GAINES of Tennessee. The point I was about to make is this: They put the rates in the tariff law, and yet they have not entered into any reciprocal contracts with foreign countries, and the result is that we pay a revenue and a protection rate and the reciprocity rate as well.

Mr. WILLIAMS of Mississippi. And Senator DOLLIVER said that Mr. Dingley had told him just what the gentleman says, but others have disputed that, and thus that is a question of veracity into which I did not care to enter. The fact is that the Dingley bill itself proves that that was the author's view of the law, because it contains a clause enabling the President to enter into reciprocal relations with a 20 per cent reduction.

Mr. GAINES of Tennessee. Just a moment more. There was a reciprocity convention held in the city of Washington since this tariff law was enacted, and it is in the proceedings of that convention that one gentleman, or several gentlemen, came here for the purpose of getting reciprocal trade relations entered into, and they were informed by leading Senators here, so the report states, that it is a fact that these reciprocal rates were placed in the Dingley tariff and are there now. At a convenient season I will exhibit the pamphlet to my friend from Connecticut [Mr. HILL] or any other gentleman on the other side who desires to read it.

Mr. WILLIAMS of Mississippi. Mr. Chairman, in conclusion I wish to say this, that not all the misapplied figures and not all the more narrow nationalism of the world can divide the world any farther than God has already divided it—by oceans, by speech, by mountain ranges, and by racial characteristics.

Men can not live as nations upon any different footing than the footing upon which they must live as individuals, and nations must prosper and grow and be loved or be hated for the same reasons that individuals, in dealing with other individuals, prosper and grow and are loved or are hated. All the Chauvinism in the world can not change the eternal principle that in trade relations, as in our other relations in the world, friendship is better than enmity, peace is better than war, reciprocity is better than retaliation.

You can not continue always to take and never to give. You can not continue always to sell and never to buy. You can not continue always to frame your legislation upon an assumption that foreigners are necessarily enemies and have them treat you otherwise than as enemies. What is the consequence of all this?

You have gone on until you have erected a great house, that will have to be taken down very gradually to keep from hurting your own people, and yet taken down it must be in the course of time, not by us alone, but by all nations in the world, who are indulging in the same sort of laws of corelationship. Every barrier to trade, every barrier to transportation and travel, every barrier to the access of literature and the productions of art, is a step in the direction of keeping the peoples of the world apart, an obstruction in the pathway along which they ought to travel in getting together.

The gentleman may talk; he may produce abnormal figures, all he pleases; but I say he is standing to-day with his face turned backward toward the time when foreigners were regarded as necessarily enemies, and when people thought that if they had any trade with foreigners at all everything bought was that much lost.

It is true also that those of us who are looking the other way, whether we succeed immediately or whether it be a long time before we succeed, have our faces turned to the future—the future when men would rather live in amity than live at war—the time when they would rather "live, and let live," treating one another as trade equals, one buying from the other that which the other, with his climate and soil and industrial character, can best and most effectively and most cheaply produce, and the other buying from him that which, with his climate and soil and peculiar genius, he can most effectively and most cheaply produce.

All the statistics in the world cut no figure in comparison with the eternal principle; but since the gentleman has undertaken to furnish figures for the policy which he follows, I have undertaken to furnish the counter figures; and if I had had time to hunt up at my room the things which I have there, lying around helter-skelter, I could have supported my proposition even more conclusively than I think I have done already.

There is not a shred of fact in the statement that even from the standpoint of a "balance-of-trade" economist, except during the few abnormal periods of war time, your reciprocity treaty with Canada carried even "the balance of trade" against us. I have shown that; and the true test—the growth of the volume of trade, both exports and imports—I have also furnished. [Applause on the Democratic side.]

Mr. McCLEARY of Minnesota. I yield thirty minutes to the gentleman from Massachusetts [Mr. LOVERING].

Mr. LOVERING. Mr. Chairman, I have always believed in reciprocity that did not sacrifice the interests of our home manufacturers. It seems to me that the gentleman from Pennsylvania [Mr. DALZELL] has very aptly set forth the only correct principles upon which we can establish reciprocal relations with any foreign country.

The lines of the true and only practical reciprocity lie parallel with the great American system of protection to our home industries. We recognize this as a principle, and in providing legislation for reciprocal trade with foreign countries we must bear in mind that when it is sought to have any product, manufacture, or commodity placed on the reciprocal list it must first be ascertained whether the interests of American labor are threatened or not. But, Mr. Chairman, we are prone to lose sight of or obscure the fact that what our industries are most suffering from to-day is the want of an enlarged outlet for our surplus products.

There is another way far more potent and practicable to extend our foreign trade than by reciprocity. It is by liberalizing our drawback laws.

The trend of public opinion with reference to new markets for American products shows that our manufacturers now keenly realize that production has passed far beyond consumption, and that new markets in the foreign field must be found if our workmen are to continue to receive adequate employment.

There is one fundamental principle underlying our tariff legislation which, I regret to say, has not been adhered to by Congress, and which in a large measure is responsible for the loss of very valuable foreign markets, viz., that the tariff was only intended to protect the home market from foreign competition. The protection which American manufacturers now enjoy was based on that implied condition.

Opposition to the amendment of our drawback laws and bonded warehouse system on the part of certain large manufacturing interests has proved effective up to the present time.

After we have attained all that is practicable under reciprocity there still remains an enormous field for the expansion of our foreign trade by enlarging and extending the scope of our drawback laws, by amending the administrative act of the tariff, and this may be done without disturbing a single schedule or taking a single step in the direction of the revision of the tariff.

Whatever it may, sooner or later, be thought best to do in this direction, there is no reason why those wholesome provisions for a rebate of the duties on foreign materials entering into domestic manufactures for export should not at once be made.

It is well known that our manufacturers have lost millions and millions of dollars of trade, and that thousands and thousands of our workmen have been deprived of employment since the passage of the Dingley bill that might easily have been saved to the people of our country excepting for the neglect of Congress to adopt a very simple amendment to the administrative act of the Dingley bill.

We may ignore it if we please. Members of either party may shut their ears to the cry for relief. They may despise and belittle the honest efforts of those who are laboring to accomplish needful legislation. A languid leadership may not care to be wakened from its lethargic slumbers nor be stirred to an active regard for the public welfare, but the fact remains that while all this inert and stand-pat policy prevails the great ship of business is drifting onto the rocks and our boasted prosperity is fast coming to an end.

Mr. Chairman, I would like to offer a few remarks upon what seems to me to be a very critical situation of one of our industries to-day. With a crop of hardly more than 10,000,000 bales of cotton this season we shall be facing a cotton famine. Next to food crops of the world, the cotton crop holds the most important place.

The wool crop, the flax crop, and the silk crop might be total failures and not carry with them so much discomfort and hardship as the failure of the cotton crop.

Cotton has come to be a more important article of clothing than even wool. The articles and purposes for which it is used have multiplied within the last score of years to a degree which would amaze the uninformed or casual observer. Even when found combined with wool it is generally to the advantage of the manufactured article.

It must not be thought that because good cotton is mixed with wool that the joint product is a shoddy fabric. True it is cheaper, but properly manufactured it is not less useful, less enduring, or less sightly.

Mixed goods of this kind are not to be classed with what are

called "shoddy." Shoddy manufactures are generally made from torn-up woolen rags which have already served a purpose and have been cast aside. Such goods are not to be compared with those made of wool and cotton mixed or even of cotton alone.

It will be seen, therefore, that a short crop of cotton is a great hardship. Its cheapness is not alone its greatest recommendation, although the fact that it is ordinarily the cheapest known fiber brings its manufactures within the reach of everyone.

More people in the world are clothed entirely in cotton than in wool or any other material. The price at which cotton is being sold to-day restricts its use in many fields.

I believe the day is not far away when the cotton belt of this country will have to produce 15,000,000 bales of cotton. I believe there is no place in the whole world where cotton can be grown so cheaply and to so good advantage as in this country, and while I regret that the present price will bring distress to the spinning industry, I congratulate our good southern neighbors upon the great wealth it is bringing to the planters.

The cotton manufacturers of the world are prospecting everywhere for new cotton fields. England, France, Germany, and Russia are using every endeavor and are subsidizing the growth of cotton wherever there is the least promise of a crop.

While it may seem impossible that the supremacy of the southern planter shall be wrested from him, it is not well to ignore these efforts. The South should stir itself to raise all the cotton it can rather than to be devising plans to curtail its production.

The highest price is not always an unmixed blessing. It stimulates production elsewhere and restricts its use. The cotton States can, if they will, grow all the cotton the world needs, and for all time cotton may be king, so long as he exacts only a reasonable tribute from all mankind.

Cotton is a tender plant and has its enemies. It is subject to the vicissitudes of the weather and the ravages of parasites. I believe the Government should spare no expense to study and exterminate the boll-weevil pest. I should favor any reasonable additional appropriation for the purpose.

The value of last year's cotton crop, including cotton seed, was $565,000,000, and it is confidently estimated that the present crop of cotton and cotton seed will yield a value exceeding $625,000,000. When it is taken into account that the South adds still further to the value of its great staple by spinning two and a half million bales of cotton, and by making oil and other by-products from the cotton seed, we begin to form some idea of what a source of wealth cotton is to the Southern States and to the whole country. And let me say right here to my friends from the Southern cotton belt, you possess a wealth there which has never been worked out. Year after year we denude the forests in the North to make paper. Thousands and thousands of acres are cut down every year, and our forests are gradually disappearing. You grow every year in the South cotton stalks that will make the paper of this country five times over, but you burn it and use it for fertilizer or plow it in for fertilizer. You have a wealth there which you know little about. I have samples of cotton paper pulp which surpass anything except the finest pulp made from linen rags.

Mr. BARTLETT. Mr. Chairman, if the gentleman will come down there and help us manufacture that as he has helped us to manufacture our cotton, we certainly shall welcome him.

Mr. LOVERING. I beg to say that steps are already being taken to develop that industry. It is said that the State of Texas alone can grow the cotton crop for the world. Probably the only obstacle to growing a 15,000,000-bale crop of cotton is the absence of labor in the right places at the right time to pick the crop, and this brings us to the consideration of a question which must, sooner or later, engage the attention of the planters of the South.

Accurate statistics of the growth of cotton in Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas show that in 1876 40 per cent of the total crop was made by whites and 60 per cent by negroes; whereas in 1900 statistics show actually the reverse, namely, 60 per cent of the cotton was made by the whites and 40 per cent by the negroes.

I will submit tables showing this, with other tables to be printed with my remarks in the RECORD. But the most interesting phase of the question is in connection with the relative increase of the white and colored population of the South, as shown by the census of 1900. Taking the States of Texas, Mississippi, Georgia, Alabama, South Carolina, Tennessee, Florida, Missouri, Arkansas, Louisiana, North Carolina, Virginia, and Kentucky, we find that the white population in 1880 was 5,576,933, and in 1900 was 8,772,950, an increase of 57.3 per cent. The population of the negroes in the same States in 1880 was 4,409,210, and in 1900 was 6,061,748, an increase of 37.5 per cent.

The cotton crop of 1880 was 5,721,026 bales. The crop of 1900 was 9,250,303 bales, or 61.7 per cent increase. I ought to say right here that I have only taken what are known as the cotton-growing counties in these States, which number 749, and for the purpose of comparison have taken only those same counties at each period.

The white population in these States in 1900 was 59.1 per cent of the total and the negro population was 40.9 per cent of the total, while in 1880 the white population was 55.8 per cent of the total to 44.2 of the negro population, showing plainly that the negro population has relatively decreased as compared with the white population.

I have another table which shows that while the tendency of the whole population is to become urban and less rural, it is more marked in the case of the negro than in the white. The tendency of the negro to the cities is greater than that of the white. If this relative increase of the white population to the colored continues, we will find in another score of years the white population in the neighborhood of 65 per cent of the total to 35 per cent of colored.

To raise 15,000,000 bales of cotton will require an increase of laboring population, and the South must look to immigration to supply it. Immigration not necessarily from abroad, but from other parts of the country, and in immigration, I believe, will be found the ultimate solution of the race question.

It would appear that the comparison of the crops shown by census years 1880 and 1900 is reliable. The crop of 1900 (growth of 1899) was the smallest produced in the five years between 1897 and 1902. The average crop of this five-year period was 10,595,070 bales, or more than 1,000,000 bales in excess of the growth of 1899. The 1900 crop was 9,534,707 bales, of an average net weight of 471 pounds. The quantity of cotton accounted for in Table 1 for 1900 is 9,250,303 bales. The quantity not accounted for (284,404 bales) is practically the crop of Oklahoma and Indian Territory. The Territories have been omitted from the table because of the impossibility of making the comparison with 1880.

The total number of counties producing cotton in 1900 was 767,[a] and of this number 749 are included in Table 1.

The growth of 1879 (census year 1880) was 5,761,352 bales, of an average net weight of 454 pounds. The average crop of the five-year period between 1877 and 1881 was 5,333,604, or 427,648 bales less than the growth of 1872. This goes to show that the tendency indicated by the statistics of Table 1 would be increased were the average crops of these two periods taken as the basis of the comparison instead of the crops afforded by the census years. [Applause.]

[a] Table 6.—Cotton-Ginning Bulletin No. 206, p. 7.

State.	Population.						Cotton (bales).			Number of counties.
	White.			Negro.						
	1900.	1880.	Per cent increase.	1900.	1880.	Per cent increase.	1900.	1880.	Per cent increase.	
Total	8,772,950	5,576,933	57.3	6,061,748	4,409,210	37.5	9,250,303	5,721,026	61.7	749
Texas	2,296,901	1,158,168	98.3	612,772	349,925	557.4	2,795,481	895,116	211.2	174
Mississippi	641,200	479,398	33.8	907,630	650,291	39.6	1,303,798	493,171	36.4	75
Georgia	1,112,283	772,553	44.0	973,449	683,987	42.3	1,251,469	813,954	51.3	129
Alabama	1,001,152	662,185	51.2	827,307	600,103	37.9	1,106,840	699,054	58.2	66
South Carolina	557,807	391,105	42.6	782,321	604,332	29.4	881,422	522,548	68.7	40
Arkansas	944,580	591,531	59.7	366,856	210,666	74.1	760,980	652,256	16.7	75
Louisiana	425,401	289,709	77.5	484,498	349,747	38.5	736,097	528,245	39.5	48
North Carolina	875,666	619,954	41.2	542,696	462,142	17.4	456,558	389,064	18.1	69
Tennessee	528,257	417,844	26.4	287,312	238,116	20.7	256,961	318,718	[a] 26.6	29
Florida	150,595	83,868	79.1	148,559	98,606	50.7	61,000	52,986	15.2	22
Missouri	152,809	69,612	119.5	4,923	2,624	87.6	25,493	19,529	30.5	10
Virginia	77,909	84,555	[a] 7.8	119,647	117,100	2.2	10,799	19,595	[a] 44.9	11
Kentucky	8,706	6,371	36.6	2,886	1,605	76.8	1,345	300	348.3	1
Percentage	59.1	55.8		40.9	44.2					

[a] Decrease.

Table of urban and rural population of the United States, compiled to show the white and negro population of all towns of 2,500 inhabitants or more (Table 19—Population, 1890; Table 9—Population, 1900, for comparison and accuracy; the total from the total population.

POPULATION OF THE COTTON STATES: 1900 AND 1890.

State.	Year.	Total.		Urban.		Rural.	
		White.	Negro.	White.	Negro.	White.	Negro.
Alabama	1900	1,001,152	[illegible]	119,499	[illegible]	[illegible]	[illegible]
	1890	703,708	[illegible]	62,574	69,607	[illegible]	[illegible]
Arkansas	1900	964,509	[illegible]	[illegible]	37,171	[illegible]	[illegible]
	1890	818,732	[illegible]	[illegible]	25,491	771,192	[illegible]
Georgia	1900	1,181,294	[illegible]	[illegible]	161,037	[illegible]	[illegible]
	1890	[illegible]	[illegible]	[illegible]	123,402	[illegible]	[illegible]
Louisiana	1900	[illegible]	650,804	[illegible]	136,954	[illegible]	[illegible]
	1890	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Mississippi	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	34,192	[illegible]	[illegible]
North Carolina	1900	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	1890	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Oklahoma	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
South Carolina	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Tennessee	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Texas	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Increase		[illegible]	[illegible]	479,091	[illegible]	[illegible]	[illegible]
Increase, per cent		[illegible]	[illegible]	46.2	[illegible]	[illegible]	[illegible]
Difference, per cent		8.2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

TABLE No. 1.—*Cotton productions.*

State.	1900.		1890.		1880.		1870.		1860.		1850.	
	Bales.	Per cent.	Bales.	Per cent.	Bales.	Per cent.	Bales.	Per cent.	Bales.	Per cent.	Bales.	Per cent.
Total	9,534,707	100.0	7,372,511	100.0	5,755,520	100.0	[illegible]	[illegible]	5,387,080	100.0	[illegible]	[illegible]
Texas	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Mississippi	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Georgia	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Arkansas	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Louisiana	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
South Carolina	[illegible]	9.2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	6.8	[illegible]	[illegible]
Alabama	[illegible]	7.4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	6.3	[illegible]	[illegible]
North Carolina	[illegible]	7.4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	16.5	[illegible]	[illegible]
Tennessee	[illegible]	4.8	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2.7	[illegible]	[illegible]
Florida	[illegible]	3.4	[illegible]	2.5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	5.5	199,582	[illegible]
Other States	[illegible]	[illegible]	[illegible]	1.6	113,377	2	[illegible]	1.4	130,735	2.2	40,550	[illegible]

a Census stat[illegible]

TABLE No. 2.—*Number and percentage of increase of whites and negroes in the nine cotton States.*

State.	1900.		1890.		1880.		1870.		1860.
	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.	Per cent.	Number.
WHITES.									
Alabama	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	0.9	526,271
Arkansas	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	11.7	[illegible]
Georgia	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	8.0	[illegible]
Louisiana	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	282,165	1.3	[illegible]
Mississippi	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	8.2	[illegible]
North Carolina	[illegible]	10.7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	7.7	[illegible]
South Carolina	[illegible]	25.7	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Tennessee	[illegible]	15.2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	13.2	[illegible]
Texas	[illegible]	40.0	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	31.2	421,521
NEGROES.									
Alabama	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	8.6	437,770
Arkansas	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	9.8	111,259
Georgia	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	17.1	[illegible]
Louisiana	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2.9	[illegible]
Mississippi	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1.6	437,404
North Carolina	[illegible]	11.8	[illegible]	5.6	[illegible]	[illegible]	[illegible]	8.3	361,522
South Carolina	[illegible]	13.6	[illegible]	14.0	[illegible]	[illegible]	[illegible]	.8	412,030
Tennessee	[illegible]	11.1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	12.9	275,719
Texas	[illegible]	27.2	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	4.6	182,921

TABLE No. 3.—*Nine cotton States shown in Table No. 1.*

Year.	Population.				Cotton crop a.	
	Whites.	Per cent increase.	Negroes.	Per cent increase.	Bales.	Per cent increase.
1850	[illegible]	[illegible]	2,861,092	[illegible]	2,469,090	[illegible]
1860	4,232,174	27.1	[illegible]	28.6	[illegible]	11.82
1865 b	4,318,860	c 2	[illegible]	12.1	589,000	[illegible]
1870	4,708,962	9.0	3,852,139	25.3	[illegible]	44.1
1880	[illegible]	39.3	4,641,992	20.4	5,755,520	[illegible]
1890	8,334,035	30.9	5,916,954	15.5	[illegible]	[illegible]
1900	10,286,103	23.4	6,295,165	18.4	9,534,707	27.6

a Census statistics covering the growth of the preceding year.

b The statistics for 1865 are estimated. The census of negro population in 1870 is disregarded as incorrect, and an estimate based upon the average annual increase from 1860 to 1880 employed instead.

c Decrease.

And then, on motion of Mr. MCCLEARY of Minnesota, the committee rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12833, the District appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2596. An act granting a pension to Frances S. Hopkins; and

S. 2809. An act granting an increase of pension to Jesse G. Finley.

J. HUDSON KIBBE.

The SPEAKER laid before the House the following:

IN THE SENATE OF THE UNITED STATES, *February 29, 1904.*

Resolved, That the action of the President pro tempore in signing the bill (S. 2[illegible]) "granting an increase of pension to J. Hudson Kibbe" be rescinded, and that the bill be returned to the House of Representatives, with the request that similar action be taken by the House with respect to the signature of the Speaker, and that the passage of the bill be reconsidered, and that it be postponed indefinitely, the beneficiary of the same being dead.

The SPEAKER. If there be no objection, the Speaker will consider himself authorized to cancel his signature to the bill.

There was no objection.

ADJOURNMENT.

And then, on motion of Mr. MCCLEARY of Minnesota (at 4 o'clock and 15 minutes p. m.), the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War transmitting an estimate of appropriation for payment for property damaged by gun firing—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of War, transmitting petition of the Tobacco Workers' Guild of the Philippines respecting the tariff on tobacco and cigars—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Postmaster-General, transmitting reports relating to the use of canceling machines in the post-offices—to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. GROSVENOR, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 261) to establish a port of delivery at Salt Lake City, Utah, reported the same without amendment, accompanied by a report (No. 1244); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House H. R. 8130, reported in lieu thereof a bill (H. R. 13212) for the establishment of Dayton, Ohio, as a port of delivery, accompanied by a report (No. 1245); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 11402) granting an increase of pension to Agnes B. Hesler—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 10916) for the relief of Morris F. Cawley—Committee on Claims discharged, and referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. MCGUIRE: A bill (H. R. 13202) to authorize the Lawton, Wichita and Gulf Railway Company to construct and maintain a bridge across Red River on the boundary line between the State of Texas and the Territory of Oklahoma, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: A bill (H. R. 13203) to amend an act entitled "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district"—to the Committee on the Merchant Marine and Fisheries.

By Mr. FOSS: A bill (H. R. 13204) for the erection of a public building in the city of Waukegan, Ill.—to the Committee on Public Buildings and Grounds.

By Mr. WILLIAMS of Mississippi: A bill (H. R. 13205) for the relief of sufferers by fire at Baltimore by rebate of duties on building material and suspension of certain internal-revenue taxes—to the Committee on Ways and Means.

By Mr. RODEY: A bill (H. R. 13206) to amend an act entitled "An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands," approved June 21, 1902—to the Committee on the Public Lands.

By Mr. GIBSON: A bill (H. R. 13207) to increase certain pensions in proportion to length of service—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 13208) providing for the erection of a public building at Greenville, Ohio—to the Committee on Public Buildings and Grounds.

By Mr. COOPER of Wisconsin: A bill (H. R. 13209) to amend the act approved July 7, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes—to the Committee on Insular Affairs.

By Mr. SOUTHARD: A bill (H. R. 13210) to amend the third subdivision of section 3244 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. ROBINSON of Arkansas: A bill (H. R. 13211) conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Arkansas—to the Committee on the Judiciary.

By Mr. GROSVENOR, from the Committee on Ways and Means: A bill (H. R. 13212) for the establishment of Dayton, Ohio, as a port of delivery—to the Union Calendar.

By Mr. VAN DUZER: A bill (H. R. 13213) to establish a fish-hatching and fish station in the State of Nevada—to the Committee on Merchant Marine and Fisheries.

By Mr. HILL of Mississippi: A bill (H. R. 13214) to authorize a survey of the Yalobusha River, Mississippi, with the view to making same navigable—to the Committee on Rivers and Harbors.

By Mr. LITTLEFIELD: A bill (H. R. 13215) to authorize the judges of the circuit and district courts of the United States to appoint stenographic reporters, fix the duties and compensation thereof, and for other purposes—to the Committee on the Judiciary.

By Mr. ALEXANDER: A bill (H. R. 13216) to establish range lights in Niagara River—to the Committee on Interstate and Foreign Commerce.

By Mr. HUMPHREY of Washington: A joint resolution (H. J. Res. 120) for the printing and binding, under the direction of the Joint Committee on Printing, of 7,500 copies of a portion of the Bulletin of the United States Fish Commission for 1903—to the Committee on Printing.

By Mr. BELL of California: A joint resolution (H. J. Res. 121) fixing the head of navigation on the Mokelumne River in the State of California—to the Committee on Interstate and Foreign Commerce.

By Mr. BUTLER of Pennsylvania: A resolution (H. Res. 232) looking toward making the Post-Office Department self-sustaining—to the Committee on Rules.

By Mr. PEARRE: A resolution (H. Res. 233) referring H. R. 7803, for the relief of Andrew Jackson Moudy, to the Court of Claims under the Tucker Act—to the Committee on War Claims.

Also, a resolution (H. Res. 234) referring H. R. 11557, for the relief of Elizabeth Cramer, to the Court of Claims—to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ACHESON: A bill (H. R. 13217) granting a pension to Emma Pare—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 13218) for relief of Adolph Weinhold—to the Committee on the District of Columbia.

By Mr. ALEXANDER: A bill (H. R. 13219) for the relief of Warren A. Woodson—to the Committee on Military Affairs.

By Mr. BARTHOLDT: A bill (H. R. 13220) for the relief of Sidney J. Wetherell, assignee of A. V. Davis—to the Committee on War Claims.

Also, a bill (H. R. 13221) for the relief of Edward Cahalan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13222) for the relief of William S. McKnight and the heirs of James W. Richardson, deceased—to the Committee on Claims.

Also, a bill (H. R. 13223) granting a pension to Maria Horne—to the Committee on Invalid Pensions.

By Mr. BENTON: A bill (H. R. 13224) granting an increase of pension to Thomas R. Buxton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13225) granting an increase of pension to Nathan T. Moore—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 13226) to remove the charge of desertion from the military record of William Shaffer and to grant him an honorable discharge—to the Committee on Military Affairs.

Also, a bill (H. R. 13227) to remove the charge of desertion from the military record of George W. Barnes and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. BUCKMAN: A bill (H. R. 13228) granting a pension to Caroline Kennedy—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 13229) granting an increase of pension to Charles Otis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13230) granting a pension to Amos T. Richardson—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 13231) to restore the name of John Sharrocks to the pension roll, and granting him a pension—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13232) for the relief of Frederick H. Bell—to the Committee on Claims.

By Mr. CAMPBELL: A bill (H. R. 13233) for the relief of John V. Mason—to the Committee on War Claims.

By Mr. DEEMER: A bill (H. R. 13234) granting an increase of pension to Mary Hall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13235) granting an increase of pension to Charles W. Conser—to the Committee on Invalid Pensions.

By Mr. DRAPER: A bill (H. R. 13236) granting an increase of pension to George H. Otis—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 13237) to remove the charge of desertion against Michael Madigan Dillon and to grant him an honorable discharge—to the Committee on Military Affairs.

By Mr. FOSS: A bill (H. R. 13238) for the relief of Charles Sommer—to the Committee on Invalid Pensions.

By Mr. FOWLER: A bill (H. R. 13239) granting a pension to Ellen Agnes Donnelly—to the Committee on Pensions.

Also, a bill (H. R. 13240) granting an increase of pension to Josephine B. Wood—to the Committee on Invalid Pensions.

By Mr. GARBER: A bill (H. R. 13241) granting an increase of pension to David Deardourff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13242) granting an increase of pension to Jacob O. Stont—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13243) granting an increase of pension to William F. Howard—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: A bill (H. R. 13244) granting an increase of pension to George W. B. Wert—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13245) granting an increase of pension to Edward J. Disbrow—to the Committee on Invalid Pensions.

By Mr. HOWELL of Utah: A bill (H. R. 13246) to reimburse Robert Murdock for extra clerk hire paid by him as postmaster of Logan City, Utah—to the Committee on Claims.

By Mr. HUGHES of West Virginia: A bill (H. R. 13247) granting a pension to Daniel Perdew—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13248) granting a pension to W. B. Cook—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13249) granting a pension to P. S. Cook—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 13250) for the benefit of William H. Calvert—to the Committee on War Claims.

By Mr. KEHOE: A bill (H. R. 13251) granting an increase of pension to Maj. M. Virgin—to the Committee on Invalid Pensions.

By Mr. MAHON: A bill (H. R. 13252) for the relief of Henry Brandt—to the Committee on War Claims.

By Mr. MAYNARD: A bill (H. R. 13253) granting a pension to Lars A. Rustad—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13254) for the relief of Alexander Perry—to the Committee on Naval Affairs.

By Mr. MEYER of Louisiana: A bill (H. R. 13255) for the relief of the estates of Phillip McGuire, deceased, and Catherine McGuire, deceased, late of Orleans Parish, La.—to the Committee on War Claims.

By Mr. MIERS of Indiana: A bill (H. R. 13256) granting a pension to Luzzetta Bailey—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 13257) granting an increase of pension to Thomas R. Elliott—to the Committee on Invalid Pensions.

By Mr. McGUIRE: A bill (H. R. 13258) granting a reward to George A. Foster—to the Committee on Claims.

By Mr. PAGE: A bill (H. R. 13259) granting an increase of pension to Albert H. Hunter—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 13260) granting an increase of pension to William Starks—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13261) for the relief of the heirs of Henry N. Harris, deceased, late of Montgomery County, Md.—to the Committee on War Claims.

Also (by request), a bill (H. R. 13262) to confirm the title to lots 2, 3, 4, and 5, in square No. 979, in Washington, in the District of Columbia—to the Committee on the District of Columbia.

By Mr. PUJO: A bill (H. R. 13263) granting a pension to Caroline E. Pratt—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 13264) granting an increase of pension to John Travis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13265) granting an increase of pension to Frederick W. Wagner—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 13266) for the relief of the estate of Robert N. Blake, deceased, late of Stafford County, Va.—to the Committee on War Claims.

By Mr. ROBINSON of Arkansas: A bill (H. R. 13267) for the relief of the heirs of Levander Jenkins, deceased—to the Committee on War Claims.

By Mr. RYAN: A bill (H. R. 13268) granting a pension to William Young—to the Committee on Invalid Pensions.

By Mr. SCARBOROUGH: A bill (H. R. 13269) granting a pension to Mrs. Amos Carpenter—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13270) granting a pension to Joseph Ostheldber—to the Committee on Invalid Pensions.

By Mr. SHERLEY: A bill (H. R. 13271) granting a pension to Lottie B. Gardner—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 13272) granting a pension to Delana A. Lynch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13273) granting a pension to Mary C. Quinn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13274) granting a pension to William J. Manley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13275) granting a pension to George W. Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13276) granting a pension to James R. Parker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13277) granting a pension to William C. Mullins—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13278) for the relief of the estate of Thomas Morton, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13279) for the relief of the legal representatives of O. F. Hendricks, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13280) for the relief of the legal representatives of O. F. Hendricks, deceased—to the Committee on War Claims.

By Mr. SMITH of Kentucky: A bill (H. R. 13281) granting a pension to John Whitlow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13282) granting an increase of pension to Robert W. Craddock—to the Committee on Invalid Pensions.

By Mr. SPERRY: A bill (H. R. 13283) granting an increase of pension to William York—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13284) granting an increase of pension to Daniel W. Graham—to the Committee on Invalid Pensions.

By Mr. TALBOTT: A bill (H. R. 13285) granting an increase of pension to Samuel F. Baublitz—to the Committee on Invalid Pensions.

By Mr. TAWNEY: A bill (H. R. 13286) granting an increase of pension to Thomas B. Doig—to the Committee on Invalid Pensions.

By Mr. VAN DUZER: A bill (H. R. 13287) for the relief of B. Kinney—to the Committee on Claims.

Also, a bill (H. R. 13288) for the relief of Chris Deiss—to the Committee on Claims.

By Mr. WANGER: A bill (H. R. 13289) to correct the military record of Eli McCalf—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BAKER: Petition of J. W. Johnson and 70 other voters of Casey, Ill., and Mrs. M. J. Wild and 300 other residents of Loveland, Colo., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of the Northern California Indian Association, praying for relief for the landless Indians—to the Committee on Indian Affairs.

By Mr. ACHESON: Papers to accompany bill H. R. 9677, granting increase of pension to Samuel Wise—to the Committee on Invalid Pensions.

Also, papers to accompany House bill granting a pension to Emma Pare—to the Committee on Invalid Pensions.

By Mr. ADAMS of Pennsylvania: Petition of Rev. George B. Burnwood and 20 others, of Philadelphia, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. AIKEN: Papers to accompany bills H. R. 12911 and 12912, for the relief of Kelly Johns—to the Committee on Claims.

Also, papers to accompany bill H. R. 12913, for the relief of Edwin Calhoun—to the Committee on War Claims.

Also, papers to accompany bills H. R. 12909 and 12910, for the relief of Thomas G. Williams—to the Committee on Claims.

By Mr. BABCOCK: Petitions of Alex Carnes and 40 others, of Mount Hope, Wis.; P. H. Gunnison and 23 others, of North Freedom, Wis., and A. H. Connell and 14 others, of Mount Hope, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BARTHOLDT: Petition of St. Louis Typographical Union, No. 8, in favor of the anti-injunction bill—to the Committee on the Judiciary.

Also, petitions of Frank P. Blair Post, No. 1, Grand Army of the Republic, of St. Louis, and Colonel Hassendeubel Post, No. 13, Grand Army of the Republic, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of William H. Hahn and 37 others, of St. Louis, protesting against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of citizens of Pacific, Mo., in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, petition of 23 citizens of St. Louis, in favor of bill H. R. 5071, to regulate the retirement of veterans of the civil war—to the Committee on Military Affairs.

Also, petition of Gottlieb Evermann and others, of St. Louis, against the anti-injunction bill—to the Committee on the Judiciary.

Also, protest of St. Louis manufacturers, petition of Gottlieb Evermann and others, of St. Louis, and resolutions of the Citizens' Industrial Association of St. Louis, in opposition to the eight-hour bill—to the Committee on Labor.

By Mr. BARTLETT: Resolutions of the Georgia Industrial Association, of Atlanta, Ga., protesting against the passage of the anti-injunction and the eight-hour bills—to the Committee on the Judiciary.

By Mr. BENTON: Papers to accompany bill granting an increase of pension to Thomas R. Buxton—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Nathan T. Moore—to the Committee on Invalid Pensions.

By Mr. BONYNGE: Resolution of Post No. 3, Department of Colorado and Wyoming, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BRANDEGEE: Petition of citizens of Noank, Conn., against passage of bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of New London, Conn., against passage of bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

By Mr. BRICK: Petition of Almon L. Clark and 42 others, of Star City, Ind., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKE: Petition of J. W. Leet and Joseph B. Long and 73 other voters, R. O. Young and H. D. Sprouse and 63 other voters, N. C. Nash and 17 other voters, of Carson, and F. L. Layse and 56 other voters of Sherman, all in South Dakota, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petition of citizens of Brownsville, Nebr., against the sale of liquors in Government buildings—to the Committee on Alcoholic Liquor Traffic.

Also, petition of citizens of Brownsville, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Papers to accompany bill granting a pension to Amos T. Richardson; paper to accompany bill granting an increase of pension to Charles Otis—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: Paper to accompany claim of Frederick H. Bell—to the Committee on Claims.

Also, memorial of farmers of Chester County, Pa., in support of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. CALDWELL: Resolution of Grand Army of the Republic Post No. 370, of Auburn, Department of Illinois, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Papers to accompany bill for relief of John V. Mason—to the Committee on War Claims.

By Mr. CANDLER: Petition of Hartwell B. Hilliard, praying reference of his claim to the Court of Claims—to the Committee on War Claims.

By Mr. CAPRON: Petition of Mrs. Helen Tyler and 10 others, of Warwick, R. I., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Mrs. Helen Tyler and 13 others, of Warwick, R. I., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FOSTER of Vermont: Petition of W. K. Hosta and 31 others, and Rev. E. J. Guernsey and 14 others, of Middlebury, Vt., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FULLER: Petition of J. W. Dennis and 31 others, of Rockford, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Chicago Board of Trade, in favor of bill H. R. 7871—to the Committee on the Judiciary.

Also, petition of the Personal Liberty League, in favor of the Boutell bill for reduction of tax on spirits—to the Committee on Ways and Means.

By Mr. GILLETT of Massachusetts: Petition of James McKenzie and 14 others, of Williamsett, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of L. L. Merrick Post, No. 107, of Palmer, Mass., and Henry H. Johnson Post, No. 171, of Northfield, Mass., Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Paper to accompany bill to increase pension of George W. B. Wert—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Protest of launch owners at Saugatuck, Mich., against bill H. R. 7033—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of South Haven, Mich., in support of the Brownlow bill—to the Committee on Agriculture.

By Mr. HARDWICK: Resolutions of the Georgia Industrial Association, against certain pending legislation—to the Committee on the Judiciary.

By Mr. HAUGEN: Petition of citizens of Marble Rock, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, letters of business men of Mason City, Iowa, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of A. J. Bee and 31 others, of Fredericksburg, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAY: Petition of P. E. Chelf and 14 others, of Flintville, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEDGE: Petition of S. P. Wylie and 50 other voters of Washington, Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Petitions of Rev. L. M. Beebe, pastor of Presbyterian Church, and others, of Seymour, Iowa, and of J. M. Palmer and 51 others, of Grand River, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HILDEBRANT: Papers to accompany bill H. R. 11411,

granting a pension to Mary Johnson—to the Committee on Invalid Pensions.

Also, resolution of the general assembly of Ohio, in favor of bill to increase pay of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HILL of Connecticut: Petition of Rev. William Taft and 15 others, of Goshen, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Petitions of J. A. Branson and 87 others, of Alexandria, Nebr., and Ernst Von Ferell and 22 others, of Aurora, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KLINE: Petitions of the Ebenezer Evangelical Church and the United Evangelical Church, of Reading, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LAWRENCE: Petition of L. C. Dam and 27 others, of Holyoke, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LEVER: Petition of Rev. W. B. Juthes, pastor of the Methodist Episcopal Church South, of Leesville, S. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LILLEY: Petition of S. H. Wilson and 35 others, of Wilson, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: Resolutions of Kimball Post, No. 38, Department of Maine, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of David F. Nelson and 50 other voters of West Paris, Me., and C. N. Tubbs and 45 other voters of Norway, Me., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of citizens of Five Islands, Me., relative to bill to limiting the use of boats using gas, fluid, naphtha, etc.—to the Committee on the Merchant Marine and Fisheries.

Also, petition of R. D. Leavitt and 42 others, of Turner, Me., and Rev. D. C. Abbott and 46 others, of Lisbon, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUD: Petition of B. R. Young and others, of Alpena, Mich., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Burgess S. Hulen and others, of Wolverine, Mich., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of Thomas Boughmer and 31 others, of Bay City, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of Trinity Methodist Episcopal Church, of Salem, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McCREARY of Pennsylvania: Memorial of Philadelphia Board of Trade, in favor of the construction of a custom-house at the port of Philadelphia—to the Committee on Public Buildings and Grounds.

By Mr. MAYNARD: Petition of Ernst L. Batten, of Longview, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, paper to accompany bill for the relief of Alexander Perry—to the Committee on Naval Affairs.

By Mr. MEYER of Louisiana: Papers to accompany bill for relief of estate of Philip McQuire—to the Committee on War Claims.

By Mr. MOON of Tennessee: Paper to accompany bill granting an increase of pension to Thomas R. Elliott—to the Committee on Invalid Pensions.

By Mr. MORRELL: Petition of Robert Patterson and 15 others, of Frankford, Philadelphia, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. OTJEN: Petition of the Merchants and Manufacturers' Association of Milwaukee, Wis., against bill to limit the meaning of the word "conspiracy"—to the Committee on the Judiciary.

By Mr. PEARRE: Papers to accompany bill for relief of estate of Henry N. Harris—to the Committee on War Claims.

Also, petition of Cornelius Virts, praying reference of war claim to Court of Claims—to the Committee on War Claims.

By Mr. PRINCE: Petition of residents of Astoria, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PUJO: Papers to accompany bill granting a pension to Caroline E. Pratt—to the Committee on Invalid Pensions.

By Mr. REEDER: Petition of citizens of the Sixth Congressional district of Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. A. Sweet and 33 others, and the Methodist Episcopal Church, Women's Christian Temperance Union and three societies, of Cawker, Kans., and A. E. Driskell and 66 others, of Natoma, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIDER: Resolution of the Albany board of supervisors, favoring passage of the Brownlow bill—to the Committee on Agriculture.

By Mr. RIXEY: Petition of heirs of Robert Embrey, deceased, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, papers to accompany bill for relief of Robert N. Blake—to the Committee on War Claims.

By Mr. RYAN: Resolutions of the National German-American Alliance, in opposition to the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SIMS: Petition of Dr. C. F. Love and 76 others, of McLemoresville, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SLAYDEN: Petition of T. F. Lay and 53 others, of Lometa, Tex., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SNOOK: Petition of Mathew Campbell and others, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SPERRY: Petition of sundry citizens of New Haven, Conn., against the passage of an eight-hour law—to the Committee on Labor.

Also, petition of sundry citizens of New Haven, Conn., against the passage of anti-injunction bill—to the Committee on the Judiciary.

Also, petition of T. S. Dewitt and 26 others, of Branford, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SPIGHT: Petition of Robert B. Fulton and 18 other voters of Oxford, Miss., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. SULLIVAN of Massachusetts: Resolutions of the Boston Associated Board of Trade, relative to reclassification of mail matter—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Boston Associated Board of Trade, favoring an arbitration treaty between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolutions of the Boston Associated Board of Trade, in opposition to bill S. 3571—to the Committee on the Post-Office and Post-Roads.

By Mr. TAWNEY: Papers to accompany the claim of Thomas D. Doig for an increase of pension—to the Committee on Invalid Pensions.

By Mr. THAYER: Resolutions of the Boston Associated Board of Trade, relating to arbitration—to the Committee on Foreign Affairs.

Also, resolutions of the Boston Associated Board of Trade, relating to the reclassification of mail matter—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of the Boston Associated Board of Trade, protesting against the passage of bill S. 3571—to the Committee on the Post-Office and Post-Roads.

By Mr. TIRRELL: Petition of William F. Merrill and 42 others, of Malden, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Malden Prohibition Alliance, of Malden, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of F. E. Hardy and 190 others, of Camden, Me., relative to the extermination of dogfish and increase of sea-food supply—to the Committee on the Merchant Marine and Fisheries.

By Mr. WADSWORTH: Petition of the patrons of the following free rural-delivery routes, in regard to salaries and privileges of rural free-delivery carriers: Routes Nos. 17 and 18, Lyndonville, Orleans County, N. Y.; route No. 14, Medino, Orleans County, N. Y.; route No. 2, Lockport, Niagara County, N. Y.; route No. 22, Ransomville, Niagara County, N. Y., and routes Nos. 36 and 38, Middleport, Niagara County, N. Y.—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIAMS of Mississippi: Petition of J. H. Williams and 34 others, of Bolton, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WOODYARD: Petition of R. B. Hayes Post, No. 20, Department of West Virginia, Grand Army of the Republic, in favor of bills H. R. 5760 and S. 1716; resolutions of R. B. Hayes Post No. 20, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WRIGHT: Resolutions of Lieutenant Eames Post, No. 582, Grand Army of the Republic, of Pennsylvania, in favor of a service-pension law—to the Committee on Invalid Pensions.

By Mr. WYNN: Petition of officers and members of the Citizens' Association of Brookland, D. C., favoring the erection of a monument in the city of Washington to the memory of Thomas Jefferson and John Morton—to the Committee on the Library.

SENATE.

TUESDAY, *March 1, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RENTAL OF BUILDINGS.

The PRESIDENT pro tempore laid before the Senate a communication from the Postmaster-General, transmitting, in response to a resolution of December 17, 1903, a statement of the buildings rented by that Department in the District of Columbia, and also a list of post-offices of the third class in the various States and Territories; which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

JOSEPH BALDWIN AND OTHERS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Joseph Baldwin and others *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

LANDS FOR UNIVERSITY OF MONTANA.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 121) granting additional lands adjacent to its site to the University of Montana.

The amendments of the House were, in line 3, after the word "the," to insert "State of Montana for the use of the;" in line 8 to strike out all after "six" down to and including "twenty-seven," in line 9; after line 11 to insert:

SEC. 2. That the Secretary of the Interior is hereby authorized to issue a patent for the said land from the United States to the State of Montana.

Amend the title so as to read: "An act granting additional lands adjacent to the site of the University of Montana to the State of Montana for the uses of said university."

Mr. GIBSON. I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 8850) granting an increase of pension to Thomas Joyce.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6582) granting an increase of pension to Harry Haller; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. LOUDENSLAGER, Mr. PATTERSON of Pennsylvania, and Mr. RICHARDSON of Alabama managers at the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905; asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. WADSWORTH, Mr. HENRY of Connecticut, and Mr. LAMB managers at the conference on the part of the House.

The message also announced that the House had complied with the request of the Senate to rescind the action of the Speaker in signing the enrolled bill (S. 167) granting an increase of pension to J. Hudson Kibbe, had reconsidered its vote on the passage of the bill, and had postponed it indefinitely.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 2596) granting a pension to Frances S. Hopkins; and

A bill (S. 2809) granting an increase of pension to Jesse J. Finley.

PETITIONS AND MEMORIALS.

Mr. BURNHAM presented petitions of the congregation of the Universalist Church of Cheshire County, of the congregation of the First Baptist Church of Claremont, of the Woman's Christian Temperance Union of Keene, of sundry citizens of Conway and Farmington, of the congregation of the Baptist Church of Laconia, and of the Woman's Christian Temperance Union of Sandwich, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. WETMORE presented a petition of Roger Williams Grange, No. 19, Patrons of Husbandry, of East Providence, R. I., praying that an increased appropriation be made for the support of United States agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. PLATT of New York presented petitions of Local Council No. 114, United Commercial Travelers, of New York City, and of Local Council No. 165, United Commercial Travelers, of Brooklyn, N. Y., praying for the adoption of certain amendments to the present bankruptcy law; which were referred to the Committee on the Judiciary.

He also presented a memorial of the Excelsior Roller Flouring Mills, of Watertown, N. Y., and a memorial of the I. S. Remsen Manufacturing Company, of Brooklyn, N. Y., remonstrating against the adoption of any amendments to the present antitrust laws; which were referred to the Committee on the Judiciary.

He also presented petitions of Farrell Post, No. 51, of Canajoharie; of Adam Wirth Post, No. 451, of College Point; of A. J. Hooker Post, No. 415, of Morristown; of Eltinge Post, No. 212, of New Paltz; of John E. Bendix Post, No. 402, of New York City; of Bingham Post, of Naples, and of R. J. Clark Post, No. 210, of Patchogue, all of the Department of New York, Grand Army of the Republic, and of Allan C. Bakewell, of New York City, all in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Houghton, Hannibal, Livingston County, Dix, Watkins, Albany, Rose, Union Springs, Kenka Park, Waverly, Ellicottsville, Hancock, Fallsburg, Middleburg, Huntington, Elmira, Angelica, Sharon Springs, Walworth, Mexico, Amherst, Hartsville, Gainesville, Lockport, Norwood, Gorham, Naples, Brewster, and Moreau; of the congregation of the Methodist Protestant Church of Alton; of the Woman's Christian Temperance Union of Walworth; of the congregation of the Methodist Episcopal Church of Cazenovia; of the congregation of the Methodist Episcopal Church of Smithtown; of the congregation of the Methodist Episcopal Church of Valois, and of the congregation of the Presbyterian Church of Union Springs, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GAMBLE presented a petition of the National Association of State Dairy and Food Departments and of sundry manufacturers and distributers of food products in the United States, praying for the enactment of the so-called "pure-food bill;" which was referred to the Committee on Manufactures.

He also presented petitions of sundry citizens of Parkston and Dayton, in the State of South Dakota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LODGE presented a memorial of the Metal Trades Association of Worcester, Mass., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Brockton, West Brookfield, Bolton, Springfield, Sandwich, Amherst, Quincy, Roslindale, Malden, Charlestown, Auburndale, Waltham, and Lawrence, all in the State of Massachusetts, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Club of Amherst, Mass., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the New England Psychological Society, of Worcester, Mass., praying for the establishment of a psychological laboratory at Washington, D. C.; which was referred to the Committee on Education and Labor.

He also presented a petition of Charles Ward Post, No. 62, Department of Massachusetts, Grand Army of the Republic, of Newton, Mass., and a petition of Thomas N. Gardner Post, No. 207, Department of Massachusetts, Grand Army of the Republic, of Nantucket, Mass., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. PENROSE presented petitions of the congregation of the Woodland United Presbyterian Church, of Philadelphia; of sundry citizens of Philadelphia; of the Mothers' Council of Germantown and Philadelphia; of sundry citizens of Susquehanna County, and of the Woman's Christian Temperance Union of Lawrenceville, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a

Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the Conference of the United Evangelical Church of Williamsburg, of the Epworth League of Dicksonburg; of sundry citizens of Beaver Falls, Dicksonburg, Armstrong County, and Freeburn; of the Woman's Christian Temperance Union of Milton; of the congregation of the Methodist Episcopal Church of Berwick; of the congregation of the United Evangelical Church of Berwick; of the congregation of the Presbyterian Church of Berwick; of the Woman's Christian Temperance Union of Berwick; of the congregation of the Zwingle Reformed Church, of Berwick, and of the congregation of the Presbyterian Church of Williamsburg, and of Henry Wilson Post, No. 729, Department of Pennsylvania, Grand Army of the Republic, of Milton, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented a memorial of the Minnesota State Association of Builders' Exchanges, remonstrating against the passage of the so-called "anti-injunction bill," which was referred to the Committee on the Judiciary.

He also presented a memorial of the Minnesota State Association of Builders' Exchanges, remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented petitions of sundry citizens of Fillmore, Cottonwood, Minneapolis, St. Paul, and Ceresco, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented petitions of sundry citizens of Burr Oak, Detroit, Pentwater, Gaines, Shelby, Masilla, and Manistee County; of the Home Missionary Society of the Methodist Episcopal Church of Shelby; of the congregation of the Methodist Episcopal Church of Shelby; of the Woman's Christian Temperance Union of Shelby; of the congregation of the Methodist Episcopal Church of Cranston; of the Epworth League of Shelby; of the congregation of the Methodist Episcopal Church and Woman's Christian Temperance Union of Detroit; of the Woman's Christian Temperance Union of Ionia County, and of the Woman's Christian Temperance Union of Saginaw County, all in the State of Michigan, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented petitions of sundry citizens of Vandalia, Fisher, Chicago, Marion, New Bedford, Belvidere, Williams County, and Manhattan; of the congregation of the First Baptist Church of Quincy; of the congregation of the Christian Church of Sheldon, and of the congregation of the Christian Church of Fisher, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HOAR presented a petition of Joseph E. Summons Post, No. 111, Department of Massachusetts, Grand Army of the Republic, of Pembroke, Mass., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Massachusetts, praying for the enactment of legislation to make permanent to the Indian his title and allotment of land which has been given to and accepted by him in good faith; which was referred to the Committee on Indian Affairs.

He also presented petitions of sundry citizens of Middleton, Rosindale, Ludlow Center, Ludlow, Winchester, Wareham, and Brockton, all in the State of Massachusetts; of the congregation of the Christian Church of Mackinaw, Ill.; of the congregation of the Methodist Church of Stockbridge, Wis., and of the Prohibition Alliance of Jersey City, N. J., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of the congregation of the Free Baptist Church of Meredith; of the congregation of the First Baptist Church of Bradford; of the congregation of the First Baptist Church of Hillsboro County; of the congregation of the Free Baptist Church of Jackson; of the congregation of the First Congregational Church of Milford; of the congregation of the First Congregational Church of Merrimack; of the congregation of the First Baptist Church and Woman's Christian Temperance Union of Milford; of the Woman's Christian Temperance Union of Bellknap County and of Hinsdale Grange, Patrons of Husbandry, of Cheshire, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LONG presented a memorial of the Wiles Hardware Company, of Cherokee, Kans., remonstrating against the passage of the so-called "parcels-post bill," which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Winfield Circle, Department of Kansas, Grand Army of the Republic, of Winfield, Kans., and a petition of Garfield Circle, No. 22, Department of Kansas, Grand Army of the Republic, of Emporia, Kans., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the patrons of rural route No. 4, of Holton, Kans., praying for the enactment of legislation to increase the compensation of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Scandia, Wittrup, Cawker, Belpre, Newton, Natoma, and Alta Vista, all in the State of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN presented a petition of Ellsworth Circle, Department of New Jersey, Grand Army of the Republic, of Union Hill, N. J., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented the memorial of Samuel J. Kelly, of Trenton, N. J., remonstrating against the passage of the so-called "eight-hour bill" and also the anti-injunction bill; which was referred to the Committee on Education and Labor.

He also presented a petition of the congregation of the St. Marks English Lutheran Church, of Newton, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Linwood, Atlantic Highlands, Dunellen, Lumberton, Harrison, Hopewell, Pennsville, and Paterson, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BALL presented a petition of sundry citizens of Seaford, Del., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented sundry papers to accompany the bill (S. 1469) for the relief of the widow and children of Daniel McDonough, deceased; which were referred to the Committee on Claims.

Mr. MALLORY presented a petition of sundry citizens of Florahome, Fla., and a petition of sundry citizens of Interlachen, Fla., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DUBOIS presented a petition of R. B. Hayes Post, No. 2, Department of Idaho, Grand Army of the Republic, of Lewiston, Idaho, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Winchester, Idaho, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

Mr. HEYBURN presented a petition of R. B. Hayes Post, No. 2, Department of Idaho, Grand Army of the Republic, of Lewiston, Idaho, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. HANSBROUGH presented petitions of the congregations of the First Methodist Episcopal Church and the Presbyterian Church of Fargo; of the congregations of the Methodist Episcopal Church and the First Presbyterian Church of Tower City, and of sundry citizens of Fargo, all in the State of North Dakota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FRYE presented a petition of the Citizens' Trade Association of Cambridge, Mass., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the New England Postmasters' Association, praying for the passage of the so-called "stamp-certificate bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of sundry citizens of Eustis, Houlton, Fairfield, Waterville, Monroe, Wilton, Hiram, Freedom, Palmyra, and Bath, all in the State of Maine, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

THE PHILIPPINE ISLANDS AND THEIR PEOPLE.

Mr. LODGE. I present a paper on the Philippine Islands and their people by Henry Gannett, chief geographer, United States Geological Survey, and assistant director of the Philippine census. I move that the paper be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. FORAKER, from the Committee on Military Affairs, to whom was referred the bill (S. 3329) for the erection of a memorial structure at Fort Recovery, Ohio, reported it with an amendment, and submitted a report thereon.

Mr. BEVERIDGE, from the Committee on Territories, to whom was referred the bill (S. 3339) providing for the election of a Delegate to the House of Representatives from the district of Alaska, reported it with amendments, and submitted a report thereon.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 671) to increase the pensions of those who have lost both eyes or have become totally blind from causes occurring in the military or naval service of the United States, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 6758) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1905, and for other purposes, reported it with an amendment, and submitted a report thereon.

Mr. GALLINGER. In connection with the two bills reported, I wish to ask the Senator from North Dakota a question. I presume, however, it is unnecessary.

I noticed in a newspaper this morning a statement that it is proposed to place on the pension appropriation bill the bill to increase pensions of soldiers who have lost both eyes. I take it from the fact that two bills have been reported that that is not the intention of the committee.

Mr. McCUMBER. Both bills have been reported, and it is supposed that both will pass the House. We increased the general appropriation $201,000 over the amount adopted by the House to cover the pensions of the blind.

Mr. GALLINGER. But the committee did not add to the pension appropriation bill a provision increasing the pensions of soldiers who have lost the sight of both eyes?

Mr. McCUMBER. Oh, no; nothing of that kind.

Mr. GALLINGER. That is what the press said had been done, but I thought it improbable that it had been done in that shape.

The PRESIDENT pro tempore. The bills will be placed on the Calendar.

Mr. ALDRICH, from the Committee on Finance, to whom was referred the bill (H. R. 9658) to provide for the withdrawal, free of duty under bond, from the Louisiana Purchase Exposition of any articles and materials donated to incorporated institutions established for religious, philosophical, educational, scientific, or literary purposes, or to any State or municipal corporation, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1379) for repayment of duty on anthracite coal, and for other purposes, reported it with an amendment.

Mr. BURNHAM, from the Committee on Pensions, to whom was referred the bill (H. R. 8835) granting an increase of pension to Charles H. Jackson, reported it without amendment, and submitted a report thereon.

HEARING BEFORE COMMITTEE ON WOMAN SUFFRAGE.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. BACON on the 22d ultimo, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the stenographer employed to report the hearing before the Committee on Woman Suffrage on the joint resolution (S. R. 4) proposing an amendment to the Constitution of the United States, extending the right of suffrage to women, and the bill (S. 2728) to protect the right of women citizens to register and vote for Members of the House of Representatives, be paid from the contingent fund of the Senate.

REPRINT OF DOCUMENTS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom the subject was referred, to report a joint resolution authorizing the reprint of certain documents to be sold by the Superintendent of Documents. I also submit a letter accompanying it. I ask for the present consideration of the joint resolution and that the letter be read.

The joint resolution (S. R. 53) authorizing the reprinting of certain documents to be sold by the Superintendent of Documents, was read the first time by its title, and the second time at length, as follows:

Be it resolved, etc., That there shall be printed 3,000 copies of the Special Report on Diseases of the Horse and 1,500 copies of the Special Report on the Diseases of Cattle, for sale by the Superintendent of Documents under the provisions of section 61 of an act providing for the public printing, binding, and the distribution of documents approved January 12, 1895, and the Superintendent of Documents is hereby authorized to order reprinted from time to time such public documents as may be required for sale: *Provided*, That the appropriation for printing and binding shall be reimbursed for the cost of such reprints from the moneys received by the Superintendent of Documents from the sale of public documents.

The PRESIDENT pro tempore. The letter will be read.

The Secretary read as follows:

GOVERNMENT PRINTING OFFICE,
OFFICE OF SUPERINTENDENT OF DOCUMENTS,
UNION BUILDING,
Washington, D. C., February 27, 1905.

Hon. T. C. PLATT,
Chairman Committee on Printing, United States Senate.

DEAR SIR: I inclose herewith, for your consideration, a resolution authorizing the printing of 3,000 copies of the Special Report on Diseases of the Horse and 1,500 copies of the Special Report on Diseases of Cattle for sale. The resolution also provides that reprints of documents may be ordered from time to time as required for sale and that the appropriation for printing and binding shall be reimbursed out of the moneys received from the sale of documents.

There has been a constant demand, both domestic and foreign, for the report on Diseases of the Horse and Diseases of Cattle. These books are very highly regarded by the people and are desired by those who are unable to obtain them gratuitously. As there is no means of obtaining the books except by purchase from the Government, it appears to me to be a reasonable request that a sufficient number of copies should be printed to supply those who are anxious and willing to pay the cost.

There is also a great demand from the farmers of the country especially and from schools, colleges, and foreigners for many of the small bulletins issued by the Department of Agriculture which are not distributed free except to agents and special correspondents of the Department. The Department usually supplies the office with from 25 to 50 copies of each bulletin for sale, which is inadequate, as in many cases 1,000 or more could be sold. These publications are very valuable to the people; they are doing a wonderful work in assisting in the development of the country; they can not be obtained from any other source, and it would seem proper and right for Congress to give the Superintendent of Documents authority to order such documents reprinted when necessary, paying for the same with moneys received from the sale of documents.

The resolution has been submitted to and approved by the Public Printer.

Very respectfully,

L. C. FERRELL, *Superintendent.*

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NAVAL APPROPRIATION BILL.

Mr. HALE. I am directed by the Committee on Naval Affairs, to whom was referred the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, to report it with amendments and to submit a report thereon.

I wish to say—I do not desire to put it in the form of giving notice, as is the habit of Senators, but which gives no additional right—I wish to say that I shall call the bill up to-morrow morning immediately after the conclusion of the routine morning business.

Mr. TELLER. If the Senator from Maine, who has just made a report on the naval appropriation bill, will allow me, I should like to ask him a question. Will the Senator from Maine explain to me the amount of money that is carried by the bill as he has reported it and expects to have passed?

Mr. HALE. About $97,000,000. There have been very small additions made, I will say, by the Senate committee. The House bill carries ninety-six-odd million dollars. Very slight changes have been made in the House bill. The committee accepted that bill, generally speaking, and its total as reported to the Senate—the figures are given in the report—is about $97,000,000.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. PLATT of New York introduced the following bills; which were severally read twice by their titles, and, with the accompanying papers, referred to the Committee on Pensions:

A bill (S. 4673) granting an increase of pension to Rosette E. S. Grow;

A bill (S. 4674) granting an increase of pension to Isabel Ward; and

A bill (S. 4675) granting a pension to Angeline B. Whitney.

Mr. KEAN introduced a bill (S. 4676) for the relief of Franklin Patterson; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4677) for the relief of George F. Fuller; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BALL introduced a bill (S. 4678) granting an increase of pension to John W. Paris; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GAMBLE introduced a bill (S. 4679) granting an increase of pension to Samuel R. Shankland; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4680) granting an increase of pension to Samuel T. Dixon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4681) granting an increase of pen-

sion to John H. Stubbs; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4682) for the relief of Henry Bradley; which was read twice by its title, and referred to the Committee on Indian Depredations.

Mr. PENROSE introduced a bill (S. 4683) to provide for the erection of a monument to the memory of Maj. Gen. John C. Frémont; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the Library.

He also introduced a bill (S. 4684) granting an increase of pension to Ella M. Ewing; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GALLINGER introduced a bill (S. 4685) for the relief of Adolph Wennald; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4686) to provide for the better registration of deaths and births in the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. GALLINGER. I introduce a bill for reference to the Committee on the Judiciary, and I ask that the bill may be read at the desk.

The bill (S. 4687) relating to the salaries of the President and Vice-President of the United States, the Senators of the United States, Representatives and Delegates in Congress, and the members of the Cabinet was read the first time by its title, the second time at length, and referred to the Committee on the Judiciary, as follows:

Be it enacted, etc., That on and after March 4, 1905, the salaries or compensation of the heads of executive offices or members of the executive, legislative, and judicial departments of the Government of the United States shall be as follows:

The President of the United States, $75,000 per annum; the Vice-President of the United States, $15,000 per annum; the Speaker of the House of Representatives, $15,000 per annum; each member of the Cabinet, $15,000 per annum; Senators of the United States, $8,000 per annum; Representatives and Delegates in Congress, $8,000 per annum.

Mr. LODGE introduced a bill (S. 4688) for the relief of the Atlantic Works, of Boston, Mass.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4689) to amend the military record of Henry W. Dunbrack; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PLATT of New York introduced a bill (S. 4690) granting an increase of pension to Andrew Switzer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a joint resolution (S. R. 54) to permit Maj. Thomas W. Symons, Corps of Engineers, to assist the State of New York by acting as a member of an advisory board of consulting engineers in connection with the improvement and enlargement of the navigable canals of the State of New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. NELSON submitted an amendment authorizing the issuance of a patent in fee to Samuel J. Brown, a member of the Sisseton and Wahpeton tribe of Indians, for lands heretofore allotted in severalty in Roberts County, S. Dak., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to increase the salary of the assistant sealer of weights and measures of the District of Columbia from $1,200 to $1,800, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment providing that all lands of the Choctaw and Chickasaw Indians directed to be sold at public auction for cash, by the act of July 1, 1902, shall instead be sold under the direction of the Secretary of the Interior, after due advertisement, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. KEAN (for Mr. ELKINS) submitted an amendment proposing to appropriate $200,000 for the purchase of a semisubmerged torpedo boat of the divided hull, subsurface type, etc., intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Naval Affairs, and ordered to be printed.

FORT HALL INDIAN RESERVATION.

Mr. DUBOIS submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring therein), That the President be requested to return to the Senate the bill of the Senate (S. 258) relating to ceded lands on the Fort Hall Indian Reservation to correct a clerical error.

CONSIDERATION OF PENSION BILLS.

Mr. McCUMBER. I ask unanimous consent that to-morrow at 4 o'clock the Senate shall proceed to the consideration of unobjected pension bills on the Calendar.

The PRESIDENT pro tempore. The Senator from North Dakota asks unanimous consent that to-morrow at 4 o'clock the Senate shall proceed to the consideration of unobjected pension cases. Is there objection? The Chair hears none, and the order is made.

AGRICULTURAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 11825) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, and asking for a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. PROCTOR. I move that the Senate insist upon its amendments disagreed to by the House of Representatives, and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. PROCTOR, Mr. HANSBROUGH, and Mr. SIMMONS were appointed.

HARRY HALLER.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives disagreeing to the amendment of the Senate to the bill (H. R. 6582) granting an increase of pension to Harry Haller and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. McCUMBER. I move that the Senate insist upon its amendment and agree to the request of the House for a conference.

The motion was agreed to.

By unanimous consent the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON were appointed.

AUSTIN ALMY.

Mr. McCUMBER submitted the following report:

[illegible] of the two Houses on the [illegible] granting an increase of pension to Austin Almy, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the amendment of the House and agree to the same.

P. J. McCUMBER,
A. J. FOSTER,
Managers on the part of the Senate.
H. C. LOUDENSLAGER,
WILLIAM ALDEN SMITH,
Managers on the part of the House.

The report was agreed to.

TRANSPORTATION OF SUPPLIES FOR THE ARMY AND NAVY.

The PRESIDENT pro tempore. The Chair lays before the Senate Senate bill 2263.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2263) to require the employment of vessels of the United States for public purposes.

Mr. HALE. The Senator from Colorado [Mr. TELLER] is ready to proceed.

Mr. TELLER. Mr. President, on Saturday I took the floor to make some objections to the bill, when the Senate postponed the further consideration of the bill until this morning. I desire now to submit a few objections to the measure.

I stated on Saturday that this is a ship-subsidy bill of a very objectionable class, in my opinion.

In saying that it is a ship-subsidy bill, and that I am opposed to it because it is a subsidy bill, I did not mean to be understood, nor do I now mean to be understood, that it may not be in the province of the Government, in the wise province of the Government perhaps, to give some encouragement to American shipping. What I desired to say was that I was going to object to this character of encouragement. I object to it because it is a partial subsidy and because it gives an absolute monopoly to a certain class of the commerce of the United States.

If the reply to that shall be that the coastwise trade is a monopoly, I think I shall be able in a very few words to distinguish between the ordinary coastwise trade and this trade. While I would not interfere with the present coastwise trade, and while I do not desire to make any criticism of that trade, I think any Senator who will consider for a moment will distinguish the difference between the trade in all the ports of the United States we have heretofore had and the special significance of a limitation of trade between the islands known as the Philippines that bear a relation to the Government of the United States which no other section of the United States bears to the Government.

I do not know myself whether the Philippines are a part of the United States or not. Neither do I know what relation they bear

to the United States in a technical, legal, and constitutional way. But I know this involves a very serious question. The Philippine Islands, whether they are a part of the United States or whether they are not a part of the United States, bear a special relation to the Government of the United States. They are not a colony of the United States; they are not a Territory of the United States. Our peculiar relation with the Philippine Islands is at least that of a trustee, or, we might say, the Philippines occupy the position of a ward. I think perhaps if I would read an extract from the address of the Chairman of the last Republican state and convention I should be able to state what the relation of the present Administration is at least to the Philippine Islands and the people thereof.

It seems to me that is a subject to be considered when you come to consider not only the bill that is pending but the bill which follows—Senate bill 2262, which follows on the Calendar—and which is, I suppose, a companion bill to the pending measure, this bill dealing only with the Government transportation and the other bill dealing with all commerce between the islands and the different parts of the United States.

The junior Senator from Massachusetts [Mr. LODGE] was the presiding officer of the last Republican national convention. He is the chairman of the Committee on the Philippines and a prominent and influential member of this body. His deliberate utterance at the convention may be taken as the platform of the party on this subject. He said, in addressing the convention:

We [illegible] not proposed being interested in the Philippines [illegible] We propose to [illegible] the American people that we are [illegible] as well as others. We believe in trade expansion [illegible] the promotion of a commerce and legislation [illegible] extension of our trade and to open new markets [illegible]

Mr. President, I think that will be sufficient to show that at least when our relation is that of a trustee that is the relation we propose. I know everything indicates that the first sentence I read, that "we make no hypocritical pretenses of being interested in the Philippines solely on account of others," is another [illegible] true. But there is anything which would prove that, it is the present proposed legislation, for I intend to try to show in the brief time I shall occupy the floor on this point that it is inimical to the interests of the people of those islands, and that it was [illegible] or of the one which is to follow.

I do not know but that we are powerful enough and perhaps disregardful enough to the inferior state to be able to make any relations we choose between them and us with reference to commerce and [illegible], but if we do occupy the position of trustee in all our relations, we ought at least to have some regard to the interests of the ward in trust and that is the people of the Islands.

That this bill and I am speaking now of the bill before the Senate) will raise the price of transportation between all the American ports and the Philippines no one denies. Indeed, that is the main [illegible] proposition. And this proposition only applied to the Government of the United States, transportation would be a [illegible] a very serious matter; but when applied as it will be after the passage of this bill by the passage of another, it becomes an important question to consider.

As it stands with this bill, it will be only increasing the appropriation for the Army and Navy a certain sum each year. And in that way it would be a subsidy to the ships that are carrying [illegible] and navy [illegible] from the United States to the Philippine Islands, for of course these ships will bring nothing back, except it may be occasionally the dead body of a sailor or soldier.

The people who are doing the commercial business between the Philippine Islands and the United States are under the impression that it will increase the transportation prices at least 50 per cent. The late Secretary of War has declared that it would increase the expenditure, or 50 per cent.

On Saturday I called the attention of the Senator from Maine to the fact that the present Secretary of War had had a hearing [illegible] which I understood he had expressed himself as decidedly opposed to the passage of this bill and to the passage of the House bill, S. 2263. I made an effort by a letter to the Secretary of War to secure a transcript of the evidence given before him on Thursday of last week, and which I know was taken down by a stenographer. Up to the present time I have not been able to do that; but I shall make the statement here, upon authority which I do not believe can be questioned, that the present Secretary of War, not only in his report as governor-general of the Philippine Islands, but as Secretary of War, has expressed decided disapprobation of the passage of these bills.

Ordinarily, I should not pay very much attention to the expression of an executive officer upon a matter of this kind, but in this case the present Secretary of War, having for several years been the presiding officer of the Government of the United States in the Philippine Islands, is entitled to some consideration that ordinarily would not be accorded to any other officer. He says, not only as the Governor of the Philippine Islands but since, that it will be a great hardship upon the Philippine people, and will increase the price of their transportation to a considerable degree. Whether it will increase it threefold or 50 per cent I do not know. I do know, Mr. President, that it creates an absolute monopoly; that all competition is destroyed with other vessels, save those that are registered as United States vessels.

The hearing before the Senate committee is full of testimony as to the ability of the United States to furnish the necessary ships to do this work. I do not care to go into that in detail. While one shipowner declared that it was impossible to supply the required transportation, another one said that there would be abundance of it. At all events, up to the present time, according to the reports of the Government officials, with the limited commerce between the United States and the Philippine Islands, not over 3 per cent of the whole has been carried in American ships. That is sufficient to show at least that the transportation of goods will not be carried in American ships in a normal state; that is to say, in a natural condition of commerce; and we shall give to the American shipowners who will do this business some special privileges and advantages.

Top[illegible] the whole question of a ship subsidy, which I do not intend this morning to go into except to say that whenever the Government of the United States, great as it is, comparing the position it does toward those islands, shall conclude that it wants a ship subsidy, I think common fairness and common decency ought to dictate that it should not grant this subsidy at the expense simply of its wards. If we are to pay a ship subsidy to the men who carry goods from the United States ports to the Philippine Islands, it should be paid by all the people of the United States and not by the unfortunate people who occupy the position the Philippine people do.

The commerce between the United States and the Philippine Islands is and is probably limited one. It is a little difficult to say just what its advantages are to us and whether it is of any advantage. The amount of commerce between the Philippine Islands and the United States is insignificant. I have some tables here to which I propose to call the attention of the Senate briefly, and to put into the Record.

While I do not believe that at the present time, if the transportation of produce both ways shall be confined to American vessels, there are sufficient ships to do the business promptly and properly at a fair price, yet I have no doubt that in due time enough ships will be provided to carry on this commerce. The commerce, however, being limited—the commerce existing practically only one way—there can never be cheap transportation. There will be in weight probably five or six times the amount coming this way that will ever be found going the other way, and the experience of the world has been that, in order to make shipping profitable, ships must carry products both ways, or one way at least there will be a heavy price charged.

It is a little difficult to say what this transportation will be. I suppose, speaking extravagantly, the business done between the Philippine Islands and the United States will not exceed 150,000 tons. About 100,000 tons of hemp come this way, and perhaps twenty-five or thirty thousand tons of other freight go the other way. If any considerable number of ships leave New York for the Philippines, and if that number shall be sufficient to bring the hemp to us—it is a great trade, amounting to practically the entire import trade—some of the ships will necessarily go empty. Ships can not go with a full cargo, because only a few ships would be able to do that. Some of them would go entirely empty. The freight rate now from the United States to these islands is much higher than the freight rate from these islands to the United States.

I need not go into any discussion to demonstrate why this is so. The great bulk and the great amount of weight being from the Philippines, necessarily the empty ships going out will charge more than they would if they were full. At the present time any ship, no matter what flag it flies, no matter where it was built, and no matter who owns it, can enter into this trade. It is privileged to get a cargo wherever it can, to take it there, and to bring back a cargo if it can get one. It is now proposed to say not only that the Government transportation, but that private transportation shall be wholly carried on in American bottoms.

Mr. President, what is the necessity for this change in the law? Two years ago, in 1902, this present month, we passed a bill which did not apply the coastwise laws to the Philippine Islands, but provided that they should apply on the 1st of July, 1904. I am not able to say, from an examination of that statute, exactly what it means, but I suppose that is what it does mean—that after the 1st of July next the coastwise laws of the United States shall apply to the Philippine Islands. It was then thought it

would not do to apply them. Nothing has since occurred; no new condition has since arisen; and if it was unwise to apply those laws then it is unwise to apply them now.

I can not say with any certainty what is the purpose of Senate bill 2259. If it is admitted that this is the law, or will be the law on the 1st of July next, there may be some other things that ought to be provided for.

There has been much said about the value of the Philippine Islands to us in the way of trade. The great bulk of the business now done between the United States and the Philippine Islands is done by way of the Suez Canal. One of the urgent reasons given why we should have a ship canal across the Isthmus has been that we would thereby secure this great and abundant trade of the Philippine Islands to be done through that canal. If that canal across the Isthmus were finished to-morrow and a vessel was going to leave New York for the Philippine Islands, it would go by way of the Suez Canal. It would still continue to go that way; but, of course, if it were going to the northern part of Asia, it would go the other way.

It would take a sailing ship six months to go around the Cape of Good Hope to the Philippine Islands; it takes a good steamer to go there and return between sixty and one hundred and twenty days. The great bulk of the trade between the Philippine Islands and the United States is done in steamers, and will be done in steamers, by way of the Suez Canal. There are some sailing ships that bring hemp, but not a great many, because the length of time taken by the trip locks up the investment to such a degree that the hemp dealers do not desire to be out of their money and therefore they ship, as a rule, by the steamers.

I want to call the attention of the Senate to the increase in the hemp trade between the United States and the Philippine Islands. In 1901 the imports to the United States were 23,948 tons, of the value of $3,478,581; in 1902 that trade had increased to 50,361 tons, of the value in round numbers of $10,000,000; in 1903 the value of imported hemp was $11,338,587, of the weight of 64,990 tons, or practically 65,000 tons.

Our exports at that time were in the neighborhood of $4,000,000. I shall not go into any of the details in relation to that subject at this time, except to say that they amounted to about $4,000,000, made up of a variety of articles, including provisions and quite a large item of liquors and wines—not much wine, but principally malt and other liquors.

Mr. President, I want to very briefly call attention to a statement made by the Secretary of War, which has heretofore been alluded to, as to the bill now before the Senate. I also want to call attention to one or two other things, and then I am disposed, so far as I am concerned, not to interfere further with the progress of this bill except by my vote.

The Secretary of War has written this letter:

WAR DEPARTMENT,
Washington, January 14, 1905.

SIR: Referring to Senate bill 2263, Fifty-eighth Congress, second session, in response to your request for suggestions touching the merits of the bill and the propriety of its passage, I have the honor to transmit a report by the Quartermaster-General of the Army to the Secretary of War, dated December 28, 1903, a further report by the Quartermaster-General to the Secretary of War, dated January 9, 1904, in response to a request for detailed information, and a report from the same officer to the Secretary of War, dated January 13, 1904, in response to further specific requests for information.

The great bulk of freight shipped by the War Department to the Philippines goes upon the transports owned by the United States. The remainder goes chiefly in foreign bottoms, because the owners of foreign vessels uniformly underbid the owners of American vessels. Every opportunity has been given to American vessels to compete, and the standing instructions of the Department are to prefer American vessels wherever there is such substantial equality between the bids as to make it lawful to do so.

I have no doubt whatever of the wisdom of a provision which shall make it possible to do this business through the employment of American ships. I think, however, that there is great danger that the passage of this bill in its present form would involve the Government in serious difficulty and unwarranted expense. The number of American vessels available for shipment from the Atlantic coast to the Philippines is so small that a rigid requirement that shipments should be made in American vessels only would put the Government entirely at the mercy of a very few individuals, who could charge any price they wished. The only alternative to the possible payment of exorbitant prices for shipments from New York to Manila would be sending the freight by rail to the Pacific coast, and thence by ship to Manila.

Your committee will observe, by examining the Quartermaster-General's report of January 13, that the average cost of transporting all classes of freight from New York to Manila during the calendar year 1903 has been $11.91 per ton of 2,000 pounds, while the average cost of transporting all classes of freight by rail from New York to San Francisco has been $23.70 per ton of 2,000 pounds; that is to say, it now costs two and one-half times as much to get freight from New York to the Pacific coast as it now costs to get it from New York to Manila. Under these circumstances, if we were confined absolutely to American bottoms for this business we would have no way of escaping from the payment of at least three times as much as we now pay for this class of transportation.

I think the same result can be accomplished and this danger avoided by changing the form of the bill so that it will authorize a preference to American shipping, providing the charge made does not exceed the prices bid by the owners of foreign vessels more than a specific percentage.

A bill providing for such a preference in respect of shipments on the Pacific was introduced in the House in the first session of the Fifty-seventh Congress (H. R. 14410). It was favorably reported by the House Committee on Military Affairs (Report No. 2348). It had the warm approval of this Department, but was defeated on the floor of the House upon the avowed ground that it would amount to a kind of a ship subsidy. (See CONGRESSIONAL RECORD, vol 35, pt. 7, pp. 6887-6891.)

For greater convenience, I take the liberty of inclosing a copy of that bill as indicating the form of the provision which, it seems to me, would best accomplish the desired object of doing the Government business in such a way as to promote American shipping. I should be in favor of increasing the preference to, say, 25 or 30 per cent.

Very respectfully,

ELIHU ROOT, *Secretary of War.*

Hon. WILLIAM P. FRYE,
Chairman Committee on Commerce, United States Senate.

Mr. President, if what the Secretary of War states is true as to Government transportion, the Government having access to all the American bottoms, it will be true, then, when you come to the transportation of the ordinary imports from and exports to that country. Do the people of the United States want, does this Senate want, to put upon that trade a burden of that kind? If so, Mr. President, we should do it deliberately. If we want to say that every article that is brought from the Philippine Islands to the United States shall be at the mercy of American shipowners, who, if they are to do the business, may compete with each other, and naturally will fix the price of freight between the two countries, why, then, we should go into it deliberately. We shall do this, if we do it at all, in the face of the opinion of every official whose opinion is worth anything as to the merits of this subject—the opinions of the late Secretary of War, of the present Secretary of War, who was the governor of the Philippine Islands, and of the Commissioner of Navigation, who has also given this subject considerable attention.

What will be accomplished by this bill if it should become a law, Mr. President? I am assuming that nobody will dispute but that the price of freight will be raised and materially raised, because, unless it shall be, this legislation can not help the American shipowner. So, as I say, the rate must be raised.

If a condition exists now in which the shipowners of the United States carry only 3 per cent of the trade, there must be a very radical change which will enable them to carry it all. There are undoubtedly many more than enough ships flying the American flag and entitled to be called ships of the United States to carry this freight, but it will not be carried unless it is done at a paying price.

There has been very little or practically nothing said in this debate as to Senate bill 2259, relating to trade between the United States and the Philippine Islands; and I am somewhat at a loss to know what the purpose of that bill is. But I suppose it will be passed; and then, when it is passed, I assume there will be no controversy, but that all goods carried from the ports of the United States to the Philippine Islands must be carried in American bottoms and at such price as the American shipowners who are willing to do that business shall demand. That it will be a higher price, as I have said before, nobody will deny, because the fact that it will be for their benefit indicates that it will be at a higher price.

We are told that this subsidy—for that is what it is, a monopoly—that this subsidy is in the interest of American shipowners and to encourage the running of American ships. A suggestion was made a day or two ago on the other side of the Chamber that we adopt what was known as President McKinley's proposition for the relief of American shipping. That does not seem to meet with the favor of the party at present in power, but a direct subsidy is to be made.

The testimony taken before the Senate committee on Senate bill 2259 is, I think, very instructive. I am not going into the details of that testimony, but I learn from it that there is a large amount of American shipping now tied up for want of business. Several shipowners so declared before the committee. A statement was made that, in view of what they supposed to be the policy of the party in power—namely, the granting of subsidies to ships—a large number of ships were built, and when they were built there was not any business for them and they were tied up.

It is said now that in justice to these shipowners we ought to say to the other shipowners of the world, "You must keep out of the trade between the United States and the Philippine Islands, and these ships, whose owners were misled by the proposed subsidy scheme, must have an opportunity to gather business, and it must be done in the way of a monopoly."

Mr. President, that set me to thinking somewhat about the ship business. We have been trying for very many years to increase American shipping. We have been told over and over again of the large amount of money we pay every year for foreign ships. I was told the other day by a member of this body that we were paying out $200,000,000 a year to foreign ships to carry freight from the United States to other countries and bring back the things that we buy in other countries, while our own ships were carrying less than 8 per cent of the immense trade involved in our export and import business.

It does not seem to me that what we need just now is more

ships. If we have got ships, steamers, and sailing vessels tied up, looking for trade which they can not find, we do not need more ships. We need more freight. That is what we need. If, instead of turning our attention to building more ships, ships that we find we can not run in the present condition of the world's affairs unless we give to our own shipping some special privileges that we deny to others, it seems to me we had better turn our attention to getting more freight. That may be as difficult a thing to do as it is to induce American shipowners to run ships and carry freight in competition with the rest of the world.

I want to call attention for just a moment to the decrease in shipping. In his last report—October 17, 1903—the Commissioner of Navigation tells us that:

American sail vessels registered for foreign trade and the whale fisheries have decreased from 1,094, of 638,709 gross tons, in 1893, to 818, of 361,356 gross tons, in 1903.

I read from page 46 of the Commissioner's last report—

The decline has been uninterrupted and, as was pointed out in last year's report, British and German square-rigged tonnage is also declining rapidly.

Here is a thing to which I desire to call special attention:

All competent nautical authorities agree that training on a square-rigged ship is necessary for the officer of a steamer. Such training is obligatory in our navy. The great German steamship companies within the past few years [illegible] to training schools for their officers [illegible] Congress or private [illegible] for examination for lack of competent officers for American steamships may soon prove a serious handicap to any development of American shipping [illegible]

In the meantime the operation of the coastwise navigation laws [illegible] against sail vessels in the coasting trade [illegible] tonnage. The [illegible] are imposed by State laws from Virginia [illegible] Statutes in the same [illegible] tionality of the Virginia law has been called into question before the State courts.

That, however, is not a matter of much consequence. It is pending in the Supreme Court of the United States.

The trouble with the American shipping is simply this: We can build ships as cheaply as anybody in the world, I think, and just as good. If we can not and we desire to increase the amount of our tonnage, it seems to me the wisest thing we could do would be to say to the American man of means: "If you want a ship and can not build it in the United States cheap enough to compete with the rest of the world, go and buy it wherever you can find it, and when you bring it here and put it under American registry we will let you run it just as if you built it in this country."

The testimony of shipping men before the committee at this session shows that there are ships that can not now find freight. So the question comes to us, Are we to help out those shipowners by giving them a monopoly of the trade? Are we to apply a rule to them that we do not apply to any other business in the country?

Mr. MALLORY. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from Florida?

Mr. TELLER. Yes.

Mr. MALLORY. Does the testimony show why our ships can not procure freights?

Mr. TELLER. Yes.

Mr. MALLORY. What is the reason assigned?

Mr. TELLER. They say it is because of the high rate of wages on our ships.

Mr. MALLORY. In my judgment, the fact that the wages of the masters, the mates, engineers, assistant engineers, and even the seamen on board ship are so much greater on American ships, probably to the extent of nearly 30 per cent, is the principal reason why American ships can not compete with foreign ships in carrying freights.

Mr. TELLER. The testimony all shows that you can not run American ships as cheaply as you can run foreign ships. The reason given by most people, not only in this case, but in various other hearings which have been had here, is that we pay too high a price. I have something here which perhaps might be worth the attention of the Senate for a moment as showing why the American shipowner can not operate his ship as cheaply as a foreigner. However, I do not put my hand on it and I will not stop, for I do not care to go into it now, except to say that it is the consensus of opinion that you can not run an American ship as cheaply as the foreigner operates his. That is the complaint.

That brings us to the question not whether we are going to encourage shipbuilding, but how we are going to secure profitable employment for American ships. I think that is a question of importance to us. If we are to build a great navy, if we are to spend, as we appear now to be spending, practically a hundred million dollars a year for the Navy, building ships every year, increasing our Navy, we must have sailors, and heretofore we have supposed it was necessary to train on the merchant ships of the country sailors for the battle ships. Whether that will always be necessary may depend upon what policy the Government adopts with reference to the education of sailors and officers for its war ships and war vessels.

I am quite sure, Mr. President, that any attempt to give to these ships a monopoly will not increase the number of ships, nor do I believe it will bring to the shipowners a profit such as they expect, for the result will be, in my opinion, that when they raise the price of freight between New York, Boston, Philadelphia, and other cities on the Atlantic coast and the Philippine Islands to such an extent as they will, the freight that now comes here, the sixty-four or sixty-five thousand tons of hemp that come to us, will go to Europe instead of coming here. It will also raise the price of freight from the United States to the Philippine Islands, and thus put the manufacturers and producers of articles in this country which heretofore have been going to those islands at a disadvantage as compared with the producers of similar articles in other sections of the world.

I think this bill ought to be changed in its title and it ought to read "A bill to attempt to destroy the commerce between the United States and the Philippine Islands." It is neither just to us as a nation nor is it just to the Philippine Islands. Take the hemp trade, with all its advantages, as respects the United States, which I admit now it has in the fact that it pays no export duty when coming to the United States, while it does when going to England. The difference in freight will seem be so great as to send it, notwithstanding that advantage, to the European markets, and we will be compelled to do what we have been doing until very recently—buy our hemp for American manufactures in Europe and not in the Philippine Islands.

The bill is neither in the interest of commerce nor in the interest of the people of the United States generally nor in the interest of the people of the Philippine Islands. The trade is so limited between the United States and those islands that it will not afford any considerable relief to American shipowners, but it will enable a combination of some of them to be made which will raise the price to such an extent that in my judgment it will discourage importations from those islands and exportations to those islands.

Mr. President, I hope somebody who is in favor of this subsidy will have the graciousness to tell us why we should especially go into a subsidy in this particular way. I believe that so far we have had only a general statement. I should like to have somebody particularize and tell us what benefit, what advantage, it will be; whether it is simply to be based on the hope that it will give to the shipowner a compensatory freight, or whether it is to encourage the further building of ships, or whether it is to be an advantage given only to those ships, which is to be denied to all ships that do not ply between the particular Philippine Islands ports and the United States. I should like also, if the act of March 8, 1902, is in effect, to know what particular benefit or advantage we are to have from the passage of Senate bill 2259.

Mr. President, I have made a table or two, with some remarks that are simply explanatory, which I desire to add by way of an appendix to what I have said.

The PRESIDING OFFICER. The Chair hears no objection to the insertion of the tables in the RECORD.

The matter referred to is as follows:

APPENDIX.

The voyage from the Philippines to New York or Boston via the Suez Canal is about two months by steam vessel. (P. 90, hearing before the Senate committee.)

By sail via Cape of Good Hope from four to six months.

Our trade with the Philippines is limited to about $18,000,000, and the weight is supposed to be about 80,000 tons. (P. 46, hearing before the committee.)

We imported from the Philippines during the fiscal year 1903 496,000 bales of hemp of the weight of about 63,000 tons. (P. 46.)

The value of the hemp imported into the United States from the Philippines for 1903 was $12,314,312; sugar, $1,395,826; tobacco, copra, and other articles to the amount of $212,921, making a total of $13,866,059, and our exports were less than $4,000,000. (Pp. 22 and 28.)

Our exports were mainly from the Pacific ports, consisting of flour, canned goods, clothing, hardware, etc. (P. 22, hearing before the committee.)

The exports of hemp from the Philippines has increased from $11,398,943 in 1903 to $21,701,575, of which we got $11,338,587. (P. 23.)

The hemp of the Philippines is the outer bark of a species of palm.

The 1,000,000 bales of hemp will make a tonnage of 126,000 tons, of which practically one-half, or 63,000 tons, comes to the United States. A bale weighs 275 pounds.

American shipping appears to be in a bad condition, and it is quite apparent what we need is not more ships, but more freight. Mr. Clyde said: "The past year has been a year of extreme depression in the shipping business." (See pp. 52, 68, and 77, hearing before the committee.)

The ship-subsidy bill that did not become a law appears to have stimulated the building of ships. It appears from the evidence of Mr. Clyde and others that a number of ships were built while that proposition was being considered, with the expectation not of making money by carrying passengers or freight, but by securing the subsidy proposed. (See p. 52; also statement of Mr. Jones on p. 68, hearing before the Senate committee.)

These references are to the hearings before the Senate committee of this session.

Exports from the United States to the Philippines.

Year.	Total.	Carried in American vessels.
1901	$4,[illegible]	$[illegible]
1902	4,[illegible]	[illegible]
1903	4,[illegible]	1,[illegible]

Imports from Philippines.

1902	$10,211,303	$135,190
1903	11,338,587	[illegible]

Character of exports to the Philippines.

1902.	
Spirits, wine, and malt liquor	$641,784
Iron and manufactures of steel	218,780
Provisions, meat, and dairy products	117,[illegible]
Vegetables	[illegible]
Wool and manufactures of wool	15,[illegible]
Hay (6,650 [illegible]	156,[illegible]
Coal (37,004 tons)	92,[illegible]
1903.	
Spirits, wine, and malt liquors	[illegible]
Iron and manufactures of steel	781,698
Provisions, meat, and dairy products	294,574
Vegetables	[illegible]
Wool and manufactures of wool	14,377
Hay (3,[illegible])	235,389
Coal (46,[illegible])	296,107

Character of imports to the United States.

1902.	
Unmanufactured fibers—hemp (50,361 tons)	$10,003,954
Manufactures of fibers	5,140
Sugar (4,[illegible])	73,277
1903.	
Hemp unmanufactured (64,990 tons)	11,338,587
Sugar (9,[illegible])	932,112
Tobacco	42,162
Copra	[illegible]
All other	157,586

In 1901 the imports into the United States from the Philippines were $4,527,071.

In 1902 they were $10,211,303, an increase of $6,474,232, or very nearly double that of the year before.

This increase is made principally of the import of hemp.

In 1901 the imports of hemp were 23,948 tons, of the value of $3,478,581, and in 1902 50,361 tons, of the value of $10,003,954, and in 1903 the value of the imported hemp was $11,338,587, or 64,990 tons.

The PRESIDING OFFICER. The bill is in the Senate as in Committee of the Whole, and open to amendment.

Mr. DANIEL. Mr. President, I believe there is an amendment now pending to the bill; one offered by myself. I should like to have the amendment read.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to insert at the end of section 1 the following:

And provided further, That this section shall not apply to any particular contract for the transportation of troops or stores therein described, where, after due public advertisement, schedule for the transportation of the articles specified therein, in a vessel of the United States, shall have been received at reasonable rates.

Mr. DANIEL. Mr. President, this amendment contains precisely the principle of the amendment which on Saturday afternoon last was suggested by the Senator from Maine [Mr. HALE] to meet the views which were then being expressed by the Senator from Georgia [Mr. BACON], and it is drawn nearly in the language of the recommendation of the late Secretary of War, Mr. Root. I do not see the Senator from Maine in his seat at this moment, and I should prefer that he be in the Chamber before it is acted upon.

Mr. President, it does not appear from our present reports as to the merchant marine of the United States that it is in quite so desperate a condition as might be inferred from some remarks that have been made concerning this bill. The latest intelligence that I have derived on this subject is in a letter in the New York Herald which was published on Sunday last, and the views expressed in that letter are not without interest in reference to this bill. In that letter it is stated:

American merchant marine shows up somewhat better in a report just published by the Department of Commerce and Labor than would be expected from the arguments of ship-subsidy advocates. Great Britain main tains the lead in numbers and tonnage of both steam and sailing vessels, but the United States ranks second in tonnage of sailing ships and third in tonnage of steamers.

This is an important fact, Mr. President, which it seems to me ought to be noted while we are formulating measures on this subject.

The report—

That is, the report from the Department of Commerce and Labor to which the letter writer refers—

says: "How long Great Britain is to maintain her present position is to depend very largely upon the still further development of the foreign trade of the United States. If the average annual increase recorded in recent years is kept up the United States will soon be [illegible] a very large part of the world's total exports and imports. When that time comes the United States will [illegible] have much more than at present rates. If it is to develop as it should, it will have to have its own ships."

Following that statement there are given the figures of the merchant marine of the principal governments for 1903, and I should like to insert this extract, as it is an interesting item on this subject.

The figures of the merchant marine of the principal governments for 1903 are given as follows:

Country.	Sailing vessels, 50 tons and more.		Steamers, 100 tons and more.	
	Number.	Tonnage.	Number.	Gross tonnage.
Great Britain	6,839	2,[illegible]	5,929	13,666,972
United States	3,751	1,[illegible]	846	1,610,466
Norway	1,740	767,[illegible]	44	925,683
Russia	3,036	545,[illegible]	503	793,742
France	1,440	[illegible]	566	1,109,575
Germany	914	[illegible]	1,195	2,[illegible]
[illegible]	1,554	[illegible]	600	714,87[illegible]
Sweden	1,515	[illegible]	594	473,051
Turkey	867	[illegible]	93	98,690
Japan	1,521	174,[illegible]	378	559,938
Greece	911	173,[illegible]	180	321,559
Denmark	766	[illegible]	341	477,[illegible]
Holland	704	[illegible]	394	688,156
Spain	570	94,284	403	712,[illegible]
Brazil	354	76,355	1[illegible]	123,397
Portugal	278	60,739	26	45,653
Chile	111	51,886	58	62,42[illegible]
Argentina	103	40,540	46	73,120
Austria	120	29,118	224	540,554
Peru	56	24,920	3	4,784
Cuba	117	11,794	39	39,439
Nicaragua	17	9,691	2	781
Mexico	50	9,165	27	17,300

The other countries are as follows: [illegible] Siam, Venezuela, Egypt, [illegible] Dominican, Liberia, [illegible] Honduras, Persia, Uruguay, Corea, Zanzibar, Morocco, and Servia.

I would also advert to the fact, Mr. President, that the number of Americans who are engaging in sea life shows a constant progression. This is an indication that we have reached a period in our civilization when our younger men and those who are without employment are more and more likely to take to the sea.

On page 28 of the annual report of the Commissioner of Navigation to the Secretary of Commerce and Labor, which is contained in House Document No. 14 of the present session of Congress, we are furnished with a table showing the nationality of the men who are shipped on American vessels. This table, which I also desire to have inserted in my remarks, shows that since 1894 the Americans who are thus engaged have grown in number from 22,143 to 59,498.

Nationality of men (repeated shipments) shipped.

Nationality.	1894.	1895.	1896.	1897.	1898.
Americans	22,143	21,881	23,142	22,339	26,210
British	10,366	11,532	15,308	16,145	13,046
Germans	6,247	11,056	9,913	8,131	9,885
[illegible]	628	871	737	552	513
Scandinavians	21,936	24,182	21,626	17,601	15,520
Italians	865	1,570	1,312	1,184	948
Others	9,042	8,902	8,455	8,098	8,592
Total	71,237	76,990	79,913	73,853	72,643
Per cent Americans	31	28	29	30	36

Nationality.	1899.	1900.	1901.	1902.	1903.
Americans	23,109	32,333	34,601	49,921	59,498
British	13,897	18,480	18,930	18,909	14,483
Germans	6,768	8,449	8,624	5,641	5,[illegible]
French	569	658	622	576	620
Scandinavians	16,[illegible]	16,735	17,914	16,317	15,434
Italians	897	1,186	1,993	2,297	2,644
Others	10,254	12,507	16,374	19,893	22,797
Total	76,905	90,395	98,968	108,554	120,795
Per cent Americans	31	36	35	46	49

There are other items here and there in the story of our merchant marine which show that it is by no means a hopeless department of our national industry and commerce. On page 7 of the same report of the Commissioner of Navigation it is said:

The documented tonnage of the United States on June 30, 1902, for the first time in our history exceeded [illegible] gross tons register, comprising [illegible] of 6,685,[illegible] gross tons. These figures do not include 1,[illegible] tons, of 74,000 gross tons, which, of course, are not engaged in trade.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Virginia yield to the Senator from Maine?

Mr. DANIEL. Certainly.

Mr. HALE. I ask the Senator if he is aware that this increase in tonnage and seamen for the last few years is entirely in the coastwise trade. There has not been laid the keel of a ship to be engaged in the foreign service, outside of the coasting trade, for the last three years. The tonnage is dwindling and the number men employed is dwindling; but in the coasting trade, which we protect and from which we exclude all other people, there is a large, a constant, a gratifying increase.

Mr. DANIEL. Mr. President, no nation can increase in everything and in every distinctive feature of everything at the same time. I am aware of the facts which are stated in the report of the Commissioner of Navigation for the most part, and I have my eye at this time upon what the Commissioner states as to this increase in tonnage. He says:

The entire increase of American shipping during the decade has thus been employed in the improvement of domestic transportation facilities. * * * About one-half of our increase in tonnage—

He adds:

has been on the Great Lakes.

Then he adds this, which is not exactly in line with the observation of the Senator from Maine:

Our shipping on the Pacific has increased more rapidly than on the Atlantic in consequence of growing trade with Alaska, Hawaii, and the East. The figures for the Atlantic coast include vessels employed on the Hudson, Delaware, Susquehanna, and other large rivers of that seaboard.

Mr. HALE. That is coastwise trade.

Mr. DANIEL. Now, it is true that some of our trade with the East is coastwise trade in a certain sense. It is true also that our trade with Alaska and Hawaii is counted in the coastwise trade; but the fact appears that American shipping is advancing on these lines; that more and more men in this country are going into the business of the sea, and that the tendencies of our civilization are such that we are approaching that stage in the evolution of this branch of our commerce when we the more and more expect an advance in sea progress on all lines of maritime industry.

There is a comparison on page 9 of the report of the Commissioner of Navigation as to the number of vessels and as to the gross tonnage of vessels in the years 1902 and 1903.

Comparison of 1902 and 1903.

Geographical distribution.	1902.		1903.	
	Number.	Gross tonnage.	Number.	Gross tonnage.
Atlantic and Gulf coasts	17,040	2,978,876	17,218	3,149,711
[illegible]	42	6,180	59	7,062
[illegible]	2,492	741,825	2,535	775,859
[illegible] Islands	61	32,388	69	36,390
[illegible]	3,[illegible]	1,[illegible]	3,[illegible]	1,902,[illegible]
[illegible] rivers	1,466	222,124	1,[illegible]	215,095
Total	24,273	5,797,902	24,425	6,087,345

From this comparative table it will be seen that the year 1903 showed an aggregate gain in the number of vessels engaged in sea commerce of 152. It shows, also, that in some sections or departments of that commerce there was a loss in the number of vessels. To indicate: In 1902 there were 3,172 vessels engaged on the northern lakes, while in 1903 there were only 3,110, showing a loss of vessels on the Great Lakes of 62. But on the Atlantic and Gulf coasts there was a gain from 17,040 to 17,218 in vessels, and a gain in gross tonnage of the difference between 2,978,876 and 3,149,711.

The shifting currents of commerce, the wars that occur in the world, the acquisitions, by one country or another, of additional territory, the movements of armies and fleets will, of course, to a certain extent, and in more or less degree, show a constant fluctuation in the commerce that follows them. But the main facts to which I call attention are these: First, that more and more Americans are going into sea service; that there are three times as many shipped in the current period as were shipped ten years ago.

Mr. President, the Senator from Maine [Mr. HALE] says that the reason of the increase in the new vessels on the Pacific coast is the fact that the builders of those vessels were anticipating a subsidy from Congress. In other words, the proposition to Congress is through this bill to make good the losses in a speculative venture. It would be just as correct to declare that we ought to make good the losses of those who embarked their investments in the collapsed shipping trust of New York as to predicate legislation in Congress upon the alleged or the real anticipations of those who are calculating upon Congressional favor.

This is simply one of the accidents of life. A farmer may pitch his crops, anticipating that there is going to be a war next year and that the price of cereal products and other produce of the farm is going to be very high. Congress is under no obligation to make war next year in order to foot his losses, nor to go out of the regular course of legislation to meet those losses by giving him a benefaction. It is no part, as it seems to me, Mr. President, of the just and appropriate functions of legislation to have the Congress of the United States employed as freight agents of either railroads or of maritime lines.

Supply and demand, the wants of the world and the competitions of the world, must more or less forever enter into those concerns, and the future will be more easily read by those who are projecting their investments toward them and more correctly weighed and measured if Congress lets them take the natural course than by the interjection here and there of propositions or of laws to fix them in a particular way at preferred rates for preferred people.

I will ask the attention of the Senator from Maine now to the amendment that is pending. The debate on Saturday, while it consumed a number of hours in the Senate, was not wholly disadvantageous. It led at least to a modification of opinion on the part of the Senator from Maine, and perhaps, as was indicated, of others, respecting the propositions contained in the second section of the bill, that the President should have the power to suspend this law.

The distinction between giving the President the power to suspend the law and making the law itself operate in order to conform its application to a particular state of facts is a very broad and, it would seem to me, a very visible distinction. If Congress were to enact that the Secretary of War should buy a thousand horses for the purpose of hauling trains across the great plains, or anywhere else, but were to provide that in the event those horses could not be purchased at a reasonable price the goods and wares which were to be consigned to the wagons they were to haul should be given a different direction of freightage, there would be no authority given to anybody to suspend a law. There would be authority given to the Secretary of War to determine whether or not he could purchase certain goods at a reasonable rate. If he could not purchase them at that rate, the law would go on and take its effect, just as Congress provided, and if they could be purchased at a reasonable rate, so, also, the law would still apply.

So it is no invasion of the rights and exclusive privilege of Congress in the field of legislation to provide that an executive officer shall exercise his discretion as to the reasonableness of a certain line of conduct or as to the reasonableness of a certain price, and predicate the operation of the law upon the contingencies of his decision.

Therefore I ask the attention of the Senator from Maine to this amendment, the principle of which I think he consented to on Saturday afternoon. If the bill is amended as he then suggested, there will be no use for this amendment. If he accepts this amendment, the subsequent suggestion as to the reasonableness of price becomes inapplicable. It is a mere question as to which is perhaps the better phrase to meet the object in view.

I care nothing about the amendment which I have offered if the principle is adopted anywhere else in the bill, and if it has been adopted I will withdraw the amendment; if not, I will ask for a vote upon it. In this respect I ask the attention and the information of the Senator from Maine.

Mr. HALE. I think as a result of the suggestions and the colloquies between Senators on Saturday we have not only a better bill, but a good bill. I have no pride in the other bill, which the Senator refers to, which was reported from the Committee on Naval Affairs. The subject-matter more distinctly, perhaps, belongs to the Committee on Commerce, because, while its provisions are to be carried out by the War and Navy Departments, the subject-matter is transportation—commerce—a matter in the purview of the Committee on Commerce instead of the Committee on Naval Affairs or the Committee on Military Affairs.

As I think the same features are found in the bill as we perfected it Saturday, I should prefer to pass this bill rather than to take the bill which I reported. I think it was a wise suggestion, as I said at the time. It was a suggestion that had struck the lawyers upon both sides. It does not transfer the legislative power to the President, but leaves it for him to decide as to certain matters of fact upon which the law shall be invoked. Of course,

practically that discretion will be conveyed to the heads of the two Departments that conduct this transportation, but it will be tantamount to an executive act by the President.

Therefore I say to the Senator, appreciating his suggestion that he will prefer to take up a bill, that on the whole, considering that this bill came from the Committee on Commerce, I prefer its passage rather than to substitute my own bill for it.

Mr. DANIEL. The copy of the bill which I have before me contains only the amendments that have been adopted, but I do not perceive any phrase that seems to embody the amendment to which the Senator spoke on Saturday afternoon.

Mr. HALE. Perhaps the Senator has not the last print. There are two copies.

Mr. DANIEL. I should like to have the last print of the bill sent to me.

Mr. HALE. Here is one, Mr. President.

Mr. DANIEL. I think I have the last print. I remember very distinctly the Senator from Maine on Saturday afternoon assented to the proposition that the reasonableness of the freight price should be fixed.

Mr. HALE. We struck out after "Navy," in line 7, "but this section shall not be construed to prohibit the transportation of such articles by any vessel owned by any Department of the Government"——

Mr. DANIEL. Oh, yes.

Mr. HALE. And inserted:

Unless the President shall find that the rates of freight charges by said vessels are excessive and unreasonable.

Then the question was raised, if he did find that what course he would pursue in conducting the business, and upon a suggestion by a Senator upon the other side, I added the words, "in which case contract shall be made under existing law."

That was more a matter of course; it would follow as a matter of principle; but it was done out of a great measure of precaution, so that the President should not find himself tied up and not able to make any contracts. The Senator will recollect (I think he was here at that time) there was considerable discussion, and what might more properly be called "colloquy," between Senators.

Mr. DANIEL. I perceive those words in the last print.

Mr. HALE. So I think everything the Senator wants is covered.

Mr. DANIEL. Though I shall make no aggressive point about it, at least I would have preferred that the subject of the reasonableness of charges had been put in the opposite light from which it was. It requires here that "the President shall find that the rates of freight charges by said vessels are excessive and unreasonable, in which case contracts shall be made under existing law." I would have preferred that the other face of the question should have been turned and that it should have simply been provided that the President should so send freight, provided the charges were reasonable, leaving the burden upon those who make the charges to show their reasonableness. But I shall make no further question about it, as I think the spirit of fair concession has justly prevailed, at which I am, of course, gratified.

Mr. HALE. I am obliged to the Senator. I hope we may have a vote now.

The PRESIDENT pro tempore. If there are no further amendments to be offered in Committee of the Whole, the bill will be reported to the Senate.

Mr. CARMACK. Is there a pending amendment?

The PRESIDENT pro tempore. There is no pending amendment.

Mr. CARMACK. What became of the amendment offered by the Senator from Virginia [Mr. DANIEL]?

Mr. HALE. It was withdrawn.

The PRESIDENT pro tempore. It was withdrawn.

Mr. CARMACK. I offer an amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee will be read.

The SECRETARY. At the end of section 1 add the following:

And provided, That none but citizens of the United States are employed on such vessels.

Mr. HALE. I move to lay the amendment on the table.

The PRESIDENT pro tempore put the question and declared that by the sound the "noes" had it.

Mr. HALE. I call for a division. Does the Senator from Tennessee desire to discuss the amendment?

Mr. CARMACK. No; I do not want to discuss the amendment; neither do I want to disclose the absence of a quorum.

Mr. HALE. Then we shall have to have the yeas and nays.

Mr. CARMACK. I say I do not want to disclose the absence of a quorum.

Mr. HALE. There is a quorum in the building undoubtedly. Senators are at their lunch now.

Mr. CARMACK. But I want to have the amendment carried.

Mr. HALE. Let the Chair put the vote again.

The PRESIDENT pro tempore. The Chair will again put the question. The question is on agreeing to the motion to lay the amendment of the Senator from Tennessee on the table.

The motion was not agreed to.

The PRESIDENT pro tempore. The Senate refuses to lay on the table the proposed amendment.

Mr. HALE. Now the question comes up on the amendment.

Mr. DANIEL. I wish to ask the Senator from Maine a legal question. It has been suggested to me that there may be some ambiguity about the bill in the fourth line, page 2, in the phrase "under existing law."

Mr. HALE. I had thought of that.

Mr. DANIEL. I merely make the suggestion that it shall read:

In which case contracts shall be made with vessels of any other country according to existing law.

Mr. HALE. I would not want to insert that. If there is any doubt about the effect of the words "under existing law," that may be suggested, but I will say to the Senator from Virginia generally that provisions of this kind, and the construction is that "under existing law" means the law as it exists before the passage of the bill.

Mr. DANIEL. That is what I assumed to be meant.

Mr. HALE. Then, Mr. President, as suggested by the Senator from Iowa [Mr. ALLISON], if we strike out section 4 that would save all possible question. So it would be under existing law, which does, without our asserting it in form, provide that the contract shall be made on bids without any restriction.

Mr. DANIEL. What is the objection to inserting "vessels of any other country?" That makes it plain what Congress intends to do.

Mr. HALE. I do not desire to put that in the bill.

Mr. BERRY. "The law as it now exists."

Mr. HALE. "The law as it now exists" does include that.

Mr. DANIEL. I understand it does, and that is the reason why I thought we might as well express what the law designed to do.

Mr. BERRY. If the Senator will permit me, I suggest that the word be transposed and that we say "as the law now exists."

Mr. HALE. "Made under the law as it now exists."

Mr. BERRY. "As it now exists." That would cover everything.

Mr. HALE. There is no objection to that. "To be made under the law as it now exists."

The PRESIDENT pro tempore. The Senator from Maine modifies his amendment. The modification will be stated.

The SECRETARY. On page 2, line 4, after the word "under," strike out "existing law" and insert "the law as it now exists."

The PRESIDENT pro tempore. The amendment is agreed to.

Mr. PATTERSON. I would ask the Senator from Maine a question. I call the attention of the Senator from Maine to the third line of the first section, and ask him whether, after the words "or belonging," the words "or chartered by" should not be inserted, so that it will read:

That vessels of the United States or belonging to or chartered by the United States.

Mr. HALE. That would precisely defeat the object of the bill, because it would authorize them, impliedly at least, to charter vessels of any kind. Now, we do not want to do that. We want this transportation to be either in Government vessels which the Department owns or in American vessels engaged in trade. We do not want the Department to have the discretion. You may say "vessels of the United States chartered or belonging to the United States." There is no objection to that, but we do not want to leave open the opportunity for the Department to charter foreign vessels. Still, practically, I will say to the Senator, and I see what he has in his mind——

Mr. BAILEY. I suggest to the Senator from Maine that the term "vessels of the United States" has a technical meaning.

Mr. HALE. Yes.

Mr. BACON. It does not mean vessels owned by the United States.

Mr. HALE. It does not.

Mr. BAILEY. It is found under the navigation laws, and means vessels of American registry.

Mr. HALE. The Senator from Iowa brought that point out the other day very clearly.

Mr. BACON. I beg pardon; I did not know that.

Mr. HALE. That is the reason why I suggested "or belonging to the United States." So I think it is all covered.

Mr. PATTERSON. I wish to suggest to the Senator from Maine that not infrequently the United States charters vessels for the transportation of troops. I discovered in the letter from the Secretary of War that much of the supplies for the army in the Philippines were carried there by chartered vessels, but the greater bulk were carried under what they called "contracts," that is carried by the ordinary form of contracts on ordinary merchant vessels. The Government frequently charters vessels for the transportation of troops. It might charter them for the transportation of horses and things of that kind. It seems to me that in some such case where the vessel is chartered by the United States for army purposes, upon that vessel the Government might transport supplies for the Army or the Navy. That is the matter I have in mind.

Mr. HALE. There is no special objection to that. Still, I think we have covered practically all the case. The charter of vessels has disappeared in the Departments, and all American ships that are used are those that are owned by the Government. The ships, aside from what is already covered by this bill, have to be chartered.

That vessels of the United States, or belonging to the United States, and no others, shall be employed in the transportation by sea of coal, provisions, forage, or supplies of any description.

That is all done, I will say to the Senator, by the Department in chartering. The transportation takes the form of a charter, and is covered entirely by the two propositions, one of which was suggested by the Senator from Iowa the other day, as the vessels of the United States have a technical meaning, those that are registered by us. American vessels. All the rest is covered. It has got to be done by chartering.

Mr. PATTERSON. Those are registered vessels in foreign trade, but I have in mind an emergency which might arise for the transportation of troops, and the vessels owned by the United States might not be sufficient to meet the requirement. Now, then, it might be quite desirable to transport supplies in connection with troops upon chartered vessels which would not be owned by the United States. Under the bill as it now stands it would be unlawful to place supplies for the Army on such a vessel.

Mr. HALE. It would if it was a foreign vessel, but if it is——

Mr. PATTERSON. I beg pardon. Suppose an emergency requires the Government to charter foreign vessels for the removal of troops, why should not the Government in a case of that kind be permitted to carry on such vessels supplies for the Army?

Mr. HALE. That is all covered by the proviso. If in an emergency the President finds there are not enough vessels bid at a reasonable rate for the carrying of all the freight he wants, then he acts under the provisions of existing law. If he finds enough to do the business at reasonable rates, then he must take American ships. It was substituted, I will say to the Senator, at the suggestion of Senators on his side of the Chamber for the other provision, that the President might in an emergency hold up this bill. This provision is intended to cover and does cover all that.

Mr. PATTERSON. Let me call the attention of the Senator to the provision in the second section of the bill as it was reported:

That the President of the United States may from time to time suspend, in whole or in part, section 1 of this act whenever, in the interests of the national defense or for the protection of the interests of the Government, such suspension may seem to him desirable.

I could understand if section 2 remained in the act that then, in the event of an emergency, the Government might carry supplies for the Army upon chartered vessels; but having stricken out section 2, I suggest, in the best of faith, it would be impossible for the Government to do that, and that can be remedied by the reinstatement of section 2. Why should not section 2, as reported from the committee, continue to be a part of the bill?

Mr. HALE. Senators objected to that because it was transferring the lawmaking power to the President, and we substituted this provision.

Mr. PATTERSON. I recall that ground. Yet the section might be modified so as to evade that objection.

Mr. HALE. I am entirely certain that the point of any practical difficulty arising is covered by this proviso. If the President finds for any reason that he can not get the transportation needed at reasonable prices in American vessels, then he falls back upon existing law and has to charter foreign vessels.

Mr. PATTERSON. I can only say that under the language of the act as it now is, "that vessels of the United States, or belonging to the United States, and no others, shall be employed" for this specific purpose, the only exception being in the event the charges are found to be unreasonable or excessive, if the Government observed the law it could not carry supplies for the Army upon vessels that it had chartered for any purpose whatsoever. It might ignore the law under the plea of public necessity, but it would be compelled to do it under the wording of the law as it stands now.

Mr. HALE. I think the wording of the law covers that entirely.

Mr. PATTERSON. That is a difference of opinion. I will not offer an amendment, because I realize that if it is objected to by the Senator it will be voted down.

Mr. HALE. What is the pending question, Mr. President?

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Tennessee [Mr. CARMACK].

Mr. HALE. Let us have a vote directly upon that amendment.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Tennessee. [Putting the question.] By the sound the "ayes" have it.

Mr. HALE. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. ALLISON (when Mr. DOLLIVER's name was called). I desire to state that my colleague [Mr. DOLLIVER] is necessarily absent. I think he is paired, with whom I do not know.

Mr. MORGAN (when his name was called). I am paired on this bill and all amendments with the Senator from Pennsylvania [Mr. QUAY].

Mr. QUARLES (when his name was called). I should like to inquire whether the Senator from Texas [Mr. CULBERSON] is recorded?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. QUARLES. I have a general pair with that Senator, and therefore withhold my vote. If he were here, I should vote "nay."

Mr. SCOTT (when his name was called). I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. I will transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER], and vote. I vote "nay."

The roll call was concluded.

Mr. QUARLES. I transfer my pair with the Senator from Texas [Mr. CULBERSON] to the junior Senator from Pennsylvania [Mr. PENROSE], and will vote. I vote "nay."

Mr. CLAPP. I have a general pair with the Senator from North Carolina [Mr. SIMMONS]. I observe that he is absent. If he were present, I should vote "nay."

Mr. BEVERIDGE. I have a general pair with the senior Senator from Montana [Mr. CLARK]. I transfer that pair to the senior Senator from Kansas [Mr. BURTON], and vote. I vote "nay."

Mr. CARMACK. I have a general pair with the senior Senator from Wisconsin [Mr. SPOONER]. I transfer that pair to my colleague [Mr. BATE], and vote "yea."

Mr. CLARKE of Arkansas (after having voted in the affirmative). I am paired with the Senator from Nebraska [Mr. MILLARD]. I desire to withdraw my vote.

Mr. KEARNS (after having voted in the negative). I have a general pair with the junior Senator from Montana [Mr. GIBSON]. I transfer that pair to the Senator from Connecticut [Mr. HAWLEY], and will let my vote stand.

Mr. CLAPP. I am paired with the junior Senator from North Carolina [Mr. SIMMONS]. If a transfer can be arranged, I will vote. I have not kept track of pairs so to know whether one can be arranged or not.

Mr. HALE. The Senator can arrange a transfer with the junior Senator from Arkansas [Mr. CLARKE]. That would allow both Senators to vote.

Mr. CLAPP. I will transfer my pair to the Senator from Connecticut [Mr. PLATT], and vote "nay."

Mr. CLARKE of Arkansas. May I ask what the Senator from Maine suggested?

Mr. HALE. A transfer of pairs; but a transfer has already been arranged by the Senator from Minnesota.

Mr. BAILEY. I desire to announce that my colleague [Mr. CULBERSON] is unavoidably detained from the Senate, and that if he were here he would vote "yea." He is paired on this vote with the Senator from Pennsylvania [Mr. PENROSE].

Mr. QUARLES. I wish to make a similar announcement in regard to my colleague [Mr. SPOONER], who is detained by illness.

The result was announced—yeas 19, nays 38, as follows:

YEAS—19.

Bacon,	Cockrell,	McCreary,	Overman,
Bailey,	Daniel,	McLaurin,	Patterson,
Berry,	Dubois,	Mallory,	Pettus,
Carmack,	Foster, La.	Martin,	Tener.
Clay,	Latimer,	Newlands,	

NAYS—38.

Aldrich,	Dietrich,	Hale,	Mitchell,
Alger,	Dryden,	Heyburn,	Perkins,
Allison,	Elkins,	Hoar,	Platt, N. Y.
Allison,	Frazier,	Hopkins,	Proctor,
Ashley,	Frazier, Wash.	Kean,	Quarles,
Ball,	Frye,	Kearns,	Scott,
Beveridge,	Fulton,	Kittredge,	Stewart,
Burnham,	Gallinger,	Lodge,	Wetmore.
Clapp,	Gamble,	Long,	
Cullom,		McCumber,	

NOT VOTING—32.

Bard,	Culberson,	McComas,	Quay,
Bate,	Dolliver,	McEnery,	Simmons,
Blackburn,	Dillingham,	Millard,	Smoot,
Burrows,	Gibson,	Money,	Spooner,
Burton,	Gorman,	Morgan,	Stone,
Clark, Mont.	Hansbrough,	Nelson,	Taliaferro,
Clark, Wyo.	Hawley,	Penrose,	Tillman,
Clarke, Ark.		Platt, Conn.	Warren.

So Mr. CARMACK's amendment was rejected.

Mr. CARMACK. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Tennessee will be stated.

The SECRETARY. At the end of section 1 it is proposed to add:

And provided, That not less than 75 per cent of the crew of such vessels are citizens of the United States.

Mr. HALE. I move to lay the amendment on the table.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine to lay the amendment on the table.

The motion was agreed to.

Mr. CARMACK. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee will be stated.

The SECRETARY. It is proposed to add at the end of section 1 the following:

And provided, That such freight charges do not exceed by 50 per cent the lowest bid offered for transporting such freight in foreign vessels.

Mr. HALE. I move to lay the amendment on the table.

The motion was agreed to.

Mr. CARMACK. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee will be stated.

The SECRETARY. It is proposed to insert at the end of section 1 the following:

And provided, That such freight charges do not exceed by 100 per cent the lowest bid offered for transporting such freight in American vessels.

Mr. HALE. I move to lay the amendment on the table.

Mr. CARMACK. I ask the yeas and nays on that motion, Mr. President.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BEVERIDGE (when his name was called). Under the pair and transfer announced on the former vote, which will hold for this and all subsequent votes on the pending bill, I vote "yea."

Mr. CLAPP (when his name was called). I transfer the pair which I have with the Senator from North Carolina [Mr. SIMMONS] to the Senator from Connecticut [Mr. PLATT], and vote. I vote "yea."

Mr. CULLOM (when his name was called). I transfer my pair with the Senator from Virginia [Mr. MARTIN] to the Senator from Connecticut [Mr. HAWLEY], and vote. I vote "yea."

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN], who is absent to-day. I therefore withhold my vote at this time, and shall do so on other questions on this bill as they arise.

Mr. McCOMAS (when his name was called). I have a general pair with the Senator from Kentucky [Mr. BLACKBURN], who is absent, and I therefore withhold my vote.

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. I do not see him in the Chamber, and I therefore withhold my vote.

Mr. PLATT of Connecticut (when his name was called). Mr. President, I understand—having just come into the Chamber—that the Senator from Minnesota [Mr. CLAPP] has transferred his pair with the Senator from North Carolina [Mr. SIMMONS] to me. I will let that arrangement stand, and therefore withhold my vote.

Mr. CLAPP. I will withdraw my vote if the Senator desires to vote.

Mr. PLATT of Connecticut. I am not particular about the matter. I will say to the Senator.

Mr. CLAPP. I withdraw my vote, Mr. President.

Mr. PLATT of Connecticut. Then, I vote "yea."

Mr. QUARLES (when his name was called). I have a general pair with the Senator from Texas [Mr. CULBERSON], and therefore withhold my vote.

Mr. SCOTT (when his name was called). I have a general pair with the Senator from Florida [Mr. TALIAFERRO]. I will transfer that pair to the junior Senator from Iowa [Mr. DOLLIVER], and vote. I vote "yea."

The roll call was concluded.

Mr. HOAR. I have a general pair with the Senator from Alabama [Mr. PETTUS], and therefore withhold my vote. If he were present, I should vote "yea."

Mr. CARMACK. My colleague [Mr. BATE] is unavoidably absent. If he were present, he would vote "nay" on this motion. I have a general pair with the Senator from Wisconsin [Mr. SPOONER], which I will transfer to my colleague. I vote "nay."

Mr. McLAURIN. The junior Senator from Alabama [Mr. PETTUS] requested me to say that he has a general pair with the senior Senator from Massachusetts [Mr. HOAR]. If the Senator from Alabama were present, he would vote "nay."

My colleague [Mr. MONEY] is paired with the Senator from Wyoming [Mr. WARREN].

The result was announced—yeas 36, nays 15, as follows:

YEAS—36.

Aldrich,	Cullom,	Gamble,	Mitchell,
Alger,	Dietrich,	Hale,	Nelson,
Allee,	Dryden,	Hansbrough,	Penrose,
Allison,	Fairbanks,	Heyburn,	Perkins,
Ankeny,	Foraker,	Hopkins,	Platt, Conn.
Ball,	Foster, Wash.	Kittredge,	Platt, N. Y.
Beveridge,	Frye,	Lodge,	Scott,
Burnham,	Fulton,	McComas,	Stewart,
Burrows,	Gallinger,	McCumber,	Wetmore.

NAYS—15.

Bacon,	Clay,	Latimer,	Newlands,
Bailey,	Daniel,	McEnery,	Overman,
Berry,	Dubois,	McLaurin,	Teller.
Carmack,	Foster, La.	Money,	

NOT VOTING—38.

Bard,	Dietrich,	Nelson,	Quay,
Bate,	Dillingham,	Newlands,	Scott,
Blackburn,	Dolliver,	Patterson,	Simmons,
Burton,	Foraker,	Pettus,	Spooner,
Clapp,	Frye,	Platt, Conn.	Stewart,
Clark, Mont.	Gamble,	Platt, N. Y.	Taliaferro,
Clark, Wyo.	Hansbrough,	Proctor,	Tillman,
Clarke, Ark.	Heyburn,	Quarles,	Warren.
Culberson,	Hopkins,	Scott,	
Cullom,	Kittredge,	Stewart,	

So Mr. CARMACK's amendment was laid on the table.

Mr. NEWLANDS. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add to section 1 the following:

And provided also, That in all cases it shall be ascertained at what cost [illegible] War and Navy, respectively, and by him transmitted to Congress.

Mr. HALE. I move to lay the amendment on the table.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine.

Mr. NEWLANDS. I ask the Senator from Maine to withdraw his motion for a moment, in order that I may explain this amendment.

Mr. HALE. I withhold the motion for that purpose.

Mr. NEWLANDS. I think if the Senator from Maine will read the amendment he will accept it.

Mr. HALE. I have just heard it read. That is the reason I do not accept it. [Laughter.]

Mr. NEWLANDS. Mr. President, I have to say that this amendment simply provides that in all these cases the cost at which this transportation can be secured from foreign vessels shall be ascertained, and if the service is given to American vessels at a cost exceeding that for which the service is offered by foreign vessels, the fact shall be reported by the Secretary of the Navy or the Secretary of War, as the case may be, to the President, and by him transmitted to Congress, together with a statement of the circumstances and conditions, the differences in the charges, and the reason for the preference.

It seems to me that this is simply giving that publicity to transactions of this kind which the public interest requires. These are days in which the hand of publicity is being thrown upon all transactions involving monopoly, combination, consolidation, and preferences. The purpose of this bill is to give a preference to American ships, and in that way build up the American merchant marine.

I am sure we all sympathize with the purpose of this bill in so far as it tends to build up the American merchant marine, though we may differ as to the methods that ought to be employed, but it does seem to me that whenever a bill is passed which provides for a particular method, either of bounty or of subsidy or of preference, every fact should be plain to the vision of the people of the United States, that if a preference is given the amount of the preference should be known, should be reported to the Secretary of the Navy, and to the Secretary of War, and by the Secretary of the Navy or by the Secretary of War, as the case may be, reported to the President, and by him transmitted to Congress, so that we may know, as a mathematical proposition, just how great the difference is between the charges imposed by American vessels and those imposed by foreign vessels, and so that we may know mathematically what the exact cost of this bounty or this preference is.

It seems to me the Senator from Maine ought not to object to information; ought not to object to publicity. There is no reason why these transactions should be done in the dark. The President, in his message to Congress in relation to trusts and combinations, said that publicity was desirable. I am sure the Senator from Maine does not wish anything that is secret or dishonest to be transacted; and if every one of these transactions is honest there is no reason why it should not be spread before Congress for its information

as a guide to legislation upon this subject. That seems to me to be a very reasonable request.

You propose to pay these American vessels a higher price than you pay foreign vessels; you propose to give them that preference for the purpose of building up an American marine; and there is every reason why we should know to a mathematical certainty the exact cost of that preference.

Mr. HALE. I move to lay the amendment on the table.

The PRESIDENT pro tempore. The question is on that motion.

Mr. TELLER. Let us have the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I again announce my pair with the Senator from North Carolina [Mr. SIMMONS], and withhold my vote.

Mr. CLARKE of Arkansas (when his name was called). I am paired with the junior Senator from Nebraska [Mr. MILLARD]. If he were present, I should vote "nay."

Mr. HOAR (when his name was called). I am paired with the Senator from Alabama [Mr. PETTUS]. If he were present, I should vote "yea." I make this announcement for all the rest of the votes on this bill.

Mr. McCOMAS (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BLACKBURN]. If he were present, I should vote "yea."

Mr. MALLORY (when his name was called). I again announce my pair with the senior Senator from Vermont [Mr. PROCTOR]. As he is not present, I withhold my vote.

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is paired with the senior Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

Mr. QUARLES (when his name was called). I again announce my pair with the Senator from Texas [Mr. CULBERSON], and withhold my vote.

Mr. MALLORY (when Mr. TALIAFERRO's name was called). My colleague is unavoidably absent. He is paired with the Senator from West Virginia [Mr. SCOTT].

The result was announced—yeas 35, nays 14, as follows:

YEAS—35.

Aldrich,	Cullom,	Gamble,	McCumber,
Alger,	Dietrich,	Hale,	Mitchell,
Allee,	Dryden,	Hansbrough,	Nelson,
Allison,	Fairbanks,	Heyburn,	Penrose,
Ankeny,	Foraker,	Hopkins,	Perkins,
Ball,	Foster, Wash.	Kean,	Platt, Conn.
Beveridge,	Frye,	Kittredge,	Platt, N. Y.
Burnham,	Fulton,	Lodge,	Stewart,
Burrows,	Gallinger,	McComas,	Wetmore.

NAYS—14.

Bailey,	Foster, La.	Martin,	Simmons,
Berry,	Latimer,	Newlands,	Teller.
Carmack,	McEnery,	Overman,	
Clay,	McLaurin,	Patterson,	

NOT VOTING—40.

Bacon,	Culberson,	Hoar,	Proctor.
Bard,	Daniel,	Kittredge,	Quarles,
Bate,	Dietrich,	McCumber,	Quay,
Blackburn,	Dillingham,	McEnery,	Scott,
Burton,	Dolliver,	Money,	Smoot,
Clapp,	Dubois,	Millard,	Spooner,
Clark, Mont.	Elkins,	Money,	Stone,
Clark, Wyo.	Gibson,	Morgan,	Taliaferro,
Clarke, Ark.	Gorman,	Penrose,	Tillman,
Cockrell,	Hawley,	Pettus,	Warren.

So Mr. NEWLANDS's amendment was laid on the table.

Mr. CARMACK. I wish to ask when it will be in order to amend the title of the bill?

The PRESIDENT pro tempore. After the bill has been passed.

Mr. CARMACK. I wish to suggest an amendment to the title of the bill; that is, to add——

The PRESIDENT pro tempore. It is not in order until after the bill has passed.

Mr. CARMACK. I know. I was merely making the suggestion to the Senator from Maine. I shall move to add "and to encourage the growth of American shipping."

Mr. HALE. I hope the Senator will offer it.

Mr. CARMACK. I suggest the amendment in good faith, because I think for certain considerations it is important to the purposes of the bill. I will state my reasons for that a little later.

Mr. President, this bill, it seems to me, simply opens the door of the Treasury to certain governmental favorites and invites them to help themselves to the public money, with no practical limitation on the amount of their taking except the size of their hands and the capacity of their wallets. They are permitted to take whatever they are able to carry off. That is about the meaning of the bill, as I understand it. It is in plain words simply a sort of legislative jimmy by which a lot of burglarious shipowners are trying to break into the Treasury of the United States.

At this time, when we are confronted with a deficit in the revenue, when we are compelled to stint the appropriations of the Government for the most important purposes, when we have to do without a river and harbor bill to improve the commerce of our own country, because of the vast sums of money we are squandering abroad, it is proposed to put this additional burden upon the Treasury simply to help a few New England shipowners.

The cost of transportation is already a very serious item in our military and naval appropriation bills, and it will be very greatly increased by the passage of this bill. I read the other day from a report of the Bureau of Equipment a statement to the effect that in the matter of transporting coal on our own coast American vessels have always taken advantage of the necessities of the Government and charged unreasonable and excessive and extortionate prices. The advocates of this bill practically admit that its object is to give an opportunity to American shipowners to charge extortionate prices by refusing to put any limitation whatever upon the charges they are allowed to make.

The Secretary of War suggested first that they be allowed an increase of 25 or 30 per cent over the charges made by foreign vessels for the same service. That was rejected with scorn by the advocates of this same bill, and then 50 per cent or even 100 per cent was proposed as better than the pending bill. They refused that. They demanded an opportunity to charge two or three hundred per cent, or whatever the necessities of the Government may compel it to pay.

The Senator from North Dakota [Mr. McCUMBER] offered an amendment the other day which he seemed to think would cure all the evils that we have criticised in this measure. I do not think it will have any effect whatever. The Senator's amendment provides that no greater charge shall be made for transporting army and navy supplies than is made for transporting like articles for private persons. I should like to know, for instance, how that would affect transportation charges between this country and the Philippine Islands. Practically all our commerce with the Philippine Islands is carried in foreign bottoms. No coal or fodder or other articles named in this bill are transported in American vessels for private consumption, and if that condition should continue there would be no basis of comparison by which the charges could be regulated under the bill, and no check whatever is provided in that amendment. It would simply be a dead letter.

Now, I know that under a law which is to go into effect on the 1st of July, unless amended, it is proposed to give American vessels a monopoly of all the carrying trade between the United States and the Philippines, and it is supposed that it will bring a number of them into business. But if it does, it will do so only under such conditions as will enable them to have a monopoly of the business and to charge two or three times what the service could otherwise be obtained for.

These two measures will create two classes of beneficiaries, who are invited to help themselves ad libitum from the public Treasury, and the Senator from North Dakota has devised the ingenious scheme of limiting the rapacity of one class by providing that it shall not exceed the rapacity of the other.

I know the Senator from Maine has offered an amendment to the effect that the President shall employ only American vessels in transporting these supplies, unless he finds the charges to be excessive or unreasonable, in which case he is to be allowed to suspend the operation of the law. I wish in the first place to state an objection that goes to the principle of this amendment. I know that in its present shape it seems to come within the decision of the Supreme Court in the case of Clark *v.* Field, but that does not, in my opinion, relieve it of the objection that it is a plain delegation of legislative power.

With all due respect to all concerned, I do not see how the exercise by the President of his individual judgment and the forming by him of an opinion upon a state of facts, passing an opinion upon the importance of those facts and weighing the significance of the facts in a case where there is room for an almost infinite diversity of opinion, can be called the finding or ascertaining of a fact. And this, it seems to me, is especially true in a case where the fact to be found is not a substantive and independent fact, but is to be regarded as a fact or not a fact according as in the President's opinion it will tend to promote or to defeat a certain policy of the Government. To ascertain a fact is one thing, and to weigh the importance of that fact and to determine whether it is sufficiently important to justify the abrogation of a law is another thing. That, Mr. President, in my opinion, is not the ascertaining of a fact.

Now, this amendment provides that the President may suspend this law if he finds the charges to be unreasonable. How is he to determine whether or not the charges are unreasonable? What is to be the principle that is to guide his action? From the standpoint of a business man—and that must be the standpoint of the Government, unless other considerations control—any charge

would be unreasonable if the same service could be had for a less charge. But we know that no such test can be applied in this case. The President is expected to pay more for the carriage of goods in American vessels than he would be required to pay for their carriage in foreign vessels. This bill is intended to promote and encourage the growth of the American merchant marine, and the President must execute the law with that purpose in view.

Now, I say, how is he going to determine whether a charge is reasonable or unreasonable? If an advance of 100 per cent does not sufficiently encourage the growth of the American merchant marine, may he go to 200 per cent? How will he determine that question? In the very nature of things an opinion as to the reasonableness or unreasonableness of the object to be accomplished by this law and his opinion as to the effectiveness of the method adopted to accomplish that object, and upon his opinion as to whether or not the benefits to be derived would justify so great a charge upon the public Treasury.

I say all these considerations must enter into the question when the President comes to form an opinion as to the reasonableness or unreasonableness of the charge, and all of these are considerations which should be addressed to the legislative and not to the executive department of the Government. So, it seems to me, it is a plain delegation of legislative power.

Again, Mr. President, I do not think it will be very effective. The President is known, the executive department of the Government is known, to be in favor of the subsidy policy, and he will feel bound in good faith to carry out the purposes of this law. And where he knows by the action of Congress that 100 per cent advance is not regarded as an unreasonable charge, he will be very slow under any circumstances to lay himself open to the charge of having defeated the purpose of this law by refusing to employ American vessels on account of the unreasonableness or the excessiveness of the charges made by them. So I do not think the amendment will accomplish anything whatever.

The only thing that could effectively limit the charges to be made by these vessels, which will have a monopoly of the carrying trade, is to put the limitation in plain letters and figures in the body of the bill. Unless you do that there will be practically no limitation, and the authors of the bill refuse to admit any such amendment. They mean that there shall be no limitation on the rapacity of these shipowners and upon their exorbitant charges.

Mr. President, I have offered some amendments here to another bill that is a complement to this, on which I had intended to make some remarks, but I think I will not do so at this time.

Mr. MALLORY. I should like to inquire of the Senator from Maine, if I may have his attention for a moment, if in his judgment this measure as it now stands requires that proposals for the transportation of supplies, etc., referred to in the measure are to be submitted in competitive bidding?

Mr. CARMACK. You mean as between American shipowners?

Mr. MALLORY. As between American shipowners.

It does not strike me that that interpretation can properly be placed upon the bill in the shape in which it is, although there is a provision as an amendment which was adopted by the Senate to the effect that no greater charges shall be made by such vessels for transportation for the use of the Army and Navy than is made by such vessels for the transportation of like goods for private parties.

If the bill does not require that the two Departments shall advertise for bids from the owners of American vessels, it strikes me that it would be proper if that were provided for. I have an amendment to that effect, which I will send to the desk.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator from Florida offers an amendment, which will be stated.

The SECRETARY. After the word "Navy," in line 7, section 1, it is proposed to insert the following:

Said employment to be given to the lowest bidder after an advertisement for bids for a period of not less than five days.

Mr. MALLORY. I will state that that is the present law so far as concerns transportation by vessels, foreign or domestic. I do not think the bill in its present shape can be construed to mean that there should be an advertisement for bids for five days. I make it obligatory by the amendment that there shall be.

Mr. HALE. The bill does not interfere in the least with the five or six provisions of the Revised Statutes that require bidding. That has to be done and will be done anyway. This bill merely provides the kind of vessels that shall do this transportation. But the general law as found in the Revised Statutes as to contracts of Departments is not in the slightest degree interfered with by this bill, and it was not intended to be.

Mr. MALLORY. Section 3718 of the Revised Statutes has reference to this subject, and is in the following language:

All provisions, clothing, hemp, and other materials of every name and nature for the use of the Navy and the transportation thereof, when the time will permit, shall be furnished by contract by the lowest bidder, etc.

"When the time will permit." And that is confined exclusively to the Navy. I do not know that there is any provision in the Revised Statutes covering this question, so far as it applies to the Army, and if there is not—and I have not been able to find it—the transportation of supplies for the Army would not necessarily come under the provisions of section 3718, for it is confined exclusively to the Navy. I have not heard any law cited here which would require transportation of such supplies for the Army to be given out after public bids.

Mr. HALE. The law covers that.

Mr. McCOMAS. If the Senator from Maine will permit me, from the Revised Statutes it appears that the army appropriation act of July 5, 1884, provides:

All transportation of stores by private parties for the Army shall be done by contract, after due legal advertisement, except in cases of emergency, which must be at once reported to the Secretary of War for his approval. (Sup. Rev. Stat., vol. 1, p. 456.)

Mr. MALLORY. That is the act of 1884?

Mr. McCOMAS. Yes; the act of 1884.

Mr. MALLORY. Conceding that is so, then comes the other question—does a general law apply in a case of this character? I heard the Senator from Iowa the other day say he thought it did, but I do not think we should leave it to possible construction.

Mr. McCOMAS. Is it not manifest that it applies to all goods "purchased pursuant to law for the use of the Army or Navy," the only purpose being to name the class of vessels that are to carry the supplies purchased pursuant to law—pursuant to section 3718 in respect to the Navy and under the provision I have just read in respect to the Army, or such others as there may be relating to bids for supplies for the Army or the Navy, or both? I think that is plain; I submit to the Senator from Florida—"purchased pursuant to law."

Mr. MALLORY. I do not think the fact that they are purchased pursuant to law would necessarily make this particular law subordinate to the general law. This is clearly designed for one specific purpose; that is, to place transportation of these supplies, both for the Army and the Navy, in American vessels; and while I am inclined to think that the weight of reasoning would be in favor of the view which the Senator from Maryland takes, at the same time I do not think it is conclusive. If it is the purpose of those who favor the bill to have it so that it shall unquestionably be submitted to advertisement, I can not see any harm in making it perfectly clear by such an amendment as I have proposed.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Florida [Mr. MALLORY].

Mr. HALE. I move to lay the amendment on the table.

The motion was agreed to.

Mr. CULBERSON. Mr. President, the Secretary of War, in his letter to the Committee on Commerce of the Senate, objected to the form of this bill and insisted that proper legislation would put it in the form of a preference to American shipping to the extent of 25 or 30 per cent.

On the 27th of February I offered an amendment to the bill along this line, reducing it to 25 per cent. I now move to amend by striking out all after the enacting clause in section 1 and inserting the following:

That in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy, vessels of the United States shall be preferred, provided the charges made do not exceed the prices fixed by the owners of foreign vessels more than 10 per cent; but this section shall not be construed to preclude the transportation of such articles in any vessel owned by the United States.

This amendment, Mr. President, simply puts the other suggestion of the Secretary of War in the form of law; that is to say, instead of 25 per cent, I move to amend the bill by striking out all after the enacting clause in section 1 and inserting "30 per cent" in lieu of the amendment I have heretofore offered.

The PRESIDING OFFICER. The Senator from Texas offers an amendment, which will be stated.

Mr. CULBERSON. Mr. President, I have been out of the Senate for an hour or so, and I am just informed by the Senator from Florida that an amendment proposing 50 per cent reduction has been voted down.

Mr. BERRY. A hundred per cent has been voted down.

Mr. CULBERSON. I therefore withdraw the amendment.

The PRESIDING OFFICER. The amendment is withdrawn.

Mr. HALE. Let us have a vote, Mr. President.

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. HALE. I move to strike out section 4. I thought it had been done. It is section 2 in the last print.

The PRESIDING OFFICER. The Senator from Maine offers an amendment which will be stated.

The SECRETARY. It is proposed to strike out section 4, in the following words:

That all acts and parts of acts in so far as inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The PRESIDING OFFICER. The question is, Shall the bill pass?

Mr. BERRY. On that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. I should like to know what amendments, if any, have been made to the bill to-day.

Mr. HALE. None, except that section 3 has been stricken out.

Mr. TELLER. I wanted to ask to have the bill read as amended; but if that is the only amendment which has been made, I do not care to have it done.

Mr. HALE. That is all. I thought it already had been done.

Mr. PATTERSON. Section 3 will now be section 2?

Mr. HALE. Yes.

Mr. CARMACK. None of the amendments I offered were adopted?

Mr. HALE. None.

The PRESIDING OFFICER. The Chair will state to the Senator from Colorado that a slight amendment was made, which will be stated.

The SECRETARY. On page 2, line 4, the words "existing law" were stricken out and the words "the law as it now exists" were inserted.

The PRESIDING OFFICER. The question is, Shall the bill pass on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

Mr. BERRY (when Mr. BLACKBURN's name was called). I desire to state that the Senator from Kentucky [Mr. BLACKBURN] is paired with the Senator from Maryland [Mr. McCOMAS]. If the Senator from Kentucky were present, he would vote "nay."

Mr. CARMACK (when his name was called). I again announce the transfer of my pair with the senior Senator from Wisconsin [Mr. SPOONER] to my colleague [Mr. BATE], who, if present, would vote "nay." I vote "nay."

Mr. CLARKE of Arkansas (when his name was called). If the junior Senator from Nebraska [Mr. MILLARD] were present, I should vote "nay."

Mr. CULBERSON (when his name was called). I have a general pair with the Senator from Wisconsin [Mr. QUARLES]. He is not in the Chamber, and I withhold my vote. If he were present, I would vote "nay."

The PRESIDENT pro tempore (when Mr. FRYE's name was called). The junior Senator from Maine announces on this final vote a pair with the junior Senator from Maryland [Mr. GORMAN].

Mr. McCOMAS (when his name was called). I have a general pair with the Senator from Kentucky [Mr. BLACKBURN]. The Senator from Florida [Mr. MALLORY] is paired with the Senator from Vermont [Mr. PROCTOR]. I transfer my pair to the Senator from Vermont [Mr. PROCTOR], so that the Senator from Florida and myself will be allowed to vote. Upon this question the Senator from Kentucky [Mr. BLACKBURN] would vote "nay." I vote "yea."

Mr. MALLORY (when his name was called). As has just been stated by the Senator from Maryland [Mr. McCOMAS], he is paired with the Senator from Kentucky [Mr. BLACKBURN]. I am paired with the Senator from Vermont [Mr. PROCTOR]. Both these Senators are absent. The Senator from Maryland and I transfer our pairs to them, respectively. I vote "nay."

Mr. McLAURIN (when Mr. MONEY's name was called). My colleague [Mr. MONEY] is unavoidably absent from the Chamber. He is paired with the Senator from Wyoming [Mr. WARREN]. If my colleague were present, he would vote "nay."

The roll call was concluded.

Mr. BEVERIDGE. Under the transfer of pairs heretofore announced, I vote "yea."

Mr. ALLISON (after having voted in the affirmative). I understand that the senior Senator from Missouri [Mr. COCKRELL] has not voted. I withdraw my vote.

The result was announced—yeas 35, nays 17, as follows:

YEAS—35.

Aldrich,	Cullom,	Heyburn,	Nelson,
Allison,	Dietrich,	Hopkins,	Penrose,
Ankeny,	Dillingham,	Kean,	Perkins,
Bail,	Fairbanks,	Kittredge,	Platt, Conn.
Beveridge,	Foraker,	Lodge,	Platt, N. Y.
Burnham,	Foster, Wash.	Long,	Smoot,
Burrows,	Frazier,	McComas,	Stewart,
Clapp,	Gamble,	McCumber,	Wetmore.
	Hale,	Mitchell,	

NAYS—17.

Bacon,	Daniel,	Mallory,	Simmons,
Bailey,	Foster, La.	Martin,	Teller.
Berry,	Latimer,	Newlands,	
Carmack,	McCreary,	Overman,	
Clay,	McLaurin,	Patterson,	

NOT VOTING—37.

Allison,	Depew,	Hawley,	Quay,
Bard,	Dillingham,	Hoar,	Scott,
Bate,	Dolliver,	Kearns,	Spooner,
Blackburn,	Dryden,	McEnery,	Stone,
Burton,	Dubois,	Millard,	Tallaferro,
Clark, Mont.	Frye,	Money,	Tillman,
Clark, Wyo.	Gallinger,	Morgan,	Warren.
Clarke, Ark.	Gibson,	Petus,	
Cockrell,	Gorman,	Proctor,	
Culberson,	Hansbrough,	Quarles,	

So the bill was passed.

Mr. CARMACK. I move to amend the title of the bill by adding at the end the words "and to encourage the growth of American shipping."

The PRESIDENT pro tempore. The question is on the motion of the Senator from Tennessee to amend the title.

The amendment was rejected.

SHIPPING BETWEEN THE UNITED STATES AND THE PHILIPPINES.

Mr. LODGE. I move that the Senate proceed to the consideration of the bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts.

Mr. CARMACK. What is the motion?

The PRESIDENT pro tempore. The motion is to proceed to the consideration of the Philippines bill. [Putting the question.] The ayes have it, and the motion is agreed to.

Mr. TELLER. Mr. President, I do not want to make any objection to anything that has passed, but it was absolutely impossible for any Senator in this part of the Chamber to know what was going on. I believe the Senator from Massachusetts has called up a bill and that it is before the Senate.

Mr. LODGE. I moved to take up Senate bill 2259, and the Chair declared the motion carried.

Mr. TELLER. I rather think we ought to have order enough in the Senate so that Senators who are trying to know what is going on may know what is going on, and that can not be done in the present condition of the Senate. I do not want to interfere with the bill. I should not have objected to its being taken up if I had heard the motion, but I should like to know what is going on.

Mr. BEVERIDGE. I ask the Senator from Massachusetts to yield to me to call up an unobjected and very brief bill that is on the Calendar. It is just five lines long.

Mr. LODGE. I will yield to the Senator from Indiana for that purpose——

Mr. BEVERIDGE. I am sure there will be no objection to it.

Mr. LODGE. But I can not yield further for unobjected bills. I yield to the Senator from Indiana.

CITY OF GEARY, OKLA.

Mr. BEVERIDGE. I ask the Senate to proceed to the consideration of the bill (S. 3658) to ratify an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks bond election held by the city of Geary, in said Territory. It is a bill which has passed the House and has been reported favorably from our committee. It is five lines long. I am much obliged to the Senator from Massachusetts.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act of the legislative assembly of the Territory of Oklahoma, approved March 5, 1903, entitled "An act legalizing the waterworks bond election held by the city of Geary," be, and the same is hereby, ratified and confirmed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CULBERSON. Had we not better have the act read that it is sought to ratify by this act of Congress?

Mr. BEVERIDGE. Yes; the act sought to be read is about as long as the bill. I will send it to the desk.

Mr CULBERSON. Very well; have it read, then.

The PRESIDENT pro tempore. The act will be read.

Mr. BEVERIDGE. It is in the body of the report.

The Secretary read as follows:

An act legalizing the waterworks bond election held by the city of Geary.

Be it enacted by the legislative assembly of the Territory of Oklahoma:

SECTION 1. That the election held in the city of Geary, Blaine County, on Tuesday, the 24th day of February, 1903, for the purpose of voting $42,000 for the purpose of constructing a system of waterworks in and for said city of Geary be, and the same is hereby, legalized, and the mayor and city council of said city of Geary are hereby authorized and empowered to issue the bonds of the said city for the purpose of constructing the said waterworks system in the sum of $42,000, in accordance with said election, and the said bonds are declared to be a legal and valid outstanding indebtedness against the said city of Geary.

SEC. 2. This act shall take effect and be in force from and after its passage and approval.

Approved this the 5th day of March, A. D. 1903.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. CULBERSON. Mr. President——

Mr. LODGE. If there is going to be debate on the bill——

Mr. BEVERIDGE. I did not know there was going to be debate. If there is, I will not press it.

Mr. CULBERSON. I was simply going to ask a question.

Mr. BEVERIDGE. Certainly; I will be glad to answer the question, but I do not want to delay the Senator from Massachusetts.

Mr. CULBERSON. There is some question about the validity of the bonds, I take it.

Mr. BEVERIDGE. Yes.

Mr. CULBERSON. I should like to ask the Senator from Indiana to explain what the question is.

Mr. BEVERIDGE. I shall be glad to do so if the Senator from Massachusetts will permit me.

Mr. LODGE. Certainly.

Mr. BEVERIDGE. The reason for this act of the legislature of Oklahoma is as follows: The town of Geary is a town of about 2,000 inhabitants. It needs waterworks. Under the law of Congress of 1898, all municipal corporations in Territories are permitted to issue bonds for waterworks, sewerage, and other purposes affecting public health, without regard to the Harrison limitation, provided the school census shows that the town has a population of not less than 1,000.

Now, in Oklahoma, in accordance with this act, the city of Geary held an election, and out of all the votes cast but four were against the bond issue. It developed, however, that they have no such thing in Oklahoma as a school census, but only a census of school children, which was an anomaly. Therefore, when they came to sell the bonds under the act of 1898 this defect was pointed out, that the act of 1898 requires a school census, whereas in Oklahoma they have no such thing. It was immediately called to the attention of the legislature of Oklahoma, which passed the act just read. Still, the purchasers of the bonds felt that they would like to have the school-census matter cured, and the bill was presented to both Houses of Congress. It passed the House. It came to our committee, which has examined it very thoroughly, and reports it favorably to the Senate.

That is a brief statement of the reason of the act of the legislature of Oklahoma and of the history of the bill.

Mr. BACON. If the act of the legislature is not too long, I hope it will be read again.

Mr. BEVERIDGE. Very well. I am sorry the bill is taking time. I did not know it was going to take any.

The PRESIDENT pro tempore. The act will be again read.

The Secretary again read the act.

Mr. BACON. I understand there is no doubt about the fact that the requisite population is there.

Mr. BEVERIDGE. None whatever. There is no point raised whatever about that. It is merely the anomaly that in Oklahoma there does not happen to be a school census, but only a census of school children.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Territories with an amendment, in line 7, after the word "confirmed," at the end of the bill, to insert:

And the bonds to be issued in pursuance of said election are hereby legalized and made valid.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SHIPPING BETWEEN UNITED STATES AND THE PHILIPPINES.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes, which had been reported from the Committee on the Philippines with an amendment.

Mr. LODGE. I ask that the committee amendment may be acted on.

The SECRETARY. In section 8, page 3, line 24, after the word "act," insert "except as otherwise provided in section 3;" so as to make the section read:

SEC. 8. That the Secretary of Commerce and Labor shall, from time to time, issue regulations for the enforcement of this act, except as otherwise provided in section 3.

The amendment was agreed to.

Mr. LODGE. I also move to amend, in line 2, on page 3, section 5, by striking out, after the words "owned by," the words "any Department of the Government" and inserting "the United States."

Mr. PATTERSON. I ask the Senator from Massachusetts if there is a report accompanying the bill?

Mr. LODGE. There is.

Mr. PATTERSON. Let us have it read.

The PRESIDENT pro tempore. There is an amendment pending.

Mr. PATTERSON. Let the report be read immediately after the amendment is disposed of.

Mr. LODGE. If the Senator will allow me to dispose of one or two formal amendments, I will have the report read.

Mr. PATTERSON. Very well.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 3, line 2, section 3, after the words "owned by," strike out the words "any Department of the Government" and insert "the United States;" so as to make the section read:

SEC. 5. That sections 1 and 2 of this act shall not apply to vessels owned by the United States.

The amendment was agreed to.

Mr. LODGE. In line 4, page 2, there is a misprint. The word "unladed" should be "unladen" or "unloaded." I move to strike out "unladed" and insert "unloaded," so as to read "and which shall not have been unloaded."

The amendment was agreed to.

Mr. LODGE. Now the report can be read.

The PRESIDENT pro tempore. The report will be read at the request of the Senator from Colorado.

Mr. CARMACK. Is the amendment I offered the other day pending? I do not know whether it was formally offered or not.

Mr. LODGE. I do not think the Senator formally offered it. I think he gave notice of it.

Mr. CARMACK. I believe that is true.

Mr. LODGE. I know the Senator has amendments to be considered.

Mr. CARMACK. I simply want to offer them at the proper time.

Mr. LODGE. The Senator from Colorado desires to have the report read, and it might as well be read now.

Mr. PATTERSON. I think we ought to have the report read.

The PRESIDENT pro tempore. There is an amendment here which the Senator from Tennessee [Mr. CARMACK] proposed to offer. It is printed and on the table.

Mr. CARMACK. I will offer it after the reading of the report.

The PRESIDENT pro tempore. The report will be read by the Secretary.

The Secretary read the report submitted by Mr. LODGE from the Committee on the Philippines, December 17, 1903, as follows:

The Committee on the Philippines, to whom was referred Senate bill [illegible] report back the bill with the recommendation that it pass with an amendment.

The object to be attained by this legislation is contained in section 3, the other sections being merely amendments of existing law, and a [illegible] for a statement of the act providing revenue for the Philippine Islands, approved March 8, 1902. It will be seen that it was provided:

"That [illegible] have been the provisions of law relating to vessels of the United States [illegible] to vessels of the United States to American ports of [illegible] and shall be applicable to foreign vessels engaging in trade between ports in the Philippine Archipelago."

By this provision it will be observed that on July 1, 1904, the coastwise laws of the United States go into effect [illegible] to vessels trading between the Philippine Islands and the United States, [illegible] trade between the ports of the Philippine Archipelago.

There is an American tonnage now in existence, and [illegible] are constantly being made steady additions to it, [illegible] between the Philippine Archipelago and the United States either by way of the Pacific or via the Suez Canal and the Atlantic. In regard to the coastwise traffic, however, the conditions are widely different. [illegible] carried on almost exclusively in vessels belonging to other ports of the Philippines or to foreign owners and most of the carriers in foreign bottoms. [illegible] on the 1st of July, 1904, without the change being made which is provided by this bill, the entire traffic between the ports of the Islands would [illegible] immediately annulled, because practically none of the vessels now engaged in the interisland traffic would conform to the coastwise laws of the United States. This would be a blow to the prosperity of the islands and cause [illegible] great inconvenience and hardship, but would permanently prevent all good [illegible] commerce. It is therefore absolutely necessary to remove the interisland traffic from the application of the coastwise laws of the United States upon July 1, 1904, and this is effected, as has already been said, by section 3 of the bill.

Section 7 of the bill excepting Spanish ships from the operation of this and previous acts is necessary in order to comply with the terms of Article IV of the treaty of peace with Spain, signed at Paris on the 10th day of December, 1898, which provides that "for the term of ten years the United States will admit Spanish ships and merchandise to the ports of the Philippine Islands on the same terms as ships and merchandise of the United States."

The committee has been informed by the War Department that there is now ample tonnage, amounting to over 140,000 tons, which is ready for the carrying trade between the Philippine Islands and the United States, and the committee appends to this report a partial list of the vessels now engaged, or ready to engage, in this commerce.

Net registered tonnage of available steam vessels.

American-Hawaiian Steamship Company:	
Texan	6,646
Alaskan	5,621
Arizonian	5,621
American	3,690
Hawaiian	3,604
Oregonian	3,564
[illegible]	3,713
Nebraskan	2,884
Newyorkan	2,824
Pacific Mail Steamship Company:	
Mongolia	(a)
Mongolian	(a)
Siberian	5,665
Korea	5,651
China	3,186
City of Peking	3,139
Iowa	2,540
Boston Steamship Company:	
Shawmut	6,195
Tremont	6,195
Lyra	3,516
Pliades	2,982
Hyades	2,982
Atlantic Transport Company:	
Massachusetts	5,131
Minnesota	5,077
Mississippi	5,131
Missouri	7,505
Great Northern Steamship Company:	
Minnesota	(b)
Dakota	(c)
Steamships of different owners:	
Minnehaha	3,860
Mississippi	3,392
J. L. Luckenbach	2,525
L. Luckenbach	(d)
Lansing	(d)

a Building. b New (just launched). c Not ready. d Can not find.

Mr. CARMACK. I offer the amendments of which I gave notice the other day, with the exception of the amendment on page 2.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Tennessee will be stated.

The SECRETARY. In section 1, page 1, line 3, it is proposed to strike out the word "four" and insert the word "nine;" so as to read:

That on and after July 1, 1909, no merchandise shall be transported, etc.

Mr. LODGE. Mr. President, I hope that amendment will not be adopted. It is making a needless extension, it seems to me. If we are not ready to carry that traffic now, we never shall be ready to carry it. I see no ground for applying that at this time. If the Senator from Tennessee wishes to debate the amendment, of course I shall not move to lay it on the table.

Mr. CARMACK. Mr. President, I do not care to debate this amendment.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Tennessee. [Putting the question.] By the sound, the "noes" have it.

Mr. ALLISON. Mr. President——

Mr. CARMACK. I ask for the yeas and nays on the amendment, Mr. President.

Mr. ALLISON. I was about to offer an amendment to the amendment proposed by the Senator from Tennessee, if that is in order, Mr. President.

The PRESIDENT pro tempore. It is in order.

Mr. ALLISON. Then I move to strike out the word "four" and insert the word "five" wherever it occurs and wherever such an amendment is applicable, so as to make the date 1905 instead of 1904. I move that as an amendment to the amendment proposed by the Senator from Tennessee [Mr. CARMACK].

Mr. LODGE. I will accept that amendment.

The PRESIDENT pro tempore. The Senator from Iowa offers an amendment to the amendment proposed by the Senator from Tennessee, which will be stated.

The SECRETARY. It is proposed wherever the date "1904" appears to strike out "4" and insert "5."

Mr. ALLISON. I do not offer the amendment precisely in that form. There are one or two places where the date should be 1904, and in those places I do not wish to strike that date out.

Mr. LODGE. There are some places where that date will have to remain.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Iowa [Mr. ALLISON] will be stated.

The SECRETARY. On page 1, section 1, line 3, after the word "and," it is proposed to strike out "4" and insert "5;" so as to read:

That on and after July 1, 1905, etc.

Mr. ALLISON. I move the same amendment on page 2, section 2, line 8.

Mr. CARMACK. Is this an amendment to the amendment that I offered?

Mr. ALLISON. I have offered it as such, so that the whole question may be pending.

Mr. TELLER. I suggest to the Senator from Tennessee to withdraw his amendment for the time being, and to let the friends of the bill perfect it as they want it.

Mr. LODGE. Very well.

Mr. TELLER. Then the Senator from Iowa can move his amendment; which I understand the chairman of the committee is disposed to accept.

Mr. LODGE. I am.

The PRESIDENT pro tempore. Does the Senator from Tennessee withdraw his amendment?

Mr. CARMACK. I do not see exactly what is to be accomplished by that, Mr. President.

Mr. ALDRICH. The Senator from Tennessee can again offer it.

Mr. CARMACK. Of course, I can offer it again.

Mr. TELLER. What I propose is with this view: I prefer to see the date "1905" rather than "1904." When, however, the Senator from Iowa moves to amend the amendment of the Senator from Tennessee, which is for 1909, I prefer 1909, but I do not wish to vote against the amendment proposed by the Senator from Iowa, for, if I can not get the date fixed at 1909, I prefer to have it 1905 rather than 1904, as it now stands in the bill. I make the suggestion for that reason.

Mr. LODGE. I suggest that we first take the vote on the amendment proposed by the Senator from Tennessee [Mr. CARMACK], and then we can take the vote on the amendment proposed by the Senator from Iowa [Mr. ALLISON].

Mr. TELLER. Very well. The Senator can do that if he prefers, and first take the vote on making the date 1909.

Mr. ALLISON. Then I withdraw my amendment for the present, and will permit the vote to be taken on the amendment proposed by the Senator from Tennessee.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Tennessee [Mr. CARMACK].

Mr. CARMACK. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CLAPP (when his name was called). I have a general pair, as before announced, with the Senator from North Carolina [Mr. SIMMONS], and I therefore withhold my vote.

Mr. DILLINGHAM (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN], and shall therefore withhold my vote. I make the announcement for the day.

Mr. FOSTER of Washington (when his name was called). I have a general pair with the Senator from Mississippi [Mr. McLAURIN]. I do not see him in the Chamber, and I therefore withhold my vote.

Mr. CARMACK. I will say that the senior Senator from Mississippi [Mr. MONEY] is compelled to remain at home on account of sickness in his family, and probably will not be here to-day.

Mr. FOSTER of Washington. As I have stated, I withhold my vote.

Mr. MALLORY (when his name was called). I have a general pair with the senior Senator from Vermont [Mr. PROCTOR]. He not being present, I withhold my vote.

Mr. MITCHELL (when his name was called). I have a general pair with the Senator from Idaho [Mr. DUBOIS], and therefore withhold my vote.

Mr. PATTERSON (when his name was called). I have a general pair with the Senator from South Dakota [Mr. KITTREDGE]. He is not here. If he were present, he would vote "nay," and I should vote "yea."

The roll call was concluded.

Mr. BEVERIDGE (after having voted in the negative). I should have stated when voting that I did so under the transfer of pairs announced on the previous bill, which will hold good for the remainder of the day.

Mr. ELKINS (after having voted in the negative). I voted under a misapprehension. I have a pair with the Senator from Texas [Mr. BAILEY], who, I find, has not voted. I therefore withdraw my vote. The Senator from Texas, if present, would vote "yea," and I should vote "nay."

Mr. FOSTER of Washington. My general pair with the Senator from Mississippi [Mr. McLAURIN] has been transferred to the Senator from Connecticut [Mr. HAWLEY], leaving me at liberty to vote. I vote "nay."

Mr. CULBERSON. I am paired with the Senator from Wisconsin [Mr. QUARLES]. If he were present, I should vote "yea."

The result was announced—yeas 18, nays 33, as follows:

YEAS—18.

Bacon,	Cockrell,	McCreary,	Teller.
Berry,	Daniel,	Martin,	
Carmack,	Gorman,	Newlands,	
Clay,	Latimer,	Overman,	

NAYS—33.

Aldrich,	Cullom,	Hale,	Perkins,
Allison,	Dietrich,	Hansbrough,	Platt, Conn.
Alger,	Fairbanks,	Hopkins,	Platt, N. Y.
Ankeny,	Foraker,	Kean,	Scott,
Beveridge,	Frazier,	Kittredge,	Spooner,
Bard,	Frye,	Lodge,	Stephenson,
Burrows,	Gallinger,	Nelson,	Wetmore.
Burton,	Gamble,	Penrose,	

NOT VOTING—43.

Bailey,	Dubois,	McCumber,	Proctor,
Baird,	Elkins,	McEnery,	Quarles,
Bate,	Foraker,	McLaurin,	Rayner,
Blackburn,	Frazier,	Mason,	Simmons,
Bowen,	Fulton,	Money,	Smith,
Carter,	Gamble,	Morgan,	Stone,
Clark, Mont.	Gibson,	Mullen,	Tillman,
Clark, Wyo.	Harris,	Mitchell,	Tompkins,
Clarke, Ark.	Heyburn,	Morgan,	Tunnell,
Clay,	Hoar,	Newlands,	Turner,
Cockrell,	Kittredge,	Pettus,	Warren.
Depew,	Lindsay,	Pettus,	

So Mr. CARMACK's amendment was rejected.

Mr. ALLISON. I now move, on page 1, section 1, line 3, after the words "nineteen hundred and," to strike out "four" and insert "five." I also move the same amendment—and it may all be considered as one amendment—in section 2, page 2, line 8; in section 4, page 2, line 25, and in section 6, page 3, line 15. I will state that the amendment merely changes the date from 1904 to 1905.

Mr. CARMACK. I suppose we might just as well have all of my amendments voted down without any roll call.

Mr. ALLISON. I suppose so; but I do not know what the amendments are.

Mr. CARMACK. The amendments I have offered.

Mr. ALLISON. The Senator has only offered an amendment to the first section.

Mr. CARMACK. That is the only one that has been voted on, I understand.

Mr. ALLISON. Does the Senator desire a vote on each amendment?

Mr. CARMACK. I have moved to insert the same amendment all the way through the bill.

Mr. ALLISON. A vote has already been taken.

Mr. CARMACK. They can be voted down if you are determined to vote them down.

The PRESIDENT pro tempore. If the amendment offered by the Senator from Iowa [Mr. ALLISON] is agreed to by the Senate, the Senator from Tennessee [Mr. CARMACK] could not offer an amendment increasing that time limit. It would not be in order.

Mr. ALDRICH. It could be done in the Senate.

The PRESIDENT pro tempore. It could be done in the Senate, but not as in Committee of the Whole.

Mr. LODGE. The amendment of the Senator from Tennessee has just been voted down.

Mr. CARMACK. My amendments were to strike out the date "1904" and make it "1909" in various parts of the bill. We did not vote on all of them, but only on the amendment to the first section.

Mr. LODGE. Then, I suppose, we must take a vote on the amendment of the Senator from Tennessee at each place in the bill.

Mr. ALLISON. I withdraw my amendment so as to enable the Senator from Tennessee to offer his amendments.

The PRESIDENT pro tempore. The Senator from Iowa withdraws his amendment.

Mr. LODGE. Let the amendments of the Senator from Tennessee be considered as voted on in gross.

Mr. BEVERIDGE. I suggest that the Senator offer them as one amendment.

Mr. CARMACK. That is what I intend it to be.

Mr. ALLISON. I supposed that the Senator from Tennessee made his amendment, striking out "four" and inserting "nine," apply to the various sections of the bill.

Mr. CARMACK. That is what I intended.

Mr. ALLISON. If so, the Senator's amendment has already been voted down; but if not, the amendments can be considered as one amendment and voted on, unless the Senator wishes otherwise.

The PRESIDENT pro tempore. The amendment of the Senator from Tennessee applied only to one section. The other amendment of the Senator from Tennessee, relating to the date, will be stated.

The SECRETARY. On page 2, section 2, line 8, it is proposed to strike out "four" and insert "nine:" and in section 6, page 3, line 15, it is proposed to strike out "four" and insert "nine."

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Tennessee.

The amendment was rejected.

Mr. ALLISON. Now, Mr. President, I offer as a single amendment the amendments I have heretofore indicated.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed, on page 1, section 1, line 3, to strike out "four" and insert "five;" on page 2, section 2, line 8, to strike out "four" and insert "five;" on the same page, section 4, line 25, at the end of the line, to strike out "four" and insert "five;" and on page 3, section 6, line 15, to strike out "four" and insert "five;" so that the date in each case will be "1905."

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Iowa.

Mr. PATTERSON. I hope the Senator from Iowa will not press his amendment to a vote at this time, because, under the ruling of the Chair, if his amendment is agreed to, an amendment to increase the time limit will be out of order until the bill gets into the Senate.

Mr. ALDRICH. Until it gets into the Senate.

Mr. PATTERSON. That is what I understood was the ruling of the Chair.

Mr. ALDRICH. But the Senator from Colorado understands that when the bill is in the Senate any amendment will be in order.

Mr. PATTERSON. Yes; then any amendment will be in order.

Mr. ALDRICH. Or the Senator can offer his amendment as an amendment to the amendment offered by the Senator from Iowa, if he pleases.

Mr. PATTERSON. I do not want to do that at this time. But the purpose I have in making the suggestion to the Senator from Iowa is this: This is a bill to extend [illegible] the coastwise laws of the United States to the sea traffic between the United States and the Philippines.

Mr. LODGE. The Senator will excuse me, but he is not stating that quite correctly. The coastwise laws are now extended by law to take effect on July 1, both as to the transoceanic and the interisland traffic of the Philippine Islands.

Mr. BEVERIDGE. By existing law.

Mr. LODGE. By existing law, and, unless this bill is passed, the coastwise laws of the United States will cease to take effect both as to the interisland traffic and the transoceanic traffic on the 1st day of next July. This bill relieves the interisland traffic entirely. It leaves it in the hands of the Commission to determine when it shall be [illegible] to vessels of the United States registry.

Mr. PATTERSON. If the amendment of the Senator from Iowa is adopted, it will extend the operation of the coastwise laws one year—that is, until 1905—on traffic between the Philippine Islands and the United States.

Mr. LODGE. It will defer their operation.

Mr. PATTERSON. Yes. My point is that the amendment of the Senator from Iowa should not be voted upon now is based upon the following proposition: There is no doubt, as I understand, that some time before the close of the Senate's consideration of the coastwise laws to the Philippine Islands—that is, to the traffic between the United States and the Philippine Islands—but the time at which those laws should go into effect is of the utmost importance. If I am not mistaken, the present Secretary of War, and the late Secretary of the Treasury, has expressed to that effect of the bill at the present time. I do not remember [illegible] I am mistaken about that, the substance of it I have been told that such is the case, and that the Secretary gives very important and powerful reasons in opposition to the extension of these laws at this time.

Mr. LODGE. Will the Senator from Colorado allow me?

Mr. PATTERSON. Yes.

Mr. LODGE. I suppose that I am entitled, in view of his question, to state what the Secretary of War stated to the Senator from Iowa [Mr. ALLISON] and myself the other day when the bill was passed was under discussion. He stated that he was very anxious to have the traffic opened in American bottoms; that he thought it would be beneficial to the islands by attracting to them American capital; that he thought to put the law into effect on the 1st of July would be too soon, but that he should be satisfied if it was postponed for one year, and that his ultimate desire was that before that time there should be a further reduction in the existing duties. The Senator from Iowa, I think, will bear me out that I have stated the views of the Secretary correctly.

Mr. PATTERSON. I have no question but that the Senator from Massachusetts states the interview correctly.

Mr. LODGE. I mean, as I am stating it from memory, and the Senator from Iowa having been present, he would be able to bear me out.

Mr. PATTERSON. But I want to suggest, if there is discussion upon this subject that it might result in a time being agreed upon for these laws to take effect, not in 1905, but perhaps in 1906. If a vote was deferred upon the measure, we could all vote upon the question with such light as we should have as a result of any discussion which may arise.

I am inclined to think that the extension of the coastwise laws to that trade in 1905 would work a very great hardship upon the people of the Philippine Islands, upon the exporters and importers living in those islands. The only motive I and my colleagues would have would be to defer the putting of these laws into operation until such reasonable time as would enable proper preparations to be made to substitute American vessels for foreign vessels. Ultimately the Senator from Iowa may insist upon his amendment; but it seems to me that if it was deferred for a time, if there is to be discussion upon it, we might all agree upon some time that would be satisfactory to the Senator.

Mr. LODGE. The Secretary of War is contented with the bill as proposed to be amended by the Senator from Iowa, involving a year's postponement. That is as far as I should feel at liberty to go. I see no reason for further extension. I have accepted the amendment of the Senator from Iowa and shall vote for it.

Mr. CARMACK. If the Senator from Colorado will permit me, I have here what the late Secretary of War and the present Secretary have said on this question.

I will say that I also had a conversation with Secretary Taft. I have not felt at liberty to say anything about it before, as other Senators had not mentioned the matter; but I got a very different impression from that which he seems to have conveyed to other Senators; and that was that he was very much opposed to the operation of this bill without extending the time for the coastwise laws to go into effect, unless the tariff on Philippine products should be very materially reduced before any such legislation was had. That was the very distinct impression left upon my mind.

Mr. ALLISON. If the Senator will allow me, I do not think that the Secretary of War conceals the fact that he is very much interested in dealing further with our tariff laws between the United States and the Philippine Islands; I think he has very decided views upon that subject, but in the conversation alluded to between the Secretary of War, the Senator from Massachusetts [Mr. LODGE], and myself he intimated his desire, I think, to have these two questions as nearly as possible considered together. Of course, it is impossible for the Senate to consider the other question now, because we have no power to originate a tariff bill in this body. My object in offering this amendment to increase the limit one year is to give an opportunity for the consideration of the two subjects together. I think I have fairly stated, and the Senator from Massachusetts has fairly stated, the substance of the views of the Secretary of War.

Mr. CARMACK. The Secretary of War——

Mr. BACON. If the Senator will pardon me a minute, I want to ask the Senator from Iowa, in view of the fact that there is no possibility, under the predetermined arrangement, as we understand it, for adjournment, that that question of tariff can be considered at this session, and it is not probable that it will be possible to consider it at the short session, whether it is not better to now increase the limit two years instead of one?

Mr. CARMACK. I was going to offer an amendment to that effect.

Mr. ALLISON. As stated by the Senator from Massachusetts, the Secretary of War is satisfied with the extension of one year, and in view of that fact I offered the amendment which I have sent to the desk. I think one year will suffice. I hope so, at least.

Mr. ALDRICH. I do not see why it would not be possible at a short session to take up the simple question of the reduction of duties upon Philippine products. It does not involve the whole tariff question.

Mr. BACON. Not at all.

Mr. ALDRICH. It certainly, I think, can be disposed of in a short session without any question.

Mr. PATTERSON. It seriously involves——

Mr. BACON. Pardon me. That question was up at the last session. The Senator will remember that an unexpected complication caused Senators to postpone that question until the last day of the session, and the bill was brought up on the last day of the session, although it came over from the House in the early part of January. I am not criticising anybody; I am simply replying to the suggestion of the Senator from Rhode Island.

Mr. BEVERIDGE. Will the Senator permit me?

Mr. BACON. In one moment, if you please.

The Senator used the word "possibility." I should say as to the probability that in the short session, with the vast amount of business which is necessarily crowded into the short session, there would not be any legislation practicable upon that question unless it should be a measure without very material opposition on the part of anybody.

Mr. BEVERIDGE. I suggest to the Senator that his point is met by the fact that even if it be true that no tariff legislation could be considered at a short session, this could be immediately extended for another year.

Mr. BACON. That is true.

Mr. BEVERIDGE. That could be done in a short session.

Mr. BACON. If we could be assured——

Mr. CULBERSON. As I understand——

Mr. CARMACK. I yield to the Senator from Texas.

Mr. CULBERSON. I thought the Senator from Tennessee had concluded his speech.

Mr. CARMACK. I yield to the Senator very cheerfully. I am very glad to do it.

Mr. CULBERSON. I understand that by the act of March 8, 1902, after the 1st day of July, 1904, the coastwise laws of the United States will apply to trade between the United States and the Philippine Islands and between ports in the Philippine Islands. The report of the committee on this bill states that the sole object of the bill is to relieve the situation in the archipelago—that is to say, that the object of it is to repeal so much of section 8 of the act of March 8, 1902, as will put the coastwise laws of the United States in effect between ports and places in the Philippines after the 1st of July, 1904.

Instead of stopping at that, instead of accomplishing that purpose simply, the bill goes beyond it and reenacts in sections 1 and 2 the act of 1902, though in different language. So Senators on this side of the Chamber, if they vote in favor of this bill, will vote affirmatively to put the coastwise laws in operation between the United States and the Philippines.

Now, in view of that, it seems to me that if the Senator from Massachusetts would accept an amendment which I will send to the desk perhaps the matter can be settled. Strike out all after the enacting clause and insert a provision that will repeal so much of the act of 1902 as has application to ports and places in the Philippine Islands solely. In that way the law as it exists will not be disturbed, except in so far as the interisland Philippine trade is concerned, and Senators on this side of the Chamber can consistently vote for it. There is really no necessity for a reenactment of the act of 1902, so far as the trade between the United States and the Philippines is concerned.

With this purpose, Mr. President, I offer the amendment I send to the desk.

The PRESIDENT pro tempore. There is an amendment now pending.

Mr. CULBERSON. Then I will offer it at the proper time. It is in the nature of a substitute.

Mr. ALLISON. Will the Senator from Tennessee allow me to make a suggestion to the Senator from Texas?

Mr. CARMACK. Certainly.

Mr. ALLISON. I submit to the Senator from Texas that that will not accomplish all I want to accomplish; namely, that as to the traffic between the United States and the Philippine Islands the law of 1902 shall be extended for one year.

Mr. CULBERSON. That is true; but it may be done by an amendment, which the Senator may offer to my amendment, which I will gladly accept.

Mr. MITCHELL. Will the Senator from Tennessee yield to me for a moment?

Mr. CARMACK. Certainly.

Mr. MITCHELL. I should like to make an inquiry of the Senator in charge of this bill. We have just passed a bill this afternoon which provides:

> That vessels of the United States, or belonging to the United States, and no others, shall be employed in the transportation by sea of coal, provisions, fodder, or supplies of any description, purchased pursuant to law, for the use of the Army or Navy.

When that measure was pending I offered an amendment that it should not take effect until the 1st day of July, 1905. That amendment was voted down and the bill passed as originally drafted, with the amendment attached, proposed, I think, by the Senator from Iowa, that the act should take effect sixty days after its passage.

The bill now pending provides:

> That on and after July 1, 1904, no merchandise shall be transported by sea, under penalty of forfeiture thereof, between ports of the United States and ports or places in the Philippine Archipelago, directly or via a foreign port, or for any part of the voyage, in any other vessel than a vessel of the United States.

Now, the first measure, the bill we have just passed, is general in its character, except it is limited to Government supplies, and it goes into effect, provided it shall become a law, sixty days after its passage. Suppose the bill we are now discussing should be amended as proposed by the Senator from Iowa, so that it will not take effect until the 1st of July, 1905, and it becomes a law. What will be the status then—the then state of the law—in the face of the two laws, which will have to be construed together, I presume, as to Government supplies? Is this latter bill a modification of the former one? Is it not a repeal by positive enactment of the former law—I mean the bill which passed the Senate to-day—in so far as the date of its operation is concerned?

Mr. HALE. It would depend entirely upon the bill just passed. The two are entirely distinct.

Mr. LODGE. They have no relation to each other.

Mr. MITCHELL. I beg pardon, with all due deference to the Senator. The one provides that no vessel but a Government ves-

sel or one owned by an American shall be employed in transporting Government supplies.

Mr. HALE. It goes everywhere.

Mr. MITCHELL. It goes everywhere. I understand that. I do not misunderstand the bill. I may be wrong in my deduction, but I know what I am talking about.

Mr. HALE. It is not in any way on all fours with this bill.

Mr. MITCHELL. Not at all; and yet it is similar in some respects, because the bill we have just passed provides in so many terms that no Government supplies shall be shipped anywhere from this country to any ports except in an American vessel. That is that bill, is it not?

Mr. HALE. A United States vessel.

Mr. MITCHELL. A United States vessel or a vessel belonging to the United States.

Mr. HALE. Yes.

Mr. MITCHELL. Now, this bill provides that on and after July 1, 1904, no more [illegible] shall be carried except in home vessels. It does not say "no merchandise other than Government supplies," but "no merchandise."

There is no exception made as to Government supplies, and my opinion is, although I may be about [illegible] we say, that if you pass this bill now and extend it so that it does not become operative until the 1st of July, 1904, you will find that there is a conflict there which will need construction. And I am inclined to think it absolutely repeals the act you have just passed in so far as it relates to Government supplies, and certainly renders inoperative the provision in the bill passed this morning providing the President under certain circumstances to suspend the law.

Mr. HALE. I do not think so. As representing the bill which has just been passed, I am willing to take that risk. That is a distinctive matter entirely, and is cared for by the bill itself. I will take the chance of its being in any way repealed.

Mr. MITCHELL. You make no exception, with all due deference to the Senator.

Mr. MALLORY. Mr. President——

Mr. MITCHELL. In one moment. In this last bill you include all merchandise. All merchandise includes Government supplies just as much as it includes any other thing. You make it apply to all merchandise, and you say that the bill shall go into effect until the 1st of July, 1904, while the other bill goes into effect within sixty days after passage.

Mr. MALLORY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Florida?

Mr. MITCHELL. I yield to the Senator from Florida.

Mr. MALLORY. Will the Senator from Oregon permit me to call his attention to the fact that the provision adopted as an amendment to the bill which passed to-day providing that under certain circumstances, if the rates are excessive or unreasonable, the President should step in, would be affected by this bill if it passes now and relatively, because under that provision the President could give a preference to a foreign vessel, whereas under the bill which is now pending that preference is taken away from the President and it is confined to American vessels?

Mr. MITCHELL. This is not relatively so.

Mr. LODGE. Mr. President——

Mr. MITCHELL. I yield to the Senator from Indiana.

Mr. BEVERIDGE. I wish to ask the Senator from Oregon a question. Even if his contention be correct, that the amendment offered by the Senator from Iowa may by construction be extended to the other bill, would he object to that construction?

Mr. MITCHELL. I would be in favor of making each of these bills take effect one year hence.

Mr. BEVERIDGE. Then, if that is true, supposing the objection he makes is valid, is not that just what he wants?

Mr. MITCHELL. It is just what I want, but I do not think it is what is wanted on the other side.

Mr. BEVERIDGE. But the Senator from Maine is willing to take his chances; and if the Senator from Oregon is satisfied with it, does not that dispose of the point? Is not that just what the Senator from Oregon himself wants?

Mr. MITCHELL. What I should like to do would be to reconsider the other bill and make it take effect at the same time that is proposed by the Senator from Iowa as to the pending bill.

Mr. BEVERIDGE. In other words, what the Senator points out as the defect of the amendment of the Senator from Iowa is precisely what the Senator from Oregon desires; and since the Senator from Maine is willing to take his chances, it seems to me that point is disposed of.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Iowa.

Mr. LODGE. It is obvious we can not have any action on the bill this evening, as Senators evidently desire to discuss this amendment. There is some executive business that certain Senators desire to have disposed of, and therefore I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After [illegible] spent in executive session the doors were reopened, and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 2, 1904, at 12 o'clock meridian.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 1, 1904.

INDIAN AGENT.

Rush J. Taylor, of Castlewood, S. Dak., to be agent for the Indians of the Yankton Agency in South Dakota.

POSTMASTERS.

LOUISIANA.

Laura Bondurant to be postmaster at St. Joseph, in the parish of Tensas and State of Louisiana.

Mildred P. T. [illegible] to be postmaster at Lutcher, in the parish of St. James and State of Louisiana.

MARYLAND.

George W. Evans to be postmaster at Aberdeen, in the county of Harford and State of Maryland.

NORTH CAROLINA.

Roy C. Flanagan to be postmaster at Greenville, in the county of Pitt and State of North Carolina.

OREGON.

Alonzo M. Woodford to be postmaster at Medford, in the county of Jackson and State of Oregon.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 1, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CHANGES OF REFERENCE.

Mr. PUJO. Mr. Speaker, I desire to ask unanimous consent for the purpose of making a [illegible] of reference of the bill (H. R. 12873) for the completion of a dam and locks in the Mermentau River, in the State of Louisiana, from the Committee on Interstate and Foreign Commerce to the Committee on Rivers and Harbors.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. [illegible]) for the completion of a dam and locks in the Mermentau River, in the State of Louisiana.

The SPEAKER. The gentleman from Louisiana asks unanimous consent for a change of reference of this bill from the Committee on Interstate and Foreign Commerce to the Committee on Rivers and Harbors. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

By unanimous consent, other changes of reference were made as follows:

House Document No. 405, from the Committee on Appropriations to the Committee on Indian Affairs;

House Document No. 564, from the Committee on Appropriations to the Committee on Indian Affairs; and

House Document No. 558, from the Committee on Appropriations to the Committee on Naval Affairs.

AGRICULTURAL APPROPRIATION BILL.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the agricultural appropriation bill, with Senate amendments, and agree to them.

The SPEAKER. The gentleman from New York asks unanimous consent to take from the Speaker's table the agricultural appropriation bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The Chair appoints the following conferees: Mr. WADSWORTH, Mr. HENRY of Connecticut, and Mr. LAMB.

JULIETTE WESTBROOK.

Mr. PAYNE. Mr. Speaker, I ask unanimous consent for the present consideration of the following resolution.

The Clerk read as follows:

Resolved, That the action of the Speaker in signing House bill 5611, granting a pension to Juliette Westbrook, be rescinded; that the bill be returned to the Secretary of the Interior; and that similar action be taken by the Senate with respect to the signature of the President pro tempore, and that the passage of the bill [illegible] be and the same be postponed indefinitely, the benefiary of the same being dead.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

REMOVING RESTRICTIONS ON SALE OF PUYALLUP ALLOTTED LANDS.

Mr. CUSHMAN. Mr. Speaker, I ask unanimous consent for the present consideration of the bill which I now send to the Clerk's desk and ask to have read.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions [illegible] Puyallup allotted lands, and confirming and legalizing [illegible]

Be it enacted, [illegible] That the Puyallup allottees and true owners of lands situated in the Puyallup Indian Reservation, in the State of Washington, shall have [illegible] the lands so allotted, and [illegible] persons [illegible] the lands so allotted, and [illegible] the lands so allotted, and [illegible] the lands so allotted, and

print with my remarks fully explain the exact reason why additional legislation is needed to make definite and specific the conditions of the titles to this real estate.

It is proper to state that the bill which I originally introduced was H. R. 5767. After its introduction it was referred to the Secretary of the Interior and the Commissioner of Indian Affairs for their official report and opinion as to the necessity and propriety of such legislation. The two letters—one from the Secretary of the Interior and one from the Commissioner of Indian Affairs—I will print with my remarks.

It will be noticed by reference to these two official letters that both the Secretary of the Interior and the Commissioner of Indian Affairs agree that some such legislation as is contemplated by this bill is not subject to objection. The Secretary of the Interior in his letter submits a proposed substitute for all that portion of H. R. 5767 following the enacting clause. This proposed substitute is as follows:

That nothing in the act of Congress approved March 3, 1893 (27 Stats., p. 633), authorizing the sale of the Puyallup allotted lands, with restrictions upon alienation for a period of ten years from the date of the passage thereof, shall be taken and construed as giving the consent of the United States to the removal of restrictions upon alienation by said Puyallup Indians of their allotted lands prior to the expiration of the period of ten years, and after the expiration of said period shall be given the effect of having been made without any restriction upon the power of the allottee to alienate his land.

This bill (H. R. 9891), the passage of which is recommended by the Committee on Indian Affairs of this House, is slightly different than the proposed substitute recommended by the honorable Secretary of the Interior. It is proper to state in this connection that it is apparent from the letter of the Secretary of the Interior that the reasons that induced him to propose said substitute was a desire to further safeguard and protect the rights of the Indian allottees.

This bill (H. R. 9891), which has been favorably reported and which I am now asking the passage of, not only goes further toward the protection of the rights of the Indian than did the bill in its original form, but goes further toward the protection of the rights of the Indian than the substitute offered by the honorable Secretary of the Interior. This statement is made as an explanation of the reason why the Committee on Indian Affairs reported a different bill than the one suggested by the Department of the Interior.

I will insert in the RECORD at this point two letters received by me from the Tacoma Chamber of Commerce and Board of Trade, which present the local conditions which make this legislation not only desirable but necessary:

TACOMA CHAMBER OF COMMERCE AND BOARD OF TRADE,
Tacoma, Wash., November 28, 1903.

Hon. FRANCIS W. CUSHMAN,
House of Representatives, Washington, D. C.

DEAR SIR: There is a matter of great importance which we wish to call to your attention.

The law which created the commissioner to dispose of the Puyallup Indian lands provided that the land should be sold by a commissioner appointed March 4, 1893. There was nothing in the act that direct[illegible] the Indians to sell their lands after that date in preference to other Indians. Somebody in Washington City, either the Attorney in the Indian Department or in the Attorney-General's office, has given an opinion that the Indians have the right to convey, and have had that right since March 4, 1893.

The commissioner in charge of making the sales for the Indians has been advised by the Indian Office at Washington City that he has no further power to make conveyances. Hammond & Hoyt, a prominent firm, have refused to pass titles to these Indian lands on the ground that there is no legislation authorizing the Indians to make any conveyances. This has absolutely stopped the sale of any land. There are over two ways to get nibble deters, for the status of these lands (the title is not clear), would have to be supplied to the United States Supreme Court, and which would cause a delay of from two to five years and which would practically paralyze us from a business standpoint. The other way is for an act of Congress authorizing conveyances by the Indians, and [illegible] any conveyances made by Indians since March 4, 1893, where the consideration was paid to the Indian.

Several manufacturing plants have found a location on these lands on account of their nearness to get a site that they desired but because of the chaos of things before narrated. Put myself [illegible] Congress as quickly as possible, and thereby remove this embarrassing state of affairs which is embarrassing to both the Indians and the whites. Personally if the matter was referred to the Attorney-General for an opinion he would state that there is no reason for the passage of the act, but some Indians already have the right to convey. But unfortunately such opinions do not always make decisions. No harm can be done by introducing the law without delay and speedily. There ought not to be any delay in getting this done.

Very truly,

TACOMA CHAMBER OF COMMERCE AND BOARD OF TRADE,
J. S. WHITEHOUSE, *Secretary.*

TACOMA CHAMBER OF COMMERCE AND BOARD OF TRADE,
Tacoma, Wash., November 28, 1903.

Hon. FRANCIS W. CUSHMAN,
House of Representatives, Washington, D. C.

DEAR SIR: Your communication of the 21st with inclosure of the 18th from the Office of Indian Affairs received. I have discussed the matter further with several attorneys, and they still insist that legislation is necessary to enable the Indians to convey lands. You will notice in the letter from the Indian Commissioner he states, on page 3, that the lands could not be conveyed until after state legislation should remove the restriction, and Congress consent to such removal.

Congress has never consented to the removal of such restriction except by implication, which implication is contained in the act of March 3, 1893, and is gathered from the words [illegible] of letter of Indian Commissioner, [illegible] that Indians allotted should not have the power of alienation of the allotted lands not selected for sale by said Commission for a period of ten years from the date of the passage of the act. You will notice that the act does not say that such [illegible] have power to the expiration of ten years, etc., and there is in the way before the giving of consent on the part of Congress to the removal of the restriction provided by the State legislature. Nevertheless, we [illegible] to invest footstools in lands that we pay taxes on, for title rests on a grant from the government, which law is a departure from the fixed policy of the government concerning the Indian for over one hundred years.

I have spoken to a day's legislation on the part of Congress and the Indian Office in consenting to the passage of an act which would remove all doubt, which would in specific terms give the consent of Congress to the act of the State legislature permitting the Puyallup Indians and their heirs to exercise the right of the Indians to convey and [illegible] March 4, 1893, in which the [illegible] to the Indian. The Indians are not [illegible] the Indian office. They decline to think that the law intended to restrict the Indians in a condition where he could not convey, but they do not feel that they should advise their clients to invest money on such interpretation or intention, especially when the remedy is so simple and easy.

I [illegible] in both branches of Congress at the earliest date and passed through. This would [illegible] a very serious hardship upon the city of Tacoma and also upon the Indians. We [illegible] with the letter from the Commissioner of Indian Affairs which you so kindly forwarded to us.

Very truly,

TACOMA CHAMBER OF COMMERCE AND BOARD OF TRADE,
J. S. WHITEHOUSE, *Secretary.*

I desire to place in the RECORD at this point the letter of the Commissioner of Indian Affairs to the honorable Secretary of the Interior in relation to this general subject:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 16, 1903.

SIR: This office is in receipt, by Department reference, for immediate report, of a communication dated December 11, 1903, from Hon. J. S. SHERMAN, chairman of the House Committee on Indian Affairs, inclosing a copy of House bill 5767, Fifty-eighth Congress, second session, with request for a report on the same in time to be considered at a meeting of the committee for action on Thursday next, December 17, 1903.

The object of the bill is as [illegible] of Congress to the removal of the restrictions on the sale of Puyallup allotted lands and confirming and legalizing sales theretofore made [illegible] March 4, 1893.

In the first part of the preamble to the bill reference is made to the treaty under which the Puyallup Indians [illegible] between [illegible] governor and superintendent of Indian affairs of Washington Territory, on the part of the United States, and the chiefs, headmen, and [illegible] of the Nisqually, Puyallup, and certain other tribes and bands of Indians in Puget Sound, also to the provisions contained in the act approved [illegible] with the Omahas, so far as the same might be applicable thereto.

In the second part of the preamble reference is made to the patents issued because of lands made by the Indians and the allotment of said lands, the approval of the allotments by the Secretary of the Interior, the patents issued, and selections and allotments having been made in accordance with the provisions of the treaties referred to.

The third part of the preamble refers to the fact that the President caused patents to be issued to the Indians of the Puyallup Indian Reservation in accordance with the act approved March 3, 1893.

In the fourth part of the preamble it is indicated that the tracts of land respectively allotted to the Indians within the Puyallup Reservation [illegible] be alienated or leased for a longer term than ten years and [illegible] be exempt from levy, sale, or forfeiture [illegible] in force until a state [illegible] shall [illegible] and [illegible] be formed and the legislature of the State of Washington [illegible] to the fact that no State legislature has removed the restrictions without the consent of Congress.

It is stated in the fifth paragraph of the preamble that the legislature of the State of Washington, by act approved March 22, 1890, [illegible] upon the sale and alienation of the Puyallup allotted lands to take effect upon the consent of the United States thereto.

In the sixth part of the preamble reference is made to the provisions of the Puyallup act approved March 3, 1893 (27 Stat. L., [illegible]), authorizing the sale of these lands upon certain terms, conditions, and restrictions. [illegible] that the Indian allottees should not have the power [illegible] to the removal of restrictions upon the sale and conveyance of the same [illegible] "for the period of ten years from the date of the passage of the act."

In the seventh portion of the preamble the opinion of the Secretary of the Interior rendered February 24, 1903, is quoted to the effect that the [illegible] of the Indians who request to have lands have been [illegible] in the provisions of the act of the legislature of the State of Washington, March 22, 1890, and the Indian appropriation act of March 3, 1893, [illegible] to enable them to receive a patent [illegible] March 4, 1893, [illegible] by the Indians shall have the power to lease, encumber, grant, and alienate the same in like manner and with like effect as any other person may do under the laws of the United States and of the State of Washington.

In the eighth portion of the preamble it is stated that some would be purchasers of these unsold Puyallup allotted lands [illegible] or any portion thereof, because of a doubt as to whether Congress, by said Puyallup act of March 3, 1893, fully and completely removed the restrictions upon the sale and conveyance of those lands by the Indians.

The bill provides that the Puyallup allottees and heirs of said lands shall have the power to lease, encumber, grant, and alienate the same in like manner and to the same effect as any other person may do under the laws of the United States and of the State of Washington.

Also for giving the consent of the United States to the removal of all restrictions in relation thereto. It further provides that any and all sales theretofore made in accordance with the laws of the United States and of the State of Washington since March 3, 1893, shall be confirmed and legalized.

In connection with this subject the office has the honor to state that it has been reported that parties who are interested in making purchases of the Puyallup allotted lands now from the Indians and true owner thereof have some doubts as to the matter of the full and complete removal of the restrictions upon the sale and conveyance of the same, also that attorneys at Tacoma, Wash., and in the vicinity thereof have advised their clients not to purchase these lands pending the doubt of the complete and full removal of

the restrictive clause on their sale, and that for these reasons very few, if any, sales have been made thereof since March 3, 1903.

The office has no doubt that the restrictions upon the sale and conveyance of these lands by the Indian allottees or true owners thereof have been removed as [illegible] the negative provisions of the Puyallup act approved March 3, 1893 (27 Stats., p. 633). That [illegible] of alienation of the allotted lands not selected for sale by said commission for the period of ten years [illegible] referred to, the restrictions upon the [illegible] state legislature should remove said restrictions without the consent of Congress.

It is of the opinion that the requirements of the treaties with reference to these lands have been met and that the provisions of the act of the State of Washington of March 22, 1890, and the act of March 3, 1893, [illegible] March 4, 1893, [illegible] to the passage of the bill under consideration [illegible] relating to this reservation and certain correspondence [illegible]

Very respectfully,

W. A. JONES,
Commissioner.

The SECRETARY OF THE INTERIOR.

DEPARTMENT OF THE INTERIOR,
Washington, December 12, 1903.

SIR: H. R. 5767, which was inclosed with your communication of the 12th instant with request for report thereon, was referred to the Commissioner of Indian Affairs, who made report under date of the 16th instant, a copy of which is inclosed herewith.

[illegible] matter I doubt the necessity of further legislation [illegible] Department [illegible] Mason & Hoyt [illegible] correctness of the views of this Department to the effect that under the law as it then stood there was no restriction upon alienation after March 3, 1893.

I have therefore caused to be prepared and submit herewith a draft of a provision which I recommend to be substituted for that part of H. R. 5767 [illegible] approved March 3, 1893 (27 Stats., p. 633), and [illegible] "without any restriction upon the power of the allottee to alienate his land" [illegible] to said bill ought to be amended to correspond with these provisions.

Very respectfully,

E. A. HITCHCOCK,
Secretary.

Hon. JAMES S. SHERMAN,
Chairman Committee on Indian Affairs, House of Representatives.

I shall at this point insert in the RECORD the official letter of the honorable Secretary of the Interior to the Commissioner of Indian Affairs. This letter was written February 14, 1903. That date was just about seventeen days before the expiration of the ten-year period of limitation upon the power of the Indian allottee to sell in his own right.

You will observe that the honorable Secretary of the Interior at that time and in this letter expressed it as his official opinion that after the 3d day of March, 1903, the Puyallup Indian allottees will "have power to lease, encumber, grant, and alien the same (the lands) in like manner and like effect as any other person may do under the laws of the United States, and of" the State of Washington.

DEPARTMENT OF THE INTERIOR,
Washington, February 14, 1903.

The COMMISSIONER OF INDIAN AFFAIRS.

SIR: I have considered your letter of the 29th ultimo, requesting instructions [illegible] in the matter of the appraisement and [illegible] Puyallup Indian reservation in Washington.

[illegible] of these lands is fully discussed in your letter, and shows, in [illegible] State of Washington approved March 22, 1890, [illegible] Puyallup act approved March 3, 1893 (27 Stats., p. 633),

agreement. A majority of the Puyallup tribe of Indians, occupying the said reservation, gave proper written consent to the sale of Indian allotments less as surveyed, subdivided, and platted. In all cases of sales for the benefit of allotted lands, the allottees and the true owners thereof gave proper written consent thereto.

VI. There were sold of the allotted lands, prior to March 3, 1903, by the Government, under the provisions of the act of Congress, for the use and benefit of the allottees and true owners thereof, [illegible] acres. The amount of cash paid at the time of sale was $[illegible] [illegible] The amount of deferred payments, principal and interest, [illegible] these tracts were made is $[illegible], making a grand total of $[illegible].

VII. There remained unsold on March 3, 1903, 10,435.7315 acres of unallotted lands.

VIII. There have been sold thus far 2,934 lots within the Indian addition to the city of Tacoma, and four tracts containing 16.57 acres. The consideration therefor is $[illegible]. The amount of cash collected at the time of sale aggregates $[illegible]. The amount of deferred payments, principal, and interest [illegible] on the Indian addition lots since the respective sales were made aggregates $[illegible], making a grand total of $[illegible].

IX. There remained unsold on the Indian addition 649 lots and 6 tracts, containing 24.34 acres.

X. The proceeds arising from the sale of the allotted lands have been deposited in the Treasury of the United States to the credit of the respective allottees, and the patents, thereof, and warrants have been drawn in favor of those allottees, or their heirs, respectively, or their heirs, when ascertained, and delivered to them, less 10 per cent retained in the Treasury for the expense of sale.

The proceeds arising from the sale of Indian addition lots and tracts have been deposited in the Treasury of the United States to the credit of the Puyallup Indians, [illegible] the provisions of and at the usual rates shall draw interest at the rate of 4 per cent per annum. Ten per cent of such proceeds are used in paying pro rata the entire expense incurred in the sale of those lands.

XI. The entire Puyallup Indian Reservation outside of the land known as the "[illegible] tract" has been allotted in severalty to the Indians. There does not, therefore, remain on any portion of the said reservation unallotted land.

XII. For your further information, it may be stated that the Annual Report of the Commissioner of Indian Affairs for the year 1884, the same being the year in which the allotments were made in the field to the Indians of the Puyallup Reservation, shows the population to be 950.

In the Commissioner's report dated November 10, 1894, stated that they had issued upon the reservation of the persons named in the [illegible] 195 men, 195 women and 84 children, making a total of 474 patents that since the date of the issuance of patents for those allotments to wit, January 8, 1887, there had died 36 men, 42 women and [illegible] making a total of 78 deaths of the persons named in the patents issued; that they further reported that there were born living children, born to the Puyallup Indians since the date of the patents, January 8, 1887, making a total of 41 who were then, November 10, 1894, patentees or descendants of patentees.

The report of the superintendent of the Puyallup Indian School for the year [illegible] shows the population to be now 509, consisting of 232 males and 277 females.

Very respectfully, A. C. TONNER, *Acting Commissioner.*

I desire to insert in the RECORD at this point a letter from the Commissioner of Indian Affairs, under date November 18, 1903, which gives considerable information regarding the Puyallup Indian lands. The letter was addressed to Hon. A. G. FOSTER, United States Senator from the State of Washington, and through the courtesy of the Senator I have received a copy of it.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, November 18, 1903.

Hon. A. G. FOSTER, *United States Senate.*

SIR: This office is in receipt of your communication dated November 13, 1903, with which you inclose one from Mr. J. S. W[illegible], secretary Tacoma Chamber of Commerce, relative to the Puyallup Indian Reservation lands.

You state that you will appreciate very much a complete statement in regard to the present condition of these lands in so far as the Government is interested. You suggest that the letter from this office be in the nature of a reply to the letter from the secretary of the Tacoma Chamber of Commerce, so that you may furnish that body with it and request the return of the secretary's letter to you.

Mr. W[illegible] states in his communication bearing date November 7, 1903, that the present status of the affairs in the Puyallup Indian Reservation, which were laid out by the Puyallup commission, is very unsatisfactory. As you are aware, the law which provided for the allotment of lands to the Puyallup commission expired last March; that the commission's authority thereunder ceased with it; that the attorneys of the Indians to convey their land since that time without the interference of the Puyallup commission has failed through the action of the attorneys, who propose to permit their clients to purchase the land in the present unallotted portion of the reservation of the Indians to convey; that the Attorney-General of the United States has given the opinion that the patents of the allotments issued prior to the last March and that now the Indians have the right to convey their lands.

He further states that the law which was passed about ten years ago creating the Puyallup commission and giving it certain powers was very silent as to the rights of the Indians to convey their allotments after the law ceased to operate; that the only way this can be determined finally would be by the action of the court, which would probably have to be carried to the court of appeals, and which would mean the Puyallup lands would be tied up for from five to ten years. He is of the opinion that Congress should pass a law which would remove all doubts on this question and would positively declare the rights of the Indians to make conveyances.

In reply, the office has to state that the Puyallup Reservation was set apart under the treaty of December 26, 1854, between the United States and the Nisqually and other bands of Indians (9 Stat., [illegible]) and Executive orders of January 20, 1857, and September 4, 1874, [illegible] Executive Orders Relating to Indian Reserves from May 14, 1855, to July 1, 1902.

These Executive orders and certain letters of this Office and the Department in regard thereto may be found by reference to pages 131, 132, and 133 of the pamphlet herewith.

The Puyallup Reservation lies in townships 20 and 21 north, ranges 3 and 4 east, Willamette meridian, and as finally established contained about 18,050 acres.

The treaty of December 26, 1854, contained this provision:

"ART. 6. The President may [illegible] at his discretion, cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable."

In pursuance of this article the Puyallup Reservation was surveyed into lots and the survey was approved January 30, 1874, by the surveyor-general of Washington Territory.

Prior to January 9, 1887, no lands in this reservation had been patented to the Indians in severalty. On that day 165 patents issued to individual Indians and their families for tracts aggregating [illegible] acres, the [illegible] being a fraction less than 17.463 acres. The recitals and operative clauses [illegible] of said patents were the same in all others. To show the terms of them all a copy of one is here presented:

"*The United States of America to all to whom these presents shall come, greeting:*

"Whereas by the sixth article of the treaty concluded on the 26th day of December, A. D. 1854, between Isaac I. Stevens, governor and superintendent of Indian affairs of Washington Territory, on the part of the United States, and the chiefs, headmen, and delegates of the Nisqually, Puyallup, Steilacoom, Squawksin, S'Homamish, Stackhouse, T'Peeksen, Squiatl, and other allied warm sh tribes and bands of Indians, it is provided that the President may, at his discretion, cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individual families as are willing to avail themselves of the privilege and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable; and

"Whereas there has been deposited in the General Land Office of the United States an order bearing date January 20, 1857, for the [illegible] of the Interior, accompanied by a return dated October 30, 1854, from the office of Indian Affairs, which is last approved October 23, 1857, by the President of the United States, showing the names of members of the Puyallup band of Indians who have made selections of land in accordance with the provisions of the said treaties, in which list the following tract of land has been designated as the second tract, to wit: 'The gay lad or John Towrnalid, the head of a family consisting of himself and Mary Ann, viz, the southwest quarter of the northwest quarter of section 1 in township 20 north of range 3 east of the Willamette meridian, Washington Territory, containing [illegible] acres.'

"Now know ye that the United States of America, in consideration of the premises and in accordance with the terms and the provisions of the United States treaty of December 26, 1854, and the treaty of the Indian department of March 8, 1861, with the Omaha Indians, have given and granted, and by these presents do give and grant, unto the said 'The gay lad or John Towrnalid, as the head of the family, as aforesaid, and to his heirs, the tract of land above described, but with the stipulation contained in the sixth article of the treaty with the Omaha Indians, that the said tract should not be alienated or leased for a longer term than two years and shall be exempt from any [illegible] so long as such lands within the boundaries shall have been platted and [illegible] of the State shall remove all restrictions, and the State legislature shall remove the restrictions * * * without the consent of Congress.'

"To have and to hold the said tract of land, with the appurtenances, unto the said 'The gay lad or John Towrnalid' and [illegible] family as aforesaid, and to the heirs [illegible] forever.

"In testimony whereof, I, GROVER CLEVELAND, President of the United States, have caused these letters to be made patent and the seal of the General Land Office to be hereunto affixed.

"Given under my hand at the city of Washington, this 13th day of January, in the year of our Lord 1887, and of the independence of the United States the one hundred and twelfth.

"By the President:

"[SEAL.] "GROVER CLEVELAND.

"By M. MCKEAN, *Secretary.*"

It will be observed from the stipulations contained in the patent and the treaties referred to that the tract so granted should not be alienated or leased for a longer term than two years and should be exempt from any [illegible] so long as such lands within the boundaries shall have been platted and [illegible] of the State shall remove the restrictions, and the legislature should remove the restrictions, and not without the consent of Congress.

By section 4561, Ballinger's Annotated Codes and Statutes of Washington, page 1[illegible], it is provided that the said Indians, Puyallup, Nisqually, or any member of any of the lands of the reservation in severalty, [illegible] in the State of Washington) by virtue of treaties made between them and the United States, shall have power to lease, mortgage, grant, and sell the same in the manner and with the effect as any other person may do under the laws of the United States and of the State of Washington, and that all restrictions in reference thereto are removed.

It is indicated in a footnote that the act of this section and the succeeding [illegible] "Act to determine the Indians to vote, and assign the lands of the Puyallup Indian Reservation, in the State of Washington."

It is indicated by another footnote that the act from which sections 4551 and 4552 are taken provides that the act shall take effect upon the consent of the United States to the removal of the restriction upon conveyance by the Indians.

It is further indicated by a parenthetical note following section 4551 that the same is found on the laws of [illegible] page [illegible] section [illegible] in force in the State of Washington, Washington Territory, [illegible]

The act of Congress approved March 3, 1893 (27 Stat., [illegible]), authorized the President to appoint a commission to select and [illegible] such portions of allotted lands as were not required for homes for the Indians allotted, and that the proceeds thereof, [illegible] be expended for the purposes in the Puyallup Reservation in the State of Washington, and provided that upon the approval of such selections and appropriations by the commission in the allotted lands so selected should be held for the benefit of the allottees. And the act provides that, for the benefit of all the Indians, [illegible] such lands as could not be sold without injury to the interests of the Indians, or such as should remain unsold, and the remainder of such lands the Secretary of the Interior might determine to be required for yonder's lien on the property [illegible] that the Indian allottees should not have power of alienation of lands and lands not selected for sale and commission for a period of ten years from the date of the passage of the act last named, etc.

A commission was appointed under this act. Surveys and appraisals of allotted lands for sale were made. They were approved by the Secretary of the Interior. Sales were had of such lands at public auction, and were so continued until March 3, 1893, at which time the Secretary of the Interior held that the restrictive clause upon the sale of these lands by the Indians was removed. The Secretary's decision was rendered February 14, 1903. He held that on and after March 3, 1903, the Puyallup Indian allottees would, in his judgment, "have power to lease, encumber, grant, and alien their lands

in the manner and [illegible] any other person may do under the laws of the United States and of the State of Washington."

All [illegible] Puyallup Indian [illegible] have been [illegible] under the provisions of the Nisqually [illegible] March 3, 1893, and section 4551 of the Codes and Statutes of Washington above referred to.

Neither [illegible] Department [illegible] ever [illegible] patents issued to individual Indians and their families for tracts aggregating [illegible] acres, the [illegible] being a fraction less than 17,463 acres. The recitals and operative clauses [illegible] of said patents were the same as in all others. To show the terms of them all a copy of one is here presented:

"*The United States of America to all to whom these presents shall come, greeting:*

"Whereas by the sixth article of the treaty concluded on the 26th day of December, A. D. 1854, between Isaac I. Stevens, governor and superintendent of Indian affairs of Washington Territory, on the part of the United States, and the chiefs, headmen, and delegates of the Nisqually, Puyallup, Steilacoom, Squawksin, S'Homamish, Stackhouse, T'Peekson, Squiatl, and other allied warm sh tribes and bands of Indians, it is provided that the President may, at his discretion, cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individual families as are willing to avail themselves of the privilege and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable; and

"Whereas there has been deposited in the General Land Office of the United States an order bearing date January 20, 1857, for the [illegible] of the Interior, accompanied by a return dated October 30, 1854, from the office of Indian Affairs, which is last approved October 23, 1857, by the President of the United States, showing the names of members of the Puyallup band of Indians who have made selections of land in accordance with the provisions of the said treaties, in which list the following tract of land has been designated as the second tract: 'The gay lad or John Towrnalid, the head of a family consisting of himself and Mary Ann, viz, the southwest quarter of the northwest quarter of section 1 in township 20 north of range 3 east of the Willamette meridian, Washington Territory, containing [illegible] acres.'

"Now know ye that the United States of America, in consideration of the premises and in accordance with the terms and the provisions of the United States treaty of December 26, 1854, and the treaty of the Indian department of March 8, 1861, with the Omaha Indians, have given and granted, and by these presents do give and grant, unto the said 'The gay lad or John Towrnalid, as the head of the family, as aforesaid, and to his heirs, the tract of land above described, but with the stipulation contained in the sixth article of the treaty with the Omaha Indians, that the said tract should not be alienated or leased for a longer term than two years and shall be exempt from any [illegible] so long as such lands within the boundaries shall have been platted and [illegible] of the State shall remove all restrictions, and the State legislature shall remove the restrictions * * * without the consent of Congress.'

"To have and to hold the said tract of land, with the appurtenances, unto the said 'The gay lad or John Towrnalid' and [illegible] family as aforesaid, and to the heirs [illegible] forever.

"In testimony whereof, I, GROVER CLEVELAND, President of the United States, have caused these letters to be made patent and the seal of the General Land Office to be hereunto affixed.

"Given under my hand at the city of Washington, this 13th day of January, in the year of our Lord 1887, and of the independence of the United States the one hundred and twelfth.

"By the President:

"[SEAL.] "GROVER CLEVELAND.

"By M. MCKEAN, *Secretary.*"

It will be observed from the stipulations contained in the patent and the treaties referred to that the tract so granted should not be alienated or leased for a longer term than two years and should be exempt from any [illegible] so long as such lands within the boundaries shall have been platted and [illegible] of the State shall remove the restrictions, and the legislature should remove the restrictions, and not without the consent of Congress.

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The act of Congress approved March 3, 1893 (27 Stat., [illegible]), authorized the President to appoint a commission to select and [illegible] such portions of allotted lands as were not required for homes for the Indians allotted, and that the proceeds thereof, [illegible] be expended for the purposes in the Puyallup Reservation in the State of Washington, and provided that upon the approval of such selections and appropriations by the commission in the allotted lands so selected should be held for the benefit of the allottees. And the act provides that, for the benefit of all the Indians, [illegible] such lands as could not be sold without injury to the interests of the Indians, or such as should remain unsold, and the remainder of such lands the Secretary of the Interior might determine to be required for yonder's lien on the property [illegible] that the Indian allottees should not have power of alienation of lands and lands not selected for sale and commission for a period of ten years from the date of the passage of the act last named, etc.

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[illegible] Creek; third, two sections on the south side of Commence-

[illegible] lement of the Indians has [illegible] Stevens has [illegible]

[illegible] will still remain with the President under the sixth article

[illegible] with the report.

GEO. W. MANYPENNY, *Commissioner.*

Hon. R. MCCLELLAND,
Secretary of Interior.

DEPARTMENT OF THE INTERIOR,
[illegible]

SIR: [illegible] Indians

With great respect, your obedient servant,

R. MCCLELLAND, *Secretary.*

The PRESIDENT.

Approved.

JANUARY 20, 1857. FRANKLIN PIERCE.

DEPARTMENT OF THE INTERIOR,
OFFICE INDIAN AFFAIRS.

SIR: [illegible] as a reservation for said Indians, and is known [illegible]

[illegible] survey on file in the office of superintendent Indian affairs, Washington Territory.

This [illegible] as indicated and indicated [illegible] for these Indians by Executive order dated January 20, 1857. It was intended to have the east [illegible] on its western side by the waters of Com-

[illegible] Bay from the south [illegible] extremities of said bay around northwestward to the [illegible] of the reservation of the [illegible] of Nisqually Indians. This [illegible] to be [illegible] to give the Indians [illegible] Mr. [illegible] [illegible] section 4551 of the Codes and Statutes of Washington above referred to.

[illegible] Department [illegible] ever [illegible] patents issued to individual Indians and their families for tracts aggregating [illegible] acres, the [illegible] being a fraction less than 17,463 acres. The recitals and operative clauses [illegible] of said patents were the same in all others. To show the terms of them all a copy of one is here presented:

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"Whereas there has been deposited in the General Land Office of the United States an order bearing date January 20, 1857, for the [illegible] of the Interior, accompanied by a return dated October 30, 1854, from the office of Indian Affairs, which is last approved October 23, 1857, by the President of the United States, showing the names of members of the Puyallup band of Indians who have made selections of land in accordance with the provisions of the said treaties, in which list the following tract of land has been designated as the second tract: 'The gay lad or John Towrnalid, the head of a family consisting of himself and Mary Ann, viz, the southwest quarter of the northwest quarter of section 1 in township 20 north of range 3 east of the Willamette meridian, Washington Territory, containing [illegible] acres.'

"Now know ye that the United States of America, in consideration of the premises and in accordance with the terms and the provisions of the United States treaty of December 26, 1854, and the treaty of the Indian department of March 8, 1861, with the Omaha Indians, have given and granted, and by these presents do give and grant, unto the said 'The gay lad or John Towrnalid, as the head of the family, as aforesaid, and to his heirs, the tract of land above described, but with the stipulation contained in the sixth article of the treaty with the Omaha Indians, that the said tract should not be alienated or leased for a longer term than two years and shall be exempt from any [illegible] so long as such lands within the boundaries shall have been platted and [illegible] of the State shall remove all restrictions, and the State legislature shall remove the restrictions * * * without the consent of Congress.'

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"In testimony whereof, I, GROVER CLEVELAND, President of the United States, have caused these letters to be made patent and the seal of the General Land Office to be hereunto affixed.

"Given under my hand at the city of Washington, this 13th day of January, in the year of our Lord 1887, and of the independence of the United States the one hundred and twelfth.

"By the President:

"[SEAL.] "GROVER CLEVELAND.

"By M. MCKEAN, *Secretary.*"

It will be observed from the stipulations contained in the patent and the treaties referred to that the tract so granted should not be alienated or leased for a longer term than two years and should be exempt from any [illegible] so long as such lands within the boundaries shall have been platted and [illegible] of the State shall remove the restrictions, and the legislature should remove the restrictions, and not without the consent of Congress.

By section 4551, Ballinger's Annotated Codes and Statutes of Washington, page 1[illegible], it is provided that the said Indians, Puyallup, Nisqually, or any member of any of the lands of the reservation in severalty, [illegible] in the State of Washington) by virtue of treaties made between them and the United States, shall have power to lease, mortgage, grant, and sell the same in the manner and with the effect as any other person may do under the laws of the United States and of the State of Washington, and that all restrictions in reference thereto are removed.

It is indicated in a footnote that the act of this section and the succeeding [illegible] "An act to determine the Indians to vote, and assign the lands of the Puyallup Indian Reservation, in the State of Washington."

It is indicated by another footnote that the act from which sections 4551 and 4552 are taken provides that the act shall take effect upon the consent of the United States to the removal of the restriction upon conveyance by the Indians.

It is further indicated by a parenthetical note following section 4551 that the same is found on the laws of [illegible] page [illegible] section [illegible] in force in the State of Washington, Washington Territory, [illegible]

The act of Congress approved March 3, 1893 (27 Stat., [illegible]), authorized the President to appoint a commission to select and [illegible] such portions of allotted lands as were not required for homes for the Indians allotted, and that the proceeds thereof, [illegible] be expended for the purposes in the Puyallup Reservation in the State of Washington, and provided that upon the approval of such selections and appropriations by the commission in the allotted lands so selected should be held for the benefit of the allottees. And the act provides that, for the benefit of all the Indians, [illegible] such lands as could not be sold without injury to the interests of the Indians, or such as should remain unsold, and the remainder of such lands the Secretary of the Interior might determine to be required for yonder's lien on the property [illegible] that the Indian allottees should not have power of alienation of lands and lands not selected for sale and commission for a period of ten years from the date of the passage of the act last named, etc.

A commission was appointed under this act. Surveys and appraisals of allotted lands for sale were made. They were approved by the Secretary of the Interior. Sales were had of such lands at public auction, and were so continued until March 3, 1893, at which time the Secretary of the Interior held that the restrictive clause upon the sale of these lands by the Indians was removed. The Secretary's decision was rendered February 14, 1903. He held that on and after March 3, 1903, the Puyallup Indian allottees would, in his judgment, "have power to lease, encumber, grant, and alien their lands

[illegible] most prairie.

[illegible]

DEPARTMENT OF THE INTERIOR,
[illegible]

[illegible]

I have the honor to be, etc.,

[illegible] for the purpose [illegible]

W. H. SMITH, *Acting Secretary.*

The PRESIDENT.

EXECUTIVE MANSION, *September 5, 1878.*

[illegible]

The bill was ordered to be engrossed and read a third time; and [illegible] passed, it was accordingly read the third time, and passed.

On motion of Mr. CUSHMAN, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. CUSHMAN. Mr. Speaker, I ask unanimous consent to extend my remarks on [illegible] in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

REMOVAL OF ICE IN THE POTOMAC RIVER.

Mr. MCCLEARY of Minnesota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill I send to the Clerk's desk.

The bill was read, as follows:

A bill (H. R. 13390) making appropriation for clearing the Potomac River [illegible]

[illegible] etc., [illegible] parts, for clearing the Potomac [illegible]

The SPEAKER. Is there objection?

Mr. MADDOX. Mr. Speaker, reserving the right to object, I would like for the gentleman to make a statement concerning this bill. I have seen other similar bills pass this House time and time again. I want to know what obligation is the House of Representatives or Congress under to clear ice from the Potomac River or any other river of the United States?

Mr. MCCLEARY of Minnesota. By way of answer, Mr. Speaker, I send to the Clerk's desk a letter from the harbor master, which I desire to have read in explanation of the situation.

The Clerk read as follows:

COMMISSIONERS OF [illegible]

[illegible]

The Honorable COMMISSIONERS OF THE DISTRICT OF COLUMBIA:

[illegible] work of [illegible]

[illegible]

The appropriation of $5,000 [illegible] work [illegible] ice [illegible] when a thaw comes and the [illegible] will go down [illegible] the Long Bridge and [illegible] Washington. I have [illegible] work [illegible] difficult work, and I most respectfully request that a further sum of $5,000 be provided to carry on the work.

Most respectfully, J. R. SUTTON, *Harbor Master, D. C.*

Mr. MADDOX. Now, Mr. Speaker, I would like to ask the gentleman from Minnesota how much money has the Government already spent in the prosecution of this work?

Mr. McCLEARY of Minnesota. Five thousand dollars, appropriated [illegible]

Mr. MADDOX. [illegible]

Mr. McCLEARY of Minnesota. Mr. Speaker, if the proposition [illegible]

Mr. MADDOX. [illegible]

Mr. McCLEARY of Minnesota. Yes, Sir.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. McCLEARY of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

[illegible] OF [illegible] APPROPRIATION BILL.

Mr. McCLEARY of Minnesota. Mr. Speaker, I move that the House [illegible] the Whole House on the state of the Union for the consideration of the bill H. R. [illegible] year for the [illegible] and pending that motion, Mr. Speaker, I [illegible] limitation [illegible]

Mr. PIERCE. We will be satisfied on this side with two hours on a side.

Mr. McCLEARY of Minnesota. Then, Mr. Speaker, I ask unanimous consent that general debate be closed in four hours from now, two hours to be controlled by my friend from Tennessee and two hours by myself.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that general debate now in order be closed at the end of four hours, two hours on a side, to be controlled by the gentleman from Tennessee [Mr. PIERCE] and by the gentleman from Minnesota [Mr. McCLEARY]. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The motion of Mr. McCLEARY of Minnesota was agreed to.

The House accordingly resolved itself into the Committee of the Whole House on the state of the Union [Mr. LAWRENCE in the chair] and proceeded to the further consideration of the bill H. R. [illegible], the District of Columbia appropriation bill.

Mr. McCLEARY of Minnesota. Mr. Chairman, in view of the fact that much time has been spent on this side thus far, I suggest to the gentleman from Tennessee that he now take some time.

Mr. PIERCE. Mr. Chairman, I yield one hour to the gentleman from Texas [Mr. SHEPPARD].

The CHAIRMAN. The gentleman from Texas is recognized for one hour.

Mr. SHEPPARD. Mr. Chairman, the proposed return of England to the protective system is the most ominous feature of the time. It would mark the disappearance of the most powerful support of the commercial tranquillity of mankind. The world would present the old spectacle of nations armed with retaliatory duties, struggling with the tariff, the cannon, and the sword to monopolize the trade of sufficient territory to meet the demands of growing populations for wider markets, retarding the progress and [illegible] of the [illegible] of the [illegible] bill in the United States in [illegible]

[illegible] re which imposes the most despotic [illegible]

[illegible] ur of successful war, profiting by the [illegible]

[illegible] the [illegible]

[illegible] of the fiscal [illegible]

When [illegible] tive in 1789 and the [illegible] uation of the A[illegible] It [illegible] commercial and industrial avo[illegible] and population. Manufa[illegible] ly in those States which [illegible] were untavorable to its [illegible] ment. There was [illegible] among the people everywhere [illegible] ment. War and panic had [illegible] was necessary to be com[illegible] was [illegible] when [illegible] at New York in 1[illegible]

The [illegible] of this session was a tariff act which [illegible] ad valorem duty [illegible] What [illegible] purpose of this act was [illegible] for [illegible] and the [illegible] the [illegible] as a [illegible] time, and the [illegible] of [illegible] "the encouragement and protection of [illegible] a [illegible] which is the [illegible] original meaning—the encouragement of industry in its [illegible] which is used by the Republican party to-day to [illegible] plunder of the American [illegible] so well [illegible] [Applause.]

Two years later, in compliance with the request of Congress and in harmony with the sentiment of the country, Alexander Hamilton, the first Secretary of the Treasury, presented a report on manufactures, which voiced the common ambition for industrial independence and recommended definite measures for the encouragement of manufactures. This report is popularly supposed to be the holy writ of contemporary protectionism. And yet it admits in terms the ultimate correctness and desirability of free trade from the standpoint of universal application and

places vastly more stress on premiums and bounties as a means of encouraging nascent industry than on protective duties. In fact, Hamilton in this report criticised and deplored protective duties, pronouncing restrictive and prohibitory rates only on the grounds that foreign charges on American products made them temporarily necessary, and that domestic competition would prevent internal monopoly and extortion.

The report discussed the general value of the inauguration of manufacturing enterprises in the United States, then in the main an agricultural country, claiming that they would insure a reliable market for agricultural produce. The duties Hamilton proposed were not half so high as those of the tariff of 1846, the model Democratic tariff of the first six decades of our history. The tariff of 1791, with an average of 11 per cent. was increased in 1792 on the basis of Hamilton's proposals to an average of 13½ per cent. When it is stated that the duties of the present Republican tariff range from 50 to more than 100 per cent it will be seen how infinite a chasm exists between the protection of Alexander Hamilton and the protection of Nelson Dingley.

If Alexander Hamilton could from the grave observe the exorbitant schedules of the Dingley bill, the monopolies and great establishments that have fed upon its abnormal charges, the disappearance of competition, the perversion of his conception of better markets for agricultural produce, the prevalence of conditions wherein American farmers are compelled to purchase the necessities of life in restricted, tariff-burdened markets, in which the manufacturers are shielded from competition by the law, and sell the products of their toil in the open markets of the world, subject to unlimited competition, he would utterly condemn the fabric of industrial oppression which has been erected in his name. [Applause.]

But despite the favorable language of the preamble of the tariff of 1789, despite the arguments of Hamilton, despite the utterances and efforts of Washington, of Adams, of Madison, and of Jefferson, despite the formation of societies for the promotion of manufactures and the flooding of Congress with petitions for indulgent legislation, the United States remained for nearly twenty years after 1789 on the whole an agricultural and seafaring country. The wars which in this epoch distracted Europe made the United States the only neutral power of importance, the sole carrier of European trade. American capital found promising investment in the world's carrying trade, and the American flag became the commercial monarch of the sea.

The agricultural products of the young Republic were furnished profitable markets in the warring countries and their dependencies. In consequence manufactures languished.

During this period twelve tariff acts were passed with successively increasing schedules, the rates of 1808 being almost triple the rates of 1789. While in some instances these increases were made with undoubtedly protective intent, they were enacted mainly to meet the growing financial needs of a new and expanding country.

The close of this era saw the abrupt termination of the conditions which distinguished it.

The fierceness of the European conflict led to a series of retaliatory measures by the Governments of England, France, and the United States, which, beginning with the English orders in council in 1806 and 1807 blockading continental ports, the Berlin and Milan decrees of Napoleon in 1807 blockading the British Isles and denationalizing ships engaged in British commerce, the embargo and nonintercourse acts of Jefferson in 1807 and 1809, and ending with the declaration of war between the United States and England in 1812, destroyed our foreign trade, isolated the American Republic for almost a decade, and left the American people dependent solely on native strength and resource.

It was during these years that manufacture struck permanent root in the industrial life of the country. During this era of segregation manufacture provided the principal employment of capital and free labor. The epoch was one of transition for American industry from the household to the capitalistic stage. The stoppage of imports produced a heavy demand for domestic commodities, especially those of immediate necessity and use, for which the people had relied almost entirely on the foreign supply, and prices of manufactured articles rose enormously. The growth of American manufacture was so astonishing as to cause Niles in 1812 to exclaim that it was without parallel in the world. The peace of 1815 found large and populous sections of the country devoted principally to manufacture.

At this juncture American manufacture met the determining crisis of its history. With the advent of peace came a flood of merchandise from Europe. Prices fell, and American manufacture in its immaturity was at the mercy of European establishments. American industry faced extermination. In his message of December, 1815, President Madison directed the attention of Congress to the threatened calamity and recommended a tariff sufficiently high to shield the young industries from the older rivals across the sea until the former could become strong enough to take care of themselves. The country without division recognized the justice of Madison's recommendation, and the tariff of 1816, the first American tariff designed expressly for protection in the true and economic sense—by no means the present Republican sense—was the result.

By that act the level of duties was raised to 20 per cent and the preservation of American industry was assured through Democratic legislation. I have followed with some detail the economic history of the country prior to the tariff of 1816 in order to show that the Democratic party saved American industry in its most critical moment, forty years before the Republican party was born [applause], and to demonstrate the fact that the Democratic party extended tentative protection to American manufactures at the only period and under the only conditions in which sound principles of political economy and administrative justice would permit its application. [Applause.]

Let me submit in this connection the views of John Stuart Mill, perhaps the clearest thinker and certainly the leading political economist of the nineteenth century:

> The only case in which [illegible] of political economy protecting [illegible] a young and struggling industry, is when the [illegible] in its [illegible] to the circumstances [illegible] another in a state of [illegible] from long [illegible]
>
> [illegible] advantage on one part, or disadvantage on the other, [illegible] acquired skill and experience [illegible] ground [illegible] after a time he [illegible] good [illegible] for a fair trial of what they are capable of accomplishing. [Mill's Principles of Political Economy, p. [illegible]]

The doctrine of Mill was applicable to the United States in the third decade of its growth. The protection which he advocated was the protection of Madison, of Monroe, of Jackson, of Crawford, and of Calhoun. It was protection in the sense of the temporary encouragement of industry in its cradle and not protection in the Republican sense of permanent tribute to industry in its power. [Applause.] It was adapted to a stage of economic advancement that has long since passed away, its necessity having ceased more than seventy years ago.

To show the gulf between the rational theories of the Democratic party during the childhood of American industry and the illogical and superfluous protection of Republicanism to-day it needs only to be remarked that John Stuart Mill and the other masters of economic science regarded protection as allowable in order to guard young industries from the superior experience and skill of established European rivals, while the Republican party, reversing the position, advocates protection under the farcical pretention that it shields our industries from the inferior skill, the "pauper labor," of foreign manufactures. The idea of "pauper labor" in the mechanic arts and industrial pursuits is a fundamental Republican fallacy. Skilled labor, the labor which is the combined result of mental acumen and manual dexterity, is never "pauper" labor. The skill which enables its possessor to enter the higher grades of industrial work is incompatible with the idea of "pauper labor."

The division of labor made possible by the training and experience of the skilled workman implies a standard of living which "pauper labor" can never attain, and constitutes the basis of the industrial and moral progress of advanced communities everywhere. The negro labor of the South is largely "pauper labor," and it is notoriously impossible of utilization in the factory. When it reaches sufficient excellence to admit it to the factory it is no longer "pauper labor." It is true that the skilled labor of one country may be superior to that of another, and it is also true that American skilled labor is so superior to foreign skilled labor that although the former receives a nominally higher wage, yet when the amount and quality of its products are compared with the amount and quality of those of the latter, it will be at once observed that American labor is paid a smaller compensation than foreign labor.

If the American laborer makes in a day an article or set of articles worth $8 for a wage of $2, and the foreign laborer makes in a day an article or set of articles worth $3 for a wage of $1, the American laborer gets less for his work than the foreigner. The actual labor cost of a ton of steel rails and billets in this country, basing the statement on the statistics for 1901, is lower than in England, although American wages are nominally higher than English wages.

The actual cost of the labor required to produce a certain grade of shoes in Massachusetts is 40 cents per pair, while in Germany the same labor costs 38 cents, although American wages are nominally higher than German wages. American labor is underpaid, not foreign labor. There is no competition to be feared from the alleged "pauper labor" of foreign factories. The cry of "pauper labor" is a political canard devised to frighten the laboring man

into the support of the Republican ticket. How long will he permit his intelligence to be thus grossly insulted? [Loud applause.]

For several years after 1816 the protective protection of Madison were continued. But it became evident, as early as 1820, that the protected industries, with a few exceptions, had [illegible] from the Federal Treasury. [illegible] the country to the [illegible] of youth and [illegible] with the [illegible] of [illegible] to protect the [illegible] of [illegible] of the country [illegible] of [illegible] of [illegible] of

the Wilson law or with Democratic ascendency, the Democratic party was severely defeated in November of 1894.

It is the fashion of Republican orators to speak with melancholy of the hard times which they claim to have arisen from the Wilson bill. In the present session the gentleman from Ohio [Mr. GROSVENOR], the gentleman from Indiana [Mr. CHARLES B. LANDIS], the gentleman from Nebraska [Mr. BURKETT], the gentleman from Iowa [Mr. HEPBURN], and the gentleman from Connecticut [Mr. HILL] have with an eloquence worthy of a more fruitful theme repeated this monotonous assertion. Not one of them has dared to enter upon a fair and analytical discussion of the Wilson bill. They have ignored the simple fact of human credulity [illegible] by a [illegible] to the depression with which the Wilson bill was by chance synchronous. For Republican enlightenment I commend the words of history as outlined by Johnston and Conway, [illegible] political and fiscal [illegible] in America. [illegible] concerning the origin of the panic of the early [illegible] follows:

When [illegible] hundred million, and in July, [illegible]

[illegible] $[illegible]

[illegible]

Whether Johnston's statement is entirely accurate or not is unnecessary to say. I [illegible] one of our most reputable authorities.

In the same connection Taussig asserts that the Wilson bill—

[illegible] worst [illegible] of the worst [illegible] of the [illegible] of the [illegible] period.

So the Democratic party and the Wilson bill are answerable in no way for the financial and commercial disturbances of a decade ago.

The contest of 1896 centered upon the money question. Such was the vehemence of the controversy that the tariff was given practically little consideration. The success of the Republican party in 1896 was not a partisan success. It was the triumph of a monetary doctrine for which unlimited numbers of the people voted regardless of previous political alignment. It was in no sense an indorsement of the party record or the tariff tenets of Republicanism.

Notwithstanding this fact, the Republican party [illegible] in 1897 by the prompt enactment of the Dingley tariff bill, which not only restored, but in many instances increased the rates of 1890. The Dingley bill laid upon the American people the highest tariff taxes civilization has ever known. It is the boldest example of [illegible] which any country, whether monarchy, kingdom, or republic, has ever witnessed. It [illegible] upon the statute without substantial change to-day—the scarlet sin of American politics.

The election of 1900 was determined by issues inherited from the Spanish-American war and [illegible] the Dingley bill, the demands for revision have multiplied. The American people have [illegible] to plead, they have begun to frown. We are told by the Republicans that there shall be no revision at the present session, and history warns us that there will be no revision by Republicans at future sessions. [Loud applause.]

The Dingley tariff system is the child of violence, the progeny of war. It is a heritage of blood. By virtue of its aid the protected interests have perpetuated and augmented the exorbitant rates of the frightful conflict of nearly four decades ago. Through the tariff they have secured immunity from foreign competition, and through the trust, the tariff's offspring, they have suppressed domestic rivalry. Thus Republican legislation is pouring the national wealth into the possession of the few. And with an insolence unequaled in all former instances of legislative tyranny the Republican party faces the election of 1904 with the defiant policy of "stand pat."

As an evidence of the dissatisfaction within Republican ranks on account of this attitude, I quote an excerpt from the February (1904) Review of Reviews, whose editor is a [illegible] Republican:

Another prominent [illegible] of Mr. [illegible] with [illegible] worthy of a more [illegible] discussion of [illegible] of Democratic [illegible] with which the [illegible] to the depression [illegible] Republican [illegible] the tenets of history as outlined by [illegible] political and fiscal [illegible] concerning the origin of the panic of the early [illegible] follows:

[illegible] $[illegible] hundred million, and in July, [illegible]

[illegible] the Wilson bill—[illegible] worst [illegible] period.

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If, Mr. Chairman, this Republican policy of [illegible] had in the past prevailed, no [illegible] years, and [illegible] would [illegible]

[illegible] accomplished, and resolution unpatriotic would make the race of men a rout ignoble, a multitude depraved. The cry for freedom would have died unechoed in the muskentry of revolution, and Bunker Hill would be a British promenade. Liberty, unknown in human institutions, would [illegible] and steam, the builders of our modern development, would sleep within their native elements. The voice of Republicanism is the voice of the past. [Applause.]

The Democratic party fronts the opportunity of the time. The [illegible] Republicans will not revise the tariff with sincerity. They know from history and experience that Democratic principles alone have [illegible] the problems of our customs laws. In every contest where [illegible] the issue of tariff reform is to write the [illegible] warrant of the Republican party. [Loud and prolonged applause on the Democratic side.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HENRY of Connecticut having taken the chair as Speaker pro tempore, a [illegible] from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had insisted upon its amendments to the bill (H. R. 11837) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1905, asked a conference with the House of Representatives thereon, and had appointed [illegible] by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PROCTOR, Mr. HANSBROUGH, and Mr. SIMMONS [illegible] on the part of the Senate.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to the bill (S. [illegible]) granting additional lands adjacent to its site to the University of Montana.

The message also announced that the Senate had disagreed to the amendments of the House of Representatives [illegible] the following titles, and asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate:

S. 1543. An act granting an increase of pension to William W. Jackson; and

S. 3274. An act granting an increase of pension to Jane I. Long.

The message also announced that the Senate had insisted upon its amendments to bills of the following titles, [illegible] House of Representatives, [illegible] had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate:

H. R. 3032. An act granting an increase of pension to William F. [illegible];

H. R. 9583. An act granting an increase of pension to James H. Harris;

H. R. 8876. An act granting an increase of pension to Jonathan J. Smith;

H. R. 8058. An act granting an increase of pension to William M. Underhill;

H. R. 6705. An act granting an increase of pension to Edwin A. Forman;

H. R. 6426. An act granting an increase of pension to David Z. Beidler;

H. R. 6025. An act granting an increase of pension to John Herzog;

H. R. 5865. An act granting an increase of pension to Joshua Harlan;

H. R. 5555. An act granting an increase of pension to James R. Haupt;

H. R. 5067. An act granting an increase of pension to Franklin Moore;

H. R. 4526. An act granting an increase of pension to William J. Shepard;

H. R. 4251. An act granting an increase of pension to Joseph Hinkle;

H. R. 4136. An act granting an increase of pension to Caleb Arnett;

H. R. 2923. An act granting an increase of pension to John G. Fairchild;

H. R. 2920. An act granting an increase of pension to Daniel W. [illegible];

H. R. [illegible]. An act granting an increase of pension to John Watt; and

H. R. 2477. An act granting an increase of pension to Frank J. [illegible].

[illegible] also announced that the Senate had passed bills of [illegible] in which the concurrence of the House of R[illegible] was requested:

S. [illegible] An act to provide for sittings of the circuit and district courts of [illegible] northern district of Florida in the city of Fernandina, in [illegible];

[illegible] that a term of the circuit and dis[illegible] of the United States for the district of Vermont may be held at Newport;

S. 3079. An act for the relief of James [illegible];

S. 3218. An act for the relief of Civil Engineer P. C. Asserson, [illegible];

[illegible] An act providing for the erection of a public building in the city of Bluefield, W. Va.

The [illegible] announced that the Senate had passed the following [illegible]; in which the concurrence of the House of Representatives was requested:

[illegible] Resolution No. 49.

[illegible] (*concurring*), That the [illegible] senate the bill of the Senate (S. 3323) [illegible] ed lands on the Fort Hall Indian Reservation, to correct a [illegible]

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Th[illegible]

[illegible] Mr. Chairman, I yield thirty [illegible] eman from Pennsylvania [Mr. ADAMS].

[illegible] CHAIRMAN. The gentleman from Pennsylvania is recognized for thirty minutes.

[illegible] ADAMS of Pennsylvania. Mr. Chairman, with [illegible] use I have learned the [illegible] can render this body and the [illegible] efforts very largely to the work that [illegible] committees to which he has been assigned and try to [illegible] Hou[illegible] for the ben fit of his constituents. It has been my lot to [illegible] years on the Committee on Foreign Affairs and on [illegible] on Immigration. In the last Congress two bills of great [illegible] affecting the welfare of our country were had [illegible] Chinese-exclusion act be[illegible] Committee on Foreign Affairs and the immigration act [illegible] we sat in the Committee on Foreign Affairs [illegible] the fears expressed by people on the Pacific coast in [illegible] to the yellow peril. We heard from the various labor [illegible] the protests of the [illegible] and fruit grower [illegible] saying that it was [illegible] to secure adequate [illegible] run their work[illegible] their crops. We [illegible] fairest way of all the conflicting interests on the Pacific coast of our country, and I regret to say that that bill failed of passage in the Senate; but, Mr. Chairman, in regard to the bill on immigration, and from the information that was submitted to our committee by those who appeared before it, in my judgment there is a greater peril to our country than that which threatens it from the East.

The Mongolian may come into our country, but he does not assimilate with our people; he does not have any social or moral influence in this country, because, being a race apart, that communism will not exist with which [illegible] will have force. But, Mr. Chairman, there is a tide of immigration pouring into our country which is increasing at a rate that, unless your attention happened to have been called to it, would not strike the ordinary observer. It was the facts, Mr. C[illegible], which were laid before our committee [illegible] which exists on the Atlantic coast. In the present year that has just passed 1,000,000 of immigrants entered the ports of the United States; two-thirds of th[illegible] came from southern Europe. Those [illegible] as a class are not desirable immigrants, and yet that is a section that furnishes two-thirds of those who come into our ports. Why are these immigrants not desirable?

I insert a table from the report of the Commissioner-General for the year ended June 30, 1903, which bears on this subject strongly.

Report of aliens arrived and debarred at the ports of United States and Canada for the year ending June 30, 1903.

Race or people.	Arrived.					
	Male.	Female.	Total.	Under 14 years.	14 to 45 years.	45 years and over.
[illegible] (black)	1,549	[illegible]	2,174	242	1,811	121
[illegible]	1,421	335	1,756	159	1,567	32
[illegible] Mo[illegible]	5,830	3,771	9,501	1,856	7,224	511
[illegible] an, Servian, Montene[illegible]	6,315	164	6,479	74	6,165	240
[illegible]	2,152	40	2,192	82	2,055	105
[illegible] and Slove[illegible]	29,222	3,685	32,907	1,111	30,457	1,339
Cuban	1,045	99	[illegible]	610	1,087	347
Dalmatian, Bosnian, Herzegovinian	1,544	192	1,736	33	1,625	78
Dutch and Flemish	4,372	2,124	6,496	1,642	4,404	450
East Indian	50	13	63	5	55	3
English	17,229	11,222	28,451	4,279	20,649	3,523
Filipino	125	4	129	16	113	[illegible]
Finnish	12,575	6,189	18,864	1,867	16,540	517
French	4,450	2,716	7,166	1,162	5,354	674
German	44,663	27,119	71,782	13,357	53,962	4,413
Greek	13,885	491	14,376	1,185	12,951	240
Hebrew	43,985	32,218	76,203	19,044	53,674	4,485
Irish	16,112	19,254	35,366	1,853	32,057	1,456
Italian (north)	30,477	6,952	37,429	3,448	32,561	1,419
Italian (south)	158,939	37,178	196,117	21,619	164,661	9,837
[illegible]	15,960	4,081	20,041	515	19,344	182
[illegible]	195	1	196	53	139	4
[illegible] n	10,721	3,711	14,432	1,137	12,078	217
[illegible]	20,449	6,684	27,133	2,141	23,721	1,262
[illegible]	324	102	426	67	334	35
[illegible] anders	46	[illegible]	49	3	46	3
[illegible]	58,922	23,371	82,34[illegible]	7,761	72,629	1,953
[illegible] o	4,999	3,434	8,433	2,072	5,665	696
[illegible] n	4,472	[illegible]	4,749	[illegible]	4,468	254
[illegible]	2,897	711	3,608	407	3,069	132
[illegible] (Russ[illegible]	7,695	2,148	9,843	465	9,284	292
[illegible] ian	51,272	28,075	79,347	8,396	67,518	3,433
[illegible]	3,995	2,224	6,219	[illegible]	4,660	659
[illegible]	24,394	10,033	34,427	3,393	30,042	1,985
[illegible]	2,758	[illegible]	3,297	289	2,722	286
[illegible]	691	287	978	150	775	93
[illegible] sh-American	3,749	1,802	5,551	952	4,370	229
Syrian	423	26	449	[illegible]	434	[illegible]
Turkish	836	442	1,278	258	895	130
Welsh	946	554	1,499	222	1,175	129
West Indian	[illegible]	30	[illegible]	19	66	4
All other peoples	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total	613,146	243,900	857,046	102,431	714,053	40,562

Race or people.	Arrived.					
	Can read but can not write.	Can read and write.	[illegible] over 50 years.	[illegible]	Total [illegible]	Have [illegible]
[illegible] (black)	23	604	275	1,834	$28,749	783
[illegible]	2	442	217	1,070	30,779	74
Bohemian and Mo[illegible]	4	119	1,906	5,000	217,439	279
Bulgarian, Servian, Montenegrin	1	2,889	283	5,586	71,749	82
Chinese	[illegible]	280	151	1,614	58,322	2,122
Croatian and Slovenian	75	11,104	2,554	27,318	407,117	1,869
Cuban	10	87	596	2,139	98,288	1,900
Dalmatian, Bosnian, Herzegovinian	1	495	280	1,024	26,056	112
Dutch and Flemish	5	836	1,617	2,194	197,543	573
East Indian	[illegible]	18	34	5	3,189	15
[illegible] sh	60	840	13,836	5,871	1,405,395	8,095
[illegible] pino	1	24	41	42	7,643	21
Finnish	191	187	2,515	13,651	362,742	1,398
French	10	288	3,141	1,720	365,023	1,339

Report of aliens arrived and debarred, etc.—Continued.

Race or people.	Arrived. Illiteracy, 14 years and over: Can read but not write.	Illiteracy, 14 years and over: Can read and write.	Immigrants bringing less than $50.	Immigrants bringing over.	Total amount of money shown.	Have been in the United States before.
German	[illegible]	2,438	[illegible]	[illegible]	[illegible]	[illegible]
Greek	[illegible]	3,053	1,814	[illegible]	[illegible]	[illegible]
Hebrew	[illegible]	14,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Irish	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Italian (north)	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Italian (south)	71	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Japanese	[illegible]	5,274	[illegible]	[illegible]	[illegible]	[illegible]
Korean	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Lithuanian	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Magyar	50	2,[illegible]	1,[illegible]	[illegible]	[illegible]	[illegible]
Mexican	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Pacific Islanders	[illegible]	[illegible]	17	[illegible]	[illegible]	[illegible]
Polish	1,812	22,831	3,[illegible]	[illegible]	[illegible]	[illegible]
Portuguese	12	4,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Roumanian	4	[illegible]	114	[illegible]	[illegible]	111
Russian	15	1,[illegible]	437	[illegible]	[illegible]	123
Ruthenian (Russniak)	30	4,[illegible]	254	8,247	92,[illegible]	[illegible]
Scandinavian	139	294	14,641	[illegible]	[illegible]	[illegible]
Scotch	[illegible]	59	2,[illegible]	[illegible]	[illegible]	[illegible]
Slovak	102	6,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Slovenian	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Spanish American	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Syrian	3	2,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Turkish	[illegible]	134	[illegible]	[illegible]	[illegible]	[illegible]
Welsh	5	34	[illegible]	[illegible]	[illegible]	[illegible]
West Indian	2	67	815	[illegible]	60,654	[illegible]
All other peoples	[illegible]	5	29	23	2,485	[illegible]
Total	3,341	183,967	[illegible]	341,382	18,117,513	79,702

Report of aliens arrived and debarred, etc.—Continued.

Race or people.	Debarred. Idiots.	Insane persons.	Paupers.	Land [illegible]	Convicts.	Prostitutes.	Women for immoral purposes.	Assisted aliens.	Contract laborers.	Returned in one year after landing.	Returned in two years.
African (black)	[illegible]	[illegible]	36	7	1	[illegible]	7	[illegible]	1	19	3
Armenian	[illegible]	[illegible]	42	26	[illegible]	[illegible]	[illegible]	[illegible]	2	5	60
Bohemian and Moravian	[illegible]	[illegible]	27	3	[illegible]	[illegible]	[illegible]	[illegible]	1	1	33
Bulgarian, Servian, Montenegrin	[illegible]	[illegible]	50	5	[illegible]	[illegible]	[illegible]	[illegible]	2	4	25
Chinese	[illegible]	[illegible]	[illegible]	5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Croatian and Slovenian	[illegible]	[illegible]	156	41	[illegible]	[illegible]	[illegible]	[illegible]	22	11	116
Cuban	[illegible]	[illegible]	4	[illegible]	[illegible]	1	[illegible]	[illegible]	1	3	14
Dalmatian, Bosnian, Herzegovinian	[illegible]	[illegible]	5	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1	[illegible]	[illegible]
Dutch and Flemish	1	[illegible]	18	4	[illegible]	[illegible]	[illegible]	[illegible]	2	1	[illegible]
East Indian	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1	[illegible]
English	[illegible]	[illegible]	[illegible]	9	[illegible]	[illegible]	[illegible]	[illegible]	34	37	[illegible]
Finnish	[illegible]	[illegible]	[illegible]	79	[illegible]	[illegible]	[illegible]	[illegible]	3	19	[illegible]
French	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1	[illegible]	[illegible]	4	13	[illegible]
German	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	61	795
Greek	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	111	[illegible]	[illegible]
Hebrew	1	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Irish	[illegible]	5	75	14	[illegible]	[illegible]	[illegible]	[illegible]	13	[illegible]	[illegible]
Italian (north)	[illegible]	[illegible]	160	9	[illegible]	[illegible]	[illegible]	[illegible]	71	[illegible]	[illegible]
Italian (south)	[illegible]	8	2,194	147	46	[illegible]	[illegible]	[illegible]	447	[illegible]	[illegible]
Japanese	[illegible]	[illegible]	169	338	[illegible]	1	2	[illegible]	67	4	[illegible]
Korean	[illegible]	[illegible]	15	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Lithuanian	[illegible]	[illegible]	34	69	[illegible]	[illegible]	[illegible]	[illegible]	6	[illegible]	251
Magyar	[illegible]	[illegible]	470	16	[illegible]	[illegible]	[illegible]	[illegible]	5	[illegible]	109
Mexican	[illegible]	[illegible]	4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Pacific Islanders	[illegible]	[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Polish	[illegible]	1	289	201	[illegible]	[illegible]	[illegible]	[illegible]	65	41	[illegible]
Portuguese	[illegible]	[illegible]	80	6	[illegible]	[illegible]	[illegible]	[illegible]	8	1	61
Roumanian	[illegible]	[illegible]	23	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	8	[illegible]	15
Russian	[illegible]	1	25	30	[illegible]	[illegible]	[illegible]	[illegible]	5	[illegible]	33
Ruthenian (Russniak)	[illegible]	[illegible]	79	9	[illegible]	[illegible]	[illegible]	[illegible]	5	[illegible]	53
Scandinavian	[illegible]	1	86	24	[illegible]	[illegible]	[illegible]	[illegible]	11	2	283
Scotch	[illegible]	[illegible]	16	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2	3	11
Slovak	[illegible]	[illegible]	151	42	[illegible]	[illegible]	[illegible]	[illegible]	43	15	[illegible]
Slovenian	[illegible]	1	25	1	[illegible]	[illegible]	[illegible]	[illegible]	19	[illegible]	13
Spanish	[illegible]	[illegible]	5	1	[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	[illegible]
Spanish American	[illegible]	[illegible]	195	46	[illegible]	[illegible]	[illegible]	[illegible]	29	5	[illegible]
Syrian	[illegible]	[illegible]	13	4	[illegible]	[illegible]	[illegible]	[illegible]	1	[illegible]	5
Turkish	[illegible]	[illegible]	4	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1	9
Welsh	[illegible]	[illegible]	54	1	[illegible]	[illegible]	[illegible]	[illegible]	17	2	11
West Indian	[illegible]	[illegible]	4	[illegible]	[illegible]	[illegible]	1	[illegible]	[illegible]	[illegible]	10
All other peoples	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total	1	23	5,812	1,773	51	1	13	9	1,086	547	6,394

It is not only that these people are so diseased that careful inspection is needed to exclude them, but with all care some escape and enter the country to spread it among our people. But they are not of a prudent and thrifty class, as the following will show:

As showing the comparative thrift of the races, attention is directed to the fa[illegible] Magyars [illegible] 117.

Exclusive of those denied admission at the land boundaries of the United [illegible]

Rejected aliens.	1902.	1903.
Idiots	7	1
Insane persons	57	23
[illegible]	3,944	5,812
[illegible] persons	769	1,[illegible]
[illegible]	3	31
[illegible]	0	1
[illegible] moral purposes	8	13
[illegible]	0	9
Contract laborers	[illegible]	1,098
Total	4,974	8,789

It is upon this state of facts that I [illegible] this House, to which I wi[illegible] which is now before the Committee on Immigration and has [illegible] received there with considerable favor, and I am in hopes it will be reported favorably for your action thereon. In the last fiscal year the increase in immigration has been 208,303, a matter of 38 per cent, and this increase is mostly [illegible] Europe. Five hundred and seventy-two thousand seven hundred and twenty-six came from Italy, Russia, and Austria-Hungary. These people, according to the reports of the Commissioner of Immigration, are [illegible] judgment, is greater than that of the M[illegible] who escape the inspection at Ellis Island and the other ports can spread these diseases among our people.

Mr. SULLIVAN of Massachusetts. Mr. Chairman, will the gentleman allow me to interrupt him?

The CHAIRMAN. Does the gentleman from Pennsylvania yield?

Mr. ADAMS of Pennsylvania. I would rather not be interrupted.

Mr. SULLIVAN of Massachusetts. I would like to ask a single question and I will not interrupt further.

Mr. ADAMS of Pennsylvania. Very good.

Mr. SULLIVAN of Massachusetts. I ask for infor[illegible] whether or not, under the laws these immigrants who are afflicted with [illegible]

Mr. ADAMS of Pennsylvania. There is undoubtedly provision for that, [illegible] guage of the law, or however good may be the [illegible] inspectors, many do escape, and when you turn to the north numbers come in through Canada, which is practically an open door.

In the last twenty years the influx into [illegible] has vastly increased. In 1880 35 per cent of the population lived in cities of 4,000 and upward; in 1890 it [illegible] cent and is steadily increasing. In addition to this influx into the [illegible] as the foreign immigrants, especially from southern Europe, [illegible] I insert a table showing the foreign-born population [illegible]

City.	Total population.	Total foreign [illegible]	Per cent of [illegible]
New York	[illegible]	[illegible]	38.95
[illegible]	[illegible]	[illegible]	34.51
[illegible]	[illegible]	[illegible]	29.85
Boston	[illegible]	[illegible]	35.15
Cleveland	[illegible]	124,681	[illegible]
San Francisco	[illegible]	116,865	34.19
St. Louis	575,238	111,356	19.36

In the ghetto of New York there are 200,000 Russians, 100,000 of which can [illegible] A terrible condition is stated in the United Hebrew Charities report of 1901:

A condition of chroni[illegible] in the Jewish community of [illegible] society for assistance is [illegible]

Mr. Chairman, the ratio of paupers that come from those countries and have to be deported is very large. I will not weary the House with statistics. I have them here, and I will publish them

in my remarks. They substantiate the statements that I make. The number of immigrants that have to be deported is very large from this section, but the great evil that is inflicted upon this country by those that come from southern Europe is that they remain almost entirely in the cities. They do not go out and occupy the farm lands, and when we know that in our own country, according to the reports of the census, the tendency is for people in the country to migrate toward the cities, you have got a double influx pouring into those thickly populated centers which certainly does not tend to the welfare of our people. I have collected some statistics from the State of New York which are official and which I believe to be correct. They show the influence and the result that this migration has upon our people.

Of course I admit it is greater in the State of New York, because it is nearer to the principal entrepôt where all these aliens land, but it is in proportional extent to Pennsylvania, and Massachusetts, and Rhode Island, and New Jersey, and Delaware, and the evil spreads in lesser degree throughout all the country. Those that entered in the fiscal year ending June 30, 1903, were 401,057. It is a well-established fact that in a little over a year 580 of these became a public charge upon the almshouses of New York. It costs the State of New York $80 a head for alms to sustain a pauper, and that puts a charge on that State of $46,400 [illegible] in which they have [illegible] In New York almshouses there were 66,400 in the year ending September 30, 1901, and of these 37,422 were foreign born. More than one-half of the inmates of the almshouses of the State of New York were of foreign birth and being supported at a cost to the State of $15,941,622, and this is [illegible] expended in the insane asylums, where almost the same ratio prevails.

The value of the property of the public charitable institutions of the State of New York is $68,177,725, and at 5 per cent that represents a cost of $3,408,886, or a total of $24,350,580 that it costs the State of New York to support these people in its charitable institutions. Taking that as against the figures I have already given, it makes a cost of $12,000,000 annually to the State of New York to support these immigrants which have so recently come into the country. Surely this is a showing that should [illegible] the people of the United States to pause and think why this refuse of Europe, these paupers, who should be a charge on their own country, should be dumped on this Republic of ours, no matter how great our resources or how rich we may be. It is a well-known fact that a few years ago Switzerland was detected in shipping, at the expense of the State, the paupers of that Republic and landing them on our shores to be supported by us. In the insane asylums of New York the inmates are increasing at the rate of 700 a year, and half of these are aliens, by actual sta[illegible] At this rate in ten years it will cost the United States at large $50,000,000 annually to support the insane aliens. In spite [illegible] that I have given, they do not include the charitable institutions and homes for children, which cost the State of New York $20,880,[illegible] annually. The alien paupers in the State of New York are increasing at the rate of 1,200 a year.

Now, Mr. Chairman, from a selfish standpoint we might shut [illegible] up in our shells and say, "Well, New York gets all of [illegible] and let her pay for it." But it is not limited to New York. These people are shipped out from that State. They go to other States and cities, and they become charges on the communities and inflict a tax upon the people of the United States at large. The gentleman from Massachusetts [Mr. SULLIVAN] inquired a few moments ago if we had not laws by which to prevent the in[illegible] of undesirable aliens. We have, Mr. Chairman. An act which was prepared with the greatest care last year from suggestions made by the Bureau of Immigration, by the Solicitor, by the efforts of the members of the committee, and by those who [illegible] interested in this work was passed; but we all know the inefficiency of laws, even with a desire on the part of the inspectors to do their duty. When these aliens arrive at the port of New York they are marked undesirable. Then there is an appeal, and they go up before the commission appointed by the Commissioner of Immigration. Then the local politicians and friends come forward. They pledge they will give them situations. They make them presents of money. Political influence is brought to bear to have them passed, and out of a large proportion that on the first examination are marked undesirable a very small percentage is actually deported.

In the year ending June 2, 1902, less than four-fifths of 1 per cent were refused admittance. The statistics show that 30 aliens out of every 10,000 who come into this country become, in the course of time, objects of charity, while only 9 out of 10,000 natives become paupers and a charge on the community.

I endeavored to get some statistics in regard to my own State of Pennsylvania on this subject, but I was not able to do so they, not having been collated with a view to furnishing information on this question. But my attention was called a short time ago to the facts disclosed in an effort to clear the streets of the city of Philadelphia of mendicants, when the secretary of the organized charity of that city made a report, founded on the collection of his statistics, that 95 per cent of the beggars on the streets of Philadelphia were of foreign birth. It will thus be seen that when we come to look at this matter from a practical standpoint it is a most serious question.

Mr. Chairman, there were great difficulties presented in meeting the question how to overcome this evil. Our Republic is open to every honest, healthy man, to every man who desires to secure political and religious freedom, and I should be the last man who would want to shut the door against any of that class. But the difficulty has been how to leave the door open to the desirable ones and how to close it against those whom we do not want.

I insert a table showing the sources of our immigration.

Country.	1902.	1903.	Increase.	Decrease.
Austria-Hungary	171,989	206,011	34,022	.....
Belgium	2,527	3,450	923	.....
Denmark	5,690	7,198	1,408	.....
France, including Corsica	3,117	5,558	2,441	.....
German Empire	[illegible]	[illegible]	11,782	.....
Greece	8,104	14,050	5,946	.....
Italy, including Sicily and Sardinia	178,375	[illegible]	52,247	.....
Netherlands	2,284	3,998	1,714	.....
Norway	17,484	24,461	6,977	.....
Portugal, including Cape Verde and Azores	5,307	9,317	4,010	.....
Roumania	7,196	9,310	2,114	.....
Russia, Poland, and Finland	107,347	136,093	28,746	.....
Servia, Bosnia, and Herzegovina	851	1,761	910	.....
Spain, including Canary and Balearic Islands	975	2,080	1,105	.....
Sweden	30,894	46,028	15,134	.....
Switzerland	2,744	3,983	1,239	.....
Turkey in Europe	187	1,529	1,342	.....
United Kingdom	13,575	26,219	12,644	.....
Ireland	29,188	35,310	6,122	.....
England	2,560	6,143	3,583	.....
Scotland	[illegible]	1,275	912	.....
Europe, not specified	[illegible]	5	.....	32
Total Europe	619,068	814,507	195,439	.....
China	1,649	[illegible]	[illegible]	.....
Japan	14,270	19,998	[illegible]	.....
India	[illegible]	[illegible]	[illegible]	.....
Turkey in Asia	6,293	7,118	[illegible]	.....
Other Asia	38	577	541	.....
Total Asia	22,271	29,966	7,695	.....
Africa	[illegible]	176	139	.....
Australia, Tasmania, and New Zealand	384	1,150	766	.....
[illegible]	[illegible]	132	6	.....
[illegible]	[illegible]	47	11	.....
[illegible] America	636	1,068	432	.....
[illegible] America	[illegible]	51	39	.....
[illegible] America	294	507	213	.....
Mexico	768	[illegible]	.....	181
[illegible]	[illegible]	269	252	.....
West Indies	4,[illegible]	8,170	3,460	.....
All other countries	[illegible]	25	.....	78
Total	[illegible]	[illegible]	208,303	.....
Other alien passengers	[illegible]	69,209	.....	17,786
Total alien passengers	720,788	921,315	190,517	.....

The educational test is proposed to relieve this inflow; but, as we all know, that meets great objection from a great number of people, because they say we want manual labor in this country perhaps more greatly than we want any other class of labor. The farmer calls out for help. Last spring in Kansas they were offering $1 a day for hands in the [illegible] laborers. The builders of railroads, the diggers of canals, the builders of houses are always making this demand. Under the system of education in our country we are always lifting up each successive generation. If society is not supplied at the low strata with manual labor, it will, in my judgment, become top-heavy. We want immigrants from northern Europe. We want the Britons, and the Irish, and the Swedes, and the Germans, and the Danes. They are glorious people—sturdy and hardy and sound. We want them. We are prepared to welcome them to our country.

But when we come to this class from southern Europe—and two-thirds of our immigrants come from there—the question is how can we cut down the immigration from this source?

I have introduced the subjoined bill:

A bill (H. R. 12903) to limit the immigration of aliens into the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful hereafter for more than 50,000 aliens from any one nation to enter the United States during any fiscal year: *Provided*, That said restriction shall not apply to citizens and domiciled residents of the Dominion of Canada, the Republic of Mexico, and the Republic of Cuba, nor to persons coming temporarily in the pursuit of their business as representatives of foreign commercial or mercantile

houses, nor to the duly accredited representatives of foreign governments [illegible] and returned as provided by law in [illegible] of Immigra- [illegible] and the various [illegible] tory, land or water, [illegible]

[illegible] this: We can not lay down laws [illegible] would be likely to [illegible] from [illegible] In my bill I [illegible] other country comes within that limitation by many [illegible]

[illegible] Hungary last year sent 206,011 immigrants to this country. [illegible] I will [illegible] out wa[illegible] the Hungarians [illegible] now. I will [illegible] brief [illegible] that sent to our [illegible] per annum, up to last year, [illegible] year of [illegible] from [illegible] people we want—not on[illegible] n to come in as the law, but to increase [illegible] rially. The effect of this law cuts down [illegible]

Mr. SULLIVAN of Massachusetts. Will the gentleman from Pennsylvania be kind enough to indicate what in his opinion are the undesirable quantities of immigrants from Austria, Italy, and Russia? It is my belief that these people are willing to work on the homes of the West and the South.

Mr. ADAMS of Pennsylvania. I will refer the gentleman for full information to the report of the Commissioner of Immigration; it would take me some time to answer the gentleman's question fully. My understanding is that [illegible] immigrants stay in the cities. They do not go to the farms of the West and the South which the gentleman speaks of. There is still room in the Commonwealth of Pennsylvania for a [illegible] of immigrants to have a [illegible] country [illegible] As a matter of fact, the immigrant does not stay in the cities that he enters upon his landing. They go West and South. They crowd the cities. [illegible] on the contrary, and for these reasons they are not a des[illegible] class of foreigners.

Mr. CHAIRMAN, said is the record which is attracting attention all over the country. [illegible] in any part of the country which is [illegible] a [illegible] well [illegible] an editorial or some [illegible] bearing on this question. The President of the [illegible] in his last annual message called the attention of Congress to this question, and I think his views are particularly sound. I read from his language:

We should have none of the right kind, and we should have none of the wrong kind. The need is to devise some system by which undesirable immigrants shall be kept out entirely, while desirable immigrants are properly distributed throughout the country.

The National Board of Trade at its meeting held in Washington January 19, 1904, passed the following resolutions:

[illegible]

Whereas [illegible] proposing an educational test [illegible] necessary, and might tend to the [illegible] and

Whereas the report of the Walker Commission of 1890-91 and that of the Senate committee on immigration of 1893 were opposed to Consular inspection at the ports of origin, [illegible] to be impracticable; and

Whereas no effort has ever been made, except by private [illegible], to direct immigration [illegible] at ports, thereby relieving the congestion in the larger cities. Therefore, be it

Resolved, That Congress be urged to devise some other means for the [illegible] relieve the [illegible] of.

Now, Mr. Chairman, [illegible] I would [illegible] want to [illegible] have [illegible] it was [illegible] were [illegible] of [illegible] ate or our race. Our [illegible] se qualities that go to form a great people and make a great [illegible]

The people who come in here with ideas that do not assimilate [illegible] re is no coming t[illegible] fusion of [illegible] ways and [illegible] partly of our own race. The danger from these latter, in my [illegible] t, is greater, as I say, than the yellow peril which threat- [illegible] at [illegible] as which, in my judgment, should appeal to them. [Ap- [illegible] rty [illegible] N. The [illegible] ts [Mr. [illegible] irman, I trust I shall [illegible] rowth of this [illegible] s delivered [illegible] of [illegible] on [illegible] l in this city and in [illegible] at was to be the growth of the [illegible] that this city had been laid out upon a m[illegible] rry [illegible] lecture in the Old World, and th[illegible] laid out upon a plan which was great [illegible] the w[illegible] growth [illegible] awaited this nation.

The passing of that centennial celebration in 1900 was the appointment of the [illegible] as "[illegible] to take [illegible] r the re[illegible] of the city of Wa[illegible] of the national [illegible] At the [illegible] of the appointment of the commission the Institute of American Architects, which for [illegible] at this time was in session in the city of Washington, furnished to the service of the Government the most capable men who ever served upon any commission.

They selected Mr. Daniel H. Burnham, of Chicago, Ill., who had charge of the work at the time of the Columbian Exposition,

which attracted universal attention from all parts of the world. They also selected Mr. Charles F. McKim, of New York, who stands, perhaps, at the head of the architects in America, whose work we are all proud of; and I recall in connection with Mr. McKim those two great architectural successes which he has completed in New England, one being the capitol of the State of Rhode Island and the other that magnificent library in the city of Boston, of which we are so justly proud. Besides these two was selected that eminent landscape gardener Mr. Frederick Law Olmsted, jr., who resides in my Congressional district and who has achieved a reputation second to none as a landscape gardener in this country.

Let me say right here, in connection with Mr. Olmsted, that it is to him, perhaps more than to any other one, that we are in[illegible] for that magnificent park system which surrounds the city of Boston to-day, and upon which the people of that district have [illegible] nearly [illegible] for its development. Alongside of [illegible] artists in their particular profession was [illegible] Mr. Augustus St. Gaudens, who stands as the best sculp[illegible] not only in the United States, but who compares favorably with any sculptor in the world.

Now, Mr. Chairman, there was a commission of the four best men in their respective fields of endeavor with a view of laying out the city of Washington for its future growth and development. Let it be said to the credit of those gentlemen that they served for an entire year; that they crossed the ocean and visited London, Paris, Venice, Vienna, Budapest, and Berlin, and gave to this Government a year of their best endeavor and toil and never accepted or would accept a single penny as compensation for their services. [Applause.]

I hold before me this report, which was published in 1902, as The Park System of the District of Columbia. When that report went out to the American Republic it was received with the greatest favor. It was received not only favorably by the rich, but also by the poor, and there was no American citizen, I care not where he lived, that was not proud of the very prospect that Washington was to become the finest city in the world.

I am perfectly well aware, Mr. Chairman, that the initiative toward this movement in selecting this park commission and in [illegible] this body, but origi[illegible] I think it was a misfortune that [illegible] original resolution was not a joint resolution, and that this [illegible] did not have an [illegible] nity to participate in its adoption. But I think it is but fair to say that even if we had participated in it we should have reached the same conclusion that was reached by the Senate committee. Now, the claim is made, and that is the reason why I bring this matter up at this present time, Mr. Chairman, the claim is made that we are departing from the plan as laid out by that commission.

It is claimed that we are locating buildings to-day or proposing to locate buildings in total disregard of that magnificent [illegible] which to my mind has been indorsed and fully [illegible] the American people. I read this morning the proceedings which took place in another body with reference to the location of a public building, and every member of that body had his own opinion as to where the building should be located. One said it should be located here and another said it ought to be located th[illegible] and it is claimed that the building for the Department of A[illegible]ure, which is to be located in the Mall, is to be locat[illegible] in absolute disregard of the lines as laid out by the park commission.

I have here before me an editorial which appeared but a few [illegible] ld, published in the city of Boston, [illegible] city to Washington," and I read this not simply [illegible] ng argument against any variation from the plan as [illegible] by the commission, but I read it for the purpose of [illegible] to-day is attracted to [illegible] he national capital of the country. This ed- [illegible]

It is no [illegible] to characterize as a calamity to the national capital [illegible] ted upon the entire nation through the harm worked upon its [illegible] be the grandest avenue in the world, running from the Capitol to the Washington Monument, with drives, promenades, groves, and greensward inclosed in a width of 1,000 feet, the work designed by L'Enfant himself.

[illegible] for the [illegible] of this [illegible] It would be a great [illegible] work if we were to be [illegible] people of [illegible] the [illegible] Mall. [illegible] ways as to permit in removing the [illegible] Mall. [illegible] a [illegible] and to [illegible] from the Mall certain qualities of design dependent upon retain- [illegible]

[illegible] originally planted for both by the founder of Washington and by the present [illegible] were [illegible] transplanted [illegible] It is [illegible] to be [illegible] and [illegible] as a public park, [illegible] without [illegible] a year of their time to a task [illegible] and of a [illegible] in a [illegible] They are [illegible] of the present by a [illegible] and [illegible] commission [illegible]

The decisive [illegible] in this matter lies with the President. Mr. Roosevelt is [illegible] have [illegible] great [illegible] Congress. [illegible] it is to be hoped he [illegible] to the [illegible] and [illegible] of the [illegible] plan to the latter [illegible] in the [illegible] of a new de- [illegible] by avoiding his [illegible] responsibility [illegible] for the purpose of determin- [illegible] and the [illegible] of proposed improvements [illegible] Commission. Place [illegible] the [illegible] portunity [illegible] his name [illegible] than any President since Washington.

I have not taken the time to read all that editorial, but I do propose to insert it in my remarks as a strong argument not only in support of the plan as adopted by the commission, but as a strong expression of what the popular sentiment is upon this subject. Now, I appreciate, Mr. Chairman, that the plan as laid out by this park commission is a most elaborate plan. I appreciate that it will require millions and tens of millions of dollars to carry it into effect. I also appreciate that it is a plan which is not to be carried to its fulfillment this year or next year or in this generation, but I believe that the American people do insist that Washington in the future shall be developed by no haphazard plan.

I believe that the American people do insist that some definite and permanent plan shall be agreed upon before we enter upon the construction of these large departmental and executive buildings which we have in view for construction in the near future. More than that, I believe that the American people insist that in building up and developing the city of Washington that the plan of the founder of the city—the Father of his Country—as laid out shall be adhered to. We have done much here in Washington to make this a great and a beautiful city. In 1848 we commenced the construction of the Washington Monument, which has been a great feat of engineering and which required nearly half a century to carry forward to its fulfillment.

We have entered upon a magnificent park system, and the Government to-day is the owner of nearly 2,000 acres of land on the west capable of splendid development as an outlying park. We have commenced the reclamation of the Potomac Flats, and that is going forward; but what I want to see is a plan substantially the same as the plan of the park commission, which shall construct a splendid Mall, whether it be 800 or 1,000 or 1,[illegible] feet, running directly from the Capitol down to the river, and the river spanned by a splendid memorial to the great martyr to his country, Abraham Lincoln. If that plan can be carried out with the other features embodied in it, we shall satisfy the sense and the [illegible] of the people of this country.

Now, I want to say just a word, Mr. Chairman, along another line. I am aware that Members of this House will say this is a most [illegible] plan. It contemplates [illegible] expenditure of $100,000,000, possibly $200,000,000, for its development, and the [illegible] "What good reason can we give to the country for the expenditure of so large a sum of money for the development of a single city, even though it be the national capital?" Now, let us look at this from the material point of view. Everybody admits that the development of Washington along the lines of this plan as proposed by the commission would be in every sense [illegible] that we should be proud of it; but the reply is, "Are we justified in the expenditure of these large sums of money?"

In other words, Is this House justified in committing Congress to a plan which during a generation, or two generations, may result in the expenditure of $100,000,000? I want to call your attention, Mr. Chairman, to the French people—a thrifty people, a people that have as good a knowledge of human nature as any people upon the face of the globe. The French people have developed their splendid capital along lines largely identical with the lines laid out by the park commission, and what has been the effect?

To-day travelers from all parts of the world who go to Europe

visit the French capital. They spend their money at the French capital, and it is said on good authority that [illegible] every year carry across the Atlantic $150,000,000 and expend it in the cities of Europe. Now, who gets the benefit of that? You [illegible], in the first place, that at least one-third if not two-thirds of that entire amount is expended at the gay French capital. The other goes to Vienna, to Vienna, to those cities where the best art in the highest degree.

You can go back a little farther in history, to the Greek people, where art was born, and what have you to say as to the [illegible] Greece, which has been their Mecca, to view those wonderful works of art. If we were to develop Washington as it ought to be developed, we shall find that it would become a place [illegible] the resort of the American, but of people from all parts of the world.

We are still a young people. We have been passing through what may be called the material age. We are reaching now an age of art. Our artists, our sculptors, our painters are to-day rapidly among the best in the world. We are [illegible] to be [illegible] people, [illegible] to be what are called "[illegible] pictures." We are coming to that point where we can gather together the finest [illegible] there. We can make of Washington, with its talent and genius of the American people, the finest city in the world. We are already making it one of the finest cities in the world.

[illegible] which we can point for the history of the [illegible] people [illegible] and for which posterity will be grateful and [illegible] country and [illegible] representing the great Democracy [illegible] people. I say, my dear [illegible], I [illegible] if we expend the money [illegible] I want to see [illegible] national capital in reason [illegible] I believe to be a great people. [Applause.]

The American people have never been stingy in the expenditure of money when they believed that [illegible] Only the other day a bill passed [illegible] appropriation [illegible] building of the American Navy. I voted for that, as I [illegible] the money did [illegible] that the defense and protection of this country demanded it.

I would like to see that the time should come when the nations of Europe [illegible] and would allow us to have [illegible] and that [illegible] be paying [illegible] of the American people [illegible] the money of Europe and by the [illegible] dress of [illegible] be [illegible], or at least [illegible] to the nation of the better houses, to the higher tastes of the [illegible].

I believe the time will come, and I believe it will come in this country, when we shall see [illegible] and when we shall see a [illegible] of the fields of [illegible]. It will come in our day, but it will come [illegible] that day when the [illegible] expend money for the [illegible] to the American people [illegible] one country and because [illegible] this Congress [illegible] the development of the [illegible]. This is not a partisan question.

I have never yet made a political speech in this House [illegible] I have realized that I could not [illegible] convince my colleagues on the other side of the House [illegible] wrong or believe that I was right, and so I [illegible] the necessity for the consideration of political [illegible] state of affairs [illegible] at this session [illegible] made this move and [illegible] hope [illegible] we all believe, in [illegible] a prosperous [illegible] united and [illegible] this sort of [illegible] is the pride of every American citizen. [illegible]

Mr. PAUL E. Mr. Chairman, I yield seven minutes to the gentleman from Mississippi, Mr. WILLIAMS.

Mr. WILLIAMS of Mississippi. Mr. Chairman, upon yesterday the gentleman from Pennsylvania, Mr. [illegible], stated what is regarded as the true "Republican reciprocity" policy. I have found since then that there is another "Republican reciprocity" policy, that had been [illegible] by a [illegible] northwestern Senator in a speech made in the town of Boston. Upon yesterday I said that if the gentleman [illegible] reciprocity to noncompeting articles, such as the [illegible] territory and the complexity of our productions—agriculture and manufacturing—that I hardly knew of any article that would be [illegible].

I said that possibly [illegible] or breadfruit or guava might be [illegible]. I found this morning the [illegible] and fruit of the American [illegible] and [illegible] fruit and guava. And [illegible] us, we are [illegible] from Alaska. So that [illegible] having [illegible] the island, a [illegible] senator made a speech in Boston. It was [illegible]:

Let no fear [illegible]

[illegible]

order in a year?

Why, Colonel S[illegible] to that. You remember [illegible] Orient suffered [illegible].

Then this distinguished northwestern Senator goes on:

[illegible]

Now, this [illegible] reciprocity" is about this: The [illegible] his views upon M[illegible] in Great Britain and he [illegible] of [illegible] to the [illegible] ther. [illegible] to be this: Let Mr. [illegible] right anyhow, Chamberlain [illegible].

Now, in [illegible]. I found this morning the [illegible]

I want [illegible]

(opportunity [illegible]

and [illegible] in due form. [illegible]

[illegible] n Town—

w[illegible] sit him down

To[illegible]

(Watch out for the Sacred Tariff!)

S[illegible]

[illegible]

W[illegible]

[illegible]

H[illegible]

[illegible] ly hurt.

[Laughter.]

[illegible] ested heritage."

[illegible]

I [illegible]

"In England," [illegible] a noble scorn—

"[illegible]

W[illegible]

(Thanks be to our Hallowed Tariff.)

"[illegible] dare lay"—

"[illegible]

[illegible]

[Laughter.]

[illegible] grins—

[illegible]

S[illegible] g of shins.

('Tis treason to k[illegible] on the Tariff.)

[Laughter.]

Thus Senator CHARLES won a measureless fame—
[illegible]
For breaking up Chamberlain's bad little game,
[illegible]

Far and wide has the story spread—
[illegible]
[illegible] daily bread.
(Shout, shout for a Higher Tariff.)

[illegible] at the close to sing to a triumphal anthem; it begins [illegible] in Boston as well as in Boston. These are the last lines:

The [illegible]
It [illegible] live land,
It [illegible]
It [illegible]
It [illegible]
[illegible] of its blessings is Senator CHARLES!

[illegible]

[illegible] AN. The time of the gentleman from Mississippi is [illegible].

[illegible] ALZELL. Allow me to ask whether my friend from M[illegible] is not the senator of that poem? [Laughter.]

[illegible] LIAMS of Mississippi. I will show you why he is not.

T[illegible] HAIRMAN. The time of the gentleman from Mississippi [illegible].

[illegible] CLEARY of Minnesota. I yield the gentleman one minute.

[illegible] LLIAMS of Mississippi. There seems to be an aversion [illegible] this. The gentleman [illegible] man who [illegible] his name in such a way that the gentle[illegible] rama will know it is not I, although the last word in the [illegible] ture is spelled with a "y," not an "i." He has [illegible] Lyre." [Laughter.] I am afraid he is one of [illegible] Republicans, and that the signature refers to [illegible] of his past utterances concerning the "blessing [illegible] ff. [Laughter.]

Mr. PIERCE. Mr. Chairman, I yield thirty minutes to the [illegible] Kentucky [Mr. HOPKINS].

[illegible]. Mr. Chairman, on the 12th day of November, [illegible] on of this Congress, I [illegible] country, by allowing them to stem, twist, and [illegible] ts without being required to pay any tax or [illegible]. This bill, though limited in scope, was then [illegible] of its direct influence on the public revenues, which were falling below our largely increased expenditures, and over the opposition of the tobacco trust, which is to-day reaping such rich harvests from present conditions which they will vigorously oppose any [illegible] in. On the 17th day of the same month my colleague Mr. [illegible] E introduced a similar bill, and two days thereafter my fri[illegible] Mr. GAINES, from Tennessee, introduced a similar bill, and on [illegible] 21st of January, 1904, my w[illegible] ague Mr. STANLEY int[illegible] d a bill going still further on. You see we now have four [illegible] pending before this body all looking to the same [illegible] of our markets [illegible] r new fields of competition in the sale and [illegible] at and important [illegible].

I will say r[illegible] e that none of us are wedded to our particular [illegible] will [illegible] port any bill which will offer [illegible]. At the same time, w[illegible] and have impose[illegible] any tax or license on [illegible] it is [illegible] an unfair discrimination against one class of our farming and laboring people, it being the only direct product of the soil upon which the Government lays the hand of tribute. Although this unjust [illegible] ly an [illegible] who be[illegible] the support they were [illegible] as they had an open and free [illegible] fair and [illegible] on, in which to [illegible] the [illegible] gathered from [illegible] the [illegible] ement of the [illegible].

[illegible], sir, new [illegible] front them, a new enemy has arisen in their pathway, even more greedy and rapacious th[illegible] the revenue agent and the taxgatherer, and this is none of[illegible] which stalks into the market, brazen[illegible] "I will fix the prices of your la[illegible] the products of your soil: you must sell your tobacco to me at the prices I offer, for there is none other in the market to whom you can sell." Thus having dictated the price at which the farmer must give up the fruits of his toil, sweat, and labor, it turns to the public with equal affrontery and says to the consumer, "You must pay the price we ask, for no one else can supply your wants," presenting the spectacle of this heartless creature of the law robbing the farmer, when he [illegible] the prices of his [illegible] the cost of production, and an unprotected public, when it turns to sell it, at extortionate rates of profit.

Mr. Chairman, a very short experience has proven there can be but one solution of this problem, if left to work [illegible] and that is [illegible], and none other than [illegible] in this country, and the [illegible] transfer of the [illegible] manager living of the farmers and [illegible] in its fields, from their hands to the vaults of this monster of human genius, the tobacco trust, with its $189,000,000 of capital [illegible].

It [illegible] to discover the true condition of the tobacco [illegible] of the country just now, for the way [illegible] is [illegible] with [illegible] from these already long [illegible] people, beseeching that something be done to [illegible] their families by honest toil, the fruit of which they may be allowed to gather and enjoy. They ask [illegible] liberty, not that they be given any special privileges over any other class of men, but for simple justice, and that they be treated as the farmer who raises corn, wheat, oats, and rye.

[illegible] what [illegible] and how [illegible] they are [illegible] tive, I want to produce some newspaper [illegible] of the condition of the tobacco industry of the [illegible], and ask that they be made part of my remarks. First, I will read from the Courier-Journal, under date of October 22, 1903:

SHELBYVILLE, KY., October 22.

[Special.]—The Burley tobacco growers of Shelby County held an enthusiastic meeting here to-day and perfected the county organization of the Burley [illegible] A resolution was adopted which is formed to control the Burley [illegible] growers.

Mr. [illegible] Mr. John C. Crawford [illegible] Mr. W. H. Brown [illegible] and A. [illegible] were elected to [illegible] the organization of the association. Almost every one of the great number of growers [illegible] to the success of the organization, and the [illegible] with the brightest prospects in Shelby County, which is the largest [illegible] in the world.

[illegible] was unanimously adopted:

"[illegible] Association in mass meeting assembled [illegible] purpose of [illegible] the users of competition for the sale of manufactured [illegible].

"[illegible] demand a change in the laws or such [illegible] of the [illegible] to stem and twist [illegible] tax, and also that all taxes on such twisted or other [illegible] tobacco be repealed.

"We request our Members of Congress and all other officers of the Government [illegible] this work."

Here we have a few honest, fearless farmers who, like all true Kentuckians, are not willing to surrender without at least giving battle to the enemy, organizing themselves together and risking their fortunes upon the result of the contest, which they are [illegible] to fight out alone and single handed, can have but one [illegible] and that will be the triumph of wrong and robbery, of [illegible] avarice, over manhood, justice, and right, for in the end, in the light of past history, I am forced to predict that the Shelby County Tobacco Growers' Association will have to succumb to the overpowering influence of its dreaded enemy—the tobacco trust.

This conviction is strengthened by reading a letter written me by Mr. Leonard Drain, who was chosen chairman of that association, which I will ask the Clerk to read, and that it be made a part of my remarks.

BOX 161, EMINENCE, KY., *November 19, 1903.*

Hon. F. A. HOPKINS.

DEAR SIR: I notice with pleasure that you have introduced a bill in Congress looking to the relief of the tobacco growers, which we most heartily [illegible] the reasons for which I [illegible].

[illegible] the cost of the crop in the [illegible] $[illegible] per pound [illegible] and American Tobacco companies [illegible] manufacturing [illegible] the [illegible] tobacco [illegible] and [illegible] the crop and [illegible] on the [illegible].

[illegible] was made to Lorillard & Myers, of St. Louis, M[illegible] & Myers [illegible] it is sold by them [illegible] at a [illegible] per pound. [illegible] the beef that makes [illegible] manufacturers, yet it is [illegible] to [illegible] and the whole may have very recently [illegible].

[illegible] the grower from stemming and twisting [illegible] paying tax on the [illegible] a [illegible] paying tax. Where is [illegible]

[illegible] tax on manufacturing, because the trust could not have [illegible] manufacturers [illegible] for leaf [illegible]. It would [illegible] to make a present to us if manufacturers were required to pay a graded tax according to amount of business, until the grad-

nal increase of taxes would make it unprofitable to do business beyond a certain and [illegible]

Something will have to be done or the tobacco grower will starve to death raising tobacco at the present prices, averaging less than $6 per hundred pounds for which hand crop and not be raised so as to make any profit for hand and [illegible] for the entire crop.

[illegible] from Shelby County, Ky. He understands [illegible] and I know was glad to help you in this good work.

I am, respectfully,

LEONARD DRANE.

It is but fair to say that the white burley tobacco, of which Mr. Drane speaks, is a very superior quality of tobacco, which is only grown in the rich blue-grass belt of Kentucky, and in a small way, along the borders of Ohio and Indiana. Because of its quality and the limited amount produced it has not suffered so badly in price as the cheaper grades raised in other sections, although Mr. Drane's letter says that it was at that time selling for 6 cents per pound, although it cost more to raise it, and that there was a profit in the crop at 9 cents a pound. So you can readily see the handsome profit our farmers were making when they sold their entire crop from 10 to 15 cents a pound, which was the case up to the time the tobacco trust came into existence.

Mr. Chairman, my constituents who live in the white burley district are peculiarly blessed when compared with their neighbors in other tobacco-growing sections, in this: The landowners are well to do and independent, as their lands are among the richest and most fertile in the world, producing an abundance of corn, wheat, oats, rye, hemp, hay, and blue-grass pastures famous the world over; but valuable as these crops are known to be, they are not equal to a crop of white burley tobacco in a market of fair and equal competition.

I turn and ask what is the condition of our less-favored neighbors in the southwest part of Kentucky and Tennessee, where they raise black tobacco, more than 80 per cent of which is shipped to foreign countries, and in that same country, about which my friend GAINES said in the course of his remarks the other day that the tobacco trust had laid it off into districts and sent but one agent into each district to buy from the farmers; that is to say, the Continental Tobacco Company was to have the sole right to buy all the tobacco in a certain district, the Imperial Tobacco Company in a certain other district, and the [illegible] which is the European tobacco trust, to take the remainder, thus forming and entering into a contract that neither one will enter the territory of the other to bid for or buy any tobacco. There is an instance where one of these agents called on a farmer who had two barns of tobacco, but on different sides of the public road. After the farmer had sold him the tobacco in one of the barns at the price the agent dictated, he then offered to sell him the other, to which the agent replied: "No; he could not buy it; that it was out of his territory; that the road was the dividing line."

This has but one meaning, Mr. Chairman, and that is, that the Continental Tobacco Company, the Imperial Tobacco Company, and the Italian Regies have divided up the assets of the tobacco growers in that section, designating by territorial lines what each is to have. As more than 80 per cent of all the tobacco raised in that district is exported to Europe in the leaf upon which the Government does not receive one cent of tax or duty, foreigners and strangers are reaping the benefit of the labor of our people according to the terms of their own dictation. Therefore, it is not strange that tobacco is selling for 3 cents a pound, which is not more than half the cost of production, nor is it strange that these people should be holding public meetings and petitioning Congress for relief, as is shown from the letter I quote herein from a Hopkinsville (Ky.) paper, which I ask the Clerk to read, and that the same be included in my remarks, as also a clipping from the Hopkinsville New Era.

[illegible]

Tobacco is our principal crop, and every man, woman, and child in this section is vitally interested in this bill. [illegible]

[illegible] for this crop [illegible] Congressional [illegible] every farm and [illegible] tobacco [illegible] for tobacco. By taking off the tax on chewing tobacco [illegible] that a pound [illegible] the product [illegible] the tax [illegible] one inch in form of plug, twist, or smoking tobacco, [illegible] Congressional stamps are put on [illegible] Congress is made to see this [illegible] they will [illegible] that smaller product [illegible] in the form in the United States [illegible] tobacco alone is taxed. We [illegible] every page in all the laws of the United States [illegible] touched directly or indirectly by this tax on tobacco. We expect a large crowd to attend and would thank you to have a representative there and secure for publication the proceedings of the body.

The Hopkinsville (Ky.) Tobacco Board of Trade, at its regular annual [illegible]

Whereas tobacco is at present selling at a price below the cost of production; and

Whereas tobacco is the principal agricultural product of the State of Kentucky; and

Whereas farmers and farm laborers are being impoverished and [illegible] State [illegible] tax; and

Whereas the said tax is unjust and oppressive to the citizens of [illegible] tax whatever, and by this petition pray the removal [illegible] petition be forwarded to [illegible] man OWSLEY STANLEY, with the request that he use all honorable [illegible] to have Congress pass such a law as will give the people the desired [illegible]

[illegible] President.

GAINES [illegible], Secretary.

Three years ago independent tobacco dealers, warehouses, and factories were scattered all over the country and the farmers were paid profitable prices for their tobacco, but after the trusts came into existence they boldly said to the independent manufacturers: "You must join us or we will put you out of business." At first the independent men refused to be dictated to, but were soon [illegible] their business. To illustrate how the trusts proceeded to make good their threats, I will state the firm of Liggett & Myers, of St. Louis, Mo., referred to in the letter above of Mr. Leonard Drane, they being the largest firm and competitors of the trust, making among other brands a plug known as "Star" [illegible] which [illegible] of the oldest and most popular brands, sold in the market at that time at 39 cents per pound, made out of leaf for which they paid the farmer 7 cents per pound, and carrying a 12-cent war-revenue tax.

The trust put on the market a similar plug called "Battle Ax," and sent their agents out after the assets of Liggett & Myers, selling the brand first at 40 cents per pound, which was met by Liggett & Myers; then they reduced to 30 cents, 24 cents, and even down to 20 cents, which was below the cost of production. Then it was that Liggett & Myers saw the hopelessness of their fight and sold out their plant and business to the trust. Then, one by one, the smaller manufacturers were forced to the wall and many of them driven into bankruptcy, only a few of the smallest ones being left to buy the leaf from the farmer or independent warehouse dealers, and these will be put out of business any day the trusts conclude they are in their way, and the independent dealer and warehouseman, finding themselves without buyers or customers, took what they could get for the stock and closed the business. When all this was accomplished we first realized the conditions which exist to-day, of but one buyer and one seller of one of our country's greatest products.

Thus you see that this heartless, soulless monster and creature of the law [illegible] less than half [illegible] "The plug of 'Star' tobacco sold you by Liggett & Myers at 39 cents per pound you must pay me 43 cents for it, although 6 cents of the tax then on it has been taken off and it is made out of a leaf costing [illegible] Mr. Chairman, [illegible] South and West. I have a plug of it here which weighs heavier than I can, proving the reckless greed of those who make it. On one side of this plug are four marks, dividing it into five pieces, to retail at 10 cents each, and this was the way it was [illegible] before the Spanish-war tax was [illegible] in two.

After this was done five marks were placed on the other side, dividing the plug into six pieces, to sell at 10 cents each, which adds 16⅔ per cent to the cost of the consumer. Just why they chose to leave the old mark on it I can not tell, unless it is to show their utter contempt for the opinions of the people and to prove that they do as they please and that we can not help ourselves. Let us analyze this matter further and see just what their profit is on this piece of tobacco, that the man who chews

it [illegible] what it contains, and that not only the farmer is being [illegible] but he himself is paying an exorbitant and unreasonable profit.

[illegible] intended to represent 1 pound of tobacco. In its [illegible] of wheat, sheep stomachs, licorice, bean soup, and [illegible] at the price of about [illegible] to the weight of the leaf [illegible] of a pound of leaf tobacco, costing 3 cents, [illegible] and waste, the other one-third made up of sirup, licorice, molasses, and bean soup, which could not cost more than [illegible] the entire ingredients in the plug cost only 4 cents [illegible] of it, which is 15 cents. When sold as it is at 43 cents, they have a net profit of nearly 200 per cent. This is called a [illegible] make out of this same 3-cent leaf they [illegible] I now turn to give you a few facts to show the [illegible] used to dispose of independent [illegible] I will read a [illegible] paper published at Hawesville, Ky., only a few [illegible]

[illegible]

Then, turning to the testimony before the Ways and Means Committee, [illegible] tobacco, bought and shipped there by independent dealers before the trust was formed, to be sold by European buyers as they had always done before; but when the trust was formed it took away from them their customers and [illegible] convenience suits them to do so. Indeed, it may be said that this tobacco, as well as that of Messrs. Stagnet & Co. and all others that are in our home warehouses, are as completely bottled up by the trust as Cervera's fleet was by Commodore Schley's in Santiago Bay. [Applause.]

[illegible] of [illegible] found alone to Kentucky and Tennessee, but exists wherever tobacco is grown or sold.

The following clipping from the Washington Post shows that the [illegible] Virginia and North Carolina are equally as bad, as [illegible] will show:

[Special to the Washington Post.]

DANVILLE, VA., November 8.

[illegible] has been an al-

[illegible]

[illegible] conclusion that at preva[illegible]

TO LIMIT PRODUCTION.

RICHMOND, VA., November 8.

The season on the Richmond tobacco market [illegible] and [illegible] On [illegible] to [illegible] is expressed by farmers at the prices received. Many [illegible] would stop raising tobacco altogether if their land were [illegible] up.

[illegible] in this you can gather the same idea of the feeling and hardships which exist in the State of Virginia; and I now ask you what are you going to do for an industrious, honest people, who are willing and anxious to work, but tell you their lands won't bring anything but tobacco, and that at the present price it is selling for it does not bring the actual cost of raising it, which means that many of them are running in debt and that many of those who have homes will lose them, being forced to encumber them to live, while the tenants will be forced into the already crowded cities, the mines, or the factories, where they can secure labor at wages sufficient to support themselves and families.

In North Carolina the situation is still more serious and promises to provoke disorder, riot, and maybe bloodshed, for when the farmers, who are among our most orderly and law-abiding citizens, feel that their grievance is so great and that the preservation of themselves and families depends upon their deliberately destroying the property of their neighbor, as the following special from Raleigh, N. C., to the Washington Post shows:

RALEIGH, N. C., November [illegible]

The [illegible] the first tobacco [illegible] bed in their [illegible]

Is it [illegible] and [illegible] of hundreds of people [illegible] industry? There [illegible] is that you [illegible] ple. If [illegible] is true, your [illegible] of Internal Revenue [illegible] Ways and Means Committee that the [illegible] and that he did not think that the tax collected on all twisted tobacco would be as much as $2,000,000.

Then, you are not only taking the risk of losing still greater revenues by the curtailment of the crops in Kentucky and Tennessee, by agreement among the farmers to only put out a half a crop; in Virginia [illegible] of their farms and no longer able to raise it, and the [illegible] that the remaining power will limit the production in the State; and in North Carolina, where it is said the farmers have organized [illegible] programme out by invading the fields of those who will not act with them and destroy their beds. If, upon the other hand, you are the friend of the tobacco trust, with its $180,000,000 of capital stock, taken from the sweat and suffering of the laboring people of this country, for which it has not given them adequate returns, let me warn you that these same people will be here to punish your perfidy when the tobacco trust and hundreds of associates in theft and crime are dashed to pieces before the angry wave of public sentiment. [Applause.]

Mr. Chairman, the tobacco grower is a peculiarly unfortunate being in this, that he is sandwiched between the Government tax collector on one side and the trust monopoly on the other, and that the Government has singled him out from among all the other [illegible] and laid tribute upon the fruits of his [illegible] which he has borne with patience and paid with cheerfulness, while at the same time he has been made the victim of the greed of his fellow-men, and no hand has been raised anywhere to shelter him from wrong, although adequate laws exist, which if only enforced for his protection as vigorously as they are against him when he is charged with their violation, his condition would be different and far better than to-day. To illustrate, I have known one instance of an old man being dragged from his home and family hundreds of miles away to answer the charge of violation of revenue laws, when the facts were that he had only sold a few twists of home-made tobacco in exchange for corn upon which to feed his family, a transaction that harmed no one nor the Government; and it is an everyday occurrence all over this country that plain, common people are being arrested, tried, and punished for violating the revenue laws.

On the other hand, our laws in the most positive terms denounce those who enter into unlawful combinations and trusts in restraint of trade, declaring that they shall, upon conviction, be punished by heavy fines or imprisonment, in the discretion of the court. This law was enacted on the 2d day of July, 1890, and while its provisions are violated a thousand times every day, I ask how many of these independent and lawless violators have been called to account, although they make no effort to conceal their contempt for its provisions and go on disregarding them in the very presence of the courts and the officers intrusted with its enforcement, not one of them being subjected to punishment, although the last Congress appropriated the magnificent sum of $500,000 to be used by the Attorney-General in the more rigid enforcement of the law against these offenders?

I ask, and the laborers and farmers all over this country demand to know, why it is that they are called to account and punished for a single and, I may say, oftimes technical violation of the law when it harms no one, while the organizers of these great

engines of oppression engaged in wholesale wrong and robbery, responsible, as they are, for the large portion of discontent and suffering of which I have hardly given a glimpse, go unpunished and unrepaired. Although after six months the Attorney-General, who is interested with the enforcement of this law, reports that he had only spent $[illegible] of the sum set apart to be used in their prosecution, and [illegible] given where an effort has been made to [illegible] the provisions of the law.

Does such a record [illegible] of statements of Mr. BOUTELL, of Illinois, who said on the [illegible] day of January last in this House, while urging upon the [illegible] why the Republican party should be kept in power and Theodore Roosevelt [illegible] to the Presidency:

[illegible]

Now, let us see what right he had to make this statement. Of the [illegible] the speech of Mr. LITT[illegible] on the [illegible] day of February, 1903, [illegible] the different [illegible] of the people. And at that very time [illegible] entry [illegible] paper published the next week after he made that speech.

[illegible] ORES COAL COMBINE.

[illegible]

[illegible] papers

And to further remind him that during that same week I had [illegible] coal, and [illegible] would jostle [illegible] until it would [illegible] and girls who were running [illegible] and sacks gathering up [illegible] Among them was an old negro man who [illegible] he had [illegible] I turned [illegible] Where [illegible] the Attorney-General [illegible] go to [illegible] soup a salt [illegible] ation, or [illegible] when right here in [illegible] ly ply their unlawful [illegible] nt. Indeed, my friend [illegible]

To one [illegible] with the further [illegible] of these laws, and that will be that they will treat all [illegible] alike; and we believe that if those who violate [illegible] were arrested and placed in [illegible] criminal is it [illegible] anything he wished to do.

I have already said that we do not seek to shirk any obligations that we owe to our Government, however hard they may be, but we do most earnestly protest against [illegible] the support of which [illegible] our means, stealthily and secretly and among us pillaged, crushed, and ruined by these monsters of greed and avarice. [illegible] them, as you propose to do, and move them, the barrier between us and the free and open market, where we will be allowed to meet free and open competition, and we are abundantly able to take care of ourselves; but we can not live if we are forced any longer to have our crops so heavily taxed by the Government and at the same time be forced to pay a still larger tribute to the internal enemies of this same Government—the tobacco trusts.

The different laws and departmental regulations which have been made for the sale and handling of tobacco since 1862 have been so ably and completely discussed and their great injustice shown by my distinguished friend from Tennessee [Mr. GAINES] that I need not refer to them any further.

While the tobacco grower very justly thinks the entire revenue law relating to the sale and manufacture should be repealed, still we do not ask that much. On the contrary, we only ask that the laws be so modified that the farmer who raises tobacco shall have the right to stem, twist, and sell his own crop in any quantity to whomsoever he chooses without being required to pay any tax or license thereon. This we believe will open new fields of the trade to the growers and enable them to get much better prices for their crops, as they would have an advantage of 6 cents per pound over the trust, and [illegible] with a smaller profit, while the [illegible] would also be [illegible] and [illegible] their profits, as they add fully [illegible]

Under the law the farmer can sell [illegible] ent paying any tax, but this is the [illegible] it in [illegible] by his servant or [illegible] words, is unjust, [illegible]

To show [illegible] put it up for sale, and any [illegible] him to the [illegible] ut. Now, all we ask is that we be allowed to take [illegible] which you see is bulky and hard to handle [illegible] and strip the [illegible] of it in this way (picking up a leaf and taking the stem [illegible] that the farmer sacks his corn and wheat, that [illegible] may be more conveniently and cheaply marketed. The [illegible] not raised for the straw, nor the corn for [illegible] It [illegible] ll his wheat in the straw or corn in [illegible]

I hold in my hand a handmade [illegible] of tobacco, which was presented by Mr. Washington, of Ten[illegible] he Ways and [illegible] we wanted [illegible] to do. I [illegible] at is not so good looking, given me by Mr. Flack, of H[illegible]le, Ky., who [illegible] the interest of the tobacco growers. It was not brought like the other piece to exhibit before the committee, but was the kind he used, and, as you see, he has been cutting off the ends. When he gave it to me he said, "Here is a [illegible] made for you [illegible] This [illegible] for fifty-one years, but, like all the other independ[illegible]co men, he could not stand the pressure of the [illegible] and had to give up his business or join hands with them, [illegible] in to do. I [illegible] of the pr[illegible]co. The negro who made this twist and gave it to Mr. Flack violated the law and is liable to a fine and imprisonment [illegible] When Mr. Flack gave it to me he violated [illegible] and I can not give it to one of you gentlemen [illegible] ty.

I ask [illegible] a law is based upon the spirit and justice of our inst[illegible] if you think it is meet [illegible] reds of thousands of people whose surroundings force them to work in the tobacco fields and barns, and who are, many of them, to day the poorest paid, the poorest fed, and the poorest clad of all our [illegible] let me entreat you that you turn not a deaf ear to this their plea for justice. But enact this law and you will resuscitate and put new life and new energy into a surely dying industry; you will [illegible] return of better days is fading; you will replace confidence where distrust in the justice of our institutions is now taking root, and you will make patriots and defenders out of the inmates of these homes instead of the unwilling victims of unjust oppression which they are to-day. [Loud applause.]

During the delivery of the foregoing, the time of Mr. HOPKINS having expired.

Mr. GILBERT said: Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. GILBERT. I ask unanimous consent that my colleague from the State of Kentucky be allowed an extension of fifteen minutes in the time allotted to him.

Mr. McCLEARY of Minnesota. Mr. Chairman——

The CHAIRMAN. The Chair will state to the gentleman from Kentucky that the time for general debate was fixed in the House, and the committee can not change it, and under that order of the House the gentleman from Tennessee [Mr. PIERCE] has charge of the time on that side.

Mr. McCLEARY of Minnesota. I understand that my friend from Tennessee [Mr. PIERCE] has promised all the time at his disposal. I still have some time that is not required for use on this side, and I will yield fifteen minutes to the gentleman from Kentucky. [Applause.]

The CHAIRMAN. The gentleman from Kentucky is recognized for fifteen minutes more.

Mr. HOPKINS. Mr. Chairman, I return my most grateful thanks to the gentleman on the other side for this courtesy shown me, and I promise you that I will not impose as much upon your patience as he has placed it in my power to do.

[Mr. HOPKINS then resumed and completed his remarks as above.]

Mr. PIERCE. Mr. Chairman, I yield fifteen minutes to the gentleman from Virginia [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman. I shall devote the few minutes allotted to me to a discussion of the tobacco question as it affects the tobacco-growing counties that I have the honor to represent upon this floor. The tobacco growers of those counties are in a depressed condition, and I believe it is largely due to the fact that the tax still remains upon the product of their soil and their labor.

The law now, sir, is that the grower of tobacco can sell the leaf to anyone; but if the person who buys that leaf undertakes to dispose of it, he is deemed a manufacturer of tobacco and must pay a tax of 6 cents a pound; and if the farmer desires to put the tobacco which he has raised into any other shape than that of leaf, if he pulls the stem from it and twists it, he, too, is deemed a manufacturer of tobacco, and this imposition of 6 cents a pound tax is placed on his product. That is true when it is in an absolutely raw state, when he has done nothing except to take the stem from it and twist it into a shape in which it can be kept and handled without loss. This is an unjust imposition.

Various bills have been introduced here looking to the modification to a greater or less extent of this tax. I introduced the bill which I now read:

A bill (H. R. 11889) for the relief of the tobacco growers.

Be it enacted, etc., That it shall be lawful for any person to buy and sell tobacco unstemmed and in the leaf without license or the payment of any tax [illegible]

SEC. 2. That it shall be lawful for any person to sell tobacco in any form or condition [illegible] without license [illegible] the payment of any tax of any kind.

SEC. 3. That this [illegible] take effect and be in force from and after its passage.

I want to say that no law that does not go to the extent of permitting any person to pull the stem from tobacco, twist, and sell it in that way without the imposition of this tax will bring any substantial relief to the tobacco growers of that portion of Virginia which raises export tobacco; and very little to those who raise it for home manufacture.

Mr. Chairman, there are twenty-nine States in this Union which raise tobacco. Eight of the eleven Republican members of the Ways and Means Committee come from tobacco-growing States. It is true that some of those States do not raise very large quantities of tobacco; but I take it that the Representatives of those States will see to it that their constituents, even if they have but small numbers who are engaged in this industry, shall have justice and fair treatment at the hands of the Government.

The internal-revenue tax has enabled the American Tobacco Company to a large extent to crush out competition in the purchase of those classes of tobacco which are used for domestic manufacture. It has enabled the foreign governments which buy our export tobacco to absolutely throttle and destroy competition in those classes of tobacco.

There are in this country now 150 or 160 manufacturers of tobacco independent of the American Tobacco Company. When that company was organized there were that many in the State of Virginia alone. There was active competition for the product of the farmer when he took it to market. Now in that State there are but fifteen or sixteen manufacturers independent of this great tobacco trust; and so when the farmer who raises tobacco suited to our domestic manufacture takes his product to market he finds that the competition for it is greatly lessened and the price greatly depressed.

But as bad as is his condition, it is bright when compared to the condition of the farmer who raises tobacco for export. There are a number of foreign countries, such as France, Austria, and Italy, which exercise an absolute monopoly in the purchase, importation, manufacture, and sale of tobacco. France does now and most of them formerly did their buying through the leaf dealers in the different States. These dealers make contracts with the consuls of the various governments for the quantity of tobacco they wish to buy for the governments with which they contracted. Within the past few years a number of these governments have pooled their interests and formed a governmental trust.

I will illustrate by taking the case of Austria and Italy. They buy a large quantity of tobacco that is raised in the district which I represent. There were formerly in the State of Virginia twenty-five or thirty leaf dealers who went upon our markets and bought the class of tobacco that those two Governments desired, either under contract with those Governments or with the expectation of getting contracts from them at the end of the season. With twenty-five or thirty of these buyers there was always lively competition, there was active bidding for the farmer's tobacco, and he got a reasonably fair, living price for it. Within the past few years those two Governments have pooled their interests, and one man has been engaged by the two to buy all the tobacco they need in the State of Virginia; so now, when a farmer takes his tobacco to market, instead of having twenty or twenty-five men competing for it, there is but one man who wants it.

Instead of having competition for his article he must sell it at whatever price this one man chooses to give him for it. These two Governments buy in Virginia about 8,000,000 pounds of tobacco a year. It comes largely from counties which I represent here. Since that combination has been formed that class of tobacco has gone down in price about 4 cents a pound, so it will be seen that this Government monopoly has taken out of the pockets of the farmers of a half dozen or more counties in Virginia $[illegible] a year, a sum larger than the taxes those counties pay to the State, county, and municipal governments. Mr. Chairman, the tobacco growers of Virginia believe if this tax is removed the condition which enables those Governments to thus oppress them will be removed.

The condition of the tobacco grower who raises export tobacco has been deplorable for a number of years. In June, 1897, Congress passed a resolution calling upon the President to negotiate with the countries which engage in the tobacco business, as well as with those which impose burdensome restrictions upon its importation, with a view of ascertaining if some concession could not be obtained from those governments. From that time to this neither gentleman who has occupied the White House has taken a single step to carry that portion of that resolution into effect. I have introduced a similar resolution this session.

The tobacco growers have come to the conclusion that they can expect no relief against the trust as long as the Republican party is in power, and, judging by the conduct of the Republican Executives for the past seven years, they can not even expect aid from Republicans as against foreign governments which are oppressing them; and so, Mr. Chairman, they come and ask modestly for a very moderate relief.

They have asked for no drastic antitrust legislation. They have asked simply for a fair field with no favor. They come here and ask that this Government take its oppressive hands from their throats and allow them to work out their own salvation. They believe that if the Government will do this they can take care of themselves, not only against the American trust, but against foreign governmental combinations as well. They believe, sir, if this tax is removed there will spring up all over the tobacco-growing sections of this country small industries; side lines to other interests which the people who start them may have; industries which will buy the leaf tobacco from the farmer, pull the stem from it and twist it, and in that shape send it out to the South and West and build up a trade. And when the farmer goes to the market to sell his tobacco the people who have established these little industries will be there to compete with the agent of the American Tobacco Company or the agent of this combination of foreign governments in the purchase of that tobacco. It will create competition, and competition is what the American tobacco grower must have or go out of business.

Mr. Chairman, we do not believe that the trust could drive this class of tobacco dealers out of business. We believe that the people who went into this business would do it on a small scale and with a small capital and often will have other business interests, and if the trust undertook to destroy them, as they have the independent manufacturers generally, they could simply suspend business until the trust got tired of using its ordinary methods, and then they could begin business again at the same old stand. It is the consensus of opinion of the most intelligent growers and dealers in tobacco that if this tax is removed to the extent of permitting any person to stem and twist the raw leaf competition will be created and a trade will be built up, and these foreign combinations and the home trust will be forced to give the American tobacco grower a fair price for his product.

Mr. Chairman, there can be no doubt that the American tobacco grower is in a depressed condition. He is gloomy; he is disheartened. No person can travel through the tobacco belt and

not be convinced of this fact. The statements made here before the subcommittee of the Ways and Means Committee will convince anyone who has heard them or who will take the trouble to read them. If [illegible] it is admitted, is it not the duty of this Congress to give relief to these people, if it is in its power? I have heard the suggestion made that the Government could not stand the loss of the revenue, and yet a few days ago I heard the Commissioner of Internal Revenue state that the passage of a measure of this character would not reduce the revenues of the Government more than $2,000,000. But even if it did reduce the revenues four or five or six or seven millions, when it is proposed to save a hundred thousand or more people in American industry from bankruptcy and ruin, it should be done without hesitation. [Applause.]

This House appropriated without murmur [illegible] to maintain a navy, and the Senate, [illegible] for the Army and will appropriate hundreds of millions of dollars to build an interoceanic canal. On all these appropriations we move with a liberal hand, and can you then [illegible] by reducing your revenues a few millions? Gentlemen on the other side of this House talk glibly about prosperity. Such talk is [illegible] to the tobacco growers, who are in a worse condition than they ever have been, worse than they were in the panic of 1893, worse than they were in the panic of 1884, worse than ever before, and they come here and ask for some measure of relief and they will not understand, with all the money that is being appropriated by this Congress, why that relief can not be given them.

Mr. GAINES of Tennessee. Will the gentleman permit an interruption?

The CHAIRMAN. Does the gentleman yield?

Mr. FLOOD. Yes.

Mr. GAINES of Tennessee. The two million reduction was upon stemming and twisting.

Mr. FLOOD. Yes.

Mr. GAINES of Tennessee. But on giving the farmers and everybody free trade in leaf tobacco it would not interfere with the revenue at all.

Mr. FLOOD. That is what I said. I said the reduction of revenue if the tax was taken off leaf tobacco would be but a few millions, and I said, further, that no relief would amount to anything to the tobacco growers unless the right to stem and twist was given to everybody who wants to engage in that business.

In 1882 President Arthur recommended the abolition of this tax. In 1884 he recommended it again. The Republican party, by its platform in 1888, stands committed to an absolute abolition of the internal-revenue tax upon tobacco. That pledge is unredeemed to this day.

This, sir, is a war tax. That war has been over nearly thirty-nine years, and still this tax remains upon our statute books to harass and oppress large numbers of our fellow-citizens. It found its origin in the necessities of that Government to raise revenue during that unhappy period of strife between the different sections.

Not only, sir, has that war been over for a long period, but another war has been fought, in which those who wore the gray and those who wore the blue marched side by side under the same flag, the ensign of a common and united country. Yet this tax oppresses a great section of your country. Not only is it a war tax, but it is class legislation, pure and simple. Why, as the gentleman from Kentucky [Mr. BERRY] has just asked, should the product of the soil be taxed while wheat and corn and oats and barley and other products are not taxed?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLEARY of Minnesota. Mr. Chairman, I will yield twenty minutes to the gentleman from Oregon [Mr. WILLIAMSON].

Mr. GAINES of Tennessee. Mr. Chairman, will my friend from Minnesota, who is so charitable, which has been lately, not yield to my friend from Virginia, Mr. FLOOD, three minutes more in order that he may finish his remarks?

Mr. McCLEARY of Minnesota. By consent of the gentleman from Oregon I will be glad to do so.

Mr. WILLIAMSON. I will gladly give way.

Mr. McCLEARY of Minnesota. I yield three minutes more to the gentleman from Virginia.

Mr. FLOOD. Mr. Chairman, I thank the gentleman from Minnesota. I will only take a minute. I ask what better illustration could be adduced of class legislation than this unjust and inequitable imposition upon one staple product of the soil? It is without justification or excuse in morals or equity. It is an instance of where might makes right. It is a high-handed Rob Roy exercise of despotic power. The time has come for the Republican party to redeem a pledge upon which it carried the country in 1888. The Democrats stand ready to support this measure. I call on the Republican party in this House to vote for a measure which the trusts of this country do not ask for, but which hundreds of thousands of earnest and honest citizens do ask for and do [illegible]. [Applause.]

The CHAIRMAN. The gentleman from Oregon [Mr. WILLIAMSON] is recognized for twenty minutes.

Mr. WILLIAMSON. Mr. Chairman, it is with no small degree of hesitation that I undertake to address the House at this time. Experience [illegible] the fact that I am not really a member of this body, but [illegible] I was [illegible] to speak at least [illegible] the interests and general interest contained in the discussion of party policies that has occupied the attention of this body for some time.

The question to which I desire to [illegible] is that of a proper [illegible] Exposition to be held in Portland, Oregon, in the year 1905 should receive national recognition. It will be observed that the date mentioned is the centenary of the first regularly equipped and duly authorized movement by this Government looking toward the acquirement of a foothold on the shores of the Pacific Ocean, for without which we now have in the way of wealth and power by our Pacific possessions had its beginning in the Lewis and Clark expedition.

Recognizing in this simple [illegible] a plainly marked milestone in a great world [illegible] Lewis and Clark expedition [illegible].

Owing to the national [illegible] of which is to be commemorated, and to certain objects of [illegible] interest and importance to the [illegible] claims that [illegible] proper that such [illegible] should have national recognition. Accordingly, a measure is now pending before this body looking to that end, and I now desire, as best I may in the few moments at my command, to set forth the facts [illegible].

Later, as did those upon whom rested the responsibility of shaping and conducting the affairs of this country one hundred, seventy-five, or even sixty years ago, as to the importance of the Northwest [illegible] prospective [illegible], leaves but one [illegible] hence [illegible].

A region [illegible] as yet only the [illegible] that yields annually [illegible] of the [illegible] bushels of wheat, and hundreds [illegible] manufactured products in proportion [illegible] ernment in custom receipts and [illegible] of one and one-tenth million [illegible] half century, and upon which the Government [illegible] than 85 per cent of [illegible] be considered in any [illegible] than a region of [illegible].

Nor is the Northwest [illegible] try, to be rated solely from a commercial standpoint. Its [illegible] worth is not by any means its [illegible] claim to greatness. The fact of its thousands of schools [illegible] churches, surrounded by its [illegible] well-[illegible] and prosperous American [illegible] unknown regions, with plenty of room for thrice as many more, speaks for itself [illegible].

These facts, taken together with the prominence given to our Pacific frontage by recent events, seem to [illegible] son and his associates as well as to [illegible] Meriwether Lewis and William Clark when [illegible] gether, planned and executed the movement that [illegible] our boundaries to the Pacific Ocean.

Mr. Henry E. Reed, of Portland, Oreg., in a very able article recently [illegible] up the importance of the expedition of Lewis and Clark and its consequent settlement by American citizens, said:

> [illegible] board of the Ohio Valley, it has 100,000 [illegible]

Speaking further of Alaska as a resultant of the acquisition of the Oregon country, this student writes:

> Alaska was [illegible] I never add one dollar to our wealth or [illegible] Alaska has [illegible] price Russia got for it.

Mr. H. W. Scott, editor of the Portland Oregonian, than whom there is no more able writer on current thought in America, in a

recent contribution on the momentous results growing out of the Lewis and Clark expedition, penned the following terse and expressive lines:

> [illegible] of the great drama of history. To [illegible] as they have added [illegible] and general interest contained in the discussion of party policies that has occupied the attention of this body for some time. [illegible] Jamestown, was [illegible]

In his message to the Fifty-eighth Congress, President Roosevelt, after making reference to the Louisiana purchase, said:

> [illegible] event should receive recognition and support from the National Government.

This much, on the importance of the occasion, may be borrowed from the sayings of others without engaging at this time either in tedious compilations of statistics or the prosy details of history.

It is not my purpose in the brief time allotted me to go into detailed account of either the Lewis and Clark expedition and the consequent acquirement of the north Pacific country or the causes that led up to it. I leave that to the statistician and the historian. History is one thing, and the propriety of Congress making an appropriation of a considerable sum of money for an exposition is quite another. To the latter proposition I beg your attention for a few moments, for this is directly the whole question now pending.

Our first claim for national recognition is the association had in the event with the birth and growth of our [illegible].

Our second claim is the fact that the great Pacific coast region has never yet been recognized in a national appropriation of like nature.

Our third claim is the immediate necessity of practical education in the needs and wants of that half of the human race who live in the islands and on the borders of the Pacific Ocean.

Of other reasons there are many, but these three will answer my purpose at this time. So far as I am concerned, I am willing to forego putting forward as immediate the first two allegations. An exposition will neither add to nor detract from the real benefit to the nation and to humanity wrought by the heroes of one hundred years ago. Their deeds are indelibly written upon the pages of our history, and no demonstration of ours will add to or take from their fame. It needs neither exposition nor fair nor demonstration of any kind to immortalize the name of Thomas Jefferson. His fame rests upon what he did, not upon what we may do.

The same may be said, in a somewhat lesser way, of a number of his compeers, among whom the names of Capts. Meriwether Lewis and William Clark were not the least to shed luster upon their time and sphere of action. For present purposes it is sufficient to note that it was not within their sphere to spend their [illegible] Rocky Mountains [illegible] Columbia by [illegible]. It was not their fortune to make the "round trip" in a limited number of hours in almost perfect safety. But theirs was a work of weary months and years, among strange and warlike tribes of men, not knowing but that each day might bring the final summons. At times half starving, half naked, but at all times displaying that devotion to duty, that determination to accomplish the task assigned to them in the face of what seemed certain death, considered essential in the minds of all mankind in the make-up of real heroes.

It was within their sphere to blaze the way for civilization to follow from the Mississippi River to the Pacific Ocean, and they did it, and every [illegible] train and every loaded freight train that pulls out from St. Louis, Omaha, or St. Paul for Portland, Seattle, or San Francisco, and every American flag that floats over the Pacific Northwest in our time bears witness to the fact that they performed their part well. These are their monuments, and they need no exposition or other demonstration from us to perpetuate their names.

And yet, such is our custom, and I need not explain why, that we, at stated periods and by certain means, do appropriate from our National Treasury to specifically commemorate the deeds of our illustrious citizens, both living and dead. And I consider the the fact that the names and deeds of Thomas Jefferson and Captains Lewis and Clark are inseparably connected with the acquisition of the Pacific Northwest, and scarcely less directly connected with the acquirement of California, as one good reason why the exposition to be held during the coming year at Portland, Oreg., should be given national recognition.

My second reason, that the Pacific coast has never been recognized in this class of appropriations, needs merely the bare mention. This might be classed as a geographical or proportional, rather than an essential, reason; and yet it is a reason neither to be overlooked nor despised.

In making mention of this fact it must not be understood that we make it in a spirit of complaint. We of the Northwest are not a sectional people and have no complaint to make on this or any other score against our fellow-countrymen, let them hail from the North, the East, the South, or any other portion of our common country. Snivveling complaint is not indigenous to our soil. We have neither the time nor the inclination to indulge in that particular form of human weakness. The opening of our mines, the clearing of our farms, the felling of our forests, the construction of our transportation lines—in short, the "winning of the West," has not been accomplished, thus far, by cavil and complaint. We of the Northwest have sprung from an ancestry possessed of unusual hardihood. It was their chosen sphere to travel the plains across. With slow, toiling ox teams and nerves of iron they overcame those immense distances and unseen dangers. And when once in the land of their choice, with one hand they still retained their grasp on the trusty rifle, with which to defend their lives from tribes of savage Indians, while with the other they laid the foundation for the manifold advantages that we now enjoy.

With here and there an exception, those pioneers have gone to their reward. We are proud of that ancestry, and we will commemorate the work of their hands in any event, God willing. Already the State of Oregon, assisted by a number of States of the West and Northwest, has contributed over one and one-half million dollars for this purpose, and we will continue to increase that amount sufficiently to demonstrate to the world our just pride in the discovery and exploitation of our portion of this Union without appearing before this Congress either in the rôle of beggars or in the spirit of cavil or complaint.

And yet facts are stubborn things, and it is a fact that our Members of Congress, both of the House and of the Senate, with their influence and their votes, have favored every exposition held in this nation in the past, and not one word of criticism has ever been hurled at them by their constituents for such action. It is a further fact, as I have stated, that the Pacific coast has never been the recipient of a dollar thus far for exposition purposes. And I must contend that such a condition is another reason why it is just and proper that the exposition to be held in Portland, Oreg., next year is of right entitled to national recognition.

My third reason, the commercial education needed by our people, particularly our manufacturing people, in the needs of those who inhabit the islands of the Pacific Ocean and the nations of the Far East, I consider a most eminently important one.

It is the purpose of the management to make this the chief feature of the Portland exposition. The word "oriental" is incorporated into the very name of the exposition, and especial effort is being made to secure exhibits of modes of living, of customs, and all else required for a thorough understanding of the needs of the different people who inhabit southern and eastern Asia and the bordering islands.

In my opinion this is the most important question of all to consider in deciding whether or not such an appropriation of the public money is justifiable. I realize that this is a purely commercial view point, but that is none the less against it, for we are largely a commercial people, and as such are prone to look closely into the question of profit and loss when making an investment.

Leaving entirely out of consideration the question of commemorating the deeds of the illustrious; saying nothing about the equal or unequal distribution of funds for exposition purposes in the past; passing in silence the question of whether or not the Pacific coast is entitled to recognition in the composition, and considering this question altogether from a commercial standpoint and putting it on the ground of whether or not an oriental exposition on our own soil, having for its chief object an enlightenment of our people in the commercial needs of the oriental peoples, hence the acquirement of a knowledge of the means of catering to those needs, makes of it, in my opinion, an investment of very great profit and a case with the preponderance of evidence in the affirmative.

If for no other reason, this enterprise should be recognized by the Government on the ground of the practical education to be derived thereby in oriental trade matters. The exigencies of the times demand that we acquire such information. We are compelled to look to the inhabitants of the Pacific shores for a market for a very great portion of our surplus products in the immediate

future. Compulsion and desire working along the same lines and in the same direction lead us naturally enough to understand that the time is now here when our manufacturers are compelled to look to the needs of their future customers.

[illegible] the natural lines of human necessity, and out of what line of [illegible] education can come more immediate profit than a [illegible] in supplying the needs in performing the work of [illegible] where we know consumers are [illegible] and are [illegible] upon for a market for the products of our factories and farms.

While I am not, as a rule, partial to statistics, I feel constrained to [illegible] attention to a few figures bearing upon this feature of the [illegible].

[illegible] necessary to consume the time of the House with the [illegible] I will state the fact that on this whole, our exports of raw [illegible] manufactured goods, and wheat flour have not [illegible] during the past three years in the European and South American markets. On the other hand, [illegible] from European countries in manufactured cotton goods have [illegible] well sustained.

[illegible] because in the final analysis upon the [illegible] of those who produce cotton, wheat and corn, and the [illegible] based our national prosperity or adversity.

[illegible] as to their ways, the [illegible] the government, but, when all is summed up, our national prosperity or adversity is bound up in the prosperity or adversity of those who till the soil. [illegible] Although our manufactured goods have been [illegible] during the past three years that, notwithstanding the [illegible] of what may be called a very high tariff [illegible] the exports of [illegible] has increased from $40,246,935 in the year 1901 to $[illegible] in the year 1903.

How has it been during the same period from across the Pacific Ocean? In the year 1901 we exported [illegible] worth of raw cotton to the principal oriental countries. In the year 1903 to these same countries we sold $[illegible] in the short period [illegible] years [illegible] of [illegible].

In the matter of the export of cotton [illegible] greater results have happened. In the year 1901 we sold to the principal oriental countries $[illegible] worth of cotton goods. In the year 1903 we sold them $[illegible] worth, an increase [illegible] of three years of nearly [illegible] per cent. And [illegible] that the greater part of these sales were made to the [illegible] pire—a people five times more numerous than the whole population of the United States—who are [illegible] consuming exactly the same class of goods, or raw materials, as our people in their manufacture [illegible].

In the matter of wheat flour, in the year 1901, we sold to the principal oriental countries [illegible] worth. [illegible] people are especially entitled to the conclusion that bread is used to eat, for last year they increased their consumption nearly [illegible] and bought [illegible] worth of our wheat flour. The [illegible] of Puget Sound and Columbia River [illegible] increase of flour to the Orient last year, and were only [illegible] that amount by the bad condition of their mills.

It appears from [illegible] and food in less than ten years, at the present rate of increase, but a [illegible] the entire North Pacific [illegible] but the entire product will be needed to supply the oriental market, and with every [illegible] years the entire surplus wheat product of the Northwest will be needed for the same purpose.

I [illegible] Minnesota (Mr. LENROOT), who, a few days ago, [illegible] House so alarmed [illegible] Canada, particularly in the matter of wheat, [illegible] fear that our rapidly growing [illegible] from this Congress to do with Canada [illegible] loss of the Great Canadian [illegible] gentleman from Minnesota [illegible] years [illegible] wheat field [illegible] upon the prosperity of the Northwest [illegible] appear as bad [illegible].

That we are now the largest producers of food [illegible] strength, that our power of production [illegible] supply, [illegible] our almost unlimited natural resources [illegible] bound to increase is as clear. What is to become of [illegible] crowded [illegible] of products is not of [illegible] We look to the United Kingdom of Great Britain and [illegible] greatest customer for our agricultural products [illegible] national prosperity with [illegible]. We look to [illegible] Germany and the Netherlands and we find [illegible] forebodings of fear lest the abundance of our [illegible] should overcome their productive power and [illegible] land upon its for food and raiment. To the north of us our third [illegible] greatest customer is clamoring for a just opportunity to sell to us her products in exchange for the enormous amount of our [illegible] we sell to her. We look to the south, and we find [illegible] of our [illegible].

[illegible] our stability of [illegible], our boundless native resources, our [illegible] in the [illegible]. [illegible] of [illegible] and [illegible] our ever [illegible]. Not on the [illegible] of the [illegible] to our own. Under [illegible] so frame their laws as [illegible] their own [illegible] will [illegible] to do it, and we [illegible].

[illegible] is, he who would overlook that half of the [illegible] lands and on the borders of the [illegible] is not a [illegible].

These people a[illegible] the use of our flour and cotton [illegible] the Orient, with a [illegible]. This [illegible] and [illegible] facturers is a [illegible] rocity, because it leaves the [illegible].

[illegible] ship which many of the [illegible] carry [illegible] to prove [illegible] on the [illegible] Ocean.

[illegible] this third reason—a reason [illegible] the United States alike. I [illegible] modities a[illegible].

If it is of [illegible] concern, the exposition to be held at Portland, Oreg., [illegible] year, to borrow the language of Pr[illegible] receive recognition and support from the Na[illegible] and commercial, we believe our cause [illegible].

Mr. M[illegible]. I yield to the gentleman from [illegible].

Mr. FULLER. Mr. Chairman, I desire, very briefly, to submit at [illegible] [illegible] or refused to [illegible] after the close of that great struggle, we should, as nearly as possible, treat all

alike, and upon proof of service only, which can always be shown by the records, place upon the rolls the name of every survivor who makes application, without requiring either proof of poverty or [illegible] to earn a livelihood. For myself, if I could have the sole say in the matter, I would make no limit as to age, but would treat all alike; neither would I make any distinction as to length of service, but would adopt the scriptural parable of the laborers in the vineyard. I have obtained from the Pension Office the following estimate of what it would cost to pension all at the rate of $12 per month, in addition to what it now costs, and ask to here insert the figures as a part of my remarks, as follows:

Number of invalid pensioners on the rolls receiving less than $12 per month and [illegible] to pay them a uniform rate of $12 per month.

GENERAL LAW

Number.	Present rate.	To be added.	Annually additional.	Annual accrued additional.
87,410	$6.00	$6.00	$224,460.00	$2,693,520.00
14	6.25	5.75	80.50	966.00
2	6.375	5.625	11.25	135.00
1	6.75	5.25	5.25	63.00
37	7.00	5.00	185.00	2,220.00
129	7.50	4.50	1,062.00	12,744.00
4	7.75	4.25	17.00	204.00
34,136	8.00	4.00	136,624.00	1,639,488.00
8	8.25	3.75	30.00	360.00
298	8.50	3.50	1,043.00	12,516.00
1	8.625	[illegible]	3.375	40.50
5	8.75	[illegible]	16.25	195.00
272	9.00	3.00	816.00	9,792.00
3	9.25	2.75	13.75	165.00
20	9.50	2.50	50.00	600.00
3	9.75	2.25	11.25	135.00
29,790	10.00	2.00	47,458.00	569,496.00
1	10.20	1.80	1.80	21.60
11	10.25	1.75	19.25	231.00
11	10.50	1.50	21.00	252.00
1	10.625	1.375	1.375	16.50
2	10.75	1.25	2.50	30.00
51	11.00	1.00	51.00	612.00
165	11.25	.75	123.75	1,485.00
3	11.375	[illegible]	2.10	25.20
14	11.50	.50	7.00	84.00
11	11.75	.25	2.75	33.00
93,441				4,937,701.00

ACT OF JUNE 27, 1890.

87,984	$6.00	$6.00	$527,904.00	$6,334,848.00
2	7.00	5.00	10.00	120.00
4	7.50	4.50	18.00	216.00
141,993	8.00	4.00	564,812.00	6,777,744.00
1	9.50	2.50	.50	6.00
53,744	10.00	2.00	107,488.00	1,289,856.00
1	11.50	.50	.50	6.00
282,939				14,402,820.00

SPECIAL ACTS.

23	$9.00	$3.00	$138.00	$1,656.00
1	7.50	4.50	4.50	54.00
91	8.00	4.00	364.00	4,368.00
38	10.00	2.00	76.00	912.00
153				6,990.00

SUMMARY.

	Number.	Annual additional.
General law, invalids	93,480	$4,937,701
Act June 27, 1890, invalids	282,939	14,402,820
Special acts, invalids	153	6,990
Total	376,572	19,347,511
Estimated number of soldiers who have never filed claims, but whose claims have been recognized at $12 per month each	125,000	18,000,000
Grand total	501,572	37,347,511

The [illegible] by the Grand Army of the Republic, and in favor of which petitions have been received from almost every town and village in the United States, make that the age at which such pensions should commence be fixed at 62 years. That, of course, would somewhat reduce the estimate of cost as above given. I will here insert the estimate as to the number of survivors of the Union Army, as given out by the Pension Office, and their ages at this time, as follows:

Table showing the estimated number of [illegible] and the length of service at each age.

Age.	Years of service. Three and up.	Two and [illegible]	Two to two [illegible]	One-and one-half to two.	One to one and one-half.	One-half to one.	One-half and less.	Total survivors, each age.	Annual death rate.	Deaths first year.
50 and less	6,500	3,300	1,300	2,700	3,500	4,500	3,300	25,000	1.80	450
57	5,500	2,900	1,100	2,400	3,000	4,000	2,600	22,600	2.00	444
58	5,900	4,400	1,200	2,700	4,000	5,100	4,500	26,800	2.20	594
59	12,700	6,400	2,400	5,400	6,600	8,800	6,400	48,700	2.31	1,126
60	15,300	7,700	[illegible]	8,100	8,300	10,600	7,700	59,000	2.43	1,437
61	17,300	8,600	[illegible]	[illegible]	9,200	11,500	8,600	68,000	2.56	1,749
62	16,100	8,300	3,100	6,800	8,700	11,100	8,100	62,000	2.85	1,767
63	15,000	7,800	3,000	6,600	8,400	10,800	7,600	60,000	3.07	1,842
64	15,100	7,500	2,900	6,400	8,100	10,400	7,600	58,000	3.31	1,920
65	14,300	7,100	2,900	6,000	7,700	9,900	7,200	55,000	3.57	1,964
66	13,500	6,800	2,600	5,700	7,200	9,400	6,800	52,000	3.86	2,007
67	12,800	6,400	2,600	5,400	6,800	8,800	6,400	49,200	4.18	2,048
68	12,000	6,000	2,300	5,000	6,400	8,300	6,000	46,000	4.52	2,084
69	11,400	5,400	2,100	4,600	5,900	7,800	5,500	43,000	4.90	2,058
70	9,800	4,900	1,900	4,200	5,300	6,800	5,000	38,000	5.32	2,022
71	8,600	4,300	1,700	3,600	4,600	6,000	4,300	33,000	5.78	1,907
72	7,300	3,700	1,400	3,100	3,900	5,100	3,600	28,000	6.28	1,758
73	5,700	2,900	1,100	2,400	3,000	4,000	2,900	22,000	6.82	1,500
74	4,200	2,100	800	1,700	2,200	2,900	2,100	16,000	7.41	1,186
75 and up	14,000	7,000	2,700	6,000	7,600	9,700	7,000	54,000	11.50	6,210
Total	229,400	113,200	43,700	95,400	121,300	159,400	118,600	870,000	4.17	36,289

I am told that should the age limit be fixed at 65 years instead of 62 years the total additional cost to the Government would not exceed from eighteen to twenty millions of dollars for any year, and probably not to exceed fifteen millions. It seems to me that would be as little as we could do at this time in justice to these survivors of the nation's defenders. I desire here to incorporate as a part of my remarks, with my full approval of every word thereof, an editorial which I find in the National Tribune of January 14, 1904, as follows:

WHY LONGER DELAY?

A thousand times more impressive than any speeches made in Congress, any arguments, any editorials, is the simple fact that over 50,000 veterans [illegible]

[illegible] the sinking of every Saturday's sun is tested by the ones of fully [illegible] [illegible] [illegible] that rose stood in the front of battle when the nation's life was assailed.

Every day in the week hundreds of church bells somewhere in the land toll out the sad announcement of the passing of one of the nation's heroes. The sigh of the heart [illegible] rises hourly somewhere. The tears of the [illegible].

This, above all other reasons, is why Congress should waste no time in passing a service pension bill to give to these aging men, and to those on whom Death has set his fatal seal, some measure of the nation's gratitude and justice.

Every week sees a full regiment of men that were once the pride and hope of their country mustered out by the final sergeant, Death.

Every month the country loses a [illegible] men who in their [illegible] were [illegible] a stronger army than that with which Lee [illegible] as the sanguinary [illegible] of Chickamauga, a larger army than that with which Grant [illegible] Vicksburg, or [illegible] Sherman [illegible] Atlanta. Every [illegible] that [illegible] at Shiloh or [illegible] at Stones River yearly passes into [illegible] green [illegible] whose contains never our ward swing.

[illegible] veterans [illegible] every year is the very best possible [illegible] of the patriotic [illegible] of those who survive. The living are [illegible] but little better off than those who die. From the [illegible] ranks [illegible] to every year drawn the immense levy of from 50,000 to 60,000 more to die the next year.

Therefore, to reach these men, to do them the justice for which they have

long wanted. Congressional action can not be too speedy. Its tardiness has left [illegible] the past year, going to their graves bereft of that which was righteously theirs. In their wretched places of rest, under the sighing pines, under the tearful willows, they lie far beyond the nation's justice or the nation's gratitude. With the grass and above them, they seek nothing yonder of the "progress of legislation," or the fervid appeals of their friends to the dullard of the twenty years ago.

In the sickness of heart they have met the death of despair, and Congress can do as little for them as for the dry bones rotting in the Valley of Golgotha.

Now it is for the Congress to determine how many more myriads of such [illegible] to their relief in the fulfillment of promises made in the extremity of the nation's danger. Congress can not give pensions to the [illegible] died last year to the survivors of the [illegible] year, it can not give them the food, medicine, shelter, and support which would have [illegible] to the grave, but it can do much for the hundreds of pensioners who are [illegible] their comrades the selfsame way down the valley which leads to the beyond.

It can not replenish the arm of the [illegible] already gone, but it can give an acknowledgment and appreciation of that act by [illegible] for those who remain.

There are [illegible] thousands of veterans and their widows who see before them only the dark prospect which has dimmed the sunset of their pride. Consider every one of them [illegible] and support with [illegible] their little pensions will provide. [illegible] their support by the Government was being [illegible] and [illegible] than anything else [illegible] can. There are still living pensioners [illegible] by [illegible] and made in the strongest [illegible] the powers of the earth, believing that in the days of their weakness, out of its abundant riches and strength, it would care a little for them.

Will the Congress vote [illegible] It should hasten to perform a [illegible] of justice [illegible] now the opportunity has [illegible] with which to pass. Let us have, then, a service pension bill passed at the earliest possible moment.

For myself I want to vote to pension them all. If that can not be done, then, next, I want to vote for the Grand Army bill. If it is thought that the expense of such a law would be too great, then I will vote for the best compromise that can be agreed upon, but I do insist that some action should be taken. The nation is great and rich and powerful; it can afford a great navy for defense and protection. I voted for that bill, and am glad I did so, but I want to see this great nation care liberally for those who went out in the strength and vigor of their young manhood and risked all for the preservation of this Union. What this country is to-day we owe to them. While a survivor remains on earth let us not shirk the payment of the obligation.

If we must economize, let it be in some other direction, but not here. All that it costs we shall receive adequate consideration for in establishing forever in the minds of all citizens of the Republic the proposition that this Government will always stand by and protect and care for those who volunteer for its defense in time of need. What a volunteer army we could raise in this country at a moment's notice! And because we could raise such an army we probably shall not need it. You provide a great navy to insure peace. On the same principle so treat your soldiers that you can have the greatest army on earth whenever it may be needed.

These old soldiers of the civil war will soon all be gone. The pension roll will not continue to grow larger, but very soon it will decrease more rapidly than it grew. Let us not delay, but do now that which we should do for the nation's defenders. [Loud applause.]

Mr. PIERCE. I desire to ask my colleague on the committee if he will kindly yield me fifteen minutes. There are two gentlemen on this side who would like a few moments' time, and I would appreciate it if the gentleman will kindly yield it to me.

Mr. McCLEARY of Minnesota. How much time have I remaining, Mr. Chairman?

The CHAIRMAN. The gentleman has thirty minutes remaining.

Mr. McCLEARY of Minnesota. I yield fifteen minutes to my colleague on the committee [Mr. PIERCE].

Mr. PIERCE. I thank the gentleman. I yield ten minutes to the gentleman from New Jersey [Mr. McDERMOTT].

Mr. McDERMOTT. Mr. Chairman, I expect to yield back about one-half of my time in order that it may be given to the gentleman from Indiana, who desires to address the House on the subject of contemporaneous interest. I have listened with a great deal of attention to the addresses of to-day, particularly the one last delivered in favor of a Government appropriation in order that we may hold an exposition on the six thousandth anniversary of the departure of Adam and Eve from the Garden of Eden or something later, and I can not expect that anything not including an appropriation can gain the attention of this deserted Hall.

In the hurry call which summoned us together last November, we were told that the necessity for the extra meeting of Congress was found in the bosom of charity, and the bosom of charity was extended toward Cuba. We were told that a revision of the tariff duties between this country and Cuba was absolutely necessary in order that the suffering Republic might continue to expand and grow under the flag of liberty. I took occasion to differ from my colleagues at the time that the Cuban reciprocity bill was under consideration. My insistment at that time was that the bill was not called for by any emergency in Cuba; that it was a bill that would directly benefit what is known as the "sugar trust," and the moment or two that I have I shall use to offer evidence of the fact that I was right.

Two days ago, the question being before the Committee on Merchant Marine and Fisheries whether or not the trade between this country and the Philippine Islands should be confined to American bottoms, testimony was given by William G. Smith, secretary of the Hawaiian Sugar Planters' Association. He said:

The effect of taking 20 per cent off of the Cuban tariff brought the raw sugar down that full amount.

Mr. FORDNEY, of the committee, asked him:

That is [illegible] on board ship at Hawaii?

Mr. SMITH. Yes, sir; $16.75a ton, showing that the price for sugar fell more than that.

Mr. FORDNEY. On the gross ton of 2,240 pounds it would be $7.55?

Mr. SMITH. We [illegible]

Mr. FORDNEY. Then if that is true and the consumers in the United States are not getting their sugar any cheaper, where does the difference go? Your price has gone down and the price to the consumer has not gone down.

Mr. SMITH. The inference is that it goes to the refining company.

Mr. Chairman, in practical economics no reduction on raw material used by any trust in the United States will, within the domain in which that trust is controlling, inure to the benefit of the consumer. You can take all the tariff off sugar imported from Cuba, the raw material, and it will not reduce the price of the Havemeyer product to the consumer of this country one shade.

I contended that when the bill was before the House, and I neglected to vote for the bill because I believed that was going to be the result. In my judgment the time has come in this country for the Federal control of aggregated capital. No movement in political economy can have any good effect so long as from the sides of the States in this Union are sent piratical ships known as "corporations" to feast and fatten upon neighboring States. In my judgment this practice of creating State corporations for the transaction of interstate business must stop. I believe in a centralized power for the creation of corporations. I want a hand strong enough to reach a monopoly in Maine or a monopoly in California. I want the power to take life from the corporation, and, so wanting, in the Fifty-sixth, the Fifty-seventh, and in this Congress, I introduced an amendment to the Constitution of the United States, which I will ask the Clerk to read.

The Clerk read as follows:

ARTICLE XVI.

SECTION 1. That no State shall create or authorize the creation or exist- [illegible] private business.

Mr. McDERMOTT. In a few days I shall speak in [illegible] to the adoption of this amendment to the Constitution. I believe, as I do, that the Constitution as now framed does not allow scope enough for Federal legislation to restrain the wrongdoing of corporations organized by individual States, corporators that are not subject to visitation by any power sufficient to prevent wrongdoing. I shall then review the attempts that have been made in this Hall to suppress monopoly, and I take the opportunity of the time now awarded me merely that the members may read the amendment to the Constitution may be printed in the RECORD and the attention of Members of the House thus called to it. [Applause.]

Mr. PIERCE. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. MIERS].

The CHAIRMAN. The gentleman from Indiana is recognized for fifteen minutes.

Mr. MIERS of Indiana. Mr. Chairman, the friends of ship subsidy have been bringing in their bills for many Congresses, [illegible] or defeat altering the measures in some way to make them, if possible, more acceptable to the representatives of the people; and now, apparently weary of trying to force their project through Congress in any shape wherein it can be recognized for what it really is, they have brought it in with a mask on—the mask of a "commission to consider and recommend legislation for the development of the American merchant marine." Mr. Chairman, this title is altogether too long; besides, it is incorrect. It would be much easier and much better to call it the "ship-subsidy commission," for that is precisely what it is.

The majority of the Merchant Marine Committee have made a report in favor of the bill, in which they pretend to argue in behalf of a commission, but, as the minority report points out, they are arguing solely for a subsidy, and the commission, if appointed, would go into its deliberations with the mind of its majority made up beforehand in favor of a subsidy. We all know that. The House knows it, and the whole country knows it. The disguise is too transparent. The hands are the hands of Esau, but the voice is the voice of Jacob.

I do not propose to waste time or strength in arguing against the proposed commission as a commission. I protest against this bill and against the formation of this commission because I disapprove of the principle of ship subsidization. If the commission is constituted it is absolutely sure to report back a recommendation for ship subsidization, and those who oppose that principle might as well fight and kill it here and now by knocking out this [illegible] our duty than to be deluded into enacting ship-subsidy legislation. It is better in the present case to do our duty promptly. Why should we authorize this commission? The majority report practically confesses that it is after subsidy and subsidy alone. That being the case, we know all we need to know about subsidy already and are fully qualified to vote on the subject at once. Let us do so and put the subsidy scheme to sleep for the Fifty-eighth Congress by defeating this commission bill. Otherwise we shall have to go all over the subsidy [illegible] in the short session of next winter. The subsidy scheme has been killed frequently heretofore, but it will not stay killed. The "subsidy hunters" are not afflicted with [illegible]. Time and again they have been turned away from the doors of the Treasury, but still they rally for another raid, and again they must be beaten off.

The proposed ship subsidization is class legislation in its worst form. Subsidizing [illegible] would enable the leading persons and firms in that interest to put a large amount of public money in their pockets, which money would be contributed by the community at large. And all for what? Ostensibly to "develop the merchant marine," "carry the mails," "encourage American [illegible]," and "strengthen the Navy," but in reality to [illegible] a few steamship companies to make more money and to increase the wealth of a few men already wealthy by donations from the public Treasury.

But it is said that we must develop the merchant marine and that this is the only way to do it. I am in favor of the development of the merchant marine, but not by unconstitutional, unjust, and unfair methods, and I have no manner of doubt that there are more ways than one for securing such development justly, fairly, constitutionally.

But the subsidy proposition, to quote the words of the present honored Speaker of the House in a report made by him against a similar scheme years ago, is, "in effect, to give a bonus to assist certain persons to make a sale of steamships at a price greater than their value," and its passage "would encourage individuals to knock at the doors of Congress for profit at the general expense." There it is in a nutshell. A subsidy is a grant of public money—a "bonus" from the Treasury—given to certain persons to enhance the market value of their goods or productions and to enable them to supplement their own rightful earnings by donations at the "general expense" of the public. There may be more positively vicious and harmful, but there are not, and can not be, more selfish forms of legislation than this.

Mr. Chairman, I do not see how any Representative can vote in favor of such a subsidy proposition, unless there may be, perhaps, a few Representatives whose constituencies are mainly made up of rich tariff magnates, managers of shipbuilding trusts, and the like. But the great majority of citizens in almost every district are laboring people—Lincoln's "plain people." It has become a trite proverb to call them "the salt of the earth" and "the bone and sinew of the community." This is trite, but true. That is precisely what they are. They have as much as they can do to get along in the world—to "make both ends meet." They are the great producers of this country—the ones who produce all the manifold things which have served to make this country great, famous, rich, and prosperous. They are also the taxpayers of this country—the ones upon whom the heavy tariff burdens fall, and who fill up the Treasury with the millions which we vote away so lightly and lavishly, and sometimes so unjustly.

My constituents are true American citizens, imbued with the same spirit which actuated the free men of the Revolutionary period. They are not rich as a class—far from it. Most of them depend for their daily living upon the labor of their hands and the sweat of their brows. Thousands of them belong to that sturdy order of mechanics or artisans in whose hall in Philadelphia the Congress of 1776 did its great work of laying deep and firm the foundations of American independence. Many of them are coal miners and quarrymen, serving the public well in a vocation among the very hardest and most dangerous known to mankind. Many are farmers, pursuing their arduous and confining, but noble, calling with the fidelity and patience for which farmers have ever been noted.

Many others besides are railway engineers and firemen, blacksmiths, foundry men, and members of a score of other industrial occupations, and all doing a man's honest daily work, and doing it well and faithfully. They are plain but solid citizens. They understand the principles and methods of government. They "know their rights, and, knowing, dare maintain." They are well grounded in the history and theory of this Republic, and a majority of them are Democrats, very naturally and properly. They understand all about this subsidy idea. Why should I vote for this or any other measure which would enrich the few at the expense of the many and pick the pockets of my hard-working constituents to bolster up the shipbuilding trust?

Taxes, properly so called, are imposts levied and collected solely for the support of the Government in the interests of all the citizens alike. But it is a wrong use of words, in fact, to call a subsidy of this sort something derived from "taxation." It is supplied not by taxation, but by spoliation. It is not an "appropriation," it is a robbery in the form of law. [Applause.]

Shipbuilders appear to be getting along very well without any subsidy. Where is the right or justice in granting subsidies to shipbuilders and make the people pay? If the shipbuilders can not make their business pay by the application of common business rules and laws, why should the taxpayers of this country be asked to put their hands in their pockets so as to guarantee the profits of the enterprise?

Meanwhile the talk about "the shipbuilding interest being the only interest in the United States that is not protected" is all rubbish. Our laws permit the importation of all materials for use in shipbuilding in this country free of duty; in addition to which there is the consideration that the price of iron, steel, lumber, and most other shipbuilding materials is now practically as low here as abroad. Besides, all foreign vessels are rigorously excluded from our coasting trade, all our naval vessels are by law compelled to be built in United States yards, and our mail subsidies are twice or three times as large as those paid by any other nation to its vessels for carrying its ocean mails. If all these considerations do not constitute "protection," what do they do?

The development of our merchant marine can be stimulated by equitable methods, no doubt; if not, that offers no justification for resorting to inequitable methods. Better have no merchant marine in the foreign carrying trade at all than to have one that has been built up and sustained by the enforced contributions of the taxpayers of this country. The only proper thing to do with a rattlesnake is to kill it at sight. The only proper way to treat a subsidy proposition in Congress is to jump on it with both feet as soon as it puts in an appearance, and that, too, whether it appears in its own proper person or in the thin disguise of a "merchant marine commission." [Loud applause.]

Mr. McCLEARY of Minnesota. Mr. Chairman, does the gentleman from Tennessee [Mr. GAINES] want five minutes?

Mr. GAINES of Tennessee. I should like a minute or two to read a few lines of the evidence educed before the Ways and Means subcommittee on the tobacco growers' question.

Mr. McCLEARY of Minnesota. I yield five minutes to the gentleman from Tennessee.

Mr. HILL of Connecticut. Mr. Chairman, will the gentleman from Tennessee yield?

Mr. GAINES of Tennessee. I yield to the gentleman from Connecticut.

Mr. HILL of Connecticut. Mr. Chairman, I would like to ask the gentleman a question. I recognize the fact that the gentleman is either the father of this movement or has given as much study to it as anybody, and I would like to ask him this question: We have two sources of revenue—internal revenue and tariff. Now, there are pending in the Ways and Means Committee bills providing for endangering or losing at least fifty or sixty millions of dollars of internal revenue. In this proposition has the gentleman given any idea or consideration to any method of providing an equivalent revenue for what this bill will take off? If he has will he not tell us about it?

Mr. GAINES of Tennessee. Well, the gentleman's figures as to what it will take off are away over the mark.

Mr. HILL of Connecticut. I refer to all of the propositions on different subjects.

Mr. GAINES of Tennessee. Oh, the gentleman means to repeal all internal-revenue taxes.

Mr. HILL of Connecticut. Oh, no; but in this particular case has any consideration been given to making up the revenue that this bill would take away?

Mr. GAINES of Tennessee. Well, Mr. Chairman, I have not given any study to putting a tax on something else so as to make up the so-called "reduction" that may be caused by passing any

one of these bills that the friends of the tobacco growers have introduced, including the one which I have introduced, for these reasons:

1. No revenue is derived from leaf tobacco, Mr. Yerkes testified.

2. The revenue derived from hand twist is about $750,000 to $750,000. Mr. Yerkes says, an insignificant sum, you see.

Before we knew these facts—before Mr. Yerkes testified before the committee last week—at our first hearing before the committee, February 4, I stated that we could not tax export tobacco, except possibly a stamp police tax to prevent the exportation out of the United States, that we had such a tax from 1868 to 1883, and the Supreme Court of the United States held it valid as a police charge, or stamped tax, and cited the cases.

After the hearing I talked with the tobacco growers who were here and they said they would rather tax the export manufactured tobacco as we had under the law of 1868 to 1883 rather than have no legislation on the subject, that the growers could not be part in any worse fix than they are under existing laws.

But this was in the supposition that to give the growers the relief they wanted and intended to continue to raise tobacco could not be granted without repealing the tax from the natural leaf and hand twist to the export manufactured.

But we now have the facts showing that revenue will be granted to the tobacco growers in leaf tobacco to everybody, and but a small amount will be diverted from the Treasury to repeal the tax on twist. The farmers say they want not any relief if they insist on the stamping and twist proposition, so in my country they have all agreed to let us work from the tobacco in manufactured form.

Mr. CLARK. Mr. Chairman, I would like to ask the gentleman from Tennessee a question.

The CHAIRMAN. Does the gentleman yield?

Mr. GAINES of Tennessee. Yes.

Mr. CLARK. As I understand the gentleman's contention. The question is this: Whether under the guise of this police stamp tax, you can really levy a revenue export tax in violation of the Constitution?

Mr. GAINES of Tennessee. The Supreme Court, through Mr. Justice Bradley, speaking for the whole court, in both of the cases to which I refer held that the police-stamp tax law was valid as a "charge," not as a tax, for poncing the export or to be exported—have to enter the United States and prevent frauds by the exporter. For example: Where a man said he was going to export tobacco, and therefore it was not taxable, that we simply took his word for it, and that a tax levied on it—in that case, 30 cents—

Mr. CLARK. Thirty cents a pound?

Mr. GAINES of Tennessee. Thirty-two cents for a long time, and in some part of the time, on the tobacco, not per pound, I think, but on the leaves or hogshead, not according to value. The facts are all set in the cases to which I have referred, one of which is to be found in 92 United States Reports, page 447, Burgess v. Page, tobacco; in 117 United States Reports, Turpin against Burgess, pipe tobacco. These suits were entered for an enormous amount of tax paid under protest. The court held that the 32-cent "tax" and the 30-cent "tax" were both valid as police charges to pay the cost of seeing that the exporter, whether a domestic or foreign tobacco, and stamp placed on the export identified the tobacco, and thus secured its shipment abroad, and if not, its ultimate taxation, if not, in fact, exported. Thus fraud on the Government was prevented and the proceeds were used for revenue. I contend—

Mr. CLARK. Mr. Chairman, I will state to the gentleman that I am with the tobacco growers, but my question was as to Congress and as to this question as to whether or not you had any substitute for this revenue that you are going to lose. The question I ask is this: Can you, under the guise of this police-stamp tax, levy such a tax as to bring revenue into the Treasury on exports in violation of the constitutional provision which says that you shall not have an export tax at all?

Mr. GAINES of Tennessee. That direct question was raised in both of these cases that I have referred to, and the court squarely met the question and said this particular charge or "tax" so called was a valid police stamp tax, whether it was 30 cents or whether it was 10 cents; the amount of the tax made no difference. It was valid because it was a police tax, as I have explained. When Congress repealed it the title of the act repealing it read something like this: "An act to repeal the export tax on tobacco" (using the word "tax"); and counsel argued that Congress had declared this a "tax"—an "export tax." But the court said, "We are not bound by what Congress says." Simply because Congress said it was a "tax" does not make it a "tax." It was no more a tax, Mr. Justice Bradley said, than taxing the ship that carries it away from the United States to a foreign land. But I did not expect to discuss these questions, Mr. Chairman. The revenue over and above the enforcement of this law was of course used as "revenue."

Mr. BOWIE. Mr. Chairman, will the gentleman permit me to make a suggestion—

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAINES of Tennessee. Will not my great benefactor, the gentleman from Minnesota [Mr. McCLEARY], yield me two or three minutes or five minutes more? I have not really stated what I started to say; I have been so diverted. I desired to talk on another branch of this subject just a minute or two.

Mr. McCLEARY of Minnesota. I would just as far as I yield to the gentleman. I yield the gentleman five minutes more.

Mr. GAINES of Tennessee. I thank my friend.

Mr. BOWIE. Mr. Chairman, I rose to make this suggestion, that so far as the tobacco growers from the portion of the country I represent could we not consider—[illegible] without it?

Mr. GAINES of Tennessee. Oh, yes, my friend is exactly right, [illegible] the suggestion shows the [illegible] of this tax to exports is [illegible] Mr. Yerkes [illegible] simply a request to his collectors all over the United States to find out how much tax would be diverted from the Treasury of the United States in the event we take the 6-cent tax off all hand-twist tobacco—stemmed and leaf tobacco—and after he had gotten in all [illegible] at his hands, he said it would [illegible] to seven hundred and fifty thousand dollars a year.

Here is his language, on page 51 of the hearings last week:

It is very difficult, Mr. Chairman, for me to say exactly what amount of tax [illegible] twisted manufactured tobacco.

Then again, on page 53, I ask: [illegible] more of that section [illegible] Then I understand you, Mr. Commissioner, [illegible] that the proper entry [illegible] to the [illegible]

The section I referred to is the first section of my bill, which gives free trade to everyone in the natural leaf, just like corn and wheat.

We had a tax of 30 cents on hand-twist tobacco from March 3, 1865, to July 13, 1866, which I alluded to in my former speech, and we received about $1,000 revenue in six months. We had a tax on the "fine-cut" tobacco, "[illegible] kinds, taxed as one or tobacco, as I [illegible] so small as to be practically not worth collecting. For twenty months the amount, at 30 cents a pound, was only $20,000. Think of that! That was in 1866 to 1868. The rate was 24 cents under this law.

Here we are relieving the hand-twist tobacco of the United States, asking that 6 cents per pound be taken off that class of tobacco, and also that it be taken off stem tobacco.

Mr. Yerkes says that giving us free trade in leaf tobaccos, which, I believe, all these bills call for—I am sure mine does—will not reduce the revenues of the Government at all. And yet the marvelous fact is that to-day upon the statute books of our country there is a tax of 6 cents a pound on leaf tobacco when sold by anybody but the grower himself to a consumer. Think of a tax of 6 cents a pound on natural-leaf tobacco—a tax [illegible] the United States, and in such a [illegible] in the United States is now engaged in the business of selling the natural leaf to "the consumers" of the United States. Yet that tax and restriction are there, and it is such a restraint, such a restriction upon the action of the non-producer who undertakes to sell leaf tobacco to consumers or other people, that no one is engaged in that business—not one. Why is it there but to hobble the grower and control his tobacco, as it does?

The consumer buys no natural leaf unless he buys it from the producer, and they live so far apart that the consumer is forced to buy his tobacco, which you have seen exhibited here to-day by my friend from Kentucky—the "manufactured" product—from the tobacco trust. We are not asking to invade the revenues of the Government on that proposition. We are asking simply that you take away a restraint now placed upon the article by an iniquitous provision of the law, for which both parties, Democrats and Republicans, must be held responsible.

By a later act, the act of April 12, 1902, Congress said that when tobacco was subjected to any change except curing it became manufactured tobacco, so that the farmer if he makes the least change in the natural leaf of his own growth (except for his personal consumption) he becomes a manufacturer, and must pay a manufacturer's tax of 6 cents a pound, and must box up all the

tobacco he manufactures, which is an outrageous inhibition in itself.

Now, Mr. Yerkes, the Commissioner, did not approve the removal of the tax on hand-twist tobacco, but he approved free trade in leaf tobacco. He disapproves of the proposition with reference to hand-twist tobacco, not because it will reduce the revenue of the Government to the extent of $750,000, but because this class of tobacco, if freed from taxation, will take the place of the manufactured tobacco.

Now, I can not believe that. Manufactured tobacco is consumed by those whom you may call the aristocrats of the country. The laboring class—the laborers in the mine and in the cornfield and cottonfield and out in the camps—use the old country tobacco, the real, genuine tobacco which you have seen here to-day.

[Here the hammer fell.]

Mr. McCLEARY of Minnesota. Mr. Chairman, reserving the balance of my time, I ask that the bill be now read for amendment and debate under the five-minute rule.

The CHAIRMAN. The gentleman from Minnesota [Mr. McCLEARY] having reserved the remainder of his time, the Chair [illegible] general debate is now closed, and directs the reading of the bill.

The Clerk, proceeding to read the bill, read as follows:

For office of sealer of weights and measures: For sealer of weights and measures, $2,500; assistant sealer of weights and measures, $1,200; clerk, $1,000; laborer, $480; in all, $6,080.

Mr. THAYER. Mr. Chairman, I rise for the purpose of making some inquiry of the chairman of this committee [Mr. McCLEARY] relative to some of these appropriations. I find that this year we are [illegible] a million and a half of dollars more than we did last year, and that last year we appropriated about $1,[illegible] than we did the year before. These [illegible] appropriations for the District are increasing year by year, and this year especially, to an alarming amount.

I notice here in this department of the sealer of weights and measures that you have a salary for the chief of this office of $2,500, and you have an assistant sealer of weights and measures at $1,200, and you have a second assistant sealer of weights and measures at $900, then a clerk at $1,000, and then a laborer at $480; in all, $6,080.

This is a good number of salaried positions in this office and [illegible] in contrast with what is done in my own city of Worcester, Mass., where we have 125,000 people, and all that is paid in the department of the sealer of weights is $800, and for only one person. I do not know for certain, but I am inclined to think that you have appropriated here for the office of sealer of weights and measures twice what is appropriated in the great city of Boston. I should like to know whether this appropriation runs in the same channel with what it has been heretofore, because we all know that one to be competent to perform the duties of sealer of weights and measures is not required to have a very skilled knowledge of mechanics or to be an expert. You can take a man out of any machine shop who will be a fit person for sealer of weights and measures. It is not necessary that he should have any special education to prepare himself for that work. I ask why it is necessary then that we should appropriate here $6,080 for these sealers of weights and measures, a clerk, and a laborer? I [illegible] it is [illegible] disproportionate to the amount of service that can be rendered in that department.

I do not know that this is the rule; I do not know but you have had these same salaries and the same number of employees heretofore, and I ask for information on the subject. I understand that here in other departments you appropriate with a very lavish hand. Here is the office of the corporation counsel, appropriated for on the sixth page of the bill. We have passed over that. It runs through several offices. My attention was called particularly to this office of the sealer of weights and measures, because of what I knew existed in my own city, and I am inclined to think that very nearly as much service is rendered in Worcester, although it is a smaller city than this. At least more than half the service is rendered there that is rendered here, and we pay, if I mistake not, about $800 there, while here you pay $6,080. I rose more particularly for the matter of information.

Mr. McCLEARY of Minnesota. Mr. Chairman, by way of answer to the gentleman from Massachusetts, I would say that until a few years ago the office of sealer of weights and measures was a fee office, paid according to the service, the incumbents making out of it what they could. Some five or six years ago, after due deliberation by the Committee on the District of Columbia—the legislative committee—it was concluded that this should be a salaried office.

I will say to the gentleman that the fees of the office more than pay the salaries that are herein provided for, and in the appropriation for these salaries we have followed the recommendations of the Commissioners, who have this matter in charge and who know of the needs to be met.

I would like to ask the gentleman from Massachusetts whether he has heard any complaint from any of the business men of the District that their weights or measures are examined too frequently?

Mr. THAYER. I have not.

Mr. McCLEARY of Minnesota. Has anyone complained that the weights and measures used in this District are too nearly correct?

Mr. THAYER. I have not heard anybody complaining, because they all seem to have a piece of the pork, and all months are filled. All through this bill, from beginning to end, it looks as if nobody objected or complained. I am simply comparing what you are paying here with what they are paying in other cities, and I think it is an important sum and that some one ought to investigate the matter. Because the taxpayers here do not have to pay the entire expense, but only pay half of it, is no reason why we should pay each department twice as much as is required for a proper conduct of the business. I do not understand from the gentleman now whether he has ascertained that it is necessary to have as many officials at as high prices as are here provided for. He simply says that a few years ago the fee system was in operation. That has been done away with in this city. I am very glad of it.

It has been done away with generally throughout the country; but that does not prove that there is not too much appropriated for this department. It seems that no one has investigated it. I suppose it has been recommended by some one. The sealer of weights and measures may be an ordinary person, taken out of any manufacturing establishment—an ordinary mechanic. I suppose if some one had recommended that he be allowed $5,000 a year no one would have questioned it. The question in my mind is, Has this committee investigated this matter, so that they know that it is requisite to have so many assistant sealers of weights and measures as are provided for, and whether the price paid is a fair price? That was what I rose to ask. I do not know but it is proper, I do not know but they work day and night; I do not know as they are paid enough, and it seems nobody else knows. We are simply passing this provision and others in this bill without knowing anything about them.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Special assessment office: For special assessment clerk, $1,700; seven clerks, at $1,200 each; two clerks, at $900 each; in all, $11,000.

Mr. COWHERD. Mr. Chairman, I want to ask the gentleman in charge of the bill about this item. It occurs to me that it is a very large item for clerk hire for the special assessment work. I notice there is an appropriation of $100,000 for the assessment and permit work. I take it that this is work that is done under what is known as special assessments, so in appropriating $100,000 you are paying all the clerks. Now, if I rightly understand the bill, the business of these clerks is to keep track of these special assessments—that is, making up the tax bills. Am I right? Is the business of these special-assessment clerks to make up the bookkeeping and bookkeeping part of what is known as the "special-assessment work" for which you appropriate $100,000.

Mr. McCLEARY of Minnesota. The gentleman is correct.

Mr. COWHERD. Then I ask the gentleman if he does not think it is a pretty large item of bookkeeping expense for what is known as the "special-assessment work" of the District, where there is very little work of that character done?

Mr. McCLEARY of Minnesota. There has been the same appropriation for a series of years, and it is the sum recommended by the Commissioners for this work. The question has not been raised before.

Mr. COWHERD. Well, I want to say, Mr. Chairman, that this shows ten clerks as I understand it, in this item, to do the bookkeeping of the special-assessment work of the District of Columbia. Now, the House knows that there is very little special-assessment work done in the District of Columbia. In many cities paving is done by special assessments, and grading is done by special assessments, and there are special assessments for sidewalks and for sewers. But in the District of Columbia there is practically none of that work. We have a sidewalk tax as a special-assessment tax, and probably some sewer and water-main tax.

That is practically all there is, and yet here is a force of nine clerks provided for taking care of the bookkeeping end of that small business. I submit to the House and to the gentleman in charge of the bill that this is not economical legislation, and that we are entitled to more information than the gentleman has given us to warrant an appropriation of that kind.

The Clerk read as follows:

Street-sweeping office: For superintendent, $2,500; assistant superintendent and clerk, $1,600; clerk, $1,000; four inspectors, at $1,200 each; ten inspectors, at $1,100 each; three assistant inspectors, at $900 each; foreman of public dumps, $900; messenger and driver, $600; in all, $25,100.

Mr. THAYER. Here we are again, Mr. Chairman, this time

providing for a superintendent of the street-sweeping force. I suppose it is for the superintendence of the street sweeping, if it is street sweeping, of these "white-winged angels," who scatter the filth over the surface instead of letting it stay in one place. Twenty-five thousand one hundred dollars for superintending these white-winged passengers, as I understand it, in sweeping the streets. Now, what I wish to find out is whether there is any need of paying $25,000 and making an appropriation of such a size as that for superintending sweeping the streets. I think it is an outrage upon the taxpayers of the country and upon the taxpayers of Washington to appropriate any such amount for that purpose. I do not know whether the same amount has been appropriated heretofore or whether the number of persons provided for is the same. I am entirely ignorant on the subject, and I should like to get some information from the committee who sit here and appropriate $25,000 for superintending the street-sweeping force.

That may be a matter of very little importance to them, but when a road-tender, every carter in my district, that can not live on the pay he is receiving, asks that you allow an increase, they will tell you to death before it will be granted. I think we had better look at the bagatelle as well as the spigot and see where the Treasury is suffering. I would like to have some information on the subject. If it is proper and right I have no objection to it, but we should not let this measure go through without some reliable information in this matter. I should like to know whether provisions are made for the same number as there were last year, and whether they are to receive the same salary that was appropriated last year, and whether it is or is not necessary we should have the amount appropriated. In short, let us know something of what we are legislating about.

Mr. McCLEARY of Minnesota. Mr. Chairman, it costs something short of $[illegible] to keep the streets of Washington clean. And I think that those who are familiar with cities all over the country will say that they are kept comparatively clean. To keep them clean requires the services of several hundred men, including the "white wings" referred to by the gentleman from Massachusetts. The men thus employed need supervision. That supervision is provided in the paragraph now under consideration.

My friend will note that at the head of the supervisory force is a superintendent. He has one assistant and one clerk. Then there are seventeen inspectors who immediately supervise the work.

The streets are divided into districts, to the end that the men engaged in the work shall have immediate supervision during its progress. The seventeen inspectors are assigned to that duty and there are none too many.

The salaries are not high. The salary of the superintendent, $2,000, is regarded as by no means high. Indeed, the superintendent himself thinks it should be increased.

Mr. THAYER. I notice that the gentleman said there had been a recommendation made that the salary be increased. Is there any salary here where there has been a recommendation for a decrease, or any recommendation of that kind with reference to the whole appropriation?

Mr. McCLEARY of Minnesota. Nobody is especially urging decreases, but——

Mr. THAYER. Who is urging the increases except the men who are receiving the salaries?

Mr. McCLEARY of Minnesota. This is precisely what you have the committee for—to take into consideration the merits of the requests for increases.

The Clerk continued the reading of the bill, as follows:

That pressers, inspectors and other employees temporarily employed in connection with painting, repairing and work at the stables and repairs of horses, harness, and wagons, when specifically and in writing authorized by the Commissioners of the District, and all persons employed in connection with the proper execution of such work, shall be paid from appropriations for the same authorized for such work, and the Commissioners of the District, in their annual report to Congress, shall report the number of pressers, inspectors and other employees performing clerical or other work, and their work and the amount paid to each, and out of what appropriation, together with the same expected for horses, harness, and wagons and all horses, buggies, or carriages owned or maintained by the District of Columbia shall so far as may be practicable, be provided for in stables owned or operated by said District.

Mr. COWHERD. Mr. Chairman, I want to ask the gentleman in charge of the bill how many District officers are provided with horses and carriages at the expense of the District government?

Mr. McCLEARY of Minnesota. Mr. Chairman, the gentleman is a member of the legislative committee of the District of Columbia. A report was recently made on that subject and referred to his committee. Being well informed as to the work of his committee, my friend probably knows the answer to his own question.

Mr. COWHERD. Mr. Chairman, to my knowledge no report has been made on this subject to the District Committee of the House since I have been a member of it. Therefore I have no information whatever on the subject. And I ask the gentleman if he has the information to give it to the House. If he has not, I submit the House is entitled to some information. We have had a great deal of talk around here about various Government officials having horses and carriages, and I think we are entitled to know how many the District officials have.

Mr. McCLEARY of Minnesota. Speaking from recollection and not being sure of being absolutely correct, I should say that no one, except possibly the three Commissioners, has a carriage which is used for personal purposes.

Mr. COWHERD. And they are the only officers for whom free carriages are furnished?

Mr. McCLEARY of Minnesota. As far as I can now recollect. There are other men, of course, in the District service who necessarily have conveyances to be used in the discharge of their official duties.

Mr. COWHERD. Of course I understand that. I understand that inspectors perhaps sometimes have to have carriages, and various officers of the fire department have to have them. But I refer to official carriages, such as I have heard discussed on the other bill.

Mr. McCLEARY of Minnesota. The three Commissioners, Mr. Chairman, are the only ones of which I know, and even in the case of the Commissioners the carriages are used chiefly for official purposes, I understand.

The Clerk continued the reading of the bill, as follows:

Superintendent of insurance: For superintendent of insurance, $2,500; examiner, $[illegible]; for statistician, $1,400; temporary clerk hire, $600; in all, $[illegible].

Mr. PERKINS. Mr. Chairman, I move to strike out the last word, for the purpose of asking a question. I would like to ask the gentleman in charge of the bill what is the organization of the insurance that requires, I think, $7,000? What have they to do?

Mr. McCLEARY of Minnesota. This department, Mr. Chairman, is to this District precisely what the department of insurance is to a State. I am sure that the gentleman understands what such a department is for.

Mr. PERKINS. Yes: but I do not know why they require a department costing $7,000 to look over insurance policies. That is all they have to do.

Mr. McCLEARY of Minnesota. The District of Columbia is an entity apart from any State or Territorial organization, and this District has precisely the same needs for an insurance department that any State has.

Mr. PERKINS. Are the insurance companies incorporated in this district?

Mr. McCLEARY of Minnesota. Certainly.

Mr. PERKINS. How many?

Mr. McCLEARY of Minnesota. And there are many foreign companies doing business in this city. The insurance commissioner of the State of Maryland has no authority in the premises nor the insurance commissioner of the State of Virginia, and there is no other way to protect the citizens of this District except by having just such an organization as is required in the several States, and which is provided in this paragraph.

The Clerk continued the reading of the bill, as follows:

For purchase of books, $5,000;

For binding, $[illegible];

For fitting up building, and other contingent expenses, $9,000;

In all, $14,000.

Mr. PERKINS. Mr. Chairman, I would move, in line 15, to strike out the word "five" and insert the word "ten;" and I would like to ask the gentleman in charge of the bill something about the provision in reference to the library. Now, the gentleman is also on the committee having charge of the Congressional Library, is he not?

Mr. McCLEARY of Minnesota. I am, sir.

Mr. PERKINS. I know, of course, Mr. Chairman, that the expense of running a library is large in proportion to the amount that is expended on books, but it does seem to me that in this report made by the committee the amount expended for sack is out of proportion to the amount expended for bread. Here is an expenditure of $85,000, of which only one-seventh, 14 per cent of the entire amount expended on the library, goes for the purchase of books. Now, I think, Mr. Chairman, that in the Congressional Library, where there was some criticism recently as to the proportion of operating expenses in proportion to the amount expended for books, the amount spent for the purchase of books was very large, some 14 per cent. And it does seem to me, Mr. Chairman, that to expend $95,000 for a library where there was only $5,000 worth of books for the benefit of readers of the District is unusual.

Mr. HEMENWAY. Mr. Chairman, will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. PERKINS. Yes.

Mr. HEMENWAY. Do I understand the gentleman to state that there are only $5,000 worth of books?

Mr. PERKINS. The appropriation this year——

Mr. HEMENWAY. But the gentleman remembers there are many thousand dollars' worth of books already there.

Mr. PERKINS. Oh, yes; books that have been bought; but for this year there is an appropriation of $35,000 for the library, and only 14 per cent of that goes for books. That certainly is unusual, I think. The gentleman in charge of the bill is familiar with these questions of libraries and can tell me if that is not a much smaller percentage than is expended for books in the Congressional Library. I may be wrong, but I do not think I am.

Mr. McCLEARY of Minnesota. In answer to the inquiry of the gentleman from New York [Mr. PERKINS], which is a perfectly proper and pertinent one, I direct his attention to the fact that in the appropriation bill for 1903 there was an appropriation of $40,000 for the purchase of books. Of that money quite a considerable sum remains unexpended. That is the reason why the appropriation was made relatively small this year.

Mr. PERKINS. Then I understand there is a balance of how much unexpended?

Mr. McCLEARY of Minnesota. I have not in mind the exact amount. But the committee thought that the unexpended balance and this $5,000 would buy all that could be catalogued and got into working order for the library this coming year.

Mr. PERKINS. What does the gentleman think should be the proper proportion of money expended for books in proportion to the running expenses of the library?

Mr. McCLEARY of Minnesota. That question can not be answered definitely. It depends on circumstances. The gentleman understands, of course, that this library has a great many donations of books. The library has now some 70,000 volumes. It is expected that when it is at its normal working power, it will have about 100,000 volumes. We are adding to that number as rapidly as the committee thinks the books can be catalogued and put into use.

Mr. PERKINS. Well, does not the gentleman think that the expenditure of $20,000 for salaries is a pretty liberal one for a library of this size?

Mr. McCLEARY of Minnesota. If it were the initial appropriation, if this appropriation of $5,000 were the initial appropriation for the purchase of books and that for handling the books were $20,000, it would, of course, be out of all proportion.

Mr. PERKINS. I want to ask the gentleman whether he does not think that for a library of 70,000 volumes $20,000 is a pretty large pay roll? That is not a great library like the Congressional Library, which requires a large number of highly skilled people to properly catalogue and arrange the books.

Mr. McCLEARY of Minnesota. The gentleman will recall two facts to begin with, and I need only remind him of them.

In the first place, the building in which this library is located was donated to the District of Columbia by Mr. Carnegie. His usual rule in making such donations is to require that the community to be benefited by the donation shall bind itself to appropriate annually for maintenance a sum equal to 10 per cent of the money which he gives for the building. The cost of this building has been $875,000. Ten per cent of that is $87,500. We do not appropriate in toto that amount. We are within that 10 per cent. In this case Mr. Carnegie did not make the usual requirement. In the second place, the building is quite large, and is intended for a larger library than is there now. It has not simply one but several rooms. These rooms must be practically all in use, each being partly supplied with its equipment. Hence the amount of money required to handle the books is larger than if this were a completed library in a smaller building.

Mr. PERKINS. Then the gentleman does not himself think that this allowance for clerk hire is too large?

Mr. McCLEARY of Minnesota. Why, they ask for fifty-odd people, and we have given them only thirty-seven.

Mr. PERKINS. I ask what the gentleman thinks himself.

Mr. McCLEARY of Minnesota. And they made a good argument, as the gentleman can see by reading the hearings.

Mr. PERKINS. Oh, they will ask for anything; I know that.

Mr. McCLEARY of Minnesota. No. I want to say, in justice to the gentlemen composing the board having charge of this library, that they are among the best citizens of this District.

Mr. PERKINS. I do not question their citizenship.

Mr. McCLEARY of Minnesota. They are doing the work as a labor of love, and they gave the committee the benefit of their best judgment. Speaking for the library board, its president, Mr. Theodore W. Noyes, of the Evening Star, said to the subcommittee on this point:

We suggest that the question of the creation of an adequate, original, normal library force has not yet been determined, and that until the inadequacies of [illegible] experience were available it could not be wisely and finally settled. In regard to the working-force estimates in general, I will say there is not an item that is urged without careful consideration and without the conviction that it is necessary for the library's maintenance.

It is far from our purpose to swell the total of the library appropriation. We do not think that it needs to be or ought to be largely increased. We propose a cut of $5,000 in the contingent fund appropriation of last year, and if a further reduction of the aggregate of library estimates is necessary, we suggest that you look for cutting purposes, first to our estimates for books; and we ask that you give careful consideration on its merits to each item that is presented as required to provide additional needed force and the very few and slight increases proposed in salaries.

And to show that the salaries recommended by the library board were very moderate, Mr. Noyes gave the following figures, showing salaries paid in the public libraries of cities of approximately the same size as Washington:

	Newark.	Providence.	Minneapolis.	San Francisco.
Librarian	$4,200	$4,000	$3,300	$3,000
Assistant librarian	1,600	1,500	1,200	1,320
Reference librarian	1,000	[illegible]	840	840
Assistant reference librarian	420	468	.....	.....

In making up the salary list in this bill the committee tried to be prudent without being parsimonious.

The CHAIRMAN. Does the gentleman from New York insist on his amendment?

Mr. PERKINS. No, sir; I withdraw it, in view of the explanation.

The Clerk read as follows:

No part of the money appropriated by this act shall be used for the payment of premiums or other cost of fire insurance.

Mr. BARTLETT. I move to amend the paragraph just read by adding at the end of line 3, page 13, the following:

Nor shall any part of the sums appropriated by this act be used for the payment for the use of hired telephones, or pay for any telephone exceeding a rate of more than $5 per month for each telephone, and no contract shall be made in excess of said sum of $5 per month for each telephone.

Mr. McCLEARY of Minnesota. I reserve a point of order on the amendment.

Mr. BARTLETT. Perhaps it would be just as well to have the point of order stated and decided now. I do not think my amendment is subject to a point of order. Does the gentleman make a point of order?

Mr. McCLEARY of Minnesota. I simply reserve it.

Mr. BARTLETT. Mr. Chairman, addressing myself first to the point of order, I will say that if the paragraph just read is proper on this bill—and I have no question that it is—then this is in order as an amendment to that particular section. What is the section which I propose to amend? It reads:

No part of the money appropriated by this act shall be used for the payment of premiums or other cost of fire insurance.

The CHAIRMAN. The Chair would prefer that the gentleman from Minnesota should state his point of order.

Mr. BARTLETT. Yes; I should like to know what it is. I was just trying to anticipate what it might be.

Mr. McCLEARY of Minnesota. Mr. Chairman——

The CHAIRMAN. The Chair does not ask the gentleman to discuss the point of order now, but simply to state what it is.

Mr. McCLEARY of Minnesota. It struck me when the amendment was stated that it was legislation; that is the thought I had in mind.

The CHAIRMAN. The gentleman from Minnesota makes the point that the amendment is out of order because it proposes legislation on an appropriation bill.

Mr. BARTLETT. I do not think the amendment is subject to the point of order. It is simply a limitation upon the expenditure of the money proposed to be appropriated by this bill. The particular paragraph now under consideration declares that—

No part of the money appropriated by this act shall be used for the payment of premiums or other cost of fire insurance.

Now, the amendment which I offer undertakes to relieve the District government, if not the people of the District, from one of the most oppressive monopolies, one of the most extortionate corporations in reference to its charges that I know of in any part of the United States.

I apprehend that there is not a city in the United States where the charge for telephone service is as high as that imposed in this city. Congress has the power, and it should, whenever it has the opportunity, exercise the power, to reach this corporation or these corporations which impose upon the people by the extortionate charges they make for the extremely inefficient service which they render to the public.

Mr. BOWIE. What do they charge?

Mr. BARTLETT. I do not know, except from some personal experience. I believe it is about $10 a month and 5 cents for each message exceeding three sent from a particular place. At our hotels we are charged 5 cents for each message.

Mr. LACEY. Would it not be well for the gentleman from

Georgia [Mr. BARTLETT] to modify his amendment so as to make the limitation conform exactly to the statute, so that while the legislation applying to private individuals is being contested in the courts this amount shall not draw out of the Treasury any [illegible] in excess of that fixed in the statute regulating the rates of [illegible].

Mr. BARTLETT. I did not know that statute before me.

Mr. LACEY. I supposed the gentleman had those figures before him.

Mr. BARTLETT. No, sir. Yesterday and to-day I have [illegible] in this place where [illegible] are [illegible] of course, but [illegible] to [illegible] from Minnesota [Mr. McCLEARY] [illegible] in this bill [illegible] an amendment [illegible] the people, and [illegible] if we can [illegible] all of the people of the District, from the extortion of this most extortionate [illegible].

Now, Mr. Chairman, I believe that is all I desire to say with reference to the merits of the amendment. As to the point of order, it seems to me that [illegible] ought to run among [illegible] from an appropriation bill that every one here ought to be [illegible] the opportunity to pass an amendment like this. We have been struggling with it for some time, and while this is a mere [illegible] of remedying this abuse, it is certainly a step in the right direction towards it. I do not think this is subject to the point of order. Mr. Chairman, and I have had some experience, although I think there are only a number of [illegible] tion of the Committee on Ways and Means. The one I refer to is found on page 641 of the Digest and Manual:

"[illegible] and armament of naval vessels a proviso [illegible] to be a meritorious [illegible]."

I might read numbers of decisions made by chairmen of the Committee of the Whole [illegible].

Mr. McCLEARY of Minnesota. [illegible]

The CHAIRMAN. Does the gentleman yield?

Mr. BARTLETT. Yes.

Mr. McCLEARY of Minnesota. Mr. Chairman, I am sure my friend will permit a suggestion.

Mr. BARTLETT. Yes.

Mr. McCLEARY of Minnesota. On page 29, line 13, of the bill is a place where the gentleman's amendment would certainly be in order.

Mr. BARTLETT. Where is that?

Mr. McCLEARY of Minnesota. Page 29, line 13. Now, my suggestion to the gentleman is this——

Mr. BARTLETT. Will the gentleman permit me to say that I went to him this morning and asked him to point out a place where the amendment would be in order.

Mr. McCLEARY of Minnesota. In the hurry of the moment I could not find it; but I have found it now.

Mr. BARTLETT. I knew if the gentleman could not find it that I could not.

Mr. McCLEARY of Minnesota. I suggest to my friend from Georgia whether it would not be wise—I will ask him, in the first place, whether he knows what rates are actually being charged.

Mr. BARTLETT. No; I do not know, except as to the rates charged to individuals.

Mr. McCLEARY of Minnesota. Might it not be true that the rates now being charged are really less than those suggested by the gentleman from Georgia?

Mr. BARTLETT. I do not know.

Mr. McCLEARY of Minnesota. In view of the statement just made by my friend, I am sure he will consent to withdraw his amendment for the present, until he has time to ascertain exactly what the rates are, and then, if he finds that there should be an amendment, he can offer it on page 29, line 13.

Mr. BARTLETT. I am perfectly willing to take that course. I stated to my friend that I wanted to offer an amendment.

Mr. McCLEARY of Minnesota. The gentleman is entirely correct, but I could not at the moment find the place for him.

Mr. BARTLETT. Then, Mr. Chairman, I will withdraw the amendment at this place, that is, I am willing to withdraw it, if it is the will of the committee.

The CHAIRMAN. The gentleman from Georgia asks unanimous consent to withdraw the amendment.

Mr. BARTLETT. I will offer it at the place suggested by the gentleman from Minnesota.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The amendment will be withdrawn. The Chair understands the gentleman wishes to be recognized to offer his amendment when page 29 is reached.

Mr. BARTLETT. Yes.

The Clerk read as follows:

"[illegible] of stables of the engineer department, including [illegible] made from any other fund."

Mr. McCLEARY of Minnesota. Mr. Chairman, I move that [illegible].

Mr. THAYER. [illegible] and I have [illegible] to make when the paragraph is completed.

Mr. McCLEARY of Minnesota. This paragraph can be considered as pending. Let us rise with the understanding that this paragraph is to be considered as pending.

The CHAIRMAN. The gentleman from Minnesota moves that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. [illegible] reported that the committee had had under consideration the District of Columbia appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the House of the following titles, when the Speaker signed the same:

H. R. 6089. An act granting an increase of pension to Emma L. Nagle;

H. R. 8227. An act granting a pension to [illegible] P. [illegible];

H. R. 10145. An act to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Dakota, and for other purposes;

H. R. 865. An act granting an increase of pension to Charles C. [illegible];

H. R. 6252. An act granting a pension to Mary Huff;

H. R. 2019. An act granting a pension to Mallie Gwynn;

H. R. 11021. An act granting an increase of pension to Joseph Weems;

H. R. 8850. An act granting an increase of pension to Thomas Joyce;

H. R. 9308. An act permitting the building of a dam across the [illegible] River [illegible] in the State of Minnesota;

H. R. 10. An act establishing a United States court at Marietta, Ind. T.; and

H. R. 4045. An act [illegible].

Mr. WACHTER, also from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 7620. An act defining the limit of navigation of the Osage River in the State of Missouri;

H. R. 8435. An act to amend the act of Congress of March 11, 1902, relating to homesteads; and

H. R. 8345. An act for the relief of the State of Iowa.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4508. An act to provide for the [illegible] of the circuit and district courts of the [illegible] District of Florida in the city of Fernandina, in said district—to the Committee on the Judiciary.

S. 752. An act [illegible] of a public building in the city of Lewisburg, W. Va.—to the Committee on Public Buildings and Grounds.

S. 3218. An act for the relief of Civil Engineer P. C. Asserson, retired—to the Committee on Claims.

S. 4079. An act for the relief of James Denton—to the Committee on Claims.

S. 4165. An act to provide that a term of the circuit and district court of the United States for the district of Vermont may be held at Newport—to the Committee on the Judiciary.

FORT HALL INDIAN RESERVATION.

The SPEAKER laid before the House the following concurrent resolution:

IN THE SENATE OF THE UNITED STATES,
March 1, 1904.

Resolved by the Senate (the House of Representatives concurring), That the President be requested to return to the Senate the bill of the Senate (S. 3328) relating to ceded lands on the Fort Hall Indian Reservation, to correct a clerical error.

The SPEAKER. Is there objection to the present consideration of [illegible]

There was no objection.

The [illegible] were agreed to.

CHOCTAW INDIANS.

Mr. STEELE [illegible]. Mr. Speaker, I ask unanimous consent [illegible] as a [illegible] amendment a memorial of the [illegible] Nations in the Indian Territory protesting against [illegible] H. R. 12761.

[illegible] from Texas asks unanimous consent [illegible] document the memorial to [illegible].

There was no objection.

[illegible].

Mr. PAYNE. Mr. Speaker, I presented to the House this morning [illegible] the Speaker and the President of [illegible] to a bill, the beneficiary of [illegible] I ask [illegible] rescind the resolution [illegible] there is no objection.

ADJOURNMENT.

Mr. McCLEARY of Minnesota. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATION.

Under clause 2 of Rule XXIV, the following executive communication was taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy [illegible] on the Secretary of War, submitting an estimate [illegible] for barracks and quarters for [illegible]—to the Committee on Appropriations, [illegible].

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following [illegible] were [illegible] and reported, as follows:

[illegible] Committee on Indian Affairs, to which was [illegible] 4972 [illegible] Indian Affairs, to which [illegible] d by a report (No. [illegible]) [illegible] referred to the [illegible] the Committee on the [illegible] bill of [illegible] H. R. [illegible] said bill and report were referred to the House [illegible].

Mr. [illegible], from the Committee on Patents, to which was [illegible] and [illegible] said bill and report were [illegible].

Mr. FITZ[illegible], from the Committee on Indian Affairs, to [illegible] (H. R. 12235) to provide [illegible] of the [illegible] and for other purposes, submitted a report [illegible] the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 3 of Rule XIII, private bills and resolutions of the following [illegible] were [illegible] and reported to the House, as follows:

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to J. M. [illegible] the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5850) granting an increase of pension to Nancy A. King, reported the same with amendment, accompanied by a report (No. 1248); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7[illegible]) granting an increase of pension to Stephen Bricker, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3149) granting an increase of pension to J. S. Mavity, reported the same with amendment, accompanied by a report (No. 1250); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2941) granting an increase of pension to James W. Adams, reported the same with amendment, accompanied by a report (No. 1251); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1877) granting an increase of pension to George H. Suits, reported the same with amendment, accompanied by a report (No. 1252); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12134) granting an increase of pension to Albert [illegible], reported the same with amendment, accompanied by a report (No. 1253); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12439) granting a pension to Lydia Gavitt, reported the same with amendment, accompanied by a report (No. 1254); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to John W. Hay, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to Eli T. [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting an increase of pension to [illegible], reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. [illegible], from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. [illegible]) granting a pension to [illegible], reported the same with amendment, accompanied by a

report (No. 1262); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12434) granting an increase of pension to Rebecca McKinney, reported the same with amendment, accompanied by a report (No. 1263); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12435) granting a pension to Ida E. Norber, reported the same with amendment, accompanied by a report (No. 1264); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12009) granting an increase of pension to Edwin M. Saxton, reported the same with amendment, accompanied by a report (No. 1265); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11610) granting an increase of pension to Alexander S. Hill, reported the same with amendment, accompanied by a report (No. 1266); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11011) granting an increase of pension to Lilian Linn, reported the same with amendment, accompanied by a report (No. 1267); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12321) granting an increase of pension to Cline Morris, reported the same with amendment, accompanied by a report (No. 1268); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9796) granting an increase of pension to William Beasley, reported the same with amendment, accompanied by a report (No. 1269); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9355) granting a pension to Rebecca Simpson, reported the same with amendment, accompanied by a report (No. 1270); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11[illegible]) granting an increase of pension to Nannie J. McDowell, reported the same with amendment, accompanied by a report (No. 1271); which said bill and report were referred to the Private Calendar.

Mr. HUNTER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12342) for the relief of Lawrence H. Rousseau, reported the same with amendment, accompanied by a report (No. 1272); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1961) granting an increase of pension to James Wilkinson, reported the same without amendment, accompanied by a report (No. 1273); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7772) granting a pension to Robert Leach, reported the same with amendment, accompanied by a report (No. 1274); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8120) granting an increase of pension to Delzon Allen, reported the same with amendment, accompanied by a report (No. 1275); which said bill and report were referred to the Private Calendar.

Mr. GILSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8479) granting a pension to J. H. E. Guest, reported the same with amendment, accompanied by a report (No. 1276); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8715) granting a pension to Alice A. Siverd, reported the same with amendment, accompanied by a report (No. 1277); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9079) granting an increase of pension to Elizabeth Davison, reported the same with amendment, accompanied by a report (No. 1278); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5330) granting an increase of pension to Robert D. Gardner, of Queen City, Mo., reported the same with amendment, accompanied by a report (No. 1279); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2[illegible]) granting an increase of pension to Ada Johnson, reported the same without amendment, accompanied by a report (No. 1280); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13012) granting a pension to Esther J. Lee, reported the same without amendment, accompanied by a report (No. 1281); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12474) granting a pension to George Preston Reeves, reported the same with amendment, accompanied by a report (No. 1282); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12557) granting an increase of pension to George W. Gardiner, reported the same without amendment, accompanied by a report (No. 1283); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12628) granting an increase of pension to Andrew P. McConkey, reported the same with amendment, accompanied by a report (No. 1284); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7792) granting an increase of pension to Lazarus Minnich, reported the same with amendment, accompanied by a report (No. 1285); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 3109) for the relief of Noah Dillard, reported the same without amendment, accompanied by a report (No. 1286); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 12581) for the relief of the Pullman Company—Committee on Claims discharged, and referred to the Committee on War Claims.

A bill (H. R. 11877) granting an increase of pension to Minnie C. Wilkins—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11177) granting an increase of pension to George Manypenny—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (H. R. 12451) granting a pension to Joseph A. Cox—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HUMPHREY of Washington: A bill (H. R. 13291) for the protection of game animals, birds, and fishes in the Olympic Forest Reserve of the United States, in the State of Washington—to the Committee on the Public Lands.

By Mr. DAYTON: A bill (H. R. 13292) to extend the lines of the Anacostia and Potomac River Railroad Company—to the Committee on the District of Columbia.

Also, a bill (H. R. 13293) to extend the lines of the Anacostia and Potomac River Railroad Company—to the Committee on the District of Columbia.

By Mr. STEPHENS of Texas: A bill (H. R. 13294) to provide for the establishment and appointment of an additional United States commissioner for the twenty-third registration district, Atoka division of the central district, Indian Territory, to be located at Coalgate, Ind. T.—to the Committee on the Judiciary.

By Mr. MORRELL: A bill (H. R. 13295) to promote, foster, and encourage the fine and industrial arts by an exhibit of early American prints and engravings at the World's Fair, St. Louis, Mo., 1904—to the Select Committee on Industrial Arts and Expositions.

By Mr. STEENERSON: A bill (H. R. 13296) to amend section 2305 of the Revised Statutes of the United States—to the Committee on the Public Lands.

By Mr. SOUTHWICK (by request): A bill (H. R. 13297) to provide for the registration and protection of trade-marks—to the Committee on Patents.

By Mr. BROOKS: A bill (H. R. 13298) to amend section 2327

of the Revised Statutes of the United States, relating to lands—to the Committee on Mines and Mining.

By Mr. ALEXANDER: A joint resolution (H. J. Res. 122) permitting Maj. Thomas W. Symons, Corps of Engineers, to assist the State of New York by acting as a member of an advisory board—to the Committee on Military Affairs.

By Mr. McDERMOTT: A joint resolution (H. J. Res. 123) proposing an amendment to the Constitution of the United States—to the Committee on the Judiciary.

By Mr. ACHESON: A concurrent resolution (H. C. Res. 47) to increase the number of bound Congressional Directories—to the Committee on Printing.

By Mr. COWHERD: A resolution (H. Res. 236) to investigate the Post-Office Department—to the Committee on Rules.

Also, a resolution (H. Res. 237) to investigate action of railroads in shipments of live stock—to the Committee on Rules.

By Mr. GOEBEL: Memorial of the general assembly of the State of Ohio, approving of the provisions of H. R. 6475—to the Committee on the Post-Office and Post-Roads.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 13299) granting a pension to Edah A. Kittridge—to the Committee on Pensions.

By Mr. BATES: A bill (H. R. 13300) granting certain rights and privileges to the commissioners of waterworks in the city of Erie, Pa.—to the Committee on the Public Lands.

By Mr. BONYNGE: A bill (H. R. 13301) granting a pension to Hattie L. Chittenden—to the Committee on Invalid Pensions.

By Mr. BROWNLOW: A bill (H. R. 13302) for the relief of Boone Chandler and others—to the Committee on Indian Affairs.

By Mr. BRUNDIDGE: A bill (H. R. 13303) for the relief of the estate of W. A. Rawlings, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. BUCKMAN: A bill (H. R. 13304) granting an increase of pension to Arbana Wade—to the Committee on Invalid Pensions.

By Mr. BURNETT: A bill (H. R. 13305) granting an increase of pension to Amos L. Grimth—to the Committee on Invalid Pensions.

By Mr. CROFT: A bill (H. R. 13306) for the relief of the heirs of Richard Reynolds, deceased—to the Committee on Claims.

By Mr. DAYTON: A bill (H. R. 13307) granting an increase of pension to George W. Chidester—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 13308) to pay certain claims of G. W. Howland—to the Committee on Claims.

Also, a bill (H. R. 13309) granting an increase of pension to Arthur H. Howe—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13310) granting an increase of pension to Samuel A. Smith, jr.—to the Committee on Invalid Pensions.

By Mr. DWIGHT: A bill (H. R. 13311) granting an increase of pension to Bolivar Aldrich—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13312) granting an increase of pension to Harvey Stearns—to the Committee on Invalid Pensions.

By Mr. GARDNER of Michigan: A bill (H. R. 13313) granting an increase of pension to Thomas J. Spencer—to the Committee on Invalid Pensions.

By Mr. GILSON: A bill (H. R. 13314) for the relief of F. A. R. Scott, of Knox County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 13315) granting an increase of pension to Adrian Terry—to the Committee on Invalid Pensions.

By Mr. HAMILTON: A bill (H. R. 13316) granting a pension to Phebe Damoth—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13317) granting a pension to Mary J. Quirk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13318) granting a pension to Ellen W. Gallea—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 13319) granting an increase of pension to Amos Wheeler—to the Committee on Invalid Pensions.

By Mr. HINSHAW: A bill (H. R. 13320) granting an increase of pension to George W. Walden—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13321) granting an increase of pension to John B. Mitchell—to the Committee on Invalid Pensions.

By Mr. HOLLIDAY: A bill (H. R. 13322) for the relief of Benjamin F. King—to the Committee on War Claims.

Also, a bill (H. R. 13323) for the relief of Thomas Lookebill—to the Committee on War Claims.

Also, a bill (H. R. 13324) granting an increase of pension to John Kesler—to the Committee on Invalid Pensions.

By Mr. JENKINS: A bill (H. R. 13325) for the relief of Harry Stanard—to the Committee on War Claims.

Also, a bill (H. R. 13326) for the relief of Harry Stanard—to the Committee on War Claims.

By Mr. LIVINGSTON: A bill (H. R. 13327) for the relief of Big Bethel African Methodist Episcopal Church, of Atlanta, Ga.—to the Committee on War Claims.

Also, a bill (H. R. 13328) granting a pension to Martin R. Gentry—to the Committee on Pensions.

By Mr. MOON of Pennsylvania: A bill (H. R. 13329) granting an increase of pension to Henry Wagner—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 13330) granting an increase of pension to Michael Kelly, alias Patrick Kelly—to the Committee on Pensions.

By Mr. MUDD (by request): A bill (H. R. 13331) for the relief of the estate of Cyrus Martin, deceased, late of Washington, D. C.—to the Committee on War Claims.

Also, a bill (H. R. 13332) granting a pension to Honora Sullivan—to the Committee on Pensions.

By Mr. MURDOCK: A bill (H. R. 13333) granting a pension to Lucy Ann Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13334) granting an increase of pension to John H. Hair—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13335) granting an increase of pension to Reuben F. Moore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13336) granting an increase of pension to Frederick Schroyer—to the Committee on Invalid Pensions.

Also a bill (H. R. 13337) granting an increase of pension to Jonathan Tripp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13338) granting an increase of pension to Martin J. Heltzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13339) granting an increase of pension to Robert H. Browne—to the Committee on Invalid Pensions.

By Mr. RIXEY: A bill (H. R. 13340) granting a pension to Henry J. Rich—to the Committee on Pensions.

By Mr. [illegible]: A bill (H. R. 13341) for the relief of the heirs of George W. Coombs—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 13342) for the relief of William Gardner—to the Committee on Military Affairs.

By Mr. SMITH of New York: A bill (H. R. 13343) granting an increase of pension to John H. Whipple—to the Committee on Invalid Pensions.

By Mr. SOUTHALL: A bill (H. R. 13344) for the relief of Lieut. James M. Pickrell, United States Navy, retired—to the Committee on Naval Affairs.

By Mr. STEWART of New York: A bill (H. R. 13345) granting an increase of pension to [illegible] Hill—to the Committee on Pensions.

By Mr. [illegible]: A bill (H. R. 13346) for the relief of Maria J. [illegible], widow of William Blaisdell, deceased—to the Committee on War Claims.

By Mr. [illegible]: A bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh—to the Committee on Invalid Pensions.

By Mr. WACHTER: A bill (H. R. 13348) to relieve Henry [illegible] of Some of Baltimore, Md., from a portion of their liability on a [illegible] in the city of Baltimore, Md.—to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of Rev. Carl Jordan, of Lawrence, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the North Side Board of Trade of New York City, in favor of bill H. R. 10871, providing for clean money—to the Committee on Banking and Currency.

Also, resolution of the North Side Board of Trade of New York City, in opposition to the bill H. R. 7[illegible], relative to small pleasure craft—to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Citizens' Trade Association of Cambridge, Mass., in favor of increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. ADAMS of Pennsylvania: Resolution of the Tariff Club, relative to any improvement of the efficiency of the customhouse—to the Committee on Public Buildings and Grounds.

By Mr. AIKEN: Papers to accompany claim of William Summers—to the Committee on War Claims.

By Mr. AMES: Petition of W. B. Taylor and 122 others, of Methuen; H. E. Hinkley and 21 others, of Everett; N. T. Whittaker and 35 others, of South Framingham; Hamlet A. Howarth and 10 others, of Lawrence; George E. Rackliffe and 28 others, of Danvers; L. O. Cooper and 30 others, of Ashland; Thomas E. Stott and 12 others, of Ballardvale; John D. Cameron and 50 others, of Somerville; Herbert Judson White and 37 others, of

Beverly; Rev. Henry D. Stevens and 85 others, of Reading; Eugene Grady and 25 others, of Middleton, and John A. Bowler and 10 others, of Framingham, all in Massachusetts, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BAKER: Memorial of the Boiler Makers and Iron-ship Builders of America, in favor of bills S. 2259 and 2263 and H. R. 12222, 13139, and 7056—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the New York Produce Exchange, in favor of making Point Judith a harbor of refuge—to the Committee on Rivers and Harbors.

Also, resolution of the Supervisors' Highway Convention of the State of New York, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. BEDE: Papers to accompany bill H. R. 11596, granting a pension to L. P. Storms—to the Committee on Invalid Pensions.

By Mr. BOWERSOCK: Petition of the farmers of Douglas County, Kansas, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of citizens of Colony, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Kansas Federation of Commercial Interests, in favor of the good-roads bill—to the Committee on Agriculture.

Also, resolution of the Kansas Federation of Commercial Interests, relative to increasing the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. BUCKMAN: Petition of Mayor Lenhard Engel and 35 others, of Marshall, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers to accompany bill H. R. 13228, granting a pension to Carrie Kennedy—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 11898, granting a pension to Barney D. Judkins—to the Committee on Invalid Pensions.

By Mr. BURKE: Petitions of Joseph M. Blute and 22 others, and H. Anderson and 71 others, of Pierre, S. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Petitions of citizens of Nebraska: Woman's Christian Temperance Union of Ord, Nebr.; Society of Friends, of Lincoln, Nebr., and Lincoln Executive Meeting of Friends, Lincoln, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Deborah Avery Chapter, Daughters of the American Revolution, of Lincoln, Nebr., in favor of bill to protect the American flag, etc.—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petition of New England Postmasters' Association, in favor of bill providing for stamp certificates—to the Committee on the Post-Office and Post-Roads.

By Mr. BURNETT: Petitions of the Woman's Christian Temperance Union and 43 others, E. Wooley and 22 others, and Rev. W. B. Hipe and 25 others, of Guntersville, Ala., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania: Petition of M. L. Ross and 44 others, of Birmingham, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Brandywine Grange, No. 60, Patrons of Husbandry, in favor of bill H. R. 8678—to the Committee on Agriculture.

By Mr. CASSINGHAM: Petition of members and adherents of the Presbyterian Church of Keene, Ohio, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Resolutions of the Massachusetts State Board of Trade, in favor of passage of legislation further to define duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Milwaukee Chamber of Commerce, in favor of legislation to further define the duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Commercial Club of Las Vegas, N. Mex., in favor of legislation to increase the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Grain Dealers' National Association, against supervision of inspection of grain by National Government at terminal markets and in favor of inspection under control of local exchanges—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Hardware Association of the United States, in favor of legislation to further define the duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Association of Commission Merchants of the United States, in favor of the passage of legislation to further define the duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Grain Dealers' National Association, at Minneapolis, in favor of passage of legislation to further define the duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Western Pine Shippers' Association, in favor of the passage of the bills H. R. 6273 and S. 2439—to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of Delavan, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COWHERD: Petition of Hereford stock breeders of Kansas City, for investigation of interstate traffic as it affects the transportation of live stock—to the Committee on Interstate and Foreign Commerce.

By Mr. CURRIER: Petitions of Hinsdale Grange and 17 others, of Hinsdale, N. H.; Ira A. Hamsey and 45 others, and F. H. Abbott and 8 others, of Colbrook, N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CURTIS: Petition of R. J. Carter and others, of Seneca, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of James Shields Post, No. 57, Grand Army of the Republic, Wellington, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petitions of Rev. G. W. Montgomery and Rev. G. W. Taft, of Oakmont, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DANIELS: Resolutions of Cornman Post, No. 57, Grand Army of the Republic, Department of California and Nevada, relative to bill H. R. 5756—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Calvin N. Swineford—to the Committee on Invalid Pensions.

By Mr. DAYTON: Resolutions of wagon masters and teamsters of Tucker and adjoining counties, W. Va., for the enactment of a law granting a pension to all teamsters of the war of 1861-1865 who rendered service to the Government—to the Committee on Invalid Pensions.

Also, petition of F. M. Reynolds, L. L. Friend, and 53 other voters of Kenna, W. Va., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. DE ARMOND: Paper to accompany bill granting an increase of pension to James A. Cogle—to the Committee on Invalid Pensions.

By Mr. DRAPER: Petition of patrons and residents of rural route No. 3, of Troy, N. Y., in favor of the passage of the bill for the pension of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. FOSS: Petitions of Rev. Frank L. Hart and 22 others, of Chicago, Ill.; William Kennedy, M. D., and 17 others, Mrs. Emma S. Hoyt, president of the Woman's Christian Temperance Union, and L. D. Wakefield, president Prohibition Alliance, of Ravenswood, Chicago, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FULLER: Petitions of C. H. Richardson and 32 others, and Harvey G. Geer and 52 others, of Rockford, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, memorial of the Emmerson Manufacturing Company, of Rockford, Ill., in favor of improving Kaw Valley, Kansas—to the Committee on Rivers and Harbors.

Also, memorial of the Brotherhood of Boiler Makers and Iron-ship Builders, in favor of bills S. 2259 and 2263 and H. R. 12222 and 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. GARDNER of Michigan: Paper to accompany bill to pension Thomas J. Spencer—to the Committee on Invalid Pensions.

By Mr. GIBSON: Petition of Warham Easley, praying reference of claim to Court of Claims—to the Committee on War Claims.

By Mr. GILBERT: Petition of citizens of Shelby County, Ky., praying for the removal of the tax on tobacco—to the Committee on Ways and Means.

By Mr. GRANGER: Petitions of Arthur Given and 79 others, of Cranston; Rev. Edward B. Shaw and 27 others, of Pawtucket; John H. Buckey and 20 others, of Central Falls; R. N. Wyatt and 16 others, of Tiverton; Orrin Kent and 10 others, of Cumberland, and Charles L. Brown and 88 others, of Providence, all in Rhode Island, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRIFFITH: Petition of B. M. Evans and 31 others, of Cold Springs, Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEMENWAY: Petitions of P. C. Lisman and 28 others, and O. M. Stone and 37 others, of Oakland City, Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Connecticut: Petition of L. W. Wilson and others, of Wilson, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Petition of residents of Lindenwood, Ill., against sale of liquors in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, petition of D. D. Emery and others, of Byron, Ill., in favor of bill H. R. 9302—to the Committee on Ways and Means.

Also, petition of C. L. Miller, of Rockford, Ill., relative to rural carriers acting as agents—to the Committee on the Post-Office and Post-Roads.

Also, petition of Rev. Henry Mason Baum, protesting against the Cullom bill, relative to preservation of aboriginal monuments, etc.—to the Committee on the Public Lands.

Also, petitions of H. L. Barber, D. F. Cox, S. S. File, G. P. Dentley, and J. D. Ford, of Davis Junction, Ill., against sale of liquors in Government buildings and Soldiers' Homes—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of residents of Davis Junction and Whiteside County, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of patrons of rural-delivery route of Stephenson County, Ill., relative to increasing the salary of rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Rochelle Woman's Club, favoring forest reserve in White Mountains, New Hampshire—to the Committee on Agriculture.

By Mr. JENKINS: Papers to accompany bill for the relief of Harry Stanard—to the Committee on Claims.

By Mr. KELIHER: Resolutions of Merchants and Manufacturers' Association of Baltimore, recommending improvement of main ship channel giving access to the port of Baltimore—to the Committee on Rivers and Harbors.

Also, resolution of the Coal Club of Boston and vicinity, recommending arbitration treaty between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolution of the Boston Merchants' Association, recommending the placing of coal permanently on the free list—to the Committee on Ways and Means.

Also, resolution of the Philadelphia Marine Exchange, recommending arbitration treaties with all foreign countries as a means of adjusting international controversy and preventing war—to the Committee on Foreign Affairs.

Also, petition of the Boston Chamber of Commerce, recommending a continuance of the rebate of all coal duties—to the Committee on Ways and Means.

Also, resolution of the Citizens' Trade Association of Cambridge, Mass., recommending a treaty of arbitration between United States and Great Britain and Ireland—to the Committee on Foreign Affairs.

Also, resolution of the Gloucester Board of Trade, indorsing the Lodge bill for perfecting the consular service—to the Committee on Foreign Affairs.

Also, petition to the President of the United States, to aid in preserving the Calaveras big-tree groves—to the Committee on the Public Lands.

Also, resolution of the general court of the State of Massachusetts, recommending a special mail rate for books sent to and from libraries—to the Committee on the Post-Office and Post-Roads.

Also, resolution of the National Grain Dealers' Association and the State Board of Trade of Massachusetts, recommending legislation to regulate interstate commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the National Board of Trade, on the subjects of irrigation and forestry—to the Committee on Agriculture.

Also, resolutions of the Philadelphia Board of Trade, approving bills S. 2259 and 2263, confining trade between the United States and the Philippine Islands exclusively to vessels of American registry—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Drysalters' Club of New England, recommending an arbitration treaty between United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. LANNING: Petitions of Joseph Howell and others, of Hamilton Square; the Presbyterian Church of Basking Ridge, Somerset County; the Baptist Church of Baptistown, and the Methodist Episcopal Church of Hamilton Square, Mercer County, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Roman Catholic Church, Thomas Rudden and 23 others, of Flemington, N. J., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Resolution of the New York Produce Exchange, favoring improvement of Point Judith harbor of refuge—to the Committee on Rivers and Harbors.

By Mr. LOUDENSLAGER: Petitions of Grace Baptist Church and the Eighth Street Church, of Camden, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McCALL: Petitions of Rev. Wilbur N. Mason and 30 other voters and S. N. Waters and 23 other voters of Cambridge, Mass., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. McCLEARY of Minnesota: Resolutions of the Minnesota State Association of Builders' Exchanges and the Builders' Exchange of St. Paul, in opposition to bill H. R. 89—to the Committee on the Judiciary.

Also, resolutions of the Commercial Club of St. Paul, Minn., favoring the improvement of the upper Mississippi River—to the Committee on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Association, at Minneapolis, Minn., in opposition to national inspection of grain at terminal points—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the Minnesota State Association of Builders' Exchanges, opposing the eight-hour bill—to the Committee on Labor.

By Mr. McNARY: Petitions of Hiram B. Crook and 45 others, of Boston, Mass., and Edward W. Frye and 16 others, of Jamaica Plain, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petitions of T. R. Jones and others, of Steele, N. Dak., and citizens of Mayville and Portland, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MAYNARD: Petition of M. S. Topping and 23 others, of Claremont, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MURDOCK: Petition of G. W. Young and 28 other voters, and the United Presbyterian Church members, of Newton, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Byron L. Glenn and 12 other voters of Wittrup, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Rev. J. W. McIrvine and congregation, and Mrs. S. J. Rudd and others, of Belpre, Kans., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of the Kansas Federation of Commercial Interests, praying for a redress of wrongs practiced on them by railroads—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Kansas Federation of Commercial Interests, praying for the passage of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. NEEDHAM: Resolution of Cornman Post, No. 57, Grand Army of the Republic, Department of California and Nevada, against passage of bill H. R. 5756—to the Committee on Invalid Pensions.

Also, petitions of E. B. Griswold and 18 others, and W. H. Brown and 17 others, of Hanford, Cal., and Thomas F. Williams and 10 others, of Armona, Cal., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PAGE: Petition of Baxter Byerly and 11 others, of Advance, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PAYNE: Papers to accompany bill (H. R. 13260) granting increase of pension to William Starks—to the Committee on Invalid Pensions.

By Mr. PORTER: Petition of Boiler Makers and Iron-ship Builders of America, in favor of bill S. 2259 and sundry other bills—to the Committee on Interstate and Foreign Commerce.

By Mr. REEDER: Petitions of Mrs. Lizzie Granger and 40 others, of Phillipsburg, Kans., and William F. Cook and 13 others, of Jewell, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBB: Petition of H. D. Benedict and 46 others, of Fredericktown, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. Philip M. Grogg and 20 others, of Lithium, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON: Papers to accompany bill granting an increase of pension to James A. Lowe—to the Committee on Invalid Pensions.

By Mr. RUPPERT: Petition of the Northern California Indian Association, praying for relief of the landless Indians of northern California—to the Committee on Indian Affairs.

By Mr. SHERLEY: Petition of the West End Woman's Christian Temperance Union, of Louisville, Ky., in favor of a bill to prevent nullification of the State liquor laws—to the Committee on the Judiciary.

By Mr. SHERMAN: Petition of residents of Indian Territory, protesting against absorption by legislation of the Territory into Oklahoma as a State—to the Committee on the Territories.

Also, petition of residents of Little Falls, N. Y., in favor of a bill to regulate immigration of aliens into the United States—to the Committee on Immigration and Naturalization.

By Mr. WM. ALLEN SMITH: Petition of members of Ionia, Mich., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, resolution of Hial P. Clark Post, No. 1[illegible], Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petitions of George W. Cranston and 50 others and Nathan Van Wagoner and 19 others, of New Paltz, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of Pennsylvania: Petition of Edward Rowe and 127 others, of Indiana County, Pa., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SMITH of Texas: Petition of John F. Edgar and 190 others, of El Paso, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STARKMAN: Resolution of citizens of Tampa, Fla., in mass meeting, relative to improving the harbor at Tampa—to the Committee on Rivers and Harbors.

By Mr. STEPHENS of Texas: Petitions of U. C. Hawkins and 34 others, J. C. Smith and 25 others, and D. P. Smith and 31 others, of Vernon, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, papers in connection with bill H. R. 707, for the relief of W. R. McGuire—to the Committee on War Claims.

By Mr. SULLIVAN of Massachusetts: Resolutions of the Citizens' Trade Association of Cambridge, Mass., favoring legislation to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. SULLOWAY: Resolution of Enterprise Grange, Patrons of Husbandry, of Salem, N. H., in favor of a good-roads bill—to the Committee on Agriculture.

Also, petition of Charles E. Rowell and 17 others, of Rochester, N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. TAWNEY: Petitions of A. N. Decker and 79 others, B. H. Campbell and 41 others, and C. D. [illegible], of Austin, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Minnesota State Association of Public Examiners, in opposition to bill H. R. 89, the anti-injunction bill—to the Committee on the Judiciary.

Also, petition of the Minnesota State Association of Building Exchanges, in opposition to the passage of an eight-hour law—to the Committee on Labor.

By Mr. VREELAND: Petition of Arthur B. Burrows and 38 others, of Andover, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WOODYARD: Petitions of J. S. Penpoint and 37 others, and Rev. S. C. Jones and 21 others, of Bluefield, W. Va., and 50 others, of Charleston, W. Va., and 50 others, of Williamson, W. Va., and C. E. Hall and 37 others, of Wheeling, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WRIGHT: Resolution of the Manufacturers and Producers' Association of [illegible], Cal., in favor of the passage of S. H. R. 4072—to the Committee on the Judiciary.

SENATE.

WEDNESDAY, March 2, 1904.

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Journal of yesterday's proceedings was read and approved, unanimous consent.

The President pro tempore. In the absence of objection, the Journal will stand approved.

A message from the House of Representatives, by Mr. W. J. Brownson, its Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of the Pawnee and Otoe lands, and confirming and legalizing sales thereof since March 3, 1902; and

A bill (H. R. 13290) making appropriation for clearing the Potomac River of ice.

The message also announced that the House had agreed to the resolution of the Senate requesting the President to return to the Senate the bill (S. 2638) relating to ceded lands on the Fort Hall Indian Reservation.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (H. R. 19) establishing a United States court at Marietta, Ind. T.;

A bill (H. R. 865) granting an increase of pension to Charles C. Chase;

A bill (H. R. 2019) granting a pension to Mallie Gwynn;

A bill (H. R. 4045) granting a pension to Minnie Gusler;

A bill (H. R. 6689) granting an increase of pension to Emma L. Nagle;

A bill (H. R. 6952) granting a pension to Mary Huff;

A bill (H. R. 8227) granting a pension to Lucius E. Polk;

A bill (H. R. 8850) granting an increase of pension to Thomas Joyce;

A bill (H. R. 9308) [illegible] Mississippi River between the [illegible] in the State of Minnesota;

A bill (H. R. 10145) to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas; and

A bill (H. R. 11021) granting an increase of pension to Joseph Weems.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the Schwaben Verein, of St. Joseph, Mo.; of the Schleswig-Holstein [illegible] Minn.; of the Germania [illegible] Frohsinn Verein, of Cleveland, and [illegible] County of Cleveland, in the State of Ohio; of Venus Lodge, No. 2209, of Buffalo, and of the Continental Bowling Club, of Brooklyn, in the State of New York; of Local Lodge No. 60, of Chicago, [illegible] No. 70, of Chicago, and of [illegible] in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the congregation of the Methodist Episcopal Church of [illegible] in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Woman's Club of Seymour; of the Woman's Club, of Madison; of the Woman's Club of West Lafayette; of the Woman's Club of Wabash; of the Woman's Club of Kokomo; of the Woman's Club of Lafayette; of the Woman's Club of Indianapolis; of the Woman's Club of Muncie; of the Woman's Club of Marion; of the Woman's Club of Terre Haute; of the Woman's Club of [illegible]; of the Woman's Club of Mishawaka; of the Woman's Club of Bluffton; of the Woman's Club of Peru; of the Woman's Club of Logansport; of the Woman's Club of Frankfort; of the Woman's Club of Kendallville; of the Woman's Club of Rushville; of the Woman's Club of Greenfield; of the Woman's Club of Shelbyville; of the Woman's Club of Franklin; of the Woman's Club of Greencastle; of the Woman's Club of Noblesville; of the Woman's Club of Anderson; of the Woman's Club of Hartford City; of the Woman's Club of Portland; of the Woman's Club of Bluffton; of the Woman's Club of Huntington; of the Woman's Club of Wabash; of the Woman's Club of Warsaw; of the Woman's Club of Goshen; of the Woman's Club of Elkhart; of the Woman's Club of Valparaiso; of the Woman's Club of Michigan City; of the Woman's Club of Laporte; of the Woman's Club of Crown Point; of the Woman's Club of Lowell; of the Woman's Club of Rensselaer; of the Woman's Club of Kouts; of the Woman's Club of Wanatah; of the Woman's Club of Hebron; of the Woman's Club of Porter; of the Woman's Club of Chesterton; of the Woman's Club of Valparaiso; of the Woman's Club of Knox; of the Woman's Club of Plymouth; of the Woman's Club of Rochester; of the Woman's Club of Akron; of the Woman's Club of Macy; of the Woman's Club of Converse; of the Woman's Club of Peru; of the Woman's Club of Amboy; of the Woman's Club of Kokomo; of the Woman's Club of Marion; of the Woman's Club of Mexico; of the Woman's Club of Paris; of the Woman's Club of Crown Point; of the Woman's Club of Lowell; of the Woman's Club of Rensselaer; of the Woman's Club of Kouts; of the Woman's Club of Wanatah; of the Woman's Club of Hebron; of the Woman's Club of Porter; of the Woman's Club of Chesterton; of the Woman's Club of Valparaiso; of the Woman's Club of Knox; of the Woman's Club of Plymouth; of the Woman's Club of Rochester; of the Woman's Club of Akron; of the Woman's Club of Macy; of the Woman's Club of Converse; of the Woman's Club of Peru; of the Woman's Club of Amboy; of the Woman's Club of Kokomo; of the Woman's Club of Marion; of the Woman's Club of Mexico; of the Woman's Club of Paris; of the Woman's Club of [illegible]; of the Woman's Club of [illegible]; of the Woman's Club of [illegible]

consin: of Custer Post, No. 72, of Rock Elm; of Hans C. Heg Post, No. 114, of Waupun; of George W. Bell Post, No. 53, of Wyocena; of Frank H. Potter Post, No. 229, of Cambridge; of J. B. Robinson Post, No. 205, of Clinton; of Badgero Post, No. 122, of Friendship; of Post No. 294, of Argyle; of P. S. D. Crane Post, No. 54, of Belleville; of Andrew J. Fullerton Post, No. 199, of Wisconsin; of Post No. 141, of Wisconsin; of Ellsworth Post, No. 118, of Wisconsin; of Henry Bertram Post, No. 194, of Wisconsin; of August Rosenfeld Post, No. 287, of Wisconsin; of Colonel John H. Knight Post, No. 5, of Wisconsin; of Post No. 212, of Wisconsin; of Sam Marshall Post, No. 173, of Fennimore; of H. S. [illegible] Post, No. 228, of Wisconsin; of Ben Sheldon Post, No. 156, of Wisconsin; of Philo C. [illegible] Post, No. [illegible], of [illegible]; and of George C. Ginty Post, No. 183, of Cadott, all of the Department of Wisconsin, Grand Army of the Republic, in the State of Wisconsin, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Milwaukee, Berlin, Hudson, Fort Atkinson, Tomahawk, Madison, Kewaunee, and Omro, of Glendale Lodge, No. [illegible], Independent Order of Good Templars, of Glendale, of Northern Lodge, No. 60, Independent Order of Good Templars, of Ashland, of Hope Lodge, No. 172, Independent Order of Good Templars, of [illegible], of the Independent Order of Good Templars, of [illegible], of the organization of the Memorial Baptist Church, of Neenah, of Cardinal Lodge, No. 193, Independent Order of Good Templars, of Waukesha, of the Farmer's Home Lodge, No. [illegible], Independent Order of Good Templars, of Waupun, of the congregation of the Church of Free Will Baptists of Waupun, of the congregation of the Mount Hope Baptist Church, of Elkhorn, of the Independent Order of Good Templars of Wittenberg, of Evergreen Star Lodge, No. 294, Independent Order of Good Templars, of Fairchild, of Cascade Lodge, Independent Order of Good Templars, of River Falls; of Marshfield Lodge, No. 97, Independent Order of Good Templars, of Marshfield, of the Temperance Society of Wild Rose, and of M. H. Power, of Superior, all in the State of Wisconsin, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FLINT presented petitions of the Anti Saloon League of Perry, of the congregation of the First Presbyterian Church of Perry, of sundry citizens of Monessen; of the congregation of the Bethany Baptist Church, and the First Presbyterian Church, of Monessen, of sundry citizens of Port Jervis, head of the Legislative Board of the Friends in America, of Harrisburg, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. ANKENY presented a petition of Martha Washington Circle, Department of Washington and Alaska, Ladies of the Grand Army of the Republic, of Anacortes, Wash., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Plaza, Wash., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. KEAN presented petitions of sundry citizens of Flemington, Burlington County, Pemberton, Camden, Newton, and Scullville; of the congregation of the Baptist Church of Jacobstown; of the congregation of the Presbyterian Church of Hamilton Square; of the congregation of the German Reformed Church of Jamesburg; of the congregation of the Baptist Church of Bordentown; of the congregation of the Methodist Episcopal Church of Hope; of the congregation of the First Methodist Episcopal Church of Dover; of the congregation of the Methodist Episcopal Church of Westfield; of the congregation of the First Presbyterian Church of Rahway; of the congregation of the First Methodist Episcopal Church of Newport; of the congregation of the Methodist Episcopal Church of Oceanport; of the congregation of the Eighth Street Methodist Episcopal Church, of Camden; of the congregation of the First Reformed Church of Pottersville; of the congregation of the Grace Baptist Church, of Camden; of the congregation of the Emanuel Baptist Church, of Newark; of the Christian Endeavor Society of the Methodist Protestant Church of Scullville; of the Woman's Christian Temperance Union of Newton; of the congregation of the Baptist Church of Pemberton; of the congregation of the Hamilton Avenue Methodist Episcopal Church, of Trenton, and of the congregation of the Moorestown Methodist Protestant Church, of Burlington County, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. HALE presented petitions of sundry citizens of Windham, Lisbon, Cherryfield, Parkman, Old Orchard, Tremont, Otisfield, Casco, Dexter, Eustis, Freeport, Skowhegan, Monroe, and Sanford, all in the State of Maine, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CLOCKLEY presented a petition of Warren Lodge, No. 267, Brotherhood of Locomotive Firemen and Enginemen, of Moberly, Mo., praying for the enactment of legislation to regulate the interstate transportation of liquor; which was referred to the Committee on Commerce.

He also presented a petition of the Women's Christian Temperance Union, of St. Louis, Mo., praying for an investigation of the charges made and filed against Hon. Reed Smoot, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petition of A. G. Williams and sundry other citizens of Duo, W. Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented sundry papers to accompany the bill for the relief of F. J. Cougar; which were referred to the Committee on Claims.

Mr. FRYE presented petitions of the Christian Endeavor Society of the First Free Baptist Church of Lancaster, N. H.; of the congregation of the Methodist Episcopal Church of Fairgrove, Mich.; of the congregation of the Presbyterian Church of Freeport, Pa.; of the congregation of the Danish Methodist Episcopal Church of Dwight, Ill.; of the congregation of the Lutheran Church of Sidney; of the Epworth League of Sidney; of the congregation of the Methodist Episcopal Church of Sidney, and of the Woman's Christian Temperance Union of Sidney, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased;

A bill (H. R. 7402) for the relief of the Indiana State board of agriculture; and

A bill (S. 747) for the relief of Ramon O. Williams and Joseph A. Springer.

Mr. WARREN, from the Committee on Claims, to whom was referred the bill (S. 46) for the relief of Anna M. Colman, widow and sole legatee of Charles D. Colman, deceased, submitted an

adverse report thereon, which was agreed to; and the bill was in-[illegible]

[illegible] the Committee on Public Buildings and Grounds, [illegible] was [illegible] (S. 143) to provide for the pur-[illegible] a site [illegible] in the [illegible]

[illegible] ee on Claims, to whom was [illegible] for the relief of Lincoln W. T[illegible] amendment, and submitted a report [illegible]

[illegible] from the Committee on Foreign R[illegible] to regulate consular invoice [illegible]

[illegible] to authorize the construction of [illegible] of the Minnesota River, in the State of [illegible]

[illegible] in the district of Alaska. [illegible]

[illegible] on the same committee, to whom was referred th[illegible]

[illegible] reported it with an [illegible]

[illegible] lic Lands, to whom [illegible] led "An act [illegible] approved [illegible] reported it with amendments, and submitted a re-[illegible]

Mr. BARD, from the Committee on Territories, to whom was [illegible] without [illegible] Post-Roads [illegible] 314) to amend [illegible] subject to [illegible] reported it with [illegible] on.

MAP OF THE UNITED STATES.

Mr. PLATT of New York. I am directed by the Com[illegible] Printing, to [illegible] the subject was referred, to report a [illegible] ing the Secretary of the [illegible] to print an [illegible] for that purpose. I ask [illegible] consent for the present consideration of the joint [illegible]

[illegible] int resolution (S. R. 55) to authorize the Secretary of [illegible] by its title, and the [illegible]

[illegible] the deficiency act approved February [illegible] the map [illegible] the United States of 1903 hereinbefore [illegible]

[illegible] Is there objection to the pres-[illegible]

[illegible] I have [illegible] that the Secretary of [illegible] ed map hanging in his office [illegible] ve, giving a great deal more [illegible] ing in a much clearer and [illegible] of the [illegible] y to our outlying possessions. I [illegible] the Senator [illegible] York might not [illegible] rence to that map [illegible]

[illegible] Colorado will [illegible] dment. I will consider it and defer action on the [illegible]

Mr. P[illegible] SON. Then I [illegible] that the joint resolution be printed and lie over until to[illegible] morning.

Mr. PLATT of New York. [illegible] well; let it lie over until to-[illegible]

[illegible] NT pro tempore. The joint resolution will go to the Calendar.

MONONGAHELA RIVER BRIDGES.

Mr. BERRY. There are two bridge bills which were reported to the Senate some time ago from the Committee on Commerce, [illegible] each other. [illegible] The Senator from [illegible] a [illegible] upon an ex-[illegible] tor [illegible]

Mr. PENROSE. [illegible]

Mr. BERRY. I am [illegible] mmerce. [illegible] H. R. [illegible] over the [illegible] r, to report it [illegible] consent the Senate, as in Committee of the Whole, proceeded to its consider-[illegible]

[illegible] ent, ordered [illegible]

I am [illegible] on Commerce, [illegible] the borough of [illegible] in Rostraver [illegible] and I make the same request I did in the case of the [illegible]

[illegible] to the [illegible] ment, ordered to a [illegible]

RICHARD P. BLACKSTONE.

Mr. WARREN. [illegible] the [illegible] nsent, and agreed to:

[illegible]

BILLS INTRODUCED.

Mr. SPOONER introduced a bill (S. 4691) granting an increase [illegible] n to Leonard L. Lancaster; which was read twice by its title, and, with the accompanying papers, referred to the Committ[illegible]

Mr. [illegible] a bill (S. [illegible]) granting a pension to [illegible] s, referred to [illegible]

[illegible] a bill (S. 4693) g[illegible] a pension to Phillip L. Moore; which was read twice by its title, and [illegible]

[illegible] the [illegible] District of C[illegible] and referred to the [illegible]

[illegible] sion to Horatio P. Abbott; which was read twice by its title, and [illegible]

Mr. HOAR introduced a bill (S. 4696) to increase the rank and pay of James Wilson King, United States Navy, retired; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

[illegible] United [illegible] tion of [illegible] sas; which was read twice by its title, and referred to the Committee on the Ju[illegible]

Mr. PLATT of New York [illegible] a bill [illegible] seamen; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MALLORY introduced a bill (S. 4699) to relinquish and quitclaim to Jacob Lipps, of Pensacola, Fla., [illegible] and assigns, all the ri[illegible] in, to, and on co[illegible] County, Fla.; which was read twice by [illegible] and referred to the Committee on Public Lands.

Mr. PLATT introduced the following bills, which were severally read twice by their [illegible] on Claims:

A bill (S. 4700) for the relief of the trustees of the Missionary Baptist Church, of Waterloo, Ala. (with an accompanying paper);

A bill (S. 4701) for the relief of Mrs. Ann E. Sanders;
A bill (S. 4702) for the relief of Dr. Ira G. Wood;
A bill (S. 4703) for the relief of the estate of Joseph Logan, deceased;
A bill (S. 4704) for the relief of the estate of Joseph M. Witt, deceased;
A bill (S. 4705) for the relief of the estate of Solomon Smith, deceased; and
A bill (S. 4706) for the relief of James A. Allen.

Mr. MARTIN introduced a bill (S. 4707) for the relief of the Baptist Church at Williamsburg, Va.; which was read twice by its title, and referred to the Committee on Claims.

Mr. CARMACK (for Mr. BATE) introduced a bill (S. 4708) granting an increase of pension to Samuel Bailey; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CARMACK introduced a bill (S. 4709) for the relief of the estate of James Jones, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURNHAM introduced a bill (S. 4710) authorizing certain extensions to be made in the lines of the Anacostia and Potomac River Railroad Company, of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

He also introduced a bill (S. 4711) authorizing certain extensions to be made in the lines of the Anacostia and Potomac River Railroad Company, of the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. DEPEW introduced a bill (S. 4712) to confer jurisdiction upon the Court of Claims to hear and determine claim for damages arising from the death of Carl Zabel; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York; which was read twice by its title, and referred to the Committee on Commerce.

Mr. ALLEE introduced a bill (S. 4714) granting a pension to Comfort A. King; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4715) to correct the military record of Jacob Metzinger; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ELKINS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4716) granting a pension to John F. Turner;
A bill (S. 4717) granting a pension to Edward R. Girault;
A bill (S. 4718) granting a pension to E. G. Welch;
A bill (S. 4719) granting a pension to John Nay;
A bill (S. 4720) granting a pension to William Hall;
A bill (S. 4721) granting an increase of pension to John A. Stuart, alias John Vandergrift;
A bill (S. [illegible]) granting a pension to M. V. Trough; and
A bill (S. [illegible]) granting a pension to John Frederick.

Mr. SCOTT introduced a bill (S. 4722) for the relief of Wildey Lodge, No. 27, Independent Order of Odd Fellows, of Charlestown, W. Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4723) granting an increase of pension to Mary A. Vonnum; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 4724) granting an increase of pension to Laura A. Jones; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MARTIN introduced a bill (S. 4727) granting an increase of pension to W. M. Tacker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4726) for the relief of the estate of Jacob Cook, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4728) for the relief of Mrs. E. Mary Heller; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4729) for the relief of the estate of Abraham Hiser, deceased; which was read twice by itst itle, and referred to the Committee on Claims.

Mr. HALE introduced a bill (S. 4731) granting an increase of pension to John A. Brown; which was read twice by its title, and referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 4732) to authorize the Secretary of the Interior to add to the segregation of coal and asphalt lands in the Choctaw and Chickasaw nations, Indian Territory, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. MORGAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4733) for the relief of Mrs. Ann E. Sanders;
A bill (S. 4734) for the relief of the estate of Thomas V. Provence, deceased (with an accompanying paper);
A bill (S. 4735) for the relief of the heirs of William J. Bailey, deceased (with an accompanying paper);
A bill (S. 4736) for the relief of the estate of John Black, deceased (with an accompanying paper); and
A bill (S. 4737) for the relief of the estate of J. C. West, deceased.

Mr. FULTON introduced a bill (S. 4738) amending an act entitled "An act to define and punish crimes in the district of Alaska and to provide a code of criminal procedure for said district;" which was read twice by its title, and referred to the Committee on Fisheries.

Mr. DIETRICH introduced a bill (S. 4739) to regulate the granting of homesteads in the State of Nebraska and to authorize the leasing of grazing lands therein; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. McLAURIN introduced a bill (S. 4740) for the relief of the heirs of Mrs. C. M. J. Williamson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 4741) for the relief of Mrs. Mercy C. Harvey; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted an amendment proposing to appropriate $7,500 for grading and improving Seventh street NE. from Bunker Hill road to Rhode Island avenue, and Cincinnati street from Seventh street to Fourth street NE., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on the District of Columbia, and ordered to be printed.

He also submitted an amendment proposing to appropriate $[illegible] for paving with asphalt Seventh street NW. from Division avenue to Eastport, and from G street to north side of New York avenue, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. PLATT of Connecticut submitted an amendment proposing to appropriate $1,250,000 to enable the Secretary of War to contract for or purchase not exceeding five submarine mining and countermining torpedo boats, at a cost not [illegible], intended to be proposed by him to the fortifications appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

JULIETTE WESTBROOK.

Mr. SPOONER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 5611) granting a pension to Juliette Westbrook.

HENRIETTA SHERMAN.

Mr. PLATT of New York submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That there be [illegible] to Henrietta Sherman, widow of [illegible], late a [illegible] Navy, a sum equal to six months' pay of said officer, payable [illegible] bill; and that the Secretary of the Navy be [illegible] to report to the Senate the name of the person entitled to receive the same.

PUBLIC BUILDINGS UNDER ACT OF 1888.

Mr. COCKRELL submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be [illegible] to report to the Senate the cost of the public buildings [illegible] under the act of March 1, 1888, [illegible] to require.

THE MALTBY BUILDING.

Mr. GALLINGER submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of the Treasury be [illegible] to report to the Senate the cost of the Maltby building, [illegible] to require.

HOUSE BILL REFERRED.

The bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of the Puyallup allotted lands and confirming and legalizing sales theretofore made, [illegible] 19, 1904, was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. [illegible]) for clearing the [illegible] agency bill [illegible] the bill; and by unanimous consent, the S[illegible] to a third r[illegible] ent, order[illegible]

RIATION BILL.

[illegible] Does the Senator from Maine [illegible] It will not take more than two [illegible] that purpose.

Mr. [illegible]

Mr. H[illegible] I ask [illegible] t until I [illegible]

Certainly.

E. It was my purpose to call up the naval appropria[illegible] bill.

I do [illegible] at a later part of the day, if the Senator from [illegible] s in, but for the present I w[illegible] ask t[illegible] e. I th[illegible] s, and I shall not at present antagonize it.

SAFETY APPLIANCES ON RAILROADS.

Mr. STEWART. Mr. President:

The P[illegible] at [illegible] District of Columbia.

[illegible] and have [illegible] of this morning Senate [illegible] the Inter[illegible] merce C[illegible] ation of [illegible] to give [illegible]

Mr. P[illegible] T[illegible] was [illegible] up after the morning hour.

[illegible] No: I [illegible] is consent for its consid[illegible] ttime mo[illegible]

Mr. I[illegible] N. I will [illegible] inquiry about it.

The I[illegible] given [illegible] been laid before the Senate should be taken [illegible] n.

Mr. I[illegible] N. Of course, under that order that measure [illegible] I would not say the Senate legislates at all. I wi[illegible] in [illegible]

Mr. KEAN. I [illegible] a motion to refer the resolution t[illegible]

THE RED [illegible]

low [illegible] was read:

[illegible]

the Senate re[illegible] of January 19, 1904.

THEODORE ROOSEVELT.

W[illegible]

Th[illegible] pore. The message will be referred to the Committee on F[illegible] ns, and printed.

Mr. HOAR. Does the message and [illegible] report relating to the Red Cross Society go properly to the Committee on Foreign Relations or to the Committee on Military Affairs?

The P[illegible] NT pro tempore. The [illegible] generally th[illegible] on Fo[illegible]

Mr. [illegible] R. I [illegible] the Committee on Military Affairs [illegible]

[illegible] DENT pro tempore. Does the Senator from Massa[illegible] t had better [illegible]

AR. I suggest that it go to the Committee on Military Af[illegible]

[illegible] DENT pro tempore. It will be referred to the Committee on Military Affairs, and printed.

ANN [illegible]

Mr. SCOTT submitted the [illegible] report [illegible] A. [illegible] on its disagreement to the amendment of the [illegible]

[illegible] MAN.

[illegible] the House.

The report w[illegible]

[illegible] Y DAIRY PRODUCTS.

The [illegible] of the Whole, proceeded to con[illegible] dairy products for the [illegible] ict of Columbia with an amendment in the nature of a [illegible]

The I[illegible] NT pro tempore. The bill will be read.

Mr. S[illegible] Let the substitute be read. It has been read, but it [illegible] read.

Mr. C[illegible] a part of it was read.

The P[illegible] NT pro tempore. The substitute only will be read.

The SECRETARY. The committee report to strike out all after the enacting clause and to insert:

[illegible] of the [illegible] of [illegible] all [illegible] sold in the District of Columbia or of selling milk or cream in [illegible] n the District [illegible] stances shall be guilty of a misdemeanor, and shall be punished by a fine of [illegible] son sending any milk or cream into the District of Columbia for sale which

[illegible] contains such foreign substance or substances shall be fined not more than [illegible] imprisoned for not more than sixty days, or both such fine and im[illegible] shall be subject to indictment by the grand jury and trial [illegible]

[illegible]

4. That all acts and parts of acts in conflict with this act are hereby repealed.

Mr. STEWART. Mr. President, I do not care to occupy the time of the Senate in the discussion of this bill unless Senators desire some explanation of it. Perhaps they do. I will ask first, however, that the report of the committee, which is very short, occupying but a few pages, be read. It will explain the provisions of the bill.

The PRESIDENT pro tempore. The report will be read.

The Secretary read the report submitted by Mr. STEWART February 12, 1904, as follows:

[illegible] 8 [illegible] and having carefully considered the same, beg to report a substitute for said bill and recommend its passage.

[illegible] the health department [illegible] District of Columbia [illegible] of the working force [illegible] The subject of guarding the public [illegible] attention [illegible] dairy business, with a sufficient knowledge of dairying to be competent to [illegible] between persons and dairymen in regard to the proper [illegible] elected to take charge of the department [illegible] unwholesome milk and cream. [illegible] dairy states, such as Nebraska, Iowa, Wisconsin, Illinois, Minnesota, and others [illegible]

The health of the community and particularly of the [illegible] depended upon pure milk [illegible] have less facilities of procuring [illegible] than they have for procuring [illegible] food.

The substitute bill proposed by your committee [illegible] ment by the Commissioners of the District of Columbia of a superintendent of dairies who shall be familiar with the dairy business and have a knowledge of supervision.

The substitute bill also provides for the appointment of an assistant chemist, who shall assist the superintendent of dairies and perform such other services in the office of the health officer of the District. [illegible] farms and other places where milk is produced for sale in the District of Columbia. These inspectors must be familiar with the dairy business and be veterinary surgeons. They are to be appointed by the Commissioners to serve in the District to examine the milk brought into the District, to examine cows in dairies and the cows and apparatus used in the distribution and handling of milk.

The substitute bill also provides that all the inspectors shall have access to all places requiring their inspection, and to make such examinations of the premises wherever it may be found and their employees, including the owner, their presence and testimony, and to administer oaths in any case requiring an inspection to be freely tendered, and shall not be [illegible] milk into the District of Columbia [illegible]

The salary of the superintendent is proposed at $2,000 per annum, of the assistant chemist at $2,000, of the veterinary surgeons [illegible] each, of the inspectors at $1,000 each, of the clerk at $1,000, and of the laborer at $840, making the aggregate $8,640.

Under the present system the duties of the various persons connected with the supervision and inspection of milk and cream and to the dairies are of a mixed character and the Commissioners of the District of Columbia were unable to state to your committee as will appear in letters printed in the appendix, what part of the expense of supervision of these persons of mixed character should be charged as a part of the expense of administering the laws relating to the sale of milk and cream in the District of Columbia. The mixed character of the service required of those engaged in administering the milk laws is one of the objections to the system. The present system should be supervised by officers whose sole duty shall be to enforce the laws and regulations with regard to milk. The Commissioners recognize this necessity, and in a way propose to provide for it in their bill transmitted to your committee. The difficulty about the Commissioners' bill, however, is that it does not provide a qualified and responsible superintendent or chief to conduct the business.

Besides, it includes a bacteriologist at $2,000 and an assistant bacteriologist at $1,200. If such officers are useful for any purpose, they certainly will not [illegible] The [illegible] proposed by the Commissioners' bill are as follows:

[illegible]	$2,000
[illegible] $40 each	7,800
[illegible] inspectors, at $1,000 each	7,000
[illegible]	1,000
[illegible]	[illegible]
[illegible] chemist	1,000
Present chemist, with increased salary	2,400
Total	[illegible]

[illegible] proposed by the Commissioners is also objectionable in not adequately [illegible] for manifest defects in the existing law, among which are [illegible]

[illegible] into said District, or to [illegible] of this [illegible] a, on the recommendation [illegible] rules and regulations [illegible]

Sec. 4. That all acts and parts of acts in conflict with this act are hereby repealed.

Mr. STEWART. Mr. President, I do not care to occupy the time of the Senate in the discussion of this bill unless Senators desire some explanation of it. Perhaps they do. I will ask first, however, that the report of the committee, which is very short, occupying but a few pages, be read. It will explain the provisions of the bill.

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The salary of the superintendent is proposed at $2,000 per annum, of the assistant chemist at $2,000, of the veterinary surgeons [illegible] each, of the inspectors at $1,000 each, of the clerk at $1,000, and of the laborer at $840, making the aggregate $8,640.

Under the present system the duties of the various persons connected with the supervision and inspection of milk and cream and to the dairies are of a mixed character and the Commissioners of the District of Columbia were unable to state to your committee as will appear in letters printed in the appendix, what part of the expense of supervision of these persons of mixed character should be charged as a part of the expense of administering the laws relating to the sale of milk and cream in the District of Columbia. The mixed character of the service required of those engaged in administering the milk laws is one of the objections to the system. The present system should be supervised by officers whose sole duty shall be to enforce the laws and regulations with regard to milk. The Commissioners recognize this necessity, and in a way propose to provide for it in their bill transmitted to your committee. The difficulty about the Commissioners' bill, however, is that it does not provide a qualified and responsible superintendent or chief to conduct the business.

Besides, it includes a bacteriologist at $2,000 and an assistant bacteriologist at $1,200. If such officers are useful for any purpose, they certainly will not [illegible] The [illegible] proposed by the Commissioners' bill are as follows:

[illegible]	$2,000
[illegible] $40 each	7,800
[illegible] inspectors, at $1,000 each	7,000
[illegible]	1,000
[illegible]	[illegible]
[illegible] chemist	1,000
Present chemist, with increased salary	2,400
Total	[illegible]

[illegible] proposed by the Commissioners is also objectionable in not adequately [illegible] for manifest defects in the existing law, among which are [illegible]

[illegible] of such uninspected places would [illegible]

[illegible] often sent into [illegible] inspection of milk and [illegible] of the District of Columbia from disease and death resulting from [illegible] milk.

Mr. STEWART. Mr. President, the Commissioners of the District of Columbia have called before them and examined the dairymen of this District who are in legitimate business and have heard them at length. Those dairymen are not opposed to the inspection desired. They, however, object to being inspected when there is no inspection of the great mass of milk dealers. They who have establishments and are doing a regular business [illegible] it is pretty rough on them to be annoyed in that way, particularly as there is no head to the department now to whom they can apply for relief against the unreasonable conduct of the inspectors.

I send to the desk a letter from the Milk Dealers' Association which I ask to have read. I believe they are [illegible] views. They were about three or four weeks consider[illegible] matter in various meetings, and they have sent this letter [illegible] as an expression of their unanimous desire for the passage of the pending bill. I ask the Secretary to read the letter.

The Secretary read as follows:

WASHINGTON, D. C., *February 26, 1904.*

[illegible] Dairymen's Association [illegible] now sold in said District [illegible]

[illegible] of such uninspected places would [illegible]

[illegible] dairymen, and from one [illegible] of the District of Columbia is the matter intrusted to the board of [illegible]

[illegible] anything that you can do toward having the said bill enacted will be [illegible] appreciated by our association.

Very respectfully, yours, J. W. GREGG, President.

Mr. STEWART. If any Senator wants a further explanation of the bill, I am prepared to give it.

Mr. COCKRELL. I should like to have some information regarding it.

Mr. STEWART. I shall be glad to give it to the Senator.

Mr. COCKRELL. Is the substitute which has been reported for the bill recommended by the Commissioners of the District of Columbia?

Mr. STEWART. It is not.

Mr. COCKRELL. Is it recommended by the District health officer?

Mr. STEWART. It is not.

Mr. COCKRELL. But it is recommended by the milkmen who furnish the milk in this District? Do I understand that?

Mr. STEWART. They recommend it: yes.

Mr. COCKRELL. And we are asked upon their recommendation to pass the bill?

Mr. STEWART. Not at all. They approve it: they have been called upon for their views, and they have the right to be heard.

Mr. COCKRELL. Certainly they have the right to be heard, but they are interested in the sale of milk.

Mr. STEWART. Yes.

Mr. COCKRELL. It does not seem to me right that their indorsement alone should be considered sufficient for the passage of this bill.

Mr. STEWART. If the Senator will allow me, I will inform him that it is not their indorsement alone. It has the unanimous report of the District of Columbia committee after a careful and patient investigation. I have given the subject much consideration. My attention was particularly called to it when I myself was in the milk business. I have no personal interest in it at the present time. There are evils which this bill remedies. In the first place, there are in the District from two to five hundred places where milk is sold and no inspection is made by the health [illegible] which is in charge of the execution of the milk laws. The [illegible] is the ruling of the police court that the milk laws [illegible] apply to dairies, and that the grocery, saloon, or other place dealing in milk is not subject to inspection unless the dealing in milk is the principal business.

Mr. COCKRELL. Mr. President——

Mr. STEWART. Hold on until I complete this statement.

Mr. COCKRELL. What the Senator has referred to is a defect in the law caused by a decision of the court.

Mr. STEWART. Yes: there may be a defect in the law, but more probably a defect in the decision of the court; but this glaring defect, whether in the decision of the court or the law or the [illegible] of the law, should be remedied, and no effort has been made to remedy it. The health officer has prepared many bills, but none covering this evil.

Then, again, there are in the suburbs of the city, as variously estimated, from 200 to 500 cows, whose milk is gathered up and brought into the city without inspection. I have visited some of [illegible] places, and if my friend from Missouri will go with me I will show him where and how sick cows are kept, from which the milk is collected and sold without inspection. They are generally diseased cows, bought for a very low price by reason of that fact, poorly kept—in fact, half starved—and the milk sold to an unsuspecting community. That is one of the abuses the substitute bill aims to correct. It provides that all milk shall come from an inspected dairy or dairy farm having a license to sell milk. We do not exclude anybody. The provisions of the bill are ample for the protection of all who have clean milk to sell. They can all get a license without the payment of a dollar.

Mr. ALLISON. He has to provide the bottles, I suppose, of course.

Mr. STEWART. He has to buy his own bottles; but they are not inspected. It would do no good if they were.

Mr. COCKRELL. Of whom does he get the license?

Mr. STEWART. The licenses are issued by the authorities of the District. We do not interfere with that.

Mr. COCKRELL. If the Senator will excuse me, how will we regulate the licensing of men with dairies in Virginia, Maryland, and other outside places?

Mr. STEWART. I will come to that.

The bill provides for six inspectors, who shall be veterinary surgeons and familiar with the milk business. They are to be allowed a salary of $1,300 a year. These inspectors, if they are professional men, can do some other business at the same time. Some of those now in the field are efficient officers.

It is the business of these inspectors to visit all places where milk is produced. In case a man has cows in the District, if he applies for a license, these men will be sent to examine the premises to see whether or not he is entitled to a license. If the dairymen in Virginia and Maryland will not allow their places to be inspected, they will not be allowed to bring their milk into the District. The bill provides for keeping such milk out. It provides that it shall be inspected; and if the inspection is resisted, either outside or inside of the District, the milk can not be sold here.

Mr. CLAY. I should like to ask the Senator, is it not true that under this bill, if we shall pass it, no dairyman anywhere in the United States can ship milk into the District of Columbia unless his dairy has been inspected by these inspectors?

Mr. STEWART. Not unless he gets a permit.

Mr. COCKRELL. Is the dairy inspected, or is the milk that is brought into the District of Columbia to be inspected?

Mr. STEWART. The dairy from which the milk comes is to be inspected, and also the milk itself when it comes in.

Mr. CLAY. The inspectors must be veterinary surgeons, and they are themselves to go to the places where the milk is produced and inspect the farms and the milk.

Mr. STEWART. The cows and the dairy farms where milk is produced are to be inspected whether they are situated in Maryland, Virginia, or anywhere else, and if they will not bear inspection the owners are not allowed to bring the milk into the District. It is true there is some milk shipped a long distance; that is, in rare cases. I inquired of the milk men who import milk from a distance if there would be any difficulty in obtaining a license for milk shipped from distant States, and they said there is no difficulty in getting permits for them, because the milk that comes from distant States generally comes from dairies that are inspected where the milk is produced, and as it costs nothing to get a license there would be no difficulty in administering the law as to them.

Mr. CLAY. I desire to call the attention of the Senator to this feature of the bill:

And there shall also be appointed by the said Commissioners, on the recommendation of the health officer, [illegible] veterinary surgeons, who shall be [illegible] by a [illegible] who shall be [illegible] duties of such veterinary surgeons are [illegible] to inspect any places and dairy farms where milk is produced for sale in the District of Columbia.

Why do you want to inspect the farms and places where the milk is produced? Why not inspect the milk as it is? What is the object of inspecting the farms?

Mr. STEWART. If the Senator will visit the places where milk is produced he will agree with me that they need inspection. Many things may render milk unwholesome—disease in the District, filthy stables, bad water, bad feeding or care. All these things it would be the duty of the inspectors to examine, and if the milk comes from a farm or place where it is likely to be contaminated, it will not be allowed to be shipped into the District.

There is another practice which to me is most objectionable, and that is the filling of bottles in milk wagons. Three-fourths of the bottles were formerly filled in that way and a great number of them still are. A large proportion of the bottles are filled with milk in the wagons. This bill provides that the bottles shall be filled in the dairies or at licensed dairy farms and that the bottles shall be cleansed before they are again used.

There are many persons who do not have a place where they can clean the bottles. They do not have the facilities for doing so. The milkmen start out in their wagons with the milk and some bottles. These wagons have been kept in the stable. The milkman gets up in the morning at 3 o'clock. He does not take the time to wash his own hands, much less for washing bottles. He uses up the bottles he has in the wagon, and then he gathers up unwashed bottles wherever he can and refills them.

One of the greatest losses in the business is the stealing of bottles. This bill does not allow a person to use the bottles of another dairyman without the latter's consent, so that if the bottles are stolen they can not be used. There is a punishment provided for using stolen bottles, and one who is caught delivering milk in bottles not belonging to him can not say that he has made a mistake in gathering them up.

The filling of bottles from the sick room and putting milk in bottles that have not been washed constitute a most serious objection. There is no force to look after such matters at present even in the office of the health officer. That official, with the force at his disposal, can not attend to all these matters, and, furthermore, there is nobody in charge of his office who knows anything about the milk business. The health officer has assigned only two inspectors under the present law to operate regularly in the District. These inspectors do not get up at 3 o'clock in the morning, as is necessary, to see what is going on, and there are not enough of them.

This bill provides for six inspectors of dairy farms. They will be sufficient to investigate all places where milk is produced. There are to be eight inspectors constantly on duty in the District, which is none too many.

The milkmen are not opposed to inspection, but they want to have the inspection general. They want all places where milk is sold inspected, and they want all places where milk is produced inspected, and they want a responsible head of the dairy bureau who understands something about the business to whom they can apply, if the inspectors are unreasonable or attempt to levy blackmail upon them. They are then willing to cooperate as, shown by the letter which has already been read. The two mid-day inspectors under the present administration are sometimes very arbitrary and inconsistent in their reports on business men who desire to conform to the law, and the milk dealers are entitled to have a man who knows something about the dairy business in charge of the administration of the law, so that they can have a hearing and have their grievances adjusted, which is not the case under the present régime. In short, the present inspection

amounts to little or nothing. Not half of the places where milk [illegible]

[illegible] to ask. I will [illegible]

[illegible] it is [illegible]

Mr. STEWART. If the Senator will allow me, I will explain [illegible]

Mr. COCKRELL. [illegible]

Mr. STEWART. [illegible] the number of inspectors.

Mr. COCKRELL. Yes.

Mr. STEWART. Last they were assigned to other duties. You [illegible] My efforts in that direction [illegible] has assigned two [illegible] or may not be [illegible] in the morning when [illegible] and I understand the health officer [illegible] the outside inspectors to assist, but there is no [illegible]

Mr. COCKRELL. That is defective administration of existing law; that is all.

Now I want to put this question to the Senator. [illegible] in analyzing milk by the ordinary process [illegible]

Mr. STEWART. [illegible] all around and [illegible] for a long [illegible] but [illegible] milk from [illegible]

Mr. COCKRELL. Why do you want the cow inspected, if [illegible] from the cow?

Mr. STEWART. [illegible]

Mr. COCKRELL. [illegible] all over the country and [illegible]

Mr. STEWART. Suppose a cow is dying of tuberculosis?

Mr. COCKRELL. You said that nothing but pure milk come from [illegible]

Mr. STEWART. The cow must be healthy and you must keep the [illegible] and the milk kept from contamination.

Mr. COCKRELL. Now [illegible] milk and [illegible] and yet the milk [illegible] of bacteria [illegible]

Mr. STEWART. I think it very doubtful whether a chemist can tell whether [illegible] for examining the cow and when she is, but it does not [illegible] the necessity for a bacteriologist to examine in his [illegible] milk after the [illegible] use it are dead. All [illegible] bug so far as any practical results in [illegible] community are concerned. It is a common saying among scientists that bacteriology is a humbug in this respect. It takes three or four days to examine a sample of milk [illegible] It is of no use for practical purposes. The milk would be drunk and

[illegible] which you will find in [illegible]

[illegible] E. Mr. P[illegible]

Mr. [illegible] Missouri yield?

Mr. [illegible] have them read.

Mr. [illegible] will read the [illegible]

The [illegible] read as follows:

[illegible] examinations are regarded by [illegible]

Mr. GALLINGER. Mr. [illegible] the Senator from Nevada [illegible]

Mr. STEWART. [illegible]

Mr. GALLINGER. [illegible] of defending the measure in which he has [illegible]

Mr. [illegible] I am always very [illegible] any record in [illegible]

The controversy as between this bill and the bill which the medical society would favor, and which is favored by the Commissioners of the District, is confined to one or two provisions.

The health officer of the District, who is a very competent man, in my opinion is overloaded with work at the present time. It is notorious that the existing law, which is a reasonably stringent law, and which was placed in the hands of the health officer for enforcement, has been very seriously neglected, and I am very clearly of the opinion that, aside from the pride of the profession which these gentlemen think is involved in this matter, we will be safer if we adopt the plan that has been adopted in most of the States of the Union, and have a man at the head of this bureau, or whatever it may be called, who has practical knowledge of the dairy business and who has knowledge likewise of the diseases of cattle and other matters that are very important in connection with the milk product.

That, Mr. President, is the chief point in controversy. I apprehend that if the Senator from Nevada was willing to substitute [illegible] the District of Columbia for his inspector [illegible] a very good [illegible]

Mr. President, I notice that the medical society suggests that this is an expensive piece of machinery, and yet we have two bills before us sent here by the Commissioners, doubtless prepared by the health officer, and in those bills they ask for [illegible] who would take $1,000 more out of the Treasury than this bill does. So the matter of expense is not worth considering.

I observe that when the health officer was before the committee he was interrogated by the Senator from Nevada [Mr. STEWART], and he gave these answers on what I conceive to be a very important part of this bill. The health officer said, in response to a question:

> We do away with the word "dairy."
>
> [illegible]
>
> Doctor WOODWARD. Yes sir; we make the prohibition on the sale of milk or cream without a license and not on the maintenance of the dairy.
>
> Senator STEWART. How many of the dairies in the city are underground?
>
> [illegible] in that way [illegible] we may term rights [illegible] bound to respect. At the present time such places are [illegible]
>
> Mr. [illegible] What is your definition of a "dairy?" What constitutes [illegible]
>
> [illegible] principal business is the sale of milk.
>
> Senator WOODWARD. The sale of milk.
>
> Mr. [illegible] sale of milk is not the principal business, the proprietor [illegible]
>
> Doctor WOODWARD. [illegible]
>
> Senator MCCOMAS. It seems to me that is a very thin distinction.
>
> Senator STEWART. The judge of the police court was all wrong about it.

The health officer has sent here a bill, with the approval of the Commissioners of the District of Columbia and the approval, I judge, of the Medical Society of the District of Columbia, which does not propose to regulate this exception [illegible] between two and five hundred places in the District of Columbia, according to the testimony of the health officer, where milk is sold—in saloons, grocery stores, sometimes above ground and sometimes under ground—but the health officer says in his testimony here that they have acquired certain rights with which he does not feel like interfering. The Senator from Nevada very wisely has denned "a dairy" in his bill, and has made provision that will rid us of these places where milk is sold in connection with decaying turnips and cabbages and potatoes, places with which the health officer says in his testimony he does not feel disposed to interfere because those gentlemen have acquired certain rights.

Mr. President, it does seem to me if we will follow—and I will say at this point that I did not intend to participate in this discussion at all—the practices that prevail in the great dairy States of the Union, that prevail in my own State and in other States in New England, which are giving very careful attention to the dairy business and have a practical man who understands his business and who has knowledge of practical chemistry, we will be very apt to get purer milk than we will get if we put it in the hands of the health officer, who is to-day overloaded with work, and in the hands of a bacteriologist who will give us a great many [illegible] in my opinion, will have very little to do with the purity of the milk.

The Senator from Missouri [Mr. COCKRELL] raises the question whether or not a bacteriologist is not the proper person to determine whether or not milk is pure. Mr. President, ninety-nine one-hundredths of the diseases that exist in this country are health-producing bacteria. The disease-producing bacteria are due to decomposition, or due to filth, or due to some other condition of that kind. If we have pure milk, if we safeguard our law so that it is impossible to offer for sale to the people of this District milk that is affected improperly, there is no danger of bacteria until the milk becomes so old that it becomes disorganized. So in my opinion a chemist is better in dealing with the subject of milk than a bacteriologist.

I know I present a view opposed to that of many distinguished physicians in this District. Those gentlemen have been to me. They are my friends and I am their friends, but I, nevertheless, am presenting a view that has very eminent scientific authority back of it. No less a man than the celebrated Dr. Lawson Tate, who recently died, who was the most famous ovariotomist of his time, who had the greatest success that ever attended a surgeon any where in the world in great abdominal operations, insisted that all that was required was cleanliness, and that when absolute cleanliness was secured there was no danger from the so-called bacteria, which have been talked about so much that the average citizen is afraid to eat, drink, or breathe, lest he be contaminated with bacteria.

Mr. President, I am fully persuaded that the bill to which the Senator from Nevada has given so much attention, a practical dairyman as he is, is safeguarded in every possible way, and that, aside from this little contention as between the medical profession and the Senator, it is the best bill which has been presented to Congress, and, in my judgment, if it is enacted into law it will secure to the people of the District pure milk, which is after all what we desire to secure and all that it is necessary for us to secure.

Mr. McCOMAS. I should like to ask the Senator from New Hampshire a question before he takes his seat.

Mr. GALLINGER. Certainly.

Mr. McCOMAS. I expect to vote for this bill, and I like its practical features; but what is there here that tends to detect the bacilli of typhoid fever or tuberculosis? How do you meet that difficulty, which is so often encountered?

Mr. GALLINGER. Mr. President, I am not myself a bacteriologist, but I will say to the Senator that if we get milk from a healthy cow and that if it is free from the contamination of filth or otherwise, in my opinion there is no danger of bacilli or the bacteria appearing in the milk. That is my opinion. It may be that it might occur in isolated cases. It is very possible that such would be the fact, but I do not apprehend that if we have a bacteriologist he is going to analyze every quart of milk that is sent into the District. I do not see how he could do it, and under any supervision that we may have it is barely possible that we would get contamination of that kind. The best we can do, it seems to me, is to have in the dairies healthy cows, pure milk, and then take our chances. I do not believe we can by any process that science has yet discovered guarantee the people of this city or any other city against contamination from incidental causes which may occur in any food product.

Mr. McCOMAS. Is not this also true, I should like to ask the Senator? If there happens to be evidence from these inspectors—and I like this bill—that in a certain section the surface water or the well water indicates the presence of typhoid germs, under the existing law knowledge of that matter might be brought to the attention of the health officer and his force, and they might still look for bacteria upon notification from the inspectors?

Mr. GALLINGER. Unquestionably. This force, which is a very competent force, would doubtless have the power to call in a bacteriologist in an emergency of that kind.

Mr. McCOMAS. Or ask the health officer.

Mr. GALLINGER. Or ask the health officer. The health officer himself, I believe, does not claim to be a bacteriologist.

Mr. McCOMAS. But he has one.

Mr. GALLINGER. This matter of bacteriology does not appeal to me as much as it does, possibly, to some other persons who have not given it so much attention as I have tried to do myself.

There may be defects in this bill. One Senator has raised the question about milk being sent from outside of the District and how we are going to provide for it. Under the present law there is a process for doing it. If we have any proof that impure milk comes from Maryland or Virginia—and milk comes into the District from New York State—that it has come from a dairy or a farm where contamination occurs, one of these inspectors is sent into Maryland, or Virginia, or New York and he makes an official inspection of the dairy farm, and if he is refused the privilege of [illegible] that all we have to do is to revoke the permit and let those people sell the milk outside of us.

Mr. CLAY. Will the Senator from New Hampshire permit me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. CLAY. I wish to call his attention to page 7 of this bill, section 2:

> That every place in the District of Columbia where milk or cream is sold is a dairy.

Under that provision if milk or cream is sold in any place whatever, it would be a dairy?

Mr. GALLINGER. Yes, sir.

Mr. CLAY. Now, let us take the latter provision of that section:

> Each dairy shall have house room sufficient for cooling, preserving, and bottling milk, and [illegible] bottles, cans, and all utensils of every kind used in the business.

Now, I ask the Senator this question: You take a little place where milk and cream are sold in small quantities. It must have the [illegible] in this section.

Mr. GALLINGER. Yes, sir.

Mr. CLAY. I ask the Senator if it is not true that the second section of this bill, on page 7, would be [illegible]—

that every place in the District of Columbia where milk or cream is sold is a dairy—

That is, where it is the principal business?

Mr. GALLINGER. No. Then you would open up a door [illegible] been and every village house in the city for the sale of milk. You [illegible] very thing we are aiming at.

Mr. CLAY. That would practically prevent parties from dealing in milk [illegible]

Mr. GALLINGER. It would indeed, unless—

Mr. CLAY. You intend, in other words, if milk is sold in any quantity [illegible] was a dairy, is a dairy, and [illegible] in the bill.

Mr. GALLINGER. They must have facilities for giving us [illegible]

Mr. CLAY. That would evidently close out all the small concerns.

Mr. GALLINGER. I should say that would be the natural and [illegible] which I think it is very desirable to accomplish.

Mr. CLAY. I want to ask the Senator this question. Section 2 [illegible] umbia or to [illegible]

Mr. GALLINGER. I [illegible] would apply everywhere where [illegible]

Mr. CLAY. That is what I [illegible]

Mr. GALLINGER. I [illegible] so.

Mr. CLAY. Where a dairy is in operation at this time, and it does not comply with the provisions of this act, it would have to be [illegible]

Mr. GALLINGER. Absolutely so; which I think is a very [illegible]

Mr. MALLORY. Read that [illegible]

Mr. STEWART. It is not a [illegible]

Mr. GALLINGER. I will turn the matter over to the Senator from Nevada.

Mr. CLAY. With the Senator's permission, [illegible] from Florida has asked me to read it. I will read that [illegible] It says:

[illegible] cleansing of bottles, cans, and all

Mr. MALLORY. What objection does the Senator from Georgia have to it?

Mr. CLAY. I simply say that in dealing with how dairies should be [illegible] we have a perfect right to deal with the District of Columbia, but how one should be built in Georgia or Virginia is not a question we ought to deal with in this bill providing for purely [illegible]

Mr. SPOONER. May I ask the Senator from Georgia a question?

Mr. CLAY. With pleasure.

Mr. SPOONER. Congress, of course, has entire control over the admission of milk and cream from outside into the District. May not Congress—

Mr. CLAY. Congress can deal with interstate commerce.

Mr. SPOONER. Put it on more than that. Congress has absolute jurisdiction over the District.

Mr. CLAY. I said that.

Mr. SPOONER. Congress can prohibit the bringing into this District [illegible] produced under the [illegible]

Mr. CLAY. I think [illegible]

Mr. SPOONER. [illegible]

Mr. CLAY. I [illegible] But this [illegible] dairies in the District [illegible] be [illegible] to be permitted to ship milk into the District of Columbia.

Mr. SPOONER. Certainly.

Mr. CLAY. Under the provisions of this bill, if that [illegible] then it would be necessary [illegible] that every man who now has a dairy [illegible] and [illegible] have to move and build another in order to comply with the provisions of this act.

Mr. MALLORY. Will the Senator from Nevada allow me to answer the Senator from Georgia?

Mr. STEWART. Certainly.

Mr. MALLORY. The Senator from Georgia has misconstrued that section.

Mr. CLAY. I had a doubt as to whether or not it was a proper construction, and I was taking the construction placed upon it by the chairman of the Committee on the District of Columbia, the [illegible]

Mr. MALLORY. [illegible] provides how [illegible] shall be built. [illegible] from [illegible] it is merely a li[illegible] things which may be in a dairy.

Mr. CLAY. They [illegible] on 2.

Mr. MALLORY. [illegible]

Mr. CLAY. And undoubtedly section 2 is intended to close up all the small concerns that engage in the dairy business, if you [illegible]

Mr. MALLORY. [illegible]

Mr. CLAY. [illegible] in decorum yield to the [illegible]

Mr. CLAY. Certainly.

Mr. McCOMAS. I have been listening to the Senator from Georgia. I think he does not [illegible] or [illegible] town, [illegible] it simply says where [illegible] within so many feet of a so[illegible] place, and that they shall make [illegible] for p[illegible] who have to [illegible]

Mr. STEWART. [illegible] received a good deal of consideration. All the dairymen were present, and [illegible] It was f[illegible] man has [illegible] kind. He has put in a heavy [illegible] on the outside. He said, "Do not let [illegible] way to get around it." B[illegible] wall. [illegible] no re[illegible] you do not want to have the op[illegible] the milk will be contaminated. T[illegible] it would be all right. [illegible] it.

Th[illegible] say that [illegible] give them [illegible] ficer [illegible] bill, which [illegible] by the health officer, [illegible] as a tax upon the property.

[illegible] of [illegible] to the [illegible] where [illegible] and [illegible] the [illegible] matter. If need be, he can have issues of fa[illegible] tried by a [illegible] In this way the constitutional difficulty is avoided and a cheap and [illegible]

It is now said that the health officer ought to attend to the whole business with the assistance of the doctors. I think the [illegible] a pretty good place to determine whether there is a nuisance, and

where the parties can be heard and a judgment rendered which will be [illegible]

That bill is not before the Senate now. The time to discuss it is when it is [illegible]. The doctors know as much about that bill as [illegible] keeping the dirt out of milk. It is worthy of [illegible] is prolific in the dr[illegible] which have been passed and none of which have [illegible]

We have [illegible] in the case under consideration. We have [illegible] dairies as they have in all the leading [illegible] also have a health officer, but he [illegible] laws.

[illegible] that it is kept clean and free [illegible] to control it. [illegible] with the dairy [illegible] a knowledge of chemistry. The chemist may [illegible] animals, but how is the bacteriologist going [illegible]

Mr. GALLINGER. I [illegible] of the [illegible] by the Senator from Nevada, August [illegible] 1894, in [illegible] in the District of Columbia [illegible] a [illegible] r. [illegible] terms in Maryland, Virginia, and the District of Columbia, and the various [illegible] of the matter in their hands. [illegible] that [illegible] to have a corps of engineers.

Mr. STEWART. They are superseded so far as their duties relate to milk inspection.

Mr. DANIEL. Does it abolish those offices?

Mr. STEWART. Yes: it [illegible] in the office of health officer.

Mr. DANIEL. There are eleven different [illegible] whose duties [illegible] have in charge the matter of milk. [illegible] them in office?

Mr. STEWART. Oh, no; they have mixed duties.

Mr. DANIEL. They have enough duty here to perform about milk.

Mr. STEWART. But they do not perform it.

Mr. DANIEL. Are we going to keep them in office and give them something else to do? Or is that system abolished and this [illegible]

Mr. STEWART. It is abolished so far as their offices relate to milk.

Mr. DANIEL. What else are they to do that they are now [illegible] and what is the use of keeping them in office if we [illegible] doubtedly be reappointed should [illegible]

Mr. DANIEL. [illegible] not abolish them? There is no use in the Government [illegible] rate corps of officers un[illegible] bill creates [illegible] n old [illegible] look up [illegible]

Mr. STEWART. [illegible] no provision is made to cover that point. Let me [illegible] provision of the bill.

Mr. DANIEL. I am referring to pages 4 and 5 of the report.

Mr. STEWART. The bill reads:

[illegible] tion

Mr. DANIEL. Will the Senator refer me to that language? I have not seen it.

Mr. STEWART. It is on page 6, commencing after the semicolon in line 7.

Mr. DANIEL. May I ask the Senator from Nevada a question? [illegible]

How many of those inspectors are there?

Mr. STEWART. There are eight.

I think we had better take a vote, Mr. President.

Mr. SPOONER. I move to insert, after the word "purpose," in the sixteenth line, page 6, the word "they." It is a mere verbal [illegible]

The PRESIDENT pro tempore. The Senator from Wisconsin offers an amendment, which will be stated.

The SECRETARY. In section 1, on page 6, line 16, after the word "purpose," insert the word "they;" so as to read:

and for that purpose they shall at all times have access to farms and other places where milk or cream is produced.

Mr. STEWART. That is right.

The amendment was agreed to.

Mr. COCKRELL. I wish to question the Senator from Nevada [illegible] in regard to this matter. If I am not mistaken, a [illegible] may take [illegible] analyze it, and pronounce it pure, and that milk may be full of bacteria—disease-producing germs—and it will not be detected by the chemical analysis. Now, that is a defect in this bill. I think that this matter should be [illegible] by a bacteriologist, and in addition to that be given [illegible] machinery. I am perfectly willing to grant the [illegible] that is here provided, or more, if it is necessary to secure pure milk. But it ought to be under the health officer, in my judgment.

Mr. STEWART. Let me answer the Senator's suggestion. He suggests that there may be [illegible] by the chemist. I admit that that may be the case. There has been a question as to whether consumption or tuberculosis was communicated from milk. There has been discussion [illegible] in America [illegible] tuberculosis in animals could be transmitted to men and vice versa. [illegible] they are examining that question. There is [illegible] question.

We do not want [illegible] milk and there is another way to prevent it. A [illegible] can not do that; that is not in his line. That must be [illegible] the place where milk [illegible] is bottled and sent out. We [illegible] to have a report that certain milk was found to contain injurious bacteria a week or ten ten days after it had been all consumed?

It can be done by inspectors who are to go into the country and [illegible] and [illegible] the [illegible] they will not let the milk be brought here. That is the way to prevent it. You may have all the bacteriologists in the world here and they would not be any use to prevent it, if you allowed filth in the country, if you allowed cows to be sick. But that is provided for in the bill. That is where the health officer can not reach it. The health officer himself acknowledged in his testimony before the committee that the [illegible] laws is all that a man can properly do, and with his multifarious duties he certainly can not give much personal attention to them.

Mr. COCKRELL. Now, let me illustrate it to the Senator.

Mr. STEWART. Well.

Mr. COCKRELL. It is all right for these veterinarians to go and examine and see. Nobody wants any milk from a diseased cow. But the germs can be impregnated in milk after it comes from the cow.

Mr. STEWART. Yes.

Mr. COCKRELL. You may examine the cows and they may be in perfect health and the milk may be pure, and it may be kept at the dairy before it is brought here [illegible] it becomes contaminated with disease-producing germs, and your chemical analysis [illegible]

[illegible] Oh, yes; it discloses it.

Mr. [illegible] You must [illegible]

Mr. [illegible] If it is sour or anything of that kind, it will be [illegible]

[illegible] L. You [illegible]

The [illegible] NT pro [illegible] lays before the Senate [illegible] ping in trade [illegible] in the [illegible] places in the Philippine Ar[illegible]

Mr. STEWART. Let us have a vote. I ask that [illegible] business may be temporarily laid [illegible] the bill.

Mr. COCKRELL. We can not take a vote rig[illegible] This is an important bill. I am just as anxious as [illegible] it, but I want some amendments made to [illegible] I want to have it perfected. [illegible] a good [illegible] the Senate to do.

Mr. STEWART. Will not the Senator from Massachusetts consent to lay the unfinished business aside for a [illegible]

Mr. LODGE. It is a bill which, owing to the [illegible] law which applies the navigation laws on the 1st of July of this year, [illegible] I do not think, in view of that particular feature of this matter, I ought to yield unless I can get a time fixed for a vote on the shipping bill. I do not want to interfere with the Senator's bill, [illegible] I think we ought to go on with the [illegible] and dispose of it as soon as possible.

PIPE LINES THROUGH INDIAN LANDS.

Mr. STEWART submitted the following report:

[illegible] House on the amendments of the House to the bill [illegible] the Secretary of the Interior [illegible] Indian lands, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 2 and 3, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered one, and agree to the same with an amendment as follows: In line 8, after the word "located," insert "and of all other allottees through whose lands said lateral pipe lines may pass;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered four and agree to the same with an amendment as follows: Add at the end of said amendment the following: *"Provided further*, That the Secretary of the Interior, at the expiration of said twenty years, may extend the right to maintain any pipe line constructed under this act for another period not to exceed twenty years from the expiration of the first right, upon such terms and conditions as he may deem proper;" and the House agree to the same.

WM. M. STEWART,
O. H. PLATT,
Managers on the part of the Senate.
CHARLES CURTIS,
W. B. BROWN,
JOHN H. STEPHENS,
Managers on the part of the House.

The report was agreed to.

SHIPPING BETWEEN UNITED STATES AND THE PHILIPPINES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2276) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

Mr. LODGE. I desire to offer an amendment to the bill, which I think is necessary in order to avoid a difficulty which has been pointed out to me by the junior Senator from Maine [Mr. FRYE]. I think section 6 should be amended by striking out, in line 3, the words "so much of;" and striking out, in line 6, the words "as reads" and inserting "is hereby amended so that it shall read;" by striking out, in line 7, the word "four" and inserting the word "five;" and then to strike out, in line 13, the words "is hereby repealed." This section shall take effect on July 1, 1904."

The effect of this amendment is to make the law positive instead of negative—that is, it affirmatively allows foreign ships. Unless that is done, I think a doubt may arise as to the construction of the law between the 1st of July, 1904, and the 1st of July, 1905.

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment, which will be stated.

The SECRETARY. On page 3, section 6, line 3, before the word "section," strike out the words "so much of;" and in line 6, after the word "purposes," strike out the words "as reads" and insert in lieu "is hereby amended so that it shall read," and in line 7 strike out the word "four" and insert "five."

Mr. LODGE. Then begin at the word "is," line 13, section 6, and strike out the rest of the section.

The SECRETARY. After the word "Archipelago," line 13, strike out the words "is hereby repealed. This section shall take effect on July 1, 1904."

Mr. LODGE. So that the section as amended will read:

That section 6 of the act approved March 3, 1901, entitled "An act temporarily to provide revenues for the Philippine Islands, and for other purposes," is hereby amended so that it shall read: *"Provided, however*, That until July 1, 1905, the provisions of law or

It makes it affirmative instead of negative; that is all.

Mr. SPOONER. That is the provision about the coasting trade?

Mr. LODGE. Yes.

The amendment was agreed to.

Mr. DANIEL. I wish to ask the Senator from Massachusetts if it is a fact that the coastwise laws of the United States are now so framed that they would operate on traffic between San Francisco, Hawaii, or Manila unless suspended by their operation?

Mr. LODGE. They would. Under the Porto Rican decisions of the Supreme Court they will go into effect on the 1st of July, 1904, as now framed.

Mr. DANIEL. Then the result of this bill, if it becomes a law, would be to postpone until 1905 the time when it would operate.

Mr. LODGE. It will defer the time of their application on the transoceanic traffic until the 1st of July, 1905, and on interisland traffic indefinitely.

Mr. DANIEL. I understand.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Massachusetts to the amendment offered by the Senator from Iowa [Mr. ALLISON] yesterday, which strikes out the word "four" in several places. The amendment was agreed to in only one place.

Mr. LODGE. I renew that amendment. I move that amendment on page 1, line 3, section 1; page 2, line 8, section 2, and on same page, line 24, section 4. The other one has become unnecessary because it was stricken out.

The PRESIDENT pro tempore. The amendments will be stated.

The SECRETARY. On page 1, line 3, strike out the word "four" and insert "five;" on page 2, line 8, strike out "four" and insert "five;" on page 2, line 25, at the end of the line, strike out "four" and insert "five."

Mr. CARMACK. Is that the amendment of the Senator from Iowa?

Mr. LODGE. It is the amendment of the Senator from Iowa. In his absence I moved it, as we accepted it yesterday.

The PRESIDENT pro tempore. It is the amendment of the Senator from Iowa.

Mr. CARMACK. I want to move an amendment to the amendment. I move the amendment to the amendment which I send to the desk.

The Secretary read the amendments, as follows:

Substitute "1906" for "1905" wherever the latter figures appear in said amendment.

Mr. LODGE. If the Senator desires to discuss his amendments I will not move to lay them on the table.

Mr. CARMACK. I wish to make a few remarks.

The PRESIDENT pro tempore. The Senator from Tennessee will proceed.

Mr. CARMACK. Mr. President, there seems to be a good deal of doubt whether under the act temporarily to provide revenues for the Philippine Islands and for other purposes, being the Philippine tariff act, this provision extending our coastwise law to the Philippines would take effect on July 1, 1904. The language of section 3 of that act is as follows:

That on and after the passage of this act the same tonnage taxes shall be levied, collected, and paid upon vessels entering the ports of the Philippine Islands from the Philippine Archipelago which are imposed upon vessels of the United States entering the ports of the United States from the Philippine Archipelago. All laws and parts of laws of the United States relating to the tonnage of vessels in force on the date of the passage of this act, shall, so far as the same are applicable, be in force between the Philippine Islands and the United States, or between ports in the Philippine Archipelago.

That is a negative provision, declaring that it shall not take effect until that time. Whether it would inevitably take effect at that time I am not sure. The report of the Commissioner of Navigation for [illegible] seems to suggest a doubt on that question. I will call the attention of the Senator from Virginia [Mr. DANIEL] to page 42 of that report, and he can examine it, as he raised the question awhile ago.

Mr. President, yesterday a statement was made to the effect that the Secretary of War is entirely satisfied with the bill as modified by the amendment just offered by the Senator from Massachusetts. I have a suspicion that the Secretary's state of mind would have been more accurately described if it had been said that he had reluctantly yielded to the persuasion of Senators upon the other side of the Chamber with the hope that the passage of this bill at the present session of Congress would be followed at the next session of Congress by such a reduction of duties on Philippine products as he believes necessary for the welfare and prosperity of the Philippine Islands.

I know, and we all know, that the Secretary of War has been very much opposed to the extension of the coastwise laws to the Philippine Islands until after a very large and material reduction has been made in the duties on products coming from the Philippine Islands to the United States.

The Senator from Rhode Island [Mr. ALDRICH] said yesterday that there ought to be no trouble whatever in passing a satisfactory Philippine tariff law at the next session of Congress. I do not know why the Senator from Rhode Island thinks that that will be such an easy matter. If it was in the mind of the Administration to promote the passage of such a bill, I should be glad to know why it was not urged in a message of the President to Congress, and I should like to know why a bill has not been introduced in the House and pressed to consideration for the accomplishment of that object in this long session of Congress, practically unlimited in its duration, where we have so little to do that it is proposed to adjourn at the unprecedentedly early date of the middle of April. I should like to know for what reason the consideration of such a measure is to be postponed to the short session of Congress, when we will be overwhelmed with the business that might be transacted at this session of Congress, and when we know that there will be very great difficulty in procuring the passage of any bill that is stubbornly resisted.

The President overflowed with words of sympathy for the people of Cuba, whom we have made free and independent and prosperous, but he had not one word of comfort for the people of the Philippine Islands, whose lands we have made desolate with fire and sword, and famine. There has been a great deal more generosity exhibited or professed for the free Republic of Cuba than has been shown for the Philippines under the flag and protection of the United States.

I want to say, Mr. President, that if the Secretary of War is under the impression that after the passage of this bill he can secure a material reduction, or any reduction whatever of the Philippine tariff at the next session of Congress, he is deceiving himself, or he has been deceived.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Colorado?

Mr. CARMACK. I yield to the Senator from Colorado.

Mr. PATTERSON. In the statements that were made by the Senator from Massachusetts [Mr. LODGE] yesterday and the senior Senator from Iowa [Mr. ALLISON], as to a conversation with the Secretary of War, I gathered—if I am not trespassing upon the Senator's time with a statement——

Mr. CARMACK. Not at all. I am glad to yield to the Senator whatever time he wishes to occupy.

Mr. PATTERSON. I gathered that his approval of this measure was based altogether upon the additional assurance that at the next session of Congress a law will be enacted reducing the duties on Philippine products transported from the Philippine Islands to the United States; in other words, that were it not for his expectation, or the practical assurance of gentlemen to him to that effect, he would be opposed to this measure. I think, after hearing the statement made by the Senators referred to, I am fully justified in reaching and stating that conclusion.

Therefore it is the equivalent of a notification to the country by the Senator from Massachusetts that at the next session of Congress, which will be during the year for which this bill has been extended, a bill will be introduced and pressed to passage reducing the tariff duties on Philippine products imported into the United States. The only two items of Philippine products in which the United States are particularly interested are sugar and tobacco.

Mr. DRYDEN. And also hemp.

Mr. PATTERSON. Well, but hemp comes in free now. I refer to the two items that are affected by tariff duties in which the country is interested, and those are sugar and tobacco.

The sugar industry of the West and the South [illegible] a pretty [illegible] session of Congress when the treaty with Cuba [illegible] tariff duties upon Cuban sugar was ratified. Now, [illegible] served upon this side of the Chamber, and also upon the [illegible] of the West, as well as the cane-sugar [illegible] of the South, that at the next session, after the Philippines [illegible], the raid on sugar and tobacco is to be [illegible] of the tariff duties upon sugar and tobacco from the Philippine Islands.

Mr. President, there is no person who has given the question of Philippine [illegible] careful consideration, but is convinced that the sugar industry of the United States. The sugar industry of Louisiana is now in such a decrepit condition [illegible] and the late attack made upon it [illegible] it also must go to the wall when [illegible] with free Philippine sugar or a reduction of the [illegible].

Mr. PLATT of Connecticut. I do not understand the Senator from Colorado [illegible] that that matter is to be taken up and [illegible] at the next session?

Mr. PATTERSON. The equivalent of that.

Mr. PLATT of Connecticut. It does not bind all of us, I think, even if it [illegible] given.

Mr. PATTERSON. No; but it has been pretty clearly demonstrated that when the junior Senator from Massachusetts [Mr. LODGE] presents a measure from the Philippines Committee, especially if it is to be regarded as in any sense an Administration measure, [illegible] of the Chamber [illegible] in Massachusetts and [illegible] through the measure, no matter what industry it may affect.

Mr. PLATT of Connecticut. Not necessarily.

Mr. PATTERSON. I do not know how far it may not be necessary [illegible] I have proposed [illegible] Mr. President, to judge the future, at least for a limited period, by what has transpired in the past.

Mr. PLATT of Connecticut. If I am not mistaken, the Senator from Ohio [Mr. FORAKER], from the Philippines Committee——

Mr. CARMACK. He is not on the Philippines Committee.

Mr. PLATT of Connecticut. At any rate, he offered, some time ago, an amendment making sugar free, I think, in the Philippine Islands, which did not receive the support of all Senators on [illegible].

Mr. CARMACK. Not to make sugar free.

Mr. PLATT of Connecticut. Well, providing for a reduction of the duty thereon 25 per cent.

Mr. PATTERSON. I do not pretend to say that whatever a Senator upon the other side may offer or ask for all the Senators upon that side are ready to grant, but I do say that whatever has come from the Philippines Committee, that ever appears in this body as apparently an Administration measure, has received the undivided support of the Republican Senators and has become a law when concurred in by the body at the other end of the Capitol.

Mr. President, those of us who are interested in the sugar industry are as firmly convinced as we are of our very existence that a further reduction of the Philippine tariff duties means the destruction of that industry, for Philippine sugar may be placed on shipboard at Manila at less than 1 cent per pound, as I understand it, and it may be transported from the Philippine Islands to the United States at from 30 to 35 cents per hundred pounds. So the sugar raisers of the United States will be confronted, if sugar comes here free from the Philippine Islands, with sugar which costs but $1.35 per hundred, and you may add to that whatever little modicum of tariff will be left and it will be impossible for the United States sugar raisers to continue in business.

Mr. DIETRICH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. CARMACK. Mr. President, I have yielded to the Senator from Colorado [Mr. PATTERSON], but will not yield for him to carry on a regular debate with Senators upon the other side of the Chamber.

Mr. PATTERSON. I hope the Senator from Tennessee will kindly yield. It will probably take but a moment.

Mr. CARMACK. Very well.

Mr. DIETRICH. I should like to ask the Senator from Colorado a question.

Mr. PATTERSON. Very well.

Mr. DIETRICH. Does the Senator believe that the passage of this bill will increase the rate upon goods transported from the Philippine Islands to the United States?

Mr. PATTERSON. I think so.

Mr. DIETRICH. Well, will that not be an additional protection against the competition of Philippine sugar?

Mr. PATTERSON. Pro tanto, it will be. As a matter of course, that is the purpose of the bill—to increase the rates upon everything which comes from the Philippine Islands, to make the consumers of the United States pay that additional price for whatever comes here.

Mr. PLATT of Connecticut. Will the Senator from Colorado allow me to interrupt him?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. PATTERSON. I do.

Mr. PLATT of Connecticut. I wish to say to the Senator from Colorado now that I do not wish, and do not intend to agree, to so far reduce the duty on Philippine sugar that it will interfere either with the beet-sugar industry or the cane-sugar industry in the United States. I do believe that if sugar were free from the Philippines to the United States, and if it were manufactured with American capital and according to American methods, it would very seriously interfere with the sugar industry in the United States—both the beet and cane sugar industries. I do not want to feel that I am committed to any project which, in my judgment, will interfere with American industries.

Mr. PATTERSON. I am very glad, Mr. President, that we have that frank statement from the Senator from Connecticut. I want to say to him that, carrying out his statement to a logical conclusion, it means that he will stand with the people of the West in opposing any further reduction of the tariff upon Philippine sugar.

Mr. PLATT of Connecticut. I will if I am convinced that it will injure American interests. I do not, however, undertake to [illegible] now.

Mr. PATTERSON. The statement of the Senator from Connecticut [illegible] with a reservation that may in the [illegible] with the hopefulness [illegible] of the Committee on the Philippines, and [illegible] a fear that will result in the calamity which I have [illegible].

I may [illegible], Mr. President—for I have already trespassed upon the time of the Senator from Tennessee [Mr. CARMACK] too long—that if Senators upon the other side do not open up negotiations [illegible] at the next session reducing duties upon the Philippine product, it will only succeed after those of us who are [illegible] in great [illegible] have exhausted every [illegible] means and parliamentary method that we possess to prevent loss of this lady to defeat the effort.

Mr. CARMACK. Mr. President, what has been said by the Senator from Colorado [Mr. PATTERSON] and by the Senator from Connecticut [Mr. PLATT] is in line with what I was just saying and the warning which I gave to the Secretary of War, that if he is basing any hope of securing any material reduction of the tariff on Philippine products upon any assurances that have been given him that the passage of this bill in its present form will further that object, he is building upon a very sandy foundation.

Mr. President, we know at the last session of Congress when a measure was pending here to reduce the Philippine tariff to 50 per cent of the Dingley rates, how heavily and how stubbornly it was resisted up to the very last hour, almost to the adjournment of Congress, and defeated without being brought to a vote.

We know how the beet-sugar interest gathered here and resisted the passage of that bill; how Mr. Oxnard at last served notice upon Congress that he would consent to a reduction to the extent of 50 per cent of the present rate, but that he would not

consent to any further reduction. He consented to that because, as the Philippine Commission themselves had shown to us, a reduction of 50 per cent would be practically no reduction whatever and would offer no encouragement to the industries of the Philippine Islands. I say that at the next session—at the short session, when we shall be crowded with business—they will be here again, resisting to the very uttermost any further reduction in the tariff on Philippine products, and especially on sugar.

We know the long fight we had for reciprocity with Cuba, which was finally secured, carrying a reduction of 20 per cent on Cuban sugar, only after we had made a compromise with the sugar interests by which we practically defeated all the reciprocity treaties pending in this body and agreed that we would make no other reciprocity treaties with any other sugar-growing countries in the world.

I have no desire, Mr. President, so far as I am concerned, to protect sugar, no matter whether it comes from the beet or from the cane. I am willing that the producers of sugar shall be required to earn their living just like the producers of cotton, of wheat, and of corn, without any largesses from the public Treasury; but so long as the system of protection prevails, so long as we recognize the right of this Government to impose a tariff on the products of the Philippine Islands, producers of sugar have as much right to demand their full share of protection and to resist any importation of competing products as have any other interests in the country, and we know that they will do it. The Senator from Connecticut will be standing with the Senator from Colorado resisting any reduction of the Philippine tariff that will do the people of the Philippine Islands any good whatever or give any encouragement whatever to their industries, because unless you can reduce the tariff sufficiently to bring about competition between their products and our own it will be of no benefit whatever, and you might just as well not reduce it at all.

They have, from the standpoint of protection, good grounds for resisting the introduction of Philippine sugar. The present governor of the Philippines, testifying before the committee, said something to the effect that the Philippines could produce sugar enough to supply the world, and when American capital goes there, as suggested by the Senator from Connecticut [Mr. PLATT], and when you have removed all limitations upon the amount of land that can be held by these great corporations, as you will do, and when you have free admission to Chinese labor, as you will do, then the competition of Philippine sugar with the sugar of the United States will become a very serious question. So far as I am concerned it does not alarm me. I do not object to bringing it into competition with sugar from anywhere in the world, so far as I am concerned; but they will object to it. They will be here at the next session of Congress resisting it to the bitter end, and they will defeat the bill. No matter what bill you may bring in here to reduce the tariff on sugar and tobacco at the next session of Congress it will be defeated, and the Secretary of War ought to have known that before he consented to waive his objections to the pending bill.

Now, I want to call attention to what Governor Taft has said officially upon this question. In his report as civil governor of the Philippines he said:

[illegible]

The report of Mr. Shuster, the collector, to which Governor Taft refers, says:

[illegible]

In the report of the Philippine Commission I find the following statement:

The operation of the coastwise trade laws of the United States in respect to trade between the islands of the Philippine Archipelago and the mainland, between these islands and the mainland of the United States have been suspended by acts of Congress until July 1, 1905. If Congress were to take no action and allow the coastwise navigation laws to become applicable to the interisland trade of these islands and to the trade between the islands and the United States, as they now are, most disastrous results would follow. It is earnestly recommended that the regular application of the navigation laws, so far as it relates to the trade between the islands of the Philippine Archipelago and the United States, be postponed for the consideration of the Philippine Commission, and that the suspension of the coastwise navigation laws be continued until the time intervening between the adjournment of the Congress of the United States next convening and July 1, 1906.

Then again, referring to the very bill that is before the Senate, the report says:

[illegible] freight rates [illegible] with [illegible]

Mr. President, they may indeed well ask what benefit they are to get from association with the United States so long as our legislation proceeds upon such principles as these, when they see us legislating in every case with an eye on the advantage of a handful upon some class of American citizens, without any regard whatever for its effect upon the people of the Philippine Islands.

The Senator from Nebraska [Mr. DIETRICH] suggested a moment ago that the extension of these laws and the increase of freight charges would be equivalent to an increase of protection. Of course it would. Of course it would be equivalent to an increase in the present tariff rates on Philippine products. Yet you are to have that. You are to increase the burden already imposed by your tariff law upon the products of the Philippine Islands without any assurance whatever, and, I beg leave to say, with very little hope, that you will hereafter make any substantial or material reduction in the tariff.

The Senator from California [Mr. PERKINS] said the other day that the Philippines were a part of the United States; that they are under the protection of the United States. Mr. President, far from that being true, under the operation of our tariff law, tariff law, we are [illegible] against the Philippine Islands, instead of protecting them. They are not a part of the United States. They are regarded as a part of the United States when it comes to the extension of our coastwise laws to benefit a few favorites of this Government in the United States at the expense of the people of the Philippine Islands, and they are not considered as a part of the United States when it comes to the enactment of tariff laws and the protection of certain interests in the United States, again at the expense of the people of the Philippine Islands. Their interests are not and have never been considered in any legislation that we have had before Congress.

How soon we have forgotten the principles upon which we were going to act when we took possession of the Philippine Islands! Then it was proclaimed that we were to have the open door. I read from annex to protocol No. 15, treaty of peace between the United States and Spain, in which it was said:

[illegible]

That statement was substantially interpreted by Mr. Day, president of the Peace Commission, and Secretary of State, in response to a question that came from one of the Spanish commissioners. As to the effect of that statement, Mr. Day said:

[illegible] is not intended to be exclusive, etc.

Here was the statement given out from the Administration that the policy of the United States in the Philippine Islands would be that of an open door to the commerce of the world; yet we have imposed an export duty upon hemp that goes from the Philippines to any other country in the world except the United States. We are giving a few shipbuilders in the United States an absolute monopoly of the carrying trade between this country and the Philippine Islands. Where is the open door to the world's commerce?

Commerce, Mr. President, includes buying and selling; it includes the carriage of goods; it includes exports as well as imports; and protests are on file now in the State Department from every nation in Europe because of this violation of the solemn promise we made of the open door to the commerce of the world in the Philippine Islands. The islands are simply held for exploitation, Mr. President, and to be exploited for the benefit not of the whole people of the United States, but for the greedy and rapacious interests that come here and make their demands upon this Congress.

Governor Taft made a speech at Manila just before he left. I am sorry I have lost the extract, but he said in that speech that if the spirit which prevails among the American merchants and residents of the Philippine Islands should continue he would be greatly discouraged as to the success of our adventure in that country.

Mr. President, that spirit will continue. The people who go from here to the Philippine Islands will not be knights errant seeking to relieve the oppressed; they will not be people who go there in the interest of humanity or with unselfish humanitarian purposes; but for the most part they will be needy and desperate adventurers who go there to make a profit out of the calamities of the people and to fill their pockets and come home as soon as they can. That is the condition which exists there now, as Governor Taft tells us. It is a condition which he deplores. I believe, and I am glad to say this in behalf of Governor Taft, that he is filled with earnest and honest zeal for the welfare of the people of the Philippine Islands, a zeal which in these days of commercialism is almost quixotic in its obsolete chivalry. He despairs, almost, of the success of our venture in the Philippine Islands. He sees—he is bound to see—what will be the inevitable outcome of this narrow and selfish and greedy policy which we have pursued in all our legislation with respect to that country.

What will be the fruits of it? Growing and deepening discontent, constant irritation, a growing hatred of the American people and of American sovereignty, ending sooner or later in open and bloody rebellion. The history of our rule in the Philippine Islands, if we continue the policy that now prevails, will be a story of bloody insurrection, alternating with periods of tranquillity produced by ruin and exhaustion, the kind of tranquillity we now have there.

Mr. President, when we first seized upon the Philippine Islands the country seemed to be mad with the idea that we were going to develop an immense trade with that country. It was to be an Eldorado. It was to increase the wealth and commerce of the United States tenfold, and there were people who actually seemed to attach more importance to the Philippine Islands as a basis for the wealth and prosperity of the United States than they did to our own territory.

Yet to-day, and in fact ever since, we have been legislating in mortal terror of the Philippine trade. We have erected a tariff wall against the Philippines on the very ground that if we did not put up a high tariff it would develop the commerce and the industries of the Philippine Islands. The very object for which you seized the islands was to develop their industries and develop an immense commerce with that country, and then you proceeded to raise a tariff wall on the very ground that if you did not do it you would accomplish the very object you professed to desire.

What is the trade with the Philippine Islands? We sell them about $4,000,000 worth of goods a year, upon which we possibly make a profit of less than half a million dollars, which you could have had if you never had landed a soldier or a gun in the archipelago, and for which you have paid not less than $600,000,000 and are continuing to spend money by the millions.

I wish to have put into the RECORD, as an appendix to my remarks, a statement of a distinguished citizen of Massachusetts, a particular friend, I believe, of the junior Senator from Massachusetts, Mr. Atkinson. (See Appendix.) It shows the cost in the mere matter of money in the increase of our expenditures and the squandering of the people's taxes, and for all of that we are getting a trade which amounts to the exportation of about $4,000,000 worth of goods a year, which you propose to destroy or to decrease by this bill. This measure will lay heavy burdens upon the commerce between this country and the Philippine Islands, because when the people there find that they have to pay exorbitant rates for transportation in American vessels from the United States they will buy whatever they can from other countries and have their goods imported in foreign vessels.

I wish to quote from a speech made by the Senator from Wisconsin [Mr. SPOONER] in the Fifty-sixth Congress as to the effect in the matter of expenditures of our policy in the Philippine Islands. The Senator said:

I shrink from the notion that the interests of this country will be subserved by sending permanently a portion of our most precious thousands of men, inspired by peaceful ideas, not of our blood, not of our warm blood, foreign to all our associations, living in a tropical climate, where the white man can not work, under labor conditions of necessity which we would not permit to exist in the United States.

* * * * * * *

It is insisted that we must have territorial expansion in order to extend our trade. I do not think so. I have been strongly inclined to think that in the long run, with all the embarrassments and complications and dangers, will bring upon our people, I will regard rather than develop the foreign trade of the United States. We have been growing rapidly in our trade without territorial expansion. Temporary possession, sometimes, of tropical peoples, rather than permanent dominion, to force our trade upon them seems to me to be the poorest commercial policy. How far will that be carried? We want the trade of the world, and we intend to have our share of it. Are we to secure it by carrying this doctrine of expansion to the uttermost parts of the earth?

Permanent dominion over the Philippines by the United States means to me an endless and vast burden upon the industries of our people.

Then again the Senator said:

In the event of war the most distant outpost where our flag could be found would be the point of first attack, and we would be forced to maintain a navy adequate to protect the interests of people in the Philippines, 7,000 miles away, in our Atlantic and Pacific oceans. If our Navy were not adequate to that, our ships being sent far away, our home coast would be unprotected. This would involve an awful increase of taxation.

Mr. President, the Senator from Wisconsin was a prophet. It has involved an awful expenditure of money without any profit whatever, and it has involved, as he told us, an immense increase in the American Navy; and if we are to keep the Philippine Islands, it will be necessary for us to have a navy as great as the greatest navy in the world. We shall be compelled to expend millions of dollars to fortify the coast of all that archipelago, for if we should be engaged in a foreign war and some nation could [illegible] one single island of the archipelago and the war should end with that island in the possession of the other country, it would be a defeat for the United States. No matter how worthless it may be, so long as that archipelago remains under the flag of the United States we must be ready and able at all times and upon a moment's notice to protect every foot from the attack of a foreign enemy; and, as the Senator from Wisconsin said, that will involve an awful increase in taxation.

We are making vast expenditures now for our Navy. A speech was made elsewhere a few days ago in which attention was called to that fact. It was said:

In the years 1886 and 1887 there was expended for the Navy, respectively, [illegible] for the year the work was [illegible] a total of $[illegible] almost exactly as great an amount as that expended in 1886, and more than six times as great as the amount expended in 1867.

Why do we need such an immense navy? This country has always been able to maintain its dignity and to assert its power throughout all its history without attempting to vie with all the nations of the earth in immense military expenditures.

Another gentleman, answering this same statement, said it was true that we did not then expend such large sums of money as we are now expending, but that we did not then have the Philippine Islands to defend. That is the burden you have laid upon yourselves—an immense increase of taxation, an immense navy, all the burdens of militarism. Yet here you have to deal with a stationary revenue, with a revenue insufficient to meet the expenditures of the Government. You have to strint your appropriations for rivers and harbors and for all the necessary expenses of the Government, while you are squandering money to build the greatest navy in the world to defend the most worthless possessions that ever rotted beneath a tropical sun.

Mr. MITCHELL. Will the Senator from Tennessee allow me to ask him a question?

Mr. CARMACK. Certainly.

Mr. MITCHELL. In view of all these terrible things that are going to happen, in the opinion of the Senator from Tennessee, in the event that we hold on to the Philippines, I take it for granted that the Senator, if he had his way, would surrender the Philippines either back to Spain or to some other country.

Mr. CARMACK. I have tried very hard in various speeches to make my views on the Philippine question plain. If the Senator from Oregon does not understand my position now, I have spoken in vain so far as he is concerned. I have said over and over again, and I have never changed my views on the question, that I would be glad to-day to do for the Philippine Islands practically what we have done for Cuba—to make the Philippine Islands free and independent.

Mr. President, I am glad to know that I am not altogether alone on that question, and that I have some good Republican company; that is, considered good by Republicans. The late Secretary of War, Mr. Root, made a speech not long ago in which he suggested that it would be the ultimate policy of the Republican party to deal with the Philippine Islands as we have dealt with Cuba. I am glad to learn that there are Republicans who have grown weary of this burden, and who now, that they find it unprofitable, are willing to be righteous. For, Mr. President, I can say for the

Republican party that they can be very righteous whenever they [illegible]

[illegible] may result from Mr. Root's statement. Some Filipinos [illegible] may hear it, and he may be [illegible] he does he will be just as [illegible]. If Mr. Root himself were to go over [illegible] the law, it [illegible] the same thing.

Mr. President, I do not care to continue any further upon this question. I simply wish to emphasize what I have [illegible] that it is a policy to be considered most [illegible] and the longer we put it off [illegible] it will [illegible] or later it will have to be paid for, not only in dollars but in blood.

I ask leave to have printed in the RECORD as an appendix to my remarks the statement to which I referred.

[illegible] is [illegible] by the [illegible] The Chair hears none.

The statement referred to is as follows:

APPENDIX

[illegible] Atkinson, LL. D., Ph. D., Brookline, Mass., U. S. A.

SECOND COMPUTATION, TO JUNE 30, 1903—PUBLISHED [illegible] 9, 1903.

[illegible]

[illegible] tax payers of the United States is now submitted.

EDWARD ATKINSON.

BROOKLINE, MASS., *October 9, 1903.*

THIRD COMPUTATION, TO JUNE 30, 1904.

[Extended on [illegible]]

The cost of war and warfare to June [illegible] from the expenditures [illegible] months, from June 30 to December [illegible] completed by [illegible] fiscal year, June 30, 1904, [illegible] years—not less [illegible] by estimates submitted by the Secretary of the Treasury to [illegible]

[illegible] and tax is $5 per head, as [illegible] $5.01

Average for twenty years of peace [illegible]

In this period and [illegible] cost of what was called [illegible] Roosevelt it was proved that the average expenditures per capita [illegible] $[illegible].

It was proved that the cost of war and warfare up to that date had been at [illegible] statement, extending the figures by estimate to December 31, 1905, in which it was proved that the cost of war [illegible] by the Departments for the fiscal [illegible] seven years of active and passive war and [illegible] to the [illegible] Harrison and Cleveland the cost of pensions an[illegible] 30, 1893, pensions and interest were less, per [illegible] the normal cost of government [illegible] $2 per head now being as[illegible] at the end of that fiscal year it will have been nearly $[illegible]

[illegible] service may be reorganized, with suitable compensa[illegible]

when [illegible] ure factor by [illegible] ture in the civil service, at 1 cents per head, $[illegible]

The total of actual excess of expenditure during the warfare in [illegible] 135,876,000 [illegible] 16,080,000

We find that the waste in war and warfare in the last fiscal year [illegible]

[illegible] t of expe[illegible]

[illegible] lives and health of American soldiers and con[illegible] upon the people of the Philippine Islands [illegible] tax payers of the United States is now submitted.

EDWARD ATKINSON.

BROOKLINE, MASS., *October 9, 1903.*

THIRD COMPUTATION, TO JUNE 30, 1904.

[Extended on [illegible]]

The cost of war and warfare to June [illegible] from the expenditures [illegible] months, from June 30 to December [illegible] completed by [illegible] fiscal year, June 30, 1904, [illegible] years—not less [illegible] by estimates submitted by the Secretary of the Treasury to [illegible]

[illegible] and tax is $5 per head, as [illegible] $5.01

Average for twenty years of peace [illegible]

In this period and [illegible] cost of what was called [illegible] Roosevelt it was proved that the average expenditures per capita [illegible] $[illegible].

It was proved that the cost of war and warfare up to that date had been at [illegible] statement, extending the figures by estimate to December 31, 1905, in which it was proved that the cost of war [illegible] by the Departments for the fiscal [illegible] seven years of active and passive war and [illegible] to the [illegible] Harrison and Cleveland the cost of pensions an[illegible] 30, 1893, pensions and interest were less, per [illegible] the normal cost of government [illegible] $2 per head now being as[illegible] at the end of that fiscal year it will have been nearly $[illegible]

[illegible] service may be reorganized, with suitable compensa[illegible]

Civil service	$1.48
War [illegible] of what is known as the [illegible]	.85
Navy [illegible]	.90
Interest [illegible]	[illegible]
Pensions [illegible] every heavy increase during the term of President Harrison	1.52
Average	5.00

The expenditures in five years of war and warfare under Presidents McKinley and Roosevelt were as follows (annual average):

Civil service	$1.58
War [illegible]	1.99
Navy [illegible]	[illegible]
Interest	.47
Pensions	1.88
Average	6.61

During the last fiscal year, ending June 30, the expenditures have been as follows (during a year of so-called "peace"):

Civil service	$1.77
War [illegible]	1.17
Navy [illegible]	1.08
Interest	[illegible]
Pensions	[illegible]
Average	6.35

An excess over the normal of twenty years of peace, order, and industry of $1.85 per head.

But this does not show the whole case. During the [illegible] years [illegible] the cost of [illegible] was $[illegible] per head [illegible] not been for [illegible] exceeded $1.85 in the [illegible] times now moving or [illegible]

These differences per head may seem to be of trifling importance, but

At the lowest and most conservative estimates it is therefore proved that we have already spent on the Spanish war, as computed [illegible] $300,000,000

On criminal aggression and passive warfare in the Philippine Islands [illegible] 600,000,000

Total [illegible] 900,000,000

And that before June 30, 1904, there will stand at a loss there $1,000,000,000.

It is now proved that if [illegible] the cost of aggressive [illegible] can be [illegible] which is now [illegible] per head it will be over $2.50 in the fiscal year ending June 30, 1905, with a constant tendency to increase as time goes on.

In order to fix the facts [illegible] charges, we may compare the different expenditures under the Administration of President Harrison and those of the last fiscal year under President Roosevelt.

	Harrison.	Roosevelt.
Civil service and Indians ... per head	$1.66	$1.72
War ... do	.76	1.47
Navy ... do	.42	1.02
Interest ... do	.48	[illegible]
Pensions ... do	2.04	1.73
Average	5.36	6.29

We find that [illegible] President Cleveland's first term with the expenditures of the present fiscal year ending June 30, 1904.

	Cleveland	Roosevelt.
Civil service and Indians ... per head	$1.43	$1.73
War ... do	.66	1.40
Navy ... do	.34	1.17
Interest ... do	.80	[illegible]
Pensions ... do	1.30	1.70
Average	4.43	6.29
At the [illegible] rates of 1904, deduct from the Cleveland figures	.21	
Average	4.22	
Difference wasted		2.07

The average expenditures of 1903 and 1904 have been $6.29. The estimates for [illegible] tures and estimates been free of the cost of continued [illegible] Philippine Islands, of the proposed defensive works in the [illegible] and the waste upon [illegible] a necessary part of the price of imperialism wherever [illegible] exceed $4.30 in the present fiscal year, and might even be [illegible]

[illegible] and support to [illegible] war and warfare has been [illegible] be now about $2,000,000 and rapidly [illegible]

[illegible] taxpayers of the United States are now paying the penalty for the [illegible] that the cost of war and warfare [illegible] at this rate of $2 per [illegible] per year [illegible] exceed $[illegible] per head as a permanent [illegible]

[illegible] war, [illegible] computed at [illegible] then [illegible] useful purpose, [illegible] expenditures now contemplated might have been partially or wholly car[illegible]

[illegible] expended in the seven years $[illegible] on the improvement of [illegible] on the irrigation of arid lands, how much [illegible]

[illegible] the northern States for purposes of common education [illegible] has derived [illegible] to the nation, [illegible] 000,000, what [illegible] construct [illegible] we shall have [illegible] could not have been avoided, [illegible] will have [illegible] $[illegible] per head [illegible] are the proved conditions, then what does it cost each State or Ter[illegible] per head [illegible] at the average rate of $2, it being remembered [illegible] the people [illegible] indirect [illegible] of this tax, which is imposed on beer, [illegible] wool, sugar, salt, hides, petroleum, and every other article of necessity, [illegible] taxes are collected because those who pay them are not conscious of the burden. They are the resort of rulers who dare not expose their purposes.

The proportion by States and Territories on the census of 1900 is as follows: a

State or Territory.	Population.	Capital.
1. New York	7,300,000	$14,600,000
2. Pennsylvania	6,[illegible]	[illegible]
3. Illinois	4,[illegible]	9,000,000
4. Ohio	[illegible]	8,400,000
5. Missouri	[illegible]	6,200,000
6. Texas	[illegible]	6,[illegible]
7. Massachusetts	[illegible]	5,[illegible]
8. Indiana	[illegible]	5,[illegible]
9. Michigan	[illegible]	4,800,000
10. Kentucky	[illegible]	4,400,000
11. Georgia	[illegible]	4,400,000
12. Iowa	[illegible]	4,400,000
13. Wisconsin	[illegible]	4,200,000
14. Tennessee	[illegible]	4,[illegible]
15. North Carolina	[illegible]	3,[illegible]
16. Virginia	[illegible]	3,800,000
17. New Jersey	[illegible]	3,800,000
18. Alabama	[illegible]	3,600,000
19. Minnesota	[illegible]	3,[illegible]
20. Mississippi	[illegible]	[illegible]
21. [illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]
[illegible] Carolina	[illegible]	2,800,000
24. Louisiana	[illegible]	2,[illegible]
25. Arkansas	[illegible]	2,600,000
26. Maryland	[illegible]	2,400,000
27. [illegible]	[illegible]	2,200,000
28. West Virginia	[illegible]	2,000,000
29. Connecticut	[illegible]	1,800,000
30. Maine	[illegible]	1,600,000
31. Washington	500,000	1,000,000
32. Florida	500,000	1,000,000
33. Colorado	500,000	1,[illegible]
34. New Hampshire	400,000	[illegible]
35. [illegible]	400,000	[illegible]
36. Rhode Island	400,000	800,000
37. Oklahoma	400,000	800,000
38. Indian Territory	400,000	800,000
39. Vermont	300,000	600,000
40. North Dakota	300,000	600,000
41. Utah	300,000	600,000
42. [illegible]	250,000	500,000
43. [illegible]	200,000	400,000
44. Idaho	150,000	300,000
45. Wyoming	100,000	200,000
46. Nevada	50,000	100,000
Total	75,200,000	150,400,000
Taxes free	1,100,000	2,200,000
In 1900	76,300,000	152,600,000
In 1904	82,000,000	164,000,000

a Increase about 7 per cent on each State to bring the figures to the present population.

The increase in population from 1900 to 1904 would be 7 per cent average, or from 1 per cent in States from which emigrants pass to 50 per cent in Oklahoma, to which they come.

Now, if the tax gatherer went to the door of every housekeeper to the dwelling [illegible] every person demanding $2 per head as a tax for the support of each average [illegible] how long would this [illegible] war and warfare last?

If the tax of $2 per head, or over $10 a year, were assessed directly upon the States according to law, to be collected annually by a direct tax on property or by a poll tax, how soon would it be [illegible]? If a [illegible] tax collector were to be stationed at every 30 voters who refused to stop it be relegated to a position where he could abuse a public trust no more?

These questions seem to be answered at the polls. I submit them [illegible] and reckless waste on over-sea expansion and imperialism.

Respectfully submitted.

EDWARD ATKINSON.

BOSTON, MASS., *January 23, 1905.*

Mr. LODGE. Mr. President, I have no desire to enter into a discussion of the economic relations of the Philippines, which I think would be more properly discussed on a tariff measure; still less in regard to the American Navy, which I think we shall have an opportunity to discuss on the appropriation bill. I simply desire to get this bill through as soon as possible.

In answer to what the Senator from Colorado said, I think it is proper for me to state briefly that neither the Senator from Iowa nor I, in anything we said yesterday, went further than to state what the wishes and desires of the Secretary of War were as we understood them. And of course neither of us would undertake to give assurances to anybody as to the action of Congress. But it is also well known that both the Senator from Iowa and I strongly supported the bill of last year for a reduction of duties. I favor such legislation, and whenever the House sends it to us a bill of that character I shall certainly do all I can to promote it.

Now, Mr. President, I move to lay on the table the amendments offered by the Senator from Tennessee [Mr. CARMACK].

Mr. CARMACK. On that I ask for the yeas and nays.

Mr. DOLLIVER. I should like to have the amendments stated.

Mr. COCKRELL. State the amendments.

The PRESIDING OFFICER (Mr. KEAN in the chair). The amendments to the amendments will be stated.

The SECRETARY. It is proposed to amend the amendments by

striking out "five" and inserting "six" in line 3, page 1; by striking out "five" and inserting "six" in line 8, page 2; and by [illegible] out "five" and inserting "six" in line 25, page 2; so as to read "[illegible] hundred and six" in each instance.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts [Mr. LODGE] to lay on the table the amendments offered by the Senator from Tennessee [Mr. CARMACK] to the amendments on which the yeas and nays are demanded.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FOSTER of Washington (when his name was called). I have a general pair with the Senator from Mississippi [Mr. McLAURIN], which I transfer to the Senator from Connecticut [Mr. BRANDEGEE], and will vote. I vote "nay."

Mr. MALLORY (when his name was called). I am paired with the junior Senator from New York [Mr. DEPEW], and therefore withhold my vote.

Mr. MALLORY (when his name was called). I am paired with the junior Senator from Vermont [Mr. PROCTOR], and therefore withhold my vote.

Mr. WARREN (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MONEY], but by an understanding I transfer it to the Senator from Mississippi will vote. I vote "yea."

The roll was concluded.

Mr. SCOTT. I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO], which I transfer to the senior Senator from Pennsylvania [Mr. PENROSE], and will vote. I vote "yea."

Mr. CLAPP. I am paired with the Senator from North Carolina [Mr. SIMMONS]. I transfer it to the Senator from South Dakota [Mr. GAMBLE], and will vote. I vote "yea."

Mr. CARMACK, after having voted in the negative. I desire to inquire if the Senator from Wisconsin [Mr. SPOONER] has voted?

The PRESIDING OFFICER. The Chair is informed he has not.

Mr. CARMACK. I withdraw my vote.

Mr. TILLMAN. I have a general pair with the junior Senator from South Carolina [Mr. TILLMAN], which I transfer to the senior Senator from Oregon [Mr. MITCHELL], and I do not think it will affect any such conflict. However, if there should be, it would affect the other act and not this one? Because this [illegible]

Mr. LODGE. No: I do not think it would affect it at all. As I understand it, [illegible]

Mr. MALLORY. Unless the President finds the charges to be [illegible]

Mr. LODGE. Unless the President should find it necessary to [illegible]

Mr. MALLORY. Then he can employ foreign vessels.

Mr. LODGE. But [illegible]

Mr. MALLORY. You m[illegible]

Mr. MALLORY. Af[illegible]

[illegible] from ports of the [illegible] rily be American vessels. Under the a[illegible] two acts are [illegible]

Mr. LODGE. I understand the Senator to mean that a conflict will arise after 1905 on the exception which can be [illegible] Pr[illegible]

Mr. MALLORY. Yes: that is the point I make; and I think w[illegible]

Mr. LODGE. The Senator thinks that the exception made in the use of the Pr[illegible]

Mr. MALLORY. N[illegible] act is positive and [illegible] in the act we passed yesterday we provided that under certain circumstances they may be transported by foreign ships. If that is n[illegible] and if it does not give rise to a [illegible] as to w[illegible] I am very sure it [illegible]

I [illegible] I want to [illegible]

Mr. LODGE. I think there is a [illegible] that arises there. I

So Mr. CARMACK's amendments to the amendments were laid on the table.

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Massachusetts [Mr. LODGE].

Mr. TELLER. Let the amendments be stated.

The PRESIDING OFFICER. They will be stated.

The SECRETARY. On page 1, line 3, strike out "four" and insert "five;" page 2, line 8, strike out "four" and insert "five;" page 2, at the end of line 25, strike out "four" and insert "five;" so that in each instance it will read "[illegible] hundred and five."

The amendments were agreed to.

Mr. MALLORY. I desire to call the attention of the Senator from Massachusetts, who, I believe, has charge of the bill, to the effect of this proposed legislation on the legislation we passed yesterday.

[illegible] emergency—that is where the [illegible] with the fact that the charges for the transportation are excessive or unreasonable. [illegible] power is vested in the President [illegible] and to employ foreign vessels, if he [illegible] them, to t[illegible]

It will very probably happen that in t[illegible] plies for our [illegible] and the [illegible] cept in American bottoms.

[illegible]

It strikes me that the two pieces of legislation are in conflict with each other, and that if this measure passes and becomes a law it will nullify the proviso in the bill passed yesterday. I do not know whether the Senator's attention has been called to it, but it [illegible] in some [illegible]

Mr. LODGE. My attention was called to it yesterday by the Senator from Oregon [Mr. MITCHELL], but I do not think [illegible] such conflict. However, if there should be, it would affect t[illegible]

Mr. MALLORY. Would it affect the other act and not this one? Because this [illegible]

Mr. LODGE. No: I do [illegible] all. As I understand it, [illegible] or the [illegible]

Mr. MALLORY. Unless the President finds the charges to be [illegible]

Mr. LODGE. Unless the President should find it necessary to [illegible]

Mr. MALLORY. Then he can employ foreign vessels.

Mr. LODGE. But [illegible]

Mr. MALLORY. You m[illegible]

Mr. MALLORY. Af[illegible]

[illegible] from ports of the [illegible] rily be American vessels. Under the a[illegible] two acts are [illegible]

Mr. LODGE. I understand the Senator to mean that a conflict will arise after 1905 on the exception which can be [illegible] Pr[illegible]

Mr. MALLORY. Yes: that is the point I make; and I think w[illegible]

Mr. LODGE. The Senator thinks that the exception made in the use of the Pr[illegible]

Mr. MALLORY. N[illegible] act is positive and [illegible] in the act we passed yesterday we provided that under certain circumstances they may be transported by foreign ships. If that is n[illegible] and if it does not give rise to a [illegible] as to w[illegible] I am very sure it [illegible]

I [illegible] I want to [illegible]

Mr. LODGE. I think there is a [illegible] that arises there. I

supposed when the Senator began he meant that they would be in conflict before 1905, and I was unable to see how that could happen.

Mr. MALLORY. No; I am speaking of the permanent effect of the two acts.

Mr. LODGE. I see the Senator's point, and I think it could be met by an amendment.

In order to meet the point raised by the Senator from Florida, I move to amend, by inserting in section 1, line 4, after the word "merchandise," the words "except as provided in an act entitled 'An act to prohibit the transportation of vessels of the United States for public purposes.'"

Mr. TELLER. I should like to suggest to the Senator that that bill may never become an act.

Mr. LODGE. I see that difficulty perfectly well, but I see no other way of meeting it.

Mr. TELLER. I think if the Senator would reflect for a moment he would see that he might except supplies for the Army and Navy.

Mr. LODGE. Putting it in that general way, I think the Senator is right and that that would be better.

Mr. MALLORY. That is what I suggested yesterday, and I was trying to get the Senator to see it in that light. I thought he would come around to it, and I am glad he has done so.

Mr. LODGE. I modify the amendment, then, as suggested by the Senator from Colorado, so as to read:

No merchandise, except supplies for the Army or Navy.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 1, line 4, after the word "merchandise," insert "except supplies for the Army or Navy."

Mr. MALLORY. Would not the effect of that be to nullify what we did yesterday? Yesterday we provided that they should not be transported in anything but American vessels, except under certain circumstances. This is an exception generally.

Mr. LODGE. No; it does not say that they shall be transported in foreign ships. It does not say that supplies for the Army and Navy shall be [illegible]

Mr. MALLORY. Has the Senator the bill before him?

Mr. LODGE. I have.

Mr. MALLORY. Will the Senator please read that portion?

Mr. LODGE. It reads as follows:

[illegible] after July 1, 1905—

[illegible]

no merchandise, except supplies for the Army or Navy, shall be transported, etc.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Massachusetts.

The amendment was agreed to.

Mr. ALLISON. Has the Senator already offered an amendment to section 6 this morning?

Mr. LODGE. I have.

Mr. ALLISON. That has been agreed to?

Mr. LODGE. It has been agreed to.

Mr. TELLER. Mr. President, when the bill which passed yesterday was before the Senate several days ago, I made a statement [illegible] there had been a public hearing before the Secretary of War, and I requested the chairman of the committee who had [illegible] from Maine [Mr. HALE], to [illegible] that I had been informed by a person [illegible] that a stenographer had taken it down in [illegible] several gentlemen who were there desirous of [illegible] bill which was then pending [illegible] or who had the bill in charge would not do [illegible] and [illegible] what I thought to be the right of a Senator. I [illegible] a letter to the Secretary of War asking him for a [illegible] the statements so taken before him. I [illegible] which I will read.

WAR DEPARTMENT,
Washington, [illegible], 1904.

[illegible] in [illegible]

[illegible]

Very sincerely, yours,

WM. H. TAFT,
Secretary of War.

Hon. HENRY M. TELLER,
United States Senate.

Mr. President, I want to say that that is quite a remarkable letter. So far as this bill is concerned, it is not a matter of very great consequence, but I wish to enter my protest against that rule being applicable. In all the time I have been in the Senate I have never known an executive officer to decline to give information of this character to a Senator on his invitation by letter or in person. I know of no rule that will authorize the Secretary of War to make such a statement when I write him a letter asking him for that which he has, which is a public matter, not to be covered by secrecy, as it might be contended certain classes of matter before him may be, but a matter entirely public, commented on by the newspapers, persons not connected with the Government at all being present. There is no rule, and never has been, which authorizes any executive officer of this Government to say that he will only give this evidence upon the application of a chairman of a committee or of a Senator in charge of a bill, and I do not believe that there ever will be a rule of that kind recognized by the members of this body.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Maine?

Mr. TELLER. I yield.

Mr. HALE. I have just come into the Chamber. Is the Senator referring to any letter from the Secretary of War with reference to hearings before him in relation to the bill that has just passed the Senate?

Mr. TELLER. I am; in relation to the bill that is before the Senate.

Mr. HALE. I had a letter from him this morning——

Mr. TELLER. It is a copy of this letter, I understand.

Mr. HALE. In which he said that he had written to the Senator from Colorado, but I did not understand from the letter which I received that the Secretary of War is in any way seeking to withhold information. I think he said in it that he judged either from the Senator's letter or from reading the reports in the RECORD that it was uncertain whether the information was to be called for by the chairman of the committee or the Senator in charge of the bill.

Mr. TELLER. Let me read, if the Senator will permit me, what he does say.

Mr. HALE. I shall be very glad to have the Senator read it, because my attention has just been called to it.

Mr. TELLER. After in very polite terms declining to give me the information or send me the papers, he says:

The [illegible] have not—

This is his denial—

[illegible] have not been carefully corrected, but should the [illegible] the chairman of a committee or a Senator having the bill in charge [illegible] him so to do. The Senator was not here when I commenced speaking. I was saying that no such rule has ever existed in my experience in public affairs.

Mr. HALE. No; nor do I think the Secretary of War, who has just come into his place at the head of that Department and who has not had experience in either branch of Congress, means to set up a rule. I think he is entirely sincere about it. I do not think there is anything sinister about his attitude in this matter or that he is attempting in any way to withhold information.

The facts are about as I supposed when it came the other day, that there never had been any regular hearing taken with the intention of reporting it or of having it written out for anybody, but it was only for his own information.

Mr. LODGE. It was informal.

Mr. HALE. It was entirely informal; and as will sometimes happen to any of us in going to a Department——

Mr. TELLER. Oh, no, Mr. President, that is not the fact. I said what I know, that this was a deliberate hearing in which a stenographer was employed and gentlemen interested in this shipping business appeared before the Secretary, made their statements, which were taken down, the Secretary asking some questions and expressing some opinions.

Mr. HALE. I so understand; but I understand that the hearing or the interview, whatever it was, was at the instance of parties who went to the Secretary and wanted to confer with him adout it; that it was not a thing that he had called——

Mr. TELLER. Oh, no.

Mr. HALE. Or that he had appointed a hearing, but that they did, as they do sometimes, take it down, and that is about the end of it, more for his information——

Mr. TELLER. Oh, no, Mr. President.

Mr. HALE. It was not in any way an official or formal matter. I do not think, really, there is anything sought to be kept back. It did not occur to me from my letter, which was a copy of the Senator's letter or the Senator's a copy of mine, that the Secretary in any way intended any such thing. He might have brought out the point he would send it to a committee or to a chairman a little stronger than if he had experience here in the Senate or in the House, but that he intended in any way to keep back information, suppress it, or be guilty in any way of disrespect, either to this body or to the Senator or to any member of the body, I can not in the least believe. I do not think the Secretary is at fault.

Mr. TELLER. Mr. President, I have not concluded what I wanted to say. It will be time enough, I think, for the Senator from Maine to get in his defense of the Secretary when I make an attack on him.

Mr. HALE. I came into the Chamber while the Senator was on the floor, and I did not know even what the Senator was alluding to.

Mr. TELLER. I have not made any attack on him. This hearing was like the hearing before a committee of this body, at the request of people who are opposed to the shipping bill. What was the purpose of taking it down if it was not to affect the mind of the Secretary, who was known to be a pronounced enemy of this bill beyond question?

Mr. HALE. Is the Senator sure that this so-called "hearing" was of persons opposed to the shipping bill, or was it of those in favor of the bill?

Mr. TELLER. I did not mean to say opposed. I meant to say those favoring the bill.

Mr. HALE. I thought the Senator did.

Mr. LODGE. The hearing was of shipping people who favor the bill.

Mr. TELLER. Those who are in favor of the bill. That is what I meant to say, but I said "opposed."

Mr. HALE. It was not a hearing of people opposed to the bill.

Mr. TELLER. There may have been gentlemen opposed to the ideas in question. I do not know about that. I did not ask.

Mr. HALE. I think not.

Mr. TELLER. But, Mr. President, it was well known that the Secretary of War was opposed to this principle to be applied to our shipping. He had expressed himself decidedly as governor of the Philippine Islands. He could not have done so more strongly. Language could hardly be found, I think, that could be more expressive. He comes into the position of Secretary of War untried, I will admit, so far as legislative experience is concerned, and an attempt was made here to make it appear that he had changed his views. I did not believe he had. I do not believe he has now. I believed he had made expressions in that hearing that would indicate he had not changed his views, and that is the reason why I wanted the report of that hearing.

That is not the question now, Mr. President. The question now is whether I transcended my duties or exceeded my rights as a Senator when I called upon him for a report of that hearing, and if I had the right to call, whether he ought not to have sent it.

Now, Mr. President, I have an acquaintance with the Secretary of War of some years' standing. I do not desire to say anything to reflect at all disagreeably on him, for I regard him as a gentleman, a man of high character, as was his father before him, whom I had the pleasure of knowing quite well. But he has probably fallen under the influence of some of his clerks or some others who surround him, who told him that he was not obliged to do this thing. And of course he was not obliged to do it. There is no way by which I can enforce my right if he declines it. I suppose the Senate might do it, but I could not as a Senator simply.

But, Mr. President, this is in keeping somewhat, I will say, with the tendency of this age and day. There has been for the last several years an effort, it seems to me, on the part of the executive branch of the Government—and it is not confined to the present Administration, either—to minimize the rights, duties, and powers of this body. I do not know how far it will go. It has practically destroyed, now, our prerogatives, as we considered them heretofore, in certain directions, because it seems to be sufficient to say in answer to any objection that may be made against certain acts, "Why, the President has considered this matter, and therefore you are excluded from any consideration in that particular." The President has performed the duty the Constitution puts upon us.

Mr. President, I have called the attention of the Senate to this matter because I think it is the right of the Senate and the right of a Senator to have information of this kind, and that it can not be withheld by any executive officer except upon the statement that it belongs to the secret archives of the Government and can not be given to us or to the public compatibly with the public interest and the welfare of the country. Nobody will ever apply that rule to a public hearing in one of the Executive Departments of this Government.

I think I have said all I care to say on the subject. I do not want anyone to go away from here now and say that I am attacking the Secretary, or that I have given any occasion for anyone to think he ought to get up and defend the Secretary. Certainly he does not need any defense until I attack him.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

Mr. PATTERSON. I offer the amendment which I send to the desk as a substitute for the pending bill.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be stated.

The SECRETARY. It is proposed to strike out all after the enacting clause of the bill and insert:

That upon all articles brought or imported into the United States from foreign countries on vessels of the United States upon which import duties are required to be paid a rebate of [illegible] shall be granted and [illegible] Of [illegible] where the specific and ad valorem duties [illegible] such articles amounts to less than 25 per cent of the value of the articles [illegible] per cent where such duties amount to more than 25 per cent of the value of the articles. But this section shall not apply to articles that are admitted into the United States free of duty.

SEC. 2. That upon all vessels not of the United States which carry goods, wares, merchandise, or passengers from any port in the United States to any foreign port there shall be imposed and collected [illegible] for any foreign port a tax of $2 per ton on such vessels [illegible] measurement.

SEC. 3. That it shall be lawful, for the period of three years from the passage of this act, for any bona fide citizen or citizens of the United States or of any foreign country [illegible] engaged in or intending to engage in the business of [illegible] the United States to purchase such vessels and [illegible] to be used and furnished with the [illegible] United States [illegible] vessels [illegible] not less than 1,000 tons [illegible] Provided, That vessels [illegible] shall be considered as a [illegible] of the United States [illegible] upon such vessels [illegible] for the period of three years [illegible] a tax of $2 per ton on [illegible] vessels [illegible] paid a tax of $2 per ton [illegible] Provided, That the [illegible] carry this law into effect [illegible] rules and regulations not inconsistent herewith to be promulgated by him.

SEC. 5. That the President is [illegible] treaties with [illegible] of this act then all such treaties shall be considered as so modified for the [illegible].

SEC. 6. That all acts and parts of acts which shall go into effect immediately, shall not take effect until one year from its passage.

SEC. 7. That all acts and parts of acts so far as they are inconsistent with this act, are hereby repealed.

Mr. LODGE. I move to lay the amendment on the table.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. The Senator from Massachusetts moves to lay the amendment on the table.

Mr. PATTERSON. Mr. President, I desire to be heard.

Mr. LODGE. I did not know the Senator desired to speak to the amendment. I withhold the motion, of course, if the Senator so desires.

Mr. PATTERSON addressed the Senate. After having spoken fifteen minutes.

The PRESIDENT pro tempore. The Senator from Colorado will please suspend. The hour of 4 o'clock has arrived, at which time, by unanimous consent, unobjected pension cases on the Calendar are to be considered.

Mr. McCUMBER. Mr. President, if the Senator from Colorado is not going to speak very long on this matter, I will ask unanimous consent that the pension bills may be temporarily laid aside until the Senator finishes his address.

Mr. PATTERSON. I should prefer, Mr. President, to allow the unfinished business to go over and let the special order take its course.

[Mr. PATTERSON's speech will be found in the Appendix.]

GEORGE W. DAY.

The PRESIDENT pro tempore. The Secretary will state the first unobjected pension bill on the Calendar.

The bill (H. R. 1316) granting an increase of pension to George W. Day was announced as first in order, and the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George W. Day, late corporal company I, Twelfth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

Mr. DOLLIVER. That is a bill which, on a previous day, I asked to have go over for the purpose of finding out the condition of the [illegible]. I ask the attention of the chairman of the committee to the statement.

I received, and have just sent for it, an affidavit which came to me, giving a description of the condition of this pensioner. He is absolutely helpless and requires the constant attendance of somebody to dress and undress him. While he is just able to walk, he is still in need of constant attendance; and I will ask the chairman of the committee to let the amendment of the committee be disagreed to, so that the rate of pension may stand at $40 per month as passed by the House of Representatives.

Mr. McCUMBER. Upon the further evidence that has been furnished in this case, I feel [illegible] me to consent that the amendment be disagreed to.

The amendment was rejected.

Mr. PLATT of Connecticut. May I make an inquiry in regard to the pending pension bill? Is it the increase of a $12 pension [illegible]

Mr. McCUMBER. I have not the report with me at the present time, and I do not remember very well what it is.

Mr. PLATT of Connecticut. I inquire for this reason: There are a good many soldiers pensioned under the act of June 27, 1890, the highest rate under that act being $12, who have become absolutely helpless as arose from service origin, [illegible] $12 per month. I had understood and I [illegible] it was the rule of the committee not to increase a $12 pension granted under the act of June 27, 1890, above $30 per month; and in a case where a soldier is absolutely helpless and requires the constant attendance of another party, I had drawn a bill [illegible] rate, supposing that that was the rule the committee had adopted. There is no question in the condition of this soldier but that under the general law he would be entitled to $72 per month. I had understood, however, that where the pensioners [illegible], the rule was that the pension [illegible] could be increased to $30 a month. I shall make no objection to this bill, but if in such cases the rate is to be $40 per month, I want to have the pensioner under my bill pensioned at that rate.

Mr. McCUMBER. I will state to the Senator that, while there are no printed or written rules in reference to the exact amounts that will be allowed in cases of this kind, the general rule that has been adopted by the committee has been that where the soldier has [illegible] the law of [illegible] any [illegible] origin of his complaint, nevertheless, where he is totally unable to perform any manual labor whatever the rate allowed shall range from $24 to $30 per month, depending upon the length of his service. If, in addition to this utter inability to perform any labor, his condition is such that he requires the help of another, so as to require the aid and assistance of a third person, we then allow a sum above $30 a month that will be commensurate with his condition, or such as will pay for the necessary attendance and service that he must obtain to take care of him.

Mr. PLATT of Connecticut. Under these circumstances, I [illegible] the bill in the case to which I have referred, and introduce one fixing the rate at $72 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. GREGORY.

The bill (S. 3690) granting an increase of pension to George W. Gregory, was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to insert "I;" [illegible] the word "Infantry," to strike out "Mexican;" and in the same line, after the word "war," to insert "with Mexico;" so as to make the bill read:

[illegible] him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW JACKSON POWER.

The bill (S. 236) granting an increase of pension to Andrew Jackson Power was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to strike out "K" and insert "G;" in line 7, after the word "Infantry," to strike out "Mexican;" in the same line, after the word "war," to insert "with Mexico;" and in line 9, before the word "dollars," to strike out "forty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew Jackson Power, late of Company G, Third Regiment Kentucky Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SYLVANIA S. CHENEY.

The bill (S. 3936) granting an increase of pension to Sylvania S. Cheney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the words "widow of," to strike out "Major;" in line 7, before the word "First," to strike out "of" and insert "major;" and in line 9, before the word "dollars," to strike out "thirty-five" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sylvania S. Cheney, widow of Major Samuel Cheney, late of Company I, Twelfth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CLARA G. GARRETSON.

The bill (S. 3894) granting a pension to Clara G. Garretson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "captain," to strike out "of;" in the same line, before the word "Indiana," to insert "Regiment;" and in line 9, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Clara G. Garretson, widow of Captain Jacob Garretson, late of Company [illegible] Regiment Indiana Volunteers, and pay her a pension at the rate of $20 per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE T. EDWARDS.

The bill (S. 3[illegible]) granting an increase of pension to George T. Edwards was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to strike out "of" and insert "[illegible]" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George T. Edwards, late corporal Company A, [illegible] Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading read the third time, and passed.

EPHRAIM L. HERRIOTT.

The bill (S. 883) granting a pension to E. Laurence Herriott was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ephraim L. Herriott, late musician Company [illegible], United States Army, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Ephraim L. Herriott."

JAMES GARRY.

The bill (S. 2930) granting an increase of pension to James Garry was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "late," to strike out the name "Gary" and insert "Garry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Regiment New York Volunteer [illegible] and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to James Garry."

ORRIN L. MANN.

The bill (S. 3500) granting an increase of pension to Orrin L. Mann was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "one hundred" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELI HEADLEY.

The bill (S. 3527) granting an increase of pension to Eli Headley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HANNAH HALL.

The bill (S. 3654) granting a pension to Hannah Hall was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, after the word "month," to insert "and $2 per month additional on account of the minor children of said Joder W. Hall until they reach the age of 16 years;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Joder W. Hall [illegible] and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving, and $2 per month additional on account of the minor children of said Joder W. Hall until they reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES L. ACKLEY.

The bill (S. 2928) granting an increase of pension to James L. Ackley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James L. Ackley, late second lieutenant Company [illegible] First Regiment Wisconsin Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JULIUS BODENSTAB.

The bill (S. 2937) granting an increase of pension to Julius Bodenstab was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "lieutenant," to strike out "of;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ONNE H. ROPKA.

The bill (S. 2857) granting an increase of pension to Onne H. Ropka was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Onne H. Ropka, late of Company M, Fourteenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RUBY A. STIRDIVANT.

The bill (S. 3519) granting a pension to Ruby A. Stirdivant was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ruby A. Stirdivant, widow of William Stirdivant, late of Company F, Forty-eighth Regiment Wisconsin Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. HOWARD.

The bill (S. 3978) granting an increase of pension to George W. Howard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Howard, late of Company D, Forty-ninth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS P. WENTWORTH.

The bill (S. 1436) granting an increase of pension to Thomas P. Wentworth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas P. Wentworth, late of Company H, Twenty-first Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $[illegible] per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH B. CRAWFORD.

The bill (S. [illegible]) granting an increase of pension to Joseph B. Crawford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph B. Crawford, late of Company A, Seventy-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RINALDO M. GRISWOLD.

The bill (S. 454) granting an increase of pension to Rinaldo M. Griswold was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rinaldo M. Griswold, late of Company G, One hundred and thirty-sixth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HAMILTON S. GILLESPIE.

The bill (S. 2348) granting an increase of pension to Hamilton S. Gillespie was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hamilton S. Gillespie, late captain Company B, second lieutenant and First Regiment Ohio Volunteers Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DANIEL B. BAILEY.

The bill (S. 140) granting an increase of pension to Daniel B. Bailey was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Daniel B. Bailey, late of Company B, Sixty-first Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STERLING L. PARKER.

The bill (S. 3979) granting an increase of pension to Sterling L. Parker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "and Company B, First Battalion Dakota Volunteer Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company B, First Battalion Dakota Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LUTHER S. BAKER.

The bill (S. 3977) granting an increase of pension to Luther S. Baker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] and limitations of the pension laws, the name of Luther S. Baker, late [illegible] Company H, [illegible] and pay him a pension at the rate of $24 per month, in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JUSTIN M. COOPER.

The bill (S. 2871) granting an increase of pension to Justin M. Cooper was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company H, One hundred and twenty-ninth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALBERT SCHERMERHORN.

The bill (S. 2872) granting an increase of pension to Ruth A. Schermerhorn was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert Schermerhorn, late of Company C, Forty-second Regiment New York Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving, payable to his duly constituted guardian.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Albert Schermerhorn."

RICHARD F. NUGENT.

The bill (S. 3896) granting an increase of pension to R. F. Nugent was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Richard F. Nugent, late captain Company D, Fourth Regiment Indiana Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Richard F. Nugent."

FLORENCE E. FOSTER.

The bill (S. 3949) granting a pension to Florence E. Foster was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Florence E. Foster, widow of [illegible] Company I, Ninety-third Regiment United States Colored Infantry, and pay her a pension at the rate of $[illegible] per month, and $2 additional on account of her minor child [illegible] United States, until such child shall reach the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE COFFEE.

The bill (S. 3878) granting an increase of pension to George Coffee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Regiment United States Colored Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY E. NESMITH.

The bill (S. 4329) granting an increase of pension to Mary E. Nesmith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "quartermaster," to insert "first lieutenant and regimental;" and in line 10, before the word "dollars," to strike out "forty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Company [illegible] Regiment New Hampshire Volunteer Infantry, and captain and assistant quartermaster, [illegible] Volunteers Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LOUIS GROVERMAN.

The bill (S. 4246) granting an increase of pension to Louis Groverman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Infantry," to strike out "of" and insert "United States;" and in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Louis Groverman, late of Company C, First Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CYRUS Q. LEMMOND.

The bill (S. 3879) granting an increase of pension to C. Q. Lemmond was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, after the word "of," to strike out the letter "C." and insert the name "Cyrus;" and in line 8, before the word "dollars," to strike out "thirty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Cyrus Q. Lemmond, late of Company A, Third Regiment United States Dragoons, war with Spain, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Cyrus Q. Lemmond."

GARRETT V. CHAMBERLIN.

The bill (S. 3417) granting a pension to Garrett V. Chamberlin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "Infantry," to insert "war with Spain;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions of and limitations of the pension laws, the name of Garrett V. Chamberlin, late of Company D, First Regiment West Virginia Volunteer Infantry, war with Spain, and pay him a pension at the rate of $10 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM H. COLLINGWOOD.

The bill (S. 4254) granting an increase of pension to William H. Collingwood was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "Company E" and insert "captain Company;" and in line 9, before the word "dollars," to strike out "twenty-five" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William H. Collingwood, late captain Company E, Second Regiment West Virginia Volunteer Infantry, war with Spain, and pay him a pension at the rate of $25 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN C. FELTON.

The bill (S. 3774) granting an increase of pension to John C. Felton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of Company A and" and insert "captain Company;" and in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John C. Felton, late captain Company A, Third Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSHUA DAY.

The bill (S. 2946) granting an increase of pension to Joshua Day was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry;" and in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joshua Day, late of Company I, Seventh Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

STALNAKER MARTENEY.

The bill (S. 1667) granting a pension to Stalnaker Marteney was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Stalnaker Marteney, late of Company [illegible], Second Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ISAAC ZELLERS.

The bill (S. 2655) granting an increase of pension to Isaac Zellers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars" to strike out "twenty" and insert "twenty-four;" so as to make the bill:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Isaac Zellers, late of Company [illegible], Second Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB HORNING.

The bill (S. 2960) granting an increase of pension to Jacob Horning was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line [illegible] after the word "dollars," to strike out "twenty" and insert: [illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOSEPH W. BUTZ.

The bill (S. 3720) granting an increase of pension to Joseph W. Butz was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Joseph W. Butz, late of Company [illegible], Second Regiment West Virginia Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SARAH L. AUGUR.

The bill (S. 4317) granting an increase of pension to Sarah L. Augur was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah L. Augur, widow of William H. Augur, late first lieutenant and regimental quartermaster Seventh Regiment Connecticut Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL H. LEGROW.

The bill (S. 2320) granting an increase of pension to Samuel H. Legrow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. Legrow, late of Company B, Eighth Regiment Maine Volunteer Infantry,

and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

VIRGINIA C. SPENCER.

The bill (S. 3771) granting an increase of pension to Virginia C. Spencer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "late," to strike out "of" and insert "first lieutenant:" and in line 9, before the word "dollars," to strike out "twenty-five" and insert "seventeen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Virginia C. Spencer, widow of Lewis L. Spencer, late first lieutenant Company [illegible], Fifth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $17 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM J. P. BUCK.

The bill (S. 2952) granting an increase of pension to William J. P. Buck was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Connecticut," to insert "Volunteer;" and in line 8, before the word "dollars," to strike out "seventy-two" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William J. P. Buck, late of Company D, Second Regiment Connecticut Volunteer Heavy Artillery, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

Mr. PLATT of Connecticut. Mr. President, a little while ago, on the ground of helplessness, a bill for a soldier in Iowa was passed at $40. I wish to call attention to the report of the committee in this case:

The Committee on Pensions, to whom was referred the bill (S. 2952) granting an increase of pension to William J. P. Buck, have examined the same and report:

I introduced the bill at $72 per month.

This bill as amended proposes to increase from $12 to $24 per month the pension of William J. P. Buck, late of Company D, Second Regiment Connecticut Volunteer Heavy Artillery, who served from January 4, 1864, to August 9, 1865, when honorably discharged.

[illegible] is now receiving the maximum pension [illegible] June 27, 1890. He is 7[illegible] years of age, [illegible] in [illegible] other infirmities of old age. He has never made claim under the general law.

He is a poor man, without a home, and now lives with a son, who works in a factory.

It seems to me that this case is just as deserving as the first one passed this afternoon at $40.

Mr. McCUMBER. I will state to the Senator that the distinction between that case and the present one is this, and it is a distinction which has been considered in every case: First, the length of service in this case, I believe, was about a year or less than a year.

Mr. PLATT of Connecticut. Less than a year.

Mr. McCUMBER. Second, there is no evidence in the report of the committee showing the necessity for any outside assistance. In other words, while the pensioner is unable to perform any manual labor, I believe there is nothing in the report which shows that it is necessary to have anyone else to take care of him.

Mr. PLATT of Connecticut. I would suppose that it was not necessary to have much evidence of that if both legs are off and he is 77 years old, and is deaf and has other infirmities.

Mr. SPOONER. How old is he?

Mr. PLATT of Connecticut. Seventy-seven years. He has had both legs amputated, there is a great degree of deafness, and there are other infirmities. In view of that fact, it seems to me the committee ought not to have required positive evidence that he needed the constant aid and attendance of another person.

Mr. McCUMBER. I think the Senator can call to mind many persons who, having lost both legs, do not need the constant aid and attendance of another person. At least there is nothing in the report of the committee which shows that this applicant does need such constant aid, and it does not follow as a matter of course because of the loss of both legs that he does need such constant aid and attendance.

However, if the Senator feels that the rate should be raised above $24, I shall not object in this case.

Mr. PLATT of Connecticut. It should be at least $30.

Mr. McCUMBER. If the Senator will move to make it $30 I shall not object.

Mr. PLATT of Connecticut. I move to amend the committee amendment by striking out "twenty-four" and inserting "thirty."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

HANNAH SMALL WIGGIN.

The bill (S. 4237) granting a pension to Martha Small Wiggin was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Hannah Small Wiggin, dependent mother of John S. Wiggin, late captain Company I, Third Regiment Maine Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting a pension to Hannah Small Wiggin."

MARCELLUS M. PARKER.

The bill (S. 3457) granting an increase of pension to Marcellus M. Parker was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, after the word "Cavalry," to insert "and Signal Corps, United States Army;" and in line 9, before the word "dollars," to strike out "fifty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Marcellus M. Parker, late of Company D, First Regiment Maine Volunteer Cavalry, and Signal Corps, United States Army, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL F. MURRY.

The bill (S. 1423) granting an increase of pension to Samuel F. Murry was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "captain," to strike out "of;" and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel F. Murry, late captain Company F, Second Regiment United States Sharpshooters, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN SHEHAN.

The bill (H. R. 1764) granting an increase of pension to John Shehan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Shehan, late of Company A, Twenty-third Regiment, and Company A, Twenty-ninth Regiment Maine Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN WALTON.

The bill (S. 3535) granting an increase of pension to John Walton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions

and limitations of the pension laws, the name of John Walton, late of Company B, [illegible] Connecticut Volunteer Infantry, and pay him a pension [illegible] per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NORMAN B. DAVENPORT.

The bill (S. 2827) granting an increase of pension to Norman B. Davenport was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Norman B. Davenport, late of Company [illegible], Vermont Volunteers, Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MILDRED S. OGDEN.

The bill (S. 3851) granting an increase of pension to Mildred S. Ogden was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mildred S. Ogden, widow of [illegible] Company [illegible], Illinois Volunteers, and pay her a pension at the rate of [illegible] per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

MARY REMINGTON.

The bill (S. 1959) granting a pension to Mary Remington was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mary Remington, widow of [illegible], late of Company M, [illegible] Volunteers, Heavy Artillery, war with Mexico, and pay her a pension at the rate of [illegible] per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ORSON H. SAWTELLE.

The bill (S. 1388) granting an increase of pension to Orson H. Sawtelle was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Orson H. Sawtelle, late of Company [illegible], Massachusetts Volunteers, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PHEBE A. FORD.

The bill (S. 750) granting an increase of pension to Phebe A. Ford was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, after the word "late," to strike out "of" and insert "of;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Phebe A. Ford, widow of Lewis Ford, late of Company [illegible], Illinois Volunteers, Volunteer Infantry, and pay her a pension at the rate of $[illegible] per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JESSE B. NURSE.

The bill (S. 569) granting an increase of pension to Jesse B. Nurse was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jesse B. Nurse, late of Company C, Fifth Regiment Rhode Island Volunteers, Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMPSON WARREN.

The bill (S. 1899) granting an increase of pension to Thompson Warren was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thompson Warren, late of Company [illegible], Massachusetts Volunteers, Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES BOWRING.

The bill (S. 3149) granting an increase of pension to Charles Bowering was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles Bowring, late of Company [illegible], First Regiment Rhode Island Volunteers, Volunteer Infantry, and pay him a pension at the rate of $[illegible] per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Charles Bowring."

MARY E. RILEY.

The bill (S. 1661) granting an increase of pension to Mary E. Riley was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 8, before the word "and," to strike out "Indian war" and insert "war with Mexico," and in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

[illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES HENRY MARTINEAU.

The bill (S. 3860) granting a pension to James Henry Martineau was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "Company," to strike out "private" and insert "recruit;" and in line 7, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

[illegible] Regiment, Heavy Artillery, and Company [illegible], Regiment Rhode Island Volunteers, Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $[illegible] per month.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALISON CLIFTON.

The bill (S. 4371) granting a pension to Alison Clifton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "sixteen" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Alison Clifton, late of Company [illegible], Massachusetts Volunteers, and pay him a pension at the rate of $12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIAS S. GIBSON.

The bill (S. 827) granting an increase of pension to Elias S. Gibson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty" and insert "twenty;" so as to make the bill read:

[illegible] 7, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Elias S. Gibson, late of Company [illegible], Massachusetts Volunteers, Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE W. PHILLIPS.

The bill (S. 3041) granting an increase of pension to George W. Phillips was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

[illegible] per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PETER P. DOBOZY.

The bill (S. 2029) granting an increase of pension to Peter P. Dobozy was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "Fourth," to strike out "of the;" and in line 7, after the word "Colored," to insert "Volunteer;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Peter P. Dobozy, late Hospital Steward, Fourth Regiment United States Colored Heavy Artillery, and pay him a pension at the rate of $[illegible] per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JAMES I. SHAFER.

The bill (S. 3201) granting an increase of pension to James I. Shafer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, before the word "of" where it occurs the second time, to strike out "a private" and insert "late;" and in line 8, before the word "Company," to strike out "a private of;" so as to make the bill read:

[illegible] Company [illegible], Regiment Illinois Volunteers, Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADDISON B. STONE.

The bill (H. R. 2204) granting an increase of pension to Addison B. Stone was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Addison B. Stone, late of Company E, One hundred and forty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. BENEFIEL.

The bill (H. R. 807) granting an increase of pension to William F. Benefiel was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

[illegible] per month in lieu of that he is now receiving.

Mr. McCUMBER. From new evidence which has been presented, taken in connection with the report already made, I hope the amendment will be rejected.

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PHILLIP DUTTENHAVER.

The bill (H. R. 3011) granting an increase of pension to Phillip Duttenhaver was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

[illegible] per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

PENSION MONEY DUE INMATES OF INSANE ASYLUMS.

The bill (S. 3781) relating to the payment and disposition of pension money due to inmates of the Government Hospital for the Insane was announced as the next business in order on the Calendar.

The PRESIDENT pro tempore. That is not one of the cases.

Mr. PLATT of Connecticut. That is general legislation.

Mr. KEAN. It is general legislation.

WILLIAM R. BURTON.

The bill (H. R. 4466) granting an increase of pension to William R. Burton was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of William R. Burton, late of Company D, Sixteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS E. M'INTIRE.

The bill (H. R. 1275) granting an increase of pension to Thomas E. McIntire was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas E. McIntire, late of Company E, Seventieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY KORTH.

The bill (H. R. 2995) granting a pension to Mary Korth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Korth, widow of Frederick Korth, late teamster in the United States service, who was permanently disabled by gunshot wounds received at the hands of hostile Sioux Indians, at the Lower Sioux agency, during the Sioux outbreak of 1862 in Minnesota, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLINTON M. CASEY.

The bill (H. R. 3769) granting an increase of pension to Clinton M. Casey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Clinton M. Casey, late of Company G, Twentieth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NICHOLAS SCHWEMLER.

The bill (H. R. 4391) granting an increase of pension to Nicholas Schwemler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nicholas Schwemler, late of Company H, Second Regiment Michigan Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES G. CORR.

The bill (H. R. 6951) granting an increase of pension to Charles G. Corr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles G. Corr, late of Company G, Fourth Regiment Indiana Volunteer Infantry, war with Mexico, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES SMITH.

The bill (H. R. 7436) granting an increase of pension to James Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Smith, late of Company E, Third Regiment Iowa Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA MULLINS.

The bill (H. R. 10192) granting a pension to Martha Mullins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha Mullins, widow of Joab Mullins, late of Company F, Eighth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANCES C. M'FARLAND.

The bill (H. R. 10991) granting an increase of pension to Frances C. McFarland was considered as in Committee of the Whole. It proposes to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Frances C. McFarland, widow of William McFarland, late of Company B, Eighteenth Regiment Indiana Volunteer Infantry, and to pay her a pension of $24 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of James McFarland, helpless and dependent child of said William McFarland, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Frances C. McFarland the name of said James McFarland shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $12 per month from and after the date of death of said Frances C. McFarland.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ORY WARRINER.

The bill (H. R. 1566) granting an increase of pension to Ory Warriner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ory Warriner, late of the United States ships *Clara Dolsen*, *Chickasaw*, and *Red Rover*, United States Navy, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN THOMPSON.

The bill (H. R. 4674) granting an increase of pension to John Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Thompson, late of Company I, One hundred and sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISAAC FRAZIER.

The bill (H. R. 3936) granting an increase of pension to Isaac Frazier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac Frazier, late of Company B, Tenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. HACKETT.

The bill (H. R. 6602) granting an increase of pension to Benjamin F. Hackett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Hackett, late of Company F, Twelfth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLIS T. PEIRCE.

The bill (H. R. 1566) granting an increase of pension to Ellis T. Peirce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellis T. Peirce, late of Company C, Thirty-ninth Regiment Missouri Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SAMUEL G. WOODS.

The bill (H. R. 8284) granting an increase of pension to Samuel G. Woods was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel G. Woods, late of Company I, Fifth Regiment Iowa Volunteer Infantry, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HARRIET S. PACKARD.

The bill (H. R. 2470) granting an increase of pension to Harriet S. Packard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet S. Packard, widow of Jasper Packard, late captain Company B, Forty-eighth Regiment, and One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. FOLAND.

The bill (H. R. 4151) granting an increase of pension to John W. Foland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Foland, late of Company E, Thirty-fourth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN LAKE.

The bill (H. R. 4198) granting an increase of pension to Edwin Lake was considered as in Committee of the Whole. It proposes

to place on the pension roll the name of Edwin Lake, late of Company D, Sixteenth Regiment Vermont Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ABBIE E. WEBSTER.

The bill (H. R. 4392) granting a pension to Abbie E. Webster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abbie E. Webster, widow of Byron H. Webster, late of Company [illegible], Illinois [illegible], ordered to a third reading, read the third time, and passed.

WILLIAM S. KING.

The bill (H. R. 9125) granting an increase of pension to William S. King was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William S. King, late captain Company A, One hundred and fifty-sixth Regiment Indiana Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CYRUS B. DOPP.

The bill (H. R. 1287) granting an increase of pension to Cyrus B. Dopp was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cyrus B. Dopp, late of Company G, [illegible] Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN T. COLLINS.

The bill (H. R. 4702) granting an increase of pension to John T. Collins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John T. Collins, late of Company B, Seventieth Regiment Indiana Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY FRAZIER.

The bill (H. R. 9710) granting an increase of pension to Henry Frazier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Frazier, late of Company B, Tenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $10 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARION ARNOLD.

The bill (H. R. 10682) granting an increase of pension to Marion Arnold was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marion Arnold, late of Company H, First Regiment Ohio Volunteer Light Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANKLIN FERGUSON.

The bill (H. R. 1485) granting an increase of pension to Franklin Ferguson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Franklin Ferguson, late of Company C, Seventh Regiment Indiana Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM F. THOMPSON.

The bill (H. R. 2947) granting an increase of pension to William F. Thompson was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars" to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

[illegible] That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll, subject to the provisions and limitations of the pension laws, the name of William F. Thompson, late of Company [illegible] Regiment Missouri Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ANN M. DELAMATER.

The bill (H. R. 8779) granting a pension to Ann M. Delamater was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ann M. Delamater, widow of Daniel Delamater, late of Captain Evans's company, Georgia Volunteers, Creek Indian war, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAROLINE S. WINN.

The bill (H. R. 880) granting a pension to Caroline S. Winn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline S. Winn, widow of David B. Winn, late of Captain Lucas's company, Georgia Volunteers, Creek Indian war, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THADDEUS S. COLLINS.

The bill (H. R. 4[illegible]) granting an increase of pension to Thaddeus S. Collins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thaddeus S. Collins, late of Company [illegible], One hundred and sixteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN F. SLADE.

The bill (H. R. 4314) granting an increase of pension to John F. Slade was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John F. Slade, late of Company D, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM J. JACKSON.

The bill (H. R. 4750) granting a pension to William J. Jackson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William J. Jackson, late an enlisted private, United States Army, war with Mexico, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AMANDA SKINNER.

The bill (H. R. 4540) granting a pension to Amanda Skinner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amanda Skinner, widow of John Skinner late of Company C, First Regiment Florida Volunteer Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT S. ELMORE.

The bill (H. R. 5045) granting an increase of pension to Albert S. Elmore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert S. Elmore, late of Capt. Rush Elmore's company, Fifth Regiment Louisiana Volunteers, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. ERWIN.

The bill (H. R. 5149) granting an increase of pension to John W. Erwin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Erwin, late of Company B, First Regiment Vermont Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LAFAYETTE M. GREENE.

The bill (H. R. 2930) granting an increase of pension to Lafayette M. Greene was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lafayette M. Greene, late of Company K, Fifth Regiment Connecticut Volunteer Infantry, and to pay him a pension of $10 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. WILLEY.

The bill (H. R. 719) granting an increase of pension to John H. Willey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Willey, late of Company B, Twenty-fourth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $60 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARCELINE P. HAMILTON.

The bill (H. R. 10985) granting a pension to Marceline P. Hamilton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marceline P. Hamilton, widow of William H. Hamilton, late captain Company F, Third Regiment Connecticut Volunteer Infantry, war with Spain, and to pay her a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK A. SLOCUM.

The bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick A. Slocum, late of Company B, Seventh Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $17 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK L. GRAY.

The bill (H. R. 720) granting an increase of pension to Frank L. Gray was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank L. Gray, late of Company E, Sixth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $10 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREEMAN YORK.

The bill (H. R. 910) granting an increase of pension to Freeman York was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Freeman York, late of Company I, Nineteenth Regiment Maine Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DENISON L. BROWN.

The bill (H. R. 1314) granting a pension to Denison L. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Denison L. Brown, late of Company H, Twenty-first Regiment Connecticut Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM L. WHEELER.

The bill (H. R. 4642) granting an increase of pension to William L. Wheeler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Wheeler, late of Company D, Twenty-sixth Regiment Maine Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT W. BRADBURY.

The bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert W. Bradbury, late of First Battery Maine Volunteer Light Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM CASSIDY.

The bill (H. R. 5750) granting an increase of pension to William Cassidy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Cassidy, late of Company I, Sixth Regiment United States Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY H. BARRETT.

The bill (H. R. 4589) granting a pension to Henry H. Barrett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry H. Barrett, late of Capt. R. L. Williams's company, Ninth Regiment Oregon Militia Volunteers, Oregon Indian war, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN I. RUNDBERG.

The bill (H. R. 8984) granting an increase of pension to John I. Rundberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John I. Rundberg, late of Company G, Second Regiment Massachusetts Volunteer Infantry, war with Mexico, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LORISTON W. ADKINS.

The bill (H. R. 9778) granting an increase of pension to Loriston W. Adkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Loriston W. Adkins, late of Company B, One hundred and twenty-second Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID T. TOWLES.

The bill (H. R. 1851) granting an increase of pension to David T. Towles was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-six and a half" thirty," so as to make the bill read:

[illegible]

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

It was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

MARTHA M. PIERCE.

The bill (H. R. 4679) granting an increase of pension to Martha M. Pierce was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha M. Pierce, widow of [illegible], late captain Company [illegible], One hundred and [illegible] Regiment Ohio Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM E. ARMSTRONG.

The bill (H. R. 2769) granting an increase of pension to William E. Armstrong was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. Armstrong, late of Company M, Second Regiment Maryland Volunteer Infantry, war with Spain, and to pay him a pension of $50 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM G. CRONKITE.

The bill (H. R. 2573) granting an increase of pension to William G. Cronkite was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William G. Cronkite, late of Company C, First Regiment United States Volunteer Sharpshooters, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISABELLA PHELPS.

The bill (H. R. 4624) granting a pension to Isabella Phelps was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isabella Phelps, widow of William H. Phelps, late of Company G, First Regiment Michigan Volunteer Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM BROWN.

The bill (H. R. 4449) granting an increase of pension to William Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Brown, late first lieutenant Company F, Thirteenth Regiment Michigan Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE G. NORWOOD.

The bill (H. R. 7368) granting a pension to Annie G. Norwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie G. Norwood, widow of Randolph Norwood, late captain, Second Regiment United States Cavalry, and to pay her a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH ADAMS.

The bill (H. R. 3370) granting an increase of pension to Joseph Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Adams, late of Company I, Seventh Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA C. KUHN.

The bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha C. Kuhn, widow of Henry H. Kuhn, late second lieutenant Company H, Eighth Regiment United States Veteran Reserve Corps, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH G. THOMAS.

The bill (H. R. 4180) granting an increase of pension to Joseph G. Thomas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph G. Thomas, late of Company I, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NICHOLAS REINHART.

The bill (H. R. 783) granting an increase of pension to Nicholas Reinhart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nicholas Reinhart, late of Company K, Fifty-first Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NORA J. GLAHN.

The bill (H. R. 2001) granting an increase of pension to Nora J. Glahn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nora J. Glahn, widow of Henry Glahn, late first lieutenant Company A, Second Regiment Pennsylvania Volunteer Heavy Artillery, and to pay her a pension of $15 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

REUBEN A. FINNELL.

The bill (H. R. 6879) granting a pension to Reuben A. Finnell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Reuben A. Finnell, late of Company B, First Regiment Washington Territory Volunteers, Oregon and Washington Territory Indian war, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH F. CARTER.

The bill (H. R. 4710) granting an increase of pension to Joseph F. Carter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph F. Carter, late captain Company D, Third Regiment Maryland Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH ULSHAFER.

The bill (H. R. 5006) granting a pension to Sarah Ulshafer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah Ulshafer, widow of Jacob Ulshafer, alias Jacob Banks, late of Company A, Fourth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM MERCER.

The bill (H. R. 4119) granting an increase of pension to William Mercer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Mercer, late of Company E, One hundred and twenty-fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILFRED C. M'CARDELL.

The bill (H. R. 4326) granting an increase of pension to Wilfred C. McCardell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Wilfred C. McCardell, late of Company I, First Regiment Maryland Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANDREW BARR.

The bill (H. R. 859) granting an increase of pension to Andrew Barr was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Andrew Barr, late of Company E, Eleventh Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE HAYDEN.

The bill (H. R. 3909) granting an increase of pension to George Hayden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Hayden, late of Company D, Tenth Regiment Pennsylvania Reserve Volunteer Infantry, and Company B, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELI LACHMAN.

The bill (H. R. 789) granting an increase of pension to Eli Lachman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eli Lachman, late of Company F, Third Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES W. HOFFMAN.

The bill (H. R. 3910) granting an increase of pension to Charles W. Hoffman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Hoffman, late of Company E, One hundred and fourth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DANIEL NAGLE, JR.

The bill (H. R. 3402) granting an increase of pension to Daniel Nagle, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Nagle, jr., late of Company B, First Regiment Pennsylvania Volunteer Infantry, war with Mexico, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARAB E. POWELL.

The bill (H. R. 1005) granting an increase of pension to Marab E. Powell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Marab E. Powell, widow of William H. Powell, late colonel Ninth Regiment United States Infantry, and to pay her a pension of $40 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES E. MINK.

The bill (H. R. 4964) granting an increase of pension to Charles E. Mink was considered as in Committee of the Whole. It pro-

pass to place on the pension roll the name of Charles E. Mink, late captain Company H, First Regiment New York Volunteer Engineers Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time and passed.

JANE E. SUTFIN.

The bill (H. R. 5342) granting a pension to Jane E. Sutfin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane E. Sutfin, widow of Richard Sutfin, late of Company B, One hundred and [illegible] Regiment New York Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN CONNORS.

The bill (H. R. 9[illegible]) granting an increase of pension to John Connors was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Connors, late of the Corps of Marines, United States Navy, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN F. LYNCH.

The bill (H. R. 7063) granting a pension to Ellen F. Lynch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen F. Lynch, widow of [illegible] Lynch, late second lieutenant Company I, One hundred and sixty-[illegible] Regiment New York Volunteers [illegible] Civil War, and to pay her a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NOTTIE A. BUELL.

The bill (H. R. [illegible]) granting a pension to Nottie A. Buell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nottie A. Buell, widow of [illegible] Buell, late [illegible] Regiment New York Volunteer Infantry, and to pay her a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PRUDENTIA L. D. NUGENT.

The bill (H. R. 491[illegible]) granting an increase of pension to Prudentia L. D. Nugent was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Prudentia L. D. Nugent, widow of [illegible] Nugent, late [illegible] Regiment New York Volunteers, United States Volunteers, and to pay her a pension of $[illegible] per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLA D. MADDEN.

The bill (H. R. 10[illegible]) granting a pension to Ella D. Madden was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella D. Madden, widow of Robert F. Madden, late [illegible] Regiment New Jersey Volunteer Infantry, and to pay her a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

R. BARRY C. IVORY.

The bill (H. R. 2116) granting an increase of pension to Richard C. Ivory was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Richard C. Ivory, late first lieutenant Company G, Twenty-second Regiment [illegible] Company E, Twenty-second and Seventy-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM D. TAYLOR.

The bill (H. R. 9[illegible]) granting an increase of pension to William D. Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William D. Taylor, late second lieutenant Company F, One hundred and [illegible] Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOSES HURLBUT.

The bill (H. R. 10794) granting an increase of pension to Moses Hurlbut was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Moses Hurlbut, late [illegible] G, One hundred and ninth Regiment New York Volunteer Infantry, and to pay him a pension of $[illegible] per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. MOUNT.

The bill (H. R. 5020) granting a pension to William H. Mount was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Mount, late of [illegible] Regiment New York Volunteers, and to pay him a pension [illegible] with Spain.

Mr. PLATT of Connecticut. I will inquire of the chairman of the committee whether this bill [illegible] a pensionable status. There is no report mentioned. I do not know what the effect of the bill would be.

Mr. McCUMBER. The only effect would be to place Mr. Mount upon the pension roll. As I understand the bill as it was drawn I did not have my attention called to it before; it gives him simply a pensionable status, and the Department then will grant such [illegible].

Mr. COCKRELL. Let the bill be read again.

The Secretary again read the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION.

Mr. SPOONER. Will the Senator from North Dakota kindly [illegible]? I should like to move that the Senate proceed to the consideration of executive business, simply in order that I may make a report. I am not well, and I would be glad to do it now.

Mr. McCUMBER. I am very glad to yield to the Senator from Wisconsin for that purpose, under the circumstances.

Mr. SPOONER. [illegible] proceed to the consideration of executive business.

[illegible] motion was agreed to, and the Senate proceeded to the consideration [illegible] for five minutes spent in executive session the doors were reopened.

WILLIAM HERLINGER.

The bill (H. R. 4605) granting an increase of pension to William Herlinger was considered in Committee of the Whole. It proposes to place on the pension roll the name of William Herlinger, late of Company L, Ninth [illegible] him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTHA E. NOLL.

The bill (H. R. 8922) granting a pension to Martha E. Noll was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martha E. Noll, widow of [illegible] Noll, late [illegible] New York Volunteers, and to pay her a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGIA A. WHITE.

The bill (H. R. [illegible]) granting a pension to Georgia A. White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Georgia A. White, widow of [illegible] White, late [illegible] Regiment New Jersey Volunteers, and to pay her a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. REED.

The bill (H. R. 14[illegible]) granting a pension to John H. Reed was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John H. Reed, late [illegible] Company G, First Regiment Arkansas Volunteer Cavalry, and to pay him a pension of $[illegible] per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM H. ANDERSON.

The bill (H. R. 5[illegible]) granting an increase of pension to William H. Anderson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Anderson, late of Company H, First Regiment Tennessee Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM O. SMITH.

The bill (H. R. 2192) granting an increase of pension to William O. Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William O. Smith, late of Company D, Second Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ENOS D. HOGE.

The bill (H. R. 7410) granting an increase of pension to Enos D. Hoge was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Enos D. Hoge, late first lieutenant Company H, One hundred and tenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH BRANEN.

The bill (H. R. 9035) granting an increase of pension to Joseph Branen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph Branen, late of Company A, Sixth Regiment Indiana Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM LECHLEIDNER.

The bill (S. 836) granting an increase of pension to William Lechleidner was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 5, after the word "late," to strike out "of" and insert "captain;" and in line 7, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William Lechleidner, late captain Company K, Third Regiment New Jersey Volunteer Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANSEL J. BUSBY.

The bill (S. 4455) granting an increase of pension to Ancil J. Busby was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "of," to strike out the name "Ancil" and insert "Ansel;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Ansel J. Busby, late of Company H, Seventeenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill granting an increase of pension to Ansel J. Busby."

SARAH A. GILLHAM.

The bill (S. 885) granting a pension to Sarah A. Gillham was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 9, before the word "dollars," to strike out "thirty" and insert "twenty;" and in the same line, after the word "month," to insert "and $2 per month additional on account of the minor child of said John D. Gillham until he reaches the age of 16 years;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. Gillham, widow of John D. Gillham, late chaplain One hundred and seventeenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month and $2 per month additional on account of the minor child of said John D. Gillham until he reaches the age of 16 years.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANDREW J. HOWE.

The bill (S. 3491) granting an increase of pension to Andrew J. Howe was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Andrew J. Howe, late of Company F, Fifteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DAVID H. GEORGE.

The bill (S. 447) granting an increase of pension to David H. George was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of David H. George, late of Company F, Sixteenth Regiment Wisconsin Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GEORGE H. SUTHERLAND.

The bill (S. 450) granting an increase of pension to George H. Sutherland was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of George H. Sutherland, late of Company G, Seventy-second Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAMUEL E. LOOKINGBILL.

The bill (S. 3499) granting an increase of pension to Samuel E. Lookingbill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty-six" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Samuel E. Lookingbill, late of Company C, Sixth Regiment Maryland Volunteer Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN WEAVER.

The bill (H. R. 8925) granting an increase of pension to John Weaver was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "forty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John Weaver, late of Company H, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM STALL.

The bill (S. 556) granting an increase of pension to William Stall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Stall, late of Com-

pany F, First Regiment United States Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN SEILER.

The bill (S. 4454) granting an increase of pension to John Seiler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Seiler, late of Company G, Third Regiment Wisconsin Volunteers Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY C. [illegible]

The bill (H. R. [illegible]) granting an increase of pension to Henry C. [illegible] was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry C. [illegible], late of Company H, [illegible] and to pay him a pension of $[illegible] per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE DORFNER.

The bill (H. R. 5[illegible]) granting a pension to Annie Dorfner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie Dorfner, widow of David Dorfner, late of Company D, Forty-first Regiment Wisconsin Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANN JENNETT WHITNEY.

The bill (H. R. 5909) [illegible] pension to Ann Jennett Whitney. It proposes to place on the pension roll the name of Ann Jennett Whitney, widow of Lorenzo D. Whitney, [illegible] Regiment Illinois Volunteer [illegible] to pay her a pension of $8 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY LENZ.

The bill (H. R. 10194) granting an increase of pension to Mary Lenz was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Lenz, widow of [illegible], Company B, [illegible] Regiment [illegible] Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROBERT H. COOKE.

The bill (H. R. 72[illegible]) granting a pension to Robert H. Cooke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert H. Cooke, late acting assistant surgeon, United States Army, and to pay him a pension of $20 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELVIRA M. [illegible]

The bill (H. R. 11[illegible]) granting an increase of pension to Elvira M. [illegible] was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elvira M. [illegible], widow of [illegible] V. M. [illegible], late of Company F, One hundred and [illegible]-first Regiment Illinois Volunteer Infantry, and to pay her a pension of $[illegible] per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HORACE E. WOOD.

The bill (H. R. 10040) granting an increase of pension to Horace E. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Horace E. Wood, late of Company H, First Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWIN TIDD.

The bill (H. R. 9064) granting an increase of pension to Edwin Tidd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin Tidd, late of Company C, First Regiment Wisconsin Volunteer Heavy Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HIRAM B. COZINE.

The bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Hiram B. Cozine, late of Company E, Sixth Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELLEN A. [illegible]

The bill (H. R. [illegible]) granting a pension to Ellen A. [illegible] was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen A. Harmon, widow of [illegible] W. [illegible], late of Company M, Second Regiment Wisconsin Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA M. ELLIOTT.

The bill (H. R. [illegible]) granting an increase of pension to Emma M. [illegible] was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma M. [illegible], widow of David H. [illegible], late of Company [illegible], Seventy-ninth Regiment Indiana Volunteer Infantry, and to pay her a pension of $[illegible] per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES G. ANDREWS.

The bill (H. R. 7814) granting an increase of pension to James G. Andrews was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James G. Andrews, late of Company [illegible] Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT P. JACKSON.

The bill (H. R. [illegible]) granting an increase of pension to Albert P. Jackson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert P. Jackson, late of Company [illegible], Vermont Volunteer [illegible], and to pay him a pension of $[illegible] per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LIZZIE M. WORSTER.

The bill (H. R. 9739) granting a pension to Lizzie M. Worster, was considered as in Committee of the whole. It proposes to place on the pension roll the name of Lizzie M. Worster, widow of [illegible], late of Company [illegible], [illegible] United States Infantry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELWOOD FINLEY.

The bill (H. R. 2692) granting an increase of pension to Elwood Finley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elwood Finley, late of Company E, Second Regiment Iowa Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. HEMPHILL.

The bill (H. R. 8203) granting an increase of pension to James M. Hemphill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Hemphill, late of Company F, Eleventh Regiment Indiana Volunteer Infantry, and to pay him a pension of $[illegible] per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

STEPHEN ELLIOTT.

The bill (H. R. 87[illegible]) granting an increase of pension to Stephen Elliott was considered as in Committee of the Whole.

Mr. McCUMBER. I move the [illegible] postponement of the bill, as I have information from the [illegible] committee that the claimant has died since the bill was reported.

The motion was agreed to.

ABRAM CLAYPOOL.

The bill (H. R. 9791) granting a pension to Abram Claypool was considered as in Committee of the Whole. It proposes to

place on the pension roll the name of Abram Claypool, late captain Company D, One hundred and sixteenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM EDGAR.

The bill (H. R. 9999) granting an increase of pension to William Edgar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Edgar, late of Company F, Fifteenth Regiment United States Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FRANK M. SPEARS.

The bill (H. R. 9695) granting an increase of pension to Frank M. Spears was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank M. Spears, late of Company C, Eighth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM C. M'CORMICK.

The bill (H. R. 5603) granting an increase of pension to William C. McCormick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. McCormick, late of Company A, One hundred and thirty-second Regiment Pennsylvania Volunteer Infantry, and Company C, Thirteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENNETT PUTNAM.

The bill (H. R. 5879) granting an increase of pension to Bennett Putnam was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bennett Putnam, late of Company F, Third Regiment United States Infantry, war with Mexico, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN GEORGE.

The bill (H. R. 6038) granting an increase of pension to Benjamin George was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin George, late of Company F, First Regiment Kansas Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI REMICK.

The bill (H. R. 6703) granting an increase of pension to Levi Remick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi Remick, late of Company I, Fifteenth Regiment Massachusetts Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DE WITT C. FOLSOM.

The bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom was considered as in Committee of the Whole. It proposes to place on the pension roll the name of De Witt C. Folsom, late of Company D, Fourth Regiment United States Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

IRA B. WAMBAUGH.

The bill (H. R. 8379) granting an increase of pension to Ira B. Wambaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira B. Wambaugh, late captain Company B, One hundred and seventy-sixth Regiment Ohio Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CASWELL P. FORD.

The bill (H. R. 8[illegible]) granting an increase of pension to Caswell P. Ford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caswell P. Ford, late colonel Twenty-fifth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY L. BEACH.

The bill (H. R. 8998) granting an increase of pension to Henry L. Beach was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry L. Beach, late of Company M, First Regiment Wisconsin Volunteer Heavy Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES DOUGHERTY.

The bill (H. R. 8811) granting an increase of pension to James Dougherty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Dougherty, late of Company B, One hundred and eleventh Regiment, and Company D, Forty-eighth Regiment, Illinois Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY TATE.

The bill (H. R. 10741) granting a pension to Mary Tate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Tate, widow of Payton Tate, late of Company I, Third Regiment United States Colored Volunteer Heavy Artillery, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSEPH H. HUIE.

The bill (H. R. 11345) granting a pension to Joseph H. Huie was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph H. Huie, late of Company H, Fifth Regiment United States Volunteer Infantry, war with Spain, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. M'GRAW.

The bill (H. R. 8733) granting an increase of pension to Benjamin F. McGraw was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. McGraw, late captain Company A, First Regiment District of Columbia Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEWIS M. WEBSTER.

The bill (S. 1394) granting an increase of pension to Lewis M. Webster was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to insert "first;" and in the same line, after the word "lieutenant," to strike out "of;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, [illegible] Lewis M. Webster, late first lieutenant [illegible] Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ABRAHAM W. COCHRAN.

The bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham W. Cochran, late of Company B, Eleventh Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EVA A. BURGESS.

The bill (H. R. 7096) granting an increase of pension to Eva A. Burgess was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eva A. Burgess, widow of William H. Burgess, late of Company F, Twelfth Reg-

iment Michigan Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES M. FINK.

The bill (H. R. 8966) granting an increase of pension to James M. Fink was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James M. Fink, late of Company H, Sixteenth Regiment Ohio Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CAROLINE HURLEY.

The bill (H. R. 7559) granting a pension to Caroline Hurley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline Hurley, widow of Milton Hurley, late of Company F, Thirteenth Regiment United States Colored Volunteer Heavy Artillery, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ELIZABETH HATFIELD.

The bill (H. R. 8124) granting an increase of pension to Elizabeth Hatfield was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Hatfield, widow of Capt. George W. Hatfield, late captain Company A, Eleventh Regiment Ohio Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WASHINGTON J. DUTCHER.

The bill (H. R. 7444) granting an increase of pension to Washington J. Dutcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Washington J. Dutcher, late of Company A, Twenty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARTIN RENTHLER.

The bill (H. R. 9376) granting an increase of pension to Martin Renthler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Martin Renthler, late of Company G, Forty-fourth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARGARET E. KELLER.

The bill (H. R. 10268) granting an increase of pension to Margaret E. Keller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret E. Keller, widow of Augustus R. Keller, late captain and assistant quartermaster, United States Volunteers, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MATTHEW S. PRIEST.

The bill (H. R. 11343) granting an increase of pension to Matthew S. Priest was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthew S. Priest, late of Company G, Thirtieth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BARTLETT S. HAGGARD.

The bill (H. R. 9587) granting an increase of pension to Bartlett S. Haggard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bartlett S. Haggard, late of Captain Williams's independent company Kentucky Volunteers, war with Mexico, and to pay him a pension of $16 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH J. LOOMIS.

The bill (H. R. 9753) granting an increase of pension to Sarah J. Loomis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah J. Loomis, widow of Charles G. Loomis, late of Company C, Twenty-first Regiment Michigan Volunteer Infantry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Austin J. Loomis, helpless and dependent child of said Charles G. Loomis, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HOWARD M'GUIRE.

The bill (H. R. 7737) granting an increase of pension to Howard McGuire was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Howard McGuire, late of Company A, Seventh Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES H. SACKETT.

The bill (H. R. 9273) granting an increase of pension to James H. Sackett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James H. Sackett, late of Company I, Forty-ninth Regiment Ohio Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALICE W. CLARKE.

The bill (H. R. 9037) granting a pension to Alice W. Clarke was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alice W. Clarke, widow of Seymour T. Montgomery, subsequently known as Wright E. Clarke, late hospital steward, Twentieth Regiment Indiana Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ADALINE L. POWER.

The bill (H. R. 10850) granting an increase of pension to Adaline L. Power was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Adaline L. Power, widow of John M. Power, late of Companies F and I, Fourteenth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $12 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALFRED J. WEST.

The bill (H. R. 10706) granting an increase of pension to Alfred J. West was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred J. West, late of Company B, Thirty-sixth Regiment Illinois Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALDERSON T. KEEN.

The bill (H. R. 10694) granting an increase of pension to Alderson T. Keen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alderson T. Keen, late first lieutenant and captain Company I, First Regiment Kentucky Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

KATE RIDGWAY.

The bill (H. R. 10748) granting an increase of pension to Kate Ridgway was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Kate Ridgway, widow of John W. Ridgway, late first lieutenant Company E, Fifty-fourth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $15 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JASPER F. MORTON.

The bill (H. R. 11413) granting an increase of pension to Jasper F. Morton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jasper F. Morton, late captain Company F, Twenty-first Regiment Kentucky Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY C. ARNOLD.

The bill (H. R. 11319) granting an increase of pension to Mary C. Arnold was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary C. Arnold, widow of William E. Arnold, late first lieutenant Company F, Fortieth Regiment Kentucky Volunteer Infantry, and to pay her a pension of $17 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

RACHEL LARGE.

The bill (H. R. 7311) granting an increase of pension to Rachel Large was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rachel Large, widow of William Large, late of Company H, Eighth Regiment Tennessee Volunteer Cavalry, and to pay her a pension of $20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Thomas Large, helpless and dependent son of said William Large, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES G. SAIMS.

The bill (H. R. 10068) granting an increase of pension to James G. Saims was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James G. Saims, late assistant surgeon Tenth Regiment Tennessee Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS P. MARSHALL.

The bill (H. R. 9421) granting an increase of pension to Thomas P. Marshall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas P. Marshall, late captain Company H, Thirteenth Regiment Iowa Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CALVIN E. MYERS.

The bill (S. 3573) granting an increase of pension to Calvin E. Myers was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "war," to strike out "Mexican;" in the same line, before the word "and," to insert "with Mexico," and in line 8, before the word "dollars," to strike out "twenty" and insert "sixteen;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of [illegible], late of Company E, Fourth Regiment Tennessee Volunteer Infantry, war with Mexico, and pay him a pension at the rate of $16 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JESSE BRIGHT.

The bill (S. 3946) granting an increase of pension to Jesse Bright was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jesse Bright, late of Company K, Fourteenth Regiment Wisconsin Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JOHN J. TOMPKINS.

The bill (H. R. 5155) granting an increase of pension to John J. Tompkins was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John J. Tompkins, late of Troop E, Sixth Regiment United States Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WALTER F. HORNER.

The bill (H. R. 8771) granting an increase of pension to Walter F. Horner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Walter F. Horner, late of Company F, Fourteenth Regiment United States Infantry.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

THOMAS J. CAMPTON.

The bill (H. R. 10048) granting an increase of pension to Thomas J. Campton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas J. Campton, late of Company K, Twelfth Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES B. HART.

The bill (H. R. 8970) granting an increase of pension to Charles B. Hart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles B. Hart, late of Company G, Fifth Regiment New Hampshire Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA H. LYMAN.

The bill (S. 3825) granting an increase of pension to Anna H. Lyman was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Anna H. Lyman, widow of [illegible], late [illegible] Regiment, United States Infantry, war with Mexico, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FRANK S. NICKERSON.

The bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank S. Nickerson, late brigadier-general, United States Volunteers, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LORENZO D. ELMER.

The bill (H. R. 6869) granting an increase of pension to Lorenzo D. Elmer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lorenzo D. Elmer, late of Company F, Sixth Regiment Vermont Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY EATON LIVINGSTON.

The bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston was considered as in Committee of the Whole.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOHN R. EVANS.

The bill (S. 305) granting an increase of pension to John R. Evans was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 7, before the word "Company," to strike out "who served as a corporal in" and insert "late of;" and in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John R. Evans, late of Company K, First Regiment Kentucky Volunteer Cavalry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendments were agreed to.

It proposes to place on the pension roll the name of Mary Eaton Livingston, widow of La Rhett L. Livingston, late lieutenant-colonel Third Regiment United States Artillery, and to pay her a pension of $40 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SILAS SOULES.

The bill (H. R. 11113) granting an increase of pension to Silas Soules was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Silas Soules, late of Company A, Twelfth Regiment Michigan Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN M. TYREE.

The bill (S. 3377) granting an increase of pension to John M. Tyree was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with amendments, in line 6, after the word "late," to strike out "of" and insert "second lieutenant;" in line 7, before the word "Mounted," to insert "Volunteer," and in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-four;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John M. Tyree, late second lieutenant Company E, Fourteenth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of $24 per month in lieu of that he is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM M'GEE.

The bill (S. 783) granting an increase of pension to William McGee was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of William McGee, late Company K, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and first lieutenant and adjutant, Fourth Regiment West Virginia Cavalry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS B. STEELE.

The bill (S. 4078) granting an increase of pension to Thomas B. Steele was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Thomas B. Steele, late second lieutenant United States Shore Gunnery, Gunnery and Torpedoes, United States Navy, war with Mexico, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EMILY CHAPMAN.

The bill (H. R. 5568) granting an increase of pension to Emily Chapman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emily Chapman, widow of Martin V. Chapman, late of Company G, Third Regiment West Virginia Volunteer Cavalry, and to pay her a pension of $20 per month in lieu of that she is now receiving; but in the event of the death of Mary M. Chapman, blind and dependent child of said Martin V. Chapman, the additional pension herein granted shall cease and determine.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES B. COMBS.

The bill (H. R. 5749) granting a pension to James B. Combs was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James B. Combs, late of Company D, Twenty-third Regiment Ohio Volunteer Infantry, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MARY A. GRAVES.

The bill (H. R. 6977) granting an increase of pension to Mary A. Graves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary A. Graves, widow of Dennis Graves, late of Company H, Second Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SARAH J. SHELL.

The bill (H. R. 10378) granting an increase of pension to Sarah J. Shell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Sarah J. Shell, widow of Henry B. Shell, late of Capt. James F. Preston's company, First Regiment Virginia Volunteers, war with Mexico, and to pay her a pension of $12 a month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

GEORGE W. HARLAN.

The bill (H. R. 9903) granting an increase of pension to George W. Harlan was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George W. Harlan, late of Independent Battery E, Pennsylvania Volunteer Light Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN W. SWISHER.

The bill (H. R. 11310) granting an increase of pension to John W. Swisher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Swisher, late of Company A, Sixth Regiment West Virginia Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JACOB LAIRD.

The bill (H. R. 9024) granting an increase of pension to Jacob Laird was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Laird, late of Company D, Forty-fifth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM S. CAMPBELL.

The bill (H. R. 9426) granting an increase of pension to William S. Campbell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William S. Campbell, late of Company E, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ISIDORE F. CHAMBERLAIN.

The bill (H. R. 7992) granting an increase of pension to Isidore F. Chamberlain was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isidore F. Chamberlain, late second lieutenant Company E, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $36 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN GANGWISCH.

The bill (H. R. 8231) granting an increase of pension to John Gangwisch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gangwisch, late of Company C, Fifth Regiment Pennsylvania Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MAGGIE FITZPATRICK.

The bill (H. R. 9835) granting a pension to Maggie Fitzpatrick was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Maggie Fitzpatrick, widow of John Fitzpatrick, late of Company E, Eleventh Regiment Kentucky Volunteer Cavalry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DAVID W. WILLIAMSON.

The bill (H. R. 7999) granting an increase of pension to David W. Williamson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of David W. Williamson, late of Company A, Thirtieth Regiment New Jersey Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. SHANDS.

The bill (S. 4285) granting an increase of pension to John H. Shands was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "twenty-four" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Shands, late of Company G, Third Regiment United States Infantry, war with Mexico, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LAURA ANN SEATON.

The bill (S. 4349) granting an increase of pension to Laura Ann Seaton was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 9, before the word "dollars," to strike out "thirty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Laura Ann Seaton, widow of Uriah C. Seaton, late of Company K, One hundred and forty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $12 per month in lieu of that she is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JACOB A. ROOF.

The bill (S. 2058) granting an increase of pension to Jacob A. Roof was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jacob A. Roof, late of Company B, Fourth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CELIA C. OWEN.

The bill (H. R. 5580) granting a pension to Celia C. Owen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Celia C. Owen, widow of William W. Owen, late of Company M, Third Regiment Missouri Volunteer Cavalry, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ALBERT W. JONES.

The bill (H. R. 6999) granting an increase of pension to Albert W. Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert W. Jones, late second lieutenant Company B, Seventeenth Regiment Illinois Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM E. M'DOWELL.

The bill (H. R. 10180) granting an increase of pension to William E. McDowell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. McDowell, late of Company G, First Regiment Arkansas Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LEVI VASSAR.

The bill (H. R. 5532) granting an increase of pension to Levi Vassar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Levi Vassar, late of Company H, Third Regiment Missouri Mounted Volunteer Infantry, war with Mexico, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNA WATERS.

The bill (H. R. 8173) granting an increase of pension to Anna Waters was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Anna Waters, widow of George Waters, late of Captain William's company of Tennessee Militia, war of 1812, and to pay her a pension of $24 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

SHADRACH D. BARDIN.

The bill (H. R. 8648) granting a pension to Shadrach D. Bardin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Shadrach D. Bardin, late of Captain Roberts's company, Texas Mounted Volunteers, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM R. M'CULLOUGH.

The bill (H. R. 7236) granting an increase of pension to William R. McCullough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William R. McCullough, late of Company F, One hundred and seventy-second Regiment Ohio Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM ELLIS.

The bill (H. R. 9988) granting an increase of pension to William Ellis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Ellis, late of Company K, Twenty-ninth Regiment Missouri Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES S. LAUDERDALE.

The bill (H. R. 8849) granting a pension to James S. Lauderdale was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James S. Lauderdale, late ensign, Captain Carver's company, Mississippi Mounted Volunteers, Sabine Indian disturbances, and to pay him a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOHN H. KLINGLER.

The bill (S. 2661) granting an increase of pension to John H. Klingler was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "thirty" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of John H. Klingler, late of Company H, Fourth Regiment Delaware Volunteer Infantry, and pay him a pension at the rate of $20 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

VIRGINIA B. MULLAN.

The bill (S. 3810) granting an increase of pension to Virginia B. Mullan was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Virginia B. Mullan, widow of Horace E. Mullan, late acting master and commander, United States Navy, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving, and $2 per month additional on account of the minor child of said Horace E. Mullan until she reaches the age of 16 years.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CATHARINE R. BROWN.

The bill (H. R. 5849) granting an increase of pension to Catharine R. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Catharine R. Brown, widow of Joseph B. Brown, late colonel and surgeon, United States Army, and to pay her a pension of $40 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK RATZEL.

The bill (H. R. 6816) granting an increase of pension to Frederick Ratzel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Ratzel, late of Company C, First Regiment Missouri Volunteer Light Artillery, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ROSA GLASS.

The bill (H. R. 6817) granting a pension to Rosa Glass was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rosa Glass, helpless and dependent daughter of Peter Glass, late of Company L, First Regiment New York Volunteer Light Artillery, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JAMES A. BARNES.

The bill (H. R. 6325) granting an increase of pension to James A. Barnes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Barnes, late of Company F, Forty-eighth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD W. MILLER.

The bill (H. R. 6814) granting an increase of pension to Edward W. Miller was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward W. Miller, late of Company K, One hundredth Regiment New York Volunteer Infantry, and to pay him a pension of $40 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

MOSES SCHUMAN.

The bill (H. R. 9127) granting a pension to Moses Schuman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Moses Schuman, late of Company H, Sixty-fourth Regiment New York National Guard Volunteer Infantry, and to pay him a pension of $[illegible] per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD M. TAPPEN.

The bill (H. R. 11556) granting an increase of pension to Edward M. Tappen was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward M. Tappen, late of Company C, Fifth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGNES SHEARER.

The bill (H. R. 10648) granting an increase of pension to Agnes Shearer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Agnes Shearer, widow of John Shearer, late of Company I, Seventy-ninth Regiment New York Volunteer Infantry, and to pay her a pension of $16 per month in lieu of that she is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EMMA CROSIER.

The bill (H. R. 7712) granting a pension to Emma Crosier was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma Crosier, widow of William H. Crosier, late of Company G, One hundred and forty-ninth Regiment New York Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM N. HALL.

The bill (H. R. 7805) granting an increase of pension to William N. Hall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William N. Hall, late captain Company H, Seventy-eighth Regiment New York Volunteer Infantry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETER MINKLER.

The bill (H. R. 7418) granting an increase of pension to Peter Minkler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Minkler, late of Company M, Second Regiment New York Volunteer Cavalry, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HERMAN LEMMERMAN.

The bill (H. R. 8185) granting a pension to Herman Lemmerman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Herman Lemmerman, late coal passer, United States Navy.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

ANNIE P. ERVING.

The bill (H. R. 8242) granting a pension to Annie P. Erving, formerly Cilla Zerbe, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie P. Erving, formerly Cilla Zerbe, late nurse, Medical Department, United States Volunteers, and to pay her a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM E. MATTISON.

The bill (H. R. 8991) granting an increase of pension to William E. Mattison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William E. Mattison, late assistant surgeon Third Regiment New Jersey Volunteers, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM C. DAVIS.

The bill (H. R. 8992) granting an increase of pension to William C. Davis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Davis, late of Company H, Twenty-first Regiment New Jersey Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES LA FOREST.

The bill (H. R. 8079) granting an increase of pension to Charles La Forest was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles La Forest, late of Company G, Seventy-first Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDWARD O'MALLEY.

The bill (H. R. 8863) granting an increase of pension to Edward O'Malley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward O'Malley, late of Company E, One hundred and twenty-fourth Regiment New York Volunteer Infantry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

FREDERICK HALLING.

The bill (H. R. 9610) granting an increase of pension to Frederick Halling was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frederick Halling, late of Company A, One hundred and twenty-first Regiment New York Volunteer Infantry, and Third Company, Second Battalion Veteran Reserve Corps, and to pay him a pension of $30 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VIRGINIA BOYD.

The bill (H. R. 9991) granting a pension to Virginia Boyd was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Virginia Boyd, widow of John Boyd, late of Company A, Fourth Battalion District of Columbia Volunteer Infantry, and to pay her a pension of $8 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HENRY AUSTIN.

The bill (H. R. 9688) granting a pension to Henry Austin was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Austin, late of Battery F, First Regiment Rhode Island Volunteer Light Artillery, and to pay him a pension of $12 per month.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WILLIAM SIMMONS.

The bill (H. R. 5868) granting an increase of pension to William Simmons was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Simmons, late of Company A, Fifty-second Regiment Pennsylvania Volunteer Infantry, and to pay him a pension of $20 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

EDSON H. CRAWFORD.

The bill (H. R. 10904) granting an increase of pension to Edson H. Crawford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edson H. Crawford, late of Company C, Sixty-ninth Regiment Illinois Volunteer Infantry, and Company L, Seventeenth Regiment Illinois Volunteer Cavalry, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CHARLES H. JACKSON.

The bill (H. R. 8835) granting an increase of pension to Charles H. Jackson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles H. Jackson, late of Battery E, New Jersey Volunteer Light Artillery, and to pay him a pension of $24 per month in lieu of that he is now receiving.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

AGREEMENT WITH TURTLE MOUNTAIN AND CHIPPEWA INDIANS.

Mr. McCUMBER. I wish to ask unanimous consent that on Friday, after the routine morning business, the Senate proceed to the consideration of Calendar No. 464. It is a bill to which I understand there is no objection whatever.

Mr. KEAN. What is the bill?

Mr. McCUMBER. It is a bill confirming an agreement with the Turtle Mountain and Chippewa Indians. I ask that it be taken up on Friday after the routine morning business.

Mr. KEAN. I know nothing about the bill, but I hope the Senator will not make that request in so thin a Senate.

Mr. McCUMBER. I would not make the request if I thought there was any objection to it, but the bill has been reported several times to the Senate, and there are reasons why it should be promptly passed.

Mr. CULLOM. Does the Senator mean that it is an appropriation bill?

Mr. McCUMBER. No; it is a bill to open up an Indian reservation.

Mr. KEAN. Does the Senator not think it would be better to make that request to-morrow morning?

Mr. McCUMBER. I should be willing to do that, but I do not think there will be any objection to it in the morning or at any other time.

Mr. CULLOM. I am not objecting.

Mr. KEAN. I do not object.

The PRESIDENT pro tempore. What is the request of the Senator from North Dakota?

Mr. McCUMBER. That on Friday morning, after the routine morning business, the Senate proceed to the consideration of the Calendar No. 464, being Senate bill 196. I will say that, if it leads to any discussion, I will allow the bill to be displaced by any other business.

Mr. TELLER. What is the bill?

Mr. McCUMBER. It is the bill (S. 196) to ratify and confirm an agreement with the Turtle Mountain and Chippewa Indians in the State of North Dakota, and to make appropriations for carrying the same into effect.

The PRESIDENT pro tempore. The Chair understands that the request is that the bill shall be made the special order for the time named, not to interfere with appropriation bills?

Mr. McCUMBER. Not to interfere with appropriation bills.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from North Dakota? The Chair hears none, and that order is made.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

Mr. TELLER. Oh, let us adjourn.

Mr. CULLOM. It is only for a very few moments.

Mr. CARMACK. How far have we gone on the Calendar of pension bills?

Mr. KEAN and Mr. MITCHELL. We have finished the pension bills.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Illinois [Mr. CULLOM].

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 28 minutes p. m.) the Senate adjourned until to-morrow, Thursday, March 3, 1904, at 12 o'clock m.

WITHDRAWAL.

Executive nomination withdrawn March 2, 1904.

William A. Coble to be postmaster at Delphos, Allen County, in the State of Ohio.

NOMINATIONS.

Executive nominations received by the Senate March 2, 1904.

PROMOTIONS IN THE NAVY.

Lieut. Commander Walter S. Hughes to be a commander in the Navy from the 4th day of February, 1904, vice Commander James R. Selfridge, promoted.

Lieut. Walter O. Hulme to be a lieutenant-commander in the Navy from the 17th day of February, 1904, vice Lieut. Commander Fidelio S. Carter, promoted.

Lieut. (Junior Grade) Oscar D. Duncan to be a lieutenant in the Navy from the 1st day of January, 1904, vice Lieut. William C. Herbert, promoted.

Ensign Alexander F. H. Yates to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in his present grade.

POSTMASTERS.

CALIFORNIA.

Louise C. Tyler to be postmaster at Mill Valley, late Eastland, in the county of Marin and State of California, in place of Louise C. Tyler, to change name of office.

Eldridge H. Bryant to be postmaster at Machias, in the county of Washington and State of Maine, in place of Eldridge H. Bryant. Incumbent's commission expired January 17, 1904.

MISSOURI.

George H. Kunkel to be postmaster at Mexico, in the county of Audrain and State of Missouri, in place of William M. Treloar, removed.

NEW YORK.

William E. Clark to be postmaster at Fredonia, in the county of Chautauqua and State of New York, in place of Melvin H. Taylor, removed.

Arthur Hartt to be postmaster at Ravena, in the county of Albany and State of New York. Office became Presidential April 1, 1903.

Wesley Mulford to be postmaster at Unadilla, in the county of Otsego and State of New York, in place of Wesley Mulford. Incumbent's commission expired January 18, 1904.

OHIO.

William A. Coble to be postmaster at Delphos, in the county of Allen and State of Ohio, in place of William A. Coble. Incumbent's commission expires March 20, 1904.

Wilson A. Korns to be postmaster at New Philadelphia, in the county of Tuscarawas and State of Ohio, in place of Eugene A. Deardorff, deceased.

Charles B. Morris to be postmaster at Columbus Grove, in the county of Putnam and State of Ohio, in place of Edmund L. Vale, deceased.

J. J. Roderick to be postmaster at Canal Dover, in the county of Tuscarawas and State of Ohio, in place of William W. Scott, deceased.

SOUTH CAROLINA.

Julia M. Merrick to be postmaster at Walhalla, in the county of Oconee and State of South Carolina. Office became Presidential October 1, 1903.

WEST VIRGINIA.

Samuel B. Montgomery to be postmaster at Tunnelton, in the county of Preston and State of West Virginia. Office became Presidential January 1, 1904.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 2, 1904.

APPOINTMENT IN THE MARINE CORPS.

Lauren S. Willis, a citizen of Vermont, to be a second lieutenant in the Marine Corps from the 22d day of February, 1904.

PROMOTIONS IN THE NAVY.

Capt. Caspar F. Goodrich to be a rear-admiral in the Navy from the [illegible] day of February, 1904.

Commander James R. Selfridge to be a captain in the Navy from [illegible] day of February, 1904.

Lieut. Commander Charles Laird to be a commander in the Navy from the 12th day of February, 1904.

Ensign Charles H. Fisher to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

Navy from the first day of [illegible]

Lieut. Commander William G. Cutler to be a commander in the

REGISTER OF LAND OFFICE.

Joseph T. Bridges, of Oregon, to be register of the land office at Roseburg, Oreg.

RECEIVER OF PUBLIC MONEYS.

James H. Booth, of Oregon, to be receiver of public moneys at Roseburg, Oreg.

POSTMASTERS.

ALASKA.

Gustav Spongberg to be postmaster at Valdez, Alaska.

ARIZONA.

William M. Newell to be postmaster at Mesa, in the county of Maricopa and Territory of Arizona.

ARKANSAS.

Omar N. Hawkins to be postmaster at Morrilton, in the county of Conway and State of Arkansas.

Charles L. Jones to be postmaster at Junction, in the county of Union and State of Arkansas.

COLORADO.

Preston H. Brook to be postmaster at Blackhawk, in the county of Gilpin and State of Colorado.

FLORIDA.

George Glass to be postmaster at High Springs, in the county of Alachua and State of Florida.

William A. Murat to be postmaster at Apalachicola, in the county of Franklin and State of Florida.

George B. Parrison to be postmaster at Key West, in the county of Monroe and State of Florida.

ILLINOIS.

Daniel McAvelney to be postmaster at Glencoe, in the county of Cook and State of Illinois.

Richard H. Thomas to be postmaster at Lacon, in the county of Marshall and State of Illinois.

KENTUCKY.

Thomas B. Kincaid to be postmaster at Hodgenville, late Hodgenville, in the county of Larue and State of Kentucky.

MASSACHUSETTS.

John F. Mitchell to be postmaster at North Grafton, in the county of Worcester and State of Massachusetts.

Lewis D. Thurston to be postmaster at Leominster, in the county of Worcester and State of Massachusetts.

MICHIGAN.

Zebulon G. Colegrove to be postmaster at Reading, in the county of Hillsdale and State of Michigan.

Charles Clark to be postmaster at Lowell, in the county of Kent and State of Michigan.

NORTH CAROLINA.

John S. Hasty to be postmaster at Monroe, in the county of Union and State of North Carolina.

OHIO.

Charles H. Clark to be postmaster at Mount Sterling, in the county of Madison and State of Ohio.

OKLAHOMA.

G. A. Hall to be postmaster at Okarche, in the county of Canadian and Territory of Oklahoma.

TEXAS.

William Reese to be postmaster at Floresville, in the county of Wilson and State of Texas.

WASHINGTON.

James Lane to be postmaster at Roslyn, in the county of Kittitas and State of Washington.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, *March 2, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. McCLEARY of Minnesota. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12833, being the appropriation bill for the District of Columbia for the ensuing year.

The question was taken, and the motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, with Mr. LAWRENCE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12833, and the Clerk will resume the reading of the bill by paragraphs.

Mr. THAYER. Mr. Chairman, when the committee rose last night we had just read [illegible] and I rose for the purpose of [illegible] at that time, but the matter was overlooked with the understanding that the inquiry might be made this morning. Now, I should like to ask the committee [illegible] provided for in this section. It seems [illegible] I would like to inquire whether it is for the purchase of [illegible] required to [illegible] every year. I notice there is a [illegible] for the keep of horses. I would like to inquire whether they keep their own stables for its own horses, or whether they are hired out, or when they are hired out.

Mr. McCLEARY of Minnesota. Mr. Chairman, I can not offhand answer as to the exact number of horses that are kept. I can say, however, that the District has its own stables and cares for its own horses.

Mr. THAYER. Can the gentleman give me any idea of how [illegible] own provender, this amount would pay for a great deal of care in keeping the horses. I should naturally presume there must be a very [illegible] number of horses, otherwise the appropriation [illegible]

Mr. McCLEARY of Minnesota. Has the gentleman read the [illegible]

Mr. THAYER. I surely read the paragraph, and I heard it read by the Clerk. Here it is. I know what the paragraph contains.

Mr. McCLEARY of Minnesota. The gentleman will note that this $5,000 is to cover all the [illegible]

Mr. THAYER. Oh, well, [illegible], repair of harness, whips, oil, brushes; these must amount to very little. It must be for the purchase of horses and caring for horses. Five thousand dollars for chamois skins, buckets, halters, rubber boots, coats and medicines, brushes and combs, would buy a whole barn full.

Mr. McCLEARY of Minnesota. It also provides for shoeing [illegible] all horses connected with the sewer and [illegible]

Mr. THAYER. [illegible]

Mr. McCLEARY of Minnesota. Why, there are hundreds of [illegible] I do not know the exact number.

Mr. THAYER. [illegible]

Mr. McCLEARY of Minnesota. I can not give the exact figures; [illegible]

Mr. THAYER. [illegible] tell whether there is 100 or 500?

Mr. McCLEARY of Minnesota. I can not answer definitely.

The Clerk read as follows:

[illegible] for coroner's office, [illegible] fees, removal [illegible]

Mr. COWHERD. Mr. Chairman, I move to strike out, on page [illegible]

The CHAIRMAN. The gentleman from Missouri offers an amendment which the Clerk will report.

The Clerk read as follows:

On page 14, in line 3, strike out "for livery of horse or horse hire."

Mr. COWHERD. Now, Mr. Chairman, I wish to say just a word on that, if the House will hear me. I venture to say there is no man in this Committee of the Whole—unless it be the chairman of the subcommittee—who has any idea, and certainly I

think I may say the chairman of the subcommittee, after the response to the question of the gentleman from Massachusetts, himself has no idea how many horses are provided for in this bill. Now, why should we provide a horse and carriage for the coroner of the District of Columbia? Here is a provision for the removal of bodies. Here is a provision under which expenses can be authorized [illegible] Why should there be a necessity for a [illegible] of the District, except that he may [illegible] business in the practice of his profession? The coroner of your [illegible] home is not furnished with a horse and carriage. He is simply some physician elected to the position [illegible] to say it is used ten times more in professional business than anything else.

Mr. BURKETT. Let me say to the gentleman that item last year for all needs was $300, and it was for removal of bodies. That is [illegible]

Mr. COWHERD. I beg the gentleman's pardon. The gentleman from Nebraska says this item for livery of horse and horse hire is for removal of bodies, but there is another item in that [illegible] expense covered by the removal of bodies. This is "livery of horse and horse hire" for coroner's office, and if the gentleman has any explanation to make, I would like to hear it; if not, it seems to me [illegible] that law.

Mr. McCLEARY of Minnesota. Mr. Chairman, I have no objection [illegible] I simply desire to say the business of this office is quite peculiar, and it may be important for that gentleman to ride to places where the inquest is to be held. It happens to be on a different line. There were thirty-six inquests [illegible] June 30, 1903. The number of [illegible] from accidental injuries, 19 accidental poisonings, 54 suicides, 18 homicides and 1 homicide not in the District, and 1 legal hanging.

Mr. COWHERD. Will the gentleman tell me how the coroner of the District is paid, whether by salary or by fees?

Mr. McCLEARY of Minnesota. He is paid a salary of $1,800 a year.

Mr. COWHERD. I think the gentleman will agree with me that this is not intended to pay for the removal of dead bodies or anything of that kind.

Mr. McCLEARY of Minnesota. It is intended for his official purposes in going to these places where inquests are held, and in the judgment of the committee that provision ought to remain [illegible]

Mr. COWHERD. I understood the gentleman to say yesterday in response to a question that, as he understood it, the only official carriages and buggies provided were those for the Commissioners of the District. So this is another official conveyance [illegible]

Mr. McCLEARY of Minnesota. No, sir; this is not. It comes right within the line of the gentleman's own statement. Horses and carriages provided for necessary official [illegible] and as the Chief has a horse, and just as other men connected with the District have horses and carriages for the purpose of carrying on their official work.

Mr. COWHERD. The coroner of the District is a practicing [illegible]

Mr. McCLEARY of Minnesota. The law does not prescribe whether he shall or shall not [illegible]

Mr. COWHERD. I asked whether he is not.

Mr. McCLEARY of Minnesota. I am not sure.

Mr. COWHERD. Well, I submit, Mr. Chairman, that coroners are not allowed a horse or buggy or official carriages in other cities of the United States and I do not believe they need them in the District of Columbia.

The question was taken; and the amendment was agreed to.

The Clerk read as follows:

For continuing work on the municipal building, $300,000, which sum shall [illegible] a building six stories high on all sides, with suitable accommodations [illegible] heating and lighting plant and for [illegible] for the police [illegible] District.

Mr. SAMUEL W. SMITH. Mr. Chairman, I make the point of order, beginning with the word "which," in line 23, and ending with the last line, in line 6 on the next page, that it is new legislation.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. McCLEARY of Minnesota. Mr. Chairman, that is clearly a limitation on the expenditure of the money provided, which sum shall not be available except for expenditures under certain conditions.

Mr. MANN. Mr. Chairman, even if it be a limitation on the appropriation, it is a change of existing law, because there is no law for this building except the law which provides for a building to be otherwise constructed. And if this is a law authorizing a new building, it is subject to a point of order because there is no existing law on the subject. You can put a limitation on an appropriation but you can not change the law.

Mr. UNDERWOOD. I would like to ask the gentleman from Illinois a question.

Mr. MANN. Very well.

Mr. UNDERWOOD. I would like to ask the gentleman where his authority is for saying that the law that was passed a [illegible] provided for the particular offices that shall be placed in it. If the gentleman has a law to carry out his statement, I would like to hear it. My understanding of the law is that it merely provides for a new District building, and this question of what offices shall be placed in the building is merely a matter between the District Commissioners and the architect in the drawing of the plans. If the gentleman has the law, I would like to hear it.

Mr. MANN. I may be incorrect, Mr. Chairman, in the statement of law covering the point. I supposed it did provide what offices the building should contain.

Mr. UNDERWOOD. I think the gentleman from Illinois is mistaken. I do not think it provides for any particular offices.

Mr. MANN. Undoubtedly the gentleman in charge of the bill can give the information on that question. But if there is no law on the subject, then this is creating and fixing what the building shall be and is enacting new law upon that point. If it were a mere limitation on the appropriation, very well. But I do not see how by limiting the appropriation you can pass laws defining what the building shall be and what it shall contain. It necessarily involves a very large appropriation hereafter, increasing the amount of the appropriation heretofore provided. I supposed the appropriation heretofore is a fixed sum as to what shall be the expense for the building. May I ask the gentleman in charge of the bill whether there is any limitation on the amount to be appropriated on the cost of the building under existing law?

Mr. McCLEARY of Minnesota. The building is to cost, including the site, $2,000,000.

Mr. MANN. That is the building as it stands. Here is an appropriation which changes the law and will very much increase the amount of its cost.

Mr. MORRELL. May I ask the gentleman a question?

Mr. McCLEARY of Minnesota. Certainly.

Mr. MORRELL. I would like to ask the chairman of the committee if any estimate has been made of the cost of the building [illegible] according to the limitation provided in this section?

Mr. McCLEARY of Minnesota. Yes; the Commissioners estimate that it will cost [illegible] more if it is built in this way, provided they do not change the character of material they now have in view for the construction of the building.

Mr. MORRELL. That will make an increase in the cost over the original amount provided.

Mr. McCLEARY of Minnesota. Not necessarily. It is wholly within the control of the Commissioners to determine the character of the materials to be used, and by changing the quality of the materials they can keep within the cost provided.

Mr. UNDERWOOD. Mr. Chairman, I think there is a misapprehension by the gentleman objecting to the clause, as to its being a change of existing law. I feel confident, although I have not read the act providing for the building for some time, that I can assure the committee that there is no provision in the original act creating this building that provides what offices shall be located in it. It merely provides for the building of a District building, the cost not to exceed $2,000,000.

Where this contention came in was this: It seems that the District Commissioners have had plans drawn to carry out the act of Congress for this building, and in those plans they have left out the police court, the registry of wills, the registry of deeds, and certain other offices. When this matter came to the attention of the Appropriation Committee there was some discussion as to whether we should include these offices in this one building or not, and it was finally decided by a vote of the committee that all of these offices should be located under one roof in one building.

Now, Mr. Chairman, in regard to carrying that out, if we appropriate this money, simply appropriate $300,000 to start the

work, saying nothing about what the building shall contain, the District Commissioners will go on and carry out their plans. The building will be constructed according to their order. There will be certain District offices left out of the building, which will ultimately require the building of another building costing a million or more dollars. The committee think it is in the interest of economy, as well as good business discretion, to house the entire District offices under one roof, as can be done without increasing the cost of the original appropriation.

This amendment does not contemplate any increase of cost. The appropriation here is only a small portion of the contemplated cost, but it is merely directory to the Commissioners as to how they shall prepare this building, as to how the plans shall be drawn. It is a limitation on the power of the Commissioners in expending this money. Mr. Chairman, it is not necessary to argue with the Chair that Congress has the power to limit the expenditure of money that we provide for in general appropriations.

The CHAIRMAN (Mr. LAWRENCE). The Chair is ready to rule. The pending paragraph appropriates $300,000 for continuing work on the municipal building. It specifies that that sum shall not be available except for constructing said building on plans that will provide for a building six stories high on all sides, with suitable accommodations therein for the offices of the register of wills, register of deeds, and the police court, in addition to the offices and departments now designed to be accommodated therein, and with a sub-basement story of sufficient height of ceiling to afford suitable accommodations for heating and lighting plant and for a repair shop for the District of Columbia. To that provision the gentleman from Michigan [Mr. SAMUEL W. SMITH] raises the point of order that it is new legislation; that it is in violation of Rule XXI, which is very familiar to the members of the committee, and especially to that clause of the rule which says:

> Nor shall any provision changing existing law be in order in any general appropriation bill or in any amendment thereto.

While the committee has no power to adopt a provision which changes existing law, it has been many times held that it has a right to limit an appropriation. It can withhold it altogether or it can make it subject to certain conditions. This paragraph provides that the appropriation of $300,000 shall not be available except under certain conditions which are named. It seems to the Chair that it is a distinct limitation on this appropriation. The Chair therefore overrules the point of order.

Mr. MORRELL. Mr. Chairman, I offer the following amendment, which I will send to the desk and ask to have read.

The Clerk read as follows:

> Strike out in line 23, page 14, after the word "dollars," all down to and including line 6, page 15.

Mr. MORRELL. Mr. Chairman, in reading the report of the hearings of the committee I was very much struck with the reasons assigned by the Commissioners for not desiring this change in the construction of the building. The building as originally designed was in the shape of a U, and was so designed so as to give the best possible ventilation and light to those occupying the building. As I understand the provision in the bill, as it has been read, this will build up the open portion of the U and prevent the light and ventilation which was originally designed for that part of the building. The U is so small, according to the plans, that the interior court will not be sufficient to give the proper amount of light and ventilation, according to the ideas of the Commissioners, if the open portion is built up. On page 54 Major Biddle, the Engineer Commissioner, speaks of this fact in the following language:

> On account of making the other rooms lighter and with more air in my opinion, in a block of this size, an interior court of this size in these rooms would make all of the interior rooms unsatisfactory. And a special point I made with the architect was, that he should make the court long, short of course, possible to it and not destroy the architectural effect. That is one of the few conditions that I personally laid down to him. In my opinion it would make a much more satisfactory building for offices to be used before 9 and out the year, if we could have it 3 stories instead of having an interior court. The architect could not do that with reference to the two lower floors, built up almost solid, but he did it with reference to the floors above.

So much, Mr. Chairman, for the alteration in the construction of the building. It is proposed under this paragraph to move the police courts from the situation which they now occupy to this new building. In relation to this matter the president of the commission, Mr. Macfarland, speaking, on page 57 of the hearings, of the location of the proposed new building, says:

> It is an entirely different neighborhood and vicinity. It might as well be 3 or 10 miles away for practical purposes. A building can be built for the police court on the present site for less than it would take to add to the District building or readapt the District building for that purpose. The space now occupied by the police court—and we are asking an enlargement—would take a whole floor of the District building, and this certainly is a very important consideration.

If it can be built for anything like the same amount of money, it ought to be built where it is. There is also an argument, which is a very strong argument, that it is very undesirable to bring to the offices of the government of the District of Columbia the many objectionable people who are brought into police courts or who follow the police courts. It would be often seen to the citizens, to public men, and others dealing with the District government, and unless there was some overwhelming reason for it, which does not appear, this ought not to be done. If it was a matter of imperative necessity, if we had another place, if we had room, or for any reason it was a necessity, if necessary to put the police court in the District building it would be a different matter, but there is no such necessity. You would have to strain everything to do it, and probably the expense would be greater than it would be to build on the present site.

Now, Mr. Chairman, the experience in my own city of Philadelphia of having a police court located in a public building has proven it to be a source of great annoyance, and it is practically decided to have been a mistake to locate it there.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of his colleague may be extended five minutes. Is there objection?

There was no objection.

Mr. MORRELL. Mr. Chairman, this has proved to be the case, even though the public buildings in Philadelphia are, I should say, at least three times the size of the proposed building here.

There is another provision in this paragraph in regard to the subbasement, where it is proposed to locate the heating and lighting plant and a repair shop for the District of Columbia. As I understand it, the bill provides that the height of the ceiling shall be greater than the original plans called for. Where the building is to be located I also understand there is ground of a marshy character which requires piling. If that is so, to increase the depth of the cellar would make a very expensive item in the construction of the building. Another matter in relation to that is that it is proposed to locate in this cellar the repair shop of the District. Everybody knows what a repair shop means. It means continual hammering and pounding, and would absolutely destroy the quiet which is necessary for the proper carrying on of the business which is to be transacted in the public building. I therefore trust, Mr. Chairman, that my amendment will prevail.

Mr. MUDD. Mr. Chairman, does the amendment only have the effect of striking out the repair shop?

Mr. MORRELL. It strikes out the whole of it. It strikes out the location of the repair shop in that building.

Mr. MUDD. Does not this amendment strike out the whole limitation?

Mr. MORRELL. The whole limitation?

Mr. SMITH of Iowa. Mr. Chairman, as I understand the amendment offered by the gentleman from Pennsylvania, it would strike out all of this provision, which includes transferring to this building the office of the recorder of deeds. It seems to me the records of deeds ought to be transferred to this building; that these records have no place in the court building.

Mr. MORRELL. Allow me to ask the gentleman whether the office of the recorder of deeds is not now very much more used by those who have business in the courts than it would be if transferred to the new location?

Mr. SMITH of Iowa. I think not. I see no reason why the office of the recorder of deeds should not be in this building. I am of opinion that the police court ought not to be there. I therefore desire to offer an amendment, which, as I understand, will take precedence of the amendment now pending, to perfect this section according to my own idea. My amendment is to strike out, in line 1, page 15, the words "register of wills," and to strike out, in line 2 of the same page, the words "and the police court."

The amendment of Mr. SMITH of Iowa was read.

Mr. SAMUEL W. SMITH. If the provision in regard to the recorder of deeds should remain in the bill, why not that in regard to the register of wills?

Mr. SMITH of Iowa. I am glad the gentleman has asked me that question; I take pleasure in answering him. Under the judicial system of this District the judges of the district court are also judges in probate. The judge of the district court has to transact the probate business; and he is obliged to transact most of his business at the ordinary court building. Now, it seems to me it would be unwise to require this same judge to transact his ordinary judicial business in the court-house and then come down to this other building to transact the probate business. It seems to me that all of his business ought to be conducted in one building. I am therefore of opinion that the office of register of wills ought not to be transferred to the District building.

Mr. MORRELL. May I ask the gentleman whether he is in sympathy with the project of absolutely altering the character of the construction of this building?

Mr. SMITH of Iowa. I am in sympathy with the plan that provides for raising the basement of this building.

Mr. MORRELL. Is the gentleman also in sympathy with the project of shutting out light and ventilation which will follow this proposed change in the construction of the building?

Mr. SMITH of Iowa. The light and ventilation will be but slightly affected, because while they will be slightly impaired as to some rooms on the north side, there will be a new set of rooms on the south side that will have identically the same amount of light and ventilation taken away from the north rooms.

Mr. MORRELL. But that would manifestly defeat largely the very purposes of the new building.

Mr. SMITH of Iowa. No; I think not. This building is surrounded by streets on four sides, and the means of ventilation and light will be ample.

Mr. MORRELL. This building will have corridors with rooms on both sides. Now, the rooms on the corridors which face the interior of the building will be, if the project proposed be carried out, absolutely cut off from a proper supply of air and ventilation, and the gentleman must realize that during the summer months that is a very serious thing in Washington.

Mr. SMITH of Iowa. This building, if constructed as proposed in this amendment, will be constructed exactly like the State, War, and Navy Department building in this regard, and exactly like the Treasury building in this regard.

Mr. MORRELL. I should like to call the gentleman's attention to the fact that the area included in this new District building is very much less than that of the State, War, and Navy Department building.

Mr. SMITH of Iowa. I grant that the area will be somewhat smaller.

Mr. MORRELL. And there are already complaints upon complaints made by the [illegible] of proposed [illegible] in the last two [illegible] buildings. I may [illegible] mentioned them, for [illegible] examples of what might occur in this new building under the plan which the gentleman proposes.

Mr. GILLETT of Massachusetts. I should like to ask the gentleman this question: [illegible] as in every State of the Union [illegible] to go from one [illegible] to another in the same city?

Mr. SMITH of Iowa. I am not claiming that it is a hardship upon the judge. I claim that it will be an inconvenience to the [illegible] business to be required to go to the judge holding district court in another building.

Mr. GILLETT of Massachusetts. He will not hold the two courts at the same time.

Mr. SMITH of Iowa. In my State we have identically the same system in this respect that prevails in the District of Columbia. Anyone may go to the district court there at any time and obtain orders in probate, because the judge is there, the records are [illegible] difficulty in getting an order any day of the week [illegible] day.

[illegible] he would only have a [illegible] unity to transact his probate business, as compared [illegible] now enjoyed by him.

Mr. MAHON. Why don't you put all these judges in that [illegible]

Mr. SMITH of Iowa. [illegible] the wills [illegible] court, which has a general law and equity [illegible] it.

Mr. MAHON. Why not put all the courts [illegible] and put them all in one place.

Mr. SMITH of Iowa. There is no pretense that this building is or can, without [illegible] ing it unreasonably, be made large enough [illegible] understand that. It would mean a considerable increase [illegible]

Mr. MAHON. I do not think that is any objection, considering the [illegible] to be gained.

Mr. SMITH of Iowa. It would mean an addition of millions [illegible] the size of the building to put all the courts [illegible]

Mr. MAHON. We ought to do just as any large municipality [illegible] is in one building regardless of cost. [illegible]

Mr. BURKETT. Mr. Chairman, I want to say a word in behalf of this section as it is in the bill. I do not know whether I can talk very loud to-day, but I want the Members to hear what I have to say.

The CHAIRMAN. The Chair must insist on the committee being in order.

Mr. BURKETT. This is an important matter in dollars and cents to this District and to the Government. What we do here to-day we can not undo in any succeeding bills. In my judgment, the action that we take here to-day means a million dollars or more to the Government.

The House is familiar with the legislation that we have had with reference to this building. It started out with an appropriation, in the first place, to buy a site. Then the limit of cost was a million five hundred thousand dollars; afterwards it was increased to $2,000,000. Of that $2,000,000 there was appropriated in 1902 the sum of $500,000, and in 1903 the sum of $[illegible].

There is nothing in the law concerning this building that says what it shall contain, except that it shall be for municipal purposes—a municipal building for the District of Columbia. I take it when this law was originally passed nobody had any other idea than that it was to house everything belonging to the District that it was possible to put in the building. For years the District had been asking for a municipal building. The District authorities had been applying to Congress for it, the papers had taken the matter up, delegations of citizens had come before the committee, and Congress finally acted and provided for the building, and limited the cost to $2,000,000 for a District building. Now, the plans have been prepared, or partially prepared, and I have them here. A few weeks ago the subcommittee having this bill in charge addressed a letter to the Commissioners, and in that letter they asked about seven or eight questions. In short, they asked for a copy of the plans; they asked for the total floor space that all the departments of this District are occupying now, together with the number of clerks in each and every department, and also the total floor space of the new building, together with the assignment of the rooms contemplated in the new building, the number of clerks who would be in that new building, and the number of square feet of floor space that it was proposed to give every department.

When we received the reply we found there were several things that were not provided for at all in this new building. For instance, there was the harbor master's office, the superintendent of repairs, coroner, and several other things. Among the list not provided for was the police court of the District, the register of deeds, the register of wills, and the probate court. The committee went over the proposed plans thoroughly and carefully, and as a [illegible] decided that when we build this building it should include all the officials of the District except some, perhaps, that could not go in. For example, the harbor master's office, which would have to be down on the river front; the coroner's office, which has to be in the morgue, and one or two things like that; but we decided that all [illegible] should be gathered together under one roof. So the next question was, [illegible] enough? Now, I want to show you how we have chosen they [illegible] in that building; and in reply to the gentleman from Pennsylvania let me say we have not contemplated a single change in this building except raising it 18 inches from the ground and building in or filling up the open prongs of the "U" on the south side of the building.

The building, as these plans show it, will be six stories high. The lower floor is about 18 inches above the ground. That will permit a cellar 7 feet, as now proposed, underneath the first floor. If we raise that building so that the first floor shall be 5 feet or [illegible] above the ground, they can build a cellar [illegible] which will give an abundance of ceiling height for [illegible] heating plant, and a repair shop, such as is contemplated and [illegible] to put in that cellar.

Mr. SAMUEL W. SMITH. May I ask the gentleman a question?

Mr. BURKETT. Certainly.

Mr. SAMUEL W. SMITH. Where is the repair shop of the District of Columbia now?

Mr. BURKETT. They have got them everywhere.

Mr. SAMUEL W. SMITH. What does this include?

Mr. BURKETT. It would include in this building, of course, only such light repair work as could be done there properly. It will be the same sort of repair shop that they have under the Post-Office building and under all of the great buildings, the same sort of repair shop as is in every other public building in the District of Columbia.

Mr. SAMUEL W. SMITH. There is to be such a repair shop under this [illegible]

Mr. BURKETT. This is to get such a repair shop there.

Mr. SAMUEL W. SMITH. How, under this [illegible] you know that the [illegible] shops of the District or Columbia will be put under that [illegible]

Mr. BURKETT. We are trying to put all of the forces of the District [illegible] a place [illegible]

Mr. SMITH of Iowa. It does not say that all the repairs of the District shall be done in this shop.

Mr. SAMUEL W. SMITH. That is what the clause in the bill indicates.

Mr. BURKETT. It does not contemplate running a blacksmith shop in the cellar, or a wagon shop.

Mr. SAMUEL W. SMITH. I ask you, under this provision, how are you going to prevent it?

Mr. BURKETT. If they choose to put it there, let them put it there. I wish they would put it there if they want it. I am not afraid about that. We will not have any trouble about getting the things we do not want there. The trouble is to make them put all the things that ought to go into that building. That if where our trouble is, I would say to the gentleman.

I want to compare a little as to the room which they are going to have when this building is completed. All the departments of the District of Columbia occupy to-day 66,011 square feet.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BURKETT. Mr. Chairman, this is a matter of some importance, and I should like to have about ten minutes longer.

Mr. BENTON. I hope the gentleman will have ten minutes longer.

The CHAIRMAN. Unanimous consent is asked that the gentleman's time may be extended ten minutes. Is there objection? The Chair hears none.

Mr. BURKETT. Now they occupy a total floor space of 66,011 feet. In the new building as now planned they will have 165,215 square feet. In short, they will have almost three times as much space in this new building as the present District government occupies. That is all right. We want it to be too large. We want to have an outlet for the growth of the city. It is shown by the plans that there are 25,000 square feet of floor space in this new building that they have not been able themselves to find anything to occupy, and they have labeled it "unassigned," and there is 25,000 square feet of it.

Now, another thing. When the Commissioners were before us we asked whether this building was large enough, and they informed us that there was planned 25 per cent outlet. Now, let me compare to you the room as now occupied and to be occupied in the new building. For instance, the sealer of weights and measures, against which somebody raised a question yesterday, has 11 employees. They occupy one room now with an area of 1,216 square feet; when they get down to the new building they will occupy 3,553 square feet. They are going to have a public hall in the new building with a floor space of 2,550 square feet. The Commissioner has a room which now gives him 885 square feet; in the new building he will have an area of 2,073 square feet. The auditor now occupies 2,244 square feet; when he gets in the new building he will get an area of 5,472 square feet. The property clerk now occupies 620 square feet; when he gets into the new building he will occupy 2,666 square feet. So you find we have abundance of room, and we have provided for them about two and a half or three times as much floor space as they now have. Our question was, Can you have enough room with that for the recorder of deeds, the register of wills, the probate court, and your police court?

Now, when we got the plans of the building—the building is going to be located, I take it gentlemen of the House understand, on Fourteenth street, right below the Avenue, right south below the Willard Hotel, where the Mount Vernon street-car line comes when it jogs west on a short street and turns south. It is the block around which the Mount Vernon street-car line turns—the old power-house block. In addition to that block Congress vacated the street north of the block, so it gets that block and the street north of the block clear up to the little triangular piece of ground next to the Avenue. The plans contemplate covering only that block south of the street and do not include covering the street. Now, the plans as we found them provided for a U-shaped building, a building facing on Pennsylvania avenue, with two prongs running to the south. It is six stories high; the first two floors are built up solid all around. After it gets to the second floor, the third, fourth, fifth, and sixth will be U-shaped. I trust gentlemen will understand this.

Now, it occurred to the committee that it would make a prettier building if they would fill up that southern side, two-tailed proposition, and make a square building, facing all the points of the compass, and make it as good to the south as to the west or the east or to the north—make a completed building, as it ought to be. So when we had the Commissioners before us we asked them to figure out and add the amount of space that would be required for the police court, because the very next item in the bill, I think it was, appropriated $38,000 to buy a site for a new police-court building. The very next item after this $200,000 or $400,000 municipal building was to appropriate $38,000 to buy additional land for a site for a police court building. So we said to the Commissioners, "Figure up how much floor space it will take for the police court building; figure up all about it and let us know; figure up how much additional space will be in the municipal building if it is built up on the south the remaining stories." Peculiarly enough, it required 15,000 square feet for the police court; peculiarly enough, there were just 15,000 square feet gained by building up this building.

They argued that we could build a new police-court building as cheaply as we could put that addition up. They figured it up and there was about $20,000 difference in the cost of the two, and then we would have them all together—housed together. And their figures, mind you, was to build a police-court building out of brick at a cost not to exceed $75,000, and you and I know that while that will do to estimate for and to put in the bill as a beginning, you and I know that when we once commence a building like that it will cost half a million dollars and it will not be built out of bricks, because we are not building any buildings inside the District of Columbia out of bricks. Last year when the Commissioners were before the committee the matter was discussed somewhat, and it was intimated to them at that time that in the judgment of some of us it was better to have all the District offices housed in one building, and that Congress preferred that it should be that way. That was before the plans were out. Ignoring, apparently, that suggestion, they have come in this session in this way, with these particular departments left out. Now, the question is up to Congress to say to these people before we have gone any further: "We want you to build a building that will house all the departments of the District of Columbia."

Now, I want to get to the proposition that my friend from Pennsylvania is very anxious about. He fears there will not be light and air in some of these rooms. Let me tell the gentleman from Pennsylvania he ought to have looked at the plans. He spoke about the light and air being shut out of the rooms on the north side of the court. Well, there are no rooms on that north side of the court. It is all taken up by stairways and toilet rooms—not a single office room is contemplated. Let me tell the gentleman something else—there is but one floor, just one floor, on which it is contemplated to occupy these inside rooms next to the court as office rooms. The rest are to be occupied by dark rooms for the photographic department of the police officers and by records of the surveyor's office and various offices. There is just one floor, as I recall it now going over these plans, above the second, and of course that is dark under their plans, as the gentleman says, that is contemplated being occupied.

Now, here [holding up a plan] is the shape of the building. I wish you could all see it. It faces north. It is open to the south. Now, it is proposed by this section to build across the south end the same as across the north end, making the front the same as the north, and build that up four stories above where they have left it off. They complain that that will leave a closed court in here about 100 feet square, and that it will be dark in the inside rooms. There is the north side, as you see designated. A stairway and a toilet room extend clear across the north side of the court. On the east and west sides of this court there are storerooms, etc., in the main. That is the fifth floor.

Now, here on this other plan is the fourth floor. You see the stairway and the elevator goes clear up. Here we have a large room on this floor for the engineer department's records. That takes up practically all of it. There is only one other small room there. It is all occupied by the engineer department's records.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. SAMUEL W. SMITH. Mr. Chairman, I ask unanimous consent that the time of the gentleman from Nebraska be extended for ten minutes.

The CHAIRMAN. The gentleman from Michigan asks that the time of the gentleman from Nebraska be extended ten minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BURKETT. Mr. Chairman, I will not take the time to go over each of these floors. I went over them all the other day, and there is just one, as I found, that is contemplated being occupied by a force of clerks, as I now recall it. The first and second floors are filled up across there, and it will be a closed court below the third floor. They propose in their plans to put in this court the heating plant on the first floor, so that will fill the whole interior court up as far as the first story is concerned. The rear part is built up two stories, as the roof shows on the second-floor plan, which is really the third floor, for they count the basement floor as the first floor.

Now, I want to say just one more word in response to the suggestion of the gentleman from Pennsylvania that it would strain everything in this building to do it. That was the statement of the Commissioner—the Engineer Commissioner—at the hearings; but he has a good deal of pride in his plans. But when you get the plans and figure them over you will find that they only contemplate using the outside, a row of offices around here for an office

force; that the inner side is used for the elevator and stairway and the record offices and that sort of a thing. In spite of the extravagant use of the increased floor space they still have 25 per cent outlet, and I can not see how you are going to strain anything very much when they have got 166,000 square feet and 25 per cent outlet. They only need 15,000 square feet for a police court. If anybody will tell me how that is going to strain anything very much, I would like to know it. I am willing to put in some concession.

Mr. PALMER. What does he mean by straining?

Mr. BURKETT. I suppose he means to crowd—to jam some department up and put it in a less space than it ought to be put in. We do not propose to crowd them. If we build up the south end, it will probably cost $130,000—to build it clear up and make it a complete building. The architect figured it out, and I think he said it would cost $130,000 more. We believe the $2,000,000 appropriated for it is enough to do it: if it is not, we would rather increase it $130,000 than to start out with this building and know that we have got these three departments to put into some building hereafter.

Now, there is one other proposition. In my judgment and everybody's judgment there is no question but that the recorder of deeds ought to go down there. There ought to be no question but what the register of wills and the probate court ought to go there. It pertains distinctly to this District. It is true that one of the District judges up here one day in the week, under the law, goes into the probate end of the building and sits as a probate judge. Now, in my judgment, that probate court and its records ought to be down there in a municipal building, where its clerk would be and where all the business pertaining to the probate court and the registry of wills will be performed, and when that day of the week comes that the judge shall preside over the probate court he ought to go down there and sit in the municipal building. All the affairs of this District ought to be housed in one building.

Mr. MANN. Will the gentleman yield?

Mr. BURKETT. Yes.

Mr. MANN. I understood the gentleman to say that the probate judge, or the judge who sits as probate judge, sits only one day in the week.

Mr. BURKETT. Yes.

Mr. MANN. Do I understand from the gentleman that a man who wants to probate a will can probate it on only one day in the week; that a man who wants to produce witnesses can produce them only on one day in the week, and that a man who wants to take out letters can take them out on only one day in the week in the city of Washington?

Mr. BENTON. Oh, no, no.

Mr. BURKETT. It is suggested to me that their practice here is to take the evidence before the clerk. I do not know what the practice is, but the testimony was that he sat as a probate judge one day in the week.

Mr. MANN. Is it not the practice that a man can probate a will any day in the week, and he can obtain letters of administration any day in the week as a matter of formality, but that it requires the presence of the judge to permit this?

Mr. BURKETT. I do not know what the fact is as to the practice in this District. I do not know whether the gentleman does or not. I have not practiced any law in this District. I know what the practice is in my own probate court, and I presume the gentleman does in his own, and unless he has practiced here he probably does not know what it is here. They told us in the hearings that he acted as probate judge only one day in the week.

Mr. MANN. I have no doubt, if the gentleman will pardon me, that he is required only one day in the week to sit hearing matters relating to probate business, but that so far as the issuing of letters of administration is concerned, so far as the probating of wills is concerned, that he is sitting all the time, and under the change proposed by the gentleman that could not be done, and a man who came here from a distance, for instance, could be heard on only one day in the week.

Mr. BURKETT. It could be done just as well as it can be done now. He is sitting as the judge of a regular court here all of the time, except when he is on the bench of the probate court. If he has the authority to make orders outside of his own probate court room, he could make them just as well down there four blocks away as he could in another room in the same building.

Mr. MANN. Very likely, but the people would be required to trot down there to see him.

Mr. BURKETT. There would not be any people about it. Attorneys would get these orders as they do now, I presume.

Mr. MANN. Nobody would know where the judge was to be found.

Mr. BURKETT. They would know when he was to be down in the probate court.

Mr. MANN. They might, after they came to town.

Mr. BURKETT. Now, the only serious objection that has been raised to this whole plan, of course, has been to putting the police court down there. They want a new police court building here. They have been talking pretty loud about it and a good long time about it, and with a good deal of difficulty have we insisted finally on their fixing up the present headquarters to make it habitable. They have complained of Congress for not furnishing the money to make that building habitable, and yet, if I remember rightly, for several years we have appropriated the money and it has been unused. They have had the money available to make those cells and conditions over there more habitable.

We are simply up against this proposition now: Is Congress going to make them put the city government in that municipal building when we know they have the room, and every showing is that they have abundance of room, or are we going to let them have control of the purse strings and dictate another new building in this District? That is the whole question. They argue that the police court would not be a very suitable and desirable thing down there in the municipal building. The gentleman from Pennsylvania [Mr. MORRELL] says they have the police court in that magnificent municipal building over there in Philadelphia, and he says it is not a satisfactory arrangement over there. But Philadelphia thought it was all right to put it in its municipal building, and I dare say if we were to take a census of this House that out of the 386 Members five-sixths of them would testify that the police courts in their respective cities are in the municipal buildings. Now, they say it will be prominent. Everyone knows where the police court here is——

Mr. MANN. No; we do not know.

Mr. BURKETT. Well, the way the gentleman was talking about the courts I thought he understood all about it.

Mr. MANN. The gentleman's acquaintance with the probate court and the acquaintance of the gentleman from Nebraska [Mr. BURKETT] with the police courts are reversed. The gentleman from Nebraska may know where the police court is. I know where the probate court is. [Laughter.]

Mr. BURKETT. The police court is over there on Louisiana avenue, just below Judiciary Square, where the car line turns east after coming south from the Pension Office. It is one of the most sightly places in this city. More people go right through that section of the city than any other, it occurs to me. Yet gentlemen say they do not want to remove the police court——

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. BURKETT. I should like to have three minutes more.

Mr. MANN. I ask unanimous consent that the gentleman be permitted to conclude his remarks.

Mr. BURKETT. I shall not want more than three minutes.

The CHAIRMAN. Is there objection to granting the gentleman from Nebraska five minutes more?

There was no objection.

Mr. BURKETT. Gentlemen object to transferring the police court, because they say in the proposed new location it will be unsightly; but, sir, the south side of that block, down next to the electric power house, is farther away from Pennsylvania avenue, farther out of town, more hidden from the sight of the people, than the present location of the police court.

Now, what is the condition of the finances of this District? This District owes about $20,000,000. We can not put this bill through without increasing that indebtedness probably $2,000,000 more the present year, because we are doing some enormous work in the way of extending public improvements—in providing for the sewage-disposal system, in providing for the filtration plant, in building up the approaches to the new terminal station. All these things are going to involve an expense of two or three millions more than the present indebtedness.

Now, it occurs to me that the thing for us to do is to protect the District in this respect; and the people of the District want to be protected. Let me say that the persons who are clamoring for this thing are not all of the taxpayers. Since this bill has been reported I have been approached by many more of the strong business men and taxpayers of this District who want to be saved from the unnecessary extravagance of additional buildings than by people who have criticised the position that I take in this matter.

Mr. Chairman, we must meet this proposition. If we do not it simply means the addition of another million dollars to the indebtedness of this District. We have got to provide for the police court. If we do not provide for it by placing it in this building we shall be obliged to buy a site for the erection a new police court and erect another building.

Mr. MAHON. Mr. Chairman, I fully concur in the remarks of the gentleman who has just taken his seat [Mr. BURKETT]. We are putting up in this city a great municipal building, and why

should we have a part of the judges sitting in the city court building and a part of them in the new municipal building? There is no question to my mind that the probate judge and every judge of this District should go to this new building and also all the records of these courts. There will be plenty of room there for the records to accumulate.

Now, in regard to the police court. That court is now located about a great square from where the other courts are held. What are you going to do with that building if the police court should be transferred? That building is in pretty fair repair, and it might be kept for the use of two or three of the judges of our courts, and for the register of wills and his records. But why not transfer all the courts down to this new building, and if we must have a police court in that part of the city where it now is take the proceeds of the sale for a police court and such other offices as you may need in that locality?

The gentleman from Pennsylvania [Mr. MORRELL] has spoken of the great public building in Philadelphia, costing about $[illegible]. In that building there are all of the courts of the city. There is an archway cut through, as there ought to be in this new building. Hundreds of thousands of people pass through that archway every day. The people passing through there do not see good [illegible] of the criminals. The prisoners come there and back up to elevators which are used only by prisoners and the police officers. When the court is over those prisoners come down and are taken away.

Gentlemen know that where the police court of this District is now situated the prisoners, no matter how desperate or how dirty, pass to and fro in the presence of the passers-by.

Mr. MANN. Is it possible in Philadelphia to always tell criminals by looking at them? [Laughter.]

Mr. MAHON. In Chicago you can not tell them; but we can in Philadelphia.

Mr. MANN. There is no trouble, then, in Philadelphia; you know them whenever you see them.

Mr. MAHON. Because we have but few in Philadelphia; but in Chicago the criminals are far more numerous. [Laughter.]

Mr. MANN. The gentleman takes my idea, but reverses it.

Mr. MAHON. I agree with the gentleman. He has taken his seat. That house is no reason why this new building should not be made large enough to provide accommodation for the police court. It can be done by spending a little more money. You already have your or son venue; you should have in the new building [illegible] to bring the prisoners up to the court room and down again, and in that way they will, perhaps, be more removed from contact with the citizens than they are at present.

I have gone past the police court often during the last ten years. It looks more like an army hospital than a court building. In passing you meet many maimed and bloody handed, standing on the pavement. You see gathered every morning around that police court a crowd of desperate people [illegible] their friends. Now, why not remove all that? These judges need not be so degraded. They are judges of the United States. They hold their police court and their criminal courts in these great buildings. If you are going to finish this building and have a police court in that locality, then there will be another and another building. I do not have hope how to enlarge it. Now, I am in favor of putting the offices of all the courts, criminal and all, in that building.

Mr. BENTON. Mr. Chairman, what is the present parliamentary situation?

The CHAIRMAN. The question before the committee is the amendment offered by the gentleman from Iowa to the amendment offered by the gentleman from Pennsylvania.

Mr. BENTON. What was the amendment offered by the gentleman from Pennsylvania?

The CHAIRMAN. Without objection, the Clerk will again report such amendments.

The Clerk read the amendment, as follows:

Strike out, on page 14, after the word "dollars," in line 23, all of the paragraph commencing with and including line 6, on page 15.

And the amendment to the amendment, as follows:

On page 15, strike out, in line 1, the words "register of wills," and in line 2 the words "and the probate court."

Mr. BENTON. Mr. Chairman, I do not know whether I can enlighten the committee any more than they have been enlightened by what has been said. I shall address myself first to the proposition of the gentleman from Pennsylvania [Mr. MAHON], who has just taken his seat.

The probate court ought to be there. As to the other courts, they are Federal courts; there is a building already in the District of Columbia, paid for, for their use. I do not see any reason why the other courts of law and equity should be in the municipal building. It might be all right if we had the room, but there are a large number of offices that have to be housed in this building.

Now, as to the main proposition. I have been on this committee some years. The people of this District, or those who are in control, the Board of District Commissioners, have insisted, year after year, that the District of Columbia should be housed in a building of its own, complaining that the offices were scattered around all over this city, and I agree it; that the District ought to have a home. Finally we bought a very [illegible] piece of property down here on Pennsylvania avenue, running south to and across what is known as D street. We then appropriated, as you have been told, money to build a $1,500,000 building, making it cost altogether $2[illegible].

Without consulting the committee or the Congress the Commissioners prepared elaborate plans, and these plans show a very handsome building, but one which does not come anywhere near covering all the ground.

Mr. MANN. Will the gentleman pardon me, Mr. Chairman?

The CHAIRMAN. Does the gentleman from Missouri yield to the gentleman from Illinois?

Mr. BENTON. Yes.

Mr. MANN. We have not heard stated on the floor of the House yet, and I know it would be a matter of information if the gentleman would tell us, what offices are to go into the building according to the Commissioners' plan, in addition to the offices enumerated now in the limitation proposed by the committee?

Mr. BENTON. If I do not come to that in a moment I hope the gentleman will rise and call my attention to it. I think that is an appropriate inquiry, and I will try to meet it.

It was the opinion of the committee (I am frank to say there was some division in it, however) that the ground which we had purchased at an enormous cost had not been properly utilized. A suggestion was made that we buy a piece of ground at a cost of—I do not remember how much money—$30,000, I believe, on which to erect a repair shop for the District. That was for the ground. The repair shop was to come later. A suggestion was made to purchase some property for the erection of a police court, and later would come the police-court building. There have been frequent suggestions for a building of records, to house the recorder of deeds and the register of wills.

Your committee thought that in the interest of economy, and in the interest of the people who transact business with the District, the offices ought all to be put into one building. The Commissioners proposed—if I am mistaken I hope some one who knows better will correct me; I am talking from memory now—the Commissioners proposed to house first the superintendent of police, together with his office force and the officials of the fire department. Each of the Commissioners was well provided with a large amount of room.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent that the gentleman have ten minutes more.

The CHAIRMAN. Is there objection to the request for an extension of ten minutes?

There was no objection.

Mr. BENTON. They proposed also to house in this building the assessor of the District and all his clerks and assistants—and he has a large number of men; the collector of the revenues of the District and all his officials, and the water department; the sealer of weights and measures—and, in fact, all of the officials except the harbor and wharf master and the police court, the recorder of deeds, the register of wills, and the probate court—are about all that were left out.

Mr. MANN. Will the gentleman yield to a question? The recorder of deeds and the register of wills and the probate court are ordinary county officers, I suppose. I will ask the gentleman to kindly inform me whether the plan contemplated putting into the new building all the officers usually relating to the city affairs in the ordinary city except the harbor master? Is not that the case?

Mr. BENTON. Yes and no, both. The District government is just like a county and city government.

Mr. MANN. Well, I understand that, but I say we distinguish between the city and county governments possibly the same as in other places. Now, here the plan contemplates putting in this building, as I understand it, the general offices that in other places usually relate to the city government.

Mr. BENTON. Yes.

Mr. MANN. And the offices left out were those offices usually your county offices.

Mr. BENTON. With the exception of the police. All the police officials we provide for in the plan of this new building.

Now, Mr. Chairman, your committee is of the opinion that the officers of the District of Columbia ought all to be housed in one building; and if the committee is sustained by the Committee of

the Whole House, I shall offer an amendment that the probate court shall be put in there. Now, just a word on the general subject, gentlemen. Those of you who have been in Congress here a number of years know that there is a disposition among a class of very nice gentlemen to make a lot of splendid buildings in this city and District at the expense of the people of the United States. This committee has not been niggardly with the people of the District of Columbia. We have given to it here the largest bill by $1,300,000 that we ever made for this District. If we had followed the suggestions of those whose duty it is to make suggestions to us, we would have made the bill very much larger than we have.

The Committee on Appropriations, as I understand it, in obedience to the voice of this House, has been undertaking to pare down wherever it could and keep the expenses within bounds. This is a campaign year, and it is not a political secret to say that it is the desire of the Administration this year, and it ought to be always the desire of Democrats, to be economical. These people have asked us and we have generously granted them $2,000,000, and with the addition of $133,000 for a municipal building the Commissioners say we can put every official connected with the District of Columbia into the municipal building.

Mr. MORRELL. Will the gentleman permit a question?

Mr. BENTON. Certainly.

Mr. MORRELL. The gentleman has just stated it would cost $133,000 additional. Was not that the figure?

Mr. BENTON. I ought to explain——

Mr. MORRELL. My understanding from the chairman of the committee was that this increase in cost over the building at this other site in this new shape of the building was all to be included in the $2,000,000.

Mr. BENTON. I think it could be without any question. But I am telling you what the suggestions of the Commissioners were.

Mr. McCLEARY of Minnesota. Will my colleague on the committee yield to me for a moment?

Mr. BENTON. Certainly.

Mr. McCLEARY of Minnesota. What I meant to say was that if would all be included in the $2,000,000 if changes were made in the material.

Mr. MORRELL. Then that alters the situation.

Mr. BENTON. Oh, no.

Mr. MORRELL. Because if this is to be an additional appropriation for building this wing part, I may say that this part of this clause is subject to the point of order.

Mr. McCLEARY of Minnesota. All that you would have to do would be to change the material and bring it within the amount. The quality and character of the material has not been fixed yet; it is simply in contemplation; and by changing the material it could be brought within the amount.

Mr. MORRELL. I just wanted to be informed whether it would be included in the $2,000,000.

Mr. BURKETT. Let me say to the gentleman that we do not know how much it is going to cost yet. They have got no bids on it. They might have $500,000 of the amount left.

Mr. MORRELL. I was just taking the words of the gentleman from Missouri.

Mr. BURKETT. Now, we do not know what it will cost. They may be able to make this within the bound, and they may submit the bids so that it will not exceed $2,000,000. But the whole cost, according to the figures, would not be more than $130,000 additional for the present plan of the building.

Mr. MORRELL. That was certainly not the impression the chairman of the committee made on me when I asked the question.

Mr. BENTON. Mr. Chairman, of course the gentleman from Pennsylvania did not purposely misunderstand me. I just want to make myself clear. I intended to say the suggestion was made to us that it would cost $133,000 more than the present appropriation. I am of opinion that it all can be built with the $2,000,000, and I think that is the opinion of your committee as well. Now, if we follow the suggestions of the Commissioners——

Mr. McCLEARY of Minnesota. Mr. Chairman, if my friend will just allow one word of interruption. Of course that does not provide for the raising of the building so as to give a higher ceiling to the subbasement. That would cost $50,000 more, but we think it can be all included within the $2,000,000.

Mr. BENTON. If we purchase this piece of ground for the erection of the repair shop that is going to cost $30,000, to say nothing of the erection of the repair shop. We will make money by putting the repair shop in this building. We know it is going to cost at least $38,000 to buy the ground for the police court building. Then it is the intention afterwards to build a records building, and we do not know how much these buildings are going to cost, but from the experience this committee has had in the past in paying for these buildings I venture the opinion that there can not be erected a repair shop and police court building and hall of record and probate court short of a million and a half dollars.

This committee in the interest of economy insisted upon putting the whole District of Columbia in this one municipal building. Now, I think, perhaps, with what we have already stated to the committee, that you understand the position of the Committee on Appropriations. We are erecting a magnificent building here for the use of the District. We are proposing to have it cost $2,000,000, one-half of which comes from the pockets of the taxpayers and all the people. We believe it is enough, and therefore I hope that this committee will sustain the committee in its conclusion.

Mr. MORRELL. Mr. Chairman——

The CHAIRMAN (Mr. LACEY). Debate on this amendment is exhausted.

Mr. MORRELL. Just one word——

Mr. MANN. Mr. Chairman——

The CHAIRMAN. For what purpose does the gentleman from Illinois rise?

Mr. MANN. The Chair states that debate on this amendment is exhausted. That was true more than half an hour ago.

The CHAIRMAN. Then it is equally true now.

Mr. MANN. The gentlemen favoring this item of the bill have now been occupying forty-five minutes, and it would hardly seem that it is necessary that the Chair should call attention to the fact that debate on this question is exhausted.

The CHAIRMAN. If debate has been running forty-five minutes beyond the time, it is certainly necessary now to call attention to the fact.

Mr. MANN. But it has been forty-five minutes on one side. While the present occupant of the chair has not been in the chair, it has been forty-five minutes on one side of this discussion, and now I think the other side should be recognized.

The CHAIRMAN. It rests wholly with the committee.

Mr. MORRELL. Mr. Chairman, I would like to say to the gentleman that I did not intentionally misunderstand him, as he seems to think.

Mr. BENTON. No; I said I did not think you did.

Mr. MORRELL. The gentleman has stated that the cost of the new police court and the ground which he claims is to be purchased would probably be altogether, with other buildings, a million and a half dollars, if the change is not made as provided for in this bill. Now, Mr. Chairman, in regard to the price for this ground, it must be remembered that the District already owns the ground upon which the present police court stands, and this $38,000 was only to purchase a small additional piece of ground and to prepare plans. The Commissioners say that an adequate building can be erected for $75,000. My experience with the Commissioners, Mr. Chairman, is that their estimates do not run so very much behind what the building would eventually cost as the difference between $133,000 and a million and a half of dollars.

Now, the gentleman has claimed that the fact of raising this fourth side will not shut out the light and air, because there is a corridor and no rooms on the side of the building facing the court. I do not believe that that is the case. I think the building will suffer from lack of ventilation and lack of light just the same by having this proposed building erected on the open part of the U. The gentleman from Pennsylvania has made the remark also in regard to its not being at all disagreeable or injurious to the building to have the character of people that frequent the police court come to this new building. To this I disagree.

The gentleman from Nebraska described the site of this building, and described the character of the building. He said that it was to be a monumental piece of architecture, located near the New Willard Hotel, and yet for the paltry sum of $133,000 we are going to run the chance of destroying that neighborhood, to run a chance of having the character of the people around this new building such as he must see if he ever goes near the police court where it is situated to-day. I therefore trust, Mr. Chairman, that the House will give some consideration to this amendment.

Mr. MANN. Mr. Chairman, if debate is exhausted on this amendment, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to proceed for five minutes. Is there objection?

There was no objection.

Mr. MANN. I would like to ask the chairman of the committee in charge of the bill whether the police cells are to be in this building?

Mr. McCLEARY of Minnesota. Of course, there would be no cells for permanent incarceration. There would be a few cells for temporary detention pending trial.

Mr. MANN. Where are the permanent cells to be?

Mr. McCLEARY of Minnesota. In the jail.

Mr. MANN. I am still at sea. I do not know where the jail is.

Mr. McCLEARY of Minnesota. In the eastern part of the city.

Mr. MANN. Where is it expected that the drunks and disorderlies will be taken when arrested? Where are they now taken?

Mr. McCLEARY of Minnesota. There are a number of police stations around the city, and they will be taken to those stations.

Mr. MANN. At the different stations and then brought to the police court here in the morning. Are they always brought in covered vans?

Mr. McCLEARY of Minnesota. Yes.

Mr. MANN. From each station?

Mr. McCLEARY of Minnesota. Yes.

Mr. MANN. The gentleman is sure of that?

Mr. McCLEARY of Minnesota. Yes: no question about that.

Mr. SMITH of Iowa. But let me suggest to the gentleman that it is understood that there are to be certain police cells in this building, if this provision goes through as it is contained in this bill. They will be cells for the temporary detention of persons awaiting trial.

Mr. MANN. I am very glad to hear the explanation given by the gentleman in charge of the bill, because it partially removes the objections to putting the police court in this building. We have had the experience of the gentleman from Pennsylvania, where they erected a housing costing $2,[illegible] occupied by criminals, two-thirds of whom ought to have been put in the cells, because that building never cost $2,[illegible] except by a building.

The gentleman from Pennsylvania is not responsible for that conclusion, because he would never allow anybody to steal if he could prevent it. The drunks and disorderlies are to be gathered here in the same building. And here is a proposition to construct a moderate-sized building, in which it is proposed [illegible] disorderlies necessarily shall come in contact with the gentlemen who perform business at the city hall in the District building. Because the gentleman from Pennsylvania has given his experience with his building, I feel constrained to give mine, having been connected with the city government of Chicago, where there are police courts and plenty of criminals, and I say it would be a distinct outrage to put the police court of any large city in the same building with the ordinary city offices, where ladies and gentlemen ought to be permitted to go without being compelled to contact with the drunks and disorderlies and [illegible] and there are as many of them here in the city of Washington proportionably, in proportion to the population, as there are in any other place except Chicago and Philadelphia. [Laughter.]

There is no reason for it. Saving $[illegible] Mr. Chairman, we are legislating for the capital of the country. The cheese paring in reference to this expect not to be permitted. We can afford to give to the capital of the country [illegible] a proper District building, but, if necessary, a proper police court. The gentleman from Nebraska [Mr. [illegible]] [illegible] or the day before delivered a very learned [illegible] relations between the District and the General Government. I am not in favor, any more than he, of unnecessary appropriations in behalf of the District, but I do not believe that we ought, in justice to ourselves or to our constituents, in this, the capital of the country, to do what they would not do in any respectable town of large size in the country, put the register of deeds and the register of wills and the probate court and the drunks and the disorderlies together in the same building with the usual city officers. [Applause.]

Mr. BENTON. Mr. Chairman, the gentleman from Illinois [Mr. MANN] has found a [illegible] The police [illegible] by the committee [illegible] the balance of the building. The south side is [illegible] away from the north side of the building, on Pennsylvania avenue. The drunks and the bad people and we have them in all cities—come in on that side of the building. They [illegible] through the building, they come in on the [illegible] street side. The register of wills, and the [illegible] and the probate court, and the Commissioners are not in any [illegible] connected with the police court. We looked after that perfectly, so the gentleman is mistaken.

Mr. CLARK. Let me ask the gentleman a question.

Mr. BENTON. Go ahead.

Mr. CLARK. If you build the new building you are talking about, what is to become of this old building over here?

Mr. BENTON. That belongs to the United States Government.

Mr. CLARK. The whole thing belongs to the Government, does it not?

Mr. BENTON. No.

Mr. CLARK. I thought somebody said here yesterday, a member of this committee, that the District of Columbia belonged to the Government.

Mr. BENTON. I would like to state to my colleague, on the suggestion made by the gentleman from New Jersey, that it does not take the place of the court-house where the Federal judges who are appointed by the President try the general cases. It is just the probate court and the police court that we want to put into that building.

Mr. CLARK. Are they going to build this great building for the benefit of a probate court?

Mr. BENTON. Oh, no. We build it for the whole District—the water department, the fire department——

Mr. CLARK. Oh.

Mr. BENTON. The police department and the collection department, the assessment department; in fact, the whole District of Columbia.

Mr. CLARK. And now they are objecting to the police court going in there?

Mr. BENTON. Yes.

Mr. CLARK. On the ground of the social status of the fellows that attend the police court?

Mr. BENTON. Yes; that is the idea.

Mr. SMITH of Iowa. It is a fact, is it not, that the probate court and the registry of wills are now in the court building on Judiciary Square and are costing the Government of the United States nothing and the District nothing to house them?

Mr. BENTON. Yes; but it is the intention to have another building.

Mr. SMITH of Iowa. I will ask the gentleman if he has ever heard from anyone a suggestion that we build a separate building for the probate court?

Mr. BENTON. Oh, yes; I have more than ten times since I have been on this committee. Not specially the probate court, but for various city offices. It is to be called a "record building."

Mr. SMITH of Iowa. The gentleman does not claim that the contemplated hall of records is intended as a court room?

Mr. BENTON. No; not the hall of records, the gentleman is thinking about, but the building that they will try to get is for the business of the registry of wills and the registry of deeds and the probate court, a separate building from the court room and a separate building from the municipal building.

Mr. SMITH of Iowa. Whatever may be the fact as to that, these offices are now conducted in the ordinary court building without any expense to the Government of the United States or to the District of Columbia.

Mr. BENTON. Yes; but we have no reason to believe that that is going to continue.

Mr. SMITH of Iowa. Is there any reason to think that we can not continue to shelter them there?

Mr. BENTON. Yes; I know the persistence of certain men in the District of Columbia and that they will never let up; that they will keep after us until they get a big police court, and they will get a building to put the registry of deeds and the probate court in, and they will have a [illegible] in the municipal building. Where we have [illegible] we will be compelled in the [illegible] to have [illegible] business, and so on, the government of the District [illegible] as long as I have he will get [illegible] as I am with [illegible]

Mr. SMITH of Iowa. [illegible]

Mr. BENTON. [illegible] will be no expense [illegible]

Mr. SMITH of Iowa. Does the gentleman say there is an expense [illegible]

Mr. BENTON. There is, because the whole District ought to be in one building.

Mr. SMITH of Iowa. I am talking about whether there is any [illegible] in removing them from where they are now to the new building.

Mr. BENTON. Absolutely there is [illegible] for [illegible] that they are costing and costing other [illegible] That is the purpose for it—to stop the [illegible] it unnecessary for them to say that they need [illegible]

Mr. SMITH of Iowa. I would like to know [illegible] any more necessary to have a separate building now than it will be when you get them into the [illegible]

Mr. BENTON. There would not be any more necessity, except the excuse for it would be removed because we will have gotten them [illegible]

Mr. SMITH of Iowa. I can not see where the excuse will be removed.

Mr. HENRY of Texas. Mr. Chairman, I will ask the gentleman if it is contemplated to house the supreme judges of the District of Columbia and the judges of the court of appeals in the new building?

Mr. BENTON. No: it is not.

Mr. HENRY of Texas. That it is not contemplated?

Mr. BENTON. [illegible]

Mr. McDERMOTT. I do not understand that the courts are to be in the [illegible] building.

Mr. BENTON. [illegible]

[illegible] It does seem to me [illegible] those offices who are, [illegible] of the records of record, as distin- [illegible] a passage [illegible] which we [illegible] will [illegible] by a proper build- [illegible] dis- [illegible] to the ju- [illegible] it. In [illegible] is not a [illegible] All rec- [illegible] public [illegible] of judicial business, [illegible] the court is held.

[illegible] ined on. I want to enter my protest against allowing the police court to occupy any part of [illegible] hall. That is what it is to be called. You may call it the "department building" of the District of Columbia, but it is to be in fact what is ordinarily called in a city the "city hall," and it is very seldom that police courts are held in the city hall of any city.

[illegible] the police court of the [illegible] is not matter in what part of the building it may be placed—it is going to be a nuisance. It is a nuisance to-day in the present [illegible] On any day when there is a trial of any importance, when the committing magistrate is called upon to have preliminary hearings; for instance, in a case of burglary or the commission of any misdemeanor, the vicinity of the police court is crowded; the streets are crowded with characters more or less offensive. And so it will be in this new building, which should be an ornament as well as a convenience.

If you attempt to set off any particular part of it for the transaction of business ordinarily carried on in the police court of the District, on any day when there is active police court business you will have the whole of Pennsylvania avenue crowded with the vagrants, with the "hangers-on" around the police court—with objectionable characters. You can not keep them out of the building; they will be roaming in and out; they will be intruding themselves upon the sidewalks, offensive to everybody. I do not mean to say that they are different in this District from what they are in any other municipality, but if anybody will attend the police court of the District, will watch the gathering on the adjacent [illegible] and particularly in this District of the objectionable features that will necessarily present themselves if you put the police court of the District in the city hall.

If in spending two or three million dollars, as seems to have been contemplated in the consideration of providing for this new building, [illegible] that a part of the judicial system should be provided with the same roof as the municipal system, it will be a great error. I may be wrong. That is a matter to which, of course, the committee has given more calculation, more scrutiny, than I could give; but I should like to see the judicial system and all its appurtenances in the court-house and the municipal system in the hall. But, above all things, let us not put the police court down there adjacent to Pennsylvania avenue. If you should do so, you will simply provide for the congregation there of [illegible] objectionable to everybody—men, women, [illegible] to have dealings with the municipal government of the District. [Applause.]

Mr. MANN. Mr. Chairman, the gentleman from Missouri seems to be worked up a little because he thought I did not know that the entrance to the police court will be different from the entrance to the main part of the building. Mr. Chairman, in connection with the Capitol there is an entrance on the House side as well as an entrance on the Senate side, but it is not to be supposed that all the Senators go in on the Senate side and all the Members of the House on the House side. Yet it is just as likely [illegible] Members of the House come into the Capitol from the House side and all the Senators will come into the Senate side and those who have a [illegible] to enter it. [illegible] to be used the [illegible] and those who have a [illegible] because [illegible] have [illegible] that the police court [illegible] is the [illegible] of a large population [illegible] element of the city. Here in the [illegible] capital [illegible] employment as well as the [illegible] element [illegible] will [illegible] frequent the police court [illegible] Now, the [illegible] and [illegible] go to transact [illegible] business with the [illegible]

Mr. BURKETT. Let me say to the gentleman that the police court is [illegible] now to the [illegible] it will be [illegible] this arrangement. It is closer to [illegible] and would have been in this city than it will be under this arrangement.

Mr. MANN. Very well, we are [illegible] to cause the present [illegible] it is not [illegible] The gentleman proposes to [illegible]

The CHAIRMAN. The question is upon the amendment [illegible] Iowa to the amendment offered by [illegible]

Mr. [illegible] Mr. Chairman, will we have the amendment reported?

The CHAIRMAN. Without objection, the Clerk will report [illegible]

The [illegible] read the amendment, as follows:

[illegible] after the word "[illegible]," in line 23, page 14, down to and including [illegible]

And the amendment to the amendment:

Striking out [illegible] the words "register of wills" and in line 2 the words [illegible]

The question being taken on the amendment to the amendment, the [illegible] announced that the ayes appeared to have it.

Mr. LENTON [illegible] a division.

The committee [illegible], and there were—ayes 22, noes 27.

Mr. SMITH of Iowa. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. SMITH of Iowa and Mr. BENTON.

The committee again divided; and the tellers reported—ayes 44, noes 46.

Accordingly, the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs upon the amendment of the gentleman from Pennsylvania.

The amendment was rejected.

Mr. SAMUEL W. SMITH. Mr. Chairman, in line 2, page 15, I move to strike out the words "and the police court."

The CHAIRMAN. The Chair will state that that amendment has already been acted upon.

Mr. SAMUEL W. SMITH. But it was acted upon in connection with another part of the clause, and not by itself.

Mr. BURKETT. The gentleman should have asked for a division then.

The CHAIRMAN. The gentleman from Michigan is correct.

Mr. BENTON. I submit that that question has been settled.

Mr. BURKETT. Mr. Chairman, that question was voted on in conjunction with the other one. Now, if the gentleman did not ask for a division of the question, that is his lookout, and not that of anybody else.

Mr. BENTON. The amendment covered both.

The CHAIRMAN (Mr. LAWRENCE). The Chair will remind the gentleman that the amendment offered by the gentleman from Iowa [Mr. SMITH] was to strike out the words "register of wills" in the first line and the words "and the police court" in the second line. No one called for a division. The proposition offered by the gentleman from Michigan [Mr. SAMUEL W. SMITH] to strike out the words "and the police court" is a different proposition. Perhaps it would have been better to have called for a division of the amendment offered by the gentleman from Iowa, but that was not done, and the Chair must hold that this is a different proposition—one which has not been acted upon. The question is upon the amendment offered by the gentleman from Michigan.

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. SAMUEL W. SMITH demanded a division.

The committee divided; and there were—ayes 21, noes 33.

Mr. MORRELL. Tellers.

Tellers were refused, not a sufficient number rising in support of the demand therefor.

Accordingly the amendment was rejected.

Mr. SAMUEL W. SMITH. Mr. Chairman, I have one more amendment that I should like to offer, in line 6, page 15, beginning with the word "for," to strike out the words "for a repair shop for the District of Columbia."

The CHAIRMAN. The amendment will be reported by the Clerk.

The Clerk read as follows:

Page 15, line 6, strike out the words "for a repair shop for the District of Columbia."

Mr. BENTON. Mr. Chairman, if that motion is carried it means the purchase of a property valued for $30,000, and then the erection of a building. I hope the amendment will be voted down.

The amendment was rejected.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. DALZELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 13290. An act making an appropriation for clearing the Potomac River of ice;

H. R. 5761. An act to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River; and

H. R. 5578. An act to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela River, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver, Westmoreland County.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1760) granting a pension to Ann A. Devore.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 200) granting an increase of pension to Austin Almy.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 6582) granting an increase of pension to Harry Haller, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McCUMBER, Mr. SCOTT, and Mr. PATTERSON as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolution of the following titles; in which the concurrence of the House of Representatives was requested:

S. 3658. An act ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks-bond election held by the city of Geary, in said Territory;

S. 2263. An act to require the employment of vessels of the United States for public purposes; and

S. R. 73. Joint resolution authorizing the reprinting of certain documents to be sold by the superintendent of documents.

The message also announced that the Senate had passed the following resolution:

Resolved, That the Secretary [illegible] the House of Representatives to return to the Senate the bill (H. R. [illegible]) for the relief of Juliette Westbrook.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

Assessment and permit work: For assessment and permit work, $160,000.

Mr. OLMSTED. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman in charge of the bill what this appropriation is for. What is meant by "assessment and permit work?"

Mr. McCLEARY of Minnesota. For sidewalks, alleys, sewer connections with houses, etc., one-half the cost being paid by the property owner, the other half by the District.

Mr. OLMSTED. I withdraw the amendment.

Mr. PERKINS. I move to strike out the last two words. I would like, Mr. Chairman, to make some suggestions to the committee with reference to the question of local improvements, not that they will act upon them now, but it may be well to consider them with a view to future action. If I understand rightly, all local improvements—the continuation of streets, the construction of roadways, the construction of sidewalks, the construction of local sewers—are paid for by the city at large. Is that right?

Mr. McCLEARY of Minnesota. Except such as are paid for under the provision now under consideration.

Mr. PERKINS. They are paid for by the city at large. They are not paid for by local assessments on the abutting owners.

Mr. McCLEARY of Minnesota. The improvements covered by the pending paragraph are paid for by the District and by the abutting property owners half and half.

Mr. PERKINS. One-half. And what improvements are paid for by the abutting property?

Mr. McCLEARY of Minnesota. I have just answered, as provided for here—sidewalks, branch sewers, and such things.

Mr. PERKINS. I would like to ask the gentleman for information. If a sewer is constructed on some new street, who pays that expense? It is paid for by an assessment on the abutting property?

Mr. McCLEARY of Minnesota. It is all paid for by the Government; that is, out of a general appropriation carried in this bill.

Mr. PERKINS. All paid for by the Government. Suppose a macadam pavement is put on Massachusetts avenue, who pays for it?

Mr. McCLEARY of Minnesota. That is all paid for in the same way.

Mr. PERKINS. It is all paid for by the Government. Now, Mr. Chairman, I would like to make some suggestions——

Mr. McCLEARY of Minnesota. My general statement is subject to certain modifications. For example, sometimes gentlemen desire to make improvements which are obviously for their own personal advantage, they having large tracts of land which they wish to improve. For such improvements they pay the entire expense. In other cases improvements are desired in advance of the necessities of the community, as judged by the Commissioners. Sometimes, where it seems in the public interest, the Commissioners grant permits for such improvements and pay one-half of the expense. They do this on the theory that these improvements would have to be made soon anyway, and would then have to be paid for entirely by the Government.

Mr. WM. ALDEN SMITH. That is speculative.

Mr. McCLEARY of Minnesota. They are permitted to improve, to lay out their own property, providing that such new streets conform to the general plan of the city, and they may make improvements upon them, provided that those improvements reach the standard of quality which the Commissioners deem proper.

Mr. PERKINS. Mr. Chairman, it is hard to speak about this, because I am not entirely familiar with the practice. But it seems to me that the procedure adopted by the committee needs some further consideration.

The bill this year provides for spending in the city of Washington the sum of $10,000,000, which is a larger sum than is expended for the entire expenses of several of the States in the Union. I find in looking over the bill, at a rough estimate, $2,000,000 is spent for what I should regard as local improvements. Now, certainly, Mr. Chairman, the system of paying local improvements by the city at large is a very costly and very unfortunate one. Every man knows who lives in a city——

Mr. BURKETT. That depends the gentleman mean by local improvements?

Mr. PERKINS. I would say this: Suppose a sewer—we will say on Nineteenth street—is constructed. I should call that structure a local improvement. It should be defrayed by the property abutting on Nineteenth street. I want to find out whether this city, the Government [illegible] this present year for local improvements.

Mr. WM. ALDEN SMITH. Well, now, that is true if it originated with the property owners.

Mr. PERKINS. If it originated with the property owner.

Mr. WM. ALDEN SMITH. If it originated with the Commissioners as part of the general scheme, they are responsible for it, and pay a larger proportion than anybody else.

Mr. PERKINS. Oh, no; the gentleman is not right about that.

Mr. WM. ALDEN SMITH. I am right.

Mr. PERKINS. In any city government, when the time comes where they are to have a roadway or a sewer, it is paid for by the people whose property is affected.

Mr. Chairman, where is the difference between constructing a new sewer on Nineteenth street in the city of Washington and constructing a new sewer in a similar street in any city of the country? Why should it not be paid by the owners of the abutting adjacent properties who receive the benefit?

Mr. BURKETT. Do you ask that as a question?

Mr. PERKINS. Yes.

Mr. BURKETT. I thought that was a question you asked. But the simple difference is the way we do it here in the District of Columbia.

Mr. PERKINS. Why should we do it that way?

Mr. BURKETT. Because the law on the statute books prescribes the procedure, and when we meet as a committee we simply take the law and appropriate in accordance with the law. Now, the law says that it shall be done on the half-and-half plan, that sidewalks shall be built in a certain way and sewers shall be built in a certain way and pavements in a certain way, all paid for out of Government funds, and we simply appropriate under that law.

Mr. PERKINS. Then I should like to ask the gentleman, who is himself a lawmaker as well as a member of the Committee on Appropriations, whether he thinks that the law should provide that all these local improvements should be paid out of the general fund, one-half by the Government, instead of being defrayed as they are in almost every city in the land, by owners of the property [illegible]

Mr. BURKETT. No, I will say to the gentleman this: While this is the national capital and while we want to make it as beautiful as we do, we must keep in our hands control when we make these improvements [illegible]

Mr. PERKINS. But——

Mr. BURKETT. Now, just let me finish. When the gentleman states that in my city or any other city no street is paved until two-thirds or three-fourths of the abutting property owners have paid, he knows there are streets which ought to be paved for the good of the city and the beauty of the city, yet you can not get the requisite number of signers to the petition to pave them. Here in Washington we are not going to wait for a few obstreperous property owners to come to the conclusion they want that street paved. Whenever the Government says, "Pave the street," we are going to pave it. We are going to tax the owners for half of it, and we are going to pay the other half out of the Treasury. This is the law of 1878. If gentlemen do not like the way Congress does it, they must change the law and assess these pavements and sidewalks and sewer extensions. We are appropriating in accordance with the law, gentlemen, and I think it is a good law.

Mr. PERKINS. The question is whether this is the way the law ought to be.

Mr. McCLEARY of Minnesota. Will the gentleman pardon a question?

Mr. PERKINS. Certainly.

Mr. McCLEARY of Minnesota. I did not understand exactly the point of the gentleman's suggestion. He mentioned, I take it, that the general trunk line sewers are paid for wholly out of public funds, one-half being paid out of the Treasury of the United States and one-half out of the revenues of the District——

Mr. PERKINS. Yes.

Mr. McCLEARY of Minnesota. But minor sewers are paid for by the public and by the property owners, half and half. For example, take the case of a block or square adjoining a trunk-line sewer. It is desired to run at right angles to the trunk sewer a [illegible] sewer for the accommodation of people living on the street at right angles to the one upon which the main sewer lies. In such a case those who desire such accommodation must pay half of the cost.

Mr. PERKINS. Now, I would like to ask the gentleman——

Mr. McCLEARY of Minnesota. I did not quite understand [illegible] question is. Is it that the public ought to [illegible]

Mr. PERKINS. I want to ask about the propositions here on page 25, and I think the House ought to understand what the propositions are. On page 25, "For continuing construction of the Piney Branch and New Jersey avenue trunk sewer, $200,000." Now, there [illegible] property in that vicinity?

Mr. McCLEARY of Minnesota. Yes, sir; but it also drains a vast territory which is not [illegible] to it.

Mr. PERKINS. What does it drain?

Mr. McCLEARY of Minnesota. That is what I referred to a moment ago. The sewer referred to is one of the great trunk-line sewers. It receives sewage from a very large area and brings it to a point where we are going to have a general exit under the East Branch to a point 2 miles below the city. It is not for local purposes alone or chiefly. It is for general purposes for a large area.

Mr. PERKINS. Then let me ask the gentleman another question. In line 14 of the same page, "For sewer system of Rock Creek and B street in [illegible] sewer, $25,000."

Mr. McCLEARY of Minnesota. That is also a trunk sewer. It is not being built for the benefit of those in that immediate neighborhood, but as a part of the system of general sewage disposal.

Mr. PERKINS. Does the gentleman mean to say that all these intercepting sewers at B street and at Water and L streets and at Four-and-a-half street are all part of the outlet sewers?

Mr. McCLEARY of Minnesota. That is exactly what "the gentleman" means to say.

Mr. PERKINS. Where is the provision of the bill which provides for the construction of any sewers that are not outlet sewers?

Mr. McCLEARY of Minnesota. That is the item we have under discussion—the $160,000 item.

Mr. PERKINS. What portion does the abutting property owners contribute to that?

Mr. McCLEARY of Minnesota. One-half. That is in cases where the usefulness of the sewer is purely local. Those who enjoy the benefit of it pay one-half of the expense. That, as has been said by the gentleman from Nebraska [Mr. BURKETT], is statute law which the Committee on Appropriations has no authority to change.

Mr. PERKINS. Is it the fact that in a great city like Washington, the entire local improvements for this year, which would ordinarily be assessed on the abutting property owners, only represent $320,000? There is not a city of this size where the local assessment would not be in an ordinary year one or two million dollars.

Mr. McCLEARY of Minnesota. This is the amount estimated by the engineers for this particular kind of work.

Mr. PERKINS. Is not the result that, as matter of fact, pretty nearly all the improvements which would ordinarily be regarded as local improvements are put under the head of "general improvements" and paid for by the public at large?

Mr. McCLEARY of Minnesota. I think not.

Mr. PERKINS. In this bill there are $2,000,000 for improvements—such as making roadways, [illegible] of sewers—paid by the District at large, and only $320,000 of which is assessed upon the abutting owners?

Mr. McCLEARY of Minnesota. The gentleman's question is a perfectly proper one, and is entitled to as respectful and complete an answer as I can make in a brief time.

The gentleman understands that the sewage-disposal system of Washington has not yet been completed. It is now in process of construction. The trunk sewers now utilized have their exit in front of the city, in various places, into the Potomac River. A number of years ago the unhealthfulness of that system was recognized, and the project was begun of constructing a great trunk-line system of sewage disposal which should gather up the sewage into a number of great trunk lines from different parts of the city and bring it down here to the Eastern Branch, tunnel under the Eastern Branch, pump the sewage out of that, and send it down 2 miles below the mouth of the Eastern Branch, wholly away from the city.

That work is now in progress, and all the items the gentleman refers to are parts of that trunk system, being parts of the general sewage-disposal system which [illegible] being constructed. Of course, for the time being, while this trunk system is being constructed, its cost is very much larger than the part where contributions are made by private owners.

It is not easy, Mr. Chairman, without a map showing what this system is, to make it clear to anyone, however eager and intelligent he may be. I know that we had quite a time getting it through our minds with the map before us. The general thought is to prevent the exit of that sewage in front of the city or into some basin where the water is not fluent or is largely stagnant. [illegible] the sewage and dispose of it away down below the mouth of the Eastern Branch, and therefore far from the city, to the end that the health might be preserved.

The total amount estimated for the construction of this sewage-disposal system was $4,500,000. We have already expended something like $3,000,000 upon it, and we are nearing the completion of it. I think in a year or two from now if the gentleman raises a similar question, he will find that the trunk sewers are very much less expensive, take a very much smaller part of the total expense for sewage than they do now.

Mr. PERKINS. I would like to ask the gentleman another question for information. Many [illegible] have been during the last two or three years extended. Who paid the expense of that?

Mr. McCLEARY of Minnesota. The gentleman is referring to the pavement of the streets?

Mr. PERKINS. No; to the cost of the extension.

Mr. McCLEARY of Minnesota. That is a part of the general highway system, and is regarded as not purely of local benefit, and is, to my recollection, paid out of the general fund.

Mr. PERKINS. Does not the gentleman think that property in that vicinity must necessarily be largely enhanced in value by the extension of those highways, and that it ought to contribute something, instead of the Government being asked to pay the whole improvements which are of such value to the owners?

Mr. McCLEARY of Minnesota. The gentleman from New York will remember that the committee that has this bill in charge is not a legislative committee; it is an appropriation committee. And we are not responsible for the laws as they are upon the

statute book. I find that there are things about the laws which I would change if I had the power, but this committee must make the appropriations in accordance with the laws as we find them.

Mr. PERKINS. I understand; but the question is whether this committee, which is familiar with local conditions, should not only make appropriations, but, if changes ought to be made in a general law, should report a proper modification of the law.

Mr. McCLEARY of Minnesota. My friend will recognize the fact that two committees, whose work impinges upon each other, are naturally a little jealous of their respective prerogatives, and we recognize the right of the legislative committee of the District to initiate the work that belongs to it.

The simple fact is that we jealously protect, so far as we possibly can, the rightful prerogatives of the other committee.

Mr. PERKINS. The gentleman does not mean to say that if he thinks a proper bill should be introduced, he, on a question of delicacy and good manners, would decline to introduce it?

Mr. McCLEARY of Minnesota. As an individual Member of the House?

Mr. PERKINS. Yes.

Mr. McCLEARY of Minnesota. Why, certainly not; any more than the gentleman from New York [Mr. PERKINS], having a good idea, would be barred from introducing that idea in the form of a bill. [The privilege is open to my friend just as it is to me.

Mr. OLMSTED rose.

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Pennsylvania?

Mr. McCLEARY of Minnesota. The gentleman from New York [Mr. PERKINS] has the floor.

Mr. PERKINS. I yield. Mr. Chairman.

Mr. OLMSTED. Mr. Chairman, I wanted to ask the gentleman from Minnesota another question, by way of further elucidation of the question that I have already asked, and merely for information.

In the city in which I live, when we pave a street the property owners have to pay for the pavement, as most of us know by recent experience. But I note that in this bill, in the paragraph we have just passed, we appropriated $200,000, part of which is for paving, and on page 17 we appropriate for the Commissioners District of Columbia for the northwest schedule, $13,000; for the southwest, $6,000; for the northeast, $15,000, and so on; and I note that that is for asphalt paving, the cost of which is provided for there. Do I understand that all of that paving of streets is paid for wholly by the Government and not by the property owners?

Mr. McCLEARY of Minnesota. It is paid wholly from the public Treasury. I assume that the gentleman uses the word "government" in the sense in which we use it in connection with this bill.

Mr. OLMSTED. Yes.

Mr. McCLEARY of Minnesota. That is, one half is paid by the District and one-half by the Government of the United States.

Mr. OLMSTED. This item of $160,000 for assessment work is the only item where the property owners pay one-half of the expense.

Mr. McCLEARY of Minnesota. That is right.

Mr. OLMSTED. And this $160,000 is the other half, to be paid by the public.

Mr. McCLEARY of Minnesota. That is correct.

Mr. OLMSTED. And except for that, the whole cost of paving is paid by the public?

Mr. McCLEARY of Minnesota. Yes; on the general theory suggested by the gentleman from Nebraska [Mr. BURKETT] that this capital city imposes a duty upon the Congress and upon the community which it would be unfair to put upon the community alone or upon citizens individually.

The Clerk read as follows:

It shall be the duty of the [illegible] separate gas mains with such [illegible] deposited in a [illegible] with the provisions [illegible] received and deposited and the provisions [illegible]

Mr. OLMSTED. Mr. Chairman, I reserve the point of order for the purpose of asking the gentleman in charge of the bill for some explanation of this paragraph, which is to me absolutely incomprehensible.

Mr. McCLEARY of Minnesota. Mr. Chairman, it has been suggested, with a large degree of truth, that the District of Columbia, or the city of Washington, is the best-governed municipality in the United States. It is governed, as the gentleman knows, by the Congress of the United States, having no self-government.

Mr. WM. ALDEN SMITH. And the least government.

Mr. McCLEARY of Minnesota. And in one sense the least government, as the gentleman from Michigan suggests. Of course that seems irrelevant at this time——

Mr. OLMSTED. It is not always objectionable, either, to have the least government.

Mr. McCLEARY of Minnesota. That is right. But last summer during a vacation of Congress occurred what is so unusual that the attention of the country was attracted to it, viz, a defalcation on the part of an employee of the District government amounting to some $73,000. That occurred in what is known as the "whole-cost" fund. Sometimes a person wants an improvement which is so manifestly for his own personal benefit that he is required to pay the whole cost of it. For instance, the connection of a sewer with his house. Before the District Commissioners will allow anything to be done in that matter the citizen must deposit a sum of money with the District, a sum which, in the judgment of the officials, is sufficient to cover the total cost of that improvement. This being done, the District makes the improvement and recoups itself out of this deposit made by the individual citizen.

If the money be sufficient to return him a balance, the balance is returned. This money was the money in which occurred this defalcation. It arose out of peculiar conditions, as the gentleman will see, and was not sufficiently guarded. The man who had charge of it was not under bonds, and by devious ways he put into his own pocket the sum of $73,000 of that money. The whole purpose of the paragraph which has just been read is to make such procedure in the future impossible by requiring that that money which had heretofore been placed to the credit of the auditor in one or more banks shall hereafter be placed in the Treasury of the United States to the credit of the "District of Columbia trust fund," and that it shall be paid out only upon proper authority. The whole purpose of the paragraph is to prevent any such thing as a defalcation in the future.

Mr. OLMSTED. This does not change at all the purpose for which the money in these several funds is to be used?

Mr. McCLEARY of Minnesota. Not at all; the object is simply to protect the money——

Mr. OLMSTED. From loss in the manner that the gentleman has pointed out?

Mr. McCLEARY of Minnesota. Yes, sir.

Mr. OLMSTED. Upon that very satisfactory statement I withdraw the point of order.

The Clerk read as follows:

Under appropriations contained in this act no contract shall be made for making or repairing [illegible] yard for a [illegible] prior to [illegible] for making [illegible] required, in [illegible] price [illegible]

Mr. SAMUEL W. SMITH. Will the gentleman from Minnesota [Mr. McCLEARY] kindly state the object of this limitation?

Mr. McCLEARY of Minnesota. The committee is of the opinion that by limiting the amount to be paid we shall be able to induce the Commissioners to reduce the price. This provision is a fair warning that if those who bid for this work—the contractors——[illegible] to secure a higher price than that made here the Commissioners can not make the contract; the work will simply have to go undone. We have found that the prices paid [illegible] decreased, and we have continually done [illegible]

Mr. SAMUEL W. SMITH. Can you get good pavement at this price?

Mr. McCLEARY of Minnesota. We found that last year we got the best prices that have ever been obtained, namely, $1.51 to $1.56.

Mr. SAMUEL W. SMITH. You got "the best prices," but did you get the best quality of work?

Mr. McCLEARY of Minnesota. Oh, yes. It is required that the quality shall come up to the standard set by the Commissioners, or it will not be accepted at all.

Mr. WM. ALDEN SMITH. What is "the best quality?" What is the standard?

Mr. McCLEARY of Minnesota. As the standard is gradually being increased, it is almost impossible to state what the standard is. The standard as expressed in the bill is that of a superior quality of work which was done at a date named.

Mr. WM. ALDEN SMITH. Is this asphalt to be Trinidad asphalt?

Mr. McCLEARY of Minnesota. We do not specify that this material shall come from a specific source. There was a certain piece of asphalt pavement put down some years ago which was the best work of that kind that had been done in this District up to that time, and that has been taken as the standard. Since that time no pavement has been laid of a lower quality than that.

Mr. WM. ALDEN SMITH. That standard is not fixed by law?

Mr. McCLEARY of Minnesota. We simply place that as the minimum standard. As a matter of fact, the standard now is, I understand, far higher than that.

As a result, in large part, of the limitation here inserted, as we believe, we have accomplished two things: First, we have reduced the cost; and second, we have obtained a higher quality of work. We believe that this limitation has been helpful in accomplishing those two results; hence we continue to insert this paragraph.

Mr. SAMUEL W. SMITH. Is there much standard asphalt-block pavement in Washington?

Mr. McCLEARY of Minnesota. They are gradually putting down a good deal of this asphalt-block pavement.

Mr. SAMUEL W. SMITH. Is it standard asphalt block, or is it some other material?

Mr. McCLEARY of Minnesota. It is the standard asphalt block.

Mr. SAMUEL W. SMITH. Is there not some good pavement that is made out of other material than asphalt?

Mr. McCLEARY of Minnesota. I can not answer that question positively, but I think not.

Mr. SAMUEL W. SMITH. I know they are introducing such a class of pavement in different States, and I have been told that there was some here. I was anxious to locate it if I could and to ascertain how it is wearing.

The Clerk read as follows:

Grading streets, [illegible] and roads: For purchase and repair of [illegible] parts. [illegible] to be used in the [illegible] of the [illegible] pay of [illegible] employed to [illegible] at the [illegible] $[illegible]

Mr. OLMSTED. Mr. Chairman, I move to strike out the last word. It is such a pleasure to receive information from the gentleman from Minnesota, who states it so clearly and so satisfactorily, that I want once more to ask a question. Where is this grading to be done, or where are these horses and carts to be used which are to cost so much as $[illegible]

Mr. McCLEARY of Minnesota. The purpose of this paragraph is to place under the control of the Commissioners this sum of money for the purchase of materials enumerated, to the end that the Commissioners may use the labor of people who have been committed to the workhouse. Those people ought to be employed, and this seems to be a kind of employment to which there is no objection.

Mr. OLMSTED. They may be employed in any or every part of the city?

Mr. McCLEARY of Minnesota. Wherever the Commissioners deem it wise to employ them.

Mr. OLMSTED. I withdraw the amendment.

The Clerk read as follows:

For Harrison street, Anacostia, grade and improve, $5,000.

Mr. MUDD. Mr. Chairman, I offer the amendment which I send to the desk.

The Clerk read as follows:

After line 8, on page 21, insert:

"For Pennsylvania avenue extended, grade, $10,000."

Mr. MUDD. Mr. Chairman, the necessity for such a provision as is embodied in this amendment seems to me to be so great that I can not but think that the omission of it in the bill must be due to an oversight on the part of the subcommittee.

I will state, in the first place, that an estimate for the $10,000 covered by my amendment was submitted to the Secretary of the Treasury by the Commissioners of the District of Columbia, and by him transmitted along with the other estimates, as will be found on page 515 of the Book of Estimates. This extension of Pennsylvania avenue SE. was authorized by the act approved March 3, 1899—nearly five years ago. I have that act before me; and I want to call attention particularly to the requirement therein that the Commissioners of the District of Columbia should—

[illegible] open Pennsylvania avenue [illegible] E. to the District line, the same to be a straight extension and [illegible] width of said avenue as now [illegible]

That will be found in the first section of the bill, as I say, passed [illegible], in the Fifty-fifth Congress, authorizing and requiring the opening and extension of this street. The Government has opened the street, all the surveys have been made, and all of the titles to the necessary land acquired to the District line.

Now, Mr. Chairman, in order to give an idea of the importance of this street, I will ask the Clerk to read a marked extract which I have sent to the desk, being the approval by the Commissioners of the District of Columbia of the bill for the opening of the street, which letter was submitted to the chairman of the District Committee at the time the bill was pending.

The Clerk read as follows:

OFFICE COMMISSIONERS OF THE DISTRICT OF COLUMBIA,
[illegible] 18, 1899.

DEAR SIR: The Commissioners have the honor to submit the following on House bill 11899, Fifty-fifth Congress, third session, for the extension of Pennsylvania avenue SE. to the District line, referred to them by your committee for examination and report:

Pennsylvania avenue is now opened up and available for travel from the east side of the Anacostia River to Branch avenue. From this point to the Bowen road the District possesses title to the street, but the street has not yet been graded. It is for the purpose of acquiring title to the land necessary to open the avenue from Bowen road to the District line that the bill has been introduced.

In previous bills of like nature the Commissioners have expressed themselves as being unfavorably in favor of opening up streets such as this, but now [illegible] for road purposes and the convenience of the District, and in view [illegible] the present case we see only a small area of land is needed to complete the extension to the District line, they consider the case [illegible] meritorious. The amount of land which will be necessary is only about five and a half acres, the price is reasonable for which is believed to be less than [illegible] the amount of money appropriated for the purpose of the temporary [illegible] is quite small.

In addition to the fact of having the best link in order to the high avenues of the District, the extension is very much needed because it will [illegible] access to and from the eastern portion of the District lying east and beyond the Anacostia River in Maryland, and by affording [illegible] it is believed that it will contribute greatly to the material [illegible] of the business interests of the District, while [illegible] to the public generally resulting from the opening of such a main thoroughfare.

Very respectfully, yours,

JOHN W. ROSS,
Acting President Board of Commissioners District of Columbia.

Hon. J. W. BABCOCK,
Chairman Committee on the District of Columbia.

Mr. MUDD. Now, Mr. Chairman, it will be seen that five years ago the Commissioners of the District of Columbia and the committee, as well as the House, thought this street ought to be opened and considered that it was very important that it should be opened. The Commissioners speak of it as a "main thoroughfare" of the section of the District through which it extends, being that section of the District of Columbia across the Anacostia River.

As shown by the extract from the bill authorizing the opening of the street, it was required to be on a straight line of extension and of the same width as the street now is in the city. It will readily appear, therefore, that this is the widest street, and certainly in many respects, if not in all, the most important street, in that section of the District of Columbia. Perhaps I should speak of it as a highway or road, as it lies in what is called the "county," or rural portion of the District. From the time it was opened down to the present time very little money has been expended upon it. The only work thus far has been as far as Branch avenue, a very short distance from the end of the Pennsylvania Avenue Bridge.

The question, it seems to me, might occur right here, why was it that Congress a few years ago appropriated several hundred thousand dollars for the construction of a bridge over the route of this street extended if it did not intend thereafter to continue the roadway? There is no reason why we should build an expensive bridge merely to open to the people of the District the farther bank of the Anacostia River. It was built because it was seen then that there was a great necessity for a highway, as is stated in the report, to give access to the city to the people in that part of the District, as well as those in the contiguous section of Maryland.

Now, I understand that the local authorities of Prince George County, in Maryland, lying along the District line at that point, are anxious to build a road to connect with this proposed extension. Gentlemen may say that the District of Columbia has nothing to do with the access to this city of people living in the contiguous portions of Maryland; but a moment's consideration will show that that is an erroneous view to take of the matter. These people just beyond the District line in Maryland make Washington City their market. They bring all their produce here, and they buy practically everything that they have to buy, and in that way they contribute almost as much to the volume of business and growth of Washington City as those do who are just outside the city, but inside the District.

As I say again, this is a straight extension. It is, I think, the only straight street on that side of the Anacostia River. It is the widest roadway there will be there, and it will accommodate in time a much greater number of people than any other roadway across the Anacostia River.

I do not disguise the fact that the opening of this street is of some benefit to the people of my district. I am always anxious to furnish them with an easy and convenient access to this city and a good route to go home over after they have spent their time and money here, to the mutual advantage always, I trust, of the city and themselves. I hope the gentleman from Minnesota will not object to this amendment. The little appropriation carried by it entails appreciably no burden upon the District of Columbia, and I assure him that from my personal knowledge and familiarity with the ground and the population over there I know it is a very important item, and I hope the gentleman will permit it to go through with his consent. I know I can have but little hope for its success if opposed by the committee that holds the purse strings of the Government.

Mr. McCLEARY of Minnesota. Mr. Chairman I am always reluctant to make objection to anything that my friend from Maryland wants, because what he wants is always good.

Mr. MUDD. It is good in this case.

Mr. McCLEARY of Minnesota. This item is in connection with

the county roads—that is, the roads outside of the city of Washington [illegible]. There is a very great demand for the improvement and [illegible] of these roads in all parts of the District. The [illegible] have carefully considered the requests and [illegible] and have incorporated some [illegible] of these improvements [illegible]. We asked the Commissioners [illegible] and it is a standing order—to go carefully [illegible] for these improvements, and to give us a schedule [illegible] of their recommendations. Now, that schedule, as [illegible] the number of their recommendations. The particular [illegible] to be the Brookville Maryland road is No. 17 in that list. [illegible] of the gentleman, and the [illegible] at all, because the improvement [illegible] question, we would have to deny the [illegible] improvements. As I say, of the [illegible] for five is made, assuming that [illegible] if any addition should be made we [illegible] it to be made out of the other sixteen, instead of the [illegible].

Mr. MUDD. Does the [illegible] be, in that section of the [illegible].

Mr. McCLEARY of Minnesota. Not that section; I referred [illegible].

Mr. MUDD. [illegible] how many there were.

Mr. McCLEARY of Minnesota. I can find out by [illegible]. I want to say to the gentleman, Mr. Chairman, that [illegible] was a Commissioner, and he will find that there are [illegible] roads of the [illegible] and I think two—that are to be improved in the [illegible] to which he refers. They [illegible].

Mr. MUDD. I understand.

Mr. McCLEARY of Minnesota. We have provided for the improvement of [illegible] well [illegible] is what I am trying to say. I [illegible] to deal fairly with the [illegible] and I appeal with much force to the consideration of my friend [illegible] begun with a [illegible] of Minnesota. Which is the time of our respected [illegible].

Mr. MUDD. I would like about [illegible] has been so fair that I believe he would [illegible] and that to all the [illegible] and generosity of the House in [illegible] to have this great improvement [illegible]. I will say, Mr. Chairman, that [illegible] the last [illegible] and the [illegible] on by the present [illegible] and [illegible] of roads and highways [illegible] and [illegible] with others, is so slight as to be almost [illegible].

Now, here are two little roads, [illegible] can not present anything of the importance of a [illegible] to be, and they receive [illegible] appropriation for all the northwest section. On the other hand, here is a great, broad magnificent central avenue, a road which I say of my own personal knowledge will, when completed, afford accommodation and access to thousands [illegible] than any road in that section. I do not wish to criticise the Commissioners. I do not think they are [illegible]. We all know that there are not the same facility and convenience in driving over that portion of the city as there are in driving over the excellent streets and roads in the northwest section.

These gentlemen always live in the northwest section, and they are human, and I am not complaining that they should do as the rest of us would likely do, in that they look most particularly to the interest of the section that is most close to them and with which they are most identified. The result is that this section of the District over here is like unto an ordinary farm, with paths and winding byways through it that hardly amount to the dignity of a country road in comparison with the splendid asphalt paved streets and finely macadamized roads of the northwest section.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Maryland.

Mr. DAVIS of Minnesota. Mr. Chairman, if in order, I reserve a point of order. I would like to inquire of the gentleman from Maryland [illegible] gentleman that the point of order would come later.

Mr. MUDD. It would come too late, but I want to answer the gentleman. I have in my hand now the act approved March [illegible] authorizing the opening and extension of [illegible] act the Commissioners have already acquired all the property they need for the street, and have opened [illegible].

Mr. DAVIS of Minnesota. As far out as the District line?

Mr. MUDD. [illegible] the street as far out as the [illegible], but in the [illegible] to go much [illegible] the Bowen road, or the [illegible] to a large extent will answer the purposes of the proposed road for [illegible]. It was the [illegible] to open and improve to the District line in [illegible].

The [illegible] seven; and on a division (demanded by Mr. McCLEARY of Minnesota) [illegible]—ayes 5, noes 22.

So the [illegible].

Mr. H[illegible]. Mr. [illegible], I was absent when page 18 [illegible] the consent of the gentleman [illegible].

The CHAIRMAN. [illegible] gentleman specify [illegible].

Mr. McCLEARY of M[illegible] the nature of [illegible].

Mr. [illegible] Is I want to strike out lines 3 and 4 and insert:

[illegible] shall be [illegible] is with [illegible].

The CHAIRMAN. The gentleman from Iowa asks unanimous [illegible] to page 18, to the paragraph consisting of lines [illegible] ment which he has [illegible].

Mr. McCLEARY of Minnesota. Mr. Chairman, I am [illegible] I m[illegible]. I do not want [illegible] for my objection [illegible] to a schedule [illegible] in the bill, and we ought not [illegible].

Mr. Ch[illegible].

The Clerk read as follows:

And [illegible].

Mr. DAVIS of Minnesota. Mr. Chairman, I desire to make the point of order against this section.

The CHAIRMAN. The gentleman from Minnesota makes the point of order. Will the [illegible].

Mr. DAVIS of Minnesota. That it is not authorized by existing law.

The CHAIRMAN. Does the gentleman from Minnesota in charge of the bill desire to be heard on the point of order?

Mr. McCLEARY of Minnesota. Is that the one beginning with [illegible]?

Mr. DAVIS of Minnesota. With line 9; yes.

Mr. McCLEARY of Minnesota. Why, Mr. Chairman, I trust that [illegible] order pending an explanation [illegible] is.

Mr. DAVIS of Minnesota. I will do that.

Mr. McCLEARY of Minnesota. Mr. Chairman, the whole point of this paragraph [illegible]: At the [illegible] bill there is a [illegible] of ground co[illegible]. In another place [illegible] same size and [illegible]. [illegible] suits him. That there is a [illegible] or break in each street. By [illegible] exchange with the owner of the adjoining [illegible] one place [illegible] the [illegible] they have [illegible] and [illegible] the improvements. That is all there is to it. There is only about [illegible] of ground to be [illegible].

Of course, we found upon examination that it is entirely competent for the committee to appropriate directly to make this purchase,

but this arrangement enables us to do it without expense to the Government.

Mr. DAVIS of Minnesota. I am informed, Mr. Chairman, that there are two committees of this House which have to do with the District of Columbia. One is styled "the legislative committee" and the other "the appropriations committee." Now, under the statement of the gentleman from Minnesota, the chairman of this subcommittee, I am very reluctant to make the point of order as to the matter involved. But if the appropriation committee can straighten streets and enact legislation in regard to a small street of only two or three hundred feet in length I do not know any reason why they can not do so in reference to a street extending from one side of the District of Columbia to the other.

But in view of the smallness of this matter I will say that if the gentleman will agree not to usurp hereafter all the prerogatives of the District of Columbia Committee I will withdraw the point of order; otherwise I will make it.

Mr. McCLEARY of Minnesota. Mr. Chairman, of course I am not authorized to make promises which are binding upon anyone except myself. I will simply say to my friend that our Appropriation Committee makes earnest effort not to trench upon the ground of the other committee—the legislative committee of the District of Columbia. Sometimes in making appropriations which legitimately come to us the connection of the appropriation to the improvement or whatever it may be is so close that we feel that the District of Columbia Committee itself would say: "Do it. That is the shortest way." And when that is a clear case we recommend an appropriation of the kind objected to. But nine times out of ten we decline to do it. It is only when a case is so clear that we believe that practically every gentleman on the legislative committee would approve it that we consent to trench upon their proper prerogatives.

Mr. SAMUEL W. SMITH. Let me ask the gentleman, this does not cost anything?

Mr. McCLEARY of Minnesota. This does not cost anything at all. I am very much obliged to my friend from Minnesota for withdrawing his point of order.

The CHAIRMAN. W[illegible] tion, the point of order made by the gentleman from Minnesota will be withdrawn. The Chair hears no objection.

The Clerk read as follows:

For replacing and repairing sidewalks and curbs around public reservations and municipal buildings, $10,000.

Mr. McCLEARY of Minnesota. Mr. Chairman, I desire to offer the following committee amendment.

The Clerk read as follows:

On page 22, in line 5, after the word "building," insert the words "including not exceeding $5,500 for sidewalks and curb around Lincoln Park."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

[illegible] the Am[illegible] under direction of the C[illegible] [illegible] reserves the right to alter, amend, or repeal this provision.

Mr. OLMSTED. Mr. Chairman, I move to strike out the last word for the purpose——

Mr. PEARRE. Mr. Chairman, I rise to make a point of order.

The CHAIRMAN. The Chair will recognize the gentleman from Maryland.

Mr. McCLEARY of Minnesota. Will the gentleman from Maryland be kind enough to reserve his point of order?

Mr. PEARRE. If the gentleman from Minnesota will let me make the point of order I will consider his request later. I do not want, Mr. Chairman, to make the point of order to the whole section, but to the proviso contained between lines 16 and 25 on page 23.

The CHAIRMAN. The gentleman from Maryland makes the point of order against the paragraph extending from line 16 to line 25 on page 23. What is the nature of the point of order?

Mr. PEARRE. It changes existing law on an appropriation bill.

The CHAIRMAN. Does the gentleman from Maryland desire to be heard on the point of order?

Mr. PEARRE. I do not think it is necessary to discuss it, Mr. Chairman.

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard?

Mr. McCLEARY of Minnesota. I would like the gentleman from Maryland to point out what law it contravenes.

Mr. PEARRE. It does not contravene existing law, but it is a change of existing law, which is a violation of Rule XXI——

Mr. McCLEARY of Minnesota. What is the law?

Mr. PEARRE (continuing). In that it changes an existing law.

Mr. McCLEARY of Minnesota. It is new legislation, the gentleman means?

Mr. PEARRE. It is a change of existing law, as all new legislation is. I think the gentleman quibbles about that.

Mr. MUDD. Mr. Chairman, if I may be heard on this. This is a bridge which goes, and over which a railroad goes toward a section of the country in which I am interested, which, I suppose, may fairly explain my dissenting from the position of my colleague in regard to it. The portion of the paragraph referred to by my colleague would ordinarily be subject to a point of order, not in that it contravenes or changes any law now upon the statute book, but in that it adds a section which has not been law before, and that has always been declared to be new legislation. But, Mr. Chairman, we have had a number of decisions within the last few days, particularly upon the naval bill, to the effect that when a clause or part of a paragraph that would of itself be subject to a point of order has gone in without a point of order being made, anything germane to that is then in order.

Now, the provision for the bridge itself is against both clauses of section 2 of Rule XXI, in that it is an appropriation not authorized by existing law, and in that it changes existing law by making a law not now upon the statute books anywhere. I understand this means a reconstruction, or rather an entire rebuilding of the bridge, and that it does not necessarily follow, nor is it altogether likely that it will be placed over exactly the same portion of the river. It is not, therefore, a public work or object already in progress, but is a legislative proposition in the bill, and passed without a point of order against it. But without considering the early part of the paragraph as to the construction of the bridge, it is clear that down to line 16, page 23, we have legislation, new legislation, in without objection, without a point of order, containing quite minute regulations as to the terms on which the railroad shall go over the bridge. I want to call the attention of the Chair particularly from the bottom of page 22, line 24, down to line 16, page 23, where I say the Chair will find several regulations as to the terms upon which this railroad shall cross the bridge, all of them clearly out of order if a point of order had been made to the whole section. No one will deny that the part of the paragraph against which the point of order has been made is in every respect germane to what precedes.

I think, therefore, Mr. Chairman, it is clear that the part of the paragraph against which the point of order has been made, if not in order originally has been made so by the action of the committee, by practically unanimous consent, in letting these other provisions go in to which the part objected to by my colleague is germane.

Mr. McCLEARY of Minnesota. Mr. Chairman, I am willing to rest the question on the statement made by the gentleman from Maryland.

The CHAIRMAN. The Chair does not understand what section the gentleman means has already been adopted.

Mr. MUDD. It has not been formally adopted, Mr. Chairman, but everything to line 16—from the first proviso on page [illegible] down to line 16 on page 23, where the portion of the paragraph to which the point of order now raised begins—while it has not been adopted by any affirmative action of the House, has been gone over, and the gentleman from Maryland specifically stated that he made no point of order as to that. Therefore, that much of this paragraph is before the House, has been discussed, no point of order has been made against it, and anything germane to that is now in order.

The CHAIRMAN. The Chair will state that as far as that is concerned, there has been no discussion on the merits as to this [illegible] of order.

Mr. [illegible] Mr. Chairman, [illegible] make the [illegible]

Mr. [illegible] Mr. Chairman, I think the [illegible]

Mr. DAVIS of Minnesota. I think not. It is not authorized by [illegible] too late. The gentleman [illegible]

Mr. [illegible] I would ask the gentleman [illegible] point of order for a moment until I can say a [illegible]

The CHAIRMAN. Does the [illegible] discuss the [illegible]

Mr. DAVIS of Minnesota. [illegible] I think [illegible] I would like to know what the gentleman's point of order is?

Mr. SAMUEL W. SMITH. First, let me ask the gentleman what the present rates are.

Mr. BARTLETT. The present rates are whatever the telephone company makes them.

Mr. SAMUEL W. SMITH. What do they make them?

Mr. BARTLETT. I understand that they make them to the departments in the District of Columbia about the sums that I have quoted in this amendment. That is what I understand.

Mr. SAMUEL W. SMITH. I should like to know what they are, generally, in the city of Washington?

Mr. BARTLETT. The telephone rates in the public departments of the District of Columbia, according to a letter that I have seen this morning addressed to the gentleman who has this bill in charge, are in accordance with the rate fixed by the act of June 30, 1898.

That act provides (paragraph 5):

[illegible] of this act it shall be unlawful for any per- [illegible] in the District of Columbia to [illegible] for the use of a telephone on a [illegible] than two on a [illegible] on a wire, and [illegible] or more on the same wire.

The telephone rates to private individuals are about $78 per annum for a limited service. That limited service permits you to send twelve hundred [illegible] messages and no more, as I see from a contract that I have, and charges 5 cents additional for every message over twelve hundred. Now, I have here a memorandum of the charges paid by the hotel where I board, the Riggs House. [illegible] pay there $[illegible] a year for the mere privilege of having a telephone put in the hotel, and then the hotel is charged a cents a [illegible] for 4,[illegible] messages, and after 4,000 messages that charge is [illegible] cents a message [illegible] that, answering the gentleman's question, it appears that in hotels the charges are $126 per annum. In residences and offices of individuals the company now charges $78 a year for the instrument with a limited service and extra for all messages over a certain number. I have had some little experience with the company. I had a contract for a telephone in an office which I have here in the Bond Building, and they charge me $[illegible] a year for the service, charging me 5 cents extra for every message sent from the office exceeding three per day, as I understand it.

Mr. SAMUEL W. SMITH. I should like to ask the gentleman, is there any difference between the charge for telephones in offices and private residences?

Mr. BARTLETT. I have never had a residence in Washington except at the hotel, and I do not know. I think there are gentlemen upon this floor who can give their experience as to the charges of this company.

Mr. HEPBURN. Mr. Chairman, if the gentleman will permit me, I can state that I paid $72 per year for a phone in a residence, for the same kind of service that I get at home for $[illegible] and that I have the privilege of a rebate of $12, provided I do not use the phone for a period of three months. But if I only use it three months, I have got to pay $72 less $12. I think there is an extortion about it that is most unwarrantable and that ought in some way or other to receive the condemnation of this Congress. We ought not to be pillaged in the way that we are by these gentlemen.

Mr. BARTLETT. I thoroughly agree with the gentleman from Iowa, as I generally do in matters not political.

the purpose of offering a substitute for the paragraph which has been stricken out. Is there objection?

Mr. DAVIS of Minnesota. Mr. Chairman, if I can reserve the right to make a point of order upon the substitute I have no objection.

The CHAIRMAN. Oh, certainly; the substitute will be subject to a point of order.

The Clerk read as follows:

[illegible] new batteries, and battery supplies, tele- [illegible] and other necessary items, [illegible]

Mr. BARTLETT. Mr. Chairman, I desire to offer the amendment which I sent to the desk.

The Clerk read as follows:

At the end of line 19 on page 9 add the following:

[illegible] appropriated shall [illegible]

Mr. SAMUEL W. SMITH. I reserve a point of order upon that proposition.

Mr. BARTLETT. I should like to know what the gentleman's point of order is?

Mr. SAMUEL W. SMITH. First, let me ask the gentleman what the present rates are.

Mr. BARTLETT. The present rates are whatever the telephone company makes them.

Mr. SAMUEL W. SMITH. What do they make them?

Mr. BARTLETT. I understand that they make them to the departments in the District of Columbia about the sums that I have quoted in this amendment. That is what I understand.

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Mr. BARTLETT. I thoroughly agree with the gentleman from Iowa, as I generally do in matters not political.

Mr. Chairman, I want to say that in the city where I live, a city of about 40,000 inhabitants, I have at my residence on a separate wire a telephone service which, so far as efficiency and promptness are concerned, is far superior to what we are furnished in this city, for $36 a year.

Mr. LACEY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Georgia yield to the gentleman from Iowa?

Mr. BARTLETT. Certainly.

Mr. LACEY. I should like to ask the gentleman a question. It is stated here that the rate charged to a private individual in a dwelling house is $72 a year.

Mr. BARTLETT. Yes.

Mr. LACEY. There is a statute fixing the rate. What is the amount fixed by the statute?

Mr. BARTLETT. Fifty dollars on a single wire, $40 where there are two on a wire, $30 where there are three on a wire, and $25 where there are four or more on a wire.

Mr. LACEY. Then if I understand the gentleman's proposition it is that so far as the Government is concerned this appropriation bill will be so limited that the Government will not be permitted to pay this company more than the law orders it to accept for that kind of service?

Mr. BARTLETT. Yes.

Mr. LACEY. And at the present they are refusing to obey the law as to private individuals as to the amount of the rates.

Mr. BARTLETT. Yes, sir.

Mr. LACEY. And it is proposed, so far as the Government is concerned——

Mr. BARTLETT. To limit the amount.

Mr. LACEY (continuing). That it would not pay the money unless it take the amount as fixed by statute as to the rates.

Mr. BARTLETT. That is right.

Mr. GAINES of Tennessee. Does the gentleman know what became of the series of lawsuits that were begun wherein the people, I think, attacked the rates as unlawful or unreasonable or the system as objectionable?

Mr. BARTLETT. I can only give the history of the lawsuits down to 1901, as evidenced by the report of the decision of the Supreme Court of the United States, which I hold in my hand, in volume 186, United States Reports; but as the results of the investigation of the local court in the District of Columbia report directed to be made by the Supreme Court of the United States I have no information.

Mr. GAINES of Tennessee. My understanding is that it was finally disposed of out of court, and in some way, but the condition of the people was not improved in any way. That is my recollection of the press reports of the case.

Mr. BARTLETT. I will not undertake to read what the Supreme Court decided in this case, reported in volume [illegible] of each volume, in the case of the Chesapeake and Potomac Telephone Company against Manning.

Congress had in 1898, on the District appropriation bill, passed a law substantially almost in the words which I have copied into this amendment. The act of June 30, 1898, provided what the charges for telephone service in the District of Columbia should be, not only with reference to the services rendered to the Government and the departments in the District of Columbia, but what they should charge to the citizens of the District of Columbia. Now, I have not undertaken to remedy the evil caused by the extortionate and exorbitant charges that are made upon the citizens of this District, because I would be met with a point of order, at least, that it was legislation. If I could, I would on any appropriation bill in the House offer an amendment that would [illegible] the throats of the people of this city, the capital city of [illegible] and [illegible] the gentleman raises the point of order when you undertake to protect the Government from extortion.

Mr. GAINES of Tennessee. How much does the Government pay the telephone company?

Mr. BARTLETT. That is what I am going to state. Mr. Chairman, it is remarkable how this company acts in order that the Government may seem satisfied and that [illegible] of the Government. It [illegible] with [illegible] as the Government is [illegible] the [illegible] 1898, an act which the [illegible] in the court [illegible] constitutional and void; but when it gets beyond the restraining power of the Government's hands it outrages and robs the people of this District.

Mr. GAINES of Tennessee. How much do we allow the company for telephones used by the Government?

Mr. BARTLETT. I do not know the amount. It is $50 apiece per annum for each telephone upon a separate wire, $40 where there are two on a wire, $30 where there are three on a wire, and

$25 where there are four or more on a wire. Now, I do not know whether that is carried out in all the Departments of the Government, because I had not made the inquiry as to the other Departments; but the District government office and the Census Office pay that amount.

Mr. GAINES of Tennessee. How many machines does the Government hire?

Mr. BARTLETT. I have no idea. According to the letter which I have seen, about $8,000 is paid for the telephones for the District of Columbia—that is, for the public business of the District of Columbia. I understand there is about $800 or more paid in the Census Office. Further than that I have not been able to make inquiry.

Mr. SAMUEL W. SMITH. I wish to say to the gentleman from Georgia that I simply reserved the point of order. I am heartily in sympathy with the gentleman from Georgia, and I intend to withdraw the point of order.

Mr. BARTLETT. It is not subject to the point of order. I was satisfied the gentleman would withdraw it. It is simply to have a limitation placed on the expenditure of the money.

The CHAIRMAN. Does the Chair understand the gentleman desires to withdraw his point of order?

Mr. SAMUEL W. SMITH. Yes, sir.

Mr. LACEY. Mr. Chairman, I move to strike out the last word, in order that I may ask a question of the gentleman in charge of the bill.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to withdraw his point of order. Is there objection? The Chair hears none.

Mr. BARTLETT. The gentleman withdraws it, and it ought to be withdrawn, because there is no reason in the rule why it could be sustained, because it is drawn in accordance with the law as it is now, and therefore it is not a change of existing law. It simply carries out the existing law and limits the expenditure of this money under the terms of the law that is now upon the statute books.

Mr. LACEY. As I understand, this amendment will not——

The CHAIRMAN. The point of order is withdrawn.

Mr. BARTLETT. I desire to say to the committee further they now already charge the government of the District of Columbia the same as provided for by this amendment. It is well for us to see that they shall not exceed it, and that they shall charge no more to the other Departments, and make them obey the law, and for myself I would be willing to put any proper limitation upon this extortionate monopoly in the District of Columbia.

Mr. LACEY. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Minnesota has the floor. Does the gentleman from Minnesota yield to the gentleman from Iowa?

Mr. McCLEARY of Minnesota. Yes.

Mr. LACEY. As I understand the proposition of the gentleman from Georgia it will not change the proposition so far as the District is concerned, because the company is not overcharging the District; they yield to the law as to the District.

Mr. McCLEARY of Minnesota. But they are doing it under protest.

Mr. LACEY. But they are doing it under protest. Now, there is a very simple way of getting at this—two ways. One is to repeal their franchise, and another is to grant a franchise to a rival company. This franchise is subject to be amended and repealed at any time by Congress. Why not bring in a bill repealing this franchise for that company which, for the last six or seven years, has not only given the worst service that has ever been given in any city in the United States, but is charging these extortionate prices in defiance of the acts of Congress? Why not bring in a bill repealing their charter?

Mr. McCLEARY of Minnesota. Mr. Chairman, in reply to my friend from Iowa, I would say this: That such a thing would be legislation, hence not within the province of the Committee on Appropriations. That is the function of the legislative committee on the District of Columbia. And if I understand the purpose of my friend from Michigan [Mr. SAMUEL W. SMITH] in raising the point of order at all, it was to indicate that the Committee on the District of Columbia, of which he is the ranking member, has in contemplation some action which will bring this company to terms.

As has been said, Mr. Chairman, the company accepts from the District the terms provided by the law which has been referred to, but it does so under protest. There are forty-three one-party lines at $30, one two-party line at $40, one four-party line at $24, and two extension stations at $21, making an aggregate of $2,377.

I want to add for the further information of the House that for the interoffice work the District has its own telephone system, which is not subject to this company at all. It comes in touch with this company only when it desires to communicate with the citizens outside of the offices.

Mr. BARTLETT. May I ask the gentleman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Georgia?

Mr. McCLEARY of Minnesota. Certainly.

Mr. BARTLETT. Does not the gentleman think this company, possessing as it does the right to use the streets under various acts of Congress, and these various acts reserving the right to revoke the grant at pleasure, but without compensation—does he not think something ought to be done either to revoke the grant to use the streets that Congress has granted to them with this reservation or make the company reduce its charges and give better service?

Mr. McCLEARY of Minnesota. Mr. Chairman, again I reply that that matter belongs to the legislative committee of the District of Columbia. It is only fair to the company, however, to say—and I am not occupying the attitude of a defender of it, because I believe the rates ought to be lower—that the kind of service rendered is the metallic service, which was not installed at the time these rates were fixed. I have examined into the matter, but I understand that is the ground upon which the company claims that these rates fixed before the metallic service was initiated would not be fair and does not apply to this improved kind of service.

Mr. BARTLETT. May I say to the gentleman that in my own town the metallic service has been put in, and instead of increasing the price it has remained the same.

Mr. McCLEARY of Minnesota. I may say to the gentleman that in my own town I was one of those who started a company which has greatly reduced the cost of telephone service there, and I am in entire sympathy with him in this matter of reducing cost and improving service, but——

Mr. GAINES of Tennessee. The gentleman speaks of the District owning a system of its own. How did it get it and what kind of a system is it and is it a competing company?

Mr. McCLEARY of Minnesota. I am advised by the Engineer Commissioner that it owns the lines and owns the power furnishing the electricity.

Mr. GAINES of Tennessee. What connection has it with this other telephone system?

Mr. McCLEARY of Minnesota. It is the property of the District; it does not do any commercial business. It belongs to the District for the uses of the District in connecting one office with another.

Mr. ROBINSON of Indiana. Mr. Chairman, I would like to ask the gentleman——

The CHAIRMAN. Does the gentleman yield?

Mr. McCLEARY of Minnesota. Yes.

Mr. ROBINSON of Indiana. The gentleman suggests that he has means of correcting this evil in some other form, yet with the extortion that has been going on so long, with the contempt this company has shown to Congress, unless we get a speedy remedy will not the users of this telephone system perish in the desert before they reach the promised land?

Mr. McCLEARY of Minnesota. Mr. Chairman, in answer to the inquiry of my friend from Indiana, I will say that our appropriation has only to do with the service rendered to the District, and for this service no overcharge has been made. Very properly, this question of high charges to individuals has not been brought to the attention of the Committee on Appropriations. Such matters belong to the legislative committee of the District of Columbia. I understand that that committee has this question under consideration.

Mr. SAMUEL W. SMITH. There is a bill before the committee.

Mr. McCLEARY of Minnesota. There is a bill before the committee now to consider this whole question, which belongs to them and not to us. We appropriate merely for the telephone service for the District of Columbia, which, as has been said, is being paid for at the rates provided by law.

The CHAIRMAN. The gentleman from Iowa offers the following amendment.

Mr. HEPBURN. Mr. Chairman, this is my handwriting, and I will read it myself. I offer the following amendment:

Add to the paragraph the following "Provided, That the above rates and no more may be charged by the telephone companies doing business in the District of Columbia to their patrons receiving service in private residences, and any violation of the above provision is hereby declared to work a forfeiture of all rights to conduct a telephone business in the District of Columbia."

Mr. BARTLETT. May I suggest to the gentleman that he add the word "offices," as well as private residences?

Mr. HEPBURN. I did not want to do that, because I did not know but that the service for offices might vary, while that for residences is substantially the same.

Mr. Chairman, I believe there ought to be some legislation of this kind. This telephone company has been in defiance of the act of Congress now for nearly six years. There is an act limiting the price that they may charge for service. They completely disregard it, probably because there is no penalty attached to it. There is no provision working a forfeiture of their charter in case of violation, and therefore they have been willing to litigate the matters in the court and to go on with their robbery. I think that this will have a beneficial influence upon them if we can pass this amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa to the amendment offered by the gentleman from Georgia.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to. [Applause.]

The Clerk read as follows:

For medical inspectors: For twelve medical inspectors of public schools, [illegible] Provided, That [illegible] shall be subject to the approval of the [illegible]

Mr. COWHERD. Mr. Chairman, in lines 21 and 22 on page 38 I move to strike out the words "four of whom shall be of the colored race."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Lines 21 and 22 on page 38 strike out the words "four of whom shall be of the colored race."

Mr. COWHERD. Mr. Chairman, I want to ask the gentleman in charge of the bill if it is not a fact that this provision has stood in the law several years, and that the board of directors or Commissioners, or whoever may be in charge of the public schools, have been utterly unable to find four men of that race competent to fill the [illegible]

Mr. McCLEARY of Minnesota. I will say that this provision for medical inspection has been in the bill only one year. But it is true, Mr. Chairman, that the Commissioners have failed to find the full number of four colored physicians this last year.

Mr. COWHERD. Does the gentleman mean——

Mr. McCLEARY of Minnesota. The difficulty being this: The gentleman will notice that there are a number of requirements, among others that appointees shall have been five years in practice within the District. What has been said does not mean that the Commissioners could not find four colored physicians competent to fill the positions, but they could not find four who had been in practice in the District five years and who would accept appointment.

Mr. COWHERD. How many medical inspectors have been appointed?

Mr. McCLEARY of Minnesota. All of the white inspectors.

Mr. COWHERD. There have been eight, then. How many colored?

Mr. McCLEARY of Minnesota. Three, I think, Mr. Chairman.

Mr. COWHERD. As a matter of fact, then, there is no necessity for twelve [illegible]

Mr. McCLEARY of Minnesota. The law provides for twelve. The simple fact is that there is work left undone by reason of the nonappointment of the other colored physician.

Mr. COWHERD. I want to say frankly that I very much doubt whether there ever was a necessity for twelve medical inspectors to inspect the schools of this city. I think it is more than probable that one-half of that number would have been sufficient to perform the necessary duty in that regard. I think, however, if there be twelve necessary, and we are going to appropriate for twelve, let us say "twelve medical inspectors." Then, if they need four or five or six colored men to inspect the colored schools, let the Commissioners employ them. If they need only one, let the Commissioners employ that one. But it seems to me, Mr. Chairman, it can not be excused on the ground of good legislation and good conscience that we put into this bill that they should have "four of the colored race," when we know by experience that we can not find men in the District of Columbia that are qualified for the place. It looks very much to me as if it might be a sop thrown to these people for political reasons, and I therefore move to strike it out of the bill.

Mr. McCLEARY of Minnesota. It does not follow at all that because it was not possible to secure the full number of four last year or this current year, the first year in which the bill is operative, that it will not be possible to find them during the coming year. The difficulty, as I understand it, has been to secure men properly qualified, who have had five years' service or practice within the District. Now, each year removes that difficulty, and it seems to me that the paragraph ought to stand just as it is. There is a large number of colored people in this District, something over 80,000, and I am sure that my friend is too big a man to suggest deliberately that this committee legislated itself by partiality in so important a matter to the colored race for political reasons. That suggestion is unworthy of the gentleman from Missouri.

Mr. COWHERD. I hope the gentleman will understand that I supposed the suggestion comes from some other source.

Mr. McCLEARY of Minnesota. But the committee is responsible for what goes into the bill. It is not responsible for suggestions, but is responsible for the bill, and the committee put this into the bill because it felt it should, just as it provides for colored schools, colored teachers, and colored normal schools. The condition is here, and we have tried to face it manfully and fairly and squarely. I think the provision ought to remain just as it is.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. COWHERD) there were—ayes 17, noes 27.

So the amendment was rejected.

The Clerk read as follows:

For contingent expenses, including furniture, books, books of reference, and periodicals, stationery, printing and binding, [illegible] for, [illegible] shall be insured [illegible] by fire.

Mr. SAMUEL W SMITH. Mr. Chairman, beginning with the word "Provided," in line 5, page 40, I would like to reserve the point of order on that proviso, which continues to the end of that particular section, for the purpose of asking the gentleman in charge of the bill what the present provision of the law is about the War Department issuing arms to high school cadets, as to whether that practice is limited by law to the District of Columbia.

Mr. BURKETT. No, it is not.

Mr. McCLEARY of Minnesota. No; it is not.

Mr. SAMUEL W. SMITH. If such is not the case, then I offer an amendment and move to strike out, in lines 6 and 7, page 40, the words "of the District of Columbia."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In lines 6 and 7, strike out the words "of the District of Columbia."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

Mr. McCLEARY of Minnesota. Mr. Chairman, I understand the purpose of the gentleman in the amendment to strike out the [illegible] as to the [illegible] have all high school [illegible] upon the same footing in this matter.

Mr. SAMUEL W. SMITH. Yes; that is [illegible]

Mr. McCLEARY of Minnesota. Very well; the committee has no objection to that amendment.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Minnesota.

The question was taken, and the amendment was agreed to.

Mr. DAVIS of Minnesota. Mr. Chairman, I move to strike out, on page 40, beginning with the word "including," in line 4, what follows, down to and including the word "dollars," in line 5. In other words, to strike out the words "including livery of horse for the superintendent, $35,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 3, beginning with the word "including," strike out the words "including livery of horse for the superintendent, $35,000."

Mr. DAVIS of Minnesota. Mr. Chairman, I think I have made a mistake. I do not wish to strike out the words "thirty-five thousand dollars."

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Strike out the words "including livery of horse for the superintendent."

The CHAIRMAN. The question is on the amendment.

Mr. DAVIS of Minnesota. Mr. Chairman, I desire to say but a few words on that proposition. It seems that there has been considerable discussion heretofore in this body recently as to the propriety of furnishing livery horses for various officers of the District. I am informed that the superintendent here receives a sufficient salary for [illegible] the chairman of the committee can show that it is absolutely necessary that he should have a horse and that the [illegible] to furnish the same. I think the amendment should prevail.

Mr. McCLEARY of Minnesota. Mr. Chairman, in answer to my colleague from Minnesota I will say that he will notice that

this provision is simply for the livery of the horse. As a matter of fact, the horse and carriage both belong to the superintendent. They are his private property, bought and paid for with his own money. The only thing provided for here is the livery of that horse.

The gentleman will remember that the superintendent of schools has supervision of all the schools within the District of Columbia. The District covers about 70 square miles. The schools are scattered all over the District. A large part of them are away out in the country, where they are not accessible by street-car lines. It is a matter of necessity that he should have this horse and carriage. It is unlike the situation which exists with reference to schools in most cities. It is a matter of necessity for him to go by carriage to the country.

In many cases carriages and the horses with which to haul them have been purchased out of the public fund and maintained in the administration of the affairs of the District. This gentleman from the beginning has owned his own horse and has paid all the expenses of its maintenance except its livery. It did seem to the committee that in simple justice he is entitled to transportation, and it was only fair to allow him the livery for that horse, so useful and necessary in the discharge of his duty.

Mr. DAVIS of Minnesota. I would like to have an explanation as to what is the full meaning of the word "livery." What is comprehended by that word?

Mr. McCLEARY of Minnesota. The keep of a horse—that is, the feed and the care, like the grooming, etc. It does not include horseshoeing; it does not include the furnishing of blankets: it does not include other similar expenses. I would understand the word "livery" to mean the feeding and the grooming.

Mr. DAVIS of Minnesota. Does not the salary of this superintendent warrant him in providing from his own pocket for the feeding and cleaning of his horse?

Mr. McCLEARY of Minnesota. I presume that in one sense the answer should be "yes," but in another sense it should be "no." The salary of the superintendent of schools in Washington is not so large as the salary of similar officers in most other cities of the same size.

Mr. DAVIS of Minnesota. What is the salary?

Mr. McCLEARY of Minnesota. Four thousand dollars a year. In many cities of the size of this the superintendent is paid $5,000 or $6,000.

Mr. DAVIS of Minnesota. I would suggest, then, that if the salary of this officer is not large enough, it should be raised; but we should not increase his salary under the guise of paying the livery for his horse.

Mr. McCLEARY of Minnesota. It is a very small sum.

Mr. DAVIS of Minnesota. I hope the amendment will prevail.

Mr. McCLEARY of Minnesota. I hope the amendment will not prevail.

The question being taken, the amendment was rejected.

Mr. GILLETT of Massachusetts. Mr. Chairman, I should like to ask the gentlemen in charge of the bill a question in connection with this matter of salaries. I notice that on page 35 of the bill there is a provision that—

In assigning salaries to teachers no discrimination shall be made between male and female teachers employed in the same grades of schools and performing a like class of duties; and it shall not be lawful to pay or assign any salary to be paid, from any of the salaries of teachers herein provided, any portion or percentage thereof for the purpose of adding to salaries of higher or lower grades.

Now, as I understand, that provision is inserted on the theory that it is better to provide specifically for all these salaries and not have the superintendent apportion the amounts; yet I find that in almost the next clause there is a provision—

For kindergarten instruction, $35,000.

An appropriation in a lump sum which allows the superintendent to do exactly what in the previous part of the bill we have forbidden him to do with reference to the other grades. I understand that a smaller sum is paid to the kindergarten principals than to the principals of the primary schools, who have even less to do; that while these have been raised by this bill to a minimum of $500 a year, the kindergarten teachers are much below that. I should be glad if the gentleman from Minnesota would explain this discrepancy.

Mr. McCLEARY of Minnesota. Mr. Chairman, I do not get the exact point that my friend would like to have me cover in my explanation.

Mr. GILLETT of Massachusetts. My question is why these most poorly paid kindergarten teachers should be provided for in a lump sum of $35,000, instead of apportioning it to the different teachers, as is done in all the other classes? I will suggest to the gentleman my suspicion is that the appropriation is put in this form because the superintendent is ashamed to show how very small the sum is that is paid to some of the kindergarten teachers.

Mr. McCLEARY of Minnesota. Mr. Chairman, by way of answer to my friend from Massachusetts [Mr. GILLETT] I will say that this kindergarten work is a new part of the school work of the District of Columbia. I think it has been in existence for only five or six years. It began with a very small appropriation, and has gradually been extended. It is in its experimental stage. The question whether we should make specific appropriations of specific salaries, as we do in relation to the other teachers, was raised in the hearings, and those in authority—those who have the direction of school affairs in the District—thought it would be well to go on for at least one year more under this policy, because it enables them to apply this sum with greater flexibility.

The subcommittee could not say exactly how many of these kindergartens there should be, and those in charge of the work were not prepared to make a definite recommendation. The question lies between the number of schools and the salaries for the teachers in those schools. The school authorities have tried to balance these elements. They have tried to extend the system so far as they could without crippling the teaching force by paying too small salaries. On the other hand, they have tried to pay as large salaries as they could without crippling the extension of the service. The pith of the argument is this: It was thought that by giving this lump sum the plan would work out with greater elasticity, and that was the idea that prevailed with the committee. If on further investigation and with larger experience we find it would be better to do in this case as we do with the other teachers under our school system, we shall certainly adopt that method of proceeding, and I may add it is the judgment of the committee that this is what we shall do as soon as we can reach it wisely.

The Clerk read as follows:

For text-books and school supplies for use of pupils of the first eight grades, who at the time are not supplied with the same, to be distributed by the superintendent of public schools under regulations to be made by the board of education of the District of Columbia, and for the necessary expenses of the distribution, distribution, and preservation of said text-books and supplies, $52,500: *Provided*, That the board of education in the District aforesaid is authorized to make exchanges of such books and other educational publications now on hand as may not be desirable for use.

Mr. OLMSTED. I move to amend by striking out the last word, for the purpose of seeking information. Can the gentleman in charge of the bill state how many books and of what character it is proposed to purchase for this great sum of $52,500?

Mr. McCLEARY of Minnesota. Mr. Chairman, in answer to the question of the gentleman from Pennsylvania, I will say that in this District we have what is known as the free school-book system; that is, the children in the first eight grades are provided with school books at public expense.

Mr. OLMSTED. Can you state how many pupils there are in those eight grades?

Mr. McCLEARY of Minnesota. Somewhere from 40,000 to 45,000, as I remember.

Mr. OLMSTED. This provides for the supply of books to those who at the time are not supplied with the same. I assume from that that the most of them are already supplied. Yet this appropriation would, I should say, be sufficient for the purchase of 200,000 books.

Mr. McCLEARY of Minnesota. Well, each child requires quite a number of books. This fund is to make good the worn-out books and to supply the incoming pupils in the ordinary increase of the schools.

Mr. OLMSTED. The supply, and exchange particularly, of school books is a matter that has given rise to a great deal of controversy and a good deal of scandal in some cities, but if the gentleman states that he has investigated this matter carefully and thinks this is a necessary appropriation, I shall not oppose it.

Mr. McCLEARY of Minnesota. I will say, Mr. Chairman, that we follow the estimates of those in authority having this matter immediately at heart and having the best information obtainable in regard to it.

FREE LECTURES TO THE PEOPLE OF THE DISTRICT OF COLUMBIA.

Mr. RIDER. Mr. Chairman, the lectures aim to Americanize the foreigner and to stimulate the American. They substitute recreation that is clean, healthful, and constructive for amusements that are often crass, unwholesome, and destructive. They make for law and order, for knowledge and good reading. They are emphatically an extension of the public school. To express their purpose and character in terms of mathematics, the free lectures are to the adult as the public school is to the child. They "bring culture to the uncultured;" they are both a university for the busy and a workingman's college.

So long as there are ignorant masses in a community, so long should its public system of education provide for them; so long as there are classes eager for guidance along technical lines, so long should boards of education supply such instruction in a form available to the working people; so long as there are half-educated individuals craving a wider culture, so long should the public school supply school-extension courses. Only thus can the individual standard of life be raised and the material interests and cheap distractions be crowded out by intellectual joys, thus overcoming the evil of cities with their good.

The spread of the hunger for knowledge among the people makes the task of adult education yearly more important.

The pioneer in the movement was the city of New York. Sixteen years ago this January, upon the suggestion of Mayor Abram S. Hewitt, the board of education received a small appropriation for lectures, and the first course of free lectures to the people was attempted in connection with the public school system. The first course of lectures to the people was from January, 1889, to April, 1889. There were 186 lectures, and the attendance was 22,149, with an average attendance of 119 adults per lecture.

So encouraging was this experimental short course, both to educators and the public, that it was continued and lengthened and firmly established. Now the course runs each year from October to May, and its statistics are such that Hon. Charles R. Skinner, the official head of the State public school system, spoke of them in May, 1901, as "almost beyond belief, unless we reflect a moment upon the magnitude of this great city."

In that year and the following the statistics contrast with the first half year's course as follows:

	Lectures.	Attendance.
First course, January, 1889, to April, 1889	186	22,149
Thirteenth course, October, 1900, to May, 1901	1,993	553,558
Fourteenth course, October, 1901, to May, 1902	2,243	585,908

In February, 1902, the lecture course was extended to take in all the boroughs of the "greater" city, and the figures seem indeed stupendous.

FOR ALL BOROUGHS.

Course.	Number of lectures.	Attendance.
1901-2	3,172	928,281
1902-3	4,221	1,204,126

With an average attendance for the two years of 288 adults per lecture.

It would be impossible to pass from a contemplation, however brief, of these amazing figures without a word of appreciation of the man who has from the first year, and almost from the first month, systematized this vast movement. The New York supervisor of lectures, Henry M. Leipziger, Ph. D., is a man of frail physique and delicate health, yet so intense is his wise enthusiasm for the spread of learning and culture among the masses that the lectures have developed and increased with a momentum that would suggest to the uninitiated a boundless physical force behind them instead of the intellectual discipline and the spiritual impulse to which alone they have been subjected.

More and more deeply has the movement gained the respect of all classes in the community, and it is perhaps the only branch of the city school system that no one has wanted to "reform."

It is a remarkable tribute to the work of the system of free lectures under the auspices of the board of education that they form the single feature which has not only escaped censure, but received unanimous approval. Our public schools are being steadily subjected to a fire of criticism, largely undeserved; but that the free-lecture movement for working men and working women should arouse only warm admiration indicates that its excellence is genuine.

In the forty-third annual report of the trustees of Cooper Union—that great monument to the munificence of a whole family to popular scientific education—appeared these words about the transfer of its free-lecture system to the board of education:

An arrangement was * * * made with the department of public education for carrying on the work in Cooper Union. This work has since grown to great proportions, and courses of lectures given in every part of the city and many of the public schools. There is no part of our educational system more valuable or more effective, and the success of the board of education in reaching the masses of the people through this instrumentality is a subject of general congratulation.

After a sufficiently wide interest had been awakened by the early free-lecture courses, a successful attempt was made in New York to unify some of the lectures into connected systematic sets of three and five, and so on, with a consistent educational purpose in view. The lecturer made a more or less elaborate syllabus and bibliography of his proposed work, and desk libraries of reference books were established on his platform.

Six lectures on English romantic poets of the early nineteenth century.

Six lectures on modern methods and instruments and the starry heavens.

Eight lectures on heat as a mode of motion.

Six lectures on English writers of the present era.

Six lectures on nineteenth century literature, the greater English novelists.

Many evidences of serious reading in connection with the lectures have been given, and many copies of scientific books were purchased by auditors to supplement the teaching of the lecturer.

Noticeable has been the increase in culture on the part of audiences where lectures have been continuously given.

The courses of lectures at some centers were arranged almost like a college course. At one center fifty lectures on history and literature were given. At another, for the past four years on each Saturday night, a lecture on some subject in natural science has been given. In the hall of the board of education subjects relating to education were the chief themes.

Letters written by many auditors at the lectures indicate that they have been regular attendants at these courses for several years. This continuity of interest, combined with the systematic arrangement of the lectures, makes it possible to make these courses of lectures a peoples university in the real sense, affording opportunity to the toiler to acquire after a series of years the elements of a broad, general education from the best teachers. (Annual report, 1901-2.)

Since the success and practicability and economy of these free lectures have so royally proved themselves in New York the public school systems of Cleveland, Boston, and Yonkers have adopted the same plan. Their statistics are not before me, but I have no reason to believe that a perusal of them would result less favorably to their further adoption than the experience in New York, which caused these cities to adopt similar methods of adult instruction.

In closing his report on the free lectures of 1901-2 Doctor Leipziger says:

The movement for adult education is just in its infancy, and judging by the results of the past twelve years in our city and the many inquiries from all parts of our land it would not seem improbable that ten years from now every great city in this Union will make provision for adult education. * * * We are beginning to recognize more generally that education does not belong to either sex or to any particular period of life, for in many ways the mature man or woman is better able to use educational opportunity than he was in childhood.

Our imperial city is to be congratulated on being the pioneer of this genuine movement toward the attainment of America's educational ideal.

The number of the public schools proving too small for the demand of the people for free lectures, many religious and educational institutions in yearly increasing numbers put their halls at the disposal, rent free, of the board of education's lectures.

From the libraries, and from well-known preachers of Catholic, Protestant, and Hebrew denominations, from the social settlement, and from the American Museum of National History come words of no faint praise for the lecture system as "a most valuable extension of the educational machinery of the city" and for "its effect of stimulating the higher and spiritual aspirations above and beyond the material occupations and ambitions which are so engrossing to the most of the people."

HOW ORGANIZED.

In pursuance of the idea of making the lecture educational in the highest sense and conducive to mental health and serious reading the board of education in New York appoints a committee on lectures and libraries, to whom the supervisor reports, and upon whose advice and cooperation he can reply.

The expenses of the work are provided for in the regular school budget.

The city authorities have shown their interest in the movement by constantly increased appropriations.

The form and matter of printing, as well as the lecture courses proper, are at the supervisor's discretion. This official must be as much sociologist as pedagogue and be able to analyze the community into its various elements.

Thus, in New York, among the largest colonies of foreigners are the Italian, the French, and the Hebrew congeners. Therefore circulars must be printed in Italian, in French, in Russian, and Hebrew, as well as in several other tongues.

Attention is called to the gay coloring of the Italian leaflet, which is also, in concession to the superior politeness of the foreigner, couched in terms of an invitation, and not distributed as a bare announcement of a date and subject. The Italians are "cordially invited;" and the fact that the entertainment is free is boldly proclaimed to the victims of the padrone. Then a wise concession to the Italian love of music is shown in the combination of a programme of song with a hygienic lecture on "Preventive Measures v. Consumption."

Thus the characteristics of each nationality are studied, that the individuals may more readily be reached and helped in the direction they desire. Above all, no class of people, however far removed from our American standard of citizenship, is ever browbeaten or affronted by printed or spoken word. The public lectures serve the people, and in turn they, the people, develop into a better understanding of the obligations of good citizenship.

In 1902-3 among the subjects given in Italian before audiences largely composed of Italians were the following:

The United States.

The American Citizen.

The Constitution of America.

The Life of George Washington.
Why We Come to America and Why We Stay Here.
Protective Measures v. Contemporism.
Florence.
Ancient Rome.
An Evening in Venice, etc.

Other lecture courses were given in French and Hebrew, but the vast majority were given in English.

Besides the circulars in a foreign tongue, attention is publicly called to the lectures in other ways.

Large placards are printed and placed prominently in store windows.

On the evening of the lecture transparencies are put over the lamps outside the schoolhouse or hall or on the nearest lamppost.

The newspapers each week during the season give a prominent place to a list of the dates, subjects, speakers, and local centers.

But, chief means of all, to each pupil of school child are given lectures "bulletins" for distribution at home. These give a full presentation of the lectures which will begin at some one public school center, and each child receives the bulletin belonging to her school. Thus the parents understand that the lectures, although meant for them, are in some way connected with the public school system. And they are glad to avail themselves of the opportunity so presented. They hear so much from the little one's school "saluting the flag" and "being a good American," that they are half jealous of the school, and very anxious to penetrate it for themselves; and so, wooed and invited in various ways, they find themselves one day in the Classroom of some school and have made their first step toward Americanization. If they are foreigners, toward a deepening and broadening of their intellectual life, in any case.

If the schools become the lecture center, then—

[illegible] school would be uplifted by their environment and [illegible] ing to become the center of [illegible] (Doctor Leipziger's speech at [illegible]

In an article in Leslie's Weekly, January 29, 1903, just about a year ago, the writer, L. A. Maynard, names his article "How to Educate the Masses—The Free Lecture System in New York's Public Schools," and he thus sums up:

[illegible]

It is well [illegible] to recall the sociological conditions in New York [illegible] these lectures [illegible] in the District of Columbia.

[illegible] great numbers of [illegible] live in these numerous tall tenements known popularly and [illegible] as "[illegible]" and "[illegible]." The [illegible] results in a lack of privacy which [illegible] and social [illegible]. Then, the narrow streets make each house [illegible] in which night after night the same [illegible]. Thirdly, few workshops and fewer offices close before 6 o'clock, so that the toiler is more tired than here. Finally, owing to the peculiar shape of Manhattan Island, people [illegible] live far from their work and undergo more or less [illegible] trips to their homes.

Fifthly, inadequate bridge and transit facilities render the tedious journey home one long not only in distance, but in duration of time. It is there often 7 p. m. to 7.30 p. m. before the toiler reaches home. The lectures begin at 8 o'clock promptly and are often crowded before the doors are closed, so that the workman runs the risk of standing.

Moreover, cheap amusements—not all of them pernicious—are far more numerous in New York than in the District; and yet, despite these and many other distracting social elements which might be enumerated, so great is the proven desire for the instructive recreation of these free lectures that out of a population of nearly three and a half millions in 1900, the attendance for the session of 1900-1901 represented nearly three-quarters of a million (715,906), or considerably over one-quarter of the population enumerated by the census of 1900.

The fact that many of the auditors reappear in these statistics may be offset by the number of those in the census physically unable to attend through infirmities of age, illness, and so on, so that the proportion remains approximately true of over one-quarter of the entire population of the city.

We see the great aggregates of figures of attendance: but in this vast multitude, what of the individual response to the opportunities these lecture courses present?

Dipping at random into the official reports of the free lectures for 1901-2 and 1902-3, we hear the individuals answer in the following extracts from letters received by the supervisor from auditors:

The writer of the first letter from which I shall quote was a listener who had attended forty lectures and who was invited to write as follows:

A busy and often very tired woman, unable to spare much time or sight for reading, gives thanks for the pleasure and [illegible] I have enjoyed [illegible] as many feel [illegible] I am not [illegible] as many feel [illegible]

Another writes:

I have been going to school all over again.

A married woman with three children writes, with unconscious pathos and courage:

I shall try my best to pass the examination (in first aid to the injured course, although I am very [illegible] for the [illegible] tion of typhoid fever a year ago and of remittent fever last fall. If I fail I [illegible] I [illegible] stays with them Thursday evenings to [illegible]

Another:

I know a little now, and if I want to know more the lectures have pointed me the way.

Another:

The lectures are a boon to us mothers. They keep us in touch with one's [illegible]

[illegible]

Three months ago I came from Turkey to New York; since then I attended [illegible] the lectures which take place at the National Museum of History; [illegible] under.

Here is another:

[illegible] which I am very thankful to the board of education.

[illegible]

I [illegible] forward to this entertainment [illegible] week.

A [illegible]

Still another:

[illegible] and the [illegible] for more [illegible]

This [illegible] which I manage to take [illegible] great benefit to me, and I thank everyone who has had anything to do with them.

That these lectures afford stimulation for the mentally inert, [illegible] for the [illegible] can doubt after a perusal of these letters and that the people are grateful and appreciative of the new privileges granted the spontaneity of the expression amply demonstrates.

For a true educator in a democracy no more grateful task can well be outlined than the inauguration of a system of adult instruction at once so wholly [illegible], so intellectually stimulating, and so thankfully accepted.

Judging from the [illegible] in these letters from the people, every community must be [illegible] for this precious educational seed to fall upon.

That the District of Columbia would be an excellent field is shown by the fact that Superintendent Stuart has already had calls made upon him for lecturers, the last one being from the Citizens' Association of [illegible], where the best people, through their [illegible], have preferred this request, giving the board of education an opportunity for extending and intensifying the righteous influence of the school system, which it were a thousand pities to disregard.

SPECIAL NEED IN WASHINGTON.

To the Italians.—The District Italians live in temporary shacks, many of them within sight of this Capitol. What sort of citizens are they going to be of a country in whose very capital they are allowed to squat and harbor like neglected birds of the air?

Many of them are here without family ties, and hence are all the more a possible element of social disorder, unless immediately they have normal, wholesome, attractive recreation and instruction. The first course advocated is a series of free lectures in Italian on hygiene and sanitation, and on the history and laws of our country.

In an educational club—the City History Club of New York—we had this experience with a rugged little Italian boy in an industrial school. So perfectly had we succeeded in enthusing him with American ideas that when we told him about the French and Indian wars one day he asked quite naturally, "And what side were we on?" That is the spirit to imbue our Italian neighbors with, right here and now.

Washington can not shake off its responsibility by saying: "The Italians are only a temporary factor in our population." All the more is it necessary to inculcate a feeling of social responsibility in this foreign colony, here this year and in Boston next year or St. Louis, or any other of our American communities, for incalculable is the harm to our own boys and girls that the neglected stranger within our gates will work us unless his artistic and fiercely beauty loving instincts are recognized and so developed that along the lines of his social virtues he is led to the realization of our national ideals of an average American citizen, as a cleanly, quiet man of self-control, intelligently striving after self-culture.

To the colored population.—I need not go into details here; what we did not realize, that great social educator and quickener, Jacob A. Riis, told all who had ears to hear. The best elements among the colored people will welcome these lectures for themselves and for their less gifted brethren. The board of education can help along the solution of the colored problem by extending the public school to take in the negro adult, offering free lectures near those congested districts in which the descendants of your old faithful colored mammies and uncles uncomplainingly work out an unhealthful existence, which would be miserable indeed were it not for their inborn sunniness and patience and laissez faire.

To the Chinese.—These people, industrious and law-abiding, are yet not cared for intellectually as they should be in the capital of our great land. Their restaurants are patronized as a "fad," but their eager minds are left to the chance pabulum of commercial relations.

To the working man and woman.—Not only for recreation for the turbulent, not only for Americanizing the foreigner, but to increase the efficiency of the Washington man and woman, these lectures are needed.

Washington is, happily enough, not an industrial center; there are few great shops and factories where the working forces can learn much beyond the rudiments of their trade. The need for efficient workingmen throughout the country was never more pronounced than to-day. These workingmen and working women need this public school extension work, need these free lectures to the people.

For example, the series of lectures on electricity in New York were followed by "Men engaged in callings where a knowledge of electricity would prove of great value." Increased intelligence and enthusiasm in the workingmen resulted.

SPECIAL FACILITIES IN WASHINGTON.

With the Congressional Library reading room free to all and the Carnegie Library fast increasing its stock of books, a marked decrease in the consumption of mediocre novels and a marked rise in the consumption of serious works of literature and science may confidently be looked for. If this were the only result, the free lectures to the people would amply justify their existence.

The early closing of the Departments and most business works; the several institutions of learning within the capital's limits upon whose members or faculties the supervisor could draw; the great national departments, with their earnest and thorough investigations in every realm of the natural sciences; the world-famous collections in the Smithsonian Institute and the Corcoran Art Gallery, with both of which institutions we should endeavor to cooperate; a fine public school system, which already has the confidence of Congress and of all the residents of the District, so that any extension of the public school in the free lectures to the people would be readily received with docile and expectant enthusiasm. These, Mr. Secretary, are the elements which loom large for success on the horizon line of our suggested voyage into new seas of endeavor, seas that are not wholly uncharted, since the gallant sister ships of New York, Yonkers, Cleveland, and others, have sailed over them successfully, bringing back each year large cargoes of encouragement, great log books writ full of lands of ignorance discovered, claimed, and named with names of knowledge and civilization, of culture and citizenship.

ESTIMATE FOR FIRST YEAR'S COURSE OF 120 LECTURES.

Lectures to teachers		10
Lectures to people in the 5 high schools as centers, 22 lectures in each center		110
EXPENSES.		
Halls (in high schools)	$	
Heating of halls		
Lighting of halls		
Lecturers' fees, at $10		$1,100
Local inspectors, 1 for each center, generally superintendent of school, at $2		220
Janitors' fees, at $1.50 a night		165
Operator for lantern, experiments, printing expenses		970
10 lectures to teachers, at $25		250
Supervisor and clerical help		310
Total		3,605

The Clerk read as follows:

For extending the telephone system to the public school buildings, including the cost of the necessary wire, cable, hooks, crossarms, brackets, conduit connections, manholes, telephone instruments, extra labor, and other necessary items, to be expended under the electrical department, $5,000.

Mr. MUDD. I move to strike out the last word for the purpose of making an inquiry. I should like to ask the gentleman in charge of the bill if he considers that this provision is in such form that the limitation heretofore fixed in the amendment of the gentleman from Georgia as to telephone rates will apply to it? I am not sure on that point myself. The amendment offered by the gentleman from Georgia [Mr. BARTLETT] was to page 29, under the head of "Electrical department," and is to the following effect:

Provided, however, That no part of the money herein appropriated shall be used for the payment to any person, [illegible] company in the District of Columbia for the hire of or use of any telephone or for any telephone service, except at the following rates, etc.

Now, the question is, would not that be held to apply only to the rate for telephones under the electrical department provided for in the paragraph to which this amendment was offered?

Mr. McCLEARY of Minnesota. My own judgment would be that the limitation placed upon the expenditure of money for telephone service would apply to any appropriation for the service provided in this bill, and therefore would apply to this paragraph.

Mr. MUDD. The amendment is as follows:

Amend by adding at the end of line 19, page 29—

Which relates to telephone service, under the head of "electrical department"—

"No part of the money herein appropriated"—

Mr. McCLEARY of Minnesota. That is, appropriated in this bill.

Mr. MUDD. But is not this $5,000 here in addition to and outside of the money appropriated in the paragraph to which that amendment was passed?

Mr. McCLEARY of Minnesota. If the word had been "hereby" appropriated I think the answer to the gentleman's question would have been yes, but the word is "herein," that is, in this bill anywhere.

Mr. MUDD. I think it would apply simply to that paragraph.

Mr. McCLEARY of Minnesota. I should say in the bill.

Mr. MUDD. I submit the following amendment out of abundant caution. It is very brief.

The CHAIRMAN. The gentleman from Maryland offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert in line 5, page 41, the following:

"*Provided*, That the money herein appropriated shall be subject to the same limitations as to telephone rates as heretofore provided under the electrical department."

Mr. MUDD. That simply reapplies the provisions of the amendment passed already, if it be necessary.

The amendment was agreed to.

Mr. OLMSTED. Mr. Chairman, I move to strike out the last word, for the purpose of asking the gentleman from Minnesota in charge of the bill whether it is not proposed in this paragraph that the Government shall pay the cost of the wires, cables, and so forth, that ought to be paid for and ordinarily are paid for by the telephone company? In all the cities where I have had any knowledge of the telephone system, the telephone companies themselves have been very glad to furnish the wires and establish the connections, and do everything of that kind, charging a rental for the telephone when it is established in the building. This seems to provide that the Government is to do all the work, and pay all the expenses, and pay rental in addition.

Mr. McCLEARY of Minnesota. Mr. Chairman, I am not exactly clear on this, but I think upon second thought, upon rereading it, that this refers to an extension of the system owned by the District. I do not know whether the gentleman was in when I explained that the District itself has a telephone system connected with its fire service, and so forth, an interoffice service which is not dependent upon the telephone company at all. Now, I am not absolutely sure, but I am inclined to think from the reading of that——

Mr. OLMSTED. Is that service not operated from the company's exchange?

Mr. McCLEARY of Minnesota. It has its own power and exchange.

Mr. OLMSTED. And they do not charge for the use of the instruments for the District service?

Mr. McCLEARY of Minnesota. It is a rival company, in fact, providing only service for the District, and the purpose of this is to extend it to the school stations and the fire stations and the police stations, etc., that account some distance connecting them.

Mr. OLMSTED. Your understanding is that the telephone company pays nothing out of this appropriation?

Mr. McCLEARY of Minnesota. I so understand.

The Clerk read as follows:

FOR METROPOLITAN POLICE.

[illegible] and assistant superintendent, [illegible] each; 26 drivers, at $[illegible] each; in all, $[illegible].

Mr. PERKINS. I move to strike out the last word.

Mr. Chairman, I decline to agree to compress the action of the committee, but I would like to make some inquiry with reference to the question of the police department of the city of Washington. Now, it may be desirable, Mr. Chairman, that the city should be beautified and enlarged in a manner that fits the capital of the country, and at a larger ratio of expenditure in most cases, but I see no reason why the police department of the city of Washington should cost out of all proportion to the police departments in many other cities.

I have in my hand the expense account of the police department of the city of Washington. I see the cost per head is about $1.30. We have a well-regulated city, we have a sufficient police force. The law is enforced there as well as it is here. And it seems strange that the cost of the police department as measured by the cost per head in the city of Washington should be more than [illegible] per head. Now, Mr. Chairman, the expenses of the police in the city of Washington should not materially differ per head of population from the expenses of police in any other large city. Does the chairman know of any reason why the cost of police in the city of Washington is that makes the expenses here larger than they would be in other American cities?

Mr. McCLEARY of Minnesota. Does the gentleman want me to answer his last question?

Mr. PERKINS. Certainly.

Mr. McCLEARY of Minnesota. There are two reasons. Mr. Chairman, why the police force in this city costs more than a similar force in a city of equal population. In the first place, this is the seat of the National Government.

Mr. PERKINS. Why does that [illegible] the criminal class.

Mr. McCLEARY of Minnesota. I think it does. It is the place that [illegible] and the United States [illegible] of population. It is a fact, gentlemen may smile or frown.

Mr. PERKINS. [illegible]

Mr. McCLEARY of Minnesota. [illegible] It is a fact that many persons from all [illegible] come here to transact business with the Government, [illegible] into wrong paths and require the services of the police.

Again, the White House requires quite a large assignment of police. The authorities of the Department of Agriculture have special protection. Again, there are several institutions [illegible] Because this is the great capital city, people come here to attend conventions, etc. Large conventions bring a large number of people that need special watching. These things are considered when taken together to make up a force that requires a larger police force than a city of a [illegible] size elsewhere would require.

Mr. PERKINS. Can the gentleman inform us what difference there is between the average wages of the police of this city and other cities? Are they more highly paid?

Mr. McCLEARY of Minnesota. No; I think not, Mr. Chairman. It is possible that they are [illegible] in some other cities receiving smaller salaries than those paid here, but the salaries here are, I think, under rather than over the average.

Mr. PERKINS. The gentleman does not think there is any——

Mr. McCLEARY of Minnesota. As a matter of fact, if the gentleman will permit me to go further in my answer to his inquiry, we provided in last year's bill for forty policemen of a grade lower than the two grades provided for in this bill. We authorized the Commissioners to enlarge the force by forty policemen at $80 per month, instead of $75, which is the lowest grade as now fixed. As a matter of fact, the Commissioners simply could not get the men. Therefore we raised the minimum rate from $80 to $75 a month.

We must have the men. Experience has shown that we can not get them unless we pay them at least the same that are provided for in this bill.

Mr. PERKINS. Has experience shown, in the opinion of the gentleman, that the number of men who appear on the list are actually required to keep order in the city of Washington?

Mr. McCLEARY of Minnesota. Mr. Chairman, I forgot to mention another reason why we need an especially large number of policemen, and that is the [illegible] to the national [illegible]. This [illegible] about [illegible] miles. Out in the suburbs here are many [illegible] of a few hundred people each, scattered all over the District. The force [illegible] should be provided.

These people are entitled to police protection. The judgment of the Commissioners is that we keep this number down to the minimum of safety, and that is the judgment of the committee also.

Mr. PERKINS. And that is the judgment of the committee also?

Mr. McCLEARY of Minnesota. Yes, sir.

The Clerk read as follows:

HEALTH DEPARTMENT.

For health officer, $[illegible]; health inspector and deputy health officer, $[illegible] each; 23 food inspectors, at $[illegible] each; in all, $[illegible].

Mr. COWHERD. Mr. Chairman, I move to strike out the last word. I know, of course, no one pays very much attention to anything that may be said about a District of Columbia appropriation bill; but it seems to me that when we provide, as we have in this bill, for thirty-seven people in the health department at an expense of $[illegible], it is time some little attention was being paid to the subject matter.

Now, I want to call your attention to the fact that we start out in this item with thirteen sanitary and food inspectors, and then, after providing for various other kinds of inspectors under different [illegible], we get down again to seven sanitary and food [illegible] and food inspectors. There is an inspector in addition to that of marine products, and here are [illegible] sanitary inspectors. I do not know how many other [illegible] there are in all, but there are thirty-seven people provided for in this appropriation.

I venture to say, Mr. Chairman, that in an average city of this size [illegible] that sanitary would be [illegible] to the entire [illegible] of this House. In the city where I live, long ago, where I had [illegible] anything about this service, five men in the entire [illegible].

Mr. CLARK. How many horse doctors do they have here?

Mr. COWHERD. Three.

Mr. CLARK. How many horses have they got?

Mr. COWHERD. I believe they are not to inspect the city horses.

Mr. CLARK. Well, what do they inspect?

Mr. COWHERD. I suppose the [illegible] horses or the city and inspect the cows that give the milk sold in the city. Am I right?

Mr. McCLEARY of Minnesota. Yes; only they do a great deal [illegible].

Mr. CLARK. [illegible] of course [illegible] law or [illegible].

The CHAIRMAN. The gentleman from Missouri has the floor.

Mr. COWHERD. I yield to the gentleman from Missouri [Mr. CLARK].

Mr. CLARK. I beg the gentleman's pardon. Is not that true?

Mr. McCLEARY of Minnesota. Mr. Chairman, there is a whole lot of the District of Columbia outside of the city limits. The gentleman knows, of course, that the city limits of Washington include only a very small part of the District of Columbia. And, Mr. Chairman, go over into Virginia and Maryland and inspect the places from which the milk comes.

Mr. COWHERD. Now, Mr. Chairman, I have read that statement in the hearings—that these inspectors go into Virginia, Maryland, etc.—and I suppose they probably do cover a small portion of territory outside of the District. But from how far do they ship milk into the District of Columbia? The gentleman says a large part of the District is outside the city. That is true, and a part is given up to dairy and gardening purposes. We certainly

are not going to send inspectors out all over the United States because they send food products into the District of Columbia, and [illegible] that the inspectors inspect outside of the District [illegible] dairy.

Now, Mr. Chairman, I want to remind you right here of the fact that my [illegible] [Mr. CLARK], a few days ago, when we had [illegible] up here, called the attention of the House to the [illegible] that became a law we would find hundreds and [illegible] of inspectors go on the pay rolls of the United States under some pretext or other for the inspection of foods.

I remember when we passed the pure-food law here for the District of Columbia. The matter was discussed then in committee whether it would require more inspectors, and we were [illegible] then that it would not, that it would cause practically no addition to the force, or at least a very small one. But here we find to-day thirty-seven inspectors, and the District authorities [illegible] that number can not begin to do the business, and they [illegible].

We find here a [illegible] and a deputy [illegible] further, and you find a [illegible] and deputy [illegible] health officer at [illegible], a clerk at $1,400, four [illegible] at a sum not to exceed [illegible] so I think that two or three or four are [illegible] ly not all the time; in a [illegible] $80,000 for [illegible] one. That does not include any hospital [illegible] a very small sum. The total appropriation for the [illegible] in all to $89,880, while in the ordinary city where you find an appropriation of [illegible] you will find that it cares for the entire hospital [illegible].

[illegible] to strike out the seven sanitary [illegible] and food inspectors [illegible] 23 of this bill; or if [illegible] that it had better come out of the first thirteen. I will [illegible] it out there. It does seem to me, also, that six [illegible] entirely unnecessary to run the health department [illegible] all the other clerks we have in all the other [illegible] District of Columbia. Therefore I move first to strike out the word "thirteen," in line 7, and insert in place thereof the word "six."

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

[illegible] the word "thirteen" and insert the word "six," so that it will read "six sanitary food inspectors."

Mr. McCLEARY of Minnesota. Mr. Chairman, the gentleman from Missouri surely does not expect or desire that amendment to prevail. This [illegible] conditions prescribed by law that certain things shall be done for the protection of the health of the people of this District. If it were not done, he would be one of the first to rise and query why we were not attending to the business that the law imposes upon us.

Mr. COWHERD. Does the gentleman from Minnesota say that thirty-seven men are needed in the health department, as provided in this bill? Has he investigated it sufficiently to say that all of these men are needed?

Mr. McCLEARY of Minnesota. To answer the gentleman specifically, I will say that I do think that every one is required, or else I should not have been a party to putting them in the bill. As a matter of fact, a good argument was made for the addition of seven more, making a total of forty-four. We did not believe the argument [illegible] and therefore we denied it.

We believe that every person provided for in this paragraph is needed for the protection of the health of the people of this District, and I trust that the committee will vote down the proposed amendment.

Mr. MANN. Will the gentleman yield for a question?

Mr. McCLEARY of Minnesota. Certainly.

Mr. MANN. How many of these inspectors are sanitary and how many food inspectors? The bill says so many sanitary and food inspectors.

Mr. McCLEARY of Minnesota. I think the question is impossible to answer. The men are competent perhaps to act in either line and are used in the [illegible].

Mr. MANN. The gentleman does not mean to say that a man who is competent to inspect sanitary matters is a proper man to inspect the quality of food?

Mr. McCLEARY of Minnesota. There are a few specialists.

Mr. MANN. And that a man who is fit to test the quality of food would know of anything that would be of value to him in testing plumbing?

Mr. McCLEARY of Minnesota. I think the expression "sanitary and food inspectors" is used so that the department may operate with greater elasticity.

Mr. MANN. That is what I supposed, and that is the reason I asked how many were sanitary and how many food inspectors. How many are food inspectors now?

Mr. McCLEARY of Minnesota. The bill says thirteen.

Mr. MANN. Oh, no; it does not say thirteen food inspectors.

Mr. McCLEARY of Minnesota. It says thirteen sanitary and food inspectors.

Mr. MANN. But how many are food inspectors?

Mr. McCLEARY of Minnesota. I have just said to the gentleman that we can not segregate the item.

Mr. COWHERD. Mr. Chairman, the gentleman from Minnesota says that I do not expect my amendment to prevail. If he means that I do not expect it because of the weak and small influence that I can bring to bear against the power of this great committee, he is speaking correctly and by the card. If he means that I do not think it ought to prevail, I want to assure the gentleman that he is very much mistaken. Now, the gentleman from Illinois [Mr. MANN] has well asked how many of these men are sanitary inspectors and how many are food inspectors. Mr. Chairman, as I remember it, we have just passed a law for food inspection in the District of Columbia. Every one of those men is or ought to be under the law a sanitary inspector of the District.

The men that inspect the alleys and report upon them, the men that pass upon the conditions of the streets and things of that kind are not [illegible] and should be called upon for that work; and the sanitary inspector is the man under the health department who is sent to inspect, for instance, the plumbing or the conditions of the outhouses, and so forth. As the gentleman from Illinois [Mr. MANN] has well said, he is not for so many food inspectors, and yet here are not [illegible] men, as the gentleman suggests, but twenty men provided in this bill, thirteen in one place and seven in another, all with this title of sanitary and food inspector.

But that is not all. That does not begin to cover the food inspection. In addition to these there is one sanitary and food inspector to [illegible]. Here is another sanitary and food inspector to inspect. I suppose, the dairies [illegible] is provided that he shall be a veterinary surgeon. There is another sanitary and food inspector to inspect marine products. There are four clerks provided for, and two of them [illegible] and food inspectors if needed, and so on down [illegible].

It is not a question of thirteen sanitary and food inspectors, even twenty, but, as I make it out, twenty four [illegible] are provided in the bill for the inspection of food products. I submit if my amendment prevails and the seven men are stricken out, leaving six sanitary and food inspectors at this point and the seven provided further on in addition to the special ones named in the bill, there will still be an ample force.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri.

The question was taken, and the Chair announced that the amendment was agreed to.

Mr. McCLEARY of Minnesota. I demand a division, Mr. Chairman.

The House divided; and during the division Mr. BURKETT rose.

Mr. BURKETT. Mr. Chairman, is this open to debate?

The CHAIRMAN. No; not while the House is dividing.

Mr. BURKETT. I thought the question was open to debate until the vote is announced.

The CHAIRMAN. The Chair had announced the vote, and now we are verifying the vote by a rising vote. The yeas are 31 and the nays 26, and the amendment is agreed to.

Mr. McCLEARY of Minnesota. Mr. Chairman, it is now 5 minutes after 5, and I move that the committee do now rise.

The CHAIRMAN. The question is on the motion of the gentleman from Minnesota.

Mr. COWHERD. Mr. Chairman, a parliamentary inquiry.

Mr. McCLEARY of Minnesota. Mr. Chairman, it will be noted that tellers are demanded. I give notice that I will demand tellers on this.

Mr. MANN. Mr. Chairman, the gentleman can not move to rise and then demand tellers afterwards.

The CHAIRMAN. The Chair will state that if the gentleman demands tellers——

Mr. MANN. He should demand them now.

The CHAIRMAN. He should demand them now.

Mr. McCLEARY of Minnesota. Can I not give notice that I will demand them in the morning?

Mr. MANN. Oh, no. I ask for an announcement of the result of the vote.

The CHAIRMAN. The Chair has already announced the vote as 31 ayes and 26 noes. If tellers are demanded——

Mr. BURKETT. Mr. Chairman, I demand tellers.

Mr. McCLEARY of Minnesota. And pending that, Mr. Chairman, I move that the committee do now rise.

Mr. MANN. The committee can not rise while a vote is being taken. If the gentleman demands tellers, he must demand them now.

Mr. BURKETT. I have demanded tellers.

The CHAIRMAN. As many as are in favor of having tellers will rise.

Mr. McCLEARY of Minnesota. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. That motion is not in order at this time. Sixteen gentlemen rising, not a sufficient number, and tellers are refused.

Mr. McCLEARY of Minnesota. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the committee rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12833, the District of Columbia appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2999. An act granting an increase of pension to Malvine C. Buzzell;
S. 3423. An act granting an increase of pension to Joseph H. Ottey;
S. 1627. An act granting an increase of pension to Alonzo R. Kibbe;
S. 3130. An act granting an increase of pension to Nathan P. Bowman;
S. 312. An act granting an increase of pension to John F. Oviatt;
S. 268. An act granting an increase of pension to Annie B. Johnson;
S. 3470. An act granting an increase of pension to Richard Wilks;
S. 3452. An act granting an increase of pension to Charles Male;
S. 156. An act granting an increase of pension to Harriet L. Ford;
S. 154. An act granting an increase of pension to Hugh T. Crockett;
S. 153. An act granting an increase of pension to William W. Turk;
S. 89. An act granting an increase of pension to James M. Markham;
S. 148. An act granting an increase of pension to Benjamin H. Smalley;
S. 893. An act granting an increase of pension to William W. Angelo;
S. 822. An act granting an increase of pension to Marquis L. Stevens;
S. 819. An act granting an increase of pension to John B. Glover;
S. 727. An act granting an increase of pension to George W. Wetherell;
S. 693. An act granting an increase of pension to Charles W. De Rocker;
S. 681. An act granting an increase of pension to Isaiah Larkins;
S. 588. An act granting an increase of pension to Wilber F. Little;
S. 562. An act granting an increase of pension to Emeline F. Emmons;
S. 886. An act granting an increase of pension to Homer D. Wells;
S. 2289. An act granting an increase of pension to Louisa R. Chitwood;
S. 354. An act granting an increase of pension to Clara B. Griswold;
S. 2278. An act granting an increase of pension to Harriet H. Howlett;
S. 317. An act granting an increase of pension to Mortimer Hallet;
S. 2339. An act granting an increase of pension to Theodore E. Chatfield;
S. 1272. An act granting an increase of pension to Samuel Rollins;
S. 935. An act granting a pension to Mary S. Clark;
S. 2337. An act granting an increase of pension to Louise Chandler;
S. 900. An act granting an increase of pension to Daniel M. Smith;
S. 2216. An act granting an increase of pension to Charles Reed;
S. 2200. An act granting an increase of pension to Charles C. Collins;
S. 2198. An act granting a pension to Thomas Irvin;
S. 2179. An act granting an increase of pension to Thomas Harkinson;
S. 2122. An act granting a pension to Ashley C. Riggs;
S. 2087. An act granting an increase of pension to George Rilea;
S. 2043. An act granting an increase of pension to Andrew J. Williams;
S. 1944. An act granting an increase of pension to John S. Stanger;
S. 1554. An act granting an increase of pension to John D. Pechard;
S. 1834. An act granting an increase of pension to John W. Paul;
S. 1530. An act granting an increase of pension to Theron T. Lemphere;
S. 3413. An act granting a pension to Henry P. Howard;
S. 1392. An act granting an increase of pension to Mary A. Hughes;
S. 3405. An act granting an increase of pension to Mary F. Pentzer;
S. 1280. An act granting an increase of pension to Henry Wilforg;
S. 1803. An act granting an increase of pension to John M. Morgan;
S. 3397. An act granting an increase of pension to George B. Christy;
S. 1796. An act granting an increase of pension to Mathew Woodworth;
S. 3363. An act granting an increase of pension to Dan H. Wallace;
S. 3373. An act granting a pension to Eliza Williams;
S. 1678. An act granting an increase of pension to Rudolph Reinhart;
S. 1642. An act granting an increase of pension to Blanche L. Chunn;
S. 3291. An act granting an increase of pension to John Olson Bakken, alias John Olson;
S. 1591. An act granting an increase of pension to James Holm;
S. 1616. An act granting an increase of pension to Michael Donovan;
S. 3267. An act granting an increase of pension to Mary V. Carson;
S. 3085. An act granting an increase of pension to Alexander Lane;
S. 1555. An act granting an increase of pension to Owen E. Newton;
S. 3053. An act granting an increase of pension to Emma E. S. Wright;
S. 3415. An act granting an increase of pension to Manluff W. Reynolds;
S. 3038. An act granting an increase of pension to Joseph H. Kennedy;
S. 2969. An act granting a pension to Henry Dority;
S. 2955. An act granting an increase of pension to John Hogarth Lozier;
S. 2966. An act granting a pension to William Conover;
S. 2940. An act granting an increase of pension to Margaret Liddle;
S. 2948. An act granting an increase of pension to George Hyde;
S. 2838. An act granting a pension to Louisa Lyon;
S. 4091. An act granting an increase of pension to Nathan M. Gove;
S. 2688. An act granting an increase of pension to George M. Linch;
S. 4141. An act granting an increase of pension to Samuel A. Dickey;
S. 2662. An act granting an increase of pension to John H. Carrow;
S. 2649. An act granting an increase of pension to William S. Burch;
S. 4090. An act granting an increase of pension to Charlott J. Folsom;
S. 2563. An act granting an increase of pension to Elizabeth M' Banta;
S. 4052. An act granting a pension to Alice K. Seligson;
S. 2490. An act granting a pension to Naomi Green;
S. 3488. An act granting an increase of pension to Charles E. McIntire;
S. 3527. An act granting an increase of pension to Jerningham Boone;
S. 3645. An act granting an increase of pension to Francis Hall;
S. 3950. An act granting an increase of pension to Edward Blaisdell;
S. 2445. An act granting an increase of pension to George M. Waters;
S. 3945. An act granting an increase of pension to Lewis Lewis;
S. 3902. An act granting a pension to George F. Smith;
S. 2429. An act granting an increase of pension to John Dow;
S. 3893. An act granting an increase of pension to John L. Rodgers;

S. 3887. An act granting an increase of pension to Charles J. Clark;
S. 3839. An act granting an increase of pension to George B. Abbott;
S. 3569. An act granting an increase of pension to John A. Chamberlain;
S. 3812. An act granting an increase of pension to Charles Wheatland;
S. 3634. An act granting an increase of pension to John S. Parker;
S. 3788. An act granting an increase of pension to Lenus S. Ludington;
S. 3656. An act granting an increase of pension to William Turner;
S. 3481. An act granting an increase of pension to James E. Harrison; and
S. 3480. An act granting an increase of pension to Swepston B. W. Stephens.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles: when the Speaker signed the same:

H. R. 11812. An act relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated.

H. R. 288. An act to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 3, township 21 south, range 9 west of Huntsville meridian.

JULIETTE WESTBROOK.

The SPEAKER laid before the House the following resolution of the Senate: which was read:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (H. R. 5811) granting a pension to Juliette Westbrook.

The SPEAKER. Without objection, this bill will be returned to the Senate. [A pause.] The Chair hears no objection.

CONFERENCE REPORTS.

Mr. GIBSON presented the following conference reports, to be printed in the RECORD under the rule:

ALFRED H. ROGERS.

[illegible] of the two Houses on the [illegible] of the Senate [illegible] H. R. [illegible] granting an increase of pension to Alfred H. Rogers have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

ALFRED I. JUDY.

The [illegible] of the two Houses on the [illegible] of the Senate [illegible] H. R. [illegible] granting an increase of pension to Alfred I. Judy [illegible] have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

GEORGE W. TRAVIS.

The committee of conference on the disagreeing votes of the two Houses on the [illegible] of the Senate to the bill (H. R. [illegible]) granting an increase of pension to George W. Travis [illegible] have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

HENRY GRUBBY.

The committee of conference on the disagreeing votes of the two Houses on the [illegible] of the Senate to the bill (H. R. [illegible]) granting an increase of pension to Henry Grubby [illegible] have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

GEORGE C. SHERMAN.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to George C. Sherman [illegible] have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and the bill be allowed at $30 per month.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

ABRAM H. HUNT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. [illegible]) granting an increase of pension to Abram H. Hunt [illegible] have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment and that the bill be allowed at $50.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

ALONZO DUTCH.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5176) granting an increase of pension to Alonzo Dutch [illegible] having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment.

HENRY R. GIBSON,
ROBERT W. MIERS,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
T. M. PATTERSON,
Managers on the part of the Senate.

SENATE BILL AND JOINT RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, Senate bill and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3658. An act ratifying an act of the legislative assembly of the Territory of Oklahoma legalizing the waterworks bond election held by the city of Geary, in said Territory—to the Committee on the Territories.

S. R. 53. Joint resolution authorizing the reprinting of certain documents to be sold by the superintendent of documents—to the Committee on Printing.

Mr. McCLEARY of Minnesota. I move that the House adjourn.

The motion was agreed to: and accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Lucretia*, William Young, master—to the Committee on Claims, and ordered to be printed.

A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on projects for improving Grays Harbor, Washington—to the Committee on Rivers and Harbors, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. LACEY, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 8869) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, reported the same with amendment, accompanied by a report (No. 1298); which said bill and report were referred to the House Calendar.

Mr. BURKE, from the Committee on Interstate and Foreign Commerce, to which was referred the House resolution (H. Res. 203) that the Secretary of Commerce and Labor be and he is hereby, requested to investigate the causes of the low prices of beef cattle in the United States since July 1, 1903, reported the same with amendment, accompanied by a report (No. 1299); which said resolution and report were referred to the House Calendar.

Mr. BRICK, from the Committee on the Territories, to which was referred the bill of the House H. R. 5779, reported in lieu thereof a bill (H. R. 13356) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives, accompanied by a report (No. 1300); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HITT, from the Committee on Foreign Affairs, to which was referred the joint resolution of the House (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers, reported the same without amendment, accompanied by a report (No. 1301); which said joint resolution and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LIND, from the Committee on Claims, to which was referred the bill of the Senate (S. 3199) for the relief of A. M. Short, reported the same without amendment, accompanied by a report (No. 1291); which said bill and report were referred to the Private Calendar.

Mr. GOLDFOGLE, from the Committee on Claims, to which was referred the bill of the House (H. R. 3619) for the relief of David V. Howell, reported the same without amendment, accompanied by a report (No. 1292); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House H. R. 2053, reported in lieu thereof a resolution (H. Res. 20) for the relief of Hans Peter Guttormsen, accompanied by a report (No. 1293); which said resolution and report were referred to the Private Calendar.

Mr. CLAUDE KITCHIN, from the Committee on Claims, to which was referred the bill of the House (H. R. 6351) to pay J. B. McRae $99, for services as hospital steward, and so forth, reported the same without amendment, accompanied by a report (No. 1294); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the Senate (S. 1758) for the relief of Pay Clerk Charles Blake, United States Navy, reported the same without amendment, accompanied by a report (No. 1295); which said bill and report were referred to the Private Calendar.

Mr. TIRRELL, from the Committee on Claims, to which was referred the joint resolution of the Senate (S. R. 45) directing inquiry into the claim of the Wales Island Packing Company, reported the same without amendment, accompanied by a report (No. 1296); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the Senate (S. 1501) for the relief of James F. McIndoe, reported the same without amendment, accompanied by a report (No. 1297); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 1181) granting a pension to Anna L. Roop—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 5388) granting an increase of pension to John M. Gartrell—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. RODENBERG: A bill (H. R. 13349) for the preservation of historic and prehistoric ruins, monuments, archæological objects, and other antiquities, and to prevent their counterfeiting—to the Committee on the Public Lands.

By Mr. JENKINS: A bill (H. R. 13350) conferring jurisdiction upon United States commissioners over offenses committed in a portion of the permanent Hot Springs Mountain Reservation, Arkansas—to the Committee on the Judiciary.

By Mr. FULLER: A bill (H. R. 13351) to provide for the rating of applicants for pension under the act of June 27, 1890—to the Committee on Invalid Pensions.

By Mr. BRANTLEY: A bill (H. R. 13352) transferring the county of Pierce, in the State of Georgia, from the eastern to the southwestern division of the United States district court for the southern district of Georgia—to the Committee on the Judiciary.

By Mr. WILEY of New Jersey: A bill (H. R. 13353) for the extension of Kalorama avenue, and for other purposes—to the Committee on the District of Columbia.

Also, a bill (H. R. 13354) providing for the recognition of the men who served as locomotive engineers during the late war of the rebellion—to the Committee on Military Affairs.

By Mr. TAWNEY: A bill (H. R. 13355) to amend the copyright laws—to the Committee on Patents.

By Mr. BRICK, from the Committee on the Territories: A bill (H. R. 13356) providing for the election of a Delegate from the Territory of Alaska to the House of Representatives of the United States and defining the qualifications of electors in said Territory—to the Union Calendar.

By Mr. STEPHENS of Texas: A bill (H. R. 13357) to provide for the establishment and appointment of an additional United States commissioner for the twenty-third registration district, Atoka division of the central district, Indian Territory, to be located at Coalgate, Ind. T.—to the Committee on the Judiciary.

By Mr. BROOKS: A bill (H. R. 13358) authorizing the Secretary of Agriculture to gather statistics relating to the number of live stock in the United States, and raising revenue to defray the expense thereof—to the Committee on Ways and Means.

By Mr. HUMPHREY of Washington: A bill (H. R. 13359) prohibiting the introduction into any State or Territory or the District of Columbia, from any other State or Territory or the District of Columbia, or from any foreign country, or shipment to any foreign country, any misbranded salmon prepared or intended for use as an article of food—to the Committee on Interstate and Foreign Commerce.

By Mr. LANNING: A bill (H. R. 13360) authorizing the issue of obsolete ordnance and ordnance stores for the use of education institutions—to the Committee on Military Affairs.

By Mr. PIERCE: A bill (H. R. 13361) to provide for improvement of the Mississippi River by the construction of a levee on the east bank thereof from the town of Ashport, in Lauderdale County, Tenn., to Fort Pillow, and from Ashport east to the land above overflow in Lauderdale County—to the Committee on Rivers and Harbors.

By Mr. GIBSON: A bill (H. R. 13362) to increase certain pensions in proportion to length of service—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana: A joint resolution (H. J. Res. 124) authorizing and directing the Secretary of Commerce and Labor to suspend at once and indefinitely the killing of fur seals on the Pribilof Islands of Alaska—to the Committee on Ways and Means.

By Mr. HAY: A resolution (H. Res. 235) directing the president of the Civil Service Commission to inform the House in how many cases the civil-service law and the regulations made thereunder have been suspended, and by whom, since the 4th day of March, 1885, etc.—to the Committee on Reform in the Civil Service.

By Mr. GIBSON: A resolution (H. Res. 238) referring certain claims to the Court of Claims for a finding of facts under the terms of the Tucker Act—to the Committee on War Claims.

By Mr. WILEY of Alabama: A resolution (H. Res. 239) authorizing and directing the Secretary of the Department of Commerce and Labor to have the Director of the Census investigate the subject of public-road construction in the United States—to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BENTON: A bill (H. R. 13363) granting an increase of pension to B. L. Commons—to the Committee on Pensions.

Also, a bill (H. R. 13364) granting an increase of pension to John Cook—to the Committee on Pensions.

Also, a bill (H. R. 13365) granting a pension to Caroline A. Haughawout—to the Committee on Invalid Pensions.

By Mr. BUTLER of Pennsylvania: A bill (H. R. 13366) for the relief of Pay Inspector E. B. Rogers, United States Navy—to the Committee on Claims.

By Mr. DEEMER: A bill (H. R. 13367) for the relief of John H. Beard—to the Committee on Claims.

By Mr. DOVENER: A bill (H. R. 13368) to pension army teamsters—to the Committee on Pensions.

By Mr. GILLESPIE: A bill (H. R. 13369) granting an increase of pension to Joshua Davis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13370) granting an increase of pension to S. S. Perry—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13371) granting an increase of pension to James T. Thompson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13372) granting an increase of pension to George W. Blandin—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 13373) granting an increase of pension to William W. Dennis—to the Committee on Invalid Pensions.

By Mr. HERMANN: A bill (H. R. 13374) granting a pension to J. S. Waggener—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13375) granting a pension to Leonidas E. Mills—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 13376) granting an increase of pension to M. J. Von Eaton—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 13377) granting an increase of pension to Albert R. Straub—to the Committee on Invalid Pensions.

By Mr. KEHOE: A bill (H. R. 13378) granting an increase of pension to Fred W. Lange—to the Committee on Invalid Pensions.

By Mr. FREDERICK LANDIS: A bill (H. R. 13379) granting an increase of pension to William B. Finch—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13380) granting an increase of pension to Owen Shively—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13381) granting an increase of pension to John Calloway—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13382) granting an increase of pension to Absalom Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13383) granting an increase of pension to Noah Frick—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13384) granting an increase of pension to Elias D. Carnahan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13385) granting an increase of pension to Aaron W. Hearrell—to the Committee on Invalid Pensions.

By Mr. LANNING: A bill (H. R. 13386) granting an increase of pension to Almyer Neigh—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13387) granting an increase of pension to William Kelly—to the Committee on Invalid Pensions.

By Mr. LEGARE: A bill (H. R. 13388) granting a pension to Marie Ferguson—to the Committee on Pensions.

Also, a bill (H. R. 13389) granting a pension to David Kimball—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 13390) for the relief of Mary C. Mayers—to the Committee on Claims.

By Mr. MARSH: A bill (H. R. 13391) granting an increase of pension to Garret I. Post—to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 13392) granting an increase of pension to Henry Simons—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13393) granting an increase of pension to Fergus P. McMillan—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 13394) for the relief of the vestry of St. Peters Protestant Episcopal Church, of Columbia, Tenn.—to the Committee on War Claims.

By Mr. PATTERSON of Tennessee: A bill (H. R. 13395) for the relief of the estate of Mathew Brown, deceased, late of Shelby County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 13396) for the relief of the estate of James Jones, deceased, late of Halifax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 13397) for the relief of the estate of James Crews, deceased, late of Fayette County, Tenn.—to the Committee on War Claims.

By Mr. PIERCE: A bill (H. R. 13398) granting a pension to Jonathan Terrell—to the Committee on Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13399) for the relief of the estate of Mary McCaa, deceased, late of Madison County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 13400) for the relief of James A. Allen, of Jackson County, Ala.—to the Committee on War Claims.

Also, a bill (H. R. 13401) for the relief of Dr. Ira G. Wood, of Jackson County, Ala.—to the Committee on War Claims.

By Mr. SHIRAS: A bill (H. R. 13402) for the relief of Dr. W. S. Hosack—to the Committee on Claims.

By Mr. SHOBER: A bill (H. R. 13403) to remove the charge of desertion against Rudolph C. Blancke and authorize his honorable discharge—to the Committee on Military Affairs.

By Mr. SHULL: A bill (H. R. 13404) granting an increase of pension to Emanuel Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13405) granting an increase of pension to Harriet S. Gilbert—to the Committee on Invalid Pensions.

By Mr. SIMS: A bill (H. R. 13406) for the relief of John F. Leach, administrator of estate of R. H. Carter, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13407) for the relief of the estate of F. M. Hagy, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13408) for the relief of the legal representatives of W. M. McAuley, deceased—to the Committee on War Claims.

By Mr. SPALDING: A bill (H. R. 13409) granting a pension to Alfred Small—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 13410) granting an increase of pension to Uriah J. Chesshir—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13411) granting a pension to Margaret J. Thackery—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 13412) authorizing the issuing of a duplicate check of subtreasury check No. 513102, for $2,682.90, drawn by Paymaster Franklin W. Hart, United States Navy, upon the subtreasury at New York in favor of Andres y Fernandez—to the Committee on Claims.

By Mr. DRAPER: A bill (H. R. 13413) granting an increase of pension to Hezekiah Kepner—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: W. O. Price and 29 others, of Casey, Ill., in favor of the anticanteen law—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of the Woman's Christian Temperance Union of Sidney, Nebr.; the Trinity Lutheran Church, of Sidney, Nebr.; the North Presbyterian Church, of St. Louis, Mo. (275 members); the Baptist Church of Lagrange, Ky.; the Epworth League of Sidney, Nebr. (45 members); the Methodist Episcopal Sunday School of Sidney, Nebr. (110 members); citizens of Ames, Story County, Iowa; Young People's Society of Christian Endeavor of Sheldon, Iroquois County, Ill. (30 members); the Methodist Church of Lagrange, Ky. (156 members); the Christian Endeavor Society of the First Free Baptist Church of Laconia, N. H.; the Presbyterian Church of Freeport, Pa., and the Methodist Episcopal Church of Sidney, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ADAMS of Pennsylvania: Resolution of the Brotherhood of Railroad Trainmen, Pennsylvania Lodge, No. 511, of Philadelphia, Pa., in favor of bills H. R. 89 and 7041—to the Committee on the Judiciary.

Also, paper to accompany bill granting pension to J. H. Stephens—to the Committee on Invalid Pensions.

By Mr. BENTON: Papers to accompany bill granting a pension to C. A. Houghawout—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of B. L. Commons—to the Committee on Invalid Pensions.

Also, papers to accompany bill to increase pension of John Cook—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: Papers to accompany bill H. R. 13304, granting increase of pension to Arbana Wade—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 13323, granting an increase of pension to Josiah Wood—to the Committee on Invalid Pensions.

By Mr. BURTON: Petition of citizens of Cleveland, Ohio, against passage of the so-called "Hepburn-Dolliver bill"—to the Committee on the Judiciary.

Also, petition of citizens and business firms of Cleveland, Ohio, against passage of an anti-injunction bill—to the Committee on the Judiciary.

Also, petition of citizens and business firms of Cleveland, Ohio, against passage of an eight-hour law—to the Committee on Labor.

By Mr. CANDLER: Petitions of L. D. Christian and 38 others, of Prentiss County, Miss., and Hon. J. A. E. Pyle and 75 others, of Iuka, Tishomingo County, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAPRON: Petition of John McVay and 33 others, of Warwick, R. I., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CASSINGHAM: Papers to accompany bill granting an increase of pension to George Van Horn—to the Committee on Invalid Pensions.

By Mr. DALZELL: Petitions of R. H. Boggs and 20 others, of Allegheny, Pa.; W. H. Colvin and 20 others, of Allegheny and Pittsburg, Pa.; Woman's Christian Temperance Union, of Allegheny, Pa.; First United Presbyterian Church, of Coraopolis, Pa.; Pennsylvania Anti-Saloon League, and Plum Creek Presbyterian Church, of New Texas, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DARRAGH: Resolution of the Licensed Tugmen's Association of the Great Lakes, protesting against the building of dredges by the Government—to the Committee on Rivers and Harbors.

By Mr. DAYTON: Petitions of B. Y. Cunningham and 42 others, E. C. Rice and 38 others, J. A. Pullman and 37 others, and H. L. Shaffer and 6 others, all of Elkins, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LEFEVER: Paper to accompany claim of John H. Beard—to the Committee on Claims.

By Mr. DOVENER: Petition of W. L. Fitzhugh and 45 other voters, and Jesse G. Lawson and 44 other votes, of Bridgeport; L. L. Moore and 11 other voters, and John B. Swiger and 47 other voters, of Somerston; E. D. Orr and 28 other voters, and G. W. Fox and [illegible] other voters, of Wallace; T. W. Brydston and 30 voters, and Henry P. Lutz and 30 other votes, of Fairmont; Rev. John L. Vincent, and 10 other voters and organizations of Monongalia, all of West Virginia, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. DeLAFIELD: Resolution of the board of governors of the Consolidated Stock and Petroleum Exchange of New York, in favor of bill H. R. 7871—to the Committee on the Judiciary.

Also, petition of [illegible] of rural routes 1 and 3, of Troy, N. Y., relative to a change of salary of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. DUNWELL: Resolution of the Manufacturers' Association of New York, in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. FIELD: Petition of John A. Beagle and 42 others, of Robertson County, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FITZGERALD: Resolutions of Elizabeth Spellman Circle of Ladies of the Grand Army of the Republic, of Troy, N. Y., favoring passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Consolidated Stock and Petroleum Exchange, favoring bill H. R. 7871—to the Committee on the Judiciary.

By Mr. FRENCH: Petition of J. A. Gould and 35 others of Nampa, Idaho, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of McPherson Post, No. 3; A. T. McReynolds Post, No. 19, and W. T. Sherman Post, No. 31, Grand Army of the Republic, Department of Idaho, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of voters of Idaho Falls, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FULLER: Resolution of the American Association of Masters and Pilots of Steam Vessels, for permanent lighthouse at Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, memorial of the Illinois Press Association, against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. GIBSON: Petitions of J. M. Anderson and 27 others, and O. F. Betris and 17 others, of New Market, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GOULDEN: Resolution of the North Side Board of Trade of the City of New York, in opposition to bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. GREENE: Resolutions of Thomas E. Gardner Post, No. 207, Grand Army of the Republic, of Nantucket, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GRIFFITH: Resolution of the W. T. Sherman Circle, No. 8, Ladies of the Grand Army of the Republic, of Aurora, Ind., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Moores Hill College, Indiana, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEMENWAY: Petition of George E. Niles and others, of Chrisney, Ind., against passage of parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HENRY of Texas: Petitions of H. F. Rogers and 15 others, of County Falls, Tex., and T. M. Snapson and others, of Troy, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Petition of the Christian Church of Morgantown, W. Va., in favor of the passage of bill H. R. 4072—to the Committee on the Judiciary.

By Mr. HERMANN: Resolutions of the Manufacturers and Producers' Association of California, protesting against the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HILL of Connecticut: Papers to accompany bill H. R. 1472, granting a pension to Levi G. Fessenden—to the Committee on Invalid Pensions.

By Mr. HOWELL of New Jersey: Petition of General E. V. Sumner Post, No. 74, Grand Army of the Republic, Department of New Jersey, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of the Second Reformed Church of New Brunswick, the First Presbyterian Church of Long Branch; the Presbyterian Church of Barnegat; the Methodist Episcopal Church of Freehold; St. Andrew's Methodist Episcopal Church, of Spring Lake, and the Methodist Episcopal Church of Woodbridge, all in New Jersey, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Petition of residents of Whiteside County, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KEHOE: Petition of W. S. Haviland and 1,137 others, of Harrison County, Ky., for the passage [illegible] the relief of the farmers and tobacco growers of the United States—to the Committee on Ways and Means.

By Mr. JACKSON of Maryland: Petition of citizens of Worcester County, Md., against passage of Grosvenor bill relative to small craft—to the Committee on the Merchant Marine and Fisheries.

Also, petition of Frank W. Smith, M. D., and 20 others, of Fairlee, Md.; A. S. Mowbray and 28 others, of Port Deposit, Md.; Richard A. Smyth and 11 others, of Wooton station, Kent [illegible], Maryland, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LACEY: Resolutions of John T. Drake Post, No. 321, Grand Army of the Republic, of Brooklyn, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LITTLE: Petition of the legal representatives of the estate of Mrs. Endora E. Knox, praying reference of claim to the Court of Claims—to the Committee on War Claims.

Also, papers in [illegible] Richard P. Perkins, deceased, praying reference of claim of the estate to the Court of Claims—to the Committee on War Claims.

Also, petition of the legal representatives of the estate of Mary A. England, praying reference of the claim to the Court of Claims—to the Committee on War Claims.

By Mr. LITTLEFIELD: Petition of Rev. George De Mott and 125 others, of Bath, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McCLEARY of Minnesota: Resolution of the Duluth (Minn.) Board of Trade, in favor of the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the bankers of the Second Congressional district of Minnesota, in opposition to bill H. R. 1976—to the Committee on the Post-Office and Post-Roads.

By Mr. MAYNARD: Petition of David Humphreys, of Norfolk, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McGREGOR: Resolution of Pennsylvania Lodge, No. 511, Brotherhood of Railroad Trainmen, of Philadelphia, Pa., in favor of bills H. R. 89 and 7041—to the Committee on the Judiciary.

By Mr. PADGETT: Papers to accompany bill for relief of the vestry of St. Peter's Protestant Episcopal Church, of Columbia, Tenn.—to the Committee on War Claims.

By Mr. PATTERSON of Pennsylvania: Resolution of Joe Hooker Post, No. 43, Grand Army of the Republic, of Ashland, Pa., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. PORTER: Petition of the Pennsylvania Anti-Saloon League, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. POU: Petition of the Missionary Baptist Church of Henderson, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Charles H. Moore and others, of Raleigh, N. C., that funds in [illegible] be granted to the Bureau of [illegible] of the Department of Agriculture [illegible]

By Mr. [illegible] of Indiana: Papers to accompany bill H. R. 12672, granting a pension to William Hoyt—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 1692, for relief of Walnut Grove Cumberland Presbyterian Church—to the Committee on War Claims.

By Mr. RUPPERT: Resolutions of the Consolidated Stock and Petroleum Exchange, of New York, approving bill H. R. 7871—to the Committee on the Judiciary.

By Mr. RYAN: Resolution of the Consolidated Stock and Petroleum Exchange, of New York, in favor of bill H. R. 7871—to the Committee on the Judiciary.

By Mr. SCHERMAN: Resolution of Curran Circle, No. 19, Ladies of the Grand Army of the Republic, of Utica, N. Y., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SIMS: Petition of the pastor and members of the congregation of the Methodist Episcopal Church, at McLemoresville, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Benton County, Tenn., in favor of the Hepburn-Lacey bill—to the Committee on Agriculture.

By Mr. SMITH of Iowa: Petition of J. F. Torrey and 19 other voters of Little Sioux, Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of Rev. J. H. Wright and 41 voters of Woodbine,

Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of W. T. Preston and 43 voters of Dunlap, Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of C. I. Wiley and 100 voters of Orient Township, Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, nine petitions of citizens of Cass County, Iowa, representing 981 voters, for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, petition of residents of Gray, Iowa, asking the appointment of commissioners to investigate charges of violations of rules of Yellowstone Park—to the Committee on Alcoholic Liquor Traffic.

By Mr. SPALDING: Petitions of members of the Methodist Church, Rev. S. Ramsdahl and 30 other voters; Rev. J. A. H. Johnson and 22 other voters, members of Robert Street Methodist Church; members of Plymouth Congregational Church, the First Baptist Church, and the First Congregational Church; members of the Presbyterian Church, and business men, all of Fargo; John Hermon and 9 others, of Milnor; L. E. Blake and 15 others, of Delamere, and members of the Methodist and Congregational churches of Tower City, N. Dak., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. SULLIVAN of Massachusetts: Petition of the Massachusetts Pharmaceutical Association, of Boston, for the passage of bill H. R. 9303, for a reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. THAYER: Resolution of the Citizens' Trade Association, Cambridge, Mass., relative to increasing powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Massachusetts State Pharmaceutical Association, in favor of bill H. R. 9303, for a reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. VREELAND: Petition of the Business Men's Association of Sherman, N. Y., against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. WADSWORTH: Petition of Woman's Christian Temperance Union of Millville, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WRIGHT: Resolution of Captain Warren G. Moore Post, No. 389, Grand Army of the Republic, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

SENATE.

THURSDAY, *March 3, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. NELSON, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal, if there be no objection, will stand approved. The Chair hears none, and it is approved.

SCHOONER LUCRETIA.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relative to the vessel schooner *Lucretia*, William Young, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, returned to the Senate, in compliance with its request, the bill (H. R. 5611) granting a pension to Juliette Westbrook.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 89) granting an increase of pension to James M. Markham;

A bill (S. 148) granting an increase of pension to Benjamin H. Smalley;

A bill (S. 153) granting an increase of pension to William W. Turk;

A bill (S. 154) granting an increase of pension to Hugh T. Crockett;

A bill (S. 156) granting an increase of pension to Harriet L. Ford;

A bill (S. 268) granting an increase of pension to Annie B. Johnson;

A bill (S. 312) granting an increase of pension to John F. Oviatt;

A bill (S. 317) granting an increase of pension to Mortimer Hallet;

A bill (S. 354) granting an increase of pension to Clara B. Griswold;

A bill (S. 386) granting an increase of pension to Homer D. Wells;

A bill (S. 562) granting an increase of pension to Emeline F. Emmons;

A bill (S. 588) granting an increase of pension to Wilber F. Little;

A bill (S. 681) granting an increase of pension to Isaiah Larkins;

A bill (S. 693) granting an increase of pension to Charles W. De Rocker;

A bill (S. 727) granting an increase of pension to George W. Wetherell;

A bill (S. 819) granting an increase of pension to John B. Glover;

A bill (S. 822) granting an increase of pension to Marquis L. Stevens;

A bill (S. 893) granting an increase of pension to William W. Angelo;

A bill (S. 900) granting an increase of pension to Daniel M. Smith;

A bill (S. 935) granting a pension to Mary S. Clark;

A bill (S. 1272) granting an increase of pension to Sar ael Rollins;

A bill (S. 1280) granting an increase of pension to Henry Wilfong;

A bill (S. 1392) granting an increase of pension to Mary A. Hughes;

A bill (S. 1530) granting an increase of pension to Theron T. Lemphere;

A bill (S. 1554) granting an increase of pension to John D. Pickard;

A bill (S. 1555) granting an increase of pension to Owen E. Newton;

A bill (S. 1591) granting an increase of pension to James Hahn;

A bill (S. 1616) granting an increase of pension to Michael Donovan;

A bill (S. 1627) granting an increase of pension to Alonzo R. Kibbe;

A bill (S. 1642) granting an increase of pension to Blanche L. Chunn;

A bill (S. 1678) granting an increase of pension to Rudolph Reinhart;

A bill (S. 1796) granting an increase of pension to Mathew Woodworth;

A bill (S. 1803) granting an increase of pension to John M. Morgan;

A bill (S. 1884) granting an increase of pension to John W. Paul;

A bill (S. 1944) granting an increase of pension to John S. Stanger;

A bill (S. 2043) granting an increase of pension to Andrew J. Williams;

A bill (S. 2087) granting an increase of pension to George Rilea;

A bill (S. 2122) granting a pension to Ashley C. Riggs;

A bill (S. 2179) granting an increase of pension to Thomas Harkinson;

A bill (S. 2198) granting a pension to Thomas Irvin;

A bill (S. 2200) granting an increase of pension to Charles R. Collins;

A bill (S. 2216) granting an increase of pension to Charles Reed;

A bill (S. 2237) granting an increase of pension to Louise Chandler;

A bill (S. 2239) granting an increase of pension to Theodore E. Chatfield;

A bill (S. 2278) granting an increase of pension to Harriet H. Howlett;

A bill (S. 2289) granting an increase of pension to Louisa R. Chitwood;

A bill (S. 2429) granting an increase of pension to John Dow;

A bill (S. 2445) granting an increase of pension to George M. Waters;

A bill (S. 2490) granting a pension to Naomi Green;

A bill (S. 2563) granting an increase of pension to Elizabeth M. Banta;

A bill (S. 2649) granting an increase of pension to William S. Burch;

A bill (S. 2662) granting an increase of pension to John H. Carrow;

A bill (S. 2688) granting an increase of pension to George M. L[illegible];

A bill (S. 2838) granting a pension to Louisa Lyon;

A bill (S. 2940) granting an increase of pension to Margaret Liddle;

A bill (S. [illegible]) granting an increase of pension to George L. [illegible];

A bill (S. [illegible]) granting an increase of pension to John Hogarth Lozier;

A bill (S. [illegible]) granting a pension to [illegible];

A bill (S. [illegible]) [illegible];

A bill (S. [illegible]) granting an increase of pension to Malvine C. Bag[illegible];

A bill (S. 3078) granting an increase of pension to Joseph H. Ka[illegible];

A bill (S. [illegible]) granting an increase of pension to Emma E. S. W[illegible];

A bill (S. 3085) granting an increase of pension to Alexander L[illegible];

A bill (S. 3130) granting an increase of pension to Nathan P. Bow[illegible];

A bill (S. 3267) granting an increase of pension to Mary V. Carson;

A bill (S. [illegible]) granting an increase of pension to John Olson Bakken;

A bill (S. [illegible]) granting an increase of pension to Dan H. Wallace;

A bill (S. 3373) granting a pension to Eliza Williams;

A bill (S. 3397) granting an increase of pension to George B. Christ;

A bill (S. 3405) granting an increase of pension to Mary F. P[illegible];

A bill (S. 3413) granting a pension to Henry P. Howard;

A bill (S. 3415) granting an increase of pension to Manluff W. Reyn[illegible];

A bill (S. 3423) granting an increase of pension to Joseph H. Otley;

A bill (S. 3452) granting an increase of pension to Charles Male;

A bill (S. 3470) granting an increase of pension to Richard Wilks;

A bill (S. 3480) granting an increase of pension to Swepston B. W[illegible];

A bill (S. 3481) granting an increase of pension to James E. Ha[illegible];

A bill (S. 3488) granting an increase of pension to Charles E. McIntire;

A bill (S. 3527) granting an increase of pension to Jerningham Boone;

A bill (S. 3534) granting an increase of pension to John S. Parker;

A bill (S. 3569) granting an increase of pension to John A. Chamberlain;

A bill (S. 3645) granting an increase of pension to Francis Hall;

A bill (S. 3656) granting an increase of pension to William Turner;

A bill (S. 3738) granting an increase of pension to Lenus S. Ludlington;

A bill (S. 3812) granting an increase of pension to Charles Wheatland;

A bill (S. [illegible]) granting an increase of pension to George B. Abbott;

A bill (S. 3887) granting an increase of pension to Charles J. Clark;

A bill (S. 3893) granting an increase of pension to John L. Rodgers;

A bill (S. 3902) granting a pension to George F. Smith;

A bill (S. 3945) granting an increase of pension to Lewis Lewis;

A bill (S. 3990) granting an increase of pension to Edward Blaisdell;

A bill (S. 4052) granting a pension to Alice K. Sel[illegible];

A bill (S. 4090) granting an increase of pension to Charlotte J. Folsom;

A bill (S. 4091) granting an increase of pension to Nathan M. Gove;

A bill (S. 4141) granting an increase of pension to Samuel A. Dickey;

A bill (H. R. 7288) to authorize the Mobile and West Alabama Railroad Company to construct and maintain a bridge across the Black Warrior River, in Tuscaloosa County, Ala., in section 8, township 21 south, range 9 west of Huntsville meridian; and

A bill (H. R. 15127) relating to applications, declaratory statements, entries, and final proofs under the homestead and other land laws, and to confirm the same in certain cases when made outside of the land district within which the land is situated.

PETITIONS AND MEMORIALS.

Mr. ALLISON [illegible] and Wauconda [illegible] of Adair; of [illegible] and Pilot M[illegible] National Prohib[illegible] zens of Elgin; of the [illegible] Manchester [illegible] fax; [illegible] Republic, of Day[illegible] of Alton, [illegible] Fredericksburg, Albion, and [illegible] Friends' Church of [illegible] Rock and Griswold [illegible] actment of [illegible] intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DOLLIVER presented the petition of Mrs. J. J. Bull and 6 other members [illegible] Women's Clubs of Titonka, praying that an appropriation be made to purchase a nat[illegible] forest reserve in [illegible]; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented [illegible] of Hi[illegible] legislation [illegible] Commerce.

He also presented [illegible] No. 1[illegible] of H[illegible] for the e[illegible] rers; which was re[illegible] Post-Roads.

He also presented [illegible] tor from the State of [illegible] on Privileges and [illegible].

He also presented [illegible] of John T. Dash[illegible] Brooklyn; of T. J. [illegible] No. 440, of [illegible] of Iowa, Grand Army [illegible] N. A. cle, I[illegible] the State of Iowa, pr[illegible] law; which were [illegible].

He also pr[illegible] Grande, New Mexico; [illegible] Clinton, Littleton, [illegible] Methodist E[illegible] No. 1702, Patrons of [illegible] tion of the United Presbyterian Church of [illegible] the First Methodist Episcopal Church of [illegible] congregation of the Methodist Episcopal Church of Delphi; of the congregation of the Congregational Church of [illegible] gregation of the Methodist Episcopal Church of [illegible] congregation of the German Church of [illegible] the Methodist Episcopal Church and the [illegible] tian Temperance Union of Waverly; of the congregation of the Congregational Church of Dubuque; of the Young [illegible] ety of Christian Endeavor of Sioux Rapids; of the congregation of the United Brethren Church [illegible] of the Methodist Episcopal Church [illegible] State of Iowa, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. KEAN presented a petition of Local Union No. 271, Iron Molders' Union, of Jersey City, N. J., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented petitions of the congregations of the Methodist Episcopal Church of Woodbridge, the First Baptist Church of Philipsburg, the Methodist Episcopal Church of Long Branch, and the Baptist Church of Glen Ridge, the Presbyterian Church of New Providence, the Methodist Episcopal Church of Pennington, the Methodist Episcopal Church of Freehold, the First Presbyterian Church of Long Branch, the Methodist Episcopal Church of Bridgeton, and the Methodist Episcopal Church of [illegible], all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN. I present a concurrent resolution of the Legislature of New Jersey, [illegible] of deepening and widening the channel of the Passaic River from its mouth to the city of Paterson. I ask that the concurrent resolution be printed in the RECORD and referred to the Committee on Commerce.

There being no objection, the concurrent resolution was referred

to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Concurrent resolution requesting the Senators from this State in the Senate [illegible] the Members of Congress from the various Districts [illegible] in the Congress of the United States to [illegible] an appropriation from the National Government for the purpose of deepening and widening the channel of the Passaic River in the city of Paterson.

Whereas the Passaic River has always been a navigable stream, and from the [illegible] to the time of the introduction of railroads [illegible] part of northern New Jersey were dependent upon [illegible] the Passaic River for their supplies and household necessities; and

Whereas, by reason of the increasing size and draft of vessels it is now impossible to navigate said river, except in vessels of very [illegible] draft, [illegible] necessary to transfer the cargo from the larger vessels to the [illegible] Passaic [illegible] of a great number of the citizens of the [illegible] presented to the War Department of the United States [illegible] the improvement [illegible] highway, and [illegible] the annual [illegible] and that the total [illegible] of the railroads [illegible] navigable for vessels of medium size and draft to the city of Paterson.

Mr. DRYDEN presented a petition of Boiler Makers and Ironship Builders' Union, No. 271, American Federation of Labor, of Jersey City, N. J., praying for the enactment of legislation providing for the development of the American merchant marine, for the extension of the coastwise laws of the United States to the Philippine Islands, and the Philippine Islands, and [illegible] legislation [illegible] in the coastwise trade of the United States to American vessels; which were referred to the Committee on Commerce.

He also presented a memorial of the Improved Pottery Company, of Trenton, N. J., and a memorial of the Willett Manufacturing Company, of Trenton, N. J., remonstrating against the passage of the so-called "eight-hour bill," and also the anti-injunction bill; which were referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Emanuel [illegible] of the Methodist Episcopal Church of Bridgeton; of the congregation of the Baptist Church of Lawrence Creek; of the congregation of the Methodist Episcopal Church of Haddonfield; of the congregation of the Presbyterian Church of Readington; of the congregation of the Baptist Union of Franklin; of the congregation of the Presbyterian Church, of Bridgeton; of the congregation of the First Baptist Church of Bridgeton; of the congregations of the First Baptist Church of Harrison; of the congregations of the Methodist Episcopal Church of Stockton, Camden, and New Egypt; of the congregation of the St. Andrew's Methodist Episcopal Church, of [illegible]; of the First Methodist Episcopal Church of Karney; of the congregation of the First Presbyterian Church of Newark; of the congregation of the Amity Presbyterian Church, of Montclair; of the congregation of the First Presbyterian Church, of Montclair; of the congregation of the Trinity Episcopal Church, of Trenton; of the congregation of the Third Baptist Church of Paterson and of Warren R. Nash and sundry other citizens of Jersey City, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. LALL presented sundry papers to accompany the bill (S. 4312) to correct the military record of W. H. Cleaden; which were referred to the Committee on Military Affairs.

He also presented sundry papers to accompany the bill (S. 3164) for the relief of Albert S. Henderer; which were referred to the Committee on Claims.

Mr. TELLER presented a petition of Lefthand Grange, No. 9, Patrons of Husbandry, of Colorado, praying for the enactment of legislation to increase the salaries of rural free-delivery mail carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Citizens' Alliance of Denver, Colo., remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of the National Live Stock Association, of Portland, Oreg., praying that an appropriation be made providing for an investigation of poisonous plants by the Bureau of Plant Industry, Department of Agriculture; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of the National Live Stock Association of Portland, Oreg., remonstrating against the enactment of legislation providing for the removal of the duty on hides; which was referred to the Committee on Finance.

He also presented a petition of the National Live Stock Association of Portland, Oreg., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the National Live Stock Association of Portland, Oreg., praying for the enactment of legislation providing for a classified census of live stock, and also providing that all manufacturers of shoddy goods be compelled to mark the same; which was referred to the Committee on the Census.

He also presented a petition of the National Live Stock Association of Portland, Oreg., praying for the enactment of legislation providing for the transfer of the administration of forest reserves to the Department of Agriculture, which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of sundry citizens of Denver, Colo., and a petition of Post No. 12, Department of Colorado, Grand Army of the Republic, of Colorado, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens of Grand Junction, Colo., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Local Union No. 3, Amalgamated Woodworkers' International Union, of Denver, Colo., praying for the enactment of legislation providing for an investigation of the labor problem in that State; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Montrose and Greeley; of the congregation of the Central Baptist Church, of Denver; of the congregation of the First Presbyterian Church of Canon City; of the congregations of the First Congregational, the United Presbyterian and the Methodist Episcopal churches of Greeley; of the Women's Christian Temperance Union of Paonia; of the Leonard Women's Christian Temperance Union, of Denver, and of the congregation of the Presbyterian Church of Gunnison, all in the State of Colorado, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of the Golden Fortnightly Club, of Golden, of the Women's Christian Temperance Union, of Rocky Ford, of the Baptist Ministers' Conference of Fort Morgan, of sundry citizens of Grand Junction, of the congregation of the Presbyterian Church of Grand Junction, all in the State of Colorado, praying for an investigation of the alleged practices of Hon. Reed Smoot, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. QUAY presented a petition of the Women's Christian Temperance Union of Kane, Pa., praying for the enactment of legislation to prevent the publication of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented the petition of C. J. Hoppe & Son and 12 other patent attorneys and agents of Philadelphia, praying for the enactment of legislation to remove the duty on scientific and educational apparatus; which was referred to the Committee on Finance.

He also presented petitions of sundry citizens of West Chester, Pittsburg, Indiana, and Lewisburg, all in the eastern portion of the State, and of the congregations of the Methodist Episcopal Church of Scottdale, and of the congregations of the United Brethren Church, of Scottdale, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of George F. Lasher and 17 other

citizens of Philadelphia, of Harry P. Pears and 8 other citizens of Pittsburg, of H. H. Smith and 6 other citizens of Pittsburg, and of Charles H. Ludington, jr., and 3 other citizens of Philadelphia, all in the State of Pennsylvania, remonstrating against the passage of the so-called "eight-hour bill;" which were referred to the Committee on the Judiciary.

He also presented the memorials of George F. Lasher and 18 other citizens of Philadelphia, of H. C. Dunlap and 5 other citizens of Philadelphia, of Harry P. Pears and 10 other citizens of Pittsburg, of H. H. Smith and 6 other citizens of Pittsburg, and of Charles H. Ludington, jr., and 3 other citizens of Philadelphia, all in the State of Pennsylvania, remonstrating against the passage of the so-called "anti-injunction bill;" which were referred to the Committee on the Judiciary.

He also presented a petition of sundry citizens of Lawrence County, Pa., and the petition of W. H. Heath and sundry other citizens of Allegheny, Pa., praying for the passage of the so-called "Brownlow good-roads bill;" which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of Captain John Whitney Post, No. 368, of Laceyville; of Jacob Maynard Post, No. 377, of Mehoopany; of Captain E. J. Rice Post, No. 211, of Factoryville; of J. W. Reynolds Post, No. 98, of Tunkhannock; of Corporal Rufus Frear Post, No. 323, of Beaumont; of Local Post No. 254, of Sharon; of Local Post No. 246, of Harrisville; of George Smith Post, No. 79, of Conshohocken; of Major W. G. Soury Post, No. 548, of Pennsylvania; of Brandywine Post, No. 54, of Coatesville; of R. Foster Robinson Post, No. 36, of Pennsylvania; of Local Post No. 249, of Foxburg; of Manitoba Post, No. 592, of Winnipeg; of Local Post No. 381, of Pennsylvania; of E. M. Stanton Post, No. 208, of New Brighton; of James L. O'Neill Post, No. 537, of Pennsylvania; of Watkins Post, No 68, of Towanda; of McPherson Post, No. 117, of Pennsylvania; of Captain E. F. Roberts Post, No. 437, of Pennsylvania; of Philander Billings Post, No. 392, of Pennsylvania; of Colonel John D. Bertolette Post, No. 484, of Lehighton; of J. Ed. Turk Post, No. 321, of Dayton; of Pennington Post, No. 288, of Fairmount Springs, and of Colonel D. M. Jones Post, No. 172, of Tyrone, all of the Department of Pennsylvania, Grand Army of the Republic, in the State of Pennsylvania, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of sundry citizens of Greenville, West Chester, Washington, Northeast, Johnstown, and Cambria County; of the Woman's Foreign Missionary Society of Greenville; of the Ministerial Association of West Newton; of the Woman's Christian Temperance Union of Greenville; of the Woman's Christian Temperance Union of Darby; of the congregation of the United Brethren Church of Johnstown; of the Twentieth Century Club of Mifflinburg; of the Woman's Christian Temperance Union of Bradford; of the Young People's Christian Temperance Union of Bradford; of the Woman's Literary Club of Bradford; of the Young Ladies' Foreign Missionary Society of the Methodist Episcopal Church of Greenville; of the Young Ladies' Missionary Society of the Presbyterian Church of Greenville; of the Woman's Christian Temperance Union of Chester County; of the congregation of the Methodist Episcopal Church of Penns Park; of the congregation of the United Presbyterian Church of Greenville; of the Woman's Home Missionary Society of Sharpsburg; of the congregations of the Methodist Episcopal and Baptist churches of North Bingham; of the congregation of the Presbyterian Church of Johnstown; of the Woman's Home Missionary Society of Allegheny; of the congregation of the F Street Methodist Episcopal Church, of Johnstown; of the congregation of the Grace Lutheran Church, of Johnstown; of the congregation of the Methodist Episcopal Church of Scottdale; of the Woman's Christian Temperance Union of Westmoreland County, and of the congregation of the Butler Street Methodist Episcopal Church, of Pittsburg, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the Woman's Study Club, of Winfield, N. H., praying for the establishment of a national forest reserve in the White Mountains; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Pleasant Street Baptist Church, of Concord, N. H., and a petition of Rockingham Grange, No. 183, Patrons of Husbandry, of Epping, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the State board of agriculture of New Jersey, praying for the passage of the so-called "pure-food bill;" which was referred to the Committee on Manufactures.

Mr. CULLOM presented petitions of sundry citizens of Elliottstown, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FOSTER of Washington presented the petition of George O. Latimer, of Spokane, Wash., praying for the enactment of legislation providing for the division of the State of Washington into judicial districts; which was referred to the Committee on the Judiciary.

He also presented a petition of the Commercial Club of Asotin, Wash., praying for the enactment of legislation providing for the construction and maintenance of public highways; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of W. T. Kenny Circle, No. 12, Department of Washington and Alaska, Ladies of the Grand Army of the Republic, of Blaine; of Local Post, Department of Washington and Alaska, Grand Army of the Republic, of Kent, and of Martha Washington Circle, No. 6, Ladies of the Grand Army of the Republic, of Anacortes, all in the State of Washington, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregations of the Presbyterian Church, the Methodist Church, and the United Presbyterian Church, all of Waitsburg, and of Grand Lodge, Independent Order of Good Templars, in the State of Washington, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Chamber of Commerce, of Spokane, Wash., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. NELSON presented petitions of sundry citizens of Owatonna, Geneva, and Northfield, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the congregation of the Clinton Avenue Methodist Episcopal Church, of St. Paul, Minn., praying for the enactment of legislation to prevent nullification of State laws; which was referred to the Committee on the Judiciary.

Mr. DEPEW presented petitions of Alexander Hamilton Post, No. 182, of New York City; of Adam Wirth Post, No. 451, of College Point; of A. J. Hooker Post, No. 415, of Morristown, and of Farrell Post, No. 51, of Canajoharie, all of the Department of New York, Grand Army of the Republic, in the State of New York, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the Gilbert S. Graves Bible Class, of Buffalo, N. Y., praying for the enactment of legislation to prevent the nullification of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Columbus, West Hampton, Livingston County, Black River, Washington, Manlius, Amsterdam, New Albion, Newburgh, Webster, Delaware, and Groton; of the congregation of the Methodist Episcopal Church of Walworth; of the congregation of the First Presbyterian Church of Waterloo; of the congregation of the Methodist Episcopal Church of Waterloo; of the Woman's Christian Temperance Union of Manlius; of the Woman's Christian Temperance Union of Junius, and of the congregation of the Methodist Episcopal Church of Angelica, all in the State of New York, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CLAPP presented a petition of the Sacred Thirst Society, of St. Paul, Minn., and a petition of sundry citizens of Preston, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a memorial of the Minnesota State Association of Builders' Exchanges, remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a memorial of the Minnesota State Association of Builders' Exchanges, remonstrating against the passage of the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

Mr. PATTERSON presented a petition of Left Hand Grange, No. 2, Patrons of Husbandry, of Colorado, praying for the enactment of legislation to increase the salaries of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Local Post, No. 2, Department of Colorado and Wyoming, and a petition of Sedgwick Post, No. 12, Department of Colorado and Wyoming, in the State of Colorado, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also presented petitions of the congregation of the Mount Olivet Baptist Church, of Denver; of the Woman's Christian Temperance Union of Georgetown, and of the Mesa Woman's Christian Temperance Union, of Pueblo, all in the State of Colorado, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Shakespeare Club, of Aspen, Colo., and a petition of the Faith Union Woman's Christian Temperance Union, of Denver, Colo., praying for an investigation of the charges made and filed against the Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of the Mesa Woman's Christian Temperance Union, of Pueblo; of the Woman's Christian Temperance Union of Georgetown, and of the congregation of the Mount Olivet Baptist Church, of Denver, all in the State of Colorado, praying for a continuance of the present anticanteen law, and also for the construction of gymnasiums at army posts, etc.; which were referred to the Committee on Military Affairs.

Mr. HEYBURN presented a petition of G. A. Hobart Post, No. 27, Department of Idaho, Grand Army of the Republic, of Idaho, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. FAIRBANKS presented a petition of the Western Association of Shoe Wholesalers, praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. ELKINS presented a petition of Pearl Hart Circle, No. 11, Department of West Virginia, Ladies of the Grand Army of the Republic, of West Virginia, praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Methodist Episcopal Church, of Weston, W. Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CARLE presented petitions of sundry citizens of Ashland and Platteville, in the State of Wisconsin, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Fort Atkinson and Janesville, in the State of Wisconsin, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Builders' Exchange of Memphis, Tenn., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. PLATT of Connecticut presented petitions of sundry citizens of New Haven, Cheshire, Branford, New London, Mystic, Groton, Stonington, Goshen, Thomaston, and Terryville; of the Woman's Christian Temperance Union of Colchester; of the Woman's Christian Temperance Union of Groton and Stonington; of the congregation of the Baptist Church of Groton; of the Epworth League of the Methodist Episcopal Church of Mystic; of the Woman's Christian Temperance Union of Cheshire, and of the congregations of the Congregational and Presbyterian churches of Colchester, all in the State of Connecticut, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented memorials of sundry citizens of the Indian Territory, remonstrating against the enactment of legislation providing for the admission of a portion of Oklahoma Territory of the Indian Territory or any part thereof; which were referred to the Committee on Territories.

Mr. FRYE presented petitions of the Woman's Christian Temperance Union of Sturgis, Mich.; of the congregation of the Methodist Episcopal Church of Kenesaw, Nebr.; of the Epworth League of Windom, Kans., and of the congregation of the Congregational Church of La Moille, Ill., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

REPORTS OF COMMITTEES.

Mr. KEAN, from the Committee on Claims, to whom was referred the bill (S. 1718) to compensate the Old Point Comfort Improvement Company for the demolition and removal of the Hygeia Hotel property from the Government reservation at Old Point, Virginia, reported it without amendment, and submitted a report thereon.

Mr. MALLORY, from the Committee on Commerce, to whom was referred the bill (S. 4142) granting to the Davenport Water Power Company rights to construct and maintain wing dam, canal, and power station in the Mississippi River, in Scott County, Iowa, reported it with an amendment, and submitted a report thereon.

Mr. PERKINS, from the Committee on Commerce, to whom was referred the bill (S. 4568) for the delivery on the Pacific coast of two light-vessels now being built in New York and New Jersey, reported it without amendment, and submitted a report thereon.

Mr. DEPEW, from the Committee on Commerce, to whom was referred the bill (H. R. 4074) constituting Utica, N. Y., a port of delivery, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. FULTON, from the Committee on Claims, to whom was referred the bill (S. 2113) for the relief of Bernard W. Murray, reported it with an amendment, and submitted a report thereon.

Mr. COCKRELL, from the Committee on Military Affairs, to whom was referred the bill (S. 1950) removing the charge of desertion from the record of James A. Bell, submitted an adverse report thereon, which was agreed to; and the bill was postponed indefinitely.

Mr. PLATT of Connecticut, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 8878) to extend the provisions of the act of January 21, 1903, to the Osage Reservation, in Oklahoma Territory, and for other purposes, reported it with amendments.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 4385) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River in Vigo County, Ind., reported it with amendments, and submitted a report thereon.

Mr. MARTIN, from the Committee on Claims, to whom was referred the bill (S. 952) to refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims, reported it without amendment, and submitted a report thereon.

MAP OF THE UNITED STATES.

Mr. PLATT of New York. I wish to call up the report I made yesterday from the Committee on Printing, which was referred to by the Senator from Colorado [Mr. PATTERSON]. It is the joint resolution (S. R. 56) to authorize the Secretary of the Interior to print an extra edition of the map of the United States for 1903, and making the appropriation for moneys made in the act of April 15, 1904, and of March 3, 1901, available for that purpose. I ask for its present consideration. I will state that it is not objectionable to the Senator from Colorado now.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

The PRESIDENT pro tempore. It has been read.

Mr. PATTERSON. The map I had in mind is not in shape for printing. The plates are not made. It is a map prepared by the Geological Survey. It is a most excellent map; better than any we have yet had printed, and I hope the Committee on Printing will look into it and, if possible, let us have some copies of that map.

So far as the pending joint resolution is concerned, I think it ought to be passed.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. TELLER introduced a bill (S. 4742) granting an increase of pension to Earl B. French; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4743) for the relief of the estate of Andrew J. Gill, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced a bill (S. 4744) for the relief of Charles P. Allen; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Patents.

Mr. CULLOM introduced a bill (S. 4745) granting an increase of pension to Elizabeth Dixon; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4746) granting an increase of pension to Sylvester Gridley Parker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4747) to remove the charge of desertion from the military record of John H. Fosenmeyer; which

was read twice by its title, and referred to the Committee on Military Affairs.

Mr. ALLISON introduced a bill (S. 4748) for the relief of Isaac P. Brown; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. QUAY introduced a bill (S. 4749) granting a pension to Martha J. Patterson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PATTERSON introduced a bill (S. 4750) granting a pension to Asher Helm; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a bill (S. 4751) granting a pension to Michael Fitzpatrick; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALGER introduced a bill (S. 4752) granting a pension to Emma L. Daniels; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4753) granting an increase of pension to Thomas J. Spencer; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. PENROSE introduced a bill (S. 4754) for the relief of Charles A. Thomas; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions.

A bill (S. 4755) granting an increase of pension to David Keller;

A bill (S. 4756) granting an increase of pension to Joseph Umsted;

A bill (S. 4757) granting an increase of pension to Thomas Gehr; and

A bill (S. 4758) granting an increase of pension to Kate A. Manion (with an accompanying paper).

Mr. BALL introduced a bill (S. 4759) granting a pension to John M. Manlove; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4760) granting an increase of pension to Ezekiel Riggs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McENERY introduced a bill (S. 4761) for the relief of the estate of Marcus Walker, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. WARREN introduced a bill (S. 4762) granting a pension to Vincent L. McGuire; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLAY introduced a bill (S. 4763) for the relief of the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PERKINS introduced a bill (S. 4764) granting a pension to Cyrus L. Mobley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLATT of Connecticut (for Mr. HAWLEY) introduced a bill (S. 4765) granting an increase of pension to Adrian Terry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. FRYE introduced a bill (S. 4766) granting an increase of pension to Frederick Clark; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted the following amendments, intended to be proposed by him to the District of Columbia appropriation bill; which were referred to the Committee on the District of Columbia, and ordered to be printed:

An amendment proposing to increase the appropriation for the improvement and protection of the harbor and river front of the District of Columbia, the enforcement of laws and regulations, construction and maintenance of wharves and buildings, and for other necessary items and services, from $3,000 to $5,000;

An amendment proposing to increase the appropriation for the Washington Home for Incurables from $2,000 to $4,000; and

An amendment proposing to increase the salary of the assistant surveyor of the District of Columbia from $1,800 to $2,500.

Mr. TELLER submitted an amendment providing that the sum of $40,000 appropriated in the fortifications appropriation bill, approved March 3, 1903, to increase the price of the metal work of the Emery gun carriage, shall be due and paid to E. H. Emery on the passage of the fortifications appropriation bill, to enable him to proceed promptly in the work of building his 12-inch disappearing gun carriage, etc., intended to be proposed by him to the fortifications appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to increase the appropriation for the Washington Home for Incurables from $2,000 to $4,000, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. SCOTT submitted an amendment proposing to appropriate $100,000 to aid in the reconstruction and completion of the building of the National Homeopathic Hospital, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

CANAL BETWEEN ST. JONES AND LITTLE RIVERS, DELAWARE.

Mr. ALLEE submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate of the United States (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause an examination and survey to be made from the St. Jones River, at Dover, Del., to a point on Little River, and thence to Delaware Bay, for the purpose of determining the advisability and cost of constructing a canal between the said rivers, and the deepening and widening of Little River, so as to provide a channel suitable for the needs of commerce from Dover, Del., to Delaware Bay.

INSPECTION OF MEAT, ETC.

Mr. STEWART submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Commissioners of the District of Columbia report to the Senate what inspection is made of meat, poultry, game, fish, and oysters imported into the District of Columbia in cold storage or refrigerator cars, giving details of when, where, and the manner of such inspection.

PROPOSED ALASKAN LEGISLATION.

Mr. HALE and Mr. BEVERIDGE addressed the Chair.

The PRESIDENT pro tempore. The Chair recognizes the Senator from Maine.

Mr. HALE. The Senator from Indiana has a statement to make.

Mr. BEVERIDGE. Mr. President, by unanimous consent today was to be given to Alaskan legislation, not to interfere with appropriation bills. I understand that the Senator from Maine desires to call up the naval appropriation bill. That, therefore, displaces the Alaskan legislation for this day.

I therefore ask unanimous consent, on account of the imperative necessity for these Alaskan bills, which will not be objected to, that immediately on the conclusion of the bill which the Senator from Maine will now present the Senate may proceed to the consideration of Alaskan legislation, not to interfere with appropriation bills——

Mr. KEAN. Or the unfinished business.

Mr. BEVERIDGE. As part of my request, to continue until disposed of, not to interfere with appropriation bills.

The PRESIDENT pro tempore. The junior Senator from Massachusetts [Mr. LODGE], in whose charge is the unfinished business, is not present in the Chamber.

Mr. HALE. I was going to suggest to the Senator from Indiana, in the absence of the Senator from Massachusetts, that that Senator would want nothing done which would displace his bill, which is the unfinished business. The Senator can later, when he has conferred with the Senator from Massachusetts, make his request.

Mr. STEWART. I should like to make a suggestion.

Mr. BEVERIDGE. Then I will withdraw my request for unanimous consent for the present, and will renew it after I have conferred with the Senator from Massachusetts, according to the suggestion of the Senator from Maine.

Mr. STEWART. It might be well also to confer with the Senator from Nevada. The consideration of the milk bill was pretty much terminated yesterday, and I want to get a vote on it at some time. I do not want to have that bill excluded by a unanimous-consent agreement.

Mr. BEVERIDGE. I shall be very much pleased to confer with the Senator from Nevada.

NAVAL APPROPRIATION BILL.

Mr. HALE. Mr. President, I move that the Senate proceed to the consideration of the naval appropriation bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

Mr. HALE. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the committee amendments be acted upon as they are reached.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none. The Secretary will read the bill.

Mr. GORMAN. Mr. President, I do not observe that there is a report from the Committee on Naval Affairs upon this bill, as there is in another branch, where, I am told, it is the rule or custom to state in a report the general provisions of the bill.

I ask the Senator from Maine whether it would be entirely convenient for him at this stage to give the Senate an idea what the bill contains and what is proposed to be done with the amounts involved in the direct appropriation, as well as the obligations to be incurred if the provisions of the bill become law.

Mr. HALE. Mr. President, the report of the committee to which the Senator refers is very brief. It states the amount of estimates for the next fiscal year covered by this bill at $100,866,000 in all. The House sent to the Senate a bill appropriating $96,674,000. The Senate committee has not interfered much with the bill as passed by the House and has added to the House items of $96,674,000 only $327,000. So the bill as reported to the Senate carries $97,001,738.94, the estimates having been cut down about $5,000,000.

As to the general question suggested by the Senator from Maryland [Mr. GORMAN], I have prepared some figures, and I think it proper, as the Senator has asked, that I state the reasons for the bill and the purposes to which the money is to be applied and that I should lay the tables before the Senate. My general practice, as Senators know, has been to make no speeches upon appropriation bills, but only to answer questions.

I think it is well, Mr. President, while we are reporting a bill covering a very large increase, the largest increase ever allowed in any one year excepting last year, that the country and the Senate should realize what our situation is as to the Navy, so that all may know just where we stand as to our naval establishment, in which the Senate and the country have a great pride and a great interest.

I do not think it has been appreciated that while we are going on with a large programme, and do not propose this year to change it, a great deal has been done heretofore for the Navy.

I have here a list of the appropriations which have been made and expended up to the present time, including the appropriations for this year, which, of course, have not been expended. I begin in 1883, for that is the beginning of the present United States Navy.

Total amounts of naval appropriation acts for each year from act of March 3, 1883, to and including act of 1904.

1883	$14,829,976.80	1894	$22,104,061.28
1884	15,894,464.23	1895	25,367,196.72
1885	14,986,412.99	1896	29,406,245.41
1886	15,034,867.95	1897	30,542,680.95
1887	16,489,906.30	1898	33,003,234.19
1888	25,387,448.19	1899	56,088,387.68
1889	19,342,885.35	1900	48,089,924.58
1890	21,692,760.27	1901	66,140,946.67
1891	24,542,565.54	1902	78,194,791.00
1892	31,501,654.78	1903	81,876,791.43
1893	28,543,385.00	1904	100,000,000.00

The subject of the new Navy came up in the Administration of President Arthur. While some preliminary steps were taken by Secretary Hunt, who was then a member of the Cabinet and Secretary of the Navy, he remained in office but a short time, and his successor, Secretary Chandler, afterwards and for many years an associate of ours in this Chamber, took up the work in earnest, and in 1883 we began appropriating for the new Navy, after full hearings and examinations by the Committee on Naval Affairs of officers in the Navy, the Secretary, and wherever any information could be obtained.

We began in a modest way, and provided that year for the new ships the *Atlanta*, the *Boston*, and the *Chicago*, cruisers, and the *Dolphin*, a general boat for the uses of the Navy. It amounted to only 13,000 tons in round numbers, much less in all for that year than a modern battle ship.

At that time, Mr. President, we not only had no establishments for armor or for plate, but we could not build the machinery, castings, and other things essential to the building of a naval cruiser, saying nothing of a battle ship or protected cruiser or an armored cruiser, but an ordinary cruiser.

There the modern Navy began, and I do not go beyond that. From that time we have appropriated from year to year for the increase of the naval establishment, continuing first in building cruisers, gunboats, and second-class battle ships until 1900. I will not read the list, but the appropriations were larger, perhaps, than Senators are aware. Beginning with 1883, when we appropriated only $14,000,000, as the table given shows, we have gone on increasing the Navy, so that, including this bill and the deficiencies of this year, we have already appropriated for the Navy $760,896,567.75.

Mr. CLAY. Since when?

Mr. HALE. Since 1883, for the new Navy, the present Navy. The table already given shows the appropriations from year to year.

Mr. TELLER. Will the Senator give us a synopsis of that table? We shall hardly get an opportunity of seeing it before the bill is disposed of.

Mr. HALE. It is simply a statement of what the appropriation each year is that makes up the total of $760,000,000.

Mr. TELLER. It is a printed statement?

Mr. HALE. Yes; it is a printed statement.

Mr. TELLER. Very good. I thought it would be something else.

Mr. HALE. No; it is simply a list of the appropriations from year to year. The aggregate is $760,896,567.73.

Now, as showing the growth of the Navy——

Mr. GORMAN. Right there, will it interrupt the Senator if he will give further figures? The appropriations are given at $760,000,000, but will the Senator state how much will be due upon the vessels already ordered and now being constructed——

Mr. HALE. Rear-Admiral Bowles in his last report as the Chief of the Bureau of Construction and Repairs says that the total estimated cost of completing these vessels, exclusive of armor and armament, is $76,438,055. This does not include the *Idaho* and *Mississippi*, the 13,000-ton ships, which will add $11,478,000. To this must be added the future appropriations for armor and armament for these ships, for which I have not got the exact figures, but the total must be not far from $130,000,000.

Now, as showing the growth of the Navy in another respect, I have a list of petty officers, seamen, landsmen, boys, etc., in the Navy at the time when we began the work of building the new Navy, and for each year up to the present time. At that time the Navy consisted of 8,250 men, petty officers, seamen, landsmen, and all. We have gone on increasing so that, including the number provided for in this bill, the new American Navy, as against 8,250 when we began, now consists of 34,000 men. I put in a table here showing the increase each year:

Number of petty officers, seamen, landsmen, boys, etc., for each year from act of March 3, 1885, to and including act of 1904.

Act of March 3, 1885 (48th Cong., 2d sess.)	8,250
Act of July 26, 1886 (49th Cong., 1st sess.)	8,250
Act of March 3, 1887 (49th Cong., 2d sess.)	8,250
Act of September 7, 1888 (50th Cong., 1st sess.)	8,250
Act of March 2, 1889 (50th Cong., 2d sess.)	8,250
Act of June 30, 1890 (51st Cong., 1st sess.)	8,250
Act of March 2, 1891 (51st Cong., 2d sess.)	8,250
Act of July 19, 1892 (52d Cong., 1st sess.)	8,250
Act of March 3, 1893 (52d Cong., 2d sess.)	9,000
Act of July 28, 1894 (53d Cong., 2d sess.)	9,000
Act of March 2, 1895 (53d Cong., 3d sess.)	9,000
Act of June 10, 1896 (54th Cong., 1st sess.)	10,000
Act of March 3, 1897 (54th Cong., 1st sess.)	11,750
Act of May 4, 1898 (55th Cong., 2d sess.)	13,750
Act of March 3, 1899 (55th Cong., 3d sess.)	20,000
Act of June 7, 1900 (56th Cong., 1st sess.)	24,000
Act of March 3, 1901 (56th Cong., 2d sess.)	25,050
Act of July 1, 1902 (57th Cong., 1st sess.)	28,000
Act of March 3, 1903 (57th Cong., 2d sess.)	31,000
Act of 1904 (58th Cong., 2d sess.)	34,000

I have also tables showing what we are doing and have done for the Navy, covering the entire pay of officers and men, beginning in 1884–85 and ending with the present session. The amount at that time was $6,940,780. In the pending bill it is $19,824,093, and I put this table in, being in line with my treatment of the subject:

Entire pay for officers and men for each year from act of March 3, 1885, to and including act of 1904.

Act of March 3, 1885 (48th Cong., 2d sess.)	$6,940,780
Act of July 23, 1886 (49th Cong., 1st sess.)	7,000,000
Act of March 3, 1887 (49th Cong., 2d sess.)	7,000,000
Act of September 7, 1888 (50th Cong., 1st sess.)	7,092,404
Act of March 2, 1889 (50th Cong., 2d sess.)	7,250,000
Act of June 30, 1890 (51st Cong., 1st sess.)	7,250,000
Act of March 2, 1891 (51st Cong., 2d sess.)	7,300,000
Act of July 19, 1892 (52d Cong., 1st sess.)	7,300,000
Act of March 3, 1893 (52d Cong., 2d sess.)	7,300,000
Act of July 23, 1894 (53d Cong., 2d sess.)	7,475,000
Act of March 2, 1895 (53d Cong., 3d sess.)	7,540,329
Act of June 10, 1896 (54th Cong., 1st sess.)	8,100,873
Act of March 3, 1897 (54th Cong., 1st sess.)	8,236,385
Act of May 4, 1898 (55th Cong., 2d sess.)	9,126,460
Act of March 3, 1899 (55th Cong., 3d sess.)	13,500,171
Act of June 7, 1900 (56th Cong., 1st sess.)	12,420,867
Act of March 3, 1901 (56th Cong., 2d sess.)	15,290,284
Act of July 1, 1902 (57th Cong., 1st sess.)	16,158,199
Act of March 3, 1903 (57th Cong., 2d sess.)	17,706,099
Act of 1904 (58th Cong., 2d sess.)	19,824,093

The additions to the Navy during the last year were twenty-nine in all, including battle ships, turreted monitors, torpedo boats, torpedo-boat destroyers, and submarine boats.

The year 1894 marked another era in the building of the new Navy. It was in that year that the first battle ship came into the Navy, having been appropriated for in 1890, when Congress provided for the three great battle ships, the *Oregon*, the *Massachu-*

[illegible] and the *Indiana*, of about 10,000 tons each, three ships which I still believe were in many respects the best ships ever built in the American Navy for actual war purposes. They carry the same number of large guns as the enormous ships which come [illegible] and are in my judgment better ships for offensive naval purposes than the others. But that I am not going to discuss, because we were going on again, upon the recommendation of the boards, increasing the Navy, so that last year we [illegible] the largest programme for building of any nation in the world, [illegible] battle ships of [illegible] and two others of 13,[illegible] each. Since 1894 we have gone on building battle ships, armored cruisers, and protected cruisers, which are smaller cruisers, gunboats, torpedo boats, torpedo boat destroyers, and submarine boats, as the following table shows:

SUMMARY OF VESSELS IN THE UNITED STATES NAVY.

Vessels fit for service, including those under repair.

First-class battle ships	11
Second-class battle ship	1
Armored cruisers	3
Armored ram	1
Second-class harbor defense monitors	4
Double-turret monitors	8
Protected cruisers	15
Unprotected cruisers	3
Gunboats	12
Dynamite cruisers	3
Composite gunboats	6
Training ship (Naval Academy), sheathed	1
Special class (Bancroft, Vesuvius)	2
Gunboats under 500 tons	21
Torpedo boat destroyers	16
Steel torpedo boats	28
Submarine torpedo boats	8
Wooden torpedo boat	1
Iron steam 2 masted schooners	6
Wooden gunboats, steam	6
Wooden sailing vessels	4
Tugs	38
Auxiliary cruisers	5
Auxiliary gunboats	23
Commercial yachts	16
Colliers	5
Supply ships and hospital ships	14
Total	254

Vessels under construction or authorized.

First class battle ships	13
Armored cruisers	8
Protected cruisers	8
Gunboats for Great Lakes (not begun)	1
Composite gunboats	2
Coast defense gunboats	6
Torpedo boat destroyers	2
Torpedo boats	1
Tugs	2
Total	43

Vessels unfit for sea service.

Iron single turret monitors	5
Wooden sailing vessels, steam	10
Wooden sailing vessels	8
Total	23
Grand total	320

But as showing what we are doing now as compared with what we did not do before 1884 when we began the Navy, but in 1894 when we commenced the first battle ships, I have a comparison showing what the appropriations for last year and this year are as compared with the appropriations entire from 1884 to 1894 when we began the battle ships.

The following table shows the tonnage and final cost of all the ships provided for in last year's bill and this year's bill:

Vessels provided for in the act of March 3, 1903.

	Trial displacement.	Cost of hull and machinery.	Cost of armor.	Cost of armament.	Total cost.
Battle ships.	*Tons.*				
Minnesota	16,000	$4,140,000	$1,400,000	$1,520,857	$7,420,857
Kansas	16,000	4,140,000	1,400,000	1,520,857	7,420,857
Vermont	16,000	4,140,000	1,400,000	1,520,857	7,420,857
Idaho	13,000	2,900,000	1,000,000	1,420,000	5,320,000
Mississippi	13,000	2,900,000	1,000,000	1,420,000	5,320,000
	74,000				33,894,571
Training ships.					
Cumberland	1,800				870,000
Intrepid	1,800				870,000
Total	77,600				34,634,571

Vessels provided for in the act of 1903.

	Trial displacement.	Cost of hull and machinery.	Cost of armor.	Cost of armament.	Total cost.
Battle ship.	*Tons.*				
One	16,000	$4,400,000	$1,800,000	$1,520,857	$7,720,857
Armored cruisers.					
One	14,500	4,400,000	1,175,000	880,038	6,455,038
One	14,500	4,400,000	1,175,000	880,038	6,455,038
Scout cruisers.					
One	8,750	1,800,000	a25,000	375,000	2,200,000
One	8,750	1,800,000	a25,000	375,000	2,200,000
One	8,750	1,800,000	a25,000	375,000	2,200,000
	56,250				27,230,933
Colliers.					
One	12,000				1,250,000
One	12,000				1,250,000
	24,000				2,500,000
Total	80,250				29,730,933
Total two years	157,850				64,365,504

a Equipment outfit.

Mr. PROCTOR. May I ask a question?

Mr. HALE. Certainly.

Mr. PROCTOR. I should like to ask whether this cost includes the armament?

Mr. HALE. I am giving the total cost.

Mr. PROCTOR. Ready for service?

Mr. HALE. Ready for service. I am glad the Senator has asked me that question, because I did not content myself with getting what is carried in the bills for the hull and machinery, but I have the figures for the entire finishing of the vessel and ready for service. The battle ships of the size which we have been building lately have each cost about $7,500,000.

Mr. ALLISON. Give the aggregate for the two years.

Mr. HALE. The aggregate for the two years is $64,365,504.

Mr. BACON. Do I understand the Senator to say that each of these largest battle ships would cost $7,500,000?

Mr. HALE. Yes; but as showing the constantly increasing cost of these enormous ships the estimated cost of the corresponding battle ships in the present bill is $7,720,857——

Mr. BACON. Each?

Mr. HALE. That is the total cost of this one battle ship. There are small items of cost, but that includes armor and armament. I have no doubt that when the ship is fitted and commissioned and goes to sea and all the additions are made, as is always the case, before officers and men are put on board, the cost to the Government of one of these enormous battle ships will be little, if any, under $8,000,000.

Mr. MALLORY. Does that apply also to the 13,000-ton battle ships, two of which we are now building?

Mr. HALE. The Senator was not here when I stated it.

Mr. MALLORY. What is their cost?

Mr. HALE. In the table I read I gave the cost of each one of the 13,000-ton ships. It is $5,739,000 each.

Mr. BACON. Will the Senator please state what is the cost of the armor on that $8,000,000 battle ship?

Mr. HALE. I can not, perhaps, answer the question with exactness.

Mr. BACON. I thought the Senator had the figures before him.

Mr. HALE. I have the figures showing the cost of both armor and armament for each of these great ships, which is $3,320,857. I have given the totals. The cost, as I have given, for these two years is $64,365,504. The entire cost of the ships of the new Navy which came into the Navy up to the year 1894 was $39,692,350.82.

All the vessels that came into the Navy under the new programme from 1884 to 1894—ten years—cost $39,692,350.82, as against $64,365,504 which we appropriated in the last year's bill and this bill.

I give the figures because Senators ought to know and ought to realize that we have not been remiss heretofore. Senators have said to me during this session, "It is a shame that we are not building up the Navy. The sentiment of the country is for it;" and it has not been realized or understood what Congress has done for our new Navy, or how great and powerful it is to-day or what it will be when the ships now being built are finished.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Indiana?

Mr. HALE. Certainly.

Mr. FAIRBANKS. What is the character of the vessels which are in process of construction?

Mr. HALE. If the Senator will allow me, I am coming to that and shall state each ship which is under construction. That comes a little later in the order I have arranged.

Mr. FAIRBANKS. That is what I wish to ascertain.

Mr. HALE. As the Senator has asked a very pertinent question, I will now give the table showing the kinds of ships now under construction and the degree of completion of each.

Vessels under construction, United States Navy.

No	Name.	Speed	Where building.	Degree of completion. Dec. 1, 1903.	Jan. 1, 1904.
	Battle ships.	*Knots.*		*Per cent.*	*Per cent.*
12	Ohio	18	Union Iron Works	83.5	84.5
13	Virginia	19	Newport News Co	50.4	52.5
14	Nebraska	19	Moran Brothers Co	33	35
15	Georgia	19	Bath Iron Works	40	42.5
16	New Jersey	19	Fore River Ship and Engine Co.	43.9	49.43
17	Rhode Island	19	do	43.8	50.61
18	Connecticut	18	Navy-yard, New York, N. Y.	24.7	26.7
19	Louisiana	18	Newport News Co	81	84.5
20	Vermont	18	Fore River Ship and Engine Co.	1	2.76
21	Kansas	18	New York Shipbuilding Co.	2	2.6
22	Minnesota	18	Newport News Co	8	12
	Armored cruisers.				
4	Pennsylvania	22	William Cramp & Sons	63.2	64.9
5	West Virginia	22	Newport News Co	67.3	70.5
6	California	22	Union Iron Works	43	51
7	Colorado	22	William Cramp & Sons	67.4	69
8	Maryland	22	Newport News Co	63.1	65.4
9	South Dakota	22	Union Iron Works	44.5	47
10	Tennessee	22	William Cramp & Sons	12.9	15.1
11	Washington	22	New York Shipbuilding Co	9.7	12
	Protected cruisers.				
14	Denver	17	Neafie & Levy	98	98
15	Des Moines	16½	Fore River Ship and Engine Co.	96	97
16	Chattanooga	16½	Lewis Nixon	72	72
17	Galveston	16½	Wm. R. Trigg Co	69	70.5
18	Tacoma	16½	Union Iron Works	96.5	99
19	St. Louis	22	Neafie & Levy	34.5	36.2
21	Milwaukee	22	Union Iron Works	38.5	41
22	Charleston	22	Newport News Co	55.2	56.9
	Gunboats.				
17	Dubuque	12	Gas Engine and Power Co	15	20
18	Paducah	12	do	13	16
	Training ships.				
	Cumberland	Sails.	Navy-yard, Boston	7	12
	Intrepid	Sails.	Navy-yard, Mare Island	0	5
	Training brig.				
	Boxer	Sails.	Navy-yard, Portsmouth	8	6
	Torpedo boats.				
19	Stringham	30	Harlan & Hollingsworth	93	93
20	Goldsborough	30	Wolff & Zwicker	99	99
27	Biately	26	Geo. Lawley & Son	99	99
29	Nicholson	26	Lewis Nixon	99	99
30	O'Brien	26	do	98	98
34	Tingey	26	Columbian Iron Works	100	100
	Steel tugs.				
8	Pentucket	12	Navy-yard, Boston	96	100
9	Sotoyomo	12	Navy-yard, Mare Island	95	98

Now, as valuable a table as I have been able to find—and I shall ask to have it put with other tables into the form of a public document—Senators who have seen the table have suggested this. It is in the Philadelphia Inquirer of Sunday, February 28, by Mr. P. Lyle Weaver, who has, for that paper, searched the records of the Navy Department in a more thorough way, I am free to say, than I have been able to do or than anybody else, so far as I have seen, has been able to do. I have examined this table by the light of all the figures which I have gained from the reports from the Department itself, and it is much more exhaustive than anything that I have been able otherwise to procure.

Mr. GALLINGER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from New Hampshire?

Mr. HALE. Certainly.

Mr. GALLINGER. I will ask the Senator from Maine if he has any objection to asking that, in addition to its going into the RECORD, that table shall be printed as a Senate document?

Mr. HALE. That is in the line of my suggestion.

Mr. GALLINGER. I have examined it very carefully. It would be a document that doubtless would be called for; and it would be very convenient to be able to furnish it in that form.

Mr. HALE. I am glad the Senator, who is a prominent member of the Naval Committee, agrees that it is a very valuable table.

Mr. GALLINGER. It is indeed.

Mr. HALE. This writer has a summary of all vessels already built and now in the Navy, going completely into the subject. He gives in the table the name of each vessel.

The tonnage of all these different classes at present in the Navy is 531,886 tons. In addition to that is the statement of vessels building and authorized, to which I have referred, and of which I will give the tables in detail, and those amount to 349,431 tons, with an aggregate of our Navy, when the present building is completed, of 881,317 tons, with the immense horse power of 1,248,386, and requiring a force of sailors, seamen, and petty officers of 45,881 men when the present programme is carried out. As to the vessels now building and authorized——

Mr. GALLINGER. Will the Senator permit me?

Mr. HALE. Certainly.

Mr. GALLINGER. I think it is important in this connection to state that this table shows that in the matter of tonnage the United States to-day stands third among the nations of the world. I think that is correct.

Mr. HALE. It is undoubtedly. I shall have some further figures to present on the question of tonnage.

Mr. CLAY. I should like to ask the Senator does he mean to say that we stand third in tonnage now, compared with the other powers of the world, or that we shall stand third when the ships provided for are constructed?

Mr. HALE. We stand third at present.

Mr. CLAY. England first, France second, and is not Germany now ahead of us in tonnage?

Mr. HALE. No; not including the small ships in our Navy—those under 1,000 tons.

Mr. GALLINGER. Not according to the figures in these tables, I will say to the Senator from Georgia.

Mr. CLAY. I thought that Germany was ahead of us, not taking into consideration the ships we have in process of construction; but taking into consideration the ships now under process of construction, then we would be ahead of Germany.

Mr. HALE. I have tables which will show where the Senator gets his idea of Germany being ahead of us, which I shall come to presently.

Mr. GALLINGER. That has been, I will say, the general opinion; indeed, it was the opinion I myself had until, from a careful analysis of this table, I found, if this gentleman is correct, that we stand ahead of Germany; that we stand third to-day.

Mr. CLAY. I got my information from the report of the House committee.

Mr. PROCTOR. May I ask a question?

Mr. HALE. Certainly; I have no set speech that questions will interrupt. I am only giving the figures, and shall be glad if Senators will ask me questions.

Mr. PROCTOR. On the question of the relative force of our Navy compared with that of other nations I should like to ask if the Senator can tell what it was at the beginning of the Spanish war, in 1898, and whether we were not then counted in naval power sixth or seventh amongst the governments of the world?

Mr. HALE. Quite likely.

Mr. PROCTOR. I think one of the reports I saw stated that we were seventh.

Mr. HALE. I beg the Senator's pardon, but that particular year has gone, and what I am dealing with now is the present status of the building programme we have already authorized.

Mr. PROCTOR. I was trying to show our rapid advance.

Mr. HALE. It has been exceedingly rapid. There was a time when we were behind every other nation, when we only appropriated $14,000,000 a year for the naval establishment—for ships, officers, men, and everything else—and the whole naval world was ahead of us. We then began the work of the building up of the new Navy, and what I am trying to show is what we have already done, including the authorization of this year.

Mr. PERKINS. I should like to ask the Senator to state, in passing, that in the effectiveness, in the improvements of our war ships, and in their appurtenances and appliances and machinery we are second in the navies of the world. We have profited, in other words, by the mistakes made by European countries in building up their navies.

Mr. HALE. We have this great advantage, Mr. President, let me say in answer to the suggestion of the Senator from California, that up to, I will say, 1884 we stood by and saw other nations making experiments in different kinds of new ships. They spent hundreds of millions of dollars upon ships that have since been abandoned as obsolete, and other kinds of ships are being constructed to make their present navies; but in reckoning the entire tonnage of the foreign navies they have reckoned what both the Senator from California and the Senator from New Hampshire suggest, and all of those old and practically obsolete ships that are still existing are counted in their tonnage, while our tonnage is of the new ships that have been built and are fit for some service.

Mr. ALGER. May I ask the Senator a question?

Mr. HALE. Certainly.

Mr. ALGER. During the Spanish-American war a large number of yachts, inferior boats, you might call them—were purchased, but they would be of no use in time of war.

Mr. HALE. Twenty-three of them.

Mr. ALGER. I want to know whether they are included in this number.

Mr. HALE. They are not included in the list of ships of sea strength and fit for war service, to which I am coming. They do not amount to much either in tonnage or armament or anything else, but they balance against just the same kind of ships that are found in foreign navies, and that adds to their total. They are of the same kind.

The PRESIDENT pro tempore. The Senator will suspend one moment while the Chair lays before the Senate the unfinished business. It will be stated.

The SECRETARY. A bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

Mr. HALE. I ask that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. The Senator from Maine asks that the unfinished business be temporarily laid aside, that the Senate may proceed with the consideration of the appropriation bill. Is there objection? The Chair hears none.

Mr. HALE. But I have not been content myself, Mr. President, to rest there; and I have tables, which I will put in the RECORD, showing the sea strength of the principal naval powers up to the present year and not including small ships less than 1,000 tons.

I do not say that in a system either of warfare or of peaceful conduct of a naval establishment gunboats and light-draft gunboats are not very valuable vessels. They are not only valuable in time of peace and are used more than the larger ships, but in time of war they are excellent as scouts. But I do not reckon them in the tables which I am going to give now. I am dealing with the larger vessels, which may, perhaps, be termed "sea strength."

Mr. LODGE. I ask the Senator if the table is the same as that found in the report on the House bill?

Mr. HALE. I think there may be some little change, but it is practically the same thing.

Mr. LODGE. That table shows the sea strength.

Mr. HALE. I was going to explain what it shows.

Mr. LODGE. Do the Senator's tables show the character of ships that are at present building?

Mr. HALE. Yes.

Mr. GALLINGER. If the Senator will permit me, in reference to the interrogatory on the part of the Senator from Michigan [Mr. ALGER], I wish to say that the total tonnage to-day is 531,868, and the converted yachts have a tonnage of 10,880. So they are included in the total, but it is inconsequential as a matter of fact.

Mr. HALE. They make no figure.

Mr. GALLINGER. No.

Mr. HALE. Now, treating of what we may call the sea strength of the larger ships, that is here given for Great Britain, for France, for Russia, for Germany, for the United States, for Italy, for Japan. The table gives the number of battle ships, coast-defense ironclads, armored cruisers, protected cruisers of the first and second class, and cruisers and scouts over 1,000 tons. That, of course, includes all armored ships and all battle ships whatever built. It gives for Great Britain a tonnage of [illegible], France, 576,108; Russia, 416,158; Germany, 387,874; the United States, 294,405; Italy, 258,838; Japan, 243,586; Austria, 93,913. That is the tonnage of ships that are now commissioned.

Mr. ALGER. They are built.

Mr. HALE. Yes; they are now in commission.

Mr. CLAY. I should like to ask the Senator how is it possible with only the tonnage he has stated, for the United States to be the third naval power in the world?

Mr. HALE. Will the Senator let me complete my statement?

Mr. CLAY. Certainly, with pleasure.

Mr. HALE. I have also shown—and that is included in this table—what the strength of this country alone and of each country will be when the present building programme is carried out.

Senators may say that that is not all carried out yet; that we have got to wait. Of course, we have to wait. You can not build a ship in a day. Great Britain can not and Germany can not. But, as showing what we have done and are doing, I have [illegible] table which shows that when the building going on is completed of these larger ships, the tonnage of Great Britain will be [illegible], of France, 755,757; of the United States, [illegible]; Germany, 505,619, or more than 100,000 tons less than we have; Italy, 329,000; Japan, 53,000; Austria, [illegible] the present building programme when it is carried out. I put in, Mr. President, these most important tables:

OFFICE OF NAVAL INTELLIGENCE,

Memorandum of information prepared for Hon. EUGENE [illegible] of the Committee on Naval Affairs, United States Senate, [illegible] request of February 4, 1904 [illegible] powers; sea strength (printed table of the principal naval powers).

Captain, United States Navy, Chief Intelligence Officer.

VESSELS IN COMMISSION FOR ACTIVE SERVICE AND ATTACHED TO CRUISING SQUADRONS.

[NOTE.—Not included: Cruising training vessels [illegible] tons, river [illegible] and [illegible] missions, but attached to cruising squadrons.]

Class of vessel.	Number				
	England.	France.	Germany.	Italy.	Russia.
Battle ships, first class	35	16	9	17	[illegible]
Coast-defense ironclads	.....	3	4	1	[illegible]
Armored cruisers	[illegible]	15	4	5	6
Protected cruisers	74	9	22	16	[illegible]
Unprotected cruisers	5	2	2	.....	[illegible]
Torpedo-boat destroyers	17	5	.....	2	[illegible]

a Vessels in the Baltic and Black seas are not in [illegible] for service.

The [illegible] between France's and England's in and out of commission is less sharply drawn in Germany, whose ships, as a whole, [illegible] to the [illegible] from the fact of a French squadron being [illegible] seen [illegible] of the sea squadrons, [illegible] number of vessels [illegible] quickly commissioned for war service.

SEA STRENGTH OF THE PRINCIPAL NAVAL POWERS.

Number and displacement of war ships, built and building, of 1,000 or more tons displacement.

Type.	Great Britain.				France.				Russia.				Germany.			
	Built.	Tons.	Building.	Tons.	Built.	Tons.	Building.	Tons.	Built.	Tons.	Building.	Tons.	Built.	Tons.	Building.	Tons.
Battle ships, first class a	50	669,000	9	142,600	20	223,621	6	87,800	17	230,169	8	112,864	14	152,581	6	77,983
Other battle ships and coast-defense ironclads	6	49,940	.....	.....	20	94,615	.....	.....	12	65,679	.....	.....	16	[illegible]	.....	.....
Armored cruisers	27	262,800	14	166,000	15	113,767	8	91,849	5	71,261	.....	.....	8	28,144	8	[illegible]
Protected cruisers, first class (above 3,000 tons)	21	201,950	.....	.....	4	31,512	.....	.....	6	39,546	3	19,965	.....	.....	.....	.....
Protected cruisers, second class (3,000 tons or less)	53	225,890	7	21,000	19	76,762	.....	.....	5	19,450	3	9,445	9	46,949	.....	.....
Other cruisers and scouts (above 1,000 tons)	44	96,510	3	21,610	18	32,840	.....	.....	11	18,043	.....	.....	31	69,497	4	11,715
Total	201	1,516,040	33	351,210	96	576,108	14	179,649	56	416,158	14	142,274	78	387,874	18	117,745
Combined total	234, of 1,867,250 tons.				110, of 755,757 tons.				70, of 558,432 tons.				96, of 505,619 tons.			

Number and displacement of war ships, built and building, of 1,000 or more tons displacement—Continued.

Type.	United States.				Italy.				Japan.				Austria.			
	Built.	Tons.	Building.	Tons.	Built.	Tons	Building.	Tons.	Built.	Tons.	Building.	Tons.	Built.	Tons.	Building.	Tons.
Battle ships, first class a	11	125,129	b 11	166,700	14	173,276	5	63,125	6	84,800	.....	.....	.....	.....	3	39,800
Other battle ships and coast-defense ironclads	12	47,965	.....	.....	8	12,244	.....	.....	3	18,004	.....	.....	11	62,480	2	16,720
Armored cruisers	2	17,415	8	111,800	5	81,891	1	7,284	6	78,560	.....	.....	2	11,593	1	7,400
Protected cruisers, first class (above 3,000 tons)	2	14,760	3	28,800	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Protected cruisers, second class (3,000 to 1,000 tons)	15	56,398	4	12,400	5	17,490	.....	.....	10	41,226	8	10,095	2	8,128	.....	.....
Other cruisers and scouts (above 1,000 tons)	23	32,773	2	2,170	11	23,637	.....	.....	17	31,506	.....	.....	6	11,785	.....	.....
Total	65	294,405	28	321,870	33	258,538	6	70,419	44	243,586	8	10,095	21	93,913	6	55,920
Combined total	93, of 616,275 tons.				44, of 329,957 tons.				47, of 253,681 tons.				27, of 149,833 tons.			

a Battle ships, first class, are of (about) 10,000 tons or more displacement, and are not more than 20 years old. (The few exceptions as to age have been reconstructed and are given a modern armament.)

b Contract not yet awarded for two additional authorized.

N. B.—Gunboats and other vessels of less than 1,000 tons are not given in the table, nor are transports, dispatch vessels, converted merchant vessels or yachts, or obsolete cruisers. Vessels not begun are not reckoned in the table.

Number of torpedo vessels and submarines, built and building.

Type.	Great Britain.		France.		Russia.		Germany.		United States.		Italy.		Japan.		Austria.	
	Built.	Building.	Built.	Building.	Built.	Building.	Built.	Building.	Built.	Building.	Built.	Building.	Built.	Building.	Built.	Building.
Torpedo-boat destroyers	135	21	25	18	49	9	32	12	16	.....	11	2	19	.....	7	.....
Torpedo boats	90	.....	280	30	165	5	93	.....	30	4	142	8	67	13	61	.....
Submarines	2	10	8	10	1	.....	.....	3	8	.....	1	2	.....	.....	1	.....
Total	224	31	315	58	215	14	125	15	54	4	154	12	86	13	69	.....
Combined total	255		368		229		140		58		166		104		69	

Relative order of war ship strength.

At present.		As would be the case were vessels building now completed.	
Nation.	Tonnage.	Nation.	Tonnage.
Great Britain	1,516,040	Great Britain	1,867,250
France	[illegible]	France	755,757
United States	416,158	United States	616,275
Russia	387,874	Russia	558,432
Germany	294,405	Germany	505,619
Italy	258,838	Italy	329,957
Japan	243,586	Japan	253,681
Austria	93,913	Austria	149,833

Now, Mr. President, I will say here——

Mr. CLAY. Is that for this year under this bill?

Mr. HALE. That includes this year's expenditures, but not this year's building programme.

Mr. CLAY. That does not include the $99,000,000 for new ships, does it?

Mr. HALE. It simply includes ships that are now in process of construction.

Mr. CLAY. These items do not include the present bill.

Mr. HALE. That is what I thought.

Mr. HALE. It is figured up to last December, as I have stated.

Now, one thing is remarkable, in which the situation is very marked. The whole Japanese navy, already built and building, is only 47 vessels in all, 253,681 tons.

Mr. PROCTOR. Built and building?

Mr. HALE. But Japan is at home. In any possible controversy that may arise her base is only a few hundred miles from any naval or military operations. The largest figures that Japan can show are small compared with those of every other country that I have cited, except Austria; but she has this immense advantage of being near at home in her fighting.

Mr. OVERMAN. I will ask the Senator what position relatively we shall obtain when the present bill is passed?

Mr. HALE. That will not change it very greatly, except that I will say this: Germany is not keeping up a large new programme. Her programme is not nearly as large as ours. France's programme is not as large as ours, excepting in some smaller vessels. The only power that is keeping up an increase as large as we are in these large ships is Great Britain.

In looking over these figures of the showing of total tonnage, from a compilation secured at the Department, of the navies of the world, I find that to make up this great tonnage of large vessels of other countries there is included a great many vessels that were built before we began to build our new Navy. Many of these large vessels are old; they are set aside; they are found in naval stations and navy-yards, but they help the figures of these large powers. Included in the list of England are 14 battle ships and 2 armored cruisers, ranging from 6,000 tons, with a total tonnage of 76,900 tons, that were ordered before we began to touch our Navy, that is, before 1884. While they are in the figures, they do not, I say, like ours, represent actual offensive strength.

In her total of 755,757 tons, France has 106,000 tons of these ships that were built before 1884, or twenty years ago, and not one of them can be used for offensive purposes. Deducting this 106,000 tons makes her about 33,482 tons ahead of us. This deduction of old and comparatively obsolete ships from France's effective navy, with another table which I shall give, brings us up with our naval programme with France, and with her next to Great Britain, which has got of these old ships, built before 1884, 130,000 tons. Germany has 34,000 tons of what you might call obsolete ships and 25,000 tons of armored cruisers. Russia has 40,000 tons.

NUMBER OF BATTLE SHIPS AND ARMORED CRUISERS OF CERTAIN GREAT POWERS LAID DOWN PRIOR TO OR IN 1884.

Great Britain.

Battle ships (12):	Tonnage.
Benbow	10,600
Anson	[illegible]
Camperdown	10,600
Rodney	10,300
Howe	10,300
Collingwood	9,500
[illegible]	9,150
[illegible]	9,150
[illegible]	9,150
Thunderer	9,150
Conqueror	6,200
Hero	6,200
Total	111,900
Armored cruisers (2):	
Imperieuse	8,400
Warspite	8,400
Total	16,800

France.

Battle ships (10):	
[illegible]	10,950
Magenta	10,960
Marengo	10,960
Suffren	10,960
Admiral Pierre	12,150
Bouvet	12,150
Admiral Duperre	10,487
Courbet	10,000
Democratie	10,000
Redoutable	9,400
Total	108,948

Armored cruisers, none.

Germany.

Battle ships (5):	
Brandenburg	7,400
Kaiser Friedrich III	7,400
Wörth	7,400
Weissenburg	7,400
Sachsen	5,600
Oldenburg	5,600
Total	36,800
Armored cruisers (3):	
Roon	7,650
Prinzess Wilhelm	7,650
Kaiser Wilhelm	9,[illegible]
Total	25,[illegible]

Russia.

Battle ships (9):	
Sevastopol II	7,[illegible]
Sinyavin	10,[illegible]
Navarin	10,[illegible]
Poltava	9,[illegible]
Total	[illegible]
Armored cruisers (5):	
[illegible]	5,893
Vladimir Monomach	5,734
Admiral Makarov	4,094
General Admiral	4,601
Kniaz Pozharski	5,000
Total	25,825

Mr. MALLORY. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Maine yield to the Senator from Florida?

Mr. HALE. Certainly.

Mr. MALLORY. We have some ships which are pretty old, but which are in good condition—for instance, the *Atlanta*, the *Boston*, the *Chicago*, and that class of vessels. They were built before 1884, and yet those vessels are now——

Mr. HALE. No, they were not built before 1884.

Mr. MALLORY. They were finished about 1884.

Mr. HALE. They did not get into the Navy before 1886, or even later.

Mr. MALLORY. Well, 1885 or 1886.

Mr. HALE. I am only taking now the ships not of that kind; I am only taking now the ships of other powers that were built before that time.

Mr. MALLORY. Even conceding that, the point I want to make is this: We have repaired those vessels. The *Chicago* has been completely transformed and the *Atlanta* has been recently entirely overhauled; I do not know about the *Boston*; but those vessels to-day are in first-class condition, though they are comparatively old.

Mr. HALE. They are in our Navy; they are in good condition.

Mr. MALLORY. Can you determine from the fact that a vessel was built before 1884 that she is necessarily out of date?

Mr. HALE. Well, I do. When we come to the number of ships that Great Britian has got in commission, I see where these obsolete ships are accounted for. But I am coming to that.

Mr. MALLORY. Possibly the ships of the countries which the Senator has termed "obsolete" may have been repaired, as we have repaired ours.

Mr. HALE. In addition to that, Mr. President, I have made another table, which shows the tonnage that goes to make up these figures of these other great powers between 1884 and 1894, when we began to introduce the battle ships. Those that I have already given are older than any battle ships, older than any cruisers or any gunboats, or anything we have got.

Again, I have got an additional table of large vessels built between 1884 and 1890. This table shows that Great Britain has an additional 115,600 tons of battle ships that were built before we began to introduce battle ships, and 39,000 tons of armored cruisers, making in all 164,000, which is to be taken from these figures of large ships that Great Britain has, as compared with ours, all of which have been built and taken into the Navy since 1894. France adds to that 31,583 tons. So that in effective large new ships we will be, when this programme is completed, away beyond either Germany or Russia or Japan, alongside of France, and up much nearer to Great Britain than anybody would realize if they did not know what these figures show.

NUMBER OF BATTLE SHIPS AND ARMORED CRUISERS OF CERTAIN GREAT POWERS LAID DOWN FROM 1885 TO 1890, BOTH INCLUSIVE.

Great Britain.

Battle ships (9):	
Sans Pareil	10,470
Barfleur	10,500
Empress of India	14,150
Repulse	14,150
Resolution	14,150
Royal Sovereign	14,150
Hood	14,150
Nile	11,940
Trafalgar	11,940
Total	115,600
Armored cruisers (7):	
Australia	5,600
Cornwallis	5,600
Narcissus	5,600
Orlando	5,600
Undaunted	5,600
Aurora	5,600
Immortalite	5,600
Total	39,200

France.

Battle ship: Brennus	10,983
Armored cruisers (4):	
Gueydon	4,750
Amiral Charner	4,750
Jean Bart	4,750
Dupuy de Lome	6,300
Total	[illegible]

Germany.

Battle ships, none.	
Armored cruisers, none.	

Russia.

Battle ships (9):	
Tsesarevitch Poiedonosets	10,280
Navarin	9,476
Dvienadsat Apostolof	8,500
Imperator Nicolai I	8,500
Imperator Alexander II	8,880
Total	47,636
Armored cruisers (3):	
Admiral Nakhimoff	8,500
Rurik	10,940
Pamyat Azova	6,700
Total	26,140

Mr. LODGE. That is assuming that they do not change their present programmes.

Mr. HALE. Well, there is no sign that they will, as I have stated.

Mr. LODGE. I mean is it perfectly fair to take that for granted? Of course, they may change.

Mr. HALE. Well, if they do so, we can. I mean the programme that is now laid out and provided for by law.

Great Britain undoubtedly, as I see from what has taken place in the House of Commons, has a large, but not a detailed, programme this year. Great Britain evidently does not know just how she will want to build ships for the next year.

Mr. LODGE. May I ask the Senator in regard to those vessels he was speaking of as built before 1884? Is it not true about every armored ship built and ordered at that time that the armor was iron plate? I do not remember the technical name, but they were plates that were superseded by steel plates.

Mr. HALE. Entirely.

Mr. LODGE. It is armor that no country would think of using now.

Mr. HALE. There may have been some composite armor, but it is only within a very few years, Mr. President, that any nation has begun to use the best modern armor.

Mr. LODGE. They were compound iron plates.

Mr. HALE. Composite iron plates.

Mr. President, I put in here a memorandum from the Bureau of Naval Intelligence:

Memorandum.

FEBRUARY 18, 1904.

By 1906 the following ships should not be counted in the main line of defense, but should be disposed as indicated below:

Battleships: *Indiana, Massachusetts, Oregon, Texas*; coast-defense squadron.
Monitors: *Miantonomoh, Amphitrite, Terror, Puritan*; harbor defense only.

So it seems they are already talking in the Navy Department of putting the *Oregon*, the *Massachusetts*, and the *Indiana* onto the retired class for coast defense.

Mr. STEWART. I hope they will keep the *Oregon* off of it.

Mr. HALE. They ought to. I think the *Oregon* is one of the best ships that ever was built.

Mr. LODGE. It is a good ship to-day.

Mr. HALE. It is a good ship to-day.

Mr. STEWART. I should like to see another like it built.

Mr. HALE. But it does not fill the fancy of a naval officer. She has not the room on her for staterooms and for comforts and for conveniences and for all the intricate machinery that a 16,000-ton ship has. But she has the same number of 12-inch guns and the same number of turrets and the same efficient force, so far as the great guns go. She is smaller, more easily handled, and when she goes to the bottom, as any battle ship will from the impact of a torpedo, like the jab of a prize fighter's fist, instead of seven or eight million dollars going to the bottom, it is only $5,000,000, for which sum a ship of that kind can be built to-day.

So we have to reckon with this as showing why it is that we are continually asked by the naval officers and the naval boards for the largest programme. They want the biggest ships that ever were built. They do not want any other nation to beat them. There is not to-day, Mr. President, on the waters of the globe a ship of 16,000 tons displacement, and yet we are building these of late years, and all other battle ships are turned down by the naval boards.

Mr. ALLISON. Are there any building now?

Mr. HALE. There are a few building, but very few in addition to what we are building. England has talked about building a vessel even larger than that, but I think it has been abandoned, and most of the building is of the 11,000 and 12,000 ton class and along there, with the same armament of big guns.

Mr. STEWART. I wish we had ten or fifteen like the *Oregon*.

Mr. BACON. Will the Senator from Maine pardon me for a moment?

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Georgia?

Mr. HALE. Certainly.

Mr. BACON. It is in connection with what the Senator from Maine has just been saying.

The fact is well developed and recognized by all that changed conditions will make a ship which would otherwise be good comparatively worthless. It becomes obsolete. For instance, the matter suggested by the Senator from Massachusetts as to the changed character of the armor. It makes valueless a ship armored with armor which twenty years ago was considered good.

The particular point to which I wish to direct the attention of the Senator from Maine is this: As I understand, the armor which is now placed upon ships is designed as protection against projectiles from other ships. In other words, the armor is not complete protection, at least against torpedoes or other submarine offensive machinery.

Now, if the development of this class of submarine offensive vessels, torpedoes and submarine boats, etc., continues in a very high degree, so that in the possible near future it may be regarded as the most dangerous class of offensive weapons against ships, will it not be true even as to the ships now being constructed—if there is a great revolution in that particular—that they will practically be worthless and become obsolete, even though they may be perfect in their capacity to resist projectiles from other ships?

Mr. HALE. Does the Senator want——

Mr. BACON. I was trying to direct a question to the Senator, but I saw his attention was diverted.

Mr. HALE. I will look straight at the Senator's good face and will look at no other.

Mr. BACON. The point to which I desire to ask the attention of the Senator, and it is rather in furtherance of the suggestion he makes now as to the superiority of the $5,000,000 ship rather than the $8,000,000 ship, is this: Will not the development of submarine weapons of naval architecture, if it continues in the ratio in which it has recently increased, make it possible that in the near future, that being relied on as the principal weapon of offense, these great ships, while they may be perfect in their capacity for resistance to projectiles from other ships, will themselves become almost obsolete, by reason of their inability to defend themselves against torpedoes and other submarine vessels and weapons of that kind?

Mr. HALE. Now, that is a matter which we have considered in committee, and I think the fair way to look at it is that the present war in the East may develop a condition which will show that so large a proportion of the expenditures for naval ships should not be concentrated upon battle ships. But nobody will know what to do—Great Britain, which is watching with eagle eye everything that is taking place there, because her great possessions are there, does not know what to do—until the smoke clears up. Nobody knows now whether a battle ship that costs between seven and eight million dollars, or a torpedo boat that costs $300,000, will be the more effective battle engine in the years to come.

Therefore, as the House bill has put on only one battle ship, where last year we put on five, and has two armored cruisers, which to my mind will be found more valuable than the big battle ships, and then certain small cruisers for speed to accompany the fleet, we did not think it desirable to still more change our programme until—I use my same metaphor—the smoke lifts from the war which is going on in the East, and we see whether such a revolution in naval architecture and naval ships has been wrought in one season as was caused by the advent of the little *Monitor*, when she steamed into the bay below the mouth of the Potomac and saved Washington and subverted every idea that anybody ever had had of the efficiency of ships.

We are proceeding at an immense expense on some things that may be proved to be valueless in one season. I found in my investigation one thing which I had not known before. It was a startling thing. We are building all our battle ships with revolving turrets. We put in them the big guns, the 12 and 13 inch guns. You have got down to 12-inch guns, and I wish we were down to the 10. We put them all in revolving turrets.

A few years ago the naval board, thinking it was a picturesque innovation, provided for a second story—a second turret—to be put on top of the main turret, and they built two ships, the *Kearsarge* and the *Kentucky*, with those turrets. I have a copy of their report. The naval board reported that those were to be the ships of the future. They argued it all out. We built them. We gave them the money to provide for them. One of them went to Germany and received a great ovation, and our officers and men had a very gratifying time. But the German naval officers remarked: "If the United States is going to build that kind of a ship in the future, and put its money into those ships, we will not trouble ourselves much about them, because they are not practicable."

The next year the Board turned around and said they did not want any more of those ships, and we took their word; and we provided these immense ships with one-story revolving turrets for the big guns. My study has been interesting. Looking over this book of the modern battle ships, which is accepted by the different naval establishments of the world as to a degree official, although not gotten up by any department, I did not discover, to my surprise, any British turreted battle ships. I could not find any such turrets for large guns. I said, "It can not be we are going on building revolving-turreted battle ships, and England, which is the great naval power in the world and the authority, is not building them;" and I sent to the Department and asked if that were true, and I got this:

All British first-class battle ships less than 10 years old have their 12-inch guns en barbette.

They will not touch a revolving turret.

Mr. PATTERSON. Just what is that?

Mr. HALE. The revolving turret is a cylinder——

Mr. PATTERSON. I mean en barbette.

Mr. HALE. It is a platform instead of a turret. It is a platform outside upon which the guns are imposed, and sometimes they are hooded, but they are stationary. They are platform guns.

Then I followed this thing up to see why it was that while we are going on, asking no questions, and building nothing but revolving turrets for these guns, England is not building one of them. The reason is that they are afraid of them. They say they are subject to an ordinary accident; that if a revolving turret jams from any cause—the listing of the ship or a single shell hits it—the ship is good for nothing; the big guns can not be used. They say that if an explosion were to take place in a turret—and anybody who has ever been in them can understand that—the results would be horrible. So it is the fact that the great power of Great Britain, which is the great accredited authority on naval structures, is not building a single revolving turret for large guns. We are building all.

Mr. TELLER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Colorado?

Mr. HALE. Certainly.

Mr. TELLER. I should like, if the Senator will yield to me, to ask him if we have not had an explosion in a turret?

Mr. HALE. We have had accidental explosions.

Mr. TELLER. Accidental explosions.

Mr. HALE. We have had. They are horrible. We have had nothing in battle.

The Senator from Illinois asks me what we are doing now in this bill. We have adhered to the old way because we have only one battle ship in the bill.

Mr. TELLER. There is only one battle ship provided for in this bill?

Mr. HALE. Only one.

Mr. CULLOM. Are we allowing the turrets to remain?

Mr. HALE. I think it is proper that attention should be called to this matter. It is not the Secretary; it is the board of naval officers who decide these matters. Of course, they may be right; it may be we are all right. But if we are all right, Great Britain is all wrong. And if Great Britain is all right, we are all wrong.

We have not had enough discussion of the naval programme heretofore.

Mr. TELLER. How about Germany?

Mr. HALE. I have looked also into the other powers. Germany builds a few, France a few, but generally the ships that are building, those by Great Britain entirely, are barbette ships, although some of the other nations are building turreted ships. But Great Britain is building none of them.

Mr. CARMACK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Tennessee?

Mr. HALE. Certainly.

Mr. CARMACK. I understand that all our battle ships now are turreted.

Mr. HALE. Every battle ship has its big guns put into cylinder revolving turrets.

Mr. CARMACK. How about the cruisers?

Mr. HALE. The cruisers do not have the big guns. The question does not arise with the cruisers.

Mr. CLAY. With the Senator's permission, I am frank to confess that I do not understand this matter. The Senator, I am sure, can explain it. He has put on record the enormous tonnage and gun power of the United States ships, by Mr. Weaver. His statement is simply this: The total tonnage of the ships now in the United States is 551,886 tons. The 31 vessels now building have an aggregate tonnage of 349,431 tons. This makes a grand total of all ships in commission, when these in process of construction are completed, of 881,317 tons, and makes the United States the second naval power of the world.

Now, from the Navy Department comes the information, which the Senator has just read, that when the ships now under process of construction are completed the United States will have a tonnage of 616,275, making a difference of over 200,000 tons and making us the third naval power of the world.

Mr. HALE. I have explained that. I am sorry the Senator was not here or that I was dull in explaining it.

What I have taken as the actual basis are the figures they have given for ships over a thousand tons—what is called "sea strength."

Mr. LODGE. The fighting force.

Mr. HALE. The fighting force. The addition is made up not only in our Navy, but in other navies, of smaller vessels which are valuable vessels, but are not of what is called the "fighting force." Therefore I have not considered it a fair comparison to take the figures that are given there, which are correct, as they include everything——

Mr. CLAY. The table that the Senator has inserted in the RECORD embraces all the ships.

Mr. HALE. All of the ships will show in the table to be printed as a public document. This includes Mr. Weaver's tables.

Mr. CLAY. And the report from the Navy Department simply embraces those of a certain size?

Mr. HALE. They will give you just what is in that report. Their attention has been called to this matter, and a reply has been given. We have asked them to give us what is called the "sea power," the "fighting power," and these late figures which I have in the table all cover the fighting power, what is called the "sea power," and do not include the fifty or sixty vessels, as I suppose there are in our Navy, which are below a thousand tons.

Mr. ALLISON. The same rule runs through the entire table?

Mr. HALE. It runs through the entire table, and also runs through the tables of other powers.

Mr. ALLISON. Of all the ships of all the countries?

Mr. HALE. All ships of all countries.

Mr. PROCTOR. Will the Senator from Maine yield to me for a moment?

Mr. HALE. Certainly.

Mr. PROCTOR. Mr. President, I have been very much interested in what the Senator from Maine said about guns being mounted on barbette instead of in revolving turrets, and I entirely agree with his expression of doubt.

Mr. HALE. It applies to the Army just as to the Navy.

Mr. PROCTOR. There is a parallel case in the Army. I have argued here against using the disappearing carriage to the great extent we have, in which respect ours is entirely different from the policy of any other country. The same is true in regard to turrets. The reason is very much stronger in the case of the Army because the barbette gun, being on an elevation, a fort, is very much more protected than it would be on board ship. We have spent many millions for mounting guns in forts; some of them at an elevation of two or three hundred feet, on disappearing carriages, which a single shot might disable, and in my opinion it would be very likely to. Even a shot throwing gravel or the débris of the concrete from the fortification would put the gun out of service. I am very glad to hear this discussion.

Mr. LODGE. May I ask the Senator before he sits down whether there has not been a report made on that subject since the last discussion?

Mr. PROCTOR. I am not aware of any. We have gone on. I think the Senator from California [Mr. PERKINS] can tell us about that.

Mr. PERKINS. I refer the Senator to the report of the Chief of Ordnance, Board of Ordnance and Fortification, commencing at page 67, where the report of the board that was appointed on the amendment proposed by the Senator from Vermont to investigate the practicability and desirability of using the disappearing carriage as against the barbette is given fully. When the fortifications bill is up we will discuss that proposition.

Mr. PROCTOR. I should like to ask the Senator from California if this report indorses a change of the system?

Mr. PERKINS. No; the beard——

Mr. PROCTOR. That is what I supposed.

Mr. PERKINS. They are in favor of disappearing carriages.

Mr. PROCTOR. I wish merely to call the attention of the Senate to the fact that we are in that matter differing from the policy of every other nation, the same as we are in the use of the revolving turret. I think we are making a mistake, surely in the case of the Army.

Mr. TELLER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Colorado?

Mr. HALE. Yes, sir.

Mr. TELLER. I should like to say that I think the Senator from Vermont is mistaken. The disappearing carriage is used in some countries besides the United States.

Mr. LODGE. Of course it is.

Mr. PROCTOR. Only to a very limited extent, and our disappearing carriage is not used anywhere.

Mr. TELLER. I should like to say further that the disappearing carriage is an American invention.

Mr. PROCTOR. So is the turret.

Mr. HALE. Let these army experts fight it out on the army bill. I am dealing with the Navy.

Mr. FORAKER. I should like to inquire if there has been any trouble with the turret of any battle ship? I ask only for information.

Mr. HALE. The fortunate fact is that we have not gotten into war yet. They have not been tried yet. Nobody knows. The British officers and authorities go on the assumption that when you get into conflict the unforeseen things will happen, the turreted ship is subject to a much larger percentage of accidents. We, fortunately, never have tried it in battle. I do not know, and I do not claim——

Mr. FORAKER. The theory is that the turrets are more liable to accident?

Mr. HALE. One can see that where the——

Mr. FORAKER. As a matter of fact, there has not been any?

Mr. HALE. None in war.

Mr. FORAKER. They were used in the Spanish-American war at Santiago.

Mr. HALE. Yes.

Mr. LODGE. The *Indiana* and the *Oregon* were turreted ships.

Mr. HALE. The ships that showed in that fight, the two ships that did most of the fighting, were the *Oregon* and the *Brooklyn*.

Mr. FORAKER. Yes.

Mr. HALE. The *Oregon* is a turreted ship, but there was no ship that she was contending with. She had nothing to contend with in the way of a battle ship.

Mr. LODGE. Was not the *Iowa* a turreted ship?

Mr. HALE. All our battle ships are turreted.

Mr. LODGE. The *Iowa* certainly engaged in it.

Mr. HALE. Yes; but the most prominent were the *Oregon* and the *Brooklyn*.

Mr. LODGE. The *Massachusetts* was not there.

Mr. HALE. The *Massachusetts* was not there; the *Texas* was.

Mr. FORAKER. I am asking only for information. May I ask the Senator from Maine how does the question arise now? Does the bill provide for ships without turrets?

Mr. HALE. No. We have left that to the Department.

Mr. FORAKER. Oh!

Mr. HALE. I first tried to enlighten myself and then to enlighten the Senate and the country as to what the conditions are and how we are going on as compared to other great naval powers.

Mr. FORAKER. It is not only interesting, but very important.

Mr. HALE. I think it is important as a matter of administration.

Mr. CARMACK. Will the Senator permit me just a moment?

Mr. HALE. Certainly.

Mr. CARMACK. I understand the drift of the Senator's remarks and those of the Senator from Vermont to mean that there is a very serious doubt as to whether the vast sums of money which we have been expending for military and naval purposes have been intelligently expended.

Mr. HALE. I should not go so far as that. There has been

great intelligence. Whether there has also been wisdom—intelligence and wisdom are not the same——

Mr. CARMACK. Wisdom, I meant.

Mr. HALE. Whether everything has been done in the wisest way is a question. I do not mean to censure the naval officers. I do not think any navy in the world has a finer complement of naval officers than we have for intelligence, for courage, of course, for patriotism, and for every quality that goes to make up usefulness in time of war or to make great sailors, great officers, great captains. But the naval officer is a naval officer pure and simple. The one thing that bounds his horizon is the United States Navy. It is the sea. If he is, as nearly all the officers are, graduates of Annapolis, it is the scene of every incident in his eventful life from boyhood until he retires. To him the building of the Navy is the one essential thing over and above all other things.

When he is confronted with the question whether we will appropriate money for a navy or for the dwindling merchant marine, he is for the Navy. That is his profession; that is his business. And the naval boards, I think, have run too much in the direction of building the most enormous ships.

I tried last year to keep the size of the ships down, and instead of building three 16,000-ton ships, at almost $8,000,000 apiece, I would have built five like the *Oregon* and the *Massachusetts*; and it was declared that I had lost all sense of patriotism, that I was an impediment and an encumberer of the ground, and had no business to advance any such proposition against the naval programme.

I have not changed my mind. I think instead of three great 16,000-ton battle ships, five like the *Oregon*, the *Massachusetts*, and the *Indiana*, with the same number of guns that the others have, but not the room, not so many small guns, although they have a great many of them, but not the room and not in appearance the wonderfully potential engine of war as the big ships, would have been better. But the naval officers believe in the biggest ships. In some respects they are like the farmer who wants to raise the biggest pumpkin. They do not want to be beaten by their neighbors. They do not want England or Germany to excel us in the size of ships.

As to the relative merits of the larger ships and torpedo boats, in future construction, ex-Secretary Chandler has given a very valuable interview on the subject, which I will incorporate in the Senate document which is to include the tables used in my remarks.

Now, the present year's appropriation, including this bill and the deficiency—there will always be about the same amount of deficiency—will equal in round figures $100,000,000.

The naval programme of the naval boards and naval officers is that, as against twenty-four battle ships which we have built and building, and with this bill twenty-five, and ten armored cruisers, we shall go on and build until we have forty-eight battle ships and twelve armored cruisers—forty-eight battle ships, in round numbers, at $8,000,000 apiece, twenty-three of which will be hereafter authorized, and twenty-four armored cruisers at six millions each, nearly. If we adopt that programme (and it is said we have no business to ask questions, but we must give everything that is asked), we will have a naval appropriation bill next year of $110,000,000 or $120,000,000; and when you get the forty-eight battle ships and twenty-four armored cruisers no appropriation of less than $200,000,000 a year will run the Navy.

Mr. ALLISON rose.

Mr. HALE. And long before that you will have to build to take the place of obsolete ships to keep up the complement of forty-eight battle ships. Great Britain has only thirty-four battle ships in commission to-day, and yet the naval boards and naval officers tell us that we want forty-eight battle ships. They are in earnest; they are honest about it from their standpoint, and think the country can not do better than devote its money to this purpose.

I think that while the committee this year has not thought it wise to interfere with this programme, it is well worth the while for the Senate to consider in the future to what all this will inevitably lead. I am not in favor of stopping the building of ships. I am not in favor of impairing the usefulness of the Navy. I think we ought to have the second or third navy in the world. I think when anyone says we ought to go on and have a navy as big as Great Britain that we are dealing with conditions that are entirely different from those of Great Britain, and that the contemplated force is too large; that it is more than the revenues will sustain.

Does the Senator from Iowa arise to a question?

Mr. ALLISON. I was waiting; I did not know but that the Senator would reach the comparison that I think he ought to make at this stage. I should be glad to know what will be the appropriations necessary for the maintenance of the Navy as it will be when all the present ships are put in commission which are under construction and those authorized heretofore and in this bill. Then I should be glad to know, in comparison, what, under the programme which the Senator has just announced as the programme of the Navy Board, the annual appropriations would be, and what would be relatively the number of sailors.

Mr. HALE. I have given what the annual naval appropriation would ultimately be, $200,000,000 per year. The number of men will be from 80,000 to 90,000.

Mr. SPOONER. As against what?

Mr. HALE. As against 34,000 now.

Mr. ALLISON. I will ask the Senator in the course of his observations to state what the number of men will be when the ships now under construction are completed.

Mr. HALE. It will be 43,000. It would be just about double that under the larger programme, if we carry it out. Now, we are not seeking even any restriction or shrinkage this year, because the conditions are peculiar. We do not know what this first locking of horns between two great powers—and they are both great powers—will demonstrate upon the question of the naval establishment.

The committee did not think it wise, all the more, as I have said, because the House reported only one battle ship, to interfere with their programme. But I will say, in answer to the Senator from Iowa, that if we simply keep a navy of the size which ours will be when the ships provided for in this bill and those now under construction are completed, then we need not have an appropriation much, if any, larger than it is now. I have made these calculations as correctly as I can.

Mr. ALLISON. Now, Mr. President, I know how difficult it is to make accurate estimates, but I should like to have the Senator state, so far as he can, what the annual appropriation will necessarily be when the present construction and authorization is completed and the ships are in commission.

Mr. HALE. That would depend upon whether we go on and add every year a lot of new ships. If we stop, then I can tell; but if we keep adding while this programme is being carried out, then the appropriations will increase all the time. I do not know what we will do; but if we stop and do not do anything more for the present or the near future than what is necessary to keep good our twenty-five battle ships and corresponding cruisers, then we can get along and get along well.

The appropriations for the ships in this bill do not come in until the next year, because they do not get to work this year any more than to be ready to build the ships. The second year is more than the first. The carrying out of the programme of vessels already organized runs through a period of from three to five years. But if we only make good and add only one battle ship a year and some scouts and cruisers, and an armored cruiser, then we can keep the appropriations down to about what they are now.

Mr. ALLISON. I understand that this bill carries $31,000,000 for the construction of ships already being constructed and authorized.

Mr. HALE. Yes.

Mr. ALLISON. That is, for construction?

Mr. HALE. Yes; for work on ships already authorized.

Mr. ALLISON. So that if we stop the building of new ships hereafter, allowing the programme to remain as it is under these bills, then the annual appropriation, as I understand the Senator, will not be increased.

Mr. HALE. It will not materially, I think.

Mr. ALLISON. But suppose we also, each year, add to the Navy for the purpose of keeping it in full use, allowing for wear and tear and new ships to take the place of old ones, etc., will there not be a considerable addition thereby every year to the annual appropriation?

Mr. HALE. That is a matter about which one can not tell exactly. When we get through with the appropriation of $31,000,000 to carry out the building programme, that reduces the subsequent appropriation bills so much, so that the current appropriation will be less, and then we will have room for a moderate increase that shall keep the Navy up to the position it will be in when the present building programme is carried out. But I do not claim anyone can make figures exactly. I should think, under those conditions, if we do not go on with the larger programme hereafter and run it up to forty-eight ships, we can get along with about $100,000,000 a year.

Mr. President, I did not intend to consume so much time. Senators will bear me out that on appropriation bills which have been placed in my charge I have not taken any time in making speeches. I have only——

Mr. PROCTOR. We are getting a great deal of very valuable and interesting information, and I should like to ask the Senator from Maine a question on the matter of expense. He has spoken of the programme of the Naval Board as retiring some ships, placing them on the retired list, so to speak—the *Oregon*, *Indiana*, and *Massachusetts*. I should like to ask the Senator what he thinks or what, in the opinion of the Naval Board, would be about the average life of a ship; that is to say, in about how many years would the question come up whether it was worth while to repair

the ship, put in all the modern improvements, or relegate her to the scrap heap or to defense purposes?

Mr. HALE. I do not know. One of the communications I had from the Department, which I have already quoted, singled out the *Oregon*, *Massachusetts*, and *Indiana* as not being in the first line of offensive warfare and as being relegated to coast defense. They are none of them yet 10 years old. They were launched, I think, in 1895 or 1896. That is the only answer I can give.

Mr. PERKINS. Mr. President, I will state——

Mr. PROCTOR. The point I wish to bring out is whether, with this large number of battle ships—forty-eight—supposing their life for offensive purposes is an average of ten years, whether the expense of renewal would not be very great?

Mr. HALE. If they would last only ten years we should have to build four battle ships every year to keep it good.

Mr. PENROSE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Maine yield to the Senator from Pennsylvania?

Mr. HALE. Certainly.

Mr. PENROSE. I think I can answer the question of the Senator from Vermont in a certain way. On page 516 of the House hearings Admiral Dewey says:

> The battle ships, you know, cost too much money to be cruising about in uncharted waters. These ships ought to last one hundred years.

It is the largest-sized battle ship which Admiral Dewey advocates as the principal ship for use in our Navy.

Mr. HALE. The German authorities say twenty years.

Mr. PERKINS. Mr. President, I was about to say in answer to the Senator from Vermont that a rule prevails in the merchant marine by which they write off 5 per cent of the valuation every year. If the vessel is kept in ordinary repair, that makes the life of an iron or steel vessel about twenty years. I think that our battle ships are good for thirty years, because they are kept in excellent condition, corrosion is not permitted to take place, and they have an ample crew, both in the engineering and deck department, to keep them in good order. I think, therefore, we can safely say that the life of a battle ship is thirty years.

But constantly we are making improvements. As has been stated by the Senator from Maine, our ships to-day are far more effective than many of those which belong to the great navies of the world, because we have profited by their mistakes. We have improved upon their improvements, and to-day our officers can handle our ships more expeditiously, our guns and our parapets and our turrets are all, notwithstanding the criticism, better equipped to-day, and they have given evidence of it wherever they have been in any contest, although the great contest has yet to come, as the Senator from Maine says, and it is experimental in a great measure.

I think that instead of censuring or adversely criticising our officers of the Navy and the boards they are entitled to great credit for what they have accomplished. We as citizens of this great Republic, those of us who have had experience in the maritime service of the country, look at our vessels afloat with admiration, and we will compare them most favorably to our advantage against the ships of any other nationality.

Mr. HALE. Mr. President, I detract nothing from the merit of the naval officer. When you come to war he will take care of the glory and honor of the American Navy as no other sailor and officer will. They are entitled to our thanks for the labor that they have bestowed, but I have thought it desirable, not in any way unduly finding fault, to bring out actual conditions now and in the future.

We have some responsibility, Mr. President, in the Senate and in the House. We have to raise the money and we have to appropriate it. We have a right to know how it is going, whether it is in the best ways, and whether we will be called upon for larger appropriations with diminishing revenues relatively.

Whether I am charged with factious opposition because I choose in a fair and open way to express my opinion, I am not to be deterred from it by the fact that I may be myself criticised. I am in favor of a great, efficient, powerful navy, and there are certain conditions that oblige us to have a larger navy than we would have otherwise. We have got the Philippines on our hands, 7,000 miles away, and they are our vulnerable point. We have now twenty-four naval ships keeping the peace out there.

Some distinguished officer I saw quoted the other day, who said if the Navy were not there we could not hold the Philippines three months. We have got to have ships there; we have got to have a navy commensurate for that purpose; and it is different from what it would be if we were at home, as the Japanese are, and did our fighting here. If we ever get into war, the first thing we will have to do will be to spend hundreds of millions of dollars in protecting the Philippines.

Therefore I am in favor of keeping up a large navy. But England has only thirty-four battle ships in commission, and with fifty times the colonial possessions we have, over all the globe everywhere, and taking into account the necessity of so large a naval force always in the oriental waters, still I believe that we do not need to keep up such an enormous programme as we carried out last year or as we are doing this year.

Mr. PATTERSON. I should like to ask the Senator from Maine this question: Did he understand from the gentleman to whom he referred why it was that if our Navy were not maintained in the Philippines we would not hold that country three months?

Mr. HALE. No. I only referred to that incidentally. I saw it in some newspaper. I do not quote it as authority, and quite likely it will be denied, although there is great force in the statement——

Mr. CARMACK. I do not understand that remark. I did not hear the Senator's statement.

Mr. HALE. I simply referred to some newspaper item that I saw, that a distinguished military officer, whether in the Army or Navy, had said that without our Navy there we could not hold the Philippines for three months. Now, I do not know who it was, and that is not of the slightest consequence.

Mr. CLAY. I desire to ask the Senator if it is not true that Admiral Dewey, in his testimony before the House committee, testified that without our Navy we could not support the army in the Philippines three months?

Mr. HALE. I do not know whether he went in that testimony so far as that, but he did say pretty nearly that, applying it to a condition of war. Of course, everybody understands that we need and must have, while we hold the Philippines, a large fleet there for any emergency.

Mr. BACON. I should like to get the opinion of the Senator on one point. He is chairman of the committee, and doubtless has given it very considerable thought. I ask it for information, which I am sure the Senator will be glad to give. What is the opinion of the Senator as to the magnitude of the fleet which he has just alluded to, which the retention of the Philippine Islands will make necessary? I am speaking about the part of it that will be necessary for the retention of the Philippine Islands.

Mr. HALE. Now, that I do not know, because I have no expert knowledge as to the adaptation of the naval force to a colonial possession. I sent to the Department this morning and asked them what is the size of our fleet in and about the Philippines and in the Chinese and Japanese seas, and the answer is: "Twenty-four ships in Eastern waters."

Mr. BACON. Without any special information as to their size or character?

Mr. HALE. No, that is not given; but that can be easily obtained.

Mr. ALLISON. I should like to ask the Senator from Maine another question before he sits down. When we have this large number of ships, whether on the present plan under our appropriations or under a more enlarged plan, will not the ships in time of peace be largely laid up in fresh water somewhere, or will they be required, practically all of them, to be in commission?

Mr. HALE. I am glad the Senator asked that question. It is one consideration that slipped my mind when I was talking. We have, owned by the Government, and only needing to be properly dredged and walled, the best place for a fresh-water naval lake in which to lay up ships that the world has ever seen, and that is League Island. When we took that property, we luckily took a very large extent—five or six hundred acres. It is not like the other navy yards in New York, Norfolk, and Boston, consisting of a comparatively small tract, but it is a great tract. I went there the other day with the Secretary and some of the Pennsylvania delegation, the junior Senator from Pennsylvania [Mr. PENROSE], and there is the best place in the world. But the hearings that were taken on the bill for this year showed, as the naval officers said, that they did not want ships put in there; they thought they ought to be kept out, and ought to be around in different parts of the world; that they ought to be protecting our commerce.

If I were the Secretary of the Navy, I will say to the Senator, I should certainly put, just as soon as that place is made available, a considerable portion of the battle ships in there, and they would be where in a few weeks or months they could be put into fighting condition if war blackened on our horizon. But nothing of that kind is contemplated at present. How much the Secretary of the Navy will do in overruling the desire to keep all these ships out I do not know. Of course he can do it.

Mr. ALLISON. The Senator stated, I believe, that there are 254 ships now, in the aggregate. Are any of them now laid up?

Mr. HALE. Some of the little yachts, which do not figure much.

Mr. ALLISON. But as a general rule they are all in commission?

Mr. HALE. There are some that are being temporarily laid aside, and perhaps some under repair, and all that; but none of them is in such place as League Island; there are none of the modern ships there.

Mr. BACON. Will the Senator permit me to ask him a question? The Senator has given us some very interesting information as to the relative strength of our Navy compared with the navies of other large powers. I confess that the question which I am about to propound to the Senator is one which gives me a great deal of trouble, and which I am not able satisfactorily to answer for myself, or at least I can not answer it satisfactorily to myself.

Is it the Senator's idea that the Navy of the United States should be enlarged with reference to the needs for the protection of our harbors and for the protection of commerce in proportion to the size thereof, or that the size of that Navy should be regulated according to the size of the navies of other nations on the earth? What is the view of the Senator with reference to that? In order that we may have some opportunity to estimate for the future, are we simply to provide a navy to protect our coast efficiently in time of war for our defense, and such additional navy as may be necessary for representatives in different parts of the world for the protection of commercial interests, etc.? Shall that be the basis of limitation, or, on the other hand, shall we go on and regulate our conduct in the enlargement of our Navy in proportion as other nations may see fit to enlarge theirs? What is the view of the Senator with reference to the particular controlling interest which shall be our guide in the future?

Mr. HALE. Well, Mr. President, that is an entirely pertinent question. I do not know how I would answer it. I certainly do not think that we need to be put into any such attitude as Great Britain takes boldly and avowedly, and that is that she will, no matter how much it costs, have a navy bigger than any other two powers. Great Britain does not deny that; it was brought out in the debate the other day on the naval budget. Great Britain made that an essential postulate of her whole doctrine about a navy.

Now, I do not think that we need that, because our situation is entirely different. If we had not any foreign possessions and were at home, as the Japanese are, we have all the Navy now that we would need for any purpose. But we have got these possessions. I shall be glad for one to get rid of them, if we can; but as long as we have them we must have a navy commensurate with protecting them if trouble arises.

Mr. BACON. The Senator, then, as I understand it, gives it as his opinion that the enlargement of the Navy beyond its present proportions is made necessary only by the fact that our jurisdiction has been enlarged by what is popularly known as our "new possessions."

Mr. HALE. I think that is the great factor. When you come to the last additions to the Navy and make it a very large one, that undoubtedly is the largest factor.

Mr. BACON. Now, if the Senator will pardon me, I want to ask him another question. Of course it is recognized, when we speak about a navy that is sufficient for the protection of our commerce, we do not in that contemplate that we shall at each place have a naval force which will be sufficient to meet any naval force which might be brought against it. That is not what we have in view. It simply means that we shall have in different sections the ships which will be necessary to support the authority of the Navy in the protection of its citizens in case of an emergency.

Mr. HALE. We are very differently situated from England in that regard. We have not very much foreign shipping.

Mr. BACON. I am glad the Senator states that as his opinion. That is a pertinent consideration in the question I am about to ask, which is this: Taking that as the particular function and office of our ships in foreign waters, and then considering the needs we have for a navy for the defense of our harbors and coasts, is it or is it not the opinion of the Senator that, those two things considered, the present size of the Navy is ample for the needs of the Government?

Mr. HALE. I will say we have not, unluckily, much merchant marine engaged in foreign trade; and it is growing smaller at that. Great Britain's foreign trade is enormous, increasing all the time all over the globe. We have not that consideration.

We have these possessions, which we have got to protect, and we have this new enterprise, for which everybody has guaranteed us as sponsor—the great isthmian canal. We must have a military force sufficient for that purpose. I say a military force—it is all military, Army and Navy. We have got to have a navy that is ample, if any trouble arises there, to protect that canal, and we will always have. Great Britain has had great pride in her Mediterranean fleet, and, as the years goes by, our main fleet will be in southern waters. That is one of the things which adds to the necessity of a great deal larger navy than we had ten years ago, when we neither had the Philippines, nor Guam, nor Porto Rico, nor Hawaii, nor the isthmian canal on our hands. But without all of those possessions, we need a comparatively small navy.

Mr. BACON. The isthmian canal is, of course, nearer to us and will not be a matter which will require so large an increase of the Navy as is required by those far-distant possessions. Am I correct in that suggestion?

Mr. HALE. No: I think, on the other hand, if any trouble arose, if we had any war with any great European power, we would require a larger fleet of fighting vessels down there than we would in the Philippines.

Mr. BACON. Yes; but I am speaking now of the fact that they are near to us and that the same ships we have at home are available.

Mr. HALE. Yes; we do not need many ships for mere home protection. Our home-port cities are largely protected by fortifications, and with the modern guns and fortifications which have been built and are now building it is supposed that no hostile fleet will ever be able to destroy our cities; and with the line of harbor-defense vessels we have got we are pretty well equipped in that regard.

Mr. BACON. If the Senator will pardon me for asking one other question, I was very much struck with the statement of the Senator as to the desirability of the ship of the pattern of the *Oregon* rather than the ship of 16,000 tons burden. I understand, from the statement of the Senator, that he regards the smaller type as fully as efficient as a fighting machine as the larger ship. If I am correct in my understanding, this bill carries a provision for the construction of 16,000-ton ships.

Mr. HALE. For one.

Mr. BACON. For one. That involves a difference of some $3,000,000 in cost, if I understand correctly the opinion of the Senator, without being any more efficient as a fighting vessel. Now, of course, the Senator has a good reason for it, I know, and I simply desire to ascertain what that reason is. Why is it, with the views the Senator has in that matter, that he retains the provision for the 16,000-ton ship rather than substitute a provision for a ship of the pattern of the *Oregon*?

Mr. HALE. I offered that last year and could not succeed; and as the programme has been cut down from five battle ships to one and we inserted "not more than 16,000 tons," I am willing to leave it to the Secretary of the Navy to determine that.

Mr. BACON. It is not required that this vessel shall be 16,000 tons, but that is the limitation.

Mr. HALE. Yes; that it shall not be more than that.

Mr. GALLINGER. Mr. President, on that point just a word. While as a member of the Naval Committee I have been interested in the position which the chairman of the committee has taken in reference to this matter as to the relative value of large ships and the smaller types, such as the *Oregon*, yet it is but fair to state that on that point there is a very marked difference of opinion. I think perhaps the weight of naval opinion the world over, as well as in our own Department, would be in favor of the large type. I think the chairman of the committee would admit that. I have been necessarily very strongly impressed with the position the chairman of the committee has taken, that the smaller type might become a more effective fighting force than these enormous battle ships; and yet, as I have stated, it is due that it should go in the RECORD that there is a marked difference of opinion on that point among those who are ordinarily recognized as authorities on questions of that kind.

Mr. MALLORY. Will the Senator from New Hampshire permit me to ask him a question?

Mr. GALLINGER. Certainly.

Mr. MALLORY. As a member of the Committee on Naval Affairs, can the Senator tell us whether we have in the Navy to-day any ships of the size of that 13,000-ton battle ship we are now building under the last appropriation act?

Mr. GALLINGER. I think so.

Mr. MALLORY. Have we to-day in commission any battle ship of the type of 13,000 tons?

Mr. HALE. I do not think we have in commission any battle ship larger than 13,000 tons.

Mr. MALLORY. I do not think any of them will reach quite that. I think their tonnage is 12,500 tons.

Mr. HALE. The *Kearsarge*, the *Kentucky*, and the *Iowa* are smaller.

Mr. MALLORY. And those vessels are nearly 2,000 tons larger than the *Oregon*.

Mr. HALE. Yes; they are larger than the *Oregon*.

Mr. MALLORY. The vessel provided for in this bill is 2,000 tons larger than they are.

Mr. GALLINGER. Three thousand tons larger than any vessel we now have.

Mr. HALE. Yes; about 3,000 tons.

Mr. President, that is all I have to say.

Mr. PATTERSON. I should like to ask the Senator from Maine a question.

Mr. HALE. Very well. I ask the permission of the Senate to incorporate with my remarks the tables I have given. I also ask that when I have the tables properly arranged they may be printed as a Senate document for the benefit of Congress.

Mr. ALLISON. And in the RECORD?

Mr. HALE. They will be printed in the RECORD with the speech.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the tables presented by him be printed as a Senate document. The Chair hears no objection, and that order is made. The Chair hears no objection to the request that they be printed as a part of his speech.

Mr. DEPEW. Mr. President, I have listened with great interest to the very valuable speech which has been made by the chairman of the Committee on Naval Affairs, the Senator from Maine [Mr. HALE]. It has conveyed information which is necessary for our proper consideration of this bill and which is important to the country. The Senator is the greatest authority we have upon naval matters, outside of the experts and professionals, and any remarks he may make in regard to the Navy, its location, or any purposes for which it is to be used will be taken by the country very seriously. He made one observation the effect of which, without explanation, seems to me will be greater than was intended.

The Senator said, as I understood him, that we had twenty-four ships in Eastern waters, and that they were all necessary, according to the report, for the preservation under our flag of the Philippine Islands, and that this authority had stated that the Government of the United States could not hold the islands for three months unless it had a fleet of that size there.

Mr. HALE. No. I simply said that I had telegraphed to the Department to know what was the extent of the fleet in those waters; and that is all I got from the Department. The Department gives no reasons. Then I quoted what I had seen in a newspaper that a distinguished military officer had said we could not hold the Philippine Islands for three months without our Navy there; but I did not claim or assert that the Department had taken that ground.

Another Senator said that Admiral Dewey testified pretty much to that effect before the House Committee on Naval Affairs. I did not intend to say—and nothing that I said would bear the construction—that the Department stated to me that such a fleet was necessary in the Orient for that purpose. I only stated that the fleet is there.

Mr. DEPEW. I understood that the Senator from Maine did not state that the Department had so said; but I did understand him to say that a distinguished officer had made that remark, and I did not understand the Senator to disapprove of the statement. That being the case, it occurred to me that the statement, under such circumstances, virtually had the approval of the Senator from Maine; and if so, it was a very important one, and should be met at once either by a reply from the War and Navy Departments or here.

We have now twenty-four ships in eastern waters, but "eastern waters" are not the Philippines alone. They comprise the whole coast of the Orient. It means that the presence of our fleet in eastern waters is necessary owing to the difficulties which may arise because of the war between Japan and Russia. It means that we are alive to the duties imposed upon us and mean to show our interest in reference to the partition of China, and that we do not mean that any such event shall take place without a serious protest on our part.

If this statement were true, then the War Department or the President has made a great mistake in reducing the army in the Philippines. We began in the Philippines with an army of 70,000 men, and we have reduced it to 15,000, because of the statement which has been made by Governor Taft and the Commission and army officers of the United States in the Philippines that the conditions in the islands are so peaceful that we can maintain order, respect for law, and enforce it and maintain the authority of the United States with these 15,000 men, which have been reduced to 10,000, with the native constabulary. That there are twenty-four ships in the eastern waters, even if difficulties did not exist which now prevail there, would not be surprising when our Navy has become as large as it is. So long as it is in commission and is afloat it must be somewhere. There is a fleet in the Mediterranean, a fleet in the Atlantic, a fleet in the Caribbean Sea, a fleet in the Gulf of Mexico, and a fleet in the Pacific Ocean, and at the present time I should think it eminently wise that the greater part of that fleet is concentrated at a place where it is necessary to protect the interests of the United States, and that is in eastern waters; but I do not at all assent, nor do I believe, that any conditions exist in the Philippines by which we would lose them in three months if we did not have twenty-four of our best ships there for the purpose of maintaining our authority.

Mr. BACON. I should like, with his permission, to ask the Senator from New York a question for information. He says he does not recognize the fact that, in case of war, we would lose the Philippine Islands in three months. Possibly that is not the exact way to put it. But does the Senator conceive that it would be possible for us to hold the Philippine Islands without a fleet that would be sufficient to keep up communication between this country and the Philippine Islands as against any fleet which might seek to interrupt it?

Mr. DEPEW. I will say to the Senator that, in case of war, we would need our fleet there to meet any fleet which was of equal strength belonging to other nations; but, as I understand——

Mr. BACON. Will the Senator please repeat his statement, as, owing to the conversation around me, I was unable to hear it.

Mr. DEPEW. I say that, in case of war, we will probably want a larger fleet there than the twenty-four ships. We would then need a fleet as large as that which would be brought there by the nation with which we were at war. But the point I was addressing myself to was as to a misunderstanding which I thought existed, that, without war, the internal conditions of those islands were such that it would require a fleet to maintain our authority and the internal commerce between the different islands of the archipelago. That condition, however, does not exist.

Mr. BACON. I did not so understand. I supposed the inquiry was directed as to what was necessary in order to protect the islands against a foreign power.

Mr. DEPEW. No; there was no mention or suggestion, I will say to the Senator from Georgia, of a condition of war in the colloquy that was going on between the Senator from Maine and myself.

Mr. BACON. Then I misunderstood the Senator. I understood him to mean—and I was impressed by the fact that he did mean it—that in case of war we could hold the Philippine Islands with twenty-four ships. I think the Senator correctly stated the proposition when he said that in case of war we would require a fleet for the purpose of keeping up communication between the United States and the Philippine Islands which would be sufficient to cope with any fleet that an adverse power might send against it. I think that is a correct proposition. I did not know that the Senator referred simply to the internal conditions.

Mr. DEPEW. I would say, Mr. President, that in case of war the Philippine Islands would be the most valuable possession the United States has to defend, and the most valuable possession we have for the purpose of attack. The great powers of Europe, if they were in trouble with us, would not want to attack us because of our possessions, nor because of our relations with the islands in the Caribbean Sea, or the Gulf of Mexico, or South America, or with Canada. Their assault upon us would be for the purpose of driving us out of the competing trade in the Orient for the purpose of preventing us from competing with them in that market, which is the only one now open to competition to the great producing and manufacturing nations of the world. In case war occurred the first effort would be to take away from us the Philippines, in order that we might not have coaling stations and might not have the ability with which to maintain and to protect whatever commerce we have for the present and might have for the future in the Far East.

The Philippine Islands are proventially and commercially and in every way a most valuable possession for the growing commerce and expanding trade of the United States. They are the place which all the European nations regard as the port from which the United States is to be able to maintain and protect trade with the Orient, because it is nearer than they can be.

Mr. PATTERSON. I want to suggest to the Senator from New York that he apparently disagrees with another distinguished citizen of New York, the late Secretary of War. The theory of the Senator from New York seems to be that the Philippines are a permanent possession, providentially given to us as a means of extending and making permanent our commerce with eastern countries. The late Secretary of War, in what appears to be an authentic interview published in the New York World, which doubtless the Senator from New York has read, gave the country distinctly to understand that the Philippine Islands were being held temporarily only, until such time as they would be fitted for self-government, when the United States would extend to them the same rights and privileges that were extended to the people of Cuba to form and maintain a government of their own, and to live in practical independence.

Mr. DEPEW. Mr. President, I have the greatest respect for my lifelong friend and now constituent, the late Secretary of War, and have the profoundest respect for his opinions on all questions; but if he has given as his judgment that the United States would at some time surrender and give up the Philippine Islands to an independent nation, in the line with Cuba, I do not believe that that condition will ever come about.

I will go one step further. If it does come about, it will be because the United States has educated those people up to a point of self-government where the judgment of the majority here is that they are capable of maintaining that government against the tremendous pressure which would be brought against islands, situated as they are, by all the great powers of Europe to gain possession of them; and if we did give them up, Mr. President, under such circumstances, it occurs to me that we would be compelled to assume obligations infinitely greater than we do while they are colonies of the United States.

While they are colonies of the United States no foreign nation is going to touch them, or going to assail them, or going to undertake to take them from us; but when they become independent, unless we guarantee by our Army and Navy to maintain their independence, in three months there would be a foreign fleet around their coast and a foreign army on their shores. If we do give them up it will only be when we are situated as we are with Cuba, where we have a naval station on one side and a naval station on the other, and she is so surrounded that no foreign nation could approach her under any circumstances.

Mr. PATTERSON. The only thing I desire to bring out is that, at least in the opinion of the distinguished Senator from New York, all propositions for the ultimate independence of the Philippine Islands are arguments of the imagination so far as the party with which he is connected is concerned.

Mr. DEPEW. I want to say to the Senator from Colorado that the opinions which I have expressed are my own.

Mr. PATTERSON. Certainly.

Mr. DEPEW. And the party is not responsible for them, nor is the Administration.

Mr. BACON. Mr. President, I desire to make a short reply to what the Senator from New York [Mr. DEPEW] has said with reference to the probability of war, and the Philippine Islands in such a contingency being the theater of war. I quite agree with the Senator that if we should have a war with a foreign power the Philippine Islands would be the theater of that war, but not for the reason mentioned by the honorable Senator—not because the Philippine Islands are so great a prize that in the event of war there would be an eager effort to secure them by the power with which we might be at war—not for that reason; but it would be the theater of war because every country at war naturally seeks to strike its enemy at its weakest point. For that reason the Philippine Islands would be the theater of war, just as we in our Spanish war did not send our Army to Spain. Even if the island of Cuba had not been involved in the controversy, the island of Cuba would not have been the theater of war between Spain and the United States, because we would naturally seek to strike her in her weakest point, which was in a country 3,000 miles away from Spain's base of supplies.

In case of war, if our enemies sought to make the Philippine Islands the theater of war, we would have to transport not only supplies, but all of our armies across the broad Pacific Ocean; we would have to have every transport convoyed by a fleet of war ships sufficient to meet the combined fleet of the enemy; we would have to have there an army sufficient to meet whatever army might be brought there by a European power, and we would have to supply that army by provisions sent from this country, and the ships carrying the provisions would also have to be convoyed by men-of-war sufficient to meet the combined fleet of the enemy.

I will not elaborate that, Mr. President—we have talked about that a good deal here—but I want to read, in connection with my former inquiry, to the Senator from New York what Admiral Dewey said on the very point which the Senator said was in controversy between himself and the Senator from Maine. I had not seen this document. It is headed, "Statement of Admiral Dewey on Philippine Islands station and naval programme," delivered by him before the Committee on Naval Affairs of the House of Representatives on the 4th of February of this year. I call the attention of the Senator from New York to the statement of Admiral Dewey. I read from the second page of the document.

Mr. COUSINS asked the Admiral this question:

Admiral, you think the city of Manila could not be defended against battle ships?

Admiral DEWEY. No, sir. I asked General Young the other day, when we were on the joint board, "In case we should have a war—which God forbid!—how long could the Army stay in the Philippines after the Navy left?" He said, "Six weeks; possibly two months." They could get nothing in the islands. We must keep our Navy there, I think, and the Navy must have a protected base.

Of course, by that Admiral Dewey meant that the Navy was absolutely necessary to keep the American Army provisioned in the islands, and that without a navy to keep it provisioned the Army could not stay there six weeks, because it would starve for the lack of provisions; and that would be the case whether it was an internal war or a foreign war.

Mr. CARMACK. Mr. President, the Senator from Maine [Mr. HALE] said something a while ago about the Panama Canal making it necessary to increase the Navy. I do not exactly agree with the Senator about that, for two reasons: In the first place, under the Hay-Pauncefote treaty we seem to be denied the right to blockade the canal in case of war. Then, again, with that canal built, the speed and facility with which war ships could be transferred from one coast to the other would rather have the contrary effect, it seems to me. It would have the effect of making each battle ship and each coast a defender of the other coast; to make every battle-ship much more effective; so that it would be less necessary to have a large navy after we construct the Panama Canal than it was before. So this immense increase in the Navy that is projected is solely and entirely due to our possession of the Philippines.

Now, Mr. President, with all due respect, I think there is a great deal of wild imagination in what the Senator from New York [Mr. DEPEW] said about our great and growing trade in the Orient, and the necessity of holding the Philippine Islands for that purpose. I think my distinguished friend from Wisconsin [Mr. SPOONER] absolutely shattered that argument in a speech made here several years ago, when the treaty with Spain was pending, and I should like to hear him and the Senator from New York debate that question between them. I do not think the Senator from Wisconsin left any ground for any probable contention upon that question.

Mr. SPOONER. Has the Senator the utterances to which he refers?

Mr. CARMACK. I quoted them yesterday. I have not got them to-day.

Mr. SPOONER. I was not here then, but I will look in the RECORD.

Mr. CARMACK. They are in the RECORD of this morning, and I should like to have the Senator read them.

Mr. SPOONER. I remember them.

Mr. CARMACK. And especially to have the Senator from New York read them. That will dispose of him without any further argument from me. [Laughter.]

As a matter of fact, Mr. President, the Philippines, with their immense coast line, would be peculiarly subject to attack. I believe to defend the Philippine Islands in case of a foreign war would require a navy as large as or larger than would be required to defend the coast of the United States. It would be necessary also to fortify all the various islands of that archipelago, so that we should have to spend many million dollars every year, hundreds of millions of dollars every year, even in time of peace, preparing for a possible condition of war with a view to this immense trade in the Orient of which the Senator from New York speaks so feelingly. A single war, Mr. President, and the increased expenditures in time of peace, made necessary by our holding the Philippines, will be greater than the profits of all the trade we will ever get in the Orient.

In addition to the statement read by the Senator from Georgia [Mr. BACON] from Admiral Dewey, I call attention to a statement made by Admiral Sampson. I quoted it here once before in the Senate. It is published in Mr. Reed's book of Modern Eloquence. It is a speech delivered by Admiral Sampson, in which he said our possession of the Philippines would increase by 100 per cent the danger of a foreign war. So that the danger of our getting into a foreign war is greatly increased by our holding the Philippines, and our defensive strength is immensely weakened by our possession of the Philippine Islands. We are in greater danger of getting into a war and we would be a great deal weaker after we got into the war by reason of holding the Philippines.

The Senator from Georgia called attention a while ago to the fact that we defeated Spain in her island possessions. I think the Senator from Georgia would agree with me that it would have taken ten times as long and would have required ten times the expenditure of blood and treasure to defeat Spain in the Spanish Peninsula that it did to defeat her in Cuba and the Philippine Islands.

Mr. BACON. Undoubtedly; more than that.

Mr. CARMACK. If any other nation in the world could seize and hold a single island in the Philippine Archipelago against the United States, it would be a defeat for the United States. It would require us to bring our fleet and our men and soldiers and transport them 7,000 miles to meet the enemy there, when there is not a nation of Europe that could land a single regiment upon the soil of the United States.

Mr. DEPEW. Will the Senator from Tennessee allow me to ask him a question?

Mr. CARMACK. Certainly.

Mr. DEPEW. How would the foreign nations get their troops there?

Mr. CARMACK. They could get them there a great deal more easily than they could get them here. As the Senator from

Wisconsin said in that great speech to which I have just referred—and I am going to let him continue the debate with the Senator from New York—the most distant point would be the point of first attack. There would be the great point of weakness. The Senator from New York and the Senator from Wisconsin can now have it out.

Mr. DEPEW. The Senator from Tennessee bases an argument as to the difficulties of defending the Philippine Islands upon conditions which do not exist. His argument would be all right if Great Britain, Russia, Germany, or France, which are the only nations that could be expected to take any part in a controversy of that sort, had contiguous territory. But those nations would have to mobilize their armies. They would have to carry them through the Suez Canal in order to get them there. They would have as much trouble to take troops there for offense as we would have to take troops there for defense. In the meantime we have a navy upon the sea which would take care of those vast transports which would be necessary to convoy an army that would be efficient for any purpose in the Philippine Islands; and our Navy would make it utterly impossible for such an army to be carried to the Philippine Islands for offensive purposes.

Mr. CARMACK. The Senator is assuming, of course, that we have as great a navy as these other nations.

Mr. DEPEW. I am assuming that we shall have such a navy as is contemplated in this programme, which will make us the second naval power in the world.

Mr. CARMACK. I should like to know what the Senator from Wisconsin has to say in reply to that.

Mr. BACON. Mr. President, before the debate is turned over to the Senator from Wisconsin, which I anticipate with very much interest and pleasure, I wish to say something in reply to the Senator from New York about the difficulty that European nations will have in case of war with the United States to transport their troops and supplies and munitions of war to the Philippine Islands. It is a mistake on the part of the Senator from New York that they would have as far to traverse the seas between their bases and the Philippines.

From the Straits of Gibraltar to Singapore is an unbroken chain of British fortresses. Aside from her fleet, every one of them is a base for the collection of supplies and for the massing of troops, and they would have no 7,000 miles to traverse between Singapore, which is one of her possessions, or from Colombo, which is a thousand or fifteen hundred miles farther, or even from any point in India or from Aden, in Arabia, or from the island of Perim, in the lower part of the Red Sea, which is another fortress of Great Britain, or from the island of Cyprus, or from Suez or Port Said or Malta, up to Gibraltar, which all together make a continuous chain of fortresses. It is called "the King's Highway."

It is an easy matter, two or three days' sail only, from Singapore to the Philippine Islands, and not nearly that far. This is to Manila. It is scarcely more than a days' sail from Singapore, one of the British possessions, to a part of the Philippine Islands.

What is true of Great Britain is also true in a less degree of other European nations. Several of them have colonies and dependencies in Asia which serve for military bases, and even from Europe they can transport their troops and supplies through the Red Sea and other southern seas more expeditiously and safely than we can transport a great army and its supplies across the Pacific.

Mr. DEPEW. I should like to ask the Senator from Georgia a question.

Mr. BACON. With pleasure.

Mr. DEPEW. The Senator has been all over that country traveling?

Mr. BACON. It is not necessary to go there to know that. Those are matters of common knowledge.

Mr. DEPEW. The question I would ask him is this: Of course we know the tremendous land forces in numbers and equipment of Russia, Germany, France, and Austria, but how many troops has Great Britain available for foreign invasion? My impression is that that is her weak point, and that she does not possess any number of troops for a foreign invasion which would make her likely to attack for the purpose of conquest any country except a country like——

Mr. BACON. I think the British army is undoubtedly larger than ours, very much larger, to say nothing of the Indian army.

Mr. STEWART. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Nevada?

Mr. BACON. Certainly.

Mr. STEWART. Do you think Great Britain would attack us anywhere in the world while we have Canada here?

Mr. BACON. That is another matter altogether. We might invade Canada, and we might take Canada——

Mr. STEWART. Would not that be an equivalent?

Mr. BACON. At the same time it would not be defending the Philippine Islands.

Mr. STEWART. Let us take Canada and let her take the Philippines.

Mr. BACON. I am willing to let her take the Philippine Islands and we get nothing in return. I think it is a very great burden upon us, with no compensation.

Mr. STEWART. I think the fact that we could take Canada is the best fortification we have against Great Britain taking the Philippines.

Mr. BACON. I would be glad to make an exchange on very much more favorable terms to Great Britain than those. But we are speaking of the question, in case of foreign war, of the influence upon the war of the possession of the Philippine Islands. Our contention is that it would be the theater of war, 7,000 miles away, with which we must keep up communication, that it would be our weak point, and necessarily add very much——

Mr. STEWART. Will the Senator allow me for a moment?

Mr. BACON. Yes.

Mr. STEWART. The Senator was picturing the great danger we were in from Great Britain; that she has a line of forts all along the way. That is all true.

Mr. BACON. I will state to the Senator that I will change it, and instead of Great Britain I will take the little country of Japan.

Mr. STEWART. I think you had better dodge that question. Talk about one at a time. The Senator made his speech on Great Britain. While Canada lies by our side the Philippine Islands are sufficiently protected without a navy. They are sufficiently protected with one boat as against Great Britain. There is no doubt about that. She is not going to get into any fuss with us as long as we are capable of taking Canada. It is all right so far as Great Britain is concerned. As to any others going there and driving us away, I do not apprehend any danger from that source. They do not want the archipelago. They will not fight for it.

Mr. BACON. They do not want the Philippines. None of them want them. They are glad for us to have them.

Mr. STEWART. Yes; I do not think there is any danger of their being taken away from us.

Mr. BACON. Nobody regards them as worth having.

Mr. LODGE. Mr. President, I entirely agree with the Senator from Maine [Mr. HALE] that there is no reason that this country should have a navy as large as that of Great Britain, and when he stated that what he wished us to have was the second navy of the world he went as far, I think, as any sensible man, no matter how enthusiastic for the Navy, desires to go. But the second navy of the world in power and tonnage we ought most certainly to possess. Mr. President, I wish to say a few words on the subject of the expense of such, and it is for this purpose that I have risen to speak.

The Senator from Maine pictured the large expense which the Navy now involves, and said it would probably involve a continued and increasing expenditure. There can be no doubt of that fact, Mr. President. The Navy is a large expense. It is not going to cost any less in the future. It probably will cost more. In my belief there is no money so well expended as that which we spend upon the Navy of the United States.

It was well said in the House not long ago that the Monroe doctrine "is as big as the United States Navy, and no bigger." It might also be said with equal truth that the Navy represents the peace of the United States. Whether we own the Philippine Islands or not, the Navy of the United States is not yet sufficient to guarantee and put above question the peace of this country. There is nothing that would involve this country in war so quickly as the abandonment of the upbuilding of the Navy or ceasing to maintain it at the highest point of efficiency and power.

No position could be worse than that of a nation which, like ours, is rich and aggressive if it is left unarmed and undefended. So long as we have a powerful navy the Monroe doctrine will stand and no one will venture to attack us. The decline of the Navy would mean war. The increase of the Navy means peace and power. The Navy, in a word, is the protection of the country. If we were to abandon the Philippine Islands to-morrow, we should still be obliged to have a naval station in Asiatic waters and maintain there, as we have always maintained, an Asiatic fleet. We should always need chiefly and before everything else a navy amply sufficient to protect our coasts, to uphold the Monroe doctrine, to guard the canal, to maintain our supremacy on the North American continent.

We do not need a navy so large as that of Great Britain. England requires a navy more than equal to the combined navies of any two countries, and if it were not for the navy of England, England's possessions would be torn from her and she would be ruined. She realizes that her defense and her strength rest on her navy, and for us it is just as important that we should have a navy so powerful that nobody will be tempted to attack us.

At this moment we stand fifth in the tonnage of fighting ships. If the present programme is carried out and there is no increase in foreign programmes, we shall soon stand third. But there ought to be no relaxation in the programme upon which we have entered. I do not mean to say that it is necessary to go as far as the naval board very possibly desires, but a steady building of the Navy is essential, in my opinion, to the safety and the peace of the United States.

Criticisms have been made to-day upon the attitude of our naval officers. Mr. President, a naval officer who does not believe that the Navy is the one essential thing and that all his efforts should be directed toward its upbuilding and development is not an officer whom we would desire to have. They, of course, if they have proper professional pride, are looking to the building and efficiency of the Navy and nothing else. They may ask what seems to us extravagant, but let us never forget that in time of stress the officers and sailors of our Navy have never failed. Their record is one of victory always and everywhere.

I do not pretend to pass upon the question of guns within revolving turrets or in barbette. Still less do I pretend to pass upon the question of disappearing gun carriages. We all have the utmost confidence in the judgment of the Senator from Vermont [Mr. PROCTOR], and yet I think, as laymen, we must be guided by the report of our military officers and not by his opinion. In the Navy, in the same way, we must depend ultimately upon professional judgment. Has that professional judgment misled or misled us in the past? The reply of history is an absolute negative. I think it is certainly a matter of great importance, as the Senator from Maine pointed out, that England has rejected the revolving turret and confines her armament to the barbette. But it does not follow that because we adhere to the revolving turret, which we invented when we put the *Monitor* afloat, we are necessarily making a mistake. Our officers are fallible; they may be wrong; it may not be the best system; but it is a little hasty to conclude that because other nations have not adopted it therefore it must be a mistake.

Everyone who is familiar with the history of the war of 1812 is aware that in that war we had a type of frigate and a type of armament entirely new to the world, and we won in eleven frigate actions out of thirteen. In that same war we introduced the practice of firing on the descending wave. Up to that time the practice had been to fire on the ascending wave. The system was entirely new when we introduced it, and yet that was one reason why we shot so much better than our opponents did. We revolutionized in that war the method of firing in the old frigates when engaged in action. Anyone who will turn to the book of Sir Howard Douglass, who was the great authority on naval actions, on gunnery, and all questions connected with the navy, will find that all his examples as to single frigate actions are drawn from the war of 1812, and that he admits in that book, which for many, many years was the standard book of the English navy, that the American practice, then introduced, of firing on the descending wave was the true practice and that we had revolutionized naval gunnery to that extent.

I merely cite this to show that it does not follow that because we are the only nation which adheres entirely to the system of revolving turrets we are therefore in error. It may or it may not be so. It is a serious matter that England is so confident that this system is a mistake that she has no ships with revolving turrets, but we, in the long run, must depend upon the opinion of our naval officers who study carefully all that is done by foreign navies.

Mr. President, the question has been raised here as to torpedo boats, and it has been suggested that in a very short time we may not need battle ships because they will be superseded by torpedo boats and destroyers; battle ships should not be built. Torpedo boats and submarine boats have a place, but they can never take the place of fighting ships, because they can not keep to the sea. We must always and first of all have the fighting seagoing fleet. As to the value of torpedo boats, we have seen in the last few years the pendulum swing from one extreme to the other. In our war with Spain much was expected from torpedo boats, but in that war the torpedo boat was a failure, or rather something instead nothing.

Our vessels blockading outside the port of Santiago were in a position most open to a torpedo attack. They were not attacked, and there was, therefore, no evidence in that war that a torpedo boat was particularly useful. Thereupon many persons drew the immediate and hasty conclusion that we did not need torpedo boats at all, and the result may be seen in the fact that we are far behind all other nations in that single branch of the Navy.

Now, there has been a night attack by the Japanese—a very successful one—in which torpedo boats were used upon the Russian fleet at Port Arthur. Apparently they attacked by surprise. The Russian fleet, instead of having searchlights, which would have made the whole bay as light as day, as we illuminated the entrance to Santiago Harbor during the blockade, apparently did not have their searchlights out at all. A fleet of Japanese torpedo boats came in in the darkness. Some of them succeeded in getting home. It is not apparent, moreover, that one of those Russian ships lying there at anchor had out a torpedo net. It is not apparent that their gunnery was sufficiently good to hit the torpedo boats when they saw them.

In our war there was a torpedo-boat attack upon the *St. Paul*, which was being used as an auxiliary cruiser. The Spanish torpedo boat *Terror* came out of San Juan and pursued her. When she got within 3 miles—a long distance—the gunner of the *St. Paul*, with the 5-inch gun, the only heavy gun they had, struck her and sent her to the shore in a sinking condition. If there had been a complete illumination at Port Arthur, if Russian gunnery had been as good as we believe our gunnery to be, and with good reason, it is very probable that the Japanese torpedo attack would have had quite a different result.

Mr. President, neither the extreme opinion that torpedo boats were forever discredited by the results of our war or the opinion which seems to be forming that they are the only kind of vessel now needed, in view of the battle at Port Arthur, is correct. There is no doubt that torpedo boats and submarine boats have their most important uses, but they do not solve the problem. They can not constitute a navy; they are only one necessary part of it. We ought to have more torpedo boats. I have no question about that. It is a branch of our defense in which we are very weak. But it is impossible to substitute for the seagoing fighting fleet torpedo boats and submarine boats.

A word now, Mr. President, about the matter of expense. I have already said that the expense of the Navy is great. The absolute expenditure is very large. I have also stated that, in my judgment, it is likely to continue to increase if we keep the Navy where it ought to be kept. But it has been said here in previous debates that we were not following the practices of the fathers; that we ought to return to their policy and not waste these enormous amounts of money on the military branches of the Government.

There was an important statement made as to that question of present expenditure as compared with our practice in the past in the report of the Secretary of the Navy, and which led me to go into the matter with greater fullness in order to see what the general policy of the United States had been. There is only one way of testing the expenditure on any branch of the Government service, and that is to compare that particular expenditure with all the other expenditures of the Government. To say that we should spend on the Navy what was spent a hundred years ago would be absurd. There is no more relation between that obsolete expenditure and the expenditure to-day than there is between the little population of 5,000,000 and the population of 80,000,000, with the vast extensions of territory that we have made. The only way to arrive at any proper decision as to the amount of naval expenditure and whether it is excessive in comparison with the needs of the country is to take the proportion it bears to the other expenditures of the Government. In that way we can decide what the general policy of the United States has been.

The percentage of naval expenditure to the total expenditures of the Government last year was 17.3 per cent. Taking it by decennial periods, I find that in 1800 it was 46.5 per cent. So whatever the fathers may have done, there is not much doubt about what the grandfathers did. In 1810 it was 31.1; in 1820, 33.4; in 1830, 24.4; in 1840, 25.3; in 1850, 21.2; in 1860, 19.1; in 1870, 13.2 of the total of Government expenditures.

During the last period, from 1860 to 1870, is included all the enormous naval expenditures of the war, and yet the naval percentage has greatly declined—that is, the naval expenditures had risen absolutely very much; but the military expenditures and the other expenditures had risen so much more that the percentage of naval expenditures, instead of advancing, actually fell off.

In 1880 it was 8 per cent; in 1890, 8.4; in 1900, 12.5; in 1901, 12.6 per cent; in 1902, 15.3 per cent, and in 1903 it was 17.3 per cent, as I have stated. I have the table which I have in the kindness of the Secretary of the Navy put out by six or seven years, and I ask to insert it at the end of my remarks. (See Appendix.)

The average annual percentage of naval expenditures from 1800 to 1903 inclusive, has been 22.4 per cent, and the percentage of naval expenditures for 1903 was 17.3 per cent. If last year the average appropriation had been made, it would have been $123,000,000, instead of $[illegible].

In other words, after all the great absolute increases in the Navy of late years, we are still 5 per cent below the average expenditure of this Government on the Navy throughout its history as compared with other expenditures.

In time of war, as I have pointed out in regard to the civil war, the naval expenditures do not increase proportionately. In the time of the Spanish war there was an absolute increase in the

Navy, but relatively the naval expenditures were very much smaller than the average of our history. The percentage from previous years fell off. The great relative as well as absolute increase was in the military expenditures. In other words, the naval expenditures are distributed over the years of peace. The expenditure for the Army rises by leaps and bounds to enormous amounts in time of war. A naval vessel must always be prepared for war. The Navy must always be on a war footing. There is no possibility of sending a vessel to sea in any other condition. Hence the peace expenditures for the Navy seem large and the war expenditures, comparatively speaking, seem small.

I think I have shown that our naval expenditures, instead of being excessive, are to-day less—much less—than they were in the first decade of the century, or in any decade down to the period of the war. After the war the Navy fell into a condition of utter neglect. It was a discredit that it should have done so—a discredit to the Government, a discredit to the American people. It was neglected. No money was spent upon it. It fell to a point where it had to be built up from the very beginning. Since 1883 we have been building it up. We have now got a navy which is fifth in tonnage of the fighting force in the world. If the present programmes are continued, in a few years it will be third. I agree with the Senator from Maine that it ought to be second; that it ought to be maintained at the highest efficiency; that we ought to have the best ships. I for one do not grudge the expenditure of a dollar upon the American Navy; I rejoice in all we spend upon it, for behind the American Navy lies the peace of the United States.

APPENDIX.

The following is a comparison of the net ordinary expenditures of the Government with the expenditures for the Navy. The net ordinary expenditures include expenditures for war, Navy, Indians, pensions, and miscellaneous, constituting what may be termed current expenses, and not including payments for interest, premiums, or principal of public debt, or expenditures for postal service.

COMPARISON AT THE CLOSE OF DECENNIAL PERIODS.

Year.	Net expenditures.	For Navy	Percentage.
1800	$7,411,376	$3,448,716	46.5
1810	5,401,982	1,694,344	31.1
1820	13,[illegible]	4,[illegible]	25.4
1830	13,[illegible]	3,[illegible]	24.4
1840	24,[illegible]	6,[illegible]	25.3
1850	35,[illegible]	7,[illegible]	21.2
1860	40,[illegible]	11,[illegible]	19.1
1870	164,[illegible]	21,[illegible]	13.2
1880	180,[illegible]	1,[illegible]	8.0
1890	281,[illegible]	22,[illegible]	8.1
1900	441,[illegible]	55,[illegible]	12.5
1901	477,[illegible]	61,[illegible]	12.6
1902	442,082,816	67,[illegible]	15.3

COMPARISON BY YEARS AND TEN-YEAR PERIODS BEGINNING 1850.

1850	$37,165,990	$7,904,735	21.2
1851	44,[illegible]	[illegible]	20.1
1852	40,[illegible]	[illegible]	22.1
1853	44,[illegible]	11,[illegible]	25.1
1854	51,[illegible]	14,[illegible]	20.7
1855	58,[illegible]	13,[illegible]	23.6
1856	66,[illegible]	14,[illegible]	21.0
1857	68,[illegible]	13,[illegible]	19.1
1858	[illegible]	14,[illegible]	19.4
1859	69,[illegible]	14,[illegible]	22.1
Total	545,472,684	116,[illegible]	a 21.3
1860	[illegible]	11,[illegible]	19.1
1861	[illegible]	12,[illegible]	19.7
1862	[illegible]	[illegible]	9.3
1863	[illegible]	[illegible]	9.1
1864	[illegible]	[illegible]	10.5
1865	1,[illegible]	12,[illegible]	10.0
1866	[illegible]	45,[illegible]	11.2
1867	[illegible]	30,[illegible]	10.3
1868	[illegible]	29,[illegible]	11.2
1869	190,[illegible]	20,039,758	10.4
Total	4,431,[illegible]	453,321,797	a 10.6
1870	[illegible]	21,[illegible]	13.2
1871	1[illegible]	[illegible]	12.[illegible]
1872	[illegible]	[illegible]	13.8
1873	[illegible]	[illegible]	13.0
1874	[illegible]	[illegible]	15.9
1875	[illegible]	21,[illegible]	12.5
1876	1[illegible]	[illegible]	11.5
1877	1[illegible]	[illegible]	10.3
1878	1[illegible]	17,[illegible]	12.9
1879	1[illegible]	15,[illegible]	9.3
Total	1,626,495,824	204,831,210	a 12.5

a General average.

COMPARISON BY YEARS AND TEN-YEAR PERIODS BEGINNING 1880—cont'd.

Year.	Net expenditures.	For Navy.	Percentage.
1880	$199,090,082	$13,538,965	8.0
1881	175,142,826	15,[illegible],672	8.8
1882	188,[illegible],221	15,092,046	8.0
1883	2[illegible]	15,283,437	7.4
1884	189,[illegible]	17,292,601	9.1
1885	2[illegible]	16,121,080	7.6
1886	191,902,[illegible]	13,907,888	7.2
1887	220,180,039	15,141,127	6.8
1888	214,988,951	16,926,438	7.8
1889	240,905,181	21,378,809	8.8
Total	2,005,[illegible]	1[illegible]	a 7.9
1890	2[illegible]	22,[illegible]	8.4
1891	3[illegible]	29,113,896	8.2
1892	3[illegible]	29,174,170	9.0
1893	3[illegible]	31,130,084	8.4
1894	3[illegible]	31,701,294	9.4
1895	3[illegible]	28,795,798	8.8
1896	3[illegible]	27,147,732	8.5
1897	3[illegible]	34,560,546	10.5
1898	4[illegible]	5[illegible]	14.4
1899	565,[illegible]	6[illegible]	11.3
Total	3,[illegible]	2[illegible]	a 9.9
1900	4[illegible]	[illegible]	12.5
1901	4[illegible]	[illegible]	12.6
1902	442,082,816	67,[illegible],128	15.3
1903	477,582,688	82,[illegible],034	17.3
Total	1,844,[illegible]	266,881,218	a 14.4

COMPARISON BY TEN-YEAR PERIODS.

1850-1859	$545,472,684	$116,359,852	21.3
1860-1869	4,[illegible]	[illegible]	10.6
1870-1879	1,[illegible]	[illegible]	12.5
1880-1889	2,[illegible]	[illegible]	7.9
1890-1899	3,[illegible]	[illegible]	9.9
1900-1903	1,844,[illegible]	266,881,218	14.4
Total	13,871,891,141	1,5[illegible]	a 11.1

a General average.

Average percentage of naval expenditures from 1800 to 1903, inclusive	22.3
Percentage of naval expenditures for 1903	17.3
If last year the average appropriation had been made, it would have been	$103,000,000

JULIETTE WESTBROOK.

The PRESIDENT pro tempore laid before the Senate the bill (H. R. 5611) granting a pension to Juliette Westbrook, returned by the House in compliance with the request of the Senate.

Mr. SPOONER. While the bill was pending in the Senate the beneficiary died. The bill has passed both Houses. The gentleman in the House who had charge of it desired us to bring about its recall in order that it might be disposed of in the Senate. I therefore ask unanimous consent that the vote by which it was passed here be reconsidered and that the bill be indefinitely postponed.

The PRESIDENT pro tempore. There being no objection, the vote by which the bill was passed will be reconsidered, and it will be indefinitely postponed.

SHIPPING BETWEEN THE UNITED STATES AND THE PHILIPPINES.

Mr. LODGE. I ask unanimous consent that there be a reprint of the Philippine shipping bill with amendments.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent that there be a reprint of the Philippine shipping bill with amendments. Is there objection? The Chair hears none, and it is so ordered.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. HALE. I desire to present a conference report, in order that it may get to the House to-night.

The PRESIDENT pro tempore. The Senator from Maine presents a conference report.

Mr. HALE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 43 and 44.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 41, and 42, and agree to the same.

That the House recede from its disagreement to the amendment of the

Senate numbered 9, and agree to the same with an amendment as follows: Strike out the matter inserted by said amendment, and on page 15 of the bill, between lines 16 and 17, insert as a paragraph the following:

"Loanda, Mananjez, Africa."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 35 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$496,500;" and the Senate agree to the same.

EUGENE HALE,
S. M. CULLOM,
H. M. TELLER,
Managers on the part of the Senate.

ROBERT R. HITT,
ROBERT ADAMS, JR.,
HUGH A. DINSMORE,
Managers on the part of the House.

Mr. BACON. Will the Senator from Maine kindly state whether there are any amendments of any importance involved? We hear only the numbers read, and of course know nothing about the items.

Mr. HALE. No: there are none.

Mr. BACON. They are mere matters of detail, small matters?

Mr. HALE. All small.

The report was agreed to.

NAVAL APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

[Mr. MONEY addressed the Senate. See Appendix.]

Mr. HALE. Mr. President, there are several Senators who have said to me that they desire to discuss the bill generally, but prefer to do so to-morrow. If we can go on now with the reading of the bill and dispose of the committee amendments, after that has been done I will ask that the bill go over until to-morrow, so that Senators who desire to speak may have an opportunity to be heard.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Naval Affairs was under the subhead "Pay of the Navy," on page 2, line 6, after the word "constructors," to insert:

And civil engineers, assistant civil engineers, and professors of mathematics; and that after the passage of this act the pay and allowances of civil engineers and professors of mathematics shall be the same as are or may hereafter be provided for naval constructors, and for assistant civil engineers the same as for assistant naval constructors.

And in line 18, after the word "men," to insert:

And as many warrant machinists as the President may from time to time deem necessary to appoint, not to exceed twenty in any one year.

So as to make the clause read:

Pay and allowances prescribed by law of officers on sea duty; officers on shore and other duty; officers on waiting orders; officers on the retired list; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; general storekeeper; messenger; engineers and other vessels; commutation of quarters for officers on shore not occupying public quarters including heatswains, gunners, carpenters, sailmakers, warrant machinists, boatswains, and mates, and naval constructors and assistant naval constructors and civil engineers, assistant civil engineers, and professors of mathematics; and that after the passage of this act the pay and allowances of civil engineers and professors of mathematics shall be the same as are or may hereafter be provided for naval constructors, and for assistant civil engineers the same as for assistant naval constructors; commutation of quarters for officers on the retired list; pay of retired officers on the retired list; extra pay to men receiving under honorable discharge; interest on deposits by men; pay of petty officers, seamen, landsmen, and apprentices, including men in training camps; marine corps; pay of officers; pay of clerks to officers; pay of professors at Naval Academy; pay of the Marine Corps; 50 men and as many warrant machinists as the President may from time to time deem necessary to appoint, not to exceed 20 in any one year.

The reading of the bill was continued to the end of line 19, on page 26.

Mr. HALE. I offer the amendment I send to the desk.

The PRESIDENT pro tempore. The Senator from Maine offers an amendment, which will be stated.

The SECRETARY. On page 26, after line 19, it is proposed to insert:

Navy-yard, Charleston, S. C.: One clerk, civil engineer's office, $1,400; one [illegible], $1,[illegible]; one draftsman in charge, $1,[illegible]; one storekeeper and typewriter, at $2 per diem, $[illegible]; one mail messenger, at $2 per diem, including holidays, $[illegible]; one messenger and janitor, at $1.50 per diem, including Sundays, $[illegible]; one boilerman and inspector, at $[illegible] per diem, $[illegible]; one hunter of traps, $1,[illegible]; one messenger to commandant, at $2 per diem, $[illegible]; in all $9,093.65.

The amendment was agreed to.

Mr. HALE. Also on page 26 the total should be changed to include these figures.

The SECRETARY. On page 26, line 25, it is proposed to strike out the words "one hundred and forty-eight thousand seven hundred and ninety dollars and ninety-two cents" and to insert in lieu thereof "one hundred and fifty-seven thousand eight hundred and eighty-four dollars and fifty-seven cents."

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 29, line 14, after the word "dollars," to insert "for the erection of barracks, $200,000," and in line 18, before the word "dollars," to strike out "five hundred and twelve thousand nine hundred and seventy" and insert "seven hundred and twelve thousand nine hundred and seventy;" so as to make the clause read:

Navy-yard, League Island, Pa.: To continue retaining wall about reserve basin, $80,000; grading and paving, to continue, $[illegible]; sewer system, extensions, $[illegible]; electric plant, extensions, $[illegible]; railroad system, extensions, $[illegible]; dredging and filling in Delaware water front, to continue, $[illegible]; water system, extension, $[illegible]; underground conduit system, $[illegible]; fire protection system, extensions, $[illegible]; sea wall extension, $[illegible]; officers' quarters, $[illegible]; extension of reserve basin, to continue dredging, $[illegible]; locomotive crane track, extension, $[illegible]; alterations for naval supply [illegible] to complete, $80,000; for the erection of barracks, $200,000; in all, navy-yard, League Island, $712,950.

The amendment was agreed to.

The next amendment was, on page 30, line 15, to insert the heading, "Navy-yard, Charleston, S. C."

The amendment was agreed to.

The reading of the bill was continued to the end of line 2 on page 31.

Mr. HALE. I offer the amendment I send to the desk.

The SECRETARY. On page 30, strike out all after the word "dollars," in line 24, down to the end of line 2 on page 31, and insert:

Quay wall, $50,000; dredging, $20,000; locomotive and power house, $5,000; railroad scales, $[illegible]; sewers, $[illegible]; telephone system, $[illegible]; entrance gate and police station, $[illegible]; grading and drainage, $[illegible]; storehouse and storekeepers' offices, to extend, $[illegible]; barracks, $[illegible]; railroad system, extension, $[illegible]; railroad equipment, $[illegible]; tools and machinery for yard and docks workshop, $[illegible]; one officers' quarters, $8,000; in all, navy-yard, Charleston, S. C., $[illegible].

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 31, line 19, after the word "dollars," to insert "for the erection of barracks, $200,000;" and in line 22, before the word "dollars," to strike out "nine hundred and fifty-nine thousand" and insert "one million one hundred and fifty-nine thousand;" so as to make the clause read:

Navy-yard, Norfolk, Va.: Purchase of land, $400,000; * * * improvement to 40-ton locomotive crane, $1,000; for the erection of barracks, $200,000; in all, navy-yard, Norfolk, Va., $1,159,000.

The amendment was agreed to.

The next amendment was, on page 35, line 11, after the word "dollars," to insert "for improving and enlarging naval prison, $10,000;" and in line 13, before the word "thousand," to strike out "seven hundred and twenty-five" and insert "seven hundred and thirty-five;" so as to make the clause read:

Naval station, Cavite, P. I: Floating steel dry dock, to continue, $725,000; for improving and enlarging naval prison, $10,000; in all, $735,000.

The amendment was agreed to.

The reading of the bill was continued to the end of line 7 on page 37.

Mr. HALE. What I send to the desk is a substitute for the part that has just been read.

The SECRETARY. On page 36 it is proposed to strike out all after line 18, down to and including line 7 on page 37, and to insert in lieu thereof the following:

The Secretary of the Navy is hereby authorized, in his discretion, to construct the several power plants in any or all of the several navy yards and stations, in each navy yard and station, for the generation and distribution of light, heat, and power, for all the purposes of the Navy. The [illegible] such electric light plants now in existence under the control of the several bureaus may be reassigned or transferred to the control of [illegible] of such bureaus or bureaus as may in the discretion of the Secretary of the Navy [illegible], having in view the various kinds of power required, as may [illegible] the necessity for the most efficient and economical work in connection with [illegible] the fleet, and the avoidance of duplicate [illegible] and all appropriations [illegible] for power [illegible] and power plants for the various bureaus are hereby [illegible] under the Secretary of the Navy, for the purposes [illegible] provided for; and to further carry out the purposes of this provision there is hereby appropriated the sum of $[illegible].

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Naval Affairs was, on page 37, line 17, to increase the total appropriation for public works from $6,565,574 to $7,632,071.

Mr. HALE. The total should be changed so as to read "$7,856,000.71."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 37, line 21, after the word "construction," to insert "and furnishing;" so as to make the clause read:

Buildings and grounds, Naval Academy: Toward the construction and furnishing of buildings, and for other necessary improvements, at the Naval Academy, Annapolis, Md., as authorized by the acts of Congress approved June 7, 1900, and March 3, 1903, $3,000,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 22, to insert:

Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the shore of Lake Michigan, south of latitude 42° 20′, $[illegible].

Mr. FORAKER. I have just come into the Chamber. Do I understand that the Secretary is reading at the foot of page 38?

The PRESIDENT pro tempore. At the foot of page 38.

Mr. HALE. There is an amendment at the bottom of the page to which an amendment will be offered. I shall ask that the matter go over until to-morrow.

Mr. FORAKER. May I ask what is the amendment to the amendment?

Mr. HALE. I do not know.

Mr. FORAKER. I am very much interested in it. There has been quite a desire on the part of many people in my State to have this naval training school or station located at Put in Bay, and I see by the language of the amendment that the Secretary of the Navy would have no discretion. Is it intrusted to the Secretary of the Navy? Under this provision it could not be located there.

Mr. HALE. It could not, undoubtedly. All of that will come up in the morning, however, and the Senator can offer any amendment he pleases. Undoubtedly some Senator will move to strike it out of the bill entirely. I do not wish to have it disposed of in this then Senate.

Mr. FORAKER. The reason I break in now and want to have some understanding about it is that I am engaged in committee in the investigation of the Smoot case and may not be here. We are very much occupied by that case, and I would be very glad to know what is the amendment to the amendment which will be offered?

Mr. HOPKINS. Perhaps the Senator from Wisconsin can enlighten both the Senator from Ohio and myself on that subject.

Mr. QUARLES. I am entirely willing to discuss the amendment which I propose to offer to the amendment.

Mr. FORAKER. Very well. I shall be glad to have it read. Under the circumstances I hope the Senator from Maine——

Mr. HOPKINS. Let it be printed in the RECORD.

Mr. HALE. Yes; let it be read and printed.

Mr. FORAKER. Yes.

Mr. QUARLES. I offer it as an amendment to the committee amendment.

The PRESIDENT pro tempore. The Senator from Wisconsin wishes to have read an amendment, which he will propose at the proper time.

The SECRETARY. On page 39, in line 2, after the word "dollars," in committee amendments, it is proposed to insert the following:

That the President be authorized and commanded to appoint a board consisting of [illegible] of any State [illegible] Michigan, engineer officer [illegible] and having selected suitable [illegible] report its proceedings and the information [illegible] to be necessary for [illegible] ties; and to make [illegible] their findings and recommendations to the President, to be transmitted by [illegible] and such sum or sums, not exceeding $[illegible] as may be necessary, to be immediately available, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. HALE. That is offered as a substitute for the clause?

Mr. QUARLES. It follows the clause; it comes at the end of the clause.

Mr. FORAKER. It would be a substitute for what is in the bill?

Mr. QUARLES. I do not so understand it. It is in addition to what is there.

Mr. FORAKER. Oh! I noticed that it came in after the word "dollars," but I see that the word "dollars" ends the committee amendment.

Mr. QUARLES. It is in the second line on page 39.

Mr. FORAKER. I will say right now that if it comes in there I can not be satisfied with it, because it requires the station to be located on the shore of Lake Michigan.

Mr. SPOONER. But the act which this amendment was intended to carry out referred solely to Lake Michigan. If the Senator wants one on Lake Erie, that is another thing.

Mr. FORAKER. That may be; but we want this naval training station located at Put in Bay, if we can secure it.

Mr. SPOONER. This particular one?

Mr. FORAKER. Yes; this particular one. It is the only one which we expect will be established in the near future, and we want it. At any rate, we do not want its location confined to Lake Michigan. I do not know whether or not we would have any chance to get it there, but we ought to have at least a chance to present that site, which is a very good one. The officials of the Navy Department told me it was the best one they had found anywhere, measured by the requirements of such a station, and certainly we ought not to be excluded from consideration.

Mr. HOPKINS. Senators will have an opportunity, as the matter is to go over, to offer in the morning amendments to suit their own localities.

Mr. FORAKER. It seems to me it might very well be agreed that this board should have power within its discretion to locate the station anywhere on the lakes.

Mr. HOPKINS. I desire to call the attention of the Senator from Ohio to the fact that a board has been appointed and has investigated this matter, and has made certain recommendations. Put in Bay, I understand, has received entire and adequate consideration, and there are objections to the location which will influence the Senator himself, I think, when he comes to consider it, to abandon his idea.

Mr. HALE. The amendment is going over. Nothing will be done to-night. I wish Senators would let me go on and finish the reading of the bill.

Mr. FORAKER. If the Senator will bear with me a moment further—I understand his impatience, and I do not wish to try him unduly—because of what the Senator from [illegible] seems to me it is not asking any too much that we may be allowed to present the claims of Put in Bay.

The Senator from Illinois says those claims have been presented and have been considered and have been passed on in comparison with others. All we ask is that we shall not be excluded. If a board are to be appointed, they ought to be free to consider all locations that may be offered. It may be that we may have no chance whatever. I know something about Put in Bay. I do not know any thing about any of the others. It may be that the others are far preferable.

Mr. HOPKINS. I see no reason for the adoption of the amendment proposed to be offered by the Senator from Wisconsin. In my judgment, it would be a very great mistake on the part of the Senate to adopt the amendment, as I shall endeavor to show if the Senators from Wisconsin persist in their efforts to have it adopted as a part of the amendment that is now proposed by the Naval Committee.

Mr. HALE. The Senator from Wisconsin does not propose the amendment. He simply asks that it be printed and go over until to-morrow.

Mr. FORAKER. I know, but it will be presented as an amendment which he proposes to offer to the bill at the proper time, and I am taking as much time about it as I can simply because I am afraid I can not be here when the amendment is presented for action.

Mr. PENROSE. I should like to state to the Senator from Ohio that in Senate Document No. [illegible] he will find the full report of the naval board with a consideration of the claims of Put in Bay. I am in hearty accord with the amendment of the Senate Naval Committee and opposed to the amendment of the Senator from Wisconsin.

If every Senator from a State bordering on the Great Lakes is coming here with his claims, I shall have to be heard in behalf of the City of Erie; but I am willing to yield the claims of that locality in view of the overwhelming verdict of the naval board appointed by the Secretary of the Navy, who gave the matter careful consideration, and whose findings, in Senate Document No. 45, ought to be acceptable to every Senator.

Mr. SPOONER. We ought to be permitted to support the amendment before it is antagonized by the committee, I think.

Mr. FORAKER. I wish to say to the Senator from Pennsylvania, in answer to his remarks, that the reason why I insist upon having the amendment so framed as to give us a chance to be heard is that if the amendment offered by the Senator from Wisconsin should be adopted there is to be a new board appointed. That board is to take everything into consideration, and it ought to be allowed to act de novo. I will not delay longer, because I recognize the desire of the Senator from Maine to proceed with the bill.

The PRESIDENT pro tempore. The amendment will be passed over for the present.

Mr. HALE. Let the reading of the bill be proceeded with.

The Secretary resumed the reading of the bill. The next amendment of the Committee on Naval Affairs was, on page 39, line 11, to increase the total appropriation for public works, Bureau of Navigation, from $41,125 to $[illegible],125.

Mr. HALE. That is the total. It will go over with the other amendment.

The PRESIDENT pro tempore. It will go over.

The next amendment was, on page 39, after line 12, to insert:

Naval magazine, New England: For the purchase of land for a site for a naval magazine [illegible] New England [illegible] and [illegible] of the necessary buildings, of repairing and [illegible] of the necessary wharves and cranes, of railroad tracks and rolling stock for local service, of fire and water service, and of the equipment of the establishment, $70,000, or as much thereof as may be necessary, and the Secretary of the Navy may employ, and pay out of the appropriation hereby authorized, such additional expert aids, surveyors, architects, superintendents of construction, or draftsmen as may be necessary for the preparation of the plans and specifications and prosecution of the work authorized, to an amount not to exceed $15,000: *Provided*, That the total cost of the establishment, complete in all respects, shall not exceed the sum of $[illegible]: *And provided further*, That should the Secretary of the Navy be unable to purchase the land for the site from the owners thereof at a fair and reasonable valuation, he is hereby authorized and directed to institute proceedings for the condemnation of such part or parts thereof as may be necessary: *And provided further*, That the Secretary of the Navy is hereby authorized and directed to discontinue the magazine now in the city of Chelsea not later than the time when the new magazine for the New England coast is ready to be occupied.

The amendment was agreed to.

The next amendment was, on page 42, line 8, to increase the total appropriation for public works, Bureau of Ordnance, from $248,900 to $318,900.

The amendment was agreed to.

The reading of the bill was continued to page 45, line 2.

Mr. HALE. On page 45, after line 2, I move to insert:

Naval hospital, Canacao, Philippine Islands: Naval hospital at Canacao, Philippine Islands, to complete, $70,000.

The amendment was agreed to.

The next amendment was under the subhead "Supplies and accounts," page 45, line 22, after the word "dollars," to insert the following proviso:

Provided, That pay department stores may be sold to civilian employees at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe.

The amendment was agreed to.

The reading of the bill was continued to line 24, page 51.

Mr. HALE. I move, on page 51, after line 24, to insert:

To place the frigate Constitution, as near as may be, in the same condition as regards hull and rigging as she was when in actual service, for use as practice, training, or receiving ship, $400,000.

The amendment was agreed to.

The reading of the bill was continued. The next amendment was under the subhead "Naval Academy," on page 58, line 2, after the word "Academy," to strike out the following:

One professor as head of department of physics, $3,000.

One professor as head of department of modern languages, to be appointed with the rank and pay of a professor of mathematics of the rank of commander, and to be carried as an extra number in the list of professors of mathematics in the Navy.

One professor of mathematics, one of chemistry, and one of English, at $2,500 each; four professors, namely, one of English, one of French and Spanish, one of French, and one of drawing, at $2,200 each; one assistant professor of Spanish, at $1,800; ten instructors, at $1,500 each.

And to insert:

One professor as head of the department of physics, $3,000.

That the President be authorized, by and with the advice and consent of the Senate, to appoint a professor of mathematics of the rank of commander, to rank after Aaron Nichols Skinner and to be an extra number in the list of professors of mathematics in the Navy.

One professor of mathematics, one of chemistry, one of English, one of French and one of Spanish, at $2,500 each.

Four professors, namely, one of English, one of French, one of drawing, and one of Spanish, at $2,200 each.

Three instructors, at $1,800 each.

Mr. GORMAN. I ask the Senator from Maine why this radical change is made in the organization of the academy? I observe that it is a very radical change.

Mr. HALE. Yes; but not so rapid as the increase down there, where we used to have 340 students, and in another year we shall have 900. It becomes essentially necessary. It is a very conservative programme, and it is absolutely necessary by reason of the increase of the academy.

Mr. GORMAN. There is an actual decrease, for instance, in the instructors. There is a reduction from ten to three.

Mr. HALE. I have an amendment from the Department which cures that.

Mr. GORMAN. Very well.

Mr. HALE. I will send the amendment to the amendment to the desk. It is to come in after line 6 on page 59.

The SECRETARY. On page 59, after line 6, insert:

Four instructors, at $1,800 each; ten instructors, at $1,500 each.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was continued to line 19, page 60.

Mr. HALE. The total should be changed. On page 60, line 18, after the word "all," I move to strike out "$78,922.52" and insert in lieu thereof "$95,322.52."

The amendment was agreed to.

The reading of the bill was continued to line 24, page 62, in the items for the Naval Academy.

Mr. HALE. I move to change the total. On page 62, line 22, I move to strike out "$311,708.46" and to insert in lieu thereof "$[illegible],108.46."

The amendment was agreed to.

The next amendment was, on page 62, after line 24, to insert:

That, subject to the restrictions imposed by existing law, boatswains, gunners, and warrant machinists shall be eligible for appointment to the grade of ensign after two years' service as warrant officers, and boatswains, gunners, carpenters, and sailmakers shall be eligible for appointment as chief boatswains, chief gunners, chief carpenters, and chief sailmakers after six years from date of warrant.

The amendment was agreed to.

The next amendment was, under the subhead "Marine Corps," on page 63, line 22, after the word "orders," to strike out "including additional compensation for enlisted men of the Marine Corps regularly detailed as gun pointers, $8,000, $1,378,628" and insert "including additional compensation for enlisted men of the Marine Corps regularly detailed as gun pointers, messmen, signalmen, or holding good-conduct medals, pins or bars, $15,000; $1,380,628;" so as to make the clause read:

Pay of noncommissioned officers, musicians, and privates, as prescribed by law, and the number of enlisted men shall be exclusive of those undergoing imprisonment with sentence of dishonorable discharge from the service, at expiration of such confinement, and for the expenses of clerks of the United States Marine Corps traveling under orders, including additional compensation for enlisted men of the Marine Corps regularly detailed as gun pointers, messmen, signalmen, or holding good-conduct medals, pins, or bars, $15,000; $1,380,628.

The amendment was agreed to.

The next amendment was, on page 65, line 23, to increase the appropriation for the salary of one clerk in the assistant quartermaster's office, Philadelphia, Pa., from $1,400 to $1,600.

The amendment was agreed to.

The reading of the bill was continued to line 1, page 66, in the clause for "pay of civil force."

Mr. HALE. On page 66, line 1, I move to strike out "$28,711.28" and insert in lieu thereof "$28,911.28." It is an increase in the total made necessary by the last amendment.

The amendment was agreed to.

The next amendment was, on page 71, after line 8, to insert:

That officers of the Marine Corps with creditable records who served during the civil war shall, when retired, be retired in like manner and under the same conditions as provided for officers of the Navy who served during the civil war.

The amendment was agreed to.

The next amendment was, under the subhead "Increase of the Navy," on page 73, line 13, after the word "each," to strike out "But the appropriations provided for said colliers shall not be used unless one of said colliers be built in a navy-yard of the United States" and insert "Said colliers shall be built in navy-yards, one on the Pacific and the other on the Atlantic coast, the same to be designated by the Secretary of the Navy;" so as to make the clause read:

Two colliers, to be capable of accompanying the battle fleet; to carry 5,000 tons of cargo coal, loaded, and to have a trial speed of not less than 16 knots, to cost not exceeding $1,250,000 each. Said colliers shall be built in navy-yards, one on the Pacific and the other on the Atlantic coast, the same to be designated by the Secretary of the Navy.

Mr. HALE. Let that amendment go over until to-morrow at the request of other Senators.

The PRESIDENT pro tempore. The amendment will be passed over.

The reading of the bill was continued to page 75, line 15.

Mr. HALE. In line 15, on page 75, before the word "submarine," I move to insert "torpedo or."

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 75, line 15, before the word "submarine," it is proposed to insert "torpedo or;" so as to read:

The Secretary of the Navy, who may purchase or contract for subsurface or submarine torpedo boats in a manner that will best advance the interests of the United States in torpedo or submarine warfare.

The amendment was agreed to.

The next amendment of the Committee on Naval Affairs was, on page 75, line 16, after the word "further," to strike out:

That before any subsurface or submarine torpedo boat is purchased or contracted for it shall be accepted by the Navy Department as fulfilling all reasonable requirements for submarine warfare and shall have been fully tested to the satisfaction of the Secretary of the Navy.

And insert:

That before any subsurface or submarine torpedo boat or boats are purchased or accepted by the Navy Department they shall have been fully tested to the satisfaction of the Secretary of the Navy and shall fulfill all reasonable requirements for submarine warfare: *Provided also*, That the boats contracted for under this act shall be constructed in accordance with the plans and specifications of the contractor.

So as to make the proviso read:

And provided further, That before any subsurface or submarine torpedo boat or boats are purchased or accepted by the Navy Department they shall have been fully tested to the satisfaction of the Secretary of the Navy and shall fulfill all reasonable requirements for submarine warfare: *Provided also*, That the boats contracted for under this act shall be constructed in accordance with the plans and specifications of the contractor. To carry out the purpose aforesaid the sum of $[illegible] is hereby appropriated out of any money in the Treasury not otherwise appropriated; and to make up said sum

of [illegible] the sum of $500,000 carried, or such parts thereof as may remain [illegible] in the naval appropriation act approved March [illegible] reappropriated.

Mr. HALE. In line 24, on page 75, after the word "for," at the end of the line, I move to amend the amendment by inserting the words "torpedo or;" so as to read, "for torpedo or submarine [illegible]."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was concluded.

Mr. HALE. Mr. President, I shall ask that the bill be taken up to-morrow morning after the routine morning business. I now move that the Senate proceed to the consideration of executive business.

The PRESIDENT pro tempore. Will the Senator withhold that motion for a moment to enable the Chair to lay before the Senate a message from the President of the United States?

Mr. HALE. I withdraw the motion for that purpose.

FORT HALL INDIAN RESERVATION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read:

To the Senate:

In compliance with the resolution of the Senate of the 1st instant, [illegible]

[illegible]

WASHINGTON, MARCH 3, 1904.

Mr. BURNS submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

[illegible] That the Senate, the House of Representatives concurring, that the action of the Senate in the amendment to the bill (H. R. 12383) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, be, and the same is hereby, [illegible] in the bill.

EXECUTIVE SESSION.

Mr. HALE. I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and at (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 4, 1904, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 3, 1904.

CHAIRMAN OF ISTHMIAN CANAL COMMISSION.

Rear-Admiral John G. Walker, United States Navy, retired, of the District of Columbia, to be chairman of the Isthmian Canal Commission.

MEMBERS OF ISTHMIAN CANAL COMMISSION.

Maj. Gen. George W. Davis, United States Army, retired, of the District of Columbia, to be a member of the Isthmian Canal Commission.

William Barclay Parsons, of New York, to be a member of the Isthmian Canal Commission.

William H. Burr, of New York, to be a member of the Isthmian Canal Commission.

Benjamin M. Harrod, of Louisiana, to be a member of the Isthmian Canal Commission.

Carl Rwald Grunsky, of California, to be a member of the Isthmian Canal Commission.

Frank J. Hecker, of Michigan, to be a member of the Isthmian Canal Commission.

INDIAN AGENTS.

Lieut. Col. James F. Randlett, United States Army, retired, of California, to be agent for the Indians of the Kiowa Agency, in Oklahoma.

J. Blair Shoenfelt, of Wyoming, to be agent for the Indians of the Union Agency in the Indian Territory.

RECEIVER OF PUBLIC MONEYS.

Frank M. Foote, of Wyoming, to be receiver of public moneys at Evanston, Wyo.

POSTMASTER.

NEW YORK.

Charles T. Jackson to be postmaster at Goshen, in the county of Orange and State of New York.

HOUSE OF REPRESENTATIVES.

THURSDAY, *March 3, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

PIPE LINES THROUGH INDIAN LANDS.

Mr. CURTIS submitted the following conference report and statement [illegible] in the RECORD under the rule:

[illegible] of the House.

That the Senate recede from its [illegible] and conditions as he may deem [illegible]

CHARLES CURTIS,
[illegible],
[illegible],
Managers on the part of the Senate.

[illegible],
Managers on the part of the House.

[illegible] 14 and 15, on page [illegible] the words "the act approved January [illegible] and insert in lieu thereof the words "existing law."

The amendment was agreed to.

The Clerk read as follows:

[illegible] of the peace: For ten justices of the peace, at $2,000 each, and the [illegible] sum of $300 each for rent, stationery, and other expenses; in all, $[illegible].

Mr. CLARK. Mr. Chairman, I should like to ask the chairman of the committee a question about these justices of the peace. Do they receive fees in addition to these salaries?

Mr. McCLEARY of Minnesota. They do not, Mr. Chairman.

Mr. CLARK. What becomes of the fees that are charged?

Mr. McCLEARY of Minnesota. They are covered into the Treasury.

Mr. PUJO. I should like to ask a question of the chairman of the committee.

The CHAIRMAN. The gentleman from Louisiana.

Mr. PUJO. Are justices of the peace in the District of Columbia required to be lawyers? Are they qualified lawyers or not?

Mr. McCLEARY of Minnesota. The law requires that they shall have been admitted to the bar.

The Clerk read as follows:

INTEREST AND SINKING FUND.

For interest and sinking fund on the funded debt, $975,408.

Mr. WEBB. Mr. Chairman, I move to strike out the last word. I rise for the purpose of answering the remarks made here some days ago in the debate on another section of this bill.

Long [illegible] the gentleman from Kansas [Mr. SCOTT] made the following statement, which I will read from the RECORD:

Mr. SCOTT. The reply of the gentleman from Kentucky to the last question which I asked him was a good illustration of what I think the lawyers call [illegible] a good plea in any court.

[illegible] I have fresh in my memory, however, and I have asked [illegible] in order to give some information to gentlemen on the other side of the House who will no doubt be interested in it.

And we were, Mr. Chairman, interested in what he was about to say.

During the first Administration—

Continued Mr. SCOTT—

of Mr. Cleveland a negro from Kansas was brought to Washington, taken to the White House, introduced to the President, and by him invited to remain and sit at the table at luncheon, an invitation which I need not say was promptly accepted.

Mr. COCHRAN. Will the gentleman state who it was that introduced the negro, and upon whose authority the gentleman is making this statement?

Mr. SCOTT. I make the statement on my own authority.

Mr. COCHRAN. Were you present?

Mr. SCOTT. I was not present, but one of my colleagues will corroborate me as to the fact.

Mr. COCHRAN. Who was this negro?

Mr. SCOTT. It was C. H. J. Taylor, afterwards appointed register of deeds for this District by President Cleveland. [Laughter on the Republican side.]

The CHAIRMAN. Does the gentleman from Minnesota desire to be heard on the point of order?

Mr. McCLEARY of Minnesota. Mr. Chairman, in one sense this is new legislation, but I hope the gentleman from Indiana will reserve his point of order instead of making it now, so that a few words of explanation may be made.

Mr. MIERS of Indiana. I reserve it.

Mr. McCLEARY of Minnesota. Mr. Chairman, undoubtedly this paragraph is subject to a point of order if the gentleman insists upon it, but I trust he will not insist upon it, for this reason: The marshal of the District and the clerk of the court of appeals of the District are subject to this same kind of a provision, and this provision was always in the laws applying to the District until the recent Revised Code struck out that provision, which is simply an enumeration of the number of things that the Code did which ought not to have been done. The gentleman whom [illegible] is allowed fees not to exceed $[illegible], but the fees actually received in his office far exceed that sum. Of course, it is always easy for him to employ enough people to use up all the fees beyond the $6,000. It is felt by the Committee on Appropriations that the District of Columbia ought not to be required to pay these fees, because these fees are not at all necessary to make up the legitimate fees of the office, and the officer and necessary assistants would be well paid without them.

The CHAIRMAN. Does the gentleman from Indiana insist on the point of order?

Mr. MIERS of Indiana. I do.

The CHAIRMAN. The paragraph against which this point is raised proposes clearly to enact new legislation—a change of existing law—and is subject to the application of Rule XXI. The Chair sustains the point of order.

Mr. McCLEARY of Minnesota. I ask unanimous consent to return to the paragraph last read for the purpose of offering a [illegible]

There was no objection; and the proposed amendment of Mr. McCLEARY of Minnesota was read, as follows:

[illegible] 14 and 15, on page [illegible] the words "the act approved January [illegible] and insert in lieu thereof the words "existing law."

The amendment was agreed to.

The Clerk read as follows:

[illegible] of the peace: For ten justices of the peace, at $2,000 each, and the [illegible] sum of $300 each for rent, stationery, and other expenses; in all, $[illegible].

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Mr. COCHRAN. Who was this negro?

Mr. SCOTT. It was C. H. J. Taylor, afterwards appointed register of deeds for this District by President Cleveland. [Laughter on the Republican side.]

I wish to call the attention of the House one moment to the difference in the character of these two men. Commenting Booker Washington, the least that can be said of him is that he is a good man. But I think it is believed he said that if he had a white skin it would be considered an honor by any gentleman to know him; that he is a gentleman and a scholar. So much of a scholar that he has been given an honorary degree of master of arts by Harvard University; so much of a gentleman that he was invited by the president of Harvard University to sit at his table to lunch with Gen. Nelson A. Miles, who received the same honorary degree from the same university at the same time; so much of a gentleman that he has been entertained by Queen Victoria at Windsor Castle; so much of a scholar that a medal of a college faculty of one of the southern colleges recently conferred upon the foremost living American, for which utterance he was promptly called to task by his associates. But, I am glad to say, that it was declared by the authorities of the college that they held free speech.

Mr. GILBERT. Mr. Chairman, will the gentleman yield?

Mr. SCOTT. I have only five minutes, and I decline to yield. I have alluded to the character of Booker Washington not because he needs any praise from me, but because I want to call attention—

Mr. MADDOX. I want to say to the gentleman from Kansas that the designation was that he was second to Robert E. Lee.

Mr. SCOTT. I am not quite the designation exactly, for I do not remember it. Probably the gentleman is correct. But from his standpoint I suppose I would be considered quite a compliment to be named as second to Robert E. Lee.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. BURKLEY. Mr. Chairman, I ask unanimous consent that the gentleman be allowed five minutes more.

The CHAIRMAN. The gentleman from Louisiana asks that the time of the gentleman be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. McCLEARY of Minnesota. I will yield the gentleman five minutes of time.

Mr. CLAUDE KITCHIN. Mr. Chairman, I would like to say to the gentleman [illegible] that the faculty did rebuke this professor for making that utterance, but did say that he had a right to it as enjoying the liberty of speech.

Mr. SCOTT. They rebuked him for making the utterance, but they did not attempt to say that the utterance was not true. They rebuked him because they were forced to do so by the public sentiment of their constituents.

Mr. CLAUDE KITCHIN. The gentleman was interest[illegible] utterance expressed [illegible] he did not mean it. [Laughter on the Democratic side.]

Mr. SCOTT. I did not question for the gentleman and his friends on that side [illegible]

Mr. CLAUDE KITCHIN. He said he did not mean to say that he was the greatest [illegible] but the greatest [illegible]

Mr. SCOTT. A fact [illegible] by every Member on this floor [illegible] that if Booker Washington had a white skin, any one of us would [illegible] on terms of equality.

Mr. CLAUDE KITCHIN. Why does not the gentleman receive him, having a black skin?

Mr. SCOTT. We do receive him in every proper way.

Mr. CLAUDE KITCHIN. Does the gentleman mean to say that he receives him as his equal?

Mr. SCOTT. Not as my social equal—

Mr. CLAUDE KITCHIN. The black skin is the cause of it, is it not?

Mr. SCOTT. The black skin, and the prejudice, and all that. I recognize that as fully as the gentleman does. I am not standing here if the gentleman will allow me—

Mr. CLAUDE KITCHIN. We are alike, then. The gentleman has the same prejudice that we have—on account of the skin. There is no difference between us on that.

Mr. SCOTT. I am not standing here to make a plea for social equality. We all know that is impossible. I do not stand for that any more than Theodore Roosevelt did when he invited Booker T. Washington to his luncheon, and any more than President Eliot did when he invited Booker T. Washington to his luncheon, any more than Grover Cleveland did when he invited C. H. J. Taylor to his luncheon. I have alluded to the character of Mr. Washington, which everybody in the country recognizes, because I wanted to point a contrast between the man whom the Republican President of the United States invited at his table and the man whom the Democratic President of the United States received at his table. Who was C. H. J. Taylor? He was a black negro, as black as you ever saw. He had been a ward heeler, and working there in Minnie of Kansas City, Kans. He had no great amount of talent to his credit. He had no education to speak of; he had nothing to recommend him to any man's consideration, particularly nothing to commend him to the consideration of any Democrat, except the presumption that he commanded some negro votes in his vest pocket and could deliver them to the Democratic party.

For that reason, and for that reason only—for the reason that he had promised that if he were given this position here in Washington he would turn the negro vote in Kansas from the Republican party to the Democratic party—he was brought here to Washington by some Democratic members of Kansas, taken to the White House, introduced to the President, sat at the table, and afterwards paid the price by receiving the appointment of register of deeds of this District.

Mr. CLAUDE KITCHIN. Does the gentleman approve of Grover Cleveland asking that negro to dine with him and dining with him? Does the gentleman approve of that?

Mr. SCOTT. I do not approve of it, because I know the character of the man. I would not invite to him to my house if he were a white man.

Mr. CLAUDE KITCHIN. Because he is a Democratic negro—is not that it?

Mr. SCOTT. That is not the reason. It is because the man is utterly without character, without education, without culture, or anything to commend him to the consideration of a good man.

Mr. CLAUDE KITCHIN. Who introduced that negro to the President? The gentleman said his colleague was present when it was done.

Mr. SCOTT. I did not say that. I simply said my colleague was cognizant of the fact.

Mr. CLAUDE KITCHIN. Did not a Republican from Kansas introduce him to the President?

Mr. SCOTT. Oh, no; by no means. I have already said he was introduced by a Democrat.

Now, Mr. Chairman, I have alluded to this matter, not to apologize for President Roosevelt, who needs no apologies, but merely to call attention to the glaring inconsistency which goes into hysterics over a courtesy paid to a man of admitted high character and who has done and is doing a splendid and noble work, while utterly ignoring a similar attention paid to a man without standing, or character, or accomplishment, and whose only claim to consideration was the presumption that he could swing a certain number of votes. [Applause on the Republican side.]

At three separate and distinct places in this RECORD, Mr. Chairman, the gentleman from Kansas [Mr. SCOTT] says that Mr.

Cleveland during his first term invited this negro, whom he calls a very black negro, to dine with him, and states emphatically that the negro did so.

It often happens, Mr. Chairman, that a man in trouble hopes to get out by trying to pull others in, and that seems to have been the predicament of the gentleman from Kansas when he deliberately stated to this House "on his own authority," on his own responsibility, that Mr. Cleveland had invited a negro by the name of C. H. J. Taylor to dine with him, and that the negro accepted the invitation and did dine with him.

As soon as the CONGRESSIONAL RECORD reached me on the next morning after this debate, containing the gentleman's assertions, I wrote to Mr. Cleveland and asked him if it were true that he had thus dined Taylor, and told him if it were not true I wanted to deny it on the floor of this House. I cut out the part of the RECORD in which Mr. SCOTT's statement appeared and sent it to the distinguished ex-President. This morning I received from him the following letter, written and signed in his own hand:

PRINCETON, *March 2, 1904.*

Hon. E. Y. WEBB, *House of Representatives.*

DEAR SIR: It is a matter of small concern to me that a Mr. SCOTT has seen fit to use my name in a display of his evil propensities on the floor of the House of Representatives.

[Laughter and applause on the Democratic side.]

In answer to your inquiry, however, I have to say of his statement that the colored man, C. H. J. Taylor, took lunch with me at the White House that it is a deliberate fabrication out of the whole cloth.

[Applause on the Democratic side.]

As far as Mr. Taylor is concerned, I understand, prior to his appointment as register of deeds at Washington, that he had served as an assistant in the office of the city attorney at Kansas City.

Mr. COWHERD. Kansas City, Kans.

Mr. WEBB. Yes, not Missouri. [Reading:]

His nomination as register was confirmed by the Senate, and he served in that place with intelligence and efficiency. He has since died. Some people restrain themselves from abusing the dead.

My impression concerning Mr. Taylor had no his appointment, my observations of him during his incumbency, and the little I have known of Representative SCOTT's character is very unjustly [illegible] in the instance of Mr. SCOTT.

One charge is made against Mr. Taylor by Mr. SCOTT which he doubly charges with truth when he declares, "He was a black negro." I am led, however, to doubt his fastidiousness with respect when he adds, "as black as you ever saw."

Yours, very truly, GROVER CLEVELAND.

This is Mr. Cleveland's statement, and I presume it will be accepted as conclusive by the gentleman from Kansas and by every American citizen. [Applause on the Democratic side.]

Mr. Chairman, it does seem that the statement of the gentleman from Kansas [Mr. SCOTT] is a fabrication, not only so far as the dining is concerned, but even as to the color of the negro himself. I understand from the gentleman from Missouri that he was a ginger-cake negro, and that the "black as you ever saw" statement is a fabrication out of the whole cloth also, as the distinguished ex-President writes.

It is said, Mr. Chairman, that a falsehood travels around the earth while truth is putting on its boots. If that is true, I wish the truth stated in the letter of Mr. Cleveland be put in the same channels, as far as possible, that the falsehood has traveled, in order that it may possibly overtake that falsehood in the minds of some men and eradicate and destroy it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WEBB. I ask for two minutes more, Mr. Chairman.

The CHAIRMAN. The gentleman asks unanimous consent to continue his remarks for two minutes. Is there objection?

There was no objection.

Mr. WEBB. Mr. Chairman, Mr. Cleveland was a friend of the negro, but not a "fool friend," and that term has a well-defined meaning among people who understand the negro race. [Applause on the Democratic side.] Never by a word or act, so far as I know, did he encourage the dream of social equality in the breast of the black man. [Applause on the Democratic side.] He was a friend of the colored race in America, but he was a friend of the Southern white man as well. He always sympathized with the Southern white man in his race troubles, his race problems, and his race burdens; and that, sir, I regret to say, is more than Mr. Roosevelt seems ever to have done. I am obliged to the committee for this opportunity of correcting the falsehood. [Applause on the Democratic side.]

Mr. SCOTT. Mr. Chairman, there never sat in the White House a man whose word, speaking about anything of which he professed to have personal knowledge, I would not at once accept. I therefore accept the statement made by ex-President Cleveland that I was in error when I stated here on the floor the other day that he had entertained at luncheon in the White House a negro from Kansas; and I tender my apology to the ex-President of the United States.

I feel as if it were due myself, however, to say to this House that until this letter was read I have never heard the fact or the allegation to which I alluded denied.

Mr. THAYER. Did you ever hear it made publicly before?

Mr. SCOTT. I am just going to state what I have heard.

Mr. THAYER. There was no occasion to deny it, when it had never been made.

Mr. SCOTT. I remember distinctly that when Mr. Taylor came back from Washington, preceded by the announcement that he had been appointed to the office of recorder of deeds in the District of Columbia by President Cleveland, his friends met him at the Union Depot, Kansas City, with a carriage to which were attached four white horses. A committee was with the carriage, and he was escorted to a public hall, where a reception was tendered him, and according to the newspaper reports of the event, he there boasted that——

Mr. COCHRAN. I would like to ask the gentleman a question.

Mr. SCOTT. Let me finish this sentence.

The CHAIRMAN. The gentleman declines to yield.

Mr. SCOTT. At the reception he boasted, as reported in the papers, that, notwithstanding the professions of good will to the negro always heretofore made by the Republicans, it remained for a Democratic President to entertain at his table in the White House for the first time a negro. That matter was published very broadly and so generally throughout the State of Kansas that it was impressed upon my memory, and I never, as I have said, heard it denied before.

Mr. SHACKLEFORD. What evidence have you that he ever made that boast?

Mr. SCOTT. No evidence but newspaper reports.

Mr. THAYER. Have you got any clippings of newspapers?

Mr. SWANSON. Will the gentleman permit me?

The CHAIRMAN. Gentlemen desiring to interrupt must address the Chair.

Mr. SWANSON. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Virginia?

Mr. SCOTT. I yield to the gentleman from Virginia.

Mr. SWANSON. Will the gentleman be kind enough to get a single paper containing that and produce it here? I suppose they keep files of the papers in Kansas, where that statement was published, and the gentleman can get a copy of such paper and present it to the House.

Mr. SCOTT. Well, that is a matter of twenty years ago. I do not know whether I could obtain one or not, but I am going there shortly and I shall certainly investigate the matter.

Mr. MADDOX. Eighteen hundred and eighty-two.

Mr. SWANSON. If a newspaper statement exists, and if the gentleman wants to be fair and just and accurate, he has every opportunity to examine the records, and if it is true, as asserted, I would like him to bring to this House one paper from Kansas that made that statement.

Mr. SCOTT. I have not had any opportunity thus far. The gentleman from Virginia will admit that I have had no opportunity in the last two minutes to search the records. I am simply giving my recollection about this matter. I have made what I consider an ample apology to Mr. Cleveland for any misrepresentation I may have inadvertently made. And I have done this because I want this House to understand that it is never my intention to make a statement here that I do not believe to be the truth.

Mr. HARDWICK. Will the gentleman permit me to interrupt him?

The CHAIRMAN. Does the gentleman yield to the gentleman from Georgia?

Mr. SCOTT. I do.

Mr. HARDWICK. I want to say that I do not believe the gentleman from Kansas would willfully misrepresent anything.

Mr. SCOTT. That is kind of you.

Mr. HARDWICK. But does not the gentleman agree that it would be improper and a lack of dignity for the President of the United States or an ex-President to rush into print and deny every newspaper statement that might be put out, and does he not admit in reference to this he had not even made up a prima facie case?

Mr. SCOTT. Why, I was not criticising the former President of the United States for having heretofore made no denial. I was giving him full credit for the denial he now makes. But I wish to say at the same time that the friends of Mr. Cleveland should be very much gratified over this incident, because it has been the occasion of bringing to that gentleman for the first time in four years some applause from the Democratic side of this Chamber. [Laughter and applause on the Republican side.]

Mr. WILLIAMS of Mississippi. Mr. Chairman, this whole incident is a telling blow at the abstract theory of the general equality of the featherless biped. It discovers or uncovers the underlying hypocrisy of the contention that all men ought to be politically or socially equal, regardless of their color, race, traits, and tendencies.

Mr. SCOTT. Will the gentleman permit an interruption?

Mr. WILLIAMS of Mississippi. In one moment I will. The other day some gentlemen upon this side charged home as a disgrace, mark you, that a President of the United States had lunched with a negro, and there came from the other side of the House a charge against an ex-President as a disgrace that he had done exactly the same thing, showing that in every man's real heart the contention is deep seated that race traits and tendencies are equally as ineradicable as the colored man's skin and the kink of his hair. [Applause.] I yield to the gentleman now.

Mr. SCOTT. The question I desired to ask was whether the gentleman will not state who had been asserting social equality or making a fight along that line?

Mr. WILLIAMS of Mississippi. Why, Mr. Chairman, I have understood the political theory of your household of political faith for the last twenty years as asserting against the white people South, at any rate, the doctrine that men, regardless of color, race, traits, tendencies, characteristics, capabilities, or what not, ought to be strictly equal politically; and everybody with common sense knows that, political equality having once perfect recognition and practice, social equality must in a measure follow. But that is not all; the head of your party set an example of social equality in the only manner in which it can be set by inviting a black man to a table. Now, understand me——

Mr. SCOTT. One more question.

Mr. WILLIAMS of Mississippi. One moment until I finish that for fear somebody may misunderstand me. Mr. Roosevelt as an individual has the right or the liberty, at any rate, that any other citizen of America has, to eat with whomsoever he pleases—black, red, yellow, white, or what not; educated, ignorant, or what not. I have nothing to do with it. Nobody else has anything to do with it. But when you make it an official question, when your President does that as President of the United States which he might without right of complaint have done as an individual, it was done for one purpose, and for one purpose only, and that was to "carry the light of example" to "the benighted South," that does not believe in social equality between the negro and the white man.

If it was not done for that, then it was done for no purpose at all. It was, in that event, an unconscious exhibition of the magnificent arrogance that teaches men, now and then, the "duty and the mission" to shed "the light of example" upon "the benighted" white population of the South, that never, in their opinion, mounted to the highest rank of civilization and seized hold, in its full measure, of the everlasting truth of the "equality between featherless bipeds."

Mr. SCOTT. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Kansas?

Mr. WILLIAMS of Mississippi. Yes.

Mr. SCOTT. I should like to inquire whether the gentleman holds as his social equal everybody in this country who is his political equal, reverting to the statement made a while ago?

Mr. WILLIAMS of Mississippi. Certainly not; but I can tell the gentleman this, that when I invite a man to my table I mean by that that he is my social equal or he would never be there.

Mr. SCOTT. That is a very cunning evasion of the question, Mr. Chairman.

Mr. WILLIAMS of Mississippi. No; I do not evade the question at all. I beg your pardon, I replied to it that socially I did not think that every man who is my political equal or armed with the statutory privilege of casting a vote was socially my equal; but let me follow that for just one moment. Now, this is a matter of common sense. When men go around as candidates for office, cultivating votes, thereby they necessarily put themselves upon a plane of equality while they are cultivating the votes. Now, it is true, and perfectly true, that while I might invite the gentleman from Kansas to my table because he is socially my equal in every respect, there might be another man politically the statutory equal of both of us whom I would not invite. When negroes rule politically, or hold the balance of power politically, this follows as we found in carpetbag days, that the white man who eats with negroes, sleeps with negroes, or marries a negro woman gets all the negro votes; the man who does neither gets none, if the other sort of man is a candidate.

But the question of the gentleman from Kansas is an evasion of the question that we are discussing, because this is not a question where because of political equality I have assumed that the President of the United States had recognized social equality. It is a case where all the world knows he recognized and emphasized social equality in and of itself. Nor am I quarreling with him as Mr Roosevelt, as an individual, nor have I quarreled with him at all. He has a perfect right to invite to his private table whom he chooses, but as far as I know he waited until he was President of the United States, so that the act could bear an official stamp before he ever did it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I move to strike out the last word, in order that I may answer the questions of the gentleman from Kansas.

Mr. SCOTT. I understood the gentleman from Mississippi to say that when we insist upon the political equality of certain persons the necessary corollary of that is social equality, and when I asked him if he regarded as his social equal everybody whom he admitted to be his political equal, he answered that he did not. I would like to have him reconcile those statements, which seem contradictory.

Mr. WILLIAMS of Mississippi. They do not seem contradictory to me, and I have done my best to reconcile them as far as I could. Now, I want to ask the gentleman a question. Why was it, if the gentleman believes in the "featherless-biped-equality" theory—I do not know whether he does or not—but if he does believe in it, why was it that he charged ex-President Cleveland, as a fault, with the fact that he was supposed to have lunched with a colored man?

Mr. SCOTT. Mr. Chairman, I did not charge the allegation which I made to Mr. Cleveland as a fault. I pointed to it simply as an illustration of the inconsistency, as it seemed to me, of the Democratic party, which was going into hysterics because one man invited a certain individual of the colored race to his table while making no criticism of another man who had done the same thing. I made no imputation of fault against ex-President Cleveland.

Mr. WILLIAMS of Mississippi. All right; I am glad to hear that, because I thought the gentleman had a sharp stick and was after my very dear and much-adored old friend Grover Cleveland. [Laughter.] It looked to me so at that time.

Now, Mr. Chairman, this question is rather amusing than serious in some respects. It has disclosed what I wanted to call attention to, and that is that under this entire featherless-biped-equality theory there is very much hypocrisy; and one of the curious things about it is this: You go up to the White House, or go to a Department here, and ask them please not to appoint a man as postmaster down South because he is a "colored man," and they will "swell up" and tell you that they can not make a discrimination "on account of race, color, or previous condition of servitude!" And yet the present incumbent of the White House would not appoint a Chinaman as postmaster upon the Pacific slope if that Chinaman were as able and well capable of attending to the duties of the office as Li Hung Chang himself; and there are hundreds of them—natural-born citizens of the United States. And why? Simply because he was a Chinaman. Simply because the white people of the Pacific slope do not want a Chinaman to be postmaster on the Pacific slope; because the appointment would be offensive to the white people. He might be a Chinaman infinitely better equipped and smarter than I am; he might be infinitely better equipped and smarter than the occupant of the chair, and a smarter man than the President himself; and yet he would not appoint him; he never would think of doing it.

When New England was settled long years ago, no New Englander ever recognized the political or social equality of the Indian race, although the red man is very far superior to the black man in some respects.

Now, this is not a question of instinct or prejudice. It is not a question of instinct, because little children do not realize it. It is not a question of prejudice, because, until you have thrown two races, the white race and another race, into juxtaposition with one another in sufficient quantities of each race, the feeling is not evident. But wherever you throw the white race in juxtaposition with the Chinaman, with the red man, with the black man in sufficient numbers, so that he has occasion to investigate the race question at all, then this feeling arises. How, then, does it come about if it is neither a prejudice—that is, a prejudgment—nor an instinct born in you? It comes about as reason, or a conclusion after experience. It comes about because race traits and contingencies, moral aptitude, merit, and demerit are found by historic experience and legislative experiment to be just as ineradicable as the color of the skin. God made both, and you can not do away with either by legislation. [Applause on the Democratic side.]

The Clerk read as follows:

EMERGENCY FUND.

To be expended only in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood or fire, and of like character, and in all cases of emergency not otherwise sufficiently provided for, $[illegible]: *Provided*, That in the purchase of all articles provided for in this act no more than the market price shall be paid for any such articles, and all bids for any of such articles above the market price shall be rejected.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last

word. One would assume from the lengthy discourse of the gentleman from Kansas [Mr. SCOTT] that there was no controversy among Republicans at all as to the propriety of intercourse in social life on terms of equality between the black man and the white man.

Mr. McCLEARY of Minnesota rose.

Mr. COCHRAN. Oh, I expect a point of order will be made now. This is about the time to expect it.

Mr. McCLEARY of Minnesota. Mr. Chairman, I rise to a point of order. This discussion is not germane to the bill. It would seem that this matter has been discussed enough this morning.

Mr. COCHRAN. I ask unanimous consent that I may be permitted to proceed for five minutes.

Mr. McCLEARY of Minnesota. I object.

Mr. DALZELL. I call for the regular order.

The CHAIRMAN. It must be clearly understood by Members that after the reading of the bill by paragraph begins all debate must be pertinent to the preceding paragraph.

Mr. COCHRAN. But how can the gentleman arrive at the conclusion that my remarks would not be pertinent. I have not stated what I was going to speak about.

The CHAIRMAN. If the gentleman states that he proposes to confine his remarks to the subject embraced by the paragraph, he may proceed.

Mr. COCHRAN. I will state, Mr. Chairman, that I fully believed when I took the floor that a point of order would be made.

The CHAIRMAN. The Clerk will resume the reading of the bill.

The Clerk read as follows:

CHARITIES AND CORRECTIONS.

Board of charities: For secretary, $3,000; clerk, $1,000; stenographer, $840; messenger, $900; four inspectors, at $720 each; traveling expenses, $400; four drivers, at $300 each; in all, $11,120.

Mr. COCHRAN. Mr. Chairman, I would inquire of the chairman of the committee in charge of the bill if this is an increase over the amount appropriated a year ago?

Mr. McCLEARY of Minnesota. Mr. Chairman, there has been so much confusion that I do not understand to what paragraph the gentleman refers.

The CHAIRMAN. The Chair will state that the pending paragraph is the paragraph on page 54, beginning with line 15 and ending with line 21.

Mr. McCLEARY of Minnesota. I will state that in the paragraph referred to there is one additional inspector provided for at $720 a year.

Mr. COCHRAN. Mr. Chairman, we might have anticipated that something additional was provided for.

Now, will the gentleman tell me why this additional inspector is needed?

Mr. McCLEARY of Minnesota. The gentleman has asked a question that has real point to it, and I am glad to answer it.

These inspectors are for this purpose: This capital city becomes the rendezvous of many people from the several States who are in trouble. Sometimes they come here hoping that their Congressman will be able to help them. Some of them fall sick. Some, brooding over their troubles, become insane. And so they get into the hospitals or into the almshouses or into the insane asylums. Their support is, of course, not a proper charge on this District. We have for several years been endeavoring to limit these improper charges upon this District. In order to do it we need some competent and trustworthy men to go around and make the necessary investigations.

Again, a great many people, bona fide residents of this city, apply for help from the public funds who ought not to have it. It may be a harm to them to receive it. It may not be a proper charge upon the District. When help is applied for from public funds, it should not be given out without investigation. Hence it is found necessary to have inspectors to do this work. In order to give full investigation along this line an additional inspector is required. Hence the increase inquired about.

Mr. COCHRAN. Germane to this discussion is the question as to the manner in which these places are continually made more numerous and more lucrative. Is it true that the Government of the United States in its several Departments and in the District government is conducted upon business principles? Go to one of these Departments and ask the Secretary or the under Secretary why it is that so numerous a clerical force is there employed, and not one will fail to tell you, if he makes answer at all, "We would like to get rid of many of these people, who are notoriously incompetent. We would like to weed out this force and make it more effective for the public service; but we are powerless to do it. If we should omit one of these men from the pay roll, down would come a Congressman or a Senator from the State from which the man came, and he would demand his immediate reinstatement, and down would come an order from above to reinstate him."

It is notorious that when we make appropriations for the maintenance of the different Departments and of the District of Columbia we know we are providing salaries for sinecures, the henchmen and dependents of great statesmen, who regard the securement of employment for these dependents as getting something for their districts.

There is not a Department in this Government where the officials in charge would not gladly weed out the undesirable and superfluous employees but for the fact that Congressmen and Senators are continually place hunting, and then we are compelled to raid the Treasury to pay the salaries of these favorites.

I believe this vice prevails in the District of Columbia to a larger extent than anywhere else. I acquit the gentleman in charge of this bill from responsibility. The wretched system is chargeable not upon the individual but upon the pernicious system followed by the Government's representatives collectively. The people's representatives should not insist upon padding the pay rolls, for by so doing they do not spend public money to the end that the public service may be made better but with the certainty that it will be made infinitely worse. [Applause on the Democratic side.]

The Clerk read as follows:

CHARITIES AND CORRECTIONS.

Board of charities: For secretary, $3,000; clerk, $1,000; stenographer, $840; messenger, $900; four inspectors, at $720 each; traveling expenses, $400; four drivers, at $300 each; in all, $11,120.

Mr. COWHERD. Mr. Chairman, I move to strike out the last word.

I want to say here something that I have long wanted to say in regard to the charitable appropriations carried in the District of Columbia appropriation bill.

I took occasion once several years ago to make a suggestion along this line. I did not think then that anything would come of it. I have a little more hope now, because the board of charities and corrections, as I find by a report submitted this year, have taken the same position.

We appropriate in this bill nearly $1,000,000 for different charitable associations in the District of Columbia. I am afraid to say just what per cent, but a very large per cent of that appropriation, in my opinion, is not for the indigent poor, but for the energetic office seeker.

I am not criticising the Committee on Appropriations nor the subcommittee in charge of this bill. I know too well how difficult it is to get any kind of reform in measures of this character, where a thing has gone on for years, and especially where it comes before a body like this not elected by the particular people whose money is spent, and in the community that spends it, and not responsible to the public opinion of the community where these institutions are located; but, Mr. Chairman, there is provided for in this bill charity after charity for which we appropriate from one thousand to fifty thousand dollars. Now, these appropriations have arisen in this way: Some good people—and they are always good people who originate these charitable institutions—the good ladies of some church, for example, get together and say, "Here is a particular work that needs to be done."

They raise a few thousand dollars in the church or among their friends for the purpose of charity, and they start the work, and that work grows, as charitable work always does, and they say, "It has got to be a burden, and we will go and get help from Congress." The very moment Congress begins to appropriate that moment individual effort ceases, or at least grows less, and year after year private contributions fall off and the public appropriations grow, until in a few years you have an institution owned by private parties, managed by private parties, the Government having no control over it, and yet the Government of the United States and the District of Columbia appropriating practically the entire sum that is spent for it.

Why, Mr. Chairman, in this bill we have institutions here—I notice one for which we appropriate here $9,000. The total sum raised outside is $1,000, and with a total fund of $10,000, $4,000 of it is spent for salaries. We call that a charitable appropriation. We have here institution after institution for which we make appropriations of $3,000 or $4,000, and the good people behind it, the trustees who are managing it, raise $1,000 or $2,000 more; and in nearly every instance from 20 to 50 per cent of it goes for salaries.

Now, as I say, the great difficulty in charitable work is the continued desire on the part of the individual to start a new charity—a good purpose behind it always, started from the best impulses; but the result is the duplication and reduplication of this charitable society and that charitable institution and the continued increase of the proportionate part of your charitable money going to pay the salaries of matrons and clerks of each one of these institutions.

Why, one of the Commissioners here, in the hearings before this committee, has suggested in regard to these appropriations:

If we were to undertake to change that, so as to give the Commissioners the control of this public money, we would arouse the greatest opposition.

I would like, Mr. Chairman, if this sentence only could be heard.

The CHAIRMAN. The time of the gentleman has just expired.

Mr. COWHERD. I ask unanimous consent to have five minutes more.

Mr. McCLEARY of Minnesota. I hope that will be granted.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that his time may be extended five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. COWHERD. If the House will listen to this sentence, I will be content to talk to the RECORD for the rest. Here is what the Commissioner himself said in relation to the proposition as to whether we could do away with this distribution of this fund to all these different charities in small amounts. The Commissioner says:

If we did it, we would arouse the greatest opposition, for the reason that such action would legislate out of office several secretaries and disbursing clerks in these various institutions, all of whom are deriving salaries out of the public money.

Mr. Chairman, it is bad enough to provide for clerks unneeded in any of the Departments of the Government and take the people's money to pay for it; but it is doubly and damnably bad that we do it under the guise of a charitable appropriation. [General applause.] I had no idea of proposing any suggestion to this House other than is carried in the suggestion of the board of charities. And while approving their conclusions I want to criticise those two bodies before I pass from it.

My friend from Missouri has just offered some criticism of this Board of Charities and Children's Guardians. Now, I find here we are carrying for administration purposes of these two boards practically over $20,000 and approaching nearly $25,000 in this bill. These boards are made up from the best people of the District of Columbia—give their work without pay; but I have always found it to be true when you have a "high-toned" board that works without pay that they usually require a double amount of clerical work with pay in order to carry on the business. It looks to me as though these boards were following the well-established custom in that particular.

Now, Mr. Chairman, I want to call especial attention to a few of these items of appropriation——

Mr. HEMENWAY. If the gentleman will permit me to interrupt him. I think he is right; but let me suggest to the gentleman that the Committee on the District of Columbia, on which he has the honor to serve, created these "high-toned" boards he speaks of, and that the Committee on Appropriations had nothing to do with the creation of these boards.

Mr. COWHERD. The gentleman is entirely right. They were created there; and I shall not attempt to shield the Committee on the District of Columbia. That committee may be in part responsible for the condition of which I complain. As I have already said, I am not criticising the Committee on Appropriations, though they are even more responsible for the continuation of these conditions. I remember when the bill was before the Committee on the District of Columbia for the creation of this Board of Children's Guardians.

I remember that it was distinctly stated at the time, because we made some inquiry, not fully understanding the work, that this was to be a board of charitable ladies and gentlemen of the District of Columbia, who were asking only the power of visiting the institutions that have intrusted to them these indigent and delinquent children, with the power to examine into them and see that the children were properly treated, and, as I remember, we provided in that bill for a salary list of only twenty-four hundred dollars. Am I not right?

Mr. HEMENWAY. I think the gentleman is right, and the gentleman is right in the other statement, that every time you create a board of that kind it means that clerical help is to be supplied to a greater extent than if you appointed one man to take charge of this, as you could have done in your bill.

Mr. COWHERD. But, Mr. Chairman, that board has not the right to create a single solitary office. The gentleman was right when he said it was the business of the District Committee to create officers, and that committee limited the expense to $2,400, but the committee of which the distinguished gentleman from Indiana is the chairman has brought in a bill carrying $10,000 in salaries.

Mr. McCLEARY of Minnesota. I am sure the gentleman desires to be right.

Mr. COWHERD. Certainly.

Mr. McCLEARY of Minnesota. This $2,400 is for agents only, and that is precisely the sum carried in the bill now for that purpose.

Mr. COWHERD. Here is for administration——

Mr. McCLEARY of Minnesota. You can not administer with agents alone. The gentleman knows that.

Mr. COWHERD. My understanding when that board was created was that the only salaried officials were to be the two agents.

Mr. HEMENWAY. Mr. Chairman, will the gentleman permit me? Does the gentleman suggest that the business of this board can be carried on without any officers except merely the two agents?

Mr. COWHERD. Mr. Chairman, I will answer that I do not know, but I believe it can be carried on for much less than $10,000.

Mr. LIND. Will the gentleman yield to me for a statement? In the State of Minnesota we have for years had a board of corrections and charities. It has charge of all the jails, all the charitable institutions, and all the paupers and pauperism in the State, and the business has been effectively and diligently conducted by one general agent and two clerks and two traveling assistants for the entire State, and the entire expense of that is $6,500.

Mr. HEMENWAY. We have a similar board in Indiana. But when the gentleman speaks about his State and my State and the other States, we all know that the business here can not be conducted for the same amount of money as there. Gentlemen can not live here as cheaply as they can in Minneapolis. A man goes to one of the hotels and he pays three times as much for the same quarters he could get in one of the hotels in the different States.

Mr. MADDOX. They would not charge that much to an agent; that is only to you and myself.

The CHAIRMAN. Does the gentleman from Missouri yield further?

Mr. COWHERD. Mr. Chairman, I have no objection to yielding to any gentleman if I may be allowed as much time as has been consumed for the conclusion of my remarks.

Now, Mr. Chairman, I do not agree with the gentleman from Indiana that we must pay somebody in the District of Columbia for this class of work more than we pay them in the States. I think if this matter were carefully looked into, it can be done as economically in the District as elsewhere. I was not criticising the committee so much, although I confess it seems to me they are subject to some criticism in not cutting down the salary lists of these charitable associations, but the point I am criticising is the entire system of the Government of the United States going into partnership with all these private charities in the District of Columbia, not only to the great detriment of the Treasury of the United States and of the District, but to the absolute detriment of the administration of the charitable fund itself.

The moment you start in to assist some children's home or some foundling hospital or something else carried on by private means, that moment you take away all the incentive on the part of private individuals to carry on the charitable work and you throw the whole thing on the Treasury of the United States. The Government ought to provide its asylum as the States do. This District ought to have its own almshouse as other cities do, and ought to have its own hospitals——

Mr. LIND. There is an appropriation——

Mr. COWHERD. I know there is. As I was saying, as the cities and States have such eleemosynary institutions, so should the District have them, and then it might help some one individual charity that takes care of emergency cases, of the stranger that is thrown on the street, or the poor man out of employment, who must be carried through a few cold days of winter or of sudden sickness in the family, and such emergency cases.

The CHAIRMAN. The time of the gentleman from Missouri has expired.

Mr. COWHERD. Mr. Chairman, the most of my time was taken up by other gentlemen, and I am going to ask the House to indulge me once more with five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that he may proceed for five minutes. Is there objection?

There was no objection.

Mr. COWHERD. But, as I was saying, aside from the appropriations of that kind, the Government of the United States ought to keep its hands off the private charities, and when the good people get up a "day nursery" or a "children's home" or an "old people's home," let the good people support it, and you will find that the charitable people of this community will do like the charitable people of your community and of mine—they will take care of the institutions of that kind without Government aid, and take care of them better than you will with Government aid and without Government control.

Why, Mr. Chairman, we have appropriated here within the last three years $750,000 to aid private charities in building hospitals and additions to them. I say "private" because the grounds are not owned by the Government. The buildings that we build are not owned by us. We absolutely can not dictate the admission

of patients to these hospitals nor how they shall be treated after they get in there. We have, of course, the right to examine them by the District Commissioners, and some they have examined and reported adversely upon. But we have not the right to go in and control and regulate the management of some of these great hospitals for which we appropriate [illegible] per year.

Now, let me call your attention to the extravagances of this system of having half a dozen or a dozen men, excellent people of the District, but people interested in other matters, acting as trustees for these institutions. There is a Reform School for Boys, and it carries in all an appropriation of nearly $[illegible]. Do you know how many boys they have there? As I remember it, they have about [illegible] or 260 boys.

Mr. McCLEARY of Minnesota. That is right.

Mr. COWHERD. A large percentage are colored boys, but you have 40 employees on a salary in that Reform School taking care of 250 boys. Do you suppose for a moment if that was either under private control, where they had to raise the funds out of their pockets, or under Government control, where there would be an official responsible for it, you would have such a salary list for that same board?

There is a reform school for girls which carries an appropriation of $[illegible]. They have got in that school, as I remember it, an average of seventy girls. Two hundred and fifty dollars per year for every one of them.

Mr. HEMENWAY. What school is the gentleman referring to?

Mr. COWHERD. The Reform School for Girls. I think there are about seventy girls, two or three of them white and the rest colored girls who have been committed, I suppose, for some minor [illegible] offense. You have got fourteen employees to take care of them. I admit that schools have got to have teachers, of course, but children are sent there to be taught how to work and earn their own living. In the Reform School for Boys they appropriate here dining-room servants. What are they doing with the boys who ought to be taught that sort of a thing, so that when they come out they can go to work for you or for me?

Mr. HEMENWAY. I would like to ask the gentleman if he refers to the reform school where they are committed for crime?

Mr. COWHERD. Yes.

Mr. HEMENWAY. The gentleman from Missouri does not undertake to say that a school of that kind can be controlled with the same number of employees as a school of good boys?

Mr. COWHERD. Certainly not.

Mr. HEMENWAY. You have got to have guards and all the surroundings of a prison.

Mr. COWHERD. Oh, no; the modern reform school is not surrounded with guards like a prison; exactly the contrary system is the modern system.

Mr. HEMENWAY. One moment; they do not put them in cells, and that requires more employees to take care of them for that reason.

Mr. COWHERD. I admit that, but I ask the gentleman if he does not believe that forty employees there is excessive?

Mr. HEMENWAY. I believe that in all the departments of the Government in Washington, we have more employees than are necessary. But what are you going to do when they come down here and say they can not conduct the institution in a suitable manner unless they have them? You have to take somebody's word for it, and the gentleman's committee reported the bill that created this home.

Mr. COWHERD. And probably very properly reported it.

Mr. HEMENWAY. The gentleman's committee suggested that a board should be put in charge of it, and that board comes down here and says, "We can not conduct the institution without this number of employees." Will the gentleman from Missouri say that his judgment and mine, when we can not go out there and investigate it, is better than the judgment of the men who are in charge?

Mr. COWHERD. Mr. Chairman, I would say that the judgment of any man who said that forty salaried employees were needed to take care of a school having 250 boys in it was bad and not to be relied on by the gentleman's committee or any other.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. COWHERD. Permit me, Mr. Chairman, to say in conclusion again that I am not criticising the committee so much as I am criticising the system.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that the gentleman may be permitted to continue.

Mr. COWHERD. Oh, no; I thank the gentleman from Indiana, but I do not want to use any more time.

Mr. McCLEARY of Minnesota. Mr. Chairman, I am very glad, indeed, that the gentleman from Missouri [Mr. COWHERD] has discussed this question, because any question which he discusses he illuminates. And he has spoken in his usual good spirit.

The gentleman began and concluded with the statement that in what he had to say it was not his purpose to criticise the Appropriations Committee. What he said was largely a confession of work undone by his own committee, because the legislation relating to these things belongs not to us, but to the committee of which the gentleman is a distinguished member.

Mr. COWHERD. Will the gentleman yield?

Mr. McCLEARY of Minnesota. Yes.

Mr. COWHERD. Is it not a fact that this reform school for boys, for which the gentleman from Indiana [Mr. HEMENWAY] says the District Committee provided, has been in operation here in the District of Columbia for many generations, and in fact is an old, old school, that has grown up and has not been legislated on?

Mr. HEMENWAY. The reform school for girls has not.

Mr. McCLEARY of Minnesota. The reform school for boys is an old institution, but the reform school for girls is one recently created by the gentleman's committee.

Mr. COWHERD. Did that committee provide for any salary list in that school? Does not the growth of that list rest entirely with the Appropriations Committee?

Mr. McCLEARY of Minnesota. I think that the gentleman is in error as to the number of the employees and teachers in the Boys' Reform School. But why did not the gentleman's committee specify how many employees there should be in the Girls' Reform School, for whose establishment it provided?

Mr. COWHERD. Because it is a matter that can not be specified. Creating the school, there was not needed a single employee until somebody had been sent to the school. The only thing that was necessary was a board of management until the school itself had built up, but as it has built up and the salary list grows, it rests with the Appropriations Committee to say how many.

Mr. McCLEARY of Minnesota. Has the gentleman any knowledge of anyone employed there who should not be employed?

Mr. COWHERD. Why, Mr. Chairman, how could the gentleman have any knowledge of that fact? When I find so many employees taking care of so few pupils I have sufficient general information to draw an inference that there are too many employees there.

Mr. McCLEARY of Minnesota. Let me recur to what the gentleman himself was a party to. He created a board to have charge of this institution. Now, if he were a member of the Committee on Appropriations, where would he look for information? Would he undertake to visit all of these institutions and spend his vacations in the city of Washington personally examining these things, or where would he look for information?

Mr. COWHERD. Mr. Chairman, I will say very frankly—I said before that I did not want to criticise the gentleman's committee—but if that committee relies in toto upon recommendations of these boards of management of these charitable institutions, or the Commissioners of the District either, and makes appropriations entirely upon their recommendation without further investigation, then that committee is subject to criticism and I would criticise it.

Mr. McCLEARY of Minnesota. Well, Mr. Chairman, the gentleman has stated a purely hypothetical case, because he knows that the committee does not do any such thing. But it must get its first information from them. It then uses its judgment as to whether the recommendations are well founded.

But that is not what I started out to say. The gentleman has touched a great question when he brings up the question of employing public money for the support of institutions that are largely private in character, and the gentleman is emphatically right in all that he has said in that connection. The committee is gradually becoming stronger in that opinion. We have been studying this question for more than two years. We have encountered difficulties which the gentleman will readily understand; difficulties which arise out of the fact that these institutions are, many of them, of long standing.

They are reputable and useful, and they have their friends in Congress in both Houses. We must be sure we are right before we can go ahead. At present we are simply marking time. We have that subject under consideration, and before much more time has passed we will reach a conclusion. My judgment is that it will be along the line that the gentleman has indicated, and for indicating it so well the committee is grateful to him. It will look to him for valiant and valuable support when the time for action comes.

Mr. BENTON. Mr. Chairman, I have not any speech prepared on this subject. I want to say a few things, however, in defense of the subcommittee of which I am a member.

There is a large measure of sound truth in the criticism of my colleague from Missouri [Mr. COWHERD] on this budget, but I want to correct just here a wrong impression of his. He takes this Committee of the Whole into his confidence and gives it the benefit

of the recommendation of the board of charities for the gradual abolition of some of these boards. He does the board of charities too much honor. They have not any desire whatever to decrease the number of offices or the amount of the appropriations; they want to abolish a few of these little concerns, so they may take charge of all of them and have the control of them themselves in other institutions now in their charge. That is the cold-blooded truth about the board of charities. They are a very eminent set of gentlemen, serving without individual pay; but I have never heard, since I have been on this subcommittee, of a member of the board of charities suggesting that the salaries be reduced. On the contrary, each of the budgets presented to us has suggestions for the increase of salaries by this board.

Now, a word in our own defense. My colleague is mistaken when he thinks we do everything that the board of charities or even the Board of Commissioners suggests. If he will look at their recommendations to us and then look at this bill he will find that, large as it is, it is $2,000,000 less than the recommendations of the Board of Commissioners. It would have been more than $3,000,000 less except for the necessities of the situation.

As has been stated by my colleague on the committee, the gentleman from Minnesota, more than a million dollars of this large budget that we presented to the House comes from the necessity of finishing the filtration plant and the sewage-disposal system. If somebody on this committee does not make some statement in defense of the committee we are chargeable with the animadversions that may come from any gentleman on the floor.

Take for instance the board of charities created by act of Congress. I do not know, perhaps my colleagues on the committee from Nebraska or from Minnesota did not know, the full necessity for this board of charity; but we took the word of the District of Columbia legislative committee. It was created. They come before the District Appropriation Committee with their recommendations. They make statements presumably correct as they understand the facts, and as far as we are convinced we follow their suggestions. We examine and cross-examine them, sometimes to the point of being disagreeable. After they are gone we exercise our best judgment and keep the appropriations down as low as we think we dare do without being criticised for parsimony.

I am sure in my own mind, though I have not the clear proof of it, that we are paying out several hundred thousand dollars in salaries in the District of Columbia that we might avoid. But I do not know of any way to get at the facts except by the appointment of a commission by and under an act of Congress that will put men upon oath—make them inform us what the actual necessities are—get persons and papers, and then let Congress begin at the bottom and go up again.

Mr. HEPBURN and Mr. COWHERD rose.

Mr. HEPBURN. If the gentleman from Missouri [Mr. COWHERD] prefers to go on now——

Mr. COWHERD. If the gentleman from Iowa [Mr. HEPBURN] will permit, I would like a moment just now to answer the remarks that have been made in regard to the District Committee and to statements of my own.

Mr. HEPBURN. All right.

Mr. COWHERD. I endeavored particularly to state that I was not criticising the committee that brought in this bill for these items, because the system has grown up in the course of years and they seem in the main to be following precedents.

Mr. BENTON. I so understood; I thought I stated that to my colleague.

Mr. COWHERD. The gentleman from Indiana by his question very plainly suggested that the subcommittee on the District of Columbia appropriation bill was relying upon these boards of managers and trustees, and so if anything I said was in the way of criticism upon them I was entitled to criticise them if they did rely upon these estimates. I do not believe they should take the estimates of these boards of trustees, none of whom are public officials, and rely upon them entirely in making appropriations. The gentleman says he does not do so. Then, if they have any different and better information, they either ought to strike out the surplus employees or they ought to sustain them.

Now, the gentleman criticises the Committee on the District of Columbia. He says they start this business and the Committee on Appropriations simply has to provide the appropriations. Is that committee subject to such criticism?

Let us see what are the facts: Here is the National Association for the Relief of Destitute Colored Women and Children. They come here to the Committee on the District of Columbia and ask for authority to incorporate. Would you refuse it? They are not asking for any appropriation, but simply ask the right that all other charitable organizations have; they simply ask an incorporation as an eleemosynary institution. We give them the right to incorporate, with a board of visitors to manage the institution. Then they go to your committee, and you give them the appropriation that carries here $9,000 out of the $10,000 that they receive, with a salary list of $3,900. Are we to blame for that? We never suggested to your committee any appropriation.

Here is the Newsboys and Children's Aid Society. Why should not that society have articles of incorporation as an eleemosynary institution, a private charitable institution in the District of Columbia? Are we to blame if they go to your committee and get an appropriation and spend it for salaries rather than for charities? And so on all down the list. The Committee on the District of Columbia simply provides the machinery. It does not provide the appropriations, and as to these private institutions it does not know and has no way of knowing how many of them, or whether any of them, will be recognized by the Committee on Appropriations afterward in the way of public funds.

Now, as to the Board of Children's Guardians and the Board of Charities, I have explained, and they are very well understood. They were provided, and the machinery by which they operate was provided, and we limit as far as we can in our committee the number of employees that they shall have; but in a large portion of these charities and in a large portion of the money carried in this bill the Committee on the District of Columbia never had a word to say as to when or where there should be any appropriation.

Mr. HEPBURN. Mr. Chairman, I want in the outstart to disclaim any purpose of criticising either the Committee on Appropriations or the Committee on the District of Columbia, but I do want to call attention to this very remarkable fact, that between the general headings "Charities and corrections" and "Militia of the District of Columbia," following the subheads of this first general head "Charities and corrections," there are appropriations aggregating $889,000 for charities and corrections in the District of Columbia. Two hundred thousand dollars of that, I am frank to admit, consists of appropriations for public buildings, in connection, however, with these charities. I think it is safe to say that that character and amount of appropriation, however, accompanies every bill of this description, so that it is safe to say that this is about an average appropriation, $889,000 for charities and corrections in a city of a little more than 250,000 people. That is more than equal to $3 a head for charitable purposes for all of the citizens of the District of Columbia.

I do not know whether there are too many officers or not, but I do know that to my mind there is an extraordinary number. Whether we could dispense with any of them is a question that I am not now prepared to solve. I do know, however, that as compared with expenses of similar character in some of the States—in one, at least—this sum seems to be enormous. In the State of Iowa, for example, for purposes of this character the appropriations are about 50 cents per head. The appropriation to carry on all of the great institutions—three penitentiaries, four hospitals for the insane, and all of the eleemosynary institutions of the State of Iowa—amount to little more than $1,000,000 for a population of two and a half million people. I am not sure that a just comparisom can be made, but it does appear to me that some method ought to be taken of ascertaining, more accurately than the committee in the very nature of things can ascertain, the necessity for these appropriations.

It is a truth, I think, that all gentlemen will recognize, that the chief source of their information, that upon which they must rely under our system, is tainted with interest. While these boards serve, perhaps, without pay, every member of them has an interest in the institution he is helping to fondle. All of the officers charged with the conduct of these establishments have an interest in securing the largest appropriation. Why, you see it in the Book of Estimates. What member of the Committee on Appropriations is willing to be guided by the estimates made by the nine Secretaries? Not one of you. After you have received your estimates and such detailed information as they see fit to give you, you call them before you, you interrogate them, and then you refuse to be guided by their estimates; and in almost every instance the gentleman who has charge of a bill suggests to the House with some measure of proper pride, "We have cut down the estimate so many thousand dollars or so many million dollars."

Mr. HEMENWAY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Iowa yield to the gentleman from Indiana?

Mr. HEPBURN. Yes.

Mr. HEMENWAY. That is true in this instance.

Mr. HEPBURN. I have no doubt about it. I am not criticising the committee. I have not a particle of doubt that they have done the very best they could under the circumstances. I am criticising the system under which we operate in making appropriations of this kind. I do not believe that there is scrutiny enough. I am not here to say that it is the duty of the committee to give more of scrutiny to the subject than they do give. Their time is necessarily limited. They have a great variety of duties. There are no men more hard worked in this body than the mem-

bers of the Committee on Appropriations. I am not criticising them, but I am trying to say something that will find a lodgment in the mind of some man who knows how to suggest the proper remedy. There ought to be a remedy. Three dollars per capita to be spent in charities, so called, or in institutions of correction in this city is, in my judgment, an enormous sum. It would be equal to seven and a half million dollars in the State of Iowa, more than three times the total expenditures of that State, nearly three times the total appropriation of the State for carrying on the government of Iowa.

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLEARY of Minnesota. Does the gentleman want more time?

Mr. HEPBURN. No.

Mr. COCHRAN. Mr. Chairman, a tax of $40 per capita is imposed by this bill for the government of the District of Columbia. I do not believe there is a Congressional district in the United States that does not expect its Congressman to go a long way in appropriating money from the public funds for the purpose of beautifying the American capital. I believe it is the consensus of public opinion throughout the country that we ought to have the finest capital city in the world; and whenever an appropriation is brought before this body, reasonable in amount, looking to that purpose, it will not only have my support, but I believe it will have the support of an overwhelming majority of this body.

I do not believe the people of this country expect the appropriations carried in this bill every year shall stand out conspicuously as evidences that a very wretched system of municipal government has been allowed to grow and grow without any effort to prune it; or, worse, that the utter recklessness of place hunters has fastened on the public in the administration of the Government in all its departments an army of sinecures.

I live in a State of near 4,000,000 people. It is a rich State, with a penitentiary, a reform school for girls, a reform school for boys, a university that ranks well with the best institutions in the world, a school of mines, five normal schools, three hospitals for the insane, asylums and schools for the blind and the deaf and dumb, with every possible provision in the way of eleemosynary establishments for the cure of the unfortunates, and yet the appropriations carried in this bill for one year's expense in the District of Columbia is two and one-half times as much as the gross expense of the State of Missouri for the administration of the State government in all its departments.

It is true some part of these appropriations made by this are for public buildings. It is also true that at every session of the legislature of Missouri we make appropriations for public buildings. The public institutions I speak of have been built without going into debt for the money with which the State built them. To institute another comparison: While I have no figures by me, I will venture the assertion that you can not find on the face of the earth a city where the expenses of municipal administration are in any way to be compared with the expenses of this city.

Now, somebody is responsible for this. If the American Congress is to admit that such proceedings afford an exhibition of its capacity for municipal government let the country so understand the matter. We are sitting here to-day as a board of aldermen pure and simple. As individuals we have no private interests at stake; therefore no selfish motive actuates us. We are in a position to enact laws for the government of the city of Washington untrammeled by considerations which probably embarrass city governments generally. We certainly should be able to safeguard the public against a waste of public money and establish a system which will give the taxpayers something for the dollars they expend.

The gentleman from Minnesota tells us the committee has done its best; that it has endeavored to go to the bottom of all questions involved; and yet the result is a bill whereby out of $[illegible] appropriated for a private eleemosynary institution $[illegible] of the appropriation is devoted to payment of the salaries of those in charge of the expenditure of the money. Think of it! Out of gross receipts of only $9,000 or $10,000 for charity all told, nearly $[illegible] per cent of it—is devoted to paying the men who expend it! Now, I believe that here we find the key to the whole situation.

I recollect that during the Spanish-American war a report was put in circulation to the effect that an attempt had been made to dynamite some of the public buildings. The result was the appointment of a large number of extra policemen. This was regarded as a temporary increase in the police force. Have they been relieved yet? The Spanish war is over. Everyone connected with the government of the city of Washington tells us that the city can not possibly get on without them—that they are absolutely indispensable. Everybody knows that an unexpected emergency caused the increase in the police force. The emergency seen disappeared, but the policemen called into service by it are still on the pay roll.

Mr. Chairman, when, how, and where are we going to commence pruning these rank growths? Are we to go on obeying the superintendents, secretaries, assistants, and typewriters, who, we are told, would bitterly resent any effort to dispossess them of the places? Is it not true that these appointees, clerks, and employees have powerful friends at court, who would, in the way of reform, and who, were we to undertake a [illegible], would surround the heads of the departments, each demanding to know why his appointee was left out, why was my constituent left out, why [illegible]?

The result of this pernicious system is seen in the [illegible] indefensible misappropriation of public funds. It is this that compels the employment of men and the retention of clerks at unnecessarily outrageous salaries, and until we [illegible] our minds to destroy this system the Congress will remain powerless to correct the evil. There is only one way to correct it. The Appropriation Committee alone can do it. We should make appropriation ample for carrying on the business of these various public bodies and no more, and under the conditions of the present [illegible] compel the abandonment of this extravagant and ridiculous system of municipal control. [Applause.]

Mr. McCLEARY of Minnesota. Mr. Chairman, much that has been said is a valuable contribution to the subject we have been considering. The committee welcomes it and expresses its thanks to the gentlemen who have given us the benefit of this thought.

Several references have been made, however, to the expenses of State governments as compared with those of the District of Columbia. Of course gentlemen, when they stop to think of this, will recollect that this entity we are appropriating for is unique in that in its necessary expenditures it is both a State and a city. It has most of the expenses of a State and all the expenses of a city.

Now, I do not propose to go over the whole subject. I will simply say that the Committee on Appropriations, the subcommittee having charge of this bill, cut down the estimates which were submitted to them something like [illegible]. We tried to do that cutting down prudently and [illegible] our eyes and shaving. We believed that we [illegible] such a thing as that. But where we saw an opportunity of saving the public money without doing harm we used that opportunity.

In the case of the board of charities of the District, about which so much has been said, we cut down the estimates half a million dollars from the estimates which were made. Here are the figures: The estimates of the board amounted to $[illegible]. The appropriations recommended in this bill amount to $[illegible]. It seems to me that is [illegible] the whole amount estimated. In order to determine what might to be reached in that reduction, we spent hours and days with the gentlemen in charge of the [illegible], to tell us and we endeavoring squarely to ascertain the real situation.

Let me remind the committee of the fact that some years ago the appropriation for the board was [illegible] the sum of [illegible] of the District [illegible] of money. It was an unusual and apparently [illegible] sum of money. It was believed that charities had [illegible] into existence and the burdens of taxation assessed by the [illegible] without [illegible].

In order to correct that condition this House, under the leadership of the committee of which my friend from Missouri [Mr. COCHRAN] is a distinguished member, the Committee on the District of Columbia [illegible] for what is known as the "Board of Charities." That board was to take into consideration this whole question of the charities of the District.

Let us see who constitute the personnel of that board. I find the list here in the report: George W. Cook, a professor in Howard University, a colored [illegible] man and very able and very honorable [illegible] to be from our [illegible]. There was Paul Clarke, [illegible] a prominent business man of the city. Then we find John Joy Edson, president of the Washington National [illegible], and S. W. Woodward, the [illegible] of Washington [illegible]. It would be very hard [illegible] of other committees of [illegible].

These gentlemen have devoted a great deal of time and a great deal of intelligent thought to the subject [illegible] for which they receive no compensation except that of a good conscience.

These gentlemen have for the last two years made recommendations to us along the line of the speech of my friend from Missouri [Mr. COCHRAN] and my other friend from Missouri [Mr. CLARK], whom I regard as a friend notwithstanding the little spat we had a little earlier this morning. Mr. Chairman, those

gentlemen whose names I have given to you are among the most able and public-spirited citizens of this community. They have spent, as I say, weeks of time, every hour of which had a money value to them, in this public service. They impressed us with their sincerity and their desire to put these charities upon a proper basis. It is due to these gentlemen that we say we did not down the [illegible] as follows, as in full [illegible] which they made. Their recommendations look toward the gradual [illegible] of all appropriations for these institutions that are [illegible] and which are now supported in large part at [illegible].

[illegible] the committee feels decidedly disposed; but [illegible] to it. We have several times [illegible]. Last year we [illegible] some reductions, but [illegible] of the usual amounts. We do not want to cut off any of them with harsh precipitancy, because that would [illegible] the District of Columbia [illegible] of our charitable institutions [illegible] stroy good work, and no one [illegible] done.

Mr. LIND. Will the [illegible] yield for a question?

Mr. McCLEARY of Minnesota. [illegible]

Mr. LIND. [illegible] do the same work that is done by the private eleemosynary institutions now? Pretty generally.

Mr. McCLEARY of Minnesota. The charities of the District are largely of the kind I have described, [illegible] institutions to do the same kind of work?

Mr. McCLEARY of Minnesota. To a very small extent.

Mr. LIND. I notice that the bill carries an appropriation of $[illegible] almshouse.

Mr. McCLEARY of Minnesota. That is wholly public.

Mr. LIND. Is that new?

Mr. McCLEARY of Minnesota. It is to enlarge the present almshouse.

Mr. LIND. Could not that almshouse do a great deal of the work here that is committed to private care?

Mr. McCLEARY of Minnesota. The almshouse is now in very limited quarters in close conjunction to the jail. With this appropriation which the gentleman refers to we propose to construct a new almshouse in a healthful place in the country, down near Alexandria, within the District, bought for the purpose a short time ago.

We are simply marking time on this problem until we ourselves can get full information on the matter, to the end that we may not do wrong in our effort to do right. We hope to move forward within the next few years along the general lines suggested by the gentleman from Missouri.

Now, Mr. Chairman, we hope that when we do move forward we shall have the support of this House, even if we touch upon something that some Member believes ought not to be touched at the time.

Mr. LIND. Mr. Chairman, I want to submit one observation in answer to what the gentleman has said. He suggested that the management of these institutions afforded no guide in the matter of appropriations for the District of Columbia. I can not conceive that to be possible. I can not understand why the administration of institutions of like character, like the insurance commissioner's, should cost any more here than in the State of Minnesota. The gentleman from Minnesota [Mr. McCLEARY] said a few moments ago that this is in part a State administration and in part a municipal administration. Granting that, let me call the gentleman's attention to this fact: The entire cost of the State administration of the State of Minnesota, with its nearly 2,000,000 people, the State University with a student body of 4,000, and a great number of normal schools, is, in round numbers, only $7,000,000.

Mr. McCLEARY of Minnesota. Will the gentleman allow me a question?

Mr. LIND. Certainly.

Mr. McCLEARY of Minnesota. Does that $7,000,000 include the local institutions—the schools in the various communities?

Mr. LIND. It includes all the State schools, normal schools, and schools for defectives, and in addition we are building a magnificent State capitol. I may give another illustration of city government—the city of Minneapolis in which I reside, which is very nearly as large as the city of Washington——

Mr. McCLEARY of Minnesota. Oh, Mr. Chairman, not even the pride of a Minneapolitan can make that true. [Laughter.]

Mr. LIND. Well, if the gentleman takes exception, I will suggest facts that will put my comparison beyond criticism. I say very nearly as large, and we have not been accused of economy of late. In fact, it has been the common complaint of our citizens that our administration has been extravagant, and we have spent in round numbers only $3,800,000.

Now, take the city of St. Paul, and my colleague will concede that Minneapolis and St. Paul together are vastly greater and do an immensely larger business than the city of Washington, that they have greater interests every way, and the municipal expense of the city of St. Paul is less than $1,000,000.

Mr. BURKETT. Will the gentleman allow me?

Mr. LIND. If the gentleman will wait until I conclude. So that the expense of the administration of the city of Washington is greater than that of the entire State of Minnesota with its capital city added. The gentleman asked me whether the statement I made a moment ago included the expense of the schools throughout the State. The entire amount collected in the State of Minnesota for all purposes—schools and municipal government and [illegible] of all kinds—is only $[illegible].

This is in excess of the average in the States. For the administration of all the affairs of the great State of Minnesota—State, municipal, educational, and [illegible]—we expend less than $18,[illegible] and here we are [illegible] $11,000,000 for the city of Washington. Now, I say that under these circumstances [illegible].

Mr. HEMENWAY. Mr. Chairman, right here will the gentleman yield a moment?

Mr. LIND. Yes.

Mr. HEMENWAY. He does not want to be unfair. In his figures he does not include the amount of money expended by the [illegible] for charities [illegible].

Mr. LIND. I do.

Mr. HEMENWAY. In the counties for charities?

Mr. LIND. I do.

Mr. HEMENWAY. Does the gentleman say that $18,000,000 is the total amount of taxes collected for township, county, State, and city purposes in the State of Minnesota?

Mr. LIND. In the State of Minnesota; yes.

Mr. BURKETT. In the municipal estimate the gentleman does not include the cost of paving?

Mr. LIND. I do.

Mr. BURKETT. That is done by a separate estimate charged against the property, is it not?

Mr. LIND. Yes; it is in a measure. But let me say in that connection——

Mr. BURKETT. They do not build their sidewalks there out of city funds?

Mr. LIND. They do not here; they do not pretend to; but let me call the attention of the gentleman to what your committee has done. You appropriate some $12,000 for the administration of a sidewalk fund of $160,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LIND. Mr. Chairman, I ask unanimous consent for five minutes more. It does not take an expert to know that it is ridiculous on its face to appropriate $12,000 for the administration of a fund of $160,000.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BENTON. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be extended for five minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the time of the gentleman may be extended five minutes. Is there objection?

There was no objection.

Mr. LIND. Now, when you appropriate $2,500 for a superintendent of street sweepers and give him, say, eighteen or twenty assistants—that may be more than the bill shows, but it is a large number—and salaries running from twelve to fifteen hundred dollars, I think I am justified in saying that the committee is somewhat extravagant, and that would appear so to a man who has only had experience in Minneapolis, or St. Paul, or Chicago, or any other city, I venture to say.

How can you justify paying the principal of a school, a college graduate, only $1,500—and that is in harmony with the salaries of teachers all over the country—and then appropriate in the same bill and pay the superintendent of street sweepers $2,500? How can you justify paying the teacher who teaches your children and my children only $720 and pay an assistant superintendent of street sweepers $1,500? I would like to have these anomalies reconciled. I say under these circumstances that the members of the committee ought to be willing to hear a little comment and possibly a little criticism on this bill.

Mr. McCLEARY of Minnesota. Mr. Chairman, the gentlemen of the committee are not only willing but anxious to hear all the criticism that is directed toward the public good, and so far as this criticism ministers to the public good the committee will listen to it and heed it and try to act upon it the next time it handles a bill. That is the disposition of the committee, and gentlemen generally ought not to misunderstand it.

Mr. LIND. Mr. Chairman, let me call attention to one other

thing. Here you have an excise board. What do excise officers do in this city? Exactly what they do in Minneapolis or St. Paul or Chicago—look after the liquor licenses. We have in Minneapolis one officer who gets, I think, $1,500 a year. Here you have a chief clerk at $2,000, one clerk at $1,200, one clerk at $1,000, and a messenger at $900—in all, $4,900. Just think of that, for looking after the liquor licenses in this city! It is absurd. Then take your office for collecting the personal-property tax here. We have appropriated for a collector $4,000, a deputy collector $1,800, and so on—I will not read it all—a total of $19,400, twice the amount that the administration of the State treasury costs the State of Minnesota.

Mr. DUNWELL. May I ask the gentleman one question?

Mr. LIND. Certainly.

Mr. DUNWELL. Does not the gentleman consider that it would be fairer to line up the expenses of a great city like Washington with the expenses of some other great city, rather than the governmental expenses of a State?

Mr. LIND. I did that.

Mr. DUNWELL. The gentleman will allow me to inform him that the city of New York raises every year for the purposes of its government $100,000,000, while the government of the great State of New York does not cost one-fifth of that sum.

Mr. LIND. New York City is in a class by itself: I concede that. I am not here to discuss New York: but I venture to say to members of this committee that if you take the budget of any city in the country of the size of Washington, or approximately its size, you will find that that other city does not appropriate half the money that this city is spending.

The CHAIRMAN. The time of the gentleman from Minnesota [Mr. LIND] has expired.

Mr. McCLEARY of Minnesota. I should like to ask my colleague just one more question, and then I will yield to him my time for an answer. Does my friend undertake to say that the cost of collecting the State taxes in the State of Minnesota bears any comparison to the expense of such collection in this city?

Mr. LIND. I do mean to say that I have a right to compare the expenses in the city of Minneapolis with the expenses in Washington City, and to say that in the city of Minneapolis we do not spend one-quarter of the amount that is spent here in the same way. In Minneapolis the collections are made by the treasurer and his deputies without any other expense to the city, and the cost there is not one-fourth of what it is here.

You have no treasurer here in the sense that we have in Minneapolis. I realize that perfectly. But take the city comptroller's office of any city in our State—an office which I judge is substantially the same as your auditor's office here—and you will find that the administration of your auditor's office here costs six times as much as the administration of the corresponding office in Minneapolis. It seems to me that such a condition of things is absolutely indefensible.

Mr. HEMENWAY. Mr. Chairman, I move to amend by striking out the last word. The gentleman from Minnesota [Mr. LIND] has been comparing the expenditures for the District of Columbia with the expenditures for the State of Minnesota—a very unfair comparison. The gentleman must understand that in one institution over here which is provided for in this bill there are over 100 people that come from different States of the Union.

Mr. LIND. I understand perfectly well—and I do not want my language to be otherwise construed—that it does cost more in Washington for many of these items of expenditure; and we are all willing that the appropriation shall be liberal, but nevertheless there ought to be a limit even to liberality and generosity.

Mr. HEMENWAY. Yes: but the gentleman comes now with this explanation, when his speech was along the other line—making comparison of expenditures here with expenditures of the State of Minnesota. And, as I started out to say, he forgets in one institution over here there are more than 100 people who come from different States of the Union and who are taken care of upon this bill. All along through this bill you will find not only expenses of the District of Columbia taken care of, but expenses of people that come from the different States who are here, and provision for their care is made in this bill.

The gentleman said a while ago in his explanation that he realizes that it costs more here than in some other places to provide for these different items of expenditure. The gentleman comes here upon a salary of $5,000. I do not suppose he speculates upon it. Yet if he could have $5,000 in the city of Minneapolis as a member of the State legislature of Minnesota, it would be a magnificent salary, and he could save out of it considerable money.

Take the whole public service for the District of Columbia and it is necessarily more expensive than that of any other city in the United States. Why? This is the capital city of the United States. We maintain more parks here all over this city than there are in other cities of the Union. For these numerous parks here watchmen must be provided. Do you find this extensive park system in Minneapolis? How many cities have parks that compare with the parks of Washington?

The parks in other cities are but as a drop in the bucket compared with those of Washington.

Mr. LIND. We have 40 miles of parks in the city of Minneapolis.

Mr. HEMENWAY. All these parks here in the city of Washington must be provided for. All along the line there are marked differences between this city and most other cities. The conditions in a State are wholly different, and it is unfair for any gentleman on this floor to compare the expenses for the District of Columbia with the expenditures for a State, because as everyone must realize, it must be much more expensive to care for this capital city of the United States, which is being made the most beautiful city of the world, than to pay the expenses of maintaining some other city of the Union.

Now, as to these charities.

The Committee on Appropriations does not legislate. It reports appropriations in compliance with law; and if we place upon this bill a single item that is not authorized by law, any Member of the House may take the provision out of the bill by a point of order. We do not make the law. It was made by Congress at the suggestion of the Committee on the District of Columbia.

Now, as to the charities, we all agree that it seems as though there was too much money paid out here for charities. We have been trying to solve the problem. The Committee on the District of Columbia have been trying to solve the problem, and some two or three years ago they worked out this legislation for a board of charities. Upon that board they placed these distinguished gentlemen, George W. Cook, Charles C. Neill, Simon Wolf, John Joy Edson, S. W. Woodward, conceded, I believe, to be some of the most distinguished citizens not only of the District of Columbia, but of the United States, and said to them: "Gentlemen, here is a serious problem. You are paying too much of your money out for charities. Here is the District of Columbia paying one half of this money and the Government of the United States paying the other half by way of a tax upon our great public business here. Figure this out and see if you can not save some money for the people."

This board of charities have gone to work. They are men of high character. They say they are working it out, but yet the gentleman from Missouri [Mr. COWHERD], who helped inaugurate this legislation, comes in and says that the board are not working it out to his satisfaction. They are not working it out to my satisfaction. But naturally we come back——

The CHAIRMAN. The time of the gentleman has expired.

Mr. HEMENWAY. I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. HEMENWAY. We come back, naturally, and ask the question, "What are we going to do about it?" The Committee on the District of Columbia has performed. Congress has performed. This board has been created. They say they are doing the best they can. It is easy to criticise. Some one gets up and criticises and says they are not doing it. Gentlemen, suggest a remedy! Your committee will legislate. Your committee has the power to bring to Congress some bill to remedy this defect. Come along with it. We want it. The subcommittee in charge of this bill for three or four days worked with this board of charities——

Mr. COWHERD. Will the gentleman yield?

Mr. HEMENWAY. Certainly.

Mr. COWHERD. I think the gentleman is mistaken in saying that I do not approve the report of the board of charities on the question of the Government ceasing to go into partnership with these charities.

Mr. HEMENWAY. But the gentleman says we are spending large sums of money to carry into effect their work. The board of charities recommended the expenditure of every dollar carried in this bill and more. The Committee on Appropriations cut down their recommendation.

Mr. COWHERD. That is a question of the pay roll: but on the question of their recommendation as to the way that the charitable appropriations should be expended I want to say that I do not agree with them; and I want to ask the gentleman if it is not a fact that the board of charities recommended striking out these appropriations for a lot of these small charities with which you are in partnership, and you refused to accept their recommendations, but appropriated for them.

Mr. HEMENWAY. Will the gentleman, for instance, move upon the floor to strike from this bill the appropriation of a thousand dollars for the Newsboys' and Children's Aid Society? And does he believe for a minute that if the Committee on Appropriations had stricken from this bill this item some Member would not have got up on this floor to move to put it back so quickly that you could not have had time to think about it? And nearly every Member would have been scrambling to his feet to vote to put it back. Take any one of these items, and let the Committee on Appropriations strike it out, as they have tried to do in the past, and see how quickly the Members of this House would get to their feet to vote to put each item back in again. Why, I see sitting all around me Members who, if you touch any one of these little items here, will rally their friends around them and put them back into this bill so quickly you would hardly know what had happened, if the Committee on Appropriations undertook to strike them out.

Mr. ROBINSON of Indiana. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana yield to his colleague?

Mr. HEMENWAY. Yes.

Mr. ROBINSON of Indiana. Mr. Chairman, I think instead of retarding reform it is the duty of the gentleman to promote it.

Mr. HEMENWAY. The gentleman will please put his question, if he has one. I have only five minutes, and I can not yield for a speech.

Mr. ROBINSON of Indiana. The House has courteously extended the gentleman's time and I will get my own time. How does the gentleman explain the fact that it costs for the support of an inmate of an eleemosynary institution in the city of Washington one-half more than it costs in the State of Indiana? And that is the system that the gentleman is defending.

Mr. HEMENWAY. How can the gentleman explain that it costs twice as much for him to board in a hotel in Washington as it would to board in a hotel in Fort Wayne?

Mr. ROBINSON of Indiana. There is a difference entirely in that.

Mr. HEMENWAY. There is absolutely no difference in the principle. I did not yield to the gentleman to make a speech. How does he explain that he pays at his hotel more than twice as much for his living as he would at Fort Wayne, Ind?

Mr. ROBINSON of Indiana. That would have no application.

Mr. HEMENWAY. It necessarily costs more here, and the Committee on Appropriations can not regulate the cost; and it is therefore for this board to regulate the cost. And the distinguished gentlemen I have mentioned as being in charge of this board of charities do that.

The Committee on Appropriations cut down their recommendations until they insist that it would not be possible to properly take care of the charities of the District of Columbia. They come back and say, "You are putting the knife in here so deep that people are going to suffer in this District; that people are going to go without coal or without food when they want it, because the Committee on Appropriations is cutting down our estimates." Yet we have the criticism, and what does it amount to? The gentlemen who criticise do not get up and move to reduce these appropriations. They do not want to take the responsibility that some one who deserves charity shall not get it.

Mr. LIND. Will the gentleman yield to me for a question?

Mr. HEMENWAY. I am glad to do so.

Mr. LIND. For one who is not on the committee it is not practicable to move amendments. But, for instance, take this provision on page 7, lines 1, 2, 3, 4, 5, 6, and 7, where you appropriate $6,008 for the sealer of weights and measures.

Mr. HEMENWAY. Yes.

Mr. LIND. It is ridiculous on its face.

Mr. HEMENWAY. Does the gentleman know what his duties are?

Mr. LIND. Yes.

Mr. HEMENWAY. The gentleman has not investigated to learn what the sealer of weights and measures does, or he can not say that.

Mr. LIND. I know what they do elsewhere.

Mr. HEMENWAY. But the gentleman does not know what they do here. Now, let me ask the gentleman a question.

Mr. LIND. Yes.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. HEMENWAY. I ask for five minutes more.

The CHAIRMAN. The gentleman from Indiana asks that his time may be extended for five minutes. Is there objection. [After a pause.] The Chair hears none.

Mr. HEMENWAY. The gentleman from Indiana and the gentleman from Minnesota and other persons have criticised the appropriations for charities?

Mr. LIND. I have not.

Mr. HEMENWAY. The gentleman has compared the appropriation here with the statement of what is done in his own State.

Mr. LIND. Now, Mr. Chairman, I criticised no portion of this appropriation for the schools nor charities, under the circumstances. I agree with the gentleman from Missouri and the chairman of the subcommittee that it is a proper subject for reform.

Mr. HEMENWAY. And the gentleman compares the expenditures here with those of his own State, and by that very comparison intimates that extravagant appropriations are made. Now, I want to ask him this question.

Mr. LIND. Well.

Mr. HEMENWAY. The board of charities, composed of these distinguished gentlemen whose names I have given, recommended to the Committee on Appropriations that we appropriate $1,265,000, in round figures, for charities. The Committee on Appropriations only appropriates $785,000 for charities, or nearly $500,000 less than their recommendation. Now, these gentlemen say, "Your cut will result in some body suffering." Now, will the gentleman suggest that we cut the appropriation?

Mr. LIND. Not at all. The gentleman entirely misapprehended my remarks. These things I would not cut: but it was on the administrative features, where you have too many officers drawing extravagant salaries; it is that portion that I would get at.

Mr. HEMENWAY. Which one of the salaries?

Mr. LIND. I have not studied them in detail.

Mr. HEMENWAY. That is it, Mr. Chairman.

Mr. LIND. I will mention some.

Mr. HEMENWAY. When we get back to the details of the question they never answer.

Mr. LIND. I will answer.

Mr. HEMENWAY. They make comparisons with the expenditures for the charities of their States and expenditures for charities of the District of Columbia, and when we get back to the merits of the question, and say, "Will you take the responsibility of making the appropriation and cutting the appropriation as you think it should be?" they say "No." Yet the criticism comes by way of comparison.

Mr. LIND. Now, I want to ask the gentleman a question, if he will yield to me.

Mr. HEMENWAY. Certainly.

Mr. LIND. Here you appropriate $1,600 for superintendent of electric work. He is probably a college man, a man of scientific attainment. Do you think that is too much?

Mr. HEMENWAY. I think not.

Mr. LIND. Do you think it is enough?

Mr. HEMENWAY. I do not know whether it is or not. I should think it is.

Mr. LIND. I should think it is.

Mr. HEMENWAY. Is it not a good service?

Mr. LIND. Yes. Now, how can you justify an appropriation of a like amount of salary to the assistant superintendent of street sweepers?

Mr. HEMENWAY. Well, the gentleman hangs onto the street-sweeping business as if it were honey.

Mr. LIND. No.

Mr. HEMENWAY. The city of Washington boasts that it has the cleanest streets——

Mr. LIND. A gentleman here suggests that it is "pie," not "honey."

Mr. HEMENWAY. Well, he hangs onto it as if it were honey on buckwheat cakes.

Mr. McCLEARY of Minnesota. Will the gentleman permit me? The salary to which the gentleman from Minnesota refers was fixed in a Democratic Administration, and we have simply repeated it.

Mr. LIND. Does that justify it?

Mr. HEMENWAY. I do not say it is justified on that ground. In reply to the criticism the gentleman has made, which I think is made purely to go to the public, I will state that this salary has not only run for years, but the duties of the superintendent of street sweeping is not such an insignificant duty.

Mr. LIND. No; this is the assistant.

Mr. HEMENWAY. He is the man in charge of a whole lot of men. He is a man who must have the ability to see that these men perform their work and perform it properly and keep the streets in good order. Now, you can not find that kind of a man for less than $1,500 a year.

Mr. LIND. You give him $2,500.

Mr. HEMENWAY. No; that is the salary of the chief.

Mr. LIND. Yes.

Mr. HEMENWAY. Does the gentleman think that a laboring man who is competent to superintend a gang of street sweepers, covering a large section of territory, is too well paid when he gets $1,500 a year?

Mr. LIND. No; but very few of them get it.

Mr. HEMENWAY. Is the gentleman complaining that labor is being too well paid?

Mr. LIND. Labor is not getting too much; that is the misfortune; it is the superintendents here who are getting too much.

Mr. HEMENWAY. What is the gentleman's criticism, then, if labor is not too well paid? Does the gentleman say that the superintendent does not have to labor; a man who has to move around from one crowd of street sweepers to another, does he not have to labor?

Mr. LIND. Yes; but any laborer would be glad to exchange jobs with him every day in the year, and the laborer is paid $1.50 per day.

Mr. HEMENWAY. Yes; but, Mr. Chairman, in conclusion, I want to say that I am tired of these gentlemen dealing in generalities, saying that as compared with the States our charities here are paid too much, yet when you get down to break sticks with them and ask them whether or not they are willing to take the responsibility of making a deeper cut than the Committee on Appropriations made they say "No." Then meet the question fairly. If the Committee on Appropriations does not cut this item enough when they cut off $500,000, be kind enough to say so, and do not by comparison undertake to state that this committee has been extravagant in its appropriations.

Mr. COWHERD. Mr. Chairman, will the gentleman yield for a question?

Mr. HEMENWAY. Yes, if I may have a minute or two later, I will yield.

Mr. COWHERD. Does the gentleman believe that his defense here—does the gentleman wish to put the defense for his committee upon the ground that some Member not familiar with the items of the bill ought to offer here on the hasty reading of it a substitute, and that if he does not do that therefore he does not do his duty?

Mr. HEMENWAY. I am not offering a defense; I am asking gentlemen when they attack to say why they attack.

Mr. COWHERD. Does the gentleman not know that no man except the members on the committee who sat at the hearings and heard the evidence is prepared to offer a substitute to these items and say just what clerks should be taken off and what should be left on?

Mr. HEMENWAY. I suggest that any man who does not understand the question he is discussing ought not to attempt to criticise.

Mr. COWHERD. But the gentleman admits the justice of the criticism.

Mr. HEMENWAY. I do not admit the justice of the criticism.

Mr. COWHERD. The gentleman in charge of the bill admitted it.

Mr. HEMENWAY. I simply say here that gentlemen who have been trying to criticise these appropriations for charities have not the courage to stand up and say that the Committee on Appropriations did not cut deep enough—and possibly too deep—when they cut these estimates.

Mr. ROBINSON of Indiana. Mr. Chairman, I had hoped that the chairman of the Committee on Appropriations in his capacity as watchdog of the Treasury would not be found in this Congress obstructing reform in the interest of the Treasury, which, he stated in a former speech, was threatened with a deficit of forty-two millions; but he complains of criticism not specifying, and seeks to charge on the Members of this House not on the Appropriations Committee the duty incumbent upon the Appropriations Committee of saving us the very fear that he has already referred to in the matter of a deficiency. Now, if the gentleman wants a specific illustration, I will give it to him, and it is with reference to the cost of maintaining the insane at the insane asylum of the District and of the United States, where it cost $220 per capita—which will be a surprise to Members on this floor to know—when in their own States and in my State it costs less than $150 per capita, and in the estimate in my State is included improvements of a minor nature.

Mr. HEMENWAY. Let me ask the gentleman if the cost which he mentions of $220 per capita has not been materially reduced by Republican administration?

Mr. ROBINSON of Indiana. The gentleman will inject politics into this nonpartisan question of reform and economy, showing the animus that inspires him in criticising us for insisting, in line with his original suggestion that we should have the probe put into the District of Columbia, where he knows the greatest evils prevail. Has he not read the public press? Will he stand up in defense of institutions by private parties coming to the public Treasury for their support, as they have done this morning, and say he is oblivious to the recommendation that these should be cut down? And yet he essays that rôle as chairman of appropriations, charged with economy in the administration of the Government. This bill to-day provides for the support of the department in the District of Columbia that has in one of its offices a $300 imported rug upon which they wipe their feet when they enter.

The gentleman stands up for this system which charges $220 per capita for care of the insane when he knows that the State charges less that $150 for the same support, and he justifies it on the ground that the exorbitant hotel keepers regard Members of Congress as legitimate prey, and he fails to state that we are in the city of Washington but six months in the year and must pay double the price for hotel accommodations. The gentleman from Indiana says that the Republicans of the State of Indiana have done something, and that the criticism of the Appropriations Committee is unjust because some Member not connected with that committee should do this or that to correct these evils and secure reforms. In face of this declaration of the chairman of the Appropriations Committee, who stands, like Dame Partington, with a mop to keep back the ocean, do you expect the Democratic party to be here, with the chairman of the Appropriations Committee representing the extravagance and evils, to present measures to the Republican side of the House? Are we not justified in relying upon the statement that you are threatened with a deficit of $42,000,000? Are we justified in asking the Appropriations Committee of the House to perform this duty? No more fertile field has ever been presented in any portion of our country than is here offered—this splendid field for reform which is presented by the District of Columbia—and the gentleman himself knows it. Therefore our presentation of these matters, as we go along, in opposition to the gentleman and his colleagues, who wince under presentation of extravagance, will not be criticised by the country when we come to find the amount of the appropriations at the end of the session. [Applause.]

Mr. COCHRAN. Mr. Chairman, when the chairman of the Appropriations Committee attempted to reply to the criticisms leveled at this bill, he carefully shunned details. The gentleman from Minnesota [Mr. LIND] called his attention to the appropriation of $6,000 for the sealer of weights and measures. Did the chairman of the committee discuss it candidly? No. He turned upon the gentleman from Minnesota and inquired: "Can you tell me what this officer does in the District of Columbia?" He did not take us into his confidence and tell us what showing was made before the Appropriations Committee to warrant this outrageous appropriation. Washington is not a great commercial city. It is a capital city. In point of commerce it is not nearly as important as cities of a hundred or a hundred and fifty thousand inhabitants elsewhere? What does the sealer of weights and measures do in other cities? He verifies the accuracy of the weights and measures used in commerce. Does he do anything else here? If the chairman of the Committee on Appropriations knows that some extraordinary duty devolves upon him, the sealer of weights and measures in the capital city, it would afford us much pleasure for him to rise and state what that duty is. When my colleague from Missouri directed attention to the employment of 40 officials at comfortable salaries for taking care of 250 boys in the Reform School, the gentleman from Minnesota disregarded the question raised and scolded critics who complain of such appropriations.

It is not true that in all respects the expenses of the municipal government in Washington differs in its responsibilities and necessities from municipal governments elsewhere. For instance, the gentleman from Minnesota [Mr. MCCLEARY] says that there are a hundred men in public institutions here who came from the States of the Union. Why, if he is informed on this subject—and I doubt not that he is—he knows that this complaint is universal. All other cities suffer the same misfortune. The subject has been discussed by economists in the magazines. Inevitably the unfit drift to the cities. In proportion to the importance of the commercial city this drift is large or small. The result is that in cities like St. Louis and Chicago, and even Kansas City, St. Joseph, St. Paul, and Minneapolis, in the West, this drift of the criminals and degenerates is very large and is constantly increasing. Recently I saw in a newspaper a statement to the effect that in the city of St. Louis over 70 per cent of the persons confined in the different eleemosynary and charitable institutions of that city came from neighboring counties and States.

I know that in my own city they drift in upon us from Iowa, a neighboring State, from Kansas, and from Nebraska, and from the adjacent counties of my own State. Why, if this great city escapes with only 100 nonresident inmates of its charitable and eleemosynary institutions, it is very fortunate, for I will venture the assertion that a similar showing can not be made by any other city on the continent. Furthermore, in proportion to the congestion of the population, in proportion to the hard conditions of human life, in proportion to the insanitary conditions of the people's houses, you will find disease, deterioration, and a failure of self-support prevalent among the weaker classes.

Other cities suffer far more than Washington from these conditions.

Mr. Chairman, it may be said that this is mere cheese paring; that only a few items in this bill are open to these criticisms. These

items are manifestly open to criticism. Their absurdity is disclosed by a mere glance at the bill. What, then, shall we say as to those items not self-explanatory and concerning which information is not forthcoming? Eight hundred thousand dollars for charity in a city like this, every paragraph punctuated with an extravagant salary list, is not a fair appropriation. If so large a sum were needed for charitable purposes, there is not a Member on this floor who would withhold one dollar or one cent essential to the discharge of all the duties of humanity imposed upon us by modern notions of municipal duty. We would vote more than that if it were necessary; but when in every page and every line of it there is manifest extravagance and misappropriation of the money of the taxpayers, it will take something more than the generalization of the chairman of the Committee on Appropriations to justify its passage.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MAHON. Mr. Chairman, I think few of the Members of this House are familiar with these organizations in the city of Washington, organizations for the care of the unfortunate people of this city. We have here a cosmopolitan population. Men come here from all over the United States. I have examined this part of the bill pretty carefully, and the only fault that I have to find with the committee is that their appropriations are below what they ought to be. Now, the gentleman from Indiana [Mr. ROBINSON] a few moments ago opposed some of the appropriations. I want to say to him that what he knows about the institutions of this city which must care for the unfortunate he could put in a pamphlet of two pages, and what he does not know about it would take a book of 400 pages to tell. There are the blind, and there are the paralytic, and there are all classes of unfortunates. Now, what has Congress done to provide for these people in the District? There is not an institution as large as a dog house or a henhouse in which to take care of them. That is true. If the Congress of the United States would appropriate money to put up an asylum for the blind or an asylum for the people who are unfortunate in many other ways, then we could care for them; but there is absolutely not an institution ten feet square wherein we may provide for these unfortunate people.

Now, what is the result? You have got to put them in Catholic institutions, and institutions run by Presbyterians, and by Methodists, and by Lutherans, and by various denominations. There should be no objection made on this ground. I have made careful examinations in this matter, and I say we have 50,000 people in the city of Washington coming from all the States who are here and have got to be cared for by these institutions. Now, the proposition is here that the Secretary of War shall be the custodian of this fund. He makes the contracts with these different institutions to care for these unfortunates.

Mr. LIND. Did I understand the gentleman to say that there are 50,000 people in this city receiving charity?

Mr. MAHON. Yes; that is below the amount. They come from your State; they come from my State——

Mr. LIND. I think not from my State.

Mr. MAHON. Yes, they do; they come from every State in the Union. There are here more than 50,000 of those people, who must be cared for by these private denominational institutions.

Mr. Chairman, in the Fifty-fifth Congress we had a fight here about voting money to sectarian institutions. I took the position on this floor that until Congress provided institutions for the care of these unfortunates we had no right to refuse to make these appropriations. Take the Providence Hospital—a Catholic institution—a magnificent hospital. In that institution there is what is called an alcoholic ward. Over 3,000 men from this city are sent to that institution to be cared for, and their lives saved from destruction by excesses in drink. You have the Presbyterian Hospital; you have the Methodist Hospital; you have all these institutions.

Now, there is no justification for anybody attacking these appropriations. I say they are insufficient. If we want to care for these people outside of sectarian institutions, then let the Congress of the United States make appropriations for an institution for the blind, an institution for paralytics, an institution for infants thrown out upon the world without any fault of their own. We must make appropriations for the care of these people in public institutions, and until we do that there is nothing else to be done except to make contributions to private institutions for the care of these unfortunates.

Mr. Chairman, I undertake to make this declaration—that there is not a city in the United States or a State that cares for its unfortunates as the city of Washington is doing in these private institutions. The expense for the care of these unfortunate people is 35 per cent less than expenses for similar purposes in the States of the Union. I ask the attention of the gentleman from Indiana [Mr. ROBINSON], who is opposed to these appropriations, and I say they are not large enough. I know that the Committee on the District of Columbia have cut down this bill to the last bottom dollar; and what the gentleman knows about the institutions of this city and the care of the poor and unfortunate in these institutions could be put, as I have heretofore said, in a pamphlet of two pages, while what he does not know on this subject would fill a volume as big as Webster's Unabridged Dictionary.

Mr. ROBINSON of Indiana. I think the gentleman is mistaken about the per capita cost in the District of Columbia of caring for these people, as compared with the cost in the various States.

Mr. MAHON. No, sir.

Mr. ROBINSON of Indiana. I only desire respectfully to call the attention of the gentleman to that point.

Mr. MAHON. Has the gentleman made any investigation on this subject?

Mr. ROBINSON of Indiana. I have.

Mr. MAHON. Let the gentleman take the State of Pennsylvania or the State of New York or the State of Indiana or the State of Illinois, and other States, and he will find that the percentage there for taking care of these unfortunates is 34 per cent higher than in the District of Columbia.

Mr. ROBINSON of Indiana. Does the gentleman mean the percentage for the whole of them?

Mr. MAHON. Yes, sir.

Mr. ROBINSON of Indiana. Take the gentleman's State. What is the expense there for taking care, we will say, of the insane?

Mr. MAHON. It is 40 per cent in my State, and in this District 20 per cent.

Mr. ROBINSON of Indiana. The expense per capita for the care of insane persons in this District is $220.

Mr. MAHON. The asylum for the insane here is an institution owned by the Government of the United States. In this District we have to care for infants born out of wedlock; we have to care for the poor woman who becomes paralyzed or blind, or the unfortunate man who becomes a victim to alcoholic excesses. Fifty thousand of these people are thrown upon this city.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. MAHON. I ask an extension of my time for two minutes.

There was no objection.

Mr. MAHON. Now, what are you going to do with these people? Thus far this Congress has put them under the care of private institutions. You have your Providence Hospital, your Presbyterian Hospital, your Home for Children, your Home for Old Women, your Home for Old Men, embracing many people who do not belong to this District, but who come here and through unfortunate circumstances are thrown upon public charity.

Now, I say again (and I am able to back up the statement with figures in my possession) that the cost of caring for these unfortunate people in this District, through these private institutions, is 30 per cent lower here than for similar support in any State of the Union, and this bill, instead of being regarded as excessive in its appropriation, should make appropriation 30 per cent higher than those that are reported. I take it for granted that no Member of Congress would want these poor unfortunate people, who thus become objects of charity, to die absolutely from disease or destitution. They should be cared for with the same benevolent spirit that is shown for the unfortunate in any of the States of the Union.

Mr. THAYER. Mr. Chairman, the committee having this matter in charge has very kindly seemed to court suggestions, even though they border on criticism of number and amounts of the appropriations which are proposed in the bill in carrying out a policy of administration in this city which is maintained upon an extravagant basis. Now, I wish to call the attention of the House and the administration of this city to one point. The gentleman having this bill in charge [Mr. MCCLEARY of Minnesota] and the chairman of the great Appropriations Committee [Mr. HEMENWAY] have seen fit to-day and upon a former occasion to speak in high terms of the cleanliness of this city. I join issue with them on that proposition. I undertake to say that, taking into consideration the conditions, natural and artificial, here in this city, Washington is the dirtiest city that I ever set foot in, and the dirt and filth contribute to disease more than in any city that I know. As authority for that statement I have the physicians of this city.

The most of your great avenues and streets are paved with asphalt. In some places you have cobbles or granite blocks, but most of the pavement is asphalt, making the streets as level and smooth as a billiard table, and hard and impenetrable. Nothing can get into cracks and crevices, joints or apertures. All the filth and increment is left and exposed right on the very top, where it can be taken off as readily as it could be taken off from any smooth, solid surface. All that is required to be done is for the superintendent of the sweeping of the streets, or others hav-

ing the matter in charge, to see to it that the filth is thoroughly and wholly removed—simply a matter of sweeping clean on a smooth surface. You would expect to find a clean street under these conditions; but what condition do we find? A half-swept, besmirched and besmeared street or avenue. This winter we have had an epidemic here of what is commonly known as "grip," affecting a far greater proportion of the people of Washington than are affected in any other city in the whole country, according to the population, so I am told. It has been attributed, in large measure, to the impurities of the atmosphere, filled with poisonous germs and bacteria caused by the filth accumulating upon the streets in a dried, pulverized condition, and then being scattered abroad in the form of fine dust, getting into our nostrils and ears and mouths, inoculating the system with millions of poisonous germs and causing sickness. If we had advanced in the science, skill, and facilities in cleaning streets here in Washington as they have in many other places, we would not have the deplorable condition of the streets which we now have. Up in my city of Worcester, with 125,000 inhabitants, we have a car sprinkler, which can do the work of twenty horse sprinkling carts, and it is in use whenever the streets are dry and dusty, summer or winter. I was surprised when I came here and saw nothing of the kind, but that the old-fashioned water carts were used when any sprinkling was done.

My attention was also called to the fact that there was but very little sprinkling of the streets anyway here, either in summer or winter. Whatever filth falls, after a little of the thickest of it on top is scraped off, the rest, which is usually about one-half, is left to be ground and pulverized when it gets dry, so that it is almost as fine as flour, and then in that dry condition the wind takes it and scatters it through the air to a distance of 50 or 100 feet from the surface of the ground, polluting and poisoning and breeding bacteria in its course. In my city of Worcester this car sprinkler does a great deal toward keeping the surface of the pavement moistened, but not sloppy. Pennsylvania avenue is one of the finest avenues in the world, and one of the easiest to be kept respectably clean, and if a car sprinkler was run over it at different times of the day, the dust and filth would be kept down, and then when night came the streets should be swept, not by one of these little white-winged fellows, but with a regular steam sweeper, or a sweeper to which horsepower is attached, that could cleanse the streets between 12 o'clock at night and 6 o'clock in the morning, so that for a little time at least in the forenoon of each day we might have clean streets. Then in the afternoon the hand sweeping could take place, if this sweeping was thoroughly done instead of half done. We see these men who go about with their little hobbyhorses in the form of hand sweepers. They take off only the top surface of some of the filth upon the streets, not getting it all, and spread the remainder over a large surface, where it is left to dry.

The man passes on with his little cart and scraper, taking some of the scrapings, and the rest is left to be pulverized by the teams that go over it. In a little while it is as fine as flour and is scattered about in the air. I have no doubt every Member of the House noticed when he first came here how much more frequently he had to brush his clothes and wash out his ears and nose than he did at home, because of this pulverized dust in the atmosphere, which contains bacteria and which impregnates everything with its poisonous germs. I say that if the superintendent of the sweeping of the streets in this city would get out and see what is being done in other cities and introduce here some of the improvements that we find in the smaller cities of the country, we could make the streets of this city far more cleanly than they are, and, what is of more vital importance, contribute largely to improved health conditions here. If you pass from here to the Treasury Department this afternoon and look along on either side of the street you will find ample evidence of the truth of statements I make; you will find little bunches of poisonous substances waiting for the sun to dry them and germinate the bacteria and for the wind to blow them about before they are gathered up.

[Here the hammer fell.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HENRY of Connecticut having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 2204. An act granting an increase of pension to Addison B. Stone;

H. R. 807. An act granting an increase of pension to William F. Benefiel;

H. R. 4466. An act granting an increase of pension to William R. Burton;

H. R. 1317. An act granting an increase of pension to Thomas E. McIntire;

H. R. 2995. An act granting a pension to Mary Korth;

H. R. 8769. An act granting an increase of pension to Clinton M. Casey;

H. R. 4391. An act granting an increase of pension to Nicholas Schwemler;

H. R. 6951. An act granting an increase of pension to Charles G. Corr;

H. R. 7436. An act granting an increase of pension to James Smith;

H. R. 10192. An act granting a pension to Martha Mullins;

H. R. 10991. An act granting an increase of pension to Frances C. McFarland;

H. R. 1563. An act granting an increase of pension to Ory Warriner;

H. R. 4674. An act granting an increase of pension to John Thompson;

H. R. 9936. An act granting an increase of pension to Isaac Frazier;

H. R. 6602. An act granting an increase of pension to Benjamin F. Hackett;

H. R. 1566. An act granting an increase of pension to Ellis T. Pierce;

H. R. 8284. An act granting an increase of pension to Samuel G. Woods;

H. R. 2470. An act granting an increase of pension to Harriet S. Packard;

H. R. 4151. An act granting an increase of pension to John W. Foland;

H. R. 4198. An act granting an increase of pension to Edwin Lake;

H. R. 4392. An act granting an increase of pension to Abbie E. Webster;

H. R. 9125. An act granting an increase of pension to William S. King;

H. R. 1287. An act granting an increase of pension to Cyrus B. Dopp;

H. R. 4702. An act granting an increase of pension to John T. Collins;

H. R. 9710. An act granting an increase of pension to Henry Frazier;

H. R. 10683. An act granting an increase of pension to Marion Arnold;

H. R. 1485. An act granting an increase of pension to Franklin Ferguson;

H. R. 877. An act granting a pension to Ann M. Driggars;

H. R. 880. An act granting a pension to Caroline S. Winn;

H. R. 4630. An act granting an increase of pension to Thaddeus S. Collins;

H. R. 4314. An act granting an increase of pension to John F. Slade;

H. R. 4750. An act granting a pension to William J. Jackson;

H. R. 4540. An act granting a pension to Amanda Skinner;

H. R. 5045. An act granting an increase of pension to Albert S. Elmore;

H. R. 5149. An act granting an increase of pension to John W. Erwin;

H. R. 2930. An act granting an increase of pension to Lafayette M. Greene;

H. R. 719. An act granting an increase of pension to John H. Willey;

H. R. 10968. An act granting a pension to Marceline P. Hamilton;

H. R. 4192. An act granting an increase of pension to Frederick A. Slocum;

H. R. 720. An act granting an increase of pension to Frank L. Gray;

H. R. 910. An act granting an increase of pension to Freeman York;

H. R. 1314. An act granting a pension to Denison L. Brown;

H. R. 4643. An act granting an increase of pension to William L. Wheeler;

H. R. 4872. An act granting an increase of pension to Albert W. Bradbury;

H. R. 5750. An act granting an increase of pension to William Cassidy;

H. R. 4589. An act granting a pension to Henry H. Barrett;

H. R. 8984. An act granting an increase of pension to John I. Rundberg;

H. R. 9778. An act granting an increase of pension to Loriston W. Adkins;

H. R. 4679. An act granting an increase of pension to Martha M. Pierce;

H. R. 9769. An act granting an increase of pension to William E. Armstrong;

H. R. 3573. An act granting an increase of pension to William G. Cronkite;

H. R. 4624. An act granting a pension to Isabella Phelps;

H. R. 4449. An act granting an increase of pension to William Brown;

H. R. 7368. An act granting a pension to Annie G. Norwood;

H. R. 3370. An act granting an increase of pension to Joseph Adams;

H. R. 4179. An act granting an increase of pension to Martha C. Kuhn;

H. R. 4180. An act granting an increase of pension to Joseph G. Thomas;

H. R. 783. An act granting an increase of pension to Nicholas Reinhart;

H. R. 2001. An act granting an increase of pension to Nora J. Glahn;

H. R. 6879. An act granting a pension to Reuben A. Finnell;

H. R. 4719. An act granting an increase of pension to Joseph F. Carter;

H. R. 5006. An act granting a pension to Sarah Ulshafer;

H. R. 4119. An act granting an increase of pension to William Mercer;

H. R. 4226. An act granting an increase of pension to Wilfred C. McCardell;

H. R. 859. An act granting an increase of pension to Andrew Barr;

H. R. 3909. An act granting an increase of pension to George Hayden;

H. R. 789. An act granting an increase of pension to Eli Lachman;

H. R. 3910. An act granting an increase of pension to Charles W. Hoffman;

H. R. 3402. An act granting an increase of pension to Daniel Nagle, jr.;

H. R. 1005. An act granting an increase of pension to Marab E. Powell;

H. R. 4964. An act granting an increase of pension to Charles E. Mink;

H. R. 5342. An act granting a pension to Jane E. Sutfin;

H. R. 9060. An act granting an increase of pension to John Connors;

H. R. 7063. An act granting a pension to Ellen F. Lynch;

H. R. 906. An act granting a pension to Nettie A. Buell;

H. R. 4910. An act granting an increase of pension to Prudentia L. D. Nugent;

H. R. 10700. An act granting a pension to Ella D. Madden;

H. R. 2116. An act granting an increase of pension to Richard C. Ivory;

H. R. 941. An act granting an increase of pension to William D. Taylor;

H. R. 10794. An act granting an increase of pension to Moses Hurlbut;

H. R. 5030. An act granting an increase of pension to William H. Mount;

H. R. 4605. An act granting an increase of pension to William Herlinger;

H. R. 8922. An act granting a pension to Martha E. Nolen.

H. R. 8924. An act granting a pension to Georgia A. Whitehead;

H. R. 1623. An act granting a pension to John H. Reed;

H. R. 5479. An act granting an increase of pension to William H. Anderson;

H. R. 2192. An act granting an increase of pension to William O. Smith;

H. R. 7410. An act granting an increase of pension to Enos D. Hoge;

H. R. 9035. An act granting an increase of pension to Joseph Branen;

H. R. 6618. An act granting an increase of pension to Henry C. Coffin;

H. R. 5610. An act granting a pension to Annie Dorfner;

H. R. 5999. An act granting an increase of pension to Ann Jennett Whitney;

H. R. 10194. An act granting an increase of pension to Marion Long;

H. R. 7248. An act granting a pension to Robert H. Cooke;

H. R. 11076. An act granting an increase of pension to Elvira Miller;

H. R. 10640. An act granting an increase of pension to Horace E. Wood;

H. R. 9064. An act granting an increase of pension to Edwin Tidd;

H. R. 7719. An act granting an increase of pension to Hiram B. Cozine;

H. R. 7332. An act granting a pension to Ellen A. Harmon;

H. R. 7659. An act granting an increase of pension to Emma M. Elliott;

H. R. 7814. An act granting an increase of pension to James G. Andrews;

H. R. 7083. An act granting an increase of pension to Albert P. Jackson;

H. R. 9739. An act granting a pension to Lizzie M. Worster;

H. R. 2692. An act granting an increase of pension to Elwood Finley;

H. R. 8203. An act granting an increase of pension to James M. Hemphill;

H. R. 9791. An act granting a pension to Abram Claypool;

H. R. 9999. An act granting an increase of pension to William Edgar;

H. R. 9695. An act granting an increase of pension to Frank M. Spears;

H. R. 5603. An act granting an increase of pension to William C. McCormick;

H. R. 5879. An act granting an increase of pension to Bennett Putnam;

H. R. 6038. An act granting an increase of pension to Benjamin George;

H. R. 6703. An act granting an increase of pension to Levi Remick;

H. R. 7680. An act granting an increase of pension to De Witt C. Folsom;

H. R. 8379. An act granting an increase of pension to Ira B. Wambaugh;

H. R. 8718. An act granting an increase of pension to Caswell P. Ford;

H. R. 8998. An act granting an increase of pension to Henry L. Beach;

H. R. 8811. An act granting an increase of pension to James Dougherty;

H. R. 10741. An act granting a pension to Mary Tate;

H. R. 11345. An act granting a pension to Joseph H. Huie;

H. R. 8733. An act granting an increase of pension to Benjamin F. McGraw;

H. R. 6455. An act granting an increase of pension to Abraham W. Cochran;

H. R. 7096. An act granting an increase of pension to Eva A. Burgess;

H. R. 8966. An act granting an increase of pension to James M. Fink;

H. R. 7559. An act granting a pension to Caroline Hurley;

H. R. 8124. An act granting an increase of pension to Elizabeth Hatfield;

H. R. 7444. An act granting an increase of pension to Washington J. Dutcher;

H. R. 9876. An act granting an increase of pension to Martin Renthler;

H. R. 10268. An act granting an increase of pension to Margaret E. Keller;

H. R. 11343. An act granting an increase of pension to Matthew S. Priest;

H. R. 9587. An act granting an increase of pension to Bartlett S. Haggard;

H. R. 9753. An act granting an increase of pension to Sarah J. Loomis;

H. R. 7737. An act granting an increase of pension to Howard McGuire;

H. R. 9273. An act granting an increase of pension to James H. Sackett;

H. R. 9037. An act granting a pension to Alice W. Clarke;

H. R. 10850. An act granting an increase of pension to Adaline L. Power;

H. R. 10706. An act granting an increase of pension to Alfred J. West;

H. R. 10694. An act granting an increase of pension to Alderson T. Keen;

H. R. 10748. An act granting an increase of pension to Kate Ridgeway;

H. R. 11413. An act granting an increase of pension to Jasper F. Morton;

H. R. 11319. An act granting an increase of pension to Mary C. Arnold;

H. R. 7311. An act granting an increase of pension to Rachel Large;

H. R. 10068. An act granting an increase of pension to James G. Soims;

H. R. 9421. An act granting an increase of pension to Thomas P. Marshall;

H. R. 5155. An act granting an increase of pension to John J. Tompkins;

H. R. 8771. An act granting an increase of pension to Walter F. Horner;

H. R. 10046. An act granting an increase of pension to Thomas J. Campton;

H. R. 8970. An act granting an increase of pension to Charles B. Hart;

H. R. 11194. An act granting an increase of pension to Frank S. Nickerson;

H. R. 1316. An act granting an increase of peasion to George W. Day;

H. R. 6869. An act granting an increase of pension to Lorenzo D. Elmer;
H. R. 11052. An act granting an increase of pension to Mary Eaton Livingston;
H. R. 11113. An act granting an increase of pension to Silas Semles;
H. R. 5568. An act granting an increase of pension to Emily Chapman;
H. R. 5749. An act granting a pension to James B. Combs;
H. R. 6977. An act granting an increase of pension to Mary A. Graves;
H. R. 10378. An act granting an increase of pension to Sarah J. Shell;
H. R. 9903. An act granting an increase of pension to George W. Harlan;
H. R. 11310. An act granting an increase of pension to John W. Switzer;
H. R. 9034. An act granting an increase of pension to Jacob Lund;
H. R. 9406. An act granting an increase of pension to William S. Campbell;
H. R. 7[illegible]. An act granting an increase of pension to Isidore F. Chamberlain;
H. R. [illegible]. An act granting an increase of pension to John Gangwisch;
H. R. [illegible]. An act granting a pension to Maggie Fitzpatrick;
H. R. [illegible]. An act granting an increase of pension to David W. Williamson;
H. R. [illegible]. An act granting a pension to Celia C. Owen;
H. R. 6869. An act granting an increase of pension to Albert W. Jones;
H. R. 10180. An act granting an increase of pension to William E. McDowell;
H. R. 5583. An act granting an increase of pension to Levi Vassar;
H. R. 8173. An act granting an increase of pension to Anna Waters;
H. R. 8648. An act granting a pension to Shadrach D. Bardin;
H. R. 7236. An act granting an increase of pension to William R. McCullough;
H. R. 9988. An act granting an increase of pension to William Ellis;
H. R. 8849. An act granting a pension to James S. Lauderdale;
H. R. 5849. An act granting an increase of pension to Catharine R. Brown;
H. R. 6816. An act granting an increase of pension to Frederick Ratzel;
H. R. 6817. An act granting a pension to Rosa Glass;
H. R. 6335. An act granting an increase of pension to James A. Barnes;
H. R. 6814. An act granting an increase of pension to Edward W. Miller;
H. R. 9127. An act granting a pension to Moses Schuman;
H. R. 11556. An act granting an increase of pension to Edward M. Tappen;
H. R. 10648. An act granting an increase of pension to Agnes Shearer;
H. R. 7712. An act granting a pension to Emma Crosier;
H. R. 7803. An act granting an increase of pension to William N. Hall;
H. R. 7418. An act granting an increase of pension to Peter Minkler;
H. R. 8183. An act granting a pension to Herman Lemmerman;
H. R. 8343. An act granting a pension to Annie P. Erving;
H. R. 8991. An act granting an increase of pension to William E. Mattison;
H. R. 8993. An act granting an increase of pension to William C. Davis;
H. R. 8079. An act granting an increase of pension to Charles La Forest;
H. R. 8868. An act granting an increase of pension to Edward O'Malley;
H. R. 9610. An act granting an increase of pension to Frederick Hallings;
H. R. 9921. An act granting a pension to Virginia Boyd;
H. R. 9683. An act granting a pension to Henry Austin;
H. R. 8868. An act granting an increase of pension to William Simmons;
H. R. 10904. An act granting an increase of pension to Edson H. Crawford; and
H. R. 8895. An act granting an increase of pension to Charles H. Jackson.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 569. An act granting an increase of pension to Jesse B. Nurse;
S. 556. An act granting an increase of pension to William Stall;
S. 454. An act granting an increase of pension to Rinaldo M. Griswold;
S. 450. An act granting an increase of pension to George H. Sutherland;
S. 447. An act granting an increase of pension to David H. George;
S. 388. An act granting and increase of pension to Phebe A. Ford;
S. 336. An act granting an increase of pension to William Lechleidner;
S. 305. An act granting an increase of pension to John B. Evans;
S. 286. An act granting an increase of pension to Andrew Jackson Power;
S. 140. An act granting an increase of pension to Daniel B. Bailey;
S. 106. An act granting an increase of pension to Carrie Wages;
S. 2857. An act granting an increase of pension to Onne H. Ropka;
S. 2690. An act granting an increase of pension to James Garry;
S. 2661. An act granting an increase of pension to John H. Klingler;
S. 2655. An act granting an increase of pension to Isaac Zellers;
S. 2348. An act granting an increase of pension to Hamilton S. Gillespie;
S. 2320. An act granting an increase of pension to Samuel H. Legrow;
S. 2053. An act granting an increase of pension to Jacob A. Roof;
S. 2029. An act granting an increase of pension to Peter P. Dobozy;
S. 1959. An act granting a pension to Mary Remington;
S. 1899. An act granting an increase of pension to Thompson Warren;
S. 1764. An act granting an increase of pension to John Shehan;
S. 1667. An act granting a pension to Stalnaker Marteney;
S. 1661. An act granting an increase of pension to Mary E. Riley;
S. 1436. An act granting an increase of pension to Thomas P. Wentworth;
S. 1423. An act granting an increase of pension to Samuel F. Murry;
S. [illegible]. An act granting an increase of pension to Lewis M. W[illegible];
S. 1388. An act granting an increase of pension to Orson H. Sawtelle;
S. 885. An act granting a pension to Sarah A. Gillham;
S. 883. An act granting a pension to Ephraim L. Herriott;
S. 827. An act granting an increase of pension to Elias S. Gibson;
S. 783. An act granting an increase of pension to William M[illegible];
S. 4435. An act granting an increase of pension to Ansel J. Busby;
S. 4434. An act granting an increase of pension to John Seiler;
S. 4371. An act granting a pension to Alison Citron;
S. 4340. An act granting an increase of pension to Laura Ann Seaton;
S. 4329. An act granting an increase of pension to Mary E. N[illegible];
S. [illegible]17. An act granting an increase of pension to Sarah L. Auger;
S. 4285. An act granting an increase of pension to John H. Shands;
S. 4284. An act granting an increase of pension to Rebecca Hankins;
S. 4[illegible]. An act granting an increase of pension to William H. Coffingwood;
S. 4246. An act granting an increase of pension to Louis Groverman;
S. 4237. An act granting a pension to Hannah Small Wiggin;
S. 4078. An act granting an increase of pension to Thomas B. Steele;

S. 3979. An act granting an increase of pension to Sterling L. Parker;
S. 3978. An act granting an increase of pension to George W. Howard;
S. 3977. An act granting an increase of pension to Luther S. Baker;
S. 3946. An act granting an increase of pension to Jesse Bright;
S. [illegible]6. An act granting an increase of pension to Sylvania S. C[illegible];
S. 3919. An act granting a pension to Florence E. Foster;
S. 3896. An act granting an increase of pension to Richard F. N[illegible];
S. 3879. An act granting an increase of pension to Cyrus Q. Lemmond;
S. 3878. An act granting an increase of pension to George Coffee;
S. 3860. An act granting a pension to James Henry Martineau;
S. [illegible]3. An act granting an increase of pension to George T. Edwards;
S. 3827. An act granting an increase of pension to Norman B. Davenport;
S. 3825. An act granting an increase of pension to Anna H. Ly[illegible];
S. [illegible]0. An act granting an increase of pension to Virginia B. Mullan;
S. 3774. An act granting an increase of pension to John C. Felton;
S. 3771. An act granting an increase of pension to Virginia C. Sp[illegible];
S. 3727. An act granting an increase of pension to Eli Headley;
S. 3690. An act granting an increase of pension to George W. G[illegible];
S. 3654. An act granting a pension to Hannah Hall;
S. 3651. An act granting an increase of pension to Mildred S. O[illegible];
S. [illegible]3. An act granting an increase of pension to Calvin E. Myers;
S. 3544. An act granting an increase of pension to George W. Phillips;
S. 3535. An act granting an increase of pension to John Walton;
S. 3523. An act granting an increase of pension to Joseph W. Butz;
S. 3519. An act granting a pension to Ruby A. Stirdivant;
S. 3500. An act granting an increase of pension to Orrin L. Mann;
S. 3499. An act granting an increase of pension to Samuel E. Lookingbill;
S. 3491. An act granting an increase of pension to Andrew J. Howe;
S. 3417. An act granting a pension to Garrett V. Chamberlin;
S. 3457. An act granting an increase of pension to Marcellus M. Parker;
S. 3394. An act granting an increase of pension to Joseph B. Crawford;
S. 3377. An act granting an increase of pension to John M. Tyree;
S. 3301. An act granting an increase of pension to James I. Shafer;
S. 3149. An act granting an increase of pension to Charles Browning;
S. 2971. An act granting a pension to Amelia Walsh;
S. 2960. An act granting an increase of pension to Jacob Horning;
S. 2952. An act granting an increase of pension to William J. P. Buck;
S. 2946. An act granting an increase of pension to Joshua Day;
S. 2938. An act granting an increase of pension to James L. Ackley;
S. 2937. An act granting an increase of pension to Julius Bodenstab;
S. 2894. An act granting a pension to Clara J. Garretson;
S. 2872. An act granting an increase of pension to Albert Schermerhorn; and
S. 2871. An act granting an increase of pension to Justin M. Cooper.

The message also announced that the Senate had passed the following resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 50.

Resolved, etc., That the Secretary of War be, and he is hereby, directed to cause an examination and survey to be made from the St. Jones River, at Dover, Del., to a point on Little River, and thence to Delaware Bay, for the purpose of determining the advisability and cost of constructing a canal between the said rivers and the deepening and widening of Little River, so as to provide a channel suitable for the needs of commerce from Dover, Del., to Delaware Bay.

The message also announced that the Senate had passed with amendments bills of the following titles in which the concurrence of the House of Representatives was requested:

H. R. 8925. An act granting an increase of pension to John Weaver;
H. R. 1851. An act granting an increase of pension to David T. Towles;
H. R. 2947. An act granting an increase of pension to William F. Thompson; and
H. R. 3011. An act granting an increase of pension to Phillip Duttenhaver.

DISTRICT OF COLUMBIA APPROPRIATION BILL.

The committee resumed its session.

The Clerk read as follows:

CHILD-CARING INSTITUTIONS.

Board of Children's Guardians: For the Board of Children's Guardians, created under the act approved July 28, 1892, namely: For administrative expenses, including salaries of agents, not to exceed $2,400, expenses in placing and visiting children, and all office and [illegible] expenses, $[illegible];

Mr. MIERS of Indiana. Mr. Chairman, I should like to ask the gentleman of the subcommittee for a little information. I notice in line 19, for administrative expenses, sundries, etc., $10,000; in line 23, for maintenance, etc., $12,000; for the board and care of children committed, etc., and the total appropriated for this board is $[illegible]. Can the gentleman state how many children are cared for in these institutions? I have no information upon that subject, and I should like to know. No doubt they are great institutions and probably the money is well expended, but I should like just a little more information on the subject.

Mr. McCLEARY of Minnesota. According to the report of the board having charge of these matters—

On the 1st of December, 1903, the board had 1,042 permanent wards. Of these, 393 were white and 649 were colored; 497 were boys and 545 girls; 200 were in institutions, for whom board was paid; 116 in private homes, for whom board was paid; 670 in free homes, costing nothing except the expense of supervision, which, according to the latest report of the Board of Guardians, was $11.21 per annum per capita.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That until and including June 30, 1905, the Secretary of the Treasury is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any moneys in the Treasury of the United States not otherwise appropriated, such sums as may be necessary from time to time to meet the general expenses of said District, as authorized by Congress, and to reimburse the Treasury for the portion of said advances payable by the District of Columbia out of the taxes and revenues collected for the support of the government thereof: *Provided*, That all advances made under this act and under the acts of February 11, 1903; June 1, 1903, and March 3, 1903, not reimbursed to the Treasury of the United States on or before June 30, 1905, shall be reimbursed to said Treasury out of the revenues of the District of Columbia from time to time, within five years, beginning July 1, 1905, together with interest thereon at the rate of 2 per cent per annum until so reimbursed: *Provided further*, That the Auditor for the State and other Departments and the Auditor of the District of Columbia shall each annually report the amount of such advances, stating the account for each fiscal year separately, and also the reimbursements made under this section, together with the balance remaining, if any, due to the United States: *And provided further*, That nothing contained herein shall be so construed as to require the United States to bear any part of the cost of street extensions, and all advances heretofore or hereafter made for this purpose by the Secretary of the Treasury shall be repaid in full from the revenues of the District of Columbia.

Mr. PERKINS. I move to strike out the last word, for the purpose of asking a question of the gentleman in charge of the bill. I should like to ask, Mr. Chairman, what is the amount of the advances that have been made by the United States to the District of Columbia?

Mr. McCLEARY of Minnesota. It is about $1,600,000 at this date.

Mr. PERKINS. How much will be made in this bill?

Mr. McCLEARY of Minnesota. About $400,000, in round numbers.

Mr. PERKINS. Not more than that?

Mr. McCLEARY of Minnesota. I think not.

Mr. PERKINS. I would like to ask the gentleman whether he sees any reasonable ground to expect that these advances will ever be repaid?

Mr. McCLEARY of Minnesota. I do, Mr. Chairman. For instance, take the bill we are now considering. Many of the expenditures in this bill are for permanent improvements which will be completed in the very near future. For instance, we spend $1,600,000 in round numbers this year in completing the water-filtration plant. That will be out of the bill the next year entirely. We expend other large sums for approximate completion of the sewage-disposal system, of which I spoke yester lay. If not next year, the year following we will have that general system completed, and the large appropriation for it will be out of the bill. With such items out, there will be a remainder every year from the regular income of the District out of which we can pay all the interest and make some payment on the principal.

Mr. PERKINS. Now, does the gentleman think that the expenses of the District will be less? Will they not increase in the future as they have in the past?

Mr. McCLEARY of Minnesota. We have not increased current expenses very much this year, Mr. Chairman, nor last year. Last year, in answer also in part to what has been said on the other side, I think we put in only two increases of salaries and practically no increases of employment aside from the schools and police force. This year we put in some additions for the schools and for fire protection. So after the regular payment of the expenses of the District there will be left, we believe, a reasonable sum to apply on the principal of the debt.

Mr. PERKINS. Why is it impossible to increase the revenues of the District?

Mr. McCLEARY of Minnesota. We have just got through last year making an effort to increase them, and we have materially increased them. We added a tax on personal property which had therefore not been made, and increased the rate of taxation upon real estate. We framed a bill last year on what seemed to be the judgment of the committee and of the House and of Congress as to what ought to be done in the premises, and it does not seem as though we should open the matter again now. We should leave this new plan of taxation in undisturbed operation for a while at least.

Mr. ROBINSON of Indiana. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

On page 72, after line 8, insert:

"No part of any money appropriated by this act shall be available for paying expenses of horses and carriages or drivers thereof for the personal use of any officer provided for by this act."

Mr. ROBINSON of Indiana. Mr. Chairman, that amendment——

Mr. McCLEARY of Minnesota. Mr. Chairman, I reserve the point of order, so as to hear the explanation.

Mr. ROBINSON of Indiana. I have no objection to the gentleman presenting his point of order at this time.

Mr. McCLEARY of Minnesota. Mr. Chairman, this amendment is probably not subject to a point of order, but I would be glad to have the gentleman explain his amendment and its necessity, in view of the fact that we have already covered this same ground in the bill.

Mr. ROBINSON of Indiana. The amendment which I have sent to the Clerk's desk, and which has been read, is the language placed on the legislative, executive, and judicial appropriation bill that passed the House, restricting the use of carriages by Government officials. The bill in that form went to the Senate, and I find, as shown by the CONGRESSIONAL RECORD, on page 2459, that the Senator having the bill in charge said:

There has grown up a practice whereby almost every head of a bureau or Assistant Secretary or Assistant Postmaster-General seems to have been able to get a carriage at Government expense. There has been a good deal of talk about it and almost a scandal, and the committee thought it was desirable to limit it to certain officials, so that there should be no further question as to who is entitled to a carriage at Government expense. We have some ourselves at Government expense, and a good many other people ought not to have them, I think.

The language of that bill also included, in addition to what the amendment now proposes to include, that the heads of Departments and the Secretary to the President should be allowed this privilege, limiting itself to the purposes of that bill. Mr. Chairman, the purpose of this amendment is to make it safe. The Senate, however, in their amendment adopted an amendment to the House amendment saying that in the legislative, executive, and judicial bill and in all other acts by Congress no carriages shall be permitted to the various officers.

Now, if the gentleman has in mind the superintendent of schools and the superintendent of waterworks, as to these two I have no objection if he desires to amend by including their right to this privilege. But the act passed by the Senate cuts them all out, excluding those I have mentioned, in all bills. I think there should be a restriction on this right to the use of carriages. And in the interest of orderly legislation I want this bill to say so, as the matter is in the interest of reform and meets a crying evil. Now I will yield to the gentleman.

Mr. McCLEARY of Minnesota. Mr. Chairman, as I understand the gentleman, he says that in a bill which has already passed this House and is pending between the two Houses, the provision appears which he has just sent forward to be added to this bill. Am I correct?

Mr. ROBINSON of Indiana. But it also includes this—and the gentleman may not have heard me in making my statement—it includes the Senate amendment, that in no other acts of Congress shall this privilege be allowed.

Mr. McCLEARY of Minnesota. Now, Mr. Chairman, taking the statement of the gentleman just as he makes it, I would like to ask him what good purpose is to be served by adding to this bill the paragraph which the gentleman himself says is in another bill which will be enacted into law before this bill has passed, a bill which has already passed the House and is now pending between the two Houses, being perfected, and which will become a law sooner than this bill? What good purpose will be served by putting on this bill the identical paragraph which will become a law before this bill does?

Mr. ROBINSON of Indiana. This House has not passed upon that question. The Senate has passed upon that question, and I desire to support the proposition of the Senate and make this in the interest of orderly legislation, so that this bill may contain that provision which the Senate amendment carries upon it. On that the Senate has acted; this House has not.

Mr. McCLEARY of Minnesota. Does the gentleman doubt that this House will agree to its own provision as amended, if the amendment is a good one?

Mr. ROBINSON of Indiana. You can not tell when it goes into conference how this House will act upon any proposition before it, unless you resort to the difficult task of voting down the conference report.

Mr. McCLEARY of Minnesota. And therefore the gentleman would send with this bill similar language to conference?

Mr. ROBINSON of Indiana. I would send it to this particular conference, and I would have the House pass upon this salutary provision that met with the unanimous support of the Senate. It is a provision which the gentleman will not deny is a salutary one. And I hope that he will accept the proposition, because it is in the line of the House legislation on that subject in the legislative, executive, and judicial appropriation bill. It is in this interest and in the same language as the Senate passed unanimously upon that subject. And now let the conference committee on that bill be supported with this provision now passed. What objection is there to it?

The CHAIRMAN. The time of the gentleman has expired.

Mr. McCLEARY of Minnesota. Then, Mr. Chairman, I rise in my own right. I invite the gentleman's attention and that of the committee to page 12 of this bill, where will be found, in lines 15 and 16, these words:

Provided, That horses and vehicles appropriated for in this act shall be used only for official purposes.

I repeat the language, since the gentleman from Indiana does not seem to have heard it—

Mr. ROBINSON of Indiana. Yes, sir; I did hear the language.

Mr. McCLEARY of Minnesota (reading):

That horses and vehicles appropriated for in this act shall be used only for official purposes.

Mr. Chairman, there is nothing new in the amendment introduced by the gentleman, as we had already put into this bill a paragraph having every good effect to be accomplished by the amendment proposed.

Mr. ROBINSON of Indiana. The gentleman's provision, just read, says they may use carriages for official purposes, and my amendment seeks to escape the very language in which the gentleman affirmatively recognizes the use.

Mr. McCLEARY of Minnesota. Why, Mr. Chairman, the gentleman assuredly will not say—just let me read this again.

Mr. ROBINSON of Indiana. It says that they may employ these carriages for official use.

Mr. McCLEARY of Minnesota. Does the gentleman object to that?

Mr. ROBINSON of Indiana. I say they shall not use carriages at all, except if the gentleman desires the superintendent of schools and the superintendent of waterworks to use them. If that is necessary, he can move that the amendment be amended for that purpose.

Mr. McCLEARY of Minnesota. The gentleman would not allow the chief of the fire department, for example, a horse and carriage to be used in the discharge of his official duties. Is that what the gentleman means?

Mr. ROBINSON of Indiana. If that is true now, the Senate has already deprived you of it, if the language of its amendment prevails. I would permit necessary use, and so propose to the gentlemen the amendment to the amendment. If the provision in this act would hold the construction claimed, it would be objectionable to that use. The Senate has already cut you out.

Mr. McCLEARY of Minnesota. Mr. Chairman, the gentleman from Indiana is willing that his proposed amendment shall be amended, showing that he recognizes that in its present form it is not only faulty, but mischievous.

In this bill we have already, as I have shown, taken the opportunity of forestalling any use of horses and carriages except for official purposes. That has been accomplished in the paragraph which I have already read. We are not going to agree that such officers as the chief of the fire department shall be denied a horse and carriage for his official use; but our provision denies horses and carriages "except for official use," thus accomplishing every good purpose sought.

Mr. ROBINSON of Indiana. Does the gentleman deny that carriages have been used for official purposes unwisely, unjustly, and without warrant of law?

Mr. McCLEARY of Minnesota. Let me read the language of the provision again:

That the horses and vehicles appropriated for in this act shall be used only for official purposes.

Mr. ROBINSON of Indiana. Which is the same purpose that they have been pretending to use them for—official purposes—under this system of abuse.

Mr. McCLEARY of Minnesota. How can the gentleman make it any stronger than that makes it? It is a waste of time to consider this amendment, for it is already in the bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

The question was considered; and the amendment was rejected.

The Clerk proceeded and read the last section of the bill, as follows:

SEC. 4. That all laws and parts of laws to the extent that they are inconsistent with this act are repealed.

Mr. COCHRAN. Mr. Chairman, I move to strike out the last word. This bill is about to be reported to the House for final consideration and enactment. In my judgment the most difficult problem that faces us is municipal control. A great many other things demand attention, but no one problem seems to present difficulties so insoluble as that of city government. The expenses of other cities have been mentioned here, and it has been said that they afford no criterion by which to judge of the sufficiency or the insufficiency of the provisions for the expenses of this capital. One statement concerning them may be safely made. Extravagance, wastefulness, and dishonesty is the rule and economy and honesty the exception in the government of our cities. One gentleman said he thought the appropriations carried in this bill ought to be 30 per cent larger. I can well conceive of a bill carrying 30 per cent larger appropriations which would meet my cordial indorsement. Were a bill offered here to-day providing appropriations 30 per cent larger than this bill provides and the object of the appropriation was to beautify and adorn this great capital it would receive my support and the indorsement of the people of Missouri.

But if it provided for a sealer of weights and measures at a salary of $6,000 a year, and came from a committee whose only answer to a criticism of that provision was to inquire whether the gentleman making it knew the precise duties of that official, I think there is no sane voter in the United States who would not say that it was time to inquire where the money goes that is voted out of the pockets of the taxpayers of the whole country to expend here in Washington.

Mr. Chairman, we are the accredited representatives of the people of the several States. Most of us were sent here because the people of our districts thought that, to the extent of our ability, we would faithfully perform the duties of lawmakers. The duty that devolves upon us to-day is to contribute to the solution of this insoluble problem of municipal control our best offering. Would you invite the city councils of the great cities to inspect this bill as a guide? Would they find in it an example by following which they may sift out wrongful appropriations? The evil of city government most injurious to the public is the spoils system. It is a fact that with a large and frequently transient population it is very difficult to obtain in cities the very best results at the ballot box. It is difficult to place in charge of municipal governments those best able to administer the affairs of a great city.

But here no such difficulty exists. To safeguard Washington against evils unescapable in other cities, you abolished the right of self-government in the District of Columbia, and Congress undertakes to perform duties elsewhere performed by aldermen chosen at popular elections. This bill goes to the country as the highest exemplification of our capacity, sitting as a board of aldermen, for to-day we are charged with the duties of a city council. This bill goes to the country—explained by the subcommittee charged with its preparation, and defended by the chairman of the Committee on Appropriations—as the best offering of the most inefficient city council that curses an American municipality. [Applause on the Democratic side.]

The CHAIRMAN. The Chair will state that the reading of the bill is concluded.

Mr. McCLEARY of Minnesota. Mr. Chairman, I now ask to return to page 22, as was agreed when we were on that page, to offer the following amendment, which I will send to the desk and ask to have read.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 22, after line 15, insert:

"For the repair of the Anacostia Bridge under direction of the Commissioners of the District of Columbia, $100,000, and the said Commissioners are authorized to enter into a contract or contracts for the repair of said bridge, to be completed within two years from July 1, 1904, at a cost not to exceed $250,000, to be paid from time to time as appropriations therefor may be made by law:

Provided, however, That before any part of this sum shall be used, the Anacostia and Potomac River Railroad Company shall pay to the collector of taxes of the District of Columbia the entire cost of the pavement lying between the exterior rails of the tracks and for a distance of 2 feet from the said exterior rails of said tracks on each side thereof and the entire floor system supporting said pavement, and said collector shall deposit one-half of same to the United States Treasury to the credit of the District of Columbia and one-half to the credit of the United States, nor shall said appropriation be available until said railroad company shall agree to assume one-half the cost of maintenance and repair of said new bridge to be collected in the same manner as the cost of laying pavements between the rails and tracks of street railways as provided for in section 5 of 'An act providing a permanent form of government for the District of Columbia,' approved June 11, 1878; and *further*, That this appropriation shall not be available until the Anacostia and Potomac River Railroad Company shall agree that any other railroad company now or hereafter authorized by Congress to use said bridge shall have the right to use the tracks of the Anacostia and Potomac River Railroad Company thereon upon such reciprocal trackage and such other conditions as may be mutually agreed upon, and in case of failure to reach such an agreement that the supreme court of the District of Columbia, upon petition filed by either party, fix and determine the same."

Mr. DAVIS of Minnesota. Mr. Chairman, I desire to make the point of order to the substitute offered on the ground that it is not authorized by existing law.

The CHAIRMAN. The Chair will hear the gentleman, if he desires to be heard.

Mr. DAVIS of Minnesota. Mr. Chairman, I would like to ask the chairman of the subcommittee in charge of the bill a question, if he will permit me.

Mr. McCLEARY of Minnesota. Certainly, Mr. Chairman.

Mr. DAVIS of Minnesota. The bill as originally presented to the committee and as read yesterday was apparently for the purpose, at least this section was, of constructing a new bridge. I will ask now if that is still the intention, to construct a new bridge and at the same place?

Mr. McCLEARY of Minnesota. The language of the provision yesterday was "to reconstruct" the bridge. There is a bridge there now. The purpose of the provision was stated to be "to reconstruct" that bridge.

Mr. DAVIS of Minnesota. Did that amount to constructing a new bridge?

Mr. McCLEARY of Minnesota. That is a matter for the Commissioners to settle when they finally investigate the matter. How much of the existing bridge can be used I do not know.

Mr. DAVIS of Minnesota. I notice that the gentleman has changed the language now to "repair" the bridge.

Mr. McCLEARY of Minnesota. Yes.

Mr. DAVIS of Minnesota. Is that done simply to avoid the point of order?

Mr. McCLEARY of Minnesota. We think this work should be done, and we know that we can "repair" a bridge.

Mr. DAVIS of Minnesota. Then the gentleman will say that this is not to construct a new bridge?

Mr. McCLEARY of Minnesota. "The gentleman" will say that it is just what it purports to be—to reconstruct a bridge that is now there. How much of the existing structure can be used "the gentleman" does not know; does not pretend to know. He does not believe that anybody knows. That is a matter for investigation when they come to arrange for the repair or reconstruction.

Mr. DAVIS of Minnesota. Mr. Chairman, I still insist on the point of order. I should hate to call this a subterfuge; but even if the present amendment truthfully states what it is proposed for, still there are other provisions of the bill that I think are subject to the point of order. I desire to read a portion of Rule XXI, section 2:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress.

I do not believe that it will be contended, Mr. Chairman, that this is a work that is already in progress. Therefore I contend that even the fore part of this substitute comes squarely within the operation of Rule XXI, to say nothing about the balance of the new legislation incorporated in the substitute.

The CHAIRMAN (Mr. LAWRENCE). The Chair is ready to rule. The Chair will cite a ruling made in the first session of the Fifty-seventh Congress to the effect that "the admissibility of an amendment should be judged from the provisions of its face, rather than from the purposes which circumstances may suggest." This amendment states that the appropriation made thereby is for the repairing of a bridge. The Chair will therefore rule that it is an appropriation for a work now in progress; that it is an expenditure previously authorized by law. The amendment provides that the appropriation shall be withheld unless certain conditions are complied with. All the provisos are distinct limitations upon this appropriation. The Chair will overrule the point of order. The question is on the amendment offered by the gentleman from Minnesota.

The question having been put on agreeing to the amendment,

Mr. McCLEARY of Minnesota called for a division.

The question being taken, there were—ayes 76, noes 8.

So the amendment was agreed to.

Mr. McCLEARY of Minnesota. Mr. Chairman, I move that the committee now rise and report the bill as amended to the House with a favorable recommendation.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. LAWRENCE, Chairman of the Committee of the Whole, reported that the Committee of the Whole House on the state of the Union had had under consideration House bill 12833, the District of Columbia appropriation bill, and had directed him to report the same back with sundry amendments and with the recommendation that the bill with the amendments be passed.

The SPEAKER. Is there a separate vote demanded upon any of the amendments? [A pause.] In the absence of any demand for a separate vote the question will be taken upon the amendments en gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. McCLEARY of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONFERENCE REPORTS ON PENSION BILLS.

Mr. GIBSON. Mr. Speaker, I desire to call up the several conference reports, which will be found in print on pages 2850 and 2851 of the RECORD. They are conference reports on private pension bills.

The SPEAKER. That is a matter of the highest privilege.

The House proceeded to consider, respectively, the reports of committees of conference on bills of the following titles, the reports having been already published on pages 2850 and 2851 of the RECORD:

H. R. 968. An act granting an increase of pension to Alfred H. Rogers;

H. R. 3776. An act granting an increase of pension to Alfred I. Judy;

H. R. 6022. An act granting an increase of pension to George W. Travis;

H. R. 468. An act granting an increase of pension to Henry Christy;

H. R. 3903. An act granting an increase of pension to George C. Sherman;

H. R. 893. An act granting an increase of pension to Abram H. Hunt; and

H. R. 5176. An act granting an increase of pension to Alonzo Dutch.

The conference reports as read were respectively adopted, on motion of Mr. GIBSON.

Mr. GIBSON. I move to reconsider the several votes by which these conference reports have been agreed to, and also move that the motion to reconsider be laid on the table.

The latter motion was agreed to.

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole on the state of the Union for the consideration of the Indian appropriation bill, and pending that motion I ask unanimous consent that the order of business for to-morrow be postponed until Tuesday next, so that when we have begun the consideration of this appropriation bill we may continue it from day to day until it is concluded.

The SPEAKER. The gentleman from New York [Mr. SHERMAN] asks unanimous consent that the order of business under the rules for to-morrow be transferred until Tuesday next. Is there objection?

Mr. THOMAS of North Carolina. I would like to understand whether the regular order for to-morrow will be the consideration of bills from the Committee on War Claims?

The SPEAKER. No; bills from the Committee on Claims.

Mr. GIBSON. The Committee on War Claims has no objection to this change in the order of business.

Mr. SHERMAN. The War Claims Committee does not object, and at any rate business from the Committee on Claims has preference to-morrow. I consulted the chairman of the Claims Committee before making this request, and he has assented to it.

Mr. THOMAS of North Carolina. I will not object. I simply wished to understand the matter.

I understood that to-morrow was war-claims day. I now understand that it has been displaced by claims.

Mr. SHERMAN. To-morrow is private-bill day, with a preference for claims, not war claims.

Mr. THOMAS of North Carolina. And I further understand that claims will be taken up on Tuesday.

Mr. STEPHENS of Texas. You will lose no time.

Mr. THOMAS of North Carolina. And that no time will be lost.

Mr. SHERMAN. That is right.

Mr. GRAFF. Mr. Speaker, if this request is granted, will the Private Calendar be in the same situation on Tuesday that it otherwise would occupy to-morrow?

The SPEAKER. Precisely.

Mr. GRAFF. With reference to all bills on the Private Calendar?

The SPEAKER. Precisely. Is there objection?

There was no objection.

Mr. SHERMAN. Then, Mr. Speaker, I should like to make some agreement with reference to general debate, if possible.

Mr. STEPHENS of Texas. I would inquire of the gentleman if points of order have been reserved on the bill?

Mr. SHERMAN. Oh, yes; they were reserved long ago. I ask unanimous consent that general debate on the bill be limited to four hours. Is that agreeable?

Mr. STEPHENS of Texas. I think five hours will be as little as we could consent to.

Mr. SHERMAN. I ask unanimous consent that general debate be limited to five hours.

The SPEAKER. The gentleman from New York asks unanimous consent that general debate be limited to five hours. Is there objection?

Mr. STEPHENS of Texas. Two hours and a half on a side?

The SPEAKER. Two hours and a half on a side.

Mr. SHERMAN. I should have included in the request that the minority time be controlled by the gentleman from Texas [Mr. STEPHENS] and the majority time by the chairman of the committee.

The SPEAKER. Is there objection?

There was no objection.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT. I ask the gentleman from New York to yield to me for a moment.

Mr. SHERMAN. I do, with pleasure.

Mr. HITT. I desire to call up a conference report that has just come over from the Senate, on the diplomatic and consular appropriation bill, and I ask that the conference report itself be omitted and that, instead of reading it, the statement be read.

Mr. SHERMAN. Has it been printed in the RECORD?

Mr. UNDERWOOD. I should like to ask if the conference report has been printed in the RECORD?

The SPEAKER. Has the conference report been printed?

Mr. HITT. It has not. It just came in.

Mr. WILLIAMS of Mississippi. Then it must take its usual course and be printed, under the rule.

The SPEAKER. It will be printed in the RECORD, under the rule.

The conference report and statement are as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 12281) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 42 and 44.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 4, 5, 6, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 41 and 43, and agree to the same.

Amendment numbered 9: That the Senate recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four hundred and ninety-six thousand five hundred dollars;" and the Senate agree to the same.

ROBERT R. HITT,
ROBT. ADAMS, Jr.,
HUGH A. DINSMORE,
Managers on the part of the House.

EUGENE HALE,
S. M. CULLOM,
H. M. TELLER,
Managers on the part of the Senate.

Statement of the managers on the part of the House to accompany the conference report upon the diplomatic and consular appropriation bill (H. R. 12281).

The managers on the part of the House of Representatives make the following statement of the result of the conference with the managers on the part of the Senate on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 12281) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

The amount appropriated by the bill as it passed the House was $1,995,800.69. The increases added by the Senate amounted to $77,300, so that the bill as it passed the Senate appropriated $2,073,100.69.

The Senate receded from its amendments providing $30,000 for legation

buildings at Seoul, Korea; $2,000 for the cost of cablegrams, etc., for consular reports, and $36,000 to provide for thirty clerks at the principal consulates.

The House receded from its disagreement to the provision for $1,000 additional salary for the minister to Roumania, Servia, and Greece; $5,000 additional for the charges d'affaires ad interim; for the secretaries of legation at Denmark and Portugal, at $1,800 each; for an increase of $1,000 to the consul at Lourenço Marquez, Africa; to the creation of consulates at Chungking and Hang Chow, China, at $1,000 each; to increases of $500 each in the consul's salary at Odessa, Russia; Budapest, Austria-Hungary; Ciudad Porfirio Diaz, Mexico, and Reims, France; to the provision fixing a salary of $1,500 instead of fees, about the same amount, at the consulates at Moncton, New Brunswick; Port au Prince, Haiti, and Turks Island, West India.

The clerk hire allowance at Monterey, Mexico, was increased $600. The titles of the consular posts at Lourenço Marquez, Tientsin, Chefoo, Fuchau, and Hankow were made "consuls," instead of "consuls-general," as provided by the Senate amendments.

The net decrease in conference from the bill as it passed the Senate is $53,000, making the amount of the bill as now reported $2,020,100.69.

R. R. HITT,
R. ADAMS, Jr.,
Managers on the part of the House.

DIPLOMATIC, 1905.

Amount of House bill	$1,995,800.69
Increase by Senate	77,300.00
Amount as passed Senate	2,073,100.69
Decrease in conference, namely:	
Legation buildings at Seoul, Korea	30,000.00
Cost of cablegrams, etc., consular reports	2,000.00
Consuls-general transferred to consuls (Senate schedule)	16,000.00
Clerks (30) at principal consulates	36,000.00
Total decrease	84,000.00
Increase in conference, namely:	
Consuls restored (made consuls-general by Senate)	16,000.00
Clerks at consulates	15,000.00
Total increase	31,000.00
Net decrease in conference	53,000.00
Amount as agreed to in conference	2,020,100.69

INDIAN APPROPRIATION BILL.

Mr. SHERMAN. Mr. Speaker, I renew my motion.

On motion of Mr. SHERMAN, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12684) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes, with Mr. BOUTELL in the chair.

The Clerk read the title of the bill.

Mr. SHERMAN. I ask unanimous consent to dispense with the first reading of the bill.

The CHAIRMAN. The gentleman from New York asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. SHERMAN. Mr. Chairman, I shall occupy but a very brief portion of the time of the committee in stating the amounts appropriated by this bill and for what purposes and referring very briefly to the legislative matters contained in the bill.

In total there was estimated this year in the original estimates nearly a million dollars less than was carried in last year's appropriation bill. The bill as now presented to the House carries some $300,000 more than the amount found in the Book of Estimates: but save one or two items there is no appropriation in the bill that is not recommended by the Department or by the Bureau, either in the Book of Estimates or in some subsequent communication.

The total carried by the bill is $7,610,000. The total carried by the Book of Estimates was $7,400,000 and some odd. The amount appropriated last year was $8,500,000.

The general policy of the Government in reference to the Indians has not materially changed in the last three or four years. It has been extended, particularly in reference to doing away with rations and using the treaty moneys, especially for the Sioux, that it is provided we shall expend for them, in paying the Indians for their labor. In other words, they have enforced labor rather than feed them in idleness. That policy began some years ago, and pursued year by year has brought about a very much better condition of civilization and morality among the Indian tribes than had heretofore existed.

I have prepared here a statement, somewhat voluminous, taken from the reports of Commissioners of former years and taking extracts from reports of various agencies upon this general subject of employing Indian labor, which I will not detain this committee to read, but will insert in the RECORD. To my mind it is entertaining, and it is exceedingly gratifying to those who are interested in the uplifting and civilization of the Indian tribes.

The appropriation for schools is somewhat larger than it was last year, and somewhat larger than originally estimated for in the Book of Estimates.

I think it is known that the entire Indian population now is, in round numbers, 270,000, of which the New York Indians and the Indians of the Territory number some 70,000 or 80,000; so that there are, in round figures, 200,000 Indians in the United States exclusive of Alaska. During the past year there was enrolled in the various Indian schools, reservation and nonreservation—I am using entirely round figures—25,000 Indian children of both sexes, and an average attendance of some two or three thousand less than the enrollment in Government schools. The progress made in the schools, as appears by the report of the superintendent of schools, and of the head of the educational division of the department, and of the Commissioner, is gratifying.

I think I hardly need to elaborate before this Committee of the Whole the different kinds of schools and what is attempted to be accomplished thereby. I think it is pretty well known here. I think that is all I need to say in reference to schools.

I desire to call the attention of the committee to the report, which is No. 1022, in which this year, for the first time, we have set out in full the various treaty stipulations under which all the treaty provisions are made in the bill. I think the members of the committee and of the House will find that, not only in considering the bill at the present time but in future years, a ready pamphlet of reference.

There are a number of provisions in the bill, Mr. Chairman, which you will readily see are entirely out of order, obnoxious to the rule, and I shall not contend if any gentleman sees fit to make the point of order against them after hearing the explanations as we reach those provisions of the need and the requirement for them. If any gentleman raises a point of order at the time, they must go out.

There is no provision in the bill of a legislative nature that has not had the approval of the Committee on Indian Affairs as well as the approval of the Department. The Committee on Indian Affairs has given to the bill this year exhaustive consideration and examination. We have consumed all the time in at least a dozen or fifteen meetings in going over with great care each particular item of the bill; and they have been wonderfully unanimous in the conclusion reached in reference to all these items, whether they carry appropriations or are purely legislative provisions.

I think, Mr. Chairman, that is all I care to say at the present time. When we reach the reading of the bill it will give me, or give other members of the committee better versed in reference to certain provisions of it, pleasure to answer any inquiry that is made by any gentleman on the floor, giving them the fullest possible information that is to be obtained with reference to the items.

APPENDIX.

LABOR IN LIEU OF RATIONS.

Prior to 1902 rations were issued to all the Indians of a tribe without regard to their worldly condition, the well off as well as the poor. In that year, after consultation with the President, the order was given to drop all of the self-supporting from the ration roll.

After further consideration of the subject it was decided not to issue rations to any of the able-bodied at all, but to give them a chance to earn their own living; and an order to that effect was also given.

The steps that led up to that are described in the following pages.

PRECEPT AND PRACTICE.

Cutting off rations.—In previous reports some space was given to the discussion of the Indian's progress and the difficulties to be overcome on his way to civilization. It was pointed out that among the obstacles to his self-support the first and perhaps the principal one was the then prevailing ration system, which was justly condemned as encouraging idleness with its attendant vices and as foreign in its results to the very purpose for which it was designed. At the same time, with an evil, it was admitted to be a necessary one, to be endured only while the Indian was learning the art of self support, or at least put in a way where, by the exercise of ordinary industry, he could support himself. The continuance, however, of the practice of the indiscriminate issue of rations to all alike, without regard to their worldly condition, was earnestly opposed, and it was laid down as a correct rule of action that only the old and helpless should be supported, while the able-bodied, if not already self-supporting, should be given the opportunity to work and should then be required to take care of themselves.

Faith without works is dead. Realizing this, the Office set to work to show by its acts the sincerity of its belief.

And here it is proper to say that this change in the manner of dealing with the Indians was not a hasty conception on the part of the Office. Indeed, it was not new at all. It has been the hope and desire of enlightened men for many years. But inasmuch as it has been the subject of some harsh criticism and severe condemnation, and as the Indian Office has been freely charged with ignorance and blunders, it is simply fair that the motives which governed it and the principles which actuated it should be known and understood in order that the public may form an intelligent judgment on the matters involved. For this purpose it is necessary to go over some familiar ground and give it a somewhat extended notice.

The present movement began some two years ago, and arose out of a communication from chiefs and headmen of the Sioux Indians of the Rosebud Agency. About October, 1900, they addressed a letter to the President representing that they were the headmen of the Sioux Indians of Rosebud Agency and represented the tribe; that under the "Black Hills treaty" of 1876 they were to be given certain rations, that these rations had been cut down from time to time until they were getting much less than the amount stated in that agreement; that they were hungry most of the time, especially the old and crippled, and that before the winter was over they would suffer very much; that in former years they could make some money by freighting, but as their annuity goods had been taken away, a large part of their freighting had fallen off; that in years past they got the hides from the beef cattle killed for issue, which were a great help in procuring things to eat; that they would

obtain more benefit from the hides if issued to them direct than if they were sold and the money paid to them once a year; that they needed the hides to make moccasins and covering for their beds, etc.; that as they got little freighting and no beef hides, and were unable to raise much on their land, they had to depend on the rations issued by the Great Father; that while they wanted to obey his orders, yet they could not sit down and see their people starve; that they had talked many times with their agent, who was powerless to do anything without the authority of his superiors, and that they would like to have some assurance that something would be done for their relief. They therefore asked the President to answer them through their agent and tell them if he could help their people.

Recognizing that the tone of that letter was probably symtomatic of the feeling then pervading the Sioux people generally, and that the conditions at Rosebud were similar to those existing at the other Sioux agencies, and, farther, that the action taken with regard to the Sioux would have an important bearing upon other tribes similarly situated, the office, with a view of contributing to the better understanding of the matters referred to, submitted to the Department, along with the Indians' letter to go to the President, a communication treating of the Sioux Nation as a whole. That communication, after reciting the substance of the Indians' letter, took up the consideration of the Black Hills treaty, the true intent and meaning of which has been the subject of so much contention, and quoted the articles of that agreement relating to the matters under discussion, as follows:

"ART. 4. The Government of the United States and the said Indians, being mutually desirous that the latter shall be located in a country where they may eventually become self-supporting and acquire the arts of civilized life, it is therefore agreed that the said Indians shall select a delegation of five or more chiefs and principal men from each band, who shall, without delay, visit the Indian Territory, under the guidance and protection of suitable persons, to be appointed for that purpose by the Department of the Interior, with a view to locating therein a permanent home for the said Indians.

"If such delegation shall make a selection which shall be satisfactory to themselves, the people whom they represent, and to the United States, then the said Indians agree that they will remove to the country so selected within one year from the date.

"And the said Indians do further agree that in all things to submit themselves to such beneficent plans as the Government may provide for them in the selection of a country suitable for a permanent home, where they may live like white men.

"ART. 5. In consideration of the foregoing cession of territory and rights, and upon full compliance with each and every obligation assumed by the said Indians, the United States does agree to provide all necessary aid to assist the said Indians in the work of civilization, to furnish them schools and instruction in mechanical and agricultural arts, as provided for by the treaty of 1868.

"Also to provide the said Indians with subsistence consisting of a ration for each individual of a pound and a half of beef (or in lieu thereof, one-half pound of bacon), one-half pound of flour, and one-half pound of corn; and for every one hundred rations 4 pounds of coffee, 8 pounds of sugar, and 5 pounds of beans, or in lieu of said articles the equivalent thereof, in the discretion of the Commissioner of Indian Affairs.

"Such rations, or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves.

"Rations shall, in all cases, be issued to the head of each separate family; and whenever schools shall have been provided by the Government for said Indians, no rations shall be issued for children between the ages of 9 and 14 years (the sick and infirm excepted) unless such children shall regularly attend school.

"Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted); and as an incentive to industrious habits the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life.

"The Government will aid said Indians as far as possible in finding a market for their surplus productions and in finding employment, and will purchase such surplus, as far as may be required for supplying food to these Indians, parties to this agreement, who are unable to sustain themselves; and will also employ Indians, so far as practicable, in the performance of Government work upon their reservations."

It was then shown that the rations provided for the Sioux at the time were sufficient, unless the Indians were improvident, to prevent want. The letter then went on to say that the Sioux rations, as well as the rations for all other tribes, had been gradually reduced; that this was in accordance with the policy of this office and the spirit of the Sioux agreement of 1877, and that the true intent and meaning of that agreement was forcibly expressed by a former Commissioner of Indian Affairs nearly ten years before. In writing to the Secretary of the Interior at that time in relation to the subsistence supplies issued to the Sioux, Commissioner Morgan quoted articles 4 and 5 of the agreement as they have already been given here, and then said:

"This agreement is still in force, and the questions now raised are questions as to how far the Government has kept its obligations.

"It is worthy of special note that the end aimed at in the agreement was the civilization of the Indians. They were to settle down permanently; their children were to be educated; they were to live like white men, and the rations issued to them, or so much as might be necessary, were to be continued until 'the Indians are able to support themselves.' It is clearly evident that the Government never intended that the Indians should look to it for continuous support, that no promises of this kind were ever made, and that the Indians themselves did not expect it, and apparently did not desire it. The object of the rations was not that the Indians might be fed by the Government, but simply that they might be assisted and kept from want during the period of their probation while they were learning the art of self-support.

"No one will question the wisdom of this policy. No intelligent man will doubt that the welfare of the Indian demands that just as soon as possible he shall be rendered self-supporting, and that any help in the way of food or other supplies furnished him by the Government in excess of his absolute needs so as to remove from him the spur and stimulus to labor is not a kindness, but an injury.

"The only serious question which can be raised in this connection is, how long a time are these rations to be continued and under what circumstances the Government shall reduce or discontinue them.

"It should be noted that the agreement expressly stipulates that—

"'Whenever the said Indians shall be located upon lands which are suitable for cultivation, rations shall be issued only to the persons and families of those persons who labor (the aged, sick, and infirm excepted); and as an incentive to industrious habits the Commissioner of Indian Affairs may provide that such persons be furnished in payment for their labor such other necessary articles as are requisite for civilized life.'

"It certainly will be accepted as a truism that the Government had a right to demand of the Indians that they put forth for self-support whatever efforts might reasonably be demanded of them, considering their nature and surroundings. It will also be admitted that, considering the end in view, it would be a humane act on the part of the Government to decrease the rations, even though such decrease should bring temporary hardship, provided such hardship should serve as a stimulus to labor and self-help. Of course no one would urge that the Indians should be starved. In fact, all that can be demanded, either in fulfillment of treaty obligation or as an act of justice or humanity, is this, that the Indians shall put forth all proper exertion in the way of gaining a livelihood by their own labor, as other men are forced to do, and that in connection with such effort on their part food supplies issued to them in such quantities (not exceeding the amounts named shall be issued to them in such quantities (not exceeding the amounts named shall be issued to them in such quantities) and for such length of time as a sincere regard for the highest welfare of the Indians shall dictate."

The remainder of the letter was devoted to showing that the Sioux Indians, aside from rations, had received annually during the thirty years previous a suit of clothing or material to make it; that they had also received a large number of beneficial articles, such as agricultural implements, fence wire, building material, etc., for which $5,480,200 had been appropriated during the thirty years the treaty was alive; that they received the proceeds of the sale of hides derived from beef cattle; that they got more benefit from them in this way than the other; that they were receiving 5 per cent annually on $3,000,000 in the Treasury, one-half in education and one-half in cash; that they had received since 1890, 20,000 cows and 500 bulls; that at the time of their writing they possessed over 88,000 head of cattle; that they were able to sell that year probably 3,850 head to the Government to be turned back. In passing it may be interesting to observe that when in the last thirty-three years there has been appropriated for the benefit of the Sioux nearly $60,000,000 for the purposes named.

This was forwarded to the President by the Secretary of the Interior in a letter dated November 26, 1900, which is referred to and partially quoted in his last annual report, the conclusion of which was that the time had come for Indians either to support themselves or at least to furnish a part of their own support; and this conclusion was heartily approved by the President.

It then being winter, it was not considered judicious to make any immediate change in the prevailing policy, and so the issue of rations was continued as usual the remainder of that fiscal year. Before the next fiscal year opened, however, steps were taken to carry out the views expressed. On June 20, 1901, a letter was addressed to the Sioux agents, which, as it is the first enunciation of the future policy to be pursued, is given in full:

"DEPARTMENT OF THE INTERIOR,
"OFFICE OF INDIAN AFFAIRS,
"*Washington, June 20, 1901.*

"SIR: As the next fiscal year is approaching, when new arrangements will go into effect for the support and civilization of your Indians, it is a proper time to address you on the subject of the issuance of rations to the Indians on the Sioux reservations.

"As you are doubtless aware, this subject has had the earnest attention of those who are actively engaged in the Indian Service as far as I am aware, though not connected with it in an official capacity, sympathize in the work, and the almost universal opinion is that the indiscriminate issue of rations is a hindrance rather than a help to the Indians.

"It is the fact as represented that a majority of your Indians, perhaps a large majority, are unable to support themselves, even if they would, except only partially, and therefore must be subsisted wholly or in part as contemplated by the agreement of 1877. On the other hand, it is a well-known fact that a large number of persons classed as Indians have profited by the assistance they have received from the Government and are now not only beyond want, but in many instances are prosperous and often affluent. How many of these there are I do not know, but I am certain that, having reached the stage of development, they are no longer entitled to the ration prescribed by the agreement referred to.

"In order that there may be no misunderstanding as to the meaning of this statement, if your Indians is invited to a correspondence that took place last fall. In October, 1900, the office received a letter signed by seven individuals of the Rosebud Agency, addressed to the President, relative to their condition, their prospects, and their needs. They referred to the Black Hills treaty of 1877, the reduction that had been made in the ration provided therein, the loss of income by reduced freighting, their inability to make much upon their land, and asked the President to answer them through their agent if he could do anything to help their people.

"This letter was forwarded to the honorable Secretary of the Interior, with a brief report as to the number of the Sioux, the benefits and meaning of the so-called Black Hills treaty, the rations provided for the current year, the disposition of hides, the income from their trust fund, the number of cattle they were able to sell the Government to be issued back again, and other particulars relating to their welfare.

"The Secretary of the Interior transmitted the Indians' letter to the President on the 28th of November last, together with the report of this office, and after referring briefly to the several items of that report, referring to the Rosebud Indians in particular, became more general and said:

"'Article 5 of the treaty of 1868, known as the Black Hills treaty with the Great Sioux Nation of which the Rosebud Indians are a part), which was ratified by the act of Congress approved February 28, 1877 (19 Stat., 254), provides for assistance for the said Indians in the work of civilization; to furnish them schools and instruction in mechanical and agricultural pursuits; also a certain prescribed ration, which ration, "or so much thereof as may be necessary, shall be continued until the Indians are able to support themselves."

"'From the representations made by the writers of the communication referred to it does not seem that they or the other Indians of the Rosebud Agency are any nearer the goal of self-support than they were twenty-four years ago, when the treaty was made. Regardless of the provisions in the treaty looking to the reduction in the ration as they become able partly, if not wholly, to sustain themselves, which they appear to be able to do, and notwithstanding the facts stated by the Commissioner that individual Indians of this band own nearly 20,000 head of cattle, and that more than 1,500 head were purchased from them last year, at a cost to the Government of more than $30,000, which cattle were afterwards issued to and eaten up by the band, they still claim full benefits under the treaty named.'

"He concluded his letter by saying—and this is commended to the serious consideration of your Indians:

"'From the facts stated it does seem that the time has come when individual Indians who are so well qualified to at least furnish a part of their own support as some of these Indians seem to be should be required to take upon themselves a portion of the burden of their own care. The Government has faithfully and well fulfilled its obligations to them, and as the treaty of 1868 is mutual in its provisions, I respectfully recommend that such individuals as are known to be able to do so be required to furnish their own support, or at least to contribute toward it, so that the Government may be relieved of their care, and the spirit of the treaty of 1868, in that respect, carried into effect by them as well as by the Government, and that answer to this effect be communicated to them through their agent, as requested.'

"It is understood that this matter received the earnest attention of the President and that he gave the Secretary's letter just quoted his unqualified approval.

"In the face of this the indiscriminate issue of rations to all alike must stop.

"It therefore becomes your first duty to go over the ration rolls of your agency and erase therefrom all those who are wholly self-supporting. Your next duty will be to regulate the ration issued to the necessities of the recipients. As now practiced, it is understood that rations are issued to all alike—that is, they are distributed equally among the Indians of your reservation without regard to their worldly possessions. This should not be continued longer. Many families are, perhaps, partially self-supporting, but in different degrees. In such cases the rations should be issued according to the particular needs.

"In determining who shall receive rations one important consideration must not be overlooked. Rations must not be issued to those who have no disposition to attempt to support themselves. The law and regulations to this effect are old, but in many cases seem to have been honored more in the breach than in the observance. Nevertheless, they are good, and should be enforced so far as conditions will allow.

"The Office is unable to lay down any particular rule for the guidance of agents in arriving at correct conclusions in these matters. Indeed, an arbitrary rule would not work satisfactorily. In some cases it will not be a difficult task to determine who is self-supporting, in others it undoubtedly will. Neither will it be easy at all times to determine just to what extent a family or an individual should be assisted. In all cases it will be a matter of judgment in which that of the agent will or should largely predominate.

"The duty herein prescribed is an onerous one, and affecting as it does so deeply the present and future welfare of those under your charge, you will recognize the propriety of bringing to its discharge the most impartial, conscientious care. If the assistance of this Office is needed, it will be given for the asking.

"It is possible that some of those who are able to support themselves may voluntarily withdraw from the ration roll, and thus contribute to the cause by their example. To the knowledge of this Office there have been instances of this, and doubtless if the object to be obtained were properly presented there would be others.

"It is assumed that perhaps progress will be slow, but the time to begin it is here, and the object of this letter is to bring the Indians to a realizing sense of the attitude of the Government.

"At the proper time it is proposed to send you, as was done last year, a statement of the quantities of subsistence purchased for your Indians for the next fiscal year. They are believed to be ample for the needs of all who should receive rations if the spirit of this letter is observed.

"There is another class of Indians to whom the issue of rations would seem to be uncalled for. I refer to those drawing a salary from the Government. The number of these is large, many of them holding desirable positions, with very liberal salaries. A careful analysis of the salary list of the Sioux agencies shows that over 150 of the agency employees alone are Indians receiving salaries from $840 per annum down to $120, very few, however, of the latter. The majority of these earn as much as, if not more, year in and year out, than is the average income of farmers in this country. There is no question in the mind of this Office that the issue of rations to these should stop.

"There are also a large number employed in the schools with salaries from $300 down, besides quarters and other conveniences. The impression prevails here that many of these, if not all, draw rations. If so, the Office can see no reason for the continuance of the practice.

"These two classes, therefore, should be eliminated from the ration roll.

"The Indian police are excepted from this ruling, as their salaries are very small and their duties are peculiar. There may be other exceptions to the rule. If so, the Office will consider them on their merits.

"It is the desire of this Office to have this new departure go into effect as soon after the beginning of the new fiscal year as possible.

"This letter has been addressed to the agents in charge of the Sioux of different tribes, except Santee."

Later on, in September, 1901, a similar letter was sent to all other ration agencies on the ground that what was good for the Sioux was good for all, so that by the fall of 1901 all of the ration agencies were on the same basis with respect to the self-supporting.

While this was a step in the right direction, it did not remove the great evil so universally complained of by the supporters of Indian idleness. The evident and demoralizing effects of this evil were generally recognized and universally condemned, except, perhaps, by a mistaken philanthropy, which, ignoring the natural law that man must earn his living by the sweat of his brow, would exempt the Indian from the penalty thus imposed upon flowery beds of ease. Much had been said about the evil, and sporadic attempts had been made to check it, but with little avail. For years the Indians had been fed and clothed and allowed to spend their time in the devil's workshop.

It was felt that it was time for a change. Heretofore the dealing had been with the tribe. It was now to be with the individual. He would no longer be looked upon simply as one of a dependent community to be dealt with as a whole, but would be considered independently and treated as one capable of developing those qualities which would lift him above the level of a pauper and fit him to become a useful member of society. His manhood would be appealed to, and efforts would be made to teach him self-reliance and self-respect. He would be induced to acquire habits of industry and to forsake the ways of idleness. Necessity, and necessity alone, would do this. He must want before he would work; he must come to the bitter realization that idleness and hunger go hand in hand, and understand that he must put his hand to the plow if he would live. His rations would therefore be stopped and he would be offered work instead, work that he could do; not aimless work, but work with an object; not made to dig a hole one day and fill it up the next simply for the sake of doing so, that would deprive labor of the very essence of its work—a definite purpose. He would be put at something which would give him not only a present living, but which he could see would bring him benefit in the future. He would be paid fairly and promptly for his work, and then left to provide for himself.

Accordingly in the early part of January of the present year agents were advised that rations would go longer be issued to the able-bodied, but that the money thus saved would be used to pay them in cash for labor in building roads, dams, or reservoirs for storage of water, or any other work that would give them profitable occupation for the present and lead to their self-support in the future. Men were to be paid $1.25 a day of eight hours, and men with teams $2.50. Not only were the agents to employ the Indians to the fullest extent themselves, but they were to use all of their influence in finding employment for them in the surrounding country, and it was suggested to them that they should devote the greater part of their time to the civilization of their Indians, leaving the minor details of administration to subordinates, and that an Indian agency should be a bureau for employment of Indians rather than a center for the gratuitous distribution of supplies.

As this has been the subject of considerable animadversion and been stigmatized as a plan for the encouragement of contract labor, it is proper that some particular notice should be taken of these strictures, and the false charges refuted. As to the assertion that the plan is to hire out adult male Indians as contract laborers, nothing can be further from the truth. In all the correspondence there is not even a hint of such a thing. It was simply suggested to agents that they should circulate the information in the surrounding country that laborers could be obtained at their agencies, if such were the fact. If they could not give the Indians work themselves, they were to find it for them if they could. And that was their plain duty. If reference is made to the Black Hills treaty, already quoted, it will be seen that the Government obligates itself to aid the Sioux Indians in finding employment.

The agents, therefore, in publishing the fact that there were Indians willing to work, were simply carrying out both the letter and spirit of that agreement. In all of this there was not the slightest suggestion of hiring the Indian out under contract. That implies coercion. There was not a thought of such a thing. He was to be given an opportunity to work; that was all. If the Government did not have it, it was to find it for him. He could work or not, as he chose. He was as much a free agent with respect to this as anyone else, only if he were given the opportunity to work and refused he was not to expect to be supported by the Government.

The new policy was received with much discontent in some quarters and passive, if not open, opposition in others. There were few mutterings and a good deal of talk about vested rights, some sympathetic expressions over the hard luck of poor Lo, and here and there a prophecy of an "uprising." Interested parties endeavored to create a sentiment against it, while self-constituted conservators of the Indian either cast aspersions upon its authors or damned it with faint praise.

In spite of these and other adverse influences the office persevered with its policy and is now in a position to form an intelligent idea of its effect. Everywhere the results have been favorable even beyond expectation. Misgiving in some quarters has given place to confidence, and while, perhaps, the experimental stage has not been passed, there is every reason to believe that the final success of the plan, if carried out judiciously, is assured.

As a first result over 12,000 have been dropped from the ration roll, being wholly self-supporting. As a second result a large number of Indians have been put to work, or work has been found for them. As to the effect of this let others speak.

One agent writes:

"The Indians are eager for work, even some of the older ones, classed by the physicians as physically unable to work, insisting on having work. * * * These Indians are working as faithfully and intelligently as could be expected of people who have never had occasion to work for their support, and there can be no question as to the wisdom of the new policy and its good effect on these people."

Another says:

"The results so far are very gratifying. * * * As soon as the fact that work could be secured was known by the tribe, applications came faster than they could be employed. One man, over 50 years of age, when drawing his pay for a few days' work, acknowledged it was the first money he ever earned, and seemed pleased that it was possible to secure money without waiting for annuity or lease payments. * * * There is no question but that the time was ripe for the adoption of the present policy."

Another:

"I think this new policy has had a very desirable and stimulating effect upon these Indians to look for employment, while a great many of them are always anxious to work when they can see that there will be compensation for it; yet they seem now to be more anxious for work than ever before."

Another:

"We have succeeded beyond our most sanguine expectations. Over 300 have been secured employment outside of the Government work. They are employed on the railroad, by ranchmen, in cutting wood, shearing sheep, and other minor occupations. They are paid by the railroad $1.50 per day; by ranchmen $30 per month and board; for chopping wood, $1 per cord; shearing sheep, 7 cents per head, and other labor in proportion. * * * The result of all this is that the Indians have lived better than ever before. * * * No one has suffered by the reduction of rations, but, on the other hand, there has been less discontent and complaint than I have ever before known. * * * In conclusion, I beg to recommend that the present policy of handling the Indians at this agency be continued."

And still another:

"I could have secured employment for practically all the able-bodied Indians in this agency if they would have accepted it. * * * Some of these pretended friends of the Indians, instead of encouraging them to accept this work, even at small wages, have been assiduously trying to discourage them from going. * * * Concerning those who did go to work of the reservation, I would say that they gave perfect satisfaction to their employers, who have informed me that they would rather have them than white laborers. * * * The general effect on the Indians of the work done on the reservation has been a very good one. It has been very satisfactory from all standpoints."

An inspector says:

"Above all else I believe the best lesson an able-bodied Indian can have is to convince him that he must work or starve. If he complains that there is no work to do, the Government should be prepared for him with laurel on roads, irrigating ditches, coal fields, lumber camps, etc. For such work let him be paid a moderate sum in cash. To pay in rations or to pay more than the Indian earns are both errors which experience has proven should not be repeated. But if the Indian says he is hungry, let him be shown the 'Government wood pile' and be compelled to work his way through it."

A superintendent of thirty years' experience writes:

"Your letters * * * point toward the fact that the Indian Office expects in the near future to discontinue the gratuitous issue of rations. Any time during the last twenty years I would have hailed this step as a boon to these Indians. * * * The policy of the Government in issuing so much to them gratuitously has dwarfed their energies, cultivated their dependence, and encouraged their extravagance.

"After over thirty years of issuing gratuitous rations, after distributing many carloads of farming implements, wire for fencing, and wagons and harness, after receiving two cash annuity payments, * * * these Indians to-day farm less than they have at any time for the last fifteen years, and are less willing to do a day's work for the money than at any time for many years. There are very few who are not in debt. There is more drunkenness than at any time since I knew them. The gratuitous issues, along with their cash annuities and the lease money derived from leasing their allotments and renting their houses built for them by the Government, made their resources so large that they were not compelled to work for a living, and as they were not obliged to work they did not do so for recreation, and as they were idle they naturally fell into the habit of gambling and drinking as a pastime. * * * I heartily indorse the policy proposed by the Indian Office of giving them an opportunity to earn their own living and in furnishing them plenty of work to do."

These extracts could be multiplied, but those given are sufficient to show the trend of sentiment of those having an experimental knowledge of the situation.

But it may be said that these are in the service and their reports are colored from interested motives. Let us therefore see how it looks to outsiders. Here is a graphic article taken from the New York Sun of last summer:

"SIOUX HAVE LEARNED TO WORK.

"ROSEBUD INDIAN AGENCY, S. DAK., *June 28.*

"On July 1 the order of the Interior Department requiring the Sioux to go to work becomes effective on this reservation. But the Sioux, he who forty

years ago inspired terror in the Northwest with tomahawk and rifle, has already gone to work. In this fact is found the most important step toward civilization in the history of the Sioux. Not only has the Department succeeded in making the fiercest Indian tribe self-dependent, but a sacred tradition of the Sioux has been given up.

"With it will go the blanket, the feathers, the long hair. The spectacle of the Indian in blouse and overall—which might have seemed a dream a quarter of a century ago—may be witnessed to-day by any visitor at the Rosebud Reservation.

"When Commissioner Jones announced that the Indian must give up his locks, and [illegible] go out into the fields and toil, predictions of trouble came [illegible] as for the Sioux greated disapproval.

"'Pale face, he make treaty,' said the grizzled chieftains. 'He make treaty and give us meat and clothe us, and now paleface won't do it. The Great White Father said it, and now paleface make us work.'

"The wrinkled tribesmen were right and they resented this apparent bad faith. The Sioux nation was the most powerful in the Northwest. It cost thousands of lives to subdue it and the Government was glad to make a liberal treaty. The 1868 treaty provided that the Indians should confine themselves to certain territorial limits and in return should be supplied with food and raiment and stock for thirty years.

"In 1874 gold was found in the Black Hills. There was a [illegible] The whites wanted the cession of the Hills from the Indians. The Sioux wanted $7,000,000. The commissioners laughed at the demand, and the Indians left the council furious. Red Cloud intercceded, and the Indians agreed to give up the Hills if the Government would agree to keep them in food and clothing [illegible] after the thirty years stipulated in the 1868 treaty [illegible]

"The [illegible] that the Government [illegible] treaty millions. When it expired, in 1898, the Interior Department was not prepared to prolong the paternal system, and [illegible] to put the redskins at work.

"The Sioux protested that the treaty had been violated, and agents sent word to Washington that the order could never be enforced. Then the Sioux ran out of money. Promises were made [illegible] under the curtailed orders. Agreements [illegible] Indians might go to work on July 1. It became noised about the reservation that all who would work would be paid at the rate of $1.25 a day. The Indians thought long over their plan.

"'Pale face,' [illegible] said White Crow, 'is demeaning.'

"'No work,' added Red Feather, 'may also mean things to eat and stuff to drink.'

"'Let's go and ask the white boss to give us work then, and give us money,' [illegible]

"The three Indians went to the agent with their request. The agent had told the Department that he didn't think it of any use, and the hoes and rakes and plows and picks and shovels would be likely to rust away. To be asked volunteers for work by the Indians, therefore, made the official speechless with astonishment.

"Recovering, he offered to show them how. The three Indians trotted along behind him. He was puzzled how to initiate them, but he set up a grading plow and showed the redskins how it was used. The dirt soon began to fly, and the new road that had been surveyed so long that it had become a joke was being made.

"Other Indians came to look on. They said nothing, but when at night Big Moon, Red Feather, and White Crow told them they had each made $1.25 that day, they, too, went to the agency and wanted work.

"The squaws were in a state of bewilderment. When they saw the young Indians approaching with picks and shovels they imagined that their lazy lot as tillers of the field, hewers of wood, and drawers of water was to be made harder by these cumbersome tools. When the Indians went on out into the fields and began working the squaws came out and looked on in astonishment. They glanced at one another and tapped their heads significantly. It soon became evident that the Sioux had been changed. He had entered a new era. Hereafter he will no longer be a ward; to all intents and purposes he will become a citizen.

"But not all the young Indians are so progressive. There are many who want to escape work. They found that these in ill health would be excused, and they flocked to the agency physician, inventing and vividly acting the most astonishing ailments. But the physician has not been fooled, and few have obtained certificates of ill health.

"The Indians are chiefly engaged in building roads and fences, bridges and reservoirs, which some are [illegible] their ancient lands. [illegible] minds, work is associated with the servitude of the squaw, too [illegible] has come to realize the value of the dollar. The same avarice that appealed to the Sioux attracted the Pine Ridge Indians. They heard of the Sioux and the big dollars and swooped down on the agency clamoring for work. They were told it was only for the Sioux, and they went away grumbling. The paradox of an Indian discontented because he can not work may yet make trouble for the Pine Ridge agent.

"Congress appropriated $[illegible] for an effort to make the Rosebud Reservation self-supporting. Success in the venture is now foreseen, and the additional [illegible] promised will be expected. The Sioux will wake up some morning and find himself self-supporting. With this change will disappear the last vestige of barbaric raiment, and the Indian will have become as civilized as he may be."

Some of this may be imaginary; there are some inaccuracies, and doubtless the characters are fictitious, but as a whole it presents a true picture of the situation and is suggestive of the change that is going on. The ration system and the reservation system are doomed. Let them go. Take away the incentive to idleness and obliterate the boundary between ancient prejudice and modern progress. Break down the barriers, open the way for civilization, build the roads that it may march in and settle around the Indian homes. When that is done the dream of the celebrated peace commission of less will come true. Mechanics and artisans will enter, trade will spring up, and the nucleus of a civilized community will be formed.

While the prospect is hopeful, it will not do to be too sanguine and relax effort. A beginning only has been made. Much is yet to be done. It will only be by patient, laborious work that the end in view can be accomplished.

The foregoing was written late in 1902. Since then other reports have come in showing how the new policy is working.

The agent at the Colorado River Agency, Ariz., wrote in June, 1903:

"*Discontinuance of rations.*—My chief effort during the past twenty months with reference to issuing rations, has been to eliminate from the ration roll all, or nearly all, the strong, able-bodied men, and to assist them in obtaining work, and I am pleased to say that this system has worked well, although generally opposed were these same big, lusty, lazy fellows. Two years ago 305 Indians were drawing rations. One year ago but 300 were drawing rations at this agency, while at this time and for several months past the average has been but 80, and these, being old and infirm, and from other causes being unable to work, draw but small rations of flour, beef, and salt. The results and progress made in this direction have been highly satisfactory."

In October, 1903, the Crow agent, Montana, wrote:

"July 1, 1903, we cut from the ration rolls 1,000 Indians, and at the beginning of this fiscal year we intend to take one-half as many more from the rolls. Our Indians are well informed as to the intention of taking from them the Government support as fast as possible, and they take to it kindly and are putting forth their best efforts to make a living."

The Fort Belknap agent, Montana, wrote, in September, 1903:

"[illegible] subsistence has been cut [illegible] point. While at the outset it entailed a good deal of [illegible] and made many a "sorehead," and, for a short time, many a [illegible] miserable spirit, took up the new [illegible] means of subsistence. Some [illegible] others on the outside of the res[illegible] soil. However, during the winter [illegible] who are earning their own living at [illegible]

The Fort Peck agent, Montana, [illegible] in August, 1903:

"*New Indian policy.*—The new [illegible] year ago has been very successful on this reservation. On [illegible] half the Indians were sickness from the [illegible] dropped since that time. [illegible] the agency so long as work can be [illegible] vation. If an able-bodied Indian [illegible] a shovel; if he won't use the shovel [illegible] have had very few cases where work [illegible] refuse to do it to support himself. [illegible] not bother the agency at all [illegible] work for themselves. Quite a [illegible] in the surrounding country, [illegible] making ditches by the year, etc. [illegible] can be obtained, either on or off [illegible] necessary to feed some of the [illegible] per cent of the money earned by the Indians is spent [illegible]

In August, 1903, the Pierre agent, New Mexico, wrote:

"When I [illegible] charge of this agency every member of the tribe was able-bodied [illegible] those unable to work [illegible] allowed [illegible] persons.

"That the issuing of rations to the whole tribe is neither necessary nor prudent is evidenced by the fact that a considerable [illegible] money earned by the tribe will show $15,000 during the past year. This money was derived from the following sources: [illegible] Government [illegible] and [illegible] earned by hire on neighboring ranches, $2,000; [illegible] sales of hay, etc., $[illegible]

"[illegible] issuing rations is continued for a few years I feel assured that [illegible] Government. The money being spent as now in the [illegible] reservoirs, will enable the tribe to have an assured means of support through the [illegible] of these [illegible]

From Shoshone Back Agency, N. Dak., August, 1903:

"[illegible] has been expended during the past year in the employment of Indians in lieu of rations on the construction of roads, reservoirs, and general improvements to the reservation. The [illegible] efforts of this agency are very satisfactory to the [illegible] of greater [illegible] the Indians every market. It is my intention so far as practicable [illegible] means of subsistence from this source to [illegible] agency. A large number of the older Indians have to be [illegible] as ration issues, but this number is slowly growing less, and the number of those capable by education and [illegible] is steadily increasing. It is very gratifying to note the increasing number of volunteer applications for this work."

From Cheyenne and Arapaho Agency, Okla., September, 1903:

"[illegible] I take pleasure to state that there is absolutely no doubt but that these Indians are, as a whole, in better condition than at any time since I have known them. The majority of the tribe have shown a contented and comparatively happy state, and many who have heretofore been placed in the category of workers are trying to do something for themselves and families. Seeing the benefits to be derived from such actions in their past, there is no doubt but that a continuance may be expected to bring about the desired results [illegible] consequence of long-[illegible] habits, customs and obnoxious tribal practices are [illegible] passing away, and the Cheyenne and Arapaho Indian is becoming entirely competent to take his place as a citizen and to hold his own against even the most [illegible] white neighbors."

The superintendent in charge of the Segar colony of Cheyenne and Arapaho, in Oklahoma, who has lived among them for thirty years, writes in August, 1903:

"In regard to the industries carried on by the Indians in this agency I can not speak too highly of the [illegible] Indians to labor in lieu of issuing rations to them. It gives the able-bodied an opportunity to work for their own maintenance under competent instruction, and in a way that the result of their labors will contribute to the immediate improvement of the public highways and Government property. It leads them to perform a diversity of industries which gives them needed experience and opportunity to acquire skill in the work they are engaged in. It can be seen that the wages they receive, and which contribute to their immediate necessity, is not the only benefit derived by them. They like and appreciate the change from receiving rations gratuitously to the opportunity of working for them, and they say themselves that they are healthier since they began to work for their support. They now have to look ahead a little while, at least to provide for their families. Under the ration system they only had to wait for ration day to come around. It will be seen by this report that the Indians of this agency as a whole have added to their support to no small extent by the crops raised on their farms."

From the Cheyenne River Agent (South Dakota), August, 1903:

"*Issues.*—The contraction of the ration policy and expansion of the labor policy is doing more for the civilization of these people in a practical way than any plan with this object in view that has ever been inaugurated among them. It has brought them to the realization that their labor is worth something, and that only a few days' labor will buy more supplies, of greater variety, than the rations heretofore furnished them by the Government. It is surprising and commendable, indeed, to see the avidity with which they look for and take hold of the work, and reflects a passing remark made by a recent visitor at this agency, while watching a gang of Indians doing a [illegible] grade work on a road, 'Why, I don't see but what they do just as well as the same number of white men would do at the same work.'

"While the present policy gives them an idea of the value of their labor it also teaches them the value of the money earned with their own hands, and can not help but imbue them with a feeling of independence and self-reliance when they can go, after receiving their money thus earned, and spend it where and as they please. The contrast between this way of dealing with

the Indian and thus providing a means of earning his own subsistence as compared with the old way of former years, in taking his ration sack to the warehouse on ration days, month after month and year after year, and there taking the rations allowed him, marks a new era in the history of the civilization of the Indian."

From Crow Creek Agency, S. Dak., August, 1903:

"*Rations.*—Rations are being issued only to those who are over 50 years of age and those who are not able-bodied. Out of 1,006 Indians enrolled at this agency there are 540 self-supporting; that is to say, they are supporting themselves under the labor policy inaugurated by the Department last year, and which is a step in the right direction for the future welfare of these people."

From Pine Ridge Agency, S. Dak., August, 1903:

"Under the new working system and during the fiscal year 1903 about $55,000 was disbursed for labor performed by our able-bodied Indians in lieu of issues of rations. The work was done in making and repairing roads, building dams for reservoirs, irrigation ditches, fences, corrals, etc. The work was done under the immediate supervision of Mr. Willsie, a competent engineer, and in a good substantial manner. Thirty-eight dams for reservoirs sites were constructed at different points on the reservation. In the construction of these dams some 150,000 cubic yards of earth were removed. Twenty-five good, substantial bridges were built on the various streams throughout the reservation. Corrals at agency and substations were repaired, and 30 miles of wire fence was constructed to complete our north line fence and connect same with Rosebud north line fence. The greater part of our work laid out for this summer will be in constructing irrigation ditches. Water will be diverted from all streams, some small and some large, where there is water sufficient to irrigate with, even though it may in some cases be on a small scale. The aim is that are being put in on the streams to divert the water are built to last. We had our mechanics build a pile driver, and it is now being used in driving piles for all the dams.

"About 400 Indians are working, and as ample funds are available, work will be furnished them the balance of the summer. From amount of funds authorized for purchase of gross beef, flour, hay, and other supplies for this agency for the fiscal year 1903, a saving of about $30,000 was made.

"The new system is meeting with a fair degree of success on this reservation. The younger element of Indians are taking kindly to work, and it is reasonable to hope that they are taking better care of their money earned this year than they did last. The larger part of their earnings are spent for provisions for themselves and their families. Their earnings, however, enable them to eat three times a day. Under the ration system, if they were economic, and saving with rations given them, it would afford them not more than one meal a day."

From the Rosebud agency, S. Dak., August, 1903:

"With the exception of the winter months, the able-bodied Indians have been at work during the fiscal year building and repairing roads, making and repairing roads, building dams and reservoirs, and other work of a permanent nature in the improvement of the reservation, all of which work the Government has provided, and for which it pays the Indians in cash from day to day, or $2.50 a day work for them, in lieu of issues of rations. Some of the Indians find employment off the reserve, but by far the greater number [illegible] the work and pay here provided for them, and have made good headway in the amount of work performed, but also in subsisting themselves and families.

"It can not be expected that these Indians can yet successfully compete with white labor, but in course of time they will be able to, and many of them now do, for it may be that the Government will not continue to provide employment for them any great number of years to come, although I believe it would be well to continue the work along present lines for an indefinite time."

From Yankton Agency, S. Dak., August, 1903:

"There is no longer any doubt as to the wisdom of cutting off rations. About 20 per cent of the tribe is now borne on the ration roll. Those cut off during the last year and a half are living as comfortably as before, and have the knowledge that they are existing by their own efforts."

Mr. ROBINSON of Indiana. Mr. Chairman, would the gentleman think it an inopportune time for me to ask him about the policy which may be considered or outlined by the committee or embodied in this bill with reference to the abolition of or the continuation of the Dawes Commission in the Indian Territory?

Mr. SHERMAN. The bill in terms limits the life of the Dawes Commission to the end of the next fiscal year. In other words, it provides specifically that the work of this Commission shall be completed and the Commission cease to exist on the 1st of July, 1905.

Mr. ROBINSON of Indiana. Has the gentleman or the committee any information that that work can be accomplished by the Commission in that time?

Mr. SHERMAN. It has, if Congress does not impose upon that Commission added duties. In my judgment the work of that Commission would have been completed before now, and it was prognosticated here two or three years ago that it would have been completed ere this. If Congress had not imposed additional duties and work on the Commission, the work would have been completed. But I believe, spurred on with this declaration that the Commission must cease to exist on July 1, 1905, that all the work that is now imposed upon the Commission can be completed prior to that date.

Mr. ROBINSON of Indiana. I do not want to impose upon the gentleman's judgment, but there is a bill that has been recently introduced here which seems to have the sanction of the Secretary of the Interior, and is it not his judgment that that would impose great duties upon the Dawes Commission and lead to its indefinite life?

Mr. SHERMAN. The bill that the gentleman refers to is a bill introduced by my colleague [Mr. CURTIS], who for some years has been chairman of the subcommittee having in charge the matters especially relating to the Indian Territory, and that gentleman [Mr. CURTIS] advises me that this does not impose duties upon the Dawes Commission which would necessitate the continuance of their existence longer than the date I have mentioned.

Mr. ROBINSON of Indiana. Has the gentleman in the appropriation here gone to the end that the policy of the Government shall be a discontinuation of that Commission?

Mr. SHERMAN. That certainly is our declaration just as distinct as it is possible to make it.

Mr. ROBINSON of Indiana. And you think Congress will be able to accomplish that result with the language of the gentleman's bill?

Mr. SHERMAN. There is no question in my mind about accomplishing it with the language. The language is, "And said Commission shall conclude its work and terminate on or before the 1st day of July, 1905, and said Commission shall cease to exist on July 1, 1905."

Mr. ROBINSON of Indiana. If the gentleman will permit me, I consider that the Dawes Commission is in its operation a self-perpetuating body, and that in delay they have accomplished more evil than they have accomplished good, and is it that a desire to accomplish good to the country and Indian Territory has been submerged in the desire to serve themselves? Now, they started out in 1892 with the matter of the enrollment and have constantly taken 70,000 practically uncontested cases and minutely and elaborately heard evidence and gotten up their written decisions where they should have considered the 10,000 contested cases, and in that way they added to their life tenure almost, and I hope the gentleman and his committee will see a termination of that condition, so that we may find that the people of the Indian Territory are not suffering any more in the deplorable conditions aggravated and accentuated by reason of the entangling system of the Dawes Commission.

Mr. SHERMAN. The gentleman has declared what his belief is. He has not asked me what mine is.

Mr. ROBINSON of Indiana. I would like very much to have it.

Mr. SHERMAN. I disagree with the gentleman in a large part of his sweeping criticism of the Dawes Commission. I think that Commission has done wonderful work. It has brought about the betterment of conditions down there to an extent that ten years ago no one would have believed was possible. Possibly they have taken more time than another commission would have taken. In my judgment, as I stated a moment or two ago, they would have completed their work long ere this had not Congress in its wisdom constantly added other duties; and I believe now that the termination of this work is in sight, and I shall be surprised if we find it necessary next year to ask that this Commission be continued beyond July 1.

Mr. ROBINSON of Indiana. Will the gentleman tell us about how much of the annual appropriation is for the machinery of this Commission?

Mr. SHERMAN. The appropriations, all told, are something under a million and a half dollars. My colleague tells me $1,400,000, all told, from the creation of the Commission down to the present time.

Mr. ROBINSON of Indiana. What would the gentleman say toward cutting down the appropriations, so that we would have only one commissioner instead of the entire body of the Commission?

Mr. SHERMAN. That suggestion was quite fully discussed by the committee. We had two members of the Commission before us, and it seemed at this stage of the work unwise to make this change. We have been crossing a river. We have reached almost to the far bank, where we are taking hold of the grass or shrubbs and pulling our boat to the shore, and therefore it seemed unwarranted at this time to change our policy. If the Commission were cut from four to one, it would be necessary to employ certain high-salaried clerks at least to perform the duties that other members of the Commission now perform, so that in money there would not be a total saving. It would only be a partial saving at most. I think it would be bad policy, in my judgment, at present to change the Commission.

Mr. PERKINS. What are the duties of this Commission? Will the gentleman state them briefly?

Mr. SHERMAN. The duties are defined in the various acts which have been passed. To cover it in one or two sentences, they were originally to enter into an agreement with the five tribes known as the "Five Civilized Tribes," and then to carry out all the provisions—that is, the several agreements, making up the rolls of citizenship, allotting land, setting aside town sites, and all that sort of thing.

Mr. LACEY. Will the gentleman yield to me for five minutes?

Mr. SHERMAN. I give to the gentleman from Iowa five minutes.

Mr. LACEY. Mr. Chairman, I do not feel willing to allow the attack on the Dawes Commission to go by unchallenged. The Dawes Commission has been a very useful organization.

So far as I am concerned, I do not think it ought to be finally discharged until the new State comes into the Union, by which some additional local government can be established over that region. The Dawes Commission has served as a controlling body

between the white people on the one hand and the Indians on the other. They have served the purpose of molding the heterogeneous and complex conditions into a more simple form in that Territory.

We found ourselves in the preparation of the Curtis law, for instance, confronted with Indian customs, Indian laws enacted by Indian legislatures, Indian treaties, complex situations between the different tribes transferred from the different parts of the country in that Territory. The Dawes Commission having the confidence of the Indians and having been headed by a man that they looked upon all their lives as their tried and true friend, Senator Dawes, yielded their judgment to the views of that Commission. It has been a conciliatory organization and has enabled the Government to enforce and carry into operation the wise measures involved in the Curtis Act.

It is hardly possible to listen with patience to the assault that has been made on these gentlemen. The Commission has wisely managed the affairs of the Territory. There is a Territory without any organized government at all, without any general system such as is known to the other Territories, and this Commission has taken the place of the Government, in some sense at least, and has enabled the Federal Government to bridge over the difficulties with which it found itself confronted.

This Dawes Commission has done a good service. When the history of that Territory is written the names of these commissioners, and the eminent gentleman whose name is associated with the Commission, will receive the honor they deserve. If my friend from the Committee on Territories [Mr. ROBINSON] is able to aid in bringing in a bill that will transfer that Territory to a condition of statehood in the new State, provide legislative control there to take the place of this arbitration control, or the board of conciliation, as you might call it, the Dawes Commission, he will do well, and if they will frame a bill putting the Indian Territory into a new State of Oklahoma, they will do well to recognize the good work that the Dawes Commission has performed in the last ten years in getting that country ready for statehood.

Mr. Chairman, I do not care to speak further, but I did not want these criticisms to go by uncontradicted, without some protest on the part of the Committee on Indian Affairs, who certainly know that the distinguished men have done a wise and useful work in the years that have passed.

Mr. FINLEY. Will the gentleman from Iowa yield for a question?

Mr. LACEY. Certainly.

Mr. FINLEY. I have heard it stated—I do not know with how much truth—with reference to the Dawes Commission, that the members of that Commission, or some of them, were interested in land speculations and corporations making investments in the Indian Territory. I would like to ask the gentleman if he has any knowledge of that?

Mr. LACEY. That matter has been investigated by Mr. Bonaparte, and the report will be published probably soon giving details. My understanding is that some of the Dawes Commission have owned stock in banks there.

Mr. FINLEY. And land companies?

Mr. LACEY. No; not in land companies, but in trust companies, investment companies, and banks.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. SHERMAN. I will yield the gentleman two minutes more.

Mr. FINLEY. I wish to ask the gentleman if he thinks that it is prudent, and for the best interests of the Indian Territory, for the members of the Dawes Commission to be interested in investment companies and trust companies?

Mr. LACEY. I think it is wise for a man to shun even the appearance of evil; but my understanding is that investigation has shown no wrongdoing on the part of any member of the Dawes Commission. My own judgment is that if the time of the life of the Dawes Commission expires under the bill before the Territory is admitted into the Union, that time ought to be extended by further legislation. I do not know whether the balance of the committee will agree with me, but I do believe that this Commission ought not to go out until the State comes in, and the State ought to come in in time to take up the work where the Dawes Commission leaves it off.

Mr. THAYER. Will the gentleman yield for a question?

Mr. LACEY. Certainly.

Mr. THAYER. I know the gentleman from Iowa is as conversant as any man in the House with the status of the Indian, and is as good a friend as the Indian has in the House. I would like to ask the gentleman whether he thinks the people of that Territory—Indians, full bloods and half bloods—having had no government except tribal government, are now fitted for the dignity and duties of statehood as we recognize them here in the rest of the Union?

Mr. LACEY. That involves entirely another question.

Mr. THAYER. I notice that the gentleman said "until they were admitted."

Mr. LACEY. If they are not qualified, the necessity of continuing the existence of the Commission to which they can look as an intermediary between it and Congress, between them and the executive department, is all the more necessary. The Indian Territory is not made up of Indians, but a very large proportion is white.

Mr. THAYER. Is it not true that the Indian lands constitute a great majority of the whole Territory—some sixty-eight seventieths—and that the population of whites are in the towns and villages, possibly in cities, huddled together?

Mr. LACEY. Mr. Chairman, that will be solved by the completion of the allotments, by leases, and by sales to the whites. It is true that the white people have settled there in cities of ten or twelve thousand inhabitants, some of which, I am satisfied, in five years from now will have only three or four thousand inhabitants, because the men in the cities will scatter into the country and occupy the farms; and the Indians are proposing to lease their lands to these people.

There has never yet been an Indian reservation of valuable land that the white population has not beaten like a surf along its shore, ready to go in and occupy the land as soon as it could be opened up, and the Indian Territory is not being approached in that particular way, but in the towns. The people are settled in the towns and are waiting to get possession of the farms of the country as soon as they can arrange with the Indian allottees.

Mr. THAYER. Mr. Chairman, are there not treaties now existing between the United States and the Indian Territory which exempt from taxation a good share of their property for a number of years?

Mr. LACEY. That is undoubtedly one of the problems that will confront the new State when it comes in. It burdens the Territory now, as does the question of public schools, as the land is untaxed and untaxable, and it is that very complex situation that the Dawes Commission has been working on for all these years.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. SHERMAN. Mr. Chairman, I would be glad if the gentleman from Texas [Mr. STEPHENS] would proceed now. I will ask the Chair how much of my time has been consumed.

The CHAIRMAN. Twenty-two minutes.

Mr. STEPHENS of Texas. Mr. Chairman, the bill now under consideration carries an appropriation of over $6,000,000. This appropriation has been greatly decreased by the policy of allotting lands in Indian reservations to individual Indians, thus breaking up their tribal relations and making them self-supporting. This policy should be pursued until all Indian reservations are broken up and all of their lands allotted.

All Indians should be put on their individual responsibility and compelled to live by their own labor and exertions. It is an injustice to the white race to be taxed to support the red man in idleness. Aside from this injustice to the white man, it would be better in every way that the red man should be taught that he must comply with the biblical injunction and live by the sweat of his face.

The average Indian will remain a vagabond and pauper just as long as the Government will support him while idling away his time on reservations.

I think Congress should give statehood to all of the Territories, and thus comply honestly with the platform pledges of the two great political parties. Congress should also at once allot to the Indians their lands, break up their tribal relations, and make the Indians self-supporting citizens of the United States. The jurisdiction of the United States over the Indians and of their property should then cease, and the State in which they live should take charge of them.

The State legislature where the Indians reside knows much better how to legislate and care for the Indians within its borders than Congress can possibly do. I believe [illegible] government and that each State should control the people within its borders.

Mr. THAYER. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Massachusetts?

Mr. STEPHENS of Texas. Yes.

Mr. THAYER. I would like to ask the gentleman if both political parties in their national platforms did not pledge themselves to give separate statehood to each of these three Territories and not join Oklahoma and the Indian Territory?

Mr. STEPHENS of Texas. I will answer the gentleman by stating that there was, as I remember, nothing said whatever about the Indian Territory; and, looking at that question from a nonpartisan standpoint, it would be better for the Indians and the white people of the Indian Territory, as well as the people of Oklahoma, that they should have but one State. As to New

Mexico and Arizona, those two Territories are separated by the Rocky Mountains, which mountains form a natural barrier between these two Territories. They are two very large Territories; either is twice as large as the Indian Territory and Oklahoma combined.

There is a natural barrier between them, as I have stated—the Rocky Mountain Range, which separates those two Territories. They have two systems of civilization there. The one on the Pacific coast, Arizona, has the Anglo-Saxon civilization, but in New Mexico you find largely a Mexican element, which belongs to the Mexican or Spanish civilization. These two Territories have a different nucleus around which the settlements have been formed; they have separate and distinct railroad and business centers; they have separate capitals; and it is not right, it is not just, it is not the policy of either party in this Government, or should not be if we take the party platforms to mean what they say, to make these two Territories into one State, and I hope that no such measure as that will receive the favorable attention of this Congress.

[illegible] Indian reservations known to contain valuable mineral deposits, I would open these lands for mining purposes under the United States mining laws and pay the money to the Indians arising from its sale to miners. The Indians will never work their mines; and if the mines were opened and worked by white men, employment would be furnished the Indians at their homes, and they would become civilized and industrious by being brought into contact with the white miners and furnished with work by them. They could then be induced to cut off their long hair, give up their tepees and wickedness, build comfortable homes, throw aside their blanket covering and eagle feathers, and adopt the white man's clothing, manners, and customs.

We often hear the complaint made by persons living in the East, who know nothing of Indians, their habits, or character, except what they have learned by reading Cooper's novels, that the people of the United States have always robbed and mistreated its Indian wards. This libel on the white American people has been so often repeated that it is generally supposed to be true.

The truth is that from the year 1789 to 1903, inclusive, we have paid the Indians for their support and education the enormous sum of $402,217,528. Our expenditure on account of Indians in the fiscal year ending June 30, 1903, was $12,935,168. There are about 270,000 Indians in the United States. These figures show that in that year we have paid them about $47 per capita. Does this look like robbery? I must confess that it does, but it is the white man that is being robbed to support the red man in idleness. The white citizens have been taxed and paid during that year for the support of the Government, including Indians, $707,835,004, or a tax of about $10 per capita, no part of which has been paid by the Indians, but on the other hand they have received $47 per capita out of that fund, hence I fail to see any just ground of complaint for our treatment of our Indian wards. I desire now to call the attention of this House and the country to the reckless expenditure of public money in the Indian Territory by the Secretary of the Interior and the Dawes Commission. This Commission has been in existence about ten years, and, including the present appropriation, has spent in round numbers the enormous sum of about $1,500,000, amounting to $20 per capita to each Indian enrolled.

According to the last report of the Commissioner on Indian Affairs, on page 91, the Department has approved the enrollment of 79,517 Indians, including the negro citizens of this Territory. According to the recent statement of its chairman, Mr. Bixby, before the House Committee on Indian Affairs only one-third of the Choctaws and Chickasaws and one-fourth of the Cherokees have been allotted lands, and it has cost this Government up to this date just the sum of $20 to enroll and allot land to one Indian.

On page 93 of the last report of the Commissioner on Indian Affairs we find that 4,175 applications for Indian citizenship as freedmen citizens have been made to the Dawes Commission; that Commission has only transmitted 3,272 of these applications to the Interior Department for its action, leaving 903 Indian families asking for enrollment whose names have not been forwarded to the Interior Department for the Secretary's approval. Some of these have been held up for three years. I inquired into the reason for this delay on the part of the Dawes Commission and find that the Secretary of the Interior is largely to blame.

The same page of the Commissioner's report above alluded to shows that the applications of 1,801 of these Indian families are now pending in the Interior Department and have not been acted upon. Three hundred and ninety-four of these are before Secretary Hitchcock for his action; we are the Commissioner of Indian Affairs, but I am reminded and advised that the Secretary has ordered the Commissioner to hold them without action. An analysis of this official report shows that 4,175 of these Indian families have filed applications for enrollment, and 2,204 of these have been held up by the order of Secretary Hitchcock. Mr. Bixby, chairman of the Dawes Commission, on January 28, 1904, on pages 6 and 7 of his printed hearings before our Indian Committee, stated that his Commission wanted $250,000, in round numbers, to carry on the work of his Commission for another year, which amount the committee allowed, and it is part of the bill now under consideration by this House.

I asked Mr. Bixby this question:

Mr. STEPHENS. In 1899 the Fifty-sixth Congress, I believed you stated that with $200,000 you could get through [meaning with the work of the Dawes Commission] in eighteen months?

Mr. BIXBY. Yes; I believe so.

Mr. STEPHENS. I advocated giving you this amount?

Mr. BIXBY. Yes.

Mr. STEPHENS. Since that time four years have elapsed and still we are making these [meaning annual] appropriations?

Mr. BIXBY. Yes.

Mr. STEPHENS. Is it not a fact that the Secretary of the Interior, by good many rulings, has prevented your work from being effective? For instance, in the Choctaw and Chickasaw nations are they [meaning the Interior Department] holding up hundreds of allotments that you [meaning the Dawes Commission] have approved and passed upon? Are not those allotments [meaning now] held up in the Secretary of the Interior?

The CHAIRMAN. I think it hardly fair to ask Mr. Bixby, who is a subordinate of the Secretary of the Interior, to criticise his superiors.

Mr. STEPHENS (addressing Mr. BIXBY). And is it not a fact that you had a telegram recently requesting you not to send [notifying the Secretary of the Interior] any more of those applications up that were favorable to the citizens?

Mr. BIXBY. It seems to me [illegible] from answering questions of this kind. The telegram I received [illegible]

WASHINGTON, D. C., *December 10.*

To DAWES COMMISSION, *Muskogee, Ind. T.:*

Suspend action on letter November 18, I. T. D. 7131, etc., relative to persons admitted to citizenship Choctaw or Chickasaw nations by nations' authorities. Letter follows.

THOS. RYAN, *Acting Secretary.*

It clearly appears from these facts that Mr. Bixby desires to closely [illegible] Hitchcock, who, in my judgment, is responsible for these great losses and enormous expenditure of money, and these delays and waste of public funds are brought about by his utter disregard of the acts of Congress, his vacillating course, contradictory rulings, and incapacity to fill the public office he now holds.

I have recently received a letter from a very intelligent and respected citizen of Muskogee, Ind. T., which fully and accurately states the effect of the Secretary's rulings and actions. It is as follows:

MUSKOGEE, IND. T., *February 12, 1904.*

Hon. JOHN H. STEPHENS,
Washington, D. C.

DEAR SIR: From the questions you propounded to Hon. Tams Bixby, chairman of the Dawes Commission, when he appeared before the House Committee on Indian Affairs, and from the resolution introduced by you in the House of Representatives, it seems that you are the first Congressman to understand [illegible] in the Indian Territory.

[illegible] in the Dawes Commission work are almost entirely due to the [illegible] of the Interior or the Interior Department, and the Department, [illegible] on the work of the Commission, [illegible] throughout the Commission [illegible] away. The Department is without a rule of decision and without any settled policy in Territory affairs. Its decisions and policy with reference to this country are as changeable as the wind. The Department is [illegible] in the Territory [illegible]. The Department, of the present department [illegible] for the Territory, is not able to handle the work, and so far it has proven itself absolutely incompetent.

[illegible] I desire to call your attention to the following cases:

The citizenship contains this provision:

"Any person who is enrolled who has not heretofore removed to and in good faith settled on the territory to which he claims citizenship."

The Dawes Commission passed upon the first case in which a construction of this provision was necessary in April or May 1901. The opinion of the Commission was forwarded to the Interior Department and approved. The Commission then decided several hundred cases involving this question, and [illegible] were approved by the Department. In the latter part of 1902 the Department, in passing on the Tsangusi Cherokee citizenship case, reversed its former decision and made it necessary for the Commission to do [illegible] work in this class of cases over again.

In 1902 the Dawes Commission, construing provisions in the Creek agreement, held that no land contest could be maintained in the Creek Nation after ninety days from the ratification of said agreement. This decision of the Commission was submitted to the Department in the case of McKee v. Wadsworth No. 207 and the Department approved the Commission. Letter of December 12, 1902, Int. T. Decisions, p. 488. Following the decision of the Department the Commission allowed contests to be filed, heard and decided the same, and many of these cases were taken to the Department on appeal and decided by the Department. The rules of the Commission were changed to conform to the Department's decision. Then, after two years, the Department discovered the provision in the agreement and held that no land contest could be filed in the Creek Nation after ninety days from the ratification of the Creek agreement—the Commission's original ruling. Minor v. Thompson, No. 56. Letter of October 8, 1904, Int. T. Decisions, p. 256, 1904. On October 24, 1904, it seems the Department discovered its error and reversed its ruling opinion and wrote the Commission to take no further action in Creek contests until instructed by the Department. Letter of October 24, 1904, Int. T. Decisions, pp. 256, 257, and 258. The Commission is still waiting for instructions and the litigants in contest cases are waiting for trial.

In the Creek citizenship case of Mary L. Harwell the Department has rendered a decision denying her children enrollment September 15, 1903, and another decision denying her enrollment May 21, 1903. Since the last decision the Department has notified the Commission to hold the matter up and return the papers so that it can be considered further June 6, 1903. This was nine months ago, and the applicants still wait for a decision.

In the Choctaw and Chickasaw enrollment work the attorneys for the Choctaw and Chickasaw nations requested the Secretary to set pass on certain classes of cases at that time. The Secretary refused the request and the

Commission prepared parts of the Choctaw and Chickasaw rolls, which were approved by the Secretary of the Interior, and the Commission proceeded to make allotments on said roll. On January 28 the Secretary ordered the Commission to hold up the cases of persons he had heretofore refused to hold up. Over ninety thousand cases are on the approved rolls and have received allotments. You can readily see how this disorganizes and blocks the Commission's work. The Choctaw and Chickasaw land offices accomplish nothing, owing to conflicting orders, and the money spent in maintaining the same is practically wasted.

In the sale of Creek land the Secretary of the Interior promulgated rules and regulations governing the same. In about one month the rules were abolished. In another month a new set of rules and regulations were promulgated, and in two months were abolished. On July 31 last the best set of rules and regulations on this subject were given to the Commission. Except for a few changes and amendments they still stand. Under the present rules and regulations it is practically impossible for an actual settler to get land. It takes too long; too much red tape, and too much expense. The land is sold to speculators and not to actual settlers. The Dawes Commission has nothing to do with the sale of land.

Everything done by the Dawes Commission is subject to departmental approval. I am unable to see how the Commission can accomplish anything with the present Secretary of the Interior over it. As soon as the Commission has made some headway on certain work, the Secretary changes his rulings and the work has to be done over again. Under the administration of the country here the approval of the Secretary was supposed to be a large extent a matter of facts, as the commissioners were high-minded men, and presumed to be competent. I believe the end of the work is further away today than when Secretary Bliss retired from the Cabinet. It seems very hard that not two people who live in this country understand the government money spent be thrown away as it has been. It is time to abolish the Commission or take it from under the control of the Secretary.

The cases cited in this letter are not isolated cases, but the rule. I can furnish you with many others.

Very truly,

J. H. HILL.

Mr. Chairman, to further show how Indians desiring to secure their allotments in the Indian Territory are now being treated by Mr. Hitchcock, I will submit three letters from Indian citizens for your consideration. Doctor Fortson is the editor of a paper. I have known him for many years, and know him to be a truthful, honest, and upright man. The other gentlemen are excellent men in every respect. These letters are as follows:

KIOWA, IND. T., *February 22, 1904.*

Hon. J. H. STEPHENS, *United States Congress.*

DEAR SIR AND OLD ACQUAINTANCE, if you are the Stephens of Stephens & Matlock of Montague, Tex.: Sir, I received a notice from the Dawes Commission stating that they were allowed to notify me that there would be no more allotments made to me until further notice from the Secretary.

Now, when I received this notice, I had already filed upon all the land allowed me; the last filed on was at Tishomingo. I filed on my homestead at Atoka. My homestead is near Kiowa, Choctaw Nation. I wish to know whether the Choctaw lawyers can legally go back on their decision. Mine is not a court case. I was passed upon by the Dawes Commission, and their decision was ratified by the Secretary of Interior and placed on the roll, and filed on all the land I was entitled to. * * *

Hoping that you will condescend to take notice of this and head off the grafters who are determined to litigate the lands of Indianola, by which means they make millions at our expense.

Respectfully submitted for your consideration.

J. R. FORTSON, M. D.

Mr. Askew writes me as follows:

MARIETTA, IND. T., *February 26, 1904.*

Hon. JOHN H. STEPHENS, *Washington, D. C.*

DEAR SIR: Yours of the 22d instant to hand, and in reply will say that I was more than glad to have a letter from you and to know that you were determined to investigate matters in this country, and I will gladly give you all of the information that I possibly can.

I have in receipt of a letter from the Dawes Commission, which I will hand you herewith for your information, a duplicate copy, which reads as follows:

"Receipt is hereby acknowledged of your letter February 15, asking if you will receive a certificate for your homestead allotment after the expiration of nine months from the date of selection.

"In reply to your letter, you are advised that it appears from our records that at the Chickasaw land office of the Commission, on May 19, 1904, you selected as your homestead the east half of the southeast quarter of section 6, township 7 south, range 4 east, Chickasaw Nation, containing 80 acres.

"You are informed, however, that on January 28, 1904, the Commission was instructed by the Secretary of the Interior to take no further steps looking to the enrollment or allotment of persons who were admitted to enrollment in the Choctaw and Chickasaw nations by decisions of the Choctaw and the Chickasaw legislature or by the United States Indian agent on appeal from adverse decisions of the Choctaw council.

"It appearing from our records that you were admitted to enrollment in the Choctaw Nation by the United States Indian agent, February 5, 1903, under the construction of the Secretary of Interior referred to, the Commission is estopped from taking any further action relative to your allotment or to the issuance of allotment certificate in your name at this time.

"Respectfully,

"T. B. NEEDLES,
"*Commissioner to the Five Tribes.*"

I trust from the above letter you can see just what is going on down here, and you will be able to do many well good things.

If you should want the original letter from the Commission, I will gladly forward it to you.

There are several people here who have been refused to file by the Commission on account of the Secretary's orders.

Hoping you may see the condition of this country and people,

I am, yours, truly,

SHELTON S. ASKEW.

Box 130, MARIETTA, IND. T.

MCGEE, IND. T., *February 15, 1904.*

Hon. JOHN STEPHENS, *Washington, D. C.*

DEAR SIR AND FRIEND: We write you in regard to the present status of affairs now existing in this country respecting the recent action of the honorable Secretary of the Interior, in which he has by his ruling stopped the issuance of allotments to the Indians and freedmen, who have complied and have valuable improvements, and is doing great injustice to them.

In the first place, what is the object in the honorable Secretary in so doing? It seems to us if he has a right to do this he has a right to be retroactive and take from those who have already filed their holdings. This ruling is perplexing and doing our people great injury. Knowing your kindly feeling to the people of the Indian Territory, we fully believe that you will recognize our people's interest in this measure.

Now, Mr. STEPHENS, if any Congressional action is to be had for our relief, we ask you only to remember us on lines of justice and right. You understand the situation far better than we do. We understand that you have always championed our cause, and we write you only to get your understanding of this matter. When do you think this other bill be raised so as to allow filing to proceed, or do you think legislation will have to be had to get relief? I have expose this lengthy letter and ask as hear from you.

Hoping to hear from you soon we are,

Very truly, your friends,

JOSEPH A. EDWARDS.
WEST W. HYDER.

Mr. Chairman, these men are highly respected and reputable citizens of the Chickasaw Nation, and their statements are entitled to full faith and credit, and the injustice done them should be at once corrected by Congress.

On May 21, 1903, an opinion was rendered in the Wiley Adams case by the Interior Department, which holds that the act of Congress of June 10, 1896, conferred on the Dawes Commission no right or power to strike from the rolls persons placed thereon by the action and the consent of the tribe. This ruling is openly, wilfully, and clearly violated in the Fortson and Askew and hundreds of other similar cases. The Wiley Adams opinion is as follows, viz:

DEPARTMENT OF THE INTERIOR,
Washington, May 21, 1903.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muscogee, Ind. T.

GENTLEMEN: I have your letter of the proceedings of your Commission upon the application of Wiley Adams for enrollment as a citizen of the Chickasaw Nation. The facts as stated by your Commission are that Adams applied before the Commission in the year [illegible] for enrollment as a citizen of the Choctaw Nation, that he had a white father and a half-blood Indian mother, and was a resident of the Choctaw Nation and by agreement of the Choctaw and Chickasaw Nations, November 3, 1902, recognized by the citizens of the Choctaw Nation and treated as a member of that tribe, that he was enrolled by the Choctaw and Chickasaw census board as a citizen of the Choctaw Nation, and that his name appeared upon the Choctaw census roll of 1896 as an intermarried citizen. The act of June 10, 1896, [illegible] * * * That the enrollment commission shall respect all rights of the citizens of the several tribes as they may exist under the laws of the United States, and all treaties with either of said tribes [illegible] and all laws and treaties governing the property rights of said tribes, and all persons who claim to be entitled to be enrolled as members of said tribes shall make application to the said commission within three months from the date of the approval hereof, or be forever barred from participation in the distribution of the property of said tribes. The several tribes have been given three months from the date of the approval of the act within which to make application for enrollment, and the doctrine such an application would be barred three months from the date of the approval of the act.

[illegible] of the several tribes, as then existed [illegible] Adams's name appeared upon Choctaw census roll of 1896 [illegible] in the possession of this Commission [illegible] Choctaw and Chickasaw nations whose rights [illegible] in 1884 had the authority to admit this applicant to enrollment as a member of the Choctaw Nation. [illegible] is therefore approved.

Very respectfully,

THOS. RYAN, *Acting Secretary.*

Mr. Chairman, this opinion in the Wiley Adams case conclusively shows that the Choctaw and Chickasaw councils had the right under existing laws to enroll their citizens; and when so enrolled by their respective tribes they were entitled to have their names approved by the Dawes Commission and the Secretary of the Interior. But the Secretary has openly and willfully violated this ruling and repudiated the law, even after enrollment and allotment had been made, as in the Fortson and Askew cases.

These outrages on our helpless Indian wards are due to the Secretary's utter disregard of the rights of others, and to the further fact that he seems to be a tool in the hands of Mansfield, McMurray & Cornish, who desire to earn as the attorneys of these Indians a great contingent fee by preventing the enrollment of hundreds of Indians, and thus leaving more money and lands to be divided among the remaining members of these tribes. It is an open secret that this firm of lawyers have a contract with these nations for a contingent fee of 10 per cent of the value of each Indian's property that they prevent from being enrolled.

Mr. Mansfield, one of these attorneys, in an oral argument before Judge Campbell, assistant attorney-general of the Interior Department, in January, 1904, stated that each estate in question is worth from $6,000 to $8,000. He was contesting a question which involves the rights of about 4,000 Indians to their share of the tribal property. Taking $7,000 as an average value, we have as a total value $28,000,000. If these attorneys have a contract with the Choctaw and Chickasaw nations whereby they are to get 10 per cent of the value of each estate that they save to said nations by getting an individual off of the tribal rolls—and this contract, I am informed, they admit, and everyone, including the Dawes Commission, is said to be aware of—then I submit that this fee would be, if they cut from the rolls 4,000 names, the enormous sum of $2,800,000.

Many of the Indians whom these attorneys propose to disinherit are now on the tribal rolls, placed there by the Indians themselves, and many of their names have been approved by the Dawes Commission. Some of them have had their land allotted to them, and deeds made conveying the lands to them. The Secretary of the Interior now is arbitrarily endeavoring, in violation of a plain act of Congress, to prevent these deeds from being recorded by the recorders of the district where the land is situated.

I present for your consideration a letter from Commissioner Jones, dated October 5, 1903, which fully exposes the purpose of these attorneys to disinherit and pauperize hundreds of poor people who are now on the Indian citizenship rolls and have lived in that Territory all of their lives and have their homes and all of their property there. Commissioner Jones decides against these attorneys, and on November 18, 1903, Thomas Ryan, Acting Secretary of the Interior, affirmed the opinion of Commissioner Jones.

Strange to relate, on January 28, 1904, Secretary Hitchcock, for some unknown reasons, or, rather, for no reason, reversed these opinions and decided in favor of the contention of Mansfield, McMurray & Cornish. This letter exposes the schemes of these lawyers and is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, October 5, 1903.

The Hon. SECRETARY OF THE INTERIOR.

SIR: I am in receipt of your communication dated August 28 last, forward[illegible] from Mansfield, McMurray & Cornish, [illegible] Choctaw and Chickasaw nations whose rights [illegible] Mansfield, McMurray & Cornish, who rely as a [illegible] who are claimed to be members of the Choctaw and Chickasaw nations [illegible] Commissioner [illegible] upon acts of council and decisions of the United States Indian agent, as above stated.

It is the contention of Mansfield, McMurray & Cornish that if said persons are entitled to admission as citizens [illegible] upon acts of the council of the Choctaw Nation [illegible] upon appeal [illegible] persons are not entitled to be enrolled as such [illegible] persons as have heretofore been admitted by decisions of the Indian agent, and whose status has become [illegible] such persons should be stricken from the rolls [illegible] upon acts of the general council of the Choctaw Nation and decisions of the United States Indian agent upon appeal [illegible] Mansfield, McMurray & Cornish, and [illegible] persons with the United States agency and family relationship as [illegible] admitted by the same agent the United States Indian agent are now making their cases passed upon by the Choctaw and Chickasaw councils.

Mansfield, McMurray & Cornish then advise the Commission that the purpose of their communication is to ask that no further action be taken with reference to the enrollment or allotment to persons relying upon said acts of the council or said decisions of the Indian agent, and that final action in such cases be postponed until the final determination by the Choctaw and Chickasaw citizenship court of the cases involving the status of persons relying upon the council, agency and family relationship.

The communication, [illegible] to said letter on August 6, 1903, states that it has heretofore enrolled as citizens of the Choctaw Nation a number of persons whose rights are dependent upon acts of the Choctaw council and decisions of the United States Indian agent [illegible] July 1, 1903, as provided by section 11 thereof, entitled [illegible] ments.

The said letter from the Commissioner to the Five Civilized Tribes [illegible] Mansfield, McMurray & Cornish, dated August 15, 1903, [illegible] Commissioner to the Five Civilized Tribes, and the purpose of the Choctaw and Chickasaw nations that the United States should be represented by the Department of the Interior [illegible] Mansfield, McMurray & Cornish, dated August 15, 1903, [illegible] the Choctaw and Chickasaw Nations, and the purpose of the said letter [illegible] Choctaw and Chickasaw Nations [illegible] Commissioner to the Five Civilized Tribes [illegible] Choctaw and Chickasaw Nations [illegible] Choctaw and Chickasaw Nations [illegible] Choctaw and Chickasaw Nations

Choctaw Nation who were admitted to citizenship by acts of the council of the nation or by decision of the United States Indian agent overruling adverse action by the nation's council.

The attorneys state that there are pending before the Choctaw and Chickasaw citizenship court cases in which the [illegible] persons who claim to be Choctaw and Chickasaw citizens, who rely upon the action of the Choctaw council in admitting them to citizenship, and who have lived and died in the State of Mississippi and who were never in the Indian Nations, now pending before the citizenship court of the Choctaw and Chickasaw Nations, or communicated with the Choctaw Indians in any way, claiming to be members of the Choctaw Nation, and that the applicants in these cases have never been in the Indian Nations, but have lived and died in the State of Mississippi and who were never in the Choctaw Nation, now pending before the citizenship court of the Choctaw and Chickasaw Nations, now pending before the citizenship court of the Choctaw and Chickasaw Nations, and

[illegible]

Mr. Chairman, a bill should be passed by this Congress providing for the [illegible] the Indian Territory to the Supreme Court of the United States.

The Congress of the United States by act of June 28, 1898, [illegible] the Choctaw Nation, and the act of Congress [illegible] of the Choctaw Nation [illegible] for the [illegible] and Choctaw citizens [illegible] to the Supreme Court of the United States.

The Choctaw Nation by vote of an act of its legislature approved [illegible] provided for such a test case [illegible] notice to any tribe of the filing of any application [illegible]

The Chickasaw Nation [illegible] 1897, provided for [illegible] and the treaty of [illegible] and the two tribes of Indians had also provided for such proceedings.

The Commission to the Five Civilized Tribes [illegible] the law of Congress of June 28, 1898 [illegible] provided for [illegible] the application be served upon the tribe in which [illegible] story was situated. A very [illegible] under the said law and [illegible] were [illegible] and were [illegible]

It was provided by the act of June 28, 1898, that either party dissatisfied with the decision of such Commission might appeal to one of the United States courts in the Indian Territory, which cause should there be docketed and [illegible] be tried. Many appeals were taken to such courts and many of the applicants adjudged [illegible] and others rejected, and these judgments remained in force about four years under which successful applicants acted relying upon such judgments.

Whereas the Congress of the United States by sections 31, 32, and [illegible] of an act approved July 1, 1902, provided for a [illegible] court before which a test suit should be brought by said nations in order to test the question as to whether or not notice to both [illegible] de novo before the Commission [illegible] proceeding was to prevail [illegible] courts of the Indian Territory [illegible] before the Dawes Commission upon [illegible] such as [illegible] appeal [illegible] case to the Supreme Court of the United States.

FORT SMITH, ARK., IND. T., January 5, 1904.

Hon. JOHN H. STEPHENS, M. C., Washington, D. C.

[illegible] introduced in Congress providing for [illegible] and Choctaw citizenship court to the Supreme [illegible]

[illegible] courts of the Indian Territory [illegible] are worth of property is involved, is simply outrageous [illegible]

Very respectfully,

J. F. SHARP.

COMANCHE, IND. T., January 19, 1904.

Hon. JOHN H. STEPHENS, [illegible] D. C.

[illegible] a bill in Congress [illegible] of right and [illegible] reaching [illegible]

[illegible] their judgments to be reviewed.

Very truly,

H. B. LOCKETT.

Mr. [illegible] the Secretary of the Interior and the Dawes Commission have deliberately violated an act of Congress and [illegible] Indian lands to Choctaw Indians [illegible] in a Choctaw [illegible] tions:

[illegible] the Choctaw and [illegible] timber [illegible]

Mr. STEPHENS. Upon which they had their homes?

Mr. BIXBY. [illegible] or not.

[illegible] but for the reason why an [illegible] intely to permit a plain act of Congress [illegible] Mr. Bixby explicitly, when before [illegible] to be a fact.

Mr. [illegible] Will the gentleman yield to me?

Mr. [illegible] Certainly.

Mr. [illegible] ALD. With a great many things the gentleman [illegible] but if I understand correctly the explanation [illegible] before the committee, it was that there was [illegible] of very valuable timber [illegible] Chairman's last right be made. I wish to ask the gentleman if it was not a fact that it appeared that it was for the purpose of subserving the interests of the Indians that these [illegible] were withdrawn from allotment?

Mr. STEPHENS of Texas. I will say, Mr. Chairman, that persons [illegible] and design [illegible] have some excuse to give for it.

It is clearly evident to my mind that the Secretary has violated the law by refusing to allot land to these Indians, and he [illegible] and the gentleman from New York is correct [illegible] and take these Indians' timber land away from them was the reason. Any lawyer knows that the timber growing upon land is part of the realty. The law clearly stated that the [illegible] and buy or take the timber away from them [illegible] able.

Mr. [illegible] Is it not a fact that there are certain [illegible] Territory practically obtaining possession of [illegible] of the restriction or inalienation by [illegible]

Mr. STEPHENS of Texas. The gentleman is correct, and I will [illegible] report of Mr. Brosius, the secretary of the Indian [illegible] (which report you will find in a [illegible] and other [illegible] also [illegible] and the very object and purpose for which [illegible] were organized was to get hold of [illegible] and lease and deal in them for the [illegible]

Mr. [illegible] Mr. Chairman, I understand the gentleman [illegible] the law the Indians could be allotted [illegible] that it was made the imperative duty of the Dawes Commission to allot them.

Mr. STEPHENS of Texas. It was.

Mr. [illegible] And they have [illegible] and [illegible] to observe that law and allot the land.

Mr. STEPHENS of Texas. Yes; and they are now refusing to observe the law by refusing to allot the timber lands to the Indians, to which they are entitled by treaty and by the act of Congress.

Mr. ROBINSON of Indiana. And it is to be clothed in the Curtis bill, section 6, with the power to sell the timber upon this land, and as I am informed the scale or estimate that has been made, that is now in the hands of the Secretary of the Interior, appraising them at about one-tenth their value will be the basis upon which the Secretary approves the sale of these lands at a reasonable value.

Mr. STEPHENS of Texas. I am satisfied, Mr. Chairman, that the gentleman is correct in his statement, and the following letters from a prominent attorney at Chickasha, Ind. T., explain the true situation. The letters are as follows:

CHICKASHA, IND. T., December 22, 1903.

Hon. JOHN H. STEPHENS, Washington, D. C.

DEAR SIR: Your favor of [illegible] in regard to the treatment of [illegible] and [illegible] I [illegible] you from [illegible] that it was the [illegible] Commissioner [illegible] Secretary [illegible] that this character of land should be withheld [illegible]

[illegible] for the purpose of [illegible] and [illegible] Congress calling [illegible] from allotment [illegible] if you could [illegible] I will appreciate it very much.

Yours, very truly,

F. E. RIDDER.

CHICKASHA, IND. T., February 17, 1904.

Hon. JOHN H. STEPHENS, Washington, D. C.

MY DEAR SIR: I received the examination and statement of Mr. Bixby before [illegible] too. I note he states that unless the committee recommends [illegible] in regard to the timber proposition they will go ahead and [illegible] existing laws.

[illegible] to some of the best Indian citizens who reside in the [illegible] Indians are not desirous of having any new legislation [illegible] upon selecting their [illegible] as has been ratified by them [illegible] to be separated from their [illegible] and [illegible] them.

[illegible] mistaken when he claims that the Indians were [illegible] of [illegible] and when he says that their [illegible] that they are making the best arrangement [illegible]

[illegible] along this line will simply tend to create [illegible] and [illegible] the timber, [illegible] and buy or take the timber away from them [illegible]

[illegible] and have the same [illegible] and [illegible] and [illegible] Indian Territory [illegible]

Wishing you success in your endeavors, I beg to remain,

Yours, very truly,

F. E. RIDDER.

Mr. SHERMAN. Will the gentleman from Texas permit me to make a suggestion? It is not a question. Is not this the condition of affairs, that it is the right to wise for the Dawes Commission to allot those timber lands? The Dawes Commission and the Secretary are not refusing to obey the [illegible] of Congress, but they are performing other duties that they must at the same time perform and are [illegible] for the purpose of this [illegible] so far as timber land is concerned, and in the meantime bringing the matter to the attention of Congress, so that if Congress in its wisdom sees fit to change the statute it can do so, and then they will [illegible] with the decree of Congress and [illegible]

Mr. STEPHENS of Texas. But, Mr. Chairman, it can not be true that the Dawes Commission has so much work to perform that they can not allot this land to the Indians.

Mr. SHERMAN. The [illegible] when Mr. Breckenridge—no; I think it was Mr. [illegible]

Mr. STEPHENS of Texas. I care not what was stated. The fact is that the Commission has recently discharged a number of clerks because they claimed they have no work to perform in the Indian Territory.

Mr. SHERMAN. But that is another class of work.

Mr. STEPHENS of Texas. Is not [illegible] of the Indian Territory under the control of the Dawes Commission?

Mr. SHERMAN. [illegible]

Mr. STEPHENS of Texas. Then, why should they be [illegible] their lands and allotments from one to [illegible] the number and allotment to the Indians?

Mr. SHERMAN. These are various divisions of work. The gentleman here and myself, in Congress, have one line of work to perform, and the gentleman from Mississippi has another.

Mr. STEPHENS of Texas. Is there any reason to prevent this Commission from receiving the applications of the Indians and sending them to their homes to them? I will explain to the gentleman from New York the reason is given plainly by letters and telegrams from the department showing that they propose to hold up these allotments for the purpose of securing from Congress legislation to carry out other designs. They do not assign the reason of their failure to comply with the law to be that they do not have the time to do it, but the other reason that they propose the delay in order to secure legislation that will segregate many thousands of acres of valuable pine timber land and have them sold in unlimited quantities to lumber companies—in other words, to the lumber trust.

Mr. SHERMAN. They assigned, if the gentleman will permit another brief interruption, as a reason before our committee no desire to hold up Congress and hold up the work or hold up anybody, but they stated that, in their judgment, it was wise to make this change that was suggested, and so they postponed that division of the work until they could bring the subject to the attention of Congress, and if Congress then thought wise not to make any change, then they would go along and complete the work as originally contemplated.

Mr. STEPHENS of Texas. The question is this: Does the gentleman contend for a moment that an executive officer has a right to refuse to perform a duty expecting that Congress will change the line of that duty as marked out by law for him to follow.

Mr. SHERMAN. I contend that an executive officer who is given not only authority, but to whom is intrusted a certain amount of work, can use his judgment in performing such portion as he desires first, and if, in his judgment, he thinks it is unwise to perform some portion of it, he may temporarily delay that and go on with other work until he calls the attention of the legislative body to it to take action and make change if that body deems it wise so to do; and that is this case.

Mr. STEPHENS of Texas. Mr. Chairman, the statement of Mr. Bixby, alluded to by the gentleman from New York, is printed, and I will put it in the RECORD with my remarks, and that will explain his object and also that of the Secretary of the Interior. The statement made by Mr. Bixby was in answer to questions asked by me, as follows:

Mr. STEPHENS. I believe under an original agreement between the Choctaw and Chickasaw and the Congress that they had a right to select timber lands, that the only lands reserved were mineral lands?

Mr. BIXBY. The Choctaw and Chickasaw agreements unquestionably give the members of the tribes a right to select land upon which pine timber was growing.

Mr. STEPHENS. Upon which they had their homes?

Mr. BIXBY. Whether they had their homes thereon or not.

Mr. STEPHENS. And is it not a fact that recently the Secretary of the Interior has prevented these people from taking those lands, without any law whatever?

Mr. BIXBY. It is a fact that upon the recommendation of the Commission these lands are not being allotted at the present time.

Mr. STEPHENS. The law requires that they have a right to select timber land?

Mr. BIXBY. I think it did.

Mr. STEPHENS. Then, why does the Commission disregard the act of Congress?

Mr. BIXBY. I am glad you ask me that because perhaps I should explain this situation. Just before the opening of the land offices in the Chickasaw and Choctaw nations I received a telegram from Governor Mc[illegible] saying that certain [illegible] were about to receive possession of the pine timber in the Choctaw Nation at a consideration entirely inadequate, and that as a matter of fact the Indians were about to be robbed of their pine.

I presented the matter to the Commission the next day, and the Commission instructed me to make an examination of the situation immediately and to report back to the Commission what I found. I immediately went down to the Choctaw Nation, looked into the matter, and found the statement substantially correct, and made up my mind that Governor Mc[illegible] had correctly stated the situation. I so reported to the Commission, and recommended that the proposed sales, any one of which if accepted would deprive the Choctaw Nation of a large amount of timber, should be withheld. I recommended that the proposal be submitted to the Secretary of the Interior, and that he should be advised of the situation, and with the request that perhaps Congress might also be advised. That recommendation was approved. We did advise the Secretary that we had withheld [illegible] from the market, not in a spirit of obstruction, but looking to the time when Congress may pass a law of [illegible]

Mr. STEPHENS. But that prevented the Indians from taking their allotments?

Mr. BIXBY. Yes; but not necessarily to their injury.

Mr. STEPHENS. It has indefinitely postponed the allotment?

Mr. BIXBY. Not necessarily.

I would like to know, Mr. Chairman, how much time I have used?

The CHAIRMAN. The gentleman has used forty-two minutes.

Mr. STEPHENS of Texas. Mr. Chairman, on the 23 day of March, 1901, Congress passed an act providing for the sale of town lots in the towns of Lawton, Hobart, and Anadarko, in Oklahoma. Under this act, at a public sale in that year, these lots brought about $750,000 cash. This money was placed in the Treasury of the United States, where it has since remained, despite the fact that the towns to which it belongs have used every means in their power to secure this money.

The following letter, dated nearly two years ago, is only one of many such efforts, and I will add that Mr. Hitchcock utterly ignored this courteous request:

LAWTON, OKLA., *May 20, 1902.*

To the Hon. SECRETARY OF THE INTERIOR,
Washington, D. C.

SIR: The county commissioners of Comanche County, Okla., request the [illegible]

[illegible] lots in Lawton, Oklahoma, in the month of August, [illegible] with the provisions of the act of March 3, 1901, [illegible]

[illegible] for the purpose of providing additional [illegible]

[illegible] the proposal and estimate, the county commissioners state that the temporary jail building is wholly inadequate for the accommodation of its inmates at this time, that it has approximately [illegible] only sixteen prisoners, and that there are at this time twenty-six inmates in said jail.

This is an extensive county, one of the largest in the Territory, and next to the Indian Territory, where large bands of criminals congregate and commit depredations in our county.

At the last session of the grand jury in this county [illegible] were returned against persons who were for murder, and another hundred, except two, were for serious offenses.

More than fifty cases where prisoners were out on bond in felony cases were not prosecuted.

It is the opinion of the board of county commissioners that when the grand jury asks for a sufficient length of time to consider these matters that many indictments will be returned for unpaid bills and against the laws of our Territory, and that unless the honorable Secretary of the Interior will grant relief at once criminals will have to be turned loose from our jail upon the people of our county.

Respectfully,

[SEAL.] SAM STRAUSS,
Chairman Board of County Commissioners.

Attest:

W. G. GORMAN, *County Clerk.*

Mr. Chairman, the law relating to the sale of these town lots within what was formerly the Kiowa and Comanche Indian reservations in Oklahoma provides that—

The lands so set apart and designated shall, in advance of the opening, be surveyed, subdivided, and platted, under the direction of the Secretary of the Interior, into appropriate lots, blocks, streets, alleys, and sites for parks or public buildings sufficient to make a town site thereof: *Provided*, That no such town site shall contain more than one business and one residence lot. Town lots shall be platted and sold at public auction to the highest bidder, under such rules and regulations as may be prescribed by the Secretary of the Interior, at sales to be had at the opening herein authorized to occur.

The proceeds from the sale of these lots in the respective county seats shall, after deducting the expenses incurred in the survey and subdivision of the town site, and in the opinion of the Secretary of the Interior, be expended, under the direction of the Secretary of the Interior, in the following manner: A suitable building shall be erected, with all necessary seats at a cost not exceeding $[illegible], and such other public improvements as the Secretary of the Interior shall deem appropriate to make, that the payment of expenses necessary to the establishment of the county government of such town site be not burdened, and the balance remaining shall be paid into the Treasury of the United States to the credit of the Indians belonging on the reservation on which the town site shall have been established, to be disposed of hereafter as Congress may direct.

[illegible] taken in the selection of such town sites, and if any such town site shall be found by the Secretary of the Interior to be not located upon the most desirable portion of the reservation, he is hereby authorized to locate such town site upon any portion of the reservation he may deem most desirable for the purpose, and the lands so selected shall be platted and disposed of in the manner provided in this act.

[illegible] of the municipalities when organized, and the money so paid shall be deposited in the Treasury of the United States.

And the lands so platted by the Secretary of the Interior shall be held by him for such purposes.

This is an extensive county, one of the largest in the Territory, and next to the Indian Territory, where large bands of criminals congregate and commit depredations in our county.

At the last session of the grand jury in this county [illegible] were returned against persons who were for murder, and another hundred, except two, were for serious offenses.

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[illegible] of the municipalities when organized, and the money so paid shall be deposited in the Treasury of the United States.

And the lands so platted by the Secretary of the Interior shall be held by him for such purposes.

The only sales proper, and legal view of the question seems to be that set forth in your letter to the Secretary of the Interior, dated July 10, 1900, as follows:

[illegible] as trustee, [illegible] as a matter of a proper and exact audit.

Mr. Chairman, under this rule it seems incumbent upon the Commissioner of Indian Affairs to account for and account for all funds received by him from [illegible] whether from mining leases, grazing leases, or otherwise, and whether the funds are of the class known as "Indian moneys, proceeds of labor," or otherwise, and to render such full and explicit account thereof as will admit of a proper and exact audit by the Auditor for the Interior Department, and it is so held.

Again, on December 3, 1902, in what is known as the "Menominee logs case," the Comptroller said:

I think the Auditor was justified in raising the point that the [illegible] of any person. [illegible] experience dictates such a procedure is necessary as we may leave to future officers a record that will enable them to ascertain what their predecessors have done and the reasons for their actions.

of an officer of the Government, or in any other place, retain the character of public funds: the title remains in the United States; they cease to be public moneys only when paid out in liquidation of a legal demand and to a lawful claimant. (4 Comp. Dec., 210.)

In section 22 of the act of May 2, 1890, which act created a temporary government for the Territory of Oklahoma (26 Stat., 92), it was provided:

[illegible] in said Territory of Oklahoma which may be occupied [illegible] under the provisions of this act [illegible] by a person who is entitled to purchase his town lot [illegible] purposes, [illegible] for such purposes [illegible] or any part thereof for town site purposes. [illegible] a part for such proposed town site, and if [illegible] by the Secretary of the Interior to be used [illegible] in the town site. And the lands so platted by the Secretary of the Interior [illegible] for such purposes only.

Comptroller Matthews, replying to a letter from the Secretary of the Interior relating to the disposition of moneys received by the Secretary of the Interior under this provision, on July 13, 1892, said:

I have the honor to say that, in my opinion, Congress did not intend that the moneys derived from the sale of town-sites in Oklahoma, under the act referred to, should be disposed of in such a manner that no account [illegible] of the Treasury. [illegible] sets apart the [illegible] purposes, and provides that [illegible] shall pay over the same to the proper authority [illegible] the Territory [illegible] as other public revenues, to be [illegible] on account of sales of town sites [illegible] 22, act of May 2, 1890, and under the authority [illegible] act the Secretary of the Treasury was issue appropriation warrants for the amounts so deposited, setting them [illegible] and making them subject to the requisition of the secretary of the Interior for the purposes [illegible] in the act.

A detailed account of the deposits made on account of sales of such portions [illegible] be kept in such manner as will enable the Secretary of the Interior to make [illegible] of the respective municipalities [illegible] as suggested in your letter.

I would say that I have ascertained that the moneys received from town-site sales, under section 22 of the act of May 2, 1890, above cited, have been covered into the Treasury and paid out on warrants, in accordance with the decision of the Comptroller, and it is clear that the funds received from the sale of town lots under the act of March 3, 1901, is in every respect the same as under the act of May 2, 1890, and Congress in both cases appropriated the proceeds so received for specific purposes.

Section 234, Revised Statutes, provides that—

All claims and demands whatever by the United States or against them and all accounts whatsoever in which the United States are concerned, either as debtors or creditors, shall be settled and adjusted in the Treasury Department.

Section 3622, Revised Statutes, provides that—

Every officer or agent of the United States who receives money which he is not authorized to retain as salary, pay, or emolument shall render it to the Treasury.

Section 7 of the act of July 31, 1894 (28 Stat., 206), provides that—

The Auditor for the Interior Department shall receive and examine all accounts * * * relating to * * * public lands.

Mr. Chairman, the Comptroller or the Treasury in a decision (to the Secretary of the Treasury) dated December 18, 1900, held—

When the Commissioner of Indian Affairs assumed the duty of [illegible] proceeds of timber, minerals, or any other property, the duty of accounting [illegible] the government, the Secretary has taken steps to have [illegible] that the disbursement of such funds shall be accounted for.

The only safe, proper, and legal view of the question seems to be that set forth in your letter to the Secretary of the Interior, dated July 10, 1900, as follows:

[illegible] as trustee, [illegible] as a matter of a proper and exact audit.

Mr. Chairman, under this rule it seems incumbent upon the Commissioner of Indian Affairs to account for and account for all funds received by him from [illegible] whether from mining leases, grazing leases, or otherwise, and whether the funds are of the class known as "Indian moneys, proceeds of labor," or otherwise, and to render such full and explicit account thereof as will admit of a proper and exact audit by the Auditor for the Interior Department, and it is so held.

Again, on December 3, 1902, in what is known as the "Menominee logs case," the Comptroller said:

I think the Auditor was justified in raising the point that the [illegible] of any person. [illegible] experience dictates such a procedure is necessary as we may leave to future officers a record that will enable them to ascertain what their predecessors have done and the reasons for their actions.

* * * In order to perfect the records in the Auditor's office, I would suggest that the [illegible] of the United States [illegible] of the present [illegible] and that the same be [illegible] for the [illegible] for the [illegible] of the account relating to the Indian funds [illegible] preserve a record of this transaction in the very place where one would naturally look for it, however.

Mr. Chairman, the large sum of money arising from the sale of these Oklahoma town lots has never been placed in the Treasury of the United States, as is shown by the letter of the Acting Treasurer. It is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, March 2, 1904.

Hon. JOHN H. STEPHENS,
House of Representatives.

SIR: Responding to your oral request of the 26th ultimo in relation to a bill passed during the Fifty-second Congress providing for the sale of town sites in the towns of Lawton, Anadarko, and Hobart, and providing for the disposition of the proceeds of the sales, I have the honor to inform you that the moneys received by virtue of said act have been deposited by the Secretary of the Interior to the credit of the Indians entitled thereto, and that no part of the proceeds of the sales have ever been covered into the Treasury of the United States.

Respectfully,

R. B. ARMSTRONG,
Acting Secretary.

Mr. Chairman, it is clear to my mind that in this matter we have another illustration of the manner in which Mr. Hitchcock has ignored the plain laws of the United States, and thereby disregarded his oath of office as well as the rights of the citizens of the counties and towns to whom this money belongs. There have been several destructive fires in these towns which destroyed hundreds of thousands of dollars worth of property. Mr. Hitchcock should be compelled to refund to those people the money lost by these fires, for the reason that had some of this money been put into waterworks this property would not have been destroyed. Some time ago I undertook in this Congress a resolution calling on Mr. Hitchcock to account for this strange violation of law. A few days ago he ordered work to begin on these waterworks.

I am glad to know that the Secretary has in this instance recognized that the Congress of the United States can at least inquire into his arbitrary actions and call him to account for his refusal to obey the law that he has sworn to obey as an officer of this Government.

Mr. Chairman, the best thing in the message of President Roosevelt is as follows:

No man is above the law and no man is below it; nor do we ask any man's permission when we require him to obey it. Obedience to the law is demanded as a right, not asked as a favor.

Mr. Chairman, I desire to know why the President, if he means what he says, does not cast out of his Cabinet Secretary Hitchcock, who in the many instances I have cited has openly defied the law and refused to obey it. By removing this member of his Cabinet the President would do more to earn the gratitude of millions of western people than he has ever done by any official act, and I speak not as a partisan, but as an humble citizen of this great Republic.

Mr. Chairman, the President of the United States at the beginning of this Congress in his message points out that [illegible] almost every Department of this Government is reeking with fraud and corruption. He says that—

The special investigation of the subject of naturalization under the direction of the Bureau of Immigration and Naturalization has [illegible] a number of naturalized citizens who have [illegible] and have [illegible] and have [illegible] the United States [illegible] and have [illegible] and have [illegible] and have

President in this message is the following, every word of which is true:

While there may have been as much official corruption in former years, there has been more developed and brought to light in the immediate past than in the preceding century of our country's history.

It might be well for us to inquire into the cause of this recent official corruption which surpasses that of the preceding century of our country's history. Can it not be found in the fact that one political party has practically been in power for more than forty years, and that the conditions surrounding this party make it impossible for it to throw out of office such men as Secretary Hitchcock and numerous others that I might mention, who are responsible for or have participated in this wholesale plunder of the people?

Mr. Chairman, I have cited the President's recent statement, showing that there is now more corruption in this Government than ever before, and I will cite another very eminent Republican authority giving the remedy for this corruption. The last clause of the Republican party's platform in 1856 gave this remedy, viz:

The recent startling developments of fraud and corruption at the Federal metropolis show that an entire change of administration is imperatively demanded.

Mr. Chairman, I earnestly hope that the Democratic party will adopt the whole of that section as part of its platform in the coming national campaign and make it the battle cry and paramount issue therein, in the hope that the gallows erected by Haman (the Republican party) in 1856 for the Democracy will be the gallows on which this Haman will be hanged by the American people in 1904.

The following is section 6 of the Republican platform of 1856, to which I have alluded and from which I have quoted:

That the people justly view with alarm the reckless extravagance which pervades every department of the Federal Government; that a return to rigid economy and retrenchment by a responsible administration of the public Treasury is a leading purpose of the Republican party; that the frauds and corruption recently exposed should be followed by the exposure and punishment of fraud and corruption wherever they may be found, and that an entire change of administration is imperatively demanded.

Mr. SHERMAN. The gentleman from Texas does not want to use any more time to-night?

Mr. STEPHENS of Texas. No.

Mr. SHERMAN. Then I will yield to the gentleman from South Dakota some time if he desires it.

Mr. MARTIN. I do not like to ask the House to remain any longer to-night.

Mr. SHERMAN. Then, Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12684, the Indian appropriation bill, and had come to no resolution thereon.

SENATE RESOLUTION REFERRED.

Under clause 2 of Rule XXIV, the following Senate concurrent resolution was taken from the Speaker's table and referred to the Committee on Rivers and Harbors:

Senate concurrent resolution No. 50.

Resolved by the Senate, the House of Representatives concurring, That the Secretary of War be and he is hereby directed to cause an examination and survey to be made from the St. Jones River at Dover, Del., down present on Little River and thence to Delaware Bay for the purpose of determining the advisability and cost of cutting out a canal between the said rivers and the deepening and widening of Little River, so as to provide a channel suitable for the needs of commerce from Dover, Del., to Delaware Bay.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title; when the Speaker signed the same:

H. R. 13290. An act making an appropriation for clearing the Potomac River of ice.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3780. An act authorizing the Yankton, Norfolk and Southern Railway Company to construct a combined railroad, wagon, and foot-passenger bridge across the Missouri River at or near the city of Yankton, S. Dak.; and

S. 121. An act granting additional lands adjacent to the site of the University of Montana to the State of Montana for uses of said university.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 8850. An act granting an increase of pension to Thomas Joyce;

H. R. 6089. An act granting an increase of pension to Emma L. Nagle;

H. R. 865. An act granting an increase of pension to Charles C. Chase;

H. R. 11021. An act granting an increase of pension to Joseph Weems;

H. R. 2019. An act granting a pension to Mallie Gwynn;

H. R. 6852. An act granting a pension to Mary Huff;

H. R. 8227. An act granting a pension to Lucius E. Polk;

H. R. 4045. An act granting a pension to Minnie Gusler;

H. R. 19. An act establishing a United States court at Marietta, Ind. T.;

H. R. 10145. An act to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas; and

H. R. 9208. An act permitting the building of a dam across the Mississippi River between the counties of Wright and Sherburne, in the State of Minnesota.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. HARDWICK for ten days on account of important business.

ADJOURNMENT.

Mr. SHERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock) the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Mahlon Hamilton, administrator de bonis non of estate of John Hamilton, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for repairs of Government property at Ellis Island—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Mr. HINSHAW, from the Committee on Patents, to which was referred the bill of the House (H. R. 11585) to amend section 493 of the Revised Statutes, reported the same with amendment, accompanied by a report (No. 1320); which said bill and report were referred to the House Calendar.

Mr. CURTIS, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 3204) permitting the Iowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company, reported the same without amendment, accompanied by a report (No. 1324); which said bill and report were referred to the House Calendar.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. PAYNE, from the Committee on Ways and Means, to which was referred the bill of the House H. R. 9872, reported in lieu thereof a bill (H. R. 13416) providing for the licensing of custom-house brokers, and for other purposes, accompanied by a report (No. 1333); which said bill and report were referred to the House Calendar.

Mr. MARTIN, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 11348) to set apart certain lands in the State of South Dakota as a public park, to be known as the Battle Mountain Sanitarium Park, reported the same with amendment, accompanied by a report (No. 1334); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LOUDENSLAGER, from the Committee on Pensions, to which was referred the bill of the Senate (S. 2863) granting an increase of pension to David C. Coleman, reported the same without amendment, accompanied by a report (No. 1302); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8462) granting an increase of pension to James Walts, reported the same without amendment, accompanied by a report (No. 1303); which said bill and report were referred to the Private Calendar.

Mr. HOUSTON, from the Committee on Pensions, to which was referred the bill of the House (H. R. 4330) granting a pension to Catherine Tully, reported the same with amendment, accompanied by a report (No. 1304); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11906) granting a pension to Margaret Jones, reported the same with amendment, accompanied by a report (No. 1305); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12430) granting an increase of pension to Sarah N. Maddox, reported the same with amendment, accompanied by a report (No. 1306); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11616) granting a pension to August Bockerman, reported the same without amendment, accompanied by a report (No. 1307); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 2914) granting an increase of pension to Charity M. Farmer, reported the same with amendment, accompanied by a report (No. 1308); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, against The Committee on Pensions, to which was referred the bill of the House (H. R. 7482) granting an increase of pension to Jennie Fettit Morrison, reported the same with amendment, accompanied by a report (No. 1309); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11597) granting an increase of pension to Amanthus P. Joyner, reported the same with amendment, accompanied by a report (No. 1310); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9599) granting a pension to Grace P. Paddock, reported the same with amendment, accompanied by a report (No. 1311); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11402) granting an increase of pension to Agnes B. Hesler, reported the same with amendment, accompanied by a report (No. 1312); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12504) granting an increase of pension to Juliett Field, reported the same without amendment, accompanied by a report (No. 1313); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11612) granting an increase of pension to G. H. Abney, reported the same with amendment, accompanied by a report (No. 1314); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 9834) granting an increase of pension to Elizabeth McL. Haughey, reported the same with amendment, accompanied by a report (No. 1315); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 6323) granting a pension to Olive Bassett, reported the same with amendment, accompanied by a report (No. 1316); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 878) granting a pension to Robert S. Rose, reported the same with amendment, accompanied by a report (No. 1317); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12491) granting a pension to Peter Scott, reported the same with amendment, accompanied by a report (No. 1318); which said bill and report were referred to the Private Calendar.

Mr. McLAIN, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5533) granting an increase of pension to Hugh L. Freeman, reported the same without amendment, accompanied by a report (No. 1319); which said bill and report were referred to the Private Calendar.

Mr. TIRRELL, from the Committee on Claims, to which was referred the bill of the House (H. R. 8113) for the relief of Agnes W. Hills and Sarah J. Hills, reported the same without amendment, accompanied by a report (No. 1321); which said bill and report were referred to the Private Calendar.

Mr. LIND, from the Committee on Claims, to which was referred the bill of the Senate (S. 1352) for the relief of Lindley C. Kent and Joseph Jenkins as the sureties of Frank A. Webb, reported the same without amendment, accompanied by a report (No. 1322); which said bill and report were referred to the Private Calendar.

Mr. BUTLER of Pennsylvania, from the Committee on Claims, to which was referred the bill of the House (H. R. 8950) for the relief of W. R. Akers, of Alliance, Nebr., reported the same without amendment, accompanied by a report (No. 1323); which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the House (H. R. 9758) for the relief of the heirs of George McGhehey for services rendered as mail contractor, reported the same without amendment, accompanied by a report (No. 1325); which said bill and report were referred to the Private Calendar.

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1127) for relief of William J. Hines, reported the same without amendment, accompanied by a report (No. 1326); which said bill and report were referred to the Private Calendar.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 64) to correct the military record of William B. Thompson, reported the same without amendment, accompanied by a report (No. 1332); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk and laid on the table, as follows:

Mr. PRINCE, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 3976) for the relief of John Thomas Owen, reported the same adversely, accompanied by a report (No. 1327); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 6084) for the relief of Emanuel Peck, reported the same adversely, accompanied by a report (No. 1328); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 2997) to remove the charge of desertion from the military record of Bernhard Stueber, reported the same adversely, accompanied by a report (No. 1329); which said bill and report were ordered laid on the table.

Mr. SLAYDEN, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 2828) to remove the charge of desertion from the military record of H. C. Haynes, reported the same adversely, accompanied by a report (No. 1330); which said bill and report were ordered laid on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 2827) to remove the charge of desertion from the military record of James L. Northcutt, reported the same adversely, accompanied by a report (No. 1331), which said bill and report were ordered laid on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 12108) for the relief of Mary Douglas Griffiths, and the same was referred to the Committee on War Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LOVERING: A bill (H. R. 13414) to provide for the temporary government of the territory or zone of land to be occupied and controlled by the United States for the construction of an interoceanic canal and other works necessary and convenient for the operation and protection of said enterprise, and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. HUNT: A bill (H. R. 13415) to place the page force of the House of Representatives on the annual pay roll—to the Committee on Accounts.

By Mr. PAYNE, from the Committee on Ways and Means: A bill (H. R. 13416) providing for the licensing of custom-house brokers, and for other purposes—to the House Calendar.

By Mr. GRIGGS: A bill (H. R. 13417) for a public building at the city of [illegible], Ga., and appropriating money therefor—to the Committee on Public Buildings and Grounds.

By Mr. HONYNGE: A bill (H. R. 13418) in relation to the election [illegible], defining offenses against the same, and prescribing [illegible]—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. ESCH: A bill (H. R. [illegible]) to promote the safety of travelers on railroads by compelling common carriers engaged in interstate commerce to stop [illegible] of day or passenger coaches and cars, place, handling, and [illegible] on cars and [illegible] and for other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. WALTER: A resolution (H. Res. 240) authorizing the [illegible] of the Committee on Enrolled Bills to appoint an assistant clerk for the remainder of the session—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. ADAMS of Wisconsin: A bill (H. R. 13419) granting an increase of pension to George Weeks—to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 13420) for the relief of the estate of Samuel Chapman, of Pickens County, S. C.—to the Committee on War Claims.

By Mr. CANDLER: A bill (H. R. 13421) granting an increase of pension to Micajah Hill, alias Michael C. Hill—to the Committee on Pensions.

Also, a bill (H. R. 13422) granting a pension to Jesse C. Thomas—to the Committee on Invalid Pensions.

By Mr. CLARK: A bill (H. R. 13423) granting an increase of pension to Christian P. Anderson—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 13424) granting an increase of pension to John E. Ault—to the Committee on Invalid Pensions.

By Mr. DICKERMAN: A bill (H. R. 13425) granting a pension to William R. Small—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13426) granting a pension to Caroline Harris—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13427) granting a pension to George W. McCollen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13428) to correct the military record of John Fenstermacher, of Whitehall, Pa.—to the Committee on Military Affairs.

By Mr. DOUGHERTY: A bill (H. R. 13429) granting a pension to Martha A. Elliott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13430) granting a pension to Selestine Randall—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to John Scanlon—to the Committee on Pensions.

Also, a bill (H. R. [illegible]) granting a pension to John Nixon—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Jacob T. Child—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13434) granting a pension to R. A. Dougherty—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13435) granting a pension to Archibald Groom—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting an increase of pension to William T. [illegible]—to the Committee on Invalid Pensions.

By Mr. FINLEY: A bill (H. R. 13437) granting a pension to William P. Crawford—to the Committee on Pensions.

By Mr. GILLESPIE: A bill (H. R. 13438) granting an increase of pension to John W. Comer—to the Committee on Invalid Pensions.

By Mr. GILLET of New York: A bill (H. R. 13439) granting an increase of pension to Cornelius B. Alliger—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 13440) granting an increase of pension to R. R. [illegible]—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13441) granting a pension to George W. Drake—to the Committee on Invalid Pensions.

By Mr. HEPBURN: A bill (H. R. 13442) to reimburse Clyde P. Marshall, late a member of Company H, Fiftieth Regiment Iowa Volunteer Infantry—to the Committee on Claims.

By Mr. HILDEBRANT: A bill (H. R. 13443) granting an increase of pension to Charles W. Burger—to the Committee on Invalid Pensions.

By Mr. MAHONEY: A bill (H. R. 13444) granting an increase of pension to Eugene H. Harding—to the Committee on Invalid Pensions.

By Mr. MAYNARD: A bill (H. R. 13445) for the relief of E. J. Seeds—to the Committee on Claims.

By Mr. OTIS: A bill (H. R. 13446) granting a pension to Sara A. Wardell—to the Committee on Pensions.

By Mr. PADGETT: A bill (H. R. 13447) granting an increase of pension to Nancy A. Rickman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13448) granting an increase of pension to Susan D. Lovell—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: A bill (H. R. 13449) for the relief of Mrs. Rebecca [illegible]—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. [illegible]) for the relief of Robert L. Moore—to the Committee on Claims.

By Mr. SOUTHARD: A bill (H. R. 13451) granting an increase of pension to Frank Wenzel—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Eli Bunting—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13453) granting an increase of pension to Ezekiel Steele—to the Committee on Invalid Pensions.

By Mr. SULLIVAN of Massachusetts: A bill (H. R. 13454) for the relief of James W. Kenney and the Union Brewing Company—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 13455) granting an increase of pension to Henry L. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) for the relief of Richard E. Cross—to the Committee on Military Affairs.

By Mr. TOWNSEND: A bill (H. R. 13457) granting a pension to Catharine Essig—to the Committee on Pensions.

Also, a bill (H. R. 13458) granting a pension to Hannah A. Robison—to the Committee on Invalid Pensions.

Also, a bill (H. R. [illegible]) granting a pension to Sarah Soper—to the Committee on Pensions.

By Mr. WEBB: A bill (H. R. 13460) for the relief of Reuben K. Denver—to the Committee on Claims.

By Mr. WILLIAMS of Illinois: A bill (H. R. 13461) granting an increase of pension to William Carpis—to the Committee on Invalid Pensions.

By Mr. WILSON of Arizona: A bill (H. R. 13462) for the relief of Annie White—to the Committee on Claims.

Also, a bill (H. R. 13463) for the relief of certain occupants or claimants or owners of property at Nogales, Ariz.—to the Committee on the Judiciary.

By Mr. WILSON of New York: A bill (H. R. 13464) to amend the naval record of William H. Harlin—to the Committee on Naval Affairs.

Also, a bill (H. R. 13465) granting a pension to Jacob Weiss—to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 13466) for the relief of William G. Keats—to the Committee on War Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were [illegible]:

By the SPEAKER: Petition of the Shipowners' Association of the Pacific Coast, against bill extending time for applying coasting [illegible]—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the National League of Commission Merchants of the United States, defining the powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, petition of residents of Woodland, Ill., against repeal of the anticanteen law—to the Committee on Military Affairs.

Also, [illegible] against [illegible] of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of C. Drayer and 41 others, of Momence, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ADAMS of Wisconsin: Papers to accompany bill H. R. 10170, granting increase of pension to Wilhelm Dickoff—to the Committee on Invalid Pensions.

By Mr. BENTON: Papers to accompany bill H. R. 13016, to establish a court of record at Grove, Ind. T.—to the Committee on [illegible].

By Mr. BOWERSOCK: Five petitions, representing 181 citizens and two [illegible] in favor of the Hepburn-Dolliver [illegible]—to the Committee on [illegible].

By Mr. BRADLEY: Petition [illegible] Union No. 305, of Newburg, N. Y., relative to an eight-hour law, etc.—to the Committee on Labor.

Also, petition of Washington Camp, Patriotic Sons of America, of Newburg, N. Y., relative to a bill to regulate immigration—to the Committee on Immigration and Naturalization.

By Mr. BRANDEGEE: Petition of the Baptist Church of Noank, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURTON: Resolutions of Commodore Perry Post, No. 350; Memorial Post, No. 141, and Cleveland City Post, No. 403, Grand Army of the Republic, Department of Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Ohio Universalist Convention, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BUTLER of Pennsylvania: Petition of London Grove Grange, No. 63, Patrons of Husbandry, of Avondale, Pa., in favor of increased appropriations for agricultural experiment stations—to the Committee on Agriculture.

By Mr. CAMPBELL: Nine petitions of residents of various rural routes in Kansas, relative to increase of salary for rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, petitions of T. F. Jones and 59 others, of Walnut, Kans., and Rev. T. E. Nichols and others, of Labette County, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Resolution of the National League of Commission Merchants, in favor of legislation defining powers of the Interstate Commerce Commission—to the Committee on the Judiciary.

By Mr. COUSINS: Petitions of J. P. Burdslee and 5 others, of Tama, Iowa; A. L. Cotton and 14 others, of Taylor Township, Iowa; E. L. Price and 39 others, of Tama, Iowa, and Rev. G. H. Crocker and 24 others, of Marshall County, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CURRIER: Petitions of R. B. Hatch and 40 others, of Peterboro, N. H., and Lisbon (N. H.) Methodist Episcopal Church and 31 others, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DANIELS: Resolutions of Grand Army posts in California and Nevada, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. DOUGHERTY: Petitions of Rev. Powell M. Cain and 27 others, of Ray County, Mo.; James Kelly and 124 others, of Davies County, Mo., and Rev. R. K. Kelly and 47 others, of Grant City, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ESCH: Two petitions of J. A. Gorton and others, of Arcadia, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FOSTER of Vermont: Petition of the Woman's Christian Temperance Union of Enosburg Falls, Vt., in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FULLER: Petition of Charles Salvin and 55 others, of Rockford, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GAINES of Tennessee: Petition of the legal representatives of the estate of Thomas W. Chilton, of Tennessee, praying for reference of claim to the Court of Claims under the Bowman Act—to the Committee on War Claims.

By Mr. GOEBEL: Petitions of the People's Distilling Company and the Turner-Looker Company, of Cincinnati, Ohio, against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GRANGER: Petitions of Roger Williams Baptist Church, of Providence, R. I., and W. E. Dennett and 43 others, of Burrillville, R. I., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GROSVENOR: Petition of members of Ohio University faculty, of Athens, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of Keys Post, No. 574, Grand Army of the Republic, Department of Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of citizens of the Eleventh Congressional district of Ohio, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. HAY: Papers to accompany bill H. R. 2130, for the relief of the estate of Branon Thatcher, deceased—to the Committee on War Claims.

By Mr. HENRY of Connecticut: Petition of the United Presbyterian Church of Thompsonville, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HEPBURN: Petition of John Williamson and 23 others, of Tingley, Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Petition of Griffin Circle, Ladies of the Grand Army of the Republic, Department of Nebraska, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of Rev. M. C. Smith, the Woman's Christian Temperance Union, and 18 others, of Valparaiso, Nebr., and William Stelle and 11 others, of Aurora, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Petition of Rev. C. W. Marlow and others, of Coleta, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOWELL of New Jersey: Petition of the First Presbyterian Church of New [illegible], N. J., [illegible] Hepburn-Dolliver bill—to the Committee on [illegible].

Also, resolution of the legislature of New Jersey, in favor of improving the Passaic River—to the Committee on Rivers and Harbors.

By Mr. HOLLIDAY: Petition of citizens of Toronto, Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JAMES: Petition of J. W. Usher and others, of Kentucky, in favor of bill H. R. 3574, for the relief of farmers and tobacco growers—to the Committee on Ways and Means.

By Mr. KELIHER: Resolutions of the Gloucester Board of Trade, recommending that the Navy Department set aside a vessel for the purpose of destroying derelicts along our coast—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Gloucester (Mass.) Board of Trade and the Massachusetts State Board of Trade, recommending an arbitration treaty between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. KINKAID: Petition of E. W. Northup, M. D., and other citizens of Nebraska, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KLUTTZ: Petition of Rev. J. W. Long and 8 others, of Rockford, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LACEY: Petitions of W. U. Ratcliff and 109 others, of New Sharon, Iowa, and James Bridge and 58 others, of Oskaloosa, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLE: Petition of the Methodist Episcopal Church South of White County, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLEFIELD: Petition of Rev. F. R. Lewis and other ministers of Kennebunk, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McCARTHY: Petitions of John T. McLean and 4 others, of Clarks, Nebr.; Rev. J. B. Leedon and others, and D. M. Sigler and 36 others, of Silver Creek, Nebr., and J. S. McLaughlin and others, of Emerson, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McNARY: Petition of the Massachusetts State Pharmaceutical Association, in favor of bill H. R. 9303, for a reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. MARSHALL: Petitions of T. A. Thompson and 12 others, of Hope, N. Dak.; P. J. Henness and 30 others, of Niagara, N. Dak.; the Fargo Woman's Christian Temperance Union and 8 others, of Fargo, N. Dak., and Rev. O. N. Oleson, and 6 others, of Elliott, N. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MILLER: Petition of citizens of Burns, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PADGETT: Paper to accompany House bill granting increase of pension to Mrs. Susan D. Lovell—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Nancy A. Rickman—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Tennessee: Petition of Robert V. Taylor, praying reference of claim to the Court of Claims—to the Committee on War Claims.

By Mr. PEARRE: Petitions of the Methodist Protestant Church and Christian Endeavor Society, the Woman's Christian Temperance Union, and Rev. Atvill Conner and 8 others, of Buckeystown, Md., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RIXEY: Papers to accompany bill for relief of Robert L. Moore—to the Committee on Claims.

By Mr. RUCKER: Petitions of the Ministerial Association and 8 others, of Monroe City, Mo., and Rev. Henry Eubank and 49 others, of Triplett, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of H. C. Gilbert Post, No. 160, Grand Army of the Republic, Department of Missouri, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. RYAN: Papers to accompany bill H. R. 4369, to increase pension of August Strick—to the Committee on Invalid Pensions.

By Mr. SCOTT: Resolution of James Shields Post, No. 57, Grand Army of the Republic, of Wellington, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the Kansas River Improvement Association, relative to the improvement of the Kansas River—to the Committee on Rivers and Harbors.

By Mr. SCUDDER: Petition of the Bausch Picture Frame and

Molding Company and others, in favor of reduction of taxation on goods, etc.—to the Committee on Ways and Means.

By Mr. SOBRAS: Petitions of the Sixth United Presbyterian Church, the Union Methodist Church, and John W. Greenway and 19 others, of Allegheny, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SLAYDEN: Petition of Rev. F. M. McConnell and 50 others, of Brownwood, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of New York: Petition of Charles L. White and 14 others, of Cherry Valley, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SNAPP: Petition of William G. Kopp, of Defiance, Ohio, remonstrating against an increase of salary of postal carriers to $850 per year—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Petition of W. D. Jolly and 23 others, of Paris, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Petition of the Free Methodist Church of St. Paul, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Norwegian-Danish Methodist Episcopal Church of St. Paul, Minn., in favor of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of members of Park Congregational Church of St. Paul, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Zion's German Evangelical Church, of St. Paul, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the German Emanuel Church Evangelical Association, of St. Paul, Minn., in favor of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of the First Reform Church of St. Paul, Minn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Detroit Builders' Exchange, against the anti-injunction bill—to the Committee on the Judiciary.

Also, papers to accompany bill H. R. 1837, granting a pension to Mary C. Wilkinson—to the Committee on Invalid Pensions.

Also, petition of the Retail Grocers' Association of Minnesota, in favor of the Tawney bill (H. R. No. 5)—to the Committee on Ways and Means.

Also, petition of the Duluth Board of Trade, in favor of the Quarles-Cooper bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of the Boiler Makers and Iron-ship Builders of America, relative to a bill to extend laws for coastwise trade to the Philippine Islands—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Minnesota State Association of Builders' Exchanges, against an eight-hour law—to the Committee on Labor.

Also, resolution of the Minnesota State Association of Builders' Exchanges, against the anti-injunction bill—to the Committee on the Judiciary.

By Mr. SULLOWAY: Petition of C. S. Clark and 86 others, of Rochester, N. H., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. TOWNSEND: Petition of Cigar Makers' Union No. 314, in favor of bill H. R. No. 6—to the Committee on Ways and Means.

Also, resolution of Charles Marten Post, No. 436, Grand Army of the Republic, Department of Michigan, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of Fred W. Lutz and others, of La Salle, Mich., and C. C. Hitchcock and 8 others, of Flat Rock, Mich., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, memorial of Willis H. Bittman, of Addison; petition of Charles Sprawson and 22 others, of Flat Rock; memorials of William B. Fuller, of Adrian; James B. Saunders, of Ann Arbor; Martin Bittner, of Petersburg, and Franklin Craig, of Palmyra, all in Michigan, in favor of bills H. R. 5760 and 9813—to the Committee on Invalid Pensions.

Also, petitions of the Methodist Episcopal Church and Temperance Union, of Detroit, Mich., and O. J. Blackford and 34 others, of Detroit, Mich., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. VREELAND: Petition of W. W. Frank and 34 others, of Pomfret, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WILLIAMS of Illinois: Papers to accompany bill granting a pension to W. L. Lawrence; papers to accompany bill granting an increase of pension to Uriah J. Chesshir, and papers to accompany bill granting a pension to Margaret J. Thackery—to the Committee on Invalid Pensions.

By Mr. WILSON of New York: Resolution of the Consolidated Stock and Petroleum Exchange, of New York, in favor of bill H. R. 7871—to the Committee on the Judiciary.

By Mr. WOODYARD: Petition of Rev. M. L. Smith and 234 residents of West Virginia, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of J. E. Cochran and 5 others, of Salama, W. Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

FRIDAY, *March 4, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the journal of yesterday's proceedings, when, on motion of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The journal will stand approved.

DISTRICT EXCISE BOARD.

The PRESIDENT pro tempore laid before the Senate a communication from the Commissioners of the District of Columbia, transmitting, pursuant to law, a report of the operations of the excise board of the District of Columbia for the license year ended December 31, 1903; which was referred to the Committee on the District of Columbia, and ordered to be printed.

DISPOSITION OF USELESS PAPERS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, pursuant to law, a report relative to the disposition of useless papers in the files of that Department; which was referred to the joint select committee on Disposition of Useless Papers in the Executive Departments, and ordered to be printed.

PUBLIC BUILDINGS UNDER ACT OF 1902.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 2d instant, certain statements showing the expenditures made under the public buildings act of February 20, 1902, under the Treasury and other departments, the completion, construction, and cost of the public buildings in this country, etc.; which, with the accompanying papers, was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

COLUMBIA HOSPITAL FOR WOMEN.

The PRESIDENT pro tempore appointed Mr. MARTIN a member on the part of the Senate of the Columbia Hospital for Women and Lying-in Asylum, under the act of Congress of the District of Columbia, June 10, 1872.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed a bill (H. R. 12355) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 468) granting an increase of pension to Henry Christy;

A bill (H. R. 892) granting an increase of pension to Abram H. Hunt;

A bill (H. R. 958) granting an increase of pension to Alfred H. Rogers;

A bill (H. R. 3776) granting an increase of pension to Alfred I. Judy;

A bill (H. R. 3903) granting an increase of pension George C. Sherman;

A bill (H. R. 5176) granting an increase of pension to Alonzo Dutch;

A bill (H. R. 6022) granting an increase of pension to George W. Travis; and

A bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

A bill (S. 121) granting additional lands adjacent to the site of the University of Montana to the State of Montana for uses of said university;

[illegible] Eastern [illegible] Potomac river of ice.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented memorials of the [illegible] of Buffalo, N. Y., and [illegible] Mr. [illegible] St. George, of Pittsburg and [illegible], all in the State of Pennsylvania, [illegible] Congregation of the Baptist [illegible] of N. Y., and of the congregation [illegible] Wesley [illegible] and the Women's [illegible] White, Kans., and of the congregation [illegible] of Geneva, N. Y., [illegible] a petition of the Woman's Christian [illegible] Mich., praying for the [illegible] tax.

He also presented petitions of sundry citizens of Grand Rapids, the [illegible] Temperance Society of Grand Rapids, and of the Women's Christian Temperance Union of Grand Rapids, all in the State of Michigan, praying for an investigation of the [illegible] of Mich., which were referred to the Committee on Privileges and Elections.

He also presented a petition of Rowan Colwell Post, No. 23, Department of Michigan, Grand Army of the Republic, of Bloomington, Mich., and a petition of Liberty Lodge, No. 8, [illegible] of Lemon Lake, Mich., praying for the passage of a service-pension law; which were referred to the Committee on Pensions.

He also presented a petition of the congregations of the First Congregational Church of Marquette, Mich., and a petition of [illegible] Free Baptist and [illegible] Mich., praying for an amendment to the interstate commerce law so as to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on [illegible].

He also presented a petition of Rankin Post, No. [illegible], Department of Michigan, Grand Army of the Republic, of Ionia, Mich., praying for the passage of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Oakwood Lodge, No. 92, [illegible] of Pittsburg, Kans., praying for an amendment to the interstate commerce law so as to prohibit the transportation of intoxicating liquors; which was referred to the Committee on Commerce.

He also presented a petition of the congregation of the Baptist Church of Fredonia, Kans., praying for an amendment to the interstate commerce law so as to prohibit the transportation of intoxicating liquors; which was referred to the Committee on Commerce.

He also presented a petition of the congregation of the Baptist Church of Ottawa, Kans., praying for an amendment to the interstate commerce law so as to prohibit the transportation of intoxicating liquors; which was referred to the Committee on Commerce.

He also presented a petition of the congregation of the Baptist Church of Lawrence

Montana, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. DIETRICH presented petitions of sundry citizens of Lexington, Cody, Mullen, Lincoln, St. Edward, Naponee, Brownville, Hansen, and Weeping Water, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of sundry citizens of Concord, N. H., praying for the enactment of legislation to increase the salaries of rural free delivery mail carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the National Pure Food Congress, of Philadelphia, Pa., praying for the passage of the so-called "pure-food bill," which was referred to the Committee on Manufactures.

Mr. CLAPP presented a petition of the Philolectian Society, of Anoka, Minn., praying for the establishment of a national forest reserve in the White Mountains of New Hampshire; which was referred to the Committee on Forest Reservations and the Protection of Game.

Mr. CUMBER. I present a memorial of the legislative and executive committee of the National Association of State Dairy and Food Departments, and from the representatives of the manufacturers and distributers of food products in the United States, relative to the passage of a pure-food bill. The memorial is short, it will take less than a column, and I move that the body of the memorial be printed in the RECORD and that it be referred to the Committee on Manufactures.

There being no objection, the memorial was referred to the Committee on Manufactures, and ordered to be printed in the RECORD, as follows:

To the Congress of the United States:

Your memorialists, J. W. Bailey, A. H. Jones, J. B. Noble, R. M. Allen, representing the National Association of State Dairy and Food Departments of the United States, and Edward W. Barrett, Clemens Lemcke, Jesse M. Brown, T. B. Wagner, and A. Mueller, representing the manufacturers and distributers of food products in the United States, respectfully asserts that these associations have legislation approved at a conference held in the city of Washington November 16, 1904, and that they firmly believe from years the best public sentiment of the country in favoring the passage of the earliest possible date of Senate bill No. 88, entitled "A bill for preventing the adulteration, misbranding, and imitation of foods, beverages, and drugs and confectionery in the District of Columbia and the Territories and for regulating interstate traffic therein, and for other purposes," amended, as follows:

That all of the section on page 6, line 9, be stricken out after the word "sell" as being unnecessary phraseology, so that the section will read as follows: "If it be labeled or branded with intent so as to deceive or mislead the purchaser, or purport to be a foreign product when not so."

Your memorialists would respectfully represent that the majority of the State food authorities of the United States deem interstate commerce business, and that Congress is vested by the Constitution of the United States with the sole authority to control all matters relating to interstate commerce; and they believe that the proposed national law is founded by the most urgent necessity and is sanctioned by that right which the States have conceded to the National Government to provide for the regulation of such affairs among the States and citizens as have grown beyond State control and which from their character and magnitude matters affecting the rights not only of citizens in states where they arise, but the rights of the citizens of other states as well.

We need this law to effectively control the sale of food adulterations to stop the adulteration and misbranding of food products at the fount of supply, before the adulterated or misbranded articles of food become scattered into thousands of pieces, hundreds of miles away from the point where the article was adulterated or misbranded.

We need the law to harmonize the discordant provisions of our State laws and, like a capsheaf, perfect American food legislation.

We need this law to encourage and protect honest business and to guarantee honest markets for honest products.

We need this law to encourage and protect the purity and quality of the food products of American fruit gardens and farms.

We need this law to protect the health, the purses, and the tastes of the consumers in all purchases of food products, and we deem it of the greatest importance to this nation that we safeguard the purity and quality of the foods which we bring into our homes.

We believe that its operations, and its operations only, can eliminate adulterations before the food product is set afloat into the intricacies of interstate commerce.

We believe that the passage of this law will jeopardize no State right; it will only control the sale of food products where they are shipped in interstate commerce, and we believe that this law will not be enforced where manufacturers and distributers are engaged in interstate commerce and where the result of analysis and examinations give the most certain and scientific evidence that its provisions have been violated.

The National Association of State Dairy and Food Departments has long labored to bring about such legislation by Congress as would govern and regulate the interstate traffic of foodstuffs and thereby enable the workings of the pure-food commissioners of the various States of the Union to be conducted upon uniform lines.

The manufacturers and distributers of food products in the United States are also urging the enactment by Congress of some national law which will give them uniform regulations, uniform policies, and uniform labels for all the goods which they send out from their factories into the different States.

We believe that the bill which we now recommend embraces all the essential points desired by all interested parties in securing the proposed legislation, while nonessential details are omitted, and it is a bill upon which all friends of pure food legislation can agree and for which they can work.

We further urge upon your attention that the measure the enactment of which is sought is desirable from the standpoint of public health, vitality, and from the point of view of our national honor and public morality; that pure food tends toward and contributes to the health and thereby to the happiness of the nation; that laws insuring it affects beneficially great industries and millions of wage-earners, and that wise legislation framed and enforced for that purpose can not fail to have the most salutary and beneficial effect upon the entire people.

We therefore trust that in presenting this petition we shall have given to your honorable body urgent and satisfactory reasons for the passage of this bill.

Witness our hands this 16th day of November, 1903.

On behalf of the food commissioners.

Mr. McCUMBER presented a petition of the congregation of the First Congregational Church of Fargo, N. Dak., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. SIMMONS presented petitions of sundry citizens of Winston and Winston-Salem, and of the congregations of the Baptist, Presbyterian, and Methodist Episcopal churches of Winston, all in the State of North Carolina, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULLOM presented petitions of sundry citizens of Freeburg, Dakota, and Deer Creek, in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of Colonel Albert D. Shaw Circle, No. 10, Ladies of the Grand Army of the Republic, of Chicago, Ill., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PENROSE presented petitions of sundry citizens of Reading and Meadville, of the Friends First Day School of Moorestown; of the Sunday School Convention of Laceyville, and of the Wyoming Sunday School Association, of Skinners Eddy, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GORMAN presented petitions of sundry citizens of Baltimore, Catonsville, New Windsor, and Westminster, of the Epworth League of Arlington, and of the congregation of the Emory Methodist Episcopal Church, of Baltimore, all in the State of Maryland, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Jefferson, Cherry Hill, Buckeystown, and Rising Sun; of the congregation of the Methodist Episcopal Church of Buckeystown; of the Woman's Christian Temperance Union of Buckeystown; of the congregation of the Methodist Protestant Church of Buckeystown; of the congregation of the German Reformed Church of Buckeystown, and of Damascus Lodge, No. 199, Independent Order of Good Templars, of Damascus, all in the State of Maryland, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

ASSESSMENTS IN THE DISTRICT OF COLUMBIA.

Mr. GALLINGER. I present some tables prepared by the assessor of the District under the direction of the Commissioners of the District of Columbia, showing the property exempt from taxation in this District. I move that the tables be printed as a document and referred to the Committee on the District of Columbia.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes, to report it with amendments, and I submit a report thereon. I give notice that I shall ask the Senate to take up the bill for consideration at the earliest moment possible—I hope to-morrow morning.

The PRESIDENT pro tempore. The bill will be placed on the Calendar.

Mr. CLAPP, from the Committee on Commerce, to whom was referred the bill (S. 3431) to amend the act of February 8, 1897, entitled "An act to prevent the carrying of obscene literature and articles designed for indecent and immoral use from one State or Territory into another State or Territory," so as to prevent the importation and exportation of the same, reported it without amendment, and submitted a report thereon.

Mr. SIMMONS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2362) for the relief of the heirs of Melvin B. Smith, asked to be discharged from the further consideration of the same and that it be referred to the Committee on Claims; which was agreed to.

Mr. QUARLES, from the Committee on Military Affairs, to whom was referred the bill (H. R. 4405) to correct the military record of Carl W. Albrecht, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Naval Affairs, to

whom was referred the bill (S. 1284) to restore to the active list of the Navy the name of Talleyrand Desaix Myers, reported it with an amendment, and submitted a report thereon.

Mr. GORMAN, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 18th ultimo, proposing to appropriate $10,000 for continuing the grading of Pennsylvania avenue east from Branch avenue to the District line, reported it without amendment, submitted a report thereon, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

HEARINGS BEFORE COMMITTEE ON INDIAN AFFAIRS.

Mr. KEAN. I am directed by the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred Senate resolution No. 112, submitted by the Senator from Nevada [Mr. STEWART] on the 28th ultimo, to report a substitute therefor, and I ask for its present consideration. Let the substitute be read.

The Secretary read the substitute, as follows:

Resolved, That the Committee on Indian Affairs be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report the hearings which may be had by the committee or its subcommittees on the bills pending before said committee; to sit during the sessions of the Senate; to have its hearings printed, and that any expense incurred shall be paid out of the contingent fund of the Senate.

The PRESIDENT pro tempore. Is there objection to the consideration of the resolution just read?

The resolution was considered by unanimous consent, and agreed to.

Mr. KEAN. I move that the original resolution, Senate resolution 112, be indefinitely postponed.

The motion was agreed to.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. ELKINS introduced a bill (S. 4767) granting an increase of pension to Henry Snidemiller; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4768) authorizing the President to appoint Charles H. Pendleton a lieutenant-commander on the retired list, United States Navy; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. PORTER of Washington introduced a bill (S. 4769) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. STEWART introduced a bill (S. 4770) for the extension of Kansas avenue, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. ALLEN introduced a bill (S. 4771) to classify mail carriers, and for other purposes; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Post-Offices and Post-Roads.

Mr. GALLINGER introduced a bill (S. 4772) granting a pension to Hannah Brown; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4773) granting a pension to Juliette Nunez; which was read twice by its title, and referred to the Committee on Pensions.

Mr. KEAN introduced a bill (S. 4774) granting an increase of pension to George Shelton; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4775); granting a pension to Garetta L. Hodgkiss; which was read twice by its title, and referred to the Committee on Pensions.

Mr. McCUMBER introduced a bill (S. 4776) granting an increase of pension to Jesse Maurer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4777) granting an increase of pension to Thomas McCormick; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HALE introduced a bill (S. 4778) for the relief of Pay Inspector B. B. Rogers, United States Navy; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. CULLOM introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4779) granting a pension to John W. Hall;

A bill (S. 4780) granting an increase of pension to Webster N. Smith (with an accompanying paper); and

A bill (S. 4781) granting an increase of pension to John Judge (with accompanying papers).

Mr. PLATT of New York introduced a bill (S. 4782) for the conveyance of public lands belonging to the United States in the State of New York; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Commerce.

Mr. McCOMAS introduced a bill (S. 4783) for the relief of the heirs of James E. S. Hollyday, deceased; which was read twice by its title, and, with an accompanying paper, referred to the Committee on Claims.

He also introduced a bill (S. 4784) for the relief of Nicholas H. Clemson and Rachel Clemson, executors of John B. Clemson, deceased; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

He also introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4785) granting an increase of pension to Joseph Ward;

A bill (S. 4786) granting an increase of pension to A. W. Banister;

A bill (S. 4787) granting an increase of pension to George C. Burkitt;

A bill (S. 4788) granting an increase of pension to George W. Bush;

A bill (S. 4789) granting an increase of pension to Rose Bradford;

A bill (S. 4790) granting an increase of pension to W. H. Dunn;

A bill (S. 4791) granting an increase of pension to Andrew J. Famous;

A bill (S. 4792) granting an increase of pension to C. W. Gibson;

A bill (S. 4793) granting an increase of pension to John T. Gray;

A bill (S. 4794) granting an increase of pension to John F. Harrison;

A bill (S. 4795) granting an increase of pension to Benjamin F. Hartley;

A bill (S. 4796) granting an increase of pension to Mahlon B. Hicks;

A bill (S. 4797) granting an increase of pension to William Hood;

A bill (S. 4798) granting a pension to Joshua Jones;

A bill (S. 4799) granting an increase of pension to T. E. Kelley;

A bill (S. 4800) granting a pension to Alexander McCormack; and

A bill (S. 4801) granting an increase of pension to William H. Ross.

Mr. CLAPP introduced a bill (S. 4802) granting an increase of pension to Charles Stewart; which was read twice by its title, and referred to the Committee on Pensions.

Mr. NELSON introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4803) granting a pension to Susanne P. Thorne;

A bill (S. 4804) granting an increase of pension Caleb D. Burnly; and

A bill (S. 4805) granting a pension to Margaret F. Hallig.

Mr. PENROSE introduced a bill (S. 4806) to remit the sentence of general court-martial against Milton Osthein, late a private of Company E, Twenty-fourth United States Infantry, and grant him an honorable discharge; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4807) granting an increase of pension to Dennis Buckley McCready, alias Dennis McCready, alias Thomas Buckley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLANKER introduced a bill (S. 4808) granting an increase of pension to John Worley; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4809) for the relief of the heirs of Henry N. Harris, deceased (with the accompanying paper); and

A bill (S. 4810) for the relief of the estate of Cyrus Martin, deceased (with the accompanying paper).

Mr. GORMAN introduced a bill (S. 4811) granting an increase of pension to Phebe Sibley; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 4812) for the extension of Rittenhouse street, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. CARMACK introduced a bill (S. 4813) authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. FRYE introduced a bill (S. 4814) granting an increase of pension to Marcia H. Edgerly; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER. On February 25 I introduced a bill (S. 4536) granting an increase of pension to Angeline P. Root, which was referred to the Committee on Pensions. I move that the committee be discharged from the further consideration of the bill and that it be postponed indefinitely.

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

Mr. DOLLIVER. I now introduce a new bill, which I ask may

be read twice and referred to the Committee on Pensions, in the place of the one just postponed indefinitely.

The bill (S. 4815) granting an increase of pension to Angeline P. Root was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

Mr. ALGER introduced a joint resolution (S. R. 56) relative to the semicentennial anniversary of the completion and utilization of the ship canal around the falls of the St. Marys River, at the outlet of Lake Superior, in the State of Michigan; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. ANKENY submitted an amendment proposing to appropriate $2,400 to pay the heirs of Darius B. Randall, deceased, for certain improvements situated on the Nez Percé Indian Reservation, relinquished by the said deceased to the United States for the use of the Nez Percé tribe of Indians, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. ALGER submitted an amendment authorizing rural mail carriers to do an express-package business, provided the packages and articles are not allowed by law to be accepted for mailing, and authorizing them to make and perform contracts with publishers of newspapers and periodicals and news agents to distribute newspapers and periodicals which are admitted to the mails at second-class rates of postage and upon which one rate of postage has been paid, etc., intended to be proposed by him to the post-office appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

Mr. McCOMAS submitted an amendment proposing to appropriate $3,000 for grading and improving Flint and other streets in the American University Park, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

Mr. QUARLES submitted an amendment authorizing the Secretary of the Interior to issue patents in fee to Frank A. A. Robertson, Edmund Cheney Robertson, and Ella F. Robertson, members of the Yankton tribe of Indians, for lands heretofore allotted to them in the State of South Dakota, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. PENROSE submitted an amendment proposing to appropriate $1,000 for the payment of a reward to John J. Cain, Charles Stripp, and James F. Vallely for the arrest of Harry Russell, upon the presentation to the Postmaster-General of proper proof of such arrest, intended to be proposed by him to the post-office appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Post-Offices and Post-Roads.

Mr. TELLER submitted an amendment proposing to appropriate $1,000 to pay C. H. Kitson, or his legal representatives, for money advanced to the Menominee tribe of Indians, of Wisconsin, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. DOLLIVER submitted an amendment proposing to appropriate $9,713 to purchase two lots adjoining the Magruder school building on the east, to provide a playground for the children of the Magruder and Sumner schools, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

BERTHA BIERWORTH SCHIER.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of Bertha Bierworth Schier, accompanying S. 2259, Fifty-eighth Congress, second session; copies of the same to remain on the files as provided by clause 2 of Rule XXX.

REPORT ON SHIPPING BILLS.

Mr. CARMACK submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of War be directed to transmit to the Senate a report of the recent hearings had before him with respect to S. 2259 and S. 2288.

GOVERNMENT PRINTING OFFICE EMPLOYEES.

Mr. PLATT of New York. I ask for the immediate consideration of the bill (S. 2665) to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government. The bill was placed on the Calendar when reported, and I present a letter from the Public Printer which meets the case.

The PRESIDENT pro tempore. The bill was reported from the Committee on Printing with an amendment, to strike out all after the enacting clause and insert. The substitute will be read.

The Secretary read the proposed substitute, as follows:

That from and after the date of the passage of this act the thirty days' annual leave of absence with pay in any one year to employees of the Government Printing Office, authorized by the existing law, shall be exclusive of Sundays and legal holidays: *Provided*, That the existing laws relating to the granting of annual leave with pay to clerks and employees in the Executive Departments shall apply to clerks and employees of the Government Printing Office who are paid annual or monthly salaries or compensation.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. HALE. How does the bill come before the Senate?

The PRESIDENT pro tempore. On the request of the Senator from New York.

Mr. PLATT of New York. It was put over for certain information, which I have obtained.

Mr. HALE. If it does not give rise to any debate, I will not object.

There being no objection, the bill was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Committee on Printing, to strike out all after the enacting clause and insert a substitute.

The amendment was agreed to.

The PRESIDENT pro tempore. Did the Senator from New York send up a letter which he desires to have printed in the RECORD?

Mr. PLATT of New York. Yes: a letter from the Public Printer.

The PRESIDENT pro tempore. The letter will be printed in the RECORD, if there be no objection.

The letter referred to is as follows:

GOVERNMENT PRINTING OFFICE,
OFFICE OF THE PUBLIC PRINTER,
Washington, D. C., February 25, 1904.

Hon. T. C. PLATT,
Chairman Committee on Printing, United States Senate.

SIR: Replying to your letter of the 18th instant, wherein you ask from me a full statement of the situation in respect to the amendment to Senate bill [illegible]

First. [illegible] suggested by me extends the annual [illegible] year. The word- [illegible] of the legislation [illegible] the end which this bill seeks to [illegible] Department. [illegible] simplifying [illegible] Department. There are [illegible] Respectfully,

F. W. PALMER, *Public Printer.*

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROPOSED ALASKAN LEGISLATION.

Mr. HALE. Mr. President——

Mr. BEVERIDGE. Will the Senator from Maine yield to me?

Mr. HALE. Yes. I shall ask that the appropriation bill be proceeded with. In the meantime the Senator from Indiana has some suggestion to make about the order of business. I yield for that purpose to him.

Mr. BEVERIDGE. Mr. President, I desire to ask unanimous consent that on next Wednesday, after the conclusion of the morning business, the Senate shall take up proposed Alaskan legislation and consider it.

Mr. HALE. Subject to appropriation bills.

Mr. BEVERIDGE. Well, with reference to the Alaskan bills, I put the date on Wednesday next, thinking that the Senator's naval appropriation bill, which is now up, will be disposed of, and that the army appropriation bill will be up to-morrow, and that on the day named none of those bills will be up. These Alaskan bills will all together occupy perhaps no more than two hours. They really must be disposed of. They are on concerns of immediate importance. I deferred the time of the request for the unanimous consent until Wednesday because I had taken into consideration the appropriation bills. I hope the Senator will not insist on that exception.

Mr. HALE. That is invariably done. The rules also provide for it. I have never known any instance to the contrary. If the situation is as the Senator describes, he will get the benefit of it.

Mr. BEVERIDGE. Very good.

Mr. HALE. I have no objection to the Senator's request, modified in that way.

Mr. LODGE. Mr. President, I do not desire to object to the Senator's request; I am anxious that the Alaskan bills shall be passed; but I do not wish to have the unfinished business displaced. I understand there is to be very little more debate on it, and I hope it will be disposed of and out of the way before that time; but I do not wish to agree to a continuing order. If the request is to take up the Alaskan bills on Wednesday——

Mr. BEVERIDGE. After the morning business.

Mr. LODGE. And if at 2 o'clock they are not disposed of, that the unfinished business shall be temporarily laid aside, I have no objection, but I do not wish to displace that bill with a continuing order.

Mr. BEVERIDGE. Mr. President, in placing next Wednesday as the date of the unanimous consent I took into consideration also the Senator's bill, which is now the unfinished business, assuming, of course, that by that time it would be disposed of.

Mr. LODGE. Of course I hope it will be disposed of, but I can not make that assumption. I am not objecting to the Senator having the day.

Mr. BEVERIDGE. All right.

Mr. LODGE. I merely wish to provide that the unfinished business, if the Philippine shipping bill is still the unfinished business, shall not be displaced by the agreement.

Mr. BEVERIDGE. That is satisfactory.

The PRESIDENT pro tempore. There is no need of that if the unanimous consent is granted simply that the Alaskan bills shall be taken up for consideration after the routine business, because at 2 o'clock the unfinished business will be laid before the Senate, and then the arrangement can be made in regard to it.

Mr. LODGE. Very well.

Mr. BEVERIDGE. I wish to include in the unanimous-consent agreement, then, some words which will give us that day.

Mr. LODGE. I will agree that the unfinished business of which I have charge shall be temporarily laid aside at 2 o'clock, so that the Senator may have the whole day.

Mr. BEVERIDGE. That and any other measure which on that day may be pending.

Mr. LODGE. Of course I can only make an agreement in regard to the bill I have in charge.

Mr. BEVERIDGE. Then I shall ask that the unanimous-consent agreement shall include the Senator's bill or any other bill which at that time may be unfinished business, save and except only appropriation bills, which at 2 o'clock shall be temporarily laid aside, so that the entire day of next Wednesday, after the morning business, may be devoted to Alaskan legislation. I think the day will be amply sufficient.

The PRESIDENT pro tempore. The Senator from Indiana asks unanimous consent that the Alaskan bills——

Mr. GORMAN. Mr. President. I have no special objection to the consideration of the Alaskan bill——

Mr. BEVERIDGE. There are two or three of them.

Mr. GORMAN. There are two or more bills. I suggest to Senators on the other side, who have power always to consider any bill by motion in the Senate, that the custom has been growing almost daily of fixing, by unanimous consent, the consideration of a bill a week hence and interfering with the general run of the business of the Senate. I do not apply it particularly to the Senator from Indiana, but it is growing to be an abuse, and for the moment I shall object.

Mr. BEVERIDGE. If the Senator will permit me, I think I can explain this request as to that day satisfactorily to him.

Mr. GORMAN. Very well, if there is any special reason.

Mr. BEVERIDGE. Yes; I think I can explain it to the Senator's satisfaction.

There was a unanimous-consent agreement that the Alaskan legislation should be considered on last Thursday, not to interfere with appropriation bills; but on Thursday the Senator from Maine moved to take up the naval appropriation bill. I should then have asked unanimous consent that the Alaskan legislation be considered next, when the appropriation bill was out of the way, but the bill which the Senator from Massachusetts [Mr. LODGE] has in charge is the unfinished business. So that stood in the way.

Therefore, considering the condition of the appropriation bills pending and now reported, and when they would probably be considered, and the bill which is now the unfinished business, I fixed the nearest possible date I could within the limits of fair probability. That is the reason why I selected that day.

The reason why I ask unanimous consent for this legislation at all is that they are bills which undoubtedly will not be objected to. They are things which concern practical matters there, such as municipal corporations, schools, and the building of roads. I hope this explanation is satisfactory to the Senator from Maryland.

Mr. GORMAN. I object to the general rule we have fallen into of fixing by unanimous consent a time in the future for the consideration of bills. I have no objection so far as I know to the bills referred to by the Senator, and I have no doubt if it is necessary to have them considered after we finish the naval appropriation bill to-day they can be taken up to-day by motion.

Mr. BEVERIDGE. No, if the Senator will permit me, the Senator from Massachusetts has up as the unfinished business a bill concerning shipping between this country and the Philippine Islands. I took that into consideration. That is the unfinished business, and therefore we can not take up the bills to-day.

Mr. GORMAN. Mr. President, I object to the request of the Senator from Indiana.

The PRESIDENT pro tempore. The Senator from Maryland objects.

HOUSE BILL REFERRED.

The bill (H. R. 12833) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1905, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

NAVAL APPROPRIATION BILL.

Mr. HALE. I ask that the naval appropriation bill be laid before the Senate.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12220) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

Mr. HALE. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 60, line 9, after the word "bandmaster," strike out "at one thousand two hundred" and insert in lieu thereof "who shall have the rank and pay of an ensign of the Navy, at one thousand four hundred."

The amendment was agreed to.

Mr. HALE. There are three amendments simply correcting totals. I move, on page 60, line 18, after the word "all," to change the total to read as follows: "$95,522.52."

The amendment was agreed to.

Mr. HALE. On page 62, lines 22 and 23, I move to change the total to read "$328,308.46."

The amendment was agreed to.

Mr. HALE. On page 66, lines 7 and 8, I move to change the total to read "$2,127,676.78."

The amendment was agreed to.

Mr. HALE. On page 27 I move to strike out all after the word "dollars," in line 19, and insert:

To enable the Secretary of the Navy to continue and complete his examinations concerning the fresh water supply at the Portsmouth Navy-Yard, directed by the act of July 1, 1902, $9,000, or so much thereof as may be needed; in all, $150,000.

The amendment was agreed to.

Mr. HALE. I move to change the total on page 37, lines 16, 17, and 18, to read as follows: "$7,859,071."

The amendment was agreed to.

Mr. HALE. I move to amend, on page 27, line 15, by inserting, after the word "dollars," the words "quay walls, to continue, $50,000."

The amendment was agreed to.

Mr. HALE. On page 27 I move to amend the amendment just adopted concerning the fresh water supply at Portsmouth Navy-Yard by striking out the total "$150,000" and inserting "$200,000." This is made necessary by the amendment just agreed to, inserting "quay walls."

The amendment was agreed to.

Mr. HALE. On page 37, in the total for "public works," I move to amend by making it read "$7,909,071," this being necessary by reason of the appropriation of $50,000 just agreed to.

The amendment was agreed to.

The PRESIDENT pro tempore. There were two amendments passed over yesterday. On page 38 an amendment was passed over.

Mr. HALE. Let that amendment be read. I think there was an amendment offered to it.

The PRESIDENT pro tempore. The Senator from Wisconsin [Mr. QUARLES] offered an amendment to the amendment.

Mr. HALE. Let the clause in the bill be read and then the amendment proposed by the Senator from Wisconsin. That will show exactly what is before the Senate.

The SECRETARY. On page 38, after line 22, the committee amendment is to insert the following:

Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the shore of Lake Michigan, south of latitude 42° 30', $300,000.

The Senator from Wisconsin [Mr. QUARLES] proposes to amend the amendment by adding:

The President is hereby authorized and empowered to appoint a board consisting of not less than three members, none of whom shall be a resident of any State adjoining Lake Michigan whose duty it shall be to select the most available site for such naval training school on the Great Lakes, and having selected such site, to ascertain and report its probable cost and the probable expense [illegible] will be necessary for improving the same, including [illegible] of necessary harbor facilities; also to make a detailed report of their findings and proceedings to the President to be transmitted [illegible] Congress for its final action. And the sum of [illegible] is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. PLATT of Connecticut. I should like to have the attention of the Senator from Maine who has the bill in charge. It is very difficult just by the reading of amendments and amendments to amendments to get at the real point which is involved in either. I wish the Senator from Maine would state the purpose of the original amendment or the amendment proposed by the committee and how the amendment to the amendment changes that purpose, so that we may understand the question.

Mr. HALE. The original action of Congress upon this subject-matter grew out of the necessity for providing more men for the Navy. It has been found to be impossible to get any considerable number of recruits for the Navy from the merchant marine. Out of something like 40,000 seamen in that marine very few ever go into the Navy.

The Navy has been much perplexed in times past, but has at last fallen upon the practical scheme of enlisting landsmen and training them upon land and sea for the naval service, and when they are enlisted under present conditions upon naval ships they soon become good sailors. Of course the sailor of to-day does not have to do what he did in the day of wooden frigates and ships of the line and masted ships.

Upon that basis in the last Congress, possibly in the one before, Congress provided that a naval training station to cover such wants as I have indicated should be located somewhere upon the Great Lakes, and a commission was appointed, consisting of naval officers, who inspected different sites and made a report, not selecting the particular site, one reason being that if a particular site was selected before it was purchased the price would inevitably go up, as is always the case when owners of land have the Government on the hip and can make their own terms.

The commission reported several sites on Lake Michigan, and provided that the training station, wherever selected, should be below a certain parallel of latitude. They did not select any one site, but reported in order several sites, and the appropriation which the committee has put upon the bill is to give them money to carry it out. If the appropriation passes, the Department then will select undoubtedly one of the sites which has been named by the board.

The conflict which has arisen comes from local feeling with reference to the sites, each locality believing, and naturally, that its own site is the best.

The operation of the amendment offered by the Senator from Wisconsin would be that a new commission, entirely impartial and with no local bias, constituted of persons not living in the regions or States where the sites are situated, shall finally determine the matter.

That, I think I may say, is a brief statement of the condition.

Mr. PLATT of Connecticut. A naval training station is what we understand by the term "training school."

Mr. HALE. We have one now in the waters of Narragansett Bay and another in California waters.

Mr. PLATT of Connecticut. It is a training school?

Mr. HALE. It is a training school, and they call it a naval training station.

Mr. PLATT of Connecticut. Where boys are entered and enlisted and taught?

Mr. HALE. It is not like the old naval apprentice school, but it is the enlisting of landsmen from large cities almost entirely.

Mr. GALLINGER. Or farms.

Mr. HALE. Wherever it may be, but they come largely from large cities.

Mr. PLATT of Connecticut. It is not apprentices?

Mr. HALE. No, it is not; it has not anything at all to do with that. They are taken on, they are given instruction, practice upon the water and drill upon the land, and so far as their minds and bodies are concerned they are made accustomed to the duties that arise upon war ships. Then they are taken and regularly enlisted into the Navy for the time of service all seamen and landsmen are required to serve there. This is an additional training station.

Mr. GALLINGER. In this connection I want to ask the chairman of the committee a question for information. I notice that the amendment proposed by the Senator from Wisconsin [Mr. QUARLES] provides that this commission shall be composed of officers who are not residents of the immediate vicinity. I would ask the Senator if the old commission was composed of officials who could be criticised in that respect? I know nothing about it. Does the Senator know?

Mr. HALE. I think Rear-Admiral Taylor was chairman of that commission. I do not remember who were the other members of the commission.

Mr. HOPKINS. I can state to my colleague that the members of the board were Rear-Admiral Henry C. Taylor——

Mr. HALE. Chief of the Bureau of Navigation.

Mr. HOPKINS. Yes, sir; and the other two members were Chief Engineer Rousseau and Lieutenant-Commander Winslow, men of the highest character.

Mr. HALE. They constituted the naval board.

Mr. HOPKINS. They constituted the naval board to select the site for the naval station.

I desire also, Mr. President, to say, in answer to the question suggested by the Senator from New Hampshire [Mr. GALLINGER], that the amendment proposed by the Senator from Wisconsin [Mr. QUARLES] is not, in terms, to select a board of naval officers. They may be politicians, or they may be landsmen, or they may be members of the Army or of the Navy.

Mr. SPOONER. I suggest to the Senator that it would seem to be proper that the mover of the amendment should be permitted to say something about it.

Mr. HOPKINS. I will say to the Senator from Wisconsin that I am not at all attempting to limit the Senator. He can have all the afternoon, if he wants it. I am simply stating what the language of the amendment purports.

Mr. GALLINGER. I asked my question in entire good faith for information. I certainly did not then exactly understand the matter, but I do now.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Wisconsin [Mr. QUARLES].

Mr. ALGER. May we have the amendment again read, Mr. President?

The PRESIDENT pro tempore. The amendment will be again read.

The Secretary again read the amendment of Mr. QUARLES.

Mr. ALGER. I wish to offer an amendment to the amendment. There are other lakes besides Lake Michigan. There are Lake Erie and Lake Huron, the people along whose shores will be competitors for this naval training school. I should like to add after the words "Lake Michigan" the words "Lake Huron and Lake Erie."

Mr. NELSON. And "Lake Superior," Mr. President.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Michigan [Mr. ALGER] would not be in order now, as it is an amendment to an amendment, in the third degree. The Chair would state that the amendment would be in order if the pending amendment were agreed to.

Mr. HOPKINS. I suppose, from a parliamentary standpoint, if this amendment should be voted down, then other amendments would be in order.

The PRESIDENT pro tempore. Undoubtedly.

Mr. QUARLES. Mr. President, I suppose before we talk about voting on anything [illegible] an amendment of having three members [illegible] after the determination of the main question, Senators shall desire to enlarge the scope of selection, I shall not object to it, because I am entirely willing that the Wisconsin site shall be subjected to any competition that may be brought, and I have no desire whatever now to narrow the investigation.

The reason why the amendment was offered in its present shape is that the committee [illegible] upon the basis of the tentative finding of this board. This board said that the proper place for this naval training school was near the south end of Lake Michigan, below latitude 43° 30', running south north of [illegible].

So this amendment proceeds upon that basis. Without assuming to change that, I merely added the amendment, in which I am interested and my State is interested, to have a new board appointed by the President for the purpose of getting a fair and impartial selection of a site on the Lakes, which, I think, I can [illegible].

Mr. BEVERIDGE. May I ask the Senator a question?

Mr. QUARLES. Certainly.

Mr. BEVERIDGE. Did the old board select any particular site?

Mr. QUARLES. No; I will come to that in a moment.

Mr. BEVERIDGE. I beg the Senator's pardon.

Mr. QUARLES. I wish to say, Mr. President, at the outset that I am wholly in sympathy with the proposition contained in the committee amendment. I believe it is wise that these young men should receive some preliminary training before they are put upon battle ships in actual sea service. I have no purpose of

contravening that proposition; but I appeal to the Senate that we ought to have in all fairness—speaking now in the interests of the State which I have the honor in part to represent upon this floor—another board, with such a determination as Congress has expressed its wish to have, and as the existing board has not been pleased to give us.

I would remind the Senate that the first legislative step looking to the creation of this naval training school was in June, 1902. Let me just read that and see what this board was required to do by the mandate of Congress. I read from House Document No. 6, Fifty-eighth Congress, first session, which is devoted to this subject:

Naval training station, Great Lakes: The Secretary of the Navy is hereby directed to appoint a board composed of naval officers, whose duty it shall be to select on the Great Lakes a suitable site for an additional naval training station, and having selected such site, if upon private lands—

Note the language. Here is the mandate of Congress—

to estimate its value and ascertain, as nearly as practicable, the cost for which it can be purchased or acquired, and of their proceedings and actions to make full and detailed report to the Secretary, who shall transmit such report, with his recommendations thereon, to Congress for its action; and to defray the expenses of said board the sum of $5,000, or so much thereof as may be necessary, to be immediately available, is hereby appropriated out of any moneys in the Treasury not otherwise appropriated.

The Senator will notice that Congress directed this board to do two things: First, to select a site and make a final determination of that question, and, secondly, to report to Congress the price at which this property can be purchased. Mr. President, the existing board has done neither of those two things. My first proposition is that we ask for a new board now to determine those questions which the first board was commanded to decide and which, for reasons which I will later explain, it has failed and neglected to do.

Mr. FAIRBANKS. Mr. President——

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. QUARLES. Certainly.

Mr. FAIRBANKS. I ask the Senator from Wisconsin whether his amendment is intended to accomplish what was accomplished by the original action of Congress?

Mr. QUARLES. Precisely.

Mr. FAIRBANKS. And nothing more?

Mr. QUARLES. That, and nothing more. If this board had made a report following the language of the act of Congress, and had reported to Congress the information which Congress desired in order to enable it intelligently to review the action of that board, I should not have been here with this amendment.

Mr. President, I need hardly say that in determining whether a given piece of land should be purchased, whether the proposition is made to an individual, a corporation, or to Congress, the price is one of the most important factors in the problem, and ought to be in the possession of Congress before it is asked to pass upon the question of purchase. That is self-evident.

Mr. President, this board made a report in the first instance, the report being embodied in Senate Document No. 45, Fifty-seventh Congress, second session, which is available to any Senator here. They made a tentative—a preliminary—report on December 13, 1902.

I can state the substance of it without reading it. In substance, instead of deciding upon any site, they indicate a zone within which the site should be selected, and that zone is a line drawn at 43° 30', which is slightly north of the city of Milwaukee, right across Lake Michigan, and the zone which is approved by that board is south of that line, taking in both shores of Lake Michigan. Mr. Secretary Moody sent that tentative report here.

28. The board has therefore the honor to submit with this report its recommendation that the site of the naval training station on the Great Lakes be fixed on the shores of Lake Michigan below latitude 43° 30', and to further recommend that an appropriation of $250,000 be made by Congress for the purchase of land and the development of the station, the exact locality to be determined by the board of naval officers provided by the act of July 1, 1902, and, furthermore, that the Secretary of the Navy be authorized to consummate the purchase of the site selected by the said board as soon as practicable after the appropriation becomes available.

This board, in substance, says to Congress, "We have not selected any site, but we advise that you appropriate the money to purchase this site;" and the Secretary of the Navy says that as soon as this board shall conclude to recommend a specific site he will then forward that report to Congress.

Mr. MALLORY. Will the Senator yield to me for a question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Florida?

Mr. QUARLES. Yes, sir.

Mr. MALLORY. Will the Senator tell me why the board limited the northern limits of this zone to 43° 30'?

Mr. QUARLES. Mr. President, the board discuss the whole subject in this Senate Document No. 45. They discuss it in a highly scientific way and arrive at that conclusion, because the center of population, the facilities for transportation, and other elements that they mention concur in favor of a site in that particular region.

Mr. HOPKINS. Will the Senator allow me?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. QUARLES. Certainly.

Mr. HOPKINS. Is it not a fact that another reason was on account of our treaty relations with England affecting all the other lakes excepting Lake Michigan, which is an inland lake, both shores of which are controlled by the American Government?

Mr. QUARLES. That was one of the propositions that was considered by the board.

Mr. PLATT of Connecticut. Is it not true that in a subsequent report, in Document No. 45, the board made its first choice at Lake Bluff, 32 miles north of Chicago?

Mr. QUARLES. I am coming to that in just a moment.

Mr. PLATT of Connecticut. I beg the Senator's pardon.

Mr. QUARLES. In November, 1903, something like eighteen months after this board was appointed, they made another report, which is found in House Document No. 6, Fifty-eighth Congress, first session, and I wish to call attention briefly to that report. I shall take up some of the items of the report later on; but on page 10 of that document the board tabulate the results of their investigations, and report as follows:

The combined summary of the above comparison as regards the four qualifications is as follows:

	First choice, Lake Bluff.
Lake Bluff is situated 32 miles north of Chicago and about 4½ miles south of the city of Waukegan.	
The second choice is Racine, which is in Wisconsin, 20 miles south of Milwaukee and about 57 miles north of Chicago.	
The third choice is Muskegon, Mich.; the fourth choice is Milwaukee, Wis., and the fifth choice is Michigan City.	

I want to call attention to what the board say in regard to the matter of cost, which they were commanded by this act of Congress to report. On page 10 they say:

The board has not yet carried on negotiation with the owners of the above tracts to definitely state the price which it would have to pay, nor has it obtained any options. One important matter to be determined on regarding the sites between Chicago and Milwaukee would be whether the Sheridan driveway would of necessity pass through the Government reservation.

So, Mr. President, the Senate will observe that the board, instead of selecting a site, have selected five sites, indicating their preference in the order named, but not definitely selecting any site.

Mr. BURROWS. May I interrupt the Senator?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. QUARLES. Certainly.

Mr. BURROWS. May I call the attention of the Senator to page 9 of this report, where the board states that—

With regard to the cost of land the following average prices were named by the board for property in the five localities that are under consideration:

	Per acre.
Milwaukee	$700
Racine	250
Lake Bluff	900

Which stands first in the opinion of the board.

Michigan City	125
Muskegon	100

Mr. QUARLES. I am thankful to the Senator for the interruption, because I should have called that to the attention of the Senate at this point.

With regard to the cost of land, they say the "following average prices were named." They expressly say that they have taken no step to open up any negotiations with these owners to ascertain what the actual price is, but they are proceeding upon rumor. Evidently somebody has told them that the prices in those several localities will average about what has been read by the Senator from Michigan [Mr. BURROWS]. The Senate will notice right there that the Racine site is put in at $250 an acre, while the Lake Bluff site is put in at $900 an acre.

To show that this was not intended to be a final but a purely tentative report I call attention to the first page of document No. 6, where Mr. Secretary Moody, in transmitting this report, says:

I have the honor now to transmit a copy of the final report of the board, in which Lake Bluff, which is 32 miles north of Chicago, is recommended as the most suitable site for a naval training station.

Now, note this:

In view of the large price at which land at that point is held by the owners, the board suggests four other sites as suitable, which, in the order of their desirability, are as follows: Racine, Muskegon, Milwaukee, and Michigan City.

Now, Mr. President, who is going to make the selection of this site? It has not been selected yet, because the factor of price has not been considered. This report is entirely limited to the question of desirability, the element of price being left out of view.

Congress has said to this board: "You shall determine that question: you shall consider the matter of cost, and report to us finally which selection you make." Instead of that the board has reported five sites, giving what they understand to be the approximate value of the land and leaving the question of selection entirely open.

You will notice that they leave another question open. They say that somebody ought to determine whether the Sheridan drive is to pass near this property. Who is to decide that question?

They say that Congress ought to appropriate $250,000 for these 200 acres, but the matter is entirely left open. Somebody must make a final decision, and, therefore, it is, Mr. President, that we are asking that an impartial board may be named by the President of the United States, none of whose members live adjacent to this territory, who shall go there, and do what Congress asked the other board to do, and what, for some reason or other, they have been reluctant to do.

Mr. LODGE. May I ask the Senator a question?

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Massachusetts?

Mr. QUARLES. Certainly.

Mr. LODGE. I do not know anything about the membership of the board. Of whom was it composed?

Mr. QUARLES. Admiral Taylor, and a Mr. Rousseau, who is a naval officer, were first appointed, and at a later period there brought in Mr. Wheeler, so that the board finally consisted of three naval officers, Admiral Taylor being meanwhile at the head.

Mr. LODGE. Do I understand the Senator to say that the members of the board were not impartial?

Mr. QUARLES. Not at all.

Mr. LODGE. The Senator said he wanted a board that had no prejudice, which might imply that the other board had some prejudice in the matter.

Mr. QUARLES. I do not understand that they had. I am simply guarding against any possible chance of prejudice in a new board.

Mr. LODGE. Were these officers less impartial than other officers?

Mr. SPOONER. What is the question?

Mr. LODGE. I asked why these officers were less impartial than other officers?

Mr. SPOONER. We have heard that they have not been impartial.

Mr. LODGE. I do not know anything about that. I simply asked the Senator why they should be less impartial?

Mr. CULLOM. I am not able to see wherein they have been at all partial, except they have indicated, as their judgments led them to do, what they thought was the best site in the interests of the country.

Mr. QUARLES. Mr. President, I am treating of this as a business proposition now. This is business, pure and simple. There is no sentiment in it. When that board was incorporated to select and report a site, that was their business, and when Congress required them to report the cost of that site, it was their business to make that report, and this board has done neither thing. I am not now dealing with the motives that actuated this board.

Mr. HOPKINS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. QUARLES. Certainly.

Mr. HOPKINS. I respectfully insist that they have reported both as to the site and as to the value. If that site and the price charged there is not acceptable to Congress, they have stipulated that there are other sites, which, while they do not stand in the estimation of this board as favorably as the site they have designated, would be sites that could be used, and the board have also given the prices for them. They have gone beyond, in other words, what they were required to do, but they have filled to the letter the requirements of the act of Congress.

Mr. QUARLES. I should like to ask my distinguished friend from Illinois who is now to determine which site shall be taken?

Mr. HOPKINS. The Secretary of the Navy has said in his report here:

> I have the honor now to transmit a copy of the final report of the board, in which Lake Bluff, which is 27 miles north of Chicago, is recommended as the most desirable site for a naval training station.

The Secretary of the Navy, who appointed this board, had no trouble in determining that the report was clear and definite.

Mr. QUARLES. Will the Senator read the next sentence?

Mr. HOPKINS. I will read the whole report if the Senator desires.

Mr. QUARLES. I have no such desire.

Mr. HOPKINS. The next sentence is:

> In view of the large price at which land at that point is held by the owners, the board suggests four other sites as suitable, which, in the order of their desirability, are as follows: Racine, Muskegon, Milwaukee, and Michigan City.

Just as I have stated, they have selected their site and have reported the price; but if that site and the price charged by the owners of that property are not acceptable to Congress, then, as I say, they have gone beyond what they were required to do in the report and have designated other sites and the prices charged for the land there.

Mr. QUARLES. Yes; they have gone far beyond what they were instructed by Congress to do, for, if I appreciate the purpose of Congress in passing the original act, it was to prevent a Congressional fight, a squabble over this question. It was to select a board that should consider not only availability, but cost, and make a final determination, but as it is now, under this comparative finding, it is thrown again into Congress, like an apple of discord.

Mr. HOPKINS. Not in the estimation of the Secretary of the Navy. The Secretary of the Navy, who appointed this board, has stated clearly and distinctly that Lake Bluff, 27 miles north of Chicago, located in the State of Illinois, is the site most suitable for the naval training station.

The Senator will note that in the original authority the board were not authorized to purchase. They were simply to report to the Secretary of the Navy, who said they have done here, and there is no chance for Congress, unless it is forced by the Senator from Wisconsin, unless it is forced by members from other States than that wherein is the place designated by the board and indicated by the Secretary of the Navy as the proper place.

Mr. FORAKER. Will the Senator permit me——

Mr. QUARLES. Certainly.

Mr. FORAKER. I simply rose to call attention to the fact that according to the original provision under which the board of naval officers acted the result of the action which they were directed to take was to be reported to Congress for its action. I understand that at the time we enacted that provision it was assumed that Congress would have a supervisory power over what they might do. It was their business to ascertain and [illegible] and give us the benefit of their judgment, and then [illegible] on it. It does not change [illegible] at all.

Mr. HOPKINS. I think the Senator [illegible] They have followed their instructions, and the Secretary of the Navy has reported to Congress as was intended by the original resolution.

Mr. BURROWS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Michigan?

Mr. QUARLES. Certainly.

Mr. BURROWS. It is only for a moment, as to the question of this board to select a site. They have complied with the instructions and mentioned several points which would be available, but I think the report shows that they have not selected a site.

Mr. QUARLES. I will come to that in a moment.

Mr. BURROWS. Just a word. In Document No. 6, on page 2, paragraph 3, they say:

> The selection of a site in this general area remains to be accomplished.

And in the other report——

Mr. HOPKINS. From what page is the Senator reading?

Mr. BURROWS. Page 3 of Document No. 6; and in Document No. 45, they say——

Mr. QUARLES. What page?

Mr. BURROWS. Page 1, at the bottom of the page.

> The board deemed that its duty required it, first, to determine the general area within which it is desirable to establish a naval training station [illegible] the most favorable, and, having done that, second, to select the best site [illegible] the first question, and not has under consideration the second question.

To wit, the selection of a site.

Mr. CULLOM. If the Senator will be kind enough to yield to me, as I am compelled to go to a conference, I wish to make a suggestion in relation to this place in the bill.

Mr. QUARLES. Certainly.

Mr. CULLOM. It says:

> The purchase of land and the establishment of a naval training station on the shore of Lake Michigan, south of latitude 42° 30', $250,000.

Nothing is said about any site. That is the point to which I wish to call attention.

Mr. QUARLES. That is right.

Mr. CULLOM. But it would be considered as leaving the matter to the discretion of the Secretary of the Navy as to which of those sites named on Lake Michigan should be accepted by him.

Mr. QUARLES. In other words——

Mr. CULLOM. If the Senator will allow me one word further——

Mr. QUARLES. Certainly.

Mr. CULLOM. So there seems to be no great materiality in the discussion of this question now as between points south of 42° 30'.

Mr. LODGE. I suppose I might to know from the statement of the Senator, but I do not. Does it cut out any of the sites named?

Mr. QUARLES. It shuts out a large number of sites.

Mr. LODGE. I mean any of the five named here.

Mr. QUARLES. In the report? No.

Mr. LODGE. Racine, Muskegon, Milwaukee, Michigan City, and Lake Bluff are all within the amendment?

Mr. QUARLES. Yes, sir; they are all within the amendment.

Mr. LODGE. So the amendment does not locate it at any one of the places?

Mr. QUARLES. That is right.

Mr. LODGE. But leaves it to the Secretary to determine where it shall be?

Mr. QUARLES. It leaves it to the board.

Mr. LODGE. Does it leave it to the board?

Mr. QUARLES. As it stands now, the selection as between these sites would probably be made by the Secretary of the Navy.

Mr. LODGE. Yes.

Mr. QUARLES. I do not see any other way. There is no provision in that determines it.

Mr. LODGE. Is the most proper person to determine it?

Mr. QUARLES. That is another question. Congress has left it to a board. The wisdom of Congress in so doing is not for me to discuss. But instead of that——

Mr. QUARLES. I understand that the purpose of this amendment is to create a new board which will take in all the lakes.

Mr. HOPKINS. Mr. President, the Senator from Wisconsin yield to the junior Senator from Illinois?

Mr. QUARLES. Yes; I yield to all.

Mr. HOPKINS. I was about to suggest to my colleague, with the acquiescence of the Senator from Wisconsin, that the amendment [illegible] was reported and as was proposed in the original [illegible] it to Lake Michigan, and then proposes to [illegible] has been done by this board and to appoint a [illegible] of the Navy, but by the President [illegible] investigation shall be limited to Lake Michigan.

Mr. QUARLES. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. QUARLES. With great pleasure.

Mr. HOPKINS. I want to make a remark. I dislike very much [illegible] but, as I stated, I have to leave the Chamber, and I will take the liberty of making [illegible]

Mr. QUARLES. I yield with great pleasure.

Mr. HOPKINS. I [illegible] I was thinking of the amendment [illegible] that it was before the Senate. But I [illegible] the population of the Lake Bluff and the [illegible] and [illegible] well [illegible] mentioned in the report.

Mr. QUARLES. It does not determine at all which of those [illegible]

Mr. HOPKINS. [illegible] Congress and necessarily else [illegible]

Mr. QUARLES. [illegible] I will refer to [illegible]

Mr. HOPKINS. I have been trying to.

Mr. QUARLES. Mr. President, if [illegible] was [illegible] in a law, that that final selection should be made by a board. It is left to a board that the Secretary of the Navy appoints to make the selection. Congress would have to delegate [illegible] Well, [illegible] I am, therefore, clearly of the opinion that Congress has itself marked out as a proper [illegible] the exercise of selection.

[illegible] Mr. President, I wish the Senate to keep in mind during the discussion some figures. The board say they want 200 acres of land. If they go to Lake Bluff, Ill., 200 acres of land will cost $180,000. If they go to Racine, 200 acres of land will cost $50,000. So by the selection of the Racine site there would be a saving on that basis of $130,000.

Now, Mr. President, I wish again to call the attention of the Senate to Document No. 6, on pages 2 and 3. There the board has framed the local conditions which they recognize as necessary to be observed in the selection of this site, and you will see that the sixteenth requirement, on page 3, is—

> The site should not be in a manufacturing district.

Now, I submit that there is no condition here that is more important than that. A manufacturing district is a bad environment for a school of any kind. I submit that the selection of the Lake Bluff site would be a violation of the sixteenth condition which this board itself prescribes to control its action.

I presume that the Senator may not be familiar with the situation, and therefore I will explain by saying that Lake Bluff is south some one and a half or two miles from North Chicago. This site lies between Lake Bluff and North Chicago, about a mile and a half from North Chicago. Now, Senators, North Chicago is purely a manufacturing district. There are great iron factories and factories of many kinds, and North Chicago is to Chicago what the outlying suburbs of Pittsburg are to it. As foreigners have been enabled out of the proceeds of their labor for one reason or another, they have gone to this place, which has taken the name of North Chicago.

Five years ago I had occasion to become pretty familiar with that situation because at the city of Waukegan I was called upon to try a lawsuit involving the question of title and value of land in North Chicago, and for two or three weeks we took the testimony of witnesses in which was developed the whole future and history of North Chicago as they knew it upon the values of land. So I am tolerably familiar with the situation there as it was five years ago; and I am familiar enough by casual inspection as we pass on the cars from time to time to have noted a wonderful increase in the manufacturing purposes of North Chicago during the last five years. It is joined with the process of that great city, and is dropped solidly to the rear of the manufactories. It is constantly coming out, and land down there where a few years ago was worth only from $75 to $100 an acre is worth to-day from fifteen hundred to two thousand dollars as core business of its adjacency to the great manufacturing establishments [illegible]

The manufacturing district is creeping down toward the south of Lake Bluff, and I believe that in less than five years it will certainly cover it and hold it in its greasy, smoky embrace and make it as unfortunate a position for a school as could well be imagined.

Mr. FORAKER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. QUARLES. With pleasure.

Mr. FORAKER. In view of the Senator's statement that he is familiar with Waukegan and that country, where it is proposed, in the proceedings of the board, to locate the station, I propose to ask him what he knows as to the [illegible]

Mr. QUARLES. I will come to that, if the Senator will permit me.

Mr. FORAKER. Very well.

Mr. QUARLES. I was [illegible] of a [illegible] that would be [illegible] by a board or by a [illegible] than to go down into that region, which will soon be [illegible] of a [illegible] and to take those [illegible] that I [illegible] that and necessarily [illegible] should not be [illegible] district; and while it is true that it is [illegible] the [illegible] with the great property of Chicago, which is [illegible] Another thing, Mr. President, [illegible] it is that the lake shore land there [illegible] worth $800 an acre for business [illegible] It is in front of the [illegible] with and proximity to that great [illegible]

I think what has [illegible] the price and let the board report as they [illegible] it would [illegible] to procure that property.

I am surprised if it can be [illegible] and I think if we [illegible] land at [illegible] the price had been raised, [illegible] something about the values of land in that neighborhood.

Now, as [illegible] this view I wish to read from page 4 of Document No. 6 what the board say on this subject. They fix

on page 4 a limit which they say ought not to be exceeded in price in the purchase, and they are careful to fix it at a thousand dollars an acre, an intimation to those people who own the Lake Bluff site that if they see fit to put a hundred dollars an acre on the board have made their course easy. They fix a thousand dollars an acre, and then they say:

[illegible] of several sites that possess more or less [illegible] nation will be [illegible]

That is better stated than I could state it, and it fits the situation exactly.

Now, on page 6, the board point the Senator to Milwaukee [illegible] district—that is, [illegible] to South Milwaukee. But I wish to say to the Senator that [illegible] are very small [illegible] Milwaukee are of very small value [illegible] that are now [illegible] in the [illegible] ure.

Mr. President, I have here a letter which presents another [illegible] which I certainly did not consider, [illegible] that the Lake Bluff site will require like [illegible] tection. That may seem of great importance to some gentleman who is not familiar with the ravages of a great lake, but we have [illegible] upon one of these great lakes is in any doubt as to the importance of the suggestion. We have for many years in the region where I live been compelled to combat the forces of nature as they are arrayed in a great lake. We have seen those waves tear to pieces breakwaters that were [illegible] great heavy bolts of iron, and I may say that a suitable water protection along Lake Michigan will cost from twenty to twenty-five dollars per linear foot. So you may add to the expenditure necessary, if this site is selected, about a hundred thousand dollars for necessary lake shore protection.

I will take the liberty of reading from a letter addressed to me by a very intelligent gentleman, who recently made a personal inspection of the shore along Lake Bluff. He says:

At a very recent date the lake has been cutting into the bank in this vicinity and washing it away, [illegible] feet. [illegible] this spring have [illegible] in a lake storm [illegible] immediately north of the creek there has been [illegible] the width of from 60 to 80 feet, possibly [illegible] the fact is being washed away at the present time. [illegible] look of this creek I should judge was from [illegible] feet high. The [illegible] bank is not so [illegible] It a harbor were to be dredged here, having a mouth [illegible] feet in width, the lake would be from [illegible] feet above lake level where they would have to dredge about [illegible] a harbor.

Mr. HOPKINS. Will the Senator state who is the author of that letter?

Mr. QUARLES. Yes: it is written by a gentleman in Racine, Mr. R. M. Boyd, a very trustworthy, reliable gentleman.

Mr. HOPKINS. Is he a civil engineer?

Mr. QUARLES. He is not a civil engineer, but he is a very intelligent gentleman.

Mr. HOPKINS. What is his business, please?

Mr. QUARLES. He is engaged now chiefly in real estate.

I wish to call attention to another proposition. You will notice, on page 8, that the tenth requirement which this board lays down is:

There should be a bathing beach.

Mr. FORAKER. I rise to ask the Senator whether he has passed now from the subject of a harbor?

Mr. QUARLES. No; I have not reached it.

Mr. FORAKER. The letter referred to the harbor.

Mr. QUARLES. I know it did.

I wish to call attention to another proposition, and that is the bathing beach. At the city of Waukegan, which is about 4 miles north of this site, there are located upon the shore some great factories, and among the others a sugar refinery and glucose factory, a very extensive one.

I may say for the information of the Senate that in Lake Michigan the current is from the north to the south and the prevailing heavy winds are from the northeast. This great glucose factory, in the preparation of its material, discharges into the lake a large amount of refuse matter, that is, waste matter from the corn they treat. In that preparation they use some acids, which also pass with the waste into the lake. I am informed that the refuse material is carried by the current and the wind down to Lake Bluff, and that at times the odor in that vicinity is only equaled by a tanyard or a sauerkraut factory.

Still south of the glucose factory there is the American Steel and Wire establishment, a mammoth establishment, that also uses in the preparation of its products some acid which contaminates and pollutes the water, and I am informed from credible sources that it renders the water at this place in Lake Michigan unfit for use and unfit for bathing.

I have here a letter written by a gentleman who investigated that question. He says:

Obtained a statement from the mayor of Lake Forest—

Lake Forest is still farther south than this site—

[illegible]

That is the mayor—

[illegible] the Government to utilize the site proposed from this [illegible] by the name of Miller, who is presi- [illegible] private [illegible]

Mr. HOPKINS. If the Senator will allow me, I should like to have him state who is the writer of that letter.

Mr. QUARLES. Mr. W. A. Walker, city attorney of Racine, a lawyer there in good standing, and a very estimable gentleman.

Mr. HOPKINS. [illegible] to the [illegible]

Mr. QUARLES. No, sir; I read the letter just as it was sent to me.

Mr. HOPKINS. The Senator does not know of what bank he [illegible]

Mr. QUARLES. I do not.

Mr. HOPKINS. Or his full name?

Mr. QUARLES. I do not.

Mr. HOPKINS. I simply asked the question to enable me to compare [illegible] with Mr. Walker, of Chicago. My information, I will state to the Senator, is entirely different from his, and that is the reason why I asked the question.

Mr. QUARLES. Now, there is another proposition. That is the eighth proposition that this board lays down.

[illegible] should not be required to secure level ground for drill [illegible]

Mr. President, before I pass from that point I wish to say that at the Racine site, which is the point last named as second best, there is absolutely no factory anywhere near it. It is a residential [illegible] There is a great peninsula of land making out into Lake Michigan a long distance, which, without any extensive cutting, could be converted into an island, nature having done the larger portion of it already. [illegible] the objections made to the site which I have [illegible]

I now want to pass to the point that there should be no necessity of grading. I have here some photographs of the Lake Bluff site [illegible], which I should be glad to have any Senator consider. If Senators have any doubt [illegible] here in this respect [handing photographs to Mr. FORAKER]. I am very glad to have you look at them, and I especially call attention to No. 4, as indicating the erosion of the bank by the lake.

Mr. FORAKER (examining). Where is the harbor?

Mr. QUARLES. There is not any harbor there. I called attention to that. If Senators will examine those photographs, they will see that all this land is cut up with ravines, some of them 25 to 50 feet deep, with steep banks, so that while for some purposes, as a park or for residential purposes, that would not be objectionable, for the purposes of a school I submit that it is in violation of the very condition that the board has presented.

Mr. HOPKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. QUARLES. Certainly.

Mr. HOPKINS. I should like to ask my honored friend from Wisconsin if these photographs were also taken by a Racine photographer?

Mr. QUARLES. I do not know. If they were, it would not impeach them. The sun paints for a Racine photographer quite as faithfully as for a Chicago artist.

Mr. HOPKINS. The Senator from Wisconsin is a good enough lawyer to know that a picture depends entirely upon the point of view at which it is taken, and that you can make a molehill seem like a mountain, or level a mountain almost to a plain from the point of view at which the photograph is taken.

Mr. SPOONER. Will the Senator from Illinois present a photograph by a Chicago photographer?

Mr. HOPKINS. It is not necessary. I rely on the reports. I

am not bringing any intrinsic evidence here or attempting to prejudice the minds of Senators by going outside of the reports which have been made by three honorable men, who are entirely disinterested, and are looking solely to the interests of the Government in the choice of special location.

Mr. QUARLES. Now, Mr. President, one word in regard to harbor facilities, in answer to the suggestion of my distinguished friend from Iowa [Mr. FORAKER]. In one of the ravines disclosed by those photographs there runs a little stream which is said, by information which I have to me, to be 2 inches deep and 3 feet wide, a little stream trickling down that ravine. The banks on either side are precipitous and high, and if you were to attempt to make a harbor there the Senator will see at a glance that it would require an enormous expense to excavate those great banks and let the water in from the lake. It would really be an entirely artificial harbor, calling for an enormous expense.

Now, in regard to the Racine site in that respect, as I said before——

Mr. FORAKER. Before the Senator passes, can he give us any estimate, or has he heard any intelligent estimate, as to the cost of a harbor such as would be necessary?

Mr. QUARLES. It would require a civil engineer to go there, of course, and ascertain the number of cubic yards of material that would have to be taken out.

Mr. FORAKER. I did not know but that some one had done that. I have been told within the last twenty-four hours that it would cost more than a million dollars to make a harbor that would answer the necessities of a naval training station such as it is proposed we shall have at Lake Bluff.

Mr. [illegible]. Mr. President, I think that statement has been made [illegible] source.

Mr. FORAKER. It was not made by an engineer, but by a gentleman who has more information than I on some points of [illegible] at least.

Mr. [illegible]. Some gentleman who wanted some other site.

Mr. FORAKER. A gentleman interested in another site, it is true, but I think he is a gentleman who would tell me the truth about the matter, and since I have looked at the photographs I am prepared to believe what he said. I do not think any Senator who looks at those photographs will come to a different conclusion.

Mr. HOPKINS. I do not want the Senator to be governed entirely by photographs, however, as I said to the Senator from Wisconsin, because, as I said to the Senator from Wisconsin, I understands how the natural topography can be distorted by a photograph.

Mr. [illegible] for itself.

[illegible] at Racine, as I had [illegible] Lake Michigan, which [illegible] from all of [illegible] the Senator [illegible] Lake Michigan. It is a place that [illegible] have been built [illegible] that great city [illegible] any storm that might come. It is the best [illegible] for anchorage that there is on the Great Lakes, [illegible] clay, but I say, and the facilities for making a harbor there for small boats are described by the board itself as being of a very high order.

South of this great promontory or peninsula that runs out into the lake there is a slough running back a thousand feet. It is hardly above the level of the lake. It is 150 feet wide where it enters into the lake, and all that would be required to make a harbor there would simply be to dredge out that alluvial soil. You have your cutting all done, and if it was desired to continue the cutting a little farther they could isolate that great peninsula entirely and make an island of it. In one part of the report this board speaks of the great desirability of isolation in the situation for this school.

Now, Mr. President, I fear I am taking too much time, but I wish to analyze this report. I submit this proposition to the Senate. A careful inspection of this report will determine exactly what the Senator from Connecticut said on the floor a few minutes ago. This board has not decided in favor of Lake Bluff. It is true that in their final summing up they say they have. But, Mr. President, they are exactly in the condition in which a court finds itself when it has passed a judgment that is not sustained by the findings. The conclusion reached by the board is overturned by the findings of fact that are laid down by the board themselves, and I will ask the attention of the Senate to it. This is done in a somewhat ingenious way, and I do not intend to speak offensively when I use that adjective.

But on page 10 this board has summarized and tabulated these various sites with reference to four points of availability: First, population, which means accessibility to the school; second, physical characteristics; third, harbor facilities; fourth, cost of land. The arrangement of the sites in this table would warrant the conclusion of the board. But the error inheres in the tabulation. I prefer to take the several facts which have been found by the board and see if we can not make out another table, and it will be a very different table from the one which the board have arranged.

On page 6 of this document I find these several sites treated separately; and that is what I want to get at, the exact fact. Here is the Racine site:

No. 5. North Point, Site A.—Three miles north of Racine and 20 miles south of Milwaukee.

I hope the Senate will listen to this language:

Possesses very excellent—

Very excellent—

physical characteristics.

Why, Mr. President, that is a degree of commendation that is not conferred upon any other site in the list.

Very excellent physical characteristics and harbor accommodations.

Now, there are those two points, physical characteristics and harbor accommodations, very excellent—

and is favorably situated as regards population.

Now, you take the Lake Bluff site and see what they say about that.

The PRESIDENT pro tempore. The Senator will please suspend one moment.

Mr. QUARLES. Certainly.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

Mr. [illegible]. Let that be laid aside temporarily.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed with the consideration of the naval appropriation bill. The Chair hears no objection, and that order is made.

Mr. QUARLES. Now, Mr. President, I was going to read to the Senate what they say about Lake Bluff, on page 7:

Thirty-two miles north of Chicago. Has excellent physical characteristics.

They state the Racine site has very excellent characteristics. This one has excellent characteristics.

And well situated as regards population—

Saying nothing about harbor facilities.

Then I want to call attention to what they say on page 9. On page 9 they say:

As regards location, Racine and Racine rank first.

So there is another respect in which Racine is ahead of Lake Bluff, the possible location of which I spoke a few moments ago.

Now, farther down on page 9, they say:

[illegible] very favorably situated with reference to the [illegible] under the use of North Point and by possibly a [illegible] of dredging, could be converted into a completely protected [illegible] harbor.

That is how they deal with these respective sites

Mr. HOPKINS. Will the Senator read the next sentence right following that?

Mr. QUARLES. Why, with great pleasure.

Lake Bluff is similarly situated with regard to possessing a ravine that can be dredged out for small boats.

But at what cost? They are very careful not to enter on that field further than to make the naked statement that there is a ravine. Those photographs indicate that it might be dredged out; but in the case of Racine they go further and say that with a slight expense it might be made a commodious and safe inland harbor.

Mr. FAIRBANKS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Indiana?

Mr. QUARLES. Certainly.

Mr. FAIRBANKS. I did not observe whether the Senator read what was said in that paragraph with reference to the harbor at Michigan City.

Mr. QUARLES. I did not. I will, however, if the Senator desires.

Mr. FAIRBANKS. The Senator will notice that the board says:

The harbor at Michigan City would offer convenient protection.

Mr. QUARLES. That is right; and they rank that harbor above Lake Bluff in their report, as they should.

Now, Mr. President, having taken up the principal facts as this

board find them, I want now to turn to the tabulation that this board assumed to make, and the conclusions they have assumed to draw from those facts. That is found on page 10:

First choice as to population, Lake Bluff.

Second choice, Racine.

As to physical characteristics, Lake Bluff first, Racine second, although, by the facts that they found, they gave Racine far higher commendation than they gave Lake Bluff; but they arbitrarily put Lake Bluff in here as being more advantageous than Racine. When it comes to harbor facilities, Muskegon stands first, Racine second, and Lake Bluff third. In cost of land, Muskegon first, Muskegon City second, Racine third, Milwaukee fourth, and Lake Bluff fifth.

Now, Mr. President, that table is absolutely erroneous on their own finding and is impeached by their own showing. There is only one respect under the findings of this board wherein the Lake Bluff site is entitled to stand in the first class, and that is what they call "population." On the facts, the verdict should have gone in favor of Racine.

I wish to speak right in this connection of the matter of population, and I want to say that the technical, learned discussion that this board indulges in over the matter of population is a mere bit of special pleading that fails to illumine the subject.

The strip of territory we are considering starts with Chicago on the south, a city of 2,000,000 people, and it ends at Milwaukee on the north, a city of 325,000 people. Twenty miles south of Milwaukee is Racine, with 25,000 people; 10 miles below that, Kenosha, with 15,000 people; 15 miles below that, Waukegan, with ten or twelve thousand people, and so on.

Now, through that region runs the Northwestern system of railway, and no other. The genius that can devise a theory by which a given point in that continuous railroad line can be designated as more accessible than any other point in that same line, is certainly something surprising.

These two sites, Lake Bluff and Racine, are only 27 miles apart. Right in this densely settled region and right on the same railway and at either one of those points a school of this kind would be in touch with 4,000,000 people.

Now, that board lost sight of a very important fact when they were treating of population or accessibility of population to the school. What is it? At Lake Bluff there is only the one system of railway, the Northwestern Railway. At Racine there are two great systems, the Northwestern and the St. Paul systems, the latter having 6,000 miles of line that gridirons the whole Northwest. So there are two great trunk lines available there instead of one.

Not only that, sir, but at Racine there are two lines of steamboats that run out of that harbor every day in the year. The ice is broken, the harbor is kept open, so that there is access by those steamboat lines all the time. And yet this board assumes to put its finger down on that one little smoky spot down there called Lake Bluff and say that it has a material advantage in point of accessibility.

I say it is absurd, Mr. President. Any point along that line is equally situated, so far as accessibility is concerned, with Lake Bluff, and Racine is very much more accessible. At Racine they have a natural harbor made by a river that runs up many miles, which is decked, a harbor that has 21 feet of water, with all modern facilities, while 14 miles from Lake Bluff there is an artificial harbor made at Waukegan, where they have no stream whatever. They simply ran out into the open lake—a system of breakwater—and call that a harbor. And still this board has found that Lake Bluff ought to be preferred in point of accessibility to the site that we have offered them in Racine.

Mr. President, it might seem to an unprejudiced Senator that this was a very remarkable report for this board to have made, considering all the facts and circumstances of the case, but our people in Wisconsin are impressed that, as there is a reason for everything, there is a reason for this. Lake Bluff happens to be within the Congressional district of Mr. Foss, who is an able Representative in Congress. He holds a very honorable and high position at the head of the great Committee on Naval Affairs in the House. I want to say that he not only holds that place, but he fills it with eminent ability. He is a gentleman against whom I would not say one word and of whom I would speak only words of commendation. I can understand that it would be the most natural thing that this board of naval officers, or the Navy Department, might feel inclined to defer to his wishes in regard to the selection of a site.

But, Mr. President, it ought not to enter as a potent factor into this selection. My good friend, Mr. Foss, accompanied this board when they went up to examine these sites. He was in the special train. I do not think he went over to examine the Racine site; but he had sufficient interest in it, so that he was there presiding, if you please, with his superior influence, holding the purse strings of the Navy, as he does, while that board was proceeding to make these examinations; and the people whom I have the honor in part to represent here are convinced that this selection has been made not wholly upon the merits of the case, but that it would not have been located at Lake Bluff if it had not been within the Congressional district of my distinguished friend, the chairman of the Committee on Naval Affairs of the House.

Right in that connection I think this suspicion is fortified, Mr. President, by some correspondence that I hold in my hand. On the 4th day of August this board came to the city of Racine and went within a mile and a half of this beautiful site, looked across this bay, and got, of course, a general idea of the lay of the country; but yet they were pressed for time and did not go and make a personal examination such as was desired by the people who were advocating this site.

No member of that board came back until the 31st day of October, when the two junior members of the board came, Admiral Taylor not honoring the occasion with his presence. They then made a mere perfunctory examination.

The lights had been lighted in the farmhouses before they arrived, and they did make a cursory examination; but I want to call attention to the fact that on the 29th day of October—I want the Senate to keep the date in mind—the examination of the Racine site by the two junior members having been made on the 31st of October, on the 29th of October an order was given by the Navy Department to the Geological Survey to prepare a topographical map of this Lake Bluff site. Why? What was needed with a topographical map of the Lake Bluff site if the question of site selection had not been settled? The correspondence shows that the direction given to the topographer of the Geological Survey was as follows:

OCTOBER 31, 1902.

Mr. D. L. REABURN, *Topographer*.

DEAR SIR: You will proceed to Waukegan, Ill., and make a topographical map of the land [illegible] known as the Lake Bluff site, with a contour interval of a foot and the [illegible] of Lake Michigan and the harbor. [illegible] Lake Michigan and the harbor. A permanent bench mark will be established near the center of the site.

They were locating permanent marks there.

From this bench mark sufficient elevations will be determined [illegible] which will be determined.

Now, notice:

The object of the survey is to determine the adaptability of the property for a naval training station [illegible] the resulting map will form a basis [illegible]

They were not going to make improvements there before the site was selected—

[illegible] of the main stream or ravine which debouches into Lake Michigan from the tract of land.

[illegible] expense, including your salary, will be paid by the Navy Department.

I have here the remainder of the correspondence which resulted in that letter, but I shall not take time to read it. I may, however, ask to insert it as a part of my remarks.

Mr. President, I do not feel justified in detaining the Senate longer with these details, for I fear I have already wearied your patience. I have only to say that what we want, and all we want, is a fair, impartial determination of two questions: First, the selection by a suitable board, to be appointed by the President, of a site—my amendment says the most available site—together with definite information as to its cost and the cost of harbor improvements. We do not think that we are asking for anything unreasonable. If Lake Bluff is the better site, it can certainly stand another test of competition, and if Racine is not the best site, we have certainly no desire to press it upon the attention of Congress or upon this board.

Mr. FORAKER. Mr. President, I think the Senate is indebted to the Senator from Wisconsin [Mr. QUARLES] to an unusual degree for a discussion of this question in the elaborate and detailed manner in which he has presented it. It has been to me, ever since this report was made, inexplicable how the board which acted in this matter could have reached the conclusion the board did reach, but it has never occurred to me—and I will not accept that suggestion now—that that board has been at fault in any sense, except only in its judgment. I have the highest respect for Rear-Admiral Taylor, the most unlimited confidence in his ability as a naval officer and in his integrity as a man. With the other officers who are associated with him I do not happen to be

acquainted, and I can not, therefore, speak of them. But it is nevertheless, as I have said, inexplicable to me how they could have reached the conclusion they did reach. So much for that.

I want now to call the attention of the Senate, although the Senator from Wisconsin has done that in a very thorough way, to the instructions under which the board acted and to the rules laid down by the board for its own government in taking action, and to the departure from those instructions and those rules by the board for some reason or other, which it is not necessary for me to explain and which I am unable, as I have indicated, to explain. The first direction was given by Congress in the provision which it enacted. That provision was incorporated in the act of June 30, 1903, which has already been quoted, but I want to quote it again. It is as follows:

[illegible] Great Lakes. The Secretary of the Navy is hereby directed to appoint a board consisting of naval officers, whose duty it shall be to select a suitable site for a naval training station on the Great Lakes, and report their recommendation, together with such information as may be practicable, and the cost for which it can be purchased or acquired, and of their proceedings and actions to make full and detailed report to the Secretary, who shall transmit such report, with his recommendation, to Congress. For the purpose of carrying into effect the provisions of this paragraph, the sum of $[illegible] is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

In other words, Mr. President, this board, when appointed by the Secretary of the Navy, was to do, as the Senator from Wisconsin has pointed out, two things; but their action in that respect was not to be final, but was subject to revision by Congress. They were to take action, however; they were to make investigation; they were to ascertain all the facts; they were to determine in their own minds upon a site for this naval station, and they were to make report of that to Congress, together with the cost of the same, and, in other words, enough to enable Congress to intelligently act. Then it would be for Congress to say whether or not we approved the action of that board so appointed and so acting.

Now, in a certain sense and to a certain extent they have undertaken to follow those directions of the law. But, before I point out to what extent they have followed those directions of the law and to what extent they have departed from them, I want to call the attention of the Senate to the instructions given to this board by the Secretary of the Navy when he pointed out and directed them to discharge this duty. He was governed by the statute which I have read. When he had selected his board, he issued to them a letter of instructions, the substance of which letter is quoted at page 3 of the report of the board, which we have before us as Senate Document No. 45, second session Fifty-seventh Congress, in this language:

5. The Department's orders, based on the act of Congress, required the board to determine a proper location for the station with regard to the following conditions—

Now, these are the conditions, if the Senate please, that were prescribed by the Secretary of the Navy when he appointed the board and indicated to them the duties they were to perform and the conditions by which they were to be governed in the discharge of them:

(a) Ease of access to the point from thickly settled portions of the United States, in order that young men desiring to enlist shall not have a great distance to travel.

There is not anything of that kind in the law. That originated with the Secretary of the Navy. But that instruction was, I think, within the discretion of the Secretary of the Navy. I do not complain of it; I am only calling attention to the fact that it is the Secretary speaking in this instance, not the law, when he specifies what is meant by "ease of access" and why "ease of access" should be considered.

The first condition prescribed by the Secretary of the Navy is, therefore, that they shall consider ease of access, for the reason that he desires that young men wishing to enlist shall not have a great distance to travel in reaching that place from their homes.

Second, or "*b*" as they have it here—

(b) Ease of access and transportation from the point selected to the Atlantic coast, so that the facilities of the great railroad system can be transported to the great expense of the government in the [illegible] service.

(c) Convenience of harbor accommodations near the point selected.

I pass over, for the present at least, the second condition of the Secretary and call attention to the third—the convenience of harbor accommodations.

That is the third condition, one that the Secretary of the Navy expressly commanded them, in his letter of directions, to take into consideration, and which, if the Senator from Wisconsin [Mr. QUARLES] has been heard to any purpose, it appears they absolutely disregarded, for according to my information, and according to the exhibition made by these photographs, there is no harbor facility at all at Lake Bluff, the place selected, and there is not one word that I have seen in either of the reports made by this board in approval of harbor facilities at Lake Bluff, required by the third instruction given by the Secretary.

The fourth instruction is as follows:

(d) And also by such other considerations as may suggest themselves to the board as being pertinent to the duty.

With this broad precept in mind the board has been pursuing the investigation, which has led it to the conclusion given hereinafter.

Now, Mr. President, let us see whether or not they had that broad precept in mind. The language of the statute is that a board shall be appointed by the Secretary of the Navy for the purpose of locating a suitable site on the Great Lakes. There is nothing said about any part of the country being taken especially into consideration, and the language of the directions given to that board when appointed by the Secretary of the Navy is that they shall consider the question of a suitable site on the Great Lakes. There is nothing said about the West, the East, the North, or the South, and yet, with these broad precepts in mind, as the board said, they proceeded straightway to forget apparently that the whole country was embraced within the provisions of the law and the instructions of the Secretary of the Navy, and to commence to talk to us about the States of the Middle West, as though they alone were taken into the account as manifestly they alone were taken into consideration except only in the most perfunctory manner. Other States may possibly have been thought of to the extent of finding some way to exclude them.

With these precepts in mind, however, we will see what they did. They say:

The board considers that no site will be suitable as defined by Congress, unless it can be approached and possessed by the fleet of the naval militia.

Ah, I must commence back a little.

(a) The naval militia [illegible] Great Lakes possesses a great national advantage. [illegible] that no site can be considered suitable unless it can be approached and possessed by the fleet of the naval militia, [illegible] greater or lesser degree, [illegible] the naval militia [illegible] the Great Lakes [illegible] advantages that may be considered.

[illegible] a suitable site for a naval training station, therefore, consists in the determination of the location of this area of maximum desirability, and

Second. The selection of the best site within such area.

Now comes what I read a moment ago:

The board considers that no site will be suitable as defined by Congress, unless it can be approached and possessed by the fleet of the naval militia. [illegible] or maximum [illegible] of the following general principles, in the order of their relative importance:

Then they lay down the rules that are to govern them in determining in what general locality this site should be located. They are as follows:

First. The [illegible] to the center of population of [illegible] Great Lakes.

Second. [illegible] the Great Lakes.

Third. The [illegible] of the Great Lakes.

And so on.

The first complaint I make, Mr. President, is that they have prescribed a rule which was not authorized by the statute and was not authorized by the instructions of the Secretary of the Navy—that [illegible] in determining the location of the general locality or the territory within which it should be located, the States of the Middle West, instead of taking into consideration the States that border on these lakes.

Proceeding in that way they laid down, which was not required by the Secretary, quite a number of conditions that have been referred to by the Senator from Wisconsin [Mr. QUARLES]. I do not want to go over them in detail, but I want to point out that the first thing they did in taking the first step was to make Chicago a center of population, and then they proceeded to establish a zone, and the first zone suggested was one that included all the territory within a limited miles of Chicago.

Then they established a second zone, which included all the territory within 200 miles of Chicago, and then they looked in the census reports to ascertain what population was included, respectively, within these zones.

Then they established a second center of population at Toledo, Ohio, and then drew a like zone, including all the territory within 100 miles of Toledo, and then a second like zone, including all the territory within 200 miles of Toledo, their theory being that they were carrying out the first instruction of the Secretary of the Navy to locate it at such place as would give easy access to it for the young men who are to attend this naval training station in visiting it from their homes. In all this they treated population as the first consideration.

They came to the conclusion that only a zone at the outside 200 miles from the center of the point taken should be considered. Thereupon they proceeded to ascertain which was the preferable zone by consulting the census to see in which zone there was the greater population.

I am speaking now simply of the two zones to which I have referred—to the 200-mile zones of Chicago and Toledo. They find,

and so state in the map attached to their report, that the population in the Chicago zone was 8,651,216, while the total population included in the Toledo zone was 8,296,075, a difference of about 300,000 in favor of Chicago.

Mr. President, I do not need to stand here and contend that if a slight difference of population is to cut any figure, and if a zone is to be established by this board of arbitrary character, having reference to the ease of access, there is no reason why it should stop at 200 miles instead of 210 or 225 miles. The Toledo zone would be practically equally easy of access if the zone had been so enlarged. In other words, the size of the zone is purely arbitrary.

I call attention now to the fact that Lake Erie was entirely eliminated by this resort to zones, on the theory that the population was greater in the zone established about Chicago, and that was true by reason of the fact that the zone was limited to 200 miles instead of 210, or perhaps 205 miles, which would have changed it entirely.

If Senators will look at the map attached to the report, which is on their desks, I believe, they will see that the zone in question, which Toledo includes a population, as I have already pointed out, only about 300,000 less than that included in the 200-mile zone about Chicago. But they will also see that the zone in question drawn about Toledo stops practically just at the corporation limits of the city of Pittsburg. If they had extended it so as to make it a zone of 205 or 210 miles they would have included Pittsburg, and then there would have been a far greater population in the Toledo zone than there was in the Chicago zone. I do not know of any reason for excluding Pittsburg except to keep the population of the Toledo zone below that of the Chicago zone.

At any rate, that is a mere arbitrary regulation of this board, [illegible] by the prescribing of a zone, [illegible] that had been called to their attention as located on Lake Erie.

[illegible] that it got rid entirely of the consideration of Put in Bay. [illegible] the first rules they laid down, [illegible] of sites to the Chicago zone. The Secretary of the Navy did not [illegible] Congress did not [illegible] a zone; the Congress said: "Ascertain a suitable place." [illegible] and the report came back to us [illegible] said nothing about population, except only as that [illegible] in the population that there should be a [illegible] of the Secretary of the Navy [illegible] a zone just big enough for Chicago [illegible] Congress [illegible] if that had been [illegible] would have included Pittsburg, and that would [illegible] general to make a mistake. I have been [illegible] so complained that the Toledo zone would have had [illegible] in the first of these considerations.

The second consideration that the Secretary of the Navy directed that they should take into account was [illegible] from this naval training station. [illegible] cost of transporting those young men from the naval [illegible] the Atlantic coast when they are ready for service. [illegible] point the board finds in favor of Toledo. [illegible] would take Toledo off the map or change its relation [illegible] that while in the matter of population [illegible] give the advantage to Chicago, they [illegible] two positions of the two cities, and they had [illegible] quite a considerable difference in cost—some two or three [illegible] thousand dollars a year. I think—in favor of the [illegible] the naval training station were located in the Toledo zone [illegible] against the Chicago zone. The cost of transporting those young students to the Atlantic coast would be [illegible] there.

The next thing, Mr. President, to which the attention of the Navy called their attention, was harbor facilities. [illegible] by that? There is not a word of proof in either one of these reports, which I have been able to find, from these three naval officers about the harbor facilities at Lake Bluff. At Put in Bay, which is included within the Toledo zone, and for which I speak to the extent of securing a consideration by some fair and impartial tribunal, there is one of the finest harbors to be found anywhere on the Lakes. Fifteen feet out from the shore the water is 35 feet deep. It is only required to be some 15 or 18 by the rules and regulations which the board prescribes for its own government. There does not have to be any dredging there at all. The harbor is there, and it is not only capable to shelter all the navy we will ever have on the Lakes, but it needs no improvement, no dredging, no extension, no work upon it of any character whatsoever.

Mr. SPOONER. Will the Senator from Ohio allow me for a moment?

Mr. FORAKER. With pleasure.

Mr. SPOONER. If he will turn to page 9 of Document No. 45 he will note that the inaccessibility to a harbor on Lake Erie, because of the ice——

Mr. FORAKER. Because of the ice?

Mr. SPOONER. Because of the ice.

Mr. FORAKER. I was coming to that in a moment.

Mr. SPOONER. Has much to do with the exclusion of that area.

Mr. FORAKER. And so they go farther north into Lake Michigan to get rid of the ice!

Mr. SPOONER. Where there is no harbor at all to be obstructed by ice.

Mr. FORAKER. There is no trouble about ice in any harbors around Lake Bluff, because, as the Senator suggests, they have no harbor.

Here [exhibiting] is a picture of it. I heard only yesterday that there was no harbor at Lake Bluff. I [illegible] was a sort of bluff, but I am informed now that that information was reliable. Here we have, as was said by the Senator from Wisconsin, who put these photographs in evidence, the painting of the sun, which is as accurate in this case as in any other. It gives us an unexaggerated representation of what there is there. I see plenty of bluff; I see plenty of rocks; I see plenty of trees, and I see some brookwaters. Two or three of these photographs are misleading. You would probably also see plenty of water if we had them as I believe we.

[illegible] I do not see any harbor, and it is admitted, I think, that there is no harbor at Lake Bluff; and the reason why they say they selected Lake Bluff, although it has no harbor, is that no harbor is necessary, because [illegible] they are to be towed into the lake. We don't want [illegible] be towed. We are [illegible] I do not know [illegible] and such as have ever to work on a railroad will know [illegible] on the sea, by [illegible] harbor or the absence [illegible] for [illegible] There is none.

Now, what [illegible] that? I asked my informant if they would put small [illegible] in a harbor. [illegible] they not follow it? [illegible] said in the b[illegible] I do know, as I [illegible] they are to go to [illegible] n with [illegible] g. To [illegible] was needed when he [illegible] and I told the Senate what it [illegible] make a harbor there for $250,000. I am not an engineer, and my estimate is not worth anything, but as a [illegible] it. I venture the proposition that if you take Lake Bluff you will have a harbor of adequate facilities there at a cost of less than [illegible]

Mr. SPOONER. The Senator [illegible] to forget that in this [illegible] Lake Bluff is nearer Chicago than any of the other places, harbor facilities are entirely unnecessary.

Mr. FORAKER. That seems to have been a sufficient explanation for the board, but I have not heard of anybody else being satisfied with it.

Mr. HOPKINS. I should like to say that Lake Bluff has as good harbor facilities as Racine.

Mr. SPOONER. Have you ever been at Racine?

Mr. HOPKINS. Many times.

Mr. FORAKER. How does it compare with Put in Bay?

Mr. HOPKINS. I will discuss that later, but Put in Bay has been put out of the question by the report made eighteen months ago.

Mr. FORAKER. Ah Mr. President, Put in Bay was put out of the question because they drew a zone, having reference to population, which stopped at the outskirts of Pittsburg, and thus excluded what would have put Put in Bay in the front. I suppose there are many in Pittsburg who would like to go to the naval school, and that that city will contribute students as liberally as Chicago, in proportion to her population. I have no doubt of it. Then why arbitrarily exclude that city?

I call attention to that because manifestly the zone thus established was an arbitrary one. I do not attribute it to any improper bias of judgment and a desire to get away from the consideration of all the sites on Lake Erie and confine consideration to Lake Michigan. Certainly from every other point of view that we have discussed, Put in Bay is as good a place as, and a better place than, many of the others, and certainly a great deal better than Lake Bluff. Put in Bay has no more than Lake Bluff has. Put in Bay has a harbor, and Lake Bluff has none. Put in Bay has a harbor that does not need any dredging, that does not need any improving, any extending, any expenditure, with [illegible] of water 15 feet [illegible] the shore line. It is a [illegible] harbor, [illegible] location. There are [illegible] to dig away, no [illegible] to do. The natural conditions are not excelled by any place that has been suggested, and there is no comparison between the natural conditions at Put in Bay, so far as the topography of the surface is concerned, and the condition we find at Lake Bluff.

Now, the board [illegible] considered rainfall. That is practically the same in the two places. They considered temperature. That is practically the same at the two places, only in so far as there is a difference it is in favor of Put in Bay. So it was on everything else. The only thing as to which Lake Bluff has any advantage over Put in Bay is that it is nearer to Chicago, and it is on Lake Michigan, and they wanted to locate it on Lake Michigan, according to their report, because of strategic reasons.

Now, Mr. President, what are the strategic reasons which induced this board to pass by such places as Racine and Put in Bay, leaving them entirely out of the selection—Racine being [illegible], Put in Bay cut off absolutely—the whole of Lake Erie excluded? What is the reason why they did that?

They thought Lake Michigan, inasmuch as it was surrounded on all sides by American territory, was a safer place for these naval students: that is, the station would be safer from attack in case we get into war with some foreign nation. I suppose they mean with Canada.

In the first place, I do not believe we will ever get into war with Canada or England, and if we did I do not believe the station would be in any danger, no matter where it might be along the lake shores.

Mr. ALGER. It would be near the scene of war.

Mr. FORAKER. And if it were near the scene of war, as the Senator from Michigan suggests, that is exactly where we would want it to be. So I say there is nothing that appeals to me, however much it may appeal to others, in the suggestion that Lake Michigan should be preferred because of strategic reasons.

But there is another consideration here which ought not to be overlooked. This board tells us with great particularity of the shifting sands of Lake Michigan; how the winds blow and the harbors fill up, and how there are bars of sand here and there and everywhere almost, near the shore. That is an important consideration. There is no difficulty of that kind at Racine, as I understand, and there is no difficulty of that kind at Put in Bay.

But, Mr. President, I do not care to pursue this matter further. I have said enough already, if I have spoken to any purpose, to show that this board's report should not be accepted by the Congress of the United States. We ought not to appropriate $250,000 to establish a station in accordance with their recommendation, as I understand it to be, that we shall locate this station at Lake Bluff.

I am, therefore, in favor of a new authority which shall determine this matter, or a new board who may determine it. The Senator from Wisconsin [Mr. QUARLES] in that behalf presents an amendment. It is an amendment which, as it now stands, I can not support, but I understand the Senator is willing to enlarge it so I can support it. What I call attention to is that his proposed amendment follows after the committee amendment. The committee amendment restricts the location of this site to the shore of Lake Michigan.

Mr. SPOONER. I suppose the Senator from Ohio would like to put in Put in Bay.

Mr. FORAKER. I would rather have it put in than to have it left out. But I do not expect the Senate to agree with me in naming Put in Bay at this time. But if I get a chance to present the merits of Put in Bay to some authority that will give me a fair hearing, I will give Racine a hard tussel for it at least. I think Lake Bluff will be out of it as soon as we put it out here; but I may be mistaken about that. I am speaking only from the information I gather from the report and from what has been said here by others.

I want the committee amendment so changed, therefore, as to provide that the naval training station shall be located on the Great Lakes, just as the law provided. I do not want any "Middle West," or anything else, about it, and then, with the amendment of the Senator from Wisconsin following in the form in which it is now, I shall support it. But if we can not secure the adoption of that amendment, I am about ready to vote against the amendment and want it to go out of the bill altogether, for I have heard enough and I have seen enough, as a result of my investigation of what this board did, to cause me to lose confidence in their judgment.

I would not vote away [illegible] to be expected, from the report that has been made to me. I would not vote for it, because the board have evidently not heard disinterested testimony of the Secretary of the Navy, and they have given them, and they have disregarded the rules and conditions prescribed by the Congress to a certain extent and so without any satisfactory explanation [illegible] I have no confidence they would not have thought I was doing right in voting for this appropriation. I do not [illegible] I say, I will support the amendment of the Senator from Wisconsin, changed as I understand he is willing to change it; and if that can not be done, I want the whole thing to go out and thus leave it [illegible] amendment of any kind.

Mr. HOPKINS. Mr. President, I desire to submit a few observations [illegible] in support of the suggestions which have been made by the Secretary of the Navy. There are two questions pending before the Senate. The first is the amendment proposed by the Naval Committee, and the second is the amendment offered by the Senator from Wisconsin [Mr. QUARLES] to the amendment. I desire specifically to call attention to the fact that the Senator from Wisconsin desires in this amendment of his not only to do away with the report made by this board appointed by the Secretary of the Navy, but to have all this work gone over again by a new board, and instead of limiting the board to naval men who are familiar with this matter and who can exercise great intelligence upon the subject, it simply authorizes the President to appoint a board consisting of not less than three men, none of whom shall be residents, etc.

As I observed earlier in the debate, this language leaves it so that politicians may be appointed or military men, men from civil life, and of course the President would have a right to appoint a naval board. Secondly, I desire to challenge the attention of the Senators to the fact that instead of following the language of the original resolution, which directed the Secretary of the Navy to appoint a board composed of naval officers, whose duty it was to select on the Great Lakes a suitable site for an additional naval training station, etc., this provides that in addition to that they shall report the probable expenditure which will be necessary for improving the same, including lake shore protection and the construction of necessary harbor improvements.

After listening to the argument which has been made here today by the junior Senator from Wisconsin it is quite obvious that this resolution was so framed as to exclude Illinois entirely and practically to leave the site of Racine the only site that could be taken.

It is not my purpose to note all of the objections that were made by the honorable Senator from Ohio [Mr. FORAKER] and by the honorable Senator from Wisconsin [Mr. QUARLES]. It is important for us to understand the object and purpose of this proposed legislation. The time was, as all Senators understand, when our sailors were taken from the Atlantic coast. Men who lived along the Atlantic coast and were familiar with the sea were the men who were selected for this duty in the Navy, but under the conditions of modern naval warfare it was found that the men who are brought from the interior make as good sailors and are better in some ways than the old time sailors who were selected from the seacoast.

It has also been found important in the development of our Navy to establish naval training stations in different sections of our country, and many years ago Congress provided that one should be located at Newport, R. I., and later that another should be located on the Pacific coast, on an island in San Francisco Bay. The naval station in San Francisco Bay is provided for largely by young men living in the section west of the Rocky Mountains, and the one at Newport largely by young men living in the New England and Eastern States. It has been found important that a

[illegible] should be established along the Great Lakes, so as to reach the great Mississippi Valley, containing a population of [illegible] people.

[illegible] is not a school, as the Senator [illegible] Lake Michigan. [illegible] Lake Huron, Lake Superior, Lake Erie, Lake Ontario, Lake Michigan, Lake Superior, Lake Erie, Lake Huron, Lake Michigan, Lake Superior, Lake Erie, Lake Huron, Lake Michigan, Lake Superior, Lake Erie, Lake Huron

statement of the Senator from Wisconsin on the question of its being a manufacturing site. I submit, if the Senate please, that that statement made by him, contradicted as it is by the report of this board, gives a clear insight to the entire statement that has been made.

For some reason that is entirely unknown to me, the learned Senator seems to think that Illinois ought not to have this site, and seems to think that any argument that may be produced or any letters presented here from outside and irresponsible parties should influence the vote of the Senate as against the report of these men, selected in the careful manner I have indicated. He was good enough to say that at Waukegan there were a glucose factory and the American Steel Works, that interfere with the atmospheric conditions there.

Mr. President, that is the first time, living in Illinois, as I have for fifty years, knowing this locality as I do, being entirely familiar with it, that I ever heard that statement made. When he says that the mayor of Lake Forest is complaining of this, I want to say it is the first time that my attention, or I believe the attention of the people of that beautiful city, was ever called to such a condition.

Lake Forest is a city that is populated by millionaires. The finest homes in Illinois are located there. Do you suppose, or does anybody suppose, that if the stenches and smells from glucose factories, or the smoke and noise from the American Steel Works interfered with that locality, men worth millions of dollars would invest their money in their homes, as they have in Lake Forest?

Now, Mr. President, the location of the glucose factory at Waukegan is 4 or 5 miles away. I have some knowledge of the manner in which a glucose factory affects the general public. In the little city of Geneva, in the county in which I reside, there is one of the largest glucose factories in this country, located on Fox River, where all the refuse matter is thrown into that river, as the gentleman claims the refuse matter from this glucose factory is thrown into Lake Michigan. I live but 10 miles below, on the same river, and we have never noted any befouling of the waters of the river, and we have not noted any change in the atmospheric conditions by reason of the location of that glucose factory at Geneva.

I am sure that with such a great body of water as Lake Michigan to care for any refuse matter from this factory it is trivial to urge the argument here that the location of a glucose factory in Waukegan should be a bar to the selection of this naval training station at Lake Bluff.

Mr. President, as I have said, when you come to examine the reports that have been made here it shows the painstaking care that was indulged in by the board in collating the facts and in presenting them to the Secretary of the Navy and to Congress.

One of the great points, it is said by the board, why Lake Bluff should be selected is because of its proximity to Chicago, a great center of population. The Senator has made much of harbor facilities. Now, that is the argument of a landsman, and I say that in no offensive sense. I want to call the attention of Senators to the view of naval men as compared with the statement of my honored friend on the question of population and harbor facilities. They say on page 4 of their report:

> However important and desirable this matter of harbor facilities is, it is completely overshadowed—

Mark the language—

> completely overshadowed by the element of population, which is of the first importance, as was shown heretofore, for while the general harbor facilities add to the attractiveness and usefulness of the station and to the value of the instruction given and to the enjoyment of those undergoing training, this is a secondary matter.

Now, my honored friend from Ohio, as well as the Senator from Wisconsin, has maintained here that the harbor facilities were of the first importance; but these naval men, who are the best judges upon this subject, say that the harbor facilities are of secondary importance and that proximity to population is of the first importance.

The board say that harbor facilities are secondary matters—

> as compared with the controlling condition, viz, that the site should be so fixed as to secure the greatest possible number of young men for the country's service.

In connection with that I desire to call the attention of Senators to what Chicago has done in the way of furnishing sailors to man our great war ships as compared with Racine. I have a statement here showing the number of men enlisted for the fiscal year ending June 30, 1903, giving the names of the cities and towns where they enlisted, and also the number enlisted in each State. I find by turning to that that Chicago during that fiscal year furnished 655 men who went into the naval service.

Mr. NELSON. Mr. President——

Mr. HOPKINS. One moment. I find when I turn to Wisconsin that Racine furnished 7.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Illinois yield to the Senator from Minnesota?

Mr. HOPKINS. With pleasure.

Mr. NELSON. In reference to that statement, I want to call the attention of the Senator from Illinois to the fact that the recruiting station was at Chicago, and probably the boys of the country who wanted to enlist—I know it was so in my own State—were compelled to go to Chicago to enlist. When the Senator quotes the number enlisted in Chicago he evidently includes about two-thirds of those who enlisted from that section of the country, simply because they were obliged to go to the place where the recruiting station was located. I know many instances where boys wrote to me that they wanted to enlist in the Navy—there was for a short time a recruiting station in St. Paul, but it was not continued—and they had to go to Chicago.

Mr. HOPKINS. Yes; but my impression is—although I do not state as a fact—that whenever a young man enlists in the Navy, if he goes to the recruiting station in Chicago, he is not credited as a Chicago recruit, but his city and State are given the credit of that enlistment. The report I hold in my hand shows that all the various States in the Union are included, and it shows the quota as presented by each State. Chicago furnished 655 men. I find that Illinois gave to this service during the fiscal year ending June 30, 1903, 733 men, and that the State of Wisconsin gave only 187 men. I have inferred from that that when these young men enlisted the States and the localities from which they came received full credit.

Mr. FORAKER. If the Senator will allow me, I have before me some figures showing the enlistments, and I should like to read them if it would not interrupt the Senator.

Mr. HOPKINS. I will close shortly.

Mr. FORAKER. Very well. I will, however, avail myself of saying now that the Chicago zone has no advantage over the Toledo zone in the matter of enlistments—taking in Pittsburg.

Mr. HOPKINS. But Pittsburg is tributary to the station at Newport, and the object of locating these training schools, as I say, is to reach the greatest number. As we have one of these schools on the Pacific coast and another on the Atlantic—and Pittsburg is nearer to the Atlantic school, the one located at Newport—it is to the interest of the Government, in my judgment, that the other school should be located somewhere on Lake Michigan; if not at Chicago, then at Racine or at some other good point on Lake Michigan.

Mr. President, I have just called the attention of Senators to the fact that this naval board does not regard harbor facilities as of primary importance. That is a matter of secondary consideration. The reason for that is that these young men are only kept at the school five or six months and that the training while at the station is largely military.

The Lake Bluff Harbor is, I think, quite as good as that at Racine, and in support of the statement I make I call the attention of the Senator from Wisconsin to the statement made by this board on page 9, where it is said:

> The harbor at Michigan City would offer [illegible] protection. For small-boat protection Racine is very favorably situated with reference to the natural protection afforded under the lee of Northwest point and by possessing a ravine which, with small amount of dredging, could be converted into a thoroughly protected inland harbor. Lake Bluff is similarly situated with regard to possessing a ravine that can be dredged out for small boats.

My understanding is that all that is necessary for a harbor where one of these training schools is located is for small sailboats and rowboats. The young men are simply trained in a military way, with a small amount of exercise with rowboats and sailboats for a few months, and then are sent to the great battle ships and cruisers, where they can get the sea service.

Pettibones Creek, that runs down there, furnishes a natural harbor. My honorable friend from Ohio [Mr. FORAKER] says it will take a million dollars to dredge it. Why, Mr. President, I am sure there is no man who regards his reputation as a civil engineer who would make a statement of that kind.

Mr. FORAKER. Mr. President, as the Senator has announced that only rowboats will be required, I withdraw my statement. [Laughter.]

Mr. HOPKINS. The amount that would be required for this purpose is small. It may be a few thousand dollars, but certainly it can never reach the amount which has been indicated by the Senator from Ohio.

In every other respect, Mr. President, Lake Bluff furnishes every condition that is required in the instructions given by the Secretary of the Navy, and every condition that has been suggested by the board itself.

The amendment which has been offered by the Senator from Wisconsin presents no light matter. The men who form this board and who have made this report took these positions not by their own seeking. They were selected by the Secretary of the Navy. They have gone on in an honest and faithful way to perform their duties; they have made a report here which, in my judgment, is entirely in harmony with the facts which have been presented by them. I see no reason why they should be disgraced; why the Secretary of the Navy should have his views and opin-

ions disregarded by having the report set aside, this board ignored, and a new board appointed. For those reasons I am opposed to the suggestions which are made in the amendment itself.

I believe, Mr. President, that we should adopt the report that is here or direct the Secretary of the Navy by proper legislation to go on and make further investigation, that this selection of a naval school site, instead of being a great national matter, will develop into a sectional contest between States, or perhaps between political parties—a thing that is to be deplored.

I have seen some [illegible] would have raised his voice in objection, a Wisconsin site had been selected. I feel sure that the Senator from Illinois in other instances of this character would have raised his voice in objection if some site had been selected in Indiana or Michigan; and I see no reason why a matter of this kind concerning the interest of the people and somebody in [illegible] should not receive the approbation of the members of the Senate.

Mr. SPOONER. Mr. President——

Mr. FORAKER. Will the Senator allow me to put the figures I have here in the RECORD?

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Ohio?

Mr. SPOONER. I do.

Mr. FORAKER. I will take but a moment of the Senator's time. The figures to which I refer have been taken from House Document No. 6, Fifty-seventh Congress, first session, published in a speech made by Mr. [illegible] in the House of Representatives, which appears in the [illegible] February 20 last. The figures I will not stop to read, but I will ask to have them inserted in the RECORD just as they are. They show the number of naval enlistments at Chicago, Pittsburg, and the other various cities included in the respective territories that we have been talking about.

Mr. HOPKINS. During what period?

Mr. FORAKER. During last year. They show, I will tell the Senator, a decline in enlistments in the Chicago territory and an increase of enlistments in the other territory.

Mr. HOPKINS. That is an additional reason, I will say to my friend, why we should have the naval training school near Chicago as an inducement toward increasing the enlistment of the young men of the country there.

The figures referred to by Mr. FORAKER are as follows:

Naval enlistments in Lake Michigan and other Illinois and Wisconsin cities and towns for 1903.

Chicago, Ill	655
Muskegon, Mich	1
[illegible]	[illegible]
Milwaukee, Wis	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Other Wisconsin cities	[illegible]
Total Illinois, Wisconsin, and all Lake Michigan cities	1,[illegible]

A falling off of more than 25 per cent over 1902.

There is no longer a permanent naval enlisting station. There are no permanent stations at any place within the Lake Erie zone.

Naval enlistments in Lake Erie and other Ohio, eastern Michigan, and western Pennsylvania cities and towns for 1903.

Detroit, Mich	128
Saginaw, Mich	79
[illegible]	[illegible]
Toledo, Ohio	118
Sandusky, Ohio	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	251
[illegible]	[illegible]
Pittsburg, Pa	2[illegible]
Titusville, Pa	1[illegible]
Total for Lake Erie, eastern Michigan, western Pennsylvania, and Ohio cities	1,279

A gain over 1902 of more than 35 per cent.

Mr. SPOONER. Mr. President, I could not, if I would, occupy much of the attention of the Senate in discussing this question. It is but a fair concession to my colleague [Mr. QUARLES] to say of his observations that he has left nothing new to be said. I desire to reply, however, briefly to certain observations made by the Senator from Illinois. Mr. President, I am not inclined to challenge the responsibility or integrity of citizens of Racine who oppose his view as he is to land without limit the persons who sustain him.

The Senator is not unwilling to accept as a truthful representation of this business the statements which have been exploited here. He thinks that the photographers who took the Lake Bluff photographs are irresponsible and not at all to be relied upon.

Mr. HOPKINS. I do not desire to interrupt the Senator; but is it not a little remarkable that they should have gone to Wisconsin to get a photographer to take a photograph of Lake Bluff?

Mr. SPOONER. It is not at all remarkable that the people of a prosperous city in Wisconsin, who felt that the examination of their site had been an unfair one, an entirely inadequate one, and that the selection of Lake Bluff was without justification from any standpoint, should have sent a photographer with his instruments to Lake Bluff to take some photographs of that point, its relations to the water, and its availability for the purpose for which it was chosen; and no one looking at these photographs can question for a moment, they having been taken from different points of view, their accuracy, or the demonstration which they afford that that is not the proper place, Mr. President, for a naval training school, in my judgment, wherever else it may be put.

The Senator from Illinois is affected by, I think, a sort of mental aberration when he comments upon this amendment. He tells the Senate in mention of consideration Lake Bluff. Wherein?

Mr. HOPKINS. Mr. President, I said it rules that out on the assumption of the correctness of the statement of the junior Senator from Wisconsin [Mr. QUARLES], who made the very point against Lake Bluff that is included in the resolution.

Mr. SPOONER. Rules it out Mr. President, only if a commission appointed by the President, should this amendment be incorporated in the law, upon an examination of all the sites, reports that it is not the best. It does not exclude, upon the statement of the Senator from Illinois, Lake Bluff from the class of eligible locations. If Lake Bluff is found by the commission, if one shall be appointed, the most available site, there is no reason whatever for supposing that Lake Bluff will not be chosen.

That is not the trouble, in my judgment, with the Senator from Illinois in his criticism of this amendment, because it is my conviction that he knows, as I think I know, that on these papers as they stand and this amendment, as reported by the Committee on Naval Affairs, Lake Bluff is already selected.

Mr. MALLORY. Will the Senator from Wisconsin allow me to ask him a question?

Mr. SPOONER. Yes.

Mr. MALLORY. Does the Senator know that Lake Bluff is already selected? I notice that in the recommendation of the board it is proposed that hereafter some site within the limits they prescribe must be selected by the board provided by the act of 1902.

Mr. SPOONER. Yes; but the board has made its report. The board has reported five suitable sites, and it has given as its first choice Lake Bluff. If that represents the ability of the board and the judgment of the board, is there any warrant for the assumption here that the Secretary of the Navy, proceeding under this bill, amended as proposed by the committee, would overrule this board and select a site other than Lake Bluff? Upon what theory may that be said?

Mr. President, the Senator from Illinois is mistaken, so far as my colleague and I are concerned, in considering this simply a controversy between Lake Bluff and Racine. I took some interest, in the first place, in the provision for the selection of a site for a naval training station on the Great Lakes. It came to the Senate in the naval appropriation bill from the House. When that bill was reported back to the Senate that provision was omitted.

I know of no Senator here but myself who took interest enough in the matter to seek its restoration. I did not take that action, Mr. President, with reference to Racine. It is not a Wisconsin question; it is not an Illinois question; it is not a personal question. It is a question which interests the people of the country, who will bear the burden of expense, and he would be a very narrow minded legislator who would not desire that in the end the selection should be adopted which from a naval standpoint, all things considered, would best conserve the general public interest. Mr. President, that is what we hope to accomplish if the Senate will adopt this amendment.

No one need make, as the Senator did, an elaborate argument here in favor of a naval training station on the Great Lakes. That argues itself. But it is important that it should be wisely selected, and all through these proceedings, without any purpose whatever to do injustice to the Board or injustice to anyone, or without impeaching motives, it is difficult, Mr. President, to reconcile the conclusions here with wise judgment on the part of the Board, because one thing is perfectly clear: the argument does not support its conclusion, and you can explain the meanderings of the business from first to last upon no hypothesis—or I can not—which is entirely satisfactory from the public standpoint.

Congress did not submit to the Secretary of the Navy or to this board the ultimate decision as to a site for a naval training station. It did say upon the Secretary of the Navy and upon the board to be appointed by him a plain duty, which can not be read out of the law. It was a duty to appoint a board which should do what? Travel over the Great Lakes, go to Muskegon, find it healthful, find it with the very best harbor of all the sites, so far as their report goes, in every way adapted to a naval training station, but not near enough to Chicago, and therefore to be excluded?

Go through these reports and you will find from the beginning a narrowing of the sky, drawing it closer and closer and closer until it draws down around Lake Bluff substantially.

This board confirms by its judgment, as one of the necessary elements to be considered, what was embodied in their instructions from the Secretary of the Navy, to wit, harbor facilities; and yet they make an argument later, utterly inconsistent, to entirely overrule it. They first make a zone, excluding a vast number of sites for one reason and another; then they go on to Lake Michigan and they make a zone there.

They "fence in" a few sites, leaving one in Wisconsin to be considered, and one in Illinois. These are reports almost a year apart, and there was no examination of sites at all between the first report and the last one—none whatever. How do you account for the delay? The Senator from Ohio [Mr. FORAKER] called attention—and he never misses anything which will sustain his proposition—to the order laid by the Secretary of the Navy upon the board as to the elements which should be considered in selecting the site. First:

Ease of access to the point from thickly settled portions of the United States.

Is not the region from Chicago to Milwaukee, from the standpoint of the West, a thickly settled portion of the United States? Was it the idea of the Secretary of the Navy that the site must be selected as near as possible to the city of Chicago, in order that the boys and young men at the naval training station for instruction and training should spend their nights and their short leaves of absence in Chicago? I fancy not. I think if you would consult the fathers and mothers of the country, whose sons are to go from the farms and out of the villages for a life upon the sea and for preliminary training at a naval training station, they would rather have it farther from the slums and temptations of a great city than nearer to them.

Mr. HOPKINS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Wisconsin yield to the Senator from Illinois?

Mr. SPOONER. Certainly.

Mr. HOPKINS. If it will not interrupt the Senator, I want to suggest that Harvard, the greatest educational institution in the country, is right near Boston; and we have in Chicago the University of Chicago, with four or five thousand students, and the Northwestern University, two of the greatest universities in the West.

Mr. SPOONER. There is an esprit de corps in colleges; there are safeguards for the students in colleges. This is a band of young men who come from over the country, from Wisconsin, and other States to the naval training station—a different thing from one who goes to college.

Ease of access and transportation.

That is another thing. Third—

Convenience of harbor accommodations near the point selected.

(*d*) And also by such other considerations—

Among the three points "nominated in the bond" by the Secretary of the Navy," the third one was harbor facilities. Now, my friend the Senator from Illinois says that is a matter of no consequence.

Mr. HOPKINS. Mr. President, the Senator is entirely mistaken. I simply quoted a rear-admiral of the Navy, a lieutenant-commander of the Navy, and one of the brightest civil engineers of the Navy Department. I differed in my statement from the Senator in that respect. I gave my authority.

Mr. SPOONER. Mr. President, the first time it seems to have occurred to these naval officers or anybody else that it was a matter of no consequence whether a naval station was 40 miles from water or not was when they felt bound to come to that conclusion because of the proximity to Chicago of Lake Bluff, which has no harbor facilities, either present or possible, to be considered at all adequate. Did they exclude that item from their consideration? Take their major premise and their minor premise about this little matter, and, like the Kilkenny cats, put side by side, they eat each other up.

The board itself, after reciting the instructions of the Secretary of the Navy, state their own views as to the necessary elements to be considered in the location of a site; and they say about that:

There should be a good natural or artificial harbor convenient for both large and small vessels, having not less than 18 feet of water, and easy of egress and ingress.

They agree with the Secretary of the Navy, only "more so." Harbor facilities averaging 18 feet depth of water are not for skiffs or canoes.

The harbor or channel should be self-maintained and should not require continual dredging.

Look at this ravine at Lake Bluff [exhibiting photograph]—a pocket. It would hardly do for a duck pond, unless you dredge and cut through the hills back of it. [Laughter.]

Mr. HOPKINS. That was taken by a Wisconsin photographer.

Mr. SPOONER. I think a Wisconsin photographer would take a very handsome picture of the Senator from Illinois. [Laughter.]

Mr. HOPKINS. Judging from that, I would not want him to try it. [Laughter.]

Mr. SPOONER. If you stood on Lake Bluff when the picture was taken, I do not think you would.

Mr. HOPKINS. I do not think anybody would recognize it if that photograph is a fair sample of their work.

Mr. SPOONER. The Senator from Tennessee [Mr. CARMACK] is looking at the picture. I will ask him what he thinks of it as to harbor facilities?

Mr. CARMACK. There is no water there.

Mr. SPOONER. That does not make any difference. [Laughter.]

Mr. CARMACK. If it was macadamized, it might do. [Laughter.]

Mr. SPOONER. It is a matter of no concern now that the naval training station should be where they can get in and out with boats, because it is a *military* drill they have there. Why not locate it on some beautiful plain a hundred miles or so from Lake Michigan or any other body of water?

It is only for military drill! But the officers composing this board upset that. Just think of it! I ask my friend the Senator from Maine—he need not answer me—the chairman of the Committee on Naval Affairs, to think of a naval training school as to the location of which proximity to water is of no consequence.

"Mother, may I go out to swim?"
"Yes, yes, my dearest daughter;
Hang your clothes on a hickory limb,
But don't go near the water."

[Laughter.]

Training young men to be sailors to defend the flag on the sea, and in the preliminary training school where they get their first experience to fit them for the water, it is a matter of no consequence whether they can get in or out to the water! Of course it seems to be sufficient——

Mr. HOPKINS. Will the Senator from Wisconsin allow me?

Mr. SPOONER. Certainly.

Mr. HOPKINS. I should like to ask the Senator if he has ever visited either of the training schools now in existence in this country?

Mr. SPOONER. No.

Mr. HOPKINS. Does he know anything about the character of the training that is had at either of those places?

Mr. SPOONER. No, not much; except what I have read.

Mr. HOPKINS. I judged he did not from the statement he made.

Mr. SPOONER. But I think it more important that the men who are to go down to the sea in ships should be able to get from the naval training school to navigable water than that they should be able quickly to get to Chicago.

Mr. HOPKINS. It is not a question of getting to Chicago, nor is it a question of getting to the water. It is a question of disciplining and training these men for a period, as I stated, of about six months; and in this country, in both of our schools, and at Portsmouth, England, the training is on the land.

Mr. SPOONER. I do not believe you could get an English sailor to have all of his preliminary training on the land.

Mr. HOPKINS. Go to Portsmouth and see.

Mr. SPOONER. I have been to Portsmouth.

Mr. HOPKINS. They have everything so arranged there, and have the deck of a ship fixed, with the guns and everything of that kind, on the land, where the boys are trained, instead of putting them on ships. After the preliminary training, then they go to the battle ships and get all of the sea service they need.

Mr. SPOONER. Then the Senator demonstrates that the amendment which the committee reports is not adequate, and the Senator from Maine should, if this is to stand as the judgment of the committee, report an amendment making an appropriation for the construction of a battle ship in that ravine [laughter], so that the student can jump from the bank onto the battle ship and off again onto the bank and toward Chicago.

What does the commission say about this?

The matter of harbor accommodation—

Now, this is the first minimization of the element of harbor accommodations and facilities. I do not know how it happened. I would not for all the world impute an impropriety to the distinguished chairman of the Committee on Naval Affairs of the House. I do not for one moment doubt his word when he says that he never said a word to influence this board. That was not necessary. But the fine presence, the charming smile, the affability, and incidentally the official power in reference to naval legislation of the distinguished gentleman who was so eloquently, but unnecessarily, defended by the Senator from Illinois, carries with it a hypnotism that the average man can not resist. [Laughter.]

Mr. HOPKINS. Mr. President——

Mr. SPOONER. Now, if the Senator——

Mr. HOPKINS. Just a word. I wish to ask if the Senator from Wisconsin thinks Rear-Admiral Taylor, the head of the Bureau of Navigation, is a fit man for the place he holds; if he would be influenced by personal considerations in favor of the chairman of any committee of either House of Congress in the discharge of a public duty like this?

Mr. SPOONER. The gentleman from Illinois influences everybody with whom he comes in contact——

Mr. HOPKINS. Oh!

Mr. SPOONER. By that benignant smile of his, his grace of carriage, and all that. They have influenced me.

Mr. HOPKINS. I see they are doing it now.

Mr. SPOONER. I think if Lake Bluff should be selected as the place for the naval training station, there ought to be a statue of the distinguished gentleman erected there, and I know the passengers on the ships as they go up and down——

Mr. HOPKINS. Up and down the ravine?

Mr. SPOONER. Yes; up and down the lake would think from his stalwart form that it was a statue of Lief Ericsson or some other distinguished navigator.

But here is what the commission say:

The matter of harbor accommodation is an important one as affording opportunity for small-boat exercises and a haven of refuge from storm and for large practice vessels if any should ever be assigned the training station.

I suppose that in the long reach of time it may be possible that a small practice vessel will be assigned to that naval station. That is, I would have supposed so had I not been officially informed here that this naval training station has no relation to the water, but is to afford simply instruction on land.

Mr. DRYDEN. Horse marines.

Mr. SPOONER. Horse marines, the Senator from New Jersey says. Think of how much of a "larger practice vessel" could you jam into that ravine. They could not get it out, although they might build it in.

However important and desirable this matter of harbor facilities is, it is completely overshadowed by the element of population, which is of the first importance, as was shown heretofore.

That flies in the face of the Secretary of the Navy, and it does not commend itself, I submit, to the judgment of any sensible man. Think of this proposition boiled down as between Muskegon, with a fine harbor, if you please, fairly accessible, in a prosperous and great State. Take Racine, where a harbor, the board reports, can be easily constructed; and the Senator from Illinois is entirely wrong when he says the possibility of harbor construction at Wind Point is the same as at Lake Bluff. At the Racine location there is a swamp 150 feet in width at the mouth of the nearest lake. It runs in a thousand feet. It is soil which could be easily dredged and is on a level with the lake. At a small cost an adequate harbor could be made for any use which could be imagined at a naval-training station. Compare that with this ravine. [Exhibiting photograph.]

Mr. HOPKINS. Do not show the Wisconsin photograph. I do not want to see it.

Mr. SPOONER. I do not wonder that the Senator dislikes it.

Mr. HOPKINS. It would make anybody.

Mr. SPOONER. Now, again:

While natural harbor facilities will add to the attractions and *usefulness* of the station and to the *value of the instruction* given—

Is it simply a *land* drill? Let me read that again—

While natural harbor facilities will add to the attractions and *usefulness* [illegible] greatest possible number of young men for the country's service.

Now, Mr. President, this is the situation as between Racine, if you please, although the question is broader than that, and Lake Bluff. The one will afford an adequate harbor. The other will not. One is near to a New England manufacturing city, long the home of my colleague. The other is 28 miles nearer the great and rapidly growing city of Chicago.

Now, as my colleague has shown, it takes only two hours to go from Milwaukee to Chicago. Racine has two lines of railway, great railways, too—the Milwaukee and St. Paul and the Chicago and Northwestern—with limited trains and fast trains going backward and forward all the day long, and during the season of navigation it is served by two lines of steamships between Chicago and Milwaukee.

But this board recommends the purchase of the Lake Bluff site for $180,000 without a harbor, as against 200 acres at Racine for $50,000. Why? For one reason only—because Lake Bluff is 28 miles nearer the city of Chicago. Is that a sensible expenditure of public money? Is it not a disregard of every element which should enter into consideration in deciding the location of this naval training station? That is all there is to it.

This board was instructed to select a site, and that site and every detail of the proceedings of the board were to be reported to the Congress for its action. It has not done so. The action of the board was not to be final. It was to be submitted to Congress for its action.

The Senator from Illinois referred to the gentlemen from whom my colleague read as irresponsible parties. Is everyone irresponsible, in the opinion of the Senator from Illinois, who lives at Racine and dares to entertain an opinion upon this subject?

One of the gentlemen from whom he read I know, and for integrity and veracity he compares favorably with any gentleman. Admiral Taylor was there but once. He was at Racine thirty minutes. He did not go within a mile and a half of the Racine location. Admiral Taylor never came again, but the other two came again. They arrived at 4.30 in the afternoon in November, and by the time they reached the site lamps were lighted in the buildings thereabouts and it was too late for them to give it a careful examination, and they never gave it a thorough examination.

Mr. HOPKINS. May I ask the Senator from Wisconsin a question?

Mr. SPOONER. Yes, sir.

Mr. HOPKINS. If the Senators felt, before the amendment now proposed by the junior Senator from Wisconsin was offered, that this board did not give proper consideration to Racine, I should like to ask him why they did not challenge the attention of the board and ask them to go there again or call it to the attention of the Secretary of the Navy?

Mr. QUARLES. I will state to the Senator that we did do it. I have the correspondence here. I did not take the time of the Senate to read it.

Mr. HOPKINS. Very well. If that is correct, then, did not the board report that they had given sufficient examination to the Racine site so as to be able to report upon it?

Mr. QUARLES. So far as I know, there was no answer from the board. These were addressed to Admiral Taylor.

Mr. SPOONER. I have affidavits here, which I will not take the time to read, from reputable citizens of my State, for whom I can vouch anywhere; who accompanied the board, which state the facts as I state the facts; and this board, a board having taken two years to perform the duty, reaching Racine at 4.30, reaching the site about dark, could not discharge as they ought to discharge the duty of examining and investigating.

Mr. HOPKINS. Why did not the Senator call the attention of the Secretary of the Navy to it, one of the ablest and most distinguished men we have?

Mr. SPOONER. The Senator is given to-day too much to eulogy.

Mr. HOPKINS. I leave out the eulogy. Why did you not apply to the Secretary of the Navy and present your grievance?

Mr. SPOONER. I never repeat in the Senate conversations I have, either with the President or executive officers.

Mr. HOPKINS. I am not asking for conversations. I am asking why it never was presented to the Secretary.

Mr. SPOONER. The Secretary of the Navy, I think, would be disinclined to overrule the action of a board which he himself appointed. At any rate, it is so stated in the debate elsewhere.

I have as much respect for the Secretary of the Navy as the Senator from Illinois can have. He is a great lawyer and a man of consummate ability, a man of great gifts and of unimpeachable integrity, of course. But he appointed this board of experts, and I have no doubt he would feel bound, being a layman himself, largely to abide their decision. But Congress did not give the ultimate decision of that question to the board of experts or to the Secretary of the Navy, either.

That board was to report a site and they were to report in detail and fully all of their proceedings, in order that the Congress itself might make a comparison of the different sites and pass judgment as to the correctness of the conclusion reached by the board.

Here is one thing. Letters have been flying around here on the eve of the debate. I find in the CONGRESSIONAL RECORD a letter from Commander Winslow, of whom, of course, I make no impeachment, although, Mr. President, I intend to make a polite and, I think, a well-justified criticism.

It has been stated in another place—I might as well say in the House of Representatives, though I may be called to order for it—that the commission spent thirty minutes—and that in the dark—on the Racine site, Rear-Admiral Taylor not being present. That was attempted to be mitigated by this communication. I shall not read it all:

The board was met by a committee and driven in carriages to the hotel in Racine. After [illegible] the board and the committee composed of the mayor of Racine [illegible] proceeded in carriages to examine the site, a short distance north of the city.

The board is mistaken about that. They did not visit on their first visit at Racine any site which it ever offered. They were not within a mile and a half of any site that was ever offered. They were not out of the settled business part of the city. They went down to look at the harbor, as I could show, but I will not take up the time.

After the return of the board to Washington the subject of the site at North Point, shown in the sketch that accompanied the report as "Site No. 2," was taken up in a correspondence with the representative of interests at Racine, and the board determined on their next trip to the Great Lakes to visit that site.

The board again visited Racine in October. Rear-Admiral Taylor, the president of the board, was unable to accompany the board on this visit. The board arrived at Racine late in the afternoon. After visiting some of the wharves in the city they went out to North Point. Owing to the fact that the meetings had been arranged to suit the convenience of the board, considerable time was wasted in the journey from the railroad station to the site.

Nevertheless the board reached the site in ample time to have sufficient daylight to see the site and to determine all the points the board had in mind.

The affidavits show, as I have said—and there were several of them—that it was dark when they reached that site, and the Racine committee asked them to remain over night at the hotel, as they had come so late, and to examine the site at their leisure in the morning, which they declined to do, on the ground that they were to reach Sheboygan.

This was a board with an abundance of money at their command, charged with an important duty, and I think—I may be mistaken about it—that that board should have waited until the next day and given the site deliberate examination. But they did not.

Now, Mr. President, I do not wish to take any more time. I hope the Senate will adopt this amendment.

The station may not come to Wisconsin, and that is a matter of small consequence; it may go to Lake Bluff, which is a matter of some consequence, in my judgment, from the standpoint of popular interest; but I hope the best point on the lake, whether it be in Michigan, or Illinois, or Indiana, or Wisconsin, will be ultimately chosen by a board going deliberately about it and considering every element to proximity to Chicago. I believe that is all I said to-day.

Mr. HOPKINS. Mr. President, I desire to say a word, and only a word, in reply to the suggestions made by the senior Senator from Wisconsin [Mr. SPOONER]. If the suggestions made by him and his colleagues and the [illegible] and letters referred to by them are to prevail here, then the same methods would defeat any report that may be made by any committee which may be appointed under the amendment offered by the Senator from Wisconsin or by any other Senator.

If any credit for integrity is to be given to our public officials, if any consideration is to be given to the Secretary of the Navy and to the great admiral, who is one of the most distinguished men in the Navy, and to his associates, then this amendment should be voted down. I care not who may be selected, I care not what attention they may give to the situation, if this amendment does prevail men can come in with ex parte affidavits, with photographs of the sites that have been brought here, with letters from prominent persons, to impeach it, and if that kind of argument is to prevail, then we will never have a naval station on this land board.

And I say again, it seems to me it is the duty of every Senator to consider the character of the opposition that has been presented here, and to remember that the members of the board have been selected impartially by the Secretary of the Navy, and that they are men whose characters are above reproach, and that their report should stand.

Mr. CULLOM. Mr. President, I have just come in from a conference where I have been compelled to remain almost all afternoon in order to vote, supposing this discussion was substantially over. I have felt very much embarrassed by reason of the fact that I have been so situated that I could not take part in the discussion to-day.

I will not detain the Senate further than to say that I assumed when this report was made and when the Secretary of the Navy indorsed it substantially, and when the Committee on Naval Affairs put the result of it in the bill, that it was substantially settling the question. I had no idea that there was going to be an effort to throw aside the report and the recommendation of the Naval Affairs Committee of the Senate and that Senators would come in here for the purpose of securing a new board to examine these sites again.

I supposed that any commission headed by Admiral Taylor would not make any report at all until they were satisfied what their duty was in the premises. It has been my policy always to follow upon these questions commissions composed either of army officers or of naval officers.

So without taking time further, I simply wish to say that I feel that we have a right in a degree to call upon the Senate to stand by the report—to stand by the bill as recommended by the chairman of the Committee on Naval Affairs—and to locate the training school wherever that puts it, whether it is in Illinois or Wisconsin or any place else.

Mr. FORAKER. The amendment proposed by the committee is before the Senate, I believe.

The PRESIDENT pro tempore. It is.

Mr. FORAKER. I move to amend that amendment by striking out, in line 25, commencing with the words "shore of," down to and including the word "minutes," in line 1, page 39, and inserting "Great Lakes;" so that the amendment will read:

Naval training station, Great Lakes: The purchase of land and the establishment of a naval training station on the Great Lakes, $250,000.

The PRESIDENT pro tempore. There is already an amendment pending which has precedence over that offered by the Senator from Ohio.

Mr. FORAKER. By whom offered?

The PRESIDENT pro tempore. It was offered by the Senator from Wisconsin [Mr. QUARLES].

Mr. NELSON. I suggest that the Senator from Wisconsin withdraw his amendment until the amendment of the Senator can be perfected, and that he then renew his amendment.

Mr. FORAKER. The amendment of the Senator from Wisconsin is an amendment that is to be added to this one.

The PRESIDENT pro tempore. The Chair understands that, but it is an amendment to the amendment, nevertheless, that is pending now. It does not strike out a provision inserted by the Senate Committee on Naval Affairs.

Mr. HALE. The Senator from Wisconsin can withdraw his amendment for the moment and let a vote be taken on the amendment of the Senator from Ohio, which is simply perfecting the original proposition. Then the amendment of the Senator from Wisconsin would be in order, I think.

The PRESIDENT pro tempore. It would be then in order.

Mr. QUARLES. Very well; for the purpose stated, I temporarily withdraw my amendment so as to allow the pending amendment to be perfected, and I will then immediately renew it.

The PRESIDENT pro tempore. The Senator from Ohio offers an amendment, which will be stated.

The SECRETARY. On page 38, line 25, after the words "shore of"——

Mr. FORAKER. Including the words "shore of." I am trying to make the provision read in the exact language of the statute.

Mr. NELSON. After the word "the."

Mr. FORAKER. Yes; strike out all after the word "the."

The SECRETARY. It is proposed to strike out the following words:

Shore of Lake Michigan, south of latitude 44° 30'.

Mr. FORAKER. So as to read:

The purchase of land and the establishment of a naval training station on the Great Lakes, $250,000.

That is the exact language of the statute.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. QUARLES. I renew my amendment to the amendment.

The PRESIDENT pro tempore. The Senator from Wisconsin offers an amendment to the amendment, which will be read.

The SECRETARY. It is proposed to add at the end of the committee amendment the following:

[illegible]

The PRESIDENT pro tempore. Is the Senate ready for the question?

Mr. NELSON. Mr. President——

Mr. SPOONER. That will not do.

Mr. QUARLES. I should like to suggest an amendment, in view of the amendment just adopted, and that is to strike out the words "none of whom shall be a resident of any State adjoining Lake Michigan."

The PRESIDENT pro tempore. The Senator from Wisconsin has a right to modify his amendment.

Mr. SPOONER. The Senator might put it this way. He might make the clause read: "none of whom shall be a resident of any State bordering on the Great Lakes."

Mr. QUARLES. Very well; let it be fixed that way.

The PRESIDENT pro tempore. The modification will be stated.

The SECRETARY. After the word "State," in line 8 of the amendment to the amendment, strike out "adjoining Lake Michigan" and insert "bordering on the Great Lakes."

The PRESIDENT pro tempore. The modification is agreed to.

Mr. FAIRBANKS. Mr. President, I wish to say a few words in support of the amendment of the Senator from Wisconsin. The hour is so far advanced that I shall undertake to do little more than express my entire concurrence in the proposition embodied in the amendment now before the Senate.

The report of the board appointed by the authority of Congress which is before the Senate is, it seems to me, entirely inadequate.

Its shortcomings have been sufficiently pointed out by others who have spoken, and I shall not dwell at length upon them.

I have some personal knowledge of several of the sites that are mentioned in the report. The one that is given fifth place—Michigan City, Ind.—is entitled, in my judgment, to a much better consideration. I know the place very well, and it is, in my opinion, entitled to very much more favorable consideration than it has received; in fact, it should be given preference.

Mr. HOPKINS. Over Racine?

Mr. FAIRBANKS. I am not mentioning particularly any of the other sites, I will state to the honorable Senator. I would give it preference over all.

Mr. KEAN. How far is it from Chicago?

Mr. FAIRBANKS. I think, without referring to the record, it is something like 50 miles. It is nearer the Atlantic seaboard than any of the other sites mentioned except Put in Bay. I yield first place as to accessibility to the Atlantic seaboard to my distinguished friend from Ohio [Mr. FORAKER].

I recognize, Mr. President, that the selection of a site for a naval training station upon the Great Lakes is a matter of importance. There is not, in my judgment, such a great difference between the various sites as might appear from what has been said here. They all have some points of advantage and of disadvantage when compared with each other. These are partially and in the main pretty fairly disclosed by the report of the board of naval officers appointed under the authority of Congress. The site at Michigan City, Ind., is one that is entirely adequate for the purpose desired, and it is entitled to more favorable consideration than it seems to have received at the hands of the board. It is nearer the Atlantic seaboard than any of those which have received favorable mention. Its harbor facilities are sufficient. In the language of the report, "The harbor at Michigan City would offer convenient protection." "The water front is of sufficient length." And further, according to the report, "Michigan City has the advantage of proximity to the center of population of the Great Lakes region."

The report contains this very significant statement:

While perhaps none of the sites possess all of the ideal local requirements, all of them are sufficiently suitable for the purpose.

If this statement is to be accepted as accurate the question of the cost of site becomes very material in determining the ultimate location. It will be observed by turning to the report that the cost of land at Michigan City is put at the very reasonable sum of $125 per acre. There is only one other locality where the land may be had cheaper, and that is Muskegon, Mich.

Mr. ALGER. And there it is very much better.

Mr. FAIRBANKS. "And there it is very much better," says the distinguished Senator from Michigan. While it is very good, I would not admit that it is very much better. I will say that as to land values the honors are substantially even between the two.

Now, Mr. President, I am in favor of the amendment of the Senator from Wisconsin, not because of any possible prejudice against other sites, for, as I have said, they all have their merits; but I am in favor of the amendment because I hope that upon a further and more careful consideration of all the facts the board to be appointed will decide that a site at Michigan City, Ind., will be found to possess all of the essential requirements of a first-class naval training school, and that the cost of acquiring and maintaining it will be less than elsewhere.

Mr. BEVERIDGE. Mr. President, there can be no doubt whatever that upon a careful and impartial investigation of the various sites the board will find that my colleague is right, and the superiority of the Michigan City site will, I think, be demonstrated to any impartial mind. I am in favor of the amendment of the Senator from Wisconsin, because when men are selected from States away from the Lakes there is very little doubt in my mind but that Michigan City, Ind., will be determined on.

Mr. ALGER. May I ask if we are selecting sites this afternoon?

Mr. HALE. We seem to be selecting one site.

Mr. LODGE. I should like to ask the Senator from Michigan if he desires to say a word in favor of Muskegon?

Mr. ALGER. I do not have to say a word in its favor.

Mr. HOPKINS. Muskegon speaks for herself.

Mr. CLAPP. Mr. President, I do not desire to take any time. I wish to heartily concur in all that the senior Senator from Indiana [Mr. FAIRBANKS] said, except that I would move to amend his remarks by substituting the city of Duluth for the city of Michigan City.

Mr. CLAY. Mr. President, I desire to say a few words, not on this amendment, but on the bill.

Mr. HALE. If the Senator from Georgia will allow me, I know Senators desire to make some remarks on the bill, and I do not propose to ask the Senate to continue and conclude the bill to-night; but I wish to get this matter which has consumed the whole day out of the way. I shall then ask that the bill go over.

Mr. CLAY. We have nothing to discuss but this amendment.

Mr. HALE. Oh, yes; there is plenty to discuss.

Mr. BEVERIDGE. The bill will be before the Senate to discuss.

Mr. GORMAN. I understand that the Senator from Georgia prefers that his remarks shall be made on the pending amendment. It is getting late, and I trust the Senator in charge of the bill will let it go over until to-morrow.

Mr. CULLOM. So do I, but I supposed that it was the purpose to complete the bill at once. Otherwise I myself should have insisted upon an opportunity to speak a little upon the pending amendment.

Mr. HALE. The truth is there will be not the slightest limitation on any Senator who wants to discuss the bill to-morrow. But the Senator from Maryland, who is an old hand here, sees, I think, the importance of getting this matter out of the way. It is fresh in the minds of the Senate, and if we let it go over and quit we not only will not go at once to the consideration of the bill generally, but this question will be revived again and we will spend another day. The Senator knows how important it is. He himself and the Senator from Georgia lose nothing by the vote being taken on the pending amendment and then having the bill go over. There is another amendment that has been reserved.

Mr. GORMAN. There are plenty of amendments, Mr. President. I dislike very much to hesitate and to disagree with the distinguished Senator from Maine upon any suggestion he makes relating to the consideration of a bill, but I think it has been a very important and instructive discussion which we have had to-day. It shows, to my mind——

Mr. HALE. And the Senator wants to prolong it?

Mr. GORMAN. I think the time could not be better occupied than by bringing the Senator himself and Senators on the other side of the Chamber and the Senate to the consideration of the details of a great bill, which involves $125,000,000 or $130,000,000 and which should not be passed through this body without consideration.

Mr. HALE. I propose that all of that shall be left over until to-morrow.

Mr. GORMAN. The Senate has consumed an entire day in the discussion, interesting and delightful as it has been, of the selection of a site that will cost at the beginning only $250,000. No one can tell what the final expenditure will be. We passed over without debate one or more items that will involve eight or ten million dollars. I think the discussion we have had to-day is bringing us back to the proper rule, the one which this body has always observed, of not accepting the executive recommendations and the recommendations of boards, but considering these matters for ourselves. So there are other items in this bill that ought to be discussed.

I therefore trust the Senator from Maine will permit the matter to go over until to-morrow. It is only the beginning of March and the appropriation bills will not go into effect until the 1st of July. So we are not especially pressed for time. It is late in the afternoon, we are tired out, and I trust the Senator will permit the bill and the pending amendments to go over.

Mr. HALE. Of course I am at the mercy of the Senate or of any Senator who insists upon going on and debating. I wish the Senator's reasons for delay were better than they are. I take it the Senate does not of itself desire to simply prolong the consideration of the bill. I take it the Senator has no intention of that kind.

Mr. GORMAN. I did not hear the Senator.

Mr. HALE. I said I wish the Senator's reasons for his proposition were better. Then I said I trusted and believed the Senator has no desire and there is no general desire to prolong the bill simply for the sake of prolongation.

Mr. GORMAN. No, Mr. President, absolutely none; and more than that, I want to say to the Senator, as he knows perfectly well, this bill, important as it is, has not consumed very much time—nothing compared with the time devoted to the consideration of bills of like character heretofore considered. There is no disposition on the part of anybody to go into a discussion of all the details of this bill, as we have done heretofore, and as I think we ought to continue to do hereafter. So there is no object in delay. The Senator from Maine can dispose of the bill, I have no doubt, to-morrow without any trouble. It is a little late to-night to proceed further with the bill.

Mr. HALE. My only proposition was that it would help us

along. I did not propose in any way to the Senator to interfere, as I could not do if I wanted, with discussion on other matters in the bill. I thought perhaps the Senator would consent that we should take a vote now on the pending amendment, and if any one wants afterwards to move any amendment when the bill has been reported to the Senate he can do it. But still I am willing to leave that largely with the Senator, if the Senator desires that the bill shall go over now, without having time taken to dispose of the pending amendment.

Mr. GORMAN. I think it very much better.

Mr. HALE. Then, Mr. President, I wish to say that under these conditions I must ask the Senate to sustain me in the morning in taking the bill up whenever the routine morning business is called, and that we shall go on with the bill. I shall [illegible] include it some time during the day to-morrow. Some Senators desire executive session, but I give way for a moment to the Senator from Indiana [Mr. BEVERIDGE]. I withhold the motion for an executive session.

PROPOSED ALASKAN LEGISLATION.

Mr. BEVERIDGE. Mr. President, I ask unanimous consent that on next Thursday, immediately after the morning business, the Alaskan legislation——

The PRESIDENT pro tempore. The Senate will be in order. The Senator from Indiana is asking unanimous consent.

Mr. BEVERIDGE. I ask that the Alaskan legislation be taken up for that day only.

Mr. GORMAN. For what day?

Mr. BEVERIDGE. Thursday.

Mr. GORMAN. Immediately after the morning business?

Mr. BEVERIDGE. On Thursday, immediately after the morning business, for that day only.

Mr. LODGE. With the understanding that it shall not displace the unfinished business, if the Philippine shipping bill still occupies that place.

Mr. HALE. Or interfere with appropriation bills.

Mr. BEVERIDGE. Certainly.

The PRESIDENT pro tempore. The Chair will see that that is taken care of. The Senator from Indiana asks unanimous consent that on Thursday next, immediately after the routine morning business, the Alaskan bills may be considered for that day only. Is there objection?

Mr. HALE and Mr. GALLINGER. Not to interfere with appropriation bills.

Mr. BEVERIDGE. Not to interfere with appropriation bills, of course; that is determined by the rule.

The PRESIDENT pro tempore. Is there objection?

Mr. FAIRBANKS. Do I understand my colleague to limit the request to that date?

Mr. BEVERIDGE. To that day.

Mr. FAIRBANKS. And after the close of morning business?

Mr. BEVERIDGE. After the close of the routine morning business, not to interfere with appropriation bills.

Mr. FAIRBANKS. I ask simply for the reason that I desire to move to take up Calendar Order of Business 170, Senate bill 1508, at the earliest moment possible.

Mr. BEVERIDGE. My request was for that day only, in order that it might not meet with objection.

The PRESIDENT pro tempore. The Chair will put the request for unanimous consent a little differently, if the Senate pleases. The Senator from Indiana [Mr. BEVERIDGE] asks unanimous consent that on Thursday next, after the routine morning business, the Alaskan bills may receive the consideration of the Senate for that day only, not to interfere, however, with appropriation bills, and that the Senator, at 2 o'clock, will ask that the unfinished business be temporarily laid aside for that purpose.

Mr. BEVERIDGE. That is it.

Mr. HALE. That covers it.

The PRESIDENT pro tempore. Is there objection?

Mr. GALLINGER. Mr. President, just a word. I shall not object to the request made by the Senator from Indiana, but I want to say that I think we ought to be somewhat careful about giving away days a week in advance. There are, I think, eighteen bills on the Calendar reported by the Committee on the District of Columbia, some of them very important. I have been extremely anxious to get to their consideration. I had intended to ask a day for that committee, which I shall do when I get an opportunity. I simply wanted to put myself on record as being diligent in this matter, thinking that the legislation proposed for this District is quite as important as a great deal of other legislation that we are dealing with. I hope the Senator's request will be granted.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the order is made.

EXECUTIVE SESSION.

Mr. HALE. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 5 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 5, 1904, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 4, 1904.

CHIEF OF THE BUREAU OF ORDNANCE.

Capt. George A. Converse, United States Navy, to be Chief of the Bureau of Ordnance in the Department of the Navy, with the rank of rear-admiral, for a term of four years from the 15th day of March, 1904.

CHIEF OF THE BUREAU OF EQUIPMENT.

Capt. Henry N. Manney, United States Navy, to be Chief of the Bureau of Equipment in the Department of the Navy, with the rank of rear-admiral, for a term of four years from the 15th day of March, 1904.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Second Asst. Engineer Charles S. Root, to be first assistant engineer, with the rank of second lieutenant, in the Revenue-Cutter Service of the United States, to succeed J. Q. Walton, promoted.

Second Asst. Engineer Byron A. Minor, to be a first assistant engineer, with the rank of second lieutenant, in the Revenue-Cutter Service of the United States, to succeed H. N. Wood, promoted.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 4, 1904.

POSTMASTERS.

CALIFORNIA.

Louise C. Tyler to be postmaster at Mill Valley, late Eastland, in the county of Marin and State of California.

MAINE.

Eldridge H. Bryant to be postmaster at Machias, in the county of Washington and State of Maine.

MINNESOTA.

William Cardiner to be postmaster at Princeton, in the county of Mille Lacs and State of Minnesota.

MISSOURI.

Milton J. Hudson to be postmaster at Hale, in the county of Carroll and State of Missouri.

William G. Kitchen to be postmaster at Bloomfield, in the county of Stoddard and State of Missouri.

OHIO.

Wilson A. Karns to be postmaster at New Philadelphia, in the county of Tuscarawas and State of Ohio.

Charles B. Morris to be postmaster at Columbus Grove, in the county of Putnam and State of Ohio.

J. J. Roderick to be postmaster at Canal Dover, in the county of Tuscarawas and State of Ohio.

PENNSYLVANIA.

John W. Chamberlain to be postmaster at Wyalusing, in the county of Bradford and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

FRIDAY, *March 4, 1904.*

The House met at 12 o'clock noon.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

CONTESTED-ELECTION CASE—DAVIS V. SIMS.

Mr. OLMSTED. Mr. Speaker, I present the following privileged report and resolutions for consideration.

The SPEAKER. The gentleman from Pennsylvania, chairman of the Committee on Elections No. 2, submits the following report and resolutions, which the Clerk will report.

The Clerk read as follows:

Resolved, That F. M. Davis was not elected to membership in the House of Representatives of the United States in the Fifty-eighth Congress and is not entitled to a seat therein.

Resolved, That T. W. Sims was elected to membership in the House of Representatives of the United States in the Fifty-eighth Congress and is entitled to a seat therein.

Mr. OLMSTED. Mr. Speaker, this is a unanimous report from the Committee on Elections No. 2. For the information of some who may have expected a different result it is, perhaps, proper that a very brief statement be made. The sitting Member, the gentleman from Tennessee [Mr. SIMS], was returned by a majority of 976. Some trifling irregularities there were, reducing that to 970. No allegations of improper conduct were involved in this case nor made against either party, but the contestant claims that

the so-called "Dortch law" in Tennessee ought to be declared unconstitutional and set aside, and that in that event 1,061 persons named but not voting ought to be treated as if they had voted and their votes had been cast for him, giving him a majority of 85, and that 1,920 more, estimated but no names given, ought also to be counted, giving him a majority of 2,005.

The contestant claims that the so-called "Dortch law" provides a form of official ballot which requires the person voting to be able to read in order to vote, and it therefore violates the provision of the constitution of that State by adding a qualification not contained therein, and also violates the provision therein contained that elections shall be free and equal, particularly as this law does not apply to the whole State, but only in certain localities. The supreme court of Tennessee has sustained the law as constitutional, but its decision is in conflict with decisions by the supreme courts of Kentucky, Virginia, Ohio, Michigan, and Pennsylvania. We are asked to follow these other decisions. We have not, however, found it necessary to attempt to decide between these conflicting rulings of State courts nor to pass upon the proposition suggested by the contestee that in any event the Legislature [illegible] the time, place, and manner of holding elections for Senators and Representatives from the Federal Constitution and can not be controlled by the State constitution in the exercise of that power.

These important questions we have not passed upon for the reason that in the view we take of the evidence in the case the result would not be affected no matter which way we might decide them. The Dortch law applied to only 13 civil districts out of a total of 168 in the Eighth Congressional district. Should we hold the law unconstitutional and throw out the returns from the 13 districts, Mr. Sims would still have a majority. Mr. Davis says we should let the vote stand as returned, but add to his count other votes which were not cast nor offered to be cast.

The evidence shows 1,061 names of persons said to have been prevented by the Dortch law from voting for him, because, being unable to read, they could not mark their ballots. Twenty only of these were upon the witness stand. As to the other ten hundred and forty-one, we had only the evidence of third parties that they were Republicans and that they could not read, and therefore could not vote, and that in the opinion of the witnesses they would have voted for contestant. But as to most of them, at least many of them, there was no evidence of registration or of the payment or of qualification to vote under any law. We therefore declined to count such alleged votes.

Then there were nineteen hundred and twenty additional votes of persons estimated by the witnesses as having desired to vote for contestant. Their names were not given; it was not shown that they were qualified to vote at all; and we have not been willing to accept that character of testimony in this case—testimony in regard to persons who did not attempt to vote and of whom we have no very satisfactory evidence that they would have voted, or that if they had voted they would have voted for the contestant.

Therefore in the view we have taken the sitting Member is in any contingency entitled to his seat.

Unless some gentleman desires to ask some question or to make some remarks on this resolution, I will ask a vote on the resolution, first asking unanimous consent to insert in the RECORD as part of my remarks the report of the committee.

The SPEAKER. The gentleman from Pennsylvania [Mr. OLMSTED] asks unanimous consent to insert in the RECORD as part of his remarks the report of the committee. Is there objection? The Chair hears none.

The report is as follows:

The Committee on Elections No. 2, [illegible] the contested election case of F. M. Davis [illegible] Sims from the Eighth Congressional district of Tennessee, [illegible] of ten counties, [illegible]

County.	Sims (Democrat).	Davis (Republican).
Henry	1,724	46
Benton	856	551
Perry	600	310
[illegible]	1,196	1,676
[illegible]	546	686
[illegible]	848	1,463
[illegible]	600	317
[illegible]	1,237	58
[illegible]	908	1,117
[illegible]	739	1,132
Total	9,236	8,317

Mr. Sims, having an apparent majority of 976, was awarded the certificate, duly sworn in and now occupies a seat in this House. Mr. Davis, however, contends the contestee is not entitled to be seated in the seat.

When the canvassing board met the official returns from Perry County, or at least the original poll books and tally sheets, had not been received. From such data as were in its possession the board allowed Mr. Davis 310 votes, the official returns subsequently received showed him entitled to 27. In the voting precinct known as Pickwick, in Benton County, Sherrod gives Mr. Davis 50 votes. There is some conflict in the testimony concerning this precinct, but we find that he was entitled to 40 votes, a net gain of 2.

In the two precincts of Tobosa and Walnut Grove in Henry County, the [illegible] Davis 1 vote in Tobosa and 5 in Walnut Grove. It appeared that [illegible] Walnut Grove [illegible] Davis 1 vote. We are [illegible] that these votes should be included in Sims's returns. It appeared that [illegible] Tobosa and Walnut Grove affected the result in Henry County, [illegible] Henry County were counted before the result was known in other counties. The first precinct in Henry County [illegible] Davis 46 votes, [illegible] Davis 1 vote in Tobosa and 5 in Walnut Grove affected the result in Henry County

Electors for Wharton Barker candidate for President and Ignatius Donnelly candidate for Vice President

VOTE FOR TWELVE

S. S. BOND
H. T. CHILDS
J. S. LEACH
A. L. MIMS
S. L. MOORE
E. M. NOLEN
H. G. ROBERTS
W. C. ROBINSON
C. B. SCAN
A. M. SMITH
R. M. TAYLESLEY
A. B. WHITE

Electors for William McKinley candidate for President and Theodore Roosevelt candidate for Vice-President

VOTE FOR TWELVE

E. S. ASHCRAFT
F. M. DAVIS
J. H. EAGLY
C. H. EVANS
A. A. FRANKLIN
H. L. MAXWELL
B. C. MCDONALD
J. E. RAGLAND
WILLIAM RANDOLPH
D. W. STARNES
S. L. VAUGHN
T. A. WRIGHT

Electors for John G. Woolley candidate for President and Henry B. Metcalf candidate for Vice-President

VOTE FOR TWELVE

GEORGE W. ARMISTEAD
T. P. BOLMAN
JOS. HOPEWOOD
W. B. JONES
L. B. LAMB
W. H. MCKNIGHT
A. D. REYNOLDS
J. W. SCOTT
L. B. SEARLE
J. M. STEWSON
S. TENKEL
J. F. TURNER

Electors for Eugene V. Debs candidate for President and Job Harriman candidate for Vice President

VOTE FOR TWELVE

L. H. GIBSON
J. T. HINES
H. KLEINER
W. G. MAYLAND
H. MARTIN
W. M. MCCAUL
E. D. MORGAN
R. N. MORRIS
W. G. PENNINGTON
JOHN RAY
T. J. ROWLAND
J. E. VOSS

Representative in Congress

VOTE FOR ONE

LEE BROCK
JOHN W. GAINES
JOHN HEASTON

Governor

VOTE FOR ONE

R. L. TAYLOR
JOHN E. MCCALL
BENTON McMILLIN
H. J. MCCORD
C. H. STOCKELL

Railroad Commissioner of the State of Tennessee

VOTE FOR ONE

THOMAS L. CATE
THOMAS L. WILLIAMS

State Senators

VOTE FOR TWO

JOSEPH W. BYRNS
M. M. KLEIN
JOHN THOMPSON

Representatives in General Assembly

VOTE FOR SEVEN

E. D. BRANTLEY
MILLARD F. CAMPBELL
C. C. CUNNINGHAM
JESSE W. DOZIER
M. P. ESTES
CHARLES P. FAHEY
R. C. FULLER
HARRY A. LUCK
J. R. VENABLE
W. W. WILKERSON
J. MINNICK WILLIAMS

Representative in General Assembly from Davidson Robertson and Cheatham Counties

VOTE FOR ONE

CHARLES L. COBBS

[On back of ballot.]

OFFICIAL BALLOT
12TH WARD,
NASHVILLE.
Davidson County, Tennessee.
ELECTION
Tuesday, November 8, 1900.

R. B. CARMACK,
JOS. B. BABB,
LEE BROCK.

Commissioners of Registration.

The voter having received a ballot is to go into the voting compartment and "prepare his ballot by marking in the appropriate margin or places a cross (X) opposite the name of the candidate of his choice for each office to be filled, or by filling in the name of the candidate of his choice in the blank space provided for the purpose and making a cross (X) opposite thereto."

He may not have in advance a specimen ballot, and must receive the official ballot, just before going into the booth, can not even know the order in which the respective offices will be grouped thereon. But to aid him with his ballot receive a printed card of instructions, of which the following is a sample:

"*Official card of instructions prepared by commissioners of registration of election.*

"This card is intended to assist and instruct voters how to prepare their ballots.

"1. Having received from the registrar at your polling place an official ballot, present it with your certificate of registration to the assistant registrar, who will number the stub of the ballot and put the same number on your certificate of registration, keeping the stub of the ballot. Fold your ballot so as to conceal the names upon it, and proceed to the booth by placing a cross mark (thus X) before or along the face in which the name of your candidate appears.

"2. You must not allow any person to see your ballot.

"3. If you cannot read or write, or be prevented by physical disability from marking your ballot, you may select any one you wish to assist you to vote, or you may have two persons of the election officers, as you prefer, to come to the booth and assist you.

"4. If you are prevented from marking your ballot by reason of blindness or other physical disability, you may select any one you wish to assist you.

"5. Before leaving the compartment for voting, fold your ballot so that the name of the registrar and the initials of the assistant registrar can be seen when you present it to the officer of election, who will then, upon your certificate of registration, your poll-tax receipt, and your ballot being found in order, deposit your ballot without undue delay in the ballot box, and you will then be given a receipt to show you have voted. Do not mark it, but if no other voters are waiting you will be allowed ten minutes.

"7. You must not allow any person to see your ballot, or to take the same from you, or remove the same from the polling place, nor to place any mark on the same other than as herein instructed, it being a misdemeanor to do so."

"If, by reason of blindness or other physical disability he is unable to mark his ballot," the voter may receive the assistance of the officer holding the election in marking the same, but unless so blind or otherwise physically disabled [illegible] mark his ballot.

"The voter [illegible] made at the time his ballot is delivered to him, and a [illegible] of the name in voting opposite of the various offices to be filled stand upon the particular [illegible]

"[illegible] that a voter who shall, except as herein otherwise [illegible] and or hinder [illegible] any other voter [illegible] shall be deemed guilty of a misdemeanor [illegible] to be "treated as one caught in the very act of committing a misdemeanor."

It is [illegible] provisions "[illegible] with that. This [illegible] that "no person who can not read can vote the official ballot; that [illegible] that it violates Article I of the State constitution [illegible] and the right of suffrage can not be taxed or restricted, that [illegible] a qualification by a jury of some Blackstonian provisions [illegible] ascertained by law and judgment thereon by a court of [illegible]

And [illegible] Article IV, which is as follows:

"[illegible] a citizen of the United States and a resident of this State for twelve months [illegible] shall be entitled to vote at all elections [illegible] except that any person who shall be convicted of bribery, larceny, or any infamous crime, may be disfranchised; and the qualification of electors shall be the same [illegible] shall have power to regulate by general laws the manner in which they may exercise the franchise and to secure the purity of the ballot box."

Some seventy witnesses in this case, some of whom were white and some colored, some Democrats and some Republicans and Populists, [illegible] presidential contests and to vote the official ballot. Tennessee has [illegible] that a person that can not read can and vote as well as a man who can read and write, but he can possibly vote some ballots under the law and they do it." It must be manifest to anyone that the persons, unable to read, who can successfully mark all the candidates of a particular party, especially in a Presidential year, must be very few, if any.

The supreme court of Tennessee, however, in Cook *v.* State (90 Tenn., 407), sustained an indictment and conviction for "aiding electors in marking their ballots [illegible] to vote, etc., and expressly declared that this law [illegible] IV of the State constitution. This ruling was [illegible] the Legislature, however, expressly declaring its [illegible]

The Tennessee court does not appear to have considered the constitutional [illegible] "[illegible] shall be secured and equal." This provision, found in [illegible] been intended to have some meaning [illegible] the Legislature has done for fifty years [illegible] or, to be more accurate, it does not find [illegible] It applies only to the whole State [illegible] It does not apply to the whole State [illegible] It applies only in spots.

In this Congressional district there are 183 civil districts. The Democratic [illegible] in one town and generally required the voter to be able to read, or other property to mark his ballot. In the other districts a voter [illegible] ballot or write his name on a sheet of wrapping paper [illegible] and carry it in his vest pocket [illegible] years, and yet [illegible] Democratic [illegible] Strong, Democrat, Governor [illegible] Kyle, unanimously declared [illegible] Mr. Chief Justice Lewis, who [illegible]

A statute requiring votes to be given by ballot need not, any more than the [illegible] anonymity or so as to deprive a [illegible] of the [illegible] of the voter, or so as to make free suffrage as to them a matter of [illegible]

[illegible] the interests and rights of many may be involved and [illegible] rights. It is, however, [illegible] to cast two ballots [illegible] of, disregard, or [illegible] conflict with the Constitution [illegible] law; and to vitiate the whole [illegible] in accordance with [illegible] immaterial to the ordinary [illegible] or [illegible] to cast their ballots understanding [illegible]

[illegible] in the constitution requiring [illegible] or [illegible] the legislature can not prescribe any qualification in addition [illegible] and any attempt to do so openly or covertly [illegible]

"Third. [illegible] prescribed by the constitution, and [illegible] no matter how [illegible] of the legislature, with respect to the exercise [illegible] to provide the mode in which those entitled to vote may [illegible] and to guard against impositions [illegible]

"Fourth. [illegible] and enforce reasonable rules [illegible] the voter.

"[illegible] the voter, [illegible] of the law [illegible] power of the legislature and its [illegible]

And [illegible]

"[illegible] at one who, either from physical or [illegible] blindness, is [illegible] wholly incapable of voting by ballot without assistance [illegible]

[illegible] sustained the statute in that case by construing the word "may" to be [illegible] "thus making it a [illegible] special [illegible] to provide [illegible] possibility that [illegible]

A Mississippi statute [illegible] and Fourteenth [illegible] or [illegible] Rights [illegible] and the supreme court of that State, after [illegible]

[illegible] the result is the same, because [illegible] to the booth to assist him. It is [illegible] the act to [illegible] is clear that [illegible] provided in the booths then some [illegible] the Fourteenth [illegible] of the law. But we do not think that the law necessarily takes that construction. There is no express prohibition against assisting such a person in the preparation of his ticket, nor against his obtaining a ticket outside the polling place for that purpose, nor against assisting to a booth or the polls one physically unable to go alone. Such a case is not within the mischief aimed at, and we hold that under this law such a voter is entitled to receive assistance in the preparation of his ticket, and to receive and have his ticket prepared outside the polling place. This, we think, is in accord with that [illegible] that a thing which is within the spirit of a statute is within the statute, although not within the letter, and a thing within the letter is not within the statute unless within the intention.

In other words, in order to construe the statute, the Mississippi court construed into it a very liberal provision [illegible] for such assistance to the voter [illegible] law, and [illegible] the voter and the person assisting him subject to fine and imprisonment.

In Capen *v.* Foster (12 Pick., 485) the State supreme court of Massachusetts marked the distinction [illegible] between laws which took away or abridged the right of suffrage and those which may lawfully be enacted to regulate the exercise, and avoid embarrassment. Thus, in order to belong to the latter class, such laws must be [illegible] and reasonable, and must be enacted to facilitate and secure such exercise of suffrage [illegible] of the right to vote. The [illegible] was sustained by the supreme court of Massachusetts [illegible] to which case a statute of that State was [illegible] and which [illegible] not to prescribe any [illegible] upon persons who [illegible] the right to vote.

[illegible] Kentucky, like that of Tennessee, contained a provision [illegible] in an opinion [illegible] Mitchell, as reported in the Philadelphia Press of February [illegible]

"The [illegible] of suffrage on every citizen possessing the qualifications [illegible] equal right and [illegible] to be overlooked, therefore, that the requirement of the use [illegible] in the constitution [illegible] in the constitution [illegible] has been frequently [illegible] and even [illegible] as a party. And, if they so decide, courts must recognize and treat them accordingly.

"We have stated counsel's contention very fully and the authorities bearing thereon, in conflict with the Tennessee decisions.

"But the statutes, which are contending that the Australian law is in violation of your constitution [illegible] Congress [illegible] and Representatives [illegible] Congress [illegible] Representatives [illegible] Dortch law unconstitutional [illegible] also be treated as having voted for him, thus increasing his majority to 2,046.

Just twenty persons who were actually called to the stand testified that [illegible] the other [illegible] disfranchised [illegible] Democratic law [illegible] Dortch law [illegible] district all my life.

"10. Q. How old are you?—A. I am 53 years old.

"11. Q. Have you a list of persons who did not attend the November election, when the same was held under the provisions of the Dortch law?—A. Yes, sir. I have got a list of them.

"12. Q. Please give the names of the parties contained on your list; and are they Republicans or Democrats?—A. Marion Cole, Wiley Cherry, Bud Campbell, Henry Doran, Tom Ellison, Ike Kendall, Ike Rhone, B. F. Rinks, Chis Lowry, Buck House, John White, and old man Ras White. They are all Republicans.

"13. Q. Do the above-named parties all live in the Fourth district of Hardin County?—A. Yes; every one of them.

"Cross-examined:

"1. Q. Where did you get the list of names that you have just read?—A. I got them all over there at my store.

"2. Q. When did you make up said list?—A. I do not recollect whether it was before Christmas or since Christmas.

"3. Q. How came you to make up said list? What was it made for?—A. Abernathy came to my place one day and asked me if I knowed how many around there that had not voted, and I told him there was a good many. He told me to write them down; that he would be back a certain day and I could hand them to him.

"4. Q. Did Mr. Abernathy tell you what he wanted with the names?—A. I believe he did tell me. I do not exactly remember; it was about the election some way or another.

"5. Q. How do you know that the names you have given are men who can not vote under the Dortch law?—A. *I did not know. I did not ask them about that.*

"6. Q. Then you just mean that they did not vote in the last November election, and do not know whether they could vote under the Dortch law or not. Is that correct?—A. I do not know whether all of them could or not. Them two old men told me they could not vote because they could not make their mark straight.

"7. Q. As a matter of fact, most of those that you have named did vote in the last August election, in 1902, did they not?—A. I do not know whether they did or not. I did not even ask them that.

"Further this deponent saith not."

The witness practically contradicted every statement he made save that the twelve were all Republicans. Not one of the twelve was called to testify whether he was or was not a Republican, or had registered and paid taxes, or had or had not voted, or was prevented by the Dortch law from voting, or wished, if able to vote, he would have voted for contestant.

The substantial part of the testimony of the next witness, L. K. Freeman, is as follows:

"5. Q. What kind of a qualification does said law put upon the voters where the same is in operation, if any?—A. It is necessary for the voter to be able to read and write, both.

"6. Q. How has this law operated upon the Republican party in the elections of the Fourth district of Hardin County, and how did it operate in the election of November 4, 1902?—A. It disfranchises a great number of the voters.

"7. Q. Give your best estimate of the number of Republicans disfranchised in the Fourth district of Hardin County in said November election, by the provisions of said law.—A. From 75 to 100 voters.

"8. Q. Have you gone over and made a list of the names of the Republicans disfranchised by the Dortch law in said election of November 4, 1902, in said district, and if so, will you give the names of those whom you know to be unable to vote under the provisions of said law?—A. Yes. I have made a list to the best of my knowledge and recollection. The names are as follows: Sam Brooks, Wes Bailey, Lute Bailey, Andy Bailey, Jack Bailey, Bill Cherry, Newt Campbell, Marion Cole, Bud Campbell, Luke Doran, Henry Doran, Mose Davis, Henry Dillahunt, A. C. Duckworth, George Graham, Noel Graham, Pete Giles, Tom Graham, Fred Grimm, Gus Houston, Pate Hopson, Jack Hunt, Bob Hunt, Bob Hardeman, Lewis Hassell, John Hassell, Ben Higgins, G. O. Hunt, Bill Hunt, Bud Hunt, Chib Hunt, Cæsar Kendall, George King, Bill Kyle, Jim Lutts, Jerry McDougal, Jim McKinney, Joan Pollard, Sol Pollard, Frank Pollard, Tom Patton, Green Patton, W. A. Palmer, Otis Painter, Jerry Setzer, Elias Stephens, Jim Stephens, Joe Sanderson, Mose Shull, Sam Tall, Dave Winters, Bishop White, Elias Williams, Joe Young, Lewis Hassell, Bob House, Buck House, John Hudson, Dog Johnson, Ernest Johnson, Ike Kendall, Bob Johnson, Ras White, Ike Lynch, Bill Wolf, Will Fitzgerald, Adam Ellison, Sam Bundy, Charlie Ermin, Press Martin, Andrew Mack, Jonas Hess.

"9. Q. Will you please file said list as Exhibit A to this, your deposition, making it a part of the same?—A. I herewith file the same, marked "Exhibit A."

"10. Q. Was the parties whose names you have given otherwise qualified voters in said November election for all state and county officers, barring the provisions of the Dortch law?—A. *I think they were.*"

In his cross-examination this passage occurs:

"14. Q. How many of the persons named by you in answer to question 8 in chief that can not read?—A. *I could not say just how many.*

"15. Q. Had the persons whose names you gave in answer to question 8 in chief paid their poll taxes for the year 1901 before the November election, 1902?—A. I could not say whether all of them had or not, but I know some of them had.

"16. Q. How many of them had registered for voting?—A. *I do not know.*"

Even among these vague statements there is a clear conviction that any one of the seventy-two persons named desired, even if qualified, to vote for contestant.

S. J. Creery produced a list of 345 names, concerning which he testified as follows:

"27. Q. I will ask you to state if you have briefly made a list of voters in this city and civil district who are unable to read?—A. Yes, sir; I made that yesterday.

"28. Q. How many names does this list prepared by you contain?—A. If I made no mistake in the count it is 345.

"29. Q. Do you think those persons appearing from this list are able to vote under what is known as the Dortch law?—A. I do not.

"30. Q. If those persons appearing upon said list could vote, what ticket would they vote?—A. My opinion is they would vote the Republican ticket."

From his cross-examination the following is taken:

"8. Q. You have stated that there were 96 Republican votes in the city of Jackson, and of this number you estimated about 345 were unable to read. Now state whether the remaining 495 votes are able to vote under the Dortch law.—A. I think they are.

"9. Q. Then how do you account for the fact that Hon. F. M. Davis, candidate for Congress, received only 23 votes in this city at the last November election?—A. I account for it by the Republican voters not having their poll taxes and by general indifference as to the result of the election.

"10. Q. What was the cause of that indifference?—A. To some extent dissatisfaction existing in the Republican party in the county, and being what we term an off year, accounts for some of it.

"11. Q. What dissatisfaction do you speak of existing in the Republican party?—A. Dissatisfaction as to the county organization, as to who would be recognized as county chairman and members of the executive committee.

"12. Q. Is it not a fact that there were two factions—one headed by H. C. Worsham and the other headed by F. R. Davis—and that the majority of the colored voters were identified with the Worsham faction?—A. I can't say as to majority. They were nearly equally divided from the strength exhibited in the convention.

"14. Q. Which faction had the larger following?—A. Both factions claimed it.

"15. Did either faction champion Mr. Davis's candidacy?—A. The Davis faction recognized Mr. Davis as the regular nominee and entitled to the Republican support.

"16. Q. What was the attitude of the Worsham faction toward Mr. Davis?—A. Apparently it was hostile.

"17. Q. Did this apparent hostility serve to keep the members of the Worsham faction from voting for Mr. Davis?—A. I am of the opinion that it did.

"18. Q. Of the 345 voters in the city of Jackson whom you say are unable to read, what per cent of these can be instructed or coached before election so as to be able to vote under the Dortch law?—A. My opinion not over 5 per cent.

"19. Q. Is it necessary to pay poll tax in order to vote in the Fifteenth civil district?—A. If you are not exempt by age or infirmity, it is.

"20. Q. Are you able to state what per cent of the persons whose names appear on Exhibit A pay their poll taxes?—A. I estimate 75 per cent of them are over age.

"21. Q. Can you say of your own knowledge what per cent of the remainder pay their poll taxes?—A. I can not.

"22. Q. From your personal knowledge, then, it may be that none or a very few of them?—A. It may be; yes, sir. I am not informed.

Upon the mere expression of opinion by the witness that "they would all vote the Republican ticket" and without considering registration or tax payments we are asked to add 345 to contestant's vote. The evidence concerning the remainder of the names named, as proved by contestant's own witnesses, shows that in some instances there was evidence tending to show registration and payment of taxes.

Upon this character of testimony we are asked to treat 1,061 named persons as if they had voted for contestant. As above shown, 20 only of them have testified. As to the other 1,041, the evidence is even less satisfactory than that which was rejected in the Forty-third Congress in Bell v. Snyder (Smith's digest, 246, in which case the committee said:

"1. Reviewer supervisor at that precinct, in his deposition, page 164, states that the 20 persons whose names are given by him had contributed to public taxation, and that he saw all of them registered except two, and that they would have voted for contestant if they had been allowed to vote; that they presented their certificates of registration and offered to vote; that they made affidavit and offered to vote. He says that he did not read all the tickets, but to the best of his knowledge the parties would have voted for Bell, as all the Reform tickets were good.

"The committee regard the fact of these 20 persons having been registered as voters as sufficiently proven, but the proof as to the fact that all of them offered to vote for contestant or that they intended to or would have voted for contestant is insufficient.

In the case in hand 1,061 of the persons named did not even offer to vote. As to many of them we have no evidence of their registration or payment of taxes and as to none of them have we any save hearsay evidence that they desired to vote at all or would in any event have voted for contestant.

The additional 1,020 claimed by contestant rest upon evidence even more flimsy—the mere estimates of witnesses of which a fair sample is found in the testimony of T. J. Sawner, here given in toto:

"1. Q. What is your age, place of business, and what position do you hold in the county?—A. I am 46 years old; reside at Savannah, Tenn., and am sheriff of Hardin County.

"2. Q. What experience have you had in the politics of Hardin County, and how many times have you canvassed the county?—A. I have had some experience in the politics of the county. I have canvassed the county something like half a dozen times, but not thoroughly through every time.

"3. Q. How many times have you been sheriff of Hardin County, and what other offices have you held?—A. I have been sheriff three times, and was county assessor of the Fourth district before I was county sheriff.

"4. Q. Are the precincts of the Fourth civil district of Hardin County laid under the provisions of the Dortch law, and what kind of an obstacle does it place upon the voters?—A. They are laid under the Dortch law, and a man is required to read and has to be a good marker.

"5. Q. Is it possible for a person who can not read to vote the Dortch ticket?—A. It is not, unless he has assistance.

"6. Q. What effect has the application of the Dortch law had upon the Republican vote of Hardin County?—A. I mean how much has it suppressed their vote?—A. I believe it has diminished their vote something like 500.

"7. Q. In your best judgment, how many Republicans are there in the Fourth civil district of Hardin County who can not vote under the Dortch law?—A. I believe there is 700.

"8. Q. What effort was there made by the leading Republicans of Hardin County in the campaign in 1902 to poll their full strength for their ticket?—A. They made as strong an effort as possible under the circumstances.

"9. Q. I will ask you if there were men selected and put into each civil district of the county several days before the election for the purpose of canvassing each Republican voter in order to get him out to the November election, 1902?—A. That is my understanding.

"10. Q. I will ask you if the Republicans felt very buoyant and hopeful of success in the Congressional contest of November, 1902?—A. They did.

"11. Q. Have you time to make a list of the Republicans who, as you know, were disfranchised under the operation of the Dortch law in the fourth civil district of Hardin County?—A. No; I have not.

"Further this deponent saith not."

Upon this it is demanded that 100 votes be added to contestant's count, and upon similar testimony a total of 1,020. No names are given, no evidence of registration or payment of taxes nor of intention or desire upon the part of the unknown persons to vote for contestant. Such evidence is wholly inadmissible for any purpose. There have been cases in which persons proved to have been qualified, desiring, intending and attempting to vote, have had their votes counted, notwithstanding that they were not recognized by the election officers; but there is no precedent for adding to the count the votes of persons not shown to have attempted or desired or been qualified to vote for any candidate under any law.

A careful study and analysis of all the evidence in this case and of the printed briefs, supplemented by exhaustive oral arguments of able counsel, convinces us that, no matter what view may be taken of the Dortch law, the result of the election is not changed. Your committee therefore recommends the adoption of the following resolutions:

"*Resolved*, That F. M. Davis was not elected to membership in the House of Representatives of the United States in the Fifty-eighth Congress, and is not entitled to a seat therein.

"*Resolved*, That T. W. Sims was elected to membership in the House of Representatives of the United States in the Fifty-eighth Congress, and is entitled to a seat therein."

M. E. OLMSTED, *Chairman.*
J. M. MILLER.
F. D. CURRIER.
JOHN W. DWIGHT.
C. L. WEEMS.
J. FIELD C. TALBOTT.
JOHN A. SULLIVAN.
A. M. BYRD.

The resolution presented by Mr. OLMSTED was agreed to.

On motion of Mr. OLMSTED, a motion to reconsider the vote by which the resolution was adopted was laid on the table.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. HITT. I now call up the conference report on the diplomatic and consular appropriation bill, which, in accordance with the wish of gentlemen who objected to the consideration of the matter yesterday, has been printed in the RECORD.

The SPEAKER. Does the gentleman desire to have the report or the statement read?

Mr. HITT. I ask unanimous consent that the statement, instead of the report proper, be read.

The SPEAKER. Is there objection? The Chair hears none. [The report of the conference committee will be found on page 2760.]

The statement of the House conferees was read, as follows:

The managers on the part of the House of Representatives make the following statement of the result of the conference with the managers on the part of the Senate on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill H. R. 13684, making appropriations for the diplomatic and consular services for the fiscal year ending June 30, 1905.

The amount appropriated by the bill as it passed the House was $1,995,890.69. The amendments added by the Senate amounted to $77,300, so that the bill as it passed the Senate appropriated $2,073,190.69.

The House receded from its disagreement to the following amendments: Salary for the minister to Roumania, Serbia, and Montenegro, restored; salary for the minister to Switzerland, for the expenses of legations at Denmark and Portugal, at $4,500 each, but an increase of $1,000 to the consul at Lourenço Marquez, Africa, to the consulate-general at Changkiang and Hankow, China, at $2,000 each, to messengers at $900 each in the consulates-general at Cairo, Egypt, Bangkok, Siam, Hongkong, China, Porto Rico, Mexico, and Kobe, Japan, to the provision fixing a salary of $[illegible] instead of $[illegible] for the same amount for the consulates at Mexico, New Brunswick; Port au Prince, Haiti, and Turks Island, West Indies.

The clerk-hire allowance at Matanzas, Mexico, was increased $600. The titles of the consular posts at Lourenço Marquez, Tientsin, Chefoo, Fuchau, and Hankow were made "consuls," instead of "consuls-general," as provided by the Senate amendments.

The net decrease in conference from the bill as it passed the Senate is $53,000, making the amount of the bill as now reported $2,020,190.69.

E. B. HITT,
R. ADAMS, JR.,
Managers on the part of the House.

DIPLOMATIC, 1905.

Amount of House bill	$1,995,890.69
Increase by Senate	77,300.00
Amount as passed Senate	2,073,190.69
Decrease in conference, namely:	
Legation buildings at Seoul, Korea	30,000.00
Cost of cablegrams, etc., consular reports	2,000.00
Consuls-general (transferred to consuls' schedule)	16,000.00
Clerks (30) at principal consulates	36,000.00
Total decrease	84,000.00
Increase in conference, namely:	
Consuls restored (made consuls-general by Senate)	16,000.00
Clerks at consulates	15,000.00
Total increase	31,000.00
Net decrease in conference	53,000.00
Amount as agreed to in conference	2,020,190.69

Mr. HITT. I move the adoption of the report.

The report was adopted.

INDIAN APPROPRIATION BILL.

On motion of Mr. SHERMAN, the House resolved itself into Committee of the Whole on the state of the Union (Mr. BOUTELL in the chair), and resumed the consideration of the bill (H. R. 13684) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes.

Mr. SHERMAN. Does the gentleman from Texas [Mr. STEPHENS] desire to occupy more time now?

Mr. STEPHENS of Texas. Mr. Chairman, I did not get through with my remarks yesterday, but owing to the fact that there is such a pressure for time on this side of the House I will ask unanimous consent to continue my remarks in the RECORD.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

Mr. STEPHENS of Texas. I reserve the remainder of my hour.

Mr. SHERMAN. I yield to the gentleman from Oregon [Mr. HERMANN] one hour.

Mr. HERMANN. Mr. Chairman, for the first time in our history the great Pacific Northwest has aspired to inaugurate an exposition in aid of industrial progress and in commemoration of the famous journey of Lewis and Clark in 1805-6—an event great in the history of our nation and greater still to the people of that section whose liberality, public spirit, and patriotism have determined to undertake such an enterprise in the great valley of the Columbia, at Portland city, Oreg., in 1905. As an evidence of the good faith and as a guaranty of the success of such an exposition, nearly $1,000,000 is already provided by the State and city named, while in addition to this the States of California, Washington, Idaho, Utah, Montana, North Dakota, Minnesota, and Missouri, through their several legislatures, have made separate appropriations for liberal aid and encouragement. It will therefore be a success. But since the whole American people are so materially interested in the value to the nation of such an exposition of American and Oriental industries and equally sharers in the patriotic spirit which the commemoration of such a remarkable period must inspire, the nation is asked to extend its official sanction, patronage, and aid. The Senate has already acted and now we ask the consideration of this House.

We appreciate the responsibility we assume in thus inviting and soliciting Governmental recognition and have estimated the full meaning of such a course. Only because the event to be celebrated is one of the most memorable in our country's history, and because of the material benefits to follow to all our people by having such an observance at the particular time and particular place on the Pacific Ocean, fronting, as it does, America's future market, with more than one-half the world's population, do we ask the consideration of Congress. The President of the United States, in his recent message, has already recommended such aid by Congress, and, in referring to the acquisition of the Oregon country, has suggested much for American thought when he says that it made "ready the way for our ascendency in the commerce of the greatest of oceans."

THE FOUR GREATEST EVENTS.

As an illustrious event and worthy of a great nation's most liberal observance, it ranks fourth in American history among the greatest events in the territorial and industrial progress of our country. Three of these have been spendidly recognized and aided by the American Congress. Shall the fourth and last of these be not also substantially, if not so liberally, provided for? And what are these four greatest events, in their order, to which we attach importance in our country? They are the discovery of this continent, our birth as a nation, the cession of the vast empire between the Mississippi and the Rocky Mountains, and, lastly, the acquisition on the Pacific of that immense domain from the summit of the Rockies to what was then the Spanish country, on the line of the forty-second parallel of north latitude, and which made us a nation from ocean to ocean and gave us for the first time a hold on the shore line of the Pacific Ocean. It would indeed be a bold stretch of the imagination to conceive of any single result in the future ages of territorial aggrandizement surpassing in importance or more worthy of remembrance than either of those mentioned.

The World's Columbian Exposition at Chicago in 1892 was the commemoration of the four hundredth anniversary of the discovery of America by Columbus. It equaled if it did not excel in magnificence, in representation of the world powers, and in its collection of exhibits of the hand and brain of man any exposition that had ever preceded it in this or any other land. It was indeed the spectacle of the nations. Our Government contributed from the National Treasury $5,384,737, while many millions were contributed by States and Territories and from other sources. This was only a fitting memorial of the great discovery of a new world, as it was also a tribute of all the nations to the memory of the daring, patient, and persevering navigator, to whose skill, confidence, and constancy the end was wrought, as it was no less a reminder of that other magnificent personage—Queen Isabella of Spain—who pledged her jewels and the revenues of the Kingdom of Castile, and thus money was raised and the ships fitted out, without which the New World perhaps had remained undiscovered for an indefinite period later.

The exposition at Philadelphia in 1876, though earlier, was another great exposition of our nation's industrial advance. It was also the centennial anniversary of the immortal Declaration of Independence and the establishment of a republic—the first Republic in the western world. It reminded us of the nation's builders—of Washington, of Hamilton, of Jefferson, and their illustrious compeers. Here, too, was an exhibit, as at the great Columbian jubilee at Chicago, of American development in the arts and sciences, and of the mines, the fisheries, the forests and

fields of the nation. The Government contributed liberally in aid of this most successful undertaking, both in money, loans, and exhibits. Passing by the intervening and lesser expositions of New Orleans, Louisville, Cincinnati, Atlanta, Nashville, Omaha, Buffalo, Charleston, and the foreign expositions at London, England, Vienna in Austria, Sidney in New South Wales, Melbourne in Australia, Berlin in Germany, Barcelona and Madrid in Spain, Brussels in Belgium, Bergen in Norway, and the three great expositions in Paris, all of which our country liberally aided, to that of Paris, in 1900, with $1,725,000 alone, I reach that in our own nation which is to commemorate the grand great event in our country's advancement, and which Congress has munificently aided—the St. Louis Exposition of 1904.

The appropriation made by Congress for this equals $6,478,000. If the means of commemoration is large, so is the subject of the Louisiana purchase, which it aids to commemorate, one of large conception. No less a celebration would be commensurate with such an august event. As it lies in the past, so it will forever figure as a landmark in the progress of this nation. It may be said, too, if the appropriation is large, so is the country large which now makes it. To that purchase it is indebted for a domain whose breadth as large as the original area of our nation to which it was attached. Compared with the Old World powers, it equals in area France, Germany, France, Spain, Portugal, and Italy combined. Within that purchase there have been formed, in whole and in part, twelve States of the Union, and all of the Indian Territory, with part of Oklahoma. It gave and made safe to us the control of one of the greatest rivers of the earth.

It removed the presence of rival foreign nations whose adjacent territory occasioned constant vexation and constant menace. It gave us a standing for the first time among the great powers. Never before, since time began, was so vast an empire acquired by peaceful negotiation, and never before was such a conquest, even when contained by war, held unbroken by the conqueror that secured it. Let it also be remembered that this was the beginning of territorial expansion by this Republic under the Constitution. It was Napoleon, with his keen foresight and knowledge of events, who, when he had concluded the negotiation for the cession, said well, much for us:

This accession of territory strengthens forever the power of the United States, and I have just given to England a maritime rival that will sooner or later humble her pride.

Marbois, Napoleon's negotiator, in commenting on the magnitude of the prize, in after years, said:

Instead of the cession of a barren and inconsiderable territory, a vast portion of America was to enter into the Union. The Louisiana Bill, long and long the most replete of investigation, the lengthening and interested discussion, was about to be [illegible] in the strongest terms of the Senate.

Of the illustrious Jefferson, the master mind, and of his two diplomatic representatives at Paris, it can well be conceded that they are entitled, if not the greatest, one of the greatest of peaceful conquests in the world's history, of which an historian has said that it "ranked in historical importance next to the Declaration of Independence and to the adoption of the Constitution." Livingston, after signing his name to the precious treaty, arose, and shaking hands with Monroe and with Marbois, with marked emotion, said:

We have lived long, but this is the finest work of our lives.

Congress, too, has made in its generous appropriation for the centennial commemoration of such a glorious incident in our country's annals.

The Lewis and Clark exploration, which marks the fourth great stride in the march of American greatness, is worthy of our country's Independence celebration. The cession of which it forms a most important element of title, and which gave us our first outlet to the Pacific, has made any which has preceded it. The discovery by Captain Gray of the Columbia River in 1792 laid our original claim to the Oregon country. This claim, however, was seriously questioned. Spain asserted a right, based upon prior discovery and even upon occupancy.

CLAIMS TO OREGON COUNTRY.

The voyages of the Spanish navigator Maldonado in 1598, of San Juan de Fuca in 1592, with many others, and especially those made Galiano and Valdes as late as 1792, extended as far north as the forty-seventh degree of north latitude. One of our negotiators, Mr. Gallatin, in support of his argument with Great Britain as to our claim admitted Spain a superior right when in his famous argument he said of the Spaniards: "They discovered and explored not only the entire coast of what is now the Oregon territory, but still farther north," and he contended that these were "facts too well established to be controverted at this day." He further referred to what he insisted was the "incontestable claim to the discovery of the mouth of the river (Columbia) by Heceta," and he made a strong point against the British claim when in his reply to the English negotiator he reminded him of his own fatal admission that Heceta, the Spaniard, was the first discoverer of the Columbia as far back as August 15, 1775.

Not alone the Spanish, but the British claims troubled our early statesmen. The British put in evidence the memorable expedition of Sir Alexander MacKenzie, which came overland, starting October 10, 1792, and crossing the Rocky Mountains, following partly down the Fraser River, and thence westward to the Pacific Ocean, reaching there July 22, 1793. Evidence of Captain Cook's voyages was submitted, in which it was shown that he had proceeded as far north as Alaska in 1776. Captain Mears was not forgotten. Then was shown the explorations by sea of Vancouver, in 1790, and in that year also it was claimed that Spain, by the Nootka convention, acknowledged to Great Britain at least a right of joint occupancy.

SETTLEMENT THE BEST TITLE.

We therefore can not rely on Gray's discovery alone for our claim. It was that which followed which forms our strongest claim, for it is not the mere sailing in and out of a river for the first time which constitutes the sole basis of title. That entrance must be followed up by occupancy and possession. As a matter of fact, De Soto was the first discoverer of the Mississippi River, and after his death his party followed down the stream from the point of discovery to its entrance into the Gulf, July 18, 1543; and if this alone were sufficient, Spain and not France could have had a superior claim to the country. While La Salle's discovery was not until 1682, his act was followed promptly by French colonization and exploration, and governmental authority was extended over the country in the name of France.

The discovery of Gray was not followed up by exploration or other act on the part of our countrymen until thirteen years after, when Lewis and Clark entered the country at the headwaters of the Columbia and, like La Salle on the Mississippi, followed the river to its entrance into the ocean. This expedition was further like that of La Salle in so much as it was under governmental authority, and further, that it was followed up a few years later by the occupation of Astor, near the mouth of the river, and other American occupancy and settlement, including the relinquishment of Spain's rights in 1819 and the declaration in Congress in 1820 of our claim to the country.

THE REAL DISCOVERERS.

Had the English or the Spanish, for instance, followed Gray's discovery by occupation and settlement before Lewis and Clark, it would have defeated our claim. Therefore, it is just to say that Lewis and Clark were the greater discoverers of the country, and a better title is based on that than on Gray's mere entrance in the Columbia in 1792. They constructed habitations, lived in the country during the winter of 1805–6, pursued investigations, and procured valuable data as to the native population, the climate, the natural resources, the navigable waterways and, especially, the character of the entrance of the Columbia River into the ocean. The journey of these intrepid explorers and those who accompanied them marked an era in the long history of explorations, and they gave to the world the first authentic and detailed information as to this new world on the Pacific. Even the nations which first explored the shores of this great ocean in the northwest knew for the first time the opportunities they had neglected.

Jefferson, the originator, the patron, and adviser of the expedition, was delighted with the results achieved, although years before commencing with John Ledyard at Paris he was urgent for the same exploration, and even on a more extended scale, and which as a matter of fact was commenced but failed in its first part. His fertile brain at once exerted itself for the utilization of the advantages disclosed in Lewis and Clark's report. He was quick to perceive the future part this nation was to play in the affairs of the world, especially with the Orient, now since we were to extend our territorial limits from ocean to ocean. He also knew that we derived no claim to this country by reason of the Louisiana purchase. He instructed Mr Madison to say to Monroe and Pinckney July 30, 1807, in referring to the treaty of the Louisiana purchase, not to make this claim, as it could "have little other effect than as an offensive intimation to Spain that our claims extend to the Pacific."

Marbois, Napoleon's negotiator, in referring to the Louisiana purchase, said: "The shores of the western ocean were certainly not included in the cession, but the United States are already there."

This statement was written in his History of Louisiana after Lewis and Clark's exploration of the country. McMaster, in his History of the People of the United States, says:

Never at any time did Oregon form part of Louisiana. Marbois denied it. Jefferson denied it. There is not a fragment of evidence in its behalf.

JEFFERSON FAVORED OCCUPANCY.

Jefferson wisely reasoned that we must maintain our claim to the country by occupancy, and to this end he corresponded with

John Jacob Astor shortly after the return of Lewis and Clark, and he promised him that "every reasonable patronage and facility in the power of the Executive will be afforded." He believed that trade would invite settlement and he expressed the hope that "the whole of the Indian trade would pass into the hands of our own citizens."

He was already familiar with the large and rich traffic then carried on from southern California to Bering Sea by the ships from several nations, including our own, in the fur trade. The first actual settlement after Lewis and Clark was that in the spring of 1810, when some traders arrived in the Columbia River on the ship *Albatross*, Captain Smith, of Boston, and these people cleared and fenced the land on which they located, and were the first to cultivate the soil. Following Jefferson's assurances of patronage, Astor's party reached the Columbia the next year, and making a location near the mouth, named it Astoria. Their ship, the *Tonquin*, arrived safely around Cape Horn from New York, and though the war of 1812, the capture of Astoria, and the treachery and dissension in the Astor company destroyed that enterprise, yet the American spirit of colonization and exploitation was now awakened, and other ventures by our countrymen quickly followed after the close of the war and the relinquishment of the Astoria post.

JOINT OCCUPATION

The Northwest Fur Company, a British-Canadian association, however occupied the Astoria site, and this power continued until merged into the more famous Hudson Bay Company, in 1823. This powerful monopoly thereafter dominated the country from the Rocky Mountains to the Spanish boundary, and exerted a controlling influence on the trade with the natives until the American settlers had arrived in such numbers as to challenge and arrest this influence and control in the assertion of the superior American claim to all that country. In 1818 the British and Americans entered into a treaty of joint occupancy, whereby it was agreed "that any country that may be claimed by either on the northwest coast of America, westward of the Stony Mountains, * * * should be free and open for the term of ten years to the vessels and subjects of the two powers." This was a practical admission of both parties of the uncertain title of either to the whole country, and was an element of trouble to our country in later years, when we claimed an exclusive right as far north as 54° 40' north latitude.

The British Government, by this clever advantage on the part of its diplomats, gained more than it could have acquired under any principles of international law. It was a Representative in Congress from Virginia, Dr. Floyd, who in 1820–21 first invoked the aid of Congress for the military occupation of the country and for the establishment of civil government. He moved for the appointment of a select committee to investigate and report. He introduced later a bill having the same object in view, and in addition providing for land grants to settlers. This bill passed the House, but met with defeat in the Senate. At this early period Thomas H. Benton, of Missouri, became active in the Senate for the same recognition of our right to the Oregon country. President Monroe in his message to Congress urged the establishment of a military post at the mouth of the Columbia River, and President John Quincy Adams was earnest in his assertion of the American claim.

OUR RIGHTS ASSERTED.

How these early statesmen felt upon this question can best be gleaned from a speech delivered by a Massachusetts Representative, wherein he said:

As we reach the Rocky Mountains we would be unwise did we not pass the narrow space which separates the mountains from the ocean to secure advantages far greater than the existing advantages of all the country between the Mississippi and the mountains. Sir, our interest and destiny lie on the Pacific ocean. The surplus time of our population must and will pass over those mountains, and, in the course of ten years, with two generations, washing our shores, the commercial world of the world is ours and commanding nation can hardly conceive the greatness, the grandeur, and the power that await us.

In 1827 the treaty of joint occupancy was renewed so far that it was continued until either party should give notice to the other of its termination. Each year thereafter our people became better informed as to the value and extent of the country, but for a long interval both parties seemed to be waiting for the other to move, until in January, 1839, Senator Linn, of Missouri, presented to the United States Senate petitions from American residents in the far-off Oregon country asking for protection and also reciting the advantages of the country. In December of that year the same Senator introduced a resolution claiming an indisputable right to the whole region, declaring that it would never be abandoned, and requesting the President to notify the British Government of the termination of the joint occupancy after twelve months' notice, and further providing for 640 acres of land to each inhabitant over 18 years of age after five years' residence and cultivation. Other petitions and other bills were later introduced by this same long-tried and constant friend of the American pioneers. In 1843 he died, but not until in the same year he had the supreme satisfaction of securing the passage of his last bill through the Senate. This was at once understood by the thousands who contemplated going to the Oregon country as an assurance that legislation would soon extend the jurisdiction and laws of the United States over the entire domain in dispute.

EMIGRATION ENCOURAGED.

A widespread feeling throughout the nation expressed itself in favor of our claims, and in the mass meetings and conventions held there were heard the murmurs of the sound soon to become so general among the people of "Fifty-four forty or fight." Large bodies of emigrants, encouraged by the promising outlook, commenced their long journey to the Pacific. Six months were consumed by the weary caravans across the wide and seemingly never-ending plains and over the lofty mountain summits, until near the close of the year the march, beset with so many perils, adventures, and sufferings, ended upon the ebbing tides of the great Pacific. From Congress there came increased assurances that the nation would stand by and protect its distant home seekers. Senator Benton, in speaking to the Linn bill, said:

We must give inducements also, and our inducement must be lands and protection. * * * The Senator from Ohio was treading in the tracks of Jefferson—perhaps without having read his recommendation—when he proposed in his speech of yesterday to plant 50,000 settlers with their 50,000 rifles on the banks of the Oregon.

And he said:

Emigration is the only thing which can save the country from the British, acting through their powerful agent, the Hudson Bay Company.

President Van Buren and President Tyler both urged the policy of placing garrisons along the route for the protection of the emigration. The Wilkes expedition by sea and the Frémont expedition by land were the first effective services by governmental authority since Lewis and Clark.

The official information furnished the American people by these journeys, like that by the Virginia explorers, was specially valued because of its accuracy and detail. In 1843 there assembled at a point in the State of Missouri people from many parts of the Union—all intent upon undertaking the long journey. The assemblage started in the month of May and was the largest movement yet seen. It was in this emigration the first wagons were successfully hauled across the American continent to reach the Columbia River and the settlements, and gave proof to the world that overland emigration, with this degree of comfort, was practicable. The settlements thus far were composed of a mixed population of English, Americans, French Canadians, and half-breed Indians. There were some still living in the country who had seen Captain Gray in his ship, the *Columbia*, in 1792, and later Lewis and Clark and the builders of American Astoria, and some of the then settlers had been members of these last explorations. The first thought, so natural to the American element, was that of civil government.

THE PIONEER GOVERNMENT.

Repeated petitions to Congress for protection were in vain, and the necessity for some code of laws for the safety of life and property became each day more indispensable. Disappointed and discouraged with the slow action of our Government, these people at last determined to protect themselves and to provide a local government, and to this end, on May 2, 1843, a meeting of the few settlers was held pursuant to previous notice given. Here, then, was to be decided for the first time by popular vote whether civil government by the people and for the people should be secured for the great empire west of the Rocky Mountains. The British Hudson Bay Company had many adherents among the settlers, who had once been in its service and who remained friendly to its jurisdiction and control, and they opposed any authority which might conflict with it. The assemblage was held in an open field not far from the present capital city of the State, at a place known, as Champoeg—an Indian word, signifying "the place of the camp." The vote was on the adoption of the report of a committee for a temporary government of the people and was declared to be lost. This result was unexpected. Amid great excitement a division was demanded.

Upon a division those who favored the report ranged on the right, while those opposed filed to the left. The result of the count showed 52 for the motion and 50 against. A majority of 2 had won the day. A shout of triumph on the part of the Americans greeted the happy announcement, and thus was laid the primitive foundation for civil government from which three States and parts of two others have been formed. A code of laws was prepared, which, being submitted to another assemblage of the settlers on July 4 of the same year, was adopted. At the same time executive officers were elected, and on this day the first popular government for the Oregon country went into effect. In 1845 the organic law was remodeled, and George Abernethy was later on elected the executive of the provisional government.

The example of this little republic on the far-away Pacific, cut off from all the world and without the recognition or support of any other government, was a theme of wide discussion throughout the nation, and it did more to hasten the final declaration against Great Britain for a definite acknowledgment of our rights than any event which had preceded it.

Better than all, this infant confederacy of American pioneers was at once successful, harmonious, and prosperous. They were soon confronted with an Indian war, directly occasioned by the massacre of Doctor Whitman and his missionary associates. The incoming emigration was threatened with annihilation, and even a general attack on the settlements was for a while feared. Troops were raised and a disciplined body of men was immediately put in the field and marched to the enemy's country and there, at a distant point, in a winter campaign, they met the hostiles in several engagements and severely punished them. The murderous Indians, who were at the massacre, were surrendered up, tried by a jury, convicted, and by a court sentenced to death, and executed under the forms of law. This vigorous action of the new government gained for it not only the fear and respect of the Indians, but likewise a necessary regard for the settlers themselves. These stirring scenes among the pioneers only increased the popular feeling at home and accelerated action at Washington City. The Presidential campaign of 1844, in which the Oregon question was paramount, resulted in the election of President Polk. He made known his views officially in his inaugural address, wherein he said:

> It will become my duty to assert and maintain by all constitutional means the right of the United States to that portion of our territory which lies beyond the Rocky Mountains. Our title is clear and unquestionable, and already our population is fast flowing over it, and we are preparing to perfect that title by occupying it with our settlers and children.

TERRITORIAL GOVERNMENT.

At last the long-drawn struggle was ended in the treaty between the two nations by which the forty-ninth degree of north latitude was recognized as our northern boundary June 15, 1846. Territorial government was extended over the country August 14, 1848, and General Joseph Lane, of Indiana, a distinguished general of the Mexican war, became the first Territorial governor. He was six months in reaching his post of duty, and there at Oregon City on March 3, 1849, he unfurled the flag of our Union for the first time over all the domain west of the Rocky Mountains and north of the Spanish possessions, and proclaimed the authority and the protection of the laws of the United States. The little republic of the provisional government, which had so heroically, so ably, and so faithfully served its mission, gracefully and gladly yielded up its authority to the greater power and retired from a further place in history, but not from the grateful memory which will ever regard it as the "Crowning glory of the American pioneer" and as a monument of the fidelity of the true citizen to law and order.

AREA AND RESOURCES.

And what is the area of this peaceful conquest? It is four times larger than all the New England States. Greater than combined New York, Pennsylvania, New Jersey, Delaware, and Maryland. It exceeds the combined area of the German Empire, Switzerland, Denmark, Belgium, and the Netherlands. And what has been the development and industrial advancement and the productive wealth of this country, which only fifty-five years ago was in its infancy? The gold and silver alone since mined in that country aggregates the enormous sum of $125,979,918. The census of 1900 shows for that year $175,000,000 in manufactures, $84,199,000 in live stock, 41,787,668 bushels of wheat, and 15,496,132 bushels of oats, about 40,000,000 pounds of wool, and over 21,000,000 pounds of hops, with over 3,000,000 tons of hay. In hops Oregon and Washington produce more than half that of the whole nation.

There has been paid in the Treasury from that country a grand total of $34,869,057, proceeds from customs, revenue taxes, and land sales. The total of all classes of property is now approximately $3,000,000,000. Individual bank deposits in the national, foreign, and private banks in the three States of Oregon, Washington, and Idaho show about $120,000,000, the deposits for the national banks alone equaling in last year nearly $60,000,000. It has a foreign commerce equaling $60,000,000. Less than one year ago a ship cleared from Portland, Oreg., with 87,276 barrels of flour and 500 tons of wheat. This beats the record. Three years ago another ship cleared from Puget Sound carrying a single cargo of 360,000 bushels of wheat, while last year Oregon and Washington alone shipped to the world's markets about one-seventh of all the wheat of our entire nation. The trade in lumber ranks high. In a recent year there was shipped from Oregon and Washington 3,500,000,000 feet of merchantable lumber to the leading markets, one contract being for the Philippines, embracing 11,000,000 feet, and it can be said that the standing timber in these two States equals one-fourth that for the entire nation.

WITHOUT LEWIS AND CLARK NO PACIFIC COAST POSSESSIONS.

Nor do our obligations to Lewis and Clark and to the foresight of Thomas Jefferson and to our early statesmen and pioneers end with the Oregon country. Let us remember that without this there would have been no inducement for the acquisition of the Mexican possessions, embracing what is now the great State of California, with Nevada, Utah, and parts of Colorado and Wyoming, with the splendid Territories of New Mexico and Arizona. Here alone is an area of 523,803 square miles, not including the Gadsden purchase of 23,175,000 acres later. Had we not already secured the Oregon country, our nation would never have sanctioned the military operations in the Mexican territory in 1848, following the war, and these possessions would not now be ours. We can proceed still further and say that Alaska would not have been thought of for American purchase, nor would Hawaii, nor the Philippines, and the other island possessions in the Pacific. The guns of Dewey may have sounded in Manila Bay and the Spanish fleet may have been vanquished, but without the Oregon country the Paris treaty would never have included for the United States any of Spain's territory on that ocean.

Thus do we trace the territorial progress of our nation from the exploration of Lewis and Clark, with the wealth, resources, and capabilities based on their discovery, until we have become a world power and the wonder of history.

The future is already upon us, and the last wish of old Tom Benton, that he might live to behold the meeting of the Occident and the Orient at the mouth of the Columbia, has been more than realized. We have, indeed, already entered upon the prophesies of Humboldt and Seward, who both fifty years ago could foresee the Pacific Ocean as the place of battle for the commercial supremacy of the world.

PACIFIC COAST A COMMERCIAL ADVANTAGE.

That battle is now on. One of its elements of advantage is a close intimacy with the consuming or importing nations. This means an acquaintance with the varieties and the qualities and prices of the import products, as well as a close intermingling with the peoples who are chiefly consumers of the products of the selling or exporting nations. To this end an exposition is an object lesson and an introduction, and the trade which immediately follows is worth more to the nation a hundred-fold than it costs. So well attested is this that we know of single exhibitors who paid as high as $100,000 as their contribution to the Philadelphia Exposition, knowing, as they did, that this was an investment well made for their own commercial benefit.

With the United States the necessity is in increased markets for the future. We sell to the world's markets $178,398,453 more than we buy. This balance of trade, which comes to us in the gold of the world, exceeds the annual yield of all the gold and silver mines of the earth. But how long can this continue? Such a tremendous drain upon the earnings of the buying countries of the western nations has compelled them to consult their own safety while it is yet time. Germany is imitating the production of our leading exports to that country so closely as to reduce in a marked degree our sales in some commodities, while England is importing our improved machinery, laying aside and also doing as obsolete its own antiquated and costly machinery, and is even importing the skilled Americans to supervise it. More than this, that nation is now agitated as never before as to the necessity for imposing such duties upon many of our products hitherto free as will lessen our exportation. Other nations are now asking themselves: How much greater and more far-reaching shall this American invasion into our industrial field extend? As a prudent nation we may apply to our trade conditions the maxim: "In time of peace prepare for war."

THE FUTURE MARKET.

With our present productive energy, stimulated by constantly increasing facilities and with cheaper transportation, we shall increase our enormous surplus, and therefore more than ever we need ask the question, "Where shall we secure the market place?" We have expanded our area and our productive capacity, and now we must expand the market place. We must do this before our competitors shall reach that place. We should adopt every proper element conducive to this end. In our search we select Asia and Oceania as the objective points. And why? Those countries produce the articles of which we produce the least, and of which even now we import an amount equaling one-half of our imports from all the world. For all time this import must continue and increase. On the other hand, the products in which those countries produce the least and will perhaps buy the most are those in which we above all nations excel. These products form a large proportion of our surplus. Indeed, of this very surplus these nations already buy of us goods to the extent in value of $100,000,000 annually, while our purchases last year of these imported products amounted to $100,000,000, or nearly one-half our total imports from all nations. In fact, our nation consumes more of such products than any other nation. It will, therefore, be natural, as it will be to their interest, to favor a traffic with such a nation. To extend our sales to such a market the energy and the capital of our countrymen are straining at every point.

THE ORIENT AMERICA'S PRIZE.

Great ocean fleets are already engaged in the oriental trade from and to the Pacific. Cable lines communicate between the two shores and with the intermediate stations on our island possessions. Every year American enterprise and American capital show increased gains in our commerce. While in ten years past our imports from all countries increased 10 per cent, those from Asia and Oceania increased 70 per cent. Our sales increased in the ten years from $40,000,000 to $115,000,000, or an increase of 185 per cent, as against 50 per cent increase of total exports to all nations. The advantage of our position on the Pacific shows is apparent. We own a greater coast line on this ocean than any other country. Upon that shore we face more than one-half the earth's population and one-third the earth's area. We are nearer that area than are our competitors. While our European rivals have three oceans to cross to reach those countries, we have but one. In our commerce with Europe we must cross the Atlantic and then compete with our European rival in his own market, while in the Asiatic market we meet him on equal terms. To reach there we have convenient way stations in the great ocean, such as Hawaii, Wake Island, Guam, and the Philippines. To the American shipper these are of inestimable advantage in case of war, of shipwreck, of fuel or food shortage, of repair, or for communication by the cable lines. These places are like so many stepping-stones across the wide expanse.

LEWIS AND CLARK EXPOSITION AN AID.

The Lewis and Clark Exposition, when held on the same ocean facing the Orient and connected as now with a large fleet of steamers from the Pacific ports, will greatly tend to induce the Asiatics to visit us and to view our resources and productions and to introduce to us not only themselves but their own products at our exposition. I lay down the fundamental proposition that the more you introduce to these people our modern improvements, our western ideas, our tastes, and our methods, with our inducements for commercial exchange, the more they will cultivate such tastes and comforts and conveniences, and demand our products for their market places. It has another effect. It encourages industrial development, and this exercises the ability to purchase. Japan is, perhaps, the best illustration. It has done more to adopt European progress than either of the other oriental countries in the same time. Her ports are open to all the world. Her students are in our universities, in our workshops and agricultural and mechanical colleges, and in our military, naval, and scientific schools.

They are studying our professions and our arts and literature. They return and communicate their newly acquired thoughts and skill and experience to their countrymen. They invite and welcome people of the western nations to visit their country and to enter into commercial relations with them. This change has all been within fifty years past. Before that no foreigner was allowed to enter their country, and no Japanese was allowed to leave. Their foreign commerce and industrial development were at a low ebb. Since then their acquaintance and commingling with the western nations have produced a marvelous improvement in their social and political status, and especially in their commercial progress. They rank now among the nations almost seventh with their mercantile fleet, in which order also their navy ranks among the navies of the world. They produce and sell more and they consume and buy more. They have verified the truth that as a nation increases its producing capacity it increases its consuming capacity and ability. They are now for the first time buying more from us than they sell to us.

TRADE FOLLOWS CLOSER RELATIONS.

While in the ten years past the Chinese increased their imports 50 per cent, the Japanese increased theirs over 200 per cent.

To-day they stand high among commercial nations. They have been the wonder of history, and have won the title of the "Yankees of the East."

The Hawaiian Islands afford another illustration of Western contact. In 1897 we sold them our products, valued at $4,690,075. Under American control our sales increased in 1903 to $10,810,472. So great was the Western stimulus upon their producing capacity and their ability to export that their sales increased from $16,087,799 in 1897 to $26,242,869 in 1903. Their producing capacity is now twenty times greater than it was at the time of our reciprocity treaty with them in 1876.

And so, too, with the Philippine Islands, which in 1897, before American occupancy, only purchased from us $94,597 in surplus products. In 1903 they purchased of the same products over $4,000,000 in value. In 1897 we bought from them only $4,388,740 of their products, while in 1903 their sales to us had increased to $11,372,584.

WESTERN INFLUENCE UPON ASIA.

Perhaps India is the fairest sample of the effects of civilization upon increased wants, improved tastes, with increased imports. It was not until 1858 that the British Government acquired full control in India. Then post-offices, railways, wagon roads, bridges, telegraph lines, and the other advantages of a civilized and commercial age followed. The imports have since grown from about $75,000,000 to $264,000,000 at present, and the exports since then are from $133,000,000 to $403,000,000 at present. Here the population is about one-fifth that of the earth, while the area exceeds one-half that of the United States. And it is further shown to be true in this case that the nation which is closest in contact derives the greatest advantage. The British as a result have 64 per cent of the imports of India, while but 2 per cent are from the United States; and yet 50 per cent of India's foreign purchases are of articles of which we are the greatest producers on earth.

As showing the relative progress between India, which is open to the world's commerce and stimulated by western influence, compare with China, which has so long existed under a policy of exclusion with the world, even now many of her ports remaining closed to foreign commerce, and note that India is a buyer of the world's products to the extent of 80 per cent per capita of her population, while China is a buyer of but 50 per cent per capita. India has a total foreign commerce of $2 per capita, while China has a foreign commerce of but 80 cents per capita. Our increasing commerce with China, however, is one of the hopeful signs. Only recently two additional ports heretofore closed were opened to our commerce. This market should enlist our earnest and liberal attention. The Chinese are by nature among the most industrious of people. While their wage earnings are the lowest on earth, they are yet free with their earnings. If we shall infuse them with our western energy and modern methods they will increase their productive capacity and earnings and they will become generous customers of our country. Should we in time secure their trade of only $4 per capita, that would equal the combined annual sales of this nation now to all the world. Now their trade with us is but 5 cents per capita. Their trade with the British is much larger than with us. Our exports to China are but half those of the British.

EXPOSITIONS STIMULATE COMMERCE.

We sell to the people of the United Kingdom products approximating in value to $13 per capita, and may we not hope in time and with more favorable conditions in China's commerce and industries that our trade there may reach the $4 per capita? This is one of the trade problems. We have extended our territory to within 600 miles of the gates of China, and her treaty ports are not remote from our metropolis in the Orient. As Hongkong in relation to China is a commercial aid to the British, why should Manila not likewise be to our own country? This review merely reminds us of our place in the race for the commercial supremacy of the Pacific and the probability of succeeding by maintaining our high standard as a public-spirited, liberal, and progressive people. As a great and a rich nation we can afford to patronize an exposition such as that which is to celebrate the acquisition of an empire after the few people in that distant region have done so much themselves toward emphasizing an event of such far-reaching benefits for all the United States and which, at the same time, on the shores of that great ocean secured to us by the efforts of the illustrious Jefferson and the heroic men who in sacrifice and suffering explored a continent to possess, is to strengthen an influence which aids, encourages, and develops the commerce and trade of our country at home and with all the world.

To our foothold on these shores we base our start in the battle for the commercial supremacy of the Pacific and perhaps, even later, for the whole world. Without the exploration of Lewis and Clark, which gave us first the coast line on that ocean, other nations would stand to-day where we now do and other flags would float in triumph over all that domain, extending from the mountains to the sea. Is there no meaning in this?

PORTLAND THE APPROPRIATE PLACE FOR CELEBRATION.

It is proper such an event should be celebrated there in the great Columbia River Valley and at the beautiful city of Portland, on the Willamette River. There and near this favored spot were laid many of the scenes in the conquest of the Northwest, unrivaled in history, and there in full view stand out in majestic form the lofty, snow-capped Mount Hood and the companion mounts not far away, all bearing in their historic names the memories of more than a century ago. An easy conveyance soon transports us to the camp of Lewis and Clark, made famous for all time as the winter sojourn of those intrepid men, and where they laid the enduring foundation for American empire on the Pacific. Here and near here came the weary caravans, the forerunners of the peaceful conquest after the close of the long and patient overland journey by horse and by ox team of half a year in travel, and to others the end of the long sea journey around Cape Horn. At Vancouver, on the Columbia River—an hour's travel from Port-

land—will be seen the locality of the old fort of the Hudson Bay Company, where the benevolent and yet dignified and determined old governor, Doctor McLoughlen, ruled all that country of the old Oregon for nearly a quarter of a century.

Not far away is the memorable site where in the open field the few American pioneers established and proclaimed civil government by the people. It is right and proper, then, that such memories should excite within us emotions of the deepest character. Here, too, such an exposition will be an educator to the West and to the East—and to that farther east in the Orient. Such an exposition will come to the States of the Pacific 2,000 miles nearer than any other great exposition ever before aided by our nation. It will be an event of itself. Distance and expense prevented many of our people in the past from visiting any such an exposition before. If it be asked, "Will the exposition pay?" it can be said that no exposition was ever held in our country that did not pay back to the people a thousand times more than it ever cost. It repays its cost in money, in patriotic inspiration, in stimulus to material development, in industrial competition, in improved methods, modern ideas, and invention. The first of our great national-aided expositions was that at Philadelphia in 1876. Its effect was to change much of the taste of the American people. It revolutionized many industrial operations and created new thoughts in man.

EXPOSITIONS EDUCATE AND IMPROVE.

It put millions of our people, especially in the great labor field, on an easier road. The factories, the fields, the forests, and the mines received a stimulus. It shed a new light upon the bread-winner and the toiler. It gave to the whole nation a strong lift in its tremendous strides in the industrial march. Greater still was the effect of the Chicago Exposition in 1893. And so will the influence be which will permeate from the St. Louis Exposition every remote part of the earth. While it educates and pleases and honors and enriches our own countrymen, it also educates the foreign visitor, the exhibitor, the buyer, and the seller from the world's great market places. A nation's exposition is a nation's object lesson. It is the common meeting place for the interchange of progressive ideas and for the exhibit of the finished product of the brain and hand of man, whereby the nation and the world may improve, that the human burden may be lightened and all mankind bettered thereby. Its influence is not for to-day, nor is it confined to any one locality. It is the mission of a useful thought to have neither a boundary of time nor of place. There never was an exposition that did not leave some part of the world better and wiser than before, and there is no expenditure by a government which inures so bountifully to the people as the exposition which it aids, patronizes, and encourages. Let us then do ourselves honor and the whole country a benefit in a fitting observance by our nation of the centenary anniversary of the fourth greatest occurrence in our country's annals. [Loud applause.]

Mr. STEPHENS of Texas. I yield to the gentleman from Kentucky [Mr. STANLEY] one hour.

Mr. STANLEY. Mr. Chairman, statistics for the year 1902 show that twenty-six States within the United States produced in that year 821,823,903 pounds of tobacco upon a little over 1,000,000 acres of land, this product being distributed in the various States as follows:

Acreage, production, and value of tobacco in the United States in 1902.

State.	Acreage	Yield per acre.	Production.	Price per pound.	Total value.
	Acres.	*Pounds.*	*Pounds.*	*Cents.*	
New Hampshire	131	[illegible]	[illegible]	16	$34,584
Vermont	191	1,800	[illegible]	14	48,132
Massachusetts	4,755	1,500	7,[illegible]	15	1,112,670
Connecticut	12,795	1,712	21,[illegible]	16	3,485,682
New York	8,040	1,[illegible]	[illegible]	8	884,040
Pennsylvania	17,200	1,[illegible]	24,[illegible]	6	1,321,078
Maryland	34,081	695	21,[illegible]	6	1,[illegible]
Virginia	162,359	750	122,[illegible]	7	9,[illegible]
North Carolina	219,263	650	142,[illegible]	7	9,976,466
South Carolina	34,912	734	25,[illegible]	7	1,799,779
Georgia	2,050	670	1,[illegible]	19	291,965
Florida	3,070	700	1,[illegible]	30	480,224
Alabama	648	400	[illegible]	28	82,[illegible]
Mississippi	175	500	87,500	18	15,[illegible]
Louisiana	50	375	18,375	20	3,[illegible]
Texas	269	650	174,850	22	38,[illegible]
Arkansas	1,405	640	[illegible]	12	107,904
Tennessee	59,850	650	38,[illegible]	6	2,333,[illegible]
West Virginia	4,676	625	2,[illegible]	7	207,[illegible]
Kentucky	222,194	800	257,[illegible]	6	15,465,312
Ohio	62,899	885	55,[illegible]	7	3,[illegible]
Michigan	382	765	291,[illegible]	8	18,[illegible]
Indiana	7,460	855	6,[illegible]	7	436,967
Illinois	1,311	650	852,[illegible]	7	59,650
Wisconsin	48,422	1,340	65,[illegible]	7	4,541,884
Missouri	2,140	800	1,[illegible]	11	200,060
United States	1,000,734	797.3	821,823,903	7	57,563,510

In the recent hearings before the Committee on Ways and Means it was demonstrated that the maximum amount of tobacco which can be cultivated by any one man is 3 acres. With 3 acres of tobacco to the man there are to-day as actual manual laborers, not counting the owners of land, an army of 350,000 men whose daily bread depends upon their toil in this crop.

Making the usual estimate of five persons to the adult male, we have to-day 1,700,000 men, women, and children whose lives and whose living depend upon the price of this product. To carefully consider and to more carefully act in a matter so vitally affecting an army larger than was ever assembled under any banner since the days of Xerxes is worthy the earnest attention of this the greatest deliberative body on earth.

I would that this Congress were better acquainted with this frugal and industrious master of the small domain of a cabin and 3 acres of land. You have for years and years carefully and justly guarded the homestead of the West. As old as your statutes are the provisions which exempt even from the creditor's demand that same homestead; and why? Because it is to the common interest of all that every man between the oceans, if such a thing be possible, shall be the absolute owner of his own home.

The smallest farmers in the world are the growers of tobacco. There is no other crop that requires the same amount of manual labor to the acre, the same amount of care and attention, or which, under ordinary conditions, will produce the same returns in dollars and cents per acre. Until a short time ago these men made upon this land from fifty to three hundred dollars an acre. It was the ambition of the tobacco tenant to see his little patrimony grow. Receiving one-half of his product for his toil, the other half went to the owner of the land, the man who provided him with teams and tools and barns. It was the hope of this toiler and those he loved to become the sole owner of 10 or 12 acres of land, a pair of mules, and a cabin; and it is the purpose of this Government, it is the humanity and the wisdom of the nation, that your most careful and gentle protection shall be thrown around the honest tiller of the soil, whose brightest hopes are clustered about a cottage and a few acres of land.

This was no idle life led by these humble toilers. From early in February, when he burns his beds, until the January of the next year his entire time was consumed in the cultivation of this little handful of tobacco. Your machinery has made one man capable of cultivating 50 acres in corn, a few men a domain in hay or wheat; but you have not, nor can you, advance one step in the production of tobacco by improvements in the mechanical arts. These plants must be drawn from the bed by hand, put in a hill made by hand; each leaf must be carefully guarded and protected by hand; the worms and insects that destroy it must be removed by hand; by the hand alone it is cut and garnered. That is the reason why one man can only cultivate the small amount of 3 acres.

There is another thing that is worthy of your attention, you who would alleviate the condition of the tobacco growers in twenty-six States of this Union. In the midst of labor broils, in the midst of war between employer and employee, in the midst of lockouts and of strikes, in a hundred years there has been no friction, there has been no strife, no jar between the landlord and his tenant in any of those twenty-six States. Three hundred thousand men for fifty years have tilled the soil in peace; 200,000 men have for half a century lived as neighbors and friends with those for whom they toiled, and 300,000 men have had as their sole ambition and highest desire to add to the column of home lovers and home seekers in this land.

In the hour of his affliction, in the time of want, the landlord has been the friend and the protector of his tenant. On the fertile plains of Kentucky and Tennessee during all this long era the little patches of tobacco on hill and dale have furnished to the tumultuous scenes of conflicting toil one quiet haven. Hope and peace and plenty cast their mingled delights around him. Here in the midst of confusion and lockouts on every hand was labor's very Eden.

It was at this time, Mr. Chairman, that James B. Duke, traveling from the East to his home in Virginia, looked through a car window and, seeing one of the great tanks of the Standard Oil Company, turned to a gentleman beside him in that car and said, pointing to the great tank of the Standard Oil Company, "That is what I am going to do with the tobacco business of America." Fired by the example of Rockefeller, determined to hold in his single hand a power unknown to princes or to kings, he founded what is known as the "American Tobacco Company." The history of that American Tobacco Company, of that trust, for rapid increase, for multiplied and decisive victories, has no peer or parallel in the commercial history of the world.

Let us see. You will remember that a short time ago every schoolboy had a photograph, tinted and painted, taken from packages of cigarettes. It marked the first battle of the American Tobacco Company. At that time Allen & Ginter, the McKinney Tobacco Company, Goodwin & Co., and W. S. Kimball

were engaged in the business of manufacturing cigarettes. According to the sworn statement of Mr. Duke, Allen & Ginter, the McKinney Tobacco Company, Goodwin & Co., and W. S. Kimball & Co. were formed into a single gigantic combination, with a capital stock of $44,000,000. Duke's competitors received $20,000,000 in cash for their good will under the sale.

That ended competition in the making of cigarettes in the United States. Then it was this company started upon its course of worse than medieval war. It was not competition. It was uncompromising battle; it was destruction. They chose as their trade-mark a "battle-ax," a weapon which has within it all the cleaving power of the saber and all the crushing weight of the mace, and with that "battle-ax" they determined to ruthlessly destroy all the manufacturers of smoking and of plug tobacco within the confines of the United States.

Liggett & Meirer were first selected for slaughter. At that time this great firm, with a capital of over $15,000,000, with good will worth twice that sum, sold "Star" tobacco throughout the whole United States. The production of that article was simply enormous. It had been made for a generation. It was hoped by Liggett & Meirer that the quality of their goods and the character of their patronage would protect them from the onslaught of the American Tobacco Company. At it they went. Every fence, every wall, every show window, every post and telegraph pole gleamed with the insignia of war of the American Tobacco Company, and you could see the "battle-ax" wherever you might turn. Down went the cost of plug tobacco, down to the cost of production, then absolutely below the value of the simple tobacco in that plug. Down it went.

Within a few months, according to the statement of James B. Duke himself, he was out of pocket on that one deal the enormous sum of $4,[illegible] cash. Liggett & Meirer crumbled and went to the wall, and in less than twelve months on that single deal the American Tobacco Company cleared $12,000,000. Then it was that [illegible] to see the handwriting on the wall. Finzer Brothers, Louisville; Fauntleroy & Durnoffer, Louisville; Harry Weissenger, Lonisville; P. S. Sorg & Co., Middletown, Ohio; Wilson & McCanley, Middletown, Ohio; Lorillard & Co., New Jersey; Buchanan & Lyall, New Jersey; Bagley Tobacco Works, Toledo, Ohio; Daniel Scotten & Co., Detroit; Liggett & Meirer, Drummond & Co., Butler & Co., of St. Louis; and last of all, the Durham Company went to the wall or were swallowed in the insatiate maw of this all-devouring trust. And remember each one of these great companies had a capital stock of between two and fifteen million dollars. Within less than forty-eight months after that war was inaugurated they were the only makers of plug tobacco in the world this side of the Atlantic Ocean.

At that time 15,000,000 pounds of tobacco were every year being made into snuff. The snuff manufacturers of this country had a combined capital of $17,000,000. Having captured the cigar [illegible] and the plug tobacco, having captured the smoking tobacco, they turned their attention to the makers of snuff, and in the first smoke of conflict, within a few months, Ivery, Owen & Co., of Lynchburg; Gail & Ax, Baltimore; Garrett & Co., Philadelphia; Stewart, Ralph & Co., Philadelphia; Held & Co., New Jersey; Lorillard & Co., New Jersey; Bruton & Condy, Nashville, Tenn., and Blackwell & Co. were in the ruins. There were left in the United States only the manufacturers of a single kind of tobacco.

Cheap leaf and lugs were made into a long twist by taking a small hand of tobacco in this way [illustrating], just three or four leaves bound together and roughly formed in the shape of a cigar and packed [illegible] in a cask, the oil being used to keep one of these long strings from sticking to the other. It was the cheapest tobacco known to the markets. This tobacco was sold in Mexico, in Central America, and on the coasts of Africa. It was manufactured by Hernshein Brothers, New Orleans; W. S. Mathews & Sons and Dortch & Co., Louisville, Ky. They, too, met the common fate of all. This trade is entirely gone; the American Company to-day controls it absolutely. The result of this company's operations may well fill conservative men with amazement. This greedy and aspiring organization to-day is absolute master, with the partial exception of the cigar trade, of a business whose retail sales amount to the enormous sum of $500,[illegible] annually.

It deeply concerns men who are not interested in the tobacco business. It is a startling illustration of the wrecking power of such an illegal and law-defying combination. It is high time for this nation to act when in a few months one single company can capture or compel an army of independent dealers, constituting a business whose gross receipts reach the princely sum of $500,000,000 per annum.

Were they satisfied with the conquest of a continent? Were they content? Ah, no! In its inception it was intended to be the conqueror of the world. The next step taken by these people was to capture the markets of the British Government. They moved on the Old World. At that time in England the principal handlers and buyers of tobacco were composed of seventeen different firms. You will remember that in order to ship tobacco into Great Britain you must pay an initial tax of 72 cents.

Mr. GAINES of Tennessee. And you had to stem it, too, did you not?

Mr. STANLEY. And you had to stem it. It must be stemmed and a tax of 72 cents must be paid. Now, in order to handle this product, which paid an import duty of 72 cents a pound alone before landing it in your warehouse, required an enormous amount of money. These seventeen purchasers and importers of tobacco had a capital stock of $[illegible], and yet when it was known that James B. Duke & Co., commonly called the "American Tobacco Company," had invaded the territory of Great Britain, that announcement was followed first by a panic and then by rage. They carried it to the extent of a propaganda. Hostility to this American invasion was almost preached in the pulpit.

The common people took it up; no shop, no retailer who was known to handle the American Tobacco Company's products could command the trade of his friends. Their product was boycotted in every city, in every crossroad, and in every hamlet. Undismayed by the tremendous and stubborn opposition of the British Empire, they captured the great firm of Ogden & Co., perhaps the wealthiest of all the importers of tobacco in the world. The Imperial Company, to hold the ground that it had gained, actually offered to divide among the dealers not handling the American Tobacco Company's product the sum of $500,000 in six months.

They agreed to divide among these same dealers one-fifth of the entire profits of a business with a capital stock of $75,000,000. The American company, not to be outdone, offered to dealers handling their goods within the confines of Great Britain the staggering sum of $1,000,000 a year for four successive years and all the profits of the American Tobacco Company in Great Britain for the same period. That brought the Imperial company to their knees, and then they more than surrendered. They betrayed the interests of the people who had trusted them. They were conquered and then prostituted by this company. Under the terms of the agreement between the American company and the Imperial company, the Imperial company, of Great Britain, now itself a trust, was to have absolute control of the markets in Great Britain. The American company was to have absolute control of the markets of the world. Here are the terms of that abject surrender and shameless betrayal of the people's interests:

As a matter of fact, the treaty of peace was as follows: The Imperial pur- [illegible] gave them an interest in its [illegible] as the price of the peace.

Where in all this world will this tobacco thus excluded from the markets of South Africa, North and South America, and the British Isles find a market? We are doubly barred from the ports of the Continent of Europe. In 1903 we exported to Italy [illegible] 942 pounds of American tobacco; to France, 31,[illegible] pounds; to Spain, [illegible] pounds. In 1902, to the United Kingdom, 98,727,[illegible] pounds, and in 1901, to Austria, 273,937 pounds.

Notwithstanding this enormous demand, not one ounce of this tobacco was landed or received in any of the five European countries named, except Great Britain, by any private individual.

In all the countries named, save Great Britain alone, the government has an absolute monopoly of this product, and the importation of tobacco in any form, by any person or company not duly authorized by the government, is positively forbidden, and these restrictions are enforced with tireless and merciless exactness by powerful beneficiaries of this business.

In each of these countries the governments, through their agents, known as "Regie contractors," buy for their respective governments such tobacco as in their opinion will satisfy the market therein. This tobacco is the property of the government to which it is consigned, is manufactured and sold by the duly authorized agents and officials of these various governments, and all the profits derived therefrom go as revenue directly into the coffers of the state.

The enormous profits derived from the government monopolies in this product are clearly illustrated from the following table, giving the number of pounds exported from the United States and the revenues derived therefrom. The import duty of Great Britain amounts practically to a Government monopoly, and for

that reason I have placed this in the category of governmental monopolies.

Country.	Exported from the United States.	Revenue from tobacco monopoly.
	Pounds.	
Italy, 1903	37,[illegible],942	$40,509,256
France, 1903	31,557,215	82,[illegible],422
Spain, 1903	28,792,600	25,[illegible],800
United Kingdom, 1902	98,727,979	60,[illegible],685
Austria, 1903	273,937	44,655,490
Total	196,888,766	253,965,933

An examination of the foregoing table demonstrates that tobacco under these oppressive trade restrictions pays into the treasuries of five European countries annually the sum of $253,965,933.

The tobacco imported into these countries comes almost entirely from America, in which event we are confronted with this surpassing state of affairs: One hundred and ninety-six million eight hundred and eighty-eight thousand seven hundred and sixty-six pounds of tobacco, purchased at from 3 to 4 cents per pound, under the manipulations of monopolies and import duties in Great Britain and Europe, are made to pay into the treasuries of these governments a revenue of $253,965,933, or an average of $1.29 per pound.

Mr. GAINES of Tennessee. Where does the gentleman take his statistics from?

Mr. STANLEY. The most of them are estimates made by the Census Department, in the Bureau of Labor and Commerce. Now, this last deal with the Imperial company encompassed the absolute dominion of the entire tobacco crop of the world. There are in this country, as you who raise tobacco know, contractors called "Regie contractors," and they are well named, with that naked Latin ablative. They are buyers from the king, commissioned by the crowned heads whom they represent. They are the only living men who can ship one ounce of tobacco into these countries. They have absolute dominion and control of that product.

Now, the American Tobacco Company and the Imperial Tobacco Company called into its councils the official buyers of France, Italy, the Netherlands, Spain, and Portugal, and they said to them: "We have it within our power to say that no two men shall ever bid upon the same tobacco plant anywhere in the world." They said to the buyer from Spain, "Where have you been buying tobacco?" "Why, in Robinson County, Tenn." They said to the buyer from Italy, "Where have you been buying your tobacco?" "In Graves County, Ky." "How many acres of tobacco can your Government consume in a year?" "So many hundred acres." "We will give you dominion over that, and no other one of us will go into that territory." And so these men, these imperial agents, these buyers for kings, and still more powerful than the kings and the princes, the Imperial Tobacco and American Tobacco companies, looked out from their lofty height and parceled out your country, sir, and mine, to be henceforth the home alone for vassals and for slaves. [Applause.]

You can go anywhere to-day in Kentucky or Tennessee, and, I presume, into other States, and where you find upon a bundle of tobacco the hated seal of the Kings of Spain or Italy there is no other buyer in the world who will dare to touch that tobacco. In my town, the greatest leaf-tobacco market in the world, these buyers have commissioned one single man, one single soul—think of it!—to buy 100,000,000 pounds of tobacco, if need be. He has his instructions. A load of tobacco comes up and he says, "Send it to that warehouse over yonder." Another load drives up and he says, "Send it over yonder." There are a dozen different depositories for tobacco in my town, each one once owned and controlled by freemen, and to-day one man sorts it all. He gives to Spain her portion, to Italy her portion, to the Imperial company its portion, to the American company its portion, and the saddest thing of all is that there is no portion for the hundred thousand horny-handed wretches who brought this product to its perfect fruition.

The American tobacco is to-day burdened not only in the countries mentioned; there is in all the civilized world practically no open port for this product of the soil—produced in such quantities and at such an infinite cost of time and labor by the hardy men of Kentucky and Tennessee, since from this dark-tobacco district, lying within the boundaries of these two States, comes almost the entire supply of export tobacco.

The following letter from Mr. O. P. Austin, of the Department of Commerce and Labor, vividly and succinctly tells the status of tobacco and its multiplied burdens in the marts of the world.

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF STATISTICS,
Washington, March 2, 1904.

Hon. A. O. STANLEY,
The Portland, Washington, D. C.

SIR: In further reply to the inquiries which you left with us on the 23d ultimo in regard to tobacco I give you now the following information as to duties imposed by foreign countries on leaf tobacco, monopoly revenues, etc.:

IMPORT DUTY IN FOREIGN COUNTRIES.

Austria-Hungary: Private importation forbidden.

Belgium:
Tobacco, unmanufactured—[a]
Stemmed — francs per 100 kilograms[b] ... 75
Other — do ... 55
(Franc equals $0.193.)

Denmark:
Tobacco—
Leaves and stalks — skillings per pund ... 5
Additional war centimes — do ... 2
(Crown equals 48 skillings or $0.268.)

France:
Tobacco—
Unmanufactured, in leaves or stalks—
For the Regie (monopoly) ... Free
For private account ... Prohibited
Manufactured—
For the Regie ... Free
For private account ... Prohibited.
(Franc equals $0.193.)

Germany:
Tobacco, unmanufactured — marks per 100 kilograms[b] ... 85
Manufactured, stalks and ribs — do ... 85
(Mark equals $0.238.)

Italy:
Tobacco, unmanufactured ... Prohibited

Netherlands:
Unstemmed, in leaves or rolls — florins per 100 kilograms[b] ... 0.70
Stemmed, in leaves or rolls — do ... 1.50
(Florin equals $0.402.)

Portugal:
Tobacco, unmanufactured ... Prohibited.

Russia:
Tobacco, unmanufactured — rubles per pood ... 34.65
(Ruble equals $0.515.)

Spain:
Tobacco, unmanufactured ... Prohibited.

Sweden:
Tobacco, unmanufactured — crown per kilogram[b] ... 1
(Crown equals $0.268.)

Norway:
Tobacco, unmanufactured — crown per kilogram[b] ... 2.25
(Crown equals $0.268.)

Switzerland:
Tobacco, unmanufactured — francs per 100 kilograms[b] ... 25
Waste — do ... 25
Carrots or rolls — do ... 50
(Franc equals $0.193.)

Turkey:
Tobacco ... Prohibited

United Kingdom:
Tobacco, unmanufactured—
Containing 10 per cent moisture — shillings per pound ... 3
Containing more than 10 per cent moisture — do ... 3½

South Africa:
[illegible] — do ... 2½
[illegible] — do ... 2

(Pound equals 20 shillings, or $4.8665.

MONOPOLY REVENUES.

France: Gross receipts from tobacco rates in 1903, 428,164,000 francs. Cost not published.

Italy: Gross receipts from tobacco rates in 1903, 209,892,518 francs. Cost not published.

Spain: Gross receipts from tobacco rates in 1903, 133,730,000 pesetas. Pesetas [illegible]

Portugal: Statistics not published.

Austria-Hungary: [illegible] in [illegible] therefore derived [illegible]

Turkey: Statistics not published.

United Kingdom, 1902: Duties paid on tobacco imported, £12,398,188.

Very respectfully,

O. P. AUSTIN, *Chief of Bureau.*

That the fall in the price of American export tobacco is due entirely to the causes stated can be more than established; it is capable of demonstration.

Even a casual examination of the condition of the export trade for the last eleven years shows that the contention of the trusts, that the disastrous conditions now prevailing in the tobacco market are due to overproduction, are entirely without foundation.

I have before me a statement of the amount and value of all tobacco shipped since the year 1892 to every country in the world. These cold figures certainly and absolutely refute this favorite sophistry of monopoly that a fair price can not be obtained because there is an overproduction of this article.

[a] Foreign unmanufactured tobacco subject to excise duty of 15 francs per 100 kilograms.
[b] 1 kilogram equals 2.2046 pounds avoirdupois.

Table showing amount of unmanufactured leaf tobacco exported from June 30, 1892, to 1903.

Countries.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
Austria-Hungary			16,577		459,837	127,475		478,410	124,746	273,937	248,100
Azores, and Madeira Islands	2,773	3,600	8,877	43,582	14,735	[illegible]	4,626	7,280	1,795	43,486	2,600
Belgium	15,957,831	11,575,133	17,827,392	24,692,773	22,[illegible],548	25,[illegible],110	15,[illegible]	17,[illegible]	17,122,[illegible]	18,[illegible]	16,478,225
Denmark	[illegible]	[illegible]	276,617	242,365	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	473,593
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Germany	47,[illegible]	32,977,995	46,[illegible]	51,841,020	54,[illegible]	64,[illegible]	53,787,518	44,[illegible]	[illegible]	[illegible]	48,[illegible]
Gibraltar	[illegible]	637,896	1,082,506	1,380,140	1,[illegible]	[illegible]	1,146,267	[illegible]	[illegible]	390,145	149,435
Italy	30,096,335	27,473,115	24,484,406	24,542,652	32,218,201	27,[illegible]	23,432,941	27,397,587	38,[illegible]	42,[illegible]	29,[illegible]
Malta, Gozo, etc					45,171	[illegible]		10,625	[illegible]	[illegible]	[illegible]
Netherlands	12,728,481	[illegible]	[illegible]	17,765,213	19,[illegible]	26,[illegible]	18,[illegible]	27,[illegible]	19,[illegible]	[illegible]	17,[illegible]
Portugal	290,610	2,[illegible]	1,[illegible]	5,391	274,271	[illegible]	82,135	1,238,996	288,[illegible]	[illegible]	81,[illegible]
Russia on Baltic and White Seas							980		6,800	2,200	8,720
Russia on Black Sea									7,000		
Spain	22,882,976	12,611,810	30,054,113	26,362,432	21,274,165	19,964,595	6,897,068		13,772,[illegible]	18,[illegible]	14,542,362
Sweden and Norway	1,029,755	317,068	393,632	351,498	923,382	1,380,765	677,857	726,354	2,272,022	1,241,[illegible]	1,195,703
Switzerland							200			3,371	
Turkey in Europe											9,659
United Kingdom	53,890,373	66,421,354	71,985,879	89,618,817	79,068,780	89,664,950	88,866,280	85,396,232	121,[illegible]	[illegible]	98,727,979
Bermuda			100						[illegible]	2,780	1,915
British Honduras	18,625	42,775	15,385	5,568	17,965	34,220	71,004	58,641	95,990	105,959	116,942
Dominion of Canada:											
Nova Scotia, New Brunswick, etc	512,786	389,422	447,788	503,884	392,931	345,910	246,746	363,226	195,796	251,867	153,155
Quebec, Ontario, Manitoba, etc	6,344,151	10,174,912	11,625,300	11,320,954	10,074,651	14,504,792	6,501,652	12,147,346	9,373,700	10,037,068	11,412,236
British Columbia	39,172	34,386	33,287	22,069	40,145	67,775	35,041	57,383	112,754	49,178	60,174
Newfoundland and Labrador	339,212	298,[illegible]	388,331	142,814	342,686	216,462	336,206	111,599	273,385	224,067	286,639
Central American States:											
Costa Rica	25,118	51,090	56,150	135,200	145,880	82,930	131,625	90,620	138,059	162,180	88,452
Guatemala	35,520	21,200	500	500	15,642	325	6,[illegible]			3,273	1,300
Honduras	4,865	4,100	8,375	7,915	27,289	14,660	4,025	8,915	3,336	14,566	2,281
Nicaragua	16,999	32,719	38,477	35,678	9,462	6,610	4,816	26,000	17,499	39,698	14,[illegible]
[illegible]	2,750	1,000		5,750		252					1,265
Mexico	735,319	845,985	1,[illegible]	1,068,655	2,195,111	1,458,871	1,814,085	1,827,430	2,686,758	1,890,083	2,677,510
Miquelon, Langley, etc	16,720	3,900	400	1,000	1,600	1,500	2,400	1,600	2,439	1,800	1,700
West Indies:											
British	908,313	1,399,015	1,278,868	1,303,910	1,433,547	1,310,541	1,424,997	1,142,954	1,233,051	1,115,622	1,182,660
Cuba	2,000						17,389	54,214	400	7,500	
Danish	103,588	125,[illegible]	150,259	88,478	122,749	118,[illegible]	188,422	100,246	123,810	147,271	136,983
Dutch	49,434	48,592	54,508	35,985	179,010	[illegible]	[illegible]	[illegible]	[illegible]	87,022	39,094
French	653,714	706,310	447,685	476,289	528,460	[illegible]	432,[illegible]	[illegible]	494,495	420,906	376,264
Haiti	807,519	969,089	1,005,507	946,909	797,212	749,991	1,039,397	811,682	962,946	879,076	850,653
Porto Rico	14,100								2,[illegible]		
Santo Domingo				2,[illegible]						250	110
Argentina	[illegible]	234,868	59,640	21,839	108,858	67,790	236,146	357,071	261,984	252,947	93,818
Brazil	9,704	82,223	69,237	3,055	55,563	18,302	44,904	41,566	22,[illegible]	44,696	17,449
Chile				1,245	[illegible]		[illegible]	350	[illegible]		
Colombia	546,632	346,400	11,365	21,845	22,220	18,[illegible]	56,929	46,789	88,[illegible]	102,583	272,864
Ecuador			2,000		1,200	700					
Guiana											
British	785,475	598,283	561,[illegible]	587,[illegible]	697,277	485,468	621,139	517,743	483,[illegible]	565,442	591,687
Dutch	114,144	156,[illegible]	137,[illegible]	112,[illegible]	125,829	118,171	146,[illegible]	127,519	116,[illegible]	100,844	123,480
French	57,063	42,067	40,[illegible]	18,[illegible]	42,010	38,070	40,807	56,704	[illegible]	32,240	70,707
Peru									[illegible]		
Uruguay	241,716	107,355	158,708	482,546	215,469	[illegible]	135,[illegible]	188,540	116,[illegible]	154,889	15,482
Venezuela	38,653	115,720	120,385	193,389	119,871	[illegible]	[illegible]	138,462	[illegible]	[illegible]	21,891
Chinese Empire		1,500	19,400	9,682	10,980	140,[illegible]	29,[illegible]	486,188	440,[illegible]	[illegible]	270,504
East Indies—British	15,495	4,500	40,849	7,931		[illegible]	9,854	32,318	120,437	17,150	66,488
[illegible]					1,686	12,[illegible]	[illegible]			12,528	58,188
Japan			11,087	73,612	237,041	84,[illegible]	2,751,246	21,198,879	3,104,472	2,249,706	4,618,433
Korea											70,846
Russia, Asiatic							1,645				
[illegible]	2,170,531	1,634,399	1,352,676	1,594,715	2,095,360	1,607,831	2,246,187	2,701,384	3,705,657	4,385,441	4,949,696
[illegible]							3,080				
Hawaii	11,758	976	917	546			299	1,295			299
Philippine Islands									[illegible]		
British Africa	1,017,995	1,046,635	1,[illegible]	1,[illegible]	[illegible]	1,[illegible]	1,594,398	2,[illegible]	2,[illegible]	3,308,101	4,398,370
Canary Islands	473,081	517,291	[illegible]	[illegible]	[illegible]	[illegible]	276,022	[illegible]	[illegible]	389,213	656,729
French Africa	905,648	634,927	316,315	[illegible]	158,176	528,185	785,078	449,[illegible]	595,[illegible]	425,510	407,[illegible]
German Africa									1,940		6,730
[illegible]	26,585	17,750	48,780	3,250	5,246	4,666	5,265	3,985	11,054	15,210	60,360
Portuguese Africa	10,831	942	300	1,000	7,530	37,430	34,980	36,900	111,655	8,040	91,281
Spanish Africa							34,174			34,495	
Turkish Africa—Egypt		810									
All other Africa						30,220	750	1,500	17,[illegible]		9,990
All other British			2,260	21,055							
Total	[illegible],150	248,867,258	268,701,312	293,805,885	287,700,301	305,978,292	252,258,902	272,421,[illegible]	344,604,210	306,900,934	291,369,700

Table showing value of unmanufactured leaf tobacco exported from June 30, 1892, to 1902.

Countries.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
Austria-Hungary			$1,400		$40,324	$9,860		$54,[illegible]	$12,688	$25,[illegible]	$24,600
Azores and Madeira Islands	$830	$350	1,173	$4,621	613	471	$634	962	[illegible]	3,730	460
Belgium	1,588,266	1,170,999	1,686,144	2,[illegible],390	2,204,176	2,289,[illegible]	1,229,991	1,521,879	1,167,[illegible]	1,[illegible]	1,488,896
Denmark	29,470	10,565	[illegible]	[illegible]	11,669	[illegible]	20,695	26,[illegible]	11,127	1,[illegible]	48,100
France	2,681,731	2,859,549	3,024,693	2,991,098	2,[illegible]	[illegible]	1,[illegible]	1,[illegible]	2,980,118	3,092,419	2,651,984
Germany	3,897,996	4,465,886	3,[illegible]	[illegible]	3,[illegible]	4,[illegible]	4,[illegible]	3,[illegible]	4,971,582	3,[illegible]	4,[illegible]
Gibraltar	42,222	46,695	71,164	118,899	[illegible]	[illegible]	[illegible]	[illegible]	44,249	19,621	10,841
Italy	2,370,283	2,220,971	2,067,577	2,283,993	2,874,473	2,[illegible]	2,[illegible]	3,295,343	3,[illegible]	4,[illegible]	3,118,123
Malta, Gozo, etc					7,335	2,802		962	14,853	29,[illegible]	4,200
Netherlands	801,899	1,063,294	1,028,215	1,031,203	1,107,534	1,506,131	1,047,117	1,512,[illegible]	1,[illegible]	1,4[illegible]	1,[illegible]
Portugal	18,[illegible]	225,043	118,846	500	21,394	5,894	5,660	17,445	2[illegible]	[illegible]	6,965
Russia on Baltic and White Seas							96		888	200	800
Russia on Black Sea									700		
Spain	1,185,700	798,800	1,634,074	1,596,018	998,140	[illegible]	[illegible]		661,842	946,167	998,062
Sweden and Norway	200,715	29,325	52,769	32,069	84,653	129,[illegible]	42,[illegible]	80,087	201,695	117,[illegible]	121,003
Switzerland							25			338	
Turkey in Europe											1,500
United Kingdom	5,229,835	6,790,147	7,357,237	9,266,515	8,220,451	8,119,246	8,572,299	7,808,850	10,895,441	8,803,283	9,415,927

Table showing value of unmanufactured leaf tobacco exported from June 30, 1892, to 1902—Continued.

Countries.	1892.	1893.	1894.	1895.	1896.	1897.	1898.	1899.	1900.	1901.	1902.
Bermuda			$12						$7,[illegible]	$[illegible]	$[illegible]
British Honduras	$1,397	$1,795	1,865	$510	$1,418	$2,617	$7,[illegible]	$[illegible]	8,400	10,247	12,923
British Possessions:											
Nova Scotia, New Brunswick, etc	44,120	39,761	46,867	73,802	50,488	39,538	33,367	27,[illegible]	31,639	34,[illegible]	29,[illegible]
Quebec, Ontario, Manitoba, etc	1,252,594	1,595,[illegible]	1,057,[illegible]	1,[illegible]	1,012,[illegible]	1,478,[illegible]	631,[illegible]	1,[illegible]	9[illegible]	97[illegible]	1,142,[illegible]
British Columbia	7,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Newfoundland and Labrador	31,917	17,[illegible]	43,[illegible]	19,[illegible]	29,[illegible]	18,[illegible]	24,[illegible]	[illegible]	1[illegible],818	[illegible]	19,[illegible]
Central American States:											
Costa Rica	2,401	5,[illegible]	6,791	17,[illegible]	18,[illegible]	11,[illegible]	29,[illegible]	14,[illegible]	22,[illegible]	16,[illegible]	14,[illegible]
Guatemala	5,[illegible]	2,[illegible]	[illegible]	[illegible]	2,[illegible]	44	2,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Honduras	[illegible]	[illegible]	1,[illegible]	[illegible]	2,[illegible]	1,[illegible]	[illegible]	[illegible]	402	1,[illegible]	[illegible]
Nicaragua	2,[illegible]	5,[illegible]	[illegible]	3,[illegible]	1,254	[illegible]	[illegible]	2,[illegible]	2,[illegible]	4,[illegible]	1,[illegible]
Salvador	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Mexico	82,[illegible]	116,[illegible]	114,[illegible]	156,[illegible]	181,[illegible]	169,[illegible]	135,[illegible]	142,[illegible]	182,[illegible]	155,[illegible]	195,[illegible]
Miquelon, Langley, etc	2,[illegible]	470	48	139	132	[illegible]	269	189	[illegible]	[illegible]	252
West Indies:											
Bermuda	76,[illegible]	128,422	120,[illegible]	118,156	132,[illegible]	113,[illegible]	131,[illegible]	100,[illegible]	115,[illegible]	105,[illegible]	108,[illegible]
Cuba	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1,[illegible]	7,[illegible]	[illegible]	[illegible]	[illegible]
Danish	7,[illegible]	[illegible]	13,[illegible]	[illegible]	[illegible]	[illegible]	14,[illegible]	[illegible]	9,[illegible]	11,[illegible]	[illegible]
Dutch	7,[illegible]	7,[illegible]	[illegible]	[illegible]	25,[illegible]	7,[illegible]	12,[illegible]	15,[illegible]	[illegible]	[illegible]	4,[illegible]
French	56,[illegible]	56,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Haiti	95,[illegible]	120,[illegible]	112,[illegible]	120,[illegible]	82,[illegible]	88,[illegible]	120,[illegible]	85,[illegible]	85,[illegible]	85,[illegible]	75,[illegible]
Porto Rico	1,[illegible]								[illegible]		
Spanish Dominions			[illegible]							[illegible]	[illegible]
Argentina	13,[illegible]	11,[illegible]	5,[illegible]	1,[illegible]	6,[illegible]	5,[illegible]	12,[illegible]	24,[illegible]	[illegible]	18,[illegible]	6,[illegible]
Brazil	[illegible]	7,[illegible]	7,[illegible]	[illegible]	6,[illegible]	1,[illegible]	5,[illegible]	[illegible]	3,[illegible]	[illegible]	2,[illegible]
Chile					[illegible]		[illegible]	[illegible]	[illegible]		
Colombia	65,[illegible]	46,[illegible]	1,[illegible]	2,[illegible]	2,[illegible]	2,[illegible]	8,[illegible]	6,[illegible]	13,[illegible]	15,[illegible]	30,[illegible]
Ecuador			[illegible]		[illegible]	[illegible]					
Guiana:											
British	54,[illegible]	44,[illegible]	41,[illegible]	45,[illegible]	50,[illegible]	35,[illegible]	47,[illegible]	40,[illegible]	42,[illegible]	[illegible]	51,[illegible]
Dutch	9,[illegible]	15,[illegible]	10,[illegible]	[illegible]	[illegible]	[illegible]	11,[illegible]	10,[illegible]	[illegible]	[illegible]	[illegible]
French	6,421	4,[illegible]	4,[illegible]	1,[illegible]	3,[illegible]	[illegible]	4,[illegible]	3,[illegible]	6,[illegible]	[illegible]	[illegible]
Peru											
Uruguay	14,[illegible]	8,[illegible]	17,[illegible]	[illegible]	20,[illegible]	15,[illegible]	15,[illegible]	15,[illegible]	14,[illegible]	[illegible]	[illegible]
Venezuela	[illegible]	19,[illegible]	[illegible]	[illegible]	17,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Chinese Empire		175	1,[illegible]	[illegible]	[illegible]	6,[illegible]	18,[illegible]	[illegible]	44,[illegible]	[illegible]	[illegible]
East Indies: British	1,[illegible]	500	4,[illegible]	1,[illegible]		[illegible]	2,[illegible]	[illegible]	[illegible]	[illegible]	18,[illegible]
Hongkong					[illegible]	1,[illegible]	[illegible]			[illegible]	[illegible]
Japan			820	7,340	12,[illegible]	55,[illegible]	197,[illegible]	2,414,[illegible]	[illegible]	[illegible]	[illegible]
Korea											[illegible]
Russia, Asiatic							[illegible]				
British Australasia	314,[illegible]	214,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	322,[illegible]	354,[illegible]	[illegible]	[illegible]	[illegible]
German Oceania								[illegible]			
Hawaii	2,246	115	185	139			55	2,[illegible]			
Philippine Islands									[illegible]		
British Africa	[illegible]	100,[illegible]	154,[illegible]	91,[illegible]	[illegible]	148,[illegible]	128,[illegible]	[illegible]	241,[illegible]	234,[illegible]	[illegible]
Canary Islands	[illegible]	47,[illegible]	[illegible]	[illegible]	45,[illegible]	61,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
French Africa	84,210	61,[illegible]	[illegible]	[illegible]	[illegible]	38,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
German Africa									[illegible]		
Liberia	3,[illegible]	1,625	4,119	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Portuguese Africa	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	2,[illegible]	2,[illegible]	3,[illegible]	9,[illegible]	[illegible]	[illegible]
Spanish Africa							2,[illegible]			2,[illegible]	
Turkish Africa—Egypt		81									
Another Africa						1,[illegible]	[illegible]	240	1,[illegible]		[illegible]
All other British			175	2,[illegible]							
Total	21,346,345	22,[illegible],704	22,[illegible],[illegible]	25,[illegible],790	24,405,245	21,[illegible],[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

From the foregoing tables it will be readily seen that in the last eleven years there have been exported annually on an average 282,083,169 pounds of tobacco. In 1902 we exported 291,[illegible],711 pounds of tobacco, or only 9,338,602 more than the average for eleven years.

The smallest export in these eleven years—1892—240,716,150 pounds, brought an average of 8.4 cents per pound. We continued to export ever-increasing quantities to these countries for eight successive years, and in 1900 we exported 324,604,240 pounds of tobacco, an increase of nearly 100,000,000 over 1892, and yet this enormous increase could not keep pace with the ever-increasing demand, and in 1900 this unprecedented shipment brought an average of 8.7 cents per pound, an increase of three-tenths of a cent over the first price mentioned eight years prior.

A careful study of the British markets is still more interesting and instructive. In 1892 we shipped to Great Britain [illegible] pounds of tobacco. The demand in this market continued to grow, and in 1900 we shipped to Great Britain alone 121,798,357 pounds of tobacco.

In 1892 this tobacco averaged 9.7 cents per pound; in 1900, 8.9 cents per pound.

Here we have an increase in production of 226 per cent. and a corresponding decline in price of only eight-tenths of a cent per pound.

Nor is there now, in the good year of 1904, any such overproduction as would warrant, even in part, this destruction of prices, formerly commanded by this dark tobacco.

Mr. E. A. Jonas, a gentleman theoretically and personally thoroughly familiar with conditions in Europe and America, in a recent editorial in the Henderson (Ky.) Journal, sums up the situation as follows:

THE TOBACCO SITUATION.

It seems to be the general opinion among tobacco merchants and brokers in Great Britain that the present stagnant and depressed condition of their [illegible] tobacco in this vicinity we have collated the following sales of the probable make of stripe. We do not claim authority for it, and advance it only as tentative and as, at all events, conservative.

Henderson	8,000
Pleasantview	1,200
Madisonville	1,500
Nebo	[illegible]
Hopkinsville	[illegible]
Wickliffe	[illegible]
Sebree	1,500
Princeton and Paducah	1,000
Clarksville and district	2,000
Owensboro	7,000
Sacramentsville	[illegible]
Greenville	[illegible]
Reisorts	[illegible]
Morganfield, Niagara, Dalton, etc	750
Total	26,000

Allow, if you please, five thousand more to cover any places omitted and any increase in the output at the points named. Adjusting them a position of [illegible] of above [illegible] of western stemps and taking into account the [illegible] consumption of not less than 250,000,000 pounds for the coming year, it will be seen that [illegible] stocks will fall off from eight to ten thousand hogsheads by February 1, 1905.

We cannot there is nothing in the statistical position of the market, taken by itself, to [illegible] or even to explain the reluctance of the buyer in Great Britain. We [illegible] that the buyers in these markets would be wary and distrustful of the future, for recent experiences have been bitter enough to excuse any amount of hesitation. But the British buyer is in other cases he has been burned his own way, and he has a stock of stemmed, varied and [illegible] at prices, taking quality into consideration, that we do not remember a precedent for.

And now there is to be need more than talk, of a curtailment of the crop. Dollar wheat is an attractive, a persuasive, advocate. May not the future [illegible] the [illegible]?

Overproduction alone will never account for a decline in price. The world's power to absorb and consume has far outstripped supply in this and all other products of the soil. Were it not for this great and cheering truth, the steam thrasher, the cotton gin, and the self-binder would have been not the prime factors in the farmers' and planters' increased wealth and power, but the certain and ominous harbingers of ruined prices and desolated fields.

This ever-increasing demand of a wealthy, happier, and more civilized people for all the necessaries of life and their willingness to pay therefor a constantly increasing price, the demand and the price far outstripping the corresponding increase in production, is illustrated in almost every product of field and farm.

In 1896 there were grown in the United States 252,284,540 bushels of potatoes, and they were sold at an average of 28.6 cents per bushel. In 1902 we increased this production over 30,000,000 bushels, and yet we see 284,632,787 bushels sell at an average of 47.1 cents per bushel.

In 1895 there were grown in the United States 467,102,947 bushels of wheat, and it brought in the markets of the world an average of 50.9 cents per bushel. In 1902 the production of wheat had increased nearly 200,000,000 of bushels, reaching 670,063,800 bushels, and yet the increase in price outstripped the surprising increase of production, and it sold at 63 cents per bushel.

Corn tells the same story. In 1894, 1,212,770,052 bushels of corn brought on the average 19.4 cents per bushel. In 1902 the production of corn had more than doubled, and in the face of all the fine theories of monopolies and trusts, 2,523,648,312 bushels of corn sold for more than double the price commanded for less than half that amount in 1894; this colossal product of American soil and American energy sold for 40.8 cents per bushel.

There is another infallible test for the real cause of a decline in price. Whenever this result is brought about by overproduction and overproduction alone the effect is the same upon the raw material and the finished product. Whenever this country grows more corn than it can export or consume, the price of corn must of course decline, but with the fall in the price of corn will come a corresponding cheapening of hominy and meal. When there is too much wheat grown here for our own and foreign demand, when all the hungry mouths are fed and grain is still left in this country's garners, the price of wheat must fall, but with it infallibly must topple the price of bran and flour.

Now, the price of tobacco in the natural leaf is cut in half, but the price of plug and smoking tobacco, snuff, and cigars declines never a cent. The plain truth is, the same sinister power which has destroyed the natural leaf in the hands of the tenant and the farmer has, by its untold resources and unrestrained powers, maintained at its original cost to the consumer the finished product in all its forms. Overproduction is a blind force moving in a single direction. It never lowers the price of any staple in one form, and keeps it absolutely fixed in another.

The American Tobacco Company, and the American Tobacco Company alone, has a direct and pecuniary interest in destroying the price of the raw material and maintaining fixed and immovable the cost of the manufactured product. To this one merciless and all-powerful commercial despot these wretched producers of tobacco justly attribute all their woes.

It is heartrending to contemplate the utter want and absolute destitution to which tobacco tenants of Kentucky and Tennessee have been reduced by this ruthless combine, which to-day is the absolute and unquestioned master of the tobacco market of the world.

This is no idle dream, nor flower of rhetoric.

'Tis true, 'tis pity,
And pity 'tis, 'tis true.

I have before me letters from the most substantial and reliable business men in this section, men thoroughly and personally acquainted with this lamentable state of affairs. These men at one time were foremost among those who controlled the export tobacco market of the world, the heads of firms who at one time bought from one to ten million pounds of tobacco a year, and who paid a fair price for it.

Here are letters from Messrs. E. M. Flack and Henry Barrett; from Messrs. R. H. Soaper and James E. Rankin, the heads of the great firms of R. H. Soaper and of John H. Barrett & Co. The last two firms have been in business in the city of Henderson for more than fifty years, and until the good year 1903 they never closed their doors. Now the bats and the owls are building in their magnificent warehouses.

Let us see what they say the laborer is making to-day; who is cultivating tobacco since it is absolutely in the dominion of this merciless trust. I have not the time to read these letters in full, but I will insert their careful observations in the RECORD.

Mr. Rankin, who has been purchasing tobacco for thirty years, estimates that a man can cultivate from 3 to 4 acres. He gives us the price paid last year for this crop, and states the number of days' hard work absolutely necessary to prepare the tobacco for the market, and the price which these various tenants received for their part of the tobacco thus grown does not average $50. Mr. R. H. Soaper, with a ripe experience of over fifty years, the successor of the firm of William Soaper & Co.—these two firms together have been purchasing tobacco in Henderson and elsewhere for three-quarters of a century—thoroughly agrees with Mr. Rankin in his careful calculations.

The wage received by a hundred thousand men, according to the authentic observation of these gentlemen, is about 19 cents a day. Messrs. Henry Barrett and E. M. Flack, both men of thorough knowledge and extended experience, make it a little more; but it is a fact, taking the highest and most favorable estimates, that there are to-day not less than 90,000 men in Kentucky and Tennessee who have received, under the manipulation of this trust, for the product of their toil less than 30 cents a day. Did you ever think that is less than the meager pittance of the peons of Mexico? Talk no longer to me of China's darkness and of Japan emerging from its ignorance!

I hold in my hand estimates made by Levasseur, the greatest authority, perhaps, in the world, and there is not to-day in the jungles of India, nor in the pest-haunted, fever-cursed, poverty-ridden cities of the Orient, in China or Japan, or among the serfs of Russia, any class of wretches in the guise of man who have been reduced to the absolute level of want and ruin that to-day faces the sons of the men who have in armadined every field of battle for my country's freedom from the River Raisin to New Orleans. [Applause on the Democratic side.] In the United States in 1790 a day laborer received 43 cents a day. We thought it was strange that one hundred and twenty years ago a man should be paid only 43 cents a day. I have not the time to read all the figures, but the grower of tobacco at this good hour receives less for his toil than has ever been paid to any day laborer in one hundred and twenty years of my country's history.

What are we asking? I am ashamed to say it! Only a little relief for the wretch who has toiled through heat and cold and rain and shine to bring to its fruition a few leaves of tobacco; poor, helpless victim of James B. Duke, his minions and his dupes, all alike fired by the example of Rockefeller and inspired by the whispers of the devil. They have at last mastered the markets of the world, until to-day there is not a manufacturer of tobacco on earth save one to whom he can sell. There is not a foreign port which he may enter. Nay, more; there lies in the Queen's warehouses in Great Britain 140,000 hogsheads of tobacco, worth $3,000,000, and those companies have agreed that, since it is the property of independent buyers, they will not touch it. It will lie there for a little while longer, to be eaten up by storage charges or confiscated by those successful freebooters and bandits.

This poor man can not sell a leaf of his tobacco anywhere on the green earth, not in Germany, the Netherlands, Portugal, France, Spain, Austria, Italy, or South Africa, except it must go to one purchaser; and now we ask—what? We ask that he take with his own hard hands the stem from a few leaves of tobacco that he himself has grown, and with his own hands wind them into a small twist, and start barefooted down the road to find a purchaser for it.

That is all he asks, and will my country say that he shall not do it? And why? Because the Commissioner of Internal Revenue says it will cost this Government $550,000 a year! Seven hundred and fifty thousand dollars to save from serfdom a million of human beings! Ah, we have the cheapest slave market to-day in the United States that the world has ever seen. Mr. Yerkes, Commissioner of Internal Revenue—and this country

has seldom had an abler one—says that it will cost the revenues of this country $750,000 per annum to allow the farmer to twist and sell the naked leaf. Here is a statement of February 25, 1904, before the Ways and Means Committee:

> It is very difficult, Mr. Chairman, for me to say exactly what amount of tax the Government would lose by the enactment of the second section, even after as thorough examination as I could make by correspondence with the collectors throughout the United States, and by examining all the records to which we have access and trying to reach an accurate statement as to the amount of internal revenue collected by the Government through the 6-cents-per pound tax levied on the twisted tobacco, as distinguished from other forms of manufactured tobacco. But I do not believe the Government receives to-day more than $700,000 or $750,000 per year as the result of the tax upon twisted pounds of manufactured tobacco. You have some of these twists here to-day. Mr. Flanagan has one.

This brave tenant and his hard-pressed landlord are still sternly and stubbornly battling with the trust. They stand in the midst of poverty and universal ruin and disaster, still unwilling to surrender to their merciless master. Princely fortunes, old and established firms, names almost omnipotent in the mercantile world, all have been shattered and blown to the winds. The anathema of the law, state and national, this trust successfully defies. In the face of it all these loyal, determined, patriotic farmers of Kentucky and Tennessee, in the face of pitiless penury, still stand by their ruined homes.

There is one relief and only one—the producer of tobacco must find a market not controlled by the trust. That market you can open by the repeal of this tax. The only objection which has been or can be assigned is this pitiful loss of revenue. In the face of the facts and conditions that confront you, this is no objection at all.

Make tobacco in the twist 6 cents cheaper, by the removal of this onerous tax, and it will find a market.

There are 7,000,000 negroes in the South who prefer the natural leaf to tobacco in any other form. That tobacco is given to those negroes in the form of a ration by the owners of southern plantations. Mr. WILLIAMS of Mississippi the other day told me that it was the custom to allow so many pounds of tobacco with every ration, so much meat and so much bacon, and so much meal and so much tobacco. Now, the southern planter and the plantation darky alike would prefer a handmade, homemade twist. I know that in the sad hours for Kentucky and Tennessee we can look to the sons of the orange and the evergreen for relief. They will not fail us in a response characteristic of that brave and generous land.

It is argued, Mr. Chairman, that if this tax should be taken from tobacco in this form that the sale of the twist would, to a certain extent, supersede the demand for tobacco in other forms, and in that way more materially decrease the revenues of the Government. I hope that this is true, and more than true. "'Tis a consummation devoutly to be wished." Have you ever considered the full meaning of this argument? It is simply this: Men making something like 30 cents for a day of thirteen hours' ceaseless toil, in the cultivation of tobacco, will after this long day is done sit in a corner of a cabin, and laboring bravely on, with the aid of wife and children, form these loose leaves of the plant into a simple twist, and then they will take it to the nearest country store and trade it for coffee or sugar or meat, and the merchant will sell it to the next customer instead of a plug made by James B. Duke & Co., and in that way the Government will lose the chance to take from this "o'er-labour'd wight" the sum of 6 cents.

Is there a man upon either side of this Chamber who will tell me in honesty and candor that he is the friend of the toiler, that he believes in the restriction of the worst trust ever formed, and then have the temerity to claim that this Government should continue this old cruel war tax, eating as it does the bread from the mouths of this overburdened and starving tenantry of the South?

Mr. Chairman, the Commissioner of Internal Revenue makes a report, and at my request he takes this increased demand for the twist under consideration, and even then says that if the tax should be taken from twisted tobacco entirely, not a vestige of it left, my estimate of $2,000,000 is absolutely too liberal; that the revenues would not be lowered even to this extent, and it is only a question of taxation. Here is his report in full on the subject:

> But leaving the question of revenue aside for the present, and I say it is only a guess, and I think Mr. STANLEY showed a great spirit of fairness before the committee in the statement that he read, when he stated that the maximum loss to the Government could not be over $2,000,000. I think he was very conservative in his statement. But I doubt if it would reach that. I do not think the difference of price would be so great as to lead every man to buy the hand-twisted article—the tobacco twisted by the farmer—as I do not think they could make it look as neat and as attractive as the manufactured twist.

If Congress refuses this relief, what is to be done with this tobacco? It is not an article of home consumption. They can not make it into clothing. It will not suffice as food. It must be sold, and it can be sold but for one purpose only.

There is only one purchaser here, and that purchaser refuses to pay one-half of what is necessary to produce it. We must find another purchaser. We propose to stand by our homes; we propose to stand by our cabins; we propose to stay in that land that we so devoutly love, and, with the just aid of Congress, to battle with this mighty combination that has destroyed the most princely fortunes in the United States.

Mr. GAINES of Tennessee. The gentleman remembers, of course, that we are not asking that this privilege of the grower shall apply to machine twist, but simply to hand twist—finger twist, you might say. We do not ask that this privilege shall apply to tobacco prepared by machinery at all; we would simply allow these growers to employ their hands, which would otherwise be idle, in preparing this tobacco——

A MEMBER. Without licorice.

Mr. GAINES of Tennessee. Yes; without licorice or anything else but the pure leaf tobacco.

Mr. STANLEY. All that these farmers ask, as I have said, is with their own hands to take the leaf tobacco and pull out the large stem from the center and then to take a half dozen of these leaves and with their own hands, without anything else, make it into this twist, and then take it and sell it to anybody who will buy it. That is all. At present, as I have said, they are restricted to a single purchaser; there is absolutely no competition.

Mr. SMITH of Kentucky. Why is it necessary for them to have the privilege of putting this tobacco into the twist?

Mr. STANLEY. I am glad that my colleague has asked that question. Take a leaf of tobacco, and it is soft and pliable; it yields to the elements. In a damp day it is limp as a rag; on a dry day the force of the wind will crush it into powder. Taken at just the right stage and made by hand into a twist, this tobacco grows better with age; it can be handled in small quantities, and is not destroyed by such handling as is necessary to market it.

All that the farmer asks is the privilege of putting his product into a marketable shape. What would you think if this Government would say that after you had cut down your cornstalks you could not take the corn from the stalk in order to dispose of it without paying a tax of 6 cents a bushel? What would you think of a law which required that you must sell the wheat with the straw and chaff along with it? All that we ask is the right to put our own product with our own hands in such a shape as to market it.

If this legislation be granted, we shall find a purchaser for this product. Clark & Son, of Nashville, are among the largest tobacco dealers in the country. I have a letter from them this morning which says: "Repeal that 6-cent tax on leaf tobacco—not the twist—just make the leaf free and in a short time we shall be able to sell 10,000 hogsheads of your tobacco." And it will be remembered that the repeal of the restrictions on the leaf will not affect the revenues one cent.

This measure will help us to combat the trusts. The operation of the trusts has destroyed competition and has materially affected the value of the product. It is impossible for us to get to-day tobacco that is not filled with all kinds of foul and unwholesome ingredients. This is the natural effect of no competition. People must buy the products controlled by the trusts or not buy at all.

Let me say that to-day there is but one spot on earth where the tobacco interest is flourishing at all, and that is the State of my distinguished friend who pays me the honor of listening to me now, the gentleman from Connecticut [Mr. HILL], and the reason is they have not captured the cigar business yet. In a little while the united cigar store will do the work, and then the now prosperous growers of Sumatra leaf must join the "innumerable caravan"—the ruined victims of this giant trust—only a little while and the head of the small Connecticut farmer shall fall from the block.

Mr. GAINES of Tennessee. Will the gentleman kindly state what additional value will be given to the tobacco by permitting the grower to stem it?

Mr. STANLEY. It can not be marketed unless it is stemmed.

Mr. GAINES of Tennessee. England buys it stemmed.

Mr. STANLEY. Allow me to say, sir, that there is no reason given why this tobacco should not be sold by the grower of it, except that to remove this tax may cut down the internal revenue. But, sir, I can not believe that a million or two million dollars of internal revenue will be taken into consideration in comparison with the justice of relieving from absolute starvation, upon a wage of less than 20 cents a day, more than a hundred thousand men. I have the facts before me to support what I say.

The negroes of the South prefer this twisted tobacco to tobacco in any other form. If we could stem and twist our own tobacco, we could effectually defy the trusts. We could go into Alabama, Mississippi, Georgia, Texas, Louisiana, Arkansas, and with the twist tobacco prepared by ourselves could outsell any other form of tobacco in the world, because this is the best and purest form in which tobacco was ever made.

And who would be hurt by this change of the law? Without

doing harm anywhere, this measure will be a measure of salvation to my people. I can not believe that in the face of these facts and these figures we are going to continue to refuse this much needed relief.

Mr. GAINES of Tennessee. The white laborers on the farm chew this old long green, do they not?

Mr. STANLEY. Yes; and everbody else who can get it. Why, railroad men come through my town——

Mr. GAINES of Tennessee. It is not confined to the colored people at all.

Mr. STANLEY. Not at all. Railroad men come through my town, and somebody gives them a twist of this tobacco, which is against the law, and they will not chew any other. I went into the banking office of the Ohio Valley Banking and Trust Company the other day, owned by some of the wealthiest citizens in western Kentucky, and on their counter they had a box of this natural leaf tobacco cut up ready for the pipe.

It is the finest smoking tobacco in the world. The best evidence of it is this: Ninety per cent of all the tobacco that England gets comes right from Tennessee and Kentucky, and England gets 72 cents a pound duty from it, three or four thousand per cent more than the value of the tobacco. Can you import poor silks or woolen goods and pay three or four thousand per cent of their value in importation duties? Certainly not. When you pay such import duties as that, you are bound to buy the very best article you can get; and when England pays 72 cents a pound duty on her tobacco she is going to buy the best tobacco she can find, and smoking tobacco is principally in that form in Great Britain—"pipe tobacco," as they call it in the trade. This tobacco, if freed from this terrible impost duty, will in a few years become the pipe tobacco of the South, and who will be hurt?

As it is, all the profit in this business goes to a few monopolies. The repeal of this tax will, as you see, distribute some of this profit among the people.

The distribution of wealth to-day is a more serious question than the creation of wealth. This country will create wealth. Its energy, its courage, its tireless ambition, the fire and the force in the American laborer that will make him, if need be, turn day into night, make it as impossible to stop the creation of wealth as it would be to stop a pot from boiling with a hot fire under it. The thing is to distribute the wealth.

Another thing that I want to ask the American Congress is this: What is going to become of 120,000 men who last year received from 10 to 30 cents a day in a land which you say is prosperous? This business is destroyed. These men will be thrown entirely out of employment. They must leave their homes. They must become outlaws or they must become homeless tramps and vagabonds on the face of the earth. There is no work for them on the farm. If they do not cultivate tobacco, there will be five times as many men upon these farms as are necessary to cultivate them in wheat or corn or oats or hay.

Did you ever think that we are surrounded by a current moving on like time, all unconsciously to us as long as we are employed, as long as we have some fixed business to hold us? But the minute you are out of employment, the minute money is gone and friends departed, and you start down the road, there is a blind force that will carry you in a certain direction, and that force is carrying the population of the United States with tragic and terrible power toward the great cities. These men thus rendered homeless will be caught in the drift. Into the great teeming havens of the homeless, into the dives, into the cities they and those they love must go unless there is some relief.

The richest farming section—outside perhaps of Kentucky and Tennessee—in the world is Iowa, Indiana, Illinois, and Ohio. That country is fertile of field, seamed by railroads, with rural free deliveries, schools, and churches everywhere; and yet one-half of the towns and villages in those great States are to-day absolutely shrinking in population. The President of the United States wisely and well uses this language in his message:

> It is unhealthy and undesirable for the cities to grow at the expense of the country, and rural free delivery is not only a good thing in itself, but good because it is one of the causes which check this unwholesome tendency toward urban concentration of our population.

There are to-day in the United States 161 cities which have a population of nearly one-half of the entire total population of the United States. Sixty-nine out of these 161 cities in the last twenty years have increased in population from 100 to 5,000 per cent. One-third of the entire population of this country to-day is confined to seven States, and in those seven States 70 per cent of the people live in cities. The increase of urban population has been greater than the entire increase of population for the whole United States. Ah, the harm of the city is not the city itself. The harm of the city is the slum. A man of wealth can live as well and as healthily and as happily in a large city as he can in the country. It is in the alleys, into the darkened rooms, into the overcrowded tenement, where babies dwell like blind fish in caves, and ophthalmia eats out their eyes—it is there that the harm is found.

Into the great city of Chicago, that seething maelstrom of wreck and ruin for the poor and the homeless, the population of all the Middle West is irresistibly drawn. A short time ago a committee of Chicago's most conservative citizens made an investigation of the tenement conditions in that city. I read from that report, as made by Mr. Robert Hunter:

> While the last few years there have been marvelous industrial, commercial and municipal developments, immense fortunes have been redistributed upon the earth; country districts have been depopulated; small landowners have given way to large farms, country towns have commenced to lose their trade, and agriculture, after the millions have thronged into the cities, found itself in a prospected for labor condition.

Here is their report of the conditions existing in those sections of a great city from which I would save a poor, but still honest and healthy people.

Speaking of the effects of overcrowding, Mr. Hunter says:

> Keeping windows up and out of doors night and daylight in warm weather, because [illegible] atmosphere, [illegible] of horse and street manure, filling the air with [illegible] and foul odors of every kind, produces a state of nervous tension, interfering with the [illegible] of [illegible] to a point [illegible] of all and good nature to a single point, thus preventing from the business of handicraft and handiwork in the carriage of the young, and consequently to a coming gloom.

And again:

> Foul dwellings produce a great increase in infant mortality, terrible suffering among the [illegible] children, [illegible] epidemics, increase alcoholism, due to work incommodious, overcrowded homes, cause [illegible] and increase to crime, [illegible] and thus promoting [illegible] and diseases arising from general debility, were some of the evils of overcrowding.

And yet, in the face of this report, which, in its cold, calm recital of the horrors of the slums of Chicago, freezes the heart, we are face to face with this lamentable fact:

> The density of population per acre in the Polish quarter in Chicago is three times that of the most crowded portion of Tokyo, Calcutta, and many other Asiatic cities. On the other hand, Chicago's densest quarters are not as thickly populated as those of New York.

It is no wonder then that to-day in Chicago, in the West, and in New York, in the East, anarchy sits in an unwholesome dive, and whets her knife and lights her torch. There within those cities growls the coming contest when, through the red haze of universal disorder, you shall see the battle to the death between labor and capital, each at the other's throat. [Applause on the Democratic side.] The salvation of this country depends upon the humble tiller of the soil, who loves his little home, whose children are reared beneath a parent's love, among surroundings as pure as God's sunshine and His dew.

I tell you that the man behind the plow in peace is the hero behind the gun in war. [Applause.] You can not afford to drive 100,000 men into the sinks and alleys of the cities; you can not afford to take the farmer's daughter, "Sweet floweret of the rural shade," and see her "By love's simplicity betrayed, and guileless trust, until she, all soiled, is laid low in the dust." You can not afford to take the farmer's stalwart son from the cottage or the cabin. This home-loving, God-fearing, patriotic youth shall not, all ruined and desperate, be hurled into the city's slums to choose between the dive and the cell. It is for the humble homes that I appeal. I appeal not only for the tobacco growers of my country, in the name of a broader humanity I speak, in the name of the welfare of the race, the ruin and expatriation of a hundred thousand farmers is but one of a vast number of similar causes that is driving us headlong toward the shoals of anarchy and ruin. [Loud applause on the Democratic side.]

Mr. STEPHENS of Texas. I yield thirty minutes to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, my remarks will be addressed to a resolution that I will ask the Clerk to read. The resolution has been reported favorably by the Committee on Interstate and Foreign Commerce, and I expect it will be up for a vote and final passage very soon.

The Clerk read as follows:

> *Resolved*, That the Secretary of Commerce and Labor be, and he is hereby, requested to investigate the causes of the low prices of beef cattle in the United States since July 1, 1903, and the unusually large margins between the prices of beef cattle and the selling prices of fresh beef, and whether the said conditions have resulted in whole or in part from any contract, combination, in the form of trust or otherwise, or conspiracy, in restraint of commerce among the several States and Territories or with foreign countries; also whether the said prices have been controlled in whole or in part by any combination of beef cattle producers or owners, or any combination engaged in commerce among the several States or with foreign nations; and if so, to investigate the organization, system, methods, practices, conduct and management of the business of such corporations, companies, and corporate combinations, and to make early report of his findings according to law.

Mr. MARTIN. Mr. Chairman, the purpose of the resolution, as is disclosed by the reading, is to direct the Secretary of Commerce and Labor to investigate the causes of the wide disparity between the prices of live beef cattle and dressed beef that have been prevailing now for some months; and if it shall be found upon such investigation that these causes, in whole or in part, are

controlled or directed by any combination or conspiracy in restraint of commerce, to give authority to the Department to thereupon investigate thoroughly such corporation or combination, if any, engaged in such business, both as to their capitalization, their profits, and their method of doing business, and to report thereon according to law.

Mr. THAYER. Mr. Chairman, if the gentleman will allow me——

Mr. MARTIN. If it is a brief question.

Mr. THAYER. I am fully in sympathy with the purpose, and I want to ask the gentleman this: Is it not the duty already of the Secretary to attend to it without any direction of this House?

Mr. MARTIN. The law upon the subject is embodied in the act of February, 1903, creating the Department, and it provides that either House of Congress may at its pleasure request or direct special investigations by the Secretary of Commerce and Labor upon important subjects. Undoubtedly the Secretary could proceed along any line of investigation without special instruction, but the law specifically provides for this kind of instruction. It seems to me eminently proper that Congress should put behind the Secretary, in ordering an investigation of an important matter of this kind, the power and prestige of a direct resolution.

I may say on that subject that I make no reflection upon the efficient Secretary of Commerce and Labor. I have every reason to think he is heartily in sympathy with the purpose of this resolution. The Department is new and in its organizing stage. It is very proper in the interests of the country that Congress, or either House of Congress, should anticipate the action and direct the attention of the Secretary to such matters as may seem best to be investigated.

Mr. GAINES of Tennessee. Will the gentleman allow me to ask him a question?

Mr. MARTIN. If it is a very brief one, as my time is limited.

Mr. GAINES of Tennessee. Why has not the Attorney-General of the United States taken the $500,000 that Congress gave him and gone and looked into this matter, and put these people in the penitentiary already?

Mr. MARTIN. The Attorney-General of the United States has been the most efficient Attorney-General in the prosecution of our antitrust law we have ever had since its passage.

Mr. GAINES of Tennessee. Why has he been derelict in his duty in carrying out the antitrust law in this matter?

Mr. MARTIN. The Attorney-General of the United States needs no defense at my hands, nor at the hands of any Member upon the floor of this House. He is every inch a lawyer, and is most vigorous in the prosecution of these matters. He has revitalized the Sherman antitrust law. The speech of Mr. Knox at Pittsburg in 1902, and his two communications to the Houses of Congress during the Fifty-seventh Congress, when action on antitrust legislation was up for consideration, to my mind illuminates this entire subject more ably than it has been presented by any living man. He presents a most excellent illustration of the great truth, that when a citizen of this Republic is called to the service of the people, he brings and lays unstinted upon the altar of his country not only his native ability and character, but also the special skill that he may have acquired through a long professional career.

So in no sense am I reflecting upon the Attorney-General. On the other hand, I am seeking, if I can, to give into his hands an additional weapon, with which he can prosecute his most important labors. This Department of Commerce and Labor is the only Department outside of the Interstate Commerce Commission which can make original investigations upon industrial questions, and has for that purpose the power to subpœna witnesses and force the production of documentary evidence. In that way it may be able not only to enlighten this House and the Congress, but to inform the Administration and the country generally, and place in the hands of the Attorney-General effectual assistance in dealing with this important question.

Mr. SULLIVAN of Massachusetts. Mr. Chairman, may I ask the gentleman a question?

Mr. MARTIN. Yes.

Mr. SULLIVAN of Massachusetts. I will make it as brief as I can.

Mr. MARTIN. And make your questions as few as possible, because I can not yield much time.

Mr. SULLIVAN of Massachusetts. I will ask the gentleman if he has made some preliminary investigation himself and as a result of that investigation he believes the price of cattle is so low and the price of dressed beef relatively so high as to require the Secretary of the Department of Commerce and Labor to lay aside other matters upon which he may be now investigating and make this the principal subject for investigation?

Mr. MARTIN. I have investigated the subject and I believe the reasons exist, otherwise I would not be addressing the House upon the subject. Now, I will ask gentlemen to put no further questions at present. A little later, if I find I have the time for that purpose, I will be most happy to yield.

The conditions concerning the live-beef and the fresh-beef market for 1903 have been very unusual. The years 1901, 1902, and 1903 were, perhaps, taking them all in all, the most prosperous years in the history of this country. Up until the beginning of 1903 the producers of beef cattle of all kinds generally shared liberally in the profits which have been enjoyed by every man throughout the length and breadth of the land who labors with his head or his hands in the production of anything of utility or beauty. At the beginning of 1903 there was a sudden drop in the price of beef, affecting at first both live beef cattle and dressed beef. From July 1, 1903, the period to which attention is especially directed by this resolution, the prices of live beef cattle continued to decline, but the prices of dressed beef systematically advanced, and the greatest disparity between the two existing at any time within a period of five years was reached in the month of August last, and in the month of December last the lowest price of beef cattle for more than five years prevailed throughout the markets generally. These unusual conditions I believe can not be accounted for fully or satisfactorily by natural causes.

The laboring man is as able to buy his beef to-day as a year ago or two years ago. There is as much home demand for beef as there ever was. I will say, in passing, the retail price to the consumer of beef is as high as at any time in two or three years, with perhaps a brief period about the time the beef-trust prosecution was initiated. Our export demand was the largest in 1903 ever known in our history. We exported more beef products that year than ever before. It will be difficult, therefore, to account for this decline on natural causes. Every other food product, breadstuffs, wheat, corn, and oats, have all systematically advanced right along over this period in sympathy with the general condition of prosperity in which we are living. Now, the western stockmen and stock feeders and stock growers everywhere—and it reaches all over our country—have been very solicitous to ascertain what is the real reason for this unusual condition. I have investigated far enough to satisfy myself that it is practically the unanimous conclusion of the men engaged in this business that the real seat of the difficulty is to be found in the manner in which the business is conducted in the large stock yards of the country.

In the city of Chicago is the largest meat market in the world. In Kansas City, St. Joseph, Sioux City, South Omaha, and East St. Louis are the remaining chief centers for the beef products of the Mississippi and Missouri valleys. A condition of things has come about so that all of the business in all of those markets is practically in the hands of seven great concerns. A stock grower from the West goes into one of those markets, whichever one he chooses, and practically comes before the same purchasers to be found if he went into any other market. The conclusion of the western stockman and farmer and beef producer of this country is that competition has practically disappeared from the great beef markets of the United States, and when he takes his beef cattle for sale he will encounter simply a certain definite number of bidders and perhaps many less bids than there are buyers.

The western stockman is a man very slow to think that there is anything of unfairness in the dealings of other men with him. He has been slow to come to the conclusion that he has not received a fair deal. The western stockman partakes something of that generous, wide-expanding spirit of the boundless plains and tablelands over which he moves as the undisputed autocrat of all outdoors. He is a good exemplification of the motto "Live and let live," and yet the western stockman is forced to the conclusion, which he announces unhesitatingly, that the great beef markets of the country are being manipulated against him, and that competition is no longer to be found when he takes his cattle to market.

There was a meeting of the National Live Stock Association in Portland, Oreg., last January, and Mr. Springer, president of that association, in his address, recounting the great decline in the beef-cattle trade, said:

> I regret to say that the year last past has witnessed so many failures among honest, hard-working, patient, and unassuming stockmen in this great country. Without apparent reason prices began to drop, and they have gone from bad to worse until we see the cattle kings in the Mississippi and Missouri Valleys [illegible] bankruptcy, their hard-earned bottomless purses, and their estates liquidated. Will better times kindly give us a positive reason for this loss of hundreds of millions of investment values? It must be conceded that the consumption of meat was never so great, or the retail prices lower enough. It must be admitted that we still have a growing foreign demand, rather than a closing of markets against our meat products. It is patent to all that American labor is to-day receiving the highest average wages ever received in this country.
>
> I believe it must be conceded that we have a general prosperity throughout the Union, and only the Wall Street gamblers and the army of speculative outsiders hanging on the fringe of speculation, who credit their joy over brokers that they can buy in the "bear" on the stock market, and lose, as they always do, it is only these gamblers who have necessarily "bit the dust" financially speaking, during the past year. We can account for all their bad breaks and losses. But why the producer of meat, who feeds the world, should be singled out for financial destruction is a close [illegible] another proposition. Here is where the great combine called the "packing kings" comes in.

> We all concede they have made colossal fortunes. We know they have converted [illegible] neighborhood slaughterhouse, with its odors and nuisances, into a sanitary abattoir, where the by-products are all saved and every ounce of the animal is turned into a profit. We producers have paid for the hundreds of millions they represented in the "big four," so called. We commend their success, but we protest against the monopoly they have forced on the people of this whole country—both producers and consumers. We protest against the withdrawal of open competition in each and all of the great markets of this country in the agreement made every day between the buyers of these houses.

That convention passed a unanimous resolution encouraging the establishment of independent packing houses, and members of the association, who came from almost every State in the Union, became large subscribers to a company of this character in the hope of restoring competition. I have a letter from Mr. C. F. Martin, secretary of this independent company, now being formed, which I will publish with my remarks.

Now, I have here some data I have selected, which I expect to insert in the RECORD, being in the main opinions of stockmen as published in numerous newspapers and scattered through the Middle West. They all locate the trouble in the same place. I will read only enough, in hastily passing, to show the trend of public opinion upon this subject.

The West Texas Stockman of September 1, 1903, quotes Mr. A. B. Robertson, one of the leading cattlemen of west Texas, as saying:

> I am firmly convinced that the packing interests of the country are controlling too many [illegible] in their own interest. I do not believe the packers are combinating as one big firm, but through community of interest they [illegible] are enabled to take advantage of live stockmen. When cattle are plentiful they [illegible] at a low price, and when they fall to come up in large numbers a small place is made in prices to stimulate shipments, and when they materialize there invariably follows a sharp decline.

The fuller statement of this gentleman will be published with my remarks.

The Kansas City Journal of August 12, 1903, publishes an article which I will attach, and which I now read in part:

> E. W. Wellington, a cattle raiser of Ellsworth, Kans., said yesterday at the [illegible] that there is no competition in buying cattle. No buyer can be found who will go [illegible] and bid for cattle on their hoofs. The cattle are weighed [illegible] after they have been shipped here, [illegible] and if they are [illegible] to another market they have made it the same price that he was offered at the first market. He has to take the first price. There is no difference in the markets, and the added cost of freight and yardage is a penalty for not taking [illegible] at the first offer.

Here is a clipping sent me from a Chicago paper, from a market report, as late as February 6, 1904, in which the reporter says:

> Packers were openly accused of rigging the cattle market yesterday. Suspicions [illegible] interests was rife. A sharp [illegible] "they [illegible] there are [illegible] W. Sunday [illegible] an advance was [illegible] as 4,000 cattle arrived in the [illegible] past week.
>
> [illegible] should have prompted them to pay a moderate advance [illegible] was and [illegible] market had been [illegible] by an [illegible] Instead of [illegible] they [illegible] Wednesday at a [illegible] Wednesday, by [illegible] they [illegible] W. Sunday they [illegible] $1 [illegible] nummies and some of these days the country will wake up [illegible] satisfaction.

In an interview in the Washington Times of February 1, 1904, Mr. Wilson, Secretary of Agriculture, is reported as saying:

> Either the farmer is not getting enough for his beef or the consumer is paying too much.
>
> [illegible] as they were a few years ago, and there are good reasons why they should not be. But there are no very good reasons why the consumer should pay as much for his beefsteak as he paid a few years ago. [illegible]—what the farmer receives and what the [illegible] the corn crop had been very short, and [illegible] very cheap. Now their prices are about the same, [illegible] on the hoof are perhaps $1.50 per hundred less than they were [illegible]

I have talked with the Secretary of Agriculture upon this subject. I hold in my hand a letter from him dated December 28, 1903, in which he says:

> Just what influence the packers have on the present low price I can not well say. I think they have some influence. Cattle in the market are much cheaper, while meats to the consumer are little, if any, cheaper.

In another letter from Secretary Wilson, which I shall also make a part of my remarks, referring to my resolution, he says:

> I have your letter of the 5th instant, inclosing a copy of your resolution calling upon the Secretary of Commerce and Labor to look into the prices of beef. It seems to cover the ground completely.

As you all know, in the month of May, 1902, the Attorney-General initiated proceedings against the so-called "beef trust." Seven corporations were made defendants in that proceeding, and some other parties. In the bill of complaint it is charged that these seven corporations control 60 per cent of the meat business of the country; that they agree in advance not to bid against each other when making purchases of live stock, and by this means compel the owners to sell the same at less prices than they would receive if such bidding were competitive; that upon certain days, when the market is dull, they run prices up inordinately in order to induce large shipments, and when the shipments arrive they lower the bids and obtain the stock at sacrifice prices. It is also alleged in this proceeding that they agree as to what prices beef should be sold at as a dressed product, and follow out that agreement. The allegations of this bill of complaint are practically that these seven packing houses have a monopoly, controlling one of the great food products of the people.

Now, these defendants demurred to that bill, which we as lawyers know is, in legal effect, at least, equivalent to a confession of the facts. My own judgment is that if the allegations were not true these great concerns would have hastened, in view of the public sentiment on the subject, to have denied the facts and shown their falsity.

That case is now upon appeal before the Supreme Court of the United States. It shows what were the conditions at that time, I think, as I proceed to develop the facts that I have found, that you will be able to agree with me that the conditions at the present time, so far as the rights of the producer and the consumer are concerned, are even worse than they were at the time the injunction was placed on the so-called "beef trust." The reason for that, in my judgment, is that these great corporations are advised that they are not technically violating the injunction by the methods they are now following.

I think there is every indication that shortly after this injunction was put on they changed their methods, and instead, from that time on, of agreeing, combining, and conspiring in advance, they actually, perhaps without any express understanding, have their representatives meet in the beef marts every day, and when one man makes a bid upon a lot of beef it seems to be tacitly, if not expressly, understood that nobody else bids against him. It is alleged also by men close in touch with this business that in addition to not bidding against one another, as a matter if fact, very often at least, at the close of the day's business they divide up the large purchases between themselves, each sharing in the result of the day's business. Now, it may be that that is or is not a violation of the particular injunction order which has been placed against these concerns. It is, in my opinion, a flagrant violation of the Sherman antitrust law, and if those facts can be shown to exist upon this thorough investigation, I think means can be devised under the law that we now have to enforce the provisions of the law that are now being violated.

I notice that the senior Senator from Ohio [Mr. FORAKER] very recently introduced a bill in the Senate proposing to remove the forfeiture clause in the Sherman antitrust law. Instead of removing it, it should be intensified, if possible. It may be that we will have to resort to more severe measures in the enforcement of the law than the Attorney-General has yet proceeded upon. [Applause.] There is a most excellent provision in this law now that will authorize the forfeiture of any property that has been taken or obtained in violation of this antitrust legislation, to take it and forfeit it to the Government as we take and forfeit the property of any man or corporation who illicitly and improperly imports goods from another country against the provisions of the law. Instead of repealing that provision, unless conditions change and right themselves along natural lines, the Administration may find it necessary to enforce most vigorously the terms of that most excellent provision.

Going home one year ago I fell in with a man engaged in the live-stock commission business in one of those large markets of the Central West. He is a gentleman with whom I am acquainted. He told me of his experience in taking some very fine cattle to South Omaha. He took first one carload. They gave him a fine price for his carload, and he made it known that he had five or six other carloads, and they induced him to send them to the market, promising they would give a good price. He sent the additional carloads there within two or three days of the time of the selling of the first. They offered him a very inconsiderable inferior price for the same grade of cattle. He put them back in his cars, shipped them to the Chicago market, selling better prices. When he reached the Chicago Union Stock Yards he found that the history of his efforts in South Omaha had preceded him. His cars were numbered and tabulated and he received when he reached the Chicago market precisely the same bid to a dollar and a cent that he received in South Omaha, and only one bid from anybody. His only alternative was to sell the cattle or lose the freight, if conditions did not change. He held on during the day, and toward night some independent buyers for export trade from the State of Indiana came upon the scene and gave him a better price for his goods.

When I commenced this investigation, I wrote him for his further knowledge of the situation. I have a letter from him here and I will publish such portion of the letter as I consider proper,

without divulging his name. In that letter he definitely states that he would fear to disclose the facts with which he has become familiar in the past nine years. He says without equivocation that there is a beef trust and that they now are dividing at the close of a day's business the results of the day's purchases. His letter is dated January 20, 1904:

> The combining of packers has been of long standing. It is hard for yourself or a committee to get facts pertaining to their methods.
>
> The yards are controlled by the packers. Should I or anyone else be instrumental in exposing their methods of dividing up their purchases every evening after business hours, you can understand how easy it would be to shove and informer to a poor location in their yards and ruin his business and in many other ways handicap the firm. I have been up against these fellows and on the plank for nine years and say truthfully that I am afraid of them, knowing that they would ruin my business which I have been years building up. [Now, Mr. MARTIN, you will please excuse me for refraining to enlighten you upon anything I might know in relation to the methods of the real beef trust.

One of my constituents living in a neighboring town was here a few days ago. He told me that on his way to Washington he met a western stockman who had very recently taken an entire train load of cattle to the Chicago market. He received but one bid in all that market for his train load. He accepted the bid and sold his cattle, although very unsatisfactorily. His curiosity was aroused, and he remained to watch his cattle, and he stated that at the close of that day's business this train load of cattle was separated into seven parts and divided between seven institutions.

Mr. Chairman, I shall give the House the benefit of such data as I have been able to collect pointing toward where the difficulty is probably located in connection with this business, and I shall publish with my remarks certain tables that I have prepared. The data from which they are compiled has been furnished to me in most of its parts by the Bureau of Statistics of the Department of Commerce and Labor. Some of the data has been compiled by the Agricultural Department. The first table contains a comparison of the prices of beef steers, good to extra quality, in the Chicago market on the 1st day of each month for 1901, 1902, and 1903. A parallel column contains the prevailing prices of good to extra fresh beef in the city of Boston upon the same days for those three years. Boston is taken because statistics are more available for that market and it being the chief beef export market of the United States; but the difference between the prices in Chicago and the prices in Boston, of course, is always simply a matter of freight, so that the tables are stationary and uniform.

In other parallel columns upon the same sheet will be found the actual difference per hundred pounds between beef steers, good to extra, and fresh beef on the same day, and in corresponding columns the percentage of difference.

Table 2 contains the number of beef cattle sold in the Chicago stock yards during the same three years, 1901, 1902, and 1903, by months, and in another table on the same sheet there is shown the gross number of beef cattle sold per year during 1901, 1902, and 1903 in the Chicago market and in the other four markets of the Western states to which I have referred.

On examination of this table it will be found that there is no overproduction in these articles. The increase in the business in 1903 was very slight over the business of 1902; the business, in fact, was not so great as in 1902, and the increase was very slight over 1901. There is no overproduction to account for this condition.

Table 3 contains the number of beef cattle sold in the Chicago markets in the last six months of each year for the fourteen years—1890 to 1903. The object of this table is to show that there was no overproduction in beef cattle.

Our population constantly increases at the rate of about a million and a half per year and there is not more than a corresponding increase in the amount of beef cattle sold in the markets.

Table 4 contains the estimates of the Department of Agriculture as to the number of cattle of all kinds in the United States for the years 1901, 1902, and 1903, the production being practically stationary for those three years.

Table 5 shows in detail the beef exporting business for these same three years by months.

Table 6 is a compilation or summary showing that our export market for 1903 was the largest in those three years and, incidentally, as I have said, the largest in the history of the country.

Table 7 contains for these same months (taking the 1st day of each month) the prices for the past three years of breadstuffs in the markets of the United States—wheat, corn, and oats—and I may say during these three years, while the retail price of beef has remained practically stationary, the price of every other food product has advanced uniformly during the same period.

[Here the hammer fell.]

Mr. SHERMAN. I will yield ten minutes more of my time to the gentleman from South Dakota [Mr. MARTIN].

Mr. MARTIN. Taking the fore part of 1901 and comparing it with the last six months of 1903, wheat has advanced practically 8 per cent in value in the markets, corn practically 10 per cent, oats 30 per cent. Meat alone—not dressed, but live meat—is the only important commodity of American industry that for some unaccountable reason, without reference to natural causes, has gone down seriously during this period, at the rate of about $15 per steer, considering the cattle business of the entire country.

Now, taking Table 1, some very interesting comparisons can be made. It will be found that, beginning with the 1st of July last, there was a systematic decline in the price of live meat until in December it touched the lowest point in five years. Beginning at the same time there was a rise in the price of dressed beef. And I must say in passing that the prices I quote are wholesale prices.

An investigation along the line of retail prices, in my opinion and in the opinion of the Secretary of Agriculture as expressed in some interviews, will show even a greater disparity. And I will say, too, that my tables are made up simply upon "good to extra" quality of beef. As every stockman or dealer knows, a slump in the beef market strikes most calamitously the lowest grades, while the best grades hold up their prices longer, so that my estimates, I believe frankly, are beneath the real facts in this matter. Still what do these estimates disclose? They show that on the 1st day of August, 1903, the price of "good to extra" beef steers was $5.17½ per hundred, the price of "good to extra" dressed beef $8.37½ a hundred, a difference of $3.20. Now, if you look back in these tables to a date when these concerns were selling the same quality of beef at the same price, you will find that on the 1st day of February, 1902—eighteen months previous—they were selling this same grade of dressed beef to the wholesale trade at $8.37½, the same as on the 1st day of August, 1903. At that time they were paying $6.50 for the same grade of steers. They were getting them for $5.17½ in August, 1903, making an increased profit of $1.32½ per hundred, or $13.25 per steer over the profits in February, 1902.

Two hundred and ninety-three thousand and one beef steers were sold in the Chicago market in the month of August last, and if this same ratio continued during the month it means a difference in profit for that month upon those steers of $3,882,263, or $149,317 per day increased profit for the packers in August, 1903, over February, 1902, when they were selling at practically the same price. Now, you see the magnitude of this business in Chicago alone. You see at a glance that this beef combine could afford to pay a daily fine of $[illegible] a day, or $35,000 for seven concerns, and then have [illegible] each day's business over $100,000 in increased profit by reason of manipulating the prices of that market, if they were manipulating it.

Comparing the average price of steers and fresh beef for the first six months of 1901 with the last six months of 1903, it will be seen from the table that there was an average increased profit for the latter period over the former of 64½ cents per hundred, or $3.45 per steer on "good to extra" grade. There were sold in Chicago the last six months of 1903 1,840,584 steers. Upon this basis the increased profits on these steers over the prices prevailing the first six months of 1901 would be about $12,000,000, or $2,000,000 per month and $76,000 per day.

The beef-trust prosecution was begun in May, 1902. Conditions had become intolerable at that time. And yet a comparison of the average prices for the first six months of 1902 with the last six months of 1903 will show that the latter period was even worse from the standpoint of the beef purchaser. The average margin of profit to the packing concerns was [illegible] per hundred greater for the six months ending December 31, 1903, on 1,840,584 steers. This would represent $61,111 per month, or $37,312 per day, greater profits on the business in Chicago alone than prevailed under the severe conditions that brought on the official prosecution in 1902.

Eight million two hundred and eighteen thousand seven hundred and sixty-two cattle were marketed in Chicago, Kansas City, Omaha, St. Louis, and St. Joseph in 1903. Considering our general prosperity and comparing with other years, my estimate is that they sold for $1 per hundred or $10 per steer less than they would have brought had there been free, open, and actual competition. This would make the loss to stock growers and feeders on the year's business in these markets alone $82,187,620. Men interested with the packers place the loss much higher, as will be seen by reference to articles and letters which will be published with my remarks.

The stock growers of the country are entitled to know that the cards will not be stacked against them. They ask nothing more. They will take care of themselves in an open field.

Now, gentlemen, I do not profess to be in any sense an anti-trust crank. I am not among those who go into political hysteria every time a trust is named. On the other hand, my experience of a professional kind has brought me into close touch with some of the men who are managing the great industries of this country.

They are among our most loyal, loyal, and patriotic citizens. There are good trusts and bad trusts. From the standpoint of the people, I think that the bad trust is the rule and the good trust the exception. There are good corporations and bad corporations. From the same standpoint, considering all corporations, great and small, I believe that the good corporation is the rule and the bad corporation the exception.

I realize that we are living in an industrial age. I realize that in the development of the great industries of the country it is but natural that we should have laid aside some of the old, simpler methods of commerce and of manufacture and should have taken on new and other implements. We have ceased to be afraid of anything in this country simply because it is large. In union there is strength.

The big corporation has sprung into being as inevitably and as logically as the steam engine or the cotton gin, and I believe that we are just as likely to abandon the use of corporate power and corporate methods in carrying on the machinery of industry in this country as we are to return to the old days of the stage coach and the pony express and throw aside the magnificent Pullman train and the great arteries of commerce that now carry on business across the country. The big corporation has come to stay. The practical proposition in some instances has been, and in some instances still is, will it allow the rest of us to stay also? I believe that there is practically a monopoly at the present time in one of the great food products of the country. I think it very pertinently requires the attention of this new Department and its Secretary—the Department that we have created for that special purpose.

It is not an unsolvable problem by any means. A disclosure of the facts half wins the battle. These great concerns, corporate in their character—these great companies are the creations of the law, either State or Federal. They can be controlled by law; they can be limited, if necessary, in the amount of their capital; they can be allowed to engage in interstate commerce only upon certain prescribed conditions; and every great company and every great industry now engages in interstate commerce in this day of quick rail transportation. No great concern, no great industry, now is confined in its operations to one State.

I think, gentlemen, that these questions will be solved. I believe that this question requires immediate, honest attention. The great trust, when it is doing a legitimate business, is entitled to the same consideration and protection that any individual in carrying on his business is entitled to. President Roosevelt put the question exactly right when he said in one of his speeches:

> We are not the friend of the rich man nor of the poor man as such; we are the friend of the honest man, be he rich or poor.

A race of men, Mr. Chairman, who have given the world its best and practically only example and model of constitutional government; a race of men who held together this great Union during the dismembering strife of the civil war; a race of men who have witnessed the assassination of three of their beloved Presidents without political disorder will not be baffled in their efforts to understand and regulate industrial agencies of their own creation.

I indict the beef combine, so called, of serious offenses against the order and rights of civilized society. No monarchical governments for any great length of time has permitted a monopoly to exist in any of the great staple food products of the country. This indictment is made, it is true, upon ex parte examination. Under our system of jurisprudence practically all indictments are drawn upon ex parte evidence. Fortunately, we have a means now recently created whereby an examination may be made under full power into this whole subject, and if the result of that examination shall be to disclose that our modern vernacular is entirely in error when it says so often that we have a beef combine or a beef trust, I shall be the first to acknowledge that disclosure and make it as public as I now make this indictment: but if, as I verily believe, an investigation will show the truth of this charge, then an outraged public sentiment will demand that no longer shall there be a monopoly in any of the great food staples of the people. [Applause.] And they will require such administrative and legislative measures as may be necessary to determine once and forever that no longer shall the food of the people be used as a means of feeding the insatiable greed of a few men who, while engaged in a legitimate business, are engaged in it in an illegitimate way. [Applause.]

Mr. SHERMAN. I yield forty-five minutes to the gentleman from South Dakota [Mr. BURKE].

Mr. MARTIN. Before my colleague proceeds, I would like the privilege of extending my remarks in the RECORD.

Mr. STEPHENS of Texas. Does the gentleman desire further time? I will give the gentleman ten minutes further if he desires it.

Mr. MARTIN. If the gentleman has time, I should simply give a little data. I think, however, I have covered the subject fairly well, and I will introduce my data in the RECORD. I am obliged to the gentleman for offering me further time, but I know gentlemen on this side of the House, Mr. Chairman, are greatly driven for time, and if the gentleman has ten minutes over there that he could give I know a friend over here on this side of the House who would be glad to get it.

Mr. STEPHENS of Texas. If the gentleman would use it along the same line of remarks as the gentleman has followed in the last thirty minutes I would be glad to yield the time.

Mr. MARTIN. I feel sure that he would use it as well or better.

Mr. STEPHENS of Texas. I will say to the gentleman that he will get every vote on this side of the House in support of the proposition that he has been advocating.

APPENDIX.

THE NEW PACKING-HOUSE PROPOSITION.

[West Texas Stockman, September 1, 1903.]

A. B. Robertson, of this city, one of the leading cattlemen of west Texas, says: "I am firmly convinced that the packing interests of the country are controlling the markets strictly in their own interest. Range cows are selling to-day at from $4 to $5 less per head than they did one year ago, and northwestern steers are bringing from $12 to $20 less than one year ago. There has been no falling off in the consumption of beef and no reduction in the price to the consumer. Now, when there is a fluctuation of from $1 to $2 per head per week in the value of the same class of cattle, it appears to the man of average understanding that something is materially wrong. These fluctuations are occurring, and to my mind the packers are thoroughly masters of the situation.

"I do not believe the packers are operating as one big firm, but through a community of interest procedure they are enabled to take every advantage of the situation. When cattle are plentiful they agree not to be competitors when they fail to show up in large numbers a small force is made of purpose to stimulate shipments, and when they materialize there invariably follows a sharp decline.

"All this comes out of the producer and at a time when it is costing more to produce cattle than ever before.

"There is but one way to remedy the situation, and that is through the building of independent packing houses. Not packing houses formed under cooperative auspices, but backed by ample capital to meet any and all forms of competition. I think there is no relief in sight so long as we have few markets and these markets dominated by a few men."

THEY MAKE PRICES.

[Kansas City Journal, August 12, 1903.]

Alleged elimination of competition in the stock market is given as the cause of the unprecedented hard times among cattlemen which are predicted to occur before January 1 next. It is claimed by prominent cattlemen in the city yesterday that there has been for several years a combination among the packing houses of the United States to absolutely control the price of stock and keep it at a figure low enough to allow a considerable excess when compared with the cost of the packing house product to the consumer.

"Four men in Chicago every afternoon set the price of live stock and packing house products for the next day, and that price is law to the drivers in all of the stock yards of the country," said a cattle raiser from the Southwest yesterday. "This is known to all stock raisers in the country. It is a condition which they have been compelled to face and have been unable to prevent. The present year is worse if possible than any former year, for the combination of packing houses is stronger. There is no reasonable relation between the price of steers and the dressed meat. The difference is the profit of the packing houses, which is partly shared by the cattle raisers."

F. W. Washington, a cattle raiser of Ellsworth, Kans., said yesterday at the Baltimore hotel that there is no prosperity in sight for the cattle raiser.

"There is no competition in buying cattle," said he. "No buyer can be found who will go beyond the price set by any other buyer. The cattle are never lost sight of after they have once been broken upon and if they are shipped to another market they bring much the same price that was offered in the first market. We have to take the first price. There is no difference in the markets, and the added cost of freight and yardage is a penalty for not accepting the first offer."

A meeting of cattlemen is being arranged for in Kansas City for this week, at which action can be formed. The object of the assembling is to devise some way of separating accounts with the packing houses.

A BANKER'S VIEW.

From a banker at Weber City, Kans.:

"I have been watching with interest the movement on the part of the National Live Stock Association to organize an independent packing concern and believe that it is the only way to meet the combine and to force them to pay top prices and to be satisfied with reasonable profits.

"Under the present conditions the stockman is working a great hardship on a great many occasions. In fact, I believe that there is no one but who is subject to a considerable loss annually. The shipper is forced to pay exorbitant prices for transportation. The feeder is forced to handle the stock without any margin of profit and sometimes at a loss. Thus putting the whole business of feeding under the ban, and a great many feeders are dropping out of the business, saying that there is nothing in it. This in turn is working a hardship on the banks, as it cuts off their cattle loans, which has always been a profitable source of income.

STOCKMEN ARE SAID TO BE OUT MILLIONS.

[Inter Ocean, Chicago, October 16, 1903.]

Farmers and stockmen of the West have been robbed of millions of dollars within the past six weeks by the meat trust, and consumers in the East and South have been robbed of still further millions by the same hands, is the charge made by stockmen. The big packers have, they say, by their agreements to refrain from bidding against each other for stock, beaten prices down almost to the breaking point and at the same time have raised the prices on dressed meats to hungry consumers until they are far above what they were one year ago, when the meat trust is supposed to have been formed. For beef steers the packers are paying 25 per cent less than last year, while the consumers are paying for meat the same as when cattle were selling for $8.50 to $9 per hundred.

Conservative live-stock men claim the stockmen of Nebraska, Iowa, and other Western states have lost more than $100,000,000 during the past three months by the manipulation of the markets by the packers, and that hundreds of stockmen are on the verge of ruin.

"The packers' trust is overreaching itself in attempting to arbitrarily regulate the price of live stock," said one commission man to-day. "They do such things successfully for a while, but there is a general agreement that they will pay for it in the long run. When the live-stock men start their new packing company they will receive enthusiastic support from western stock raisers."

THE INDEPENDENT PACKING COMPANY,
Denver, Colo., January 27, 1904.

Hon. EBEN W. MARTIN,
House of Representatives, Washington, D. C.

MY DEAR SIR: Your favor of December 31, addressed to Hon. John W. Springer, has just been referred to me.

There is no question in my mind, as well as a majority of those who are interested in growing and feeding live stock, that the prices of cattle, sheep, and swine at the various markets of this country are manipulated by a combination of packers. No. 1 beef, for instance, a little over eighteen months ago was selling on the Chicago market for from eight and one-half to nine dollars per hundred pounds, and hogs and sheep in proportion. The decline during this time has amounted to more than $20 for every beef animal, wiping a thousand pounds, and sheep and swine have suffered accordingly, but the general consumer of this product has benefited the same.

There is no reasonable excuse for such a decline in the price of live stock when the home and foreign demand is as greatly in [illegible] and the laboring people are at work and are prosperous. We have [illegible] satisfaction that a representative of each of the leading packers [illegible] Chicago every afternoon and fix the price of the live stock and dressed [illegible] for the next day, and I believe that evidence of this character can be produced should it be required. One thing is certain, there is no [illegible] competition at the market between these people, each and every one of them offering for live stock the same figures and selling to the public at the same figure.

The loss to the stock growers of the country by this manipulation during the past eighteen months amounts to more than $[illegible].

I herewith enclose you copy of a prospectus which has been issued by the Independent Packing Company, an organization endeavoring to establish independent packing plants in order to overcome this evil.

Very truly yours,

C. F. MARTIN, *Secretary.*

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., December 28, 1903.

Hon. EBEN W. MARTIN,
House of Representatives.

DEAR MR. MARTIN: Your favor regarding the price of beef received some time ago, when beef was at its highest. I think I gave an interview to somebody in which I said that the previous short corn crop was the cause of it, and also the great demand for meats on workingmen, who were all busy getting good wages and using meats freely. [illegible] corn in the corn belt was so low and prices so low that hogs were [illegible] speculators, and a great many of them [illegible] thus [illegible] with the lower prices of meats at the present time. I [illegible] finence the packers have on the market, but I do not [illegible] they have some influence. Cattle in the market are much cheaper, while meats to the consumer are higher [illegible].

I do not know whom you could find a copy of that statement I made, but I have [illegible] the substance of it.

Very respectfully,

JAMES WILSON, *Secretary.*

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE SECRETARY,
Washington, D. C., February 6, 1904.

Hon. EBEN W. MARTIN,
House of Representatives.

DEAR SIR: I have your letter of the 5th instant, inclosing a copy of your resolution calling upon the Secretary of Commerce and Labor to look into the prices of beef. It seems to come [illegible] the proper department.

Let me call your attention to the [illegible] 1896 there has [illegible] time to (great [illegible] beef [illegible] 12 [illegible] have reason to [illegible] the [illegible] year [illegible] Average [illegible] Chicago [illegible] Average [illegible] that [illegible] with fewer price [illegible].

Very truly yours,

JAMES WILSON, *Secretary.*

TABLE 1.—*Mean prices of good to extra steers in Chicago and good to extra fresh beef from best western steers in Boston, and the difference between these prices on the 1st of each month for the years 1901, 1902, and 1903.*

Year and month.	Mean price per 100 pounds on the 1st of each month.		Difference in price per 100 pounds of steers and fresh beef.	
	Good to extra steers in Chicago.	Good to extra fresh beef (western sides) in Boston.	Actual.	Per cent.
1901.				
January	$5.70	$7.62½	$1.92½	33.8
February	5.65	7.75	2.10	37.2
March	5.55	7.50	1.95	35.1
April	5.65	7.62½	1.97½	35
May	5.60	8.00	2.40	42.9
June	5.75	7.75	2.00	34.8
Average for 6 months	5.65	7.71	2.06	36.4
July	6.07½	8.00	1.92½	31.7
August	5.77½	8.00	2.22½	38.5
September	5.77½	8.00	2.22½	38.5
October	5.92½	8.37½	2.45	41.4
November	6.25	8.25	2.00	32
December	6.25	8.25	2.00	32
Average for 6 months	6.01	8.15	2.14	35.7

TABLE 1.—*Mean prices of good to extra steers in Chicago, etc.*—Continued.

Year and month	Mean price per 100 pounds on the 1st of each month.		Difference in price per 100 pounds of steers and fresh beef.	
	Good to extra steers in Chicago.	Good to extra fresh beef (western sides) in Boston.	Actual.	Per cent.
1902.				
January	$8.12½	$8.25	$2.12½	34.7
February	6.50	8.37½	1.87½	28.8
March	6.50	8.75	2.25	34.6
April	6.62½	9.12½	2.50	37.7
May	6.82½	9.50	2.67½	39.2
June	7.10	10.00	2.90	40.8
Average for 6 months	6.61	9.00	2.38	33.9
July	7.65	10.50	2.85	37.3
August	7.75½	10.25	2.50½	32.7
September	7.65	10.50	2.85	37.3
October	7.67½	9.50	1.82½	23.8
November	7.37½	9.50	2.12½	28.8
December	6.40	8.50	2.10	32.8
Average for 6 months	7.41	9.79	2.38	32.1
1903.				
January	5.62½	7.50	1.87½	33.3
February	5.37½	7.00	1.62½	30.2
March	5.62½	6.75	1.62½	29.2
April	5.85	6.50	1.15	21.5
May	5.37½	7.50	2.12½	39.5
June	5.62½	7.25	2.02½	38.8
Average for 6 months	5.56	7.08	1.72	32
July	5.20	7.75	2.55	49
August	5.17½	8.37½	3.20	61.8
September	5.37½	8.00	2.62½	48.8
October	5.42½	8.12½	2.70	49.8
November	5.50	7.75	2.25	40.9
December	5.05	7.75	2.70	53.5
Average for 6 months	5.29½	7.96	2.70	51.5

TABLE 2.—*Number of cattle marketed in Chicago, 1901, 1902, and 1903.*

Month.	1901.	1902.	1903.
January	252,445	275,189	275,388
February	205,467	291,329	256,493
March	207,411	[illegible]	[illegible]
April	202,458	[illegible]	[illegible]
May	233,257	[illegible]	[illegible]
June	285,464	[illegible]	[illegible]
July	282,784	[illegible]	[illegible]
August	275,784	[illegible]	[illegible]
September	228,016	[illegible]	[illegible]
October	207,806	[illegible]	[illegible]
November	227,367	[illegible]	[illegible]
December	249,368	[illegible]	[illegible]
Total	3,037,306	2,941,567	3,432,479

No Government [illegible] showing the number, weight, and value of cattle [illegible] Chicago [illegible] St. Louis, and St. Joseph: Cattle—1901. [illegible]

TABLE 3.—*Number of cattle [illegible] during the last six months of each year, 1901 to 1903.*

July to December—	Number.	July to December—	Number.
1901	1,878,722	1897	1,380,514
1902	[illegible]	1898	[illegible]
1903	1,970,362	1899	[illegible]
1900	[illegible]	1900	[illegible]
1901	[illegible]	1901	[illegible]
1902	1,498,220	1902	[illegible]
1903	1,865,560	1903	1,840,584

TABLE 4.—*Number and value of milch cows and cattle in the United States in 1901, 1902, and 1903.*

Year.	Milch cows.		Other cattle.		Total.	
	Number.	Value.	Number.	Value.	Number.	Value.
1901	16,933,637	$505,[illegible]	47,[illegible]	$906,644,093	63,932,870	$1,411,737,080
1902	[illegible]	[illegible]	48,[illegible]	839,126,073	61,434,599	1,327,266,307
1903	17,105,227	516,711,914	44,[illegible]	824,054,902	61,704,433	1,340,766,816

The above table gives the number and value of live stock of the United States for the years 1901, 1902, and 1903, as reported by the Department of Agriculture.

TABLE 5.—*Exports of cattle and beef products from the United States, by months, during the calendar years 1901, 1902, and 1903.*

Article and month.	1901.		1902.		1903.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
CATTLE.	*Number.*	*Dollars.*	*Number.*	*Dollars.*	*Number.*	*Dollars.*
January	38,046	[illegible]	26,320	2,[illegible],147	[illegible]	2,784,[illegible]
February	33,790	[illegible]	23,520	1,[illegible],664	28,849	2,[illegible]
March	33,462	[illegible]	25,764	2,[illegible],[illegible]	25,741	2,[illegible]
April	[illegible]	[illegible]	23,295	1,748,565	36,370	2,941,[illegible]
May	44,[illegible]	[illegible]	30,815	2,119,149	51,555	3,411,[illegible]
June	41,[illegible]	[illegible]	33,179	2,114,929	61,560	3,[illegible]
July	42,[illegible]	[illegible]	28,467	1,919,397	[illegible]	2,[illegible]
August	46,[illegible]	[illegible]	32,[illegible]	[illegible]	50,184	2,[illegible]
September	35,[illegible]	[illegible]	24,[illegible]	[illegible]	41,[illegible]	[illegible]
October	41,[illegible]	[illegible]	38,[illegible]	[illegible]	48,904	[illegible]
November	34,[illegible]	[illegible]	35,[illegible]	[illegible]	[illegible]	[illegible]
December	31,254	2,693,314	23,492	2,082,320	43,389	3,843,193
Total for year	[illegible]	[illegible]	327,118	[illegible]	519,963	37,725,432
BEEF, CANNED.						
January	3,795,723	370,220	6,518,887	638,561	6,823,476	688,221
February	3,048,844	[illegible]	4,[illegible]	[illegible]	[illegible]	[illegible]
March	6,083,704	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
April	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
May	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
June	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
July	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
August	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
September	8,778,211	876,648	[illegible]	[illegible]	[illegible]	[illegible]
October	6,495,244	657,104	[illegible]	[illegible]	[illegible]	[illegible]
November	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
December	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total for year	53,239,582	5,233,782	81,362,681	8,384,454	66,738,931	6,850,079
BEEF, FRESH.						
January	[illegible]	[illegible]	21,971,692	[illegible]	23,251,552	2,153,979
February	[illegible]	[illegible]	[illegible]	[illegible]	21,247,595	2,150,[illegible]
March	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
April	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
May	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
June	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
July	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
August	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
September	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
October	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
November	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
December	25,173,511	2,386,516	21,204,370	2,053,718	24,531,363	2,210,484
Total for year	354,421,731	32,294,877	242,015,093	25,028,304	269,401,843	26,692,858
BEEF, SALTED OR PICKLED.						
January	3,599,020	212,245	3,201,893	200,461	[illegible]	[illegible]
February	3,623,262	[illegible]	2,926,046	[illegible]	[illegible]	[illegible]
March	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
April	4,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
May	5,522,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
June	3,527,070	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
July	3,554,274	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
August	3,579,949	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
September	5,132,565	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
October	5,584,249	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
November	4,773,094	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
December	3,821,539	247,397	3,547,892	296,314	3,694,149	216,893
Total for year	51,761,505	3,035,625	45,975,920	3,261,163	57,063,892	3,661,741
BEEF, OTHER CURED.						
January	114,617	11,496	947	107	30,074	3,311
February	76,832	7,912	3,313	336	88,000	8,580
March	45,810	4,552	3,713	474	14,000	1,469
April	28,246	2,983	50,108	3,425	11	11
May	87,410	6,639	331,187	36,167	[illegible]	[illegible]
June	8,763	953	18,684	1,799	[illegible]	[illegible]
July	47,492	2,819	245,592	28,050	[illegible]	[illegible]
August	166,942	15,071	4,962	1,183	48	12
September	[illegible]	6,245	412,706	27,327	33,264	1,975
October	300	40	42,720	4,577	86,495	[illegible]
November	51,355	4,341	17,927	2,124	15,445	[illegible]
December	24,538	2,020	86,178	8,649	23,357	1,925
Total for year	767,007	64,467	1,223,067	114,238	460,654	41,436
TALLOW.						
January	6,400,001	326,700	2,320,167	131,045	2,842,527	169,888
February	5,720,827	290,562	2,543,573	156,671	2,472,640	[illegible]
March	5,914,030	[illegible]	2,271,712	138,418	2,681,[illegible]	[illegible]
April	4,310,211	229,462	2,167,968	132,556	2,481,649	148,[illegible]
May	3,894,355	195,658	1,421,618	88,476	3,187,923	181,273
June	3,309,766	168,220	1,387,241	90,971	4,349,631	232,522
July	3,912,356	201,774	922,547	59,978	7,205,157	392,099

TABLE 5.—*Exports of cattle and beef products, etc.*—Continued.

Article and month.	1901.		1902.		1903.	
	Quantity.	Value.	Quantity.	Value.	Quantity.	Value.
TALLOW—Cont'd	*Number.*	*Dollars.*	*Number.*	*Dollars.*	*Number.*	*Dollars.*
August	3,942,167	[illegible]	712,695	[illegible]	8,843,794	[illegible]
September	4,[illegible]	[illegible]	2,219,[illegible]	[illegible]	8,168,576	498,581
October	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
November	3,999,101	[illegible]	1,634,096	[illegible]	[illegible]	[illegible]
December	4,626,861	254,429	2,927,184	173,870	6,546,923	431,5[illegible]
Total for year	51,848,309	2,698,692	21,365,465	1,330,604	63,537,840	3,320,080

DEPARTMENT OF COMMERCE AND LABOR,
BUREAU OF STATISTICS, *January 20, 1904.*
O. P. AUSTIN, *Chief of Bureau.*

TABLE 6.—*Summary of exports of cattle and beef products, 1901, 1902, and 1903.*

	1901.	1902.	1903.
Cattle ..... pounds..	454,590,000	327,118,000	519,963,000
Beef, canned ..... do....	53,239,582	81,362,681	66,738,931
Beef, fresh ..... do....	354,421,731	242,[illegible]	269,401,843
Beef, salted, etc ..... do....	51,761,505	45,975,920	57,063,892
Beef, other cured ..... do....	767,007	1,[illegible]	460,654
Tallow ..... do....	51,848,309	21,365,465	63,537,840
Total for year	968,628,134	719,020,506	1,003,090,160

TABLE 7.—*Wholesale monthly prices of breadstuffs in United States markets for years 1901, 1902, and 1903.*

Year and month.	Wheat No. 2, red winter.	Corn No. 2, mixed.	Oats No. 2.
1901.	*Cents.*	*Cents.*	*Cents.*
January	80	45½	28½
February	79	48	30½
March	78½	48½	31
April	77	48	30½
May	82	56	32
June	81	49	33½
Average for 6 months	80	49½	30½
July	79	49	32½
August	74	59½	35
September	75	62½	38½
October	79	62½	43½
November	83	66	44½
December	84½	69	51½
Average for 6 months	77	61	40½
1902.			
January	87½	71	52
February	89	69	49
March	86	68	50½
April	83½	65	47
May	85	70	47½
June	87½	68	49½
Average for 6 months	85	69½	48½
July	[illegible]	69	[illegible]
August	[illegible]	64	[illegible]
September	[illegible]	68	54½
October	74	66	53
November	[illegible]	65	54
December	78	64	55
Average for 6 months	78½	66	42½
1903.			
January	79½	59	38½
February	88	61½	43½
March	85½	58	43½
April	80	59	42
May	81½	59½	38
June	83½	58	40
Average for 6 months	82	58	41
July	83	57	40½
August	89½	58	38
September	87½	59½	38½
October	84	59	41
November	86	59½	41½
December	90	51	40½
Average for 6 months	86	54½	40½

Mr. BURKE. Mr. Chairman, before proceeding to what I have risen to talk about, I want briefly to refer and supplement what the gentleman from New York, the chairman of the Committee on Indian Affairs, has said with reference to the Indian appropriation bill which is now before this committee for consideration. As was stated by the chairman, the bill has had most care-

ful consideration by the committee, every line and every item of the bill having been considered, discussed, criticised, and scrutinized by the whole committee in a series of meetings covering some two or three weeks of time.

I wish to say, Mr. Chairman, as was stated by the chairman, that the estimates made by the Department have not been exceeded except in an amount of something like $178,000, and the items making this increase were all recommended by the Department by either a special communication or by the head of the Bureau appearing before the committee in person. I also want to say that the increases over the estimates are all upon the item of schools. We have reduced the estimates of the Department in other respects, but have increased a little the appropriations for schools. I want particularly to emphasize this fact and to call attention to the item in the bill, which is $3,871,798, that we appropriate for the support of the schools and the education of the Indians. Out of $7,910,000 appropriated by the bill considerably more than half of it is for education.

I want also to say, Mr. Chairman, as was stated by the gentleman from Texas yesterday, that since the early history of this country we have appropriated and expended for the civilization, support, and education of the Indians of this country over $[illegible].

Now, Mr. Chairman, what has prompted me to ask the indulgence of this committee at this particular time grows out of the fact that recently this House passed a bill—namely, H. R. 10418—in relation to the ratification and amendment of a treaty made with the Rosebud Indians in South Dakota, by which the Indians propose to cede to the Government 416,000 acres of land. The bill I refer to was introduced in the House by myself. It was considered by the Committee on Indian Affairs, as the Indian appropriation bill was considered, in several hearings, and was considered and discussed fully in the committee, because the bill proposes what will become, if it should be enacted into law, a new policy in relation to dealing with the Indians in regard to extinguishing their title for lands which they may have in their reservations for which they have no use. In other words, if this bill should finally become a law, it will be the pioneer bill for subsequent legislation that may be proposed to be enacted upon this subject. Mr. Chairman, the bill was unanimously reported by the Committee on Indian Affairs, was taken up and considered in this House without any opposition appearing from any source, and passed, and went to the Senate.

In the Outlook of February 27, 1904, there appeared an article entitled "Indian lands and fair play."

It will be found on page 498 of the Outlook of Saturday, February 27, 1904. I am not going to take the time, Mr. Chairman, to read that article. It was written by a gentleman of considerable reputation, one George Kennan. I believe it is well known that something like fifteen or twenty years ago Mr. Kennan went to Russia, and that he contributed a number of articles upon the subject of "The Russian exile system" that attracted some attention, and at that time made him a reputation. I also understand, Mr. Chairman, that the nature of his writings were such that he was invited out of Russia and has not been permitted to return to that country.

Since his return to the United States he has occasionally been heard from in articles condemning some policy proposed by some Department of the Government, and has invariably taken a position "agin the Government," and I understand he has very recently departed for Japan. And if he makes good his reputation of being against the country within which he may be at the time, I presume his writings will be against Japan, and we can therefore expect his early return to the United States by the invitation of the aforesaid country, as he was invited to leave Russia.

In any event, as I have said, Mr. Kennan is a man of some reputation and may have been thoroughly posted upon the subjects that he has heretofore written upon, but any man familiar with H. R. 10418 and the Indian question generally will say that when he wrote the article published in the Outlook, to which I have alluded, he demonstrated that he did not know anything about the subject. Upon that article the Outlook comments editorially as follows:

> Mr. Kennan, on another page, gives a dispassionate and striking account of the latest attempt to rob the Indian wards of the nation. While this robbery was undoubtedly instigated and planned in South Dakota, unfortunately Congress and the Interior Department were made—although perhaps unconsciously—accomplices before the fact. We may, perhaps, venture to say that this piece of grist was taken to the Indians was brought to the attention of the President through the instrumentality of the Outlook, and owing to his personal and practical interest the mean bargain he overrode has been blocked.
>
> It is fair, on the one hand, to say that the Secretary of the Interior and the Indian Commissioner are personally not in the slightest degree responsible in the proposed corrupt sale, but that they yielded to the political pressure which is so constantly brought to bear upon administrative officials by members of the legislative branch of the Government.

Then it goes on (I will quote the whole article) and says further:

> But, on the other hand, it should be remembered that the Indian Commissioner and the Secretary of the Interior are put in their respective places to do exactly the things they have not done in this case, to advise with regard to legislation as experts and to block, in so far as they can, legislation which is either dishonorable or unwise, as it may touch their own Departments, etc.

I do not wish to comment specially upon that last paragraph which I have read, but I do not think any man in the House of Representatives will say that it is the duty or the province of any Department to interfere with legislation that Congress might conclude to enact into law simply because the Department might deem it unwise and undesirable.

The editorial concludes as follows:

> For them to plead, as in this case they have done, that they approved bills regarding the Indians which they knew not to be just or fair, but passed them otherwise because of political pressure, or, perhaps, because they had neither time nor courage to resist a strong pressure which the Lower House seemingly manufactured to resist.

Following that article the Indian Rights Association, an organization, I believe, existing in Philadelphia, a self-appointed guardian of the rights of the Indian, supported, I presume, largely by the contributions of people who may be actuated by sentimental motives, and who are ready to believe that the poor Indian is being robbed and is being outraged by the white man and by the General Government, issued a pamphlet signed by Mr. Phillip C. Garrett, president of the Indian Rights Association, dated Philadelphia, February 29, 1904, and headed "An Old Century of Dishonor." I will only read the first paragraph of this pamphlet, which is as follows:

> We appeal for justice on behalf of the Rosebud Indians of South Dakota, and plead that the Government in taking their land shall obtain their consent in the minority of instances and insist that the proceeds thereof, and similarly large proportions of the tribal funds, be so applied that the Indian owners receive reasonable compensation therefor.

Now, Mr. Chairman, one word in relation to the inconsistency of this Indian Rights Association. I find that about ten years ago a treaty was entered into between the Lower Brulé Indians and the Rosebud Indians in South Dakota by which the Lower Brulé Indians, or a portion of them, were to move onto the Rosebud Reservation. It was mutually agreed to by the Indians. It was desired and recommended by the Department, but the Indian Rights Association protested and opposed that proposition on the ground that the land south of the White River, this particular reservation, was practically valueless, and yet in the pamphlet which they have now sent to many if not all the Members of the House they are trying to make it appear that this land is very valuable and that we are taking it away from the Indians at a price that is unreasonable and unfair.

Mr. Chairman, just a word as to why it was necessary to adopt a new policy in relation to extinguishing Indian title or right of occupancy in reservation lands that were no longer of any use to the Indians, and why it was that the treaty, made with the Rosebud Indians for the cession of that portion of their reservation located in Gregory County, was not ratified by Congress.

Heretofore it has been the policy to enter into a treaty with Indians, the Government stipulating and agreeing to pay in cash a certain price for the land to the Indians. Upon the ratification of a treaty, the land became a part of the public domain, and was disposed of under the homestead laws. It appeared that in many of these treaties a price was paid that was in excess of what the land was actually worth and that instead of the Indians being mistreated it was the Government that was being imposed upon, and it was declared by those in this House who are its leaders that hereafter no Indian reservations could be opened to settlement except on some plan by which the Government would not be obligated to pay the Indian for his right therein, but upon some terms by which the land would be disposed of by the Government and the proceeds paid to the Indians. In the language of our present distinguished Speaker, on the floor of the House in the Fifty-sixth Congress, "When white man pays his money, Indian gets his money."

It was for the reasons stated that it became necessary to adopt the plan proposed in House bill No. 10418, and what the Indian Rights Association is condemning, and those other theorists and doctrinaires, is that it is not good faith, first, because it violates treaty stipulations heretofore made with the Indians and, secondly, the terms of the bill are not fair and just to the Indians.

In 1901 a treaty was made with the Rosebud Indians, signed by more than three-fourths of the male adult Indians, by which they agreed to cede to the United States 416,000 acres of their reservation, being that portion located in Gregory County. The United States in that treaty stipulated to pay to the Indians $2.50 an acre for that land, or, in round numbers, $1,040,000. When that treaty came to the House of Representatives it met with the opposition which I have just stated, and it became necessary, as I say, to find some other way by which the Indians might dispose of this land and the lands could become a part of the public domain and be occupied, settled upon, cultivated, and improved and made useful instead of being there of no value to the Indians, without being used by anybody, unless it might be by some trespasser.

In the meantime the Supreme Court of the United States, in the case of Lone Wolf against Hitchcock, decided January 2, 1903, a case where the conditions, so far as the provisions of former treaties were concerned, were exactly identical. Article 12 of the treaty with the Kiowa and Comanche Indians was exactly the same as article 13 with the Sioux Indians in the treaty of 1868 and reaffirmed in the treaty of 1889, by which it was expressly provided that the Indians in the future would not be deprived of any of their reservation lands except upon the consent and approval of three-quarters of the male adults. The Supreme Court, in the case just referred to, Congress having amended a treaty which had been made with the Indians, took up that question and decided it squarely, and perhaps for the first time in the history of the Government. They decided that Congress had the absolute right to legislate with the Indians and for the Indians as the Congress in its judgment might see fit, regardless of any treaty conditions or treaty stipulations that might have been entered into in the past, and that decision became the law and furnished an opportunity to enact legislation such as the present Rosebud bill does provide, if it is enacted, and we therefore proceeded to amend that treaty so that as the lands were disposed of the money should go into the Treasury and be paid out to the Indians.

The Indian Rights Association, that are protesting against this bill, and others who have been heard from in opposition to the same, do not say or make any reference to the fact that a treaty embodying substantially the provisions of this bill as it is at present, except that the price of the land was 50 cents an acre lower, was submitted to the Rosebud Indians last August, and the price of $2.50 an acre was raised to $2.75, and that forty-eight more than a majority of the Indians consented and approved of the same. So that, while not three-quarters, as the treaty provides, forty-eight more than a majority have said that they desired and were willing to sell the land upon the terms proposed, and for $2.75 per acre, when, as the price they will receive if the bill becomes a law is $3.00 per acre.

Now, just a word as to the policy which we have been pursuing so far as the Indian is concerned and his right to the reservations which they occupy. In the Fifty-sixth Congress there was a gentleman, a Member of the House, distinguished for long years of service, a man who was in every respect a statesman, a man who had made a study of the subject of the public domain, and on February 4, 1901, he spoke the words which I will now read. I want to say that I indorse what the gentleman said, and that I believe the law absolutely sustains the theory which he there sets forth. I quote, Mr. Chairman, from Hon. Galusha A. Grow, of Pennsylvania, as follows:

> Mr. GROW. Mr. Speaker, I agree in part with the remarks made by the gentleman from Georgia [Mr. MADDOX]. But he and most others in Congress seem to have been long in journeying over ground it is understood. The general impression has been that passed Congress when that the white man could [illegible] Indian. [illegible] Indian may wander [illegible] in such land is set on it the sweat of his brow or purchased the soil he tilled. What right can these Indians or Indians any where have to hold or insist on retaining [illegible] land which a man can get at a cost of a fishing rod stone not give a man a title to [illegible] and?
>
> I am [illegible] of the Government that treats the Indian as the owner in fee of the unoccupied land. How can he have more than a possessory right [illegible] by treating the occupant treaties other of which have been made? The Indian has no more right than a white man to the soil he occupies [illegible] he claims over it. If he has the agents of the Hudson Bay Company are just as much entitled to the good will and defense of the Government. They travel [illegible] and all the implements of a hunter's life [illegible] Indian, or at the same time.
>
> What should the Government make a treaty with the Indian to buy his land to which he has only a possessory title? The old theory was to induce an arrangement for him to leave his present occupancy and to find a new home. It is well enough that the Government secured the best arrangement [illegible] for him. He leaves his old hunting ground and Redmanchor. All the other tribes necessary to the glory of his attendants. And [illegible] that a better world. The sons born in New England to-day go West and find new homes in the West, and stop only when they reach the [illegible] of the nearby seas.
>
> The Government's policy results a wrong on the Treasury of the United States in treating the Indian as owning in fee land which neither he nor the white man have ever [illegible] they never labor to [illegible]. The Government [illegible] to the old policy practical for many years, paying the Indian a bounty for leaving them and proceeding to occupy if he had a [illegible] for occupancy. No matter what the Government pays for the [illegible] it will be paid [illegible] corn by and and [illegible] to [illegible] as previously. The same a surplus created by the Authority for the support of the race, but than individual property only by the application of more labor in [illegible] on.

Mr. Chairman, the theory that the Indian absolutely owns these reservations is nothing but a theory, and the sooner that Congress appreciates that this is the case the better legislation, in my judgment, we can have for the best interests of the Indians. I find that in the earlier treaties made with the Indians it was never thought that the Indian owned the lands. He had a sort of aboriginal tenure, as it is termed—a mere right of occupancy.

I have been told that in Pennsylvania, the State where the Indian Rights Association makes its home, there was a treaty entered into with the Indians in the early history of that State by which the Indians ceded and surrendered quite a portion of lands which they occupied at a cost of $5.28, which was expended for beads.

Mr. Chairman, we are told that the Indians own the land. I shall incorporate in my speech and put in the Record several decisions from the Supreme Court of the United States, which demonstrate beyond any question that all the Indian has in the reservation is a mere right of occupancy, and that he has no title and that the fee is in the Government, and that it and it alone can extinguish the Indian right of occupancy, upon such terms as Congress may determine.

At this point I desire to refer to the case of Lone Wolf v. Hitchcock, heretofore cited. A portion of said opinion I will append to my remarks and print in the Record.

I want to call particular attention to the language used in this opinion in relation to the Indian right of occupancy being as sacred as the right of the fee in the United States, and, referring to several decisions where it was so decided, the court says that in none of these cases was there a controversy between Indians and the Government, but the questions considered had relation to the nature of the property rights of the Indian, concerning the character and extent of such rights as respected States or individuals.

I desire to refer to the case of Johnson v. McIntosh, 8 Wheaton, 543, decided in 1823; United States v. Cook, 19 Wallace, 591, decided in 1874; Beecher v. Northern Pacific Railroad, 119 U. S., 55; Beecher v. Wetherby, 95 U. S., 71, and I will append and print in the RECORD extracts from these decisions and also an extract from an opinion by Attorney-General Cushing, 8 Opinions Attorney-General, 95, and I would emphasize one portion of this opinion and commend it to some of the Eastern States that are so inclined to be sentimental on the Indian question and fearful that he will not be justly treated. The language is as follows:

> Finally, we of the older States of the Union, who had expelled or killed off most of our Indians or induced them to emigrate from the land of their birth, had now come to be extremely sensitive to the moral wrongs of the same nature that, as policy in relation to our own, we forced upon the younger States of the South were now suffering their karma.

From the opinions cited, and especially the decision in the Lone Wolf case, it is demonstrated clearly that the Indian is a ward of the nation and that the United States can legislate as the legislative branch may see fit for his best interests.

It has been claimed that this particular bill is a robbery, and it has been so denominated. I want to say that it provides that the land shall be opened to settlement and what is disposed of during the first six months shall be paid for at the rate of $3 per acre. In this tract there are 452 tracts that have already been selected by the Indians as allotments. In other words, the Indians have gone first and selected as their allotment one fifth of the tract; and the Indians are just like white men—they have naturally selected the best tracts. That would be natural. So that the 416,000 acres represents only four-fifths of the tract that is located in Gregory County, a part of this reservation. On the north the land is joined by what was formerly a part of the great Sioux Reservation, where land is now open to settlement and can be had, if a man will go there and live on it for five years, for nothing; and if he commutes, he pays only 50 cents an acre. It is joined on the south by land in Nebraska, assessed at between $1 and $1.25 an acre. On the west is an Indian reservation extending 170 miles.

And I maintain that when we put the price at $3 an acre, as we do in that bill, it is not only fair and just, but it is more, Mr. Chairman, in my judgment, than the land is worth to-day, and certainly as much as a man ought to be required to pay who goes there and is required to comply with the provisions of the homestead law, as he will have to do under the terms of this bill. I maintain, Mr. Chairman, that the only question to be determined is the price of the land, and that that is one entirely of judgment, and that in looking out for the interests of the Indians if we see to it that he gets as much as he would have gotten under the treaty which he made we certainly can not be accused of having mistreated him. It is the judgment of every man familiar with the conditions in the t section of the country that the land will be disposed of under the provisions and terms of this bill, and that it will be paid for, and that the Indians will receive as much money as they would have received under the original treaty, and probably more.

Mr. Chairman, I want to refer to a treaty made with the Sioux Indians in 1868, and I want to read some of the provisions. In article 11 of this agreement it appears that we paid the Indians a consideration, and here are some of the things that the Indians agreed to do:

They agreed to withdraw all opposition to the construction of railroads now being built on the plains. "Second, that they will permit the peaceful construction of any railroad in passing over their reservation as herein defined." "That they will not attack any persons at home or traveling, nor molest or disturb any wagon trains, coaches, mules, or cattle belonging to the people of the United States or to persons friendly therewith." "They will

never capture or carry off from settlements white women or children: they will never kill or scalp white men, nor attempt to do them harm."

By article 2 of the treaty of 1877 it is provided: "They also consent and agree to the free navigation of the Missouri River."

Now, to say at this time because some years ago the United States, in order to control these then outlaws and savages—call them by any name you may—confined them within certain limits, which were called "reservations," that we gave them the lands seems to me absurd. Will anybody for a moment contend that that action was a conveyance for a consideration to the Indians of the fee in the land? I certainly think not, and, as I said before, I have cited some authorities showing that the reservation title, if you want to so term it, is of no greater value than the aboriginal tenure. Yet it is contended that these lands now belong to the Indians and that they should be disposed of not only for what they are worth in their present almost valueless, useless condition, but that they shall be sold so that the Indian will get what they are worth after they have been cultivated and improved and made valuable by the white man.

I say, Mr. Chairman, following the language of the distinguished gentleman from Pennsylvania [Mr. GROW], from whom I have quoted, that the value in this land should go to the man that gives it value. The Indians of this country have never contributed or done anything that has been recognized by which they have given any value to the lands of this country. These Indians have the right to take: Heads of families, 320 acres of land; children over 18 years of age and unmarried, 160 acres of land, and children under 18 years of age, 80 acres of land.

Heads of families who desire to live on their allotments are entitled to the following: Fifty dollars in lieu of a house, two mares and one colt, two cows with calves, one farm wagon, one set double harness, one plow, one hoe, one ax.

I cite this simply to show how generously the Indian has and is being treated by the Government, and I have no hesitancy in saying that after having taken allotments as they have in the tract affected by the proposed bill, the land left, which is of no value as it is now, should be made a part of the public domain, and upon terms not only fair to the Indian, but upon terms fair and just to the man who may go there to make his home and cultivate it. The man who goes into that section of the country goes in there with a handicap of one-fifth of the land nontaxable for twenty-five years, and he has got to pay his proportionate increase of the expenses of that community for all that time.

These 452 Indian allotments are practically without value at present, whereas if the adjoining lands are settled upon and improved it will make them valuable, and they can also be rented so as to give the allottees a benefit; and this is a consideration of considerable importance to the Indians having the aforesaid allotments.

I wish to emphasize that in disposing of this land it is not proposed to sell anything more than the right to make a homestead entry, which is quite different from what it would be if a person could buy the land outright. Under the provisions of the homestead law the purchaser will be limited to 160 acres and will have to reside upon and cultivate the land, in accordance with the provisions of said law.

That the Department has always considered $2.50 an acre, or $1,040,000, a fair and just price for the land, I wish to read the following reports.

Commissioner Jones, in his report to the Secretary of the Interior on the original treaty, November 29, 1901, in which he recommended that the same be transmitted to Congress with the request for favorable action, among other things said, referring to the report of the inspector who made the agreement:

> The inspector states that the land in Gregory County is without doubt the best and most desirable portion of the Rosebud Reservation, and that although the allotments embrace much of the choicest land, yet a great deal of good land remains unallotted. The whole tract, however, is a good grazing land, and the greater portion is also good agricultural land, upon which excellent crops can be raised when there is sufficient rainfall during the growing season. He says he regards the compensation stipulated in the agreement as very reasonable and at the same time a fair and just price for the lands. * * *

In conclusion the inspector states that he regards the compensation and manner of payment provided in the agreement as just and fair, both to the Indians and to the United States; that the manner of payment was the best, both for the Indians and for the Government, that the Indians would receive that the sheep, cattle and the five annual cash payments will have great benefit to the Indians in giving them a good start toward their self-support. He heartily recommends the approval and ratification of the agreement.

The Commissioner further said:

> The compensation agreed upon for the land ceded, amounting to about $2.50 per acre, is in the judgment of this office and from the best information obtainable, fair and reasonable.

The Secretary of the Interior, under date of December 6, 1901, in transmitting the treaty to the Senate, stated:

> This agreement has been carefully considered by the Commissioner of Indian Affairs, and as it seems fair and reasonable and the terms the best that could be obtained I have the honor to recommend that it receive favorable action by the Congress.

A gentleman of high standing, and a man who has been among the Indians for thirty years or more, and who was at first opposed to House bill No. 10418, after having it explained wrote me a letter, from which I quote as follows:

PHILADELPHIA, PA., *February 12, 1904.*

> However, the material questions are: Is the proposed bill (H. R. 10418) on the whole beneficial, and are its terms the best which can be got? On the whole, I answer "Yes," changing my opinion on these points, as you will perceive. I have two reasons:
>
> First, upon the fact to which you draw my attention and which I had overlooked, that the proposed bill assures the presence on the purchased land of a white farming population under the homestead laws instead of the presence of the land in large grazing tracts by corporations; and
>
> Second, upon the fact that, upon reflection, I think the prompt sale of the land more probable than when I wrote you.
>
> I appreciate, therefore, the force of your position in favor of the bill unless new considerations present themselves to my mind and seem to demand it, in which case I shall again put myself in communication with you.

I also wish to read two letters from one Frank Mullen, who has lived upon the Rosebud Reservation for twenty-four years, and is therefore familiar with the conditions upon said reservation, and is known to be a friend of the Indians, which letters are as follows:

ROSEBUD AGENCY, S. DAK., *January 23, 1904.*

Hon. CHARLES H. BURKE, *Washington, D. C.*

> DEAR SIR: Will you kindly send me a copy of the new bill introduced by you in the House of Representatives for the opening of the unallotted lands in Gregory County.
>
> We hope your splendid efforts for the bill will be successful this session, and that the Indians will get the money they have been expecting from the sale for the last two years, and is payable on ratification.
>
> We have noticed many inquiries in reference to the bill, and I would consider it a favor if you would keep me advised of its progress, so that I can keep my people informed through our little paper.
>
> I understand there have been some protests sent from here to the Committee on Indian Affairs. If I do so, they are not authorized by any council of Indians from which they profess to represent, and represent only a small minority of the Indians. The general sentiment is in favor of the bill, as outlined in the press dispatches, and the main question of the Indian is, "When we get the money, and how much?"
>
> Yours, truly, FRANK MULLEN.

ROSEBUD, S. DAK., *February 3, 1904.*

Hon. CHARLES H. BURKE, *Washington, D. C.*

> MY DEAR SIR: Referring to your letter of January 27, I would say that I have been perfectly familiar with the lands in Gregory County for the last twenty-five years, and have no hesitancy in saying that the proposition in your bill now before the House of Representatives is fair and reasonable, and in my judgment all that the land is worth. I wrote Inspector McLaughlin, embodying his suggestion to Council McLaughlin, which, briefly, had to do with a percentage in the proceeds of the agreement, to be paid upon the sale, so that the Indians would realize through my acquaintance of speculators as they are prone. This is my judgment, your bill more than compensates for that. I consider it the best proposition for the Indians which has come before the House.
>
> You are independent and aware of the course of opposition here, and I am free to say that, in my opinion, there would not have been any opposition to accepting the original McLaughlin agreement had the Indians not been persistently told that by holding out they would surely obtain $5 per acre.
>
> As a business proposition, I consider the Indians gain by the sale of the land, as it is of absolutely no benefit to the large majority, and that those who are allotments are in Gregory County gain more than any of the others by the increased value of their allotments.
>
> Very truly, yours, FRANK MULLEN.

As to the benefits that the Indians will receive from the sale of this land and the amount of money they will receive per capita, Inspector McLaughlin, who negotiated the treaty with these Indians, in one of the councils said to the Indians:

> The census rolls show 4,017 persons belonging to this agency, which would give an annual per capita payment of $10.20 that is, about once a year for the next twenty years, and also for a period of five years an annuity of $2.50 that is, each month, weekly, and third would receive in the five years.
>
> As the payments are five years, when the per capita payment would end, the annuity in cows would then be worth about $10 each, and would be worth more than the annuity payment, because you would have an annuity in cows, which would produce you more and more cattle, and with proper care of your cattle would insure you a regular annual income. * * * Thus the sale of cattle, which is of property gained for us, will bring about a great deal of prosperity among you people. And in the third place, the cattle are worth far more than the money, which would enable you to take care of your families without any suffering until you begin to receive returns from the increase of cattle, the increase of the cattle that will be issued to you.

The Indians will have the benefit of the roads, of the courts, and the benefits of a county and State government without contributing a cent therefor, their lands being nontaxable for twenty-five years, as before stated, while the settler who takes a homestead and acquires title to the same must do his share in paying these expenses.

Talk about robbery and that these Sioux Indians are not being fairly treated. Under the treaties of 1868, 1877, and 1889 they have drawn from the Treasury of the United States the sum of $55,265,735.84. This is the amount obtained by about 20,000 Indians. Now, if you should contribute that amount of money to a similar number of white people and let them understand that they are going to be clothed and fed and educated and that they are going to have houses provided for them, the effect would be that you would simply make paupers of them. As soon as this Government comes to a realization that this is not a question of sentiment but a question of practical business, the Indians will commence to make some progress similar to that which has already been accomplished by what I consider an advanced policy.

Under the present administration of Indian affairs the idea of self support is encouraged. If the Indian is able to work—if he is able—the Indian Office says to him: "If you want to eat you must work." They provide payment for the services of the Indian in building roads, ditches, fences, etc., and pay him money in lieu of rations. In other words, they give him to understand that he must help himself.

I want to put in the RECORD, that it may receive the special attention of the House, the gross amount of the several items to which I have referred. It will be found very interesting reading. For instance, under article 10 of the treaty of 1868 there is provided for "Indians roaming," $5,464,400.

In order that it may appear just what this item means, I will read the provision of article 10 of the treaty authorizing and requiring payments to be made. It is as follows:

> And in addition to the foregoing annuities named, the sum of $10 for each person engaged in the agricultural pursuits of the tribe shall be annually appropriated for a period of twenty years, to persons really engaged in farming, to be used by the Secretary of the Interior for the purchase of farming implements and such other articles from time to time the Commissioner of Indian Affairs may indicate to be proper.

Appropriations for Sioux under treaties of 1868, 1877, and 1889, to and including 1903.

Article 7, treaty 1868, education	$2,180,000.00
Article 10, treaty 1868, farming	4,[illegible]
Article 10, treaty 1868, roaming	5,464,400.00
Article 10, treaty 1868, mechanics	1,401,000.00
Article 10, treaty 1868, cows and oxen	126,000.00
Article 15, treaty 1868, article 5, agreement 1877, subsistence and [illegible]	39,122,500.00
Article 14, treaty 1868, presents	1,500.00
	49,500,800.00
Section 17, act 1889, permanent fund	3,[illegible]
[illegible]	45,000.00
[illegible]	1,258,935.84
Miscellaneous for thirty years	1,456,300.00
Total	55,265,735.84

MARCH 2, 1904.

Mr. Chairman, I regret very much that I have been limited in time as I have been. I wanted to bring to the attention of the House a number of matters which under the circumstances I shall be compelled to put into the RECORD. I commend them to Members of this House.

I think the time has come, as I before stated, when we should legislate not only for the purpose of taking from the Indians the lands which they do not possess, which were set aside for them originally for homes and hunting, but we are adopting a different policy [illegible], as we are actually doing to some extent, in appropriating money for the support and maintenance of the Indians.

Why, Mr. Chairman, to give the Indian all the money that can possibly be realized from some land in which he may have some interest is not for his benefit. He simply squanders the money when he thus receives it, does him no good, except in a few instances. You will generally find that the opposition displayed to legislation which is for the interest of the Indians comes from somebody interested in having the Indians obtain just as much money as possible, because the person is desirous of the Indian getting as much money as possible in order that he may get it from him.

To this bill there never would have been any opposition to speak of on the part of the Indians had it not been for the agitation of certain white men residing upon or adjacent to the reservation, who had a selfish interest in the reservation remaining in its present state, possibly to enable them to range their cattle free over the lands and be permitted to continue trespassing.

In conclusion, Mr. Chairman, I maintain that the surplus land of an Indian reservation, for which the Indian has no further use, is not the property of the Indians, at least to no greater extent than it belongs to the whole people, and I maintain that the most that the Indian has is a mere right of use originally accorded him for the purpose of hunting and fishing, and that he should be obliged, upon such terms as are just and fair, to surrender it, that it may become a part of the public domain and be converted into homes and farms and occupied by people who will contribute to the development and material advancement of the country, and I therefore submit that there is no justification for the opposition that has developed against the Rosebud bill, and that it is a measure that proposes to generously pay the Indians for their right to the lands, and I therefore hope that it may be enacted into law. [Applause.]

Mr. Chairman, I desire to extend my remarks in the RECORD and append some authorities bearing upon the subject of Indian titles, and will ask to have the same printed.

APPENDIX

In the case of Fletcher *v.* Peck (6 Cranch, 87), decided by the Supreme Court of the United States in 1810, referring to the grant of lands within an Indian reservation, the court said:

> "The reservation for the use of the Indians appears to be a temporary arrangement, suspending for a time the sales, but not permanently reserved."

In the case of Johnson *v.* McIntosh (8 Wheaton, 543), decided in 1823, it was decided that the fee to all Indian lands is in the Government and may be granted without the treaty. The grantee has the right of the Government, and the doctrine is followed in the case of United States *v.* Cook (19 Wall., 591), decided in 1873, in which the question involved and disposed of certain timber on Indian reservations, it was held that the Government has the right to remove from the premises. Cook therefore argued that because the Government had granted the land to the Indians it was an act of war against the United States. The question being seriously presented as to whether the fee was in the Government, the court stated, as was done. Chief Justice Waite thus stating the question before proceeding to argument, as follows:

> The right of the Indians in the land from which the logs were taken was that of occupancy only. They had no power of alienation except to the United States. The fee was in the United States subject to the right of occupancy. This is the view by which some decisions in this court have been guided, and it is the view which we think should be adopted in this case. The authority of that case has never been denied. The rights of the Indians in their occupancy have varied, as the fee has passed from the Indians to the United States, but it has always been held that the Indians had at most only a right of occupancy. The possession, when abandoned by the Indians, has been held to be at their pleasure.
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> In Buttz *v.* Northern Pacific Railroad (119 U. S., 55), the railroad company claimed under the grant covering certain lands within the limits of the proposed route, who had the interest of occupancy, which had been terminated, and the Indian title had extinguished by a treaty years before the court said:
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> "The Indian occupancies are not to be disturbed, though it was the Northern Pacific Railroad was to be constructed, were subject to a title known as 'Indian country.' At the time the act of July 2, 1864, was passed the title of the Indian tribes was not extinguished, and that fact did not prevent the grant of Congress from operating to pass the fee to the road to the company. The Indians had merely a right of occupancy, a right to live on the land subject to the jurisdiction and control of the Government. The grant conveyed the fee subject to the right of occupancy. The railroad company took the property with this encumbrance."
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> In the case of Beecher *v.* Wetherby (95 U. S., 517), the question presented was whether or not the State took title under the act of a grant for lands within an Indian reservation, or whether the title remained in the United States, subject to be otherwise disposed of by treaty or agreement with the Indians. The decision of the court was that the title of the State attached, notwithstanding the right of occupancy, and that the title remained in the United States to act as the school sections for the benefit of the Indians was void, and the court said:
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> "The right which the Indians held was only that of occupancy. The fee was in the United States, subject to that right, and could be conveyed by them whenever they chose. The grantee, in this case, would take the granted fee, and could not disturb the occupancy of the Indians. That occupancy could only be interfered with or determined by the United States. * * *
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> "The right of the United States to dispose of the fee of the lands occupied by them (Indians) has always been recognized in the decisions of the tribunals of the Government. It was so ruled in Johnson *v.* McIntosh (8 Wheaton, 543), in 1823, and in United States *v.* Cook (19 Wall., 591), in 1873, and between those periods have affirmed the same doctrine. Clark *v.* Smith (13 Peters, 195). See also Jackson *v.* Hudson (3 Johnson, 375); Transfer of a Company (3 Wisconsin, 67); Opinions Attorneys-General, [illegible]. In United States *v.* Cook (19 Wall., 591) the United States has uniformly recognized and repeatedly [illegible] that the fee was in the United States and was a right of occupancy in the Indians; that this was the rule in which other Indians had held, and that the authority of Johnson *v.* McIntosh was a power [illegible]. * * *
>
> "In the construction of grants of public lands [illegible] the occupation of Indians, courts have always [illegible] the rule that the fee was in the United States, but the power of the United States to make such [illegible] has been denied. In the present case there can hardly be a doubt that Congress intended to cede to the State the fee to sections in every township, subject, it is true, as to all other sections of public lands, to the existing occupancy of the Indians so long as they should continue [illegible]. The greater part of the State was at the date of the compact occupied by different tribes, and the grant of sections to other purposes would be of comparatively little value. [illegible] to be held that at the date of the State was in the section of a whole country, the same barbarous condition of the Indian tribes would give place to the higher civilization of our race, and it contemplated by its terms [illegible] that State as in other States, its ancient and sacred policy of devoting the central section in every township for the education of the people." (See also Cherokee Nation *v.* Roberts, 18 Ross., 128.)
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> Attorney-General Cushing (8 Opins. Atty. Gen., 259), in the Portage City case, in reference to whether the act of Congress approved August 4, 1854, granted certain lands within an Indian reservation, used the following language:
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> "There was a time when the true relation of the Indians to the United States was not so clearly seen as it now is. We have been accustomed to make treaties with them as if they were independent, as they were in error. We dealt with their petty tribes as nations, notions that led to strange misconceptions. We had spoken of their lands as if, forsooth, of savages who happened to be within the geographical limits of country large enough for an empire could be deemed the possessors to a national and exclusive of usufruct right or of positive law. We had respected their assumed rights, that is, had left them to their savage quasi independence, instead of at once compelling them to enter into some accommodation place in the social organization, and thus they had perished of two maxims [illegible] namely, we of the older States of the Union, who had expelled or killed off most of our Indians or reduced them to a condition of hopeless paupers, had gone on to be extremely sensitive to the alleged wrongs of the same nature, that is, jealous in imitation of ours, to which the younger States of the South were now subjecting their Indians.
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> "The elaborate investigation of the subject which ensued cleared off all these errors, and discussion ended with the great case of the Cherokee Nation *v.* The State of Georgia (5 Peters, 1), and Worcester *v.* The State of Georgia (6 Peters, 515).
>
> "It is the universal doctrine of public law that the Indians are the domestic subjects of the particular European-American state in which they happen to be. (Cherokee Nation *v.* The State of Georgia, 5 Peters, 1.) It is a doctrine of our public law equally fundamental that the Indians do not hold a fee in the lands of their aboriginal occupation, but only a usufruct, the fee being in the United States or, in some cases, in the several States. (Johnson *v.* McIntosh, 8 Wheaton, 543; Fletcher *v.* Peck, 6 Cranch, [illegible]).
>
> "When the United States made this grant to the State of Wisconsin the fee of all the land was in the United States, subject, in respect of a part, to

the occupancy of the Menomonees. That usufructuary occupation was capable of being extinguished by the United States, and by them alone, and until its extinguishment the entire original title remained between them and the Indians. * * *

"In the case of Mitchell v. The United States that was one of the points, and it was expressly held by the court as the established public law of America that the Government owns the original fee of the soil, and may convey the same while the lands remain in the possession of the Indians. (9 Peters, 711.)

"The same doctrine is reaffirmed in the case of The United States v. Fernandez. (10 Peters, 303.)

"There is no room whatever to question the law of these decisions. They are in strict conformity with principle and precedent."

Mr. SHERMAN. Mr. Chairman, I want to state what I understand to be the Indian title to the lands which have been referred to, because I am fearful that an erroneous impression may have been left upon the minds of some Members by the statements of the gentleman from South Dakota [Mr. BURKE].

The Supreme Court more than seventy-five years ago declared that the right of the Indian was a right of occupancy, a right of use, a right which was perpetual, and could be interfered with or changed only upon the assent of the Indians. The Supreme Court recently have modified that decision to the extent of saying that the Congress of the United States occupied the position of a guardian for the Indians, a guardian that could act without asking the assent of any court, a guardian supreme in its powers, but whose powers must be exercised solely for the benefit of the ward. In other words, the Supreme Court now hold that while the title of the Indians is a title simply of use and occupancy for their benefit, Congress can dispose of that title if it sees best, if in its wisdom it thinks it is for the benefit of the Indians so do, but can do that only for the benefit of the Indians and for no other purpose.

Mr. BURKE. Will the gentleman permit one observation?

Mr. SHERMAN. Yes.

Mr. BURKE. I desire to call the gentleman's attention to the fact that in the case of Lone Wolf v. Hitchcock, decided January 2, 1903, after quoting article 12 of the treaty, Mr. Justice White, who delivered the opinion of the court, said in part:

The appellants base their right to relief on the proposition that by the effect of the article just quoted the confederated tribes of Kiowas, Comanches, and Apaches were invested with an interest in the lands held in common within the reservation, which interest could not be divested by Congress in any other mode than that specified in the said twelfth article, and that as a result of the said stipulation the interest of the Indians in the common lands fell within the protection of the fifth amendment to the Constitution of the United States, and such interest, indirectly at least, came under the control of the judicial branch of the Government. We are unable to yield our assent to this view.

The contention in effect ignores the status of the contracting Indians and the relation of dependency they bore and continue to bear toward the Government of the United States. To uphold the claim would be to adjudge that the tribal operation of the treaty was to materially limit and qualify the controlling authority of Congress in respect to the care and protection of the Indians, and to deprive Congress in a possible emergency when the necessity might be urgent for a particular exertion of power of the broad limits, of all power to do the act of the Indians' good. * * *

Now it is true that the interest of the Indians in the right of occupancy of tribal lands, whether declared in a treaty or otherwise created, has been stated to be sacred, or as sometimes expressed, as sacred as the fee of the United States in the same lands. (Johnson v. McIntosh, 8 Wheat., 543; The Cherokee Nation v. Georgia, 5 Pet., 1, 48; Worcester v. Georgia, 6 Pet., 515, 582; United States v. Cook, 19 Wall., 591, 592; Leavenworth, etc., R. R. Co. v. United States, 92 U. S., 733, 755; Beecher v. Wetherby, 95 U. S., 525.)

But in none of these cases was there involved a controversy between Indians and the Government respecting the power of Congress to administer the property of the Indians. The questions considered in the cases referred to which either directly or indirectly had relation to the nature of the property rights of the Indians, concerned the character and extent of such rights as respected States or individuals. In one of the cited cases it was emphatically pointed out that Congress possessed a paramount power over the property of the Indians, by reason of its exercise of guardianship over their interests, and that such authority might be implied, even through a treaty, in the absence of express words to the contrary. Thus in Beecher v. Wetherby (95 U. S., 526), discussing the extent to which treaty had vested a right in certain land by treaty, to the exclusion of Congress, it was said:

"But the right which the Indians had was subject to the sovereignty. The fee was in the United States, subject to that right, and could be conveyed by them whenever they chose. The grantee, in such a case, would take only the naked fee, and could not disturb the occupancy of the Indians. Their rights could only be interfered with or determined by the United States. It is contended that in this matter the United States would be governed by such considerations of justice as would control a Christian people in their treatment of an ignorant and dependent race. Be it so. It may be conceded that a grantee of the United States takes the title subject to the Indian right, and that questions of governmental policy, and of a moral character, are left to the consideration of the proper department of the Government. But these are matters with which the courts have nothing to do. They are political in their character, and are to be determined by the political department of the Government. Until the year 1871 the policy was pursued of dealing with the Indian tribes by treaties, and, of course, a moral obligation rested upon Congress to act in good faith in performing the stipulations entered into on its behalf. But as treaties were made with foreign nations, Chinese exclusion cases, 130 U. S., 581, the legislative power might pass laws in conflict with those treaties. (Thomas v. Gay, 169 U. S., 264, 270; Ward v. Race Horse, 163 U. S., 504, 511; Spalding v. Chandler, 160 U. S., 394, 403; Missouri, Kansas and Texas Ry. Co. v. Roberts, 152 U. S., 114, 117; The Chinese Exclusion Case, 11 Wall., 616.)

The power exists to abrogate the provisions of an Indian treaty, though presumably such power will be exercised only when circumstances arise which will not only justify the Government in disregarding the stipulations of the treaty, but may demand, in the interest of the country and the Indians themselves, that it should do so. When, therefore, treaties were entered into between the United States and a tribe of Indians, it was never doubted that the power to abrogate existed in Congress, and that in a contingency such power might be availed of from considerations of governmental policy, particularly if consistent with perfect good faith toward the Indians. In United States v. Kagama (1885) (118 U. S., 375), speaking of the Indians, the court said (p. 382):

"After an experience of a hundred years of the treaty-making system of government Congress has determined upon a new departure—to govern them by acts of Congress. This is seen in the act of March 3, 1871, embodied in section 2079 of the Revised Statutes: 'No human nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent nation, tribe, or power with whom the United States may contract by treaty; but no obligation of any treaty lawfully made and ratified with any such Indian nation or tribe prior to March 3, 1871, shall be hereby invalidated or impaired.'"

In upholding the validity of an act of Congress which conferred jurisdiction upon the courts of the United States for certain crimes committed in an Indian reservation within a State, the court said (p. 383):

"It seems to us that this is a wise exercise of authority. These Indians are the wards of the nation. They are dependent. They are located on the United States; dependent largely for their food and clothing on their relations with the United States; dependent for their moral and political education upon the United States; dependent for their protection against the aggression of the surrounding communities of white men who are their neighbors, and who, from the superiority of their civilization, can take their lands and their property from them whenever they choose. The government of the United States is their guardian, and they are its wards. Because of the relation which exists between them and the United States, they are located within the territory of the United States, and are subject to its laws, and to the laws of the States within whose borders they reside, where they are found, are often the victims of violence and of cupidity, and are in a condition of weakness and helplessness, so manifest that the duty of the Government of the United States to afford them its protection has been universally recognized. It is a duty which has been recognized by the Executive and by Congress and by this court, whenever the question has arisen.

* * * * * * *

"The power of the General Government over these remnants of a race once powerful, now so weak and helpless, is supreme, and its exercise has been necessary to their protection, as well as to the safety of the States in which they reside. It must exist in the government of the United States, because there is no other government in existence to which they can be subjected. The duty of the Government to care for these people is one which it owes to the civilized portion of the inhabitants of the United States, and has never been denied, and because it alone can enforce its laws and give the protection."

The Indians were placed and kept for a long time apart from the civilized and protected by the United States government, and their lands were conveyed to them by treaties. The general jurisdiction of Congress is also declared in United States v. Kagama (118 U. S., 375) and Stephens v. Cherokee Nation (174 U. S., 445). * * *

We have proceeded at length in the foregoing review of facts in the belief that the Government of the United States, in the exercise of its plenary authority over the tribal relations of the Indians, cannot be arrested in the progress of its mission of mercy by the plea of a violation of a treaty, nor can it be prevented from the performance of its duty by the judiciary. In any event, the Congress, in the exercise of its plenary authority, can not question or inquire into the motives which prompted the enactment of this legislation.

Mr. FITZGERALD. It has never been decided that Congress could divest this title without compensating these Indians for the perpetual right of occupancy that they have.

Mr. SHERMAN. Certainly; and what I wish to emphasize is the fact that the Supreme Court never has so held, and that it is not the intention of Congress and it is not the intention of any Indian Committee or anybody else, so far as I know, to dispose of any right of the Indians except for their benefit.

Mr. DALZELL. Congress is the last judge of what is for their benefit.

Mr. SHERMAN. Congress is the supreme judge.

Mr. BURKE. I do not want to be misunderstood. I have maintained and do declare that in my best judgment this bill does provide what is fair and just and right as a compensation for the Indians from any standpoint.

Mr. SHERMAN. I understood the gentleman's position. How much time have I, Mr. Chairman?

The CHAIRMAN. The gentleman from New York has nineteen minutes remaining.

Mr. SHERMAN. I yield that nineteen minutes to the gentleman from Iowa [Mr. HEDGE].

The CHAIRMAN. The gentleman from Iowa [Mr. HEDGE] is recognized for nineteen minutes.

Mr. HEDGE. Mr. Chairman, I rise in a sense to a question of personal privilege. During my brief and quiet sojourn here I have been the recipient of constant favor from many Members of this House without distinction of party or religion. This kindness, so generous to my feelings, has from the first day of the extra session of this Congress presented itself in a new and interesting form. In addition to the usual inquiry after my health or the nature of the private legislation which I may be suspected of a desire to promote, these friends, assuming an air of affectionate solicitude too good to be true, have been daily insisting on my enriching their intelligence with my views of the Iowa idea, until at last I am, like the unjust judge, from pure weariness compelled, so far as in my limited measure I may, to satisfy their importunate morning thirst in this regard.

Furthermore, my sense of loyalty to my constituents and neighbors, as well as of duty to these teasing associates whose travel in their own country seems never to have extended west of the Alleghenies, who have never gazed upon the star of empire, have no notion of its present position or memory of its triumphant course, impels me to offer what help I may to their understandings by a hint or suggestion or two of the quality of the men over whose homes and fields of industry that star has so reasonably fixed its abiding place.

Of course I have been made aware of the "idea" that my inquisitors are driving at. The active and healthy minds of the people of Iowa are and always have been prolific and capacious of ideas—moral, political, social, and industrial; great ideas, vital, helpful, and inspiring to themselves, to their Commonwealth, and to their country—and it seems a strange irony of fortune that of all the ideas whose original conception might be attributed to the Iowa mind the one least fit for the prefix of the definite article should awaken the widest interest and provoke the most general animadversion, an idea which, following the dictionary, is rather "a general conception or notion formed by generalization" than "a rational conception," or "the complete conception of an object when thought of in its necessary elements or constituents."

The offspring of a confused or half-attentive mind, of headlong impulse, rather than of long-headed thinking, it has changed its shape like the cloud which, now looking like a weasel and now like a whale, perplexed the wit of old Polonius. First it expressed itself or exposed itself in a purpose to modify any schedules of the tariff which might afford a shelter to monopoly. By this protest of virtue above suspicion, we found ourselves regarded as beyond suspicion by the Iowa Democracy. Mere words of honest intent, but which meant nothing and could mean nothing, as I shall attempt to show. It was hailed by them (anything to hail is a godsend to an Iowa Democrat) as a confession that the tariff is the mother of trusts and the grandmother of monopoly. De Quincey says that the progress of the sinner in wrongdoing is inevitable: that if he commits murder, he will, if unchecked by force, necessarily proceed to robbery, forgery, and perjury, and through the catalogue of crime until at last he finds himself guilty of Sabbath breaking and disobedience to parents. [Laughter.]

This course of the sinner finds it counterpart (in reverse) in that of the reformer, or at least illustrates the course of the Iowa tariff reformer. He denounces a public policy which, working for the general advantage of all the people, does not cut off alleged evil doers from its benefits. Next, seeming not to see how to strike or when to strike, he demands general and immediate revision—a sort of daily house cleaning—ignoring the Scripture story that that day only was blessed and sanctined which let well enough alone, and now at last raises his arm to strike at the interest of his own supporters and own people in behalf of reciprocity with Canada.

I shall not deny that there are people in Iowa who regard revision, partial, total, by reciprocity with Canada, by what one of them, an editor, calls "the broadest commercial reciprocity," or by open free trade, as a veritable pillar of cloud leading to Canaan. Mr. Lincoln said you could fool all of the people part of the time, part of the people all the time, but you couldn't fool all of the people all the time. There are a few of this second class who are making some noise in Iowa. We have some of the descendants of Jeshurun there, who have waxed fat and kick. We have those who, in their fullness, deny the fountain, who deny the influence of a public policy to hinder or to advance the fortunes of the people, or, to use the language of my friend and colleague from the Second district, ascribe all their prosperity to gravitation.

Their philosophy is not so profound as that of an unsuccessful candidate for the Presidency who taught the people forty years ago. He was a Daniel too, Daniel Pratt, the Great American Traveler. I had the advantage of hearing him many times and of contributing to his campaign fund whenever the hat went round. That Daniel, with great solemnity and convincing power, maintained that the great forces of nature are gravitation and perspiration. [Laughter.]

If that Daniel had lived till now, he would have added revision and reciprocity. [Laughter.] He might not have come to judgment, but would certainly have gone to the St. Louis convention. [Laughter.]

We have certain business men governed by the same motives that actuate the millers of Minneapolis, e. g., the Tri-City Reciprocity League.

I was honored with a duplicate copy of the letter read and approved by my colleague [Mr. WADE] the other day—a league "composed of manufacturers of the city of Moline, Ill.; Rock Island, Ill., and Davenport, Iowa."

Here is a partial list of members: Barnard & Leas Manufacturing Company, Bettendorf Axle Company, Bettendorf Metal Wheel Company, H. W. Cooper, Davenport Foundry and Machine Company, Deere & Co., Deere & Mansur Company, The Fuller Manufacturing Company, S. A. Mager Manufacturing Company, Moline Elevator Company, Moline Plow Company, Moline Pump Company, Moline Scale Company, Moline Tool Company, Moline Wagon Company, Red Jacket Manufacturing Company, Rock Island Iron Works, The Root-VanDervoort Engineering Company, Sylvan Steel Works, Sternberg Manufacturing Company, Union Malleable Iron Company, Wilson-Moline Buggy Company, Williams, White & Co.

The signer, Mr. French, is a man of great intelligence and of high character—a man of affairs. The wonder that he is and always has been a Democrat disappears when we learn that in his boyhood he was at school under the influence of that leader of the minority whose personality commands the respect of the whole House, and whose seductive sophistry might deceive the very elect. It is interesting to know that the hand we see so often here raised to threaten or command did years ago bend the twig now grown into a great but twisted tree, in whose upper branches flighty things may lodge. [Laughter.]

I ought not to intimate that there is any flightiness in this advocacy of reciprocity with Canada by the league or its secretary. There is no altruistic sentimentalism in their policy. This league is not an eleemosynary institution. Canada is not a manufacturing country. Its people are a rural people, engaged in producing the same things that are produced by the farmers of Iowa, Minnesota, and Michigan. They offer no serious competition in any business or enterprise carried on by any of the members of this league. The harm or hazard of the game proposed is at the expense of the farmer of Iowa. These gentlemen propose to gamble only with his stakes.

They do not plan to strengthen the competition against themselves but to enlarge their own market, though they narrow his. The man who makes the plow proposes to reciprocate away the rights of the man who drives the plow. This, then, to borrow a phrase from the gentleman from Mississippi, is our first "object lesson in revision by reciprocity," the great damage of the most honest, legitimate, nonmonopolistic industry in the country, an industry which can by no possibility ever come under the control of any trust, legitimate or illegitimate.

I would commend to the disciples of revision in the Republican party the warning of the leader of the Democracy to his followers:

> The tariff reformer who would do things recklessly or too suddenly would run the risk of destroying the very end he had in contemplation by furnishing object lessons which would not help him, but hurt him, and in consequence of which he and those of his opinion might be hurled out of power and deprived of the power of doing anything.

While this Iowa idea, ripened or even gone beyond the state of ripeness, as it has, into reciprocity, that particular reciprocity which would directly and immediately bring damage and disaster to the chief industry of Iowa, receives the approval of every Democrat in Iowa, and of that very small number whom my colleague says have just begun to think, it does not deceive, though it may greatly disturb the serenity of that great body of the people of Iowa who began to think when they began to live, and who have by thoughtful labor built up that imperial State. Their Americanism has been of no doubtful quality and their Republicanism of no uncertain sound. They adhere to the principle inherent in the doctrine of protection, "that from time to time such changes should be made in the tariff as become advisable through the progress of our industries and their changing relations to the commerce of the world," recognizing the further fact that these changes must not be made until the need for them outweighs the disadvantages.

> We can not afford to become fossilized or to fail to recognize the fact that as the needs of the country change it may be necessary to meet these new needs by changing certain features of our tariff laws. Still, we can not afford to fail to recognize the further fact that these changes must not be made until the good to be gained outweighs the disadvantages which may result, and when it becomes necessary to make them they should be made with full recognition of the need of stability in our economic system and of keeping undisturbed the enterprise of that system, which has now become a settled policy in our national life. We have prospered marvelously at home. As a nation we stand in the very forefront in the great international industrial competition of the day. We can not afford by any freak of folly to forfeit the position to which we have thus triumphantly attained. (President Roosevelt at Minneapolis.)

Nor do they suffer confusion of mind concerning the relation of the tariff to the trusts. They are fully aware that the tariff only fixes conditions which tend to secure the rewards of intelligent industry; that while it widens the field of enterprise and multiplies the opportunities for honest endeavor, it can not grant its beneficence exclusively to the truly good and withhold it from the wicked; that no schedules, revised or otherwise, can be contrived to shut off from business and industrial activity the selfish, the greedy, the avaricious, and place them under the exclusive control of patriots, philanthropists, and pharisees.

They know that a genial climate and propitious season energizes and invigorates all vegetable vitality with generous impartiality, whether noxious or wholesome; that when corn grows weeds may grow, or, to fit the figure more closely, when we are blessed with a full crop of corn in the ear, with its ensuing honest and helpful pig, we must look also for a superfluity of corn in the jug.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. HEDGE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

Mr. HEPBURN. Mr. Chairman, I ask unanimous consent that the gentleman may have time to conclude his remarks.

The CHAIRMAN. The Chair would only be too glad to grant the request, but the time has been fixed in the House and is in the control of the gentleman from New York.

Mr. SHERMAN. All of my time has beeen allotted.

Mr. STEPHENS of Texas. I will say to the gentleman from New York that I have previously yielded all of my time.

Mr. SMITH of Iowa. Will not the gentleman consent to yield five minutes?

Mr. STEPHENS of Texas. I yield five minutes to the gentleman.

Mr. SHERMAN. I thank the gentleman very much; it is very generous of the gentleman.

The CHAIRMAN. The gentleman from Iowa is recognized for five minutes.

Mr. HEDGE. I thank the gentleman and the committee.

It is as practicable to shut off the commerce and work of the world from the hands of sinners by a reform or removal of the tariff as it would be to shut off the cherishing light of the sun from the evil and unthankful and send the rain to fall on the just alone by a reform in the Weather Bureau. The Iowa Republican notion of the relation of the tariff to the trusts and of the effectual way to handle trusts is so clearly set forth in the address of my colleague, Mr. WALTER SMITH, chairman of our State convention in 1902, that I take leave to appropriate part of that address.

I want to call attention to some of those classes of cases in which the application of the principles contended for by our Democratic friends would do the people no good and the trusts no harm, but, upon the contrary, would hurt the people and help the trusts.

If a trust buys its raw material abroad or buys it at home of producers in whom it has no interest, the removal of the tariff on such raw material would not hurt but benefit the trust. To illustrate, the removal of the tariff on cotton, if it had any effect, would help, not hurt, the beef trust by simply enabling it to buy cotton cheaper, to the detriment of the American farmer, but would not necessarily in any way relieve the people from oppression, because the chief complaint against the trust and rests upon the contention that the trust can and does by its power hold the price of what it sells out of due relation to the cost of production.

When a trust has so far destroyed its industry as to be able to compete in the market places of the world, and when its domestic competitors have not so far developed their business as to be able to so compete, a removal of the tariff would destroy not the trust, but the competitors of the trust, and thus make the monopoly complete.

Where a trust controls the production of an article here, and the foreign production of the same article is controlled by another trust, the removal of the tariff would serve not to relieve our people from the exactions of a trust, but to simply transfer them from the exactions of a domestic trust compelled by tariff law to practise its goods here with defiance aimed at the interests of a foreign trust, that would practise its goods upon us without fear or favor.

If these three propositions are correct, Democrats must go back and place on a par with the wisdom of Democratic statesmanship generally, and that the Democratic party would if it could take the power, operate perhaps exclusively in behalf of the trusts and at the same time fulminate its fulminations against the already injured people, rob the American laboring man of that work which is purely his and bring about another starving time.

The Republican policy is far different. It will, through its best thought, enact laws in the courts, and if it can not do that, then at every session of Congress seek to be informed and strengthened so far as legislation can confer the needed power to do so.

The Republican party will fearlessly use every means in its power to reach this great evil, and we are confident that the time will come when the evil, if not cured, will at least be so far lessened as to be comparatively harmless, without resorting to repeal measures. It may as well be understood, however, that the Republican party will neither pander to nor tolerate the demands of predatory wealth nor to the oppression of the people by the trusts. It will give to all the fullest industrial freedom at the expense of prosperity, but commercial freedom and prosperity.

And at Minneapolis last April President Roosevelt thus expressed his concurrence in these views:

One point we must remember in connection with any revision, speaking generally, stands out above every other from the point of view of dealing with the trusts. No change in tariff duties can have any substantial effect in solving the so-called "trust problem."

Mr. Chairman, it is only seventy years since the white man was first permitted to enter and possess the land now named the State of Iowa. One who looks back upon its origin and its history is not surprised that its pioneers, its founders, and its builders produced and developed a high type of manhood, and perhaps the finest type of American manhood. They spring from the best blood of all the older States. Their fathers had been pioneers and builders along the Atlantic coast in Maine and New Hampshire to South Carolina and Georgia. They brought with them the traditions, the habits of life, the modes of thought and of speech, the prejudices, and perhaps the bigotries of their widely separated places of nativity. Their love of their early homes was not weakened, but intensified, by their exile.

But in the intercourse which the very necessities of their new life made close and intimate, in the practice of the kindly offices of good neighborhood, they inevitably modified, instructed, enlarged, and Americanized each other. Their provincialism expanded into patriotism. They came to recognize the community of interest of the American people, to revere one flag, one Constitution, to behold one destiny. Their first title deeds to their homesteads had been signed by the President of the United States.

The silent, shining river over which they had come was not only their inviolate way of necessity to the market of the world, but the sign and promise and commandment of a perpetual union, and as reenforcements came—the Teuton, the Celt, and the Scandinavian—and the line of their composite civilization made its westward conquest of the beautiful wilderness there was no essential change in their character, for all were of the stalwart races of mankind. However various in outward appearance or different in externals, they were alike in this: They all loved liberty and honored usefulness. In their strenuous life dignity of labor was not an abstraction—a tinsel phrase to emblazon the banner of the demagogue.

To their understanding there was no dignity in life except in labor. The man who did things, who made things, who produced things, was the only man who had proved his right to be. Such a proposition as that the consumer is as justly entitled to the benefit of competition as the producer is to the aid of protection seemed of the same quality of wisdom as Sancho Panza's observation that large rivers always run by large towns. [Laughter.] For the first office of production is to supply consumption, and the only purpose of protection is to stimulate the production of supplies near to the hand of the consumer.

Usefulness—the capacity to produce over and above the needs of consumption, to amass wealth, to heap up riches, to add to the material resources of the commonwealth—was among them a true measure of merit, of worth, of dignity.

They believe that government is instituted to secure the rights of the individual, to protect him in his field of usefulness: that it has no other reason to be; that it can not offer or suffer injustice to the individual without harm or hazard to all the people and to itself; that it can not withhold protection from any American industry without harm or hazard to all American industries. I have thus only attempted to indicate the Iowa farmers' notion of domestic economy and their idea of public policy. With these views they became Republican fifty years ago, and during those fifty years they have discovered nothing in the history of their country or in their own private experience which does not justify their first decision and strengthen their attachment to the policy of protection.

The growth of their State is the sufficient vindication and splendid monument of the wisdom of that policy. Within the memory of many men still in active life the beautiful wilderness which lay solitary and silent between the two great rivers of the continent has been transformed into a hundred Canaans, a great granary and storehouse of the world.

Speech will always be free in Iowa. Sciolists, empirics, and academics may still, without let or hindrance, string out sounding words and jingling phrases and advertise them as "ideas." But the busy farmers of Iowa are not "children tossed to and fro and carried about with every wind of doctrine." Children of a commonwealth which covers one-eighteenth of the Louisiana purchase shelters and supports one sixth of the population of that magnificent empire, and has so sheltered them that they possess one-third of the taxable property of its thirteen great States and Territories, and a greater and more evenly distributed per capita wealth than is enjoyed by any other State in the Union, to these minds the State of Iowa itself is the visible, tangible, authentic presentation of the Iowa idea. [Loud applause.]

Mr. STEPHENS of Texas. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. Mr. Chairman, I regard this as a fitting time and place to present to the House a plea on behalf of a people without representation on the floor. It is a case that appeals to them intimately, and should appeal to the hearts and minds of the Representatives in this House. I congratulate the gentleman from South Dakota [Mr. MARTIN] for introducing in the House and in securing a favorable report from the committee a resolution which will amount to a legislative direction to the Department of Commerce and Labor to investigate the subject of the extortionate prices of the beef trust. He has shown to us a case whereby by combination a central power fixes the price at which they purchase live stock, and control the market in that, and we all know the means adopted to fix the price at which they sell to the people.

We ourselves all know that this beef-trust extortion has been going on, but I congratulate the gentleman that he in this manner is able to percolate his way to the attention of the Department of Commerce and Labor, which is charged with the duty of its correction. It was heralded, at the passage of the bill creating this Bureau, on the floor of the House and Senate that the Department of Commerce and Labor was to be charged as one of its salient points of duty with the investigation of the beef and other trusts and their extortions. Openly and notoriously these trusts have flourished and grown fat, and now to curb and control them specific Congressional action must be taken. We must mandate this Department—marshal it in the way it shall act and what trust it shall attack. It must have legislative direction to

the end for which it was created, and the gentleman has chosen the method of a resolution to that effect. Are we to still continue in the old rut of nonrigorous enforcement of antitrust laws? Is this what is meant by conservatism? A year ago, under the intense stress of an anthracite-coal strike which shook the world, the Republican Members of this House, urged on by the Democracy, repealed the tariff temporarily for a year on soft coal, but during the cold weather of last January that law of repeal of tariff duty lapsed into a tariff tax again, and no voice or word from the Republican side has come in favor of a repeal of the tariff tax on coal or in favor of reestablishing a restriction that will keep the coal trust from its extortion.

Mr. Chairman, the Indian Territory is without a Representative. Its benighted people—600,000 of them—have suffered long from Congressional neglect in many ways, and are suffering now. One hundred thousand school children without the facilities for any school education. No laws provided for civilized government. Yet Congress has passed no provision to call to the attention of the Department of Commerce and Labor to perform its duty and relieve these people from a trust equally as exorbitant as the beef trust, and it affects them in the form of a coal trust in the Territory. That coal trust in Indian Territory is distressing not only to the people of that Territory, but to the surrounding country. I refer to the coal trust in the Indian Territory, operated along the same lines as the beef trust operates, to which the gentleman from South Dakota referred. If we must go through Congress in order to appeal to the Department of Commerce, whose duty it is to protect our citizens, then I adopt this plan of presenting the matter on the floor of the House on behalf of a people without a Representative. This trust affects all the people who use the coal from the Indian Territory, and in proof of the condition which exists I present the statements of gentlemen of character, who came from the Indian Territory and Oklahoma to testify before the Committee on the Territories in its recent hearings upon the subject of granting statehood, and who came here at their own expense.

Incidentally only they mention the great extortions of the coal trust out in the Indian Territory. Operating upon the same line as the beef trust, by a combine, they compel the price to be fixed by a central agent, thus destroying all competition. I read the statements of these gentlemen:

STATEMENT OF MR. DICK T. MORGAN, OF ELRENO, OKLA.

The trouble is not so much with the railroads as it is with a company in the Indian Territory which has been formed for the purpose of selling coal. They have contracts with all the coal mines to take their entire output at a certain price. Consequently, when you go down there you must buy from [illegible] and these companies have to pay $4 a ton to the coal company. It is these same companies in the Indian Territory that make the coal so high.

STATEMENT OF MR. CHESTER HOWE, OF WASHINGTON, D. C., AND OKLAHOMA CITY, OKLA.

Mr. ROBINSON. Are those coal companies combining to rob the people?

Mr. HOWE. I am informed that these companies are compelled to pay $2.25 per ton, including the agent to fix that coal, the retail and the jobber, which is only 25 cents per ton. I am further informed that the coal can not be produced for more than $4 a ton. If that is true, they are asking for an outrageous profit, and the people of that country are paying it.

STATEMENT OF A. G. HAVENS.

Mr. DOYLE. The press reports are to the effect that a combination of lessees were power to fix the price at which it should be sold to the purchaser in the city of the [illegible].

Mr. HAVENS. I can state that I know such a combination does exist, for I have been approached [illegible] people who would make application to purchase coal there from one of the companies, and they would send the communication back and refer him to the central communication, which contracts with the companies for the entire output. They would not sell you a pound of coal. You could not buy it of them. Of course the same companies who own mines and perhaps are composed of different individuals, but as an independent organization there is such a combination which controls the output of all those mines, and to which you must go for your purchase. They control the entire output of all the mines, and there is no competition whatever. We are paying the agent, the Territory of Oklahoma to day $5 a ton for coal that costs them but $1.25 to put on the car.

The good heart of my good friend Governor Powers, of Maine, was touched, and he asked this question:

Do I understand you can not get prices from any of the companies there except from one man?

Mr. HAVENS. There is one management. One man fixes the price of coal for every coal company in that country that can get a pound of coal carried on the railroad lines.

Then, fleet of mind as to the legislative duty of himself and every Member of this House, Governor Powers said:

I should think there would be a chance for interference of the United States authorities there.

But the Bureau of Commerce and Labor, created for that purpose, has not heard of the beef trust, although everyone here has, and they have not heard of hundreds of thousands of people in the West, around Oklahoma and Indian Territory, who are suffering under the grip of this coal trust. Mr. Havens continues:

Let me call attention to another thing. The coal mines in the Indian Territory are the most extensive and the most valuable in the United States outside of Pennsylvania, and what is more, more people will be dependent in the long future upon the coal product of the Indian Territory than upon any other section except Pennsylvania. As I stated a moment ago, it will continue to supply people, reaching on through Kansas and Missouri. Missouri has no coal mines that amount to anything; neither has Arkansas or Texas or Oklahoma, and all these States are dependent upon the coal mines of the Indian Territory.

STATEMENT OF JUDGE D. L. SLEEPER, OF LAWTON, OKLA.

Judge SLEEPER. Separate statehood would leave the coal miles in Indian Territory.

Mr. SPALDING. What difference would that make?

Judge SLEEPER. Because we can probably control the coal rates. For instance, we get a hundred miles from the coal fields, and we are paying $5.50 a ton for soft coal that we used to pay $2 a ton for in Ohio. If we had statehood we could throw the laws of Oklahoma over them, and bring some of them to terms.

STATEMENT OF MR. HENRY LASSON, OF ELRENO, OKLA.

Mr. LASSON. I am in the mining business and the grain business. I am also in the coal business. We are paying exactly the same as Mr. Morgan stated a while ago. That is to some extent has impaired the lines of business in Indian Territory, and we have had much of a way to match them. We have got ready to pay the price. I believe it is the same operations that the people have that are doing them of the same to us. That is all I have to say in the matter. If you have any questions to ask you I will be glad to answer.

Mr. ROBINSON. Do you consider that a combination of trust does exist there controlling the price of coal in the market?

Mr. LASSON. I do. I know that is it.

Mr. ROBINSON. Have you ever resorted to the antitrust law?

Mr. LASSON. It is pretty hard to reach them.

Here is a people 600,000 strong, and this Congress has refused to give them a Territorial form of government, and until now it has failed to give them a State government. There are 80,000 Indians, and only 13,000 of them are full bloods, and the others, for a hundred years under good educational facilities, have become generally, in business and industry to take care of themselves, the equal of the white men throughout the country. Yet there is a Secretary in the President's Cabinet charged with the duty of protecting them—the Department of Commerce and Labor—that has not heard their appeals nor of the infamies of this coal trust, which charges the people there from $7.50 to $8 a ton for coal by means of having a central board which fixes the price. I thought I would take this means on behalf of the people of the Indian Territory to call the matter to the attention of the Department of Commerce and Labor by percolating my way to that Department through the CONGRESSIONAL RECORD. [Applause.]

The CHAIRMAN. If there be no further demand for the remaining time on the part of the minority, the Clerk will begin the reading of the bill.

The Clerk, proceeding to read the bill, read the following:

At the Cheyenne River Agency, S. Dak., $1,700.

Mr. SHERMAN. There is a typographical error in the paragraph just read. I ask unanimous consent that the word "seven" be changed to "six."

The CHAIRMAN. Without objection, the correction will be made by the Clerk.

There was no objection.

The Clerk read as follows:

In all, $30,200.

Mr. SHERMAN. I ask unanimous consent that the word "two," in line 25, be changed to "three." This change is made necessary by reason of the amendment changing "seven" to "eight" in a former paragraph.

The CHAIRMAN. In the absence of objection the proposed amendment will be agreed to.

There was no objection.

The Clerk read as follows:

For contingencies of the Indian service, including traveling and incidental expenses of Indian agents and of their offices, and of the Commissioner of Indian Affairs and [illegible] incidental expenses of special agents, at $5 per day when actually employed on duty in the field, expenses of transportation and compensation here in lieu of all other expenses now authorized by law, and of witnesses going to and going from the seat of government, and while remaining there to confer with officers and employees of the Commissioner of Indian Affairs, for a period not to exceed twenty days, for payment of expenses not otherwise provided for, and for pay of two special agents, at $2,000 per annum each, $99,000.

Mr. SHERMAN. I offer, by direction of the committee, the amendment which I send to the desk.

The Clerk read as follows:

After line 10, page 6, insert:

"*Provided*, That hereafter when it becomes necessary to make such per capita payments to Indians, the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, is hereby authorized to require any disbursing officer of the Indian Department to file a special bond in such amount as may be necessary to make such payment in one instalment, the expenses incurred in procuring such special bond to be paid by the United States from this appropriation."

Mr. STEPHENS of Texas. What is the reason for this amendment?

Mr. SHERMAN. It has been in former bills, but in this case it was stricken out in committee, as the gentleman will remember, on the theory that the provision heretofore adopted was a permanent statutory provision. Afterwards we discovered that such was not the case, and this amendment is now offered to remedy the omission.

The Clerk read as follows:

For necessary expenses of transportation of such goods, provisions, and [illegible] for the various tribes of Indians provided for by the act, including pay and expenses of transportation agents and rent of warehouses, [illegible]

Mr. MANN. Mr. Chairman, I offer the following amendment:

After the word "dollars" in line 7, page 8, add:

"*Provided*, That no portion thereof shall be expended for the location or maintenance of an Indian warehouse at any place other than Chicago and New York City."

Mr. Chairman, this does not affect the St. Louis or the San Francisco warehouse.

Mr. LACEY. I reserve a point of order on the amendment.

Mr. MANN. The gentleman can not reserve the point of order. I am perfectly willing that the point of order be passed upon.

Mr. SHERMAN. If the House should agree to certain sections of this bill which come in at a subsequent point, no part of this appropriation will be used for any warehouse elsewhere than at New York or Chicago. But if the committee should see fit, for instance, to strike out the appropriation for San Francisco, then it would be necessary, in order to administer properly the affairs of the Bureau, to take some portion of this sum to maintain, as has been the custom heretofore, the San Francisco warehouse. I therefore hope that the gentleman will not insist on the amendment, or if he should do so, I hope it will not prevail.

Mr. MANN. I had a notion, Mr. Chairman, that the committee would have no objection to the amendment. There are now only two warehouses supported out of this appropriation.

Mr. SHERMAN. That is right.

Mr. MANN. Those at San Francisco and St. Louis are carried in separate items.

Mr. SHERMAN. Of course; and if they should be agreed to I have no objection to this amendment.

Mr. MANN. Those items will undoubtedly remain in the bill, I presume.

Mr. SHERMAN. I trust so.

Mr. MANN. As the law now stands, the Secretary of the Interior or the Commissioner of Indian Affairs could locate forty warehouses throughout the country. And there are various places asking for the location of warehouses. It is a very delicate matter for the Secretary of the Interior or the Commissioner to refuse such applications, as the law now stands. The board has frequently recommended that there be no additional Indian warehouses; and unless it is the purpose to create new Indian warehouses, I can see no objection to this limitation. It does not affect anything that now exists.

Mr. SHERMAN. My objection, Mr. Chairman, is to limiting unnecessarily an administrative office of the Government. The Department does not desire to increase warehouses. It has heretofore reported against certain warehouses which have been specifically appropriated for in this bill. In my judgment it is not necessary to adopt this amendment in order to limit the number of warehouses.

I am not overserrnnons about the matter; I think it does not make any material difference, provided the subsequent provision for the warehouse at San Francisco, for instance, be adopted; but neither the gentleman from Illinois nor I can guarantee that that will be done.

Mr. MANN. The gentleman in charge of the bill knows perfectly well that if this House desires to retain the San Francisco warehouse that provision will be kept in the bill. As I understand, everybody admits that the San Francisco warehouse is necessary. But let me suggest that the committee leaves out the Omaha warehouse.

Mr. SHERMAN. The committee has passed upon that, and has authorized the introduction of a committee amendment providing for the insertion of that when the proper point in the bill is reached.

Mr. MANN. It has done that?

Mr. SHERMAN. It has.

Mr. MANN. Suppose that Omaha had remained out; the gentleman knows perfectly well that there would have been a terrible uproar for the location of the Omaha warehouse out of this fund.

Mr. SHERMAN. No doubt about it at all.

Mr. MANN. The fund would not be sufficient to maintain all of the warehouses. Now, the same uproar may come from some other place. We have now the five Indian warehouses—New York, St. Louis, Omaha, San Francisco, and Chicago. I name Chicago last because I am modest and because it does most of the business.

Mr. SHERMAN. It does more than any other, of course.

Mr. MANN. It does more than all the rest put together.

Mr. SHERMAN. Oh, no; but it does more than any other one.

Mr. MANN. I, of course, will except New York. Now, there will be new warehouses constantly demanded. The gentleman knows there is no specific appropriation either for New York City or Chicago.

Mr. SHERMAN. Certainly, I know that.

Mr. MANN. St. Louis has a specific appropriation, and so have Omaha and San Francisco. I propose now practically to make the appropriation in behalf of Chicago, and I think the gentleman ought to take the same view in behalf of New York. We do not want the money that is really appropriated for those places taken away or give the power to take it away from those places and the power to put it in some other unknown place.

Mr. SHERMAN. I have no apprehension that any portion of this fund will ever be used for any other warehouses than those two——

Mr. MANN. Then what is the objection——

Mr. SHERMAN. Unless there is no specific provision for the San Francisco warehouse. If there is no specific appropriation for the San Francisco warehouse, the San Francisco warehouse must be maintained out of this appropriation.

Mr. MANN. There is a specific appropriation.

Mr. SHERMAN. There is a specific appropriation suggested, but it is susceptible to a point of order.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. SHERMAN. I will take the time in opposition, then, and will yield to the gentleman to ask questions or to make a statement. This has been rather informal. I have occupied as much of the gentleman's time as he has, and I yield to him.

Mr. MANN. The only objection, as I understand, is that if the San Francisco item be stricken out then there ought to be provision for maintaining it.

Mr. SHERMAN. Correct.

Mr. MANN. If Congress should decide to strike out the San Francisco item, which has been in the bill heretofore, then it will have to be maintained.

Mr. SHERMAN. It never has been in the bill. San Francisco always has been maintained out of this general fund. It never has had a specific appropriation.

Mr. MANN. I am not in favor of striking it out myself, and I do not know anyone who is.

Mr. SHERMAN. But one man can do that.

Mr. MANN. I am willing to include San Francisco in the amendment, if that will obviate the gentleman's difficulty.

Mr. FITZGERALD. I suggest to the gentleman from Illinois that he make his amendment read so that no other warehouse than those existing at present shall be taken care of out of this fund.

Mr. MANN. I am perfectly willing to do that.

Mr. SHERMAN. Or if the gentleman will add San Francisco, I will not oppose the amendment.

Mr. MANN. I am perfectly willing to add San Francisco.

Mr. BARTHOLDT. Mr. Chairman——

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Missouri?

Mr. SHERMAN. I will.

Mr. BARTHOLDT. If you provide for New York and Chicago as you do in this provision, on pages 8 and 9, and if you specify San Francisco to be included, I would like to know whether that would prevent the House from adopting a specific appropriation for St. Louis.

Mr. SHERMAN. Oh, no.

Mr. BARTHOLDT. The specific provision which is provided for on page 32?

Mr. SHERMAN. Oh, certainly not.

Mr. MANN. Oh, certainly not.

Mr. BARTHOLDT. But if you adopt your amendment, there would certainly be a contradiction between the two.

Mr. SHERMAN. Oh, no.

Mr. MANN. I will say to the gentleman that the amendment only refers to the specified in that paragraph.

Mr. SHERMAN. Two places where warehouse shall be established.

Mr. BARTHOLDT. Out of this fund.

Mr. MANN. Simply out of that $30,000.

Mr. SHERMAN. If San Francisco is included, I shall not object.

Mr. MANN. San Francisco is now included.

Mr. CLARK. I want the gentleman to yield to me so that I may ask the gentleman from Chicago a question.

Mr. SHERMAN. I yield to both gentlemen.

Mr. CLARK. The object of your contention is to knock out the St. Louis warehouse?

Mr. MANN. Oh, not at all. I have no idea that the St. Louis warehouse will be knocked out. I think St. Louis as well as Chicago is equally interested in this amendment. There are various places, a great many places, where they have been asking for these warehouses. It was first recommended that there ought to be only one or two, but it is very hard for the Department to decline these various invitations, and it ought not to be left in that indefinite way. I have no doubt that the St. Louis warehouse will be continued.

The CHAIRMAN. The gentleman asks unanimous consent to add the words "San Francisco" to the amendment as originally reported. The Clerk will now report the amendment as changed.

The Clerk read as follows:

Amend by adding, after the word "dollars," in line 7, page 8, the following: "*Provided*, That no portion thereof shall be expended on the location or maintenance of an Indian warehouse at any other places than San Francisco, Chicago, and St. Louis."

The CHAIRMAN. Now, the Chair understands the gentleman from Iowa to reserve a point of order?

Mr. LACEY. I do not make the point of order.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Illinois.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

KICKAPOOS IN KANSAS.

For interest on $65,878.77, at 5 per cent per annum, for educational and other beneficial purposes, per treaty of May 18, 1854, $3,293.93.

Mr. SHERMAN. Mr. Chairman, I offer an amendment in lieu of that provision, covering lines 17 to 22, inclusive.

The Clerk read as follows:

In lieu of lines 17 to 22, inclusive, on page 12, insert the following:

"Interest on $65,878.77, at 5 per cent per annum, for educational and other beneficial purposes, per treaty of May 18, 1854, $3,293.93.

"The principal herein due the Kickapoos of the United States to pay the legal representatives of one Kickapoo Indian Kenapa, that died intestate, whose estate is directed under the provisions of section 2 of the act of August 4, 1886, such sum, as fairly the proportion of a certain fund now held and kept for education and other beneficial purposes, not exceeding $50.00." (See 24 Stats., p. 34, art. 2.)

Mr. STEPHENS of Texas. I would like to know the name of that Indian.

Mr. SHERMAN. It is before the Clerk, and he has spelled it out. We provide that when an Indian dies his property shall be paid to his legal representative, and notice of the death of this particular Indian with the unpronounceable name reached the committee after the bill had been passed; hence the amendment is now offered.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

For support and civilization of Yakimas, and other Indians at said agency, including pay of employees, $3,000.

Mr. JONES of Washington. I move to strike out the last word, so that I may have an opportunity to ask the chairman of the committee a question about this provision. My recollection is that the appropriation for this agency heretofore has been from $5,000 to $8,000 a year. Five thousand, I think, in the last bill, and $8,000 in the preceding bill. Will the chairman state why it is cut down to $3,000?

Mr. SHERMAN. The gentleman is correct. It has been cut down. It was $5,000 last year. It was found that the amount was not expended, and it was not necessary. There have been considerable reductions made in the incidental expenses, but none were made until we had a statement of the expenditures of the various appropriations of last year, and in no instance have we put the appropriation below the amount that was actually expended last year, and that is the case here.

Mr. JONES of Washington. I know that the superintendent there has been complaining very much the last year or two about not having sufficient help. I know the duties of the superintendent——

Mr. SHERMAN. Where?

Mr. JONES of Washington. At the Yakima Agency.

Mr. SHERMAN. This is a change of the incidental expenses. It has nothing to do with the school appropriations.

Mr. JONES of Washington. It has nothing to do with the agency. I did not refer entirely to the school. You see, the agency has been done away with, and he has charge not only of the school but also of the other agency employees, and he has been complaining that he has not had sufficient assistance along the line of schools and also along the line of the general work there.

Mr. SHERMAN. We had no such statement as that before us; but we did have the Commissioner before us in reference to every one of these items. We had them to give us an exact statement of the amount expended under each item last year, and it was found that it was necessary and been expended and was expended. We cut it down. If the amount provided is a thousand dollars or more, we proposed the appropriation for the following year; but in no case have we made such a cut as that it would not be possible to carry on the work as it had been done last year.

Mr. JONES of Washington. I was rather surprised to see this reduction, in view of what had been done heretofore; but, of course, if the Commissioner recommended to put it in at that, why, all right.

Mr. SHERMAN. He was consulted about every reduction we made.

The Clerk read as follows:

Wyoming: For general incidental expenses of the Indian service in Wyoming, including traveling expenses of agents, $1,000.

Mr. STEPHENS of Texas. Mr. Chairman, I ask to pass over the part of the bill relating to the Territory.

Mr. SHERMAN. What is the request of the gentleman?

Mr. STEPHENS of Texas. That we pass over that part of the bill relating to the Indian Territory.

Mr. SHERMAN. I second the request of the gentleman that we pass over the provisions relating to the Indian Territory in the bill until we have concluded the consideration of the rest of the bill, and that we can return to that.

Mr. STEPHENS of Texas. Mr. Chairman, I suggest to pass over to page 34, "Support of schools."

Mr. SHERMAN. Page 30 will do it.

Mr. STEPHENS of Texas. In line 13, on page 30, we turn off on another matter.

Mr. CURTIS. Page 32 will do.

Mr. SHERMAN. Well, beginning at the top of page 32, we will then pass all the provisions relating to the Indian Territory, and then we can go back, at the conclusion of the consideration of the bill, and take up the different items under that. I suggest we pass over all the items down to page 32.

Mr. MANN. Then I hope, Mr. Chairman, that the chairman of the committee will ask that the committee rise.

The CHAIRMAN. The gentleman from New York makes the request that the committee pass over that part of the bill in relation to the Indian Territory beginning on page 28 and going down to page 32. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read as follows:

For clerical work and stationery in the office of the United States surveyor-general located at Pierre within the Pine Ridge Indian Reservation, S. Dak., the sum of $1,000.

Mr. HINSHAW. Mr. Chairman, I offer the following amendment:

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert after line 11, on page 33, the following:

"For rent of warehouses, Neb., in the discretion of the Secretary of the Interior, at a rate not to exceed $1,000, for the receipt, storage, and shipping of goods for the Indian service, $10,000."

Mr. HINSHAW. Mr. Chairman, this item——

Mr. MANN. Mr. Chairman, if the gentleman will pardon me. I wish he would have this item passed without prejudice if it is the desire of the committee to sit any longer.

Mr. SHERMAN. Mr. Chairman, I ask unanimous consent——

Mr. HINSHAW. Just a moment. I prefer to have this item passed at the same time with similar items in the bill.

Mr. MANN. Well, I have no objection as far as that is concerned.

Mr. SHERMAN. I ask unanimous consent to pass over without prejudice down to line 20 on page 33.

The CHAIRMAN. The Chair would ask first whether the gentleman from Illinois makes the point of order.

Mr. MANN. No, sir; I do not make the point of order. I do not think it is subject to the point of order.

Mr. HINSHAW. I do not think it will take us long to dispose of it.

Mr. MANN. I think it will take some little time, if the committee give me the time I desire. I understand they want to get through the bill as fast as possible.

The CHAIRMAN. The gentleman from New York asks unanimous consent to pass over without prejudice for the time being down to line 20 on page 33.

Mr. LIVERNASH. If you pass over that, do I understand it will be without prejudice to the items therein, and you will return to it?

Mr. SHERMAN. Certainly.

The CHAIRMAN. The items covering the St. Louis and San Francisco warehouses also are to be passed over without prejudice for the time being. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The Clerk read as follows:

For pay of one special attorney for the Pueblo Indians of New Mexico, $1,500, and for necessary traveling and incidental expenses of said attorney for the Pueblo Indians of New Mexico, $500; in all, $2,000.

Mr. SHERMAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

That the time for opening the unallotted lands to public entry on said Uinta Reservation, as provided by the act of May 27, 1902, be, and the same is hereby, extended to October 1, 1904.

Mr. STEPHENS of Texas. I believe that is a committee amendment.

Mr. SHERMAN. That is a committee amendment and recommended by the Department.

The question was taken, and the amendment was agreed to.

Mr. SHERMAN. Mr. Chairman, I will insert in the RECORD a letter from the Secretary of the Interior in reference to the amendment.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert in the RECORD a letter from the Secretary of the Interior. Without objection, it is so ordered.

The letter referred to is as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 6, 1904.

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

SIR: Referring to the following provision contained in the Indian appropriation act approved March 3, 1903:

"That the time for opening the unallotted lands to public entry on said Uintah Reservation as provided by the act of May 27, 1902, be, and the same is hereby, extended to October 1, 1904."

I have the honor to transmit herewith a copy of a report of the 4th instant from the Commissioner of the General Land Office stating that it will require the whole of the next surveying season to complete the survey of this reservation.

After the completion of these surveys some 1,000 allotments are to be made. This will require at least three or four months or probably longer, as the act of May 27, 1902, provides that the allotments shall be approximate and which can be prepared, and if be allowed the next surveying season is required to complete the survey the allotments can not be made before the 1st of October, 1904. I have, therefore, the honor to request that the date for said opening be extended for one year from October 1, 1904.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, February 4, 1904.

The SECRETARY OF THE INTERIOR.

SIR: I am in receipt of departmental letter of the 3d instant, inquiring as to the possible time necessary to complete the survey of the Uintah Indian Reservation, in view of the opening on October 1, 1904, of the unallotted lands therein to public entry as provided in the acts of May 27, 1902, and March 3, 1903.

You state that it is the desire of the Department to bring to the attention of Congress the necessity for the extension of the time for said opening, unless this office be satisfied that the surveys will be completed in ample time to have the allotments made before October 1, 1904.

In reply I have the honor to state that owing to the necessary preliminaries, such as the organization of parties, contracts, and preparation of instructions, the surveys were not ready to be started until in August last, having but a short season for their completion in the extensive region embracing the reservation. I am informed approximately 1,000 contracting surveyors have completed about three-fourths of the exterior lines of the township work in the field, the office work of the latter, and the subdivision of the interior lines of the field remaining, and the office computation have yet to be performed, and I am of the opinion that the whole of the field survey cannot, and that the date of said opening should be postponed at least another year.

Very respectfully,

W. A. RICHARDS, *Commissioner.*

Mr. SHERMAN. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

That the Secretary of the Interior is authorized and directed to withhold from the amount appropriated by act of February 9, 1903, to pay judgment of the Court of Claims in favor of the New York Indians at additional sum not exceeding $5,000 to defray the expenses of the employment of expenses necessary in ascertaining the beneficiaries of said judgment.

Mr. SHERMAN. Mr. Chairman, an appropriation was made better than two years ago to pay a judgment of about $2,000,000 obtained by the New York Indians. There has been a dispute as to who were the beneficiaries under that judgment. An investigation has been made to determine who they were, but that investigation has not been concluded, and more money is needed to conclude that investigation, and for that purpose the Department asks that this item be included in the bill and, without reading it, I will insert a letter from the Department on the subject.

The letter is as follows:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 26, 1904.

Hon. JAMES S. SHERMAN,
House of Representatives, Washington, D. C.

SIR: I have the honor to transmit herewith a draft of an item of legislation which is necessary in order to complete the enrollment of the Indians interested in the distribution of the fund arising from the judgment of the Court of Claims of November 14, 1898, in favor of the New York Indians, which is supplemental to a similar item contained in the act of March 3, 1903, page 1058 of the Statutes.

In the fund appropriated in the act of March 2, 1901, $10,000 of the said judgment is placed at the disposal of the Secretary of the Interior to meet the necessary expenses in ascertaining the beneficiaries of said judgment. The work so now partly completed and the work has not yet been completed, and an additional appropriation of $5,000 from the same fund is asked for in order to complete the work.

The work begun in ascertaining the beneficiaries of said judgment has greatly exceeded all expectations. It was known that the claimants were widely scattered, and therefore very extensive advertisements had to be made in order to give the proper notice to all parties in the tribe claiming, but the number of those claimants far exceeded all estimates, and applications have been filed from nearly all the States from Massachusetts to California.

In addition to the names of such Indians as are regularly enrolled for annuities, some thirty-four hundred applications have been filed, making claims for approximately [illegible] Indians. [illegible] of whom have to be considered [illegible] of the fund, [illegible] would have to be considered [illegible] claimant [illegible] rights through two tribes, and if his claim was found to be [illegible] in one it would still have to be considered in connection with the other.

The Re[illegible] Indians have particularly caused an extraordinary amount of work. These tribes are [illegible] Buffalo Creek of Jamesville, N. Y., which was the [illegible] of all the tribes, composed of about [illegible] individuals, and there have been [illegible] as independent Indians, [illegible] about 2,000 individuals, who now claim as the tribe with Indians. These tribes have had no relations with the United States for over sixty years, and there was therefore no information which they could [illegible] in the investigation, and no enrollment of any kind had been made of the tribe since 1840. It will be readily seen that the difficulties arising from the determination of the rights of these various claimants have been very great.

Another tribe that has also given special trouble is the St. Regis tribe, of New York, which has never received annuities from the United States and there was no enrollment of the tribe in the Department of the Interior. This tribe now numbers some 1,[illegible] Indians, and there were a large number of applications filed by parties claiming as St. Regis Indians who claims have been marked for rejection.

Considerable difficulty has arisen in the consideration of the claims of the so-called mixed bloods, growing out of the fact that there have been several divisions in the tribe, portions of which having, at different times since the treaty of Buffalo Creek of 1838, become citizens of the United States, while the rights of such parties have been preserved by various acts of Congress.

In order to adequately consider the questions arising, it became necessary for the special agent of this office in charge of this work to visit the various reservations in New York and Wisconsin, to investigate on the ground the rights of certain individuals and families, and to have determined the tribal relations which existed at the several tribes, as the Department of the Interior has determined that the fund was to be regarded as tribal, the right to participate in which would be dependent upon residence in the tribe, except in such cases as the rights of persons have been fixed by treaties had been expressly preserved by acts of Congress. In the course of this investigation a large number of the St. Regis Indians were found to exist who were unknown to the agent and whose rights were not covered by the rolls of the tribe, which, it was necessary for the agent to return, thus bringing to the attention of the Secretary of the Interior, who by request [illegible] a further ruling bearing upon the distribution of this fund, and it became necessary to reexamine a large proportion of the applications filed by the Kansas Indians.

Another particular form has developed in the course of the investigation which have resulted in some [illegible] of the Secretary of the Interior, which have had involved a reexamination of a considerable number of applications of the claimants of the Indian tribes.

One of these matters has reference to those Indians who went out to the New York Indian Reservation in Kansas under the terms of the treaty of 1838 and who attempted to settle upon the said reservation, but who based their claims upon the action of the United States and were compelled by stress of circumstances to join other tribes. These parties, having never attempted to carry out the provisions of the said treaty of 1838 upon their own members of the tribe were, under the literal construction of the original decision of the Secretary of the Interior, excluded from participating in the judgment, for the reason that they had become [illegible] and the general rule had been laid down that no Indian who had received benefits as a member of another tribe should be entitled to share in the judgment. When the attention of the parties concerned was called to the attention of the Secretary of the Interior, [illegible] as to direct that such a part [illegible] be made [illegible] by force to authorize the [illegible] of the Secretary of the Interior [illegible]

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills and joint resolution of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 569. An act granting an increase of pension to Jesse B. Nurse—to the Committee on Invalid Pensions.

S. 556. An act granting an increase of pension to William Stall—to the Committee on Invalid Pensions.

S. 454. An act granting an increase of pension to Rinaldo M. Griswold—to the Committee on Invalid Pensions.

S. 450. An act granting an increase of pension to George H. Sutherland—to the Committee on Invalid Pensions.

S. 447. An act granting an increase of pension to David H. George—to the Committee on Invalid Pensions.

S. 398. An act granting an increase of pension to Phebe A. Ford—to the Committee on Invalid Pensions.

S. 336. An act granting an increase of pension to William Lechleidner—to the Committee on Invalid Pensions.

S. 305. An act granting an increase of pension to John R. Evans—to the Committee on Invalid Pensions.

S. 236. An act granting an increase of pension to Andrew Jackson Power—to the Committee on Pensions.

S. 140. An act granting an increase of pension to Daniel B. Bailey—to the Committee on Invalid Pensions.

S. 106. An act granting an increase of pension to Carrie Wages—to the Committee on Pensions.

S. 2857. An act granting an increase of pension to Onne H. Ropka—to the Committee on Invalid Pensions.

S. 2690. An act granting an increase of pension to James Garry—to the Committee on Invalid Pensions.

S. 2661. An act granting an increase of pension to John H. Klingler—to the Committee on Invalid Pensions.

S. 2655. An act granting an increase of pension to Isaac Zellers—to the Committee on Invalid Pensions.

S. 2348. An act granting an increase of pension to Hamilton S. Gillespie—to the Committee on Invalid Pensions.

S. 2320. An act granting an increase of pension to Samuel H. Legrow—to the Committee on Invalid Pensions.

S. 2058. An act granting an increase of pension to Jacob A. Roof—to the Committee on Invalid Pensions.

S. 2029. An act granting an increase of pension to Peter P. Dobozy—to the Committee on Invalid Pensions.

S. 1959. An act granting a pension to Mary Remington—to the Committee on Pensions.

S. 1899. An act granting an increase of pension to Thompson Warren—to the Committee on Invalid Pensions.

S. 1764. An act granting an increase of pension to John Shehan—to the Committee on Invalid Pensions.

S. 1657. An act granting a pension to Stalnaker Marteney—to the Committee on Invalid Pensions.

S. 1661. An act granting an increase of pension to Mary E. Riley—to the Committee on Pensions.

S. 1436. An act granting an increase of pension to Thomas P. Wentworth—to the Committee on Invalid Pensions.

S. 1423. An act granting an increase of pension to Samuel F. Murry—to the Committee on Invalid Pensions.

S. 1394. An act granting an increase of pension to Lewis M. Webster—to the Committee on Invalid Pensions.

S. 1388. An act granting an increase of pension to Orson H. Sawtelle—to the Committee on Invalid Pensions.

S. 885. An act granting a pension to Sarah A. Gillham—to the Committee on Invalid Pensions.

S. 827. An act granting an increase of pension to Elias S. Gibson—to the Committee on Invalid Pensions.

S. 783. An act granting an increase of pension to William McGee—to the Committee on Invalid Pensions.

S. 4455. An act granting an increase of pension to Ansel J. Busby—to the Committee on Invalid Pensions.

S. 4454. An act granting an increase of pension to John Seiler—to the Committee on Invalid Pensions.

S. 4371. An act granting a pension to Alison Clifton—to the Committee on Invalid Pensions.

S. 4349. An act granting an increase of pension to Laura Ann Seaton—to the Committee on Invalid Pensions.

S. 4339. An act granting an increase of pension to Mary E. Nesmith—to the Committee on Invalid Pensions.

S. 4317. An act granting an increase of pension to Sarah L. Augur—to the Committee on Invalid Pensions.

S. 4285. An act granting an increase of pension to John H. Shands—to the Committee on Pensions.

S. 4284. An act granting an increase of pension to Rebecca Hankins—to the Committee on Pensions.

S. 4254. An act granting an increase of pension to William H. Collingwood—to the Committee on Invalid Pensions.

S. 4246. An act granting an increase of pension to Louis Groverman—to the Committee on Pensions.

S. 4237. An act granting a pension to Hannah Small Wiggin—to the Committee on Invalid Pensions.

S. 4078. An act granting an increase of pension to Thomas B. Steele—to the Committee on Pensions.

S. 3979. An act granting an increase of pension to Sterling L. Parker—to the Committee on Invalid Pensions.

S. 3978. An act granting an increase of pension to George W. Howard—to the Committee on Invalid Pensions.

S. 3977. An act granting an increase of pension to Luther S. Baker—to the Committee on Invalid Pensions.

S. 3946. An act granting an increase of pension to Jesse Bright—to the Committee on Invalid Pensions.

S. 3936. An act granting an increase of pension to Sylvania S. Cheney—to the Committee on Invalid Pensions.

S. 3896. An act granting an increase of pension to Richard F. Nugent—to the Committee on Invalid Pensions.

S. 3879. An act granting an increase of pension to Cyrus Q. Lemmond—to the Committee on Pensions.

S. 3878. An act granting an increase of pension to George Coffee—to the Committee on Invalid Pensions.

S. 3860. An act granting a pension to James Henry Martineau—to the Committee on Pensions.

S. 3833. An act granting an increase of pension to George T. Edwards—to the Committee on Invalid Pensions.

S. 3827. An act granting an increase of pension to Norman B. Davenport—to the Committee on Invalid Pensions.

S. 3774. An act granting an increase of pension to John C. Felton—to the Committee on Invalid Pensions.

S. 3771. An act granting an increase of pension to Virginia C. Spencer—to the Committee on Invalid Pensions.

S. 3727. An act granting an increase of pension to Eli Headley—to the Committee on Invalid Pensions.

S. 3690. An act granting an increase of pension to George W. Gregory—to the Committee on Pensions.

S. 3654. An act granting a pension to Hannah Hall—to the Committee on Pensions.

S. 3573. An act granting an increase of pension to Calvin E. Myers—to the Committee on Pensions.

S. 3544. An act granting an increase of pension to George W. Phillips—to the Committee on Invalid Pensions.

S. 3535. An act granting an increase of pension to John Walton—to the Committee on Invalid Pensions.

S. 3523. An act granting an increase of pension to Joseph W. Butz—to the Committee on Invalid Pensions.

S. 3519. An act granting a pension to Ruby A. Stirdivant—to the Committee on Invalid Pensions.

S. 3500. An act granting an increase of pension to Orrin L. Mann—to the Committee on Invalid Pensions.

S. 3499. An act granting an increase of pension to Samuel E. Lookingbill—to the Committee Invalid Pensions.

S. 3491. An act granting an increase of pension to Andrew J. Howe—to the Committee on Invalid Pensions.

S. 3417. An act granting a pension to Garrett V. Chamberlin—to the Committee on Pensions.

S. 3457. An act granting an increase of pension to Marcellus M. Parker—to the Committee on Invalid Pensions.

S. 3394. An act granting an increase of pension to Joseph B. Crawford—to the Committee on Invalid Pensions.

S. 3377. An act granting an increase of pension to John M. Tyree—to the Committee on Invalid Pensions.

S. 3201. An act granting an increase of pension to James I. Shafer—to the Committee on Invalid Pensions.

S. 2971. An act granting a pension to Amelia Walsh—to the Committee on Invalid Pensions.

S. 2960. An act granting an increase of pension to Jacob Horning—to the Committee on Invalid Pensions.

S. 2952. An act granting an increase of pension to William J. P. Buck—to the Committee on Invalid Pensions.

S. 2946. An act granting an increase of pension to Joshua Day—to the Committee on Invalid Pensions.

S. 2938. An act granting an increase of pension to James L. Ackley—to the Committee on Invalid Pensions.

S. 2937. An act granting an increase of pension to Julius Bodenstab—to the Committee on Invalid Pensions.

S. 2894. An act granting a pension to Clara J. Garretson—to the Committee on Invalid Pensions.

S. 2872. An act granting an increase of pension to Albert Schermerhorn—to the Committee on Invalid Pensions.

S. 2871. An act granting an increase of pension to Justin M. Cooper—to the Committee on Invalid Pensions.

S. 2263. An act to require the employment of vessels of the United States for public purposes.

Joint resolution (S. R. 55) to authorize the Secretary of the Interior to print an extra edition of the map of the United States for 1903, and making the appropriation for maps made in the acts of April 17, 1900, and of March 3, 1901, available for that purpose—to the Committee on Printing.

ADJOURNMENT.

Mr. SHERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 29 minutes p. m.) the House adjourned until to-morrow at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the president of the Board of Commissioners of the District of Columbia, transmitting a report of the operations of the excise board for the license year ended October 31, 1903—to the Committee on the District of Columbia, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting an estimate of appropriation for equipment of mint at Denver—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for printing the report of the Venezuela arbitrations—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of appropriations for dedication of the statue of Frederick the Great—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of Commerce and Labor, transmitting the reply of the Director of the Census to the inquiry of the House as to employees, expenditures, etc., in the Census Bureau—to the Committee on Census, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. FOSTER of Illinois, from the Committee on the Public Lands, to which was referred the bill of the House (H. R. 10007) to authorize the Commissioner of the General Land Office to transmit original papers to be used as evidence, reported the same with amendment, accompanied by a report (No. 1384); which said bill and report were referred to the House Calendar.

Mr. DAVEY of Louisiana, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12444) to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River, near Gilbertsville, Ky., reported the same with amendment, accompanied by a report (No. 1385); which said bill and report were referred to the House Calendar.

Mr. ESCH, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 9871) to authorize the Buckhannon and Northern Railroad Company, a corporation under the laws of the State of West Virginia, to build a bridge across the Monongahela River near the town of Rivesville, in the State of West Virginia, reported the same with amendment, accompanied by a report (No. 1386); which said bill and report were referred to the House Calendar.

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House H. R. 12689, reported in lieu thereof a bill (H. R. 13480) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River, in Vigo County, Ind., accompanied by a report (No. 1387); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolution of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12965) granting an increase of pension to William H. Dailey, reported the same with amendment, accompanied by a report (No. 1335); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12461) granting an increase of pension to Milton Graham, reported the same without amendment, accompanied by a report (No. 1336); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12452) granting an increase of pension to John A. McNerney, reported the same with amendment, accompanied by a report (No. 1337); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12102) granting a pension to Lavall C. Obarr, reported the same with amendment, accompanied by a report (No. 1338); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12034) granting an increase of pension to James T. McKinstry, reported the same with amendment, accompanied by a report (No. 1339); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11846) granting an increase of pension to David Kinsey, reported the same with amendment, accompanied by a report (No. 1340); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11615) granting an increase of pension to Socrates Moore, reported the same with amendment, accompanied by a report (No. 1341); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11498) granting an increase of pension to William A. Porter, reported the same with amendment, accompanied by a report (No. 1342); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10974) granting an increase of pension to Robert Conn, reported the same with amendment, accompanied by a report (No. 1343); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10941) granting an increase of pension to Mary Dougherty, reported the same with amendment, accompanied by a report (No. 1344); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10845) granting an increase of pension to John C. Webb, reported the same with amendment, accompanied by a report (No. 1345); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10798) granting a pension to James H. Allen, reported the same with amendment, accompanied by a report (No. 1346); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10340) granting an increase of pension to George F. Majors, reported the same with amendment, accompanied by a report (No. 1347); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9862) granting a pension to Mary Yaw, reported the same without amendment, accompanied by a report (No. 1348); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9792) granting a pension to Fanny Tracy, reported the same without amendment, accompanied by a report (No. 1349); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9574) granting an increase of pension to John H. Lennon, reported the same with amendment, accompanied by a report (No. 1350); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9562) granting a pension to Warren R. Herrell, reported the same with amendment, accompanied by a report (No. 1351); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8283) granting an increase of pension to Henry Herkes, reported the same with amendment, accompanied by a report (No. 1352); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7773) granting an increase of pension to Samuel H. Thoroman, reported the same with amendment, accompanied by a report (No. 1353); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7517) granting

an increase of pension to Lemuel N. Bishop, reported the same with amendment, accompanied by a report (No. 1354); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7487) granting an increase of pension to Francis Knapp, reported the same with amendment, accompanied by a report (No. 1355); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7364) granting an increase of pension to Leonard M. Johnson, reported the same with amendment, accompanied by a report (No. 1356); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 6973) granting an increase of pension to Simeon Billings, reported the same without amendment, accompanied by a report (No. 1357); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6991) granting a pension to Sarah A. McCann, reported the same without amendment, accompanied by a report (No. 1358); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6858) granting an increase of pension to Nelson Hart, reported the same with amendment, accompanied by a report (No. 1359); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6088) granting an increase of pension to Marshall Howell, reported the same with amendment, accompanied by a report (No. 1360); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6062) granting an increase of pension to Alvin Gray, reported the same with amendment, accompanied by a report (No. 1361); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5912) granting an increase of pension to Alexander S. Bowen, reported the same with amendment, accompanied by a report (No. 1362); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 5[illegible]) granting an increase of pension to Mary Irene Rosenthal, reported the same with amendment, accompanied by a report (No. 1363); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5846) granting a pension to Carrie K. Baker, reported the same with amendment, accompanied by a report (No. 1364); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5107) granting an increase of pension to John W. Kling, reported the same with amendment, accompanied by a report (No. 1365); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5055) granting an increase of pension to Woodson R. Daniel, reported the same with amendment, accompanied by a report (No. 1366); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4990) granting a pension to Georgia R. Demarest, reported the same with amendment, accompanied by a report (No. 1367); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4877) granting an increase of pension to Mathias C. Mills, reported the same with amendment, accompanied by a report (No. 1368); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4623) granting a pension to Electa L. Willard, reported the same with amendment, accompanied by a report (No. 1369); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4599) granting a pension to Ella F. Whitehead, reported the same with amendment, accompanied by a report (No. 1370); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4353) granting an increase of pension to George Brown, reported the same with amendment, accompanied by a report (No. 1371); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4938) granting an increase of pension to Jason H. Masterson, reported the same with amendment, accompanied by a report (No. 1372); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4280) granting an increase of pension to Jasper M. Griggs, reported the same with amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3533) granting an increase of pension to Capt. R. H. McIlroy, reported the same with amendment, accompanied by a report (No. 1374); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3013) granting an increase of pension to James M. Hurley, reported the same with amendment, accompanied by a report (No. 1375); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2922) granting an increase of pension to George W. Ford, reported the same with amendment, accompanied by a report (No. 1376); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2144) granting a pension to Myrtie B. Poole, reported the same with amendment, accompanied by a report (No. 1377); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1568) granting an increase of pension to James V. Tabor, reported the same with amendment, accompanied by a report (No. 1378); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 732) granting an increase of pension to John L. B. Thompson, reported the same without amendment, accompanied by a report (No. 1379); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 728) granting an increase of pension to Benjamin F. Evans, reported the same with amendment, accompanied by a report (No. 1380); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 360) granting an increase of pension to Mary Lucetta Arnold, reported the same without amendment, accompanied by a report (No. 1381); which said bill and report were referred to the Private Calendar.

Mr. TOWNSEND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10406) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life saving, reported the same without amendment, accompanied by a report (No. [illegible]); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 2173) granting a pension to Sarah A. Sullivan—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12346) for the relief of Maria J. Blaisdell, widow of William Blaisdell, deceased—Committee on War Claims discharged, and referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. HEPBURN: A bill (H. R. 13468) concerning receipts and bills of lading issued by common carriers engaged in interstate commerce relating to property transported in such commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. SULZER: A bill (H. R. 13469) to establish a Department of Labor—to the Committee on Labor.

By Mr. SULLOWAY: A bill (H. R. 13470) to amend an act relating to the sale of gas in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

By Mr. PERKINS: A bill (H. R. 13471) to amend the act relating to the printing and the distribution of public documents, and for other purposes—to the Committee on Printing.

By Mr. BENNY: A bill (H. R. 13472) to bridge the Newark Bay—to the Committee on Interstate and Foreign Commerce.

By Mr. BELL of California: A bill (H. R. 13473) to provide for the erection of a public building in the city of Santa Rosa, in the State of California—to the Committee on Public Buildings and Grounds.

By Mr. DOUGLAS (by request): A bill (H. R. 13474) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

Also (by request), a bill (H. R. 13475) to amend an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903—to the Committee on Immigration and Naturalization.

By Mr. JONES of Washington: A bill (H. R. 13476) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company—to the Committee on the Public Lands.

By Mr. BEDE: A bill (H. R. 13477) to provide for the construction and equipment of a revenue cutter for service in Lake Superior and adjacent waters—to the Committee on Interstate and Foreign Commerce.

By Mr. LACEY: A bill (H. R. 13478) to establish and administer national parks, and for other purposes—to the Committee on the Public Lands.

By Mr. MAHONEY: A bill (H. R. 13479) to amend an act relating to the sale of gas in the District of Columbia—to the Committee on the District of Columbia.

By Mr. MANN, from the Committee on Interstate and Foreign Commerce: A bill (H. R. 13480) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River, in Vigo County, Ind.—to the House Calendar.

By Mr. MONDELL: A bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect—to the Committee on Indian Affairs.

By Mr. LIVERNASH: A bill (H. R. 13482) providing for establishing and maintaining at San Francisco, Cal., a permanent warehouse for the receipt, storage, and shipping of goods for the Indian Service—to the Committee on Indian Affairs.

By Mr. LOUD: A joint resolution (H. J. Res. 125) relative to the colonial martyrs monument in Wawatam Park, at the Straits of Mackinaw, in the State of Michigan—to the Committee on Foreign Affairs.

By Mr. ROBERTSON of Louisiana: A joint resolution (H. J. Res. 126) providing for the extension of the time for the removal of the temporary dam and construction of locks in Bayou Lafourche, State of Louisiana—to the Committee on Rivers and Harbors.

By Mr. SOUTHALL: A joint resolution (H. J. Res. 127) to furnish Members of the Fifty-eighth Congress copies of the Records of the War of the Rebellion—to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BRANDEGEE: A bill (H. R. 13483) for the relief of Lewis Poessel—to the Committee on Naval Affairs.

Also, a bill (H. R. 13484) for the relief of certain enlisted men of the Navy—to the Committee on Naval Affairs.

By Mr. CALDERHEAD: A bill (H. R. 13485) granting an increase of pension to William Glasgow—to the Committee on Invalid Pensions.

By Mr. CALDWELL: A bill (H. R. 13486) granting an increase of pension to Henry Hovey—to the Committee on Invalid Pensions.

By Mr. CASSEL: A bill (H. R. 13487) granting an increase of pension to Eliza Ann Sanno—to the Committee on Invalid Pensions.

By Mr. CUSHMAN: A bill (H. R. 13488) for the relief of Matilda Elizabeth West—to the Committee on Claims.

By Mr. DWIGHT: A bill (H. R. 13489) granting a pension to D. M. Allen—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 13490) granting an increase of pension to Henry Good—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 13491) granting an increase of pension to Obediah Richmond—to the Committee on Invalid Pensions.

By Mr. DINSMORE: A bill (H. R. 13492) for the relief of the heirs of Matthias Price, deceased—to the Committee on War Claims.

By Mr. FORDNEY: A bill (H. R. 13493) for the relief of John G. Wetzel—to the Committee on Military Affairs.

By Mr. GREGG: A bill (H. R. 13494) granting a pension to Cader B. Brent—to the Committee on Pensions.

Also, a bill (H. R. 13495) granting a pension to Henry Landon—to the Committee on Pensions.

By Mr. HAMLIN: A bill (H. R. 13496) to restore Berry Werse to the pension roll—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 13497) granting a pension to Margaret F. Randolph—to the Committee on Invalid Pensions.

By Mr. HILL of Mississippi: A bill (H. R. 13498) granting an increase of pension to William G. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13499) granting a pension to Otto Boeswetter—to the Committee on Invalid Pensions.

By Mr. HOGG: A bill (H. R. 13500) granting a pension to William W. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13501) granting a pension to James L. Townsend—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13502) for the relief of William Morehead—to the Committee on Claims.

By Mr. LITTAUER: A bill (H. R. 13503) granting an increase of pension to Catherine J. Hill—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 13504) granting an increase of pension to James F. Campbell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13505) for the relief of Nancy Peck, of Marion County, Tenn.—to the Committee on War Claims.

By Mr. OLMSTED: A bill (H. R. 13506) granting a pension to Hannah A. Krause—to the Committee on Invalid Pensions.

By Mr. OTIS: A bill (H. R. 13507) granting an increase of pension to John M. Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13508) granting an increase of pension to Henry T. Howell—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 13509) authorizing the Secretary of War to transfer to the Columbia Military Academy certain property in Maury County, Tenn.—to the Committee on Military Affairs.

By Mr. PEARRE: A bill (H. R. 13510) to remove the charge of mutiny from the record of David Boyd—to the Committee on Military Affairs.

Also, a bill (H. R. 13511) for the relief of Adam Ault—to the Committee on War Claims.

By Mr. SHERMAN: A bill (H. R. 13512) granting a pension to Charles E. Rogers—to the Committee on Pensions.

Also, a bill (H. R. 13513) granting a pension to Sarah P. McIntee—to the Committee on Pensions.

By Mr. SPARKMAN: A bill (H. R. 13514) for the relief of the city of Key West, Fla.—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 13515) granting an increase of pension to Adam W. Grossley—to the Committee on Pensions.

By Mr. WARNER: A bill (H. R. 13516) granting an increase of pension to Sewal A. Edwards—to the Committee on Invalid Pensions.

By Mr. AIKEN: A bill (H. R. 13517) for the relief of James H. Ambler—to the Committee on War Claims.

By Mr. SHEPPARD: A bill (H. R. 13518) granting an increase of pension to Chester R. Heath—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13519) to correct the military record of Richard R. Sprague and grant him an honorable discharge—to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of residents of Sheldon, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Colonel Albert D. Shaw Circle, No. 10, Ladies of the Grand Army of the Republic, of Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the East Baltimore Station Methodist Protestant Church, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ALEXANDER: Resolution of the Methodist Episcopal Church, Chenango Bridge, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ALLEN: Petition of George W. Norton and 210 others, of Portland, Westbrook, Kennebunk, and Kennebunkport, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BENNY: Petition of the First Methodist Episcopal Church of Bayonne, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the New Jersey legislature, relative to improving the Passaic River—to the Committee on Rivers and Harbors.

Also, papers to accompany bill H. R. 5087, granting a pension to Annie Hosche—to the Committee on Invalid Pensions.

By Mr. BONYNGE: Petition of the Free Methodist Church of Boulder, Colo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Iliff Sunday School, of Iliff, Colo., relative to the repeal of the anticanteen law—to the Committee on Military Affairs.

Also, petition of the Iliff Sunday School, of Iliff, Colo., relative to nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of the Mount Olivet Baptist Church, of Denver, Colo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Mount Olivet Baptist Church, of Denver, Colo., relative to anticanteen legislation—to the Committee on Military Affairs.

By Mr. BRANDEGEE: Petitions of H. C. Lathrop and 48 other voters of Windham, and George P. Phenix and 49 other voters of Willimantic, all in Connecticut, for passage of Hepburn bill—to the Committee on the Judiciary.

By Mr. BROWN of Wisconsin: Petition of John F. Dufur and 48 others, of Ashland, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BROWNLOW: Resolutions of J. C. Giffin Post, No. 77; McKinley Post, No. 106; Robert A. Hood Post, No. 28; R. S. Kimbrick Post, No. 63; Meade Post, No. 75; Walter Harriman Post, No. 94; Ed Maynard Post, No. 14, and J. H. Franklin Post, No. 50, Grand Army of the Republic, Department of Tennessee, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. BURKE: Petition of F. D. Tyler and 26 others, of Loomis, S. Dak., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURLEIGH: Petitions of R. F. Dunton and 19 others, of Belfast, Me.; Clarence H. Smith and 7 others, of Waldo, Me., and Howard W. Elwell and 9 others, of Northport, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of Independent Order of Good Templars of Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of James Shields Post, No. 57, Grand Army of the Republic, of Wellington, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the Presbyterian Church societies of Hebron, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CAMPBELL: Petition of Lodge No. 221, Brotherhood of Boiler Makers and Iron-ship Builders, of Pittsburg, Kans., relative to bill S. 2259 and sundry House bills—to the Committee on the Merchant Marine and Fisheries.

Also, petition of patrons of rural route No. 3, of Cherryvale, Kans., relative to increase of salary for rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. CANNON: Papers to accompany bill granting a pension to Josie C. Thomas—to the Committee on Invalid Pensions.

By Mr. CAPRON: Petitions of George W. King and 28 others, of Johnston, R. I., and O. U. Whitford and 27 others, of Westerly, R. I., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CASSEL: Memorial of the Nottingham Quarterly Meeting of the Society of Friends, held at Little Britain, Pa., composed of 800 members, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. CURTIS: Petition of patrons of rural route No. 1, of White Cloud, Kans., relative to increase of salary for rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of J. L. Bliss Circle, No. 64, Ladies of the Grand Army of the Republic, of Atchison, Kans.; petition of soldiers of Norton, Kans., and resolutions of Nathan Price Post, No. 288, Grand Army of the Republic, of Wathena, Kans., and Mayflower Circle, No. 80, Ladies of the Grand Army of the Republic, of Senery, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of W. H. Marshall and 48 others, of Nortonville, Kans.; Independent Order of Good Templars of Kansas, and Christian Endeavor Society of the Congregational Church, Topeka, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DALZELL: Petition of the Presbyterian Church of Wilkinsburg, Pa., for the passage of the Hepburn bill—to the Committee on the Judiciary.

Also, papers to accompany bill to increase pension of Henry Good—to the Committee on Invalid Pensions.

Also, resolution of the National League of Commission Merchants, relating to powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. DAYTON: Petitions of C. H. Rictor and 39 others, and the Woman's Christian Temperance Union, of Grafton, W. Va.; W. L. Snyder and 22 others, of Valley Head, W. Va., and J. W. Pool and 35 others, of Flemington, W. Va., and vicinity, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of N. I. Wolfe and 58 others, of Flemington, W. Va.—to the Committee on ———.

By Mr. DINSMORE: Petition of D. C. Shannon, of Cherokee City, Ark., for a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, four petitions of T. H. Bowan and others, of Siloam Springs, Ark., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DOUGLAS: Petition of Julius Wile and others, against the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Rev. Richard Hartley and 21 others, of New York City, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DRAPER: Petition of residents of rural route No. 4, of Troy, N. Y., relative to increase of salary for rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. ESCH: Resolution of the Wisconsin Retail Lumber Dealers' Association, relative to a bill to regulate the carriage of interstate freight, etc.—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 9017, granting a pension to Gertrude Howard—to the Committee on Invalid Pensions.

By Mr. FULLER: Memorial of Deere & Co. and others, of Moline, Ill., in favor of the improvement of Kaw Valley—to the Committee on Rivers and Harbors.

Also, petition of John Buell and 19 others, of Rockford, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of New Jersey: Resolutions of Phil Kearny Post, No. 1, of Newark; T. A. Sharp Post, No. 2, of Millville; G. Van Hauten Post, No. 3, of Jersey City; James A. Garfield Post, No. 4, of Newark; T. M. K. Lee Post, No. 5, of Camden; J. C. Shinn Post, No. 6, of Port Norris; George C. Meade Post, No. 7, of Bloomfield; Bayard Post, No. 8, of Trenton; Lyon Post, No. 10, of Vineland; Lincoln Post, No. 11, of Newark; U. Dodd Post, No. 12, of Orange; Henry Wilson Post, No. 13, of Jersey City; Ellsworth Post, No. 14, of Union; Kearney Janeway Post, No. 15, of New Brunswick; Parker Grubb Post, No. 16, of Burlington; Sedgwick Post, No. 18, of Hackettstown; Major Angel Post, No. 20, of Lambertsville; Mansfield Post, No. 22, of Bayonne; Aaron Wilks Post, No. 23, of Trenton; A. T. Torbert Post, No. 24, of Morristown; Ulic Dahlgren Post, No. 25, of Elizabeth; W. F. Barry Post, No. 27, of Rahway; Farragut Post, No. 28, of Paterson; George H. Thomas Post, No. 29, of Jersey City; General Howell Post, No. 31, of Woodbury; Joe Hooker Post, No. 32, of Atlantic; Acton Post, No. 33, of Penngrove; Hexanner Post, No. 34, of Newark; Chaplain Butler Post, No. 35, of Paterson; Van Leer Post, No. 36, of Gloucester; W. B. Hatch Post, No. 37, of Camden; Zulavski Post, No. 38, of Jersey City; Bartlett Post, No. 39, of Caldwell; C. K. Hall Post, No. 41, of Asbury Park; E. G. Brown Post, No. 44, of Hoboken; Washington Post, No. 45, of Bordentown; James B. Morris Post, No. 46, of Long Branch; J. G. Tohnie Post, No. 50, of Phillipsburg; W. P. Robeson Post, No. 51, of Camden; J. B. McPherson Post, No. 52, of Rahway; Major Delaney Post, No. 53, Atlantic City; J. McCavitt Post, No. 54, Dover; General Slocum Post, No. 55, Paterson; W. S. Pierson Post, No. 58, Bloomfield; Arrowsmith Post, No. 61, Red Bank; General Stahel Post, No. 62, Egg Harbor; Conover Post, No. 63, Freehold; Kilpatrick Post, No. 64, Elizabeth; I. M. Tucker Post, No. 65, Newark; John F. Reynolds Post, No. 66, Washington; R. Boggs Post, No. 67, New Brunswick; Russell Post, No. 68, Hammerton; Johnson Post, No. 69, Salem; W. Scott Post, No. 73, Plainfield; General Wadsworth Post, No. 75, Somerville; Frank Lloyd Post, No. 79, South River; Wagner Post, No. 81, Hoboken; Stratton Post, No. 82, Milltown; Bell Springfield Post, No. 83, Keyport; Berry Post, No. 85, Woodbridge; Arnold Post, No. 87, Point Pleasant; M. L. Ward Post, No. 88, Newark; General Smythe Post, No. 89, Elmer; Steadman Post, No. 90, Fenwick; Wheeler Post, No. 94, Montclair; E. H. Wade Post, No. 96, Millburn; Walker Post, No. 98, Branchville; Sherman Post, No. 100, Bayonne; Paul Post, No. 101, Westwood; J. A. Logan Post, No. 102, Camden; Dwight Post, No. 103, Englewood; Hancock Post, No. 107, Hightstown; Weart Post, No. 108, Englewood; Sheridan Post, No. 110, Newark; Sherman Post, No. 113, Cape May City; Fiske Post, No. 114, Highlands; U. S. Grant Post, No. 117, Samut, and Caillaux Post, No. 119, Asbury Park, all in New Jersey, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of 4 citizens of Maple Shade, N. J.; pastor and

113 members of the Baptist Church of Jacobstown, N. J.; pastor and 200 members of the Methodist Episcopal Church of Newport, N. J.; pastor and 251 members of the Berean Baptist Church, of Bridgeton, N. J., and pastor and 160 members of the Baptist Church of Dividing Creek, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GARDNER of Michigan: Petition of Immanuel Holiness Church, of Battle Creek, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. GIBSON: Petitions of A. H. Legg and 7 others; Rev. T. P. Summers, president of the ministerial meeting; Ed. M. Grant, mayor; the board of aldermen, and other officials, all of Morristown, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAMLIN: Petitions of Rev. B. F. Flanery and 5 others, Rev. J. C. T. Woods and 15 others, J. E. Millette and 21 others, W. S. Banks and 13 others, W. L. Costay and 34 others, D. E. Cloud and 25 others, and Nellie Tupper and 25 others, all of Missouri, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, paper to accompany bill granting a pension to Berry Weese—to the Committee on Invalid Pensions.

Also, resolution of Captain John Mathews Post, No. 69, Grand Army of the Republic, Department of Missouri, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HASKINS: Petition of Andrew J. Pinney and others, of West Bridgewater, Vt., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petitions of the Woman's Christian Temperance Union of Plainfield, Vt.; Rev. H. R. Miles and 17 others, of Brattleboro, Vt., and the Vermont Anti-Saloon League, in favor of the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAUGEN: Petition of citizens of McGregor, Iowa, against a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Northwood, Iowa, and M. D. Mack and 9 others, of Lincoln, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HAY: Paper to accompany claim of Mrs. Anne M. Brown—to the Committee on War Claims.

By Mr. HENRY of Connecticut: Petition of John B. Smith and 55 others, of New Britain, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HENRY of Texas: Petition of the Woman's Christian Temperance Union and 12 others, and Andrew C. Dunn and 43 others, of Rosebud, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HILDEBRANT: Petition of patrons of sundry rural routes of Ohio, relative to increase of salary for rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. HILL of Connecticut: Petition of George F. Carr and 17 others, of Terryville, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Mrs. Helen Whitehead and others, of Washington, Conn., in favor of establishing a forest reserve in the White Mountains—to the Committee on Agriculture.

By Mr. HILL of Mississippi: Petition of R. V. McDonald and 20 others, of Jefferson, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Petitions of citizens of Cedarville, Ill., and members of the faculty and students of Steinman College, Dixon, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Colonel Albert D. Shaw Circle, No. 10, Ladies of the Grand Army of the Republic, of Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of 86 residents of Dakota, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOGG: Petitions of H. M. Corey and 57 others, of Olathe, Colo., and J. R. McGill and 56 others and the Woman's Christian Temperance Union, of Pueblo, Colo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HOLSTON: Petitions of J. W. Balderston and 23 others and William F. Hersey and 25 others, of Seaford, Del., and the New Castle Institute, of South Wilmington, Del., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JAMES: Petition of E. L. Harris and others, of Graves County, Ky., in favor of bill H. R. 3574—to the Committee on Ways and Means.

By Mr. KEHOE: Petition of Frank C. Taylor and others, of Carlisle, Ky., in favor of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. KELLIHER: Memorial of the board of supervisors of the city and county of San Francisco, relative to Tuolumne River and Lake Eleanor reservoir rights of way—to the Committee on Rivers and Harbors.

Also, resolution of the Grain Dealers' National Association, relative to inspection of grain at terminal markets—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the Boston Chamber of Commerce, relative to arbitration treaties between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolution of the Boston Dry Goods Association, relative to arbitration treaties between the United States and Great Britain—to the Committee on Foreign Affairs.

Also, resolution of the Boston Fruit and Produce Exchange, relative to enlarging powers of Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the American Association of Masters and Pilots of Steam Vessels, in favor of a light house on Outer Diamond Shoal, North Carolina—to the Committee on Rivers and Harbors.

Also, resolution of the Massachusetts State Board of Trade, relative to legislation for the improvement of the Bedford (Mass.) Harbor—to the Committee on Rivers and Harbors.

Also, resolution of Friedrick Hecker Post, No. 21, Grand Army of the Republic, of Boston, Mass., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of the New York Board of Trade and Transportation, in favor of bills H. R. 3559 and 3562, providing for improvement of Bronx Kills and Harlem River—to the Committee on Rivers and Harbors.

Also, resolution of the National Board of Trade, in favor of extension of the navigation laws to Philippine commerce—to the Committee on Interstate and Foreign Commerce.

Also, resolution of the New York Board of Trade and Transportation, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the Massachusetts State Board of Trade, relative to reforms in postal rates and system—to the Committee on the Post-Office and Post-Roads.

Also, petition of D. Cady Eaton, of New Haven, Conn., in favor of the bill to regulate corporations—to the Committee on the Judiciary.

Also, resolution of the Massachusetts State Board of Trade, relative to the destruction of derelicts in North Atlantic waters—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the Massachusetts State Board of Trade, relative to the reorganization of the consular service—to the Committee on Foreign Affairs.

Also, resolution of the Gloucester Board of Trade, in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

By Mr. WILLIAM W. KITCHIN: Petitions of J. R. Underhill and 26 others, of North Carolina; J. F. McCulloch and 82 others, of Greensboro, N. C., and A. R. Webster and 54 others, of Reidsville, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KNAPP: Resolution of Port Leyden (N. Y.) Grange, No. 562, Patrons of Husbandry, in favor of bill H. R. 9297—to the Committee on Education.

Also, resolution of E. B. Steele Post, No. 269, Grand Army of the Republic, of Carthage, N. Y., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LACEY: Resolution of Charlton Post, No. 142, Grand Army of the Republic, of Richland, Iowa, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of S. E. Sinder and others, of Ollie, Iowa, against the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. LESTER: Petition of Rev. G. B. Whatley and 100 others, of Savannah, Ga., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LINDSAY: Petition of Booth Tucker, commander of the Salvation Army, in favor of bill creating a colonization bureau, etc.—to the Committee on Irrigation of Arid Lands.

By Mr. LITTLEFIELD: Petitions of Rev. H. B. Tilden and 24 others, of Waldoboro, Me., and Hon. A. M. Penley and 58 others, of Auburn, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LIVERNASH: Resolution of the San Francisco Chamber of Commerce, in favor of granting an American register to the British bark *Pyrenees*—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the San Francisco Chamber of Commerce, in favor of extending coastwise regulations over vessels flying between the Philippines and American ports—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of the San Francisco Chamber of Commerce, relative to Siuslaw Harbor, Oregon—to the Committee on Rivers and Harbors.

Also, resolution of Phelps Squadron, No. 12, United States Veteran Navy, in favor of bill S. 3014—to the Committee on Naval Affairs.

Also, resolution of the Board of Trade of San Bernardino, Cal., opposing joint statehood of Arizona with New Mexico—to the Committee on the Territories.

By Mr. LLOYD: Petitions of R. B. Sanford and 25 others, of Newark, Mo., and H. B. Yaconbi and 20 others, of La Belle, Mo., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Paddy Shields Post, No. 36, Grand Army of the Republic, of Clarence, Mo., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MCMORRAN: Petition of F. E. Titers and 50 others, of Detroit, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MARSHALL: Petition of business men and citizens of Litchville, N. Dak., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. MAYNARD: Petitions of Rev. J. W. Nicholson and 41 others, of York County, Va., and P. S. Simpkins and 19 others, of Tanners Creek, Va., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MOON of Tennessee: Papers to accompany a bill granting an increase of pension to James F. Campbell—to the Committee on Invalid Pensions.

Also, petition of S. H. Taylor and 15 other voters, of Maxwell, Tenn.; J. L. Baker and 9 other voters, E. L. Catlens and 48 voters, and S. M. Alexander and 15 other voters, of Winchester, Tenn., for the Hepburn bill—to the Committee on the Judiciary.

Also, petition of nineteen Grand Army of the Republic posts in Tennessee, for the passage of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. OLMSTED: Petition of the legislative board of Friends of America, praying for the passage of bill H. R. 4072—to the Committee on the Judiciary.

By Mr. OTIS: Petition of the Port Chester (N. Y.) Woman's Christian Temperance Union, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of citizens of Peekskill, Genesee, and Ossining, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PAGE: Petition of W. H. Lassiter and 58 others, of Cedar Grove, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. POWERS of Maine: Petition of Henry N. Pringle and 40 others, of Whitneyville and Eastport, Me., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RAINEY: Petition of residents of Washington, D. C., in favor of bill H. R. 9302—to the Committee on Ways and Means.

Also, petition of residents of Kinderhook, Ill., against passage of a parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. REEDER: Petitions of T. J. Ireland and 126 others, of Woodston, Kans.; C. D. Post and 22 others, of Asheville, Kans., and G. W. Buell and 31 others, of Logan and Wichita counties, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ROBINSON of Arkansas: Papers to accompany bill H. R. 11938, for the relief of Thomas J. Estes—to the Committee on Military Affairs.

By Mr. RYAN: Resolution of the Lake Seaman's Union of Buffalo, N. Y., in favor of House bill to prohibit employment on vessels of persons not entitled to admission into the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. SHERMAN: Petition of P. H. Elwood and 24 others, of Stark, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SNOOK: Petitions of N. Boehm and W. R. Stone, rural route No. 3; D. M. Milholland, W. I. Dickey, and R. G. Carr, rural route No. 6; James McCague, J. M. Morris, J. E. Randolph, and B. C. Zell, rural route No. 5; John Hoeldrich, rural route No. 3; O. S. Mansfield, David Fullmer, and Samuel Sanford, rural route No. 4; S. M. Shirley and Henry Schoonover, rural route No. 6, of Defiance, Ohio; and H. H. Lattanner, rural route No. 2, of Montpelier, Ohio, favoring increase of salary of rural carriers to $850 per annum—to the Committee on the Post-Office and Post-Roads.

Also, petition of John T. Mumea and J. F. Smith, of Columbus Grove, Ohio, favoring passage of bill to pension all Union ex-prisoners of war—to the Committee on Invalid Pensions.

By Mr. SPERRY: Petitions of William McGibbon and others, of Ansonia, Conn.; Rev. F. B. Stockdale and 42 others, and Rev. Oscar Harwood and 64 others, of Waterbury, Conn., and J. D. Roberts, jr., and 2 others, of Meriden, Conn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. STEVENS of Minnesota: Letter of Hugh H. Henry, national commander, Army and Navy Union, United States of America, in favor of bill H. R. 11581, providing for retirement of enlisted men of the Army, etc.—to the Committee on Military Affairs.

By Mr. SULZER: Resolution of the Fifth Annual Supervisors' Highway Convention, of New York, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of the executive committee of the National German-American Alliance, against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the International Reform Bureau, in favor of Sunday closing of the Lewis and Clark Exposition—to the Select Committee on Industrial Arts and Expositions.

Also, petition of the Boiler Makers and Iron Ship Builders of America, in favor of bill S. 2259 and sundry House bills—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of Brooklyn Council, No. 165, United Commercial Travelers of America, in favor of an amendment to the bankruptcy act—to the Committee on the Judiciary.

Also, petition of the New York Board of Trade and Transportation, in favor of bills H. R. 9050 and 9051—to the Committee on Ways and Means.

Also, petition of William B. Wilson, president of the United States Military Telegraph Corps, in favor of bill H. R. 2895—to the Committee on Invalid Pensions.

Also, resolution of John E. Bendix Post, No. 402, Grand Army of the Republic, Department of New York, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of the New York Produce Exchange, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, petition of the Maritime Association of the Port of New York, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

Also, resolution of the board of governors of the Consolidated Stock and Petroleum Exchange of New York, in favor of bill H. R. 7871—to the Committee on the Judiciary.

By Mr. TAWNEY: Petition of citizens of Racine, Minn., protesting against passage of the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

Also, petition of J. B. Woolridge Post, No. 175, Grand Army of the Republic, Department of Minnesota, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. THAYER: Resolution of the Coal Club of Boston and vicinity, relative to the harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. THOMAS of Iowa: Petitions of 25 voters of Ocheyerdan, 9 voters of Sioux City, 17 voters of Hancock, 4 voters of Rock Rapids; the Presbyterian, Christian, and Friends' churches of West Liberty, and the Baptist, Methodist, Presbyterian, Church of Christ, and Congregational churches of Perry, all in Iowa, for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. TOWNSEND: Petition of E. D. Brooks and 3 others, of Ann Arbor, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of George Aprill and 46 others, of Ann Arbor, Mich., favoring increase in the salaries of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. VAN VOORHIS: Resolution of Riverside Grange, Patrons of Husbandry, of Zanesville, Ohio, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolutions adopted by the Union soldiers of Licking county, Ohio, urging the enactment of legislation entitling the wives of Union soldiers to entrance to Soldiers' Homes with their husbands—to the Committee on Military Affairs.

Also, resolutions of Dick Cheatham Post, No. 317, of Beverly, Ohio; Cumberland Post, No. 216, of Cumberland, Ohio, and Major Cass Post, No. 415, of Dresden, Ohio, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of T. J. McClelland and 41 others, of Antrim; M. S. Roy and 102 others, of New Concord; E. J. Loyd and 20 others, of Dresden; C. H. Beck and 42 others, of Marion; the Woman's Christian Temperance Union of Chesterhill; W. H. Berry and 45 others, of Roseville; Bowman Hastetler and 59 others, of Quaker City, and J. M. M. Reasoner and 18 others, of Janesville, all in Ohio, for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. WACHTER: Petition of the East Baltimore Station Methodist Protestant Church, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of the J. A. Bokel Company, H. Rosenheim & Son and others, and G. Gump & Sons, of Baltimore, Md., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of C. Mauler, of Baltimore, Md., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Gandy Belting Company, of Baltimore, Md.—to the Committee on Interstate and Foreign Commerce.

By Mr. WADSWORTH: Petition of members of the Independent Order of Good Templars of Jeddo, Orleans County, N. Y., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petitions of patrons of rural free-delivery routes Nos. 1 and 9, of Lockport, N. Y.; No. 27, of Newfane, N. Y., and No. 19, of Lyndonville, N. Y., in regard to salaries and privileges of rural free-delivery mail carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of Lake Seamen's Union, in favor of bill H. R. 12230, to prohibit the employment on board vessels holding American registers of Chinese persons not entitled to admission to the United States—to the Committee on the Merchant Marine and Fisheries.

By Mr. WANGER: Petition of the Presbyterian Church, Rev. J. F. Sheppard, pastor, of Conshohocken, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

SENATE.

SATURDAY, *March 5, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. SCOTT, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved, there being no objection.

PUBLIC BUILDING AT SEATTLE, WASH.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, calling attention to the fact that the contract for the construction of the court-house and custom-house and post-office building at Seattle, Wash., is based upon the use of granite for facing the lower portion of the building and sandstone for the superstructure, and that an additional appropriation of $60,000 will be necessary for the purchase of granite to be used for this building; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORT ON SHIPPING BILL.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 4th instant, a stenographic report of the hearing held before him February 25, 1904, on the Philippine shipping bill pending before Congress; which, with the accompanying paper, was referred to the Committee on Commerce, and ordered to be printed.

SLOOP RALPH.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel sloop Ralph, Moses Maxwell, captain; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

EDWARD M. CRAIG.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings filed by the court in the case of Edward M. Craig, administrator of George W. Craig, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKenney, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands.

The message also announced that the House had agreed to the resolution of the Senate authorizing the cancellation of the signatures of the Speaker of the House and the President pro tempore to the enrolled bill (S. 3223) relating to ceded lands on the Fort Hall Indian Reservation and to correct an inaccuracy stated in the bill.

MEMORIAL ADDRESSES ON THE LATE SENATOR HANNA.

Mr. FORAKER. Mr. President, I desire to give notice to the Senate that at the close of the routine morning business on Thursday, March 31, I shall ask the Senate to consider resolutions commemorative of the life and character of my late colleague, the Hon. Marcus A. Hanna.

PETITIONS AND MEMORIALS.

Mr. HANSBROUGH presented petitions of the congregation of the Methodist Episcopal Church of Larimore; of the Plymouth Congregational Church, of Fargo, and of the Roberts Street Methodist Episcopal Church, of Fargo, all in the State of North Dakota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a petition of the congregation of the Meridian Street Methodist Episcopal Church, of Indianapolis, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. KEAN presented a petition of the Woman's Club of Elizabeth and East Orange, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of sundry citizens of Dividing Creek and Burrsville; of the congregation of the Baptist Church of Burrsville; of the congregation of the First Reformed Church of Somerville; of the congregation of the First Methodist Episcopal Church of Millville; of the congregation of the Presbyterian Church of Lamington; of the congregation of the Methodist Episcopal Church of Gladstone; of the congregation of the Asbury Methodist Episcopal Church, of Long Branch, and of the Woman's Christian Temperance Union of Rahway, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. DRYDEN presented a petition of William B. Hatch Circle, No. 2, Department of New Jersey, Ladies of the Grand Army of the Republic, of Camden, N. J., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of the Mercer Pottery Company, of Trenton, N. J., and a memorial of Fisher & Averis, of Trenton, N. J., remonstrating against the passage of the so-called "eight-hour bill" and also the "anti-injunction bill;" which were referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the First Baptist Church of Bloomfield; of the congregation of the First Methodist Episcopal Church of Bayonne; of the congregation of the Methodist Episcopal Church of Gladstone; of the congregation of the Methodist Episcopal Church of Alpine; of the Society of Friends of Moorestown; of the congregation of the Montgomery Street Methodist Episcopal Church, of Newark; of the congregation of the Lake View Presbyterian Church of Paterson; of the congregation of the First Reformed Church of North Paterson; of the congregation of the First Methodist Episcopal Church of Highlstown; of the congregation of the German Pilgrim Baptist Church of Jersey City; of the congregation of the Baptist Church of Medford; of the congregation of the First Reformed Church of Somerville; of the congregation of the First Presbyterian Church of New Brunswick; of the congregation of the Swedish Baptist Church of Montclair, and of the congregation of the Baptist Church of Columbus, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. OVERMAN presented petitions of the Woman's Christian Temperance Union of Burlington, of the Pastors' Association of Burlington, and of sundry citizens of Greensboro and Advance, all in the State of North Carolina, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a memorial of the Mark Flather Planer Company, of Nashua, N. H., remonstrating against the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of the Meyer Brothers' Drug Company, of St. Louis, Mo., praying for the adoption of certain amendments to the so-called "pure-food bill;" which was referred to the Committee on Manufactures.

Mr. QUAY presented a petition of the Eastern Pennsylvania Conference of the Evangelical Association, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the Evangelical Church of West Washington, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. BURROWS presented a petition of Local Lodge No. 166, Brotherhood of Boiler Makers and Iron Ship Builders, of Wyandotte, Mich., praying for the enactment of legislation to develop

the American merchant marine; which was referred to the Committee on Commerce.

Mr. BLACKBURN presented petitions of the congregation of the Baptist Church of Pineville, and sundry citizens of Newport and Pineville, all in the State of Kentucky, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CLAPP presented a petition of sundry citizens of Red Wing, Minn., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. LONG presented a petition of Leavenworth Circle, No. 5, Ladies of the Grand Army of the Republic, Department of Kansas, of Leavenworth, Kans., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry patrons of rural free-delivery routes No. 2 and No. 4, of Burlington, and of rural route No. 5, of Lyons, all in the State of Kansas, praying that an appropriation be made to increase the salaries of rural letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of sundry citizens of Grenola, Kans., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. BAGON presented a petition of the Blue and Gray Association of Fitzgerald, Ga., praying that an appropriation of $20,000 be made for the completion of the park at that city; which was referred to the Committee on Public Buildings and Grounds.

Mr. DANIEL presented a petition of sundry citizens of Solarville, Va., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a petition of the Brookland Citizens' Association, of the District of Columbia, praying that an appropriation be made for the erection of a monument in the city of Washington to Thomas Jefferson, author of the Declaration of Independence, and John Morton, a distinguished signer of the same; which was referred to the Committee on the Library.

REPORTS OF COMMITTEES.

Mr. BLACKBURN, from the Committee on Military Affairs, to whom was referred the bill (S. 4083) for the relief of Payton Shields, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. HEYBURN, from the Committee on Mines and Mining, to whom was referred the bill (S. 4413) to authorize the location of coal lands upon unsurveyed public lands in the District of Alaska, and for the survey, entry, and patenting of the same, reported it without amendment, and submitted a report thereon.

Mr. SIMMONS, from the Committee on the District of Columbia, to whom was referred the bill (S. 2879) to amend the law relating to taxation in the District of Columbia, reported it with amendments, and submitted a report thereon.

Mr. HANSBROUGH, from the Committee on the District of Columbia, to whom was referred the amendment submitted by himself on the 26th ultimo, proposing to appropriate $5,000 for the improvement of Twenty-second street from Decatur place to S street NW., in the city of Washington, D. C., intended to be proposed to the District of Columbia appropriation bill, submitted a favorable report thereon, and moved that it be referred to the Committee on Appropriations, and printed; which was agreed to.

Mr. HEYBURN, from the Committee on Manufactures, to whom was referred the bill (H. R. 6295) for preventing the adulteration or misbranding of food or drugs, and for regulating traffic therein, and for other purposes, reported it with an amendment, and submitted a report thereon.

TENNESSEE RIVER BRIDGE.

Mr. BERRY. I am directed by the Committee on Commerce, to whom was referred the bill (S. 4387) to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River near Gilbertsville, Ky., to report it with amendments.

Mr. BLACKBURN. Mr. President, I ask unanimous consent for the present consideration of the bill. I am sure it will provoke no debate. It is indorsed by the Department, recommended and reported unanimously by the Committee on Commerce, and it simply authorizes the construction of a steel bridge in lieu of an old defective wooden one there on this important railway.

The PRESIDENT pro tempore. The Senator from Kentucky asks unanimous consent for the present consideration of a bill, which will be read to the Senate for information.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The first amendment of the Committee on Commerce was to add at the end of section 1 the following proviso:

Provided, That upon completion of the bridge herein authorized the said company shall promptly remove the present bridge.

The amendment was agreed to.

The next amendment was, in section 2, page 2, line 13, after the word "under," to insert "and subject to;" so as to read:

That the said bridge shall be located and built under and subject to such regulations for the security of navigation as shall be prescribed by the Secretary of War, etc.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. DILLINGHAM introduced a bill (S. 4816) to provide for the appointment, duties, compensation, and inspection of accounts of commissioners in Alaska, and for other purposes; which was read twice by its title, and referred to the Committee on Territories.

Mr. PERKINS introduced a bill (S. 4817) granting a pension to Cornelia A. Thompson; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DEPEW introduced a bill (S. 4818) for the relief of James T. Barry and Richard Cushion, executors of the last will and testament of Martin Dowling, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. BURROWS introduced a bill (S. 4819) to amend an act entitled "An act to further promote the efficiency of the Navy," approved December 24, 1861, as amended by an act approved July 16, 1862; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. MONEY introduced a bill (S. 4820) for the relief of the legal representatives of Andrew Brown, deceased; which was read twice by its title, and referred to the Committee on Claims.

Mr. COCKRELL introduced a bill (S. 4821) granting an increase of pension to Mary E. Walley; which was read twice by its title.

Mr. COCKRELL. To accompany the bill I present the petition of Mary E. Walley, widow of Irvin Walley, of Company B, Cass County (Mo.) Home Guards, for an increase of pension, together with sundry affidavits. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. COCKRELL introduced a bill (S. 4822) granting a pension to Jeremiah H. Milroy; which was read twice by its title.

Mr. COCKRELL. I present the petition of Jeremiah H. Milroy, together with affidavits of J. M. Haley, W. F. Suda, and Dr. T. Guy Hetherlin, and the military and hospital records of the petitioner. I move that the bill and accompanying papers be referred to the Committee on Pensions.

The motion was agreed to.

Mr. CARMACK introduced a bill (S. 4823) granting an increase of pension to Mary Martin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FOSTER of Louisiana introduced a bill (S. 4824) to provide for building an annex to the court-house and post-office at Shreveport, La.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. DANIEL introduced a bill (S. 4825) to provide for celebrating the first permanent settlement of English-speaking people by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mines, forests, and the sea, in the vicinity of Jamestown, and on and near the waters of Hampton Roads, in the State of Virginia, and to authorize an appropriation in aid thereof; which was read twice by its title, and referred to the Select Committee on Industrial Expositions.

He also introduced a bill (S. 4826) to provide for enlarging the public building at Roanoke, Va., in order to accommodate the United States courts; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also introduced a bill (S. 4827) granting an increase of pension to John S. Burkholder; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4828) for the relief of George Killeen; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4829) for the relief of the estate of J. C. Bailey, deceased (with an accompanying paper);

A bill (S. 4830) for the relief of the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run parish, Fauquier County, Va.;

A bill (S. 4831) for the relief of Algernon L. Wilkinson, Kate E. Wilkinson, and Laura M. Powell, sole heirs of Laura E. Wilkinson, deceased;

A bill (S. 4832) for the relief of the estate of Catharine R. Moore, deceased;

A bill (S. 4833) for the relief of the estate of Mary Ann Goodwyn, deceased;

Mr. SIMMONS introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4834) for the relief of William Foy and H. B. Lane, executor of Mrs. H. B. Lane, of North Carolina;

A bill (S. 4835) for the relief of D. S. Barrus and others; and

A bill (S. 4836) for the relief of the heirs of D. W. Morton.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. GALLINGER submitted the following amendments intended to be proposed by him to the District of Columbia appropriation bill; which were ordered to be printed, and, with the accompanying papers, referred to the Committee on the District of Columbia:

An amendment providing for a fourth assistant corporation counsel, instead of a law clerk, in the office of the corporation counsel of the District of Columbia;

An amendment proposing to increase the salary of the two judges of the police court of the District of Columbia from $3,000 to $4,000 each; and

An amendment proposing to appropriate $50,000 for constructing a bridge across Piney Branch on the line of Sixteenth street extended, in the District of Columbia.

Mr. QUAY submitted an amendment removing the restriction of existing law limiting the cost for the purchase of a site for a public building at Oklahoma City, Okla., and making the amounts heretofore appropriated available for the purchase of such site and the erection of a building thereon, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

He also submitted an amendment providing for the holding of court in the western judicial district of the Indian Territory at Wetumka, in the Creek Nation, fixing the recording district for said court, etc., intended to be proposed by him to the Indian appropriation bill; which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Indian Affairs.

Mr. DEPEW submitted an amendment proposing to appropriate $100,000 for grading and improving Sixteenth street extended, with its present width, from Piney Branch northward, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. TELLER submitted an amendment proposing that field, line, and staff officers of the Army below the grade of major-general, with creditable records, who served during the civil war, and who have been or may hereafter be retired, shall be placed on the retired list with the rank and retired pay of the next higher grade, intended to be proposed by him to the army appropriation bill; which was referred to the Committee on Military Affairs, and ordered to be printed.

SALMON RIVER (IDAHO) IMPROVEMENT.

Mr. HEYBURN submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be and he is hereby authorized and directed to cause a survey to be made of the channel of the Salmon River between Salmon, Idaho, and the mouth of said river.

ARANSAS PASS AND CORPUS CHRISTI BAY.

Mr. CULBERSON submitted the following concurrent resolution; which was considered by unanimous consent, and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed, at the earliest practicable moment, to cause a survey to be made of the channel from Aransas Pass through Redfish Bay, so as to Turtle Cove to Corpus Christi Bay, Texas, and to submit an estimate for the improvement of said channel to meet the demands of commerce.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. B. F. BARNES, one of his secretaries, announced that the President had on the 3d instant approved and signed the following acts:

An act (S. 2596) granting a pension to Frances S. Hopkins; and

An act (S. 2809) granting an increase of pension to Jesse J. Finley.

NAVAL APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the naval appropriation bill.

Mr. HEYBURN. If the Senator from Maine will permit me, I should like to ask that a bill be taken up about which there is no controversy. It is to amend the practice in courts.

Mr. HALE. If the Senator will wait until I get the appropriation bill up, there are two or three Senators who have bills, and I will yield to them. The Senator from Illinois [Mr. CULLOM] has a privileged report to present. I want to get up the appropriation bill first.

The PRESIDENT pro tempore. The Senator from Maine moves that the Senate proceed to the consideration of the naval appropriation bill.

The motion was agreed to.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. CULLOM submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9388) making appropriations for the legislative, executive, and judicial expenses of the government for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 42, 47, 56, 57, 74, 93, 120, 135, 137, 143, 149, 151, 145, 146, 147, 148, 149, 150, 152, 161, 162, 168, 174, 179, 205, 206, 211, 212, 214, and 215.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 160, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, and 263, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "messenger of mess 4;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: Insert after the word "otherwise" in said amendment the words "hereafter appointed;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$37,700;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 81, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "Two messengers, at $1,000 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 82, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 91, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, and in lieu of the matter inserted by said amendment insert after the word "dollars," in line 16, page 61, of the bill, the following: "Provided, That whenever the Secretary of the Treasury shall determine that it is necessary for the proper functions of the mint at Denver, Colo., the following force may be appointed, in lieu of the foregoing, at the yearly compensation herein stated, namely: Superintendent, at $4,000; assayer, melter and refiner, and melter, at $3,000; cashier, clerk, at $2,000; weigh clerk, at $1,800; clerk, at $1,600; two computing clerks, at $1,400 each, and two clerks, at $1,200 each, and any unexpended balance of the foregoing appropriation shall be available for payment of the latter force;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 92, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"For wages of workmen, including extra work on the new five hundred and twenty dollars for other clerks and employees, twenty-two thousand dollars."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 108 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "three hundred and sixty thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 109 and agree to the same with an amendment as follows: After the word "necessary," at the end of the matter inserted by said amendment, insert the following: "and estimates not to exceed the number of employees and rates of compensation then actually paid;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 116 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and sixteen thousand nine hundred and forty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 168 and agree to the same with an amendment as follows: In line 6 of said amendment strike out the words "two thousand dollars," in lines 7 and 8 thereof "clerk of class four," and in lieu thereof insert "eight thousand one hundred and forty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 187 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "one hundred and forty two thousand seven hundred and twenty dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 130, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$[illegible]"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with amendments as follows: In line [illegible] of said amendment strike out the word "fifteen" and insert in lieu thereof the word "twenty"; in line [illegible] strike out the word "fifteen" and insert in lieu thereof the word "twenty"; in line [illegible] strike out the word "sixteen" and insert in lieu thereof the word "twenty"; and in line 10 strike out the words "thirty-six" and insert in lieu thereof the word "forty-six;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 161 and agree to the same with an amendment as follows: In lieu of the sum proposed insert "Two hundred and seventy-two;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "[illegible]"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert [illegible]; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert $[illegible]; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert $[illegible]; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: Strike out the word "permanently" inserted by said amendment, and on page [illegible] of the bill, in line [illegible] after the word "appropriated," insert the words "to otherwise dispose of the same;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: Insert after the word "personal," in line [illegible] page [illegible] of the bill, the words "or affiliate;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: At the end of the amended paragraph, after the word "President," the following:

"Sec. [illegible]. That this provision shall not apply to officials outside of the District of Columbia in the performance of their public duties. This paragraph shall not take effect until July 1, 1904."

And the Senate agree to the same.

S. M. CULLOM,
F. E. WARREN,
H. M. TELLER,
Managers on the part of the Senate.

L. N. LITTAUER,
L. F. LIVINGSTON,
Managers on the part of the House.

The report was agreed to.

INDIAN RESERVATION LANDS.

Mr. HALE. There are a few Senators who have short bills that have been kept out by the appropriation bills, and I will hold up the consideration of the naval appropriation bill for fifteen or twenty minutes, in order that Senators may call them up.

I shall object to any bill that gives rise to debate, but not to short bills that are unobjected to.

Mr. LONG. I ask unanimous consent for the present consideration of the bill (S. 3305) authorizing the Secretary of the Inte for to acquire the title to lands within certain Indian reservations.

The Secretary read the bill.

The bill was reported to the Senate without amendment.

Mr. QUARLES. I should like to make an inquiry in regard to the bill. I see it provides for an exchange of railroad lands for other lands. I inquire whether that is going to increase the amount of scrip that is issued.

Mr. LONG. The bill provides that no land scrip shall be issued.

Mr. QUARLES. Let me further inquire, if the Government needs lands that belong to these railroads in the Indian reservation, why should not the Government negotiate and pay for that land instead of providing for an exchange of other lands? It would seem to me that our history in connection with the land laws in this country has been quite persuasive on that subject, that if the Government needs land belonging to a railroad company it ought to condemn it or buy it.

For one, without knowing anything about this particular bill, I am opposed to any further provision in the way of legislation for an exchange of lands.

Mr. LONG. This bill relates only to Indian reservations in Arizona and New Mexico. The bill was drawn in the Interior Department and contains safeguards which amply and fully protect the interests of the Government.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. NELSON. I think the bill ought to go over.

The PRESIDENT pro tempore. Objection is made, and the bill goes over.

MINERAL LANDS.

Mr. HEYBURN. I ask unanimous consent to call up the bill (S. 3596) to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands.

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration. It proposes to amend section 2327 to read as follows:

"Sec. 2327. The description of vein or lode claims upon surveyed lands shall designate the location of the claims with reference to the lines of the public survey, but need not conform therewith; but where patents have been issued for mineral lands containing veins or lodes, the surveyors employed in extending the public survey shall, in the subdivision of sections, so adjust the lines of patented mineral claims so as to conform to the lines which shall be established by the mineral surveyors, so as to avoid the creation of fractional mineral claims. Where applicants have been issued patents for mineral lands containing veins or lodes, and such patents have been issued on the mineral survey, those lands only shall be patented which shall be included within the boundaries of the original location, as located by the mineral surveyor, defining said claims, and which are located in the manner prescribed by the mining laws of the United States, and which have been duly recorded according to the local laws, rules, and regulations governing the same, and which have been surveyed and platted by the mineral surveyor, shall be patented upon the official return of such mineral survey, and all other lands included within the exterior boundaries of the public survey shall be held to be part of the public domain, and erroneous claims in the patented survey shall give way thereto."

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIAN ALLOTMENTS.

Mr. QUAY. I ask unanimous consent that the Senate proceed to the consideration of the bill (S. 1974) amending the act of Congress approved January 26, 1895, entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes."

The Secretary read the bill; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was, in page 2, line 13, after the word "thereof," to strike out the words "or for the best interests of the Indians;" so as to read:

That the act of Congress approved January 26, 1895 (28 Stat., 641), entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes," be, and the same is hereby, amended as follows:

"That in all cases where it shall appear that a double allotment of land has heretofore been or shall hereafter be made to any Indian by an assumed name or otherwise, or where a mistake has been or shall be made in the description of the land intended to be patented, and Secretary of the Interior authorized and directed, during the time that the United States may hold the lands allotted to such Indian, and for which a corporate patent has been issued, to correct such mistakes and cancel such patent where they have been made, and to issue a new patent in place thereof, and where any patent has been issued for the same land to two persons, the same ought to be canceled for error in the issue thereof, and if possession of the original patent can not be obtained, such cancellation shall be effected if made upon the records of the General Land Office, and the proceedings shall be necessary to open to settlement the lands so held by an erroneous or fraudulent patent, has been canceled, provided such lands would otherwise be subject to entry."

The amendment was agreed to.

The next amendment was, on page 2, line 20, after the word "entry," to strike out the proviso in the following words:

Provided, That no conditional patent excepting in cases hereinbefore authorized, and excepting in cases where the conditional patent is relinquished in the interest of the Indian to make another allotment, shall issue, and no patent shall issue for any land so allotted, or any interest therein, or any improvements thereon, that may be occupied or operated in violation of any Indian allotment act, or be subject to alienation without authority of Congress.

And in lieu thereof to insert the following proviso:

Provided, That no conditional patent shall issue, and no patent shall issue for any land that may hereafter be allotted in favor of any Indian under any allotment act or treaty, but shall be held and kept for the benefit of such Indian, and excepting in cases where the conditional patent is relinquished by the allottee in the interest of the Indian to make another allotment, shall be subject to alienation without authority of Congress.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELECTRIC WIRING IN THE DISTRICT.

Mr. GALLINGER. I ask for the consideration of the bill (S. 3) to regulate electric wiring in the District of Columbia. I will state that the bill has been read and the first two amendments of the Committee on the District of Columbia were agreed to.

There being no objection, the Senate, as in Committee of the Whole, resumed consideration of the bill.

The PRESIDENT pro tempore. The bill has been read in Committee of the Whole, and two amendments proposed by the committee have been agreed to.

Mr. GALLINGER. Concerning the third amendment a little controversy arose, and I have had an amendment prepared which is entirely satisfactory to all parties. I ask leave to withdraw the committee amendment at the bottom of page 1 and to substitute for that proviso what I send to the desk.

The PRESIDENT pro tempore. The Senator from New Hampshire withdraws the amendment of the committee at the bottom of page 1 and offers an amendment, which will be read.

Mr. GALLINGER. It is a substitute for the proviso in the bill, striking out after the word "*Provided*," in line 7, the rest of the page.

The SECRETARY. Strike out the word "*Provided*," in line 7,

and the following lines down to and including line 14, on page 1, and insert:

Provided, That nothing in this act shall be construed to apply to the buildings and grounds of the United States, or to the generation of power by incorporated companies engaged in the production of electrical current for public service or use.

The amendment was agreed to.

The PRESIDENT pro tempore. The committee also reports the following amendments, which will be stated in their order.

The next amendment of the Committee on the District of Columbia was, in section 4, page 2, line 15, after the word "government," to strike out "one" and insert "at least two;" and in line 16, after the word "power," to strike out "and who" and insert "and one of whom;" so as to read:

That the Commissioners of the District of Columbia be, and they are hereby, authorized and empowered to appoint an electrical board, to be composed of three employees of the District government, at least two of whom shall have knowledge of electrical lighting and power, and one of whom shall be the secretary of said board and act as chief inspector of electrical work.

The amendment was agreed to.

The next amendment was, in section 5, page 3, line 8, after the word "afford," to strike out the word "greater;" so as to read:

As in their judgment will afford safety and convenience to the public.

The amendment was agreed to.

The next amendment was, in section 6, page 3, line 24, after the word "three," to insert "satisfactory;" in the same line, after the word "or," to strike out "by" and insert "of;" on page 4, line 2, before the word "District," to insert "Commissioners of the;" and in line 3, after the word "Columbia," to strike out the words "and upon the District being kept harmless from the consequence of any or all acts of the licensee during the period covered by said bond;" so as to make the section read:

SEC. 6. That in addition to such advisory duties as said Commissioners shall assign thereto, it shall be the duty of said electrical board to examine all applications for licenses as electrical contractors and to report to said Commissioners, who, if satisfied from such report that the applicant is a fit person to engage in the business of electrical contracting, shall issue a license to such person to engage in such business as an electrical contractor. Before such license shall be issued, the applicant shall file in the office of the Commissioners a bond, with good and sufficient sureties or of an approved surety company, in the sum of $2,000, conditioned upon the faithful performance of all work in connection with the regulations of the Commissioners of the District of Columbia.

The amendment was agreed to.

The next amendment was to strike out section 7 of the bill, in the following words:

SEC. 7. That it shall be the duty of said electrical board to examine all applicants for license as electrical wiremen and to report to said Commissioners, who, if satisfied from such report that the applicant is a person competent to do expert work of wiring for electrical lighting, heating, and power, shall issue a license to such person to engage in such business as electrical wiremen.

The amendment was agreed to.

The next amendment was, in section 7 [8], line 14, after the word "contractors," to strike out "and as electrical wiremen;" and in line 15, after the word "in," to strike out "their own handwriting" and insert "writing;" so as to make the section read:

SEC. 7. That applicants for license as electrical contractors must be not less than 21 years of age, must make application in writing, and must accompany such application with a certificate as to good character and of expertness in electrical work as said board may require, and certificate to be approved by at least three citizens of the District of Columbia, therein [illegible] reputable standing.

The amendment was agreed to.

The next amendment was, in section 8 [9], page 4, line 22, after the word "persons," to strike out "contracting for supplying and;" and in line 24, after the word "power," to strike out the remainder of the section, in the following words:

And the term electrical wiremen shall include all persons employed in the [illegible] and putting in place wires or any other apparatus: *Provided*, That under such rules as the said Commissioners shall prescribe, apprentices and unskilled helpers may be employed at work appropriate to their years and capacity, and under the immediate supervision of a licensed wireman or contractor.

So as to make the section read:

SEC. 8. That the term electrical contractor shall include all persons putting in place wiring and apparatus necessary for the production and utilization of electrical current for lighting, heating, or for power.

The amendment was agreed to.

The next amendment was, in section 9 [10], page 5, line 8, after the words "per annum," to strike out "and for a license as an electric wireman, $1 per annum; all fees;" so as to make the section read:

SEC. 9. That the fee for a license as an electrical contractor shall be $5 per annum, to be paid to the collector of taxes of the District of Columbia.

The amendment was agreed to.

The next amendment was, in section 10 [11], page 5, line 14, after the word "contractor," to strike out "or an electric wireman."

The amendment was agreed to.

The next amendment was, in section 11 [12], page 6, line 1, before the word "inspector," to insert the word "chief;" in line 16, before the word "inspector" to insert the word "chief;" and in line 18, after the word "shall," to strike out "be fined not less than $1 nor more than one hundred" and insert "pay a fine of not more than twenty-five;" so as to make the section read:

SEC. 11 [12]. That the chief inspector of electrical work and his assistants are hereby empowered, under the direction of the Commissioners, to inspect any building in course of erecting, and annual inspections hereon upon application of the owner or occupant, or upon complaint made with oath of any responsible citizen, to enter into and examine any building where such electric current is produced or utilized for lighting, heating, or for power, for the purpose of ascertaining violations of any of the provisions of this act, and upon finding any defects, unsafe and defective or dangerous to life therein, to give a written notice of any violation of any provisions of this act, or of any regulations of said Commissioners duly adopted, to remove or amend upon the same a reasonable period to be fixed in said notice, and in case of neglect or refusal on the part of the party so notified to remove or amend the same within the time and in the manner prescribed by the chief inspector of electrical work, and approved by the Commissioners of the District of Columbia, the party so offending shall pay a fine of not more than $25 for each and every day's failure or refusal to remove or amend the same after being so notified and in default of payment of such fine such person shall be committed to the workhouse of the District of Columbia for a period not exceeding one hundred and fifty days, to be proceeded under this act shall be in the police court of said District, in the name of the District of Columbia.

The amendment was agreed to.

The next amendment was, in section 12 [13], page 7, line 3, after the first word, "That," to insert "in the place of the present electrical engineer now carried on the per diem roll;" so as to make the section read:

SEC. 12. That in the place of the present electrical engineer now carried on the per diem roll there be, and is hereby, established, under the direction of the Commissioners of the District of Columbia, the office of electrical engineer, and the Commissioners of said District are hereby authorized and directed to appoint an electrical engineer, at a salary of $2,500 per annum, and said electrical engineer shall be an expert electrical engineer, possessing a thorough knowledge of the most modern methods for the production, use, and control of electricity, as well as such executive ability and adaptability to office work as is requisite for the efficient management of the said office, and the said Commissioners are authorized and directed to appoint an assistant electrical engineer, said office at a salary of $1,200 per annum, with such qualifications as are required for the said electrical engineer, and in case of the absence or incapacitation of the electrical engineer to perform the duties of his office, such duties shall be performed by the assistant electrical engineer. And the Commissioners are authorized and directed to appoint two electrical inspectors to assist in the work required by the authority of this act, at a salary of $[illegible] per annum each.

And the Commissioners are authorized and directed to appoint a clerk, at a salary of $1,000 per annum, who shall perform the clerical duties attending the work required by the authority of this act.

The amendment was agreed to.

The next amendment was to insert, on page 8, after line 4, as a new section, the following:

SEC. 13. That it shall be unlawful for any person, company, or corporation generating current for electric light, heat, or power in the District of Columbia to construct its system and furnish current for electrical purposes to any building or premises the wiring of which shall not have been inspected and approved by the chief inspector of electrical work.

Any person, company, or corporation violating the provisions of this section shall, upon written notice from the chief inspector of electrical work to do so, immediately remove said connections and cut off the current, and shall not again supply said current until authorized by the said inspector. Failure to comply with said notice the offending person, company, or corporation shall be fined not less than $5 nor more than $[illegible] for each and every day's failure or neglect to remove said connections and to cut off the current.

The chief inspector of electrical work is hereby authorized and empowered, with the approval of the Commissioners, to order said connection to be removed and the current cut off upon such failure of the offending person, company, or corporation, and to refuse to permit said connection to be replaced and the current to be used until the wiring shall be put in proper and safe condition.

The amendment was agreed to.

The next amendment was, in section 13 (14), page 9, line 3, after the word "effect," to strike out "on its passage" and insert "ninety days from and after the approval thereof;" so as to make the section read:

That this act shall take effect ninety days from and after the approval thereof.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

INTERNATIONAL CONGRESS OF HYGIENE AND DEMOGRAPHY.

Mr. FAIRBANKS. I ask for the present consideration of the joint resolution (S. R. 48) authorizing the President to extend an invitation to the International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington.

The Secretary read the joint resolution; and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. FAIRBANKS. Mr. President, I wish to make a brief statement in support of the joint resolution.

Mr. HALE. I can not——

Mr. FAIRBANKS. I will say just a word.

Mr. HALE. I do not object to that. I am pressed by Senators on the other side who are desirous of speaking on the appropriation bill, and after the pending joint resolution is through I shall be constrained to ask the Senate to go on with the appropriation bill.

Mr. SCOTT. Oh, no.

Mr. HALE. I interpose no objection to the consideration of the joint resolution.

Mr. FORAKER. There are two or three small matters that might be disposed of yet.

Mr. FAIRBANKS. Mr. President, the delegates to the Eleventh International Congress of Hygiene and Demography, in session at Brussels in September, 1903, requested of the State Department, through the United States legation there, authority to invite the congress to hold its thirteenth session at Washington in 1909.

The State Department gave its sanction to the proposed invitation, subject to the requisite legislation of Congress to make the invitation effective.

Agreeably to the sanction of the Department of State the invitation was extended and was provisionally accepted by the committee on invitation, which announced its purpose to recommend at the next session, to be held at Berlin in 1906, the formal acceptance of the invitation, provided the Congress of the United States should favorably take the necessary action upon the subject.

The International Congress is a most important one. It will bring together at the national capital a large number of delegates from European countries and the United States—men eminent in matters concerning sanitation and the public health.

Charles Harrington, of the Harvard medical school and one of the delegates from the United States to the Eleventh International Congress of Hygiene and Demography, in a letter to the Secretary of State, among other things, says:

I would add that Sir Patrick Manson, the leading authority on tropical diseases and national hygiene, suggested that I urge my mature to the home of an international congress of an international character, considering the possibility and probability of the spread of epidemics from one country to another, particularly when the Panama Canal, which Ocean through vessels should strong means through the Panama Canal when that waterway shall have been completed.

The joint resolution which is now before the Senate simply authorizes the President to formally and officially extend the invitation which was provisionally extended by the delegates of the United States at the Brussels Congress. The benefits to flow from such a congress held in the city of Washington are obvious and far reaching.

The joint resolution was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A joint resolution authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington."

NAVAL APPROPRIATION BILL.

Mr. SCOTT, Mr. LONG, and Mr. HEYBURN addressed the Chair.

Mr. HALE. The Senator from Georgia [Mr. CLAY] substantially had the floor last night, and when we adjourned I stated that I would call up the naval appropriation bill at once this morning, so that Senators upon the other side might speak in this hour. I rather good-naturedly this morning, in which I made a mistake, agreed to hold off for fifteen or twenty minutes, which have expired, and it is not fitting treatment to Senators upon the other side who are ready to speak and desire to speak, and do not want delay, for me to consent further to the time being taken, however much Senators may desire it. I suppose I made a mistake in letting anyone in, Mr. President, but the pressure was very great. Therefore I must ask for the regular order.

Mr. HEYBURN. I should like to say——

The PRESIDENT pro tempore. The regular order is demanded.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12227) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

The PRESIDENT pro tempore. The pending question is on the amendment offered by the Senator from Wisconsin [Mr. QUARLES] to the amendment of the committee.

Mr. CLAY. Mr. President, it is my purpose to occupy the time of the Senate but a short while this morning. I do not desire to discuss the amendment which was discussed yesterday evening. That amendment carries only $250,000 and is a very small item. I shall vote in favor of it, but I do not care to discuss it.

I desire to say a few words in regard to the position of the junior Senator from Massachusetts [Mr. LODGE] and the junior Senator from New York [Mr. DEPEW] in a speech which each made day before yesterday in regard to this measure.

I understood the junior Senator from Massachusetts to take three positions. The junior Senator from Massachusetts said that there will be no relaxation in the future in regard to the building up of our Navy, that a great, strong, and powerful navy and that a great, strong, and powerful fighting force are absolutely essential to keep peace in this country and to prevent us from having war with foreign powers. The distinguished junior Senator from Massachusetts also contended that a strong fighting force is absolutely essential in order to enable us to maintain the Monroe doctrine.

Mr. President, I do not desire to say anything against the course we have pursued in building up our Navy heretofore. I do not desire to say anything against the completion of the ships that we now have in process of construction. I do, however, say that when this plan is carried out and these ships are completed, in point of tonnage we will have a navy the third strongest in the world and in effectiveness the second strongest in the world. There will be no navy in point of effectiveness stronger than ours, except the navy of Great Britain.

I do not agree, however, with the junior Senator from Massachusetts in regard to the future. He not only approves the course which we have pursued in the past, during the last six or seven years, for the purpose of building up our Navy, but my distinguished friend tells us that in the future there shall be no relaxation.

Neither do I agree with the distinguished Senator that a great, strong, and powerful fighting force is essential to keep this country out of war. I know the idea has prevailed during the last two or three years that in all probability we shall be engaged in war with a foreign power. This country is over 125 years old, yet, Mr. President, we have never had but two wars with foreign powers, excepting a small skirmish which we had with Spain. Last Sunday morning I sat in the war. I desires war with the Government of the United States? When we went to war with Spain it was predicted that many foreign powers would come against us; that we would be likely to have trouble with foreign powers. I ask, What was the result? Instead of foreign powers joining with Spain against us, most of the foreign powers, and especially Great Britain, sympathized with the Government of the United States.

Not only that, but take our action in Panama. We recognized Panama in three days after that Republic was born, and it is true that fourteen nations in less than two weeks recognized our action and recognized Panama. We were then allowed to go on and complete our canal without any interference from any one of the nations on the face of the earth. I desire to say that in my opinion no nation to-day desires to engage in war with the people of the United States.

The distinguished junior Senator from Massachusetts tells us that it is necessary for us to have a great fighting force, a strong and powerful navy, in order to maintain the Monroe doctrine. I ask what nation to-day is contesting the supremacy of the Monroe doctrine in this country? I ask what nation to-day [illegible] the Monroe doctrine? We are [illegible] to-day denies that the western hemisphere has been dedicated to free republican institutions?

Not many years ago a foreign power came across the water seeking to enforce the collection of a debt against a sister nation on this side of the ocean. We knew she was told [illegible] should be in violation of the Monroe doctrine, and she immediately withdrew.

I contend that the best way for the Government of the United States to maintain peace and to prevent war is to avoid [illegible] and to deal fairly with all the nations of the earth [illegible] friendly relations, and to [illegible] regard for the rights of other nations. Then, Mr. President, we shall always be able to avert war. In my opinion [illegible] a great fighting force, a great and powerful army, and a great and powerful navy preventing war, in nine cases out of ten they will get us into war.

We know we see it frequently stated in our naval journals that our naval officers say we are likely to have war with Germany. I do not believe it. A great and powerful navy and a great and powerful army, in charge of ambitious officers, anxious to advance their own ambition, anxious to make a great reputation, easy to take offense, are more likely to get us into war than to prevent war.

Mr. President, my distinguished friend from Massachusetts tells us there is to be no relaxation in regard to expenditures for our Navy in the future. Let us see. If we do not have a navy second to any country in the world when the programme now set forth in this bill is carried out, then ought there not in the future to be relaxation? If there shall be no relaxation, I ask the distinguished Senator from Massachusetts whether we do not [illegible]

Mr. President, I notice—and the statements have been published before—that in the year 1881 we spent $13,000,000, in round numbers, on our Navy; in 1884, $[illegible]; in 1887, $[illegible]; in 1891, $22,000,000; in 1895, $[illegible]; in 1898, $29,000,000; in 1897, $[illegible]; in 1898, $[illegible]; in 1899, $56,000,000; in 1900, $48,000,000; in 1901, $[illegible]; in 1902, $78,000,000; in 1903, $79,000,000; in 1904, $97,000,000, and there is to be appropriated for 1905 ninety-seven and a quarter million dollars.

My friend the junior Senator from Massachusetts says that for

the next six or seven years there is to be no relaxation in our expenditures in regard to the Navy. During the last seven years we have spent $300,000,000, and the Senator tells us that for the future there is to be no relaxation, which means that we are to spend seven or eight hundred million dollars for a navy during the next five or six years.

Mr. President, if you will turn to the total expenditures in the Army and Navy, you will find that $200,000,000 are spent every year for the purposes of war. I hold in my hand a statement of war expenditures for the last several years. I will say that our war expenditures have increased during the last eight or ten years from [illegible] to $[illegible]. As has well been said, $2 out of every $5 which we are spending to-day is being spent for purposes of war. If you will take the expenditures of the entire civil department of the Government, you will find they amount to $126,000,000. We spend $100,000,000 for our Navy and nearly $100,000,000 for our Army. It is my [illegible] to be concerned in the future and we are to spend more money than we have spent for our Navy, such expenditures, in my judgment, can not be justified.

We all agree that when we went to war with Spain our Navy was in a dilapidated condition, and on both sides of the Chamber we have had [illegible] the expenditures up to this time. But when the junior Senator from Massachusetts lays down the proposition that in the future there is to be no relaxation, because we need a large fighting force to maintain the Monroe doctrine and to prevent this country from being compelled to go to war, then I do not agree with the junior Senator from Massachusetts.

Again, the distinguished junior Senator from New York [Mr. DEPEW] told us the other day in his [illegible] speech that it was absolutely necessary to have a great, a strong, and a powerful navy, and a great and a strong and powerful army [illegible] to maintain civil government in the Philippine Islands. The Senator told us that we had twenty-four [illegible] in those islands and that in the future it will be absolutely essential that we shall keep a large navy in the Philippine Islands. I have before me the Senator's exact words. What did he say? I read:

Mr. President, I have the greatest respect for [illegible] and most [illegible] the Secretary of War, and I have [illegible] Philippines. [illegible] Islands [illegible] the law with [illegible] I do not believe [illegible]

The Senator goes on in that speech and takes the position that we are to hold the Philippine Islands for all time to come, and that we are to govern them from the city of Washington as American colonies. I want to read exactly what Secretary Root did say about that subject. I have a copy of that interview in my hands. We all know that Secretary Root has been regarded as a very [illegible] and we all recognize the fact that he is a man of distinguished ability. No man has ever questioned his great ability. This question was asked Mr. Root after he had retired from the great office of the Secretary of War:

[illegible] Mr. Root, what [illegible]

[illegible]

Again this question was asked Mr. Root:

[illegible] the people will develop them in time.

Has your experience as Secretary of War convinced you that they are [illegible]

[illegible]

Mr. President, there is the great ex-Secretary of War, who had dealt with the people of the Philippine Islands for four or five years, who tells us that civil government has been established in all the provinces in the Philippine Islands, and that those people ought to enjoy their independence on the same line that we have dealt with the people of Cuba.

I do not believe that the American people will ever consent that the people of the Philippine Islands shall be held in perpetual subjection. I do not believe that the American people will consent that the Filipinos shall be governed by the Army, and governed from the city of Washington; but I believe that our people, when the Filipinos are capable of carrying on the functions of a government and maintaining law and order, will be in favor of granting to them the same liberty and independence which we have given to the people of Cuba.

If we intend to hold the people of the Philippine Islands in subjection under military law, for all time to come, we shall need a large navy for that purpose, but I do not believe that the intelligent and good people of the United States will consent to that new departure. We may keep guard over their international relations; we may see that they are not swallowed up by any other nation, but I believe that the good sense of the American people will demand that we shall respect the rights of the people of the Philippine Islands.

It does seem to me as if the great ex-Secretary of War, in giving out the interview from which I have quoted, after he had retired from that high office, owe it to the country to speak in regard to the Philippine Islands which the Democratic party has held since we have acquired them.

When the question of the ratification of the Paris treaty was pending before this body a resolution was introduced by my colleague [Mr. BACON] providing that so soon as a stable government should be established in the Philippine Islands, capable of maintaining law and order, it was our purpose to leave those people to govern themselves, and that we would deal with them just as we have dealt with the people of Cuba. That resolution came to a vote in this Senate, and there were, I believe, 43 votes in favor of it and 43 against it; and the resolution was defeated by the casting vote of the Vice-President. I believe to-day that if that resolution had been adopted, if we had set forth the policy we intended to pursue toward the people of the Philippine Islands, a gun never would have been fired, and a single drop of blood never would have been shed, and the great expenditures that we have incurred by a failure to do so could, in my judgment, have been absolutely saved.

I took the liberty to write to the War Department to find out something about our expenditures in those islands. What did I find?

WAR DEPARTMENT,
OFFICE OF THE ADJUTANT-GENERAL,
Washington, February 19, 1904.

MY DEAR SENATOR: Agreeably with your verbal request, I beg to hand you herewith the following memorandum relative to our in the Philippine Islands:

Average number of troops each year, 1898 to 1903:[a]

1898	14,765
1899	31,020
1900	64,592
1901	50,261
1902	27,394
1903	17,112

Number of deaths from all causes:

May 1, 1898, to June 30, 1899	795
July 1, 1899, to June 30, 1900	1,462
July 1, 1900, to June 30, 1901	1,031
July 1, 1901, to June 30, 1902	585
July 1, 1902, to June 30, 1903	470
June 30, 1903, to December 31, 1903	87
Total	4,332

Senate Document 416, Fifty-seventh Congress, first session, which contains the report of the Secretary of War, shows the expenditures in connection with the Philippine Islands from May 1, 1898, to June 30, 1902, which was practically the close of hostilities, was $[illegible].

W. P. HALL,
Acting Adjutant-General.

Hon. A. S. CLAY,
United States Senate.
(Mailed February 19, 1904.)

It is announced by the Department that the expenditures in connection with the Philippine Islands from May 1, 1898, to June 30, 1902, amounted to $[illegible]. In fact, the expense of our army in the Philippine Islands during the last six years has been about $[illegible] and this does not take into consideration our expenditures in regard to the Navy, which amount to fully two hundred and twenty millions.

Mr. President, I believe that if we had followed the line of policy mapped out by the Democratic party, assuring those people that so soon as they qualified themselves for self-government, promising them in the event they did, placing natives in office in every instance where we could, and teaching those people that they could expect at our hands the same justice that we administered to the people of Cuba, these expenditures could have been saved.

I rose simply for the purpose of discussing the future of our country in regard to the American Navy. The side of the Chamber has supported most zealously the building up of the Navy as far as we have gone; but during the last nine years we have seen the expenditures of this Government leap from $242,000,000 to $560,000,000 a year. Seven, eight, or ten years ago we maintained this Government by expending [illegible] per year, and to-day we have gone to the enormous sum of over $[illegible].

I believe that good government demands at the hands of both political parties the strictest economy in public expenditures. I believe that the great Departments of a government like ours, including its Treasury Department, its Navy Department, its War Department, its Post-Office Department, ought to be investigated both as to receipts and expenditures every year by a committee of Congress to see how an Administration is run. Take the case of a State. It is the duty of a State to watch carefully and closely its receipts and its expenditures. But during the last seven years we have not had an investigation of a single Department, except the Post-Office Department investigating itself.

I do not apply this to anyone. I say I do not criticise any Department. I know of no wrong; but if the Democratic party were in power and had been in power for a period of four years or eight years I should contend that it was the duty of Congress to

[a] This does not include the Philippine Scouts, about 5,000 in number.

investigate, by a committee of Congress, every Department of this Government, to see where our money went to and how our contracts for expenditures were made.

Go to the War Department and you will find that $14,000,000 were spent for transportation. It is the duty of Congress to know what companies receive the money and if the best possible contracts were made.

Go to the Post-Office Department, where they spend $140,000,000, and a like investigation ought to be had. Go to the Navy Department, where large amounts are to be paid out for coal, for supplies, and for different items. A committee of Congress ought to know how the money was expended on each item and to see if the best contracts possible for our Government were made.

Would any business man permit any employee of his to expend hundreds and thousands and millions of dollars without making an annual investigation as to how those expenditures were made? Where are we drifting? I state, regardless of any political party, that we ought to know every year, or every two years, how each item of expenditure has been spent and what kind of a contract was made.

I know it was said at the time when an investigation was demanded in the Post-Office Department that there was nothing wrong, that every single dollar of the money had been honestly expended. I do not doubt that the Postmaster-General thought he was absolutely correct; but an investigation showed a condition of affairs not even dreamed of, Mr. President.

You may take a State government, you may take this Government, and let it run in the hands of one political party, either Democratic or Republican, for a long number of years, without making any investigation and going through the accounts of your public officials, and you do not know where it will drift.

Turn to the Treasury Department and you will find items embracing one million, five million, or six million dollars. That may be all right, but I say it is the duty of Congress to know with whom we dealt, with what firms we dealt, with what transportation companies we dealt, and the men with whom we had contracts, and to see that they were in accordance with our best interests.

Mr. President, I want it distinctly understood that my remarks in regard to the Navy apply to the language used by the junior Senator from Massachusetts, that "there shall be no relaxation in the future." Great Britain was building vessels on January 1, 1904, aggregating 351,000 tons: France, 150,000 tons; Russia, 142,000 tons; Germany, 118,000 tons; the United States, 322,000 tons; Italy, 59,000 tons; Japan, 10,000 tons, and Austria, 50,000 tons.

I now quote from a speech made by Mr. RIXEY in the House of Representatives. He said:

> For years past it has been a favorite theme for the Navy enthusiasts to insist that we should keep abreast of Europe. Now, Europe and Germany are building six battle ships each, we are building two; Germany is building three armored cruisers, we are building eight; Germany is building six protected cruisers, we are building eight. We have no conception of these great sums heretofore expended. We are building at a more rapid rate than any other nation on earth, except Great Britain, as the following table, taken from the report of the chairman of the Committee on Naval Affairs, shows:

Referring to the figures I have just given.

I have here a list of the ships that we are building, and you will find by carefully examining this report that more than 50 per cent of these ships will soon be completed. We are building 12 first-class battle ships. The *Missouri* is practically done, only 5 per cent of the work on her not being completed. The *Ohio* and *Virginia* both are nearly done. We are building, in addition to these, the *Nebraska*, the *Georgia*, the *New Jersey*, the *Rhode Island*, the *Connecticut*, the *Louisiana*, the *Vermont*, the *Kansas*, and the *Minnesota*. That makes 12 first-class battle ships we are building. We are also building 8 armored cruisers and 8 protected cruisers, 2 gunboats, 2 training ships, 1 training brig, 6 torpedo boats, and 2 steel tugs, and this report of the Secretary of the Navy shows that when these ships now in process of construction are completed we will have a tonnage greater than any nation except Great Britain and France, and, in point of effectiveness, the Navy Department says that our Navy will be more effective than that of France.

I ask to have inserted as a part of my remarks the table in the report of the House Committee on Naval Affairs, headed "Vessels under construction, United States Navy, February 9, 1904," including page 22 and page 23. I also ask to have included as a part of my remarks a table, which I hold in my hand, showing our naval strength at present and our naval strength when the ships now in process of construction shall have been completed. I also desire to have inserted as a part of my remarks a table showing the sea strength of the principal naval powers, which I will hand to the Reporter. I desire also to insert as a part of my remarks a statement of the expenditures of the Government from 1856 to 1903.

The matter referred to is as follows:

FEBRUARY 9, 1904.

Vessels under construction, United States Navy.

No	Name.	Speed.	Where building.	Degree of completion. Jan. 1, 1904.	Feb. 1, 1904.
	Battle ships.	*Knots.*		*Per cent.*	*Per cent.*
11	Missouri	18	Newport News Co	99.9	99.95
12	Ohio	18	Cramp & Sons	84.5	85.5
13	Virginia	19	Newport News Co	52.5	53.8
14	Nebraska	19	Moran Bros	35	37.7
15	Georgia	19	Bath Iron Works	42.5	45.4
16	New Jersey	19	Fore River Ship and Engine Co	49.43	50.3
17	Rhode Island	19	[illegible]	50.61	51.7
18	Connecticut	18	Navy-yard, New York, N. Y.	26.7	28.5
19	Louisiana	18	Newport News Co	34.5	37.55
20	Vermont	18	Fore River Ship and Engine Co	2.76	3.6
21	Kansas	18	New York Shipbuilding Co	2.6	3.9
22	Minnesota	18	Newport News Co	12	14.73
	Armored cruisers.				
4	Pennsylvania	22	William Cramp & Sons	64.9	68.8
5	West Virginia	22	Newport News Co	70.5	73.2
6	California	22	Union Iron Works	51	54
7	Tennessee	22	William Cramp & Sons	69	71.8
8	Maryland	22	Newport News Co	65.4	69.15
9	South Dakota	22	Bath Iron Works	47	50
10	Tennessee	22	William Cramp & Sons	15.1	16.6
11	Washington	22	New York Shipbuilding Co.	12	13.9
	Protected cruisers.				
14	Denver	17	Neafie & Levy	98	98
15	Des Moines	16	Fore River Ship and Engine Co	97	99
16	Chattanooga	16	Lewis Nixon	79	72
17	Galveston	16	Wolff & Zwicker Iron Co.	70.5	76
18	Tacoma	[illegible]	Union Iron Works	99	100
19	San Diego	[illegible]	Newport News Co	36.2	37.9
21	Milwaukee	22	Union Iron Works	41	42.5
22	Charleston	22	Newport News Co	56.9	60
	Gunboats.				
17	Dubuque	12	Gas Engine and Power Co.	20	25
18	Paducah	12	do	16	22.2
	Training ships.				
	Cumberland	Sails.	Navy-yard, Boston	12	25.5
	Intrepid	Sails.	Navy-yard, Mare Island	5	7
	Training brig.				
	Boxer	Sails.	Navy-yard, Portsmouth	6	10
	Torpedo boats.				
19	Stringham	30	Harlan & Hollingsworth	93	93
20	Goldsborough	30	Wolff & Zwicker	99	99
27	Blakeely	26	George Lawley & Son	98	98
29	Nicholson	26	Lewis Nixon	99	99
30	O'Brien	26	do	98	98
34	Tingey	26	Columbian Iron Works	100	.....
	Steel tugs.				
8	Pentucket	12	Navy-yard, Boston	100	.....
9	Sotoyomo	12	Navy-yard, Mare Island	98	99

Relative order of war-ship strength.

At present.		As would be the case were vessels building now completed.	
Nation.	Tonnage.	Nation.	Tonnage.
Great Britain	1,516,040	Great Britain	1,867,250
France	576,108	France	755,757
Russia	416,158	United States	697,875
Germany	387,874	Russia	558,482
United States	294,465	Germany	505,619
Italy	258,888	Italy	329,257
Japan	243,586	Japan	254,481
Austria	93,913	Austria	149,833

SEA STRENGTH OF THE PRINCIPAL NAVAL POWERS.

Number and displacement of war ships, built and building, of 1,000 or more tons displacement.

Type.	Great Britain. Built.	Tons.	Building.	Tons.	France. Built.	Tons.	Building.	Tons.	Russia. Built.	Tons.	Building.	Tons.	Germany. Built.	Tons.	Building.	Tons.
Battle ships, first class[a]	50	669,000	9	142,600	20	223,621	6	87,800	17	201,129	8	112,864	14	152,581	6	77,982
Other battle ships and coast-defense [illegible]	6	49,900	.....	.....	20	94,615	.....	.....	12	66,679	.....	.....	16	90,773	.....	.....
Armored cruisers	27	262,800	14	166,000	15	113,767	8	91,849	8	71,261	.....	.....	3	28,144	3	28,048
Protected cruisers, first class (above [illegible])	21	201,950	.....	.....	4	31,513	.....	.....	6	33,546	8	19,965	.....	.....	.....	.....
Protected cruisers, second class (3,000 [illegible])	53	285,880	7	21,000	19	79,752	.....	.....	5	19,450	3	9,445	9	46,949	.....	.....
Other cruisers and scouts (above [illegible])	44	96,510	8	21,610	18	22,840	.....	.....	11	18,093	.....	.....	31	69,427	4	13,715
Total	201	1,516,040	38	351,210	96	576,108	14	179,649	59	416,158	14	142,274	73	387,574	13	117,745
Combined total	239, of 1,867,250 tons.				110, of 755,757 tons.				73, of 558,432 tons.				86, of 505,619 tons.			

Type.	United States. Built.	Tons.	Building.	Tons.	Italy. Built.	Tons.	Building.	Tons.	Japan. Built.	Tons.	Building.	Tons.	Austria. Built.	Tons.	Building.	Tons.
Battle ships, first class[a]	11	135,129	[b]11	166,700	14	173,276	5	63,125	6	84,390	.....	.....	.....	.....	8	31,900
Other battle ships and coast-defense [illegible]	12	47,945	.....	.....	3	12,244	.....	.....	8	18,004	.....	.....	11	62,480	2	10,720
Armored cruisers	2	17,415	8	111,800	5	31,391	1	7,264	6	73,850	.....	.....	2	11,592	1	7,400
Protected cruisers, first class (above [illegible])	2	14,750	3	28,800	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Protected cruisers, second class (3,000 [illegible])	15	56,393	4	12,400	5	17,490	.....	.....	10	41,226	3	10,005	2	8,128	.....	.....
Other cruisers and scouts (above 1,000 [illegible])	23	32,773	2	2,170	11	23,997	.....	.....	17	32,506	.....	.....	6	11,785	.....	.....
Total	65	294,405	28	321,870	38	258,388	6	70,419	44	249,536	3	10,005	21	93,913	6	55,920
Combined total	93, of 616,275 tons.				44, of 329,257 tons.				47, of 259,681 tons.				27, of 149,833 tons.			

[a] [illegible] tons or more displacement, and are not more than 30 years old. (The few exceptions as to age have been [illegible]) [b] Contract not yet [illegible] for two ordered and authorized.

N. B. [illegible] than 1,000 tons are not given in the table, nor are transports, dispatch vessels, converted merchant vessels or yachts, or [illegible] are not included in the table.

Recapitulation of expenditures by fiscal years.

Year.	Civil and miscellaneous. [illegible]	[illegible]	War Department.	Navy Department.	Indians.	Pensions.	Interest on public debt.	Total expenditures, including premiums.	Bonds and other securities applied to sinking fund.
1856	$[illegible] 372.00	$[illegible] 214.07	$16,948,196.89	$14,091,781.06	$2,769,429.55	$1,298,398.95	$1,953,822.37	$69,571,095.79	.....
1857	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1858	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1859	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1860	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1861	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1862	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1863	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1864	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1865	1,717,900.11	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1866	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1867	10,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1868	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	.....
1869	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	$[illegible]
1870	15,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	28,151,000.00
1871	9,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1872	6,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	32,638,450.00
1873	5,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	26,618,000.00
1874	1,[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	287,183,873.17	19,993,450.00
1875	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	274,633,332.84	28,170,400.00
1876	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	265,493,797.93	32,193,400.00
1877	[illegible]	[illegible]	[illegible]	[illegible]	5,277,037.22	[illegible]	[illegible]	[illegible]	26,466,916.65
1878	[illegible]	[illegible]	[illegible]	[illegible]	4,829,280.28	[illegible]	[illegible]	17,012,096.67
1879	[illegible]	[illegible]	[illegible]	[illegible]	5,208,109.08	[illegible]	[illegible]	289,947,893.53	733,687.00
1880	[illegible]	51,713,329.76	[illegible]	[illegible]	5,946,467.00	[illegible]	[illegible]	267,642,057.78	73,994,617.41
1881	[illegible]	64,416,324.77	[illegible]	[illegible]	6,515,161.05	[illegible]	[illegible]	260,712,865.50	74,429,531.05
1882	.....	57,219,750.98	[illegible]	15,092,045.26	9,740,147.40	[illegible]	[illegible]	267,981,450.57	60,107,095.55
1883	.....	68,673,022.21	[illegible]	15,283,437.17	[illegible]	[illegible]	[illegible]	265,408,197.54	44,807,240.93
1884	.....	70,920,493.70	[illegible]	17,292,601.44	[illegible]	[illegible]	[illegible]	244,126,244.33	46,780,229.50
1885	.....	87,494,258.58	[illegible]	16,021,099.67	6,552,494.03	[illegible]	[illegible]	260,226,935.11	45,604,035.43
1886	.....	74,[illegible]	[illegible]	15,997,382.74	6,059,158.17	[illegible]	[illegible]	[illegible]	44,551,040.35
1887	.....	83,294,[illegible]	[illegible]	15,141,128.80	6,104,562.59	[illegible]	[illegible]	[illegible]	47,916,248.15
1888	8,270,842.46	72,952,260.00	[illegible]	16,228,445.65	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1889	17,[illegible]	80,664,064.25	[illegible]	21,378,[illegible].31	[illegible]	[illegible]	[illegible]	[illegible]	59,066,173.35
1890	20,304,224.00	81,493,256.49	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1891	19,401,230.61	101,040,167.49	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1892	.....	99,841,988.[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1893	.....	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	6,[illegible]
1894	.....	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1895	.....	93,279,730.14	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1,195,238.43
1896	.....	87,216,234.02	[illegible]	[illegible]	12,166,588.28	[illegible]	[illegible]	[illegible]	5,383,126.36
1897	.....	90,401,267.82	[illegible]	[illegible]	12,016,802.46	141,053,164.63	[illegible]	[illegible]	[illegible]
1898	.....	96,590,505.17	91,992,000.29	58,823,984.80	10,994,607.70	147,452,368.61	[illegible]	[illegible]	63,[illegible]

Recapitulation of expenditures by fiscal years—Continued.

Year.	Civil and miscellaneous. Premium on loans and purchase of bonds, etc.	Civil and miscellaneous. Other civil and miscellaneous items.	War Department.	Navy Department.	Indians.	Pensions.	Interest on public debt.	Total expenditures, including premiums.	Bonds and other securities appropriated to sinking fund.
1899	.....	$119,191,255.90	$229,841,254.47	$23,942,104.25	$12,505,771.14	$140,844,909.07	$23,896,095.02	$605,022,179.85	$31,223.48
1900	.....	105,773,190.16	184,734,596.58	35,366,077.72	10,798,166.76	139,857,916.02	40,169,334.27	487,718,791.71	55,544,555.06
1901	.....	122,382,167.20	144,644,606.20	46,508,978.47	10,898,253.45	129,326,081.96	39,242,070.04	509,987,957.15	66,484,020.73
1902	.....	114,469,264.94	112,972,256.46	67,803,128.24	10,040,564.86	138,188,209.75	24,[illegible]	477,[illegible]	51,240,[illegible]
1903	.....	124,844,289.74	178,613,520.15	82,025,684.18	12,300,158.08	138,425,646.07	28,836,548.82	566,[illegible],067.04	29,[illegible],221.82

NOTE.—The expenditures for 1898 include $4,549,768.26 uninvested cash in Union Pacific sinking fund paid to Treasurer United States and credited into the Treasury as part payment on Union Pacific indebtedness. The additional sums of $13,845,256, the proceeds of sale of bonds in sinking fund and $46,[illegible] paid by agents of the Union and Kansas Pacific companies, making in all $64,751,223.75, were also covered into the Treasury on account of Pacific Railroad indebtedness, and are included in the receipts for 1898.

The receipts for 1899 include $[illegible] paid into the Treasury as part of Central Pacific Railroad indebtedness.

The receipts for 1900 include $[illegible] paid into the Treasury as part of Central Pacific Railroad indebtedness and $821,897.70 paid into the Treasury for interest account of Kansas Pacific Railroad, making a total of $[illegible].

The receipts for 1901 include payments into the Treasury on account of Pacific Railroads, as follows: Part of Central Pacific Railroad indebtedness, $4,[illegible] for interest account of Kansas Pacific Railroad, $[illegible] amount realized from sale of claim of United States against the Sioux City and Pacific Railroad, $2,[illegible] $41,24[illegible], making a total of $[illegible].

The receipts for 1903 include $4,[illegible] paid into the Treasury as part of Central Pacific Railroad indebtedness.

TREASURY DEPARTMENT, DIVISION OF BOOKKEEPING AND WARRANTS.

Mr. CLAY. It will be seen from the table in regard to receipts and expenditures that our total expenditures in 1886 amounted to $242,483,138.50; in 1887, $267,932,179.97, and the next year, $267,924,801.13. Now, in the year 1899, $605,072,179.85; 1900, $487,000,000; 1901, $509,000,000; 1903, $566,000,000.

It shows that in a period of ten years our annual expenditures have doubled. The best information I have been able to get is that we are raising more money by taxation for the support of our Government than any Government in the world except that of Russia.

Mr. President, it is time we should call a halt on our public expenditures. We have now reached a point where we have a navy ample to cope with any country in the world. I do not believe the American people will justify a continuous increase of expenditures for the Army and Navy when in all probability we will decline during the present session to give a single dollar to public buildings and to rivers and harbors.

We know that thus far not a single dollar has been appropriated during the present session of Congress for public buildings. We are told that not a single dollar is to be appropriated for rivers and harbors. I believe that the public buildings, the rivers and harbors of our country are of equal importance with the Army and the Navy. We were told on the floor the other day that we are not to have even a public building to relieve the State, War, and Navy Department building. We know we are paying $320,000 a year for rentals in the city of Washington for public purposes, and notwithstanding that fact the Committee on Public Buildings and Grounds can not get a single dollar through the Senate for that laudable purpose—not a dollar for a public building in any State in this Union; not a dollar for rivers and harbors, but two hundred and seven millions for purposes of war.

This nation has made a reputation second to none in the world, and not by virtue of war, or a desire for war. We have made our reputation by reason of the fact that we were a just, a peace-loving people; by reason of the fact that we have sought peace. The Father of our Country taught us to maintain friendly and peaceful relations with all the countries of the world; to seek to do business with all the countries of the world, leading a high and moral life; to teach the world to follow our example; and the whole world has regarded us as the greatest Christian nation on this earth. Let us maintain forever the reputation and the character for peace and justice and righteousness which we have maintained heretofore.

I desire to ask permission of the Senate to have inserted as a part of my remarks pages 1, 2, 3, 4, 5, 6, and part of page 7 of the Report of the Secretary of the Treasury, dated Washington, December 8, 1903, and also to have inserted as a part of my remarks Table G on page 78.

The PRESIDING OFFICER (Mr. HOPKINS in the chair). Is there objection to the request of the Senator from Georgia? The Chair hears none.

The matter referred to is as follows:

Receipts and expenditures.

FISCAL YEAR 1903.

The revenues of the Government from all sources (by warrants) for the fiscal year ended June 30, 1903, were:

From customs	$284,479,581.81
From internal revenue	230,089,124.15
From sales of public lands	3,995,401.22
From profits on coinage, bullion deposits, etc	8,294,760.88
From revenues of the District of Columbia	5,168,038.56
From fees—consular, letters patent, and lands	4,048,838.22
From sales of Indian lands, proceeds of Indian labor, etc	2,393,298.83
From [illegible] and deposit funds	[illegible]
From [illegible]	[illegible]
From [illegible]	[illegible]
From payment of interest by Pacific railways	[illegible]
From [illegible] fines, penalties, etc	[illegible]
From [illegible]	[illegible]
From [illegible]	[illegible]
From [illegible]	[illegible]
From [illegible]	[illegible]
From [illegible]	[illegible]
From [illegible] lands	[illegible]
From [illegible] army transports	[illegible]
From [illegible]	[illegible]
From [illegible] ory of Alaska	[illegible]
From [illegible]	[illegible]
From part payment Central Pacific Railroad indebtedness	[illegible]
	560,291,674.40
From postal revenues	134,224,443.24
Total receipts	694,621,117.64

The expenditures for the same period were:

For the civil establishment, including foreign intercourse, public buildings, collection of the revenues, District of Columbia, [illegible]	122,175,370.54
For the military establishment, including rivers and harbors, [illegible] and expenses of the war [illegible]	118,619,520.15
For the [illegible] and expenses of the war with Spain and in the Philippines	82,618,694.18
For Indian service	[illegible]
For pensions	138,428,646.07
For interest on the public debt	[illegible]
For deficiency in postal revenues	[illegible]
	567,[illegible],067.04
For Postal Service	134,224,443.24
Total expenditures	640,823,450.28
Showing a surplus of	54,297,667.36

In addition to the revenues collected during the year and the amounts received on [illegible] the Treasury was increased $[illegible] on account of interest accrued on [illegible] as follows:

Fractional currency	$2,083.10
Treasury notes of 1890	50.00
One-year notes of 1890	25.00
Two-year notes of 1890	50.00
[illegible]	520.00
[illegible]	40.00
[illegible] issued at 3½ per cent	500.00
[illegible]	6,440.00
[illegible] issued at 2 per cent	63,500.00
Bonds purchased:	
Loan of 1904 $25,300.00	
Loan of 1925 16,504,300.00	16,529,600.00
Premium on bonds purchased:	
Loan of 1904 1,022.51	
Loan of 1925 6,201,025.41	6,202,047.92
Premium on bonds exchanged:	
Funded loan of 1907 4,170,932.47	
Loan of 1908-1918 534,139.43	4,705,071.90
National-bank notes redeemed in excess of deposits	2,001,161.00
Total	29,511,323.82

Compared with the fiscal year 1902 the receipts for 1903 increased $10,294,837.17, as follows:

Increase in receipts for 1903.

Source.	1902.	1903.	Increase.	Decrease.
Customs	$254,444,706.10	$284,479,581.81	$30,034,875.62	.....
Internal revenue	271,180,122.16	230,089,124.15	.....	$41,090,997.93
Profits on coinage, bullion deposits, etc	10,970,506.57	8,254,739.88	.....	2,724,766.69
Tax on seal skins and rent of Pribyloff Islands	231,821.20	286,233.60	54,412.20	.....
Sales of Indian lands	1,775,832.69	2,393,298.83	617,466.20	.....
Sales of Government property	899,814.15	434,896.21	.....	395,017.94
Sales of public lands	4,144,122.78	5,896,311.22	1,752,188.44	.....
Interest on Columbia	4,217,841.43	5,168,038.56	950,196.13	.....
Navy pension, navy hospital, clothing, and deposit funds	2,019,850.25	2,300,501.17	280,650.92	.....
Fees—consular, letters patent, and land	4,085,229.87	4,048,833.22	.....	36,396.65
Depredations on public lands	107,935.58	231,144.20	123,148.62	.....
Customs fees, fines, penalties, etc	828,971.35	878,254.77	49,283.42	.....
Internal fees, fines, penalties, etc	334,233.95	368,757.49	34,523.54	.....
Internal land	747,217.15	1,366,158.83	618,941.68	.....
Proceeds for surveying private claims	316,579.23	305,701.88	.....	10,877.35
Tax on Indian lands	1,647,454.73	1,647,429.27	3,974.53	.....
Part payment Central Pacific Railroad indebtedness	.....	4,066,340.54	4,066,340.54	.....
Payment of interest by Pacific railways	1,564,554.71	997,197.79	.....	567,356.92
Sales of lands and buildings	272,422.72	289,731.88	17,308.16	.....
Sales of ordnance material	328,466.55	171,188.10	.....	157,250.45
Sales of old vessels	303,818.38	174,317.10	.....	129,431.88
Sales of Hennepin permanent land	590,045.62	743,139.35	217,093.73	.....
Depredations	20,000.00	38,551.04	18,551.04	.....
Trust funds, Department of State	222,061.94	1,293,692.07	981,630.13	.....
Spanish indemnity	.....	28,500.00	28,500.00	.....
Miscellaneous	631,959.55	796,634.01	164,674.46	.....
Total ordinary receipts, exclusive of postal revenues	562,478,233.21	560,396,674.40	49,019,596.92	45,101,095.73
Postal revenues	121,885,947.36	134,224,443.24	12,376,395.88	.....
Aggregate receipts	684,364,180.57	694,621,117.64	61,395,992.80	45,101,095.73
Net increase	.....	.....	16,294,897.17	.....

There was an increase of $47,284,545.38 in expenditures, as follows:

Increase in expenditures for 1903.

Object.	1902.	1903.	Increase.	Decrease.
CIVIL ESTABLISHMENT.				
Legislative:				
Salaries and expenses	$11,330,201.87	$12,190,749.17	$860,547.30	.....
Executive proper:				
Salaries and expenses	213,585.22	357,637.23	144,052.01	.....
Department of State:				
Salaries and expenses	169,487.44	178,098.28	.....	$8,369.16
Foreign intercourse	2,765,734.01	3,204,522.01	438,788.00	.....
Treasury Department:				
Salaries and expenses	3,533,389.24	3,846,860.94	313,471.70	.....
Independent Treasury	683,491.82	704,211.34	20,658.52	.....
Mint service, etc	1,555,665.06	1,496,220.57	.....	79,445.49
Territorial governments	165,734.85	261,591.08	95,856.23	.....
Salaries, etc., internal revenue	4,248,497.33	4,346,139.89	97,642.56	.....
Miscellaneous, internal revenue	1,359,659.97	2,370,682.57	1,011,022.60	.....
Rebate of tax on tobacco	2,928,191.28	3,886,991.14	958,799.86	.....
Collecting customs revenue	7,967,473.86	8,468,710.19	501,236.33	.....
Refunding excess of deposits, customs	5,414,259.82	4,248,535.81	.....	1,165,724.01
Debentures or drawbacks, customs	5,236,157.44	5,348,308.96	112,151.52	.....
Miscellaneous items, customs	242,732.01	260,509.15	17,777.14	.....
Revenue-Cutter Service	1,203,637.12	1,441,614.26	237,977.14	.....
Regulating immigration	399,692.38	655,428.42	255,736.04	.....
Chinese exclusion acts	202,744.03	262,274.07	59,529.04	.....
New revenue vessels	112,514.96	205,057.17	92,542.21	.....
Alien contract-labor laws	150,032.16	106,718.89	.....	43,313.27
Public Health and Marine-Hospital Service	1,234,364.51	1,356,455.87	122,091.36	.....
Life-Saving Service	1,667,688.48	1,746,841.19	79,152.71	.....
Light-House Establishment	4,181,409.39	4,537,315.67	355,912.28	.....
Coast and Geodetic Survey	838,882.07	865,215.78	26,333.71	.....

Increase in expenditures for 1903—Continued.

Object.	1902.	1903.	Increase.	Decrease.
CIVIL ESTABLISHMENT—continued.				
Treasury Department—Continued.				
Steamboat-Inspection Service	$344,490.06	$436,871.50	$92,381.44	.....
Engraving and printing	2,653,582.49	2,782,248.50	128,666.07	.....
Public buildings	5,118,157.36	7,679,721.29	2,561,563.93	.....
Fuel, etc., public buildings	881,279.99	907,984.32	26,704.33	.....
Custodians and janitors	1,030,029.26	1,085,044.49	5,015.23	.....
Furniture for public buildings	257,389.74	270,896.35	13,506.61	.....
Fish hatcheries	51,435.72	55,993.26	4,557.53	.....
Salaries and expenses, Fish Commission	489,295.45	524,838.31	35,542.86	.....
National Museum	271,828.94	255,027.93	.....	$16,791.01
Zoological Park	83,283.19	101,740.00	18,456.81	.....
Smithsonian Institution	140,099.18	147,717.85	7,708.67	.....
Interstate Commerce Commission	270,059.55	302,972.35	32,912.80	.....
French spoliation claims	193,257.73	557,342.13	364,084.40	.....
Claims under Bowman and Tucker acts	407,855.31	172,285.00	.....	235,570.31
Epidemic diseases	141,814.53	176,553.53	34,739.00	.....
Refunding customs revenue collected from Porto Rico	399,988.10	375,402.45	.....	24,585.65
Payment of debt of Hawaii	751,202.44	187,300.04	.....	563,902.40
Buffalo exposition, New York	83,736.90	500,347.96	416,591.06	.....
Louisiana Purchase Exposition, St. Louis	45,275.59	424,967.06	379,691.47	.....
South Carolina exposition	.....	179,975.14	179,975.14	.....
Suppressing bubonic plague, Hawaii	.....	1,000,000.00	1,000,000.00	.....
Miscellaneous items	899,899.95	945,652.61	45,752.66	.....
War Department:				
Salaries and expenses	2,385,030.04	3,062,025.73	676,995.69	.....
Navy Department:				
Salaries and expenses	498,897.02	498,762.44	.....	134.58
Interior Department:				
Salaries and expenses	4,742,480.28	4,933,929.83	191,449.55	.....
Indian Lands Service	3,212,726.28	3,619,628.49	406,902.21	.....
Irrigation land	.....	268,517.23	268,517.23	.....
Colleges for agriculture	1,[illegible]	1,[illegible]	.....	.....
Twelfth Census	2,[illegible]	1,[illegible]	.....	1,569,985.36
Reconstructing rooms of old Library of Congress	[illegible]	[illegible]	.....	167,361.17
Miscellaneous items	1,492,652.36	1,663,644.76	610,992.40	.....
Post-Office Department:				
Salaries and expenses	1,053,649.79	1,439,498.87	385,849.08	.....
Deficiency in postal revenues	2,402,152.56	2,768,919.20	366,766.68	.....
Mail transportation, Pacific railways	592,682.31	701,648.28	108,965.97	.....
Department of Agriculture:				
Salaries and expenses	3,423,215.92	4,073,265.06	650,049.14	.....
Weather Bureau	1,156,773.68	1,259,121.79	102,348.01	.....
Department of Labor:				
Salaries and expenses	176,302.49	182,084.49	5,882.00	.....
Department of Commerce and Labor:				
Salaries and expenses	.....	34,473.84	34,473.84	.....
Department of Justice:				
Salaries and expenses	473,003.04	589,144.39	116,241.35	.....
Salaries of judges, assistant attorneys, etc	1,038,000.85	1,320,695.50	282,694.65	.....
Salaries, fees, and expenses of marshals	1,151,351.20	1,364,915.99	213,564.79	.....
Fees of witnesses	829,086.97	820,936.59	.....	8,150.38
Salaries and fees of district attorneys	416,297.51	493,719.69	77,422.18	.....
Fees of jurors	614,858.37	889,904.16	275,045.79	.....
Fees of clerks	247,488.66	263,194.46	15,705.41	.....
Fees of deputy clerks	147,531.76	149,036.69	1,504.93	.....
Supp[illegible] prisoners	734,048.16	811,640.64	77,592.48	.....
Pay of bailiffs	146,828.52	153,728.50	6,899.98	.....
Judgments, United States courts	26,406.64	19,154.16	.....	7,342.48
Miscellaneous items	953,492.53	1,081,795.28	128,302.95	.....
District of Columbia:				
Salaries and expenses	9,363,742.00	8,584,037.82	.....	779,704.68
Total civil establishment	113,469,333.91	124,944,289.74	16,145,225.78	4,670,269.95
MILITARY ESTABLISHMENT.				
National defense	.....	192,801.69	192,801.69	.....
Emergency fund	42,362.20	76,187.44	33,825.24	.....
Pay Department	36,915,284.17	28,615,762.10	.....	8,299,521.07
Extra pay, war with Spain	82,538.85	187,191.65	74,652.80	.....
Subsistence Department	6,420,827.38	5,419,793.29	.....	1,001,034.08
Quartermaster's Department	31,795,[illegible]	31,[illegible]	.....	903,057.63
Medical Department	850,962.41	1,330,453.99	479,491.58	.....

Increase in expenditures for 1903—Continued.

Object.	1902.	1903.	Increase.	Decrease.
MILITARY ESTABLISHMENT—continued.				
Ordnance Department	$11,155,777.83	$10,637,105.75		$518,672.08
Engineer Department	795,691.75	1,082,265.56	$287,173.81	
Signal Service	245,379.06	343,930.89	98,551.79	
Military telegraph and cables	106,491.47	384,097.39	277,605.92	
Military Academy	297,104.93	490,980.17	193,875.24	
Improving harbors	6,391,767.29	7,[illegible]	[illegible]	
Improving rivers	8,616,213.45	12,247,[illegible]	3,631,[illegible]	
Building home remains of officers, soldiers, and others	109,972.27	90,993.13		18,979.14
Military posts	1,053,242.45	1,824,482.09	771,189.64	
National Homes for Disabled Soldiers	3,286,434.40	3,988,294.04	701,859.64	
State Homes for disabled soldiers	1,004,724.80	1,031,355.43	26,630.63	
Support of Soldiers' Home	536,045.62	743,139.39	207,093.77	
Soldiers' Home permanent fund	236,000.00	254,000.00	18,000.00	
Soldiers' Home interest account	87,661.27	98,638.37	10,977.10	
Reimbursing States and Territories, expenses of raising troops, Spanish war	599,431.34	217,852.35		381,578.99
Refunding to States expenses incurred in raising volunteers	1,053,652.42	6,364,609.31	5,310,956.89	
Payment to State of Illinois		692,946.00	692,946.00	
Relief of distress in the Philippines		3,000,000.00	3,000,000.00	
Miscellaneous items	840,750.51	1,220,324.43	380,573.94	
Total military establishment	112,272,216.08	118,619,520.15	17,470,147.06	11,122,842.99
NAVAL ESTABLISHMENT.				
National defense	24,999.72	1,872,734.22	1,847,734.50	
Emergency fund	114,019.42	175,132.00	61,112.58	
Increase of the Navy	19,793,144.29	26,667,104.25	6,873,959.96	
Bureau of Yards and Docks	5,[illegible]	6,[illegible]	702,690.21	
Bureau of Equipment	5,[illegible]	5,[illegible]	284,[illegible]	
Bureau of Navigation	[illegible]	[illegible]	281,514.17	
Bureau of Construction and Repair	6,998,888.99	7,783,[illegible]	784,717.80	
Bureau of Ordnance	2,549,000.51	3,474,[illegible]	925,[illegible]	
Bureau of Steam Engineering	3,053,261.78	3,613,724.40	[illegible]	
Bureau of Supplies and Accounts	3,957,819.29	5,701,472.94	1,743,[illegible]	
Bureau of Medicine and Surgery	415,[illegible]	[illegible]	[illegible]	
Marine Corps	2,[illegible]	3,[illegible]	[illegible]	
Naval Academy	[illegible]	[illegible]	[illegible]	
Pay of the Navy	12,[illegible]	14,[illegible]	1,962,[illegible]	
General account of advances	1,905,989.02	17,634.10		1,888,354.92
Judgments, bounty for destruction of enemies' vessels	374,[illegible]	93,869.37		280,184.[illegible]
Miscellaneous items	410,[illegible]	443,[illegible]	33,731.09	
Total naval establishment	67,802,128.24	82,618,034.18	16,964,246.26	2,149,440.42
Indian Service	[illegible]	[illegible]	2,885,583.2[illegible]	
Pensions	[illegible]	[illegible]		[illegible]
Interest on the public debt	29,[illegible]	28,556,348.82		[illegible]
Total ordinary expenditures, exclusive of postal service	471,199,557.[illegible]	[illegible]	[illegible]	8,557,153.62
Postal service	121,848,04[illegible]	[illegible]	[illegible]	
Aggregate expenditures	592,098,904.90	640,323,450.2[illegible]	[illegible]	8,557,153.62
Net increase			47,2[illegible]	

FISCAL YEAR 1904.

The revenues of the Government for the current fiscal year are thus estimated upon the basis of existing laws:

From customs	$250,000,000.00
From internal revenue	295,000,000.00
From miscellaneous sources	45,000,000.00
From postal revenues	144,767,684.00
Total estimated revenues	674,767,684.00

The expenditures for the same period are estimated as follows:

For the civil establishment	$[illegible]
For the military establishment	115,000,000.00
For the naval establishment	96,000,000.00
For the Indian Service	11,000,000.00
For pensions	139,000,000.00
For interest on the public debt	24,000,000.00
For postal service	144,767,684.00
Total estimated expenditures	680,767,684.00
Or a surplus of	14,000,000.00

FISCAL YEAR 1905.

It is estimated that upon the basis of existing laws the revenues of the Government for the fiscal year 1905 will be:

From customs	$260,000,000.00
From internal revenue	240,000,000.00
From miscellaneous sources	45,000,000.00
From postal revenues	159,472,090.72
Total estimated revenues	704,472,090.72

The estimates of appropriations required for the same period, as submitted by the several Executive Departments and offices, are as follows:

Legislative establishment		$5,351,109.50
Executive establishment:		
Executive proper	$320,000.00	
State Department	2,[illegible]	
Treasury Department	19,[illegible]	
War Department	2,[illegible]	
Navy Department	[illegible]	
Interior Department	5,[illegible]	
Post-Office Department	[illegible]	
Department of Agriculture	[illegible]	
Department of Commerce and Labor	2,[illegible]	
Department of Justice	[illegible]	
		30,189,059.98
Judicial establishment		[illegible]
Foreign intercourse		[illegible]
Military establishment		[illegible]
Naval establishment		[illegible]
Indian affairs		[illegible]
Pensions		138,[illegible]
Public works:		
Legislative	5,[illegible]	
Treasury Department	1,[illegible]	
War Department	4[illegible]	
Navy Department	1,[illegible]	
Interior Department	[illegible]	
Department of Commerce and Labor	3,[illegible]	
Department of Justice	[illegible]	
		67,327,307.69
Miscellaneous:		
Legislative	6,390,645.82	
Treasury Department	[illegible]	
War Department	8,[illegible]	
Interior Department	[illegible]	
Department of Justice	[illegible]	
Department of Commerce and Labor	6,[illegible]	
District of Columbia	[illegible]	
		53,997,012.01
Postal Service, including $3,613,709.23 deficiency in postal revenues		168,085,770.00
Permanent annual appropriations:		
Interest on the public debt	$24,250,000.00	
Refunding—customs, internal revenue, etc.	12,[illegible]	
Collecting revenue from customs	[illegible]	
Miscellaneous	42,[illegible]	
		84,971,890.00
Total estimated appropriations, exclusive of sinking fund		7[illegible]
Leaving an estimated surplus of		[illegible]

TABLE G.—*Population, net revenue, and net expenditures of the Government from 1837 to 1903, and per capita of the revenues and per capita of expenditures.*

Year.	Population.	Net revenue.	Per capita on revenue.	Net expenses.	Per capita on expenditures.
[illegible]	[illegible]	[illegible]	[illegible]	$37,349,495.00	$2.48
[illegible]	[illegible]	[illegible]	[illegible]	33,865,060.00	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	1.10	[illegible]	1.[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	1.[illegible]
1844	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	22,[illegible]	[illegible]
1846	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1847	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1848	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1849	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1850	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1851	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1852	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1853	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1854	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1855	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1856	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1857	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1858	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1859	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1860	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1861	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1862	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1863	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1864	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1865	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1866	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1867	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1868	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1869	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1870	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1871	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1872	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1873	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1874	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1875	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1876	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1877	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1878	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
1879	45,[illegible]	273,[illegible]	5.60	168,[illegible]	5.46

TABLE G.—*Population, net revenue, and net expenditures of the Government from 1837 to 1903, etc.*—Continued.

Year.	Population.	Net revenue.	Per capita on revenue.	Net expenses.	Per capita on expenditures.
1880	50,155,783	$222,596,011.00	$4.65	$267,642,958.00	$5.34
1881	[illegible]	[illegible]	7.00	[illegible]	5.68
1882	[illegible]	[illegible]	7.68	[illegible]	4.91
1883	[illegible]	[illegible]	7.41	[illegible]	4.94
1884	[illegible]	[illegible]	6.96	[illegible]	4.44
1885	[illegible]	[illegible]	5.76	[illegible]	4.62
1886	57,[illegible]	[illegible]	5.86	[illegible]	4.22
1887	[illegible]	[illegible]	6.16	[illegible]	4.76
1888	[illegible]	[illegible]	6.32	[illegible]	4.46
1889	[illegible]	[illegible]	6.01	[illegible]	4.88
1890	[illegible]	[illegible]	6.46	[illegible]	5.97
1891	[illegible]	[illegible]	6.14	[illegible]	5.79
[illegible]	[illegible]	[illegible]	5.44	[illegible]	[illegible]
1893	[illegible]	[illegible]	5.[illegible]	[illegible]	5.77
1894	[illegible]	[illegible]	4.40	[illegible]	5.43
1895	[illegible]	[illegible]	4.54	[illegible]	5.16
1896	[illegible]	[illegible]	4.65	[illegible]	5.01
1897	71,[illegible]	[illegible]	4.85	[illegible]	5.10
1898	[illegible]	[illegible]	5.55	[illegible]	6.07
1899	[illegible]	[illegible]	6.[illegible]	[illegible]	8.14
1900	[illegible]	[illegible]	7.43	[illegible]	6.53
1901	[illegible]	[illegible]	7.36	[illegible]	6.66
1902	79,[illegible]	[illegible]	7.11	471,[illegible]	5.96
1903	80,847,000	560,396,574.40	6.93	508,[illegible]	6.29

[illegible]

NOTE.—The net revenue and expenses and [illegible] for 1901 [illegible] 1903, and [illegible] for the fiscal years [illegible]

Mr. MARTIN. Mr. President, as a member of the committee from which this bill was reported, I desire to say a very few words.

The bill was reported unanimously. There was no dissent or division in the committee. The responsibility is now transferred from the committee to the floor of the Senate, and it is a very wholesome practice to have all these great appropriation bills carefully scrutinized on the floor of the Senate. If there is a single item in the bill which is unnecessary or extravagant, it should be stricken out. If there is a dollar proposed to be appropriated by this bill in maintenance of a policy that is unwise, [illegible], or hurtful, the bill should be amended. The discussion so far has not disclosed any fault in either respect. No Senator has asked that any item in the bill be stricken out. No Senator has stated that anything in the bill either initiates or continues a policy which is unwise or hurtful to the public welfare.

With the exception of the discussion, which was a lengthy one, in relation to the location of a training school, the only point raised has been, I may say, academic and speculative; that is, what may be a wise policy in the future.

It is true that this bill does increase the Navy; it increases the personnel; it increases the number of men; but no Senator who has addressed the Senate has dissented from the wisdom and propriety of that course. It is true that the bill carries $97,000,000. That fact has been commented upon, yet no Senator has asked that it be diminished. The only suggestion is whether or not the time may come in the near future when we may call a halt in naval construction.

Mr. President, the policy of renewing our naval establishment was commenced under the administration of the Navy Department by Mr. W. C. Whitney years before those events which have so materially changed the relation of our Government to international affairs. And since the initiation of that policy at that time we have continued to increase our Navy. I do not believe there is a man within the broad limits of the United States who will say that there has been a dollar unwisely or injudiciously appropriated for that purpose. I believe we must have a strong navy. I believe the relation of the United States to international affairs now makes it indispensable to the public safety. I believe the American people take that view of this matter and are willing to be taxed to pay for a navy that will give a sense of safety which will come in no other way.

We have acquired the Hawaiian Islands. We have assumed responsibilities in relation to Cuba. We have acquired Porto Rico. We have acquired the Philippine Islands. We have undertaken the construction of an isthmian canal. We have reasserted in its broadest and its boldest form the Monroe doctrine. Each one of these transactions has had a material effect in changing the relations of the United States toward international affairs. Each one of them has increased the importance of having and maintaining in this country a powerful navy. The maintenance of a powerful navy in no wise conflicts with our desire to be at peace with all the people of the world. It does not militate against those high purposes referred to by the Senator from Georgia—the purpose of dealing justly and righteously with all governments.

In this day and time we hear a good deal about the peaceful methods which should prevail between the different countries. We hear a great deal about settling controversies between nations by arbitration. But do we see anything of that sort going on? When England desired possessions in South Africa, was her course governed by those high purposes about which we hear so much? Was there any suggestion of arbitration to determine what should be the true relation between those governments in respect to the matters in controversy? On the contrary, she took her army and her navy and took possession of what she wanted. Many other instances of like character might be cited. Unfortunate as it may be to have to say it, our own country has on more than one occasion engaged in similar business.

I deduce from this, Mr. President, the conclusion that a government can not rely altogether on these high ideas, on a high moral tone, a righteous course toward other nations, as a protection. The experience of mankind demonstrates that the only protection is in power to maintain what is right. There may be such a thing as international morality. It exists in theory, but in practice I observe very little of it. There may be near at hand a period when we may call a halt in naval construction. It is true that we have to-day a great navy, second in power only to that of Great Britain. It is possible that in the near future we will be able to discontinue heavy appropriations for increasing our naval strength. The future will determine that. I sincerely hope that time is near at hand. I earnestly hope we will not assert in the near future be called upon to make such a heavy appropriation as this bill carries for naval construction.

The distinguished chairman of the Committee on Naval Affairs called attention to the subject and threw out that suggestion that Senators might bear it in mind and give it careful consideration. I sincerely hope the time will soon be at hand when we may discontinue this heavy expenditure for naval construction. But, Mr. President, that time is not to-day. War is raging between two of the most powerful Governments of the world. One of them, Russia, is in close alliance with France, and it is not impossible that before the end is reached France may be drawn into the conflict. England is in close alliance with Japan and may be drawn into it. In the midst of the talk about peaceful methods, in the midst of the talk about arbitration, we find the governments of the world to-day more fully and more completely armed and prepared for war than at any other time in fifty years, and we find this war in the East, where we have interests and where we may become involved by remote possibility, although I do not believe it will come.

I say in the aggressive spirit manifested by the governments of the world and the unrest which now prevails, in the high state of armament that exists, it would not become the United States at this critical hour to call a halt on the increase of her naval establishment. When the time will come when we may safely call a halt is academic, is speculative. I sincerely hope that it will come in the near future, but I most positively believe that the time is not to-day. I am gratified to see that not a Senator on this floor has been willing to ask that a single item be stricken out, that a single vessel provided for shall not be constructed. The American people have a right to have that sense of security which comes only from a powerful navy. They will not begrudge the money necessary to maintain a powerful navy.

Mr. DEPEW. Mr. President, I have listened with great pleasure, as I always do, to the speech of my friend the Senator from Georgia [Mr. CLAY]. He seeks to separate the distinguished Secretary of War from my own State, who recently retired from office, from the Republican party on the question of the retention of the Philippine Islands. My own impression is that if Mr. Root shall, as he doubtless will, during the coming campaign, give a full exposition of his views from the platform, and not in the way in which an interview often misstates a man's opinions, it will be found that he does not differ from the line in which the Republican party has acted and, I think, will continue to act. To use a common phrase, the American people are not "quitters." They never yet have given up anything which they deemed it advisable to obtain.

I am not at this time going into a discussion of the reasons why we will find stronger arguments every year for establishing closer relations with the Philippines, but I will say that I believe no one now living will see those relations weakened. I believe that the extraordinary progress which has been made by those people, as testified to by Governor Taft, in education, in civilization, and in the industries, will continue with accelerated speed as the schools become more numerous, the education more general, and the communication between the United States and the Philippine Islands more constant and rapid. I do not think we yet fully understand two things. First, how much the Philippine Islands

are to be advantageous to us in their own development; what they are to grow to when they have absorbed the spirit and are putting in practice the principles of American liberty, American law, and American enterprise. And the other, that we can not yet comprehend and the war clouds in the Far East are over and years have passed by the increasing importance to the United States, on its commercial and industrial side, of the possession of those territories, with their harbors and their depots so near to that market for which all the world is contending.

The Senator from Georgia was very vigorous and forceful in demanding that there should be universal investigations of the operations of the Government. He was alarmed for fear that in all the Departments there is either extravagance or corruption, which he said should be disclosed and corrected by an investigating committee on the part of Congress. He took the ground that now there is no supervision, no care, or attention of the operation of the great Departments of the Government. But, sir, every penny which is expended by these Departments has come here and gone to the other House before appropriated. The Appropriation, Finance, Ways and Means, the Naval, Post-Office, and Military are all of them investigating committees in perpetual session. Upon every one of them is a minority membership, selected by the minority, of members on their side, who are most competent to serve their party as well as their country upon those great committees.

They have the opportunity for months, as the programme comes in from the Post-Office, Navy, War, and other Departments, to look at each one of the proposals for the future and to examine what has been done in the past, and if the committee dared—which it would not—refuse an inquiry as to any item or as to any officer asked for by a minority member, a Senator or Member can go before the House or Senate explaining that he has been denied the privilege as a member of a great committee of receiving information or making an investigation which he wants, and neither House would for a moment stand before the country as obstructing any such inquiry.

But, sir, there has been an inquiry—an inquiry not made by an investigating committee or on the initiative of the Democratic members of any committee, but an inquiry made by the President of the United States, when the disclosures might bring disasters to his party, upon the principle which he has always maintained, of finding rascality if there is any, and punishing the rascal when he is caught.

There have been several speeches made in both Houses assailing the good faith and the earnest intentions of the President in this regard, but he has moved forward on his motto that no guilty man should escape, regardless of criticisms or complaint.

He set the whole machinery of justice at work, and the result is seen in the indictment of men in high position in the Government and out of it, and a few days ago in the illuminating exposition in this District of the conviction of men who had for years, under all administrations, had the confidence of the Department and, as far as they were known, of the country.

But, sir, I intend to make a few remarks upon the broader subject which was so ably discussed this afternoon by my friend the distinguished Senator from Georgia [Mr. CLAY]. The present naval bill provoked much more debate in the House of Representatives than it has done here. The general charge against it has been very much on the line so vigorously pursued by the Senator from Georgia, against the size of this appropriation and the dangers of its increase in the future.

Mr. CLAY. Mr. President, I spoke entirely in regard to what should be the size of our appropriations in the future. I said I did not believe we should continue at the rapid rate we have been going during the last six or seven years, and I did not speak against the passage of this bill.

Mr. DEPEW. I accept the correction. I misunderstood the Senator. But certainly in the other House the objection was of that character.

Now, I find no fault with rigid economists in public life. I believe in the "watchdog of the Treasury." It is a most disagreeable and unpopular position, but it is one which ought to be held by somebody in every deliberative body. No matter how rich we may be, and our wealth is constantly exploited, it is no reason for extravagance or foolish or unwise expenditures.

But, sir, we have been liberal in every direction, and especially in those directions about which complaint is made, that in order to take care of the Navy we are neglecting internal improvements and the construction of public buildings. We have been engaged for years in the most liberal expenditures for rivers, harbors, and bays. We have made those expenditures, though they are entirely local, out of the Treasury of the whole people, and out of taxation of the whole people, because we believed that it is the duty of the Government to promote navigation and safe carriage of our goods everywhere in the country.

We have gone a step further and made large appropriations for irrigation in territories which are sparsely inhabited, which will never have large populations, which ninety per cent of our people will never see, because we believed that what was for the benefit of one part of the country was the benefit of all, and that if we could bring vast regions of desert into productive agriculture we would be accomplishing a good result in the increase of the wealth, the opportunities for homes and employment, and the good living of our citizens.

We have made like appropriations with great liberality for the construction of public buildings all over the country, until the criticism has been made that many of them are beyond what the needs of the localities are or ever can be.

Every great power has found it necessary to provide protection for its commerce, its foreign trade, its ports, and its people doing business or traveling in other countries. We have become a great power. It is not an idle expression; it is a fact. We to-day stand alongside of the five great powers of the world. We have assumed responsibilities by this expansion from which we can not escape, and ought not to if we could.

Therefore it is incumbent upon us to act on the lines of the nations which are our rivals and competitors and whom we hope to keep our friends. We are free from invasion. Nobody supposes for a moment that it would be possible for any nation to send here an army that could secure a foothold upon our land. Our forts in our harbors and our submarines are protection for our coasts, and the Volunteer Army, which is always ready to call, would annihilate any army which any fleet, if by possibility it reached our coast, could land upon our shores.

But, sir, we are and have become within a few years, in being a world power, subject to perils and conditions which never existed before. We have obligations to the island of Cuba, where we have said to the world we will protect her against assaulting invasion, against any attack upon her independence or the integrity of her territory or her institutions. We have Porto Rico, which can be defended only from the sea, as Cuba can be defended only from the sea. We have Tutuila, Guam, Hawaii, and the Philippines, far from the United States, all of which must be protected from the sea.

Then we have assumed another obligation which is much greater, and that is the isthmian canal. We have the longest line of seacoast of any power in the world except one—7,000 miles, and in addition to that Alaska. Alaska is growing in wealth and in population to an extent which is enlisting attention everywhere, and has to be defended from the sea.

But, sir, the isthmian canal has opened a new era for America and the world. Already the treaty has been signed, the negotiations have ended, the Commission has been appointed. We are to establish soon a government upon the tract ceded to us and assume the responsibility for order and law. The spade is on its way. The steam drill and the dredge will be heard within a few months. One of the most inspiring lines of Emerson is, "Here once the embattled farmers stood and fired the shot heard round the world," and the sound of the dredge and the drill on the Isthmus will be heard around the world, because it is to alter the paths of commerce and to change the routes of nations.

The future of the Navy of the future is in the security of our Navy. Its peaceful protection will be the tribute which other nations pay not to the dominion, but to our sea power.

We do not appreciate until we study the subject that the commercial jealousies and alarms which now exist in Europe are sure to be accentuated by the construction and completion of the canal. Not alone our States on the Pacific, but the whole line of ports on the Atlantic coast will come into the competition for the ports on the Atlantic coast will be as near in miles to Asia, China, and the Orient by the isthmian canal as are the ports that gather for distribution across those products of continental Europe or London through the Suez Canal.

We all remember that during the Spanish-American war the prime minister of America did his best to bring about a hostile alliance against us among European powers because of what it termed an industrial invasion which threatened the living of the people of the Old World. He failed in persuading that combination because of international jealousies, but with the opening of the isthmian canal those jealousies are to increase, for the highly organized industrial nations of Europe are now making so much more than they can consume that they must have either a diminution of population and production, with its result of depopulation, poverty, and anarchy, or they must find markets. There is only one market which is free, and that is among the dependent peoples of Asia and Africa.

Now, when through the isthmian canal all products of the industrial energies of this country can reach that market just as quickly and cheaply as can the manufactures of the Old World, then, sir, will come a competition which will be most acute because of the skill of our artisans and business talent of our people. There will be no difference between it and competition between

individuals. We all know what competition means between men, firms, or corporations, and in the progress of civilization all great nations have become business concerns, each looking in a materialistic and business way for the production of manufacturing and agricultural products which shall give employment to and support its people and a market for the surplus of those products.

Now, sir, we can not protect that commerce by an army or treaties alone. We can not protect our commerce and expand our trade by arbitration at The Hague alone. We can only maintain our commerce by having a sea power adequate for its protection, for the security of our islands, and to prevent a hostile fleet from destroying in a week the isthmian canal after it has cost us two to four hundred million dollars and ten years to build—a sea power, sir, which will not be aggressive, but will stand for and keep peace. Our peculiar position gives us a stronger place on the ocean than any other country, because we are less vulnerable upon the land. If we have a sea power so that our floating fortresses will be second or third in rank, no power, no matter what its industrial or diplomatic jealousies or its aggressive tendencies, no matter what its feelings beneath its professions, will ever incur the peril of a contest when there is so much to lose and so little to gain.

The PRESIDENT pro tempore. The Senator from New York will suspend one moment while the Chair lays before the Senate the unfinished business.

The SECRETARY. A bill (S. 2259) to regulate shipping in trade between ports of the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

Mr. SPOONER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDENT pro tempore. The Senator from Wisconsin asks that the unfinished business be temporarily laid aside, that the Senate may proceed with the consideration of the naval appropriation bill. Is there objection? The Chair hears none, and that order is made.

Mr. DEPEW. Mr. President, every year, by the natural increase in population and the tremendous immigration which is pouring in upon us, we are stimulating our industries and our productiveness beyond that of any other nation in the world, and that stimulation increases a surplus for export which will grow larger as the years go by. Unless we can carry out the broad policy of expansion of markets, which has been so successfully pursued up to the present hour, there is danger to our business, employment, wages, and peace.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. Certainly.

Mr. PATTERSON. I should like the Senator to be a little more exact in his suggestion as to danger unless we carry out our present plans or proceed along the broad line of expansion which we have inaugurated. Does the Senator from New York mean that we are to continue the securing of additional outlying territory, seeking conquests or purchases in different countries?

Mr. DEPEW. Mr. President, I do not mean that we shall secure more outlying territory. I do not think the occasion will ever arise, so far as at present the situation is visible, where we will need or accept other lands. But I do mean that we shall, if possible, have a mercantile marine some day or other. I do mean that we shall have a navy adequate to protect our commerce all over the world, our people everywhere, and the outlying territories we possess. I do mean that we shall follow continuously, from our Executive and State Department, the line upon which the notes of Secretary Hay to the foreign powers for the open door and the integrity of China against partition proceeded, and that this will continue to be a policy for the benefit of the growing commerce, industries, and productiveness of the United States.

We all remember, who were in Europe after the formation of the German Empire and who had the opportunity of knowing, what were the views of that greatest statesman of the German race, Bismarck, that at that time he saw infinite peril to the German people because the increase of population and productiveness was so far beyond their home markets that he said he saw a congestion which might lead to a social revolution unless outlets could be found. So he sent his agents all over the world looking for territories which could be acquired or settled in South America or carved out of Africa or Asia for German colonization and for places where the productive German cradle could find homes and happiness.

He was followed by Emperor William, one of the most enlightened and far-sighted executives who ever inherited a throne. He saw these conditions and he improved upon them, both in the German mercantile marine and in the German navy. Under the inspiration of his energetic genius, under the inspiration, if you please, of his impulsiveness and strenuosity, the German mercantile marine has received encouragement from the Government by which, within ten years, it has grown from a very small place until now it ranks next to Great Britain. Its mighty steamships have their full share of the carriage of American products, and in every sea and in every port and in every trade in the world is found the subsidized ship of the German mercantile marine.

Coincident with that this enlightened and far-sighted Emperor has taken up the question of the navy of Germany. Germany is a most economical country, and yet the German navy, under the pressure of the enlightened opinion now shared universally by the intelligent and progressive people of that country, has risen from a low rank within ten years to be third in equipment and power.

I was in England some years since when a wave of pessimism was rolling over Great Britain and pervading Parliament. The general opinion was that the expenses of the naval armament were in excess of the needs of the country and a burden which could not be borne by the British taxpayer. That sentiment affected the budget. The admiralty could not get from Parliament what it asked and required.

There appeared at the time a book, and I am free to say that no book ever published from a private citizen and an ex-officer produced such an immediate impression upon the naval powers of the world as the Sea Power of Captain Mahan. It had the widest circulation and was generally read in Great Britain. Newspapers took it up. It became the talk of the clubs, the drawing rooms, and the workshops. The debate was entered in Parliament. I heard men of the highest distinction, from royalty down, talk with enthusiasm of the revelations and teachings of this book and the wisdom of acting upon its suggestions. Very soon a new programme was adopted by Great Britain, a programme which provided that, no matter what other countries might expend or do, Great Britain would always have a fleet equal to the combined fleets of the two largest naval powers.

We have given our thought and energies mainly during the hundred and seventeen years of our consumed existence to the development of our territory and its settlement, to invention and manufactures, to the building of railroads and canals, and to developing and encouraging our internal commerce, and we have paid very little attention to the sea.

Our position upon the sea has been spasmodic and not logical until within the last fourteen years. Whenever we have been forced upon the ocean the record of our Navy has been brilliant and glorious. The story of our ships with John Paul Jones in the Revolution, Hull, Decatur, Perry, Lawrence, McDonough, Rogers, and their associates in the war of 1812, Farragut, Porter, Foote, and others in the civil war, and Dewey and the great sea heroes in the Spanish war has proved that upon the sea we only need the ships, for we have the officers and the men.

But, sir, after the war of 1812 there was little done for our Navy. The old frigates, whose names and victories were the inspiration of all of us in our school days and are still war cruisers, battleships and cruisers, went into dry dock and were either broken up or became practice vessels or museums. Then, when the civil war came suddenly upon us, we bought everything which could float, much of which was only fit for the scrap heap. It is admitted that what that Navy did during the civil war was one of the principal means in bringing it to a close, and if we had possessed at that time a navy adequate to our needs it would have ended much sooner, notwithstanding that it was an internecine conflict and mainly upon land and carried on under conditions which could never exist in a war with a foreign power.

After the war we sold most of our fleet and devoted ourselves to reconstruction, to repairing the losses and disasters of the strife, and paid little attention to our Navy.

Then came the Spanish-American war. We had progressed somewhat in the naval programme then, or I do not know where Dewey would have been, or how we could have conducted the Cuban campaign. We had not the proper armament in our forts. We had nothing adequate in our harbors in the way of torpedoes, submarines, and the like. If that war, coming up in a night, had been with Germany, Great Britain, or France our situation would have been deplorable. Happily for us it was with a nation which could not compare with us as a sea power, and therefore its fleet was quickly destroyed.

Now, sir, the situation is changed. We have a programme which was adopted some fourteen years ago. It has been pursued with reasonable consistency up to the present time. It has given us ships which have raised us from the twenty-sixth in rank to the fifth, and with the ships in course of construction and the programme carried out which is in this bill we will be second in sea power.

One of the most valuable presentations made on this question has been the very able speech of the Senator from Maine [Mr. HALE], the chairman of the Committee on Naval Affairs. But I will go for an instant outside of the limits of the official statement into the general character of this question.

The necessity for a navy which will place us third or second

in rank I have already in a measure outlined. It takes five years to build a battle ship. It takes a proportionate number of years to build armored cruisers, torpedo boats, submarine boats, and torpedo-boat destroyers. A navy can not be extemporized or constructed in a day or a year.

I have no doubt, in addition to the tariff walls which have been put up all over Europe against us, and which prevent further expansion of our trade on the Continent of Europe, that Mr. Chamberlain will succeed in England. I think he will be defeated in the next general election, but the sentiment will grow, and there will be a short life for the party which comes into power on the old free-trade programme. Mr. Chamberlain will find himself in five or six years, with an increased majority behind him, coming into power on an entire reversal of the traditional policy of Great Britain.

The example of the United States, the tremendous development of our resources and industries by reason of the protective tariff, our enormous growth in wealth, because we have made America for Americans, have already made Germany, France, Russia, Italy, and Austria adopt the protective system.

Their tariff walls are raised against us because the enterprise of our manufacturers and the skill of our artisans and cheap transportation are making our competition dangerous. When England reverses her policy, when she ceases to be a dumping ground for our surplus, when her ports are no longer open to our cereals, our fabrics in cotton and wool, our manufactures in wood and steel, when she enacts a tariff which will keep her factories going and her own workmen employed at living wages against foreign producers, then we will find that the American business man, the American factory, the American farm, and the American workingman will demand that we enter those markets of the East which will not be opened and kept open for us except by an adequate Navy.

I do not know what will result from this war between Russia and Japan. We are taking no part with one side or the other, but we do know that whatever happens is of infinite moment to us.

Ten years ago, from a commercial standpoint, we would not have cared what happened to China. To-day what becomes of that ancient Empire is vital to American commerce, industry, and trade. If Russia should succeed, for instance, and take Manchuria, which is a large portion of Chinese territory, with its millions of people, with what Great Britain, Germany, and France have sliced off from that country, if in the general adjustment there should be further division and occupation, it would all mean that other doors were to be closed and other barriers to be raised against American production and its entrance into those markets.

So our policy is, and must be, to maintain as far as possible the integrity of China and her autonomy. We are going to be consulted when that time comes and this Russian-Japanese war is over, no matter which side is the victor. We are to be consulted because the adjustment is not to be made nor to be permitted by the rest of Europe to be made by those two powers, but by a European congress, the same as it always has been.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. I do.

Mr. PATTERSON. Mr. President, this is a very interesting portion of the distinguished Senator's speech, touching upon China and its future. He speaks of the possibility or the probability of European powers dividing up China, and says that we must be consulted. Suppose the European powers divide up China without consulting us, has the policy of the United States been so changed, under a Republican or other Administration, that we shall enter into a foreign war to prevent the disposition of China by European powers?

Mr. DEPEW. No, sir; not that exactly, but——

Mr. PATTERSON. Well, not exactly, but pretty close to it?

Mr. DEPEW. Just only so close as this: If we have a navy which is second among world powers at that time, and we will come pretty near it——

Mr. PATTERSON. But suppose, Mr. President, England, with its navy as large as the navies of any other two powers, or Germany, whose navy at least will then be third in size, or France—this is the task we are undertaking—with the combined navies of those countries outclassing ours as three to one, what, in the opinion of the distinguished Senator from New York, will the United States do to prevent it? If mere negotiation fails, then is it the Senator's understanding that the policy is war?

Mr. DEPEW. My observations on this question are based upon broader lines than the possibilities of our going to war. They are based upon the position which the United States will hold among nations so jealous of one another that our friendship, even in a moral way, will be eagerly sought.

The partition of China is not to be done without immense friction. It is not to be done without tremendous antagonisms among European nations. Why are they now accepting a very unpopular note from Secretary Hay and assenting to it when we have no adequate Navy? It is because none of the great powers of the world want any irritation of any kind with the United States, even with her present equipment, for they recognize our bound less resources.

Mr. PATTERSON. Mr. President, the Senator from New York, I think is aware that the note from Secretary Hay to which he refers was not on the initiative of Secretary Hay, but was suggested to him by the German Government, and when Secretary Hay sent out his note to the different powers he simply acted as the mouthpiece of Germany, according to the reports which have been uncontradicted now ever since that note went out.

Then one additional matter—passing from that, and the Senator can take it up—suppose the moral force and power of the United States is disregarded? The Senator has not yet answered that question.

Mr. DEPEW. I beg pardon. Will the Senator please repeat his statement?

Mr. PATTERSON. Suppose the moral influence, the moral power, upon which the Senator from New York enlarges so eloquently and clearly, is disregarded by those European powers, the European powers going upon the theory that "the United States, under the Monroe doctrine, excludes us from the Western Continent, therefore we will exclude the United States from our continent;" what, then, is the United States to do? The Senator from New York has not seen fit to answer, although the question relating to that particular phase of the subject has been pretty pointed.

Mr. DEPEW. Mr. President, I thought I had answered.

Mr. NELSON. Will the Senator allow me?

Mr. DEPEW. Certainly.

Mr. NELSON. I want to say to the Senator from Colorado [Mr. PATTERSON] that the case he put is not a supposable case. The interests of the United States, England, and Japan are, in the nature of the case, one. They are all in favor of and believe in maintaining "the open door" as against Russia and whatever power may be associated with her. The conditions which the Senator from Colorado presupposes are never likely to exist. It is purely a farfetched hypothetical case.

With our Navy in those Eastern waters, with our power in those Eastern waters, we will be in exactly the condition we were when the Boxer rebellion broke out in China. With a few of our troops from the Philippine Islands and with part of our Navy we participated in suppressing that Boxer rebellion, and the voice of the United States was as potential as that of any of the great nations of the world in settling those Boxer troubles and bringing peace to China.

Mr. DEPEW. Mr. President——

Mr. PATTERSON. Will the Senator allow me?

Mr. DEPEW. I yield to the Senator from Colorado.

Mr. PATTERSON. Mr. President, in reference to the reply of the Senator from Minnesota [Mr. NELSON] I understand now that he goes upon the theory that there is some sort of an alliance between the United States and Great Britain and Japan.

Mr. NELSON. If the Senator from New York, who has the floor, will allow me——

Mr. DEPEW. Certainly.

Mr. NELSON. I am trespassing on his time.

Mr. PATTERSON. So am I.

Mr. NELSON. With the permission of the Senator from New York, I will say there is nothing of the kind; there is no alliance other than that alliance which arises from a mutuality of interest. We have interests in common; we are interested in the Philippine Islands and we are interested in the building up of our commerce in the Orient. England is interested in maintaining her commerce in those countries; she has possessions there, and her commerce is immense. So with Japan. Their interests are identical with ours, and their interests are, in the very nature of the case, hostile to the dismemberment of the Chinese Empire or the absorption of Manchuria by Russia.

Mr. PATTERSON. Then, with the permission of the Senator from New York [Mr. DEPEW], I understand, according to the Senator from Minnesota [Mr. NELSON], there is no actual alliance, so far as he has knowledge, between the United States and Great Britain and Japan. It is simply a temporary alliance arising out of mutuality of interest. I am quite free to confess, if that is the case, that so long as that mutuality exists and it is not overcome by interests of still greater weight of one or the other of the three nations referred to by the Senator it is very likely that those three nations will stand united and opposed to the other nations which insist upon a different policy.

But, Mr. President, how long will an alliance based upon mutuality of interest exist where there is no obligation resting upon one nation having such an alliance with the other, except present mutual interest in a certain line of policy in the Far East? How

long, Mr. President, would it require Great Britain, if it came to the conclusion that it was either war or a division of the Chinese Empire, to side with Germany and France and Italy and Spain and [illegible] "Since China is to be divided, we will unite with the other European nations and get the lion's share if we can?"

It is useless, it is childish, it seems to me, Mr. President, to rest for any considerable length of time upon a present friendly feeling between three far-apart nations—one in the Far West, another in the Far East, and the other between them—that depends solely upon present interests happening to be mutual for the time, because there is danger to the one or the other if they should disunite or seek benefits along another line. It becomes a mere matter in the future of greater interest or greater results for either one of the other to abandon the alliance that is based simply upon mutuality.

So, Mr. President, both Senators should look the proposition squarely in the face, since we are talking about our great Navy, and having become a world power, and that we must be consulted when the question of the division of the Chinese Empire may arise. The question the people of this country are interested in—since both of the Senators represent, in my opinion, the average sentiment of the Republican Administration—is what is to be the course of the United States in the event of these interests changing and Great Britain uniting with other powers for the division of the Empire of China.

Mr. HALE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Maine?

Mr. DEPEW. Certainly.

Mr. HALE. I do not desire, Mr. President, that the scope of the debate upon this appropriation bill, purely a matter of the Navy, should extend to extraneous matters; but I do not want the statement the Senator from Minnesota [Mr. NELSON] has made in the Senate to go unchallenged. I do not want it to be quoted, as it will be, and stated as a proposition covering the attitude of the United States, now that this war in the East is going on, to the countries involved in that war or to the interests that other countries or we may have.

I do not agree that there is any such common interest as the Senator from Minnesota states between the United States and Great Britain and Japan upon the one side against Russia and Germany or France or any other country on the other side. The attitude of the United States, as taken by the State Department, the attitude of the Administration, is one of complete neutrality between these parties; and when it is said that we have to-day a common interest with Japan and with England with reference to Manchuria, that is a statement that the Government of the United States and its interests and its tendencies are against Russia and in favor of Japan.

I do not want that statement to go unchallenged. I do not attempt to forecast—I can not pierce the future—but if I were called upon to prophesy, I should say that in the future, particularly if Japan emerges triumphant from this war, the country the United States will find her greatest rival in trade, her greatest antagonist in competition, the nation most likely to aggress, to monopolize, and control China is not Russia, but is Japan.

Now, I do not want to say, following that, that our interests and our attitude are in favor of Russia as against Japan; but I do not want it said, on the other side, that our attitude and our sympathies and our trade are all with Japan and with England and against the other powers.

Take the Philippines. If we hold that people in our power as colonies and continue to keep them under the yoke, the first power that will give us any trouble in the Philippines will not be Germany, nor Russia, nor France, nor England, but the growing, aggressive, ambitious power of the Orient—the Japanese Empire. It is not a feeble people; it is not a small people.

Mr. NELSON. Mr. President, as the Senator has called me to task for what I said, I should like to know by what right he calls the little country of Japan a vicious power.

Mr. HALE. "A vicious power!" I have not called it "a vicious power."

Mr. NELSON. The Senator just used that expression.

Mr. HALE. "Ambitious," I said. The two words, if the Senator will look at the dictionary, are not the same. "Ambitious" has one property, one definition; "vicious" has another.

Mr. NELSON. I beg pardon; I misunderstood the Senator.

Mr. HALE. I would use "ambitious" as applied to the Senator from Minnesota, but I would not use "vicious."

No, Mr. President, what I am protesting against is any statement here that countervails or modifies the wise position the Government is taking, that in this contest not only will it not interfere, but that it will not avow, show, or have any sympathy, but will maintain a determined and wise neutrality.

Whatever we may think, whatever may be our feeling, I am not going to discuss which nation I sympathize with. That is not the question. But, again I say, without my protest, no declaration shall be made here which, while the Senator says does not involve an alliance, is so strong a statement that it would in any emergency that might come up produce an alliance. I do not believe that Mr. President.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Colorado?

Mr. DEPEW. Certainly.

Mr. PATTERSON. Just one word, because I recognize that we already have trenched too long upon the time of the Senator from New York. I simply want to emphasize, if possible, the attitude of the Senator from Maine [Mr. HALE] in insisting that this country shall be regarded as absolutely neutral in its feelings, if that were possible, and in its course as between the two fighting nations. Whether that is wise or not, or whether the public mind of the United States will permit it or not, is a question that need not be discussed now.

But, as I understand the attitude of the Senator from Maine, it is that, being neutral, the United States is in a position to take advantage for the benefit of the United States, which ever side may win. If it is Russia, the United States will be in with Russia; if it is Japan, the United States will be in with Japan; and there will be no antagonism between the United States and either the one nation or the other; and, following the commercial instinct, the United States will be in a position to secure the greatest possible benefit whichever way the war may end.

Mr. HALE. I do not go to that extent.

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Maine?

Mr. DEPEW. Yes.

Mr. HALE. I do not go to that extent. I suppose if we maintain this neutrality, whatever the outcome may be, we shall not have made an enemy; but I do not feel that we are maintaining that attitude for the sake of any great benefit to the United States.

I do not join in the feeling that a very critical thing for a very great thing to the United States, and a thing of great magnitude in our commerce is this oriental trade. It is a very small matter compared either with our other foreign trade or our immense home trade and home market. We have, through the events that have taken place in the last four or five years, not gained trade, but we have lost trade relatively.

When the troubles broke out in China, when the Boxer rebellion came to the surface, we were beating all the nations of the world in the trade with China. We did not want "the open door;" we had the preference of the Chinese. We had let China alone. England had bullied her; France had insulted her; Germany had derided her; Russia had despoiled her, and the United States had kept hands off. If we had not, through our position there, through our naval force and the proximity of the Philippine Islands, joined the armies of the aggressory nations—of which we were not—the Chinese Boxers would have taken the location of the United States, borne it in friendly arms to the seaboard, and kept it there while fighting with the other powers.

People have not reflected exactly upon that situation. We were beating the world, and if we had not been involved in any of these Eastern troubles we should have had no question of "the open door." They were with us. We alienated them for the time, and I do not want to see them further alienated. Again, I say that the question of trade out there is nothing to be compared with our other foreign trade and our immense home trade; it is very small. Therefore, when I am in favor of maintaining neutrality, I have not got any view that we are going to, when this war is over, drive a bargain that will be of any great importance to us with either power that comes out ahead. But we ought to keep our hands off of these oriental combinations and intricacies and policies. It will be an ill day for the United States when she takes upon herself the proposition that it is her business to maintain the integrity of China, as Europe has taken the proposition that it is their business to maintain the integrity of Turkey; because, as in Turkey's case, that means ultimately when it comes, war, if it is necessary to enforce that proposition.

I am not in favor of any policy that involves us at last in the immense expenditures, the stupendous losses, and the unspeakable wickedness of the American people and the United States being involved in a war upon any issue that arises in those seas, 7,000 miles away from us. So I want neutrality, and I want nothing said anywhere that will be quoted by either of those powers to inflame the other power, and so I deprecate the statement of the Senator from Minnesota.

Mr. DEPEW. Mr. President, my speech has had a very interesting interruption, as it always has when the keen intelligence of the Senator from Colorado [Mr. PATTERSON] is watchful of the interests of his party; but when he states that the note of Secretary Hay, which has aroused such world-wide interest and such

universal approval, was inspired by the German Government it would indicate that his enterprising paper, the Denver News, has Marconi relations with the palace at Potsdam, where the Emperor resides, not enjoyed by other newspapers of the United States.

Certainly, the revelation is brand new, and the Senator from Colorado would not make it unless, under the broad seal of Germany and the royal arms of its Emperor, he was in receipt of the information.

Mr. PATTERSON. Mr. President, just one moment. The Associated Press, which communicates to all the papers of the country, made that statement; and if the Senator from New York was conversant with the Associated Press news as published in the great dailies of the empire city of his own State, he would be just as familiar with it as though he were a subscriber for and a constant reader of the Denver News.

Mr. DEPEW. I am a careful reader of the New York metropolitan newspapers, the country journals which are sent me by my friends the country editors, and the papers of Washington. I think they will be delighted with this revelation which has come to them this afternoon from the Senator from Colorado.

Now, this interruption has developed the fact that the Republican party is the most liberal party in any free country of the world where parties exist, because in essentials there is unity, and in nonessentials liberty. Certainly the debate between the distinguished Senator from Maine and the distinguished Senator from Minnesota indicates that we can differ broadly and yet support this bill. While the Senator from Minnesota expressed his preferences for Japan, with a vigorous statement and straightforwardness characteristic of him, the Senator from Maine, in calling him rigidly to account for expressing in his position as a Senator any preference for one side or the other in this contest, said he was going to conceal his views.

Nobody in this Chamber, however, who heard what the Senator from Maine said has the slightest doubt where his sympathies are. So while the outspoken expression of the Senator from Minnesota is for Japan and the concealed views of the Senator from Maine are plainly for Russia, the Senator from Colorado adopts the position which comes from Democratic teachings and Democratic seekings for issues, without much regard to principles—he is for the side that is going to win, after it has won. [Laughter.]

To return, Mr. President, from the politics of the world to the construction of our Navy, we all know that a navy can not be built in time of war. We all know what supreme folly it is to wait for that. We can raise an emergency army in a month, but it takes five years to build a navy.

I remember being in the Executive Mansion at one time and in Mr. Lincoln's office when a telegram was handed to him which gave the information that a brigadier-general, through foolishness of an extreme sort, had been captured down in Virginia. In his command was a long train of pack wagons and mules. Mr. Lincoln read the dispatch and then took up his pen and said: "With that pen I can make a brigadier-general in a minute, but I can not replace those mules." [Laughter.]

Now, some one, in the exaggeration of American description, has said, while that may be true in the creation of brigadier-generals, it takes forty years to make an Admiral. We must have, if we are to occupy the position which seems to be admitted on all sides to be ours, the ships on which the future Admiral can be trained. Our Navy happily differs from every other navy in the world, because it has developed a democratic tendency. There is no navy except that of the United States where the sailor has the incentive to work because he can reach a commission. But with us the sailor is trained so completely in every branch of the service that if he has the genius, industry, temperance, and ambition he rises through the several grades until he gets his commission.

We all know that during the Spanish-American war—and none better than my friend here, the distinguished Secretary of War at that time and now the Senator from Michigan [Mr. ALGER]—when we endeavored to secure additions to our Navy there were no ships for sale. One of the most interesting competitions in trade which ever occurred was between the United States and Spain in trying to buy war ships. We knocked with a golden fist on the doors of every navy department of every nation, great or small, and the answer of all was: "No matter how much we want your money, it takes us too long to replace a ship, and you can not have it." Finally we discovered there were two building in the shipyards of England for a South American republic. I happened to be in London at the time, and the amount of diplomatic business and trading ability which was brought to bear, each bidding over the other, surpassed anything I had ever seen before in any trade. Of course the Yankee talent for barter came out ahead and we got the ships, but the Spaniard ran us a much closer race in trade than he did on the sea.

We know that in the present war both Japan and Russia, or Russia and Japan, so as not to place either first [laughter], tried to buy war ships, and in the whole world there was only one available; and I suppose the Senator from Minnesota is pleased that Japan got it.

I agree with what the Senator from Maine has said in regard to our position, but the fact can not be concealed that every man, woman, and child in the United States is lined up on one side or the other in this fight, as Americans always are. When there is a fight on, no matter what it is, whether a battle between nations, or a strife between parties, or a contest between individuals, or baseball or football, or a horse race, Americans instantly take sides; and they are lined up on one side or the other of this contest. But so far as we as a nation are concerned, our position has been expressed by the President of the United States in his proclamation, and we unanimously approve his action. Behind that we individually can say what we like.

Now, in this connection for I had hoped that my friend the Senator from Maryland [Mr. GORMAN] would enlighten us, as the leader of his party, in regard to the views of the opposition upon the naval programme this afternoon. I beg to call attention to a speech which he made on February 4, which created a great deal of comment in this country and interest abroad, as the utterances of the distinguished Senator always do. He said:

> Mr. President, an overgreen navy, an unnecessary navy, an unnecessary army means what? It is admitted on all hands that the officers, the admirals, without [illegible] and capacity to be counted in the great fleets which are [illegible] for our protection, was, and a way to make trouble. It appears to me that the action of the Commander in Chief, the President of the United States, in [illegible] to us upon the ground in insisting that the [illegible] from the presence and from the very ground which a conflict, if it should unfortunately be entered, was a wise precaution. There was in the same manner such a [illegible] in any other order issued to the Navy. It was [illegible] that we might be kept out of war, and certainly thinks, was the [illegible] that fleet to participate.
>
> We have naval vessels everywhere. Have you not enough now? Everybody will answer "Yes!" unless it is true as was floating around in high [illegible] that we are marching around the globe with a chip on our shoulders, looking for the one great nation that dares to be [illegible] than any other in our trade relations, to get up on the trouble. Who wants it?

Mr. President, there is nothing in the history of our new Navy, begun by my valued friend, that eminent New Yorker who recently died, and whose death is a loss to the country, William C. Whitney—there is nothing in the history of our Navy under its expansion by Republican Presidents, nothing in that Navy as it appears to-day in all the waters of the globe, which justifies a suggestion that the war ships of the United States are cruising about the world with chips on the shoulders of their admirals, their commodores, and their commanders, seeking trouble. I know of no trouble which we have ever got into by the indiscretion of officers of our Navy. They receive a training which is so perfect, an education which is so complete, they pass so many years in the Naval Academy and then so many years as subordinate officers before reaching supreme command that they have the age for command and the conservatism of age and experience.

No matter how large our Navy, wherever it is it will stand not for war, but for peace. No matter how great our Navy, it will stand not for aggressiveness, but for defense. I do not believe that the admiral of the fleet in the Eastern waters was seeking for trouble or would have involved us in a war with any nation out there or into taking sides with either of the combatants even if he had not been ordered away. We have twenty-four great ships now in those Eastern waters in the neighborhood of the hostilities; and we can absolutely trust their commanders, while preserving the honor, the rights, the trade, and the territories of the United States, not to invite trouble with anybody.

There is no better insurance policy than a navy. I am a believer in insurance. In a free country, where institutions rest upon the people and opportunities are alike for all, every schoolhouse, every church, every asylum, every college, every hospital, every influence of every name, nature, and description which educates the young or looks after those who are invalided and helpless is an insurance policy of a high kind for the safety, the peace, the good citizenship, and the future of the Republic. A large navy, adequate to the needs of the country, which is strong enough both to protect and defend it, is a minister of peace.

In these days, I would say to my friend the Senator from Colorado, with the tremendous results that follow war, no nation is going to seek war unless it is to gain more than it is to lose. We are to be aggressors nowhere. We are to be assailants nowhere. We simply, when we have the power, are to say what our rights are, and we will state them so conservatively that they will not be denied if we have the Navy. But if we have not the Navy, no matter what we assert, it will be denied.

Wars arise in a minute, and, as I said before, it requires years to build a navy. Our Spanish-American war came on overnight almost. Nobody anticipated it. The Japanese-Russian war, each side complain, came on unexpectedly, when they were negotiating. I will tell a little incident, and I do not vouch for its absolute accuracy, though I received it from a distinguished man who was in every way credible, which illustrates how a hair's breadth stands between peace and war.

I was told by this gentleman that when President Cleveland's Venezuelan message arrived in London, one of the strongest and most eminent members of the British cabinet said:

> This evinces a disposition and a desire for war. If a war is to occur between [illegible] and the feeling of that country is [illegible] time to fight be [illegible] America has [illegible] have no forts. They have no guns. Her harbors are [illegible] or any other appliances. The war would be a [illegible] and we would be [illegible] the time it was [illegible] which called [illegible] and then [illegible] form a peace with [illegible] the United States would be the most formidable power in the world because of their inaccessibility upon land.

Now, that statement, so I was told, was overruled by the unanimous judgment of his associates and by the unanimous feeling of the British people that they would have good relations with the United States under any circumstances. But the incident shows, if the incident was as narrated by my friend, that there stood just a hair's breadth between peace with honor, as it came in the arbitration which we brought about, and the most disastrous war of modern times, with the United States absolutely unprepared.

My friends the enemy have frequently assailed the President on account of the danger to the country with a great navy in his hands. Through several speeches which have been made there has run that current, that it would be dangerous to place in the hands of the President a naval power such as we will have when the ships now under construction are completed and this programme is carried out.

Mr. President, I want to say that, with all the wonderful accumulation of epithet with which this phrase of unsafety has been sent over the country and repeated in the two Houses of Congress over and over again, there is nothing in the utterances or in the acts of President Roosevelt which justifies the charge. He had the opportunity, with the whole country behind him, to make trouble at the time of the Canadian arbitration, if he had chosen. Suddenly there had been discovered within the disputed territory untold wealth in the mines, and thousands upon thousands of American citizens had rushed up there and accumulated great interests and made large investments.

The whole country stood by the President in maintaining the line we claimed, which brought these rich mines and this valuable territory under our flag. It would have taken but little to have stood firmly for our rights and to have said "We yield not at all," and a less wise and more impulsive and impetuous President would have seen there the opportunity of arousing the enthusiasm of the country for his course. But the President laid that aside. He suggested and secured arbitration.

When the Alaska Boundary Commission—upon which were the very able Secretary of War, the very able Senator from Massachusetts, and the very able ex-Senator from Washington on the one side and the equally able and distinguished commissioners on the other, with that great lawyer and judge, the chief justice of England—met in London, the whole country looked on at this mighty contest of testimony and of law.

We have [illegible] times in our history several commissions which discharged their duties with distinction, but none displayed [illegible] judicial temperament and judgment or won more important results for our country than this one on the Alaskan boundary.

When the trial was over and the judgment rendered, nothing in modern history [illegible] in all countries among right-thinking people greater gratification than that event and its example. The country will and the country does owe to President Roosevelt a debt of gratitude for the wisdom and the patriotism with which he initiated and carried to a successful conclusion that arbitration.

Mr. President, nations change rapidly. There is no telling what may occur in the realignment after the closing of the Russian-Japanese war. There is no telling what may be the position of Japan. Thirty-eight years ago I was appointed minister to Japan. You would not think it to look at me. [Laughter.] I did not go, happily for me, but I was confirmed by the Senate and studied the question for months. It took then, thirty-eight years ago, six months to get there. It now takes six weeks. Japan at that time was in the feudal condition of Europe in the twelfth century. She had no navy except junks. Her army was equipped with spears, and bows and arrows, and clad in armor. Thirty-eight years have passed by since the opening of Japan at that time, and she has been studying the methods of Western civilization so completely that she has advanced as far in thirty-eight years as Europe did in six hundred years.

Now she has a representative government, a constitution, a parliament, universal suffrage, colleges and schools, and a free press and railroads, telegraphs, telephones and electric lights, and an army built upon the plan of and quite as efficient as that of Germany, and a navy built upon the plan of and quite as efficient, as far as it goes, as that of Great Britain. She advanced because her people saw if they were to keep up with the rest of the world, now that they had become part of its activities, they must follow the example of the successful nations and get abreast of the best. She saw that while in her isolation she might live in her old way, it would cease a power of the world she must have its tools and weapons, intellectual and physical. She saw the necessity of a naval power, and she began ten years ago to develop both her mercantile marine and her navy.

In doing that she secured for herself commerce and markets for her products and a naval power which has enabled her to arouse the wonder of the world for the last few weeks. In the alignment of nations a government with a possibility of 300,000 troops against a government with 3,000,000 seems to be nowhere, and would be nowhere if the contest was on land. But the command of the sea illustrates what Captain Mahan has said, that it is the sea which will govern the world for the future; and if the command of the sea proves complete, then this war is to result in conditions which will be the surprise of everybody.

Now, as to our ability. We are a nation of 80,000,000 people. According to Mulhall we have one hundred and twenty-seven thousand million dollars of wealth. Great Britain has 42,000,000 people and $[illegible],000,000 of wealth. France has 39,000,000 people and $54,[illegible] of wealth. Germany has 56,000,000 people and $45,[illegible] of wealth.

The commerce exports and imports of the United States last year were $[illegible],000,000; of Great Britain, $4,000,000,000; of France, $1,66[illegible],000,000, and of Germany, $2,453,000,000. Germany is under us by $150,000,000, and France is under us by nearly one-half.

And yet the cost of the navies now on the sea and in course of construction are $629,000,000 for Great Britain, with one-half of our population and less than one-half of our accumulated wealth; $327,000,000 for France, with less than one-half of our population and less than one-half of our accumulated wealth, and $[illegible] for Germany, with less than three-quarters of our population and less than one-half of our accumulated wealth.

The actual cost of the vessels in commission and those that will be when the present construction is carried out for the United States, against the figures for these other countries, will be $182,000,000. The United States now occupies the fifth place, with 294,405 tons, as against 387,874 for Germany, 416,158 for Russia, 576,108 for France, and 1,516,040 for Great Britain. When the vessels of all nations now building are completed, then Great Britain will have 1,867,250 tonnage, France 755,755, and the United States 616,275, and while the United States will be in the third rank, Russia and Germany will be very close to us. There are [illegible] battleships, armored cruisers, and other cruisers and scouts above 1,000 tons built and building belonging to all the nations of the world. Of this number the United States has 93.

It has been one of the claims of all writers on the monarchical side that republics, where the people govern, will not have that high appreciation of international relations which maintains the national honor. I have read repeatedly in nearly all English newspapers, when there has been the election of a Washington or an extreme radical, a prediction that if his party got in power Great Britain would lose her place among the nations by comparing policies and legislation on finance and industry which would result in the loss of her prestige and power and the decline of that commerce upon which she depends. But, sir, the United States stands as a living refutation of all those charges. Our appropriations are upon a scale of liberality unequaled in history, but justified by our resources.

We have spent $150,000,000 for the improvement of our rivers and harbors, $[illegible] of it in the last seven years. We have appropriated more in the last ten years for the improvement of our rivers and harbors than the entire cost of our Navy, both that already afloat and that which will come out in the next five years from our shipyards.

Republics are not ungrateful. We are paying $140,000,000 a year in pensions to the soldiers and their widows of a war which ended forty years ago. We are paying it cheerfully and gratefully. The time is not distant when there will be added $[illegible],000,000 or $40,000,000 for a service pension, and then we will be paying to these heroes who saved the country and to their widows a sum greater than the cost of the active army of any great nation in the world, and a sum equal to the present cost of the American Navy, with that added which is now in the shipyards. The cost of the active French army is about $143,000,000 and of Germany $129,000,000.

At the same time we have with great liberality built public buildings everywhere. We have established and are establishing forest reservations for the preservation of our magnificent domain of the woods and for the protection of farms from the floods which come from denuded hills. We have wisely appropriated some twenty-odd millions of dollars for expositions which were purely local in their immediate administration, upon the ground, and the wise ground, that by bringing anywhere the products of other countries for the study of our skilled artisans and the exhibition of our skill for other countries we were promoting the best interest of the trade, commerce, employment, and happiness of our people.

Mr. President, I have talked longer than I intended, but I have been helped by so many to extend the time that I think I may be excused. But I trust that I may be permitted to offer a fervent aspiration that after this programme of naval equipment is completed, this programme of naval equipment which, in my judgment, receives the almost unanimous approval of the American people, then we shall enter into some enlightened system, I care not much what it may be, by which we can have a mercantile marine that will save us from paying $200,000,000 a year to foreign ships to carry the products and the merchandise of America, while we are paying $100,000,000 a year for a navy which could be happily employed in conjunction with our mercantile marine.

The American flag is seldom seen in any port or on any sea or navigable water of the world except upon a fighting ship. We are in every sense a peaceful and a producing people. We are not a fighting nation except under necessity and provocation and for defense. Our clipper ships over fifty years ago were the fastest vessels afloat, models for other nations, and carried 60 per cent of our commerce. Now only 8 per cent goes under the American flag and 92 per cent in foreign vessels. I look forward hopefully to a near future when, by the adoption of a wise and patriotic policy, an American mercantile marine will reverse these humiliating conditions and bring 92 per cent of our tonnage under our flag, when $100,000,000 spent upon our Navy annually will have an offset in the transfer of two hundred millions per annum, now paid to alien shipowners for the carriage of our trade, to an American fleet to find its stimulating way into every channel of our internal commerce and every department of our industries.

I want the world to know that we are a commercial nation by becoming familiar with the flag of the United States upon steamers and sailing vessels carrying our products and the exchange of exports and imports. I want our flag, as an emblem of peace, of expanding commercial relations, and of prosperity, to be on every sea and in every port in the world. [Applause in the galleries.]

The PRESIDENT pro tempore. Applause is not permitted under the rules of the Senate. It must not be repeated.

Mr. GORMAN. Mr. President, I shall not detain the Senate very long, because I am not in a condition to do so, and have no desire to weary the Senate. I wish, however, to congratulate the Senator from Maine [Mr. HALE] in charge of this great bill upon the distinguished services he has rendered in connection with the construction of the new Navy. It has been my great fortune to have been associated with that Senator for eighteen years in the consideration of bills making appropriations for the support of the Navy, and during that whole period, with the exception of one Congress, the party to which he belongs has been in the majority in this body. But, sir, the construction of the new Navy has not been a political matter, as Senators on both sides of this Chamber have always favored liberal appropriations for a navy of sufficient size for our country's needs.

After the close of the civil war the Navy was permitted to deteriorate, and the party to which I belong made its condition a subject of political discussion. Finally, in 1881, the pressing need of appropriate vessels was so apparent that Hon. William H. Hunt, the then Secretary of the Navy, assembled a board of officers, known as the "advisory board," to consider and recommend a scheme for a modern navy, as all patriotic Americans desired a navy of which we might be proud and sufficient to protect our interests at home and abroad.

Following Secretary Hunt came another distinguished Secretary of the Navy, Secretary Chandler, under whose immediate administration the first three ironclads for the new Navy were constructed. At that time there was but a single man of the genius, enterprise, and foresight to provide a shipyard at which they could be built, and even then political feeling had run so high, the Navy having been for so long a period the football of party, that Mr. Roach was almost driven to bankruptcy.

The Administration of President Cleveland followed, and Hon. William C. Whitney, so feelingly referred to by the Senator who has just spoken, accepted the portfolio of Secretary of the Navy. We are all familiar with the patriotic and distinguished services he performed during the time he presided over the Navy Department. A man of tremendous intellectual force, of vast comprehension, with executive ability of the highest order, he devoted all his energies to the great work under his charge, and we can not pay him a tribute worthy of his genius. When Mr. Whitney found the party on the other side of this Chamber in the majority, it did not require a second appeal to the Senator from Maine [Mr. HALE], in charge of the naval appropriation bill, or the Senator from Iowa [Mr. ALLISON], or other distinguished Republicans to unite with those of us on this side and provide for the construction of a navy under a plan carefully considered and well devised. During the Administration of President Harrison, which followed, and up to this hour, so far as I know, party lines have never divided us upon the question of proper appropriations for the naval service.

But, Mr. President, there have been on both sides careful inquiry, thoughtful consideration, and frank criticisms. At one time we stayed the hands of the Administration when we believed it had gone too far in the construction, too rapidly for a healthy increase, and I did not hesitate to criticise the Democratic Secretary who failed to recommend sufficient ships, in my judgment. At another time I aided and we succeeded in preventing him from securing the authority of Congress to construct too many ships.

Such is my position to-day. And I think, Mr. President, that the distinguished Secretary of the Navy who now controls that Department, for whom I have a high personal regard and whom I knew during his service in Congress, has grown too [illegible] has been imprudent and unwise, because I happened to criticise the rapidity with which this great work goes on, in rushing to a distant city and there charging my action to partisanship and trying to create the impression that the Democratic party is opposed to the Navy. I will state, Mr. President, I spoke only for myself, and not for the Democratic party.

But that does not, Mr. President, prevent those of us who believe in a proper Navy, one ample and of sufficient size to protect all our interests, from saying to the Department, "You have gone too far," or from saying to the whole Administration, "You have advanced too rapidly; there is no necessity for it, in our judgment."

The executive branch of the Government must be brought to realize that it was intended by the framers of this Government that the representatives of the people and the Representatives from the States in this body should determine how much money is to be expended for war purposes as well as to declare war. It is for the Executive Departments to recommend; but the judgment is here, and it is placed here by the organic law. If I may say so, and I think it entirely proper, the executive officers of the Government would serve their country better if they attended to the details of their offices and abstained from criticisms of Senators and Members of the House.

Now, Mr. President, what was the scheme upon which we entered? It was for the construction of seventeen ships for the whole American Navy, the number recommended after mature consideration, by the most skillful officers of the Government. Twice seventy ships have been constructed, and the expenditure of $[illegible] per annum has grown to $100,000,000, and is soon to be $150,000,000.

The Senator from New York says it is for peace and commerce that we want this great organization. The fathers and all who preceded us thought otherwise. But then we are coolly informed by the junior Senator from Massachusetts [Mr. LODGE] that the fathers knew very little of the conditions which confront us and their judgments amount to nothing.

Mr. President, every thoughtful man who has discussed this question in Congress has feared this great armament both on sea and land, and I call attention to the patriotic words of President Garfield, delivered in the House of Representatives in 1878 and repeated and indorsed by Secretary—afterwards Senator—Chandler in his annual report in 1883.

Mr. Garfield said:

> The men who created this Constitution also set it in operation and developed the [illegible] of its character. That idea was unlike any other that then prevailed upon this earth. They made the [illegible] of the great league and association of the [illegible] States. In the history of the Old World the people [illegible] were used for the purpose of [illegible] and for the purpose of [illegible] against foreign [illegible]. In the history of the United States we will see the first [illegible] power to construct a central government [illegible] to keep pace with the knowledge of [illegible] and the [illegible] shall be the [illegible] of our own [illegible] and make ourselves intelligent, happy, and prosperous [illegible] of war, and make ourselves intelligent, happy, and prosperous [illegible]

President Garfield believed, as the country has always believed, that we should not be classed as one of the great military powers of the world. But now it is coolly stated by the distinguished junior Senator from Massachusetts that we have become a rich and progressive nation, with aggressive policies, and therefore our Navy, in point of numbers and effectiveness, must be greater than that of France, greater than that of Russia, superior to that

of Germany, and he bows only to England. I wonder that he and the distinguished Senator from New York hesitated at desiring a navy equal to that of Great Britain.

Mr. CARMACK. It will not be long before they do want it.

Mr. GORMAN. No; it will not take long at the rate at which we are now moving on, unless the people of the country shall return to that old sound Republican and Democratic theory that our power and our prestige do not depend upon the number of guns afloat in the Navy or the number of men who wear uniforms on land.

The expense, Mr. President—"well, what of the expense?" I am quite certain the Senator from New York would say: "We are a rich people. There is no trouble about our paying for a hundred more ships and meeting our annual expenditures on this account, even if they run up to one hundred and fifty million or two hundred million dollars, as the case may be." But who pays these expenditures? The people. Will they submit to it? For the time being it is possible they may, as no man can deny they desire and insist that we shall have a splendid, well-equipped navy, equal to any which exists in the world in respect to appointments. They do not ask for a Republican or a Democratic navy, but an American navy; and when one or more of its officers in command of its men are unfortunately brought into an engagement, they want not only the conduct of the officers praised, but they desire that the men who really fight the battles and who win the victories shall receive their just mead of praise, and not be relegated to the rear because of petty jealousy.

It is the people's Navy. They want it well administered, but they want it administered with due reference to economy. I do not mean parsimony, but economy.

The American people are familiar with our past greatness. They know that every interest has been protected; that the Monroe doctrine has been as safe with a navy which cost $14,000,000 a year to maintain as it is with one which costs $[illegible]. They also know when our expenditures reach $100,000,000 for this one branch of the service in 1904 that there is something radically wrong in its administration.

Mr. President, the increases in our naval expenditures have gone on so rapidly and we have been so prosperous that the amounts of money flowing into the Treasury and out of it have not been considered. They will not be until you reach the time when it becomes necessary to collect more money by taxes either from internal revenue or from the tariff.

Mr. President, I doubt, unless Senators have carefully inquired into this matter, if they know how much we have expended on this account in the last few years. My attention was called to it sharply, as I have no doubt was that of other Senators, by the statement of a distinguished gentleman in another branch of Congress who has a right to speak as to appropriations. He called the attention of Members of another body and the attention of all of us here in the Senate to the fact that in the present condition of the revenues we must proceed with great care in the appropriations made or otherwise there would be a deficit.

The gentleman referred to, Hon. JAMES A. HEMENWAY, chairman of the Committee on Appropriations of the House of Representatives, in a speech delivered on January 26 last said:

> Mr. [illegible] referring to the provisions of the bill which I have [illegible] the Committee on Appropriations [illegible] the Treasury of the United States [illegible] all [illegible] [illegible] Members of that Congress to which legislation [illegible] Treasury, I [illegible] to call the attention of the [illegible] country [illegible] called upon to [illegible] ran we [illegible] estimated expenses of the Government for the ensuing fiscal year $[illegible]
>
> [illegible] submitted at the beginning of this session for ordinary expenses [illegible] of $36,500,000 required to meet the sinking fund, amount [illegible] than ten millions in the nature of supplemental [illegible] [illegible] $[illegible] [illegible] $[illegible] [illegible] fiscal year beginning July 1 next at $[illegible] Estimated receipts of the probable total revenues, $42,845,862.07.

His action in cautioning us was wise and proper, and upon that statement this discussion began.

I submit to Senators on the other side who have tried to give this debate a party turn that they will not succeed. We on this side will join with the chairman of the Committee on Appropriations and aid him to reduce the expenditures of this Government. They have never been greater in the history of the country than they are now in the matter of preparation for war. The expenditures provided for in this bill for the pay of officers and the amount included for ships are greater than the entire amount expended in any one year of Mr. Lincoln's Administration, when we had to create a navy which was sufficient to blockade every port from the Potomac to the Gulf.

The sum of $122,000,000 in 1864 included all the naval expenditures, as well as the money used to purchase ships, and we were then purchasing vessels of any kind we could secure.

Let me read to Senators a statement compiled from the appropriation bills, so that we may see how rapidly our appropriations for the Navy have increased since the first Administration of Mr. Cleveland:

Appropriations for the Navy.

First Cleveland Administration, fiscal years 1886-1889:	
1886	$[illegible]
1887	[illegible]
1888	[illegible]
1889	[illegible]
Total	[illegible]
Estimated average population for the 4 years	[illegible]
Appropriations per capita for the 4-year period	$1.[illegible]
Harrison Administration, fiscal years 1890-1893:	
1890	$21,682,510.27
1891	[illegible]
1892	[illegible]
1893	[illegible]
Total	101,[illegible]
Estimated average population for the 4 years	64,[illegible]
Appropriations per capita for the 4-year period	$1.[illegible]
Second Cleveland Administration, fiscal years 1894-1897:	
1894	$[illegible]
1895	[illegible]
1896	[illegible]
1897	[illegible]
Total	107,[illegible]
Estimated average population for the 4 years	[illegible]
Appropriations per capita for the 4-year period	$1.54+
First McKinley Administration, fiscal years 1898-1901:	
1898	$53,003,234.19
1899	[illegible]
1900	[illegible]
1901	[illegible]
Total	[illegible]
Estimated average population for the 4 years	78,[illegible]
Appropriations per capita for the 4-year period	$2.68+
Second McKinley-Roosevelt Administration, fiscal years 1902-1905:	
1902	$78,101,791.00
1903	[illegible]
1904	[illegible]
1905 (as reported to the House)	[illegible]
Total	[illegible]
Estimated average population for the 4 years	81,097,500
Appropriations per capita for the 4-year period	$4.13+

Mr. President, no appropriations, except those for the Army, compare in their increase with this naval appropriation, and it is evidently intended to make our Navy the second in the world. Is it not time to consider this matter? Probably nothing can be accomplished now, but I desire to call attention to it, so that this subject may be dealt with hereafter.

Think of it, Mr. President! The total expenditures for the Navy from 1860 to 1869, inclusive—the ten years which included the period of the great civil war—were $458,000,000. The following period of ten years, from 1870 to 1879, inclusive, they ran down to $204,000,000, making a total for twenty years, from 1860 to 1879, of $662,000,000. From the Administration of President Harrison to 1905 (pending bill included), a period of sixteen years, we will have expended $746,000,000, or $84,000,000 more than were expended for the twenty years which included the civil war.

But this taken by itself does not begin to give a correct idea of all we have expended for army and for naval purposes and for fortifications. We have inaugurated a system of fortifying the coasts at every great harbor in the United States. The necessity for this was brought sharply to the attention of the country, and more sharply than by any other by Mr. Tilden, who was probably the greatest statesman of the Democratic party in my time. He called attention to the necessity of fortifying the coasts of the United States at a time when we had not facilities here to make a gun of respectable caliber, and we then began our system of fortifications.

The following tables show the total appropriations on account of the Army, Navy, and fortifications from the first Administration of Mr. Cleveland to the period covered by the pending bill:

Appropriations for the Army, Navy, and fortifications.

First Cleveland Administration, fiscal years 1886-1889:	
Army	$[illegible]
Navy	[illegible]
Fortifications	4,697,000.00
Total	177,[illegible]
Estimated average population for the 4 years	59,[illegible]
Appropriations per capita for the 4-year period	$2.99

Harrison's Administration, fiscal years 1890-1893:	
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Total	211,[illegible]
Estimated average population for the 4 years	64,459,512
Appropriations per capita for the 4-year period	$3.27
Second Cleveland Administration, fiscal years 1894-1897:	
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Total	215,[illegible]
Estimated average population for the 4 years	69,062,[illegible]
Appropriations per capita for the 4-year period	[illegible]
First McKinley-Roosevelt Administration, fiscal years 1898-1901:	
[illegible]	[illegible]
[illegible]	[illegible]
[illegible]	[illegible]
Total	474,[illegible]
Estimated average population for the 4 years	[illegible]
Appropriations per capita for the 4-year period	[illegible]
Second McKinley-Roosevelt Administration, fiscal years 1902-1905:	
[illegible]	[illegible]
[illegible] (as passed House for 1905)	$299,442,899.22
[illegible]	[illegible]
[illegible]	[illegible]
Total	724,[illegible]
Estimated average population for the 4 years	[illegible]
Appropriations per capita for the 4-year period	$9.55+

[illegible] appropriations.

[illegible]	[illegible]
1886-1889 (4 years), first Cleveland Administration	177,[illegible]
Excess	298,[illegible]
1899-1903 (4 years), McKinley-Roosevelt Administrations	1,[illegible]
1886-1889, 1894-1897 (8 years), first and second Cleveland Administrations	[illegible]
Excess	[illegible]

Mr. President, in the [illegible] the tremendous sum of $[illegible] of Mr. Cleveland's first Administration. [illegible] what we know as the [illegible] side of the Chamber—the national debt was at the close of the war with Spain, [illegible] dollars [illegible] in the affairs of the country. [illegible] as to how it should be [illegible] interest and the sinking fund of the country. Part of it was spent for the Navy, and that is not included in the figures to which I have referred; part of it was spent for the Army, and part of it for the purchase of the two ships mentioned to by the Senator from New York, which were bought in an hour when there was no time but with balanced consideration in the Navy Department and which never reached this country until after the close of the Spanish war. Thus about $2,154,[illegible] has been appropriated for these three purposes within the last twenty years. Has this money been wisely expended, Mr. President?

The report of the Secretary of the Navy informs us that he [illegible] wages all the ships in commission and thoroughly [illegible]. There are more officers now in the Navy during a time of peace than there have been at any time during the history of this country.

We have now a naval force in [illegible] which is equal to the [illegible] the Mexican war. The efficiency of the Navy [illegible] to be all in consideration, for he says: "[illegible] unless you give me men to man them, and [illegible] is to put them into a service [illegible] in the Navy." [illegible] be sent from one end of our country to the other and [illegible] world. What is going to be the cost, Mr. Secretary? Half a million dollars a year to run each battle ship, it is said by the report. Add to it the depreciation of wear and tear, and it will make nearly a million dollars a year for every battle ship that is in commission. In other words, we will have to spend nearly the first cost of the ship on the machinery to keep it in repair for twenty years.

I do not see any necessity for it. If there were any necessity for it, if war were imminent, if there were [illegible] could by any other navy on the face of the earth, why [illegible] a billion dollars? We would give the Secretary of the Navy and the Administration all they could spend. We have not even [illegible] whether the money voted for the Navy has been spent [illegible] improvidently, but the country knows and appreciates the situation, as we must.

These millions, these billions that have been poured out by Congress with so lavish a hand, have tended to demoralization. Extravagance is in the very atmosphere. A war with Spain, that lasted in fact but a few days of actual conflict, has cost us, Mr. President, a billion of money.

Well, it is said we have entered upon a new policy. That is true. We now have colonies, as was frankly admitted by the Senator from New York, and to stop would be to recede in a way [illegible] to those who inaugurated the system. Mr. President, I [illegible] distant lands was before this body. I [illegible] or coaling stations, as they are [illegible] I considered the acquisition of islands [illegible] from our shores, and the government of [illegible] upon which we had [illegible] productive of dire consequences.

The money it has cost we can afford to lose; but I fear from the intimation we get from the Senator from New York, who [illegible] Great Britain, we will not stop in the [illegible].

I have myself no sympathy whatever with any movement which would involve us with the great powers that are engaged in war in the Far East or those whose interests are in China. I still adhere to the old fashioned doctrine of the fathers. No alliance [illegible] and Japan may divide China and carve it up among themselves, but no matter who happens to control those governments they can never prevent the American people from acquiring their [illegible] done for one hundred and twenty-five years, and let it be known that our Navy or Army will not be used in the affairs of other nations.

Mr. President, we should provide a sufficient navy to protect [illegible] and to look after our trade and commerce in every sea of the world. Why, sir, a single battle ship or armored [illegible] was.

It did not take many guns to open the ports of Japan. Commodore Perry, on his mission, was accompanied by a distinguished citizen of my State as the commissioner, and the dawn of the [illegible] Japanese knew that they were dealing with a nation that had no design upon their Government. The opening of Japan, their relations with the [illegible] their [illegible] and [illegible]. In our anxiety for the continuance of that great Empire we have made treaties and then have violated them at will and treated her as [illegible] in the East [illegible], in its wisdom and [illegible] the other powers in [illegible] from that nation. That wise and just action has not only been universally commended, but it has greatly advanced our commercial interests.

Mr. President, fair dealing and noninterference with the government of the East is the policy of commerce; and it will do more to strengthen our trade and increase our commerce than all the ships that can be built in the next seven years.

Mr. President, it [illegible]. Can we afford, [illegible] year or two years, it [illegible] by the [illegible] party, it can be met, but [illegible] have [illegible] country. In the face of the [illegible] on the policy of the party in power can not be [illegible].

Mr. President, this bill will pass with all the [illegible] and [illegible] provisions. When the [illegible] I, I hope and [illegible] that we shall determine the [illegible] of the Navy without [illegible] to party lines, [illegible] not to enter into the [illegible] of this country. We all [illegible] power in a navy commensurate [illegible] protect every American interest at home and abroad, but not one to [illegible] the impression that we are striving to dominate [illegible] in other portions of the earth.

Mr. CARMACK. Mr. President, I am [illegible] the attention of the Senate for a very few minutes. I listened with a great deal of admiration to the speech of the distinguished Senator from New York [Mr. DEPEW]. Of course, I could not undertake any elaborate reply to that speech, but will address just a few remarks to one or two features of it.

The Senator dwelt upon the vast commercial importance of the

Philippine Islands to the United States, and he denied with great earnestness that the possession of that country would be a source of military weakness or a military burden to the United States. That is one view of the question, Mr. President, and I do not know anyone who can state it better than the distinguished Senator from New York.

I have another view of the question, once expressed by a distinguished citizen of New York, one Chauncey Depew. I will leave [illegible] to decide which of these two views ought to prevail. I undertook a day or two ago to get up a debate between the Senator from Wisconsin [Mr. SPOONER] and the Senator from New York. I failed in that. I hope now I can get up a debate where the two opponents will be exactly equal in wit, logic, and power of argument.

The argument made by the Senator's distinguished relative is as follows:

[illegible] are no [illegible].

The Senator then went on to say that the increase of taxes would be felt in the homes of the country, and he said that the Federal tax collector would become a familiar official to the American people. One result of this policy, he declared, would be a "centralization of power far beyond what the old Federalists ever dreamed of."

He added:

"[illegible] in 1776.

Mr. DEPEW. Will the Senator allow me?

Mr. CARMACK. With pleasure.

Mr. DEPEW. I am glad you read these utterances of mine made many years ago.

Mr. CARMACK. Your relative is dead now. I understand.

Mr. DEPEW. That Chauncey Depew is dead. I knew nothing about the Philippines at that time, and I was not then a Senator. I was simply a New Yorker making speeches every night without much thought, and that was one of them.

I was born a Democrat, and continued so until after I had received a collegiate education. [Laughter.]

Mr. CARMACK. Does the Senator say he was born a Democrat?

Mr. DEPEW. I was born a Democrat. My father was a Democrat—a very rigid one—and, as I say, after I received [illegible] education and had some contact with the [illegible] necessities of the country I became a Republican. [Laughter.] But it so happens that my first impressions are always Democratic. [Laughter.] When I made that speech it was a first Democratic impression. When I studied the question I changed my views.

When Daniel Webster—and I am not comparing myself to Daniel Webster, except to follow him as an example, and a long way off—entered Congress he came here a free trader. After he had been here long enough he became educated into a protectionist. When he was taken to task for a great protection speech by having quoted to him his free-trade views, he remarked that only wise men change their opinions. [Laughter.]

Mr. CARMACK. The Senator from New York says he used to be a Democrat. I heard of a distinguished man once who made a like statement, and his competitor replied to it by saying: "So Satan, when he trod the burning marl of hell, boasted that he, too, was once an angel of light." [Laughter.]

The Senator says that when he made that speech he was just talking; that he had not thought. I think, Mr. President, the difference between the Senator's situation then and now, if I may be permitted to say so, is that at that time he was not a member of this body; that he was speaking simply as a patriot, and that he had not then taken a case as a criminal lawyer to defend the policy of the Republican party. I think the Senator's prophecy made in that speech is in line with what he has said here to-day when he warned us, in effect, that we must get ready to take part not only in European, but in oriental politics, and that we must be ready and have a sufficient navy to enable us to engage in the great war which some people think is pending over the division of China. I say that is in line with the warning which the gentleman gave, or his distinguished relative gave, in 1898.

Mr. President, I do not agree with the Senator upon that. If there is to be any great war over oriental questions between the nations of Europe, it would be to our advantage to keep out of that war. While they are destroying each other, wiping each other's commerce from the sea, we would seize and hold the commerce and the carrying trade of the world.

I do not agree with the Senator either in his belief that henceforth we must look——

Mr. DEPEW. May I ask the Senator a question?

Mr. CARMACK. Certainly.

Mr. DEPEW. Where would we get the ships, as we have none now, to do the carrying trade of the world, as long as the Senator's party will not let us have the ships?

Mr. CARMACK. Oh, Mr. President, "the Senator's party" is trying to give you the ships. If you had [illegible] Democratic policy of free ships you would have had them long ago, and you will have the ships whenever it pays to build ships. The time is coming, and is now at hand, when American capital is ready to go into the building of ships for our merchant marine. The distinguished Senator from Maine [Mr. FRYE] who presides over this body, in a speech upon the ship-subsidy bill, gave as one reason why American capital had not been invested in building American ships the fact that it had been so much engaged in building railroads and developing the internal industries of the country that it had not cared to seek investment along that line.

Now that the country has developed in that respect, that railroads have been built all over the country, American capital is ready to go into the building up of a great merchant marine, and if you will just let American shipbuilders know, once for all, that they are not going to get any subsidy, they will at once proceed so to invest their money.

As I was saying, I think the Senator from New York is very much mistaken if he thinks the hope of extending our foreign commerce lies in the Orient. I think the hope of a foreign commerce would be a very poor hope indeed if we had to depend upon that. We have heard a great deal about the vast possessions of our commerce in China and Japan and India. Mr. President, the [illegible] people in China buy from all the world just about what the 5,000,000 people in Canada do. That is the kind of trade you are to get in these oriental countries. If we could sell to the people of China one-half of all the goods they buy from all the world, it would be just about what we are now selling to the 5,000,000 in Canada. The imports of India amount only to [illegible] per annum; the imports of Japan to about [illegible]. People who have a low standard of living, people who work, like the people of India do, for 4 or 5 or 6 cents a day, are never going to become great purchasers of American goods. That is India after it has been one hundred and fifty years under British rule.

Mr. President, I will say furthermore that I agree with what was said by the Senator from Maine [Mr. HALE] with respect to Russia and Japan. Like that Senator, I do not care to take any part. I intend to make a proclamation of neutrality and to live up to it. But I am tired of hearing people say it is to the interest of the United States that Japan shall prevail in that conflict. [illegible] progressive, ambitious nation, a progressive nation in the [illegible] but it is not a nation built upon the model of our western peoples or our western country, and if China falls under the dominion of Japan, and that great country is organized with the genius and the progressive talent of the Japanese, its vast internal resources developed, and its 400,000,000 organized on such a military system as Japan could organize it, it is a very serious question whether or not this country or the countries of Europe, for that matter, would derive any advantage from it.

Mr. President, there is just one other little matter to which I wish to call the attention of the Senate in reference to the pending bill. There are many items of naval expenditure so covered up in the appropriation bill that they are not visible to the naked eye. A naval appropriation bill is intended to be, or at least is supposed to be, an appropriation of public money for public purposes, for the purpose of strengthening and maintaining the American Navy.

Now, it ought to be plain, Mr. President, and it ought to require no argument to show that the expenditure of money for the maintenance of a pleasure yacht for any individual, from the highest to the lowest, is not a naval purpose, and it is not a governmental purpose.

I wish to read in this connection a statement, as follows:

[illegible] the U. S. S. [illegible] President's yacht	$100,000
[illegible] and repairing [illegible] of the President's yacht	65,000
Estimated cost of repairs this year	30,000
Cost of keeping the *Dolphin* and the *Sylph* at the disposition of Mr. [illegible]	60,000
Estimated cost of keeping the two ships in readiness for a Presidential call this summer	2[illegible],000

The total is about $345,000. It is not important as an item of expense; it is a very modest item compared with the total appropriation carried in this bill, but it is important from the standpoint that it is a misappropriation of public money. Where does the President get any authority to convert a naval vessel of the United States into a private pleasure yacht for his own use and benefit? He is Commander in Chief of the Army and Navy, but because he is Commander in Chief of the Army that does not give him the right to take all the cavalry horses of the United States and put them in his own stables and use them to draw his own carriages; and likewise because he is Commander in Chief

of the Navy it does not give him the right to convert a naval vessel of the United States, purchased or constructed for naval purposes, into a private yacht for the private use of himself and his family.

Mr. President, it is simply a question of meum et tuum. The naval vessels of the United States belong to the Government and the people of the United States. They are not the goods and chattels of any man who may happen to be President at the time. The President may find or invent laws never heard of before to justify [illegible] country, but there is no [illegible] "mandate of [illegible] the property of the Government and of the people of the United States [illegible] use.

I say it is not a matter of much consequence, so far as the amount [illegible] ought to be used for naval purposes. Every Senator on this floor has as much right to have a naval vessel converted into a pleasure [illegible] as the President of the United States has. I do not think the President intended anything wrong; I [illegible] impropriety in this act; but it is simply because he [illegible] of [illegible] policy and the sense of law. He is using the property of the United States and has converted it to his own use and benefit.

Mr. BACON. I wish to ask the Senator from Maine one or two questions. It will not occupy very much time. I notice at the bottom of page 34 of the bill this item:

Naval station, Guantanamo, Cuba: Dry dock, $200,000.

The question I wish to ask the Senator from Maine is what evidence has been given to the Senate Committee on Appropriations that the Senate has [illegible] of Guantanamo has been ceded to this Government? Did the Senator from Maine hear the question I propounded?

Mr. HALE. Yes; I was looking for the papers. Has the Senator concluded?

Mr. BACON. I asked the Senator what evidence has been furnished to the Senate or to Congress that the port of Guantanamo in Cuba has been ceded to the United States.

Mr. HALE. I do not know about the technical completion of any act of cession, but that the station has been turned over to the United States, that the United States is in possession, and that it is in a small way going on with the work of making a naval station, the purpose for which it was acquired, are shown by the hearings before the committee and by the estimates of the Department, which I will say in this matter estimated something more than a million dollars. That amount has been cut down to $880,000.

Mr. BACON. I am not criticising the amount.

Mr. HALE. No. I was giving the Senator the fact as to what is the condition.

Now, the Senator can tell better than I whether the final interchange has taken place between the two Governments. I do not know. But to all intents and purposes the United States owns Guantanamo, possesses it, is using it, and is in a gradual way building up a naval station.

Mr. BACON. How does the Senator arrive at that conclusion?

Mr. HALE. First, the estimates, and then the hearings.

Mr. BACON. Certainly the Senator does not undertake to say that when territory known to belong to a foreign government is represented as having been ceded to the United States appropriations are to be made upon hearsay or even upon hearings before the committee or upon estimates sent from a Department? The Senator would not contend for a moment that such is a sufficient evidence to authorize action by Congress in the absence of any official communication to Congress of the fact that there has been a transfer of sovereignty to the United States.

Suppose we should have an estimate sent in by a Department with respect to a part of some Canadian province or a part of Canada on the Atlantic side, and there should be hearings before a committee, in which it should be said that there had been a cession to the Government of the United States; would the Senator say that that was sufficient evidence upon which to proceed to make an appropriation for the fortification of that port?

Mr. HALE. Now——

Mr. BACON. Mr. President, I am not in doubt as to the attitude of the Senator or the attitude of Congress. I suppose I know about the same as the Senator knows and the same as other Senators know, and the object I have in calling attention to this is to show the attitude which we to-day occupy in relation to this matter.

We know by common newspaper report that there has been some negotiation. Of course we know the fact that in the Platt amendment one condition upon which the Government of the United States relinquished control of Cuba was that we should have the right to select certain ports in Cuba to be established as naval stations, and we have [illegible] doubtless I will say that before [illegible] been made that there have been such [illegible] made. But is that the proper information upon which Congress is to act?

Mr. President, if Cuba is an independent country—and we claim that she is—and in [illegible] treaties with her, there is but one way in which [illegible] cession of any territory of Cuba to the United States, and that is by a treaty entered into in the manner in which the Constitution of the United States says a treaty shall be entered into—through negotiation by the President and by the approval of this body. But we [illegible] here to-day proceeding to legislate with reference to this matter as an accomplished fact, when we have not even yet failed to have any treaty in this way, but when we have [illegible] have any [illegible] to us of the fact that there has been ceded to the United States the port of Guantanamo.

Mr. HALE. Let me say to the Senator that the thing is all brought out fully. The Senate [illegible] for assuming that we should [illegible] n. The Navy has [illegible] before the Naval Committee of the House, and one of which is brought out in the public documents which has been printed, and he states [illegible] what [illegible] n is. An arrangement has been made [illegible] is to be given by the Republic of Cuba, if it has not already [illegible] in accordance with it. Quite likely [illegible] Relations Committee know more about [illegible]

Mr. BACON. I will ask the [illegible] nizes that as a proper way in w[illegible] of such a fact?

Mr. HALE. I think Congress is informed. First, there is the provision of the treaty.

Mr. BACON. W[illegible]

Mr. HALE. The [illegible] amendment.

Mr. BACON. That is not a treaty.

Mr. SPOONER. It is a legislative compact.

Mr. BACON. That is a different matter.

Mr. HALE. If the Senator will allow me——

Mr. BACON. I was replying to the Senator from Wisconsin when I said it was a different matter. I beg pardon.

Mr. HALE. I base it on what appears here by Secretary Moody and the provision—

That to enable the United States to maintain the independence of Cuba and to protect the people of Cuba, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling stations or naval stations, at certain points to be agreed upon with the President.

I suppose the Senator from Massachusetts [illegible] Wisconsin, as members of the Committee on Foreign Relations, and as [illegible] State, can tell [illegible] ceded far enough that we have taken possession to go on and occupy and build a naval station there I [illegible] no question whatever.

Mr. BACON. Of course we all know the facts the Senator is stating. I suppose I have the same information that the Senator from Massachusetts and the Senator from Wisconsin have, so far as information has been communicated to the Committee on Foreign Relations. I am not in any manner disputing the fact that these things are stated, and that they have been brought to [illegible] in this way, but the point to which I am calling attention is that whatever we may know about it in our private capacity or in our official capacity, gathered from newspaper reports or other statements sent to us by departmental officers or [illegible] a committee, those are not matters of communication to Congress.

There are two suggestions which I make. The first is that, in my opinion, if there had been any cession, if there had been any sale or any lease, that is the subject-matter of a treaty. What the Senator has read is an agreement to make it a treaty.

Mr. HALE. A lease.

Mr. BACON. I am speaking of the Platt amendment. The Platt amendment, under which this is made, is a specific agreement that a treaty will be made to carry it into effect.

Mr. SPOONER. No; not at all.

Mr. HALE. No: it is not. It does not depend upon that. This provides that there shall be either a sale or a lease, and it is left to the President.

Mr. BACON. I am not speaking of that. The Platt amendment stipulated that it should be embodied in a permanent treaty.

Mr. SPOONER. That is another thing.

Mr. BACON. No, if the Senator will pardon me, it is not.

Mr. LODGE. The Platt amendment is the law of the land. There is no doubt about that. It is embodied in a law passed by Congress. That law provided that in regard to the Isle of Pines we should proceed by treaty; that in regard to a further assurance we should make a treaty, but that in regard to lands for coaling or naval stations Cuba should sell or lease them to us, and it became the duty of the President——

Mr. BACON. The Senator will allow me——

Mr. LODGE. The Senator from Georgia will allow me to finish my sentence?

Mr. BACON. Yes; of course.

Mr. LODGE. It became the duty of the President to make an a[illegible] that agreement has been made.

Mr. BACON. How does the Senator know it?

Mr. LODGE. It is so stated by the Secretary of the Navy——

Mr. BACON. Oh!

Mr. LODGE. A person of authority.

Mr. BACON. The Secretary of the Navy——

Mr. LODGE. Wait a moment——

Mr. BACON. Is not the officer to communicate that fact to us.

Mr. HALE. If the Senator will allow me, I sent for the papers, and I have a copy of the lease and the statement of the [illegible] stages it has gone through. It was signed at Habana June 2, [illegible] President October 2, 1903; ratified by the President of Cuba August 17, 1903; ratifications exchanged at Washington October 6. It is just as complete a d[illegible] deed of warranty when it passes from the grantor to [illegible] and has been recorded in the office of the register of deeds.

Mr. LODGE. And it has been transmitted to Congress by the [illegible]

Mr. BACON. The point I am making is that it has never been officially communicated to the Senate or to Congress.

Mr. LODGE. It has been. It is a Senate document officially [illegible]

Mr. BACON. Transmitted by whom?

Mr. HALE. Transmitted from the Executive.

Mr. BACON. By the President?

Mr. LODGE. Transmitted by the President of the United States.

Mr. BACON. I did not see that. That is exactly the information I have been trying to get from the Senator from Maine all the time. I asked him in the beginning where he got the information, and he has been insisting that he got it from the Secretary.

Mr. HALE. [illegible]

I, Theodore [illegible] President of the United States of America, hereby [illegible] seen and [illegible] virtues of [illegible] the [illegible] appropriation for the support of the Army for the fiscal year ending June 30, [illegible]

THEODORE ROOSEVELT.

WASHINGTON, [illegible]

Transmitted to Congress

Mr. BACON. Transmitted by whom?

Mr. SPOONER. By whom could it be transmitted?

Mr. BACON. It could be transmitted by a departmental officer. I want to know if the President ever sent a communication to Congress on the subject.

Mr. HALE. He has.

Mr. BACON. Please show me the document in which he sent it.

Mr. HALE. Here it is.

Mr. BACON. If the Senator had stated in the beginning that the President had transmitted it, he would have answered my inquiries. But I do not still understand.

Mr. HALE. He did not bring it down here himself. He never does that. He sends one thing to us through the Navy Department and he sends another through the Treasury Department, but that——

Mr. BACON. I will follow the example of my distinguished friend [Mr. HALE] in his lecture this afternoon to the Senator from Minnesota in calling his attention to the difference in the dictionary between the definition of the word "transmit" and the word "bring." I used the word "transmit," and if the Senator will refer to the dictionary he will see that that does not mean the same as "bring." I said "transmit," not "bring."

Mr. HALE. He has transmitted it.

Mr. BACON. This is the report of the Secretary of the Navy, and if there has been any message sent to the Senate or Congress——

Mr. LODGE. It is in the annual message.

Mr. FORAKER. How do we get the report of the Secretary of the Navy? Was it not transmitted by the President of the United States? If the Senator will look at the message he will see that the President transmits the reports of all the Secretaries. That is how we get them there.

Mr. HALE. I am sorry the Senator from Georgia, who is an old Senator, does not know more about the vehicle by which we get things from the Departments. They are all——

Mr. BACON. That is not the question at all.

Mr. HALE. That is the question.

Mr. BACON. No. I beg the Senator's pardon, it is not.

Mr. HALE. If the Senator will allow me, I think he is making a very fine point here on the matter of transmittal. The President sends in his annual message. With that he sends in the reports of the Secretaries. They are not made to us. They are made to him.

Mr. ALLISON. Except the report of the Secretary of the Treasury.

Mr. HALE. Except the report of the Secretary of the Treasury. The reports of all the other Departments are sent to the President and he transmits them. [illegible] is this report of the Secretary of the Navy, which [illegible] facts that the lease is based upon the law, that it has been entered upon and signed by all parties, that it has been ratified in Cuba by the Congress of Cuba, here, that the President has ratified it here, and it [illegible] If the Senator [illegible] that it [illegible] here, then he has more [illegible] I have. I do not know of [illegible] closed here of [illegible] way.

Mr. HALE. As the Senator from Wisconsin says, I do not know of any other way by which the [illegible] it. In his special message at the beginning of the session he made this [illegible]

Mr. BACON. Now, Mr. President, I come to the main point I had in mind and to which I now call the [illegible] Senate. I stated before two propositions. In the first place, that any agreement which had been made between the United States and Cuba [illegible] be ratified [illegible] Senators will remember that I mentioned that.

In the second place I had no information of the manner in which the fact had been communicated to us of any agreement and I [illegible] Senator to state in what way he had received that information.

Passing from the point as to whether or not it has been properly communicated to us, the point to which I call the attention of the Senate is that this is a treaty between Cuba [illegible] States [illegible] and that in the failure to do so there is simply a contravention of an increase of the habit, not simply of this Senate [illegible] session, but of the executive department generally under all Administrations, to usurp, if I may not use that term offensively—I will change it to the [illegible] authority to itself.

I have here now in my hand what I have not seen before, and I did not know that it was here until the Senator gave it to me a moment ago. It is what [illegible] proposes to read [illegible] of it, at least, to the Senate [illegible] not [illegible] but [illegible] by those who were delegated with the power to make a treaty, and using the very phraseology which is always used in the case of treaties. And yet it was not sent to this body for its consent, and it is not proposed to send it to this body.

Mr. President, what does the Constitution say? It says that a treaty may be made by the President and the United States by and with the advice and consent of the Senate [illegible] thereto. It means that a treaty with foreign countries which shall have the effect of law shall be made only by the assent of two-thirds of this body [illegible] now, and it is intended to distinctly take away from the Executive that which belongs or did belong to all the executives of Europe at the time our Constitution was made, to make treaties at pleasure, and to confer it upon the Executive only in conjunction with the Senate.

I will read the beginning of this agreement to show to the Senate that my objection is not a captious one; that it is one of substance. It is upon a par with the [illegible] to a man as a minister and sending him to a foreign country while the Senate is in session without ever having submitted his name to the Senate for confirmation, if such a thing ever occurred, or sending him even after his name had been submitted by nomination and before he had been confirmed. One is as much without authority of law as the other.

Now, how does this agreement between the United States and Cuba differ from a treaty. Let us see whether or not it is a treaty. First, as to form. It is true it speaks of it as a lease, but you

can not change the substance and character of an instrument by a change of names. If it is an agreement between two countries which is intended to have the effect of law, it is a treaty, and this went through all the forms of a treaty.

The United States of America and the Republic of Cuba being desirous to [illegible] the relations between the islands of Cuba and Porto Rico, the Republic of Cuba hands to the United States by the agreement of February 16, 1903, in fulfillment of the provisions of article V of the constitutional ordinance of the Republic of Cuba, have designated their plenipotentiaries to that end:

The President of the United States of America, Herbert G. Squiers, envoy extraordinary and minister plenipotentiary in Havana.

And the President of the Republic of Cuba, José M. Garcia Montes, secretary of finance, and acting secretary of state and justice, who, after communicating to each other in proper form their powers, found to be in due form, have agreed upon the following articles:

Do Senators, who so often have to pass upon treaties, recognize the phraseology, the ordinary form of parties coming together in behalf of two governments for the purpose of making a treaty? Then it goes on with the enumeration of the different articles, and it winds up as follows:

In witness whereof we, the respective plenipotentiaries, have signed this lease, and hereunto affixed our seals.

Mr. SPOONER. Read that again, please.

Mr. BACON (reading):

In witness whereof—

I am speaking of the signatures of the plenipotentiaries—

In witness whereof we, the respective plenipotentiaries, have signed this lease and hereunto affixed our seals.

Done at Habana, in duplicate in English and Spanish, this 2d day of July, 1903.

H. G. SQUIERS. [SEAL.]
JOSÉ M. GARCIA MONTES. [SEAL.]

Mr. SPOONER rose.

Mr. BACON. I am not through, but still if the Senator wants to speak on this point I will yield. I wish to call attention to other features of the agreement.

Mr. SPOONER. That is what I was going to ask the Senator to do.

Mr. BACON. I am going to do that because——

Mr. SPOONER. I had never seen it.

Mr. BACON. I never saw it before.

Mr. PLATT of Connecticut. Will the Senator yield to me?

Mr. BACON. Yes, sir; with pleasure, in a moment. I had heard of it, but had never seen it. I think it has never been transmitted. Even if it were a proper document, even if it did not require the approval of Congress, it has not been transmitted to the Senate in the way in which I think it was due to the Senate that it should have been transmitted—by a formal Presidential message. It is true, as the Senator from Maine says, it is here in a department report, and that departmental report was transmitted by the President, but that is not a direct communication by the President of the character which is usually employed when important matters are communicated to Congress, upon which they are to take action.

Mr. SPOONER rose.

Mr. BACON. If the Senator will pardon me a moment, I am coming to the features of the agreement.

Mr. SPOONER. Just a moment. The Senator says it was transmitted to Congress, not to the Senate?

Mr. BACON. Yes; I understood that is the case, and so far as that goes it is a mere matter of form. I would be perfectly content to pass by as an inadvertence the manner of transmission; but the point I am troubled about, and which every Senator here ought to be troubled about, and which ought not to become upon which we divide on party lines, is that this is a treaty and is of no effect until it has been properly transmitted to the Senate and has received the approval of two-thirds of this body.

Now, as to the form, I have already shown that it is in the usual form of treaties made by parties empowered as plenipotentiaries are for the purpose of making treaties, exchanging to each other their credentials and each agreeing that the other has his authority in due form. Now it goes on. In Article I there is an agreement—but I will read it rather than state the substance:

ARTICLE I.

The United States of America agrees and covenants to pay to the Republic of Cuba the annual sum of $2,000, in gold coin of the United States, so long as the former shall occupy and use said areas of land by virtue of said agreement.

While that is in pursuance of an agreement to make a lease, it is nevertheless a covenant between two countries, which could only be made by a treaty to be the law of the land.

All private lands and other real property within said areas shall be acquired forthwith by the Republic of Cuba.

The United States of America agrees to furnish to the Republic of Cuba the sums necessary for the purchase of said private lands and properties, and such sums shall be accepted by the Republic of Cuba as advance payment on account of rental due by virtue of said agreement.

ARTICLE II.

The said areas shall be surveyed and their boundaries distinctly marked by permanent fences or inclosures.

The expenses of construction and maintenance of such fences or inclosures shall be borne by the United States.

ARTICLE III.

The United States of America agrees that no person, partnership, or corporation shall be permitted to establish or maintain a commercial, industrial, or other enterprise within said areas.

That certainly is subject-matter of treaty agreement.

Mr. DRYDEN. Was it transmitted to the Senate?

Mr. BACON. No, sir; it was never transmitted to the Senate. I repeat the sentence which I desire certain Senators to hear. That stipulation is a matter of treaty agreement. It is true it grows out of a lease, but it is a stipulation which is to have the effect of law in this country, a binding obligation, and one which can only be made by the treaty-making power. But if there were any doubt about it the next article is one which, it seems to me, puts it beyond the possibility of difference between us about it:

ARTICLE IV.

Fugitives from justice charged with crimes or misdemeanors amenable to Cuban law, having [illegible] by the United States authorities on demand by duly authorized Cuban authorities.

Is it possible that any Senators can divide on party lines on a question of that kind, as to whether that is a treaty stipulation, which can only be made by a properly executed and approved treaty? It is an absolute extradition stipulation.

On the other hand—

Mark the other side now—the reciprocal agreement on the part of Cuba—

On the other hand, the Republic of Cuba agrees that fugitives from justice charged with crimes or misdemeanors amenable to United States law, committed within said areas, [illegible] demand be delivered up to duly authorized United States authorities.

I do not know whether I should stop to discuss Article IV or not. I am in doubt whether by discussing I should assume that any Senator will for a moment doubt or dispute the proposition that it is a treaty provision. There is a plain reciprocal extradition treaty on the one part, and on the other something that never was conceived of before as possible, except through a treaty properly made and properly consented to by the Senate.

ARTICLE V.

Materials of all kinds, merchandise, stores, and munitions of war imported [illegible] munitions of war shall not be transported [illegible] into Cuban territory.

ARTICLE VI.

Except as provided in the preceding article, vessels [illegible] into or depart from the ports of said areas [illegible] the usage of nations and to particular [illegible] of war.

ARTICLE VII.

This convention shall be ratified and the ratifications shall be exchanged in the city of Washington [illegible] seven months from this date.

In witness whereof [illegible]

Then follows the approval of the President

I, THEODORE ROOSEVELT, President of the United States of America, having [illegible] for the support of the Army for the [illegible] June, 1903, [illegible] of the Army for the [illegible]

THEODORE ROOSEVELT.

WASHINGTON, *October 2, 1903.*

That approval was doubtless made in good faith by the President, but it was none the less an approval which could have no effect to make it law and binding on the United States. The agreement, being essentially and necessarily a treaty, could only become law, binding in its terms and effect, when consented to and advised by two-thirds of the Senate.

Mr. PLATT of Connecticut. There is another lease——

Mr. McCOMAS. Will the Senator allow me to read just from that reference?

Mr. BACON. I yield to the Senator from Connecticut. I will yield to the Senator from Maryland in a moment.

Mr. PLATT of Connecticut. There is another lease of a different date, establishing the boundaries, which has nothing in it except the establishment of boundaries.

Mr. BACON. Very well.

Mr. PLATT of Connecticut. I did not know whether the Senator had that lease.

Mr. BACON. I will be very frank and say to the Senator from Connecticut, and to other Senators, that my object in calling the

attention of the Senate to this matter was not for the purpose of defeating this item of appropriation, because I have the moral certainty of the fact, which has been stated by the Senator from Maine and known to other Senators, as to what has occurred. But, in the first place, I had not the information, and I still do not have it, that we have been properly informed of it; and, in the second place, and more particularly (I might say that without this I should have said nothing), I had heard casually, never having seen this document, that it did contain these provisions, which were provisions which could not possibly be of force, according to my view, unless they had been put into a treaty properly negotiated, submitted to the Senate, and consented to in the way prescribed by the Constitution.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. BACON. Certainly. I yield the floor to the Senator.

Mr. SPOONER. I do not wish to take the floor. I only want to ask the Senator whether he is not of the opinion that this agreement, whatever may be its form, is valid so far as it leases or attempts to lease to the United States a coaling station? If invalid, it must be upon [illegible] which [illegible] was conferred, or perhaps would be conferred, upon the President by the Platt amendment. That is the question, and the only question, which has to do with the question of appropriations.

Mr. BACON. My judgment is that while, of course, the agreement would be binding on Cuba from the fact that it was a condition upon which we had surrendered the military control of the island and turned it over to its own people, that fact alone is not one which would authorize that which the Senator spoke of just now as a legislative compact between two nations, so as to take it out of the class known as "treaties." In other words, I do not recognize the fact that Great Britain and the United States can enter into a [illegible] that compact is put into the form of a treaty and consented to by the Senate.

I do [illegible] the fact that Cuba could enter into an agreement with us [illegible] to the dignity of a treaty and not require the [illegible] of a treaty at the time she consented to the Platt amendment, as we call it for purposes of brevity and perfect identity, because she was not then in a condition in which she could make a treaty. Cuba could not make a treaty at the time the Platt amendment was consented to by her, but she could consent to a condition by which she would be put into a position where she could thereafter make a treaty. That fact, I am sure, is recognized by Senators who were not only familiar with the Platt amendment, but were instrumental in devising it and constructing it.

The Platt amendment itself contains a provision which recognizes the very legal status which I have spoken of, that while it would exact this as a condition before the United States would take certain action, Cuba should make the treaty thereafter, when after that change of condition she should have the power to make a treaty.

Now, this lease is executed at the time when Cuba was empowered to make a treaty, and I think that any cession of territory, whether it be a permanent cession accompanied by absolute sovereignty or a temporary cession accompanied by partial sovereignty given by one nation to another, must necessarily be a treaty. The Senator from Connecticut has just pointed out to me that there is another one. Is this the one?

Mr. PLATT of Connecticut. I do not think it is there. I have sent for it.

Mr. BACON. I understand from the Senator from Connecticut that there is another paper which has one of these provisions in it.

Mr. CULLOM. There are two papers. I have sent to the committee for those papers to see exactly what they are.

Mr. BACON. Mr. President, I hope that what I have presented has relieved me from the imputation, which was plainly made by the Senators on the other side of the Chamber, that I was making a captious objection. I think it is a matter of the gravest moment that this Senate should not in any manner surrender its right to approve or disapprove any agreement between this country and any other country, because any agreement which is to have the effect of law must necessarily be a treaty, and the function of this Senate to advise and consent to such a treaty, or to reject it, is not to be defeated by calling a treaty by some other name.

The Senator from Wisconsin [Mr. SPOONER] asked me a question which I probably have not answered as directly as I should. He asked whether, in so far as this paper is designed to convey a lease to this Government, I consider that effective without the ratification of the Senate, and I do not know that I have answered it concisely.

Therefore I will repeat what I said, much more generally. I think that any agreement by which territory is ceded, either temporarily or permanently, by any government to this Government must necessarily be in its essence and nature and substance a treaty, and should be negotiated in the same way and approved in the same way; and as a member of the Senate it would be my opinion that that ought to be put in the form of a treaty, and ought to be sent to this Senate and receive its sanction in the manner provided by law.

So far as this particular appropriation is concerned, while it is proper that the matter I have spoken of should be called to the attention of the Senate, it is not my design to move to strike it out. But I do think that we ought never to pass—and I would object if there were a Democrat in the White House as quickly as I would when there is a Republican there—we ought never to pass without protest and resistance anything which looks like an encroachment upon the proper function of the Senate in so solemn a matter as the execution and ratification of a treaty.

Mr. CULLOM. I desire to state that the papers, which are agreements made in reference to these lands, were sent to me in response to a letter from myself to the Secretary of State.

Mr. PLATT of Connecticut. Mr. President, I think perhaps the facts in this case ought clearly to appear.

Mr. BACON. Yes.

Mr. PLATT of Connecticut. There was a lease made of this Guantanamo property prior to what is called the "lease," to which the Senator from Georgia [Mr. BACON] has alluded. On the 16th of February, 1903, there was an agreement made between the United States of America and the Republic of Cuba. It does not seem to have proceeded along the same lines as the subsequent agreement. There was nothing said in it about plenipotentiaries having been appointed. It referred exclusively to the boundaries of the proposed territory to be leased for a coaling station, and I think, perhaps, to make this entire subject clear, I ought to read that entire agreement or lease. It is as follows:

CUBA COALING AND NAVAL STATIONS.

Agreement between the United States of America and the Republic of Cuba [illegible] United States of America and the Republic of Cuba [illegible] and upon by the two Governments) [illegible] United States of America and the Republic of Cuba [illegible] of the [illegible] 2 May, 1902 [illegible] specified points, to be agreed upon have reached an agreement to that end, as follows:

ARTICLE I.

The Republic of Cuba hereby leases to the United States, for the time required [illegible] the following-described [illegible]

FIRST, in [illegible]

From a [illegible] House, a line running north (true) a distance of 4.25 miles [illegible] eastward of Windward [illegible]

From the northern extremity of this line a line running west (true) a distance [illegible]

From the extremity of this last line a line running southwest (true) [illegible]

From the extremity of this last line a line running south (true) [illegible]

The [illegible] be subject to all the conditions named in Article II of this agreement [illegible] on Chart 2030.)

[illegible] and a line running north [illegible] a point [illegible] west (true), [illegible]

ARTICLE II.

The [illegible] the [illegible] and naval [illegible] shall have free passage through the waters [illegible] adjacent.

ARTICLE III.

While on the one hand the United States recognizes the continuance of the ultimate sovereignty of the Republic of Cuba over the above-described areas of land and water, on the other hand the Republic of Cuba consents that during the period of the occupation by the United States of said areas under the terms of this agreement the United States shall exercise complete jurisdiction and control over and within said areas, with the right to exercise such rights of sovereignty as would naturally be incident to such occupation, but not to extend beyond the period of such occupation, and to acquire property therein by purchase or by exercise of eminent domain, with full compensation to the owners thereof.

Done in duplicate at Habana, and signed by the President of the Republic of Cuba the 16th day of February, 1903.

[SEAL.] T. ESTRADA PALMA.

Signed by the President of the United States the 23d of February, 1903.

[SEAL.] THEODORE ROOSEVELT.

The document which the Senator has read was a "lease to the United States by the Government of Cuba of certain areas of [illegible] for naval or coaling stations in Guantanamo and [illegible]," which was signed at Habana July 2, 1903; approved by the President [illegible] 1903; ratified by the President [illegible] and ratifications exchanged at Washington [illegible] 6, 1903.

Mr. TAYLOR. If the Senator will pardon me, I think the proper [illegible] of those papers is [illegible]. That the first paper is an entirely proper [illegible] in other words, a preliminary to a treaty. [illegible] in a case [illegible] as a [illegible] as the [illegible] which this appropriation [illegible] and if [illegible] should be negotiated [illegible] as a treaty.

Mr. [illegible]. I agree to say that I [illegible] of the provisions of the [illegible] or lease to the United [illegible] such as might be [illegible] to the Senate to be ratified as a treaty. I do not think, however, that provisions which are usually included in treaties [illegible] into such a lease without its ratification by the Senate.

Mr. CULLOM. I will take the liberty of putting the first paper, which has been read by the Senator from Georgia, in the RECORD.

Mr. BACON. As I have read that paper, it will necessarily go in the RECORD.

Mr. CULLOM. Very well.

Mr. [illegible] and Mr. McCOMAS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Minnesota [Mr. [illegible]] is recognized.

Mr. McCOMAS. I rose at the Senator from Georgia's call had the floor, and I wish him to yield to me for a moment.

The PRESIDENT pro tempore. The Chair understood the Senator from [illegible] to yield the floor.

Mr. [illegible]. Mr. President, I beg the indulgence of the Senate, although it is rather late, to submit a few [illegible] in reply to some of the statements which were made by the Senator from Maine [Mr. HALE].

The Senator seemed to intimate that I had violated some of the principles of neutrality [illegible] I say to the Senator that [illegible] in the United States [illegible] Canada and England. The Senator seems to think that that was a gross breach of the principles of neutrality, but in the same breath and while taking me to task for that, he called the attention of the Senate to the great danger we had in case Japan should be victorious. The language I used—I can not quote his exact language—was that Japan was such an ambitious power that, in his opinion, we have more to fear from that country than from any other. I submit to the Senate that if there was any [illegible] the principles of neutrality on my part, I think the Senator from Maine violated them as strongly as I did.

I want to say further, Mr. President, that in the remarks I made I did not intend to imply that our Government should take any other position than that taken. We ought to have a navy to protect our interests in this controversy.

[illegible] that question, when we are discussing a matter of this kind we have a right to look in the direction where our commercial interests lie. We have now become a great manufacturing and producing nation—the greatest on the face of the earth. Our productive capacity is far in excess of our home demand, of our home market.

We have got to look abroad. In Europe we have almost exhausted ourselves; we have almost got to "the end of our rope." Owing to the hostile tariff legislation which some of the European countries have enacted, and more that is threatened, and, as the Senator from New York [Mr. DEPEW] intimated to-day, such as the changed policy that is likely to take place in England, and owing to the commercial jealousies which exist in the countries of the old world we are subject to great competition and have great difficulties. The great field for American commerce and for the extension of our trade lies in the Orient. That is not a new gospel, as the Senator from Maine seems to indicate, but it is an old Democratic gospel. Away back in 1854, under a Democratic Administration, when Japan was a sealed book and a closed door to us, Commodore Perry was sent there by our Government to open Japan to the commerce of the United States and to the commerce of the world. In opening the doors of Japan we opened the eyes of those people to the benefits of western civilization and western progress.

We can see the difference, Mr. President. While Japan was in that condition, in a [illegible] state, with a closed door, we had no commerce and traffic with her at all. Since then our commerce [illegible], we have secured an [illegible] commerce with her.

The Senator from Maine intimates that our commerce in the Orient is not of much consequence. It may not be as yet as large as our commerce with Europe, but the figures I have here indicate what we may expect in [illegible].

In 1892 our total commerce with oriental countries was $102,583,634, and in 1903, eleven years later, it was $213,501,048, more [illegible] in eleven years; and, mind you, that increase occurred while the Boxer rebellion was on in China, which prevented the full measure of trade that we should otherwise have had with [illegible].

[illegible] at the territory in the Orient, China proper consisting of [illegible] or nineteen provinces, with 1.3 [illegible] and a [illegible] with an area [illegible] in seven [illegible] is Korea, with an area of [illegible] as large as the State of Minnesota, which I have the honor in part to represent here, and with a population of over 10,000,000. Then [illegible] is little Japan, [illegible] Yankee of the Orient—little [illegible] with an area of [illegible] 50,000 [illegible].

Right here [illegible] the service of humanity, right at its very doors, are our [illegible]—the Philippine Islands. [illegible] in our possession we are placed in a position [illegible] the trade of [illegible] and the [illegible] and manner of the great nations of Europe. [illegible] we could not do that. There was only one honorable, upright, and manly thing for the great American people to do, and that was just what we did—take the country, occupy it, civilize the people, give them a good government, and establish law and order there. That is exactly what we have done.

With that country in our possession and under our rule, Mr. President, we have got such a rooting in the Orient that we can develop and control that trade. Having that possession, we have a duty [illegible] care of the Philippine Islands, to keep them [illegible] and to preserve peace and order there, but we need a fleet in eastern waters to look after our commercial interests, to preserve them, and take care of them.

So, Mr. President, with all due respect to the Senator from Maine, I must say to him that nothing in the past history of Japan, since Commodore Perry opened the doors of that country, will afford any ground for him to imagine that the American people need apprehend any danger from that point.

With Japan we have the open door, and have had it for years. With China, under the recent treaty, we have the open door, thank God, on liberal conditions, and we are not entirely out of Manchuria, as the Senator from Maine intimates. Under the recent treaty ratified by the Senate we get two treaty ports—Antung, near the mouth of the Yalu River, and Mukden, the capital of the Province of Sheng King. It is really the principal town in Manchuria. There is no country that has greater interests in the Orient than we have, and it is necessary that the American nation should exercise a moral influence, and a moral influence comes from the fact not only that we are a great and strong nation, but from the fact that we have a good, aggressive navy. I think every American citizen who believes in the progress and prosperity and growth of the country, who wants to build up our country, East and West, North and South, and to promote its interests in all quarters of the globe, ought to do his utmost to build up our Navy. We can never have it any too large.

The PRESIDING OFFICER (Mr. KEAN in the chair). The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. QUARLES] to the amendment.

Mr. QUARLES. I desire to suggest a verbal change in the amendment which I offered to this bill. It is in line 5 of the printed amendment, to strike out the word "school" and insert in lieu thereof the word "station."

Mr. HALE. Yes; that is right. If the Senator had not made that motion, I should have made it.

The PRESIDING OFFICER. Without objection, that verbal change will be made. The question is on agreeing to the amendment offered by the Senator from Wisconsin to the amendment of the committee.

Mr. HOPKINS. I move to lay on the table the amendment offered by the Senator from Wisconsin to the amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois to lay on the table the amendment offered by the Senator from Wisconsin to the amendment.

The motion was not agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the Senator from Wisconsin to the amendment.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HALE. I am very desirous of getting this bill out of the way of other matters in which Senators are [illegible]. I hoped to pass it to-night. The Senator from [illegible] [Mr. [illegible]] tells me that at this hour there are two or three amendments which he wishes to propose to the bill, but that he is not ready with his facts and documents. We shall go over until Monday morning. I am disappointed that we can not pass the bill to-night. But the only reason that has been made is that controversy has been discussed. Therefore I shall ask the Senate to take up the bill the first thing on Monday morning.

I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until Monday, March 7, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *March 5, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of yesterday's proceedings was read and approved.

POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET, from the Committee on the Post-Office and Post-Roads, reported a bill (H. R. 15521) making appropriations for the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes; which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

Mr. OVERSTREET. I ask unanimous consent that the gentleman from Tennessee [Mr. MOON] may have the privilege of filing the views of the minority of the committee on this bill.

Mr. MANN. Are points of order reserved on the bill?

The SPEAKER. One moment.

Mr. SMITH of Kentucky. I want to reserve all points of order.

The SPEAKER. The Chair will say that the gentleman from Tennessee has the right to file the views of the minority, if they are ready.

Mr. MOON of Tennessee. Very well; I file them now, and I desire to reserve points of order on the bill.

The SPEAKER. All points of order are reserved upon the bill by the gentleman from Tennessee.

INDIAN APPROPRIATION BILL.

On motion of Mr. SHERMAN, the House resolved itself into the Committee of the Whole on the state of the Union (Mr. BOUTELL in the chair) and resumed the consideration of House bill No. 12684, [illegible] Indian bill.

Mr. SHERMAN. I notice on page 2928 of the RECORD that the amendment in reference to the Uinta Reservation contains the words "October 1, 1904." It should read "October 1, 1905." I think it is a misprint. It should be corrected.

The CHAIRMAN. The Clerk informs the Chair that in the bill the language is "1905."

Mr. SHERMAN. That is correct.

Then, Mr. Chairman, on the same page is an amendment providing for the payment of $5,000 out of the indgment in favor of the New York Indians, for the purpose of ascertaining the beneficiaries of that judgment. The amendment should have provided that the appropriation be immediately available. I ask unanimous consent that the amendment be considered as adopted in that form.

The CHAIRMAN. The gentleman from New York asks unanimous consent to insert in the amendment to which he has referred the words "to be immediately available." Is there objection? The Chair hears none.

Mr. MANN. I notice, Mr. Chairman, that in the left hand column of page 2927 of the RECORD, in an amendment which I offered, the language as printed is "San Francisco, Chicago, and St. Louis." It should be "San Francisco, Chicago, and New York." It was so read.

The CHAIRMAN. The Chair is informed by the Clerk that it so appears in the bill.

Mr. SHERMAN. In the printed bill, on page 41, which has been passed over, the word "building," in line 12, should have been "buildings." That is a printer's mistake. I ask unani-

mous consent that the correction be made by inserting "buildings" instead of "building."

The CHAIRMAN. Without objection, the correction will be made.

Mr. SHERMAN. I am advised that an amendment, which was agreed to in line 6, page 2, providing for a change of the word "seven" to the word "eight," has been made in the bill to change "seven" to "six."

The CHAIRMAN. The Chair is informed that "eight" is the word appearing in the bill.

Mr. SHERMAN. That is correct. That is what the RECORD shows.

The Clerk read as follows:

[illegible]

Mr. LITTLE. I offer the amendment which I sent to the desk.

The Clerk read as follows:

[illegible] line 6, insert, after the word "[illegible]," the following:

"[illegible] provision for the attendance of children of noncitizens [illegible]."

Mr. LITTLE. Mr. Chairman, I regard the amendment that I have offered not only as of the highest importance, but as enabling the Secretary of the Interior in a large measure to carry out the purposes that he evidently has in mind. The situation is about this: This appropriation to aid the Choctaws, Chickasaws, etc., [illegible] of new schools and in [illegible] present [illegible] amounts to $[illegible]. The rural schools in the country [illegible] to sustain or maintain [illegible] schools. Now, with this amendment to the provision which will enable the Secretary of the Interior [illegible] In other words, if in the management of the schools it is found necessary or reasonable to do so, noncitizen children can be admitted into the Indian schools upon terms that the Secretary may prescribe for payment, and this money may be used in part in assist in the carrying on of the work of [illegible] in the schools.

Mr. CURTIS. I think if the gentleman would read the law he will come to the conclusion that that can be done as the law now stands.

Mr. LITTLE. I think it important to relieve the Secretary of any embarrassment on that point. [illegible] not absolutely mandatory; it is left as I [illegible] school board, but I want the Secretary to feel free about the matter, because I believe he ought to do it. I believe it to be to the best interest not only of the noncitizen children but of the citizen children of that [illegible].

Mr. CURTIS. I will withdraw any objection to the amendment.

Mr. LITTLE. I am glad to hear the gentleman say so. I regard it as of very great importance. [illegible] in the near future become patrons of the same common schools of the same common State.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. That [illegible] supplies for which appropriations are herein [illegible] as may be necessary, to be paid in the manner [illegible] and disbursed by him under such rules and regulations as he may prescribe.

Mr. LITTLE. I offer the amendment which I sent to the desk.

The Clerk read as follows:

On page [illegible], in line [illegible], insert, after the word "[illegible]," the following:

"[illegible] providing provision for the attendance of children of noncitizens [illegible]."

Mr. LITTLE. Mr. Chairman, I regard the amendment that I have offered not only as of the highest importance, but as enabling the Secretary of the Interior in a large measure to carry out the purposes that he evidently has in mind. The situation is about this: This appropriation to aid the Choctaws, Chickasaws, etc., [illegible] of new schools and in [illegible] present [illegible] amounts to $[illegible]. The rural schools in the country [illegible] to sustain or maintain [illegible] schools. Now, with this amendment to the provision which will enable the Secretary of the Interior [illegible] In other words, if in the management of the schools it is found necessary or reasonable to do so, noncitizen children can be admitted into the Indian schools upon terms that the Secretary may prescribe for payment, and this money may be used in part in assist in the carrying on of the work of [illegible] in the schools.

Mr. CURTIS. I think if the gentleman would read the law he will come to the conclusion that that can be done as the law now stands.

Mr. LITTLE. I think it important to relieve the Secretary of any embarrassment on that point. [illegible] not absolutely mandatory; it is left as I [illegible] school board, but I want the Secretary to feel free about the matter, because I believe he ought to do it. I believe it to be to the best interest not only of the noncitizen children but of the citizen children of that [illegible].

Mr. CURTIS. I will withdraw any objection to the amendment.

Mr. LITTLE. I am glad to hear the gentleman say so. I regard it as of very great importance. [illegible] in the near future become patrons of the same common schools of the same common State.

The amendment was agreed to.

The Clerk read as follows:

SEC. 2. That [illegible] supplies for which appropriations are herein [illegible] as may be necessary, to be paid in the manner [illegible] and disbursed by him under such rules and regulations as he may prescribe.

Mr. LITTLE. I offer the amendment which I sent to the desk.

The Clerk read as follows:

On page [illegible], in line [illegible], insert, after the word "[illegible]," the following:

"[illegible] providing provision for the attendance of children of noncitizens [illegible]."

Mr. LITTLE. Mr. Chairman, I regard the amendment that I have offered not only as of the highest importance, but as enabling the Secretary of the Interior in a large measure to carry out the purposes that he evidently has in mind. The situation is about this: This appropriation to aid the Choctaws, Chickasaws, etc., [illegible] of new schools and in [illegible] present [illegible] amounts to $[illegible]. The rural schools in the country [illegible] to sustain or maintain [illegible] schools. Now, with this amendment to the provision which will enable the Secretary of the Interior [illegible] In other words, if in the management of the schools it is found necessary or reasonable to do so, noncitizen children can be admitted into the Indian schools upon terms that the Secretary may prescribe for payment, and this money may be used in part in assist in the carrying on of the work of [illegible] in the schools.

Mr. CURTIS. I think if the gentleman would read the law he will come to the conclusion that that can be done as the law now stands.

Mr. LITTLE. I think it important to relieve the Secretary of any embarrassment on that point. [illegible] not absolutely mandatory; it is left as I [illegible] school board, but I want the Secretary to feel free about the matter, because I believe he ought to do it. I believe it to be to the best interest not only of the noncitizen children but of the citizen children of that [illegible].

Mr. CURTIS. I will withdraw any objection to the amendment.

Mr. LITTLE. I am glad to hear the gentleman [illegible]

Mr. SHERMAN. Mr. Chairman, I reserve a point of order against this amendment until I can know something about it.

Mr. JONES of Washington. Mr. Chairman, I will state that this was a matter that was brought to the attention of the chairman a few days ago and, at his suggestion, was referred to the Indian Office. This matter was brought to my attention about a week ago, after the bill was reported, and I consulted with the Commissioner of Indian Affairs regarding it, and he said he had no objection to it. I submitted it to him in writing for a report. I went there day before yesterday, and they said the report had been prepared and sent to the Secretary of the Interior, and that they had no objection to it. They said I would get it yesterday. I did not get it, and I sent my secretary this morning, and it seems that it has not yet come before the Secretary of the Interior; at least, he has not acted on it. I have here a slip stating that their report had gone to the Secretary of the Interior March 3.

Mr. SHERMAN. With a favorable report?

Mr. JONES of Washington. Yes; the report was favorable. The Indian Office said that they had no objection to it. I will state for the benefit of the chairman and of the committee that there are a few Indians living along the Colville River, a sluggish stream, along which there are much swamp lands that will make first-class agricultural lands if drained. These Indians have their allotments, but not being allowed to convey any land for any purpose, the building of a drainage canal is blocked because it would have to go through their lands or some of them. These people are very anxious that these Indians shall be assessed for that benefit, but of course the Commissioner would not approve of that, and the committee would not approve of it. But aside from that, if they can get permission to negotiate with the Indians for a right of way, they will build the canal, and this will not only reclaim the lands of the whites, but be of great benefit to most of these Indian lands.

Mr. SHERMAN. By the amendment it is left discretionary with the Secretary of the Interior?

Mr. JONES of Washington. The conveyances must be approved by him. I have adopted the same language that the gentleman has already adopted in the bill.

Mr. SHERMAN. Mr. Chairman, I withdraw the point of order.

The amendment was considered, and agreed to.

Mr. SPALDING. Mr. Chairman, I would like to inquire of the chairman of the committee the necessity and propriety of the exemption of the persons named in sections 12 to 16, inclusive.

Mr. SHERMAN. Mr. Chairman, I have here a report from the Department in each individual case. They are rather too voluminous to read, but each report is separate and each report was considered by the full committee, and in each case it was considered that the case was made out that brought these Indians outside of the general rule where it seemed proper that the right to alienate should be granted.

I will very gladly put all of these reports in the RECORD, and will be glad to hand them over to my friend from North Dakota if he cares to see them.

Mr. STEPHENS of Texas. Mr. Chairman, owing to the confusion I could not hear the question of the gentleman from North Dakota.

Mr. SHERMAN. The gentleman from North Dakota inquired why the exception was made in reference to these persons named in sections 12 to 16, inclusive, and I was explaining to him; and, without objection, I will insert in the RECORD the reports made in each case.

The reports are as follows:

DEPARTMENT OF THE INTERIOR,
Washington, January 11, 1904.

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

SIR: I have the honor to transmit herewith copy of Indian Office report of 6th instant upon the application of Edgar Hendrix, a full-blood Wichita [illegible] the Kiowa Agency, Okla., for authority to sell [illegible] of his allotment, to wit, the northwest quarter of section 9, township [illegible] Indian Office's report shows that the Enid and Anadarko Railway [illegible] town, at the place [illegible] would be of great benefit to the Wichita [illegible] for insertion in the Indian appropriation bill providing the necessary authority.

Concurring in the Commissioner's recommendation, I have the honor to request that the matter receive favorable action by your committee.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 6, 1904.

The honorable the SECRETARY OF THE INTERIOR.

SIR: This office is in receipt, by reference from Lieut. Col. James F. Randlett, in charge of the Kiowa Agency, of a petition addressed to you by Edgar Hendrix, Wichita allottee No. 349.

The petitioner represents that he is a full-blood Wichita Indian of the Kiowa Agency, Okla.; that as such Indian there was certified to him an allotment of 160 acres of land from the former Wichita Reservation, in Oklahoma, which allotment comprises the northwest quarter of section 9, township 8 north, range 10 west; that the Enid and Anadarko Railway Company since the time when said land was allotted to the petitioner has built a line of railway across said allotment of the petitioner, and that said railway company has established a station upon his allotment, and that said allotment is located about 9 miles northwest of the town of Anadarko, Okla., and about [illegible] miles south of the town of Binger, Okla. The petitioner therefore prays that you make recommendation to the Congress of the United States to the effect that he may be authorized to sell for townsite purposes, under such conditions and regulations as you may prescribe, not to exceed 80 acres of the land allotted to the petitioner as Wichita allottee No. 349.

He has accompanied his forwarding the petition Agent Randlett approved the request and states that the allottee is a deserving person of lawful age, and that the proposition for a small town at the place proposed would be of great benefit to the whites and Indians living in the vicinity.

I have prepared a draft of an item authorizing said allottee to sell and convey not exceeding one-half of his allotment, the conveyances to be subject to the approval of the Secretary of the Interior, and have the honor to report that it be transmitted to the proper committees of the Senate and House of Representatives with request that it be inserted in the Indian appropriation bill.

I also inclose two copies of the petition.

Very respectfully,

W. A. JONES, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE, KIOWA AGENCY,
Anadarko, Okla., December 29, 1903.

To the honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

(Through the honorable Commissioner of Indian Affairs and the United States Indian agent, Kiowa Agency, Okla.)

SIR: Your petitioner respectfully represents that he is a full-blood Wichita Indian of Kiowa Agency, Okla.; that as such Indian there was certified to your petitioner an allotment of 160 acres of land, more or less, from the former Wichita Reservation, in Oklahoma, which allotment was [illegible] Wichita Reservation, and comprises the northwest quarter of section 9, township 8 north, range 10 west; that the Enid and Anadarko Railway Company, since the time when said land was allotted to the petitioner, has built a line of railway across said allotment of the petitioner, and that said railway company has established a station upon his allotment, and that said allotment is located about 9 miles northwest of the town of Anadarko, Okla., and about [illegible] miles south of the town of Binger, Okla. The petitioner therefore prays that you make recommendation to the Congress of the United States to the effect that he may be authorized to sell for townsite purposes, under such conditions and regulations as you may prescribe, not to exceed 80 acres of the land allotted to the petitioner as Wichita allottee No. 349.

He has accompanied forwarding the petition Agent Randlett approved the request and states that the allottee is a deserving person of lawful age, and that the proposition for a small town at the place proposed would be of great benefit to the whites and Indians living in the vicinity.

I have prepared a draft of an item authorizing said allottee to sell and convey not exceeding one-half of his allotment, the conveyances to be subject to the approval of the Secretary of the Interior, and have the honor to report that it be transmitted to the proper committees of the Senate and House of Representatives with request that it be inserted in the Indian appropriation bill.

I also inclose two copies of the petition.

Very respectfully,

W. A. JONES, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE, KIOWA AGENCY,
Anadarko, Okla., December 29, 1903.

To the honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

(Through the honorable Commissioner of Indian Affairs and the United States Indian agent, Kiowa Agency, Okla.)

SIR: Your petitioner respectfully represents that he is a full-blood Wichita Indian of Kiowa Agency, Okla.; that as such Indian there was certified to your petitioner an allotment of 160 acres of land, more or less, from the former Wichita Reservation, in Oklahoma, which allotment was [illegible] Wichita Reservation, and comprises the northwest quarter of section 9, township 8 north, range 10 west; that the Enid and Anadarko Railway Company, since the time when said land was allotted to the petitioner, has built a line of railway across said allotment of the petitioner, and that said railway company has established a station upon his allotment, and that said allotment is located about 9 miles northwest of the town of Anadarko, Okla., and about [illegible] miles south of the town of Binger, Okla. The petitioner therefore prays that you make recommendation to the Congress of the United States to the effect that he may be authorized to sell for townsite purposes, under such conditions and regulations as you may prescribe, not to exceed 80 acres of the land allotted to the petitioner as Wichita allottee No. 349.

He has accompanied forwarding the petition Agent Randlett approved the request and states that the allottee is a deserving person of lawful age, and that the proposition for a small town at the place proposed would be of great benefit to the whites and Indians living in the vicinity.

I have prepared a draft of an item authorizing said allottee to sell and convey not exceeding one-half of his allotment, the conveyances to be subject to the approval of the Secretary of the Interior, and have the honor to report that it be transmitted to the proper committees of the Senate and House of Representatives with request that it be inserted in the Indian appropriation bill.

I also inclose two copies of the petition.

Very respectfully,

W. A. JONES, *Commissioner.*

DEPARTMENT OF THE INTERIOR,
UNITED STATES INDIAN SERVICE, KIOWA AGENCY,
Anadarko, Okla., December 29, 1903.

To the honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

(Through the honorable Commissioner of Indian Affairs and the United States Indian agent, Kiowa Agency, Okla.)

SIR: Your petitioner respectfully represents that he is a full-blood Wichita Indian of Kiowa Agency, Okla.; that as such Indian there was certified to your petitioner an allotment of 160 acres of land, more or less, from the former Wichita Reservation, in Oklahoma, which allotment comprises the northwest quarter of section 9, township 8 north, range 10 west; that the Enid and Anadarko Railway Company, since the time when said land was allotted to the petitioner, has built a line of railway across said allotment of the petitioner, and that said railway company has established a station upon his allotment, and that said allotment is located about 9 miles northwest of the town of Anadarko, Okla., and about [illegible] miles south of the town of Binger, Okla. The petitioner therefore prays that you make recommendation to the Congress of the United States to the effect that he may be authorized to sell for townsite purposes, under such conditions and regulations as you may prescribe, not to exceed 80 acres of the land allotted to the petitioner as Wichita allottee No. 349.

He has accompanied forwarding the petition Agent Randlett approved the request and states that the allottee is a deserving person of lawful age, and that the proposition for a small town at the place proposed would be of great benefit to the whites and Indians living in the vicinity.

I have prepared a draft of an item authorizing said allottee to sell and convey not exceeding one-half of his allotment, the conveyances to be subject to the approval of the Secretary of the Interior, and have the honor to report that it be transmitted to the proper committees of the Senate and House of Representatives with request that it be inserted in the Indian appropriation bill.

I also inclose two copies of the petition.

Very respectfully,

W. A. JONES, *Commissioner.*

EDGAR (his x mark) HENDRIX.

Witnesses to mark:

JNO. P. BLACKMON.
PHILLIP HENDRIX.

KIOWA AGENCY,
Anadarko, Okla., December 29, 1903.

Respectfully transmitted to the honorable the Secretary of the Interior (through the office of Indian Affairs, Washington, D. C.).

[illegible] would be a great benefit to the whites and Indians living [illegible]

JAMES F. RANDLETT,
Lieutenant-Colonel, Captain Sixth Cavalry,
United States Indian Agent.

DEPARTMENT OF THE INTERIOR,
Washington, December 21, 1903.

The CHAIRMAN COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

SIR: I have the honor to transmit herewith for your information a report of the 16th instant, from [illegible] an item for insertion in the Indian appropriation bill providing for the issuance of a patent in fee to James N. Jones for the [illegible] of his allotment, a full-blood Iowa tribe of Indians, [illegible].

Mr. Jones is a white man, intermarried with and legally incorporated in the Kiowa tribe of Indians. He is recommended by Agent Randlett and by the [illegible] honor to request that the same receive favorable action by your committee.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, December 16, 1903.

The honorable the SECRETARY OF THE INTERIOR.

SIR: This office has received, by reference from Lieut. Col. James F. Randlett, United States Indian agent, Kiowa Agency, Okla., of a communication, addressed to you from James N. Jones, dated Anadarko, Okla., November 25, 1903.

Mr. Jones represents that he is a full-blood Iowa Indian, intermarried and legally incorporated in the Kiowa tribe of Indians of the Kiowa Agency, Okla., and that he was regularly enrolled [illegible] and as a member of said tribe of Indians, which [illegible] Kiowa Agency, Okla., on the [illegible] of November, 1892, [illegible] quarter section 9, township [illegible] north, range 8 west.

The petitioner further represents that his allotment is located on the Mangum branch of the Rock Island Railway system, at a place known as [illegible] Okla., and Anadarko, Okla., on the same branch, between the towns of [illegible] and Anadarko, that said Mangum branch of said Rock Island system is now in process of construction, and that the petitioner's allotment is at a junction with the Anadarko branch of said Rock Island system; that there are many farmers with families living in the near vicinity of Cottonwood station whose best interests demand a local trading point with elevators, gins, etc., and that the petitioner has an Indian family composed of a wife and nine children. He therefore prays that the Interior Department will recommend to Congress legislation to the end that the petitioner be authorized to sell for townsite purposes and give a [illegible] title to [illegible] of the proceeds of the sale and [illegible] to be used as a [illegible] Iowa tribe.

In the opinion of the undersigned it would result in benefit to the members of the Iowa tribe of Indians, [illegible] and equally to proven [illegible] the interests of the Indians [illegible] Mr. Jones has a family of half-blood [illegible] land as prayed for by Mr. Jones.

In view of Agent Randlett's recommendation and the facts stated, I have [illegible] Mr. Jones [illegible] to recommend [illegible] committees of Congress with the recommendation that it be [illegible] Indian appropriation bill.

Very respectfully,

W. A. JONES, *Commissioner.*

ANADARKO, OKLA., *November 25, 1903.*

The honorable the SECRETARY OF THE INTERIOR,
Washington, D. C.

(Through the United States Indian agent, Kiowa Agency, Okla.)

DEAR SIR: Your petitioner respectfully represents that he is a white man [illegible] Kiowa Agency, Okla., [illegible] quarter of section 9, township 8 north, range 8 west, of the Indian meridian in the Indian Territory.

Your petitioner further represents that his allotment is located on the [illegible] Railway system, at a place known as [illegible] Okla., and Anadarko, Okla., on the same branch, between the towns of [illegible] and Anadarko, that said Mangum branch of said Rock Island system is now in process of construction, and that the petitioner's allotment is at a junction with the Anadarko branch of said Rock Island system; that there are many farmers with families living in the near vicinity of Cottonwood station, there is now and has for some time been a small [illegible] and temporary depot, also a postoffice, known as Verden, Okla.; that there are many farmers with families living in the near vicinity of Cottonwood station whose best interests demand a local trading point with elevators, gins, etc., and that the petitioner has an Indian family,

commending him to you as a thorough business man, good citizen, fully capable at handling and transacting any kind of business. Hoping that you will see your way clear to confer this favor on him, and it will be greatly appreciated by me.

Very truly, yours,

C. J. WEBORG,
Representative, Sixteenth District.

PENDER, NEBR., *January 8, 1904.*

Hon. J. J. McCARTHY, *Washington, D. C.*

DEAR SIR: In regard to Mr. George J. Lemmon, of Thurston, Thurston County, Nebr., I desire to state that I have known him for several years or since that [illegible] the Winnebago Office of Indians [illegible] and upstanding business man. He is conducting a general store business at the town of Thurston on the Winnebago Reservation.

[illegible] Mr. Lemmon [illegible] man, and [illegible] as any other [illegible] business. [illegible] he should not have every right [illegible]

Very respectfully submitted.

W. I. WILTSE,
Ex-County Clerk, Thurston County.

Mr. STEPHENS of Texas. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

[illegible]

Mr. SHERMAN. Mr. Chairman, I reserve the point of order to [illegible] whether that has been referred to the Department.

Mr. STEPHENS of Texas. Mr. Chairman, I will state that it has not. But I will [illegible] regard to the matter: Zenobia Adams is, I am [illegible] of a former Indian agent who had control of the Choctaw Indians. She was the first white child born at the Indian agency. She is now a young lady and, I understand, a school teacher. This land has been [illegible] hers by a [illegible] was allotted from the tribe by reason of the fact that she was the first white child born on that agency. She is, of course, a white person, and well educated. She has a guardian, and that guardian applies to Congress for this relief. She wants to use her land. It is valuable land.

Mr. SHERMAN. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The gentleman from New York withdraws the point of order. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

[illegible]

Mr. LITTLE. Mr. Chairman, I would like to inquire the purpose of this provision for paying the sum of something over $3,000 for maps for the Cherokee Indians. I do not understand why they need a map, at least that badly.

Mr. SHERMAN. The amendment is recommended by the Department, and I will ask the Clerk to read the letter.

The Clerk read as follows:

DEPARTMENT OF THE INTERIOR,
Washington, February 16, 1904.

CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
United States Senate.

SIR: The Department is in receipt of your [illegible] dated February [illegible] intended to be proposed by Mr. QUARLES to [illegible] for the current and contingent expenses [illegible]

[illegible] Interior be, and he is hereby, authorized and di[illegible] Nation of Indians in [illegible]

[illegible] m for $[illegible] instead of $3,700 as m[illegible] failed to [illegible]

[illegible] on the [illegible] shall be appropriated [illegible]

[illegible] eminently proper that [illegible] tion proposed [illegible] education," and that said amendment as amended be incorporated in the Indian appropriation bill.

Respectfully,

E. A. HITCHCOCK, *Secretary.*

Mr. MANN. Mr. Chairman, I hope that is satisfactory to the gentleman from Arkansas. I happened to have slight personal knowledge in reference to this item. The maps were furnished.

Mr. LITTLE. I will say, Mr. Chairman, that since hearing the reading of the report of the Secretary I have no objection.

Mr. MANN. The maps were furnished. There is no controversy about that. They were perfectly acceptable, but for some technical reason the Cherokee Nation did not pay for [illegible]

Mr. STEPHENS of Texas. They were furnished under a contract, I understand.

Mr. MANN. They were furnished under a contract and are perfectly satisfactory—no question raised about it at all.

Mr. STEPHENS of Texas. I think it should be paid.

The Clerk read as follows:

SEC. 19. That the Secretary of the Treasury is hereby authorized and di[illegible] Mary Matthews holds his receipt in [illegible]

Mr. BURKE. Mr. Chairman, I offer the following amendment, which I will send to the desk and ask to have read.

The Clerk read as follows:

[illegible] and insert in lieu thereof the following: [illegible] to Mary [illegible] C. B. [illegible] on Warner's Ranch, California, au[illegible]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from South Dakota.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

SEC. 20. That for the purpose of irrigating lands allotted to the Indians in [illegible] remainder of the land in said reservations irrigable under the system so constructed shall be sold at such price as may be deemed proper by the Secretary of the Interior, said price for the land being in addition to the charges provided for in the reclamation act, and shall be paid in annual installments in like manner. The proceeds of the sales of the lands not allotted to the Indians

shall be devoted to the payment of the charges upon the lands allotted to them in [illegible] with the provisions of the reclamation act, and the remainder shall be expended by the Secretary of the Interior from time to time, in his discretion, for the benefit of the said Indians.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. MORRELL having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had passed the following resolutions: in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution No. 53.

[illegible] That the Secretary of War be and [illegible] improvement of said channel to meet the [illegible]

Senate concurrent resolution No. [illegible]

Resolved by the [illegible] *concurring*). That the [illegible] Salmon River, between Salmon, Idaho, and [illegible]

The message also announced that the Senate had passed bill of the following title: in which the concurrence of the House of Representatives was requested:

S. 2665. An act to provide for the allowance and payment to the employees of the Government Printing Office of the same leave of absence as is allowed to the clerks and employees of the Executive Departments of the Government.

INDIAN APPROPRIATION BILL.

The committee resumed its session.

Mr. ROBINSON of Indiana and Mr. STEPHENS of Texas rose.

The CHAIRMAN. The gentleman from Indiana.

Mr. STEPHENS of Texas. Mr. Chairman, I have an amendment.

Mr. ROBINSON of Indiana. Mr. Chairman, I reserve the point of order to the section just read as being contrary to existing law, as [illegible] legislation, and as contravening the irrigation act. I would like to have a reasonably full explanation of the section, an explanation which would give the number of acres involved and the number of Indians affected and the number of acres outside of the Indian reservation that it is sought by this new legislation to irrigate.

The CHAIRMAN. The gentleman from Indiana makes the point of order against the entire section, reserving it.

Mr. SHERMAN. Mr. Chairman, of course I will admit that the point of order is well taken.

The CHAIRMAN. The Chair will state to the gentleman from New York that the Chair understands the gentleman from Texas [Mr. STEPHENS] offers an amendment to this section and it might be well to consider that first.

Mr. STEPHENS of Texas. The point of order, I understand, has been sustained.

Mr. SHERMAN. Oh, no; the gentleman from Indiana reserves the point of order until he hears an explanation, which I think will satisfy his mind that the provision is all right, and if it does not of course the section must go out on a point of order, if insisted upon. Of [illegible] round numbers 25,000 acres of land that is susceptible of irrigation and on the Colorado reservation 175,000 acres of land susceptible to irrigation. To give to the Indians 5 acres each of irrigated land will require 150,000 acres, I think the report says.

I think I will ask the Clerk to read [illegible] the matter is one of considerable importance. I will [illegible] read first the letter from the Geological Survey and then the two letters from the Commissioner of Indian Affairs, both of which reach us through the Secretary of the Interior, with his indorsement. The letters are quite full, and if the gentleman from Indiana will listen to the reading I think he will be satisfied with the explanation.

The Clerk read as follows:

IRRIGATION OF YUMA AND COLORADO RIVER INDIAN RESERVATIONS, ARIZONA AND CALIFORNIA.

JANUARY 23, 1904.

The Hon. SECRETARY OF THE INTERIOR.

SIR: In pursuance of the engineering investigation and surveys which for [illegible] comprehensive system of utilizing the waters of the river to the best possible advantage.

The portion of this general system which appears at the present time most feasible for early construction would include the irrigation of lands in the Yuma and Colorado River Indian reservations in California and Arizona.

As the reclamation act requires the return to the reclamation fund of the money spent for the irrigation of lands the large areas in Indian reservations involved in these projects can not be allowed without special authority from Congress. There are, approximately, 2,000 acres of irrigable land in the Colorado River Indian Reservation.

An agreement was made December 4, 1893, with the Yuma Indians for the disposal of the lands in their reservation. This agreement was approved by act of Congress of August 15, 1894. [illegible] under the provisions of this act it was proposed to sell such Indian lands of irrigable lands, the proceeds of the sale to be used in irrigation, and sold at public auction not less than the appraised value, after giving due notice of such sale by publication in the newspapers.

It was also proposed that the Colorado River Irrigating Company which was chartered under the laws of Arizona [illegible] Congress of February 18, 1891 [illegible] of the Indians at such rates as may be fixed by the Secretary of the Interior [illegible] to reach the requirements of the canal through the reservation [illegible] the passage through the land [illegible] upon the road [illegible] of the canal.

It is understood that under the decisions of the United States Supreme Court in the cases of Lone Wolf v. Hitchcock and U. S. v. Lucas and Lone Wolf v. Hitchcock [illegible] U. S. the Congress has full power to dispose of the Indian lands in such manner as it may consider best fitted for the benefit of the Indians.

The lands in these Indian reservations are of no practical value without irrigation, and only a very small part could ever be sold in the absence of the [illegible]

It is approximately [illegible] acres of land on the Yuma Reservation which [illegible] to be irrigated [illegible] the proceeds of the sale of these lands could, he says, be used to pay into the Reclamation Fund the cost of irrigating the lands belonging to the Indians, and leave a surplus, which could be utilized for their benefit.

In the case of the Colorado River Indian Reservation the number of Indians [illegible] so far as is [illegible] reports of the Commissioner of Indian Affairs, [illegible] knowledge of the [illegible] Accordingly [illegible] River Indian Reservation [illegible] for the irrigation of lands [illegible] the Indians as proposed by the reclamation act.

I transmit herewith draft of a paragraph which has been prepared for [illegible] the Indian appropriation bill, if the plan meets with the approval of the Department. It [illegible] has been so prepared as to carry out the ideas [illegible]

[illegible] be prepared to take up the consideration of the matter at the proper time, if it is desired that this legislation be given at the present session of Congress.

Very respectfully,

CHAS. D. WALCOTT, *Director.*

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February [illegible], 1904.

The Hon. SECRETARY OF THE INTERIOR.

SIR: This office is in receipt, by Department reference, of a preliminary report in [illegible] P. N. [illegible] of the Geological Survey, dated January 23, 1904, relative to irrigation of Yuma Indian Reservation and the Colorado River Indian Reservation, Arizona and California. [illegible] involve the [illegible] Colorado River Indian Reservation.

[illegible] Department [illegible] the reclamation fund for the irrigation of lands, but as the [illegible] in these projects can not be utilized without [illegible]

[illegible] indicates that there are approximately 23,000 acres of irrigable land in Yuma Reservation and about 175,000 acres in the Colorado River Reservation.

[illegible] of these lands, leaving [illegible] the sale of these lands could, he says, be used to pay into the [illegible] of irrigating the allotments, leaving a surplus [illegible]

As to the Colorado River Reservation [illegible] construct, under [illegible] River and other irrigation laws, by the diversion of the water of the [illegible]

It further provides that after the allotment of 5 acres each to [illegible] relief [illegible]

One [illegible], however, is suggested.

The Yuma Indians have already assented to allotments of 5 acres each, but this office is not prepared to state that those to the Colorado River Indians [illegible] such amount, although it is probable that such conclusion [illegible] the revised scheme.

[illegible] that the Department should be allowed discretion to allot [illegible] acres each, which will still leave some [illegible] to the Director's estimate.

[illegible] that the second sentence be amended by striking out the word "reservations," after the word "said," in line 13, and inserting in lieu thereof the following words:

"Yuma reservation, and of said reservations, not exceeding 10 acres each, as the Secretary of the Interior may determine, to all Indians belonging on the said Colorado River reservation."

The papers are now with returned.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 5, 1904.

The Hon. SECRETARY OF THE INTERIOR.

Sir: Referring to your request of February 3, 1904, on a communication from the Director of the Geological Survey dated February 23, 1904, relative to [illegible] on the Yuma Indian Reservation in California, and the Colorado River reservation in Arizona, and with my report I suggested that the Department should [illegible] the Director of the Geological Survey to visit the Colorado River Indians and [illegible] the proposition to allot them 5 acres each, as in the case of the Yumas, and [illegible] that the amendment of the bill submitted by the Director be [illegible] to permit the allotment to the Colorado River Indians, in the discretion of the Department. I now desire to state that after [illegible] with the Commissioner of Indian Affairs, I am convinced that the bill should be [illegible] the best interests of the Indians, I am opposed to limit the allotment to be made to the Colorado River Indians to 10 acres.

[illegible] the contract irrigation, but the same would be [illegible] to place the [illegible] in the sale of the surplus lands in [illegible] the complete [illegible] reservation lands. Moreover, I am satisfied that five acres per capita of irrigable land on the Colorado River, where six or seven crops a year can be depended upon, is all the Indians will ever require or make use of.

In view of the foregoing, I respectfully withdraw my recommendation for the amendment of the draft of the bill prepared by the Geological Survey, and recommend that the bill be submitted to Congress without amendment.

Very respectfully,

A. C. TONNER, *Acting Commissioner.*

DEPARTMENT OF THE INTERIOR,
Washington, February 5, 1904.

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

Sir: I have the honor to inclose the draft of a paragraph prepared by the Director of the Geological Survey with a view to its insertion in the Indian appropriation bill, which has for its object the [illegible] of irrigation works for the Yuma and Colorado Indian Reservations, in California and Arizona, as a part of the general system for the irrigation and reclamation of lands along the course of the Colorado River, both within and without these reservations, and the allotment of a sufficient tract of land to each Indian on the same, and the sale of the remainder of the lands irrigable under the system to the public.

The system of irrigation contemplated in this locality is to be prosecuted under the reclamation act of June 17, 1902 (32 Stat., 388), and the Acting Commissioner of Indian Affairs has recommended that the draft be submitted to the Congress with an amendment.

[illegible] the premises I inclose a copy of a letter from the Director of the Geological Survey, dated the 23d ultimo, and copies of the report [illegible] by the Acting Commissioner of Indian Affairs, dated February 5, 1904, in which, and recommends that a paragraph be inserted in the annual Indian appropriation bill in the words of the draft.

Very respectfully,

E. A. HITCHCOCK, *Secretary.*

Mr. ROBINSON of Indiana. Mr. Chairman, from the letters read I see the Secretary recommends that the Indians be allotted 10 acres each instead of 5.

Mr. SHERMAN. He modifies that in a subsequent communication—a communication of February 6.

Mr. ROBINSON of Indiana. I heard both communications read. I observed that one stated 10 acres. I may say that I regard this as a piecemeal amendment of the irrigation act. But for myself personally, if it is satisfactory to the Members of the House especially interested in irrigation, and particularly to the gentleman from California [Mr. DANIELS], who represents the district especially affected, I have no disposition to press the point of order, and will withdraw it.

Mr. MONDELL. I renew the point of order.

Mr. LIVERNASH. I renew the point of order.

The CHAIRMAN. The gentleman from California [Mr. LIVERNASH] makes a point of order against section 20.

Mr. SHERMAN. Does the gentleman from California make the point of order simply for the purpose of hearing further discussion or does he mean to insist on the point of order?

Mr. LIVERNASH. I renew the point of order, designing to press it. It is my belief that section 20 is new legislation of dangerous type and should be killed.

Mr. SHERMAN. Then you do not simply reserve the point of order, but desire to make it?

Mr. LIVERNASH. Yes.

Mr. SHERMAN. I am not going to discuss it. The section is clearly subject to a point of order.

The CHAIRMAN. The Chair sustains the point of order made by the gentleman from California.

Mr. STEPHENS of Texas. I offer the amendment which I send to the desk.

The Clerk read as follows:

That all of the mineral lands in the mountainous parts, aside from the agricultural [illegible] Indian reservations in the United States and Territories, [illegible] are hereby declared to be open for location, development, operation, and entry, by the citizens of the United States, [illegible] of the United States are now subject to location, development, operation, and entry; and that all of said mineral lands in said reservations [illegible] subject to location, development, operation, and entry, and governed by the same rules, the same as other mineral lands of the United States are now so subject to location, development, operation, and entry, and the money arising from the sale of said lands under the said mining laws shall be paid to said Indian tribes.

Mr. SHERMAN. I make a point of order against the amendment, and I shall insist upon it. I am willing to reserve it long enough for the gentleman from Texas to discuss the amendment if he wishes to do so, but it may as well be understood that I am going to insist upon it.

Mr. STEPHENS of Texas. Mr. Chairman, I thank the gentleman for his kindness, but I anticipated as much when I sent up the amendment.

This is the only opportunity I have ever had to place before Congress my views on this subject. For three Congresses I have had a bill for the purpose set forth in the amendment pending before the Indian Committee, but have been unable to have it reported or, in fact, considered favorably by the committee. But it certainly is legislation looking in the right direction. It is legislation demanded by the people of the West. Mr. Chairman, [illegible] the pressing necessity for this legislation I will [illegible] that there is an Indian reservation known as the Mescalero Apache Reservation in the eastern portion of New Mexico that is well known to contain valuable mineral deposits. There is a railroad in operation on each side of a range of mountains included within this reservation. There are 444 Indians on this reservation containing half of a million acres of land. The Indians are not occupying more than 10,000 acres for any purpose whatever.

This mountain range contains valuable mineral deposits. For the last thirty or forty years these Indians have been on this reservation, kept there and supported by the United States Government. Now, I think it is time that the reservation should be thrown open and the lands allotted to the Indians. I have had a bill pending for this purpose, but it seems impossible to open up this reservation either for mining entries or for [illegible] lands to actual settlers.

If we should adopt the policy set forth in this bill, together with the amendment, it would open up those reservations and give work for the Indians—would make them self-supporting, so that instead of hunting and fishing over large reservations, tribes would be opened up and labor would be given to the Indians on the reservation. They make excellent teamsters; they can do work for the miners above ground as well as the white men, and it would be better for them in every respect to be associated with the white people. If we intend to civilize and educate these people it is time to break up their tribal relations and give them something to do at home.

This amendment certainly looks in the right direction. Every man who understands the conditions in the West recognizes the necessity for this legislation. There is no reason why [illegible] in the manner policy of locking up vast Indian reservations containing valuable mineral deposits should be pursued any longer. These Indians can not and will not work these mineral deposits; and the Government prohibits the white miner from developing them, and thus benefiting the Indians and the whole country as well. The policy now pursued is certainly a very bad one, and this amendment should become a law, and I therefore hope that the gentleman from New York [Mr. SHERMAN] will not insist on his point of order.

The CHAIRMAN. Does the gentleman from Texas desire to discuss the point of order?

Mr. STEPHENS of Texas. I do not. I think it is well taken.

The CHAIRMAN. The Chair sustains the point of order.

The Clerk read as follows:

SEC. 2. That the [illegible] and the [illegible] shall be [illegible] courts in the [illegible] clerks [illegible] at such [illegible] monthly, as well as all other [illegible] by the clerks of the respective United States courts [illegible] from the emoluments of their respective offices as provided by the act of June 30, 1902.

Mr. BAKER. Mr. Chairman, I move to strike out the last word.

Mr. SMITH of Kentucky. I desire to make a point of order against this paragraph.

The CHAIRMAN. The gentleman from Kentucky makes a point of order against the paragraph.

Mr. STEPHENS of Texas. I hope the gentleman——

Mr. SHERMAN. Does the gentleman make the point, or reserve it?

Mr. SMITH of Kentucky. I will reserve it.

Mr. STEPHENS of Texas. I should like to make an explanation.

Mr. SHERMAN. I should be glad to have the gentleman from Texas explain the provision. He is very familiar with it.

Mr. SMITH of Kentucky. I reserve the point of order.

Mr. BAKER. I understand that I am in order, Mr. Chairman.

The CHAIRMAN. The gentleman from Kentucky yields to the gentleman from Texas for an explanation.

Mr. BAKER. I understood I had the floor.

The CHAIRMAN. The gentleman from Kentucky made a point of order, which will be disposed of. Afterwards the gentleman from New York [Mr. BAKER] will be recognized.

Mr. STEPHENS of Texas. Mr. Chairman, this legislation is necessary, for this reason: In the last Congress we passed a bill providing for the registration of deeds and other instruments in the Indian Territory, setting apart certain districts for that purpose. A deputy recorder has been appointed at each place where the records are kept, and there were twenty-five of these deputies and recording districts. The law provided that each of them should have twelve hundred dollars a year, and that all the fees in any office amounting to more than twelve hundred dollars should be paid into the United States Treasury. The result is that in about half of these recording districts the recorders receive as fees more than twelve hundred dollars, and that excess goes into the United States Treasury. A part of the recorders do not get enough to pay their salaries, because the fees do not amount to twelve hundred dollars per annum.

The bill was framed so that the overplus going to those who received more than twelve hundred dollars in fees could be paid to those who did not receive that amount, so as to equalize the salaries. Hence it is necessary that we should have legislation along this line to pay these salaries.

Mr. SMITH of Kentucky. Was it not the purpose in framing the law that you refer to to pay these clerks out of the fees? In other words, not to allow them any sum out of the Federal Treasury?

Mr. STEPHENS of Texas. That was the purpose of the law.

Mr. SMITH of Kentucky. To make the fees of the office pay the clerks?

Mr. STEPHENS of Texas. Yes.

Mr. SMITH of Kentucky. Now, under this provision, if the fees taken in by all the clerks would not pay all the clerks twelve hundred dollars each, you pay them the remainder out of the Federal Treasury?

Mr. STEPHENS of Texas. It might have that effect. I have a letter from the Acting Comptroller of the Treasury in reference to that matter and advocating the passage of this bill.

Mr. SMITH of Kentucky. I should like to hear it read.

Mr. STEPHENS of Texas. [illegible]

OFFICE OF COMPTROLLER OF THE TREASURY,
Washington, February 18, 1904.

Hon. JOHN H. STEPHENS,
[illegible]

SIR: I [illegible] the receipt of your letter of the 12th [illegible] to and [illegible] several [illegible] led by the [illegible] in the copy [illegible]

Respectfully,

L. P. MITCHELL, *Acting Comptroller.*

Here is the copy of the amendment that he suggested and to which he referred in the letter just read.

Mr. SMITH of Kentucky. I think the gross sum paid to these deputy clerks ought to be limited to the amount of fees taken in by them. I do not [illegible] that each clerk should be limited to the amount of fees taken in by himself, but, on the other hand, I do not believe that the Treasury of the United States ought to be subjected to any expenditure on account of the [illegible] so framed that the sum taken in by all the clerks shall be used to bring their salaries up to the highest point, not exceeding twelve hundred dollars, but I do not believe that the Congress ought to provide by law that if the fees will not bring their salaries up to twelve hundred dollars a year that the deficiency shall be paid out of the general revenues of the Government.

Mr. LITTLE. Mr. Chairman, will the gentleman from Kentucky allow me for a moment?

Mr. SMITH of Kentucky. Yes.

Mr. LITTLE. In regard to this proposition I want to say that by the treaties made by the United States with the Indian tribes the United States obligated itself to record the original patents of these Indians without cost to them. It was hoped and believed when these deputies were provided, who are recorders merely, that their fees would reach the sum of twelve hundred dollars each, the amount of the salary that was thought to be as low as would be reasonable for the services.

I am not prepared to say whether all the fees collected would equalize them and to twelve hundred dollars each or not. In some localities the amount received runs over the sum; but owing to the fact that the allotments have not progressed as rapidly as it was hoped, and that the sales have been so [illegible] the offices have fallen below the amount expected to be received. I have no doubt that in the next succeeding fiscal year their fees will not only pay the salaries provided, but will pay into the Treasury of the United States many thousands of dollars beyond the compensation provided for these clerks.

Mr. SMITH of Kentucky. Will the gentleman permit me to ask him a question?

Mr. LITTLE. Certainly.

Mr. SMITH of Kentucky. If your statement of the facts be correct, and I have no reason to doubt them whatever, would there be any objection to making the point of order apply to all [illegible] but that and the remainder of the [illegible]

Mr. LITTLE. How far?

Mr. SMITH of Kentucky. All down to and including the whole of line 19, and make the point of order against all that follows.

Mr. LACEY. Mr. Chairman——

Mr. SMITH of Kentucky. So that, in other words, say for "existing deficiencies."

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Iowa?

Mr. SMITH of Kentucky. Certainly.

Mr. LACEY. Will the gentleman from Kentucky yield for a moment? I think there is no question but what the allowances in the aggregate will exceed $100 per month and will be constantly increasing.

Mr. SMITH of Kentucky. You mean the fees.

Mr. LACEY. The fees will be constantly increasing in the aggregate, and if an amendment were put in [illegible]—

Provided, that no compensation shall be paid to any deputy clerk in excess of $1,200 per annum—

it would prevent, in any event, an amount being paid in excess of the fees, because the fees will always amount to that sum in the aggregate.

Mr. SMITH of Kentucky. In other words, the excess would go to the [illegible]

Mr. LACEY. Now, this amendment and the appropriation under [illegible] in connection with the act of 1895, [illegible] to obtain [illegible] and by providing that provision in it would prevent such a construction.

Mr. SMITH of Kentucky. I suggest, both to the gentleman from Arkansas and to the gentleman from Iowa, that we make the point of order to all after line 19 and add the amendment that has been suggested.

Mr. LACEY. Well, that would make no provision for the future, and the future is more necessary than the past. The past has gone. The future as to this [illegible] the present influx of population, and the recording of leases and allotments [illegible] will be very much more in the aggregate, and will exceed $1,200 a year.

Mr. LITTLE. I have no doubt that in the succeeding fiscal year it will be possibly more than double all their fees in this office now.

Mr. SMITH of Kentucky. Have you drawn the amendment?

Mr. LITTLE. I think the amendment ought to be [illegible]

Mr. SMITH of Kentucky. Mr. Chairman, if the committee will [illegible] from Iowa [illegible]

Mr. STEPHENS of Texas. I will [illegible]

The CHAIRMAN. The gentleman from Kentucky [illegible] withdraws the point of order and the gentleman from Iowa offers an amendment which the Clerk will report.

Mr. LACEY. I offer the following amendment.

The Clerk read as follows:

Add to the paragraph after line 9 on the last page, the following:

"Provided, That no compensation shall be paid to any deputy clerk in excess of $1,200 per annum."

Mr. MANN. I would ask the gentleman if that conflicts with the [illegible] on line 8, page 56?

Mr. LACEY. No; he is a chief deputy and has $3,000 now.

Mr. MANN. Because he is a deputy, I wanted to be certain that it would not interfere then.

Mr. LACEY. It would not.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa.

The question was taken, and the amendment was agreed to.

Mr. SHERMAN. Mr. Chairman, I offer the following amendment, to take the place of the section stricken out, section 20.

The Clerk read as follows:

[illegible] is hereby, authorized and [illegible]

Mr. SHERMAN. That amendment is submitted by the Department, is approved by the committee, and without reading it I will print in the RECORD the report upon it:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, January 2, 1904.

Hon. W. P. [illegible],
House, Washington, D. C.

[illegible] Joseph Chantier, and ask my views [illegible]

[illegible] tion as to the ability of these allottees to [illegible] would suggest [illegible] tary of [illegible] that may be [illegible]

With this amendment the bill would meet with my approval.

Very respectfully,

W. A. JONES, *Commissioner.*

The CHAIRMAN. The question is upon agreeing to the amendment offered by the gentleman from New York.

The question was taken, and the amendment was agreed to.

Mr. BAKER. Mr. Chairman, I move to strike out the last word. Mr. Chairman, I regret exceedingly that I was unable to be present yesterday when general debate took place upon this bill. I regret it very much, because I wished to say a few words upon the general subject involved in the bill itself, not on any particular section, but particularly in reference to a matter that was discussed in the House some five weeks ago——

Mr. MANN. Mr. Chairman, I do not want to take the gentleman off the floor, but I would like to know what is the pending question.

The CHAIRMAN. Does the gentleman from New York yield to the gentleman from Illinois?

Mr. BAKER. Certainly.

Mr. MANN. I ask the Chair where is the point of order?

The CHAIRMAN. The gentleman from New York is speaking to an amendment offered at the last word.

Mr. MANN. That was not in order. I think the gentleman ought to ask unanimous consent. There is no last word to strike out, everything has been passed, and there is nothing pending.

The CHAIRMAN. The gentleman from New York moves to strike out the last word in section 2.

Mr. MANN. That has been adopted. The gentleman will please state [illegible]

Mr. BAKER. All I want is unanimous consent to insert a few remarks on the general subject.

Mr. MANN. What is the unanimous consent.

Mr. BAKER. Mr. Chairman, yielding to the request of the chairman of the Committee on Indian Affairs [Mr. SHERMAN], and in order not to delay action upon the bill, I simply ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from New York asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The chair hears none, and it is so ordered.

Mr. BAKER. Mr. Chairman, five weeks ago to-day, on January 30, I came was the only voice and the only vote recorded against the passage of H. R. 7175, providing for the sale of certain areas of land of the Rosebud Reservation at $3 and $5 per acre.

It is true that my opposition to the bill was based upon my objection to the policy of outright sale of the public lands, insisting that that policy had been shown to be a [illegible] and was directly the cause of the monopolization of immense tracts of land by land and cattle companies and by individuals.

But had I then been in possession of certain information which has come to me during this week, I should most certainly have also opposed the bill on the ground of what appears to be convincing evidence that the Rosebud Indians are to be made the victims of a land-grabbing conspiracy to deprive them of some three-fourths of the present value of the land, so that not only will those who are engineering this fraud upon the Indians get land outright which should be leased, but they will get hold of it at less than half of its present value.

I can not believe that but one vote would have been cast against the bill if this House had had before it the information which I shall now insert in the RECORD.

INDIAN RIGHTS ASSOCIATION,
[illegible]
Philadelphia, March 3, 1904.

Hon. ROBERT BAKER, *House of Representatives.*

DEAR SIR: We desire to enlist your especial interest for fair treatment for [illegible] shown to be worth three or four times the price to be offered [illegible] are not favorable to unfair treatment of [illegible] state is shown by the following editorial [illegible] matters interfered with the regular order, [illegible] in opposition to [illegible] that it appeared to accomplish nothing toward [illegible] but intended rather to assail the White House with a [illegible] by the [illegible] tion over the [illegible] sale. It can, therefore, [illegible] thous" [illegible] respectfully, yours,

INDIAN RIGHTS ASSOCIATION.

INDIAN RIGHTS ASSOCIATION,
Philadelphia.

ANOTHER "CENTURY OF [illegible]"

We appeal for instruction [illegible] of the [illegible] of South Dakota, [illegible] provide that the Indian owners receive [illegible] in the [illegible] ng given as a consideration full relinquishment of claims [illegible] Agency [illegible] instance. Such facts speak for themselves as [illegible] There is, however, need to arouse a healthy public sentiment that will demand

of the lawmaking power fair treatment in this as well as similar cases that may arise.

All friends of the Indian are urged to write to their representatives in Congress (Senate and House), calling attention to the Rosebud bill and inviting careful scrutiny of similar legislation that may hereafter be attempted.

[illegible] rendered by the press in arousing a demand for justice will be appreciated.

PHILIP C. GARRETT,
President Indian Rights Association.

INDIAN LANDS AND FAIR PLAY.

[From The Outlook, New York, February 27, 1904, by George Kennan.]

[illegible] that the United States Supreme Court decided, in the [illegible] that Congress has the power to alienate [illegible] Reservation, or to convert its treaties without consent of the Indians [illegible] proposed, and so dispose of Indian reservation lands known [illegible] and expropriations. The court assumed, as a matter [illegible] Congress has the power to deny Indians the benefits of [illegible] property. * * * And with perfect good faith to the Indians [illegible] as to the exercise of the power and the wisdom or justice of [illegible] the opinion of the court, we cannot wonder [illegible] of this decision particularly interested in the acquisition [illegible] various parts of the West have insisted that Congress [illegible] which [illegible] settlement, and upon assumptions [illegible] Congress [illegible] the interests of the Indians [illegible] the opening up and settlement of [illegible] Congress and [illegible] matters interfered with the regular order, [illegible] in opposition to [illegible] that it appeared to accomplish nothing toward [illegible] but intended rather to assail the White House with a [illegible] by the [illegible] tion over the [illegible] sale. It can, therefore, [illegible] thous" [illegible] respectfully, yours,

INDIAN RIGHTS ASSOCIATION.

INDIAN RIGHTS ASSOCIATION,
Philadelphia.

ANOTHER "CENTURY OF [illegible]"

We appeal for instruction [illegible] of the [illegible] of South Dakota, [illegible] provide that the Indian owners receive [illegible] in the [illegible] ng given as a consideration full relinquishment of claims [illegible] Agency [illegible] instance. Such facts speak for themselves as [illegible] There is, however, need to arouse a healthy public sentiment that will demand

[illegible] and an investigation of the matters to which it [illegible] of the Revised Statutes [illegible] "An act [illegible] have been on [illegible] and fair play [illegible] Congress [illegible] Reservation in the [illegible] Indians by Inspector McLaughlin in March, 1902, but inasmuch as the terms of the agreement do not correspond with the provisions of the bill, this legislation can not be regarded as a taking of Indian lands without Indian consent. On its face this bill seems to provide for a competitive sale, with allotment of the lands to the highest bidders; but it contains a provision that "after the first competitive" sale hereunder shall be closed the lands remaining unsold shall be subject to sale and entry" (under the homestead laws) "at the price of $3 per acre."

The apparent nature of this bill is so unconventional or accidental as to imply guilty. Instead of saying that the lands shall be offered at competitive sale for a period of six months or one year, and that thereafter any land unsold shall be subject to sale and entry at the "fixed" price of $3 per acre, it seems to provide for an abandonment of the initial $3 after the first sale. It is perfectly possible that if lands worth $10 to $20 an acre are put up at auction for a single day, and if those same purchasers be allowed the following day for $3 "fixed," few people will bid at the "first sale." Therefore the bill, therefore, may be to give the whole tract of 220,000 acres to settlers at the "fixed" rate, which, if it were dropped of by means of competitive sales, advertised and continued from time to time at the discretion of the Secretary of the Interior, the whole tract would bring the actual market value.

This bill has been brought to the attention of the President, and his action upon it may perhaps depend upon the opinion of the law officers of the Government as to its legal merits and effect. If its object be honestly to substitute the competitive sales from time to time, even to sell to the highest bidder all the land that has marked with it, then it is unnecessary, but does the property owner, the Government, or the Indian owner any good to compel its outcast. If its effect should be to force the lands, or the bulk of them, at $3 per acre, it would deprive the Red Lake Indians of about $[illegible] which they are entitled, and. Neither of these two possibilities have been suggested by the Indian Office, and the Secretary of the Interior. One of them was, or may be intended to make a large ticket of land passes from the Indians without giving them adequate compensation, whereas the other was necessarily drawn so as to leave room for a counter action that would work great injustice.

Now that the Supreme Court has virtually given Congress full power to [illegible] the Indians of the West to get possession of valuable Indian lands easily and [illegible] that the Government, including Congress, has [illegible] such Indians as a straight fact [illegible] Congress [illegible] Indians have a right to get, and the Government, as their guardian, is bound to see that they get the highest [illegible] that the same holding be given and honestly compensation [illegible] be ascertained by means of public competition [illegible] highest bidders.

[illegible] adopted this method in dealing with [illegible] Indian lands in the Indian Territory, and the results have been in every way satisfactory. Other lands, if leased, have, for example, near the town of Anadarko, which was appraised at $[illegible] per acre, and sold at competitive sale for $[illegible] per acre, or $[illegible] an acre more than the appraisal. Many other lands have been sold at their appraised value, [illegible] Congress [illegible] have received [illegible] wealth.

[illegible] which they [illegible] their reservations and [illegible] and expenditures of the nation, the Government is bound by every consideration of honor and equity to protect them [illegible] Indian property [illegible] and sold and [illegible] property [illegible] of a minor ward. It is to be [illegible] the Secretary of the Interior [illegible] sale instead of [illegible] Congress [illegible] Indians [illegible] Congress [illegible] Indians [illegible] Reservation in the State of Minnesota [illegible] with the Red Lake Indians by Inspector McLaughlin in March, 1902, but inasmuch as the terms of the agreement do not correspond with the provisions of the bill, this legislation can not be regarded as a taking of Indian lands without Indian consent. On its face this bill seems to provide for a competitive sale, with allotment of the lands to the highest bidders; but it contains a provision that "after the first competitive" sale hereunder shall be closed the lands remaining unsold shall be subject to sale and entry" (under the homestead laws) "at the price of $3 per acre."

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as

of these Indians; that they will suffer great injustice if the bill H. R. 10418, now pending before the Senate, be enacted into law.

Briefly, the bill proposes to dispose of 416,000 acres of the Rosebud Indian lands lying in Gregory County, S. Dak., without Indian consent, at prices ranging from $3 per acre downward, according to date of purchase, etc., the Government acting only as trustee for the Indians, especially providing that it does not guarantee any part of the purchase price.

The bill sets up an agreement secured from the Indians in 1901, wherein the lands were guaranteed $1,040,000 for these lands by the Government (being $2.50 per acre).

The Supreme Court of the United States, while deciding (Lone Wolf case, October term, 1903) that Congress was vested with authority to disregard treaties made with our Indian wards, proposes that in our dealings with the Indians absolute justice will be done them. The court says:

"The power exists to abrogate the provisions of an Indian treaty, though presumably such power will be exercised only when circumstances arise which will not only justify the Government in disregarding the stipulations of the treaty, but may demand, in the interest of the Government and the Indians themselves, that it should. * * * It is not to be doubted that the power to abrogate existed in Congress, and that in consistency such power might be exerted from time to time in the interest of governmental policy, particularly if consistent with present and future duty to the Indians.

"We must presume that Congress acted in perfect good faith in the dealings with the Indians * * * and that the legislative branch of the Government exercised its best judgment in the premises."

Congress having assumed absolute control by guardianship of the Indians, it must accept the added responsibility of providing for absolute justice to these wards.

If an obligation of the Government entered into with the Indians may be broken at will, by reason of inadequacy of the ward, we can not in justice per grant more than the ward to an administrator in a further attempt as to the value of lands. Furthermore, the agreement calling for the $1,040,000 had to be secured through a strenuous effort. The Indians claim that they were given to understand that the Government would take these lands anyway at the Government price ($1.25 per acre) if they did not agree to accept $2.50 per acre.

As already stated, it is not necessary to dwell upon the history surrounding the agreement of 1901. Congress provides [illegible] for its supervision practitioners by withdrawing the authority of payment of the [illegible] money, and requiring the Indians to the immediate payment of [illegible] upon the work, who, upon obtaining employment, usually agreed to [illegible] a percentage of the time of payment, and proved for their pay [illegible] claim. This plan in the past has been found to result sometimes in fattening away the Indian estate.

In brief, the agreements are held not to be binding upon the Government, although the Indians, as the other contracting party, are [illegible] bound. To set up the agreement of the Indian tribes [illegible] are [illegible] less and cannot be otherwise than unavailing. [illegible] to [illegible] What is the actual value of the land proposed to be sold by the guardian Government?

Reuben Quickbear, president of the Rosebud Indian council, writes as follows:

ROSEBUD, S. DAK., *January 5, 1904.*

DEAR SIR: I suppose you know that Mr. BURKE's bill taking our Gregory County land without our consent and at a merely nominal price, is now in the hands of Mr. SHERMAN, chairman of the House Committee on Indian Affairs.

Never we needed help we need it now, and badly. Mr Clark, the Presidential missionary here, has written to Mr. SHERMAN [illegible] the amount offered—or rather thrust at us—for our land. [illegible] years and know the value of it. A few years ago [illegible] and told a friend of mine that he would give [illegible] for land [illegible] offered the Commissioner $5 per acre for the whole county, and land around here has stood [illegible] in value. We could not sell for less.

We ask the Indian Rights Association to help us in this our hour of need, and we yet to protest to Mr. SHERMAN against the passage of this bill.

Yours, truly,

REUBEN QUICK BEAR,
President of the Indian Council.

Mr. HERBERT WELSH, *Philadelphia, Pa.*

As shown by the report dated January 9, 1904) of the honorable Commissioner of Indian Affairs, [illegible] question, the Indians were not satisfied with the prices offered them. [illegible]

"When the agreement, [illegible] 14, 1901, was being [illegible], the Indians of good water frontage [illegible] more than $5 per acre, and they were offered [illegible] the agreement [illegible] from the Special Indian Agent [illegible] that the [illegible] agreement [illegible] terms for the sale of their lands, [illegible] Bishop Hare [illegible] the Indians [illegible] to be paid. In [illegible] the Government [illegible] the Government price [illegible] the Government would [illegible] the Indians [illegible] taken as a whole, exclusive of allotments, is worth a [illegible] than $2 per acre."

The Sioux City (Iowa) Journal of July 2, 1903, regards the tract as comprising five [illegible] and says:

"BONESTEEL OPENING. DEP SHOW MAJOR M'LAUGHLIN ABOUT TO MAKE TREATY WITH INDIANS—APPOINTMENT FOR J. D. KELLER—FORMER SUPERINTENDENT OF SCHOOLS OF WOODBURY COUNTY MADE UNITED STATES COMMISSIONER AT BONESTEEL, S. DAK.—TO TAKE ACTION NEXT SESSION.

"Persons who have been interested in the opening of the Rosebud Indian Reservation in south [illegible] will be encouraged by the news that the reservation is almost ready to be thrown open to settlement after the [illegible] session of Congress.

"[illegible] will be made possible by a new treaty with the Indians, which is to be made by Maj. James McLaughlin, of the Indian Department, Washington, D. C., who was in Sioux City this week, en route from Washington to North Dakota on business with the Indians.

"The news of the new treaty was brought to Sioux City by Joseph D. Keller, of Bonesteel, S. Dak., of the real estate firm of Rathman & Keller, who is here for a brief visit with friends.

"Mr. Keller formerly was county superintendent of schools for Woodbury County. Fourteen months ago he left Sioux City for Bonesteel, and has been doing well there.

"Major McLaughlin is now in North Dakota attending a powwow of the Indians, with whom he is [illegible] throughout the Northwest. He is to go to the Rosebud Reservation in South Dakota and meet the Indians there. This is the primary object of his trip west, according to a letter which Congressman BURKE of South Dakota, has received from Commissioner Jones, of the Indian Bureau.

"There are [illegible] to be opened. Many of it is fine land. Not a mile and a half from the reservation boundary [illegible] one day we saw a quarter section too [illegible] but the land is not bad. There will be [illegible] settlers to be allowed to settlers when the reservation is opened. We have received frequent inquiries about the land from all over the country.

"You see, Congress passed an act last session providing that it would necessitate an appropriation of $1,500,000 to buy the land from the Indians, and the purpose of the new treaty will be to make a deal by which the Indians will [illegible] a certain length of time for their money, which the settlers will pay in in payments specified as belonging to the Government. [illegible]

"Mr. Keller has [illegible] been appointed United States commissioner at Bonesteel, his jurisdiction extending over Gregory County and a large portion of country west of that county. By virtue of his official position he [illegible] will be given charge of the drawing by settlers for the Rosebud lands when the Reservation is opened.

"Bonesteel, S. Dak., lies on the border of the Indian lands referred to. A messenger sent by a Bonesteel [illegible] to the Indian Bureau [illegible] as to the value of lands in that section of the country. It reads as follows:

"*Rosebud Indian Reservation.*

"Four hundred and sixteen thousand acres of choice lands to be thrown open to settlement under the homestead law.

"[illegible] conceded by [illegible] to know that the drawing will be held in Bonesteel [illegible]

"[illegible] should send 50 cents for large sectional map showing the names of all allottees.

"Gregory County is one of the best in the State of South Dakota. [illegible]

"First. The soil is heavier.

"Second. The water is better.

"Third. [illegible]

"Fourth. [illegible]

"Fifth. There has [illegible] a failure of crops.

"Sixth. [illegible]

"Seventh. [illegible] better adapted to the raising of hogs and cattle as [illegible]

"Eighth. [illegible]

"Ninth. The prospect for a bumper crop last year was never better in any county.

"Tenth. We are in direct communication with both the Sioux City and Omaha markets.

"Read descriptions and prices of land:

* * * * * * *

"18. Ninety acres, [illegible] farm land, 3½ miles from town; frame house and good well. [illegible] per acre.

"[illegible] from town; good house, all fenced [illegible] per acre.

"[illegible] acres, 10 miles from town; 100 acres in crop, all fenced [illegible] per acre.

"[illegible] acres, 7 miles from county seat; 135 acres in cultivation [illegible] per acre.

"[illegible] acres, 2½ miles from town; good farm land; 120 acres in crop, all fenced [illegible] per acre.

"23. Three hundred and [illegible] acres in cultivation. [illegible] farm. Price [illegible] per acre.

"24. Three [illegible] from town; [illegible] well water; hay meadow cuts 70 tons per year; [illegible] acres in crop. Price $35 per acre.

"[illegible] rolling, but [illegible] for stock raising, 9 miles [illegible]

"27. Two hundred and fifty acres, 3 miles from town; 180 in crop, good well and stock pond, frame house, all fenced, one of our best. Price, $30 per acre.

"28. Stock ranch consisting of 2,955 acres, [illegible] 1640 acres of [illegible] land in [illegible] and [illegible] stock, [illegible] fence. For particulars [illegible] eighty acres, 6 miles from town; well watered and all fenced [illegible]

"[illegible] twenty acres, 1 mile from town; abundance of good [illegible] well improved, and [illegible] price cultivated [illegible] balance pasture, all fenced, plenty of good springs. Price, $30 per acre.

"[illegible] 3 miles from town; 120 acres in crop, 40 acres pasture [illegible] such land suitable for pasture, on the W[illegible] 70 acres can be [illegible] price pasture land. School section adjoining leased for four years. Price [illegible]

"[illegible] six hundred acre stock ranch, improved and well watered [illegible] of good [illegible]

"[illegible] from town: 140 acres in crop, 20 acres pasture [illegible] Price [illegible] (Sold.)

"[illegible] water; 110 acres [illegible] of water, frame house [illegible] Price [illegible]

A recent issue of the Sioux Falls Press, Sioux Falls, S. Dak., has this to say of the following bill:

"BURKE'S ROSEBUD BILL.

"Representative BURKE, of South Dakota, favors the Press with a copy of his bill for the opening of a portion of the Rosebud Indian Reservation in this State and his report thereon from the House Committee on Indian Affairs.

"This is a measure the Press has criticised in one particular—that the price per acre to the Indian owners of the land was not enough. In Mr. BURKE's new bill the price is increased from $2.50 to $3 per acre for all the land entered within six months after the opening of the reservation, the price thereafter to be reduced to $2.50 per acre.

"If [illegible] the land to be surrendered will be taken by settlers long before the [illegible] year has expired, as there is no water in South Dakota [illegible] the new law, which gives the settlers [illegible] than was contemplated in [illegible] treaty.

"We have [illegible] visited the Indians last summer to procure their consent [illegible] the land then appraised at $5 per acre and [illegible] to agree to sell [illegible] the land [illegible] for the sum of $1,040,000 [illegible] less than $2,000,000. [illegible] it was expected at that time to procure from the Indians Mr. BURKE has [illegible] in his bill [illegible] suggestions of those who have [illegible] in southern [illegible] which [illegible] the property at $3 per acre. The government was facilitate the [illegible] but failed to secure ratification, the managers of the House [illegible]

[illegible] that at all exorbitant in their demand for $5 per acre [illegible] more than that. In the measure now before the House [illegible] Rosebud Reservation, as [illegible] the opening of the [illegible] Lake [illegible] Rosebud Reservation, as [illegible] the price of the land [illegible] for the second six months [illegible] than the Devils Lake [illegible]

[illegible] Bonesteel and Fairfax, S. Dak., [illegible] are [illegible] which is [illegible] Rosebud Reservation. Their statements follow:

JANUARY 23, 1904.

DEAR SIR: As it is probable that the Indian lands in Gregory County will be open to settlement soon, we are thinking of investing some money in the land [illegible]

[illegible] farm lands be? I have a friend who would like [illegible]

[illegible] what would be the price? [illegible] stamped envelope and will be pleased to hear from you as early as convenient.

C. W. BEGGS, SONS & CO.

THE C. A. JOHNSON REALTY COMPANY,
Bonesteel, S. Dak.

FAIRFAX, S. DAK., *January 26, 1904.*

GENTLEMEN: Your esteemed favor of January 23, 1904, has been received, and in reply will say that 3,000 acres of land for grazing purposes can be obtained herein this county for about $2 per acre. The farm land is much more valuable [illegible]

[illegible] land in [illegible] land [illegible] These lands are [illegible] per acre for the homestead as soon as the land is opened for entry and $2.50 per acre if filed upon after the expiration of six months from the date the land is opened for entry. The bill also provides that after the expiration of four years [illegible] land [illegible] per acre, but [illegible] to the rules and [illegible] the Indians.

[illegible] the matter, I beg to remain.

Yours, truly,

C. A. JOHNSON REALTY COMPANY,
Bonesteel and Fairfax, S. Dak.

C. W. BEGGS, SONS & CO., *Chicago, Ill.*

Confirmatory of the above, the following statement of Edwin M. Starcher, of Fairfax, S. Dak., is important:

JANUARY 23, 1904.

DEAR SIR: We have a party in this city who is desirous of securing about 320 [illegible] would [illegible] in that [illegible] envelope [illegible] we are,

Yours, truly,

C. W. BEGGS, SONS & CO.

Mr. E. M. STARCHER, *Fairfax, S. Dak.*

JANUARY 27, 1904.

GENTLEMEN: To your favor of 23d instant beg to say that the average price of [illegible] lands in this country runs from $5 to $10 per acre; improved farms [illegible] tracts of land that could be purchased here at this time [illegible] stamped envelope and will be pleased to hear from you [illegible] who own land [illegible] sell. Such a sale would probably run approximately $1,000.

Yours, truly,

EDWIN M. STARCHER.

C. W. BEGGS, SONS & CO., *Chicago, Ill.*

Rev. A. B. Clark, a missionary among these Indians for a score and more years, [illegible] the Indians are forced to [illegible] for the pending legislation.

[illegible] from the Valentine Democrat, Valentine, Nebr., issue of February [illegible]

[illegible] agent held a grand council yesterday [illegible] February 1) with the Indians and the result was that the Indians agreed to cause their unallotted land [illegible] years. The Indians are [illegible] positively refused to lease, but they [illegible] of the South Dakota [illegible] organization, to [illegible] at a [illegible] that they [illegible] for seven years.

[illegible] the Indians in the matter of leasing, we see the immediate [illegible] that tend in the wake of attempted unfair treatment. It has been shown by those observing the conditions, and is to be inferred by all experienced in Indian life in that portion of the Northwest, that it is much better to encourage the Indians to pasture their surplus lands with stock owned by themselves rather than to lease the same to outsiders.

The Indians have united upon $5 per acre as a compromise price, although they realize that the lands are more valuable.

Can the Government afford to commit so apparent and gross an injustice?

Respectfully submitted on behalf of the Indian Rights Association.

S. M. BROOKS,
Agent Indian Rights Association.

I also desire to append an article on this very subject. This particular Indian reservation bill—by one of the best known of New York newspaper correspondents, who, while I assume he is not in accord with my views that the only solution of this, and all other phases of the land question, is the application of the single tax principle (the principle that the only way to secure to all other equal right of access to the earth is to compel those who monopolize [illegible] in any form to pay into the public treasury annually the rental value of the land they monopolize), yet does agree with me that land grabbing is an evil, and that the Rosebud Indians are by this bill to be made the victim of land-grabbing speculators.

[From the New York Evening Post.]

TAKING INDIANS' LANDS—DEALING OF CONGRESS WITH THE ROSEBUD SIOUX—A PREFERENCE FOR THE METHODS OF [illegible] THAN THOSE OF HIGHWAY ROBBERS—BARS [illegible] LONE WOLF DECISION—COMPELLING INDIANS TO ACCEPT $2.50 AN ACRE FOR 416,000 ACRES [illegible] AS ALLEGED [illegible] AS A GIFT—INDIANS ALSO EXPECTED TO TAKE THEIR CHANCES OF COLLECTING THE MONEY OF WHITE HOMESTEADERS.

WASHINGTON, *February 17.*

The latest plan to take away Indians' land and give it to white men has to do with the Rosebud Sioux Reservation in South Dakota. [illegible] Indians [illegible] per acre [illegible] from [illegible] at the rate of $2.50 an acre. [illegible] Congress has [illegible] $2.50 an acre at least. Congress has [illegible] $2.50 [illegible] country—except for certain [illegible] apart [illegible] Lone Wolf decision—compelling Indians to accept $2.50 an acre for 416,000 acres [illegible] Rosebud Reservation. [illegible] Indians also expected to take their chances of collecting the money of white homesteaders.

[illegible] Congress has [illegible] Indians' land [illegible] Congress has [illegible] Indians [illegible] Congress has [illegible] Indians [illegible] Congress has [illegible] Indians

Our heads [illegible] all powerful. The highest tribunal in the land has left us free to do [illegible] we please with Indian land. We have fixed our eyes on your [illegible] and we purpose to take them and give them to the whites for settlement. If we can collect from the whites $2.50 an acre, we will pay the money to you. If not, not. You are helpless, so the wise thing for you to do is to bow to the inevitable."

I hope the Indians will have realized the full meaning of the transaction. So [illegible] the Government people, who are not land grabbers, even when the Respicos [illegible] the victim marked for plunder.

F. E. L.

Mr. SMITH of Kentucky. Mr. Chairman, I ask unanimous consent to have the amendment proposed by the gentleman from Iowa a few moments ago to section 21 amended by inserting after the word "to," before the word "any," the words "or received by;" so it will read:

Provided, That [illegible] shall be paid to or received by any deputy clerk [illegible]

Mr. LACEY. I think that is necessary to carry out the purposes of the amendment, so that the reception, whether paid by the Government or received by the officers as fees, in no case will exceed the [illegible].

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to amend the amendment offered to section 21. Without objection, the Clerk will make the correction.

Mr. SHERMAN. Now, Mr. Chairman, I ask that we go back to page 23, line 12.

The CHAIRMAN. The Chair will state the first paragraph passed over was on page 26.

Mr. SHERMAN. The agreement shown by the RECORD was we should return to that after we had concluded everything else in the bill.

The CHAIRMAN. The Clerk will report the paragraph, beginning on line 12, page 26.

The Clerk read as follows:

To [illegible] at the city of San Francisco, Cal., in the discretion of the Secretary of the Interior, a warehouse for the receipt, storage, and shipping of goods for the Indian Service, [illegible]

Mr. MANN. Mr. Chairman, I would like to reserve the point of order on that.

Mr. HINSHAW. Mr. Chairman, I offer an amendment at line 11.

The CHAIRMAN. Does the Chair understand the gentleman from Illinois to make the point of order?

Mr. MANN. No; I do not make the point of order.

The CHAIRMAN. The gentleman from Nebraska offers an amendment, which the Clerk will report.

The Clerk read as follows:

Insert after line 11, page 26, the following:

To [illegible] at the city of Omaha, Nebr., in the discretion of the Secretary of the Interior, a warehouse for the receipt, storage, and shipping of goods for the Indian Service, [illegible]

Mr. MANN. Mr. Chairman, I would like to ask where that amendment offered comes in.

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. HINSHAW. Just a moment. The amendment I offer is at line 11, and [illegible] of the [illegible] sections.

Mr. MANN. But the other sections have been read.

The CHAIRMAN. The Chair will state the amendment offered by the gentleman from Nebraska [illegible] and [illegible] line 11, page 26, [illegible] by the gentleman from Nebraska should have been presented by the Clerk [illegible].

Mr. BARTHOLDT. Mr. Chairman, I suggest that the warehouse at St. Louis and that at San Francisco have been [illegible] and [illegible] been made, [illegible] the amendment to be offered now should come after line 19.

Mr. MANN. I do not see that it makes any difference where it comes.

Mr. HINSHAW. It makes some difference, and I reserve the point of order on both of those amendments. If the [illegible] upon the point now, prior to the amendment, I shall reserve the point of order against both.

The CHAIRMAN. The Chair understands that a point of order is made against the amendment?

Mr. MANN. There is no point of order against it, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Nebraska.

Mr. MANN. I am trying to find out whether anything has become of the other two paragraphs read.

The CHAIRMAN. The other two propositions were read by the Clerk under a misapprehension on the part of the Chair.

Mr. SHERMAN. The other two provisions have been read and agreed to.

The CHAIRMAN. The Chair explained to the Member from New York and the members of the committee that the Clerk read the paragraph by direction of the Chair inadvertently. On referring to the RECORD of yesterday, it appears that the amendment offered by the gentleman from Nebraska was to line 11. So that, in order that no rights should be lost in the matter, the gentleman's amendment will be considered as offered to line 11. The question now is on agreeing to the amendment offered by the gentleman from Nebraska.

Mr. HINSHAW. Mr. Chairman, I want to say in reference to this Omaha appropriation that I think it is four years now that this item has been put in this bill for the Omaha supply depot. Omaha, as you all know, is located on the Missouri River, and is probably the city in closest touch to the great mass of the Indians of any other State. I have no objection to the Indian supply depot at St. Louis or the Indian supply depot at San Francisco. San Francisco is located in easy touch with the Indians on the Pacific slope. St. Louis is located conveniently for the Indians in the Indian Territory and Oklahoma. Omaha is equally well located for the distribution of supplies for the Indians of the Dakotas, of Minnesota, of Montana, of Idaho, and probably of Washington; to some extent Colorado and Utah. During the time that this appropriation has been in here the business of the Omaha supply depot has increased systematically and regularly.

For the fiscal year beginning July 1, 1901, and extending to June 30, 1902, the amount of [illegible] pounds. Now, notice the next fiscal year beginning July 1, 1902, and ending June 30, 1903, it had increased nearly threefold, to 1,118,556 pounds. I have here a comparative statement of the supplies which have been furnished by the four prominent supply depots: [illegible] one temporary supply depot. New York had [illegible] 1 to December 31, 1903, which is the first part [illegible] year, 1,362,000 pounds; Chicago, during the [illegible] 7,150,000 pounds; Omaha, in the same six months, 892,908 [illegible]; St. Louis, for the same fiscal half year, 594,776 pounds; [illegible]

This is a comparative statement of significance. The remainder of the fiscal year, as I understand it, affords very small shipments, so the Indian Office reports.

Now, in view of the vicinity of Omaha to these great tribes of [illegible] I can not understand it unless the gentleman de[illegible] monopolize in the city of Chicago all the Indian supply [illegible] I hope he does not.

Mr. MANN. It is because we have so many Indians.

Mr. HINSHAW. There are a few Indians in Chicago, but not a great many. [Laughter.] Now, I ask this committee to put in this item. It is only $40,000. It is a matter of economy. The [illegible] from Chicago would cost more than they would from Omaha. As it is now, I understand, the goods are shipped in bulk to the city of Omaha, and the goods are distributed from there, whereas if they were distributed from Chicago they would be shipped in detail and in small consignments.

Mr. Chairman, if I have any more time, I want to reserve it.

Mr. SHERMAN. Mr. Chairman, the history of the Omaha warehouse is somewhat peculiar. It never was recommended by the Department and was not [illegible] favorably by the Indian Committee. It was first inserted in the bill in the Senate, I think. The amendment was [illegible] in the House and was put [illegible] in, with the [illegible] there if further [illegible] free of [illegible] That was the proposition of the Representatives of the Indian Bureau of the State. Under that provision there never was a warehouse there, for they never [illegible] year [illegible] enough in the form that the gentleman from Nebraska now proposes it.

The gentleman quotes figures in pounds and numbers of packages. The facts are that last year, 1903, in value the total amount [illegible] from Chicago [illegible] or New York, and [illegible] while the shipments from Chicago were [illegible] and those from New York $270,000. The expense for maintaining at the same time the Omaha warehouse, shipping out [illegible] worth of goods, was $6,400, while the expense for maintaining the Chicago warehouse, which shipped out almost $900,000 worth of goods, was but $22,000. There never has been a time, in my judgment, when the service required a warehouse at Omaha, and I think that time is not present now. I think the amendment ought not to be adopted. I want to say, in all fairness, that I opposed the amendment in the committee. It was favorably considered by the majority of the committee, and the gentleman from Nebraska [Mr. HINSHAW] was authorized to present it here as a committee amendment. I do not want to be misunderstood by the committee here. I am speaking for myself, and not for the members of the Indian Committee.

Mr. HINSHAW. Mr. Chairman, I call attention to the fact,

and ask the gentleman from New York [Mr. SHERMAN] if it is not true, that while the value of stuff shipped from Omaha was $60,740 for the last six months of the year 1903, the value of the stuff shipped from St. Louis was only $36,750 during the same half of the fiscal year, and that the cost of the St. Louis depot was $5,795, as against $6,425 at Omaha.

Mr. SHERMAN. Mr. Chairman, I presume the gentleman has correctly stated the figures. I know he has as to amount. I have mislaid the paper I had here a moment ago, but I have no doubt that the gentleman states it correctly.

Mr. BARTHOLDT. Mr. Chairman, I think there is some mistake about the cost. The cost to St. Louis was $4,400 out of the $10,000 appropriated.

Mr. HINSHAW. Mr. Chairman, I have here the statements from the Indian Office, which gives the figures that I have given.

Mr. SHERMAN. Yes; the gentleman is correct. I said I had no doubt that the gentleman was correct, but I could not find my statement. It is the same as the gentleman's, but I am not discussing the relative merits of Omaha and St. Louis. I am discussing the question of whether or not there is need for the maintenance at Omaha of an Indian warehouse. I maintain that the figures demonstrate that there is not any need for it. I say that its establishment was never asked by the Department, and that it was believed that it was a handicap to the Bureau [illegible] as an aid in [illegible] at that place. I trust the amendment will not prevail.

Mr. BURKE. Mr. Chairman, I hope the amendment will prevail. The amendment was suggested in the committee and considered by the committee, and it was ordered reported [illegible] and the gentleman from Nebraska [Mr. HINSHAW] was [illegible] to offer the amendment.

Mr. SHERMAN. I just stated that.

Mr. BURKE. Yes; I understand so. It is the only amendment offered by the committee that has not [illegible] I trust that this committee will not make [illegible] item and refuse to adopt the amendment of the gentleman from Nebraska. As has been stated, Omaha is situated at a point tributary to the great reservations in that portion of the country. The warehouse has transacted considerable business, as has been shown by the statements, and the Department estimated for this warehouse when the estimates were made up for this Congress just the same as it estimated for other items in the bill and for other warehouses. I hope the amendment will prevail and that this committee will adopt it.

Mr. LACEY. Mr. Chairman, just a word in favor of this amendment. There is one advantage in having this additional warehouse. It increases the range of competition in the bids. It [illegible] the wholesalers at Council Bluffs, Omaha, Leavenworth, Kansas City, and the surrounding region to join also in the bids, while if they had to bid for delivery at a point farther east it would bar them out. What [illegible] be much more than saved in the lowness of the bids. At any rate, it is discretionary in the Secretary of the Interior whether to establish it or not.

Mr. MANN. Mr. Chairman, the pending proposition is whether [illegible] warehouse at Omaha for the next fiscal year. [illegible] Indian warehouses. The ones at Chicago and New York are maintained out of a general appropriation relating to "transportation" and "warehouses," etc., but Chicago and New York are not mentioned in that general item, so that as the law has stood the Indian Bureau might have taken the warehouses away from Chicago and New York entirely and located them elsewhere. That danger is now covered by the amendment which I offered last night and which was adopted, providing that no portion of this general fund [illegible] for warehouses at any place other than Chicago and New York.

Now, the question is, shall we make specific appropriations of $10,000 in each case for the maintenance of the warehouses at Omaha, St. Louis, and San Francisco?

Mr. Chairman, I do not think that I should now take [illegible] to discuss the subject, except for the fact that [illegible] source or other it became widely circulated throughout the city of Chicago that it was proposed to entirely remove the depot for Indian supplies from Chicago to St. Louis.

I have no doubt that that was an entirely erroneous impression. The fact, however, that the Secretary of the Interior was from St. Louis might have given, to some of those who did not know the gentleman, an appearance of truth to the proposition. Mr. Jones, the Commissioner of Indian Affairs, is a man of great business ability and with character above reproach. I took occasion, however, to make some investigation as to the amount of business, the character of business, and the cost of business at Chicago and the other Indian warehouses, and I want to show the House why the Indian-warehouse business should remain at Chicago. Now, I have not the slightest doubt that in the end, when the vote is taken, this amendment will prevail. I never have yet known, as a matter of observation and experience, legislative bodies to either abolish offices or officers.

To cut down the pay roll is something almost impossible; to increase the number on that roll is always easy. And it is very evident from the appearance of this floor that the most genial and able and faithful Representative from Omaha has been diligent in seeing that enough of the Members on his side should be here to decide the vote when it comes. I admire him for his enterprise and industry.

Mr. STEPHENS of Texas. Will the gentleman yield a moment?

Mr. MANN. Certainly.

Mr. STEPHENS of Texas. Does not the gentleman think that Omaha, being nearer to where the Indian tribes have their homes, would be much better for a warehouse than farther east? Could not the various shipments of goods be concentrated in this way nearer the abodes of the Indians and where the great railroads center?

Mr. MANN. If the gentleman and the committee will have patience with me for a few moments I will try to demonstrate that such is not the fact.

The cost of maintenance to-day at the different Indian warehouses is in proportion to the amount of business transacted. I will [illegible] from the statistics I have before me—that is, the administrative cost of the warehouse and the proportion of that to the value of the goods handled. At St. Louis it is 15.7 per cent. For every hundred dollars' worth of goods which go to the Indian [illegible] $15.70 for maintenance at that [illegible] per cent for every hundred dollars' worth of goods. In other words, at that point 10 per cent is paid for maintenance. At New York the percentage is 6 per cent; at San Francisco, 4 per cent; at Chicago, 3.8 per cent.

Mr. CLARK. May not that grow entirely out of favoritism by the men who have this business in hand?

Mr. MANN. Well, I can not understand the meaning of that question.

Mr. CLARK. The meaning of the question is this—that somebody may be "playing favorites." Do you understand that? [Laughter.]

Mr. MANN. Well, I do not even understand that. Certainly, Mr. Chairman, there is no chance, as far as favoritism in the offices is concerned.

Mr. SHERMAN. Let me suggest to the gentleman from Missouri [Mr. CLARK], as to favoritism being played, that the Secretary of the Interior lives in St. Louis.

Mr. CLARK. It does not make any difference if he does. Where does the chief "muck-a-chuck" of the Indian Bureau live?

Mr. SHERMAN. The gentleman to whom I suppose my friend [illegible] away up in the Northwest, and he has [illegible] r, except for the good of the service.

Mr. CLARK. As a matter of plain common sense, does it not seem that the cost in this matter ought to be less at Omaha and St. Louis, which are closer to the Indians, than at the other places?

Mr. SHERMAN. Well, it is not the fact.

Mr. MANN. I object to the gentleman from Missouri [Mr. CLARK] asking these questions until I get through. I propose to show not only that it does not cost less than at the places named, but that it can not.

The cost of administration in St. Louis was $5,795. The value of the goods handled under the contracts was $36,749.06. You might think from the industry which has been displayed on the floor and elsewhere to preserve the Indian warehouses at St. Louis and Omaha that it was a matter of vital importance to the Indians [illegible] yet the total value of the goods handled at St. Louis for the last six months of the fiscal year (in which practically all the business is done) was $36,749.06. At Omaha the total value of the goods handled was $60,740, and the cost was [illegible].835—10 cents for administrative purposes upon every dollar's worth of goods.

At New York the cost of administration was $16,620, and the cost of the goods handled $[illegible]6. At San Francisco, where the Indian warehouse is maintained only a part of the year, the cost for the year was about $[illegible] and the value of the goods [illegible] $125,000. At Chicago the cost of administration was $[illegible], and the value of goods handled was $[illegible]—a percentage of 3.8.

Mr. Chairman, more goods were handled at Chicago than at all the other four warehouses; and I call the attention of the gentleman from New York [Mr. SHERMAN], who very ably discussed my statement on this point, to the fact that the value of the goods handled at Chicago was more that the value of the goods handled at all the other Indian warehouses combined—much more; and the cost of handling was a great deal less. It cost $22,000 at

Chicago and $33,000 at the other warehouses; but the value of the goods and the amount of the work at Chicago were much more than at all the other warehouses combined. That is easily shown also by tonnage. The tonnage at St. Louis was 594,776 pounds; at Omaha, 892,908 pounds; at New York, 1,362,103 pounds; at San Francisco, 2,420,565 pounds; at Chicago more than all the rest combined nearly twice over—7,459,178 pounds.

Mr. HITCHCOCK. The figures which the gentleman has just read relate to the last six months of 1903 and not to the whole year. It that not true?

Mr. MANN. The figures which I have just read relate only to the last six months of the year 1903, which are the first six months of the current fiscal year; but they practically cover all of the shipments. I am informed, and other gentlemen have stated here, that practically all the shipments are made in the first six months of the fiscal year.

Now, that is not all by any means. Any bidder can have his goods delivered at any Indian warehouse under his contract, or the Department can direct him where to deliver, there being a variation in price so far as freight is concerned. The man in Chicago who bids in New York City can deliver his goods in New York City, or he can deliver them in Chicago, or he can deliver them at Omaha, or he can deliver them at St. Louis, or San Francisco.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. I ask unanimous consent to proceed for ten minutes.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may proceed for ten minutes. Is there objection?

There was no objection.

Mr. MANN. Bids are received at New York and Chicago. Bids are not received now at Omaha, St. Louis, or San Francisco, and the complaint has been made by some of the gentlemen from St. Louis that because bids were not opened at St. Louis the St. Louis people were discriminated against. Now, that is not the case. Mr. Chairman, Chicago this last year went to New York, where certain bids are opened. Let me say that the bids for certain classes of goods are opened in New York, and for certain classes of goods they are opened in Chicago. Last year bids were opened in New York for class 1 blankets. Chicago merchants went to New York and bid and took the whole business, got the contract for the whole amount, $15,520, away from New York, away from St. Louis merchants, away from Omaha merchants, away from all the other merchants in the land.

The woolen and knit goods bids were opened in New York, and Chicago went to New York and bid, and the result of the bids was that New York merchants received contracts for $6,705 worth; St. Louis got the biggest contract that it has got on anything in the Indian-warehouse business, or $8,342, and Chicago went to New York and got five times as much, or $42,[illegible], on woolen and knit goods. Omaha got nothing on that class of goods.

In class 3, cotton goods, Chicago bid in New York and received the contracts for $68,100 worth, while the New York merchants took $6,174 and the St. Louis merchants $4,826, and Omaha got nothing. The only big contract which was let to New York merchants was [illegible]. The clothing was contracted for in the East.

Now, then, bids were let at Chicago last spring for various classes of goods. One of the principal of these is subsistence, which covers meats. The only business that Omaha does with the Indian warehouses is with meats. The Omaha merchants bid on bidding also principally. They have no other contracts with the exception of a few dollars' worth. Now, most of the meats do not go into the Indian warehouses at all. There is no occasion for a dollar's worth of the meats going into an Indian warehouse. The meats are shipped directly to the agencies and the schools.

For the first six months of the fiscal year, out of the total of $60,000 worth of goods handled in the Omaha warehouse, [illegible] worth were under the head of subsistence, practically for meats. Fifty-two thousand dollars worth of meats were handled at the Omaha warehouse, which they say is so near to the Indians, while $649,000 worth went to no warehouse at all, but were shipped directly to the agencies or schools. That which was shipped directly to the agencies cost the Government nothing extra for administration, but that which went through the Omaha warehouse added one dollar of expense to every ten of the cost of the goods.

The claim that is made that Omaha is so much nearer the Indians, in the first place, so far as freight rates are concerned is not true. The freight rates from Omaha to the Indians, on an average, as I am informed, are higher than they are from Chicago. I do not decry Omaha. I have the greatest admiration for Omaha. Some of the pleasantest moments of my life have been spent there; some of the principal men with whom I have been connected are men high in affairs in Omaha. But the Omaha merchants do not obtain contracts in any class of goods to any extent except the meats; and these are bid for mostly by Chicago meat men in the provision business who have plants in Omaha.

Now, let us see. The only things that Omaha merchants got any contracts on last year except subsistence were paints, $3,530; medical supplies, $4,550; wagons, $240. That was out of a total of $316,000 in classes 7 to 16. And St. Louis, represented by that genial gentleman, Mr. BARTHOLDT, who ought to have been satisfied when he took $4,500,000 out of the national Treasury to help his city, should not now insist upon 15 cents on every dollar's worth being spent for the maintenance of a warehouse in that city that is of no more use to the Indian Service than the fifth leg on a dog. St. Louis merchants out of a total of $316,656 received contracts to the amount of $11,476, while the merchants of Chicago received contracts for $296,140 worth.

Mr. METCALF. May I interrupt the gentleman at this point?

Mr. MANN. Certainly; with pleasure.

Mr. METCALF. I have a statement here showing that the cost, according to the value of the goods in St. Louis, was 57 per cent.

Mr. MANN. Well, the gentleman has a statement which relates to the year before last.

Mr. METCALF. I do not think so.

Mr. MANN. And the St. Louis warehouse was only open for about three months in that year. That is the gentleman's statement which the gentleman has. That Indian warehouse was established the year before last, and a statement was made at that time for the first six months of the fiscal year, and the statement of the value of the goods and the statement of the cost made the cost about half the value of the goods; but that was only for the first three months the warehouse was doing business.

Mr. METCALF. It was from July 1 to December 31, a period of six months.

Mr. MANN. That was of 1902 and not of 1903, if the gentleman will pardon me. The gentleman from St. Louis [Mr. BARTHOLDT] last year said that if the St. Louis warehouse did not do a great deal more business this year than last year, he would be willing that it might be abolished; and in proportion it has not done more business.

Mr. BARTHOLDT. Mr. Chairman

The CHAIRMAN. Does the gentleman yield to the gentleman from Missouri?

Mr. MANN. Certainly.

Mr. BARTHOLDT. I greatly desire to correct the erroneous impression that might be created by the remarks of my friend from Illinois. The warehouse at St. Louis was opened two years ago after all the contracts had been let and after the year's business had already been done.

Mr. MANN. That is what I said.

Mr. BARTHOLDT. So that we had very little chance to do business in the first year. But the second year we have been doing remarkably well, and the only reason why we have not done larger is that all the bids are opened at Chicago, and the St. Louis merchants have got to take their samples to Chicago, which causes a great deal of expense. In the future these bids should be opened at St. Louis as well as at Chicago.

Mr. MANN. Now, Mr. Chairman, it is surprising for the statement to be made that they have to take samples of groceries from St. Louis up to Chicago, at great expense, as they claim. I have just shown the gentleman and the committee that the Chicago merchants took their samples to New York and took the business away from the New York merchants. They made no baby plea that they could not afford to do it. They went there and took their samples and got the business.

Mr. BARTHOLDT. But not in heavy goods. We can not take any samples of anvils to Chicago or samples of plows to Chicago for the reason that it would cost the merchants more than the profits would amount to.

Mr. MANN. Oh, well, I do not know whether they make anvils at St. Louis or not. I think not. So far as plows and agricultural implements are concerned, every man knows that Chicago gets the bulk of the business in agricultural goods. The agricultural-implement business is located principally around Chicago. The merchants are not required to take samples of everything. There is a large bid for augers which are supplied to the Indian warehouses. Augers are required of different sizes and of different diameters; but they are not required to present a sample of each kind. They usually supplied to present an sample, say of a half-inch auger, showing the style and quality of all the kinds of augers that are to be furnished.

The gentleman's statement, which he gets probably from the merchants of St. Louis, is incorrect as to the fact.

Boots and shoes are bid for at various places. On boots and

shoes during the last year Chicago got contracts for $185,190 worth, St. Louis $1,610 worth, and New York $300 worth.

Of groceries—not hard to handle samples—Chicago took $35,010 worth, St. Louis took $300 worth, and Omaha took only $95 worth. Crockery, class 7, Chicago took $5,740 worth, St. Louis took $610 worth, and Omaha nothing.

Furniture: Chicago took $22,250 worth, St. Louis took $170 worth, and Omaha nothing. Harness: Chicago took $22,940 worth, St. Louis took $26 worth—I do not see how that got away from us [laughter]—and Omaha nothing. Agricultural implements: Chicago took $9,780 worth; St. Louis, $300 worth—the item itself is very small. Wagons: Chicago took $12,010 worth; Omaha, $240 worth, and St. Louis nothing. Paints: Chicago took $24,980 worth; Omaha, $3,530 worth, and St. Louis nothing. Tinware: Chicago took $4,330 worth; St. Louis, $330 worth, and Omaha nothing. Medical supplies: Why they claim they have the largest——

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. MANN. Mr. Chairman, I ask unanimous consent that I may have five minutes more.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that he may be allowed to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. MANN. St. Louis has a very large wholesale medical drug house; possibly more than one, for aught I know. There were three contracts let to St. Louis last year, and they got $5,[illegible] worth, and Chicago $12,140 worth, and Omaha $4,550 worth. Books—Chicago took the whole thing, with $19,860 worth. Now, the fact that bids are opened in New York and Chicago is no discrimination against Omaha or St. Louis.

I am not making any proposition, so far as I am concerned, to strike out St. Louis, because I fully realize, at times at least, when a jagged stone wall is in front of my head; but Omaha was not brought in by the committee at first, is not wanted by the Department or the board of purchasers. The board of Indian commissioners have recommended that it be abolished; and I call attention to the report of the board of Indian commissioners, composed of very eminent men—Archbishop Ryan, Charles J. Bonaparte, Doctor Draper, and men of that character—in which they recommend that the warehouse at St. Louis be abolished, stating that there is no necessity for it.

I had hoped that when the distinguished gentleman from Omaha himself, who is in favor, I believe, of cutting off carriages in Washington, brought it home to himself that he would be willing to economize in the interest of the Government without regard to personal considerations. I recognize his desires, and I believe if the gentleman from Lincoln—whom he has often followed as a leader—were on the floor of this House, he would say in the interests of public economy the Omaha warehouse ought to be left off. It costs more; it is not needed; it handles no ordinary goods of any kind; it handles only meats, most of which are now shipped to the Indian agencies and schools, and all of which could easily be shipped direct; and the only purpose of the Omaha warehouse is a matter of pride to Omaha, and possibly to the Member from Omaha.

Mr. LACEY. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Iowa?

Mr. MANN. Certainly.

Mr. LACEY. Would not that require the Kansas City packers and Sioux City packers to ship meats to Chicago and from there ship through Omaha in order to reach the Indians of the country?

Mr. MANN. It would not. I will say to my friend from Iowa, so far from that, last year in the meat business there were shipped of subsistence supplies direct to the agencies, without going through any of the warehouses at all, the total of $649,000 worth as against a total purchase of $769,000 worth. Of a total of $769,000 worth only a little went to warehouses and none is necessary to go through warehouses.

Mr. LACEY. Where was it inspected?

Mr. MANN. It is inspected, I presume—I can not answer the gentleman where it is inspected. I do not know whether it is inspected at the point of shipment or at the point of receipt. It may be inspected at the point of shipment, but it is not shipped through the warehouses, and there is no occasion for shipping it through the warehouses. There is no possible advantage to the Government. The Omaha warehouse is simply an excrescence, and the gentleman from Omaha and the gentleman from Nebraska, whose high-mindedness or their desire to serve their country faithfully no one can deny, ought themselves to be in favor, as a matter of public pride, of waiving the salaries of five or six thousand dollars which are paid out there and let the business be transacted in the interest of the Government.

I submit for consideration the following letter and memoranda, showing the amount of the business at the various Indian warehouses:

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
Washington, February 2, 1904.

Hon. JAMES R. MANN,
House of Representatives, Washington, D. C.

SIR: I have the honor to acknowledge receipt of your letter of the 9th ultimo requesting to be advised of the business transacted at each of the Indian warehouses at Chicago, New York, St. Louis and Omaha for last year.

The following is a statement showing the amount of business transacted at the various Indian warehouses for the period from July 1 to December 31, 1903:

St. Louis:		
Tonnage	pounds	594,776
Value of the goods		$36,749.06
Cost for the year		$8,795.00
Omaha:		
Tonnage	pounds	892,908
Value of the goods		$[illegible]
Cost for the year		$9,425.00
Chicago:		
Tonnage	pounds	7,459,178
Value of the goods		$[illegible]
Cost for the year		$[illegible]
New York:		
Tonnage	pounds	1,362,103
Value of the goods		$[illegible]
Cost for the year		$15,620.00
San Francisco:		
Tonnage	pounds	2,420,565
Value of the goods (about)		$[illegible]
Cost for the year (about)		$[illegible]

The Chicago, St. Louis, Omaha, and New York warehouses are open and transact business throughout the year, and the business is practically completed. The San Francisco warehouse is open for only a few months, and transacts its business during that period.

Very respectfully,

A. C. TONNER,
Acting Commissioner.

Memoranda showing value of contracts awarded at annual lettings, 1903.

[New York letting, May 19.]

Class 1, blankets	$15,520
Class 2, knit goods	6,705
Class 3, [illegible]	68,100
Class 4, [illegible]	191,700
Class 5, [illegible] caps	22,100
Class 6, notions	21,620
Total	327,440

Delivered as follows:

	In New York.	In Chicago.	In St. Louis.	Total.
Class 1	[illegible]	$15,520	[illegible]	[illegible]
Class 2	6,174	48,100	4,826	[illegible]
Class 3	168,900	19,620	2,180	[illegible]
Class 4	[illegible]	[illegible]	[illegible]	[illegible]
Class 5	[illegible]	[illegible]	[illegible]	[illegible]
Class 6	[illegible]	8,600	1,460	[illegible]
Total	220,372	149,520	17,548	$387,440

[Chicago letting, April 21.]

Subsistence, delivered as follows:

In New York	[illegible]
In Chicago	[illegible]
In Omaha	[illegible]
In St. Louis	1,488
At the various agencies and schools	649,224
Total	769,310

Classified goods, delivered as follows:

Articles.	In Chicago.	In St. Louis.	In New York.	In Omaha.	Total.
7. Boots and shoes	$185,190	$1,610	$300	.....	$187,100
8. Groceries	35,010	300	95	.....	[illegible]
9. Crockery, etc	5,740	610	.....	.....	[illegible]
10. Furniture, etc	22,250	170	.....	.....	[illegible]
11. Harness, etc	22,940	26	.....	.....	[illegible]
12. Agricultural implements	[illegible]	300	.....	.....	[illegible]
13. Wagons, etc	12,010	.....	.....	240	[illegible]
14. Paints, etc	24,980	.....	.....	3,530	[illegible]
15. Tinware	4,330	330	.....	.....	4,660
16. Stoves, etc	4,900	400	.....	.....	[illegible]
17. Hardware	57,720	1,750	.....	.....	59,470
Medical supplies	12,140	5,980	345	4,550	23,015
Books	19,860	.....	.....	.....	19,860
Total	296,140	11,476	740	8,320	316,676

RECAPITULATION.

New York deliveries	$[illegible]	
Chicago deliveries	[illegible]	
St. Louis deliveries	[illegible]	
Omaha deliveries	61,113	
		$824,202
Add deliveries at agencies and schools		649,224
Aggregate of both lettings		1,473,426

These figures are given in round numbers for the sake of convenience, and are therefore not exact, but they are believed to be very nearly so; certainly sufficiently so for the purpose of comparison.

It should also be understood that they represent only the value of the goods contracted for at the time of the letting. Each contract contains a clause that it may be increased or diminished 25 per cent. Advantage is taken of this clause to get additional goods during the year.

These additional orders, if added to those given above, would considerably increase the figures given above, but would not, it is believed, materially affect their relative values.

There is also purchased through the warehouses during the year a large number of miscellaneous articles in open market.

The gross amount represented by the value of the goods shipped from July 1 to December 31, 1903, as taken from the reports of the warehouse superintendents, was given as follows:

New York	$270,830
Chicago	579,400
St. Louis	[illegible]
Omaha	60,740

The gross amount represented in this. The additional orders and miscellaneous purchases spoken of account for the difference.

WAREHOUSES FOR INDIAN SUPPLIES.

Of these there are four permanent and one temporary.

The cost and operation are as follows:

New York, permanent:

Cost for year (1903)		$16,620
Tonnage shipped July 1 to December 31, 1903	pounds..	1,332,100
Value		$270,830
Cost per cent of value.		

Items paid from "Transportation of Indian supplies;" balance from "Telegraphing and purchase of Indian supplies."

Chicago, permanent:

Cost for year		$20,[illegible]
Tonnage shipped July 1 to December 31, 1903	pounds..	7,[illegible]
Value		$[illegible]
Cost per cent of value.		

Items paid from "Transportation of Indian supplies;" balance from "Telegraphing and purchase of Indian supplies."

Omaha, permanent:

Cost for year		$6,495
Tonnage shipped July 1 to December 31, 1903	pounds..	822,[illegible]
Value		$60,740
Cost per cent of value.		

Supported wholly out of special appropriation of $10,000.

St. Louis, permanent:

Cost for year		$[illegible]
Tonnage shipped July 1 to December 31, 1903	pounds..	[illegible]
Value		$38,75[illegible]
Cost per cent of value.		

Supported wholly out of special appropriation of $10,000.

San Francisco, temporary:

Cost for present year, about		$5,[illegible]
Tonnage shipped present year, about	pounds..	2,[illegible]
Value, estimated		$[illegible]
Cost per cent of value.		

Items paid from "Transportation of Indian supplies;" balance from "Telegraphing and purchase of Indian supplies."

[illegible] cost of operating New York, Chicago, Omaha, and St. Louis is given as of last year. [illegible] is safe to assume that the cost for the present year will be about the same.

[illegible] of operating San Francisco is that for the present year, the work [illegible]

[illegible] at New York, Chicago, Omaha, and St. Louis is for the [illegible] year. [illegible] is not exact, but [illegible]

Mr. HITCHCOCK. Mr. Chairman, I shall ask for a vote on this amendment after two or three words of explanation. It is true that Omaha does not do as much business at its warehouse as is transacted at the warehouse in Chicago, but Omaha has a growing institution. It handled for the fiscal year ending June 30, 1903, more than twice as much business as in the fiscal year ending in June, 1902. The gentleman from Illinois, however, who now declaims so vigorously against Omaha, I presume sat in his seat and voted for the Omaha proposition last year and the year before when its business was much smaller.

Mr. MANN. The gentleman from Nebraska is mistaken: I did not.

Mr. HITCHCOCK. Well, at least he did not rise to oppose it. The situation in Omaha is the same as in St. Louis, as outlined by the gentleman from Missouri [Mr. BARTHOLDT]. The Omaha merchants are compelled, in bidding for Government supplies, not only to go to Chicago when the bids are opened, but to pay the freight on the supplies upon which they bid to Chicago and back to Omaha.

So the business has been developed in Omaha and St. Louis under great disadvantages. I certainly think, although I am a believer in economy, that it is for the interest of this Government to build up in various parts of the United States not only competitive bidders, but competitive business centers from which to invite bids. In that way the Government can take every advantage in the saving of freight rates. It undoubtedly saves money when warehouses are established near the supplies of food which come from the great West and near to the Indians to whom the supplies are delivered.

Mr. MANN. Will the gentleman from Nebraska yield for a question?

Mr. HITCHCOCK. Yes.

Mr. MANN. I understood the gentleman to say that the business last year, which is a fiscal year, in Omaha was twice as much as it was the year before.

Mr. HITCHCOCK. I said the number of pounds handled at the Omaha warehouse for the fiscal year ending June 30, 1902, was 484,531 pounds, and the number of pounds handled for the fiscal year 1903 was 1,118,556 pounds.

Mr. MANN. Will the gentleman pardon me? The gentleman may be correct—I do not know—but I have a statement coming from the Indian warehouses, which states that the number of pounds handled at Omaha in 1902 was 930,210 pounds.

Mr. HITCHCOCK. Calendar year?

Mr. MANN. The fiscal year [illegible]

Mr. HITCHCOCK. I am talking about the fiscal year ending June 30, 1902, compared with the fiscal year ending June 30, 1903. And I want to say, furthermore, Mr. Chairman, in concluding and [illegible] that if Chicago is able to outmatch all the other centers so completely, as the gentleman boasts, surely the gentleman from Illinois cannot not to be afraid to let St. Louis and Omaha and San Francisco have an opportunity to bid with her.

Mr. LIVERNASH. Mr. Chairman, I hope the amendment will prevail.

The Indian warehouse is a valuable means to reasonable cost and expeditious distribution of the supplies furnished by the [illegible] lation.

I am not much influenced by what has been said here concerning [illegible] of restriction. It is as the gentleman from Nebraska [illegible] St. Louis and Omaha [illegible] and tends to reduction of Federal outlay. Our experience in the West has abundantly [illegible]

Nor am I much impressed by the statement put forward by the gentleman from New York in charge of the pending bill [Mr. [illegible]] and the gentleman from Illinois [Mr. MANN] to show that it is more costly to handle supplies through Omaha or other cities than through Chicago.

It does not appear, making due allowance for basic administrative outlay, that Chicago handles supplies ten for ten or dollar for dollar [illegible] only [illegible] cities. There are salaries, rentals, etc., necessarily attaching to every warehouse; and of course, if the Interior Department so exercises its large discretion as that the business handled by one [illegible] volume of supplies; and it seems reasonably [illegible] that, percentage of cost being in inverse ratio to extent of business, the favorable showing by Chicago would have been duplicated by cities farther west had they [illegible] business in the past. [illegible] that this is so than does the [illegible] gentleman from Illinois [Mr. MANN].

Chicago has been getting an inordinate share of the Indian business and I am inclined to think with my friend from Missouri [Mr. CLARK] that an inquiry would disclose favoritism on the part of the Interior Department. It is not so much because Chicago is a center of Indian population, I fear, as because it is a center of practical "politics" that the big city has been preferred by the officials of the Indian Service. Moreover, Chicago has been and is so strongly represented on this floor that it is small wonder the far West has had to struggle industriously to get anything at all, no matter what the relative rights may have been.

I not only hope the amendment will prevail, but I hope the discussion in Congress will lead the Interior Department to pursue an impartial course in the use of the warehouses authorized, whether they be in the East or the West.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Nebraska.

The question was taken; and amendment was agreed to.

Mr. MANN. Mr. Chairman, I ask leave to put some tables in the RECORD.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read the paragraph beginning [illegible]

The Clerk read, beginning with line 12, page 33, down to and [illegible]

The CHAIRMAN. The Clerk will now recur to page 28, and read, beginning with line 11, "miscellaneous."

The Clerk read as follows:

MISCELLANEOUS.

[illegible] acts of Congress approved [illegible] Five Civilized [illegible] residue of lands left over after allotments of 160 acres to each of [illegible]

Mr. STEPHENS of Texas. Mr. Chairman, I offer an amendment which I will send to the desk and ask to have read.

The Clerk read as follows:

[illegible] "twenty thousand" and insert in lieu thereof the [illegible]

Mr. STEPHENS. Mr. Chairman, I make the point of order that this [illegible]

Mr. STEPHENS. Will the gentleman withhold it until I [illegible] statement?

Mr. STEPHENS. [illegible]

The CHAIRMAN. The gentleman reserves the point of order. The [illegible]

Mr. STEPHENS. [illegible] man, my object is to reduce [illegible] compounded. In the language of some citizens of that Territory, "The conditions in that Territory are worse than they were five years ago." I am reliably informed [illegible] themselves. [illegible] They are [illegible] what one seeks to accomplish [illegible] seeks to undo. The consequence is that it is a self-[illegible]

[illegible] more toward closing out this work than the four commissioners [illegible] are now doing. [illegible] believe, in round numbers, $250,000 for [illegible] Commission. There [illegible] fighting machine of four, as I have before stated, and I also move to strike out [illegible] and insert in lieu thereof "$3,[illegible]," the salary of one man. I think the amendment should prevail.

Mr. LACEY. Mr. C[illegible]

The CHAIRMAN. Does the gentleman yield to the gentleman from Iowa?

Mr. STEPHENS of Texas. Yes.

Mr. LACEY. Is the gentleman's amendment pending?

Mr. STEPHENS of Texas. Yes.

Mr. SHERMAN. I raise the point of order to it.

Mr. STEPHENS of Texas. Mr. Chairman, I must confess that the point of order, in my judgment, is well taken, but I had hoped that the gentleman would not make it. It should be as evident to him as it is to myself that this Commission would be far more effective and [illegible] at its head to conduct [illegible] than it can with the four that we now have, besides lessening the expense to the Government in salaries by $15,000.

The CHAIRMAN. Does the gentleman from New York insist on the point of order?

Mr. SHERMAN. Certainly.

The CHAIRMAN. The Chair sustains the point of order.

Mr. LITTLE. Mr. Chairman, I offer the following amendment, which I will send to the desk and ask to have read.

The Clerk read as follows:

Add at the [illegible] the following language:

"And on the [illegible] of all the allottees of either of the [illegible] of Indians who are not of the [illegible] the restrictions upon the homes which shall not be affected hereby."

Mr. SHERMAN. I raise a point of order against the amendment.

Mr. LITTLE. Do you raise it or reserve it?

Mr. SHERMAN. I will reserve it if the gentleman wishes to discuss the matter.

Mr. LITTLE. Mr. Chairman, since I have been a Member of Congress I have given no [illegible] to Indian affairs. I have heard assaults made upon the Dawes Commission from almost every direction, and I confess that at [illegible] with some of the complaints. But when we go seriously into the merit of the proposition we shall find that the complaints are not so much against the system prevailing in the Indian Territory as against the laws we have put in force there or decreed to put in force.

The truth of the business is that the Committee on Indian Affairs [illegible] have [illegible] the class of Indians who need protection from those who are able to protect themselves.

It is a fact that in that Territory, among a citizenship of 80,000 [illegible] Five Civilized Tribes [illegible] are not to-day, in my candid opinion, founded [illegible] that I have been able to make, as well as based upon my own personal knowledge, "there are not [illegible] 15,000 people entitled to be enrolled in the Indian [illegible] And [illegible] Secretary of the Interior and the [illegible] fast in their [illegible] of the [illegible]

[illegible] I offer at this time provides that that [illegible] Indian Territory who are not of Indian [illegible] their business and sell their property [illegible] would have the right to do. These people [illegible] Government. In fact they are citizens of [illegible] act of Congress. There are more [illegible] Indian Territory who are enrolled as enrolled [illegible] that country who have not a single drop [illegible] flowing in their veins. There are also from [illegible] thousand adopted citizens or negroes who have no [illegible]

And I can say for the negroes of the Indian Territory that as a [illegible] they are in advance of any [illegible] in any of the [illegible]

[illegible] Interior, the agents, the agencies operating in the [illegible] country, to hold and maintain the present [illegible]

[illegible] I offer simply authorizes the sale or lease of [illegible] go further in this [illegible] and I amend by [illegible] to their own affairs, in this [illegible]

The CHAIRMAN. The time of the gentleman from Arkansas [illegible]

Mr. LITTLE. I should like to proceed for ten or fifteen minutes [illegible]

The CHAIRMAN. The gentleman from [illegible] unanimous consent to occupy [illegible] tion? There [illegible]

Mr. LITTLE. Mr. Chairman, I believe this matter of vast importance, because, while it [illegible] the Government [illegible] and expense, it enables [illegible] to select his neighbors; it [illegible] entitles [illegible]

I [illegible] act [illegible] sympathy to [illegible] I do not believe there is a [illegible] Indian [illegible] or any other Member of this House [illegible] sions who will deny that the material prosperity of the Indian [illegible] in the Indian Territory, and in my opinion [illegible]

Why, then, this stupendous folly? Why should we appropriate

money to pay the agents of this Government to go to that country and hold a restrictive hand over fifty or sixty thousand people who are as competent practically as I am or you for the transaction of their ordinary business affairs?

We expect to see ere long on the flag of this country a star representative of the great State that shall be in part made out of this Territory. Why not take off these restrictions where they ought not to exist? When you do this you will build up in that country 10,000 homes within twelve months. These lands will not go into the hands of speculators, as the lands now being sold are going. Why, sir, I know, upon the borders of that country, where I was raised and where I have lived all my life, white citizens who have resided there for thirty or forty years, who have been cultivating Indian lands, many of them intermarrying with members of Indian tribes.

When the Indian sells his lands he wants to sell it to his friends. He wants the man who has tilled the soil for twenty or thirty years to have the benefit of the lease; and in doing this we will enable them not only to sell their lands, but to sell them upon long terms of payment, which is to the benefit of the Indians. Let him sell his land on terms of partial payments, and then if he fritters away a portion of the money the remainder will come later on. How is it now with the sales that are being made in the Creek country by the Secretary of the Interior? It is estimated that at the present rate it will take thirty years to dispose of the land. The only way now to sell the land is by sealed bids. The allottee goes and puts his land into the hands of the Indian agent and says, "I want to sell that land." It is advertised for sixty days for sealed bids. These bids are opened, the land is appraised; if it is found that it is satisfactory to the allottee and satisfactory to the Department, if the bidder can pay cash for the entire amount he can get the land. The result is that of the land that has been sold more than 80 per cent has not gone into the hands of individual people, but has gone into the hands of land speculators. That is the situation. They claim to be protecting the Indian in selling land and turn all the cash over to him. If he is incompetent to sell his land he is certainly not competent to handle the money.

Now, Mr. Chairman, I hope that the chairman of this great committee, who is familiar with this country, will not insist upon this point of order. I have another amendment to come a little later——

Mr. CURTIS. May I ask the gentleman a question?

Mr. LITTLE. Certainly.

Mr. CURTIS. As I understand your amendment, it only applies to the intermarried whites (not to their children if they have Indian blood) and to the colored people.

Mr. LITTLE. That is all, absolutely.

Mr. CURTIS. It does not apply to any person of Indian blood.

Mr. LITTLE. The amendment says specifically "citizens who are not of the Indian blood."

Mr. CURTIS. And also it precludes——

Mr. LITTLE. Precludes their selling the homestead.

Mr. CURTIS. That was my main question.

Mr. LITTLE. Yes. There is no doubt in the world but that the amendment ought to pass, in my opinion. It will not only benefit the people themselves, but it will be a godsend in part to the Government. [After we have paid out up to this time from $8 to $10 a head for every Indian in that country in the way of administrative expenses there, why do we want to continue and perpetuate those expenses. Why do we cause the Dawes Commission and demand that they close their work within twelve months? Why not put them at the work that they should do and let them do it, and the men who can transact their own business, let them transact it? Let us give these people the rights of an ordinary white man, to transact his own business.

Mr. STEPHENS of Texas. Will the gentleman yield for a moment?

Mr. LITTLE. Certainly.

Mr. STEPHENS of Texas. Would it not expedite the work of the Dawes Commission and enable them to complete their work much sooner by passing the amendment, so that they would not have to look after these negro lands and the lands of the intermarried white citizens?

Mr. LITTLE. Just exactly as I attempted to state a moment ago, that those people who are competent to transact their own business, if you take them from under the supervision of the Indian Department you relieve the Government of that much work, you relieve the Commission of that much work, and the result is that they can give their time and attention to the business that is demanded at their hands in completing the rolls and making the allotments in that country. I do hope that the gentleman from New York [Mr. SHERMAN] will withdraw his point of order. I can not think of a solitary reason why it ought not to pass. I know how faithfully the gentleman has labored—I know how faithfully every member of that committee has labored for the last ten years.

I know how they have felt dissatisfied, and, as my friend suggests, how they have agonized at the slow progress made in the opening of that country and the allotment of the lands. I have myself shared in that, and I share the responsibilities of the present situation. But we have reached a time now when we can differentiate between the citizenship of that country; we have reached a time when we can draw the line and let those who are competent to transact their business do so, and let those who deserve the care, protection, and supervision of the Government have it in the extremest degree. If we do that we will pursue an intelligent policy; we will pursue a just policy; we will pursue a policy that will not only prepare that country for statehood, but give it a basis of taxation for school purposes and good government. I do again urge and hope that the gentleman from New York [Mr. SHERMAN] will withdraw his point of order.

Mr. SHERMAN. Mr. Chairman, it is true that the Committee on Indian Affairs have considered and reported many bills, and I may greatly regret the loss of the services of the distinguished gentleman from Arkansas, who saw fit at the beginning of this Congress to withdraw from the committee. I have never ceased to regret that act on his part, and I think I never shall. I am impressed with his statements, and I am impressed with the condition as he describes it down there, with which I am somewhat familiar; but, Mr. Chairman, the gentleman presents here a matter that has never been presented to the committee. It is important; it is far-reaching. My impression is that had the matter been presented to the committee——

Mr. STEPHENS of Texas. But does not the gentleman know enough of the sentiment of the committee to know that it is proper to take this action to complete this work, and that if the amendment of the gentleman from Arkansas be adopted that that work will be very greatly retarded, and that it will enable the Commission to complete its work at a much earlier date?

Mr. SHERMAN. I was about to add that, so far as my belief was concerned, if the matter had been presented to the Committee on Indian Affairs, it would have been favorably acted upon and the committee had reported it. I am willing, as a proposition stated by the gentleman from Arkansas, that it receive the consideration either by the full committee, or, so far as I know, any member of the present committee. I feel very reluctant to do that proposition of the gentleman on the committee, who feels so competent to speak in relation to Indian affairs, and who has been connected with Indian affairs in Arkansas; but I feel constrained to withdraw the point of order without any authority of the committee—without any action on the part of the committee.

Mr. STEPHENS of Texas. I will state to the gentleman that I am the only member of the committee present, and I feel that he should withdraw the point of order and let it be voted upon, for it is right. I think it is his duty to withdraw the point of order, and I feel certain that should he withdraw it no member of the committee would criticise him for such action.

Mr. LITTLE. I would be very reluctant to differ from New York that the proposition is not a complicated one.

Mr. SHERMAN. I understand that; I understand what the proposition is perfectly.

Mr. LITTLE. It goes close and clearly to this question of whether the white citizens and the colored citizens should have the right to sell their surplus land. That is the whole thing, and there is nothing in it that can have any other effect.

Mr. SHERMAN. Well, Mr. Chairman, what I rose a moment ago for was a different purpose; but there is a fairly good attendance in the Committee of the Whole now, the gentleman from Arkansas, as he always does when he speaks, lucidly explains the proposition, and I think I will withdraw the point of order and let the committee vote upon the proposition. [Applause.]

The CHAIRMAN. The gentleman from New York withdraws the point of order, and the question is on the amendment of the gentleman from Arkansas.

Mr. LACEY. If so important a proposition is to be allowed to go through in this way, I think the amendment ought to be read again. I would like to get the drift of it.

The CHAIRMAN. Without objection, the Clerk will report the amendment again.

The amendment was again reported.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was agreed to.

Mr. LITTLE. Mr. Chairman, I will offer an amendment and then call the attention of the committee to it. In line 22, after the word "said," strike out the word "Commission" and add "Commissioner of Indian Affairs." I will state to the committee my idea for this amendment. The Dawes Commission was empowered under the law to make the roll of citizenship, to allot the lands, to supervise the appraisement, and so on along these lines. This bill provides that the Commission's existence shall cease in twelve months. My object is that the Commission may be relieved from this labor and that they may give their entire time to the question of citizenship, the question of enrollment, and the question of allotment, and I believe then they will be better able to complete the work within that time.

Mr. SHERMAN. I think it should be placed in the hands of the Secretary of the Interior.

Mr. LITTLE. Well, let it be the Secretary of the Interior.

Mr. SHERMAN. With such an amendment as that, I will not oppose it.

The Clerk read as follows:

On page [illegible] line [illegible] after the word "said" strike out the word "Commission" and insert "the Commissioner of Indian Affairs" or "Secretary of the Interior."

Mr. SHERMAN. Strike the words "said Commission," and insert "the Commissioner of Indian Affairs."

Mr. LITTLE. And the same amendment should be made in line 25.

Mr. SHERMAN. And the same in line 25.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Arkansas.

The question was taken, and the amendment was agreed to.

Mr. STEPHENS of Texas. I would suggest that the same amendment should be placed in line 25.

Mr. SHERMAN. The same amendment should be made in line 25 by striking out "by said Commission" and the same in the line.

The Clerk read as follows:

In line 25 strike out the words "said Commission" and "approved by."

The amendment was taken, and the amendment was agreed to.

The Clerk read as follows:

That the Commissioner of Indian Affairs, with the approval of the Secretary of the Interior, is hereby authorized, upon the application of any adult member of any tribe of Indians in the Indian Territory, [illegible] to the lands of his or her tribe, [illegible] to the Commissioner of Indian Affairs, [illegible] the Secretary of the Interior, [illegible] the lands of such applicant, [illegible] the lands of such applicant, [illegible] the lands of such applicant

either mortgage and borrow money—tie himself up—before he gets it in order to improve his land.

There are cases within my personal knowledge where good old Indians with the farmers from Arkansas having a tenantcy of the Indian land for twenty years, where the Indian would rather give away half his land than to sell it into the hands of a stranger, where they have lived as friends belonging to the same church, even sending their children to the same school where they could do so, and if you do nothing else you ought to allow the Indian to select his neighbor. This will be for the benefit of the Indian and the white man. I have not got a feather's interest from one edge of the Indian Territory to the other. I have never permitted myself to engage in any sort of a speculation in that Territory, whether I regarded it as legitimate or illegitimate. I have kept hands off. I have wanted to hold myself where I could do untrammelled justice to what I believed was right when I met these propositions.

I believe this proposition is right. It will go another step in aiding the Government on the same line as the amendment adopted a while ago. The two will work together, and where there is a witness now and little shacks it will result in planting dozens and dozens of honest farmers around the homes of these Indians, who are citizens of the United States and whom we hope to protect and guide along upon that line.

The amendment provides for the absolute care of the full blood, for the absolute care of the children, and of their estates. That is right, and I most heartily indorse it. As to the other Indians, their estates will be governed by the probate laws in force in that country, which are as safe as they are in any state of the Union as to the estates of minors. It has been decided by one of the judges that the law does not permit a natural guardian to lease the land of his ward without the approval of the court, and this decision has been affirmed by the court of appeals.

Now, Mr. Chairman, these two amendments should go together; whether they have had the formal consideration of the committee or not. Members are familiar with the situation as I state it. I do not believe anybody will controvert a single fact I have stated. I want to say in conclusion, while it is no more to me than to you, it means much to the 600,000 people in that country; it means much to the thousands of children who are deprived of schools today; it means building up their homes, and making a progressive agricultural, industrial community that will be a basic rock for one of the grandest States in the Union. [Applause.]

Mr. SHERMAN. Mr. Chairman, as I understand it, the gentleman from Arkansas [Mr. LITTLE] makes the point of order against the paragraph, the gentleman from Texas [Mr. STEPHENS] makes the point of order against the proviso, and I against the amendment. I think the Chair ought to sustain all of the points of order, and let it all go out.

Mr. LITTLE. Mr. Chairman, I will state to the gentleman from New York that I will be willing to make a bargain with him. Let him withdraw his point of order to my amendment, and I will withdraw the point of order that I have made to the paragraph.

Mr. SHERMAN. Oh, I think the better way is to let the whole business go out.

Mr. LITTLE. Mr. Chairman, the chairman of the committee does not often make mistakes, but I think he is making two mistakes to-day. First, I think he makes a fundamental mistake in not passing the provision for the protection of the full-bloods. I believe the other is almost as great an error in not permitting this amendment. The committee will have ample time to consider it between the two Houses. It has yet to go to the Senate.

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Arkansas yield to the gentleman from Kansas?

Mr. LITTLE. I do.

Mr. CURTIS. I would like to ask the gentleman from Arkansas to withdraw his point of order against the last part of this section. It was drawn to protect the full-bloods, and he knows as well as I do that something ought to be done to protect the full-blood Indians in the Indian Territory.

Mr. LITTLE. That is true. I fully agree with the gentleman, and if I withdraw my point of order against that, then I think mine will not be subject to a point of order, for it would be germane.

Mr. CURTIS. Mr. Chairman, I would suggest to the gentleman that I think his amendment is subject to the point of order, but he must know that the first part of this section ought to be incorporated into this bill.

Mr. LITTLE. I have so announced.

Mr. CURTIS. There is more necessity for that than there is for the amendment offered by the gentleman.

Mr. LITTLE. I hardly concede that proposition. I believe both are important and just. I believe both ought to be the law. I think we ought by common understanding and common consent to pass both of these provisions, but I do not want to urge too hard upon my friend the chairman of the committee, the gentleman from New York [Mr. SHERMAN], and I will state that my pro forma reservation of the point of order was not serious, of course, because I want both of these provisions passed. I am perfectly willing to withdraw the point of order if the gentlemen will let the amendment go to a vote of the committee. The committee is reasonably full.

Mr. SHERMAN. Mr. Chairman, I can not consistently withdraw the point of order. If the amendment delegated the authority to the Secretary of the Interior I think I would feel a little differently about it; but I must insist, if it is offered in the form in which it is now presented, upon the point of order.

The CHAIRMAN. As the Chair understands it, the point of order has been made to the proviso on page 31, from line 6 to line 17, by the gentleman from Texas [Mr. STEPHENS].

Mr. STEPHENS of Texas. That is correct.

The CHAIRMAN. Another point of order has been made against the whole paragraph, from line 23 on page 30 to line 17 on page 31, inclusive. The Chair sustains the point of order against the entire paragraph. The gentleman from Arkansas [Mr. LITTLE] offers an amendment, which is in the nature of a new paragraph, as to which the gentleman from New York [Mr. SHERMAN] reserves the point of order.

Mr. SHERMAN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from New York makes the point of order, which the Chair sustains. The Clerk will read.

The Clerk read as follows:

[illegible]

Mr. STEPHENS of Texas. Mr. Chairman, I desire to offer an amendment. I move to amend by striking out, in lines 19 and 20, the words "with the consent of the nation, secured in the usual manner," so that it will read, "that the Secretary of the Interior be, and he is hereby, authorized and directed to pay to the interests in the Cherokee Nation," etc.

Mr. SHERMAN. Mr. Chairman, I think that ought not to prevail.

Mr. STEPHENS of Texas. Mr. Chairman, I think as it is now in the bill, that portion to which I refer is new legislation and subject to the point of order. I therefore make the point of order.

Mr. FITZGERALD. Mr. Chairman, I make the point of order [illegible] point of order comes too late, after an amendment has been [illegible].

Mr. SHERMAN. Mr. Chairman, I think the gentleman from New York [Mr. FITZGERALD] is correct. After an amendment has been offered to the section and it has been disposed of it is late to raise the point of order.

Mr. STEPHENS of Texas. But, Mr. Chairman, I had not taken my seat.

The CHAIRMAN. The Chair does not understand that the point of order comes too late. The gentleman from Texas was still on his feet.

Mr. FITZGERALD. The gentleman from Texas offered an amendment, which was reported, and then he said that he would [illegible]

The CHAIRMAN. [illegible] gentleman from [illegible] order. If that was the intention of the gentleman, the Chair would hold that the point [illegible]. The Chair will put the question [illegible]

Mr. SHERMAN. The amendment ought not to prevail.

Mr. STEPHENS of Texas. Mr. Chairman, this amendment is designed to [illegible] Indians. The law [illegible] consent, we must resort to a treaty. The Indians of the nation must be called together; the headmen [illegible] and make an agreement with the United States. [illegible] of these lands shall be secured "in the usual manner." The "usual manner" of making treaties is to have an election, which costs a great deal of trouble and money. I see no necessity for that formality. The money should be paid to the people to whom it is due. Why not direct the Secretary of the Interior to make payment to the persons entitled to it? They were the men who went there, leased lands from the Indians, and put their farms and houses upon it.

The Dawes Commission assessed the value of these improvements under existing law, and if we refuse to pay them we will deprive them of property rights—that is, of the money due them when we dispossessed them. This money should be paid to the people to whom it is due. Why should we get the consent of the Indians to pay this money? It seems to me that this proceeding is utterly useless. It would cost the Government quite a sum of money and would cause needless annoyance to the men to whom the money is due. In my judgment it is perfectly useless that a treaty of this kind should be made with these Indians before paying the money already found due for these improvements.

Mr. SHERMAN. Mr. Chairman, these "intruders," so called, were tendered the value of their betterments at one time; they refused to accept the tender because they were contending that they had a right to the lands and could not be ejected therefrom. Now, the Supreme Court has decided that they were in error in that position. It seems to me under the circumstances it would be improper to pay this money without the consent of the nation. That consent is to be obtained through the council. It is not necessary to call the entire tribe together. The council speaks for the nation.

This is not the serious matter that the gentleman from Texas appears to consider it. The council has the right to speak for the Indians; and I think we ought not to agree to the amendment proposing to waive the obtaining of consent as a preliminary to the payment of these damages.

Mr. LITTLE. If I remember this matter correctly—it is some time since I paid attention to it—these amounts were fixed under the authority of the Cherokee Nation, and money was appropriated for their payment.

A large number of the persons who had been occupying these lands accepted the tender which was made to them and were paid off. A number of them were still desirous to assert legally their right of citizenship, which had not been determined, as they claimed, and these people refused to accept.

Afterwards the cases were decided against them. They were dispossessed of their improvements, and have not been reimbursed. The money is theirs, and it should be paid without delay.

My idea is that the tender was no payment; they are still entitled to the reimbursement under the law. And I think it unnecessary or superfluous to ask the consent of the tribe for the payment of these people. I think they number only about fifty persons.

Mr. CURTIS. Forty-two persons refused to accept the tender; ninety-odd had made improvements, and all but forty-two accepted.

Mr. LITTLE. I think, [illegible] consent of the tribe. I believe [illegible] been given.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Texas.

The question being taken.

The CHAIRMAN. The noes appear to have it.

Mr. STEPHENS of Texas. I call for a division.

The [illegible] was again taken; and there were—ayes 27, noes 39.

So the amendment was rejected.

Mr. SHERMAN. I ask unanimous consent to insert in line 18, page 2[illegible] bill, the words "to be immediately available," and also to insert the same words in line 22. These people ought not to be compelled to wait until the 1st of July for their money.

The CHAIRMAN. In the absence of objection, the amendment proposed by the gentleman from New York will be inserted by the Clerk.

There was no objection.

Mr. SHERMAN. I move that the committee rise and report the bill with the amendments to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BOUTELL, Chairman of the Committee of the Whole, reported that the Committee of the Whole House on the state of the Union, having had under consideration House bill 12684 (the Indian appropriation bill), had directed him to report the same back with sundry amendments and with a recommendation that the amendments be agreed to and the bill as amended passed.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the vote will be taken on the amendments in gross.

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; and was accordingly read the third time, and passed.

On motion of Mr. SHERMAN, a motion to reconsider the last vote was laid on the table.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. LITTAUER. Mr. Speaker, I desire to present a conference report on the legislative, executive, and judicial appropriation bill.

The SPEAKER. The gentleman from New York presents a conference report upon the legislative, executive, and judicial appropriation bill. If there be no objection, the statement will be read in lieu of the report.

Mr. WILLIAMS of Mississippi. Mr. Speaker——

Mr. MANN. Does not the report have to be printed in the RECORD?

Mr. LITTAUER. Mr. Speaker, a very proper rule of the House requires that a conference report be printed in the RECORD and lie over for a day. This is a complete agreement. Every rule applying to the government of a conference report has, I believe, been lived up to, and for the personal reason that I desire to leave town to-night I should like very much to get unanimous consent that the statement be now read and the report agreed to.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I should like to do anything that would be personally kind to the gentleman from New York, but I think it is right and necessary that I should object.

The SPEAKER. The gentleman from Mississippi objects. The conference report and statement will be printed in the RECORD.

The conference report and statement are as follows:

[illegible]

[illegible] amendments numbered 42, 47, 56, 57, 74, 93, [illegible] 141, 145, 146, 147, 149, 156, 159, 161, 162, 168, 174, 175, 176, 185, [illegible]

[illegible] 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, [illegible] 54, 55, 58, 59, [illegible] 84, 85, 86, 87, 88, 89, [illegible] 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 142, 143, 144, 148, 150, 151, 152, 153, 154, 155, 157, 158, 160, 163, 164, 165, 166, 167, 169, 170, 171, 172, 173, 177, 178, 179, 180, 181, 182, 183, 184, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, [illegible] agree to the same.

[illegible] 41: That the House recede from its disagreement [illegible] amendment numbered 48, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "and the clerk of class four;" and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement [illegible] and agree to the same with an amendment as follows: Insert after the word "otherwise" in said amendment the words "or contracts;" and the Senate agree to the same.

[illegible] amendment numbered 70: That the House recede from its disagreement [illegible] and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "two thousand dollars;" and the Senate agree to the same.

Amendment numbered 75: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: In lieu of the number proposed insert "three;" and the Senate agree to the same.

Amendment numbered 76: That the House recede from its disagreement to the amendment of the Senate numbered 77, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "two hundred dollars;" and the Senate agree to the same.

Amendment numbered 82: That the House recede from its disagreement to the amendment of the Senate numbered 83, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "twenty-five thousand dollars;" and the Senate agree to the same.

Amendment numbered 92: That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert the following: "or wages of workmen, including not exceeding six thousand six hundred and twenty dollars for other clerks and employees, twenty-two thousand dollars;" and the Senate agree to the same.

Amendment numbered [illegible]: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the matter proposed by said amendment insert "thirty-five hundred and sixty thousand dollars;" and the Senate agree to the same.

Amendment numbered [illegible] 151: That the House recede from its disagreement to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: After the word "assistants" at the end of the matter inserted by said amendment the following: "and employees, not to exceed the number employed and rates of compensation then actually paid;" and the Senate agree to the same.

Amendment numbered 152: That the House recede from its disagreement

to the amendment of the Senate numbered 152, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and sixteen thousand nine hundred and forty dollars;" and the Senate agree to the same.

[illegible] numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with amendments as follows: In line 6 of said amendment strike out the words "[illegible] dollars;" in line 8 strike out the words "clerk of class two;" and in lieu of the sum named in lines 7 and 8 insert "eight thousand one hundred and forty dollars;" and the Senate agree to the same.

[illegible] That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "[illegible] thousand seven hundred and twenty dollars;" and the Senate agree to the same.

Amendment numbered 170: That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In the last line of said amendment strike out the words "[illegible] hundred;" and the Senate agree to the same.

[illegible] That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and [illegible]" and the Senate agree to the same.

[illegible] That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two hundred and [illegible]" and the Senate agree to the same.

[illegible] That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "forty-four;" and the Senate agree to the same.

[illegible] That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "[illegible] thousand seven hundred and sixty dollars;" and the Senate agree to the same.

Amendment numbered [illegible]: That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "two thousand [illegible] and seventy [illegible]" and the Senate agree to the same.

Amendment numbered [illegible]: That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "four thousand dollars;" and the Senate agree to the same.

Amendment numbered [illegible]: That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "[illegible] dollars;" and the Senate agree to the same.

Amendment numbered [illegible]: That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "[illegible] dollars;" and the Senate agree to the same.

Amendment numbered [illegible]: That the House recede from its disagreement to the amendment of the Senate numbered [illegible] and agree to the same with an amendment as follows: In lieu of the sum proposed insert "nineteen hundred and four;" and the Senate agree to the same.

[illegible]

Managers on the part of the House.

[illegible]

Managers on the part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. [illegible]) [illegible] the Senate bill [illegible] upon and recommend to the adoption of the Senate and House the following [illegible] in the amendments [illegible]:

Amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26, which [illegible] the Senate [illegible] the House [illegible] Senate [illegible] the House [illegible] Senate [illegible] the House [illegible]

ATLANTIC AND PACIFIC RAILROAD COMPANY, NEW MEXICO.

Mr. RODEY. Mr. Speaker, I ask unanimous consent for the present consideration of—

Mr. WILLIAMS of Mississippi. I would suggest to the gentleman from New York [Mr. PAYNE] that we had better adjourn. It is [illegible] o'clock on Saturday afternoon.

Mr. PAYNE. If the gentleman from Mississippi [Mr. WILLIAMS] [illegible] but a few minutes.

Mr. WILLIAMS of Mississippi. If we begin this, there will be no end to it.

The SPEAKER. The gentleman from Mississippi makes a statement which is in substance a motion.

Mr. PAYNE. If the gentleman from Mississippi should demand the yeas and nays, I suppose we should have to do that.

Mr. RODEY. I ask the gentleman from Mississippi to allow this bill to be considered.

Mr. WILLIAMS of Mississippi. I will withhold the motion for the present moment, and at the request of the gentleman from New York [Mr. PAYNE] does not insist on the motion, I will.

The SPEAKER. The gentleman from New Mexico asks unanimous consent for the present consideration of a bill which the Clerk will report.

The bill (H. R. 12533) for the relief of small holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico was read, as follows:

[illegible] That the Atlantic and Pacific Railroad Company [illegible] to which was referred the bill (H. R. [illegible] Atlantic and Pacific Railroad Company in the Territory [illegible] section to raze [illegible] to the [illegible] as suggested.

[illegible] A. [illegible], Secretary.

The CHAIRMAN OF THE COMMITTEE ON THE [illegible] House of Representatives.

DEPARTMENT OF THE INTERIOR.

[illegible] and Pacific Railroad [illegible] lands w[illegible] (33 Stat. L., 827) as amended by the act of February 21, 1903 [illegible] for the relief of [illegible] ped tracts of [illegible] or more of th[illegible] ing after the [illegible] to entry by [illegible] words "without cost to them:" [illegible] respectfully states: [illegible] as which it was [illegible] as well as [illegible] W. A. [illegible] cr.

[illegible] SECRETARY OF THE INTERIOR.

The SPEAKER. [illegible] Mr. [illegible] Indiana. Mr. [illegible] s to me very much as if this was [illegible] ing the C[illegible] of affairs in New Mexico made it necessary to pass such a bill.

[illegible] two or three little places where the people had lived for many generations on the land they had [illegible] these lands upon land grants, and the [illegible] the land as home steads in the ordinary way because they believed

that they had a superior and better title to the lands than the Government itself. When the Court of Private Land Claims was created by Congress, in 1891, they went into that court and sought to have their land grants confirmed. These grants had been segregated from the public domain for many years, but the court declared that there was some defect in the inception of their land-grant titles, and refused to approve the title, thus throwing the Land back as public domain of the United States.

It transpired that in the meantime the Government, by the act of Congress of 1866, had given alternate sections of these very lands to the Atlantic and Pacific Railroad Company; in fact, had given the title away from under them, although these people were in possession. Then under the small-holding sections of the Court of Private Land Claims act it was found that they could not prove up their claims. It was provided in the land-court act that when the Government surveyors found settlers in possession of small tracts the same should be set aside to them and the Government would give them patents for it, but it was found that those provisions of the land-court act had died a death of limitation, so that these settlers were denied the relief which had been given to a great many other people in other places in New Mexico who had their titles fixed and arranged under the small-holding act. Such people were found to have no title at all to the land on which they were living and on which they and their forefathers had been living for more than a hundred years.

Everybody believed before the land court rejected the grant claims that they had title to them. A portion of these settlers were then permitted to get their homesteads wherever they were situated on the alternate sections of land within the railroad grants that still belonged to the United States, but as to those settlers who were living upon sections belonging to the railroad company, they were absolutely without title to their home. Then to remedy this condition of affairs the Interior Department requested the railroad company to relinquish these lands and to take other lands in lieu, but the railroad refused unless with the right to take a whole section wherever they released any portion of a section to these settlers.

Now these lands given to these poor people are in tracts of not to exceed 160 acres. The railroad company, after repeated requests, finally agreed to give up these lands to the settlers, so that the latter might get their title to their homes in case the railroad company was allowed to select lands in lieu thereof. In this way the railroad company would agree to give up a whole section in any one place and select another whole section in another place in lieu of it, but would not give up pieces of sections. That is the best the railroad company would do.

Mr. ROBINSON of Indiana. Has the railroad obtained patent to this particular area?

Mr. RODEY. Yes. The Department has decided, and I think the courts also have decided, that the railroad title is good.

Mr. ROBINSON of Indiana. Has it been paying the taxes upon it?

Mr. RODEY. Yes. That is my understanding, and I feel sure I am right about it.

Mr. ROBINSON of Indiana. How much land is involved in this?

Mr. RODEY. Not more than two or three thousand acres, as I understand. This act we are discussing can only apply to two or three small settlements around Cubero and Las Lentes, in Valencia County.

Mr. ROBINSON of Indiana. I see that the bill provides for the payment of not exceeding $50,000 to pay expenses.

Mr. RODEY. That was a mistake of mine in putting such a large amount in the bill, and the committee struck it out. I do not think it will take more than $1,000 to $2,000 to pay the expense of the whole exchange. The bill was corrected in committee, as you will see.

Mr. ROBINSON of Indiana. That is the amount provided in the bill.

Mr. RODEY. That was stricken out by the committee, as you will see in the report.

Mr. ROBINSON of Indiana. How much land will be involved, how much land will it take to secure the change for these settlers on this land, and how much will that destroy of the checkerboard system?

Mr. RODEY. I am not sure that the railroad company can use these exchanges to fill up their checkerboard sections, as they have sold so much of their lands, but it will not exceed 2,000 or 3,000 acres. I do not think that it will seriously affect the checkerboard system, there is so little of this. The passage of this bill is of great importance to these settlers; so much so that it is a positive charity to let it pass. You will notice that the bill provides that the lien land must be of equal quality and that all exchanges must be made only on the request of the Secretary of the Interior. That surely safeguards it.

Mr. ROBINSON of Indiana. How much money will there be involved?

Mr. RODEY. Not more than two or three thousand dollars, as I am told. The amount that was put in the bill by me in the first place was a mistake. The committee advised me that it would not be necessary, and states that the Department can do the work in the regular course of its work without any direct appropriation.

Mr. ROBINSON of Indiana. Will the gentleman state that it will not amount to over 3,000 acres in all?

Mr. RODEY. Not exceeding that, in my opinion, as the act only applies to conditions existing in two or three small settlements in and around Los Lentes and Cubero, in Valencia County, N. Mex.

Mr. ROBINSON of Indiana. Relying entirely upon the gentleman's statement, I will not object.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

On motion of Mr. LACEY, a motion to reconsider the vote by which the bill was passed was laid on the table.

ADJOURNMENT.

Mr. PAYNE. I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 38 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of T. L. Pursley, administrator of estate of Rosa Pursley, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the sloop *Ralph*, Moses Montague, master—to the Committee on Claims, and ordered to be printed.

A letter from the Postmaster-General, transmitting a reply to the inquiry of the House as to the condition, rental, etc., of mail cars—to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

A letter from the secretary of the Treasury, transmitting a copy of a communication from the secretary of Commerce and Labor submitting an estimate of appropriation for contingent expenses, shipping service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for seagoing steam tender for thirteenth light-house district—to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for analyzing coal and lignite at the Louisiana Purchase Exposition—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, relating to an addition to the cost of the public building at Seattle, Wash.—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MANN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River, reported the same without amendment, accompanied by a report (No. 1390); which said bill and report were referred to the House Calendar.

Mr. BURKE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 3867) making appropriations for the removal of the quarantine station at San Diego, Cal., and to acquire new site, and for other purposes, reported the same with amendment, accompanied by a re-

port (No. 1391); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ADAMS of Pennsylvania, from the Committee on Foreign Affairs, to which was referred the bill of the House (H. R. 11677) to provide for the reorganization of the consular service of the United States, reported the same with amendment, accompanied by a report (No. 1393); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. LIND, from the Committee on Claims, to which was referred the bill of the House (H. R. 11370) to relieve the Italian-Swiss Agricultural Colony from the internal-revenue tax on certain spirits destroyed by fire, reported the same without amendment, accompanied by a report (No. 1389); which said bill and report were referred to the Private Calendar.

Mr. WILSON of Illinois, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 5335) to provide an American register for the British ship *Pyrenees*, reported the same without amendment, accompanied by a report (No. 1394); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 649) granting a pension to Mary E. Rice—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3269) granting a pension to Eliza A. Camp—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 3270) granting a pension to Charles W. Atkinson—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 12185) for the relief of the estate of Joseph Brugere, deceased, late of Orleans Parish, La.—Committee on War Claims discharged, and referred to the Committee on Claims.

A bill (H. R. 13422) granting a pension to Jesse C. Thomas—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. BOUTELL: A bill (H. R. 13520) to amend section 3282 of the Revised Statutes—to the Committee on Ways and Means.

By Mr. OVERSTREET, from the Committee on the Post-Office and Post-Roads: A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes—to the Union Calendar.

By Mr. JONES of Washington: A bill (H. R. 13522) to authorize the sale and disposition of surplus or unallotted lands of the Yakima Indian Reservation, in the State of Washington—to the Committee on Indian Affairs.

By Mr. SMITH of Iowa: A bill (H. R. 13523) to provide for an extension of time for completion of bridge over the Missouri River at Council Bluffs, Iowa, until January 1, 1905—to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: A bill (H. R. 13524) to provide for the admission of Indian Territory as a State, and to enable the people thereof to form a constitution and State government and to be admitted into the Union as the State of Jefferson, on an equal footing with the original States, and to make donations of public lands to said State—to the Committee on the Territories.

By Mr. DAYTON: A bill (H. R. 13525) to amend an act entitled "An act to further promote the efficiency of the Navy," approved December 24, 1861, as amended by an act approved July 16, 1862—to the Committee on Naval Affairs.

By Mr. WILEY of Alabama: A bill (H. R. 13526) to establish a Soldiers' Home at or near Daphne, in Baldwin County, Ala.—to the Committee on Military Affairs.

By Mr. GIBSON: A resolution (H. Res. 242) referring certain claims to the Court of Claims for a finding of facts under the terms of the Tucker Act—to the Committee on War Claims.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. BONYNGE: A bill (H. R. 13527) granting an increase of pension to William Odenheimer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13528) for the relief of the heirs of John Evans and the trustees under the will of Robert E. Carr—to the Committee on the Public Lands.

By Mr. BROUSSARD: A bill (H. R. 13529) for the relief of the estate of Marcus Walker, deceased—to the Committee on War Claims.

By Mr. CASSINGHAM: A bill (H. R. 13530) granting an increase of pension to Stephenson Creal—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13531) granting an increase of pension to Lyman L. Jones—to the Committee on Invalid Pensions.

By Mr. DEEMER: A bill (H. R. 13532) granting an increase of pension to John Shroat—to the Committee on Invalid Pensions.

By Mr. FORDNEY: A bill (H. R. 13533) granting an increase of pension to James Price—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13534) granting a pension to Julia Strohm—to the Committee on Pensions.

By Mr. HERMANN: A bill (H. R. 13535) granting an increase of pension to Alexander B. Mott—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13536) granting a pension to William H. Lung—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13537) granting an increase of pension to Reuse P. Kendall—to the Committee on Invalid Pensions.

By Mr. JAMES: A bill (H. R. 13538) for the relief of the heirs of Joseph Chandet—to the Committee on War Claims.

By Mr. LONGWORTH: A bill (H. R. 13539) granting an honorable discharge to Isaac Dulhagen—to the Committee on Military Affairs.

By Mr. LORIMER: A bill (H. R. 13540) granting an increase of pension to S. C. H. Smith—to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 13541) granting an increase of pension to Ephraim E. Lake—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13542) for the relief of L. B. Wyatt—to the Committee on Claims.

By Mr. SHERMAN: A bill (H. R. 13543) granting an increase of pension to H. Clay Hall—to the Committee on Invalid Pensions.

By Mr. SHULL: A bill (H. R. 13544) granting pension to Leonard Andre—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: A bill (H. R. 13545) granting an increase of pension to Craig Mardis—to the Committee on Invalid Pensions.

By Mr. SPARKMAN: A bill (H. R. 13546) granting an increase of pension to Joel J. Addison—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13547) granting an increase of pension to Lewis J. Parr—to the Committee on Pensions.

Also, a bill (H. R. 13548) granting an increase of pension to Robert Bullock—to the Committee on Pensions.

Also, a bill (H. R. 13549) granting an increase of pension to James L. Miller—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13550) for the relief of certain surgeons in the Philippine service—to the Committee on Claims.

By Mr. SULLOWAY: A bill (H. R. 13551) granting an increase of pension to Elizabeth F. Minor—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Resolutions of Grand Army of the Republic Post No. 330, Department of Pennsylvania, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. AIKEN: Papers to accompany bill H. R. 13420, for the relief of the estate of Samuel Chapman, deceased—to the Committee on War Claims.

By Mr. BIRDSALL: Petitions of L. H. Munkel and 23 others, of Laporte, Iowa; William Tadler and 80 others, of Hazleton, Stanley, and Prairie Center, Iowa; Woman's Christian Temperance Union and H. D. Pratt and 43 others, of Manchester, Iowa; Rev. F. H. Thiel and 40 others, of Dubuque, Iowa, and L. F. Foulk and others, of Waterloo, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BOWERSOCK: Resolution of Lodge No. 82, Brotherhood of Boiler Makers and Iron Ship Builders' of America, of Osawatomie, Kans., in favor of legislation relative to the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolution of James Shields Post, No. 57, Grand Army of the Republic, Wellington, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petitions of Independent Order of Good Templars of Kansas; citizens of Paola, six Christian organizations of Lecompton; J. W. Bracewell and 15 others, of the second Congressional district; citizens of Shawnee; citizens of Richmond; G. H. Smith and 20 others, of Kansas City; citizens of Vinegar Point, all in Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BURKETT: Resolutions of the Farmers' Institute at Grand Island, Nebr., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, petition of Samuel Lichty and 24 others of Falls City, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDWELL: Petition of E. C. Richards, of Hillsboro, Ill., in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. CAPRON: Resolution of the American Association of Masters and Pilots of Steam Vessels, for the construction of a light-house on the Outer Diamond Shoal—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Border Grange, No. 3, Patrons of Husbandry, of Woonsocket, R. I., in favor of bill H. R. 8678—to the Committee on Agriculture.

Also, resolution of Rocky Hill Grange, No. 27, Patrons of Husbandry, of East Greenwich, R. I., in favor of the passage of bill H. R. 8678—to the Committee on Agriculture.

Also, resolution of the Rhode Island State Board of Soldiers' Relief, relative to appropriation in aid of State Soldiers' Homes—to the Committee on Appropriations.

Also, petition of Woman's Club of Pawtucket, R. I., in favor of a bill for a forest reserve in the mountains of New Hampshire—to the Committee on Agriculture.

By Mr. DALZELL: Memorial of the General Assembly of the Presbyterian Church, against issue of liquor-tax receipts—to the Committee on Ways and Means.

By Mr. DANIELS: Papers to accompany bill H. R. 11833, granting a pension to Jennie Blackburn Johnstone—to the Committee on Invalid Pensions.

By Mr. EMERICH: Resolution of Chicago Board of Trade, in favor of bill H. R. 7871—to the Committee on the Judiciary.

Also, petition of the Chicago Post-Office Civil War Veterans' Association, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Iron Molders' Conference Board, of Chicago, relative to increasing capacity of the Naval Gun Factory—to the Committee on Naval Affairs.

Also, petition of J. R. Alcock, of Chicago, Ill., against passage of bill requiring licensed engineers on small pleasure craft—to the Committee on the Merchant Marine and Fisheries.

Also, memorials of the Western Association of Shoe Dealers and the Board of Trade of Chicago, favoring the Cooper-Quarles bill, amending the interstate-commerce act—to the Committee on Interstate and Foreign Commerce.

Also, memorials of Builders and Traders' Exchange of Chicago, the Chicago Typothetæ, and the Weller Manufacturing Company, of Chicago, protesting against the anti-injunction and the eight-hour bill—to the Committee on Labor.

Also, memorial of G. B. Wheeler, of Chicago, favoring repeal of section 3 of the immigration law—to the Committee on Immigration and Naturalization.

Also, memorials of H. G. Holloway & Bro. and Guthmann, Carpenter & Telling, of Chicago; the Pingree Company, shoe manufacturers, of Detroit, Mich.; Edwards Stanwood Shoe Company, Frank M. Fargo, Kullman, Satz & Co., Wilder & Co., Selz, Schwab & Co., and W. D. Allen Manufacturing Company, of Chicago, protesting against transfer of office for opening bids for purchase of Indian supplies from Chicago to St. Louis—to the Committee on Indian Affairs.

By Mr. FITZGERALD: Resolution of the drug-trade section of the New York Board of Trade and Transportation, in favor of the reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. FLOOD: Papers to accompany bill H. R. 2105, for the relief of the estate of Peter Sheets, deceased—to the Committee on War Claims.

By Mr. FRENCH: Resolution of R. B. Hayes Post, No. 2, Grand Army of the Republic, Department of Idaho, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. FULLER: Petition of F. Madlener and others, of Chicago, Ill., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Jacob P. Sargeant and 85 others, of Rockford, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Colonel Albert D. Shaw Circle, No. 10, Ladies of the Grand Army of the Republic, of Chicago, Ill., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Resolution of General assembly of the State of Ohio, in favor of bill H. R. 6475—to the Committee on the Post-Office and Post-Roads.

Also, paper to accompany bill H. R. 12861, granting an increase of pension to Bartlett Mingus—to the Committee on Invalid Pensions.

By Mr. HEPBURN: Petition of A. E. Foote and 92 others, of Creston, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HINSHAW: Petition of the Methodist Episcopal Church, of Waco, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HITT: Resolutions of the Illinois Farmers' Institute, in favor of bill H. R. 9302, for untaxed alcohol—to the Committee on Ways and Means.

Also, resolutions of the Farmers' Institute of Illinois, in favor of an appropriation of $15,000 annually for advancement of farmers' institute work—to the Committee on Agriculture.

By Mr. HOWELL of New Jersey: Petition of Asbury Methodist Episcopal Church, of Long Branch, N. J., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. KNAPP: Resolution of Columbia Circle, Grand Army of the Republic, of Fulton, N. Y., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. LINDSAY: Resolutions of the drug-trade section of the New York Board of Trade and Transportation, in favor of a reduction of the tax on alcohol—to the Committee on Ways and Means.

By Mr. LLOYD: Petition of 31 citizens of Macon County, Mo., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. LONGWORTH: Ten petitions of citizens of Cincinnati, Ohio, against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LORIMER: Papers to accompany House bill granting an increase of pension to S. C. H. Smith—to the Committee on Invalid Pensions.

Also, petition of D. C. Thoms and 50 others, of Chicago, Ill., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LOUD: Petition of Rev. G. A. Pastor and others, of Prescott, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Ancient Order of Hibernians of Bay County, Mich., in favor of bill H. R. 62, for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. MILLER: Petitions of patrons of rural route No. 2, of Council Grove; No. 1, of Eskridge; No. 3, of Council Grove, and rural route of Burlingame, all in Kansas, relative to increase of salaries of rural carriers—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Council Grove; of G. W. Cones and 16 others, of Burlingame, and Independent Order of Good Templars, all of Kansas, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PADGETT: Papers to accompany claim of Washington W. Miller—to the Committee on War Claims.

By Mr. RANDELL of Texas: Petition of Rev. S. J. Kincaid and 60 others, of Denison, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. RICHARDSON of Alabama: Papers to accompany House bill for relief of L. B. Wyatt—to the Committee on Claims.

By Mr. RICHARDSON of Tennessee: Petition of J. C. Morton and 40 others, of Petersburg, Tenn., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Sarah Price, praying reference of claim to the Court of Claims—to the Committee on War Claims.

Also, petition of J. M. Timmins, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

Also, petition of W. H. Tuck, praying reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. RUPPERT: Resolution of the drug-trade section of the New York Board of Trade and Transportation, relative to reduction of the tax on alcohol—to the Committee on Ways and Means.

Also, resolution of Ladies of the Grand Army of the Republic, Lafayette Circle, Department of New York, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. SMITH of Iowa: Petitions of C. B. Woodrow and 56 others, of Oakland, Iowa, and Henry DeLong and 58 others, of Council Bluffs, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany House bill for the relief of Stephen Duncan—to the Committee on War Claims.

By Mr. SNOOK: Petitions of I. L. White and S. A. Stever of rural route No. 2, Montpelier, Ohio, in favor of increasing the salary of rural carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. STEPHENS of Texas: Petition of residents of Clay County, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULLIVAN of Massachusetts: Resolution of the Coal Club of Boston and vicinity, relative to a harbor of refuge at Point Judith, R. I.—to the Committee on Rivers and Harbors.

By Mr. WANGER: Petition of Elmer E. Garrett and 1 other, of Wyncote, Pa., against enactment of an anti-injunction bill—to the Committee on the Judiciary.

Also, petition of Elmer E. Garrett and 1 other, of Wyncote, Pa., against the enactment of an eight-hour law—to the Committee on Labor.

Also, petition of James Righter, of Norristown, Pa., in favor of bill H. R. 62, for the erection of a monument to the memory of Commodore John Barry—to the Committee on the Library.

By Mr. WILEY of New Jersey: Resolution of the legislature of New Jersey, relative to the improvement of the Passaic River—to the Committee on Rivers and Harbors.

SENATE.

MONDAY, *March 7, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of Saturday's proceedings, when, on request of Mr. McCUMBER, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved.

FINDINGS BY THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of O. H. Perry, administrator of George W. Perry, deceased, *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of John Mantel *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of fact filed by the court in the cause of Albion W. Knight, Thomas E. Walker, Paul Romeri, George H. Noble, W. A. Hansell, Arnold Bowles, Robert C. Alston, William S. Elkin, jr., Benjamin Owens, Robert Sharpe, and Thomas H. Austin, rector, wardens, and vestrymen of St. Philip's Church, of Atlanta, Ga., *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 5755) for the relief of small holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company, in the Territory of New Mexico;

A bill (H. R. 12081) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 14889) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River, in Knox County, Ind.

The message also announced that the House insists upon its amendment to the following bills, asks conferences with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY managers at the respective conferences on the part of the House:

A bill (S. 1543) granting an increase of pension to William W. Jackson; and

A bill (S. 3274) granting an increase of pension to Jane I. Long.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 880) granting a pension to Caroline S. Winn;

A bill (H. R. 4392) granting a pension to Abbie E. Webster;

A bill (H. R. 4540) granting a pension to Amanda Skinner;

A bill (H. R. 4624) granting a pension to Isabella Phelps;

A bill (H. R. 4750) granting a pension to William J. Jackson;

A bill (H. R. 5030) granting a pension to William H. Mount;

A bill (H. R. 5342) granting a pension to Jane E. Sutfin;

A bill (H. R. 5580) granting a pension to Celia C. Owen;

A bill (H. R. 5610) granting a pension to Annie Dolliver;

A bill (H. R. 5749) granting a pension to James B. Coombs;

A bill (H. R. 7063) granting a pension to Ellen F. Lynch;

A bill (H. R. 7248) granting a pension to Robert H. Cooke;

A bill (H. R. 7368) granting a pension to Annie G. Norwood;

A bill (H. R. 7382) granting a pension Ellen A. Harris;

A bill (H. R. 7559) granting a pension to Caronne Hurley;

A bill (H. R. 7712) granting a pension to Emma Crosier;

A bill (H. R. 8185) granting a pension to Herman Lemmerman;

A bill (H. R. 8343) granting a pension to Annie P. Erving, formerly Cilla Zerbe;

A bill (H. R. 8648) granting a pension to Shadrach D. Bardin;

A bill (H. R. 8771) granting a pension to Walter F. Horner;

A bill (H. R. 8922) granting a pension to Martha E. Nolen;

A bill (H. R. 8924) granting a pension to Georgia A. Whitehead;

A bill (H. R. 9061) granting a pension to Nettie A. Buell;

A bill (H. R. 9127) granting a pension to Moses Schuman;

A bill (H. R. 9683) granting a pension to Henry Austin;

A bill (H. R. 9739) granting a pension to Lizzie M. Worster;

A bill (H. R. 9791) granting a pension to Abram Claypool;

A bill (H. R. 9835) granting a pension to Maggie Fitzpatrick;

A bill (H. R. 9921) granting a pension to Virginia Boyd;

A bill (H. R. 10741) granting a pension to Mary Tate;

A bill (H. R. 10968) granting a pension to Marceline P. Hamilton; and

A bill (H. R. 11345) granting a pension to Joseph H. Hull.

CREDENTIALS.

Mr. FORAKER. Mr. President, the legislature of Ohio has elected Hon. CHARLES DICK to succeed my late colleague, the Hon. Marcus A. Hanna, as a member of this body. I present his credentials both for the unexpired term that Senator Hanna was serving at the time of his death and for the full constitutional term commencing March 4, 1905. I ask that both sets of credentials may be received, read, and filed.

The credentials were read, and ordered to be filed.

PETITIONS AND MEMORIALS.

Mr. HOAR presented a petition of the Woman's Club of Chicopee Falls, Mass., praying for the establishment of a national forest reserve in the White Mountains; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of the Board of Trade of Springfield, Mass., praying for the enactment of legislation providing for a reorganization of the consular service and also for the development of the American merchant marine; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Springfield, Mass., praying for the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Trade of Norwood, Mass., praying for a reorganization of the consular service; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Cambridge Branch of the Massachusetts Indian Association and a petition of the Massachusetts Indian Association, praying that lands in severalty be granted to the landless Indians of northern California; which were referred to the Committee on Indian Affairs.

He also presented petitions of the Woman's Club of Chicopee Falls, Mass.; of the East Baltimore Station Methodist Protestant Church, of Baltimore, Md.; of sundry citizens of Marcellus, Mich., and of the Pleasant Lawn, North Page, and Hepburn congregations of Montgomery and Page counties, Iowa, praying for the enactment of legislation to regulate the interstate transportation

of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. BURROWS presented a petition of J. C. Coy Circle, No. 3, Department of Michigan, Ladies of the Grand Army of the Republic, of Unionville, Mich., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. PROCTOR presented petitions of the Vermont Anti-Saloon League, of Burlington; of sundry citizens of Arlington; of the Woman's Christian Temperance Union of the Baptist Church of Manchester, and of sundry citizens of Grafton, Rockingham, Wilmington, and East Barnard, all in the State of Vermont, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. SCOTT presented a petition of Buckhannon Post, No. 49, Department of West Virginia, Grand Army of the Republic, of Buckhannon, W. Va., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. LONG (for Mr. BURTON) presented a petition of Local Lodge No. 221, Boiler Makers and Iron-ship Builders, of Pittsburg, Kans., and a petition of Local Lodge No. 82, Boiler Makers and Iron-ship Builders, of Osawatomie, Kans., praying for the enactment of legislation to develop the American merchant marine; which were referred to the Committee on Commerce.

He also (for Mr. BURTON) presented petitions of Princeton Circle, Department of Kansas, Ladies of the Grand Army of the Republic, of Princeton; of Griffin Post, No. 266, Department of Kansas, Grand Army of the Republic, of Ada, and of Leavenworth Circle, No. 8, Ladies of the Grand Army of the Republic, of Leavenworth, all in the State of Kansas, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

He also (for Mr. BURTON) presented a petition of the congregation of the Presbyterian Church of Chanute, Kans., and a petition of the Independent Order of Good Templars of Kansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CULBERSON presented a petition of the congregation of the Cumberland Presbyterian Church of Coleman, Tex., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. CARMACK presented the petition of Amos Woodruff, president of the Overton Hotel Company, of Memphis, Tenn., praying that he be granted compensation for the use and occupation by the United States Army, during the late civil war, of a certain building at that place; which was referred to the Committee on Claims.

Mr. BARD presented a petition of sundry citizens of San Jose, Cal., praying that lands in severalty be granted to the landless Indians of northern California; which was referred to the Committee on Indian Affairs.

Mr. MILLARD presented a petition of the Commercial Club, of Omaha, Nebr., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the Woman's Home Missionary Society of the Methodist Church of Crab Orchard, Nebr., praying [illegible] made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a memorial of sundry citizens of Blair, Nebr., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the congregations of the Friends Church of Lincoln, the Methodist Episcopal Church of Wausa, the Episcopal Church of Belgrade, and the Trinity [illegible] of Lincoln; of the Sorosis Club, of Tecumseh; of the North Nebraska Conference; of the Woman's Christian Temperance Union of Tecumseh; of the Social Circle of Tecumseh; of the Acme Club of Tecumseh; of the Woman's Christian Temperance Union of Ord; of sundry citizens of Alma, and of the congregation of the Grace Baptist Church, of Omaha, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a petition of Jefferson Grange, No. 22, Patrons of Husbandry, of Jefferson County, Ind., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of the congregation of the King Avenue Methodist Episcopal Church, of Indianapolis, Ind., and a petition of the congregation of the Fletcher Place Methodist Episcopal Church, of Indianapolis, Ind., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the Evansville Manufacturers' Association, of Evansville, Ind., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented a memorial of the Indian Rights Association of Philadelphia, Pa., remonstrating against the enactment of legislation providing for the sale of a portion of the Rosebud Indian Reservation; which was referred to the Committee on Indian Affairs.

He also presented a petition of the Studebaker Brothers Manufacturing Company, of South Bend, Ind., praying for the enactment of legislation providing for the registration and protection of commercial marks, prints, and labels used in foreign or interstate commerce; which was referred to the Committee on Patents.

Mr. WETMORE presented a petition of John A. Logan Circle, No. 1, Department of Rhode Island, Grand Army of the Republic, of Providence, R. I., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of Kingston Grange, No. 10, Patrons of Husbandry, of Kingston, R. I., and a petition of Lime Rock Grange, No. 22, Patrons of Husbandry, of Lime Rock, R. I., praying that increased appropriations be made for the support of agricultural experiment stations; which were referred to the Committee on Agriculture and Forestry.

Mr. DOLLIVER presented petitions of the congregations of the Baptist, Presbyterian, Christ, Methodist Episcopal, and Congregational churches, of Perry, Iowa; of the Ministers' Alliance of Sedalia, Mo.; of the congregations of the First Baptist, Methodist Protestant, St. Paul's Evangelical Lutheran, and First Methodist Episcopal churches, and the Anti-Saloon League, all of Morgantown, W. Va.; of the congregation of the Methodist Episcopal Church of Lineville, Iowa, and of the Iowa Association of Southern California, of Pasadena, Cal., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. QUAY presented a petition of the congregation of the Methodist Episcopal Church of Forest City, Pa., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented a memorial of the General Assembly of the Presbyterian Church of the United States, remonstrating against the issuance of liquor-tax receipts by the Government; which was referred to the Committee on Finance.

Mr. BAILEY presented petitions of sundry citizens of Greenville, Thorp Spring, Reagan, Denison, Dallas, Kemp, Childress, Paris, and Plano, all in the State of Texas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented petitions of Fred H. Bailey, of Hopkinton; of C. M. Greene, of Pitsfield, and of rural free-delivery route No. 2, of Antrim, all in the State of New Hampshire, praying that an appropriatipn be made to increase the salaries of the rural letter carriers; which were referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Retail Grocers' Association of Philadelphia, Pa., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

He also presented a petition of the East Washington Citizens' Association, of the District of Columbia, praying that an appropriation be made for the construction and maintenance of two or more public-convenience stations in the city of Washington; which was referred to the Committee on the District of Columbia.

REPORTS OF COMMITTEES.

Mr. KEAN, from the Committee on Interstate Commerce, to whom was referred the bill (S. 4403) to amend "An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their cars with automatic couplers and continuous brakes and their locomotives with driving-wheel brakes, and for other purposes," approved March 2, 1893, as amended April 1, 1896, and March 2, 1903, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 4421) for the preparation of a railroad map of the United States, reported it with amendments, and submitted a report thereon.

Mr. HOAR, from the Committee on the Judiciary, to whom was referred the bill (S. 2356) to amend section 4921 of the Revised

Statutes relating to patents, asked to be discharged from its further consideration, and that it be referred to the Committee on Patents; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 3294) providing for the appointment of a commission on the alcoholic-liquor traffic, asked to be discharged from its further consideration, and that it be referred to the Committee on Education and Labor; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 4092) relating to liability of common carriers by railroads in the District of Columbia and Territories and common carriers by railroads engaged in commerce between the States and between the States and foreign nations to their employees, asked to be discharged from its further consideration, and that it be referred to the Committee on Interstate Commerce; which was agreed to.

He also, from the same committee, to whom was referred the bill (S. 1531) to extend the provisions of section 5499 of the Revised Statutes to the preliminary examinations held before a commissioner lawfully appointed by any court of the United States, reported it with amendments.

Mr. PLATT. I am directed by the same committee, to whom was referred the bill (S. 161) to extend the provisions of section 5406 of the Revised Statutes to the preliminary examinations held before a commissioner lawfully appointed by any court of the United States, to report it back with a recommendation that it be indefinitely postponed. That bill has been annexed as an amendment to the bill just reported.

The PRESIDENT pro tempore. The bill will be postponed indefinitely.

Mr. SCOTT, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 4480) granting an increase of pension to Jane E. Fuller;

A bill (S. 2194) granting an increase of pension to Phoebe Buch; and

A bill (S. 4727) granting an increase of pension to W. M. Tanner.

Mr. SCOTT, from the Committee on Pensions, to whom was referred the bill (S. 2598) granting an increase of pension to Morris H. Jones, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2491) granting a pension to Larkin Maynard;

A bill (H. R. 6848) granting an increase of pension to John W. Plattenburg;

A bill (H. R. 11557) granting a pension to Alfred D. Burton;

A bill (H. R. 10655) granting an increase of pension to Rebecca Mayo;

A bill (H. R. 10576) granting a pension to Lulu E. McKee;

A bill (H. R. 2490) granting a pension to John Maynard;

A bill (H. R. 1268) granting an increase of pension to John B. Hart;

A bill (H. R. 790) granting an increase of pension to Oliver A. Filman;

A bill (H. R. 5648) granting an increase of pension to Margaret Herod;

A bill (H. R. 8482) granting an increase of pension to John C. Foos;

A bill (H. R. 5395) granting a pension to Mattie Aten;

A bill (H. R. 8180) granting an increase of pension to William Smith;

A bill (H. R. 138) granting an increase of pension to James W. Smith;

A bill (H. R. 6087) granting an increase of pension to Anthony Bracklin;

A bill (H. R. 4114) granting an increase of pension to Robert S. Carns;

A bill (H. R. 1519) granting a pension to Thomas P. Moore;

A bill (H. R. 2371) granting a pension to Sarah J. Herman; and

A bill (H. R. 7079) granting an increase of pension to John J. Fleming.

Mr. ALGER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 8220) granting an increase of pension to Edward B. Nugent;

A bill (H. R. 10267) granting a pension to Florence R. Russell;

A bill (H. R. 10580) granting an increase of pension to Joseph Longberry;

A bill (H. R. 7754) granting an increase of pension to Jeremiah Myers;

A bill (H. R. 2767) granting an increase of pension to John E. Neary;

A bill (H. R. 11141) granting an increase of pension to John B. Keller;

A bill (H. R. 5091) granting an increase of pension to William Kennedy, alias Leonard;

A bill (H. R. 2457) granting an increase of pension to James Carr;

A bill (H. R. 1352) granting an increase of pension to Samuel McClure;

A bill (H. R. 10264) granting an increase of pension to Lewis C. Amberg;

A bill (H. R. 12036) granting an increase of pension to Jacob Wetzel;

A bill (H. R. 5682) granting an increase of pension to Charles B. Hunt;

A bill (H. R. 8742) granting an increase of pension to Jason Robinson;

A bill (H. R. 6258) granting an increase of pension to Theodore C. Putnam;

A bill (H. R. 8010) granting an increase of pension to Josiah B. Dexter;

A bill (H. R. 9398) granting a pension to John Lindsey; and

A bill (H. R. 6249) granting an increase of pension to Frederick J. Fairbrass.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4055) granting an increase of pension to David Misener;

A bill (S. 2645) granting an increase of pension to La Roy B. Church;

A bill (S. 2880) granting a pension to Jane Smith; and

A bill (H. R. 691) granting an increase of pension to Rebecca C. Shurloce.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3485) granting an increase of pension to John C. Van Campen;

A bill (S. 2975) granting a pension to Claude C. Swafford; and

A bill (S. 3490) granting an increase of pension to Bucklin H. Wood.

Mr. McCUMBER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 3027) granting an increase of pension to William H. Vickers;

A bill (H. R. 6501) granting an increase of pension to Isaiah Robinson, jr.;

A bill (H. R. 2122) granting a pension to Orlo H. Lyon;

A bill (H. R. 7249) granting a pension to Lydia M. Hill;

A bill (H. R. 194[illegible]) granting a pension to Mary J. Bradley;

A bill (H. R. 2180) granting an increase of pension to Henry Spindler;

A bill (H. R. 1285) granting an increase of pension to Adam Gessner;

A bill (H. R. 11606) granting an increase of pension to Caleb J. May;

A bill (H. R. 153) granting a pension to Harriet Snyder;

A bill (H. R. 10171) granting an increase of pension to Josiah H. Tyack;

A bill (H. R. 6611) granting an increase of pension to Austin Murphy;

A bill (H. R. 10847) granting an increase of pension to James O. Knowles;

A bill (H. R. 1176) granting an increase of pension to George W. Kimble;

A bill (H. R. 967) granting an increase of pension to Nicholas Gruber;

A bill (H. R. 805) granting an increase of pension to George W. McConkey;

A bill (H. R. 11066) granting an increase of pension to Joshua D. Griffith;

A bill (H. R. 5693) granting an increase of pension to Joel M. Street;

A bill (H. R. 8725) granting an increase of pension to John A. Parker;

A bill (H. R. 8387) granting an increase of pension to Emma R. Wallace;

A bill (H. R. 8287) granting an increase of pension to Abram T. Carney;

A bill (H. R. 5873) granting an increase of pension to Sirbrina Palmer;

A bill (H. R. 5700) granting an increase of pension to Christopher C. Richards; and

A bill (H. R. 5824) granting an increase of pension to Casper J. Schoer.

Mr. McCUMBER (for Mr. TALIAFERRO), from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4528) granting an increase of pension to Amanda M. Hand;

A bill (S. 4529) granting an increase of pension to Jesse N. Jones; and

A bill (S. 4531) granting an increase of pension to Julia C. Vanzant.

Mr. McCUMBER (for Mr. BURTON), to whom was referred the bill (S. 2252) granting an increase of pension to David Inches, reported it with amendment, and submitted a report thereon.

He also (for Mr. BURTON), from the same committee, to whom was referred the bill (S. 2248) granting an increase of pension to Frederick Sommers, reported it with amendments, and submitted a report thereon.

He also (for Mr. BURTON), from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 11175) granting an increase of pension to Isaac S. Drummond; and

A bill (H. R. 1528) granting an increase of pension to Charles C. Joralemon.

Mr. ALGER, from the Committee on Pensions, to whom was referred the bill (S. 3988) granting an increase of pension to John L. Hughes, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 3352) granting an increase of pension to Mary M. Nash; and

A bill (S. 3985) granting an increase of pension to Isabel F. Easum.

Mr. ALGER, from the Committee on Pensions, to whom was referred the bill (S. 3956) granting an increase of pension to Patrick Fleming, reported it with an amendment, and submitted a report thereon.

Mr. CARMACK, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2458) granting a pension to J. H. Oney; and

A bill (S. 4708) granting an increase of pension to Samuel Bailey.

Mr. CARMACK, from the Committee on Pensions, to whom was referred the bill (S. 4308) granting an increase of pension to Mary A. Pillow, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5476) granting an increase of pension to William Davis, reported it without amendment, and submitted a report thereon.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 1570) granting an increase of pension to Jasper Robinson; and

A bill (S. 2030) granting an increase of pension to Elias L. Fidler.

Mr. PATTERSON, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10179) granting an increase of pension to William H. Bell;

A bill (H. R. 10822) granting an increase of pension to Andrew Smith;

A bill (H. R. 5527) granting a pension to Frances Reck;

A bill (H. R. 6416) granting an increase of pension to Anna S. Dunn; and

A bill (H. R. 936) granting an increase of pension to William Miriam.

Mr. SMOOT, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 10912) granting an increase of pension to Leonard J. Whitney; and

A bill (H. R. 7411) granting an increase of pension to Matthew Caldwell.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4363) granting an increase of pension to Eli Veazie; and

A bill (S. 4514) granting an increase of pension to John P. Whitehouse.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally with amendments, and submitted reports thereon:

A bill (S. 2582) granting an increase of pension to Harry M. Sherman; and

A bill (S. 3227) granting a pension to James F. Mears.

Mr. BURNHAM, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3084) granting an increase of pension to Helen F. Nichols;

A bill (S. 4773) granting a pension to Juliette Nunez;

A bill (S. 2361) granting an increase of pension to Clara E. Daniels;

A bill (H. R. 6880) granting an increase of pension to Charles T. Preston;

A bill (H. R. 8050) granting an increase of pension to John I. Lose;

A bill (H. R. 5855) granting an increase of pension to Herbert M. Blackwell, alias Levi W. Moar;

A bill (H. R. 7438) granting an increase of pension to Corinne Tolman;

A bill (H. R. 8044) granting an increase of pension to Seymour F. Burlingame;

A bill (H. R. 10919) granting an increase of pension to Susan E. Oliver;

A bill (H. R. 1170) granting an increase of pension to Lewis L. Bean;

A bill (H. R. 10399) granting an increase of pension to Francis Marshall;

A bill (H. R. 1515) granting a pension to Lucy Warren;

A bill (H. R. 2110) granting a pension to Mary Farrell;

A bill (H. R. 729) granting an increase of pension to Freeman O. Hodge; and

A bill (H. R. 742) granting an increase of pension to George W. Darrah.

Mr. ALLEE, from the Committee on Claims, to whom was referred the bill (S. 1353) for the relief of George T. Hamilton, reported it with an amendment, and submitted a report thereon.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (S. 4602) granting an increase of pension to Hiram Imus, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 3327) granting an increase of pension to Isaac N. Moore;

A bill (S. 4428) granting an increase of pension to Edwin W. Ford;

A bill (H. R. 10531) granting an increase of pension to George W. Farr;

A bill (H. R. 11428) granting an increase of pension to Augustus Fellows;

A bill (H. R. 11229) granting a pension to Francis M. Good;

A bill (H. R. 8789) granting an increase of pension to George K. Knowlton;

A bill (H. R. 5952) granting an increase of pension to William H. Kent; and

A bill (H. R. 8611) granting an increase of pension to Charles W. De Motte.

Mr. BALL, from the Committee on Pensions, to whom were referred the following bills, reported them each with an amendment, and submitted reports thereon:

A bill (S. 4275) granting a pension to Nancy Noxon;

A bill (S. 3561) granting an increase of pension to Anna E. Draper; and

A bill (H. R. 11169) granting an increase of pension to Reuben Griffith Porter.

Mr. BALL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (S. 4759) granting a pension to John M. Manlove;

A bill (H. R. 2589) granting a pension to Susanna Cosgrove;

A bill (H. R. 10209) granting an increase of pension to Margaret Delaney;

A bill (H. R. 10901) granting an increase of pension to John Quinn;

A bill (H. R. 8025) granting an increase of pension to James Payton;

A bill (H. R. 8078) granting an increase of pension to William J. Mosier;

A bill (H. R. 3806) granting an increase of pension to George H. Sweet;

A bill (H. R. 6271) granting an increase of pension to Catherine M. Wonderly;

A bill (H. R. 6024) granting an increase of pension to Calistro Castro; and

A bill (H. R. 6563) granting an increase of pension to John Barragar.

Mr. GIBSON, from the Committee on Pensions, to whom was referred the bill (H. R. 10792) granting an increase of pension to Frederic Lockley, reported it without amendment, and submitted a report thereon.

Mr. OVERMAN, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

A bill (H. R. 2852) granting an increase of pension to Abraham J. Yeomans.

A bill (H. R. 2855) granting an increase of pension to John W. Bilk; and

A bill (H. R. 6432) granting a pension to Ellender C. Miller.

Mr. FAIRBANKS, from the Committee on Public Buildings and Grounds, to whom was referred the bill (S. 2266) to repeal so much of an act approved March 3, 1903, as authorized the erection and completion of new buildings for the accommodation of the United States Naval Hospital, Washington, D. C., on the grounds belonging to the United States Naval Museum of Hygiene, asked to be discharged from its further consideration, and that it be referred to the Committee on Naval Affairs; which was agreed to.

Mr. McCUMBER, from the Committee on Pensions, to whom was referred the bill (S. 3783) for the relief of the families of certain Indian policemen who were killed during the engagement at Sitting Bull's camp, on Grand River, December 15, 1890, and for the relief of Alexander Middle, who was wounded in said engagement, reported it with amendments, and submitted a report thereon.

Mr. BERRY, from the Committee on Commerce, to whom was referred the bill (S. 4620) to amend section 8 of an act approved April 15, 1902, authorizing the construction of a bridge across the Missouri River at or near Parkville, Mo., reported it with amendments, and submitted a report thereon.

Mr. PROCTOR, from the Committee on Military Affairs, to whom was referred the bill (S. 4505) to amend an act entitled "An act to increase the efficiency of the permanent military establishment of the United States," reported it with amendments, and submitted a report thereon.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the amendment submitted by Mr. DOLLIVER on the 4th instant, proposing to appropriate $9,750 for the purchasing of two lots adjoining the Macruder School building on the east, to provide a playground for the children of the Macruder and Sumner schools, intended to be proposed to the District of Columbia appropriation bill, reported favorably thereon, and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

PUBLIC ROAD AT WINTHROP, MASS.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 13969) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land, to report favorably without amendment. It is a brief bill, and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to convey to the town of Winthrop, in the county of Suffolk, State of Massachusetts, for perpetual use as a public road, a strip of land 25 feet wide, extending along the northerly side of the United States military reservation at Fort Banks, from the easterly side of Elm avenue to the easterly side of Winthrop street, town of Winthrop, in the county of Suffolk, Mass., and more particularly described as follows: "Beginning at the point of intersection of the northeasterly side of Winthrop street with the southeasterly side of the location of the Boston, Revere Beach and Lynn Railroad Company's right of way, and running thence northeasterly along the southeasterly side of said right of way for a distance of 600 feet, more or less, to the northeasterly side of Elm avenue; thence southeasterly along the northeasterly side of Elm avenue for a distance of 25 feet; thence southwesterly along a line parallel to and 25 feet distant from the southeasterly line of the location of the Boston, Revere Beach and Lynn Railroad Company's right of way to the northeasterly side of Winthrop street; thence northwesterly along the northeasterly side of Winthrop street to the point of beginning," the said land being conveyed to the town of Winthrop in exchange for the land and easements comprised in Elm avenue, in the town of Winthrop, which was conveyed to the United States in 1891 and 1892 as a site for the construction of fortifications.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BAIL IN CRIMINAL CASES IN INDIAN TERRITORY.

Mr. CULBERSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory, to report favorably without amendment.

Mr. COCKRELL. That is a very short bill and it has been approved by the other House and by the Senate Committee on the Judiciary. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. Section 1 provides that upon appeals in all criminal cases from inferior courts to the United States district courts, and from the district courts to the court of appeals, in the Indian Territory, the defendants shall be admitted to bail pending the final determination of the cases upon appeal except in capital cases; that the amount of bail shall be fixed and the bond shall be approved by the court trying the case or by one of the judges of the court of appeals; and that such bond shall be conditional for the appearance of the defendant at all times when required in the prosecution of the appeal, and that he will surrender himself in execution of the final judgment therein.

Section 2 provides that the provisions of this act shall apply to all cases now pending upon appeal in the courts of the Indian Territory.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

NORTHERN PACIFIC RAILROAD CONVEYANCES.

Mr. NELSON. I am directed by the Committee on the Judiciary, to whom was referred the bill (S. 4769) validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company, to report it favorably with an amendment. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment reported by the Committee on the Judiciary was, in section 1, line 4, after the words "by the," to strike out "successor in interest of said company, the;" so as to make the section read:

That all conveyances heretofore made by the Northern Pacific Railroad Company or by the Northern Pacific Railway Company of land forming a part of the right of way of the [illegible] Government by any act of Congress, are hereby [illegible] and confirmed: *Provided*, That no such conveyance shall have effect to diminish [illegible] of way to a less width than 100 feet on each side of the center of the main track of the railroad as now established and maintained.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

DISPOSITION OF USELESS PAPERS.

Mr. PETTUS. Mr. President, by mistake two papers have been referred to the Select Committee on Disposition of Useless Papers in the Executive Departments, of which I am chairman. They properly belong to the joint select committee provided for under the disposition of useless papers in the Departments. I ask that they may be referred to that committee when it is raised, if it has not been raised.

The PRESIDENT pro tempore. The committee of which the Senator from Alabama will be discharged from the further consideration of the papers referred to him, and they will be referred to the joint select committee having jurisdiction of that subject.

Mr. COCKRELL. Mr. President, you have to a point that committee. Under the law, when a Department reports to Congress that they have papers no longer useful for current work or for historical reference, then the Chair appoints two Senators and two Members of the House of Representatives are appointed by the Speaker of that body to consider and determine the question and make their report. It has been done repeatedly heretofore.

The PRESIDENT pro tempore. That is now made a select committee on the part of the Senate.

Mr. COCKRELL. But I do not well see how you can make it a select committee when it is compelled to be a committee of both the Senate and the House of Representatives, and the consent of both bodies must be given to it. I think when the committee was appointed—with all due respect—that proper attention was not given to the language of the law, which authorizes the appointment of two members of the Senate and two Members of the House of Representatives, who shall examine and determine what papers shall be destroyed.

Mr. HALE. Mr. President, will the Chair let the matter lie on the table until the naval appropriation bill can be disposed of?

Mr. COCKRELL. It will only take a minute to dispose of the matter; there is no controversy about it.

The PRESIDENT pro tempore. The Chair will appoint the Senator from Alabama [Mr. PETTUS] and the Senator from Kansas [Mr. LONG] members of the joint committee on the part of the Senate, as provided in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," for the disposition of useless papers in the Post-Office and Navy Departments.

Mr. COCKRELL. And notify the House of Representatives.

The PRESIDENT pro tempore. And notify the House of Representatives that the Chair has appointed those two Senators on such committee.

Mr. COCKRELL. Under that law. That is right.

Mr. HALE. May I inquire what has just happened? I could not hear [illegible].

The PRESIDENT pro tempore. A matter relating to the disposition of useless papers in the Executive Departments. The Senator from Maryland [Mr. COCKRELL] raised a point that the matter should be referred to a joint select committee appointed every time such a paper is reported, and the Chair has appointed the committee on the part of the Senate.

Mr. HALE. Is the Senate taking any new action at this moment?

Mr. COCKRELL. No; it is the action which has been taken every time when the law was enacted. That when a Department reports that papers are no longer useful for historical reference, it is provided that the Senate appoints two Senators and the House of Representatives two Members of that body and they examine the papers, and whatever papers they say in their written report to be useless and [illegible] are no longer useful, the Department destroys.

Mr. HALE. Then it is merely the execution of that law, and no new action to be taken under it?

Mr. COCKRELL. It is merely the execution of that law, and under it there can be no destruction of papers that any political party can say were of any importance.

BILLS AND JOINT RESOLUTION INTRODUCED.

Mr. McLAURIN introduced a bill (S. 4837) to amend an act entitled "[illegible]," approved March [illegible], and [illegible] the Missouri River, near Council Bluffs, Iowa, and Omaha, Nebr., approved February 13, 1891," and acts amendatory thereof, so as to [illegible] January 1, [illegible] and referred to the Committee on Military Affairs.

Mr. [illegible] introduced a bill (S. 4838) to increase the efficiency of the [illegible] of the United States Army; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CLARK of Wyoming introduced a bill (S. 4839) to carry into effect the treaty of the twenty between the United States and the Indians, dated July 4, A. D. 1868, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CLARK of Wyoming introduced a bill (S. 4840) for the relief of [illegible], of Fremont County, Wyoming; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. [illegible] introduced a bill (S. 4841) for the relief of Frank [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. [illegible] (for Mr. [illegible]) introduced a bill (S. 4842) granting an increase of pension to [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CLARK of Wyoming introduced a bill (S. 4843) for the relief of [illegible]; which was read twice by its title, and referred to the Committee on Pensions.

Mr. BAILEY introduced a bill (S. 4844) for the relief of [illegible]; which was read twice by its title, and referred to the Committee on Claims.

Mr. NEWLANDS. I introduced a bill, which I ask may be [illegible], and then I wish to submit a few remarks [illegible].

The bill (S. 4845) regulating the erection of buildings on the Mall, in the District of Columbia; which was read the first time at length, as follows:

Be it enacted, etc., That no building shall be erected on the Mall of Washington, D. C., within 400 feet of a central line stretching from the center of the [illegible] Monument.

Mr. HALE. Mr. President, I object to the second reading of the bill, which will carry it over.

The PRESIDENT pro tempore. The Senator from Maine objects to the second reading of the bill, and therefore it will go over under the rule.

Mr. NEWLANDS. Mr. President, I wish to submit a few remarks in relation to the bill.

Mr. HALE. I hope the Senator will wait until the naval appropriation bill has been passed. It was agreed that that bill should come up the first thing this morning, and I have notified Senators to that effect. That is why I have objected to the second reading of the Senator's bill at this time. That will carry the whole thing over, and after the naval appropriation bill has been passed I will withdraw the objection.

Mr. BURROWS introduced a joint resolution (S. R. 57) relative to the colonial mortars monument at Washington Park, at the Soldiers of Marathon, in the State of Michigan, which was read twice by its title, and referred to the Committee on the Library.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. DOLLIVER submitted an amendment proposing to appropriate $680.78 to reimburse William G. Malin, United States Indian agent, Sac and Fox Agency, Toledo, Iowa, for expenses incurred in defending a suit brought against him in his official capacity as said Indian agent, intended to be proposed by him to the general deficiency appropriation bill; which was ordered to be printed, and, with the accompanying papers, referred to the Committee on Appropriations.

Mr. TILLMAN submitted an amendment to enable A. H. Emery to prosecute property in the way of improving and erecting the 12-inch disappearing carriage and its [illegible] appurtenances heretofore made by him for the Government, as [illegible] Secretary of War, in his discretion, to advance to the said A. H. Emery, at time or times when it shall think best, any part of the $84,753.02, balance of appropriations now available for completing the construction of said gun, etc., intended to be proposed by him to the fortifications appropriation bill; which, with the accompanying papers, referred to the Committee on Appropriations, and ordered to be printed.

HEARINGS BEFORE COMMITTEE ON CLAIMS.

Mr. WARREN submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Claims be, and the same is hereby, authorized [illegible] to pay for [illegible] such witnesses as may be summoned before said committee, to report such bills as [illegible] in connection with any matter or matters pending before said committee, and to have the same printed for the use thereof; and that the expenses of such hearings be paid out of the contingent fund of the Senate, and that such [illegible] in connection with the foregoing shall be paid out of the contingent fund of the Senate.

REPORT OF GOVERNOR OF PORTO RICO.

Mr. FORAKER submitted the following resolution; which was considered by unanimous consent, and agreed to:

[illegible] be printed [illegible] of Senate Document No. 56, Sixty-first Congress, second session, [illegible] Report of the Commission of Porto Rico for the use of the Senate.

PURE FOOD.

On motion of Mr. HEYBURN, it was

[illegible] that the Senate resume the consideration of the bill (S. 88) to prevent the adulteration, misbranding, and poisoning or spoiling of foods and drugs in interstate traffic therein, and for other purposes, with accompanying report.

NAVAL APPROPRIATION BILL.

Mr. HALE. I move that the Senate proceed to the consideration of the naval appropriation bill.

The motion was agreed to, and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 17355) making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

The PRESIDENT pro tempore. There is an amendment on page 73, which was passed over.

Mr. HALE. That will not be called up now. I have one or two [illegible] amendments.

On page 73, after the word "than," in line 11, I move to strike out "three" and insert "two;" so as to read:

[illegible] of the vessels provided for in this act shall be built by [illegible].

The amendment was agreed to.

Mr. HALE. On page 30, line 24, in the amendment heretofore [illegible] the words "storehouse and storekeeper's offices, to [illegible],000," I move to insert "to cost in all not to exceed $[illegible]."

The amendment was agreed to.

Mr. HALE. On page 39, in lines 10 and 11, I move to change the total for "public works, Bureau of Navigation," to "$390,[illegible]."

The amendment was agreed to.

Mr. HALE. The other amendment which came over should be adopted—the one [illegible] to by the Chair.

The PRESIDENT pro tempore. The amendment on page 73 is agreed to.

Mr. PATTERSON. I offer the amendment which I send to the desk.

Mr. HALE. Let me state, Mr. President, that the bill was substantially finished on Saturday and all the amendments, with the exception of those adopted this morning, and at the request of the Senator from Colorado [Mr. PATTERSON] the bill went over because he had one or two matters to submit. As soon as the Senator has concluded, I shall ask that a vote be taken on the bill.

Mr. PATTERSON. I move to add to the bill the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add to the bill the following:

Provided, That if contracts for the armor of the vessels herein provided for can not be made at a price which in his judgment is just and reasonable, he is hereby directed to expend so much of said $12,000,000 as may be necessary to erect a factory for the manufacture of armor plate, and to proceed therein to manufacture the armor for said vessels.

Mr. PATTERSON. Mr. President. I had a conversation with the Senator from Maine [Mr. HALE] this morning, and it is due to him for me to say that since that conversation the Senator from Georgia [Mr. BACON] stated that it was his purpose to discuss the armor-plate matter. I gave the Senator from Maine to understand that, in my judgment, perhaps none of our friends on this side would discuss my amendment to the bill, but, whether I discuss it or not, it is the intention of the Senator from Georgia to do so.

Mr. HALE. Of course that rests with the Senator. I do not seek to interfere.

Mr. BACON. I did not know the Senator was going to make that statement. I did not know until after I came into the Chamber that he proposed to offer an amendment to the bill. I do not propose myself to offer an amendment, but there are some things in reference to armor plate about which I wish to ask the Senator from Maine.

Mr. HALE. At the proper time I shall make a point of order on the amendment, but I do not wish to cut off the Senator if he desires to discuss it.

Mr. PATTERSON. Mr. President, the purpose of the amendment is to place the Government, with reference to armor plate for war vessels, in the same position that it occupies with reference to the building of the hulls and machinery of the war vessels.

As the matter stands now, the Government is wholly at the mercy of unlawful trade combinations, and the testimony from the Navy Department discloses that at least since 1898 the Government has been letting its contracts for armor plate for the different vessels to a combination that has fixed prices and determined the bidders.

The Government is in no situation to resist a combination of the character I have mentioned. It has no armor-plate factory, and although armor plate for modern vessels costs about one-third of each of the vessels, it is utterly impossible, if these vessels are to be constructed, to escape a combination to extort an unjust price for armor from the Government.

Turning to page 74 of the bill, commencing on line 13, we find this provision with reference to the construction of the vessels independently of the armament and the armor:

Provided, That the Secretary of the Navy may build any or all of the vessels herein authorized in such navy-yards as he may designate, and any of the vessels herein authorized may be built in such navy-yards, if, in his judgment, it is practicable to build them at such navy-yards, should it reasonably appear that the persons, firms, or corporations, or the agents thereof, holding for the construction of any of said vessels have entered into any combination, agreement, or understanding tending to the object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels.

That such a provision places the Government in an advantageous position nobody will question. If the shipbuilders of the country should combine for the purpose of extorting an unfair price from the Government for the building of the hulls, the machinery, and the like, then it becomes the duty of the Secretary of the Navy to resort to our own navy-yards, our own mechanics, our own machinery, for the purpose of building these vessels, quite independently of private shipbuilders.

But there is no such provision with reference to armor plate. All that the bill provides, indeed all that it can provide, unless some provision is made for the construction of an armor factory, is—

That the Secretary of the Navy be authorized to procure by contract armor of the best quality for any or all vessels authorized at such price as in his judgment is just and reasonable.

And that is the provision of this bill.

But he is directed to procure this armor, and if there is no Government shop to which he can go, if the vessels are to be built then the price of the armor combination must be paid.

The amendment I offer is simply to the effect that if the Secretary of the Navy shall be unable to contract for armor at prices that are just and reasonable then he shall use so much of the appropriation of $12,000,000 as may be necessary to construct an armor factory and proceed to manufacture therein the armor necessary for the ships of war.

Mr. President, that combinations have existed between the Bethlehem Steel Company and the Carnegie Steel Company since 1898 is testified to by the Departments. Admiral O'Neil, in a statement made to the House Naval Committee, gave us these figures:

The contract of 1898 with the Bethlehem Steel Company was $400 per ton. With the Carnegie Steel Company it was $400 per ton. The contract of 1899 with both the Carnegie and the Bethlehem companies was for $400 per ton. The contract of 1900 with the Bethlehem company was $430.20; with the Carnegie company it was $430.20. The contract of 1903 was $424.35 with one; it was $424.92 with the other. And the contract of 1904 was for $441.09 with the one, and $441.98 with the other.

Indeed, Department officials recognized the fact that until last year the only two bidders for the construction of armor plate were these two steel companies; also that they were in combination. They combined together unquestionably for the purpose of forcing from the Government such price as they were willing to exact for that which the Government had to have.

In 1900 there was added to the naval appropriation bill in conference a provision in effect the same as this amendment, and according to the testimony of Admiral O'Neil it was very efficient in bringing down the price of armor in the contracts under it; and we have a right to infer if it were not for that provision in the appropriation bill of 1900 a much larger price would have been then demanded and paid by the Government.

Under the call for bids for the year 1904, the contracts being let in 1903, a new competitor entered the field called the "Midvale Steel Company." In the biddings of 1900 the Midvale Steel Company had appeared; it made a bid; but by some process it was induced to withdraw its bid, and the contract was, as before, let to the two old companies that had been furnishing this character of material. But last year the Midvale Company bid to supply the entire 16,000 tons of armor that the Government needed at $395 per ton, while the Bethlehem and the Carnegie steel companies bid $453.07 per ton.

The Midvale Company proposed to supply all the armor at its lower price, but the Department instituted an inquiry and reached a conclusion that that company would be unable to supply all the armor that was needed as rapidly as it was needed. So instead of giving the Midvale Company the contract for 16,000 tons, it awarded it a contract for but 6,000 tons at $395 and awarded the rest of the contract, which was for 10,000 tons, to the Bethlehem and Carnegie steel companies at the rate of $453.07 per ton.

According to the testimony of Admiral O'Neil the Midvale company has commenced the getting out of the armor it contracted to supply under the contract of last year. That would indicate that there is a possibility of competition again. But who can doubt that just as soon as the Midvale company demonstrates its capacity and ability to supply armor plate in competition with the Bethlehem and the Carnegie companies the Midvale company will be taken into the combination, and soon, instead of two bidders fixing the price and distributing the contracts, we will have a union of three bidders fixing the price and determining the amount of armor each shall supply?

As I understand it, the Bethlehem and the Carnegie companies are members of the steel trust, and the putting in of bids and the fixing of a price is simply a scheme to deceive the public into believing that there is in reality competition, when in fact there is no competition.

It may doubtless be claimed that the price at which armor is being supplied is a reasonable and fair price, but if we take the testimony of those who are skilled in the manufacture of the article we must conclude that it is not a fair price, that, taking advantage of their ability to extort, these companies have resorted to extortion, and the United States, as a matter of course, suffers from the extortion.

I have here the statement made by Mr. Charles H. Cramp that is taken from his testimony as found in the report of the Industrial Commission of 1901, volume 14, page 420. I call the attention of the Senate to his statement upon the subject of armor of this character. He says:

The profit on armor making is something enormous. The people who make armor on their [illegible] them, or the jobs to which [illegible] enough to build a battle ship. * * * But the distinct [illegible] gave for the Government makes the money, and [illegible] would have had [illegible] in Europe they had the shops [illegible] the business [illegible] manage. Why, I would be willing to build a battle ship and hand the shop over to anyone for the profit on the armor. * * * That is what these businesses are in Europe.

A statement of that kind, it seems to me, should cause Senators to pause before new contracts for armor amounting to somewhere in the neighborhood of $8,000,000 shall be let without any power in the Government to protect itself.

There is no haste, Mr. President, in making contracts for the armor for these vessels, for according to the report of Admiral O'Neil there are unfinished now more than forty of the war vessels that are already provided for by previous acts of Congress. According to the showing in the report of the committee that reported the present naval appropriation bill in the House of Representatives, we find that there are twelve battle ships yet uncompleted, eight armored cruisers yet uncompleted, eight protected cruisers, two gunboats, two training ships, one training brig, six torpedo boats, and two steel tugs—forty or forty-one vessels in all; and

they are in various stages of completion, ranging all the way from about 2 per cent of completion to 99.9 per cent.

The majority of these vessels are not yet half completed, so that if in letting the contracts for the armor for the vessels provided for in this bill the Secretary of the Navy shall feel called upon, if this amendment shall be adopted, to construct an armor factory, there will be ample time to construct it. It is estimated that it will require some $4,000,000 to construct such a factory, and the rest of the appropriation, the appropriation being $12,000,000 in all, may be used by the Secretary for the purpose of manufacturing the armor in the factory of the Government.

Mr. PLATT of Connecticut. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Connecticut?

Mr. PATTERSON. Certainly.

Mr. PLATT of Connecticut. Has the Senator any estimate as to how long it would take to build an armor-plate factory and be ready [illegible] armor plate?

Mr. PATTERSON. I have not, but I know upon these terms——

Mr. HALE. I can say that we went over that years ago.

Mr. LODGE. It is a very old question.

Mr. HALE. It is an old question. It was then stated that it would take from three to five years to build an armor-plate factory and properly equip it and make armor with the same facility and with the same completeness that armor is made now in two or three private plants. I do not think that by hard pushing it could be done in less than three years. The Senator knows how the time in constructing all buildings runs out and takes longer than we expected them to take.

Mr. PATTERSON. Of course it is an old question. It has been debated in both branches of Congress for years and years, and the marvel of it is that the debate and the exposures connected with the debate have not resulted in something practical for the benefit of the Government.

But I wish to suggest to the Senator from Maine that, according to the united testimony and according to the estimates made by him in his exceedingly interesting and luminous speech upon the floor the other day, it requires at least five years to turn out a completed battle ship and a completed armored cruiser. If that is the case, three years of the five years may well be devoted to the construction of an armor-plate factory to be owned and operated by the Government. With forty-one vessels to be completed, with five years necessary for the completion of the armored ships provided for in this bill, three years might be devoted to the construction of an armor-plate factory and yet the vessels be ready for service at as early a date as they can be if no interruption of this kind should occur.

It seems to me, Mr. President, that the Government in a matter so important as this should not be left for all time, so far as any effort to have it otherwise has been seriously made, without providing itself with this absolute essential for the completion of its armored vessels. The evil will grow from year to year as Congress and the Departments and the people of the country become familiarized with the high prices that the Department is compelled to pay by reason of its inability to contest successfully with those who have a monopoly of this article. The country will become more indifferent, the Departments will also, and the injustice will increase from year to year, and no one can foretell where the injustice will end.

Therefore I ask the Senator from Maine, why is the amendment that I offer unacceptable? Why should he suggest that at some time hereafter he will make a point of order against the amendment? It puts it to the conscience of the Secretary of the Navy to say whether the price that is demanded is unjust and unreasonable, and if he is satisfied that it is, and not until then is he required to expend any of this appropriation for the purpose of putting the Government in a position to be independent of these unlawful trade combinations.

Mr. President, the amendment that should be offered is one appropriating a definite sum of money—in the neighborhood of $[illegible]—and making it obligatory upon the Navy Department to construct this armor-plate factory. I did not make the amendment in that form because I felt it would be subject to a point of order. I do not believe that the amendment as I have offered it is subject to a point of order.

Mr. HALE. I am not sure about that myself.

Mr. PATTERSON. I appeal to the Senator from Maine to allow this amendment to be annexed to his bill, because it does not impede in any way the construction of the vessels which the bill provides for.

Mr. HALE. I am not certain myself, in the way the Senator has drawn the amendment, whether it is subject to a point of order. Will the Senator have it read now in the form he has just alluded to?

Mr. PATTERSON. The Secretary has the amendment.

The PRESIDENT pro tempore. It will be read.

The Secretary read as follows:

The SECRETARY. After the word "reasonable," in line 21, of page 76, add the following:

Provided, That if contracts for the armor of the vessels herein provided for can not be made at a price which, in his judgment, is just and reasonable, he is hereby directed to expend so much of said $12,000,000 as may be necessary to erect a factory for the manufacture of armor plate and to proceed to manufacture the armor for said vessels.

Mr. HALE. I am by no means sure that the amendment is subject to a point of order. I am frank to say.

Mr. ALLISON. I should like to ask the Senator a question, if he will yield to me just a moment.

Mr. PATTERSON. Certainly.

Mr. ALLISON. As I understand it, the amendment of the Senator from Colorado provides that a portion of the $12,000,000 appropriated for armored vessels shall be used to build an armor-plate factory. There is no appropriation, I understand, in the bill for the vessels that are authorized to be built. The appropriations for armor and armor plate in the bill are for vessels already contracted for and possibly for armor contracted for—I am not sure.

Mr. PATTERSON. No. Mr. President, I think the Senator is mistaken. This is the language:

The Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels herein authorized——

Mr. ALLISON. Undoubtedly.

Mr. PATTERSON (reading):

At such price as in his judgment is just and reasonable.

Mr. ALLISON. Undoubtedly. That is to say, he is to make a contract; but there is no appropriation which accompanies the authorization to make a contract for these vessels.

Mr. PATTERSON. Oh, yes. It is the paragraph immediately preceding.

Mr. HALE. Yes; preceding that.

Mr. PATTERSON (reading):

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized, $12,000,000.

Then follows the paragraph I have just read, which authorizes him to use this $12,000,000 for the purchase of the armor and armament provided for in the bill.

Mr. ALLISON. I agree, of course; but, if the Senator will allow me one word more—

Toward the armament and armor of domestic manufacture for vessels authorized, $12,000,000.

Is that the only appropriation for armor or armament in the bill?

Mr. HALE. Yes; that is the only appropriation. Let me say to the Senator, we have always followed that rule; and it applies not only to vessels heretofore authorized, but authorized by the bill. Last year when we had inserted a clause of that kind the Secretary of the Treasury made contracts for the armor under that appropriation before the year expired. They do not do any actual work, but they make the contracts.

Mr. ALLISON. Very well. Now, I should be glad to make an inquiry, because I think it is rather an important question. I see the phraseology does not quite bear me out in my understanding. I understood that there is in the bill no appropriation that would be made presently applicable to the vessels authorized now; that these appropriations are applicable to all the vessels already contracted for and authorized heretofore. If that be true, there will be no residuum from this appropriation to build an armor plant.

Mr. HALE. There may not be, but I will say to the Senator that while it is true that none of the $12,000,000 is likely to be expended during the next year, it will all go for the other ships, but it is applicable under the phraseology of the appropriation, if they could use it, and it ought to be applicable, because they want to have the power to go on and make contracts. But they will not spend any of the money and there will not be any overplus, of course.

Mr. ALLISON. But as I understand the situation as respects the Navy, the vessels already authorized and contracted for will largely more than take up this appropriation. There are already authorized vessels requiring armor and armament to a degree far beyond $12,000,000, without applying a dollar of it to the vessels herein authorized.

Mr. PATTERSON. Mr. President, there is nothing either in the bill or in the testimony before the House committee—I do not know whether or not testimony was given before the Senate committee—nor is there anything that the Senator from Maine has said which warrants the suggestion made by the Senator from Iowa. I take it that if the Secretary of the Navy were to use any of the money appropriated by this bill for the construction of others than the battle ship, the armored cruisers, and the minor vessels provided for, he would be proceeding in violation of law.

I do not suppose the $12,000,000 will be taken out of the Treasury and set aside as a purse for that particular purpose, but $12,-

000,000 are provided by this bill, and no portion of the $12,000,000 can lawfully be used for the construction of armor and armament for ships authorized under previous acts. The Secretary of the Navy, it seems to me, would be guilty of a very grave violation of law should he use money that would trench upon this $12,000,000 for vessels not authorized in this bill. In my opinion the language of the bill prohibits any other conclusion. It is clear; it is fixed; it is definite. It would be utterly impossible for the Committee on Naval Affairs to use language that would more definitely hold the $12,000,000 provided for in the paragraph I have read to the vessels, and the particular vessels, that are authorized in this bill.

Mr. PETTUS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Alabama?

Mr. PATTERSON. Certainly.

Mr. PETTUS. I desire to ask the Senator from Maine a question with reference to this matter. Was there not an appropriation of about $18,000,000 for armor plate with which to clothe the vessels that had been heretofore ordered to be built? Has not a contract already been made by the Navy Department for the armor that was authorized heretofore?

Mr. HALE. The contracts have all been made, even to and including the ships covered by the large programme of last year. There has not been any money yet expended, but contracts are already made for that. This provision of the Senator from Colorado, if it were put upon the bill, would apply only to vessels constructed this year, and it would not touch vessels provided for heretofore with respect to which contracts have been made. The Senator understands that we can not interfere with them.

Mr. PATTERSON. I have been very careful not to interfere with them, and I do not seek to interfere with them.

Mr. HALE. The Senator does not undertake to do that.

Mr. PATTERSON. Not at all. The purpose of the amendment is to secure for this Government an armor-plate factory if the Secretary of the Navy can not make satisfactory contracts, fair and reasonable contracts, for the armor that is used in the completion of the particular vessels provided for in this measure.

Mr. HALE. I so understand.

Mr. PATTERSON. That is the purpose, and no other. As a matter of course, if the factory is built, it will be at the command of the Government in all future years, and every law that may be passed for the manufacture of armor will be in view of its possible manufacture by the Government itself. The bill provides that armor plate will be made precisely as provided in the law for the construction of vessels themselves, namely, if the Secretary of the Navy can not secure an equitable and fair contract, then he will proceed to manufacture the vessels of the United States; and if it were the armor plate, he would proceed to manufacture the armor plate in the factory of the United States.

Mr. President, in view of what to me is a very plain admission by the Senator from Maine, that this armor is not immediately necessary; that it will be several years before the vessels will be in a condition to attach the armor to them, and since an armor-plate factory can be constructed within at least three years if the Government should proceed with the effort vigorously, I am frank to say that I can not see why it is the Senator from Maine will not consent to this amendment, that the Government may have the benefit of it while it is negotiating for armor plate for the vessels which have been provided for.

I am for many provisions against an amendment of this kind because I am not one who believes that additions to the Navy are going to cease. It is claimed, and I believe, that it is the purpose of the Senator from Maine, that when this programme is completed the United States will be, so far as its naval power is concerned, the second nation in the world—not in general tonnage, but in effective fighting tonnage. When this programme is concluded we will have passed Russia and Germany, and in fact almost every nation, and we will be next to France. But suppose this programme is completed, and the figures bear out the claim, that with this programme completed the United States will stand next to Great Britain.

My judgment is that American sentiment will not permit the United States at any time in the future to fall behind in its naval power any nation that it has once passed. If when this programme is completed we are in fact second to Great Britain, I have no hesitation in saying that American sentiment will not only justify, but it will require, that the United States shall continue second to Great Britain.

This Government has never taken a step in its naval programme that was a retrograde movement. It has never advanced beyond the naval power of another government and permitted itself at any time thereafter to fall behind that government. I believe, as firmly as I believe that I am standing here, that having passed France it means that the United States will keep in advance of France, and that an Administration would be held responsible for allowing the United States to fall behind a nation that it had once passed in the matter of the number and effective tonnage of its fighting ships.

Therefore, Mr. President, the construction of naval vessels is going to continue, and the pace that will be set by Germany and France is the pace that the United States will take and maintain, and Congress might as well understand that that is the standard by which it will judge the duties and responsibilities of the United States. Therefore millions and millions of dollars' worth of armor is to be constructed in the future. It is not merely with the completion of these ships that the necessity for armor will end. But it is the construction of additional vessels year by year not only to replace vessels that have gone out of service from age, but the construction of new vessels to maintain the status that the successful carrying out of the programme will secure.

One of the principal reasons for our large Navy and the more than doubling of the Army within the past ten years is the acquisition of the Philippines. The time has come when to discuss the breach of faith and the bad policy that accompanied the acquisition of those islands has little or no effect upon the American mind. As to the national immorality of the deed, as to the bad faith the acquisition of the islands developed in dealing with the people of those islands, as to the benefits that would accrue to the United States if the islands should be given their independence under some form of protectorate from the United States, I have never changed my views. But my views, in my opinion, are not now the views of the majority of the people of the country.

In 1898 those were the views of the country; in 1900 I believe the country entertained those views, but the progress of time has changed them. So I believe we will all have passed away and our children will have passed away and our grandchildren will have reached the age of manhood and stand with their feet upon the verge of the grave, by reason of accumulating years, and yet the Philippine Islands will be a part of the possessions of this country.

I recollect, Mr. President, the discussion in the Senate in 1898, not by reason of being present, but from reading, about the future of the Philippine Islands. Scarcely a word was then uttered by any Senator which did not indicate that it was his desire and belief that at some time in the near future the Philippine Islands would be given their independence and the United States would assist by their government in its early years. But all that has changed.

I well remember the eloquent and telling speech of the Senator from Wisconsin [Mr. SPOONER] and of the Senator from Ohio [Mr. FORAKER]. I recollect in those early years hearing the speech of the junior Senator from New York [Mr. DEPEW]. Every one of these speeches breathed the spirit of the Declaration of Independence, and the provisions applicable in the near-by future to our then possessions. But how that has changed! The Senator from New York says that the CHAUNCEY DEPEW who made the speech which was quoted by the Senator from Tennessee [Mr. CARMACK] is dead. The Senator from New York has received new light, and he says that now he stands for the permanent retention of the Philippine Islands. The voice of the Senator from Wisconsin is muffled when he presents this question to the public, so that it is scarcely heard.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. PATTERSON. Certainly.

Mr. SPOONER. What does the Senator mean by that observation?

Mr. PATTERSON. The idea I intended to convey——

Mr. SPOONER. That is what I want.

Mr. PATTERSON. Is that he, like the rest of his colleagues, so far as I have heard them discuss the question, has about reached the conclusion that it is the duty of the United States to retain the islands for both commercial and humanitarian reasons, and that at least the day is far, far distant when the people of the Philippine Islands will enjoy any benefits from the principles of the Declaration of Independence.

Mr. SPOONER. That is what the Senator meant?

Mr. PATTERSON. That is what "the Senator" meant, and I have——

Mr. BACON (to Mr. PATTERSON). He has changed his mind.

Mr. PATTERSON. No; I will not say that the Senator from Wisconsin has changed his mind. It is simply a process of evolution. It has been gradual, but certain.

Mr. SPOONER. Of course we do not always know what processes change our mind. The mental operations are sometimes peculiar. But I am not conscious of having changed my mind or my position on the question of the perpetual retention of the Philippine Archipelago in the slightest degree, nor have I ever

said, nor can the Senator find anything in the observations which I have from time to time submitted to the Senate upon which to predicate reasonably even any such imputation—a change of mind upon my part.

I said in the beginning that I would not take the Philippine Archipelago for trade, and that I would not vote for the treaty if, in my opinion, it involved the perpetual domination by the United States of the Philippine Archipelago. I have never failed to reiterate that statement in any speech which I have made. I have resisted all efforts to project into the future improvident pledges as to the Philippines. I have resisted any attempt—I resisted the efforts of the Senator from Colorado—to put a time limit upon the discharge of obvious duty by the United States in the Philippines. I have wanted the hands of the people of the United States left free upon that subject, and the ultimate determination as to what should be done with the Philippines and when it should be done left to the people. Has the Senator ever heard anything different from that from me?

I have expressed, and it came from my heart, the belief that when the time came, as I thought it would come, and I think now it will come sooner than I used to think it might, that the people of the Philippine Archipelago are capable of autonomous government, and they ask the people of the United States for it, they would receive it. I have no doubt of the liberality and the justice with which the people of the United States will deal with the people of the Philippine Archipelago. I have known, however, that only by control, as the sovereign, would the United States do any good thing for the people of the Philippine Islands.

I was not willing, as my friends seemed to be, that, having started the work of building up a people in the Philippine Islands, after having acquired the cession of the archipelago, the Government of the United States should run like a coward incontinently and fix a time two or three years hence, as the Senators on the other side thought wise to do, when that people should become independent and be abandoned by the people of the United States.

I have made many mistakes in my life, but I do not think now, and I never have thought, that I made any mistake in voting for the treaty, which could not have been ratified by the Republican membership of the Senate alone, and which had the support of very prominent Democrats on the outside of Congress. I have felt, and does not the Senator think, that we have made great progress in the Philippines?

Mr. PATTERSON. Whenever the Senator from Wisconsin concludes.

Mr. SPOONER. I beg the Senator's pardon for interjecting into his remarks a sane speech upon the Philippines. I forgot.

Mr. PATTERSON. Literally, perhaps, the Senator from Wisconsin is consistent. I do not desire to do the Senator from Wisconsin or any other Senator the slightest injustice, but my reference to him was based more on the spirit of the speech he made [illegible] that is evinced in his [illegible] upon that question.

I was impressed with the view, having read the first speech of the Senator from Wisconsin, that he was like many Democrats, who felt that the better way to solve the problem and to end the [illegible] to approve the treaty and then make speeches and effective arrangements to grant to the people of the Philippine Islands the independence that I believe they are entitled to receive and qualified to maintain. That was the spirit of the speech of the Senator in 1898; and if his [illegible] construed [illegible] favoring at some [illegible] of the Philippines [illegible] he nor I will live to see a consummation of it.

Mr. President, one of the most striking speeches to me on this subject was made by the present Secretary of War only Saturday night in New York at a banquet given by the Ohio Club in that city. I had always [illegible] Secretary Taft as entertaining the view that at some [illegible] early time the Philippine people should be given their [illegible] independence. I bear tribute to his administration in the Philippine Islands. As between the Philippine people and the American exploiters, he has stood for the Philippine people to such an extent that those who would despoil Filipinos of their land and franchises have designated Governor Taft, now Secretary of War, more of a Filipino than an American. But in his New York speech, from the Associated Press report, which seems to be correct in substance, I find these statements:

"[illegible] 'Are the Philippines capable of self-government?' [illegible] have; but they are utterly incapable and unprepared [illegible]

How far does that remove the people of the Philippine Islands from ultimate independence? They are utterly incapable, according to our present Secretary of War, late the governor of those islands, and unable to have the slightest franchise.

I can not conceive of a people possessing the qualities accorded to the Filipinos by ex-Governor Taft who are not capable of self-government, at least to the extent of maintaining a government that is sufficient for them and to give them the degree and quality of order that is necessary to secure a law-observing community. A brave people and a courteous people; and yet a brave people and a courteous people are declared by the Secretary of War to be utterly incapable of and unable to have the slightest franchise. Then again, says Secretary Taft:

> I am asked why I do not say we are going to give them their independence. I say no, with great emphasis. I wish to impress upon you that unless the present government is a success all success of other governments is gone.

These gentlemen have simply kept pace with the growing public sentiment in the United States, one that I deplore, but which the country must necessarily confront. There are logical and natural reasons for this change of attitude. The reasons are not of a noble kind, of an elevating kind. They are those that appeal to the commercial sense of the people of the United States and not to a high standard of morality.

Mr. President, the people of the United States consist of about 80,000,000 units. There are something less than 20,000,000 men. I think it would be safe to say that nine out of ten of those 20,000,000 will acquire property, if they can do so legally, and not stop to investigate the moral questions that are connected with the transaction.

We witness that in the stock-jobbing operations of the country; in the legal contests that are waged in the courts, in one city and another city; we witness it in the transactions of our friends and neighbors. If such is the disposition of nine-tenths of the units who make up the American nation, the American nation in dealing with the acquisition of property will be apt to act in conformity with the course pursued by the units. Therefore I look forward to the independence of the Philippines as not within the bounds of reasonable possibility.

There are other reasons for this change of sentiment. I should first refer to other evidences of it. The pulpit of the country, Mr. President, either favors the retention of the Philippines or is silent; the popular literature of the country either favors their retention or is silent; many of the leading periodicals of the party that has stood most strenuously for the independence of the Philippine Islands now favor their retention.

But in addition to that there are commercial reasons. Not a session passes but that Congress enacts legislation which grapples the Philippine Islands closer and closer in permanent bonds with the Union. The bill that is championed by the Senator from Massachusetts [Mr. LODGE], that extends the coastwise laws of the United States to the trade between the United States and the Philippine Islands, is another grip of that kind. Americans are engaged in securing vast property interests in those islands. Only the other day we read of a serious proposition—and I have no doubt it will be presented to Congress ere long—to guarantee the interest upon $40,000,000 of bonds for the construction of railroads in the Philippine Islands.

With Americans controlling the railroads which are to be built, the sugar, the tobacco, the rice, the hemp, and other plantations, the great timber concessions, the development of new agricultural possibilities, the establishment of manufacturing establishments, which will undoubtedly be found there in large numbers in the not distant future, it will be utterly impossible, no matter what the sentiment of the people of the country may be, to secure a vote in favor of the dissolution of the bonds that bind the Philippine Islands to us. Dollars never appeal in vain to dollars, and the commercial interests of the Philippines, the financial investment by Americans in the Philippines, will prevent the result that so many good people in the United States have earnestly desired.

We find the people of the country are appealed to from two standpoints—their commercial sense and their humanities. The humane people of the country as a body, or at least a very large proportion of them, have been led to believe that the future welfare of the Philippine people depends upon their being retained under American control. They believe that the American government of the Philippines is for the upbuilding, the enlightenment, and the civilization of the masses of the Filipino people.

Upon the other hand, we find such glowing appeals as that made by the Senator from Minnesota [Mr. NELSON] on Saturday, in which the Philippines were pictured as the threshold of the Orient and Manila as the point at which the interchange of the vast commodities of that vast section was to take place. You appeal upon the one hand to the cupidity and the commercial sense of the nonreligious people, and you use the language of cant and hypocrisy to the religious people of the country. The result of it is that both classes combine for the purpose of holding the Philippine Islands in subjection.

This can result in no good to the Philippine people, Mr. President. There can be no equality between the American in the islands and the Filipino. The Filipino is the negro of the Philippine

Islands; the American is the white man who lives with but is not of the Filipino. The white man—the American—is to be the master and the Filipino the slave.

I read a letter in the statement, printed at the request of the senior Senator from Massachusetts [Mr. HOAR] but a few weeks ago, and it precisely describes the relation of the Filipino to the masterful and enterprising American in connection with his industrial enterprises. A large number of Filipinos were transported to a point at the end of a railroad track, the road being in process of construction. They went to work, only to find that the Filipino was receiving but one-fourth of the wages that were being paid to white labor. The Filipinos were confined in pestilence-breeding holes and shanties, the food with which they were supplied was wholly insufficient, and taxes to the point to which they had been brought to turn back other Filipinos who were being shipped in for the purpose that they had abandoned.

The Filipino is despised by the American in the Philippines. Talk with an American and he speaks of the Filipino with the utmost contempt. The end of it all is that the Philippines are to be a colony of the United States that will be populated with comparatively few Americans, owning the land and the timber and the plantations and the franchises, and living as did the barons of old with the masses of the Filipino people as their peons. That is the result as certainly, Mr. President, as time moves on, and that result has been determined upon by the dominating people of the United States upon its merits.

Much as I regret the retention of the Philippines and deplore the outcome as I have suggested, I have no doubt but that they will be retained. I perceive in all estimates and in all provisions for the Army and the Navy (Congress is now considering it), first, by the fact that we are second now to Great Britain in effective fighting naval force, and that we will maintain that position at whatever hazard; second, the Philippine Islands will continue to be a colonial possession of the United States, and their defense and retention must always be calculated upon when we are making provisions for our fighting forces.

Mr. President, the United States would spend as many dollars, would put as many lives in the defense of the Philippines against foreign aggression as it would to defend a State in the Union, and it would be equally as liberal in money and lives to secure such protection in the Philippine Islands if any leader with such power and influence could be found to cause Filipinos to rise, with whatever might and power, to secure their independence. The conditions are not as I would have them, and I have been led, as the result of very much reflection and deliberation, to speak with open mind my views upon these two great questions.

Coming back to the amendment which I have offered, I will say that I can see no reason why it should not be accepted by the chairman of the committee, because it is a means of future defense to the government against the aggressions and extortions of unlawful trusts and combinations.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Colorado [Mr. PATTERSON].

Mr. TELLER. Mr. President, I do not care to discuss the amendment offered by my colleague [Mr. PATTERSON], nor do I intend to enter into any general discussion of the naval appropriation bill. I have been on all occasions a friend of an American Navy. I have voted for it and advocated it from time to time, and I am still in favor of a measure commensurate with our wealth and commercial necessities. I believe we have reached a point where it would be a good policy to pause in the construction, at least, to provide for more ships until we have completed those already provided for. I am not one of those who think we ought to be governed in our expenditures by what some other nation may do.

If Great Britain finds it necessary to maintain a navy of remarkable strength, it does not follow, in my judgment, that we ought to do the same thing. Great Britain is differently situated from what we are. She is responsible upon her shipping for the existence of her people. She can have a blockade set up in connection with her ports, and her people may starve. Britain can be shut off by any hostile fleet. So it is necessary that Great Britain should have a great navy.

I think we were for many years without a proper Navy. I believe now, when we have completed the ships on the stocks that have been contracted for, that we shall have at least a sufficient number. I do not believe that we are justified in going on and increasing our Navy until we shall increase the taxes in such a way that they will become a great burden upon the people.

The PRESIDENT pro tempore. The Senator will please suspend for one moment while the Chair lays before the Senate the unfinished business, the title of which will be stated.

The SECRETARY. A bill (S. 2259) to regulate shipping in trade between ports in the United States and ports or places in the Philippine Archipelago, between ports or places in the Philippine Archipelago, and for other purposes.

Mr. HALE. I ask unanimous consent that that bill be informally laid aside, and that the consideration of the naval appropriation bill be proceeded with.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that the unfinished business may be informally laid aside, and that the Senate continue the consideration of the naval appropriation bill. Is there objection? The Chair hears none, and it is so ordered.

Mr. TELLER. Mr. President, I saw in a reputable newspaper either yesterday or this morning that the American people ought to demand a navy second to no navy in the world. The American people have been demanding of their legislative representatives a reputable and respectable navy, and I do not know but what that fever may attack the American people—the idea that we must have a navy as big as that of any other country.

I do not know now but what the American people would agree, if they had an opportunity for passing upon the question, that the present Navy is not big enough. But, Mr. President, I know no way of taking the expression of the American people on this subject, and so I must rely upon my own judgment. I myself can not see anywhere signs of impending trouble which require such a great navy as it is apparently the policy to build. This bill, carrying an appropriation of almost $67,000,000, is nearly one-seventh of the estimated the expected revenues of this Government for the fiscal year for which this appropriation is made. It is too large by a considerable sum, having reference to our expected revenues. When the ships for which we have already contracted are completed, our expenditures yearly must be much greater than they now are. I understand it will take between eighty and one hundred million dollars to complete the contracts already made, and it will take at least $120,000,000 next year to maintain the American Navy and provide for the carrying out of contracts which will then be existing if this bill becomes a law.

I listened with great interest to the remarks of the chairman of the Committee on Naval Affairs [Mr. HALE]. I am sure nobody can question his interest in the American Navy. I believe that he sounded a proper warning to the American people when he stated that we had reached a point where we ought at least to halt and consider.

Mr. President, I am not going to vote for this great appropriation, and I presume I shall therefore be classed among those who are not in favor of the American Navy. Against that imputation I will place the votes that I have cast in this body during the last twenty-five years. Because I have been in favor of a respectable navy, a proper navy, it does not follow that I am to take the opinion of any commodore or admiral or anybody in the Navy Department as to what should be the size of the Navy. We are legislating with reference to the Navy, and have been for years in this body as to the character of the ships and the number of ships on information we have received from the Navy Department.

Mr. President, I am one of those who believe that we are sent here to legislate not upon their judgment, but upon our own. While I may not know how to build a ship, or what is the best type of ship to be built, I am as well qualified—or else I have been misrepresented—as any man in the Navy Department to determine these questions, and I do not intend they shall determine them for me.

Mr. President no one can tell what the development may bring on in the naval fighting world will demonstrate. So far as it has gone, I think, it demonstrates, Mr. President, that great battle ships are perhaps not so valuable as the world for many years past has believed, and that another and entirely different type of ship may be more dangerous to an enemy and more beneficial to the nation making the inquiry.

I have not been very much interested in the development of the submarine ships. I will admit that it is still an open question whether or not they will be a success; but I believe it would be very much easier for the Government of the United States if we would stop out the production of battle ships, and put out so many submarines, and turn our attention to the development of the submarine type of vessel, for which money is appropriated by the bill. If I had my way, if I could control it, I would provide that the Navy Department should not build any more battle ships for a number of years, and put them on the shelf for us to see in a few years what they are able to do with them and what we are able to do with them.

Mr. President, having said that much I am ready, so far as I am concerned, to vote on the bill.

Mr. BACON. Mr. President, there are two or three things which I desire to have noted before we pass from the consideration of this bill.

I will not enter into any general discussion of the Philippine question, which has indirectly been brought into consideration by reason of its influence upon the appropriations for the naval establishment, but I very much hope that the anticipations of the junior Senator from Colorado [Mr. PATTERSON] may not be re-

alized. I trust that the time will come when, for one reason or another, the United States will cease to exercise sovereignty in the Philippine Islands. I am impelled to that hope by two very different reasons. I hope in the course of time the conscience, if I may so speak, of the American people will urge that as a course which I think is the proper course—the granting of self-government to the people of the Philippine Islands.

I think possibly a stronger reason will be that the time may not be far distant when the American people will come to a realization of the fact that the retention of the Philippine Islands is not a paying investment from the standpoint of dollars and cents, and I think that this debate and the disclosure of the enormous money expenditure which we have made and must continue to make on their account will have some influence in arousing public attention to the question whether or not it is a paying investment, the more particularly when experience shows, as it surely will, that no commerce which it is possible for us to have with those islands can ever amount to as much, or even nearly as much, as they will cost us every year. But I can not stop to elaborate and demonstrate that now, as easily as I think it can be done to the satisfaction of any unprejudiced and impartial person.

Mr. PATTERSON. Mr. President, just one word, if it will not interrupt the Senator.

The PRESIDENT pro tempore. Does the Senator from Georgia yield to the Senator from Colorado?

Mr. BACON. Yes.

Mr. PATTERSON. I want to say, Mr. President, that I share in the hope of the Senator from Georgia that the conscience of the American people will be so aroused as that what I have suggested shall not in fact occur, but I fear and believe to the contrary.

Mr. BACON. The Senator will note that my hope is based upon both the conscience and the interest of the people of the United States, and I strongly hope that the former may be greatly quickened by the latter.

I was about to say, Mr. President, when the Senator asked leave to interrupt me, that I hope this debate will arouse to some extent the attention of the people of the United States and contribute to the conviction of the unprofitableness of the Philippines as an investment, and I think the statement of the Senator from Maine [Mr. HALE], the chairman of the Committee on Naval Affairs, with reference to the influence which the retention of the Philippine Islands has upon the magnitude of naval expenditures, is a most important contribution to the information which it is necessary that the people of the United States should have upon this subject.

I very much regret that the very interesting and instructive speech of the Senator from Maine has not yet appeared in the RECORD, and for this reason I am compelled to refer to it simply from memory of some important statements made by him.

Mr. HALE. I will say to the Senator that I felt very mortified myself when I came to look at the notes to find how long my speech was. It was a longer speech than I ever before made in the Senate, and much longer than I ever shall make hereafter. It was so covered by interruptions, which were pertinent and just, and so many tables had to be adjusted, that I never got any opportunity—as I have been managing this bill—to look at it until yesterday. That is the reason it has not been published.

Mr. BACON. I am simply expressing my regret, because it was an exceedingly interesting speech and I should have been very glad to have looked it over carefully in print; but as I have not had as yet that opportunity, I will state, if I remember correctly, that the Senator from Maine, in response to an inquiry made by myself in a colloquy which he kindly permitted while he was on the floor, stated the fact that it was the retention of the Philippine Islands—the fact that because we were in possession of the Philippine Islands, and in consequence that the duty devolved upon us the duty and necessity of defending them and of being prepared for their defense—that that fact alone created the necessity now for an increase in the Navy. In other words, that but for the necessities and duties imposed upon us by the possession of the Philippines, our present Navy, as considerably increased under construction, would be adequate for our needs, and that the vast expenditure which we must make in continuing to increase our Navy must be charged up to the account of our possession of the Philippines. I say that is a most important contribution, Mr. President, to the question whether the Philippines are or can be a paying investment on the part of the United States, and one about the correctness of which there can be, I presume, no possible doubt. To that great annual expense, not only in building but maintaining a great navy, must be added an annual expense, even as now reduced, of not less than $[illegible] on account of the army we maintain in the Philippines, to say nothing of at least $500,000,000 we have already expended to maintain our sovereignty over them.

I do not propose to pursue the question which has been discussed here, it is true, only partially, but still with very much interest, as to the attitude which the people of this country will bear toward the Philippine Islands. I wish, however, to put in the RECORD in this connection what I consider to be a very valuable expression in relative thereto which was recently made by the distinguished senior Senator from Vermont [Mr. PROCTOR]. I will premise by saying that the utterance of the Senator, which I am about to read, and also that which has fallen to-day from the Senator from Wisconsin [Mr. SPOONER], have inspired me with renewed hope that we are not always to continue upon a policy which I conceive to be inconsistent with the traditions and principles of our Government, and which, I am thoroughly convinced, will not prove to our advantage from a commercial, political, social, or military standpoint.

The Washington Post of October 13, 1903, contained an extract from a speech made by the Senator from Vermont at a reunion of the "Association of the Vermont Civil War Officers" in the preceding week which I am very glad to have the opportunity now to read, in order that it may go into the RECORD as a most important contribution to the thought of the country at this time and, as I think, a very high tribute to the Senator who uttered it. I would particularly ask that the reasons for the faith of the Senator be marked, and I will particularly emphasize the fact that the reasons which he gives are equally as gratifying to me as the conclusions to which he comes.

The speech, the extract from which is found in this excerpt from the Washington Post, is as follows:

> The government of a people or a country by another people or country not contiguous is, at the best, experimental and temporary. Such a condition may last a long time, but it can not be permanent. With training and [illegible] human nature of the people to wish to govern themselves [illegible] We shall make some mistakes, of course, [illegible] but I believe we shall be able to carry ourselves true to the principles [illegible] We shall be our own judges in the premises. If I [illegible] the future people of the American [illegible] I would be a lifelong [illegible] the northern [illegible] reason it [illegible] Africa [illegible] the latter in God's good time. Franklin said in [illegible] he was wise man. But the other [illegible] the Atlantic, west to the Pacific and south by the Rio Grande and the Gulf. And within these boundaries may the historic Government of our country remain, its executive, legislative, and judiciary, and the voting population that makes that Government.

I alluded to the Philippine question more for the purpose of reading that extract than to express any views in connection therewith, and I shall not pursue it further. When two such leaders as the Senator from Vermont and the Senator from Wisconsin express such views, I refuse to abandon the hope that the day is not far distant when we shall surrender to the Filipinos their sovereignty over their land, and that both on their account and our own as well.

Mr. President, I wish to say a word about the provision in this bill for the purchase of armor plate. I will premise what I have to say by reading the provision in the bill, which is the last one found in it:

> Armor and armament: To enable the Secretary of the Navy to contract for armament and armor of domestic manufacture [illegible] vessels herein authorized, [illegible]
>
> The Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels herein authorized at such prices as in his judgment is just and reasonable.

Mr. ALLISON. "Herein authorized?"

Mr. BACON. "Herein authorized." I will read it again.

Mr. HALE. The appropriation precedes.

Mr. BACON. The appropriation of $12,000,000 for armor and armament precedes. The words "herein authorized" do not occur there; but in the subsequent clause of the sentence in the same paragraph the words "herein authorized" do occur, which relate exclusively to the contract to be made for armor:

> The Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels herein authorized, at such prices as in his judgment is just and reasonable.

Mr. President, I have no hope, in anything I may say, to affect the action of the Senate upon this provision; but I have two purposes in view in calling the attention of the Senate to it. One is it is possible that the consideration of the fact that there is at least still some attention paid to the proposition, that there are still some protesting, may have some influence upon these armor-plate factories in the price which they shall fix and exact from the Government, because at last that is what it means. They fix and exact what they please. There may be some benefit in calling attention to it, which, of course, there will be none as to any influence upon the vote of the Senate.

The other consideration which moves me to say anything on the subject is to call the attention of the Senate and the country to the fact that after one of the most determined contests Congress has ever made with any of those who have contractual relations with the Government, extending over a period of eight years, there has been on the part of Congress the most perfect and complete and unmitigated surrender of its contention.

In 1895 and 1896 I had the honor and the very great pleasure to

serve upon the Naval Committee, of which at that time the present chairman was a most honored member. Although then not its chairman, he was the ranking member next to the chairman, who was Senator Cameron, of Pennsylvania. At that time the attention of the country and of Congress was aroused to what was conceived to be the enormous extortion of the armor-plate manufacturers in dealing with the Government, and thereupon the Naval Committee was instructed by the Senate to make investigation as to whether the armor-plate factories were dealing in good faith and in a good spirit with the United States Government.

A protracted hearing was had before the committee, at all the sittings of which I was present, I think, without exception. There were examined a number of witnesses, naval officers, the former Secretary of the Navy, and the then Secretary of the Navy, and the armor manufacturers themselves, the owners of these great establishments, including Mr. Carnegie in person and the head of the Bethlehem factory, whose name I now do not remember. The testimony taken in that investigation is in print and makes a book of probably one-third, if not a half, the thickness of that [illegible] a copy of the annual report of Secretary of the Navy with accompanying documents, in which the whole thing is gone through with most thoroughly.

Prior to that investigation Secretary of the Navy, who was Mr. [illegible], had himself instituted an investigation in which he [illegible] to be had through experts, including naval [illegible] in the manufacture of armor plate, and he had come to the conclusion, if my memory is not inaccurate, and if it is the Senator from Maine will, I am sure, correct me, that after allowing to the armor-plate manufacturers the most liberal profit $400 per ton was a proper estimate of the amount which should be paid by the United States Government for the armor. If I remember aright, in per cent profit upon the cost as it was then constituted was allowed to these manufacturers, and it included interest on the investment and a most liberal allowance for annual depreciation of the plant. The committee came to the conclusion that $400 was a proper price, and in [illegible] such a provision.

While I have Maine and Bethlehem in mind I am endeavoring to state it from memory to avoid the unnecessary consumption of time. I may not state it correctly, and if I am incorrect I know the Senator from Maine, who is entirely familiar with it, will correct me. If I recollect aright, in the next appropriation bill Congress stood upon the recommendation of the Naval Committee in which it said that $400 was a liberal provision, and it stipulated that in the contracts for armor that amount should not be exceeded. According to my recollection the armor-plate manufacturers refused to make any contracts at that price, and in the next Congress, in order that the ships, the hulls of which had been commenced, might not be unduly delayed, while there was no recession from the position of the Congress as to what was a proper compensation for armor, Congress authorized $400 per ton. It conceded that because compelled to do so, still contending, however, that $400 was a proper amount.

If I am not mistaken, in that debate, either that or the next year, the Senator from Maine himself, while taking a most conservative attitude throughout the debate, which will be remembered by all who were then here, said that these armor-plate manufacturers had taken advantage of the Government and that as soon as they had the opportunity of the Government, constructed there, [illegible] the Government was in their power. To use the language of the Senator, "they had proceeded to put the knife into us."

The extra $100 was allowed that year as a concession rather than [illegible] There was no other establishment in the country which could make the armor [illegible] and prior to that time, the amounts which [illegible] paid [illegible] The plain inference [illegible] Herbert in his report [illegible] which they contended, that their price must be paid or their shops should run and put them to the [illegible].

Mr. President, I am not stating this for the purpose of showing the struggle we have been through, and I am coming to the point where it will be seen how pertinently—and if I did not fear the term might be taken [illegible]—Congress has [illegible]

After various contests had been waged in this Chamber with the utmost earnestness and determination, in 1890 Congress finally came to the conclusion that if the armor-plate manufacturers would not come to terms and if they would not be reasonable the Government would erect a factory; and in that year this provision was put into the bill which passed June 7, 1900, which, I say, was the culmination of the fight.

There is where we came to what we said should be the parting of the ways. There is where we took our stand and said we are not going to be dominated by this great monopolistic concern, and I do not use the word monopolistic in any offensive or abusive sense. I mean simply to express a fact that they did have an absolute, unquestioned monopoly, and that they exacted their own terms from us. In the act of June 7, 1900, there is this provision:

> That the Secretary of the Navy is hereby authorized to procure by contract armor of the best quality for any or all vessels above referred to, provided such contracts can be made at a price which in his judgment is reasonable and [illegible]

That was not a radical condition; that was conservative—

> In case he is unable to make contracts for armor under the above conditions

That is, at a price which is reasonable and equitable—

> he is hereby authorized and directed to purchase a site for and to erect thereon a factory for the manufacture of armor, and the sum of $[illegible] is hereby appropriated toward the erection of said factory

Now, Mr. President, I say that is the last stand we have ever made, and that even after we have [illegible] condition, [illegible] to the question of the price of armor plate.

The fact to which I wish to call the particular attention of the Senate is that, although less than at one time charged, we are now paying the prices which were the cause of the great struggle that the Senate made, and we are now paying the prices which were the cause of the insertion in the appropriation act of 1900 of that provision. In other words, we thought those prices were then such that they were an imposition upon the Government [illegible] on account of them, in order that the Government might be freed from such imposition, we would make a provision for the construction of a factory at the cost of $1,000,000 and with the same [illegible] we have not in the bill any provision under which the Secretary of the Navy would be justified in not contracting for armor at any price which they might seek to impose.

There is nothing in the bill which would [illegible] the Secretary to refuse to contract for the armor even if the prices exacted were nor in his opinion "reasonable and just." There is no condition and no recourse to any precautions for the future protection of the Government even in case the Secretary should [illegible] or Congress conclude that the prices exacted were unreasonable and extortionate. At one former stage in the struggle we did provide a precaution for the protection of the Government in case armor could not be obtained at a reasonable and just price, and in since failing to do so it is an utter, unconditional, abject surrender of the contest which the Senate and the House waged in a most determined manner for five or six years. It was a question who should yield—whether the United States Government should yield and submit to extortionate prices [illegible] who made the armor plate in their factories should themselves yield and make it at reasonable prices. We proposed [illegible] force them to reasonable prices by ourselves constructing [illegible] have absolutely abandoned the contest and without condition we have surrendered at discretion.

Mr. ALLISON. Has the Senator any data which shows the price now paid for armor?

Mr. BACON. Yes, sir; I have it here.

Mr. ALLISON. I would be glad to have the Senator state it.

Mr. BACON. I shall be very glad to state it. I have no information except that which is contained in the report of the Secretary of the Navy. I will state to the Senate before reading this that the price which was [illegible] that which would be satisfactory to it in the year [illegible] year when we put that provision [illegible]

The act of March 3, 1899, [illegible] they would not [illegible] it. [illegible] appropriation act [illegible] we would erect a plant, we would [illegible] rate or we would erect a [illegible] The plain inference [illegible] neighborhood of having a [illegible] between $400 and $500 [illegible] naval [illegible] the manufacturers [illegible] from thousands of Congress [illegible] armor [illegible] at we should leave it absolutely to the Department to determine, and that has been the direction given to it from that day to this.

Congress has ceased to talk about it, has ceased to make any effort about it, and after having for years made the struggle,

after having gotten up to the point where we absolutely appropriated $4,000,000 for the construction of a plant, we have since [illegible] not even say to the Secretary of the Navy [illegible] at last it will be a question how much will these factories [illegible] and extort from the Government of the United States. [illegible] say in that regard we have got to comply [illegible]

Mr. President, I recollect that in that debate it was urged, and I think very truly, that if we put up this plant and were in a position where we could make armor it would be a paying investment [illegible] and of armor.

Mr. SPOONER. Will the Senator allow me to ask him a question?

Mr. BACON. Certainly.

Mr. SPOONER. The Senator stated a few moments ago that we are paying now the price we were paying in 1900 when we incorporated this provision in the law. Does the Senator remember [illegible]

Mr. BACON. I think it was $400 when we incorporated it, if I am not mistaken.

Mr. SPOONER. What is it now?

Mr. BACON. [illegible] the present price. I will ask the Senator from Maine if he can give us the information?

Mr. HALE. It is $398 now.

Mr. PATTERSON. Oh, no.

Mr. BACON. It is not so stated in this book.

Mr. PATTERSON. That was the contract for 6,000 tons with the Midvale Steel Company. At the same time that they let the [illegible] to the Bethlehem and Carnegie Steel Company for $458 [illegible]

Mr. HALE. I was giving the lowest bid.

Mr. PATTERSON. That was the lowest bid. The Midvale Company bid for all of it at $398 and it only got 6,[illegible] [illegible] will permit me, [illegible] exclusive of royalty, for the [illegible] 3.07, making $458. For the [illegible] not paying the royalty. The [illegible] they will pay the royalty themselves. Our [illegible]

[illegible] N. They will pay the royalty, at $398 a ton.

[illegible] That is what they propose doing. They will [illegible] and it will result in a claim [illegible] the royalty on the plate [illegible] Senator from Georgia, because I was a [illegible] with him some five years since——

[illegible] well.

[illegible] £107, [illegible] ns of the [illegible] not supply two battle [illegible] much less we are paying for our [illegible] we would erect a plant, we [illegible] to our authorities [illegible] the manufacturers and our Government, and for that reason they did not exercise the power delegated to them in the act of 1900 to build a $1,000,000 work. It would have required [illegible]

[illegible] has said is in further illustration of the argument I have made as to the surrender of the Senate in that respect, because my recollection is that the Senator from California, who was then, as he states, a member of the committee, was one of the most active members of that committee in the contention that the prices charged were unreasonable.

Mr. PERKINS. I think so, Mr. President, and I would think so yet had I not investigated the matter thoroughly. I went to capitalists. I had a friend go to the Illinois Steel Company, who had a plant ample and sufficient for doing this work. It was proposed informally that they would take a contract from the Government at the rate fixed; but they said, "We have no assurance as to how much we shall get hereafter. The ballistic test of this armor plate is subject to the whims of your naval officers, who may reject it, and hundreds of thousands of dollars' worth be [illegible] armor plates." The last answer to pay friend from Georgia is that capitalists would not build an armor-plate plant to manufacture armor plate for the Government, and therefore until we [illegible]

Mr. BACON. What does the Senator mean by saying that they would [illegible]?

Mr. PERKINS. They declined to do it, because it did not offer them the same inducements that it did to manufacture steel rails and structural steel for buildings, bridges, and other works which require iron and steel. In other words, a manufacturer said to me, "I can make 10 per cent, aye, 20 per cent, more upon manufacturing structural steel for bridges than in making armor plate."

I dislike to interrupt the Senator, and I only interject here in justice to our naval officers, because they believe this price is [illegible] and fair, and judging by what Great Britain pays for [illegible] what Germany pays for the Krupp steel armor plate, and what Russia paid, our Government is doing better today than either of those countries in price.

Mr. BACON. Mr. President, the question as to what is paid by [illegible] for the question. They may be subjected to the same [illegible] that we are. I suppose that when the question comes up with them they point to what we pay here for armor. So this thing is balanced [illegible] one side and then on the other. I do not know what steel costs now——

Mr. SPOONER [illegible]

Mr. BACON. If the Senator will pardon me just a moment——

Mr. SPOONER. I have not interrupted the Senator.

Mr. BACON. I beg pardon. Go ahead.

Mr. SPOONER. No; I am waiting for the Senator to finish [illegible] I only wanted to ask a question for information, [illegible]

Mr. BACON. The Senator is at perfect liberty to interrupt me, and I always yield to him with pleasure. I do not remember [illegible] what the price of steel is now, but I remember [illegible] was made the steel [illegible] was worth $17 a ton, and [illegible] was put through certain processes of manufacture [illegible] they required [illegible] ment. [illegible] in the neighborhood [illegible] of the United States.

Mr. SPOONER rose.

Mr. BACON. Now, in that connection [illegible] mit me. I will say that a ton of steel [illegible] desks. If I [illegible] hear the Senator from Wisconsin.

Mr. SPOONER. The Senator will allow me just a question for information. I advocated the incorporation in that law of the [illegible] at which was [illegible] the last armor plate after the [illegible] of the law which [illegible]

Mr. BACON. I do not [illegible] later [illegible] to [illegible] of the [illegible] that we [illegible] I do not recollect the fact that [illegible] to the discretion of the Department. I remember that the contention was that the [illegible] in turning the matter over to the [illegible] officer, reserving only to Congress the [illegible] ating whatever money this officer and the manufacturers agreed upon.

That view prevailed, and that was the last of it. That is what I say was the surrender. And from that day to this there has never been a condition in the appropriation; from that day to this Congress has virtually put it away from itself and said it would not consider the question, involving [illegible] whether the price was right or wrong, but would leave it to the Department.

I do not see how under the phraseology of this bill the Secretary of the Navy has any discretion whatever. He is not even vested with the discretion to take it or not as he may consider the price "reasonable and just." But it is said that he must get it at

prices reasonable and just. What is the effect if a price is named to him which he thinks is above that which is reasonable? Is he authorized in this bill to reject it? We have no alternative——

Mr. SPOONER. What would happen if he did reject it?

Mr. BACON. Of course the ships would rust and rot on the stays. That is exactly the point I am after. I say that in making a provision of that kind we have surrendered all possible control over the prices which shall be asked, and it is simply a question as to how much they will exact. If we had a provision here such as was in the act of 1900, then, even if we went forward and paid the prices, there would be that restricting influence which would lie in the hands of the Secretary to bring these people to the proper figure. And if it did not have that influence we would only continue to submit to unreasonable prices during the time which would intervene until the Government could erect a plant to manufacture armor.

I shall vote for the amendment offered by the Senator from Colorado if I have the opportunity to do so, because I believe it should be the policy of this Government, if it did not make a pound of armor plate, to be in a position to make it if proper prices are not granted by those who now have the exclusive power and opportunity.

Now, I wish to ask the Senator from Maine one question, simply for information. I do not know how to regard it. I have here a compilation of the annual naval appropriation laws from 1883 to 1903. I find in each act a certain amount appropriated, and I am unable to determine from the phraseology of these acts whether the total aggregate amount named in these various acts is the amount which has been appropriated, or whether it is true that in some instances the appropriations were not used and were covered back into the Treasury, and for that reason the appropriation had to be again made. I am unable to tell, and I should like to know for my own information which is the case.

Mr. HALE. There may have been cases where comparatively small amounts have been turned in, but generally speaking, the appropriations found in these different acts are the amounts which have been expended in after years by the Department upon those ships. The turning into the Treasury does not cut very much figure.

Mr. BACON. That being the case, I wish to read in this connection the appropriations which we have made for armor. I will state that in the last appropriation bill I think it covered armor and armament, but in previous ones, certainly in most, if not all, the appropriations are for armor only.

In 1897 the appropriation for armor was $2,407,500; in 1898, $2,052,800; in 1899, $4,000,000; in 1900, $4,000,000; in 1901, $4,000,000; in 1902, $9,000,000; in 1903, $10,000,000, and the present bill carries $12,000,000. I was uncertain whether those were each independent appropriations or whether there were some appropriations not used which had been covered in and again appropriated.

Mr. HALE. The large increase, and of course the Senator sees——

Mr. BACON. I beg the Senator's pardon for a moment. I am told by the Senator from Colorado that I said the present provision is for armor alone. I certainly did not mean that. It is for armor and armor plate.

Mr. HALE. The large increase has come, as the Senator can readily see, from the fact that it is only within the last very few years that we have been confronted with an exceedingly large programme each year.

Mr. BACON. I understand that.

Mr. HALE. The appropriations next year for this kind of work will be larger than this year, because the programme last year was exceedingly large, and the appropriation that will be needed to carry it out will, as I said in the remarks I made in presenting this bill, be more the second year than the first. After that they begin to diminish, and if we do not keep on with a very great programme they will gradually wind themselves up, so that there will not be these very large appropriations for continuing work.

Mr. BACON. Yes.

Mr. HALE. But that is why the figures the Senator read show so very largely in the last two or three years.

Mr. BACON. Undoubtedly. I appreciate the fact.

Mr. President, I desire to say one word, in reply to the Senator from California, as to whether or not these are reasonable prices. When I call attention to the fact that a ton of steel costing $17 is by processes purely of manipulation—of course there are some face hardenings, etc., which might be classified otherwise, but with that exception it is nothing in the wide world but shaping the iron—converted into a plate the size of the desk at which the clerks sit, and the $17 of material is converted into the neighborhood of $500 in value, it seems to carry a great deal with it in the way of conclusion as to whether or not that is a reasonable price; but still such a presentation might be regarded as the statement of one who knows nothing about it.

But what I wish to call attention to, in answer to the Senator from California as to whether or not this is a proper price, is the testimony read here to-day from Mr. Cramp. Does anybody contend that Mr. Cramp does not know what he is talking about? Does anybody doubt that Mr. Cramp knows the value of this process and whether it is true that the conversion of steel at $17 a ton into $450 or $500 steel allows a reasonable profit?

Does anybody doubt whether Mr. Cramp knows it or not? And yet what does Mr. Cramp say; and I will put what he says against all that may be done by other governments in payment for armor plate. Mr. Cramp says that if you will let him have the profit on the armor plate made by the manufacture of armor out of the Government he will furnish the armor plate at no profit. Who is to answer that statement; and who is to doubt, after that statement, that the price is exorbitant and extortionate unless you can convict Mr. Cramp of insincerity when he makes it?

Mr. PERKINS. As the question is propounded to me in a measure, I should like to answer it by saying that actions speak louder than words. Mr. Cramp has the privilege of taking a contract to manufacture armor plate—no one has any exclusive right or copyright upon it—if he pays the royalty to Krupp or for the harveyized process. Mr. Cramp has built a great many ships for the Government. We have paid that firm, through the votes of my friend from Connecticut [Mr. BULKELEY], and others, a large bonus for increasing the speed of ships which he has built for the Government under contract. He has performed the work well and faithfully. I have no criticism whatever to make. I say when Mr. Cramp comes here and says, "I can do so and so for such a price," why does he not do it? He can have the profit upon the vessel.

I want to ask my friend, as he dwells with such emphasis upon the large amount we appropriate for the armor for these ships, if he can tell me the number of tons that a battle ship has of this harveyized armor.

Mr. BACON. I can not. I possibly might have done so when I was on the Naval Committee, but my attention is not now on such matters, and I do not recall.

Mr. PERKINS. The armor on the *Kentucky* amounts to 2,[illegible] tons; on the *Oregon*, to 2,756 tons; on the first-class cruiser *Tennessee*, to 2,190 tons; on the second-class cruiser *Maryland*, to 1,908 tons. If we build these vessels and are to make them available, we must have the armor plate to protect them. It is therefore necessary that we should make this appropriation for these [illegible].

I am not setting up my judgment against that of experts, but the question was asked by my friend why the $17 a ton steel, by a little manipulation, by running it through [illegible] and the rolling mill, is sold for $400. He stated $500, but we have not paid to exceed four hundred or four hundred and twenty dollars for Krupp and four hundred for the harveyized. I may say that same ingot of steel, selling for $18 a ton, when manufactured into knife blades and razors would be worth $5,000 a ton.

Mr. BACON. I understand that.

Mr. PERKINS. Manufactured into watch springs it would be worth $20,000 a ton.

But that does not apply to this case. The question here is what will private capital do? Will my friend the Senator from Georgia, associated with capitalists, build works and furnish this Government twenty or thirty thousand tons of armor plate per annum? That is business, and that is what we have been trying to do. It was true when he was on the committee.

I have said what I have about this matter in justice to the Navy Department. It requires no defense. Compare the price we pay with the price Great Britain is paying the great Armstrong Manufacturing Company. They pay £107 for the harveyized steel and £117 per ton for the Krupp steel.

Mr. BACON. I hope when the Senator makes a point he will permit me to answer it, and then make another. I can not answer a dozen at one time.

Mr. PERKINS. I thought the Senator was through. He addressed his question to me. We have the same object in view. We want to do the best we can for our Government, for we are stockholders in this great Government.

As I have stated before, we devoted days and weeks and months to investigating this question. With the mere building of a $4,000,000 plant, you have just commenced your work. You have to have $2,000,000 worth of iron and steel on hand before you commence your work.

We can manufacture some kind of materials, where we have our navy-yards and have our gun factories, as cheaply, perhaps, and more cheaply even than private concerns; but the manufacture of armor plate is a specialty in itself, and, as I stated before, only about 34 per cent of each ingot of steel is used for the armor plate. Actual experience has demonstrated that it will not stand the ballistic test if they use the whole ingot of steel. That is one

reason which brought the Navy Department to the determination that the price of $400 per ton of 2,240 pounds for this armor is reasonable and just and fair.

Mr. BACON. Of course, Mr. President, it is no answer to the argument to say that because a ton of steel worked up into watch springs [illegible] a hundred-dollar sum, therefore a ton of steel the size of this desk, when put into different shape, is worth some twenty-five or thirty times what it was in the original shape. That is the thing—that without a change in the character of the material, except as to face hardening simply putting it into a different [illegible] value [illegible] over. I say that [illegible] a ton of steel, when worked into watch [illegible] is of [illegible] value, can not be used as an argument [illegible] the proposition that the iron, when put into [illegible], is worth [illegible] five to thirty times as much as it was [illegible].

[illegible] tion, the Senator seeks to get away from it upon the [illegible] that if it is so profitable Mr. Cramp has [illegible] put up a plant if he wishes to do so. [illegible] It takes a large amount of money, several million dollars, to build one of these plants, and while Mr. Cramp could command that amount of money without any trouble, he does not desire to put up a plant at that cost which would [illegible] him into ruinous competition with [illegible] who, by reason of the fact that [illegible] money for fifteen years, have already paid for their plant and [illegible] drive any body out of the business [illegible] to compete with them, but [illegible] have no competition, can thus exact from [illegible] fit of this immense amount, as stated by Mr. Cramp—so great that he, a shipbuilder, knowing all about shipbuilding, and [illegible] knowing just as [illegible] about armor plate, says that if he could make the profit on the armor plate [illegible] the ship he would agree to make the ship for the Government without a cent [illegible].

Mr. PERKINS. I am [illegible], as the Senator from California [illegible] seem to [illegible], proposing to refuse to give this money for the armor plate. We are in a position where we are compelled to do it. But what I am contending for is that we should get into a position where we will not be compelled to do it hereafter.

I am very much impressed, as I stated the other day, with the suggestion of [illegible] from Maine that we ought, as we have to go to this immense expense in the building of war vessels, to look to the construction of ships which, while their efficiency and fighting power shall not be impaired, shall be of [illegible].

The Senator from Maine says that a ship of a certain class—I have forgotten the type he mentioned—can be constructed for $5,000,000, which, while it may not be so luxurious in its appointments, will have all the fighting qualities of the ship which by this bill is to cost $8,000,000. I do hope the time is at hand, if we can not do it in this bill, when in the future we will recognize [illegible] expense amount, [illegible] amount, that is now being expended upon our naval construction, and that attention will be given most closely to the suggestion of the Senator from Maine, that, so far as we can without impairing the fighting qualities we will endeavor to decrease the cost of the ships.

There is one thing which [illegible] to my mind a greater realization of the cost of a battle ship than anything else that has been [illegible]. We all know the magnificent building across the Capitol grounds, the Congressional Library, upon which this Government spared not a dollar to construct the most magnificent building of the kind in the whole world. It covers four acres of ground. It is a great palace worthy of the thrice worthy purpose for which it was designed. It is a triumph of architecture; it is a triumph in decoration; it is a triumph in everything which makes it the admiration not only of this country, but of all foreigners who come here; and yet it is a fact that that magnificent building, the triumph of art, the subject of lavish and unstinted expenditure, this pride of the country, did not cost [illegible], which one ball may send to the bottom of the ocean.

Not only so, but it did not cost as much as the battle ship contemplated by the Senator from Maine—the $5,000,000 battle ship—for if I correctly recollect the cost of the Library it was something under $5,000,000.

Mr. CULLOM. Six million dollars.

Mr. HALE. About six million.

Mr. BACON. Very well. I stand corrected as to that. It certainly did not cost as much as the battle ship provided for in this bill, by [illegible].

We look at figures upon a paper and we see $5,000,000 and $8,000,000 and a hundred million dollars and we hardly have any realization of what it means, but there is an object lesson for all men to look at and realize that that great Library, upon which there was no stint of expenditure, did not cost within $2,000,000 of what the one battle ship provided for in this bill will cost.

Mr. President, much as I regret and deprecate this enormous expenditure, I am going to vote for this bill. I intend to vote for it because we are put in a position where we can not do otherwise. If it were an original proposition and our situation in the Far East were different, I would seek to have the bill cut down, so far as I might have any influence to accomplish that end. But the ships which have already been provided for to meet the necessities growing out of our possession of the Philippines must be constructed and the armor must be provided, and the only office of any value that this debate can accomplish is not in cutting down this appropriation, but is in bringing home to the Congress and to the people of the United States the realization that we have already spent $300,000,000 for the privilege of holding the Philippines, and that in the increased size of our Navy made necessary thereby and in the expense of Army and Navy required on account of the Philippines we are to spend from seventy-five to a hundred millions of dollars a year, and, further, in impressing upon Congress the great necessity of bringing future appropriations within the lowest practicable limit.

Sir, take the army bill of seventy-odd million dollars and the naval bill of ninety-odd million dollars, making about a hundred and seventy million dollars for this year, and let any Senator here calculate what is the amount of money which the people of a single State pay as their part of that enormous bill for the army and navy establishment. If I am not mistaken in the calculation, [illegible] the population of his State, and when he has doubled it he will find about the number of dollars that his State is paying toward this army bill and the navy bill. The State of Georgia and the State of Iowa each has about two and one-half [illegible] inhabitants. Upon this navy bill and the army bill for this year Georgia is to follow the people of Iowa will pay about [illegible], and upon these same two bills for this year the people of Georgia will also pay about $5,000,000.

And a State which has 4,000,000 inhabitants will find itself paying about $8,000,000 of this money. And so as to the people of other States according to population. Federal taxation is paid on the assumption of the people, and the amount gotten from the people of each State is about in the proportion of population. We get our money for the Government in a way that our people do not realize that they are paying it, but it is all folly to contend or think for a moment that it does not come out of the pockets of the people just as certainly as if a man put his hand in his pocket and took out the dollars. The money spent by the Government does not drop from the skies. It is not given to us. It is not found by the roadside. It is the product of the labor and the toil of the people of this country, and we are just that much poorer when that money is paid.

If that be not true, why should there be any consideration of economy in the public expenditure? If the people do not pay the money spent by the Government, why should we care how much money we appropriate here? The safeguard against public extravagance and waste is the realization by the people that they furnish the money that the Government expends.

Mr. President, I am sure there is no one in this Chamber who is more impressed with the necessity and the importance of the view which I have endeavored to express than the honorable Senator from Maine. There is no Senator who stands in a greater degree the confidence of the Senate and of the country for his personal conservatism and good judgment, and I believe that in the future there will be an earnest effort upon the part of the Senator from Maine and of the honorable committee over which he presides to keep down such expenditures for naval construction as we shall be able in the future as we must have this year.

Mr. ALLISON. Mr. President, I wish to say only a word or two in relation to this amendment. I understood the Senator from Colorado [Mr. PATTERSON] during the reading to say to him that as I understood the purport of this particular paragraph, which appropriates for armor and armament, it was not intended to apply to the appropriation bill now under consideration. Afterwards, in commenting upon what I stated, he said that the Secretary of the Navy would be guilty of a palpable violation of the law if he used any portion of this money for any other purpose than that of construction under this bill.

If I can have the attention of the Senator from Colorado, I think I can show him that this provision for armor and armament does not only apply to this bill, but it applies to all the ships that are now under consideration, and that it is nothing more or less than a general appropriation for the purposes of armor and armament.

In the first place, it would be folly to put this provision in the pending bill if it was intended to apply only to ships authorized by this bill. It has been stated here over and over again, and it is well known to us all, that, especially as respects battle ships, it requires four or five years for their completion, and as to even the armored cruisers, they require two or three years for completion. And yet, under the construction put upon this paragraph by the Senator from Colorado, here is $12,000,000 for armor and

armament, and only armor and armament for the ships provided for in this bill. There is only one battle ship provided for in this bill. The armor and armament for that battle ship will cost about $3,000,000. The armor and armament for the cruisers will cost less than $1,000,000 apiece. And yet the Senator from Colorado tells us that not one cent of this money can be used except for the ships authorized in this bill.

I want the Senator to understand that these bills are not constructed upon that idea at all. They are constructed with reference not only to the ships which are authorized in the bill, but as to ships which have been hitherto authorized and are in the course of construction.

Mr. PATTERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Colorado?

Mr. ALLISON. I yield.

Mr. PATTERSON. Mr. President, I want to say to the Senator from Iowa that, if I recall the details of the cost of the different parts of battle ships and armored cruisers, the armor for the battle ships and armored cruisers costs about the same—there is very little difference—and that the cost of the armor for each is but a small amount under $2,000,000. The armor alone for the three vessels which are to be armored will cost in the neighborhood of $6,000,000. How much the armament will cost I do not know. I have not informed myself as to what is the cost of those great guns and other guns, but I would assume that they would cost about the same amount.

Mr. ALLISON. Mr. President, I understand that the expenditure for the armor and armament of those great ships represents about 40 per cent of the total cost of construction. In his elaborate and most excellent discussion of this question, for which I as one Senator want to thank the Senator from Maine [Mr. HALE] for giving us all the information in detail with respect to the present condition of our Navy, the Senator stated that one of these 16,000-ton battle ships would cost, in round numbers, about $7,750,000.

Then there is appropriated in this bill for the construction of hulls, outfits, and machinery of vessels, etc., $19,826,860. Is it possible that the construction and machinery of those ships authorized in this bill will cost, in round numbers, $19,000,000? And yet, if the construction which the Senator from Colorado [Mr. PATTERSON] puts upon those paragraphs taken together, or if even the construction put upon these paragraphs by the Senator from Georgia [Mr. BACON] were proper it means that we have appropriated here, in round numbers, $31,000,000 for the building of one battle ship, two cruisers, and some torpedo boats. I do not for one want it to go out unchallenged that we have made these extraordinary appropriations for those purposes in this bill.

Mr. PATTERSON. Mr. President, the fact is that for the battle ships and the armored cruisers, for the hull and machinery, for everything except armor and armament, there is appropriated $[illegible]. The cost of the armor and armament, which will amount to $3,600,000 for each, must be paid for the armor and armament.

Mr. ALLISON. We shall see about that. I call attention to the first paragraph here of the appropriation.

To carry out the purpose aforesaid—

That is, the construction of the ships which we have authorized—the sum of $[illegible] is hereby appropriated out of any money in the Treasury not [illegible]

That [illegible] marine torpedo boats, etc., which are provided for here. Then comes the [illegible]

[illegible]

Which of course relates [illegible] this bill but to other bills—there is appropriated—

[illegible]

The next provision is on page 76, line 15.

Armor and armament [illegible] and armor of domestic manufacture [illegible]

My contention is [illegible] it is susceptible of absolute demonstration—that this phraseology applies not only to the ships here authorized, but also to the ships heretofore authorized. Otherwise the appropriation is largely beyond what is needed; and not only largely beyond what is needed, but it is an appropriation for armor and armament for ships [illegible] least three years [illegible] appropriation can be used in any way.

Mr. BACON. Will the Senator pardon me a moment?

Mr. ALLISON. Yes, sir.

Mr. BACON. I call his attention to the provision in the law of March 3, 1903, which I have before me, in which there is similar language, which I shall now read to the Senator.

Mr. ALLISON. I have the act before me and was about to call attention to it.

Mr. BACON. Under the head of "Construction and machinery" there is this language:

Construction and machinery, on account of the hulls and outfits of vessels and steam machinery of vessels heretofore authorized, $15,025,833.

If I understand the Senator correctly, his proposition is that that appropriation is intended to cover the amount of expenditure which will be anticipated for that particular year on the ships then under construction. Am I right in that?

Mr. ALLISON. On all of the ships under construction.

Mr. BACON. In other words, that that expenditure is not intended for the particular ships authorized in this bill, but it is for the expenditure which it is anticipated will be required in the progress of construction of that year, the next sentence, under the head of "Armor and armament," using this language:

Toward the armament and armor, of domestic manufacture, for the vessels authorized, $10,000,000.

The Senator understands that also to make provision for the appropriation for the amount which the armor and armament required for that year will cost.

Mr. ALLISON. For the amount necessary for all naval purposes [illegible] armor and armament expended or to be expended during the year.

Mr. BACON. Yes.

Mr. ALLISON. That is exactly what this bill provides for. I do not know why the phraseology was changed. Hitherto, until last year, the bill provided not only for the ships heretofore authorized, but for the ships herein authorized. Then, going further back—I have the statutes before me—the laws making the appropriations provided for expenditures under several laws [naming them].

Mr. BACON. That is true. I have several of them here [naming the years].

Mr. ALLISON. Yes; and now for convenience in phraseology there is no doubt but that the [illegible] language; that is, for all ships authorized, [illegible] so many million dollars are appropriated.

I [illegible] that there may be no mistake about it, let us go back to the law of 1902, which I have here, wherein we authorized the construction of several ships and the appropriation [illegible] another year it was [illegible] were intended to cover the estimates of expenditure. The criticism I make on the observation of the Senator from Colorado is that he insists that this money can not be used except for the purposes authorized in this bill.

I object to the statement going to the country, as a matter of [illegible] sed during the next year for ships necessary in the course of construction, for if those ships in the course of construction have not had a sufficient amount appropriated to finish their armament, and if they do not get it here, they do not get it at all. So I object to the amendment of the Senator from Colorado diverting this appropriation from its purpose and intent, which is to allow the ships now under construction to be carried forward, and not to stop their construction and use $4,000,000 of [illegible] the purpose of building an armor plant. If [illegible] —and I do not [illegible] a Government plant for armor construction, let him do as we did in 1900 and also in 1893.

We did not then interfere with the construction of [illegible] contracted for, but we provided that there should be appropriated for the building of an armor plant the sum [illegible] provided for it in 1900. I remember very well [illegible] cupy a moment to state my recollection [illegible] we had a debate here, both in 1900 and in 1899, [illegible] many days, under the leadership of an active member [illegible] the Navy should not contract for armor plate at a price [illegible] than $300 a ton. The provision was added to the appropriation for building an armor plant.

Mr. BACON. I hope the Senator will permit me to correct him.

Mr. ALLISON. [illegible]

Mr. BACON. I have the act before me. It did not in that case limit the amount to be paid for armor to $300 a ton. The act is found in Senate Document No. 100, which I have here, on page 332. The proviso is as follows:

Provided, That the Secretary of the Navy is hereby [illegible] [illegible]

I simply interrupted the Senator to show that in that year there was not a limitation of $300 per ton; but there was the year before.

Mr. ALLISON. The Senator and I have different years in view. I have before me the law of March 3, 1899, which contained the appropriations for the fiscal year 1900. I will read it.

Mr. PATTERSON. Will the Senator permit me to interrupt him?

Mr. BACON. I misunderstood the law to which the Senator referred.

Mr. ALLISON. I yield to the Senator from Colorado.

Mr. PATTERSON. I infer from what the Senator from Iowa has said that if my amendment was in different shape, if it was so framed as not to impinge upon the $12,000,000 appropriated, he would probably favor the construction and ownership of an armor-plate factory by the Government of the United States.

Mr. ALLISON. Mr. President——

Mr. PATTERSON. I was going to say, Mr. President——

Mr. ALLISON. I hope the Senator will not infer from anything I have said that I propose in advance to say what particular amendment I shall vote for. I only stated to the Senator that I would not discuss that question, and I was endeavoring to speak historically on the subject of the statutes having reference to this subject. So it is not necessary for the Senator to spend much time on that matter.

Mr. PATTERSON. I was going to say that it will gratify me if the Senator from Iowa will induce the Senator from Maine not to make a point of order against the amendment I offered, and I will substitute the following:

But in case he is unable to make contracts for armor under the above con- [illegible] th [illegible] hereby appro- [illegible] said factory.

Mr. HALE. If the Senator will consent to take a vote on that amendment now, and the Senate will consent, I shall not make the point of order against it. I will risk it with the Senate.

Mr. PATTERSON. Yes.

Mr. HALE. The Senator may change his amendment as he proposes, and I shall not make the point of order if we can have a vote upon it at once.

Mr. PATTERSON. That would be rather unceremoniously disposing of the Senator from Iowa.

Mr. HALE. I will leave that to his discretion.

Mr. ALLISON. I will exercise it by [illegible] my observations.

[illegible]

I only wanted to call attention to this particular subject, so that the Senator from Colorado, who is usually accurate, will not be misled. I want to say one other thing, as we are about to have a vote, which, I understand, is to take place when I have concluded my remarks.

Mr. HALE. I hope so.

Mr. ALLISON. The next year—and I only want to speak of history as it existed at the time—we came back here and had a new struggle on the question of armor plate.

While Mr. Herbert was Secretary of the Navy—and I have some recollection about the subject, because the naval appropriation bill was then in the hands of the Committee on Appropriations—Mr. Herbert stated that he was willing to pay $400 per ton for armor plate. It was after the debates on that question that discretion was given the then Secretary of the Navy in 1900, who was Mr. Long.

I want to say just a few words more on this subject. I have been confused somewhat, as other Senators have been confused perhaps, as to the precise situation of the Navy. I listened most attentively and most carefully to the Senator from Maine, who gave us the information we all needed upon that subject; but before hearing him I had made a request of the Secretary of the Navy for information in regard to two matters which troubled me in the examination of these reports. The first was how many vessels had been completed since 1884, when the new Navy was begun, and how many were in course of completion, the cost of those completed, and the cost of those still uncompleted, including armor and armament. I received from the Secretary of the Navy a reply upon that subject. I shall not stop to read it. I ask that it may be printed as part of my remarks.

The PRESIDENT pro tempore. In the absence of objection, it will be so ordered.

The letter referred to is as follows:

NAVY DEPARTMENT,
Washington, March 5, 1904.

Sir: In reply to your [illegible] what [illegible] counts containing the desired data.

The only vessels authorized and not yet contracted for, except those built or building by the Government, are gunboat No. 16, authorized by act of May 4, 1898, with a limit of cost of $200,000, and submarine torpedo boats authorized by act of March 3, 1903, with a limit of cost of $800,000.

Very respectfully,

W. H. MOODY, *Secretary.*

Hon. W. B. ALLISON,
Chairman Committee on Appropriations,
United States Senate.

STATEMENT SHOWING AGGREGATE CONTRACT PRICE OF ALL COMPLETED VESSELS FROM 1883 TO 1904, INCLUDING COST OF ARMOR AND ARMAMENT; ALSO CONTRACT PRICE OF ALL VESSELS IN PROCESS OF CONSTRUCTION, WITH ESTIMATED COST OF ARMOR AND ARMAMENT.

Completed vessels.

Contract price for hull and machinery of vessels built by contract	$75,326,602
Amount authorized for vessels built by the Government	11,136,564
Cost of armor and armament of completed vessels	37,985,027
Total	124,447,593

Uncompleted vessels.

Contract price for hull and machinery of vessels in process of construction by contract	$90,374,016
Amount authorized for vessels being built by the Government	5,002,000
	95,376,016
Estimated cost of armor and armament of uncompleted vessels (as furnished by the Bureau of Ordnance)	57,948,709
Total	153,324,725
	124,447,593
	277,772,318

H. T. B. HARRIS,
Paymaster-General United States Navy.

BUREAU OF SUPPLIES AND ACCOUNTS,
March 3, 1904.

Mr. ALLISON. Having made that examination, I saw perfectly well that this appropriation must apply, in the very nature of things, to work now under construction and not to work to be constructed hereafter.

Mr. BACON. I want to say that I think the Senator is eminently correct in that position.

Mr. ALLISON. Therefore, I made the point upon the Senator from Colorado as respects his construction of these particular statutes.

I want to apologize for taking the time of the Senator from Maine or of the Senate in discussing this question. I had no intention to do so, and I should not have done so had not the Senator from Colorado placed what I consider a very erroneous construction upon those statutes.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Colorado [Mr. PATTERSON].

Mr. PATTERSON. Mr. President, I am not willing to let the matter rest where it is with reference to what the Senator from Iowa [Mr. ALLISON] has just said, because I read the entire seventy-seven page of the bill before making the criticisms I did, and it was by reason of the difference in the language contained in the first paragraph read by the Senator from Iowa and the last that I concluded that the $12,000,000 were appropriated for the vessels provided for in this bill. There is a very marked difference in the language. The first paragraph says:

Construction and machinery: On account of the hulls, outfit, and machinery of vessels, and steam machinery of vessels heretofore authorized, $15,025,833.

The next paragraph makes no reference to vessels "heretofore authorized;" and, in my opinion, it would not be a forced construction, but a natural construction, to hold that it referred to the vessels provided for by the bill.

Mr. HALE. Undoubtedly.

Mr. PATTERSON. It reads:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized—

Not heretofore authorized, but—

for the vessels authorized, $12,000,000.

Mr. HALE. It does not need to say "heretofore authorized" to confine the appropriation to the past, nor "herein authorized," which would confine the appropriation to this bill, but it says "authorized," and therefore includes both.

Mr. PATTERSON. Mr. President, if you have got to supply words, it is more natural to supply the words "herein provided for" than it is to supply the words "heretofore provided for." You must supply words to give it either the one or the other construction.

Mr. SPOONER. The language evidently means "authorized by law."

Mr. PATTERSON. It does not say "authorized by law." It says:

Armor and armament: Toward the armament and armor of domestic manufacture for the vessels authorized, $12,000,000.

But I can well understand, Mr. President, how the Secretary of the Navy would be justified in putting the construction upon it contended for by the Senator from Iowa [Mr. ALLISON], and I have no desire in the least to interfere with the proper appropriations for the armor for vessels already under way.

I will take advantage of the suggestion of the Senator from Maine [Mr. HALE] to substitute the following language for the language of the amendment which I sent to the desk and which

[illegible] been already read. After the provision of the bill which [illegible]

[illegible] of the Navy is hereby authorized to procure by contract [illegible] herein authorized at such [illegible] are not reasonable.

I move to insert the following:

[illegible] tracts for armor under the above con-[illegible]

Mr. HALE. That is clearly subject to a point of order, but, as I [illegible] the Senator, I will not make it. I move to lay the amendment on the table.

The PRESIDENT pro tempore. Is this a modification of the amendment [illegible] from Colorado?

Mr. PATTERSON. It is a [illegible]

The PRESIDENT pro tempore. The question is on the motion of the Senator from Maine [Mr. HALE] to lay the amendment of the Senator from Colorado [Mr. PATTERSON] on the table.

[illegible]

Mr. PATTERSON. I offer an amendment to follow the words "[illegible]" the last words of the bill.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to add at the end of the bill the following proviso:

[illegible] the Secretary of the Navy shall not pay more than $[illegible]

Mr. HALE. I move to lay the amendment on the table.

Mr. PATTERSON. Mr. President, I desire to occupy a few minutes in connection with the amendment.

The cost of the armor is the [illegible] the cost of the armor to the Government, and in this connection I desire to read a short extract from the testimony of Admiral O'Neil before the Naval Committee of the House on the 7th of January of this year. The following questions were asked:

[illegible] and armament?

[illegible] dollars'

[illegible]

Mr. [illegible] the Carnegie people?

[illegible]

The CHAIRMAN [illegible]

Admiral O'NEIL. [illegible]

Mr. LAWLEY. [illegible] bill?

Admiral O'NEIL. The Carnegie [illegible] dollars a ton for the armor.

Mr. LAWLEY. For the same class of armor?

Admiral O'NEIL. Yes, sir, and it, they guarantee the same results at the proving ground.

Mr. LAWLEY. They do not take into account the royalty.

Admiral O'NEIL. [illegible]

Now, then, with reference to the question of royalty. The Senator from Colorado [Mr. PATTERSON] mentioned the fact that the bid of the Midvale Steel Company did not [illegible] time in the future the United States would be [illegible] the royalty on the armor manufactured [illegible] Mr. [illegible] I take the following from the testimony of Admiral O'NEIL:

It will be seen from the foregoing that the Midvale Company [illegible] the Carnegie Company [illegible] the Midvale Steel Company [illegible] best [illegible] $[illegible] of armor [illegible] assumes responsibility for any results [illegible]

Now, Mr. President, I submit that if the Midvale Company, a responsible company that has already manufactured a large quantity of armor under this contract of last year, will furnish the best of armor for $400 a ton, and will itself take care of the royalties, if any are to be paid, there is no reason why the [illegible] is put upon the price of armor should not be $400 a ton, or $[illegible] more than the Midvale Company calls for.

Mr. SPOONER. There is no limitation in the bill?

Mr. PATTERSON. There is no limitation whatever in the bill. I submit, Mr. President, that in view of the fact that steel of all kinds has lessened in price during the past year, since this contract was entered into, and labor is less, no injustice whatever is done to those who produce armor for our battle ships and our cruisers by limiting the amount that is to be paid for the armor at $400 a ton, when we are receiving the very best quality of armor now from one of the companies contracting to supply it at $[illegible] ton less.

Mr. HALE. There is where the Senator is wrong. If we live long enough to come here next year, we shall find that the Midvale Company [illegible] was unadvised that they have not a plant; that they [illegible] them, they have not delivered any, and are not likely to deliver any for some time; and it will involve us in a lawsuit or a claim with the contractor. The Secretary has tried all that. I wish the Senator, before he began, had read what the Secretary said. Secretary Moody said:

[illegible] in any country. The plant [illegible] now commenced to be satisfactory in point of time. The situation [illegible] to me, is a satisfactory one.

That is the basis on which [illegible]

Mr. PATTERSON. Oh, Mr. President, the contract was given to the Midvale Company but two weeks before the 7th day in January; on the 7th day of January it was [illegible] in turning out the armor under the contract, and Admiral O'Neil said he was satisfied with the [illegible]

Mr. President, it is [illegible] to believe that this company bid a price that it [illegible] armor for, and [illegible], in the face of everything that is [illegible] by the Bureau of Ordnance, that there [illegible] any inability on the part of the Midvale Company to comply with its [illegible] of the [illegible] ly the company [illegible]

As to the cost of armor, Mr. President, I wish to read to you from a report as to what armor in reality cost when material of every kind was higher than it is to-day. [illegible] the question [illegible] up, and this is a part of [illegible]

Mr. GALLINGER. [illegible] tor?

Mr. PATTERSON. I do [illegible]

[illegible] per ton ..... $[illegible]

Add for maintenance of plant ..... [illegible]

Thirty-three and one-third per cent profit ..... [illegible]

Add for nickel ..... [illegible]

Making the price for armor ..... [illegible]

Making the total cost, under those more than liberal allowances for the manufacture of ship armor, $390 per ton.

[illegible] re, it will fix a [illegible] States for the [illegible] law. The [illegible] govern-[illegible] made the statement, $[illegible] per ton.

Mr. HALE. Mr. President, I move to lay the amendment on the table.

The motion was agreed to.

[illegible] I have [illegible] read. [illegible] bill the following proviso:

[illegible] the price of such armor, in [illegible]

Mr. HALE. I move to lay the amendment on the table.

The motion was agreed to.

Mr. PATTERSON. I offer the following amendment.

The SECRETARY. Add at the end of the bill the following:

[illegible] laborer and mechanic employed in the construction of the armor and its parts thereof, and that no laborer or mechanic engaged on said construction

shall be required or permitted to work for any greater length of time than eight hours per calendar day pursuant to such contracts that may be so made: *Provided, however*, That in case of great national emergency or when war is imminent or in time of war the Secretary of the Navy may modify this provision of the contract.

Mr. HALE. I make the point of order on the amendment.

Mr. PATTERSON. Let me say just a word. I have not called for the yeas and nays on these amendments, because I am convinced that unless they meet the approval of the Senator from Maine it would be taking up the time of the Senate, and I know how anxious the Senator from Maine is to conclude the bill. I had hoped that at least some of these amendments would meet the approval of the Senator, but as they do not, and as his attitude would clearly be sustained by the majority, I have been [illegible] with presenting the amendments, that they may go before the country [illegible]

Mr. HALE. The Senator has been very fair. I make the point of order that the amendment is general legislation.

The PRESIDENT pro tempore. The Chair sustains the point of order.

If there be no further amendments as in Committee of the Whole the bill will be reported to the Senate.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Shall the vote be taken in the Senate on the amendments in gross? The Chair hears no objection.

The amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

REPORT OF PUBLIC LANDS COMMISSION.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying paper, referred to the Committee on Public Lands, and ordered to be printed:

To the Congress:

I submit herewith the preliminary report of the Public Lands Commission [illegible]

[illegible] sideration of the Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 7, 1904.*

AFFAIRS IN INDIAN TERRITORY.

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States; which was read, and, on motion of Mr. PLATT of Connecticut, was, with the accompanying papers, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Congress:

[illegible] upon their private business, even [illegible]

I w[illegible] advisable, and invite the attention of the Congress to the [illegible]

[illegible] see a memorandum of work of the Commission to the Five Civilized [illegible]

THEODORE ROOSEVELT.

WHITE HOUSE, *March 7, 1904.*

HOUSE BILLS REFERRED.

The bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico was read twice by its title, and referred to the Committee on Public Lands.

The bill (H. R. 12684) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1905, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

The bill (H. R. 13480) to authorize the Southern Indiana Railway Company to construct a railroad bridge across the Wabash River in Vigo County, Ind., was read twice by its title, and referred to the Committee on Commerce.

ARMY APPROPRIATION BILL.

Mr. PROCTOR. I ask that the army appropriation bill, House bill 10670, be now taken up for consideration.

The PRESIDENT pro tempore. The Senator from Vermont asks unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the army appropriation bill. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes, which had been reported from the Committee on Military Affairs with amendments.

Mr. PROCTOR. I ask that the formal reading be dispensed with and that the bill be read for action on the committee amendments.

The PRESIDENT pro tempore. The Senator from Vermont asks that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration. Is there objection? The Chair hears none, and that order is made.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Military Affairs was, on page 1, after line 6, to insert:

OFFICE OF THE CHIEF OF STAFF.

[illegible] the contingent expenses of the office of the Chief of Staff, in his discretion, $[illegible]

The amendment was agreed to.

The next amendment was, in the appropriation for "Contingencies of the Army," on page 2, line 5, after the word "dollars," to strike out the following proviso:

Provided, That no portion of this sum shall be used by the Chief of Staff in the office of the executive department of the War Department at Washington.

The amendment was agreed to.

The next amendment was, under the subhead "Under the Chief of Artillery," on page 2, line 19, after the word "including," to strike out "rail, hints;" and in line 25, after the word "laborers," to strike out "repairs of and for material to repair public buildings, boats used in connection with the school;" so as to make the clause read:

[illegible] N. Y.: For incidental expenses [illegible] stationery, hardware, extra-duty [illegible] photographers, engine drivers, telegraph operators, teamsters, wheelwrights, [illegible] tures, machinery, and unforeseen expenses, $10,000.

The amendment was agreed to.

The next amendment was, on page 4, line 19, after the word "books," where it occurs the first time, to strike out "professional," in the same line, after the word "reference," to strike out "professional and technical;" and in line 20, after the word "newspapers," to insert "for professional use;" so as to make the clause read:

[illegible] at the [illegible] of the [illegible] papers [illegible]

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Chief Signal Officer," on page 5, line 18, after the word "dollars," to insert:

For completing the purchase, installation, operation, and maintenance of a [illegible] Alaska, as authorized by the act of Congress approved March 2, 1903, $[illegible]

So as to make the clause read:

Signal Service of the Army: For expenses of the Signal Service of the Army, as follows: [illegible] and other [illegible] ments for [illegible] of [illegible] and Paperer for [illegible] and other expenses [illegible] and [illegible] for the Army, [illegible] $[illegible]; [illegible] and maintenance of a [illegible] Alaska, to Point Barrow, Alaska, connecting by an all-American route the headquarters of the Department of Columbia with the military garrisons in southeastern Alaska, as authorized by the act of Congress approved March 2, 1903, $221,580.

The amendment was agreed to.

The next amendment was, at the top of page 6, to insert "Pay Department."

The amendment was agreed to.

The next amendment was, under the subhead "Pay of officers

[illegible] of the line," on page 6, line 2, before the word "five," to strike out "Five per [illegible] of the line;" so as to read "$5,000,000."

The amendment was agreed to.

The next amendment was, on page 6, line 4, before the word "For," to strike out "For pay of officers;" so as to make the clause read:

[illegible] with their current monthly pay, $1,071,428.

The amendment was agreed to.

The next amendment was, under the subhead "Pay of enlisted men," on page 6, line 8, before the word "Of," to strike out "For pay of enlisted men;" so as to make the clause read:

[illegible] pay.

The amendment was agreed to.

The next amendment was, on page 6, after line 12, to insert:

[illegible] Military Academy, $[illegible] [illegible] quartermaster's department, $[illegible]

The amendment was agreed to.

[illegible] out "[illegible]" and in line 9, before [illegible]

[illegible] and fifty quarter[illegible] sergeants, at $408 each, $[illegible]

[illegible] me where he is [illegible]

[illegible] AT. At the bottom of page 7.

[illegible] the bill quite so fast. [illegible] on.

[illegible] I. We [illegible]

The amendment was agreed to. The next [illegible]

[illegible]

The amendment was agreed to.

The next amendment was, under the subhead "Pay to clerks and messengers," on page 8, line 11, after the word "[illegible]" and in line 12, after the word "dollars," to insert "per annum;" so as to make the clause read:

[illegible] the Chief of Staff, $2,000 per annum.

The amendment was agreed to.

The next amendment was, on page 9, line 13, to increase the number of clerks at $1,[illegible] per annum from four to seven.

The amendment was agreed to.

The next amendment was, on page 9, line 15, to increase the number of clerks at $1,000 each per annum from ten to eleven.

The amendment was agreed to.

The next amendment was, on page 9, line 17, to increase the number of clerks at $1,400 each per annum from twenty-[illegible] to twenty-six.

The amendment was agreed to.

The next amendment was, on page 9, line 19, to increase the number of clerks at $1,200 each per annum from sixty-five to sixty-nine.

The amendment was agreed to.

The next amendment was, on page 9, line 21, to increase the number of clerks at $1,000 each per annum from eighty-six to ninety-four.

The amendment was agreed to.

The next amendment was, on page 9, line 23, to increase the number of general-service messengers, at $720 each per annum, from sixty-eight to seventy-one.

The amendment was agreed to.

The next amendment was, on page 10, line 2, to increase the total [illegible] quarters, [illegible]

The [illegible] line 10.

Mr. SPOONER. [illegible] it.

The PRESIDENT pro tempore. Will the Senator from Wisconsin allow [illegible]

Mr. SPOONER. [illegible] I wish to move an amendment [illegible] then it can be passed over.

Mr. SPOONER. It can be [illegible]

The Secretary read the amendment of the Committee on Military Affairs, which [illegible] line 16, to insert the following:

[illegible] ral, as now provided by law and in the order [illegible]

[illegible] out the last clause as it has [illegible]

The PRESIDING OFFICER. The amendment to the amendment [illegible]

The [illegible] It is proposed to strike out, beginning in line 8, [illegible] ng words:

[illegible] or [illegible] are merely [illegible]

The [illegible] is most clearly [illegible]

Mr. PROCTOR. It is [illegible]

The PRESIDING OFFICER. The Chair has no doubt about [illegible]

Mr. [illegible] ment. I will [illegible]

The PRESIDENT pro tempore. [illegible]

Mr. SPOONER. [illegible]

The PRESIDING OFFICER. Unacted upon.

Mr. [illegible] The point of order is reserved.

The PRESIDING OFFICER. The point of order is reserved by the Senator from Ma[illegible] has been agreed to. The amendment as amended will [illegible]

The reading of the bill was resumed and continued to the end of line 12 on page 11.

Mr. CULLOM. Is an amendment in order at this time?

The PRESIDING OFFICER. The committee amendments are to be first considered.

Mr. CULBERSON. The bill is simply being read at this time for action on committee amendments.

The PRESIDING OFFICER. For action on committee amendments.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, under the subhead "Re-

tired officers," on page 15, line 18, after the words "cents," to insert:

Field, line, and staff officers of the Army below the grade of brigadier-general, [illegible] who served during the civil war, shall, when retired, be entitled to receive the pay of the next higher grade, [illegible] War may assign them to command in the Army, and their commissions [illegible] in recognition of service in connection with the organization [illegible] Territories upon the request of the governors of [illegible], as military commissions, upon courts-martial, courts of inquiry, boards, and [illegible] involving service with troops; and [illegible] shall receive the full pay and allowances of their respective grades.

The amendment was agreed to.

The next amendment was, on page 16, line 10, after the word "cents," to strike out the following proviso:

[illegible] be [illegible] account [illegible] employees in any of the departments of the Government.

The amendment was agreed to.

The next amendment was, under the subhead "Retired enlisted men," on page 16, line 18, after the word "dollars," to insert the following proviso:

Provided, That hereafter in computing the length of service for retirement, credit shall be given soldiers for [illegible] the actual service [illegible] and Panama, but double credit shall not be given for service hereafter rendered in Porto Rico or the Territory of Hawaii.

The amendment was agreed to.

The next amendment was, on page 17, line 11, before the word "fifteen," to strike out "section" and insert "sections," and in the same line, after the word "[illegible]ten," to insert "and twenty-one;" so as to make the clause read:

[illegible] and are hereby [illegible] for paying the [illegible] any State, Territory, or District of Columbia participating in joint encampment, maneuvers, and field instruction [illegible] of the act [illegible] "An act to promote the efficiency of the militia, [illegible]

The amendment was agreed to.

The next amendment was, on page 17, line 21, after the word "dollars," to insert the following proviso:

[illegible] of which to be immediately available [illegible]

Mr. SPOONER. I should like to ask the Senator in charge of the bill to make some explanation of this provision.

Mr. PROCTOR. At the maneuvers at West Point, Ky., this fall, where a large body of militia met with the forces of the Regular Army, there were various claims presented, amounting to quite a considerable sum. They were cut down by a board, so that the amount only to a little over $2,000, I believe. There is another set of claims——

Mr. SPOONER. Allow me to ask, claims of what sort, of what nature?

Mr. PROCTOR. For damages to fences and crops by soldiers who were off duty and out of sight of their officers.

Mr. SPOONER. That is, predatory operations?

Mr. PROCTOR. Yes; of that nature.

Mr. SPOONER. Not incident at all to the actual maneuvers?

Mr. PROCTOR. No, not necessarily; but quite common.

Mr. SPOONER. Does the Senator think it is good policy for the Government to pay for the tortious acts of soldiers when they are away from their commands?

Mr. PROCTOR. I think it is questionable, and if paid at all it should be kept at the very lowest sum. It is urgently asked for by the War Department, and the amount requested was cut down.

There is another class of claims which have arisen from firing heavy guns in practice at coast-defense forts. It has done damage to some houses, breaking glass, etc. I think the aggregate of those claims received and passed upon by the board of examination is about $2,000.

Mr. SPOONER. I think there should be some discrimination exercised as to the nature of the claims and the circumstances out of which they arise. I should dislike very much to see incorporated into the law a precedent for the payment of damages caused by the tortious acts of soldiers away from their commands.

Mr. COCKRELL. If the Senator will yield, I will say that the matter was fully discussed with the army officers, and they scouted at the idea that they were to allow anything of the kind. They understand it perfectly. Not a member of the committee would have voted to pay for the result of any wrongful or tortious act of a soldier, and that is the understanding. In one of these cases a claim for a large amount was presented, and it was reduced to a few thousand dollars. I forget the exact amount, but it was a considerable amount. The committee would not have sanctioned anything that looked to paying for mere trespass or a wrongful act or an unauthorized act.

Mr. SPOONER. I understood the acting chairman of the committee to say that there were some claims of that nature.

Mr. COCKRELL. They were presented.

Mr. SPOONER. And that they were passed upon by a court.

Mr. COCKRELL. And all were rejected.

Mr. SPOONER. Rejected?

Mr. COCKRELL. Yes.

Mr. PROCTOR. They were passed upon by a board. They amount to only a little over $2,000.

Mr. SPOONER. What is the nature of the claims? Are they claims for damages as the result of predatory operations?

Mr. McCOMAS. If the Senator will allow me, I can tell him one instance which must be within the scope of this amendment. At Fort Armistead, below Baltimore, they fired repeatedly a 15-inch gun. Close to the fort is a [illegible] factory. There was a great deal of glass containing that product and in the machinery much glass is used. The plant was worth about six or seven hundred thousand dollars, and they say the firing of the gun was rapidly destroying the property. It was being fired in practice. After the destruction had occurred somewhat, on [illegible] Department suspended the firing of the [illegible] from a loss of some thousands of dollars to this property, which is close to the fort.

Mr. SPOONER. That is an entirely different proposition from the one I am trying to get at.

Mr. McCOMAS. The question of "firing in practice."

Mr. SCOTT. That is the nature of the claims included in this appropriation.

Mr. McCOMAS. Practice firing.

Mr. SCOTT. The same is true at Jamestown, N. Y., where, in exercising with a large gun, they broke a number of windows in private houses.

Mr. GALLINGER. It is manifest that $2,000 will not pay them, if claims of that character are presented.

Mr. SPOONER. The Senator's statement may be true as to the facts, but he is not sustained by the language of this bill:

[illegible] of this sum may be used for payment of [illegible] militia or Regular Army, during maneuvers [illegible]

Mr. McCOMAS. That is the case I speak of.

Mr. SCOTT. That is the case.

Mr. SPOONER. That is another thing.

Mr. SCOTT. "Firing in practice."

Mr. SPOONER. There are two things. We begin by paying for damages done by the militia in maneuvers. What sort of damages?

Mr. QUARLES. If I may be permitted, I will suggest to my colleague that the commanding officer at West Point had very great difficulty in getting leases of land from the farmers living adjacent to the grounds because of the anticipated damages, and I think there was an assurance given by the officer commanding there that the damages would be paid. But the committee in looking into it found, just as the Senator suggests, that there were a lot of speculative claims which no court would entertain for a moment, and among the rest some very laughable claims for injuries to calves and loss of weight in cattle by reason of their being frightened, and the like of that. Of course, the committee did not entertain any of those propositions. But there were certain legitimate claims. For instance, a troop of cavalry at exercises goes across a field of hay and tramples it down.

Mr. PROCTOR. Breaks down fences.

Mr. QUARLES. And, under the contract of the general who was in command of that encampment, those people would be entitled to the payment of claims of that kind as a legitimate payment of damage. So we cut the amount down to what we thought would fairly cover the actual, legitimate claims of both kinds and exclude necessarily these fanciful and prospective claims.

Mr. KEAN. Do I understand that a point of order has been made against the amendment?

The PRESIDENT pro tempore. There has not been.

Mr. KEAN. I make the point of order against it.

The PRESIDENT pro tempore. The Chair sustains the point of order on the ground that it is a private claim really.

Mr. KEAN. It is nothing but the payment of private claims.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, under the subhead "Miscellaneous," on page 18, line 17, after the word "dollars," to insert the following proviso:

Provided, That appointments shall be for periods of three years each, subject [illegible] an increase of 5 per cent in their pay: *Provided*, That the leave with pay now allowed by law to nurses may become cumulative.

Mr. GALLINGER. Mr. President, I should like to ask the acting chairman of the committee precisely what is the purport of the amendment and whether or not it has been recommended by the Department? I had something to do with getting through

the bill for army nurses. I thought we had legislated very liberally, and I do not want that law to be enlarged unless there is some valid reason for doing it. I presume there is, if the Senator will explain it.

Mr. PROCTOR. It was thought to be a very small increase. The pay is $30 a month, and the increase is $[illegible] after three years of service, which is regarded as a very moderate increase and one to which they were fully entitled.

Mr. PLATT of Connecticut. They are worth that much more.

Mr. QUARLES. By their experience.

Mr. PROCTOR. They are worth that much more. It would be impossible for them to return from the Philippines, if they were obliged to take their leave every year.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, on page 19, after line 19, to insert:

For refunding to Maj. E. W. Halford, paymaster, United States Army, money disbursed through error and without fault on his part, for travel pay to an enlisted man on discharge, $165.44.

The amendment was agreed to.

The next amendment was, on page 20, line 23, after the word "men," to insert "serving in the Philippine Islands, the island of Guam, Alaska, and Panama;" so as to make the clause read:

For additional 40 per cent increase on pay of enlisted men serving in the Philippine Islands, the island of Guam, Alaska and Panama [illegible]

Mr. PROCTOR. After the word "Alaska" I move to insert "China."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 21, line 4, after the word "officers," to insert "serving in the Philippine Islands, the island of Guam, Alaska, and Panama;" so as to make the clause read:

For additional 40 per cent increase [illegible] in the Philippine Islands, the island of Guam, Alaska and Panama [illegible]

Mr. PROCTOR. After the word "Alaska," in line 5, I move to insert "China." We find there are some troops now serving in China.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The amendment was agreed to.

The next amendment was, on page 21, line 11, before the word "battalions," to strike out "two" and insert "three;" and in line 11, after the word "each," to insert:

to enable the enlisted men of the regiment who may be in the service [illegible] to re-enlist [illegible] of the Philippine Islands [illegible] Regiment [illegible] who may be discharged by the President by reason of expiration of term of service [illegible] of enlistment [illegible] Regular Army [illegible] Regular Army [illegible] as now provided by law.

Men hereafter enlisted in the regiment [illegible] shall be organized [illegible] of three battalions [illegible] the present regiment was [illegible] service June [illegible], etc.

Mr. TELLER. I wish to ask the senior Senator of the committee a question as to the proposed amendment. Is there an army now in Porto Rico?

Mr. PLATT. We have a two-battalion regiment in Porto Rico. The new organization of a set of Philippine regiments [illegible] were organized. This provides for the reorganization of the other.

Mr. TELLER. I ask the Senator what is the necessity for an army in Porto Rico?

Mr. SPOONER. As constabulary.

Mr. KEAN. It is only a militia, like they have in Colorado.

Mr. PROCTOR. I think there is only a single battery of the Regular Army in Porto Rico; not more than two, and I believe but one, at San Juan. A part of these are stationed at San Juan and a part of them in the center of the island, at Cayey, on the top of the mountain between San Juan and Ponce, and they go at various times to various places in the island.

Mr. TELLER. What I am trying to find out is what use, what need, we have for an army in Porto Rico. For what purpose is this army established down there?

Mr. PLATT of Connecticut. It is like the National Guard, is it not?

Mr. PROCTOR. It was thought advisable that we should have a command there, and these two battalions have rendered excellent service, and their improvement is wonderful. One battalion was here, as the Senator will remember, at the inauguration of President McKinley.

Mr. TELLER. I do not remember anything about it.

Mr. PROCTOR. And it was the special feature of the day. I saw both battalions drill last spring, and I think they are as well drilled as any command in the Army. They have been noted for their good order and good behavior, and educationally it has been an excellent influence. We had before us Major Swift, who has had command of both of the battalions, and who is now an officer in the Adjutant-General's office. He is a very able officer. We had other means of information. From personal inspection I can speak very warmly of the command. Governor Hunt is very strongly in favor of it, and he speaks in very strong terms in respect to its effect upon the people of the island as a whole.

Mr. TELLER. Mr. President, I have no doubt that these Porto Rican soldiers are entitled to all the eulogy which can be passed upon them, but that is not the question about which I wanted to inquire.

Mr. QUARLES. Will the Senator from Colorado yield to me?

Mr. TELLER. In a moment. I want the Senator who undertakes to answer my question to understand what it is. The acting chairman of the Committee on Military Affairs evidently did not understand what I asked, or if he did, he certainly did not answer the question.

I have not any doubt but what those people are well drilled and that they made a fine display when they came here to the inauguration of President McKinley; all of which was done, I suppose, at the expense of the United States, though I do not know about that. I do not know but what it would be a good thing, if we could do so, to put all of these new populations into the Army for training. I suppose if we could put the whole Philippine population into the Army perhaps it would make better citizens of them in due time. But I want to know for what purpose [illegible]? If it is for civilization and education, that is one thing; if they are used to maintain the peace in Porto Rico, that is another thing. If they are to be kept there for fear that there may be an attack by somebody, and it is a matter of defense, that is another thing. If they are there as a [illegible] to me, not to the Senate—that is another thing. I did not myself understand that there was any necessity for an armed force down there. If there is, I should like to know it.

Mr. FORAKER. Mr. President——

Mr. TELLER. If the Senator from Ohio, who seems to want to speak, knows anything about the matter, I am quite willing to hear him.

Mr. FORAKER. Mr. President, I do not know much more about it than the Senator from Colorado does.

Mr. TELLER. I do not pretend to know anything about it.

Mr. FORAKER. But I have been the chairman of the committee that has had charge of legislation in regard to Porto Rico ever since the island was annexed, as the Senator knows, and that has led me to study the conditions down there and to take an interest in everything that has been done with respect to Porto Rico.

I have favored the beginning up of the organization which was established at the beginning of our occupation of that island. I have favored it, in the first place, because, as suggested by the Senator from Vermont [Mr. PROCTOR], I think a very good purpose is conserved by having an organization there composed of the people of the island. It gives them an opportunity to enlist; it gives them an opportunity to serve the United States; it identifies them more and more, in a way they are very proud of, with the United States.

I do not know what necessity there may be for maintaining [illegible] organization—but it has been thought [illegible] maintained in that island. Nobody is anticipating an attack from any foreign power, of course, I imagine, and there is no threatened danger from disturbances among the people in that island, but it is thought that this is a useful and a good purpose.

Then, aside from that, at this time it does seem to be a proper thing to maintain that organization there. We have just acquired, although it does not seem to be quite completed, or we shall acquire, if we have not already done so, the transit across the Isthmus of Panama, and it may become necessary [illegible] some troops

there. It will be much better, I think, to send some Porto Rican troops over there to defend that Isthmus than to send our troops from here down there.

I do not know what the Administration or the War Department may think about it, but in the Committee on Military Affairs that question was raised, and it seemed to be the general opinion of the committee that it would be very convenient and very wise to have an organization of this character. The soldiers in that organization are already acclimated and accustomed to the Tropics; and so would save us from sending our own troops from the States of the United States down to the Isthmus, where, it is said, it is very unhealthy, and where they might be stricken with disease to which the Porto Ricans would be immune. I think it is the part of wisdom to continue that organization, at least for the present.

I think, aside from the possible necessity of using these Porto Ricans on the Isthmus and using them anywhere in the Tropics, thus saving our own troops from going into an unhealthy climate, that it would be well to keep this organization there because of what I suggested at the beginning of my remarks, to give them an opportunity to identify themselves with the United States and feel that they are really a part of it.

I remember when Bishop Blenk, of the Roman Catholic Church of Porto Rico, was here he hearing that there was some agitation to the effect that we were disbanding that organization, wrote me a letter very strongly urging that we do not do it, as the organization had a splendid effect on the population of Porto Rico; that it gave them pride; that the young men who enlisted were disciplined and trained, and after their term of service they went out into the community and were better and more capable and more efficient citizens.

The Senator from West Virginia [Mr. SCOTT] has just handed me a communication from Governor Hunt, of Porto Rico, from which he asks me to read an extract. I do not know what it contains, but I shall read it. It is addressed to Hon. William H. Taft, Secretary of War, and is dated "San Juan, January 27, 1904."

MY DEAR MR. SECRETARY: As you doubtless know, there is a provisional regiment of native Porto Ricans here in the island, which was established several years ago. [illegible] national work which has been accomplished. It has taught the men habits of discipline, self-control, and self-respect. I should be very sorry to see it disbanded, because of its usefulness in the way I have just spoken of.

I have other communications here, but they are all to the same general effect, and I shall not stop to read them.

Mr. TELLER. The Senator might put them in the RECORD.

Mr. FORAKER. There are a million people living in the island, I will say in answer to the Senator from Maryland [Mr. MCCOMAS], who has inquired about the population.

Mr. CLAY. I will ask the Senator, is it not true that these soldiers are not Americans, but are Porto Ricans?

Mr. FORAKER. They are native Porto Ricans.

Mr. CLAY. How are they officered?

Mr. PROCTOR. These troops are under American officers, but their sergeants are native Porto Ricans. This measure provides that the President may appoint native Porto Ricans——

Mr. CLAY. Making the number about seven or eight hundred?

Mr. FORAKER. There are two battalions, and this complete the regiment that is authorized by adding one battalion.

Mr. TELLER. Has the Senator from Ohio finished?

Mr. FORAKER. I have suggested the main points in the matter as they have occurred to me, but I have not elaborated them, and I do not suppose at this late hour the Senator desires me to do so.

Mr. TELLER. I think the junior Senator from Wisconsin [Mr. QUARLES], who is a member of the committee, desired to say something.

Mr. QUARLES. Mr. President, I do not know that I can add anything to the suggestions made by the distinguished chairman of the Committee on Pacific Islands and Porto Rico [Mr. FORAKER], but as a member of the subcommittee who considered this appropriation bill, it may be proper for me to say that the showing made before us as to the beneficial effects upon the people of the islands by the maintenance of this force can hardly be exaggerated.

There occurs to me just one illustration that was given, among many others. For instance, the number of the native Porto Ricans who have served two or four years in this regiment are kept, and it is like a roll of honor. The young men from the best families in Porto Rico consider it an honor to be enrolled in this regiment. They go into it and are disciplined. Then the merchants and employers of clerks throughout that island go to this roll of soldiers of this regiment and employ those people because of the discipline and the education they have had and the acquirement of English, which the officers say is rapid among these troops. So they readily obtain employment down there by reason of having served in this regiment. It is a great recommendation for them and is working great good throughout the island.

The Senator will notice that the committee has recommended that, instead of four years, the enlistment be limited to two years, so as to pass these educational facilities around as far as possible. But the controlling reason, I may say, Mr. President, with the committee was this: It is known that during the building of the isthmian canal we shall require a force—a military force or a constabulary force—to protect the property that will necessarily be exposed there during that time. At present it is very unhealthy on the Isthmus, as everybody knows, and we thought it a matter well worthy the attention of Congress that these people, well drilled—as well drilled, perhaps, as any battalion in the Regular Army—would be glad to go down there and serve, that it would save the lives of a great many members of the regular regiments, who would die like flies if they went from this cool climate down there, if the President would send down two battalions of this regiment and let them do that work.

Mr. TELLER. Mr. President, it is somewhat of a relief to know that this army down there is not there for either offensive or defensive purposes, but I am somewhat surprised to hear it stated that it is for purely educational purposes. My education has not led me to suppose that the way to reach the people in the line of education was through military establishments, but I suppose that is because I was born too long ago and have not kept up with the progress of events.

Mr. President, it strikes me that if you want to spend money for educational purposes you had better spend it for schools than for armies. If there is not any necessity for a force to keep the peace or to defend the island in case of attack, you had better disband this army and put that amount of money, which is a considerable sum, into the schools down there.

Mr. PROCTOR. These men attend school regularly.

Mr. TELLER. The class of people I am anxious to see educated down there is not the adults, but the young people who are coming up.

Mr. FORAKER. Mr. President——

Mr. TELLER. I see the Senator from Ohio wishes to say something; and I yield to him.

Mr. FORAKER. I started to read some of these letters, and I have many of them here. One is from a prominent Porto Rican.

Mr. TELLER. I hope the Senator will put it in the RECORD.

Mr. FORAKER. I want to read an extract from it. It expresses the feeling those people have with respect to this matter.

We want a full Porto Rico regiment, with officers who will live with it, fight with it wherever necessary, and die with it.

[illegible] of this regiment, and the men, [illegible] American ones, are an object lesson to all others, and thus the [illegible] to the island derives from this organization can not be appreciated too [illegible].

That is from Jose C. Barbosa, of Porto Rico, who, I think, expresses how the people of Porto Rico feel about it.

In answer to the Senator's suggestion—if he will bear with me a moment—about schools I will say they are being established very rapidly, and they are for the benefit of the children. We are trying to reach all the children, and the school system is being extended all over the island. Schoolhouses are being built, and there is really very wonderful progress in that respect. This is a different kind of education—and the Senator wants to put more emphasis on that word than I had intended—but my idea about it was that it is educational in the sense that they learn discipline, they learn good habits, and when they are discharged out they go back among the people improved and better men, as a rule, than they were before. That is the testimony of everybody, and they are, as the Senator, I think, can see, naturally very proud to have such an organization on the island. I think the effect of it is good. We never know when we may have need of troops, and if we should have need of any we have them there, just as we have them elsewhere, to be used when needed.

Mr. SCOTT. As a member of the subcommittee, I should like to say a word, if the Senator from Colorado will allow me.

Mr. TELLER. I yield.

Mr. SCOTT. We had Major Swift before us, a very intelligent officer, who, in making his statement, said that the very best families on the island were very proud of the fact that they had sons or other relatives in this regiment. The reason we reduced the term of enlistment from four to two years was because the Major said these young men would stay in the service just as long as we would allow them to stay. As the Senator from Wisconsin [Mr. QUARLES] very truly said, the business men there sought these young men as soon as they were mustered out to employ them as clerks and to help them in their business.

In addition to that, Major Swift said that service in the regiment made them better American citizens. Of course we want to make good American citizens out of them. He said that the fact that they had served in this regiment made them good Americans. I know the Senator from Colorado [Mr. TELLER] wants to improve them in that direction, and I am sure that the very best thing we can do will be to increase this regiment and keep it

in service. Governor Hunt and all the other officials in Porto Rico recommend it very highly.

Mr. TELLER. I have no doubt Governor Hunt recommends it, and that all the officials and all the people who want the Government to spend money down there will be glad to have it done; but what I am interested to know is whether we are spending money to meet a necessity or whether it is simply for a whim?

The junior Senator from Wisconsin [Mr. QUARLES] suggests that we want this Porto Rican regiment on Panama business. Well, I think Porto Rico may be a little nearer the Panama region than some of our own shores, but it is not very much nearer.

I observe by the letter which was read by the Senator from Ohio [Mr. FORAKER] that they are anxious to have the soldiers who live down there to die there. They do not want soldiers from the United States to go to Panama to die. I do not know whether we would be treating those wards of ours just right if we should select them for the hazardous enterprises we do not care to have our own troops perform.

Mr. QUARLES. Will the Senator pardon me just a moment?

Mr. TELLER. Certainly.

Mr. QUARLES. We had before us, among others, the major of this regiment. We asked him concerning the feeling of the soldiers down there regarding the trip to Panama or to the Philippines if it were thought desirable to send them to either of those places, and he said they are good soldiers, thoroughly imbued with the esprit du corps of the service, and that if we chose to send them they would all be delighted to go; they would all be glad to do some service for this country, which they have learned to love.

Mr. TELLER. I want to say a word about their being immunes. They are not immune if you send them to Panama. My knowledge of Panama, which, as I have said two or three times here, is of long standing, teaches me that you can not send from the island of Porto Rico anybody to Panama who will be immune in that climate, nor can you send them from some of the neighboring States to the Isthmus either. The only people of whom I have ever heard who, without great danger to their lives, could go to Panama are the negroes of Jamaica. They have done pretty well there. If you are to build the Panama Canal, Jamaica will be the place to call on for labor; and if you want to have an immune army, you had better organize it from the negroes of Jamaica than from the Porto Ricans.

Mr. President, I only wanted to know something of the purpose of this amendment and to say that in my judgment it is an unwise appropriation of money.

The PRESIDENT pro tempore. If there is no objection, the amendment will be agreed to.

Mr. ALLISON. What has become of this paragraph?

Mr. SPOONER. Has the amendment been agreed to?

The PRESIDENT pro tempore. The amendment has been agreed to.

Mr. SPOONER. I desire to be heard a moment on the amendment.

Mr. ALLISON. If the Senator from Wisconsin [Mr. SPOONER] will pardon me a moment, I should like to ask the Senator from Vermont [Mr. PROCTOR], in charge of this bill, what is the effect of the language on page 22, beginning in line 9, as follows:

[illegible]

I should like to ask the Senator whether that will not have the effect to detail an officer, for instance, to this regiment, and then have his place in the line filled by another officer, and thus deprive him of the promotion to which he is now entitled in the line?

Mr. PROCTOR. It will not deprive him of any promotion. When he comes back to the line, another will take his place. It is just precisely the same system that is now adopted with reference to details to the staff. As the Senator will recollect, the vacancies in nearly all the staff departments are filled now by details from the line, and the place in the line is filled by promotion, by appointment at the foot of the list; but when another vacancy occurs, as the Senator can see, they go back.

Mr. SPOONER. Then does a detail operate to reduce an officer?

Mr. PROCTOR. No; it will not operate to reduce an officer or to increase his rank; it will not affect his rank in any way.

Mr. SPOONER. A detail, then, does not create any vacancy. What is it you fill by promotion if there is not a vacancy?

Mr. PROCTOR. It does create one and, Mr. President, it increases the officers of the Army just so much by a few minor officers to supply the vacancies made.

Mr. ALLISON. Mr. President, if that is the law respecting the line and the staff I should prefer not to be detailed to the staff and have some other officer take my place in the line, for it might possibly be that within that four years, if I remained in the line, I would be promoted, and I would not be promoted if I entered into this Porto Rico regiment.

Mr. PROCTOR. Mr. President, the detail of the staff to this regiment does not affect promotion a particle. The officer just preserves his rank and number, and is promoted when his turn comes precisely as if he had remained in the line. That is all provided for in the reorganization act, which provides for details and has been in operation for three years.

Mr. HOAR. May I ask the Senator if a man is detailed does he either lose his old place or get a new one? If he has not either lost his old place or got a new one, this place filled by promotion will be taken out. I should like to ask the Senator in regard to that.

Mr. PROCTOR. He has not lost his old place. He holds his rank there just the same. He is temporarily employed in another position.

Mr. HOAR. Then, if he has not lost his old place, and is temporarily employed in another position, how is his place filled by the promotion of somebody else? Then there are two officers for one place. It is a mere question of expression; it is not a question of substance of what the Senator desires to do. But suppose, for instance, you say that a member of the Supreme Court is detailed to hold court in Boston, detailed to do this, that, or the other thing. That is all right; it has been often done in former times in other courts. Very well, then, he has not lost his place or lost his old one. Then you add that the place of that judge who has been detailed to hold court in Boston shall be filled by promoting somebody from the circuit court to the Supreme Court of the United States. Of course it is a mere question of the criticism of the phraseology, not the substance. But it is said that it is the same to detail a man from one place to another; it is that it shall be filled by sending somebody else to that place to do duty there, but it shall be filled by promoting somebody to the office. That is the criticism.

Mr. PROCTOR. The illustration of the court in Massachusetts is a very good one. Suppose when they pass the law providing for a detail to hold some other court they increase the number of judges by one, and so provide that one may be detailed for that place; when his detail has expired he goes back to his regular service, while the added one or some other member of the court fills the detail.

Mr. HOAR. If that is done you would have used the phrase that you are filling the vacancy made by the other. If you have nine judges of the Supreme Court of the United States and want to make the number ten, you do not add a tenth by filling a vacancy of one of the nine who [illegible]. That explanation by the Senator is not consistent with the phraseology of the amendment.

Mr. ALLISON. I wish to put a concrete case to the Senator. Suppose it shall happen that A B, who is a first lieutenant, shall be detailed to this Porto Rican regiment. He has no volition about it. He receives an order from his superior officer that he is detailed to the regiment. This law says when that is done some one else shall be promoted to the place which he has left.

Mr. SPOONER. Promoted or appointed.

Mr. ALLISON. Promoted or appointed.

Mr. HOAR. And that is a vacancy to be filled.

Mr. ALLISON. Undoubtedly. Now, this detail lasts for four years. In the meantime there is a vacancy in the lieutenancy of the particular company. Who gets that promotion? Is the detailed man made a captain or is the first lieutenant who has not been put in the place promoted to it?

Mr. PROCTOR. There is no promotion by company or by regiment. It is all by arm of the service. There is a lineal list, and all the first lieutenants, second lieutenants, and all other officers are on one [illegible] hundred.

Mr. ALLISON. So I know.

Mr. PROCTOR. Now, that man, wherever he is detailed, on whatever service, when there is a vacation above him, goes up one number.

Mr. ALLISON. What becomes of the man who has been already promoted? He goes up a number in a lower.

Mr. QUARLES. When his name is reached.

Mr. PROCTOR. When his name is reached. That just follows the principle which was adopted in the act of February 2, 1901, and which has been in operation without any friction or question.

Mr. ALLISON. Then this is only to add so many additional officers to the Regular Army?

Mr. PROCTOR. As may be detailed.

Mr. ALLISON. As may be detailed? Of course that is a very convenient thing to do, but you will of necessity have at some time more army officers than you will need under that detail.

Mr. SPOONER. Mr. President, I wish to call the attention of the Senator in charge of the bill to another provision in this amendment. There are now, I think, three battalions.

Mr. QUARLES. Two at present.

Mr. SPOONER. There are two battalions, and by this amendment three.

Mr. QUARLES. Three by the amendment.

Mr. PROCTOR. Three were authorized by the act of February 2, 1901.

Mr. ALLISON. I understand; three battalions of four companies each—

To include the enlisted men of the present regiment who may be in the service June 30, 1904, and officers as herein provided. The field officers shall be detailed from the officers of the Regular Army of the same grade and shall receive the pay and emoluments of their grade.

There is no objection to that that I know of.

The present officers of the regiment below the grade of field officers who are mentally, morally, and physically qualified and have proved efficient in their respective positions may be reappointed by the President, by and with the advice and consent of the Senate, for a provisional term of four years.

Why is that provision inserted in the bill?

Mr. QUARLES. Their time expires next June, I may say to the Senator.

Mr. ALLISON. I know; but we are extending the time provisionally for four years. Why should they not be continued in their offices by reappointment when they shall have been found to be mentally, morally, and physically qualified and have a record of efficiency in the service in their respective positions?

Mr. PROCTOR. Do I understand the Senator to wish to take all the officers into the Army approximately by legislation, without reference to their qualification?

Mr. SPOONER. If the Senator puts that question to me, I do not.

Mr. PROCTOR. I did not understand whether that is what the Senator wishes or not.

Mr. SPOONER. No; that is not what I wish.

The present officers of the regiment below the grade of field officers who are mentally, morally, and physically qualified and have proved efficient in their respective positions may be reappointed by the President, by and with the advice and consent of the Senate.

Now, where upon examination these officers are found to be morally, mentally, and physically qualified and to have made efficient records, why not continue them for this extended term of service without any reappointment and confirmation by the Senate? Those men who can not pass the examination may be displaced, and ought to be displaced, if they have not made a record for efficiency, if they are not mentally and morally and physically fit.

Mr. PROCTOR. As the law now stands they all go out, officers and all, June 30. They stand on a par and under the same principle with volunteer regiments. They have never been subjected to the requirements which apply to officers of the Regular Army. Continuing them indefinitely would make them practically officers of the Regular Army. That they do not ask, and all the authorities of the War Department are very much opposed to it. I think that would be unwise.

Mr. SPOONER. Of course, if continuing these officers, who are not officers in the Regular Army, for a term of four years would constitute them indefinitely officers of the Regular Army, I am very greatly surprised.

Mr. PROCTOR. I do not say that it would.

Mr. SPOONER. It obviously would not.

Mr. PROCTOR. But indefinitely it would put them practically on a par with officers of the Regular Army.

Mr. SPOONER. This does not provide for any indefinite continuance. Suppose an officer is sent to a regiment there, qualified, as in the language of the bill, mentally, morally, and physically fit, and has made a good record for efficiency, why, if you are continuing the term of service of the provisional regiment for four years, should not such a man be continued in his position?

Mr. FORAKER. Would it meet the Senator's view if the word "may" should be changed to "shall," so as to read "shall be appointed?"

Mr. SPOONER. I have some doubt about the power to require the President to appoint; but it does seem to me that it might as well be provided that there should be an examination, and that officers found to be mentally, morally, and physically qualified, who have proved efficient in their respective positions, shall be continued in said positions, or during the provisional term of four years.

Mr. FORAKER. They would have to be recommissioned, I suppose.

Mr. SPOONER. Not necessarily, in a continuance of the term of the existing regiment in which the officers are serving and have served for some years.

Mr. FORAKER. I do not know how their commissions read about that. When they read that they shall expire the 1st of July next, of course an act of Congress may continue them and give them another commission; but I suppose it was the view of the subcommittee that framed this amendment—I did not take any part in it—that inasmuch as they would have to be reappointed, there should be that kind of a provision authorizing the reappointment, and they said the President "may" appoint, instead of the President "shall" appoint them, with a view of not having an appearance of compelling the President to appoint certain officers.

Mr. PROCTOR. It is the same provision that is used in regard to the Philippine Scouts.

Mr. SPOONER. That is not a parallel case. I ask that this amendment be reconsidered and that it may go over.

The PRESIDENT pro tempore. The Chair regards it as an open question.

Mr. SPOONER. I ask that it be passed over.

The PRESIDENT pro tempore. The amendment will be passed over at the request of the Senator from Wisconsin.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, at the top of page 23, to insert:

Pay of officers of the line, $76,200.

The amendment was agreed to.

The reading was continued to line 13, page 23.

Mr. PROCTOR. I move to strike out from line 14 down to and including the word "purposes," in line 24, and to insert:

All the money hereinbefore appropriated for pay of the Army and miscellaneous shall be disbursed and accounted for by officers of the Pay Department as pay of the Army, and for that purpose shall constitute one fund: *Provided*, That hereafter all payments to be made under the provisions of section 23 of the act of Congress approved January 21, 1903, and all allowances for mileage shall be made solely from the sums herein appropriated for such purposes: *And provided further*, That all the accounts of individual paymasters shall be analyzed under these several heads of the appropriation and recorded in detail by the Paymaster-General of the Army before said accounts are forwarded to the Treasury Department for final audit, and a statement of the amounts so disbursed shall be furnished to the chairmen of the Military Committees of the Senate and House of Representatives on the reassembling of Congress at its next session.

Mr. GORMAN. What is the object of that amendment?

Mr. ALLISON. Let me ask the Senator, as this seems to be a novel change, why are these several accounts required to be sent to a committee or to committees of Congress?

Mr. PROCTOR. The amendment was sent here from the Pay Department, and I thought it was harmless.

Mr. ALLISON. It is reasonably so, but that detail would undoubtedly be a very large document to send up. It would embrace a number of details of no value.

Mr. PROCTOR. They are of no value. I am perfectly willing to strike off that part of the amendment.

Mr. COCKRELL. Let the clause be read. I did not hear it.

Mr. GORMAN. Let it be read again.

The PRESIDENT pro tempore. The Secretary will read the last clause of the amendment.

The Secretary read as follows:

And a statement of the amounts so disbursed shall be furnished to the chairmen of the Military Committees of the Senate and House of Representatives on the reassembling of Congress at its next session.

Mr. ALLISON. It covers all the appropriations hereinbefore appropriated, including pay of Army and the entire amount disbursed.

Mr. GORMAN. Let the whole amendment be read again.

The Secretary read the amendment.

Mr. PROCTOR. I can state in a moment the purpose of this change. The wording as it came from the House was different from what it had been heretofore and would require each individual paymaster to keep an account with every item of appropriation. It would require every paymaster to keep nineteen different accounts with different items of appropriation. The wording of previous acts was changed by leaving out the words "the Army and miscellaneous" and the words "and accounted for."

It would also require them to carry very much more money, because they must have enough funds appropriated for each particular purpose to answer any probable requirement for that purpose. So, instead of using it as one fund, they would be required to have nineteen different funds and a surplus, of course, of sufficient amount to surely cover each one. Some of the funds they can not calculate accurately. Of some of them the whole would not be used. If used as one fund, they can save carrying a large amount of money and save a very great amount of clerk hire. The Pay Department say that it would be utterly impossible to do the business of the department without a large increase of clerks, if the provision passes as it came to the Senate.

Mr. ALLISON. I of course do not want to interfere with the Senator in this plan, but some years ago all the pay of the Army, both of officers and enlisted men, was created into one fund in the accounting and in the disbursing; that is to say, the pay to the officers and men in the active list, etc., shall be disbursed. As I understand the amendment the Senator has sent to the desk, it

provides that all appropriations, including miscellaneous appropriations, shall be treated as one fund.

Mr. PROCTOR. That has already been the law.

Mr. COCKRELL. Oh, no.

Mr. ALLISON. Not always.

Mr. PROCTOR. I mean of late years.

Mr. ALLISON. It may have been of late years. I prefer that the amendment shall go over until to-morrow, if the Senator will allow that course to be taken.

Mr. PROCTOR. Certainly; I have no objection to its going over.

Mr. ALLISON. And if the Senator will allow me now to move an executive session, I will be greatly obliged to him.

Mr. PROCTOR. All right.

Mr. ALLISON. I make that motion, Mr. President.

The PRESIDENT pro tempore. The Senator from Iowa moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 8, 1904, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate March 7, 1904.

PROMOTIONS IN THE ARMY.

INFANTRY ARM.

To be first lieutenants.

Second Lieut. La Vergne L. Gregg, Twenty-second Infantry, November 27, 1903, vice Gunn, Twentieth Infantry, retired from active service.

Second Lieut. Oliver F. Snyder, Eighteenth Infantry, November 28, 1903, vice Tillman, Seventh Infantry, promoted.

Second Lieut. Edward L. Rains, Twenty-fourth Infantry, December 2, 1903, vice Lyles, Twentieth Infantry, deceased.

Second Lieut. Charles L. Woodhouse, Twenty-eighth Infantry, December 10, 1903, vice Holden, Tenth Infantry, promoted.

Second Lieut. Bertram P. Johnson, Twenty-fourth Infantry, December 17, 1903, vice Bates, Twenty-fifth Infantry, promoted.

Second Lieut. Gustave A. Wieser, Fifteenth Infantry, December 26, 1903, vice Cranston, Seventeenth Infantry, promoted.

Second Lieut. Charles R. W. Morison, Fifth Infantry, January 2, 1904, vice Toffey, Fourth Infantry, promoted.

Second Lieut. Walter L. Reed, Tenth Infantry, January 8, 1904, vice Winship, Sixteenth Infantry, appointed judge-advocate.

PROMOTIONS IN THE NAVY.

Commander William H. Everett to be a captain in the Navy from the 17th day of February, 1904, vice Capt. Caspar Goodrich, promoted. This nomination is submitted to correct an error in the date of Commander Everett's promotion as confirmed on February 26, 1904.

Lieut. (Junior Grade) Louis Shane to be a lieutenant in the Navy from the 4th day of February, 1904, vice Lieut. Clarence S. Williams, promoted.

Lieut. (Junior Grade) Edward W. McIntyre to be a lieutenant in the Navy from the 4th day of February, 1904, vice Lieut. Roger Welles, jr., promoted.

Ensign William S. Miller to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, having completed three years' service in his present grade.

Paymaster John C. Sullivan to be a pay inspector in the Navy from the 4th day of November, 1903, vice Pay Inspector Hiram E. Drury, promoted.

Ensign Edgar B. Larimer to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904, having completed four years' service in his present grade.

First Lieut. John G. Muir, United States Marine Corps, to be a captain in the United States Marine Corps from the 27th day of December, 1903, vice Capt. Ben H. Fuller, promoted.

JUDGE.

Henry Thomas Reed, of Iowa, to be United States judge for the northern district of Iowa, vice Oliver P. Shiras, resigned.

POSTMASTERS.

IDAHO.

Mary A. Wall to be postmaster at Blackfoot, in the county of Bingham and State of Idaho, in place of Fred S. Stevens. Incumbent's commission expired December 13, 1903.

Austin B. Cochran to be postmaster at Atlanta, in the county of Hamilton and State of Indiana. Office became Presidential January 1, 1904.

INDIAN TERRITORY.

James E. Elliott to be postmaster at Duncan, in the Chickasaw Nation, Ind. T., in place of James E. Elliott. Incumbent's commission expires March 20, 1904.

KANSAS.

Joseph H. Smith to be postmaster at Downs, in the county of Osborne and State of Kansas, in place of Joseph H. Smith. Incumbent's commission expired March 6, 1904.

MAINE.

Eugene A. Fairfield to be postmaster at Kennebunk, in the county of York and State of Maine, in place of Eugene A. Fairfield. Incumbent's commission expires March 20, 1904.

MINNESOTA.

George E. Carson to be postmaster at Bemidji, in the county of Beltrami and State of Minnesota, in place of Eva Kaiser. Incumbent's commission expires March 20, 1904.

MONTANA.

Charles D. Howell to be postmaster at Havre, in the county of Chouteau and State of Montana, in place of Jesse C. Ricker. Incumbent's commission expired January 23, 1904.

NEBRASKA.

William Royer to be postmaster at Seward, in the county of Seward and State of Nebraska, in place of William Royer. Incumbent's commission expires March 31, 1904.

NEW YORK.

James Fox to be postmaster at St. Johnsville, in the county of Montgomery and State of New York, in place of James Fox. Incumbent's commission expires March 20, 1904.

Merrill Hosmer to be postmaster at Potsdam, in the county of St. Lawrence and State of New York, in place of Merrill Hosmer. Incumbent's commission expires March 31, 1904.

NORTH DAKOTA.

Ellef K. Myhre to be postmaster at Valley City, in the county of Barnes and State of North Dakota, in place of Ellef K. Myhre. Incumbent's commission expires March 23, 1904.

OHIO.

Frederick T. Miles to be postmaster at Salem, in the county of Columbiana and State of Ohio, in place of Frederick T. Miles. Incumbent's commission expired March 6, 1904.

SOUTH CAROLINA.

Lawrence O. Harper to be postmaster at Honea Path, in the county of Anderson and State of South Carolina. Office became Presidential January 1, 1904.

SOUTH DAKOTA.

Casper Kennedy to be postmaster at Sisseton, in the county of Roberts and State of South Dakota, in place of Casper Kennedy. Incumbent's commission expired January 23, 1904.

WASHINGTON.

Henry A. Rathvon to be postmaster at Marysville, in the county of Snohomish and State of Washington. Office became Presidential July 1, 1903.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 7, 1904.

DISTRICT JUDGE.

Henry Thomas Reed to be United States judge for the northern district of Iowa.

PROMOTIONS IN THE NAVY.

Lieut. Commander Walter S. Hughes to be a commander in the Navy from the 4th day of February, 1904.

Lieut. Walter O. Hulme to be lieutenant-commander in the Navy from the 17th day of February, 1904.

Lieut. (Junior Grade) Oscar D. Duncan to be a lieutenant in the Navy from the 1st day of January, 1904.

Ensign Alexander F. H. Yates to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

Second Asst. Engineer Byron A. Minor to be a first assistant engineer, with the rank of second lieutenant, in the Revenue-Cutter Service of the United States.

Second Asst. Engineer Charles S. Root to be a first assistant engineer, with the rank of second lieutenant, in the Revenue-Cutter Service of the United States.

POSTMASTERS.

IOWA.

William A. Grummon to be postmaster at Rockwell, in the county of Cerro Gordo and State of Iowa.

A. M. Loomis to be postmaster at Wyoming, in the county of Jones and State of Iowa.

NEBRASKA.

Theodore A. Gierens to be postmaster at Arlington, in the county of Washington and State of Nebraska.

WEST VIRGINIA.

Samuel B. Montgomery to be postmaster at Tunnelton, in the county of Preston and State of West Virginia.

HOUSE OF REPRESENTATIVES.

MONDAY, *March 7, 1904.*

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of Saturday's proceedings was read and approved.

SELECT COMMITTEE TO INVESTIGATE USELESS PAPERS, POST-OFFICE DEPARTMENT.

The SPEAKER. The Chair calls the attention of the House to a letter from the Postmaster-General reporting that the files of his Department are burdened with useless papers and asking for the appointment of a committee under the statute providing for their examination. The Chair will appoint as members of the joint select committee Messrs. BATES and BASSETT.

CHANGE OF COMMITTEE ASSIGNMENT.

The SPEAKER. The Chair lays before the House the following communication, which the Clerk will report.

The Clerk read as follows:

Hon. JOSEPH G. CANNON, *House of Representatives.*

Mr. SPEAKER: I have the honor to tender you my resignation as a member of the Committee on Expenditures in the Interior Department.

Very respectfully,

E. S. CANDLER, Jr.

The SPEAKER. If there be no objection, Mr. CANDLER will be excused from further service upon this committee. Is there objection? [After a pause.] The Chair hears none, and the Chair appoints Mr. PINCKNEY to the place made vacant by Mr. CANDLER's resignation.

JANE I. LONG.

The SPEAKER. The Chair lays before the House the following Senate bill, amended by the House, returned with the amendment of the House disagreed to, and asking for a conference. The Clerk will report the same.

The Clerk read as follows:

A bill (S. 3274) granting an increase of pension to Jane I. Long.

Mr. SULLOWAY. Mr. Speaker, I move that the House insist upon its amendment and agree to the conference.

The SPEAKER. The gentleman from New Hampshire moves that the House do insist upon its amendment and agree to a conference.

The motion was agreed to.

The SPEAKER appointed as conferees Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

WILLIAM W. JACKSON.

The SPEAKER. The Chair also lays before the House the following Senate bill amended by the House, returned with the amendment of the House disagreed to and asking for a conference, which the Clerk will report.

The Clerk read as follows:

A bill (S. 1543) granting an increase of pension to William W. Jackson.

Mr. SULLOWAY. Mr. Speaker, I move that the House insist upon its amendment and agree to a conference.

The SPEAKER. The gentleman from New Hampshire moves that the House insist upon its amendment and agree to a conference.

The motion was agreed to.

The SPEAKER appointed as conferees Mr. GIBSON, Mr. MIERS of Indiana, and Mr. SULLOWAY.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. BINGHAM. Mr. Speaker, the legislative, executive, and judicial appropriation bill went to the Speaker's table under the rules on Saturday afternoon. I desire to call up the conference report.

The SPEAKER. The gentleman from Pennsylvania submits the conference report on the legislative, executive, and judicial appropriation bill, and asks unanimous consent that the statement may be read in lieu of the report. Is there objection?

Mr. MANN. Mr. Speaker, I desire to make the point of order on the conference report.

The SPEAKER. What is the gentleman's point of order?

Mr. MANN. The report states, in regard to amendment No. 235, "That the House recede from its disagreement to the amendment of the Senate No. 235, and agree to the same with an amendment as follows: Insert after the word 'personal,' in line 10, page 151 of the bill, the words 'or official;' and the Senate agree to the same." Mr. Speaker, the amendment is to section 3 of the bill which passed the House.

The SPEAKER. Has the gentleman the number of the amendment?

Mr. MANN. Two hundred and thirty-five and 236. The amendment as it passed the House provided that "no part of any money appropriated by this act shall be available for paying expenses of horses and carriages or drivers therefor for the personal use of any officer provided for." The Senate added an amendment, 235, so as to read "no part of any money appropriated by this or any other act." Upon that amendment the conferees proposed to concur with an amendment inserted in another portion of the text, entirely separate from the amendment, with no regard whatever to the subject-matter of the amendment of the Senate, the words "or official" after the word "personal." The House passed a bill saying that "no part of any money appropriated by this act shall be available for paying expenses of horses and carriages or drivers therefor for the personal use of any officer provided for." That is the way the bill passed the House. The Senate passed the bill in the same shape; the conferees added, not to any amendment in the bill, but to a portion of the text of the bill which had been agreed upon by both Houses, that after the word "personal" insert the words "or official."

Now, Mr. Speaker, so far as the ruling has been made on this subject, the identical question was before the Committee of the Whole House on the oleomargarine bill. The House passed the provision reading "any coloration or ingredient." The Senate struck out the words "or ingredient" and made the bill read "any artificial coloration," so that the amendment to the bill came before the word "coloration." In the Committee of the Whole, when that bill was considered, the chairman ruled upon consideration that because the word "artificial" came before the word "coloration" the House could not concur with an amendment adding a word after the word "coloration." The chairman said, on page 4595 of the RECORD of April 23, 1902:

> But the Chair is still of opinion that the amendment, coming as it does in the text of the bill after the word "coloration," although it is only one word beyond the Senate amendment, the effect is just the same as if it were ten words or ten lines, and the Chair therefore adheres to the ruling that the text of the bill which has been agreed to by both Houses is sacred and can not be amended in Committee of the Whole.

Of course, so far as the Committee of the Whole is concerned, the conferees can have no greater power than the House itself could have; so that if the Committee of the Whole can not add a word in the text of the bill apart from the amendment of the Senate, then the conferees have no power to add to the text of the bill. That matter in the committee at that time was considered exhaustively, or at considerable length. There was quite a controversy in the House, and there was a great effort being made in the committee to amend the Senate amendment.

The subject-matter was precisely the one before the House, and the Chairman then ruled that although it was germane to the subject-matter, you could not add in the bill an amendment to the text which had been agreed to, in a different place, although only one word away from the amendment of the Senate.

Now, here is a proposition to add as an amendment the words "or official," which have no relation whatever, so far as the subject-matter is concerned, to the Senate amendment and not in connection with the amendment, words which could not possibly be used along with the Senate amendment and which do not relate to it. It seems to me that the conferees in that respect have exceeded their powers, and I make the point of order.

The SPEAKER. The Chair does not quite understand the exact point of objection. The Chair has the bill before him.

Mr. MANN. The Chair will see that the Senate amendment in line 3, page 161, adds the words "or any other." Senate amendment inserts the words "or any other." Now, the conferees propose to insert in line 5, the same page, after the word "personal," the words "or official," making a change of the text of the bill.

The SPEAKER. As the Chair understands the gentleman, his point is that this matter agreed to was not in conference; that in the printed bill, in amendment 235, in line 5, after the word "personal," the words "or official" were inserted by the conferees, according to their report, as a part of this report.

The gentleman refers to the language that "no part of any money appropriated by this or any other act shall be available for paying expenses of horses and carriages or drivers therefor for the personal use of any officer," and the gentleman complains that the conferees insert the words "or official" after the word "personal," so that it reads "personal or official use." The gentleman claims that the conferees did not have jurisdiction ——

Mr. MANN. To change the text of the bill.

The SPEAKER. To insert the words "or official."

Mr. MANN. That is it.

The SPEAKER. In other words, that there was no disagreement between the House and the Senate touching the use of horses and carriages for official purposes. The Chair will hear from the gentleman from Indiana [Mr. HEMENWAY].

Mr. HEMENWAY. Mr. Speaker, the subject-matter of this provision of the bill was the use of carriages by officials of the Government. The House sought by this provision of the bill to prevent the use of carriages by other than the President or the Secretary to the President and the heads of Departments. That was the provision as it passed the House. That was what the

House sought to do. When the bill went to the Senate, the Senate amended by adding, at the end of line 3, the words "or any other," and again, in line 6, it amends by adding the words "by this or any other act." The amendments of the Senate, we insist, leave the whole item open for conference. The conferees seek to reconcile the difference between the two Houses by adding after the word "personal" the words "or official." The gentleman from Illinois [Mr. MANN] cites a conference report where the conferees, I apprehend, sought to add a word to a section that was not open and which had not been amended by the Senate.

Mr. MANN. If the gentleman will permit me, Mr. Speaker, in the case which I cited the Senate added the word "artificial" before the word "coloration," and the ruling was that, that being added in the Senate, we could not add after the word "coloration" the words "except colored butter." That was the ruling.

Mr. HEMENWAY. The gentleman changed the whole scope of his provision by adding that.

Mr. MANN. Not at all.

Mr. HEMENWAY. This simply makes it more definite.

Mr. MANN. "Artificial coloration" meant one thing. An amendment was proposed to make that read "artificial coloration, except colored butter," and the ruling was that it could not be done, because it inserted an amendment in the text of the bill one word away from the amendment.

Mr. HEMENWAY. Let me suggest this to the gentleman: The House passed this bill with a provision intending to prevent the use of money appropriated in the bill for carriages for anyone except the President, his secretary, and the heads of the Executive Departments. The Senate thought the House had not gone far enough. It added the words "by this or any other act." The conferees, in order to reach an agreement, have simply amplified the restriction proposed to be put upon the use of certain public property. The character, quality, and extent of the public property in question are not affected by the action of the conferees.

The conferees on the part of the House insisted that if the restriction, applying to money in one bill only, was to be applied to moneys appropriated in all other bills, as proposed by the Senate, then the restriction should be amplified as stipulated in this report, and the effect is simply to do what both Houses have all along proposed to do—that is, provide that no one shall have the use of a carriage excepting the President, his secretary, or the heads of Departments. Therefore, by the action of the Senate as modified by the action of the conferees in agreeing to an amendment, the legislation intended by the House and the Senate is in no wise changed, but, on the contrary, is made more definite, so that the intention of the House and the intention of the Senate will be carried out in the enactment of this provision in the bill.

Mr. MANN. If the gentleman will pardon me, he is making the same speech which I made to the Chair on the oleomargarine bill. I thought the ruling of the Chair to be wrong, but I take it that a ruling made by the Chair constitutes a precedent for the government of the House. I read from the RECORD:

Mr. SCOTT. I understand the Chair to hold that the text of the original bill, which has passed both Houses, is sacred and can not be touched in this committee.

The CHAIRMAN. That is the opinion and ruling of the Chair.

Now, what is sauce for the goose is sauce for the gander.

Mr. HEMENWAY. I insist, notwithstanding the statement of the gentleman from Illinois [Mr. MANN], that the committee of conference have not exceeded their jurisdiction or violated the rules and practice that obtain in conferences.

The proposition is just this: The House proposed a restriction on the use of such carriages and horses as are procured with money appropriated in one particular act; the Senate extended the proposed restriction to carriages and horses procured with money appropriated in all acts; to which amendment the House disagreed and referred the controversy or disagreement between the two Houses to the conference committee for the purpose of reconciliation. Assuming, as the conference committee did, that the real controversy between the two Houses was the question of the use of carriages and horses belonging to the Government, and in order to bring the two Houses together on the question, they have recommended, first, that the House agree to the proposition of the Senate to extend the proposed restriction to all moneys appropriated by Congress, and, second, that the Senate agree that the use of such carriages and horses shall be restricted both to personal and official purposes.

Mr. MANN. There can be no doubt that the ruling on the oleomargarine bill covered identically this case.

The SPEAKER. The Chair would suggest to the gentleman in charge of the conference report that while the Chair, as now advised, could rule upon this point of order, yet it is matter of such importance that the Chair would be glad to have until a later hour to-day or possibly to-morrow morning to consider this question.

Mr. HEMENWAY. I ask unanimous consent that the matter go over until to-morrow morning.

The SPEAKER. Is there objection? [A pause.] The Chair hears none, and it is so ordered.

LEASES FOR POST-OFFICE PREMISES.

Mr. OVERSTREET. Mr. Speaker, I am directed by the Committee on the Post-Office and Post-Roads to report to the House the privileged resolution which I send to the desk.

The resolution (H. Res. 118) was read, as follows:

Whereas Fourth Assistant Postmaster-General J. L. Bristow, in his report to the Postmaster-General dated October 24, 1903, and which report has been transmitted to a committee of this House, has charged that "long-time leases for post-office premises were canceled and the rent increased upon the recommendation of influential Representatives;" and

Whereas it is charged in the same report that "if a Member of Congress requested an increase in the rent the rent was increased, a postmaster Beavers usually complied, regardless of the merits of the case;" and

Whereas certain cases of an aggravated character are cited on pages 133, 134, and 135 of said report to sustain the above charges; and

Whereas on page 136 of said report it is charged that Members of Congress have [illegible] of the Revised Statutes, and that in the face of this statute Beavers has made contracts with Members of Congress for the rental of premises either in their own names, the names of their agents, or some member of their families; and

Whereas these charges and others contained in said report reflect upon the integrity of the membership of this House, and upon individual Members of this House whose names are not mentioned; Therefore, be it

Resolved, That the Speaker of this House appoint a committee, consisting of five Members of this House, to investigate said charges, and in connection therewith any frauds or irregularities in the conduct of the Post-office Department; that said committee have power to send for persons and papers, to enforce the production of the same, to examine witnesses under oath, to have the assistance of a stenographer, and to have power to sit during the sessions of the House, and to exercise all functions necessary to a complete investigation of said charges, frauds, and irregularities, and to report the result of said investigation as soon as practicable.

In lines 3 and 4 strike out the words "and in connection therewith any frauds or irregularities in the conduct of the Post-office Department."

In line 10 strike out "frauds, and irregularities."

Mr. OVERSTREET. The Clerk is mistaken in the reading. The words which the Clerk has just read as if stricken out by the committee were stricken out before the resolution was referred. That is not the recommendation of the committee. I ask that the Clerk read the language of the resolution, omitting the parts stricken out, which were stricken out upon the suggestion of the author of the resolution when it was originally submitted.

Mr. HAY. Those words were stricken out not upon my suggestion, but upon a point of order raised by the gentleman from Massachusetts.

Mr. OVERSTREET. At all events, those words are not a part of the resolution.

The SPEAKER. Of course, this is a departure from the usual custom; but with the explanation made, the Clerk will report the resolution, omitting the words which have been erased.

The resolution was again read, as follows:

Resolved, That the Speaker of this House appoint a committee, consisting of five Members of this House, to investigate said charges; that said committee have power to send for persons and papers, to enforce the production of the same, to examine witnesses under oath, to have the assistance of a stenographer, and to have power to sit during the sessions of the House, and to exercise all functions necessary to a complete investigation of said charges, and to report the result of said investigation as soon as practicable.

Mr. OVERSTREET. Mr. Speaker, the committee has unanimously directed me to report a recommendation that this resolution lie upon the table. Before I make the formal motion, however, that the resolution be so disposed of, I wish to submit to the House a proposition for unanimous consent for general debate on the resolution, which has been agreed upon, so far as the committee membership of both parties could control this matter. The proposition is that notwithstanding the motion to lay the resolution on the table the subject-matter may be debated generally for two hours, one hour to be controlled by myself and one hour by the gentleman from Tennessee [Mr. MOON], and that at the end of those two hours——

Mr. MADDOX. May I ask the gentleman a question?

Mr. OVERSTREET. I should have preferred to submit my proposition before yielding; but I yield.

Mr. MADDOX. Why can we not get copies of this report before we begin this discussion?

Mr. OVERSTREET. I will explain that.

Mr. MADDOX. Why should we begin the discussion upon this very short notice, when nobody here has ever seen the report? We should like to see the report, so that we may know something about it before we begin the discussion.

Mr. OVERSTREET. Answering the gentleman from Georgia [Mr. MADDOX] before I complete my first statement, I will say that we had no authority, in fact, to order this report printed. However, for the purpose of accommodating the membership of the House, I have stretched my authority somewhat by ordering it printed in advance, subject, of course, to the ratification of the House, in order that Members might have the document upon their desks. The Printing Bureau promised to have copies of the report sent directly to the Doorkeeper's desk on this floor for the use of Members. If that promise is kept, the copies should be in

the possession of Members within a half hour at the furthest. I did the best I could. I made that request on last Saturday, immediately after the committee authorized this report. Naturally it has taken some time to prepare the document. I think, however, that the suggestion of the gentleman from Georgia will be complied with before the conclusion of the time I have indicated.

Mr. UNDERWOOD. May I ask the gentleman a question?

Mr. OVERSTREET. Yes, sir.

Mr. UNDERWOOD. In view of the fact that this report ostensibly reflects on the membership of this House, does not the gentleman think it would be fair and proper toward Members to ask that the report be printed and then call the matter up to-morrow or the next day, when Members will have had a chance to read the report and know what is in it?

Mr. OVERSTREET. I will say to my friend from Alabama that "ostensibly this report reflects on Members" is a statement that the committee is in no wise responsible for, nor will the report [illegible] statement.

Mr. UNDERWOOD. I understand that; but the Fourth Assistant Postmaster-General, as I understand, has reflected on the membership of this House.

Mr. OVERSTREET. Quite to the contrary. The report of the Fourth Assistant Postmaster-General in no way says that a Member of this House has violated any law, except in the case of leasing their individual property for post-office purposes. There are but three of those cases, and the committee explains all of them fully.

Mr. UNDERWOOD. As I understand the matter, I have been under the impression all the time that there was a report that was covered by the Hay resolution, that did reflect on the membership of this House; and I understand that the Post-Office Committee have called for the facts and propose to report those facts to the House. Now, I do not mean to say he has reflected on the membership of this House, but I have understood all the time the report did. If it has not been found that there was such, and if that has been investigated and considered, what is the use of discussing it at all? But if there is something there that might reflect on the membership of this House I think it but just to the membership of this House, and not only to the committee, because they are informed, while the balance of us are not. This is a matter that is personal to the membership of the House, and I do not think the gentleman would want to push the question until the membership of this House, each man, has had an opportunity to read that statement made by Mr. Bristow.

Mr. OVERSTREET. Well, let me explain briefly, by unanimous consent, of course, that the committee has felt so strongly that there is no reflection upon the integrity or conduct of the Members growing out of their various recommendations in the Post-Office Department that it was fair to the membership and the country to give the facts publicity, willing to give it out in a proper and lawful way rather than to appear to suppress something which might be magnified and exaggerated from what the truth is.

Now, then, in view of the unanimous report of the committee, representing both of the parties upon the floor, that this resolution ought to lie upon the table for the reason that the facts before the committee did not warrant any investigation of Members, it was thought that the Members could well afford for a short time to consider the question without going into the detail of reading the several hundred cases which are given in this report.

Speaking for myself, I do not believe there is an instance in all of these cases which in any wise reflects upon the conduct of Members, other than a construction which some person might make as to the motive which prompted the constituency and the public officers were discharging their legitimate duty; but in view of the overwhelming sentiment, which has been to a large extent engendered by the press, that we were keeping something from the open light of day, the committee unanimously recommends to the House that the House show to the country an abstract of each one of these cases, which makes a complete exoneration, in my judgment, of the attitude of Members and will intrench them in the respect and honor of the country, where they have been prompted by the honest efforts of their constituencies to make recommendations for consideration by a great Department, because——

Mr. UNDERWOOD. If the gentleman will permit me.

Mr. OVERSTREET (continuing). Because I think it due to the interests of the country to carry out their duty to their constituencies. I am not disposed at all to force this upon the attention of the House at this time if they feel, or any considerable number feel, we should consider it at some other time.

Mr. UNDERWOOD. If the gentleman will allow me just a moment. I am glad to hear what the gentleman says, that this difficulty which was stated by the press, as containing a reflection upon the membership of this House, has no warrant; and I am glad to know that the committee is giving a report containing all the facts and testimony, and that they are giving it out fully. We are not, by allowing this matter to go over until to-morrow, suppressing anything from the press. When that report comes here they can get it, and take it, and send it out to-day; but I do think that it is due to the membership of this House that the report should be brought in and published that was supposed to reflect upon them. In fact, I saw an editorial or a statement in one of the morning papers of to-day saying that this report, involving over one-half of the membership of this House, was to be brought in.

Mr. OVERSTREET. That is not true.

Mr. UNDERWOOD. Of course it is not. I recognize that from what the gentleman says. I think this matter ought to go over until to-morrow and give every man on the floor of this House an opportunity to read that report from the Postmaster-General before we are brought to a vote on the matter. We should know the facts of the matter on which we are voting.

Mr. WM. ALDEN SMITH. Will the gentleman yield to me?

The SPEAKER. Does the gentleman yield to the gentleman from Michigan?

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 10136. An act authorizing bail in criminal cases upon appeal in the courts of Indian Territory; and

H. R. 1909. An act to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land.

The message also announced that the Senate had passed joint resolution and bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. R. 48. Joint resolution authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington;

S. 4387. An act to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River near Gilbertsville, Ky.;

S. 3596. An act to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands;

S. 1974. An act amending the act of Congress approved January 26, 1895, entitled "An act authorizing the Secretary of the Interior to correct errors where double allotments of land have erroneously been made to an Indian, to correct errors in patents, and for other purposes;" and

S. 3. An act to regulate electrical wiring in the District of Columbia.

The message also announced that the President pro tempore had appointed Mr. PETTUS and Mr. LONG members of the joint committee on the part of the Senate, as provided for in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," for the disposition of useless papers in the Post-Office and Navy Departments.

LEASES FOR POST-OFFICE PREMISES.

Mr. OVERSTREET. I yield to the gentleman from Michigan.

Mr. WM. ALDEN SMITH. I understood the gentleman from Indiana to say that he had investigated the matter and to say that there is no evidence reflecting upon any Member of the House.

Mr. OVERSTREET. That is my personal judgment.

Mr. WM. ALDEN SMITH. Now, I would like to know whether the minority concede as much?

Mr. OVERSTREET. The minority, I will say, hold that there are some few instances which are susceptible of construction whether a Member has not exceeded his right as a Member in exercising his influence, but not in violation of any law.

Mr. WM. ALDEN SMITH. Do they distinguish between these cases?

Mr. OVERSTREET. I am perfectly willing to leave it to the minority members of the committee to answer the question, because I have the utmost confidence in them.

Mr. WILLIAMS of Mississippi. I would like to make this suggestion to the gentleman, that you ask unanimous——

Mr. OVERSTREET. Excuse me just a moment. On that proposition, if you will let me state a proposition before you ask the question, I may meet your desire. I want to suggest, Mr. Speaker, that I am disposed to believe that the request of Members is fair, and there is no disposition upon my part to object, and without any objection from any member of the Post-Office Committee, which was expecting this matter to be brought up to-day, I will ask unanimous consent, when we have this morning fixed

the time for general debate, that then the matter may go over until Wednesday.

Mr. WILLIAMS of Mississippi. I will suggest this, that you ask unanimous consent that upon Monday, immediately after the reading——

Mr. OVERSTREET. This is Monday.

Mr. WILLIAMS of Mississippi. I mean Wednesday—that immediately after the reading of the Journal we shall then take up this matter, and that you couple with it your former request for general debate, etc.

Mr. OVERSTREET. Of course, Mr. Speaker, it is a privileged resolution, and could be called up at any time. But I do not, however, wish to interfere with the regular order which has heretofore been determined upon. Therefore, Mr. Speaker, I submit this proposition for unanimous consent, that the matter be taken up for consideration immediately after the reading of the Journal on Wednesday, and that two hours general debate be had upon the proposition, one hour of the time to be controlled by myself and one hour to be controlled by the gentleman from Tennessee [Mr. MOON], and at the end of that time the vote be taken upon the motion to table.

Mr. UNDERWOOD. And, Mr. Speaker, that in the meantime the report be printed and distributed.

Mr. OVERSTREET. Yes; and that the report be printed as submitted to-day.

Mr. GROSVENOR. I would like to call the attention of the gentleman from Indiana——

Mr. OVERSTREET. I yield to the gentleman from Ohio.

Mr. GROSVENOR. That there is a feeling about me among a number of gentlemen, and I include myself, that two hours will not be sufficient. Is the gentleman from Indiana not willing to say four hours, two hours to a side?

Mr. OVERSTREET. I will compromise with my friend and give as my reason that the post-office supply bill will be before the House, and I do not want to take up too much time to its disadvantage. Suppose I would modify that and say three hours—an hour and a half on each side?

Mr. GAINES of Tennessee. Will the gentleman from Indiana yield?

Mr. OVERSTREET. For a question.

Mr. GAINES of Tennessee. Well, I think the gentleman is asking a great deal of this House. Before anybody has had a chance to read this proof, to say we shall only be permitted an hour to a side to consider this matter. I understand this report contains a thousand pages of printed matter. I shall not consent myself to limiting this debate to one hour to a side.

Mr. OVERSTREET. I said an hour and a half to a side.

Mr. GAINES of Tennessee. Why not give us two hours and a half on a side?

Mr. PAYNE. The gentleman from Tennessee doubtless recognizes the fact that no debate is in order upon this proposition, this being a report to lay on the table.

Mr. GAINES of Tennessee. Certainly the gentleman ought to give more than an hour to a side.

Mr. OVERSTREET. I am willing to give an hour and a half on a side. I think that the gentleman will have no difficulty in getting recognition.

The SPEAKER. The gentleman from Indiana asks unanimous consent that on Wednesday next, after the reading of the Journal, this subject shall be taken up, and that an hour and a half of debate be had on each side, one-half of the time to be controlled by the gentleman from Indiana and one-half of the time by the gentleman from Tennessee [Mr. MOON], when a vote shall be taken upon the motion that the resolution be upon the table.

Mr. UNDERWOOD. Mr. Speaker, I understand the gentleman coupled with that the request that in the meantime the Bristow report shall be printed.

Mr. OVERSTREET. I expect to submit the report at once, and it will be printed as a matter of course.

Mr. MOON of Tennessee. Mr. Speaker, I understand the arrangement to be that after general debate was closed and before the motion was made to lay upon the table this question could be presented to the House by way of an amendment to the resolution for a general investigation of the Post-Office Department, subject to the objection by the gentleman from Indiana under a point of order as he saw proper to make it.

Mr. OVERSTREET. That is quite correct, Mr. Speaker. I omitted that, although I think that they would have the right to do that without unanimous consent. The proposition is that at the close of the general debate and before a vote is taken upon the motion to lay on the table a substitute may be offered, I reserving a right to interpose an objection that it is not germane.

Mr. MOON of Tennessee. An amendment or a substitute?

Mr. OVERSTREET. Either.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. OVERSTREET. Now, Mr. Speaker, I submit the report of the committee and ask that it be printed under the rule.

The SPEAKER. The gentleman from Indiana, chairman of the Committee on the Post-Office and Post-Roads, by direction of that committee, submits a report, with the resolution that has already been reported, and asks that it be printed. Is there objection?

Mr. UNDERWOOD. I have no objection, Mr. Speaker, but under this order they would go to the document room?

Mr. OVERSTREET. I believe so.

Mr. UNDERWOOD. How many copies will be printed?

Mr. OVERSTREET. I do not know.

The SPEAKER. The usual number of copies.

Mr. OVERSTREET. I do not know what the usual number is.

Mr. UNDERWOOD. Congress has been indicted by the press, and I ask the gentleman from Indiana to couple with his motion a request that the report also be printed in the RECORD.

Mr. OVERSTREET. I can not agree to that, Mr. Speaker. It is too cumbersome to be printed in the RECORD and would be a needless expense. I have no objection to double the usual number of copies being printed.

Mr. UNDERWOOD. Will the gentleman also make the motion that one-half go to the folding room and one-half to the document room?

Mr. OVERSTREET. I understand that the usual number is 1,682. Now, I ask that 4,000 copies be printed, one-half to go to the folding room and one-half to the document room.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

POST-OFFICE APPROPRIATION BILL.

Mr. OVERSTREET. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the post-office appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. BOUTELL in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the post-office appropriation bill, the title of which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 18521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes.

Mr. OVERSTREET. I ask unanimous consent, Mr. Chairman, that the first reading of the bill be dispensed with.

The motion was agreed to.

Mr. OVERSTREET. Mr. Chairman, before entering upon an explanation of the bill, I wish to state to the committee that I did not think it advisable to-day to undertake to fix the limitation of the discussion under general debate. But I do trust that until that limitation shall be fixed by the House it may be divided equally under the suggestions made by the gentleman from Tennessee [Mr. MOON], the minority leader of the committee.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent that the time may be controlled by the gentleman from Tennessee [Mr. MOON] on behalf of the minority, and by the chairman of the committee on behalf of the majority until further order by the House. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. OVERSTREET. Mr. Chairman, the bill now before the committee authorizes the expenditure during the fiscal year ending June 30, 1905, of $169,996,588.75, carrying $16,484,039 more than the bill for the current fiscal year, which appropriated $153,511,549.75. The increased appropriation authorized by this measure over the current law is 10.8 per cent. It reduces the estimates submitted by the Department by an amount equal to $[illegible], anticipating of the estimates submitted an amount less by just sum. Nevertheless the bill carries $1,910,818.75 more than the estimates, and I desire to explain what otherwise would appear a mathematical inaccuracy. The regular estimates did not provide for complete estimates in the rural-delivery service.

While the report of the Department contained certain recommendations, the estimates submitted did not include complete estimates to cover the recommendations concerning the rural service, and the committee has authorized in this bill an appropriation of $5,200,000 for rural services more than the Department estimates. Gentlemen will then see the apparent discrepancy in the figures.

Mr. GAINES of Tennessee. I will ask the gentleman, Mr. Chairman, if he intends to raise the salaries of the rural carriers?

Mr. OVERSTREET. Yes.

Mr. GAINES of Tennessee. How much?

Mr. OVERSTREET. One hundred and twenty dollars.

Mr. GAINES of Tennessee. Does the gentleman think that is enough?

Mr. OVERSTREET. I do; as I think the gentleman will believe when he takes into account all of the conditions.

Now, Mr. Chairman, in order to bring to the attention of the committee the conditions of the postal service and the appropriations for it, I wish to call attention to the receipts and expenditures, as compared with the appropriations for the past few years, as appears from the following statement:

Analysis of appropriations—History of recent years.

Appropriations for 1902	$123,787,688.75
Expenditures for 1902	124,685,731.00
Revenue for 1902	121,[illegible]947.00
Deficit for 1902	2,817,684.00
Appropriations for 1903	153,416,[illegible]
Expenditures for 1903	152,[illegible]
Revenue for 1903	134,224,448.00
Deficit for 1903	4,[illegible]86,[illegible]85.00
Appropriations for 1904	15[illegible]
Expenditures for 1904 (estimated)	154,[illegible]
Revenue for 1904 (estimated)	147,[illegible]
Deficit for 1904 (estimated)	7,[illegible]
Appropriations for 1905 (authorized)	169,996,588.75
Expenditures appropriated	170,000,000.00
Revenue for 1905 (estimated)	160,000,000.00
Deficit for 1905 (estimated)	10,000,000.00

There is a constantly growing deficit in the postal service because of two principal features, one of which is the ever increasing demand for promotions and increases of salaries, and the other the demand for increased facilities that are constantly being experimented with and which later ripen into a permanency and involve a higher expenditure for the benefit of the postal service, resulting in both cases in an increased outlay, while the receipts do not increase in the same proportion. In a business transaction the rule usually obtains to first look to the amount which your business will receive before you determine exactly the expenditures. It has, however, in the postal service been quite the reverse. The demands for expenditures have been made without considering the receipts from the various channels provided for by law.

For the purpose of more clearly fixing in the minds of the committee the entire service and the relation of one branch to another, I propose to suggest a method which will enable all to carry more clearly in mind the expenditures of the various branches. The postal service is organized for equipment by the appointment of postmasters and their assistants; by the rent of buildings for post-office purposes; for the transportation of the mail by rail and water; by the star service, which supplements the water and rail transportation and connects the different communities; by the wagon service, which hauls the mail from depot to depot and from depots to offices, and by the mail messenger service, which supplements that portion where the post-offices are beyond the limit under the railroad contract for the delivery of the mail. That I classify as the group for the organization of the service. That organization must be equipped and put into operation whether a single letter is dispatched or not.

It is true that in the case of the transportation of mail the quantity controls the amount of pay, but the contracts for the service must be entered into whether there is any mail distributed or not. In the second group I place the facilities or aids to the promotion of the service, the dispatch of the mail—so that it may be delivered more promptly to the points of destination. Those facilities are the street-railway service, which carries the mail by cars within the large cities; second, the pneumatic tubes, which assist in the rapid dispatch of first-class mail matter; and, third, the canceling machines, which aid in the stamp cancellation for the quicker dispatch of the mail of the first class. That I call the second group, the first being the equipment or organization, and the second the facilities.

The third group is that of the supplies of the service. Each one of the four Assistant Postmasters-General carries his own supplies. Those supplies must be provided for, in a limited number of cases at least, regardless of the receipts of the service.

The fourth group is that of the employees, over 90,000 of whom are carried in this bill—the letter carriers numbering 22,000; the post-office clerks in first and second class offices numbering 24,000; the railway mail clerks numbering 12,500, and the rural carriers numbering 30,000 as provided for in this bill, and other employees of a miscellaneous character aggregating approximately 4,000. Those employees are provided for and their compensation fixed, whether a single letter is dispatched or not; and the same is true of the last group of the miscellaneous subjects, which cover a few items of a miscellaneous character.

In considering these various groups of appropriations carried in this bill, the question whether the receipts of the mail service are sufficient to meet the expenditures is a matter calling for some consideration at the hands of Congress with a view to the proper exercise of economy. The public demand for mail facilities, the demand within the service for increased salaries, the demands for higher rates of contracts, are, like the poor, "always with us." But when the Government looks at the question of appropriations from the standpoint of economy as well as efficiency in the service it is compelled, as any individual in his individual transactions would be forced to do, to consider both sides of the ledger.

I submit at this point a statement I have prepared which shows the sources of revenue in the postal service, and also the appropriations authorized by this bill, arranging these appropriations by the groups I have named.

POSTAL REVENUE.

Sales of postage stamps, stamped envelopes, newspaper wrappers, and postal cards; second-class postage (pound rate) paid in money; postage from foreign countries; fines and penalties; receipts from unclaimed dead letters, miscellaneous receipts; money-order business.

APPROPRIATIONS AUTHORIZED.

Group 1.—Organization.

Postmasters, $22,250,000. First class, 270; second class, 1,225; third class, 3,656; fourth class, 69,000. Total, 74,145.

First-class offices are all offices whose receipts are $40,000 and over. Salaries range from $3,000 to $8,000.

Second-class offices are all offices whose receipts are $9,000 and up to $40,000. Salaries range from $2,000 to $3,000.

Third-class offices are all offices whose receipts are $1,900 and up to and not exceeding $9,000. Salaries range from $1,000 to $1,900.

Fourth-class offices are those with receipts less than $1,900. Their pay is based upon cancellations of stamp revenue, all box rents, and disposition of waste paper, etc. On $50 cancellations per quarter they get 100 per cent; on the next $100 cancellations they get 60 per cent, the next $200 cancellations 50 per cent, and all the balance 40 per cent, until the compensation reaches $250 for four consecutive quarters, when the office becomes third class. These amounts do not include the money-order commissions—3 cents per order—that not being taken into account in reckoning the compensation.

Assistant postmasters, $2,000,000. Assistant postmasters are paid on the basis of 50 per cent of the postmaster's salary. Number, 1,654. Rent, light, and fuel, $9,550,000. Third-class offices get $400 rent and $80 fuel and light.

Transportation, $50,000,000. This includes—Railroad, $[illegible],000,000; railroad post-office cars, $5,796,000; foreign mails, $[illegible]; inland transit, $[illegible]; special facilities, $[illegible]. Star service, $[illegible]. Wagon service, $1,200,000. Mail-messenger service, $1,300,000. Total, $[illegible],000,000.

Group 2.—Facilities.

Street railway and suburban service	$600,000
Pneumatic-tube service	500,000
Canceling machines	200,000
Marine service at Detroit	4,500
Total	1,304,500

Group 3.—Supplies.

First Assistant Postmaster-General, including Supply Division, $707,500. Supply Division alone is $482,500. Principal items: Stationery, $85,000; wrapping twine, $140,000; wrapping paper, $90,000; blanks, etc., for the mail order service, $125,000. Second Assistant, $405,000. This includes the mail-bag and mail-lock shop and the miscellaneous supplies.

Third Assistant, $1,700,000. This is the supplies for the raising of revenue, covering the manufacture of postage stamps, stamped envelopes, newspaper wrappers, and postal cards, etc.

Fourth Assistant, $400,000. Three hundred thousand dollars of this is for supplies for the free-delivery service and $150,000 for supplies for the rural-delivery service. Total, $3,[illegible]

Group 4.—Employees.

Letter carriers, $20,500,000; number, about 22,000. Post-office clerks, first and second class offices, $30,000,000; number, about 24,000. Railway mail clerks, $12,000,000; number, about 12,500. Rural letter carriers, $[illegible]; number, about 30,000. Other employees, $1,511,000; number, about 4,000, as follows: Three thousand special-delivery boys, $120,000; 216 inspectors and per diem, $540,000; 288 mail bag and lock shop, $285,000; 64 clerks, rural free delivery, mechanics, etc., $164,000; 15 superintendents rural free delivery and rural agents, per diem, $56,000; 39 distributing agents of the Third Assistant, $38,000. Totals, 3,722 employees, $1,511,000.

Total number of employees, 92,500.

Additional money used for employees, but number not known:

Clerks in 10,000 "separating" offices	$1,000,000
Temporary post-office clerks	150,000
Substitute post-office clerks	100,000
Substitute railway mail clerks	150,000
Temporary railway mail clerks	50,000
Total	1,450,000

Total for employees, $75,500,000.

Group 5.

Miscellaneous subjects, $1,000,000; including horse hire, allowances for carriers in cities, car fare and bicycle allowance, payment of rewards, indemnity loss of registered matter, advertising for supplies and unclaimed letters.

RECAPITULATION.

Group 1—Organization	$38,000,000
Group 2—Facilities	1,304,500
Group 3—Supplies	3,200,000
Group 4—Employees	76,500,000
Group 5—Miscellaneous	1,000,000
Total	120,004,500

Mr. Chairman, I shall briefly call attention to some of the more important items of appropriation and bespeak from Members in their action on this bill the exercise of the same economy which they would hope to give to their individual affairs.

The item of postmasters' salaries alone carries twenty-three and a quarter million dollars. There are over 74,000 post-offices in the country. The salaries are fixed differently by the law, but the postmasters must be provided for, regardless of the receipts of their offices. The committee has exercised as much care as pos-

sible in view of the demands of the country for the facilities of the various offices, and has taken all possible precaution to limit the appropriations to the actual needs of this particular branch of the service.

In the item for assistant postmasters, as well as for rent of buildings, we have shown the same effort to economize, limiting amounts as nearly as possible to what we thought should suffice upon a very careful calculation of the actual needs of the service.

The item of transportation carries $50,000,000. This, Mr. Chairman, is a fruitful subject of attack on the part of people who are of the opinion that great extravagancies obtain in the administration of this service.

The item for railroad transportation alone is approximately $40,000,000. The committee, however, while not pretending to be absolutely informed upon all the details and intricacies of that service, have found a safe harbor of refuge in the very exhaustive report upon the subject made within recent years by a commission of the very highest integrity, and in view of the report of that commission we have felt disposed strongly to follow the recommendations of the Department with reference to that great service upon which so largely depends the prompt and accurate dispatch of the mails.

The star service carries over $8,000,000.

Mr. ROBINSON of Indiana. Before the gentleman leaves the subject of railroad transportation I wish to call his attention to the item of $142,000 for carrying the mails from Washington to Atlanta and New Orleans, and also to the item of $25,000 for transportation upon another line of railroad to Kansas City and Newton, Kans. The gentleman has said that he read the reports and heard the statements as to the question of railroad transportation. Before we come to that point in the bill I wish he would state anything which, in his opinion, justifies the committee in reporting a subsidy for those two railroads, which are performing only the same class of service that various other railroads of the country are performing and getting no subsidy.

Mr. OVERSTREET. The committee recommends the item referred to by my colleague [Mr. ROBINSON of Indiana], which is in the present law and has been in the law for a number of years.

Mr. BARTLETT. At least fifteen years.

Mr. OVERSTREET. I was not sure as to the time. There is, however, some question, I confess—some difference of opinion within the committee on that matter. But the committee felt, in view of all the circumstances—and I have no doubt their view will be fully justified when we reach the item in the bill—that they were warranted in recommending this appropriation.

Mr. ROBINSON of Indiana. I am in sympathy with the gentleman's idea of economy; but I can not understand the rule that justifies a subsidy—a plain subsidy—to railroads, in one case of $142,000 and in another case of $25,000. I do not see how the committee can justify that item of appropriation; and I ask the gentleman to explain why that unprecedented special privilege has been given to these railroads.

Mr. OVERSTREET. I am familiar, to some extent, with the history of the debate upon that particular item. I think no Congress has ever authorized this expenditure within recent years without considerable debate upon the item. In view of that fact I feel safe in predicting that the item will not escape the notice of the committee when it is reached in the reading of the bill; and at that time it will be more proper to undertake an explanation than it would be at this time. The committee felt, however, as we shall state when the item is reached, that the facts did justify the recommendation of that expenditure.

Mr. Chairman, I suggested that the appropriation carried in the bill for star service is approximately $8,000,000. In some localities it has been expected—and this expectation has been shared in many instances by Members of this body—that as the rural-delivery service was extended the star service would naturally be decreased. But the conditions under which the star service has been maintained in very recent years necessarily calls for higher appropriations and larger expenditures.

The time was when anybody, regardless of residence, could bid upon the contracts for star service. Under recent rulings, however, of the Department no one is permitted to be contracted with for this service unless the contractor resides upon the line of the service. By reason of that limitation fewer bidders enter the field, and this results in higher prices under the contracts than have obtained before, when one individual might secure a contract for a great many lines of star service.

Furthermore, in very recent years the Department, under the authority of Congress, has provided in the star contracts that patrons residing along the line of the service may receive their individual mail at the hands of the star-route contractor wherever they choose to maintain a box for that purpose, from which the contractor is obliged to collect such mail as they deposit.

The demands, therefore, involving upon the contractor more frequent trips and higher service naturally and necessarily result in increased bids and higher expenditure for this service. More than that, these contracts are restricted by limitation in the contract where the service must be on schedule time, and if the carrier, who is the contractor, violates that restriction he is subject to a fine. The natural tendency, therefore, among bidders is to exact higher prices when offering their bids where they are open to fines for a violation of the regulations.

The third provision which has resulted in a larger cost for this service is the more frequent trips provided for by the contracts. Heretofore the star service was a weekly service, later biweekly, and then a triweekly service. Now rarely is there an instance but what it is a daily service. The more frequent service necessarily involves higher expenditure. The division of the Government for these contracts separates the entire country into four divisions. Letting the contracts every four years, for at least one of these divisions, has demonstrated the higher cost in equipment, the maintenance of the equipment at the hands of the contractor, better service, better horses, better harness, better wagons, and better men. These four conditions which have arisen in the Department require higher outlay of expenditure in the star service. It is, therefore, Mr. Chairman, not quite correct, indeed far removed from accuracy, to maintain that the extension of the rural free-delivery service has resulted in a less expenditure for star service.

The same is true in the item of wagons and mail-messenger service. The rapid and constant tendency is for higher contractural service in this line. Despite the honest and persistent efforts of your committee to maintain the lowest possible point in economic administration, we have been obliged, in view of the investigations which we have made and the facts there presented, to accede to higher appropriations in nearly all of these lines.

In the third group of facilities the committee have made some reductions in the appropriation for pneumatic-tube service and canceling-machine service. In the item for pneumatic tubes we have reduced the appropriation, notwithstanding the service is made in line with contracts which are already in operation, the committee feeling that it is unfair to fail to appropriate when it knows the contract is already in existence under a former statute.

The canceling-machine item is one where we thought the Congress could afford to make a reduction in the appropriation. Under existing law the Department was asked to submit to Congress a statement, based upon an investigation by the Post-Office Department, carrying an opinion concerning the value of the various canceling machines and the relative wisdom of rental or purchase of those machines. This report had not reached the committee when the bill was completed for the consideration of the House. The committee felt, however, that in view of recent expenditures in that item of appropriation we could well afford to reduce it to the basis fixed by the rentals, and therefore recommend $200,000 for the ensuing fiscal year. Since the completion of the report the Department has submitted its recommendation, and I am pleased to say that, while we anticipated the report by our recommendation, the opinion of the Department is exactly in line with the recommendation of the committee.

The third group covers the appropriation for supplies. These supplies are so divided that each of the several four Assistant Postmasters-General has his individual supply account. I am pleased to announce that the committee, on the recommendation of the Department, upon the item for supplies, recommend a reduction from the present allowance under the current law. The committee has been exceedingly careful in its inquiry from the various supply chiefs to ascertain the real need of the appropriation for the various items of supplies. In our bill we recommend a statute which authorizes the Postmaster-General to consolidate these four supply divisions, to put them under one supervisor—a purchasing agent—who shall be under the direct control and subject to the direct order of the Postmaster-General. Your committee is of the opinion that this will result in economy in expenditure and in a better administration of the service.

In the group covering employees comes the heavy appropriation of $76,500,000. This is the group referred to briefly a moment ago as the manning of the organization of the service. You must equip the service with men for the dispatch of the duties of the offices, regardless of what the receipts may be; and if, perchance, during the year, for some cause now unforeseen, those receipts should be greatly decreased it would be most difficult to reduce the number of employees, notwithstanding the fact that such authority would remain in the Department. We carry twenty and a half millions of dollars for the 22,000 letter carriers of the country. That in its inception was an experiment, instituted originally with a view of expediting the delivery of the mails in one of the cities of the Union. It has grown with steadiness, and it has already been urged that it be extended to communities of 5,000 inhabitants, 10,000 being now the limit.

The committee is unable, in view of the increasing demand for the letter-carrier service and the maintenance of the present com-

pensation for that service, to reduce the item below the recommendation of twenty and one-quarter million dollars. The item of post-office clerks in first and second class offices, carrying in round numbers 24,000 clerks, carries $20,000,000. This particular field has been most fruitful in the demand for promotions. It is embarrassing, as gentlemen would appreciate if once they were placed in a similar position, to be constantly criticising an ever-trending effort for higher salaries in the service; but in view of a business-like administration of the service, with an eye to proper economy in line with proper administration, we are compelled to challenge the correctness and the necessity of such heavy increases of salary, especially because of the demands upon the Treasury for the extension of necessary service in various lines for the good of the entire country.

I will say, however, that in this item the committee makes some provision for promoting the post-office clerks, but it limits its recommendation to the clerks of the lower grades. There has never come a time, and I question if it will ever come, when there will be an absolute and correct adjustment of all salaries of Government employees, notwithstanding there is a constant effort to so adjust the salary to the service that the employee may receive a compensating wage for the service that he performs. The committee, therefore, in line with these efforts for a fair and equitable adjustment of the salaries, recommends some money which may be utilized and will be utilized in the promotion of post-office clerks of the lower grades.

I refer to the grades below $1,000. In some instances there are promotions above the thousand-dollar grade, but the great bulk of the promotions go to the grades below $1,000. There are to-day, or will be as we authorize in this bill, 12,500 railway postal clerks on duty in the country. The item for this class of employees is, in round numbers, $13,000,000. There has been the same effort for adjustment of salaries in that service as in the other departments of the post-office service. The committee undertakes in this instance to provide for some reasonable promotions of clerks in the grades of $800, $900, and $1,000, but it does not believe that there is a justification in the increases of the salaries of the clerks in the higher grades of that service.

In the miscellaneous employees' service, such as delivery boys and clerks under the heads of divisions, superintendents, etc., there are approximately 3,700 employees, for whose pay the bill carries in round numbers one and one-half million dollars. The remaining classification of employees is the rural-delivery carrier. There are to-day approximately 22,000 rural carriers in the country. The Department estimates that within the year ending June 30, 1905, there will be 30,000 rural carriers in the country; therefore we recommend for these carriers' pay, $20,000,000. I will in a moment, in addressing myself directly to the rural service, comment upon the recommendation for increased salary for that class of employees.

I merely wish to say, however, at this point, that the present fiscal year is the second year of the permanency of the rural service. It was experimental entirely prior to last year. That service, however, has come to stay. It is being very rapidly extended. The demand for the service in the rural districts where it has not yet been inaugurated does not fall far below the demand which has obtained for several years last past. It must be remembered, however, that in the effort of the committee to deal in all fairness with the proper demands of the service for a proper and equitable administration of the fund, it takes into account that we can not give all communities at once the rural service, but that it will yet require several years. It is only a speculation as to how many before the service will have been completed.

Mr. WM. ALDEN SMITH. Do you fix any figure upon that service?

The CHAIRMAN. Does the gentleman from Indiana yield?

Mr. WM. ALDEN SMITH. Do you fix any maximum amount to which this service will ultimately go in the next few years?

Mr. OVERSTREET. Oh, we undertake in no wise to determine the extent or completion of this or any other service. We only seek to make such appropriations as we believe will meet the demands for the respective services within the fiscal year for which we are making appropriations.

Mr. WM. ALDEN SMITH. That is, the present demands?

Mr. OVERSTREET. Nevertheless there are a large number of communities yet unserved with rural delivery just as anxious for the service as those which to-day enjoy that service. The committee believes, therefore, that with a proper administration of the service it is more in line with a business administration to consider fairly the proper demands which will arise within the next fiscal year for the extension of the service before we seek to complete the service where it is already being enjoyed.

I suggested a while ago that in round numbers there are 92,000 of these postal employees. Members must remember that in the appropriation for the postal service no account is taken of the Department at Washington, which entails a heavy expense on the Treasury. Neither is any consideration given to either the expenditures for the construction nor for the maintenance of the great post-office buildings throughout the country which are owned by the Government. If we were to undertake to make an accurate balance sheet to show the expenditures of the Treasury due solely to the postal service, it would be necessary to place in the item of expenses not only the Department of postal service at Washington, with its many, many clerks and officers, but the draft upon the Treasury for the original construction of Federal buildings occupied for post-office purposes, as well as the maintenance of such parts of these buildings as relate strictly to the postal service.

But outside of the maintenance of post-office buildings owned by the Government, outside of the Department at Washington, there are over 92,000 employees of the postal service cared for by the bill now before this committee. When you undertake, as a public legislator, to discharge your duty as you are doing, with an eye to the economy of expenditure, you are compelled to listen to the Government's side of the case when you insist upon constant increases of salaries for these 92,000 employees.

I do not question but that in many of the cases these demands are based upon equity. I concede that a great government should not exact of its employees a service that is greater than the wages which it provides him. But in fairness to the Treasury, in fairness to the deficit in the service which every Member must accept and which stares us in the face, it is not a good time now to insist upon increase of salaries for all of these employees, especially in view of past liberality. I do not ascribe to them any unworthy motive in their demands.

I do not deny that it is proper for any individual to desire higher compensation from his employer than he receives, but I feel it the duty of this committee to call the attention of the House and of the country to the great demands upon the public Treasury for the increase of these salaries. The committee has undertaken in the cases to which I have directed attention—the post-office clerks, and the railway mail clerks, and the rural-delivery carriers—some provisions for their promotion and increase of their salaries; but unless Congress shall exercise a firm hand in providing appropriations for promotion purposes solely, the deficit in the postal service must necessarily increase in the same proportion as we authorize the increase of these salaries.

Mr. CHARLES B. LANDIS. I would like to ask the gentleman what the deficit for the last year was compared with the deficits of the previous two years?

Mr. OVERSTREET. In my introductory remarks I called attention to the fact that the deficit in the service for the fiscal year ending June 30, 1902, was over $2,000,000 and under $3,000,000. The deficit for the fiscal year ending June 30, 1903, was over $4,000,000, and the estimated deficit for the fiscal year ending June 30, 1904, is over $7,000,000; and basing our expenditure on the appropriation which this bill authorizes, the deficit for the fiscal year ending June 30, 1905, will be in excess of $10,000,000.

Mr. CHARLES B. LANDIS. Was not the deficit several years ago as great as $11,000,000?

Mr. OVERSTREET. It was over $12,000,000 at one time. As a general proposition it may be accepted that wherever a new facility is inaugurated for the benefit of the postal service—a new expedition facility—there invariably occurs an increase in the expenditure, and naturally an increase in the deficit.

This second proposition may be accepted as true, that there never occurs a time when the revenue of the service approaches the expenditures, so that there is an apparent balance nearly, but what the demand for increased facilities is increased. This fact it has not occurred in many years that the receipts of the service have ever equaled the expenditures. No sooner do the receipts approach the expenditures under the 2-cent postage rate than the demand for a lower postage was acceded to, and the year following the falling off of the postal receipts was so heavy that the largest deficit then known to the service occurred, the deficit that year being about $7,000,000. There is no question but that the lower rate of postage on first-class matter resulted ultimately in larger receipts of postage.

There is no question but when the letter-carrier service was first inaugurated, it resulted in a heavy draft on the Treasury and the deficit was increased, but just as true as in the change in postal rate, so in the adoption of the letter-carrier system, it resulted, by the rapid-delivery system, of a larger supply of letters for the service and hence a larger revenue, and then the deficit was reduced.

When the postal car was inaugurated for the quick distribution of the mail while in transit before it reached the point of destination, the expenditure was increased and became a heavier draft upon the Treasury, and the deficit again increased.

But, as in the case of free-delivery service, the letter carriers effected a more expeditious delivery of mail, so the postal-car service resulted in a betterment of the service and a more rapid dis-

tribution and delivery of mail. It stimulated business, which resulted in an increase in the purchase of stamps, and the revenue again increased, and we were approaching again a balance between receipts and expenditures when the rural service came under consideration. The rapid development of that service, beneficial as it is to the country, has unquestionably resulted in such increased expenditure that it is largely—almost entirely—responsible for the present deficit and that which bids fair to occur in the next fiscal year.

In view of the increasing deficit occasioned by the rural service, the committee feels that it is proper to consider most carefully the wisdom of increasing the expenditures of that service beyond a point of equity and fairness to the employees of that service. I am informed that the Secretary of the Treasury estimates a large deficit in the general revenues of the country—not a deficit in actual money on hand, but that the receipts compared with expenditures will result in a general deficit in the Treasury. I am informed that the estimate calls for approximately $22,000,000 of a deficit. If every item of this bill now under consideration shall be approved by this House and become a law, it will carry enough expenditures to cause almost, if not quite, one-half of the deficit of the entire revenues of the Government. I do not therefore criticise the rural service when I suggest the propriety of caution and conservatism in our appropriations for that service.

I said a moment ago that on the 1st of March of this year there were in operation, approximately, 29,000 rural routes, and that in the second year of its permanent organization. It is estimated by the Department and believed by the Committee on the Post-Office and Post-Roads that 600 routes a month is about all that the Department can inaugurate during the next fifteen months. The petitions that are being filed for this service have not in the past few months exceeded 500 a month. There will be remaining on the 1st day of April of petitions unexamined, approximately, 5,000. With the force now in operation in the Bureau, those 5,000 petitions can be examined, and if the examination warrants the service inaugurated, and all of the petitions to be filed during the next fiscal year at the rate of 500 a month can be taken care of, with the additional increase in rural agents and the appropriation recommended by the committee. This is a popular, but also expensive service.

Mr. COWHERD. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Missouri?

Mr. OVERSTREET. Yes.

Mr. COWHERD. I would like to ask the gentleman from Indiana whether he made any estimate of the probable number of rural carriers that would be in the service when it was extended over all of the territory that is properly situated for a service of that kind?

Mr. OVERSTREET. I did not make any such estimate. I hesitate to make even a guess at it. The difficulty is this, that in the first place it is hard to tell what portions of the country are to-day sufficiently populated to justify the increase of rural service, and in the second place it is even more difficult to approximate how rapidly communities at present sparsely settled may develop into such density of population as to justify the inauguration of the service. I can see no time, however far in the future my feeble sight may go, when there may not be an extension of the rural service, just as I can not foretell how many communities of small population to-day are ripening into cities of the second and first classes, which will demand letter carriers and all of the other facilities which the postal service now extends to cities of those classes.

Mr. COWHERD. The reason I asked the gentleman the question is that I remember that Postmaster-General Smith estimated there were only about 1,000,000 square miles of territory in the United States which was fit for a service of that character, and he estimated that about 41,000 carriers would fully complete the service. I ask the gentleman if it is not a fact that we have gotten far enough along to know that that is a very great underestimate of the number needed?

Mr. OVERSTREET. Most certainly, and because better calculators than I claim to be have so far erred in their estimates of the extent of this service, I hesitate to even make a guess of its final extent. I believe, however, that although we have gone but little more than halfway through the second year of the permanency of this service, we have seen enough to challenge our attention to the importance of exercising great conservatism respecting the appropriations for that service, before it shall have gone so far as to become unwieldy and greater than the National Treasury can provide for.

Naturally the extension of the service in one community stimulates an adjacent community. Naturally the extension of the county service intensifies the demand for such service in neighboring counties. If you make a mathematical calculation that within a limit of 25 miles 100 families may reside who shall have the service, and that all counties where similar conditions exist throughout the county to those existing upon half of its routes shall be provided with county service, then you have covered your map with rural-delivery service without taking into account where the money is to come from with which to pay for it.

Considerable guesswork has been engaged in concerning the revenues of the rural service. I do not like to assume that the proper way to estimate the benefits of that service is in dollars and cents. I believe the greatest benefit comes through the promotion of contentment and enjoyment in rural life. This system of rural delivery will, I trust, make possible the withdrawal from the congested settlements of largely populated cities a population which will add to the improvement and enjoyment of country life. Nevertheless, we are obliged, in fairness to ourselves and the Treasury, to consider the dollar-and-cent side of this appropriation.

Mr. Chairman, in considering the revenue from the rural service we have no other way to judge of its extent than that which obtains in considering the revenue from any other of the branches of the postal service. Calculating, however, the receipts and expenditures of the rural service by routes as we do by post-offices, crediting to each route the amount of money received in cancellation of stamps and other postal receipts, and charging each route with the legitimate expense which it entails, we are confronted with the amazing fact that the Government to-day is suffering a loss in excess of $400 on each rural route in operation.

Now, there is a very proper suggestion to be made with reference to the accuracy of that statement. Unquestionably the rural service has stimulated mail for delivery to the residences on the rural routes, where the postal receipts are credited to the offices where that mail is originally deposited. It is utterly impossible to determine how much of the receipts of the postal service generally is attributable to the stimulus given to the mail service by reason of the quick and frequent delivery in the country districts. But that can be estimated in a reasonable way. Count the number of pieces collected on each route and compare that with the number of pieces delivered on each route, and of course the deliveries greatly exceed the collection.

The patrons of the rural districts receive more mail than they dispatch. But looking at this matter from the standpoint of the Government receipts and expenditures for postal service, we must group all the receipts from whatever sources received and put in one item all the expense on whatever part of the service it may fall, and subtract one from the other. In this instance the result shows clearly a general deficit exceeding $10,000,000, while a few years ago there was less than $2,000,000 deficit chargeable to the service.

Mr. PERKINS. Will the gentleman allow me a question?

Mr. OVERSTREET. Certainly.

Mr. PERKINS. I see that in one provision of the bill the pay of rural carriers is raised to $720, and there is a provision permitting them to do certain classes of work. Now, in the district where I reside, and I presume in many others, the carriers do certain work for the newspapers. From this source carriers in my district make on an average from $75 to $100 a year.

Mr. OVERSTREET. If the gentleman will pardon me, I was approaching——

Mr. PERKINS. I wish the gentleman would be kind enough to state (because I can not ascertain it for myself) whether work of that kind is forbidden by this bill; and if so for what reason.

Mr. OVERSTREET. I will explain that, I trust, fully.

The CHAIRMAN. The Chair will announce that the gentleman from Indiana has consumed one hour.

Mr. MANN. I ask unanimous consent that the gentleman may be permitted to conclude his remarks.

The CHAIRMAN. The time is entirely at the disposition of the gentleman from Indiana.

Mr. OVERSTREET. I thank the committee, and I think I will conclude very soon.

I desire to call attention to the fact that while it is quite impossible to determine exactly the revenues as compared with the expenditures, nevertheless the fact manifests itself, by comparing the receipts and subtracting those receipts from all expenditures, the deficit in the receipts as against the expenditures is rapidly increasing and next year will be $10,000,000 or more, while very recently the deficit was greatly less than that amount.

The rural service unquestionably has up to the hour entailed a much greater expense than it has stimulated receipts. How far the service may in time reach the point where it will stimulate greater receipts, as in the instance of other facilities, like the letter carriers and Railway Mail Service, I do not know. But now it is in its infancy, and we are obliged to call attention to the condition of receipts and the expenditures entailed by the service. I mention that with a special relation to the demand for an increase in the salaries of the rural carriers. In the experimental

stage of the service the carriers were paid but $300 a year and required substantially to furnish the same equipment they furnish to-day.

For the specific reason that the service was then experimental, as the Department could not tell how far it should be extended nor at what rate of expenditure for the carriers, the rural carriers were specifically exempted from the restriction of letter carriers generally who were denied the privilege of doing an express-package business. Congress believed at that time that because of the small pay given the carrier it was proper and fair to allow him to make money upon a side line which might compensate him where the Government service had failed to do so. But we are now entering the permanent establishment and operation of the service.

The time has come, in the judgment of the Post-Office Committee, when the carrier in the rural community should be given his particular official status. We believe it is time now to define the carrier in the country communities the same as in the cities. We believe he should not be made a part huckster for the country district, part agent for bookstores, part solicitor for newspapers, but that we should give him his particular status, as every other Government employee is given in the postal service, and classify him, if you please, as a rural carrier, along with his brothers who are known as "city carriers."

We realize that in restricting him from these various privileges we are, perhaps, taking from him some of the compensation which he might have received heretofore from these side lines. We believe, also, that in the expenditure for his equipment and the maintenance of his horses and wagon that he is entitled to fair and proper consideration in view of his service and his official position, and that he should be given a compensation somewhere commensurate with his duties. The committee, therefore, recommends an increase in the rural carrier's salary to straight $60 a month—$720 a year.

A year or two years ago, two years ago, I believe, Congress gave the carriers $300 increase in the year. Starting with $300, it gradually increased $100 a year at a time, reaching the point where it is now, $600 a year. The committee therefore recommend another step in the increase by $120, making the salary $720 a year. It must be remembered that in Government business, neither the Government nor the Post-Office Department should be privileged to authorize an individual employee to be the gate keeper or the doorkeeper of business houses along the line of the road of his service. City letter carriers at one time were permitted to carry packages for hire for the patrons upon the line of their service.

In connection with our recommendation for $120 straight increase of salary to rural carriers, we ask the House to fix the status of such carrier by denying him the privilege of being the solicitor or agent for any person, firm, or corporation. To illustrate, this instance came to our notice: A carrier on a certain route received a circular and price list from a great department store in Chicago, with instructions and authority to solicit for the sale of any article mentioned in the price list and catalogue, and when he obtained his orders to send them to the main house in Chicago.

Upon receipt of these orders for these various articles which that house has for sale, they bundled them up in one package, wrapped each order separately, labeled it with the name of the purchaser, and shipped the full package either by freight or by express to the carrier, who in turn delivered it by hand without charge to the patron, and without the Government receiving a penny of postage upon it.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. OVERSTREET. I yield, Mr. Chairman.

Mr. SAMUEL W. SMITH. Do you seek to deny to the carrier the privilege of carrying packages to the farmer?

Mr. OVERSTREET. No, sir; I will reply that we do not. We explicitly grant that privilege. I believe it is directly class legislation, but we grant it. Another instance I desire to illustrate is: A publishing house prints books for sale to wholesalers as well as retailers—advertises the book, for instance, for a dollar and eighteen cents, to be delivered to the purchaser by mail. The cost of postage upon that one-dollar-and-eighteen-cent book is 22 cents. When the publisher mails it to the purchaser upon a rural route he prepays the postage and delivers the book by mail to the purchaser at an expense to him of a dollar and eighteen cents, paying to Uncle Sam 22 cents for its carriage.

The mail-order house in another city buys of that same publishing house books by the carload. It sends its catalogues of these books to the same carrier who carries to the patron who purchased the books of the retailer; that carrier solicits sales of books delivered at $1.18, and if, perchance, he secures twenty-five orders upon his route the twenty-five books are sent to him by the mail-order house from Chicago by express or by freight and he delivers them under instructions and contract with the mail-order house at 5 cents a copy.

Now, in the first place, that is unfair to the publisher, who has the right to be protected against the Government favoring a man who has bought the books from him by licensing a Government employee to stand at the gateway of his patronage and solicit the sale of the same book in competition with another Government citizen who is paying postal rates under the law. In the second place, that practically results in a large loss of revenue to the Treasury. If the mail-order house failed to mail the books which had been solicited by the carrier, but sent them either by freight or express when otherwise they would go by mail, the Government loss is equal exactly to the aggregate amount of postage which the books delivered would have brought. We have reached the time when the Government must tell the employee that he has no authority of the Government to stand between two of our citizens and give one preference over the other.

Mr. PERKINS. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Indiana yield?

Mr. PERKINS. I do not want to disturb the gentleman if he prefers not to be disturbed.

Mr. OVERSTREET. You will not disturb me at all.

Mr. PERKINS. I want to ask the gentleman this question, whether he does not think that some distinction can be fairly drawn between a carrier who acts as agent for some business house, the evils of which the gentleman has pointed out, and a carrier merely distributing along his route a daily paper or a weekly paper that is published in the place from which he starts?

Mr. OVERSTREET. I will answer the gentleman's question when I have given one additional illustration. My third illustration will be a reply to the gentleman's question.

A carrier acts as agent for a butcher in a town out of which the route starts. He solicits orders from his patrons for meat, giving a distinct preference to the merchant who sells the meat in whose employ the carrier happens to be. The same thing is true of grocery and of other stores. The same thing is true of newspapers where one newspaper puts upon its list of agents a carrier upon a rural route who solicits for that particular paper and prefers it with his patrons to all other papers which have the right of free competition within that particular territory.

Answering the gentleman's question now, there is nothing in the law to-day nor proposed in this bill which would interfere with the delivery of a newspaper to be printed and delivered at the post-office where the route emanates. It does not affect the delivery of newspapers at all through the mails under the law. Under the present law a newspaper, published at a town out of which the carrier carries that paper, has a right to deliver it to the postmaster to be delivered to his patrons without specific addresses being placed upon those newspapers, but a newspaper printed in a town other than the one where the carrier receives it at the office must have printed or written upon it the name of the addressee, the same as every other piece of mail must have written upon it the name of the addressee, otherwise it can not be carried through the mails nor delivered by either the postmaster or the carrier.

Therefore the committee can not—and I doubt if the House can—make a distinction between a newspaper and a mail-order house, either of which may to-day make an agent or solicitor out of the carrier. It can not make a distinction or discrimination between either of these and the grocer, the butcher, or the merchant. If you undertake to make an exception and permit letter carriers in the country districts to become soliciting agents for newspapers, breaking in on the free competition which the Government undertakes to guarantee all of its citizens, why should you not discriminate in favor of the butcher and in favor of the mail-order house?

Therefore the committee believes that you should discriminate against all, so that the Government agent, he who stands as the officer or the employee of the Department, who is gate keeper and doorkeeper of the route over which he goes, shall in no wise interfere with the open competition between citizens of all classes of business who seek to do business and obtain orders from patrons of their respective routes.

But the committee at this point make a specific exception to the general rule. It provides that while carriers shall not solicit business for or receive orders from any person, firm, or corporation, or carry merchandise for hire during the hours of their employment, nevertheless they may carry merchandise for hire for and upon the request of patrons resident of their respective routes whenever it does not interfere with the proper discharge of their official duty and under regulations to be provided by the Postmaster-General.

That exception is plainly made in the interest of the farming community. It is made to permit the farmer patron to engage

the carrier, even for pay, to do an errand for him, to bring something out from the town for him, to stop at the drug store for medicine, or take a request for a physician to come to visit the patron, or to take in a piece of machinery which needs repair and bring it out when it has been repaired, and to do a large number of little errands which are of great importance to the farmer patron of the service, providing it does not interfere with the proper discharge of the duty of the carrier in the delivery of his mail.

The committee believes, therefore, that while that may be a discrimination in favor of the country patrons, it is justified on the ground that the service is clearly for the benefit of the country patrons. It is intended for their accommodation. When we give the power for solicitation and agency to the different business concerns, we depart entirely from the original theory for which this service was established, and make of the Government employee a distinct gate keeper for the merchants who will be discriminated in favor of by the carrier, who may perchance be in their individual employment.

Mr. HINSHAW. Will the gentleman allow me a question?

Mr. OVERSTREET. Certainly.

Mr. HINSHAW. I would like to know whether the proviso on page 36 of the bill will allow the carrier to take from the express office of the town from which he carries the mail for the farmer upon his route, at the farmer's request, express packages that must necessarily terminate the line of transit at the town?

Mr. OVERSTREET. I see the difficulty in view of the gentleman's question. It is not a new question. However, plainly, the spirit of that proviso, if not the letter, intends this request of the farmer to be for his accommodation in matters which are of individual moment to him at the time.

I believe that under the strict construction of that proviso the answer to the gentleman's question would be yes, that it would permit him to do that; but I have that confidence in the regulations of the Postmaster-General that I believe he certainly would restrict the accommodation by the carrier to the farmer's personal benefit. He wants to send in for some binder twine during harvest; he wants a piece of machinery to be delivered on the morrow; he wants to send for matters of particular and special benefit to his family; and these are the things that the proviso seeks to allow.

But, under the regulations of the Postmaster-General, I should hope, and I should expect, that every effort of a mail-order house that would take advantage of the proviso by sending to the carrier, by freight or express, a package which should come by mail—that the Postmaster-General's regulation would be so clear that he would be denied that privilege, which would be a clear and palpable evasion of the postal laws.

I believe, Mr. Chairman, that while there has been great insistence with reference to rural service, Members can easily take upon themselves the consideration of this situation.

It is a new service; it is growing; it will not be completed for many years. It is intended simply for the benefit of the rural districts and not for the benefit of the merchants in any character of business. The carrier should be given that definition of status which would clearly remove him from the position where he could give the preference to one of the Government's citizens against another in the open field of business transactions. In fairness to the condition of the revenues of the entire Government, in fairness to the great increase of expenditure for this particular service, the committee believes that it is not warranted in recommending a higher rate of compensation at this time than $720 a year. What may be done at a future time I will leave for the future to determine.

Mr. FITZGERALD rose.

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from New York?

Mr. OVERSTREET. I do.

Mr. FITZGERALD. This is the second time in two years that the rural carriers' compensation has been increased, as I understand it?

Mr. OVERSTREET. That is correct.

Mr. FITZGERALD. Will the gentleman state what consideration his committee has given to the question of increasing the compensation of the city carriers?

Mr. OVERSTREET. The committee has not considered that in this bill. The committee intends giving a hearing to the letter carriers on the bill which provides for their increased compensation. I can not anticipate the action of the committee. The committee believes that there is far greater urgency with respect to the increase of salary for rural carriers than of city letter carriers, and in view of that fact thinks it is justified in making the recommendation for the increase in pay of the rural carriers even before it has considered the request of the city letter carriers respecting their increase.

Mr. FITZGERALD. The gentleman will pardon me, I hope, for asking whether that opinion of the committee is based upon the fact that most of the Members represent rural districts?

Mr. OVERSTREET. I do not know. I represent a city district myself.

Mr. FITZGERALD. I ask the gentleman if he can give any reason for the increase in the salaries of the rural carriers upon this bill and the requirement that compels the city carriers to have a special bill to take care of their increase, which we all know there is no chance of passing?

Mr. OVERSTREET. I will say this, that it is very questionable whether the condition of the revenues would justify the granting of any increase in the salary of city letter carriers. The letter carriers of the city do not furnish horses or wagons. So far as the item for horse hire is concerned, the city carriers are allowed extra compensation. The pay of city carriers is more nearly equal to their service than is the pay of the rural carriers, and we believe that in view of the fact that we have determined officially the permanency of the rural service it is proper that we should increase their salaries to a more equitable point on account of their expense and service.

Mr. FITZGERALD. I would like to ask the gentleman this question, whether he is not aware of the fact that the rural carriers, by means of their organizations, have already declared that in their opinion they should have $1,000 or more as compensation?

Mr. OVERSTREET. What organizations?

Mr. FITZGERALD. The rural carriers through their different organizations.

Mr. OVERSTREET. I do not know.

Mr. FITZGERALD. Well, I have here a communication from a rural letter carriers' association, in which they say, "The great majority of all rural people are agreed that their pay should be $1,000 or more per year."

Mr. OVERSTREET. That may be true in New York. It certainly is not true concerning the national organization.

Mr. FITZGERALD. I ask the gentleman if, under the conditions in which the city carrier finally obtains a permanent appointment after practically, I think, in my city, four years of substituting, when he can do nothing else and when the amount he earns is a very trifling sum, he thinks it puts him on an equality even to start at $600 a year while the rural carrier commences his term with $720 a year, under this bill?

Mr. OVERSTREET. I will answer that by calling the attention of the gentleman to the fact that the city carrier who starts with $600 furnishes no horse and wagon, while the rural carrier is obliged to furnish two horses and in some instances three and four; and, further, the city carrier has the expectation of an increase in salary when he has served a given time.

Mr. FITZGERALD. But the conditions of living more than equalize the difference in that increase.

Mr. OVERSTREET. It is a perplexing question and one quite pertinent to the suggestion that I made some moments ago, in view of the demand of the more than 90,000 post-office employees cared for in this bill for increases of salary.

But we believe, and are willing to put it to the House for its ratification or rejection, that in view of the fact, first, that the rural service is now fixed officially as a permanent service, and, second, that the rural carrier is obliged to furnish equipment that no other carrier furnishes, and, third, that we are undertaking to give him an official status and taking from him certain privileges which give him side lines for compensation, we are justified in giving especial preference to the item of promotion for that service before we recommend or consider it for the other branches of the service.

Mr. PERKINS. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from New York?

Mr. OVERSTREET. Yes.

Mr. PERKINS. Mr. Chairman, I would like to ask the gentleman from Indiana whether he thinks that by this bill he will increase the income of the rural free-delivery carriers?

Mr. OVERSTREET. Oh, unquestionably.

Mr. PERKINS. Why?

Mr. OVERSTREET. Because this increase gives the carrier $120 a year more.

Mr. PERKINS. But you cut off sources of income that in many cases exceed $120.

Mr. OVERSTREET. That may be true in certain localities. I can best answer the gentleman by quoting from a letter that I have from a carrier, who says that in his two years' service the total amount which he has received aside from his salary from the Government is 10 cents. I am informed that there are carriers whose service aside from the service to the Post-Office Department brings them incomes almost equal to the Government pay. It is just for the purpose of striking a line of demarcation between a private business and a public business that we recommend a change of the status of the carrier.

One of the Members from the gentleman's State informed me yesterday that there was a vacancy in a rural carriership in his district, and one mail brought five applications to fill the vacancy. I myself recently had occasion to recommend the establishment of a route before we had recommended an increase of salary, and there were fifteen applications for the position. That would not occur, in all probability, where the carriers were not getting enough pay. There is no protest from either of these points by which I have illustrated on the ground that the pay of the carrier in those communities is supplemented by side lines. I know it is not true in the instance in my own district, because that carrier gets nothing from side lines.

Mr. PERKINS. The question which I asked the gentleman was whether he regarded the provision of the bill as an increase of salary, because in many districts in the State of New York to say that the carrier, on an average, makes from the newspapers which he distributes $100 a year is certainly an overstatement. The gentleman says that he wants to cut off these outside sources of income. If he does so, the result is that the carrier's salary is no better than it was before.

Mr. OVERSTREET. That may be true in some cases.

A MEMBER. And in other cases it may not be.

Mr. OVERSTREET. It is not true as to the country generally; it can not be.

Mr. PERKINS. It is true as to the State of New York.

Mr. OVERSTREET. I doubt whether it is true as to the entire State.

Mr. PERKINS. Perhaps not as to the whole State.

Mr. OVERSTREET. Of course we can not fix here the basis of pay or the official status of 30,000 carriers by taking one or two instances any more than you could undertake to adopt as a basis of action the instance which I stated where the carrier made nothing beyond his salary.

Mr. PERKINS. But the gentleman must know perfectly well that if these outside sources of income are cut off the Government will sooner or later be obliged to make up the difference by increasing the salary of the carrier. We may as well meet that matter now, because we are coming to it.

Mr. OVERSTREET. I say frankly to the gentleman that the proper policy, as I view it, is for the Government to pay its letter carriers, its post-office clerks, its railway mail clerks, its rural mail carriers, according to their service to the Government, and deny them the right to act as agents or solicitors for any individual or firm where this outside employment conflicts with the open competition of business transactions.

I do not know whether $720 is the full amount which should be allowed in all fairness for this service. I do not claim that it is. But I want to say that in view of the infancy of the service, in view of the heavy expense of the service, in view of the reductions of the revenue of the Government, we can not in fairness recommend a greater allowance at this time. But because the present status is not altogether satisfactory that does not justify us in giving the carrier a partial compensation by Federal law and to supplement that by compensation from outside business transactions when such business transactions enter into competition with other citizens and act as a species of favoritism.

Mr. WM. ALDEN SMITH. Does not the same argument as to competition with outside business houses apply to the case of postmasters where they are allowed to deal in stationery or to carry on other lines of business in competition with their neighbors? Yet you do not impose any restriction in that case.

Mr. OVERSTREET. In the case of a fourth-class office, because of the smallness of the pay, we allow the postmaster to carry on the Government business in his own house or store.

My own judgment is, just as I have expressed it before, that the Government can not afford to be maintaining by law favoritism among its citizens. When we gave to the fourth-class postmaster the privilege of holding his office in his store, that might possibly inure to his benefit, but it does not allow him to become the agent and solicitor for any other stores or line of enterprise.

Mr. PERKINS. Yes; but does not it——

Mr. OVERSTREET (continuing). Nor does it deter his patrons from going to other stores at all, but it simply is in a measure for the benefit of his particular store.

Mr. TOWNSEND. Mr. Chairman——

The CHAIRMAN. Does the gentleman yield to the gentleman from Michigan [Mr. TOWNSEND]?

Mr. OVERSTREET. Certainly.

Mr. TOWNSEND. I understand the gentleman to say that in many of the routes, some of which were known to him, there were several applicants—fifteen in one case—who were willing to carry it at the old price. What I want to ask the gentleman is if the committee were moved to the adoption of the report by the fact that they could get men to carry mail for less money than carriers are now receiving?

Mr. OVERSTREET. Not at all. That was merely a circumstance, a mere factor.

Mr. TOWNSEND. Is it not a fact that there is not a salaried office in the United States that you could not get men who would hold or accept for one-half of the salary that is now paid?

Mr. OVERSTREET. That is true, not excepting Members of Congress.

Mr. TOWNSEND. Not excepting Members of Congress.

Mr. OVERSTREET. And for that reason that would not be a proper basis.

Mr. TOWNSEND. Then I want to ask the gentleman if the committee believes that, after reducing the source of revenue that the carriers had heretofore, $720 is sufficient compensation for these men, having to provide horses and things which he has stated they have to provide?

Mr. OVERSTREET. The committee believes that the compensation authorized by the bill is perfectly proper and fair at this time in view of the condition of the revenues as well as of the cutting off of these privileges. It is just as unfair for the Government to permit a carrier to become an agent where he gets a full salary as where he gets a meager salary.

Mr. TOWNSEND. I am not finding any fault with the committee on that. I do differ from the committee on the amount of compensation they have allowed. I want to ask the chairman this: Have any of the patrons on any of the routes throughout the United States ever petitioned that these salaries should be increased to at least $800 a year?

Mr. OVERSTREET. I have no doubt; why, certainly.

Mr. TOWNSEND. Have you had a petition from any people in this country to reduce the salary, or statements that the present salary is too large?

Mr. OVERSTREET. I will relate two instances where we have. One where a person wrote me that he had lived on that route for twenty years; that he knew every man, woman, and child on it; he knew of his own knowledge the expense of living and the maintenance of horse, etc., in that community, and that $600 was ample, and he said it would be unfair to the Government to increase the salary.

Another wrote to this effect: That there were small landowners and renters along that line of route, with which he was familiar, who are making far less money in a year than the carrier was making, and that an increase to a Federal officeholder in that community to a greater salary than the salary that was now being paid would bring more discontent than contentment to the people of that community. Now, I do not pretend to say that either of these instances is a sufficient warrant. Let me say to the gentleman that this bill carries three and a half millions of dollars for increase of rural carriers' salaries alone.

I do not pretend to say that $720 is all that they should have. I do say as a legislator it is my duty and yours, before we undertake to swamp the Treasury by appropriations for a service yet in its infancy, that we should give account to the demands of those communities where there are individuals willing to do the service for less compensation. We have no more right to act entirely upon petitions which ask for greater compensation, for greater increases, than we have to act entirely upon petitions which protest against any increase.

I average it, and I say, in view of the condition of the service itself, in view of the demand for the extension of the service, in view of its infancy, and in view also of the condition of the revenues, I hesitate to recommend more than three and a half millions for increase of salary alone in a single service. The increased appropriation for the rural service alone carried in this bill is a fraction in excess of 64 per cent, and 97 per cent of the appropriation goes to carriers alone.

Mr. TOWNSEND. Now, the gentleman stated that he had these two cases. I will ask if he has not received thousands of requests from the people of this country who receive this service, asking that their carriers' salary shall be increased?

Mr. OVERSTREET. No, sir. Now, I will tell the gentleman what I do understand and what I have heard in the abstract, that the officers of the Rural Carriers' Association, with headquarters in Washington, have been in this city for weeks and have sent through the line of their organization, first to State presidents with instructions to send to county presidents with instructions to notify the carriers, circulars stimulating petitions to be sent to Congress. And I know that since the days of John Adams, the great champion of petitions, there has never been a more earnest effort made to stampede the House with petitions than in this particular case.

Mr. TOWNSEND. Just one more question, then I will not interrupt the gentleman.

Mr. OVERSTREET. Have I answered the question?

Mr. TOWNSEND. Not to my satisfaction.

Mr. OVERSTREET. In what way?

Mr. TOWNSEND. And not, I think, to the satisfaction of the committee.

Mr. OVERSTREET. I do not like to leave it unless I can answer it thoroughly.

Mr. TOWNSEND. What I want to know is if the gentleman's committee has not received from the people of this country petitions asking that these salaries be increased?

The gentleman has stated two cases in which he evidently places confidence, two cases that are opposed to it, and insinuates that the other cases of petitions which have been presented to him have been due to the manipulations of the Carriers' Association, and I wish to say to the gentleman I have filed myself with his committee petitions with hundreds of names that have not been instigated by the Rural Carriers' Association, but by men who see the work of these carriers every day and believe that they should receive more pay than they are receiving, and I asked the gentleman the question simply to find out if the committee were not actuated by a desire to comply with the wishes of the people of the country, from the people not only who are serving, but the people who are served, that the compensation of $720 was not sufficient, and that even though the fund set aside is large and we are adding to it, it is so with many other branches of the Government, and we think that the people who are getting the benefit of this rural service should be consulted in determining what pay is sufficient and what those carriers should receive. That is the reason that I asked the question.

Mr. OVERSTREET. Exactly so, and I answered it. I would say that it is true that there has come to the committee, by reference of Members and also directly, a large number of petitions, petitions which were drawn in black, either typewritten or printed upon newspaper presses, sent out for the purpose of having the patrons sign them. Those petitions have come to the committee in large numbers. The gentleman says that he knows that the petitions filed by him were not stimulated. I would be very glad if he could say whether he knows that the patrons signed those petitions by hunting up somebody who had a blank or whether they were presented to them. Now, understand me; it is a little unfair to put this committee or myself in a position of antagonizing the demands of the people.

Mr. TOWNSEND. I do not wish to do that, Mr. Chairman; that is not my desire.

Mr. OVERSTREET. It is a little unfair to leave the inference that I am insinuating that the committee has been controlled by one or two instances and are prejudiced against the thousands of names appearing upon the petitions. It is fair, however, for this House to know that this bill, notwithstanding extraordinary efforts of economy, carries three and one-half million dollars for no other purpose on earth than to increase these salaries, and we do give an increase of 64 per cent for that service, 97 per cent of that appropriation being for carriers' pay alone.

If we answer to the people by providing for the extension of the service from $12,000,000 to over $20,000,000, I will take my chances with the people on ratifying my act of whether or not it is a discharge of a public duty——

Mr. STERLING. Mr. Chairman, will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. OVERSTREET. I yield for a question, yes.

Mr. STERLING. Does this bill prevent rural carriers from receiving packages of newspapers, daily and weekly newspapers, from the express office or the freight office and delivering them to the farmers?

Mr. OVERSTREET. The law to-day prevents that. There is nothing in the bill that prevents it. No carrier ought to be allowed to receive purely mailable matter by express and then carry it to a patron of his route to the disadvantage of the revenues of the Government.

Mr. STERLING. But in many instances it would not affect the revenues of the Government whether it be the law or not. It is the fact that in many instances county papers are——

Mr. OVERSTREET. County papers are in no wise disturbed.

Mr. STERLING (continuing). Sent to neighboring towns where they can not send them through the mail in time for the rural delivery to get them in the morning, but they go to the express office and get them there and distribute them that same day, and if they were obliged to send or receive them through the mail the farmers could not get them until the next day. Now, that does not affect——

Mr. OVERSTREET. Well, that is a very remote case and would indicate there are not mail facilities between the two towns.

Mr. STERLING. I think it is not a remote case.

Mr. OVERSTREET. At all events, there is nothing in this bill that changes the present status.

Mr. STERLING. You think this bill, in and of itself, would not prevent the rural carrier from doing that?

Mr. OVERSTREET. The bill does not touch on that item at all.

Mr. GAINES of Tennessee. Does the law prevent that?

Mr. OVERSTREET. If it does not, it ought to, because a newspaper, like a letter, is a mailable article. Why should a merchant or a public house of any kind print a thousand letters and address them, or leave them unaddressed, and send them by freight to an office and then pay the Government's rural carrier less money than the postage would amount to to deliver them by hand, and by doing so defraud the Government of the revenue to which it is entitled? There is law against that now.

Mr. GAINES of Tennessee. I will show the gentleman that that is only one side of the case.

Mr. OVERSTREET. Now, I would like to complete this statement.

Mr. GAINES of Tennessee. I want to show the gentleman who has so well alluded to it that there are two sides to the question.

Mr. OVERSTREET. The trouble is that you are injecting an argument into this bill which the bill does not touch.

Mr. GAINES of Tennessee. I want to show the gentleman from Illinois that this is a meritorious proposition.

Mr. OVERSTREET. Then take him off one side and converse with him.

Mr. GAINES of Tennessee. I want to convert you. [Laughter.]

Mr. OVERSTREET. I will be glad to listen to the gentleman from Tennessee when we are not trespassing upon the time of the House. I shall be glad to talk upon astronomical questions and others just as foreign to this bill.

Mr. GAINES of Tennessee. Oh, these are not starry ma ters. I want the gentleman to come down to the ground floor. [Laughter.]

Mr. STERLING. I want to ask the gentleman from Indiana another question. Do s the bill provide, or does it prevent the rural carrier from acting as the agent of newspapers?

Mr. OVERSTREET. Certainly it does; it prevents the carrier from soliciting for any person, firm, or corporation.

Mr. STERLING. What harm might there be in making an express provision——

Mr. OVERSTREET. I don't know whether my friend was here or not, but I gave about forty-five minutes to the elucidation of that subject and answered many questions. I should like very much to accommodate him, but I do dislike to have to go over the ground a second time.

Mr. STERLING. I am very sorry, but I would like to have an answer to the question.

Mr. OVERSTREET. Has the gentleman been present during the discussion?

Mr. STERLING. Not all of the time.

Mr. OVERSTREET. Well, that is the gentleman's misfortune.

Mr. STERLING. Will the gentleman answer a question?

Mr. OVERSTREET. Yes; I will answer the question as a matter of courtesy.

Mr. STERLING. I would like to ask this question: What harm would there be in making an express provision in the bill giving the rural carrier a right to act as an agent for a newspaper? All newspapers would have the same opportunity, and it would be a great accommodation, it seems to me, to the farmer, and they are the ones to be benefited by this. Why would it not be convenient and a good provision for the carrier to act as agent and take subscriptions for the papers, and let the farmers pay it to the rural carrier?

Mr. OVERSTREET. Many things have been asked and fought for in the name of liberty, and now many things are asked for in the name of the farmer, but back of it all are the newspapers seeking to utilize the Government employees for their private business. There is no more reason for excepting the newspapers than there is for excepting the butcher, no more reason for excepting either one of them than there is for excepting a mail-order house, and for further illustration of that I refer the gentleman to my remarks in the RECORD to-morrow morning, which have clearly covered that subject. Whether they will convince the gentleman or not I can not say, but it is abject favoritism which the Government should not enter into. [Applause.]

Mr. STERLING. I beg to differ with the gentleman.

Mr. OVERSTREET. I can not help that.

Mr. STERLING. Isn't it true that the greatest advantage resulting to the farmers by the rural delivery is the fact that they get the daily newspaper?

Mr. OVERSTREET. They will get it now. There isn't a syllable in this bill that will impair it.

Mr. STERLING. But in many cases the farmer can not get it unless the rural carrier is allowed to take it from the express or freight office, because the mail does not reach many points in time for the rural carrier to get it in the morning.

Mr. OVERSTREET. Well, I suggest that the gentleman prepare his argument on the subject. I have endeavored to explain

it, and I repeat that there is no more justice in making a specific exception of the newspaper than there is to grant the same privilege to the mail-order house, which has to obtain its orders through the carrier and ship by freight to the carrier the sales, and they are delivered to the disadvantage of the revenues of the Government.

Mr. CHARLES B. LANDIS. As I understand, this bill does not prohibit the carrier from serving the patrons of the route with the newspaper. It prohibits his soliciting.

Mr. OVERSTREET. Absolutely. Here is the thing in a nutshell: This practice has been in vogue for several years. The bill provides that it shall discontinue on the 1st day of next July. Newspapers have already extended their circulation. Patrons have subscribed for them through the carrier, who has made the solicitations for orders. There is nothing to do but to continue that circulation, unless the farmer discontinues his subscription. The papers will go by mail, and they ought to go by mail, and when going by mail they come to the hands of the carrier to be delivered by him, and the order for subscription should go by mail.

Mr. SPALDING rose.

Mr. OVERSTREET. Mr. Chairman, I want to give notice that after yielding to the gentleman from North Dakota I shall hereafter decline to yield.

Mr. SPALDING. Mr. Chairman, I want to ask the gentleman what harm there is in a rural carrier delivering papers any more than there is in a railroad, which is also a mail carrier, every day carrying thousands and thousands of papers and delivering them outside of the mail bags?

Mr. OVERSTREET. Well, a very good and sufficient answer is that we are limiting the duties of an employee of the Government, and if a railroad does that it does it just like an individual boy on my street buys a lot of newspapers and delivers them. He is not a Federal employee. We draw the distinction that a Federal employee should not be licensed to make such distinction and favoritism between citizens.

Mr. SPALDING. They are each contractors of the Government.

Mr. OVERSTREET. But not for that purpose at all. Just a moment more, Mr. Chairman, and I shall close.

I call attention to the fact that we seek to consolidate, under authority carried by the bill, the supply departments of the service for the purpose both of economy in administration and economy in the expenditure in the purchase of these articles.

We hope also to make such segregation of these appropriations that a clear understanding of their original purpose shall be known to every Member of Congress, and in turn we propose a better system of audit in some instances, which will necessitate a more careful inspection of these expenditures for the purpose of insuring that economy which the Congress has a right to exact.

We present this bill with all of its great appropriations, and appeal to every Member to examine it and act upon it with the same spirit of economy and fairness which has guided the action of the committee, believing that the Committee of the Whole will not be led astray by rumors of inadequate allowances, but will confine itself to a strict accounting of the appropriations and will accordingly ratify the items which we recommend in the bill. [Applause.]

Mr. WILLIAM W. KITCHIN. Mr. Chairman, before the gentleman takes his seat, I would like to ask a question.

The CHAIRMAN. Does the gentleman yield?

Mr. OVERSTREET. I decline to yield further.

Mr. WILLIAM W. KITCHIN. I wanted to ask the gentleman about the rural free delivery.

Mr. OVERSTREET. Oh, I have gone over that for two hours.

Mr. WILLIAM W. KITCHIN. But not as to the point about which I wish to interrogate the gentleman.

The CHAIRMAN. The gentleman declines to yield.

Mr. JOHNSON. Mr. Chairman, I would like to ask the gentleman a question about this bill.

The CHAIRMAN. The gentleman from Tennessee [Mr. MOON] is recognized.

Mr. ROBINSON of Indiana. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Indiana?

Mr. MOON of Tennessee. Before beginning, I yield: yes.

Mr. ROBINSON of Indiana. Will the gentleman from Tennessee [Mr. MOON] allow me to interrupt him long enough to ask whether any arrangement has been made with reference to the section of the bill providing for special facilities on trunk lines, to the end that we may, when we reach that section of the bill, on page 19, have some special allotment of time in which at that time to discuss the bill?

Mr. MOON of Tennessee. No arrangement has been made in committee. I presume none could be made except by the approval of the House. I will state that I understand that neither the chairman of the committee, the gentleman from Indiana [Mr. OVERSTREET], nor myself is averse to an arrangement of that sort.

Mr. OVERSTREET. Let me suggest that that can not be done in committee. It must be done in open House, and it is utterly useless to take up the consideration of the subject now.

Mr. ROBINSON of Indiana. It is not useless to have some arrangement about it, so that the House membership may know what to expect. I am simply calling the matter to the attention of the gentleman.

The CHAIRMAN. The Chair will state to the gentleman from Indiana [Mr. ROBINSON] that no arrangement has yet been made in the House respecting the length of time for general debate, and that debate is now proceeding by unanimous consent, in charge of the chairman of the committee, the gentleman from Indiana [Mr. OVERSTREET], and the representative of the minority, the gentleman from Tennessee [Mr. MOON]. Any arrangement with reference to extension of time under the five-minute rule will have to be made after the committee rises.

Mr. ROBINSON of Indiana. I so understood, but I thought the chairman of the committee and the minority representative of the committee could at this time notify the House that some such arrangement would probably be made.

Mr. MOON of Tennessee. I think it is probable, but we can not make it outside of the House.

Mr. ROBINSON of Indiana. No; I understand that.

The CHAIRMAN. The gentleman from Tennessee is recognized.

Mr. MOON of Tennessee. Mr. Chairman, I desire to address the committee for only a few moments, and then I shall yield to my colleague the gentleman from Missouri [Mr. COWHERD]. We have heard from the chairman of the committee, the gentleman from Indiana [Mr. OVERSTREET], a very able presentation of the bill in its material paragraphs. I take pleasure in saying that the minority of the committee fully agree with the majority and that the report is practically unanimous upon all of the provisions of this bill except as to three or four items, to which reference will be made later.

Therefore, it does not become necessary, in view of the statements made by the chairman of the committee, that I should discuss the bill in detail, but only with reference to those matters upon which we differ.

The minority of the committee, while concurring in general in this bill, have felt constrained—in view of the evidence that was before them, and of the reports that have been made to the committee by the Department on the resolution from this House directing the same—to show the propriety of some action being taken by the House to strengthen the Post Office Department in its administration. And in the discussion of this question for a few moments I wish to disclaim altogether any animus of a political character in reference to this matter.

This is a great Department of the Government, and for many years it has been administered with ability, and for a greater part of the time with signal honesty and integrity. But we have reached the point in the postal administration where, in my judgment, it now becomes the duty of this House as the immediate representatives of the people to look closely into the condition of affairs in that Department.

This Department, charged with the expenditure of one hundred and sixty to one hundred and seventy million dollars annually of the public money, ought not to be left without the means of properly discharging its duties to the country so far as this Congress has power to give them. The system of administration there is in many respects weak. Unquestionably the power lodged by statute in branches of that Department ought to be more thoroughly consolidated than it is. Responsibility ought to be fixed more nearly and closely upon the heads of the four great subdivisions of the Department. There are not sufficient checks, it appears to us, in the Department to protect the public interests. There is not that closeness and community of interests between the different divisions in the discharge of their duties that there ought to be to protect thoroughly the Government and the people.

As a result of this weakness, a system of administration has been encouraged and pursued very unbusinesslike in many essentials. Inappropriate and hasty legislation may be responsible in some measure for this mongrel system that has become so intricate as to invite fraud and wrongdoing. There are, perhaps, more offices there than there ought to be. There certainly is too much assumption of authority under the guise of rules and regulations. The solemn judgment of this House twice expressed on the right to exclude certain matter as second-class mail matter and to change the law on that subject has been ignored by the Department, and rules and regulations having the force and effect of law, so far as the action of the Department is concerned, have been invoked,

putting into effect that very bill the Congress refused to enact, commonly called the "Loud bill" or the essential features thereof. The power of Congress was thus usurped.

In considering the fact that recent developments in the Department clearly indicate that the slime which was found in the division of salaries and allowances would reach over the whole Department, there ought to be an investigation by a committee of this House, empowered to make recommendations to Congress by which the whole postal system should be revised and strengthened. The rights and duties of the Department should be more clearly defined and the means of information as to the needs of the Department and the legitimate expense of its conduct more readily obtainable.

You appropriate from year to year large sums of money for inland transportation of mails by railroads, yet there is not a gentleman within the sound of my voice who can tell me what it ought to cost.

There is not a Member on the Committee on the Post-Office and Post-Roads who, in my judgment, can approximate the amount that it ought to cost within five or ten million dollars. There is not a man in the Department who can do so. Thirty-nine million eight hundred and sixty thousand dollars, in round numbers, is appropriated for this purpose in this bill.

I ask the House whether it is in accord with good business policy that a system should exist in a Department by which you can not approximate within millions of dollars that which a proper service ought to cost? We know what it does cost——

Mr. SAMUEL W. SMITH. In view of what the gentleman has just said, will he allow me to ask him how the committee arrived at the amount of appropriation recommended in the bill?

Mr. MOON of Tennessee. I am coming to that: I will answer the gentleman now. We know, Mr. Chairman, just what it has cost by the system employed to carry the mail for one year by railroads, and the Department, with this information, makes its estimates for the next fiscal year, making liberal allowance for increase in mail. The committee has no other information and must take the estimates made by those who expend the money. The manner in which the estimates are arrived at is very unsatisfactory. We know that only once in four years in each of the grand subdivisions of the United States the mail is weighed, and upon that weighing the ultimate figures are determined. We know there are a thousand doors to fraud open. We have heard it charged, and the records contain, in a measure, proof upon the question, that large quantities of mail during the weighing period are carried all over the country—are weighed time and again. We know that a commission was appointed by Congress to look into this question. Unfortunately the report of that commission shows that they were not able to reach a satisfactory conclusion and therefore they recommended to this House its further consideration.

I am not able to suggest to the House at this moment what a proper and adequate remedy for this condition is. I present this to the House simply as an illustration of one of the methods of doing business in that Department, which I regard as not altogether proper and businesslike—one of the means that open the way for the commission of crime and fraud.

Aside from these suggestions as to inherent weakness in the postal system and the necessity for its improvement in the interest of the public service and revenue, there is a more delicate and serious question demanding your attention.

The record shows that many postal officials are charged by an officer of the Department with improper and criminal acts, and now stand indicted in the courts of justice.

Before proceeding further I ask permission now to incorporate as a part of my remarks the views of the minority of this committee on this bill, and also my own views bearing on the question now discussed.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to print as a part of his remarks the views of the minority and also his own views. Is there objection? [After a pause.] The Chair hears none.

The following are the papers referred to:

VIEWS OF THE MINORITY.

To disagree with other members of the committee in the conclusions reached on an important bill carrying the necessary supplies for a great Department of the Government may not be a gracious thing, and is certainly not pleasant; nor is it, but we feel it our duty to call to the attention of the House [illegible] under which as matters are at present conducted in that Department, the subject will need to be carefully examined and likewise could be the specific attention of the House the condition of affairs in the Post-Office Department.

Every reasonable and [illegible] facility that can be secured in the postal service for the benefit of the people under wise and economic administration of the Department should be granted. The administration of the Post-Office Department should be liberal, but not profligate. Congress should not permit the Department to enter upon any new scheme which may be proposed by those designing to make profit from dealing with the Department. Nor, on the other hand, should it prevent the Department from experimenting with new investigated and improved appliances in postal matters which may result, as heretofore, in improvement of [illegible] postal service. But such innovations should not be entered upon without due regard to the result alike on revenue and improvement of service. The Department is entirely relied upon for estimates. The committee hears proof from the persons interested in making the estimates, and often on their own showing, as in this particular bill, it becomes necessary to reduce the estimates many thousands of dollars. There seems to be no means of information under the present system except that furnished by those who expend the appropriation.

In a great Department like this, possessing as it does many different bureaus under different chiefs, we too frequently find a rivalry between the different bureaus as to which can most rapidly increase its importance and obtain the greatest appropriation. For a committee to rely entirely upon estimates furnished by bureau chiefs thus vieing with each other it seems to us as unsafe and unbusinesslike, yet we have had no further knowledge than information obtained exclusively from officials who manage the expenditures and Congress has practically surrendered its authority in favor of the Department and become merely clerks to record their decrees.

The Department seems to be now so impressed with the belief that the service can be maintained only by a continual increase of expense, [illegible] under the representations of necessity in any branch of the service, whatever inequality may be existing in the service in comparison for estimates from all other branches for a corresponding period, has contributed to impoverishing funds and absorbing the revenues without commensurate returns.

It is easy for a Member of the House to say that the Department knows best about these things and that we had better leave it to them. It is better business to know what it is that public money should be paid out. We can satisfy an appropriation on the ground of public good [illegible] Department [illegible] are [illegible] by their Representatives in Congress. If we have [illegible] and provide the means of [illegible] for expenditure, but [illegible] to know will the money go [illegible]. Who [illegible] the Department to exist which make it practically impossible to appropriate by [illegible] annual [illegible] of this service [illegible]. We know what it costs. We know just what it ought to cost.

The House passed a resolution recently directing the Postmaster-General [illegible] fraud. We reproduce the conclusion to this report:

"CONCLUSIONS.

"For the purposes of this report, the investigation ordered by you on March 7 has been completed. In the presentation of cases for trial where indictments have been found [illegible] and prosecution [illegible] have been [illegible] of them continuous every day since the grand jury [illegible]. The [illegible] of a [illegible] have been examined and the [illegible] of [illegible] and [illegible] of a period of three [illegible] years [illegible] and [illegible] as compared [illegible] to the Government. The [illegible] Thomas J. Cowherd, [illegible] Amos A. Wheeler, [illegible] and [illegible] in his administration the expenditures for canceling ink increased [illegible].

[illegible] that Kemper received money from the manifold company, [illegible] year. [illegible] from Arnold. Yet that company defrauded the [illegible].

The [illegible] of [illegible] in the [illegible] $2,000 [illegible] fact per. Yet [illegible] represents a net loss, since the Department continued, by the terms of the contract, [illegible] $2,000 [illegible].

[illegible] $30,000 from the automatic cashier. Yet the Department expended $74,275 for this wholly unnecessary [illegible].

[illegible] that the perpetrators of these frauds thought [illegible] [illegible] to be [illegible] between [illegible] and [illegible] that have been purchased and [illegible] [illegible] with any degree of necessity.

As the process of these cases [illegible] have been prosecuted [illegible] to the appointment of officers in Canada, where frauds have been committed, have been authorized.

As a result of the investigation, four officers and employees of the Department have been convicted, [illegible] have been [illegible] [illegible] have been [illegible] [illegible] have been separated from the service by resignation and removal, and a [illegible] of the [illegible] have been [illegible].

I wish to speak in the [illegible] of the [illegible] and [illegible] of the investigation and their loyalty to the interests of the service. [illegible] the Department is largely due to them. They have sought the truth with energy and skill. No necessary [illegible] have been [illegible] to [illegible] of Chief Inspector William E. Chapman they have [illegible] in [illegible]. A [illegible] of the officers who have been employed on the investigation [illegible] to [illegible].

The results of the investigation demonstrate that all [illegible] of the Department, so far as [illegible] and [illegible] the registry system, and money-order system, should be placed under [illegible].

"A [illegible] should be made in the organization of the Department in order to prevent a [illegible] of the [illegible] of a [illegible] divisions, and some room [illegible] and [illegible] of [illegible] and [illegible] of ruin. How [illegible] [illegible] What [illegible] [illegible] [illegible]

longer hesitate about it. You can not permit, if it be possible to avoid it, a single stain upon your personal honor and character, and God forbid that you ever permit the House of Representatives, the popular branch of the Government, to be dishonored by a failure to adduce the truth under conditions like these. I now yield to the gentleman from Missouri. [Applause.]

Mr. SAMUEL W. SMITH. Will the gentleman permit a question?

The CHAIRMAN. Does the gentleman yield?

Mr. MOON of Tennessee. I had finished, but I yield to him if the gentleman has an inquiry.

Mr. SAMUEL W. SMITH. Under this special-facility clause, to which reference has been made, I would like to ask at whose suggestion this $167,000 was put in the bill—$12,000 from Washington to Atlanta and New Orleans, and $55,000 from Kansas City, Mo., to Newton, Kans. Was that done at the request of the Postmaster-General?

Mr. MOON of Tennessee. In reply to the gentleman, I will say this is not the suggestion of the Department. The Post-Office Department has never recommended a subsidy to be paid to the railroads running from the city of Washington to New Orleans.

Mr. SAMUEL W. SMITH. Then why does the committee put it in?

Mr. MOON of Tennessee. On the contrary, the Department has always said that the allowance of this amount was a hindrance to the good administration of the office, and that they never would have spent it—not estimating for it nor recommending it to the House—but the House of its own accord taking it up and passing it, they regarded the action of the House under such circumstances, notwithstanding the language that it shall be expended only in the discretion of the Department, as a mandate to expend it, because the Department has not recommended and did not desire it.

Mr. GAINES of Tennessee. And the gentleman has voted against it every time.

Mr. MOON of Tennessee. I have always voted against that proposition.

Mr. SAMUEL W. SMITH. So have I; but why does the committee still put it in? The Department does not recommend it.

Mr. MOON of Tennessee. As to why the committee put the item in I can not say. I presume the committee did it in the discharge of their duty to the country as they understand it. I voted against the proposition in the committee and will vote against it here, and at the proper time shall move this House to strike that item from the bill, because, in my judgment, the alleged Southern subsidy is the most iniquitous and pernicious section ever attempted to be incorporated in any decent bill. [Applause.]

Mr. GROSVENOR. Will the gentleman yield to me for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. MOON of Tennessee. I yield.

Mr. GROSVENOR. How many years has that subsidy been paid?

Mr. MOON of Tennessee. I believe it has been paid for about ten years, and I want to say to the gentleman from Ohio that it would have been better for the Government to have bought many of the little towns along the Southern Railroad which this is supposed to have benefited than to have paid the money that has been paid out in this subsidy, so far as the principle involved is concerned, as I view it.

Mr. GROSVENOR. Did not the Democrats first put that in the post-office appropriation bill?

Mr. MOON of Tennessee. I am sure I do not know.

Mr. GROSVENOR. I can tell the gentleman.

Mr. MOON of Tennessee. I should not be surprised if it was a Democratic Administration, because——

Mr. GROSVENOR. It was.

Mr. MOON of Tennessee (continuing). Because the southern membership largely insisted upon it. I have always insisted, I will say to the gentleman, that a subsidy is an evil which we should oppose in the North or South.

Mr. GAINES of Tennessee. Has not a Republican House voted for it time and again in the bill?

Mr. GROSVENOR. Is it not a fact that a number of us here constantly annually have voted for striking out that provision?

Mr. MOON of Tennessee. I know that a number of gentlemen did on both sides.

Mr. GROSVENOR. Is it not a fact that a large majority of the gentleman's party on this floor have constantly voted to keep it in?

Mr. MOON of Tennessee. No; not always.

Mr. GAINES of Tennessee. No; and at one time we struck it out.

Mr. MOON of Tennessee. If the gentleman will allow me to answer the question, I will say that I think the majority on the Republican side of the House, united with the majority on the other side of the House, have generally maintained the provision. It was clearly error by both.

Mr. GROSVENOR. It comes here branded as the child of a Democratic House.

Mr. MOON of Tennessee. I do not know who is the father of the child, but I know that the child ought to be killed for the public good. [Laughter.]

Mr. GROSVENOR. If the gentleman kills it, it will be infanticide in his own family. [Laughter.]

Mr. MOON of Tennessee. Democrats with my views don't produce that sort of a child nor encourage its existence.

Mr. COWHERD. Mr. Chairman, I desire to submit some remarks along the line followed so ably by my colleague, the gentleman from Tennessee [Mr. MOON]. In criticising the administration of the Post-Office Department I want it distinctly understood that I am offering no criticism against the committee that reports this bill to the House. I believe, Mr. Chairman, that it can be truthfully said that no committee under the Dome of this Capitol has worked more arduously and endeavored more earnestly to bring to this House a fair and just measure, and I desire at the outset to say for the chairman of that committee that he has labored with infinite zeal for the good of the service and with rare tact and industry in the framing of this great bill. [Applause.]

Now, Mr. Chairman, this bill carries more money than any other supply bill that will be presented to this House this year. It is providing for a department and service that is nearer to the membership of this House than any other service rendered by the Government. The fact of the matter is that it is in the postal service only that nine-tenths of our population ever come in contact with the General Government of the United States. Not one man in a thousand has ever seen a regiment of United States troops. Probably not one in ten thousand ever saw a battleship. The courts of the United States, distributed though they may be over all the States, yet, with their limited jurisdiction, serve a very small proportion of the people. It is the postal service only that enters into every home and touches in the circumference of their daily lives every citizen. This service, Mr. Chairman, ministers not only to the wants of the people, but has enrolled under its banner more men than serve the Government both on land and sea in the military and naval forces.

I may say, and I believe, truthfully, the postal service does more for the cause of education, in the dissemination of the millions of tons of printed matter, than all the universities and all the schools combined. It does more to promote business than all the boards of trade of this broad land, and, in the quick and ready communication from town to town, and city to city, and State to State, it links together these States by closer ties than were ever formed in written constitution or made good by force of arms. This is, in my opinion, the most important service, as it is the service that is the closest to the people of the country.

Mr. Chairman, we have a right, then, to demand that for this great business service, ministering to the wants of all the people of the country, there should be at its head men ready to conduct it on business plans and maintain it in a business way in accordance with the law and in accordance with honest business management. It behooves us to remember how rapidly the expenditures are growing in this Department. Why, it has been but a little more than twenty years when your whole appropriations were only about $40,000,000. This bill carries practically one hundred and seventy millions, and though it be true that the receipts are growing almost as rapidly as the disbursements, yet with the great increase in the rural service and the expense that necessarily follows it, we are finding year after year in the postal Department a continually growing deficit.

Therefore, I say, it all the more behooves us to demand through every branch of that service the most careful business management. No committee of this House, gathered as they are from different walks of life, is or can be composed of postal experts. It must rely in a large measure upon the recommendations and the information of the Post-Office Department, and in a large measure the bill brought in must be the estimates they submit. It is true that we cut down here and we cut a percentage off there, and do the best we can with this item and with that, but in the main the bill as reported must rest very largely upon the estimates of the Post-Office Department.

I propose to attempt to show to this House this afternoon that the estimates of that Department are not to be relied upon in the making up of a post-office bill, and that therefore there is force in the argument of my colleague from Tennessee [Mr. MOON] that this House should institute an investigation of that Department; not as to one branch of it, not a partial investigation reaching only into one division, but a general investigation under a committee appointed by the Speaker of this House in order to see if we can not get into that Department better business methods and get out of it some of the maladministration that has afflicted it in the last few years. Mr. Chairman, let me call your attention to one of the items in this bill, which is to be found upon

page 26. The bill provides that there shall be appointed by the President, with the advice and consent of the Senate, a purchasing agent for the Department, and that through his office shall be purchased all supplies.

Gentlemen, is there another great institution in the United States, be it railroad, municipal, State, or what not, that has carried on its business, as this great Department has for many years, with no general head for purchasing supplies, but by means of an antiquated system of boards, and these boards consisting of subordinates that are expected to govern and control the action of their superiors in the purchase of supplies? No recommendation of reform along this line came to this committee from the Department. That legislation appears in this bill upon the initiative of this committee itself. I should say in justice to the Department that when we called their attention to it they told us that they had had it under consideration for some time and were then considering the necessity and advisability of it, but though we considered this bill for nearly two months in the committee, in the end we had to frame the measure, and the initiative is the committee's and not the Department's.

If you would know something of the necessity for a purchasing agent, I would call your attention to a short resumé of the way supplies have been purchased in the past, as may be gathered from the report made by Fourth Assistant Postmaster-General Bristow. There has been some discussion on the floor of this House from time to time as to the appointment of Michael W. Louis as the chief of the supply division in the office of the First Assistant, and I took occasion once to say that it was not the violation of the civil-service law that was the gravamen of the offense in that case, but that when First Assistant Postmaster-General Heath ordered Louis into the service through the back door, he did it because he knew that shortly after great contracts were to be let.

Louis was a man capable and able. He could easily have passed a civil-service examination, and when that letter was written, on the 17th of April, ordering him appointed as cashier of the Kansas City post-office, and then immediately transferring him to Washington to take charge of the supply division, it was done in order that he might be in that position when the contracts were to be let on May 6 following.

What was the result? Take the question of the purchase of canceling ink. A company at Baltimore—the Caton Manufacturing Company, which had that contract—made a bid of 20 cents for the next year. Mr. Louis let the contract to the Ault & Wiborg Company, of Cincinnati, for 24 cents, in order, as he says, that he might get a better quality of ink. But we find that the quality of ink furnished is such that barrel full after barrel full is burned in the furnace in the Post-Office Department building, and when the engineer complained that they were ruining the boilers, we find that it was dumped into the Potomac.

We also find letters from Mr. Louis on file, asking the company that furnished the ink if they would manufacture over again at Government expense 15,000 pounds of this superior ink which he had purchased at a higher price. We find, in addition to that, that whereas the year before, under the cheaper price, it took only 21,600 pounds of ink to run the whole Government service, under the management of Louis it took over 50,000 pounds of ink. That one little item cost the Government, according to Mr. Bristow's report, $10,084 more than it cost the year previous for the same service. This is just an illustration of the way supplies were purchased under the antiquated system in the Post-Office Department. What was done the next year? They appointed one of these boards of subordinates to pass upon the question as to how Mr. Louis should buy the ink, and that board was not satisfied when it came to examine the subject, notwithstanding that they were subordinates in the Department.

The result was that the board was discharged and another one appointed which would be satisfactory, and George W. Beavers, chairman of that board, reports that it is best to permit Mr. Louis to purchase in the open market, and from March, 1898, until July, 1902, Louis bought ink from the Ault-Wiborg Company at 30 cents a pound, being 10 cents more than was paid for it during the time when they had anything like competitive bids. Take another illustration. Mr. Louis was permitted to buy twine. When he went in there, they were buying twine at 6.65 cents in the open market. It went up to 10.95 cents in 1900–1901, and then a year after it went down to 7.45 cents. When twine was at the lowest, 6.65 cents, it was necessary for the Government to keep on hand a surplus of only five or six thousand pounds. When twine had jumped to 10.95 cents, and after the contract had been made at 7.45 cents for the next year under Mr. Louis's able management, it is found that the Government accumulated over 100,000 pounds of surplus twine.

Take another illustration of the purchase of supplies. James T. Metcalf was Superintendent of the Money-Order System. There was a bidding for the engraving and printing work to be used in that branch of the postal service. One man bid nearly $50,000 less than the company that then had the contract. Mr. Metcalf used his utmost endeavors to persuade the lowest bidder to withdraw his bid, asserting he would never be able to do the work. Notwithstanding this we find that man to-day is performing the service, and is doing it satisfactorily upon the cheaper bid.

It is also found that Mr. Metcalf had a son working for the company that had made the higher bid, and it is discovered that Mr. Metcalf had so manipulated the bid for the sending out of printing supplies that that company received $22,692.95 more than they were entitled to under the specifications on which they had bid.

We find that Mr. Metcalf had so arranged that, instead of having the company ship the supplies here and sending them out, as had formerly been done, the company should ship the money-order books themselves; and he allowed them for this work of shipping 4¼ cents for each book. And this son of Mr. Metcalf who was working for the company got 1½ cents for every book shipped, so that this boy, who was drawing a salary of $65 a month, received from December, 1899, to May, 1903, in addition to his salary, $9,547 in commissions under the arrangement that his father had made with the company. Do you not think it is time there was some change in the method of purchasing supplies in the Post-Office Department?

And I appeal to you, gentlemen, had we not a right to expect from the heads of those great departments in the postal service a recommendation to this committee that would change this method of proceeding, especially after an investigation had shown the conditions that existed under the system there pursued?

Your committee hopes that in the creation of a separate supply bureau, with its chief selected by the President and confirmed by the Senate, there can be found a man of sufficient character and capacity to put this business beyond the taint of suspicion.

There is an item in this bill which will be found on page 11, which reads:

For separating mails at third and fourth class post-offices, $1,000,000.

That item read last year identically the same, except that the amount was $1,300,000; and it was in the distribution of that appropriation, Mr. Bristow charged, that Mr. Beavers had used the money "largely as an official perquisite for the benefit of his personal and political friends."

Note, please, the appropriation reads not "for unusual business," but "for separating mails." The need for that appropriation arises in this way: The pay of the postmasters, as you know, in the third and fourth class offices is dependent upon the cancellation and the sale of stamps. Where a star route goes out from an office of this class, the postmaster must separate the mail for the offices on that route, while the postmasters at those star-route offices receive the commission on the cancellation of the stamps. To pay the postmaster, therefore, at the office from which the star route starts for this separating work this item has for many years been carried on the appropriation bill. There was a regulation of the Department fixing the amount of pay, dependent upon the average number of pieces of mail postmasters were compelled to separate.

When, therefore, rural-delivery service was inaugurated and 15,000 rural routes had been instituted and 2,000 star routes discontinued, we had a right to expect that a decrease would be shown in the estimates for this item. That decrease ought to have begun as the rural service began to extend in 1900 and 1901, but, on the contrary, this item grew almost as rapidly as the rural service. The reason for its increase is shown when we read in Mr. Bristow's report how, absolutely without regard to the provisions of the law or the necessities of the service, the head of this Bureau distributed this money among his friends. We were told in the hearings that already 900 offices had been found where improper allowances had been made for the separating service, and this without a special investigation, but discovered in the ordinary course of business.

Did not this body have the right to expect that when it was shown that such gross misuse had been made of this fund the estimates of the Department would at least have called for some reduction in the item? On the contrary, the Department asks for $1,700,000, based, it is true, upon a proposition to give clerks to all third-class offices; but when called upon for an estimate upon the separating service alone, reports that it needs at least the amount of the last appropriation—$1,300,000. Can anyone justifiably that estimate upon any ground of good business conduct in the Department or fair dealing with Congress? If, as has been shown, without investigation of the thousands of offices to which allowances had been made, but just in the ordinary course of business, 900 have been discovered in which the allowances exceeded that provided by law, with rural free-delivery routes being established at the rate of 6,000 a year, and decreasing at least in some degree the necessity for separating service, how could any reasonable man demand a continuance of the already extravagant appropriation for that item of the service?

Why, sir, before Mr. Beavers went into that service we were appropriating $600,000 for the separating service; that is all. It was under his able management, under his judicious distribution of money to his friends, his yielding to pressure here and there, that this grew to $1,300,000. And yet the present administration of this Department reports that, managing the money honestly, as they ought to manage it, and allowing no more than the regulations of the Department prescribe, they can not run this service for any less than Beavers ran it when he gave the money away with free and reckless hand to every man that chose to ask for it. [Applause on the Democratic side.]

I appeal to you, gentlemen, whether that is not another illustration of the fact that this Department needs a competent business management, and that we are entitled to an investigation to see if such a reform can not be accomplished.

Now, the very next item in this bill is known as the "rent, light, and fuel item"—

For rent, light, and fuel for first, second, and third class post-offices, $2,550,000.

This is one of the items that is mentioned and discussed in the report upon what is known as the "Hay resolution."

It was in regard to the disbursement of this appropriation that Mr. Bristow says in his report:

The most charitable conclusion that can be drawn from Beavers's action in canceling these leases is that by the lavish waste of public money he sought to secure the good will of men prominent in public life.

Case after case is reported by Mr. Bristow where Beavers, even when there was a lease on a building running from three to five years, canceled the lease and raised the rent.

When it was shown to the Department how this money had been so recklessly distributed in the past, had we not a right to expect that they would come in and ask for a smaller sum? What is the fact? The fact is that Beavers, distributing the money so recklessly, was using $2,550,000 per year, and the Department administering it now, as we have the right to believe, honestly and economically, come in and report that they can not get along with less than $2,550,000.

Mr. Bristow calls attention to the fact that for the five years preceding Beavers's administration of that salary and allowance division this item had grown $250,000. During the five years he was in there it grew at the rate of $250,000 a year, and when the Department comes, in the light of that investigation, to administer it honestly, as we have a right to believe, they demand the same increase that Beavers demanded when administering it recklessly.

Now, gentlemen, I submit that these facts warrant the minority of this committee in calling upon you, without regard to party, without regard to partisanship, to look into the administration of the affairs of that great service.

Take the next item, on page 12, immediately following this, what is known as the "necessary, miscellaneous, and incidental" items connected with first and second class post-offices. That is the item under which the furniture is purchased. It is the item under which typewriters, copy presses, safes, Bundy time clocks, and other things are purchased. How has that item been administered in the past? Let me call your attention again to Mr. Bristow's report.

You remember the story of the Brandt automatic cashier. They had in the first and second class post-offices a little coin tray, a device that was used to make change, costing from $5 to $12. An invention was made of an automatic cashier, and during the year 1898 a number of them were sent out to the post-offices throughout the country. There was one postmaster, and only one, who reported in favor of it. Miller, the agent of the company, wrote Brandt, the president, on February 20, 1899.

I am satisfied that we have the assurance and friendship of both parties—General Heath and Mr. Beavers—and I feel [illegible] that [illegible] latter will be the most positive.

Whatever may have been the method of the cultivation, it is a singular fact that immediately following this Postmaster Heath notified Miller it had been decided to pay for the machines already installed and purchase 250 for use in the first-class offices. There had been no demands made from the postmasters for it, mark you. On the contrary, you will find that many of the postmasters reported against them. A very slight change was made in the machine, and this machine, which sold everywhere at $125, is put on the Department at $150 to take the place of the $5 and $10 coin trays.

What is the result? After the 250 were disposed of, largely by inducing the postmasters to ask for them, 527 more are ordered. Two hundred and seventeen of these were shipped without any request from postmasters, and out of the 527 thus purchased 175 are lying idle to-day. The aggregate amount paid by the Government for these machines, which is practically a total loss, was $24,275.

Typewriters also are purchased out of that fund. Along about 1897 a Mr. Gensler, at that time a stenographer to the Senate, was given the agency of the Elliott & Hatch book typewriter for Maryland, Virginia, and the District of Columbia. Gensler seems to have been a man with a considerable political pull. He managed to get twenty typewriters sent out to postmasters. They were to be used in preparing money-order statements, and he had these machines sent to the postmasters with a request from the Department to report upon them. There was only one postmaster out of the twenty who reported favorably. He was W. Scott Towers, postmaster at Station C, Washington City.

Notwithstanding only one favorable report was made, Gensler managed to work off on the Post-Office Department 193 of these worthless machines, and although postmasters had frequently written to the Department that they did not want them, and asked permission to send them back, they were compelled to pay for them out of the receipts of the office. One hundred and ninety-three of these machines cost $48,575, and on each machine so sold Gensler received $25, and he gave $50 to W. Scott Towers, who was the only postmaster that reported in favor of this machine, and Towers divided with Beavers. That also came out of this item.

Then there was the Bundy time recorder, that is, a clock with a recording device attached so constructed as to note the hour and minute a certain key is inserted. It was first used in the free-delivery service by the carriers to record when they would come in and go out of the office, in order to keep the number of hours they worked. It may have been a good device as far as that was concerned, but there was a great mistake in the estimates of the Department. Machen's estimate for the whole service was $25,000, but in 1898 Mr. Heath decided that he had to have them for the clerks as well as the carriers, and so it was transferred to the salary and allowance division, of which Mr. Beavers was the head, and we find that there has been expended for them, instead of $25,000, $247,000.

We find also that keys, sometimes as many as fifty to a hundred keys, costing 50 cents apiece, are sent out to little offices that have only two or three carriers and one or two clerks. The result of investigation of this shows that when these were instituted [illegible] was agent for the company; that he paid Machen a thousand dollars for the introduction of them in the service; that he paid Beavers five to six hundred dollars at various times, and he states himself that he found Beavers so obliging that it was [illegible] that he believed Mr. Perry Heath to transfer Beavers from New York and put him at the head of the salary and allowance division, and shortly thereafter the purchase of these recorders was transferred to that division.

This is the story of the expenditure of that appropriation. I submit again, gentlemen, when it has been proven to the Department itself how for years the money that Congress was appropriating in that item was being wasted, did we not have the right to expect the Department to reduce its estimates? Would not any business administration have done so, yet they demanded $2,550,000, the same amount used by Beavers when it was treated, not as a public trust, but as a private snap.

Next is the canceling machines. That is found on page 12, immediately after the item that I have been referring to, and reads:

For rental or purchase of canceling machines, and motor power therefor.

Let us look at the expenditure under the Post-Office Department of that appropriation. We have been appropriating $250,000. We appropriated $250,000 last year, and the year before $190,000, and the year before that $100,000. How was the appropriation expended?

Let us see. In 1896 the Hampden canceling machine was offered to the Government at $[illegible]. The Government purchased [illegible] machines at $[illegible] each. The company made a discovery about that time. They found out that if you wanted to do business with the postal service you had to pay a commission, with somebody who was in the service, so the company employed [illegible] company, and they made Mr. George Tyler, a brother of the Attorney-General for the Post-Office Department, president of the company, and promptly thereafter we find in January, 1897, that First Assistant Postmaster-General Heath purchased [illegible] machines at $[illegible] instead of $[illegible], the price at which the Government refused to take them two years before, and a few months later an order is given for 50 more at the same price; and in April, 1903, out of the 100 bought 83 of them have been discarded and thrown out as junk.

That is the way part of that item was expended. Here is the Doremus machine. The Doremus is a hand-power machine. It was invented by W. B. Doremus, of Washington. Beavers first bought 100 of these machines at $150. It was discovered that they were absolutely worthless. That was model No. 1. The company went to work and got out another model, called "model No. 2." On June 30, without testing its efficiency in any way,

Beavers contracted for 100 more at $225. Model No. 2 did not seem to be much better than model No. 1, so the company got out another model called "No. 3," and of No. 3 another hundred was ordered at $225.

Now, model No. 3 was found to be fairly satisfactory, so the Department continued the purchase of them, and in all has bought 671 of the Doremus machines at a cost of $143,475. But the interesting part of this story is how the Government came to invest in the Doremus machine and why the Department so continuously purchased the machines after they were found inefficient and kept on experimenting with them until the company was enabled to make one that would work. Truesdell, the same Truesdell as mentioned before, was at that time the business agent of the company and Mr. George Green was the president of the company.

Truesdell said that before the order for the second hundred machines was given 200 shares of stock of the company, of the par value of $20,000, was transferred to Perry S. Heath, First Assistant Postmaster-General of the United States, and in consideration of this transfer of stock Heath promised to order not less than 200 machines, at $225 each. He says that he gave 50 shares; that Doremus, who owned one-fourth of the company, gave 50 shares to Greene, and that Greene was to make up the other 100.

Mr. Heath denies that any stock was transferred to him. Mr. Doremus admits that he did transfer 50 shares, but he doesn't know what it was for, except that it was for the interest of the company.

Ida Crowell, the bookkeeper, testifies that Doremus told her he thought it was a mistake to give the stock to Heath and objected to having to do it. The further satement is made by Truesdell that on each machine sold after the first 100 the company was required to pay Beavers $25, which he claimed was to be divided with Heath. The bookkeeper, Ida E. Crowell, says she drew the checks usually for $500 and procured the money in large bills. She would then telephone Beavers, and when he came she would retire from the room, and on coming back, when Beavers was gone, the money would be gone also, and she would charge that sum to "commission account." That is the way the item for the canceling machines has been expended. We submit that if they only needed $250,000 to run the canceling machines under that kind of a management, that they do not need so much if it was run honestly.

So the committee has cut the Department's estimate down to $200,000, but, mind you, the Department never proposed the cut in their estimate. They ask for the full $250,000.

Now we come to the item mentioned on page 23; and that is the most interesting item in this appropriation bill, when you come to look into the history of it. This is the item under which Mr. August W. Machen carried on, in a large part, his operations. I want to say for him that had his integrity been equal to his ability I verily believe there are few men that have ever been in the postal service who could have done so much good as he. He had a power of organization such as few men possess and a power of handling men such as is given to few individuals.

Machen, shortly after he came into the service, recommended that the carriers should use a little strap instead of a string in tying up the mail. That recommendation was adopted. He estimated that $[illegible] would be over the total annual expenditure for that purpose. For [illegible] the annual expenditure was $[illegible], and in all for these straps we have spent $172,987. That is not so very much of an increase when you come to consider the other estimates of the Department. It was estimated a few years ago by a Postmaster-General of the United States that the total cost of the rural free-delivery when it was instituted over all the territory that was entitled to the service would cost in gross less than $20,000,000 and net about fourteen millions.

Mr. WM. ALDEN SMITH. What Postmaster-General was that?

Mr. COWHERD. Charles Emory Smith, in his report of 1900. We find we will next July have 24,500 carriers, and it has only extended over about one-third of the country, that was estimated as a proper part of the country for this service, and we know enough to know that instead of its costing thirteen or fourteen millions net it will likely cost nearer fifty millions by the time it is fully organized.

But let me go on with Machen. Machen bought the straps of a man by the name of Lamb, of New Haven, Conn. Lamb paid W. C. Long, a laborer in the supply department, $30,000 as commission on this sale of straps, and Long divided with Machen. Machen thought that these little straps were a good and profitable investment and concluded to carry the strap business a little further.

So, notwithstanding that the contractors who furnished the carriers' satchels were obligated under their contract to furnish the strap, they were notified that they needn't furnish the shoulder strap, and so in the first contract—the Boyle contract—Machen paid a lump sum of $8,199 to Lamb for the straps that Boyle ought to furnish in order that they might get the commission of $819. But then they discovered how they could go a little further.

When the next contract was let they had the contractor agree to furnish the strap, but they had him understand that they would sell the strap to him; and so they bought the straps from Lamb and got the commission, and then sold them to the contractor and had the contractor pay them for them, and in that way the Government lost $22,150 and Machen and Long got their usual commission from Lamb and collected $8,[illegible] from the contractor. Then they took another step forward, and when the next contract was let the contractor, Crawford, agreed to pay Lorenz, a friend of Machen, all the profit in the contract over 25 cents per satchel. Lorenz divided with Machen, Crawford paid Machen for the straps which the Government had bought from Lamb, and Lamb paid Long and Machen their usual commission. Mr. Bristow reports that the minimum amount of money stolen in this shoulder-strap swindle was $95,669.71.

We have had the story of the Groff fastener tried in court. That was purchased at Machen's suggestion. The contracts for letter boxes all provided that the contractor had to furnish two iron straps that went around the post and went through holes in the back of the box and were fastened with a nut to hold them onto the post. But the Groff fastener was a patented device. Mr. Machen concluded to institute it in the service.

Mr. Bristow reports that the old method was satisfactory; that in many large cities the postmasters really objected to the change, but since 1895, notwithstanding in every contract the contractor was required to furnish the strap according to the old method, Mr. Bristow reports that these Groff fasteners have cost the Government $128,021, and out of that sum Machen and Groff and Lorenz received $51,460; and if you will add to that the cost of putting them on the boxes, because the Government took down the boxes and put them back at its own expense, you will find that this device has cost the Government $200,000. That has to come out of this item.

For painting the letter boxes one man was given the contract at a sum which cost the Government $100,000 during the five years he had it, and he turned over $20,000 to the post-office employees as their portion of it and got double the price for doing the work that it cost the Government both before he got the contract and since. This shoulder-strap business had worked so well that they concluded to try it on the carriers' cases. This case is the little pocket-book arrangement that the carrier takes inside of his coat lapel. No contract was ever made for this at all. It was first introduced in the rural-delivery service by Machen, and he directed that a man named Maurice Runkle, of New York, furnish them.

Mr. Runkle was a dealer in clothing in Long Island City. He furnished to the Department 21,000 pouches, for which he paid the manufacturer $6,321, and the Department paid him $18,906. There is no proof to show that Runkle divided with Machen or anybody else in the service except his admission that he paid Machen $2,450 for some shares of mining stock that, in his own language, "was not worth a damn," and he might have added, to quote a high authority in this House, "was dear at that." [Laughter.]

Now, this pouch business worked so successfully in the rural-delivery service that Machen concluded to introduce it into the city free-delivery service. So a man in Baltimore named Smith had it suggested to him that if he would make a bid he could get this contract. Smith said he could furnish them at 50 or 60 cents, but he could not get the contract at that price. He raised his bid to 75 cents, and still he could not get the contract. It was then suggested to him that if he would make his bid 90 cents he might be able to get it. He promptly made his bid 90 cents, and immediately secured the contract.

These were purchased from Smith in bunches of 5,000 each, but the warrant was not paid to him. The warrant was issued down here in the Post-Office Department, and delivered to two employees of the Department, a warrant for $4,500 in each instance. These two employees would take the warrant over to Baltimore and go into Smith's store, when Smith would go out and get it cashed and bring the money back and would pay over to them $2,000 out of the $4,500, and they would give $1,000 of that money to Machen and take $500 each themselves. So that, Mr. Bristow reports, in this way the Government paid $11,450 more for the pouches than they were worth and this amount was divided between the contractor and the three employees in the free-delivery service.

It will be noticed that the letter boxes also come out of this item. We find in the first history of the letter-box contract that a man named Maybury had the contract. A Doctor Scheble, a dentist in Toledo, where Machen formerly resided, went to Maybury

and induced Maybury to give him (Scheble) 25 per cent of the profits of his contract—a remarkable arrangement for a business man to make. Scheble claimed that he had some kind of a patent box which might become a competitor hereafter, and, although Maybury had the contract running for a number of years, he agreed to pay this Doctor Scheble the 25 per cent he demanded.

However, it was a very profitable arrangement for Maybury, because the year before the Government purchased only 2,740 of his boxes, at a cost of $3,189, while the year after the arrangement was made the Government purchased 16,400 of his boxes, at a cost of $32,526, and a net profit to him of over $20,000, one-quarter of which went to Scheble. The next contract was made in 1897 with Maybury and Ellis. By this time Scheble's share of the contract had grown to 50 per cent. The Government under that contract purchased 49,309 of these boxes, at a cost of $149,656, netting a profit to the contractor of $53,046, one-half of which, or $26,500, was divided between Scheble and Machen.

In 1901 the contract was let direct to Scheble, still a practicing dentist in the city of Toledo. Scheble employed the Adrian Brick and Tile Company to manufacture the boxes. They began furnishing them on the 1st of December, 1901, and within ten months had turned out to the Department 27,718 of these boxes, at a cost of $90,257. Mark you, gentlemen, how rapidly, as soon as some man in the Department begins to draw a commission on the letter-box contract, the need for the boxes grew, jumping from 2,750 per year to 27,718 for a period of eighteen months. Of course, there have been some remarkable growths in the postal service, but I suppose no one will contend that the legitimate growth has been that great.

The package boxes also came out of this item which I have been discussing. A lawyer named McGrehan had the package-box contract, and Machen sent Dr. Lorenz to him with the suggestion that he had a good idea. The Lorenz idea was that they be put on standard legs, and this contractor agreed to give Lorenz 75 cents on each box sold thereafter for his idea, while Machen allowed him $1.25 additional on the box. Immediately we find that the Government begins to need a very large number of these boxes, because they purchased 8,361 of them inside of a year, at the cost of $163,-000, and 29 per cent of them are stored away because no place can be found to use them. Just what this graft cost the Government is not shown, but it is reasonable to presume it was fairly profitable to everybody but the taxpayer.

The Montague indicator comes out of the same item. This was a little device fastened on the box, showing the hours of collections. It took the place of a little celluloid card that cost 10 cents, while the Montague indicator cost $5—far more than the box itself on which it was fastened was worth.

After this company was organized with a capital stock of $100,-000 they received, they say, a suggestion that they ought to distribute some of the stock where it would do the most good; so they gave away 3,000 shares of stock—1,000 to Machen, 2,000 to Beavers.

Machen had the control of the purchasing of those indicators. It is a little remarkable that Beavers, who had nothing to do with it, should have received twice as much stock as Machen. The explanation as given by the men who held the stock which was given away was that 1,000 shares of the stock given to Beavers was to go to the First Assistant Postmaster-General, Mr. Heath.

Shortly after this judicious distribution of stock 7,100 of these devices were purchased, at a cost of $30,075, and in April, 1902, an order was given for 10,000 more. Had they equipped the entire service with this device, Mr. Bristow reports, it would have cost the Government $400,000, netting a profit to the company of $160,000, which would have made that stock worth a little more than par for every dollar of stock issued.

The story of those 2,000 shares of stock that were given to Beavers is an interesting one, as told in the Bristow report. Beavers held the 2,000 shares in the name of Richardson, president of the company, for some time. Finally, when they came to pay a dividend on it, the check for the dividend was sent to Beavers, who acknowledged it in a letter of February 20, saying that he would hold to it in the name of Richardson for the present. Those shares had not been transferred to Beavers, mark you. And he said, further, that he had not seen Mr. Heath: "He is mighty hard to locate just now, being busy on national committee matters." Upon which he has been busy until the last few weeks.

In August, 1902, Beavers writes to Richardson, inclosing the certificates for stock, as follows:

DEAR RICHARDSON: Our friend in Salt Lake wants inclosed stock drawn in the name of Edwin D. Bacon. Kindly issue new certificates and have these destroyed. Forward same to me by registered mail.

Yours, truly, G. W. BEAVERS.

On the face of this certificate, thus returned, is indorsed:

Editor Salt Lake Tribune.

On the back of it is indorsed Mr. Heath's office and home address, in Salt Lake City.

The Edwin D. Bacon mentioned is an uncle, by marriage, of Mr. Heath. The certificate is finally returned to the company anonymously, in a blank envelope, after the investigation began; and that blank envelope is destroyed; so that we do not know from what place it was returned.

Of course no man can say that this testimony shows conclusively the complicity of the First Assistant Postmaster-General, because the testimony is largely the statements of Beavers, who is himself shown to be dishonest; that is, if the Bristow report is to be believed at all. Therefore we can not rely entirely upon his statements. But I submit that in view of this shameful story of graft that has gone on so openly and flagrantly in that Department under his management, with so many clues leading toward him, it seems to me the most extreme measures might well have been adopted to find out whether there had been any unlawful act on the part of that gentleman.

And I submit further that the report on the Tulloch charges, showing that numbers of people were employed on the direct order of Heath, with the distinct understanding that they were never to do a day's work, is conclusive proof that that gentleman was derelict in his duty to the public. In the cases of the postmasters, when they employed men unwarrantably they were sued and compelled to refund the money, and it seems to me the same course ought to have been followed by the Government in respect to the First Assistant Postmaster-General.

Now, gentlemen, that is the story of the expenditure under this item in the free delivery and the same story—I have read them together largely—of the expenditure in the rural free delivery, where a similar item is carried in the bill. The Department reported to us an estimate asking $300,000 on the item of free-delivery incidental expenses.

I want to say for Mr. Bristow, and in exoneration of him, that in making that estimate he stated to the committee that there was a deficiency in this item of $89,000 in the free-delivery service, as I remember, and a smaller amount in the like item in rural-delivery service; but the appropriation in the rural delivery service had been $150,000. The Department estimated that they needed $200,000 for the next year.

Your committee in reporting that last item to the House took occasion to cut it down to $150,000; and I ask you in the name of justice and of fairness, if all this story of "graft" as reported by Mr. Bristow be true, if all these unwarranted expenditures and all this maladministration of these two items along back for a series of years be true, ought we not to expect the Department, operating under business management, in a business and honest way, to run the service for less money?

Gentlemen, this is the shameless story of what is known as the "Bristow report" in connection with the items that it touches in this bill. I want you to remember this investigation covered but one of the four great divisions of the postal service, and touched only a part of another of the divisions of that service. As yet there has been no investigation of the Fourth Assistant Postmaster-General's office, there has been no investigation whatever of the Second Assistant Postmaster's department, and very little of the Third Assistant Postmaster-General's office.

Now, I appeal to you in the light of that story, of the shameless story of fraud, maladministration, and misappropriation, in the light of the fact that that great Department, with all that information before it, comes before your committee and in nearly every instance asks for the same or an increased sum in these items, I ask you are not the minority of this committee justified when they report to you that there ought to be an investigation of the postal service, not by a branch of that service, but a full, free, and impartial investigation made under the authority of this House, with authority to report not only the maladministration and misappropriation of money that might be found, but with authority to recommend reforms that ought to be instituted?

In my candid judgment an honest, efficient, and business administration of this great postal service will manage the affairs and conduct the business without a deficit.

In conclusion, let me say the blackest page of all this story is that which records the fact that the two men who called the attention of the Department to this shameful state of things have received as their only reward, one a dismissal from the service and the other a reduction in place and salary. Gentlemen, let us put this great service upon the high plane where it belongs. Let us drive out of it all those who would waste or steal the people's money, and make this service what it ought to be, the most useful and beneficent of all the Government's ministrations to the people's varied wants. To properly do that let us begin with a thorough and impartial investigation by a committee of Congress. [Loud applause on the Democratic side.]

MESSAGE FROM THE PRESIDENT.

The committee informally rose; and Mr. PERKINS having taken the chair as Speaker pro tempore, several messages in writing

from the President of the United States were communicated to the House of Representatives, by Mr. BARNES, one of his secretaries, who also informed the House of Representatives that the President had approved and signed bills of the following titles:

On March 1, 1904:

H. R. 11838. An act to authorize the Director of the Census to cooperate with the secretary of state of the State of Michigan and with officials of other States in taking the census of manufactures.

On March 2, 1904:

H. R. 8748. An act for the relief of Serenus Kilbourne.

On March 3, 1904:

H. R. 6345. An act for the relief of the State of Iowa.

On March 4, 1904:

H. R. 7620. An act defining the limit of navigation of the Osage River in the State of Missouri.

H. R. 8435. An act to amend the act of Congress of March 11, 1902, relating to homesteads; and

H. R. 10145. An act to provide for appeals, writs of error, and other appellate proceedings from the circuit and district courts of Beaumont, in the eastern district of Texas.

On March 5, 1904:

H. R. 11021. An act granting an increase of pension to Joseph Weems;

H. R. 2019. An act granting a pension to Mallie Gwynn;

H. R. 4045. An act granting a pension to Minnie Gusler;

H. R. 6352. An act granting a pension to Mary Huff;

H. R. 8227. An act granting a pension to Lucius E. Polk;

H. R. 865. An act granting an increase of pension to Charles C. Chase;

H. R. 6069. An act granting an increase of pension to Emma L. Nagle;

H. R. 8850. An act granting an increase of pension to Thomas Joyce; and

H. R. 13290. An act making an appropriation for clearing the Potomac River of ice.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.

Mr. OVERSTREET. I yield now to the gentleman from Kansas [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, since I came down here I have been trying to understand the deficit in the Post-Office Department. This bill, Mr. Chairman, carries nearly $170,000,000, and of this amount the greater part is chargeable to systems added in the last sixty-five of the postal service's one hundred and fifteen years' existence.

Several of these systems have been added quite incidentally in the past to the service, and from mere experiments have risen to items of the first magnitude. This is particularly true of free city delivery and rural delivery, for which there will be expended in the next fiscal year an amount equaling the entire expenditures for the whole postal service in 1884.

There has come upon the service for seventy years past a public demand for extension of routes, expedition in mail, and reduction in postage rates, which for the greater portion of time has been a demand in advance of the financial capacity of the service, and with the exception of a few years, since 1851 the expenditures of the postal service have exceeded the receipts, creating an annually recurring deficit. Each extension of routes, measure of expedition, and reduction in postage has proved a revenue producer of sufficient power to balance receipts and expenditures, but with a very few exceptions the public demand has anticipated a surplus and added improvements in time to defeat that result.

There are no published tables of exact deficits, but there is one from the Auditor's office which shows in a comparative way the approximate deficits in the service since 1837.

This recurring deficit of varying amount is generally known, frequently condemned, seldom defended, and in latter days has been pointed out in several quarters as a result of the "socialistic tendencies" of this Government.

I desire to take up a study of the deficit, particularly as to its originating causes, which have remained on general lines the exciting causes to the present day.

The deficit is the result of American tendencies, not socialistic tendencies. The American tendency is to extend the benefits of the postal system uniformly to all the people; and this might be done within the revenues always but for the chief contributing cause in all deficits—the American determination to add the element of all possible speed to postal business.

There have been, in postal history, other contributing causes to the deficit—the encroachment of certain printed matter on the second-class privilege, the franking privilege, loose administration, the inability of the Government to curtail expenditures materially when hard times reduce revenues, and three reductions in postage rates; but the great source of the deficit is the facilitating of the mails, through extension partly, but chiefly through expedition.

The most comprehensive view of the postal deficit may be found, in my opinion, in its origin. It came through an expedition of the mails; and through expedition, through railway mail, free delivery, and, lastly, rural delivery, it has remained.

Between 1789 and 1828 the Department, slow-going and unprogressive, contributed $1,103,066 to the general revenues of the Government. In 1828 the Department began the expedition of the mails. Although attempts were made afterwards the Department never successfully escaped the new element then introduced, and the new and improved methods for the expedition of the mails, often innocently instituted as small experiments, have, while eventually producing revenues, kept in advance of the receipts.

William T. Barry, the father of the deficit, was a Member of Congress from Kentucky, 1810-11; a participant in the war of 1812, United States Senator, a judge, lieutenant-governor, State secretary, and chief justice of Kentucky, and in 1828 was made Postmaster-General under Jackson, and invited as such to a seat in the Cabinet, the first Postmaster-General to enjoy that honor.

John McLean, the preceding Postmaster-General, had in 1827 in his annual report pointed to a surplus of $100,000 revenues over expenditures with pride, and had predicted that "a vigilant administration, for a few years to come, will place at the disposition of the Government an annual surplus of more than $500,000." And this surplus, he thought, should be applied to the establishment and repair of mail roads. But one year thereafter we find McLean not with a surplus, but with a deficiency of $25,000, covered, however, by surplus outstanding sums due the Department of $370,033.37. This temporary deficiency was brought about through the circumstance that Congress declined to make any disposition of McLean's former $100,000 surplus, designating that the surplus should be used for extending mail facilities throughout the country.

Before McLean had satisfied all the importunate sections which desired new routes, McLean had added to the mail service annually 537,264 miles in stages, 261,704 miles on horseback; in explanation of which McLean said:

> It is believed to be good policy to keep the funds of the Department actively employed in extending its operations until the reasonable wants of every community shall be supplied. By withdrawing mail accommodations from all unproductive routes and substituting a horse for stage transportation on many others, a very large surplus of funds would annually accumulate; but the public convenience would be greatly lessened and the means of information withheld from districts of country but sparsely inhabited. * * * To connect important places by frequent lines of intercourse, combine speed with all the security possible, and extend the mail wherever it may be wanted constitute the objects which have influenced the policy of the Department.

In 1829 came in the amiable and pathetic figure of William T. Barry. Afterwards Barry, in his address "to the people of the United States," said that he found that his predecessor—

> Had entered into contracts to take effect from January 1, 1829, which involved the Department in an expense, for the period of only six months from January 1, 1829, to July 1 of the same year, of $49,775.55, more than all its revenues for the same time.

So Barry found himself speedily overwhelmed. The growth of the country, the importunity of sections for new routes, the extension of the franking privilege by Congress to members from a privilege during sessions to a privilege the whole year round, the Department in those days paying postmasters 2 cents for the delivery of every free letter, the expedition in mail, and extension of routes during Barry's administration jumped a total annual transportation mileage of 13,700,000 in 1829 to 23,854,485 in 1833—nearly doubled it. In 1834 Barry in his report showed a deficit, the first in the history of the Department. This was a balance of debt against the Department beyond the amount of its available funds on January 1, 1834, of $515,599.98. Barry, to meet this lack of funds, had borrowed from time to time from banks, in loans and overchecks.

The storm broke. Barry was investigated by both Houses of Congress. On the night of February 24, 1835, in the House an angry debate followed the remark of Representative Beardsley that the Postmaster-General had been "liberal to a fault, I might say almost beyond a fault." Explanations for his latent meaning were demanded by Barry's friends. During this William Cost Johnson, of Maryland, savagely attacked the whole Post-Office Department. A few days later Lieutenant Barry, son of the Postmaster-General, challenged Johnson to a duel, which, Johnson accepting with spirit for the same day, fell through, if contemporary reports are correct.

Both committees of Congress made lengthy reports upon Barry's administrations, showing upon the whole a loose management. In Congress a spirited debate occurred over the proposition of circulating generally these reports for the enlightenment of the public. A copy of the printed report exists in the Library of Congress with uncut leaves.

Barry had sinned chiefly on the side of expedition. The notable case of the time was the mail between Philadelphia and Pittsburg.

Reside and Slaymaker had a contract to transport the mail between Philadelphia and Pittsburg daily in four-horse post coaches; to run two lines a day, one to go through in a few hours more than two days, the other in three and a half days. The first was a "fast mail." This service began January 1, 1832. The fast coach carried the letter mail; the slow coach carried the newspapers. A few people in Pittsburg and west of Pittsburg received envelopes containing copies of newspapers, then small, on the fast mail.

This aroused the regular subscribers, and they demanding their newspapers as early, the contractors, by the pressure of public opinion, were forced to give in, to carry the newspaper mail in the fast coach, and from this coach, three times a week, passengers were excluded, at a loss of $100 a day. The contractors said the whole transaction was costing them $15,000 a year, and proposed that they would bear $5,000 of this sum themselves. Barry allowed them the $10,000. The investigating committee called this, indignantly, "a gift."

Some manipulation of contracts by Barry's subordinates was unearthed by the investigation. After a contract, $4,500 a year for carrying the mail between Chicago and Green Bay, weekly, to Colonel Savery, had been granted, Colonel Savery assigned his contract to a Doctor Temple, who had been a clerk in the Department. This outraged the Senate committee, which found confirmation of its suspicion in the fact that—

> Temple's contract sum, $4,500, equals the net proceeds of the postages received in the whole Territory of Michigan.

But Barry's chief fault was in expediting the mails, and he notes with contempt that one of his Congressional accusers had been a prominent petitioner for an improved route.

Barry got out of the Department by Jackson appointing him minister to Spain, and he died in Liverpool on his way to the new post. Before he went he wrote several defenses. One he closed as follows:

> My official acts belong to my country, and whether their tendency has been the promotion of the public good I must rely for answer to the decisions of my fellow-citizens. I make my protestation to posterity, but my errors, where ever they may have been, have not resulted from corruption. Our national mail system extends from the frozen regions of Lake Superior to the plains of perpetual foliage in the South, from the Atlantic Ocean on the east to the Rocky Mountains on the west.
>
> Causing intelligent and rational preferences in transportation, safety and speedy intercourse. Every improvement which tends to shorten the time of epistolary correspondence and to expedite and facilitate the transaction of business from one part of the country to another is free bringing the distant parts together, and deserves to compare favorably with any other consideration of interest or safety. This end I have kept constantly in view. Whether I have been in any degree successful the public will judge.

Barry was to have a vindication within a very few years. Under an act of Congress his successor reorganized the Department and began a rigorous and unpopular retrenchment. The first railroad had been built, and with the querulous complaint of the Department that it ought to control the time of the arrival and departure of trains, as it had the coaches, the thrust and parry over the rate for the transportation of mail began.

At one time Congress offered the roads the carriage of mail at a rate not exceeding 25 per cent of the cost by coach. The Department, under the pressure of reform, did not materially grow, and in 1845, with the first reduction in postage rates, the revenue of the Department began to diminish, being less in 1846 and 1847 than it was in 1845. It was during this period that the first suggestion for making newspapers pay postage by weight was made "to prevent editors from mailing their papers while wet."

The whole system was so little responsive to popular demand that the postal system, for the only time in its history, lost the full support of the people. Between the principal cities, connected by railroads, the pockets of travelers were crammed with letters and the principal hotels in Boston, New York, and other cities were reported to have become serious rivals of the local post-offices. The rivalry between the express company and the Government in the carrying of mails extended over many years. By reason of the decrease in revenue the deficit reappeared in 1845, 1847, and 1848. In this period of retrenchment Congress, in 1845, passed an act materially lessening the compensation of postmasters.

Within one year one-third of the postmasters in the country resigned. And during this period one Postmaster-General, C. A. Wickliffe, in 1842, while straining to bring economy about, put into the system a small improvement which now costs the postal service $22,000,000 annually. This was a "dispatch post" for the city of New York, with eight postmen—the germ which grew into a system in 1862 and has since developed into our city free delivery.

In 1851 came another reduction in postage and the adhesive 3-cent and 1-cent postage stamps became familiar. The then Postmaster-General anticipated a deficit, but limited it to a few years. It did not, however, disappear until 1882, thirty-one years later.

In 1862 the city-delivery system grew into the city free-delivery system. The extra cent the carrier had before collected for every letter delivered or collected was lopped off "to save time," a measure of expedition, the cost of which the Government bore.

In 1864 the money-order system, which had been first proposed nearly forty years before, was instituted. In 1882 the service produced a surplus. A reduction of the postage rate to 2 cents followed. The deficit reappeared. In the early nineties of the last century rural free delivery appeared; first, it seems, as a proposal to extend free delivery to small towns. The proposal appeared in the midst of a universal agitation for 1-cent postage. From a mere experiment, rural free delivery grew rapidly into the wonderful system we see to-day, and 1-cent postage is not now a current topic.

Only once since 1828 has the postal service failed to respond to the genius of this great and progressive people—in the period just preceding 1850. During that period it evoked, by its lack of progress, serious and hurtful rivalry and failed to assume the telegraph which was then offered it, which it had once, in fact, and which it could have retained by paying for the patent.

Otherwise the system has always responded to public demand, and it stands to-day the greatest single business in the world, its transactions aggregating a billion dollars a year. [Loud applause.]

Mr. MOON of Tennessee. Mr. Chairman, I yield thirty minutes to the gentleman from Nevada [Mr. VAN DUZER].

Mr. VAN DUZER. Mr. Chairman, the subject to which I propose to address myself at this particular time I believe is or more or less interest to every Member of this House, whether he come from the Pine Tree State of Maine or from California. I wish to discuss one of the greatest industries known to mankind, the mining industry, and the protection which it asks and ought to receive under a proper economical, honest, and forceful administration of the Post-Office Department.

It is a notorious fact that in recent years there has been conducted under the shadow, and you might say protection, of the Post-Office Department, by the use and the abuse of the mails, some of the most gigantic swindles that have ever been perpetrated upon the people of this country. This is a question to which I have given some seven months of careful investigation, particularly in the city of New York, the city of Philadelphia, in Boston, and in Pittsburg.

The information which I have in my possession I desire to place before the House of Representatives and to appeal to the Members of this House. I care not from what State they come, to give this matter consideration, because as far as the people of the Eastern States are concerned I venture the assertion that there is not a single Representative upon the floor of this House from this side of the Mississippi who has not had at one time or another constituents who have been swindled by the fraudulent use of the mails, and as far as the gentlemen are concerned who come from the West, from the Pacific States, Washington, California, Nevada, Utah, Colorado, and the Territories, I say that it is a matter of vital importance to them, because the great mining industry of this country has been brought into disrepute by a lot of irresponsible thieving promoters who inhabit that historic spot known as "Hell's Half Acre" in New York City, close by the intersecting points on Wall, Broad, Nassau, and William streets. I mean no offense when I speak in these terms, but particularly are the Members of Congress from New York City interested in this question.

There have been periods in this country spoken of as the age of patriotism. There have been periods in this country spoken of as the age of commerce and the age of liberty; but I venture the assertion that at no time in the history of this country has there been a series of years from 1890 to 1900 which will so much deserve from future historians the appellation of the age of graft as has been the past ten years, graft not only in the departments of the Government, but in every line of business throughout the country.

That to which I particularly desire to call the attention of the House is a condition of affairs that relates to the mining industry. There is taken from eastern investors who are innocent men, who have neither the time nor the opportunity nor the money to investigate mining propositions in the West, annually, millions upon millions of dollars. I spent four months in the city of New York this summer, and have investigated every mining proposition which has an office in that city, in Pittsburg, and in Boston. I want to say to the gentlemen of this House, though they may not realize the condition of affairs, that there is more money annually taken from the people of this country by bald misrepresentation regarding mining affairs than is extracted and filched from the pockets of the people in any other known business in America to-day.

I shall call attention to some cases which came under my observation, and I propose at the proper time to offer an amendment to the postal bill which will have the effect of directing the attention of the Postal Department to these gross frauds being perpetrated on the American people.

When we of the West come to the Eastern States and say anything about a mining proposition, the eastern man with money buttons up his coat, puts his hand in his pocket, and holds on to his pocketbook. He looks upon the western man who has a mining enterprise or a mining scheme as a sort of natural-born rascal; but I want to say that the men who are engaged in the legitimate mining industry in the West compare favorably in honesty, in integrity of purpose, and in their knowledge of their business with the most prominent citizens that are to be found in the East engaged in manufacturing business, in the steel business, or in any of the various lines of trade and occupation, and that if the mining industry has received a black eye, if mining is looked upon as an industry fraught with rascality, it is because the people in the East are the people who shelter, shadow, protect, and conceive the villainy which has resulted in the extraction of millions of dollars from the people of the East in investment in illegitimate mining securities.

I will venture the assertion that there is not a Member of the House on this floor who has not had constituents who have suffered. A man comes along who has no genteel occupation. He has nothing to do. He has a few dollars, and he will go down to Wall street, which seems to be that particular spot in America where every man who wants to get up a grafting scheme locates. He will get as close to J. Pierpont Morgan's office as possible, and then will advertise that he is in the same block with Mr. Morgan. He will get a little bit of a room, hire a prepossessing and good-looking stenographer, advertise in the daily papers that he has a mining proposition and that inside of three or four months dividends will be paid.

The result is that all through the East—in Pennsylvania, in Ohio, in Maine, in Massachusetts—through the Southern States, through the Mississippi Valley States, widows and orphans and men with small bank accounts, who know under existing conditions it will never be possible for them to amass any fortune—such men as constitute the great bulk of the American people, who are always ready to accumulate a lot of money by expending a small sum with the hope of getting quick returns—have sent to these promoting offices in New York City and Pittsburg and Boston and invested their hard-earned savings in mining propositions. The promoter of a mining proposition is a man who has a mine which he creates and runs by a printing press. All he has got to do is to get a few dollars, get up a book of stock, and then send out his literature.

I will tell you how they do it in New York City. They do not care whether there is any mine on the so-called "mining property." They would just as willingly promote a cabbage patch as they would a mining proposition. They get a few acres of land—if possible, 10 or 12 miles from a great mine whose vein trends toward the property which they own, or they say it does. They promise the credulous public that a great mine is to be developed by sinking their shafts in a region of country somewhat adjacent to this rich and well-known mine. They advertise in the paper that they just want $10,000. They would like to have 100 ambitious Americans who would like to become mine owners, who would like to break loose from their chains of poverty and become great business men. They promise that an investment of $100 will in six months return four thousand, five thousand, six thousand dollars. Circulars containing such statements are what they send through the mails. They say that their stock is going to advance to an almost fabulous sum.

This fall I went into an office in New York City where some man was trying to perpetrate that kind of a proposition upon the State of Nevada. I knew the location where his mine purported to be, where by the expenditure of a vast amount of money there never could be taken from it a dollar's worth of ore. Yet that man spent $5,000 in advertising. He took in $30,000 or $40,000 from people in Massachusetts, Connecticut, New York, Pennsylvania, Delaware, New Jersey—from men who invested their money in good faith. By means of fraudulent circulars, which go through the mails; by the publication of fictitious and deceptive letters, which go through the mails; by means of forged telegrams, and all that sort of thing, this man was enabled to raise $30,000 or $40,000.

I went into his office one day and I said, "My friend, where is your property?" "Oh," said he, "the property is away out in Nevada; it is close by a great mining camp." "Well," said I, "you seem to have a mighty good property; where is it?" "Well," said he, "it is a great mine." "Have you been there?" "No." "Have there been any assays?" "No." "Have you struck any veins of gold-bearing or silver-bearing ore?" "No; but we are going to." "My friend," said I, "don't you know that the ground on which you are claiming to have a valuable mine is absolutely worthless?" "Well," said he, "I don't know. I bought it from So-and-so in New York City." "Do you know the reputation of that man?" "Well, I admit that anything I may buy from that individual does not carry with it a guaranty of being a very valuable proposition."

When I returned to my home in Nevada I undertook to find that property on which this valuable mine was claimed to exist. I could not see the property with a telescope, it was so far from the center of the mining district; and a man would have to dig a thousand feet into the sand to get a solid foundation for anything.

I want it distinctly understood that the legitimate mining men of the West condemn such methods. I want to state right here that I come not only from one of the greatest mining camps in the world—Tonopah—but also from the greatest mining State in the Union—Nevada. In the name of Tonopah and in the name of Nevada, I enter a protest against dishonest mining, and make the statement right here that Nevada is comparatively free from mining swindles, and that we do not propose to allow irresponsible promoters to trade on our honor or our riches. [Applause.]

Beaumont, Cripple Creek, Sumpter, Thunder Mountain, and Alaska, have furnished food for many a dishonest promoter. Of all modern mining camps Tonopah has been freest from this sort of wildcat speculation. The money has gone into the ground in legitimate investment in Tonopah.

I am not here for the purpose of making a partisan speech——

Mr. LACEY. If the gentleman will permit me to interrupt him, I heard it said out there in Nevada that the true definition of a gold mine was—a gold mine is a hole in the ground, the owner of which is a liar. Is that correct? [Great laughter.]

Mr. VAN DUZER. I will come to that point in a moment. That is the usual eastern acceptation of the term "gold mine." But that reputation has accrued from the operations of eastern promoters, not from the operation of western mine owners. [Applause.]

Mr. WM. ALDEN SMITH. We don't want you to come to the point; we want you to get to the hole.

Mr. VAN DUZER. I assure the gentleman that the hole will be silver plated and gold lined. [Applause.]

Owing to lack of uniformity in laws, it has been almost impossible to secure adequate protection against the operations of fraudulent mining companies and mining promoters. The Post-Office Department is the only proper channel through which relief can at present be secured. The entire proposition resolves itself down to the obtaining of money illegally by the fraudulent use of the mails.

The mining industry, which is one of the cleanest industries in the world, has received a great deal of discredit in the East owing to the manipulations of promoters in the East. There are a large number of people in this country constantly seeking to make money quickly upon a small investment. Mining offers this opportunity.

The result is that a large number of disreputable brokers and sharpers—confidence men who can not thrive upon honest methods, who know nothing of mining, who have never been West—open up offices in eastern cities for the sole purpose of obtaining money with no intention of placing it, using it for legitimate western development. Their favorite roosting place is Wall street, New York, where a small office is rented, and, with a few dollars for advertising and printing, they send out misleading literature, containing bold misrepresentations, holding out promises of dividends in the near future. People throughout the East who have only a few hundred dollars and who can not afford the time or money to make a thorough investigation, send in their money to the promoter. The promoter has a number of unique schemes to evade the law. He hires first a good lawyer to keep him out of jail. He turns in 40 per cent of his receipts as commission for acting as fiscal agent, 25 per cent goes to office expense and furniture, 10 per cent goes to a reserve fund, and the balance is taken up as personal stock sales.

The man who invests his money with this class of promoters never has a hope for its return. They spend a few dollars in getting a deed to sagebrush ground. In order to delude the public they pay dividends from stock sales. The money from one man is taken to pay another a dividend, an absolutely criminal transaction. Nowhere in the world is congregated a greater aggregation of mining fakirs, mining promoters, crooks, sharks and confidence men as are to be found within the shadow of Wall street, New York, and in Chicago.

With all due respect to my colleagues from West Virginia—and I do not mean to intimate that a West Virginian is an easy game, but I went into a certain mining office and represented myself as from West Virginia, and being a farmer, and that I wanted to buy some mining stock. I wanted to know something about a proposition from the State of Nevada. I said I did not know much about mining; and the broker commenced to get excited, and he told me the most alluring tales about the sudden acquisi-

tion of wealth by mining that I ever heard in my life. He told me about the discovery of fabulous gold deposits there, and how men were making fortunes.

I asked him questions. He knew nothing of Nevada, nothing concerning mining. He told enough lies to land him in the penitentiary if I had given him money on his representations.

I maintained that I was a humble farmer from the great State of West Virginia. Of course, I was perfectly familiar with the ore area. I was in New York for the purpose of ferreting out the illegitimate schemes, and I asked him how much was "this piece of property worth?" pointing to a well-known property on the map. "Why," he says, "you can not buy the stock in that. All the stock in that company has been taken up in the market at $80 a share, and about six months ago it was only 10 cents; but if you buy this claim I have here you will become immensely rich. This mine was discovered by a jackass," said he. I resented such a slander. I commenced to reach down for the money in my pocket, and he began to reach for it, and I backed out and asked him some more questions. [Laughter.]

"What do you mean by this jackass mine?" We all know what the jackass is. There is a very kind and quiet little animal, the burro, which is a little bigger than a jack rabbit and a little smaller than a mule, and we called him the hermit of the desert. He said: "There is a man out there who went out prospecting down in that great alkali plain, and when night came on the jackass and the man laid down and went to sleep. The man had been thirsty and drank up all his whisky, and he got up and kicked the burro. The burro began to get up." Then he got his mind somewhat confused between the sheep and the jackass, and he said the wool of the jackass was full of particles of gold. [Laughter.] He said that the jackass had been sleeping on a great gold mine, and they took $100,000,000 out of that gold mine. [Laughter.] Growing confidential, he said prominent Nevadans proposed to reproduce the jackass.

Then he says to me that these people had appointed a committee to send it to the St. Louis world's fair exposition as an example of the production of gold in Nevada; that they had hired a sculptor to cast the jackass in gold, and they were going to take him to St. Louis for exposition. [Great laughter.] Gentlemen, I state to you the actual conversation that took place between that mine promoter in New York City and myself. [Great laughter.] I want to say to you in that connection, by my own positive knowledge, they took in from over a hundred men $100 apiece.

As I understand, he had two desert claims that were not worth paying assessment on, and they had taken from a hundred men and several widows $10,000, at $100 each, to bring out that company. I am trying to drive out such men from such practices. Now, gentlemen, that is the condition of affairs that exists in reference to the mining industry.

A great industry, discredited by men who are dishonest, who mine only the public pockets; an industry, which supports the great Western empire, and this industry, which ought to support a department with a Cabinet officer, is thus discredited by the use of the United States mails. The Post-Office Department is unwittingly the confederate of the mine promoter.

My object in calling attention to this condition of affairs is that I may inform you with reference to the mining industry of the West and the imputation of dishonesty in the mining and the rascality in mining which does not come from western men. I want to say that it is the flock of human buzzards who have taken their financial skill and training from the men who have organized the steel trust, from the men who have organized the shipbuilding trust. [Applause.] There is where they learned it; not from the miners in the West.

Mining is the greatest industry the world has ever known. For ages men have sought the precious metals. And yet the golden dollars and the silver money is the cleanest and purest wealth in the world. Its creation makes no man poorer. It robs not the orphan nor cramps the widow. Its glistening glory is not dimmed by tears, nor sullied with blood, nor stained with dishonor. It is taken from the earth, not from the pockets of your associates. [Applause.]

More men are engaged in it than in any other industry. It is the dominant industry in the West. It has built our cities, covered our bays with the white-winged fleets of commerce, builded colleges, enflowed charities. We who mine in the West do it honestly, and we register against the discredit brought on it by the promoter of the East a vigorous protest. In legitimate mining enterprises there is no surer means of reward nor in any industry greater opportunity for the rapid accumulation of wealth. [Applause.]

I am not here for the purpose of attacking all frauds on the Post-Office Department, but I am here for the purpose of calling the attention of Members of Congress and post-office officials to a fraud which is being perpetrated daily and weekly and monthly under the protection of the Government of the United States, where men circulate through the mails matters, lists, advertisements, fake mushroom newspapers with accounts of gold mines out in the West. I have estimated that in the past five years something like $18,000,000 has been invested in mining propositions presumably from the West that has gone into the pockets of promoters in the East. Now, let me tell you how the promoter works in New York City. He opens up his office, gets out advertisements——

Mr. HOGG. Mr. Chairman, may I ask the gentleman a question?

The CHAIRMAN. Does the gentleman yield?

Mr. VAN DUZER. Certainly; with pleasure.

Mr. HOGG. I am interested in the mining question myself. Are you not fearful you may encounter some criticism from the Department in taking an undue activity in this sort of matter? [Laughter and applause.]

Mr. VAN DUZER. No; I do not anticipate nor do I fear it. I wish to say that for every thousand dollars that the mining promoter in the East takes in he takes 40 per cent of that to himself for acting as fiscal agent. He spends 10 per cent for advertising, 20 per cent goes to office expenses. That leaves about 30 per cent. Twenty per cent of the money he takes to himself as salary.

I want to say of the $18,000,000 that has been taken up in the East for mining not 10 per cent of it has ever gone in a legitimate investment in the West, and yet I want to say, gentlemen, that under an honest administration of mining, with a legitimate expenditure of a few hundred thousand dollars, great fortunes could have been made. I am speaking here not only for my constituents in the West and the Pacific coast, but I am speaking for people who have a desire to invest their money in the West, and I want to see every dollar of money that is raised in the East go into legitimate mining propositions.

Now, I want to refer to just one other example in this connection where I know of a man who was driven out of every kind of legitimate business, who walked from Fulton street, New York, with a Federal indictment hanging over his head, went down to Wall street and hired an office, raised a thousand dollars and paid one month's rent, got half a dozen stenographers, and raised some money and used $5,000 worth of advertisements. He goes down in New York City and hires two ten-dollar clerks. He dared not open up that business under his own name. He dared not use his own name, because not only had he been indicted by a Federal grand jury, but he had an indictment hanging over his head.

He opened up this business—and I have the statistics on that; I have hunted them up. That firm in New York City in three years has taken in $2,000,000. I know of seven mining propositions they have floated, and I know that the combined seven mining propositions are not worth $20,000. Yet, how do they hold 27,000 clients with over seventy branch offices in the United States? I will tell you how they do it. They take in for three months a lot of money, and then declare a dividend from the money taken in.

We all know that is criminal; that no business can exist in which 60 per cent of the money taken in is paid out for office expenses, and we know that under the State statutes and Federal laws it is illegal to pay a dividend from money taken from stockholders, and yet of the $2,000,000 which they have received and of the vast amount of dividends which they have paid I know that not one dollar was legitimately taken from the ground.

Mr. STEPHENS of Texas. Will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield?

Mr. VAN DUZER. With pleasure.

Mr. STEPHENS of Texas. I will ask the gentleman if he does not think it is better for these mining fakirs to mine the people of the East for suckers than for the honest miner to mine for gold and silver in the West?

Mr. VAN DUZER. Well, under the present condition of monetary legislation in reference to silver, I think the man in the East has the advantage of the situation. [Laughter and applause.]

I simply want to call the attention of the House to this condition of affairs; and in the very few remaining minutes I have left to me I want to refer to another matter, with the indulgence of the House, if they will give me the courtesy and kindness to listen to what I have to say in defense of the State from which I come. There has been a great deal said about illegitimate and dishonest mining enterprises, but I want to state that while I have been condemning severely men who have been making statements which I know to be false, I hope that the statements which I make regarding the mining conditions in the State of Nevada will be accepted in the spirit of accuracy with which I shall clothe my statements.

It is to the interest of mining men in the West to remove the unjust accusations made against that industry. We stand for a legitimate industry, and we propose that every dollar raised in the East go into the ground in legitimate industry. If you believe that there is no basis for our contention, I simply want to call your attention to a few facts about my own State as regards her mining greatness.

The State of Nevada is the greatest mining State in the Union. [Applause.] In extent and richness of deposits she has no equal. In totality of production of the precious metals she has no peer. Every township is mineralized. From the snow-crested mountains of Elko County to the changing Colorado River is an unbroken series of mineralized ranges, containing a variety of minerals found nowhere else in the world. Some mining States are famous for high-grade ores, some are famous for their large deposits, some are celebrated for variety of mineral products, and still others for their very deep mining. Nevada possesses all the advantages and none of the disadvantages of mining. She has high-grade ores, large deposits of ore, infinite variety of minerals, and for precious metals holds the record for production, and has the deepest mining in the world.

Nature with sparing generosity has usually hidden the precious metals either near the summits of inaccessible mountains or far inland on burning deserts. She has deposited her gold under the snows of Alaska, where it is hunted in the light of the aurora. [Applause.] She has hidden it in the unknown, unwatered deserts of Australia, where privation, hardship, and death have often been the reward of the argonaut in search of wealth. The inaccessible Andes of South America and the dangerous sands of Mexico are the repositories of lead, gold, and silver treasures. Nowhere in the world is the search for precious metals accompanied by as little danger as in Nevada. Close to the lines of transcontinental railroads, within reach of fuel, and with a comparatively ample water supply, mining in Nevada can be carried on amid the comforts of modern civilized life.

Nevada is the most richly mineralized zone in the world. The mineral zones of Montana are confined to her western boundaries; in Colorado, to the Rocky Mountain range; in Utah, to the central and western mountain ranges, while in Nevada her mineralization is complete. Every township has been touched by the wand of mineral wealth. Every mountain range has her hidden treasure, every valley her placer deposit, and every stream her golden nuggets. [Applause.] Every county in Nevada has produced precious metals in more or less abundance. Her total output in forty years has exceeded that of any other State in the Union. Even California, which has the reputation of being the Golden State, yields the palm to Nevada.

Nevada has produced more gold, silver, copper, and lead in the aggregate than California has in gold. Nevada has produced more than Alaska. Nevada has produced more mineral wealth than Australia—more than Colorado and Montana combined. And yet the fascinated interest of mankind has been largely centered in the stories of Dawson, Nome, Cripple Creek, and Butte City. The present generation has almost forgotten the richly interesting days of the Comstock, so full of that which was dramatic and pathetic, when dazzling wealth to-day took on the rags of poverty to-morrow and when the scorned pauper of to-day was the courted millionaire of to-morrow, and along on the wings of discovery the golden crowned Tonopah and sensational Goldfields are being smiled upon by the Goddess of Fortune as new Eldorados great and rich as the old Comstock. [Applause.] Tonopah is three years old, yet the name Tonopah is almost world-wide. Only last fall a miner 29 miles south of Tonopah discovered a new district, which has been called Goldfields, which promises to be another Cripple Creek, greater in extent and equal in richness.

She has produced more than Montana, Utah, Idaho, Oregon, and Washington combined. Think of the vastness of the wealth and what these figures really mean. Various estimates have been made as to Nevada's actual production of the money and commercial metals, but a maximum aggregate places it at about $1,544,000,000. And these figures I have actually compiled after a great deal of work, research, and expense.

We often hear about desert mines not going down. This statement has often been unwittingly made about Nevada. The trouble is that with the exception of the Calumet and Hecla copper mines, the salt mines of Germany, and the gold mines of South Africa, Nevada has the deepest mining in the world, and it is the deepest mining for our money metals. Depth and permanency are characteristic of Nevada mining.

Nevada has scores of camps where deep mining has successfully been conducted. The most notable example is the famous Comstock, where a depth of 3,200 feet has been reached, and yet large ore bodies still exist, and now that capital, energy, and science have combined, mammoth machinery is pumping out the water and there is no estimate as to the possible depth of these ore bodies. The camps of Eureka and Austin each attained a depth of 1,800 feet, while Pioche and Candelaria have a depth of 1,200. Dozens of camps have reached 1,000 feet in depth. The ledges are strong, carry high average values, are largely free milling. As compared with other camps, Butte has a depth of 2,600, Leadville 2,200, and Cripple Creek 2,000. Nevada has more mining camps with depths ranging over 1,000 feet than all the other States of the West.

Another feature of peculiar significance is the fact that Nevada is distinctly a high-grade State. Alaska quartz mining is famous for low-grade ores. So is the Black Hills. Many of our great producers are low-grade camps and properties. One carload of ore from Treasure Hill, Nevada, yielded $60,000. One carload of ore from Humboldt produced $200,000. One mine—the Consolidated Virginia—produced $79,000,000 in dividends. The ores of Eureka, Tuscarora, and Candelaria, and Belmont, and Pioche were fabulously rich. Such is the case with Wedekind and the Tonopah mines

The State is one of record camps. It is true Alaska has had her Nome and Dawson, Montana has had her Butte, the Dakotas their Deadwood, Colorado her Cripple Creek and Leadville, and Utah her Park City, but Nevada has had her Treasure Hill, her Pioche, her Austin, her Tuscarora, her Candelaria, her Eureka, her Comstock, and her Tonopah. All of them wonderful camps, all of them famous camps, and great producers. It has been estimated that Virginia produced $644,000,000: Eureka, $200,000,000; Austin, $150,000,000; Pioche, $80,000,000; Candelaria, $60,000,000; Tuscarora, $40,000,000; De Lamar and Hamilton, each, $30,000,000.

It must be remembered that we are dealing in figures with potential meaning. The four men who rule the world are Carnegie with his $600,000,000, not actual but fictitious wealth; Rockefeller with $200,000,000; Morgan with $150,000,000; the Vanderbilts with $80,000,000, and yet four mining camps in Nevada have done more for civilization than these great money powers with their actual production of wealth greater than the fortunes of America's millionaires. [Applause.]

And yet with this magnificent story of production and achievement, the story of her mineral wealth is scarcely told.

Nevada possesses unique mining conditions. There are few States concerning which so much that is unjust has been said and concerning whose resources so little, that is true, is known. Nevada has generally been supposed to be an exhausted mining State. Her mineral wealth is supposed to be in minted dollars. The impression erroneously exists that mining is in its decadence in the State.

It is true that there was a long period of depression. Nevada received her setback about the time silver began to decline. There was a great rush in Nevada from 1860 to 1880. There was twenty years of unparalleled prosperity. There were thousands of men employed at high wages. Within twenty years Austin, Eureka, Pioche, Tuscarora, Virginia City, and Candelaria turned out almost a billion dollars in gold and silver. The interest was intense in these camps. There was only one line of railroad in the State. There was little prospecting done outside of the camps. Men rushed in to make fortunes.

It was simply the looting apparently of her minerals, and the vandals with their wealth rushed to other climes, spent their riches in building other cities, beautifying other valleys. Not 5 per cent of the vast wealth taken from her borders was invested there. The entire world has been more or less profited by Nevada's mineral output.

Men in the mad rush did not stop to experiment in Nevada's valleys. They did not appreciate her climate; they did not study her agricultural resources nor the advantages of her stock ranges. They came in by night and spent their days in massing wealth and fled again in the night, and there is no living monument today to show appreciation or gratitude of the men who profited by Nevada's wealth. No monuments raised, no institutions endowed, no buildings erected, no industrial enterprises set on foot. [Loud and continued applause.]

In 1880 silver started to decline, and gradually the effect of demonetization drove the price of the white metal down to ruinous figures. Many mine owners closed valuable properties to await the long-deferred hope of favorable legislation. Other properties had to close because they could not operate at a profit. A generation of silver miners and prospectors had been educated to one line of mining—silver mining. Along with the decline of silver came excitement in Colorado, Montana, and in Australia. Mining men left Nevada. Nevada's mines never were exhausted.

The millionaires who left Nevada to squander their millions in ease and luxury never had a good word for the State. They would never reinvest their money nor offer inducements for capital to come. Nevada was debauched and left with a nameless reputation. The result was necessarily a decline in population, which has excited the merriment of some statesmen and served as the jest of other statesmen whose geographical vision and intellectual strength has been circumscribed by their own narrow environment.

The impression went out that Nevada was an exhausted mining State. Capital would not invest, and we were too poor to do else than to perform assessment work and keep hold onto fortunes in

mines with a faith that was sublime and in many cases pathetic. The men in the prime of life who had faith in the State have lived there for a quarter of a century, watching a dwindling population, looking at crumbling and silent mines and rusty machinery. Nowhere in the history of America is there such a pathetic picture of the ruin following a selfish and legislative cause as followed the demonetization of silver. [Applause.]

And yet you laughed at Nevada's degradation. She bore it in loyal silence. A similar ruin of an industry in Pennsylvania would have been followed by revolution and riot.

Silver is not dead, and as a Representative from a State whose constituents are brave and courageous miners, I proudly hold its banner aloft, feeling that the future holds in store for the white metal legislative recognition and commerial greatness.

Men lived in their cabins on their claims, worked at various trades to get money to hold their claims, and hundreds of brave and courageous Nevadans, examples of Anglo-Saxon determination, have crossed the great divide, dying in the hope that their children might profit by their lifetime's work. In no State was there ever a more devoted band of pioneers struggling for a cause with a higher faith in the greatness of a State than the men who have for forty years waited for the regeneration of Nevada and her recognition by a generous East. [Loud applause.]

For twenty years life was a struggle with adversity. Yet this population of 40,000 lived in a great, large State, constantly misrepresented, constantly slandered; and yet they have been conscious that on all sides were tremendous possibilities for industrial development and resources in variety and extent nowhere else in the world equaled. [Applause.]

The only transcontinental line of railroad we had used the State as a bridge and kept passenger and freight rates at an almost prohibitive figure. Everything that could conspire to crush the energy and destroy the hope of a brave people was directed at Nevada, and yet all this time in the lower levels of her once great mines there still existed vast bodies of ore, rich and magnificent. Virginia City is to-day an inexhaustible mineral fissure.

Pioche, closed down by litigation, is capable of producing a hundred millions. Eureka, one of the world's greatest lead and silver camps, has hidden under her hills as much more as she has produced; the same applies to Tuscarora and Candelaria. Yet capital and Eastern people do not understand this. [Applause].

Looked upon as a desert waste, Nevada is one of the most fertile spots in the world. Looked upon as a State where only a few hardy vegetables could mature, Nevada has a climate unsurpassed for sunshine and mildness, where all the fruits thrive, where all vegetables grow, where both cotton and tobacco mature, and where the orange, lemon, and olive flourish and ripen early.

Her valleys are filled with a soil deep, rich, and loamy, where the roots of alfalfa go 12 feet down to quench their thirst. Her foothills are covered with succulent bunch grass, and her plains with white sage, where stock fatten free from the blizzard of the North and the droughts of the South.

The effete Bostonian, the hustling New Yorker, and the chesty Chicagoan, rushing westward to California, have usually buried themselves in their berths in their sleeper or buried their faces in a novel when crossing Nevada, little realizing or apprehending the richness of the soil or the variety of her resources or the vastness of her mineral wealth.

We have been slandered and called the "rotten borough," but I commend the political corruption of New York City and Philadelphia and the disgrace of Delaware to busy reformers and suggest that they clean out their own stables and let Nevada work out her own salvation. [Loud applause.]

We have been called a desert, but compared with the blasts of a New England winter and the enervating heat of an Eastern summer, where the sun hides her face in winter behind clouds and is obscured by the fogs of spring only to blaze with fierceness in the summer, we are a land of eternal sunshine, whose aridity is lifegiving and whose constant days of sunshine, always pleasant and never disagreeable, makes us a land combining the equable temperature of California and the health-giving aridity of Egypt. [Applause.]

We have been accused of being paupers. We recommend the attention of statisticians to the sociological conditions in the East, where murder, suicide, rape, and lynching are a constant menace to society; where men both freeze and starve in your great cities; where the wages of girls are so low that they must barter virtue for sustenance; where crime and corruption are undermining your civilization, and we ask you to come to Nevada, where every man is an uncrowned king, of social equality; where crime is at a minimum [applause]; where poverty has no existence nor terrors; where woman's virtue is a priceless jewel and men's honor the badge of American citizenship [applause]; where murder, suicide and poverty are almost unknown, and while to defend our rights, we are quick on the trigger [loud laughter], yet to assist the needy and alleviate suffering we are prompt and always generous. [Loud applause.]

The regeneration of Nevada is at hand. Our reward has come. Our faith sublime has been justified. I am proud to say that the town from which I come, Tonopah, will always be known in history as marking the dawn of a new era in Nevada.

Tonopah has demonstrated to the world that we are still an immense mineral reservoir of richness, inexhaustible with new discoveries constantly attracting the attention of the mining world.

Where Tonopah is now situated was three years ago a desert, and yet in August, 1900, a man by the name of Jim Butler, one of those large-hearted western miners, started out to seek a new mining camp. He went down in the desert in the southern part of Nevada, which had been an almost impenetrable country on account of the scarcity of water, and ran across a reef sticking out of the ground.

He took several pieces of rock, but didn't have money enough to have them assayed, and he went to a place they call the South Klondike and gave a partner a piece of the rock to have assayed, and then went back to where he came from. It was three months before he got the assay, and when he got it, it assayed sixteen hundred ounces to the ton in silver.

They went back there and have opened up a mine that promises to be a rival of the famous Comstock mine. They have taken out of that within the space of three years an amount of mineral ——

A MEMBER. What is the stock selling for? [Laughter.]

Mr. VAN DUZER. For $7 a share, and will sell for $50 a share yet on its dividend merit. [Applause.]

Mr. PAYNE. Have they opened up any office yet? [Laughter.]

Mr. VAN DUZER. I want to say in answer to the gentleman from New York that that mine, known as the "Tonopah mine," was purchased by gentlemen from Philadelphia, and the gentlemen from Philadelphia who purchased for the sum of $[illegible] the mine known as the "Great Tonopah mine" have since made eighteen millions out of it; and there is to-day, according to the report of the best mining engineer in the world, $108,000,000 of gold and silver in sight in that one mine. [Applause.] That is the way we promote mines in Nevada. We generously give the good things to the East. [Applause.]

Mr. Schwab recently purchased a mine in Tonopah and its richness will recoup his losses in the steel trust. [Applause and laughter.]

I wish to say to my colleagues in the House of Representatives, who have so long looked upon the State of Nevada as a barren desert, as the State which has been termed a "rotten borough," that the State of Nevada has done more for the advancement of civilization, has contributed more to the commercial activity of the world, has contributed as much to art and literature and to the sciences as has any State in the Union. [Applause.]

At this present juncture what I wish to say to you about the State has some application to the question of the admission of the Territories. You eastern gentlemen are jealous of the growing power of the West. It has been said that Arizona, New Mexico, Oklahoma, and Indian Territory should not be admitted to the Union. As a reason they hold up the horrible example of the State of Nevada. [Laughter.]

I want to say to you that the State of Nevada was admitted to the Union against her protest. We are very glad that we came in then, because I am afraid if we had not come in at that time it would have been many years before the generosity of eastern statesmen would have admitted us. But I want to say that the vote of the State of Nevada was absolutely necessary for the policy of Abraham Lincoln. The constitution of the State of Nevada was telegraphed to the city of Washington in order that the State might be admitted.

The State was admitted and she came into the Union under most dramatic and, you might say, pathetic circumstances. She contributed first the number of votes requisite for the passage of the thirteenth amendment; she contributed from her gold and silver mines in metallic money enough metallic money to save the Union. Abraham Lincoln said, as he placed his hands on the shoulders of Harry Worthington, the first Representative from Nevada, "Thank God, we have a source of supply for metallic money that will save the Union at this time." [Applause.]

Within a period of thirty years Nevada has produced $1,546,000,000 in gold and silver.

Now, gentlemen, I wish to say that the production of that vast amount of money thrown into the channels of commerce constantly has contributed more to the prosperity of this country than any other condition known in economics. You gentlemen from Maine and Massachusetts and New York, from the South, swell with pride when the history of your State is mentioned.

You gentlemen who hail from Massachusetts can say: "Massachusetts was the cradle of liberty. Here the tea chests were thrown over in Boston Harbor. Here it was that the great principles of liberty, upon which this Government was founded, had their birth." The hills and valleys of Maine and Massachusetts, New York, Pennsylvania, and the South have their historic battlefields. Hardly any place in the East but that has its traditions and memories of the Revolutionary war and the early struggles of this country. [Applause.]

We are denied that swelling pride in the West, and yet I want to say that although our pioneers were not men who were present at the birth of liberty, or who constructed our Constitution, or who signed the Declaration of Independence, yet we had a race of hardy pioneers born of that same Anglo-Saxon spirit of discovery that actuated Christopher Columbus in seeking the New World.

I want to say to you that if our strenuous President, Theodore Roosevelt, had been living in those days and had butted through the Panama Canal so that Columbus could have sailed through it and discovered the Pacific coast before he discovered the rock-bound coast of the Atlantic, you gentlemen from Maine, Massachusetts, and New York would to-day be clamoring to be admitted as Territories. [Great laughter.]

Boston would have been a fishing village [laughter], New York a coaling station [laughter]; the capital of the United States would have been at Denver, and Washington been the home of malaria microbes and New Jersey mosquitoes. [Loud laughter and applause.]

And right upon this line I wish to say that if it had been the western coast which was first discovered and first settled, to-day the center of population, the center of civilization, the center of commercial activity would have been the other side of the Rocky Mountains.

I wish to say further to the Members of the House of Representatives that I guarantee that there is not a single subject concerning which so little is known by so able and distinguished a body of Americans as is known by them about the State of Nevada, and particularly about the West. [Laughter and applause.] When I first came to Washington, seven or eight years ago, when I was asked where I came from and replied that I came from Nevada, those who asked the question would reply, "Where is Nevada?" And I had to get a map and point it out. [Laughter.]

I met a number of Department clerks, college-bred young gentlemen, who came from the classic precincts of Boston and New York and from your Eastern States, and they would say: "Nevada! Where is Nevada?" [Laughter.] "Nevada is bounded on the east by Colorado, is it not?" [Laughter.] One gentleman tried to place Nevada just beyond California on the Pacific coast. [Laughter.]

Why, a 12-year-old school child in the West knows more about the geography of his country from Maine to California than do the majority of adults in the East about the geography of their own States. [Applause and laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CLARK. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to continue and conclude his remarks.

The CHAIRMAN. The Chair will state that the control of the time is with the gentleman from Indiana [Mr. OVERSTREET] and the gentleman from Tennessee [Mr. MOON].

By MEMBERS. Go on! Take all the time you want!

Mr. MOON of Tennessee. Mr. Chairman, I will yield the gentleman five minutes.

The CHAIRMAN. The gentleman is recognized for five minutes.

Mr. VAN DUZER. Mr. Chairman, I want to say that the young men whom I met here took me to their rooms, and, as was suggested by the gentleman from Iowa [Mr. LACEY] respecting the gold mine, they said I was a liar when I said I knew where Nevada was. They went to the shelves of their library, a very extensive library, consisting of about three books, to prove that I was mistaken.

One of the books was an old, worn-out statistical atlas gotten up by Rand & McNally, and I know of only one other book in the world which has more misinformation in it than that, and that is the book of political statistics compiled by a distinguished gentleman from Ohio. [Laughter.] The other book which they had was a book of "How to Do Society in Washington." [Laughter and applause.]

Now, upon the authority of those two books those young men, who represented the effete and enlightened East, tried to argue to me that I did not know anything about my own State, and, gentlemen, that is the condition of affairs which exists in the East regarding the West.

I want to say to you gentlemen of the East that we of the West have an advantage over the men of the East, for I believe there is something about the broadening influence of the West that gives us a broader intellectual horizon. [Prolonged laughter and applause.]

I do not say that with any disrespect to my colleagues from the East, but I wish to say simply that I will guarantee that any school child in the State of Nevada can tell more about the State of New York, the State of Massachusetts, or the State of Maine than many of you gentlemen in the House of Representatives can about your own States. [Laughter and applause.]

I have simply risen here to-day for the purpose of defending the State of Nevada, from which I come, and to say to you that to-day we are enjoying an unparalleled degree of prosperity. [Prolonged applause and laughter on the Republican side.] I appreciate that the only way a Democrat can secure Republican applause is to speak that magic word "prosperity." [Renewed laughter and applause.] I stand pat on the prosperity, however [great laughter], yet with the sweet music of that applause still ringing in my ears. [Laughter.]

I want to say to the Republican party upon the floor of this House that the prosperity in the State of Nevada is due to the fact that God planted in the bosom of her mountains unmeasured quantities of mineral wealth. [Applause on the Democratic side.] That it is due to the fact that God planted in the valleys and in her plains a fertility of soil unequaled by any country, except the fertile valley of the Nile. [Renewed applause.] That it is due to the fact that God planted in the mountains snows, and that He causes the rains and the snows to fall, which brings water to fructify the valleys of the State.

I want to say further that as hard and severe as is the financial condition here in the East at the present time, as difficult it is to get money into legitimate enterprises, because people in the East would rather be bunkoed out of their money by any [illegible] than invest it in a legitimate proposition out West [laughter]—prosperity has been due to the simple fact that it became known within the past three or four years that Nevada was going to lead the world in the past in the production of minerals, and the result has been that every man in the United States who has money and capital and wants to make more is coming to the State of Nevada and investing his money there, and I am very candid to say that I think the Republican party has had very little to do with the increase and influx of population into the State of Nevada at the present time. [Applause and laughter.]

Jim Butler, who discovered Tonopah, has had more to do with the present prosperity in Nevada than Theodore Roosevelt. [Loud laughter and applause.] Men are seeking fortunes in Tonopah and the wonderful camp Goldfields, and I am [illegible] the Republican party, judging by its apparent ignorance that Nevada was on the map, had nothing to do with Nevada's prosperity. The gold and silver of Tonopah is now beautifying and [illegible] to Carson City—a once live town stricken down by the [illegible] of the Carson mint. The fact is that Reno, the [illegible] metropolis of Nevada, enjoys prosperity because of her [illegible] resources.

In truth, gentlemen, I do not believe that you can point to a single act of Republican legislation which has tended to increase prosperity to the State of Nevada. Your [illegible] have not contributed to our prosperity. Republican trusts have raised the cost of living, and your colonial policy has taken money to build up foreign countries, while your labor legislation has been adverse to the workingman.

For twenty-five years Nevada suffered as no State in the Union ever suffered, because, owing to adverse legislation, the [illegible] noisy and prosperous mills became silent; because the shafts from which hundreds of millions of dollars had been extracted were closed; because every miner in the State was driven forth in consequence of the shutting down of the mines, and because silver had declined in value, so that the miner had to seek refuge in other lands for a livelihood. Yet all the time the mills of New England, favored by Republican legislation, kept running. Your steel plants, favored by trusts, run to a full capacity.

If the silver mines of Nevada had been in Pennsylvania and New York, my distinguished colleague [Mr. PAYNE] would have been a more ardent silver man than William J. Bryan. [Loud laughter and applause.] And Mr. DAZELL would have been introducing free-coinage measures. [Laughter.] The story of Nevada's brave struggle commands admiration. The men who took hundreds of millions from us deserted the State of Nevada and went to New York to build palaces, to San Francisco to buy mansions, to Paris to build villas. [Applause.] The money which Nevada produced has rejuvenated the broken-down nobility of Europe. [Laughter and applause.]

Point to a State which has contributed more to the nation's growth, fame, and greatness than Nevada. [Applause.] New York has produced millionaires; Nevada has [illegible]. Pennsylvania has turned out steel rails to girdle the globe, but Nevada has furnished the money to build the roads. [Applause.] The world has been circled by the electricity of [illegible], but Nevada has produced the man to conceive it and the money to span it about the globe. [Applause.]

The generation now passing away have contributed the energy and faith, and the generation coming on will complete the work of our future building.

We stand to-day upon the verge of a new era, looking forward

to the prosperity and happiness that are to come as a reward for our energy, the rewards which our natural resources are to give us. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. MOON of Tennessee. I yield the gentleman five minutes additional.

Mr. VAN DUZER. I say to you, gentlemen, that within five years the State of Nevada will have doubled her population; within ten years she will have trebled it. Through the beneficent influences of the Newlands irrigation act, which is soon to be put in effect in that State, we shall have homes for our miners, homes for a great agricultural population. As that great empire builder, F. H. Newell, who has charge of the reclamation service, has said, within ten years, as the result of the beneficent influence of that act, we shall have a population of half a million in Nevada. I want to say——

Mr. CURTIS. A Republican Congress passed the irrigation act.

Mr. VAN DUZER. That irrigation act was an act framed by a Democrat, inspired by Democratic policy, and it is a historic fact that the greatest opposition that the irrigation act ever encountered on the floor of Congress came from distinguished and able Republicans of the East. [Democratic applause.]

Mr. GAINES of Tennessee. All Democrats voted for it.

Mr. CURTIS. That act was passed by a Republican House and a Republican Senate and signed by a Republican President.

Mr. VAN DUZER. Yes; and I want to say a Nevada Congressman, Mr. NEWLANDS, educated you to do it, started the agitation, showed the advantages of it, or you would still be opposing it, as you opposed statehood. I am willing to give credit to everyone who may have contributed toward the passage of that act; at the same time we know that the policy of irrigation was a Democratic policy. As far as Nevada's interests are concerned, I am not bound by party limitations; and I say that Congress at all times has been gingerly in its treatment of the State of Nevada, and if we become great it will be by reason of our own energy and the magnificent resources of our great State. [Loud applause.]

As great as our mining resources are, the agricultural possibilities of Nevada are a revelation to the easterner. Millions of acres can be reclaimed. Large in area, with a soil of amazing fertility, with more days of sunshine than anywhere else in the world known to exist, where soft-tempered winds silken the tassels of cereals and a gentle sunshine unlocks the head of wheat, where fruits ripen in a constant sunshine, with alfalfa to fatten thousands of cattle, we offer to the home-seeker an ideal home State.

Our mines demand your modern and costly machinery, and in return our great Comstock, our wonderful Tonopah, our rich Goldfields and growing Searchlight district will yield gold and silver for the world. White Pine yield copper for commerce, and the entire State contribute her quota of patriotism and citizenship, which, independent of partisanship, makes our nation the greatest on earth. [Loud and continued applause.]

Mr. OVERSTREET. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. BOUTELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the post-office appropriation bill and had come to no resolution thereon.

PRICES OF BEEF CATTLE.

Mr. MARTIN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the following resolution:

The Clerk read as follows:

House resolution No. 203.

Resolved, That the Secretary of Commerce and Labor be, and he is hereby, requested to investigate the causes of the low prices of beef cattle in the United States since July 1, 1903, and the unusually large margins between the prices of beef cattle and the selling prices of fresh beef, and whether the said conditions have resulted in whole or in part from any contract, combination, in the form of trust or otherwise, or conspiracy in restraint of commerce among the several States and Territories or with foreign countries; also whether the said prices have been controlled in whole or in part by any corporation, joint stock company, or corporate combination engaged in commerce among the several States or with foreign nations; and if so, to investigate the organization, capitalization, profits, conduct, and management of the business of such corporations, companies and corporate combinations, and to furnish to this House, at his earliest convenience, the results of the investigation herein requested.

The amendment recommended by the committee was read, as follows:

Line 3, page 2, strike out the words "furnish to this House, at his earliest convenience, the results of the investigation herein requested" and insert in lieu thereof "make early report of his findings according to law."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken; and the amendment recommended by the committee was agreed to.

Mr. MARTIN. Mr. Speaker, there are two other amendments that have been suggested or approved by the chairman of the Committee on Interstate and Foreign Commerce and which are satisfactory to me.

The SPEAKER. The Clerk will report them.

Mr. MARTIN. I will indicate them. Before the word "unusual," in line 4, insert the word "alleged;" in line 10, instead of the word "controlled" insert "manipulated." The amendments are in furtherance of the purposes of the resolution and meet with my approval.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

In line 4, page 1, before the word "unusual," insert the word "alleged;" and in line 10 strike out the word "controlled" and insert the word "manipulated."

The question was taken; and the amendments were agreed to.

The resolution as amended was agreed to.

On motion of Mr. MARTIN, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 4180. An act granting an increase of pension to Joseph G. Thomas;

H. R. 6951. An act granting an increase of pension to Charles G. Corr;

H. R. 7444. An act granting an increase of pension to Washington J. Dutcher;

H. R. 11113. An act granting an increase of pension to Silas Soules;

H. R. 3769. An act granting an increase of pension to Clinton M. Casey;

H. R. 4605. An act granting an increase of pension to William Herlinger;

H. R. 10991. An act granting an increase of pension to Frances C. McFarland;

H. R. 11343. An act granting an increase of pension to Matthew S. Priest;

H. R. 9610. An act granting an increase of pension to Frederick Halling;

H. R. 1566. An act granting an increase of pension to Ellis T. Peirce;

H. R. 6602. An act granting an increase of pension to Benjamin F. Hackett;

H. R. 4314. An act granting an increase of pension to John F. Slade;

H. R. 4391. An act granting an increase of pension to Nicholas Schwemler;

H. R. 5879. An act granting an increase of pension to Bennett Putnam;

H. R. 5568. An act granting an increase of pension to Emily Chapman;

H. R. 910. An act granting an increase of pension to Freeman York;

H. R. 1287. An act granting an increase of pension to Cyrus B. Dopp;

H. R. 1485. An act granting an increase of pension to Franklin Ferguson;

H. R. 4179. An act granting an increase of pension to Martha C. Kuhn;

H. R. 9903. An act granting an increase of pension to George W. Harlan;

H. R. 8811. An act granting an increase of pension to James Dougherty;

H. R. 8991. An act granting an increase of pension to William E. Mattison;

H. R. 4642. An act granting an increase of pension to William L. Wheeler;

H. R. 941. An act granting an increase of pension to William D. Taylor;

H. R. 9037. An act granting a pension to Alice W. Clarke;

H. R. 8849. An act granting a pension to James S. Lauderdale;

H. R. 8879. An act granting a pension to Reuben A. Finnell;

H. R. 1314. An act granting a pension to Denison L. Brown;

H. R. 10700. An act granting a pension to Ella D. Madden;

H. R. 4589. An act granting a pension to Henry H. Barrett;

H. R. 10192. An act granting a pension to Martha Mullins;

H. R. 4679. An act granting an increase of pension to Martha M. Pierce;

H. R. 6038. An act granting an increase of pension to Benjamin George;

H. R. 6999. An act granting an increase of pension to Albert W. Jones;

H. R. 2995. An act granting a pension to Mary Korth;

H. R. 5006. An act granting a pension to Sarah Ulshafer;

H. R. 11413. An act granting an increase of pension to Jasper F. Morton;

H. R. 10268. An act granting an increase of pension to Margaret E. Keller;

H. R. 2578. An act granting an increase of pension to William G. Cronkite;

H. R. 5849. An act granting an increase of pension to Catharine R. Brown;

H. R. 2192. An act granting an increase of pension to William O. Smith;

H. R. 6385. An act granting an increase of pension to James A. Barnes;

H. R. 6618. An act granting an increase of pension to Henry C. Coffin;

H. R. 8284. An act granting an increase of pension to Samuel G. Woods;

H. R. 4719. An act granting an increase of pension to Joseph F. Carter;

H. R. 4702. An act granting an increase of pension to John T. Collins;

H. R. 11194. An act granting an increase of pension to Frank S. [illegible];

H. R. 8863. An act granting an increase of pension to Edward O'Malley;

H. R. 6455. An act granting an increase of pension to Abraham W. Cochran;

H. R. 2692. An act granting an increase of pension to Elwood Finley;

H. R. 10904. An act granting an increase of pension to Edson H. Crawford;

H. R. 11076. An act granting an increase of pension to Elvira Miller;

H. R. 9999. An act granting an increase of pension to William Edgar;

H. R. 4872. An act granting an increase of pension to Albert W. Bradbury;

H. R. 9753. An act granting an increase of pension to Sarah J. Loomis;

H. R. 1316. An act granting an increase of pension to George W. Day;

H. R. 8231. An act granting an increase of pension to John Gangwisch;

H. R. 5532. An act granting an increase of pension to Levi Vassar;

H. R. 8079. An act granting an increase of pension to Charles La Forest;

H. R. 5750. An act granting an increase of pension to William Cassidy;

H. R. 7486. An act granting an increase of pension to James Smith;

H. R. 9587. An act granting an increase of pension to Bartlett S. Haggard;

H. R. 9124. An act granting an increase of pension to Elizabeth Hatfield;

H. R. 8173. An act granting an increase of pension to Anna Waters;

H. R. 8718. An act granting an increase of pension to Caswell P. Ford;

H. R. 5479. An act granting an increase of pension to William H. Anderson;

H. R. 7680. An act granting an increase of pension to De Witt C. Folsom;

H. R. 7737. An act granting an increase of pension to Howard McGuire;

H. R. 5155. An act granting an increase of pension to John J. Tompkins;

H. R. 6814. An act granting an increase of pension to Edward W. Miller;

H. R. 7418. An act granting an increase of pension to Peter Minkler;

H. R. 9988. An act granting an increase of pension to William Ellis;

H. R. 9064. An act granting an increase of pension to Edwin Tidd;

H. R. 9376. An act granting an increase of pension to Martin Renthler;

H. R. 9060. An act granting an increase of pension to John Connors;

H. R. 7895. An act granting an increase of pension to William N. Hall;

H. R. 9273. An act granting an increase of pension to James H. Sackett;

H. R. 9421. An act granting an increase of pension to Thomas P. Marshall;

H. R. 7311. An act granting an increase of pension to Rachel Large;

H. R. 8996. An act granting an increase of pension to Henry L. Beach;

H. R. 1623. An act granting an increase of pension to John H. Reed;

H. R. 4910. An act granting an increase of pension to Prudentia L. D. Nugent;

H. R. 4674. An act granting an increase of pension to John Thompson;

H. R. 4449. An act granting an increase of pension to William Brown;

H. R. 2001. An act granting an increase of pension to Nora J. Glahn;

H. R. 7999. An act granting an increase of pension to David W. Williams;

H. R. 8835. An act granting an increase of pension to Charles H. Jackson;

H. R. 7814. An act granting an increase of pension to James G. Andrews;

H. R. 6977. An act granting an increase of pension to Mary A. Graves;

H. R. 8723. An act granting an increase of pension to Benjamin F. McGraw;

H. R. 10850. An act granting an increase of pension to Adaline L. Power;

H. R. 11052. An act granting an increase of pension to Mary Eaton Livingston;

H. R. 8992. An act granting an increase of pension to William C. Davis;

H. R. 7719. An act granting an increase of pension to Hiram B. Cozine;

H. R. 10622. An act granting an increase of pension to Marion Arnold;

H. R. 10706. An act granting an increase of pension to Alfred J. West;

H. R. 9125. An act granting an increase of pension to William S. King;

H. R. 11556. An act granting an increase of pension to Edward M. Tappen;

H. R. 11319. An act granting an increase of pension to Mary C. Arnold;

H. R. 1563. An act granting an increase of pension to Ory Warriner;

H. R. 10190. An act granting an increase of pension to William E. McDowell;

H. R. 4151. An act granting an increase of pension to John W. Foland;

H. R. 5045. An act granting an increase of pension to Albert S. Elmore;

H. R. 9009. An act granting an increase of pension to George [illegible];

H. R. 8966. An act granting an increase of pension to James M. Finke;

H. R. 7410. An act granting an increase of pension to Enos D. Hogg;

H. R. 10378. An act granting an increase of pension to Sarah J. Shell;

H. R. 8970. An act granting an increase of pension to Charles B. Hart;

H. R. 719. An act granting an increase of pension to John H. Willey;

H. R. 4630. An act granting an increase of pension to Thaddeus S. Collins;

H. R. 807. An act granting an increase of pension to William F. Benefiel;

H. R. 3402. An act granting an increase of pension to Daniel Nagle, jr.;

H. R. 11810. An act granting an increase of pension to John W. Swisher;

H. R. 3936. An act granting an increase of pension to Isaac Frazier;

H. R. 4192. An act granting an increase of pension to Frederick A. Slocum;

H. R. 11287. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905;

H. R. 3578. An act to authorize the Monongahela Bridge Company to construct a bridge over the Monongahela river, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver township, Westmoreland County;

H. R. 10648. An act granting an increase of pension to Agnes Shearer;

H. R. 10694. An act granting an increase of pension to Alderson T. Keen;

H. R. 10794. An act granting an increase of pension to Moses Hurlbut;

H. R. 9710. An act granting an increase of pension to Henry Frazier;

H. R. 9778. An act granting an increase of pension to Loriston W. Adkins;

H. R. 9035. An act granting an increase of pension to Joseph Branen;

H. R. 6703. An act granting an increase of pension to Levi Remick;

H. R. 8203. An act granting an increase of pension to James M. Hunnibill;

H. R. 1317. An act granting an increase of pension to Thomas E. McIntire;

H. R. 789. An act granting an increase of pension to Eli Lachman;

H. R. 6816. An act granting an increase of pension to Frederick Ratzel.

H. R. 8984. An act granting an increase of pension to John L. Rundberg;

H. R. 877. An act granting a pension to Ann M. Driggars;

H. R. 9010. An act granting an increase of pension to Charles W. Hoffman;

H. R. 9695. An act granting an increase of pension to Frank M. Spears;

H. R. 5781. An act to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River;

H. R. 1005. An act granting an increase of pension to Marab E. Powell;

H. R. 5149. An act granting an increase of pension to John W. Erwin;

H. R. 4466. An act granting an increase of pension to William R. Burton;

H. R. 4964. An act granting an increase of pension to Charles E. Mink;

H. R. 9426. An act granting an increase of pension to William S. Campbell;

H. R. 5868. An act granting an increase of pension to William Simmons;

H. R. 4198. An act granting an increase of pension to Edwin Lake;

H. R. 7236. An act granting an increase of pension to William R. McCullough;

H. R. 7992. An act granting an increase of pension to Isidore F. Chamberlain;

H. R. 8379. An act granting an increase of pension to Ira B. Waubaugh;

H. R. 4326. An act granting an increase of pension to Wilfred C. McCardell;

H. R. 7659. An act granting an increase of pension to Emma M. Elliott;

H. R. 10194. An act granting an increase of pension to Marion Long;

H. R. 7096. An act granting an increase of pension to Eva A. Burgess;

H. R. 9024. An act granting an increase of pension to Jacob Laird;

H. R. 2116. An act granting an increase of pension to Richard C. Ivory;

H. R. 10748. An act granting an increase of pension to Kate Ridgway;

H. R. 2470. An act granting an increase of pension to Harriet S. Packard;

H. R. 5603. An act granting an increase of pension to William C. McCormick;

H. R. 7083. An act granting an increase of pension to Albert P. Jackson;

H. R. 6817. An act granting a pension to Rosa Glass;

H. R. 2769. An act granting an increase of pension to William E. Armstrong;

H. R. 2980. An act granting an increase of pension to Lafayette M. Greene;

H. R. 6869. An act granting an increase of pension to Lorenzo D. Elmer;

H. R. 3370. An act granting an increase of pension to Joseph Adams;

H. R. 4119. An act granting an increase of pension to William Mercer;

H. R. 2204. An act granting an increase of pension to Addison B. Stone;

H. R. 10068. An act granting an increase of pension to James G. Sains;

H. R. 10640. An act granting an increase of pension to Horace E. Wood;

H. R. 859. An act granting an increase of pension to Andrew Barr; and

H. R. 720. An act granting an increase of pension to Frank L. Gray.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3596. An act to amend section 2327 of the Revised Statutes of the United States, concerning mineral lands—to the Committee on the Public Lands.

S. 4387. An act to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River near Gilbertsville, Ky.—to the Committee on Interstate and Foreign Commerce.

S. R. 48. Joint resolution authorizing the President to extend an invitation to the Twelfth International Congress of Hygiene and Demography to hold its thirteenth congress in the city of Washington—to the Committee on Interstate and Foreign Commerce.

AMERICAN REGISTER FOR THE BRITISH SHIP PYRENEES.

Mr. LITTLEFIELD. Mr. Speaker, I ask unanimous consent to file the views of the minority and to have the time extended until Thursday morning in the case of the bill (H. R. 5335) to give an American register for the British ship *Pyrenees*.

The SPEAKER. Is there objection?

Mr. TOWNSEND. I did not understand what request the gentleman made.

Mr. LITTLEFIELD. It is simply a request for unanimous consent for leave to file the minority views and have the time extended until Thursday morning next in the case of the bill (H. R. 5335) giving an American register to the British ship *Pyrenees*.

Mr. MANN. May I ask the gentleman whether this is the bill on which a report was made by the gentleman from Michigan [Mr. FORDNEY]?

Mr. LITTLEFIELD. It was made by Mr. WILSON of Illinois on Saturday.

Mr. BARTLETT. Mr. Speaker, we can not hear what is being said.

Mr. MANN. It is not the one that was reported on by the gentleman from Michigan [Mr. FORDNEY]?

Mr. LITTLEFIELD. No; that is the *Beaumont*.

The SPEAKER. The gentleman from Maine asks unanimous consent that the minority may have until Thursday next to file its views on the bill touching the giving of an American register to the ship *Pyrenees*. Is there objection? [After a pause.] The Chair hears none.

KIOWA, CHICKASHA AND FORT SCOTT RAILWAY COMPANY.

Mr. GREGG. Mr. Speaker, I ask unanimous consent for the present consideration of the bill S. 3204.

The title of the bill was read, as follows:

[illegible]

The bill was read at length.

The SPEAKER. Is there objection?

Mr. PAYNE. I would like to ask the gentleman whether there is the creation of any railroad trust or any consolidation of parallel lines involved in this bill?

Mr. GREGG. The committee's report is brief, and I will take pleasure in reading it to the gentleman.

Mr. PAYNE. You can answer my question. Is there any consolidation of parallel lines involved in this bill? [Laughter.]

Mr. GREGG. No, sir; nothing of that kind.

The SPEAKER. The Chair hears no objection.

The bill was ordered to a third reading; and it was accordingly read the third time, and passed.

On motion of Mr. GREGG, a motion to reconsider the vote by which the bill was passed was laid on the table.

REPORT OF PUBLIC LANDS COMMISSION.

The SPEAKER laid before the House the following message from the President; which was read, referred to the Committee on the Public Lands, and ordered to be printed:

To the Senate and House of Representatives:

I submit herewith the preliminary report of the Public Lands Commission appointed by me October 22, 1903, to report upon the condition, operation, and effect of the present land laws, and to recommend such changes as are needed to effect the largest practicable disposition of the public lands to actual settlers who will build permanent homes upon them, and to secure in permanence the fullest and most efficient use of the resources of the public lands. The subject is one of such great importance and great intricacy that it is impossible for the Commission to report in full thereon at this time. It is now ready, however, to suggest certain changes in the law as set forth in the accompanying report. I commend these suggestions to the favorable consideration of the Congress.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 7, 1904.*

Mr. MANN. Mr. Speaker, I would like to inquire whether there are any illustrations in that report, in which event I would ask that the order to print cover them.

The SPEAKER. There do not appear to be any.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, referred to the Committee on Indian Affairs, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith a letter from the Secretary of the Interior with accompanying report of Charles J. Bonaparte and Clinton Rogers Woodruff, special inspectors, in the matter of alleged abuses and irregularities in the police service of the Indian Territory, and I call special attention to the condition of affairs in the Indian Territory as there set forth. In accordance with the recommendations of Messrs. Bonaparte and Woodruff the members of the Commission to the Five Civilized Tribes have been informed that if they are to continue in the service they must at once cease all connection with business operations of any kind in the Territory where it is possible that their official positions could be of any effect upon their private business, even though no such effect in fact shown. What further action, if any, is to be taken in regard to the Commission or any of its members by the Executive will be determined upon after full consultation with the Secretary of the Interior and careful consideration of all the facts in the case. It will be noticed that the Secretary of the Interior does not believe that it would be possible, in accordance with the suggestions of Messrs. Bonaparte and Woodruff, to close up the work of the Commission this year and discontinue it accordingly. If it should be found to be possible, I would regard this as desirable, and invite the attention of the Congress to the matter.

I also transmit a memorandum of work of the Commission to the Five Civilized Tribes.

THEODORE ROOSEVELT.

WHITE HOUSE, *March 7, 1904.*

Mr. PAYNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 42 minutes p. m.) the House adjourned to meet to-morrow at 12 o'clock m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Postmaster-General submitting an estimate of appropriation for purchase of site for fireproof building for use of United States post-office in New York City—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of Commerce and Labor submitting an estimate of appropriation for light vessel and fog signal near Peshtigo Reef, Green Bay, Lake Michigan, Wisconsin—to the Committee on Appropriations, and ordered to be printed.

A letter from the Postmaster-General, reporting that the files of his Department are burdened by useless papers and asking for the appointment of a committee under the statute providing for their examination—to the Joint Select Committee on Disposition of Useless Papers in the Post-Office Department.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. OVERSTREET, from the Committee on the Post-Office and Post-Roads, to which was referred the House resolution (H. Res. 118) that the Speaker of the House of Representatives appoint a committee consisting of five Members to investigate the conduct of Members in relation to the Post-Office Department, reported the same with the recommendation that the resolution lie on the table, accompanied by a report (No. 1395); which said report was ordered to be printed.

Mr. BROWN of Wisconsin, from the Committee on Indian Affairs, to which was referred the bill of the Senate (S. 335) to provide for the allotment of lands in severalty to the Stockbridge and Munsee tribe of Indians, to authorize the distribution of their trust funds, and for other purposes, reported the same with amendment, accompanied by a report (No. 1420); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11177) granting an increase of pension to George Manypenny, reported the same with amendment, accompanied by a report (No. 1396); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13117) granting an increase of pension to Lewis Sawyer, reported the same with amendment, accompanied by a report (No. 1397); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13067) granting an increase of pension to Thomas W. Prentiss, reported the same with amendment, accompanied by a report (No. 1398); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12938) granting an increase of pension to Daniel Reed, reported the same with amendment, accompanied by a report (No. 1399); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12680) granting an increase of pension to Harvey Polen, reported the same with amendment, accompanied by a report (No. 1400); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12592) granting an increase of pension to Mary A. Nash, reported the same with amendment, accompanied by a report (No. 1401); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12402) granting a pension to Orson Burlingame, reported the same with amendment, accompanied by a report (No. 1402); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12389) granting an increase of pension to Napoleon Paulus, reported the same with amendment, accompanied by a report (No. 1403); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11838) granting an increase of pension to William H. Mann, reported the same with amendment, accompanied by a report (No. 1404); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11999) granting an increase of pension to William Vincent, reported the same with amendment, accompanied by a report (No. 1405); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10841) granting an increase of pension to Elizabeth De Baugh, reported the same without amendment, accompanied by a report (No. 1406); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10478) granting an increase of pension to William T. Hayter, reported the same with amendment, accompanied by a report (No. 1407); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9682) granting an increase of pension to Philip Loney, reported the same with amendment, accompanied by a report (No. 1408); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9280) granting an increase of pension to John M. Hildreth, reported the same with amendment, accompanied by a report (No. 1409); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8099) granting an increase of pension to Stephen L. Richardson, reported the same with amendment, accompanied by a report (No. 1410); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7431) granting an increase

of pension to Charles N. Burns, reported the same with amendment, accompanied by a report (No. 1411); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6933) granting a pension to L. M. Ferrier, reported the same with amendment, accompanied by a report (No. 1412); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6592) granting a pension to Sarah C. Wilson, reported the same with amendment, accompanied by a report (No. 1413); which said bill and report were referred to the Private Calendar.

Mr. DEEMER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6530) granting an increase of pension to Thomas Williams, reported the same with amendment, accompanied by a report (No. 1414); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5445) granting a pension to Susan R. Choat, reported the same without amendment, accompanied by a report (No. 1415); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5247) granting a pension to Lora Milliken, reported the same with amendment, accompanied by a report (No. 1416); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5105) granting an increase of pension to Jacob P. Fishback, reported the same with amendment, accompanied by a report (No. 1417); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 544) granting an increase of pension to Luther St. John, reported the same with amendment, accompanied by a report (No. 1418); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4718) granting an increase of pension to Thomas Ballard, reported the same with amendment, accompanied by a report (No. 1419); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the House (H. R. 2052) for the relief of Ramon O. Williams and Joseph A. Springer, reported the same without amendment, accompanied by a report (No. 1421); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10089) for the relief of R. D. Ashford, of Lockport, Niagara County, N. Y., reported the same without amendment, accompanied by a report (No. 1422); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 13221) for the relief of Edward Cahalan; and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. LITTLEFIELD: A bill (H. R. 13552) authorizing the purchase of a site for a building for the accommodation of the Supreme Court of the United States—to the Committee on Public Buildings and Grounds.

By Mr. SOUTHARD: A bill (H. R. 13553) to amend an act entitled "An act to prevent the extermination of fur-bearing animals in Alaska, and for other purposes"—to the Committee on Ways and Means.

By Mr. TIRRELL: A bill (H. R. 13554) to protect our national food supply by the extermination of dogfish or dogfish sharks of the Atlantic coast of the United States of America included between Cape Hatteras and Eastport, Me.—to the Committee on the Merchant Marine and Fisheries.

By Mr. SPARKMAN: A bill (H. R. 13555) for the improvement of Hillsboro Bay, Florida—to the Committee on Rivers and Harbors.

By Mr. GILLETT of California: A bill (H. R. 13556) authorizing the Secretary of War to draw warrants on the Secretary of the Treasury for funds to improve the upper Sacramento River—to the Committee on Rivers and Harbors.

By Mr. WADSWORTH: A bill (H. R. 13557) to appropriate $5,000 to the Revolution Monument Association of Clarendon, N. Y.—to the Committee on the Library.

By Mr. VREELAND: A bill (H. R. 13558) to establish a life-saving station at or near the harbor of Dunkirk, N. Y.—to the Committee on Interstate and Foreign Commerce.

By Mr. WRIGHT: A bill (H. R. 13559) to provide for the erection of a public building at Honesdale, Wayne County, Pa.—to the Committee on Public Buildings and Grounds.

By Mr. BYRD: A bill (H. R. 13560) providing for closing the rolls in the matter of the Mississippi Choctaws, and for other purposes—to the Committee on Indian Affairs.

By Mr. BURKETT: A bill (H. R. 13561) to establish the true status of the Nebraska State Militia—to the Committee on Military Affairs.

By Mr. HINSHAW: A bill (H. R. 13562) to provide for the adjustment of certain sales of lands in the late reservation of the confederated Otoe and Missouria tribes of Indians in the States of Kansas and Nebraska—to the Committee on the Public Lands.

By Mr. LILLEY: A resolution (H. Res. 243) calling for an investigation of the causes of the high prices of white paper used for the printing of newspapers, and the great scarcity of the same—to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 13563) for the relief of W. M. Gibson—to the Committee on War Claims.

By Mr. ALEXANDER: A bill (H. R. 13564) for the relief o James M. Scott—to the Committee on Claims.

Also, a bill (H. R. 13565) for the relief of James M. Scott—to the Committee on Claims.

By Mr. BINGHAM: A bill (H. R. 13566) granting a pension to Annie Valerie Stockton—to the Committee on Invalid Pensions.

By Mr. BIRDSALL: A bill (H. R. 13567) granting an increase of pension to Anna A. Collins—to the Committee on Invalid Pensions.

By Mr. COCHRAN: A bill (H. R. 13568) to correct the military record of James Stephenson, alias James Stevenson—to the Committee on Military Affairs.

Also, a bill (H. R. 13569) granting an increase of pension to Eli B. Johnson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13570) granting an increase of pension to James S. Snow—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13571) granting an increase of pension to Harriet E. C. L. Bonham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13572) granting an increase of pension to Preston C. Little—to the Committee on Pensions.

Also, a bill (H. R. 13573) granting an increase of pension to Owen N. Dibble—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13574) granting a pension to Harriet Bonham—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13575) granting a pension to Daniel W. David—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13576) granting a pension to William H. Nichols—to the Committee on Pensions.

Also, a bill (H. R. 13577) granting a pension to Sarah E. Stockton—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13578) granting a pension to W. A. Griffin—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13579) granting a pension to John N. Smith—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13580) granting a pension to Henry C. Larew—to the Committee on Pensions.

Also, a bill (H. R. 13581) granting a pension to John W. Dinwiddie—to the Committee on Invalid Pensions.

By Mr. DOVENER: A bill (H. R. 13582) to remove the charge of desertion from record of Levi Burdine—to the Committee on Military Affairs.

Also, a bill (H. R. 13583) granting a pension to Abner G. Robinson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13584) granting an increase of pension to John E. Fries—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13585) granting an increase of pension to Frances P. McMurtrie—to the Committee on Invalid Pensions.

By Mr. GILLESPIE: A bill (H. R. 13586) granting an increase of pension to Abraham Harris—to the Committee on Pensions.

Also, a bill (H. R. 13587) granting an increase of pension to Mary J. Weems—to the Committee on Pensions.

By Mr. HAMILTON: A bill (H. R. 13588) granting an increase of pension to Joseph Rosa—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 13589) granting an increase of pension to James D. Smith—to the Committee on Invalid Pensions.

By Mr. HILDEBRANT: A bill (H. R. 13590) granting a pension to Sarah Ann Barker—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13591) granting a pension to James Johnson—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13593) granting an increase of pension to William Weddington—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13594) granting an increase of pension to William Turner—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13595) granting a pension to Lucreasy Cassady—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13596) granting a pension to Henry Lawless—to the Committee on Pensions.

Also, a bill (H. R. 13597) granting a pension to Daniel J. Sheemaker—to the Committee on Pensions.

Also, a bill (H. R. 13598) granting a pension to Selie Dunn—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13599) granting a pension to James Caudill—to the Committee on Pensions.

By Mr. JACKSON of Ohio: A bill (H. R. 13600) granting an increase of pension to Albert Mitchell—to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 13601) for the relief of Anthony Mixted—to the Committee on Military Affairs.

By Mr. LITTAUER: A bill (H. R. 13602) granting an increase of pension to Fannie M. Bristol—to the Commitee on Invalid Pensions.

By Mr. LIND: A bill (H. R. 13603) for the relief of Sylvester D. Foss—to the Committee on Military Affairs.

By Mr. LIVERNASH: A bill (H. R. 13604) restoring a pension to Mary B. Wadsworth—to the Committee on Invalid Pensions.

By Mr. MARTIN: A bill (H. R. 13605) granting a pension to Elizabeth E. Conatt—to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 13606) for the relief of Miles T. Oiler—to the Committee on Military Affairs.

Also, a bill (H. R. 13607) granting an increase of pension to Jonathan Hughes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13608) granting an increase of pension to Jesse A. Ross—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13609) granting an increase of pension to Evan E. Evans—to the Committee on Invalid Pensions.

By Mr. NORRIS: A bill (H. R. 13610) to place the name of Linville H. Wymore on the muster rolls of the Second Nebraska Territorial Troops—to the Committee on Military Affairs.

By Mr. PUJO: A bill (H. R. 13611) for the relief of Mrs. Octave Simoneaux—to the Committee on War Claims.

By Mr. RIXEY: A bill (H. R. 13612) for the relief of John A. Fairfax—to the Committee on War Claims.

By Mr. SHEPPARD: A bill (H. R. 13613) to rescind the dismissal of certain West Point cadets and grant them honorable withdrawals—to the Committee on Military Affairs.

By Mr. SMITH of New York: A bill (H. R. 13614) for the relief of De Forest Keyes—to the Committee on Claims.

By Mr. STERLING: A bill (H. R. 13615) granting an increase of pension to Albert J. Sprinkle—to the Committee on Invalid Pensions.

By Mr. TATE: A bill (H. R. 13616) for the relief of Gilbert E. L. Falls—to the Committee on Claims.

By Mr. TOWNSEND: A bill (H. R. 13617) granting a pension to Charlotte A. Dubry—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 13618) for the relief of Daniel M. Brezer—to the Committee on Claims.

Also, a bill (H. R. 13619) for the relief of Daniel M. Brezer—to the Committee on Claims.

By Mr. WRIGHT: A bill (H. R. 13620) granting an increase of pension to Silas W. Squires—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13621) granting a pension to Gilbert R. Stiles—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: A bill (H. R. 13622) granting a pension to Martha J. Humber—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13623) granting an increase of pension to Marion A. Carlisle—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Resolution of Typographical Union No. 230, of Danville, Ill., in favor of the anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Helpers' Division, No. 54, Brotherhood of Boiler Makers and Iron-Ship Builders of America, of Danville, Ill., in favor of bill H. R. 7056, for the development of the American merchant marine; in favor of bill S. 2259, relative to the extension of the coastwise laws of the United States to the Philippine trade, and in favor of bill S. 2263, restricting the carriage of naval and war stores to American vessels—to the Committee on Interstate and Foreign Commerce.

Also, protest of the Edgewood Distillery Company, against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ALEXANDER: Resolutions of the Lake Seamen's Union of Buffalo, N. Y., in favor of bill H. R. 12230—to the Committee on the Merchant Marine and Fisheries.

Also, petition of E. J. Blood and others, of Chafee, N. Y., in favor of increased salary for rural mail carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. BADGER: Petition of C. A. Stevenson and others, of Ohio, in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. BELL of California: Petitions of 41 citizens and of 26 citizens of Tolo County, Cal., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Resolution of the Duncan Republican Club, of Duncan, Ind. T., in favor of bill H. R. 7862—to the Committee on Indian Affairs.

Also, petition of the seventh national convention of the American Blind People's Higher Education and General Improvement Association, in favor of bill H. R. 10856—to the Committee on Invalid Pensions.

By Mr. CAMPBELL: Petition of residents of Grenola, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COCHRAN: Petition of citizens of St. Joseph, Mo., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petition of citizens of Racine, Wis., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Wisconsin Retail Lumber Dealers' Association, relative to regulating the carriage of interstate freight—to the Committee on Interstate and Foreign Commerce.

Also, petition of members of the congregation of Good Shepherd Church, Racine, Wis., in favor of an amendment to the Constitution defining legal marriage—to the Committee on the Judiciary.

By Mr. FULLER: Resolution of the Illinois Farmers' Institute, in favor of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. GILLETT of California: Resolution of Gold Hill Grange, Placer County, Cal., in favor of the Grange good-roads bill, introduced by Mr. CURRIER—to the Committee on Agriculture.

By Mr. GILLETT of Massachusetts: Resolution of the Springfield (Mass.) Board of Trade, favoring arbitration treaties between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. GROSVENOR: Paper to accompany bill H. R. 12861, granting an increase of pension to Bartlet Mingus—to the Committee on Invalid Pensions.

By Mr. HAMILTON: Resolution of Ed. M. Pratzman Post, No. 72, Grand Army of the Republic, of Three Rivers, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. HARRISON: Papers to accompany bill H. R. 10895, to authorize the President to appoint Col. Henry Lippincott, United States Army, retired, to the grade of brigadier-general, United States Army, on the retired list—to the Committee on Military Affairs.

By Mr. HEMENWAY: Resolution of the Evansville Manufacturers' Association, urging development of our merchant marine—to the Committee on the Merchant Marine and Fisheries.

By Mr. HINSHAW: Papers to accompany bill granting increase of pension to John S. Beardsley—to the Committee on Invalid Pensions.

Also, petition of the Christian Church of Waco, York County, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HUGHES of New Jersey: Concurrent resolution from the State of New Jersey, favoring an appropriation for improvement of the Passaic River—to the Committee on Rivers and Harbors.

Also, petitions of the Third Christian Reformed Church, of Paterson, N. J., consisting of 143 members; the Methodist Episcopal Church, of Stanhope, N. J.; the Lake View Presbyterian Church, of Paterson, 140 members; G. D. Eckmon and 19 others, of Closter, N. J., and the Methodist Episcopal Church of Alpine, N. J., 55 members, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. JACKSON of Ohio: Resolutions of seventeen Grand Army of the Republic posts of Ohio, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting a pension to Albert Mitchell—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 12949, granting a pension to Harriet Place—to the Committee on Pensions.

Also, resolution of the Builders and Traders' Exchange of Sandusky, Ohio, against the anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of the general assembly of Ohio, in favor of bill H. R. 6475—to the Committee on the Post-Office and Post-Roads.

Also, papers to accompany bill granting a pension to Adolph Renthner—to the Committee on Invalid Pensions.

By Mr. KINKAID: Petition of B. C. Ennis and 81 others, of Chadron, Nebr., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LACEY: Resolution of the Duncan Republican Club, of Duncan, Ind. T., in favor of bill H. R. 7862—to the Committee on Indian Affairs.

By Mr. LINDSAY: Resolution of Subordinate Lodge No. 264, of Richmond Hill, Long Island, N. Y., Brotherhood of Boilermakers and Iron Ship Builders of America, in favor of bill H. R. 7056—to the Committee on the Merchant Marine and Fisheries.

Also, petition of the Eagle Pencil Company, of New York, in favor of bill H. R. 9302—to the Committee on Ways and Means.

Also, petition of the American Blind People's Higher Education and General Improvement Association convention, in favor of bill H. R. 10856—to the Committee on Invalid Pensions.

By Mr. LITTLEFIELD: Petition of the Independent Order of Good Templars, No. 316, of Buckfield, Me., for the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LONGWORTH: Two petitions of citizens of Cincinnati, Ohio, against the passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. McNARY: Petition of the Ruggles Street Baptist Church, of Boston, Mass., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. MORGAN: Petition of citizens of Adams County, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, paper to accompany bill granting a pension to Evan E. Evans—to the Committee on Invalid Pensions.

Also, resolution of W. S. Hancock Post, No. 571, Grand Army of the Republic, Department of Ohio, in favor of amendment to act of Congress of July 2, 1864, so as to exclude from Statuary Hall the statue of any person who bore arms against the Government—to the Committee on the Library.

Also, resolutions of W. S. Hancock Post, No. 571, of Thurman, Ohio, and John W. McFerren Post, No. 226, of West Union, Ohio, Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. ROBINSON of Indiana. Petition of L. E. Ferguson, of Scott, Ind., relative to salary of rural free-delivery carriers—to the Committee on the Post-Office and Post-Roads.

Also, petition of E. E. Morgan and J. C. Wallace, of the Allen County Medical Society, of Fort Wayne, Ind., in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. SMITH of New York: Paper to accompany bill for the relief of De Forest Keyes—to the Committee on Claims.

By Mr. STEENERSON: Resolution of Crookston Council, No. 88, United Commercial Travelers, in favor of Badger amendment to bankruptcy law—to the Committee on the Judiciary.

By Mr. STEPHENS of Texas: Papers to accompany bill H. R. 13357, for an additional United States commissioner—to the Committee on the Judiciary.

By Mr. STERLING: Petitions of Danish Methodist Episcopal Church, of Dwight, Ill.; citizens of Colfax, Ill.; citizens of Chenoa, Ill., and of the Second Presbyterian Church of Bloomington, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the Christian Church of Eureka, Ill., for the passage of a bill to prevent nullification of State liquor laws—to the Committee on the Judiciary.

Also, petition of citizens of Bloomington, Ill., favoring bill H. R. 9302—to the Committee on Ways and Means.

By Mr. SULLIVAN of New York: Resolution of the American Association of Masters and Pilots of Steam Vessels, relative to a light-house on or near the Outer Diamond Shoal, coast of North Carolina—to the Committee on Rivers and Harbors.

Also, petition of Lachman & Jacobi, and E. Eising & Co., of New York, against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of General Slocum Circle, No. 33, and Elizabeth Spellman Circle, No. 8, Department of New York, Ladies of the Grand Army of the Republic, of New York, favoring the passage of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolutions of John E. Bendix Post, No. 402, Grand Army of the Republic, of New York, in favor of a service-pension law—to the Committee on Invalid Pensions.

Also, resolutions of the Drug Trade Section of the New York Board of Trade and Transportation, favoring a reduction of the duty on alcohol used in arts and manufactures—to the Committee on Ways and Means.

Also, resolutions of the Fifth Annual Supervisors' Highway Convention for the State of New York, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. TIRRELL: Petition of Elizabeth Eddy and others, for creation of a forest reservation in the White Mountains—to the Committee on the Public Lands.

By Mr. TOWNSEND: Memorial of the Brotherhood of Boilermakers, Lodge No. 166, of Wyandotte, Mich., in favor of bill H. R. 7056 and sundry Senate bills—to the Committee on the Merchant Marine and Fisheries.

Also, petition of G. K. Warren Circle, No. 14, Martinsville, Mich., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Stephen D. Luse and 43 others, of Blissfield, Mich., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Patrick Culhone and 108 others, of Adrian, Mich., in favor of increase of salaries for rural mail carriers—to the Committee on the Post-Office and Post-Roads.

Also, memorial of Mary Schlander, of Ann Arbor, Mich., in favor of bill H. R. 9313—to the Committee on Invalid Pensions.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of bill H. R. 6295—to the Committee on Interstate and Foreign Commerce.

Also, petition of C. D. Johnson and 10 others, of Chelsea, Mich., in favor of consolidation of the Bureau of Forestry with the Department of Agriculture—to the Committee on Agriculture.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of an antitrust law—to the Committee on the Judiciary.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of a parcels-post law—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of an amendment to the Constitution providing for the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., for revising fees and salaries of Federal officers—to the Committee on Revision of the Laws.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of construction of ship canal—to the Committee on Rivers and Harbors.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of bill H. R. 6273—to the Committee on Interstate and Foreign Commerce.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., favoring bill H. R. 10765—to the Committee on Agriculture.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of a bill establishing postal savings banks—to the Committee on the Post-Office and Post-Roads.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of legislation to extend the markets for farm products—to the Committee on Agriculture.

Also, petition of C. D. Johnson and 9 others, of Chelsea, Mich., in favor of increasing salary of rural mail carriers—to the Committee on the Post-Office and Post-Roads.

SENATE.

TUESDAY, *March 8, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BURROWS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

RICHARD P. BLACKISTONE.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting a certified copy of the findings of the court as amended in the cause of Richard P. Blackistone *v.* The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had disagreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal

year ending June 30, 1905, and for other purposes, further insists upon its disagreement to the amendments of the Senate, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BINGHAM, Mr. GILLETT of Massachusetts, and Mr. LIVINGSTON managers at the conference on the part of the House.

The message also announced that the House had passed the bill (S. 220) permitting the Kiowa, Chickasha and Fort Smith Railway Company to sell and convey its railroad and other property in the Indian Territory to the Eastern Oklahoma Railway Company, and the Eastern Oklahoma Railway Company to lease all its railroad and other property in the Indian Territory to the Atchison, Topeka and Santa Fe Railway Company, and thereafter to sell its railroad and other property to said the Atchison, Topeka and Santa Fe Railway Company.

The message further announced that the Speaker of the House had appointed Mr. BATES and Mr. BASSETT members of the joint committee on the part of the House, as provided for in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the Executive Departments," for the disposition of useless papers in the Post-Office and Navy Departments.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 719) granting an increase of pension to John H. Willey;

A bill (H. R. 720) granting an increase of pension to Frank L. Gray;

A bill (H. R. 783) granting an increase of pension to Nicholas Reinhart;

A bill (H. R. 789) granting an increase of pension to Eli Lachman;

A bill (H. R. 807) granting an increase of pension to William F. Benefiel;

A bill (H. R. 859) granting an increase of pension to Andrew Barr;

A bill (H. R. 877) granting a pension to Ann M. Driggars;

A bill (H. R. 910) granting an increase of pension to Freeman York;

A bill (H. R. 941) granting an increase of pension to William D. Taylor;

A bill (H. R. 1005) granting an increase of pension to Marab E. Powell;

A bill (H. R. 1287) granting an increase of pension to Cyrus B. Dorp;

A bill (H. R. 1314) granting a pension to Denison L. Brown;

A bill (H. R. 1316) granting an increase of pension to George W. Day;

A bill (H. R. 1317) granting an increase of pension to Thomas E. McIntire;

A bill (H. R. 1485) granting an increase of pension to Franklin Ferguson;

A bill (H. R. 1563) granting an increase of pension to Ory Warriner;

A bill (H. R. 1566) granting an increase of pension to Ellis T. Peirce;

A bill (H. R. 1623) granting an increase of pension to John H. Reed;

A bill (H. R. 2001) granting an increase of pension to Nora J. Glahn;

A bill (H. R. 2116) granting an increase of pension to Richard C. Ivory;

A bill (H. R. 2192) granting an increase of pension to William O. Smith;

A bill (H. R. 2204) granting an increase of pension to Addison B. Stone;

A bill (H. R. 2470) granting an increase of pension to Harriet S. Packard;

A bill (H. R. 2573) granting an increase of pension to William G. Cronkite;

A bill (H. R. 2692) granting an increase of pension to Elwood Finley;

A bill (H. R. 2769) granting an increase of pension to William E. Armstrong;

A bill (H. R. 2930) granting an increase of pension to Lafayette M. Greene;

A bill (H. R. 2995) granting a pension to Mary Korth;

A bill (H. R. 3370) granting an increase of pension to Joseph Adams;

A bill (H. R. 3402) granting an increase of pension to Daniel Nagle, jr.;

A bill (H. R. 3578) to authorize the Mercantile Bridge Company to construct a bridge over the Monongahela river, Pennsylvania, from a point in the borough of North Charleroi, Washington County, to a point in Rostraver Township, Westmoreland County;

A bill (H. R. 3769) granting an increase of pension to Clinton M. Casey;

A bill (H. R. 3909) granting an increase of pension to George Hayden;

A bill (H. R. 3910) granting an increase of pension to Charles W. Hoffman;

A bill (H. R. 3936) granting an increase of pension to Isaac Frazier;

A bill (H. R. 4119) granting an increase of pension to William Mercer;

A bill (H. R. 4151) granting an increase of pension to John W. Foland;

A bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn;

A bill (H. R. 4180) granting an increase of pension to Joseph G. Thomas;

A bill (H. R. 4192) granting an increase of pension to Frederick A. Slocum;

A bill (H. R. 4198) granting an increase of pension to Edwin Lake;

A bill (H. R. 4314) granting an increase of pension to John F. Slade;

A bill (H. R. 4326) granting an increase of pension to Wilfred C. McCardell;

A bill (H. R. 4391) granting an increase of pension to Nicholas Schwemler;

A bill (H. R. 4449) granting an increase of pension to William Brown;

A bill (H. R. 4468) granting an increase of pension to William R. Burton;

A bill (H. R. 4589) granting a pension to Henry H. Barrett;

A bill (H. R. 4605) granting an increase of pension to William Herlinger;

A bill (H. R. 4630) granting an increase of pension to Thaddeus S. Collins;

A bill (H. R. 4642) granting an increase of pension to William L. Wheeler;

A bill (H. R. 4674) granting an increase of pension to John Thompson;

A bill (H. R. 4679) granting an increase of pension to Martha M. Pierce;

A bill (H. R. 4702) granting an increase of pension to John T. Collins;

A bill (H. R. 4719) granting an increase of pension to Joseph F. Carter;

A bill (H. R. 4872) granting an increase of pension to Albert W. Bradbury;

A bill (H. R. 4910) granting an increase of pension to Prudentia L. D. Nugent;

A bill (H. R. 4964) granting an increase of pension to Charles E. Mink;

A bill (H. R. 5006) granting a pension to Sarah Ulshafer;

A bill (H. R. 5045) granting an increase of pension to Albert S. Elmore;

A bill (H. R. 5149) granting an increase of pension to John W. Erwin;

A bill (H. R. 5155) granting an increase of pension to John J. Tompkins;

A bill (H. R. 5479) granting an increase of pension to William H. Anderson;

A bill (H. R. 5532) granting an increase of pension to Levi Vassar;

A bill (H. R. 5568) granting an increase of pension to Emily Chapman;

A bill (H. R. 5603) granting an increase of pension to William C. McCormick;

A bill (H. R. 5750) granting an increase of pension to William Cassidy;

A bill (H. R. 5761) to authorize the Charleroi and Monessen Bridge Company to construct a bridge over the Monongahela River;

A bill (H. R. 5849) granting an increase of pension to Catharine R. Brown;

A bill (H. R. 5868) granting an increase of pension to William Simmons;

A bill (H. R. 5879) granting an increase of pension to Bennett Putnam;

A bill (H. R. 5999) granting an increase of pension to Ann Jennett Whitney;

A bill (H. R. 6038) granting an increase of pension to Benjamin George;

A bill (H. R. 6335) granting an increase of pension to James A. Barnes;

A bill (H. R. 6455) granting an increase of pension to Abraham W. Cochran;

A bill (H. R. 6602) granting an increase of pension to Benjamin F. Hackett;

A bill (H. R. 6618) granting an increase of pension to Henry C. Coffin;

A bill (H. R. 6703) granting an increase of pension to Levi Remick;

A bill (H. R. 6814) granting an increase of pension to Edward W. Miller:
A bill (H. R. 6816) granting an increase of pension to Frederick Ratzel:
A bill (H. R. 6817) granting a pension to Rosa Glass:
A bill (H. R. 6869) granting an increase of pension to Lorenzo D. Elmer:
A bill (H. R. 6879) granting a pension to Reuben A. Finnell:
A bill (H. R. 6951) granting an increase of pension to Charles G. Corr:
A bill (H. R. 6977) granting an increase of pension to Mary A. Graves:
A bill (H. R. 6999) granting an increase of pension to Albert W. Jones:
A bill (H. R. 7083) granting an increase of pension to Albert P. Jackson:
A bill (H. R. 7096) granting an increase of pension to Eva A. Burgess:
A bill (H. R. 7236) granting an increase of pension to William R. McCullough:
A bill (H. R. 7311) granting an increase of pension to Rachel Large:
A bill (H. R. 7410) granting an increase of pension to Enos D. Hoge:
A bill (H. R. 7418) granting an increase of pension to Peter Minkler:
A bill (H. R. 7436) granting an increase of pension to James Smith:
A bill (H. R. 7444) granting an increase of pension to Washington J. Dutcher:
A bill (H. R. 7659) granting an increase of pension to Emma M. Elliott:
A bill (H. R. 7680) granting an increase of pension to De Witt C. Folsom:
A bill (H. R. 7719) granting an increase of pension to Hiram B. Cozine:
A bill (H. R. 7737) granting an increase of pension to Howard McGuire:
A bill (H. R. 7805) granting an increase of pension to William N. Hall:
A bill (H. R. 7814) granting an increase of pension to James G. Andrews:
A bill (H. R. 7992) granting an increase of pension to Isidore F. Chamberlain:
A bill (H. R. 7999) granting an increase of pension to David W. Williamson:
A bill (H. R. 8079) granting an increase of pension to Charles La Forest:
A bill (H. R. 8124) granting an increase of pension to Elizabeth Hatfield:
A bill (H. R. 8173) granting an increase of pension to Anna Waters:
A bill (H. R. 8203) granting an increase of pension to James M. Hemphill:
A bill (H. R. 8231) granting an increase of pension to John Gangwisch:
A bill (H. R. 8284) granting an increase of pension to Samuel G. Woods:
A bill (H. R. 8379) granting an increase of pension to Ira B. Wamsley:
A bill (H. R. 8718) granting an increase of pension to Caswell P. Ford:
A bill (H. R. 8733) granting an increase of pension to Benjamin F. McGraw:
A bill (H. R. 8811) granting an increase of pension to James Dougherty:
A bill (H. R. 8835) granting an increase of pension to Charles H. Jackson:
A bill (H. R. 8849) granting a pension to James S. Lauderdale:
A bill (H. R. 8863) granting an increase of pension to Edward O'Malley:
A bill (H. R. 8966) granting an increase of pension to James M. Fink:
A bill (H. R. 8970) granting an increase of pension to Charles B. Hart:
A bill (H. R. 8984) granting an increase of pension to John L. Randberg:
A bill (H. R. 8991) granting an increase of pension to William E. Mattison:
A bill (H. R. 8992) granting an increase of pension to William C. Davis:
A bill (H. R. 8998) granting an increase of pension to Henry L. Beach:
A bill (H. R. 9024) granting an increase of pension to Jacob Laird:
A bill (H. R. 9035) granting an increase of pension to Joseph Branen:
A bill (H. R. 9037) granting a pension to Alice W. Clarke:
A bill (H. R. 9060) granting an increase of pension to John Connors:
A bill (H. R. 9064) granting an increase of pension to Edwin Todd:
A bill (H. R. 9125) granting an increase of pension to William S. King:
A bill (H. R. 9273) granting an increase of pension to James H. Sackett:
A bill (H. R. 9376) granting an increase of pension to Martin Ranthler:
A bill (H. R. 9421) granting an increase of pension to Thomas P. Marshall:
A bill (H. R. 9426) granting an increase of pension to William S. Campbell:
A bill (H. R. 9587) granting an increase of pension to Bartlett S. Haggard:
A bill (H. R. 9610) granting an increase of pension to Frederick Halling:
A bill (H. R. 9695) granting an increase of pension to Frank M. Spears:
A bill (H. R. 9710) granting an increase of pension to Henry Frazier:
A bill (H. R. 9753) granting an increase of pension to Sarah J. Loomis:
A bill (H. R. 9778) granting an increase of pension to Loriston W. Adkins:
A bill (H. R. 9903) granting an increase of pension to George W. Harlan:
A bill (H. R. 9988) granting an increase of pension to William Ellis:
A bill (H. R. 9999) granting an increase of pension to William Edgar:
A bill (H. R. 10068) granting an increase of pension to James G. Saims:
A bill (H. R. 10180) granting an increase of pension to William E. McDowell:
A bill (H. R. 10192) granting a pension to Martha Mallory:
A bill (H. R. 10194) granting an increase of pension to Marion Long:
A bill (H. R. 10268) granting an increase of pension to Margaret E. Keller:
A bill (H. R. 10378) granting an increase of pension to Sarah J. Shell:
A bill (H. R. 10640) granting an increase of pension to Horace E. Wood:
A bill (H. R. 10648) granting an increase of pension to Agnes Shearer:
A bill (H. R. 10682) granting an increase of pension to Marion Arnold:
A bill (H. R. 10694) granting an increase of pension to Alderson T. Keen:
A bill (H. R. 10700) granting a pension to Ella D. Madden:
A bill (H. R. 10706) granting an increase of pension to Alfred J. West:
A bill (H. R. 10748) granting an increase of pension to Kate Ridgway:
A bill (H. R. 10794) granting an increase of pension to Moses Hurlbut:
A bill (H. R. 10850) granting an increase of pension to Adaline L. Power:
A bill (H. R. 10904) granting an increase of pension to Edson H. Crawford:
A bill (H. R. 10991) granting an increase of pension to Frances C. McFarland:
A bill (H. R. 11052) granting an increase of pension to Mary Eaton Livingston:
A bill (H. R. 11076) granting an increase of pension to Elvira Miller:
A bill (H. R. 11113) granting an increase of pension to Silas Soules:
A bill (H. R. 11194) granting an increase of pension to Frank S. Nickerson:
A bill (H. R. 11287) making appropriations for the diplomatic and consular service for the fiscal year ending June 30, 1905:
A bill (H. R. 11310) granting an increase of pension to John W. Swisher:
A bill (H. R. 11319) granting an increase of pension to Mary C. Arnold:
A bill (H. R. 11343) granting an increase of pension to Matthew S. Priest:
A bill (H. R. 11443) granting an increase of pension to Jasper F. Morton; and
A bill (H. R. 11556) granting an increase of pension to Edward M. Tappen.

PETITIONS AND MEMORIALS.

Mr. BURROWS presented a petition of J. M. Bond Circle, No. 23, Department of Michigan, Ladies of the Grand Army of the Republic, of Saugatuck, Mich., praying for the enactment of a

service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of sundry patrons of free-delivery route No. 2, of Greenville, Mich., praying that an appropriation be made to increase the salaries of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of Lafayette Lodge, No. 182, Brotherhood of Boiler Makers and Iron-ship Builders, of Detroit, Mich., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented a petition of sundry citizens of Saline, Mich., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

Mr. PLATT of New York presented petitions of sundry citizens of New York City, praying for the enactment of legislation to regulate the immigration of aliens into the United States; which were referred to the Committee on Immigration.

He also presented a petition of the New York State Assembly of Mothers, of Albany, N. Y., and a petition of the Federation of Women's Clubs of New York City, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented the petition of C. J. Wash, of Ontario, N. Y., praying for the enactment of legislation to prevent the nullification of State liquor laws; which was referred to the Committee on the Judiciary.

He also presented a petition of the Independent Order of Good Templars of Yeddo, N. Y., and a petition of the congregation of the First Presbyterian Church of Ontario, N. Y., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a petition of the New York Board of Trade and Transportation, of New York City, praying for the enactment of legislation providing for a refund of internal-revenue duties paid on alcohol used in the manufacture of articles exported; which was referred to the Committee on Finance.

He also presented a petition of the Consolidated Stock and Petroleum Exchange of New York City, praying for the enactment of legislation to prohibit the use of interstate telegraph and telephone lines to promote gambling; which was referred to the Committee on the Judiciary.

He also presented a petition of Local Union No. 232, International Brotherhood of Blacksmiths and Helpers, of Norwich, N. Y., praying that an appropriation be made to increase the capacity of the Naval Gun Factory at Washington, D. C.; which was referred to the Committee on Naval Affairs.

He also presented petitions of Washington, Columbia, Lafayette, General Slocum, Spellman, Mechanicsville, Curran, James A. Garfield, and Phil Kearny circles, all of the Department of New York, Ladies of the Grand Army of the Republic, of Troy; of Lewis O. Conklin Post, No. 627, Department of New York, Grand Army of the Republic, of Port Jefferson, all in the State of New York, and of sundry citizens of Carlisle, Pa., praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. LODGE presented a petition of Joseph E. Simmons Post, No. 111, Department of Massachusetts, Grand Army of the Republic, of Pembroke, Mass., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

Mr. DRYDEN presented a petition of the Woman's Club of Orange, N. J., praying that an appropriation be made to purchase a national forest reserve in the White Mountains of New Hampshire; which was referred to the Committee on Forest Reservations and the Protection of Game.

He also presented a petition of Haddon Grange, No. 38, Patrons of Husbandry, of Camden, N. J., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Cement Workers' Union No 10, American Federation of Labor, of Trenton, N. J., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented petitions of the congregation of the Baptist Church of Hightstown, of the congregation of the Methodist Episcopal Church of Crosswicks, and of the congregation of the Methodist Episcopal Church of Alpine, all in the State of New Jersey, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented a memorial of sundry citizens of Gloucester County, N. J., remonstrating against the enactment of legislation to require gill-fishing boats and launches to employ licensed engineers and pilots; which was referred to the Committee on Fisheries.

He also presented a petition of sundry citizens of Scullville, N. J., and a petition of the congregation of the Third Baptist Church of Camden, N. J., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. BURNHAM presented petitions of sundry citizens of Pittsfield, Penacook, and Lakeport, all in the State of New Hampshire, praying for the enactment of legislation to increase the salaries of rural free-delivery mail carriers; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. MILLARD presented petitions of sundry citizens of Franklin, Dewey, and Norfolk, all in the State of Nebraska, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. CLAPP presented petitions of sundry citizens of Preston, Orono, Appleton, and Minneapolis, and of Woman's Christian Temperance Union of Tracey, all in the State of Minnesota, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. MITCHELL presented a petition of Siuslaw Grange, No. 54, Patrons of Husbandry, of Lorane, Oreg., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial of sundry citizens of Grass Valley, Oreg., remonstrating against the enactment of legislation relative to insurance companies; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of McKinley Circle, Department of Oregon, Ladies of the Grand Army of the Republic, of Myrtle Point, Oreg., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 320) granting an increase of pension to Hiram W. White; which were referred to the Committee on Pensions.

He also presented sundry papers to accompany the bill (S. 2851) granting a pension to Sarah E. Thompson; which were referred to the Committee on Pensions.

He also presented a memorial of the Pacific Coast Jobbers and Manufacturers' Association, of San Francisco, Cal., remonstrating against the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

Mr. BERRY presented petitions of sundry citizens of Siloam and Cane Hill, in the State of Arkansas, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PROCTOR presented the petition of E. A. Burditt and sundry other citizens of Shrewsbury, Vt., praying for the passage of the so-called "Brownlow good-roads bill;" which was referred to the Committee on Agriculture and Forestry.

Mr. SPOONER presented a petition of John A. Logan Circle, Department of Wisconsin, Ladies of the Grand Army of the Republic, of Omro, Wis., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the congregation of the Methodist Episcopal Church of Platteville, Wis., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented petitions of the Wisconsin Federation of Churches and Christian Workers; of Pottawatomie Lodge, No. 827, Independent Order of Good Templars, of Washington Island, and of sundry citizens of Lodi, Fall River, Beloit, and Windsor, all in the State of Wisconsin, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. COCKRELL presented a petition of sundry citizens of Howard County, Mo., praying that an appropriation be made providing for the construction and maintenance of public highways; which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Savannah and Seligman, in the State of Missouri, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. FAIRBANKS presented a petition of Garfield Circle, No. 15, Department of Indiana, Ladies of the Grand Army of the Republic, of Richmond, Ind., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a memorial of the Indiana Retail Merchants' Association, remonstrating against the passage of the so-called

"parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a memorial of the Citizens' Alliance of South Bend, Ind., remonstrating against the so-called "anti-injunction bill;" which was referred to the Committee on the Judiciary.

He also presented a petition of sundry rural free-delivery letter carriers of Hamilton County, Ind., praying for the enactment of legislation to increase the salaries of rural letter carriers; which was referred to the Committee on Post-Offices and Post-Roads.

He also presented petitions of the Presbyterian Missionary Society of Gas City, of the Woman's Missionary Society of the Presbyterian Church of Union City, and of the Woman's Missionary Society of the First Presbyterian Church of Logansport, all in the State of Indiana, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

He also presented a petition of the Anderson Carriage Manufacturing Company, of Anderson, Ind., and a petition of the American Seeding Machine Company, of Springfield, Ohio, praying that an appropriation be made to prevent a repetition of damages by flood in the Kaw Valley, in the States of Kansas and Missouri; which were referred to the Committee on Commerce.

He also presented petitions of sundry citizens of Muncie, Ind., praying for the enactment of legislation to increase the salaries of rural free-delivery mail carriers; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. FOSTER of Washington presented a memorial of the Mitchell, Lewis & Staver Company, of Seattle, Wash., remonstrating against the enactment of legislation to amend an act providing for certain requirements for vessels propelled by gas, fluid, naphtha, or electric motors; which was referred to the Committee on Commerce.

He also presented a memorial of the Chamber of Commerce and Board of Trade of Tacoma, Wash., remonstrating against the passage of the so-called "parcels-post bill;" which was referred to the Committee on Post-Offices and Post-Roads.

He also presented a petition of the Chamber of Commerce and the Board of Trade of Seattle, Wash., praying for the enactment of legislation dividing the judicial district of the State of Washington into western and eastern districts; which was referred to the Committee on the Judiciary.

He also presented a petition of the Woman's Christian Temperance Union of Columbia, Wash., praying for the enactment of legislation providing that the Federal Government shall not grant liquor-tax receipts to persons residing in prohibition territory; which was referred to the Committee on Finance.

He also presented petitions of James A. Garfield Circle, No. 15, Ladies of the Grand Army of the Republic, of Everett; of General Lawton Circle, No. 14, Ladies of the Grand Army of the Republic, of Ballard; of John A. Logan Circle, No. 16, Ladies of the Grand Army of the Republic, of Tacoma, and of Lieutenant Cushing Post, No. 56, Department of Washington, Grand Army of the Republic, of Ballard, all in the State of Washington, praying for the enactment of a service-pension law; which were referred to the Committee on Pensions.

Mr. GALLINGER presented petitions of the congregations of the Congregational and Methodist Episcopal churches of Lisbon; of the congregation of the Curtis Memorial Church, of Merrimack; of the congregation of the First Baptist Church of Lebanon; of the congregation of the Congregational Church of Hollis; of the congregation of the Congregational Church of Grafton County; of the congregation of the Pleasant Street Methodist Episcopal Church, of Salem; of the congregation of the First Baptist Church of Plaistow; of the congregation of the First Baptist Church of Franklin Falls; of the congregation of the Free Baptist Church of Farmington; of the congregation of the Methodist Episcopal Church of Grafton County; of the congregation of the Baptist Church of Antrim; of the congregation of the Methodist Episcopal Church of Hillsboro; of the congregation of the Baptist Church of Gonic, and of sundry citizens of Concord and Peterboro, all in the State of New Hampshire, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented petitions of London Grove Grange, No. 63, and of Pomona Grange, No. 3, Patrons of Husbandry, and of the Grove Farmers' Club, all of Chester County, in the State of Pennsylvania, praying for the passage of the so-called "Brownlow good-roads bill;" which were referred to the Committee on Agriculture and Forestry.

He also presented petitions of the congregation of the United Presbyterian Church of Lackawanna County, of the Woman's Christian Temperance Union of Boiling Springs, and of the congregations of the First Presbyterian and Methodist Episcopal churches of Glen Hazel, all in the State of Pennsylvania, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

He also presented petitions of sundry citizens of Northeast and Norristown, of the congregation of the Methodist Episcopal Church of Point Marion, and of the East Pennsylvania Conference of the Evangelical Association, all in the State of Pennsylvania, praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which were referred to the Committee on Privileges and Elections.

Mr. WETMORE presented a petition of the Rhode Island Horticultural Society, praying that increased appropriations be made for the support of agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. GORMAN presented a petition of the Home Missionary Society of the Brown Memorial Presbyterian Church, of Baltimore, Md., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented a petition of the East Baltimore Station Methodist Protestant Church, of Baltimore, Md., praying for the enactment of legislation to prevent the nullification of State liquor laws; which were referred to the Committee on the Judiciary.

Mr. ELKINS presented sundry papers to accompany the bill (S. 3730) for the relief of T. J. Cougar; which were referred to the Committee on Claims.

Mr. FRYE presented a petition of Sagadahoe Lodge, No. 168, Brotherhood of Boiler Makers and Iron-ship Builders, of Bath, Me., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

THE DUTY OF AMERICANS IN THE PHILIPPINES.

Mr. BACON. I hold in my hand a speech delivered by the present Secretary of War before the Union Reading College, Manila, P. I., December 17, 1903, when he was the governor of the Philippine Islands. It is entitled "The duty of Americans in the Philippines." I have read it through, and it is a very instructive document, made at a time when the Secretary of War was charged with a responsibility there as governor. While there are some things in the address with which I do not entirely agree, I think it is a valuable paper for the use of the Senate, and I ask that it may be printed as a Senate document.

The PRESIDENT pro tempore. The Senator from Georgia asks unanimous consent that a speech made by the present Secretary of War——

Mr. BACON. Made while he was in the Philippine Islands.

The PRESIDENT pro tempore. Made while he was in the Philippine Islands, touching Philippine conditions, be printed as a document. Is there objection? The Chair hears none.

REPORTS OF COMMITTEES.

Mr. BURNHAM, from the Committee on Claims, to whom was referred the bill (S. 3790) for the relief of B. Jackman, reported it with amendments, and submitted a report thereon.

Mr. PERKINS, from the Committee on Appropriations, to whom was referred the bill (H. R. 12446) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, reported it with amendments, and submitted a report thereon.

Mr. WETMORE, from the Committee on the Library, reported an amendment proposing to appropriate $2,000 for the purchase by the Joint Committee on the Library of a marble bust of General Lafayette, by David d'Angers, to replace the one destroyed by fire in 1851, intended to be proposed to the sundry civil appropriation bill, and moved that it be referred to the Committee on Appropriations and printed; which was agreed to.

REPORT OF DIVISION OF SOILS.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 106) amending public resolution No. 8, Fifty-sixth Congress, second session, approved February 23, 1901, providing for the printing annually of the report on field operations of the Division of Soils, Department of Agriculture, to report it favorably without amendment, and I ask for its present consideration.

There being no objection, the joint resolution was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. NEWLANDS introduced a bill (S. 4846) granting an increase of pension to John Taylor; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. GORMAN introduced a bill (S. 4847) for the relief of Caroline Jones, widow and executrix of John L. T. Jones, late of Montgomery County, Md.; which was read twice by its title, and referred to the Committee on Claims.

Mr. GALLINGER introduced a bill (S. 4848) to amend section 552 of the Code of Laws for the District of Columbia, relating to incorporations; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. SPOONER introduced a bill (S. 4849) granting an honorable discharge to Peter Green; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (S. 4850) granting an increase of pension to Sarah V. Matlack (with an accompanying paper);

A bill (S. 4851) granting a pension to Jennie C. Cole;

A bill (S. 4852) granting a pension to Bernard Closkey;

A bill (S. 4853) granting a pension to Frank Gillespie;

A bill (S. 4854) granting a pension to Louisa V. Bowers (with accompanying papers); and

A bill (S. 4855) granting an increase of pension to Daniel Shelley.

Mr. PENROSE introduced a bill (S. 4856) to correct the military record of John Sailer; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4857) for the relief of Annie White; which was read twice by its title, and referred to the Committee on Claims.

Mr. HOPKINS introduced a bill (S. 4858) granting an increase of pension to J. B. Harvey; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4859) to correct the military record of William Morrison; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. LODGE introduced a bill (S. 4860) for the relief of Mrs. Louisa Mitchell Smith; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. HOAR introduced a bill (S. 4861) to appoint an advisory board of public works for the city of Washington; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HOAR. I desire to introduce a bill to amend the act of August 13, 1894. I wish to accept the responsibility myself for the bill; but it has been prepared by an intelligent and competent friend. I have not been able to examine, as I might if I had not been otherwise employed, all the details of the bill, so that if it should turn out that in any respect the bill is deficient, I introduce it with that explanation.

I ask that the bill be referred, with the accompanying papers, to the Committee on Public Buildings and Grounds.

The bill (S. 4862) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works," was read twice by its title, and, with the accompanying papers, referred to the Committee on Public Buildings and Grounds.

Mr. MITCHELL introduced a bill (S. 4863) granting an increase of pension to Charles G. Jenkins; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

He also introduced a bill (S. 4864) granting a pension to J. S. Waggener; which was read twice by its title, and referred to the Committee on Pensions.

Mr. FORAKER introduced a bill (S. 4865) granting an increase of pension to John F. Ludington; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 4866) to correct the military record of Thomas M. Elliott; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 4867) to amend section 14 of an act entitled "An act to increase the limit of cost of certain public buildings," and so forth, passed March 3, 1903; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. ELKINS introduced a bill (S. 4868) to provide for depositing the taxes collected in the District of Columbia with the national banks of said District which are United States depositaries; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. McCREARY introduced the following bills; which were severally read twice by their titles, and referred to the Committee on Claims:

A bill (S. 4869) for the relief of the heirs of Caroline Thompson;

A bill (S. 4870) for the relief of the trustees of the Christian Church of Danville, Ky.;

A bill (S. 4871) for the relief of the trustees of the Baptist Church at Somerset, Ky.;

A bill (S. 4872) for the relief of the heirs of Henry P. Bottom, deceased; and

A bill (S. 4873) for the relief of the trustees of the Baptist Church of Somerset, Ky.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. PETTUS submitted an amendment authorizing the Secretary of War to pay to Rittenhouse Moore, out of the unexpended balance of the appropriation made in the act of March 3, 1901, for improving the Potomac River, the sum of $3,633.05, being the amount stated and claimed by him for overwidth dredging in the Potomac River below Washington, D. C., and recommended by the Secretary of War, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $25,000 to extend, enlarge, and improve the post-office and court-house building at Birmingham, Ala., etc., intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. GALLINGER submitted an amendment proposing to appropriate $10,000 for grading, regulating, and macadamizing Albemarle street east from Connecticut avenue extended to Broad Branch road, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

He also submitted an amendment proposing to appropriate $7,500 for grading and improving Sherman avenue from Florida avenue to Irving street, in the District of Columbia, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. QUAY submitted an amendment granting to the Delaware Indians who have made or acquired improvements in the Cherokee Nation the right to first select from said improved lands their allotments, and during the term of six months thereafter to sell their surplus improvements to other citizens of the Cherokee Nation, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

He also submitted an amendment providing that each Indian allottee in the limits of the Quapaw Agency, Ind. T., to whom a trust or other patent has been issued, may sell and convey all of his or her allotment, excepting 40 acres thereof, which shall be selected as a homestead, and providing for the sale of allotments of minor allottees, etc., intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. FOSTER of Washington submitted the following amendments, intended to be proposed by him to the sundry civil appropriation bill; which were ordered to be printed, and, with the accompanying papers, referred to the Committee on Commerce:

An amendment proposing to appropriate an additional sum of $6,000 for an additional building or dwelling, cistern, oil house, and other improvements in connection with the New Dungeness light-house station, in the State of Washington;

An amendment proposing to appropriate $5,000 for additional employees' quarters at the Robinson Point post light, in the State of Washington; and

An amendment proposing to appropriate an additional sum of $6,000 for the completion of the Battery Point post light, in the State of Washington.

Mr. QUARLES submitted an amendment authorizing the issuance of patents in fee severally to Lotsee Dietrich, Pekin Rowlee, George Chandler, and Louis B. Farwell, members of the Kiowa, Comanche, and Apache tribes of Indians, for the lands heretofore allotted to them, respectively, in the Territory of Oklahoma, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. WARREN submitted an amendment proposing to increase the appropriation for the salary of the Indian agent at the Shoshone Agency, Wyo., from $1,500 to $1,800, intended to be proposed by him to the Indian appropriation bill; which was referred to the Committee on Indian Affairs, and ordered to be printed.

Mr. GORMAN submitted an amendment providing for the payment to Andrew Gleason and Patrick Maloney of the sum of $4,772.89, being the interest due upon a judgment rendered by the Court of Claims in cause No. 16310, between the time when the transcript of judgment was presented to the Secretary of the Treasury for payment and the time said judgment was paid, intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Claims, and ordered to be printed.

Mr. ELKINS submitted an amendment proposing to increase the salaries of the three telephone operators, police department, District of Columbia, from $600 each to $720 each, intended to be proposed by him to the District of Columbia appropriation bill; which was referred to the Committee on the District of Columbia, and ordered to be printed.

MARTHA C. KUHN.

Mr. PENROSE submitted an amendment intended to be proposed by him to the bill (H. R. 4179) granting an increase of pension to Martha C. Kuhn; which was referred to the Committee on Pensions, and ordered to be printed.

HEARING BEFORE COMMITTEE ON WOMAN SUFFRAGE.

On motion of Mr. BACON, it was

Ordered, That 10,000 copies of the hearing before the United States Senate Committee on Woman Suffrage held in the Marble Room of the United States Senate on the 18th day of February, 1904, be printed for the use of the Senate.

STATUES OF CHARLES CARROLL AND JOHN HANSON.

Mr. PLATT of New York submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to Senate concurrent resolution No. 21, Fifty-second Congress, first session, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments in lines 7 and 8.

T. C. PLATT,
L. E. MCCOMAS,
A. P. GORMAN,
Managers on the part of the Senate.

C. B. LANDIS,
J. B. PERKINS,
F. C. TATE,
Managers on the part of the House.

The report was agreed to.

BUILDING LINE ON THE MALL.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill for its second reading.

The bill (S. 4880) regulating the erection of buildings on the Mall in the District of Columbia was read the second time by its title.

Mr. NEWLANDS. Mr. President, I desire to submit a few remarks on the bill introduced by me yesterday, for I regard it as a bill of great importance and one requiring speedy action.

The bill provides that no building shall be constructed on the Mall within 400 feet of a central line stretching from the Dome of the Capitol to the Washington Monument. It is the purpose of the bill to preserve the vista through the Mall from the Capitol to the Monument, and preserve it from all obstructions.

Mr. GALLINGER. Will the Senator yield to me for a moment?

Mr. NEWLANDS. Certainly.

Mr. GALLINGER. I was not in yesterday when the Senator introduced the bill. Was it read?

Mr. NEWLANDS. It was read yesterday, and read the second time by title this morning.

Mr. GALLINGER. Is it a brief bill?

Mr. NEWLANDS. It is.

Mr. GALLINGER. I ask for the reading of the bill. I am very much interested in this matter, and I should like to know what the bill is.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That no building shall be erected on the Mall of Washington, D. C., within 400 feet of a central line stretching from the center of the Dome of the Capitol to the center of the Washington Monument.

Mr. GALLINGER. I thank the Senator for permitting the bill to be read.

Mr. NEWLANDS. The purpose of the bill is, as I stated, to preserve the vista from the Dome of the Capitol to the Washington Monument as originally designed by L'Enfant under the plan approved by Washington and Jefferson.

Senators, of course, are aware that the plans of Washington were prepared by a French officer under the direction of Washington and were approved by him. That plan involved a Mall stretching from the Capitol to the Washington Monument, 1,600 feet in width and lying between north B street and south B street. The plan of L'Enfant provided that on the outer edges of this reservation, on North B street and South B street, public buildings could be constructed, but it reserved a space in the center of the Mall 1,000 or 1,200 feet wide as a vista between the Dome of the Capitol and the Monument.

In pursuing that plan the Mall was gradually developed from a pasture to its present condition. The public structures that were put upon the Mall were placed pursuant to the plan of L'Enfant on the south side of the Mall, stretching along B street. These buildings are the National Museum, the Smithsonian Institution, and the Department of Agriculture. No buildings were placed upon the north side of the Mall, but there was one building constructed stretching entirely through the Mall, the station of the Pennsylvania Railroad, with which we are all familiar.

Some years ago the Senate of the United States employed a commission, consisting of Mr. Burnham and Mr. McKim, both distinguished architects; Mr. St. Gaudens, the leading sculptor of this country and one of the leading sculptors of the world, and Mr. Frederick Law Olmsted, a landscape engineer of eminence, all of whom had been identified with the forming of the plan for the World's Fair at Chicago, and to them was assigned the duty of preparing a plan for the park system of Washington. These gentlemen turned to the plans of L'Enfant and have scrupulously pursued those plans in the development of the park system of Washington.

So far as the Mall itself was concerned, they modified to some degree L'Enfant's plan so far as the preservation of the vista from the Dome of the Capitol to the Washington Monument was concerned. They narrowed that from 1,000 or 1,200 feet to 800 feet, and they provided that this vista should be over a mile in length and 800 feet in width, consisting of a stretch of grass the entire length and 800 feet in width, and upon each side of this stretch of grass, extending from the Capitol to the Monument, there were to be formal rows of elm trees, four abreast, planted in line, and about 45 feet apart; so that upon each side of this green sward, this carpet of grass, were to be these magnificent rows of elm trees stretching from the Capitol to the Monument. On each side of these elm trees were located park roads of inconsiderable width, stretching in a straight line from the Capitol toward the Monument, and on either side of the 800 feet thus laid out in grass, flanked on either side by rows of elms, were laid aside reservations 400 feet in width for public buildings which might possibly in future be provided for by Congress.

That plan has never yet been formally adopted, but it is simply a completion of the original plan designed by L'Enfant and approved by Washington.

Now, the Congress of the United States, with a view to restoring the original plan, has directed the removal of the station at a cost approximating, I believe, about $3,000,000, to which the Government and the District of Columbia largely contribute. Since that time Congress has ordered the erection of two public buildings, one for the Department of Agriculture and the other for the National Museum. The appropriation made for the Department of Agriculture building was one and one-half million dollars. The appropriation made for the National Museum building was three and one-half million dollars. Both these buildings were to be located upon the Mall, and the question is where shall they be located?

I am told that it is proposed to locate the building for the Agricultural Department in such a way as to trench upon this space, this reservation of 800 feet, intended for the vista, a distance of about 100 feet. That building is to be placed, I believe, in front of the present building and encroaching upon this vista. If so, it will necessarily mean the contraction of the vista 100 feet upon the other side, which will mean that the vista will be contracted in its entirety from 800 feet in width to 600 feet.

Then also it is entirely within the discretion of the authorities who control the Agricultural Department building as to where they will locate this building upon the Mall. There is danger that a similar discretion will be exercised with reference to other buildings, or, rather, lack of discretion, and we may have varying lines; and unless a building line is established by Congress now, there is danger that this space, this vista of 800 feet in width and over a mile in length, will be encroached upon, as it has been in the past, by public structures.

The purpose of this bill, then, is to call upon the District of Columbia Committee to report a building line. It is certainly important that there should be some building line, and the question is whether that building line shall be the original line of L'Enfant, which preserved a space of ten hundred or twelve hundred feet; or whether it shall be the modified line of the park commission, which will reserve the width of only 800 feet, the line recommended by the commission, of which I have spoken; or whether it will be a varying line, according to the discretion of those in charge of the two public buildings about to be constructed.

I wish to state in this connection that there is a popular misconception regarding this vista. It was called in the Times of last evening a grand boulevard stretching from the Capitol to the Monument. That is a misnomer. It is true that L'Enfant in his original plan provided for a grand boulevard stretching from the Capitol to the Monument in this reserved space of ten hundred or twelve hundred feet, and he designed that there should be public buildings upon either side, and that from the Monument to the White House there should be a similar boulevard. But that plan has been modified by the commission, and they have substituted for it simply a carpet of grass, one four-hundred and a mile and a half in length, flanked on either side by the stately rows of elms to which I have referred, thus maintaining a park-like aspect of the Mall, giving it a somewhat formal appearance, resembling the appearance of the mall in Central Park, which is one of the most marked features of that park, resembling also the grand avenue to the park at Florence, and resembling also the parkway which, I believe, was laid out in Savannah, Ga., in colonial times.

Some opposition has arisen against this project of a supposed boulevard, arising from the fact that there is a very popular demand throughout the entire city that the south side of Pennsylvania avenue should be rescued from its present deplorable

condition. Public sentiment and the sentiment of Congress has been strongly crystallizing for years in favor of condemning or purchasing the Mall triangle, so called; not a part of the Mall itself, but that portion of the city lying to the south of Pennsylvania avenue and between the Treasury Department and the Capitol, about three blocks wide at the Treasury Department and coming down to a sharp angle at the Capitol, comprising about twenty-five or twenty-six blocks. There is a feeling that the public buildings of the future should be located upon this avenue rather than upon the Mall, and that as long as the Avenue itself is a defective one the Government should not attempt to construct a boulevard through the Mall which will stretch in the same general direction.

The park commission have yielded to that view, and they have substituted for the boulevard provided for by L'Enfant this vista, consisting simply of grass and trees; but they carried out L'Enfant's plan by providing that there shall be no public buildings constructed upon it.

Now, another objection which has been made against this plan is that it has been said it would cost a very large sum. No estimate of cost has ever been made of the cost of the park system of Washington, but I assume that those who are opposed to the project on the ground of its cost take into consideration the cost of possible public buildings and monuments which may be constructed in the future. I think all should agree that the park system should be preserved, that this general plan should be preserved, and then we can determine afterwards as to how far we will go in the expenditures contemplated, which will cover probably a period of one hundred years.

The preservation of the park features themselves will cost very little. This vista stretching from the Capitol to the Monument requires very little grading, and nothing except the planting of grass and the planting of elm trees and the construction of two narrow macadamized roads on each side of the vista, stretching in a straight line from the Capitol to the Washington Monument.

I state these facts because of the popular misconception that exists regarding this proposed improvement, the misconception which causes a great many to believe that the purpose of the commission and the purpose of the Senate in presenting this plan is to build up a boulevard through the Mall that will be a rival to Pennsylvania avenue. They have no possible relation. The one will simply be supplementary to the other, and the improvement of the Mall will not interfere in any way with the contemplated project of condemning the land to the south of Pennsylvania avenue and devoting it to future public or municipal buildings.

I trust that the Committee on the District of Columbia will take this bill into immediate consideration and report some kind of a building line. The National Institute of Architects is exceedingly interested in this matter. These plans have been presented to the entire country in magazines and in lectures, and have received the approval of the country generally; and it seems to me that now is an opportune time to prevent the plans from being marred by the unfortunate and accidental placing of structures about to be erected.

I will ask leave to put in the RECORD certain extracts from the park commission's report showing the nature of the Mall.

The PRESIDENT pro tempore. The Chair hears no objection, and leave is granted.

The matter referred to is as follows:

The city of Washington, during the century since its foundation, has been [illegible] according to the plans made in 1791 by Maj. Pierre Charles L'Enfant and approved by President Washington. That plan the commission has adopted as the guide for future development, and supplement.

[illegible] "Pennsylvania Avenue," as he termed them, were the cardinal features of L'Enfant's plan; and these [illegible] connected" by a grand avenue, 400 feet in breadth and about a mile in length, [illegible] "a space fronting the mansion on each side." At the point of intersection of the avenue, one drawn through the center of the Capitol, the other drawn through the center of the White House, L'Enfant [illegible] an equestrian statue of Washington, one of the [illegible] statues voted by the Continental Congress, but never erected.

* * * * * * *

THE MALL.

Having considered the Capitol grounds and the areas related thereto, we come now to that long stretch of territory designed to furnish the park [illegible] means of communication between [illegible] and the [illegible] departments. It is interesting to note that although this space has been cut into pieces, some of which have been highly developed according to the landscape art of the day, as for example, the grounds of the Smithsonian Institution and the Agricultural Department, and while other portions have been diverted from their original purposes, as in the case of the sections given up to the Botanic Garden and the Baltimore and Potomac Railroad, still the L'Enfant idea of treating the entire space as a unit has never been entirely lost sight of.

* * * * * * *

The axis of the Capitol and Monument is clearly defined by an expanse of unbroken green a mile and a half long and 800 feet broad, walled on either side by elms planted in formal phalanxes, in four abreast. Bordering this green carpet, rows, park-like in character, stretch between Capitol and Monument, while beneath the elms one may walk or drive protected from the sun. Examples of this treatment abound in England and on the Continent of Europe, and also may be found in our own country in those towns, both North and South, which were laid out during the colonial era. Moreover, these two plantations of elms traversed by paths are similar in character to [illegible] in Central Park, New York, which is justly regarded as one of the most beautiful features of that park.

* * * * * * *

The [illegible] Mr. Glenn Brown, in describing the park commission, says:

The Capitol building is the crowning feature on the east [illegible] it were grouped [illegible] [illegible] Square, with institutions with [illegible] Square and [illegible] the Mall. From Union Square to the Monument [illegible] Avenue, [illegible] Mall [illegible] Monument [illegible] [illegible] of 1,500 feet in width at the Monument [illegible] and some which appear [illegible] by any other treatment.

Mr. GALLINGER. Mr. President, before the Senator from Nevada takes his seat, I should like to ask him one or two questions for information.

The Senator has given this matter much more thought than I have been able to do, notwithstanding I am chairman of the Committee on the District of Columbia; but I have been overwhelmed with other work.

The Senator speaks of the two contemplated buildings, that for the Department of Agriculture and that for the National Museum, trenching upon the avenue or vista the Senator desires to have established. I will ask him under whose direction the building of those structures is now placed? I ought to know, but I do not recollect.

Mr. NEWLANDS. I do not know under whose direction the construction of the National Museum is placed, but I believe the construction of the building for the Department of Agriculture is under the control of the Secretary of Agriculture. I do not know, either, where the National Museum building is to be placed. I do not know whether the proposed location for the Museum building trenches upon this space or not, but I am informed that the location of the building for the Department of Agriculture runs over the vista at least 100 feet.

Mr. FAIRBANKS. Mr. President, the Senator from Nevada is correct with reference to the Department of Agriculture. That building is to be constructed under the direction of the Secretary of Agriculture.

Mr. GALLINGER. It has been suggested to me that the President of the United States has some control over the location of the National Museum building. I do not know how that may be. Does the Senator know whether that is the case or not?

Mr. NEWLANDS. I do not know.

Mr. GALLINGER. There is another matter. Possibly, my attention having been diverted, I did not understand the Senator. The Senator spoke of this magnificent thoroughfare, vista, whatever we may call it, and if I understood the Senator correctly, he says that in the original plan it was not intended that any buildings should face that avenue. Was I correct in understanding the Senator to say that?

Mr. NEWLANDS. No; as I understand it, in L'Enfant's plan there was a narrow strip, a much narrower strip than is provided by the present commission, running through the Mall on North B street and on South B street for such buildings, and then between there was to be this grand boulevard, flanked by trees, etc., for which the commission has substituted a carpet of green.

Mr. GALLINGER. I think the Senator is in sympathy with me in his desire to have the public buildings located on the south side of the Avenue. He does not contend that the building for the Department of Agriculture or the building for the National Museum should not face this contemplated vista?

Mr. NEWLANDS. No, I do not; though my individual opinion is that it would have been much better if we had placed them on the south side of Pennsylvania avenue.

My idea with reference to that is that the original plan should be carried out: that so far as this Capitol Hill is concerned, it should be reserved for the legislative department, the Supreme Court, the Congressional Library, and the office buildings for Congressmen and Senators now in contemplation on either side of the Capitol Park. Then, so far as Lafayette Square is concerned, it seems to me that that is a proper location for the Executive Departments. The original design was that the Departments of State, of Justice, of War, of the Navy, and of the Treasury should be immediately adjoining the White House, and they were so located. Those Departments have grown beyond their present ac-

commodations, and a new Department—that of Commerce—has recently been created. It seems to me entirely proper that as to the buildings necessary to accommodate this growth they should be located on either side of Lafayette Square and convenient to the White House.

But that would not interfere at all with the ultimate building up of the south side of Pennsylvania avenue by other public buildings which it will be necessary to construct, such as buildings for the Geological Survey, which has become a very large department, the municipal building, the armory building that is contemplated, and the great public market which ought to be constructed by the District itself one of these days, instead of leaving the unsatisfactory condition that exists now upon the public reservation, and other structures of that kind.

It seems to me that all the public buildings authorized in the near future should be either on the south side of Pennsylvania avenue or upon either side of Lafayette Square, and that no buildings should be for the present constructed upon the Mall. These spaces in the Mall can be reserved until after Pennsylvania avenue is appropriately built up, and meanwhile the Mall can be used in its entirety as a park and laid out as the commission has planned it. The entire Mall triangle should, in my judgment, be purchased immediately. It will not do to purchase it block by block as buildings are required, for that will be much more costly, and, besides, the proper architectural treatment of the south side of the Avenue requires treatment of the whole front in its entirety and the readjustment of the streets in this triangle.

Mr. GALLINGER. I will simply add that I am in entire sympathy with the Senator in the purpose of this bill so far as the establishment of a building line is concerned. I think that ought to be done. I will say to the Senator that the committee will promptly take that matter up and hear all interested parties with the purpose of reaching a satisfactory conclusion.

Now, as to the south side of the Avenue and the Mall, it is gratifying to us all that in the near future the unsightly structures belonging to the Pennsylvania Railroad will be removed from the Mall. As soon as the Union Station is built we will then get rid of that encroachment, which perhaps ought never to have been allowed.

So far as the public market is concerned, located, as I think, in a very undesirable place, the rights that market company had, I think for thirty years, have expired, and if I remember correctly the provisions of the law are that the Government can purchase these buildings, without any reference to good will, at a proper value. So it is to be hoped that not only will we get rid of the railroad depot and its train sheds, but likewise that market, and have it placed in a more desirable part of the city.

So I think we have reason to hope, if we go along carefully and conservatively and judiciously, as we construct these new buildings we will protect the Mall and at the same time greatly improve the south side of the Avenue, which it is a very desirable thing to do.

I think the Senator has done a service to the District and the country in introducing the bill.

Mr. ALLISON. Before the bill passes from consideration, I wish to express the hope that the committee will investigate this whole question with care. There is already upon the statute books provision for the erection of a new Museum building and also for the erection of a building for the Department of Agriculture.

As I understand the question, it is whether this vista or boulevard, whatever you choose to term it, shall be 800 feet in width or 600 feet. I think that has been very carefully looked into by a good many people who know a great deal about this question, and they have finally determined, I think, upon 600 feet. As I understand the proposition of the Senator from Nevada, it is to provide that there shall be 800 instead of 600 feet.

Mr. HOAR. Mr. President——

Mr. NEWLANDS. Will the Senator from Massachusetts permit me just a moment?

Mr. HOAR. Certainly.

Mr. NEWLANDS. I stated that the effect of the decision of the Department of Agriculture would be to narrow this space to 600 feet. Perhaps it was inaccurate to say that. The difficulty now is that there is no line established by law, and the next Department provided for would put up a building 200 feet across the line, or put the building right in the middle.

Mr. ALLISON. I agree that it is necessary to have a provision of law on this subject, but it occurs to me, and I think it occurs to a good many other people, that 600 feet is quite a good width for a space between the buildings.

Mr. HOAR. Mr. President, I rose merely to ask the Senator from Iowa, who alluded to the pending buildings for the Museum, etc., what has become of the plan for a great bridge, which we had before us a year or two ago? Is that still pending?

Mr. ALLISON. The memorial bridge?

Mr. HOAR. Yes; at the end of this boulevard. Was the bill passed by the Senate?

Mr. GALLINGER. It passed the Senate this year.

Mr. ALLISON. I am very glad to know that it has been considered. It is to cost only $5,000,000.

Mr. GALLINGER. I will say that in passing it through the Senate this year we opened it to all competition, so far as architects are concerned, while the previous bills were not quite as liberal in that regard.

Mr. ALLISON. I understand also that the cost has been limited to $5,000,000.

Mr. GALLINGER. It has.

Mr. ALLISON. That is a great safeguard.

Mr. GALLINGER. Now, just one further observation.

In saying that the committee would take this matter up for early and careful consideration, I did not mean at all to commit myself to the proposition embraced in this bill that this so-called "vista" shall be 800 feet wide. That would be a matter for the consideration of the committee and of Congress, of course.

The PRESIDENT pro tempore. The bill having been read twice, will be referred to the Committee on the District of Columbia.

ARMY APPROPRIATION BILL.

Mr. NELSON. Mr. President——

Mr. PROCTOR. I trust the Senator from Minnesota will allow me to move that the army bill may now be taken up. I will then yield to the Senator.

Mr. NELSON. Very well.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Vermont.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes.

MINNESOTA RIVER BRIDGES.

Mr. NELSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Minnesota [Mr. NELSON]?

Mr. PROCTOR. I do on condition that the bill for which the Senator asks consideration will lead to no discussion.

Mr. NELSON. I ask unanimous consent for the present consideration of House bill 8160, which is a local bill and will lead to no discussion.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8160) to authorize the construction of bridges across a portion of the Minnesota River in the State of Minnesota.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIM OF JOHN S. MOSBY.

Mr. DANIEL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Virginia?

Mr. PROCTOR. If the matter gives rise to no discussion.

Mr. DANIEL. I ask unanimous consent for the present consideration of Senate bill 952, a bill that has previously passed the Senate, referring the claim of John S. Mosby to the Court of Claims. At three different sessions the bill has been unanimously recommended by the Committee on Claims, and I imagine it will lead to no debate.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 952) to refer the claim of John S. Mosby against the United States for the value of certain tobacco to the Court of Claims. It provides that the claim of John S. Mosby for the value of 7,900 pounds, more or less, of tobacco, mentioned in an official paper dated at Rocketts Landing, Richmond, Va., July 27, 1865, signed "W. H. D. Coolbran, major, depot quartermaster," and purporting to give a "list of captured tobacco marked in the name of Col. J. S. Mosby, transferred to Col. J. S. Loomis, Treasury agent, June 7, 1865," be referred to the Court of Claims with full jurisdiction to try and adjudicate the claim and render judgment against the United States in such sum as may be found just by the court, without the interposition in behalf of the Government of any bar arising from the existing statutes of limitations.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MINING CLAIMS.

Mr. HEYBURN. I ask unanimous consent for the present consideration of the bill (S. 3298) to amend section 2326 of the Revised Statutes of the United States, relative to mining claims.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that all suits brought pursuant to the provisions of section 2326 of the Revised Statutes in support of an adverse claim filed in any United States

land office against an application for patent for a mining claim shall be deemed actions at law, to be tried as other actions at law are tried in the courts having jurisdiction of the subject-matter of the suit.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HARBOR OF NEW HAVEN, CONN.

Mr. PLATT of Connecticut. Mr. President, I appeal to the Senator from Vermont [Mr. PROCTOR] to allow a bill to be passed relating to a modification of the improvement of the harbor of New Haven. It will take no time.

Mr. PROCTOR. I yield for that purpose.

Mr. PLATT of Connecticut. I ask unanimous consent for the present consideration of the bill (S. 1734) to provide for the modification of the project for the improvement of the harbor of New Haven, Conn.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in line 10, after the word "feet," to insert "deep and of such increased width as may be desirable and practicable;" so as to make the bill read:

Be it enacted, etc. That the Secretary of War is authorized to make such modification of the project for the improvement of New Haven Harbor, New Haven, Conn., adopted in the river and harbor act of March 3, 1899, and extended in the river and harbor act of June 13, 1902, so as to revise the channel in Quinnipiac River from Tomlinson Bridge to Ferry Street Bridge 20 feet deep and of such increased width as may be desirable and practicable: *Provided*, That the cost of completing the project as fixed by the said act of March 3, 1899, shall not be increased by reason of such modification.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

TITLE TO LANDS IN INDIAN RESERVATIONS.

Mr. LONG. I ask unanimous consent for the consideration at this time of the bill (S. 3305) authorizing the Secretary of the Interior to acquire the title to lands within certain Indian reservations.

The PRESIDENT pro tempore. This bill has been heretofore read in full to the Senate, and when it was under consideration the senior Senator from Minnesota [Mr. NELSON] objected to it.

Mr. LONG. The Senator from Minnesota [Mr. NELSON] has withdrawn his objection.

The PRESIDENT pro tempore. The Chair is informed that the objection on the part of the Senator from Minnesota has been withdrawn.

Mr. PLATT of Connecticut. I think it has.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS RELATING TO DISTRICT OF COLUMBIA.

Mr. GALLINGER. Mr. President, the Senator from Vermont [Mr. PROCTOR] yields for me to make a request.

I ask unanimous consent that on Saturday of the present week, after the routine morning business, the remainder of the day, until 2 o'clock, be given to the consideration of bills reported by the Committee on the District of Columbia, not to interfere with the consideration of appropriation bills.

The PRESIDENT pro tempore. The Senator from New Hampshire asks unanimous consent that on Saturday next, immediately after the conclusion of the routine morning business, until 2 o'clock, the Senate shall give consideration to District of Columbia bills, not to interfere with appropriation bills.

Mr. ALLISON. Under Rule VIII?

Mr. GALLINGER. Under Rule VIII.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and that order is made.

Mr. PROCTOR. I now ask for the regular order. Mr. President.

Mr. FAIRBANKS. What was the order made on the request of the Senator from New Hampshire [Mr. GALLINGER]?

The PRESIDENT pro tempore. The request made by the Senator from New Hampshire was that on Saturday next, immediately after the conclusion of the routine morning business, until 2 o'clock, consideration should be given to District of Columbia bills, under Rule VIII, not to interfere with appropriation bills.

Mr. FAIRBANKS. Is it for that day?

Mr. GALLINGER. It is for just two hours.

Mr. FAIRBANKS. Very well. I do not, however, want a unanimous-consent agreement made that would prevent taking up the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives still further insisting on its disagreement to the amendments of the Senate to the bill (H. R. 9480) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, and asking for a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. CULLOM. I move that the Senate further insist on its amendments and agree to the conference asked for by the House.

The motion was agreed to.

By unanimous consent, the President pro tempore was authorized to appoint the conferees on the part of the Senate; and Mr. CULLOM, Mr. WARREN, and Mr. TELLER were appointed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 255) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.;

A bill (S. 334) for the relief of N. F. Palmer, jr., & Co.;

A bill (S. 721) for the relief of Darwin S. Hall;

A bill (S. 833) for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired); and

A bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60, etc.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (H. R. 1909) to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land;

A bill (H. R. 10136) authorizing bail in criminal cases upon appeal in the courts of Indian Territory;

A bill (S. 2323) relating to ceded lands on the Fort Hall Indian Reservation; and

A bill (S. 3317) authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands.

ARMY APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 10670) making appropriation for the support of the Army for the fiscal year ending June 30, 1905, and for other purposes.

Mr. SCOTT. Will the Senator from Vermont yield to me for a moment?

Mr. PROCTOR. I have been obliged to refuse other Senators, and I must insist on proceeding with the army bill.

Mr. SCOTT. Very well.

Mr. PROCTOR. An amendment is pending, at the bottom of page 23. I move that the final clause, requiring a report to be made to the committees of the two Houses of Congress, shall be stricken out. I refer to the last two lines requiring that a statement of the amount thereof shall be furnished to the chairmen of the Committees on Military Affairs of the Senate and House of Representatives on the reassembling of Congress. I move that those words be stricken out.

The PRESIDENT pro tempore. They were stricken out yesterday.

Mr. PROCTOR. I did not understand that.

The PRESIDENT pro tempore. Then the amendment went over and has not been agreed to.

Mr. PROCTOR. I understand that the question is now pending.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Vermont as amended. It will be again stated to the Senate.

Mr. PROCTOR. I understand that the Senator from Iowa [Mr. ALLISON], who asked to have that amendment go over, has no objection to the main amendment now.

Mr. ALLISON. Since yesterday I have looked into this matter, and I think it is an improvement upon the House provision.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, under the subhead "Philippine Scouts," on page 23, line 24, after the word "purposes," to insert the following proviso:

And provided further, That within the discretion of the Secretary of War it shall be lawful to pay the salaries of officers and the pay of enlisted men, as herein provided, to the extent of 25 per cent thereof, in Philippine currency, at the ratio of 2 Philippine pesos for $1 in United States currency.

The amendment was agreed to.

The next amendment was, under the subhead "Subsistence Department," on page 26, line 21, to increase the total appropriation for the purchase of subsistence supplies from $6,500,000 to $7,000,000.

The amendment was agreed to.

The reading of the bill was continued down to page 27, line 24.

Mr. PROCTOR. At that point, after the word "animals," I had an amendment to propose, but I think the Senator from Wyoming desires to offer a similar amendment.

Mr. WARREN. On page 27, line 24, before the semicolon, and after the word "animals," I should like to propose the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 27, line 24, after the word "animals," it is proposed to insert:

And nothing in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1905 shall hereafter be held or construed so as to deprive officers of the Army, wherever on duty in the military service of the United States, of forage, bedding, shoeing, or shelter for their authorized number of horses, or of any means of transportation or maintenance therefor for which provision is made by the terms of this act.

Mr. PLATT of Connecticut. May a layman ask what the real effect of that amendment is?

Mr. WARREN. It has the effect of leaving matters as they are now.

Mr. PLATT of Connecticut. What was the matter in the legislative, executive, and judicial appropriation bill, to which reference is made?

Mr. WARREN. I will say that there was an addition made to the legislative, etc., appropriation bill by the other House which might be construed to prevent the allowance of any forage for the use of any horses of officers of the United States Army. This is to construe the law, or it is to provide legislation whereby the officers of the Army may not be disturbed, as they might be disturbed by the provision in the other bill.

Mr. SPOONER. Let the amendment again be stated.

Mr. PLATT of Connecticut. I think it is entirely proper. I simply wished to understand it.

Mr. SPOONER. Let the amendment be again read.

Mr. CULLOM. I should like to hear the amendment read before we vote on it.

The Secretary again read the amendment.

Mr. CULLOM. I desire to say that the legislative, executive, and judicial appropriation bill, which is referred to in the amendment as containing the clause which the amendment seeks to guard against, is in the other House, where the amendments made by the Senate have been disagreed to. If it comes back here for another consideration by a conference committee, it may be that possibly the end of the matter will be to strike out the whole clause. I think probably that ought to be done, but, at any rate, there is no law now that requires this amendment.

Mr. PLATT of Connecticut. Then it could be dropped out?

Mr. CULLOM. Yes; I think so.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Military Affairs was, under the subhead "Quartermaster's Department," on page 28, line 3, to increase the total appropriation for regular supplies of the Quartermaster's Department from $4,800,000 to $5,000,000.

The amendment was agreed to.

The next amendment was, on page 33, after line 6, to insert:

Barracks and quarters, Isthmus of Panama: For the proper shelter and protection of officers and enlisted men of the Army of the United States lawfully on duty on the Isthmus of Panama, including the acquisition of title when necessary, and including also shelter for the animals and supplies, and all other buildings necessary for post administration purposes, $100,000, to be immediately available.

The amendment was agreed to.

The next amendment was, on page 36, line 9, to increase the total appropriation for the transportation of the Army and its supplies from $14,500,000 to $15,000,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 9, to insert:

For continuing the construction of a military wagon road from Valdez by the most practical route to Fort Egbert or Eagle, on the Yukon River, in the district of Alaska, $250,000; said wagon road to be surveyed, located, and constructed under the direction of the Secretary of War.

Mr. GALLINGER. Mr. President, I suggest that in line 11 the word "practical" should be stricken out and the word "practicable" substituted. It is evidently a mistake in printing.

The PRESIDING OFFICER (Mr. KEAN in the chair). Without objection, that change will be made. The question is on agreeing to the amendment reported by the Committee on Military Affairs.

The amendment was agreed to.

The next amendment was, on page 36, after line 15, to insert:

For locating and constructing a military trail, under the direction of the Secretary of War, by the shortest and most practicable route, between the Yukon River and Coldfoot, on the Koyukuk River, $10,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 19, to insert:

The Secretary of War is hereby authorized to cause to be constructed across the Spokane River in the county of Spokane, in the State of Washington, at such point as may be most advantageous for the Government service at Fort Wright Military Reservation, a bridge, and may permit the use of such bridge by the city of Spokane for the maintenance of the water main and may make such arrangements as may be deemed best with the city of Spokane and the county of Spokane for the maintenance of a good macadamized road to said bridge, and make such regulations and requirements as may be deemed fair and just for the use of said bridge by the people of Spokane and by any corporation or company. To carry into effect the foregoing provision, the sum of $80,000, or so much thereof as may be necessary, is hereby appropriated: *Provided*, That this appropriation shall not be available until the title shall be acquired and vested in the United States to sufficient land to accommodate the terminal abutments and necessary approaches for said bridge and until jurisdiction over the same shall be duly conferred upon the Government of the United States.

The amendment was agreed to.

The next amendment was, on page 37, line 17, after the word "cloth," to strike out "woolen" and insert "woolens;" so as to read:

Clothing, and camp and garrison equipage: For cloth, woolens, materials, and for the manufacture of clothing for the Army, for issue and for sale at cost price, according to the Army Regulations, etc.

The amendment was agreed to.

The next amendment was, on page 38, line 10, after the word "Arkansas," to strike out "except quarters for the officers;" in line 14, before the word "thousand," to strike out "four hundred and seventy-five" and insert "three hundred and eighty;" and in line 15, after the word "dollars," to insert:

of which sum not to exceed $50,000 may be used to build a modern hospital at Fort Riley, Kans.; $20,000 to build a modern hospital at Fort Totten, N. Y.; $20,000 to enlarge the hospital at Fort Leavenworth, Kans.; $25,000 to enlarge the hospital at Fort Snelling, Minn.; $30,000 to enlarge the hospital at Fort Sheridan, Ill., and $30,000 for the erection of a modern hospital at Fort Clark, Tex.

So as to make the clause read:

Construction and repair of hospitals: For construction and repair of hospitals at military posts already established and occupied, including the extra-duty pay of enlisted men employed on the same, and repairs and alterations of expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Ark., and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, $800,000; of which sum not to exceed $50,000 may be used to build a modern hospital at Fort Riley, Kans.; $20,000 to build a modern hospital at Fort Totten, N. Y.; $20,000 to enlarge the hospital at Fort Leavenworth, Kans.; $25,000 to enlarge the hospital at Fort Snelling, Minn.; $25,000 to enlarge the hospital at Fort Sheridan, Ill., and $30,000 for the erection of a modern hospital at Fort Clark, Tex.

The amendment was agreed to.

The next amendment was, on page 39, line 7, to increase the appropriation for shooting galleries and ranges from $35,000 to $39,000.

The amendment was agreed to.

The next amendment was, on page 39, after line 7, to insert:

That for the purpose of equipping and maintaining a national rifle range at Fort Riley, Kans., for the use of the Army, Navy, Marine Corps, organized militia of the States, Territories, and District of Columbia, and civilian rifle clubs, the sum of $10,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated: *Provided*, That this sum shall be immediately available and be expended under the direction of the Secretary of War.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 44, line 23, after the word "ammunition," to insert "to the materials therefor;" and on page 45, line 7, before the word "thousand," to strike out "eight hundred and twenty-five" and insert "one million one hundred and fifty;" so as to read:

Ordnance, ordnance stores, and supplies: Manufacture or purchase of metallic ammunition and the materials therefor for small arms for current needs and reserve supply, and ammunition for exercising cartridges, including the cost of targets and material for target practice, ammunition for burials at the National Home for Disabled Volunteer Soldiers and its several Branches, including National Soldiers' Home in Washington, D. C., marksmen's medals and insignia for all arms of the service, $1,150,298, etc.

The amendment was agreed to.

The next amendment was, on page 45, after line 24, to insert:

For 3,000 medals of honor to be prepared, with suitable emblematic devices, upon the design of the medal of honor heretofore issued, or upon an improved design, together with appropriate rosettes or other insignia to be worn in lieu of the medal, and to direct that the same be presented, in the name of Congress, to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves by their gallantry in action, $12,000: *Provided*, That the Secretary of War be, and he is hereby, authorized and directed to use so many of the medals and rosettes or other insignia provided for by this act as may be necessary to replace the medals that have been issued under the joint resolution of Congress approved July 12, 1862, and section 6 of the act of Congress approved March 3, 1863: *And provided further*, That whenever it shall appear from official records in the War Department that any officer or enlisted man of the Army so distinguished himself in action as to entitle him to the award of the Congressional medal of honor under the provisions of the sixth section of the

act of Congress approved March 3, 1863, entitled "An act making appropriations for the military and naval expenses of the Government for the year ending June 30, 1864, and for the year ending the 30th of June, 1863, and for other purposes," the fact that the person who so distinguished himself has since become separated from the military service, or that the award of the medal to him was not specifically recommended or applied for while he was in the said service, shall not be held to prevent the award and presentation of the medal to such person under the provisions of the law hereinbefore cited.

Mr. SPOONER. I should like to ask the Senator if there is any special case to which the latter clauses of the amendment are intended to apply?

Mr. WARREN. The amendment is not intended to apply to any special case, but not long since, on the submission of a certificate-of-merit matter to the Attorney-General, he gave it as his opinion that a certificate of merit or other distinction would have to be awarded while the man was still in the service. Under the law, or under the construction which had been previously placed upon the law, the practice has been that where it was proved that a medal had been earned and sufficient evidence submitted to the Secretary of War the President would issue it. But the opinion of the Attorney-General placed the board having the award of medals in charge in such a position that it thought best to suspend consideration of the question of granting any further medals sought for gallantry in the civil war, or any other war, after the person had become separated from the service. Of course that cut out all the civil-war volunteers and most of those who were in the Spanish war.

Mr. SPOONER. Does this grant medals to men not connected with the service?

Mr. WARREN. Not those who never have been in the Army; but the man need have been in the service but two days, provided he earned the medal while in service. Medals only can be granted for exceptional gallantry while in the service.

Mr. SPOONER. Of course; but what I mean is——

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Wisconsin to the fact that it is impossible for the reporter to hear him.

Mr. SPOONER. I do not think it important that he should hear this colloquy.

Mr. TELLER. I wish to ask the Senator who has the floor what difference there is between this proposed law and the old act?

Mr. WARREN. I will say to the Senator that there were two acts. The first resolution provided that medals might be issued to noncommissioned officers and privates for acts of gallantry already done.

Mr. TELLER. Acts in action?

Mr. WARREN. Yes; and more. The first resolution stated that medals might be issued to noncommissioned officers and privates for exceptional gallantry in action or for other soldier-like qualities.

Mr. TELLER. When was that act passed?

Mr. WARREN. In 1862. Then in 1863 an act was passed which provided that they should be issued to officers (a provision which was not contained in the other), noncommissioned officers, and men, and confined it to rewards for exceptional gallantry in battle only, leaving off the words "or other soldierlike qualities." The Department soon after that—after some medals had been issued to those who did not earn them in the regular way—made rules and proceeded under the second resolution awarding medals for action in battle only. It is deemed best, in amending at the present time, to state the construction herein plainly that it should be for exceptional gallantry in action only. That is the rule, however, which has been followed mainly for a number of years.

Mr. TELLER. From a hasty examination of the proposed amendment it is somewhat difficult to see what its relation may be to the former statute.

Mr. WARREN. I have before me the other statute, if the Senator would like to have it read.

Mr. TELLER. No; I do not care about having it read. I should like to know whether the medals are confined to persons who distinguish themselves in battle, in action.

Mr. WARREN. Absolutely.

Mr. TELLER. There is no discretion in the Secretary of War to grant a medal to some man who has distinguished himself otherwise than in battle?

Mr. WARREN. No. This provides exactly what the Senator states. The medals can be issued only for exceptional gallantry in battle.

Mr. TELLER. I have seen a medal, or at least I have seen the statement that a medal was issued by the Secretary of War within a few years to a distinguished officer, somewhat distinguished now because of his rapid elevation to the position he occupies, and one he expects to occupy, and I understand that when it was issued the officer had never been in action in his life; that he had never been under fire at all. But the remarkable statement is that for about a week, in some Indian campaign, he was daily in danger of being fired on. I had an idea that almost all soldiers in active warfare are in danger of being fired on. I do not know that it indicates any great moral or physical courage in a soldier that he continues to march with his associates when he is in danger of being fired on. Probably that was the safest place for him. He could not retire.

Mr. SPOONER. And if a medal was granted to one under such circumstances all would be entitled to it.

Mr. TELLER. As has been suggested, if one man is entitled to a medal for that, all our soldiers are.

I suppose the purpose of any medal is to give a recognition of some soldierlike conduct, something that is worthy the attention not only of the soldier, but of the country. And keeping that in view, of course it becomes a matter of great interest to the soldier to receive for some such action a medal. I know a number of soldiers who have received them. I know that if medals are to be issued under such conditions as those under which the one I have mentioned was issued, they will cease to be of any value whatever to the soldiers who have them or who may hereafter get them.

For that reason I made the inquiry. If this is confined to heroism in battle I have no objection to the medal, and I shall be glad to see a good many of them issued, because I think in any war we may have there will be occasion to issue them.

Mr. WARREN obtained the floor.

Mr. CARMACK. Will the Senator permit me for a moment?

Mr. WARREN. I wish just here, if the Senator will permit me to proceed, to state exactly what this amendment does provide for.

Mr. NELSON. May I ask the Senator from Wyoming a question?

Mr. WARREN. Certainly.

Mr. NELSON. I could not exactly hear all that was going on. Is the amendment limited to bravery in action, and so that no medals will be issued to anybody except soldiers or officers who have distinguished themselves in battle?

Mr. WARREN. I will read it to the Senator:

That the same be presented, in the name of Congress, to such officers, noncommissioned officers, and privates as have most distinguished, or may hereafter most distinguish, themselves by their gallantry in action.

I desire to say, answering the observations of the Senator from Colorado, that I presume I know of the medal to which he referred.

Mr. TELLER. I presume so.

Mr. WARREN. I have seen the statements in the newspapers; but I am informed by those who ought to know that the officer in question did take charge of a company in an Indian battle or skirmish, and therefore came under the rule. I do not vouch for that. I am simply stating what is reputed to be true.

Mr. TELLER. If the Senator will allow me, any statement of that kind is not true, for there was no skirmish and no battle in that whole trip. I am sufficiently advised on that whole subject.

Mr. WARREN. Very well; I will not pursue that matter further. But it is a fact that medals were issued. I think they were issued to soldiers who bore the body of Lincoln after his death and to others for acts not in battle, and this simply takes a narrower view, or a narrower scope rather, than that which could be pursued by the Department under the act of 1863, and is confined to those who most distinguish themselves by their gallantry in action.

Mr. SPOONER. I should like to ask the Senator from Wyoming if it does not take too narrow a view?

Mr. WARREN. I do not think so.

Mr. SPOONER. I have read or heard of cases, if I have not known of them, where an enlisted man or a noncommissioned officer or a commissioned officer has won a medal of honor, if a man ever won it, by a ride of two or three hundred miles in order to bring relief, to carry a report to headquarters of a beleaguered fort and one in desperate straits. I can imagine instances, and it is not simply imagination either, because history is full of such cases, where men have performed, not in action, but in connection with the discharge of soldierly duty, that which to the common apprehension of fair-minded men, would distinguish them and ought to distinguish them.

It is not much encouragement to soldiers to render great service, conspicuous service, to limit this particular decoration or award of this sort to action in battle.

Mr. WARREN. May I interrupt the Senator?

Mr. SPOONER. Certainly.

Mr. WARREN. I think the Senator is entirely right that such a soldier should have preferment. In fact, under the laws, there are now ways of preferment. There are brevets for commissioned officers; certificates of merit, etc., for men. But it has been considered with regard to this particular decoration, the Congressional medal of honor, that it should be awarded for but one thing—gallantry in action. It is not the intention to detract from those who may in other ways win commendation, but it is a par-

ticular decoration for a particular line of gallant action in actual battle.

Mr. SPOONER. What other method does this legislation leave for the other class of cases?

Mr. WARREN. This does not change the legislation at all for such cases. It simply recites the resolution of 1863 rather than the resolution of 1862. The resolution of 1862 is considered obsolete and has not been proceeded upon for many years.

Mr. SPOONER. Would it not be wise to provide for medals to private soldiers or noncommissioned officers for heroic acts outside the field of battle?

Mr. WARREN. I do not think so, in this amendment. I do not think they could be linked together; that is all.

Mr. SPOONER. I do not see any reason why the two should not be linked together. It seems to me, if we are enacting legislation to enable the Government to decorate soldiers who by conspicuous service, whether in action or otherwise, have entitled themselves to that reward, we ought to adapt the language of the law to it.

Mr. CARMACK. Mr. President, there is one side of this question which I wish to bring briefly to the attention of the Senate, and that is that some men who won medals and were recommended for medals seem to have been overlooked in their distribution. I knew a young man in my State who was recommended for a medal of honor because of gallant services on the field of battle. He was wounded by the Moros in defending a comrade who had fallen. He was recommended for a medal, but the last I heard of it he had never received it. He said to me that he was not going to ask for it or make any pressure to get it, and preferred not to say anything about it; that if the War Department did not think he deserved it, to let it go. The last time I heard from him he had never received his medal, and it was awarded in a case of very conspicuous gallantry.

Mr. WARREN. That brings up the importance of this amendment. There are a great many applications and a great many papers that have been approved, and the Department would be glad to issue the medals to-day except for the intimation of the Attorney-General that they only can be legally issued where the soldier is still in the service. This amendment seeks, among other things, to clear that situation up and make the law apply so that they can get the medals.

Mr. CARMACK. The soldier must be still in the service?

Mr. WARREN. Under present construction of the law.

Mr. CARMACK. I think the recommendation was made while he was still in the service. I am very sure it was; but he was discharged because of the disability received on the occasion of his gallant conduct.

Mr. WARREN. Now, it is to dispose of that uncertainty and situation that this amendment is offered. This clears up that class of cases and allows medals which have been earned to be bestowed.

Mr. CARMACK. I am very glad to have that explanation from the Senator.

The reading of the bill was continued. The next amendment of the Committee on Military Affairs was, on page 47, line 18, after the word "appropriated," to insert "and made immediately available;" so as to make the clause read:

For the purpose of procuring field artillery material for the organized militia of the several States, Territories, and the District of Columbia, without cost to the said States, Territories, or the District of Columbia, but to remain the property of the United States and to be accounted for in the manner now prescribed by law, the Secretary of War is hereby authorized, under such regulations as he may prescribe, on the requisitions of the governors of the several States and Territories or the commanding general of the militia of the District of Columbia, to issue said artillery material to the organized militia; and the sum of $500,000 is hereby appropriated and made immediately available for the procurement and issue of the articles constituting the same.

Mr. TELLER. It seems to me that this applies only to material to be furnished.

Mr. PROCTOR. It is for artillery material. The artillery would go with the battery.

Mr. TELLER. I should say that it does not contemplate furnishing any artillery, and what is the use of furnishing material unless the artillery is provided?

Mr. PROCTOR. The artillery is furnished.

Mr. WARREN. It will be furnished under the regular appropriation.

Mr. TELLER. And not under this provision?

Mr. WARREN. No.

The amendment was agreed to.

The next amendment was, on page 47, line 21, before the word "repairing," to insert "overhauling, cleaning;" in line 22, after the word "and," where it occurs the second time, to strike out "for issue;" in line 23, after the word "arsenals," to insert "posts;" in the same line, after the word "depots," to strike out "$75,000. For" and insert: "; for;" on page 48, line 1, before the word "infantry," to strike out "$600,000. For" and insert "; for;" and in line 4, before the word "dollars," to strike out "nine hundred thousand" and insert "one million six hundred and twenty-five thousand;" so as to make the clause read:

For overhauling, cleaning, repairing, and preserving ordnance and ordnance stores in the hands of troops and at the arsenals, posts, and depots; for purchase and manufacture of ordnance stores to fill requisitions of troops; for infantry, cavalry, and artillery equipments, including horse equipments for cavalry and artillery, $1,625,000.

Mr. ALLISON. If I understand this particular paragraph, it is so amended as to make it a single appropriation.

Mr. PROCTOR. A single appropriation. It is the consolidation, without any change of amount, of three clauses.

Mr. ALLISON. Then I think the semicolon ought to be stricken out in line 24, page 47. Otherwise the first two items will have no appropriation.

Mr. PROCTOR. That is correct. Let the semicolon go out.

The PRESIDENT pro tempore. In line 24, before the word "for," the semicolon will be stricken out. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment was, on page 48, line 4, to strike out:

For overhauling, cleaning, and preserving new ordnance and ordnance stores on hand at the arsenals, posts, and depots, $50,000.

The amendment was agreed to.

The next amendment was, on page 49, after line 6, to insert:

All funds received as the value of machinery stores manufactured by the ordnance department of the Army during the fiscal year ending June 30, 1904, in the United States shall be deposited in the treasury of the United States and shall remain available during the fiscal year 1905 for the procurement of like machinery stores to replace those so manufactured.

The amendment was agreed to.

The next amendment was, on page 49, after line 21, to insert:

Hereafter all moneys arising from depositions taken and by law and regulations of service authorized to be taken, and all moneys received for the sale of unserviceable property, shall be credited on the books of the Treasury Department to the appropriation for the manufacture of ordnance and ordnance stores for the year in which the same may be received, and such moneys are hereby made available for such purpose. The Secretary of War is hereby authorized to sell to American citizens, on demand, ordnance stores as may not be necessary for the public service, at such rates as may be fixed in the regulations governing the sale of such stores, which shall be not less than the cost of manufacture. Ordnance and ordnance stores can be sold for the purpose and under the regulations given above to the militia of the several States.

The amendment was agreed to.

The next amendment was, on page 50, line 18, after the word "Army," to insert "except as herein specially provided;" so as to make the clause read:

Nothing in this act shall be so construed as to deprive any officer of his commission or to increase the total number of officers of the Army, except as herein specially provided, and all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. ALLISON. I wish the acting chairman of the Committee on Military Affairs would explain the necessity of the amendment on pages 49 and 50, relating to ordnance and ordnance stores, whereby all appropriations for this purpose become a single fund. I can see very well why that should be necessary in some particular cases, as respects pay, etc., but it seems to me there ought to be some reason for this provision that is not apparent.

Mr. PROCTOR. I will ask the Secretary to read the note on page 10 of the report, the fine print, beginning with the word "Note."

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

NOTE.—The object of the proposed legislation is to simplify the methods of accounting for ordnance and ordnance stores, which, as now [illegible] are made to a number of appropriations, requiring the keeping of many accounts to the disadvantage of the service. Under the proposed law the money received for such property will be credited to the appropriation current at the time of receipt. Machinery of an obsolete pattern and remains available for two years in public hands, when it is made to the Ordnance Department, the money therefor being credited to the appropriation under which the supplies were procured, but the authority is limited to the fiscal year, which is a serious matter in the case of the Army, which, with the exception of a few years, has been under a system of biennial appropriations. Various other purposes, out of which the supplies were procured, which it would be a hardship to charge to any one year, [illegible] the money reverts to the appropriation. Moreover, the sale of ordnance property is made from the pay of a soldier.

It seems to be a very great loss to the Government to have

confusion as respects officers detailed, and I do not want to run any risk in that regard.

Mr. PROCTOR. I am sorry that the Senator has compelled me to say anything on that score.

Mr. ALLISON. I will withdraw what I said.

Mr. PROCTOR. It will lead to no possible confusion. I have a letter here from the Adjutant-General. I should like to have it read for information.

The PRESIDENT pro tempore. The letter will be read.

Mr. PROCTOR. I do not ask to keep this clause in, but I should like to have it understood that it is all easy of administration

The Secretary read as follows:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, March 8, 1904.

Hon. REDFIELD PROCTOR,
Acting Chairman Committee on Military Affairs,
United States Senate.

SIR: In reply to your inquiry whether the provision in the army bill in regard to the number of officers for the general staff of the infantry of the Army for service in the Philippine Islands, Porto Rican regiment and the provision that the [illegible] shall be [illegible] or promotion or appointment [illegible] I will say that it is feasible. It is practicable, the same system that has been followed for many years past in the matter of adjustment of the lists for service in the various staff corps. There is no point of doubt in regard to the number of administration. The vacancies so created are filled by appointment or promotion in the [illegible] from the grades of which the vacancy is made, and [illegible] promotion are [illegible] in the east.

Very respectfully,

W. P. HALL,
Acting Adjutant-General.

The PRESIDENT pro tempore. The question is on agreeing to the amendment to the amendment.

The amendment to the amendment was agreed to.

Mr. STEWART. Mr. President, in speaking of immunes, that question did not appear to be fully understood. The Porto Ricans would undoubtedly be immunes on the Isthmus; and also to a great extent any people living in a tropical country, but it would depend upon their acclimation.

The chief surgeon of the force that built the Panama Railroad was there from the beginning to the end. His name was Rogers, a classmate of mine, and I saw him frequently after the road was built. He stated that the turning up of the soil near the sea was poisonous. They first took several thousand men from New York, and no one of them, he said, was able to do two weeks' work. They got away from there as soon as they could; but a very large proportion of them died before they could get them back. They were poisoned by turning up the soil of Panama, which is very fatal.

They then secured Chinamen, and the process was just as fatal to them. The survivors did not wait to die from that poison, but they commenced committing suicide. They then tried the employment of the natives, who were very good hands for work; and the natives were taken sick in the same way. They had not cultivated the soil there, and they could not stand its being turned up.

Then they got Jamaica negroes, who had been cultivating the soil thoroughly in that region for many generations, and they were immunes. I was there on the Isthmus soon after the Panama Railroad was constructed and saw these Jamaica negroes. They were in fine health, and, as I have said, the turning up of the soil did not poison them. They were immune to the turning up of the soil in the Tropics, for they had been accustomed to it for generations.

Natives of the Tropics can stand the climate at Panama a great deal better than can persons from a northern climate. The natives live there and enjoy good health, but they can not dig up the surface of the soil.

In the digging of the canal they will not meet with the same trouble that was encountered in building the railroad, because they will get below the surface and will get into different strata. I inquired of some physicians who have been there, and they said when they got below the surface of the earth it was not any more poisonous than any other earth. That is the dangerous thing.

It is for that purpose they want immunes. I have no doubt that by adopting some modern system of sanitation, and only using immunes for the work on the surface of the soil, they will get along a great deal better with the construction of the canal than has been supposed possible.

Mr. TELLER. Mr. President, I do not know that I wish to put my personal knowledge of these matters against that of the Senator from Nevada [Mr. STEWART], but I will put the historical fact against his statement that the West Indian people were by actual trial found not to be immune.

Then I want to challenge another statement made by the Senator——

Mr. STEWART. Does the Senator refer to West India people from Jamaica?

Mr. TELLER. From Santo Domingo. The Porto Rican is not a particle more immune than the New York man or the Florida man.

Mr. STEWART. I am speaking of tropical climates.

Mr. TELLER. I can name men who came across the Isthmus before there was any attempt to break the ground for that railroad who contracted the Chagres fever in crossing. That was a common occurrence. They came across on the railroad, and by the time they reached the mouth of the river they had the fever.

Mr. STEWART. That is very true, but they did not all get it; they did not get it en masse.

Mr. TELLER. They did not get it because they were such a short time in going across.

Mr. STEWART. Some of them were there two or three months.

Mr. TELLER. They got across just as quickly as they could.

Mr. STEWART. They had to stay there a week or two, and sometimes two or three months. There were sometimes four or five thousand there for several months.

Mr. TELLER. I have known a man to cross in two days and to get the Chagres fever before he left there. It is a fever which belongs to that section of the country and nowhere else in the world that we know anything about. No sanitation, in my judgment, will entirely eradicate it. It is largely due to the fact of the long periods of calm at the mouth of the river. Very few people seem to have given any attention to that cause of the fever. It is a place where the breezes do not blow and where ships lie idle sometimes for months, unable to make any movement or speed whatever.

There is a marshy [illegible] along that coast which it is impossible to render healthful to sanitation, and I believe only the Jamaica negroes will come to do this work. The Chinamen could not do it; the people of Honduras who went there could not do it. They were tried, as were people from Santo Domingo, and none of the white inhabitants could stand it. There is a record of 400 men being taken to Panama, and in two weeks [illegible] they were all dead. It is the most frightful climate on the face of the earth, and it would be a crime to take to the Isthmus any soldier from this country or from the Philippines that we are not obliged to take. As I said yesterday, you can get Jamaica negroes of a character that will keep order there if you want a constabulary.

The Jamaican negroes as a rule are good workmen. They are large, able-bodied, powerful men, and not much inclined to disturbance; but, so far as the labor of building this canal is concerned, we might as well understand now as ever that we can not depend upon American labor, but we must depend upon the character of labor I have mentioned. It was thought that the Chinaman could do that work, as the Senator from Nevada has said, but that was tried, and they died so rapidly that those who did not die with the fever preferred to commit suicide. That is the history of that trial.

Mr. President, I want to offer an amendment.

Mr. STEWART. Will the Senator allow me a moment?

Mr. TELLER. Certainly.

Mr. STEWART. I simply wish to state that the natives of Porto Rico and other tropical countries can stand the climate of Panama better than can men from the north. That, I think, is well established.

Mr. TELLER. They can stand it very little better.

Mr. FORAKER. I want to say a word before the Senator passes from that point.

Mr. TELLER. I yield to the Senator.

Mr. FORAKER. I appreciate very much indeed what the Senator from Colorado [Mr. TELLER] has said. When I spoke in the way I did yesterday as to what occurred in the Committee on Military Affairs, I perhaps should have stated in that connection that we were not aware of what we did or what we said upon any personal knowledge of the conditions there, or what would be the effect if what had been suggested might be done, but we were simply reasoning in a general way upon the probability of, at some time or other, possibly having to send troops there, and that troops who belonged in that region, who were accustomed to that climate, would, as we thought naturally—and I think the Senator will agree—in the absence of information, be better qualified to go there and withstand whatever diseases they might be subjected to than troops from the United States.

I am very much obliged to the Senator for giving us the information he has. It is very valuable and very interesting.

Mr. TELLER. I do not think there is any danger of soldiers going from Porto Rico—I hope not, at least. I doubt very much whether there will be any large number of soldiers required at all, but I think the Government had better organize a force on the ground, if such a condition arises as that they will be needed, which seems to be the policy of the Government, at least, in Porto Rico and in the Philippines. I do not know why they should not select the Panama people just as well as they would select the

Filipinos or the Porto Ricans. I think the Government will send very few soldiers there, unless it is obliged to do so.

I want to submit an amendment on line 11, page 21, if it is in order, and, if it is not, I will wait until the bill has been reported to the Senate.

Mr. PROCTOR. There is still another committee amendment pending.

Mr. TELLER. I will wait, then, until the committee get through with their amendments.

The PRESIDENT pro tempore. An amendment to the pending amendment is in order.

Mr. TELLER. I am not quite sure that the amendment I wish to offer is an amendment to the amendment. I find in line 11, on page 21, before the word "battalions," the word "two" has apparently been stricken out and the word "three" inserted. I do not know whether that has been agreed to or not.

The PRESIDENT pro tempore. That has been agreed to.

Mr. TELLER. Then I want to move to reconsider the vote by which it was agreed to; or I will ask the Senator from Vermont to consent that the vote may be reconsidered.

Mr. SPOONER. The Senator can amend it in the Senate.

Mr. TELLER. I should like to amend it now, but I want to say something about it, and I do not want to waste time.

The PRESIDENT pro tempore. The Senator from Colorado asks that the vote by which the amendment on page 21, line 11, striking out "two" and inserting "three" before the word "battalions," was agreed to be reconsidered. Is there objection? The Chair hears none.

Mr. TELLER. What I desire is that the Senate shall disagree to that amendment. It seems to me that in all the statements made yesterday there has not been any reason shown for an increase of that force, whether it be put upon the ground of enlisting those people to the United States, because they have got their hands into the Treasury to a limited extent, or whether it be put upon the ground that you are proceeding upon an educational line. I do not see any reason for it. It seems that you have two battalions. I do not know how many men there are in two battalions, for I do not know how full the battalions may be. I presume the acting chairman of the committee may be able to tell me how many men there are in those two battalions. If he can tell me, I shall be glad to hear him.

Mr. FORAKER. There ought to be four companies of 100 men each.

Mr. BLACKBURN. About 750 men in the two battalions.

Mr. FORAKER. I do not know that they are filled to the maximum; perhaps they are only filled to the minimum, which would be, I believe, 65 men to a company.

Mr. TELLER. If they are not all full, they can be filled under existing law.

Mr. FORAKER. They can be, if necessary.

Mr. TELLER. I do not believe that anybody can go before the American people and give any reasonable excuse for increasing this force. Every regiment that you put into the field will cost the Government of the United States a million dollars. I do not care whether they are Porto Ricans or Filipinos or whoever they may be, by the time you get through with it it will cost fully that amount, and, as a Senator suggests to me, very likely more. Certainly the old rule used to be that you must absolutely expect the expenditure connected with a regiment will be at least a million dollars. Of course it will cost more if the battalions are full.

Mr. President, I dislike to interfere with the committee in a matter of this kind, but it seems to me that it would be wise now to let the provision stand for two battalions and then apply this provision to enlisted men, and so forth. I do not know that that would destroy the amendment; I do not think it would, although I am not quite clear about it. I should like to know whether the acting chairman will consent to a disagreement to the amendment or whether he will insist upon it standing.

Mr. FORAKER. Mr. President, if the acting chairman of the committee does not object to my making answer to the Senator from Colorado [Mr. TELLER], I will say, as I said yesterday, that I have been more active, perhaps, than any other Senator in regard to what concerns Porto Rico, because of my relations with the legislation for that island, and perhaps I have received more communications from there as to the situation, generally speaking, and as to what the people of Porto Rico desire. I hope that the Senator will not insist upon that amendment.

I know that the people of Porto Rico are very anxious—from communications such as I have referred to I know it—to have a full regiment there; and it seems to me that while that is not a vital question, yet, at the same time, it is one of a good deal more importance than the Senator rightly appreciates; at least, I have been led to believe that it will be a great deal of satisfaction to that people, and in that way it will be important as making them better satisfied with their condition and situation.

Now, I want to call the Senator's attention to the fact, as suggested to me by the Senator from Wisconsin [Mr. SPOONER], although I was going to refer to the same thing in a different way, that a full regiment in the island of Porto Rico is not a very large military provision. They are responsible for the preservation of order there. No one knows when there may be a necessity for military intervention on account of some local or other troubles, just as we now and then have occasion to use military force here.

But another point that I wish to call the Senator's attention to is the fact that, except only for this regiment—which can be used outside of Porto Rico as well as in Porto Rico, if the President shall so see fit—aside from that there is practically no expense to the Government of the United States for the island of Porto Rico.

The Porto Ricans support their own government and put us at no expense at all that I can think of now, except only that for the United States court and perhaps some similar expenses. Their government is supported out of their own revenues by their own system of taxation. All that we are put to an expense for connected with them that is of substantial amount will be this one regiment; and every man who has been a soldier in the Army knows the difference between having a full regiment and having a part of a regiment. With a full regiment you have the completed organization; you have then the possibility of regimental drill, regimental evolutions, and a great many things that you can not have so long as you have only a fraction of such an organization.

So, taking into consideration the fact that this is the only expense, that it will add greatly to their satisfaction and their pleasure, and that it will be an organization which we can use elsewhere, if we have occasion, as well as there, I hope the Senator will not object to allowing the regiment to be made a full regiment.

Mr. TELLER. Mr. President, I am going to withdraw my amendment, not because I think it ought not to be made, but because my experience here has taught me that it is useless to make any effort to curtail the increase of the Army at this time, either on this continent or in our insular possessions.

The PRESIDENT pro tempore. Does the Senator withdraw his motion to reconsider?

Mr. TELLER. I withdraw the whole thing and let the provision stand.

The PRESIDENT pro tempore. The amendment will then be considered as agreed to.

Mr. TELLER. I want to say a word or two.

Mr. DANIEL. I should like to have the amendment read before it is agreed to.

The PRESIDENT pro tempore. It is the amendment increasing the number of battalions of the Porto Rico Provisional Infantry from two to three.

Mr. DANIEL. I should like to say a word or two on that.

Mr. TELLER. Mr. President, if the Senator from Virginia wants to discuss that matter I will adhere to my original motion and not withdraw it.

It is not very material whether you have three battalions or two. That is only a question of expense; but, Mr. President, there is something in this question beyond that. I find in this bill a provision for a force in Porto Rico, and on page 28 I find this language:

PHILIPPINE SCOUTS.

Pay officers of the line: Fifty first lieutenants, $50,000.
Fifty second lieutenants, $50,000.
Non-commissioned officers and privates, fifty companies, $499,440.

Or something over a half million dollars for the Philippine army. I do not know how many men there are in that army, but I have been told that in round numbers there are about 5,000. I will ask the acting chairman of the committee if he can tell me how many natives are employed in the Philippine Scouts—I do not mean in our Army?

Mr. PROCTOR. In the Philippine constabulary, Mr. President, there are fifty first lieutenants, fifty second lieutenants, and something near 5,000 men—short of that number, but approaching it; between 4,500 and 5,000 men.

Mr. TELLER. Mr. President, it can not be demonstrated by anybody here or anywhere else that there is any necessity whatever for an army of this kind on the island of Porto Rico. I therefore infer that it is the policy now to create a provincial army of the natives of our various dependencies, or whatever we are going to call them. For two years we have had two battalions in Porto Rico, and now we must have three battalions. At the next session we shall want five battalions or six battalions, and the same argument can be used then for 10,000 men on the island that has been used for the thousand or twelve hundred men for which this bill provides.

One Senator will have it that it is to attach by army relations the people of Porto Rico to the United States; another will say

that it is a great educator. I notice the governor of the island says:

As you doubtless know, there is a provisional regiment of native Porto Ricans here in the island, which was established several years since. The regiment has done a great deal in the general education work which has been accomplished. It has taught the men habits of discipline, self-control, and self-respect. I should be very sorry to see it disbanded, because of its usefulness in the way I have just spoken of.

Is that the purpose of this Government? Is it the business of a government to put men into the army, to take them out of the useful pursuits of life, to take them in their youth, and put them in the army, and give as an excuse that it teaches them self-control? I suppose you might as well say also that it teaches them to stand erect or it teaches them how to handle arms. All that may be useful; but it is an absolutely new suggestion that the people of the United States are to be taxed for that purpose.

That is not all. It is not a question of taxation entirely. It is a question of whether it is to be the policy of this Government in the future not to depend upon the people of the United States themselves to maintain order and law; but that there must be an efficient army, not because anybody can say there is a pressing necessity for it, but because something may happen in the future when they will be needed.

Five thousand men in the Philippines in addition to the soldiers of the United States Army already there may be necessary. I do not know about that. I do not pretend that it is not. I do not know but that it is necessary; but why should it be necessary? How it can be necessary after the statement made on this floor again and again during this session of Congress that peace prevails in all parts of the Philippine Islands, if it is not the policy of this Government to run the Government in the future by the force of an army, first in the dependencies, and later that it shall come to be the rule here?

Mr. President, I do not intend to go into any discussion to keep the Senate from acting upon this proposition, as I know they will act favorably, because it is the policy of the Government, the policy of the Administration. It is the policy of the Government because the Administration has got control of the Government. I myself distinguish between "the Administration" and "the Government." I regard the President and his associates in executive power as the Administration; I regard Congress, the Executive, and the judiciary as the Government.

To-day the Government of the United States is being organized and conducted on the theory of force and upon the theory that the people, individually and collectively, are not fit to carry on this Government. You will some day be depending upon an army here, as you are depending upon it in the Philippine Islands and as you are depending upon it in Porto Rico, and the excuse will be, first, because it will teach young men how to stand straight, teach them how to walk erect, teach them how to keep a uniform step, and then it will give them a dignity, Mr. President, such as you are trying to put upon the people of Porto Rico—a military dignity.

I have seen enough of such things since I have been in public life. I know the American Army is as good an army as the world has ever seen; yet I know that in army circles there is not any virtue practically except that which is exhibited in time of war.

I do not expect, Mr. President, that any Senator will give any better reasons why we should have a regiment down there than have been given, because there can be no other reasons. We have exhausted the wisdom of the Senators who have investigated this matter. They have told us everything that they thought would tend to mitigate and remove the objections we make to it. I submit that at no other time in the history of this Government has any such reason been considered sufficient for the maintenance of an army.

Mr. SPOONER. Will the Senator allow me?

Mr. TELLER. Certainly.

Mr. SPOONER. Of course, there has not been any time in the history of this country, until within the last few years, when this question could arise so far as Porto Rico is concerned.

Mr. TELLER. No; of course not.

Mr. SPOONER. And therefore the question is unique, sui generis, in a sense. But, really, does the Senator from Colorado think that it needs much argument or discussion in detail to demonstrate the propriety and the necessity or the wisdom of maintaining this force of two battalions in Porto Rico? I do not know whether or not the additional battalion is necessary. Porto Rico is 1,200 miles from the United States; it has a population of a million people; it is a population which has been no part of us or our associations. They are a different race from ours. The island is governed by us not after the full fashion of an organized Territory. Does not the Senator think that as a Government we are responsible for the maintenance of order in Porto Rico; and does he really think that it is extravagant or unreasonable or unwise, or indicative of the descent of this Government from a government of the people to one of military tyranny, that there should be organized a couple of battalions of Porto Ricans there, officered by American officers?

Mr. TELLER. If the Senator wants a direct answer, I will say yes, I do. I think——

Mr. SPOONER. Think what?

Mr. TELLER. I think it is unwise and un-American, and all that.

Mr. SPOONER. Porto Rico is not so much American as some other parts of the United States. It is new to us; it is not inhabited by our sort of people, but a pretty hot-blooded Spanish people.

Mr. TELLER. Yes; but not more so than we are perhaps.

Mr. SPOONER. Are we not responsible for order there?

Mr. TELLER. I think we are.

Mr. SPOONER. Should we not maintain some sort of force there in Porto Rico?

Mr. TELLER. I think we should; but I should like to say to the Senator that I have not believed that a Government like ours should depend upon a military force to maintain order until the necessity for it was apparent.

Mr. SPOONER. Does not that depend upon circumstances?

Mr. TELLER. No, Mr. President, I will not say it depends upon circumstances, because I know the Senator will say there are circumstances that might happen.

Mr. SPOONER. The Senator would not expect us to keep order in the Philippines among 7,000,000 people with police.

Mr. TELLER. But you have said that you had been doing it.

Mr. SPOONER. No; we have not said that.

Mr. TELLER. I have heard that said repeatedly.

Mr. SPOONER. I said that we had cut that force down from 70,000.

Mr. TELLER. That was in time of war, when 70,000 were there.

Mr. SPOONER. Yes.

Mr. TELLER. It was that force that changed conditions there from a time of war to a time of peace.

Mr. DANIEL. Is there any recommendation on the subject from the Secretary of War, or does the provision come from the committee? Has any reason been assigned why we should increase the military force?

Mr. SPOONER. That is another proposition.

Mr. DANIEL. I understand it is, but has it been recommended by the Secretary of War?

Mr. SPOONER. I do not know whether this increase has been recommended by the Secretary of War or not.

Mr. DANIEL. Where does it come from? Is it the spontaneous suggestion of the committee?

Mr. TELLER. I guess it is.

Mr. DANIEL. What is its source or origin?

Mr. TELLER. I guess it is a spontaneous movement.

Mr. PROCTOR. The late Secretary of War, Mr. Root, proposed to make the Porto Rican Regiment a part of the Regular Army, doing away with the Thirteenth Regiment of Infantry, or two or three regiments. It did not seem to the committee to adopt that at this time and to make it a full and regular regiment.

Mr. TELLER. In answer to the Senator from Wisconsin, I will say that we are responsible for order on the island. Up to this time there has not been any trouble there at all.

Mr. SPOONER. Yes; there has been some.

Mr. FORAKER. Will the Senator allow me to interrupt him in order to answer the inquiry of the Senator from Virginia? He desired to know whether this originated with the committee. I am a member of the committee, but not a member of the subcommittee who framed the amendment, but I have ascertained enough of what may have occurred with the subcommittee which framed the amendment, that the idea did not originate with the committee.

Mr. PROCTOR. Not at all.

Mr. FORAKER. At least, it did not unless the committee had information I did not share. We were accustomed to look to the governor of Porto Rico and others to make this a full regiment.

Mr. TELLER. Yes; by these letters.

Mr. FORAKER. They thought it would be more satisfactory to have a full regiment. If the Senator from Virginia will give me his attention, I am sure he will agree with me in what I am just about to say. The feeling was that a full regiment there would not be too large a military force for that island, situated as it is, distant from us, with a million people, and I think I can appeal to the Senator's own experience when I say that it is a great deal more satisfactory to men connected with a military organization to have a full organization.

Mr. DANIEL. Will the Senator please tell me what is the use of any of them? We have cleared away all the momentary troubles incident to a change of government. Nobody is going to attack Porto Rico without making war on the United States.

Mr. FORAKER. It is a period of profound peace in Porto Rico, as it is a period of profound peace in the United States; but nobody would think of abolishing the Regular Army in the United States.

Mr. DANIEL. Not at all, but this is not the Regular Army.

Mr. FORAKER. It is not the Regular Army, but it is the regular army for Porto Rico, so far as we have any.

Mr. DANIEL. What have they to do, except to parade occasionally?

Mr. FORAKER. Why not abolish the National Guard, as is suggested to me by the Senator from New Hampshire?

Mr. DANIEL. The National Guard are not paid regularly and enrolled in the service and officered, as these are.

Mr. FORAKER. No, they are not paid regularly, but the Senator will agree that if we have any organization in Porto Rico, it should be such an organization as this——

Mr. DANIEL. I beg your pardon.

Mr. FORAKER. And I be officered as this is, and should be officered and enrolled and [illegible].

Mr. DANIEL. They are [illegible] every day.

Mr. FORAKER. Every day. It is a regiment, and it is for [illegible] in the service of the United States, [illegible] of Porto Rico if there should be any need for [illegible] there.

Mr. DANIEL. If we need any more soldiers, it is all right.

Mr. FORAKER. I do not know whether we will ever need any more or not.

Mr. DANIEL. I hope we will not.

Mr. FORAKER. But I think we can afford a full regiment for a million people, who support themselves in every [illegible].

Mr. TELLER. We can afford anything we take a notion to [illegible].

Mr. FORAKER. Yes.

Mr. TELLER. The question is whether we should abandon that fundamental principle of this Government that the army is not to keep peace in this country, but the people.

Mr. FORAKER. I am [illegible]——

Mr. TELLER. The Senator will allow me to get through?

Mr. FORAKER. I beg your pardon.

Mr. TELLER. That the Army is for war and not for peace. You have in the statutes a provision of law that you shall not use the Army of the United States as a posse comitatus, except where [illegible] provision of law to that effect. I recall very [illegible] when every man on this side of the Chamber voted for that law, and four men on the other side, and made it the law, and I was one of the four men. I was then of the opinion, as I am now, Mr. President, that you must depend upon the people of the [illegible] of law, and if you can not depend upon the people of Porto Rico for that purpose, they being at least a civilized community, then we have made a mistake in having anything to do with them.

Mr. President, there is not any reason for having a regiment in Porto Rico any more than there is for having one in the city of Washington—not a parade—or in any small [illegible] in the State of New York or [illegible]. In the long period of Spanish domination the Porto Ricans were always [illegible] to the Spanish Crown, and [illegible] in modern times at least of any trouble down [illegible]. There are not any signs of it, and that is not what the army is there for. It is [illegible] and with the [illegible] control it, that you are to have a great army to terrorize the people.

Mr. FORAKER. Mr. President——

Mr. TELLER. Will the Senator wait a moment? Let the executive officers of Porto Rico call upon the Porto Ricans, and build up a constabulary there, if you want, with sheriffs and deputy sheriffs and policemen, if necessary, and officers of that kind. Now I will hear what the Senator from Ohio wants to say.

Mr. FORAKER. The Senator has two or three times in the course of his remarks charged, or he talks as though he meant to charge, that it is a part of the policy of the present Administration. And he leads us to believe that he distinguishes the "Administration" from the "Government," and by "Administration" he means the President and those associated with him in administering the affairs of our Government) to try to build up an army for some improper purpose. I wish to say to the Senator, if it will relieve his mind any in that respect, that the President had nothing whatever to do, not even to the extent of having knowledge about it, with this amendment to increase this force. I am sure he did not have any knowledge of it, unless he learned it through the newspapers or in some accidental way. Nobody conferred with him. He made no request about it. He has not been consulted about it. He gave no advice about it. I can see no harm in having a regiment in Porto Rico, when all the Porto Ricans without exception, so far as we have heard from them, are petitioning us to give them this very thing.

They do not seem to have any fear of being tyrannized over or terrorized or of being oppressed or denied liberties.

As to the Philippines, if the Senator will bear with me for a word——

Mr. TELLER. I would rather the Senator would permit me to complete my remarks, and then he can reply if he wishes to. I do not think this is quite a fair way to proceed.

Mr. FORAKER. Just a word.

Mr. TELLER. I thought the Senator wanted to make an explanation. I see now he wants to make an argument. Let him wait until I get through.

Mr. FORAKER. I want to say only one word, and then I will be done with it.

Mr. TELLER. Go ahead.

Mr. FORAKER. Five thousand native troops in the Philippines, where there are 7,000,000 people, where the conditions are of the character we are all familiar with, do not seem to me to constitute a very dangerous military establishment to maintain there.

Mr. TELLER. The Senator says all the people of Porto Rico want this. He has read one letter from a Porto Rican. He may have more. He has read a letter from the governor, who is not a Porto Rican, but who was a Montana man, I think, when he went to the island. I have forgotten, but I think that is the fact. The Senator read from some man who, by his name, I presume is a Spaniard, who says they want a full regiment there. They want them to live there and die there, and all that kind of nonsense. Nobody has taken the opinion of the Porto Ricans, and if all the Porto Ricans should send up here and say, "We want a regiment," is it incumbent upon us to respond and say, "Well, if you want it, you must have it?" I do not know what their relation is to the General Government. I know if the people of some State said they wanted a regiment they would not get it merely because they wanted it. Is that so?

Mr. FORAKER. It may be for other purposes and some use. We expect it will be used for some purpose and under conditions arise that call for it. If it is to be used as a constabulary, I say that is an un-American system. If it is not to be so used, there is not any use for it at all, and if it is to be used for a constabulary, that is where there is the reason that it is there for an educational purpose, as other regiments are used, which, if I may say it without being offensive, I suggested were utterly absurd and ridiculous. I [illegible] will apply that to any statement which he makes. It seems to me that when we are told that we must have it there because somebody wants it, whether all of them or a few—and that is the reason and the only reason—that it is a matter with the legislation of this country.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as amended.

Mr. DANIEL. Mr. President, I shall vote for the amendment offered by the Senator from Colorado. If there was any proposal [illegible] Senator——

The PRESIDENT pro tempore. The motion to reconsider was withdrawn by the Senator from Colorado, and the amendment was declared agreed to. Does the Senator wish it to be in open question?

Mr. DANIEL. It was declared to be agreed to by the Senate without the question having been formally put.

The PRESIDENT pro tempore. Does the Senator desire it to be still open?

Mr. DANIEL. Yes. I should like to have that done.

The PRESIDENT pro tempore. It is still open.

Mr. DANIEL. Mr. President, it looks to me as if some one were trying in this item increasing the military force in Porto Rico to find a place to spend money and notwithstanding the debate on this subject has been participated in by a number of gentlemen, not one of them has suggested any use for this regiment. A bishop has said it is of great educational value for the young men in it and that it gave pride. There does not appear to be the slightest use for these battalions in Porto Rico, except to parade occasionally. The regiment does not go into any corps of the United States. The battalions are not sent here or there as they may be needed. The little frictions which always occur in a change of government passed away from Porto Rico. The Porto Ricans have accepted the changes with remarkably good temper, and the island is getting along well. No official of the Administration has recommended this.

The Senator from Vermont says Mr. Root made some remark, I believe, about having a full and regular regiment in Porto Rico. It does not seem to have been of sufficient importance for the Administration to make any recommendation upon the subject. The sole effect of having a new battalion of Porto Rican troops will be to have a few more young men in Porto Rico drilled for a

little while in a military organization by American officers. It looks to me rather like toying with a great subject for the Senate of the United States to invent a new battalion in Porto Rico, adding them to the military roll without any very serious plan about the matter.

It encumbers this bill with new legislation upon a subject which has been offered in no other form. It gives, in a time of profound peace, a prominence to the military idea totally unconcongenial to the subject-matter and foreign to the objects and purposes of this measure.

Mr. CARMACK. I should like to ask the Senator in charge of this bill, having reference to another part of the measure, if any provision has been made in the bill for increasing the Engineer Corps of the Army?

Mr. PROCTOR. No provision has been made for increasing the Engineer Corps.

Mr. CARMACK. We are spending money to maintain a regiment of soldiers in Porto Rico, where it seems to me there is absolutely no necessity for it at all, when the excuse is given for the failure to expend money for the improvement of rivers and harbors and to complete projected improvements in this country that the Engineer Corps has been so greatly diminished——

Mr. PROCTOR. I ought to have added, perhaps, that a bill was reported from the Committee on Military Affairs yesterday morning making a considerable increase in the Engineer Corps, making a slight change in the rank, and adding three or four more officers than they asked for.

Mr. CARMACK. Why is not that put on this bill?

Mr. PROCTOR. Because it would be subject to a point of order. There were increases of other corps asked for. We did not think it was the proper duty of the committee, at least, to do it. If the Senate choose to make any increase in the Engineer Corps, the committee, I presume, would not object to such an increase.

Mr. CARMACK. I would ask the Senator if this legislation is not subject to the point of order?

Mr. PROCTOR. This Porto Rican legislation?

Mr. CARMACK. Yes.

Mr. PROCTOR. It is not. I am very sure. The full regiment of three battalions is authorized by law. This provision simply says how they shall be organized. It is not new legislation, because the act of February 2, 1901, provides for a Porto Rican regiment, which means three battalions.

Mr. CULBERSON. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Tennessee yield to the Senator from Texas?

Mr. CARMACK. Certainly.

Mr. CULBERSON. In answer to the suggestion of the Senator from Tennessee, I will state that I contemplate, as soon as the amendments offered by the committee are disposed of, to offer an amendment to the bill increasing the Engineer Corps. On yesterday I asked if such an amendment was in order and was informed that it was not until the committee amendments were disposed of, which I am awaiting now, in order to offer the amendment.

Mr. CARMACK. I hope the Senator will offer it. We shall have no river and harbor bill at this session of Congress, and the reason why, it is said, is that we had about $40,000,000 of the last appropriation that was left, because they could not spend the money, and they could not spend the money because they did not have the engineers to do the work. Army engineers have been drawn away to the Philippines and other of our possessions, so that they are not able to attend to the business of the United States and to improve the avenues of internal commerce in the United States, and we must have an increased appropriation for army engineers in order to carry out this work.

I wish to emphasize what the Senator from Colorado said. There is absolutely no necessity in the world for any soldiers in Porto Rico. The Senator from Wisconsin said the Porto Ricans are a hot-blooded people. They have never demonstrated that fact. They were peaceable under Spain and they have been peaceable under the United States. They were not in the insurrection against Spain. They gave no trouble to Spain. They were peaceable and law-abiding under the Spanish Government, and they changed from the Spanish Government to that of the United States, not with enthusiasm, but with apparent indifference. They seem willing to take anything that comes along in the way of a government. I do not think there is very much patriotism in it, but there is not very much danger in it, and we do not need any regiment there.

I think it is unfortunate, Mr. President, that the Senator should have suggested in the very same breath in which it was argued that we ought to keep a number of soldiers there as a matter of education and a matter of pride to the Porto Ricans——

Mr. SPOONER. I did not say that.

Mr. CARMACK. No; the Senator from Wisconsin did not suggest that, but he made his suggestion in the very same breath that it was made.

Mr. SPOONER. It was my breath and nobody else's.

Mr. CARMACK. I am trying to draw a distinction between two breaths.

The Senator from Ohio said that we ought to keep this regiment there as a means of identifying the people of Porto Rico with the people of the United States. The Senator from Wisconsin argues that we must maintain them there in order to keep the people of Porto Rico suppressed, because they are a hot-blooded people.

Mr. SPOONER. I understood the Senator from Ohio to mention that as an incidental advantage.

Mr. CARMACK. It is the only thing he mentioned.

Mr. SPOONER. I had covered the other part.

Mr. CARMACK. I will get up a joint debate between the Senator from Wisconsin and the Senator from Ohio.

We are keeping soldiers in the Philippines for the very plain and frank reason of holding the people in subjection. They are not kept there for ordinary police work. They are kept there because the people of the Philippines hate the United States and the Government of the United States and the people of the United States, and we are compelled to keep soldiers there to hold them in subjection. If the soldiers were taken away, they would rise in insurrection and have a rebellion. We know it. There is no such reason for keeping soldiers in Porto Rico. They do not care a cent whether they are under the dominion of the United States of America or under the dominion of Spain. A great many of them do not know now, perhaps, that they are not under the dominion of Spain, and if they do know it they do not care. It is a matter of indifference to them.

The Senator says that the late Secretary Root recommended this. I am not surprised that that distinguished lawyer should recommend it, a gentleman who on his way to honorable retirement was accompanied by regiments of soldiers, with flags flying and horns blowing and drums beating—a great military display. They saw him go into his honored retirement, and another like demonstration was made to welcome the incoming Secretary of War. We are getting into the military business and the business of military display; and that is all this sort of thing means. We are trying to make this a military government, just like we have a military Administration and a military President. The whole Government must be permeated with militarism and military ideas, and I understand there is now under consideration a programme providing that whenever a diplomat arrives here—it was gotten up too late for Bunau-Varilla—he is to be received with a great military display. I am sorry that we did not have it ready for Bunau-Varilla, as I should like to have commanded the regiment.

The PRESIDENT pro tempore. The question is, Will the Senate agree to the amendment to the amendment?

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. Will the Senate agree to the amendment as amended?

The amendment as amended was agreed to.

Mr. DANIEL. Is that the main amendment?

The PRESIDENT pro tempore. The main amendment.

Mr. DANIEL. I raise the point of order that it was not moved by direction of a standing committee, and that it was not, for at least one day before it was considered, referred to the Committee on Appropriations.

Mr. SPOONER. What was the amendment just declared adopted?

The PRESIDENT pro tempore. The Porto Rican amendment.

Mr. SPOONER. That has just been declared adopted.

The PRESIDENT pro tempore. Striking out "two" and inserting "three."

Mr. DANIEL. That carried.

The PRESIDENT pro tempore. That was carried.

Mr. SPOONER. That was carried.

The PRESIDENT pro tempore. Under the statement of the Senator from Vermont that there is a law which provides for three battalions in Porto Rico, the Chair overrules the point of order.

Mr. PROCTOR. It provides for a regiment. It is the act of February 2, 1901.

Mr. DANIEL. I think the battalion organization belongs to the Regular Army of the United States and the National Guard, and this is neither. Therefore I do not think it can be construed that existing law requires three battalions in this irregular Porto Rican regiment. I have not read the law on that subject to see.

Mr. PROCTOR. The three-battalion organization has been adopted by law for Government troops and for all volunteer troops, and all the States so far are conforming to it.

Mr. DANIEL. That may be; but this is a matter sui generis. It stands all by itself. It is an arrangement for a temporary military organization in the island of Porto Rico. I do not remember what act it was that provided——

Mr. PROCTOR. If the Senator will allow me, I will read a sentence from the act. I read the beginning of section 37 of the act of February 2, 1901:

That the President is authorized to organize and maintain one provisional regiment of not exceeding three battalions of infantry.

Mr. DANIEL. This shows that three battalions of infantry were authorized for this regiment. It also shows that the President and, as we would infer, the War Department have never thought it desirable to have three battalions there or they would have organized them. And the Senate in this proposition is trying to force an increase in the military establishment in Porto Rico, when the present Administration has declined under the authority given in that act to put it there, showing that it is entirely useless and not within the purview or contemplation of the President of the United States.

The PRESIDENT pro tempore. The question is, Will the Senate agree to the amendment?

Mr. MONEY. Before the vote is taken, I should like to ask a question: I simply desire to inquire of the acting chairman of the committee what he construes the word "provisional" to mean in the act which authorizes a regiment of three battalions?

Mr. PROCTOR. The regiment was organized on the basis of volunteer regiments. The word is to distinguish it from regulars. That is the whole force of it.

Mr. MONEY. Is that all the difference the Senator can see?

Mr. PROCTOR. The officers are not made permanent. They are not officers of the Regular Army, except those detailed from the Regular Army.

Mr. MONEY. To me the word "provisional" in such a connection as this means a temporary arrangement, a temporary regiment, and the occasion has gone by when it may be considered in force under that act. It seems that nobody took care to provide for this arrangement at the time it was created. That time has gone by, and now it is proposed to have this regiment increased by one battalion. I do not know whether it is provisional, according to the law, or whether it is to be permanent. If it is provisional, there is no use for it at this time. If it is to last for a year or two, there is no particular point in its being maintained at its full strength. If it is to be permanent, then the amendment is subject to a point of order.

Certainly it is too late to talk about a provisional regiment under a law of that sort. The occasion has gone by. It was then the apprehension, I presume, that there would be some sort of disturbance in the transfer of the sovereignty from one government to another, a change of flags; that a people who had been so long loyal to the yellow and red standard would find it difficult to adapt themselves readily to the changed circumstances of a new authority, and therefore it was provided in the law that we should have a provisional regiment. The executive department did not think it was necessary; the legislative department does not seem to have considered it at all; and now, after the time has gone by when it could have been considered, it is proposed to increase the regiment to its full strength. If it is permanent, then the amendment will be subject to a point of order; and if it is not permanent, then it is absolutely useless after all these years. Unless somebody will show that there is some necessity of some sort for organizing a new regiment, at great expense, we had better not do it.

I do not think, Mr. President, that the regiment would be of any use there, and I do not think it would be of any particular harm. It would be just an expense. It is a great thing in all Spanish communities to have a brass band to play on the plaza in the evening and let the people come there and enjoy the music. That is about all the use they have for it. It would be the band. I do not suppose the people will care much about it except the display on civic occasions, when there will be a brass band and a flaunting of banners and the parade of soldiers. It is very gratifying to a populace anywhere to see the march of soldiers, flags flying, and drums beating. That is about all they will want with it there, and it seems to me that it is about as useless an expenditure of public money as we can think of.

I hope the amendment will not pass.

Mr. DANIEL. Mr. President, I am obliged to the Senator from Vermont for loaning me a copy of the statute under which this regiment was authorized. It provides:

That the President is authorized to organize and maintain one provisional regiment of not exceeding three battalions of infantry, for service in Porto Rico, the enlisted strength thereof to be composed of natives of that island as far as practicable. The regiment shall be organized as to numbers as authorized for infantry regiments of the Regular Army. The pay, rations, and clothing allowances to be authorized for the enlisted men shall be fixed by the Secretary of War, and shall not exceed those authorized for the Regular Army.

It also provides that the regiment shall be continued in service until further directed by Congress, so that as it is a provisional regiment it is one that requires legislation by Congress to abolish it.

A comparison of this statute with what was done—that is to say, the organization of a regiment of two battalions—shows that the President of the United States has regarded it as a very trivial matter, for while he was not only authorized but instructed by the statute that the regiment shall be organized as to numbers as authorized for infantry regiments of the Regular Army, he declined, and elected to so organize this regiment. It had been so unimportant, so inconspicuous, and so trivial a matter that even its organization has not been perfected according to its contemplation.

If it is in order to do so, Mr. President, I would offer as an amendment for the paragraph of the bill covered by the amendment of the committee and the appropriation, from line 10, on page 21, to line 2, on page 23, these words:

That from and after the 1st day of July, 1904, the Porto Rico Provisional Regiment of Infantry authorized by section 37 of the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901, shall be discontinued.

The PRESIDENT pro tempore. The Senator from Virginia offers an amendment, which will be stated.

The SECRETARY. On page 21, beginning with line 10, strike out the bill down to and including line 2, on page 23, and substitute the following:

That from and after the 1st day of July, 1904, the Porto Rico Provisional Regiment of Infantry authorized by section 37 of the act entitled "An act to increase the efficiency of the permanent military establishment of the United States," approved February 2, 1901, shall be discontinued.

Mr. PROCTOR. I trust it is not necessary to say that that amendment ought not to be adopted.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Virginia.

Mr. TELLER. Let us have the yeas and nays.

The yeas and nays were ordered.

Mr. MORGAN. Mr. President, the amendment offered by the Senator from Virginia brings up this question in the proper form and compels a vote of the Senate upon the proposition as to whether we shall now enter permanently upon the policy in the insular possessions of the United States, to be followed by a similar policy in the Territories, and perhaps by a similar policy in the States, of organizing a certain population into either a temporary or permanent addition to the Army of the United States, differentiating it entirely from that Army. In other words, whether we shall in these places, where the United States have exclusive jurisdiction, establish a new form of military organization, to be officered by officers of the Regular Army of the United States, but made up of the native population of the respective localities, in this case the native population of Porto Rico.

We have heard very much said, Mr. President, in the discussion of questions for the last several years upon the progress of a sentiment in this country amongst the people to a considerable extent and in Congress to a much greater extent that is styled "imperialism." I have never been afraid of that except through the indulgence of Congress in a disposition that has been manifested for many years to legislate here upon principles of absolutism—not imperialism, necessarily, but absolutism—that is to say, to take the control of all local affairs, as far as possible, out of the hands of the constituency, who otherwise might be or are a voting population and who through that agency are conducting civil government in their own right and according to their own choice.

I have voted uniformly for the expansion of the territory of the United States, whenever it has been presented in a legitimate form, in the Hawaiian Islands and the Philippine Islands. I was not here to vote upon the Alaskan treaty, but would have voted for it if I had been here. I am willing to extend it still further in a legitimate way, in conformity with the principles of our Government, of our Constitution more particularly, so as to include a further expansion to cover the island of Cuba, which from natural causes, from geographical situation, has, in the opinion of the wisest of our fathers, been dedicated to union with the United States.

In all these votes, Mr. President, I have been aware of the fact that an opportunity was afforded for the exercise of the powers of government in the absolute form to which I object. But I have not supposed that the American Senate or the American Congress or Government, because it has had an opportunity to abuse the powers of the Constitution, would necessarily do so. I have supposed that we could expand the area of this country without necessarily invading the principles of our own Government; that we could extend, through the agencies of our Government and our Constitution and laws, the blessings of American liberty to many people who ought to enjoy them, whether they desire them or whether they do not.

But we have got to a point, now, Mr. President, where a serious departure is about to be made, and it is made in the military establishment of the United States, which of all others is the most

dangerous to the liberties of this country. That fact has been recognized from the foundations of the Government. It was recognized, when the principles which controlled the organization of the militia were incorporated in the Constitution of the United States, that the military control of this country, after all, must be left under the power of the civil administration and the civil laws.

We have now got to a point where we are following the example of Great Britain in India in establishing an army of Sepoys. Great Britain found it necessary when she expanded and extended her commercial strength and power, together with her governmental authority, over India to organize there an army of natives to be governed by British officers. They are called Sepoys, and they are for the purpose of controlling not merely the affairs of the British Government within the various territory of India within the reach of her imperial power, but also for the purpose of supplying deficiencies whenever they might occur in her army forces in respect of wars that were entirely foreign to the country where those people live.

In the last war with China, the "Boxer war," as we called it, we noticed that regiments of Sepoys were sent into China by the British Government, she then having a use for all of her regular troops, perhaps, in her controversies and contests in South Africa. That was objected to by the military authorities of the world as being rather an invasion of a precedent, at which they took umbrage. The objection was based upon the idea that the Indian Sepoy is an inferior kind of man, a bloodthirsty creature, perfectly under the control of his commanding officers, and so a dangerous instrument to use in a foreign invasion and in the exercise of military power of any sort in a foreign country. It has been put up to Great Britain on various occasions that it would be entirely disreputable in a war between her and any civil power that she should use the Sepoys.

We are organizing now an army of Sepoys, commencing with a small beginning in Porto Rico. We began this under circumstances that were at the time apparently and really, I think, legitimate. But those circumstances have passed entirely out of view. What were they? They were that the Porto Ricans, a million strong in population, had been always under the control of a captain-general of Spain, and that captain-general held them in obedience to the authority of Spain, not by the ties of civic power or the influence of civic virtues, but entirely through the military power.

In the passage of that people from the condition in which we found them after we annexed Porto Rico from Spain under the treaty of Paris, it was necessary apparently and I believe it was actually necessary, that we should continue the use of military authority over the Porto Ricans, and instead of doing so by importing into Porto Rico our Regular Army we took volunteers and made a voluntary organization, making it, however, provisional, making it of three battalions as a limit, which the President has only filled up so far with two battalions, and providing that it should be temporary. It was intended to pass out, and when that organization would disappear it would leave the true American principle in force in Porto Rico. What is that? The superiority of the civil power over the military. And those people would be in a position to recognize it.

They are in a position now to recognize it, because there is little lawbreaking in Porto Rico and certainly none of a general turbulent or insurrectionary character. Those people seem to have no idea of a general insurrection against the United States or against any authority whatever. Their drift and bent is toward a compliance with the laws that are over them, whether enacted by their local legislature or enacted by the Congress of the United States. They are advancing in the cause of peace and civic virtue, and in correspondence with that idea, which is set forth so distinctly in the act read by the Senator from Vermont, the act of 1902, we ought to observe and pursue that policy of withdrawing troops from Porto Rico instead of organizing an army there, though it may consist of but a single regiment at present, which is to become a permanent establishment.

Now, Mr. President, I have no way in my own knowledge of military affairs of describing the relations between this regiment in Porto Rico and one of the regular regiments of the United States Army. It looks to me like an appendage to the Army of the United States proper, which has had no place heretofore in our military system. It is not of the nature of national guards or of the Regular Army. It is an entire matter—that is, sui generis—as said by the Senator from Virginia [Mr. DANIEL]. In that sense it is an interposition of a new idea, a new thought, and it is a dangerous one if it is voted by this Congress. It is a departure from the principles of the American Government. It is evident that it is not needed for any present or expected purpose of controlling the people of the island of Porto Rico. That is evident.

It is said that some of the prominent families of Porto Rico take some pride in having their sons enter this army and pass through a sort of graduating course in the army—like the children of all Frenchmen have to pass through under the provisions of law that exist there, and to some extent in Germany—and that it gives them a sort of distinction amongst the people. Now, if that is to be one of the effects of it, it is deleterious if not disastrous. It will not do for us to put insignia upon individuals mustered into the service of the United States which, after they have passed out of the service, give them social position and influence in the country. That is neither the republican nor the democratic idea, nor is it the proper idea of civil rule, which enforce upon all of us, when we respect those views, proper political equality, a man to be left with the influence of his character and whatever else he possesses to commend him to his people, instead of some mark of advantage or some mark of segregation put upon him through the influence or through the favoritism of the Government of the United States.

We do not want to build up a class of that sort of people in Porto Rico. We want to teach them other doctrines. After a while they will get to respect no person whatever except those who have belonged to the army. The military spirit of government will assert itself there against civic rule. That is a spirit we are encouraging now without any necessity whatever.

Some gentleman referred to the fact that it would be necessary perhaps, or at least convenient, to have these people carried into a regiment, fifteen hundred strong, I suppose it will be, for the purpose of using them in the isthmian zone, where we are about to construct a canal.

Mr. President, after the remarks of the honorable junior Senator from Wisconsin [Mr. QUARLES], that if our soldiers were sent there they would die like flies, I am moved to some feeling of compassion toward those people in Porto Rico, that we shall not, under the bait and temptation of an enlistment in the Army, cause them to go down there and die like flies. They are not immunes, so far as we know; they are just as liable to the disasters of that climate as anyone else.

Now, if you want a regiment, and you will need more than a regiment to take care of affairs in the canal zone in the Isthmus, and if you want immunes, organize your regiment; do it under this bill or on any other measure that is proper, and get the enlistments from the men who are immune, who live there, and do not float them in from Porto Rico. You can trust a man who lives in Panama just as well, if he is a Spaniard or the descendant of a Spaniard, as you can trust the descendant of the same blood in Porto Rico. In one place the Spaniard is as reliable as he is in the other.

My own judgment is that whenever we organize for that special service or with a view to special service any particular corps of men we had better have a pretty strong guard of Americans stationed around them to prevent them from doing what they did at the time of the establishment of the Republic of Panama—for a few dollars of bounty desert their colors and go off to the other side. I would not really, for the safety of that Isthmus, have any set of men enlisted either in Panama or Porto Rico. It will take the best men we have got to take care of affairs down there, and a good many of them. We have got to be providing so that they shall be prepared to go there. Orders were issued for the Third Regiment of United States troops to go down to Panama, and after a few days' consideration they were recalled, what for nobody knows. Their places must be supplied by somebody. Somebody must go there to take care of our affairs. We can not leave them without military guard for one single moment, either against the local population or against Colombia. We have got to have the guard and have them there continuously and at once.

Now, why the Third Regiment was not sent there I do not know, unless it was that they might fall victim to this plague, which the Senator from Wisconsin described so graphically when he said if our soldiers went there they might die like flies.

If we have got to face that, Mr. President, let us do it like men, and let us do it at once. When we assume responsibility in view of the American people and of such vast importance as that, do not let us shrink from it. Do not let us dodge around and try to organize a Porto Rican regiment to go down there and take the place of our own soldiers. Let us move up to the front and take charge of the subject like men ought to do, and build that canal, and while we are building it protect it with our Army.

I arose only for the purpose of entering my protest, while I favor the amendment of the Senator from Virginia, against this new departure in American military policy which establishes in any of our insular possessions an army of a peculiar character based upon enlistments of the people there.

Let us have all parts of this country subject to the same military control, or if any of the Territories need a special military police guard, or whatever you may choose to call it, let it be organized, sustained, supported, and commanded as is required to be done in respect to the militia under the Constitution of the United

States. We have got a militia; we have got laws to organize the militia as a State guard; we have got a Regular Army, and that is provision enough to cover the whole case. Now, to establish an army of Sepoys, beginning in Porto Rico, and after a while extending to the other islands and then after a while to the Territories and after a while to the negroes of the South, I object to, I know where it is going to land us: and I arose, Mr. President, although I am not in condition to speak, to enter my protest against any such legislation.

Mr. QUARLES. Mr. President, I rise simply to set the committee right. I judge from the discussion which has taken place here that we have been challenged as to our motives: that we are no longer patriotic citizens seeking to legislate for the general benefit, but that we have all of a sudden been inspired with a very dangerous military tendency, and that we are here advocating some pernicious measure from some peculiar hidden motive to accomplish some unjust and unlawful purpose.

Mr. President, I think I may say that if we had considered only the keeping of the peace in Porto Rico the committee would not have advised an additional battalion there. The reason they asked the Senate to enlarge this regiment from two to three battalions was this: We knew, as the learned Senator from Alabama [Mr. MORGAN] well said, that when we begin operation on the Isthmus of Panama we must have soldiers there. That is a concession which he makes and which every intelligent man understands. He says he would not leave the Isthmus for a day without trained soldiers there. So say the committee.

The committee are in accord with the distinguished Senator from Alabama. We went a step farther, however, and said that if we are going to send soldiers down there to do what amounts to constabulary duty, we had better in the first place have some soldiers who understand the language of that country. Does my distinguished friend from Alabama see any advantage in that, the people of the Isthmus being Spanish?

Mr. MORGAN. If my friend will allow me, I will say that I see a great disadvantage in it, because if they do not understand the language there will not be any conspiracy between our soldiers and the people.

Mr. QUARLES. Well, I am not tinged with that all-pervading jaundice of suspicion that leads me to doubt, in the first place, without any evidence whatever, the justice of any class of people; and when my friend intimates that there is anything in the history of this Porto Rican regiment to sustain such a suspicion as he has thrown out here, I simply say I have never heard of such evidence and never before heard any such suggestion.

Mr. MORGAN rose.

Mr. QUARLES. On the other hand, if the Senator will pardon me a moment, the record of that provisional regiment in Porto Rico is all that could be asked of any troops in the uniform of the United States. They are well drilled; they are manly; they are strong; they are proud; and, so far as I know, their record is second to none. Now, if the Senator has any ground to intimate a suspicion against that force, it is the first time I have heard it intimated from any source.

Mr. MORGAN. They are not suspicions or intimations at all, but facts well known to the Senate that attended the construction and birth of the Republic of Panama, when one regiment, or a large part of a regiment, of Spaniards deserted their fellows for pay and went over to the insurrection, and another was bought off and sent home on a ship.

Mr. QUARLES. How can my distinguished friend reconcile that statement with the suggestion he made here a few minutes ago, that we should go down there and take the very fellows whom he now describes and make a constabulary force out of them? That was the suggestion of the Senator made a moment since.

Mr. MORGAN. I said if you were going to rely upon the native population for your constabulary force, you had better go there and get those people and put white men in command of them. That is what I said.

Mr. QUARLES. If the indictment which the Senator prefers against those natives be accurate, his suggestion is certainly of very little value. I have this to say: From all the information that this committee can gather, this Government has not under its flag to-day any organization more patriotic, any organization better drilled, any organization better qualified to go to Panama and discharge that duty than this Porto Rican regiment.

There is another point. I say that there is an advantage in having men there who understand the language of the country. That would seem to be self-evident. If you send down there the Third Regiment, they can not understand a word that anybody would say there; it would be all Greek to them; the whole thing would be a closed book. They are not familiar with the traditions or the habits of those people. Is there not a manifest advantage in having a corps of troops sent down there who know all those things? It seemed so to the committee.

Another thing, Mr. President. A great deal has been said about who are and who are not immune. The committee did not expect that this battalion of Porto Ricans could be sent to Panama with shovels and picks to excavate that soil and escape the fever that is said to be created from the upturning of that soil. These troops are to be sent down there for an entirely different purpose. They will be encamped on the highest ground. We have provided for barracks wherein they will be sheltered.

The committee thought—and I submit to the Senate whether it be not perfectly correct—that a tropical people, a people inured to the heat of the climate and the sun, could maintain themselves in that latitude better than the Third Regiment, which has been encamped this winter in a zero climate. Is not that a sensible proposition?

Mr. BACON. Will the Senator permit me to ask him a question?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Wisconsin yield to the Senator from Georgia?

Mr. QUARLES. Certainly.

Mr. BACON. I ask the question not by way of argument, but for information. I understand the suggestion of the learned and honorable Senator is that the real purpose is to provide troops that can be sent to the Isthmus of Panama?

Mr. QUARLES. Certainly.

Mr. BACON. This provision in the present bill is one amendatory of the act of 1901, as I understand?

Mr. QUARLES. Yes.

Mr. BACON. In which act authority is given to the President to organize this regiment?

Mr. QUARLES. Yes.

Mr. BACON. Now, the point that I desire to call to the attention of the Senator is—it may have been mentioned by others while I have been temporarily absent from the Chamber—that the original act authorized the organization of this regiment specifically for service in Porto Rico.

Mr. PROCTOR. If the Senator from Wisconsin will allow me, I will say that act was repealed a year ago.

Mr. QUARLES. Yes; that has been all fixed by legislation.

Mr. BACON. That has been amended.

Mr. PROCTOR. That has been amended so that these troops are subject to service anywhere.

Mr. BACON. I only wanted that information.

Mr. QUARLES. What I wanted to say chiefly was that this committee is not asking for this increase, unless their policy be considered proper, that the two battalions, now well drilled, should be taken and made some use of by the President.

Mr. DANIEL. Will the Senator allow me to ask him a question?

Mr. QUARLES. Certainly.

Mr. DANIEL. As the law now stands these battalions could be sent to Panama if the President desired to send them there?

Mr. QUARLES. Certainly; and, as I took occasion to say to the Senate the other day when the matter was up, we had the major of this regiment before the committee, and he stated that that regiment would be glad to go down there, that their feeling was that they wanted in some way to show their satisfaction and their pride in their country, and that if the country called upon them to go there they would go with the most cordial feelings of gratitude.

If it be not thought proper to send them down there, the committee does not recommend this increase. It was simply that the President should have these two well-drilled battalions to send down there and that this other battalion that we provide for should remain in Porto Rico to take its place. That is all.

When anybody stands here and says in the Senate that people from the Tropics are not better qualified to go down there and endure the heat of the sun than people from this northern latitude, I say it is nonsense.

We are not talking about the kind of immunity of which the Senator from Colorado [Mr. TELLER] has spoken, for we do not propose to subject these men to any such test. If we send them down there, it is simply to establish a constabulary force, not to dig up the soil and get the fever which originates from that source.

Mr. President, this much I thought I would say; and while I am on my feet I merely want to add one other word. My distinguished friend from Tennessee [Mr. CARMACK], with his inimitable sarcasm, speaks of one of these Porto Ricans strutting in a uniform. That may seem very funny in the abstract, but, Mr. President, if we are going to civilize those people down there, the first thing we have got to do is to build up pride and self-respect in the individual. When a man stands up, feeling that he has some mission to perform in the world, as the distinguished Senator said, when he struts in his uniform, he is on the way to a higher grade of manhood, because you have established in him that pride and that self-respect that lie at the foundation of character.

Mr. CARMACK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Tennessee?

Mr. QUARLES. Certainly.

Mr. CARMACK. Do I understand the Senator to say that the first step to be taken in the development of manhood is to teach a man to strut? [Laughter.]

Mr. QUARLES. I tried to obviate that expression, which my distinguished friend used with such skill. I did not say "strut." I used the Senator's expression. I say that when you have implanted in the minds of these people a sense of pride and self-respect, you have laid the foundation for character and usefulness.

Mr. President, the theory of the committee simply was that these two battalions were not too much to act in the place of a national guard. We are responsible, as has been said here, for the order of that island. It is quite an extensive island. There are a million people there. You can not get a million people of any kind under the sun who, left alone down there in that island, would not get up some kind of a disturbance. I grant that these people so far have indicated a most gentle temperament. I do not think they are a quarrelsome people; but human nature is the same the world over. If we should leave a million people on that island, situated as they are with reference to us and with regard to the responsibility that we owe to them to preserve peace without having some kind of a force there, we certainly would put ourselves in a position to be very much criticised.

Mr. MORGAN. If the Senator will allow me, if we send them down to the Isthmus to guard the canal zone, they will not have very much to do with preserving the peace in Porto Rico, will they?

Mr. QUARLES. Perhaps I did not make myself understood and the fault may be mine, but I certainly tried to make the Senate understand that the theory of the committee was that when the two battalions were sent down—the two seasoned, trained battalions—to Panama, if the President should choose to send them there, we would still have this additional battalion left to keep the peace in the absence of any militia. With no regular troops there at all, except perhaps a single battery of field artillery, we would leave that additional battalion there to keep the peace while the other two battalions were away.

This much, Mr. President, I think it fair to say to explain the attitude of the committee as against the criticisms which have been made here.

Mr. DANIEL. Mr. President, I ask unanimous consent to withdraw the amendment I offered.

The PRESIDING OFFICER. The Senator from Virginia asks unanimous consent to withdraw his proposed amendment. Is there objection? The Chair hears none, and the amendment is withdrawn. The question before the Senate is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

Mr. PROCTOR. There is an amendment on page 10 which was passed over.

The PRESIDING OFFICER. The question is on the amendment of the committee inserting the clause beginning in line 17 on page 10.

Mr. KEAN. What is the amendment, Mr. President?

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. On page 10, after line 16, the committee proposes to insert——

Mr. PROCTOR. The amendment has been once read, Mr. President.

Mr. KEAN. Is there a point of order pending against that amendment, Mr. President?

The PRESIDING OFFICER. No point of order has been made.

Mr. KEAN. Then, I make the point of order on the amendment that it is general legislation.

Mr. PROCTOR. Will the Senator withhold his point of order for a moment?

Mr. KEAN. Certainly.

Mr. PROCTOR. I do not wish to make a speech on the amendment, but I may be allowed, perhaps, to tell a little story.

In the first Administration of President Cleveland a committee was appointed, of which the present senior Senator from Missouri [Mr. COCKRELL] was chairman, to investigate the business methods of the various Executive Departments. In that investigation he gave particular attention to the system in the War Department in answering questions from the Pension Bureau as to the status of soldiers.

As all Senators know, there are two points to be established in reference to an application for a pension. One is the hospital record of the soldier—his medical record—and the other his service record. The hospital records of the Army were kept on books, ledger size usually, but not quite ledger thickness, being 1 or 2 inches thick. They were kept under all sorts of conditions; some, but a small minority of them, in regular hospitals, where they could be carefully kept; but the great majority of them in the field, in barns, in groves, and in places out of the line of fire. They were kept in pencil. There were great inaccuracies in the names so hastily put down.

At the time of this investigation there was no way to settle the medical record of a soldier except to look through those books. It depended upon the man himself to state what hospital he was in, and then for the officers to examine the books of that hospital. In very many cases the man could not tell the name of the hospital. A severely wounded or very sick man could not remember—I know of several such instances—the hospital he had been in. If it was a widow's application, she would have very little knowledge of that fact.

The report says there were 10,000—and my recollection is that there were 22,000—of those books. On the recommendation of the Senator from Missouri, the War Department called an officer here—Captain Ainsworth he was then—to take charge of this work, to bring order out of confusion, and to put those hospital records into such condition that the proper information could be obtained from them.

Captain Ainsworth adopted the card-index system. That was in 1887 or 1888 perhaps.

Mr. KEAN. The Senator does not mean to say that he invented that system?

Mr. PROCTOR. He adopted it. I did not say he invented it. I think, however, he was the first to adopt it and apply it to Government purposes in the city of Washington. It met with very great opposition I am able to say from personal knowledge.

The Senator from Missouri urged the incoming Secretary of War in Harrison's Administration to apply the same principle to the service record. There were 400,000 muster rolls, as I remember. They were made once in two months, six in a year, and if a soldier had served four years his name should appear on twenty-four muster rolls.

The muster rolls were on large sheets folded several times; and in order to get a soldier's complete record it would be necessary to examine all those rolls. They had been unfolded and refolded so many times and had become so worn by that process that it was impossible in the months of April and May, in 1889, of which I am speaking, to have the windows open in the rooms in the War Department used by the clerks who were examining these rolls, for the pieces that were worn out would blow away, and so the windows had to be kept closed. A large force of pasters was engaged to try to mend these rolls.

The Senator from Missouri presented his ideas with his usual good sense and vigor. The Secretary of War adopted them, consolidated fourteen divisions, and established the Record and Pension Division.

At that time, in answering an application from the Pension Bureau, the War Department was over 40,000 cases behind, or three months in time. The Secretary urged with what mild force he could that it was customary in business houses to answer letters at least within three months. A good share of his correspondence at that time consisted of letters from Members of Congress, inclosing a blank circular from the Pension Bureau, which was sent by that Bureau to applicants and to Congressmen who applied for information as to the status of any claim. The circular read something like this: "Your application has been received and is awaiting evidence from the War Department." The Secretary was besieged with letters reading: "We had this notice two or three months ago; why do we not have an answer?"

This consolidation was made and Captain Ainsworth was put in charge. Inside of three months, Mr. President—I think the order in question was issued in the month of September—but, at any rate, inside of three months, in 1889 the work of Captain Ainsworth's office was all brought up to date, so that to every application received before 3 o'clock in the afternoon the answer went out that night, unless it was a rare case involving some exceptional condition. Answers to letters received after 3 o'clock went out early the next day. A line of special messengers was established between the War Department and the Pension Bureau, running every hour, in order to make prompt delivery.

Even after the work was brought up to date those circulars were sent out, and quite a number of them were received at the War Department. In several cases, when the request for the status of a claim came to the Pension Office, that Bureau sent out these circulars to the person making the inquiry sometimes a day or two before request was made of the War Department for the information. Several such requests were collected in the War Department, when the Pension Commissioner was called in and asked if that circular had not outlived its usefulness. He admitted that it had, and no more of them were sent. Since that time there has

been no complaint, and the work has been kept right up to date. Mr. President, that is far the best piece of administrative work that I have had an opportunity to know of in Washington.

I have heard the suggestion made that Captain Ainsworth was receiving very rapid advancement by legislation. It occurred to me to look at the Army Register in connection with the matter. From that I find that General Ainsworth came into the Army in 1874 and was made a captain in 1879. So he has had thirty years' service. At that time, 1879, Lieutenant-General Young, who has just retired, was a captain, and was not made a major until four years ago. General Chaffee, now Lieutenant-General, was a captain at that time, and was not made a major until nine years afterwards. Major-General MacArthur, the senior major-general, was a captain in 1879, of the same rank as General Ainsworth, and was not made a major until ten years later. General Bates, second in rank in the list of major-generals, was also a captain in 1879, and was not made a major until several years later.

Major-General Wood was not in the Army until seven years later than that. General Randall was a captain at that time and for twelve years after. General Kobbé was also a captain. Gen. Franklin Bell was a second lieutenant. General Baldwin was made a captain in that year. General Wint was also a captain, and Gen. Jesse M. Lee was made a captain in that year, 1879. General Carter was made a first lieutenant in that year. General Bliss was also a lieutenant until some years after that. General Sanger was only a captain. General Moore and General Carr were captains, and General Barry was a second lieutenant. General Corbin was only a captain at that time.

I thought it not out of place to show that the promotion of General Ainsworth had not been especially rapid, he having been thirty years in the service. Owing to his isolated position he has not been in the line of direct promotion, and therefore it is not strange that his advancement should come in the way it has.

Mr. COCKRELL. Mr. President, I want to occupy just a few minutes in regard to this proposed amendment. It is right. It is for the best interests of the public service, and it is for the best interests of our Government. It is a consolidation of the Office of the Adjutant-General and of the Record and Pension Division into one office.

Why should this be done? Senators are aware of the fact that not long since a General Staff was established in the Army and that that General Staff has taken away from the Adjutant-General's Office all the important business of that office, and to-day its duties are simply those of correspondence.

I read now from the Secretary of War, as quoted here:

> But the establishment of the General Staff has relieved the Adjutant-General's Department of substantially all of its advisory and secretary functions, and the Adjutant-General's Office, as a bureau of the War Department, has become almost entirely a bureau of records and correspondence. The head of that bureau is virtually a corresponding secretary for the Secretary of War and the Chief of Staff. Its principal duties being to receive and record their correspondence, the transmission or publication of orders being a large part of such correspondence, and to furnish information from the records in his custody. Upon the Chief of Staff and his assistants under the President and the Secretary of War, has devolved the duty of executing the general military policy of the nation as expressed in the laws, the regulations of departments, including those relating to the construction and in relation to the government of commands, and other departmental matters, including those which the President and Secretary of War require technical and professional attention or advice.

Now, what is the Record and Pension Office? That Office has control of all the muster rolls of the volunteer forces of the United States, including all the Revolutionary rolls that can be found and those of the war of 1812, the Indian wars, the Mexican war, the war of the rebellion, or the civil war.

Within the last year all the muster rolls of the Regular Army have been transferred to the Record and Pension Office, and so to-day it has charge of all the records and proceedings, and it is engaged in precisely the same kind of business that the Adjutant-General's Office is. Why should they be kept separate? There is no benefit to anybody by keeping them separate. It is against the best interests of good executive administration that they should be kept separate.

At the head of the Adjutant-General's Office is a soldier, a gentleman of high character and standing. He has been in the Army all his life. He now has the rank of colonel. This consolidation will give him the rank of brigadier-general. At the head of the Record and Pension Office is General Ainsworth, with the rank of brigadier-general. This consolidation will give him the rank of major-general.

Now, what is the effect of this? Does it give them any command or any right to interfere with the strategic movements of the Army or of its organization? Not at all. Do they skip anybody? Not an officer of the Army is kept back one particle by this legislation. No one is prejudiced by it. Does it give them command? There is a mistake which is very frequently made; and I want to explain the difference between office and rank.

We have in the Army officers. We have a Lieutenant-General, we have major-generals, and we have brigadier-generals, and they are commissioned as Lieutenant-General, as major-generals, and as brigadier-generals. We have had in the staff department officers of different rank; for instance, the Adjutant-General with the rank of brigadier-general.

Now, this gives Colonel Hall the rank of brigadier-general. It gives General Ainsworth the rank of major-general. The difference between military office and military rank is that it is a custom to speak of the heads of the various staff departments of the Army as general officers, but such a custom is erroneous. The real general officers are those who are commissioned to be such, and their number, which is fixed by law, consists of one Lieutenant-General, six major-generals, and fifteen brigadier-generals.

Mr. DANIEL. Will the Senator allow me to ask him a question?

Mr. COCKRELL. Certainly.

Mr. DANIEL. Is not General Corbin, who has been Adjutant-General——

Mr. COCKRELL. I will explain all that.

Mr. DANIEL. With the rank of major-general——

Mr. COCKRELL. I will explain all that in a minute. I will cover the whole ground, I think.

Mr. DANIEL. Is he not now the head of the Department of the East, at New York?

Mr. COCKRELL. I will come to that if Senators will permit me. I am not going to evade anything in the world.

Mr. TELLER. I understand that the gentleman who is to be a brigadier-general is in the Regular Army?

Mr. COCKRELL. He has been there all his life.

Mr. TELLER. And he is a West Pointer?

Mr. COCKRELL. Certainly.

Mr. SPOONER. With a fine record, too.

Mr. COCKRELL. He is one of my friends and constituents. He belongs to a distinguished family in Missouri. He is a son of Judge Hall, who was on the circuit court bench for a long time, and was at one time a Member of Congress, and an uncle of his was governor of Missouri during the civil war.

Mr. TELLER. What I meant to say was that if there was any necessity to use that officer to command somebody, he has the qualifications to do it.

Mr. COCKRELL. Certainly.

Their duty is chiefly of an administrative nature, and their military rank, no matter what it may be, gives them no right whatever to exercise the command which it is the peculiar function of general officers to exercise. It is true that it is within the power of the President to assign the head of a staff department to the command of troops in accordance with his military rank, but only four instances of such assignment are known in the whole history of the Army of the United States.

Here are the four instances:

Alexander Hamilton served as lieutenant-colonel and principal aid-de-camp to General Washington during the war of the Revolution. He was appointed Inspector-General of the Army, with the rank of major-general, July 19, 1798, and after the death of General Washington, December 14, 1799, he commanded the Army until June, 1800, still holding the office of Inspector-General.

Zebulon Montgomery Pike entered the Army as second lieutenant of infantry, and was colonel of the Fifteenth Infantry in 1812. He was appointed Adjutant-General, with the rank of brigadier-general, March 12, 1813, and was killed in the attack on York, Upper Canada, April 27, 1813, while in command of a brigade. He had been authorized by the President to command a brigade. He never performed the duties of Adjutant-General.

Thomas S. Jessup was a line officer from May, 1808, to March, 1818, when he was a lieutenant-colonel of infantry. He was appointed Quartermaster-General, with the rank of brigadier-general, May 8, 1818. On May 20, 1836, he was, by direction of the President, assigned, according to his brevet rank of major-general, to command United States troops and militia to suppress the hostilities of the Creek Indians in Georgia and Alabama. On December 8, 1836, he succeeded General Call in command of the army in Florida, serving in that capacity to May, 1838. He held the office of Quartermaster-General during all this time.

Henry C. Corbin served in the civil war from second lieutenant to colonel of volunteers. He was appointed to the Adjutant General's Department from captain of infantry June 16, 1880; appointed Adjutant-General, with the rank of brigadier-general, February 25, 1898, and with rank of major-general June 6, 1900.

He was, by direction of the President, assigned to the command of the Department of the East October 2, 1903, and to command the Atlantic Division December 22, 1903.

In the whole history of the Army, from its organization in 1789 to the present time, there have been found no other instances of the heads of administrative staff departments being assigned by the President to the command of troops. There is no danger in this case.

I wish to say one more word. General Ainsworth has done a

work which has never been equaled by any executive officer of this Government from 1789 to date; and I challenge any comparison with his record. In 1861 he was taken from the Army, where he was a captain, first in Texas, or in Arizona, down on the western border, where he had been, and put in charge of the Record and Pension Office in the War Department. That office at that time had charge of all the hospital records—over 20,000 books, big, little, and tall, piled up and kept in the hall and the hospital. There were transferred in that office over 19,000 cards from the Pension Office for hospital records. Some of them were six inches thick, some of them were thin, to my certain knowledge, for I was trying to find the work my father current business, and had a list of all the cards [illegible] in the Record and Pension Office of the Surgeon-General's Office furnished me by the Commissioner of Pensions. It was a disgrace to any administration.

Ainsworth took charge in December, 1886. By the middle of March he had [illegible] almost 1,000 calls with the same clerks who had been [illegible] and who were not allowed by law to do any other kind of business, and I was answering within three days all my mails. He was [illegible] with the same men. On the 3d of March, 1887, a select committee of the Senate was appointed to investigate the methods of business and to ascertain the causes of the delay in the transaction of business. I was made chairman of it with the Senator from Illinois, the Senator from Connecticut, the Senator from Tennessee, Mr. Harris, and Senator Jones. We were the five members of the committee. We made the investigation, and that is how I became familiar with it.

I went to the War Department. I spent days going over the muster rolls. There they were—some of them copied; some of them covered over with tracing paper. The heavy artillery rolls were as large as the tops of four of these desks, with hundreds of names on them. Every time the Pension Office called for the history of any one of those men all of the rolls of the whole company had to be taken down and unfolded and the record taken and the rolls folded up and put back again. That was the process, until they were being absolutely worn out and destroyed so that you could not decipher them—four hundred and twenty-odd thousand of them. I appealed in every way I could to the officers there in charge to devise some means by which we could obtain access to the contents of the rolls without having to open them out—all of them—every time we wanted to have the record of a man.

I found in the Record and Pension Office of the Surgeon-General's Office, on my investigation of their methods there, that card indexes were being made. I examined them very carefully. I asked General Ainsworth—Captain Ainsworth then: Can not that system which you have adopted in the Record and Pension Office be made applicable to the muster rolls of the Army? He studied a while and said he thought it might be done. I then asked him if he would take the rolls of an entire company, if I would get them from the Adjutant-General's Office, and transcribe their contents onto cards, so that we could know and see exactly what would be the result. He did it. It is in the report of the select committee. It is there shown just exactly what it would be.

I then went to the War Department to get that system adopted there. I found very great objection to it. I then recommended to the Secretary of War that he appoint a select committee of his own officers to investigate and see whether it was not the best system. He appointed a committee of three. They made an investigation and reported in favor of the card-index system.

It was referred to the Secretary. I had hoped that he would adopt it at once and carry it out; but, on the contrary, he referred it to the then Adjutant-General, who made a very strong report—just as strong as he could make—against it. There it was. He refused to carry out a system which, to my mind, was as plain as A B C, and since has been demonstrated to be so.

I do not know whether they remember it or not, but I was very much discouraged after I had spent two years in trying to reform some of the methods so as to get the business up to current date. I went to the distinguished Senator from Iowa [Mr. ALLISON] and the Senator from Maine [Mr. HALE], who with me were a subcommittee on the deficiency bill, and asked them to allow me to put a little legislation on the deficiency bill to compel the War Department to carry out this system. They agreed to it. It went through. The change of Administration came just as that bill became a law, and the Senator from Vermont [Mr. PROCTOR] became Secretary of War. I saw him, as a matter of course.

My select committee had gone out of existence. Its term had expired. I did recommend the system, and I said to him, "I do not know who may be able to carry out that system, but if you will and can take Captain Ainsworth and will put him in charge of it, I will be personally responsible for its success and guarantee it." In due time he made the order. I did not know what he could do. But he consolidated eight or ten divisions, including the Record and Pension division of the Surgeon-General's Office.

Ainsworth had about 300 men under him. About four hundred odd were transferred with the records of the Army. That was done. In June, when an invoice of what was transferred from the Adjutant-General's Office was taken, there were 40,000 cases unadjudicated. On the [illegible] day of [illegible] when Captain Ainsworth took charge there was not [illegible] of unfinished business in the Adjutant-General's Office, or that part of it which was transferred to General Ainsworth. All the accumulations were disposed of and all the current work was being disposed of.

Not only that, but during that time the law of June 27, 1890, was passed, when the Pension Office was [illegible] with applications for pensions and military records had to be searched. The Pension Office sent to Ainsworth to find calls for [illegible] a week—60,000 calls for military records in one week. All of those that were received before 12 o'clock were acted on that day, and the rest were acted on the next day. That is the record, and it shows for itself.

Now, what has been the result? He has discharged from that office clerks whose salaries amounted to $[illegible] a year. They have been discharged as unnecessary burdens to be kept in the service, their services dispensed with for all time to come, an annual saving, for they are no longer needed.

Now, he does the number of the Regular Army. In September they were on the work begun twenty months before. In other words, they were twenty months behind. When the [illegible] clerks that they turned over to him then every one of those cases was disposed of by the end of December.

I say it is a systematic business which he understands better than all of his clerks put together and which he has the power of making them observe and carry out, and he has done a work for which the salary of a major-general would be insufficient. If he had done the work for any great corporation that has been done for the Government, it would not be [illegible] to pay him $[illegible] a year. Now, these are matters of record. He is a native Vermonter, personally. He is a Vermont Yankee, I suppose. He has been in the Army all his life. I do not suppose he has ever cast a vote in all his life. He went in the Army at a very early day and was kept out on the border.

These are the men who are to be the beneficiaries of a horizontal increase in their salaries by reason of this reorganization. I am not, as a rule, in favor of increasing salaries, but when I find men who have done what these gentlemen have done, I do not begrudge them the increase. As a matter of course, General Ainsworth is not a man who would seek to go in command of the Regular Army. He has been with [illegible] on the frontier. He is not seeking that. That is not his ambition. He has done a work such as no other administrative officer has done. He has taken an interest in it. He has stayed there until 6 or 7 o'clock at night. He divided up his force, and he goes a mile in at 5 or 6 o'clock in the evening. He has clerks who do not come to work until after 12 o'clock, and he stays with them and monitors them work out their time in that way. He keeps everything in perfect order.

He has a record showing exactly the amount of work done by every clerk in the office every since he went there to take charge. He can give you just the amount of work every one has done and they all work. There is no idling there. They have to carry to exactly what they have done and make their own returns. They simply work and do good work. I hope that the amendment will be adopted.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The senior Senator from New Jersey [Mr. KEAN] makes a point of order against this amendment reported by the Committee on Military Affairs. The present incumbent of the chair is here by courtesy, and therefore he will avail himself of Rule XX and submit the question to the Senate for its decision.

Mr. KEAN. I will withdraw the point of order if the Chair is going to do that. I am glad to know how major-generals are made—by handling cards, etc.

The PRESIDING OFFICER. The Senator from New Jersey withdraws the point of order. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

Mr. CULBERSON. On page 13, line 4, after the word "dollars," I offer the amendment I send to the desk.

The PRESIDING OFFICER. The Senator from Texas offers an amendment, which will be stated.

The SECRETARY. On page 13, line 4, after the word "dollars," it is proposed to insert:

That section 22 of the act approved February 2, 1901, entitled "An act to increase the efficiency of the permanent military establishment of the United States," be, and the same is hereby, amended so that it shall read as follows:

"SEC. 22. That the Corps of Engineers shall consist of one chief of Engineers with the rank of brigadier-general, of 12 colonels, 12 lieutenant-colonels, 24 majors, 40 captains, 40 first lieutenants, and 40 second lieutenants. The enlisted force provided in section 11 of this act and the officers serving with the organized battalions thereof shall constitute a part of the line of the Army: *Provided*, That the Chief of Engineers shall be appointed as now provided by

law and hereafter vacancies in the Corps of Engineers in all other grades above that of second lieutenant shall be filled by promotion according to seniority from the Corps of Engineers. Any vacancies occurring at any time in the grade of second lieutenant shall be left for future promotions from the corps of cadets at the United States Military Academy."

Mr. PROCTOR. The Committee on Military Affairs yesterday reported a bill for the increase of the Engineer Corps. The reorganization act of February 2 increased all the corps somewhat, and Secretary Root aimed to incorporate in the provisions for the different corps, so far as he was able, something near a fair proportion between the officers of the higher and lower grades. The staff corps always had the advantage of the line in this respect. They have a larger proportion of officers of high rank.

Without making a radical change, he adopted the system, as near as he could bring it about, of a proportion between the colonels and the lieutenant-colonels of one to one and a half, and between the lieutenant-colonels and the majors of one and a half to three. That is, if there are two colonels he would have three lieutenant-colonels and six majors.

Now, in reporting this bill yesterday morning the committee, as nearly as possible, conformed to that rule, which is a wise one and a fair one and a liberal one, and yet we gave in that report the Corps of Engineers some advantage. That report—I speak from memory, but I believe I am correct—provided for 1 brigadier-general, 10 colonels, 16 lieutenant-colonels, 32 majors, 40 captains, 40 first lieutenants, and 40 second lieutenants. We thought the number of lieutenants of each grade should be the same as the number of captains, as it is generally, as it is in the line and in other staff corps.

Now, if the Senator will accept the provisions of that report, I will refrain from any opposition or point of order. It is very true that the Engineer Corps should be increased. The increase which we proposed gives four or five more officers than the amendment of the Senator, but the officers are of the lower grades.

Mr. CULBERSON. Mr. President, the amendment which I have offered is the bill introduced on the 23d ultimo by my colleague [Mr. BAILEY], who is unavoidably absent from the Senate to-day. The amendment which has been proposed by the committee increases the number of engineer officers to a considerable extent; but, as indicated by the Senator in charge of the bill, the increase is largely in the lower grades, particularly first lieutenants and second lieutenants.

My information is that the amendment proposed by the committee is not as satisfactory as the bill proposed by my colleague, for the simple reason that the second and first lieutenants in the Engineer Corps are usually officers just from West Point, thoroughly equipped theoretically for the discharge of their duties, but lacking in the practical knowledge that is necessary to carry on these great works.

If the Senator from Vermont, however, speaking for the committee, declines to accept the amendment proposed by my colleague and will insist upon that proposed by the committee, I, of course, will accept the amendment. But I wanted to make the explanation and to suggest that the bill proposed by my colleague is the best under the circumstances, because what is necessary now is an increase in the number of engineer officers capable, by learning, and experience also, to carry on the great works we have in hand.

The PRESIDING OFFICER. Does the Chair understand the Senator from Texas to withdraw his amendment?

Mr. CULBERSON. I accept the amendment to the amendment proposed by the Senator from Vermont.

Mr. ALLISON. We had better have the amendment of the committee read.

The PRESIDING OFFICER. The Chair is informed that there is no amendment at the desk from the committee other than that which has been adopted.

Mr. PROCTOR. The amendment is to strike out "twelve" before "colonels" and insert "ten;" before "lieutenant-colonels" to strike out "eighteen" and insert "sixteen;" before "majors" to strike out "thirty-six" and insert "thirty-two."

Mr. CULBERSON. As an accommodation to the Senator, I send up the amendment in print.

The PRESIDING OFFICER. The Senator from Texas sends to the desk a modified form of the amendment, which the Secretary will read.

Mr. CULBERSON. It is a printed amendment.

The PRESIDING OFFICER. The Secretary will state the amendments.

The SECRETARY. Where the word "twelve" occurs before the word "colonels" strike out "twelve" and insert "ten."

The amendment was agreed to.

The SECRETARY. Where the word "eighteen" occurs before the word "lieutenant-colonels" strike out "eighteen" and insert "sixteen."

The amendment was agreed to.

The SECRETARY. Before the word "majors" strike out "thirty-six" and insert "thirty-two."

The amendment was agreed to.

The SECRETARY. Before the word "captains" strike out "forty" and insert "forty-three."

The amendment was agreed to.

The SECRETARY. Before the words "first lieutenants" strike out "forty" and insert "forty-three."

The amendment was agreed to.

The SECRETARY. Before the words "second lieutenants" strike out "thirty-eight" and insert "forty-three."

The amendment was agreed to.

The PRESIDING OFFICER. The amendment is agreed to as amended.

Mr. TELLER. I should like to have the attention of the acting chairman of the committee for a moment. I have an amendment which I desire to offer.

Mr. PROCTOR. Has this amendment been agreed to?

The PRESIDING OFFICER. The Chair so understands, that it was agreed to as read.

Mr. TELLER. I understood that it was agreed to. If in order, I should like to offer an amendment.

Mr. PROCTOR. Will the Senator allow me?

The PRESIDING OFFICER. The Chair understands that the amendment met the approval of the Committee on Military Affairs as modified by the Senator from Texas.

Mr. PROCTOR. I have received a letter from the Secretary of War this afternoon, since we have been in session, in regard to some matters pending between the military and civil governments in the Philippine Islands. Of course I have not had an opportunity to examine it, but I had a talk with him this morning in which he proposed it, and I have no question but that it is a just and proper thing to do.

I said to him that it occurred to me it should be considered by the Committee on the Philippines, but I have shown it to the chairman of that committee, and he thinks it should properly go on this bill. I therefore offer as an amendment the matter in parentheses.

The PRESIDING OFFICER. The Secretary will read the amendment.

Mr. CULBERSON. I simply rose to ask what became of the amendment. I understood that the Senator from Colorado rose to ask some question about the amendment I proposed.

Mr. LODGE. It was agreed to

Mr. TELLER. No; I rose to offer an amendment.

The PRESIDING OFFICER. The Chair will state that the amendment as modified by the Senator from Texas was agreed to by the Senate. The Secretary will read the amendment offered by the Senator from Vermont. The Secretary is in doubt as to what point in the bill the amendment shall be inserted.

Mr. LODGE. At the end of the bill.

The SECRETARY. It is proposed to add at the end of the bill the following:

The Secretary of War is authorized, if in his judgment the conclusion be an equitable one, to compare the accounts and settle the balances between the civil government of the Philippine Islands and the government of the United States, to settle and adjust and to report the character of the claims covering expenses that have arisen between the two governments, such as those for transportation, Quartermaster's supplies, Commissary supplies, Ordnance supplies, Signal Corps supplies, Engineer supplies, Medical supplies, Q. M. D. supplies, Signal Corps supplies, Ordnance supplies, Engineer supplies, Medical supplies, Q. M. D. supplies, and to report that the same be dropped from the records of the Quartermaster's Department. The act of the Secretary of War in this behalf, with respect to the accounts and the expenses, the Quartermaster's and the Subsistence Corps shall be accorded [illegible] and settlement [illegible] and settlement [illegible] not authorized to [illegible] a deficit in the subsistence and quartermaster's appropriations for the current fiscal year, there is hereby appropriated out of moneys in the Treasury of the United States not otherwise appropriated, for the quartermaster department payment of claims [illegible] and government, $[illegible] for the subsistence department, [illegible] $144,000.00, which funds shall be accounted for as [illegible] "and subsistence supplies for not exceeding two years."

Mr. CARMACK. I should like to hear some explanation or statement about the amendment.

Mr. LODGE. I will state that the chairman of the Committee on Military Affairs in charge of the bill handed me the letter from the Secretary of War, together with the amendment which has just been read. That amendment belongs clearly on the appropriation bill. I think it is very necessary and very proper in order to settle the outstanding accounts between the civil and the military government. The military government turned over certain launches, which are mentioned there, to the civil government, but they are still borne on the Quartermaster's accounts. The civil government has taken them and carried them, and kept them in repair ever since that time.

In the subsistence department there is a charge against the civil government, and the civil government makes a charge against the War Department for expenses involved in taking care of certain prisoners. The civil government has also expended money for the redemption of arms. This is done simply to enable them to balance the two accounts between the former military

[illegible] the civil government now existing. It seems to me that it ought to be passed. It is really necessary to settle up the accounts; that is all.

Mr. CARMACK. I would rather that the amendment should be printed and go over.

Mr. LODGE. I take it the acting chairman of the committee does not wish to have the bill held up for the amendment.

Mr. PROCTOR. I will withdraw the amendment.

Mr. LODGE. Of course, I am not going to press it. It was simply submitted. It is not my amendment. I have nothing to do with it.

The PRESIDING OFFICER. Does the Chair understand that the Senator from Vermont withdraws the amendment?

Mr. PROCTOR. I do not, unless the Senator from Tennessee insists upon its going over. I have a letter here from the Secretary of War going into a fuller explanation of it. I can have it read, if the Senator wishes, or I will withdraw the amendment, if the Senator desires.

Mr. CARMACK. I shall have to insist upon the amendment going over. I have no desire to delay action on the bill, but I should like to have an opportunity to read the amendment and understand it better than I do now.

Mr. TELLER. Let it go over until to-morrow morning.

Mr. PROCTOR. I will withdraw the amendment.

Mr. CARMACK. I should like to hear the letter read.

The PRESIDING OFFICER. The Senator from Vermont withdraws the amendment.

Mr. PROCTOR. I ask that the letter from the Secretary of War relative to the amendment be printed as a document.

The PRESIDING OFFICER. The letter will be printed as a document.

Mr. TELLER. Mr. President, I wish to call the attention of the acting chairman to an amendment. I have offered a similar amendment, and we have adopted it once or twice. The committee have put in an amendment on page 15 which I do not think quite fills the bill, and I wish to amend that amendment. I am hesitating between two opinions as to a part of it. There has been a large number of brigadier-generals made recently, and the Senate committee amendment on page 15, line 18, provides that—

Field, line, and staff officers of the Army below the grade of brigadier-general, with creditable records, who served during the civil war, shall, when retired, be retired with the rank and retired pay of the next higher grade, and the Secretary of War may assign, etc.

That is the point. A large number of officers have suggested that it is not fair to provide that the rank shall be below the grade of brigadier-general, and so cut out a brigadier-general. I can see where in some cases that would be exceedingly unfair. I ask the Senator in charge of the bill if he thinks it would jeopardize the amendment if I should insist upon changing it, and instead of saying "below the grade of brigadier-general" say "below the grade of major-general."

Mr. PROCTOR. I am sure it would jeopardize the amendment. We had an amendment a little broader than this on one appropriation bill, and we were told in conference that it was utterly useless to consider it, and we dropped it out. The Senator will see that above the rank of colonel it is entirely in the discretion of the President to make a brigadier-general, who may be a colonel before he retires.

Mr. TELLER. I know he can.

Mr. PROCTOR. I think the adoption of such an amendment to the amendment would be very unwise indeed.

Mr. TELLER. I am not going to offer it. I wanted the opinion of the Senator on the subject. I am going to offer something else.

We have retired a large number who have been in the Army and have been promoted to a brigadier-generalship and then retired. There has been a great number of soldiers who were colonels retired. To-day a retired colonel called on me and told me that he had been forty-two years in the regular service of the United States, and he had been retired as a colonel by reason of his age. He seemed to think that he ought to have been promoted to a brigadiership, and judging from the service he told me of, it seemed to me that he ought to have been so retired.

I wish to make the provision the committee have inserted here retroactive. I want it so that those who have already gone on the retired list may have this bounty, for that is what it is. I should like to have it read as follows:

Field, line, and staff officers of the Army below the grade of major-general—

Leaving out brigadier-general—

with creditable records, who served during the civil war, shall, when retired, be retired with the rank and retired pay of the next higher grade.

I do not know how many that would include, but I should say not a very great number.

Mr. PENROSE. I should like to ask the Senator from Colorado whether there will be any objection to inserting in line 10, after the words "civil war," the words "in the Army or Navy."

Mr. SCOTT. The Navy already has the benefit of the provision.

Mr. TELLER. A Senator near me says the Navy has it.

Mr. QUARLES. The Navy has it now.

Mr. SCOTT. I will say to the Senator from Pennsylvania that this is the exact language that is used in the law which provides for the retiring of navy officers.

Mr. PENROSE. I did not understand it, having just entered the Chamber.

Mr. PROCTOR. It has applied to the Navy for many years, and on the naval appropriation bill which has just passed the Senate it was made to apply to the Marine Corps.

Mr. TELLER. I should like to withhold my amendment for a moment. The Senator from Michigan [Mr. ALGER], who has had more experience in these matters than I, who served not only as a general in the Army, but as Secretary of War, has a measure that he thinks will cover the case. I only want to say, having this rule in the Navy, why should we not have this rule in the Army?

Mr. SCOTT. And we have it in the Marine Corps.

Mr. TELLER. And we have it in the Marine Corps, says the Senator from West Virginia. I will withdraw my amendment for the moment: and if the Senator from Michigan offers his and it is accepted, that will be all that will be necessary. I understand that it is what he has proposed as a bill.

I will wait while the conference is going on about it. I have no pride by any means in getting it in as my amendment. [A pause.] The Senator from Michigan tells me it is suggested that his bill might injure the appropriation bill. I know that if it is postponed to be passed as a separate bill, that will be the end of it. These people have not got any great amount of political backing, and they will not get it in the shape of a bill. If we do not get it on the appropriation bill, it will not go through at all. Now I am going to offer my amendment. I move to strike out and insert after the word "war," in line 20 on page 15, "who have heretofore been or may hereafter be retired."

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment which will be read.

The SECRETARY. On page 15, line 20, after the word "war," insert "who have heretofore been or may hereafter be retired."

Mr. TELLER. That is it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Colorado.

Mr. PROCTOR. Mr. President, we have once on an appropriation bill had the provision substantially as this would be with that amendment. It was impossible to get it accepted. I think the effect of the Senator's amendment would be to kill this whole provision. If it is allowed to stand as it is, I think it will be a stepping-stone toward getting full justice for the officers who have been retired. I am just as earnestly in favor of it as the Senator. I have drawn and introduced two or three bills. We passed here in the Senate one separate bill. We also put the provision on an appropriation bill, but it failed to be agreed to in the other body.

My feeling for the veterans of the civil war who retired with insufficient rank is certainly just as strong as the Senator's can be. That is all that need be said of it. I would do anything that would secure them equal recognition, and I shall always act in that way. But I am sure it would be very unwise to put it in this place. It would be harmful to the purpose the Senator has at heart.

Mr. SPOONER rose.

Mr. TELLER. Mr. President, I yield to the Senator from Wisconsin.

Mr. SPOONER. Is not that a very singular theory upon which the Senate is to legislate, that it will not put on a provision that is just? If the Senator thinks it belongs in the bill and is necessary to make the bill right, why should it be withheld in contemplation of a disagreement to it in some other place? If there should be a disagreement to it, I do not see how it would jeopardize the provision, because undoubtedly the whole bill will be thrown into conference, or nearly all of it.

Mr. TELLER. I think the Senator from Vermont had better take the chances and try it.

Mr. PROCTOR. From experience I am very sure it would be harmful. I think the provision as we have it might pass, and that it would be a help in getting further action. There is a bill before the committee that will no doubt be reported favorably, which covers the whole provision, and I do not see why it can not be passed during the present week or on almost any day.

Mr. TELLER. The provision I want to have inserted is in the interest of the men who have served this Government in the most arduous war of the age.

The provision the Senator insists upon as so important that he thinks the provision ought not to be changed for fear he may jeopardize it will possibly take in a few, but only a very few of that class. It will take in some of the more modern soldiers,

some who did not go through the civil war, and some who have rendered comparatively little service to the Government of the United States and the world compared with what these men rendered, who have now, after a long service, gone out of the service on a compensation that in these days of high prices does not give them a decent living.

I have heard it said here that we are big enough to do anything we ought to do. I agree to that. I agree, Mr. President, that if for any whim or for any reason we want a regiment down in Porto Rico, either for glory or for gain, we can have it there if we want it.

I do not believe, Mr. President, that the American people will be gratified when they find that such an exhibition is made here, particularly when it comes to a question of promoting and paying a man who has given his life to the public service in the Army of the United States, who has performed all the duties of a soldier in an acceptable manner, and because age has overtaken him before he got to be a brigadier-general, which he would have attained if he had not been retired on account of his age, he must remain a colonel or a captain or whatever may be his rank, and be jumped, as is suggested to me, by those without military experience or military training.

I do not know whether this amendment will jeopardize the bill or not, and I do not care. I know very well that the bill will not fail; and if this provision, which does justice to men now on the retired list, can not be put on it, I do not care whether the provision for future retirements is retained or not. You can put that in some other day. I want it distinctly understood that it is a question whether men who have done their duty and have gone out of the service by reason of the statute as to age shall not have the same benefit granted to them which you grant soldiers and marines, and which you propose to grant to men who are now not on the retired list, but who shall hereafter retire. I ask that there may be a vote on the amendment.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be stated.

The SECRETARY. On page 15, line 20, after the word "war," it is proposed to insert "who have heretofore been or may hereafter be retired;" so that, if so amended, it will read:

Field, line, and staff officers of the Army below the grade of brigadier-general, with creditable records, who served during the civil war, who have heretofore been or may hereafter be retired shall, when retired, be retired with the rank and retired pay of the next higher grade.

Mr. PROCTOR. Mr. President, I am not going to put myself on record as opposing any measure for the benefit of these soldiers, but I have doubted in their interest the policy of putting the amendment on the bill, and I still doubt it, but I am not going to oppose it.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Colorado to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. TELLER. Mr. President, there needs to be another amendment, because some few of these officers have had the advantage of that grade. I have an amendment here, which reads as follows:

But no officer shall be entitled to the benefits of this provision who received any advancement of grade at the time of retirement or with a view to retirement.

Mr. PROCTOR. That is right.

Mr. TELLER. I do not know that that would cover many cases, but it does cover some.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. On page 16, at the end of the amendment, after the word "grade," it is proposed to insert:

But no officer shall be entitled to the benefits of this provision who received any advancement of grade at the time of retirement or with a view to retirement.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. WARREN. I desire to offer an amendment, which I send to the desk, to be inserted after line 10 on page 13.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Wyoming will be stated.

The SECRETARY. On page 13, after line 10, it is proposed to insert:

Details to fill vacancies in the Ordnance Department, as contemplated by the act of February 2, 1901, may be made from the Army at large from the grade in which the vacancy exists, or from the grade below; and officers shall have the rank and pay of the grade to which detailed while serving therein: *Provided*, That no officer shall be so detailed except upon the recommendation of a board of ordnance officers: *And provided further*, That officers so detailed to vacancies in grades below that of lieutenant-colonel shall not, after a service of four years in the Ordnance Department, be again eligible for such detail until after they shall have served for at least one year out of that Department.

Mr. PROCTOR. Mr. President, this matter, though it did not come before the committee for consideration this year, has been before the committee in previous years, and the committee have not favored its adoption. I think it is a harmful amendment. Secretary Root was two years ago inclined to favor it, but he subsequently changed his mind. I should like to have the Secretary read from Secretary Root's last annual report what I have marked.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

Some criticism has been made upon the detail system as applied to the Ordnance Department upon the ground that it has brought [illegible] a number of officers to fill the ordnance vacancies. I acknowledge such criticism. It is true that when the statute assigns twenty-four first lieutenants to the Ordnance Department we have but seven. But the reason is that the deficiency of experienced officers in the Artillery Corps from which is the main the detailing for the Ordnance Corps must be obtained.

The Chief of Artillery, in his report of November 24, 1903, says upon this subject:

"It will appear that only about 34 per cent of the total number of artillery officers present for duty have had over five years' experience in the artillery. The gravity of this situation will be duly appreciated when it is remembered that at the present time the duties and responsibilities of an artillery officer are greater than ever before. It is neither just nor considerate, nor fair to the officer concerned, to put an inexperienced one in a position of command where ignorance may result in the loss of human life or in the destruction of thousands of dollars of government property."

When it is remembered that the 13 colonels, the 15 lieutenant-colonels, the 44 majors, and 32 captains of the Artillery Corps constitute more than 34 per cent of the corps, it will readily be seen that there are but few lieutenants who are qualified among the inexperienced officers referred to by the Chief of Artillery and few who are available for transfer to the Ordnance Corps. There would have been no difficulty at any time within the past two years in completely filling the list of lieutenants in the Ordnance Corps by details from the artillery, if a sufficient number could have been spared from the small number of artillery lieutenants fitted for the ordnance service. The details have not been made because artillery officers should not go into the ordnance without a considerable amount of previous artillery service, and because that service, under the existing conditions of the new artillery component, has number of peculiar consequences. This is a temporary condition and can readily be dealt with in the near future without any change of the law.

Mr. WARREN. Mr. President, it is true that in the past, as the Senator from Vermont [Mr. PROCTOR] has indicated, Secretary Root opposed the change, and stated very clearly that his reason for opposing it was to give the General Staff law a trial before proceeding to amend it. It has been given a trial, and it has been demonstrated that it is deficient in this one respect.

It has been under consideration by the General Staff, and this proposed amendment recommended to the Lieutenant General. The Lieutenant-General has recommended it to the Secretary of War, and the Secretary of War has to-day recommended it to Congress. The Secretary of War has been absent, and hence the delay.

In justice to the acting chairman of the committee, I should say that I have not had an opportunity to fully discuss this matter with him to-day, because of his being busily and constantly occupied in charge of the bill.

The matter went before the subcommittee on fortifications because it was too late for consideration by the committee in charge of this bill, but the committee on fortifications believed that it ought to go in with the other matters pertaining to the staff which have just been adopted as a part of this bill now under consideration.

In the meantime a bill had been presented to the Committee on Military Affairs relating to the enlargement of the Corps of Engineers, which, of course, was legislation, pure and simple. The committee was polled yesterday morning and the bill was reported and went to the Calendar. So far as I am concerned, my assent to it was on the ground and assurance that it should be treated as a separate measure and not be attached to this bill.

That measure having now gone into this bill leaves this amendment where it can not be added to that one as a separate measure. So that now in justice it should be adopted as a part of the pending measure. I have here a copy of the letter of the Secretary of War in respect to it.

Mr. President, the amendment provides for no more officers. It has been found on trial that that corps can not be filled in the usual way. Unless you offer relief in this way, it is a simple matter of whether you will detail men to go there without passing an examination or not have a full corps.

They are now short twenty-one members of the corps, two on staff duty and nineteen vacancies, because the junior officers do not care to take the necessary course of study to submit to an examination and pass unless some inducement is offered. So we must either lower the standard or we must make a more liberal provision, if we will have an efficient Ordnance Corps.

I send to the desk the letter of the Secretary of War, which I ask may be made of record.

The PRESIDENT pro tempore. Does the Senator desire to have it read?

Mr. WARREN. I ask to have it read.

Mr. ALLISON. I should be very glad to have that letter read, but before it is read I wish to say a word respecting the amendment.

It is true, as stated by the Senator from Wyoming [Mr. WARREN], that this amendment was submitted to the subcommittee on fortifications, and reasons, which I think were very good, were presented for its adoption, although I did not examine the details of the amendment with very great care. But it was intimated to the committee and to me personally that the amendment relating to the Engineer Corps, which is now a part of this bill, would be offered as an amendment to the bill, and it was stated that if that was offered as an amendment this provision relating to the Ordnance Corps, being very pressing, ought also to go upon the bill.

I stated to the officer who presented the matter that it was utterly impossible for the amendment in regard to the Engineer Corps to be put upon this bill; that it was palpably and clearly general legislation; that a point of order would surely be made against it, and that, if such a point were made, the amendment would be ruled out. I also stated to the officer that it would be out of order on the fortifications appropriation bill and could not be placed upon that bill. So I think I must have misled the officer, who had the view I have stated respecting this particular amendment; and I certainly must have been misled about it, for there seems to be much doubt as to whether the amendment respecting the Engineer Corps is a proper amendment on this bill, and whether the question of receiving it should not have been submitted to the Senate. I believe another amendment was submitted to the Senate which was equally out of order.

Now, I hope the Senator from Vermont who is in charge of this bill, having consented to place upon it a considerable amount of legislation which is not in order under any circumstances, will not now cut off this amendment relating to the Ordnance Corps, which is a reasonable and proper amendment. If its language is not just what it ought to be, I trust the Senator will give us the benefit of his experience and modify it, so that the Ordnance Corps may have in some measure, at least, what it is entitled to.

There are nineteen vacancies, I am told, in the Ordnance Corps now, and under existing law the examinations are so rigid that it is impossible to get men from the particular corps who are eligible to be transferred to the Ordnance Corps. It is a highly scientific corps, and it is one that in the future will be of immense service to our country if its officers will pursue the studies which are necessary in the Army.

I think that the document which the Senator from Vermont had read, instead of being an argument against this amendment discloses the fact that the whole Army ought to be admitted to competition as respects details and assignments to the Ordnance Corps, so that young men who, by any misfortune, may not have got into the Artillery Corps, which I believe is now the only corps from which officers may be drawn for the Ordnance Corps, that these young men, whose intellects are alert and who have a disposition to study the intricacies and complications of ordnance, may have the opportunity of a detail; and then, if they show a capacity for this work, that they may have an opportunity for promotion in this corps.

I should not have spoken upon this subject were it not for the fact that I misled entirely those who are in favor of this measure by stating to them that I supposed it was impossible to put it upon this appropriation bill.

Mr. PROCTOR. Mr. President, in regard to the last sentence of the Senator from Iowa, there is no promotion in the Ordnance Corps to the men who are provided for by this amendment. It is a mere detail. They are not promoted to the Ordnance Corps at all: they take their promotion in the line of the Army, and the Ordnance Corps is open to details from the whole Army.

In regard to the letter of Secretary Root, I will say that, after several years of experience, three or four years ago he changed his mind in regard to this matter, and the closing sentence of what was read from him is that he thinks no further legislation is necessary.

There is one very vicious clause in this amendment, and I wish especially to call the attention of the Senator from Missouri [Mr. COCKRELL] to it. There have been several cases where details were made and the officers were to receive pay of a higher grade. That was the old rule of the Ordnance Department before the reorganization of the Army. It was a rule to which there was great objection. We have in the case of the Porto Rican Provisional Regiment, provision for which was made to-day, provided especially that the officers so detailed shall receive the pay of their grade only. Now, field officers are receiving the pay of a higher grade. That is all wrong. All the staff officers will be trying to get a similar provision. The provision is this—I will begin with the first part of the amendment:

> Details to fill vacancies in the Ordnance Department, as contemplated by the act of February 2, 1901, may be made from the Army at large from the grades in which the vacancy exists or from the grade below, and officers shall have the rank and pay of the grade to which detailed while serving therein.

That is all right so far. Then they say—and this is the milk in the cocoanut—that the second lieutenants who are detailed to that corps shall get the pay of first lieutenants. That is a very vicious provision. If that can be stricken out, I will not raise the point of order on the amendment, although I think the whole of it is unwise and that it is a very improper provision.

Mr. WARREN. I trust the Senator will not raise the point of order. I hardly think he can persist in doing so after the legislation of the afternoon, and especially so as he knows that the understanding was that the Ordnance Corps could be taken care of along with the Engineer Corps, provision for which has now gone into the bill as an amendment.

What the Senator from Vermont proposes to strike out is the very essence of the amendment. After three years' trial of the staff it has been found impossible to fill the detail under the terms of the present law.

Second lieutenants do not wish to take the course of study to enable them to take this examination to go into this corps and to do this hard and trying work without some compensation therefor.

It has been sufficiently tried. It has been found wanting; and there is no other way to handle this matter except to make provision of this kind or to detail men for that service who can not pass the examination.

Will you lower the standard or will you keep up the standard and pay the small difference between a second lieutenant's salary and that of a first lieutenant or between a first lieutenant's salary and that of a captain?

So far as the late Secretary of War is concerned, I have heard nothing very formidable in what was read from his report. I have talked with the Secretary about this subject, and I am not going in too far when I say I believe that we should have had exactly the same kind of a report from him at this time as we now have from the present Secretary of War, Mr. Taft.

He desired very properly that the staff law in all its provisions should be lived up to long enough to demonstrate fully whether it needed amendment or not. It has been demonstrated seemingly to the satisfaction of our acting chairman, the Senator from Vermont, that it is wrong or insufficient, so far as the Engineer Corps is concerned, and he has consented to an amendment which provides for that corps.

Now, I ask that the same consent may be given, or that a vote of the body may be taken upon the amendment in regard to the Ordnance Corps. Perhaps it would be well to have read, and I will ask to have read, the letter from the present Secretary of War.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

WAR DEPARTMENT,
Washington, March [illegible], 1904.

Hon. REDFIELD PROCTOR,
Committee on Military Affairs, United States Senate.

SIR: I have the honor to invite your attention to the following in regard to the Ordnance Department of the Army.

Under the provisions of existing law commissions in that department are now filled by the detail of line officers of the same grade [illegible] from the line of the Army. There are now [illegible] second lieutenants who serve in the Ordnance Department for four years, and [illegible] the grade of lieutenant colonel are [illegible] but [illegible] and they shall have served for at least two years in that grade. The law provides that the details shall be made under such system of examination as the President may from time to time prescribe.

Since the passage of the act of February 2, 1901, providing a code for the present method of filling vacancies in the Ordnance Department there have been in that department [illegible] vacancies in the grade of lieutenant colonel, for which purpose no officers have been detailed, and [illegible] from the line of the Army [illegible] by his promotion to a majority. There are now [illegible] vacancies in addition to two officers detailed to the General Staff. Under the law [illegible] prior to the passage of the act above mentioned, second lieutenants of the line were eligible for transfer to the Ordnance Department upon the occurrence of a vacancy, and by such transfer they received a permanent appointment and an elevation to the grade of first lieutenant. With these opportunities there was no difficulty in securing candidates capable of passing the examination, the numbers being in ordinary times sufficient to provide competition, though in times of prospect of rapid promotion in the line of the Army opportunity for preparation for examination the rate of accumulation was so slow as to cause vacancies in the Ordnance Department to remain considerable intervals.

The change of the provisions of the act of February 2, 1901, so as to permit the detail of second lieutenants to the grade of first lieutenant was made in recognition of the necessity for offering inducements not existing in the conditions allowing detail only from the same grades, but as the commissions from service in the Ordnance Department will come after an officer passes the grade of second lieutenant the measure of relief is but a partial one and has had only partial effect, but three officers having been selected under it.

In order to supply officers for the urgent needs of the Ordnance Department it appears to be necessary either to lower the standard for admission to that Department or to increase the inducements to officers to prepare themselves for the examination for detail and to undergo the exacting service of the Department. It is not believed to be necessary or desirable to lower the standard: the character of the examination has not been changed from that obtaining under the former laws, and there are believed to be plenty of officers in the service capable of passing it.

The inducements can be increased, it is believed sufficiently, by permitting the detail of all officers to be made either from the grade in which the vacancy exists or from the grade below, and by reducing the compulsory interval between details from two years to one; and this change would involve

no increase of expense, as the number of officers in each of the grades, both in and out of the Ordnance Department, would not thereby be increased. [illegible] provision for less frequent promotion of officers in the Ordnance Department, of which the duties are specialized and [illegible] officers serving in grades below [illegible] a great part of their time out of the Ordnance Department [illegible] to be sufficient to preserve the advantages of the present system.

I [illegible] that the following legislation be enacted which [illegible] conveniently done at the present stage by attaching it to [illegible]

[illegible] the Ordnance Department, as contemplated by the act of February 2, 1901, may be made from the Army at large, from the grades in which the vacancy exists or from the grades below, and officers shall have the rank and pay of the grade to which detailed while serving therein.

[illegible] until after they shall have served for at least one year out of that [illegible]

Very respectfully,

W. H. TAFT,
Secretary of War.

Mr. PROCTOR. In regard to what the Senator from Wyoming says about a misunderstanding as to the staff measures, I wish to say that I never heard [illegible] that there was any [illegible] to the Ordnance Corps. [illegible] was before us and never alluded to it. We had a hearing and he was [illegible] us and we gave him everything he asked for. The Chief of Engineers was before us and stated just what he wanted in regard to that corps, and I was instructed by the committee to have a further conference with him. I thereupon [illegible] to an amendment offered by the Senator from Texas when he accepted the amendment I proposed, making it conform to the action of the committee.

Now, to be consistent, I can do nothing other than to insist that I shall raise the point of order unless this amendment can be made to correspond with all the previous action of the committee—that is, to strike out the words I have referred to, giving the increased pay.

There is another provision in it which I think is very unwise. It puts the whole matter under the control of the Ordnance Department. It takes it away from the Secretary, where the responsibility ought to rest. It restores the old provision which was in force before the reorganization. The power used to be with the Ordnance Department. It was claimed that it was a close corporation, and that the sons of favorite officers could always pass the examination. This measure restores that old vicious proposition in the proviso that no officer shall be so detailed except upon the recommendation of a board of ordnance officers. It takes it out of the Secretary's hands entirely, which is an unwise measure surely.

Mr. SCOTT. I raise the point of order that this is new legislation.

Mr. WARREN. Will the Senator from West Virginia withhold the point for a moment?

Mr. SCOTT. I should be very glad indeed to accommodate the Senator from Wyoming, but we have been four weeks on this bill in subcommittee, and I am very sure few of us on the subcommittee would recognize it now. These measures are coming up that never were before the subcommittee and never have been considered, and I certainly think it is not the proper time or the proper place——

Mr. WARREN. That is what I wish to explain.

Mr. SCOTT. To load down this bill with amendments without having given them due consideration. The army officers were all given an opportunity to appear before us, as the chairman very truly says. We take the Porto Rican officers, who are detailed for that regiment, and we say they shall not have the pay of one grade higher. We take it from them. Now, if this amendment is adopted we put in the very thing that we have taken out in the Porto Rican case. I shall insist, as soon as the Senator from Wyoming says what he may care to say, upon the Chair ruling on my point of order.

Mr. WARREN. What I have to say is with regard to the point raised by the honorable acting chairman of the Military Committee and the honorable Senator from West Virginia. I dare say, in fact I fully understand, that the reason why it was not before the Military Committee was, as I said before, that it did not early enough reach a point where it could be presented, backed with the proper credentials: that is, with the approval of the staff, the Lieutenant-General, and the Secretary of War. The return of the Secretary of War was subsequent to the reporting of this bill by the regular committee. I do not think that that alone ought to be alleged as a reason why it should not be considered upon its merits.

Mr. President, I do not think I need to go into any argument to show the fairness or the unfairness of permitting this amendment to be voted on by the Senate. If it is wrong, the Senate will say so; if it is right, it will say so. We have proceeded along lines with this bill of submitting to the will of the Senate.

There have been notices of points of order, but none have been really made. If offered, they have been withdrawn. One was withdrawn at a time when the presiding officer felt it his duty to submit it to the Senate for decision under the rule. Now, there may be some difference of opinion as to the gauge that the presiding officer may take. I have always understood that rules were for general government.

I have often heard the adage that "the exception proves the rule," although I do not think I know exactly what that adage means. But I do know that almost every rule must at rare intervals be suspended for the public good. I do know that if it had not been considered proper it would not be one of the standing rules of the Senate. Therefore, I think it is a rule that may be resorted to perhaps oftener than is our custom in the Senate.

We have had amendments upon amendments to this bill, which now have become part of the bill by adoption, that certainly were wide upon the points of order than the pending amendment. I hope the point of order will not be made, but if made, that it will be submitted to the Senate to decide.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wyoming.

Mr. PROCTOR. I understood the Senator from West Virginia to make the point of order.

The PRESIDENT pro tempore. The Senator did not make the point of order.

Mr. PROCTOR. He gave notice that he would do so.

Mr. SCOTT. I am perfectly willing to allow it to go to a vote. I do not feel disposed to shake out the matter.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Wyoming. [Putting the question.] The Chair will again submit the question, and ask all Senators to vote.

Mr. HOAR. I should like to have the amendment read again, as I was not here when it was offered.

The PRESIDENT pro tempore. The Secretary will again read the amendment.

The Secretary again read the amendment.

Mr. HOAR. I merely wish to make an inquiry of the mover of the amendment. I am not very well informed about this matter. Are there precedents in our existing legislation for putting a discretion, which is in the President in such a matter, in the power of a board of officers as to individuals to be selected for certain military service?

Mr. PROCTOR. I think it is very unusual. It was the old provision which was wiped out by the reorganization act, and I think it would be very wrong to restore it.

Mr. GORMAN. I trust the Senator from Vermont will not keep us here later this evening. Evidently we can not finish the bill to-night. An important provision is before the Senate. I think the Senator would better let the bill go over until to-morrow.

Mr. PROCTOR. I should be very glad to close it up if there is nothing but this provision. To settle this quickly, I raise the point of order.

Mr. WARREN. Mr. President——

The PRESIDENT pro tempore. The Senator from Vermont will state his point of order.

Mr. WARREN. I rose, Mr. President, to say I would be glad to accept an amendment covering the point raised by my honorable friend the Senator from Massachusetts, but I am very much in hope the Senator from Vermont will not raise the point on it, amended as he suggests. If the point of order is so raised I shall be glad to have the President pro tempore, if he will do so, submit it to the Senate.

The PRESIDENT pro tempore. If the point is raised, the Chair will be obliged to sustain it. Does the Chair understand the Senator to raise the point of order?

Mr. PROCTOR. I do.

The PRESIDENT pro tempore. The Chair sustains the point of order.

Mr. ALLISON. I agree with the Senator from Maryland——

Mr. PROCTOR. Is there anything further?

Mr. ALLISON. I think this amendment ought to be modified, so as to meet the views of the acting chairman of the committee, and I have no doubt it can be done by to-morrow.

Mr. PROCTOR. I ask that the amendment which I offered and withdrew in regard to a settlement between the military and civil governments in the Philippines be printed.

The PRESIDENT pro tempore. It will be printed at the request of the Senator from Vermont.

EXECUTIVE SESSION.

Mr. KEAN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in ex-

cutive session the doors were reopened, and (at 5 o'clock and 53 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, March 9, 1904, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate March 8, 1904.

POSTMASTERS.

OHIO.

John A. Anderson to be postmaster at St. Marys, in the county of Auglaize and State of Ohio, in place of John L. Sullivan, removed.

William A. Campbell to be postmaster at Lima, in the county of Allen and State of Ohio, in place of George Hall. Incumbent's commission expired January 24, 1903.

Elmer A. Palmer to be postmaster at Napoleon, in the county of Henry and State of Ohio, in place of Tilghman C. Clewell. Incumbent's commission expired March 9, 1902.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 8, 1904.

APPOINTMENT IN THE REVENUE-CUTTER SERVICE.

George Elfers, of New York, to be a second assistant engineer in the Revenue-Cutter Service of the United States, with the rank of third lieutenant.

POSTMASTERS.

LOUISIANA.

Benjamin F. Ford to be postmaster at Natchitoches, in the parish of Natchitoches and State of Louisiana.

MONTANA.

Lawrence Hauck to be postmaster at Philipsburg, in the county of Granite and State of Montana.

OHIO.

John A. Anderson to be postmaster at St. Marys, Ohio.
William A. Campbell to be postmaster at Lima, Ohio.
Frederick T. Miles to be postmaster at Salem, in the county of Columbiana and State of Ohio.
Elmer A. Palmer to be postmaster at Napoleon, Ohio.

PENNSYLVANIA.

Cyrus E. Hipple to be postmaster at Conshohocken, in the county of Montgomery and State of Pennsylvania.
Sylvester C. Stout to be postmaster at Glenside, in the county of Montgomery and State of Pennsylvania.

HOUSE OF REPRESENTATIVES.

TUESDAY, *March 8, 1904.*

The House met at 12 o'clock m.
Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.
The Journal of yesterday's proceedings was read and approved.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

The SPEAKER. On yesterday, upon the conference report on the legislative, executive, and judicial appropriation bill, the gentleman from Illinois [Mr. MANN] made the point of order that the conferees had exceeded their jurisdiction in substance as follows: That Senate amendment numbered 235 inserted these words: "or any other;" and again to the amendment numbered 236 the Senate inserted these words: "by this or any other act." The House provision which the Senate amended is as follows:

No part of any money appropriated by this or any other act shall be available for payment of expenses of horses and carriages or drivers therefor for the personal use of any officer provided for herein other than the President of the United States, the heads of Executive Departments, and the Secretary to the President.

The conference report takes the matter in difference to which the Chair has referred, accepts the Senate amendments, and inserts "or official:" so as to make it read "for the personal or official use of any officer provided for by this or any other act other than the President of the United States, etc." It is objected that the insertion of the words "or official" is aliunde to the matter that was in difference between the two Houses, and prevents, if enacted, the use of appropriations in this or any other appropriation bill for paying the expenses of horses and carriages, or drivers therefor, for the personal or official use of any officer, etc. It is evident from the reading of the amendments that the insertion of the words "or official" inserts that within the conference report that was not proposed by the House or by the Senate.

It is true that if the whole paragraph in the bill as it passed the House had been stricken out and a substitute therefor proposed by the Senate, or if the Senate had stricken out the paragraph without proposing a substitute, and the House had disagreed to the amendments of the Senate, then the conferees might have had jurisdiction touching the whole matter and might have agreed upon any provision that would have been germane. But that is not this case. This provision in the conference report inserts legislation that never was before the House or before the Senate, and it was quite competent for the conferees, if they could do this, to have stricken out the whole paragraph and inserted anything that was germane. They could have stricken out these words, "other than the President of the United States, the heads of Executive Departments, and the secretary to the President," and while there were but two words inserted, the provision, if enacted into law, would be far-reaching and would run along the line of the whole public service.

As to the wisdom of such a provision, the Chair is not called upon to intimate any opinion. It is for the House and the Senate to determine upon the wisdom of it, and as the House and the Senate never have considered that proposition the Chair is of opinion that the conferees exceeded their power, and therefore sustains the point of order.

Mr. BINGHAM. Mr. Speaker, I move that the House further insist upon its disagreement to the amendments and ask for a further conference.

The SPEAKER. The gentleman from Pennsylvania moves that the House further insist upon its disagreement to all the Senate amendments and ask for a conference.

The motion was agreed to.

The SPEAKER appointed as conferees on the part of the House Mr. BINGHAM, Mr. GILLETT of Massachusetts, and Mr. LIVINGSTON.

A CORRECTION.

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to make a correction in the RECORD, with a statement.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. GILBERT. Mr. Speaker, some four or five days ago I took occasion to make some remarks criticising the record of the Republican party, and, among other things, to animadvert somewhat on the conduct of General Davis in the Philippine Islands, charging him, in substance, with having sold rice and provisions at enormous profit to the hungry natives. I am in receipt of a letter from Gen. J. Franklin Bell showing that I was in error in my statement, and I desire the letter to be read and inserted as a part of my remarks in the RECORD.

Mr. PAYNE. Mr. Speaker, I could not hear what the gentleman from Kentucky said. What does he desire read?

The SPEAKER. Unanimous consent has been accorded to the gentleman to make a statement, and this is a part of that statement. The Clerk will read.

The Clerk read as follows:

GENERAL SERVICE AND STAFF COLLEGE,
OFFICE OF THE COMMANDANT,
Fort Leavenworth, Kans., March 5, 1904.

MY DEAR MR. GILBERT: A friend of mine in Washington [illegible] a copy of the CONGRESSIONAL RECORD [illegible] in Congress. For the good work and [illegible] I am very grateful, but your remarks [illegible] might do injury [illegible] as I believe will [illegible] unjustly do injustice to any [illegible] and third paragraphs on page [illegible] cite them, as they will be [illegible] facts.

I was [illegible] in the Philippines. As a [illegible] Merritt, Otis, MacArthur, Chaffee, and Davis. I had [illegible] from time to time. The generals [illegible] in the order named of the land forces [illegible] other subordinate officers, like myself, had command of portions of said forces in the field.

I claim a share of fighting as full to my lot, but to say that I did "the main fighting" would be giving me extravagant credit, far greater than I deserve, after the going above mentioned to my commrades.

General Davis never had charge of the commissary, and never sold any rice or provisions to anyone, much less to starving natives, at enormous profits.

There was an officer of the Commissary Department by the name of Davis who had charge of the depot commissary in Manila, but he never sold any rice or other provisions to natives. It is possible that your information has led you to the identity of these two officers confused, but, as last stated, neither of them ever sold rice or other provisions to natives. I might here remark parenthetically that no rice or other provisions were ever sold to any "starving" natives at "enormous" profits by anyone, to my knowledge.)

As General Davis has not been appointed a member of the Panama Canal Commission by the President, and as your erroneous remarks might possibly be some time cited or repeated to his disadvantage, I shall make a somewhat fuller statement of the facts than I otherwise might, in order to justify a request that you correct your erroneous statement as to General Davis.

Furnishing rice and other provisions for sale to natives of my brigade during the period they could not get such supplies themselves, owing to their ports having been closed as a war measure, was not only an act of humanity, but a military necessity and undertaken as such, i. e., as a war measure; but, because of humanity, prevented my summarily arresting the growth of the disease to the people upon the declaration of peace, because the necessity for measures was then not less than it had been formerly.

When peace was proclaimed on July 4, 1902, this war measure no longer had any force of law, as military necessity can not exist in peace and can, therefore, justly be procedure in time of peace. This fact was first pointed

out to me by General Davis, who suggested a remedy, namely, to close up the business as a military undertaking and turn its supervision over to the civil authorities, which was done.

You can therefore see that instead of having charge of this business and conducting it he objected to having it done under his supervision by the military authorities in times of peace, and caused me to have it turned over to the civil authorities, where in time of peace he considered it properly belonged.

Though I never at any time actually sold rice or other provisions to natives or handled any proceeds in person, I am the general officer who had immediate supervision of those who were engaged in such sale to natives in the Archipelago of the Island for some time from January 1, to December 1, 1902. I originated the plan, which received the approval of the commanding general in the Philippines and the Secretary of War, and I issued the orders under which it was carried out. [illegible] any decision which attributes to the detailed officers engaged by those orders business to me, at all to me alone.

These orders have been published by me and also in Senate documents, and full and complete reports have been made to the War Department. Other than the question raised by General Davis, I do not cite them, as they will be necessary questions as to the propriety of my actions or omissions. On the contrary, they are in the highest degree approved by my superiors, and the Secretary of War will, I believe, testify that I would have acted differently had I knowing the facts. I am willing that my acts should stand and be judged by the entire record.

I [illegible] to suggest, my dear Mr. GILBERT, that a person who has [illegible] not to be willing to receive credit for his services, if any, not at the expense of comradeship and friendship. [illegible] a friend and comrade to whom I feel under many obligations. [illegible] to the [illegible] accused. I don't want to profit at anyone's expense [illegible] the same as yours are [illegible] right nature [illegible] conscious [illegible] in manner that the correction may also appear in the CONGRESSIONAL RECORD.

Very truly and sincerely, yours,
J. F. BELL,
Brigadier-General, United States Army.

Hon. GEORGE G. GILBERT,
Member of Congress, Washington, D. C.

Mr. GILBERT. Now, Mr. Speaker, I merely desire to add that I am glad of the opportunity to make the correction with as much publicity as the erroneous statement was made. [Applause.]

BILLS ON THE PRIVATE CALENDAR.

Mr. GRAFF. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House for the consideration of bills on the Private Calendar, in pursuance of the special order entered on last Friday.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House for the consideration of the Private Calendar.

The motion was agreed to; accordingly the House resolved itself into Committee of the Whole House, with Mr. CRUMPACKER in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House for the consideration of bills on the Private Calendar under the special order, and the Clerk will report the first bill.

JOSEPH M. SIMMS.

The Clerk read as follows:

An act (S. 33) for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service, retired.

Be it enacted, etc., That Capt. Joseph M. Simms, United States Revenue-Cutter Service (retired), having been promoted "for meritorious acts of public service and wounds received in the United States service, as appears upon the public records of the volunteer service of the Army and Navy and of the Revenue-Cutter Service," shall hereafter receive the full retired pay of his said rank.

Mr. MANN. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. LAWRENCE].

Mr. LAWRENCE. Mr. Chairman, this is a bill providing that Capt. Joseph M. Simms, United States Revenue-Cutter Service, retired, having been promoted for meritorious acts of public service and wounds received in the United States service, as appears upon the public records of the volunteer service of the Army and Navy and of the Revenue-Cutter Service, shall hereafter receive the full retired pay of his rank.

At the second session of the Fifty-seventh Congress in 1902 a bill was passed promoting Joseph M. Simms to the rank of captain of the Revenue-Cutter Service, but it did not grant him the salary under the law which he would receive as captain on such retired list. It was felt that thereby an act of injustice was done. At the next session of Congress a bill was introduced, was considered in the Senate, reported unanimously by the committee, and passed by the Senate. A report, in speaking of the matter, says:

There seems to be a lack of justice in the action in this case. Mr Simms served through the war of the rebellion in the Navy, and was wounded many times. He served for nearly thirty years thereafter in the Revenue-Cutter Service, and was finally placed upon waiting orders because of the disability he received when in the service of the United States. No good reason is apparent why the officer should not receive the compensation of the grade to which Congress, in its wisdom, has seen fit to elevate him. It therefore reports the bill with a favorable recommendation.

Mr. CLARK. Mr. Chairman, I would like to ask the gentleman how the Committee on Interstate and Foreign Commerce got jurisdiction of this matter?

Mr. LAWRENCE. Because Captain Simms was in the Revenue-Cutter Service, and all matters relating to that Service go to the Committee on Interstate and Foreign Commerce.

Mr. CLARK. Isn't this in the nature of a pension?

Mr. LAWRENCE. No; the bill promoted Lieutenant Simms to captain, and that promotion was based on gallant service in the war of the rebellion and faithful services afterwards. To my mind, giving him the pay of a captain is not at all in the nature of a pension. Now, Mr. Chairman, just a word about Joseph M. Simms. He enlisted in 1861 in the volunteer service and served as a corporal in the District of Columbia Volunteers in defense of Washington three months and received an honorable discharge at the expiration of his term. In August, 1863, he was appointed acting master's mate in the United States Navy.

His service in the civil war was characterized by coolness, bravery, and efficiency. James Parker, late lieutenant-commander, United States Navy, under date of August 6, 1869, wrote to Lieutenant Simms, as follows:

[illegible] particularly for your success in your coming examination.

Immediately after the close of the war Captain Simms entered the Revenue-Cutter Service, in which he has served for nearly thirty-six years. In 1872 he was promoted to second lieutenant and in November, 1879, to first lieutenant, having to pass both a physical and professional examination. In March, 1893, Lieutenant Simms was examined for promotion to the grade of captain, but failed to pass a satisfactory physical examination, and the report says that the failure to pass that physical examination was due to his wounds and arduous service.

Captain Simms, but for the wounds received in the civil war and his condition resulting therefrom, would have been a captain in the Revenue-Cutter Service for the past several years, and would have received the pay of that rank. He was qualified in every way except physically, and, as I said, his failure to pass the physical examination was due to wounds received in war. A bill giving him the salary of a captain upon the retired list has been passed twice by the Senate. It was reported in the last Congress in this House. It failed to pass simply because of the pressure of business at the close of the session and because of the filibuster which blocked business here during the last two or three weeks of the session. The Committee on Interstate and Foreign Commerce has again considered the matter, and the report is unanimous. In fact, I will say that all persons who have examined the matter, so far as I know, are agreed that this is simply an act of justice to a very deserving and gallant officer, and that the pending bill should be passed by Congress. I therefore ask that the bill be laid aside with a favorable recommendation.

Mr. MANN. Mr. Chairman, I think I ought to make a brief statement in respect to this bill, as I made the report. Gentlemen of the House will remember very distinctly that I opposed with as much vigor as I could the passage of the bill to create a retired list in the Revenue-Cutter Service, giving retired pay. That bill, however, became a law, and under the terms of an act which had been enacted for the benefit of Captain Simms because he was laid up by reason of wounds received in the war he received no benefit from that act. A discrimination is made against him, and his is a peculiar case. The services which he rendered and the wounds which he received during the civil war make his case rather peculiar. For that reason the committee which has jurisdiction of the subject decided to recommend the passage of this bill, which in fact increases his pay $300 a year.

Mr. CLARK. Mr. Chairman, I would like to ask the gentleman a question.

The CHAIRMAN. Does the gentleman from Illinois yield to the gentleman from Missouri?

Mr. MANN. Yes.

Mr. CLARK. Is not this bill in the nature of a pension?

Mr. MANN. It is not in the nature of a pension in one sense, and in another sense it is. This bill places Captain Simms upon the same terms that Congress, by law, has already placed the other, or most of the other, Revenue-Cutter officers. The gentleman from Missouri [Mr. CLARK] and myself, with a minority of the House, stood as firmly as we could against the passage of that law, but it was passed. Now, this simply gives to Captain Simms the same

benefit of the law that Congress gives to other officers who are retired.

Mr. CLARK. I am not objecting to this man getting this reward or whatever it is, but it seems to me that this bill ought to have been referred to the Committee on Pensions.

Mr. MANN. The gentleman is mistaken as to the jurisdiction of the bill. The Committee on Interstate and Foreign Commerce has jurisdiction of all bills relating to the Revenue-Cutter Service, and had jurisdiction in the same way of the bill creating a retired list in the Revenue-Cutter Service, and all of these bills are referred to that committee, because, I may say to the gentleman, this is not a pension. Captain Simms now draws retired pay. He is now on what is known as the "permanent waiting orders list" of the Revenue-Cutter Service.

Mr. CLARK. Without interrupting the gentleman, I should like to read clause 7 of Rule XI:

> To commerce, Life-Saving Service, and light-houses, other than appropriations for Life-Saving Service and light-houses, to the Committee on Interstate and Foreign Commerce.

Now, I should like the gentleman to explain under what part of that paragraph a bill like this can be referred to that committee.

Mr. MANN. The Committee on Interstate and Foreign Commerce always has referred to it, and such has been the case ever since the committee was created, bills relating to commerce between the States or with foreign nations and bills which have relation to aiding navigation. Now, the Revenue-Cutter Service has always been considered as a service in aid of navigation and commerce; and there being no rule requiring such bills to be referred to any other committee, they have always been referred to the Committee on Interstate and Foreign Commerce. All bills to provide for new revenue cutters are so referred.

Mr. PAYNE. While I do not care to make any point on this bill, I wish to say that I do not think the gentleman from Illinois [Mr. MANN] is right in reference to the rule. This bill is practically a bill for the relief of a private party; it is in the nature of a private bill; it does not relate to the general subject of interstate and foreign commerce. Now, it used to be the practice to refer to the Committee on Ways and Means certain bills for payment to private parties of claims connected with the revenue of the Government, but the later practice has been, during the last five or six years, for the Committee on Ways and Means to refuse to accept jurisdiction of any such bill and to ask its reference to the Committee on Claims. I think this is a bill which should properly have gone to the Committee on Claims; but I am not insisting on that point.

Mr. MANN. This is a bill which could not possibly be considered by the Committee on Claims.

Mr. PAYNE. Why not? It is for the relief of a private party.

Mr. MANN. It is true it is entitled "A bill for the relief of Joseph M. Simms," but it is not a claim against the Government. This gentleman is now on the permanent waiting-orders list of the Revenue-Cutter Service.

Mr. PAYNE. The bill seems to be in the nature of a private claim for back pay.

Mr. MANN. Not at all: it provides for no back pay; it simply provides that this man shall be given the same position on the permanent waiting-orders list that he would have had if he had been included in the general bill passed by Congress.

Mr. PAYNE. The bill gives him two-thirds of the retired pay, whatever it is, from the time he was put upon the retired list, does it not?

Mr. MANN. I do not so understand it at all. The language of the bill is:

> Shall hereafter receive the full retired pay of his rank.

Mr. PAYNE. I did not catch that language when the bill was read.

Mr. DALZELL. Is this a unanimous report?

Mr. MANN. Yes, sir.

Mr. PAYNE. I am not disposed to make any point on the bill.

The CHAIRMAN. The question is, Shall the bill be laid aside to be reported favorably to the House?

The question was decided in the affirmative.

PAY IN CONTESTED-ELECTION CASE—KOONCE V. GRADY.

The next business was the bill (H. R. 4407) authorizing the Secretary of the Treasury to defray the expenses of contestant in the contest entitled "Koonce against Grady."

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Frank D. Koonce, of the Third Congressional district of the state of North Carolina, the sum of $1,000 as amount of expenses incurred by him as contestant for a seat in the Fifty-third Congress in the contest entitled "Koonce against Grady."

Mr. GRAFF. The Committee on Claims adopted a resolution providing that all bills directed by them to be reported should be placed in the hands of the clerk of the committee, and that bills dealing with bonds and checks and bills of a formal character be placed at the head of the Calendar.

The report was agreed upon by the Committee on Claims, but the gentleman who is interested in the bill—I suppose without being advised of the action of the committee—filed this report. In view of those facts I ask that in all fairness this bill be passed over without prejudice until the first sixteen bills reported by the committee are considered.

Mr. THOMAS of North Carolina rose.

Mr. GRAFF. I wish to say to the gentleman from North Carolina that I anticipate no great delay in the passage of the next sixteen bills, as they are all bills of a formal character, against which there can be no reasonable opposition. I think the gentleman will facilitate the work of the committee by not objecting to the request that I make.

Mr. THOMAS of North Carolina. As I understand, this is a rule that the committee has adopted.

Mr. GRAFF. Yes; that is a fact.

Mr. THOMAS of North Carolina. Well, I shall raise no objection if the committee has adopted such a rule. This is a bill which passed a previous Congress, and will take only a short time. I hope it will be reached to-day.

Mr. GRAFF. I will say to the gentleman we will take up the bill at the conclusion of these other bills.

Mr. THOMAS of North Carolina. With that assurance I am perfectly willing that the other bills shall be disposed of first. I hope that it will be reached to-day, because it is a bill that has passed a previous Congress and not a number of other Congresses.

The CHAIRMAN. Will the gentleman from Illinois state his request?

Mr. GRAFF. I ask unanimous consent that the bill just read be passed without prejudice until the first sixteen bills reported by the Committee on Claims shall have been considered.

Mr. THOMAS of North Carolina. Mr. Chairman, I wish to say that I will be compelled to be absent from the House a part of the day. I am not insisting that the bill be considered now, but I would like very much to take it up and dispose of it, as it will only take a short time.

Mr. GRAFF. I think the gentleman will find that the bill will be reached.

Mr. THOMAS of North Carolina. All right.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent that the bill just read be passed without prejudice until the next sixteen bills reported by the Committee on Claims shall have been considered. Is there objection? [After a pause.] The Chair hears none.

SVEN J. JOHNSON.

The next business on the Private Calendar was the bill (H. R. 2009) for the relief of the estate of Sven J. Johnson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to the estate of Sven J. Johnson, late a citizen of the United States, one hundred dollars in United States four per cent registered bonds, numbered [illegible] for [illegible] dollars each, in lieu of bonds of the same denomination and numbers which have been stolen, and upon the receipt of said bonds the legal representatives of said estate are to be [illegible] to pay to the Treasurer of the United States the amount of the principal of said bonds, with all accrued interest thereon to the date of their redemption, [illegible] the United States, residents of the United States, to indemnify and save harmless the United States and the Treasurer, conditioned to indemnify and save harmless the United States from any loss on account of the said stolen bonds.

The bill was ordered to be laid aside with a favorable recommendation.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GIBSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment joint resolution and bill of the following titles:

H. J. Res. 106. Joint resolution amending public resolution No. 8, Fifty-sixth Congress, second session, approved February 23, 1901, providing for the printing annually of the report on field operations of the Division of Soils, Department of Agriculture; and

H. R. 8760. An act to authorize the construction of bridges across a portion of the Minnesota River in the State of Minnesota.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to concurrent resolution No. 21, to print and bind the proceedings in Congress upon the acceptance of the statues of Charles Carroll of Carrollton and John Hanson, etc.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 4769. An act validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company.

The message also announced that the Senate had passed with amendments bill of the following title in which the concurrence of the House of Representatives was requested:

H. R. 12220. An act making appropriations for the naval service for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had further insisted upon its amendments to the bill (H. R. 9180) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes, agreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CULLOM, Mr. WARREN, and Mr. TELLER as the conferees on the part of the Senate.

KIRBY THOMAS.

The committee resumed its session.

The next business on the Private Calendar was the bill (H. R. 10058) for the relief of Kirby Thomas.

The bill was read, as follows:

Be it enacted, etc., That the Postmaster-General be, and he is hereby, authorized and directed to allow on the accounts of Kirby Thomas, postmaster at Superior, Wis., a credit of $13,897.36, for postal funds derived from box rents and postage stamps, or their equivalent in money, stolen from said post-office by burglars on the night of October 20, 1903.

Mr. GRAFF. Mr. Chairman, I yield to the gentleman from Wisconsin, who will make a brief statement about the bill.

Mr. JENKINS. Mr. Chairman, on the night of October 20, 1903, the post-office at Superior, Wis., was robbed, and $13,897.36 in postage stamps and money was stolen from the post-office. Under the law the Postmaster-General is required to investigate all claims of postmasters for loss, and if there is no fault on the part of the postmaster the Postmaster-General is authorized by law to allow up to the sum of $10,000. The amount involved in this case being in excess of $10,000, the Postmaster-General was required to submit this claim to Congress. The report is very lengthy and includes a long and carefully prepared report on the part of the post-office inspectors; but after a very thorough investigation on their part and by the Postmaster-General the recommendation is made that the postmaster be reimbursed.

Mr. PAYNE. The Postmaster-General did allow to $10,000?

Mr. JENKINS. I will say to the gentleman from New York that the Postmaster-General declined to act at all until after the action of Congress.

Mr. PAYNE. But he did recommend?

Mr. JENKINS. He recommends that favorable action be had on this bill.

Mr. GRAFF. As I understand it, if the sum involved exceeds $10,000 the Postmaster-General does not grant any relief?

Mr. JENKINS. That is a correct statement.

The bill was ordered to be laid aside with a favorable recommendation.

JACOB SWIGERT.

The next business on the Private Calendar was the bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to allow in the accounts of the Treasurer of the United States the amount of the value of twenty [illegible] Kentucky, [illegible] on account of loss of twenty tenths of documentary stamps during the month of January, 1899.

The bill was ordered to be laid aside with a favorable recommendation.

ARTEMUS E. GIBSON.

The next business on the Private Calendar was the bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to the estate of Artemus E. Gibson, [illegible] the sum of $[illegible] Now [illegible] for [illegible] dollars each, in lieu of bonds of the same denomination and numbers which have been stolen, from the Treasury, a bond in a similar form and denomination to be substituted in the Treasury of the United States, with good and sufficient sureties, to be approved by the Secretary of the Treasury, conditioned to indemnify and save harmless the United States from any claim because of the loss or destruction of said lost or destroyed bonds.

The bill was ordered to be laid aside with a favorable recommendation.

THOMAS J. HOBBS.

The next business on the Private Calendar was the bill (H. R. 3256) directing the issue of a check in lieu of a lost check drawn by Thomas J. Hobbs, disbursing clerk, in favor of Crane & Co., of Dalton, Mass.

The bill was read, as follows:

Whereas it appears that Thomas J. Hobbs, disbursing clerk, Treasury Department, did, on the 8th day of July, 1903, issue a check, No. 40308, upon the assistant treasurer of the United States at New York, in favor of Crane & Co., for the amount of [illegible] being in payment for distinctive paper furnished the Bureau of Engraving and Printing, Treasury Department, United States Mint, Philadelphia, Pa., and was lost in transmission through the United States mails; and

Whereas the provisions of the act of February 16, 1895, amending section 3679, Revised Statutes of the United States, authorizing United States disbursing officers to issue duplicate checks in place of and checks to apply only to [illegible] Thomas J. Hobbs, disbursing clerk of the Treasury Department, [illegible] hereby, upon the production to the Secretary of the Treasury of satisfactory evidence of the issuance of said check, [illegible] and the [illegible] to be paid by the Secretary of the Treasury for the payment of said check, [illegible] have been presented by the Secretary of the Treasury for the payment of duplicate checks under the provisions of section 3679, Revised Statutes of the United States.

Mr. GRAFF. Mr. Chairman, I move that the preamble be stricken out, and that as amended the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The gentleman from Illinois moves that the preamble be stricken out.

The motion was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ELIZABETH S. CUSHING.

The next business on the Private Calendar was the bill (H. R. 6937) for the relief of the heirs of Elizabeth Cushing.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue duplicates to McHenry Robinson, executor of the estate of Elizabeth Cushing, in lieu of United States four per cent registered bonds, Nos. [illegible] for $[illegible] each, Nos. [illegible] 488, 489, 490, 491, for $500 each, Nos. [illegible] for $1,000 each, and Nos. [illegible] for $5,000 each, inscribed in payment to Elizabeth S. Cushing, and alleged to have been lost or mislaid and destroyed, and before the issue of said duplicate bonds the said McHenry Robinson, executor as aforesaid, shall execute and file with the Secretary of the Interior a bond, in duplicate, with good and sufficient sureties, subject to the approval of said Secretary, conditioned to indemnify and save harmless the United States from any claim because of the loss or destruction of said bonds.

The amendment recommended by the committee was read, as follows:

In line 5 insert the initial "S." in claimant's name.

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

MARY KEATING.

The next business on the Private Calendar was the bill (H. R. 10511) for the relief of the estate of Mary Keating.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to the administrator of the estate of Mary Keating, late of Nevada County, State of California, a certificate of deposit for the sum of $[illegible] in United States four per cent registered bonds, [illegible] dollars each, in lieu of bonds of the same denomination and numbers which have been stolen, and upon the receipt of said bonds the legal representatives of said estate are to be [illegible] to pay to the Treasurer of the United States the amount of the principal of said bonds, with all accrued interest thereon to the date of their redemption, [illegible] the United States, residents of the United States, to indemnify and save harmless the United States and the Treasurer, conditioned to indemnify and save harmless the United States from any claim because of the said stolen bonds.

The amendments recommended by the committee were read, as follows:

In line 4, after the word "to," strike out the words "redeem, in favor of" and insert the words "issue to."

In line 5, after the word "Cottroll," insert the words "duplicates in lieu of."

Strike out in line 12 the words "with interest accrued."

In line 13 strike out the words "and upon" before "the date of their maturity."

On page 2, in line 2, after the word "interest," strike out the words "due on the same" and insert the words "that would accrue thereon until the same shall become due or payable."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

CYRUS D. HOTTENSTEIN.

The next business on the Private Calendar was the bill (H. R. 8505) for the relief of the heirs of Cyrus D. Hottenstein, deceased.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to the heirs of Cyrus D. Hottenstein, deceased, late of Nevada County, State of California, a certificate of deposit for the sum of $[illegible] in United States four per cent registered bonds, [illegible] dollars each, in lieu of bonds of the same denomination and numbers which have been stolen, and upon the receipt of said bonds the legal representatives of said estate are to be [illegible] to pay to the Treasurer of the United States the amount of the principal of said bonds, with all accrued interest thereon to the date of their redemption, [illegible] the United States, residents of the United States, to indemnify and save harmless the United States from any claim because of the said stolen bonds.

The amendments recommended by the committee were read, as follows:

In the title substitute the word "estate" for "heirs."

In line 7, after the word "States," insert the words "company," and after the word "bonds," insert "[illegible] per cent funded loan of 1891," and on page 2, line [illegible], after the word "bonds," insert "and the interest coupons [illegible] due between January 1, 1892, and the date of the maturity of the bonds."

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

FARMERS AND MECHANICS' NATIONAL BANK, PHILADELPHIA.

The next business on the Private Calendar was the bill (S. 255) for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to the Farmers and Mechanics' National Bank, Philadelphia, Pa., a duplicate in lieu of United States gold coin given to the act of March 3, 1899, approved June 30, 1899, for $10.00, issued by the assistant treasurer of the United States, Philadelphia, Pa., on deposit to the order of the Farmers and Mechanics' National Bank, Philadelphia, Pa., as a lost or destroyed bank note: *Provided*, That the said Farmers and Mechanics' National Bank shall first furnish the Treasurer of the United States satisfactory evidence of the loss of the original bank note, with good and sufficient security to be approved by the Secretary of the Treasury, to indemnify and save harmless the United States from any claim or cause of the said certificate hereinbefore described.

The bill was ordered to be laid aside with a favorable recommendation.

JOHANN A. KILLIAN.

The next business on the Private Calendar was the bill (H. R. 10855) for the relief of Johann A. Killian.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to issue to Johann A. Killian, [illegible] in lieu of three cotton bonds described as follows: [illegible] United States Revised Statutes, and the regulations of the Department.

The amendments recommended by the committee were read, as follows:

Line 4, strike out the word "issue" and insert "pay."

Line 5, strike out the word "duplicate" and insert in place thereof the words "the amount of coupons."

Line 6, strike out the words commencing "in the" down to and including the word "coupons" in line 7.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

W. S. FELAND.

The next business on the Private Calendar was the bill (H. R. 2591) for the relief of W. S. Feland, late deputy collector second Kentucky district.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. S. Feland, late deputy collector of internal revenue, third district of Kentucky, the sum of $1,000 out of any money in the Treasury not otherwise appropriated, being the amount due him for excessive expenses incurred in the discharge of his duties during the period from July 1, 1898, to March 16, 1899.

Mr. PAYNE. Mr. Chairman, I would like to ask about that bill. This bill seems to be a bill for excessive expenses.

Mr. GRAFF. Here is a letter from the Commissioner of Internal Revenue giving the facts in the case. The letter is as follows:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, December 12, 1902.

SIR: I have the honor to advise you in further reply to letter from this office of the 10th instant, that it appears from further investigation in the matter of the claim of late Deputy Collector W. S. Feland, second district, Kentucky, for excessive expenses incurred while during the period from July 1, 1898, to March 16, 1899, that there is still a balance of $[illegible] due him for the above-mentioned period by authority to pay at a rate allowed as per Auditor's statement November [illegible], 1899, for the entire period.

The amount should have been paid but there is no money. A claim was not presented to the Treasury until after the appropriation for the year for the close of the fiscal year in which these pay roll vouchers were received, consequently favorable action by the Treasury Department was prevented by the one-year limitation provided in section 3648, Revised Statutes of the United States.

Mr. PAYNE. This letter, I understand, is from the Commissioner of Internal Revenue?

Mr. GRAFF. Yes, sir.

Mr. PAYNE. Then I have no objection.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY C. GILMORE.

The next business on the Private Calendar was the bill (H. R. 6921) for the relief of the estate of Mary C. Gilmore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, empowered and directed to issue a duplicate of a registered bond of the United States, 4 per cent, issued under the acts of [illegible], 1870, and January 20, 1871, No. [illegible], for $[illegible], and inscribed in the name of Mary P. Gilmore, now deceased, to Walter S. Gilmore and William T. Hird, [illegible] trustees, the heirs-at-law of the deceased said Mary P. Gilmore, said duplicate to be of like amount, to bear like interest, and to be marked in like manner as said original bond, upon their being a bond, with sufficient sureties, in such sum as may be determined necessary by the Secretary of the Treasury, and to be approved by him, conditioned to save harmless and indemnify the United States against all legal claims and demands which may be made under said original bond or its issue.

SEC. 2. That this act shall take effect when approved.

The amendments recommended by the committee were read, as follows:

In line 10 strike out all of the line after the word "Gilmore," all of line 13, and in line 14 as far as the word "upon," and the word "upon" and all following out the word "their," in the same line, inserting immediately before the word "with" these words: "the said administrators of the Treasury."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

HEPPENSTALL FORGE AND KNIFE COMPANY.

The next business on the Private Calendar was the bill (H. R. 10975) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.

The Clerk read the bill, as follows:

Whereas it appears that O. M. Taylor, assignee of certificate [illegible] United States Assistant Treasurer at New York, issued [illegible] in favor of the Pittsburg Shear, Knife and Machine Company for the sum of [illegible] in final payment for [illegible] United States at Chicago, in favor of the Pittsburg Shear, Knife and Machine Company, and other claims having been assigned by it to the Pittsburg National Bank, of Pittsburg, for the benefit of said bank, who [illegible] in the course of transmission to said bank to reach the Treasury Department in the regular course of business, and the said Pittsburg Shear, Knife and Machine Company has since been changed to Heppenstall Forge and Knife Company; and

Whereas the provisions of the act of February 26, 1895, authorizing such a [illegible] United States Assistant Treasurer at Chicago, now authorizing and directing the issue of duplicates of lost checks, apply only to those issued since [illegible]; and

Whereas [illegible] That such O. M. Taylor, assignee of certificate, United States Assistant Treasurer at Chicago, be and he is hereby instructed to issue a duplicate of said [illegible] United States Assistant Treasurer at Chicago, in favor of the Pittsburg Shear, Knife and Machine Company, for the sum of [illegible] upon the filing of an affidavit setting forth the facts in the case, to be approved by the Secretary of the Treasury, as prescribed by section 3648, United States Revised Statutes, and the regulations of the Department.

The amendments recommended by the committee were read, as follows:

Line 4, strike out the word "issue" and insert "pay."

Line 5, strike out the word "duplicate" and insert in place thereof the words "the amount of coupons."

Line 6, strike out the words commencing "in the" down to and including the word "coupons" in line 7.

The amendments were agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

W. S. FELAND.

The next business on the Private Calendar was the bill (H. R. 2591) for the relief of W. S. Feland, late deputy collector second Kentucky district.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to W. S. Feland, late deputy collector of internal revenue, third district of Kentucky, the sum of $1,000 out of any money in the Treasury not otherwise appropriated, being the amount due him for excessive expenses incurred in the discharge of his duties during the period from July 1, 1898, to March 16, 1899.

Mr. PAYNE. Mr. Chairman, I would like to ask about that bill. This bill seems to be a bill for excessive expenses.

Mr. GRAFF. Here is a letter from the Commissioner of Internal Revenue giving the facts in the case. The letter is as follows:

TREASURY DEPARTMENT,
OFFICE OF COMMISSIONER OF INTERNAL REVENUE,
Washington, December 12, 1902.

SIR: I have the honor to advise you in further reply to letter from this office of the 10th instant, that it appears from further investigation in the matter of the claim of late Deputy Collector W. S. Feland, second district, Kentucky, for excessive expenses incurred while during the period from July 1, 1898, to March 16, 1899, that there is still a balance of $[illegible] due him for the above-mentioned period by authority to pay at a rate allowed as per Auditor's statement November [illegible], 1899, for the entire period.

The amount should have been paid but there is no money. A claim was not presented to the Treasury until after the appropriation for the year for the close of the fiscal year in which these pay roll vouchers were received, consequently favorable action by the Treasury Department was prevented by the one-year limitation provided in section 3648, Revised Statutes of the United States.

Mr. PAYNE. This letter, I understand, is from the Commissioner of Internal Revenue?

Mr. GRAFF. Yes, sir.

Mr. PAYNE. Then I have no objection.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARY C. GILMORE.

The next business on the Private Calendar was the bill (H. R. 6921) for the relief of the estate of Mary C. Gilmore.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, empowered and directed to issue a duplicate of a registered bond of the United States, 4 per cent, issued under the acts of [illegible], 1870, and January 20, 1871, No. [illegible], for $[illegible], and inscribed in the name of Mary P. Gilmore, now deceased, to Walter S. Gilmore and William T. Hird, [illegible] trustees, the heirs-at-law of the deceased said Mary P. Gilmore, said duplicate to be of like amount, to bear like interest, and to be marked in like manner as said original bond, upon their being a bond, with sufficient sureties, in such sum as may be determined necessary by the Secretary of the Treasury, and to be approved by him, conditioned to save harmless and indemnify the United States against all legal claims and demands which may be made under said original bond or its issue.

SEC. 2. That this act shall take effect when approved.

The amendments recommended by the committee were read, as follows:

In line 10 strike out all of the line after the word "Gilmore," all of line 13, and in line 14 as far as the word "upon," and the word "upon" and all following out the word "their," in the same line, inserting immediately before the word "with" these words: "the said administrators of the Treasury."

The committee amendments were agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

HEPPENSTALL FORGE AND KNIFE COMPANY.

The next business on the Private Calendar was the bill (H. R. 10975) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.

The Clerk read the bill, as follows:

Whereas it appears that O. M. Taylor, assignee of certificate [illegible] United States Assistant Treasurer at New York, issued [illegible] in favor of the Pittsburg Shear, Knife and Machine Company for the sum of [illegible] in final payment for [illegible] United States at Chicago, in favor of the Pittsburg Shear, Knife and Machine Company, and other claims having been assigned by it to the Pittsburg National Bank, of Pittsburg, for the benefit of said bank, who [illegible] in the course of transmission to said bank to reach the Treasury Department in the regular course of business, and the said Pittsburg Shear, Knife and Machine Company has since been changed to Heppenstall Forge and Knife Company; and

Whereas the provisions of the act of February 26, 1895, authorizing such a [illegible] United States Assistant Treasurer at Chicago, now authorizing and directing the issue of duplicates of lost checks, apply only to those issued since [illegible]; and

Whereas [illegible] That said O. M. Taylor, assignee of certificate, United States Assistant Treasurer at Chicago, be and he is hereby instructed to issue a duplicate of said [illegible] United States Assistant Treasurer at Chicago, in favor of the Pittsburg Shear, Knife and Machine Company, for the sum of [illegible] upon the filing of an affidavit setting forth the facts in the case, to be approved by the Secretary of the Treasury, as prescribed by section 3648, United States Revised Statutes, and the regulations of the Department.

Mr. GRAFF. I notice, Mr. Chairman, the body of the bill refers to the number of the check in the preamble. I think that it would be better to amend the bill so that the check could be identified in the body of the bill and would not need the preamble to make the legislation intelligible. I therefore move to amend the bill by striking out, in line 5 the word "said" and inserting after the word "check" the following: "No. 38017, upon the assistant treasurer of the United States at Chicago in favor of the Pittsburg Shear, Knife and Machine Company, for the sum of [illegible]."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In lieu of the word "said" and after the word "check" insert "No. 38017, upon the assistant treasurer of the United States at Chicago in favor of the Pittsburg Shear, Knife and Machine Company, for the sum of [illegible]."

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was agreed to.

Mr. GRAFF. Now, Mr. Chairman, I move to strike out the preamble.

The motion was agreed to.

The bill as amended was laid aside to be reported to the House with a favorable recommendation.

BANK OF NORTH WILKESBORO.

The next business on the Private Calendar was the bill (H. R. 7190) for the relief of the bank of North Wilkesboro.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the cashier of the Bank of North Wilkesboro, Wilkesboro, N. C., the sum of $[illegible], being the amount of a check issued by the Assistant Treasurer of the United States at New York, payable to the order of said bank, which was burned in railroad wreck near [illegible], Va., on or about March [illegible], 1902.

The committee amendment was read, as follows:

In line 3 strike out the words "one hundred" and insert "ninety."

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

COLUMBIA BREWING COMPANY, SHENANDOAH, PA.

The next business on the Private Calendar was the bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to audit and settle the claim of the Columbia Brewing Company, of Shenandoah, Pa., for the sum of $416.25, being the amount paid by said company and entered into the Treasury of the United States for beer stamps ordered by the said company but never received by it, by payment of such sum of $416.25 out of any money in the Treasury not otherwise appropriated, or by issuance to the said company of beer stamps to said amount in accordance with the order given by said company, as the Secretary of the Treasury may determine in his discretion.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "appropriated," in line 12.

The committee amendment was agreed to.

The bill was laid aside to be reported to the House with a favorable recommendation.

JAMES T. KILBRETH ET AL.

The next business on the Private Calendar was the bill (H. R. 11928) for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following named, to wit, James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, holding successively the office of collector of customs for the district and port of New York during the period commencing [illegible] and ending [illegible], and their sureties are hereby released and [illegible] from the balance of the amount of the collection of customs for said period, amounting to $[illegible], which said balance was found due from said collectors by the Comptroller of the Treasury in a final settlement of their accounts, and which said balance was found due by reason of the payment by said collectors of certain moneys for services of inspectors of customs at the port of New York, which said payments were disallowed by the Comptroller of the Treasury, and which said payments were made by said collectors in good faith and in the belief that they were legally entitled to make said payments, and which said payments were made by said collectors in the regular course of their official duties, and which said payments were made by said officers and charged against themselves in said accounts with the entire amount.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

Mr. GRAFF. Mr. Chairman, that completes the passage of the first sixteen bills.

The CHAIRMAN. It does. The Clerk will now report the bill that was laid aside without prejudice.

FRANK D. KOONCE.

The Clerk read as follows:

A bill (H. R. 4407) authorizing the Secretary of the Treasury to pay the expenses of contestee in the contest of Frank D. Koonce against [illegible].

Be it enacted, etc., That the Secretary of the Treasury be and he is hereby authorized and directed to pay to Frank D. Koonce, late a contestee in the contest of Frank D. Koonce against [illegible], the sum of $[illegible], being the amount of his expenses in said contest, upon the proofs of said claim to be adjusted and ascertained by the Secretary of the Treasury and the Comptroller of the Treasury, and to be paid out of any money in the Treasury not otherwise appropriated, and in full for all services and expenses in said contest, and in full for all services and expenses in said contest, and in full for all services and expenses in said contest

Mr. GRAFF. The question before the committee was not as to the amount of evidence that this man had taken excepting as it might bear upon the question of what his actual expenses were.

Mr. BURKETT. The question for this Committee of the Whole is this: Has this contestant exercised proper diligence, or does he base this claim on the fact that he was deprived of proper opportunity for prosecuting his case to a termination?

Mr. GRAFF. Yes.

Mr. BURKETT. Now, the Congress before which his contest was had, and which presumably was familiar with the circumstances of the contest, evidently did not consider his claim of very much merit, or he would certainly have been allowed the same allowance for attorney's fees that was given to other contestants.

Mr. GRAFF. The succeeding Congress, which must have contained a number of the same Members that were in the Congress in which the contest arose, passed upon this claim.

Mr. BURKETT. If that Congress did what this Congress has done, and adopted the report of the previous Congress, perhaps the matter did not receive very much consideration.

Now, it seems to me we ought to know whether this man simply filed a contest which he never prosecuted, and then came in for reimbursement of attorney's fees, or did he take any evidence? Is he really out any money for expenses of prosecuting the contest?

Mr. GRAFF. The evidence is that he employed an attorney and did take evidence; also that his house burned down. The question whether he ultimately succeeded in his contest has nothing at all to do with his right to reimbursement of attorney's fees.

Mr. BURKETT. No; that does not make any difference.

Mr. GRAFF. In that view of the matter it does not make any difference whether the House decided in his favor or against him so far as the question of his right to reimbursement is concerned. The question is whether he did incur these expenses. Even if the fact was that he abandoned his case before the contest was completed and a decision reached, that would not debar him from reimbursement for attorney's fees which he reasonably incurred up to the time that the contest was abandoned. But in point of fact, no such abandonment is proved.

Mr. BURKETT. If there was a mere filing of the papers in the contest and then an abandonment of the contest, he would not be entitled to reimbursement.

Mr. GRAFF. Oh, no; but it might be developed in the course of a contest that the contestant could not successfully go on and prosecute his case, but still he might go ahead up to a certain point and employ counsel.

Mr. BURKETT. What is the report as to the action of the House in the matter? I do not have it here. At the time that these fees were allowed to other contestants, what was the action of the House with reference to this man's fees?

Mr. THOMAS of North Carolina. In the other cases the contestants filed their accounts for expenses, and reimbursement was made in the sundry civil bill. But in this case the contestant had asked an extension of time for the taking of testimony, and in consequence of that delay he obtained no allowance from that Congress; so that the only course left to him to secure reimbursement was to go to the Committee on Claims and ask to be allowed a reasonable sum for the expenses of his contest.

Mr. BURKETT. That is exactly the point I am trying to get at. It appears, then, that he comes here to get something that the law does not give him. Now, the law makes provision as to the allowance of expenses in election contests.

But this man is entirely outside of the pale of the law when he comes here asking us to give him something in the nature of an equitable allowance. Under these circumstances the question is, What is he equitably entitled to? Did he prosecute the case in a fair and legitimate way, or did he abandon it? What are the showings with reference to these matters of facts? It seems to me that on these points Congress ought to know something. When he comes here asking us to make an allowance on the ground of equity, we ought to know whether he has properly performed his part.

This report simply duplicates the report made in the last Congress. I do not know but that the report of the last Congress was also a duplication of a previous report. Is there now or has there ever been any evidence that he ever did make this contest in good faith or that his house ever was burned—that he ever did pay out a cent of expenses for taking testimony? In fact, did he ever conduct a bona fide contest?

Mr. THOMAS of North Carolina. The merits of this case have been shown by affidavits on file; and this claim does not come here as a matter of equity, but as a matter of legal right.

Mr. DALZELL. Let me suggest to the gentleman that if this man had not abandoned his contest the Elections Committee, in due course of law, would have certified to the Appropriations Committee a reasonable allowance for expenses, and that committee would have reported the item to the House.

Mr. THOMAS of North Carolina. Let me say to the gentleman from Pennsylvania that this man, while his contest was pending, was waiting for the Elections Committee to pass upon his motion for an extension of time in which to take testimony. The Congress expired before that matter was determined.

As the gentleman well knows, a contestant sometimes overlooks the fact that a provision for reimbursement for contest expenses must be inserted in the sundry civil bill. In this case the contestant was all the time awaiting to have his application for extension of time passed upon by the Elections Committee. There was no abandonment of the contest. I will say further that in every Congress since, except the Fifty-fouth, he has had introduced a bill for reimbursement.

Mr. BURKETT. Why was not this contestant entitled to have his expense account considered and, if just, inserted in the sundry civil bill at the same time the expenses of the contestee were allowed?

Mr. THOMAS of North Carolina. He was.

Mr. BURKETT. What was he waiting for?

Mr. THOMAS of North Carolina. He was waiting to have his motion passed upon for an extension of the time to take evidence.

Mr. BURKETT. Why did not the contestee wait, too?

Mr. THOMAS of North Carolina. Simply because the contestee knew that the commitcee had practically decided the matter in his favor, and he was here in person—the sitting Member—familiar with the course of proceeding in these cases, and he had his item inserted in the bill.

Mr. BURKETT. Now, what is the nature of the evidence, I will ask the gentleman, that has been filed? I see in the report a statement that some evidence was filed. How much of that is there, does the gentleman know?

Mr. THOMAS of North Carolina. I do not know. I can not say positively what it was that was filed. There was some documentary evidence. The clerk gave notice of the opening of testimony.

Mr. BURKETT. There may not have been any here.

Mr. THOMAS of North Carolina. If there had not been any here the clerk would not have acted.

Mr. JOHNSON. If the gentleman from North Carolina will permit me, I will state to him that the Committee on Elections never passes upon the contestant's or the contestee's account until the matter has been settled before that committee, so that inasmuch as this case was pending until the last day of Congress the Committee on Elections never had an opportunity to pass upon the accounts or recommended payment, so that it could go on the sundry civil bill, and therefore it had to go before the Committee on Claims.

Mr. THOMAS of North Carolina. That is an accurate statement of the reason why it goes to the Committee on Claims.

The CHAIRMAN. The question is, Shall the bill be laid aside with a favorable recommendation?

The bill was ordered to be laid aside with a favorable recommendation.

DAVID TWEED.

The next business on the Private Calendar was the bill (H. R. [illegible]) for the relief of David Tweed.

The bill was read, as follows:

[illegible] That the Secretary of the Treasury be and he is hereby, authorized and directed to pay to David Tweed, of Minnesota, [illegible] Wyoming, the sum of $5,000 as compensation for injuries received while in the United States Army, while [illegible] on a scout from Fort Brown (now Fort Washakie), Wyo., to Fort Stambaugh, Wyo.

The amendment recommended by the committee was read, as follows:

In line 6, strike out "five thousand" and insert "three thousand five hundred."

Mr. GRAFF. I yield to the gentleman from Wyoming.

Mr. MONDELL. Mr. Chairman, in the winter of 1876, after the Custer massacre and the Indian wars on the frontier that followed that massacre, the Sioux gathered in large numbers in central and northern Wyoming. For the protection of the miners and settlers in that region two posts had been established—Fort Washakie (then Fort Brown) and Fort Stambaugh. Fort Brown was on the plains and Fort Stambaugh on the summit of the Rocky Mountains, at an altitude of about 10,000 feet. In January of that year, during a severe storm, a cavalryman was ordered from Fort Brown to Fort Stambaugh to carry dispatches. When he reached the foot of the mountains he found it impossible to make his way from there to Fort Stambaugh, owing to the character of the trail and the very fierce storm raging.

He stopped at a settler's house and persuaded David Tweed, then a boy 14 years of age, to guide him to Fort Stambaugh. The mercury was about 57 degrees below zero. A terrible storm was raging. The boy had hesitated about going, but the soldier insisted that the dispatches were of such importance that it would

be necessary for him to go through to the fort, and to attempt to go without a guide meant almost certain death. So this gallant youngster finally agreed to guide him to Fort Stambaugh. Before their arrival there the storm increased, they lost their way, and became badly frozen, but finally reached the fort with the dispatches. The boy's feet were so badly frozen it became necessary to amputate them, and he paid $500 or a little more for the operation to the surgeon at the fort. Since that time, for twenty-seven years, he has lived in that region, getting on as best he could, crippled as he is.

Mr. GRAFF. Is the claimant a man of means?

Mr. MONDELL. The claimant has but little means. He has a small farm at the foot of the mountain. It is very difficult for him to support himself, and he has been at all times since this injury in straitened circumstances. The bill has been reported a number of times, and has not passed because, having been reported late in the session, it has never been reached on the Calendar. I reserve the balance of my time.

Mr. BURKETT. What is the amount in this bill?

Mr. MONDELL. Three thousand five hundred dollars.

Mr. BURKETT. It is reduced from $5,000.

Mr. MONDELL. It has been reduced from $5,000.

The CHAIRMAN. The question is, Shall the amendment recommended by the committee be agreed to?

The amendment was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

ALEXANDER S. ROSENTHAL.

The next business on the Private Calendar was the bill (H. R. 9457) for the relief of Alexander S. Rosenthal.

The bill was read, as follows:

Be it enacted, etc. That the Secretary of the Treasury be and he is hereby, authorized and directed to pay to Alexander S. Rosenthal, of [illegible] the sum of $[illegible] in full compensation for all claims against the United States for [illegible] furnished and services rendered to the United States during the prevalence of [illegible] cholera at [illegible] in the year [illegible] and for all claims for [illegible] furnished and services rendered to the United States during the prevalence of [illegible]

Mr. GRAFF. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to; and the bill was laid aside with a favorable recommendation.

DARWIN S. HALL.

The next business on the Private Calendar was the bill (H. R. 9981) for the relief of Darwin S. Hall.

The bill was read, as follows:

Be it enacted, etc. That Darwin S. Hall be and he is hereby relieved from the charge of $[illegible] in his accounts as disbursing agent of the Chippewa and Mississippi bands of Indians in Minnesota, and special disbursing agent, from October 10, 1897, to July 31, 1900.

Mr. VOLSTEAD. Mr. Chairman, I move that Senate bill 721 be substituted for this bill, as the two are identical and cover the same subject. The Senate bill has been passed in the Senate and it is on this Calendar. It has been reported favorably by the Committee on Claims of this House.

The CHAIRMAN. The gentleman from Minnesota moves that the bill S. 721 be substituted for the bill H. R. 9981, the two being identically the same. If there be no objection, it will be so ordered.

Mr. BURKETT. Mr. Chairman, I would like to ask for some explanation of this bill.

Mr. GRAFF. I yield to the gentleman from Minnesota, Mr. LIND, or can the gentleman from Minnesota, Mr. VOLSTEAD, make an explanation of the measure?

Mr. VOLSTEAD. I think I can. Mr. Chairman, this is merely for the settlement of an account. Mr. Hall was commissioner in charge of the allotment of certain Indian land. While acting as such he found it necessary to make a trip from Minnesota to Washington. This trip was made solely in the performance of his duties as an officer, and the time spent was charged by him in his bill. When he came to settle his account this item was allowed, but some time afterwards he was notified that the item for the time spent while here should not be allowed, and that as such this $111 should be charged to him. The matter has been explained to the Secretary of the Interior, and the Secretary has recommended that this bill be passed. It does not really call for the appropriation of any money or the payment of any sum out of the Treasury. It simply adjusts or allows this account. It seems to me it is perfectly just. Every dollar that is charged for was earned. All the time that he did spend and did charge for was time spent in the service of the Government in carrying out his duties as an officer. It seems to me under the circumstances that it is a proper charge and should be allowed, and I ask that the bill be laid aside with a favorable recommendation.

Mr. GRAFF. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The motion was agreed to; and the bill was ordered to be laid aside with a favorable recommendation.

The CHAIRMAN. Without objection, House bill 9981 will be laid aside with the recommendation that it do lie on the table.

JAMES L. ANDERSON.

The next business on the Private Calendar was the bill (H. R. 4637) authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $798.28.

The bill was read, as follows:

Be it enacted, etc. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of the Treasury of the United States, from any money not otherwise appropriated, to James L. Anderson, the sum of $798.28, being compensation for loss on march, loss of his personal effects, and transportation by sinking of steamer, under orders, from Baguio to Manila, Philippine Islands, as captain, Forty-fourth Infantry, United States Volunteers.

Mr. BARTLETT. Mr. Chairman, I would like to hear something about this bill. It seems to be to pay an officer something for having lost his baggage in transporting it from one point to another. Is it the rule for the Government to be held responsible unless the Government carelessly or negligently lost it?

Mr. GRAFF. This bill seeks to reimburse this officer for the loss on the ground that the personal belongings which are reimbursed for are found by the Department, on investigation made under the order of that Department, to be necessary for the performance of his official duty at that point—not for the purpose of reimbursing for baggage which would be unnecessary in connection with the performance of his duty and presence there as an officer. There has been relief made in Congress in these cases many times before, and, in expectation of that, it is the custom of the Department to have an inventory made of the property and ascertain what property is necessarily included in a proper equipment on the officer for the proper performance of his duty.

Mr. BARTLETT. The property belonged to the officer, did it?

Mr. GRAFF. Yes; it was a part of his necessary equipment in the performance of his duty at that point. There is nothing unusual about the relief granted in this case.

Mr. BARTLETT. Was it furniture, arms, clothing, or what was it?

Mr. GRAFF. There is a long itemized statement in the report showing what it consisted of, some four pages, which gives the items in detail even down to a pair of socks.

Mr. BARTLETT. Then it was clothing?

Mr. GRAFF. Clothing and personal property necessary in connection with his duty.

Mr. BARTLETT. How were they lost and in what way did the United States become responsible in law, equity, or good conscience to reimburse this man, and how was the Government responsible for it? The mere fact that they were lost would not make the United States incur any liability to pay for them?

Mr. GRAFF. Oh, no; the Government is not compelled to make the allowance. There is no existing law that deals with that question.

Mr. BARTLETT. The Government is not an insurer of the baggage of its army officers when transporting them?

Mr. GRAFF. Not at all; but the officer was compelled to be there in the performance of his duty. He was there under the orders of the Government. He was compelled to be at a particular point under orders of the Government, and it was necessary for him to have this property there in pursuance of the orders of the Government.

Mr. BARTLETT. How did he lose them, how were they destroyed, in what way, so as to make the Government liable, even in good conscience?

Mr. MADDOX. I would like to know what the property consisted of to amount to $798?

Mr. GRAFF. I understand the Government would be responsible if it had been in time of war, but the fact that it was not in time of war renders it a case where there is no existing law applying to it.

Mr. BARTLETT. I have not yet been informed how the loss took place.

Mr. GRAFF. I will yield to the gentleman from Indiana.

Mr. OVERSTREET. It was lost by the loss of a transport which was passing from one point in the Philippine Islands to another, under orders of the War Department. It was lost without any fault on the part of the officer, and his equipment consisted, as is shown by the scheduled inventory, of what he had a right to have possession of. Of course some of it was entirely personal, and some of it was equipment to which, as an officer, he was entitled. Nevertheless, he was in that section of the world under orders, and had not yet been able to return home after the discharge of his duty, but by the loss of the boat on which his effects were being transported he suffered this loss.

Mr. BARTLETT. Was it a Government transport?

Mr. OVERSTREET. I do not recall, but my recollection is that it was.

Mr. GRAFF. I will read an affidavit of Conrad C. Brown, of the Forty-fourth Infantry, relating the circumstances:

CITY OF JAGNA, *Island of Bohol, P. I., ss:*

Personally appeared before me, the undersigned authority, Private Conrad C. Brown, Company C, Forty-fourth Infantry, United States Volunteers, who, being duly sworn according to law, deposes and says: On April 7, 1899, I was stationed with my company at Bacalayan, Bohol. That my captain, Adam [illegible], commanding the company, ordered Q. M. Sergt. Albert [illegible] to have Private Fred Gengler, Company C, present, and myself on board the sailing launch [illegible] as a guard and proceed to Jagna. The boat was loaded with the company property, [illegible] rations for the ensuing month and the men's and officers personal effects. We left Bacalayan about 3 p. m. April 7, 1899, and sailed about 4 leagues the first night. The morning of April 8 we stopped for water about a league east of the pueblo of Loay. We sailed again about 5 p. m. and sailed about 2 miles, when the wind entirely died out, and we [illegible] anchor.

We remained again the next morning, April 10, and had sailed only a short while when the wind [illegible] and we anchored. We put in to shore for supplies [illegible] and started again about 5 p. m. and had a pleasant wind. We went on well till 2 [illegible] a. m. At that time I noticed the wind was blowing very hard and the waves getting rough. At that time as near as I could guess the wind was from the south and the heat was stifling. At 4 o'clock the wind was blowing more [illegible] and the waves were so [illegible] that the boat was [illegible] and [illegible] crew apparently [illegible] [illegible] time the sky was dropping of [illegible] and [illegible] heavily. Soon [illegible] was [illegible] [illegible] I [illegible] Sergeant [illegible] [illegible] the sail was [illegible] and the boat [illegible] [illegible] [illegible] to make a raft out of the [illegible] [illegible] they [illegible] the boat, but the waves were so rough they [illegible]

We remained on the wreck until 10 a. m., when we were rescued by natives from [illegible] of Bacalayan, who [illegible] there [illegible] and boat started [illegible] [illegible] We [illegible] [illegible] to [illegible]

Further deponent saith not.

CONRAD C. BROWN,
Private, Company C, Forty-fourth Infantry, U. S. Volunteers.

Sworn and subscribed to before me this 15th day of October, 1900, at Jagna, Bohol, P. I.

RICHARD H. S[illegible],
Second Lieutenant, Forty-fourth Infantry, U. S. Volunteers,
Commanding Post Officer.

A true copy.

FREDERICK S. YOUNG,
First Lieutenant, Forty-fourth Infantry, U. S. Volunteers, Adjutant.

Mr. OVERSTREET. I was mistaken, Mr. Chairman, when I left the impression that he was not at that time an officer. This refreshes my recollection. He was in his line of duty, was still an officer, and was changing from one point to another.

Mr. BARTLETT. I can see readily the justice of a claim where an officer would be charged up with supplies for government use which he would have to answer to the Government when they were lost through no fault of his, or destroyed accidentally by fire or by the elements; that he ought not to be required to pay the Government and not be reimbursed for them: but this looks to be a stretch of the rule of equity and good conscience to make the Government liable for the officer's uniform and private property which were being transported, and lost by no fault of the Government.

Mr. OVERSTREET. May I ask the gentleman a question?

Mr. BARTLETT. Certainly.

Mr. OVERSTREET. I would like to ask the gentleman if there has not been allowed very many times for the loss of property in the Southwest growing out of the civil war, damages where the schedule of items or the inventory of the property would cover quite as many personal pieces of property as this item?

Mr. BARTLETT. I don't know; but that is entirely upon a different theory. The occasion to which the gentleman alludes is where they were loyal citizens of the United States.

Mr. OVERSTREET. But this man was an officer of the Government.

Mr. BARTLETT. I understand that; but this has no analogy to the loss of provisions and supplies furnished to the Federal Army by loyal citizens during the war. I have no disposition to resist the proper payment to this officer for property that he held as an officer of the Government, such as commissary supplies, of which he had charge and for which a deduction would be made from his salary, because he had to account to the Government for them.

I think it is fair in a loss like that, as, for instance, if a postmaster should have his till robbed by a burglar and then be compelled to pay the Government, the Government could afford to reimburse him; but as for having this officer paid by the Government for the loss of his private property because of an unavoidable accident, the cause of which was the elements, and for which the Government is not responsible, it looks to me like stretching the rule too far.

Mr. GRAFF. The Quartermaster-General says that if—

legislation for the relief of such claimants is contemplated, it is the opinion of this office that a general law similar to the above should be enacted rather than a special act in each case.

Mr. BARTLETT. Bad precedents make mighty bad law.

Mr. BURKETT. Mr. Chairman, if I understand that, it is an argument against the bill rather than for it. It says that if such legislation as this is contemplated, then we ought to have a general law. As I glance over this list it strikes me as a pretty large list for a soldier to have over there in the Philippines. However, I do not question the amount, but here is the question that presents itself, and I think the Quartermaster-General is right: We provide by law, as I understand it now, that where a man loses his supplies and equipments, such as these, in war, he is recompensed for them. Am I right in respect to that?

Mr. GRAFF. No.

Mr. BURKETT. I understood the gentleman to so state a moment ago.

Mr. GRAFF. No: it is in times of peace.

Mr. BURKETT. Then I have got it backward.

Mr. GRAFF. The gentleman has it reversed. He is right with the exception of that correction.

Mr. BURKETT. Then in times of war they are not recompensed. I will simply ask the gentleman what the law is on the proposition?

Mr. GRAFF. I understand it to be the law that if this had been in time of peace he would have been recompensed under existing law.

Mr. OVERSTREET. Will the gentleman yield for a moment?

Mr. GRAFF. Yes.

Mr. OVERSTREET. If it had been in time of peace, then the law would have warranted the Quartermaster-General in making the payment.

Mr. GRAFF. Yes.

Mr. OVERSTREET. But being in time of war that law is suspended.

Mr. GRAFF. Yes.

Mr. OVERSTREET. Therefore it requires Congressional action.

Mr. BURKETT. Then it is just the other way around from my statement.

Mr. OVERSTREET. Yes.

Mr. BURKETT. It seems to me that a thing of this kind is more liable to occur in time of war than in time of peace. This can not be the only case where a man has lost his equipment in war. Why should this case be singled out and a special act passed for him? If you do not do as the quartermaster recommends, make it a general law. I am not so certain that it would not be a good law which would provide that if a man goes into war and loses all his equipments he should be recompensed, inasmuch as [illegible] Why pass a special bill for this case when it will not [illegible]

Mr. GRAFF. Mr. Chairman, the answer to that would be, because this is the case before us. We have no authority to report a general law on the subject.

Mr. BURKETT. But so long as Congress does not pass a general law to take care of all of them, why should we come in and pick out this special case and take care of a man here and a man there? There were some others on that boat, were there not?

Mr. GRAFF. Yes.

Mr. BURKETT. And some others lost their property?

Mr. GRAFF. Yes.

Mr. BURKETT. Are there bills for their relief also?

Mr. GRAFF. I think not. At least they are not pending. I understand he was the ranking officer, whose equipments were on the boat.

Mr. OVERSTREET. The equipments were chargeable to him?

Mr. GRAFF. Yes.

Mr. BURKETT. Does this bill contemplate that he will pay the others for what they lost?

Mr. GRAFF. The supplies were chargeable to him.

Mr. OVERSTREET. That is what I meant.

Mr. BURKETT. This bill is not to pay him for any general supplies?

Mr. GRAFF. Yes.

Mr. BURKETT. The bill is only to pay him for his own private property.

Here, on page 13 of the report, I find a list of certain property, stated to have belonged to Second Lieut. Fred. L. Gengler privately. Has a bill been filed for him?

Mr. GRAFF. I think not.

Mr. BURKETT. Now, I do not know why we should pass a bill for the relief of one officer and not for another having equal claim.

Mr. MADDOX. There are thousands of others with just as good claims as this man.

Mr. BURKETT. I do not doubt it.

Mr. GRAFF. I want to correct my answer to the gentleman. That list on page 13 is not a list of the personal effects of Second Lieut. Fred. L. Gengler; but is a statement of articles purchased

by Captain Anderson—commissary stores—which are covered by this bill. That list is entitled——

List of commissary stores bought of Second Lieut. Fred L. Gengler, Forty-fourth Infantry, United States Volunteers, and being commissary of subsistence, [illegible] by Capt. Frank L. Anderson, Forty-fourth Infantry, United States Volunteers, from March 21 to April 15, 1900, inclusive.

This list of purchases was made out for the guidance of the War Department.

Mr. BURKETT. Is that included in the amount on the bill?

Mr. GRAFF. Yes, sir.

Mr. BURKETT. What is the amount on the bill?

Several MEMBERS. Seven hundred and ninety-eight dollars.

Mr. BURKETT. Well, it seems to me here is a bill which for some reason or other, either for the sake of the precedent or otherwise, is picked out for action of the House, when, so far as we can understand, it does not differ from thousands of other cases. If we are to pass this one bill, it simply means that we are going to open up a flood gate for such claims. I am not certain but that a general law on this subject would be proper. I am not certain but that an officer who in time of war, while acting on orders, loses his property should be recompensed. I am certain that if he should be recompensed in time of peace that he should be in time of war; but I do not believe it is proper for Congress to take up and pass special bills to pay certain claims of this kind while leaving hundreds of thousands of others unpaid.

Mr. OVERSTREET. Mr. Chairman, all the bills submitted to this House by the Committee on Claims are based upon reasons such as the gentleman from Nebraska [Mr. BURKETT] has just given as reasons for not passing this bill; in other words, they are in the form of individual claims, which do not come within the general law authorizing the payment by officers of the Government. Take, for instance, the case of a lost check, a check payable by the Government. There is a law authorizing the payment of such checks where they do not exceed $2,500. But there are occasionally cases where checks exceed that amount and where the parties must come to Congress for relief. It might be said that that law on the subject of reimbursement of lost checks ought to be changed. I am not controverting any such contention. It might possibly be better that the law should be changed, but nevertheless the law in its present form is on the statute books.

There are claims pending before the Committee on War Claims of this House for various amounts to reimburse losses incurred during the civil war by southern people who were loyal to the Government. It might be claimed that there should be a general law authorizing payments in such cases. I am not controverting any such contention. Nevertheless under the existing law such parties must come here with their individual claims and ask relief at the hands of Congress.

The claimant in the present case was an officer of the Government, a commissary officer, having in his possession supplies for which he had personally paid—not paid for by the Government, because in that case he of course would not be entitled to recompense. But in addition to these articles which were charged up to him and which he paid for there was certain private property in his possession and which he had a right to. For such payments under existing law authority would rest in the Government to make payment upon proper showing; but during war that particular law is suspended, and therefore he is compelled to come to Congress for personal relief.

He was not only an officer of the Government, but he was under orders from his superior officer to make this particular change of location. He made it in the best way he could in that country by means of a boat, which, like my friend from Georgia, I am unable either to pronounce by name or to define. But nevertheless, he adopted the best method that was possible at the time and under the conditions then existing. That boat, by reason of the elements, was capsized and his property was lost. Under the law he has no other course to pursue for relief than the method he has adopted. He makes his statement and inventories by item of property which he has lost. There has been no contest, either at the Department or in the committee, of the claims, either as to the facts concerning the items of his property or as to their value.

The whole difficulty at the Department has been that the condition of war at the time of the loss suspended the only law which would enable them to make payment. They, I understand, admit all the facts, and the only recourse is to ask Congress for this relief, and that relief consists in the payment of the amount of money which merely equals, and no more, the particular items of property which he at the time had the right and was entitled to possess. Now, my friend from Nebraska says he is inclined to think that a general law would be wise to cover this condition. The difficulty is, the general law does not exist, and this man must come by a special act to get relief.

Mr. BARTLETT. I see that they say it was in time of war that this loss was sustained.

Mr. OVERSTREET. It was the Philippine war.

Mr. BARTLETT. Well?

Mr. OVERSTREET. And so construed by the Department; and the statute was suspended.

Mr. BARTLETT. The gentleman has looked over this bill?

Mr. OVERSTREET. I can not recollect it; I do not remember it. This gentleman lives in my district. He is a gentleman of good reputation. There is no question about the facts.

Mr. BARTLETT. I have no question about the facts. The only question is whether the Government ought to pay for the loss of personal effects of an officer in time of war.

Mr. OVERSTREET. The point is just this. If the statute which authorizes the payment by the Department in time of peace were in force there would be no question as to the payment by the Department; but the statute being suspended by an act of hostilities, which the Department assumes to be a state of war, forces the man to come to Congress for relief.

Mr. BARTLETT. I stated to the gentleman that I did not see any injustice. On the contrary, I see great propriety and justice in paying this officer for the commissary supplies, and as he calls it——

Mr. OVERSTREET. All the supplies he paid for; whatever he had been required to pay for out of his salary that had been given to him for the purpose of using for this detachment.

Mr. BURKETT. Does the gentleman think that an officer in the time of war should be running around, or that every officer ought to be carrying about $800 worth of personal property, containing a lot of slippers and patent-leather shoes and things of that kind?

Mr. BARTLETT. Have you examined this list, containing such articles as one bottle of shampoo; one bottle of bay rum, imported; bottle of witch hazel; bottle of Rubifoam, and a great many canes of various kinds?

Mr. OVERSTREET. The gentleman will understand that these supplies will be found in the possession of other commissary officers, and he purchased only upon requisition.

Mr. BARTLETT. I understand that.

Mr. OVERSTREET. For it is a fact—and I understand it to be so recognized by the Department—that these supplies were properly in his possession, and had been actually paid for by him out of his salary, except for his purely personal effects there, and there ought to be no question about allowing it.

Mr. MADDOX. Will the gentleman yield to me now?

Mr. OVERSTREET. I yield to the gentleman from Georgia.

Mr. MADDOX. Have you read the affidavit of Thomas E. O'Brien?

Mr. OVERSTREET. I do not remember. It has been some weeks since I looked over the evidence.

Mr. MADDOX. I think you ought to read it, and I think the House ought to hear it read, and a number of other affidavits, because it appears that the lockers of all the privates went overboard at the same time. Now, is there any claim for them here?

Mr. OVERSTREET. I do not know. The gentleman will appreciate this, that if there is any man entitled to just as much relief he has not asked it. The fact that he has not asked it in this bill would not be a proper argument against the bill.

Mr. MADDOX. My idea is that under the law he is not entitled to it; and if entitled to it under the law, then certainly these privates who lost their property too are entitled to the same relief.

Mr. OVERSTREET. I am not questioning that. But Captain Anderson should not be prevented from recovering the amount because of the loss of other people's property.

Mr. MADDOX. I understand that. When you have that affidavit read in connection with Captain Anderson's loss, it shows the inconsistency, and illustrates the fact that a man who can have the power and political influence to introduce a bill to recover for his private property can get it, while almost the whole of the other troops lost everything they had, too, and nobody is speaking for them, and they do not recover.

Mr. OVERSTREET. The gentleman will understand that Captain Anderson, being a resident of my city, called my attention to the fact, and I introduced the bill. It did not take any political influence to do that. I hardly think the gentleman will assume that all bills introduced in Congress are for a political purpose.

Mr. MADDOX. I did not mean to say that. What I do say is that he had influence to call your attention to it, and that you introduced the bill.

Mr. OVERSTREET. I was sufficiently approachable that he could get me to see the justice of the claim and introduce a bill.

Mr. MADDOX. Now, who is going to take care of the privates generally?

Mr. OVERSTREET. If they lived in my district I would endeavor to protect their interests.

Mr. MADDOX. Oh, but they may live in yours and mine.

Mr. OVERSTREET. Certainly.

Mr. MADDOX. They live throughout all over the country.

Mr. OVERSTREET. Perhaps.

Mr. MADDOX. Now, that is not according to law——

Mr. OVERSTREET. Oh, it is directly according to law.

Mr. MADDOX. Oh, no.

Mr. OVERSTREET. He has the right to ask for the recompense of his individual loss; otherwise he would have no status, either before the Department or before Congress.

Mr. MADDOX. There is another thing about this. It says that the "letter from the War Department reporting not adversely on the claim." That is a little singular language in this report, "reporting not adversely." Well, what did he report?

Mr. OVERSTREET. It is given in the letter, is it not?

Mr. MADDOX. I think not.

Mr. OVERSTREET. I think that is a letter of the Quartermaster-General that was read by the chairman of the committee.

Mr. MADDOX (reading)—

Letter from the War Department reporting not adversely to the claim.

Mr. OVERSTREET. Oh, the situation is just this, briefly, like any other private claim——

Mr. MADDOX. Now, let me read this affidavit for the information of the gentlemen around here.

Mr. OVERSTREET. How long is it? I have no objection to your reading it.

Mr. MADDOX (reading)—

Personally appeared before me, the undersigned authority, Sergt. Thomas E. O'Brien, Company C, Forty-fourth Infantry, United States Volunteers, who, being duly sworn according to law, deposes and says: "On April 26, 1899, I was stationed with my company, under Capt. James L. Anderson, at Bacolgyan, Bohol, P. I. We had been informed by Captain Anderson that we were to change station to Jagna, Bohol; that the company would remain overland, carrying four days' rations, and that the commissary and personal property and other stores would be sent by boat, and that upon my return we were to take charge of the loading. The boat commenced loading, and the next morning I began to load, rafting the stores out to the boat, as we had no small boats to use. On board the boat I found a stock of commissary goods which Q. M. Sergt. Albert Tirey informed me was one month's ration for the detachment, which had been turned to him and placed on the boat." Pag-asanan, Bohol, April 15, 1899. I mention the items, extra ordnance, quartermaster's supplies, extra rations, field desks, and a box of blank supplies. The receipts for these and many personal effects in about the order named, but had to stop work at 10 o'clock on account of the high wind and rough water.

Now, another affidavit over here is that this soldier did not accompany the boat, but marched with the private soldiers, and over here we have the affidavit of another soldier who tells how the boat was capsized and everything lost, so you see that carried with it the entire company's property, and there is nobody claiming pay except Captain Anderson, while every private soldier lost everything he had.

Mr. OVERSTREET. Well, Mr. Chairman, I am not questioning the possibility of loss of property by other individuals at this same accident, but nevertheless it means that Captain Anderson was a commissary officer, making purchases of supplies under direction of his superiors. He was in a distant clime, where it was entirely proper that he should purchase supplies for a considerable period of time. These supplies were in his possession, both under authority of law and under authority of his superiors. He had paid for them, he was transporting them under orders, and in order to facilitate the transportation properly dispatched part of the property by water while he and his men made an overland trip. A gale capsized the boat and the property was lost.

Now, I do not know the possibility of the loss of property belonging to other individuals. There may be a great many individuals in the country entitled to separate claims, but if gentlemen vote down this bill, refusing to make this payment, that will not help the other men, as this man is before the House, properly so, asking for compensation of loss of property he bought for the Government and paid for himself.

Mr. BARTLETT. Right there may I call the gentleman's attention to one thing?

Mr. OVERSTREET. Yes.

Mr. BARTLETT. I know you state that, and I was under that impression myself. Of this $798 there is an item which I suppose was embraced in the amount, "memorandums, notes, letters, and valuable papers, $200." Of the $798 carried by this bill now, $200 is for "memorandums, notes, letters, and valuable papers?" Does the gentleman think——

Mr. OVERSTREET. It is not my understanding that that item is carried in the appropriation in the bill, because, if you will observe, the items in the schedule exceed in amount the allowance which the bill carries. That is my understanding.

Mr. BARTLETT. The bill carries $798.28, and this item is——

Mr. OVERSTREET. But there is another schedule over there.

Mr. BARTLETT. Eighty-eight dollars and ninety-five cents.

Mr. OVERSTREET. The chairman of the committee is in a better position to tell the gentleman what, if any, items are omitted than I am.

Mr. BARTLETT. The gentleman is mistaken in that, because this report shows that $88.95 is added to this in order to make $798.28.

Mr. OVERSTREET. Then I did not know it.

Mr. BARTLETT. So that the $200, according to the report of the committee, putting together both schedules of lost property and $200 for loss of valuable papers, forms a part of the $798.28.

Mr. OVERSTREET. I only know this, that whatever the property was its value has not been questioned by the Department, and the entire account would have been paid but for the fact that this law authorizing such payments was suspended at that time, and, like any other personal claim, is obliged to come to Congress.

Mr. BURKETT. The gentleman would not insist, would he, that we should pay $200 for memorandum and valuable papers?

Mr. OVERSTREET. I would be glad to ask the chairman of the committee to answer the gentleman from Georgia concerning this item, and ask him to state if every item in the inventory was allowed in the appropriation. The gentleman from Georgia calls attention to the item of "memorandum, notes, letters, and valuable papers, $200." I have stated to him that I did not know what the committee did about that. I do know that the man ought to have payment for his loss.

Mr. BARTLETT. That may be true, but it does not seem to me that he should be entitled to $200 for memorandum and notes and letters.

Mr. GRAFF. The total amount of the bill is $798.28.

Mr. OVERSTREET. But the gentleman from Georgia wants to know whether or not included in that is the item of $200 for notes, letters, memorandum, and valuable papers.

Mr. GRAFF. I do not think it is, because subtracting the $200 from the total of the list found in the report under the head of Capt. James L. Anderson's personal property would leave $597.78; adding to that the total of $88.95——

Mr. BURKETT. But you have added that in to make up the $797.78.

Mr. OVERSTREET. The gentleman is right.

Mr. GRAFF. I think the amount of the bill ought to be reduced by taking out the $200.

Mr. OVERSTREET. I think so, too. I ask unanimous consent, Mr. Chairman, to deduct $200 from what the appropriation calls for. I move to amend, Mr. Chairman, by striking out the word "seven." In line 6 of the bill, and inserting the word "five."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 6 strike out the word "seven" and insert the word "five;" so that it will read: "$597.78."

The amendment was agreed to.

The bill was ordered to be laid aside to be reported to the House with a favorable recommendation.

JOHN F. WESTON.

The next business on the Private Calendar was the bill (S. 2696) authorizing and directing the Secretary of the Treasury to pay to John F. Weston the sum of $244.00, etc.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to John F. Weston, late in charge of the Government transportation office at Fort Custer, Montana, being the amount of his expenses while in charge of the transportation of supplies, stores, and troops from Tongue River, Wyoming, to Fort Custer, Mont., as captain and commissary of subsistence United States Army.

The bill was ordered to be laid aside with a favorable recommendation.

N. S. PALMER, JR., & CO.

The next business on the Private Calendar was the bill (S. 334) for the relief of N. S. Palmer, jr., & Co.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to N. F. Palmer, jr., & Co., the sum of $63,620.59, out of any money in the Treasury not otherwise appropriated, in full of their claim for damages and losses incurred in the construction of the engines for the Maine, that being the amount recommended to be paid by the Secretary of the Navy.

Mr. PERKINS. Mr. Chairman, this is a large claim, and I think we ought to have an explanation of it.

Mr. GRAFF. Mr. Chairman, I will say that last session of Congress we reported the bill and passed it through the House, which provided that the claim should be referred to the Secretary of the Navy for adjudication, and subsequent to the passage of that bill the Secretary of the Navy reported the actual amount of damages and recommended the passage of the act. Now I yield to the gentleman from Texas [Mr. BEALL].

Mr. BEALL of Texas. Does the gentleman from New York desire further explanation?

Mr. PERKINS. I would like an explanation.

Mr. BEALL of Texas. Mr. Chairman, the statement of the chairman of the committee is correct. At the last session of the Congress the House passed a bill directing that the Secretary of the Navy audit this claim and report to Congress the amount that

was justly due. The bill went to the Senate. In the meanwhile the committee on the Senate side had requested certain information from the Navy Department, and this information was supplied, and so, instead of passing the bill as it came from the House asking for auditing the claim, the Senate passed a bill making the direct appropriation. The bill came back to the House, was referred to the committee just about the close of the session, and consequently no further action was had in the House upon the bill.

This firm of Palmer & Co. in 1889 contracted with the United States Government to furnish the machinery and appurtenances for the battle ship *Maine*. Under that contract they were given two years and six months for the completion of this machinery, which would have carried them to October, 1891, and it was further stipulated that the erection should be completed within one year after that time, or by October 3, 1892.

The Government itself was having constructed the hull of this boat. At the time this company was required to have the machinery completed, the Government had not completed its part of the contract, and while this company had the machinery and everything required by their contract ready for installation, it was impossible for them to complete their contract because of the delay upon the part of the Government.

Instead of the boat being completed by October 3, 1892, as a matter of fact, because of this continued delay on the part of the Government, due in part to its inability to procure the necessary armor for the boat, it was not completed until 1895, and during these three years this company was subjected to a very considerable expense by reason of this delay. This matter was referred, at the request of the Senate, to the Secretary of the Navy for information. The Secretary of the Navy referred the matter to one of the bureaus of the Navy Department, the Bureau of Engineering, I believe it was, and that Bureau made a report. That Bureau recommended the payment of the amount that is specified in this bill. In fact, it recommended the payment of an additional amount giving whatever sum might have been paid for insurance, but no such item is embraced within this bill. The Secretary of the Navy says this:

The bureaus, in a joint report, find that the claimants are justly entitled to [illegible] "Having [illegible] this report of the two bureaus the undersigned [illegible] in the exercise of the business, [illegible] by them of the amount to which said company is entitled."

In other words, this claim has been submitted to the Navy Department and has received the approval of the Secretary of the Navy, that approval being based upon the report made by certain bureaus of that Department for the amount that is incorporated in the bill.

Mr. RICHARDSON of Tennessee. What Secretary of the Navy made that report, may I ask?

Mr. BEALL of Texas. Mr. W. H. Moody, Secretary of the Navy. This claim was originally presented first to the Department for something like $96,000, I think, but under this auditing of the Navy Department the amount of $63,620.59 was arrived at as a just and fair and conservative estimate of what this company was reasonably entitled to by reason of the delay of the Government to perform its part of the contract with the company.

Mr. GRAFF. Mr. Chairman, I will say to the gentleman from Texas that I think perhaps his elaboration of the case is satisfactory to the gentleman from New York [Mr. PERKINS].

Mr. PAYNE. Mr. Chairman, if I may be allowed, I would like to say that the principal item in this bill is for the sum of $43,750 out of a total of $63,620.59, under what is called "item 5:"

5. The [illegible] of a general special contract of this nature causes an [illegible] by the maintenance of an [illegible] part of this force as was necessary to maintain during the delay caused by the Government.

Now, as I understand it, this machinery was actually made and delivered on board of this vessel, the [illegible] dock, waiting for a long time—several years—for armor plate; I think it was two years and one month. The machinery was [illegible] on the dock. One item of loss claimed is the interest on deferred payments, which I think is a very proper item.

Then there is the item of insurance; but there is no definite information before the Secretary of the Navy as to whether the property was insured or not, and that, therefore, is not included. I think if they actually paid it out it would have been a proper item, but why it is necessary for the Government to pay 10 per cent of the contract price for the delay caused while this machinery was on board the vessel at the dock in order to make up for the extra superintendents and foremen and draftsmen and experts, etc., which this firm had in its office, doing their business, I am not able to see. Let us examine the method of arriving at that sum. I do not think the Bureau is justified in arriving at any such conclusion. I think that ought to be tried in court. I read from the report:

Item 5—Extra general expense.—It may be assumed for purposes of this case that the general expenses of the claimant during the period which would have been incurred by the contractors under their contract if performed in the ordinary course of time, or two and one-half years, would have properly amounted to 10 percent of the contract price, viz, $78,500, and that these expenses would be increased in proportion to the extension of the time over which the contract actually extended by delays on the part of the Government. This extension, therefore, would be considered to be in the date on which the engines were in process of the preliminary completion of the vessel after October 3, 1892, to that date or two years and one month. The extension was from October 3, 1892, to that date or two years and one month.

On this basis the expense would be $78,500 × $\frac{27}{24}$ = $48,750.

Total, $63,620.59.

To which should be added any cost for insurance incurred from October 3, 1892, to November 1, 1894, except that for the trial trip.

Now, I confess that while a boy I used to be a good deal of a mathematician, but that equation stumps me. They conclude that they are entitled to $48,750, about two-thirds of the total sum—$63,620.59—to which would be added any cost for insurance incurred from October, 1892, to October, 1894. It seems to me that this is the most proper case in the world to go to the Court of Claims, and that the Navy Department and these bureaus did not have all the facts before them from which they could make an accurate statement of what ought to be done. I can not get it through my comprehension why they should multiply 78,500 by the fraction of $\frac{27}{24}$ divided by $\frac{24}{24}$, which equals $48,750, and there you are, and that therefore they should have an appropriation of that $48,750 plus the interest and plus the time for the care of the machinery when it was on board of the vessel and at the dock—a proper allowance—and plus the insurance, if this firm thought best to bring in evidence of insurance.

If they were getting this fractional business—this compound-fraction equation business—into the matter, which works out $48,500, I could see how they could forego the little item of insurance for three years and a half; but what process these gentlemen use in arriving at this conclusion and what facts they have to justify it I am unable to find in the report.

Mr. BURLESON. Is it not a fact that a similar claim was allowed in the case of the *Texas*?

Mr. PAYNE. I am not alluding particularly to the exact nature of the claim for damages in this case. These parties when they took their checks took the precaution to have their receipt in such a form that they should not be precluded from coming to Congress for further compensation. They gave the Government notice. I might not object to the proposed allowance in this case if the facts were all before us; but we have not here the facts by means of which we can arrive at the amount properly to be allowed.

This seems to me an extremely good case to go to the Court of Claims, and I see no reason why it should not. The Secretary of the Navy in his report says that it is a good case to go to the Court of Claims. He says:

Undoubtedly the best method of settling the amounts due the contractors on these several grounds would be to refer the case to the Court of Claims, where they can be [illegible] and [illegible] by the Department to its letter of November 8, 1897, and as stated [illegible] has elapsed already since the engines were justly entitled to [illegible] parts the writer is of the opinion that a definite recommendation should be made to enable the Department and Congress to act without the delay and expense to both parties to the case, which would be further incurred by reference to the court.

Notwithstanding that, or rather on the strength of that, these gentlemen of the Bureau bring to us here this compound-fractional equation. Why they do it, or how they do it, or how they figure it out, I am not able to understand. I wish some gentleman would explain how they arrive at their conclusion that the amount paid as damages should be just $48,500.

Mr. BURLESON. They do it by adopting the same basis of calculation as was adopted in the case of the *Texas*.

Mr. PAYNE. Supposing that to be so, will the gentleman inform this House how it is that this machinery, having been removed from the shops of these gentlemen and placed on board the United States vessel or on the dock and waiting there for this extension of time—why they should receive any damages for expenses in running their shop, which, presumably, was occupied at the time upon other business, because these men did not need a big shop in which to do a machinery business amounting to $78,500 for the Government? Why should they be allowed anything on that account? And why is this the proper amount to be allowed? I am not satisfied as to that. Let the case go to the Court of Claims. If these gentlemen can establish their claim there, I will cheerfully vote to pay it; but I agree with the Bureau that this is a very proper case to go to that court, and notwithstanding the delay which has occurred I say it ought to go there.

Mr. BEALL of Texas. Mr. Chairman, it seems to me that this report from the Secretary of the Navy demonstrates that he arrives at this amount by specific calculation. Now, I do not know that it would specially aid the gentleman from New York

if the Secretary of the Navy had gone into details and run out all the additions and subtractions and multiplications and divisions—all the items that he took into consideration in arriving at this amount. He is the head of a great Department of our Government having charge of matters of this kind. He is supposed to have full knowledge relating to them. He was a Member of this House for many years, serving on the Committee on Appropriations. He is in every way qualified to pass judgment on this kind of a case; and he presents to this Congress a statement that this is a fair and reasonable award to this company for the damages suffered. Now, how can any Member of this House be in a position to pass upon this question more reasonably, from a better position, in a better way, than the Secretary of the Navy?

The gentleman from New York says, "Send the case to the Court of Claims." Suppose it were sent there; the court in determining the amount due would in all probability depend upon the estimate of the Navy Department. That is the best evidence that they would be able to secure—the best basis upon which they could render a judgment—the estimate of men who are specially skilled in such matters.

And, after all, when the Court of Claims had passed upon the question, having consumed two or three years in doing so, thereby keeping these people out of what they are justly entitled to for that length of time, the case would come back here in just the same shape exactly in which we have it now, with an award based upon the estimate of the Secretary of the Navy.

The Secretary of the Navy indorses the statement that "because of the length of time and other considerations" the better way would be for Congress simply to act upon the proposition.

Mr. PAYNE. Will the gentleman kindly inform me why these gentlemen, having completed this machinery and put it on board the vessel, tied at the dock at the time, made delivery as far as they could, having removed it from their shops, and having received damages from the deferred payments and damages in the nature of superintendence of the machinery while it was in the vessel while it was in the dock, all of which would be proper, why should they go further and receive any sum for maintaining their shop where this machinery was originally built and where, presumably (and there is no evidence here to the contrary), it was necessary to maintain their shop to build the machinery for other customers than the Government of the United States? Why should they receive any damages, and especially $43,000? What is there in the report to show it?

Mr. BEALL of Texas. Now, the gentleman from New York is incorrect when he says this amount is allowed simply for the care and supervision of their shops. I do not think there is anything in the report to show that $43,000 is allowed for care of the shops.

Mr. PAYNE. Read item 5.

Mr. BEALL of Texas. It represents "general expenses," and under the peculiar facts of this case you can not estimate in a definite, certain kind of way this expense; you must approximate it.

Mr. PAYNE. Will not the gentleman read item 5, on page 3?

Mr. BEALL of Texas. What part of it?

Mr. PAYNE. Toward the bottom. The figure 5 in parentheses.

Mr. BEALL of Texas (reading)—

"(5) The performance of a large and special contract of this nature causes any contractor a large increase in general expense by the maintenance of an extra office force (clerks and draftsmen, expert's fees, and superintendent's cost of labor, and the claimants are justly entitled to recover for such period thus lost as it was necessary to maintain during the period of delay caused by the Government."

There is no pretense that this item of $43,000 refers to expenses for the whole of this clerical and other force.

Mr. PAYNE. Why not?

Mr. BEALL of Texas. Only that part of it caused by this delay.

Mr. PAYNE. It does not appear what the total expenses there were or what was charged to this contract or to show whether they were for the maintenance of this force and during the period of the delay. The machinery was delivered. The Government had it, and it had been on board the Government vessel for two years and a month. Now, then, as to the necessity of keeping up this extra force during that two years, if it appeared it had been kept up in this case, I am satisfied they must have had it for other business, and for the Government voluntarily to come in here and pay them an indefinite or a definite amount on an indefinite calculation for the maintenance of this force—and it did not even appear that it cost them anything extra to maintain such force—it certainly does appear there was no necessity to maintain the force after the machinery had been delivered on board the Government vessel for which they should charge $43,000.

Mr. BEALL of Texas. Is the gentleman willing to assume that the Secretary of the Navy will recommend $43,000 for this purpose without there being some evidence before him showing that this was a reasonable estimate of the expenditure? The Secretary of the Navy had certainly the necessary data before him from which to determine what would be reasonable.

Mr. PAYNE. "The gentleman" is willing to say of the Secretary of the Navy that there is no man having a higher regard for him as a personal friend or as a man than has "the gentleman from New York." But when the Secretary of the Navy is acting upon a report originating in his Bureau of Construction in the Navy Department he may have indorsed this in that way, and his attention might not have been called to this. If it had, I do not think he would have indorsed such a recommendation.

Mr. BURLESON. Now, if the gentleman will permit me, the Secretary of the Navy, considering the very objection urged by the gentleman from New York, uses this language:

"But as such a long time has elapsed already since the contractors were justly entitled to compensation, the bureaus are of the opinion that a definite recommendation should be made to enable the Department and Congress to get at the facts and expense to both parties to the case when a vessel be further incurred by reference to the court."

Mr. PAYNE. That is not the Secretary of the Navy.

Mr. BURLESON. The Secretary of the Navy sets that forth in his report, and approves it.

Mr. PAYNE. No; it is the Bureau that recommends what the gentleman says.

Mr. BURLESON. The Secretary of the Navy sets it forth in his report.

Mr. PAYNE. He afterwards approves that. The Bureau proposes this, and the Secretary approves this as the basis proposed, and the Secretary sends this gentleman with his recommendations to Congress.

Mr. BURLESON. Will the gentleman permit me, is it not a fact that this case is on all fours with the Texas ship?

Mr. PAYNE. I will say to the gentleman there are so many of these cases, and not being interested in any particular one—

Mr. BURLESON. I am not interested, either.

Mr. PAYNE (continuing). I can not remember now the case of the *Texas*. I only take these cases as they come up, one at a time, and very likely the case of the *Texas* may have been the same and on all fours, and may not have attracted the attention of the "gentleman from New York," as this case seems to have attracted it, and this possibly may not have attracted the attention of the Secretary of the Navy when he came to examine it. No gentleman here seems to be able to furnish the committee the basis upon which this large claim of $43,000 was allowed, two-thirds of this entire claim, and therefore I suggest these gentlemen may possibly recover it all if we send this case to the Court of Claims.

Why, we have established a court to adjust all these matters, and let these gentlemen come in with the insurance, if they have any, and perhaps there will be a bigger claim against the United States and it may be just, and let it be passed upon by the Court of Claims. Then we can easily appropriate the money; we will have to do it, and it will go in the deficiency appropriation bill, and they will not be delayed a great while in getting this interest, and if they be entitled to $43,000, as appears here from this statement, they may be able to show it to the Court of Claims. Let them go there. Why not? What objection can there be to it?

Mr. BEALL of Texas. Mr. Chairman, it seems to me that the report of the Secretary of the Navy shows that they are justly entitled to it now without waiting an indefinite length of time which will be required to go through the Court of Claims. Now, so far as I am concerned, I have no interest in it directly or indirectly. It does not relate to anyone in my section of the country. As I understand it to-day, this company is located in the city of New York, but if from the United States is justly due them the sum of $43,000, as the Secretary of the Navy says it is due them, it ought to be paid, and it ought to be paid now. Now, Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

Mr. PERKINS. Mr. Chairman, I ask the House for just one minute about this. This question is exceedingly simple. I do not know anything about the gentlemen in this case and I do not care. There is not a man in this House who does not know that there can be no claim but honest and fair for which somebody can not find some precedent. The question is whether this bill is right. Now, the report is signed by the Secretary of the Navy, for whom we all have the greatest respect, but there is not a man in this House who does not know that these reports are prepared by the bureau of some subordinate, who certainly is not the House of Representatives of the United States, and to him we have no right to transfer our responsibilities. The gentleman from Texas says there is evidence of this claim. The trouble is on the face of this report. On the face of this report it is stated that there is not one whit of legal evidence. If this claim goes to the Court of Claims it is not, as my friend from Texas suggests, to be passed upon by estimates of bureau chiefs, but by evidence of the claimants as to what expenses they were put to by the delay of the Government.

Now, the report shows what? Do they give any evidence? Not one word. Section 5 says "it may be assumed," not it is proven, but "it may be assumed for the purposes of this case that the

general expenses would have been increased 10 per cent." Now, as my friend from New York [Mr. PAYNE] has said, that is certainly a most violent assumption. Why the expenses of the main office should be increased 10 per cent because some goods which they had delivered had not yet been paid for no lawyer can say. They might be entitled to interest if they were not paid promptly, but when they come to the assumption that the expenses of the business were increased 10 per cent there is no one word of legal evidence upon which it rests. Now, it seems to me, Mr. Chairman, that when the report itself says they assume an item of $43,000 and ask you to pay it because some chief of bureau sees fit to make that assumption without evidence, we ought to send it, as the gentleman from New York suggests, to the Court of Claims, where this claim can be proved as every claim should be proved, not by assumption, but by legal evidence. That is what we ought to have before we vote to pay out the Government's money.

Mr. PAYNE. Mr. Chairman, would it be in order to offer a resolution sending this claim to the Court of Claims? I ask this because——

Mr. BEALL of Texas. Mr. Chairman, I insist upon the motion I made a moment ago.

Mr. PAYNE. Your motion does not cut off an amendment, my friend.

The CHAIRMAN. The Chair is of opinion the resolution would not be in order.

Mr. PAYNE. Then I move to amend the bill by striking out all after the enacting clause and inserting:

"That the claim of N. F. Palmer, jr., & Co., referred to the Court of Claims by the act of March 3, 1903, be and the same is hereby referred back to the Secretary of the Navy, for him to audit and report to Congress his conclusions in accordance therewith."

Mr. BEALL of Texas. Mr. Chairman, I make the point of order that this amendment is the same as the substitute and that the gentleman can not do indirectly what he can not do directly.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the bill (S. 33) entitled 'A bill for the relief of N. F. Palmer, jr., & Co.,' pending in the Senate of the United States, at the first session of the Fifty-fifth Congress, be and the same is hereby referred back to the Secretary of the Navy, for him to audit and report to Congress his conclusions in accordance therewith."

Mr. BEALL of Texas. Now, Mr. Chairman, I renew the point of order that that is substantially the substitute offered by the gentleman from New York a moment ago and that he can not do indirectly what he can not do directly.

The CHAIRMAN. Does the gentleman from New York desire to be heard on the point of order?

Mr. PAYNE. No, Mr. Chairman, I do not care to be heard on the point of order. I am offering an amendment in good faith and trying to get the case to the Court of Claims. I observe that in the last Congress a bill was introduced and passed through the House, I think, referring it to the Court of Claims. It went to the Senate, and they struck out all after the enacting clause and made a direct appropriation. This bill proposes to make a direct appropriation, and I ask that it be sent to the Court of Claims.

Mr. BEALL of Texas. The bill passed by the House, Mr. Chairman, did not refer this case to the Court of Claims, but it simply referred it to the Department for auditing, and by the time it reached the Senate the report from the Department had reached there, and consequently they passed the bill making a direct appropriation.

Mr. GRAFF. The House bill provided that the claim should be referred to the Secretary of the Navy, for him to audit and report his conclusions to Congress. That report has been made without such legislation, and it seems, therefore, unnecessary to pass any such bill.

Mr. BEALL of Texas. I insist on the point of order, Mr. Chairman, that this amendment is the same as the substitute, and is not germane to the matter contained in the bill.

The CHAIRMAN. The amendment proposed by the gentleman from New York provides for sending the whole matter to the Court of Claims for adjudication. The Chair is of the opinion that the point of order against the amendment is well taken. The Chair bases his judgment upon a decision made by the gentleman from New York [Mr. PAYNE] [laughter] in the second session of the Fifty-fifth Congress, where a bill was pending referring a claim to the Court of Claims and an amendment was offered providing for the payment of the claim outright, and the gentleman from New York, as Chairman of the Committee of the Whole, held that the amendment was not germane and sustained the point of order. Upon that precedent the Chair sustains the point of order.

Mr. PAYNE. Mr. Chairman, I concur with the ruling of the Chair. [Laughter.] Now I move an amendment which will be in order, and that is to strike out the words "sixty-three thousand six hundred and twenty dollars and fifty-nine cents" and insert in lieu thereof "$20,000." I reduce the amount by $43,620.59. I thought I would not quibble about a few cents in the matter. The amount added for that unwarranted expense is $43,750, and I have simply taken out $43,720.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Strike out in line 5 the words "sixty-three thousand six hundred and twenty" and insert the words "twenty thousand."

Mr. MILLER. Mr. Chairman, I do not know that I care to say anything in support of this bill, but, being a member of the committee, I do feel that in justice to the committee I ought to be heard for a moment. What reason can there be assigned why this item of $43,000 should be stricken out of this bill? The gentleman from New York [Mr. PAYNE] moved that it be stricken out without any evidence at all to sustain his motion. There isn't as much evidence here as the Secretary of the Navy had before him for the purpose of determining the amount that should be allowed for this item. Without any evidence whatever the gentleman moves to strike out this amount.

Mr. PAYNE. I should like to ask the gentleman from Kansas what evidence there is that it should be in?

Mr. BEALL of Texas. The report of the Secretary of the Navy.

Mr. MILLER. I want to suggest that every Member of the House has the highest confidence in the Secretary of the Navy, and when I meet a problem of mathematics that I am not able to master, I am willing to refer it to some one in whom I have confidence and who is able to solve it. This went to the Secretary of the Navy for his determination, and he referred it to the bureaus of his Department, that are full of men competent to pass upon every question in reference to the construction of naval vessels. They all know the amount of cost necessary in order that vessels may be constructed in accordance with the contracts with the Government, and the Secretary of the Navy receives a report from the chiefs of the bureaus, and he not only concurs with the men who have passed upon this question, but in addition he says that in this case, in effect, that a great act of injustice will be done if this case is sent to the Court of Claims. Why? Because for years these people have been kept out of the money justly due them and wholly on account of the fault of the Government, and the officers of the Government in the Navy Department admit that in their report. Here is another case, a case of the *Texas*, on all fours with the case before us. The Navy Department reported to the House exactly as they report in this case, with the same information before them, with the same arithmetical calculation as to the amount that ought to be allowed by reason of the increased force necessary to keep in the shop these men for the final carrying out of their contract with the Government.

It will not do to say that these people were not put to any unnecessary expense. Let us see whether they were or not. I call attention to the fact that this boat was not completed. It is true that by October 3, 1892, at the time it should have been completed as required by the contract, they had completed and erected on board of the vessel the main engines, boilers, and auxiliaries, but they did not have the hydraulic machinery in place which was necessary to turn the turrets upon that vessel. They had to keep that in their navy-yard. They had to have it guarded and protected. They had to keep the entire force in the office necessary to complete their contract. There is no evidence here to show that they were building other vessels at that time, none whatever, and are we to guess that they were building other vessels in order that we may keep these people from getting pay for the vessel that had been constructed?

Mr. PERKINS. Is it not a pretty fair guess that they were building other vessels, when they were in that business?

Mr. MILLER. The gentleman asks me to guess. I guess it was a pretty good guess for the Secretary of the Navy to say that the evidence before him showed that these people were entitled to $43,750, the loss that they sustained through the conduct of the Government of the United States.

Mr. PERKINS. As a lawyer the gentleman does not think that damages are fixed by guessing, does he?

Mr. MILLER. As a lawyer I do not think that damages are fixed by guessing, but by evidence. What was the evidence that fixed the loss sustained by the contractors for the *Texas* and that was adopted by the Members of this House, and I expect by the gentleman from New York [Mr. PERKINS], as well as the gentleman from Kansas? I say that we ought to treat these people the same as we treated them. Why send this case to the Court of Claims and pay the people that sustained the loss by reason of the construction of the *Texas*? Five or six years have passed away and this money is justly due these people. Why send it to

the Court of Claims and let it be in that court for a period of years and compel them to pay out large sums of money for attorney fees?

Mr. PAYNE. Has the gentleman forgotten that the Chair ruled out that amendment?

Mr. MILLER. That amendment seems to have been ruled out, but I am now speaking on the question of passing on this bill now and reporting it to the House with a favorable recommendation. I simply say that when the recommendation made by the Secretary of the Navy is clearly and conclusively supported by all that is said in this case in reference to the construction of this vessel and the loss sustained by these people we ought to report the claim to the House with a favorable recommendation.

Mr. BUTLER of Pennsylvania. Mr. Chairman, I understand that the Chair has ruled out the amendment of the gentleman from New York [Mr. PAYNE] providing that this bill should be sent to the Court of Claims. These people certainly have a right somewhere, and if they have no opportunity of going to the Court of Claims, then Congress ought to settle that right. We have some responsibilities to perform in this House, and this is not among the agreeable ones. Day after day we listen to complaints made that Congress declines to act and mete out justice as between the Government and people interested—such justice as they might get in a court of justice. There is money owing to these people. We determined that fact in the Committee on Claims. We said the best we could do for both the Government and the claimants and sent the bill to the highest authority. That was the Secretary of the Navy. He made a report, which we have here.

We all remember the Secretary when he was a Member of this House, and it is a pleasure to remember him as he was here. Always observing the greatest care to see that square, even justice was done in every case; and while perhaps there may be other men employed in high official positions for whose opinions we have not the same respect as we have for the opinion of the Secretary of the Navy, because we do not know them as we know him, the mere fact that we know that he is a prudent, careful man induced us to approve his report when it reached us. There should be some tribunal somewhere, at some time in the near future, to which these people may appeal; and if this bill, by subsequent legislation, is sent to the Court of Claims, the court must take the only evidence that we had, and that is the evidence that is shown in this report—the evidence furnished by the Navy Department. I submit to the committee that, inasmuch as under the ruling of the Chair the case can not be sent to the Court of Claims, we ought to accept the evidence submitted and recommend this bill favorably.

Mr. PAYNE. Mr. Chairman, I move to amend by striking out the last word. It is not a pleasant thing to stand here in the House of Representatives and oppose claims brought here by individual Members representing their constituents. They have a right to bring them in, and they have a right to be heard. We ought to accord to these claimants full hearings and ample satisfaction against the United States for all that may be due them. There is no question about that. But, Mr. Chairman, there is another side of the story. We represent not only the claimants, but we represent the people of the United States, who have no other hearing in this House than that which is given to their representatives here assembled. They have a right to have the Treasury of the United States protected.

We are engaged in a great work. We are building a great navy. It is a navy that will cost hundreds of millions of dollars, even if the original contracts made by the Navy Department under the authority of Congress are carried, and no extra expense is paid for delay. But it is inevitable that there should be delay in the construction of every vessel that we build. Either the man who furnishes the machinery is behind time, or the man who builds the hull is behind time, or the man who furnishes the armor plate is behind time. True, we put into the contracts a stipulation that any one of these contractors, if he gets behind, shall reimburse the United States for the damages incurred on account of his failure to carry out his contract.

But everybody knows that this damage claim is never enforced against these contractors; and it is never enforced because Congress does not require that it shall be. But, on the other hand, if one of these men is behind time it delays the delivery of other work for these vessels, as in this case. The delay here was on the part of those whose contract was to furnish the armor plate. The hull was built; the machinery was ready. The machinery was delivered on board the vessel, so far as it could be done, and when it could not be delivered on board the vessel it was delivered on the dock, as I understand, within the time prescribed by the contract. But the contract provided for a test; and the Government could not get a test until the armor plate had been placed on the vessel and the vessel made ready to go to sea. So the Government was not at fault. The contractor for the armor plate was at fault. He has never been required to pay anything to the Government for all this delay.

We have paid some pretty large bills in the past for this very sort of thing; we shall have to pay them in the future. Hence Congress should guard carefully these contracts—should guard carefully against these attempts to bring upon the Treasury of the United States claims for damages—should sift all such claims carefully, and before paying them should be absolutely convinced that they are just.

Mr. BUTLER of Pennsylvania. Will the gentleman explain how this committee could have done better than it has done?

Mr. PAYNE. I think the committee ought to send all these people to the Court of Claims. Let the Government and the claimant appear there and present their evidence, and let the Court of Claims decide.

Mr. BUTLER of Pennsylvania. What other evidence could be presented there than we have here?

Mr. PAYNE. What is the evidence here? This Bureau says that it believes 10 per cent would be a fair estimate for these extraordinary experts, etc., that were required on account of this machinery. The Bureau therefore concludes that 10 per cent for three and a half years would be right, and then, by some inexplicable process of reasoning, they say that if the time be extended the percentage must be increased in proportion to the time of such extension. Hence they bring here this proposition in mathematics—this case stated in equations.

Why, Mr. Chairman, if 10 per cent would be $7,350 for one year, then for two years it would be $14,700, and for the extra month it would be one-twelfth of $7,350—about $600. We can understand that sort of figuring. That reaches down to our intellects. And these gentlemen of high scientific attainments seem to be able to figure out the matter so that common men—common mathematicians like you and I—might understand how they reach their results.

[Here the hammer fell.]

Mr. BURLESON. I move to close all debate on the section and all pending amendments.

The motion was agreed to.

The question being taken on the amendment of Mr. PAYNE, it was rejected.

The CHAIRMAN. The question is now upon laying the bill aside to be reported to the House with a favorable recommendation.

The question having been put.

The CHAIRMAN. The ayes appear to have it.

Mr. PAYNE. I guess we had better have a division.

The question being again taken, there were—ayes [illegible], noes 8.

So the bill was laid aside to be reported favorably to the House.

JOHN H. M'LAUGHLIN.

The next business on the Private Calendar was the bill (H. R. 199) for the relief of John H. M'Laughlin.

The bill was read, as follows:

[illegible] That the Secretary of the Treasury be, and he is hereby, [illegible] and two-thirds [illegible] be [illegible] the sum of [illegible] dollars [illegible] said John H. M'Laughlin [illegible] the [illegible] of the United States [illegible] the [illegible] of the United States [illegible] said John H. M'Laughlin

through all these years, and the Committee on Claims, feeling that the right of recovery was clear, as established in the Court of Claims, thinking that it was not a species of work that required great genius, but still that it was a work that was valuable to the Government, and that he ought to have compensation commensurate with its importance and with the work which it took to complete it, therefore recommended the cutting the claim down from $15,000 to $2,000.

Mr. JOHNSON. What did the Court of Claims find?

Mr. GRAFF. The Court of Claims found $1,000 or $1,200; it was somewhere [illegible]

Mr. BUTLER of Pennsylvania. I think it was $1,800.

Mr. GRAFF. And based that finding upon the fact of the actual amount of time employed by him in getting up this table at the rate of compensation that he was receiving from the Government in the performance of his duty as an officer. In other words, they measured the compensation in the performance of this work done out of office hours at the same rate that he was receiving in salary as a clerk in that Department of the Government.

Mr. JOHNSON. The Court of Claims found as a matter of fact that the tables were worth $20,000, but as a matter of law the Government did not do anything about it.

Mr. GRAFF. My remembrance is—I have not the report of the Court of Claims with me—but, as I remember, they reported in favor of a compensation in the sum of either a thousand or twelve hundred dollars.

Mr. JOHNSON. Does not the man who got up the tables say himself that he got them up to expedite and lighten his own labors when he was an officer of the Treasury?

Mr. GRAFF. I suppose that may have been his purpose in getting up the tables—that it was for the purpose of lightening his own labors—but that would not lessen the value of the work to the Government. He performed this work out of hours. That has been clearly established, and there is no question of the liability of the Government for services performed out of hours when it is accepted by the Government.

Mr. JOHNSON. Did not the Secretary of the Treasury, who had the tables printed in book form, pay this man $500 for the manuscript?

Mr. GRAFF. I do not know that he did.

Mr. JOHNSON. The man says so himself.

Mr. GRAFF. I know that the committee went into this subject very thoroughly. We have had at least three or four thorough hearings upon the subject since I have been a member of the committee.

Mr. PAYNE. Has the gentleman ever seen the book?

Mr. GRAFF. I have.

Mr. PAYNE. How extensive a book is it?

Mr. GRAFF. It is on the same order as an interest book.

Mr. PAYNE. It contains salaries all the way from one day up to sixteen days at different rates?

Mr. GRAFF. It is quite an extensive book. It is composed of a number of pages, tables, and estimates for various times at various salaries.

Mr. PAYNE. Certainly from $600 up to $2,000, a table varying from one to two hundred dollars between the tables, and that would make a dozen pages, one salary to a page; and then it runs from one day up to sixteen days, which is the period for which the men are paid.

Mr. GRAFF. I do not think I could make it plain to the gentleman from New York, because the gentleman from New York admitted a little while ago that he did not know anything about compound fractions.

Mr. PAYNE. Oh, the gentleman is mistaken about that. I said I didn't know anything about the method of proving facts by compound fractions which were assumed. But I could get up such a table as this is. I am competent for that perfectly, and I don't see why anybody else could not. I do not see why anybody, at an expense of $500 worth of time, could not take all the salaries paid by the Government and get up tables for them.

Mr. GRAFF. It is in use now by the Government——

Mr. PAYNE. Yes; and if the Secretary of the Treasury, when he got the manuscript, paid $500 for it, I can not see why we should now pay this man an additional $3,000.

Mr. JOHNSON. I would like to call the attention of the gentleman from Illinois to the statement at the bottom of page 3 of the report:

> The Secretary of the Treasury ordered the work printed, made it the authority for all future payments of salaries, and awarded [illegible] for its use. After its publication I was surprised and disappointed to learn that the Secretary had misunderstood the terms of the agreement and refused to allow me to dispose of the work to other Departments.

It seems that he was going to sell it to the other Departments. The fact is that when the Secretary ordered the tables printed, he paid him $500 for the manuscript.

Mr. GRAFF. That is a reasonable conclusion on his part.

The sum paid was insignificant, and that the tables were of value is shown by the fact that the Government has [illegible] since $500 [illegible] expended for the purpose of making the tables contained. When, in addition to this, it is known that I paid to Mr. G. H. Andrews [illegible] for clerical assistance and for the reimbursement on his part of an interest in the book——

Mr. PAYNE. Did Andrews help get up the book?

Mr. GRAFF. I suppose he helped perform some of the mechanical labor.

Mr. PAYNE. He afterwards transferred his interest in the book?

Mr. GRAFF. No; Sharretts paid him $250 for the service which he rendered to him.

Mr. PAYNE. And took his interest in the book?

Mr. GRAFF. Well, yes.

Mr. PAYNE. The gentleman just read it.

Mr. GRAFF. Yes; I did not understand the gentleman's question.

Mr. PAYNE. Is there anything to show whether Andrews was a partner in this concern?

Mr. GRAFF. No; and I do not suppose it makes any difference, either.

Mr. PAYNE. I was trying to get at the value of the services. If Andrews was willing to sell his [illegible] for $250 afterwards, then $500 would seem to be the value of the work.

Mr. GRAFF. But he did not suppose that every Department of this Government was going to have the right to use these tables when he simply gave the Secretary of the Treasury the manuscript to use in one Department.

Mr. PAYNE. I do not know why he should not have supposed it; he had no copyright or anything of that kind.

Mr. GRAFF. The Government all the time has recognized that it was his labor that produced the work.

Mr. PAYNE. He did this work in order to lighten his own work in the Department.

Mr. GRAFF. I don't know whether he did or not.

Mr. PAYNE. Has he credited the Government anything for lightening his labor in the Department?

Mr. GRAFF. It did not lighten his labors.

Mr. WM. ALDEN SMITH. What is the man's condition now?

Mr. GRAFF. The man is dead. I did not know the gentleman. I know some of his sons. I know one of them who lives in Maryland, and I know something about the history of the case.

Mr. PAYNE. Mr. Chairman, I move to strike out the enacting clause of this bill. I think that that would be the best thing to do.

The CHAIRMAN. The question is on the motion of the gentleman from New York to strike out the enacting clause.

The question was taken, and the motion was disagreed to.

Mr. GRAFF. Mr. Chairman, I move that the bill be laid aside with a favorable recommendation.

The CHAIRMAN. The question is first on agreeing to the amendments recommended by the committee.

The question was taken, and the amendments were agreed to.

The CHAIRMAN. The question now is, Shall the bill be laid aside with a favorable recommendation?

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

LELIA G. CAYCE.

The next business on the Private Calendar was the bill (H. R. 11178) for the relief of Miss Lelia G. Casey.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Miss Lelia G. Casey, out of any money in the Treasury not otherwise appropriated, the sum of $2,000, being the amount disallowed by the accounting officers of the Treasury Department, and charged against the accounts of the said Lelia G. Casey, late collector of customs for the port of San Francisco, March 4, 1905.

The committee amendments were read, as follows:

> In the title change the word "Casey" to "Cayce."
>
> In line 5, strike out the word "Casey" and insert in lieu thereof the word "Cayce."
>
> In line 6, change the word "duty" to "penalty."
>
> In line 6, change the word "March" to "May."

Mr. PAYNE. Mr. Chairman, I would like the gentleman from Illinois [Mr. GRAFF] to give us some information about this bill.

Mr. GRAFF. I think I can satisfy the gentleman by reading a letter from the Secretary of the Treasury, which will enlighten him. That letter is as follows:

> TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
> *Washington, February 9, 1904.*
>
> SIR: I have the honor to acknowledge the receipt, by reference, of bill H. R. 11178, [illegible] relief of Miss Lelia G. Casey.
>
> The records of the Department show that Miss Lelia G. Cayce arrived at the port of San Francisco from [illegible] on May 28, 1903; that she had with her certain articles which were not declared and which were seized for violation of sections 2497 and 2499 of the Revised Statutes. The Department however concluded, after a careful examination of the matter, that Miss Cayce did not intend to defraud the revenue, and directed the collector on October 5, 1903, to release the property without further payment, and at the same time in-

> formed him that as the penalty, or treble the value provided in section 2899, ante, had been paid and covered into the Treasury it could not be refunded. The Department, therefore, perceives no objection to a favorable consideration of the measure presented in her behalf.
>
> Permit me to invite your attention to three errors in the bill, namely: "[illegible]" should be "duty," the word "duty" should be "penalty," and the [illegible] "May 28," instead of "March [illegible]."
>
> Respectfully,
>
> L. M. SHAW, *Secretary.*
>
> The CHAIRMAN COMMITTEE ON CLAIMS,
> *House of Representatives.*

Mr. PAYNE. This bill simply refunds her the extra duty.

Mr. GRAFF. Yes.

Mr. PAYNE. I think that is a very proper measure.

The CHAIRMAN. The question is on the committee amendments.

The question was taken, and the amendments were agreed to.

The CHAIRMAN. The question now is, Shall the bill be laid aside with a favorable recommendation?

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

HEIRS OF JOHN A. DOLAN.

The next business on the Private Calendar was the bill (H. R. 2010) for the relief of the heirs of John A. Dolan.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the heirs-at-law of John A. Dolan, late corporal, Company C, Twenty-seventh Regiment United States Volunteer Infantry, out of any money in the Treasury not otherwise appropriated, the amount of pay, including that which would have been due said person for pay, commutation of rations, and clothing in the service accrued from the date of his capture by the Philippine insurgents to the date of his death in [illegible].

Mr. PAYNE. Mr. Chairman, I would like to have some explanation of this bill.

Mr. GRAFF. Mr. Chairman, I yield to the gentleman from Illinois [Mr. BOUTELL].

Mr. BOUTELL. Mr. Chairman, I dislike very much to take any of the time of this committee which might be devoted to the favorable consideration of other bills on this Calendar. This bill is a type of a class of measures that consume much of the time of this House which ought to be devoted to legislation of another kind. This is due to the present condition of the general law. Such a claim as this ought to be adjusted and paid by the proper Executive Department of the Government. The beneficiaries in this bill are the heirs of John A. Dolan. John A. Dolan was a brave and faithful soldier in the United States Army from my district. In 1900 he was with his regiment in the Philippines. His time of enlistment expired in January of that year. He reenlisted for service in the Philippine insurrection.

On the 29th of January, 1900, while with his regiment, he was engaged in a skirmish, and at the close of the skirmish Corpl. John A. Dolan was reported missing. He was carried as missing on the ranks of his company for some time and finally recorded as dead. The amount due the soldier was paid to his father, his legal representative, up to the 29th of January, 1900. Subsequent investigations that were made by the War Department discovered the fact that this soldier did not die on the 29th of January, 1900, but was carried into captivity, and languished and died from disease while in captivity in October, 1900. These facts were discovered nearly a year thereafter. His body was identified and returned for burial in his native land. The father thereupon communicated with the Treasury Department, requesting that the amount of compensation and commutation due to the boy from January 29 to the date of his death be paid to him. The matter came before the Comptroller of the Treasury. He decided that, it having once been determined that the boy died on the 29th of January, 1900, he could not reverse this ruling, even to conform with the facts ascertained and reported by the War Department. On account of this technicality the legal heirs of this deceased soldier had to come before Congress for the collection of this little claim of $269, as audited by the Acting Paymaster-General, the payment of which is recommended by the War Department.

The CHAIRMAN. The question is, Shall the bill be laid aside with a favorable recommendation?

The question was taken, and the bill was ordered to be laid aside with a favorable recommendation.

G. H. DEAREN.

The next business on the Private Calendar was the bill (H. R. 11387) for the relief of G. H. Dearen.

The Clerk read the bill, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be and he is hereby, authorized and directed to pay to G. H. Dearen, out of any money in the Treasury not otherwise appropriated, the sum of $247.50, in payment of meals, lodgings, and horse feed furnished to C. A. Kaye while a storekeeper-gauger in the Internal-Revenue Service of the United States in the fifth internal-revenue district of Kentucky.

Mr. PAYNE. Mr. Chairman, I would like to have some explanation of this bill.

Mr. SMITH of Kentucky. Mr. Chairman, I think I can give the information that the gentleman desires.

Mr. GRAFF. I yield to the gentleman from Kentucky.

Mr. SMITH of Kentucky. Mr. Chairman, this bill provides for the payment of $247.50 to G. H. Dearen, of Taylor County, Ky., on an account made with him by a man named Kaye, who was engaged in the Internal-Revenue Service in the fifth district of Kentucky. It is for board and lodging for himself and board for his horse, furnished to C. A. Kaye, a storekeeper-gauger, while he stayed with Dearen. Kaye made out and certified the claim to the Commissioner of Internal Revenue for reimbursement, and at the same time made out a number of other claims. He collected about $8,600 from the Treasury of the United States upon claims, some of which he justly owed, and when he received the money he failed to pay it over to the several parties to whom it was due. The Government found out about his defalcation and was about to prosecute him when, by reason of a compromise, he and his friends paid the whole sum to the Treasurer of the United States instead of paying this claimant and other claimants. The collector of internal revenue for the fifth Kentucky district recommended that $8,600 or thereabouts be accepted as a compromise and that the whole of this sum be paid to the Treasury of the United States, less the $247.50, which he recommended to be paid to this man G. H. Dearen. But through some oversight on the part of the Federal officials the whole sum was paid into the Treasury. There is a full statement from the Commissioner of Internal Revenue explaining the facts just as I have stated them.

I move that the bill be laid aside to be reported to the House with a favorable recommendation.

The motion was agreed to.

JULIUS A. KAISER.

The next business was the bill (H. R. 10891) for the relief of Julius A. Kaiser.

The bill was read, as follows:

> *Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Julius A. Kaiser the sum of $3,758.45, being the amount disallowed by the accounting officers for difference between net pay of a second assistant engineer and retired pay of a first assistant engineer from October 13, 1868, to July 8, 1878, while on the active list of officers of the Navy.

Mr. BUTLER of Pennsylvania. Mr. Chairman——

[Cries of "Vote!" "Vote!"]

Mr. BUTLER of Pennsylvania. Well, Mr. Chairman, if gentlemen want to vote, I move that the bill be laid aside with a favorable recommendation.

Mr. PAYNE. This bill is certainly venerable by reason of its age. I notice that the claim, or supposed claim, accrued some years ago. Now, I should like to hear a statement from the gentleman from Pennsylvania or to hear the report read; I am not particular which.

Mr. BUTLER of Pennsylvania. I shall be glad to answer any questions put by the gentleman from New York.

Mr. BINGHAM. Let the report be read.

Mr. BUTLER of Pennsylvania. Mr. Chairman, in 1868 Julius Kaiser held the rank of second assistant engineer in the United States Navy, and as such was stationed somewhere in the East, in the neighborhood of China or Japan. According to the records of the Navy Department he was at that time entitled to promotion to the grade of first assistant engineer. But contrary to the rules and customs of the Department he was kept in the East for more than five years without the Department giving him the chance to take his examination for promotion. In 1873 he was ordered home. On the return voyage, during a storm, while he was in the performance of his duty, he was thrown upon the engines of the ship and was badly crippled, so that when he arrived in the United States he presented a sorry, dilapidated appearance. When he was ordered before the doctors to be examined for promotion they immediately said, and properly said, "You can not be promoted, because you have a practically helpless arm."

For years Kaiser made an attempt to obtain from Congress the redress which he considered was his right. There was no power in the Department to give him the promotion which he would have had in 1868, and therefore the whole subject was referred to Congress.

Without undertaking to designate each of the Congresses in which a bill for his relief was passed through one House or the other, I will say that gentlemen interested in this subject will, by looking at the report, find that in several Congresses a bill was passed at one end of the Capitol or the other for the relief of this crippled man, the object being to place him on the retired list, where he would have gone if he had been examined and promoted, as he was entitled, before this accident happened. Thus the claim of this worthy man with a splendid record was recognized by one House or the other at different times. It was not until last year that the bill for his relief passed both Houses and was signed by the President.

I once made an effort to secure recognition in this House for the passage of the bill by unanimous consent. Mr. BAILEY of Texas, now senator BAILEY, objected, though he afterwards said to me that he did not know the facts of the case and suggested that I make another effort to be recognized.

When Mr. Kaiser was promoted by act of Congress to the grade of first assistant engineer, it was discovered that the bill, which had been drawn by an admiral of the Navy, provided for his retirement as of 1905; consequently he was placed on the retired list as of that date.

Mr. BINGHAM. That was the bill passed last year?

Mr. BUTLER of Pennsylvania. Yes, sir.

Mr. GRAFF. That was five years before he returned home?

Mr. BUTLER of Pennsylvania. Yes, sir.

Under the circumstances the accounting officers properly said: "This man can not receive pay from two sources; he can not be on two lists; he has been paid for five years on the active list; this bill places him on the retired list, and we have nothing to do but to deduct from his pay as a first assistant engineer on the retired list the money which we have overpaid him as an active officer in the Navy"—just what Congress did not intend should be done.

Consequently this bill was introduced to make right what really appears to be a wrong. Kaiser earned his money and the money was paid him. It is now being deducted from his pay by the Department officials, because they have no authority to do otherwise. This subject was referred to the Auditor of the Navy Department, and a letter was written to General BINGHAM, who was interested in this claim because of his knowledge of Mr. Kaiser, being General BINGHAM's constituent; and without reading the letter all the way through, the Auditor of the Navy Department says:

As requested by Mr. BINGHAM, I beg to inclose a draft of a bill [illegible] in the matter. The papers relating to the case are herewith returned.

[Cries of "Vote!"]

I move that the bill be laid aside with a favorable recommendation.

The bill was ordered to be laid aside with a favorable recommendation.

AMERICAN REGISTER FOR THE STEAMER BEAUMONT.

The next business on the Private Calendar was the bill (H. R. 4570) to provide an American register for the steamer *Beaumont*.

The bill was read, as follows:

Be it enacted, etc., That the Commissioner of Navigation is hereby authorized and directed to cause the foreign-built steamer [illegible], owned by a citizen of the United States, to be registered as a vessel of the United States, under the name of "Beaumont," whenever it shall be shown to the Commissioner of Navigation that the exchange and the repairs made in United States shipyards have amounted to more than three times the price paid for the wreck, exclusive of salvage.

The amendment recommended by the committee was read, as follows:

Strike out all after the word "Navigation," in lines 7 and 8, and insert the following: "on proof being made that the repairs made in the United States, together with the charges have amounted to more than three times the price paid for the wreck, exclusive of salvage, to her foreign owners."

Mr. STEVENS of Minnesota. Mr. Chairman, I would ask the gentleman from Michigan to allow this bill to go over until the gentleman from Maine [Mr. LITTLEFIELD] is present. He has been called away from the city and can not possibly be here to-day. As the gentleman knows, the minority of the Committee on Merchant Marine and Fisheries has submitted quite an elaborate report of fourteen pages on this subject, covering the general proposition. The gentleman from Maine drafted the report, and those of us who are here are not conversant with the full details of it, and for that reason I would ask the gentleman to allow the bill to go over until Mr. LITTLEFIELD can be here.

Mr. FORDNEY. I wish to say, in answer to the gentleman from Minnesota, that I personally notified the gentleman from Maine that I was going to take this bill up to-day or at the first opportunity. He was here last evening at a very late hour—when the House adjourned—and knew that it was coming up to-day. The gentleman from Minnesota is here, and if this bill goes over it can only be considered on claims day, which will carry it over until next month. I am very anxious to get this bill through the House if possible, if I can get a favorable vote here, so that it can be acted on by the Senate; and I decline, in fact, to have the matter go over until another day. If the gentleman from Minnesota wishes to control the time for the opposition, and represent the minority in the argument upon the bill I am quite willing.

I do not care to make many remarks, except to state to the House what the bill is for, and then I will yield to the gentleman from Minnesota or any other person who wishes to oppose the measure.

Mr. STEVENS of Minnesota. I simply desire to reserve time to discuss this bill on behalf of the minority.

Mr. FORDNEY. I wish to state, Mr. Chairman, that this bill was introduced at the last session of Congress, passed this House by an almost unanimous vote, went to the Senate, and received a favorable report from the Committee on Commerce of the Senate, but too late in the session to receive consideration in the Senate, it being the last week of the session. Therefore the bill failed.

The bill has been before the House ever since the beginning of the December session and was put on the Calendar here two weeks ago. It provides for granting an American register to a foreign-built steamship. Let me say for the benefit of gentlemen present that according to the law as it now stands if a wreck occurs in American waters there would have been no need of special legislation. The law provides that vessels wrecked within American territory and repaired in American shipyards so that when the boat is ready for service again three-quarters of her cost has been repairs in American shipyards on the rescued boat from her wrecked condition, are entitled to register under the law.

It so happened that this boat was wrecked just outside of American waters, in the waters of Nova Scotia. She was a brand new steel steamer, only afloat for about ten months before she was wrecked. She was abandoned to the underwriters and pronounced a hopeless wreck by the Nova Scotia and Canadian wreckers; but an American wrecker, from the State of Michigan, went to inspect the boat, and after a time he contracted with the underwriters to rescue the boat. He was to deliver her safe in the port of Halifax for the consideration of $50,000, understanding that the wreck would sell for at public auction. The boat was rescued by one of the greatest feats of salvaging ever performed in rescuing a boat, blasting out channels in solid rock so as to float to float her, and she was delivered safe in port at Halifax. Then Mr. Reed, the wrecker, discovered there was a flaw in his contract which did not compel the owners of the wreck to sell her promptly and pay him.

They were not ready nor willing to sell her promptly. Mr. Reid was a poor man, and therefore needed the money. He sent for the present owner of that ship, a neighbor, to come to his relief and help him financially. Mr. Gilchrist went to Halifax, went to the underwriters, and insisted that they settle with this man Reid. They declined to settle until they got good and ready. However, they were forced by Mr. Gilchrist, the present owner, to settle with Mr. Reid. Mr. Gilchrist purchased the boat from the underwriters for the sum of $40,000, assuming the charge of the wrecker, $51,000; paid Mr. Reid the $50,000 paid him for delivering the boat in Philadelphia at Cramp & Sons' shipyard. There she has been repaired, so that to-day the account stands on Mr. Gilchrist's book, including the $50,000 paid to the underwriters for the wreck, the sum of $303,000. Mr. Gilchrist states, however, that there is yet to be spent some $24,000 to complete the repairs on this boat.

Mr. BUTLER of Pennsylvania. Mr. Chairman, may I ask the gentleman how much did this boat cost originally?

Mr. FORDNEY. I really do not know. I will say that I had a letter from a gentleman the other day from San Francisco—a steamboat man—telling me he could build a duplicate boat in England for $130,000. She was built in England. When she was abandoned by her owners, let me say for the benefit of gentlemen present, she lost her English registry; especially when she was transferred to an American citizen she lost her English registry. She is no longer a vessel without a flag. In order to get that boat back under the English flag the present owner, an American citizen, must transfer her to an English citizen, and to retain the ownership by some string in an underhand way must be held in the way of a trustee or mortgage; but mind you, gentlemen, if she is transferred to an English citizen and taken under the English flag the officers and seamen, officers and crew, aboard that ship must be employed under the English flag. No American citizen can be employed.

If you give this boat American registry to-day licensed officers must be American citizens, consequently every man on board this ship must receive American wages and therefore must be an American citizen, because no licensed officer, it is a well-settled fact, will sail with foreigners unless the foreigner gets the same pay that is paid to American sailors under the American flag; therefore it will be absolutely necessary that all employees on board of the ship, if you give her the American registry, will be American citizens. Otherwise you shut out any American citizen from employment on board of that ship, notwithstanding the fact that the ownership of it is in an American citizen.

The gentleman from Maine [Mr. LITTLEFIELD], I may say, who has led the opposition to this boat, sets up the claim that it is a menace to the American shipbuilding interests of this country and the shipowners of this country. I want to say this, that in the opposition that came before the Committee on Merchant Marine

and Fisheries there came one George S. Dearborn, president of the American-Hawaiian Steamship Company, likewise representatives of Arthur Sewall & Co., of Bath, Me. I have here affidavits and certified copies of records that Arthur Sewall & Co. and George S. Dearborn in 1889 purchased a steel bark in the Bay of San Francisco, repaired her in an American shipyard in San Francisco, and asked and obtained an American registry for that boat on the 4th of February, 1890. They paid $55,000 for the wreck.

I have the affidavit of the gentleman who superintended the repairs of that boat that the repairs cost but $37,000. Arthur Sewall & Co. and Mr. Dearborn are here protesting against an American registry for this ship, when they have one to-day in their company for which they obtained an American registry, and the bill went through this House without any report on it. If there had been a report showing that there had been only $37,000 spent in repairs, whereby the wreck cost $55,000, could you get it through this House to-day, gentlemen? If so, what merit is there in this bill when this gentleman paid $50,000 for the wreck, and has spent $158,000 in rescuing her and repairing her in American shipyards, and has yet to spend from thirty-five to sixty thousand dollars to complete her repairs, owing to the kind of repairs yet to be completed. I will add here the majority report on this bill.

Mr. Chairman, I reserve the balance of my time.

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (H. R. 4570) to provide an American register for the British steamship *Mara*, beg leave to report as follows:

[illegible]

The committee held several public hearings on this and similar cases. Shipping interests were represented for and against the passage of special bills authorizing the granting of registers in this class of cases, so that the subject was fully heard and considered. In several instances committees which in the last Congress favored the granting of a register for a particular vessel now favor amending existing laws. Your committee are impressed by the fact that the opposition of the shipping interests is influenced largely by their pecuniary interest in a particular case. As a general rule, shipyards have had in hand the repairing of one of these wrecks before their particular case. The repair yards are practically a unit in indorsing the passage of bills of this class of bill.

Some of the opponents of these bills appear to have a most erroneous idea as to the number of vessels that have been admitted under authority of special acts of Congress, and displayed a misapprehension of the whole subject of Congressional action in this connection. Section 4136, Revised Statutes, was enacted in 1866 and provides that whenever a foreign vessel which has been wrecked in United States waters is purchased by a citizen of the United States and repaired by such citizen in a port of the United States to an extent that of her total cost three-fourths thereof is represented in repairs, she shall be admitted to United States registry.

Notwithstanding the enactment of this act in 1866, R. S., the Congress refused to follow the spirit of this law in a number of cases. Hence where it has been shown that some of our citizens has purchased a wrecked vessel and repaired her as provided in the above act, and that the owner had to the registry of the vessel when she had the wreck took place evidence of instead of these two Houses have passed a special act waiving the constitutional requirement as to the payment of wrecks, knowing that our shipbuilding and salvage interests have received the same benefit as though the wreck had occurred under our flag. In this connection the following extract from the Attorney-General's opinion of September 29, 1881, written by the Hon. William H. Taft, then Solicitor General and now Secretary of War, defining the intention of section 4136, is to point:

[illegible]

The general intention of section 4136 was to give to wrecked vessels which were purchased and repaired in the United States the same privileges that vessels were given if wholly built within the United States. In all such cases there was to be an American shipbuilding and it was evidently considered by Congress that the encouraging of repairs of a vessel was to be encouraged as well as the building of a vessel outright.

Some of the opponents of these bills would make it appear that the vessels of foreign class admitted by special acts constitute a large percentage of our merchant marine. In the past five years Congress has removed the jurisdiction over in the following cases only:

	Gross tonnage.
Steamer *Enterprise*	2,[illegible]
Steamer *Lotta*	434
Steamer *Wilmot*	381
Steamer *[illegible]*	1,[illegible]
Barge *Davidson*	959
Total	5,556

In addition to these an act was passed providing for registry for the bark [illegible], but she was excluded from the coastwise trade, so that [illegible] on the present consideration.

Thus it be seriously contended that these four cases admitted in five years only [illegible] who is represented every vessel was any menace to our merchant marine.

The cases now discussed must not be confused with vessels admitted at the request of the War and Navy Departments for the Government's use as [illegible] with the vessels admitted by reason of our annexation [illegible] Hawaii.

In the past twenty years Congress has passed seventy-seven of these special [illegible] for the American marine. The total tonnage [illegible] vessels, including [illegible] as well as steamships. This would average less than [illegible] a month. In the meantime of change the vessels [illegible] during the early part of this period have [illegible] been lost or have [illegible] to the coastwise trade and few remain in service.

Twenty years is the average [illegible] a vessel. Hence the vessels admitted by special acts more than twenty years ago must be assumed to be [illegible] of exhaustion. Of the seventy-seven admitted during the past twenty years an examination of the list of merchant shipping shows not less than one-third of the number so admitted are now home on the bed. It will be seen that no [illegible] have operations [illegible] of these vessels [illegible] vessels in certain cases of merit has worked any hardship to American shipping interests.

The Commissioner of Navigation has no objection to the passage of this bill.

As this case shows that all of the requirements of the general law (sec. 4136, Rev. Stat.) and have been complied with, hence this vessel can obtain her United States register, with the [illegible] has been prevented in a American [illegible] waters. Your committee believe that this should be removed, following the precedents established by the committee extending back for years past. Your committee report back H. R. 4570 with the following amendments in the [illegible]

Strike out all after the word "Navigation," in lines 7 and 8 and insert the following in lieu thereof: "that the repairs made in the United States, together with the charges, have amounted to more than three times the price paid for the wreck, exclusive of salvage, to her foreign owners."

A precedent by Congress to grant American registry to this steamer (now owned by an American citizen) in lieu of her without a flag. "Increase our merchant marine and put under the American flag more boats and citizens." Therefore [illegible] Mr. Chairman, I reserve the balance of my time.

Mr. STEVENS of Minnesota. Mr. Chairman, this is with great regret that I feel compelled to oppose the bill so ably advocated by my friend from Michigan [Mr. FORDNEY]. We have stood together at times in the past, and I very much dislike to differ with him now. I have not investigated the particular facts of the various cases, I was not on the subcommittee which heard

the testimony on these bills, and I was not present when the final vote was taken on them, so that I do not pretend to be conversant with all the facts and details of this bill. But I was opposed during the last Congress and am opposed now to the general principle of admitting these foreign vessels to an American registry. Since 1817 it has been the policy of this Government through all Administrations, Republican and Democratic, to confine the coastwise trade of this country to American vessels built in this country by our own people, owned by American capital, built and sailed under the American flag.

Now, this is a departure from that rule, and there never was a time in the history of our country since that law was passed when it was more unsafe and impolitic to do that than now. At the present time our shipbuilding interest is in a condition of sorry decadence. For nearly two years there has not been one single order for new foreign tonnage placed with American shipyards. The only business that there is in American shipyards to-day is the building of coastwise vessels, and there are not very many of them. Thousands of shipwrights are out of employment because the vessels are not being built, and this bill proposes to take the bread out of the mouths of these men by putting a vessel built in foreign lands to take the place of one built in this country.

Mr. WM. ALDEN SMITH rose.

Mr. STEVENS of Minnesota. In a few moments I will yield to the gentleman from Michigan. As I said, I oppose it because it is injuring the shipbuilding interests of this country.

Now, I believe that one of the best possible methods of our national defense, one that contributes as much to our national welfare and our commercial and maritime welfare, is the maintenance of the shipyards of this country. Away back in 1793 the patron god of the Democracy, Thomas Jefferson, while Secretary of State, made an elaborate report in which he took the position that it was necessary for the national defense that we build up our national merchant marine, and that we maintain shipyards in this country capable of turning out vessels under the American flag and artisans capable of doing the work in building these vessels.

I believe that Jefferson stated a truth that should be heeded now. I believe that it should be one of the things that this House should do, to enact some legislation that would tend to the upbuilding of the shipyards and the upbuilding of the merchant marine of this country.

I have been a member of the Committee on the Merchant Marine for two Congresses, with some of the gentlemen on that side of the Chamber. While a member of the committee I voted against the last ship-subsidy bill that passed the Senate. I voted against it because I believed it did not tend to build up the merchant marine of the country, because it would not be efficient in sustaining the shipyards of the country commensurate with its cost. I do not believe, as a rule, in the principle of subsidies. I believe it should only be a last resort, and yet I find that some gentlemen who stood with me then and voted against the subsidy are ready to vote for this bill, which puts more than $100,000 into the pockets of the owner of this vessel.

Mr. WM. ALDEN SMITH rose.

Mr. STEVENS of Minnesota. I will yield to the gentleman.

Mr. WM. ALDEN SMITH. If you want to do anything for the coastwise trade to increase our merchant marine, why not put a premium on the enterprise of such men as Mr. Gilchrist, who in the last three years has built and floated 100 vessels at his own expense? [Applause.]

Mr. STEVENS of Minnesota. I am very glad to encourage that kind of a patriotic American citizen, and it is for the reason that I believe in encouraging that class of citizens that I oppose the passage of this bill. I believe this vessel should be built in American yards, by American workmen, and should fly the American flag. I will tell you why.

This vessel, according to the report, has cost practically $200,000. The letter from Cramp, who is rebuilding this ship, says it will cost $75,000 in his yards. It cost $[illegible] previously to buy the ship, salve it, and put it into the Cramps' yard. It will cost about $[illegible] or $40,000 more to refit it. Suppose it does, that it is rebuilt at a cost of $275,000. You have a vessel of 3,700 tons that would cost $[illegible] if built by American workmen. For that reason I am opposed to taking the bread, to the extent of more than $100,000, out of the mouths of the American workmen by the passage of bills like these.

Mr. M. MORRAN. Where does the gentleman get the authority for his statement that it would cost $400,000 to build such a ship as this?

Mr. STEVENS of Minnesota. I take it from the testimony before the committee.

Mr. McMORRAN. It is well known that vessels of that size and capacity are being built every year in the interior yards at a cost of from two hundred and twenty-five to two hundred and fifty thousand dollars.

Mr. STEVENS of Minnesota. I am taking the testimony that was given before the committee. As I said before, I was not there when the testimony was taken.

Mr. WM. ALDEN SMITH. Mr. Cramp said he never examined it.

Mr. STEVENS of Minnesota. On page 73 of the hearings I find the testimony of Mr. Samuel M. Knox, secretary and treasurer of the New York Shipbuilding Company, one of the largest yards in the United States, at Camden, in the State of New Jersey. He states that a vessel of that kind would cost $400,000. In another place in the hearings—I have not the page—it was stated that a vessel like this could be duplicated on the Lakes for $250,000. Now, Mr. Chairman, it is immaterial for the purposes of this argument whether it costs $250,000 or $400,000. It does not make any difference the amount it costs less than the original cost of a similar new vessel in American yards. We legislate something into the pockets of this man by passing this bill. We legislate something out of the mouths of American workmen when we pass this bill. I am not in favor of any kind of a bill that legislates something into the pockets of anybody [illegible].

Mr. COOPER of Wisconsin and Mr. WM. ALDEN SMITH rose.

The CHAIRMAN. Does the gentleman from Minnesota yield to the gentleman from Wisconsin?

Mr. STEVENS of Minnesota. I do.

Mr. COOPER of Wisconsin. I understand the gentleman from Minnesota to just say that if we pass this bill we legislate something out of the pockets of American workmen.

Mr. STEVENS of Minnesota. Yes; I so said.

Mr. COOPER of Wisconsin. That presupposes, does it not, that a $400,000 ship would have been built?

Mr. STEVENS of Minnesota. It presupposes this——

Mr. COOPER of Wisconsin. Just a moment, and then the gentleman can answer both questions together. As I understand the proposition of the gentleman from Michigan [Mr. FORDNEY] it is this, that this man Gilchrist has given about $150,000, and possibly $200,000, to American workmen already.

Mr. STEVENS of Minnesota. Yes; and a ship like this would give three times as much to American workmen.

Mr. COOPER of Wisconsin. There is not anything to show that another ship would have been built in the place of this ship and that the American workingman would have built it.

Mr. STEVENS of Minnesota. This time is mine, Mr. Chairman, and the gentleman, if he has a speech to make, must make it in his own time.

Mr. WM. ALDEN SMITH. Will the gentleman permit a question right there?

Mr. STEVENS of Minnesota. First let me answer that. Not too many at once. As to that, Mr. Chairman, for nearly a hundred years it has been the law of this country that the coastwise trade of this country should be confined to American vessels. Now, if we wish to change the law and admit foreign vessels to do coastwise business, let us do it and give everybody a chance. As long as the law stands as it does, any foreign-built vessel that comes in here displaces an equal amount of American tonnage capable of doing the same work. That can not be controverted by anybody. It is true that there are thousands of tons of American tonnage to-day laid up in the harbors of New York, Brooklyn, and San Francisco.

It is probably true that thousands of tons of American tonnage, costing $100 a ton, are laid up because they can not compete with the cheaper built foreign tonnage, just like this applicant for your bounty. I am opposed to foreign built ships. We can not compete with the cheaper built foreign ships such as this is with vessels built entirely in this country.

Mr. WM. ALDEN SMITH. Now, will the gentleman permit a question?

Mr. STEVENS of Minnesota. Yes.

Mr. WM. ALDEN SMITH. This ship in February, 1902, was an English ship, wrecked in the open sea off the coast of Nova Scotia. She was raised by an American, who now owns her. He can not get a registry under the British law, and you will not give him one under the American law. What will he do with his ship?

Mr. STEVENS of Minnesota. As I said, Mr. Chairman, I greatly regret the condition of affairs.

Mr. WM. ALDEN SMITH. Would you have him sink it in the sea?

Mr. STEVENS of Minnesota. I greatly regret this condition. No one regrets it more than I, and if this were the only one, if it did not constitute a precedent, I might not object, but I find that the Committee on Merchant Marine and Fisheries has reported out five different bills identical with this, aggregating 13,571 tons, which will cost in purchasing and repairing about $550,000. To build those same vessels in American yards would cost a million and a quarter of dollars.

Now, I am opposed to giving those five foreign-built vessels American registers, and thus giving $700,000 of profits to the men

who happen to buy and speculate in those ships, and taking practically an equal amount away from American labor and capital. If we are to go into that sort of business, I am ready to vote in favor of a free-ship law.

Mr. THAYER. As I understand, the gentleman is opposed more directly to this bill because it infringes upon the principle upon which we have been going since 1852, of keeping the coastwise trade for ourselves.

Mr. STEVENS of Minnesota. 1817, not 1852.

Mr. THAYER. I understood since 1852.

Mr. STEVENS of Minnesota. No, sir; 1817.

Mr. THAYER. Has it not been the policy since that time, and I think I am correct as to it being 1852, to admit to registration these vessels when wrecked in American waters, when the repairs amount to a given proportion of the value of the vessel—I believe three-quarters of the value—to be admitted to register here? Now, if this vessel had gone down a few miles nearer the American shore, would we not, following the gentleman's statement of the principle which he says has prevailed since 1817, would we not have been obliged to admit her to registration?

Mr. STEVENS of Minnesota. I am very glad to give the gentleman the information he seeks.

In 1817 an act was passed providing that all the coastwise trade of the United States should be confined to American vessels. In 1852, as the gentleman states, there was an act passed providing that foreign-built vessels wrecked in American waters, when rebuilt here, the repairs equaling three-fourths of the total cost of the vessel, should be entitled to American registry. Now, I approve that kind of legislation because it is a general law. It gives everybody an equal chance. Every man knows that he has exactly the same rights as every other man. But now I want to inform the gentleman from Massachusetts [Mr. THAYER] that this bill does not come within that act in two particulars.

First, it was not wrecked in American waters; second, three-fourths of the total cost was not paid in American shipyards upon the vessel.

Mr. THAYER. According to the gentleman's own estimate far more than the original value was paid, if you take the estimate of the men who did the repairs.

Mr. STEVENS of Minnesota. No; the gentleman is entirely mistaken. The very language of the bill shows that this vessel could not come within the scope of the law, because it provides that the repairs, together with the salvage, shall amount to three-fourths of the original value.

Mr. WM. ALDEN SMITH. I know the gentleman does not want to misstate the facts.

Mr. STEVENS of Minnesota. Certainly not.

Mr. WM. ALDEN SMITH. The Commissioner of Navigation says that this vessel does come within the provisions of the statute, except for the fact that it was wrecked outside the 3-mile limit.

Mr. STEVENS of Minnesota. I think the gentleman is entirely mistaken.

Mr. WM. ALDEN SMITH. I am quoting from the report.

Mr. STEVENS of Minnesota. I did not happen to be present when the testimony was taken; but I am yet able to read, and the testimony as printed shows clearly that the value of this vessel was, as the gentleman from Michigan [Mr. FORDNEY] stated, $230,000 or $240,000. So that there has been paid in the way of repairs less than $100,000 for work done in American shipyards—only about one-half instead of three-fourths of the required proportion.

Mr. DUNWELL. As I understand, the gentleman has stated that all these five vessels together have cost but $570,000, and that that fact alone places in the pockets of the men who purchased them three-quarters of a million.

Mr. STEVENS of Minnesota. About that.

Mr. DUNWELL. I should like to ask the gentleman whether he does not believe that these vessels, taking into account the salvage and the repairs, are equal in value to new ships?

Mr. STEVENS of Minnesota. No, sir; I do not.

Mr. DUNWELL. Then how is it possible for the difference between the cost of new ships and of these ships to go into the pockets of the men who purchase them?

Mr. STEVENS of Minnesota. I contend that these ships can do the work of ships which would cost a million and a quarter of dollars, because there is a smaller investment in these ships, a smaller interest account, and they can do the work cheaper. For that reason I maintain that as long as these 13,000 tons of foreign vessels fly the American flag in our coastwise trade 13,000 tons of new vessels will not be built, and for that reason I object to the bill.

Mr. DUNWELL. Could they have been built if these ships had not been purchased?

Mr. STEVENS of Minnesota. I do not know. I will state this, however, that if these vessels are admitted, then there are now and will be 13,000 tons of American-built vessels lying idle at the docks rotting, because they can not compete with the cheaper, foreign-built ships, and as long as these are idle no new ships will be projected or built, employing our labor or our capital. I do maintain that, and the gentleman can not controvert it.

Mr. FORDNEY. Will the gentleman permit me to ask him a question?

Mr. STEVENS of Minnesota. Certainly.

Mr. FORDNEY. The gentleman stated that the bill included salvage. Will you not also state what Attorney-General Crittenden, in his opinion, states—that every dollar spent in rescuing a ship that was in a wrecked condition until placed upon the water for service is rightfully rescue and repair?

Mr. STEVENS of Minnesota. I do not know, and I do not care about that; but if the gentleman thinks it necessary to amend the bill to include salvage in the total expense, so that it might appear to come within the statutory general rule, he certainly did not rely entirely on that opinion or any except to get his ship admitted.

But that is not the point at all. My opposition is to special legislation changing the law as it has stood for nearly a century on the statute books, during all Administrations—Republican and Democratic Administrations. I am opposed to giving these men by special act more than half a million of dollars. I do not know how much. The testimony shows. I have not read it carefully; but it is to the owners of these 13,000 tons foreign-built vessels more than half a million of dollars. I am opposed to that.

Mr. WM. ALDEN SMITH. Would not the gentleman be better pleased to see this vessel on the rocks of Nova Scotia?

Mr. STEVENS of Minnesota. I would rather see some vessel constructed in American shipyards and see that amount spent among American workmen.

Mr. WM. ALDEN SMITH. Every dollar of repairs was spent in an American shipyard.

Mr. STEVENS of Minnesota. In building ships of the same tonnage, which would cost three times as much, would give employment to three times as many men, provide three times as many wages, encourage our capital, and provide for the national defense, and that is the Republican way of doing business. I am opposed to this kind of private subsidy to anybody. [Cries of "Vote!"] I yield to the gentleman from Washington [Mr. HUMPHREY].

Mr. HUMPHREY of Washington. Mr. Chairman, I do not care to take but a few minutes. The matter has been well covered by the gentleman who has just spoken; but I wish to call attention to one or two points brought out by questions asked. The question has been asked, I think, by the gentleman from Wisconsin and some other gentlemen, whether or not, if this vessel was not admitted, an American vessel would be constructed that would take its place. I wish to answer that by calling particular attention to the evidence brought out in the testimony in regard to this very vessel. It was brought up by the gentleman who has this bill in charge. It developed in the testimony that some gentleman from the Pacific Coast had an idea that if this vessel had an American register that he would buy it, but that not being true, that he then had a vessel constructed in an American yard by American labor instead, practically the same kind of a vessel, costing $350,000.

Mr. FORDNEY. If the gentleman will permit me to interrupt him, I will say that there is nothing in the record, I assure the gentleman, to show that that remark was made. I had not made that remark to him. I did not state that he built a ship at an American shipyard simply because he could not buy this.

Mr. HUMPHREY of Washington. That I did not intend to say.

Mr. FORDNEY. Nor it does not appear that he is paying $350,000 for a ship building. I think there is nothing on record or was presented that shows what he is paying and what size ship he was building.

Mr. HUMPHREY of Washington. All I have to say to that is that I have the evidence presented before the committee.

Mr. FORDNEY. If the gentleman will pardon me, I will state that it is not in the evidence.

Mr. HUMPHREY of Washington. The evidence was that a vessel of this kind would cost $350,000 or $400,000.

Mr. FORDNEY. That comes from the men who are opposing the bill. The gentleman who is building that boat that you refer to wrote me a few days ago, and I have his letter at my office, in which he said that he could get a boat built in England of 6,000 tons at $120,000.

Mr. HUMPHREY of Washington. Suppose that is true; then a new boat would only cost about one-fourth more. There would still be one-fourth lost to American shipbuilding yards and to American labor.

Mr. FORDNEY. Will the gentleman permit me to ask him another question?

Mr. HUMPHREY of Washington. Certainly.

Mr. FORDNEY. Let me say that Mr. Gilchrist, the owner of this vessel, has in the last three years built twenty-four new steel ships, of an aggregate of 158,000 tons.

Mr. HUMPHREY of Washington. That is true; but when Mr. Gilchrist went to get this boat he knew that he was taking his chances, and he knew that he could not get an American register for the vessel except by special bill.

Mr. WM. ALDEN SMITH. Was he not showing pretty good American pluck in doing it? [Applause.]

Mr. HUMPHREY of Washington. I will tell you what he was doing. He was speculating upon what could be done in the way of a special bill.

Mr. WM. ALDEN SMITH. I will tell you what he was doing. He was giving encouragement to genius. He was helping a man who thought he could blast away the rock upon which that ship was thrown by the storm, and then encouraged him with his money to undertake the task. [Renewed applause.]

Mr. HUMPHREY of Washington. But when the gentleman was doing that he was taking the opportunity of making money at the expense of the legitimate shipbuilding interests of this country. That was the opportunity that he took, and he was simply speculating. He knew well when he wanted to buy that ship that he had no right under the law to an American register. He was simply taking his chances.

Mr. FORDNEY. Will the gentleman permit me?

Mr. HUMPHREY of Washington. Certainly.

Mr. FORDNEY. Is not evidence on file and presented to that committee that Mr. Gilchrist went over to help his neighbor, who was financially embarrassed, and that he had no intention of buying the boat, simply bought in this boat to relieve his neighbor, and wanted to dispose of it, and offered to sell it, and the best bid he could get for it or received is $150,000, notwithstanding that he has $[illegible] invested?

Mr. HUMPHREY of Washington. That was his testimony, but another man said he called his attention to it as a good investment. Now, it is not necessary to take up any time in arguing as to what was the testimony——

Mr. WM. ALDEN SMITH. Does the gentleman criticise Mr. Gilchrist for his enterprise? [Cries of "Vote!" "Vote!"]

Mr. HUMPHREY of Washington. Mr. Chairman, I have only a few more remarks to make. I just want to call the attention of this House to a little incident that occurred here a short time ago when I asked that the Pacific coast shipbuilding industry have the advantage of 4 per cent, and it was opposed here upon the floor upon the theory that it was granting a special privilege to a certain class upon the Pacific coast to give that advantage of 4 per cent. Now, I am looking forward with pleasurable anticipation to see how these same gentlemen are going to give an advantage to these particular men of 50 per cent in each one of these cases. It shows that you are giving special privileges not open to a general class, but giving special privileges to these men who speculate in these wrecks an advantage of 50 per cent; in other words, you are going to put into competition in the coastwise trade of this country tonnage amounting to $1,200,000 which only cost $[illegible],000. That is what you are going to do. [Cries of "Vote!" "Vote!"]

Mr. METCALF. I desire to ask the gentleman a question. You make the statement here that in each one of these five cases the owners of these ships are getting an advantage of 50 per cent.

Mr. HUMPHREY of Washington. Taking them as a whole; that may not be true of each individual case.

Mr. METCALF. In the case of the ship *Pyrenees*, which is now in the harbor of San Francisco Bay, she has cost 95 per cent of her original cost.

Mr. HUMPHREY of Washington. I made that statement taking the five together—that is, taking them all together there is an advantage of 50 per cent. [Cries of "Vote!"]

Mr. FORDNEY. Mr. Chairman, I move that all debate on this bill be closed and a favorable recommendation made.

Mr. PAYNE. Mr. Chairman, is that motion in order? I am in sympathy with closing the debate, but you can not close general debate that way in Committee of the Whole.

Mr. FORDNEY. Well, say close the debate in ten minutes. [Cries of "Close now!"]

Mr. PAYNE. I am making the point of order against the motion.

Mr. ROBINSON of Indiana. Mr. Chairman, I move that debate be closed upon this bill and amendment.

Mr. FORDNEY. Mr. Chairman, I move that the bill and amendment be laid aside with a favorable recommendation.

Mr. ROBINSON of Indiana. Then I withdraw my motion.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

EUGENE PATENAUDE.

The next business on the Private Calendar was the bill (H. R. 4573) for the relief of Eugene Patenaude.

The bill was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be and he is hereby authorized and directed to pay to Eugene Patenaude, of Colchester, Chittenden County, Vt., the sum of $1,000, in full for injuries sustained by him by reason of his being shot and wounded while on the 15th day of November, 1900, at said Colchester, by a stray bullet fired by an unknown member of Eleventh Regiment United States Cavalry while at target practice.

The amendment recommended by the committee was read, as follows:

In line 5, after the word "of," strike out the words "one thousand" and insert "five hundred."

Mr. FOSTER of Vermont. Mr. Chairman, this case involves the following facts: The cavalry fort of Ethan Allen, which is located near Burlington, has a target-practice ground near the Winooski River. At that point they have mannikins set up, and members of the cavalry troop ride around and practice target fire. At the time referred to in this report Mr. Patenaude was employed as a farm laborer on a farm on the opposite side of the Winooski River. During the target practice, which was conducted by the officer in charge, one of the members of the troop, whose name is not known, took poor aim and fired his revolver across the river. The bullet struck Mr. Patenaude and gave him a very severe wound. If I remember rightly the bullet passed through his lung. He was immediately removed by the United States authorities to the hospital at the fort and was cared for for some six weeks.

Before that time he was able to earn his living as a farm laborer. He has been able to do very little since, and he is now practically disabled, and this bill provides for the payment to him of the small sum of $500. He will have to be supported very largely during the remainder of his life by charity, as he has no means and has had no means for years except the money he could earn by manual labor. I move, therefore, that the bill be laid aside with a favorable recommendation.

The amendment recommended by the committee was agreed to.

The bill as amended was ordered to be laid aside with a favorable recommendation.

Mr. GRAFF. Mr. Chairman, I move that the committee do now rise and report the bills to the House.

Mr. GOLDFOGLE. Mr. Chairman, I ask the gentleman from Illinois to withdraw that motion for the present. There is a very small bill on the Calendar that is intended to refund out of the Treasury money that it was conceded was improperly taken from one of our citizens. It is a small amount, and the Secretary of the Treasury concedes that the money was improperly exacted by the authorities without warrant of law, and the money is now in the Treasury and ought to be repaid. I ask the gentleman, in view of these circumstances, to withdraw his motion.

Mr. GRAFF. Mr. Chairman, in view of the late hour I do not see how I can withdraw the motion.

Mr. GOLDFOGLE. I desire to be heard, Mr. Chairman.

The CHAIRMAN. The motion is not debatable.

The motion was agreed to.

Mr. GOLDFOGLE. I call for a division.

The CHAIRMAN. The gentleman is too late.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CANNON, Chairman of the Committee of the Whole House, reported that that committee had had under consideration various bills on the Private Calendar, and had directed him to report the bill (H. R. 9981) for the relief of Darwin S. Hall with the recommendation that it lie on the table; that it had directed him to report many other bills, some with and some without amendment, with the recommendation that the amendments be agreed to, and that the bills do pass.

DARWIN S. HALL.

The bill (H. R. 9981) for the relief of Darwin S. Hall, reported by the Committee of the Whole, was considered, and the recommendation of the committee that it lie on the table was agreed to.

HOUSE BILLS WITH AMENDMENTS.

The following House bills with amendments, reported by the Committee of the Whole House, were severally considered, the amendments agreed to, the bills ordered to be engrossed and read a third time, were accordingly engrossed and read a third time, and passed:

H. R. 3256. A bill directing the issue of a check in lieu of a lost check drawn by Thomas J. Hobbs, disbursing clerk, in favor of Crane & Co., of Dalton, Mass.;

H. R. 6987. A bill for the relief of the heirs of Elizabeth Cushing (title amended);

H. R. 10511. A bill for the relief of the estate of Mary Keating;

H. R. 8505. A bill for the relief of the heirs of Cyrus D. Hottenstein, deceased (title amended);

H. R. 10688. A bill for the relief of Johann A. Killian;

H. R. 6921. A bill for the relief of the estate of Mary P. Gilmore;

H. R. 10925. A bill directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.;

H. R. 7190. A bill for the relief of the Bank of North Wilkesboro;

H. R. 3393. A bill for the relief of the Columbia Brewing Company, of Shenandoah, Pa.;

H. R. 2193. A bill for the relief of David Tweed;

H. R. 4687. A bill authorizing and directing the Secretary of the Treasury to pay James L. Anderson the sum of $798.28 (title amended);

H. R. 199. A bill for the relief of John H. McLaughlin;

H. R. 10516. A bill for the relief of Edward J. Farrell;

H. R. 6984. A bill for the relief of Kate R. Sharretts and Edward A. Sharretts, administrators of George E. W. Sharretts;

H. R. 11178. A bill for the relief of Miss Lelia G. Casey (title amended); and

H. R. 4573. A bill for the relief of Eugene Patenaude.

The following House bills without amendment, reported from the Committee of the Whole House, were severally considered, ordered to be engrossed and read a third time, were read the third time, and passed:

H. R. 2009. A bill for the relief of estate of Sven J. Johnson;

H. R. 10058. A bill for the relief of Kirby Thomas;

H. R. 7535. A bill for the relief of Jacob Swigert, late deputy collector seventh Kentucky district;

H. R. 7718. A bill for the relief of the estate of Artemus E. Gibson;

H. R. 2591. A bill for the relief of W. S. Feland, late deputy collector second Kentucky district;

H. R. 11928. A bill for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York;

H. R. 4407. A bill authorizing the Secretary of the Treasury to defray the expenses of contestant in the contest entitled "Koonce against Grady;"

H. R. 9457. A bill for the relief of Alexander S. Rosenthal;

H. R. 2010. A bill for the relief of the heirs of John A. Dolan;

H. R. 11337. A bill for the relief of G. H. Dearen; and

H. R. 10891. A bill for the relief of Julius A. Kaiser.

The following Senate bills, reported from the Committee of the Whole House without amendment, were severally considered, were ordered to be read a third time, were read the third time, and passed:

S. 833. An act for the relief of Joseph M. Simms, captain, United States Revenue-Cutter Service (retired);

S. 255. An act for the relief of the Farmers and Mechanics' National Bank, Philadelphia, Pa.;

S. [illegible]. An act for the relief of Darwin S. Hall;

S. 2696. An act authorizing and directing the Secretary of the Treasury to pay John F. Weston the sum of $241.60, etc.; and

S. 334. An act for the relief of N. F. Palmer, jr., & Co.

During the consideration of the foregoing bills, when the bill (H. R. 4570) to provide an American register for the steamer *Beaumont* was reached, the following took place:

Mr. STEVENS of Minnesota. Mr. Speaker, I ask for the yeas and nays on the final passage of this bill.

The SPEAKER. By unanimous consent, the bill will be withdrawn for the present. The Chair will ask the gentleman from Minnesota, with a view to disposing of the other bills, if there is objection to having the bill laid aside until the other bills are disposed of?

Mr. STEVENS of Minnesota. I have no objection, Mr. Speaker.

At the conclusion of the passage of the bills,

The SPEAKER. The Clerk will report the last bill.

The Clerk read as follows:

The bill (H. R. 4570) to provide an American register for the steamer Beaumont.

Mr. FORDNEY. Mr. Speaker, I ask unanimous consent that the previous question be ordered on the final passage of the bill and amendments.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the previous question be ordered on the bill and amendments to its final passage. Is there objection? [After a pause.] The Chair hears none.

The amendments were considered, and agreed to.

The bill was ordered to be engrossed and read a third time; and was read the third time.

Mr. PAYNE. Now, Mr. Speaker, I suggest that we let this go over until to-morrow morning until after the reading of the Journal, the previous question having been ordered.

Mr. FORDNEY. Mr. Speaker, I do not think the gentleman from Minnesota will make the point of no quorum if the yeas and nays are ordered. But if we can have the right of way to-morrow, I have no objection to letting it go over.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask for the yeas and nays on the passage of the bill.

Mr. GRAFF. Mr. Speaker, pending that, I ask unanimous consent that the RECORD may show that a motion has been made to reconsider the votes by which the various bills have been passed and that that motion do lie upon the table.

The SPEAKER. Without objection, it is so ordered. [After a pause.] The Chair hears no objection. The gentleman from Minnesota [Mr. STEVENS] demands the yeas and nays.

The question was taken; and the yeas and nays were refused, only five gentlemen rising.

The SPEAKER. The question now is on the passage of the bill.

The question was taken; and the bill was passed.

On motion of Mr. FORDNEY, a motion to reconsider the last vote was laid on the table.

PRIVATE PENSION BILLS.

Mr. GIBSON submitted the following reports and statements from committees of conference, to be printed in the RECORD under the rule.

The reports and statements are as follows:

WILLIAM W. JACKSON.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 1543, "An act granting an increase of pension to William W. Jackson," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

HENRY R. GIBSON,
ROBERT W. MILLER,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

Statement in the case of S. 1543, granting an increase of pension to William W. Jackson.

This House originally passed the bill at $[illegible] per month, but was amended by the Senate to $[illegible] per month. The result of the conference is that the Senate receded from its amendment, and your conferees recommend that the bill pass at $24 per month, as it was amended by the House.

HENRY R. GIBSON,
ROBERT W. MILLER,
C. A. SULLOWAY,
Managers on the part of the House.

JANE I. LONG.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3274) granting an increase of pension to Jane I. Long, have met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the House recede.

HENRY R. GIBSON,
ROBERT W. MILLER,
C. A. SULLOWAY,
Managers on the part of the House.
P. J. McCUMBER,
N. B. SCOTT,
Managers on the part of the Senate.

Statement in the case of S. 3274, granting an increase of pension to Jane I. Long.

This bill passed the Senate at $[illegible] per month, but was amended in the House to $[illegible] per month. The House receded from its amendment, with the understanding that the bill pass at $[illegible] per month. The action of the Senate was agreed to.

HENRY R. GIBSON,
ROBERT W. MILLER,
C. A. SULLOWAY,
Managers on the part of the House.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 1969. An act to authorize the conveyance to the town of Winthrop, Mass., for perpetual use as a public road, of a certain tract of land; and

H. R. 10136. An act authorizing bail in criminal cases upon appeal in the courts of Indian Territory.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2323. An act relating to ceded lands on the Fort Hall Indian Reservation; and

S. 3317. An act authorizing the Secretary of the Interior to grant right of way for pipe lines through Indian lands.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4769. An act validating certain conveyances of the Northern Pacific Railroad Company and the Northern Pacific Railway Company—to the Committee on the Public Lands.

S. 556. An act granting an increase of pension to William Stall—to the Committee on Pensions.

S. 883. An act granting a pension to Ephraim L. Herriott—to the Committee on Invalid Pensions.

S. 3919. An act granting a pension to Florence E. Foster—to the Committee on Pensions.

S. 3825. An act granting an increase of pension to Anna H. Lyman—to the Committee on Pensions.

S. 3810. An act granting an increase of pension to Virginia B. Mullan—to the Committee on Pensions.

S. 3651. An act granting an increase of pension to Mildred S. Ogden—to the Committee on Pensions.

S. 3149. An act granting an increase of pension to Charles Bowring—to the Committee on Invalid Pensions.

S. 623. An act for the relief of Henry O. Bassett, heir of Henry Opeman Bassett, deceased—to the Committee on War Claims.

ENROLLED BILLS PRESENTED TO THE PRESIDENT.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 7559. An act granting a pension to Caroline Hurley;
H. R. 8771. An act granting a pension to Walter F. Horner;
H. R. 7712. An act granting a pension to Emma Crosier;
H. R. 7248. An act granting a pension to Robert H. Cooke;
H. R. 880. An act granting a pension to Caroline S. Winn;
H. R. 9835. An act granting a pension to Maggie Fitzpatrick;
H. R. 4540. An act granting a pension to Amanda Skinner;
H. R. 9061. An act granting a pension to Nettie A. Buell;
H. R. 9127. An act granting a pension to Moses Schuman;
H. R. 10741. An act granting a pension to Mary Tate;
H. R. 9791. An act granting a pension to Abram Claypool;
H. R. 5580. An act granting a pension to Celia C. Owen;
H. R. 7382. An act granting a pension to Ellen A. Harmon;
H. R. 5610. An act granting a pension to Annie Dorfner;
H. R. 8924. An act granting a pension to Georgia A. Whitehead;
H. R. 8648. An act granting a pension to Shadrach D. Bardin;
H. R. 7063. An act granting a pension to Ellen F. Lynch;
H. R. 5342. An act granting a pension to Jane E. Sutfin;
H. R. 8185. An act granting a pension to Herman Lemmerman;
H. R. 9739. An act granting a pension to Lizzie M. Worster;
H. R. 9683. An act granting a pension to Henry Austin;
H. R. 5030. An act granting a pension to William H. Mount;
H. R. 11345. An act granting a pension to Joseph H. Huie;
H. R. 8922. An act granting a pension to Martha E. Nolen;
H. R. 7368. An act granting a pension to Annie G. Norwood;
H. R. 4750. An act granting a pension to William J. Jackson;
H. R. 4392. An act granting a pension to Abbie E. Webster;
H. R. 4624. An act granting a pension to Isabella Phelps;
H. R. 5749. An act granting a pension to James B. Combs;
H. R. 10068. An act granting a pension to Marceline P. Hamilton;
H. R. 9921. An act granting a pension to Virginia Boyd; and
H. R. 8343. An act granting a pension to Annie P. Erving, formerly Cilla Zerbe.

SALE AND LEASING OF INDIAN LANDS.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent for the present consideration of House joint resolution 118, authorizing the Secretary of the Interior to use $5,000 of the amount appropriated by the act approved February 18, 1904 (Public No. 22), for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in the Indian Territory, which I will send to the desk and ask to have read.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, authorized to use the sum of $5,000 of the amount appropriated "for the purpose of placing allottees in unrestricted possession of their allotments, $15,000," by the act entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes," approved February 18, 1904 (Public No. 22), in the payment for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in the Indian Territory.

Mr. CURTIS. Mr. Speaker, the passage of this resolution is requested by the honorable Secretary of the Interior, and the following letter from him gives full information in regard to the matter:

DEPARTMENT OF THE INTERIOR,
Washington, February 25, 1905.

SIR: The act of Congress approved February 18, 1904 (Public No. 22) entitled "An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes," contains (p. 23) the following item: "Five Civilized Tribes: For the purpose of placing allottees in unrestricted possession of their allotments, $15,000."

Deficiency estimates contained in Document No. 260, House of Representatives, Fifty-eighth Congress, second session (p. 29), has the following item: "Removal of intruders, Five Civilized Tribes: For the purpose of removing intruders and placing allottees in unrestricted possession of their allotments, under the act of May 27, 1902 (32 Stat., 259, sec. 1), $15,000."

The footnote calls attention to letter marked "No. 2 in Appendix C." Said Appendix C is a letter from the Commissioner of Indian Affairs, dated December 4, 1903, transmitting the urgent deficiency estimate for the Indian service, together with a letter of the United States Indian inspector for Indian Territory, dated October 9, 1903, wherein he recommends an appropriation of $10,000 "deemed necessary to carry on the work of removing intruders, placing Indian citizens in possession of their allotments, the leasing and sale of Creek lands, and the leasing of Cherokee lands."

At the end of the inspector's letter is a note recommending an appropriation of $15,000, instead of $10,000 first reported, which two items make said item of $15,000, for which an appropriation was made by said act of February 18, 1904. In making up said estimate it is not stated that any portion thereof is to be used in the payment of expenses for the sale and leasing of Creek lands and the leasing of Cherokee lands under existing regulations.

On December 31, 1903, I had the honor to call the attention of the chairman of your committee to said omission and to request that the item be amended so as to read:

"For the purpose of removing intruders, placing allottees in unrestricted possession of their allotments, for the leasing and sale of Creek lands and leasing of Cherokee lands, Indian Territory."

Attention was also called to a like omission in House Document No. 112 (p. 217), Fifty-eighth Congress, second session, making an appropriation for clerical work and labor connected with the sale and leasing of Creek and the leasing of Cherokee lands.

A copy of said letter of December 31, 1903, is inclosed herewith.

In order to carry out the provisions of law and the regulations of the Department, which have been proved by experience to be for the best interests of the Indians, it will be absolutely necessary that funds be appropriated to enable the Department to make the sales and leases as expeditiously as possible.

I have the honor, therefore, to transmit herewith draft of a joint resolution which reads as follows:

"Joint resolution authorizing the Secretary of the Interior to use so much of the amount appropriated by the act approved February 18, 1904 (Public No. 22), as may be necessary for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in Indian Territory.

"*Resolved, etc.*, That the Secretary of the Interior be, and he is hereby, authorized to use so much as may be necessary of the amount appropriated 'for the purpose of placing allottees in unrestricted possession of their allotments, $15,000,' by the act entitled 'An act making appropriations to supply urgent deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes,' approved February 18, 1904 (Public No. 22), in the payment for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in the Indian Territory."

If said resolution be enacted it will accomplish the purpose desired, and I earnestly recommend its immediate passage in order that the sale and leasing of Creek lands and the leasing of Cherokee lands may not be suspended for want of ability to use the funds already appropriated in the item above referred to.

Respectfully, E. A. HITCHCOCK, *Secretary.*

The CHAIRMAN OF THE COMMITTEE ON INDIAN AFFAIRS,
House of Representatives.

The SPEAKER. Is there objection to the present consideration of the House joint resolution which the Clerk has just reported? [After a pause.] The Chair hears none. The question is on the engrossment and third reading of the House joint resolution.

The question was taken; and the resolution ordered to be engrossed and read a third time, was accordingly read [illegible]rd time, and passed.

On motion of Mr. CURTIS, a motion to reconsi[illegible] last vote was laid on the table.

CHANGE OF REFERENCE.

By unanimous consent, reference of House Document 572 was changed from the Committee on Appropriations to the Committee on Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. MARTIN, indefinitely, on account of important business.

ADJOURNMENT.

Then, on motion of Mr. PAYNE (at 5 o'clock and 4 minutes p. m.), the House adjourned until to-morrow at 12 o'clock m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. TOWNSEND, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 10424) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near Council Bluffs, Iowa, reported the same without amendment, accompanied by a report (No. 1528); which said bill and report were referred to the House Calendar.

Mr. MONDELL, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco

counties, in the State of Colorado, reported the same with amendment, accompanied by a report (No. 1529); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 569) granting an increase of pension to Jesse B. Nurse, reported the same without amendment, accompanied by a report (No. 1423); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2971) granting a pension to Amelia Walsh, reported the same without amendment, accompanied by a report (No. 1424); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2960) granting an increase of pension to Jacob Horning, reported the same without amendment, accompanied by a report (No. 1425); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2952) granting an increase of pension to William J. P. Buck, reported the same without amendment, accompanied by a report (No. 1426); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2946) granting an increase of pension to Joshua Day, reported the same without amendment, accompanied by a report (No. 1427); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2938) granting an increase of pension to James L. Ackley, reported the same without amendment, accompanied by a report (No. 1428); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2937) granting an increase of pension to Julius Bodenstab, reported the same without amendment, accompanied by a report (No. 1429); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2894) granting a pension to Clara G. Garretson, reported the same without amendment, accompanied by a report (No. 1430); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2872) granting an increase of pension to Albert Schemerhorn, reported the same without amendment, accompanied by a report (No. 1431); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2871) granting an increase of pension to Justin M. Cooper, reported the same without amendment, accompanied by a report (No. 1432); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2857) granting an increase of pension to Onne H. Ropka, reported the same without amendment, accompanied by a report (No. 1433); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2690) granting an increase of pension to James Garry, reported the same without amendment, accompanied by a report (No. 1434); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2661) granting an increase of pension to John H. Klingler, reported the same without amendment, accompanied by a report (No. 1435); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2655) granting an increase of pension to Isaac Zellers, reported the same without amendment, accompanied by a report (No. 1436); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2348) granting an increase of pension to Hamilton S. Gillespie, reported the same without amendment, accompanied by a report (No. 1437); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2330) granting an increase of pension to Samuel H. Legrow, reported the same without amendment, accompanied by a report (No. 1438); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 2058) granting an increase of pension to Jacob A. Roof, reported the same without amendment, accompanied by a report (No. 1439); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 2029) granting an increase of pension to Peter P. Dobozy, reported the same without amendment, accompanied by a report (No. 1440); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1899) granting an increase of pension to Thompson Warren, reported the same without amendment, accompanied by a report (No. 1441); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1764) granting an increase of pension to John Shehan, reported the same without amendment, accompanied by a report (No. 1442); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1667) granting a pension to Stalnaker Marteney, reported the same without amendment, accompanied by a report (No. 1443); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1436) granting an increase of pension to Thomas P. Wentworth, reported the same without amendment, accompanied by a report (No. 1444); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1423) granting an increase of pension to Samuel F. Murry, reported the same without amendment, accompanied by a report (No. 1445); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1394) granting an increase of pension to Lewis M. Webster, reported the same without amendment, accompanied by a report (No. 1446); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1388) granting an increase of pension to Orson H. Sawtelle, reported the same without amendment, accompanied by a report (No. 1447); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 827) granting an increase of pension to Elias S. Gibson, reported the same without amendment, accompanied by a report (No. 1448); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 783) granting an increase of pension to William McGee, reported the same without amendment, accompanied by a report (No. 1449); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 454) granting an increase of pension to Rinaldo M. Griswold, reported the same without amendment, accompanied by a report (No. 1450); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 450) granting an increase of pension to George H. Sutherland, reported the same without amendment, accompanied by a report (No. 1451); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 447) granting an increase of pension to David H. George, reported the same without amendment, accompanied by a report (No. 1452); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 358) granting an increase of pension to Phebe A. Ford, reported the same without amendment, accompanied by a report (No. 1453); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 336) granting an increase of pension to William Lechleidner, reported the same

without amendment, accompanied by a report (No. 1454); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 305) granting an increase of pension to John R. Evans, reported the same without amendment, accompanied by a report (No. 1455); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 140) granting an increase of pension to Daniel B. Bailey, reported the same without amendment, accompanied by a report (No. 1456); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4349) granting an increase of pension to Laura Ann Seaton, reported the same without amendment, accompanied by a report (No. 1457); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4371) granting a pension to Alison Clifton, reported the same without amendment, accompanied by a report (No. 1458); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4454) granting an increase of pension to John Seiler, reported the same without amendment, accompanied by a report (No. 1459); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 4455) granting an increase of pension to Ansel J. Busby, reported the same without amendment, accompanied by a report (No. 1460); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4317) granting an increase of pension to Sarah L. Augur, reported the same without amendment, accompanied by a report (No. 1461); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4254) granting an increase of pension to William H. Collingwood, reported the same without amendment, accompanied by a report (No. 1462); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4237) granting a pension to Hannah Small Wiggin, reported the same without amendment, accompanied by a report (No. 1463); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3979) granting an increase of pension to Sterling L. Parker, reported the same without amendment, accompanied by a report (No. 1464); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3978) granting an increase of pension to George W. Howard, reported the same without amendment, accompanied by a report (No. 1465); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3977) granting an increase of pension to Luther S. Baker, reported the same without amendment, accompanied by a report (No. 1466); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3946) granting an increase of pension to Jesse Bright, reported the same without amendment, accompanied by a report (No. 1467); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3936) granting an increase of pension to Sylvania S. Cheney, reported the same without amendment, accompanied by a report (No. 1468); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3896) granting an increase of pension to Richard F. Nugent, reported the same without amendment, accompanied by a report (No. 1469); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3878) granting an increase of pension to George Coffman, reported the same without amendment, accompanied by a report (No. 1470); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3893) granting an increase of pension to George T. Edwards, reported the same without amendment, accompanied by a report (No. 1471); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3827) granting an increase of pension to Norman B. Davenport, reported the same without amendment, accompanied by a report (No. 1472); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3774) granting an increase of pension to John C. Felton, reported the same without amendment, accompanied by a report (No. 1473); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3771) granting an increase of pension to Virginia C. Spencer, reported the same without amendment, accompanied by a report (No. 1474); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3727) granting an increase of pension to Eli Headley, reported the same without amendment, accompanied by a report (No. 1475); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3544) granting an increase of pension to George W. Phillips, reported the same without amendment, accompanied by a report (No. 1476); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3535) granting an increase of pension to John Walton, reported the same without amendment, accompanied by a report (No. 1477); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3523) granting an increase of pension to Joseph W. Butz, reported the same without amendment, accompanied by a report (No. 1478); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3519) granting a pension to Ruby A. Sirdivant, reported the same without amendment, accompanied by a report (No. 1479); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3500) granting an increase of pension to Orrin L. Mann, reported the same without amendment, accompanied by a report (No. 1480); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 3499) granting an increase of pension to Samuel E. Lookingbill, reported the same without amendment, accompanied by a report (No. 1481); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3491) granting an increase of pension to Andrew J. Howe, reported the same without amendment, accompanied by a report (No. 1482); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3457) granting an increase of pension to Marcellus M. Parker, reported the same without amendment, accompanied by a report (No. 1483); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3394) granting an increase of pension to Joseph B. Crawford, reported the same without amendment, accompanied by a report (No. 1484); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3377) granting an increase of pension to John M. Tyree, reported the same without amendment, accompanied by a report (No. 1485); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3201) granting an increase of pension to James I. Shafer, reported the same without amendment, accompanied by a report (No. 1486); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4132) granting an increase of pension to Mary E. Cameron, reported the same without amendment, accompanied by a report (No. 1487); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 11939) granting an increase of pension to

C. C. Fisher, reported the same with amendment, accompanied by a report (No. 1488); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12202) granting an increase of pension to John Baughman, reported the same with amendment, accompanied by a report (No. 1489); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11711) granting an increase of pension to Jerome J. Hinds, reported the same with amendment, accompanied by a report (No. 1490); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11692) granting a pension to Mary J. Neely, reported the same with amendment, accompanied by a report (No. 1491); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11562) granting an increase of pension to Lucretia Davis, reported the same with amendment, accompanied by a report (No. 1492); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10997) granting a pension to Mary McGill, reported the same with amendment, accompanied by a report (No. 1493); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10988) granting an increase of pension to August Graf, reported the same without amendment, accompanied by a report (No. 1494); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10932) granting a pension to Eliza Woolard, reported the same with amendment, accompanied by a report (No. 1495); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10839) granting an increase of pension to John Conrad Dirschner, reported the same with amendment, accompanied by a report (No. 1496); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10651) granting a pension to Katherine M. Laurence, reported the same with amendment, accompanied by a report (No. 1497); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 10626) granting a pension to Mary J. Conant, reported the same with amendment, accompanied by a report (No. 1498); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10045) granting an increase of pension George Sluyter, reported the same without amendment, accompanied by a report (No. 1499); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9929) granting an increase of pension to Frederick K. Bryan, reported the same with amendment, accompanied by a report (No. 1500); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9905) granting an increase of pension to Peter Sullivan, reported the same with amendment, accompanied by a report (No. 1501); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9812) to increase the pension of Henry N. McLane, reported the same with amendment, accompanied by a report (No. 1502); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9602) granting an increase of pension to Reuben Nightingale, reported the same with amendment, accompanied by a report (No. 1503); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9564) granting an increase of pension to Mary E. Cowles, reported the same with amendment, accompanied by a report (No. 1504); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6425) granting a pension to Daniel Walker, reported the same with amendment, accompanied by a report (No. 1505); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5681) granting an increase of pension to Philip H. Whyrich, reported the same with amendment, accompanied by a report (No. 1506); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 5261) granting a pension to Julia M. Oakley, reported the same with amendment, accompanied by a report (No. 1507); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4949) granting an increase of pension to George Bixler, reported the same with amendment, accompanied by a report (No. 1508); which said bill and report were referred to the Private Calendar.

Mr. FULLER, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4892) granting a pension to Elias Veatch, reported the same with amendment, accompanied by a report (No. 1509); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4565) granting a pension to Carrie Keefer, reported the same with amendment, accompanied by a report (No. 1510); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4120) granting an increase of pension to Henry R. Guss, reported the same with amendment, accompanied by a report (No. 1511); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8713) granting an increase of pension to Elam Allen, reported the same with amendment, accompanied by a report (No. 1512); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 725) granting an increase of pension to Alexander M. Ballou, reported the same without amendment, accompanied by a report (No. 1513); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7474) granting an increase of pension to Fannie C. Morey, reported the same with amendment, accompanied by a report (No. 1514); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6976) granting an increase of pension to Jane Wheeler, reported the same with amendment, accompanied by a report (No. 1515); which said bill and report were referred to the Private Calendar.

Mr. LUCKING, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6966) granting an increase of pension to Roxana S. Ker, reported the same with amendment, accompanied by a report (No. 1516); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6940) granting an increase of pension to Susannah O. Wardrop, reported the same with amendment, accompanied by a report (No. 1517); which said bill and report were referred to the Private Calendar.

Mr. HOLLIDAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3171) granting an increase of pension to G. N. Crawford, reported the same with amendment, accompanied by a report (No. 1518); which said bill and report were referred to the Private Calendar.

Mr. SAMUEL W. SMITH, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 1267) granting an increase of pension to D. Miller Gordon, reported the same with amendment, accompanied by a report (No. 1519); which said bill and report were referred to the Private Calendar.

Mr. BRADLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 744) granting an increase of pension to George W. Dawes, reported the same with amendment, accompanied by a report (No. 1520); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 7) granting a pension to George D. Boyd, reported the same with amendment, accompanied by a report (No. 1521); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13283) granting an increase of pension to William York, reported the same with amendment, accompanied by a report (No. 1522); which said bill and report were referred to the Private Calendar.

Mr. SNOOK, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13263) granting a pension to Caroline E. Pratt, reported the same with amendment, accompanied by a report (No. 1523); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13230) granting a pension to Amos T. Richardson, reported the same with amendment, accompanied by a report (No. 1524); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 12544) granting an increase of pension to Edward Hayford, reported the same without amendment, accompanied by a report (No. 1525); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 885) granting a pension to Sarah A. Gillham, reported the same with amendment, accompanied by a report (No. 1526); which said bill and report were referred to the Private Calendar.

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the House (H. R. 10558) referring the claim of Hannah S. Crane and others to the Court of Claims, reported the same without amendment, accompanied by a report (No. 1527); which said bill and report were referred to the Private Calendar.

Mr. WACHTER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill of the House (H. R. 5392) to provide an American register for the steamer *Brooklyn*, reported the same without amendment, accompanied by a report (No. 1530); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 8083) granting a pension to Mary Ellen Clark—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 13346) granting an increase of pension to Joel J. Addison—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred as follows:

By Mr. PATTERSON of North Carolina: A bill (H. R. 13624) authorizing a public building at Fayetteville, N. C.—to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 13625) to establish a fish-hatching and fish station in the State of North Carolina—to the Committee on the Merchant Marine and Fisheries.

By Mr. JENKINS: A bill (H. R. 13626) to amend an act approved August 13, 1894, entitled "An act for the protection of persons furnishing materials and labor for the construction of public works"—to the Committee on the Judiciary.

By Mr. DANIELS: A bill (H. R. 13627) for legalizing the diversion and appropriation of water from the Colorado River for irrigation purposes—to the Committee on Irrigation of Arid Lands.

By Mr. McLACHLAN: A bill (H. R. 13628) to amend section 2 of an act approved June 15, 1880, relating to public lands—to the Committee on the Public Lands.

By Mr. MARTIN: A bill (H. R. 13629) to provide for the purchase of a site and the erection of a public building thereon at Lead, in the State of South Dakota—to the Committee on Public Buildings and Grounds.

By Mr. RHEA: A bill (H. R. 13630) for the erection of a public building at Bowling Green, Ky.—to the Committee on Public Buildings and Grounds.

By Mr. LACEY: A bill (H. R. 13631) to provide for the entry of agricultural lands within forest reserves—to the Committee on the Public Lands.

Also, a bill (H. R. 13632) to provide for the disposal of timber on public lands chiefly valuable for timber, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes—to the Committee on the Public Lands.

By Mr. WILEY of Alabama: A bill (H. R. 13634) to provide for a United States reform school, near Camden, Wilcox County, Ala., and for other purposes—to the Committee on the Judiciary.

By Mr. WILSON of Arizona: A bill (H. R. 13635) to authorize the construction of a custom-house at Nogales, Ariz.—to the Committee on Public Buildings and Grounds.

By Mr. LORIMER: A resolution (H. Res. 244) authorizing and directing the Committee on Appropriations to provide in the general deficiency appropriation bill for the payment of certain sums of money to P. L. Coultry for services rendered—to the Committee on Accounts.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 13636) granting a pension to George S. Noland—to the Committee on Pensions.

By Mr. BEALL of Texas: A bill (H. R. 13637) for the relief of Fred Blank, of Waxahachie, Tex.—to the Committee on Claims.

By Mr. BINGHAM: A bill (H. R. 13638) granting an increase of pension to George W. Allen—to the Committee on Invalid Pensions.

By Mr. BONYNGE: A bill (H. R. 13639) to extend the term of patent No. 359590—to the Committee on Patents.

By Mr. BOUTELL: A bill (H. R. 13640) granting an increase of pension to Eugene Hepp—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13641) granting an increase of pension to Jerome P. Bates—to the Committee on Invalid Pensions.

By Mr. BREAZEALE: A bill (H. R. 13642) to confirm to the heirs of Lucretia Williams the title to one square league of land in the State of Louisiana—to the Committee on Private Land Claims.

By Mr. BROWN of Wisconsin: A bill (H. R. 13643) granting an increase of pension to Joseph Welsh—to the Committee on Invalid Pensions.

By Mr. BURLEIGH: A bill (H. R. 13644) granting an increase of pension to Henry Boynton—to the Committee on Invalid Pensions.

By Mr. COOPER of Pennsylvania: A bill (H. R. 13645) granting an increase of pension to George W. Brawner—to the Committee on Invalid Pensions.

By Mr. FITZGERALD: A bill (H. R. 13646) to correct the military record of Simon W. Larkin—to the Committee on Military Affairs.

By Mr. GROSVENOR: A bill (H. R. 13647) for the relief of Brig. Gen. Thomas M. Anderson, United States Army, retired—to the Committee on Military Affairs.

By Mr. HAMILTON: A bill (H. R. 13648) granting a pension to Charlotte S. Dunning—to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 13649) granting a pension to Jane D. Goss—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 13650) granting an increase of pension to William J. Caldwell—to the Committee on Invalid Pensions.

By Mr. HUNTER: A bill (H. R. 13651) granting a pension to Amelia Strain—to the Committee on Invalid Pensions.

By Mr. LAMB: A bill (H. R. 13652) for the relief of the heirs of Alfred R. Buffin—to the Committee on War Claims.

By Mr. LITTLE: A bill (H. R. 13653) for the relief of C. L. Lynch, of the Cherokee Nation, Indian Territory—to the Committee on Indian Affairs.

By Mr. McGUIRE: A bill (H. R. 13654) granting an increase of pension to Thomas H. Soward—to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 13655) granting an increase of pension to Hannah Hill—to the Committee on Invalid Pensions.

By Mr. PADGETT: A bill (H. R. 13656) granting an increase of pension to Mary W. Martin—to the Committee on Invalid Pensions.

By Mr. PALMER: A bill (H. R. 13657) granting an increase of pension to Francis F. Rogers—to the Committee on Invalid Pensions.

By Mr. PAYNE: A bill (H. R. 13658) granting an increase of pension to Henry Smith—to the Committee on Invalid Pensions.

By Mr. PEARRE: A bill (H. R. 13659) granting an increase of pension to Jacob Keplinger—to the Committee on Invalid Pensions.

By Mr. POWERS of Massachusetts: A bill (H. R. 13660) to authorize the President of the United States to appoint John Gibbon captain and quartermaster in the Army—to the Committee on Military Affairs.

Also, a bill (H. R. 13661) granting a pension to Edith F. Morrison—to the Committee on Pensions.

By Mr. STANLEY: A bill (H. R. 13662) for the relief of A. T. Hayden—to the Committee on War Claims.

Also, a bill (H. R. 13663) for the relief of the estate of William Kelley—to the Committee on War Claims.

Also, a bill (H. R. 13664) for the relief of F. L. Hall—to the Committee on War Claims.

Also, a bill (H. R. 13665) for the relief of Thomas Drake—to the Committee on War Claims.

Also, a bill (H. R. 13666) for the relief of Nancy Gates—to the Committee on War Claims.

Also a bill (H. R. 13667) granting an increase of pension to Curtis A. Brashear—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13668) granting an increase of pension to A. R. Shacklett—to the Committee on Pensions.

By Mr. TALBOTT: A bill (H. R. 13669) granting a pension to Mary E. Wyse—to the Committee on Pensions.

By Mr. DOVENER: A bill (H. R. 13670) for the relief of John W. Davis—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER: Petition of citizens of New York, N. Y., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. ADAMSON: Memorial of Eben Watkins, of the Atlanta Federation of Trades, relative to increasing the capacity of the Naval Gun Factory—to the Committee on Naval Affairs.

Also, resolution of the La Grange Board of Trade, relative to improving the channel through outer bar of Brunswick, Ga.—to the Committee on Rivers and Harbors.

Also, petition of pastor and board of stewards of the First Methodist Church South, of Lagrange, Ga., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolution of the Georgia Industrial Association, relative to the Gompers-Mitchell anti-injunction bill and sundry other bills—to the Committee on the Judiciary.

By Mr. AIKEN: Papers to accompany bill H. R. 13517, for the relief of James H. Ambler—to the Committee on War Claims.

By Mr. BINGHAM: Petition of Elmer Jones and 24 others, of Pittsburg, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of Philadelphia Board of Trade, relative to American merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, petition of citizens of Philadelphia, against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. BYRD: Memorial of the Mississippi Choctaws, praying for an extension of time within which their right to remove to the Choctaw country may be permitted—to the Committee on Indian Affairs.

By Mr. CANDLER: Petition of H. L. Whitfield, F. M. Henry, and others, of Jackson, Miss., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. CLARK (by request): Petition of residents of Hermann, Mo., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Pennsylvania: Petition of the Methodist Episcopal Church of Point Marion, Pa., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Resolution of Watertown (Wis.) Council, No. 247, Order of United Commercial Travelers, in favor of bill H. R. 4489—to the Committee on the Judiciary.

Also, resolution of Wisconsin State Board of Agriculture, in favor of bill H. R. 8678—to the Committee on Agriculture.

By Mr. CURTIS: Resolution of Leavenworth Circle, No. 8, Ladies of the Grand Army of the Republic, in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, petition of Rev. F. C. Hill and others, of Brown County, Kans., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. DAYTON: Petition of A. J. Bartlett and 12 other voters, Harry C. Scott and 38 other voters, S. N. McLane and 29 other voters, and F. M. A. Lawson and 32 other voters, all of Elkins, W. Va., for the passage of the Hepburn bill—to the Committee on the Judiciary.

By Mr. DIXON: Papers to accompany bill H. R. 11972, to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River—to the Committee on Interstate and Foreign Commerce.

Also, papers to accompany bill H. R. 11990, for the payment to Henry B. Davis of balance due him for surveying public lands—to the Committee on the Public Lands.

By Mr. DOVENER: Fifteen petitions representing 491 voters of West Virginia, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of Robert W. Koon and 104 others, of West Virginia, in favor of bill H. R. 13368, to pension army teamsters—to the Committee on Pensions.

Also, papers to accompany bill to correct military record of Levi Burdine—to the Committee on Military Affairs.

Also, paper to accompany bill granting an increase of pension to John E. Fries—to the Committee on Invalid Pensions.

Also, paper to accompany bill granting a pension to Abner G. Robinson—to the Committee on Invalid Pensions.

By Mr. FULLER: Resolution of the Illinois Farmers' Institute, in favor of an appropriation for farmers' institute work—to the Committee on Agriculture.

By Mr. GRANGER: Petitions of the Edwards Prohibition Alliance, the Rhode Island Temperance League, and Herbert E. Sherman and 6 others, of Providence, R. I., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, resolutions of the Rhode Island Poultry Association: West Kingston Grange, No. 10; Cumberland Grange, No. 2, and Portsmouth Grange, No. 29, Patrons of Husbandry, in favor of bill H. R. 8678—to the Committee on Agriculture.

Also, resolutions of Rocky Hill Grange, No. 27; Nonquit Grange, No. 31; Davisville Grange, No. 8; Washington County Pomona Grange, No. 2; Hope Valley Grange, No. 7; Kickemint Grange, No. 24, and Roger Williams Grange, No. 19, Patrons of Husbandry, and Newport (R. I.) Horticultural Society, in favor of bill H. R. 8678—to the Committee on Agriculture.

Also, resolution of Border Grange, Patrons of Husbandry, No. 3, in favor of bill H. R. 8678—to the Committee on Agriculture.

Also, resolution of John A. Logan Circle, No. 1, Ladies of the Grand Army of the Republic, Providence, R. I., in favor of a service-pension bill—to the Committee on Invalid Pensions.

Also, resolution of Olneyville Business Men's Association, in favor of the Brownlow good-roads bill—to the Committee on Agriculture.

Also, resolution of Lime Rock (R. I.) Grange, No. 22, and Aquidneck Grange, No. 30, Patrons of Husbandry, and the Rhode Island Horticultural Society, in favor of bill H. R. 8678—to the Committee on Agriculture.

By Mr. HAMLIN: Paper to accompany bill to pension Jane D. Goss—to the Committee on Invalid Pensions.

Also, petition of B. S. Leavenworth and 20 others, of Howard County, Mo., in favor of good-roads bill—to the Committee on Agriculture.

By Mr. HEDGE: Petition of E. H. Albright and 46 others, of Danville, Iowa, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. FREDERICK LANDIS: Petition of W. R. Owens and 46 others, of Parker, Ind., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. LITTLE: Papers to accompany claim of Benjamin F. Moore—to the Committee on War Claims.

Also, papers to accompany claim of Mary Bailey—to the Committee on War Claims.

Also, papers to accompany claim of Francis M. Pearce—to the Committee on War Claims.

Also, papers to accompany claim of Catharine C. Cox—to the Committee on War Claims.

By Mr. LITTLEFIELD: Resolution of Wilson Post, No. 17, Grand Army of the Republic, Department of Maine, in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MILLER: Petition of Garfield Circle, No. 22, Ladies of the Grand Army of the Republic, of Emporia, Kans., in favor of a service-pension bill—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill granting a pension to Martha J. Humberd—to the Committee on Invalid Pensions.

Also, papers to accompany bill granting an increase of pension to Marion A. Carlile—to the Committee on Invalid Pensions.

By Mr. MORRELL: Two petitions of citizens of Philadelphia, against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. NEEDHAM: Petition of George T. Meeker and 73 others, of Hollister, Cal., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. PADGETT: Papers to accompany bill granting increase of pension to Mary W. Martin—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petition of patrons of rural free delivery of Geneva, N. Y., in favor of increasing salary of rural mail carriers—to the Committee on the Post-Office and Post-Roads.

By Mr. PORTER: Petition of citizens of Pittsburg, Pa., against passage of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

Also, petition of the National League of Commission Merchants of the United States, in favor of a bill defining the power of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBINSON of Indiana: Petition of Joseph Bogenscheretz and others, of Fort Wayne Union, No. 44, I. S. L. L., of Fort Wayne, Ind., relative to a reduction of internal-revenue taxation on whisky to 90 cents a gallon—to the Committee on Ways and Means.

By Mr. SMALL: Petitions of Thomas E. Peden and 28 others, of Azden, N. C., and A. Ward and 40 others, of Bethel, N. C., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SMITH of Texas: Petition of J. J. Martin and 35 others, of Cisco, Tex., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SNOOK: Petition of John W. Hoskinson and others, of rural route No. 1, Montpelier, Ohio, favoring an increase of salary for rural carriers and also the parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. SPERRY: Resolution of the selectmen of the town of Southington, Conn., favoring the passage of a good-roads bill—to the Committee on Agriculture.

Also, resolutions of Elm City Lodge, No. 61, Brotherhood of Boiler Makers and Iron-ship Builders, of New Haven, Conn., for the establishment of a commission to upbuild the merchant marine—to the Committee on the Merchant Marine and Fisheries.

Also, resolutions of citizens of Middletown, Conn., protesting against the passage of bill (H. R. 7033) relative to further regulations of power boats—to the Committee on the Merchant Marine and Fisheries.

By Mr. STERLING: Petition of the Presbyterian Church of Cooksville, Ill., in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. SULZER: Resolutions of the Trades and Labor Assembly and Building Trades Council, of Aurora, Ill., to reestablish a separate and nonpartisan Department of Labor—to the Committee on Labor.

SENATE.

WEDNESDAY, *March 9, 1904.*

Prayer by the Chaplain, Rev. EDWARD EVERETT HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FAIRBANKS, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. Without objection, the Journal will stand approved. The Chair hears none.

FRENCH SPOLIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law, in lieu of former findings withdrawn, filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel schooner *Hope*, Ephraim Hutchins or Abel Nutt, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law and the opinion of the court filed under the act of January 20, 1885, in the French spoliation claims set out in the findings by the court relating to the vessel ship *Tom*, John Bailey, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 1487) creating an additional land office in the State of North Dakota; and

A bill (S. 4387) to authorize the Chicago, St. Louis and New Orleans Railroad Company to construct a bridge across the Tennessee River near Gilbertsville, Ky.

The message also announced that the House had passed the following bills and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 199) for the relief of John H. McLaughlin;

A bill (H. R. 2009) for the relief of the estate of Sven J. Johnson;

A bill (H. R. 2010) for the relief of the heirs of John A. Dolan;

A bill (H. R. 2193) for the relief of David Tweed;

A bill (H. R. 2591) for the relief of W. S. Feland, late deputy collector, second Kentucky district;

A bill (H. R. 3256) directing the issue of a check in lieu of a lost check drawn by Thomas J. Hobbs, disbursing clerk, in favor of Crane & Co., of Dalton, Mass.;

A bill (H. R. 3393) for the relief of the Columbian Brewing Company, of Shenandoah, Pa.;

A bill (H. R. 4407) authorizing the Secretary of the Treasury to defray the expenses of contestant in the contest entitled "Koonce against Grady;"

A bill (H. R. 4570) to provide an American register for the steamer *Beaumont;*

A bill (H. R. 4573) for the relief of Eugene Patenaude;

A bill (H. R. 4637) authorizing and directing the Secretary of the Treasury to pay to James L. Anderson the sum of $598.28;

A bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore;

A bill (H. R. 6937) for the relief of the estate of Elizabeth S. Cushing;

A bill (H. R. 6984) for the relief of Kate R. Sharretts and Edward A. Sharretts, administrators of George E. W. Sharretts;

A bill (H. R. 7190) for the relief of the Bank of North Wilkesboro;

A bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district;

A bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson;

A bill (H. R. 8505) for the relief of the estate of Cyrus D. Hottenstein, deceased;

A bill (H. R. 9457) for the relief of Alexander S. Rosenthal;

A bill (H. R. 10058) for the relief of Kirby Thomas;

A bill (H. R. 10511) for the relief of the estate of Mary Keating;

A bill (H. R. 10516) for the relief of Edward J. Farrell;

A bill (H. R. 10688) for the relief of Johann A. Killian;

A bill (H. R. 10891) for the relief of Julius A. Kaiser;

A bill (H. R. 10925) directing the issue of a check in lieu of a lost check drawn in favor of the Pittsburg Shear, Knife and Machine Company, now the Heppenstall Forge and Knife Company, of Pittsburg, Pa.;

A bill (H. R. 11178) for the relief of Miss Lelia G. Cayce;

A bill (H. R. 11337) for the relief of G. H. Dearen;

A bill (H. R. 11928) for the relief of James T. Kilbreth, George R. Bidwell, and Nevada N. Stranahan, as collectors of customs for the district and port of New York; and

A joint resolution (H. J. Res. 118) authorizing the Secretary of the Interior to use $5,000 of the amount appropriated by the act approved February 18, 1904 (Public No. 22), for clerical work and labor connected with the sale and leasing of Creek lands and the leasing of Cherokee lands in the Indian Territory.

PETITIONS AND MEMORIALS.

Mr. CULLOM presented petitions of sundry citizens of Cedarville, Colfax, Houston, Foosland, Sullivan, and Loami; of the congregation of the United Brethren Church of Bureau County, and of the Woman's Christian Temperance Union of Edgar, all in the State of Illinois, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. GALLINGER presented a petition of the congregation of the First Congregational Church of Nashua, N. H., praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which was referred to the Committee on the Judiciary.

He also presented the petition of George C. Hale, of Boscawen, N. H., and a petition of sundry citizens of Concord, N. H., praying for the enactment of legislation to increase the salary of rural free-delivery mail carriers; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. QUAY presented a petition of Local Post No. 625, Department of Pennsylvania, Grand Army of the Republic, of Homestead, Pa., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented a petition of the Philadelphia Maritime Exchange, of Philadelphia, Pa., praying that an appropriation be made for the completion of the easterly shore arm breakwater at Point Judith, R. I.; which was referred to the Committee on Commerce.